

# City of Kelowna Public Hearing AGENDA



Tuesday, March 26, 2013  
6:00 pm  
Council Chamber  
City Hall, 1435 Water Street

Pages

## 1. Call to Order

THE CHAIR WILL CALL THE HEARING TO ORDER:

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

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

(c)All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public.The correspondence and petitions received after March 12, 2013(date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

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

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

2. Notification of Meeting

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

3. The Mayor will provide comment on procedures for each bylaw submission.

4. Individual Bylaw Submissions

4.1 Bylaw No. 10816 - Text Amendment Application No. TA13-0003 - Text Amendments to Zoning Bylaw No. 8000

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To update and clarify regulations relating to Parking standards, Multi-Family Low Density Residential Housing and Medium Density Multi-Family Housing.

4.2 Bylaw No. 10817 - Official Community Plan Bylaw Amendment Application No. OCP12-0006, Bylaw No. 10812 - Text Amendment Application No. TA12-0007 and Bylaw No. 10818 - Rezoning Application No. Z12-0039 - 3787, 3791 and 3795 Lakeshore Road

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To consider an Official Community Plan amendment to expand the Mixed Use Tourism designation, add the Multiple Unit Residential - High Density designation, expand the Multiple Unit Residential - Medium Density designation and remove the Multiple Unit Residential - Low Density designated area in order to accommodate the proposed development scheme. A Text Amendment is required to add the proposed CD24 - Comprehensive Development 24 zone to Zoning Bylaw No. 8000. Accordingly, the applicant is proposing that the subject properties be rezoned to the newly created CD24 - Comprehensive Development zone in order to accommodate the development of a large scale, mixed-use development project. An overarching Form and Character Development Permit for the entire site will be forwarded to Council at a later date. These planning and design principles, including landscaping, open space and architectural guidelines, have been proposed to ensure that the 7.2ha development proceeds in a cohesive and integrated manner. Conceptually, the site is envisioned to have 19 buildings ranging from 3.5 to 11 storeys in height. Once the parent parcels have been subdivided and rezoned, individual Form and Character Development Permits will be required for each development phase.



5. Termination

6. Procedure on each Bylaw Submission

(a) Brief description of the application by City Staff (Land Use Management);

(b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.

(c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.

(d) The Chair will call for representation from the public in attendance as follows:

(i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.

(ii) The Chair will recognize ONLY speakers at the podium.

(iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.

(e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.

(f) Questions by staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.

(g) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. The computer and ELMO document camera at the public podium are available. Please ask staff for assistance prior to your item if required.

# REPORT TO COUNCIL



**Date:** February 25, 2013

**To:** City Manager

**From:** Land Use Management, Community Sustainability (RS)

**Application:** TA13-0003                      **Applicant:** City of Kelowna

**Subject:** Text Amendments to Zoning Bylaw No. 8000

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## 1.0 Recommendation

THAT Zoning Bylaw Text Amendment No. TA13-0003 to amend City of Kelowna Zoning Bylaw No. 8000, as outlined in Schedule 'A' of the report of the Land Use Management Department dated February 25, 2013 be considered by Council;

AND THAT Zoning Bylaw Text Amendment No. TA13-0003 be forwarded to a Public Hearing for further consideration.

## 2.0 Purpose

To update and clarify regulations relating to Parking standards, Multi-Family Low Density Residential Housing and Medium Density Multi-Family Housing.

## 3.0 Land Use Management

This package of text amendments is the first step in a larger review relating to the functionality of the Official Community Plan and the Zoning Bylaw. The goal of this review is to refocus both documents to ensure that the Official Community Plan functions as a policy document that presents a long term vision for development while the Zoning Bylaw is structured to guide, incent and regulate the implementation of the vision. To achieve this end, it is expected that additional changes to both documents will follow later this year.

The proposed amendments to Zoning Bylaw No.8000 are the result of consultation with the development community and a review of recent development applications that have triggered variances to the Zoning Bylaw. Many of the proposed amendments are specifically targeted to update parts of the bylaw commonly varied by applicants during the development process. The overall goal is to improve the performance of the bylaw, and encourage more creativity and quality in the built form of development.

As part of this application, staff have consulted with, and received support from internal stakeholders and UDI.

Should Council support these proposed amendments, staff plan to communicate the bylaw updates to the development community via email bulletin to both UDI and CHBA. In addition, a letter/email will be sent to all in-stream applicants whose projects may benefit from the

amendments. It is intended that the new regulations be applied immediately after adoption by Council.

#### **4.0 Proposal**

Based on feedback from the development community and best practices research, staff is proposing amendments to Zoning Bylaw No.8000 that will impact:

1. Setbacks from Provincial Highways
2. Mechanical Equipment Setbacks in the RU2/RU3 zones
3. Parking requirement calculations and parking stall sizing
4. Density, Setbacks and Site Coverage in the RM2, RM3 and RM5 zones

##### **Setbacks from Provincial Highways**

-Reduce building setback from 15m to 4.5m outside of Urban Centers. The proposed change will align the City Zoning Bylaw with the less restrictive Ministry of Transportation regulation. The change will reduce the number of Development Variance Permits processed by staff and benefit customers. (Schedule “A” Amendment No.1)

##### **Mechanical Equipment Setbacks in the RU2/RU3 zone**

-Reduce from 1m to 0.2m to allow for the placement of mechanical equipment in the side yards rather than front/rear yards. Both zones have side yard setbacks which make it very difficult for homeowners to locate their heat pumps and air conditioning units in a location which is cost effective, visually sensitive and meets the Zoning Bylaw. While the reduced setback will make for more practical site planning, it should only have a minimal impact on noise as the reduction is only 0.8m in size. (Schedule “A” Amendment No.3)

While amendments #1 & #2 are housekeeping in nature, #3 & #4 are more substantial.

##### **Parking**

The proposed amendments include:

-The addition of a ‘compact car/motorcycle’ parking stall size. This update recognizes the much smaller stall sizes that can be used to accommodate compact/small cars.(Schedule “A” Amendment No.5)

-Parking stall size requirements being grouped together and clarified in 1 table for ease of use. At present, parking stall size requirements are described in text and can be unclear. The proposed adjustment to a table format will provide greater clarity for the purposes of interpretation. (Schedule “A” Amendment No.5)

-Clarification of permitted parking stall size breakdown by land use. The Zoning Bylaw does not currently allow ‘compact car/motorcycle stalls’ to count towards conformance of a development. The proposed amendment will allow ‘compact car/motorcycle stalls’ to count towards the total required parking stalls in Multi-family, Commercial and Institutional zones. (Schedule “A” Amendment No.6)

**Multi-Family Residential Zones (RM2/RM3/RM5 zones)**

Proposed Amendments include:

-Updated Subdivision Regulations in RM2 and RM3 zones to allow the Fee Simple Subdivision of Row Housing. Updated subdivision regulations clarify the requirements to subdivide a row-house or townhouse development for fee simple land tenure. (Schedule “A” Amendment No.7 and 13)

-Reduced building setbacks from streets for ground oriented housing (front doors facing public street) in the RM2, RM3 and RM5 zones. The proposed setback amendments will encourage development to be oriented toward the pedestrian realm (fronting streets). The front and flanking side yard setback are being reduced from 4.5m to 1.5m in the RM2 and RM3 zones and from 6.0m to 1.5m in the RM5 zone. The lesser setback in the RM5 zone will be offset with a mandatory building setback above 2.5 storeys in height. (Schedule “A” Amendments No.10, 11,16,17)

-Reduced rear yard setback from public lanes in RM3 zone and reduce rear yard setback for projecting parkade structures in RM5 zone. Proposed rear yard setback for development in the RM3 zone reduced from 7.5m to 3.0m where development is adjacent to a laneway. This change will improve site design options for urban townhouse projects. The proposed rear yard setback reduction in the RM5 zone from 9.0m to 1.5m is targeted at portions of parkade no higher than 2.0m above grade. This reduction will improve site design options and reduce the need for development variance permits on many RM5 sites. (Schedule “A” Amendments No.18 and 24)

-Increased base density in RM2 zone. The proposed base density increase (0.5 FAR existing and 0.65 FAR proposed) was considered by staff after discussions with local stakeholders in the development industry and some analysis of past use of the RM2 zone. It was reported that the base density in the RM2 and RM3 zones is insufficient for many developers which has led to applications for higher density zones (allowing undesirable forms of housing). The proposed density increase should encourage local developers to use the RM2 and RM3 zones in the appropriate neighborhood and future land use context. Council recently considered a change to the density bonus structure in the RM3 zone which implemented the density bonus structure listed above in advance of this report to coincide with a related development proposal. (Schedule “A” Amendment No.8)

-Density bonus in RM2, RM5 zones for development located in an Urban Centre. The proposed bonus structure creates an incentive for developers to see appropriately designated land for low density multi-family development in the City’s Urban Centre areas. The bonus allows for an additional 0.1 FAR (RM2) and 0.2 FAR (RM5) to be added to the existing base densities (0.65 RM2 and 1.1 RM5) of the zones. This type of incentive directly supports the Official Community Plan Development/Growth Management policies listed in the section below. (Schedule “A” Amendments No.8 and 19)

-Height increase in the RM3 zone to 3 storeys (2.5 storeys existing) and in the RM5 zone to 4.5 storeys (4 storeys existing). The proposed height increases in both zones will reduce the need for Development Variance Permit applications triggered by site specific development constraints (such as high water tables). The increased height in the RM3 zone will be mitigated by a step down requirement where buildings in the RM3 zone abuts land with much lower development potential (ex. Single Family zoned land). The rationale for the height increase that is proposed in the RM5 zone is the same as that for the RM3 zone; however, because RM5 style development generally occurs adjacent to land that will also develop to a higher density in the future, a step down in building is not practical. (Schedule “A” Amendments No.15 and 21)

-Site coverage in the RM2, RM3 and RM5 zones updated to acknowledge permeable parking surfaces and to provide small increase in base site coverage. The site coverage permitted in the 3 zones listed above has been modified to recognize permeable type pavements in site coverage calculation. In addition, a performance bonus has also been added to give a site coverage bonus to developments that provide private open space in the development beyond the bylaw requirement. The result of these alternative methods of achieve site coverage will be two alternative mechanisms that will allow developers to avoid variances to the old bylaw requirements. Both alternatives have onsite benefits. The additional private open space will benefit the future residents on the site while permeable pavements types are more environmentally friendly. (Schedule “A” Amendments No.2,9, 14, 20)

## **5.0 Current Development Policies**

### **5.1 Kelowna Official Community Plan (OCP) Development Process Policies:**

Complete Suburbs: Support a mix of uses within Kelowna’s suburbs, in accordance with ‘Smart Growth’ principles to ensure complete communities<sup>1</sup>.

Compact Urban Form: Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns<sup>2</sup>.

#### Economic Development Policies:

Sustainable Prosperity: Assign priority to supporting the retention, enhancement and expansion of existing businesses and post secondary institutions and the attraction of new businesses and investment identified as bringing sustainable prosperity to Kelowna<sup>3</sup>.

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<sup>1</sup> City of Kelowna Official Community Plan, Objective No.5.1, Chapter 5

<sup>2</sup> City of Kelowna Official Community Plan, Objective 5.3, Chapter 5

<sup>3</sup> City of Kelowna Official Community Plan, Objective 8.1, Chapter 8

## **6.0 Application Chronology**

Application Initiated: February 7, 2013

### **Report prepared by:**

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Ryan Smith, Acting Manager, Urban Land Use

### **Approved for Inclusion:**



Doug Gilchrist, Acting General Manager Community Sustainability

### **Attachments:**

Schedule 'A' - Summary of Proposed Text Amendments

# Report to Council



**Date:** March 13, 2013  
**Rim No.** 0600-10  
**To:** City Manager  
**From:** City Clerk  
**Subject:** Amendment of Bylaw No. 10816 (TA13-0003) and to rescind of Bylaw No. 10808 (TA13-0002)  
Report Prepared by: C. Boback, Legislative Coordinator

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## **Recommendation:**

THAT Council receives for information the Report from the City Clerk dated March 13, 2013 with respect to rescinding Bylaw No. 10808 (TA13-0002) and amending Bylaw No. 10816 (TA13-0003);

AND THAT Bylaw No. 10808 for Text Amendment Application No. TA13-0002 be forwarded for rescindment consideration;

AND FURTHER THAT Bylaw No. 10816 for Text Amendment No. TA13-0003 be forwarded for amendment at first reading.

## **Purpose:**

To consider combining the two text amendment bylaws into one text amendment bylaw.

## **Background:**

Staff proposed to amend the RM-3 Low Density Multiple Housing Zone along with the Brookside rezoning application. As the Brookside application was withdrawn from the March 12 public hearing at the request of the applicant, staff recommends the proposed RM-3 changes be added to the broader Zoning Bylaw text amendment considered by Council March 11.

This requires the merging of the two text amendment bylaws into one. The amendments in Bylaw 10816 will be considered at the March 26, 2013 Public Hearing.

## **Considerations not applicable to this report:**

Internal Circulation:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:  
Financial/Budgetary Considerations:  
Personnel Implications:  
External Agency/Public Comments:  
Communications Comments:  
Alternate Recommendation:

Submitted by:

S. Fleming, City Clerk

cc: Manager, Urban Land Use



## Schedule "A" – Text Amendment No. TA13-0003

<b>Zoning Bylaw No. 8000</b>				
<b>No.</b>	<b>Section</b>	<b>Existing Text</b>	<b>Proposed Text</b>	<b>Rational</b>
		<b>General Updates</b>		
1	6.10	All <b>buildings</b> and <b>structures</b> on <b>lots abutting</b> Highway 97 or Highway 33, shall not be closer than 15.0 m to the Highway, except where located in an urban centre, it may be no closer than 4.5 m.	All <b>buildings</b> and <b>structures</b> on <b>lots abutting</b> Highway 97 or Highway 33, shall not be closer than 4.5m to any lot line abutting the highway.	Update as per Ministry of Transportation standards.
2	2.3.3	N/A	<b>Permeable drive surfaces and parking</b> means pavement with a base and sub-base that allows the movement of storm water through the surface (includes: pervious concrete, porous asphalt, paving stones or concrete or plastic-based pavers). The use of this drive-surface treatment may be restricted from use on primary fire truck access routes.	Add definition for permeable drive surfaces and parking.
3	6.5 (c)	mechanical equipment shall be located to comply with the <b>side yard</b> setback for an <b>accessory building or structure</b> .	Mechanical equipment shall be located to comply with the <b>side yard</b> setback for an <b>accessory building or structure</b> in all residential zones with the exception of the RU3 and RU3h zones. The minimum side yard setback for mechanical equipment (air conditioning units and heat pumps) in the RU2, RU3 zones is 0.2m.	Resolve site planning and construction issue for small lot housing developments.
		<b>Parking Regulations</b>		
4	8.1.11	Size  Each required off-street parking space shall conform to the following provisions:	Size and Ratio  Each required off-street parking space and parking lot layout shall conform to the following provisions:	Clarify all parking stall sizes in a format which is easy to use.

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8.1.11  
(a)

Except as provided below, each required off-street **parking space** shall be a minimum of 2.5 m in width with a minimum clear length of 6.0 m exclusive of access drives or aisles, ramps, columns. Parking spaces shall have a vertical **clearance** of at least 2.0 m. For parallel parking, the length of the **parking spaces** shall be increased to 7.0 m, except that an end space with an open end shall be a minimum of 5.5 m. For **parking spaces** other than parallel **parking spaces**, up to 40% of the required **parking spaces** may be of a length shorter than that required above, to a minimum of 5.0 m.

	Length	Width	Height
a) Full Size Vehicle Parking space	6.0m	2.5m	2.0m
b) Medium Size Vehicle Parking Space	4.8m	2.3m	2.0m
c) Compact Vehicle/Motorcycle Parking Space	3.4m	2.0m	2.0m
d) Regular Parallel parking space	7.0m	2.6m	2.0m
e) Small Parallel Parking Space	6.7m	2.3m	2.0m
f) Boat Launch Parking Space	12.0m	3.0m	2.0m
g) Parking for persons with disabilities	6.0m	3.7m	2.0m
h) All two-way drive aisles serving 90 degree parking (parking lot/parkade).		7.0m	2.0m
i) All two-way surface drive aisles in residential strata developments		6.0m	
j) One way drive aisles (60 degree parking)		5.5m	2.0m
k) One way drive aisles (45 degree parking)		3.6m	2.0m
l) Where the use of a parking space is limited on both sides by a wall or a column		3.0m (unobstructed with from face to face of column)	2.0m
m) Where the use of a parking space is limited on one side by a wall or column		2.7m (or 3.0m if a door opens into that one side)	2.0m
n) Where a building door opens into the parking space on its long side.		3.3m (unobstructed width)	2.0m

\*Note: Length, width and height measurements must be clear of obstructions (access aisles, ramps, columns). Spacing measurements shall be taken from the inside to inside of columns.

6	8.1.11 (b)	Where the <b>use</b> of a <b>parking space</b> is limited on both sides by a wall or a column, the unobstructed width from face to face of the obstructions shall be 3.0m, and if in this case, a <b>building</b> door opens into the <b>parking space</b> on its long side, the unobstructed width shall be 3.3 m. Where the <b>use</b> of a <b>parking space</b> is limited to one side by a wall or a column, the unobstructed width of the <b>parking space</b> shall be 2.7 m, and if in this case, a <b>building</b> door opens into the <b>parking space</b> on its long side, the unobstructed width shall be 3.0 m.	<table><tr><th>Parking Stall Type Ratio By Use:</th><th>Full Size Vehicle Parking Stalls</th><th>Medium Size Vehicle Parking Stalls</th><th>Compact Car/Motorcycle Parking Stalls</th></tr><tr><td>Single Family Residential</td><td>50% Minimum</td><td>50% Maximum</td><td>0%</td></tr><tr><td>Carriage House</td><td></td><td>Medium Car Stall is minimum requirement</td><td></td></tr><tr><td>Multi-Family Town house/Row House</td><td>50% Minimum</td><td>50% Maximum</td><td>0%</td></tr><tr><td>Multi-family Residential</td><td>50%</td><td>40%</td><td>10%</td></tr><tr><td>Commercial</td><td>50%</td><td>40%</td><td>10%</td></tr><tr><td>Industrial</td><td>70%</td><td>30%</td><td>0%</td></tr><tr><td>Institutional</td><td>50%</td><td>40%</td><td>10%</td></tr></table>	Parking Stall Type Ratio By Use:	Full Size Vehicle Parking Stalls	Medium Size Vehicle Parking Stalls	Compact Car/Motorcycle Parking Stalls	Single Family Residential	50% Minimum	50% Maximum	0%	Carriage House		Medium Car Stall is minimum requirement		Multi-Family Town house/Row House	50% Minimum	50% Maximum	0%	Multi-family Residential	50%	40%	10%	Commercial	50%	40%	10%	Industrial	70%	30%	0%	Institutional	50%	40%	10%	Update and clarify parking stall mix requirements for all types of development. Addition of 'smart car/motorcycle category.
	Parking Stall Type Ratio By Use:	Full Size Vehicle Parking Stalls	Medium Size Vehicle Parking Stalls	Compact Car/Motorcycle Parking Stalls																																
	Single Family Residential	50% Minimum	50% Maximum	0%																																
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	Multi-family Residential	50%	40%	10%																																
	Commercial	50%	40%	10%																																
	Industrial	70%	30%	0%																																
	Institutional	50%	40%	10%																																

		RM2 Zone Updates		
7	13.8.5 (d)	No existing text.	<p>A <b>row-house</b> development in this zone may be subdivided into lots smaller than the subdivision regulations listed above provided that:</p> <p>i) Party Wall Agreement is registered on title and  ii) The Subdivision occurs in accordance with Preliminary Layout Review Letter issued by the City of Kelowna.  iii) The site is comprehensively developed under a single development permit.</p>	Clarify requirements for the subdivision of fee-simple row housing.
8	13.8.6 (a)	The maximum <b>floor area ratio</b> is 0.5, except it is 0.55 with a housing agreement pursuant to the provisions of Section 6.9. Where screened <b>parking spaces</b> are provided totally under habitable or common amenity areas, the <b>floor area ratio</b> may be increased by 0.08 multiplied by the ratio of such <b>parking spaces</b> to the total required up to a maximum of 0.08.	<p>The maximum site <b>floor area ratio</b> is 0.65.</p> <p>Where at least 50% of <b>parking spaces</b> are provided totally under habitable areas, common amenity areas or in garages/carports, the site <b>floor area ratio</b> may be increased by 0.05.</p> <p>The site floor area ratio may be increased by a further 0.1 for a development constructed in an Urban Centre (as defined by Kelowna's Official Community Plan).</p>	<p>Density increase of 0.15 to RM2 zone.</p> <p>Affordable housing density bonus removed.</p> <p>Density bonus for development in an Urban Centre added.</p> <p>New calculation - density bonus for parking.</p>
9	13.8.6 (b)	The maximum <b>site coverage</b> is 45%, provided that the maximum <b>site coverage</b> of <b>buildings</b> , driveways, and parking areas is 50%.	<p>The maximum <b>site coverage</b> is 50%,</p> <p>The maximum <b>site coverage</b> of <b>buildings</b>, driveways, and parking areas is 55%. This may be increased by 5% (to a maximum of 60%) for <b>permeable drive surfaces and parking</b>.</p>	<p>Increase in building site coverage.</p> <p>Recognition of permeable/green paving products in site coverage calculation.</p>

10	13.8.6 (d)	<p>The minimum <b>site front yard</b> is 4.5m. except it is 6.0m for a garage or <b>carport</b>. In RM2h zones, the minimum <b>site front yard</b> is 3.0m except it is 6.0m measured from the back of curb or a sidewalk, whichever is closest, to a garage or <b>carport</b> having vehicular entry from the front.</p>	<p>The minimum <b>site front yard</b> is 1.5m for ground-oriented housing with a front door facing the street. In any other circumstance, the site front yard is 4.5m or 6.0m for a garage or carport.</p> <p>In RM2h zones, the minimum <b>site front yard</b> is 3.0m from a <b>flanking street</b> except it is 6.0m measured from the back of curb or a sidewalk, whichever is closest, to a garage or <b>carport</b> having vehicular entry from the front.</p>	Updated front yard setback to incentivize street/pedestrian oriented housing forms.
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11	13.8.6(e)	<p>The minimum <b>site side yard</b> is 4.0m for a 1 or 1½ <b>storey</b> portion of a <b>building</b> or accessory <b>building</b> or <b>structure</b> and 4.5m for a 2 or 2 ½ <b>storey</b> portion of a <b>building</b> except it is 4.5 from a <b>flanking street</b> unless there is a garage it shall be 6.0m. In RM2h zones, the minimum <b>site side yard</b> shall be 3.0m except it is 6.0m measured from the back of curb or sidewalk, whichever is closest, to a garage or <b>carport</b> having vehicular entry from the front. Where there is no direct vehicular access to the <b>rear yard</b> or to an attached garage or <b>carport</b>, one <b>site side yard</b> shall be at least 3.0m.</p>	<p>The minimum <b>site side yard</b> is 4.0m. From a <b>flanking street</b> the side yard setback is 4.5m except it may be reduced to 1.5m for ground-oriented housing with a front door facing that street (front doors may face either the fronting or flanking street). The site side yard to a garage or carport is 6.0m.</p> <p>In RM2h zones, the minimum <b>site side yard</b> from a <b>flanking street</b> shall be 3.0m except it is 6.0m measured from the back of curb or sidewalk, whichever is closest, to a garage or <b>carport</b> having vehicular entry from the front.</p> <p>Side yard setbacks are not required on a lot line that has a party wall.</p>	<p>Updated side yard setbacks to incentivize street/pedestrian oriented housing forms.</p> <p>Allow a zero internal side yard setback for party walls falling on lot lines.</p>
12	13.8.7(a)	<p>No more than 6 <b>dwellings</b> may be located in a building.</p>	<p>No more than 6 <b>dwellings</b> may be located in a building in the RM2h zone.</p>	<p>Update restriction on number of units per building to be hillside specific.</p>

		N/A	Where the <b>development</b> has access to a rear <b>lane</b> , vehicular access to the <b>development</b> is only permitted from the rear <b>lane</b> , except in <b>hillside areas</b> where the topography would require the slope of such access to exceed 15%.	Add rear lane access requirement.
		<b>RM3 Zone Updates</b>		
13	13.9.5(d)	No existing text.	A development in this zone may be subdivided into lots smaller than the subdivision regulations listed above provided that:  i) Party Wall Agreement is registered on title and ii) The Subdivision occurs in accordance with Preliminary Layout Review Letter issued by the City of Kelowna. iii) The site is comprehensively developed under a single development permit.	Clarify requirements for the subdivision of fee-simple row housing.
14	13.9.6 (b)	The maximum <b>building site coverage</b> is 40%, provided that the maximum <b>site coverage</b> of <b>buildings</b> , driveways, and parking areas is 50%.	The maximum <b>building site coverage</b> is 40% but may be increased to a maximum of 50% if <b>private open space</b> for each unit can be provided on a deck, patio, balcony or rooftop deck which exceeds the bylaw requirement by 10%.  The maximum <b>site coverage</b> of <b>buildings</b> , driveways, and parking areas is 60%. This may be increased by 5% (to a maximum of 65%) for <b>permeable drive surfaces and parking</b> .	Increase in building site coverage.  Recognition of permeable/green paving products in site coverage calculation.
15	13.9.6 (c)	The maximum <b>height</b> is the lesser of 9.5 m or 2½ <b>storeys</b> , except it is 4.5 m for accessory <b>buildings</b> and <b>structures</b> .	The maximum <b>height</b> is the lesser of 10m or 3 <b>storeys</b> , except it is 4.5 m for accessory <b>buildings</b> and <b>structures</b> .  Any portion of a building within 7.5m of an abutting <b>lot</b> with a Single/Two Unit, Resource Protection Area, or Hillside Residential designation in the City's Official Community Plan must not be greater than 9.5m or 2 ½ <b>storeys</b> in height.	½ Storey height increase for townhouse development in order to reduce the number of variances requested and support a desirable form of housing.
16	13.9.6 (d)	The minimum <b>site front yard</b> is 4.5 m, except it is 6.0 m for a garage or <b>carport</b> .	The minimum <b>site front yard</b> is 1.5m for ground-oriented housing with a front door facing the street. In any other circumstance, the site front yard is 4.5m or 6.0m for a garage or carport.	Updated front yard setbacks to incentivize street/pedestrian oriented housing forms.

17	13.9.6 (e)	<p>The minimum <b>site side yard</b> is 4.0 m for a 1 or 1½ <b>storey</b> portion of a <b>building</b> or an accessory <b>building</b> or <b>structure</b> and 4.5 m for a 2 or 2½ <b>storey</b> portion of a <b>building</b>, except it is 4.5 m from a <b>flanking street</b> unless there is a garage accessed from the <b>flanking street</b>, it is 6.0 m. Where there is no direct vehicular access to the <b>rear yard</b> or to an attached garage or <b>carport</b>, one <b>site side yard</b> shall be at least 3.0 m. Side <b>yards</b> are not required on a <b>lot line</b> that has a <b>party wall</b>.</p>	<p>The minimum <b>site side yard</b> is 4.0m. From a <b>flanking street</b> it is 4.5m except it may be reduced to 1.5m from a <b>flanking street</b> for ground-oriented housing with a front door facing that street. The <b>site side yard</b> to a garage or carport is 6.0m. The minimum site side yard from a public lane is 1.2m.</p> <p>Where there is no direct vehicular access to the <b>rear yard</b> or to an attached garage or <b>carport</b>, one <b>site side yard</b> shall be at least 3.0m.</p> <p>Notwithstanding 13.9.6(g), side yards are not required on a lot line that has a party wall.</p>	<p>Updated side yard setbacks to incentivize street/pedestrian oriented housing forms.</p>
18	13.9.6 (f)	<p>The minimum <b>site rear yard</b> is 7.5 m, 4.5 m for common recreation <b>buildings</b>, and 1.5 m for other accessory <b>buildings</b>.</p>	<p>The minimum <b>site rear yard</b> is 7.5 m, except that it may be reduced to 3.0m from a public lane.</p> <p>The <b>site rear yard</b> is 4.5 m for common recreation <b>buildings</b>, and 1.5 m for other accessory <b>buildings</b>.</p>	<p>Reduced rear yard setback for development adjacent to a public lane. This will improve site design options on urban townhouse sites.</p>



		RM5 Zone Updates		
19	13.11.6 (a)	<p>The maximum <b>floor area ratio</b> is 1.1, except it is 1.2 with a housing agreement pursuant to the provisions of Section 6.9. Where <b>parking spaces</b> are provided totally beneath habitable space of a principal <b>building</b> or beneath <b>useable</b> common amenity areas providing that in all cases, the <b>parking spaces</b> are screened from view, an amount may be added to the <b>floor area ratio</b> equal to 0.2 multiplied by the ratio of such <b>parking spaces</b> to the total required <b>parking spaces</b>, but in no case shall this amount exceed 0.2.</p>	<p>The maximum <b>floor area ratio</b> is 1.1</p> <p>Where the required <b>parking spaces</b> (excluding visitor stalls) are provided totally beneath habitable space of a principal <b>building</b> or beneath <b>useable</b> common amenity areas providing that in all cases, the <b>parking spaces</b> are screened from view, the <b>floor area ratio</b> may be increased by the percentage of required parking provided under the building to a maximum net floor area for the zone of 1.2.</p> <p>The floor area ratio may be increased by a further 0.2 for a development constructed in an Urban Centre (as defined by Kelowna's Official Community Plan).</p>	<p>Based density remains unchanged.</p> <p>Density bonus for parking beneath habitable space updated and clarified.</p> <p>Density bonus for development in an Urban Centre added.</p>
20	13.11.6 (b)	<p>The maximum <b>site coverage</b> is 40%, provided that the maximum <b>site coverage of buildings, driveways, and parking areas</b> is 60%.</p>	<p>The maximum <b>site coverage</b> is 40%.</p> <p>This may be increased to 50% if the developer can achieve additional <b>private open space</b> (a minimum of 20% on top of the bylaw requirement) within the footprint of the building.</p> <p>The maximum <b>site coverage of buildings, driveways, and parking areas</b> is 65%. This may be increased by 5% (to a maximum of 70%) for <b>permeable drive surfaces and parking</b>.</p>	<p>Increase in building site coverage.</p> <p>Recognition of permeable/green paving products in site coverage calculation.</p> <p>Incent the provision of private open space within the building envelope.</p>

21	13.11.6 (b)	The maximum <b>height</b> is the lesser of 16.5 m or 4 <b>storeys</b> , except it is 4.5 m for accessory <b>buildings</b> and <b>structures</b> .	The maximum <b>height</b> is the lesser of 18.0 m or 4.5 <b>storeys</b> , except it is 4.5 m for accessory <b>buildings</b> and <b>structures</b> .	Increase to maximum height to reduce the need for variances generated in areas where the high water table makes underground parking impractical.
22	13.11.6 (d)	The minimum <b>site front yard</b> is 6.0 m.	The minimum <b>site front yard</b> is 6.0 m.  The <b>site front yard</b> for ground-oriented housing with a front door facing the street may be reduced to 1.5m for portions of a <b>building</b> not over 2½ <b>storeys</b> developed. Where the <b>site front yard</b> has been reduced below 6.0m for ground-oriented housing any portion of a <b>building</b> in excess of 2½ <b>storeys</b> must meet the 6.0m <b>site front yard</b> .	Updated front yard setbacks to incentivize street/pedestrian oriented housing forms.
23	13.11.6 (e)	The minimum <b>site side yard</b> is 4.5m for a portion of a <b>building</b> not over 2½ <b>storeys</b> , and 7.5m for portions of a <b>building</b> in excess of 2½ <b>storeys</b> , and 7.5 m from a <b>flanking street</b> .	The minimum <b>site side yard</b> is 4.5m for a portion of a <b>building</b> not over 2½ <b>storeys</b> , and 7.0m for portions of a <b>building</b> in excess of 2½ <b>storeys</b> . The site side yard to a <b>flanking street</b> is 6.0 m but may be reduced to 1.5m for ground-oriented housing with a front door facing the street. Where the <b>site side yard</b> has been reduced below 6.0m for ground-oriented housing any portion of a <b>building</b> in excess of 2½ <b>storeys</b> must meet the 6.0m <b>site side yard</b> .	Updated side yard setbacks to incentivize street/pedestrian oriented housing forms.
24	13.11.6 (f)	The minimum <b>site rear yard</b> is 9.0 m, except it is 7.5 m where there is a rear <b>lane</b> . It is 6.0 m for accessory <b>buildings</b> .	The minimum <b>site rear yard</b> is 9.0 m, except it is 7.0 m where there is a rear <b>lane</b> . For portions of a parkade with <b>lane</b> access which do not project more than 2.0m above natural grade, the <b>site rear yard</b> is 1.5m.  The <b>site rear yard</b> is 6.0 m for accessory <b>buildings</b> . The site rear yard for carport structures is 1.5m.	Reduced rear yard setback for development adjacent to a public lane. This will improve site design options on urban development sites.

