

City of Kelowna  
Regular Council Meeting  
AGENDA



Tuesday, January 21, 2014  
6:00 pm  
Council Chamber  
City Hall, 1435 Water Street

Pages

1. Call to Order
2. Prayer  
A Prayer will be offered by Councillor Stack.
3. Confirmation of Minutes 1 - 8  
Public Hearing - December 17, 2013  
Regular Meeting - December 17, 2013
4. Bylaws Considered at Public Hearing
  - 4.1 Bylaw No. 10904 (Z13-0036) - 1060 Hollywood Road S, Swaranjit Singh Punia & Harbant Kaur Punia 9 - 9  
To give Bylaw No. 10904 second and third readings.
  - 4.2 Bylaw No. 10906 (Z13-0039) - 1334 St. Paul Street, CTQ Holdings Ltd. 10 - 10  
To give Bylaw No. 10906 second and third readings.
5. Notification of Meeting  
The City Clerk will provide information as to how the following items on the Agenda were publicized.
6. Development Permit and Development Variance Permit Reports
  - 6.1 Bylaw No. 10843 (OCP13-0006) - 3503 & 3505 Lakeshore Road, 602, 610, 620 630 & 640 Swordy Rd and 3510 Landie Road, Northern Lights Land Development Corporation et al 11 - 11  
**Requires a majority of all members of Council (5).**  
To adopt Bylaw No. 10843 in order to change the land use designation from the Single/Two Unit Residential designation to the Multiple Unit Residential - Low Density designation.

- 6.1.1 Bylaw No. 10844 (Z13-0007) - 3503 & 3505 Lakeshore Road; 602, 620, 630 & 640 Swordy Road and 3510 Landie Road, Northern Lights Land Development Corporation et al 12 - 12

To adopt Bylaw No. 10844 in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RM3 - Low Density Multiple Housing zone.

- 6.1.2 Development Permit Application No. DP13-0022 & Development Variance Permit Application No. DVP13-0023 - 3503 & 3505 Lakeshore Road; 602, 610, 620, 630 & 640 Swordy Rd, and 3510 Landie Road, Northern Lights Land Development Corporation et al 13 - 36

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

To consider a Development Permit for the form and character of the proposed 38 unit row housing development. To consider a Development Variance Permit to vary the side yard (south) setback from 4.0m required to 2.29m proposed and the rear yard setback from 7.0m required to 3.48m proposed.

- 6.2 Development Variance Permit, DVP13-0176 - 202B-1500 Banks Rd, Kelowna Central Park Properties Ltd./Permit Solutions Inc. 37 - 45

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

To consider a request to vary the maximum size of two proposed fascia signs in the C3 - Community Commercial zone from 0.8 square metres per linear metre of building frontage to 0.9 square metres and 1.1 square metres per linear metre of building frontage respectively.

7. Reminders

8. Termination



## City of Kelowna Public Hearing Minutes

Date: Tuesday, December 17, 2013  
 Location: Council Chamber  
 City Hall, 1435 Water Street

Council Members Present: Mayor Walter Gray and Councillors Maxine DeHart, Gail Given, Robert Hobson, Mohini Singh, Luke Stack and Gerry Zimmermann

Council Members Absent: Councillors Colin Basran and Andre Blanleil

Staff Present: Deputy City Manager, Paul Macklem; City Clerk, Stephen Fleming; Manager, Subdivision, Agriculture & Environment, Todd Cashin; Planner II, Alec Warrender; and Council Recording Secretary, Sandi Horning

(\* denotes partial attendance)

### 1. Call to Order

Mayor Gray called the Hearing to order at 6:01 p.m.

Mayor Gray advised that the purpose of the Hearing is to consider certain bylaws which, if adopted, will amend "Kelowna 2030 - Official Community Plan Bylaw No. 10500" and Zoning Bylaw No. 8000", and all submissions received, either in writing or verbally, will be taken into consideration when the proposed bylaws are presented for reading at the Regular Council Meeting which follows this Public Hearing.

### 2. Notification of Meeting

The City Clerk advised that Notice of this Public Hearing was advertised by being posted on the Notice Board of City Hall on December 3, 2013 and by being placed in the Kelowna Capital News issues of December 6, 2013 and December 10, 2013, and by sending out or otherwise delivering 372 letters to the owners and occupiers of surrounding properties between December 3, 2013 and December 6, 2013. The correspondence and/or petitions received in response to advertising for the applications on tonight's agenda were arranged and circulated to Council in accordance with Council Policy No. 309.

### 3. Individual Bylaw Submissions

#### 3.1. Bylaw No. 10897 (OCP13-0012) & Bylaw No. 10898 (Z13-0019) - 2049 Byrns Road, Margarita Littley

##### Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council and responded to questions from Council.
- Advised that staff is working with the Applicant to ensure that a 15m buffer is in place on the portion of the property that abuts agricultural lands.

The City Clerk advised that the following correspondence and/or petitions had been received:

- Letters of Support:
  - 12 page correspondence package submitted by the Applicant containing 6 Letters of Support from surrounding neighbours.
- Letter of Opposition:
  - Paul & Josie Vos-Bailey, 2069 Byrns Road

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

##### Tony Lockhurst, Applicant's Representative

- Confirmed that he has been in contact with the owner of the orchard that abuts the subject property and they have mutually agreed upon the type of buffering between the respective properties.

##### Gallery:

##### Steve Day, Orchardist

- Advised that he owns the agricultural property to the north and south of the subject property.
- Does not have any concerns with the application.
- The current owners and the previous owners are good neighbours.
- Wants to ensure that the buffering requirements are actually built and enforced.
- Inquired if a covenant could be placed on the subject property alerting any future property owners that they are purchasing a property right next to 'working' orchard.
- Responded to questions from Council.
- Advised that the property to the west has a substantial cedar hedge that he feels is a good buffer.

##### City Clerk:

- Advised that the City used to require covenants on residential properties that are adjacent to agricultural operations; however, to the best of his knowledge, the Land Title Office no longer accepts such covenants.

##### Staff:

- Confirmed that the Kamloops Land Title Office is no longer willing to register such covenants on title.
- Believes that a 15m buffer requirement should suffice.
- Responded to questions from Council.

##### Tony Lockhurst, Applicant's Representative

- Advised that he has spoken with his lawyer regarding the possibility of registered a covenant on the lands, and was advised that if the Land Title Office would not accept such a covenant, a similar type of document could be registered on title alerting any new property owners that the subject property abut an agricultural operation.

4. Termination

The Hearing was declared terminated at 6:21 p.m.

\_\_\_\_\_  
Mayor  
/slh

*Steph Flaming*  
\_\_\_\_\_  
City Clerk

DRAFT



## City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, December 17, 2013  
Location: Council Chamber  
City Hall, 1435 Water Street

Council Members Present: Mayor Walter Gray and Councillors Maxine DeHart, Gail Given, Robert Hobson, Mohini Singh, Luke Stack and Gerry Zimmermann

Council Members Absent: Councillors Colin Basran and Andre Blanleil

Staff Present: Deputy City Manager, Paul Macklem; City Clerk, Stephen Fleming; Manager, Subdivision, Agriculture & Environment, Todd Cashin\*; Planner II, Alec Warrender; and Council Recording Secretary, Sandi Horning

(\* denotes partial attendance)

### 1. Call to Order

Mayor Gray called the meeting to order at 6:21 p.m.

### 2. Prayer

A Prayer was offered by Councillor Singh.

### 3. Confirmation of Minutes

Moved By Councillor Singh/Seconded By Councillor Hobson

R809/13/12/17 THAT the Minutes of the Public Hearing and Regular Meeting of December 3, 2013 be confirmed as circulated.

Carried

**4. Bylaws Considered at Public Hearing**

**4.1. Bylaw No. 10897 (OCP13-0012) - 2049 Byrns Road, Margarita Littley**

Moved By Councillor Hobson/Seconded By Councillor Singh

R810/13/12/17 THAT Bylaw No. 10897 be read a second and third time.

Carried

**4.2. Bylaw No. 10898 (Z13-0019) - 2049 Byrns Road, Margarita Littley**

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

R811/13/12/17 THAT Bylaw No. 10898 be read a second and third time.

Carried

Moved By Councillor Zimmermann/Seconded By Councillor DeHart

R812/13/12/17 THAT prior to final adoption of Zone Amending Bylaw No. 10898, a covenant, or similar instrument, be registered on the title to the subject property to advise future property owners of adjacent agricultural operations.

Carried

Mayor Gray - Opposed.

**5. Notification of Meeting**

The City Clerk advised that Notice of Council's consideration of these Development Variance Permits was given by sending out or otherwise delivering 2,082 letters to the owners and occupiers of the surrounding properties between December 3, 2013 and December 6, 2013.

The correspondence and/or petitions received in response to advertising for the applications on tonight's Agenda were arranged and circulated to Council in accordance with Council Policy No. 309.

**6. Development Permit and Development Variance Permit Reports**

**6.1. Development Variance Permit Application No. DVP13-0175 - 471 Knowles Rd, Derek & Tamara Moran**

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council.

The City Clerk advised that no correspondence and/or petitions had been received.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council. The Applicant was present, but did not have anything further to add to staff's comments. No one came forward.

Moved By Councillor Stack/Seconded By Councillor Zimmermann

R813/13/12/17 THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0175, for Lot 2, District Lot 167, ODYD, Plan 9257, located on 471 Knowles Road, Kelowna, BC;

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

**Section 6.5.7: Accessory Buildings in Residential Zones**

To vary the maximum area of an accessory building from 90 square metres permitted to 109 square metres proposed.

**Carried**

**6.2. Development Variance Permit Application No. DVP13-0177 - 740 Pinehaven Ct, Paul & Karin Watson**

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council and responded to questions from Council.
- Provided the rationale for the determination of the height of the structure.

The City Clerk advised that the following correspondence and/or petitions had been received:

- Letter of Opposition:
  - Lana Evans, 1191 Eaglecrest Lane

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

Paul Watson, Applicant

- Advised that he heard about the letter of opposition an hour ago and requested a copy for review.

Gallery:

Mr. Stringer, 1112 Eaglecrest Road

- Advised that his property is adjacent to the subject property.
- Expressed a concern with how the home is situated on the property as he believes that the building envelope has been changed.
- Does not object to the design of the structure.
- Advised that he did have a concern with respect to the height of the structure, however since hearing staff's presentation, he feels that his concerns have been addressed.

Staff:

- Displayed a conceptual drawing of the site.
- Advised that there is a no build covenant on the property which restricts the building envelope.

Paul Watson, Applicant

- Advised that he purchased the property approximately 18 months ago.
- Advised that the building envelope was determined by the developer.
- Addressed the concerns raised by Ms. Evans in her correspondence.
- Advised that it wasn't until he applied for a building permit that he was told that he would require a variance for height.
- The height of the structure is needed to accommodate guests with accessibility needs.
- Advised that he has already obtained approval as to the design of the structure from the developer of the High Point subdivision.

There were no further comments.

**Moved By Councillor Given/Seconded By Councillor Hobson**

**R814/13/12/17** THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0177, for Strata Lot 62, Section 30, Township 26, ODYD, Strata Plan



KAS3162, together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V, located on 740 Pinehaven Court, Kelowna, BC;

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

**Section 13.1.6(b): Development Regulations (Height)**

To vary the maximum height from the lesser of 9.5m or 2 ½ storeys permitted to the lesser of 9.5m or 3 storeys proposed.

**Carried**

**6.3. Bylaw No.10771 (Z12-0051) - 1460 Graham Road, Heinz Strege**

**Moved By Councillor Stack/Seconded By Councillor DeHart**

**R815/13/12/17** THAT Bylaw No. 10771 be adopted.

**Carried**

**6.3.1. Development Variance Permit Application No. DVP12-0113 - 1460 Graham Road, Heinz Strege**

Staff:

- Displayed a PowerPoint Presentation summarizing the application before Council.

The City Clerk advised that no correspondence and/or petitions had been received.

Mayor Gray invited the applicant or anyone in the public gallery who deemed themselves affected to come forward, followed by comments of Council.

**Heinz Strege, Applicant**

- Advised that he has hired an architect to ensure that the development is completed according to the City's rules and regulations.

**Norman Goddard, Architect, Applicant's Representative**

- Confirmed that he was recently retained by Mr. Strege to oversee the completion of this project.
- Responded to questions from Council.
- Confirmed that the landscaping on the site will be upgraded.

**Heinz Strege, Applicant**

- Confirmed that the accessory building will not be converted to a carriage home or suite.
- Advised that he may wish to create a hobby or craft room in the accessory building.
- Confirmed that there will be 13 lockers on site.
- Would like to have construction completed by May 2014.
- Responded to questions from Council.
- Advised that he has arranged for a local nursery to assist with the landscaping on the site.

There were no further comments.

**Moved By Councillor Stack/Seconded By Councillor Zimmermann**

**R816/13/12/17** THAT final adoption of Zone Amending Bylaw No. 10771 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP12-0113, for Lot 8 Section 22, Township 26, ODYD Plan 11186, except Plans H12895 and KAP70891 located on 1460 Graham Road, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted in accordance with Schedule "A" attached to this report:

**Section 13.1.6 (c): Development Regulations**

To vary the front yard setback from 4.5m permitted to 2.62m for the project of a covered patio.

**Section 13.1.6 (d): Development Regulations**

To vary the flanking side yard setback from 4.5m permitted to 1.09 for covered patio "A";

To vary the flanking side yard setback from 4.5m permitted to 1.01m for covered patio "B";

To vary the flanking side yard setback from 4.5m permitted to 3.15m for covered balcony "A";

To vary the flanking side yard setback from 4.5m permitted to 3.02m for covered balcony "B";

AND FURTHER THAT the applicant be required to complete the above-noted conditions within 180 days of Council's approval of the Development Permit Development Variance Permit Applications, in order for the permits to be issued.

**Carried**

**7. Reminders**

Mayor Gray:

- Noted that First Transit was re-awarded the contract for Kelowna Transit by BC Transit.

Councillor Stack:

- Noted that the FortisBC Lockout is moving forward with binding arbitration.

**8. Termination**

The meeting was declared terminated at 6:52 p.m.

\_\_\_\_\_  
Mayor

/slh

  
\_\_\_\_\_  
City Clerk

**CITY OF KELOWNA**

**BYLAW NO. 10904**

**Z13-0036 - Swaranjit Singh Punia & Harbant Kaur Punia  
1060 Hollywood Road S**

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, Section 22, Township 26, ODYD, Plan KAP58290 located on 1060 Hollywood Road S, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling 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 16<sup>th</sup> day of December, 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

**CITY OF KELOWNA**  
**BYLAW NO. 10906**  
**Z13-0039 - CTQ Holdings Ltd., Inc. No. BC0978670**  
**1334 St. Paul Street**

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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 17, District Lot 139, ODYD, Plan 645 located on 1334 St. Paul Street, Kelowna, B.C., from the I2 - General Industrial zone to the C7 - Central Business Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 16<sup>th</sup> day of December, 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

CITY OF KELOWNA

BYLAW NO. 10843

Official Community Plan Amendment No. OCP13-0006 -  
Northern Lights Land Development Corporation, Inc. No. A0063828  
3503 and 3505 Lakeshore Road, 602, 610, 620, 630 and 640 Swordy  
Road and 3510 Landie Road

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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 Lot 1, District Lot 134, ODYD, Plan 17308, located on Landie Road and Lot A, District Lot 134, ODYD, Plan 8219, Except Plan 17308, located at 3505 Lakeshore Road, Kelowna, B.C., from the Single/Two Unit Residential designation to the Multiple Unit Residential - Low Density designation;
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 22<sup>nd</sup> day of April, 2013.

