

# City of Kelowna

## Regular Council Meeting

### AGENDA



Tuesday, August 11, 2015  
6:00 pm  
Council Chamber  
City Hall, 1435 Water Street

#### Pages

1. **Call to Order**
2. **Reaffirmation of Oath of Office**

The Oath of Office will be read by Councillor Gray.
3. **Confirmation of Minutes** 1 - 9

Public Hearing - July 28, 2015  
Regular Meeting - July 28, 2015
4. **Bylaws Considered at Public Hearing**
  - 4.1 **BL11114 (TA15-0006) - New C3rls - Community Commercial (Retail Liquor Sales) and C3lp - Community Commercial (Liquor Primary)** 10 - 10

To give Bylaw No. 11114 second and third readings in order to amend City of Kelowna Zoning Bylaw No. 8000 to create new designations within the C3 - Community Commercial zone.
  - 4.2 **561 McKay Avenue, BL11120 (OCP15-0009) - City of Kelowna** 11 - 11

**Requires a majority of all Members of Council (5).**  
To give Bylaw No. 11120 second and third readings in order to change the future land use designation of the subject property to accommodate the development of non-accessory parking.
  - 4.3 **561 McKay Avenue, BL11121 (Z15-0026) - City of Kelowna** 12 - 12

To give Bylaw No. 11121 second and third readings in order to rezone the subject property to accommodate the development of non-accessory parking.
  - 4.4 **310 Mugford Road, BL11122 (Z15-0017) - Harjinder, Jaswinder & Swaran Mahli** 13 - 13

To give Bylaw No. 11122 second and third readings in order to rezone the subject properties to allow a subdivision into two (2) lots.

- 4.5 140 Mugford Road, 405 & 425 Rutland Road, BL11123 - RA Quality Homes Ltd. 14 - 14**

To give Bylaw No. 11123 second and third readings in order to rezone the subject proeprties to allow for the development of townhouses.

- 4.6 2124 Pandosy Street, BL11124 (HRA15-0001) - F. Devillier Medical Prof. Corp. et al 15 - 35

To give Bylaw No. 11124 second and third readings in order to authorize the City to enter into a Heritage Revitalization Agreement for the subject property.

## 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

- 6.1 128 Clifton Road, DVP15-0125 - James Burkell & Brenda Mounce** 36 - 48

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

To consider a Development Variance Permit application to vary the minimum front yard setback for an accessory building to facilitate the construction of a detached workshop.

- 6.2 1280 Highway 33 East, BL11095 (Z15-0011) - Imre & Jennifer Csorba** 49 - 49

To adopt Bylaw No. 11095 in order to rezone the subject property to allow for a carriage house.

- 6.3 1280 Highway 33 East, DP15-0078 & DVP15-0059 - Imre & Jennifer Csorba** 50 - 65

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 form and character Development Permit and Variances for the conversion of an existing Accessory Building to a Carriage house.

- 6.4 1683 Ethel Street, DP15-0127 & DVP15-0128 - Boardwalk Housing Corp.** 66 - 101

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 non support of a Development Permit for a 70 unit 6 storey apartment building intended for student housing and a Development Variance permit for setback reductions, a site coverage reduction, and a parking reduction.

7. Reminders

8. Termination



## City of Kelowna Public Hearing Minutes

Date: Tuesday, July 28, 2015  
Location: Council Chamber  
City Hall, 1435 Water Street

Council Members Present: Mayor Colin Basran and Councillors Maxine DeHart, Gail Given, Charlie Hodge, Brad Sieben, Mohini Singh and Luke Stack

Council Members Absent: Councillors Ryan Donn and Tracy Gray

Staff Present: Acting City Manager, Joe Creron; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith; Urban Planning Supervisor, Lindsey Ganczar; Planner, Damian Burggraeve; and Legislative Systems Coordinator, Sandi Horning

### 1. Call to Order

Mayor Basran called the Hearing to order at 6:00 p.m.

Mayor Basran 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 July 14, 2015 and by being placed in the Kelowna Capital News issues of July 17, 2015 and July 22, 2015, and by sending out or otherwise delivering 329 statutory notices to the owners and occupiers of surrounding properties, and 4,408 informational notices to residents in the same postal delivery route, between July 14, 2015 and July 17, 2015.

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 5267 Chute Lake Road, BL11110 (Z15-0021) - David Rolleston

Staff:

- Displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

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

##### Letters of Support

- Gilles Ladouceru & Anita Blaser, Mountainside Drive
- Patricia Fydell, Lee Lane
- Joel Casey, Cavell Road
- Peter Cates, Wren Place

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

Dave Rolleston, Applicant:

- Provided an overview of the public consultation that was done with respect to the application.
- Advised that he consulted with the neighbours and obtained 11 signatures in support.
- Displayed a PowerPoint slide identifying the location of the neighbouring properties in support.

There were no further comments.

#### 3.2 3699 Highway 97 North, BL11111 (Z15-0028) - University Business Park Ltd.

Staff:

- Displayed a PowerPoint presentation summarizing the application before Council.

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

##### Letters of Opposition or Concern

- Jackie Bennett, Sexsmith Road
- Cornel Fisher, Sexsmith Road
- Jerigh Fisher, Sexsmith Road
- Taylor Fliege, Sexsmith Road

Mayor Basran 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. No one came forward.

There were no further comments.

#### 3.3 225 Clifton Road and (W of) Union Road, BL11112 (OCP15-0012) & BL11113 (Z15-0016) - Glenwest Properties Ltd.

Staff:

- Displayed a PowerPoint presentation summarizing the application before Council.

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

Mayor Basran 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. No one came forward.

There were no further comments.

#### 4. Termination

The Hearing was declared terminated at 6:14 p.m.

\_\_\_\_\_  
Mayor

/slh

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

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## City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, July 28, 2015  
Location: Council Chamber  
City Hall, 1435 Water Street

Council Members Present: Mayor Colin Basran and Councillors Maxine DeHart, Gail Given, Charlie Hodge, Brad Sieben, Mohini Singh and Luke Stack

Council Members Absent: Councillors Ryan Donn and Tracy Gray

Staff Present: Acting City Manager, Joe Creron; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith; Urban Planning Supervisor, Lindsey Ganczar; Planner, Damian Burggraeve\*; and Legislative Systems Coordinator, Sandi Horning

(\* denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 6:15 p.m.

### 2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Hodge.

### 3. Confirmation of Minutes

Moved By Councillor DeHart/Seconded By Councillor Sieben

R585/15/07/28 THAT the Minutes of the Public Hearing and Regular Meeting of July 14, 2015 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 5267 Chute Lake Road, BL11110 (Z15-0021) - David Rolleston

Moved By Councillor Hodge/Seconded By Councillor Given

R586/15/07/28 THAT Bylaw no. 11110 be read a second and third time.

Carried

4.2 3699 Highway 97 North, BL11111 (Z15-0028) - University Business Park Ltd.

Moved By Councillor Hodge/Seconded By Councillor Given

R587/15/07/28 THAT Bylaw No. 11111 be read a second and third time.

Carried

4.3 225 Clifton Road and (W of) Union Road, BL11112 (OCP15-0012) - Glenwest Properties Ltd.

Moved By Councillor Sieben/Seconded By Councillor Singh

R588/15/07/28 THAT Bylaw No. 11112 be read a second and third time.

Carried

4.4 225 Clifton Road and (W of) Union Road, BL11113 (Z15-0016) - Glenwest Properties Ltd.

Moved By Councillor Stack/Seconded By Councillor DeHart

R589/15/07/28 THAT Bylaw No. 11113 be read a second and third time.

Carried

5. Notification of Meeting

The City Clerk advised that Notice of Council's consideration of the Development Variance Permit Applications was given by sending out or otherwise delivering 79 statutory notices to the owners and occupiers of the surrounding properties, and 1,781 informational notices to residents in the same postal delivery route, between July 14, 2015 and July 17, 2015.

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. Heritage Alteration Permit, Development Permit and Development Variance Permit Reports

## **6.1 2072 Abbott Street, HAP15-0004 - CEI Architecture Planning**

Moved By Councillor Hodge/Seconded By Councillor Given

**R590/15/07/28** THAT Council defers consideration of Heritage Alteration Permit No. HAP15-0004 for Lot B, District Lot 14, ODYD, Plan KAP47142, located at 2072 Abbott Street, Kelowna, BC. to the September 15, 2015 Regular Meeting.

Carried

City Clerk:

- Confirmed the correspondence received for this evening's meeting has been circulated to Council.
- Any correspondence received after today will be circulated through Council correspondence and correspondence received during the notification period prior to the September 15<sup>th</sup> Council meeting will be read for that meeting.

## **6.2 650 Clement Avenue, DP15-0132 & DVP15-0133 - City of Kelowna**

Staff:

- Displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

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

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments from Council. No one came forward.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor DeHart

**R591/15/07/28** THAT Council authorizes the issuance of Development Permit No. DP15-0132 for Lot A, District Lot 139, ODYD, Plan EPP39101 except Plan EPP50977, located on 650 Clement Avenue, Kelowna, BC 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. Prior to issuance of the Building Permit, the requirements of the Development Engineering Branch must be satisfied as described in the attached report dated June 26<sup>th</sup> 2015";
5. That 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;

AND THAT Council authorize the issuance of Development Variance Permit No. DVP15-0133 for Lot A, District Lot 139, ODYD, Plan EPP39101 except Plan EPP50977, located on 650 Clement Avenue, Kelowna, BC.

AND THAT the variances to the following sections of Zoning Bylaw No. 8000 be granted in accordance with the drawings attached to the Development Variance Permit described in Schedule "D":



Section 8.5 (Table 8.1) General Provisions

To vary the minimum parking stalls from 954 parking stalls required to 289 parking stalls proposed.

Section 7.6.1 (b & c) Minimum Landscape Buffers

To vary the minimum level 2 and level 3 landscape buffer width from 3.0m required to between 1.6m and 3.0m as proposed and described within schedule "D".

Section 8.3.5 Development Standards - Vehicle Parking and Loading

To vary the minimum required landscape island area from 2m<sup>2</sup> per parking stall and loading bay (totaling 1,916 m<sup>2</sup>) to 115m<sup>2</sup> total area.

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

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

Carried

**6.3 3470 Shayler Road, DP15-0086 & DVP15-0087 - Kinnikinnik Developments Inc.**

Staff:

- Displayed a PowerPoint presentation summarizing the application and responded to questions from Council.

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

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

Andrew Gaucher, Applicant

- Advised that the development team is available to respond to any questions.

Gallery:

Brad Dahl, Arthur Road

- Inquired as to length of the building.
- Made comment on the beach accesses in the McKinley area and raised concern with impacts of development on neighbouring beaches.
- Raised concerns with the ability of beach developments to adequately deal with projected OCP population growth in the McKinley area as it will become the 'go-to' beach in future years.
- Raised a concern with insufficient parking.

Staff:

- Advised that the building is 220 feet in length.

Doris Findlay

- Expressed a concern with traffic impacts.
- Inquired as to the tourism component of the development.

Shayne Jamieson, Dewdney Road

- Made comment on correspondence sent to staff.
- Expressed a concern that the Developer did not address the residents at the AGM as claimed.
- Expressed a concern that the Development Notice Sign had been knocked down.
- Expressed a concern that the statutory notification does not clearly state what the mixed use will be.
- Expressed a concern that the structure may be within the riparian area.
- Believes that this development has 'morphed' over time.
- Opposed to the application and encouraged Council to vote against it.
- Responded to questions from Council.

Staff:

- Advised that there is a 15m riparian setback and that an Environmental Development Permit is currently being considered at a staff level.

Bob Campbell, Bennett Road

- Inquired as to the mixed-use component of the development.
- Inquired as to whether the variance was for the entire site or just this particular area.
- Believes that 54 parking stalls is not enough.

Andrew Gaucher, Applicant

- Confirmed the building is used as a retaining wall and for kayak storage.
- Future tourism and wellness uses are permitted in zoning and are being pursued.
- Clarified that an elaborate presentation was not made at the AGM as most of the time was spent addressing construction traffic concerns.
- Will be erecting a notice board sign in McKinley.
- Responded to questions from Council.
- Once constructed, the McKinley Beach Drive will remain a private road.
- Provided the rationale for the parking variance being requested and confirmed that the parking will be developed on the site before the entire site is fully developed.
- Confirmed that McKinley Beach Drive will be maintained by the Developer.
- As the development is built-out, there will be more opportunity to provide for more parking on site.
- Provided an explanation of the zoning on the site.
- Confirmed that the beach will be 'public'.

There were no further comments.

Moved By Councillor Sieben/Seconded By Councillor Stack

**R592/15/07/28** THAT Council authorizes the issuance of Development Permit No. DP15-0086 for the property legally known as Lot 7, Section 29, Township 23, ODYD, Plan EPP8753 located at 3470 Shayler Road, Kelowna, BC 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. Prior to issuance of the Building Permit, the requirements of the Development Engineering Branch must be satisfied;
5. 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;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0087 for the property legally known as Lot 7, Section 29, Township 23, ODYD, Plan EPP8753 located at 3470 Shayler Road, Kelowna, BC;

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

**Table 8.1 - Parking Schedule (Commercial Use Parking Rates)**

To vary the minimum required parking stalls from 52 requires to 45 proposed.

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

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

**Carried**

7. Reminders - Nil.

8. Termination

The meeting was declared terminated at 7:28 p.m.

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Mayor

/slh



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City Clerk



**CITY OF KELOWNA**  
**BYLAW NO. 11114**  
**TA15-0006 - City of Kelowna**  
**New C3rls - Community Commercial (Retail Liquor Sales) and**  
**C3lp - Community Commercial (Liquor Primary)**

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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, **Section 1 - General Administration**, under **Section 14 - Commercial Zones** be amended by adding "C3rls" under Column 1 and "Community Commercial (Retail Liquor Sales)" under Column 2 in its appropriate location;
2. AND THAT **Section 14 - Commercial Zones**, be amended by adding to the title in its appropriate location the following:  
**"C3rls - Community Commercial (Retail Liquor Sales)**  
**C3lp - Community Commercial (Liquor Primary)"**
3. AND THAT **14.3.2 Principal Uses** be amended by:
  - a) Deleting "(C3lp/rls only)" from (q) liquor primary establishment, major(C3lp/rls only) and replacing it with "(C3lp and C3lp/rls only)";
  - b) Deleting "(C3lp/rls only)" from (aa) retail liquor sales establishment (C3lp/rls only) and replacing it with "(C3rls and C3lp/rls only)";
4. 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 27<sup>th</sup> day July, 2015.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

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(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

# CITY OF KELOWNA

## BYLAW NO. 11120

### Official Community Plan Amendment No. OCP15-0009 - City of Kelowna 561 McKay Avenue

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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 14, ODYD, Plan EPP45951, located on McKay Avenue, Kelowna, B.C., from the MRM - Multiple Unit Residential (Medium Density) designation to the MXR - Mixed Use (Residential/Commercial) 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 27<sup>th</sup> day of July, 2015.

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

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Mayor

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City Clerk

**CITY OF KELOWNA**  
**BYLAW NO. 11121**  
**Z15-0026 - City of Kelowna**  
**561 McKay Avenue**

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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, District Lot 14, ODYD, Plan EPP45951 located on McKay Avenue, Kelowna, B.C., from the RU6 - Two Dwelling Housing zone to the C4 - Urban Centre 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 27<sup>th</sup> day of July, 2015.

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

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Mayor

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City Clerk

**CITY OF KELOWNA**  
**BYLAW NO. 11122**  
**Z15-0017 - Harjinder Kaur Mahli, Jaswinder Singh Mahli and**  
**Swaran Singh Mahli**  
**310 Mugford 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 B, Section 26, Township 26, ODYD, Plan 27494 located on Mugford Road, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot 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 27<sup>th</sup> day of July, 2015.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

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(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

# **CITY OF KELOWNA**

## **BYLAW NO. 11123**

### **Z15-0010 - R A Quality Homes Ltd., Inc. No. BC0647947 140 Mugford Road, 405 Rutland Road and 425 Rutland 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 A, Section 26, Township 26, ODYD, Plan 4378 located on Mugford Road, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RM2 - Low Density Row Housing zone;
2. AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lots 3 and 4, Section 26, Township 26, ODYD, Plan 3513, located on Rutland Road, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RM3 - Low Density Multiple Housing zone.
3. 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 27<sup>th</sup> day of July, 2015.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

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(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

# CITY OF KELOWNA

## BYLAW NO. 11124

**Heritage Revitalization Agreement Authorization Bylaw HRA15 - 0001 -  
Grant Good, Marie McAlpine, F. Devillier Medical Prof. Corp. Janette Armstrong  
and F. De Villiers Medical Prof. Corp., Inc. No. 101092982  
2124 Pandosy Street**

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WHEREAS a local government may, by bylaw, enter into a heritage revitalization agreement with the Owner of property which Council deems to be of heritage value pursuant to section 966 of the *Local Government Act*;

AND WHEREAS the Municipal Council of the City of Kelowna is desirous of entering into a Heritage Revitalization Agreement with Grant Good, Marie McAlpine, F. Devillier Medical Prof. Corp., Janette Armstrong and F. De Villiers Medical Prof. Corp., Inc. No. 101092982 for the property located at 2124 Pandosy Street, Kelowna, B.C.;

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

1. The Municipal Council of the City of Kelowna hereby authorizes the City of Kelowna to enter into a Heritage Revitalization Agreement with Grant Good, Marie McAlpine, F. Devillier Medical Prof. Corp., Janette Armstrong and F. De Villiers Medical Prof. Corp., Inc. No. 101092982 for the property known as the "Cadder House" located at 2124 Pandosy Street, Kelowna, B.C., and legally described as:

Strata Lot 1, 2, 3, 4 and 5, District Lot 14, ODYD, Strata Plan KAS3144 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V;

In the form of such Agreement attached to and forming part of this bylaw as Schedule "A".

2. The Mayor and City Clerk are hereby authorized to execute the attached agreement, as well as any conveyances, deeds, receipts and other documents in connection with the attached agreement, and to affix the corporate seal of the City of Kelowna to same.
3. This bylaw shall come into full force and effect as of and from the date of adoption.
4. Heritage Revitalization Agreement Authorization Bylaw No. 9184 – HRA03-0003 – 2124 Pandosy Street and all amendments thereto, are hereby repealed.

Read a first time by the Municipal Council this 27<sup>th</sup> day of July, 2015.

Amended at first reading by the Municipal Council this

Considered at a Public Hearing this

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

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(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk

## SCHEDULE "A"

### HERITAGE REVITALIZATION AGREEMENT

DOCUMENT APPROVAL			
Document No. HRA15-0001			
Cir	Department	Date	Init.
	Planning		
	Development Engineering		
	Building & Permitting		
	City Clerk		

THIS AGREEMENT dated as of the      day of      , 201      .

BETWEEN:

CITY OF KELOWNA, a Municipal Corporation having offices at  
1435 Water Street, Kelowna, British Columbia V1Y 1J4

(herein called the "CITY")

AND:

THE OWNERS OF STRATA LOTS 1, 2, 3, 4 AND 5, KAS3144  
2124 PANDOSY STREET  
KELOWNA, BC  
V1Y 1S6

(herein called the "OWNERS")

WHEREAS a local government may, by bylaw, enter into a Heritage Revitalization Agreement with the Owner of property identified as having heritage value, pursuant to Section 966 of the *Local Government Act*;

AND WHEREAS the Owners own certain real property on which is situated a building of heritage value, pursuant to the City's Heritage Register, which property and building are located at 2124 Pandosy Street, Kelowna, British Columbia and legally described as:

Strata Lot 1, KAS 3144	PID: 026-923-181
Strata Lot 2, KAS 3144	PID: 026-923-190
Strata Lot 3, KAS 3144	PID: 026-923-203
Strata Lot 4, KAS 3144	PID: 026-923-211
Strata Lot 5, KAS 3144	PID: 026-923-220



SCHEDULE "A" - Page 2.

(herein called the "Heritage Lands")  
AND WHEREAS the units are located within two (2) buildings on the Heritage Lands, herein called the "Heritage Buildings";

AND WHEREAS the Owners have presented to the City a proposal for the use, development and preservation of the Heritage Lands and has voluntarily and without any requirement by the City, entered into this agreement pursuant to Section 966 of the *Local Government Act*;

AND WHEREAS a local government must hold a Public Hearing on the matter before entering into, or amending, a Heritage Revitalization Agreement if the agreement or amendment would permit a change to the use or density of use that is not otherwise authorized by the applicable zoning of the Heritage Lands and for these purposes Section 890 through 894 of the *Local Government Act* apply;

AND WHEREAS within thirty days after entering into, or amending, a Heritage Revitalization Agreement the local government must file a notice in the Land Title Office in accordance with Section 976 of the *Local Government Act* and give notice to the Minister responsible for the *Heritage Conservation Act* in accordance with Section 977 of the *Local Government Act*;

NOW THEREFORE in consideration of the mutual promises contained in this agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

**1.0 Heritage Revitalization**

- 1.1 The parties agree that the Heritage Lands has heritage value, deserving of protection and conservation and the Owner specifically agrees to restore, maintain, preserve and protect the heritage character of the buildings located on the Heritage Lands in accordance with attached Schedules "AA", "BB", and "CC".
- 1.2 The parties agree that the Heritage Lands may, notwithstanding the current zoning on the Heritage Lands, be used for the following permitted uses:
  - (a) A maximum of seven units as shown in Schedule "AA" provided that:
    - i. The units will be limited to the following sizes:
      - Strata Lot 1, Carriage House: 51.6 m<sup>2</sup>
      - Strata Lot 1, Proposed Basement Unit A: 65 m<sup>2</sup>
      - Strata Lot 1, Proposed Basement Unit B: 40 m<sup>2</sup>
      - Strata Lot 2: 86.2 m<sup>2</sup>
      - Strata Lot 3: 111 m<sup>2</sup>
      - Strata Lot 4: 75 m<sup>2</sup>
      - Strata Lot 5: 71 m<sup>2</sup>
    - ii. The use of the Heritage Lands shall be predominantly residential. A maximum of two units may be used for commercial purposes at any given time;

## SCHEDULE "A" - Page 3.

- iii. The principal uses permitted on the Heritage Lands are:
    - Apartment, Short Term Rental
    - Apartment Housing
    - Congregate Housing
    - Group Home, Minor
    - Supportive Housing
  - iv. The secondary uses permitted on the Heritage Lands are:
    - Agriculture, Urban
    - Carriage House
    - Child Care, Minor
    - Home Based Business, Major
    - Home Based Business, Minor
    - Offices
    - Wellness Studio
  - v. The hours of operation for all commercial enterprises located on the subject property shall be between 8:00 am and 7:00 pm, Monday through Friday; and
  - vi. Fourteen (14) on-site parking stalls shall be provided, as shown on Schedule "AA".
- (b) No additional units shall be developed without an application to amend this agreement.
  - (c) The owner agrees to maintain the designation of the property under Section 967 of the *Local Government Act* as a Heritage Property.
- 1.3 The parties agree that, except as varied or supplemented by the provisions of this Agreement, all bylaws and regulations of the City and all laws of any authority having jurisdiction shall apply to the Heritage Lands.
- 1.4 Where a Heritage Alteration Permit is required, the discretion to approve, refuse or revise such permit is delegated by Council to the Community Planning Department Manager.