25	13.11.7 (b)	No continuous <b>building frontage</b> shall exceed 40.0 m for a 3 or 4 <b>storey building</b> , nor 65.0 m for a 2 <b>storey building</b> . If the <b>frontage</b> is interrupted by an open courtyard equivalent in depth and width to the <b>building height</b> , the maximum continuous 3 <b>storey building frontage</b> may be 80.0 m provided that no <b>building</b> section exceeds 40.0 m. The <b>building</b> must be designed so the portion <b>adjacent</b> to neighbouring <b>development</b> is no more than ½ <b>storey</b> higher.	A continuous <b>building frontage</b> shall not exceed 100 metres in length, and must be designed with appropriate architectural breaks or relief where the length of the building exceeds 37 metres.	Simplify existing clause based on development industry feedback.
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**URBAN DEVELOPMENT INSTITUTE- OKANAGAN CHAPTER**

300 – 1708 Dolphin Avenue  
Kelowna, BC V1Y 9S4 Canada  
T. 778.478.9649 F. 778.478.0393  
[udiokanagan@udi.org](mailto:udiokanagan@udi.org)  
[www.udi.bc.ca](http://www.udi.bc.ca)

February 18, 2013  
City of Kelowna  
1435 Water Street  
Kelowna, B.C.  
V1Y 1J4

**Attention: Mr. Ryan Smith**

**Subject: Letter of Support - Zoning Bylaw Updates**

Dear Mr. Smith:

The Urban Development Institute (UDI) is a national association (with international affiliations) of the development industry and its related professions. The corporate members of the UDI - Okanagan Chapter represent hundreds of individuals involved in all facets of land development and planning, including: developers, property managers, financial lenders, lawyers, engineers, planners, architects, appraisers, real estate professionals, local governments and government agencies.

As a Partner in Community Building, the UDI is committed to working with communities and governments to create and achieve the vision of balanced, well-planned, sustainable and affordable communities.


The UDI is pleased to offer a letter of support for the proposed updates to the City Zoning Bylaw based on changes and clarifications discussed between yourself and UDI representatives. We are comfortable that our concerns have been addressed and the changes and clarifications related to the updated Bylaw that have been discussed include:

- Section 8.1.11 – suggested the City add clarification for a two way driveway on a multi-site can be 6.0 m as long as any parking stalls accessed directly are set back 0.5 m
- Section 13.8.6(b) and other sections that refer to permeable surfaces – clarified that only the additional 5% coverage had to be permeable to get the increase to 60%
- 13.8.6(e) – clarified that the wording for the side yard setback are wrt to a flanking side yard.
- RM3 general – suggested that fee simple subdivision could be an option for a townhouse site (party wall). This would be at the discretion of the Approving officer through a PLR as RM3 sites might not be able to address legal frontage in all cases.
- 13.9.6(c) clarified that the ½ storey increase was suitable for apartment style housing as well as townhouse.
- Minor changes to sections 13.11.6 (b), (e), and (f) were recommended.

We thank you for the effort put in by City staff to recognize the merits of our recommendations and look forward to seeing the revisions adopted.

Kind Regards,

**URBAN DEVELOPMENT INSTITUTE**

Per:   
for Renée Wasylyk  
Okanagan Chapter President

RS/jd

cc: UDI Okanagan Chapter - Board of Directors

# REPORT TO COUNCIL



**Date:** February 15<sup>th</sup>, 2013

**RIM No.** 1250-30

**To:** City Manager

**From:** Land Use Management, Community Sustainability (AW)

**Application:** OCP12-0006 / TA12-0007 / Z12-0039      **Owner:** Westcorp On The Lake Inc.,  
Inc. No. A75763

**Address:** 3787, 3791, 3795 Lakeshore Road      **Applicant:** Westcorp Properties Inc.

**Subject:** OCP Amendment, Text Amendment and Rezoning Applications

**Existing OCP Designation:** Mixed Use Tourism / Multiple Unit Residential - Medium Density /  
Multiple Unit Residential - Low Density / Major Park & Open Space

**Proposed OCP Designation:** Mixed Use Tourism / Multiple Unit Residential - High Density /  
Multiple Unit Residential - Medium Density / Major Park & Open  
Space

**Existing Zone:** C1 - Local Commercial, C9 - Tourist Commercial, RM7 - Mobile Home  
Park and RR3 - Rural Residential 3

**Proposed Zone:** CD24 - Comprehensive Development 24 zone (newly created) &  
P3 - Parks & Open Space

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## 1.0 Recommendation

That OCP Bylaw Amendment No. OCP12-0006 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use Designations for Lot 2, D.L. 134, ODYD, Plan 3420 Except Parcel A (Plan B6180 and Plan H9673), located at 3791 Lakeshore Road; Lot 3, DL 134, ODYD, Plan 3420 Except Plan H9673, located at 3795 Lakeshore Road, and Lot B, D.L. 134, ODYD, Plan 12063 located at 3787 Lakeshore Road, Kelowna B.C. from the Mixed Use Tourism / Multiple Unit Residential - Medium Density / Multiple Unit Residential - Low Density / Major Park & Open Space to the Mixed Use Tourism / Multiple Unit Residential - High Density / Multiple Unit Residential - Medium Density / Major Park & Open Space, as shown on Map "A" attached to the report of the Land Use Management Department, dated February 15th, 2013, be considered by Council;

THAT OCP Text Amendment OCP12-0006 to amend Kelowna 2030 - OCP Bylaw No. 10500, Objective 5.5, Policy .1, Building Height to exclude the development proposed Lot 2, D.L. 134, ODYD, Plan 3420 Except Parcel A (Plan B6180 and Plan H9673), located at 3791 Lakeshore Road; Lot 3, DL 134, ODYD, Plan 3420 Except Plan H9673, located at 3795 Lakeshore Road, and Lot B, D.L. 134, ODYD, Plan 12063 located at 3787 Lakeshore Road, Kelowna B.C. from the 'Elsewhere Building Height' policy in order to permit one 11-storey apartment hotel, one 8-storey and one 9-storey mixed use development and one 9-storey, five 8-storey and two 6-storey residential apartment buildings, where the height maximum is 6 storeys for apartment hotels and hotels and 4 storeys for residential apartments as outlined in the Report of the Land Use Management

Department dated February 15, 2013 be considered by Council;

AND THAT Council considers the APC process and the public open house hosted by the applicant on February 27th, 2013 to be appropriate consultation for the purpose of Section 879 of the Local Government Act, as outlined in the Report of the Land Use Management Department dated February 15th, 2013.

AND THAT Text Amendment No. TA12-0007 to add the proposed CD24 - Comprehensive Development 24 zone to Zoning Bylaw No. 8000 as outlined in Schedule "A" of the Report of the Land Use Management Department dated February 15th, 2013 be considered by Council;

AND THAT Rezoning Application No. Z12-0039 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for a portion of Lot 2, D.L. 134, ODYD, Plan 3420 Except Parcel A (Plan B6180 and Plan H9673), located at 3791 Lakeshore Road; Lot 3, DL 134, ODYD, Plan 3420 Except Plan H9673, located at 3795 Lakeshore Road, and Lot B, D.L. 134, ODYD, Plan 12063 located at 3787 Lakeshore Road, Kelowna B.C. from C1 - Local Commercial, C9 - Tourist Commercial, RM7 - Mobile Home Park and RR3 - Rural Residential 3 to CD24 - Comprehensive Development 24 and P3 - Parks & Open Space as shown on Map "B" attached to the Report of the Land Use Management Department be considered by Council;

AND THAT the OCP Bylaw Amendment Bylaw, the Text Amendment Bylaw and the Zone Amendment Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Zone Amendment Bylaw be considered in conjunction with Council's consideration of a design guidelines Development Permit on the subject properties;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch attached as Schedule 'G' being completed to their satisfaction;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to a blanket Statutory Right of Way being registered on title securing public access through the development;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the submission of a plan of subdivision to consolidate the properties into one title;

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the execution of a Natural Environment Development Permit and a Parks Agreement for the purposes of constructing and maintaining the public trail and Riparian Management Area (RMA) along Wilson Creek to a standard acceptable to the City;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the applicant entering into an agreement for the dedication of approximately 7,536m<sup>2</sup> of land along Wilson Creek to the City as a titled lot, the completion of a Purchase / Sale Agreement with the City for the land required for the Bird Place Bridge footings and for approximately 2,756m<sup>2</sup> of naturalized open space along Wilson Creek secured through a no build / no disturb covenant as shown on Schedule "B";

## 2.0 Purpose

To consider an Official Community Plan amendment to expand the Mixed Use Tourism designation, add the Multiple Unit Residential - High Density designation, expand the Multiple Unit Residential - Medium Density designation and remove the Multiple Unit Residential - Low Density designated area in order to accommodate the proposed development scheme. A Text Amendment is required to add the proposed CD24 - Comprehensive Development 24 zone to Zoning Bylaw No. 8000. Accordingly, the applicant is proposing that the subject properties be rezoned to the newly created CD24 - Comprehensive Development zone in order to accommodate the development of a large scale, mixed-use development project.

An overarching Form and Character Development Permit for the entire site will be forwarded to Council at a later date. These planning and design principles, including landscaping, open space and architectural guidelines, have been proposed to ensure that the 7.2ha development proceeds in a cohesive and integrated manner. Conceptually, the site is envisioned to have 19 buildings ranging from 3.5 to 11 storeys in height. Once the parent parcels have been subdivided and rezoned, individual Form and Character Development Permits will be required for each development phase.

## 3.0 Land Use Management

The applicant has advanced a comprehensively planned development for the subject properties. There are elements of the project that will benefit this mixed use tourism area while there are a few components that do not fit within current City policy. The benefits of the project include the comprehensive planning of the subject properties, design guidelines ensuring consistency and quality, a range of housing options, economic development associated with the proposed boutique hotel and conference centre, an integrated parking plan, linear park expansion and the restoration and rehabilitation of the Wilson Creek Riparian Management Area (RMA). The components that do not fit within the current policy and regulatory framework are related to the increased height and densities being requested by the applicant. On balance, Staff are supportive of the proposed development concept as it fulfils the mixed use tourism objectives, provides a reasonable transition to the adjacent neighbourhoods, provides additional trail linkages and enhances the Wilson Creek RMA.

### Land Use

The applicant has requested a few commercial uses that exceed what would typically be permitted in the C9 zone. While not as extensive as those permitted within the South Pandosy Urban Centre, the proposed land uses exceed what have been permitted in this mixed use tourism node. For example, financial services, health services and retail stores would preferably be located within the South Pandosy Town Centre. However, the applicant has worked with Staff to ease these concerns by limiting the scale of these uses so that they support the project and the immediate area without impacting revitalization efforts underway in the South Pandosy Urban Centre. Otherwise the applicant has committed to a project that includes appropriate tourist commercial uses and a mix of housing types.

### Height

The main impact of the proposal is an overall increase in density and height over the balance of the site. This proposal includes significant hotel, apartment hotel and retail commercial uses in addition to the multiple unit residential units. At 11 storeys, the hotel / apartment hotel component is intended to be higher than what the C9 Tourism Commercial zone would allow (6 storeys). The majority of the 6-9 storey multiple unit residential buildings would also be higher



than would typically be allowed under the RM5 zone (4 storeys) and 3.5 storey townhouse buildings are proposed where the RM3 zone would support 2.5 storeys. Moving from west to east of the site, the development scheme results in a height transition from 11 storeys at Lakeshore Road stepping down to 3.5 storeys adjacent to the existing single family neighbourhood to the east. While height has persisted as a concern, the evolution of the development concept has successfully addressed the transition of height from west to east and concentrating it in the core of the property, thereby reducing the impact on adjacent properties.

#### Density

The current OCP designations allow for a total Floor Area Ratio (FAR) of approximately 1.08 and the CD24 zone proposes an FAR of 1.25. Therefore, through the proposed OCP amendment and Comprehensive Development zone the applicant is proposing a 0.17 FAR bonus. Over the balance of the site this equals approximately 12,341m<sup>2</sup> (132,840ft<sup>2</sup>) of additional developable floor area. In total, the applicant anticipates building 393 hotel/apartment hotel units, 4,650 m<sup>2</sup> (50,052ft<sup>2</sup>) of retail / conference space, 317 apartment units and 204 townhouse units.

#### Mobile Home Relocation Plan

In order to satisfy Council's Mobile Home Relocation Policy, the applicant has been undertaking a strategic relocation plan over the past few years. The applicant has provided the details of the plan and actions to date through the 'Hiawatha Relocation Plan Brief' (attached as Schedule 'D'). This document outlines how the Council Policy #229 has been satisfied.

#### Wilson Creek Dedication & Rehabilitation

The OCP notes that a 15m Riparian Management Area (RMA) and an additional 10m for a public trail are desired along Wilson Creek and that these should be secured as part of the rezoning process. A 25m strip along the length of Wilson Creek equals approximately 10,292m<sup>2</sup> (110,786ft<sup>2</sup>) of land which would allow for a significant natural area and public trail. The applicant has proposed that approximately 7,536m<sup>2</sup> (approx. ~18.5m) of land be dedicated to the City as a titled lot and that the remaining area of approximately 2,756m<sup>2</sup> be held in private ownership secured as open space through a no build / no disturb covenant. While the OCP requires a 25m RMA / trail corridor, the applicant will be doing significant work within that 25m area that would not be required as part of this application. This work would be considered a community amenity and helps offset the impact associated with the additional height and density associated with this proposal.

#### Family Oriented and Purpose Built Rental Housing

The applicant will be securing a minimum of 50 'family oriented dwellings' as outlined in section 8.7 of the proposed CD zone (attached as Schedule 'A'). While the applicant has indicated that they will be providing purpose built rental onsite, securing this via a Housing Agreement is not part of the proposal. City policies and the Housing Strategy would suggest to have more dwellings secured as purpose built rental housing, but the requirement to provide family oriented dwellings in the area will help to ensure the development provides a variety of housing types.

#### Public Consultation

The applicant has undergone a public consultation process as outlined in the Community Consultation summary (attached as Schedule 'E'). Although the project has taken a long time to reach a final development concept, the attached consultation summary demonstrates that the applicant has been diligent to inform impacted neighbourhood residents over the past few years.

### Overarching Site Development Permit - Form & Character

The applicant has proposed underground / under-building parking for a significant portion of the development. As this area has a very high water table it is important to note that a 2 storey parking structure will take up most of the 'Core Area' and 'Internal Transition Area' of Sub Area 'B' and that approximately 1½ storeys of the parking structure will be located above natural grade. The parking structure will be wrapped with residential buildings where possible, but there will be locations where the parking structure is exposed. It is imperative that these areas are treated appropriately as they will have a significant impact on the overall form and character of the project. The parking structure also presents a challenge as it will be difficult to integrate with the broader community as many of the open spaces and pathways will be located on top of the structure, public access will be via stairs and ramps. Design Guidelines have been created to provide assurance that the objectives and principles of the development will be incorporated, while allowing flexibility for viable and innovative development proposals. By adhering to this framework, the development team will create proposals that are consistent with the vision for the redevelopment of the 17.8 acre site.

In summary, while the proposed height and form of density is a departure from the vision of OCP for this tourist commercial area, there are merits to the long-term comprehensive plan of this significant land assembly for the area. By providing a comprehensively planned development proposal there is vision for how the project will achieve full build-out in the future. The rehabilitation and restoration of the Wilson Creek RMA will enhance the environmental integrity of Wilson Creek and the immediate Okanagan Lake area. A public trail will be constructed along Wilson Creek providing enhanced pedestrian linkages. The Lakeshore Road frontage is envisioned to become an animated and active streetscape, while the property will have a west to east height profile that provides a reasonable transition to the adjoining single family neighbourhoods. The proposed housing mix will provide a variety of options for a wide demographic profile and the boutique hotel will contribute to the economic development of the Mixed Use Tourist area. The applicant has worked with Staff to reduce any negative impacts associated with the proposal and has created a development concept that will satisfy the overall tourism destination intent of the OCP. As such, Staff are recommending a positive consideration of the proposed comprehensive development.

## **4.0 Proposal**

### **4.1 Background**

The subject property has been occupied by the Hiawatha Mobile Home Park for a number of years. The applicant purchased the Hiawatha properties in 2008 and has been undergoing an extensive relocation strategy with the residents in order to ensure that the City of Kelowna's Council Policy for Mobile Home Park Redevelopment is satisfied attached as Schedule 'D'.

### **4.2 Project Description**

The applicant has submitted the Official Community Plan amendment, Text Amendment, Rezoning, and Development Permit applications in order to move forward with the redevelopment of the Hiawatha properties, as follows:

#### *a) Official Community Plan*

To expand the Mixed Use Tourism designation, add the Multiple Unit Residential - High Density designation, expand the Multiple Unit Residential - Medium Density designation and remove the Multiple Unit Residential - Low Density designated area.

*b) Text Amendment*

The Text Amendment application is required to add the proposed CD24 - Comprehensive Development 24 zone to Zoning Bylaw No. 8000. The purpose of the CD24 zone is to formalize the comprehensively planned development that will contain a mix of residential, tourist commercial and general commercial uses. All commercial uses will be oriented toward Lakeshore Road with residential uses at varying densities occupying the balance of the site. The Riparian Management Area of Wilson Creek will be restored and rehabilitated and a linear trail will be developed and rezoned as park.

*c) Zoning*

The applicant is proposing that the subject properties be rezoned from the existing C1 - Local Commercial, C9 - Tourist Commercial, RM7 - Mobile Home Park and RR3 - Rural Residential 3 zones to the proposed CD24 - Comprehensive Development 24 zone in order to accommodate the phased development of the proposed mixed-use project. The Wilson Creek trail and RMA will be rezoned to P3- Parks & Open Space. The applicant is proposing a CD zone due to the complexity of the site and the need for comprehensive planning.

*d) Development Permit*

An overarching Form and Character Development Permit will also be under consideration and will apply to the entire Hiawatha development site. The objective of the broad DP is to provide certainty regarding the main objectives and principles of the development. By adhering to this framework, the development team will create proposals that are consistent with the vision for the comprehensively planned site. The Ministry of Environment has approved the proposed restoration work for Wilson Creek and the Natural Environment Development Permit will be executed pending favourable consideration of the proposed land uses by Council. The applicant has submitted a visual impact analysis which is attached to this report.

**Project Overview**

The proposed CD zone sets out two different Sub-Areas for the redevelopment of the Hiawatha properties while the Wilson Creek corridor will be rezoned to P3 - Parks & Open Space. The Sub-Areas have been set out in a way to program the largest structures adjacent to Lakeshore Road with an overall height profile that transitions to lower forms of development adjacent to established residential neighbourhoods. A Zoning Comparison Table indicating how the proposed CD24 zone compares to the City's existing zones has been attached.

Proposed Sub-Area A will accommodate the 'boutique' hotel with a height of 11 storeys, an apartment hotel of 9 storeys, a 2.5 storey Conference Centre, an 8 storey mixed use development and an 8 storey apartment building. Sub Area A has a minimum ground floor commercial area requirement of 2,500m<sup>2</sup>, which will ensure that an active commercial frontage is provided.

Proposed Sub-Area B has been broken down into a 'Core Area' where the larger apartment buildings will be located as an 'Internal Transition Area' and a 'Community Interface Area'. Schematically there will be seven residential apartment buildings and seven 3.5-storey stacked townhouse buildings.

Wilson Creek will be restored and be enjoyed as a public amenity. A 25m strip along the length of Wilson Creek equals approximately 10,292m<sup>2</sup> of land which would allow for a significant natural area and public trail. The applicant has proposed that 7,536m<sup>2</sup> (approx. ~18.5m) of land be dedicated to the City as a titled lot and that the remaining 2,756m<sup>2</sup> be held in private ownership secured as open space through a no build / no disturb covenant.

It is important to note that a 2 storey parking structure will take up most of 'Core Area' and 'Internal Transition Area' of Sub Area B and that approximately 1 ½ stories of the parking structure will be located above natural grade. The parking structure will be wrapped with residential buildings where possible, but there will be locations where the parking structure is exposed. The primary vehicular and pedestrian access for the commercial area will be from Lakeshore Road while a new bridge will be constructed at Bird Place securing access over Wilson Creek. Additionally, a full pedestrian and vehicular access point will be created at Springrose Way and an emergency access will be built at Springbrook Road. Although the public (pedestrian & vehicular) will be able to move through the site, the internal road network will be maintained by the strata. The applicant will also be contributing towards a signalized intersection or roundabout at the Lakeshore Road access point. The intersection will be coordinated with the future development of the 'Lakeshore Inn' property.

The current OCP designations allow for a total Floor Area Ratio (FAR) of approximately 1.08 and the CD24 zone proposes an FAR of 1.25. Therefore through the proposed OCP amendment and Comprehensive Development zone the applicant is proposing a 0.17 FAR bonus. Over the balance of the site, this equals approximately 12,341m<sup>2</sup> (132,840ft<sup>2</sup>) of additional developable floor area. Currently, the maximum permitted height for the Hiawatha properties is set at 6 storeys and this height would be limited to the mixed use tourism area of the property. Under the current OCP, it would be envisioned that the balance of the site would be limited to a mix of 2 ½ storeys (RM3) and 4 storey (RM5) buildings. Schematically, the applicant has proposed a total of 19 buildings ranging from 3.5 to 11 storeys in height.

In exchange for the increase in both density and height, the applicant will provide the restoration of Wilson Creek and construction of a public trail as a public amenity. As required by the OCP, the applicant will be securing an area equivalent to a 25m strip along the length of Wilson Creek. The applicant is going above and beyond the OCP requirement by agreeing to build a public trail, landscape the entire 25m area and oversee and maintain the Wilson Creek corridor as established through the Parks Agreement and Natural Environment DP. The trigger for the Creek works has been set at 300 units or 5 years, whichever comes first and will be secured through the Natural Environment DP and Servicing Agreement. The applicant will also be constructing the Bird Place Bridge at their own cost and will own and maintain the bridge in perpetuity. Through the Servicing Agreement, construction of the bridge will be required at the 400<sup>th</sup> unit built on the site.

#### 4.3 Site Context

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR3 - Rural Residential 3 RM3 - Low Density Multiple Housing RM7 - Mobile Home Park	Residential
East	RU2 - Medium Lot Housing RU4 - Low Density Cluster Housing	Residential



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

Staff recommends that the APC public process and should be considered appropriate consultation for the purpose of Section 879 of the *Local Government Act*, and that the process is sufficiently early and does not need to be further ongoing in this case. Furthermore, additional consultation with the Regional District of Central Okanagan is not required in this case.

### 5.1 Current Development Policies - Kelowna Official Community Plan 2030 (OCP)

#### 5.1.1 Development Process (Chapter 5) - Considerations in Reviewing Development Applications

**Ensure appropriate and context sensitive built form (Objective 5.5)**

**Building Height (Policy .1).** Locate taller buildings in the geographic centre of Urban Centres and generally decrease height moving away from the centre, to a maximum of 4 storeys at the periphery of the Urban Centres, where adjoining land is designated for single/two unit housing.

- Elsewhere: Four storeys for residential and six storeys for apartment hotels and hotels. Additional height restrictions may be imposed as a result of airport-related zoning regulations.

**View Corridors (Policy .2).** Where multiple unit or commercial development along the shore zone is permitted, require that a view corridor to the lake from inland be maintained and ensure that the public use and enjoyment of the lakefront is enhanced as a result of the development.

**Ensure opportunities are available for greater use of active transportation and transit to: improve community health; reduce greenhouse gas emissions; and increase resilience in the face of higher energy prices (Objective 5.10)**

**Maximize Pedestrian / Cycling Connectivity.** Require that pedestrian and cyclist movement and infrastructure be addressed in the review and approval of all City and private sector developments, including provision of sidewalks and trails and recognition of frequently used connections and informal pedestrian routes.

**Transit Infrastructure.** Require that transit service needs to be integrated into community designs and development proposals to optimize access to transit service and incorporate essential infrastructure on transit routes identified.

**Provide parks for a diversity of people and a variety of uses (Objective 5.14)**

**Site Density Calculations.** Allow the owner(s) and developers who contribute land for park dedications, to use the original site area in computing density and floor area ratios and minimum area for development or subdivision purposes.

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

**Encourage uses and commercial ventures that promote local tourism (Objective 5.26).**

**Tourist Commercial.** Consider commercial development for tourism related uses in the Capozzi / Truswell, Lakeshore, Cook Road area.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s) for new construction.
- A minimum Geodetic Elevation of 343.66 meters is required for all habitable spaces including parking and storage space.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.
- Additional comment may be made at time of DP application.

### 6.2 Development Engineering Department Attached as Schedule 'G'.

### 6.3 Fire Department



Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw #7900. The Subdivision Bylaw requires a minimum of 150ltr/sec flow. The access roads should have loading or unloading areas in front of each building. Additional comments will be required when detailed plans are submitted for the building permit application.

#### 6.4 Infrastructure Planning

The Wilson Creek Greenspace area as proposed in the developer's application (Z12-0039, page 14) meets the intent of the OCP Linear Trail Policy 5.14 Policy.2. The greenspace area should be zoned P3 - Parks & Open Space and the parcel will need to be transferred to the City as part of the rezoning process. The applicant shall coordinate the land transfer and legal process with the City's Real Estate & Building Services.

Future Development Permit requirements:

A landscape plan and Parks Agreement will need to be submitted and secured for review and approval for the treatment of the public landscape lands (e.g. i) Wilson Creek Greenspace; ii) roadway boulevard treatment along Lakeshore Road and Bird Place). The landscape plan will include the following considerations:

- i. The trail specifications along the Wilson Creek Trail will need to conform with the City's trail design and construction standards. Detail drawings should show trail alignment, surface material, width, and subsurface material. The detail drawings should also show any associated trail infrastructure (e.g. benches, signs, gates, fences) which will also need to conform to City standards.
- ii. A pedestrian crossing will need to be provided for the trail as it crosses Bird Place. The design for the pedestrian crossing should be incorporated into the roadway design drawings.
- iii. Boulevard treatment should show tree planting including species, size, and planting detail.
- iv. Riparian planting and maintenance schedule as part of the Wilson Creek corridor.

#### 7.0 Application Chronology

Date of Application Received: May 27<sup>th</sup>, 2008 (Original Application)  
May 5<sup>th</sup>, 2012 (Revised Proposal Package)  
December 18<sup>th</sup>, 2012 (Final Proposal)

Advisory Planning Commission: August 31<sup>st</sup>, 2010

Applicant Hosted Public Open House: Scheduled for February 27<sup>th</sup>, 2013

The applicant has a public open house scheduled for February 27<sup>th</sup>, 2013 where information panels and project visuals will be displayed for the purposes of consulting the public and receiving community input. At the time of Public Hearing, the applicant will be in a position to provide a summary of the open house results.