Amended at first reading by the Municipal Council this 24<sup>th</sup> day of June, 2013.

Considered at a Public Hearing on the 16<sup>th</sup> day of July, 2013.

Read a second and third time by the Municipal Council this 16<sup>th</sup> day of July, 2013.

Adopted by the Municipal Council of the City of Kelowna this

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**CITY OF KELOWNA**

**BYLAW NO. 10844**

**Z13-0007 - Northern Lights Land Development Corporation,  
Inc. No. A0063828  
3503 and 3505 Lakeshore Road and 602, 610, 620, 630 & 640  
Swordy Road and 3510 Landie Road**

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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 2, D.L. 134, ODYD, Plan 3232, located at 3503 Lakeshore Road, Lot A, District Lot 134, ODYD, Plan 8219, Except Plan 17308, located at 3505 Lakeshore Road, Lot 1, D.L. 134, ODYD, Plan 3232, located at 602 Swordy Road, Lot 3, D.L. 134, ODYD, Plan 3232, located at 610 Swordy Road, Lot 4, D.L. 134, ODYD, Plan 3232, located at 620 Swordy Road, Lot 5, D.L. 134, ODYD, Plan 3232, located at 630 Swordy Road, Lot 6, D.L. 134, ODYD, Plan 3232, located at 640 Swordy Road, Lot 1, D.L. 134, ODYD, Plan 17308, located at 3510 Landie Road, Kelowna, B.C., from the RU1- Large Lot Housing zone to the RM3 - Low 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 22<sup>nd</sup> day of April, 2013.

Amended at first reading by the Municipal Council this 24<sup>th</sup> day of June, 2013.

Considered at a Public Hearing on the 16<sup>th</sup> day of July, 2013.

Read a second and third time by the Municipal Council this 16<sup>th</sup> day of July, 2013.

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

# REPORT TO COUNCIL



**Date:** January 21<sup>st</sup>, 2014

**RIM No.** 1250-30

**To:** City Manager

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

**Application:** DP13-0022 / DVP13-0023      **Owner:** Northern Lights Land Development Corporation, Timothy G. Pinnell and Judith A. Kopan

**Address:** 3503 & 3505 Lakeshore Road  
602, 610, 620, 630 & 640 Swordy Rd      **Applicant:** Northern Lights Land Development Corporation  
3510 Landie Road

**Subject:** Development Permit and Development Variance Permit Applications

**Existing OCP Designation:** Single / Two Unit Residential & Multiple Unit Residential - Low Density

**Proposed OCP Designation:** Multiple Unit Residential - Low Density

**Existing Zone:** RU6 - Two Dwelling Housing

**Proposed Zone:** RM3 - Low Density Multiple Housing

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## 1.0 Recommendation

THAT Final Adoption of Official Community Plan Amending Bylaw No. 10843 and the Zoning Amending Bylaw No. 10844 be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP13-0022 for Lot 2, D.L. 134, ODYD, Plan 3232, located at 3503 Lakeshore Road, Lot A, D.L. 134, ODYD, Plan 8219 Except Plan 17308, located at 3505 Lakeshore Road, Lot 1, D.L. 134, ODYD, Plan 3232, located at 602 Swordy Road, Lot 3, D.L. 134, ODYD, Plan 3232, located at 610 Swordy Road, Lot 4, D.L. 134, ODYD, Plan 3232, located at 620 Swordy Road, Lot 5, D.L. 134, ODYD, Plan 3232, located at 630 Swordy Road, Lot 6, D.L. 134, ODYD, Plan 3232, located at 640 Swordy Road, Lot 1, D.L. 134, ODYD, Plan 17308, located at 3510 Landie Road, Kelowna B.C., subject to the following:

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

accordance with Schedule "B";

3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;
5. Registration of a plan of subdivision at Land Titles Office to consolidate the two subject properties into a single title prior to issuance of the Development Permit;

AND THAT the applicant be required to complete the above-noted condition No. 4 & 5 within 180 days of Council approval of the Development Permit application in order for the permit to be issued.

AND THAT Council authorize the issuance of Development Variance Permit No. DVP13-0023 for Lot 2, D.L. 134, ODYD, Plan 3232, located at 3503 Lakeshore Road, Lot A, D.L. 134, ODYD, Plan 8219 Except Plan 17308, located at 3505 Lakeshore Road, Lot 1, D.L. 134, ODYD, Plan 3232, located at 602 Swordy Road, Lot 3, D.L. 134, ODYD, Plan 3232, located at 610 Swordy Road, Lot 4, D.L. 134, ODYD, Plan 3232, located at 620 Swordy Road, Lot 5, D.L. 134, ODYD, Plan 3232, located at 630 Swordy Road, Lot 6, D.L. 134, ODYD, Plan 3232, located at 640 Swordy Road, Lot 1, D.L. 134, ODYD, Plan 17308, located at 3510 Landie Road, Kelowna, B.C.;

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

Section 13.9.6 (e) Development Regulations - Side Yard Setback:

To vary the side yard setback (south) from 4.0m required to 2.29m proposed as shown on Schedule "A".

Section 13.9.6 (f) Development Regulations - Rear Yard Setback:

To vary the rear yard setback from 7.5m required to 3.48m proposed as shown on Schedule "A".

## **2.0 Purpose**

To consider a Development Permit for the form and character of the proposed 38 unit row housing development. To consider a Development Variance Permit to vary the side yard (south) setback from 4.0m required to 2.29m proposed and the rear yard setback from 7.0m required to 3.48m proposed.

## **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 subject property is located just outside the South Pandosy Urban Centre, within close proximity to the commercial core where residential intensification in this form is anticipated by the OCP. The proposed development places a clear emphasis on human scale buildings that feature strong relationships to both Lakeshore Road and Swordy Road. The proposed variances are required in order to enable the developer to proceed with the project as designed. Staff considers the variances to be relatively minor in impact. Although the rear yard setback seems more significant it provides the development with a consistent streetscape along all the frontages.



## 4.0 Proposal

### 4.1 Project Description

The proposed development consists of a total of 38 dwelling units divided between 9 buildings, 18 - 2 bedroom units and 20 - 3 bedroom units. Principal vehicular access for the units is via a driveway from Swordy Road. Parking for the development is located within the personal garages with an additional 8 visitor stalls spread throughout the site. Long term bicycle parking is provided within the garages, and short term bicycle parking will be located on site. Pedestrian circulation is provided between buildings, through the property and a sidewalk will be provided along Lakeshore, Swordy and Landie Road frontage. A 30m cross section is required along the length of the Lakeshore Road frontage to accommodate the future road cross section. A portion of this area will be secured through a road reserve which will allow the applicant to landscape and maintain this space until the road reserve area is required and triggered by the City. This will allow for a finished landscape frontage in the meantime instead of large unmaintained strip along Lakeshore Road directly across from Gyro Beach. On that note, each frontage provides a strong pedestrian orientation, with main building entrances and patios facing the street. Staff have encouraged the applicant to consider design elements for the corner of Lakeshore & Swordy that will help to further identify and address the most visible portion of the project. Such design elements serve to activate these building frontages with heightened levels of pedestrian activity. The buildings are representative of a more contemporary aesthetic, having flat roofs and clean lines.

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

Zoning Analysis Table		
CRITERIA	RM3 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Floor Area Ratio	0.80	0.743
Site Coverage - Buildings	40%	36%
Site Coverage- Bldgs & Driveways	60%	55%
Height	10.0m / 3 Storeys 9.5m / 2.5 storeys - 7.5m from Single / Two Unit designation	9.46m / 2.5 storeys
Front Yard (w)	1.5m	4.5m
Side Yard (n)	1.5m	4.5m
Side Yard (s)	4.0m	2.29m <sup>1</sup>
Rear Yard (e)	7.5m	3.48m <sup>2</sup>
Building Separation	3.0m	3.0m
Other Regulations		
Minimum Parking Requirements	72 stalls total	87 stalls 77 stalls + 10 visitor stalls
Bicycle Parking	Class I: 19 stalls Class II: 4 stalls	Class I: 38 stalls Class II: 4 stalls
Private Open Space	950m <sup>2</sup>	3000m <sup>2</sup>
<sup>1</sup> To vary the side yard (south) setback from 4.0m required to 2.29m proposed. <sup>2</sup> To vary the rear yard setback from 7.5m required to 3.48m proposed.		

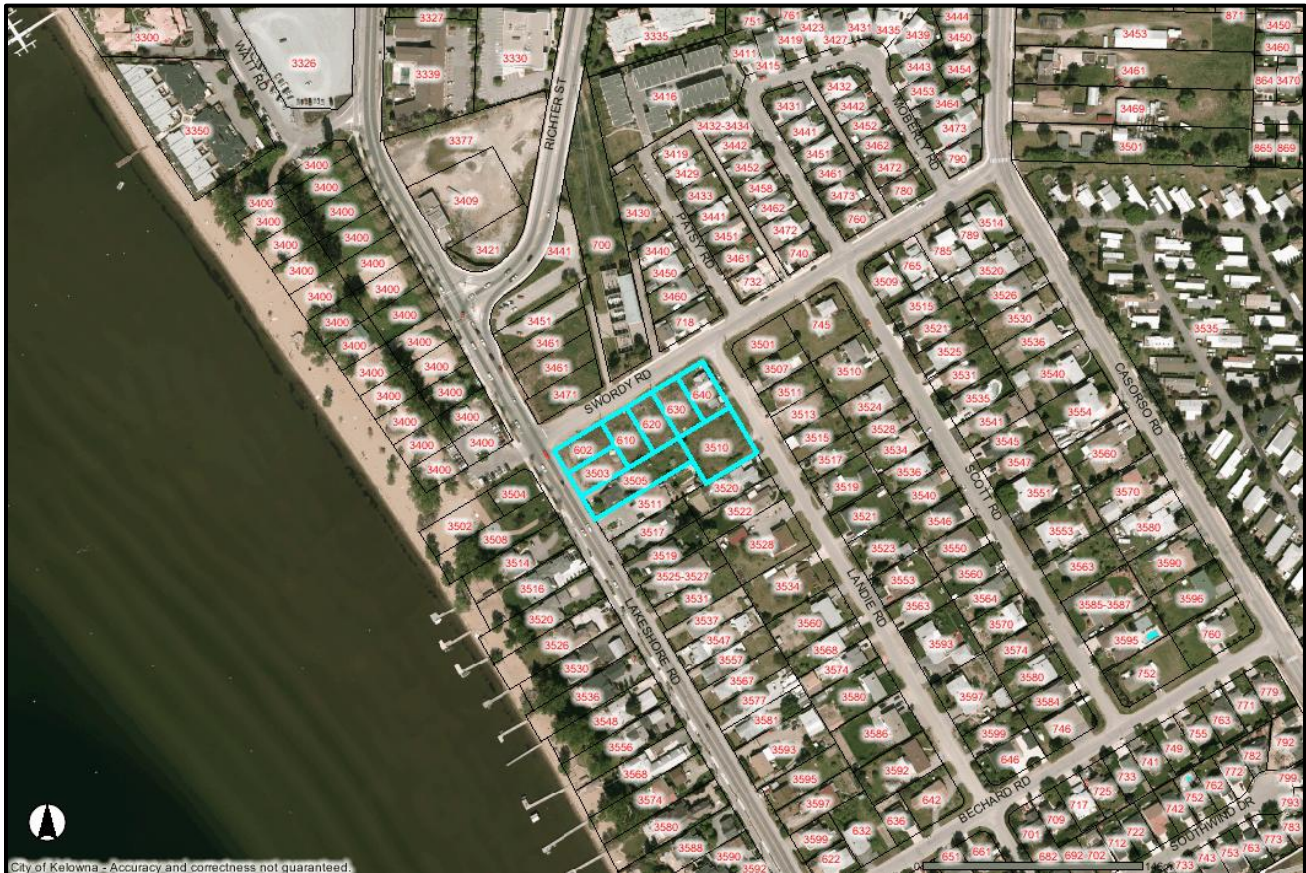
### 4.2 Site Context

The subject properties are located just south of the South Pandosy Urban Centre across Lakeshore Road from Gyro Beach. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
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North	RU6 - Two Dwelling Housing	Vacant
East	RU6 - Two Dwelling Housing	Residential
South	RU6 - Two Dwelling Housing	Residential
West	P3 - Parks & Open Space	Gyro Beach

**Subject Property Map:**



**5.0 Current Development Policies**

**5.1 Kelowna Official Community Plan (OCP)**

**Development Process**

**Compact Urban Form.**<sup>1</sup> 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.**<sup>2</sup> 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

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

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

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.'

## 5.2 Urban Design Development Permit Areas (Chapter 14) - Revitalization Design Guidelines

### Objectives

- Use appropriate architectural features and detailing of buildings and landscapes to define area character;
- Convey a strong sense of authenticity through high quality urban design that is distinctive of Kelowna;
- Enhance the urban centre's main street character in a manner consistent with the area's character;
- Provide for a scale and massing of buildings that promotes an enjoyable living, pedestrian, working, shopping and service experience;
- Encourage an appropriate mix of uses and housing types and sizes;
- Design and facilitate beautiful public open spaces that encourage year-round enjoyment;
- Create open, architecturally-pleasing and accessible building facades to the street; and
- Improve existing streets and sidewalks to promote alternative transportation.

### Guidelines

#### *Relationship to the Street* (Objective 2.0)

- Ensure streetwall height is proportional (0.75:1 maximum) to the width of the street as measured from building face to building face. Any development that exceeds this height must utilize a podium and step back above the streetwall;
- Provide for public movement, street furniture, and building access zones to be incorporated into sidewalks adjacent to development;
- Design buildings to occupy 100% of a property's frontage along streets, eliminating elements that disrupt the streetwall such as off-street parking, dead spaces, empty lots, or driveways;
- Coordinate building setbacks with adjacent sidewalks to increase the space for public use (i.e., utilize a building setback or building indentation as a patio space or seating area, incorporate corner rounding into the public realm with specialized paving treatment and street furniture);

## 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
- Size and location of all signage to be clearly defined as part of the development permit
- A minimum Geodetic Elevation of 343.66 meters is required for all habitable spaces including garage space.
- A Building Code analysis is required for the structure(s) at time of building permit applications, but the following items may affect the form and character of the building(s):

- The British Columbia Building Code (BCBC) may define Buildings 2 & 3 as well as buildings 4 & 5 as a single structure unless the use of a firewall(s) is to be utilized. A complete building code analysis would be required to be reviewed prior to complete comments being provided.
- Spatial calculations for between buildings 2 & 3 as well as buildings 4 & 5 to be reviewed prior to the release of the development permit.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications

6.2 Development Engineering Department

Addressed as part of requirements associated with Z13-0007.