## **2.0 Definitions**

The following words, terms, and phrases, wherever they occur in this Agreement, shall have the meaning assigned to them as below. For all other definitions and regulations, refer to Zoning Bylaw No. 8000, as amended.

**AGRICULTURE, URBAN** means the cultivation of a portion of a parcel for the production of food including fruits, vegetables, nuts and herbs for human consumption only. This use is limited to production activities which are not deemed to be noxious or offensive to adjacent properties or the general public. Activities that produce or emit hazards, odour, dust, smoke, noise, effluent, light pollution, glare, or other emission are prohibited. This use is limited to a maximum of 25 m<sup>2</sup> in area on this property.

**APARTMENT, SHORT TERM RENTAL** means apartment housing having a principal common entrance and cooking facilities and furnishings within each dwelling. There is no minimum tenancy period for this use on this property.

SCHEDULE "A" - Page 4.

**APARTMENT HOUSING** means any physical arrangement of attached residential units, intended to be occupied by separate households. The minimum tenancy period is one (1) month.

**CARRIAGE HOUSE** means a dwelling unit located within a building that is subordinate to the principal building on the property.

**CHILD CARE, MINOR** means an establishment licensed as required under the *Community Care and Assisted Living Act* intended to provide care, educational services, and supervision to no more than eight (8) children.

**COMMERCIAL USE** means the use of a unit on the Heritage Lands as a Child Care, Minor; Home Based Business, Major; Offices; or Wellness Studio.

**CONGREGATE HOUSING** means housing in the form of multiple sleeping units where residents are provided with common living facilities, meal preparation, laundry services and room cleaning. Congregate housing may also include other services such as transportation for routine medical appointments and counselling.

**GROUP HOME, MINOR** means the use of one or more units as a care facility licensed as required under the *Community Care and Assisted Living Act* to provide room and board for not more than a total of six (6) residents with physical, mental, social, or behavioural problems that require professional care, guidance and supervision. A group home, minor may include, to a maximum of four (4), any combination of staff and residents not requiring care. The character of the use is that the occupants live together as a single housekeeping group and use a common kitchen.

**HOME BASED BUSINESS, MAJOR** means development consisting of the use of a dwelling unit for a business by a resident who resides for more than 240 days of a year at that unit. The business must be secondary to the residential use of the unit and shall not change the residential character of the principal building.

**HOME BASED BUSINESS, MINOR** means development consisting of the use of a dwelling unit for a business by a resident who resides for more than 240 days of a year at that unit. The business must be secondary to the residential use of the unit and shall not change the residential character of the principal building.

**OFFICES** means development primarily for the provision of professional, management, administrative, consulting, medical or financial services in an office setting. Office uses are limited to those that operate by appointment only.

**PRINCIPAL USE** means the main or primary use of the Heritage Lands that is provided for in the list of permitted uses in this Heritage Revitalization Agreement.

**SECONDARY USE** means the use of the Heritage Lands that must be in conjunction with a principal use and is provided for in the list of permitted uses in this Heritage Revitalization Agreement.

**SUPPORTIVE HOUSING** means housing consisting of dwellings with support services on-site that may or may not include collective dining facilities, laundry facilities, counselling, educational services, homemaking and transportation.

**WELLNESS STUDIO** means development for wellness counselling on a one-to-one basis or in a group setting to a maximum of ten (10) individuals. This use may include, but is not limited to, a physical fitness, yoga, pilates or weight loss studio and may include standard ancillary facilities.

### **3.0 Proposed Development**

- 3.1 The Owners agree not to alter the exterior of the Heritage Buildings except pursuant to a Heritage Alteration Permit issued by the City and in accordance with this Agreement.
- 3.2 The Owners agree to maintain the exterior of the Heritage Buildings on the Heritage Lands in general accordance with the design attached hereto as Schedule "BB" and forming part of this Agreement.
- 3.3 The Owners agree to undertake and maintain landscaping on the subject property in general accordance with the landscape plans attached hereto as Schedule "CC" and forming part of this agreement.
- 3.4 The Owners agree to provide and pay for all servicing required by the proposed development of the Heritage Lands and to provide required bonding for same, including, but not limited to: domestic water and fire protection, sanitary sewer, storm drainage, road improvements, road dedications and statutory rights-of-way for utility servicing, power and telecommunication services and street lighting.

### **4.0 Development Engineering Requirements**

- 4.1 The Owners agree that any development on the Heritage Lands must meet the requirements of Subdivision, Development and Servicing Bylaw No. 7900, as amended.

### **5.0 Building & Permitting Requirements**

- 5.1 The Owners agree that any development on the Heritage Lands must meet the requirements of the British Columbia Building Code of the day.

### **6.0 Damage or Destruction**

- 6.1 In the event that the Heritage Building is damaged, the parties agree as follows:

- (a) The Owners may repair the Heritage Building in which event the Owners shall forthwith commence the repair work and complete same within one year of the date of damage;

OR, in the event that the Heritage Building is destroyed,

- (b) The City will, by bylaw and after conducting a Public Hearing in the manner prescribed by Sections 890 through 894 of the *Local Government Act*, cancel this agreement whereupon all use and occupation of the Heritage Lands shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.

**7.0 Breach**

- 7.1 In the event that the Owners is in breach of any term of this Agreement, the City may give the Owners notice in writing of the breach and the Owners shall remedy the breach within 30 days of receipt of the notice. In the event that the Owners fails to remedy the breach within the time allotted by the notice, the City may by bylaw and after conducting a Public Hearing in the manner prescribed by Sections 890 through 894 of the *Local Government Act* cancel this Agreement whereupon all use and occupation of the Heritage Lands shall thenceforth be in accordance with the zoning bylaws of the City and in accordance with all other bylaws or regulations of the City or any other laws of authority having jurisdiction.

**8.0 Amendment**

- 8.1 The parties acknowledge and agree that this Agreement may only be amended by one of the following means:
- (a) By bylaw with the consent of the parties provided that a Public Hearing shall be held if an amendment would permit a change to use or density of use on site or;
  - (b) By Heritage Alteration Permit (HAP), issued pursuant to Section 972 of the *Local Government Act*.

**9.0 Representations**

- 9.1 It is mutually understood and agreed upon between the parties that the City has made no representations, covenants, warranties, promises or agreements expressed or implied, other than those expressly contained in this Agreement.

**10.0 Statutory Functions**

- 10.1 Except as expressly varied or supplemented herein, this Agreement shall not prejudice or affect the rights and powers of the City in the exercise of its statutory functions and responsibilities including, but not limited to, the *Local Government Act* and its rights and powers under any enactments, bylaws, order or regulations, all of which, except as expressly varied or supplemented herein, are applicable to the Heritage Lands.

**11.0 Enurement**

- 11.1 This Agreement enures to the benefit of and is binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

**12.0 Other Documents**

- 12.1 The Owners agree at the request of the City, to execute and deliver or cause to be executed and delivered all such further agreements, documents and instruments and to do and perform or cause to be done and performed all such acts and things as may be required in the opinion of the City to give full effect to the intent of this Agreement.

**13.0 Notices**

13.1 Any notice required to be given pursuant to this Agreement shall be in writing and shall either be delivered mailed by registered mail as follows:

(a) To the City:

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

ATTENTION: City Clerk

(b) To the Owners:

THE OWNERS OF STRATA LOTS 1, 2, 3, 4 AND 5, KAS3144  
2124 PANDOSY STREET  
KELOWNA, BC  
V1Y 1S6

Or, to such other address to which a party hereto may from time to time advise in writing.

**14.0 No Partnership or Agency**

14.1 The parties agree that nothing contained herein creates a relationship between the parties of partnership, joint venture or agency.

IN WITNESS WHEREOF this Agreement has been executed by the parties hereto on the day and year first above written.

CITY OF KELOWNA  
by its authorized signatories

\_\_\_\_\_  
(Mayor)

\_\_\_\_\_  
(City Clerk)

SCHEDULE "A" - Page 8.

THE OWNERS OF STRATA LOTS 1, 2, 3, 4 AND 5, KAS3144

In the presence of:

\_\_\_\_\_  
Witness (print name)

\_\_\_\_\_  
Grant Wayne Good (The Owner of  
Strata Lot 1)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Occupation

In the presence of:

\_\_\_\_\_  
Witness (print name)

\_\_\_\_\_  
Marie Hillevi McAlpine (The Owner of  
Strata Lot 2)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Occupation

In the presence of:

\_\_\_\_\_  
Witness (print name)

\_\_\_\_\_  
F. DeVilliers Medical Prof. Corp. (The  
Owner of Strata Lot 3)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Occupation

SCHEDULE "A" - Page 9.

In the presence of:

\_\_\_\_\_  
Witness (print name)

\_\_\_\_\_  
Janette Armstrong (The Owner of Strata  
Lot 4)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Occupation

In the presence of:

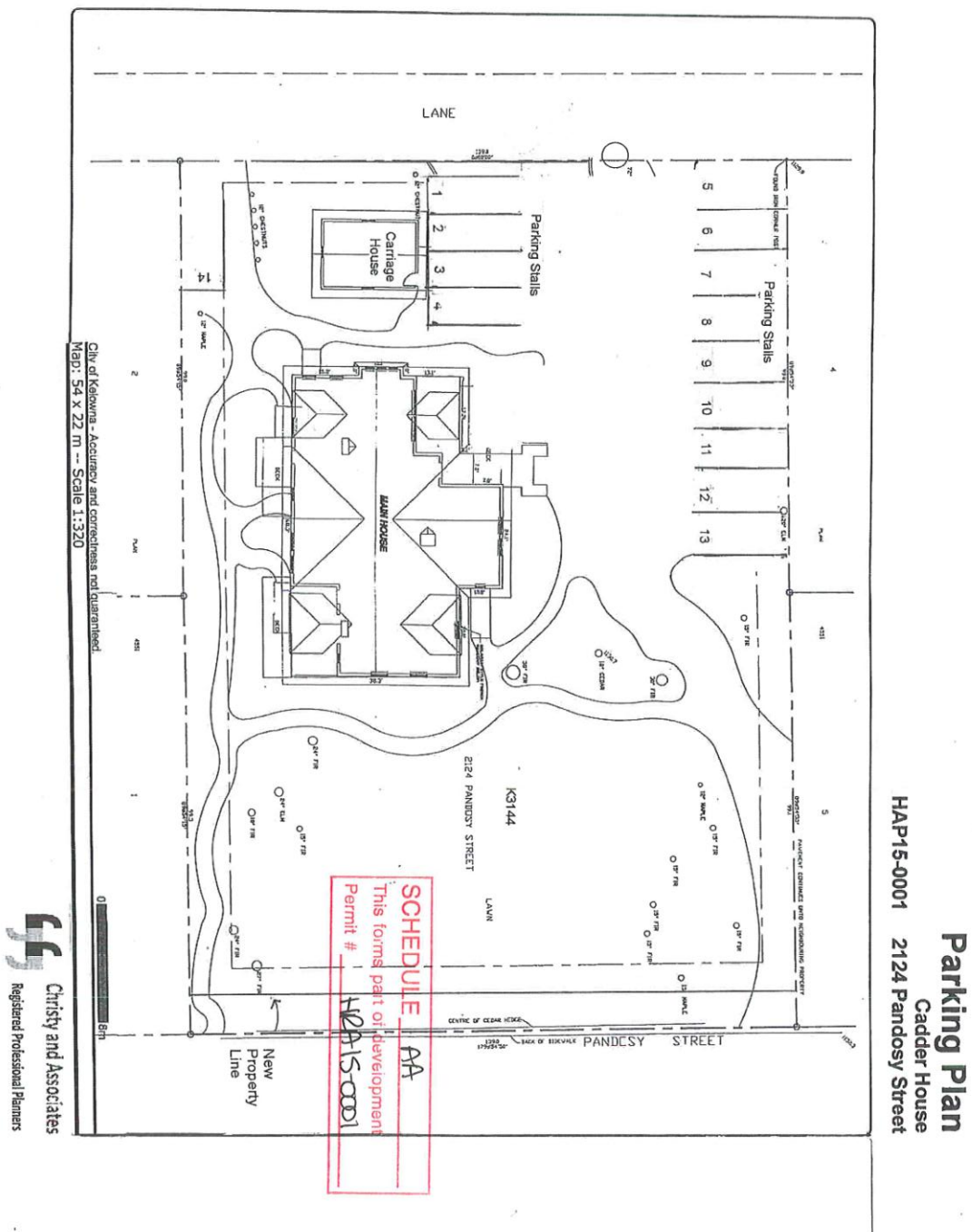
\_\_\_\_\_  
Witness (print name)

\_\_\_\_\_  
F. De Villiers Medical Prof. Corp.,  
Inc.No. 101092982 (The Owner of  
Strata Lot 5)

\_\_\_\_\_  
Address

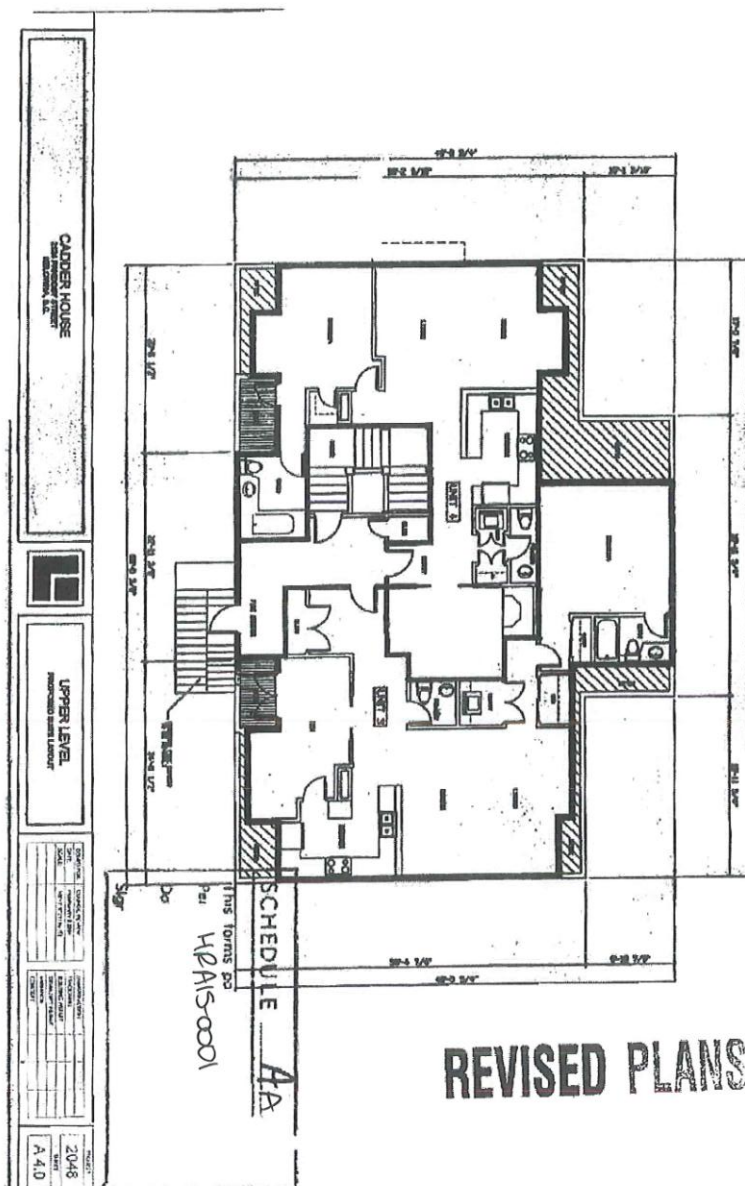
\_\_\_\_\_  
Occupation

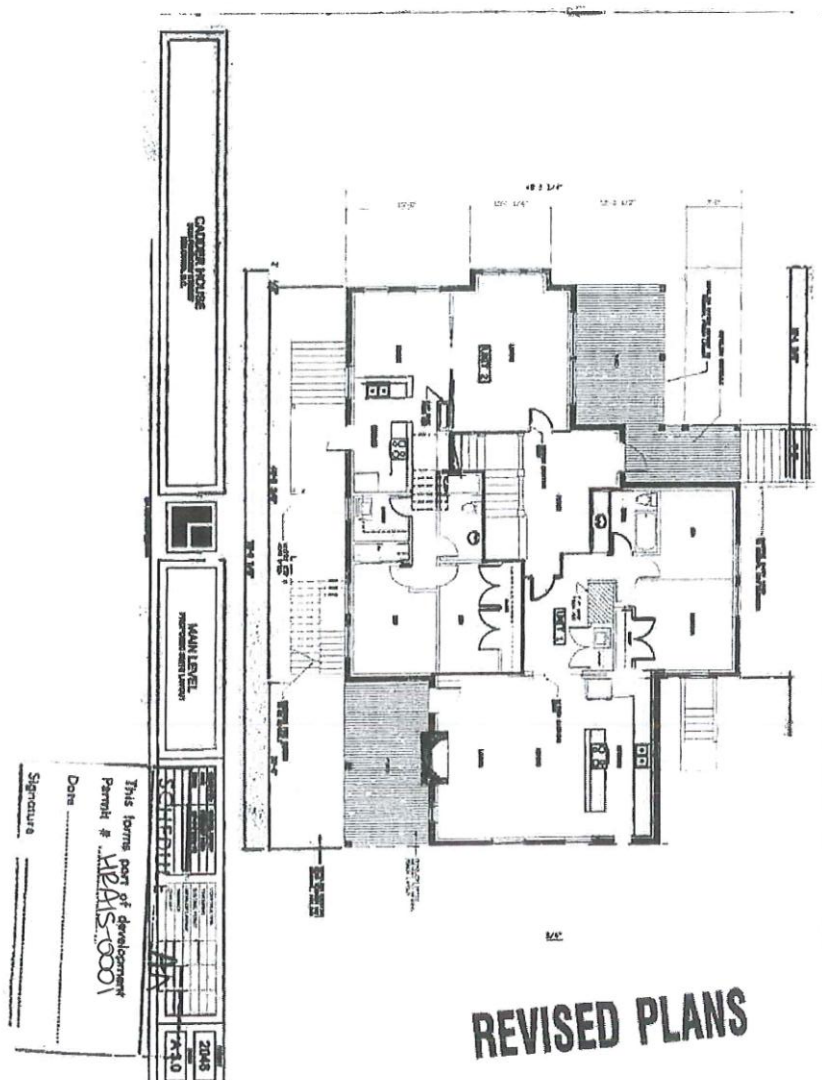


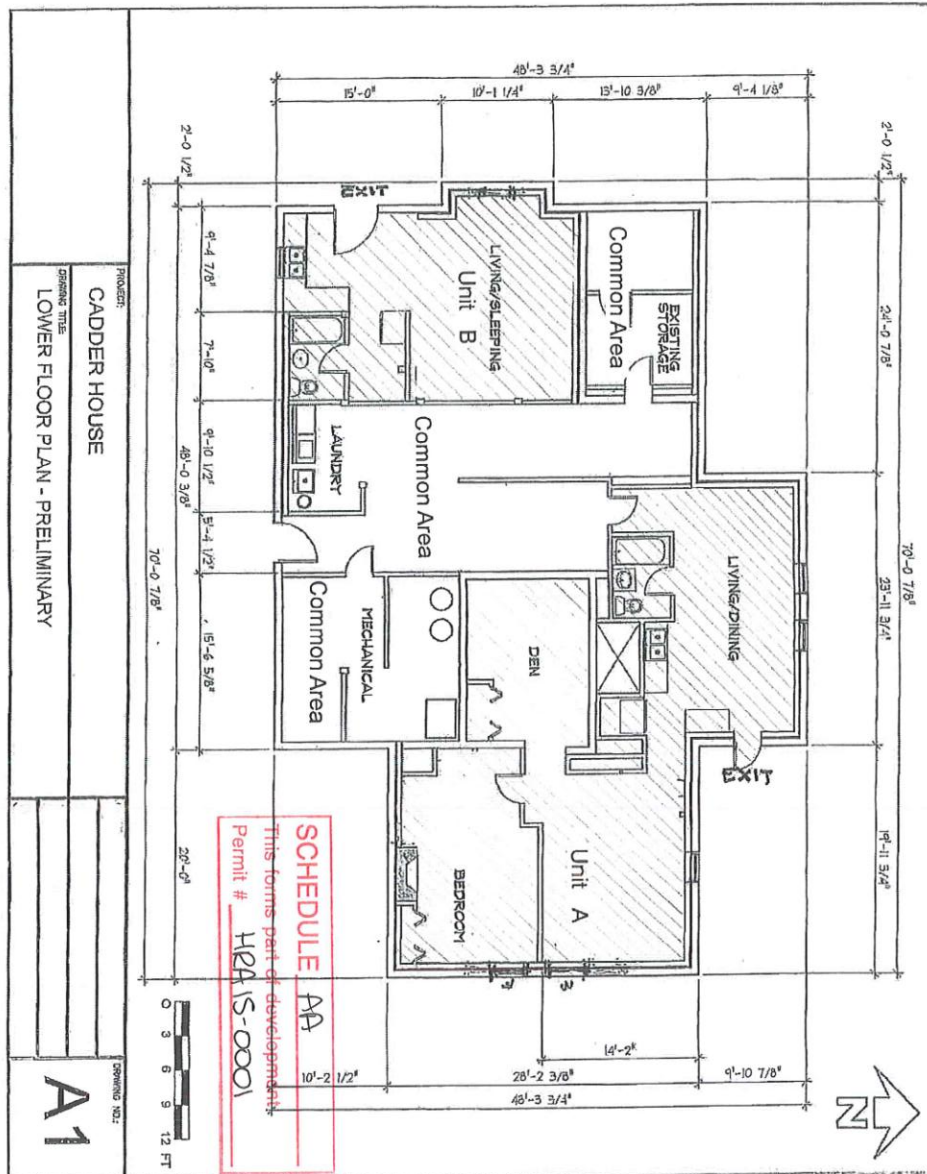




SCHEDULE "A" - Page 12.