**Report prepared by:**

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Alec Warrender, Land Use Planner

**Reviewed by:**

☐

Danielle Noble, Manager, Urban Land Use

**Approved for Inclusion**

☐

D. Gilchrist, A. General Manager, Community Sustainability

**Attachments:**

Zoning Comparison Table

Map 'A' & 'B'

Schedule 'A' - CD24 Zone

Schedule 'B' - Wilson Creek

Schedule 'C' - CD24 Comprehensive Development Plan

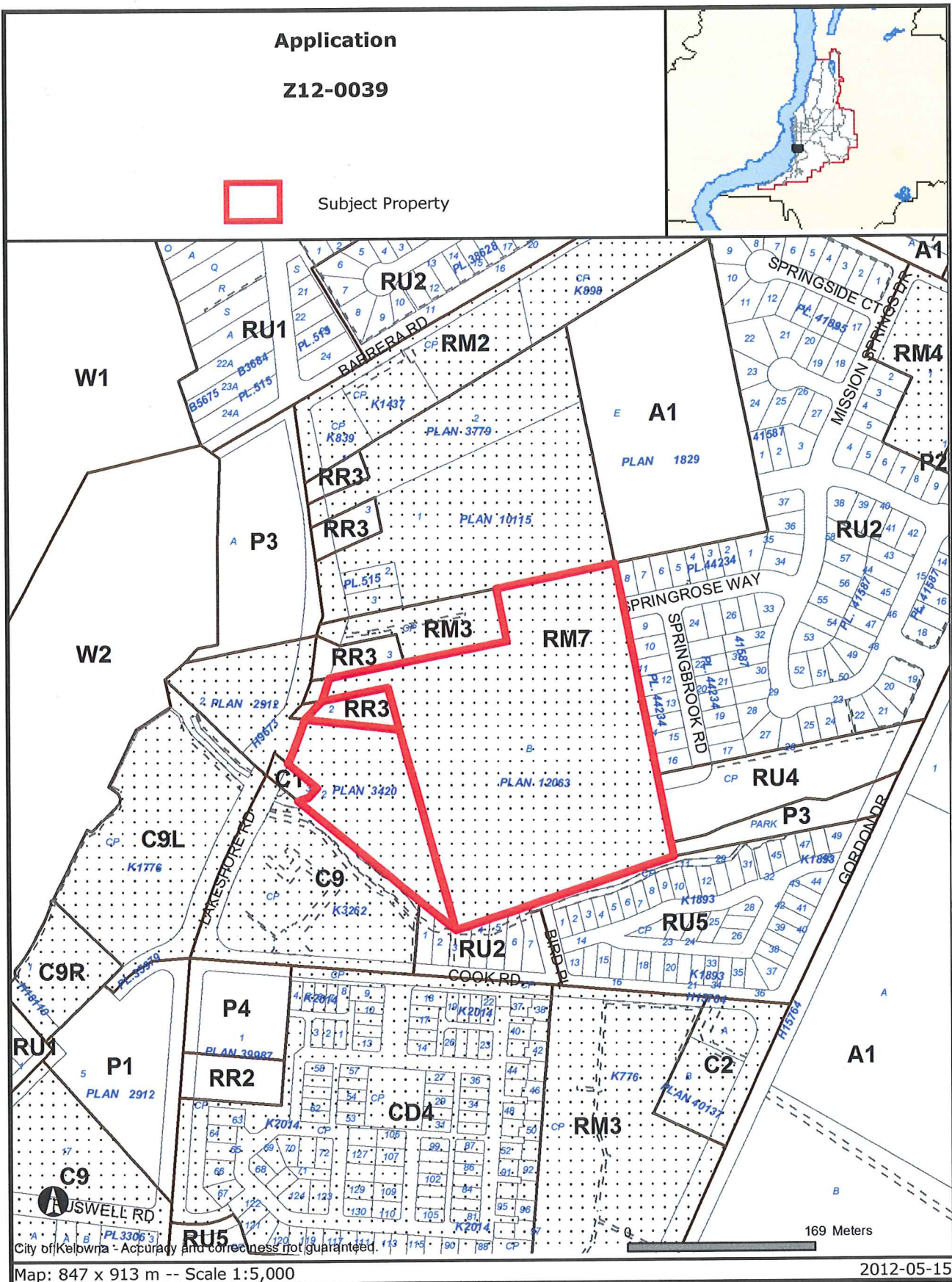
Schedule 'D' - Hiawatha Relocation Brief

Schedule 'E' - Community Consultation Record

Schedule 'F' - Visual Impact Assessment

Schedule 'G' - Development Engineering Requirements





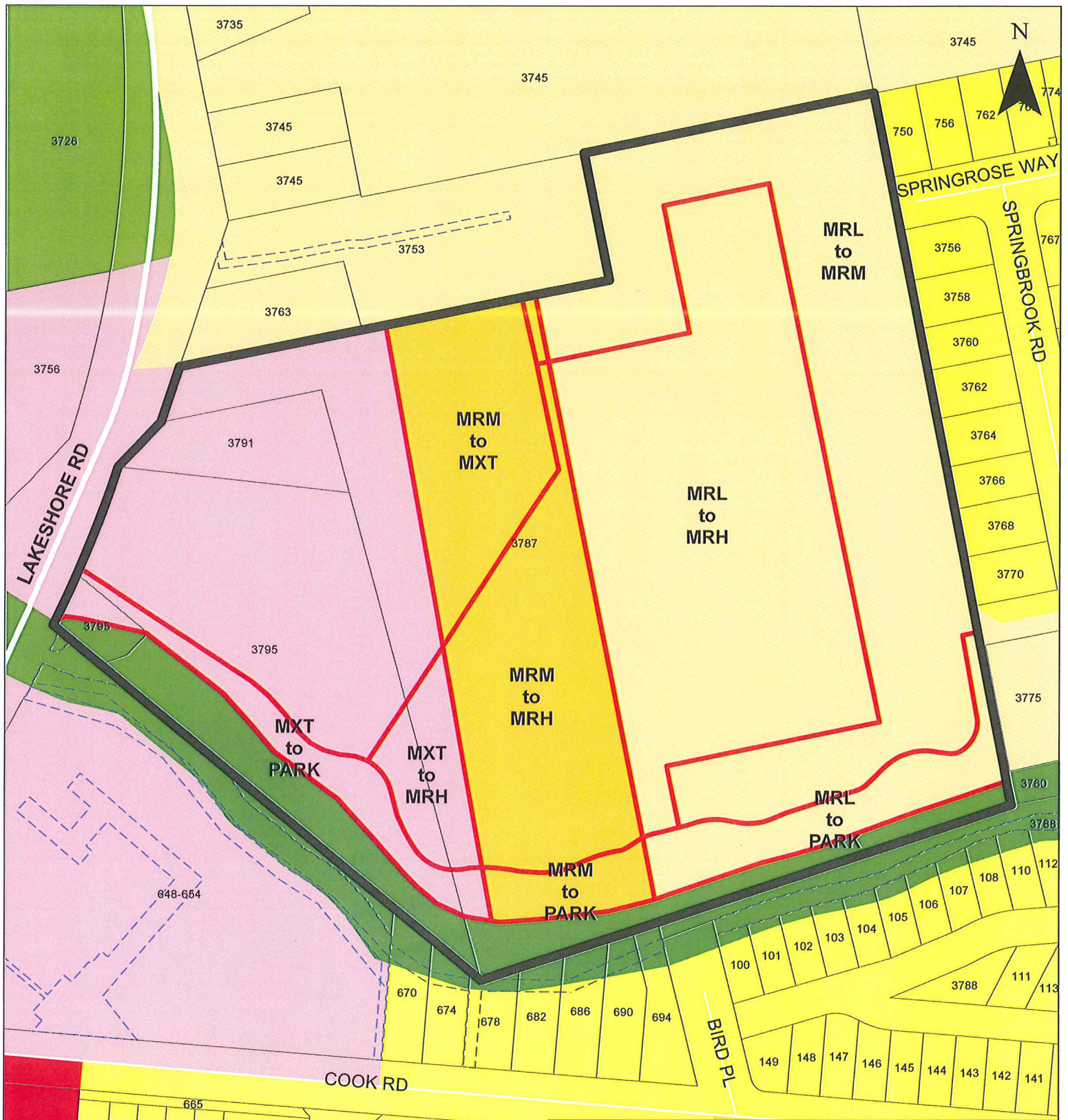


## Zoning Bylaw No. 8000

Criteria	Proposed CD24 Zone		RM3 - Low Density Multiple Housing	RM5 - Medium Density Multiple Housing	C9 - Tourist Commercial	C4 - Urban Centre Commercial
	S. Area A	S. Area B				
Subdivision Regulations						
Site Width	None	25.0m	30.0m	30.0m	30.0m	13.0m
Site Depth	None	30.0m	30.0m	35.0m	35.0m	30.0m
Site Area	None	750m <sup>2</sup>	900m <sup>2</sup>	1400m <sup>2</sup>	1800m <sup>2</sup>	460 m <sup>2</sup>
Development Regulations						
Floor Area Ratio (FAR)	1.5	1.2	0.5 Base FAR 0.05 Housing Agreement 0.2 Under Building Parking 0.75 Max FAR	1.1 Base FAR 0.1 Housing Agreement 0.2 Under Building Parking 1.4 Max FAR	1.5 Apartment Hotel	1.3 Mixed Use project 0.1 Housing Agreement 0.2 Under Building 1.6 Max FAR *
Site Coverage	None		50% - Buildings etc...	16.5m or 4 storeys	None Specified	75%
Height	36m / 11 storeys	11.5m / 3.5 storeys 20.5m / 6 storeys 29.5m / 9 storeys	9.5m or 2 ½ storeys	9.5m or 2 ½ storeys	22.0m or 6.0 storeys - Apartment Hotel	15m or 4 storeys
Other Regulations						
Vehicle Parking	<u>Residential</u> 1.4 per 3 bedroom apart. 1.2 per 2 bedroom apart. 1.0 per 1 bedroom apart. 0.8 per studio apartment 1.55 per 3 bedroom townhouse 1.35 per 2 bedroom townhouse 1.10 per 1 bedroom townhouse <u>Commercial</u> <i>Hotel Uses</i> 0.75 spaces per sleeping unit	<u>Residential</u> 1 stall per bachelor unit 1.25 per 1 bedroom unit 1.5 per 2 bedroom unit 2 per 3+ bedroom unit <u>Commercial</u> <i>Hotel Uses</i> 1 per sleeping unit <i>Commercial Uses - Varies</i>	<u>Residential</u> 1 stall per bachelor unit 1.25 per 1 bedroom unit 1.5 per 2 bedroom unit 2 per 3+ bedroom unit <u>Commercial</u> <i>Hotel Uses</i> 1 per sleeping unit <i>Commercial Uses - Varies</i>	<u>Residential</u> 1 stall per bachelor unit 1.25 per 1 bedroom unit 1.5 per 2 bedroom unit 2 per 3+ bedroom unit <u>Commercial</u> <i>Hotel Uses</i> 1.5 per 2 bedroom unit 2 per 3+ bedroom unit <u>Commercial</u> <i>Hotel Uses</i> 1 per sleeping unit	<u>Residential</u> 1 stall per bachelor unit 1.25 per 1 bedroom unit <u>Commercial</u> <i>Hotel Uses</i> 1 per sleeping unit	<u>Residential</u> 1 stall per dwelling <u>Commercial</u> 1.75 per 100m <sup>2</sup> GFA
Loading stalls	<i>Commercial Uses</i> 2.5 spaces per 100 m <sup>2</sup> GFA 2 + 1 per 2,800m <sup>2</sup> GFA	N/A	N/A	N/A	1 per 1,900m <sup>2</sup> = 1 st.	1 per 1,900m <sup>2</sup> = 1 st.
* Additional bonuses available for C4 projects located within Urban Centres providing sustainable building components e.g. green roofs						

\* Additional bonuses available for C4 projects located within Urban Centres providing sustainable building components e.g. green roofs





# MAP "A" OCP AMENDMENT OCP12-0006

- Commercial- COMM
- Multiple Unit Residential (Medium Density)- MRM
- Multiple Unit Residential (Low Density)- MRL
- Mixed Use Tourism- MXT
- Major Park and Open Space-PARK
- Single / Two Unit Residential- S2RES
- Subject Properties
- Legal Parcel
- Easement

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

0 20 40  
Meters

Rev. Jan. 29/13





### Subject Properties Notes:

- Rezone a portion of the Subject Properties from C9 to Tourist Commercial to CD24 Comprehensive Development Zone 24

### Subject Properties Notes:

- Rezone a portion of the Subject Properties from RM7 Mobile Home Park to CD24 Comprehensive Development Zone 24

### Subject Properties Notes:

- Rezone a portion of the Subject Properties from RR3 Rural Residential 3 to CD24 Comprehensive Development Zone 24

A1

N

SPRINGROSE WAY

RU2

SPRINGBROOK RD

RM3

RM7

RU4

P3

RU5

### Subject Properties Notes:

- Rezone a portion of the Subject Properties from C1 Local Commercial to P3 Parks and Open Space

### Subject Properties Notes:



- Rezone a portion of the Subject Properties from C9 to Tourist Commercial to P3 Parks and Open Space

### Subject Properties Notes:

- Rezone a portion of the Subject Properties from RM7 Mobile Home Park to P3 Parks and Open Space

## MAP "B" PROPOSED ZONING

Application #Z12-0039

	Zoning		C9 to P3
	Legal Parcel		RM7 to CD24
	C1 to P3		RM7 to P3
	C9 to CD24		RR3 to CD24

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No.	Section	Existing Text	Zoning Bylaw No. 8000	
		Section 17 - Comprehensive Development Zones	Section 17 - Comprehensive Development Zones	
1	Section 1 - General Administration Section 1.3.1	CD1 Comprehensive Development One	CD1 Comprehensive Development One	
		CD2 Kettle Valley Comprehensive Residential Development	CD2 Kettle Valley Comprehensive Residential Development	
		CD3 Comprehensive Development Three	CD3 Comprehensive Development Three	
		CD4 Comprehensive Small Lot Residential	CD4 Comprehensive Small Lot Residential	
		CD5 Multi-Purpose Facility	CD5 Multi-Purpose Facility	
		CD5lp Multi-Purpose Facility (Liquor Primary)	CD5lp Multi-Purpose Facility (Liquor Primary)	
		CD6 Comprehensive Residential Golf Resort (Liquor Primary)	CD6 Comprehensive Residential Golf Resort (Liquor Primary)	
		CD6lp Comprehensive Residential Golf Resort (Liquor Primary)	CD6lp Comprehensive Residential Golf Resort (Liquor Primary)	
		CD8 Heritage Industrial	CD8 Heritage Industrial	
		CD8/lp/ Heritage Industrial (Liquor Primary/Retail Liquor Sales)	CD8/lp/ Heritage Industrial (Liquor Primary/Retail Liquor Sales)	
		CD9 Heritage Commercial	CD9 Heritage Commercial	
		CD10 Heritage Cultural	CD10 Heritage Cultural	
2	Table 7.1 Minimum Landscape Buffer Treatment Schedule	CD12lp/ Airport (Liquor Primary/Retail Liquor Sales)	CD12lp/ Airport (Liquor Primary/Retail Liquor Sales)	
		CD14 Comprehensive High Tech Business Campus	CD14 Comprehensive High Tech Business Campus	
		CD15 Airport Buisness Park	CD15 Airport Buisness Park	
		CD16 Bingo and Gaming	CD16 Bingo and Gaming	
		CD17 Mixed Use Commercial - High Density	CD17 Mixed Use Commercial - High Density	
		CD18 Vintage Landing Comprehensive Resort Development	CD18 Vintage Landing Comprehensive Resort Development	
		CD20 Comprehensive University Development	CD20 Comprehensive University Development	
		CD21 (Intentionally Blank)	CD21 (Intentionally Blank)	
		CD22 Central Green Comprehensive Development	CD22 Central Green Comprehensive Development	
3	Table 7.1 Minimum Landscape Buffer Treatment Schedule	Commercial Zones	Commercial Zones	
		C1, C2, C3, C4, C5, C6, C7, C8, C9, C2rls, C3lp, C3rls, C3lp/rls, C4lp, C4rls, C4lp/rls, C6lp, C6rls, C6lp/rls, C7lp, C7rls, C7lp/rls, C8lp, C9lp, C9rls, C9lp/rls, C10, C10lp, C10rls, C10lp/rls, HD2, CD22 Sub Areas A&B	C1, C2, C3, C4, C5, C6, C7, C8, C9, C2rls, C3lp, C3rls, C3lp/rls, C4lp, C4rls, C4lp/rls, C6lp, C6rls, C6lp/rls, C7lp, C7rls, C7lp/rls, C8lp, C9lp, C9rls, C9lp/rls, C10, C10lp, C10rls, C10lp/rls, CD22 Sub-Areas A&B, CD24 Sub Area A	
		Urban Residential Zones	Urban Residential Zones	
		RM5, RM6, RM7, CD22 Sub Areas C,D,E,F,G,H	RM5, RM6, RM7, CD22 Sub Areas C,D,E,F,G,H & CD24 Sub-Area B	

<p><b>6</b></p> <p>Section 18 - Schedule B - Comprehensive Development Zones</p>		<p>CD23 - (Intentionally Blank) CD24 - Comprehensive Development Zone 24</p>
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No.	Section	Existing Text	Proposed Text
1	Section 6.1	Higher Density Residential Zones (RM1, RM2, RM3, RM4, RM5, RM6, RM7 and CD22 Sub Areas C,D,E,F,G,H)*	Higher Density Residential Zones (RM1, RM2, RM3, RM4, RM5, RM6, RM7, CD22 Sub Areas C,D,E,F,G,H and CD24 Sub Area B)*
2	Section 6.1	Major Commercial (C3, C4, C6, C7, C8 and CD22 Sub-Areas A&B)*	Major Commercial (C3, C4, C6, C7, C8, CD22 Sub-Areas A&B and CD24 Sub Area A)*

## Schedule 'A'

### CD24 – Hiawatha 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 CD24 Lands

The CD24 Lands consist of two Sub-Areas A and B inclusive ("CD24 Sub-Areas") as shown on Plan HW-1. The boundaries of Areas A and B will generally conform to Plan HW-1.

#### 1.3 Regulations

In the CD24 Comprehensive Development Zone, regulations may be different for each CD24 Sub-Area as set out in the CD24 Sub-Area Zoning as shown on Schedules 1 and 2.

#### 1.4 General Regulations of the Comprehensive Site

- (a) **Section 6 – General Development Regulations** of this bylaw applies;
- (b) **Section 7 – Landscaping and Screening** of this bylaw applies;
- (c) **Section 9 – Specific Use Regulations** of this bylaw does not apply with the exception of:
  - Sub-Section 9.2 – Home Based Business, Minor;
  - Sub-Section 9.3 – Home Based Business, Major.
- (d) The CD24 Comprehensive Development Zone has been designated as a Development Permit Area by "Kelowna 2030 – Official Community Plan Bylaw No. 10500" for the purpose of guiding the form and character of development. The guidelines applicable to the CD24 Comprehensive Development Zone are annexed to this Bylaw as Annexure "1" and entitled "CD24 Development Area Guidelines".

#### 1.5 Site Coverage

- (a) The maximum site coverage is 40%, provided that the maximum site coverage of buildings, driveways, and above ground parking areas is 50%.
- (b) 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 Other Regulations

- (a) A total of fifty (50) purpose-built rental units shall be included in the CD24 zone prior to the completion of 570 units.
- (b) No commercial uses shall be located beyond 250 metres of Lakeshore Drive frontage.



**1.7 Parking and Loading**

- 1.7.1 Loading facilities shall be designed in accordance with the loading regulations of **Section 8 – Parking and Loading** of this bylaw, with the exception that the minimum number of loading spaces required must be in accordance with **Table 2** of this CD24 Zone.
- 1.7.2 Parking spaces shall be designed in accordance with the parking regulations of **Section 8 – Parking and Loading** of this bylaw, with the exception that the minimum number of parking spaces required must be in accordance with **Table 1** of this CD24 Zone.
- 1.7.3 Bicycle parking shall be provided in accordance with the bicycle parking regulations of **Section 8 – Parking and Loading** of this bylaw.
- 1.7.4 Co-op cars or pool cars provided for shared use by residential development shall equate to five parking stalls per pool car provided. A maximum of 10 pool cars can be used for parking stall credits within the zone. The provision of pool cars shall be considered as part of a Development Permit and will be secured by way of agreement with the developer.

**Table 1: Parking**

Use	Minimum Parking Space Requirement
Commercial	2.5 spaces per 100 m <sup>2</sup> Gross Floor Area
Residential	1.4 spaces per dwelling unit / 3 bedroom apartment 1.2 space per dwelling unit / 2 bedroom apartment 1.0 spaces per dwelling unit / 1 bedroom apartment 0.8 spaces per dwelling unit / studio apartment 1.55 spaces for dwelling unit/ 3+ bedroom townhouse unit 1.35 spaces per dwelling unit/2 bedroom townhouse unit 1.10 spaces per dwelling unit/ 1 bedroom townhouse unit Additional parking shall be designated for residential visitor parking at a rate of 1 space for every 7 dwelling units
Supportive Housing	1 space per three bed spaces
Hotels	0.75 spaces per sleeping unit
Hotel Ancillary Uses (restaurant/lounge, conference/meeting rooms, retail shops)	4.0 spaces per 100 m <sup>2</sup> of Gross Floor Area

**Table 2: Loading**

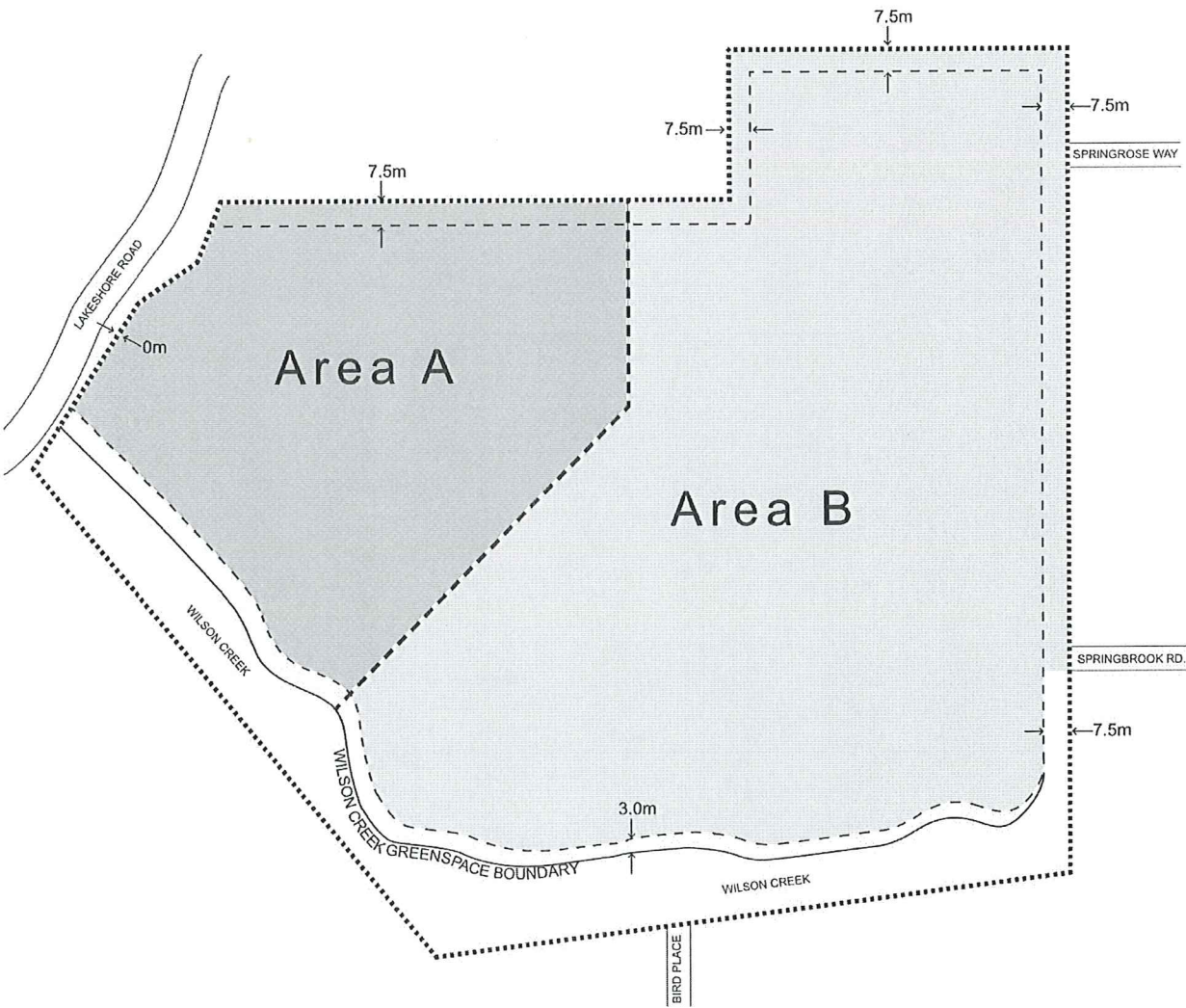
Use	Minimum Parking Space Requirement
Commercial/Hotel	2 Large scale loading stalls 1 per 2,800 m <sup>2</sup> gross floor area



**2.1 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) Area B minimum lot width is 25 metres
- (c) Area B minimum lot depth is 30 metres
- (d) Area B minimum lot area is 750 m<sup>2</sup>
- (e) At the time of subdivision, a Section 219 Restrictive Covenant will be registered on all properties indicating the allocation of Net Floor Area to each of the lots being created. The sum of all allocation covenants cannot exceed 90,990 m<sup>2</sup> or 1.25 FAR.

PLAN HW-1



**SCHEDULE 1 – CD24 SUB-AREA A ZONING****7.1 Purpose**

The purpose of Sub-Area A is to provide a mix of tourist commercial and residential uses.

**7.2.1 Principal Uses**

The **principal uses** in this Sub-Area are:

- a) Apartment hotels
- b) Boarding or lodging houses
- c) Congregate housing
- d) Group home major
- e) Hotels
- f) Motels
- g) Multiple dwelling housing
- h) Supportive housing
- i) Tourist campsites

**7.2.2 Secondary Uses**

- a) Agriculture, Urban
- b) Boat storage (only within an enclosed building or structure)
- c) Care centre major
- d) Community recreation services
- e) Financial services
- f) Food primary establishment
- g) Health services
- h) Liquor primary establishment , major
- i) Liquor primary establishment, minor
- j) Liquor primary license
- k) Non-accessory parking
- l) Home based business minor
- m) Offices
- n) Participant recreation services, indoor
- o) Personal services establishments
- p) Retail liquor sales (establishments)
- q) Retail store, general

### 7.3 Density

- a) Area A has a maximum F.A.R. of 1.5. The overall site density shall not exceed a Net Floor Area of 90,990 m<sup>2</sup> or an F.A.R. of 1.25 calculated on the gross site area, whichever is the greater.
- b) Area A has a minimum ground floor commercial area of 2,500 m<sup>2</sup>.
- c) A minimum of 50% ground floor commercial area within Area A must front Lakeshore Drive.

### 7.4 Height

The maximum height of one building within Area A shall be the lesser of 36 metres or 11 storeys, not including rooftop mechanical penthouse, antenna or other ancillary structures. For all other buildings in Area A, the maximum height should be the lesser of 33 metres or ten (10) storeys, not including rooftop mechanical penthouse, antenna or other ancillary structures.

#### 7.5.1 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. All portions of buildings and structures 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 10 metres in height; 15 metres for any buildings and structures greater than 10 metres in height.
- 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.

#### 7.5.2 Internal Site Setbacks

- a) The site is intended to be subdivided further into individual parcels served by a common lot access road. The minimum setbacks for all internal parcels are:
  - a. 0 metres for all parking structures;
  - b. 0 metres for front yard setback; and
  - c. 3.0 metre setback from all internal side and rear yards.

## 7.6 Private Open Space

A minimum area of 7.5 m<sup>2</sup> of private open space shall be provided per **bachelor dwelling, apartment hotel unit, or congregate housing bedroom**; 15 m<sup>2</sup> of **private open space** shall be provided per **1 bedroom dwelling**, and 25 m<sup>2</sup> 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.

## 7.7 Other Regulations

- a) The maximum site area of Sub-Area A is 35,000 m<sup>2</sup>.
- b) Financial services use shall not have a floor area greater than 280 m<sup>2</sup>
- c) Health services and office uses shall not have a cumulative floor area that exceeds 500 m<sup>2</sup>
- d) Retail store, general use shall be limited to a maximum single tenancy of 1,400 m<sup>2</sup>



**SCHEDULE 2 – CD24 SUB-AREA B ZONING****8.1 Purpose**

The purpose of Sub-Area B is to provide multi-family residential housing.

**8.2.1 Principal Uses**

The **principal uses** in Sub-Area B are:

- a) Congregate housing
- b) Group home major
- c) Multiple dwelling housing
- d) Supportive housing

**8.2.1 Secondary Uses**

The **secondary uses** in Sub-Area B are:

- a) Agriculture, Urban
- b) Boarding or lodging houses
- c) Care centre major
- d) Care Centre, major
- e) Non-accessory parking
- f) Community recreation services
- g) Home based business, minor

**8.3 Density**

Sub-Area B has a maximum density of 1.20 F.A.R. In addition, the overall site density shall not exceed a Net Floor Area of 90,990 m<sup>2</sup> or an F.A.R. of 1.25 calculated on the gross site area, whichever is the greater.

**8.4 Height**

For the purposes of height, Sub-Area B will be made up of three (3) distinct areas as illustrated on Plan HW-2. Building heights within the Community Interface area shall be the lesser of 11.5 metres or 3.5 storeys. Building heights within the Internal Transition area shall be the lesser of 20.5 metres or 6 storeys. Building heights within the Core Area shall be the lesser of 29.5 metres or 9 storeys.

The site plan illustrates the Greenspace Boundary, which is defined by a dotted line. The plan is divided into several key areas and zones:

- Area A:** Located in the upper left portion of the site.
- Area B:** A large central area, further subdivided into:
  - CORE AREA:** The central part of Area B.
  - INTERNAL TRANSITION AREA:** A vertical strip to the right of the Core Area.
  - COMMUNITY INTERFACE AREA:** The easternmost part of the site, adjacent to Springrose Way and Springbrook Rd.
- Wilson Creek:** A winding water feature running along the southern and western boundaries of the site.
- GreenSpace Boundary:** Indicated by a dotted line, it follows the outer edge of the site, including a 40m buffer along Wilson Creek.
- Dimensions and Distances:**
  - 25m: Width of the Internal Transition Area at the top.
  - 25m: Width of the Internal Transition Area in the middle.
  - 45m: Width of the Community Interface Area at the top.
  - 45m: Width of the Community Interface Area at the bottom.
  - 40m: Buffer distance from Wilson Creek to the Greenspace Boundary.
  - 40m: Buffer distance from Wilson Creek to the Greenspace Boundary at the bottom.
  - 45m: Buffer distance from Wilson Creek to the Greenspace Boundary at the bottom right.
- Surrounding Infrastructure:**
  - Lakeshore Road:** Located to the northwest.
  - Bird Place:** A vertical road at the bottom center.
  - Springrose Way:** A horizontal road to the northeast.
  - Springbrook Rd.:** A horizontal road to the east.

## 8.5 Site Setbacks

### *Perimeter 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. All portions of buildings and structures 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.
- c) East Side – 7.5 metres for all buildings.

### *Internal Setbacks*

- a) The site is intended to be subdivided further into individual parcels served by a common lot access road. The minimum setbacks for all internal parcels are:
  - o 0 metres for all parking structures;
  - o 2 metres from the fronting road, and
  - o 3.0 metres from all side and rear yards.

## 8.6 Private Open Space

A minimum area of 7.5 m<sup>2</sup> of private open space shall be provided per **bachelor dwelling or congregate housing bedroom**; 15 m<sup>2</sup> of **private open space** shall be provided per **1 bedroom dwelling**; and 25 m<sup>2</sup> of **private open space** shall be provided per **dwelling** with more than 1 bedroom.

## 8.7 Other Regulations

- a) The maximum site area of Sub-Area B is 60,000 m<sup>2</sup>.
- b) The uses set within Section 8.2 are only permitted provided that off-street vehicular parking and off-street loading must be screened from public view with a minimum 2.0 metre landscape buffer. This buffer can be reduced to a 1.0 metre width when provided in combination with a decorative fence or wall with a minimum height of 1.2 metres. A minimum of 50 family-oriented dwellings shall be included in Sub-Area B prior to the completion of 400 residential units. Family-oriented dwellings, for purposes of this zone, are defined as a dwelling suitable as a residence for a **household** with children which meets the following criteria:
  - i. The lowest storey of the dwelling is no higher than the third storey of the building;
  - ii. The dwelling has two bedrooms or more, and the average number of bedrooms per dwelling is not less than 2.25 for all such dwellings in a development;
  - iii. The dwelling has individual and private access to grade, except that in the case of stacked row housing access to dwellings above the first storey may be shared by two dwellings. In the case of apartment housing, access to dwellings above the first storey may be shared, provided that entrances to not more than six dwellings are located on any one storey or landing.



# CD24 COMPREHENSIVE DEVELOPMENT DESIGN GUIDELINES

JANUARY 2013



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## STANDARD LIMITATIONS

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# INTRODUCTION AND OVERVIEW

The development envisioned under the CD24 zone is to be a place where a sense of community thrives and pride in the neighbourhood is evident.

The CD24 development will be an inviting and sustainable mixed-use commercial residential neighbourhood that will support the tourism potential of this unique area of Kelowna. The overall vision for CD24 is forward thinking; incorporating principles of smart growth development, a high level of urban design and best management practices for sustainability. The following are the over-arching development objectives for CD24:

- » Promote the City of Kelowna's vision for new communities and development, as outlined in Chapter 5.0 of the 2030 Overall Community Plan (OCP): *develop in a sustainable manner; focus development in established growth areas; ensure appropriate and context sensitive built form; create a sense of community; provide high quality urban design; create opportunities for greater pedestrian, active transportation and public transit use.*
- » Promote the creation of a *Complete Communities and Compact Urban Form* that combines a variety of residential building types with a tourism based commercial and retail component that is responsive to the surrounding context.
- » Promote a pedestrian-oriented lifestyle community that integrates mixed-use development with park-like open spaces that are inter-connected by pathways both internally and externally.



Site Plan



Mixed Use – Commercial Tourism



Sustainability

- » Promote the construction of energy efficient buildings and best management practices with regards to sustainability initiatives for community design, energy efficiency, reduced water consumption, active transportation, increased biodiversity and preservation of ecology.