6.3 Fire Department

Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw #7900. The Subdivision Bylaw requires a minimum of 150ltr/sec flow. The access road is to be a minimum of 6M in width with no parking signs provided along the roadway. Additional comments will be required at the building permit applications.

6.4 Fortis BC - Gas

Please be advised FortisBC has no concerns with the above mentioned referral.

7.0 Application Chronology

Date of Application Received: February 1<sup>st</sup>, 2013

Public Consultation & Notification: April 3<sup>rd</sup>, 2013 & May 3<sup>rd</sup>, 2013

The applicant consulted with neighbours within 50m of the proposed development as noted in Council Policy No. 367.

Public Hearing: July 16<sup>th</sup>, 2013

Satisfaction of Zoning conditions: November 28, 2013

Report prepared by:

---

Alec Warrender, Land Use Planner

Reviewed by:  Ryan Smith, Manager, Urban Land Use

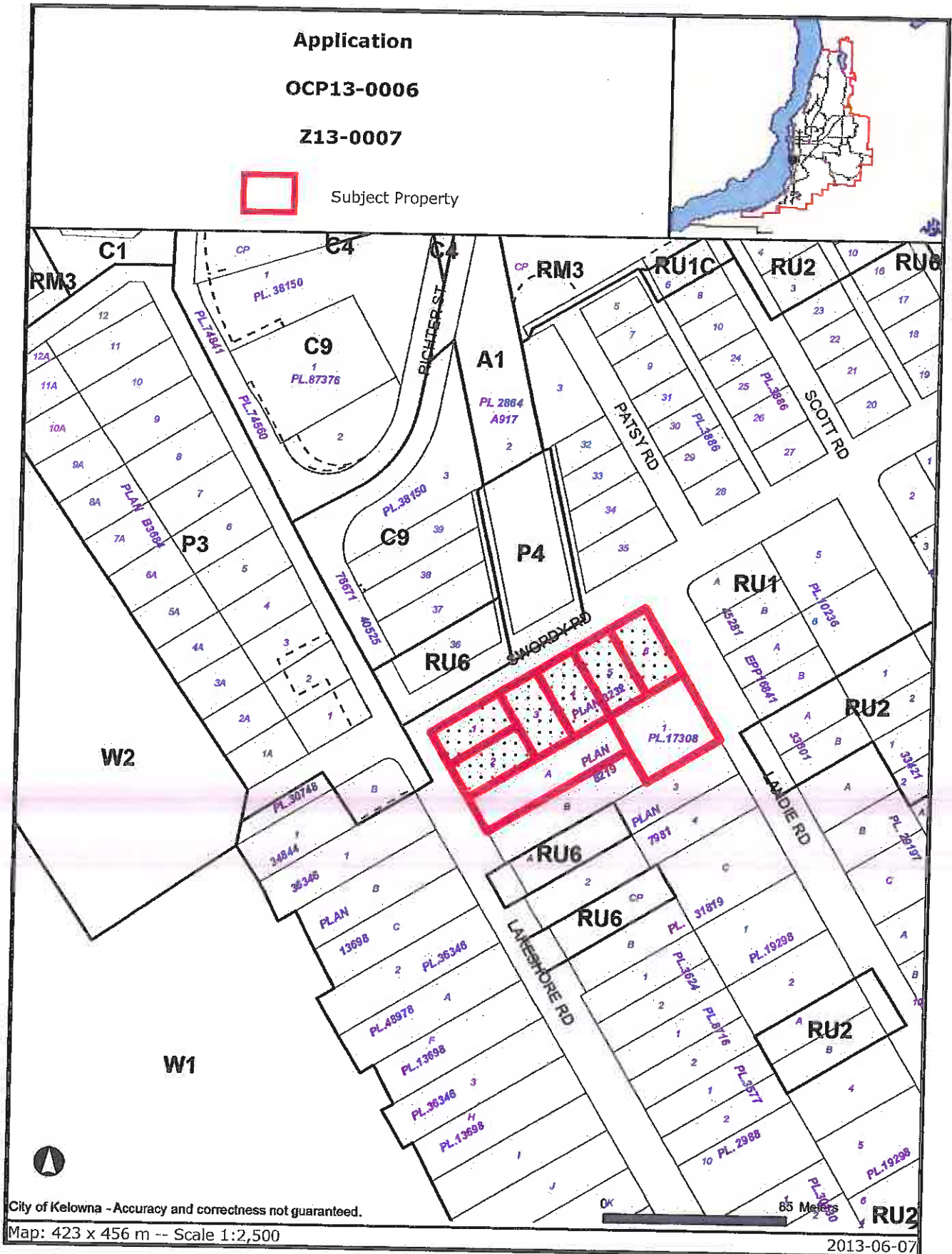
Approved Inclusion:  D. Gilchrist, Community Planning & Real Estate Divisional Director

Attachments:

Site Plan

Elevations & Renderings

Landscape Plan



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.



# GYRO BEACH TOWNHOMES

## STATISTICS

Item	Quantity	Unit	Notes
1. Total Units	12	Units	
2. Single Units	0	Units	
3. Two Units	0	Units	
4. Three Units	0	Units	
5. Four Units	0	Units	
6. Five Units	0	Units	
7. Six Units	0	Units	
8. Seven Units	0	Units	
9. Eight Units	0	Units	
10. Nine Units	0	Units	
11. Ten Units	0	Units	
12. Eleven Units	0	Units	
13. Twelve Units	0	Units	

**SCHEDULE A**  
 This forms part of development  
 Permit # DP13-0022 / DV13-0023

## CONSULTANTS:

**ARCHITECTURE**  
 NEW TOWN ARCHITECTURE  
 1110 PANOGY STREET  
 SUITE 100  
 WILMINGTON, NC 27403  
 TEL: 781-884-8877  
 WWW.NEWTOWNARCHITECTURE.COM

**PLANNING**  
 NEW TOWN ARCHITECTURE  
 1110 PANOGY STREET  
 SUITE 100  
 WILMINGTON, NC 27403  
 TEL: 781-884-8877  
 WWW.NEWTOWNARCHITECTURE.COM

## DRAWING INDEX:

- DP0.01 COVER
- DP1.01 SITE LEVEL 01
- DP1.02 SITE LEVEL 02
- DP1.03 SITE MASSING
- DP2.01 PLANS AND ELEVATIONS - 3 PLEX
- DP2.02 PLANS AND ELEVATIONS - 3 PLEX
- DP2.03 PLANS AND ELEVATIONS - 4 PLEX
- DP2.04 PLANS AND ELEVATIONS - 4 PLEX
- DP2.05 PLANS AND ELEVATIONS - 5 PLEX
- DP2.06 PLANS AND ELEVATIONS - 5 PLEX

- File document in:**
- Not to be used for construction
  - Not to be used for permit applications
  - Not to be used for other purposes
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  - Not to be used for other purposes
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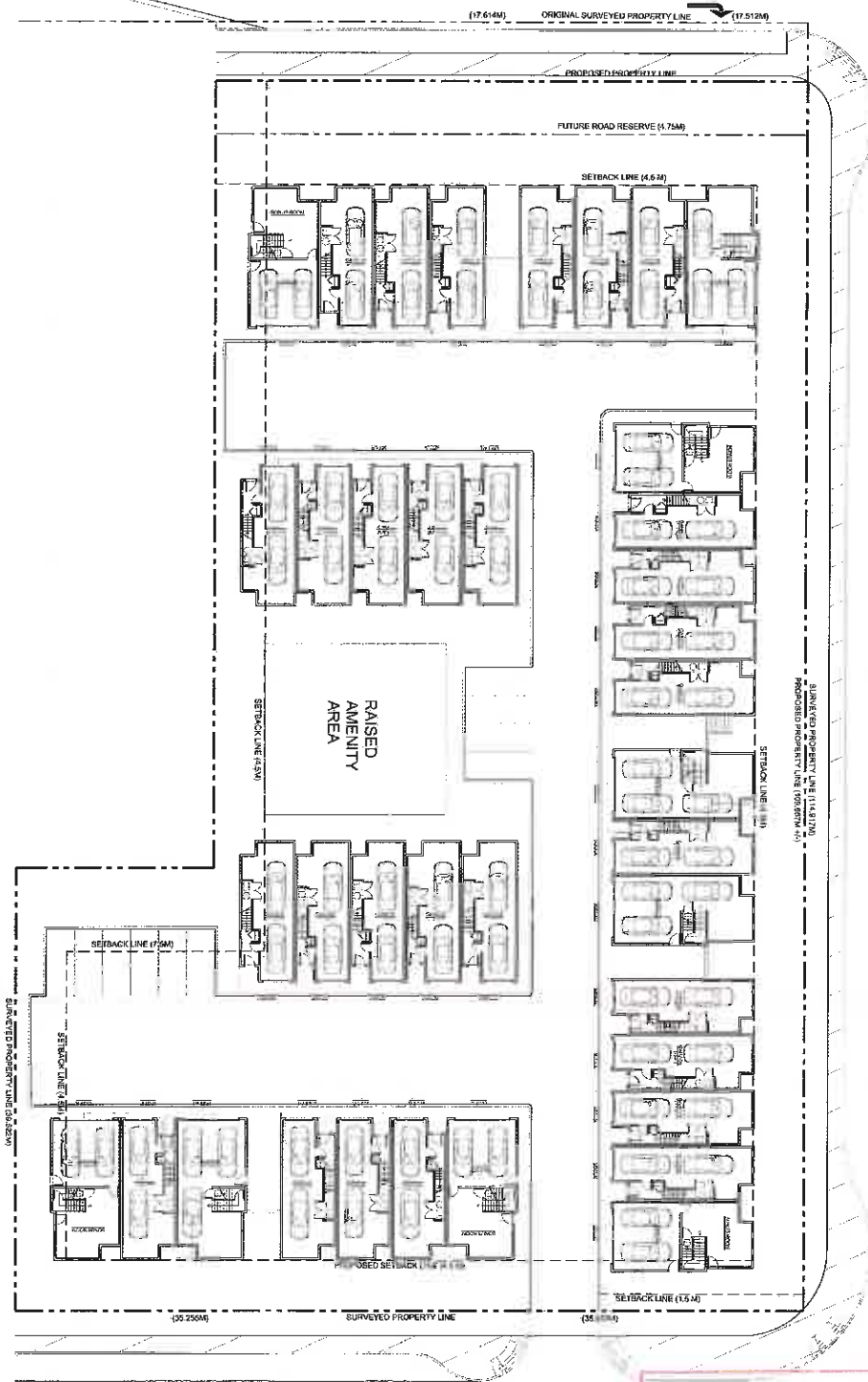
**NEW TOWN**  
 ARCHITECTURE  
 1110 PANOGY STREET  
 SUITE 100  
 WILMINGTON, NC 27403  
 WWW.NEWTOWNARCHITECTURE.COM

Project title  
 GYRO BEACH TOWNHOMES

Project no. 3254  
 Drawing title  
 COVER

Date: 08/18/2013  
 Scale: AS  
 Project no. DP0.01

LAKESHORE ROAD



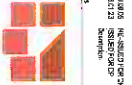
SWORDY ROAD

LANDIE ROAD

SCHEDULE      A  
 This forms part of development  
 Permit # DP13-0072 / DVAR-0073

- The document is:
- NOT CONTROLLED
  - A CONTROLLED DOCUMENT
  - A CONTROLLING DOCUMENT
  - A DOCUMENT WITH AN APPROVED DATE
  - A DOCUMENT WITH AN APPROVED DATE AND A SIGNATURE
  - A DOCUMENT WITH AN APPROVED DATE AND A SIGNATURE AND A DATE
  - A DOCUMENT WITH AN APPROVED DATE AND A SIGNATURE AND A DATE AND A SIGNATURE
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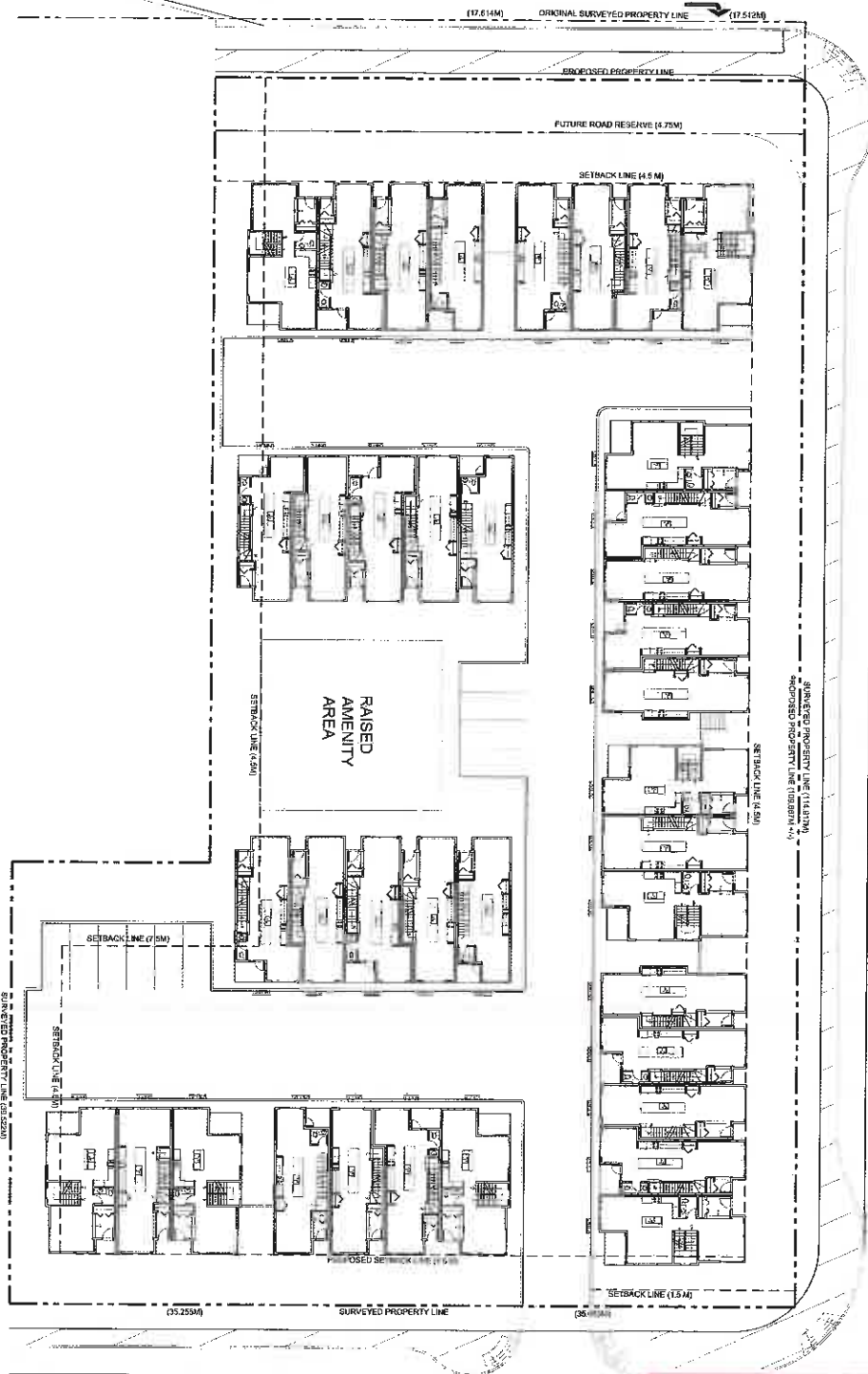
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 URBAN PLANNING  
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 11111 11111 11111