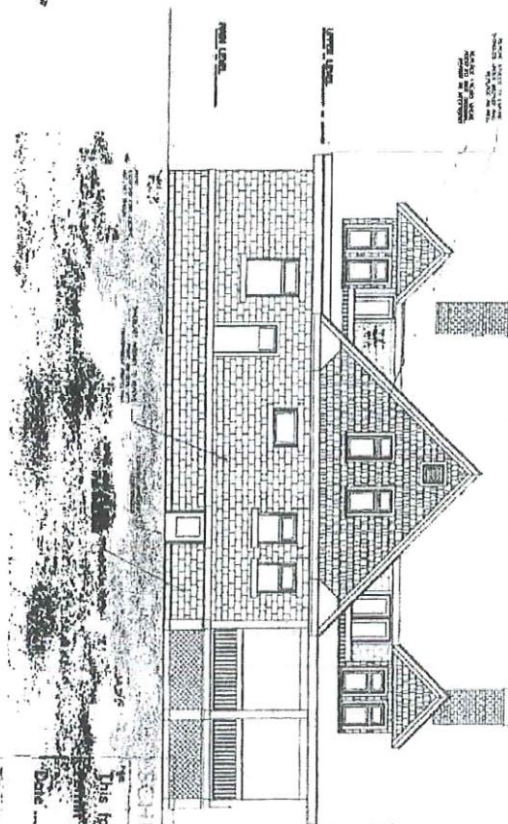








REVISED PLANS



**SCHEDULE**

This form is part of development

Form 10/15/001

Done \_\_\_\_\_

Signature \_\_\_\_\_

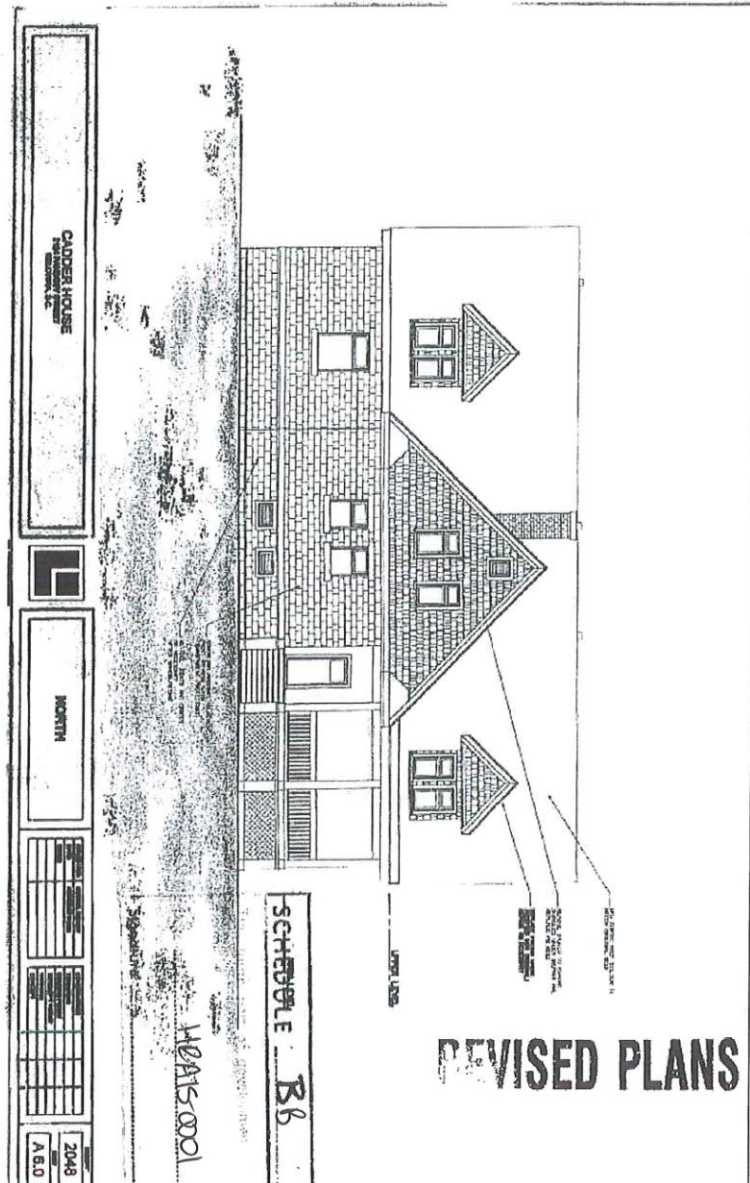
**CADDER HOUSE**

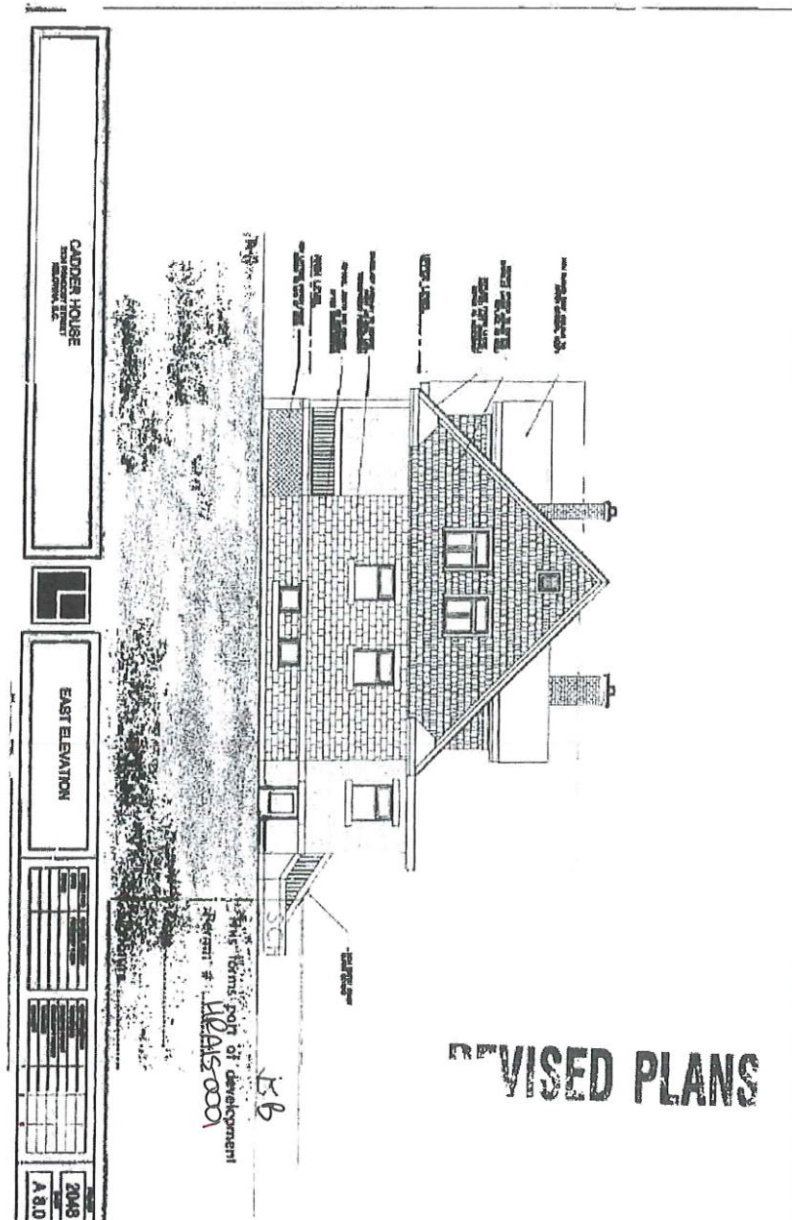
2048

**SOUTH**

DATE	SUBMITTER	REVIEWER	APPROVER

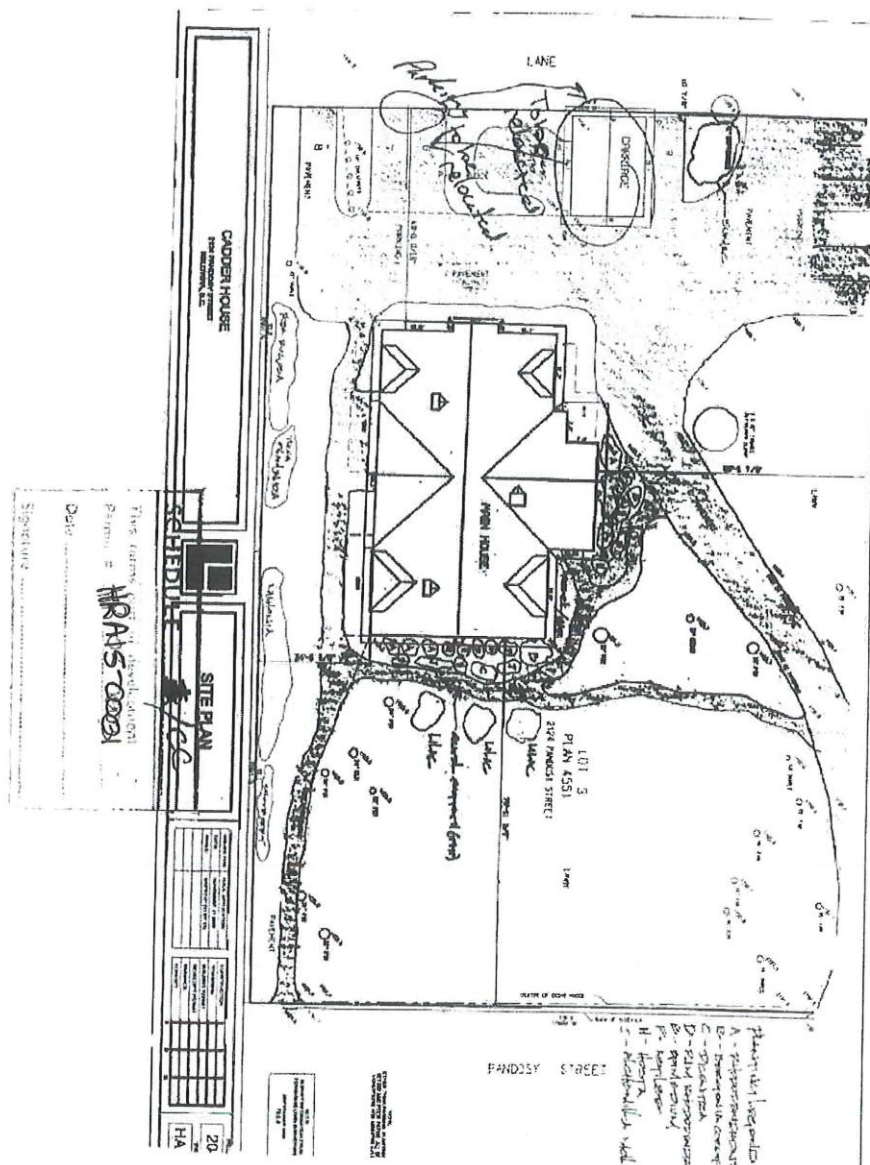
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A70











# REPORT TO COUNCIL



**Date:** August 11, 2015  
**RIM No.** 0940-50  
**To:** City Manager  
**From:** Community Planning, Community Planning & Real Estate (LB)  
**Application:** DVP15-0125 **Owner:** James Joseph Burkell and Brenda Joan Mounce  
**Address:** 128 Clifton Road **Applicant:** Edgcombe Builders  
**Subject:** Development Variance Permit Application  
**Existing OCP Designation:** S2RES - Single / Two Unit Residential  
**Existing Zone:** RR3 - Rural Residential 3

---

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0125 for Lot A, Section 6, Township 23, ODYD, Plan KAP68067, located at 128 Clifton Road, Kelowna, BC;

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

### Section 6.5.8(a): Accessory Development

To vary the minimum front yard for an accessory building from two times the distance of the required front yard setback, 9.0 m, permitted to 6.0 m proposed.

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

## 2.0 Purpose

To consider a Development Variance Permit application to vary the minimum front yard setback for an accessory building to facilitate the construction of a detached workshop.

## 3.0 Community Planning

Community Planning Staff supports the requested variance to reduce the required front yard setback for an accessory building from 9.0 m to 6.0 m on the subject property. The accessory building is intended to be used as a workshop and the single detached house is currently under construction.

As per Section 6.5.8(a) of Zoning Bylaw No. 8000, the accessory building complies with the side yard requirements for a principal building in the RR3 - Rural Residential 3 zone. Therefore, the minimum front yard requirement is two times the distance of the front yard setback for principal buildings in that zone, or 9.0 m. The applicant is requesting the variance to allow sufficient space between the house and the workshop for a driveway and turning movements for vehicles. The siting and layout meet all other development regulations and no other variances are required.

The property slopes down towards the rear yard to the west, with the steepest sections beyond the footprint of the single detached house. Locating the workshop in the front yard reduces the impact on this slope.

The applicant completed neighbour consultation in accordance with Council Policy No. 367 by providing information about the application to properties within 50 m of the subject property. Staff has been contacted by one area resident with concerns regarding the proposed grade for the slab of the accessory building. The applicant's submission includes a cross-section showing the topography and slab elevations that addresses these questions.

#### 4.0 Proposal

##### 4.1 Site Context

The subject property is located on the west side of Clifton Road north of Magic Estates in the City's Glenmore - Clifton - Dilworth Sector. The property is designated S2RES - Single / Two Unit Residential in the Official Community Plan and is within the Permanent Growth Boundary. The surrounding area is characterized by single dwelling housing and park space.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR3 - Rural Residential 3	Single dwelling housing
East	P3 - Parks and Open Space	Public park
South	RR3 - Rural Residential 3	Single dwelling housing
West	P3 - Parks and Open Space	Public park

##### Subject Property Map: 128 Clifton Road



CONTEXT



SUBJECT PROPERTY

## 4.2 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RR3 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	10,000 m <sup>2</sup>	2,083 m <sup>2</sup>
Minimum Lot Width	18.0 m	24.8 m
Minimum Lot Depth	30.0 m	90.2 m
Accessory Building Development Regulations		
Maximum Site Coverage	14%	4%
Maximum Height	4.5 m	3.9 m
Minimum Front Yard	9.0 m	6.0 m ❶
Minimum Side Yard (south)	2.0 m	2.0 m
Minimum Side Yard (north)	2.0 m	13.2 m
Minimum Rear Yard	1.5 m	Meets requirements
❶ Indicates a requested variance to vary the minimum front yard from 9.0 m permitted to 6.0 m proposed.		

## 5.0 Technical Comments

## 5.1 Building &amp; Permitting Department

- No comments.

## 5.2 Development Engineering Department

- See attached memorandum, dated June 11, 2015.

## 6.0 Application Chronology

Date of Application Received: May 29, 2015

Date Public Consultation Completed: May 26, 2015

## Report prepared by:

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 Laura Bentley, Planner

Reviewed by:

☐

Lindsey Ganczar, Planning Supervisor

Approved for Inclusion:

☐

Ryan Smith, Community Planning Department Manager

## Attachments:

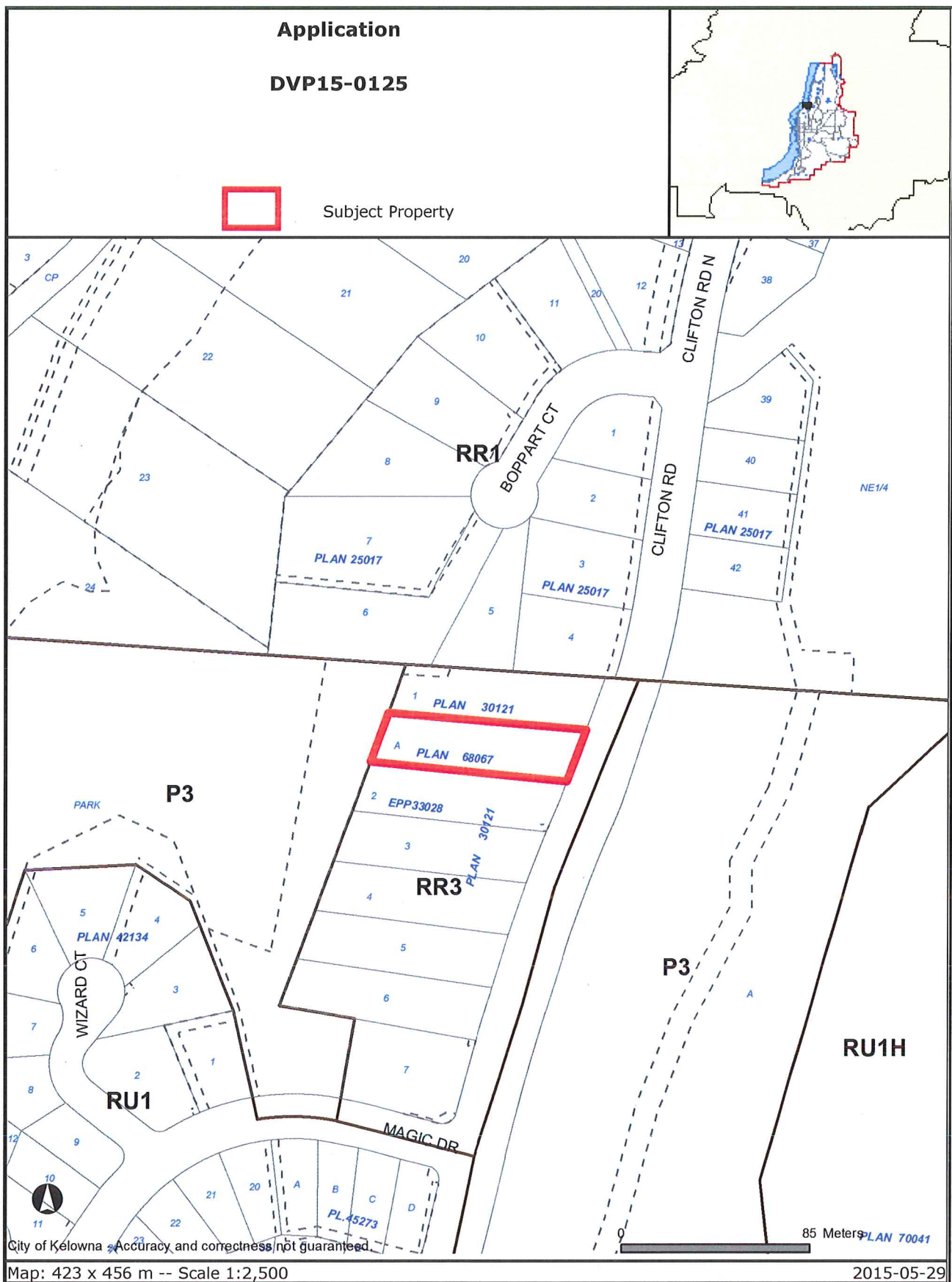
Subject Property Map

Development Engineering Memorandum

Draft Development Variance Permit No. DVP15-0125

Schedule A: Site Plan  
Proposed Floor Plans, Elevations and Cross-Section





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.

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

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**Date:** June 11, 2015  
**File No.:** DVP15-0125  
**To:** Land Use Management (LB)  
**From:** Development Engineering Manager (SM)  
**Subject:** 128 Clifton Rd      Lot A Plan 68067      Setback Variance

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

The application for a development variance permit to vary the minimum front yard setback for the accessory building from 12.0m required to 6.0m proposed can be supported provided that the onsite parking requirements have been met.

At a minimum, the first 3 meters of driveway shall be sloped 2% away from the road edge.  
This will accommodate possible future pavement widening



---

Steve Muenz, P. Eng.  
Development Engineering Manager  
JF



# CITY OF KELOWNA

## APPROVED ISSUANCE OF A:

☐ Development Variance Permit No.: DVP15-0125

EXISTING ZONING DESIGNATION:	RR3 - Rural Residential 3
DEVELOPMENT VARIANCE PERMIT:	To vary the minimum front yard for an accessory building from 9.0 m permitted to 6.0 m proposed.

ISSUED TO:	James Burkell and Brenda Mounce
LOCATION OF SUBJECT SITE:	128 Clifton Road

	LOT	SECTION	D.L.	TOWNSHIP	DISTRICT	PLAN
LEGAL DESCRIPTION:	A	6	-	23	ODYD	KAP68067

### SCOPE OF APPROVAL

- ☐ This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.
- ☐ This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.
- ☐ Applicants for Development and Development Variance 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:

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

##### Section 6.5.8(a): Accessory Development

To vary the minimum front yard for an accessory building from two times the distance of the required front yard setback, 9.0 m, permitted to 6.0 m proposed.

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

#### 2. PERFORMANCE SECURITY:

None required.

#### 3. DEVELOPMENT:

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

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

This Permit is not transferable 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.**

4. 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 Divisional Director of Community Planning & Real Estate.

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning & Real Estate 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 VARIANCE PERMIT AUTHORIZED BY THE COUNCIL ON THE 11th DAY OF AUGUST 2015.  
ISSUED BY THE COMMUNITY PLANNING DEPARTMENT OF THE CITY OF KELOWNA THE \_\_\_\_ DAY OF \_\_\_\_\_ 2015,  
BY THE COMMUNITY PLANNING DEPARTMENT MANAGER.

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

# SCHEDULE A

This forms part of development  
Permit # **DVP15-0125**

PLAN 30121

PLAN 30121

## PLOT PLAN

SCALE: 1/8" = 1'



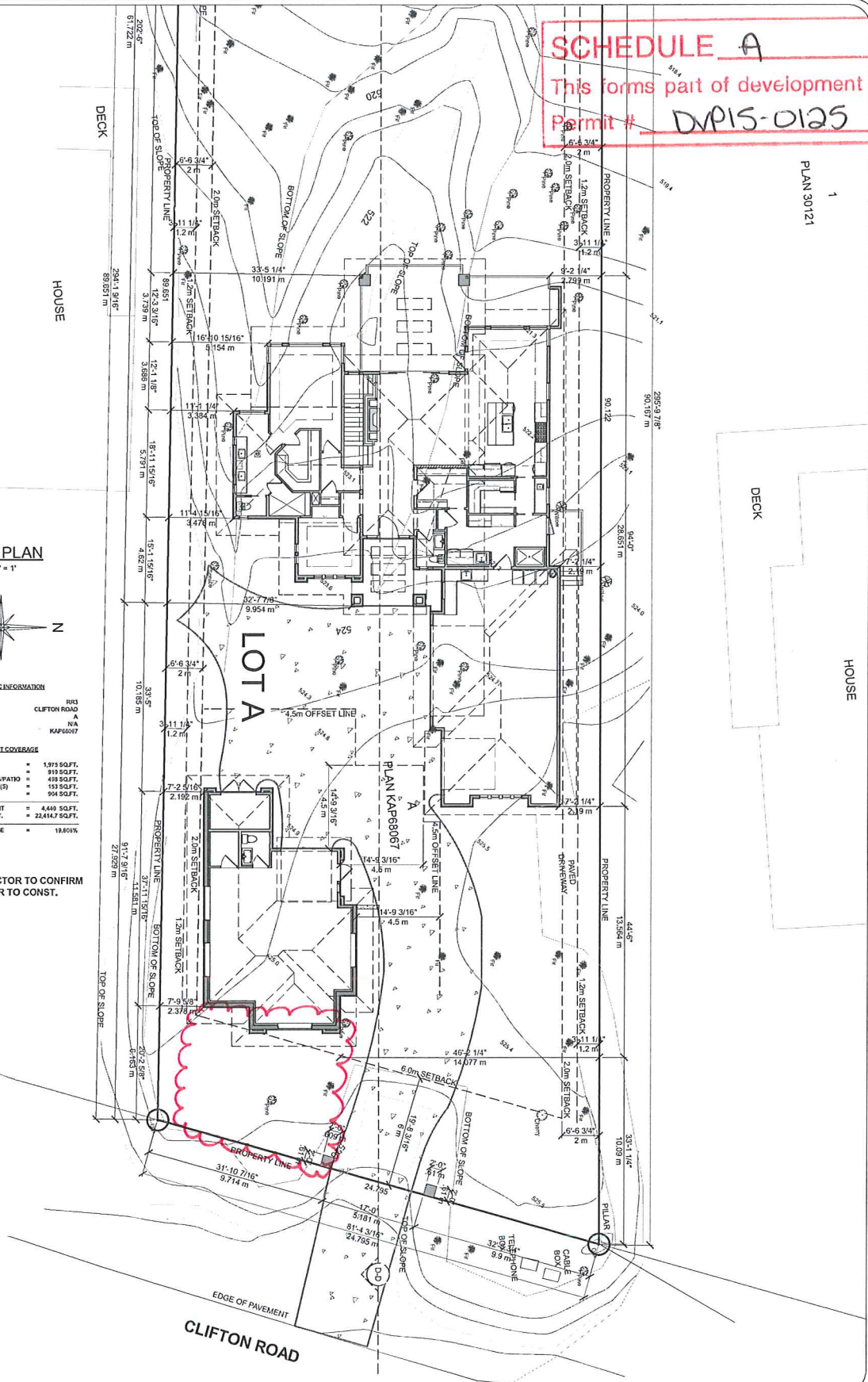
### GEN. INFORMATION

ZONING RUC  
CITY ADDRESS CLIFTON ROAD  
LOT # A  
BLOCK # N/A  
PLAN # KAP60067

### LOT COVERAGE

MAIN FLOORS 1973 SQ.FT.  
GARAGES 910 SQ.FT.  
COVERED DECK/PATIO 495 SQ.FT.  
COVERED ENTRY(ES) 153 SQ.FT.  
WORKSHOP 904 SQ.FT.  
TOTAL FOOTPRINT 4449 SQ.FT.  
TOTAL LOT SQ.FT. 22,616.7 SQ.FT.  
TOTAL COVERAGE 19.65%

**\*\*NOTE\*\***  
CONTRACTOR TO CONFIRM  
DIM PRIOR TO CONST.



**MULLINS**  
DRAFTING & DESIGN



UNIT 203 - 1889 SPALL RD.  
Kelowna BC V1Y 4R2  
Bus: (250) 717-3415  
Cell: (250) 258-7819  
e-mail: mullinsdrafting@shaw.ca

PROPOSED PROJECT FOR  
LOT 'A' CLIFTON RD  
BURKELL / MOUNCE  
GARAGE / SHOP



SCALE: 1/4" = 1'

DATE: MAR-11-2015

SHEET NUMBER

**3/4**



## GENERAL NOTES

**INT. WALL**  
**244 STUDIOS 10**

- |  |
|--|
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THE B.C. BUILDING CODE AND ALL LOCAL LAWS AND BYLAWS.