The following *Design Guidelines* will ensure a harmonious understanding of the 'vision', with a strong focus on environmental, economic and social sustainability.

#### 1.1. USING THE DESIGN GUIDELINES

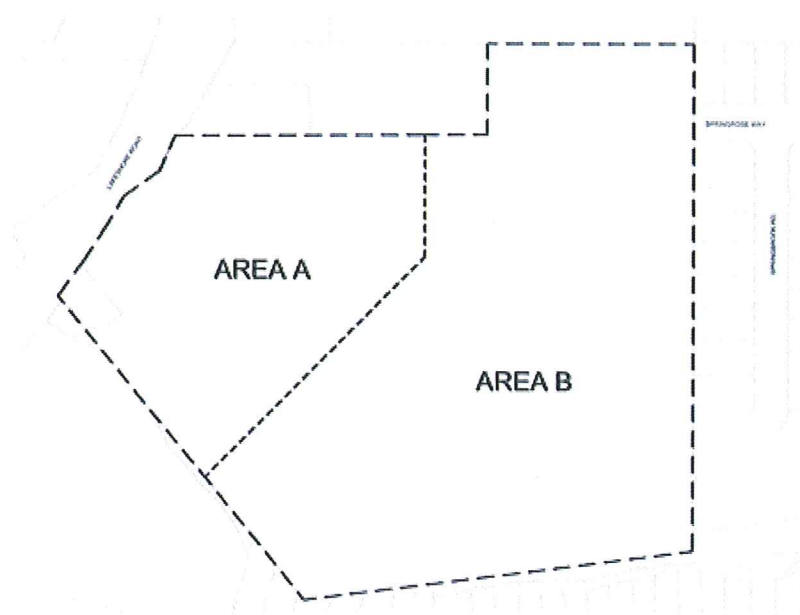
These Design Guidelines form part of a Comprehensive Development (CD24) agreement that will shape the future of this multi-phased mixed-use development. The site has been divided into two distinct areas (Area A and Area B). Area A has both residential and commercial uses and Area B has only residential uses. As such, these guidelines have been structured to include overall guidelines for both Area A and Area B and commercial specific guidelines for Area A.



Perspective - Looking North



Perspective - Looking South





The intent of the Design Guidelines is to provide the following:

- » Provide the framework that will be used by individuals preparing the form and character Development Permit applications relating to buildings and open spaces within the CD24 boundary.
- » Assist the City of Kelowna's planning staff with individual Development Permit applications within the CD24 boundary.
- » Provide general guidance as to the level of detailed design needed to ensure that each individual development is compatible with the overall urban design concept established for CD24 Zone.
- » Provide, through high-level graphic examples, to illustrate potential applications of the design guidelines.

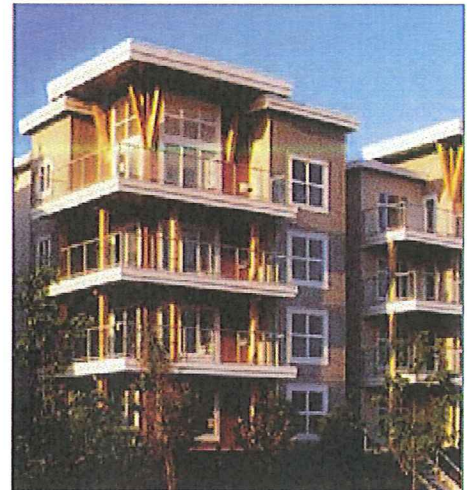
These guidelines are not intended to be the final form of development, but rather represent a 'conforming outline' to be used as a starting point for detailed design to build upon.

## 1.2. GUIDING PRINCIPLES

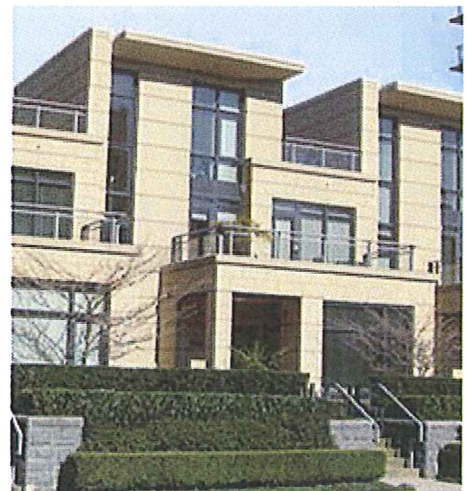
Guiding principles represent the larger planning and design objectives that are to be reinforced whenever possible during subsequent development stages.

### 1.2.1. LAND USE PRINCIPLES

- » The development of the CD24 site will incorporate a mix of land uses including retail, commercial, hotel and residential with associated residential uses.
- » Land use for the CD24 site has been allocated to two different areas ('Area A' and 'Area B').



Residential Building



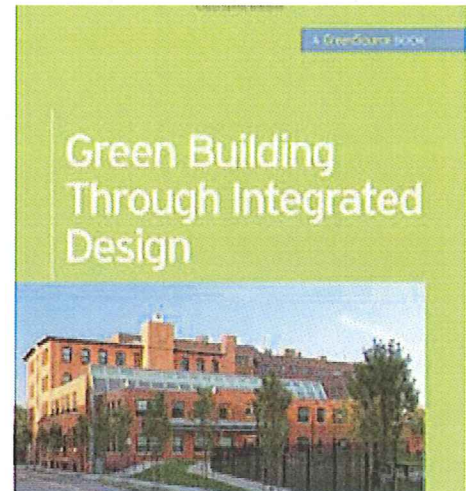
Residential Building



- » Area A's core land use will be tourism-based commercial that includes hotel and conference space, ground floor retail, and residential use located above retail. Commercial development will be complemented with an urban plaza space that accommodates some surface parking.
- » Area A's building forms respond to the Lakeshore Road frontage and will have a landmark structure in terms of scale and architecture.
- » Area B's land use will be residential, with no commercial or retail use, and will be complemented by an interconnected network of landscaped open spaces.
- » Area B's building forms will be mid-rise, multi-unit structures that step back in height from the site edges in response to adjacent existing residential.
- » Vehicular traffic within the site will be accommodated by an internal road network, with limited surface parking and an easily accessible parking structure.

#### 1.2.2. SUSTAINABILITY PRINCIPLES

- » To promote higher density mixed-use development near existing communities and public infrastructure to reduce adverse environmental and public health effects associated with low density urban sprawl.
- » To encourage the development of energy-efficient buildings by employing strict heating and cooling strategies that will reduce dependency on natural resources.
- » To reduce pollution and flooding associated with major storm events through on-site stormwater capture and treatment to promote aquifer recharge and improve water quality by emulating natural conditions.
- » To reduce energy consumption and pollution from motor vehicles by providing high levels of external connectivity and by encouraging alternative modes of transportation such as public transit, cycling, car sharing and walking.
- » To promote a healthy lifestyle by providing safe, appealing and comfortable street, pathway and open space environments.



Green Building



Active Transportation



Community Gardens



- » To preserve water quality, natural hydrology, habitat, and biodiversity through conservation and rehabilitation of wetlands and Wilson Creek.
- » To enable the widest spectrum of people, regardless of age or ability, to more easily participate in community life by incorporating principles of universal accessibility into the design process.
- » To promote community-based food production, access to fresh produce, and improve nutrition through provision of community gardens.
- » To limit or eliminate the use of potable water for irrigation by use of captured or recycled water for use in landscape irrigation.
- » To minimize amounts of sod lawn provided and to use a planting palette of drought tolerant native, or native-adaptive, plant species to minimize water consumption for irrigation.

### 1.2.3. URBAN DESIGN PRINCIPLES

- » It is the overall intent that the CD24 development site incorporate a high level of urban design and character into its buildings and outdoor open spaces that is responsive to the functional requirements of a mixed-use development, the site's unique context, and the promotion of a pedestrian-oriented neighbourhood.
- » Building and open space design should convey human scale, address pedestrian comfort and safety, and complement the surrounding community as well as existing buildings.
- » Create opportunities for public open space as part of the development that is safe, of high-quality and human scale.
- » Consider a road network as part of the public open space that will include amenities that promote pedestrian comfort and use.



Minimal Sod Planting



Mixed-Use – Urban Design



Pedestrian Friendly Streetscape

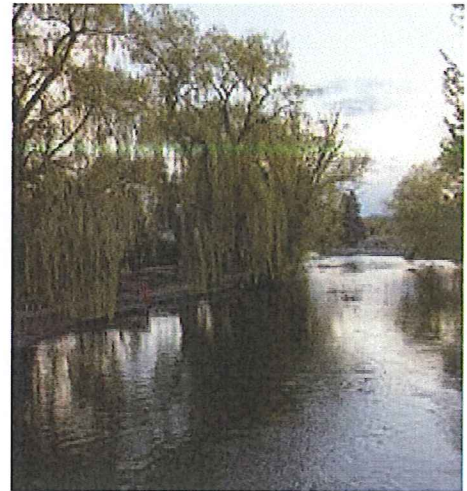


Tourism - Commercial



#### 1.2.4. RESPONSE TO CONTEXT

- » Development in Area A will have a strong urban character in the treatment of buildings and open spaces in response to the context of Lakeshore Road, Manteo Resort and other major commercial developments within the Cook Road Tourist Commercial Area.
- » Development in Area B will have a residential character through scale and material treatment of buildings, landscape buffers and landscape treatment of open spaces that respond to the context of adjacent existing residential uses.
- » Development in both Area A and Area B will respond to the highly naturalized character of the Wilson Creek wetland and riparian corridor by providing the required building setbacks from the City of Kelowna Wilson Creek Linear Park and accompanying environmental green space.
- » Character of exterior spaces and selection of plant material is to transition from cultured (inside site) to natural (edge of site at environmental riparian zone).
- » The character of buildings and public spaces within the CD24 site should celebrate that which is unique and distinctive about the Okanagan Valley by drawing inspiration from the region's natural and cultural landscapes.



Wilson Creek



Okanagan Inspired Landscaping

#### 1.2.5. CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

- » Provide sufficient density to help ensure enough “eyes and ears” on the street.
- » Improve public safety through the creation of public spaces that instill a sense of pride and ownership.
- » Provide natural surveillance and sight lines to ensure unobstructed views in areas where public safety and pedestrian / vehicle conflicts will be a factor.
- » Provide lighting at a sufficient enough level to uniformly light adjacent sidewalks so as to provide a high level of “psychological comfort and safety” for pedestrian use at night.

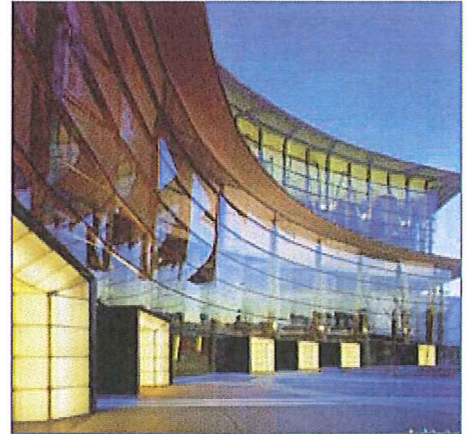


# OVERALL DEVELOPMENT GUIDELINES

The following guidelines apply to both Area A and Area B. Additionally, at the end of each section, commercial specific guidelines for Area A only have been highlighted.

## 2.1. BUILDING SITING, MASSING AND PROPORTION

- » In general, building massing will respond to adjacent existing land uses by stepping the heights of buildings from the edges of the site (lower building heights) to the core of site (higher building heights).
- » Where residential buildings are situated in close proximity to each other, consideration should be given to stepping back the upper floors of the building to visually reduce the massing by expanding the horizontal relationship between the upper levels when compared to the lower levels.
- » Consideration should be given at the site planning level to provide private open space at grade for each ground unit along with transitional landscaped open space from private to semi-private / semi-public space (see CD24 Comprehensive Zoning Bylaw for minimum private open space requirements).
- » Buildings should be sited with sensitivity to future development on adjacent properties and in a way that promotes the creation of functional and interconnected outdoor spaces for residents within the community.
- » Building siting should consider placement and orientation to maximize use of natural light in building design, and maximize view corridors to Wilson Creek while minimizing views into adjacent developments.



Hotel Conference Podium



Tower Podium Assembly



Functional Public Spaces



- » Buildings should demonstrate a high degree of human scale through emphasis of doors and windows and through appropriate choice of materials and surface detailing to create a rich visual interest at the pedestrian level.
- » Building articulation refers generally to the exterior details and the arrangement of both specific and repetitive features. As it is not intended that the CD24 site be developed under one specific architectural theme, care and attention at the preliminary design stage should be made to ensure that different architectural styles be complementary in detail to each other.
- » Building facades should have a balance of vertical and horizontal proportions.
- » Vertical accents should occur on a regular basis to reinforce a pedestrian-scaled rhythm and are preferred for windows.
- » Horizontally-extended glazed areas should be subdivided into vertically proportioned windows separated by mullions or building structure.
- » Building siting and massing for structures over 2 stories should be comprised of a podium and a tower element.
- » Building tower and podium should be perceived as assemblages of forms through overlapping of building elements to break-up massing. Homogenous building treatments that tend to create monolithic building massing are strongly discouraged.
- » Building towers should be designed to help reduce perceptions of bulk as well as contribute to a distinct identity for the architectural expression of development.
- » Towers should have a minimum 25 metre separation from any other tower, with the distance between buildings measured from the nearest vertical plane, not including balconies or building overhangs.



Pedestrian Level Interest



Wilson Creek Green Space

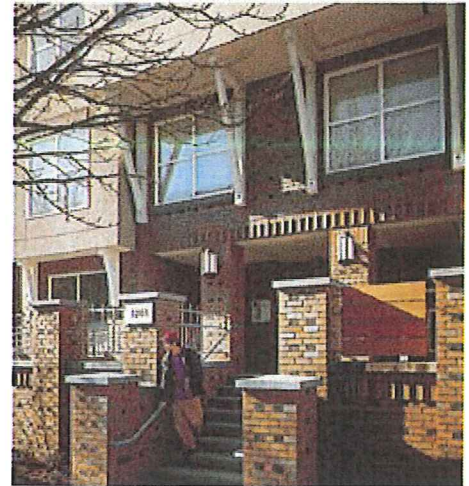


## 2.2. BUILDING HEIGHTS AND SETBACKS

- » The CD24 Zone prescribes minimum setbacks to the external property boundaries on the CD24 site.
- » Building heights will step in response to the prescribed setbacks as outlined in the CD24 Zone Site Setbacks.
- » Designated setback areas along the north and eastern property lines which are immediate to existing residential development should be primarily treated as semi-private to private space allowing for maximum landscape planting and screening and minimum pedestrian access.
- » In residential units located at the ground level adjacent to the Wilson Creek Green Space, it is recommended that buildings be sited to maximize the potential for on-grade outdoor private patio spaces.

### 2.2.1 COMMERCIAL BUILDING HEIGHTS AND SETBACKS

- » The podium for each building should be no more than 3 stories above grade.
- » Where residential uses are proposed above retail or commercial uses, the first level of residential should be set back slightly further than the commercial or retail façade.
- » Where buildings face the commercial piazza, floors above the first 2 stories should be slightly set back from the lower façade in order to create an appropriate pedestrian scale of building at the commercial level.
- » The first 2 stories of a building is where design elements can be most effective to provide a human scale to the building, regardless of its overall size and massing. Lower levels should be designed to accentuate the horizontal elements and to provide a separation between the lower retail uses and upper mixed use levels.



Inviting Entrances



Covered Entrances



Universally Accesible Main Entrance

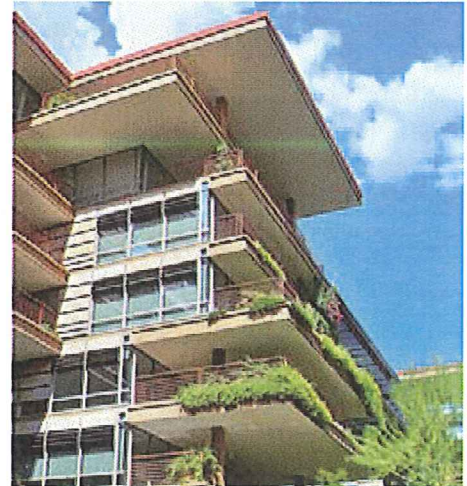


### 2.3. BUILDING ENTRANCES

- » All entrances should be inviting from the street and create a comfortable and welcoming experience through attention to details, proportions, materials, and lighting.
- » Principal entrances should be easy to identify from the street or any adjoining public open space.
- » If the principal building entrance is located within a courtyard/ garden space, there should be adequate address identification in close proximity to street or adjoining open space, and an appropriate walkway through the space to the main entry door.
- » Principal entrances should include a canopy, overhang, portico or other similar structure to provide appropriate weather protection, without sacrificing visibility.
- » Principal entrances should be universally accessible.
- » Principal entrances should be in close proximity to a vehicular lay-by or drop off area, without compromising pedestrian safety.
- » The building address should be clearly visible and well lit and located near the principle building entrance.
- » The principal entrance should be designed so that it is secure and that visitors can be identified from within the building without opening the door.
- » Secondary entrances and exits should be designed for safety and visibility.
- » If the route of access to secondary entrances crosses through a courtyard / garden space or landscaped area, there should be a defined travel path.
- » If a secondary entrance is not frequently used, the pathway does not necessarily have to be a hard surface. Crushed gravel could be an adequate treatment.

#### 2.3.1 COMMERCIAL BUILDING ENTRANCES

- » Retail spaces should be easy to see into from the adjoining commercial plaza and outdoor space(s). A high degree of transparency should not preclude use of mullion patterns to add visual interest and human scale to the building.



Balcony and Overhang Respond to Climate



Landscaped Decks and Rooftops

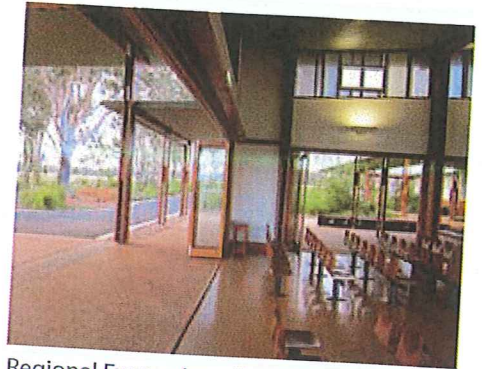


Solar Shading



## 2.4. BUILDING ROOFTOPS, BALCONIES, OVERHANGS, AND SOFFITS

- » Buildings should be articulated with the aim of creating shadows through indentations and projections of elements within a façade composition on all sides – not just the front building elevation. (i.e. windows and doors, cornice lines, pilasters, balconies, and/or base-relief detailing).
- » Buildings with flat roof areas, whether actively used or not, should be enhanced by use of texture, colour, and/or landscaping, especially when visible from habitable spaces above.
- » Rooftops designed as active outdoor social spaces are encouraged and should be designed to withstand the weight of mature trees and plantings.
- » All mechanical equipment and elevator penthouses should be integrated with the architectural treatment of the roof, or be screened with materials and finishes compatible with the building's design.
- » In response to a regional expression, building detailing should emphasize shade from summer sun with overhangs and recesses of sufficient depth that are appropriate responses to solar exposure.
- » Upper levels of buildings should incorporate decks, balconies, or other building features as outdoor amenity space for occupants. Balconies should be designed to maximize outdoor living opportunities.
- » Where appropriate, Green Roofs should be considered as a viable option to tar and gravel ballast roofs in response to sustainable building practices and the reduction of heat island effect on roofs.
- » Any soffits or the underside of any portion of a building, including the undersides of balconies, within the first 2 stories and exposed to public view should be treated in a manner as to provide visual interest and show attention to detail.



Regional Expression – Transition to Outside



Soffit Treatment



Balcony & Overhangs Respond to Climate



Landscaped Decks and Rooftops

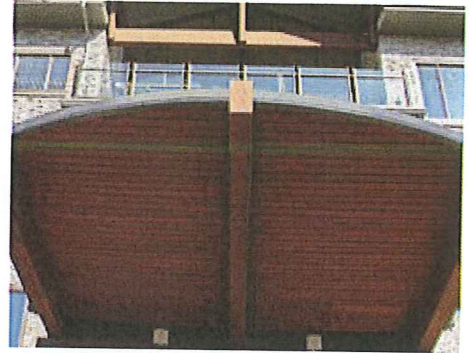


#### 2.4.1 COMMERCIAL BUILDING ROOFTOPS, BALCONIES, OVERHANGS AND SOFFITS

- » Where at-grade patios are to be provided in support of commercial uses, consideration should be given to provide a landscape buffer between the public realm and outdoor patio.
- » Outdoor patios should be delineated with decorative fencing of a high quality and durable material (i.e. metal) and should not exceed 1.2 metres in height unless considered as part of a gateway treatment.

#### 2.5. EXTERIOR MATERIALS, TREATMENT AND WINDOWS

- » In response to a regional expression, the character of building, detailing and selection of materials should celebrate the unique and distinctive qualities of the Okanagan Valley and draw inspiration from the region's natural and cultural landscapes.
- » In response to a regional expression, consider techniques and treatments that emphasize the transition between inside and outside through the differing seasons such as; retractable windows, overhead rolling doors, canopies, trellises, and extended building planes.
- » Window and balcony sizes and spacing should create a comfortable rhythm that is consistent through the majority of the floors above the lowest level.
- » Windows should be maximized to create natural light penetration into the buildings. Positioning of windows will consider solar effects during both the hottest summer months and the cooler and greyer winter months.
- » Windows that open for natural ventilation should be encouraged, but the windows must also have a means to be secured at lower levels on the buildings.
- » Windows should incorporate an appropriate trim detail that will be suited to the exterior materials and colours of the building.



Soffit Treatment



Outdoor Patio Decorative Fencing



Complementary Material Changes



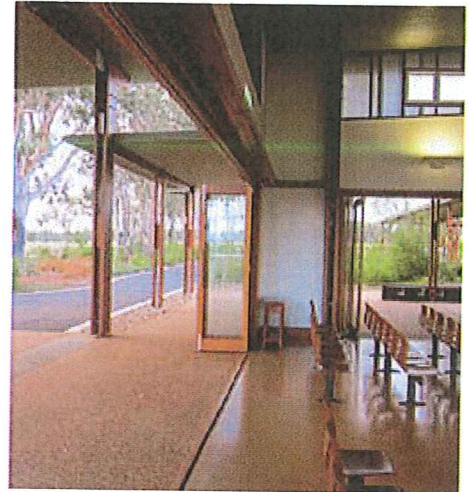
Window Balcony Rhythm



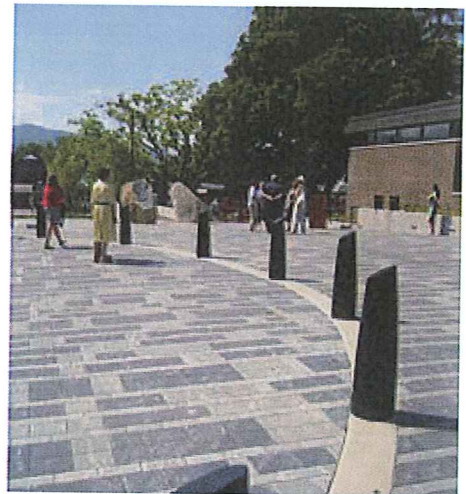
- » All roof flashings and vents exposed to public view should be painted to match adjacent surfaces or disguised in a manner consistent with the visual characteristics of the building.
- » Materials should be durable and appropriate to the character of community development. No vinyl siding or non-vision (mirrored) window glass is to be used as part of building fenestration.

## 2.6. PARKING, LOADING, FIRE AND EMERGENCY ACCESS

- » Vehicle drop off and temporary lay-by parking should be provided in close proximity to residential buildings, or by having a single drop off serving a grouping of buildings.
- » Vehicle drop off and temporary lay-by parking should be located in a manner as to ensure adequate access by the appropriate sized vehicles, while minimizing pedestrian conflicts and visual impacts from principle building entries and outdoor patios.
- » Vehicle drop off and temporary lay-by parking should be treated so that pedestrians and vehicles have equal status.
- » Vehicle drop off and temporary lay-by parking should offer visual interest (i.e. stamped concrete, concrete pavers, etc.) such that the space takes on a higher quality and distinction from the asphalt roadway surface.
- » The majority of the required parking will be located in parking structures. Due to the high water table, it is not practical to construct the parking structures completely underground.
- » Under-building parking structures should be built to internal property lines to ensure a contiguous public open space can be created on top of the structure.
- » Parking garage interconnectivity should be encouraged between adjacent building sites.



Regional Expression – Transition to Outside



Vehicle Drop Off Paving



Architectural Integrated Parkade Entry



- » The lowest level parkade can have approximately 1/2 storey of the parking structure wall height exposed, provide that it is treated in a manner as outlined in these guidelines.
- » The second level parkade should be integrated into buildings and may include portions of the parkade structure that will have a full one-storey potentially exposed, provide that it is treated in a manner as outlined in these guidelines.
- » Exposed parkade walls in areas with no pedestrian access have the potential to be naturally ventilated using screened openings. The design of screens should be decorative with be a powder-coated finished metal material.
- » Exposed parkade walls in areas with pedestrian access will, at minimum, include; colour parging or cast-in-place concrete reveals, and if possible, sloped landscape with plant screening to minimize visual impact of walls. Any landscaping associated with parkade structures will consider CPTED safety guidelines.
- » Exposed parkade walls in areas with pedestrian access and associated with second level parking should also function as pedestrian access points to the network of open spaces by incorporated into their design stairs and/or ramps for pedestrian access.
- » Terraced landscaping should be used to complement pedestrian access points and be integrated into the overall landscape open space design.
- » Exposed parkade walls in highly visible areas should have equal treatment as building exteriors in terms of articulated surface, reveals and applied detailing to visually break-up wall surfaces.
- » Garage doors and vehicle access points into building should not terminate on axial views (i.e. views down streets within the vicinity of the site).
- » Where axial views are terminated, design consideration should be given to mitigating the visual impact of such views and to otherwise provide a high degree of human scale and visual interest at visual termination points.



Consolidated Loading and Parking



External Treatment of Parkade Walls



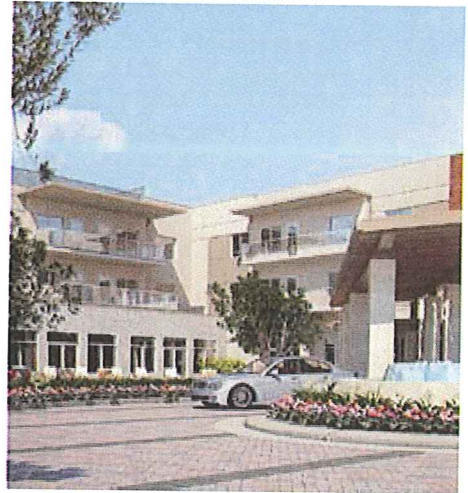
Unobtrusive Parkade Entry



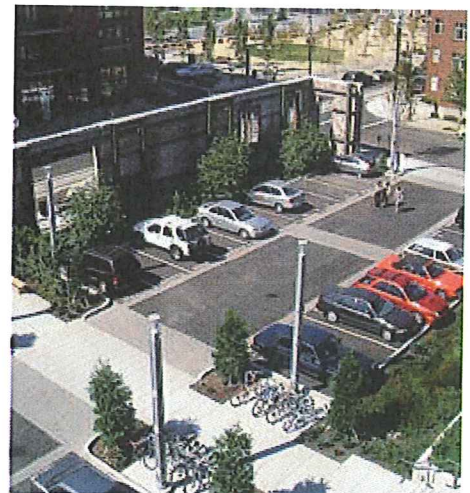
- » Doors and entrances into parking garages should not be visually obtrusive and should not be more visually prominent than any principal entrance to the building.
- » Garage entrances should be architecturally integrated into the overall building design with street-level exterior building finishes wrapping into the garage opening for a minimum of 2 metres in depth.
- » Doors to parking garages should have an architectural treatment that is primarily expressed as an opaque or semi-opaque door rather than an open screen. Open screens are acceptable if highly detailed and rich in visual interest.
- » Garbage and recycling facilities should be located away from public sidewalks and screened from view. The materials used for such purposes should be common to the building's exterior finishes.
- » Surface parking should consider the use of permeable pavers as a means for passive storm water management to control surface water run-off.

#### 2.6.1 COMMERCIAL PARKING, LOADING, FIRE AND EMERGENCY ACCESS

- » There is to be one access off of Lakeshore Road that will serve as the main entrance for the commercial and hotel uses.
- » Surface parking lots should be exclusively for commercial and retail uses and temporary drop off areas; structured parking (except for drop-off zones) will be created for residential uses.
- » Loading areas for commercial and hotel uses should be consolidated into one area that provides safe and efficient access and minimizes exposure to adjacent commercial uses.



Lay-By Parking



Parking Plaza

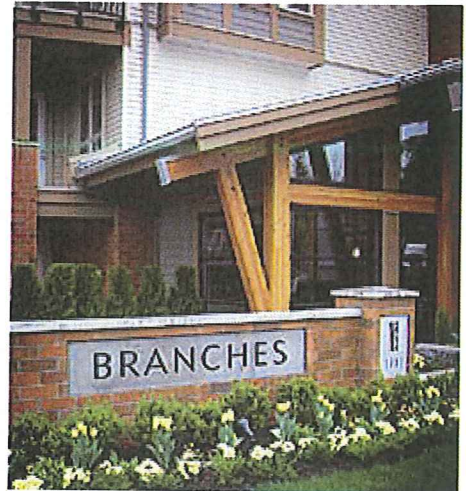


## 2.7. SIGNAGE

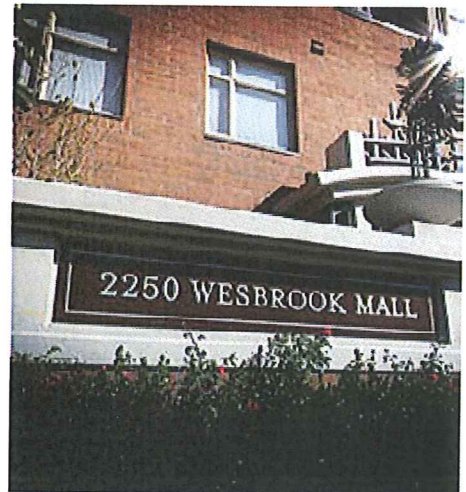
- » Building signage should be made of durable, weather-resistant materials, and be professionally fabricated and installed. No box signs are permitted.
- » The size of any individual sign should follow a common theme of building signage as well as the appearance on an individual building's facade.
- » The scale and visual qualities of a building should not be compromised by the size and/or number of building and address signs.
- » Address signage should be of a pedestrian scale that is proportionate to the residential building frontage that it promotes.
- » Free standing entry features that include building / address signage, and that are integrated with a site's landscape design, should be encouraged.
- » Any free standing entry feature should be built to internal property lines to ensure a contiguous public open space.
- » Any free standing entry feature, as part of the building design, should be included in the Development Permit package and include detail elevations and material selection.