SITE PLAN - LEMB. 01  
 PROJECT NO. 3224  
 PROJECT NO. 3224

Author	BS	Date	11/2014
Check	BS	Date	11/2014
Approved	PS	Date	11/2014

DP1.01  
 COUNCIL OF 2013 04/24/14

LAKESHORE ROAD



SWORDY ROAD

LANDIE ROAD

**SCHEDULE** A  
 This forms part of development  
 Permit # DP13-0022 / DP13-0023

Notes:  
 1. The applicant is responsible for ensuring that the development complies with all applicable laws, regulations, and codes.  
 2. The applicant is responsible for ensuring that the development complies with all applicable zoning and planning requirements.  
 3. The applicant is responsible for ensuring that the development complies with all applicable environmental and heritage requirements.  
 4. The applicant is responsible for ensuring that the development complies with all applicable fire and safety requirements.  
 5. The applicant is responsible for ensuring that the development complies with all applicable accessibility requirements.  
 6. The applicant is responsible for ensuring that the development complies with all applicable parking and traffic requirements.  
 7. The applicant is responsible for ensuring that the development complies with all applicable landscaping and amenity requirements.  
 8. The applicant is responsible for ensuring that the development complies with all applicable signage requirements.  
 9. The applicant is responsible for ensuring that the development complies with all applicable utility and infrastructure requirements.  
 10. The applicant is responsible for ensuring that the development complies with all applicable construction and quality control requirements.  
 11. The applicant is responsible for ensuring that the development complies with all applicable monitoring and reporting requirements.  
 12. The applicant is responsible for ensuring that the development complies with all applicable dispute resolution requirements.  
 13. The applicant is responsible for ensuring that the development complies with all applicable record keeping requirements.  
 14. The applicant is responsible for ensuring that the development complies with all applicable compliance and enforcement requirements.  
 15. The applicant is responsible for ensuring that the development complies with all applicable review and appeal requirements.  
 16. The applicant is responsible for ensuring that the development complies with all applicable final determination requirements.  
 17. The applicant is responsible for ensuring that the development complies with all applicable final review requirements.  
 18. The applicant is responsible for ensuring that the development complies with all applicable final approval requirements.  
 19. The applicant is responsible for ensuring that the development complies with all applicable final completion requirements.  
 20. The applicant is responsible for ensuring that the development complies with all applicable final handover requirements.

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- The applicant is responsible for ensuring that the development complies with all applicable final handover requirements.



**NEW TOWN**  
 ARCHITECTURE  
 URBAN PLANNING  
 144 ST PAUL STREET  
 SYDNEY, N.S.W. 2000  
 WWW.NEWTOWNARCHITECTURE.COM  
 CONTACT: 02 9550 1234  
 GYRO BEACH TOWNHOUSES

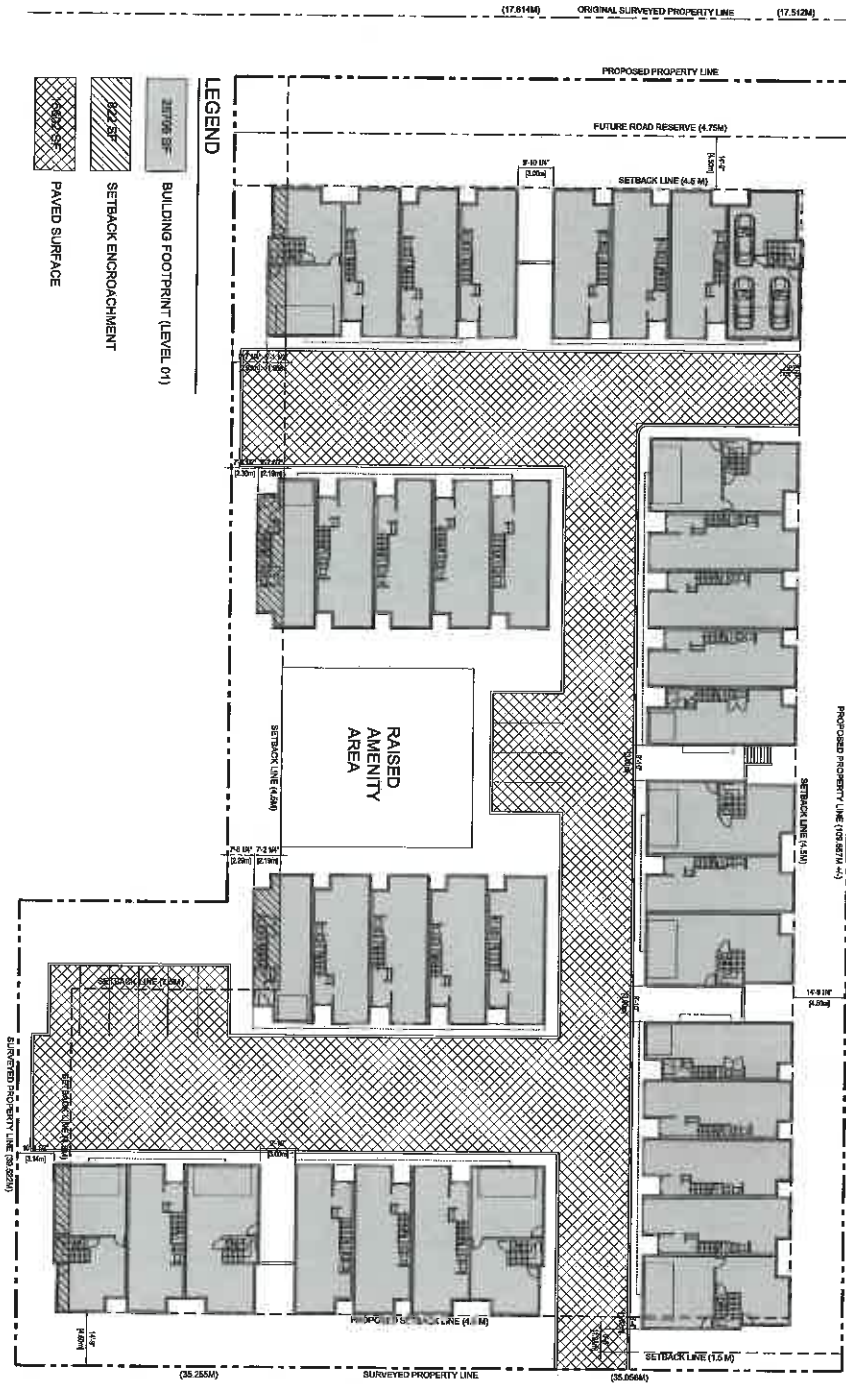
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Scale: 1:100  
 Date: 25/08/19

DP1.02  
 Approved: 27/08/2019 09:42 AM



LAKESHORE ROAD



**LEGEND**

- BUILDING FOOTPRINT (LEVEL 01)
- SETBACK ENCROACHMENT
- PAVED SURFACE

SWORDY ROAD

LANDIE ROAD

**SCHEDULE A**  
 This forms part of development  
 Permit # DP13-0022 / DP13-0023

- The Council is:
- NOT satisfied. Reasons are given below.
  - Satisfied. Reasons are given below.
  - The fee of this document is not paid.
  - A partial revision. Reasons are given below.
  - A full revision. Reasons are given below.
  - No objection. Reasons are given below.

**NOTE:**  
 This document is the property of the Council and is not to be distributed outside the Council's premises. It is to be used for the purpose of the development application only. It is not to be used for any other purpose. It is to be kept confidential and is not to be released to the public. It is to be destroyed when it is no longer required.

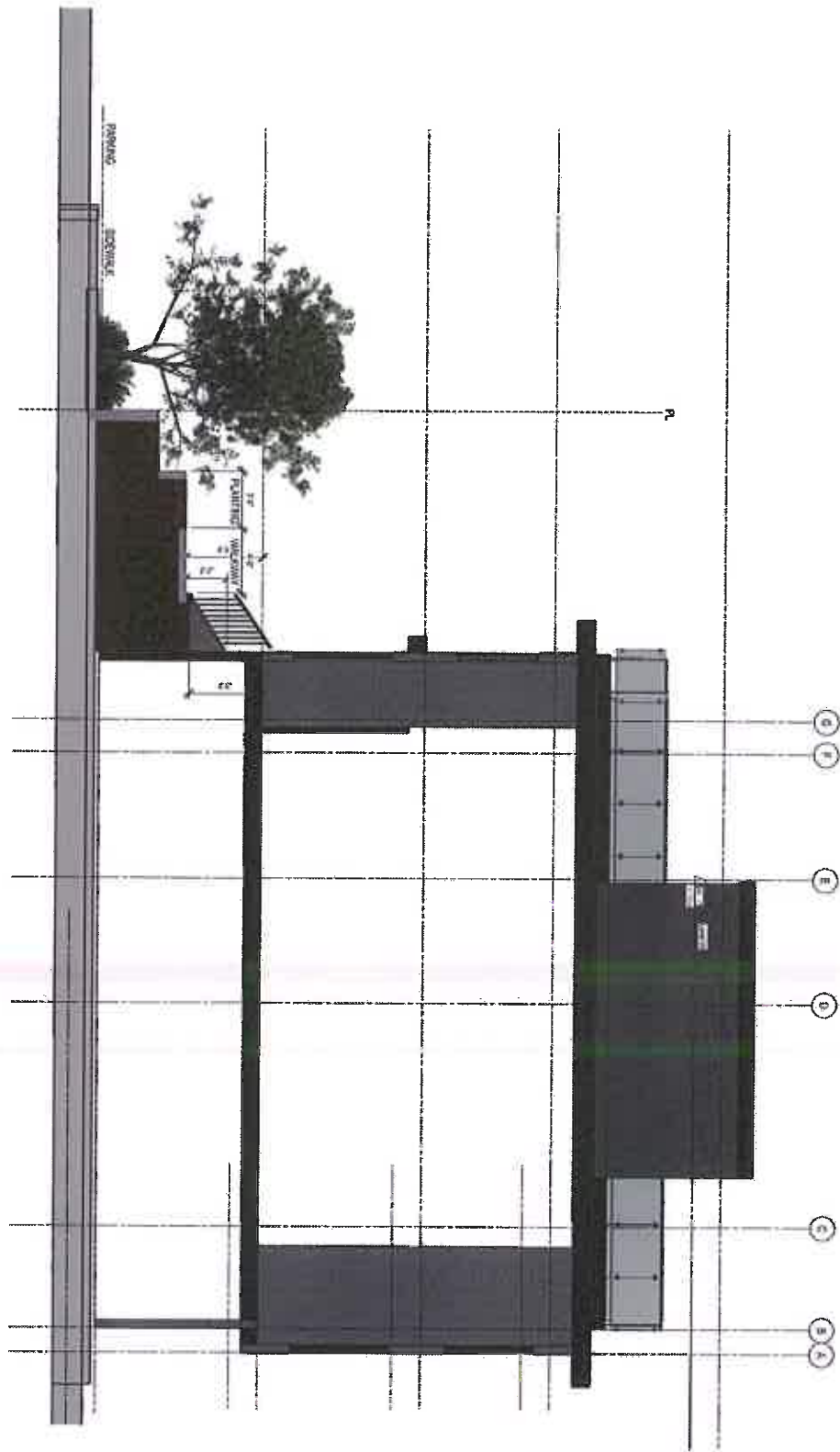


**NEW TOWN**  
 ARCHITECTURE  
 URBAN PLANNING  
 1444 ST PAUL STREET  
 ELDONVA, N.C. 119 226  
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Project No. 2024  
 Drawing No. SITE MASSING

Author	PS	Date	1/18/24
Check	SB	Date	
Drawn	PS	Date	

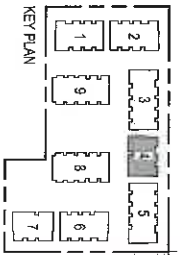
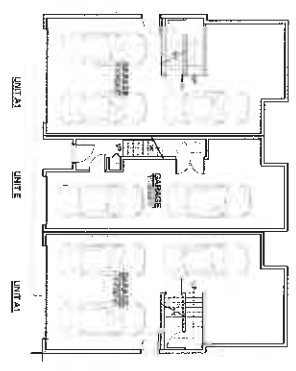
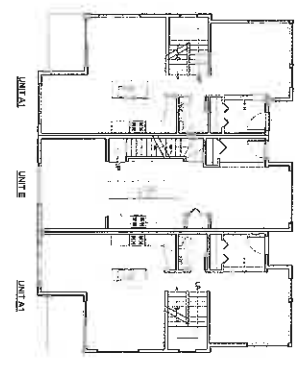
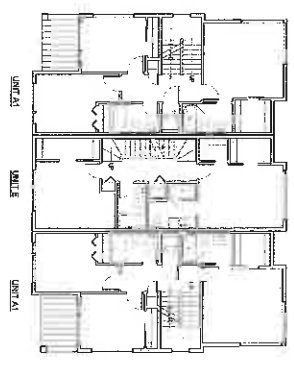
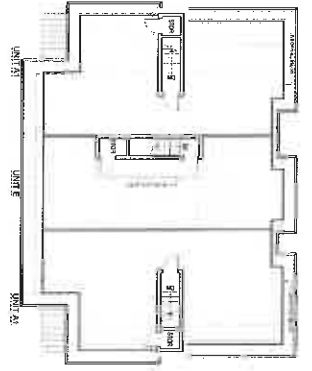
DP1.03  
 October 21, 2013 (8:43 AM)



SCHEDULE A

This forms part of development

Permit # DR13-0027 / DU13-0033



**MATERIAL LEGEND**

- 1 CLEAR GLASS WINDOWS
- 2 METAL RAILING WITH GLASS INFILL PANELS
- 3 BLOCK/FACIA

**FINISHES**

- 1/1000
- HORIZONTAL SILING
- PANEL DOORS

elevation front

elevation back

elevation side

**SCHEDULE A & B**  
 This forms part of development  
 Permit # DP3-002 / DP3-003

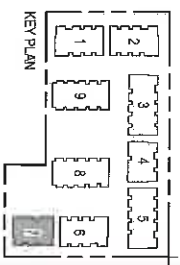
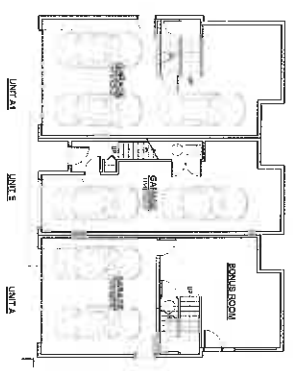
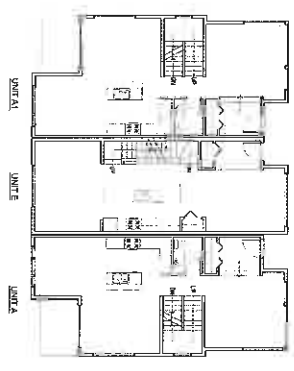
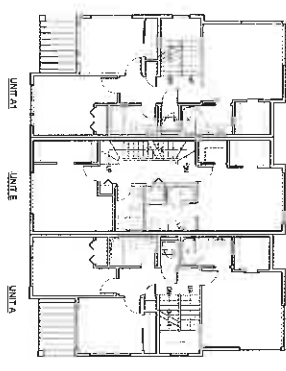
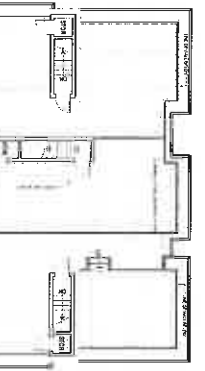
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- 1. All dimensions are in millimeters unless otherwise stated.
- 2. All dimensions are to the centerline of the element unless otherwise stated.
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- 8. All dimensions are to the centerline of the element unless otherwise stated.
- 9. All dimensions are to the finished surface unless otherwise stated.
- 10. All dimensions are to the centerline of the element unless otherwise stated.



**NEW TOWN**  
 ARCHITECTURE  
 URBAN PLANNING  
 4110 SANDOZ STREET  
 KILGOMAN, S.C. 29556  
 PH: 843.763.1111  
 WWW.NEWTOWNARCHITECTURE.COM

**PROJECT NO. 2224**  
 DEVELOPER:  
**PLEX @ SINGBY**  
 PROJECT NO. 2224  
 DATE: 08/20/11  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 PROJECT NO. 2224  
 DATE: 08/20/11



**MATERIAL LEGEND**

- 1 CLEAR GLASS WINDOWS
- 2 METAL SKYLING WITH GLASS IN-fill PANELS
- 3 BLOCK PAVING

STUCCO

HORIZONTAL SLATING

PANEL BOARD

**SCHEDULE A-2-B**

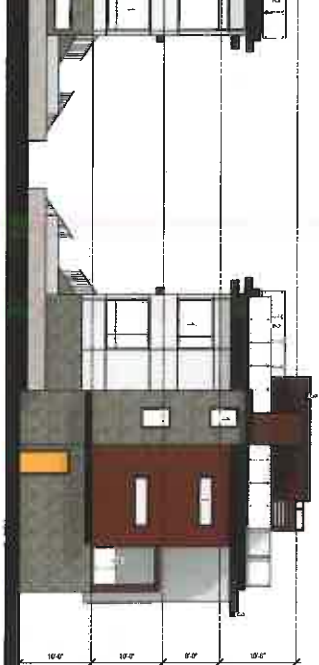
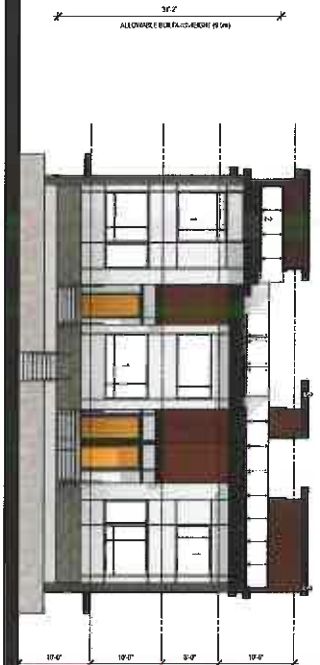
This forms part of development

Permit # DP13-0022 / DP13-0023

elevation front

elevation back

elevation side



**NOTES**

1. All work shall be in accordance with the latest edition of the International Building Code (IBC) and all applicable local codes and regulations.
2. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
3. The contractor shall maintain the site in a safe and secure condition at all times during the construction process.
4. The contractor shall be responsible for the removal and disposal of all construction waste and debris.
5. The contractor shall be responsible for the protection of all existing utilities and structures on the site.
6. The contractor shall be responsible for the installation and maintenance of all safety equipment and signage.
7. The contractor shall be responsible for the coordination of all construction activities with the other trades on the site.
8. The contractor shall be responsible for the completion of all construction work within the specified time frame.
9. The contractor shall be responsible for the final inspection and certification of the completed work.
10. The contractor shall be responsible for the final cleanup and restoration of the site to its original condition.

**THE CONTRACTOR'S OBLIGATIONS**

- 1. I will provide the contractor with all necessary information and documents.
- 2. I will provide the contractor with all necessary permits and approvals.
- 3. I will provide the contractor with all necessary access to the site.
- 4. I will provide the contractor with all necessary utilities and services.
- 5. I will provide the contractor with all necessary safety equipment and signage.
- 6. I will provide the contractor with all necessary coordination with the other trades on the site.
- 7. I will provide the contractor with all necessary completion of all construction work within the specified time frame.
- 8. I will provide the contractor with all necessary final inspection and certification of the completed work.
- 9. I will provide the contractor with all necessary final cleanup and restoration of the site to its original condition.



**NEW TOWN ARCHITECTURE**  
 ARCHITECTURE  
 URBAN PLANNING  
 1440 PARKBOY STREET  
 KENOSHA, WI 53142  
 WWW.NEWTOWNARCHITECTURE.COM

**PROJECT INFORMATION**

Project No: 2024

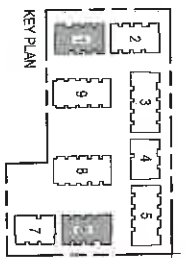
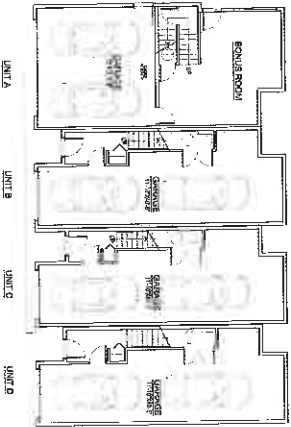
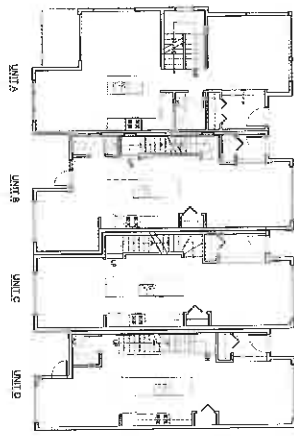
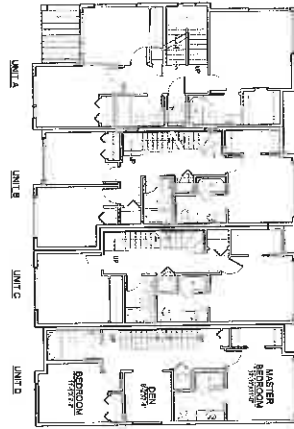
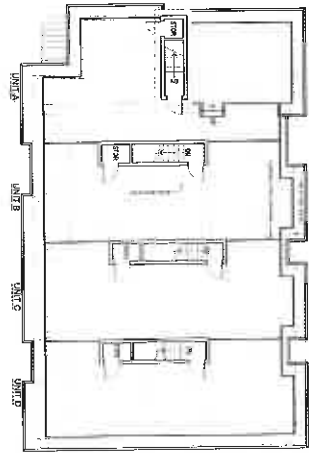
Project Name: 3P EX @ LANDIE

Project Location: 1440 PARKBOY STREET, KENOSHA, WI 53142

Project Date: 10/11/24

Project Status: DP2.02

Project Contact: 3P EX @ LANDIE



**MATERIAL LEGEND**

- 1 CLEAR GLASS WINDOW
- 2 METAL BUILDING WITH GLASS INFILL PANELS
- 3 BLACK FASCIA

**STUCCO**

**HORIZONTAL SILING**

**PANEL BOARD**

**SCHEDULE A/B**  
 This forms part of development  
 Permit # DP13-0022 / DP13-0023

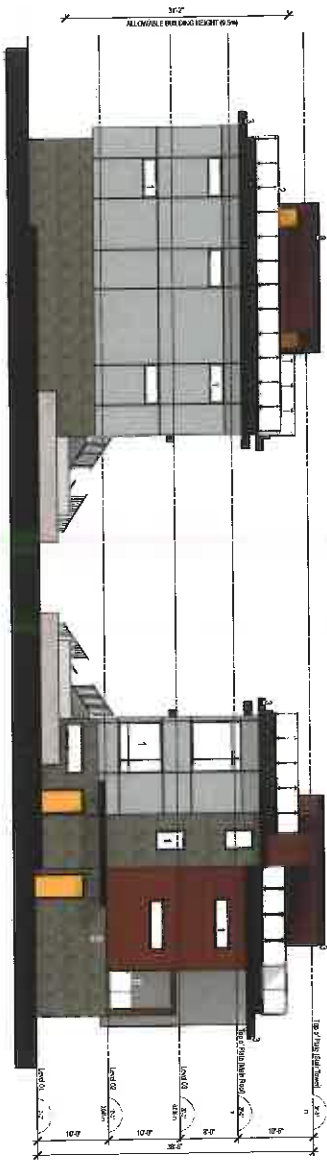
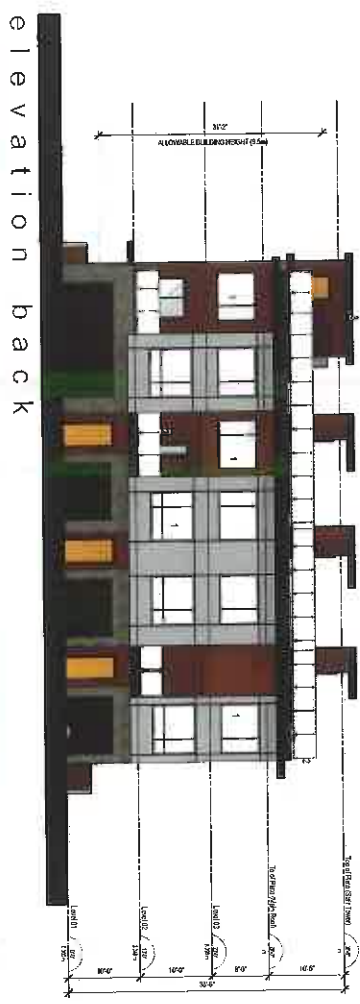
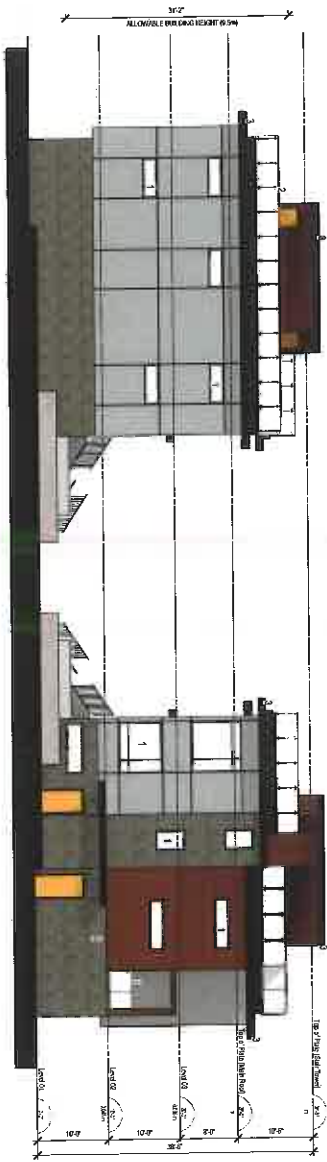
**Notes:**

1. All dimensions are in feet and inches.
2. All dimensions are to the centerline of the member unless otherwise noted.
3. All dimensions are to the finished surface unless otherwise noted.
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10. All dimensions are to the centerline of the member unless otherwise noted.

elevation front

elevation back

elevations side



**NEW TOWN ARCHITECTURE**  
 URBAN PLANNING  
 1150 PARKSIDE STREET  
 SUITE 200  
 DENVER, CO 80202  
 PHONE: 303.733.1111  
 WWW: NEWTOWNARCHITECTS.COM

**PROJECT INFO**  
 GYRO BEACH TOWNHOMES  
 PROJECT NO. 2204  
 DRAWING NO. 44-EX  
 DATE: 05/04/14

**DESIGNER**  
 PAUL GUNDEL, AIA  
 ARCHITECT

**DATE:** 05/04/14

**PROJECT NO.:** 2204

**DRAWING NO.:** 44-EX

**SCALE:** AS SHOWN

**PROJECT:** GYRO BEACH TOWNHOMES

**DATE:** 05/04/14

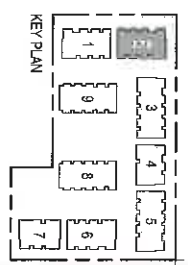
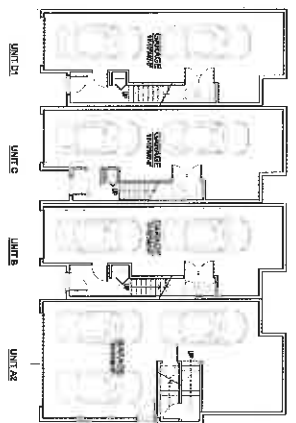
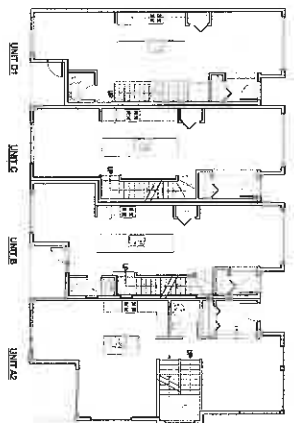
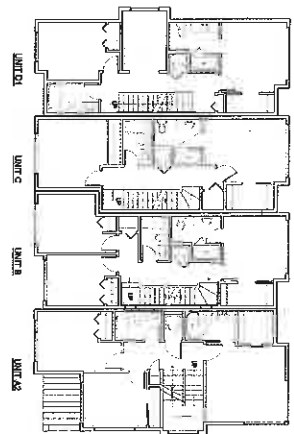
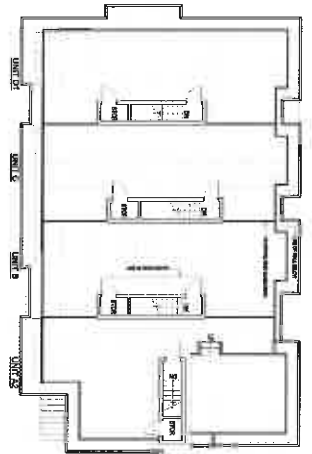
**PROJECT NO.:** 2204