2. **THE DESIGN CONSTRUCTION COMMERCIAL** IT IS THE RESPONSIBILITY OF THE ARCHITECT TO PROVIDE THE CLIENT WITH A DESIGN THAT MEETS THE CLIENT'S REQUIREMENTS AND TO ASSURE THERE ARE NO DESIGN FLAWS.
3. **IT IS THE RESPONSIBILITY OF THE CONTRACTOR FOR THE CORRECTNESS, SITING OF THE BUILDING TO CONFORM WITH NECESSARY SERVICES.**
4. **ALTHOUGH EVERY EFFORT HAS BEEN MADE TO PROVIDE COMPLETE AND ACCURATE INFORMATION, THE CLIENT SHOULD BE AWARE THAT THE DESIGN IS A HUMAN EFFORT, THEREFORE MISTAKES OCCURRING IN A DESIGN WILL NOT BE LIABLE FOR ANY ERRORS OR OMISSIONS.**



**\*\*NOTE\*\***  
CONTRACTOR TO CONFIRM  
DIM PRIOR TO CONST.

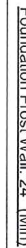


## SECTION A-A

**"NOTE"**  
CONTRACTOR TO CONFIRM  
DIM PRIOR TO CONST.

**"NOTE"**  
CONTRACTOR TO CONFIRM  
DIM PRIOR TO CONST.

**"NOTE"**  
CONTRACTOR TO CONFIRM  
DIM PRIOR TO CONST.



## CODES AND STANDARDS

As the type of construction, this job was defined in accordance with the classification of the R.C. Standard Specifications for Highway Construction, which is responsible to insure that changes made to the code are compiled annually and all amendments are incorporated in the construction of this plan, and that each contract to build building codes and types which may take precedence.

Prior to proceeding with construction, the owner/contractor must carry out the following steps: determine the scope of the project, determine the dimensions and specifications of the plan. With these dimensions, determine the scope of the project. With these dimensions, determine the scope of the project. With these dimensions, determine the scope of the project.

Any variance from standard drawings and specifications or from the contract documents, including the job plan, must be resolved by the owner/contractor and each decision must be their sole responsibility.

## INSULATION / VENTILATION

**Minimum radiation requirements:**  
 Hot/Cold- $Q = 18-43$   
 Pads -  $2.4 \text{ in} \times 22$   
 Gage -  $10 \text{ in} \times 32$

Casting radiation may be loose (40 types or less type, 1744 and flow radiation must be left type.

Wide and narrow between resistance and attached gauge shall be installed.

Insulation requirements may vary with heating systems and with board construction.

Insulation should be verified with test, roof or gable vents or a combination of these, actually distributed between the top of the roof

## CONCRETE & FOOTINGS

and 2000 mg) have a minimum compressive strength of 2,500 psi (Fig. 2) and a minimum tensile strength of 235 psi.

## MISCELLANEOUS

Cutlery over and around all exterior openings using noncombusting caulking compound.

Flash all changes of materials or exterior walls.

Flash over all window openings.

All window openings to be 36" (915 mm) above finished grade.

Exterior doors to be 36" (915 mm) above finished grade.

Horizontal siding to be 36" (915 mm) above finished grade.

Vertical siding to be 36" (915 mm) above finished grade.

Top rail to vertical pavement level at 42" (1067 mm) above finished grade.

Cost and estimate sheets shall have at least one set and shall require minimum depth of 3/4" (19 mm) penetration. Union sheets shall have minimum depth of 3/4" (19 mm) penetration. Union sheets shall have one half inch depth of 3/4" (19 mm) penetration.

## CARPENTRY

[illegible]

**MULLINS**  
DRAFTING & DESIGN



**UNIT 203 - 1889 SPALL RD.**  
**Kelowna BC V1Y 4R2**  
Bus: (250) 717-3415  
Cell: (250) 258-7819  
e-mail: [mullinsdrafting@shaw.ca](mailto:mullinsdrafting@shaw.ca)

PROPOSED PROJECT FOR  
LOT 'A' CLIFTON RD  
BURKELL / MOUNCE  
GARAGE / SHOP

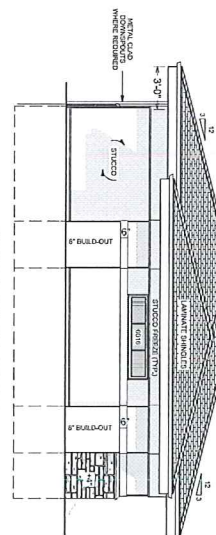


SCALE: 1/4" = 1'

DATE : MAR-11-2015

SHEET NUMBER

2/4



**\*\*NOTE\*\***  
WINDOW SPECS TO BE CONFIRMED BY OWNER/CONTRACTOR PRIOR TO ORDERING TO ENSURE PROPER VENTING AND EGRESS.

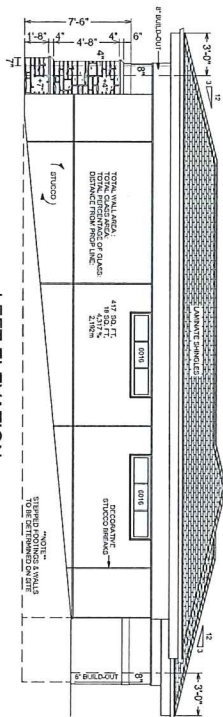
PROVIDE PROPER SLOPE TO ALLOW DRAINAGE AWAY FROM RESIDENCE.

**\*\*NOTE\*\***  
CONTRACTOR TO CONFIRM  
DIM PRIOR TO CONST.

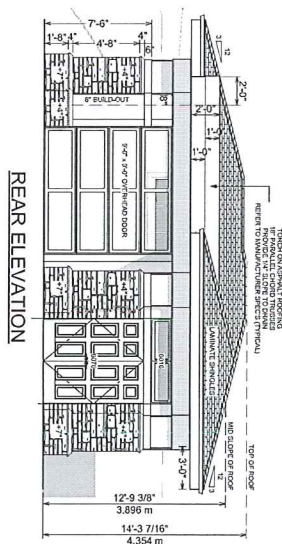
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1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITION OF THE IBC, BUILDING CODE AND ALL LOCAL LAWS AND ORDINANCES.
2. BEFORE CONSTRUCTION COMMENCES IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CHECK ALL DETAILS AND DIMENSIONS TO CONFIRM ACCURACY AND TO ASSURE THERE ARE NO DISCREPANCIES.
3. IT IS THE RESPONSIBILITY OF THE CONTRACTOR FOR THE CORRECT SETTING OF THE BUILDING TO CONFORM WITH NECESSARY PERMITS.

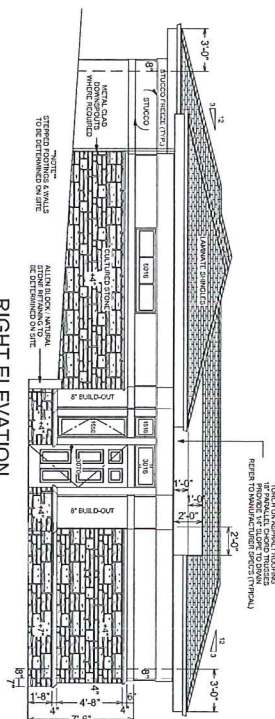
ALTHOUGH EVERY EFFORT HAS BEEN MADE TO PROVIDE COMPLETE AND ACCURATE DRAWINGS WE CANNOT GUARANTEE THE POSSIBILITY OF OMISSIONS, ERRORS, OR CONFLICTS. ANY CHANGES, ADDITIONS, OR DELETIONS TO THE DRAWINGS SHALL BE THE RESPONSIBILITY OF THE CLIENT. THE CLIENT SHALL BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS.



LEFT ELEVATION



### REAR ELEVATION



RIGHT ELEVATION

**MULLINS**  
DRAFTING & DESIGN



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PROPOSED PROJECT FOR  
LOT 'A' CLIFTON RD  
BURKELL / MOUNCE  
GARAGE / SHOP



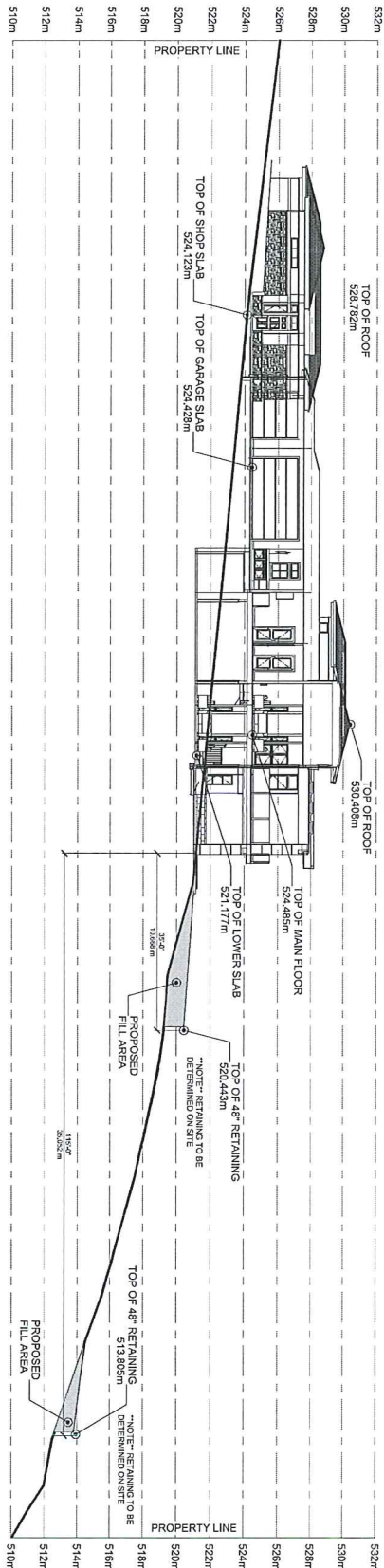
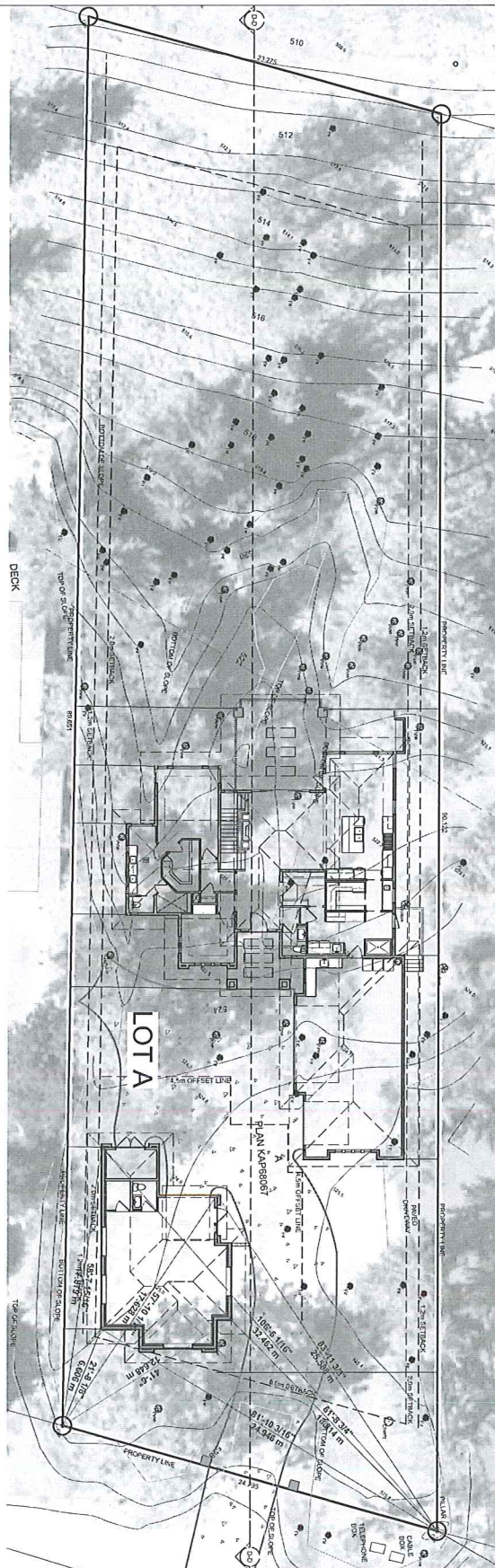
SCALE: 1/4" = 1'

DATE: MAR-11-2015

SHEET NUMBER

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**CONTOUR D-D**  
SCALE: 3/32" = 1'-0"

**\*\*NOTE\*\***  
CONTRACTOR TO CONFIRM  
DIM PRIOR TO CONST.



**UNIT 203 - 1889 SPALL RD.**  
**Kelowna BC V1Y 4R2**  
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**PROPOSED PROJECT FOR**  
**LOT 'A' CLIFTON RD**  
**BURKELL / MOUNCE**  
**GARAGE / SHOP**



**SCALE: 1/4" = 1'**  
**DATE: MAR-11-2015**

**SHEET NUMBER**  
**4/4**

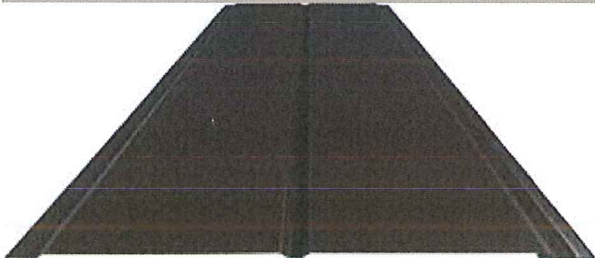
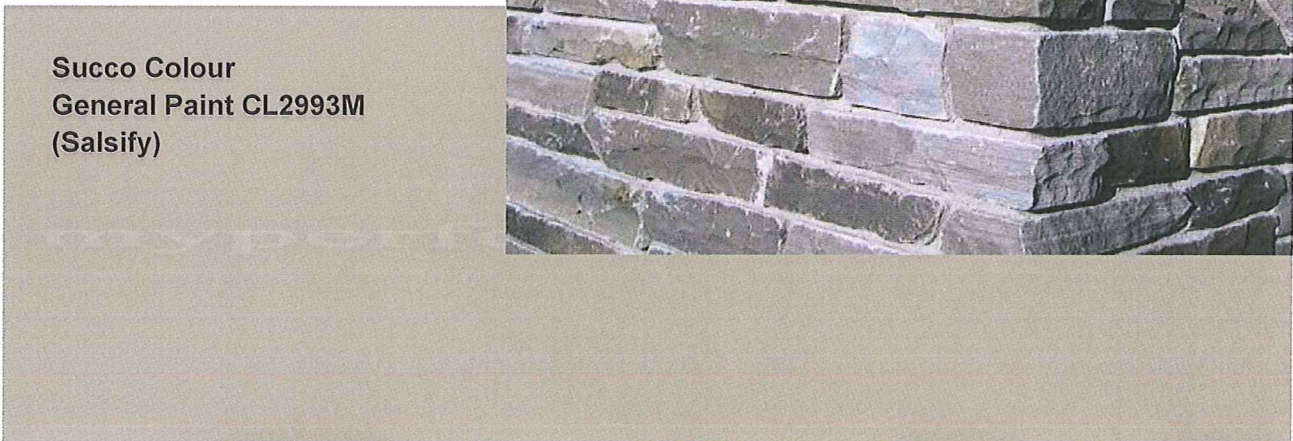


Copper Canyon Ledgestone  
(1/3 Mix)

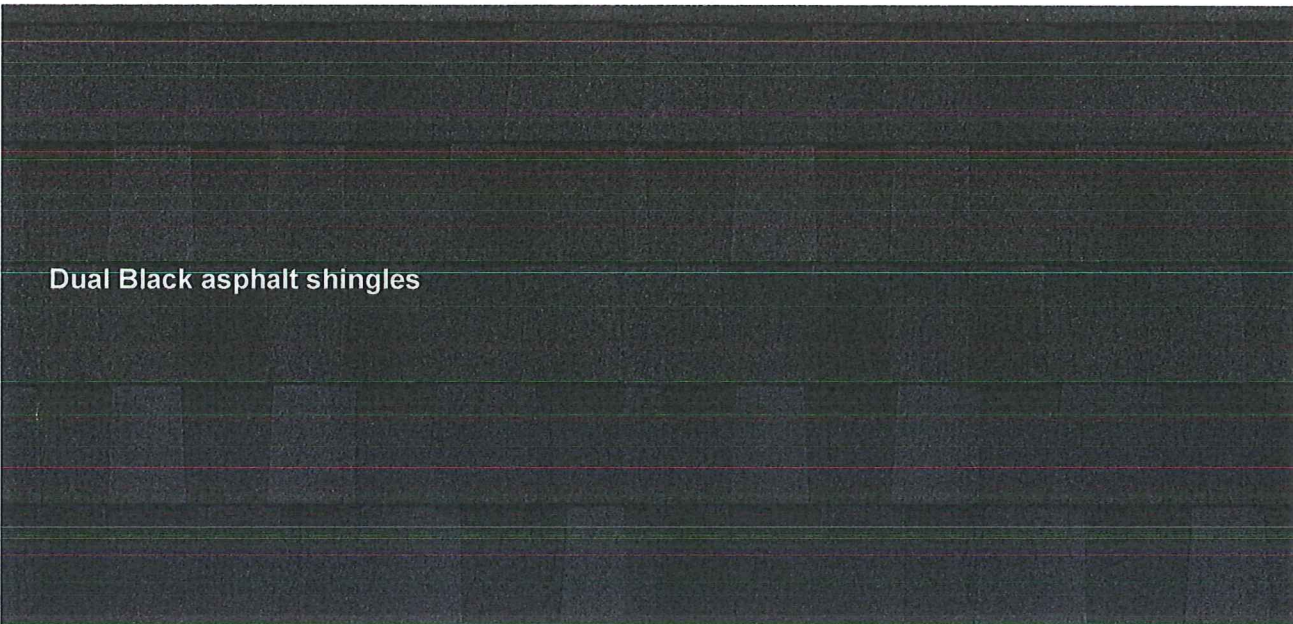
Cambrian Ledgestone  
(2/3 Mix)



Succo Colour  
General Paint CL2993M  
(Salsify)



Dual Black asphalt shingles



**CITY OF KELOWNA**  
**BYLAW NO. 11095**  
**Z15-0011 - Imre & Jennifer Csorba**  
**1280 Hwy 33 E**

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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 B, Section 13, Township 26, ODYD, Plan 25650 located on 1280 Hwy 33 E, Kelowna, B.C., from the A1 - Agriculture 1 zone to the A1c - Agriculture 1 with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 11<sup>th</sup> day of May, 2015.

Considered at a Public Hearing on the 26<sup>th</sup> day of May, 2015.

Read a second and third time by the Municipal Council this 26<sup>th</sup> day of May, 2015.

Approved under the Transportation Act this 26<sup>th</sup> day of June, 2015.

Blaine Garrison  
\_\_\_\_\_  
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

\_\_\_\_\_  
Mayor

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



# REPORT TO COUNCIL



**Date:** August 11, 2015  
**RIM No.** 0940-40  
**To:** City Manager  
**From:** Community Planning, Community Planning & Real Estate (LK)  
**Application:** DP15-0078 & DVP15-0059      **Owner:** Imre & Jennifer Csorba  
**Address:** 1280 Hwy 33E      **Applicant:** Imre & Jennifer Csorba  
**Subject:** Development Permit & Development Variance Permit Applications  
**Existing OCP Designation:** S2RES - Single / Two Unit Residential  
**Existing Zone:** A1 - Agriculture 1  
**Proposed Zone:** A1c - Agriculture 1 with Carriage House

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## 1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11095 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP15-0078 for Lot B Section 13 Township 26 ODYD Plan 25650, located at 1280 Highway 33 East, Kelowna, BC subject to the following:

1. The dimensions and siting of the building and landscaping 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';

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0059, for Lot B Section 13 Township 26 ODYD Plan 25650, located at 1280 Highway 33 East, Kelowna, BC;

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

### **Section 13.1.6 (b): RU1- Large Lot Housing Development Regulations**

To vary the height of a carriage house from 4.8 m maximum to 5.75 m proposed.

### **Section 13.1.6 (c): RU1- Large Lot Housing Development Regulations**

To vary the required front yard setback from 4.5 m required to 3.66 m proposed.

### **Section 9.5b.1 (d): Carriage House Regulations**

To vary the upper storey floor area from the maximum 75% of the carriage house footprint to 76.55% proposed.

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

## **2.0 Purpose**

To consider a form and character Development Permit and variances for the conversion of an existing Accessory Building to a Carriage House.

## **3.0 Community Planning**

The subject parcel has a downward slope from Bentien Road to the carriage house, and further slopes down to the existing primary dwelling and Highway 33E. In 2009, the Ministry of Transportation and Infrastructure (MOTI) contacted the homeowners and requested that the primary access to the parcel be relocated from Highway 33E to Bentien Road to accommodate the future road widening. MOTI provided the new concrete pad for the future construction of the garage in 2011.

In fulfillment of Council Policy No. 367 regarding public consultation, the applicant undertook neighbour consultation by contacting each in person and providing proposal application packages. Letters of support were provided with the application by the adjacent parcel owners on the north, east and south of the subject parcel. At the May 26, 2015 Public Meeting, Council passed 2<sup>nd</sup> and 3<sup>rd</sup> reading for the rezoning.

## **4.0 Proposal**

### **4.1 Background**

Building Permit #BP42077 approved the construction of the existing accessory building in 2011. The accessory building was constructed with a second storey storage space, with the intention that as funds became available, the space would be converted to a carriage house.

### **4.2 Project Description**

The property has been rezoned from A1 - Agriculture 1 zone to A1c - Agriculture 1 with Carriage house in order to allow a dwelling unit to be constructed in the upper floor of the existing accessory building. Two parking stalls are provided on the main floor of the carriage house with an additional stall located beside the carriage house.