### 2.7.1 COMMERCIAL SIGNAGE

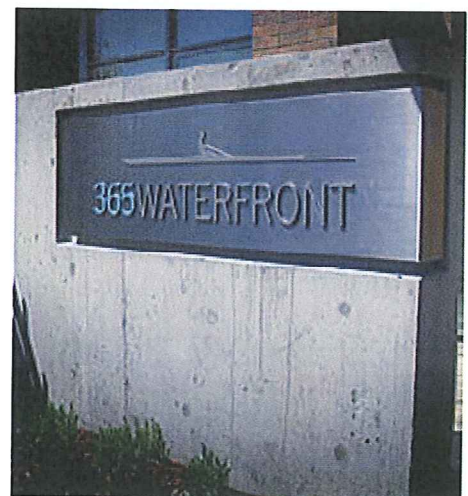
- » Signage should create a rich visual character to enhance an overall festive character of the commercial area. Signage should be made of durable, weather-resistant materials, and be professionally fabricated and installed. No box signs or back-lit signs are permitted.
- » Signage should consist of fascia signage, projecting signage and a free standing main project sign located along Lakeshore Road frontage.
- » The main project sign should include the name of the project (yet to be determined) and identification for the commercial hotel. Individual retailers and commercial businesses should have an opportunity for secondary placement on this sign.



Durable Building Signage



Free Standing Building Signage



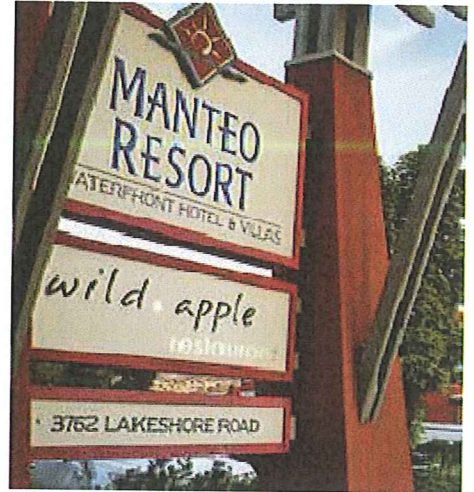
Free Standing Building Signage



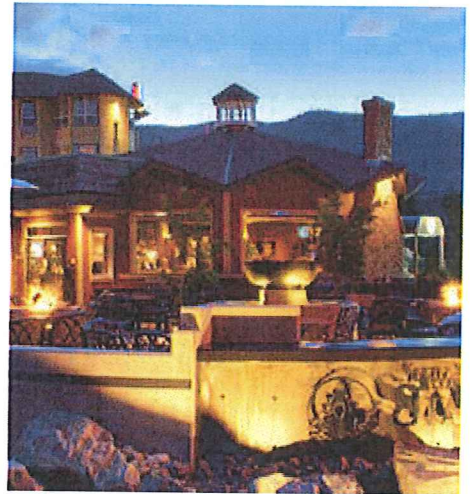
- » Fascia signage should be of a pedestrian scale that is proportionate to the retail frontage that it promotes.
- » Projecting signage should not extend over large areas unless incorporated as part of an awning, with text located within the awning valance. Letters should be of appropriate scale and size to complement the character of the awning design.
- » The size of any individual sign should follow a common theme of building signage as well as the appearance on an individual building's facade.

## 2.8. LIGHTING

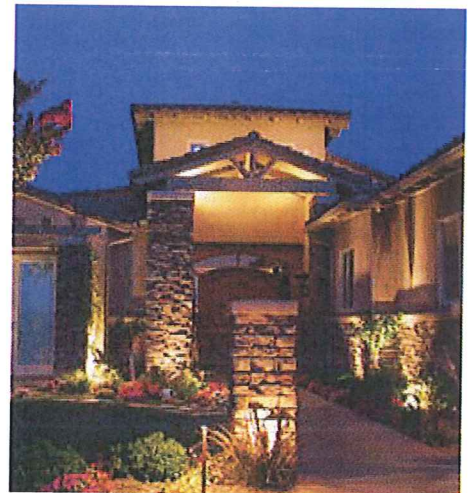
- » Illumination should be planned as a key element in a façade's design with consideration for the effect on the façade and on adjoining buildings and open spaces.
- » All exterior lighting should follow best practice methods to preserve the Dark Sky by limiting light pollution and to include selection of high performance fixtures that conserve energy.
- » Lighting should not contribute to glare through use of full cut-off or low-wattage luminaries.
- » Designs should also incorporate shielded fixtures and/or appropriate mounting heights, as well as be aimed appropriately.
- » Building and wall scone lighting should be in response to the individual building's architectural character, while complementary to the overall character of the residential area.
- » Building and parkade entry lighting should be of sufficient illumination levels as to clearly indicate principle entries from secondary, and to provide a high level of "psychological comfort" for persons using each entrance.
- » Directional or accent lighting should be limited to specific exterior feature elements of notable distinction.



Project Signage



Dark Sky Exterior Lighting



Facade Lighting Effects



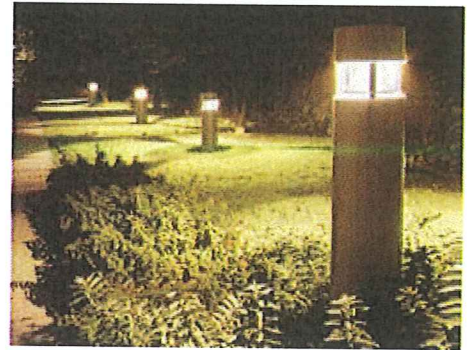
- » Street and pedestrian light fixtures should add daytime visual interest and human scale to the exterior environment and be complimentary to the building design, as well as help accentuate the rhythm of the building façade.
- » Lighting should be designed for high-quality environmental performance. Only one style of street and pedestrian fixture should be used within the residential areas.
- » Lighting of sidewalks and bike paths adjacent to roadways should provide for continuous and uniform lighting of ground level.

#### 2.8.1 COMMERCIAL LIGHTING

- » Window displays should be lit from the inside of the tenant space with directional lighting such that there is minimum light spillage outside of the tenant space.

### 2.9. SCREENING AND FENCING

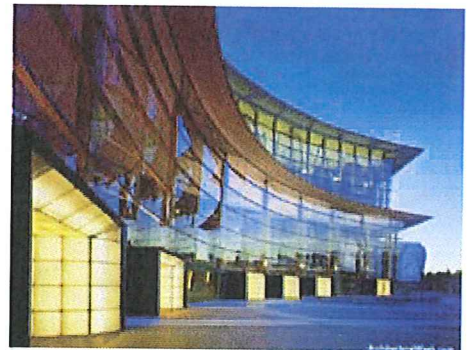
- » Areas for consideration for buffering and fencing will be along the property boundary between the CD24 site and the adjacent residential properties and should respond to privacy issues.
- » All buffering and fencing should be an appropriate response to adjacent social interaction, security and safety.
- » A solid privacy fence, along with supplemental planting, should be provided in response to landscape aesthetics and to assist with sound attenuation.
- » Fence height and landscape buffer screening should be maximized in these areas and meet, as a minimum the City of Kelowna's Section 7 Landscaping and Screening Level 3 Landscape Buffer Requirements.
- » Level 3 Landscape Buffer Requirements: a minimum 3 metre landscape buffer is required to separate uses from adjacent existing properties and will consist of a vegetative buffer or a continuous opaque barrier.



Pathway Lighting



Shielded Aimed Lighting



Principle Entry Lighting



Individual Unit Fencing



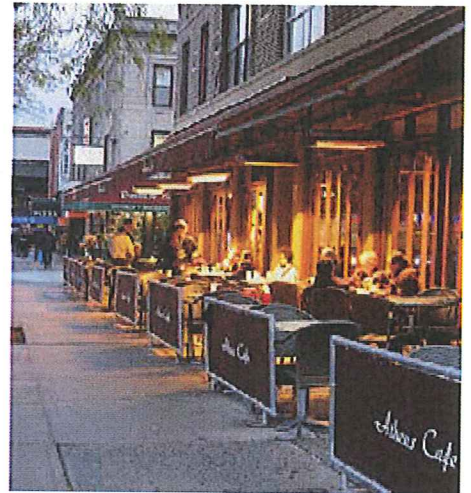
- » Fencing should be treated simply and in a similar manner between individual parcels and buildings to create a sense of harmony and unification with the residential area.
- » Ground level private patios should be delineated with fencing of a high quality and durable material (i.e. wood or metal) and should not exceed 1.5 metres in height unless considered as part of a gateway treatment.
- » In all public to semi-private open areas, fencing should be visually permeable and its height should be such that it is not imposing to the pedestrian realm and maintain CPTED sightlines.
- » The use of chain link as a fencing should be discouraged in public open space and private landscaped areas, with the exception of the delineation of the Wilson Creek wetland and riparian corridor.
- » Variations in fence treatment can be presented at the Development Permit stage, and should only be considered when the fence design is in response to a specific microclimate to increase pedestrian comfort or to increase usability of an outdoor space (i.e. patio).

### 2.9.1 COMMERCIAL SCREENING AND FENCING

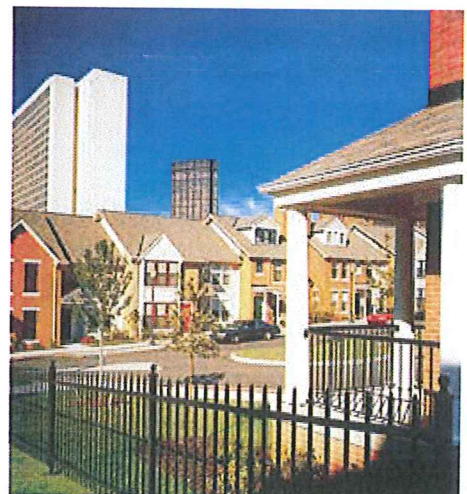
- » The commercial area and associated parking plaza should be considered as an urban plaza. As such, the City of Kelowna's Section 7.0 Landscaping and Screening requirements of surface parking lots should be relaxed in consideration of this higher urban treatment.
- » No major conflicting land uses are proposed with the commercial area that will require significant screening. Any requirements to separate adjacent building uses or create exterior territorial definition should be accomplished through planting.
- » Landscape screening and buffer should be considered along the Lakeshore Road corridor in response to any outdoor activities related to commercial uses. Any planting in close proximity to intersections and pedestrian and vehicle conflict points will respond to visual sight lines and CPTED safety requirements.



Individual Unit Fencing



Variation on Fence



Privacy Fencing



- » Outdoor patios should be delineated with decorative fencing of a high quality and durable material (i.e. metal) and should not exceed 1.2 metres in height unless considered as part of a gateway treatment.

## 2.10. SITE ACCESS AND CONNECTIONS

- » Primary access into the CD24 site is provided off of Lakeshore Road along with a secondary access off of Bird Place (via a new bridge over Wilson Creek).
- » A secondary vehicular and pedestrian access into the CD24 site will be provided from Springrose Way.
- » Emergency vehicle access into the CD24 site is provided off of Springbrook Road. This access will provide important emergency access into the CD24 site and improved pedestrian connectivity to the larger community.
- » Circulation and connectivity between the four vehicle access points will consist of an interior road network as part of a bare-land strata development and should be designed in a manner that will reduce the potential for short cutting.
- » All internal roads and access points into / out of the CD24 site should be designed in a manner that promotes pedestrian and cycling in a safe and comfortable public realm environment.
- » Bridge access off Bird Place will include appropriate Wilson Creek environmental approvals in conjunction with the bridge design and construction.
- » Bridge access off Bird Place will be constructed over Wilson Creek and designed as a gateway entrance to the site and the bridge design should be included as part of the form and character Development Permit application.
- » Bridge access off Bird Place will accommodate pedestrian and cyclists, and the north side approach will also be designed to accommodate a pedestrian crossing of the secondary entry road for the Wilson Creek trail.



Site Access and Connections



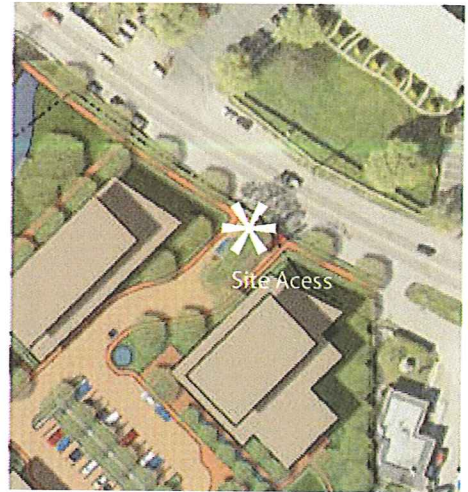
Perspective - Looking South



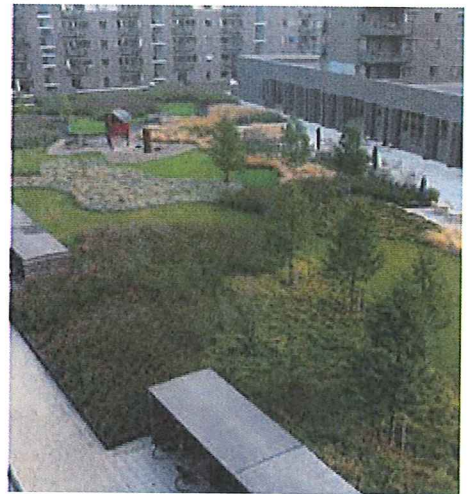
- » For any pedestrian underpass associated with the Bird Place bridge access, consideration should be given to increasing the amounts of pedestrian level lighting under bridge structure and additional considerations for CPTED principles at bridge abutments to minimize potential hiding places.
- » It is anticipated that vehicle access off of Lakeshore Road will be associated with a new controlled intersection which will serve as the main entrance for the commercial and hotel uses.
- » The Lakeshore Road entry is considered a major pedestrian and commuter cycle connection with safe and convenient access to the adjacent Multi-Use Corridor (MUC) that connects Upper Mission to Downtown. As such, consideration should be given to the commercial plaza and adjacent ground floor retail design for the accommodation of multi-modal movement.

#### 2.10.1 COMMERCIAL SITE ACCESS AND CONNECTIONS

- » Pedestrian walkways adjacent to ground floor retail should be wide enough to accommodate retail overflow into the public realm frontage zone without restricting pedestrian circulation.
- » The commercial area will be an area where the public is invited to be, and security within public areas should be considered in conjunction with building development.
- » All security devices such as gates or screens should be located on the inside of the retail frontages. Corridors or entry ways that need to be secured should be either doors or gates in keeping with the architectural style of the exterior of the building. Roller gates and shutters are not permitted.



Commercial Area Site Access

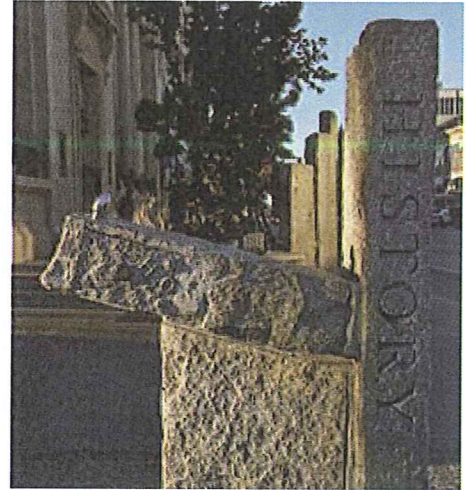


Provide Large Public Open Spaces

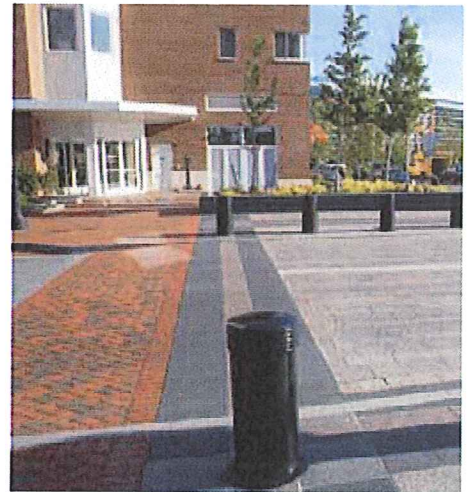


## 2.11. PUBLIC AND PRIVATE OPEN SPACE

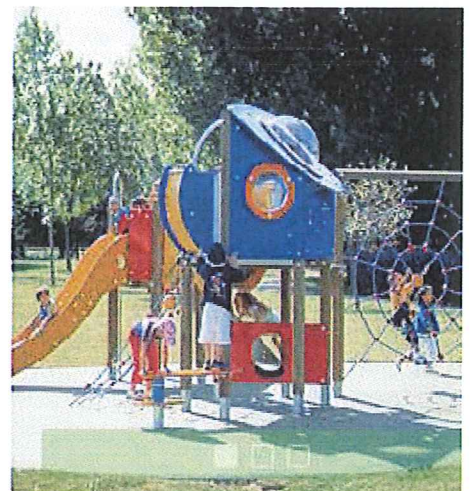
- » The provision of large usable areas designated for use by CD24 residents should be promoted in the building siting and design of exterior spaces.
- » Private open space should be limited to exterior spaces immediately adjacent to residential units (private patios and balconies) and to principle/secondary building entrances - to promote a continuous and integrated series of open spaces.
- » In situations where private areas will not be secured, landscape design and planting should create a territorial separation between semi-public and private spaces, without necessitating the use of fencing that will disrupt the visual continuity of the landscaped open spaces; fencing should be provided only when security is an issue.
- » Spatial separation, combined with landscape planting, should be considered in all locations where there is an interface between a road and a building, or a major pedestrian access route and a building.
- » Open spaces should be highly accessible and primarily promote passive recreational uses such as walking, jogging, cycling, and informal play opportunities.
- » Open spaces should provide for some level of pedestrian scale lighting to promote safety and encourage limited nighttime use.
- » The provision of landscape feature elements such as gazebos, trellises, and pergolas should be encouraged as a way to enhance the visual interest and use of open spaces and should be attractive when viewed from above.
- » A continuous pedestrian connection should be provided to link all major open spaces, including the Wilson Creek wetland and riparian corridor, which limits any potential for pedestrian and vehicle conflicts.



Urban Design



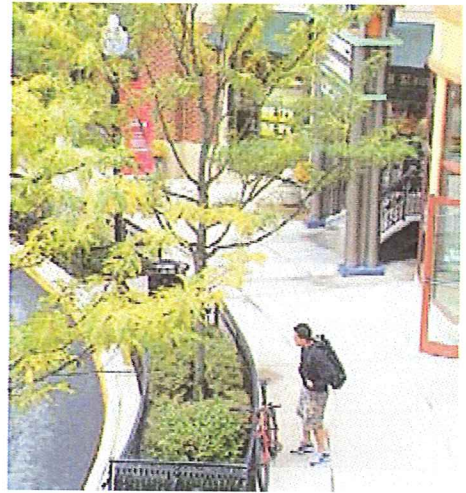
Enhanced Public Realm



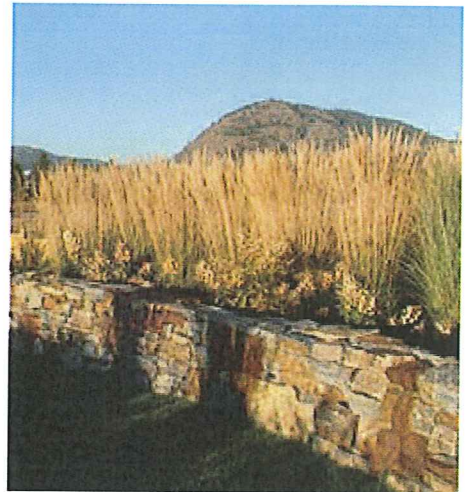
High Quality Play Equipment



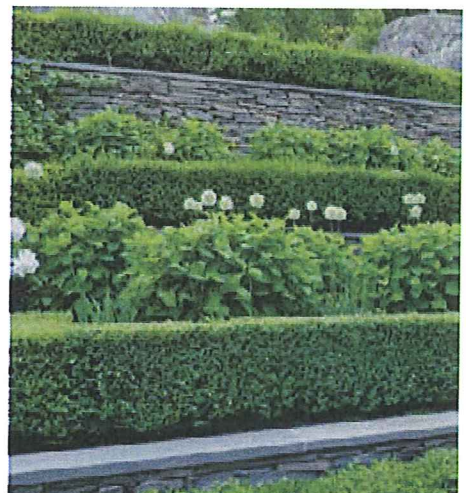
- » Portions of the Wilson Creek's northern boundary will be reserved as public open space, and will be protected by covenant against development in order to preserve and enhance the creek's wetland and riparian habitat.
- » Any new work associated with Wilson Creek's northern boundary will be designed in a manner to meet City of Kelowna design and construction standards and any environmental mitigation recommendations.
- » Provision of community gardens should be considered either as part of the overall development's common open space, or as part of an individual building's garden space. Community gardens provide a direct sustainability feature and also create more of a community presence in the development.
- » Community gardens should be considered as part of a private or semi-private open space development and be designed in a manner that provides some level of security and controlled access for users.
- » Provision of structured play areas should be considered either as part of the overall development's common open space, or as part of an individual building's garden space.
- » Structured play should consist of play equipment that promoted physical play and social interaction among its users.
- » Any play equipment should conform to current CSA playground standards and be of high quality design and durable materials and include appropriate safety surfacing.
- » No black colour rubber tile safety surfacing should be used due to potential heat absorption.
- » Non-structural retaining walls used in open spaces should not be greater than 1.2 metres in height and made from local stone or of modular/ segmental block construction.



Pedestrian Amenities



Low Natural Stone Walls



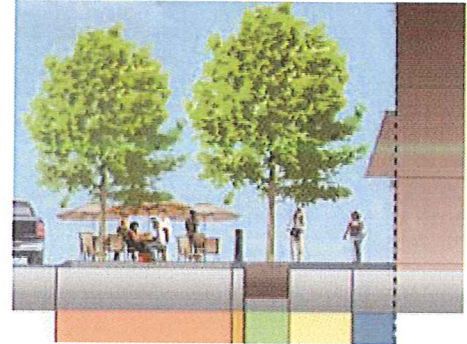
Terraced Landscape Treatment



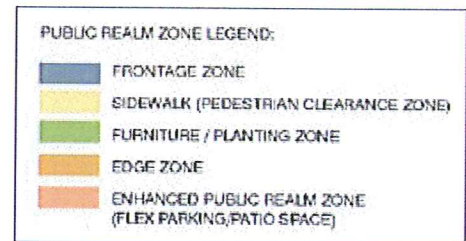
- » Where structural retaining walls are required, exposed faces should be treated in a manner that is complementary with adjacent landscaping and/or architectural details - so as to limit their overall mass, height and visual impact.
- » Where structural retaining walls are required, exposed faces should be treated in a manner that will discourage graffiti (i.e. treated with anti-graffiti coating). Photo image vinyl wraps should be provided on all utility boxes that are susceptible to graffiti (i.e. tagging).

#### 2.11.1 COMMERCIAL PUBLIC AND PRIVATE OPEN SPACE

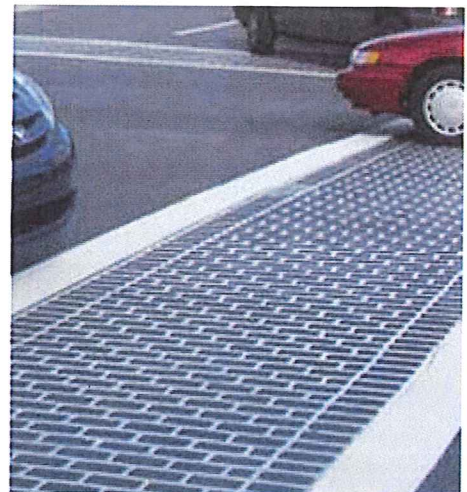
- » The Commercial plaza should be fully accessible to the public as it depends on pedestrian and vehicular traffic. Open spaces within this area should serve either as aesthetic landscaped areas relating to retail activity or routes of access.
- » The character of the commercial open space should have an “urban plaza character” in support of retail activities and promote a pedestrian friendly environment through spatial continuity between the public and private realms.
- » The design of open spaces within the commercial plaza should promote social interaction throughout the following site planning considerations: orient the spaces to take advantage of natural sunlight and key views; provide shade and protection from wind and other climatic elements.
- » Encourage the provision of streetscape elements of greater distinction within the public realm that should incorporate a high level of urban and functional design. The intent is to create a unique and memorable experience through innovative and creative design.
- » Consideration should be given to placement of streetscape elements within the commercial area's



Pedestrian Zones



Pedestrian Zone Legend



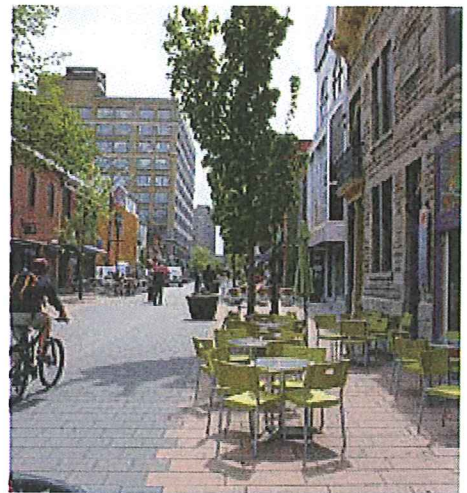
Pedestrian Sidewalk

public realm so as not to create clutter or restrict pedestrian movement.

- » The public realm for Area “A” should be considered as a series of pedestrian zones in which specific site furnishing, planting and streetscape elements will be located. Zones may include any of the following:
  - Edge Zone: immediately adjacent to parking and provides a safety buffer for pedestrian against vehicle encroachment;
  - Furniture and Planting Zone: accommodates street tree planting, lighting, site furniture and other fixed objects;
  - Pedestrian Clearance Zone: must be kept free of obstructions and provide a continuous linear pathway of an appropriate width to serve anticipated pedestrian flow;
  - Frontage and Marketing Zone: is the area directly in front of the building and/or property line. It can be used as flow-out space, patios and outdoor display areas for merchants.
  - Enhanced Public Realm Zone: is the flexible parking space that can be utilized for seating areas.
- » Consideration should be given to the use of brick pavers as the primary surface treatment to promote a sense of ‘high quality urban design’ and promote passive stormwater management through porous pavement.
- » Consideration should be given to the use of rolled curbing in association with decorative metal bollards in high pedestrian and vehicle circulation areas to define and separate movement while maintaining continuity of paving treatment.
- » Open space areas closer to Lakeshore Road should be used to complement the main signage opportunities and create an aesthetic buffer between the site and the boulevard.



Urban Plaza Character



Social Interaction



# LANDSCAPE DESIGN GUIDELINES

## 3.1. PEDESTRIANS

- » All major pedestrian walkways within the semi-private and public open spaces should be accessible at all hours and to all users, and conform to best practices for barrier-free design.
- » All internal roads should include sidewalks of a minimum 1.8 metre width.
- » Wherever possible, sidewalks should be separated by a planted boulevard of minimum 2.0 metre width.
- » All major pedestrian walkways should provide for some level of pedestrian scale lighting to promote safety and encourage limited nighttime use.
- » Pedestrian network should be considered in conjunction with overall roadway network and building siting, so as to maximize interconnectivity between roads private and public open spaces and minimize pedestrian and vehicle conflicts.
- » A hierarchy of pedestrian pathways should be developed in conjunction with overall pedestrian network system. Paving surface treatment and pathway widths should be used as part of the pedestrian hierarchy.
- » Consideration should be given for the following pathway hierarchy system;
  - brick pavers in urban areas where pedestrian and vehicles have equal importance;
  - concrete paving for major pathways and sidewalks within public realm;
  - combination concrete and brick paving for pathways within the private realm;
  - asphalt paving for multi-modal and high traffic pathways in natural areas;
  - compacted crushed granular in low traffic natural areas.



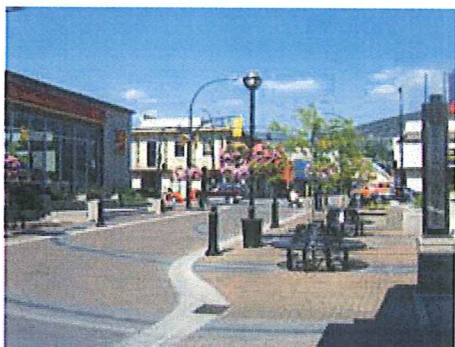
Separated Walkway



Hierarchy Paths



Brick Pavers in Urban Plaza Area



Rolled Curb with Brick Pavers



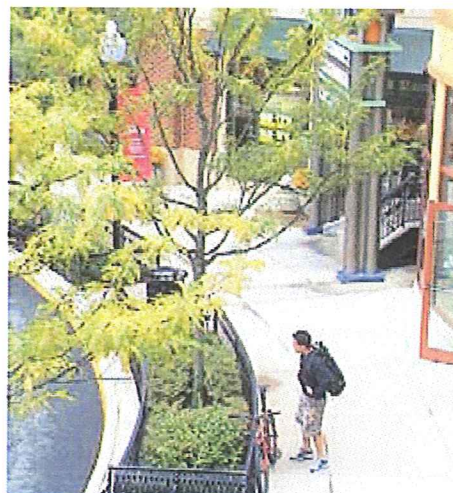
- » Public realm should provide site furnishing, comfort amenities, shade trees, low level planting, and landscape / urban design elements that will create a pedestrian friendly streetscape environment and promote pedestrian use.
- » Pedestrian crosswalks should be treated in a manner that provides paving contrast, in an aesthetically pleasing manner, between pedestrian zones within roadway.
- » Pedestrian crosswalks paving treatment should be limited to:
  - stamped and tinted concrete,
  - wear-resistant thermal plastic traffic patterns (i.e. SquareOne Paving),
  - or at minimum, painted zebra lines.

### 3.2. CYCLING

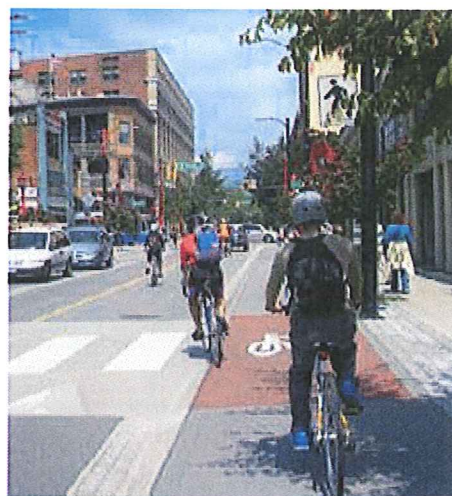
- » Bike paths for recreation, commuter bike lanes and multi-use shared bike and pedestrian corridors shall promote alternative modes of transportation and increased physical activity that provides a direct sustainability feature to the CD24 site, and also creates more of a community presence in the development.
- » Pathway connections into the CD24 site should take full advantage of the adjacent Lakeshore Multi-Use Corridor (MUC) that connects Upper Mission to Downtown. As such, consideration should be given to the Commercial Plaza and adjacent ground floor retail design for the accommodation of multi-modal movement.
- » Given the residential nature of the development, with lower traffic volumes when compared to city collector and arterial roads, no painting should be required to delineate commuter bike lanes on internal roads.
- » Bollards are recommended in areas where separated bike paths join-up with vehicle intersections as a way to encourage the slowing down and dismounting of cyclists before crossing roadway.



Pedestrian Sidewalk



Pedestrian Amenities



Promote Cycling



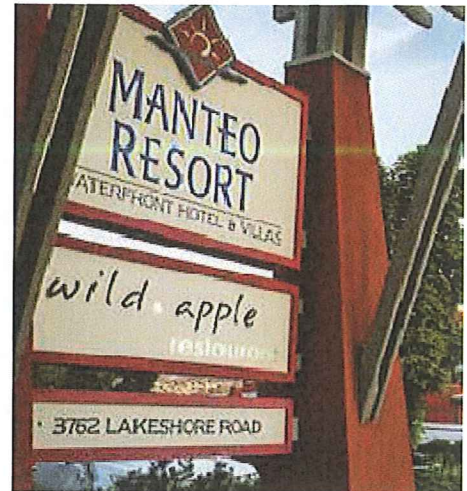
- » Provisions should be made for safe and reliable bicycle storage in key public open space areas and within every private building site in the development.

