

City of Kelowna
Public Hearing
AGENDA



Tuesday, August 13, 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 July 30, 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. Individual Bylaw Submissions

3.1 Bylaw No. 10867 (OCP13-0014) and Bylaw No. 10868 (Z13-0023) - 1150 & 1200 Steele Road, No. 21 Great Projects Ltd.

4 - 36

To amend the Official Community Plan Future Land Use Designation and to rezone the subject properties to accommodate the eventual construction of a new middle school and to rezone a park property recently dedicated to the City.

3.2 Bylaw No. 10872 (Z13-0022) - 1369 & 1375 Bertram Street, John Bauer and Irvin & Linda Cordes

37 - 61

To consider rezoning the subject properties from the RU6 – Two Dwelling Housing Zone to the RM5 – Medium Density Multiple Housing Zone to accommodate the proposed 8 unit, 4 storey row housing project.

4. Termination

5. Procedure on each Bylaw Submission

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

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

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

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

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

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

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

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

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

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

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

REPORT TO COUNCIL



Date: June 28th, 2013

RIM No. 1250-30

To: City Manager

From: Land Use Management, Community Sustainability (AW)

Application: OCP13-0014 / Z13-0023 **Owner:** No. 21 Great Projects Ltd.
City of Kelowna

Address: 1150 & 1200 Steele Road **Applicant:** No. 21 Great Projects

Subject: [Title]

Existing OCP Designation: Multiple Unit Residential - Low Density, Single / Two Unit Residential, Major Park & Open Space, Educational / Institutional, Commercial

Proposed OCP Designation: Multiple Unit Residential - Low Density, Single / Two Unit Residential, Major Park & Open Space, Educational / Institutional, Commercial

Existing Zones: A1 - Agriculture 1, RU1 - Large Lot Housing, RU1H - Large Lot Housing Hillside, P3 - Parks & Open Space

Proposed Zones: A1 - Agriculture 1, RU1 - Large Lot Housing, RU1H - Large Lot Housing Hillside, P2 - Educational & Minor Institutional, P3 - Parks & Open Space

1.0 Recommendation

That Official Community Plan Bylaw Amendment No. OCP13-0014 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of a portion of Lot A, D.L. 579, SDYD, Plan EPP9618 Except Plans EPP9638, EPP15721, EPP18670, EPP20408 and EPP22118, located at 1150 Steele Road and Lot 1, D.L. 579, SDYD, Plan EPP20408, located at 1200 Steele Road from Multiple Unit Residential - Low Density, Single / Two Unit Residential, Major Park & Open Space, Educational / Institutional, Commercial to Multiple Unit Residential - Low Density, Single / Two Unit Residential, Major Park & Open Space, Educational / Institutional, Commercial, as shown on Map "A" attached to the Report of the Land Use Management Department dated June 28, 2013, be considered by Council;

AND THAT Council considers the applicant's June 26th Public Information Meeting 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 June 28, 2013;

AND THAT Rezoning Application No. Z13-0023 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of a portion of Lot A, D.L. 579, SDYD, Plan EPP9618 Except Plans EPP9638, EPP15721, EPP18670, EPP20408 and EPP22118, located at 1150 Steele

Road and Lot 1, D.L. 579, SDYD, Plan EPP20408, located at 1200 Steele Road from A1 - Agriculture 1, RU1 - Large Lot Housing, RU1H - Large Lot Housing Hillside, P3 - Parks & Open Space to A1 - Agriculture 1, RU1 - Large Lot Housing, RU1H - Large Lot Housing Hillside, P2 - Educational & Minor Institutional, P3 - Parks & Open Space as shown on Map "B" attached to the report of the Land Use Management Department, dated June 28, 2013, be considered by Council;

AND THAT the Official Community Plan Bylaw Amendment and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

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

AND THAT final adoption of the Zone Amending Bylaw be considered subsequent to the dedication of the public walkway connection the City as a titled lot;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the submission of a plan of subdivision to consolidate the properties.

2.0 Purpose

To amend the Official Community Plan Future Land Use Designation and to rezone the subject properties to accommodate the eventual construction of a new middle school and to rezone a park property recently dedicated to the City.

3.0 Land Use Management

Staff is supportive of the OCP amendment and rezoning applications that have been submitted to accommodate the eventual construction of a new middle school. A portion of the subject property was designated Educational / Institutional when the Neighbourhood 3 Area Structure Plan was created in recognition that the area would eventually be home to a school. Including a school in a Village Centre meets multiple planning objectives and proving out a site plan in advance confirms the feasibility of the site's functionality. The School District has recently indicated they will be moving forward with the purchase of the property and have now determined the size and dimensions required to accommodate the school. The OCP lines are being adjusted and the property will be rezoned in order to make way for this project in the Ponds Neighbourhood. As part of this application a linear park parcel that has been designated to the City will also be rezoned to P3 - Parks & Open Space as supported in the Official Community Plan. A Natural Environment DP will be processed by Staff as part of the application process.

4.0 Proposal

4.1 Project Description

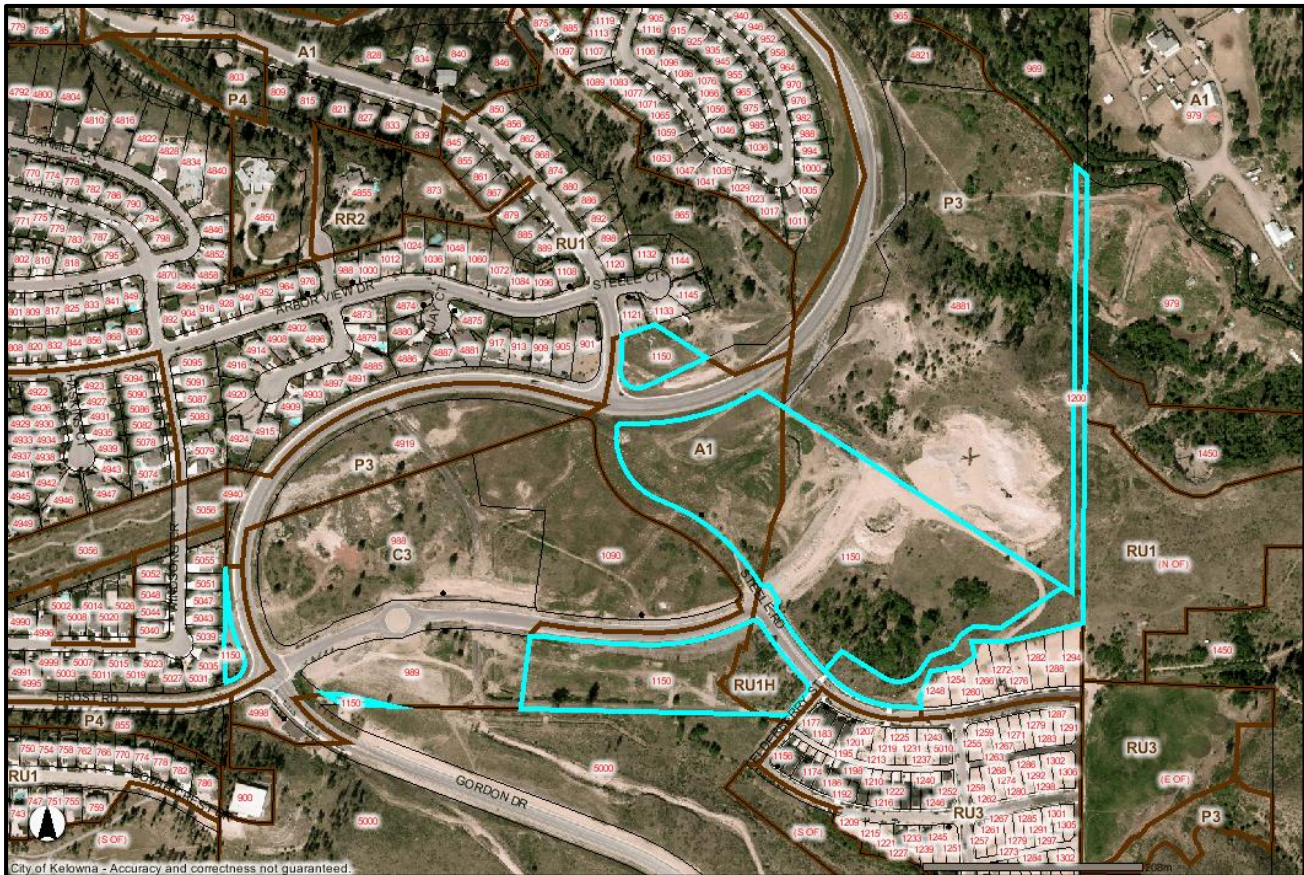
One of the conditions of the School District's agreement is that the property be successfully zoned P2 - Educational & Minor Institutional prior to purchasing the property. The school district recently decided to proceed with the purchase of this property given the existing enrolment pressures in the area and the impending development of the surrounding area. The subject property is undersized compared to Ministry of Education area standards and would only accommodate the construction of one sports field. However, a Letter of Understanding has been entered into with the City of Kelowna for the shared use of the future adjacent City sports fields. Although the scope of the middle school will be more clearly defined as it moves through the capital planning and School District approval process, some preliminary work has been done. The

details of this work can be found in the School District’s Letter of Rationale attached to this report.

As part of the development of the Ponds Neighbourhood a public trail adjacent to the future school site has recently been dedicated to the City. This trail corridor is appropriately designated in the Official Community Plan but it needs to be rezoned to the P3 - Parks & Open Space zone. A subdivision application and Natural Environment Development Permit will be completed as part of the proposal.

4.2 Site Context

Subject Property Map:



The subject property is located in the North End area of town in a predominantly single family neighbourhood. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 - Parks & Open Space	Future Park
East	P3 - Parks & Open Space	Trail Corridor
South	P3 - Parks & Open Space	Trail Corridor
West	RU1H - Large Lot Housing	Future Residential

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Staff recommends that the applicants June 26th, 2013 Public Information Meeting and the documented Neighbourhood Consultation process 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.

Staff have reviewed this application, and it may move forward without affecting either the City's Financial Plan or Waste Management Plan.

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

5.2.1 Development Process (Chapter 5)

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.

Institutional Land Use Policies

Ensure the development of institutional facilities meets the needs of residents. (Objective 5.32)

Planning for School Sites (Policy 1). Ensure the identification of school sites in appropriate locations during the planning of new neighbourhoods or intensification of existing neighbourhoods, based on the size and composition of the projected school age population. Encourage joint use of and stronger relationships between school facility and community recreation facilities.

Location of Schools (Policy 5). Plan residential and other development such that schools (public and private) can be viably operated in central and easily accessible areas such as the City Centre, Town Centres, Highway Centre or Village Centres. Encourage retention of schools, and location of new schools, in central and easily accessible areas. Locations within the Urban Centres should be promoted wherever possible.

Access to Schools (Policy 6). Ensure schools are located where sidewalks, crosswalks and cycle routes and trails already exist or can be economically added to provide safe routes to and from schools, including adherence to CPTED principles, as well as the City's Guidelines for Accessibility in Outdoor Areas.

Community Use of Schools (Policy .7). Encourage that schools be designed so as to facilitate, during non-school hours, use for before/after school programs, recreation programs, youth/family activities, adult education or other community uses.

6.0 Technical Comments

6.1 Building & Permitting Department

- Demolition permits are required for any existing building(s).
- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s) for new construction.
- This is an area with a potentially high ground water table, a geotechnical engineer will be required to establish a safe building elevation and safe bearing capacities.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

See Attached.

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 #7900 requires a minimum of 150ltr/sec fire flows. Additional comments will be required at the building permit application.

6.4 Infrastructure Planning - Parks & Public Spaces

Multi-use trail connection to community park site west of school should be titled lot that is transferred to the City and zoned P3, not P2 as indicated in application.

6.5 Public Health Inspector

Interior Health supports this zoning amendment as it adds to Healthy Built Environment in the following ways:

- Contributes to existing recreational infrastructure
- Supports a developing higher density neighbourhood

7.0 Application Chronology

Date of Application Received: June 3rd, 2013
Public Information Meeting: June 26th, 2013

Report prepared by:

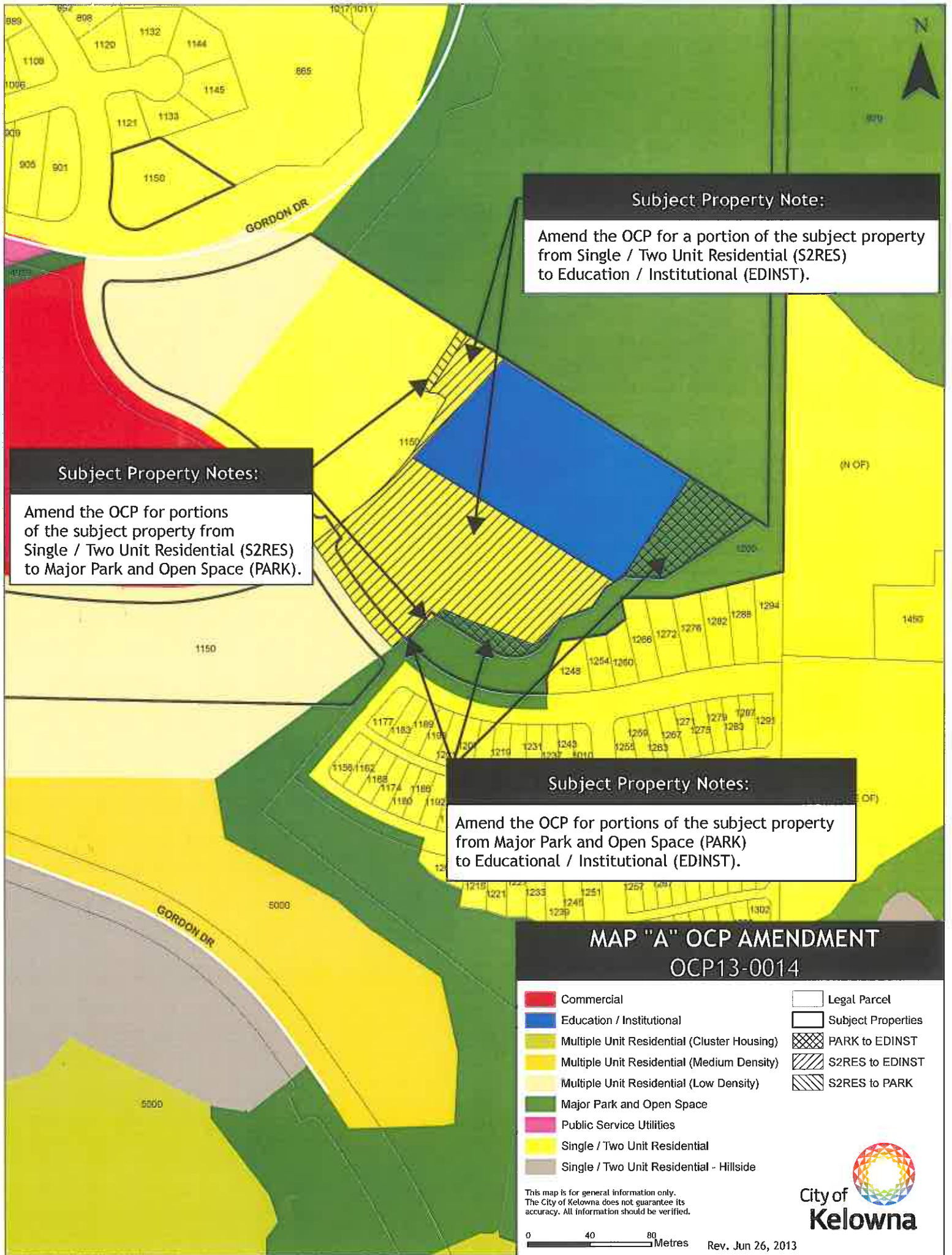
Alec Warrender, Land Use Planner

Reviewed by: Danielle Noble, Manager, Urban Land Use

Approved Inclusion: D. Gilchrist, Community Planning & Real Estate Divisional Director

Attachments:

Map A
Map B
Subject Property Map
Site Photos
Lot Layout
School District's Letter of Rationale
Development Engineering Requirements
Public Consultation Summary



Subject Property Note:

Amend the OCP for a portion of the subject property from Single / Two Unit Residential (S2RES) to Education / Institutional (EDINST).