The siting and overall exterior design of the building remains unchanged. Private open space is provided on a balcony accessed by sliding doors on the north side of the dwelling unit and a private at-grade patio located on the south side of the carriage house.

A variance for the building height is required, as the maximum height of a carriage house is 4.8 m and the accessory building was constructed at 5.75 m. The maximum height of an accessory building is 6.0 m for an A1 zoned parcel, at the time of construction, the accessory building met the rules of the zone.

Zoning Bylaw regulation 1.7.1 indicates that non-conforming agricultural lots less than 0.2 ha which existed prior to August 10, 1976 will be developed with the provisions and regulations of the RU1 - Large Lot Housing zone. The parcel was subdivided in 1974 and therefore meets this criteria. As such, the building was inadvertently constructed overheight as it was reviewed based on the A1 - Agricultural zone regulations and not the RU1 - Large Lot Housing zone regulations.

A second variance is required for the front yard setback. As this parcel is a double fronting lot, the carriage house is to be sited the same as a single detached dwelling. This would require a setback of 4.5 m from the front property line. The carriage house is located 3.66 m from the

front property line. Within the A1 - Agricultural zone, an accessory building requires a minimum 3.0 m setback from the front property line and was sited to meet and exceed this requirement. Due to the topography of the parcel, the carriage house is sited much lower on the parcel from Bentien Road. This variance will not have a negative effect on adjacent parcels or affect traffic on the adjacent roadway.

The last variance is to allow the upper storey floor area of the carriage house to be more than 75% of the carriage house footprint. The proposed area is 76.55% and is over the allowable area by 0.95 m<sup>2</sup>. The suite area was based on the footprint of the existing garage and would be difficult to modify as the building already exists on site as an accessory building. From the exterior, the general public will not be aware that the upper storey area is slightly over the maximum allowed.

### 4.3 Site Context

The subject property is a double fronting parcel located on the east side of Highway 33E and west of Bentien Road. The subject parcel and adjacent parcels on the east side of Hwy 33E have a Future Land Use designation of S2RES and are outside the Agricultural Land Reserve (ALR). The parcels across Hwy 33E have a Future Land Use of Resource Protection Area (REP) and are within the ALR.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 -Agriculture 1	Residential
East	A1 -Agriculture 1	Residential
South	RU1 - Large Lot housing	Residential
West	RR2 - Rural Residential 2 A1c - Agriculture 1 with Carriage House A1 - Agriculture 1	Residential

#### Subject Property Map: 1280 Hwy 33E

Green: indicates the ALR Area

View from Bentien Rd



## Subject Property Map: 1280 Hwy 33E



## 4.4 Zoning Analysis Table

Zoning Analysis Table (A1 reviewed as per RU1)		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	550 m <sup>2</sup>	2225 m <sup>2</sup>
Min. Lot Width	16.5 m	50 m
Min. Lot Depth	30 m	45 m
Development Regulations		
Max. Site Coverage	14%	2.78%
Max. Site coverage: accessory buildings or structures, carriage house and driveways	50%	19.77%
Max. Floor Area of carriage house	90m <sup>2</sup>	62m <sup>2</sup>
Maximum net floor area to total net floor area of principal building	75%	76.55% (+1.55%) <sup>③</sup>
Setback from Principal Dwelling	3.0m	11.28m
Carriage House Regulations		
Max. Height (mid point of roof)	4.8m	5.75m (+0.95m) <sup>①</sup>
Min. Front Yard (to Bentien Rd)	4.5m	3.66 m (-0.84m) <sup>②</sup>
Min. Side Yard (south)	2.0m	3.66m
Other Regulations		
Minimum Parking Requirements		
Min. Parking Requirements	3 stalls	3 stalls

Min. Private Open Space	30m <sup>2</sup>	31m <sup>2</sup>
<p>① Indicates a requested variance to the building height.</p> <p>② Indicates a requested variance to the front yard setback.</p> <p>③ Indicates a requested variance to the second storey floor area.</p>		

## 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.

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

## 6.0 Technical Comments

### 6.1 Development Engineering Department

- 1) Refer to attached memorandum dated April 7, 2015.

### 6.2 Fire Department

- 1) Requirements of section 9.10.19 Smoke Alarms of the BCBC 2012 are to be met.
- 2) If a fence is ever constructed between the dwellings a gate with a clear width of 1100mm is required.
- 3) Any gate is to open without special knowledge. Additional visible address is required from Clifton Rd.
- 4) Additional visible address is required from Highway 33 E.

## 7.0 Application Chronology

Date of Application Received:	March 10, 2015
Date Public Consultation Completed:	April 2, 2015
Date of Rezoning Z15-0011 Public Hearing:	May 26, 2015

### Report prepared by:

Lydia Korolchuk, Planner

<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 5.22.6 (Development Process Chapter).

**Reviewed by:**



Lindsey Ganczar, Planning Supervisor

**Reviewed by:**



Ryan Smith, Community Planning Manager

**Attachments:**

Site Plan

Conceptual Elevations

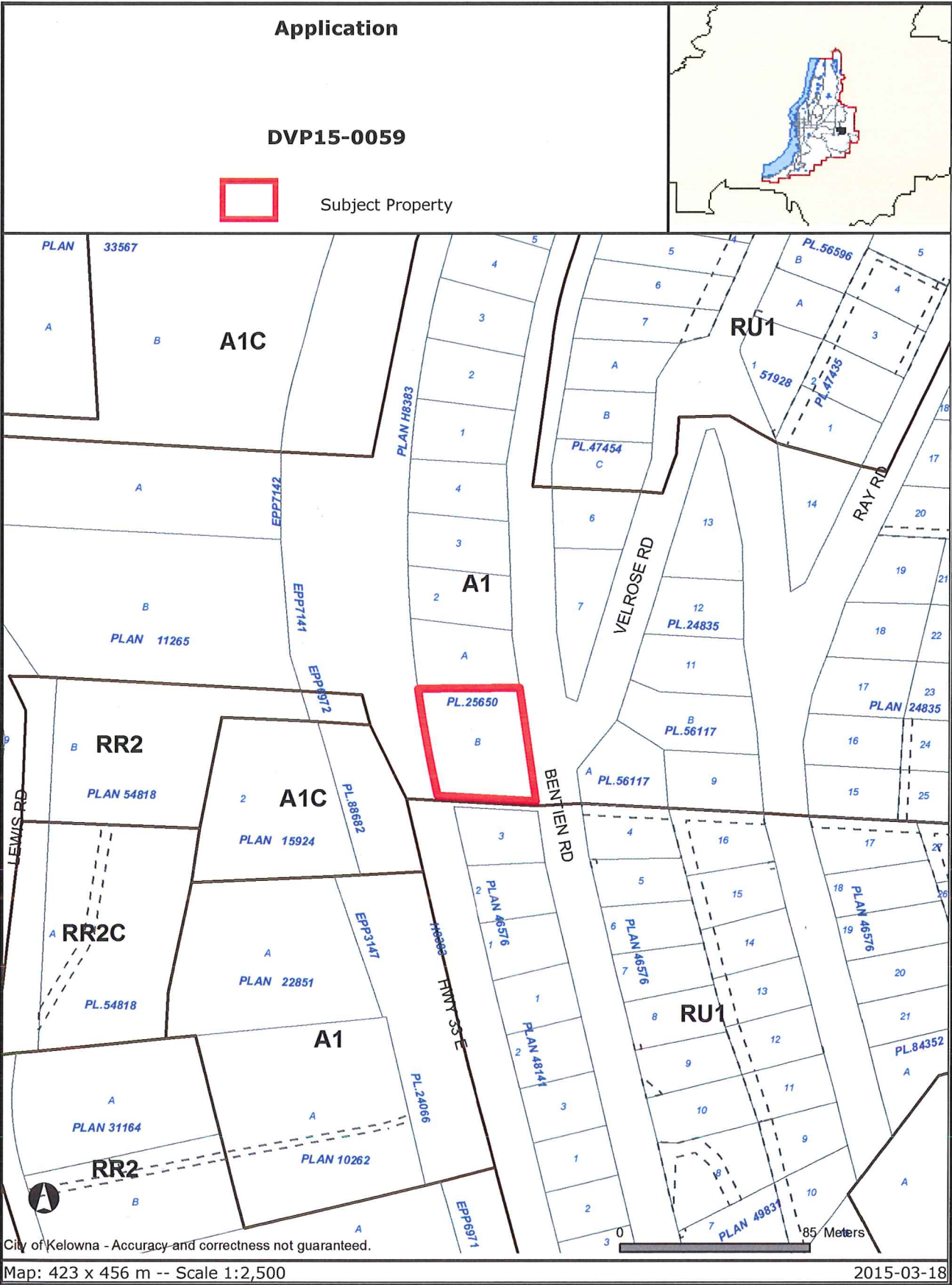
Landscape Plan

Summary of Technical Comments

Development Engineering Memorandum

Draft Development Permit DP15-0078 & DVP15-0059





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.

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## CITY OF KELOWNA

### MEMORANDUM


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**Date:** April 7, 2015  
**File No.:** DVP15-0059  
**To:** Urban Planning (LK)  
**From:** Development Engineer Manager (SM)  
**Subject:** 1280 Hwy 33 E. – Lot B, Plan 25650, Sec. 13, Twp. 26, ODYD

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

1. The requested variance for the upper floor area, the location of the carriage house within the front yard and the proximity to the main dwelling do not compromise any Municipal infrastructure or services.



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Steve Muenz, P.Eng.  
Development Engineering Manager

B<sup>2</sup>



# CITY OF KELOWNA

## APPROVED ISSUANCE OF A:

Development Permit No. DP15—0078  
DVP15-0059

EXISTING ZONING DESIGNATION: A1c  
WITHIN DEVELOPMENT PERMIT AREA: Comprehensive Development Permit Area (Residential)

ISSUED TO: Imre & Jennifer Csorba  
LOCATION OF SUBJECT SITE: 1280 Highway 33E

	LOT	D.L.	PLAN	SECTION	TOWNSHIP	DISTRICT
LEGAL DESCRIPTION:	B		25650	13	26	ODYD

### SCOPE OF APPROVAL

- ☐ This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.
- ☐ This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.
- ☐ Applicants for Development and Development Variance 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:

- a) THAT the dimensions and siting of the building and the landscaping are to be constructed on the land in general accordance with Schedule "A".
- b) THAT the exterior design / finish are to be constructed on the land in general accordance with Schedule "B":
- c) AND THAT the variances to the following sections Zoning Bylaw No. 8000 be granted:  
Section 13.1.6 (b): Development Regulations  
To vary the height of a carriage house from 4.8m maximum to 5.75m proposed  
Section 13.1.6 (c): Development Regulations  
To vary the front yard from 4.5m required to 3.66m proposed  
Section 9.5b.1 9d): Carriage House Regulations  
To vary the upper storey floor area from the maximum 75% of the carriage house footprint to 76.55% proposed

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

3. PERFORMANCE SECURITY: None Required.

4. 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 two years of the date of this Permit, this Permit shall lapse.

This Permit is not transferable 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.**

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 Land Use Management.

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.

6. APPROVALS:

DEVELOPMENT PERMIT AUTHORIZED BY COUNCIL ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2015.

ISSUED BY THE URBAN PLANNING DEPARTMENT OF THE CITY OF KELOWNA THE \_\_\_\_ DAY OF \_\_\_\_\_, 2015 BY THE  
DIVISIONAL DIRECTOR OF COMMUNITY PLANNING & REAL ESTATE.

---

Doug Gilchrist, Director, Community Planning & Real Estate Div.

**SCHEDULE 'A'**  
 This forms part of development  
 Permit # D015-0018, D015-0059



BENTEN

BENTEN RD.

51.43 M. (168'8")

45.66 M. (149'9")

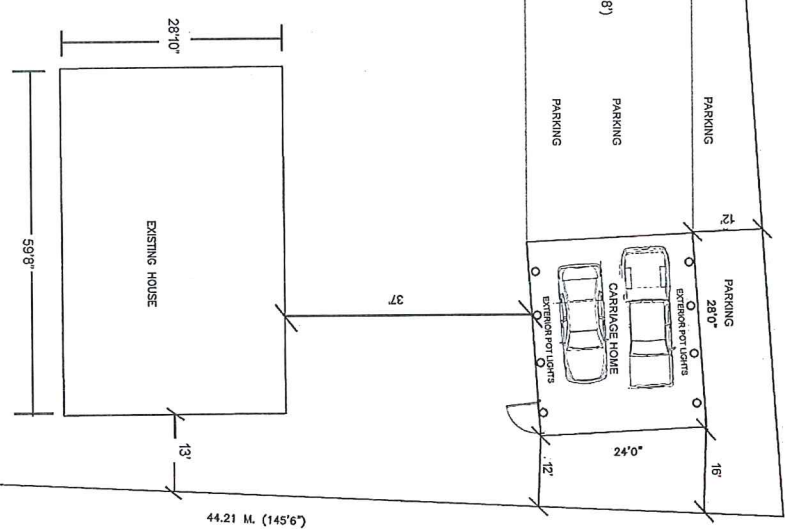
24,306 SQUARE FEET

49.24 M. (161'6")

HWY 33 E

SITE PLAN  
 1280 HIGHWAY 33 EAST  
 KETLOWNA B.C.

Scale 1" = 40'  
 1/2" = 20'





BENTEN

45.66 M. (149'8")

24,306 SQUARE FEET

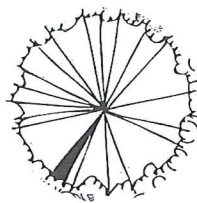
49.24 M. (161'6")

HWY 33 E

SITE PLAN  
12500 HWY 33 EAST  
KELOWNA B.C.

SCALE 1" = 10'

DATE 12/15/2015



EXISTING HOUSE

DRAINAGE GRAVEL

PARKING

PARKING GRAVEL

51.1 M. (167'8")

HILLSIDE

12'

19'

372'

Covered Deck

CARRIAGE HOME

EXTENSION POT LIGHTS

Private Space

Private Space

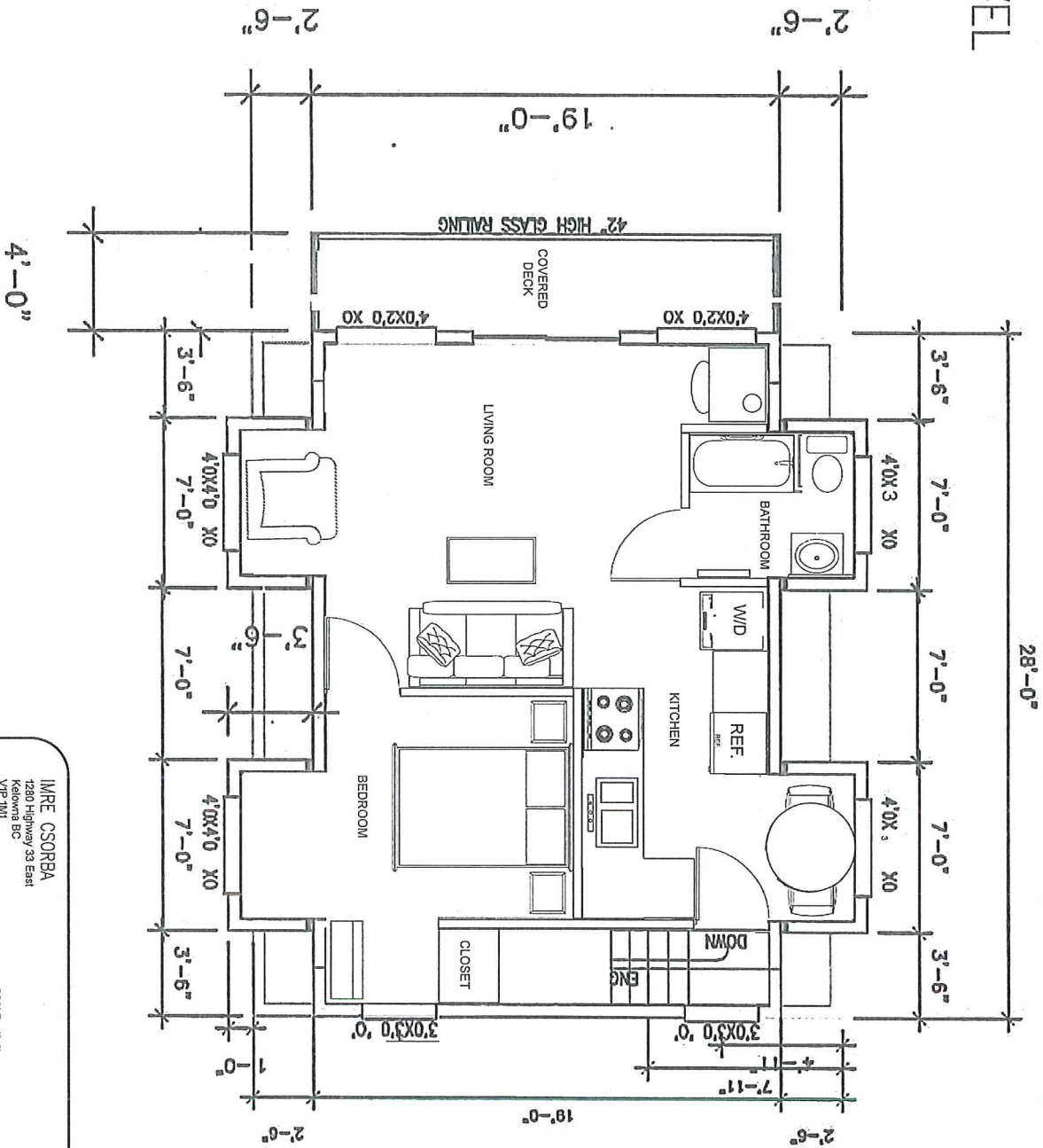
EASEMENT

**SCHEDULE 'A'**  
This forms part of development  
Permit # DP15-0070, DP15-0059



**SCHEDULE 'A'**  
This forms part of development  
Permit # DP15-0076, DP15-0059

# UPPER LEVEL



IMPE CSORBA  
1280 Highway 33 East  
Kelowna BC  
V1P 1H1

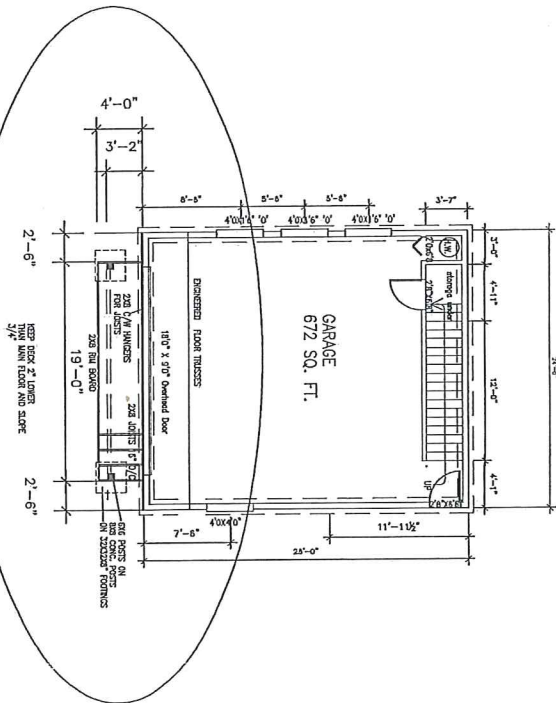
SCALE: 1"=2'

DATE: FEBRUARY 24, 2015

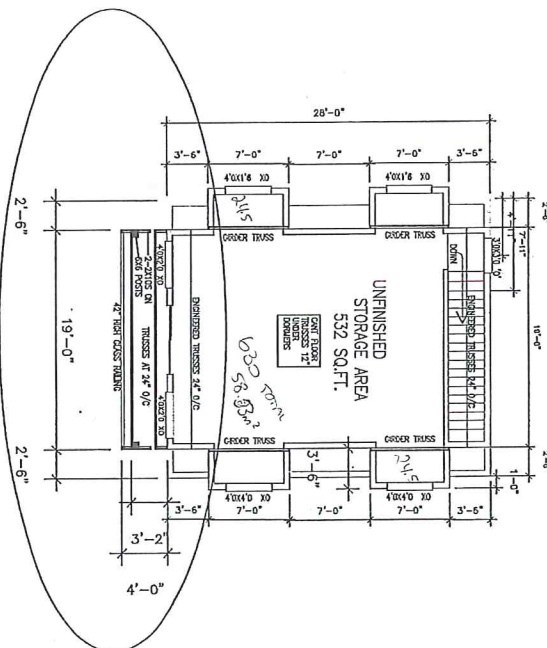
# SCHEDULE 'A'

This forms part of development  
Permit # DP15-0078, DP15-0059

## GARAGE LEVEL



## UPPER LEVEL



Plan shows addition of deck  
all other notes are still  
applicable  
July 25/11 J.C.