### 3.3. WAYFINDING AND SIGNAGE

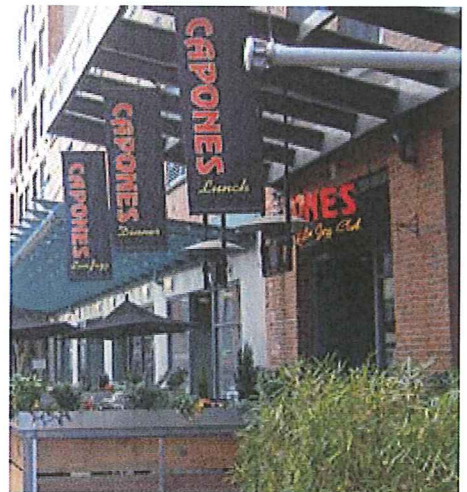
- » Buildings in the residential area should have adequate directional signage at the main entries to the CD24 site.
- » All of the internal roads will be private roads and should be properly named and addressed to orient and direct local residents and visitors within the development.
- » A logical addressing system should be developed in conjunction with the City of Kelowna and the emergency response providers, to ensure that each building or cluster of town houses is easily identifiable.
- » Any wayfinding and directional signage associated with the Wilson Creek wetland and riparian corridor should be coordinated with the City of Kelowna's wayfinding and park signage requirements.

### 3.4. WILSON CREEK GREEN SPACE LANDSCAPING

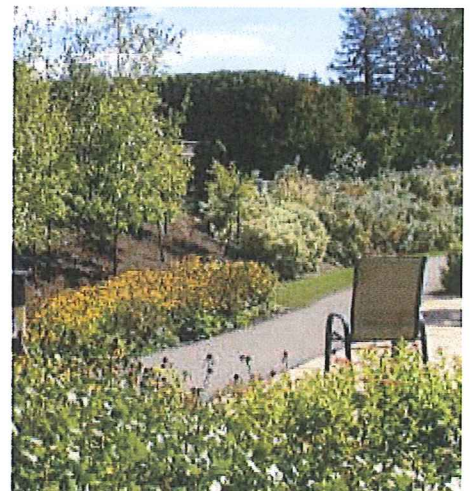
- » Portions of the Wilson Creek's northern boundary will be reserved as public open space, and will be protected by covenant against development in order to preserve and enhance the creek's wetland and riparian habitat.
- » Private open space landscaping adjacent to the Wilson Creek Green Space should consist primarily of native and indigenous plant species in natural plant groupings that is complementary of the public open space treatment for the adjacent Wilson Creek wetland and riparian corridor.
- » Private patios adjacent to the Wilson Creek Green Space should provide some fencing in response to security and delineation of private and public spaces.



Project Signage



Awning Signage



Wilson Creek Space Setback



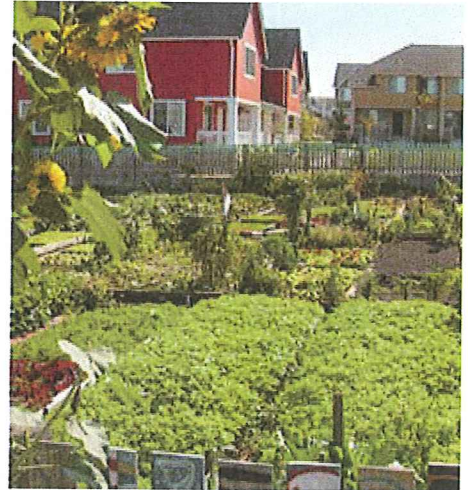
- » Private patio spaces should be delineated with decorative fencing of a high quality and durable material (i.e. metal, glass) and should not exceed 1.2 metres in height unless considered as part of a gateway treatment.
- » Private patio fencing should encourage views to the adjacent naturalized landscape and be constructed in a manner that minimizes its opacity.
- » Non-structural retaining walls used in open spaces should not be greater than 1.2 metres in height and made from local stone or of modular/ segmental block construction.

### 3.5. COMMUNITY GARDENS

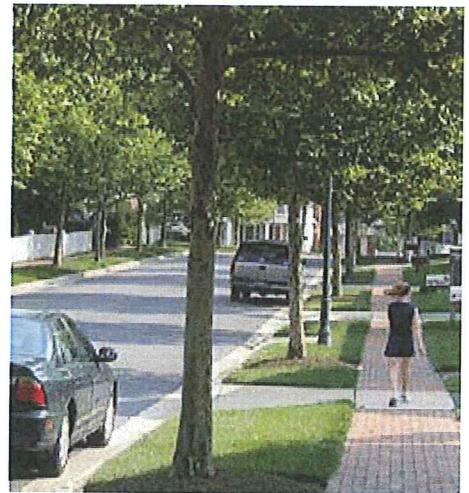
- » Provision of community gardens should be considered either as part of the overall development's common open space, or as part of an individual building's garden space. Community gardens provide a direct sustainability feature and also create more of a community presence in the development.
- » Maintenance agreements between developers and users should be developed in coordination with the establishment of any community garden, to ensure proper stewardship, access control and visual tidiness of these unique garden spaces.
- » The provision of landscape feature elements such as gazebos, trellises, and a storage shed should be encouraged to enhance the visual interest and functionality of the community gardens, and should be attractive when viewed from above.

### 3.6. STREET TREE PLANTING

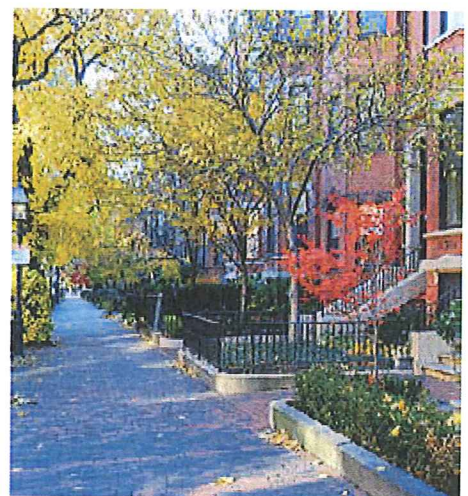
- » Street trees can significantly contribute to the overall beauty and increased property values of the CD24 site and therefore should be provide wherever possible.



Public Space Community Gardens



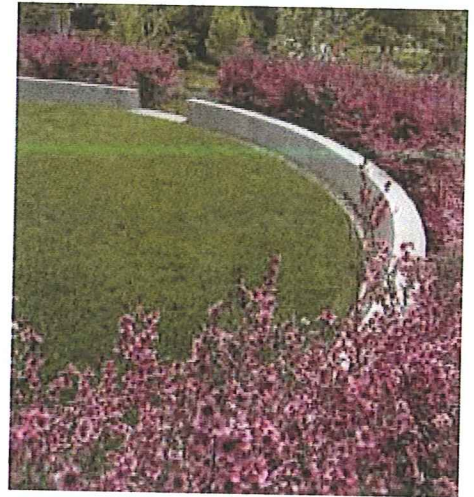
Street Trees Adapted to Region



Street Trees Celebrate Seasons



- » Street trees should be of a deciduous species that has a non-aggressive root habit and tolerant of urban conditions (i.e. road salt) with a minimum 7.5 cm (3") calliper size measured at Circumference at Breast Height (CBH).
- » At minimum, street tree selection should be cross-referenced to the City of Kelowna's Tree Selection Guidelines for appropriateness of tree species:  
<http://www.kelowna.ca/CM/Page292.aspx>
- » Street tree species selection should be suitable for the Okanagan climate and growing conditions and have been grown locally.
- » Street tree species selection should celebrate seasonal variations through changing colour of leaves, winter and summer bark and branching interest, etc.
- » Street tree species selection should provide enough diversity of species as to protect against the spread of disease and pests that can devastate monoculture plantings (i.e. Dutch Elm disease).
- » Street tree planting (i.e species and spacing) should be treated in a similar manner on both sides of the internal road ROW to create a unified appearance.
- » Changes in street tree species should be in logical locations such as roadway intersections, changes in road directions, and termination of key roadway vistas. Avoid random or multiple specie changes along a single stretch of roadway.
- » Soil volumes for street tree planting should be maximized to increase the area available for root growth.
- » Consideration should be given to providing continuous soil trenches, root zone break-out areas to adjacent green spaces, structural soil, and use of suspended pavement systems such as SilvaCell® as possible strategies of increasing soil volumes.
- » Wherever possible, all trees should be offset back from sidewalk and major utility services by a minimum of 2.0 metres measured from edge of conflict to edge of tree rootball. If not possible root barriers should be used.



Maximize Landscape Buffering at Edges



Screen Private from Public Spaces



Green Streets



- » Root barriers should be provided at critical root zones areas adjacent to sidewalks, utilities and other vulnerable infrastructure, to direct surface roots downward and away from potential conflicts.
- » All street trees should be irrigated with an automatic underground irrigation system. System controls and zoning should be such as to allow trees to be irrigated independently of other planting.
- » All irrigation should conform to the highest standards and irrigation best practices for reduced water consumption and usage.
- » Drip and Drip manifold should be the preferred method of irrigation, to eliminate water loss due to over-spraying and evaporation and provide equal distribution of water directly to the root zone area.

### 3.7. LANDSCAPE PLANTING

- » Landscape planting (including trees) should include species adapted and suitable for the Okanagan's hot-dry climate and growing conditions and have been grown locally.
- » Plant material should be of various species and genus as to provide a high level of visual and seasonal interest in form, colour and texture.
- » Landscape trees should be large enough at maturity to create a park-like setting, especially along roadside boulevards.
- » Plant material should be specified at a sufficient installation sizes as to provide an immediate landscape impact.
- » Planting areas should include a mixture of deciduous and evergreen plants in combinations of perennials, ornamental grasses, shrubs, and trees in response a building's specific exterior space programming and buffering requirements.
- » All planting should conform to the BC Landscape Standards, current edition, for minimum plant and installation specifications.



Maximize Soil Area for Trees



Root Barriers Adjacent To Utilities

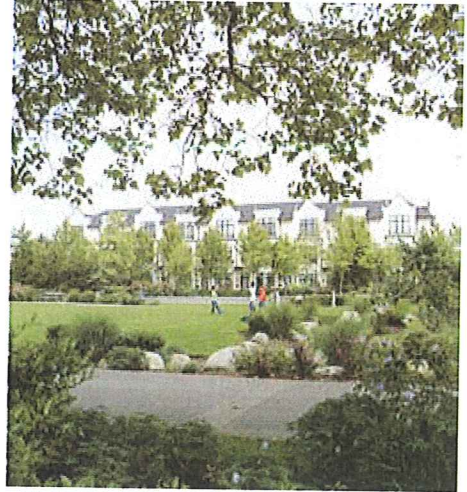


Street Tree Drip Irrigation



Okanagan Inspired Landscape

- » All planting should be irrigated with an automatic underground irrigation system. System controls and zoning should be such as to allow planting to be irrigated independently of landscape trees and street tree planting.
- » All irrigation should conform to the highest standards and irrigation best practices for reduced water consumption and usage.
- » Drip and Drip manifold should be the preferred method of irrigation, to eliminate water loss due to over-spraying and evaporation and provide equal distribution of water directly to the root zone area.



Variety of Plant Species



Planting Entry



Illustrative Legend:



Linear Park Dedication Area  
7 536 m<sup>2</sup>



Greenspace Area  
2 756m<sup>2</sup>

Total Area 10 292 m<sup>2</sup>

Total area equivalent to 25m setback 10 292 m<sup>2</sup>

Total area required to satisfy provincial requirements 4 188 m<sup>2</sup>

SCHEDULE B





# CD24 PROJECT RATIONALE

APRIL 2012





# PROJECT RATIONALE

The development envisioned under the CD24 zone is to be a place where a sense of community thrives and pride in the neighbourhood is evident. The project will offer a wide variety of residential unit types, and sizes and tenure (ownership and rental) to create a broad market appeal. It is anticipated that the product offerings will attract seniors, small families and singles. One of the objectives is to ensure that people working in the service industry in this tourist-oriented area will have a housing option in close proximity.


Additionally, the boutique style destination hotel and associated uses will offer a high quality tourist environment and experience that is complementary to the area's tourism focus.

The CD24 development will be an inviting and sustainable mixed-use commercial residential neighbourhood that will support the tourism potential of this unique area of Kelowna. The overall vision for CD24 is forward thinking; incorporating principles of smart growth development, a high level of urban design and best management practices for sustainability. The following are the over-arching development objectives for CD24:

- » Promote the City of Kelowna's vision for new communities and development, as outlined in Chapter 5.0 of the 2030 Overall Community Plan (OCP): *develop in a sustainable manner; focus development in established growth areas; ensure appropriate and context sensitive built form; create a sense of community; provide high quality urban design; create opportunities for greater pedestrian, active transportation and public transit use.*
- » Promote the creation of a *Complete Communities and Compact Urban Form* that combines a variety of residential building types, with a tourism-based commercial and retail component that is responsive to the surrounding context.
- » Promote a pedestrian-oriented lifestyle community that integrates mixed-use development with park-like open spaces that are inter-connected by pathways both internally and externally.
- » Promote the construction of energy efficient buildings and best management practices with regards to sustainability initiatives for community design, energy efficiency, reduced water consumption, active transportation, increased biodiversity and preservation of ecology.

The plan emphasizes placemaking as an important component of sustainable design. Significant open space in a variety of forms Wilson Creek habitat corridor, public walkway pocket parks, large open spaces and intimate plazas will all contribute to the creation of liveable spaces and habitat creation while establishing a healthy overall tree cover.

Streetscape plans also stress greenery and pedestrians while downplaying auto traffic by incorporating generous sidewalks and significant streetscape vegetation. Buildings are encouraged to be "tight" to the streetscape to encourage an active pedestrian-oriented frontage.



A clear proposal strength is the site's size. The size allows for a comprehensive plan, a plan that can create a very interesting and livable mixed-use community, and a plant that can connect well with the surrounding neighbourhoods through transitional heights and the interconnectivity of the linear park and trails. While providing an excellent variety of housing options and responsible "in-fill" density, the site will feel quite intimate through the use of smaller floorplates and the abundance of open space provided internally and in the linear park.

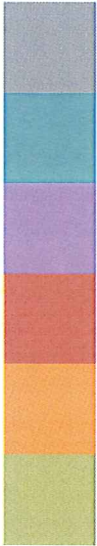
Restrictive zoning and development permit guidelines will direct the evolution of the site with a vision that will see an environmentally responsible solution that is pedestrian-oriented and transit supportive with architecture and landscape solutions that are responsive to both the neighbourhood context and its Okanagan setting.



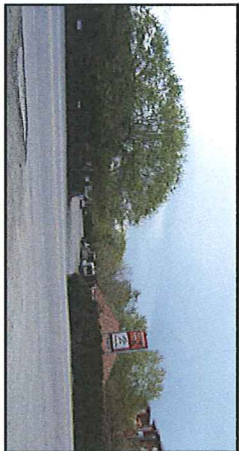


CD24 comprehensive development plan

decemeber 2012







comprehensive development plan  
december 2012

existing context  
Westcorp Inc. — MMM GROUP



Preliminary Statistics

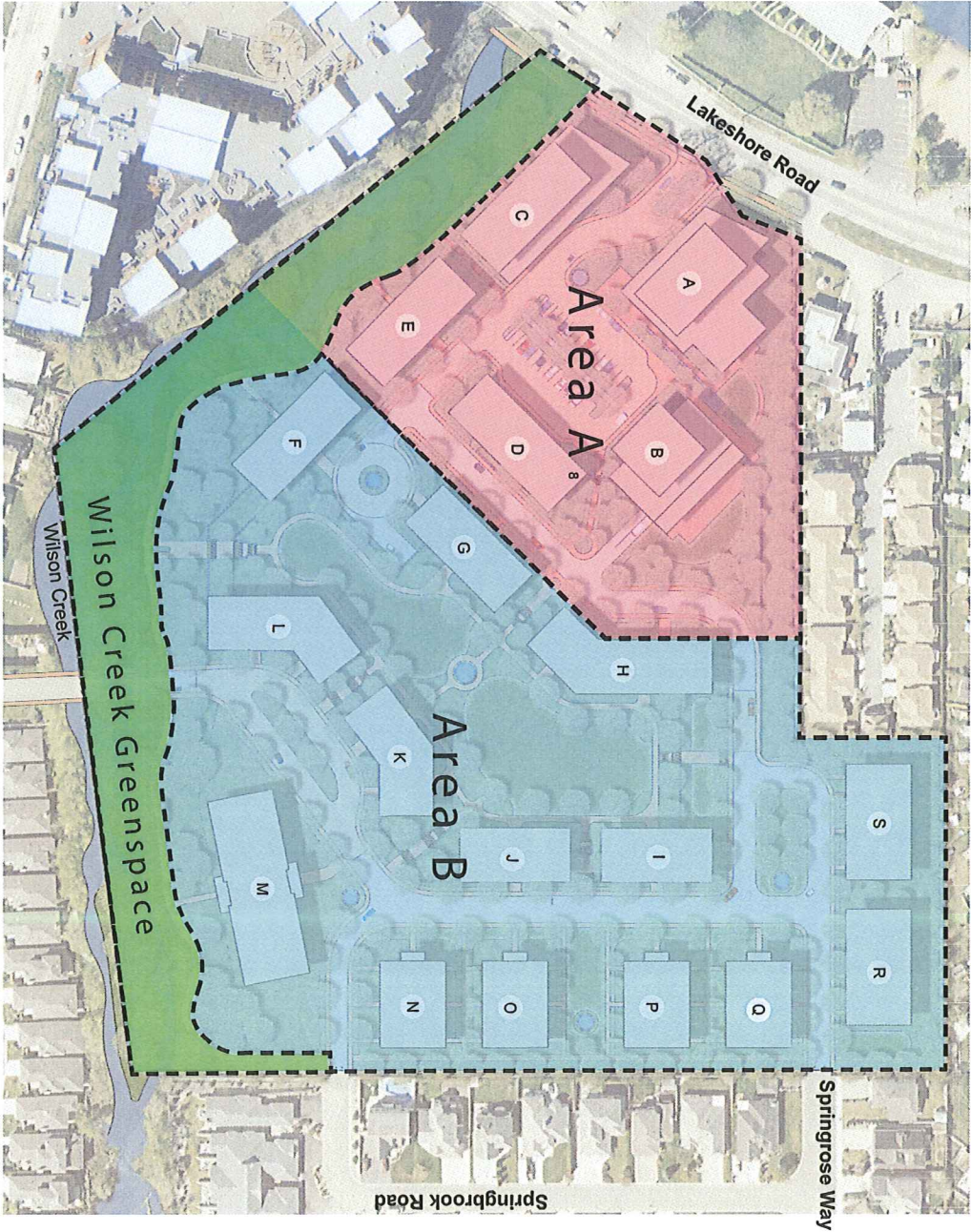
Site Area Gross	m <sup>2</sup>	ft <sup>2</sup>	%
	72,596	781,133	100%
Site Coverage	m <sup>2</sup>	ft <sup>2</sup>	%
Roads / Sidewalks	10,890	117,176	15%
Building Footprints	17,525	188,569	24%
Landscape Areas (not Wilson Creek)	33,925	365,033	47%
Wilson Creek	10,292	110,742	14%
Site Coverage Total	44,615	482,209	39%
Greenspace Total	27,817	299,311	61%

Area A	m <sup>2</sup>	ft <sup>2</sup>	Units
Building Areas	m <sup>2</sup>	ft <sup>2</sup>	Units
Hotel	9,720	104,587	150
Hotel/Apartment	9,500	102,220	100
Building D	6,880	74,029	87
Building E	6,320	68,003	56
Conference Space	2,000	21,520	
Building Areas Totals	34,420	370,359	393
Retail Area	m <sup>2</sup>	ft <sup>2</sup>	Units
Retail: Hotel / Apt	1,250	13,450	
Retail: Building D	1,000	10,760	
Retail: Building E	200	2,152	
Retail: Conference Space	200	2,152	
Retail Totals	2,650	28,514	

Area B - Residential Units	m <sup>2</sup>	ft <sup>2</sup>	Units
Residential Units Totals	33,690	430,508	317
Area B - Townhomes	m <sup>2</sup>	ft <sup>2</sup>	Units
Townhomes Totals	22,880	246,189	204

F.A.R Calculations

Site Area:	72,596 m <sup>2</sup>	
Area A	34,420 m <sup>2</sup>	
Area B	33,690 m <sup>2</sup>	
Res. Units	22,880 m <sup>2</sup>	
Townhomes	90,990 m <sup>2</sup>	
(net floor area)	72,596 m <sup>2</sup>	
Net Floor Area	90,990 m <sup>2</sup>	
Site Area	72,596 m <sup>2</sup>	
		<b>= 1.25 F.A.R</b>



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december 2012



## AREA A BUILDING HEIGHTS

THE MAXIMUM HEIGHT OF BUILDINGS LOCATED WITHIN AREA A SHALL BE THE LESSER OF 36 METRES OR 11 STOREYS NOT INCLUDING ROOFTOP MECHANICAL PENTHOUSE, ANTENNA OR OTHER ANCILLARY STRUCTURES.

ONLY ONE BUILDING IN AREA A SHALL BE PERMITTED TO REACH THIS MAXIMUM HEIGHT.

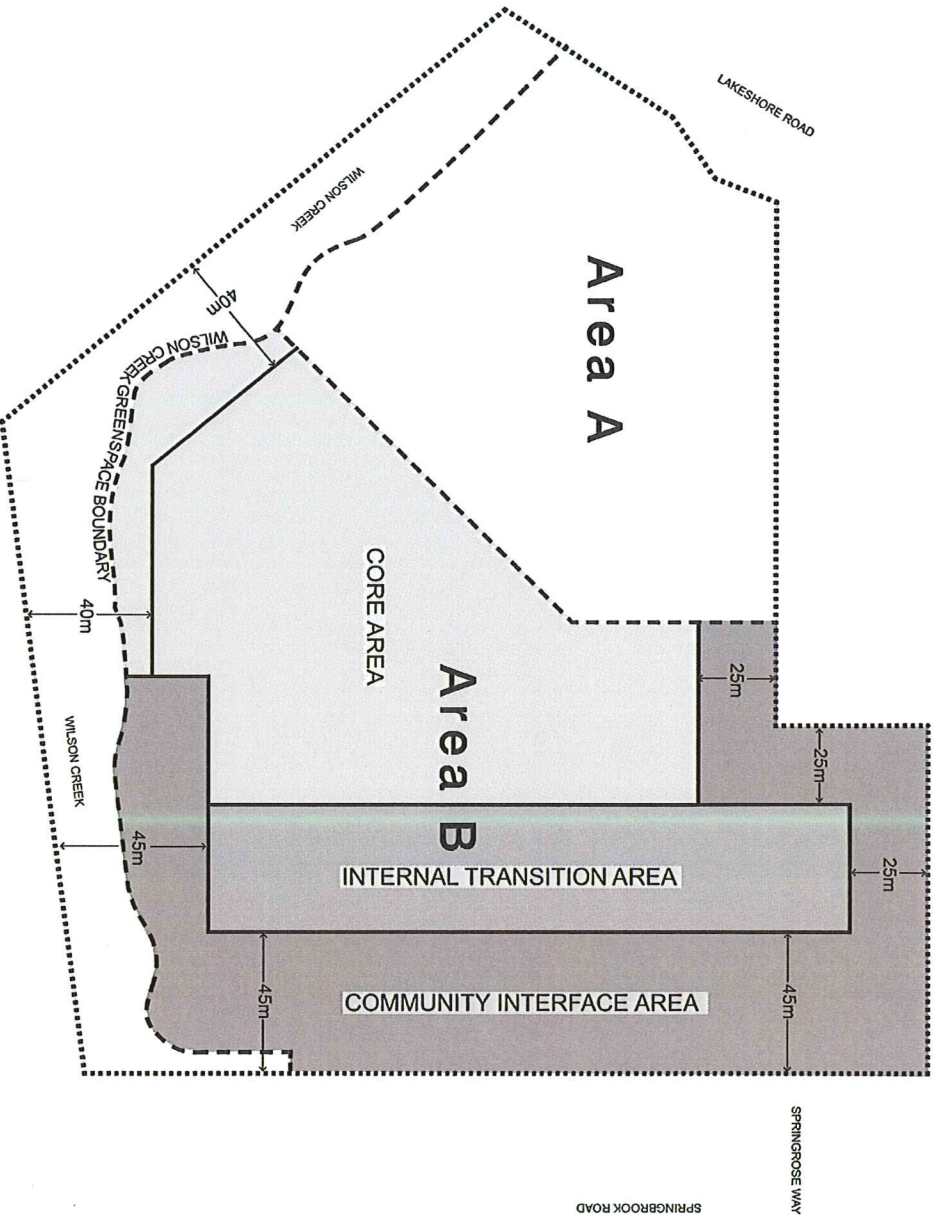
## AREA B BUILDING HEIGHTS

COMMUNITY INTERFACE AREA: THE LESSER OF 11.5 METRES OR 3.5 STOREYS.

INTERNAL TRANSITION AREA: THE LESSER OF 20.5 METRES OR 6 STOREYS.

CORE AREA: THE LESSER OF 29.5 METRES OR 9 STOREYS.

HEIGHT IS MEASURED FROM BUILDING GRADE AS DEFINED IN BYLAW 8000.



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building height

## AREA A

### BUILDING SETBACKS

**SOUTH SIDE** - 3.0 METRES FROM THE BOUNDARY OF THE WILSON CREEK GREEN (TO BE ESTABLISHED CONCURRENT WITH THE DEVELOPMENT PERMIT). SPACE FOR ANY BUILDINGS AND STRUCTURES LESS THAN 15 METRES IN HEIGHT. ALL PORTIONS OF BUILDINGS AND STRUCTURES 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

**NORTH SIDE** - 7.5 METRES FROM PROPERTY BOUNDARY FOR ALL BUILDINGS AND STRUCTURES UP TO 10 METRES IN HEIGHT. 15 METRES FOR ANY BUILDINGS AND STRUCTURES GREATER THAN 10 METRES IN HEIGHT.

**WEST SIDE** - 0.0 METRES FROM PROPERTY BOUNDARY 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.

## AREA B

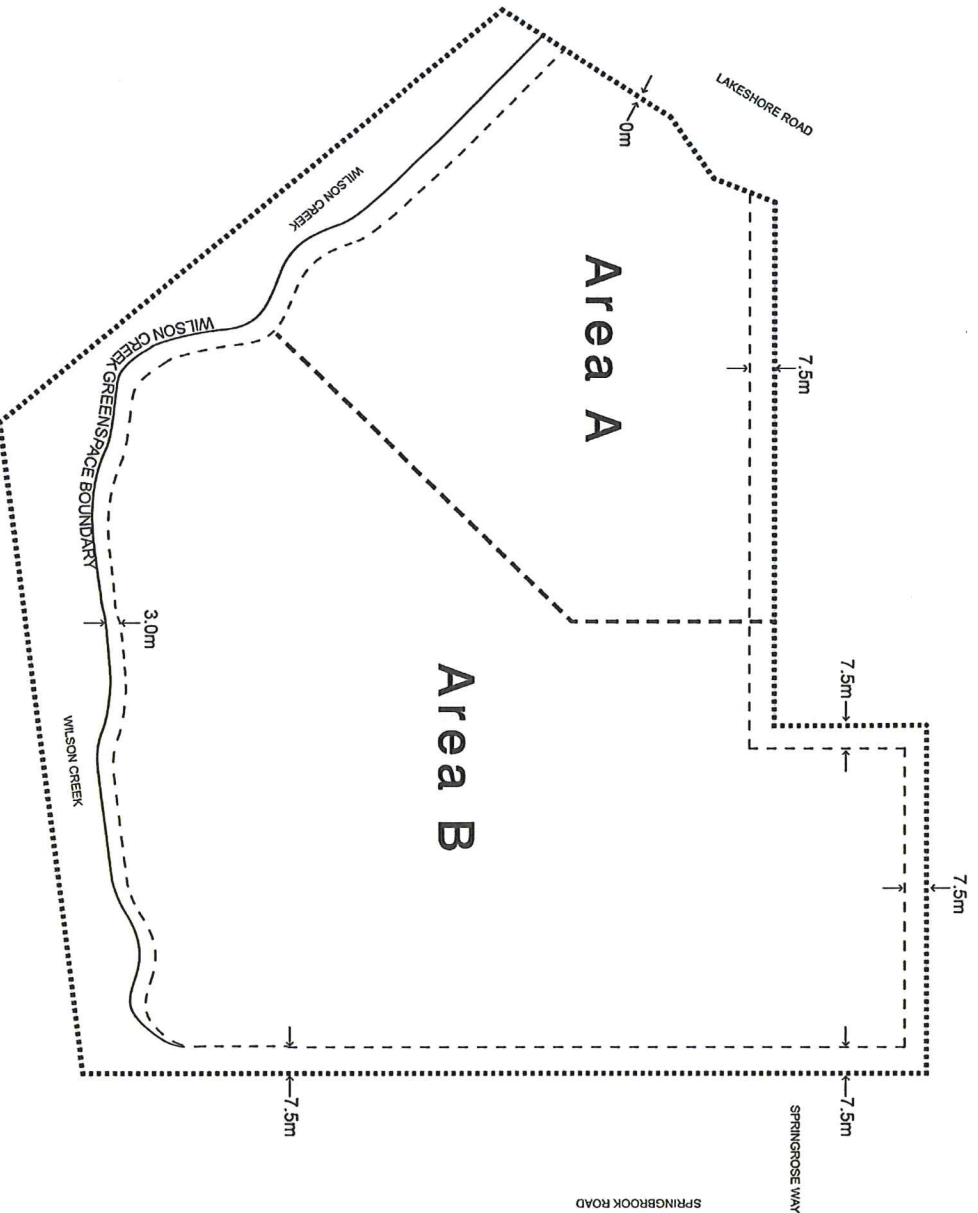
### BUILDING SETBACKS

**SOUTH SIDE** - 3.0 METRES FROM THE BOUNDARY OF THE WILSON CREEK GREENSPACE (TO BE ESTABLISHED CONCURRENT WITH THE DEVELOPMENT PERMIT). SPACE FOR ANY BUILDINGS AND STRUCTURES LESS THAN 15 METRES IN HEIGHT. ALL PORTIONS OF BUILDINGS AND STRUCTURES 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

**NORTH SIDE** - 7.5 METRES FROM PROPERTY BOUNDARY FOR ALL BUILDINGS AND STRUCTURES UP TO 11.5 METRES IN HEIGHT.

**EAST SIDE** - 7.5 METRES FROM PROPERTY BOUNDARY FOR ALL BUILDINGS AND STRUCTURES UP TO 11.5 METRES IN HEIGHT.

**WEST SIDE** - 7.5 METRES FROM PROPERTY BOUNDARY FOR ALL BUILDINGS AND STRUCTURES UP TO 11.5 METRES IN HEIGHT.



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building setbacks



Illustrative Legend:

- A Hotel
- B Conference Centre
- C Hotel/ Apartment
- D Apartment with ground level retail
- E-L Residential Units
- M-S Townhomes
- T Gateway Entry
- U Courtyard Plaza
- V Linear Park Public Path
- W Natural Area
- X Wilson Creek Riparian Enhancement Area
- Y Central Green
- Z Buffer Landscaping
- 6 Conceptual Building Height (storeys) Includes all parking structures