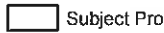



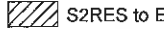

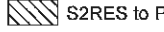




Subject Property Notes:

Amend the OCP for portions of the subject property from Single / Two Unit Residential (S2RES) to Major Park and Open Space (PARK).

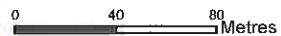
Subject Property Notes:

Amend the OCP for portions of the subject property from Major Park and Open Space (PARK) to Educational / Institutional (EDINST).

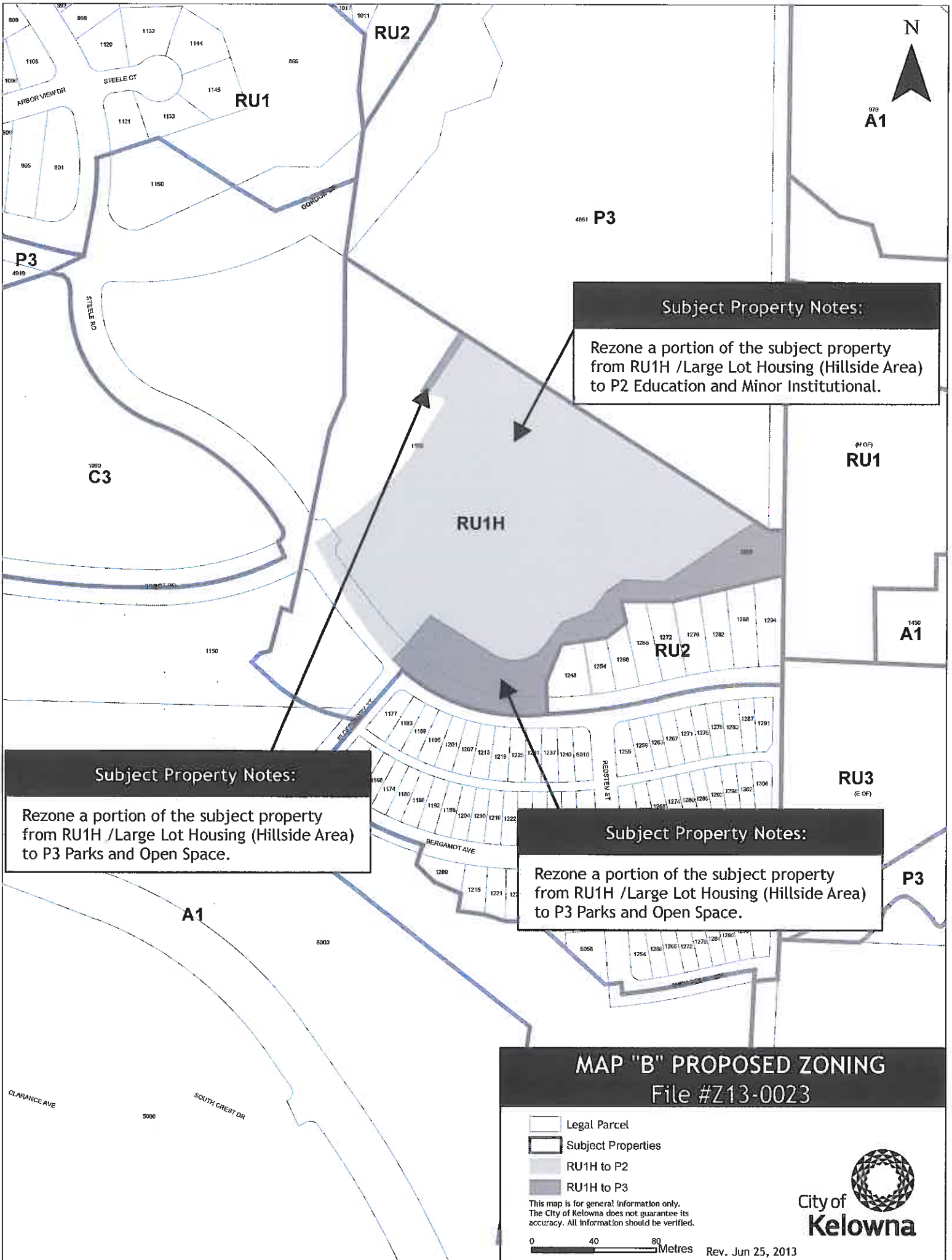
**MAP "A" OCP AMENDMENT
OCP13-0014**

- | | | | |
|---|---|---|--------------------|
|  | Commercial |  | Legal Parcel |
|  | Education / Institutional |  | Subject Properties |
|  | Multiple Unit Residential (Cluster Housing) |  | PARK to EDINST |
|  | Multiple Unit Residential (Medium Density) |  | S2RES to EDINST |
|  | Multiple Unit Residential (Low Density) |  | S2RES to PARK |
|  | Major Park and Open Space | | |
|  | Public Service Utilities | | |
|  | Single / Two Unit Residential | | |
|  | Single / Two Unit Residential - Hillside | | |

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



Rev. Jun 26, 2013



N

A1

Subject Property Notes:

Rezone a portion of the subject property from RU1H /Large Lot Housing (Hillside Area) to P2 Education and Minor Institutional.

Subject Property Notes:

Rezone a portion of the subject property from RU1H /Large Lot Housing (Hillside Area) to P3 Parks and Open Space.

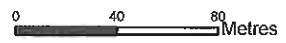
Subject Property Notes:

Rezone a portion of the subject property from RU1H /Large Lot Housing (Hillside Area) to P3 Parks and Open Space.

MAP "B" PROPOSED ZONING
File #Z13-0023

-  Legal Parcel
-  Subject Properties
-  RU1H to P2
-  RU1H to P3

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



Rev. Jun 25, 2013

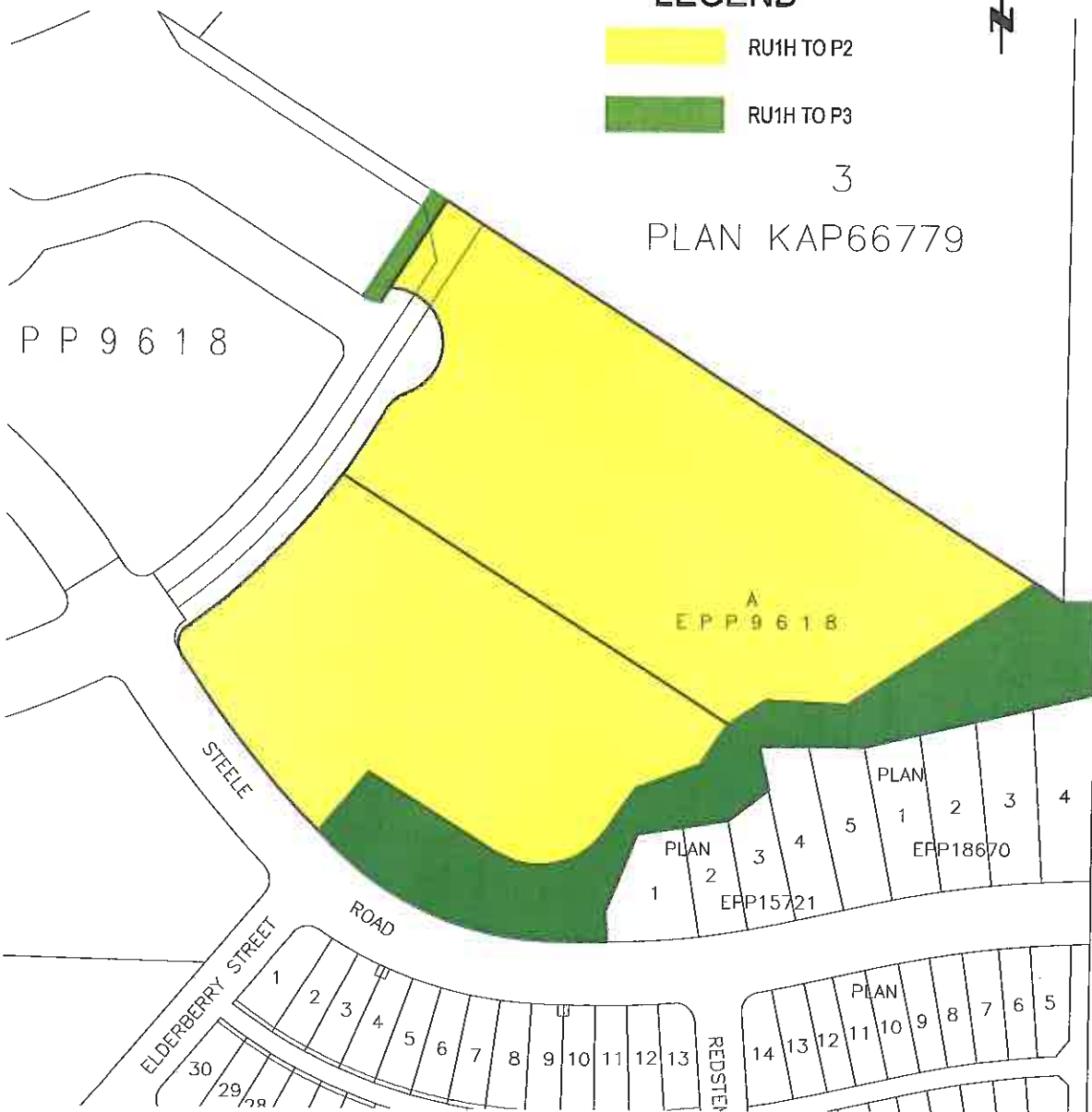
LEGEND

-  RU1H TO P2
-  RU1H TO P3



3

PLAN KAP66779



SCALE 1:2000
DATE JUNE 12, 2013
APPROVED
DESIGN BY CWH
DRAWN BY ATC
CHECKED BY




FOCUS

ENGINEERING • PLANNING • GEOMATICS
702-1708 DOLPHIN AVE. KELOWNA B.C. V1Y 9S4
PHONE (250) 980-5500 FAX (250) 980-5511

NEIGHBOURHOOD 3 - THE PONDS DEVELOPMENT
REZONING APPLICATION - PROPOSED CHANGES



LEGEND

-  PARK TO EDUCATIONAL / INSTITUTIONAL
-  SINGLE / TWO UNIT RESIDENTIAL-HILLSIDE TO PARK
-  SINGLE / TWO UNIT RESIDENTIAL-HILLSIDE TO EDUCATIONAL / INSTITUTIONAL

SCALE 1:2000
 DATE MAY 24, 2013
 APPROVED
 DESIGN BY CWH
 DRAWN BY ATC
 CHECKED BY



ENGINEERING • PLANNING • GEOMATICS
 702-1708 DOLPHIN AVE. KELOWNA B.C. V1Y 9S4
 PHONE (250) 980-5500 FAX (250) 980-5511

NEIGHBOURHOOD 3 - THE PONDS DEVELOPMENT
PROPOSED OCP FUTURE LAND USE AMENDMENT



School Site



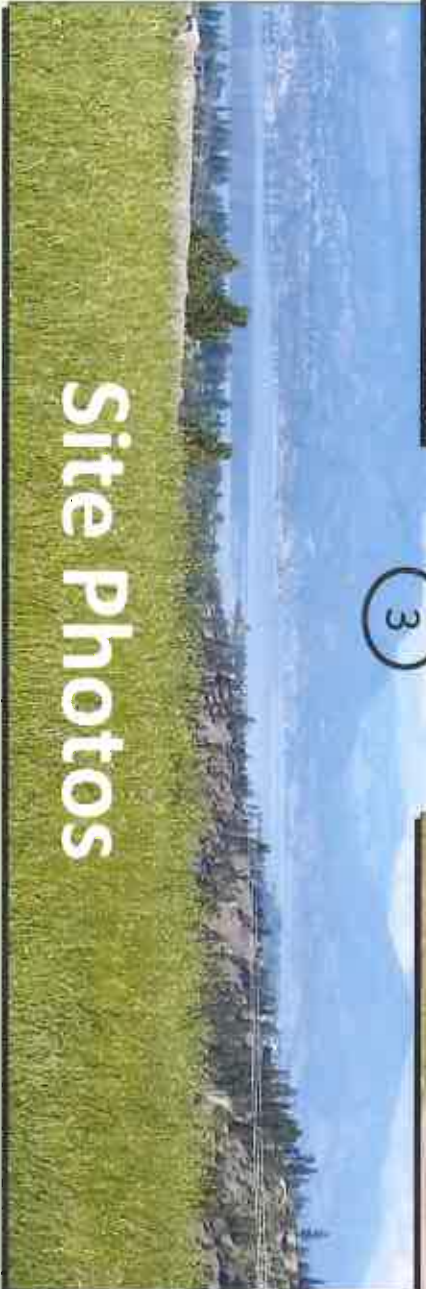
1



2



3



Site Photos

LEGEND

WATER	---	WATER	---
SEWER	---	SEWER	---
POWER POLE	●	POWER POLE	●
OPEN SPACE	---	OPEN SPACE	---
CONCRETE	---	CONCRETE	---
ASPHALT	---	ASPHALT	---
GRAVEL	---	GRAVEL	---
DIRT	---	DIRT	---
WOOD	---	WOOD	---
IRON	---	IRON	---
STEEL	---	STEEL	---
BRICK	---	BRICK	---
GLASS	---	GLASS	---
ROOF	---	ROOF	---
PAVING	---	PAVING	---
LANDSCAPE	---	LANDSCAPE	---
VEGETATION	---	VEGETATION	---
UTILITY	---	UTILITY	---
ROAD	---	ROAD	---
RAILROAD	---	RAILROAD	---
BOUNDARY	---	BOUNDARY	---
ADJACENT	---	ADJACENT	---
PROPOSED	---	PROPOSED	---
EXISTING	---	EXISTING	---