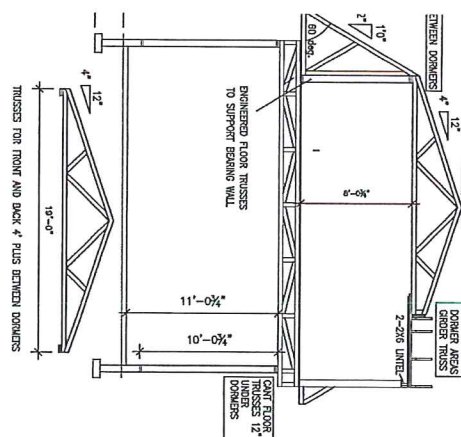
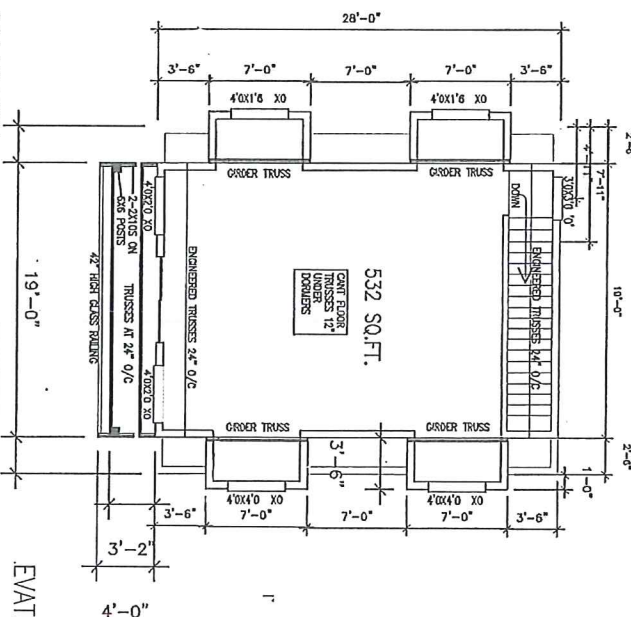
WIRE CSORBA GARAGE  
DECK ADDITION 07/18/2011

PAGE 1 OF 2

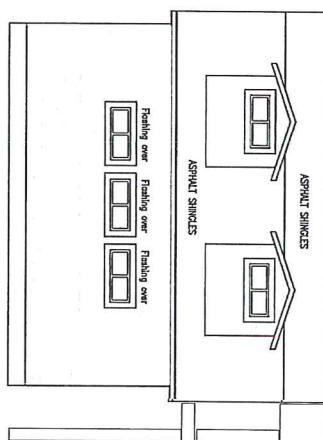
DESIGNED/DRAWN BY GARRY NEUFELD  
Landscape 200-600-1233 email: garryneufeld@earthlink.net  
SCALE: 1/8" = 1'-0"  
DATE: 05/23/2011

## Permit # DR15-0078, DR15-0059

## SECTION

[illegible]

LEFT ELEVATION



DESIGNED/DRAWN BY GARRY NEUFELD

PAGE 1 OF 2

telephone 250-862-0399 email: g.neufeld@telus.net  
SCALE 1/4" = 10" DATE: DECEMBER: 1999

DATE: ~~DECEMBER~~ 28, 2010



# REPORT TO COUNCIL



**Date:** 8/11/2015  
**RIM No.** 0940-00  
**To:** City Manager  
**From:** Urban Planning Department (AC)  
**Application:** DP15-0127 & DVP15-0128      **Owner:** Boardwalk Housing Corp., Inc. No. BC1030251  
**Address:** 1683 Ethel Street      **Applicant:** Meiklejohn Architects Inc.  
**Subject:** Development Permit and Development Variance Permit Application  
**Existing OCP Designation:** MRH - Multiple Unit Residential (High Density)  
**Existing Zone:** RM6 - High Rise Apartment Housing

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## 1.0 Recommendation

THAT Council NOT authorize the issuance of Development Permit No. DP15-0127 and DVP15-0128 for the following lots:

- Lot 2, District Lot 138, ODYD, Plan 3007 Except Plan 36604, located on 942 Harvey Avenue, Kelowna, BC;
- Lot 1, District Lot 138, ODYD, Plan 3007 Except Plan 36604, located on 932 Harvey Avenue, Kelowna, BC;
- Lot 2, District Lot 138, ODYD, Plan 3133 Except Plan 36604, located on 1683 Ethel Street, Kelowna, BC;
- Lot 1, District Lot 138, ODYD, Plan 3133, located on 1681 Ethel Street, Kelowna, BC;
- Lot 2, District Lot 138, ODYD, Plan 6535, located on 1667 Ethel Street, Kelowna, BC;
- Lot 1, District Lot 138, ODYD, Plan 6535, located on 1659 Ethel Street, Kelowna, BC;
- Lot 3, District Lot 138, ODYD, Plan 6535, located on 931 Leon Avenue, Kelowna, BC;
- Lot 4, District Lot 138, ODYD, Plan 6535, located on 941 Leon Avenue, Kelowna, BC; AND
- The to be closed lane right-of-way that is adjacent to 932 Harvey Ave, 1683 Ethel Street, 1681 Ethel Street, 1667 Ethel Street, 1659 Ethel Street, and 931 Leon Avenue;

## 2.0 Purpose

To consider a Development Permit for a 70 unit 6 storey apartment building intended for student housing and to consider a Development Variance Permit for setback reductions, a site coverage increase, and a parking reduction.

## 3.0 Urban Planning

Staff are not supportive of the proposed Development Permit and Development Variance Permit. A Development Permit is necessary in this case as the subject property is located within a designated Comprehensive Development Permit Area for multiple unit residential development. The applicant has worked with City Staff on a land exchange to facilitate the immediate construction of the Ethel Street Active Transportation Corridor.

The proposed development adheres to some of the OCP design guidelines. The project adds density adjacent to the highway and is designated as a high density area which is encouraged by the OCP. Only one access to Leon Avenue is proposed as required by the City's Development Engineering requirements. The architectural design of the building fits within the other multi-family apartment buildings in the surrounding neighbourhood context. However, important improvements are recommended, especially in relation to the exposed parkade. See images below of previous multi-family developments in the area that did not hide the exposed parking successfully nor create a pedestrian friendly, active frontage at grade level. The goals set out in the OCP encourage development to be pedestrian friendly on all sides of the building including successful transitions between the public and private realms.



Figure 1: 737 Leon Ave



Figure 2: 955-1005 Leon Ave

The location of the project is within walking distance to transit and promotes alternate transportation with their proposed transportation system. The concept of a student housing project in this location is supported by the OCP and Staff.

The RM6 zone permits significant density on the site by allowing 16 stories as well as a 1.5 base FAR (Floor Area Ratio) and up to 1.64 FAR when all bonuses are applied. The developer is choosing to limit the project to six stories. By limiting the project to six stories, the site cannot reach the maximum 1.5 base FAR. The proposal with all the variances has an FAR value of 1.35. Staff's recommendation of non-support is derived from the application for four variances and more importantly, due to the note architectural design deficiency at the ground level. The portion of exposed above ground parkade could be sunken completely underground or redesigned to be hidden completely to improve the pedestrian realm. Further, many of the variances could be eliminated if additional height was proposed.

The four variances applied for are:

1. Vary the maximum site coverage for principal buildings, accessory structures, parking areas and driveways from 50% allowed to 62.5% proposed.
2. Vary the minimum setback along Ethel Street from 6.0m required to 3.2m proposed.
3. Vary the minimum setback along eastern property line from 9.0m required to 3.2m proposed.
4. Vary the minimum parking stalls from 139 parking stalls required to 126 parking stalls proposed.

The applicant needs the site coverage and setback variances in order to achieve their desired densities for the project. The rear yard setback (along the eastern property line) effectively is designed as a side yard setback. The side yard setback requirement is 6.0m but the proposal for both the rear yard and front yard setbacks is 3.2m. However, the setback variances are only needed for the first storey portion of the parkade. The second storey and the stories above which contain the residential units do meet the Zoning Bylaw setback requirements. These setback reductions and site coverage variances allow an expansion of the number of parking stalls provided. Without designing a second floor of parking, providing underground parking, or reducing the number of dwelling units, the current proposal has maximized the number of parking stalls within their six storey design constraints. The applicant still needs a parking variance of 13 stalls.

In the current proposal with Student Housing as the primary use, Staff agrees with the applicant that there should be enough parking available. The parking variance is of less concern because the project is located adjacent to an Urban Centre, near a rapid-transit bus stop, and adjacent to a future active transportation corridor. Cash-in-lieu for the parking does not apply because the project is located adjacent to the downtown Urban Centre and not within that Urban Centre. In Staff's opinion, the increase in site coverage, reduction in setbacks, and the reduction in parking is indication of an over-use of the property within the current zone. There could be some design solutions to these problems: propose a higher building as permitted in the zone, provide underground parking, and other design solutions in which the applicant's team could consider.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation by individually contacting the neighbours as described in the attached *Schedule 'A'*. No major issues were identified during the initial consultation with neighbouring parcels.

## **4.0 Proposal**

### **4.1 Project Description**

The proposal is for a 70 unit student housing project. The site is located just east of the downtown core on the corner of Ethel Street and Highway 97. The applicant's project will have full time on-site security (24 hours/day, 7 days/week). The entry area will connect to a resident amenity area that includes laundry, mail, social lounge, prayer and meeting rooms as well as access to a south-facing outdoor patio area.

Transportation needs will be met by the provision of approximately 30 bicycles that are provided by the building for tenant use. Additionally, the developer will provide access to a car-share program for student use. Daily transportation needs will be met by an on-site private bussing system that will operate hourly connecting students to both OC and UBCO campuses.

The highway elevation is highlighted by the use of a large 'framing element' at the south west base that defines the social lounge area of the building. The building base is anchored by a masonry first storey with upper floors clad in a mix of stucco and corrugated metal. The building massing is broken down at the top floor by switching from a 4-bed unit to 2-bed units that allow the building to have a shoulder that steps and back to the roofline.

The courtyard elevation is highlighted by the use of colorful glass and metal panels that animate the continuous outdoor walkways that line the courtyard. The main entry is highlighted again using a large 'framing element' that recalls the look and feel of the element used for the student lounge area on the highway elevation. Innovative sunshades are configured to wrap protect bedroom exposure for the heat gain of noon and late evening. The shade design "wraps around" two sides of each window opening providing shade from both upper and western exposure. Window glass is planned to be low E Glazing, with either triple-glazed or laminated glass units employed to control the sound pollution from Highway 97.

Vehicle access is provided to the site from a single point of access off Leon Avenue. The access then forks into an upper visitor and drop-off area or a lower, secure under-building parking structure.

#### 4.2 Site Context

The subject property is located along Harvey Ave just east of the downtown urban centre. The subject property has a Future Land Use designation of MRH - Multiple Unit Residential (High Density) in the Official Community Plan and the property is within the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 - Two Dwelling Housing RM5 - Medium Density Multiple Housing	Residential
East	RM5 - Medium Density Multiple Housing	Residential
South	RM5 - Medium Density Multiple Housing	Residential
West	RM6 - High Rise Apartment Housing	Residential

#### 4.3 Subject Property Map



#### 5.0 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM3 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
	Principal Bldgs	Principal Bldgs
Height	Max 55.0 m & 16 stories	22.3 m & 6.0 storeys
Front Yard (west)	Min 6.0 m	3.2 m ❶
Flanking Side Yard (south)	Min 6.0 m	6.1 m
Flanking Side Yard (north)	Min 6.0 m	7.4 m
Rear Yard (east)	9.0 m	3.2 m ❷
Site coverage of buildings	n/a	n/a
Site coverage of buildings, driveways & parking	Max 50 %	62.5 % ❸
FAR	1.64	1.35
Other Regulations		
Number of Units	n/a	70



Zoning Analysis Table		
CRITERIA	RM3 ZONE REQUIREMENTS	PROPOSAL
Min Parking Requirements	2 stalls per 3 bed dwelling unit = 134 parking stalls 1.5 stalls per 2 bed dwelling unit = 5 parking stalls (Total 139 stalls required)	126 parking stalls ❹
Min Bicycle Parking Requirements	Class 1: 0.5 per dwelling (35) Class 2: 0.1 per dwelling (7)	Class 1: (72) Class 2: (8)
Private Open Space	18 m <sup>2</sup> / dwelling unit (1,260 m <sup>2</sup> )	1,351 m <sup>2</sup>
❶ Variance requested to reduce the flanking side yard setback requirement. ❷ Variance requested to reduce the rear yard setback requirement. ❸ Variance requested to increase the permitted site coverage. ❹ Variance requested to reduce the number of off-street parking stalls.		

## 6.0 Current Development Policies

### 6.1 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.

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

#### Relevant Development Permit Guidelines

**Ch14 / S1.6** - Provide generous outdoor spaces, including rooftops, balconies, patios and courtyards, to allow residents to benefit from the favourable Okanagan weather;

**Ch.14 / S2.3** - Design new multi-storey buildings to transition in height where the OCP land use designation provides for smaller structures on adjoining lots;

**Ch.14 / S.3.2** - Develop visual and physical connections between the public street and private buildings (e.g. patios and spill-out activity, views to and from active interior spaces, awnings and canopies);

**Ch.14 / S.4.2** - Ensure developments are sensitive to and compatible with the massing of the established and/or future streetscape;

**Ch.14 / S.4.2** - Design for human scale and visual interest in all building elevations. This can be achieved principally by giving emphasis to doors and windows and other signs of human habitation relative to walls and building structure;

<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 5.22.6 (Development Process Chapter).

**Ch.14 / S.8.8** - Locate parking areas to the rear of buildings, internal to the building, or below grade;

**Ch.14 / S.8.12** - Incorporate decks, balconies and common outdoor amenity spaces into developments;

## **7.0 Technical Comments**

### **Building & Permitting**

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)
- Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- A Hoarding permit is required and protection of the public from the staging area and the new building area during construction. Location of the staging area and location of any cranes should be established at time of DP.
- A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
  - Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
  - Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.
  - Spatial Calculation required for windows on inside corner of upper floor units or an alternative solution is required.
- Mechanical Ventilation inlet and exhausts vents are not clearly defined in these drawings for the enclosed parking storey. The location and noise from these units should be addressed at time of Development Permit.
- We strongly recommend that the developer have his professional consultants review and prepare solutions for potential impact of this development on adjacent properties. Any damage to adjacent properties is a civil action which does not involve the city directly. The items of potential damage claims by adjacent properties are items like settlement of foundations (preload), damage to the structure during construction, additional snow drift on neighbour roofs, excessive noise from mechanical units, vibration damage during foundation preparation work etc.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
- An exit analysis is required as part of the code analysis at time of building permit application. The exit analysis is to address travel distances within the units, number of required exits per area, accessibility etc
- Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.



- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this structure.

#### Fire Department

- Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required.
- Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900. Should a hydrant be required on this property it shall be deemed private and shall be operational prior to the start of construction.
- A visible address must be posted as per City of Kelowna By-Laws.
- Sprinkler drawings are to be submitted to the Fire Dept. for review when available.
- A fire safety plan as per section 2.8 BCFC is required at occupancy. The fire safety plan and floor plans are to be submitted for approval in AutoCAD Drawing format on a CD.
- Fire Department access is to be met as per BCBC 3.2.5.
- Approved Fire Department steel lock box or key tube acceptable to the fire dept. is required by the fire department entrance.
- All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met including the requirements for a high building - communication cable, etc.
- Fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard.
- Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- Fire department connection is to be within 45M of a fire hydrant.
  - \*ensure FD connection is clearly marked and visible from the street
  - \*standpipes to be located on intermediate landings.
  - \*sprinkler zone valves shall be accessible as per fire prevention bylaw
  - \* do not issue BP unless all life safety issues are confirmed

#### Ministry of Transportation

- Prior to proceeding with work on Highway 97 right-of-way, permit application and drawings must be submitted to the Ministry for review and approval.

#### Real Estate

- Parking Variance could lead to additional on-street parking congestion as this area is within the time restricted area. This building would NOT qualify for residential parking permits.

#### Fortis - Electric

- There are primary distribution facilities along Ethel Street and Lawson Avenue. There appears to be overhead facilities within the lane near the centre of the

assembled lots shown on the plans provided. These facilities will need to be relocated to accommodate the proposed development. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

- Otherwise, FortisBC Inc. (Electric) has no concerns with this circulation.

#### Development Engineering

- See attached memorandum dated June 26<sup>th</sup> 2015.

### 8.0 Application Chronology

Date of Application Received: June 1<sup>st</sup> 2015  
Date of Neighbourhood Consultation Received (re: variance): July 8<sup>th</sup> 2015

### 9.0 Alternate Recommendation

THAT Council authorizes the issuance of Development Permit No. DP15-0127 and DVP15-0128 for the following lots:

- Lot 2, District Lot 138, ODYD, Plan 3007 Except Plan 36604, located on 942 Harvey Avenue, Kelowna, BC;
- Lot 1, District Lot 138, ODYD, Plan 3007 Except Plan 36604, located on 932 Harvey Avenue, Kelowna, BC;
- Lot 2, District Lot 138, ODYD, Plan 3133 Except Plan 36604, located on 1683 Ethel Street, Kelowna, BC;
- Lot 1, District Lot 138, ODYD, Plan 3133, located on 1681 Ethel Street, Kelowna, BC;
- Lot 2, District Lot 138, ODYD, Plan 6535, located on 1667 Ethel Street, Kelowna, BC;
- Lot 1, District Lot 138, ODYD, Plan 6535, located on 1659 Ethel Street, Kelowna, BC;
- Lot 3, District Lot 138, ODYD, Plan 6535, located on 931 Leon Avenue, Kelowna, BC;
- Lot 4, District Lot 138, ODYD, Plan 6535, located on 941 Leon Avenue, Kelowna, BC; AND
- The to be closed lane right-of-way that is adjacent to 932 Harvey Ave, 1683 Ethel Street, 1681 Ethel Street, 1667 Ethel Street, 1659 Ethel Street, and 931 Leon Avenue;

AND THAT the Development Permit be subject to the following 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";
4. That 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. That all the properties be consolidated into one parcel;

AND THAT the variances to the following sections of Zoning Bylaw No. 8000 be granted in accordance with the drawings attached to the Development Variance Permit described in Schedule "A", "B", & "C":

Section 13.12.6 (b) Development Regulations

Vary the maximum site coverage for principal buildings, accessory structures, parking areas and driveways from 50% allowed to 62.5% proposed.

Section 13.12.6 (d) Development Regulations

Vary the minimum front yard setback from 6.0m required to 3.2m proposed.

Section 13.12.6 (f) Development Regulations

Vary the minimum rear yard setback from 9.0m required to 3.2m proposed.

Section 8.5 (Table 8.1) General Provisions

To vary the minimum parking stalls from 139 parking stalls required to 126 parking stalls proposed.

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

AND THAT prior to issuance of the Building Permit, the requirements of the Development Engineering Branch dated June 26<sup>th</sup> 2015 be satisfied.

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

**Report prepared by:**

---

Adam Cseke, Planner

**Reviewed by:**

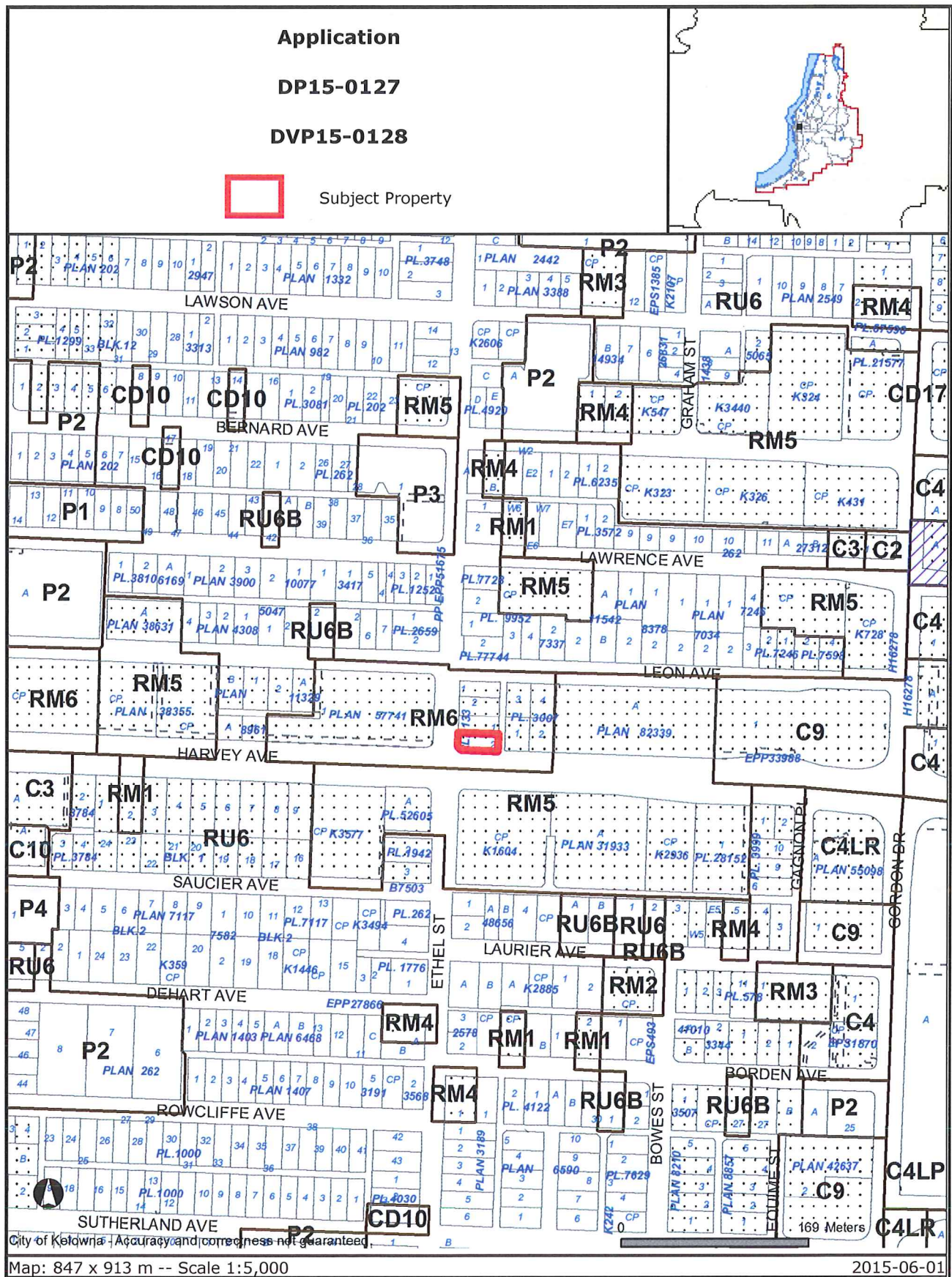


Ryan Smith, Urban Planning Manager

**Attachments:**

Subject Property Map  
Development Engineering Memo  
Neighbourhood Consultation  
Draft Development Permit / Development Variance Permit

- Schedule 'A'
  - Site Plan
  - Floor Plan
- Schedule 'B'
  - Elevations
  - Colour Board
- Schedule 'C'
  - 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.



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

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**Date:** June 26, 2015  
**File No.:** DP15-0127

**To:** Urban Planning (AC)

**From:** Development Engineering Manager

**Subject:** 1683 Ethel St Multi Family Development

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Development Engineering has the following comments and requirements associated with these applications. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

1. Domestic Water and Fire Protection

- a) The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs.
- b) The proposed development lots are currently serviced with small diameter services... Only one service will be permitted for this development. The applicant, at his cost, will arrange for the installation of one new water service and the disconnection of the small existing services.

2. Sanitary Sewer

- a) Our records indicate the proposed development lots are connected with 100mm diameter sewer services. 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 and must tie into a manhole.. The applicant, at his cost, will arrange for the removal and disconnection of the existing services and the installation of one new larger service.

3. Storm Drainage

- a) The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and recommendations for onsite drainage containment and disposal systems.
- b) On site storm drainage systems and overflow service(s) for the site will be reviewed and approved by Engineering when a site servicing design is submitted.
- c) There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

4. Road Improvements

- a) Ethel Street fronting this development site will be urbanized as part of the Ethel Street ATC project to be completed by the City of Kelowna..
- b) Leon Avenue fronting this development site must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk, landscaped boulevard complete with street trees 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.
- c) Walkway on the east side of this development is to be constructed to a 3.5m width based on standard SS-R2.

5. Road Dedication and Subdivision Requirements

- a) Provide a highway allowance widening of 2.5m along the frontage of the Ethel Street.
- b) Lot consolidation.
- c) If any road dedication or closer affects lands encumbered by a Utility right-of-way (such as Gas, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication or closer must be incorporated in the construction drawings submitted to the City's Development Manager.
- d) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.

6. Electric Power and Telecommunication Services

- 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 utilities, where necessary.

7. Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.



- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

8. 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.

9. Geotechnical Report


As a requirement of this application and building permit approval the applicant must provide a comprehensive geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- a) Area ground water characteristics, including water sources on the site.
- b) Site suitability for development; i.e. unstable soils, foundation requirements etc.
- c) Drill and/or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- e) Additional geotechnical survey may be necessary for building foundations, etc.

10. Development Permit and Site Related Issues

Access and Manoeuvrability

- (i) Driveway access to the site will not be permitted from Harvey Ave or Ethel Street. One access from Leon Ave is permitted.
- (ii) An SU-9 standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways.
- (iii) Indicate on the site, the locations of loading bays as well as the garbage and recycle bins.



---

Steve Muenz, P. Eng.  
Development Engineering Manager  
SS



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

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**Date:** June 26, 2015  
**File No.:** DVP15-0128  
**To:** Urban Planning (AC)  
**From:** Development Engineering Manager (SM)  
**Subject:** 1683 Ethel Street


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

This development variance permit application to vary;

1. Number of parking stalls.
2. Site coverage of 50% required to 62.5 % proposed.
3. Building setbacks – west and east.

does not compromise any municipal services.