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demonstration plan

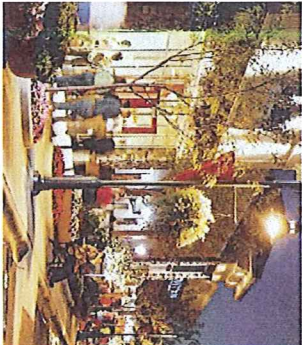
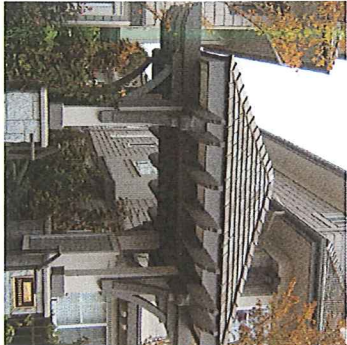




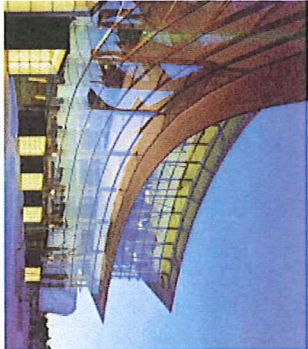
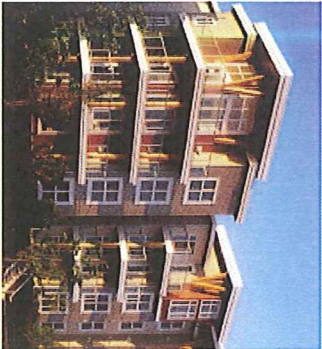
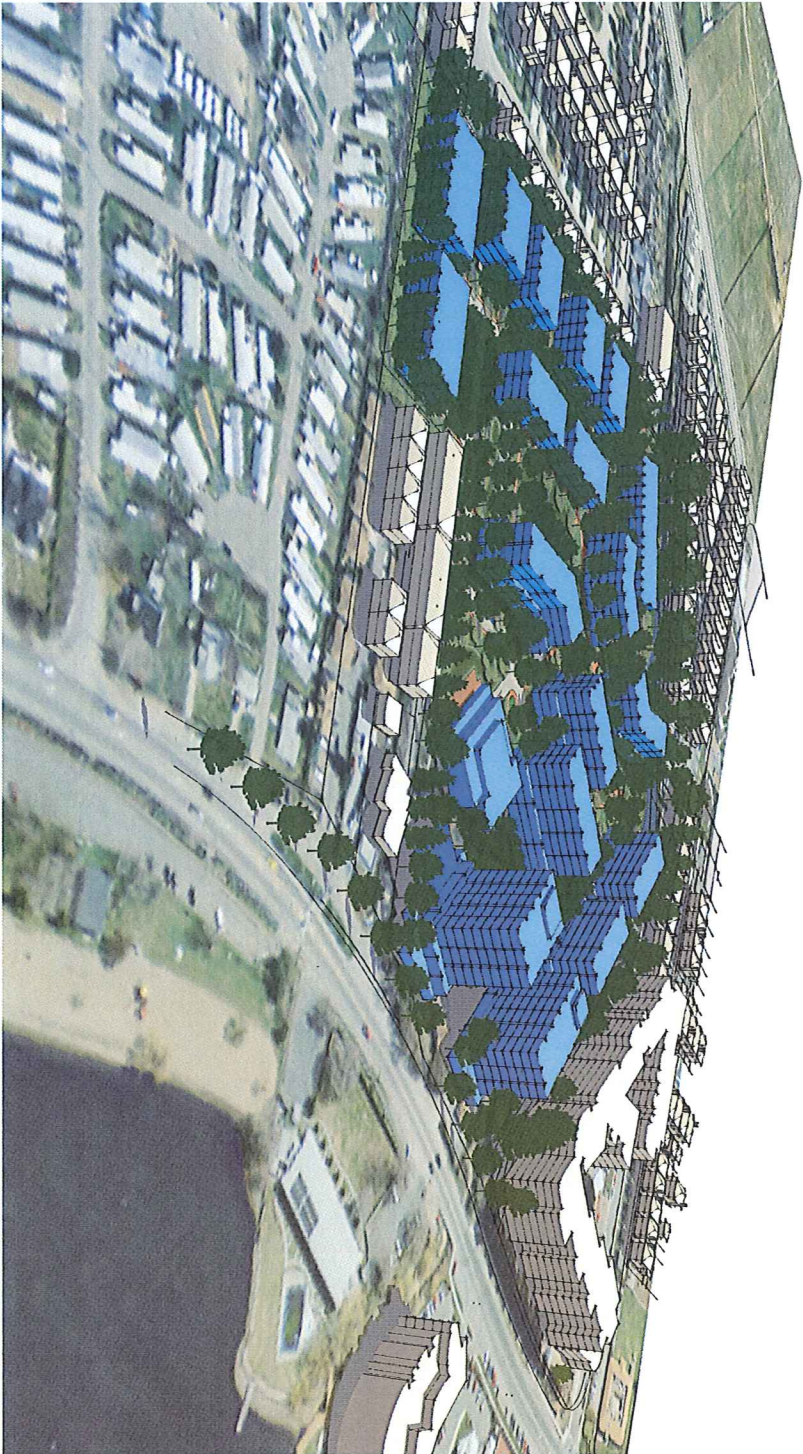


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conceptual masterplan  
NW aerial perspective







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conceptual masterplan  
SE aerial perspective







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lakeshore road - south  
potential massing  
street perspective







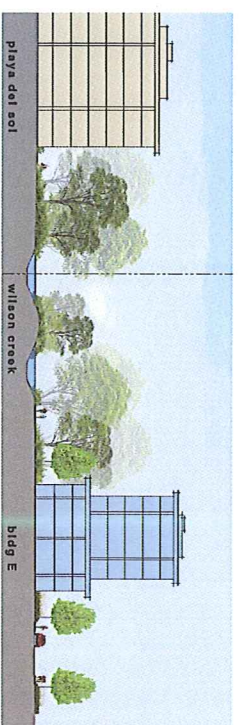
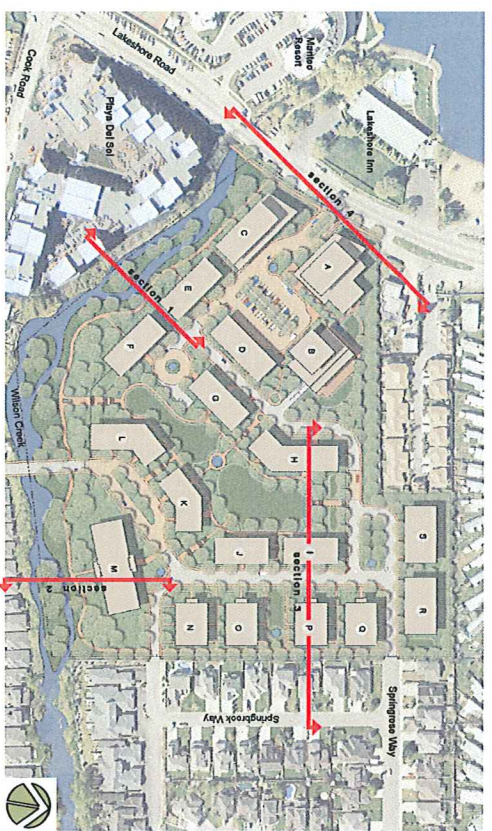
lakeshore road - north



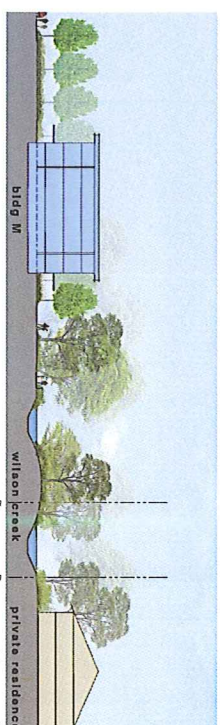
springrose way - west  
potential massing  
street perspective

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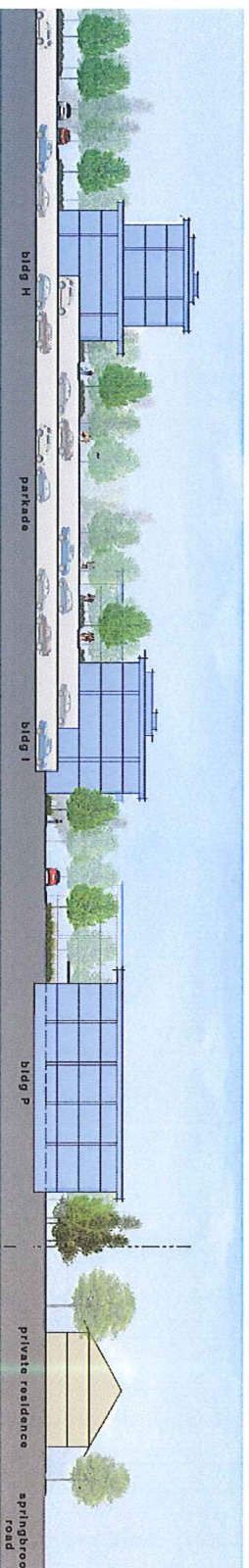




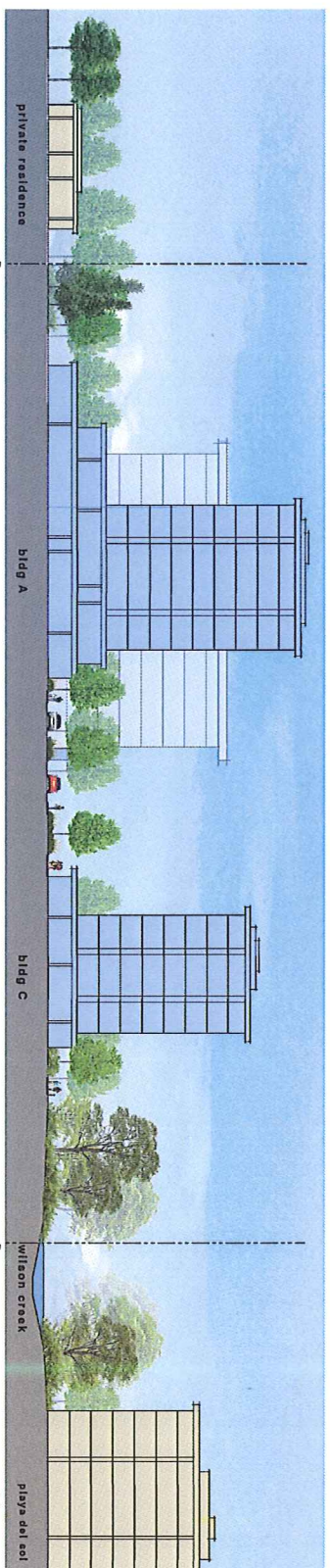
section 1



section 2



section 3

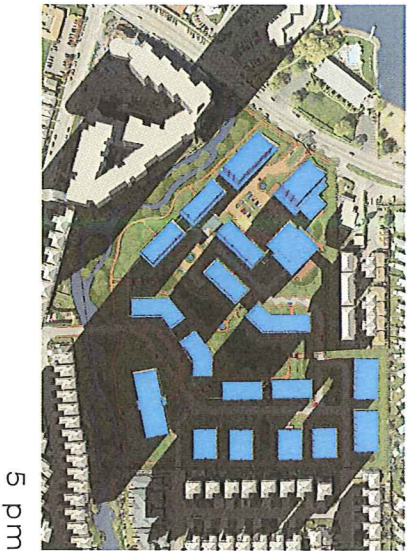


section 4

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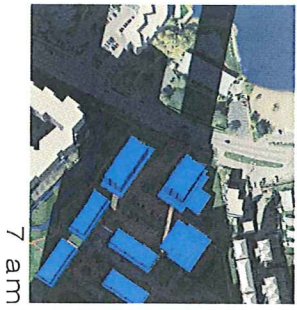




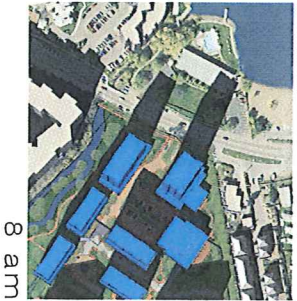
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spring /fall  
march 21 / september 21



7 am



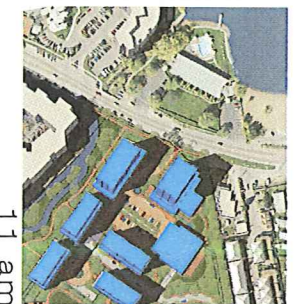
8 am



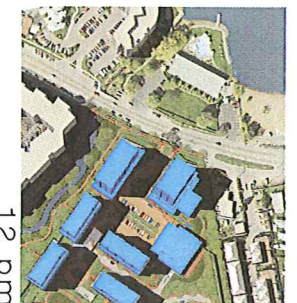
9 am



10 am



11 am



12 pm



summer  
june 21



7 am



8 am



9 am



10 am



11 am



12 pm



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shadow studies:  
rotary beach impact






Illustrative Legend:

 Potential Construction Access

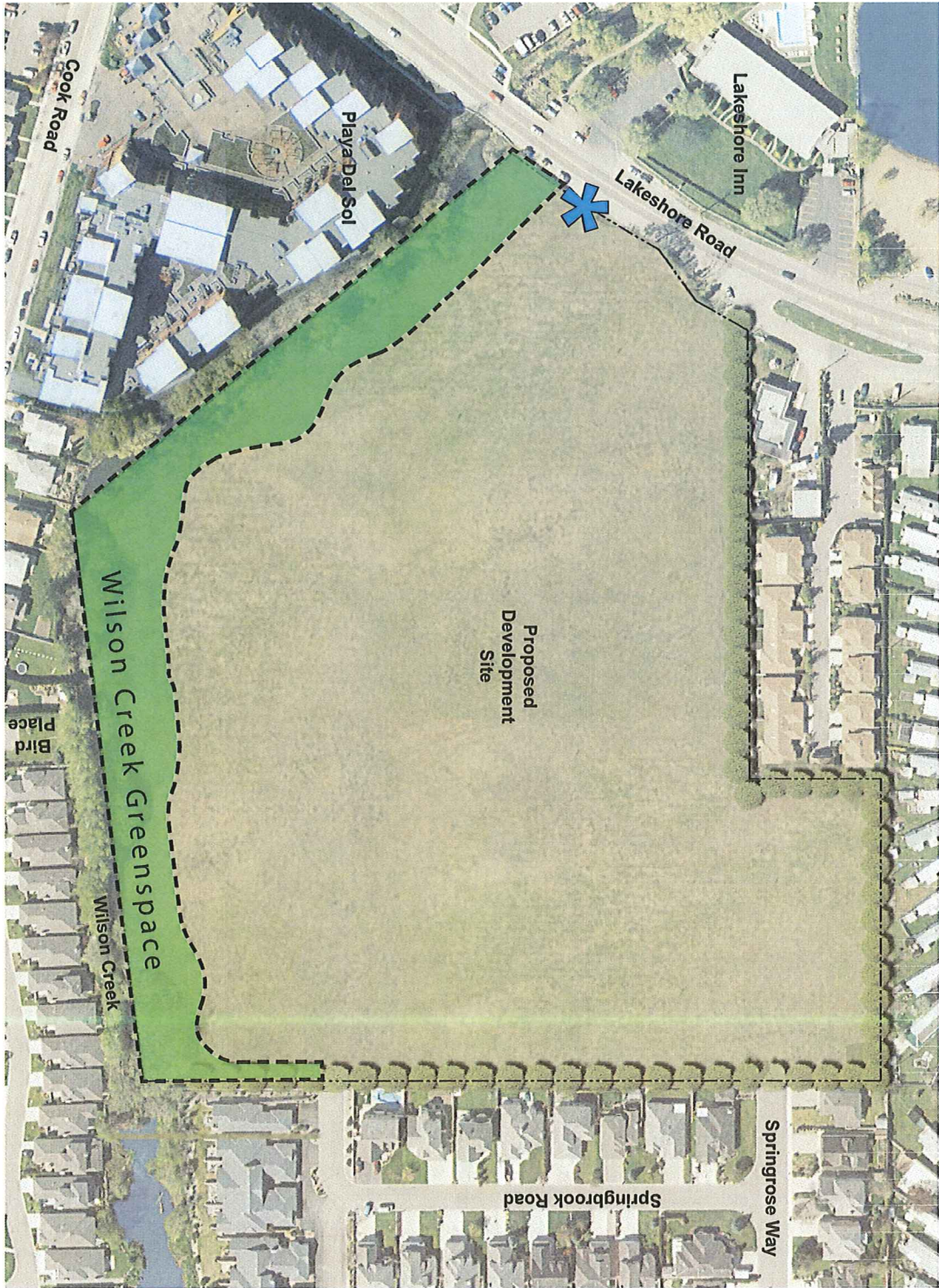
 Future Development Site

 Perimeter Tree Buffer with Privacy Fencing

 Wilson Creek Protection Area



Privacy Fencing with Tree Buffer  
Entire tree buffer established at time of Phase 1 construction  
Privacy fencing established at time of each construction phase.



comprehensive development plan  
december 2012

buffering plan plan  
 

SCHEDULE D

**Hiawatha Relocation Plan Brief**



## **Table of Contents**

Overview & Provincial Requirements

City of Kelowna Policy 229

Relocation Options for Hiawatha Mobile Home Owners

Relocation Activities to Date

Information Brief # 1 to Residents (Feb 2008)

Information Brief # 2 to Residents (June 2008)

Information Brief # 3 to Residents (Sept 2008)

## Overview & Provincial Requirements

According to the Provincial Manufactured Home Park Tenancy Act (2006), a landlord can give a tenant a twelve-month notice to move only if the landlord intends to convert all or a significant part of the manufactured home park to a non-residential use or a residential use other than a manufactured home park. The landlord must have all the necessary approvals required by law before the notice is issued. Westcorp's current application fulfills the requirement needed in order to give residents their twelve-month notice. (See excerpt on following page.)

Also according to the Act, a landlord who gives a tenant notice for redevelopment must pay the tenant, on or before the effective date of the notice, the equivalent of twelve months' rent.

Westcorp will give all existing Hiawatha mobile home owners the proper notice and the required 12 months' pad rent at the time of notice. It is expected that notice will be given immediately after approval to proceed has been given by council.

Both Westcorp and the City of Kelowna feel that the provincial legislation falls short of *ensuring* a viable relocation option for displaced residents. In crafting a relocation plan, Westcorp has used as its guide, City of Kelowna Policy 229 (2010). Westcorp's response to each of the policy items is summarized in the next section of this document.

In short, Westcorp acknowledges that all Hiawatha mobile home owners do not own the land beneath their current homes and unfortunately this has led to a change in circumstance beyond the residents' control. The intention of the relocation plan is to assist home owners with making the changes that will be required as a result of the Hiawatha development proposal. The bottom line is that no mobile home owner will lose a roof over their head as a result of this development. It has long been understood that this mobile home park has provided an affordable housing option for seniors. With that in mind, if the mobile home is not fit for relocation, or the financial compensation offered through the relocation plan is not sufficient to allow for a resident to relocate, Westcorp will ensure that the resident is provided an affordable housing option for as long as that resident chooses to be a tenant of Westcorp.



**(Excerpt from the Provincial Manufactured Home Park Tenancy Act – 2006)**

**Landlord's notice: landlord's use of property**

**42** (1) Subject to section 44 [*tenant's compensation: section 42 notice*], a landlord may end a tenancy agreement by giving notice to end the tenancy agreement if the landlord has all the necessary permits and approvals required by law, and intends in good faith, to convert all or a significant part of the manufactured home park to a non-residential use or a residential use other than a manufactured home park.

(2) A notice to end a tenancy under this section must end the tenancy effective on a date that

(a) is not earlier than 12 months after the date the notice is received and is the day before the day in the month, or in the other period on which the tenancy is based, that rent is payable under the tenancy agreement, and

(b) if the tenancy agreement is a fixed term tenancy agreement, is not earlier than the date specified as the end of the tenancy.

(3) A notice under this section must comply with section 45 [*form and content of notice to end tenancy*].

(4) A tenant may dispute a notice under this section by making an application for dispute resolution within 15 days after the date the tenant receives the notice.

(5) If a tenant who has received a notice under this section does not make an application for dispute resolution in accordance with subsection (4), the tenant

(a) is conclusively presumed to have accepted that the tenancy ends on the effective date of the notice, and

(b) must vacate the manufactured home site by that date.

**Tenant may end tenancy early following notice under section 42**

**43** (1) If a landlord gives a tenant notice to end a periodic tenancy under section 42 [*landlord's use of property*], the tenant may end the tenancy early by

(a) giving the landlord at least 10 days' written notice to end the tenancy on a date that is earlier than the effective date of the landlord's notice, and

(b) paying the landlord, on the date the tenant's notice is given, the proportion of the rent due to the effective date of the tenant's notice, unless subsection (2) applies.

(2) If the tenant paid rent before giving a notice under subsection (1), on receiving the tenant's notice, the landlord must refund any rent paid for a period after the effective date of the tenant's notice.

(3) A notice under this section does not affect the tenant's right to compensation under section 44 [*tenant's compensation: section 42 notice*].

**Tenant's compensation: section 42 notice**

**44** (1) A landlord who gives a tenant notice to end a tenancy under section 42 [*landlord's use of property*] must pay the tenant, on or before the effective date of the notice, an amount that is equivalent to 12 months' rent payable under the tenancy agreement.

(2) In addition to the amount payable under subsection (1), if steps have not been taken to accomplish the stated purpose for ending the tenancy under section 42 within a reasonable period after the effective date of the notice, the landlord must pay the tenant an amount that is the equivalent of 6 times the monthly rent payable under the tenancy agreement.



## **City of Kelowna Council Policy 229**

**Resolution R375 April 10 2010**

**Replacing S120 Feb 8 1993**

### **City of Kelowna Policy 229 Item 1**

**All tenants affected by any proposed mobile home park redevelopment be advised by the owner that an application for a mobile home site redevelopment has been made.**

In February of 2008, Westcorp Properties Inc. advised all 94 existing mobile home owners at Hiawatha that the site had been purchased with the intent to redevelop. All residents were invited to individual or small-group meetings so that Westcorp could gather information about each of the residents' individual situations and answer questions. Concurrent with, and following, the meetings with individuals, three Information Briefs were delivered to residents (Feb, June, and September, in 2008, see attached) so that consistent information was received by everyone in the Park. A Public Open House was held in June 2008, and a further meeting, specific to Hiawatha residents and their relocation questions, was held in July 2008.

### **City of Kelowna Policy 229 Item 2**

**The Owners of any proposed mobile home park site redevelopment include in their zoning and development application any proposals for the relocation of persons occupying the current mobile home park site.**

See Relocation Options 1 – 4 below.

### **City of Kelowna Policy 229 Item 3**

**The Owners of any mobile home park site proposing to redevelop to another residential zone, provide present tenants with a first refusal to purchase prior to giving notice to tenants that they must vacate the mobile home site.**

See Relocation Option 3.

### **City of Kelowna Policy 229 Item 4**

**The applicant of any mobile home park site undergoing redevelopment provide all tenants of the park with a letter at least 10 days prior to the matter being presented to Council for their consideration. This letter would advise the tenants of the date and time of the Council Meeting when such application is to be considered, and that any tenants who deem their interest to be affected by such redevelopment may appear before Council and express their views regarding this redevelopment.**

All mobile home owners at Hiawatha Park will be notified as per this policy item.

### **City of Kelowna Policy 229 Item 5**

**That any rezoning of existing mobile home parks where non-CSA approved or older mobile or manufactured homes are located, will not be considered for rezoning until a viable relocation plan for affected units is in place.**

See Relocation Options below.

## **Relocation Plan for Hiawatha Mobile Home Owners**

When development approvals have been granted, each existing mobile home owner will be paid the 12 months' value of their pad rent (approximately \$5,000) and will be given 12 months' notice to vacate the Hiawatha Mobile Home Park upon the Effective Notice Date (as per provincial law). Each owner can then choose one option from the following four relocation options:

### **Option 1: Westcorp will relocate the mobile home.**

Westcorp will assume the cost of relocation (and reconnection to services) of any approved-for-transport mobile home to anywhere in BC or Alberta.

Compensation: 12 months' pad rent (approximately \$5,000) + moving costs + a lump sum to equal a combined minimum value of \$25,000.

### **Option 2: Westcorp will purchase the mobile home.**

Westcorp will purchase the mobile home and will assume responsibility for the cost of demolition and removal.

Current average total compensation amount is \$31,989.

For those owners who choose to sell after the Effective Notice Date, the 12 months' pad rent already paid will be factored into the purchase price in order that a consistent purchase practice will be maintained for all residents. *(The assurance that monetary settlements for mobile home sales will be consistent for all residents of the Park has been very important for Hiawatha residents who have already relocated because those residents do not want to feel penalized for choosing to relocate sooner than other residents within the Park.)* If Westcorp cannot, or chooses not to, resell a mobile home after it has been purchased from the Hiawatha owner, that owner may relocate or salvage the mobile home if they so choose, at their cost.

### **Option 3: Westcorp will offer Hiawatha residents an option to purchase a housing unit within the new development.**

The Hiawatha mobile home owner will be offered a five (5) percent reduction of the list price up to a maximum of \$25,000 on any new housing unit for sale by Westcorp, or any other development company which is affiliated with Westcorp, located within the City of Kelowna. The purchase discount will be a one-time offer.

Compensation: 12 month's pad rent + \$25,000 to a minimum combined total of \$30,000.

### **Option 4: Westcorp will provide Hiawatha residents with an affordable rental housing option.**

The Hiawatha mobile home owner will be provided a rental unit at a rate consistent with the mobile home owner's current housing costs. Determination of the rent rate can be vetted on an ongoing basis by an outside agency deemed appropriate by the City of Kelowna, and there shall be no time limit on how the subsidy can apply to that individual. Until such time as a unit is available within the development, a subsidized unit will be provided elsewhere in the community.



## **Relocation Activities to Date:**

Approximately July 2007 - Hiawatha residents were informed by the then-current owner that the park had been sold, with a finalization of the sale expected at the end of 2008.

Feb 2008 – Westcorp provided Hiawatha residents with an information brief (Information Brief #1) to help answer any questions they might have about the upcoming process.

Feb – Mar 2008 – Over a 6 week period, Gail Temple met with interested individuals, their families, and with small groups of residents to provide as much information as possible to mobile home owners. Residents were greatly concerned over next steps and timelines and it was important to allow each person the opportunity to speak to their own personal situation.

June 2008 – as a result of many discussions with, and questions from, residents, a follow-up information brief (Information Brief #2) was delivered to residents to ensure that consistent information was provided to anyone. (This also allowed residents to more easily share consistent information with their respective families.)

July 17 2008 – A Public Open House was held on June 10<sup>th</sup>. Because it was specific to the proposed application and did not deal with relocation issues, an additional meeting, one specific to Hiawatha residents and their relocation questions, was held on July 17<sup>th</sup>.

Sept 2008 – Information Brief #3 was delivered to all residents.

During 2010, a formal relocation was crafted. It was based on original thoughts expressed in the information briefs and was refined based on discussions with the Hiawatha Residents' Committee.

March 16 2010 – G. Temple met with the Hiawatha Residents' Committee to discuss the 1<sup>st</sup> draft of the Relocation Plan.

April 15 2010 – G. Temple met with the Hiawatha Residents' Committee to discuss revisions.

June 17 2010 – G. Temple met with the Hiawatha Residents' Committee to discuss the final draft of the Relocation Plan.

July 15 2010 – the Relocation Plan was delivered to all Hiawatha mobile home owners.

Since the purchase of the Hiawatha site in December 2007, Westcorp has been involved in a very lengthy application process, in large part due to the "moratorium" that was placed on development proposals in the South Pandosy area in June 2008. The "moratorium" was proposed to be removed with the approval of the 2030 OCP, a process that ended up taking two years longer than originally anticipated. During this extended wait, it would have made financial sense to delay any further purchases of mobile homes for as long as possible, however, this would have been most inconvenient for any resident wishing to make a moving decision during that time. It was decided that Westcorp would continue purchasing mobile homes from any mobile home owner who requested to sell. 75 requests were made, and 75 purchase/sale agreements have been entered into. (Westcorp has not, at any time during the process, initiated any purchase/sale discussions. All discussions have been at the request of Hiawatha residents.)

2008 – 29 purchases  
2009 – 16 purchases  
2010 – 9 purchases  
2011 – 10 purchases  
2012 – 11 purchases

**Total purchases to date – 75 inclusive of 3 purchases that were from a bank or estate (80% of the park)**

**Total purchase cost to date - \$2,427,475**

**Total Relocation Plan purchases to date - 72**

**Average purchase price paid to the Hiawatha home owners - \$33,062**

All mobile home purchases to date have been handled by Mr. Darryl Ruff (Magnum Results Corp). Mr. Ruff was approached by Westcorp in 2008 because of his experience representing the City of Kelowna in their mobile home purchases within Lakeshore Mobile Home Park (Gyro). It was felt his experience would be extremely helpful, and in addition, the City of Kelowna had clearly trusted Mr. Ruff's expertise in this regard. Note: It is our understanding that the average purchase price that the City of Kelowna paid for the mobile home units at Lakeshore Mobile Home Park was \$23,218. These purchases were conducted over the course of three years (March, 2006 – April, 2009).

Early on in the process, it became apparent to Mr. Ruff that the purchase prices being arrived at with residents was very close to the 4 previous years' average BC Assessment values. In an effort to establish consistency for everyone as early on as possible, Mr. Ruff began to apply a formula (using the 2005 – 2008 BC Assessments) to all subsequent purchases. This consistency has been applied to all 72 relocation purchases to date. Throughout the process, it has been expressed to both Westcorp and to Mr. Ruff that fair and consistent treatment is critical to residents so as to ensure that residents who chose to leave early are not penalized for doing so. Westcorp has committed to all past owners that this consist process will remain in place, and at the time of writing, residents continue to approach Westcorp with purchase requests.

The silver lining of a longer-than-expected application process is the time it has allowed for residents to make other plans in their lives. All requested purchases have come as a result of the mobile home owner finding an alternative arrangement in their life, and none of those arrangements has been made with a short timeline looming. Westcorp has done its best to assist with any requests, especially with closing dates that need to coincide with an owner's subsequent purchase. Closing dates have been as long as 4 or 5 months, and as short as two weeks. In all instances, we have been able to accommodate an owner's request. And lastly, some residents have chosen to sell their mobile home and rent back from Westcorp to allow for even greater flexibility. All rent-backs are below our current rental market rates and, to-date, a great number of residents have used this option prior to moving.



## SCHEDULE E

### Community Consultation:

#### 2008

Jan 2008 – G. Temple held a series of meetings with individual Hiawatha mobile home owners (and their families, if desired) over the course of 5 weeks to establish relationship with homeowners. Individual meetings helped to ensure that each resident could ask any and all questions they wished to.

Feb/June/Sept 2008 – Westcorp sent information briefs to Hiawatha mobile home owners. (see Relocation Brief for copies of the Information Briefs)

Feb 15<sup>th</sup>, 2008 – G. Temple met with Anna and Flori Pucci (adjacent neighbours on Lakeshore Rd.)

April 9<sup>th</sup>, 2008 – G. Temple and P. Milroy met with Adrian Block (Manteo)

June 10<sup>th</sup>, 2008 – held 1<sup>st</sup> Public Open House.