NAD 83

INSPECTION DATE: 10/11/2011

PROJECT NO: 11-001

DATE: 11/2011

REVISION: 1

DATE: 11/2011

NO. DATE BY

CHNO

FOCUS

DESIGN & CONSTRUCTION

SCALE: 1"=20'

SOLE NOT ACCURATE

OVER LONG DISTANCES

DATE: 11/2011

THE CITY OF KELOWNA

INDUSTRIAL DEPARTMENT

THE PONDS SCHOOL SITE SUBDIVISION

PROJECT NO: 11-001

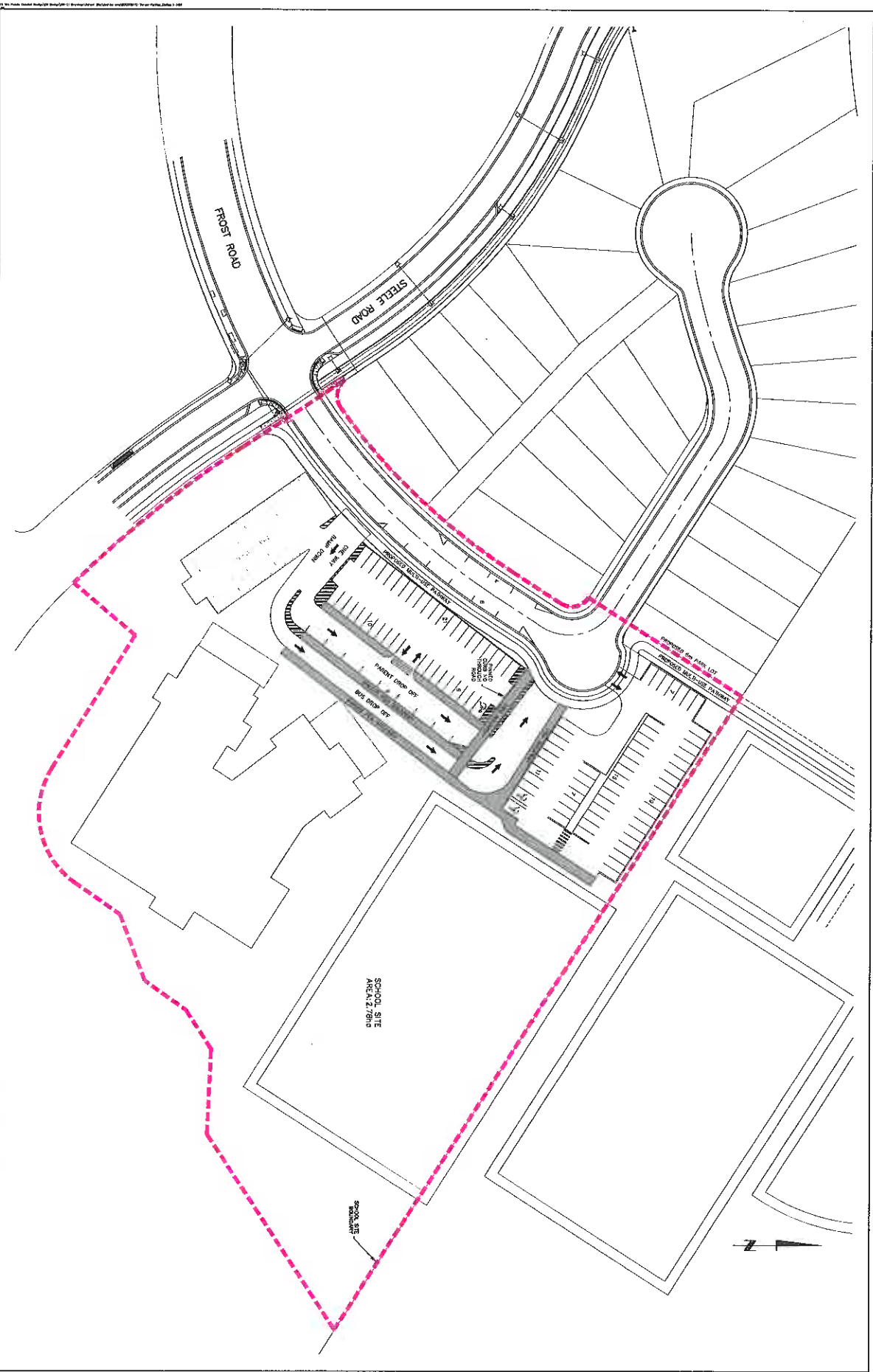
DATE: 11/2011

REVISION: 1

DATE: 11/2011

NO. DATE BY

CHNO





SCHOOL DISTRICT No. 23

(Central Okanagan)

1940 Underhill St, Kelowna, B.C. V1X 5X7

Tel.(250) 860-8888

May 21, 2013

Shelley Gambacort
Director Land Use Management
City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4

SUBJECT: PROJECT RATIONALE, IN SUPPORT OF RE-ZONING APPLICATION AND OCP AMENDMENT, FOR THE PROPOSED SCHOOL SITE IN THE PONDS NEIGHBOURHOOD

Dear Ms Gambacort,

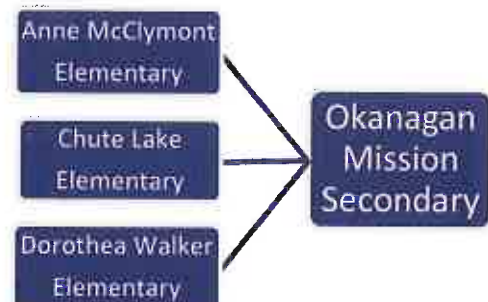
The re-zoning and OCP amendment application submitted by No. 21 Great Project Ltd. is to accommodate the eventual construction of a new middle school on the subject property. The Board of Education of School District No. 23 (Central Okanagan) has a conditional agreement to purchase the subject property with one of the conditions being the successful rezoning of the property to P2.

To assist the City of Kelowna staff and council in their consideration of the above mentioned application, the school district has prepared the this letter of rationale outlining the requirement for a middle school in this area, preliminary project details and estimated timelines.

NEW MIDDLE SCHOOL PROJECT JUSTIFICATION

Long-Range Planning Context

The Central Okanagan School District has five families of schools revolving around the five high schools and their feeders. The Okanagan Mission family is composed of three K-7 elementary schools and one 8-12 secondary school serving a community population of around



12,000. This family is one of two areas, Lake Country being the other, which does not have a middle school.

In November 2012 the Board of Education approved a Long-Term Facility Plan that is designed to guide decision-making for the next decade and beyond. The plan also provides a context for discussions with the Ministry of Education regarding capital requests and provides a consistent organized approach to establishing capital priorities.

The Long-Term Facility Plan makes a number of district wide recommendations as well as family specific recommendations. One of the district wide recommendations is to move towards a junior middle school model which would mean elementary schools would be K-5, middle schools 6-8 and secondary schools 9-12. Research and trends elsewhere indicate that this is a positive move for the education of youth as they start gaining exposure to specialized and elective programs at an earlier age.

A family specific recommendation for the Okanagan Mission area is to acquire a suitable middle school site and construct a Grade 6-8 middle school. This will facilitate the implementation of the junior middle school model around the district as well as relieve enrolment pressures on the three area elementary schools (by removing grades 6 and 7).

Okanagan Mission Area Enrolments

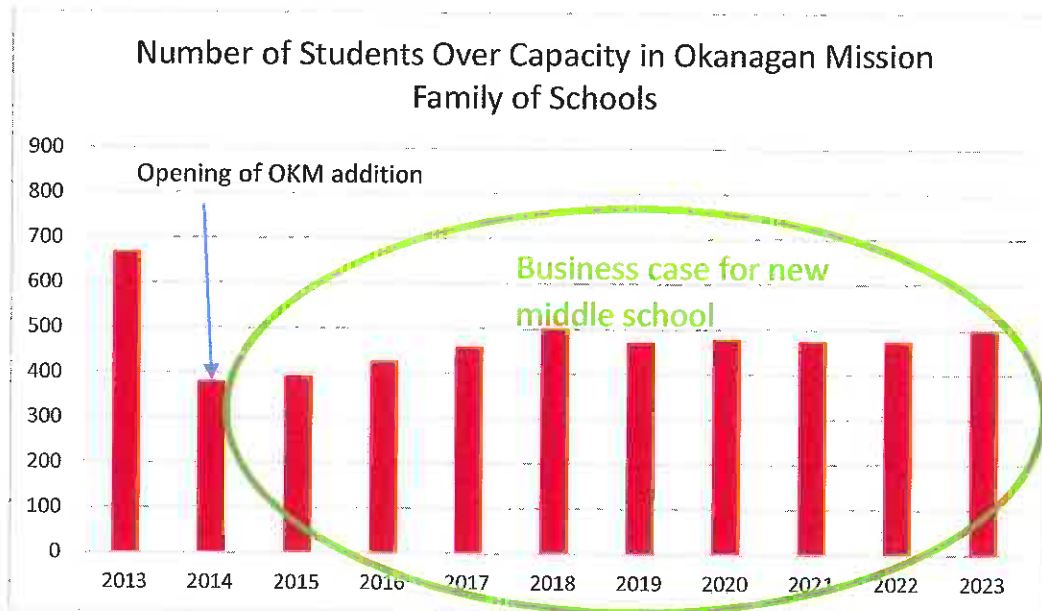
The Okanagan Mission family of schools have both immediate and projected enrolment pressures that need to be addressed.

Okanagan Mission Secondary's (OKM) enrollment pressures to date have been accommodated with the use of an eight classroom portable annex located onsite. OKM is in the process of receiving a 300 student addition that will add classroom space as well as an improved gym and theatre facility. This extension also includes a Neighborhood Learning Centre component to be jointly used and operated with the City of Kelowna.

Chute Lake Elementary is currently over capacity and enrolment for the 2013/14 school year will be capped for the second year in a row. The School District has projected that for September 2013 approximately 50 students will be sent to Anne McClymont who registered at Chute Lake as their school of first choice. The Chute Lake catchment area has the highest proportion of children aged 0-4 (8%) in the entire district so the spike in enrolments is expected to continue. The combine enrolment of Chute Lake, Anne McClymont and Dorothea Walker already exceed Ministry of Education defined capacities and the 2013/14 school year is likely the last year the K-7 population can be accommodated in the three area elementary schools without the addition of further temporary structures.

Subject to Board of Education approval, as an interim solution, staff propose that in September 2014 the Grade 7's move into the OKM annex (that will be available when the addition is complete) where an interim Grade 7-8 middle school program would be established. The more permanent solution to these capacity issues is to construct a 6-8 middle school as outlined in the Long-Term Facility Plan and as justified by the capacity chart in Fig 1.

Fig 1 – Enrolment justification for new middle school



SCOPE OF PROPOSED MIDDLE SCHOOL

A school site within The Ponds neighbourhood was identified during the Area Structure Plan process for this neighbourhood. The subject property is designated in the City of Kelowna OCP for educational purposes (although the lots lines are different necessitating the OCP amendment).

The school district recently decided to progress with the purchase of this property given the existing enrolment pressures in the area, the impending development of the surrounding area and the lack of suitable non-ALR land in the Mission area for an alternative middle school site. The Ponds offers a location within a mixed use development and in relatively close proximity to the Kettle Valley area which accounts for a significant amount of the area's enrolment and future growth. The future extension of South Perimeter infrastructure will significantly enhance accessibility to the school site from the Crawford area.

The subject property is undersized compared to Ministry of Education area standards and would allow in its own right for the construction of only one sport field. However, to the north of the subject property is a piece of park land owned by the City of Kelowna and discussions between School District No. 23 staff and City of Kelowna staff have resulted in the creation of a Letter of Understanding which outlines the draft terms for the shared use and development of multiple sports fields between the two sites. A copy of this letter preliminary agreement is attached. The formation of a partnership agreement with the City of Kelowna on use of the adjacent park lands is critical to the feasibility of this project.

Further partnership opportunities with the city may also be available through the Neighbourhoods of Learning program where the Ministry of Education will provide 15% additional capital to fund a “community” portion of the school. The preliminary building layout in figure 2 assumes the 15% additional community component.

Between both partnerships opportunities listed above, a potential middle school within The Ponds neighbourhood would likely be an asset to this community in many ways.

Preliminary Site Development Plans

Although the scope of the middle school will be more clearly defined as it moves through capital planning and approval processes, the district has done some preliminary design work to ensure the site is viable and to provide the City of Kelowna with the information required to inform council's consideration of this decision given there is no concurrent Development Permit process.

Figure 2 shows a preliminary site layout for a middle school on the subject property. The design assumes the following:

- Estimated number of students: 600 (room for 150 student expansion)
- Estimated number of classrooms: 24
- Estimated number of levels: 2
- Estimated gross floor area: 6319sm (includes 15% additional space for Neighbourhood Learning Centre)
- Estimated main floor area: 3906sm
- Estimated: Upper floor area: 2408sm
- Proposed catchment: Elementary feeder school would likely be Chute Lake Elementary, Dorthea Walker Elementary and Anne McClymont Elementary
- Number of sports fields: One onsite and one on City of Kelowna property

Figures 3 and 4 show some preliminary renderings for the proposed school.