**DRAWING NO.:** 44-EX

**SCALE:** AS SHOWN

**PROJECT:** GYRO BEACH TOWNHOMES

**DATE:** 05/04/14



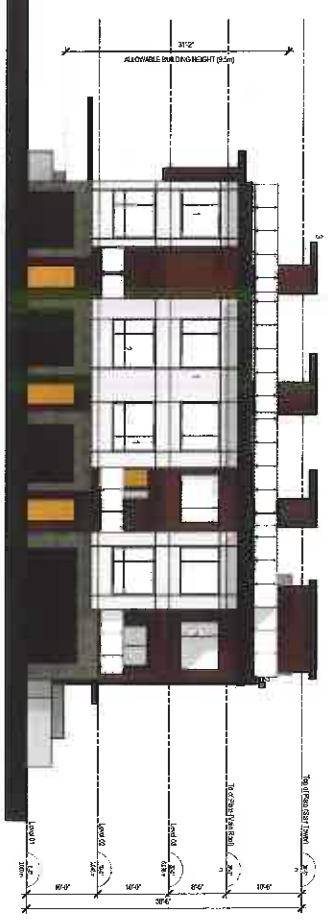
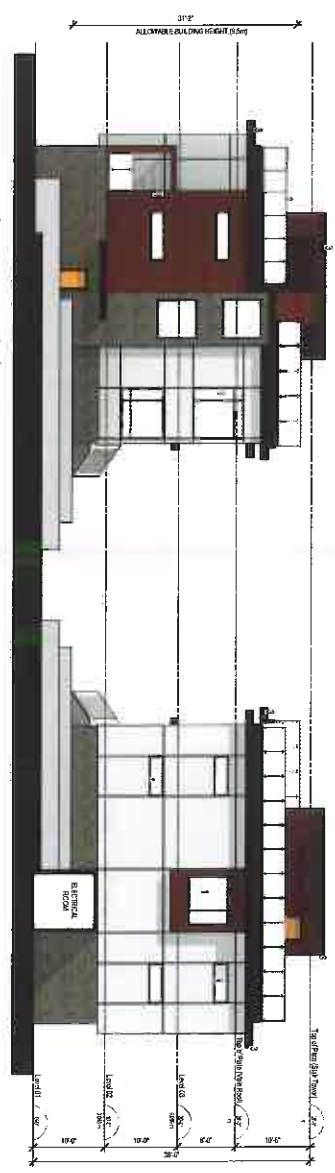
MATERIAL LEGEND	
1	OPAL GLASS WINDOWS
2	METAL BUILDING WITH GLASS INFILL PANELS
3	BLACK PAINT
	STUCCO
	HORIZONTAL SIDING
	PAIL BOARDS

**SCHEDULE A-B**  
 This forms part of development  
 permit # DP23-0022 / DP23-0027

elevation front

elevation back

elevation side

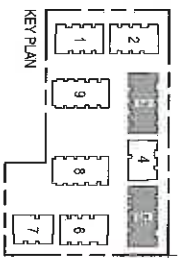
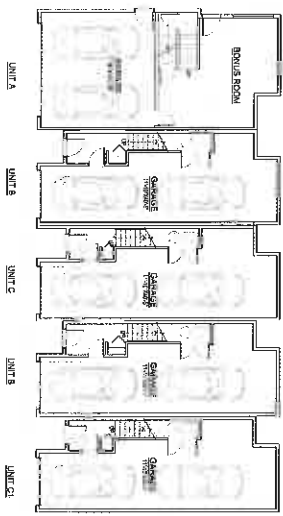
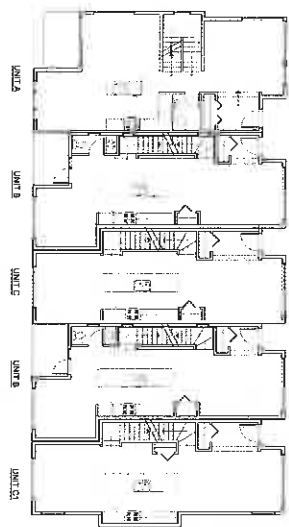
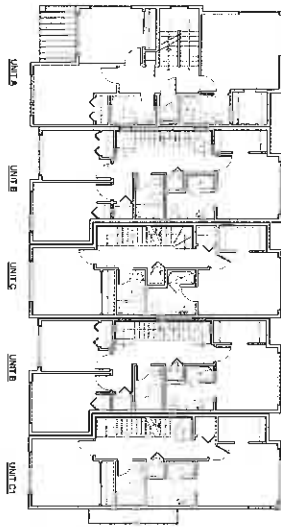
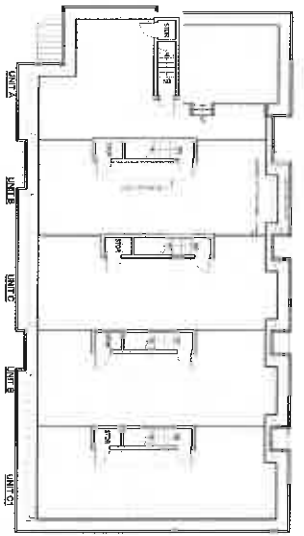


- NOTES:
  - 1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
  - 2. FINISHES TO BE DETERMINED BY THE ARCHITECT.
  - 3. MATERIALS TO BE APPROVED BY THE ARCHITECT.
  - 4. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS.
  - 5. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH LOCAL AND STATE CODES.
  - 6. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE ARCHITECT'S SPECIFICATIONS.
  - 7. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE ARCHITECT'S DRAWINGS.
  - 8. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE ARCHITECT'S SCHEDULE.
  - 9. ALL MATERIALS TO BE INSTALLED IN ACCORDANCE WITH THE ARCHITECT'S NOTES.



**NEW TOWN**  
 ARCHITECTURE  
 URBAN PLANNING  
 1423 PANDOLF STREET  
 KENNESAW, GA 30144  
 PHONE: 770.424.1111  
 WWW: NEWTOWNARCHITECTURE.COM

Project Name: CIVIC SQUARE TOWNHOMES  
 Project No: 3224  
 Drawing Title: 4TH FLR  
 Date: 08/15/2023  
 Scale: 1/8"=1'-0"  
 Author: FJSM  
 Check: DP2.04  
 Title: DP2.04



**MATERIAL LEGEND**

1	GLASS CLASS WINDOWS	STUCCO	PANEL BANDS
2	METAL RAILING WITH GLASS INFILL PANELS	HORIZONTAL SLAT	
3	BLACK FASCIA		

**SCHEDULE A: B**  
 This forms part of development  
 Permit # DP23-00221 / DP23-0023



**NOTES**  
 1. All elevations are shown in perspective.  
 2. All elevations are shown in perspective.  
 3. All elevations are shown in perspective.  
 4. All elevations are shown in perspective.  
 5. All elevations are shown in perspective.

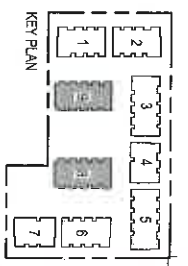
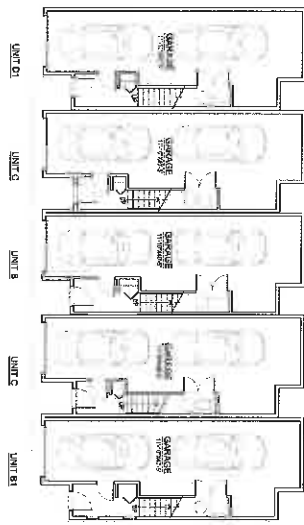
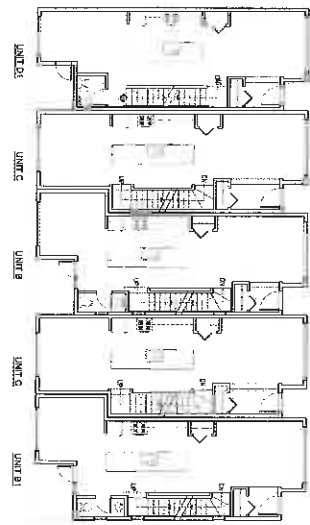
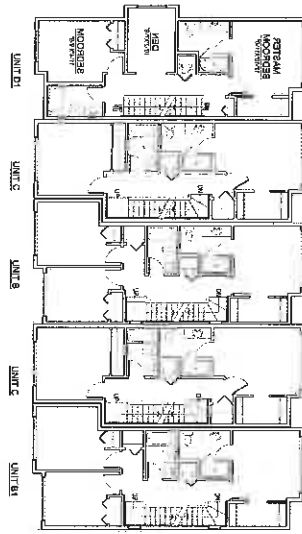
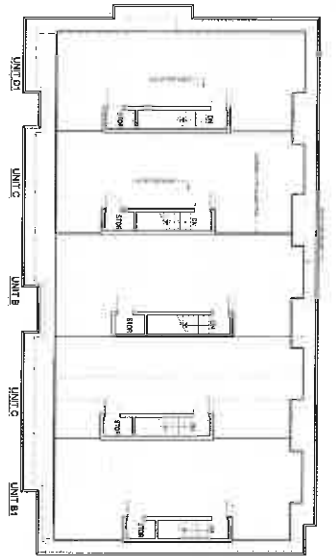
- 1. All elevations are shown in perspective.
- 2. All elevations are shown in perspective.
- 3. All elevations are shown in perspective.
- 4. All elevations are shown in perspective.
- 5. All elevations are shown in perspective.

**NEW TOWN ARCHITECTURE URBAN PLANNING**  
 1453 PANDORA STREET  
 KIDDERMAN, BC V1P 2N3  
 TEL: 604-253-1133  
 WWW.NEWTOWNARCHITECTURE.COM

**PROJECT INFO**  
 PROJECT NO: 2221  
 DRAWING NO: SR1EX  
 DATE: 08/21/2023

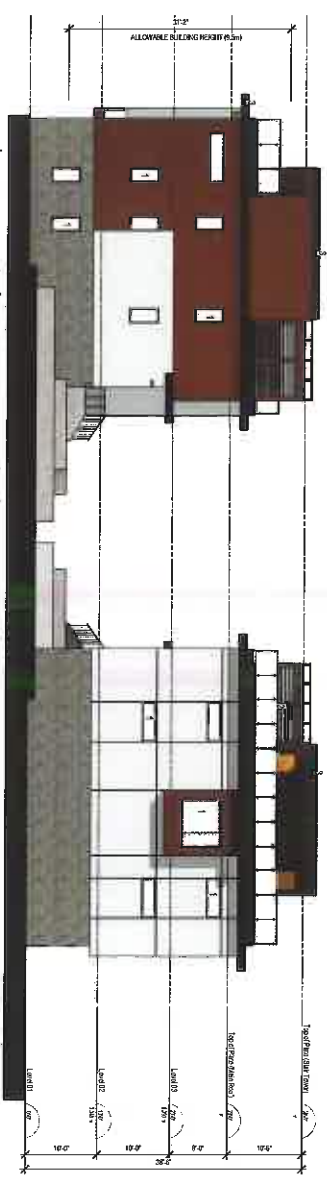
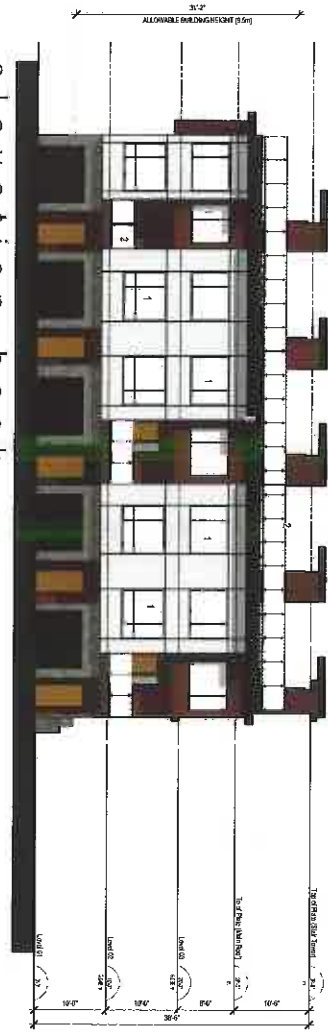
**CLIENT**  
 GTRD BEACH TOWNHOMES

**DP205**  
 08/21/2023



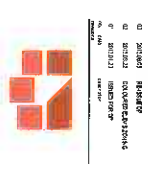
**MATERIAL LEGEND**

1 CLEAR GLASS WINDOWS	STUCCO	PANEL BOARDS
2 METAL PAINTING WITH GLASS INFILL PANELS	HORIZONTAL SIDING	
3 BLACK FINISH		



elevation side

elevation back



**NEW TOWN**  
ARCHITECTURE  
URBAN PLANNING  
1410 PARKWAY STREET  
COLUMBIA, SC 29904  
WWW.NEWTOWNARCHITECTS.COM  
PH: 803.733.1111

PROJECT NO. 3224  
SHEET NO. 03  
DATE 08/18/17  
SCALE AS SHOWN  
DRAWN BY RS  
CHECKED BY  
PROJECT TITLE  
**DP2.06**  
DATE 08/18/17

**NOTES**  
1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.  
2. ALL FINISHES ARE TO BE AS SHOWN IN THE MATERIAL LEGEND.  
3. ALL MATERIALS AND FINISHES ARE TO BE APPROVED BY THE ARCHITECT.  
4. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE 2015 INTERNATIONAL RESIDENTIAL CODE AND ALL APPLICABLE LOCAL ORDINANCES.  
5. THE OWNER IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.  
6. THE ARCHITECT IS NOT RESPONSIBLE FOR THE ACCURACY OF ANY INFORMATION PROVIDED BY THE OWNER OR ANY OTHER PARTY.  
7. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY THE ARCHITECT.

**PERMITS**  
 CITY OF COLUMBIA (CITY) PERMIT NO. 17-000000000000000000  
 ARCHITECTURAL REVIEW PERMIT NO. 17-000000000000000000  
 ZONING PERMIT NO. 17-000000000000000000  
 PLANNING BOARD REVIEW  
 CITY OF COLUMBIA (CITY) PERMIT NO. 17-000000000000000000  
 ARCHITECTURAL REVIEW PERMIT NO. 17-000000000000000000  
 ZONING PERMIT NO. 17-000000000000000000  
 PLANNING BOARD REVIEW  
 CITY OF COLUMBIA (CITY) PERMIT NO. 17-000000000000000000  
 ARCHITECTURAL REVIEW PERMIT NO. 17-000000000000000000  
 ZONING PERMIT NO. 17-000000000000000000  
 PLANNING BOARD REVIEW



**Stucco (Rock Dash Finish)**

**SCHEDULE** B

This forms part of development

Permit # DP13-0022 / DW13-0023

**Black Vinyl Windows**



**Cement Panel Cladding**



**Cedar Siding**



**Concrete Retaining**



**Flashing/Gutters**

Permit #

# **GYRO BEACH TOWNHOMES**

*Swordy Road Kelowna BC*



SCHEDULE B  
This forms part of the conditions  
Permit # 1813-0027 / 1813-0028



### PLANT LIST

KEY	BOTANICAL NAME	COMMON NAME
	RED	
	GRASS	
	WATER	
	SUNSHINE	
	ORANGE	
	PURPLE	

- ### NOTES
1. ALL PLANTINGS TO BE INSTALLED BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION.
  2. ALL PLANTINGS TO BE INSTALLED BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION.
  3. ALL PLANTINGS TO BE INSTALLED BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION.
  4. ALL PLANTINGS TO BE INSTALLED BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION.