June 11<sup>th</sup>, 2008 – G. Temple met with Somerville Strata Council

June 18<sup>th</sup>, 2008 – G. Temple met with the Mallard's Landing Strata Council.

July 8<sup>th</sup>, 2008 – G. Temple met with the Erinmore by the Creek Strata Council as well as most of the Erinmore residents.

July 17<sup>th</sup>, 2008 – G. Temple, Darryl Ruff (Westcorp's land agent) and Sean Hughes (Kent Macpherson) met with the Hiawatha residents to discuss the proposed Relocation Plan and process.

July 29<sup>th</sup>, 2008 – G. Temple met with the River Run Strata Council

Aug 22<sup>nd</sup>, 2008 – G. Temple and P. Milroy met with Bernie and Bettina Brietkreuz, owners of Lakeshore Residences on Lakeshore Rd.

Sept 17<sup>th</sup>, 2008 – G. Temple met with the KLO Residents' Association

#### 2009

April 9<sup>th</sup>, 2009 – G. Temple and P. Milroy met with Adrian Block (Manteo)

#### 2010

Feb 15<sup>th</sup>, 2010 – G. Temple met with Anna and Flori Pucci (adjacent neighbours on Lakeshore Rd.)

March 16<sup>th</sup>, 2010 – G. Temple met with the Hiawatha Residents Committee to discuss the 1<sup>st</sup> draft of the Relocation Plan

April 15<sup>th</sup>, 2010 – G. Temple met with the Hiawatha Residents Committee to discuss revisions to the proposed Relocation Plan.

June 17<sup>th</sup>, 2010 – G. Temple met with the Hiawatha Residents Committee to present the final revision to the proposed Relocation Plan.

July 15<sup>th</sup>, 2010 – Hard copies of the Relocation Plan were delivered by hand to all Hiawatha mobile home owners.

July 28<sup>th</sup>, 2010 – G. Temple met with the Mallard's Land Strata Council

Aug 11<sup>th</sup>, 2010 – G. Temple and P. Milroy met with Bernie and Bettina Breitzkreuz (owners of Lakeshore Residences on Lakeshore Rd.)

Aug 19<sup>th</sup>, 2010 – Westcorp held its 2<sup>nd</sup> Public Open House (1900 flyers were mailed to surrounding residents).

Aug 26<sup>th</sup>, 2010 – G. Temple met with the River Run Strata Council

Aug 31<sup>st</sup>, 2010 – APC meeting for the Hiawatha application – Hiawatha home owners expressed that the Relocation Plan was unacceptable to them, although APC members did note that their comments about the relocation plan details seemed to deviate significantly from the Relocation Plan provided with the application. APC members chose to refrain from voting on the application until Hiawatha home owners seemed clearer on the details of the relocation plan. The Zone and OCP amendment were not considered at the meeting.

Sept 23, 2010 – G. Temple and Peter Joyce (Bunt and Assoc – traffic consultant) held a traffic impact meeting for the residents of the Mission Springs neighbourhood at Manteo. All other interested residents were also welcome.

Nov 19<sup>th</sup>, 2010 – G. Temple and Darryl Ruff met with the Hiawatha Residents Committee

## **2011**

July 22, 2011 – G. Temple met with Adrian Block and Rob Ciccozzi (Rykon's architect on the More Manteo project)

Nov 24<sup>th</sup>, 2011 – G. Temple met with Richard Borroughs and Denton Powles of the KLO Residents Assoc board

## **2012**

Jan 9<sup>th</sup>, 2012 – G. Temple did a short presentation and Q & A at the KLO Residents Associations Annual General Meeting



**2013**

Although the application remains the same as the one shown at the 2010 Open House, to ensure that all neighbours are fully up to date on the application and process, a 3<sup>rd</sup> Open House will be held in early 2013.

G. Temple will also meet with the 19 remaining Hiawatha mobile home owners prior to the public hearing.

SCHEDULE F



Hiawatha CD24  
visual impact assessment  
october 2012





Illustrative Legend:

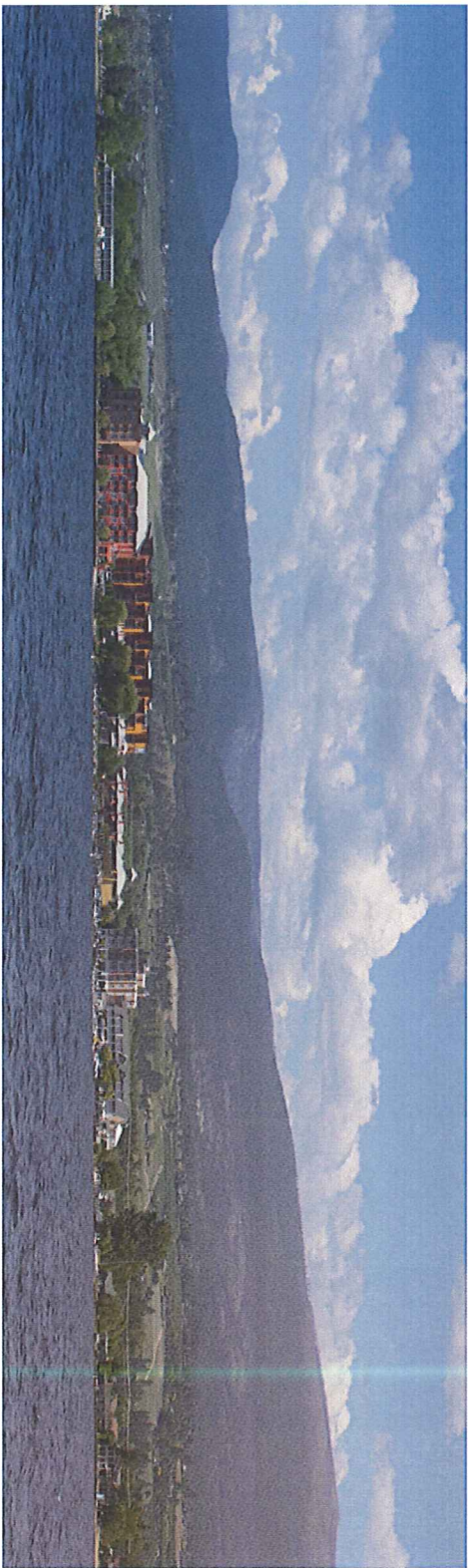
- A Hotel
- B Conference Centre
- C Hotel/ Apartment
- D Apartment with ground level retail
- E-L Residential Units
- M-S Townhomes
- T Gateway Entry
- U Courtyard Plaza
- V Linear Park Public Path
- W Natural Area
- X Wilson Creek Riparian Enhancement Area
- Y Central Green
- Z Buffer Landscaping
- 6 Conceptual Building Height (storeys) Includes all parking structures



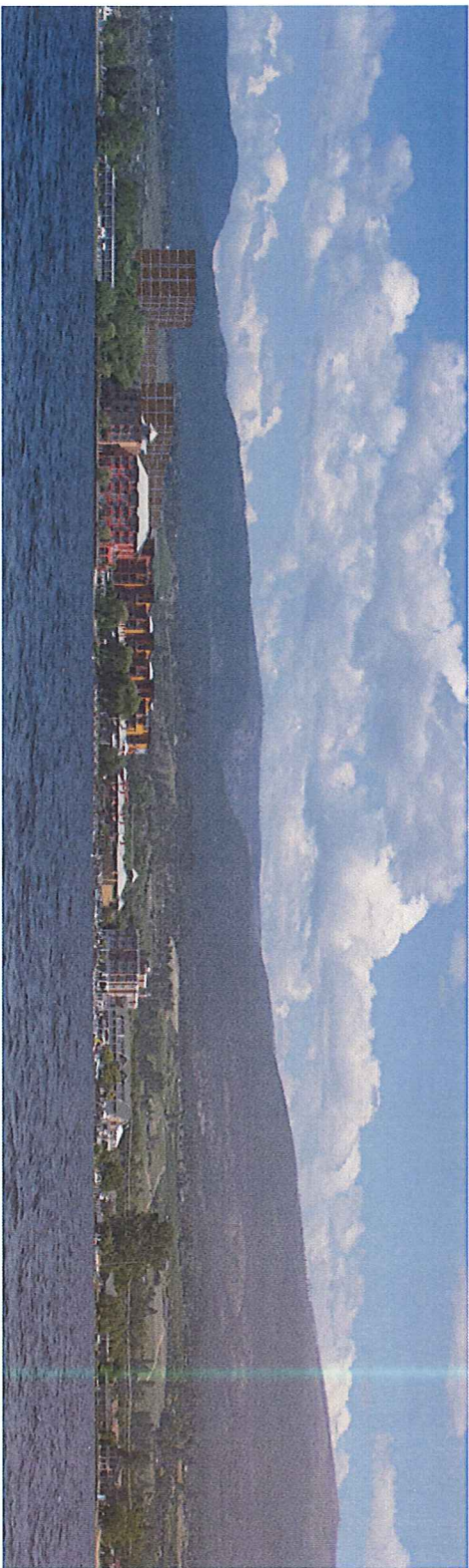
visual impact assessment  
october 2012

demonstration plan  
Westcorp  
MMI GROUP





pre development



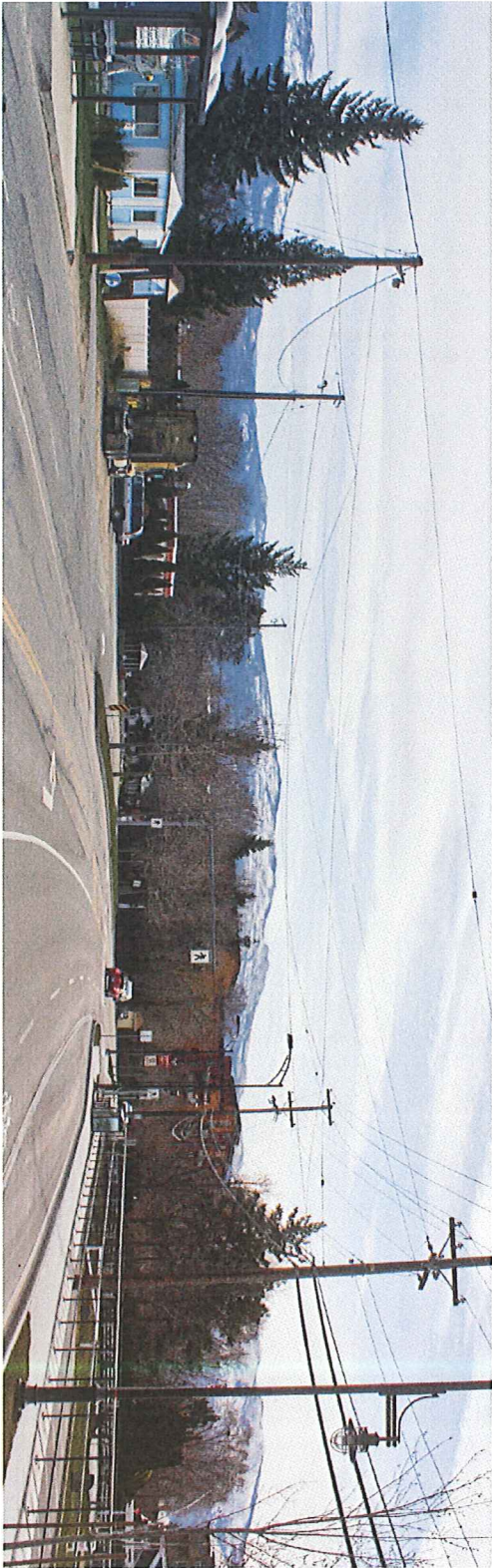
post development

visual impact assessment  
october 2012

figure 1  
view from okanagan lake







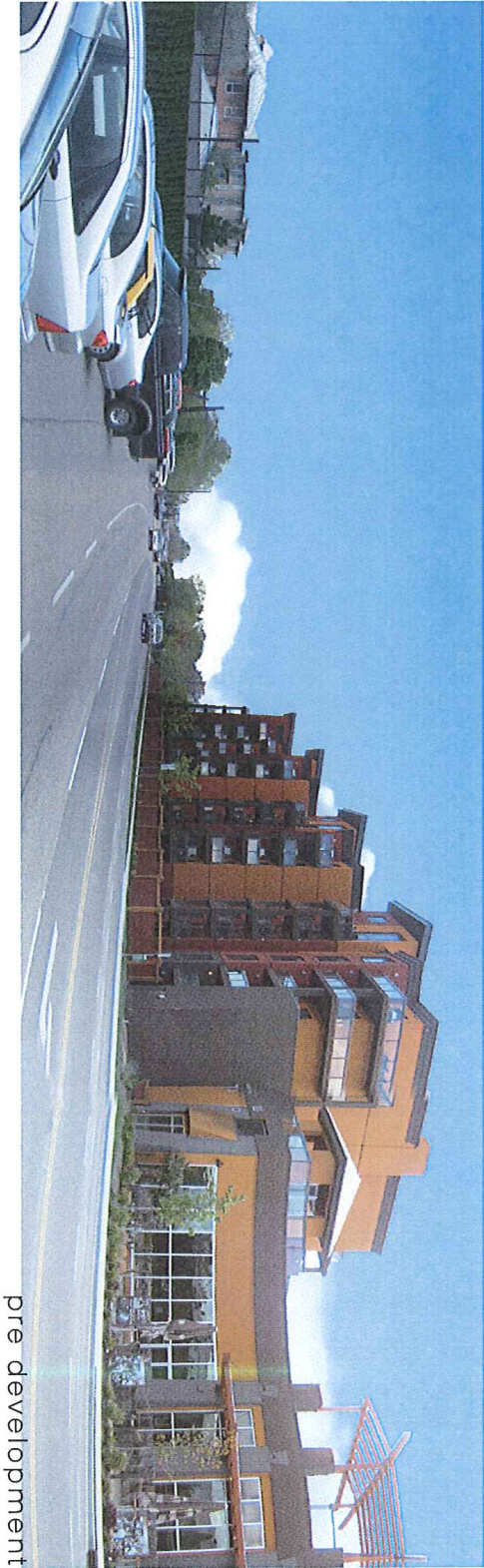
pre development



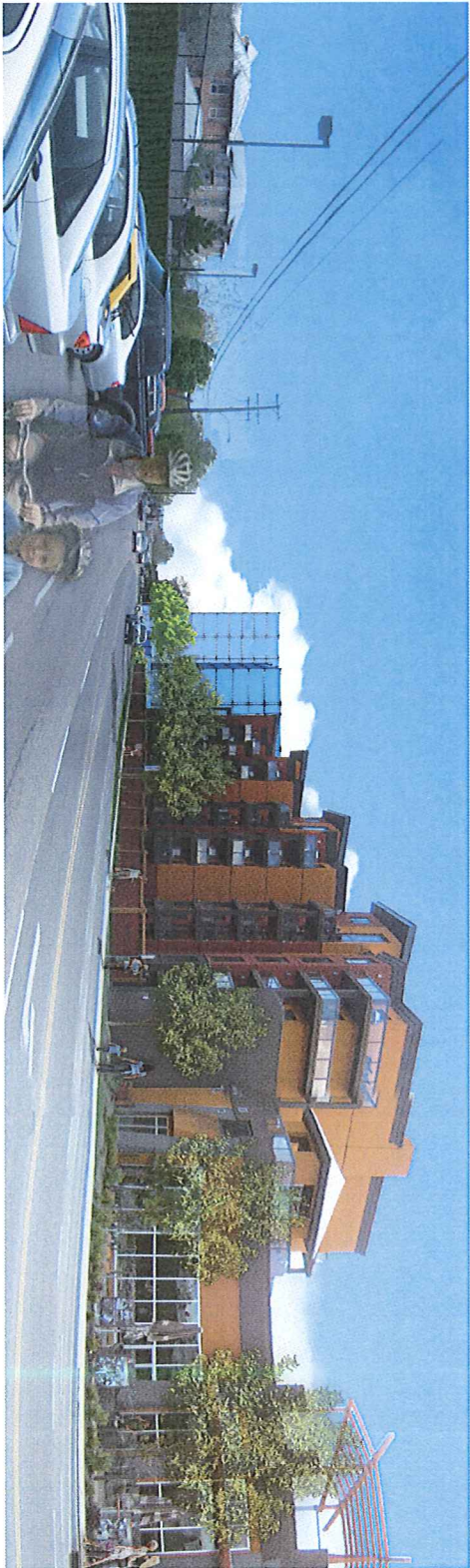
post development

visual impact assessment  
october 2012





pre development



post development

visual impact assessment  
october 2012

figure 3  
lakeshore road northern view







pre development



post development

visual impact assessment  
october 2012

figure 4  
springrose way western view





pre development

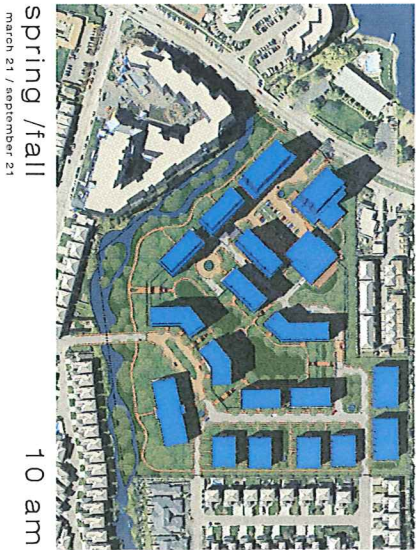


post development

visual impact assessment  
october 2012

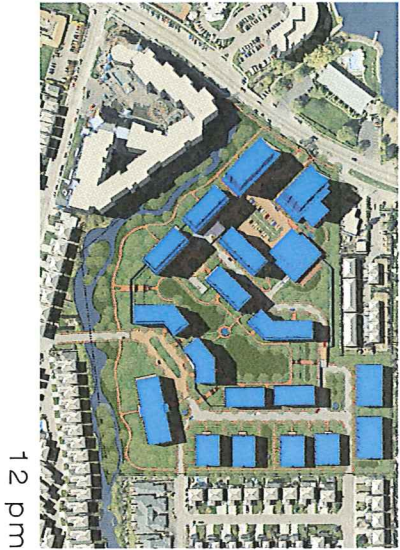
figure 5  
gordon drive & cook road



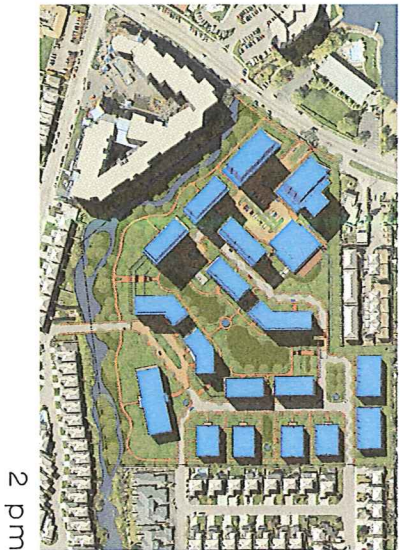


10 am

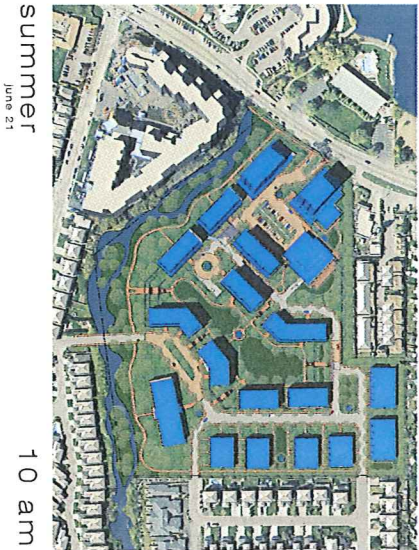
spring /fall  
march 21 / september 21



12 pm



2 pm



10 am

summer  
june 21



12 pm



2 pm



visual impact assessment  
october 2012

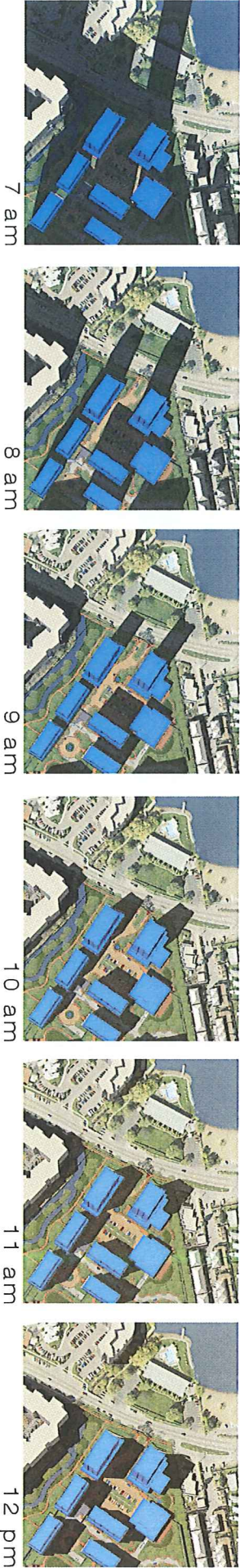
figure 6  
shadow studies





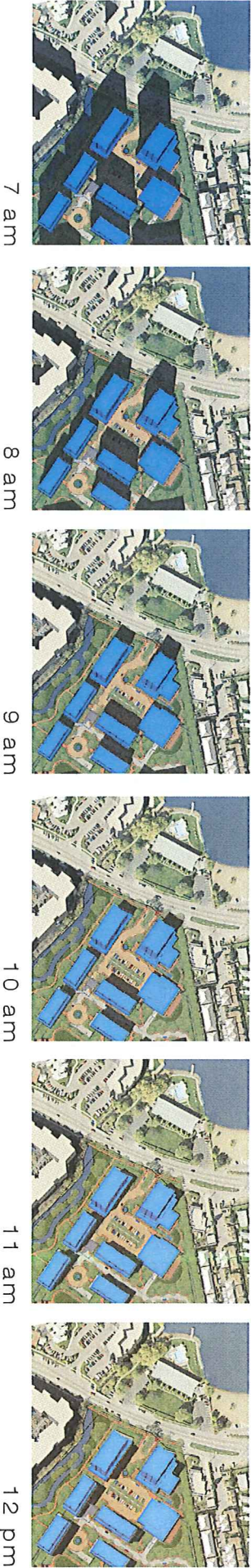
spring /fall

March 21 / September 21



summer

June 21



visual impact assessment  
october 2012

figure 7  
shadow impact on rotary beach



## SCHEDULE G

# CITY OF KELOWNA MEMORANDUM

**Date:** February 19, 2013  
**File No.:** Z12-0039  
**To:** Land Use Management Department (AW)  
**From:** Development Engineering Manager (SM) (Revised Comments)  
**Subject:** Lakeshore Road Bird Place Cook Road **Westcorp**

Development Engineering has the following comments and requirements associated with this application for the proposed CD Zone Retail Area, Hotel, Residential Tower, Townhouses. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

The Development Engineering Technologist for this project is John Filipenko. ASCT

1. Domestic Water and Fire Protection

- (a) The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs.
- (b) A watermain link will be required between Springrose Way and Lakeshore Road the proposed service to the site can be provide from this new watermain. The estimated cost of this construction for bonding purposes is **\$114,000.00**
- (c) If it is determined that upgrades to the existing water main distribution system must be made to achieve the required fire flows, **additional bonding will be required.**
- (d) The proposed development site is currently serviced with three small diameter water services on Lakeshore Road and a terminal watermain from Springbrook Road that terminates at the property line. The applicant, at his cost, will arrange for the disconnection of existing services at the main as well as the required modifications to the existing watermain within Springbrook Road. The estimated cost of this construction for bonding purposes is **\$25,000.00**
- (e) A water meter is mandatory for this development and must be installed inside the buildings on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws.
- (f) The boulevard irrigation system must be integrated with the on-site irrigation system.
- (g) 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 developer's consulting mechanical engineer will determine the development requirements of this development and establish the service needs.
- (b) Our records indicate that this proposed development site is connected with two 200mm diameter sewer services as well as a small diameter service. The applicant, at his cost, will arrange for the disconnection of existing services at the main and the installation of one new deeper service that will service the existing and proposed phases. The estimated cost of this construction for bonding purposes is **\$25,000.00**
- (c) A downstream flow analysis check is required by a consulting civil engineer to determine the impact of additional flow contributions on the existing pipe system. If it is determined that upgrades to other facilities must be made, **additional bonding will be required.**

## 3. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of a lot grading plan, identify minimum basement elevation (MBE), overland drainage routes, floodplain elevations and setbacks, and provision of a storm drainage service for the lot and /or recommendations for onsite drainage containment and disposal systems. The on-site drainage system may be connected to the street drainage system with an overflow service.
- (b) The construction of a piped storm drainage system has been budgeted by the City as part of the Lakeshore Road Multi-Use Corridor. The subject development must also include the design of drainage facilities in front of this development, including catch basins and manholes for curb and gutter construction. **The cost of this work was included in the road design calculations.**
- (c) On site storm drainage systems and overflow service(s) for the site will be reviewed and approved by Engineering when a site servicing design is submitted.

## 4. Road Improvements

- (a) Lakeshore Road must be upgraded to a full urban standard (Lakeshore 3 Prelim. Eng. Study currently underway) along the full frontage of this proposed development, including curb and gutter, separate sidewalk, storm drainage system including catch basins, manholes / dry-wells and pavement widening. Also required is a landscaped boulevard complete with street trees, underground irrigation system, street lighting and the re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost for this construction for budget purposes is **\$135,000.00** Not included in the estimate are pole relocation costs or Wilson Creek Bridge widening and improvement costs.
- (b) Bird Place must be extended to the proposed bridge creek crossing, including curb and gutter, sidewalk, street lighting and pavement extension. Also required are landscaped boulevards complete with underground irrigation systems modifications, and the re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost for this construction for budget purposes is **\$66,000.00** the bridge crossing must be in place prior to a building permit approval that contains the 450<sup>th</sup> unit.



- (c) Vehicular and pedestrian access to the development site will be available from Springrose Way. Access to Springbrook Road will be limited to pedestrian traffic and emergency vehicle use only. The installation of speed bumps and or other traffic calming measures will be required on the existing neighborhood roads.
- (d) Provide Street Sign, Markings and Traffic Control Devices Drawings. The City will install or modify the required signs and traffic control devices at the developer's expense. The cost of the work was included in the road design calculations.
- (e) The access to Lakeshore Road shall generally line up with the proposed access driveway for Lot 2 Plan 2192 (Manteo Resort). Full access movements will be provided onto Lakeshore Road with the installation of a traffic roundabout. This developer's contribution towards the construction cost will be **\$172,500.00** (75% of a \$230,000 signal equivalent) Additional road right-of-way will also be required.

5. Road Dedication and Subdivision Requirements

By registered plan to provide the following:

- (a) Lot consolidation
- (b) Provide a highway allowance widening along the frontage of Lakeshore Road to provide a minimum road right-of way width of 30m. Provide additional road right-of way to facilitate the construction of the roundabout (see attached drawing )
- (c) Road closure will be required to construct the Bird Place bridge abutment and footings. Contact The City Community Development & Real Estate Department.
- (d) If any road dedication or closer affects lands encumbered by a Utility right-of-way (such as 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 or closer must be incorporated in the construction drawings submitted to the City's Development Manager.
- (e) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- (f) A Right of Way or dedication for the 'Linear Park Area' and a No Build / No Disturb covenant for the 'Greenspace Area' are required as shown on the attached Comprehensive Development Plan prior to issuance of a Building Permit for the 300th unit or within 5 years of Council approval of the Zone Amending Bylaw.

6. Electric Power and Telecommunication Services

The existing overhead electrical and telecommunication distribution wiring on Lakeshore Road fronting this development must be relocated to an approved offset within the proposed boulevard area. The developer may choose to have the wiring installed in an underground duct system, and have the buildings connected by underground services. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services which would be at the applicant's cost.

7. Street Lighting

Street lighting including underground ducts must be installed on Lakeshore Road and Bird Place fronting on the proposed development. The cost of this requirement is included in the roads upgrading item. If the electrical source for the street lighting is on the west side of Lakeshore Road, this source must be in underground ducts.

8. Engineering

- (a) Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the Development Engineer for review and marked "issued for construction" by the City Engineer before construction may begin.
- (b) The developer shall do the work that is required in Lakeshore Road prior to the commencement of the curbing, paving and landscape treatment... By proceeding in this manner, the developer will have savings and the patchwork within new construction will be avoided.

9. Geotechnical Report

- a) Provide a comprehensive geotechnical report (3 copies), 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 Land Use Management Department (Land Use Planner) for distribution to Development Engineering and Building and Permitting 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 in accordance with the Subdivision, Development and Servicing Bylaw, Schedule 4 Sanitary Item 2.18.
- (vi) Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.



- (i) Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations. Identify slopes greater than 30%.
- 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.
- (i) Recommendations for construction of detention or infiltration ponds if applicable.

#### 10. Survey Monuments and Iron Pins

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

#### 11. Development Permit and Site Related Issues

- (a) A site grading plan, a site servicing plan and a storm drainage plan are a requirement of this application. Site servicing issues and road access will be further reviewed and comments related to site development will be addressed when a detailed site development design or building permit application is received.
- (b) The environmental ramifications of new and existing features including the location of onsite storm disposal systems, building setbacks from Wilson Creek must be considered. Development Engineering will defer comment on those issues to the City Environment and Land Use Manager and the Provincial Government
- (c) The development will be required to contain and dispose of site generated storm water on the site by installing a ground recharge system consisting of drywells and perforated pipe bedded in drain rock.
- (d) Bike parking must be provided in accordance with current bylaws and policies.
- (e) Access and Manoeuvrability
  - (i) The site access and egress design onto Lakeshore Road must be submitted for approval by Development Engineering Services before final adoption of the zoning bylaw. This is required to guarantee that the requirements and the limitations of access and egress required by the City have been addressed to the City's satisfaction.
  - (ii) An SU-9 standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the

development plan intends to accommodate larger vehicles movements should also be illustrated on the site plan.

- (iii) Vehicular and pedestrian access to the development site will be available from Springrose Way. Pedestrian traffic as well as emergency vehicles will have access to Springbrook Road.
- (iv) Construction traffic will be restricted to Lakeshore Road and Cook Road via Bird Place.

12. Bonding and Levy Summary

(a) Bonding

Lakeshore Road Frontage Improvements	\$135,000.00
Lakeshore access traffic control (roundabout)	\$172,500.00
Bird Place Road Improvements	\$ 66,000.00
Watermain Construction	\$114,000.00
Service upgrades	\$ 50,000.00

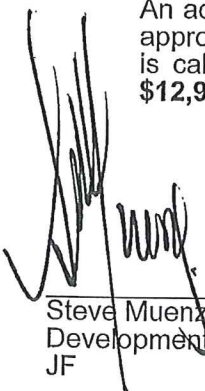
Total **\$537,500.00**

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

The owner must also enter into a servicing agreement in a form provided by the City.

13. Administration Charge


An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as (3% of Total Off-Site Construction Cost plus HST) in the amount of **\$12,902.40** (\$11,520.00 + 1,382.40 HST)



\_\_\_\_\_  
Steve Muenz, P. Eng.  
Development Engineering Manager  
JF



Illustrative Legend:

 Linear Park Area  
7 536 m<sup>2</sup>

 Greenspace Area  
2 756m<sup>2</sup>

Total Area 10 292 m<sup>2</sup>

Total area equivalent to  
25m setback 10 292 m<sup>2</sup>

Total area required to satisfy  
provincial requirements  
4 188 m<sup>2</sup>



comprehensive development plan  
january 2013