Figure 2 – Preliminary Site Layout

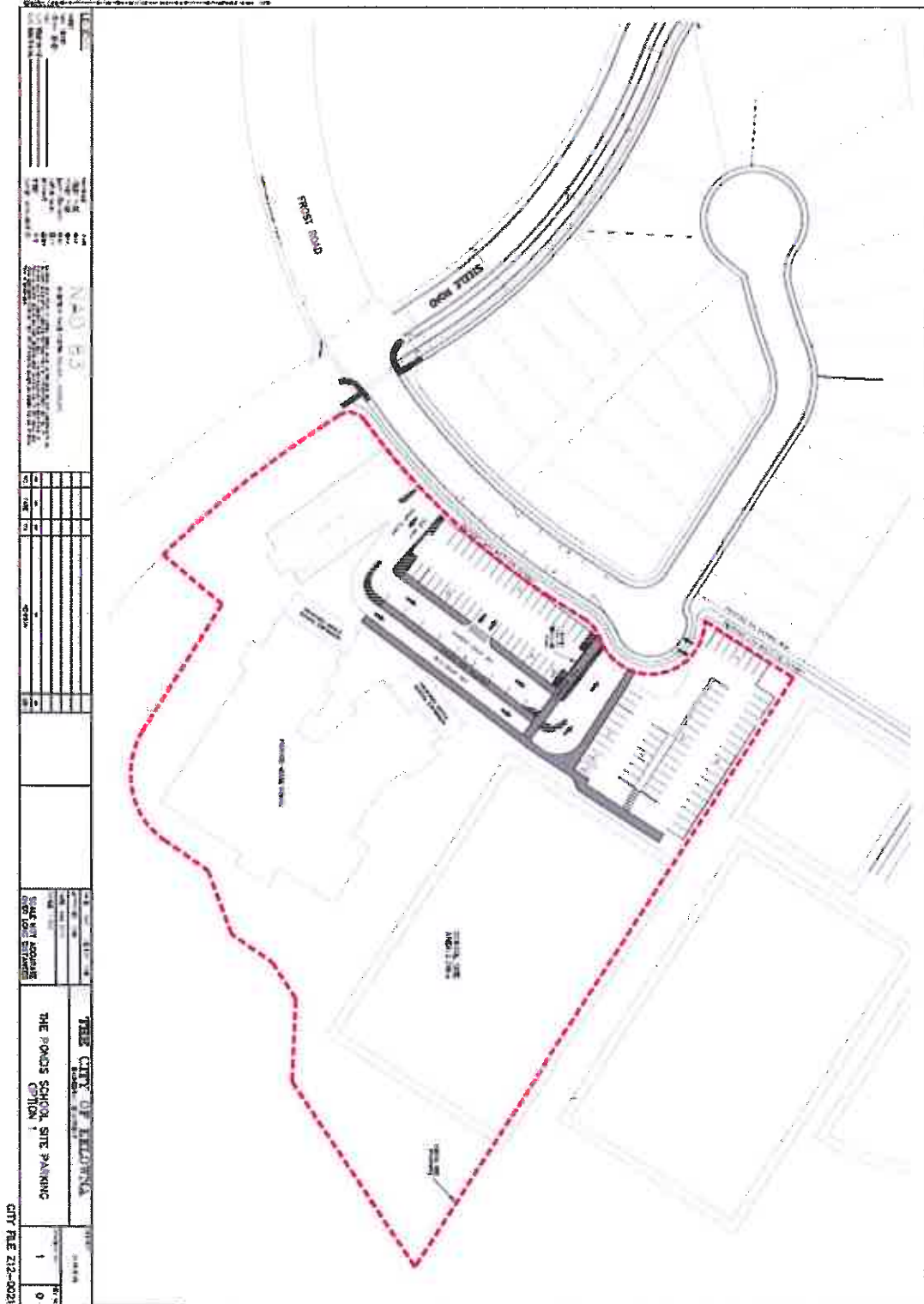


Figure 3 – West Elevation – Main Entrance Zoom



Figure 4 – West Elevation – Main Entrance



Capital Approval Process and Timeline

The construction of an Okanagan Mission middle school is in the district's 5-Year Capital Plan. The school district has Ministry of Education approval to purchase the property but does not yet have approval to build the middle school. Prior to being considered for ministry capital funding the district must complete a Project Identification Report which is designed to confirm the project requirement, assess the relative cost and merits of potential options, include a financial plan, identify partnership opportunity and make a recommendation. The PIR for this project is slated for completion by the end of 2013.

Upon receipt of all capital plan submissions in the province, the ministry analyses individual project requests and the supporting Project Identification Reports, allowing the request to be assigned a priority ranking on a provincial basis. The time line for receiving confirmation of capital funding from the ministry is unknown. It's likely that a junior middle school within the Okanagan Mission area would not be opening for 5+ years.

Should city staff or council have any addition questions of the Central Okanagan School District regarding our support of this application and/or our future plans for the site please contact our Planning Manager, Emily Watson (Emily.watson@sd23.bc.ca).

Kind Regards,



Larry Paul

Secretary Treasurer

School District No.23

To: City of Kelowna Land Use Management
c/o Mr. Alec Warrender
Land Use Planner, RPP, MCIP
1435 Water Street,
Kelowna, BC,
V1Y 1J4

**Re: Public Notification and Consultation Summary
Proposed Re-Zoning for the School Site and The Ponds (Z13-0023)**

As requested by Land Use Management and as required by Council Policy 367, The Applicant (The Ponds) was required to undertake Public Notification and Consultation related to Rezoning application Z13-0023. Specific to this application, the undertaking of both a “Neighbour Consultation” and a “Public Information Session” was required to meet the intent and criteria outlined in the Policy and Bylaw No. 10540. The following is a summary of the process and results of the consultation required:

A) The Neighbour Consultation

The neighbour consultation included personal sharing of information regarding:

- the location of the proposal,
- a detailed description of the proposal including the specific changes being proposed,
- a visual rendering and a site plan of the proposal was provided,
- contact information for additional information if required (the Ponds and Land Use Management contacts were provided),
- a personal and written invitation to the Public Information Session was provided,
- alternate methods of feedback were discussed (phone calls, emails and comment sheets available at the Public Information Session)

**(see attachment – “Neighbourhood Consultation with Residents” which was additionally provided to neighbours at the time of meeting with them)*

Neighbour Consultation Process:

- Date of Completion: June 17, 2013
- Three attempts, (morning, afternoon, and evening) were made by The Ponds staff to meet and discuss the rezoning directly with property owners within 50 m of the subject property.
- Face – to – face conversations took place with owners located at house # 1177, 1183, 1189, 1195, 1207, 1213, 1225, 1231, 1237, 1243, 1248, 1249, 1254 Steele Rd and 5012 Redstem Rd.
- Property owners at 1201 and 1219 Steele Rd were absent during those times. A detailed package was left for them with an invitation to contact The Ponds to answer any questions, request further information, and provide feedback on the proposed rezoning plan.
- Absentee property owners (1260, 1266, 1272, 1276, 1282, 1288, and 1294 Steele Rd) were emailed the same detailed package with an offer to answer questions.

**(see attachment- "School Planning Information")*

Neighbour Consultation Feedback

- The consensus was all very positive regarding the location and specifics of the school rezoning.
- No negative comments regarding the proposed rezoning were received.
- Six of the neighbours expressed concern regarding the dead trees located in the park area north of the school (hazardous situation for school children and the general public).
- No additional feedback or comments were received by telephone or email.

B) The Public Information Session:

The Public Information Session was held on June 26, 2013 from 4:00 pm to 7:00 pm at the Kinsmen Fieldhouse, Mission Sports Fields, Lexington and Gordon Rd, Kelowna, BC. pursuant to the objective set out in the Council Policy.

The timing was selected to provide flexible and alternate times for public attendance, whether they work or not (late afternoon, on the way home from work or after dinner). Representing The Ponds were Ms. C. Lloyd and Mr. D. Lange. Mr. A. Cumbers attended on behalf of School District # 23.

Notification of the Public Information Session:

The Public Information session was advertised through the Capital News and the Daily Courier on June 11 and 12 respectively. *(see attachment – “Newspaper Ads”)

A hand delivered mail out was also provided to an additional fifty local residents felt to be most directly impacted by the rezoning on June 7, 2013. Residents met during the Neighbour Consultation process were also given a personal and hard copy invitation to attend the Information Session where the School District would be represented and available for questioning.

*(see attachment – Hand delivered Mail out)

Relevant Information Provided:

The Public Information Session included display boards providing information about:

- The Rationale for the rezoning from the School District perspective
- The general area and site specific context
- A description of the Rezoning and OCP Amendment proposals
- A preliminary site plan and 2 renderings of a preliminary building concept
- Contact information for representatives from The Ponds and the Planner from Land Use Management

*(see attachments – “Presentation – Display Board Information” and , “Preliminary Site Plan”).

Also made available for public review were:

- The City’s Neighbourhood 3 Area Structure Plan (providing a more detailed Planning Context)
- The Environmental Assessment and Habitat Compensation Report for the site (Golder and Associates)
- The Geotechnical Feasibility Study (Calibre Geotechnical)
- The School District No. 23 Brief outlining the planning context from the School District’s perspective

Feedback forms was available and attendees were invited to provide input on the forms during the session or by telephone/email after the session .

Summary of Attendance:

A sign-in sheet was used to track public attendance. Residents that attended the Session were:

Time	Name	Address
4-5:00pm	Vivian Ferdinands	2348 Dewdney Rd Kelowna
5-6:00 pm	Jennifer Clarke Ed Grifone	5217 Benmore Crt Kelowna 2575 Maquinna Rd, Kelowna
6-7:00 pm	Gary Gaspari Mary and Ray Morton Jenny Hildebrand	609 Peridot Place Kelowna 1207 Steele Rd. Kelowna 204-735A Cook Rd. Kelowna

Input and Feedback

The input received from the session was all verbal. In spite of invitations, no feedback sheets were completed or telephone call/emails received. Comments documented were very positive:

- liked the Middle School concept in the area
- felt the location was central
- liked that the school was close to but not directly on a main road
- liked the trail system to encourage walking & biking to school
- "keep up the good work"
- there was more general curiosity about the timing of the new school than anything else.

The Neighbour Consultation and Public Information Sessions were organized and conducted in a highly professional manner in accordance with the Council Policy No 367 – Public Notification & Consultation for Development Applications. If you have any questions or require additional information / clarification, please do not hesitate to contact me directly.

Dave Lange,



dave@theponds.ca

Office: (250) 764-8700

Cell: (250) 863-7887

CITY OF KELOWNA
MEMORANDUM

Date: June 28, 2013
File No.: Z13-0023
To: Land Use Management Department (AW)
From: Development Engineering Manager (SM)
Subject: 1150 1200 Steele Road Lot A Plan EPP9618 School Site

The Development Engineering Branch comments and requirements regarding this application to rezone from RU1H to P2 and P3 are as follows:

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

.1) General

- a) The postal authorities must be contacted to determine whether or not a "community mailbox" will be utilized, and if so, its location should be determined and the proposed location shown on the construction plans. Please contact the Canadian Post Corporation, Delivery Services, P.O. Box 2110, Vancouver, B.C. V6B 4Z3 (604) 662-1381 in this regard.
- b) Provide easements as may be required.

.2) 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 Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development.
- (iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).

- (iv) Any special requirements for construction of roads, utilities and building structures.
- (v) Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands.
- (vi) Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.
- (vii) Identify slopes greater than 30%.
 - ii) Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.
 - iii) Recommendations for items that should be included in a Restrictive Covenant.
 - iv) 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.
 - v) Any items required in other sections of this document.
 - vi) Recommendations for erosion and sedimentation controls for water and wind.
 - vii) Recommendations for roof drains and perimeter drains.

.3) Water

- (a) The property is located within the City of Kelowna service area.
- (b) Provide an adequately sized domestic water and fire protection system complete with individual lot connections. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw.
- (c) The developer's consulting engineer will determine the domestic and fire protection requirements of this proposed P2 zone and establish hydrant requirements and service needs.
- (d) Landscaped boulevards, complete with underground irrigation systems, must be integrated with the on-site irrigation system.

.4) Sanitary Sewer

- a) The property is located within the City of Kelowna service area.
- b) Provide an adequately sized sanitary sewer system complete with individual lot connections in accordance with the Subdivision, Development & Servicing Bylaw.
- c) The developer's consulting engineer will determine the requirements of the proposed zone and establish the service needs.

.5) Drainage

- a) Provide an adequately sized drainage system complete with individual lot connections. The Subdivision, Development and Servicing Bylaw requires that each lot be provided with an individual connection; however, the City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.
- b) Provide the following drawings:
 - i) A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
 - ii) A detailed Stormwater Management Plan for this development; and,
 - iii) An Erosion and Sediment Control Plan.
- c) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- d) Identify clearly on a contour map, or lot grading plan, the top of bank(s). Provide cross sections along the top of the bank at each property corner and at locations where there are significant changes in slope. Cross sections are to be perpendicular to the contour of the slope. Show the proposed property lines on the cross sections. Not all areas have a clear top of bank; and therefore, field reconnaissance by City staff and the applicant may be needed to verify a suitable location for property lines.
- e) Where ditches are provided they must be adequately lined and protected for the design flows.

.6) Roads

- a) Steele Road frontage is fully urbanized and therefore no further upgrades are anticipated at this time.
- b) Frost Road extension: Dedicate 20.0m and construct a 11.2m road to a modified standard including, barrier curb and gutters, 3.3m separate multi-use asphalt pathway with a 2.2m landscaped boulevard adjacent to the school site, a separate 1.8m concrete sidewalk with 1.35m landscape boulevard on the west side of the roadway, a piped storm drainage system complete with underground irrigation system, and street lights. Provide a preliminary design that shows the possible vertical grades of Frost Road up to the location of the future cul-de-sac.
- c) Provide a 3.3m wide multi-use asphalt pathway connection to the community park site to the north of the school site. The pathway shall be within a titled lot that is transferred to the City and zoned P3
- d) The TIA prepared by Focus Corporation identified the need to upgrade the intersection control at Gordon Dr / Steele Rd. to a higher standard. The signalization of the intersection will be a requirement of rezoning.

- e) Gordon Dr and Frost Rd will be monitored to see if a higher form of pedestrian control is needed. This too shall be a part of the proponents engineering requirements as they have advanced the construction of the Gordon Dr extension south of Frost Rd.
- f) Provide a Street Sign, Markings and Traffic Control Device Drawings.

.7) Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground
- b) Street lights must be installed on all roads.
- c) Before making application for approval of your subdivision plan, please make arrangements with Fortis BC for the pre-payment of applicable charges and tender a copy of their receipt with the subdivision application.
- d) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.

.8) Design and Construction

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

.9) Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. **The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works.** The

Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.

- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

.10) Other Engineering Comments

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

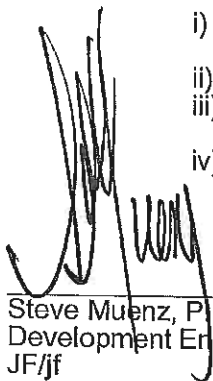
.11) Charges and Fees

- a) Development Cost Charges (DCC's) are payable
- b) Sewer Specified Area Administration Fee of \$250.00 to amend service boundary (Spec area 1).
- c) Drainage work Latecomers (pending) according to the Area Structure Plan.
- d) Water Extended Service Area Latecomers:

ESA#	Frontender	Available EDU	Anniversary (rates increase)	*Rate/unit \$
8	S Mission Water	CWS-14 1288.00	Jan 1,2013	182.00
11	No.21	CWS-17 552	Nov 11,2013	1242.00

*(these fees are to be confirmed at time of subdivision)

- e) Fees per the "Development Application Fees Bylaw" include:
- i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
- ii) Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
- iii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
- iv) Engineering and Inspection Fee: 3% of construction value (plus HST).


 Steve Muenz, P. Eng.
 Development Engineering Manager
 JF/jf

CITY OF KELOWNA

BYLAW NO. 10867

Official Community Plan Amendment No. OCP13 - 0014 No. 21 Great Projects Ltd. 1150 and 1200 Steele Road

A bylaw to amend the "*Kelowna 2030 - Official Community Plan Bylaw No. 10500*".