---

Steve Muenz, P. Eng.  
Development Engineering Manager

SS



CAMBRIDGE  
HOUSE

## AFFORDABLE LIVING SPACE FOR STUDENTS IN KELOWNA (at the corner of Harvey & Ethel)

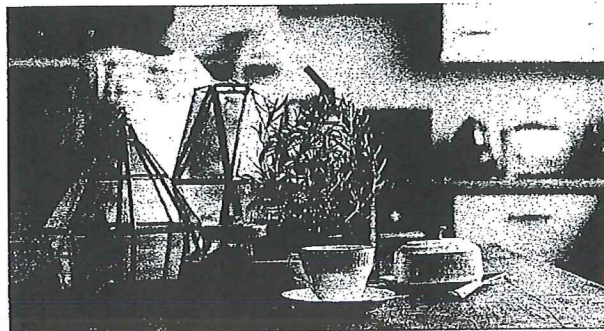
### 6 FLOORS OF COMFORT & SECURITY

Cambridge House is first class in every regard. The six story building will provide up to 300 comfortable beds for students attending school in Kelowna. Rentable by the room or suite, there's an option for every budget.

Here are just some of the features students can expect:

- 24 Hour Security & Concierge.
- High Speed Wireless Internet.
- Community Bikes & Storage.
- A Generously Landscaped Exterior.
- Courtyard & Community BBQ.
- Secure Underground Parking with Solar Powered Lighting.
- Secure Laundry Facilities

E. & O. E. The developer reserves the right to make modifications to building design, specifications, features and floor plans. Dimensions, sizes, specifications, layouts and materials are approximate only and subject to change without notice.



### *In Each Suite:*

No more apartment hunting. Forget about dimly-lit basement suites. At Cambridge House, each fully furnished suite contains a variety of modern amenities. We think students deserve a little break, a little luxury, and some peace-of-mind. Don't you?

**Spacious Rooms.**

**9 FT Ceilings.**

**Full Kitchens.**

**Plentiful Storage.**

**Security Doors.**

**Balconies in all Suites**

**Tasteful Furniture & Desks.**

*More Information at*

**CAMBRIDGEHOUSEKELOWNA.COM**

**SCHEDULE** Public Notification (July 8<sup>th</sup> 2015)  
This forms part of development  
Permit # DP15-0127 + DP15-0128  
received



# THE NEIGHBOURHOOD



## EVERYTHING WITHIN YOUR REACH

If convenience is important to you, then Downtown Kelowna is the place to be. Almost anything your heart desires is no more than a 10 minute walk away.

Bus Station (3 Min Walk)

Restaurants (10 Minute Walk)

Coffee Shop (6 Min Walk)

Shopping & Entertainment (10 Min Walk)

Groceries (7 Min Walk)

Gyms/Fitness (10 Min Walk)

Walk-in Clinic (7 Min Walk)

If that isn't good enough, we're busy creating local business partnerships for our residents. You're probably asking yourself 'Since when did student housing become so awesome?!

More Information at **CAMBRIDGEHOUSEKELOWNA.COM**

**SCHEDULE** *Public Notification*

This forms part of development

Permit # *DP15-0127 + OVA5-029*

July 6, 2015

Hello Neighbour:

Let me introduce ourselves to you prior to the start of our exciting new development at the corner of Ethel and Leon Avenue. We plan on building and managing a World Class Student Housing Project that caters to University and College Students. I have included our promotional brochure for your review. As part of the neighbourhood consultation process, prior to approvals, we require any input or concerns you may have regarding this project. We are available to answer your concerns and will welcome your input.

The new building will require the following variances in order to complete our vision:

Section 13.12.6 (b) Development Regulations

Vary the maximum site coverage for principal buildings, accessory structures, parking areas and driveways from 50% allowed to 62.5% proposed.

Section 13.12.6 (d) Development Regulations

Vary the minimum front yard setback from 6.0m required to 3.2m proposed.

Section 13.12.6 (f) Development Regulations

Vary the minimum rear yard setback from 9.0m required to 3.2m proposed.

Section 8.5 (Table 8.1) General Provisions

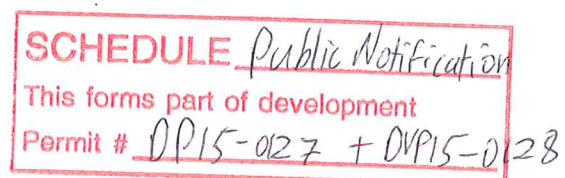
To vary the minimum parking stalls from 139 parking stalls required to 126 parking stalls proposed.

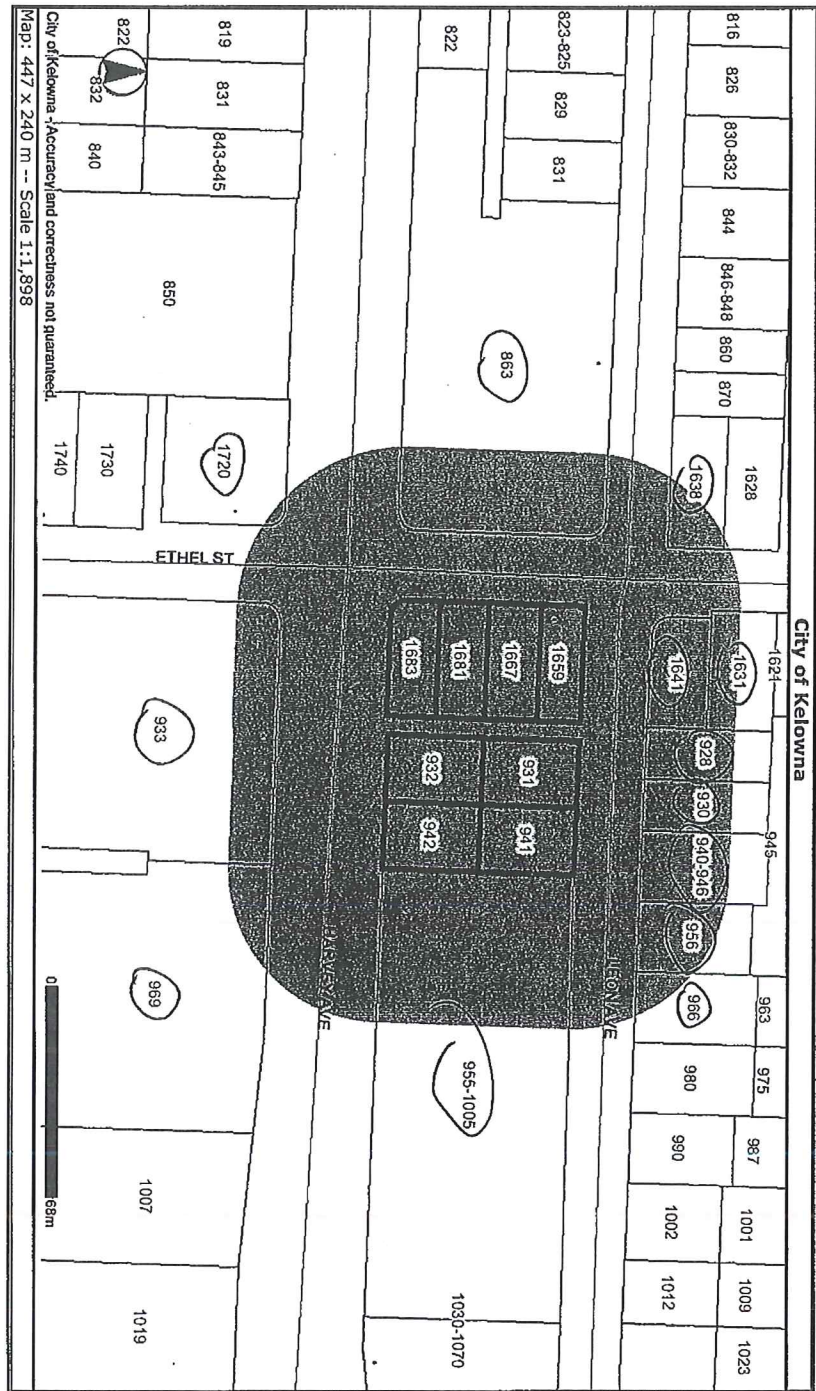
Please forward your comments to our Project Manager:

James Marcotte [sunwestjim@shaw.ca](mailto:sunwestjim@shaw.ca) or 250-861-9186.

Thank you for participating

Boardwalk Housing Corp.





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

50M RADII'S

**SCHEDULE Public Notification**  
 This forms part of development  
 Permit # 0P15-0127 - 0VP15-0128



# CITY OF KELOWNA

## APPROVED ISSUANCE OF A:

- ☐ Development Permit No.: DP15-0127
- ☐ Development Variance Permit No.: DVP15-0128

EXISTING ZONING DESIGNATION: RM6 - High Rise Apartment Housing

WITHIN DEVELOPMENT PERMIT AREA: Comprehensive Development Permit Area

ISSUED TO: Boardwalk Housing Corp., Inc. No. BC1030251

LOCATION OF SUBJECT SITE: 1683 Ethel Street and .....

	LOT	SECTION	D.L.	TOWNSHIP	DISTRICT	PLAN
LEGAL DESCRIPTION:	TBD	TBD	TBD		ODYD	TBD

### SCOPE OF APPROVAL

- ☐ This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.
- ☐ This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.
- ☐ Applicants for Development and Development Variance 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:

- The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
- The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
- Landscaping to be provided on the land be in general accordance with Schedule "C";
- Prior to issuance of the Building Permit, the requirements of the Development Engineering Branch must be satisfied;
- That 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.



- (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 Divisional Director of Community Planning & Real Estate.

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning & Real Estate 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.

**6. APPROVALS:**

ISSUED BY THE URBAN PLANNING DEPARTMENT OF THE CITY OF KELOWNA THE \_\_\_\_ DAY OF \_\_\_\_\_, 2015 BY THE DIVISIONAL DIRECTOR OF COMMUNITY PLANNING & REAL ESTATE.

\_\_\_\_\_  
Ryan Smith  
Urban Planning Manager

AND THAT the variances to the following sections of Zoning Bylaw No. 8000 be granted in accordance with the drawings attached to the Development Variance Permit described in Schedule "A, B, & C":

Section 13.12.6 (b) Development Regulations

Vary the maximum site coverage for principal buildings, accessory structures, parking areas and driveways from 50% allowed to 62.5% proposed.

Section 13.12.6 (d) Development Regulations

Vary the minimum front yard setback from 6.0m required to 3.2m proposed.

Section 13.12.6 (f) Development Regulations

Vary the minimum rear yard setback from 9.0m required to 3.2m proposed.

Section 8.5 (Table 8.1) General Provisions

To vary the minimum parking stalls from 139 parking stalls required to 126 parking stalls proposed.

2. PERFORMANCE SECURITY:

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the 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; OR
- (b) A Certified Cheque; OR
- (c) An Irrevocable Letter of Credit in the amount of \$TBD.

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.

4. 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 transferable 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.**

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:



SCHEDULE A+B

This forms part of development

Permit # DP15-027



m+m 

Cambridgel Housing Development

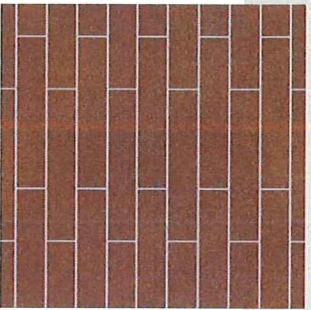
view along harvey ave

may 22, 2015

1



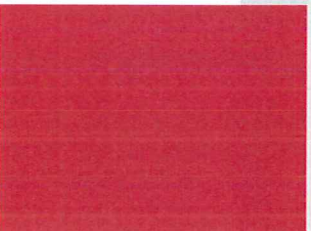
SCHEDULE A+B  
This forms part of development  
Permit # DP15-0127



brick: mutual material  
vintage



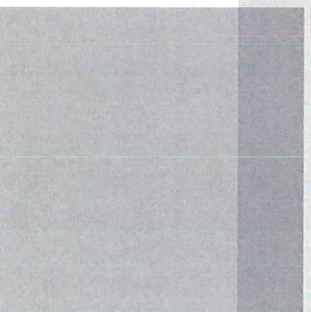
cement panel/wood soffit  
for amenity rm along harvey



red stucco @ balcony



window sunshade:  
dark grey stucco



wall: light grey stucco

m+m **a**

Cambridgel Housing Development

view along ethel st

may 22, 2015





**SCHEDULE** P+13  
This forms part of development  
Permit # DD15-0127

m+m **a**

Cambridgel Housing Development

amenity room along harvey ave

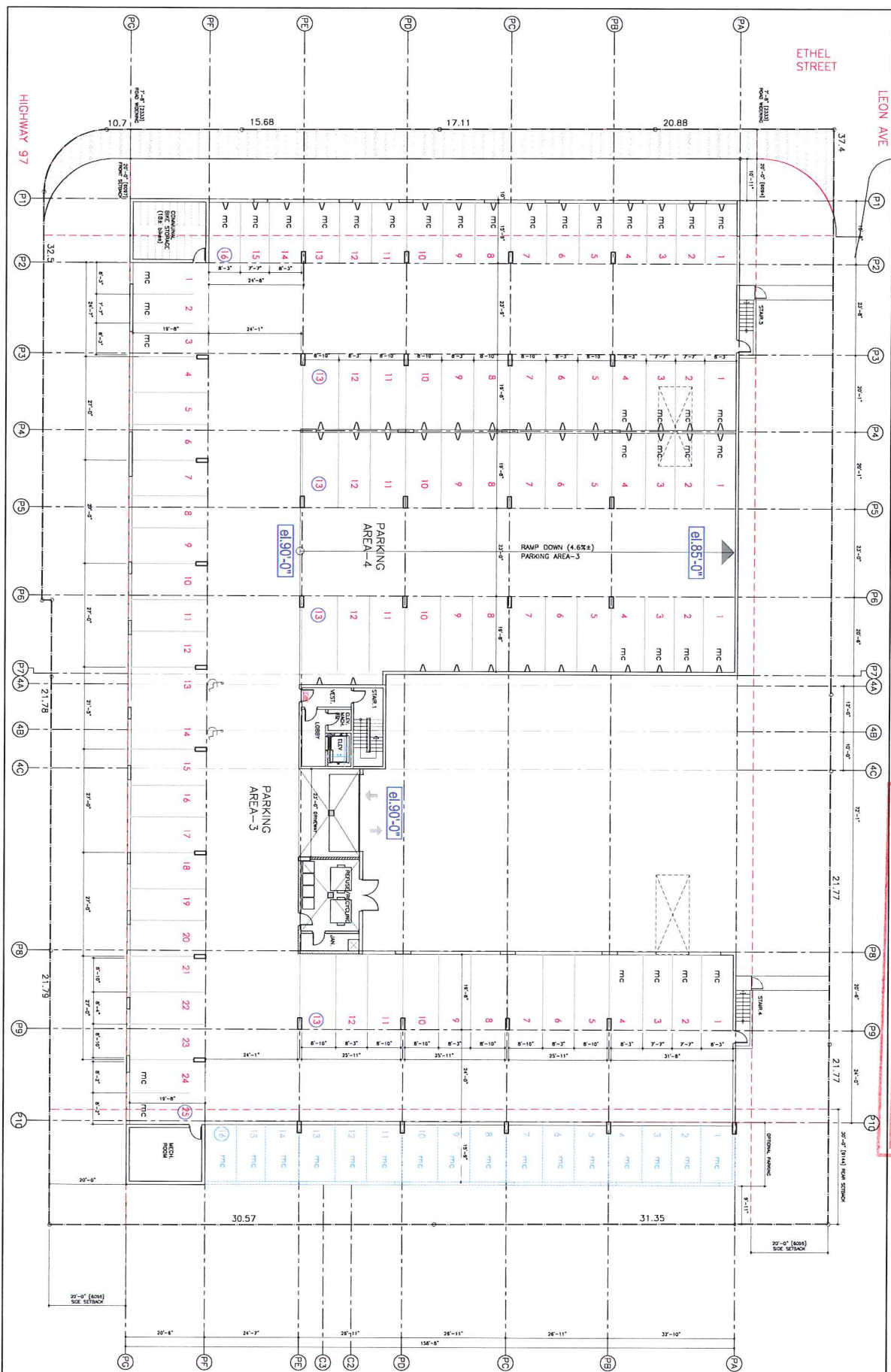
may 22, 2015



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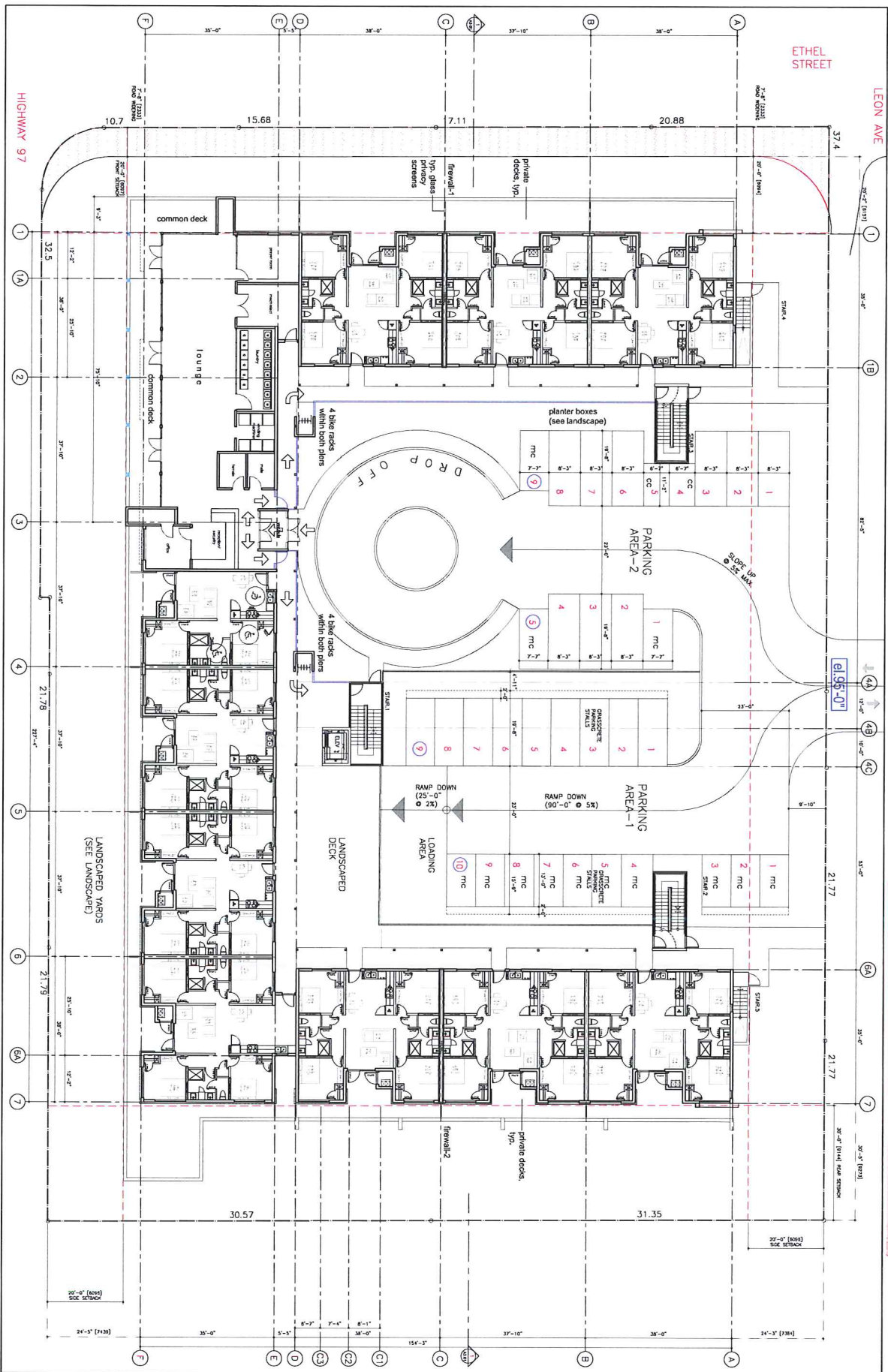








**SCHEDULE**  
 This forms part of development  
 Permit # **DP15-0127**



**A301**

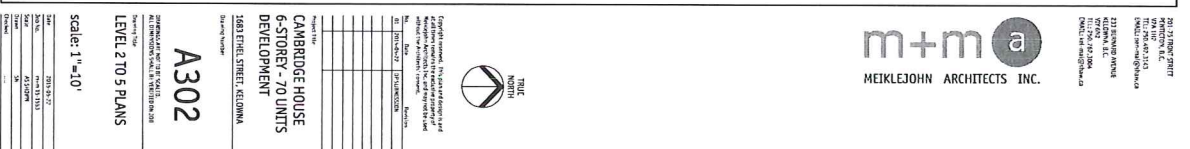
**CAMBRIDGE HOUSE**  
 6-STORY - 70 UNITS  
 DEVELOPMENT  
 1083 ETHEL STREET, KESWICK

Scale: 1" = 10'

LEVEL 1 PLAN

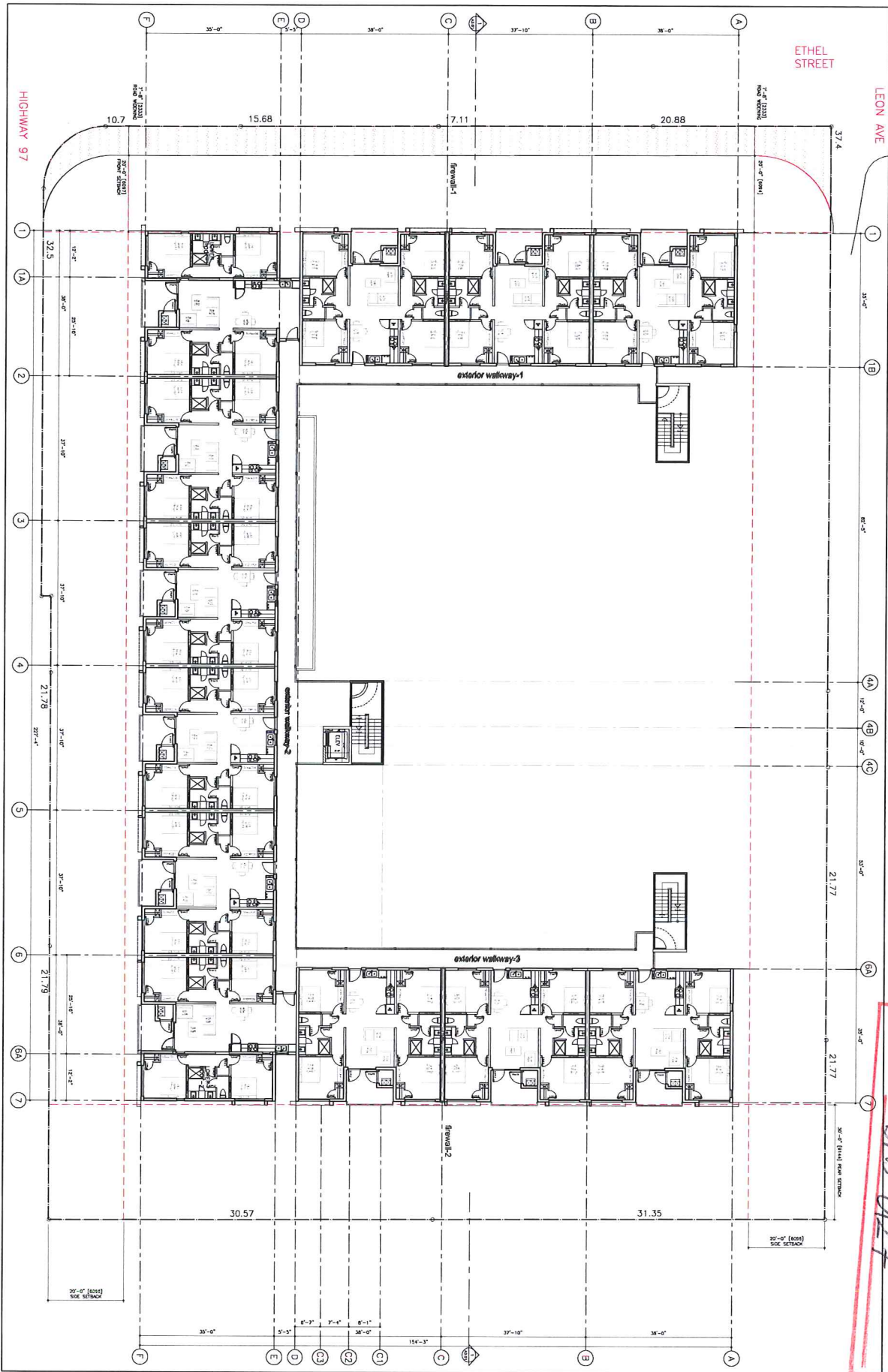
**m+m a**  
 MEIKLEJOHN ARCHITECTS INC.