**SCHEDULE**

This forms part of development Permit # DP13-0022 / DP13-0023

**OCEAN LAND DESIGN**  
LANDSCAPE ARCHITECTURE

7

**PROJECT TITLE**  
GYRO BEACH TOWNHOMES

**CLIENT**  
SHEPHERD, INC.

**CONCEPTUAL LANDSCAPE PLAN**

**ISSUED FOR REVIEW ONLY**

# CITY OF KELOWNA

**APPROVED ISSUANCE OF A:**

**Development Permit No.:** **DP13-0022 & DVP13-0023**

<b>EXISTING ZONING DESIGNATION:</b>	RM3 - Low Density Multiple Housing
<b>WITHIN DEVELOPMENT PERMIT AREA:</b>	Revitalization Development Permit Area
<b>DEVELOPMENT VARIANCE PERMIT:</b>	To vary the side yard (south) setback from 4.0m required to 2.29m proposed.  To vary the rear yard setback from 7.5m required to 3.48m proposed.

<b>ISSUED TO:</b>	Northern Lights Land Development Corporation
<b>LOCATION OF SUBJECT SITE:</b>	3503 & 3505 Lakeshore Road & 602, 610, 620, 630 & 640 Swordy Road & 3510 Landie Road

	SECTION	DISTRICT LOT	TWP	DISTRICT	PLAN
<b>LEGAL DESCRIPTION:</b>					

<u>SCOPE OF APPROVAL</u>
<input type="checkbox"/> This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon. <input type="checkbox"/> This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below. <input type="checkbox"/> Applicants for a Heritage Alteration Permit should be aware that the issuance of a Permit limits the applicant to be in strict compliance with regulations of the Zoning Bylaw or Subdivision Control Bylaw unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which may not have been identified as required Variances by the applicant or City staff.

**1. TERMS AND CONDITIONS:**

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";

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

Section 13.9.6 (e) Development Regulations - Side Yard Setback:

To vary the side yard setback (south) from 4.0m required to 2.29m proposed as shown on Schedule "A".

Section 14.4.6 (b) Development Regulations - Rear Yard Setback:

To vary the rear yard setback from 7.0m required to 3.48m proposed as shown on Schedule "A".

2. The development shall commence by and in accordance with an approved Building Permit within ONE YEAR of the date of the Municipal Council authorization resolution.

3. DEVELOPMENT:

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

If the Permittee does not commence the development Permitted by this Permit within one year of the date of this Permit, this Permit shall lapse.

This Permit is not transferrable unless specifically Permitted by the Municipality. The authorization to transfer the Permit shall, if deemed acceptable, be granted by Council resolution.

**THIS Permit IS NOT A BUILDING Permit.**

3. PERFORMANCE SECURITY:

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permittee, or should the Permittee carry out the development Permitted by this Permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly:

- (a) Cash in the amount of \$                   N/A                  .
- (b) A Certified Cheque in the amount of \$                   N/A                  .
- (c) An Irrevocable Letter of Credit in the amount of \$                   127,018.00                  .

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

5. APPLICANT'S AGREEMENT:

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

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

I further covenant and agree that should I be granted a Development Permit or Development Variance Permit, the Municipality may withhold the granting of any occupancy Permit for the occupancy and/or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works

or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Director of Planning & Development Services.

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

**I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.**

\_\_\_\_\_  
Signature of Owner/Authorized Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name in Bold Letters

\_\_\_\_\_  
Telephone No.

5. APPROVALS:

DEVELOPMENT PERMIT & DEVELOPMENT VARIANCE PERMIT AUTHORIZED BY THE COUNCIL ON THE 21<sup>st</sup> DAY OF JANUARY, 2014

ISSUED BY THE DIVISIONAL DIRECTOR OF COMMUNITY PLANNING & REAL ESTATE OF THE CITY OF KELOWNA THE \_\_\_\_\_ DAY OF FEBRUARY, 2014.

\_\_\_\_\_  
Doug Gilchrist, Divisional Director Community Planning & Real Estate

# REPORT TO COUNCIL



**Date:** November 26, 2013  
**RIM No.** 0940-50  
**To:** City Manager  
**From:** Urban Planning, Community Planning & Real Estate (JM)  
**Application:** DVP13-0176      **Owner:** Kelowna Central Park Properties Ltd.  
**Address:** 202B - 1500 Banks Road      **Applicant:** Permit Solutions Inc.  
**Subject:** 2014 01 21 Report DVP13-0176 Banks Rd  
**Existing OCP Designation:** SC - Service Commercial  
**Existing Zone:** C3 lp/rls - Community Commercial (Liquor Primary/Retail Liquor Sales)

---

## 1.0 Recommendation

THAT Council NOT authorize the issuance of Development Variance Permit No. DVP13-0176, for Lot 1, District Lot 125, ODYD, Plan KAP67601, located on 202B - 1500 Banks Road, Kelowna, BC;

## 2.0 Purpose

To consider a request to vary the maximum size of two proposed fascia signs in the C3 - Community Commercial zone from 0.8 square metres per linear metre of building frontage to 0.9 square metres and 1.1 square metres per linear metre of building frontage respectively.

## 3.0 Urban Planning Department

Urban Planning staff are challenged to support this application for a relaxation of the maximum sign area standards. Typically, variances are considered where there is a unique circumstance or some form of hardship that makes achieving existing standards unreasonable. Such a circumstance does not exist in this case. Surrounding tenants in similar commercial developments have complied with sign bylaw sizing standards without any obvious negative consequences.

As rationale in support of their proposal, the applicant has noted two key points: first, the signage proposed complies with corporate branding; second, the signage needs to be large enough so that it is visible in a large format retail centre.

In response to the first point, signage can likely be reduced in area without compromising corporate identity. In response to the second point, no other similar commercial retail tenants have varied the sign sizing requirements. Moreover, if visibility alone is used as a primary driver behind sign regulations, it is expected that the result will be the proliferation of ever larger signs to the detriment of urban design and building aesthetic.

Another criterion applied to the consideration of variance applications is one of scale and impact. If a variance requested is minor in scale (e.g.: reduce a setback by 2%), or the impact of a variance so minor that it will not be noticed, then such a proposal may warrant favourable review.

In this instance, the applicant is requesting variances of 26% and 9% respectively, neither of which would satisfy the scale criteria. In particular, the scale of the variance requested for the front sign would suggest that it would be out of proportion with surrounding signage.

## 4.0 Proposal

### 4.1 Project Description

The existing tenant space was previously occupied by Jugo Juice, and a new hair salon (Tommy Gun's) is moving in. As part of the tenant improvements, new façade signage is proposed at the front (north) and rear (south) of the building. The signs are made up of white lettering on black background, and are consistent with the corporate branding for Tommy Gun's.

Under the existing regulations of the Sign Bylaw, the maximum area of the signs is limited to 0.8m<sup>2</sup> per lineal metre of building frontage. In this case, that equates to signs being no larger than 4.0m<sup>2</sup> in area. Of the two signs proposed, the front façade signage is the largest, being 5.4m<sup>2</sup> in area (exceeds by 26%). The sign proposed for the rear of the building is more modest, at 4.4m<sup>2</sup> (exceeds by 9%).

According to the rationale provided by the applicant, the narrow frontage of the retail unit is a significant hindrance to the need for the business to have signage of a size that will be visible in a "big box" retail environment. Key in this equation is the size of the lettering. It is noteworthy that the applicant has also stated that they are unable to install the signage without the backing, although doing so would comply with sign bylaw standards.

The applicant has conducted Neighbour Consultation in accordance with Council Policy No. 367. Of those contacted by the applicant, no negative comments were received.

### 4.2 Site Context

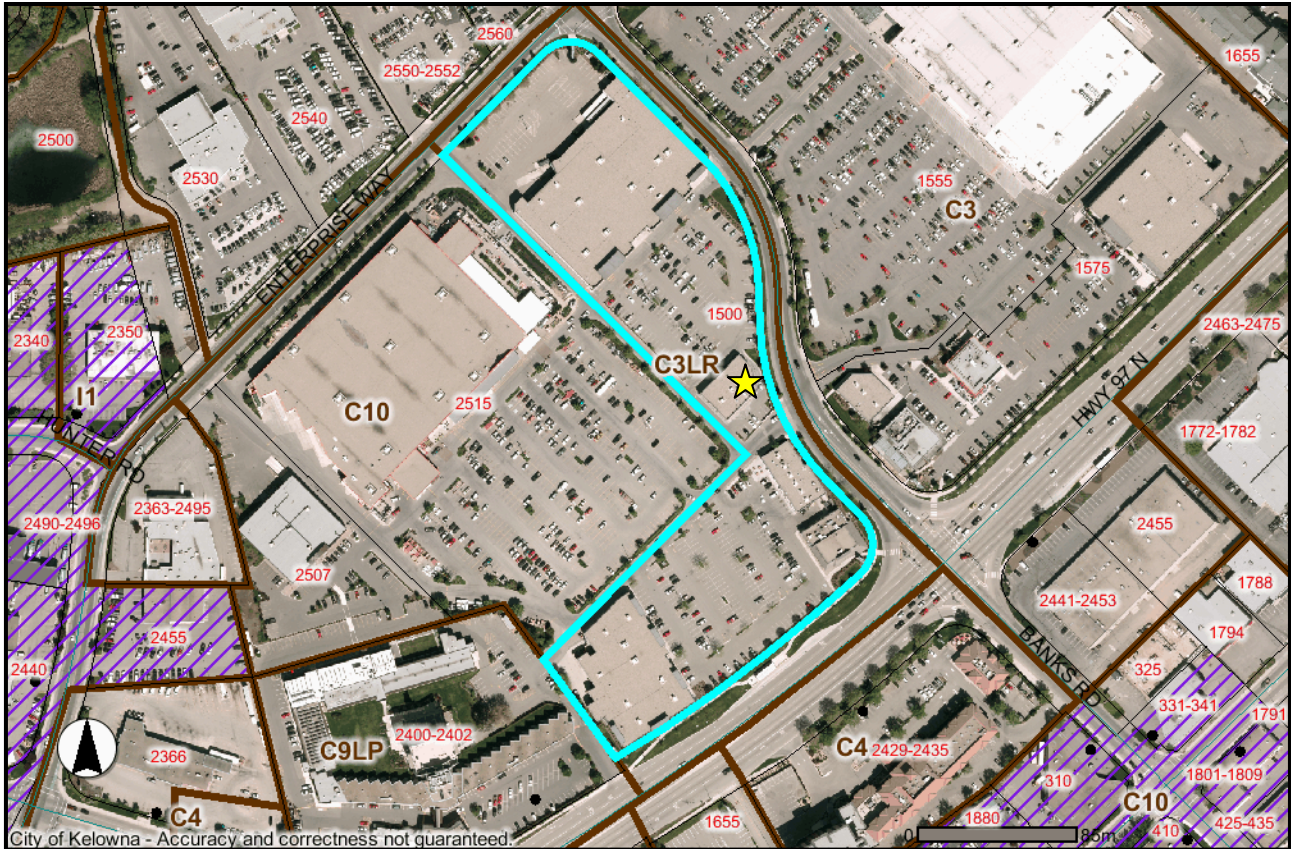
The subject property is located on the western side of Baron Road, between Highway 97 and Enterprise Way. The lot is very large, and contains multiple buildings, including large format retail ("big box") and smaller single-storey commercial buildings, with multiple small tenants. The tenant space under application is located approximately in the centre of the lot, and is flanked by office and food primary tenants.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I2 - General Industrial	Automobile dealerships (various)
East	C3 - Community Commercial	Assorted commercial uses (large format retail)
South	C4 - Urban Centre Commercial	Holiday Inn Express
West	C10 - Service Commercial C9 lp/rls - Tourist Commercial	Best Western Hotel & Suites

Subject Property Map: 202B - 1500 Banks Road





## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

The subject property is designated Service Commercial (SC) in the Official Community Plan.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

No comment.

### 6.2 Development Engineering Department

See attached Memorandum, dated November 5, 2013.

## 7.0 Alternate Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0176, for Lot 1, District Lot 125, ODYD, Plan KAP67601, located on 202B - 1500 Banks Road, Kelowna, BC;

AND THAT variances to the following sections of Sign Bylaw No. 8235 be granted:

Section 6.1: Specific Zone Regulations (C3 - fascia)

To vary the maximum area of a fascia sign in the C3 zone from 0.8 square metres per lineal

metre of building frontage to a maximum of 20% of the wall it is attached to permitted to 0.9 square metres and 1.1 square metres per lineal metre of building frontage proposed (as per Schedule 'A').

### 8.0 Application Chronology

Date of Application Received: October 30, 2013

Neighbour Consultation: Between November 19 - 21, 2013

#### Report prepared by:

---

James Moore, Land Use Planner

Reviewed by:

Ryan Smith, Urban Planning Manager

Approved for Inclusion:

Doug Gilchrist, Divisional Director of Community Planning & Real Estate

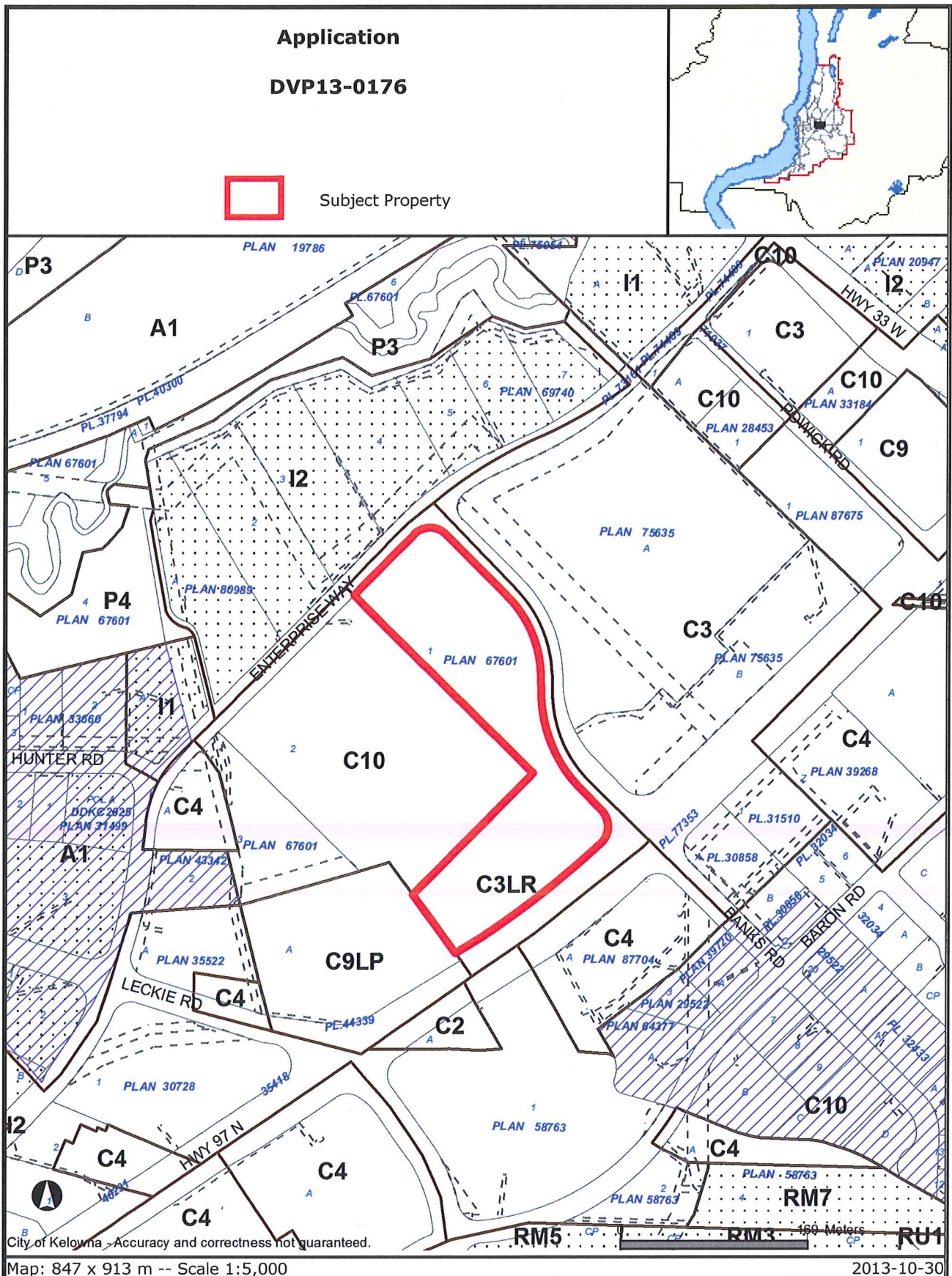
#### Attachments:

Subject Property Map

Site Plan

Conceptual Elevations

Development Engineering Memorandum, dated November 5, 2013



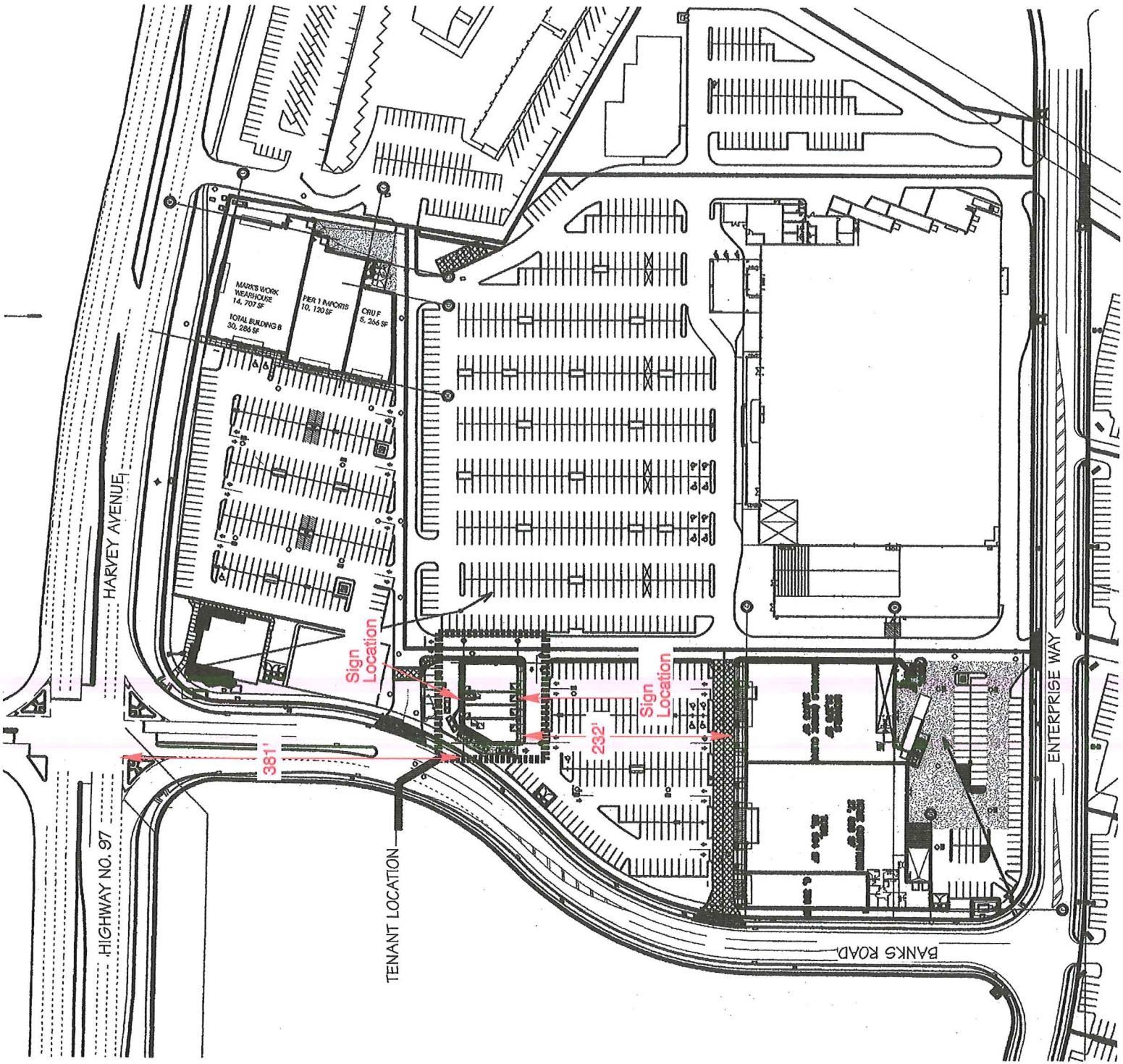
Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.



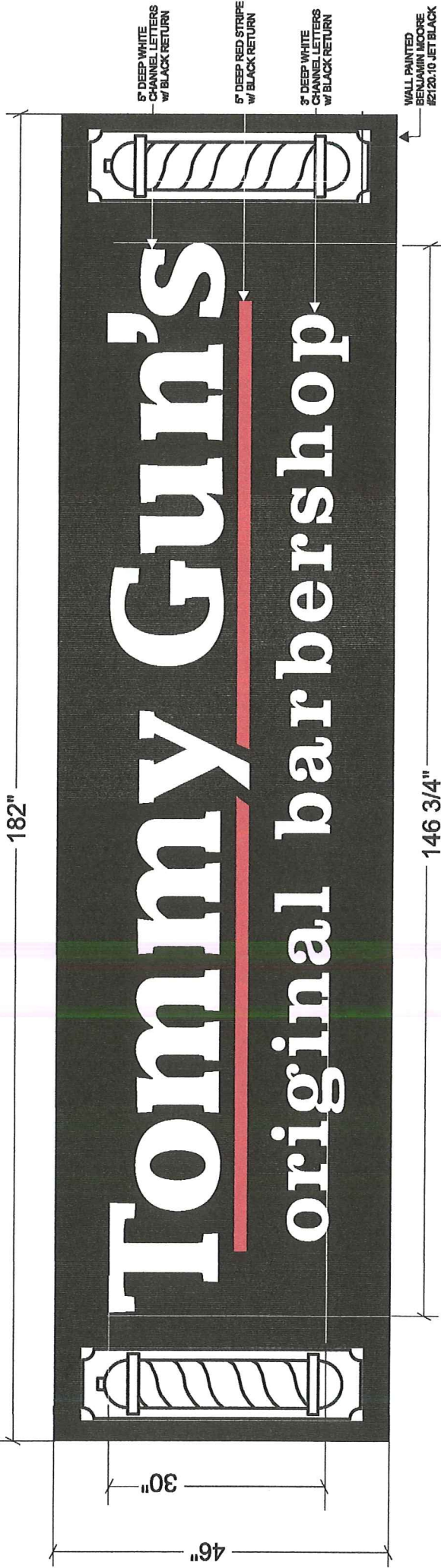
PROJECT  
NORTH



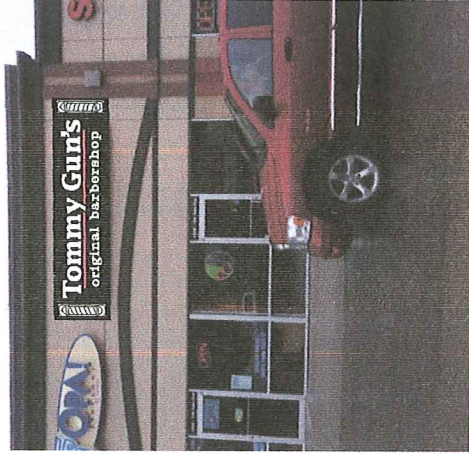
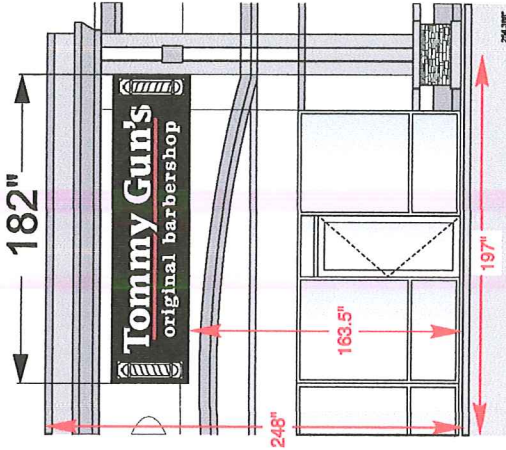
TRUE  
NORTH



**TOMMY GUN'S - CENTRAL PARK - KELOWNA  
EXTERIOR SIGN**



**A) CHANNEL LETTERS Qty. 1x**



Sign area including the backer panel 5.35m sq  
Sign copy area = 2.8m sq  
Allowable sign area = 6.32m sq based on 20% of the wall area

**FRONT ELEVATION - N.T.S.**

**integrity signs inc.**  
410, 5555 - 51 AVE SE CALGARY, ALBERTA T2C 3K4

CUSTOMER: TOMMY GUN'S  
ADDRESS: KELOWNA, BC

ID NUMBER: ACC DECC: ROGER  
DESIGNER: DEAN M.  
SCALE: 1:20

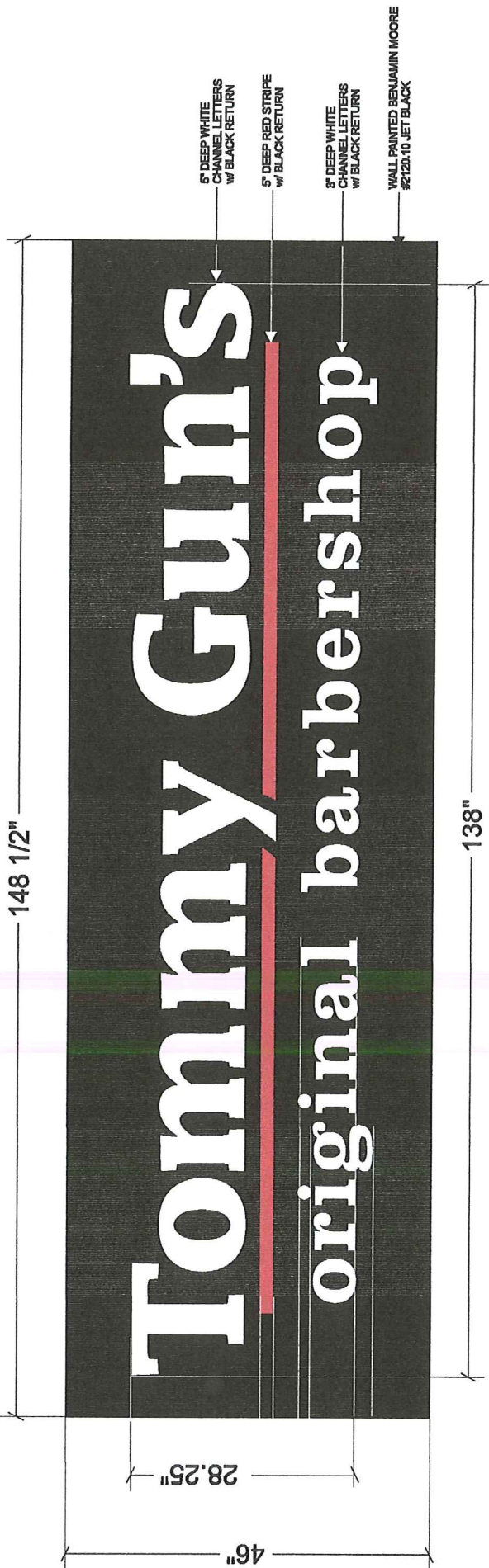
DATE: AUGUST 16 / 2013  
PAGE #: 1 OF 3  
REVISION #: 2.0

PRODUCTION APPROVED: \_\_\_\_\_ DATE: / /  
APPROVED BY CLIENT: \_\_\_\_\_ DATE: / /  
APPROVED BY ACC. EXEC: \_\_\_\_\_ DATE: / /

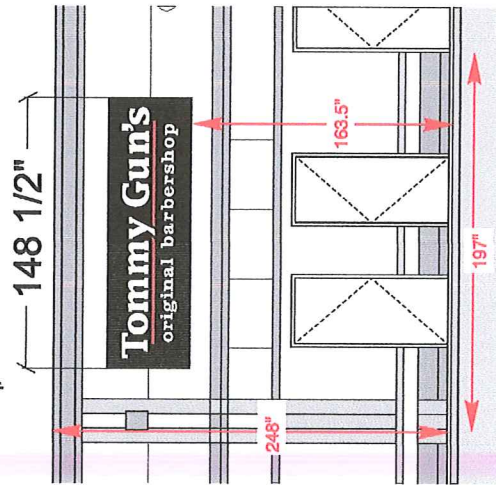
ARTWORK I.D.#: X00000000000000000000

NOTE: This document may not accurately reflect product, system, or finish. All final approvals are contained in digital documents.  
www.integritysigns.com

**TOMMY GUN'S - CENTRAL PARK - KELOWNA  
EXTERIOR SIGN**



**B) CHANNEL LETTERS Qty. 1x**



Sign area including the backer panel 4.37m sq  
 Sign copy area = 2.5m sq  
 Allowable sign area = 6.32m sq based on  
 20% of the wall area

**REAR ELEVATION - N.T.S.**

	CUSTOMER: TOMMY GUN'S	DESIGNER: DEAN M.	DATE: AUGUST 16 / 2013	PAGE #: 1 OF 3	REVISION #: 2.0	ARTWORK ID#: X00000000000
	ADDRESS: KELOWNA, BC	SCALE: 1:20	APPROVED BY CLIENT <input checked="" type="checkbox"/>	PRODUCTION APPROVED <input checked="" type="checkbox"/>	DATE: / /	DATE: / /
	#10, 5555 - 51 AVE SE CALGARY, ALBERTA T2C 3X4	Ph: (403) 250-2500 Fax: (403) 250-5898 Toll Free: 1-866-856-7207	www.integritysigns.com	NOTE: This document may not necessarily reflect production colors. Add Note: All issues approvals are considered legal documents.		

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**CITY OF KELOWNA**  
**MEMORANDUM**


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**Date:** November 5, 2013  
**File No.:** DVP13-0176  
**To:** Community Planning (JM)  
**From:** Development Engineering Manager (SM)  
**Subject:** 202B- 1500 Banks Road – Lot 1, Plan 67601, D.L. 125, ODYD

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The Development Engineering comments and requirements regarding this development variance application for a bulky sign over a small door are as follows:

1. General.
  - a) The proposed sign location and size does not compromise any Municipal infrastructure.
  - b) This application does not trigger any offsite upgrades.



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Steve Muenz, P.Eng.  
Development Engineering Manager

B<sup>2</sup>