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030 - Official Community Plan Bylaw No. 10500*" be amended by changing the Generalized Future Land Use designation of a portion of Lot A, District Lot 579, SDYD, Plan EPP9618 Except Plans EPP9638, EPP15721, EPP18670, EPP20408 and EPP22118, located at 1150 Steele Road, Kelowna, B.C., and Lot 1, District Lot 579, SDYD, Plan EPP20408, located at 1200 Steele Road from the Multiple Unit Residential - Low Density, Single / Two Unit Residential, Major Park & Open Space, Educational / Institutional, Commercial designation to the Multiple Unit Residential - Low Density, Single / Two Unit Residential, Major Park & Open Space, Educational / Institutional, Commercial designation as shown on Map "A";
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of July, 2013.

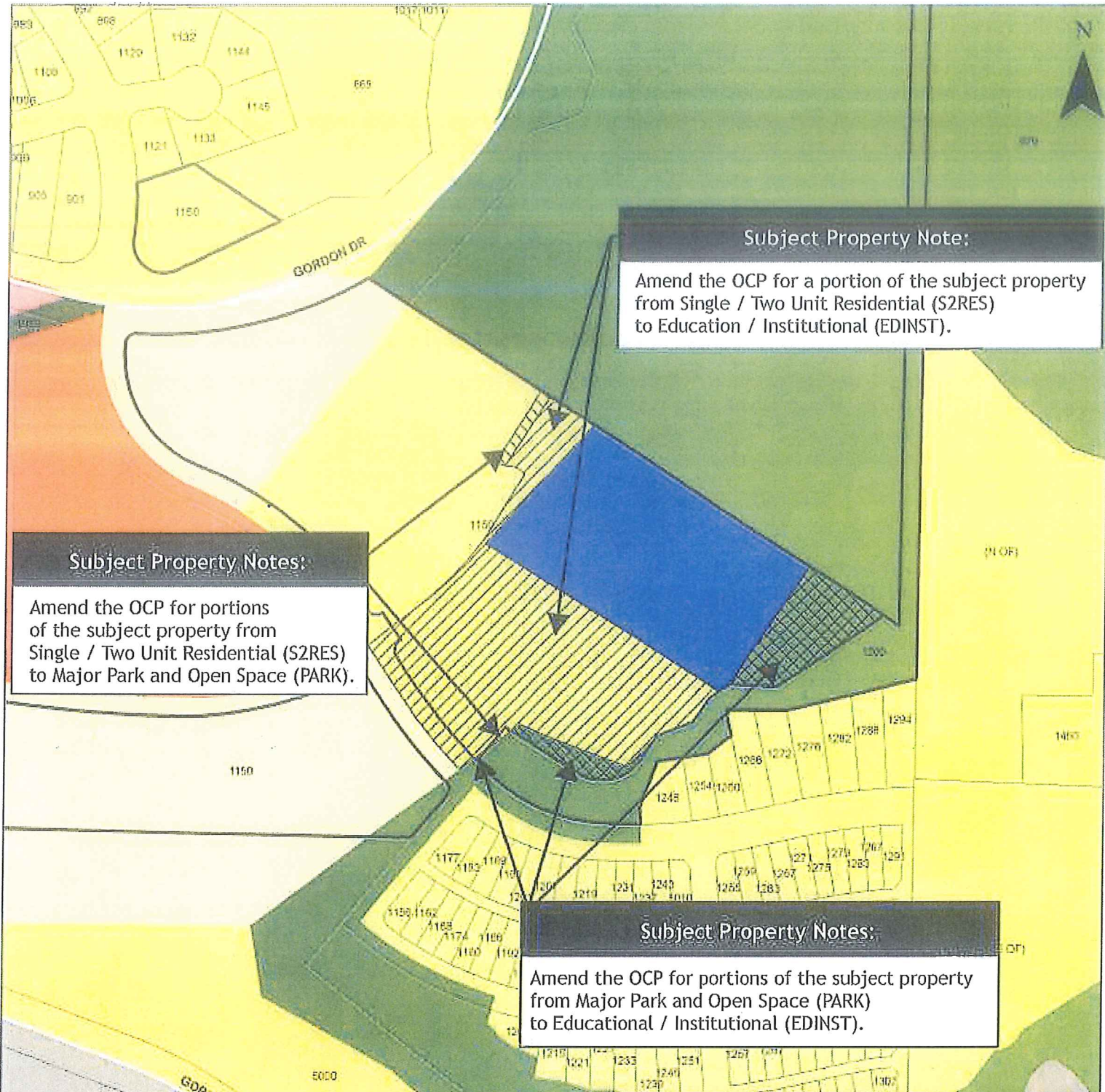
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



Subject Property Note:

Amend the OCP for a portion of the subject property from Single / Two Unit Residential (S2RES) to Education / Institutional (EDINST).















Subject Property Notes:

Amend the OCP for portions of the subject property from Single / Two Unit Residential (S2RES) to Major Park and Open Space (PARK).

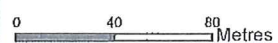
Subject Property Notes:

Amend the OCP for portions of the subject property from Major Park and Open Space (PARK) to Educational / Institutional (EDINST).

**MAP "A" OCP AMENDMENT
OCP13-0014**

	Commercial		Legal Parcel
	Education / Institutional		Subject Properties
	Multiple Unit Residential (Cluster Housing)		PARK to EDINST
	Multiple Unit Residential (Medium Density)		S2RES to EDINST
	Multiple Unit Residential (Low Density)		S2RES to PARK
	Major Park and Open Space		
	Public Service Utilities		
	Single / Two Unit Residential		
	Single / Two Unit Residential - Hillside		

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



Rev. Jun 26, 2013



CITY OF KELOWNA
BYLAW NO. 10868
Z13-0023 - No. 21 Great Projects Ltd.
1150 and 1200 Steele Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of a portion of Lot A, District Lot 579, SDYD, Plan EPP9618 Except Plans EPP9638, EPP15721, EPP18670, EPP20408 and EPP22118 located at 1150 Steele Road, Kelowna, B.C., and Lot 1, District Lot 579, SDYD, Plan EPP20408, located at 1200 Steele Road from the A1 - Agriculture 1, RU1 - Large Lot Housing, RU1H - Large Lot Housing Hillside, P3 - Parks & Open Space zone to the A1 - Agriculture 1, RU1 - Large Lot Housing, RU1H - Large Lot Housing Hillside, P2 - Educational & Minor Institutional, P3 - Parks & Open Space zone as shown on Map "B".
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of July, 2013.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



979
A1

RU2

RU1

4051 P3

P3
4919

Subject Property Notes:

Rezone a portion of the subject property from RU1H /Large Lot Housing (Hillside Area) to P2 Education and Minor Institutional.

(N OF)
RU1

RU1H

1000
C3

1450
A1

RU3
(E OF)

Subject Property Notes:

Rezone a portion of the subject property from RU1H /Large Lot Housing (Hillside Area) to P3 Parks and Open Space.





Subject Property Notes:

Rezone a portion of the subject property from RU1H /Large Lot Housing (Hillside Area) to P3 Parks and Open Space.

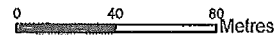
P3

A1

MAP "B" PROPOSED ZONING
File #Z13-0023

-  Legal Parcel
-  Subject Properties
-  RU1H to P2
-  RU1H to P3

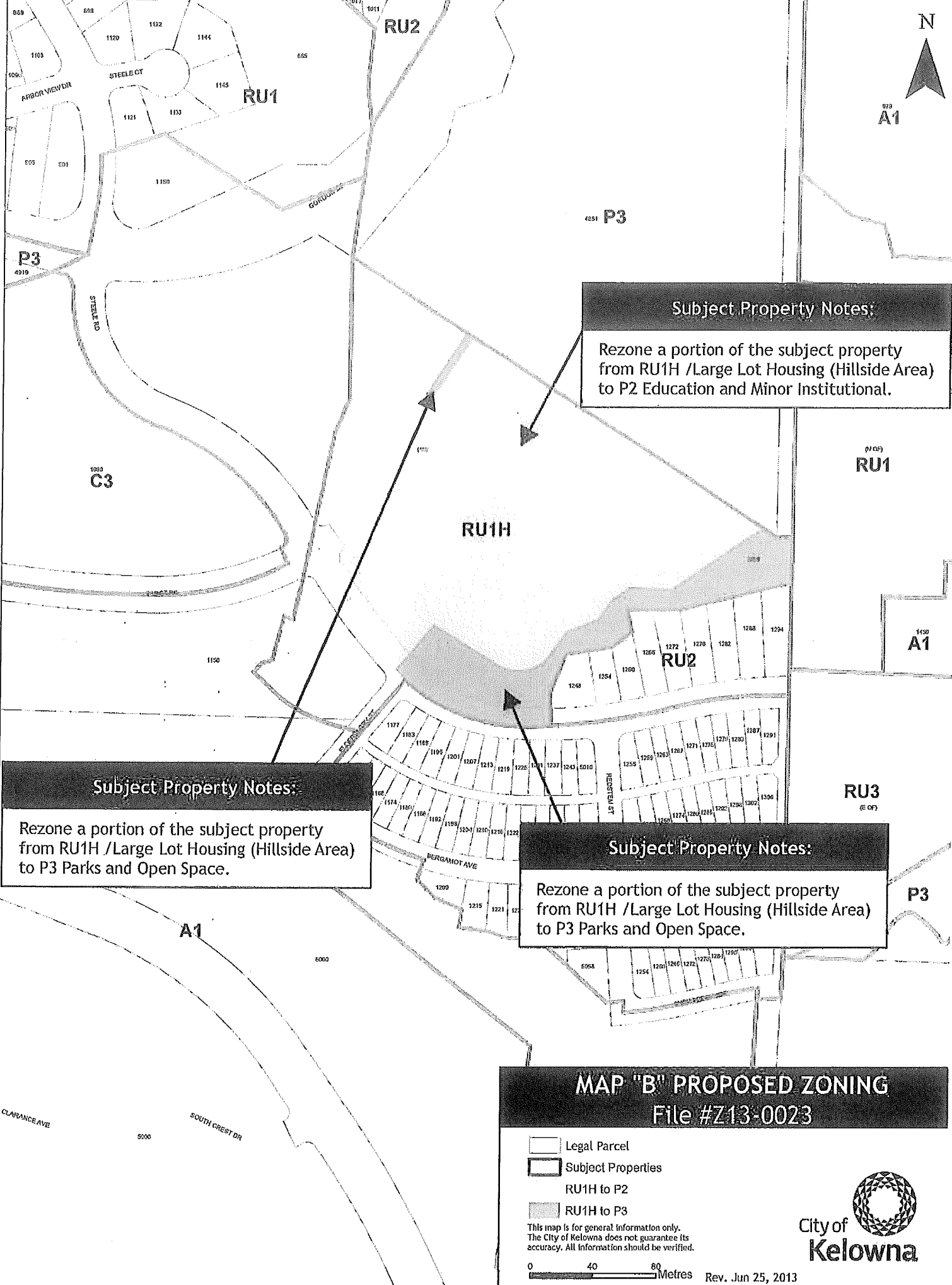
This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



Rev. Jun 25, 2013



CLARENCE AVE
5000
SOUTH CREST DR



REPORT TO COUNCIL



Date: July 12th, 2013
RIM No. 1250-30
To: City Manager
From: Land Use Management, Community Sustainability (AW)
Application: Z13-0022 **Owner:** John Bauer
Irvin & Linda Cordes
Address: 1369 & 1375 Bertram Street **Applicant:** Garry Tomporowski Architect
Ltd.
Subject: Rezoning Application
Existing OCP Designation: Multiple Unit Residential - Medium Density
Existing Zone: RU6 - Two Dwelling Housing
Proposed Zone: RM5 - Medium Density Multiple Housing

1.0 Recommendation

THAT Rezoning Application No. Z13-0022 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 13, D.L. 139, ODYD, Plan 2271, located at 1369 Bertram Street and Lot 14, D.L. 139, ODYD, Plan 2271, located at 1375 Bertram Street, Kelowna BC, from the RU6 - Two Dwelling Housing zone to the RM5 - Medium Density Multiple Housing zone be considered by Council;

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

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

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 FURTHER THAT final adoption of Zone Amending Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit on the subject properties.

2.0 Purpose

To consider rezoning the subject properties from the RU6 - Two Dwelling Housing Zone to the RM5 - Medium Density Multiple Housing Zone to accommodate the proposed 8 unit, 4 storey row housing project.

3.0 Land Use Management

Land Use Management staff are supportive of the proposal, as it is seen to meet the objectives and supporting policies of the Official Community Plan (OCP). The RM5 - Medium Density Multiple Housing zone is the appropriate zone and facilitates a form of housing needed within this urban centre location. The subject property is located within the Downtown Urban Centre, within close proximity to the commercial core where residential intensification has long been anticipated.

The form and character of the proposal presents a European flare, which is a departure from that established in the area but adds an element of sophistication to this block which will transition as time passes. The proposed development places a clear emphasis on human scale buildings that feature strong relationships to both Fuller Avenue and Bertram Street, which is highly desirable in this urban context. Private open space and a plaza area are featured on site, creating enjoyable on-site opportunities for the future residents. In summary, this project delivers on many aspects of both land use and urban design that are encouraged for the Downtown Urban Centre revitalization efforts.

4.0 Proposal

4.1 Project Description

The proposed development consists of a total of 8 - 4 storey row housing dwelling units split between 6 - 2 bedroom units and 2 - 3 bedroom units. Principal vehicular access is via the rear lane but the 2 - 3 bedroom units have garages facing Bertram Street. Long term bicycle parking is provided within individual storage units, and short term bicycle parking is provided near the centre of the site adjacent to the visitor vehicle parking. A new sidewalk will be provided along Bertram and Fuller. Both frontages provide a strong pedestrian orientation, with main building entrances and patios. Such design elements serve to activate these building frontages with heightened levels of pedestrian activity.