2015-2016  
 1083 ETHEL STREET  
 KESWICK, BC V3Y 3K4  
 TEL: 604.261.1584  
 FAX: 604.261.1585  
 EMAIL: info@meiklejohn.ca





**SCHEDULE A**  
 This forms part of development  
 Permit # **OP15-0127**



**A303**

**LEVEL 6 PLAN**

Scale: 1" = 10'

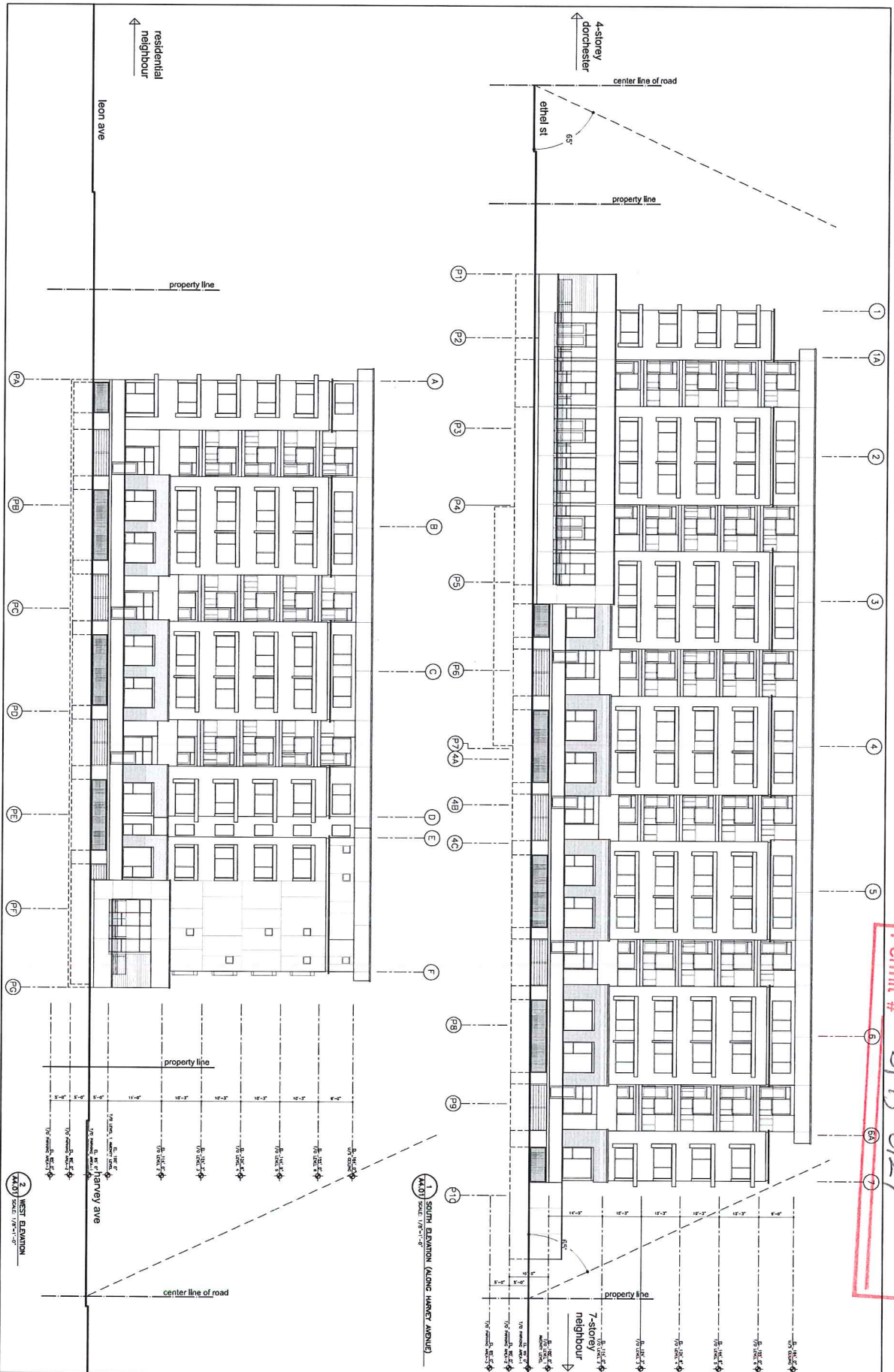
Cambridge House  
 6-Storey - 70 Units  
 Development  
 1608 Ethel Street, Kelowna

**m+m a**  
 MEIKLEJOHN ARCHITECTS INC.

2015-2016 PERMIT  
 1608 ETHEL STREET  
 KELOWNA, B.C. V1Y 1A1  
 TEL: 250.860.8888  
 FAX: 250.860.8889  
 EMAIL: info@meiklejohn.ca



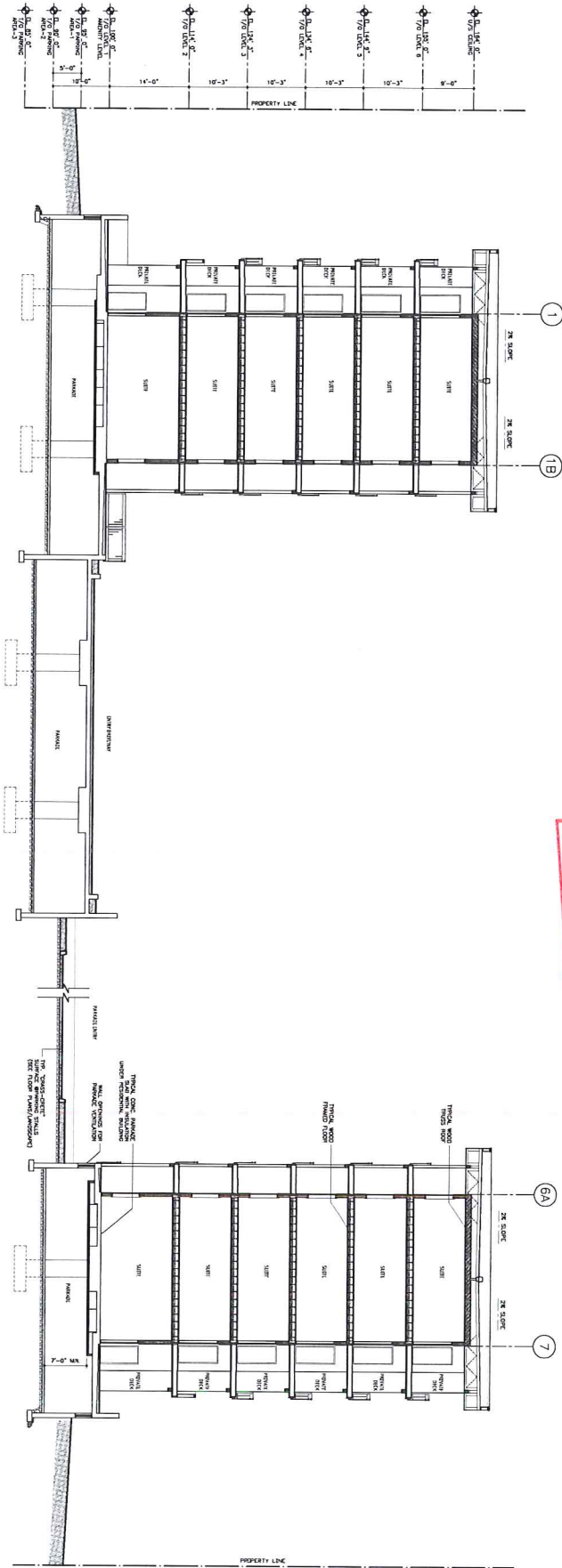
**SCHEDULE** A B  
 This forms part of development  
 Permit # DP15-0127



<p>NOT TO SCALE</p> <p>DATE: 10/10/15</p> <p>SCALE: 1/8" = 1'-0"</p> <p>PROJECT: CAMBRIDGE HOUSE DEVELOPMENT</p> <p>1000 FINE STREET, KESWICK, VIC 3103</p> <p>ARCHITECT: MEKLEJOHN ARCHITECTS INC.</p> <p>ENGINEER: MEKLEJOHN ARCHITECTS INC.</p> <p>STRUCTURAL ENGINEER: MEKLEJOHN ARCHITECTS INC.</p> <p>LANDSCAPE ARCHITECT: MEKLEJOHN ARCHITECTS INC.</p> <p>INTERIOR ARCHITECT: MEKLEJOHN ARCHITECTS INC.</p> <p>MECHANICAL ENGINEER: MEKLEJOHN ARCHITECTS INC.</p> <p>ELECTRICAL ENGINEER: MEKLEJOHN ARCHITECTS INC.</p> <p>PLUMBING ENGINEER: MEKLEJOHN ARCHITECTS INC.</p> <p>HEATING ENGINEER: MEKLEJOHN ARCHITECTS INC.</p> <p>Cooling Engineer: MEKLEJOHN ARCHITECTS INC.</p> <p>Acoustic Engineer: MEKLEJOHN ARCHITECTS INC.</p> <p>Fire Engineer: MEKLEJOHN ARCHITECTS INC.</p> <p>Transportation Engineer: MEKLEJOHN ARCHITECTS INC.</p> <p>Environmental Engineer: MEKLEJOHN ARCHITECTS INC.</p> <p>Geotechnical Engineer: MEKLEJOHN ARCHITECTS INC.</p> <p>Hydrological Engineer: MEKLEJOHN ARCHITECTS INC.</p> <p>Hydraulic Engineer: MEKLEJOHN ARCHITECTS INC.</p> <p>Marine Engineer: MEKLEJOHN ARCHITECTS INC.</p> <p>Metallurgical Engineer: MEKLEJOHN ARCHITECTS INC.</p> <p>Occupational Health and Safety Engineer: MEKLEJOHN ARCHITECTS INC.</p> <p>Process Engineer: MEKLEJOHN ARCHITECTS INC.</p> <p>Professional Engineer: MEKLEJOHN ARCHITECTS INC.</p> <p>Surveyor: MEKLEJOHN ARCHITECTS INC.</p> <p>Transportation Planner: MEKLEJOHN ARCHITECTS INC.</p> <p>Urban Planner: MEKLEJOHN ARCHITECTS INC.</p> <p>Visualisation Artist: MEKLEJOHN ARCHITECTS INC.</p> <p>Writing Consultant: MEKLEJOHN ARCHITECTS INC.</p>	<p><b>A4.01</b></p> <p><b>BUILDING ELEVATIONS</b></p>
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**SCHEDULE B**  
 This forms part of development  
 Permit # DP15-0127



**7 BUILDING SECTION**  
 A5.01 SCALE: 1/8" = 1'-0"



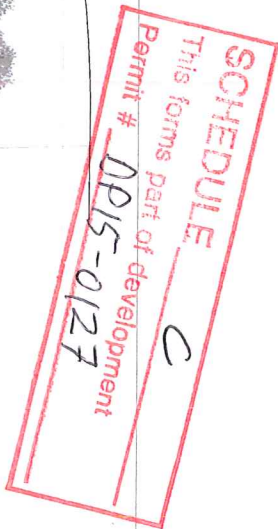
MEIKLEJOHN ARCHITECTS INC.  
 211 BROADVIEW AVE.  
 SUITE 200  
 CHICAGO, IL 60641  
 TEL: 312.467.1111  
 FAX: 312.467.1112  
 WWW.MEIKLEJOHN.COM

**A5.01**

**BUILDING SECTIONS**

DATE	2015.10.17
SCALE	AS SHOWN
DESIGNER	MEIKLEJOHN
CLIENT	70 UNITS





Option	0	5	10	15	20	25 N
a	0%	0%	0%	0%	0%	0%
b	0%	0%	0%	0%	0%	0%
c	0%	0%	0%	0%	0%	0%
d	0%	0%	0%	0%	0%	0%
e	0%	0%	0%	0%	0%	0%
f	100%	100%	100%	100%	100%	100%

## NOTES

- ## PLANT LIST

[illegible]

ISSUED FOR REVIEW ONLY

11/2



**CONCLUSIONS**

**PROJECT TITLE**  
**ETHEL LEON**  
**DEVELOPMENT**  
Kalamazoo, MI  
264/965-7111

 $\ominus_z$ 

PROJECT TITLE / REVISION		Development / Project
1	15-03-20	
2		
3		
4		
5		

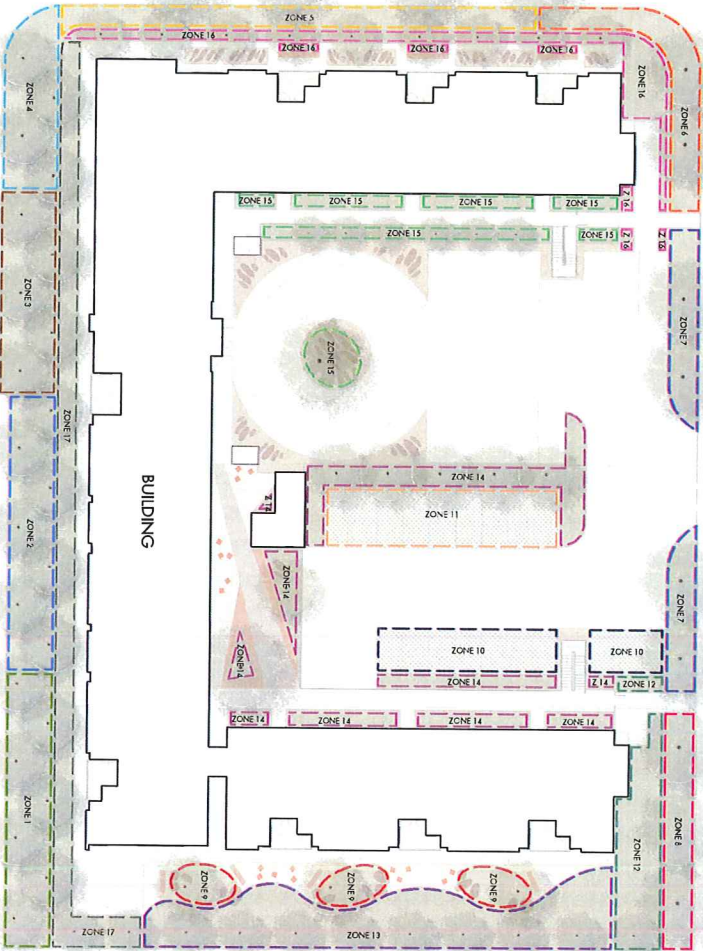
  

PROJECT ID	15-03
DEVELOPER	MD
STATUS	NG
DEVELOPER NAME	TH
DATE	APR 20, 2019
NAME	1-30



LEON AVENUE

ETHEL STREET



**SCHEDULE**  
This forms part of development  
Permit # DP15-0127

HIGHWAY 97/HARVEY AVENUE



**WATER CONSERVATION CALCULATIONS**

LANDSCAPE MAXIMUM WATER BUDGET PER 2017 m<sup>2</sup> / year  
ESTIMATED LANDSCAPE WATER USE PER 1000 m<sup>2</sup> / year  
WATER BALANCE = 125 m<sup>3</sup> m<sup>2</sup> / year - 185 m<sup>3</sup> m<sup>2</sup> / year  
= -60 m<sup>3</sup> m<sup>2</sup> / year

- IRRIGATION NOTES**
1. IRRIGATION PRODUCTS AND INSTALLATION METHODS SHALL MEET OR EXCEED THE REQUIREMENTS OF THE REGIONAL BYLAW TWO (PART 3, SCHEDULE 5)
  2. THE IRRIGATION SYSTEM SHALL MEET THE REQUIREMENTS, REGULATIONS, AND BYLAWS OF THE WATER FURNISHING AGENCY.
  3. THE IRRIGATION SYSTEM SHALL BE EQUIPPED WITH AN APPROVED BACKFLOW PREVENTION DEVICE, WATER METER, AND SHUT OFF VALVE LOCATED OUTSIDE THE BUILDING ACCESSIBLE TO THE CITY.
  4. THE IRRIGATION SYSTEM SHALL BE INSTALLED TO THE BUILDING'S EXISTING LANDSCAPE. THE SYSTEM SHALL BE DESIGNED TO PROVIDE SUFFICIENT WATER TO THE LANDSCAPE AND TO THE BUILDING'S EXISTING LANDSCAPE.
  5. PIPE LINES AND FITTINGS SHALL INCORPORATE TECHNOLOGY TO LIMIT ROOT INTRUSION.
  6. IRRIGATION SERVICES SHALL BE INSTALLED TO ROUTE IRRIGATION LINES UNDER HARD SURFACES AND FEATURES.
  7. IRRIGATION PIPE SHALL BE SIZED TO ALLOW FOR A MAXIMUM FLOW OF 15 L / SEC.
  8. A FLOW SENSOR AND METER SHALL BE CONNECTED TO THE CONTROLLER AND PROGRAMMED TO STOP FLOW TO THE SYSTEM IN CASE OF AN IRRIGATION WATER LEAK.

**IRRIGATION LEGEND**

- ZONE #1 LOW VOLUME POP-UP SPRINKLERS FOR TURF AREA
- ZONE #2 MODERATE SOIL EXPOSURE, PARTIALLY SHADED BY TREES
- ESTIMATED ANNUAL WATER USE: 154 m<sup>3</sup> m<sup>2</sup>
- ZONE #3 LOW VOLUME POP-UP SPRINKLERS FOR TURF AREA
- MODERATE SOIL EXPOSURE, PARTIALLY SHADED BY TREES
- ESTIMATED ANNUAL WATER USE: 154 m<sup>3</sup> m<sup>2</sup>
- ZONE #4 LOW VOLUME POP-UP SPRINKLERS FOR TURF AREA
- MODERATE SOIL EXPOSURE, PARTIALLY SHADED BY TREES
- ESTIMATED ANNUAL WATER USE: 154 m<sup>3</sup> m<sup>2</sup>
- ZONE #5 LOW VOLUME POP-UP SPRINKLERS FOR TURF AREA
- MODERATE SOIL EXPOSURE, PARTIALLY SHADED BY TREES
- ESTIMATED ANNUAL WATER USE: 154 m<sup>3</sup> m<sup>2</sup>
- ZONE #6 LOW VOLUME POP-UP SPRINKLERS FOR TURF AREA
- MODERATE SOIL EXPOSURE, PARTIALLY SHADED BY TREES
- ESTIMATED ANNUAL WATER USE: 154 m<sup>3</sup> m<sup>2</sup>
- ZONE #7 LOW VOLUME POP-UP SPRINKLERS FOR TURF AREA
- MODERATE SOIL EXPOSURE, PARTIALLY SHADED BY TREES
- ESTIMATED ANNUAL WATER USE: 154 m<sup>3</sup> m<sup>2</sup>
- ZONE #8 LOW VOLUME POP-UP SPRINKLERS FOR TURF AREA
- MODERATE SOIL EXPOSURE, PARTIALLY SHADED BY TREES
- ESTIMATED ANNUAL WATER USE: 154 m<sup>3</sup> m<sup>2</sup>
- ZONE #9 LOW VOLUME POP-UP SPRINKLERS FOR TURF AREA
- MODERATE SOIL EXPOSURE, PARTIALLY SHADED BY TREES
- ESTIMATED ANNUAL WATER USE: 154 m<sup>3</sup> m<sup>2</sup>
- ZONE #10 LOW VOLUME POP-UP SPRINKLERS FOR TURF AREA
- MODERATE SOIL EXPOSURE, PARTIALLY SHADED BY TREES
- ESTIMATED ANNUAL WATER USE: 154 m<sup>3</sup> m<sup>2</sup>
- ZONE #11 LOW VOLUME POP-UP SPRINKLERS FOR TURF AREA
- MODERATE SOIL EXPOSURE, PARTIALLY SHADED BY TREES
- ESTIMATED ANNUAL WATER USE: 154 m<sup>3</sup> m<sup>2</sup>
- ZONE #12 HIGH EFFICIENCY SUBSURFACE Drip IRRIGATION FOR MODERATE
- MODERATE SOIL EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING
- ESTIMATED ANNUAL WATER USE: 160 m<sup>3</sup> m<sup>2</sup>
- ZONE #13 HIGH EFFICIENCY SUBSURFACE Drip IRRIGATION FOR MODERATE
- MODERATE SOIL EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING
- ESTIMATED ANNUAL WATER USE: 160 m<sup>3</sup> m<sup>2</sup>
- ZONE #14 HIGH EFFICIENCY SUBSURFACE Drip IRRIGATION FOR MODERATE
- MODERATE SOIL EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING
- ESTIMATED ANNUAL WATER USE: 160 m<sup>3</sup> m<sup>2</sup>
- ZONE #15 HIGH EFFICIENCY SUBSURFACE Drip IRRIGATION FOR MODERATE
- MODERATE SOIL EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING
- ESTIMATED ANNUAL WATER USE: 160 m<sup>3</sup> m<sup>2</sup>
- ZONE #16 HIGH EFFICIENCY SUBSURFACE Drip IRRIGATION FOR MODERATE
- MODERATE SOIL EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING
- ESTIMATED ANNUAL WATER USE: 160 m<sup>3</sup> m<sup>2</sup>
- ZONE #17 HIGH EFFICIENCY SUBSURFACE Drip IRRIGATION FOR MODERATE
- MODERATE SOIL EXPOSURE, PARTIALLY SHADED BY TREES & BUILDING
- ESTIMATED ANNUAL WATER USE: 160 m<sup>3</sup> m<sup>2</sup>

**WATER CONSERVATION & IRRIGATION PLAN**

PROJECT ID	DATE
15-0127	2015
DESIGNED BY	DATE
DRAWN BY	DATE
CHECKED BY	DATE
DATE	1:11

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15-0127	2015
DESIGNED BY	DATE
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DATE	1:11

**L2/2**

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**ETHEL LEON DEVELOPMENT**

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