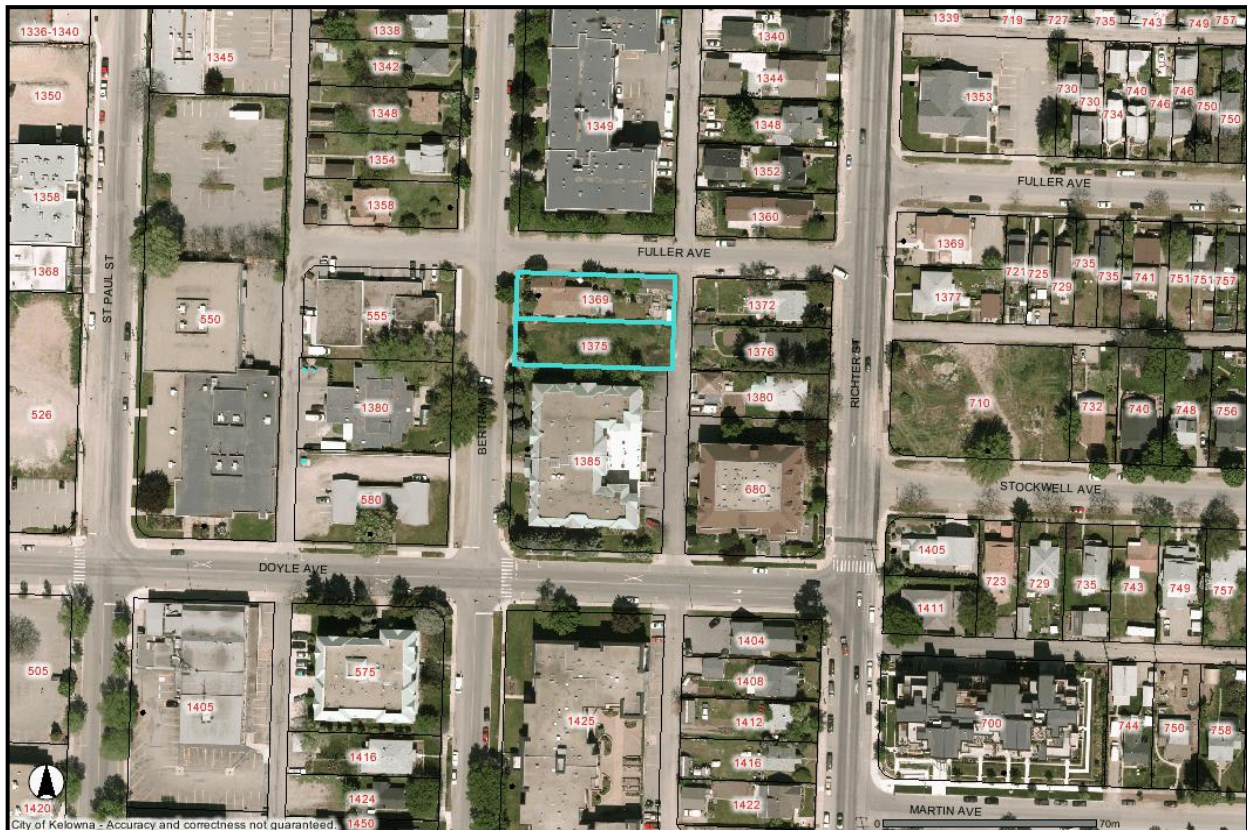
The buildings represent a more European form of development that has been modified to fit within the Okanagan context. The finishes are of a high quality, featuring textured stucco cut to emulate sandstone. Large rooftop decks have been incorporated to provide private open space facing the street and site landscaping uses native species, where possible, and complements the building design. The proposed variances are required in order to enable the developer to proceed with this form of project. The majority of the variances are setback variances that shouldn't have a negative impact on the surrounding neighbourhood. The recent set of text amendments to the multi-family zones were intended to create a stronger street edge with ground oriented housing. This project would satisfy these regulations if not for the four storey form of development, yet by stepping the 4th storey this will limit the massing impact and provide a form of housing similar to that anticipated in the zone. The applicant hosted a Public Information Meeting on June 20th, 2013 in accordance with Council's Notification and Consultation Policy No. 367.

The proposal compares to Zoning Bylaw No. 8000 as follows:

Zoning Analysis Table		
CRITERIA	RM5 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Floor Area Ratio	1.3	1.3
Site Coverage - Buildings	40%	38%
Site Coverage - Buildings & Drive	65%	64%
Height	19.0m / 4.5 storeys	12.3m / 4 storeys
Front Yard	6.0m	1.5m*
Side Yard (north)	6.0m	1.5m*
Side Yard (south)	6.0m	1.5m*
Rear Yard	7.0m	1.5m*
Parking Setback	1.5m	0.5*
Other Regulations		
Minimum Parking Requirements	13 stalls 13 stalls x 125% = 17 stalls max	18 stalls*
Bicycle Parking	Class I: 4 stalls Class II: 1 stalls	Class I: 8 stalls Class II: 10 stalls
Private Open Space	62m ² per dwelling	25m ² per dwelling
<p>* To vary the front yard setback from 6.0m required to 1.5m proposed. * To vary the side yard setback from 6.0m to 1.5m (northern setback) and 1.5m (southern setback) proposed. * To vary the rear yard setback from 6.0m required to 1.5m proposed. * To vary the setback from parking from 1.5m required to 0.5 proposed. * To vary parking from 17 stalls permitted to 18 stalls proposed.</p>		

4.2 Site Context

Subject Property Map: 1369 & 1375 Bertram Street



The subject properties are located within the Downtown Urban Centre in an area designated for a townhouse form of development.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM5 - Medium Density Multiple housing	Apartment Housing
East	RU6 - Two Dwelling Housing	Single Family Housing
South	RM5 - Medium Density Multiple housing	Apartment Housing
West	RM5 - Medium Density Multiple housing	Apartment Housing

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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

Ground-Oriented Housing.² Encourage all multi-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms to provide a family housing choice within multi-unit rental or ownership markets. High density residential projects in the Downtown area are encouraged to include a ground-oriented housing component, especially where such can be provided on non-arterial and non-collector streets.'

6.0 Technical Comments

6.1 Building & Permitting Department

- Demolition permits are required for any existing building(s).
- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s) for new construction.
- The Architect to provide spatial calculations per BCBC 12 since this may affect the form and character of the units if the glazing is required to be reduced or removed prior to the release of the Development Permit.
- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- The drawings submitted for Building Permit application are to indicate the method of fire separation between suites. This entails how the plumbing and heating system will be installed without affecting the fire separation between units. This also includes the windows in the west wing units (Studio Level) and the fire separation / privacy wall (structural & FRR)
- Drawings submitted for Building Permit application to indicate the method of venting the exterior deck floors above the garages.
- This is an area with a potentially high ground water table, a geotechnical engineer will be required to establish a safe building elevation and safe bearing capacities.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

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

² City of Kelowna Official Community Plan, Policy 5.23.1 (Development Process Chapter).

6.2 Development Engineering Department

See Attached Memo.

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 #7900 requires a minimum of 150ltr/sec fire flows. Additional comments will be required at the building permit application.

6.4 Fortis BC - Gas

FortisBC gas division has reviewed the above mentioned referral and has no issues or concerns

7.0 Application Chronology

Date of Application Received: May 20th, 2013

Public Information Meeting: June 20th, 2013

Report prepared by:

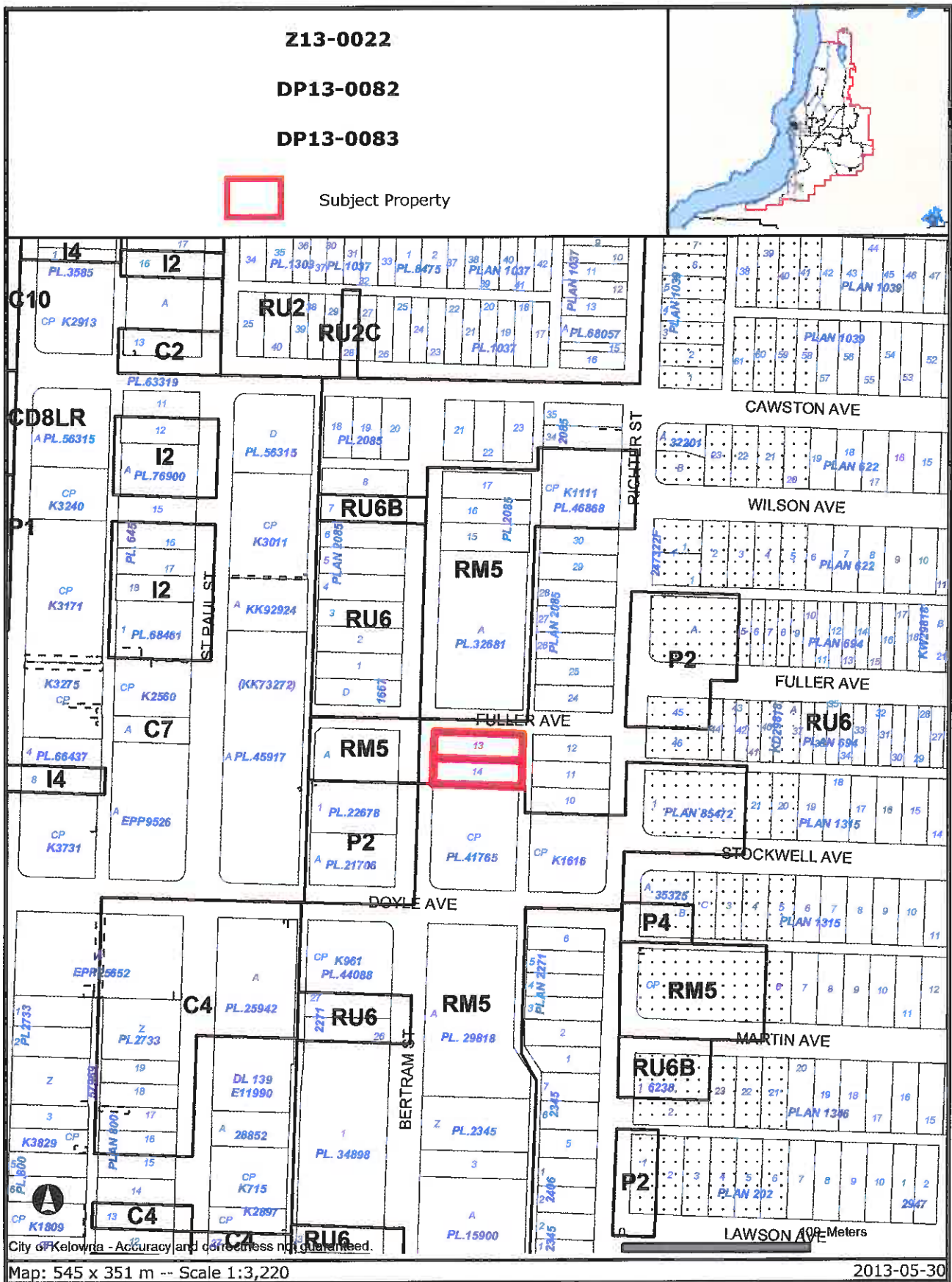
Alec Warrender, Land Use Planner

Reviewed by: Danielle Noble, Urban Planning Manager

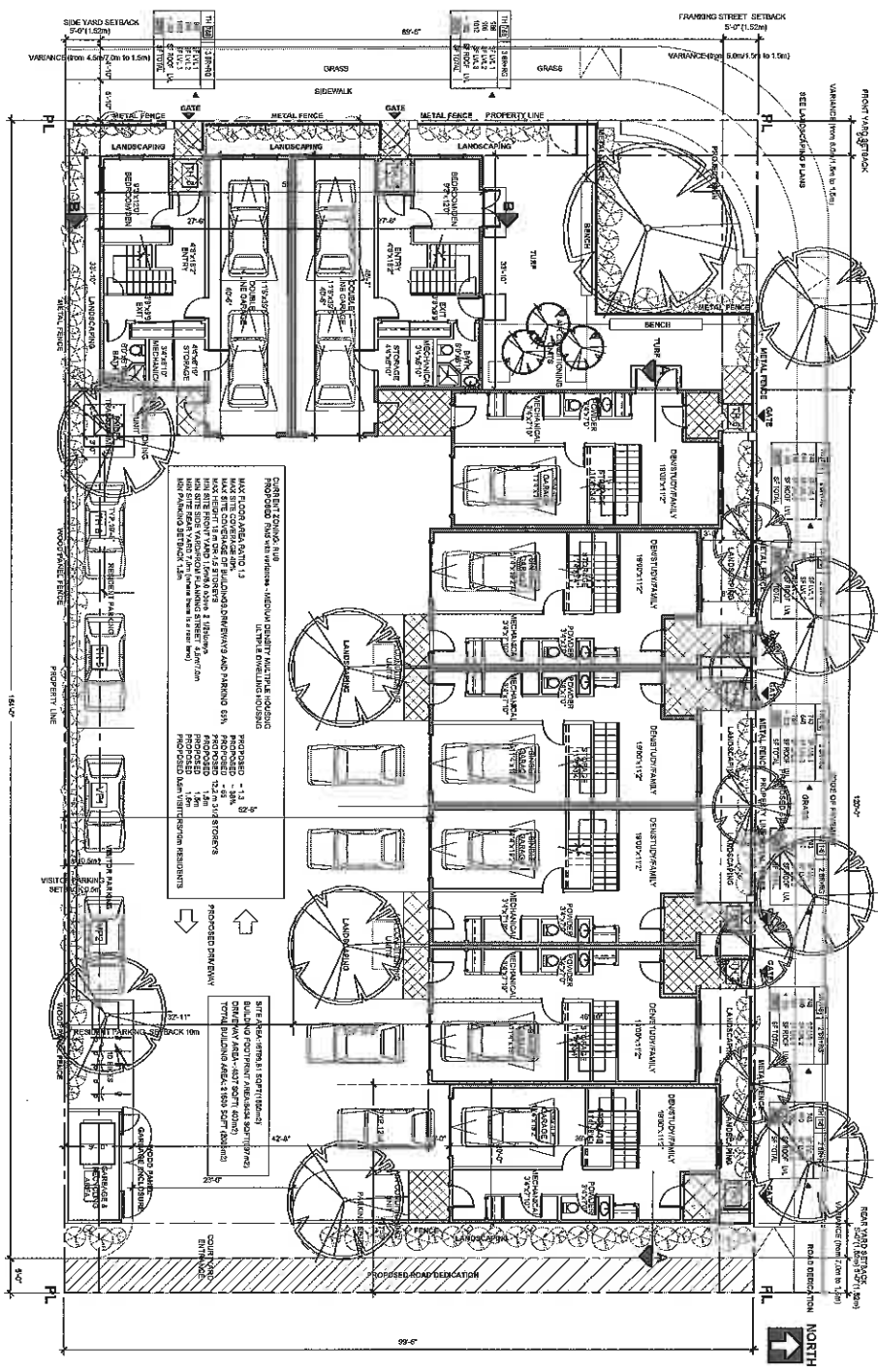
Approved Inclusion: D. Gilchrist, Community Planning & Real Estate Divisional Director

Attachments:

- Site Plan
- Elevations
- Landscape Plan
- Applicant's Letter of Rationale
- Development Engineering Requirements
- Public Information Meeting Summary



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
The City of Kelowna does not guarantee its accuracy. All information should be verified.



UNIT ZONES AND PROPOSED UNIT TYPES

UNIT TYPE	PROPOSED	AREA (SQ. FT.)	AREA (SQ. METERS)
PROPOSED 1-BED UNIT	11	1,100	101.7
PROPOSED 2-BED UNIT	11	1,400	129.0
PROPOSED 3-BED UNIT	11	1,800	167.0
PROPOSED 4-BED UNIT	11	2,200	203.7
PROPOSED 5-BED UNIT	11	2,600	240.4
PROPOSED 6-BED UNIT	11	3,000	277.1
PROPOSED 7-BED UNIT	11	3,400	313.8
PROPOSED 8-BED UNIT	11	3,800	350.5
PROPOSED 9-BED UNIT	11	4,200	387.2
PROPOSED 10-BED UNIT	11	4,600	423.9
PROPOSED 11-BED UNIT	11	5,000	460.6
PROPOSED 12-BED UNIT	11	5,400	497.3
PROPOSED 13-BED UNIT	11	5,800	534.0
PROPOSED 14-BED UNIT	11	6,200	570.7
PROPOSED 15-BED UNIT	11	6,600	607.4
PROPOSED 16-BED UNIT	11	7,000	644.1
PROPOSED 17-BED UNIT	11	7,400	680.8
PROPOSED 18-BED UNIT	11	7,800	717.5
PROPOSED 19-BED UNIT	11	8,200	754.2
PROPOSED 20-BED UNIT	11	8,600	790.9
PROPOSED 21-BED UNIT	11	9,000	827.6
PROPOSED 22-BED UNIT	11	9,400	864.3
PROPOSED 23-BED UNIT	11	9,800	901.0
PROPOSED 24-BED UNIT	11	10,200	937.7
PROPOSED 25-BED UNIT	11	10,600	974.4
PROPOSED 26-BED UNIT	11	11,000	1,011.1
PROPOSED 27-BED UNIT	11	11,400	1,047.8
PROPOSED 28-BED UNIT	11	11,800	1,084.5
PROPOSED 29-BED UNIT	11	12,200	1,121.2
PROPOSED 30-BED UNIT	11	12,600	1,157.9
PROPOSED 31-BED UNIT	11	13,000	1,194.6
PROPOSED 32-BED UNIT	11	13,400	1,231.3
PROPOSED 33-BED UNIT	11	13,800	1,268.0
PROPOSED 34-BED UNIT	11	14,200	1,304.7
PROPOSED 35-BED UNIT	11	14,600	1,341.4
PROPOSED 36-BED UNIT	11	15,000	1,378.1
PROPOSED 37-BED UNIT	11	15,400	1,414.8
PROPOSED 38-BED UNIT	11	15,800	1,451.5
PROPOSED 39-BED UNIT	11	16,200	1,488.2
PROPOSED 40-BED UNIT	11	16,600	1,524.9
PROPOSED 41-BED UNIT	11	17,000	1,561.6
PROPOSED 42-BED UNIT	11	17,400	1,598.3
PROPOSED 43-BED UNIT	11	17,800	1,635.0
PROPOSED 44-BED UNIT	11	18,200	1,671.7
PROPOSED 45-BED UNIT	11	18,600	1,708.4
PROPOSED 46-BED UNIT	11	19,000	1,745.1
PROPOSED 47-BED UNIT	11	19,400	1,781.8
PROPOSED 48-BED UNIT	11	19,800	1,818.5
PROPOSED 49-BED UNIT	11	20,200	1,855.2
PROPOSED 50-BED UNIT	11	20,600	1,891.9
PROPOSED 51-BED UNIT	11	21,000	1,928.6
PROPOSED 52-BED UNIT	11	21,400	1,965.3
PROPOSED 53-BED UNIT	11	21,800	2,002.0
PROPOSED 54-BED UNIT	11	22,200	2,038.7
PROPOSED 55-BED UNIT	11	22,600	2,075.4
PROPOSED 56-BED UNIT	11	23,000	2,112.1
PROPOSED 57-BED UNIT	11	23,400	2,148.8
PROPOSED 58-BED UNIT	11	23,800	2,185.5
PROPOSED 59-BED UNIT	11	24,200	2,222.2
PROPOSED 60-BED UNIT	11	24,600	2,258.9
PROPOSED 61-BED UNIT	11	25,000	2,295.6
PROPOSED 62-BED UNIT	11	25,400	2,332.3
PROPOSED 63-BED UNIT	11	25,800	2,369.0
PROPOSED 64-BED UNIT	11	26,200	2,405.7
PROPOSED 65-BED UNIT	11	26,600	2,442.4
PROPOSED 66-BED UNIT	11	27,000	2,479.1
PROPOSED 67-BED UNIT	11	27,400	2,515.8
PROPOSED 68-BED UNIT	11	27,800	2,552.5
PROPOSED 69-BED UNIT	11	28,200	2,589.2
PROPOSED 70-BED UNIT	11	28,600	2,625.9
PROPOSED 71-BED UNIT	11	29,000	2,662.6
PROPOSED 72-BED UNIT	11	29,400	2,699.3
PROPOSED 73-BED UNIT	11	29,800	2,736.0
PROPOSED 74-BED UNIT	11	30,200	2,772.7
PROPOSED 75-BED UNIT	11	30,600	2,809.4
PROPOSED 76-BED UNIT	11	31,000	2,846.1
PROPOSED 77-BED UNIT	11	31,400	2,882.8
PROPOSED 78-BED UNIT	11	31,800	2,919.5
PROPOSED 79-BED UNIT	11	32,200	2,956.2
PROPOSED 80-BED UNIT	11	32,600	2,992.9
PROPOSED 81-BED UNIT	11	33,000	3,029.6
PROPOSED 82-BED UNIT	11	33,400	3,066.3
PROPOSED 83-BED UNIT	11	33,800	3,103.0
PROPOSED 84-BED UNIT	11	34,200	3,139.7
PROPOSED 85-BED UNIT	11	34,600	3,176.4
PROPOSED 86-BED UNIT	11	35,000	3,213.1
PROPOSED 87-BED UNIT	11	35,400	3,249.8
PROPOSED 88-BED UNIT	11	35,800	3,286.5
PROPOSED 89-BED UNIT	11	36,200	3,323.2
PROPOSED 90-BED UNIT	11	36,600	3,359.9
PROPOSED 91-BED UNIT	11	37,000	3,396.6
PROPOSED 92-BED UNIT	11	37,400	3,433.3
PROPOSED 93-BED UNIT	11	37,800	3,470.0
PROPOSED 94-BED UNIT	11	38,200	3,506.7
PROPOSED 95-BED UNIT	11	38,600	3,543.4
PROPOSED 96-BED UNIT	11	39,000	3,580.1
PROPOSED 97-BED UNIT	11	39,400	3,616.8
PROPOSED 98-BED UNIT	11	39,800	3,653.5
PROPOSED 99-BED UNIT	11	40,200	3,690.2
PROPOSED 100-BED UNIT	11	40,600	3,726.9

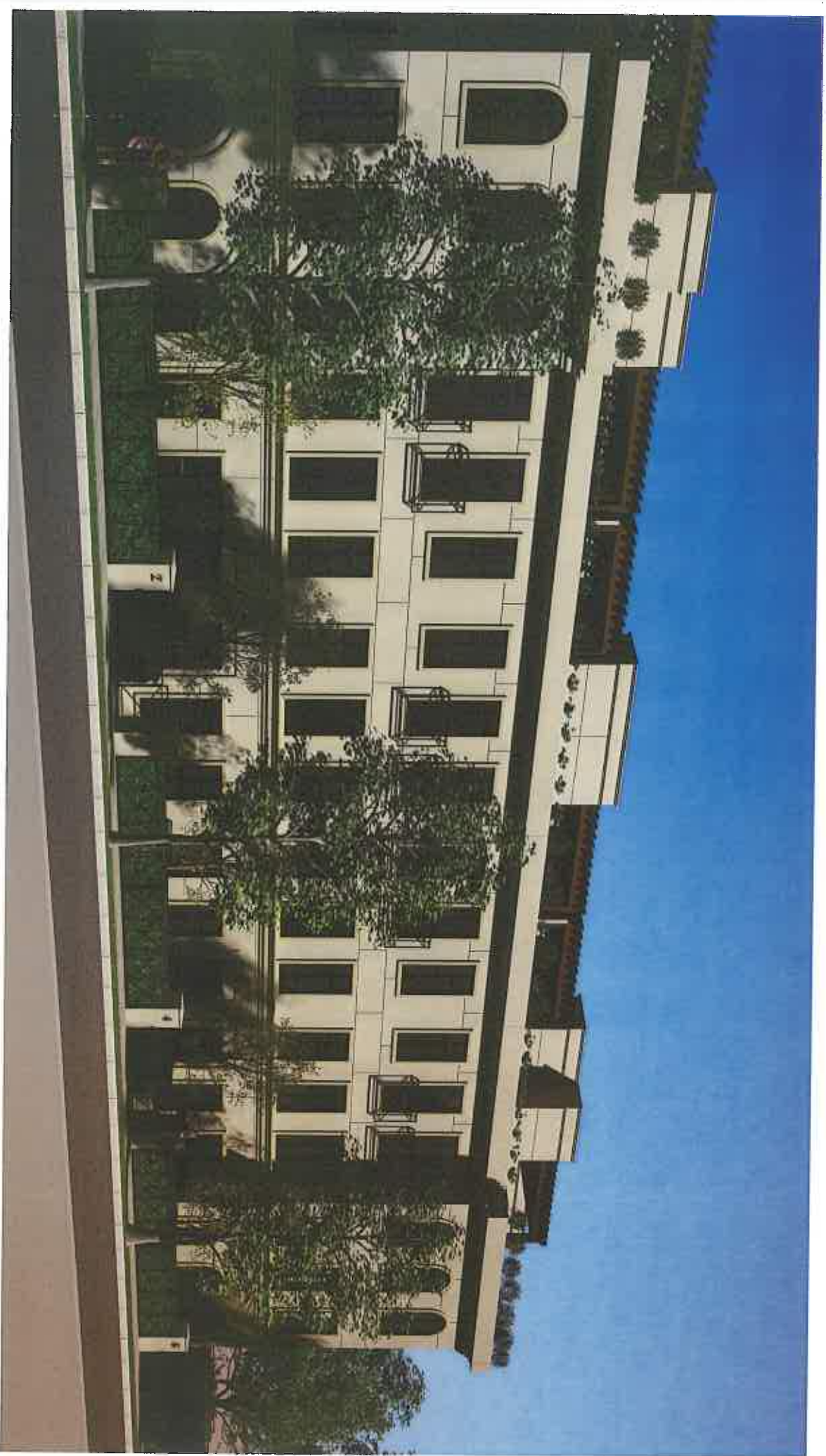
1 GROUND FLOOR

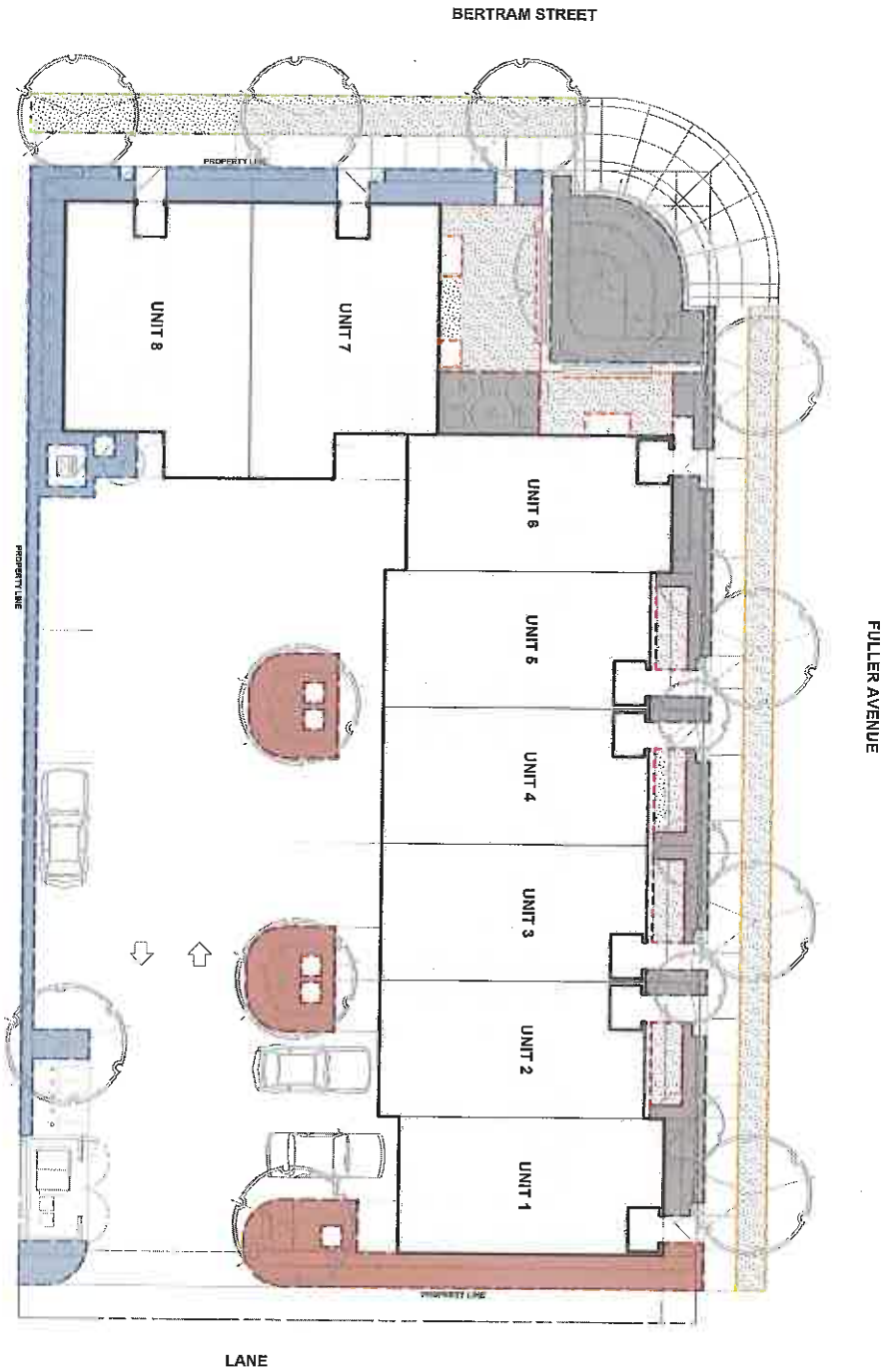
DATE: 2024.05.20
 DRAWN: [Name]
 CHECKED: [Name]
 PROJECT: [Name]

Kenington
 Filiz & Deryan
 ARCHITECTS
 KEDLOWNA, BC

gta
 Gary Tempowski Architect Ltd.
 201-1188 Douglas Ave
 Vancouver, BC
 Tel: 604-271-4188
 Fax: 604-271-4188
 www.gtaarchitect.com

NOT FOR CONSTRUCTION





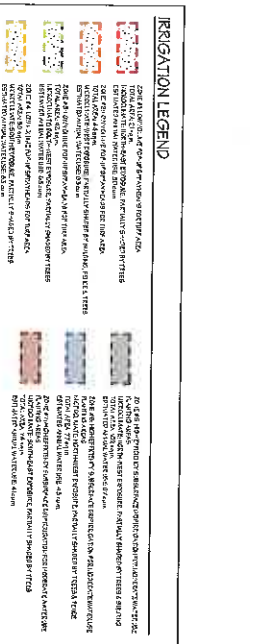
IRRIGATION NOTES

1. EXISTING IRRIGATION SYSTEMS SHALL BE MAINTAINED AND NOT REMOVED UNLESS OTHERWISE SPECIFIED IN THE CONTRACT DOCUMENTS.
2. THE PROPOSED IRRIGATION SYSTEM SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CITY OF SEASIDE, CALIFORNIA, AND THE CALIFORNIA WATER RESOURCES CONTROL BOARD.
3. THE PROPOSED IRRIGATION SYSTEM SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CALIFORNIA WATER RESOURCES CONTROL BOARD AND THE CALIFORNIA WATER RESOURCES CONTROL BOARD.
4. A WATER SAVING DEVICE SHALL BE INSTALLED AT EACH OUTLET TO REDUCE WATER CONSUMPTION AND TO MEET THE REQUIREMENTS OF THE CALIFORNIA WATER RESOURCES CONTROL BOARD.
5. IRRIGATION SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CALIFORNIA WATER RESOURCES CONTROL BOARD AND THE CALIFORNIA WATER RESOURCES CONTROL BOARD.
6. IRRIGATION SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CALIFORNIA WATER RESOURCES CONTROL BOARD AND THE CALIFORNIA WATER RESOURCES CONTROL BOARD.
7. IRRIGATION SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CALIFORNIA WATER RESOURCES CONTROL BOARD AND THE CALIFORNIA WATER RESOURCES CONTROL BOARD.
8. A 1.5% SLOPE SHALL BE MAINTAINED THROUGHOUT THE ENTIRE IRRIGATION SYSTEM.
9. IRRIGATION SYSTEMS SHALL BE DESIGNED TO MEET THE REQUIREMENTS OF THE CALIFORNIA WATER RESOURCES CONTROL BOARD AND THE CALIFORNIA WATER RESOURCES CONTROL BOARD.

WATER CONSERVATION CALCULATIONS

LANDSCAPE WATER REQUIREMENT = 423 gal./yr.
 IRRIGATION WATER REQUIREMENT = 278 gal./yr.
 TOTAL WATER REQUIREMENT = 701 gal./yr.

PROPERTY LINE



OUTLAND DESIGN LANDSCAPE ARCHITECTURE
 201 • 159 South Bonn
 Fullerton, CA 92630
 T 714 848-0770
 www.outlanddesign.com

WATER CONSERVATION & IRRIGATION PLAN
 SHEET NO. 100
 DATE: 11/10/2011

ISSUED FOR REVIEW ONLY
 L2/12

DEVELOPMENT APPLICATION / DESIGN RATIONALE



A13-07
Bertram Townhouses
Kelowna, B.C.

May 2013

Prepared by:

Prepared For:

Bertram Townhouses Inc.

To be Submitted to:

City of Kelowna
Development Services

Architecture
Interior Design and Planning
Building Envelope Consulting

A stylized logo for Garry Tomporowski Architect Ltd, featuring the letters 'gt' and 'StA' in a cursive font.

ARCHITECTURE

Garry Tomporowski Architect Ltd
Kelowna, B.C. 250.979.1668



ARCHITECTURE

Garry Tomporowski
Architect Ltd
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Kelowna, BC Canada V1Y 5V5
Phone: 250.979.1668 Fax: 250.979.4366
Email: gtaoffice@shawbiz.ca

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1.0 OVERVIEW

The Bertram Street Townhouse Project by Bertram Townhouses Inc. boldly presents Kelowna with a masterfully designed and highly articulated luxury living option in the heart of Downtown Kelowna.

With this project, the Developers of The Madison are extending their expertise into the urban core with yet another project to further expand the standards of gracious living in Kelowna's Cultural District.

Bertram Townhouses Inc. together with the GTA Ltd. and Outland Design Landscape Architecture have created a neo-classic designed complex consisting of eight (8) three and a half (3 ½) storey townhouses bordering on Bertram Avenue and Fuller Street which provides the image of gracious living reminiscent of the 19th Century affluence found in New York, Baltimore, Chicago, Toronto and Montreal.

Very special attention has been paid to the landscaping both in the front and rear yards, and also the corner treatment at the intersection of Bertram and Fuller. This terraced and raised area with its signature corner tree has been carefully articulated to integrate small accessible patio areas for the two corner units and also to create the focus and the location for the signature sign for the project.

2.0 THE PROJECT

In developing the project, the aspects of elegance and walk-ability in the downtown core were key factors. We feel that this has been successfully achieved in creating an "above current market value" project which has already created a buzz of excitement in the community. The revitalization of Downtown Kelowna has always been a key focus of City Council and the Planning Department, and the Developers feel that this project can be impetus for others to carry-on in this manner, setting the standard for future developments of urban infill.

This project will add further major support for the recently begun improvements to the Downtown Revitalization project started with the Bernard Avenue face lift and the soon to be started IHC and Monaco complexes.

This design meets all of the objectives of the RM5 zoning with the exception of side yard variances. It is felt that in considering the high quality of design, it would be possible to have these reviewed with an eye to relaxation, especially considering the buildings positioning on the site relative to other buildings across the street and to the South. We are extremely fortunate to have a large intervening space between this project and the four storey condominium building to the South which includes not only that large side yard, but the fact that the courtyard provides additional distance and separation. The rooftop amenity area room provides a visual and acoustic barrier for the townhouse Owners from the building to the South, and affords townhouse Owners much needed privacy. The street oriented units convey a sense of neighbourliness, and promote connectivity to the adjacent properties using a variety of features to invite physical and visual interaction. A number of the COEPD measures have been reviewed and integrated into the design of the project.

GTA has reviewed the *Sustainability Checklist* in preparation of the project and we have included as many options as possible for consideration at this time, and many more will be considered during the Building Permit Drawings stage.

3.0 SITE AND PARKING ACCESS

The rear of the project provides access to parking or the carriage way and is accessed from the lane. Two parking spots are provided for each of the units and additional parking is enclosed in the rear courtyard for visitors and extra parking for the Residents.

All but two of the units have their parking accessed from this courtyard with the two units on Bertram Avenue being accessed from the street itself. These carriage ways will be specially articulated with differentiating patterned concrete and receive special bordering landscaping treatment to ensure that they are highly visible to pedestrian traffic. They provide a higher aesthetic level to create additional interest along the streetscape. Because they are relatively short in length they will be unable to be used for parking, and will not cause any impediment to regular pedestrian traffic along the sidewalk. Considering that Bertram is a very short Street in itself, access to and from the garages of these two units is not foreseen as a problem for the unit Owners, nor the regular traffic along this street. Our observations of the regular traffic at this time indicate that the volume is very low and considering the length of the street as aforementioned, we do not see that this could be a problem into the near or mid-term future.

4.0 THE BUILDING

Each one of the classically designed units is finished in a (finely) emulated sandstone exterior. Each unit provides street frontage reinforcing the important pedestrian connection to the neighborhood and beyond. Doorways and entrances are at street level and are accessed by carefully designed individual gates emboldened by black iron-like picket fences, back-dropped by evergreen borders of finely trimmed boxwoods, as well as other landscape bordering materials.

Each of the eight units is graced with a rooftop terrace to take advantage of the views of the surrounding area and to provide extraordinary access to the Okanagan climate. These rooftop terraces also provide a small sheltered and enclosed area for the storage of seasonal furniture and as an area to withdraw from the elements should the need arise unexpectedly. These areas will also be serviced with gas hook-ups for barbecues and some will have hot and cold water for clean-up and domestic use. The leading edges of the parapets in many cases will be designed to accommodate growing mediums to allow for decorative plantings reminiscent of old Montreal and parts of the South-eastern USA.

5.0 SUMMARY

The Developers and design team felt that the combination of a high class design coupled with leading edge technology and modern building materials will provide for a solid building project. As a group, we feel that it will be a catalyst for other similar 'urban in-fill' developments in this area and will be a testimony to the faith of a rejuvenated Downtown Kelowna.

It is also our hope that the project will become a timeless icon setting the standards for others to emulate, and even exceed, in an area critical to the continued sustainability and growth of our City.

END

CITY OF KELOWNA
MEMORANDUM

Date: July 10, 2013
File No.: Z13-0022

To: Land Use Management Department (AW)

From: Development Engineering Manager

Subject: 1369 & 1375 Bertram Street *REVISED*

RU1 to RM5

The Development Engineering Department has the following comments and requirements associated with this rezoning application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Sergio Sartori

1. Domestic Water and Fire Protection

- (a) The subject properties are each currently serviced with one water service (13mm). 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. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the disconnection of existing services and the installation of a new service. The estimated cost of this construction for bonding purposes is **\$20,000.00**.
- a) The area has only one hydrant in the area which may not be sufficient for multi-family developments. A second hydrant may be required for the proposed development.

2. Sanitary Sewer

- (a) The subject properties are each currently serviced with a 100mm sanitary service. The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal and disconnection of the existing services and the installation of one new larger service. The estimated cost of this construction for bonding purposes is **\$10,000.00**.

3. Storm Drainage

- (a) One of the subject properties is currently serviced with a 100mm service. 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 lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems. The estimated cost of this construction for bonding purposes is **\$5,000.00**.

4. Road Improvements

- (a) Bertram Street must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk, drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost of this construction for bonding purposes is **\$20,000.00**
- (b) Fuller Ave must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk, drainage system including catch basins, manholes, landscaped boulevard and pavement fillet, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost of this construction for bonding purposes is **\$25,000.00**
- (c) *Lane adjacent to this development site will require widening and reconstruction to a paved commercial standard. The estimated cost of this construction for bonding purposes is **\$5,000.00***
- (c) Landscaped boulevards, complete with underground irrigation, is required.
- (d) Driveway access is not permitted onto Bertram Street. All vehicular access is to be from the lane.

5. Road Dedication and Subdivision Requirements

By registered plan to provide the following:

- (a) Grant Statutory Rights Of Way if required for utility services.
- (b) Dedicate a corner rounding of a 6.0m radius at the Bertram Street and Fuller Avenue intersection.
- (c) *Dedicate widening of the rear lane to provide the required widening to provide an ultimate 7.6m wide commercial standard lane.*
- (d) Lot consolidation.
- (e) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

5. Electric Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground.
- b) Streetlights must be installed on all roads.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

6. Design and Construction

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

7. Servicing Agreements for Works and Services

- (a) A Servicing Agreement is required for all offsite works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- (b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

8. Other Engineering Comments

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

10. Geotechnical Report

- a) Provide a comprehensive geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed development.
 - Overall site suitability for development.
 - Presence of ground water and/or springs.
 - Presence of fill areas.

- Presence of swelling clays.
- Presence of sulphates.
- Potential site erosion.
- Provide specific requirements for footings and foundation construction.
- Provide specific construction design sections for roads and utilities over and above the City's current construction standards

11. Development Permit and Site Related Issues

- (a) The development will be required to contain and dispose of site generated storm water on the site by installing an oil separator and ground recharge system consisting of drywells and perforated pipe bedded in drain rock.
- (b) Access and Manoeuvrability
- (i) 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.

12. Bonding and Levy Summary

(a) Bonding

Service Upgrades	\$ 35,000.00
Bertram Street Frontage Improvements	\$ 20,000.00
Fuller Ave Frontage Improvements	\$ 25,000.00
<i>Lane upgrading</i>	<i>\$ 5,000.00</i>
Total	\$ 85,000.00

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 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.

Steve Muenz, P. Eng.
Development Engineering Manager

SS

June 21, 2013

Re: POLICY 367

Council Policy - Public Notification & Consultation for Development Applications
APPROVED February 18, 2013

Specific to:

1369/1375 Bertram Street, Kelowna BC
Bertram/Fuller Development Rezoning application submitted May 23, 2013

Summary of Open House Information Session

An Open House Information session was held on June 20th, 2013 from 6 pm to 7:30 pm for all residents within 50 meters of the above noted property. The details of the notification process and package are attached here in a full report dated June 14, 2013.

The event was set up outside the house on the property as an open house drop in to allow residents to see the new artists renderings and ask questions directly of the developer and assistants. Steve Hyndman, Conner Hyndman and Sandy McAfee were available to answer questions to anyone attending the open house.

Large samples of the new renderings were on display including the chosen name for the townhomes which will be called Kensington Terrace.

Guests were asked to sign in to identify what properties they owned or occupied (copy of sign in sheet attached). There were approximately 18 people in attendance over the 90 minute period. The majority of those in attendance were individuals from the Bertram Place Condominiums which back onto the property and share a fence with the townhome project.

The majority of questions pertained to actual height of the building, parking, access to parking and the rooftop terrace design. The overall feel of the event was very positive with many commenting that they were very glad the project was not another condo project and felt that the townhouse concept would be a welcome addition to the downtown of Kelowna. In addition there were many comments about the curb appeal and high quality of the project with many feeling it can do nothing but positively impact the look and resale value of the properties in the area. Some residents had indicated they had some concern of what might go into the neighborhood once the old houses started to be sold and felt this was the best option they could have imagined.

Several members of the strata for Bertram Place were in attendance with concerns about the fence backing their property that will run adjacent to Kensington Terrace. The fence is old and they had the item on their agenda. The developer agreed to have the fence taken out during the home demolition and asked for a letter from the strata confirming this authorization. The

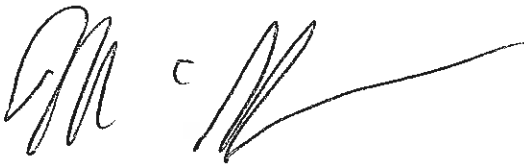
ownership of the fence has not yet been confirmed but both parties are in agreeance to have it removed and that the developer will replace it with a design that will match the project at a later date during the final construction process.

An email from the President of the Strata of Bertram Place - Linda MacKay was received later that evening (copy attached) to obtain confirmation on who the letter should be addressed to, requesting consideration regarding the lighting in the parking area behind the town homes and contained the following comment:

I personally appreciate the thought that was put into your project as far as placement on the property with as much distance as possible between our buildings. Kensington Terrace will certainly improve our neighborhood

It is the opinion of the developer and those assisting the developer that neighborhood response and support of the project is very positive and expect no opposition regarding the rezoning application.

This report was prepared by Sandy McAfee - Independent Contractor on June 21, 2013

A handwritten signature in black ink, appearing to be 'SMA', followed by a long horizontal line extending to the right.

CITY OF KELOWNA
BYLAW NO. 10872
Z13-0022 - John Bauer, Irvin and Linda Cordes
1369 and 1375 Bertram Street

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 13, District Lot 139, ODYD, Plan 2271, located at 1369 Bertram Street, Kelowna, B.C., and Lot 14, District Lot 139, ODYD, Plan 2271, located at 1375 Bertram Street, Kelowna, B.C., from the RU6 - Two Dwelling Housing zone to the RM5 - Medium Density Multiple Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of July, 2013.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk