

City of Kelowna

Regular Council Meeting

AGENDA



Tuesday, July 14, 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 Given.
3. Confirmation of Minutes 1 - 12
Public Hearing - June 30, 2015
Regular Meeting - June 30, 2015
4. Bylaws Considered at Public Hearing
 - 4.1 505-525 Snowsell Road North, BL11105 (OCP14-0027) - Garoslav & Catherine Maruszczak 13 - 13

Requires a majority of all members of Council (5).
To give Bylaw No. 11105 second and third readings in order to change the future land use designation of the subject properties in order to develop a new gas bar facility.
 - 4.2 505-525 Snowsell Road North, BL11106 (Z14-0059) - Garoslav & Catherine Maruszczak 14 - 14

To give Bylaw No. 11106 second and third readings in order to rezone the subject properties to develop a new gas bar facility.
 - 4.3 902 Clifton Road, BL11107 (Z15-0008) - Dan & Mary Cresswell 15 - 15

To give Bylaw No. 11107 second and third readings in order to rezone the subject property to allow for a carriage house.

4.4	1936-1940 Kane Road & 437 Glenmore Road, BL11108 (Z15-0009) - Glen Park Village Inc. et al	16 - 16
	To give Bylaw No. 11108 second and third readings, and adoption, in order to rezone the subject property to allow a commercial unit to be used as a retail liquor store and to remove the liquor primary and retail liquor store designation from the current Brandt's Creek retail liquor store location.	
5.	Notification of Meeting	
	The City Clerk will provide information as to how the following items on the Agenda were publicized.	
6.	Liquor License Application Reports	
6.1	3929-3933 Lakeshore Road, LL15-0006 - Mission Creek Holdings Ltd.	17 - 28
	City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the liquor license application to come forward.	
	To seek Council's support for a permanent change in licensed hours of sale for the establishment.	
7.	Development Permit and Development Variance Permit Reports	
7.1	2265 Wilkinson Street, BL11093 (Z15-0015) - Jacob & Julie Cruise	29 - 29
	To adopt Bylaw No. 11093 in order to rezone the subject property to allow for a carriage house.	
7.2	2265 Wilkinson Street, DP15-0067 & DVP15-0068 - Jacob & Julie Cruise	30 - 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 Permit application and a Development Variance Permit application for a proposed carriage house.	
7.3	300 Glen Park Drive, DP15-0083 & DVP15-0084 - OCORP Development Ltd.	49 - 84
	City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.	
	To consider a Development Permit for a 52 unit three storey townhouse development and to consider a Development Variance Permit for a rear yard setback from 7.5m required to 4.0m proposed only for one of the eleven proposed buildings.	

- | | | |
|-------------|--|------------------|
| 7.4 | 595 Josselyn Court, DVP15-0145 - Catherine & David Thompson | 85 - 95 |
| | <p>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.</p> <p>To consider a variance to the front yard setback of an accessory building.</p> | |
| 7.5 | 1432 McInnes Avenue, BL11094 (Z15-0014) - Caroline Kaltenhauser | 96 - 96 |
| | <p>To adopt Bylaw No. 11094 in order to rezone the subject property to the allow for a proposed four-plex dwelling.</p> | |
| 7.6 | 1432 McInnes Avenue, DP15-0061 & DVP15-0062 - Caroline Kaltenhauser | 97 - 114 |
| | <p>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.</p> <p>To consider the form and character and variances of a proposed four-plex dwelling.</p> | |
| 7.7 | 370 Fleming Road, BL10849 (Z13-0011) - Wendy Cullen & Michael Anderson | 115 - 115 |
| | <p>To adopt Bylaw No. 10849 in order to rezone the subject property to allow for a carriage house.</p> | |
| 7.8 | 370 Fleming Road, DP13-0034 & DVP13-0003 - Wendy Cullen & Michael Anderson | 116 - 133 |
| | <p>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.</p> <p>To consider the form and character and a variance to the minimum side yard setback requirement for a Carriage House.</p> | |
| 7.9 | 459 Groves Avenue and 437 & 442 Newsom Avenue, BL10864 (OCP13-0013) - P218 Enterprises Ltd. | 134 - 134 |
| | <p>Requires a majority of all members of Council (5).</p> <p>To adopt Bylaw No. 10864 in order to change the future land use designations of the subject properties in order to accomodate a mixed-use residential/commercial development.</p> | |
| 7.10 | 459 Groves Avenue and 437 & 442 Newsom Avenue, BL10865 (Z13-0021) - P218 Enterprises Ltd. | 135 - 135 |
| | <p>To adopt Bylaw No. 10865 in order to rezone the subject properties to accomodate a mixed-use residential/commercial development.</p> | |

7.11 459 Groves Avenue, 3030 Pandosy Street and 437 & 442 Newsom Avenue, DP15-0100 & DVP15-0102 - AD SOPA Holdings Inc. 136 - 187

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 review the form and character of a mixed-use residential / commercial development, and to consider a height variance for the tower.

8. Reminders

9. Termination



City of Kelowna Public Hearing Minutes

Date: Tuesday, June 30, 2015
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present Mayor Colin Basran*, Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben, Mohini Singh*

Members Absent Councillor Luke Stack

Staff Present City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Urban Planner, Adam Cseke*; Community Planning Manager, Ryan Smith; Suburban & Rural Planning Manager, Todd Cashin; Development Engineering Manager, Steve Muenz*; Council Recording Secretary, Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the Hearing to order at 6:02 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 at City Hall on Tuesday, June 16, 2015 and by being placed in the Kelowna Capital News issues on Friday, June 19 and Wednesday, June 24, 2015 and by sending out or otherwise delivering 214 statutory notices to the owners and occupiers of surrounding properties, and 1403 informational notices to residents in the same postal delivery route, between June 16 and June 19, 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

- 3.1 205 Loughheed Road, BL11100 (TA14-0021), BL11101 (OCP14-0023) & BL11102 (Z14-0048) - Watermark Ventures Ltd.

Staff:

- Provided a PowerPoint Presentation summarizing the application and responded to questions from Council.

The City Clerk advised that no correspondence was received.

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

Ed Grifone, CTQ Consultants Ltd., St. Paul Street, Applicant Representative

- Available for questions.

Gallery:

Ted Komick, Hollywood Road North

- In favour of the development.
- Raised concern with parking and slopes on Hollywood Road and College Heights.

Ed Grifone, Applicant Representative

- The expectation is that Hollywood Road will eventually be widened and will also address the intersection where the widening occurs.
- In 2006 a Geotechnical Study was performed on the slopes that indicated there were no issues. Our Engineers and Architect will be part of the final design for the slope.

There were no further comments.

3.2 883 McCurdy Place, BL11104 (Z15-0012) - Hyatt Auto Sales Ltd.

Staff:

- Provided a PowerPoint Presentation summarizing the application.

The City Clerk advised that no correspondence was received.

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

Applicant

- Available for questions.

There were no further comments.

4. Adjourn to Regular Meeting

Adjourned to the Regular Meeting at 6:26 p.m.

5. Reconvene Public Hearing

Reconvened to the Public Hearing at 6:36 p.m.

6. Individual Bylaw Submissions

6.1 700 Highway 33 East, TA15-0002 - Hillcrest Farm Market Inc.

Mayor Basran declared a conflict of interest as the applicant is a relative and departed the meeting at 6:38 p.m.

Councillor Singh declared a conflict of interest due to her close personal sister-like relationship to the applicant and left the meeting at 6:38 p.m.

Deputy Mayor Donn assumed the Chair at 6:38 p.m.

Councillor Hodge made reference to correspondence insinuating he has a closed mind with respect to this application and made a statement he has not made up his mind and is looking forward to what the public has to say.

Staff:

- Provided a PowerPoint Presentation summarizing the application.

The City Clerk advised that the following correspondence was received:

Correspondence Submitted for the June 30, 2015 Public Hearing:

Letters of Opposition or Concern

Jerry Purdom, Durnin Road
Terada Families, Stearns Road

Letters of Support

Linda and Gary Trepanier, Toovey Road
Richard and Maureen Choy, Toovey Road
Nairn and Donalda Bannatyne, Bentien Road
Jan Cornell, Toovey Road
Valerie Vammen, Ray Road
Robert & Marjorie Burchinshaw, Toovey Road
Sally Bonshor, Sadler Road
Gary G. Schatz, Toovey Road
Kay Ruthnum, Sonora Drive

Additional Information Submitted By Applicant

A package of additional information as submitted by the applicant.

City Clerk confirmed correspondence submitted for when this item was on the May 26 Public Hearing Agenda had been circulated to Council and was available to the public in the public binder in the lobby.

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

Sujit Bal, McCurdy Road East, Applicant

- Provided a Power Point Presentation summarizing the Hillcrest Farm Market application.
- Responded to questions from Council.

Staff:

- Confirmed that Ministry of Transportation & Highways approved three (3) accesses at the property.
- Confirmed that the Ministry of Transportation & Highways purchased the land for the Highway 33 road widening project.
- Responded to questions from Council.

Gallery:

Carla Leder, Lynrick Road

- In favour of the café receiving a business licence.
- No other similar land use in the area. Frequent the café often.
- Daughter works at the Café.

Ashley Nenasheff, Lynrick Road

- Employed at Hillcrest Café.
- Have not experienced any issues with accesses.
- In support of the application.

Jan Cornell, Toovey Road

- Enjoy the Café and believes it's a good addition to the community.
- No other similar land use in the area and noted the parking lot is always full.
- In support of the application.

Valerie Vammen, Ray Road

- In support of the application.
- Believes traffic impacts are minimal. Any traffic seen has been for the packing station.
- Exceptions to the rules should be made for this application.

Sally Bonshor, Sadler Road

- In support of the application.
- Believes Hillcrest Farm is an asset to Rutland.

Herb Sheatt, Findlay Road

- Believes applicants are visionaries who deserve support.

Martin Morel, Denver, Colorado, USA

- Believes there is no access issues.
- Applicants are visionaries who should be supported.

Sarah Collins, Anderson Road

- In support of the application.
- Believes there is no issue with the access.
- Zoning seems restrictive and too specific.
- The neighbourhood needs a business such as Hillcrest Farm.

Fred Steele, Glenmore Road, President BC Fruit Growers' Association

- Made comment on the challenges and changes in the industry and noted a few great cooperative programs between farms and the city.
- In support of the application.
- Responded to questions from Council.

Petyr Hrynewich, Asher Road

- Believes access is not an issue.
- In support of this application.

Davis Craig, KLO Road

- In support of this application.

Bernard Morel, Avery Road

- In support of this application.
- Need to support this project and help the family move forward.

Sandra Craig, KLO Road

- In support of this application.

- Agrees with comments of previous speakers.
- Believes Councillor Hodge is biased and prejudiced and should not be part of this hearing.

Craig Saunders, Henderson Drive

- In support of this application.
- This is a great concept and Council should be supporting this application.

Bryan Kataterious, Highway 33 East

- In support of this application.
- The Café provides employment.

Mandeep Bal, Vancouver, BC

- In support of his family's application.
- Commented that all five accesses are required for the property.

Elizabeth Heier, McKenzie Road

- Opposed to this application.
- In support of the City requiring Hillcrest Farm to comply with all outstanding issues.

Gordon Robideau, McPhee Street

- In support of the application.
- Supportive of staff efforts.

Amarjit Lalli, McKenzie Road

- In support of the application.
- Believes access is not an issue.
- Believes the sign needs to be oversized to be seen from the Highway.
- It's unfair that wineries have more options than orchards when it come to non-farm uses.

Deputy Mayor Donn called for a recess at 8:38 p.m.

Deputy Mayor Donn reconvened the meeting at 8:50 p.m.

John Ringness, Gibson Road

- In support of the application.

Manorgaren Ruthnum, Sonora Drive

- In support of the application.
- Hopeful that there will be more of these cafes.

Cheryl Carlson, Lynrick Road

- In support of the application.
- Suggested the city give the land by the sign to the Bal family.

Morgan Johnson, Lynrick Road

- Employed by Hillcrest Farms.
- In support of the application.
- Believes the same rules should apply to Orchards as apply to Wineries.
- Believes that weddings should be permitted.

Tarsem Goraya, Dunster Road

- Have known the Bal family for many years.

- In support of the application.

Kevin Day, Burtch Road

- Personally invested a lot of money into farming and have always complied with rules and guidelines.
- It's important to comply with the rules beforehand and not ask for forgiveness afterwards.
- Buildings should not be built without permits and businesses should not be started without business licenses.
- Opposed to this application.

Caesar Turi, Stillworth Road

- Questioned how long it takes to receive a permit.

Resident, Fife Road

- In support of the application.

DRAFT

Islam Mohammed, Morrison Avenue

- Questioned staff's due diligence on this file.
- Believes Council should look to ALC and AAC support of this application.
- In support of the application.

Richard Day, McKenzie Road

- Neighbour of the Bal family.
- In support of the application.
- Commented on various pressures on farmers and farming and difficulties with the ALR.

Glen Cross, Highway 33 East

- Raised concern that the applicant did not follow the proper process.
- Supportive of the Bal family working with the City to resolve the outstanding issues in a timely manner.

Lisa Hughs, Graystokes

- Employed by Hillcrest Farms.
- Spoke to the unfairness of additional permitted uses for Wineries and not Orchards.
- In support of the application.

Resident, Webster Road

- In support of the application.
- Café is a very important to the community.

Megan Rousken, Duggan Road

- In support of the application.
- Spoke to a student conference banquet she attended at Hillcrest Farm.
- Commented that the venue is a great way to promote our community.

David Sollosy, McKenzie Road

- The applicant has a long history non-compliance, fines and charges.
- Opposed to this application.
- In favour of the outstanding non-compliances being resolved prior to the application being concluded.

Cheryl Carlson, Lynrick Road

- Commented that the character of the Bal family should not be in question as they are good people.
- There are more people in favour of this application than not.

Kyle Oscar, Bulman Road

- In support of the application.
- The Café is an important part of the neighbourhood.

Keith Sultra, Resident

- In support of the application.
- Take positive steps to resolve the issues.

Sujit Bal, Applicant

- Thanked everyone who spoke for and against this application.

- Agreed that processes need to be followed but rules get broken in the interests of advancement of farming.
- Cannot be expected to follow staff direction when the process keeps changing.
- Covenant should be registered. A text amendment for this one parcel does not make sense.
- Have been working on outstanding issues and asked Council to move this application forward.

There were no further comments.

7. Terminate Public Hearing and Reconvene Regular Meeting

The Hearing was declared terminated at 9:45 p.m.

Mayor



City Clerk

Deputy Mayor

/acm

DRAFT



City of Kelowna Regular Council Meeting Minutes

Date: Tuesday, June 30, 2015
Location: Council Chamber
City Hall, 1435 Water Street

Council Members Present: Mayor Colin Basran*, Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben and Mohini Singh*

Council Members Absent: Councillor Luke Stack

Staff Present: City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Urban Planner, Adam Cseke*; Community Planning Manager, Ryan Smith; Suburban & Rural Planning Manager, Todd Cashin; Development Engineering Manager, Steve Muenz*; and Council Recording Secretary, Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 6:27 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Donn.

3. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Gray

R512/15/06/30 THAT the Minutes of the Public Hearing and Regular Meeting of June 16, 2015 be confirmed as circulated.

Carried

4. Bylaws Considered at Public Hearing

4.1 BL11100 (TA14-0021) - New CD25 Light Industrial-Residential Mixed Use Zone

Moved By Councillor Gray/Seconded By Councillor Hodge

R513/15/06/30 THAT Bylaw No. 11100 be read a second and third time.

Carried

4.2 205 Lougheed Road, BL11101 (OCP14-0023) - Watermark Ventures Ltd.

Moved By Councillor Donn/Seconded By Councillor Gray

R514/15/06/30 THAT Bylaw No. 11101 be read a second and third time.

Carried

4.3 205 Lougheed Road, BL11102 (Z14-0048) - Watermark Ventures Ltd.

Moved By Councillor Hodge/Seconded By Councillor Donn

R515/15/06/30 THAT Bylaw No. 11102 be read a second and third time.

Carried

4.4 883 McCurdy Place, BL11104 (Z15-0012) - Hyatt Auto Sales Ltd.

Moved By Councillor Sieben/Seconded By Councillor DeHart

R516/15/06/30 THAT Bylaw No. 11104 be read a second and third time.

Carried

5. Notification of Meeting

The City Clerk advised that Notice of Council's consideration of these Temporary Use Permit Applications was given by sending out or otherwise delivering 15 statutory notices to the owners and occupiers of surrounding properties, and 413 informational notices to residents in the same postal delivery route, between June 16, 2015 and June 19, 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. Development Permit and Development Variance Permit Reports

6.1 3393 & 3401 Sexsmith Road, TUP15-0001 - Donald Madge & Geoffrey Proteau

Staff:

- Provided a PowerPoint Presentation summarizing the application.

The City Clerk advised that no correspondence was 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 and available for questions.

There were no further comments.

Moved By Councillor Given/Seconded By Councillor Hodge

R517/15/06/30 THAT Council authorizes Temporary Use Permit No. TUP15-0001 to allow the temporary use of Lot 1, Section 35, Township 26, ODYD, Plan 10278 and Lot 2, Section 35, Township 26, ODYD, Plan 10278 located at 3393 and 3401 Sexsmith Road, Kelowna, BC as an RV Storage Yard for a three (3) year period commencing from Council approval subject to the following:

- a) That all business related access to the subject properties be taken through the adjacent property to the south.

Carried

7. Reconvene Public Hearing

The meeting reconvened to the Public Hearing at 6:36 p.m.

8. Reconvene Regular Meeting

The meeting reconvened to the Regular Meeting at 9:46 p.m. with Deputy Mayor Donn presiding.

9. Bylaws Considered at Public Hearing

9.1 700 Highway 33 East, BL11083 (TA15-0002) - Amending Agriculture 1 Zone

Mayor Basran and Councillor Singh were not present due to conflicts that were declared during the Public Hearing for this item.

City Clerk:

- Confirmed that Council could consider amending the sign and loading dock final adoption considerations should the bylaw receive 2nd and 3rd reading.

Moved By Councillor DeHart/Seconded By Councillor Sieben

R518/15/06/30 THAT Bylaw No. 11083 be read a second and third time.

Carried
Councillor Hodge - Opposed.

City Clerk:

- Confirmed the erection of a sign is subject to a Sign Permit and Zoning Bylaw requirements and variances may be applied for.
- Confirmed the number of road accesses is determined by Bylaw 9200 with one access per road frontage; as there are not five road frontages there are too many accesses. An application may be made to the City Engineer or a variance application sought.

Moved By Councillor DeHart/Seconded By Councillor Sieben

R519/15/06/30 THAT Appendix D of the Supplemental Report dated June 15, 2015 be amended by moving City of Kelowna conditions bullets 3 and 4 regarding sign size and location and number of access roads to "other outstanding issues" and not as requirements to be met prior to final adoption.

Carried

10. Reminders - Nil.

11. Termination

The meeting was declared terminated at 10:29 p.m.

Mayor



City Clerk

Deputy Mayor Donn

/acm/slh

CITY OF KELOWNA

BYLAW NO. 11105

Official Community Plan Amendment No. OCP14-0027 - Garoslav and Catherine Maruszczak 505-525 Snowsell Road North

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 9, Township 23, ODYD, Plan EPP21900, located on Snowsell Road North, Kelowna, B.C., from the Single / Two Unit Residential (S2RES) designation to the Commercial (COMM) 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 15th day of June, 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

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11106
Z14-0059 - Garoslav and Catherine Maruszczak
505-525 Snowsell Road North

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 9, Township 23, ODYD, Plan EPP21900, located on Snowsell Road North, Kelowna, B.C., from the C1 - Local Commercial zone to the C2 - Neighbourhood 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 15th day of June, 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

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 11107
Z15-0008 - Danny and Mary Cresswell
902 Clifton Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 20, Section 30, Township 26, ODYD, Plan 11261 located on Clifton Road, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing 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 22nd day of June, 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

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11108

Z15-0009 - Glen Park Village Inc., Inc. No. 378493, Terry Johnston, Daniel Pereverzoff, Jeffrey Pereverzoff and Dr. Johan DuPlessis Inc., Inc. No. 648102 1936-1940 Kane Road and 437 Glenmore Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot C, Sections 32 and 33, Township 26, ODYD, Plan KAP49467, Except Plan KAP57155 located on Kane Road, Kelowna, B.C., from the C3 - Community Commercial zone to the C3lp/rls - Community Commercial (liquor primary/retail liquor sales) zone.
2. AND THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, Section 32, Township 26, ODYD, Plan KAP54790 located on Glenmore Road, Kelowna, B.C., from the C3lp/rls - Community Commercial (liquor primary/retail liquor sales) zone to the C3 - Community Commercial 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 22nd day of June, 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

Mayor

City Clerk

REPORT TO COUNCIL



Date: 6/30/2015

RIM No. 0930-50

To: City Manager

From: Urban Planning, Community Planning and Real Estate (PMc)

Application: LL15-0006 **Owner:** Mission Creek Holdings Ltd.
(Inc. No. 161142)

Address: 3929-3933 Lakeshore Road **Applicant:** 614540 BC LTD.(dba
Creekside Pub)

Subject: Liquor License Application

Existing OCP Designation: COMM - Commercial
PARK - Major Park /Open Space (public)

Existing Zone: C2lr - Neighbourhood Commercial (Liquor Primary/Retail Liquor
Sales)

1.0 Recommendation

THAT Council directs staff to forward the following recommendation to the Provincial Liquor Control and Licensing Branch (LCLB):

"Be it resolved that:

1. Council recommends support of the application from 614540bc Ltd. (dba Creekside Pub Restaurant, and Cold Beer and Wine Store at 3929-3933 Lakeshore Road, (legally described as Lot A, Section 6, Township 26, ODYD, Plan 36411) for a change to licensed hours of sale from 10:00 AM to 12:00 AM Monday to Thursday, 11:00 PM to 1:00 AM Friday and Saturday and 11:00 AM to 12:00 AM Sunday to 10:00 AM to 12:00 AM Monday to Thursday, 10:00 PM to 1:00 AM Friday and Saturday and 10:00 AM to 12:00 AM to allow for consistent opening times during the week.
2. The Council's comments on the prescribed considerations are as follows:
 - (a) The potential for noise if the application is approved;
The potential for noise may increase due to the additional hour of service for Friday, Saturday and Sunday mornings. However, noise has not been an issue at this location in the past.
 - (b) The impact on the community if the application is approved:
Significant negative community impacts are not anticipated.
3. The Council's comments on the views of residents (if applicable) are as contained within the minutes of the meeting at which the application was considered by Council. The

methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures".

2.0 Purpose

To seek Council's support for a permanent change in licensed hours of sale for the establishment.

3.0 Urban Planning

The applicant wishes to change the hours of liquor service for the Creek Side Pub to allow hours of service to commence at 10:00AM, seven days a week, in order to have a consistent opening time through the week.

4.0 Background

The subject property has been operated as a pub and restaurant with a retail liquor store since the late 1980's. Currently the location has a Food Primary capacity of 128, a Liquor Primary capacity of 207, as well as a Licensee Retail Store. There is no change in capacity or increase in building size associated with this application.

A liquor license application has been forwarded by the owner to the Provincial Liquor Control and Licensing Branch (LCLB) for their approval. Procedurally, any liquor primary applications requesting a permanent change to a liquor primary license require Local Government comment. As noted, the applicant is seeking a change to operating hours, in order to have consistent opening times during the week.

4.1 Project Description

Existing Hours of Sale:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	10:00 AM	10:00 AM	10:00 AM	10:00 AM	11:00 AM	11:00 AM	11:00 AM
Close	12:00 AM	12:00 AM	12:00 AM	12:00 AM	1:00 AM	1:00 AM	12:00 AM

Proposed Hours of Sale:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM
Close	12:00 AM	12:00 AM	12:00 AM	12:00 AM	1:00 AM	1:00 AM	12:00 AM

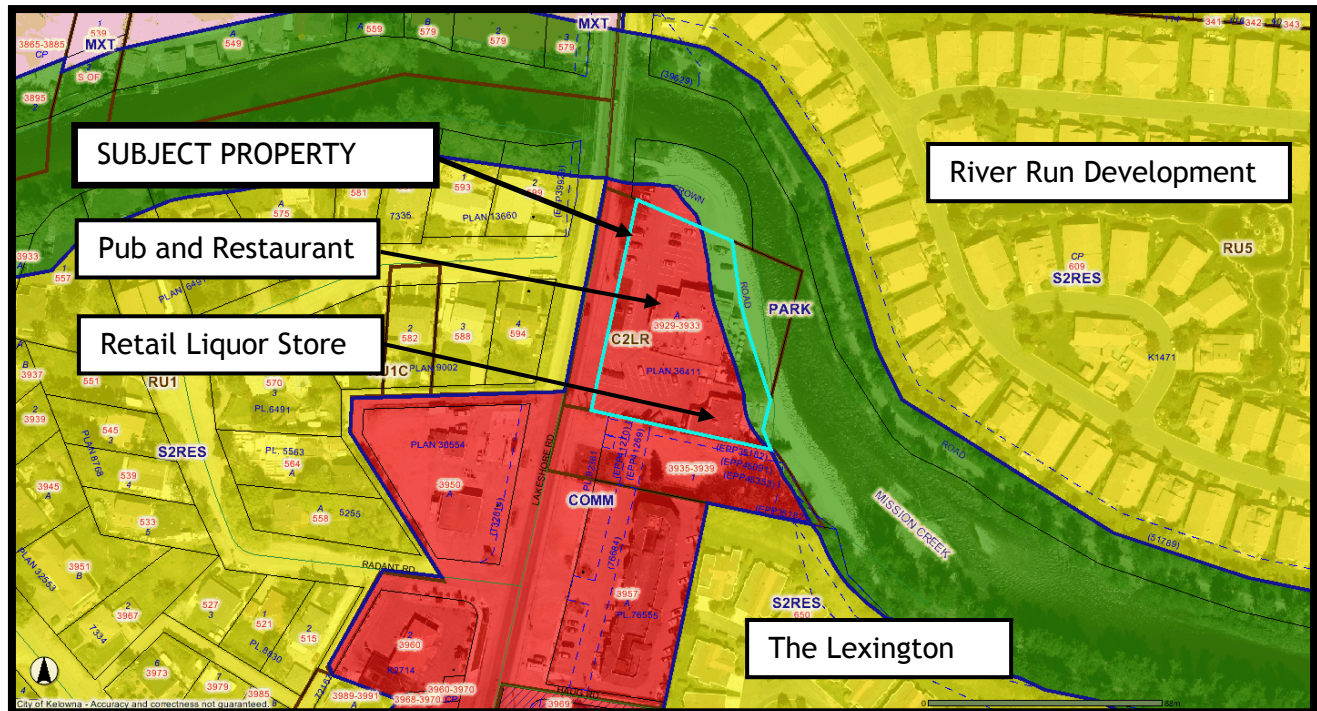
4.2 Site Context

The subject property is located on the east side of Lakeshore Road, south of Mission Creek. The adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU5 - Bare Land Strata Housing	Mission Creek
East	RU5 - Bare Land Strata Housing	Mission Creek
South	C3 - Community Commercial	Retail and office uses
West	RU1 - Large Lot Housing	Single Unit Housing

Subject Property Map:

3929 Lakeshore Road



5.0 Current Development Policies

5.1 Council Policy #359 - Liquor Licensing Policy & Procedures

The proposed change in hours of sale will not contravene any guidelines within this policy.

6.0 Technical Comments

6.1 Building & Permitting Department

No comment.

6.2 Bylaw Services

No concerns.

6.3 Fire Department

No concerns.

6.4 RCMP

The RCMP are not opposed to the change in hours of service requested by Creekside Pub.

7.0 Application Chronology

Date of Application Received: April 15, 2015

Report prepared by:

Paul McVey, Urban Planner

Reviewed by:



Lindsey Ganczar, Urban Planning Supervisor

Approved for Inclusion:



Ryan Smith, Manager, Urban Planning

Attachments:

Subject Property Map;
LCLB License Application package
Site Photo



LL150006

Application for a Permanent Change to a Liquor Licence

All Licence Types
Liquor Control and Licensing Form LCLB005b

FILLING OUT THIS FORM:

Complete all applicable fields then submit with payment as outlined in Part 10 of this application form.

- If you have any questions about this application, call Liquor Control and Licensing Branch (LCLB) toll-free at: 1 866 209-2111.
- LCLB forms and supporting materials referred to in this document can be found at: www.pssg.gov.bc.ca/lclb

Application Contact Information

The applicant authorizes the person below to be the primary contact for the duration of the application process only.

Name: PERJU DANIEL MARIAN

Phone number: 250 863 1579

Fax number: 250 764 0127

E-mail address: CREEKSIDE PUB @ GMAIL COM

Licensee Information

Licensee name [as shown on licence]: CREEKSIDE PUB / CREEKSIDE RESTAURANT

Establishment name [as shown on licence]: CREEKSIDE PUB RESTAURANT & COLD BEER & WINE STORE

Establishment Location address [as shown on licence]:
3929 LAKESHORE RD KELOWNA BC V1W1N3
Street City Province Postal Code

Mailing address: [All correspondence will go to this address]
3929 LAKESHORE RD KELOWNA BC V1W1N3
Street City Province Postal Code

Business Tel with area code: 250 764 2335

Business Fax with area code: 250 764 0127

Business e-mail: CREEKSIDE PUB @ GMAIL COM

Contact Name: PERJU DANIEL MARIAN
last / first / middle

Title/Position: Mgr.

Type of Change Requested

Please check (✓) appropriate box(es) below and provide licence numbers affected for each requested change. You may complete more than one change section on this form. An incomplete application will be held for a maximum of thirty (30) days. If still incomplete after the thirty (30) day period, the application may be terminated. See Part 13 for the approval process for the change you have requested.

Type of change requested	Licence numbers affected MANDATORY	Job Number Office Use ONLY
<input type="checkbox"/> 1. Establishment/business or licence name change (p.2)		(C2-LIC) (sub) <u>0</u>
<input type="checkbox"/> 2. Food-primary entertainment endorsement (p.2)		(C2-LIC) (sub) <u>5811750-37</u>
<input type="checkbox"/> 3. Request for change in terms and conditions (p.2)		(C3-LIC) (sub)
<input type="checkbox"/> 4. Live theatres requesting liquor service (p. 2)		(C3-LIC) (sub)
<input type="checkbox"/> 5. Request for tied house restrictions exemption (p. 3)		(C3-LIC) (sub)
<input checked="" type="checkbox"/> 6. Change to hours of sale (p.3)	<u>105111 021319</u>	(C3-LIC) (sub) <u>710218-45</u>
<input type="checkbox"/> 7. Catering endorsement (p.4)		(C3-LIC) (sub)
<input type="checkbox"/> 8. Temporary off-site sale endorsement (p.4)		(C2-LIC) (sub)

Applying for other permanent changes to your licence?

- To apply for alterations or additions to a licensed establishment (structural changes), use an *Application for a Structural Change*. For Liquor Primary and Liquor Primary Club, use form LCLB012a; for Food Primary, use LCLB012b; for Manufacturer and Winery Endorsements, use LCLB013; for Wine Store and Licensee Retail Store, use LCLB012c.
- To apply to have a third party management firm or lessee operate your licensed establishment, use the *Application to Add or Change a Licensee's Third Party Operator* (LCLB026) or to apply for a resident manager to operate your establishment, use the *Application to Add or Change a Licensee's Resident Manager* (LCLB025).
- To apply for a change to the shareholders, directors, licensee name or to add a receiver or executor, use the *Application for a Permanent Change to a Licensee* (LCLB005a).

PART 1: Establishment or Business Name Change and/or Licence Name Change C2 - LIC

To be completed when the licensee wishes to change the name of an establishment or business and/or licence.

Note: If a name change results in a change in exterior signs, the signs are subject to branch approval.

Fee: \$220 per licence x licences = \$

Establishment or business name change:

Current establishment or business name as shown on licence:

Proposed name:

Licence name changes:

Licence #:

Current licence name:

Proposed licence name:

Licence #:

Current licence name:

Proposed licence name:

LIQUOR CONTROL & LICENSING

RECEIVED

APR 09 2015

VICTORIA BC

Attach the following:

☐ Sketch or picture of the proposed establishment or business signage.

Also complete Parts 9 and 10

PART 2. Entertainment Endorsement (Food Primary licenses only) C2 - LIC

According to the type of entertainment being applied for, complete either (A) or (B) below and attach required documents:

A) Patron non-participation entertainment endorsement (e.g., musicians)

Note: Patron non-participation entertainment must end by 1:00 a.m. Fee: \$220 per licence x licences = \$

☐ Submit a letter of intent describing, in detail, the form of patron non-participation entertainment proposed and where it will take place in your restaurant.

B) Patron participation entertainment endorsement (e.g., dance floor):

Note: Patron participation entertainment must end by midnight. Fee: \$330 per licence x licences = \$

☐ Submit a letter of intent describing, in detail, the form of patron participation entertainment proposed and where it will take place in your restaurant.

☐ Request a local government/First Nation resolution commenting on the application (local government must complete Part 12 of this form. For further information on local government resolutions, read Part 11).

There are restrictions related to forms of entertainment, sound systems, etc. If you are uncertain about any of the details of your proposal, consult with licensing staff at LCLB in Victoria (see contact information on page 5 of this form).

NOTE – When relocating a Food-Primary establishment: An endorsement for patron participation entertainment cannot transfer location without local government/First Nations comment and LCLB approval. This is required because the local government/First Nation must be provided an opportunity to reconsider the impact of the endorsement on the community given the establishment's new location. Use this form to reapply for the endorsement but do not pay the application fee(s).

Are you submitting an application to transfer the location of a Food Primary licence with this application? ☐ Yes ☐ No

Also complete Parts 9 and 10

PART 3. Request of Change in Terms and Conditions C3 - LIC

This section may be used for requests to change the terms and conditions on a liquor licence including requests to the general manager for an exercise of discretion. Depending on the nature of the licence change requested, local government and public input may be required.

Fee: \$220 per licence x licences = \$

Attach:

☐ A letter of intent describing, in detail, the proposed change to your licence and compelling reasons for your request. To request discretion, provide a written submission detailing why a request for discretion should be approved. All documentation to support your request for discretion must be submitted together in one package; the branch will not consider additional materials submitted after a completed application is received. If a staff report is prepared in regards to your request, you will be provided with a copy and will have two weeks to provide any comment before the request for discretion is considered by the General Manager. For more information on requests for discretion, see section 4.1.2 of the Licensing Policy Manual (<http://www.pssg.gov.bc.ca/lclb/docs-forms/lclb207-policy-licensing.pdf>)

Also complete Parts 9 and 10

PART 4. Live theatres requesting liquor service in conjunction with films/broadcasts C3 - LIC Fee: \$330

Licensed live event theatres may apply for permission to serve liquor in conjunction with films and broadcasts. Please provide a written proposal detailing your request.

See Policy Directive 12-02 for the conditions that apply to liquor service at live theatres during films and broadcasts.

LCLB will forward your application to your local government/first nation for comment. Consideration will also be given to the compliance history of the establishment.

Also complete Parts 9 and 10

PART 5. Request for Exemption from Tied House Restrictions (Manufacturers only)**C3 - LIC**Fee: \$220 per licence x licences = \$

As of March 1, 2013, licensed manufacturers may own or have an association with up to 3 licensed establishments (LP, LRS, FP, Catering) that are not located on the same site as the manufacturer and where the manufacturer's products may be sold.

Attach a signed letter for each manufacturing licence that you are applying for above, stating the following:

- ☐ Identify the manufacturer (by licence name and licence number) applying for the exemption. If the manufacturer is not yet licensed, provide the proposed licence name, location address and the job number assigned to your file.
- ☐ Identify the liquor licences (by name and number) that you wish to have exempted from the tied house restrictions (maximum you can ever apply for is three).
- ☐ Disclose the manufacturer's production amount (minus spillage) for the previous year.

For more information on requests for exemption, see Policy Directive 13-03.

Also complete Parts 9 and 10

PART 6. Change to Hours of Sale**C3 - LIC**

(Liquor Primary, Liquor Primary Club, Food Primary & Manufacturer endorsements)

Pursuant to Section 12(3) of the Liquor Control and Licensing Act, the general manager may limit the days and hours that an establishment is permitted to be open for the sale of liquor.

Hours of liquor sales for Food Primary establishments must meet with the dining habits of the clientele expected. Liquor must not be served unless the establishment is open for the service of a varied selection of menu items.

Licensees may apply to revise hours of sale, subject to any restrictions within the Liquor Control and Licensing Act, Regulations, Branch policies and/or original terms and conditions of licensing. In some instances, the general manager of the Liquor Control and Licensing Branch may require the licensee to post public notices before a decision to alter licence hours is considered.

Check ☒ the appropriate change, and provide the requested information and documents:

APR 09 2015

A) Food Primary

- ☐ (i) Request to change hours of liquor sales before midnight Fee: \$220 per licence x licences = \$
 - complete proposed hours of sale table below
- ☐ (ii) Request to extend hours of liquor sales later than midnight Fee: \$330 per licence x licences = \$
 - complete proposed hours of liquor sale table below, and
 - request a local government/First Nation resolution commenting on the application (local government must complete Part 12 of this form; for further information on local government/First Nations resolutions, read Part 11).

Note: if you have patron participation entertainment, it must end by midnight

B) Liquor-Primary, Liquor-Primary Club, Manufacturer Special Event Area or Manufacturer Lounge

- ☐ (i) Request to change the hours of liquor sales within the hours currently approved:
 - complete proposed hours of sale table below
- ☒ (ii) Request to change the hours of liquor sales outside the hours currently approved:
 - complete proposed hours of liquor sale table below, and Fee: \$330 per licence x licences = \$
 - request a local government/First Nation resolution commenting on the application (local government must complete Part 12 of this form; for further information on local government/First Nation resolutions, read Part 11).

Complete the table below, indicating proposed hours of liquor sales:

Current Hours of Liquor Sale:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	10	10	10	10	11	11	11
CLOSED	Midnight	Midnight	Midnight	Midnight	01	01	Midnight

Proposed Hours of Liquor Sale:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	10	10	10	10	10	10	10
CLOSED	Midnight	Midnight	Midnight	Midnight	01	01	Midnight

NOTE – When relocating a Food-Primary establishment: An endorsement for hours of liquor service after midnight cannot transfer location without local government/First Nations comment and LCLB approval. Use this form to reapply for the endorsement but do not pay the application fee(s).

Are you submitting an application to transfer the location of a Food Primary licence with this application? ☐ Yes ☒ No

Also complete Parts 9 and 10

PART 7. Request for Catering Endorsement (Food Primary and Liquor Primary licences only)

Food primary and liquor primary licensees (excluding liquor primary club licensees) may apply for a catering endorsement if they wish to be licensed to transport and sell liquor at catered events where they have been hired to provide food service. The catered events must be hosted by other people and must take place outside the 'red-lined area' (the area where liquor is sold, served and consumed) and generally away from the establishment. The caterer must be present for the duration of a catered event. Licences with a catering endorsement are subject to an annual licensing fee of \$100 in addition to the annual renewal fees.

Fee: \$330 per licence x licences = \$

To qualify for an endorsement the applicant must demonstrate at the time of inspection:

- Catering service is focused on the preparation and serving of food.
- The applicant has the personnel and infrastructure necessary to prepare and serve food at events hosted by others. This includes a requirement to have a full commercial kitchen at the applicant's existing licensed establishment.

NOTE: If a licence is approved with a catering endorsement, the licensee must notify LCLB of all catered events (except in private residences) using OneStop (www.bcbusinessregistry.ca). Some events may require approval from LCLB before the catered event can take place. Further information about how to notify LCLB will be provided by your local liquor inspector when they complete their final inspection.

LCLB will review your application and if approved you will be required to arrange a final inspection. If the liquor inspector is not satisfied with your kitchen equipment, food selection, advertising and staffing, you may be required to make changes and schedule a second (2nd) inspection to confirm you meet the requirements of a catering endorsement. A fee of \$200 will be charged if a second (2nd) inspection is required.

Also complete Parts 9 and 10

PART 8. Temporary Off-Site Sale Endorsement (Licensee Retail Store & Wine Store licences only)

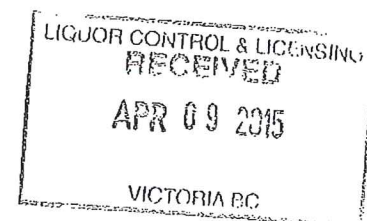
Licensee retail store (LRS) licensees and wine store (WS) licensees may apply for a temporary off-site sale endorsement to permit the sale of packaged liquor in conjunction with a Special Occasion Licensed (SOL) event that has a focus on food and/or beverage tasting (e.g., a wine festival).

A temporary off-site store can only operate during the festival days and hours but liquor sales cannot take place before 9am or after 11pm. The LRS or WS licensee must have an agreement with the SOL licensee and confirm with the SOL licensee that Local Government /First Nations permits the sale of packaged liquor products for off site consumption at the SOL event. Wine store licensees can only sell the range of products permitted by their store licence.

No Fee

NOTE: If a licence is approved with a temporary off-site sale endorsement, the licensee must notify LCLB for each temporary off-site store they will be operating by submitting a complete Temporary Off-site Sale Authorization form (LCLB 091) by fax or email 14 calendar days prior to the SOL event. A copy of LCLB 091 form can be found on our website at <http://www.pssg.gov.bc.ca/lclb/docs-forms/LCLB091.pdf>. An event specific authorization will be issued.

Also complete Parts 9 and 10



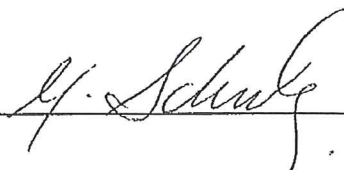
PART 9: Declaration

My signature (the licensee's) below indicates that I understand and acknowledge:

All of the information given is true and complete to the best of my knowledge. Section 15(2) of the *Liquor Control and Licensing Act* states, "A person applying for the issue, renewal, transfer or amendment of a licence who fails to disclose a material fact required by the form of application or makes a false or misleading statement in the form of application, commits an offence".

Signature of any shareholder of a private corporation, signing officer of a public corporation or society, sole proprietor or all individuals in a partnership is required below:

Note: An agent, lawyer, resident manager or third party operator may not sign the declaration on behalf of the applicant.

Name of Official:	SCHULZ YVONNE ULLA	(last / first / middle)	
Position:	OWNER	Date:	07 04 2015
		(Day/Month/Year)	Signature: 
Name of Official:		(last / first / middle)	
Position:		Date:	
		(Day/Month/Year)	Signature:
Name of Official:		(last / first / middle)	
Position:		Date:	
		(Day/Month/Year)	Signature:
Name of Official:		(last / first / middle)	
Position:		Date:	
		(Day/Month/Year)	Signature:

PART 10: Application Fees

TOTAL FEE Submitted: \$ 550

In accordance with Payment Card Industry Standards, the branch is no longer able to accept credit card information via email.

Payment is by (check (X) one):

☒ Cheque, payable to Minister of Finance (if cheque is returned as non-sufficient funds, a \$30 fee will be charged)

☐ Money order, payable to Minister of Finance

☐ Credit card: ☐ VISA ☐ MasterCard ☐ AMEX

☐ I am submitting my application by email and I will call with my credit card information. I will call Victoria Head Office at 250-952-5787 or 1-866-209-2111 and understand that no action can proceed with my application until the application fee is paid in full.

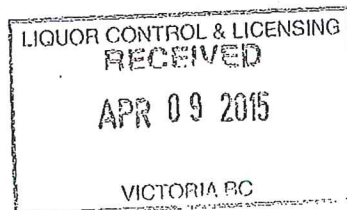
☐ I am submitting my application by fax or mail and have given my credit information in the space provided at the bottom of the page.

Liquor Control and Licensing Branch

Location: 4th Floor, 3350 Douglas St., Victoria BC V8Z 3L1

For Mail Only: PO Box 9292 Stn Prov Govt Victoria, BC V8W 9J8

Phone: 250 952-5787 Fax: 250 952-7066 Web: www.pssg.gov.bc.ca/lclb E-mail: liquor.licensing@gov.bc.ca



LCLB005b

5 of 7

Application for Permanent Change to Liquor Licence

Credit Card Information (To be submitted by fax or mail only)

Name of cardholder (as it appears on card):

Credit card number:

Expiry date:

(Month)

(Year)

Signature: _____

PART 11: Local Government/First Nation Resolutions: (Information for the Applicant)

For the following changes a resolution from your local government or First Nation, commenting on the application is required:

- Part 2(B): Food-primary patron participation entertainment endorsement, and
- Parts 5(A)(ii) and 6(B)(ii): Change to hours of sale

Licensee responsibilities:

- Fill out appropriate change application sections in this form.
- Request your local government/First Nation to sign and date Part 12 of this form.
- Provide a photocopy of this form to the local government/First Nation and request that a resolution be provided within 90 days and sent directly to the Liquor Control and Licensing Branch, Victoria Head Office.
- Send the original form and application fees to the branch.
- The Liquor Control and Licensing Branch will follow up with the local government/First Nation if a resolution has not been received by the Branch within 90 days of the local government's receipt of your request.

Your local government/First Nation may decide that it does not wish to provide comment on your change request. However, they must still provide a resolution stating this decision and this resolution must be submitted to the Liquor Control and Licensing Branch.

For more information on resolutions regarding B.C. liquor licences, please visit the LCLB website publication index to consult the guide *Role of Local Government and First Nation* at <http://www.pssg.gov.bc.ca/lclb>.

PART 12: Local Government/First Nation Confirmation of Receipt of Application

This application serves as notice from the Liquor Control and Licensing Branch (LCLB) that an application for one or more of the following changes to a liquor licence has been made within your community:

- Hours of liquor service past midnight for a food primary licence.
- Change to hours of liquor service for a liquor primary, liquor primary club, winery lounge or winery special event endorsement
- Addition of patron participation entertainment endorsement for a food primary licence.

Local government/First Nation (name): CITY OF KELOWNA

Name of Official: McVEY PAUL Title/Position: URBAN PLANNER
(last / first / middle)

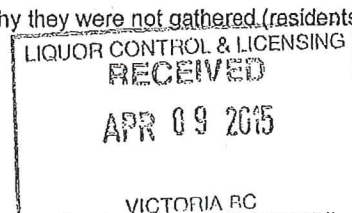
Date of receipt of application: 15/04/15 Phone Number: 250-469-8587
(Day/Month/Year)

Signature of Official: [Signature]

The Liquor Control and Licensing Branch (LCLB) requests that a resolution commenting on the application be sent to the LCLB Victoria Head Office within 90 days of the above date of receipt.

To comply with section 53 of the Liquor Control and Licensing Regulation, this resolution must:

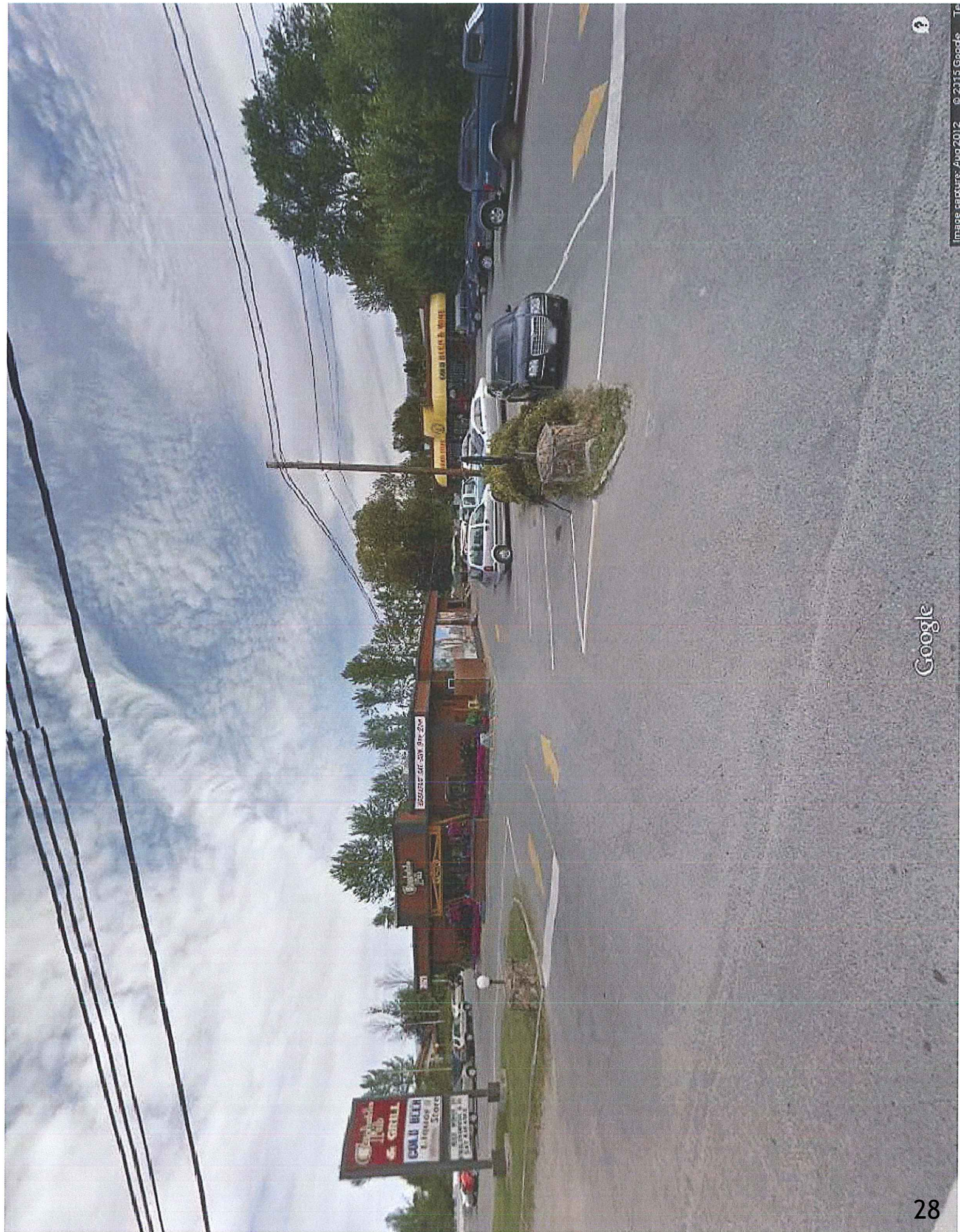
- Comment on the following regulatory criteria:
 - the potential for noise if the application is approved;
 - the impact on the community if the application is approved; and
 - whether the amendment may result in the establishment being operated in a manner that is contrary to the primary purpose (provide comments only if the application is from a food-primary licence for an extension of hours of liquor service past midnight or the addition of patron participation entertainment).
- Indicate whether or not the views of residents were gathered, and if not, provide reasons why they were not gathered (residents include residents and business owners).
- If the views of residents were gathered explain:
 - the views of the residents;
 - the method used to gather the views of the residents; and
 - comments and recommendations with respect to the views of residents.
- Provide recommendation as to whether the amendment should be approved.



You must refer to and attach any report presented by an advisory body or sub-committee to the council or board:

If more than 90 days is required to provide a resolution, please contact the branch to make a request to the general manager for an extension. If the local government/First Nation decides not to provide comment, a resolution indicating this decision must be provided to the branch. Please be advised that if the LCLB does not receive a resolution or a request for an extension within 90 days, the general manager is authorized to review the application without a resolution and make a decision about the application.

For more information on resolutions regarding B.C. liquor licences, please visit the LCLB website publication index to consult the guide *Role of Local Government and First Nation* at <http://www.pssg.gov.bc.ca/lclb>.



CITY OF KELOWNA
BYLAW NO.11093
Z15-0015 - Jacob and Julie Cruise
2265 Wilkinson Street

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2, District Lot 136, ODYD, Plan KAP89721, located on Wilkinson Street, Kelowna, B.C., from the RU2 - Medium Lot Housing zone to the RU2c - Medium Lot Housing 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 4th day of May, 2015.

Considered at a Public Hearing on the 26th day of May, 2015.

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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: June 30, 2015

RIM No. 0940-50

To: City Manager

From: Urban Planning, Community Planning & Real Estate (TY)

Application: DP15-0067, DVP15-0068 **Owner:** Jacob & Julie Cruise

Address: 2265 Wilkinson Street **Applicant:** Jacob Cruise

Subject: Development Permit & Development Variance Permit Application

Existing OCP Designation: S2RES - Single/Two Unit Residential

Existing Zone: RU2 - Medium Lot Residential

Proposed Zone: RU2c - Medium Lot Residential with Carriage House

1.0 Recommendation

THAT final adoption of Zone Amending Bylaw No. 11093 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP15-0067 for Lot 2 District Lot 136 ODYD Plan KAP89721, located on 2265 Wilkinson Street, 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. DVP15-0068 for Lot 2 District Lot 136 ODYD Plan KAP89721, located on 2265 Wilkinson Street, Kelowna, BC;

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

Section 13.2.6 (a) - RU2 - Medium Lot Residential - Development Regulations

Vary the maximum site coverage together with driveways and parking areas from a maximum of 50% required to a maximum of 62% proposed.

Section 13.2.6 (d) - RU2 - Medium Lot Residential - Development Regulations

Vary the minimum side yard setback for a 1 ½ storey portion of a building from 1.5 m required to 1.0 m proposed.

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

2.0 Purpose

To consider a Development Permit application and a Development Variance Permit application for a proposed carriage house.

3.0 Urban Planning

Urban Planning Staff supports the proposal for two variances on the subject property. The applicant is proposing to convert an existing accessory building to carriage house dwelling. The applicant will work with City Staff to bring the accessory building to a standard required for a dwelling as per the current BC Building Code. No changes are proposed to the siting or form and character of the accessory building.

Kelowna's Official Community Plan supports the densification of neighbourhoods through appropriate infill development and utilization of existing infrastructure. The subject parcel has a Future Land Use designation of S2RES - Single/Two Unit Residential. Overall, the variances requested do not interfere with the neighbourhood form and character as both variances are existing and are similar to those residential dwellings along Wilkinson Street.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbourhood consultation by individually contacting neighbours for their rezoning application in March 2015.

OCP Future Land Use Map:

2265 Wilkinson Street



4.0 Proposal

4.1 Background

An existing one and a half storey detached garage exists on the subject property. This accessory building was constructed in 2014. The current property owner wishes to rezone to facilitate renovations to the existing accessory structure to create a carriage house dwelling on the upper floor.

4.2 Project Description

The applicant is applying for two variances to facilitate the conversion of an existing accessory building to a carriage house. Currently the property is zoned RU2. A rezoning application (Z15-0015) for RU2c has received 3rd reading. The siting and overall exterior design of the building will remain unchanged.

At the time of construction, the existing accessory structure met Zoning Bylaw No. 8000 regulations having a side yard setback of 1.0 m along the south (side) property line. As current zoning regulations for a carriage house in an RU2c zone require a minimum of 1.5 m from a side yard, this accessory structure requires a variance in order to be converted from an accessory building to a dwelling.

Buildings on the property meet site coverage requirements of a maximum of 40%. A variance to site coverage including hard surface areas is requested as the subject property exceeds this coverage of an allowable 50%. The subject property has a driveway that runs from Wilkinson Street to the rear of the property, bringing site coverage including hard surfaces to 62%.

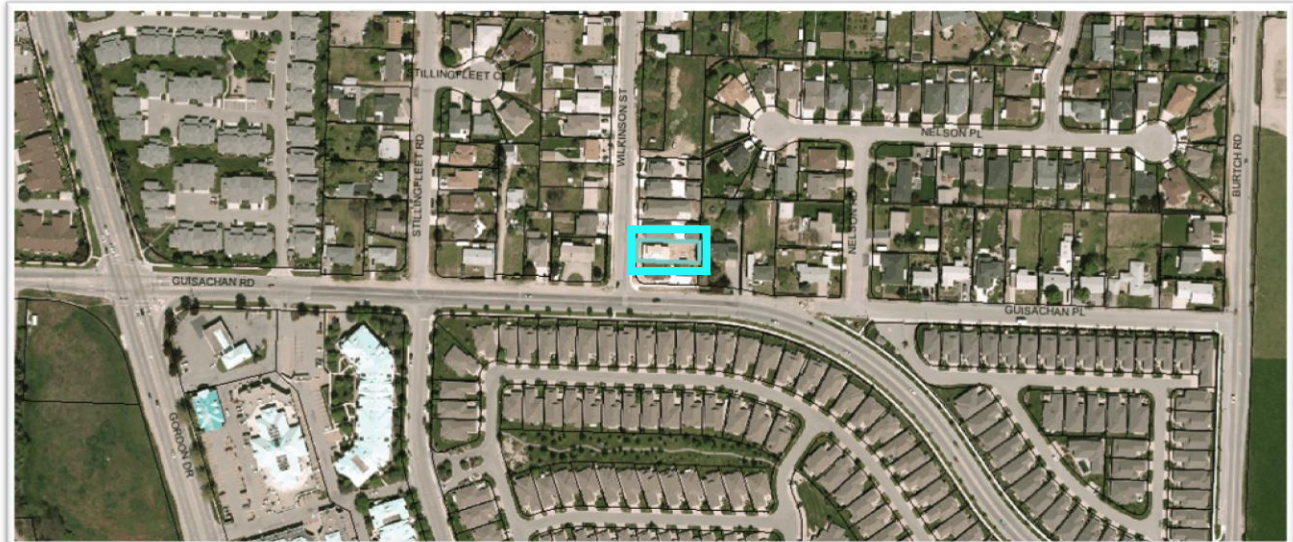
4.3 Site Context

The subject property is located on the east side of Wilkinson Street, between Guisachan Road and McBride Road. This residential neighbourhood is a mix of RU1, RU2 and RU5 zones. The property is currently zoned RU2, identified in Kelowna's OCP as S2RES, and is within the permanent growth boundary.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2	Residential
East	RU1	Residential
South	RU2	Residential
West	RU2	Residential

Subject Property Map: 2265 Wilkinson Street



4.4 Site Photos

View of principal dwelling from Wilkinson Street



Existing Accessory Structure



4.5 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU2c ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	400 m ²	568 m ²
Minimum Lot Width	13.0 m	13.7 m
Minimum Lot Depth	30.0 m	41.5 m
Development Regulations		
Maximum Site Coverage	40 %	32 %
Maximum Site Coverage including hard surface	50 %	62 % ❶
Maximum Site coverage of Carriage House	14 %	13.5 %
Maximum Size of Carriage House	90 m ² & 75 % of principal dwelling	73.3 m ² & 24%
Maximum Height of Carriage House	4.8 m	4.5 m
Minimum Front Yard	Carriage house is to be located in the rear yard	Located in the rear yard
Minimum Side Yard (north)	1.5 m	4.1 m
Minimum Side Yard (south)	1.5 m	1.0 m ❷
Minimum Rear Yard	m	2.0 m
Other Regulations		
Minimum Parking Requirements	3	3
Minimum Private Open Space	30 m ² each dwelling	70 m ² Principal & 31 m ² Carriage
❶ Indicates a requested variance to Maximum Site Coverage including hard surface		
❷ Indicates a requested variance to Minimum Side Yard setback (south)		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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

Sensitive Infill.² 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.

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

² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

6.0 Technical Comments

6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- Provide the City of Kelowna Bulletin #88-02 (Secondary Suites Requirements in a single family dwelling) for minimum requirements. The drawings submitted for Building Permit application is to indicate the method of fire separation between the suite and the garage.
- Range hood above the stove and the washroom to vent separately to the exterior of the building. The size of the penetration for this duct thru a fire separation is restricted by BCBC 12, so provide size of ducts and fire separation details at time of Building Permit Applications.
- A fire rated exit stairwell is required from the suite to the exterior c/w fire rated doors that open into the stairwell and a fire rating on the bottom of the stairs. Please provide these details on the building permit drawing sets.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- See attached Memorandum dated April 2, 2015

6.3 Fire Department

- Requirements of section 9.10.19 Smoke Alarms of the BCBC 2012 are to be met.
- If a fence is ever constructed between the dwellings a gate with a clear width of 1100mm is required. Any gate is to open with out special knowledge.
- Additional visible address is required from Wilkinson St.

7.0 Application Chronology

Date of Application Received: March 26, 2015
 Date of Z150015 3rd Reading: May 26, 2015

Report prepared by:

Tracey Yuzik, Planner

Reviewed by:

☐

Lindsey Ganczar, Urban Planning Supervisor

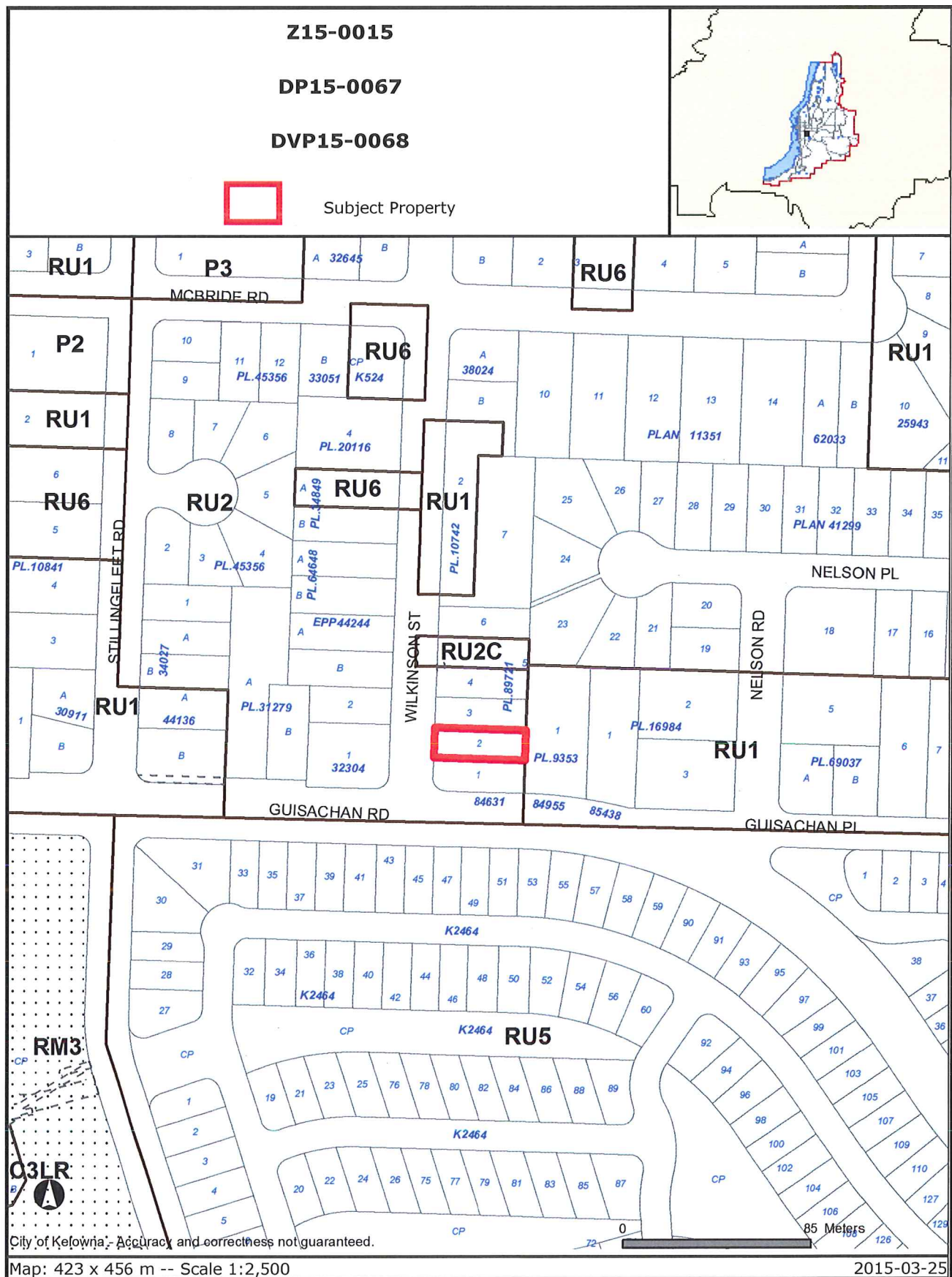
Approved for Inclusion:

☐

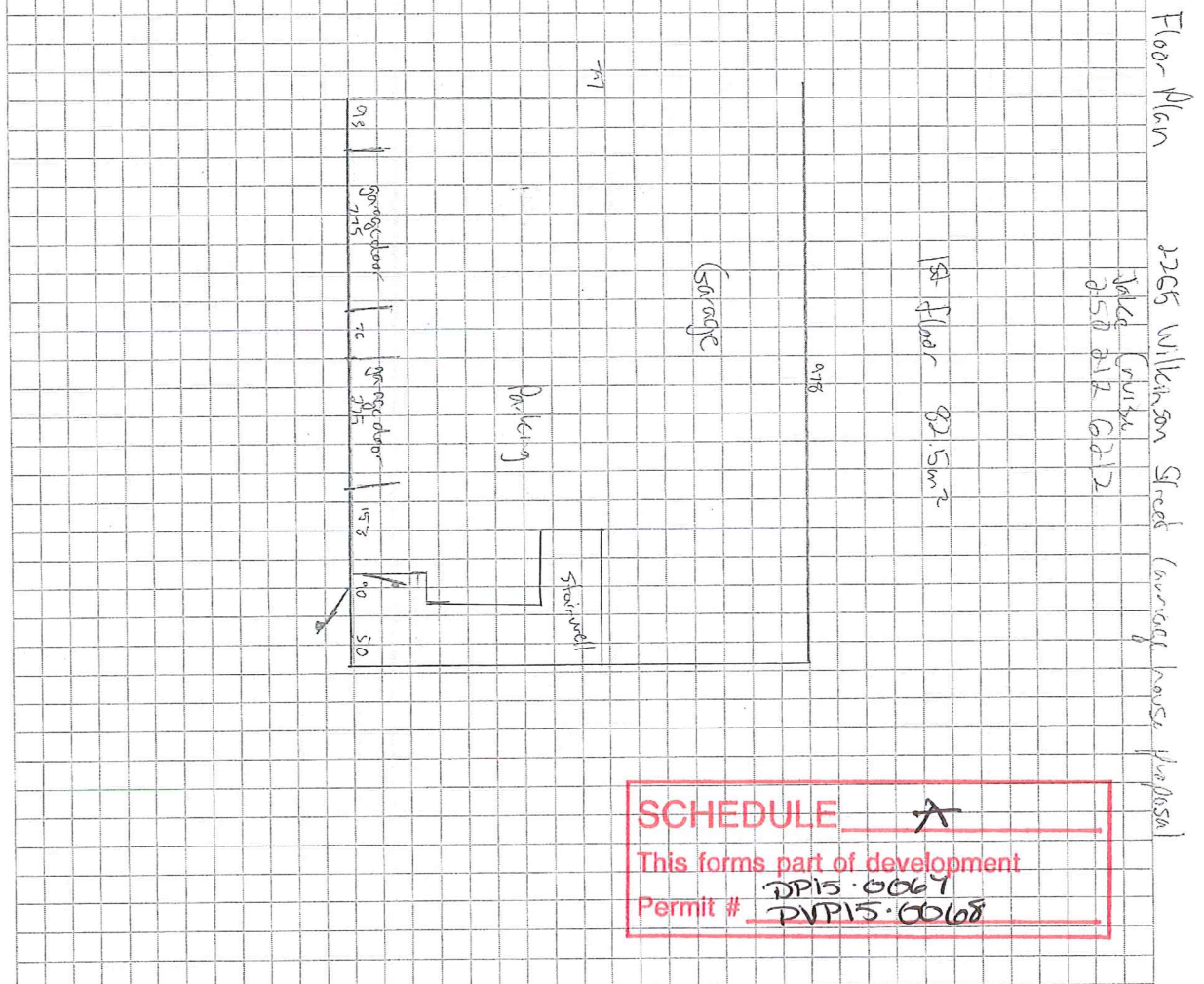
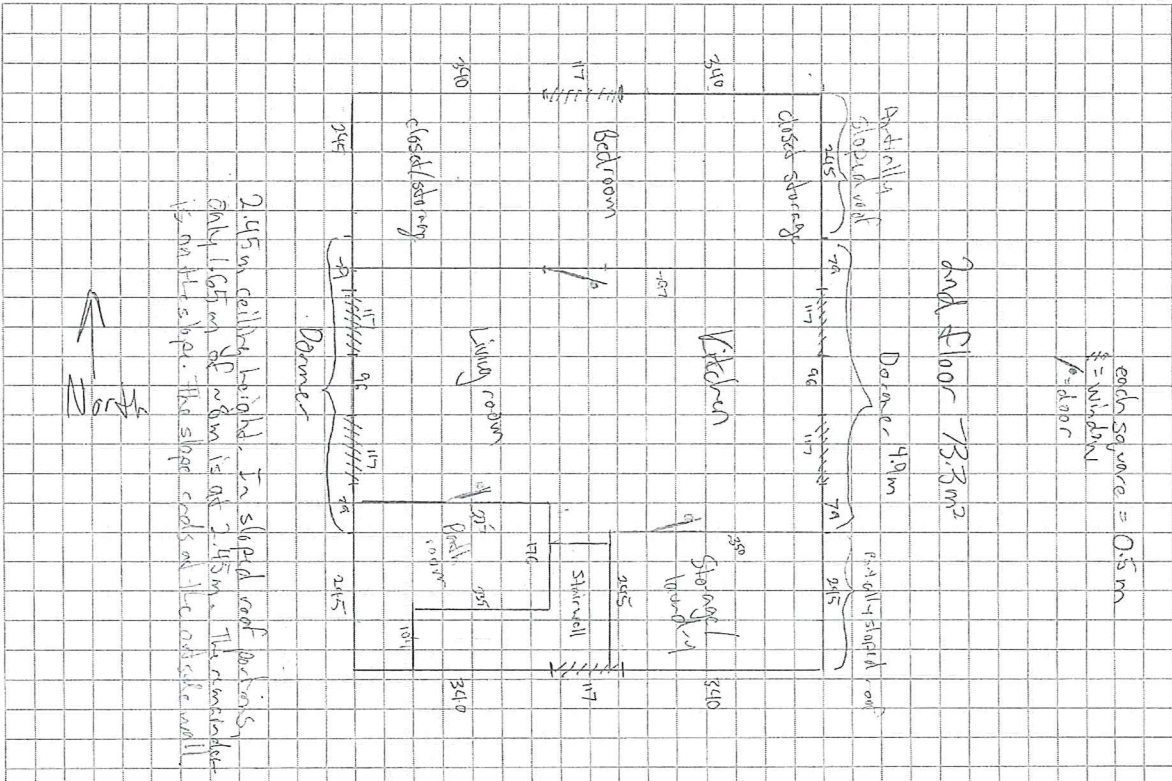
Ryan Smith, Urban Planning Manager

Attachments:

Subject Property Map
Site Plan Schedule "A"
Elevations Schedule "B"
Context/Site Photos
Development Engineering Memorandum
DRAFT PERMIT DP15-0067 & DVP15-0068



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.



SCHEDULE A

This forms part of development

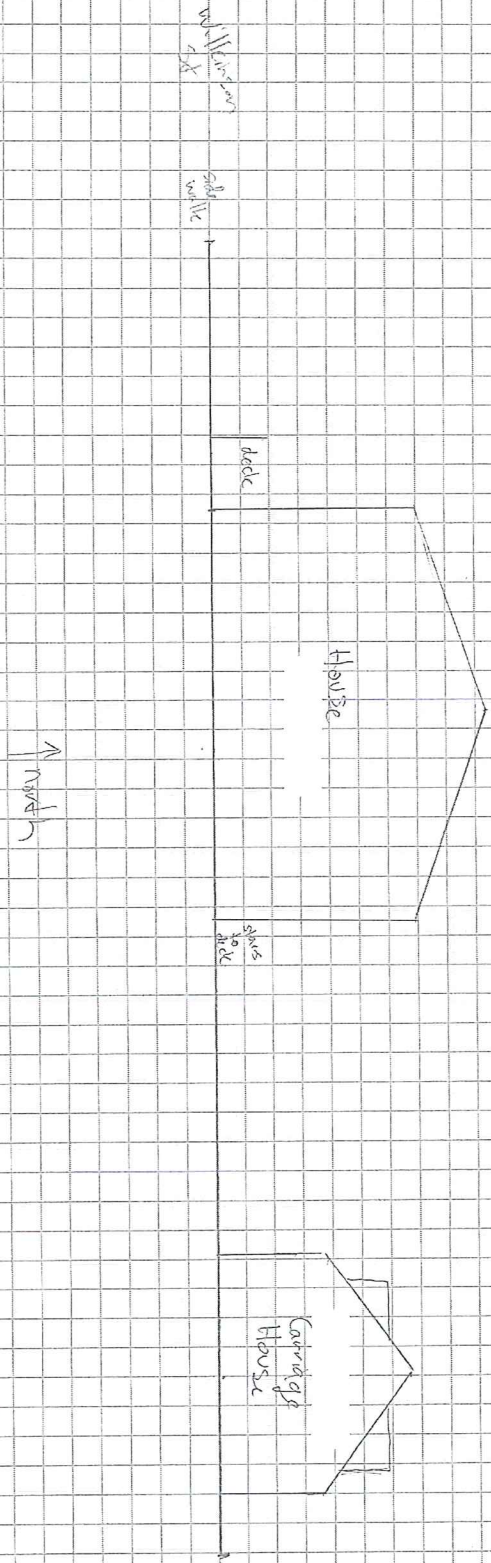
Permit # DP15-0064
 PVP15-0068

Profile view 2265 Wilkinson St

Scale: course 150'-219'-6.2'-12"

center square = 1m

Maximum height measured with some calculation for inside house. Profiles are not exactly to scale



SCHEDULE

P

This forms part of development

DPI5-0667

Permit # DPI5-0668

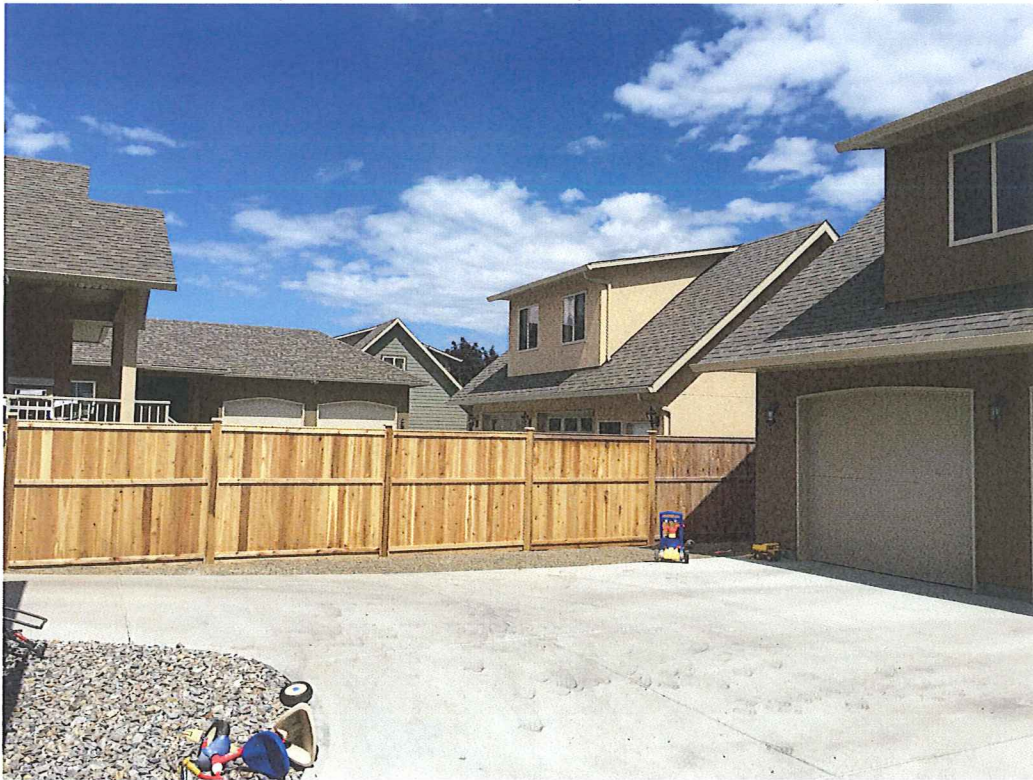
West side of the house. Two windows overlooking Tenants backyard.



Neighbours to the south: back of the house/property. No back yard. The window at the south side of the carriage house overlooks the roof of their accessory building.



Neighbours to the north (new fence built together for additional privacy)



South side of the carriage house window looks at side of accessory building next door.



East side of carriage house looks at windowless side of neighbour to the east. Bushes cover the small space on the neighbour's lot



CITY OF KELOWNA


MEMORANDUM

Date: April 2, 2015
File No.: DP15-0067
To: Urban Planning (TY)
From: Development Engineer Manager (SM)
Subject: 2265 Wilkinson St

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

1. **General.**

All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z15-0015.



Steve Muenz, P. Eng.
Development Engineering Manager

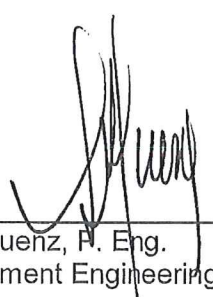
SS

CITY OF KELOWNA
MEMORANDUM

Date: April 2, 2015
File No.: DVP15-0068
To: Urban Planning (TY)
From: Development Engineering Manager (SM)
Subject: 2265 Wilkinson St

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

This development variance permit application to vary the site coverage and side yard setback does not compromise any municipal services.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

☐ Development Permit No. DP15-0067
Development Variance Permit No. DVP15-0068

EXISTING ZONING DESIGNATION:	RU2c - Two Dwelling Housing
DEVELOPMENT PERMIT PURPOSE:	To consider form and character of a carriage house.
DEVELOPMENT VARIANCE PERMIT PURPOSE:	Vary the maximum site coverage together with driveways and parking areas from 50% required to 60% proposed and vary the minimum side yard setback from 1.5 m required to 1.0 m proposed.
PERMIT PREPARED BY:	Tracey Yuzik

ISSUED TO:	Astrid Kneipp
LOCATION OF SUBJECT SITE:	792 Lawrence Avenue

	LOT	BLOCK	D.L.	DISTRICT	PLAN
LEGAL DESCRIPTION :	2		136	ODYD	KAP89721

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 a Development Permit and/or 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 carport are to be constructed on the land in general accordance with Schedule "A";
- b) AND THAT the design and finish of the carport are to be constructed on the land in general accordance with Schedule "B";
- c) AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted:

Section 13.2.6 (a) – RU2 – Medium Lot Residential – Development Regulations

Vary the maximum site coverage together with driveways and parking areas from a maximum of 50% required to a maximum of 62% proposed.

Section 13.2.6 (d) – RU2 – Medium Lot Residential – Development Regulations

Vary the minimum side yard setback for a 1 ½ storey portion of a building from 1.5 m required to 1.0 m proposed.

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

3. DEVELOPMENT:

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

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

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

THIS Permit IS NOT A BUILDING Permit.

4. PERFORMANCE SECURITY:

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

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

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

5. APPLICANT'S AGREEMENT:

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

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

I further covenant and agree that should I be granted a Development Permit or Development Variance Permit, the Municipality may withhold the granting of any occupancy Permit for the occupancy and/or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Manager of Urban Planning.

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 VARIANCE PERMIT AUTHORIZED BY THE COUNCIL ON THE

_____ DAY OF _____, 2015.

ISSUED BY THE URBAN PLANNING DEPARTMENT OF THE CITY OF KELOWNA THE

_____ DAY OF _____, 2015 BY THE MANAGER OF URBAN PLANNING.

Ryan Smith,
Urban Planning Manager

REPORT TO COUNCIL



Date: 6/15/2015
RIM No. 0940-00
To: City Manager
From: Urban Planning Department (AC)
Application: DP15-0083 & DVP15-0084 **Owner:** OCORP Development Ltd.
Address: 300 Glen Park Drive **Applicant:** OCORP Development Ltd.
Subject: Development Permit and Development Variance Permit Application
Existing OCP Designation: MRL - Multiple Residential (Low Density)
Existing Zone: RM3 - Low Density Multiple Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP15-0083 for Lot A, Section 33, Township 26, ODYD, Plan EPP18422, located on 300 Glen Park Drive, 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. That consolidation of the subject property occurs with a portion of the lot addressed as 302 Glen Park Drive that is adjacent to the subject property.
5. That the restrictive no build covenant (CA2463559) registered on the subject property be discharged.
6. Prior to issuance of the Building Permit, the requirements of the Development Engineering Branch must be satisfied as described in the attached report dated May 1st 2015";
7. 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. DVP15-0084 for Lot A, Section 33, Township 26, ODYD, Plan EPP18422, located on 300 Glen Park Drive, 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 "A":

Section 13.9.6 (f) Development Regulations

Vary the rear yard setback requirement from 7.5 metres required setback to 4.0 metres 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 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.

2.0 Purpose

To consider a Development Permit for a 52 unit three storey townhouse development and to consider a Development Variance Permit for a rear yard setback from 7.5m required to 4.0m proposed only for one of the eleven proposed buildings.

3.0 Urban Planning

Staff are 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 proposed development adheres to many of the OCP design guidelines. The project adds density within the Glenmore Village Centre which is encouraged by the OCP. Further, only one access to Drysdale Boulevard has been proposed which is aligned with the recommendations from the City's Development Engineering Branch. The site has integrated parking within the building and driveways facing an internal strata road. Therefore, ground oriented housing units will face outwards towards both Drysdale Boulevard and Glen Park Drive. This will hide the parking from the public realm and provide a pleasing visual and functional development as recommended by the OCP design guidelines.

A minor variance was necessary to achieve this design. The Zoning Bylaw designates Glen Park Drive as the front yard setback which results in a 7.5 metre setback along the southern property line. The designer anticipated the front yard would be Drysdale Boulevard as this is where the access for the development is located. This means the development has a setback distance along the northern boundary of 7.5 metres when only 4.0 metres is necessary. Along the Southern boundary the designer managed to keep one building at the 7.5 metre setback distance but 'Building 1' is proposed to be sited at 4.0 metres from the property line. Staff considers this variance to be minor as the designer would not have needed any variances if the southern property line was considered the side yard.

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 subject property is situated on the future extension of Drysdale Boulevard and the corner of Glenpark Drive. The Development Permit is for a 52 unit townhouse development labeled 'The Grove'. The majority of the units (48 of 52) will be 3 bedrooms. The remaining four units will be 2 bedroom units. The vertical siding is a cobble stone coloured hardipanel material. The horizontal siding is a timber bark coloured hardiplank material.

The street frontage of the Drysdale Boulevard extension has been designed in conjunction with the new civil improvements being constructed later in 2015. The boulevard treatment will include Forest Green Oak as the boulevard tree, positioned to front the buildings but not impair access, with Autumn Purple Ash to highlight the intersection. The entry to the development has been provided by a strong alignment of trees and planting, to compliment the entry signage.

The buffers of the development have been designed with a strong backbone of trees under planted with a palette of shrubs, grasses and perennials. Pocket parks have been positioned between buildings and on three corners of the property. These create more intimate spaces for the users, including lawn with shade trees and planted buffers. The internal landscaping has been designed in conjunction with the civil and storm water requirements, with the central green providing storm water detention. The internal landscaping will incorporate areas of lawn and shade trees for both passive and active spaces. This will allow for pedestrian access between and to the units. A universally accessible path system has been designed to link through the entire park and provide free flow throughout the development.

The proposed development is providing excess parking stalls compared to the minimum number of parking stalls required in the Zoning Bylaw and the proposed development is accommodating two loading spaces which are not required by the Zoning Bylaw. The outside units have their two parking stalls located side-by-side while the interior units within each building has their two parking stalls located in tandem configuration.

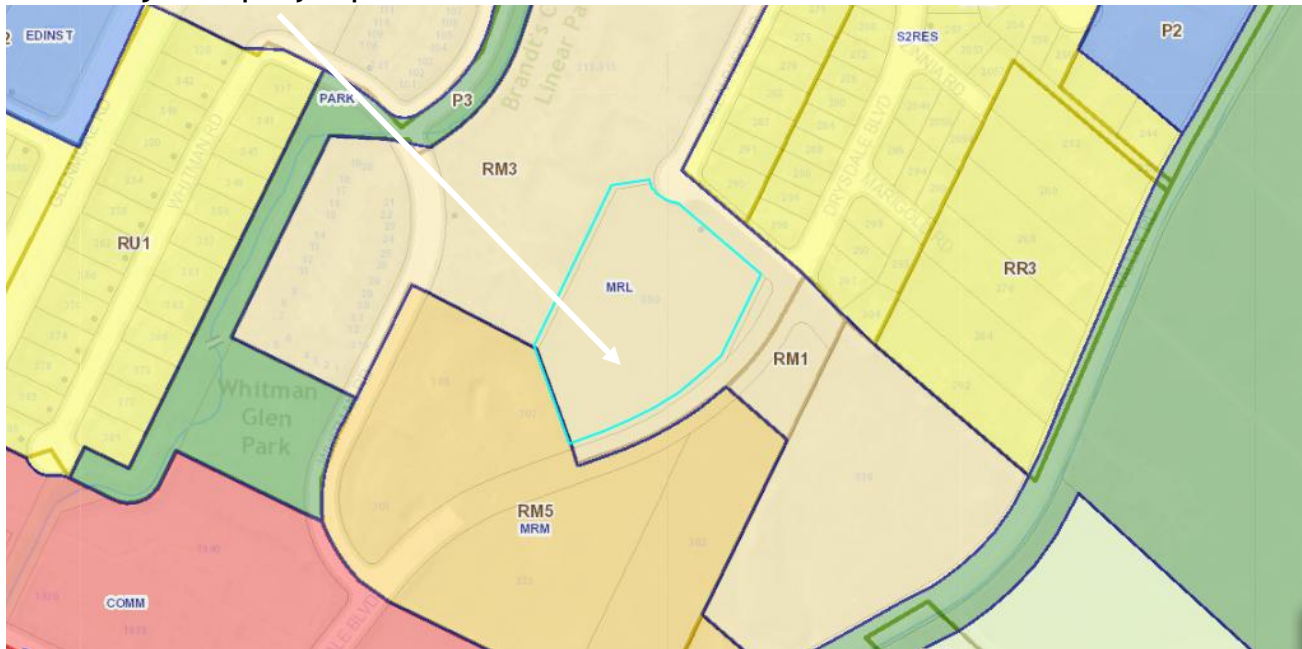
4.2 Site Context

The subject property is located in the 'Glenmore Valley' Village Centre. The subject property has a Future Land Use designation of MRL - Multiple Residential (Low 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	RM3 - Low Density Multiple Housing	Residential
East	RU2 - Medium Lot Housing RR3 - Rural Residential 3 RM1 - Four Dwelling Housing	Residential Residential Vacant
South	RM5 - Medium Density Multiple Housing	Residential
West	RM3 - Low Density Multiple Housing RM5 - Medium Density Multiple Housing	Residential Vacant

4.3 Subject Property Map: 300 Glen Park Drive



5.0 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM3 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
	Principal Bldgs	Principal Bldgs
Height	Max 10.0 m & 3 stories	9.0 m & 3.0 storeys
Front Yard	Min 1.5 m	> 4.5 m
Side Yard (west)	Min 4.0 m	7.5 m
Flanking Side Yard (east)	Min 1.5 m	4.0 m
Rear Yard	7.5 m	4.5 m portions ❶ & 7.5 m portions
Site coverage of buildings	Max 40 %	31 %
Site coverage of buildings, driveways & parking	Max 60 %	56.7 %
FAR	0.75	0.57
Other Regulations		
Number of Units	n/a	52
Min Parking Requirements	2 stalls per 3 bed dwelling unit = 96 parking stalls 1.5 stalls per 2 bed dwelling unit = 6 parking stalls (Total 102 stalls required)	112 parking stalls
Min Bicycle Parking Requirements	Class 1: 0.5 per dwelling (26) Class 2: 0.1 per dwelling (6)	Class 1: (26) Class 2: (6)
Private Open Space	25 m ² / dwelling unit (1,300 m ²)	5,875 m ²
❶ Variance applied to vary rear yard setback requirement from 7.5 m to 4.5m for Building 1 only.		

6.0 Current Development Policies

6.1 Kelowna Official Community Plan (OCP)

Development Process

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

Sensitive Infill.² 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;

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.

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

² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

- Is this a phased construction process, if so, is there a layout plan to review for sequencing
- Confirmation of Fire department access should be provided
- 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):
 - The amount of window located in the rear yard elevation due to the reduced setback area may exceed the spatial allowances
 - Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- An exit analysis is required as part of the code analysis at time of building permit
- 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, soffit protection the new requirements for part 9 buildings and NAFS are being applied to this structure at time of permit application.

Fortis BC Inc - Electric

- There are primary distribution facilities along Glenpark Drive. However, due to the size of the subject lot, extension work will be required to bring service to the proposed building sites shown on the plans, the cost of which may be significant. 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 May 1st 2015.

8.0 Application Chronology

Date of Application Received: April 13th 2015

Date of Neighbourhood Consultation Received (re: variance): May 15th 2015

Report prepared by:

Adam Cseke, Planner

Reviewed by:



Ryan Smith, Urban Planning Manager

Attachments:

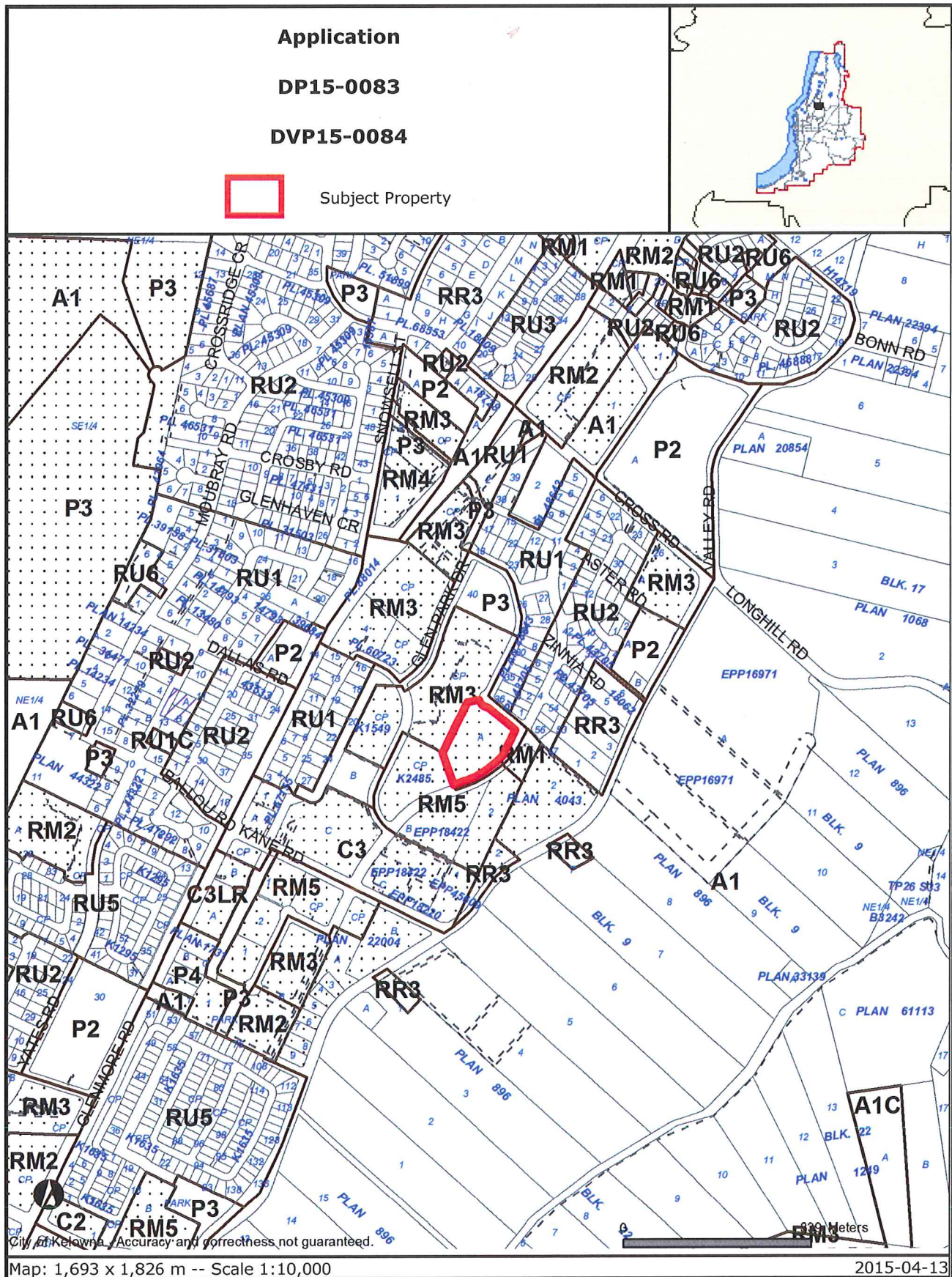
Subject Property Map

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.

CITY OF KELOWNA
MEMORANDUM

Date: May 1, 2015
File No.: DP15-0083
To: Land Use Management Department (AR)
From: Development Engineering Manager
Subject: 300 Glen Park Drive Lot A Plan EPP18422 RM-3

Development Engineering Services have the following requirements associated with this application;

All the offsite infrastructure and services requirements are addressed in the Development Engineering Report under file Z11-0033.

A Development Permit is required to evaluate the form and character of the proposal to construct a 52 unit, three storey townhouse development.
This application does not compromise City of Kelowna servicing requirements.

Steve Muenz, P. Eng.
Development Engineering Manager

JF

Neighbour Consultation Form (Council Policy No.367)



A summary of neighborhood consultation efforts, feedback and response must be provided to City staff, identifying how the efforts meet the objectives of this Policy. This form must be filled out and submitted to the File Manager a minimum of 20 days prior to initial consideration by Council.

I, Sammy Sandhu, the applicant for Application No. DVP15-0084
for a variance to the rear yard setback
(brief description of proposal)

at 300 Glenpark Dr have conducted the required neighbour
(address)
consultation in accordance with Council Policy No. 367.

- ☒ My parcel is located **outside** of the Permanent Growth Boundary and I have consulted all owners & occupants within a 300m radius
- ☐ My parcel is located **inside** of the Permanent Growth Boundary and I have consulted all owners & occupants within a 50m radius

I have consulted property owners and occupants by doing the following: Mailing i/p
hand delivering a package. (see attached)

Please initial the following to confirm it has been included as part of the neighbour consultation:

- ☒ Location of the proposal;
- ☒ Detailed description of the proposal, including the specific changes proposed;
- ☒ Visual rendering and/or site plan of the proposal;
- ☒ Contact information for the applicant or authorized agent;
- ☒ Contact information for the appropriate City department;
- ☒ Identification of available methods for feedback.

Please return this form, along with any feedback, comments, or signatures to the File Manager **20 days prior to the anticipated initial consideration by Council date**. On the back of this form please list those addresses that were consulted.

City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4
TEL 250 469-8600
FAX 250 862-3330
kelowna.ca



May 8, 2015

To whom it may concern,

We(I)are the property owners that are located next to or adjacent to 300 Glenpark Dr. We have reviewed the plans and the site plan for the setback variance that is located by building one of the planned development. We will support the variance applied by Ocorp Development Ltd.

Thank you

_____are the owners of _____
Owner (s) Address

X _____

Print Name

X _____

Print Name

THE GROVE TOWNHOUSES: VARIANCE PROPOSAL SUMMARY

The Grove Project is a planned 52 Unit three storey Townhouse development located at 300 Glen Park Drive. Applications for a Development Permit and a Development Variance Permit have been submitted to the City of Kelowna. The City of Kelowna Planner coordinating the application is Adam Czeke, Planner. Ocorp Developments Ltd is requesting a minor variance to reduce the setback distance over a small portion of the south property line along the side of Unit 1 in Building 1 only. All other required setbacks along Drysdale Boulevard, Glen Park Drive, and the west property line exceed the City of Kelowna required setback distances. Setbacks are the required distances between the property line and the supporting wall of a building.

Location of Variance Proposal – Refer to the enclosed Site Plans.

The location of the proposed rear yard setback variance is at the south east corner of the Site. The City of Kelowna policy for determining building setbacks for corner flanking sites requires the shortest flanking street Glen Park Drive as the Front Yard (minimum 1.5meters). Drysdale Boulevard is then Sideyard east (minimum 1.5meters), internal Sideyard west (minimum 4.5meters) is from the west property line, and the Rearyard (7.5 meters) is from the south property line.

The design access to the Site, both vehicular and pedestrian, is from Drysdale Boulevard. The Project address will be 300 Drysdale Boulevard. The City of Kelowna required setback from Drysdale Boulevard and from Glen Park Drive is 1.5 meters; the design setback provided is 4.5 meters for both streets. The required sideyard setback from the west property line is 4.5 meters; the design setback provided is 7.5meters. The required rear yard setback and design setback from the south property line is 7.5meters, except for that portion adjacent to the side of Unit 1, the subject of the Variance Permit application. The Variance proposal is to reduce this small portion of the Rearyard setback along the side Unit 1 to 4.0m.

The Variance for a minor reduction of a portion only of the south Rear yard allows for the provision of greater setbacks than required over the rest of the site.

Please Send any comments or feedback by email to samsandhu@ocorpltd.com or by mail to:

Ocorp Development Ltd

493 9-3151 Lakeshore Rd Kelowna BC V1W 3S9

FOR ADDITIONAL INFORMATION, PLEASE CONTACT:

Owner: Ocorp Developments Ltd: Sammy Sandhu , samsandhu@ocorpltd.com, 250.317.3155

Architect: Thomas Gaffney Architect Inc. Thomas Gaffney, tga@telus.net, 250.769.7628

City of Kelowna: Adam Czeke, Planner, acseke@kelowna.ca, 250.469.8608



CITY OF KELOWNA

APPROVED ISSUANCE OF A:

- ☐ Development Permit No.: DP15-0083
- ☐ Development Variance Permit No.: DVP15-0084

EXISTING ZONING DESIGNATION: RM3 - Low Density Multiple Housing

WITHIN DEVELOPMENT PERMIT AREA: Revitalization Development Permit Area

ISSUED TO: OCORP Development Ltd.

LOCATION OF SUBJECT SITE: 300 Glen Park Drive

	LOT	SECTION	D.L.	TOWNSHIP	DISTRICT	PLAN
LEGAL DESCRIPTION:	A	33		26	ODYD	EPP18422

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;
- 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 the variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 13.9.6 (f) Development Regulations

Vary the rear yard setback requirement from 7.5 metre required setback to 4.0 metre proposed for the buildings described in Schedule 'D';

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 \$ 276,320.00 .

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

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:

- (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.

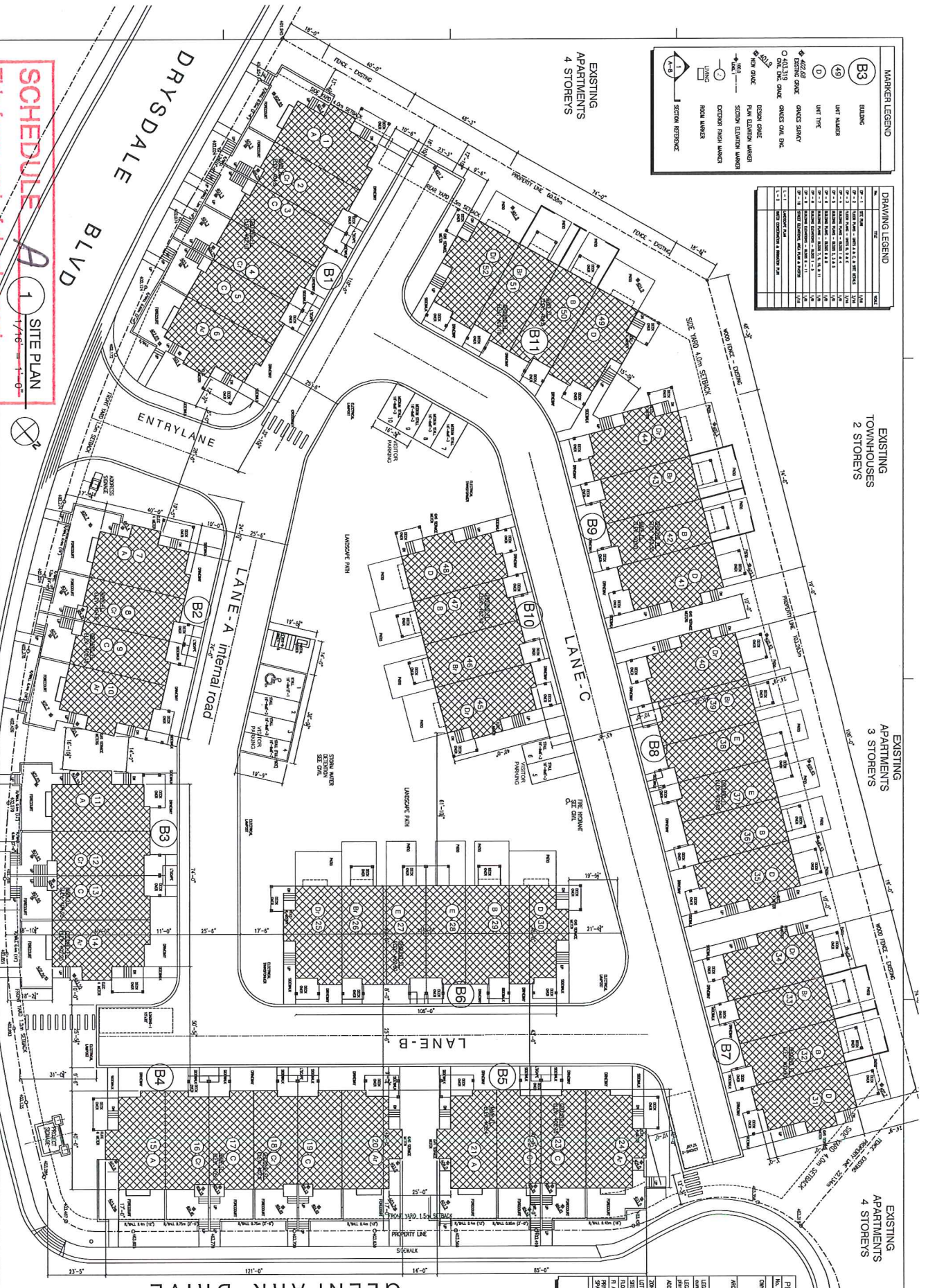
6. APPROVALS:

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

Doug Gilchrist
Divisional Director of Community Planning & Real Estate

[illegible]

EXISTING
APARTMENTS
4 STOREYS

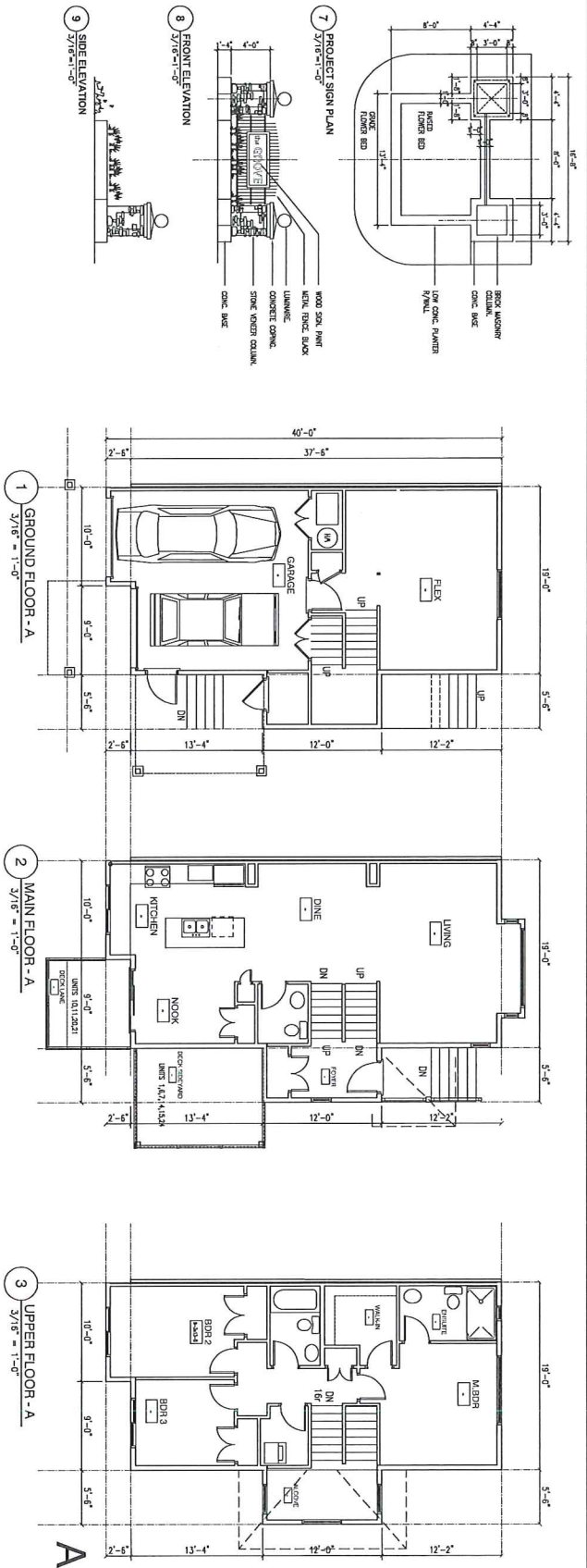


SCHEDULE A
1
SITE PLAN
1/4" = 1'-0"

~~This forms part of development~~
Permit # DP15-0083

[illegible]

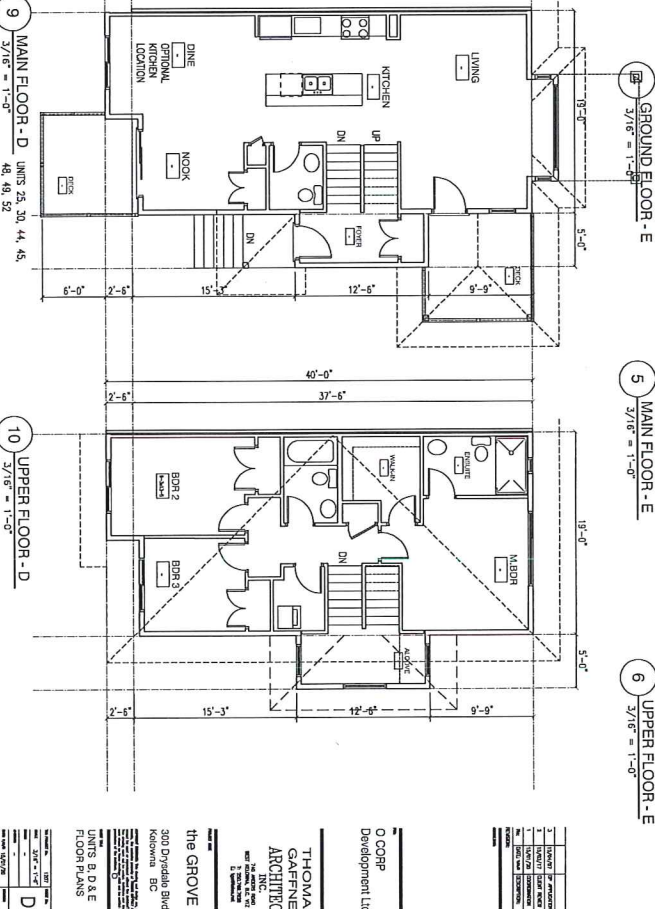
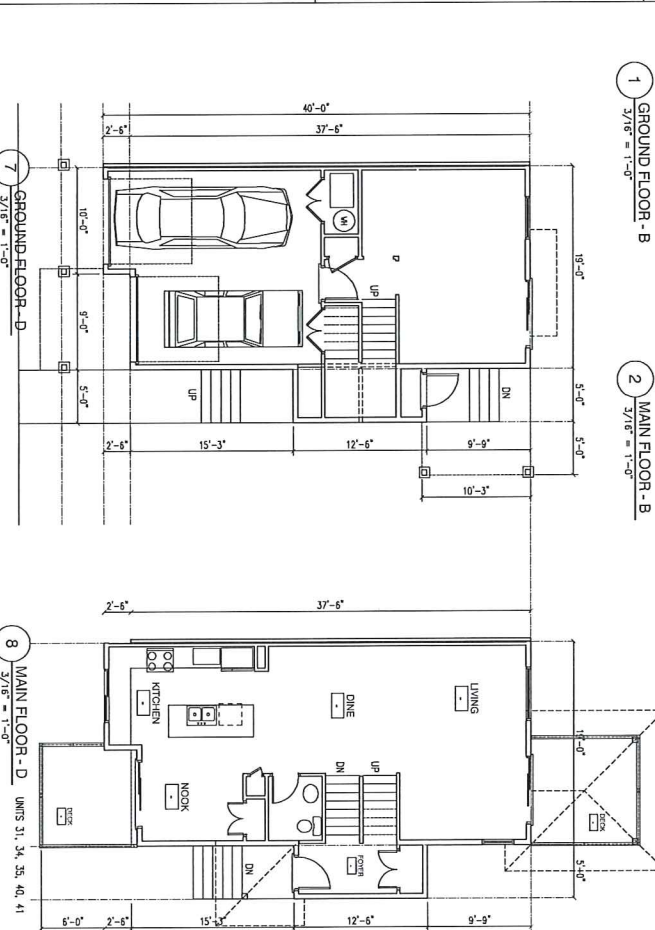
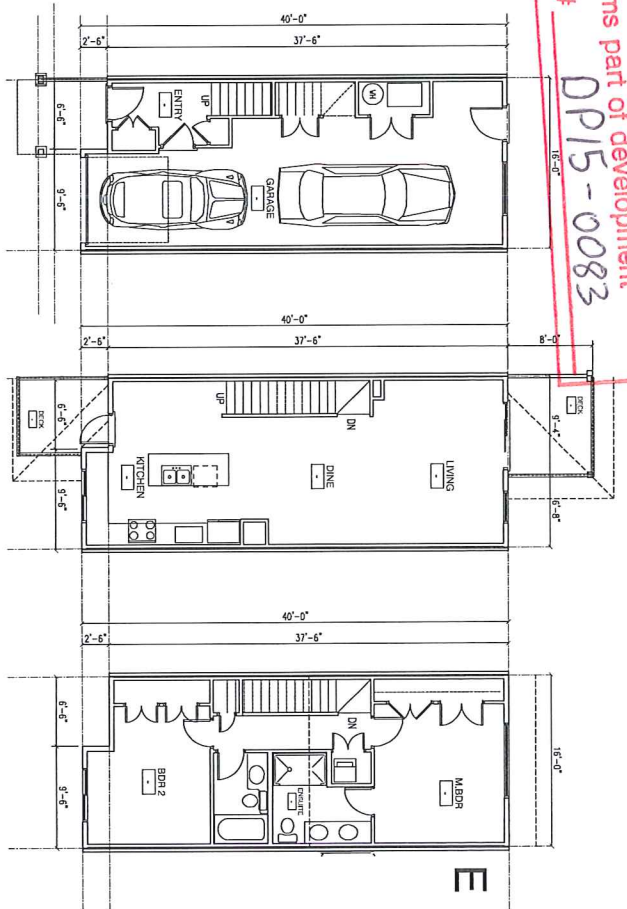
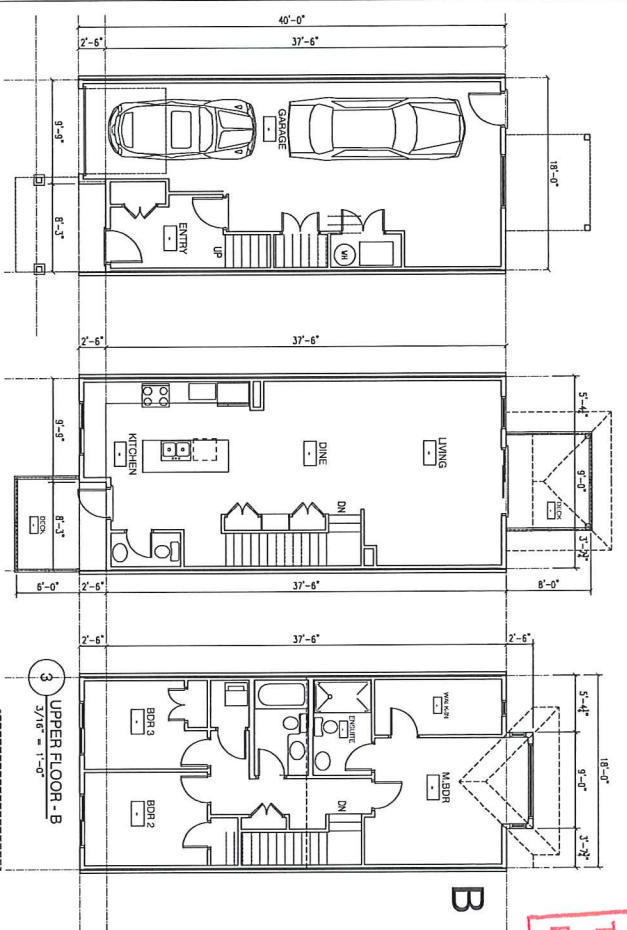
0 CORP Development Ltd.	
THOMAS GAFFNEY ARCHITECT INC. 1000 UNIVERSITY AVE. 10TH FLOOR 2. TORONTO, ONT. M5G 1A8	
0 CORP TOWNHOUSES 300 DUNDAS ST. W. 4TH FLOOR KOLUWANA BC	
1. DP-1 2. DP-1 3. DP-1 4. DP-1 5. DP-1 6. DP-1 7. DP-1 8. DP-1 9. DP-1 10. DP-1 11. DP-1 12. DP-1 13. DP-1 14. DP-1 15. DP-1 16. DP-1 17. DP-1 18. DP-1 19. DP-1 20. DP-1 21. DP-1 22. DP-1 23. DP-1 24. DP-1 25. DP-1 26. DP-1 27. DP-1 28. DP-1 29. DP-1 30. DP-1 31. DP-1 32. DP-1 33. DP-1 34. DP-1 35. DP-1 36. DP-1 37. DP-1 38. DP-1 39. DP-1 40. DP-1 41. DP-1 42. DP-1 43. DP-1 44. DP-1 45. DP-1 46. DP-1 47. DP-1 48. DP-1 49. DP-1 50. DP-1 51. DP-1 52. DP-1 53. DP-1 54. DP-1 55. DP-1 56. DP-1 57. DP-1 58. DP-1 59. DP-1 60. DP-1 61. DP-1 62. DP-1 63. DP-1 64. DP-1 65. DP-1 66. DP-1 67. DP-1 68. DP-1 69. DP-1 70. DP-1 71. DP-1 72. DP-1 73. DP-1 74. DP-1 75. DP-1 76. DP-1 77. DP-1 78. DP-1 79. DP-1 80. DP-1 81. DP-1 82. DP-1 83. DP-1 84. DP-1 85. DP-1 86. DP-1 87. DP-1 88. DP-1 89. DP-1 90. DP-1 91. DP-1 92. DP-1 93. DP-1 94. DP-1 95. DP-1 96. DP-1 97. DP-1 98. DP-1 99. DP-1 100. DP-1	



SCHEDULE A
This forms part of development
Permit # **DP15-0083**

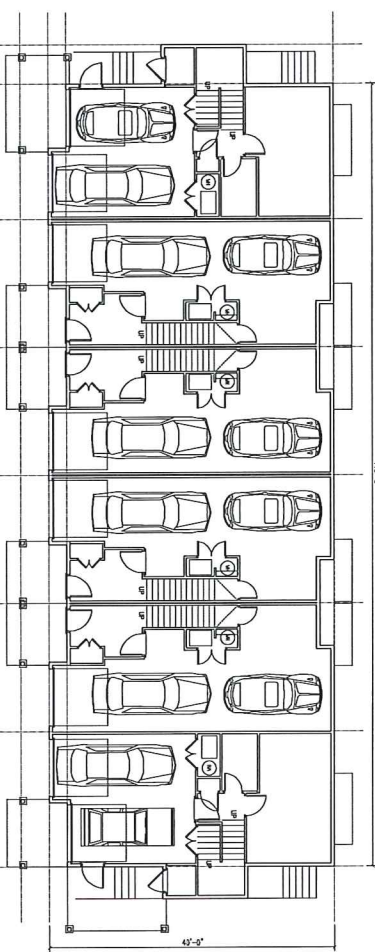
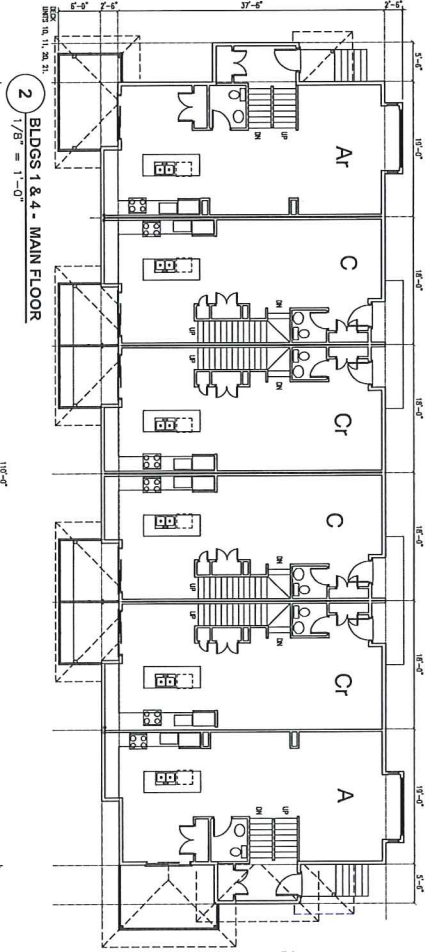
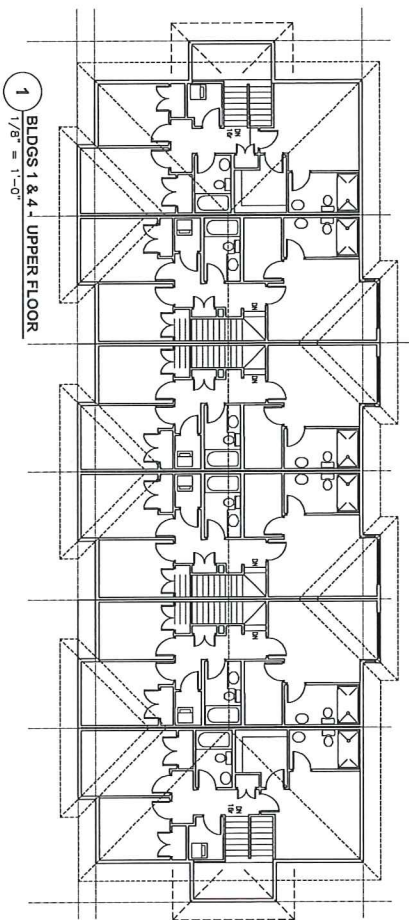
OWNER	O CORP
DEVELOPER	Development Ltd.
ARCHITECT	THOMAS GAFFNEY ARCHITECT INC.
DATE	3/7/16
PROJECT	the GROVE
ADDRESS	300 Drysdale Blvd
CITY	Kelowna BC
PROJECT NO.	15-0083
DATE	3/7/16
PROJECT	UNITS A & C
DATE	3/7/16
PROJECT	FLOOR PLANS & SITE DETAILS
DATE	3/7/16
PROJECT	DP-2
DATE	3/7/16

SCHEDULE A
 This forms part of development
 Permit # **DP15-0083**

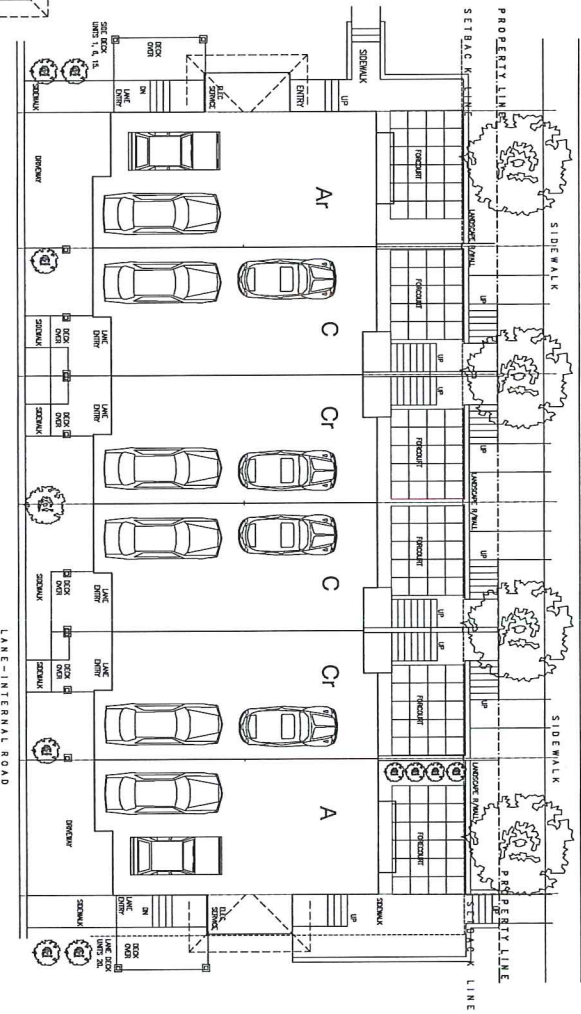


the GROVE
 300 Drysdale Blvd
 Richmond BC
 V6X 2C6
 604-271-1111
 THOMAS GAFFNEY ARCHITECT
 2100 West 1st Ave
 Vancouver BC
 V6H 1T6
 604-681-1111
 UNITS B, D & E
 FLOOR PLANS
 DP-3

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	2015-08-10
2	ISSUED FOR PERMIT	2015-08-10
3	ISSUED FOR PERMIT	2015-08-10



4
1/8" = 1'-0"



SCHEDULE A
This forms part of development
Permit # DP15-0083

O CORP
Development Ltd.

THOMAS
GAFFNEY
ARCHITECT
2000
2000

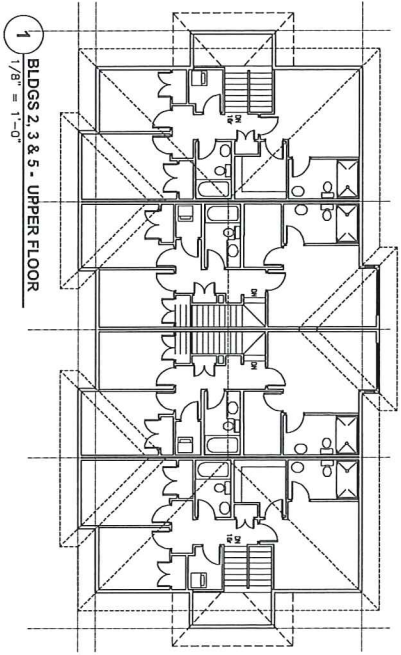
300 Drysdale Blvd
Victoria BC
V8T 1C5

the GROVE

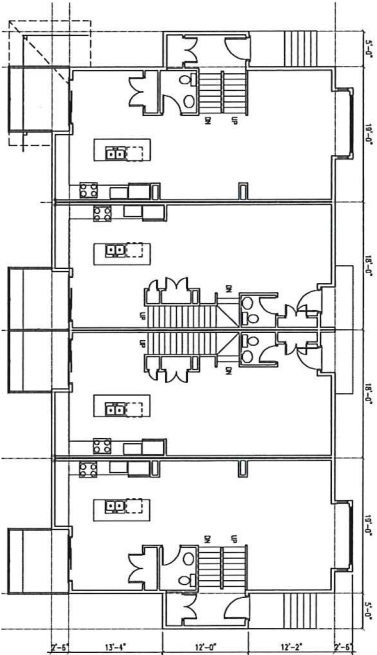
Bldgs: 1 & 4
FLOOR PLANS

DP-4

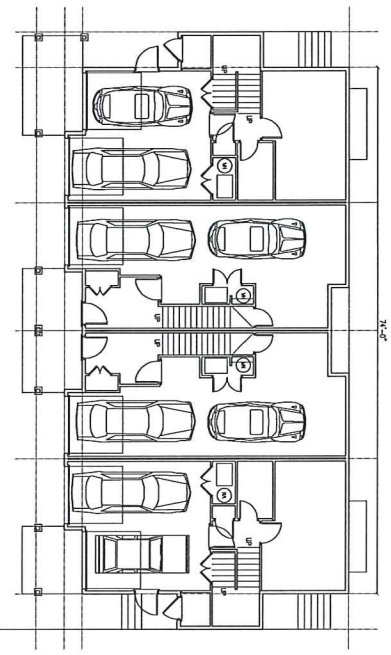
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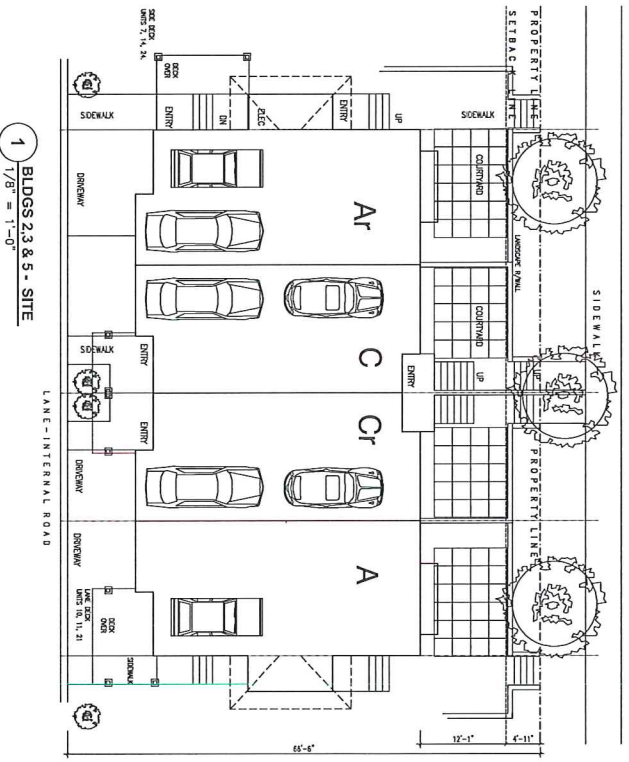
1 BLDGS 2, 3 & 5 - UPPER FLOOR
1/8" = 1'-0"



1 BLDGS 2, 3 & 5 - MAIN FLOOR
1/8" = 1'-0"



1 BLDGS 2, 3 & 5 - GROUND FLOOR
1/8" = 1'-0"



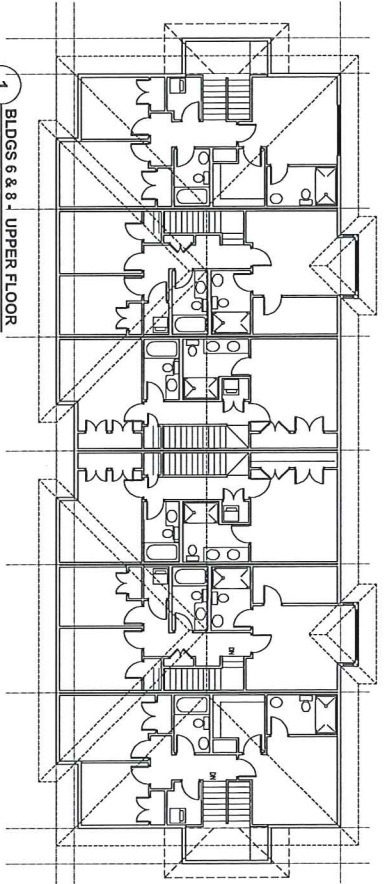
1 BLDGS 2, 3 & 5 - SITE
1/8" = 1'-0"

SCHEDULE A
This forms part of development
Permit # DP15-0083

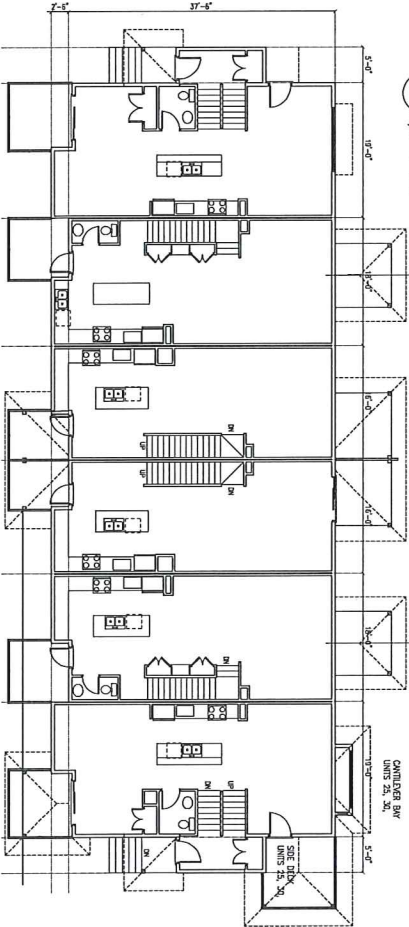
1	DATE	REVISION
1	10/15/15	1

O CORP.
Development Ltd.
THOMAS
GAFFNEY
ARCHITECT
INC.
300 Drysdale Blvd
Kelowna BC
V1Y 1A6
the GROVE
300 Drysdale Blvd
Kelowna BC
V1Y 1A6
BLDGS 2, 3 & 5
FLOOR PLANS
DP-5
1

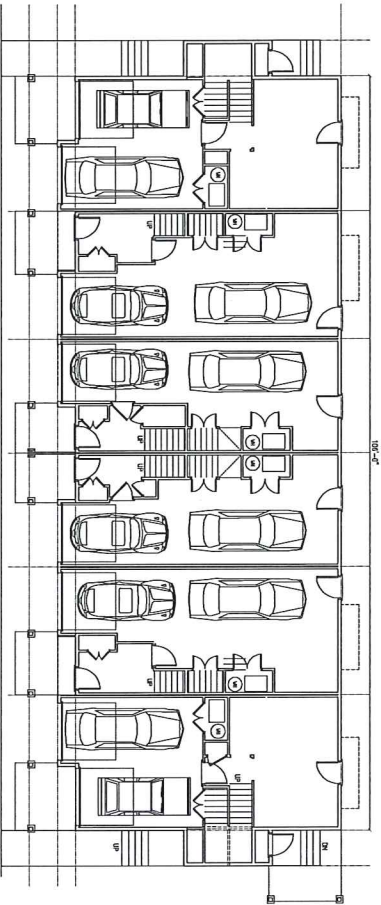
1 BLDGS 6 & 8 - UPPER FLOOR
1/8" = 1'-0"



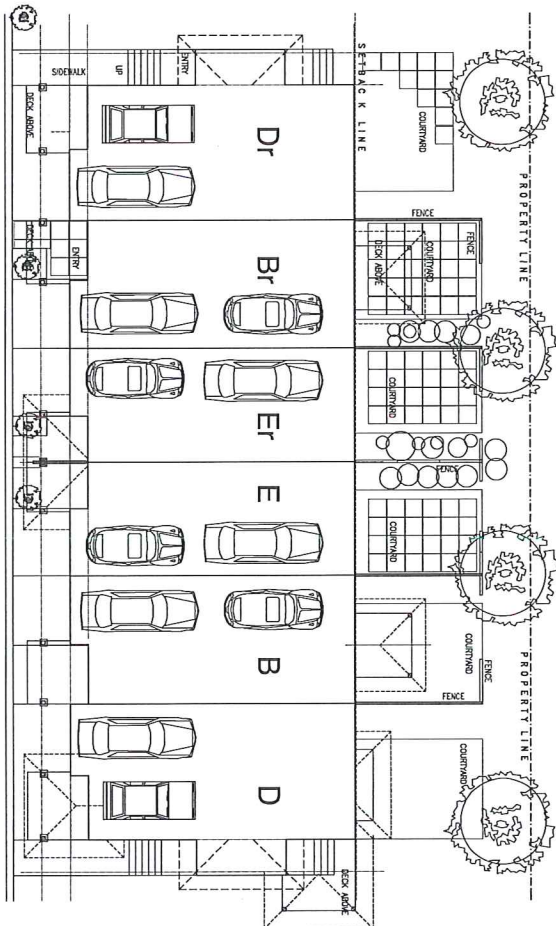
2 BLDGS 6 & 8 - MAIN FLOOR
1/8" = 1'-0"



3 BLDGS 6 & 8 - GROUND FLOOR
1/8" = 1'-0"



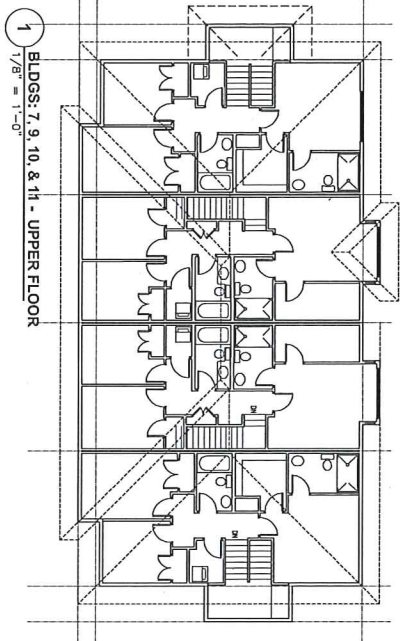
4 BLDGS 6 & 8 - SITE
1/8" = 1'-0"



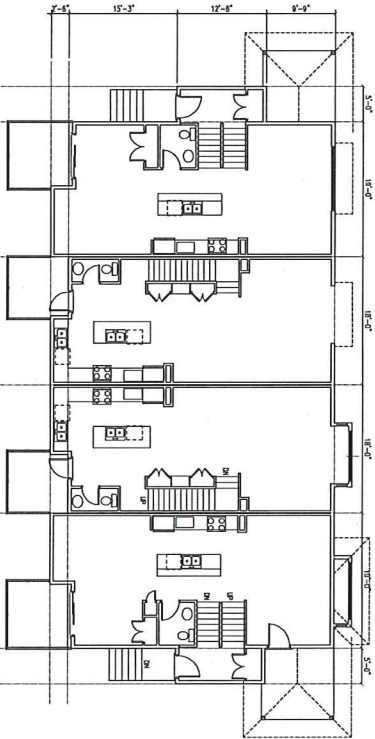
SCHEDULE A
This forms part of development
Permit # **DP15-0083**

O CORP
Development Ltd.
300 Dundas Blvd
West
Toronto, ON
M5T 1G5
Tel: (416) 593-1111
Fax: (416) 593-1112
the GROVE
BLDGS 6 & 8
FLOOR PLANS
DP-6

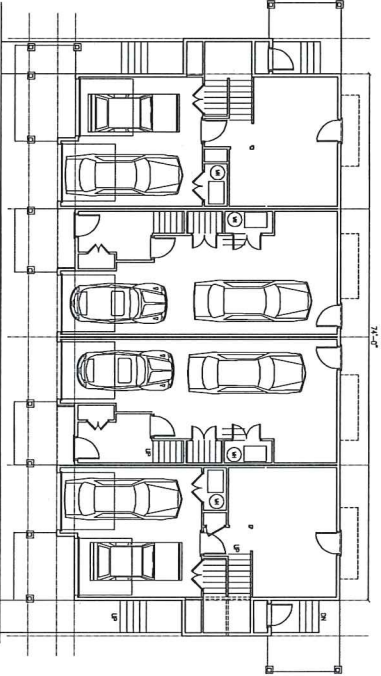
NO.	REVISION	DATE
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2	REVISED PER PERMIT	08/15/15
3	REVISED PER PERMIT	08/15/15



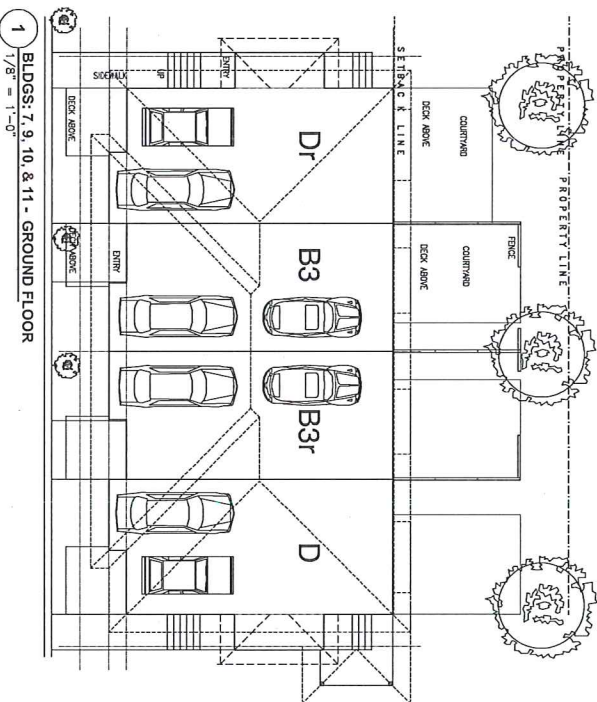
1 BLDGS: 7, 9, 10, & 11 - UPPER FLOOR
1/8" = 1'-0"



1 BLDGS: 7, 9, 10, & 11 - MAIN FLOOR
1/8" = 1'-0"



1 BLDGS: 7, 9, 10, & 11 - GROUND FLOOR
1/8" = 1'-0"



1 BLDGS: 7, 9, 10, & 11 - GROUND FLOOR
1/8" = 1'-0"

SCHEDULE A
This forms part of development
Permit # **DP15-0083**

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	10/1/15
2	ISSUED FOR PERMIT	10/1/15
3	ISSUED FOR PERMIT	10/1/15

O CORP
Development Ltd.

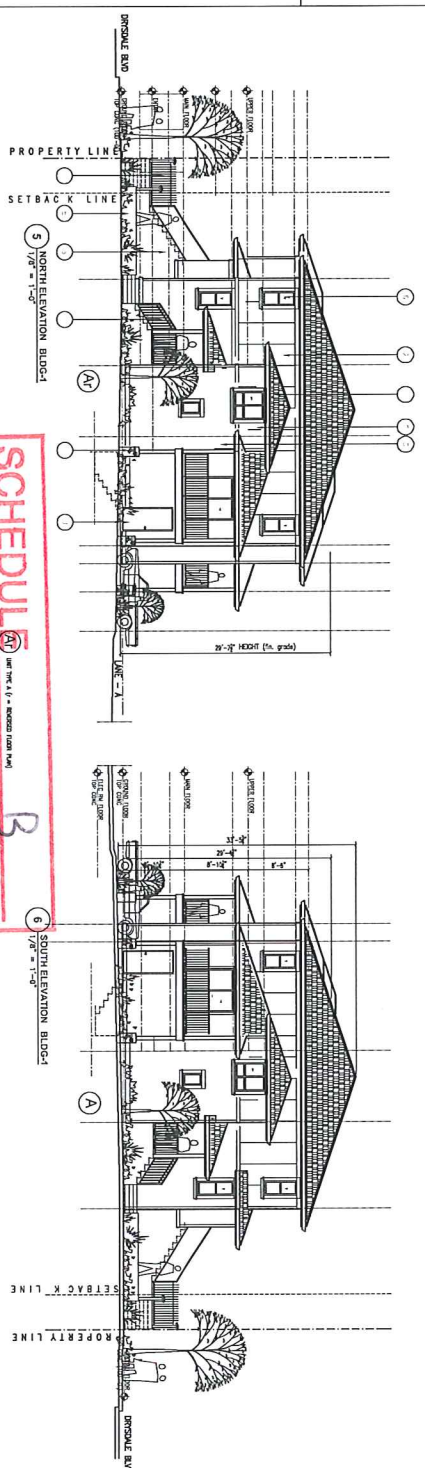
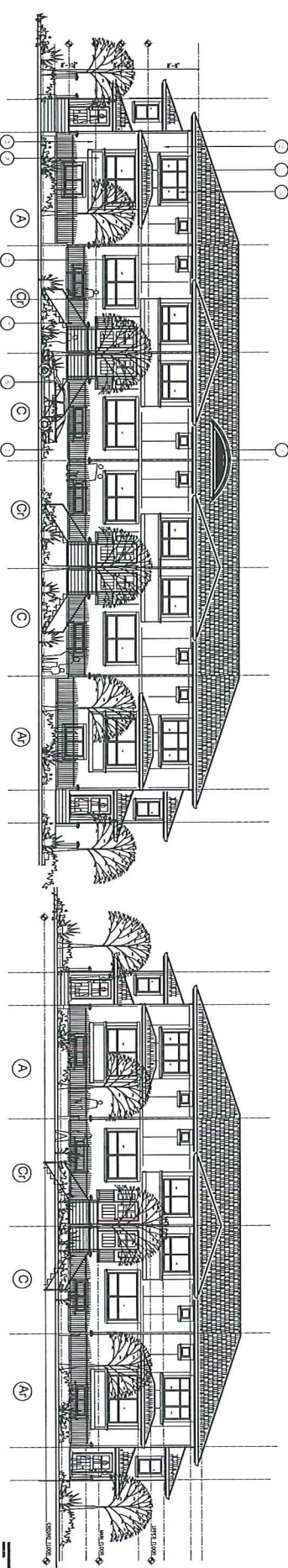
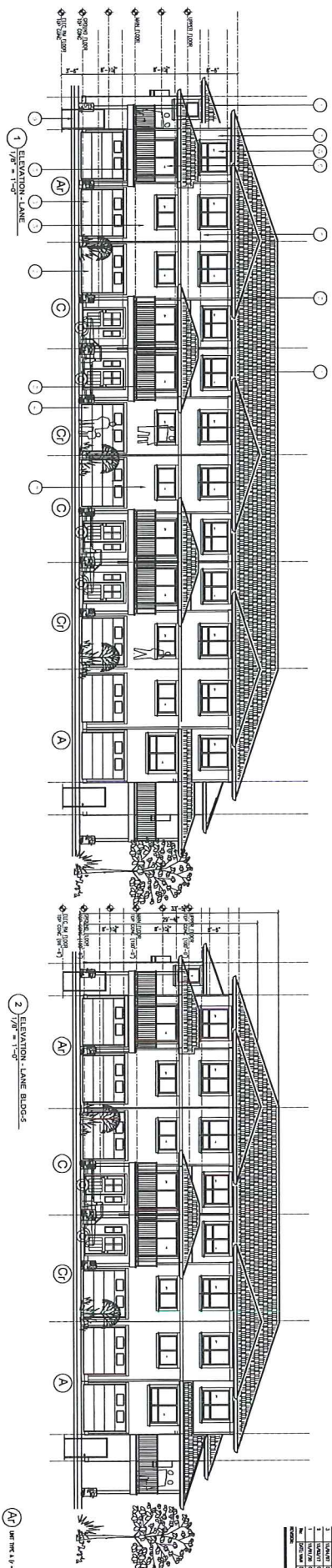
THOMAS
GAFFNEY
ARCHITECT
INC.
1000 10th Ave. S.W.
Edmonton, Alberta T6A 1A6

the GROVE
380 Drysdale Blvd
Kedlows BC

BLDGS: 7, 9, 10, & 11
FLOOR PLANS

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	10/1/15
2	ISSUED FOR PERMIT	10/1/15
3	ISSUED FOR PERMIT	10/1/15

DP-7



MATERIALS & COLOURS
NATURAL: OR OTHER IF ON EQU.

- [illegible]

O CORP
Development Ltd.

THOMAS
GAFFNEY
ARCHITECT
INC.

WEST KILBOURN, N.C. 27212
P. 200.706.7000
E. info@westkilbourn.com

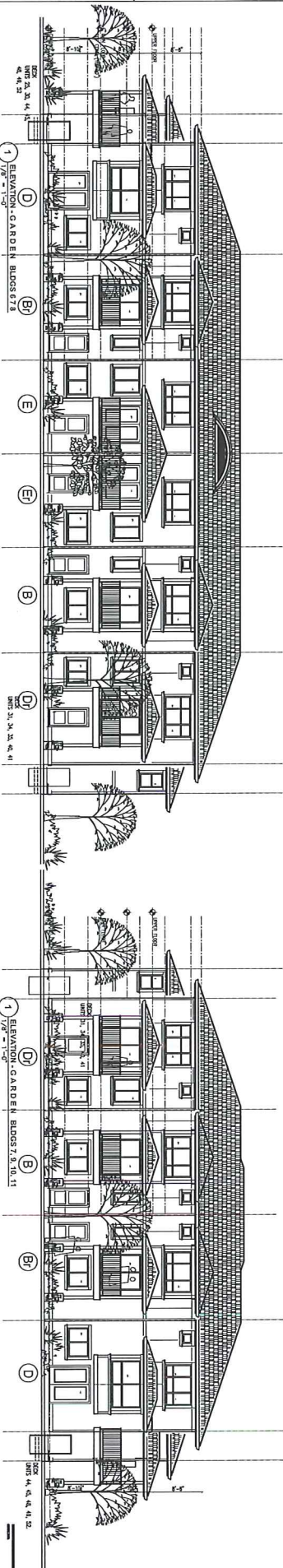
the GROVE
3300 Drysdale Blvd
Kelowna BC

BLDGS: 2, 3, & 5
ELEVATIONS

DF	1
	1











This forms part of development Permit # DP15-0083

UNIT TWO A-Y - REORDERED FLUOR FLUJ



11

MATERIALS ON OTHER MICROFILMS

- | | | |
|---|---|--|
|  | WOOD | CHERRY, REDWOOD, SHALICE,
YACHT, KUMAR, WOOD,
HARDWOOD, BIRCH, PINE |
|  | AFRICA, CHINA,
INDONESIA, JAPAN,
KOREA, MALAYSIA,
NETHERLANDS, SINGAPORE,
THAILAND, VIETNAM | AFRICAN, CHINESE,
INDONESIAN, JAPANESE,
KOREAN, MALAYSIAN,
NETHERLAND, SINGAPORE,
THAI, VIETNAMESE |
|  | AFRICA, CHINA,
INDONESIA, JAPAN,
KOREA, MALAYSIA,
NETHERLANDS, SINGAPORE,
THAILAND, VIETNAM | AFRICAN, CHINESE,
INDONESIAN, JAPANESE,
KOREAN, MALAYSIAN,
NETHERLAND, SINGAPORE,
THAI, VIETNAMESE |
|  | AFRICA, CHINA,
INDONESIA, JAPAN,
KOREA, MALAYSIA,
NETHERLANDS, SINGAPORE,
THAILAND, VIETNAM | AFRICAN, CHINESE,
INDONESIAN, JAPANESE,
KOREAN, MALAYSIAN,
NETHERLAND, SINGAPORE,
THAI, VIETNAMESE |
|  | AFRICA, CHINA,
INDONESIA, JAPAN,
KOREA, MALAYSIA,
NETHERLANDS, SINGAPORE,
THAILAND, VIETNAM | AFRICAN, CHINESE,
INDONESIAN, JAPANESE,
KOREAN, MALAYSIAN,
NETHERLAND, SINGAPORE,
THAI, VIETNAMESE |
|  | AFRICA, CHINA,
INDONESIA, JAPAN,
KOREA, MALAYSIA,
NETHERLANDS, SINGAPORE,
THAILAND, VIETNAM | AFRICAN, CHINESE,
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KOREAN, MALAYSIAN,
NETHERLAND, SINGAPORE,
THAI, VIETNAMESE |
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INDONESIAN, JAPANESE,
KOREAN, MALAYSIAN,
NETHERLAND, SINGAPORE,
THAI, VIETNAMESE |
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INDONESIA, JAPAN,
KOREA, MALAYSIA,
NETHERLANDS, SINGAPORE,
THAILAND, VIETNAM | AFRICAN, CHINESE,
INDONESIAN, JAPANESE,
KOREAN, MALAYSIAN,
NETHERLAND, SINGAPORE,
THAI, VIETNAMESE |
|  | AFRICA, CHINA,
INDONESIA, JAPAN,
KOREA, MALAYSIA,
NETHERLANDS, SINGAPORE,
THAILAND, VIETNAM | AFRICAN, CHINESE,
INDONESIAN, JAPANESE,
KOREAN, MALAYSIAN,
NETHERLAND, SINGAPORE,
THAI, VIETNAMESE |
|  | AFRICA, CHINA,
INDONESIA, JAPAN,
KOREA, MALAYSIA,
NETHERLANDS, SINGAPORE,
THAILAND, VIETNAM | AFRICAN, CHINESE,
INDONESIAN, JAPANESE,
KOREAN, MALAYSIAN,
NETHERLAND, SINGAPORE,
THAI, VIETNAMESE |

1 ELEVATION - END BLDGS 7 & 8.
1/8" = 1'-0"

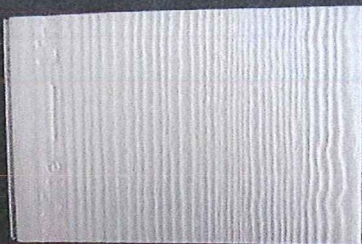
1 ELEVATION - END BLOCS 9, 10, 1
1/8" = 1'-0"

This forms part of development Permit # DP15-0083

SCHEDULE B
This forms part of development
Permit # DP15-008



1



2



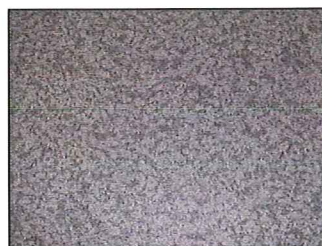
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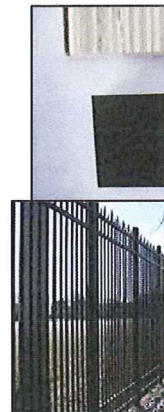
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6



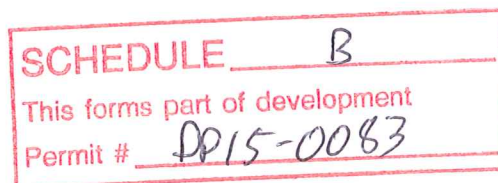
8/2013 Thomas A. Thomas, Attorney



PROJECT: *the Grove* – 300 Drysdale Boulevard, Kelowna, B.C.,

EXTERIOR MATERIAL	SPECIFICATION	DETAIL
Concrete Landscape walls	Abbotsford Concrete - Taupe	Classic Face Sandalwood
Interlocking Conc Pavers	Abbotsford Standard Series	Natural - Medium Grey
Stone Veneer	EledoradoStone	Mountain ledge - Bitterroot (taupe / grey blend)
Stone Copings ' Sills	Concrete precast	Taupe
Concrete	Stairs / Landings	Natural grey
Anodized Aluminum	Kawneer #17 Clear	Mailboxes
PVC Windows & Patio Doors	Milgard 8000M - Montecito	Vinyl - White
PVC Window Metal Flashing	Gentek:	Bright White: 431
Deck Membrane	Duradeck Okanagan series	Okanagan Flint
Roof Asphalt Shingles	Certaiteed Shingles	Weathered Wood
Cladding Upper Walls	HardiePanel Vertical	Select Cedarmill : 'Cobble Stone'
Cladding Lower Walls	Hardiplank Lap Siding	Timber Bark' Smooth horizontal beveled
Trim Boards	HardieTrim	Cobble Stone: smooth
Metal Guardrails & Handrails	Aluminum	Prefinished: Matte Black
Metal Gutters, RWL's & Fascia	Vicwest	QC 16071 ' Stone Grey (Clay taupe)
Metal Soffits	Vicwest	QC 16071 ' Stone Grey (Clay taupe)
Metal Flashings	Vicwest	Match adjacent material colour
Entry Doors	Fiberglass / PVC	Light brown wood grain
Metal Doors	Paint - Benjamin Moore	Taupe
Garage Doors	Vicwest	QC 16071 ' Stone Grey (Clay taupe)

Thomas Gaffney Architect Inc. Thomas Gaffney, ARCHITECT, AIBC. SAA.	Date April 7, 2015
--	---------------------------



DRYSDALE BOULEVARD TOWNHOMES: "THE GROVE"

DESIGN RATIONALE

The Drysdale Boulevard Townhomes "The Grove" are sited on the future extension of Drysdale Boulevard and corner of Glenpark Drive, Kelowna. The street frontage of the Drysdale Boulevard extension has been designed in conjunction with the new civil improvements being constructed later in the year. The boulevard treatment will include Forest Green Oak's as the boulevard tree, positioned to front the buildings but not impair access, with Autumn Purple Ash's to highlight the intersection.

The entry to the development has been provided by a strong alignment of trees and planting, to compliment the entry signage. The buffers of the development have been designed with a strong backbone of trees under planted with a palette of shrubs, grasses and perennials. Pocket parks have been positioned between buildings and on three corners of the property. These create more intimate spaces for the users, including lawn with shade trees and planted buffers.

The internal landscaping has been designed in conjunction with the civil and storm water requirements, with the central green providing storm water detention. The landscaping within this area is to incorporate areas of lawn with shade trees for both passive and active spaces, and allowing for pedestrian access between and to the units. A universally accessible path system has been designed to link through the entire park and provide free flow throughout the development.

The planting palette is reflective of the region and the zonal restrictions within the Kelowna city limits, while looking to create an environment which is both enriching and enhancing to both people and wildlife.





OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

April 1, 2015

Drysdale Boulevard Townhomes
C/o O CORP Development
Unit 10, 737 Stremel Road
Kelowna, BC V1X 5E6
Attn: Sammy Sandhu

Re: Proposed Drysdale Boulevard Townhomes Development – Preliminary Cost Estimate for Bonding

Dear Mr. Sandhu:

Please be advised of the following preliminary cost estimate for bonding of the proposed landscape works shown in the Drysdale Townhomes conceptual landscape plan dated 15.04.01;

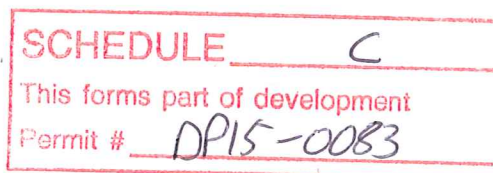
- 3,320 square metres (35,736 square feet) of improvements = \$221,056.00

This preliminary cost estimate is inclusive of trees, shrubs, turf, mulch, topsoil & irrigation.

You will be required to submit a performance bond to the City of Kelowna in the amount of 125% of the preliminary cost estimate. Please do not hesitate to contact me with any questions about the landscape plan.

Best regards,

Fiona Barton, MBCSLA, CSLA
as per
Outland Design Landscape Architecture





This forms part of development Permit # DP15-0083

1. PAINT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED B.C.T.A. STANDARDS.
2. ALL GUT LANEWAYS AREAS SHALL BE WATERED BY A FULLY AUTOMATIC PAVED INTERLOCKED BRICK/PAVING SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN ANIMULUS 50mm WOOD MULCH. DO NOT PLACE WOOD MULCH UNDERNEATH TREE AND SHRUB BEDS.
4. TREE AND SHRUB BEDS TO BE RECTANGULAR 1500mm DEPTH TOPSOIL PLACEMENT.
5. TREE AREAS FROM 500mm SHALL BE 1.5 METRES DEPTH. TOPSOIL SHALL BE IMPROVED OR CULTIVARS RECOMMENDED FOR ANIMULUS AND SHALL BE TOPDRESS FOR OPTIMAL CONDITIONS. ANIMULUS TO 100mm DEPTH OF GROWING MEDIUM IS REQUIRED BEHIND TREE AREAS. TREE AREAS SHALL MEET DRAINAGE CANALS AND DRAIN SURFACES TRULY.

[illegible]OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

206 - 839 Spall Road
Kelowna, BC V1Y 4R2
T (250) 868-0270
www.culbinder.ca



PROJECT TITLE
DRYSDALE
TOWNHOMES

CONCEPTUAL LANDSCAPE PLAN

ECLID FOR REVIEW	
1	13.03.05
2	13.04.07
3	
4	
5	



7/2

ISSUED FOR REVIEW ONLY
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and Zone Architecture Limited and shall not be reproduced
without the written consent of the architect.



IRRIGATION LEGEND (TURF ZONES)

[illegible]

WATER CONSERVATION CALCULATIONS

UNSATURATED VAPOR PRESSURE (NVP) = 2200 g/m³/year
ESTIMATED UNSATURATED WATER UTE (m_u) = 3100 mm/year
WATER BALANCE = 217 g/m²/year
TESTS ATTACHED BROUHAQ APPLICATION FOR DETAILS ON CLAYED

IRRIGATION NOTES

[illegible]

IRRIGATION LEGEND (PLANTING ZONES)

[illegible]

SCHEDULE C

This forms part of development

Permit # DR15-0083



OUTLAND DESIGN
LANDSCAPE ARCHITECTURE



DRYSDALE TOWNHOMES

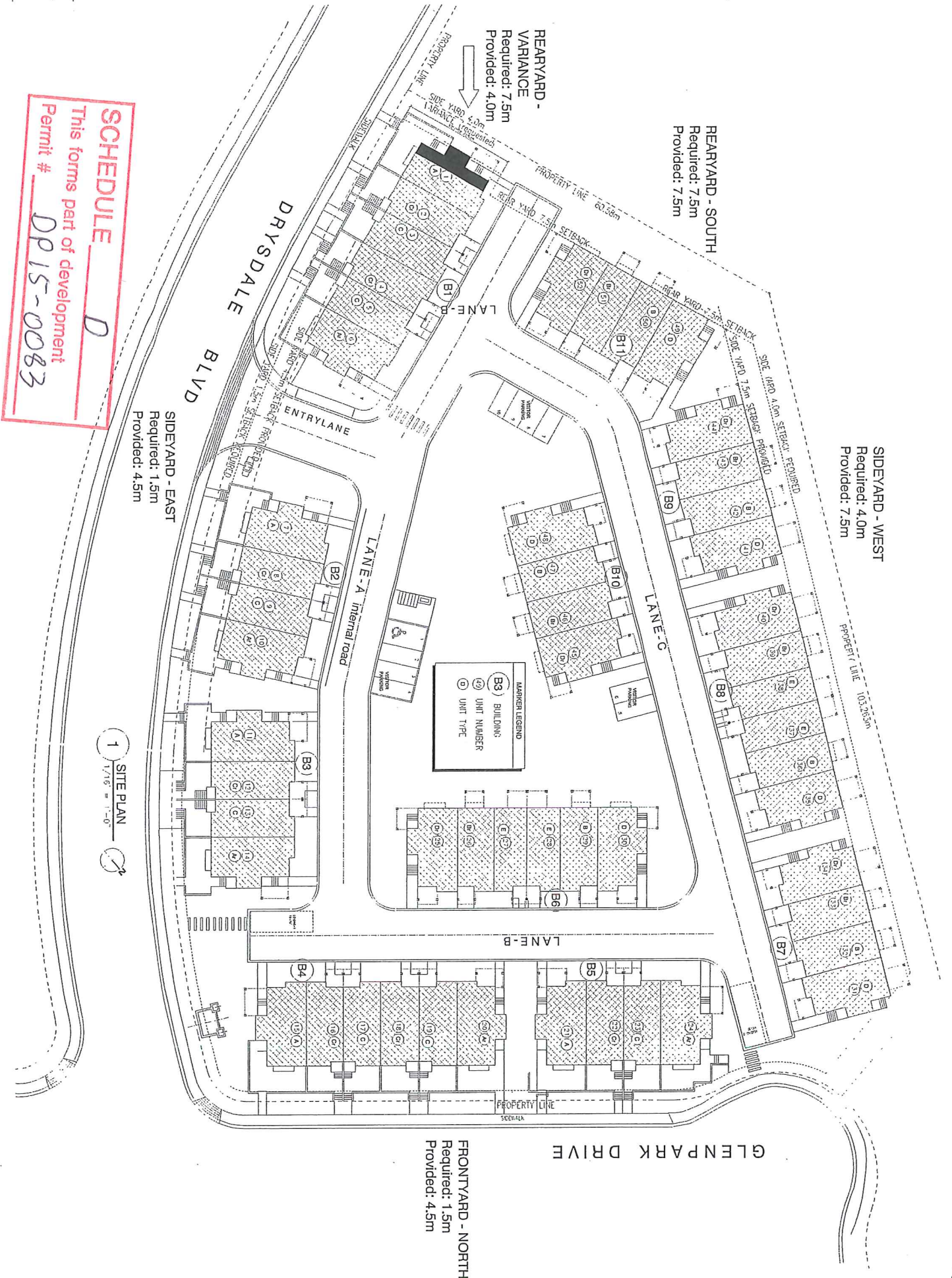
WATER CONSERVATION & IRRIGATION PLAN

	Solution
1. 9.00.18	
2. 9.00.17	Shankarappa's
3.	
4.	
5.	

[illegible]

L2/2

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Caution to Reader: First drawing in the priority of Oxford Energy Inc. (patent) and the second drawing in the priority of Oxford Energy Inc. (patent) are not to be reproduced, used, or further used without permission.



REPORT TO COUNCIL



Date: July 14, 2015

RIM No. 0940-00

To: City Manager

From: Urban Planning, Community Planning & Real Estate (LK)

Application: DVP15-0145 **Owner:** Catherine & David Thompson

Address: 595 Josselyn Ct **Applicant:** Catherine & David Thompson

Subject: Development Variance Permit Application

Existing OCP Designation: S2RES - Single / Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0145 for Lot 18 Section 26 Township 26 ODYD Plan 29389, located at 595 Josselyn Court, Kelowna, BC;

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

Section 6.5.8 (a): General Development Regulations - Accessory Development

To vary the location of an accessory building within the front yard setback from 9.0m required to 1.52m proposed.

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

2.0 Purpose

To consider a variance to the front yard setback of an accessory building.

3.0 Urban Planning

Urban Planning Staff supports the requested variance to the front yard setback requirement for the proposed accessory building. The applicant is proposing to build an accessory building (shed) in the front yard setback area, which functions as the parcels rear yard. This variance is required due to the Zoning Bylaw definition of Front Lot Line: a lot line separating a lot from a street. The parcel's backyard is interpreted as being the front yard.

4.0 Proposal

4.1 Project Description

The parcel owner applied for a building permit to construct an accessory building (shed) on the property. Upon review of the drawings, it was determined that the accessory building must be located a minimum of 9.0m from the front property line.

The accessory building has been sited at 1.52m from the front property line. This would meet the 1.5m rear yard setback requirement for an accessory building. As the location of the proposed accessory building acts as a rear yard, Urban Planning Staff are supportive of the required technical variance.

4.2 Site Context

The subject parcel fronts onto Leathead Road and backs onto the rear lane, which is not considered a street. This parcel along with the one to the east are both addressed from Josselyn Court as their primary access is from the lane that is accessed via Josselyn Court.. The subject parcel and the ones on either side all have existing dwellings which are constructed with the 'front' facing the lane. (See attached photos)

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single detached dwelling
East	RU1 - Large Lot Housing	Single detached dwelling
South	RU6 - Two Dwelling Housing	Duplex dwelling
West	RU1 - Large Lot Housing	Single detached dwelling

Subject Property Map: 595 Josselyn Court



Subject Property Map: Lane access to Josselyn Court



View from the rear lane:



590 Leathead Rd



601 Josselyn Ct



595 Josselyn Ct - Subject Parcel: 'Rear'



'Front' (facing onto Leathead Road)

4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	550 m ²	843 m ²
Min. Lot Width	15.0 m	21.95 m
Min. Lot Depth	30.0 m	38.43 m
Development Regulations		
Max. Height (mid-point of roof)	4.5 m	2.23 m
Min. Front Yard (south)	9.0 m	1.52 m ●
Min. Side Yard (east)	1.2 m	n/a
Min. Side Yard (west)	1.2 m	1.22 m
Min. Rear Yard (north)	1.5 m	n/a
● Indicates a requested variance to the front yard location of an accessory building.		

5.0 Application Chronology

Date of Application Received: June 11, 2015

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by: ☐ Lindsey Ganczar, Urban Planning Supervisor

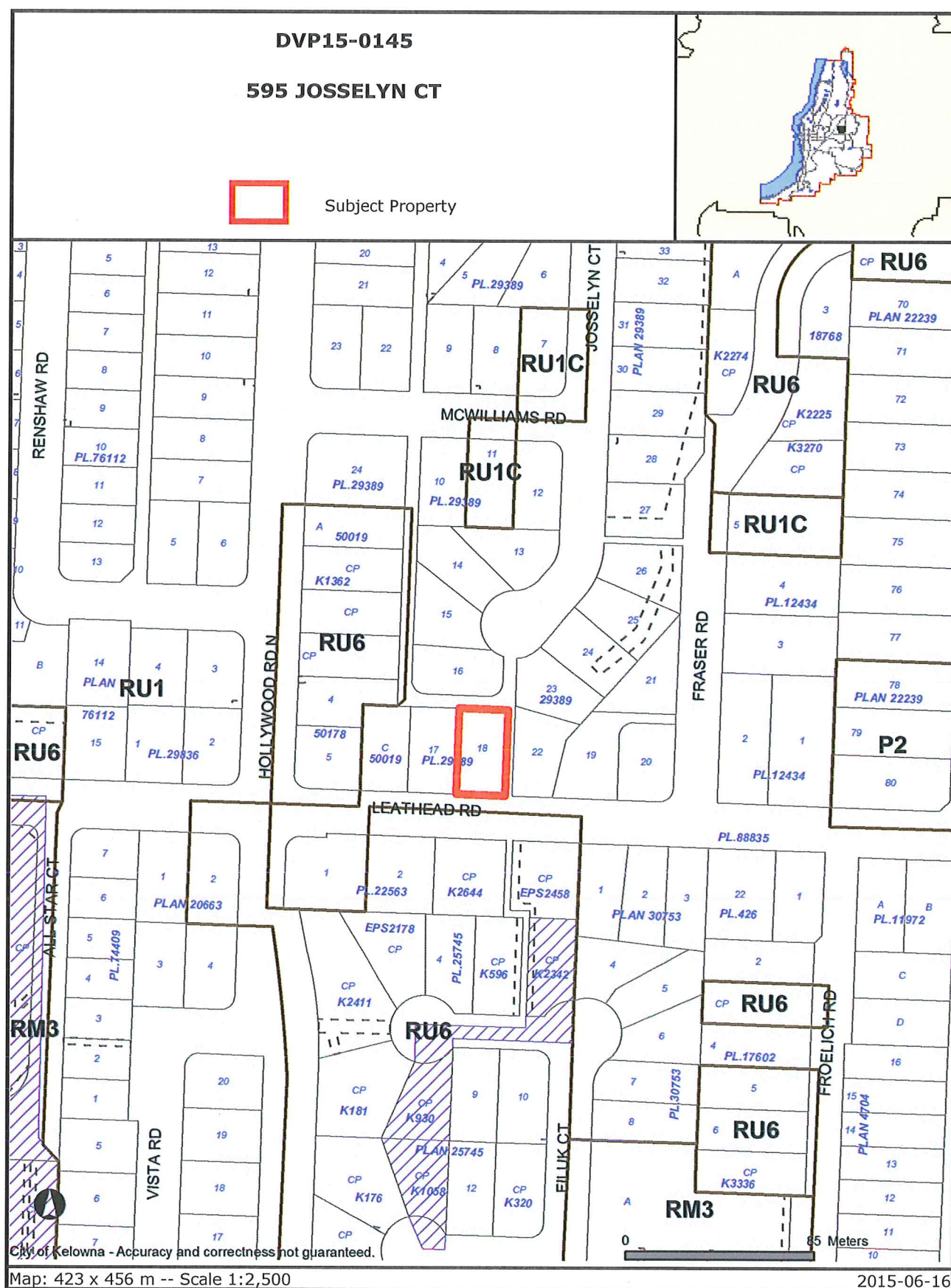
Reviewed by: ☐ Ryan Smith, Urban Planning Manager

Attachments:

Schedule 'A' - Site Plan

Schedule 'A' - Floor Plan

Schedule 'B' - Conceptual Elevations



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.

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

☐ Development Variance Permit No.: DVP15-0145

EXISTING ZONING DESIGNATION: RU1 - Large Lot Housing
WITHIN DEVELOPMENT PERMIT AREA: Comprehensive Development Permit Area

ISSUED TO: Catherine & David Thompson
LOCATION OF SUBJECT SITE: 595 Josselyn Court

	LOT	Section	Township	DISTRICT	PLAN
LEGAL DESCRIPTION:	18	26	26	ODYD	29389

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 a Heritage Alteration Permit should be aware that the issuance of a Permit limits the applicant to be in strict compliance with regulations of the Zoning Bylaw or Subdivision Control Bylaw unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which may not have been identified as required Variances by the applicant or City staff.

1. TERMS AND CONDITIONS:

- a) The landscaping, dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";

2. The Development Permit is valid for TWO YEARS from the date of the approval with no opportunity to extend.

3. DEVELOPMENT:

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

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

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

THIS Permit IS NOT A BUILDING Permit.

4. PERFORMANCE SECURITY:

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

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

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

5. APPLICANT'S AGREEMENT:

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

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

I further covenant and agree that should I be granted a Development Permit or Development Variance Permit, the Municipality may withhold the granting of any occupancy Permit for the occupancy and/or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Director of Planning & Development Services.

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

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

Signature of Owner/Authorized Agent

Date

Print Name in Bold Letters

Telephone No.

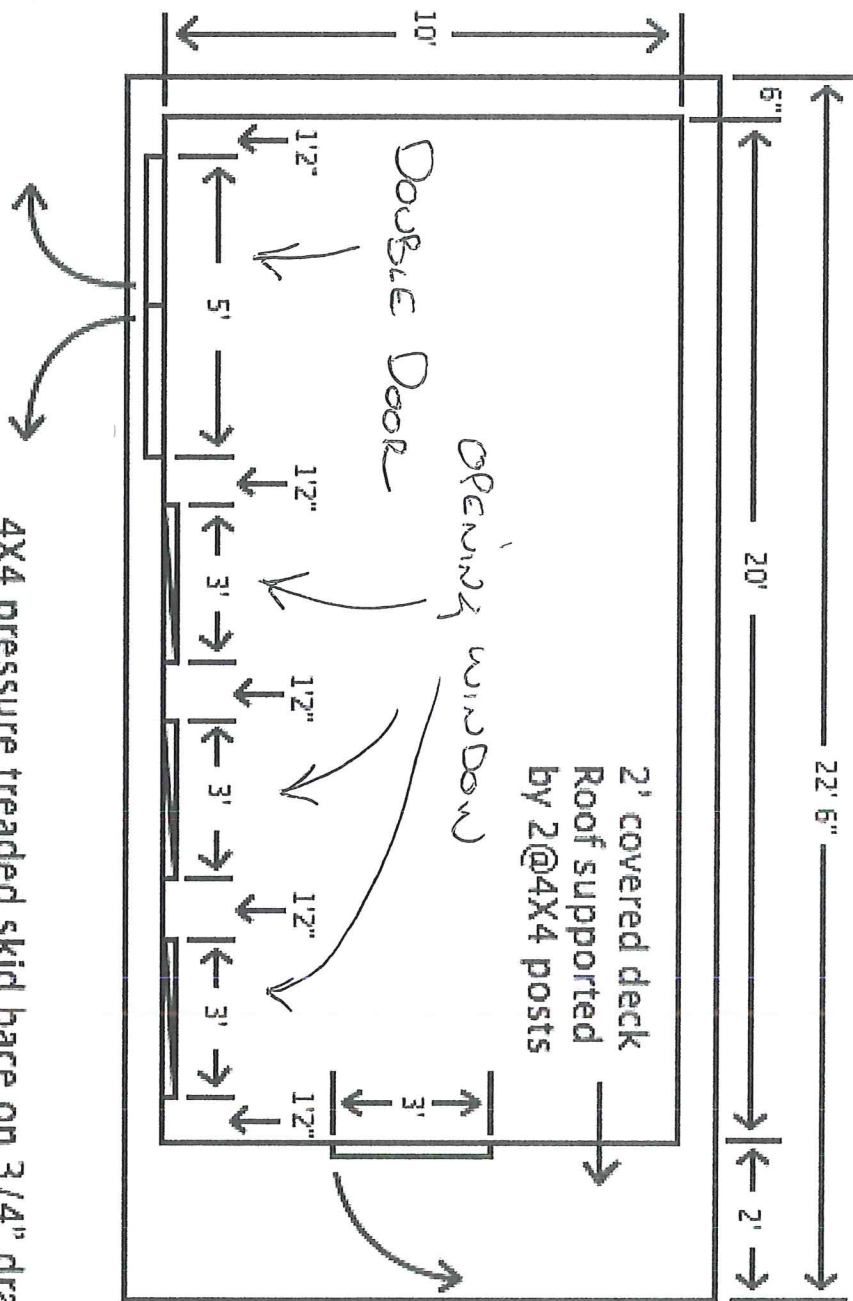
6. APPROVALS:

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.

2X4 wall framing 2' o/c framing
2X4 roof rafters 16" o/c
7/16 roof sheathing



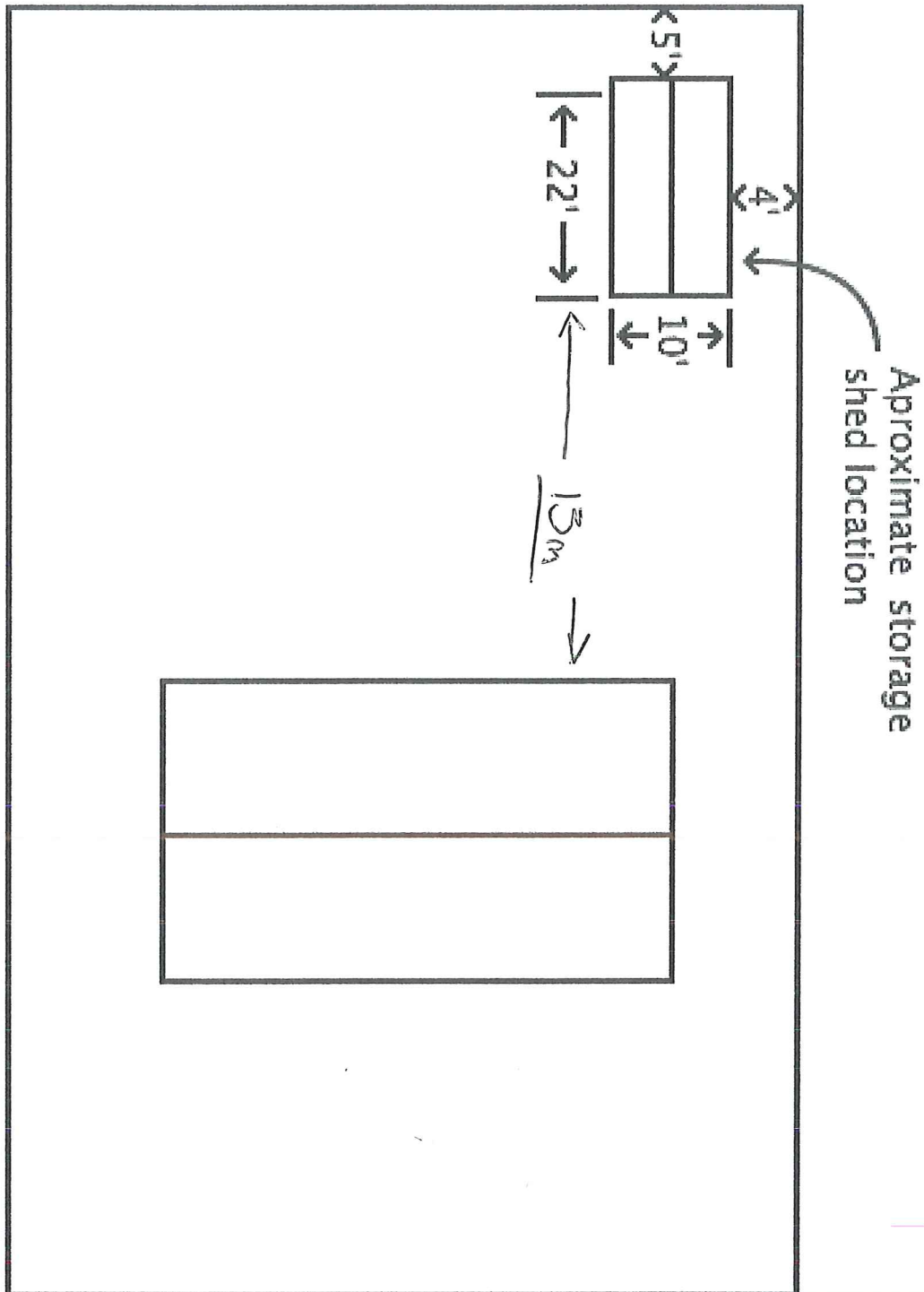
4X4 pressure treated skid base on 3/4" drain rock
2X4 pressure treated floor system 2' o/c
3/4" t&a plywood flooring

This forms part of development

Permit # DVP15-0145

↓ Horse

Leathead rd

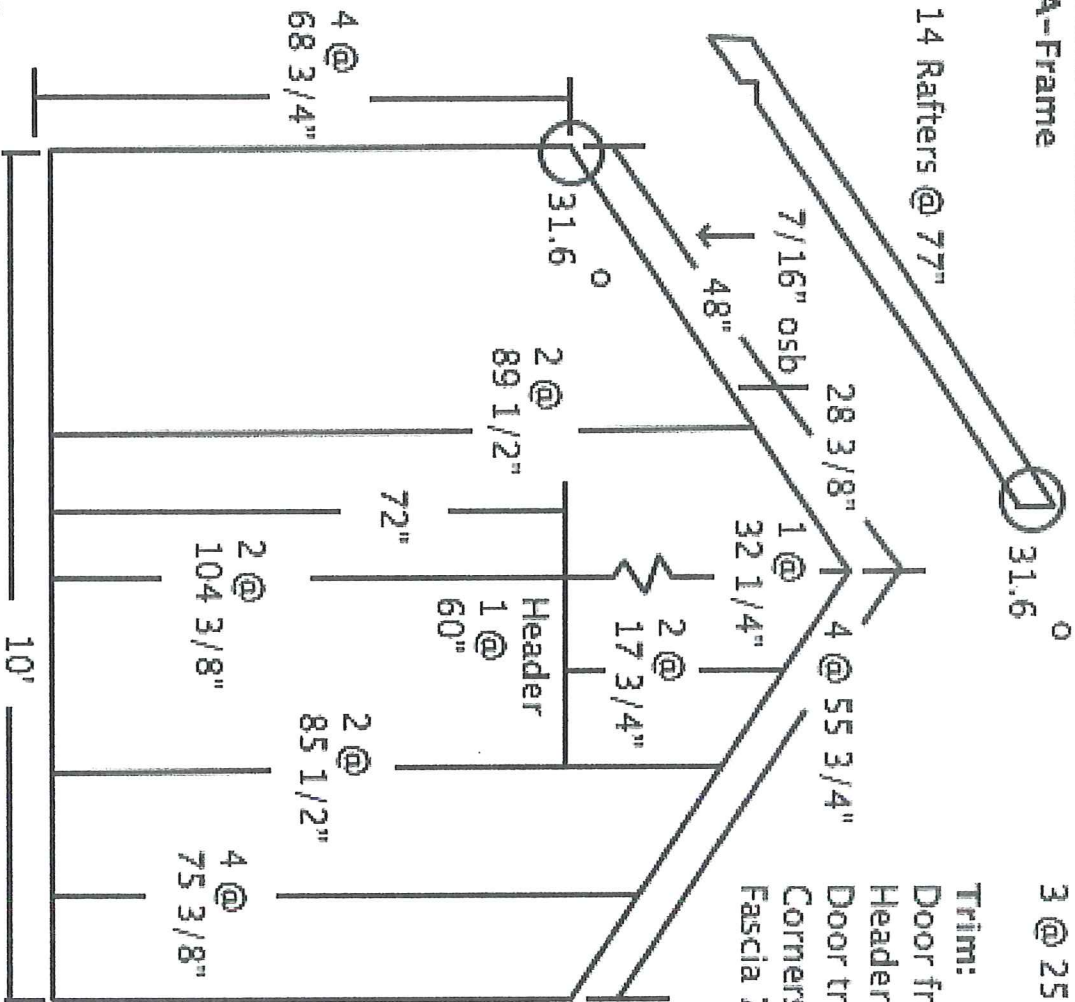


SCHEDULE 'A'
This forms part of development
Permit # DUP15-0145

Notes

**10X10 Double Door
A-Frame**

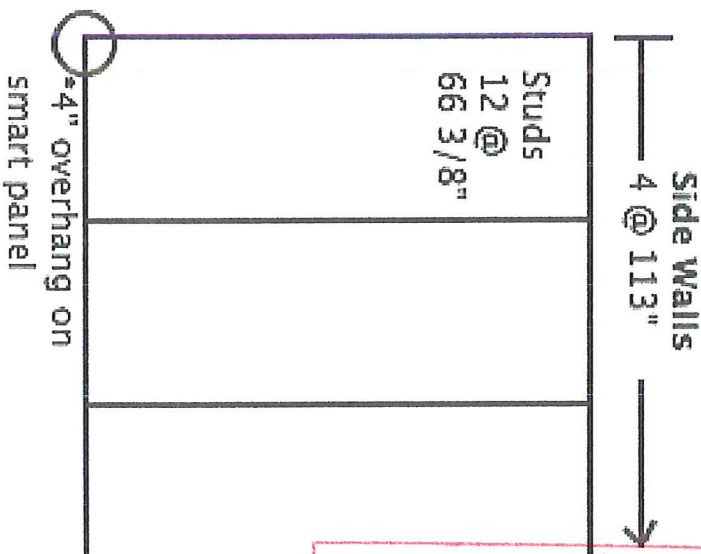
14 Rafters @ 77"



Door cut list: 4 @ 71 1/4" 3 @ 27 1/2"
3 @ 25 5/8"

Trim:

Door frame 2 @ 73 7/8"
Header 1 @ 69 1/2" (cut at 15 degrees)
Door trim 4 @ 73 5/8" 6 @ 23 1/4"
Corners 68 1/2"
Fascia 78 3/4"



SCHEDULE

This forms part of development

Permit # DUPK-0145

CITY OF KELOWNA
BYLAW NO. 11094
Z15-0014 - Caroline Kaltenhauser
1432 McInnes Avenue

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 3, District Lot 137, ODYD, Plan 3756 located on 1432 McInnes Avenue, Kelowna, B.C., from the RU6 - Two Dwelling Housing zone to the RM1 - Four Dwelling Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

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

Considered at a Public Hearing on the 26th day of May, 2015.

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

Approved under the Transportation Act 28th day of May, 2015.

Audrie Henry

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: July 14, 2015

RIM No. 0940-00

To: City Manager

From: Urban Planning, Community Planning & Real Estate (LK)

Application: DP15-0061 & DVP15-0062 **Owner:** Caroline Kaltenhauser

Address: 1432 McInnes Avenue **Applicant:** Weninger Construction & Design Ltd.

Subject: Development Permit Application & Development Variance Permit Application

Existing OCP Designation: MRL - Multiple Unit Residential

Existing Zone: RU6 - Two Dwelling Housing

Proposed Zone: RM1 - Four Dwelling Housing

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11094 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP15-0061 for Lot 3 District Lot 137 ODYD Plan 3756, located at 1432 McInnes 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 to be in general accordance with Schedule 'C';
4. Prior to the issuance of the Building Permit, the requirements of the Development Engineering Branch must be satisfied;
5. Prior to the issuance of the Building Permit, the requirements of the Zoning Application (Z15-0014) must be satisfied; and
6. The applicant is 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 landscape architect;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0062 for Lot 3 District Lot 137 ODYD Plan 3756, located at 1432 McInnes Avenue, Kelowna, BC;

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

Section 13.7.6 (a): RM1- Four Dwelling Housing Development Regulations

To vary the maximum site coverage from 50% to 61% proposed.

Section 13.7.6 (c): RM1- Four Dwelling Housing Development Regulations

To vary the building height from 2 ½ storeys maximum to 3 storeys proposed.

AND THAT the applicant be required to complete the above noted conditions of Council's Approval of the Development Permit and Development Variance Permit in order for the Permit to be issued;

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

2.0 Purpose

To consider the form and character and variances of a proposed four-plex dwelling.

3.0 Urban Planning

Urban Planning Staff supports the requested variances to Zoning Bylaw No. 8000 to allow for the development of a four-plex on the subject parcel. The application is consistent with the future land use of the Official Community Plan to encourage increased density in an urban neighbourhood. The property is within both the Revitalization Development Permit Area and the Mill Creek Flood Plain. The Flood Construction Level (FCL) is between 352 and 353 as indicated on the Mill Creek Flood Plain Map. The building permit application will ensure mechanical equipment is placed to meet floodplain requirements.

4.0 Proposal

4.1 Background

The McInnes Avenue streetscape has been evolving in recent years. The south side of the McInnes Avenue has an OCP designation of S2RES - Single/Two Unit Residential, while the north side of the street is MRL - Multiple Unit Residential (Low Density). New development is starting to occur on the street in the form of semi-detached housing. This street currently has parking challenges due to the illegal use of some semi-detached dwellings as four-plexes. This proposal will be the first legal four-plex application to occur on the street. The development proposes all of the required parking stalls to be contained on the parcel. While this will not alleviate the existing parking concerns, it is a step in the right direction.

4.2 Project Description

The parcel currently contains an older single detached dwelling which will be removed to accommodate the proposed four-plex. The proposed development will require two variances. The first variance is to vary the site coverage from 50% to 61%. This percentage includes the building as well as the driveway and parking area. The development requires six parking stalls, four of which are provided in garages with direct access to each suite. The additional two stalls are located at the north end of the parcel and not visible from the street frontage. As this is a laneless parcel, a turn around area is provided for these spaces. The development was designed to ensure that all required parking was provided on the parcel and will not be a dominant feature.

Urban Planning supports the site coverage variance as the driveway will be constructed of 'turf stone', and minimizing impervious surfaces is encouraged in the Official Community Plan. This surface allows grass to grow while providing a hard surface driveway (example below). It is environmentally sensitive as it provides additional site drainage and will not be a typical large paved area.



The second variance is for the building height. The Zoning Bylaw states the maximum height is the lessor of 9.5m or 2 ½ storeys. The proposal is 3 storeys but has an overall height of 8.68m, well below the 9.5m maximum.

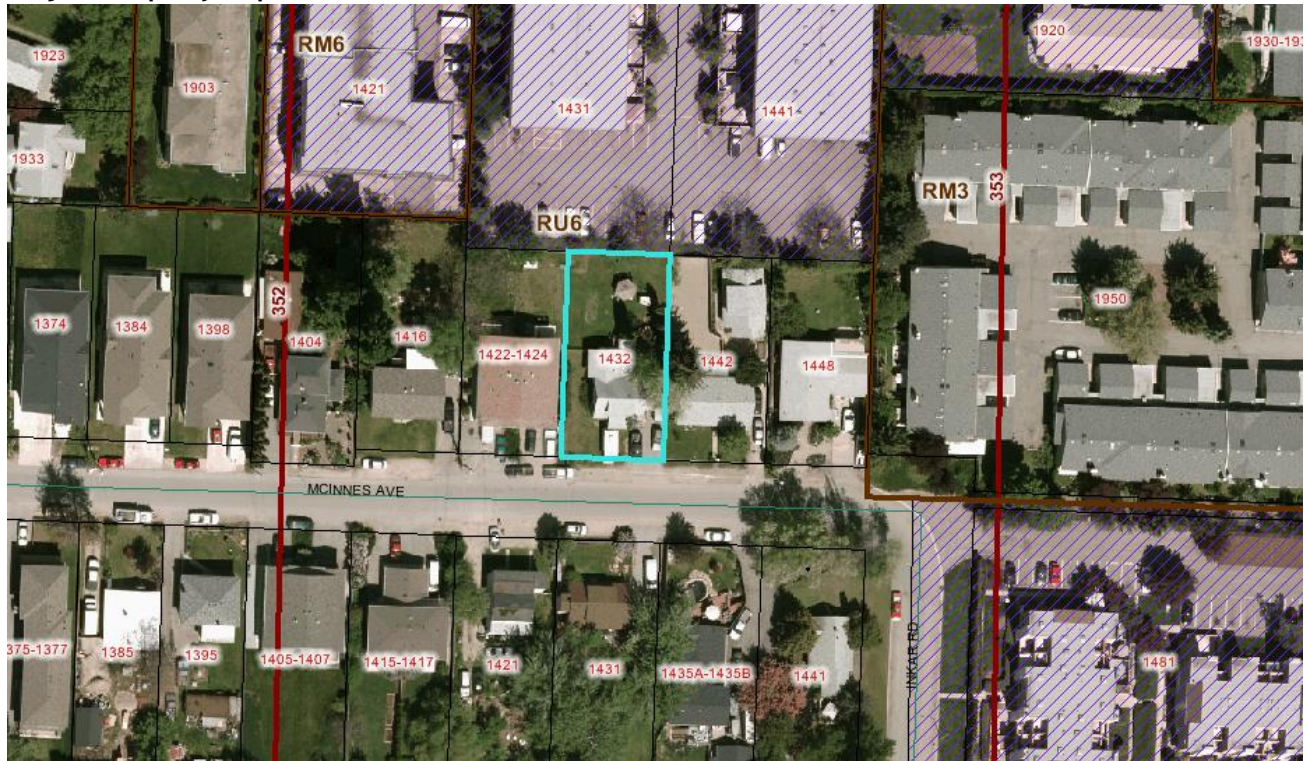
4.3 Site Context

The parcel is located on the north side of McInnes Avenue with Single Family Dwellings on both sides and across the street. Multi-family residential development is located to the north.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	LUC 75-26 (R-5)	Apartment Building
East	RU6	Residential
South	RU6	Residential
West	RU6	Residential

Subject Property Map: 1432 McInnes Avenue



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	700 m ²	720.83 m ²
Min. Lot Width	20 m	18.93 m
Min. Lot Depth	30 m	38.10 m
Development Regulations		
Max. Floor Area Ratio	0.6	.59
Max. Height (Lessor of)	9.5 m or 2 ½ storeys	8.68 m and 3 stories ❶
Min. Front Yard	4.5 m	4.57 m
Min. Side Yard (east)	2.5 m	7.31 m
Min. Side Yard (west)	2.5 m	2.94 m
Min. Rear Yard	7.5m	7.5 m
Max. Site Coverage	50%	55.43% ❷
Other Regulations		
Minimum Parking Requirements	1.5 stalls/2 bdrm dwelling units (x4 units = 6 stalls req.)	6 stalls provided
Private Open Space	25 m ² / unit	+25 m ² / unit provided
❶ Indicates a requested variance to the building height		
❷ Indicates a requested variance to the site coverage		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

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

Sensitive Infill.² 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.

Water and Drainage³ Minimize impervious surfaces through use of permeable materials and techniques to improve absorption (e.g. gravel, pavers, grasscrete, grass field for overflow parking, 'country lanes').

6.0 Technical Comments

6.1 Building & Permitting Department

- 1) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- 2) Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- 3) Supporting Exterior beams and columns may need to be rated based on the code analysis which may affect the form and character. Structural Engineer will be required for non vertical load paths at time of permit application.
- 4) Clearance between u/s stairs and exit paths & distance from stairs to doors to be reviewed at time of building permit application.
- 5) Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

See attached Memorandum dated March 30, 2015

6.3 Fire Department

- 1) Requirements of Section 9.10.19 Smoke Alarms of the BCBC 2012 are to be met.
- 2) As per Subdivision Bylaw 7900, ensure fire flows of 90 litres/sec are met for a four plex.
- 3) The four plex shall be addressed with one main address off of McInnes Ave with unit numbers being assigned for each unit.

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

² City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 12.8.6 (Natural Environment DP Chapter).

6.4 RCMP

- 1) With respect to landscape design, the applicant should be mindful of density and scale of plant material to avoid creating opportunities for concealment.

7.0 Application Chronology

Date of Application Received:	March 20, 2015
Date Public Consultation Completed:	April 8, 2015
Date Circulation Completed:	April 17, 2015

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by:

☐

Lindsey Ganczar, Urban Planning Supervisor

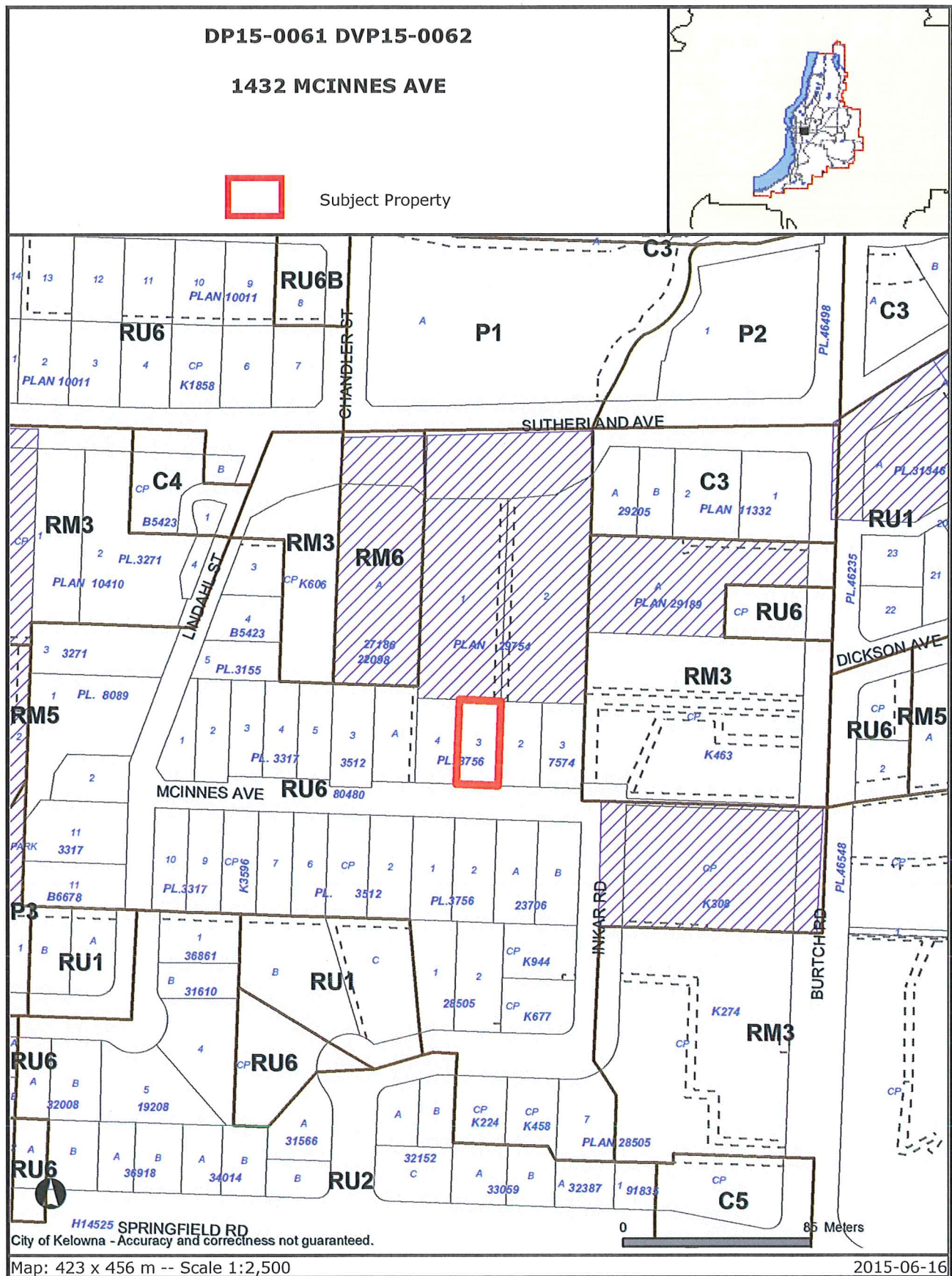
Reviewed by:

☐

Ryan Smith, Urban Planning Manager

Attachments:

Subject Property Map
Schedule 'A' - Site Plan
Schedule 'B' - Conceptual Elevations
Schedule 'C' - Landscape Plan
Development Engineering Memo
Draft Development Permit & Development Variance Permit - DP15-0061 & DVP15-0062



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.

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

Development Permit No. DP15—0061
DVP15-0062

EXISTING ZONING DESIGNATION: RM1 - Multiple Unit Residential
WITHIN DEVELOPMENT PERMIT AREA: Revitalization Development Permit Area (Residential)

ISSUED TO: Caroline Kaltenhauser
LOCATION OF SUBJECT SITE: 1432 McInnes Avenue

	LOT	D.L.	PLAN	SECTION	TOWNSHIP	DISTRICT
LEGAL DESCRIPTION:	3	137	3756			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 buildings 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) That the landscaping to be provided on the land be in general accordance with Schedule "C".
- d) Prior to issuance of the Building Permit, the requirements of the Development Engineering Branch must be satisfied;
- e) Prior to issuance of the Building Permit, the requirements of Zoning application (Z15-0014) must be satisfied;
- f) 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;

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

Section 13.7.6 (a): Development Regulations

To vary the maximum site coverage from 50% to 61% proposed;

Section 13.7.6(c): Development Regulations

To vary the building height from 2 ½ storeys maximum to 3 storeys 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:

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 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 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 Land 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:

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.

CITY OF KELOWNA

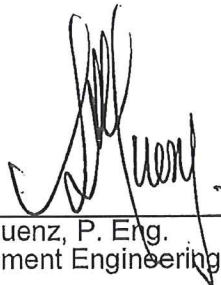
MEMORANDUM

Date: March 31, 2015
File No.: DP15-0061
To: Urban Planning (LK)
From: Development Engineer Manager (SM)
Subject: 1432 McInnes Ave

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

1. **General.**

All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z15-0014.



Steve Muenz, P. Eng.
Development Engineering Manager

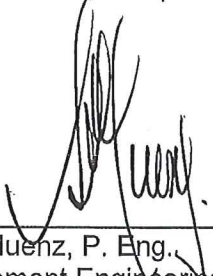
SS

CITY OF KELOWNA
MEMORANDUM

Date: March 31, 2015
File No.: DVP15-0062
To: Urban Planning (LK)
From: Development Engineering Manager (SM)
Subject: 1432 McInnes Ave

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

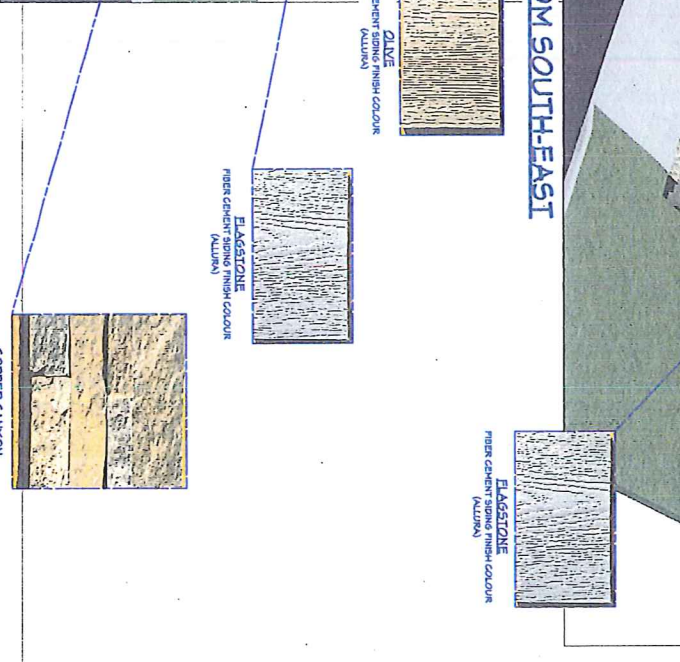
This development variance permit application to vary the site coverage from 50% to 55.4% does not compromise any municipal services.



Steve Muenz, P. Eng.
Development Engineering Manager

SS


This forms part of development Permit # DP15-0001 DP15-0

[illegible]

YIEN FROM SOUTH-WEST

DEVELOPMENT PROPOSAL: (APPLICATION) ONLY - NOT FOR CONSTRUCTION

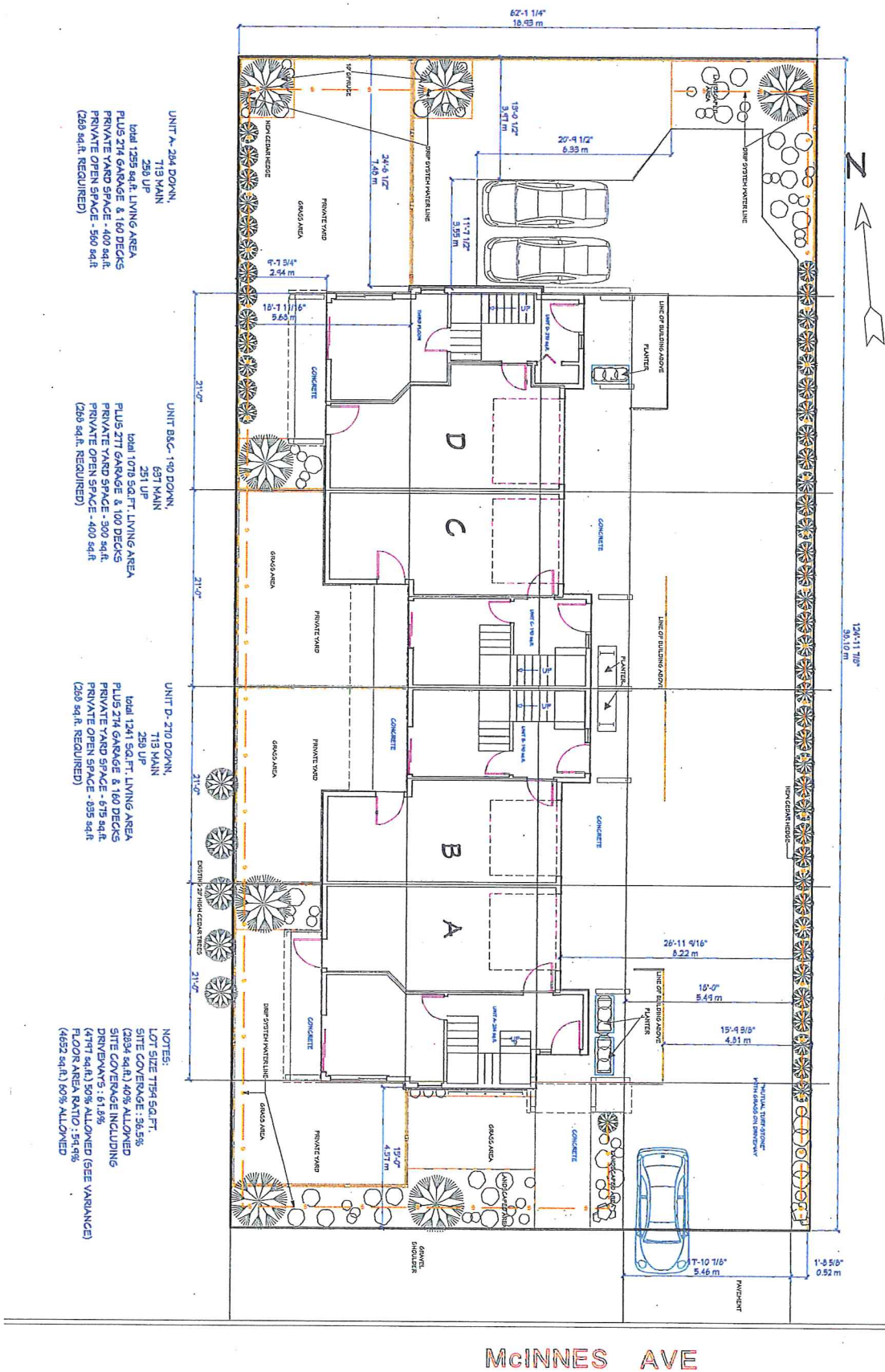
MULTIPLE UNIT RESIDENTIAL
1432 McINNES AVE
PERSPECTIVE RENDERED VIEWS

 <p>Martin Wieringer Owner James Helun</p>	<p>1432 McINNIS AVE KELOWNA BC</p>
---	--

Wieringer Construction & Design Ltd.
Unit# 102B-200
Douglass Road North, Kelowna, BC V1X 3K5
Tel: (250) 765-6895 Fax: (250) 765-6078

REVISION TABLE		
No.	DATE	REV. BY DESCRIPTION
A	04MAR15	JH DEVELOP. PROPOSAL

SCHEDULE 'A' & 'C'
 This forms part of development
 Permit # **DE15-0001, DE15-0002**



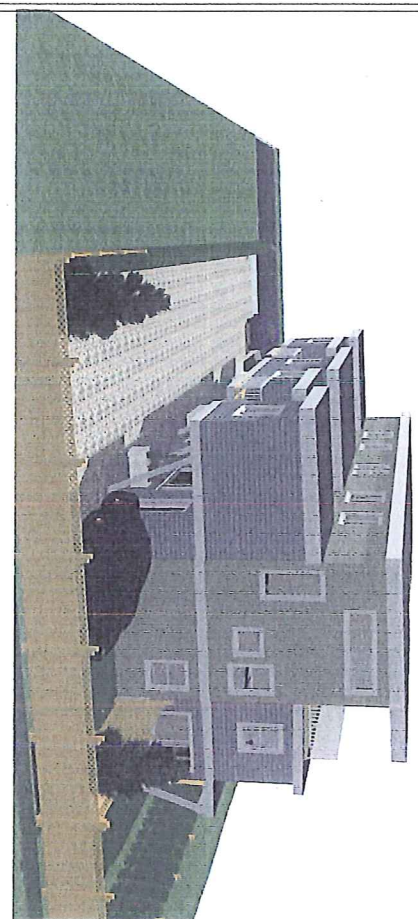
McINNES AVE

DEVELOPMENT PROPOSAL: (APPLICATION) ONLY - NOT FOR CONSTRUCTION

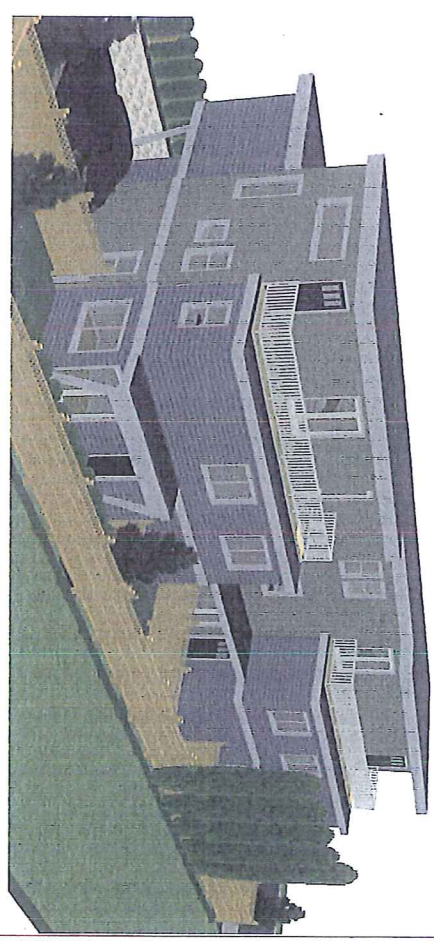
SITE PLOT PLAN

Weninger CONSTRUCTION	DRAWINGS PROVIDED BY: James Halun	MULTIPLE UNIT RESIDENTIAL 1432 MCINNES AVE SITE PLOT PLAN	PREPARED BY: James Halun 1432 MCINNES AVE KELOWNA BC Weninger Construction & Design Ltd. Units 1028-200 Douglas Road North, Kelowna, BC V1X 5K5 Tel: (250) 165-6040 Fax: (250) 165-6018	REVISION TABLE <table border="1"> <tr> <th>NO</th> <th>DATE</th> <th>REV BY</th> <th>DESCRIPTION</th> </tr> <tr> <td>1</td> <td>04/01/15</td> <td>JH</td> <td>DEVELOP PROPOSAL</td> </tr> </table>	NO	DATE	REV BY	DESCRIPTION	1	04/01/15	JH	DEVELOP PROPOSAL
	NO	DATE	REV BY	DESCRIPTION								
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DATE: Y-03-05	SCALE: 1"=5'	SHEET: 2	110									

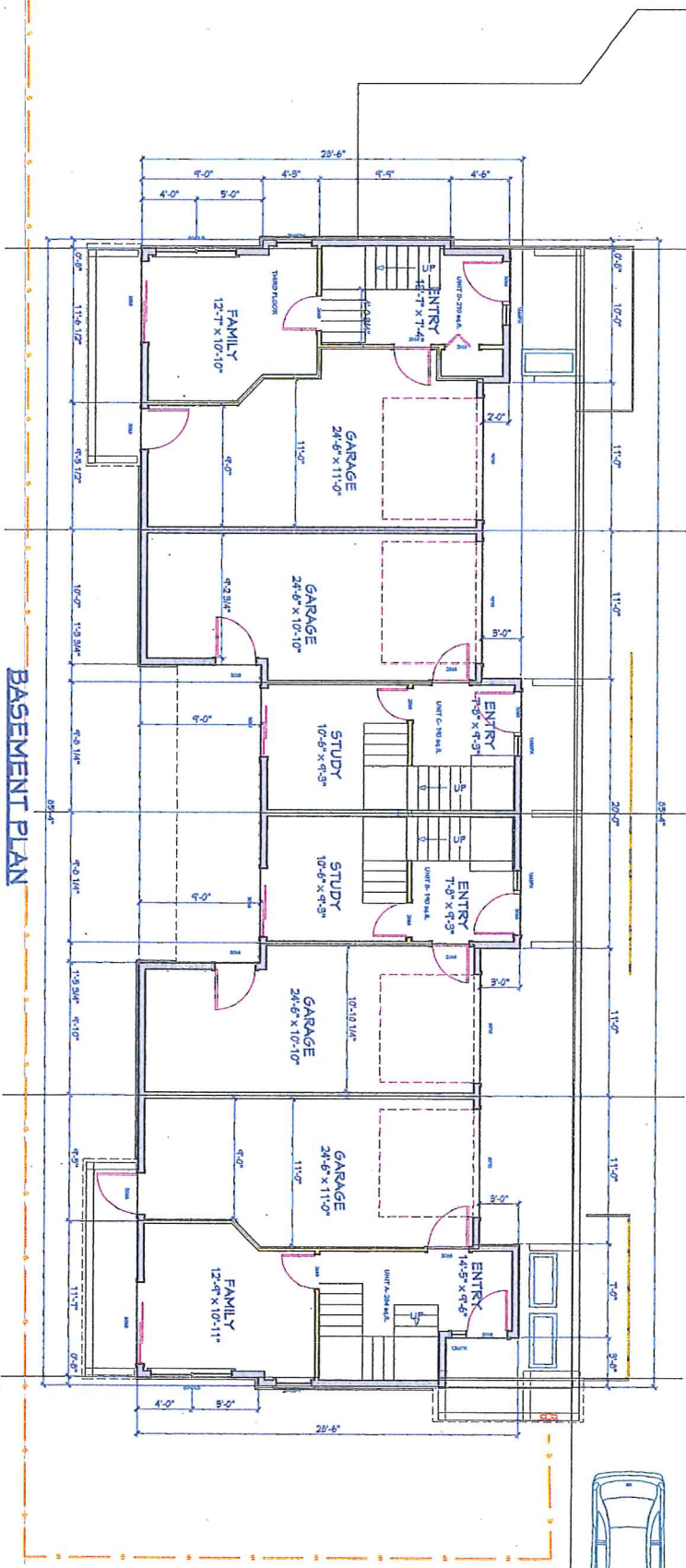
SCHEDULE 'A'
 This forms part of development
 Permit # **0P15-0001, 0P15-0002**



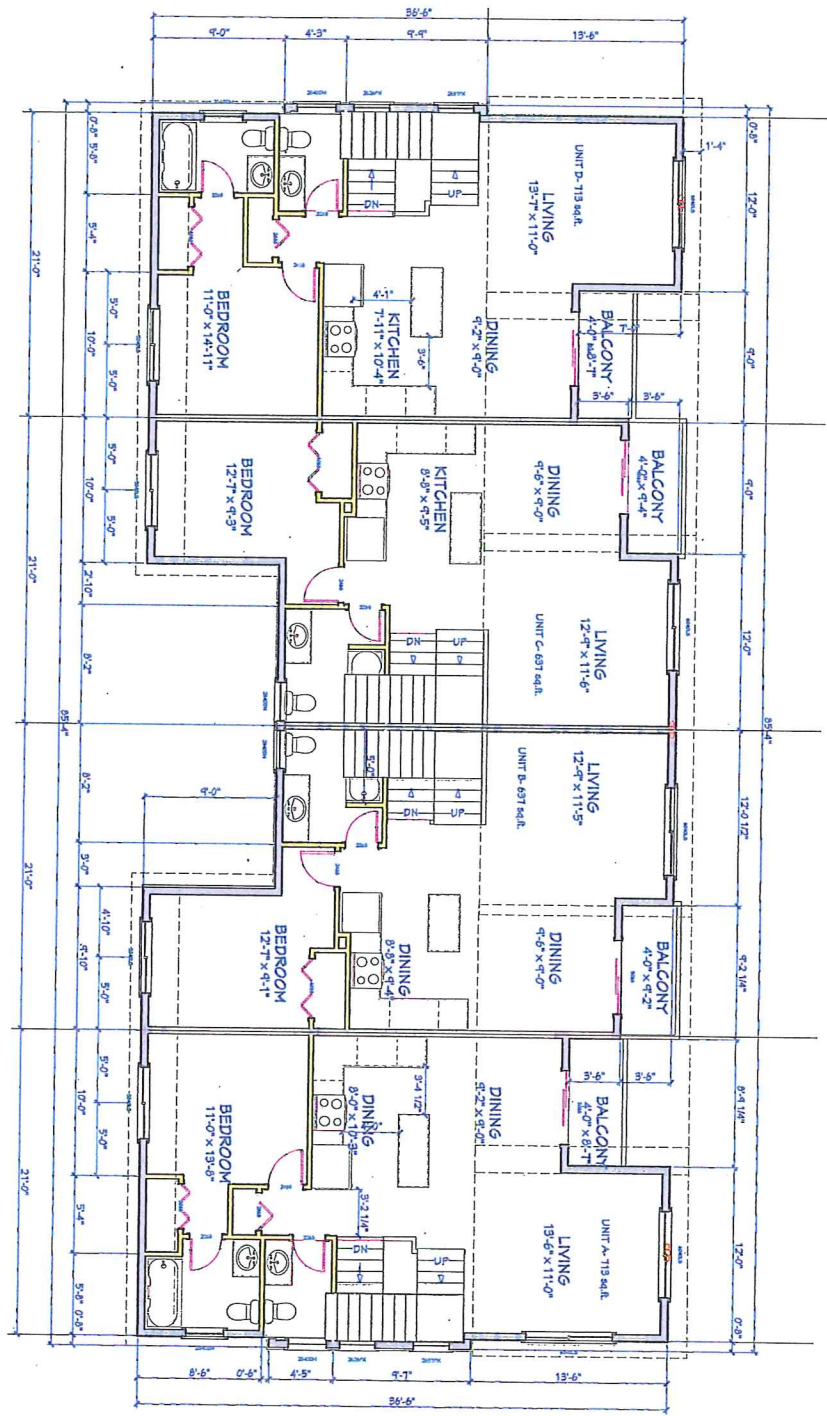
VIEW FROM NORTH



VIEW FROM NORTH-EAST



DEVELOPMENT PROPOSAL; (APPLICATION) ONLY - NOT FOR CONSTRUCTION



MAIN FLOOR PLAN
1/4" = 1'-0"

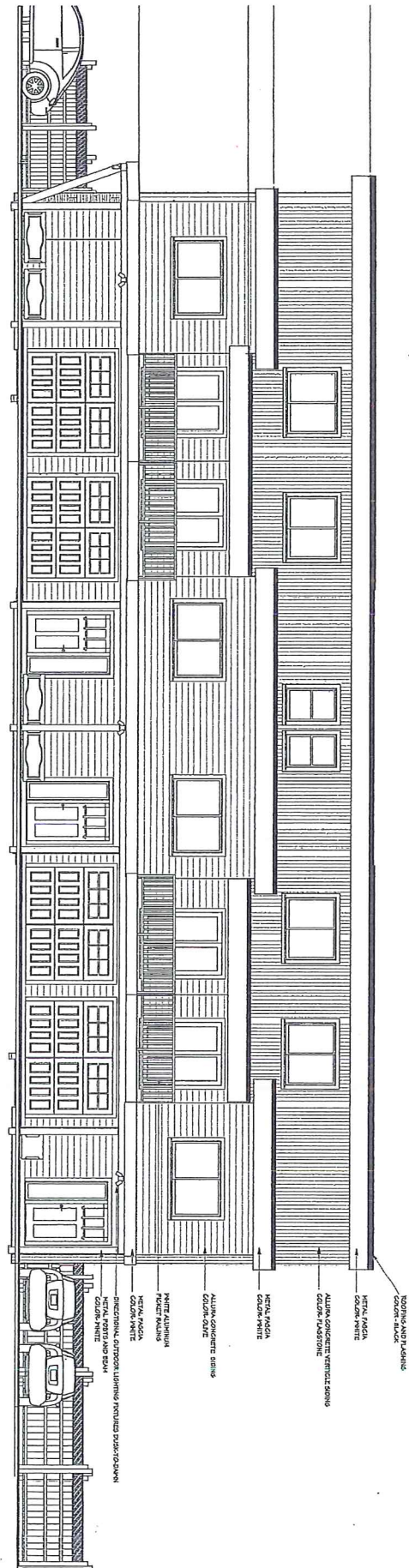
SCHEDULE 'A'
This forms part of development
Permit # **DR15-0061, DR15-0062**

	DRAWINGS PROVIDED BY: Weninger CONSTRUCTION	MULTIPLE UNIT RESIDENTIAL 1432 MINNES AVE MAIN FLOOR PLAN	Martin Weninger James Mahan Weninger Construction & Design Ltd. Unit 1020-200 Douglas Road North, Kelowna, BC V1X 3K3 Tel: (250) 765-6049 Fax: (250) 765-6078	REVISION TABLE <table border="1"> <tr> <th>No.</th> <th>DATE</th> <th>REV. BY</th> <th>DESCRIPTION</th> </tr> <tr> <td>A</td> <td>04MAR18</td> <td>JM</td> <td>DEVELOP. PROPOSAL</td> </tr> </table>	No.	DATE	REV. BY	DESCRIPTION	A	04MAR18	JM	DEVELOP. PROPOSAL
	No.	DATE	REV. BY	DESCRIPTION								
A	04MAR18	JM	DEVELOP. PROPOSAL									
DATE: 17-03-05 SCALE: 1/4" = 1'-0" SHEET: 4												

SCHEDULE 'B'

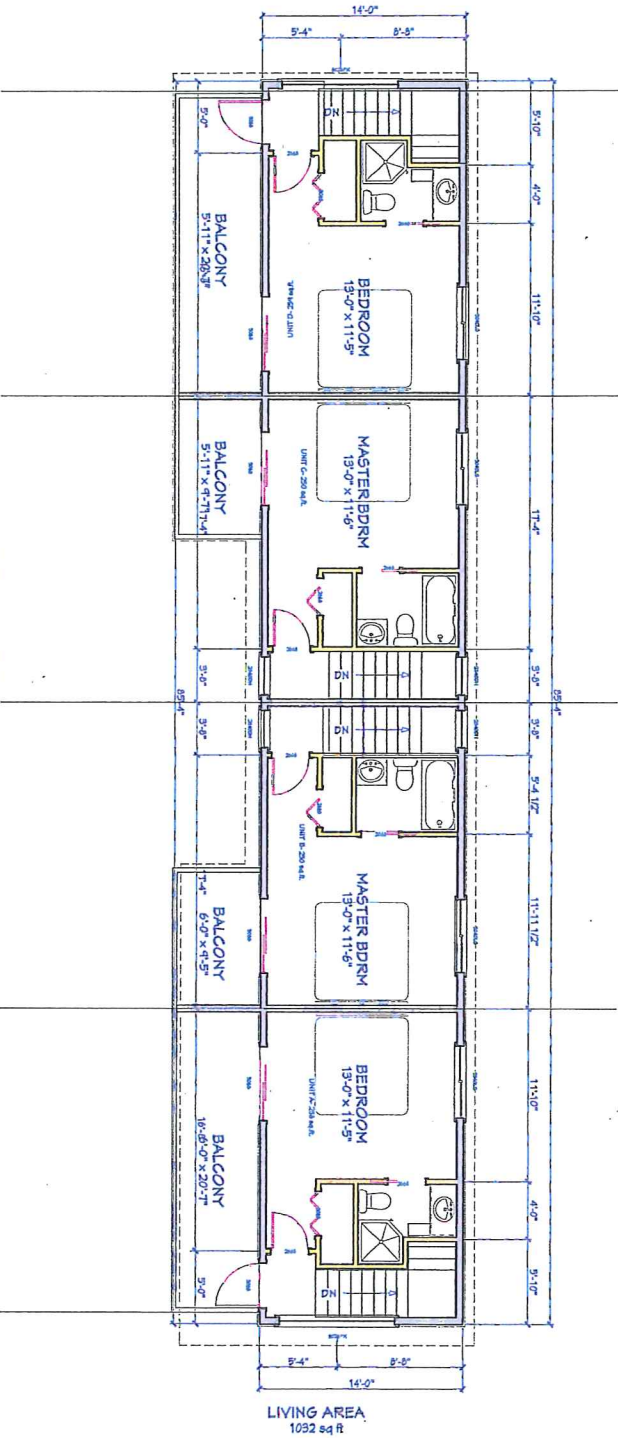
This forms part of development

Permit # ~~DR15-0061, DR15-0062~~



RIGHT ELEVATION

1/4" = 1'-0"



TOP FLOOR PLAN

1/4" = 1'-0"

DEVELOPMENT PROPOSAL; (APPLICATION) ONLY - NOT FOR CONSTRUCTION



DRAWINGS PROVIDED BY:

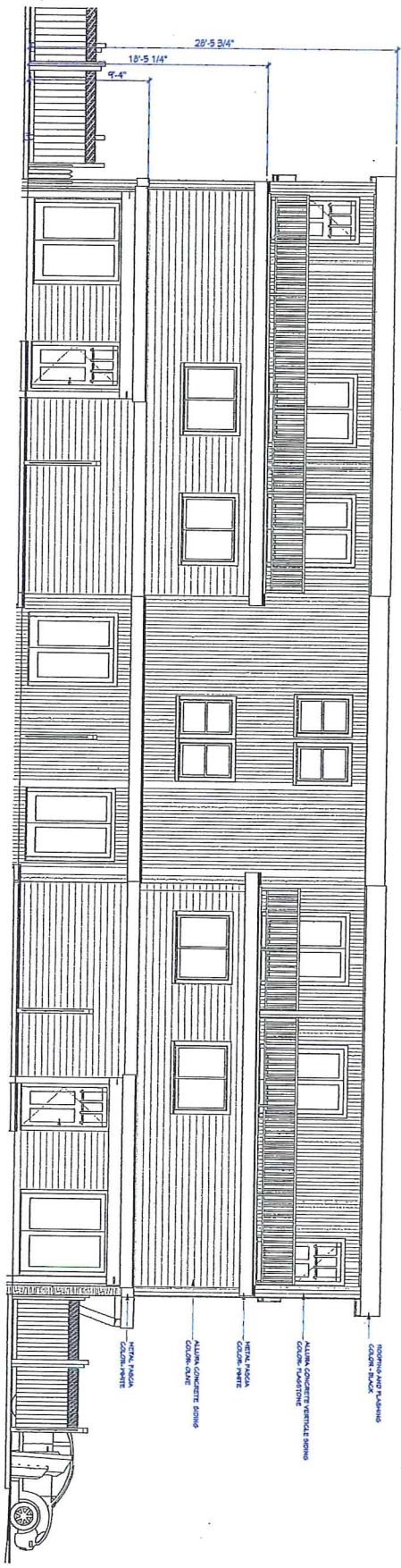
MULTIPLE UNIT RESIDENTIAL
1432 MINNES AVE
2ND FLOOR PLAN

Prepared by: Martin Weninger
James Halun
1432 MINNES AVE
KELOONA BC
Weninger Construction & Design Ltd.
Units 102B-200
Douglas Road North, Kelowna, BC V1X 3K5
Tel: (250) 765-6095 Fax: (250) 765-6076

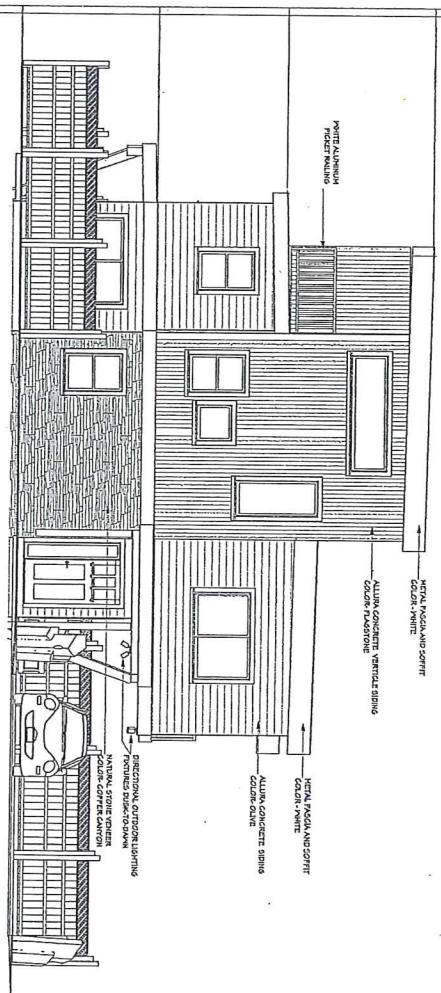
REVISION TABLE			
NO.	DATE	REV. BY	DESCRIPTION
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DATE: Y-03-05
SCALE: 1/4" = 1'-0"
SHEET: 5

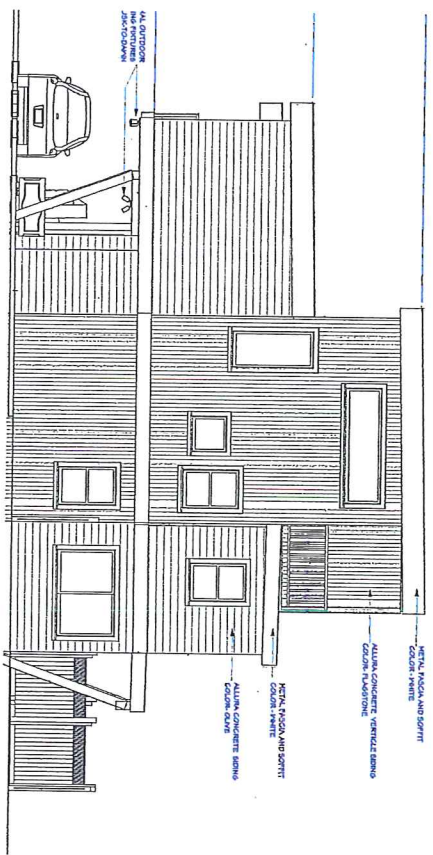
SCHEDULE 'B'
 This forms part of development
 Permit # **DP15-0061, DP15-0062**



LEFT ELEVATION
 1/4" = 1'-0"



FRONT ELEVATION
 1/4" = 1'-0"



REAR ELEVATION
 1/4" = 1'-0"

DEVELOPMENT PROPOSAL; (APPLICATION) ONLY - NOT FOR CONSTRUCTION

Weninger CONSTRUCTION & DESIGN LTD.	DRAWINGS PROVIDED BY: Weninger	MULTIPLE UNIT RESIDENTIAL 1432 MOINES AVE EXTERIOR ELEVATIONS	PREP: Weninger Construction & Design Ltd. James Holm Unit 1022-200 Douglas Road North, Kelowna, BC V1X 3K3 Tel: (250) 765-6975 Fax: (250) 765-6075	REVISION TABLE <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>REV. BY</th> <th>DESCRIPTION</th> </tr> <tr> <td>A</td> <td>04/04/15</td> <td>JH</td> <td>DEVELOP PROPOSAL</td> </tr> </table>	NO.	DATE	REV. BY	DESCRIPTION	A	04/04/15	JH	DEVELOP PROPOSAL
	NO.	DATE	REV. BY	DESCRIPTION								
A	04/04/15	JH	DEVELOP PROPOSAL									
DATE: Y-03-05 SCALE: 1/4" = 1'-0" SHEET: 6												

CITY OF KELOWNA
BYLAW NO. 10849
Z13-0011 - Wendy Diana Cullen & Michael Steve Anderson
370 Fleming Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot B, Section 27, Township 26, ODYD Plan 11730 located on 370 Fleming Road, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing 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 27th day of May, 2013.

Considered at a Public Hearing on the 18th day of June, 2013.

Read a second and third time by the Municipal Council this 18th day of June, 2013.

Approved under the Transportation Act this 21st day of August, 2013.

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: July 14, 2015

RIM No. 0940-50

To: City Manager

From: Urban Planning, Community Planning & Real Estate (LK)

Application: DP13-0034 & DVP13-0033 **Owner:** Wendy Diana Cullen & Michael Steve Anderson

Address: 370 Fleming Road **Applicant:** Wendy Diana Cullen & Michael Steve Anderson

Subject: Development Permit and Development Variance Permit

Existing OCP Designation: S2RES - Single/Two Unit Residential

Existing Zone: RU1 -Large Lot Housing

Proposed Zone: RU1c -Large Lot Housing with Carriage house

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 10849 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP13-0034 for Lot B, Section 27, Township 26, ODYD Plan 11730, located at 370 Fleming Road, 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 DVP13-0033 for Lot B, Section 27, Township 26, ODYD Plan 11730, located at 370 Fleming Road, Kelowna, BC;

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

Section 9.5b.14 Carriage House Regulations

To vary the minimum side yard setback for a Carriage House from 2.0m required to 1.50m proposed.

AND THAT Council direct Staff to ensure that parking in tandem is not used to meet the off-street vehicle parking requirements as per Council Directive from May 27, 2013 Regular Meeting;

AND THAT Council direct Staff to ensure the attic space above the Carriage House remains as a storage space only and that the exterior access door does not become balcony access as per Council Directive from May 27, 2013 Regular Meeting;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and the Development Variance Permit in order for the permits 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.

2.0 Purpose

To consider the form and character and a variance to the minimum side yard setback requirement for a Carriage House.

3.0 Urban Planning

Urban Planning Staff supports the requested variance to the side yard setback requirement for a Carriage House. The applicant is seeking the variance to allow the conversion of the Accessory Building to a Carriage House. The application is a result of Bylaw Enforcement. While Staff does not condone the use of dwellings without the appropriate permits and approvals, the parcel can easily accommodate an additional dwelling unit and meets all other zoning requirements. There are many examples of RU6 - Two Dwelling Housing lots in the immediate neighbourhood.

The parcel is located within the Permanent Growth Boundary. Policies within the Official Community Plan support sensitive integration into existing neighbourhoods where services are already in place and densification can easily be accommodated. The exterior finishes of the carriage house were constructed to match the existing dwelling. The height and massing of the building fits within the context of the surrounding parcels. Private open space for the carriage house is at the rear of the building. This allows for the main dwelling to have private open space that is separate from the carriage house.

4.0 Proposal

4.1 Background

The principal dwelling and accessory building were both constructed in 2005. The main floor of the accessory building has since been converted to a two bedroom suite with a small kitchen and main living area on the ground floor. Private outdoor space is provided in excess of the Zoning Bylaw requirements.

As a result from the Regular Meeting on May 27, 2013; Council provided two directives to staff:

- 1) Off-street parking requirements will not use Tandem Parking configuration to meet the minimum parking requirements.
- 2) Ensure the exterior attic door does not become access to a balcony and the attic is used for storage purposes only.

Zoning Application Z13-0011 received second and third readings on June 18, 2013 after the Public Hearing was held on the same date. An extension was granted for the rezoning application until June 18, 2015. The applicants were unresponsive and took a number of months to provide amended plans to address Council's directives. Once the information was received and the application became active, Black Mountain Irrigation District could not locate the circulation

from 2013 when the applicant attempted to pay the fees. Re-circulation occurred and all outstanding fees have been collected.

4.2 Project Description

The property is currently zoned RU1 - Large Lot Housing. The rezoning application sought to rezone the parcel to RU1c - Large Lot Housing with Carriage House. The building was initially constructed as a garage with a side setback of 1.5m, which exceeded the 1.2m minimum side setback requirement for an Accessory Building. The setback requirement for a carriage house is 2.0m to the side property line. The requested variance will not negatively impact the south adjacent parcels as there is a tall hedge and numerous trees along the shared property line to provide abundant screening. To address Council's directive, the upper area of the Carriage House is storage area and may only be accessed by a ladder to the exterior door.

The existing driveway can easily accommodate the required parking stalls as per the Zoning Bylaw. This will address Council's second directive to ensure the parking is not provided in tandem parking configuration.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation by contacting them in person and providing proposal application packages.



4.3 Site Context

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1- Large Lot Housing	Single Family Dwelling
East	RU1- Large Lot Housing & RU6 - Two Dwelling Housing	Single Family Dwelling & Four-plex (legal, non-conforming)

South	RU1- Large Lot Housing	Single Family Dwelling
West	RU1- Large Lot Housing & RU6 - Two Dwelling Housing	Single Family Dwelling & Duplex

Subject Property Map: 370 Fleming Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1c ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	550m ²	1,397m ²
Min. Lot Width	16.5m	24.73m
Min. Lot Depth	30.0m	50.98m
Development Regulations - Principal Dwelling		
Max. Height	9.5m or 2 ½ stories	7.3m
Min. Front Yard	4.5m	8.5m
Min. Side Yard (north)	2.3m (2½ stories)	3.2m
Min. Side Yard (south)	2.3m (2½ stories)	8.84m
Min. Rear Yard	7.5m	32.74m
Proposed Carriage House - Single Storey		
Max. Height	4.8m	7.3m
Min. Front Yard	4.5m	8.5m
Min. Side Yard (north)	2.0m	3.05m
Min. Side Yard (south)	2.0m	1.5m
Min. Rear Yard (without a lane)	2.0m	32.74m
Min. Setback from principal building	3.0m	9.83
Max. Net Floor Area	100m ²	86.88m ²

Max. Site Coverage (with driveways)	50%	35%
Other Regulations		
Min. Parking Requirements	3 required	3 provided
Min. Private Open Space	60m ² (30m ² / dwelling)	+60m ²
● Indicates a requested variance to the carriage house side yard setback.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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

Complete Suburbs.² Support a mix of uses within Kelowna's suburbs (see Map 5.1 - Urban Core Area), in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 - Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context.

6.0 Technical Comments

6.1 Building & Permitting Department

- 1) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- 2) Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- 3) Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

See attached memorandum dated March 5, 2013.

6.3 Bylaw Services

Illegal suite investigation. File #241993

6.4 Fire Department

An unobstructed and easily distinguishable fire-fighter access path, of 1100 mm, from Fleming Road to the back of the property line as well to the secondary detached suite main entrance is required. The new home is required to have a visible address facing Fleming Road.

7.0 Application Chronology

Date Application Received: February 25, 2013
Date Amended Plans Received: May 19, 2015

¹ City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

² City of Kelowna Official community Plan, Policy 5.2.3 (Development Process Chapter).

Rezoning Application No. Z11-0011

Council Regular Meeting:

2nd & 3rd Reading:

Extension Granted:

May 27, 2013

June 18, 2013

December 8, 2014

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by:



Lindsey Ganczar, Urban Planning Supervisor

Reviewed by:



Ryan Smith, Urban Planning Manager

Attachments:

Subject Property Map

Schedule 'A' - Site Plan

Schedule 'B' - Elevations

Development Engineering Memorandum

Draft Development Permit & Development Variance Permit - DP13-0034 & DVP13-0033

DP13-0034 DVP13-0033



Subject Property



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.

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

Development Permit No. DP13-0034
DVP13-0033

EXISTING ZONING DESIGNATION: RU1c
WITHIN DEVELOPMENT PERMIT AREA: Comprehensive Development Permit Area (Residential)

ISSUED TO: Wendy Cullen & Michael Anderson
LOCATION OF SUBJECT SITE: 370 Fleming Rd

	LOT	D.L.	PLAN	SECTION	TOWNSHIP	DISTRICT
LEGAL DESCRIPTION:	B		11730	27	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 variance to the following section Zoning Bylaw No. 8000 be granted:
Section 9.5b.14 Carriage House Regulations
To vary the minimum side yard setback for a Carriage house from 2.0m required to 1.5m 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.

CITY OF KELOWNA

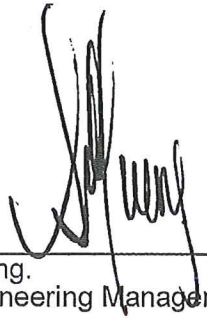
MEMORANDUM

Date: March 5, 2013
File No.: DVP13-0033
To: Land use Management (BD)
From: Development Engineer Manager (SM)
Subject: 370 Fleming Road – Lot B, Plan 11730, Sec. 27, Twp. 26, ODYD

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

1. General

The requested side yard variance from 2.0 to 1.8 m. does not compromise any Municipal infrastructure.



Steve Muenz, P.Eng.
Development Engineering Manager

B²

CITY OF KELOWNA


MEMORANDUM

Date: March 5, 2013
File No.: DP13-0034
To: Land use Management (BD)
From: Development Engineer Manager (SM)
Subject: 370 Fleming Road – Lot B, Plan 11730, Sec. 27, Twp. 26, ODYD

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

1. General

Requirements addressed in rezoning file Z13-0011 must be satisfied prior to the issuance of this Development Permit.



Steve Muenz, P.Eng.
Development Engineering Manager

B²

CITY OF KELOWNA

MEMORANDUM

Date: March 5, 2013
File No.: Z13-0011
To: Land use Management (BD)
From: Development Engineer Manager (SM)
Subject: 370 Fleming Road – Lot B, Plan 11730, Sec. 27, Twp. 26, ODYD

FILE COPY

The Development Engineering comments and requirements regarding this application to rezone from RU-1 to RU-1c (carriage) are as follows:

1. Subdivision

Provide easements as required

2. Domestic water and fire protection.

This development is within the service area of the Black Mountain Irrigation District (BMID). All the fees and charges are to be paid directly to BMID.

3. Sanitary Sewer.

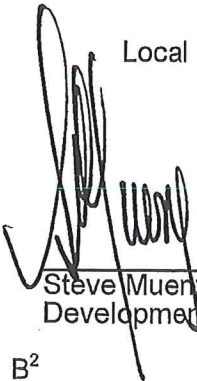
The subject property is located within the Local Area Service (LAS) #20 and the property has cash commuted 1 SFE (Single Family Equivalent) in 2005. The current Policy requires that all the LAS charges be cash commuted when the property is rezoned. The pay-out charge for a house and a carriage house is 1 and ½ SFE less the 1.0 SFE already paid. The current LAS #20 payout rate is \$3,782.00 per SFE and the total charge is in the amount of **\$1,891.00** the charge is valid until March 31, 2013.

4. Bonding and Levies Summary.

Levies

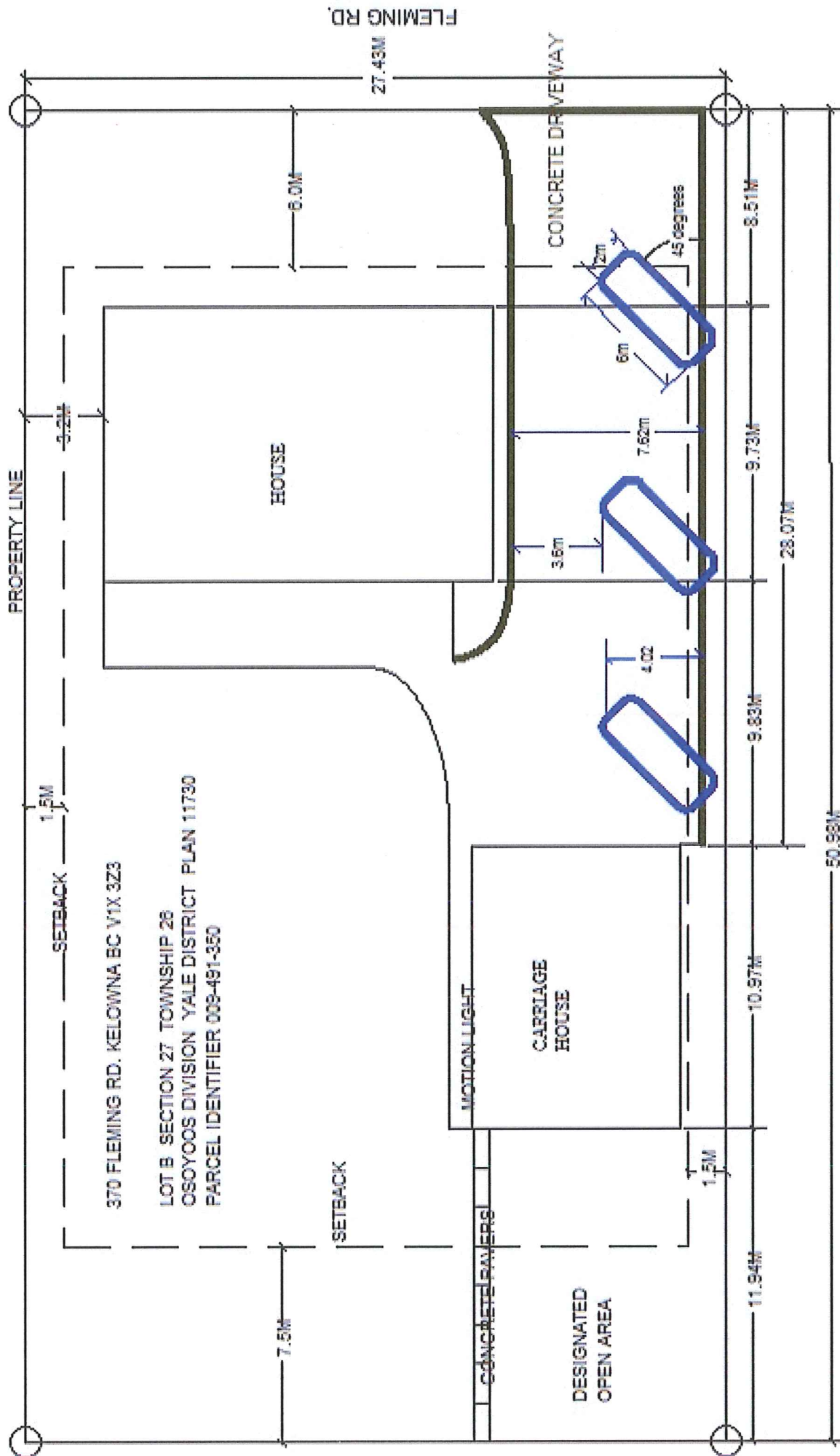
Local Service Area #20 charges

\$ 1,891.00

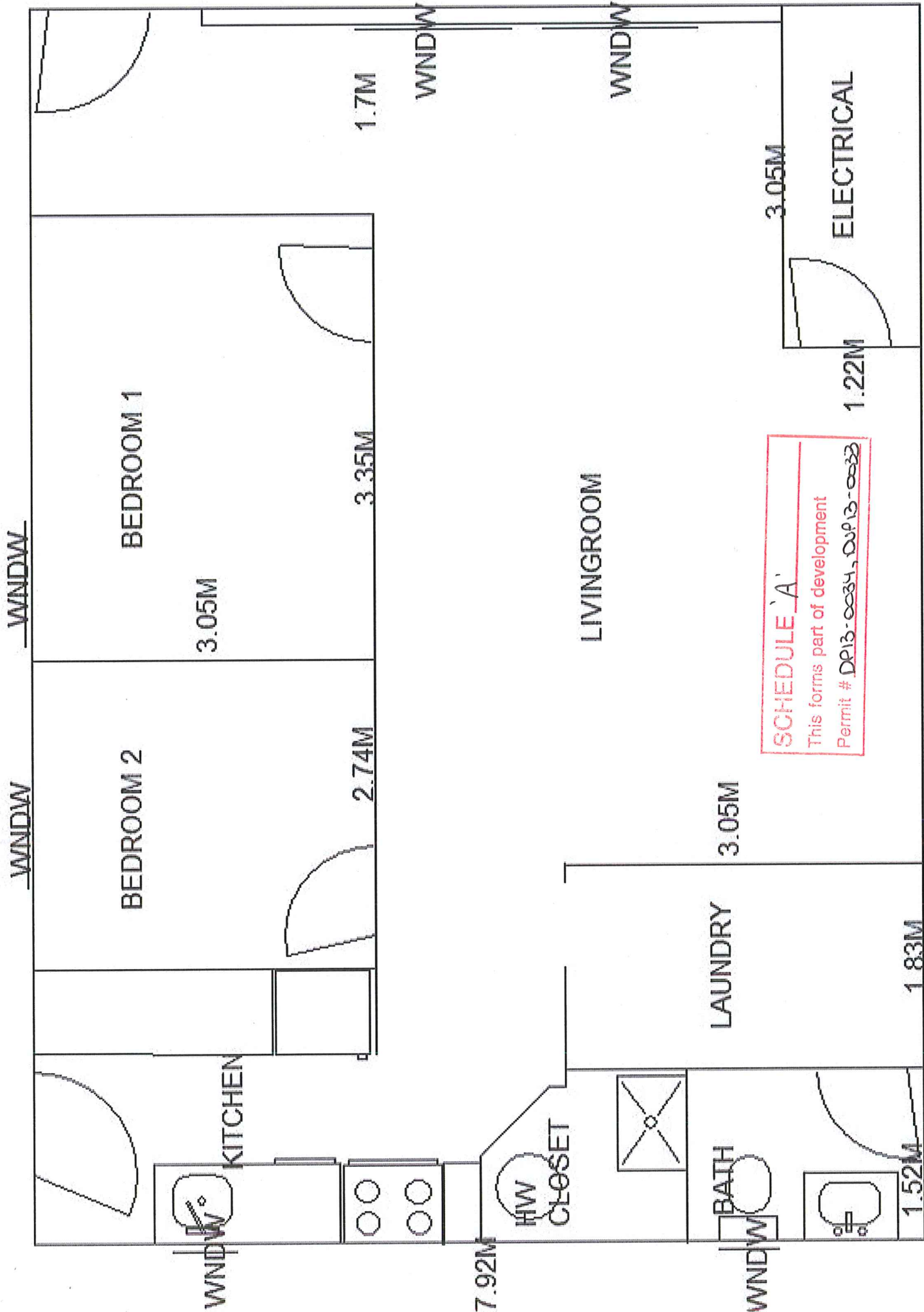


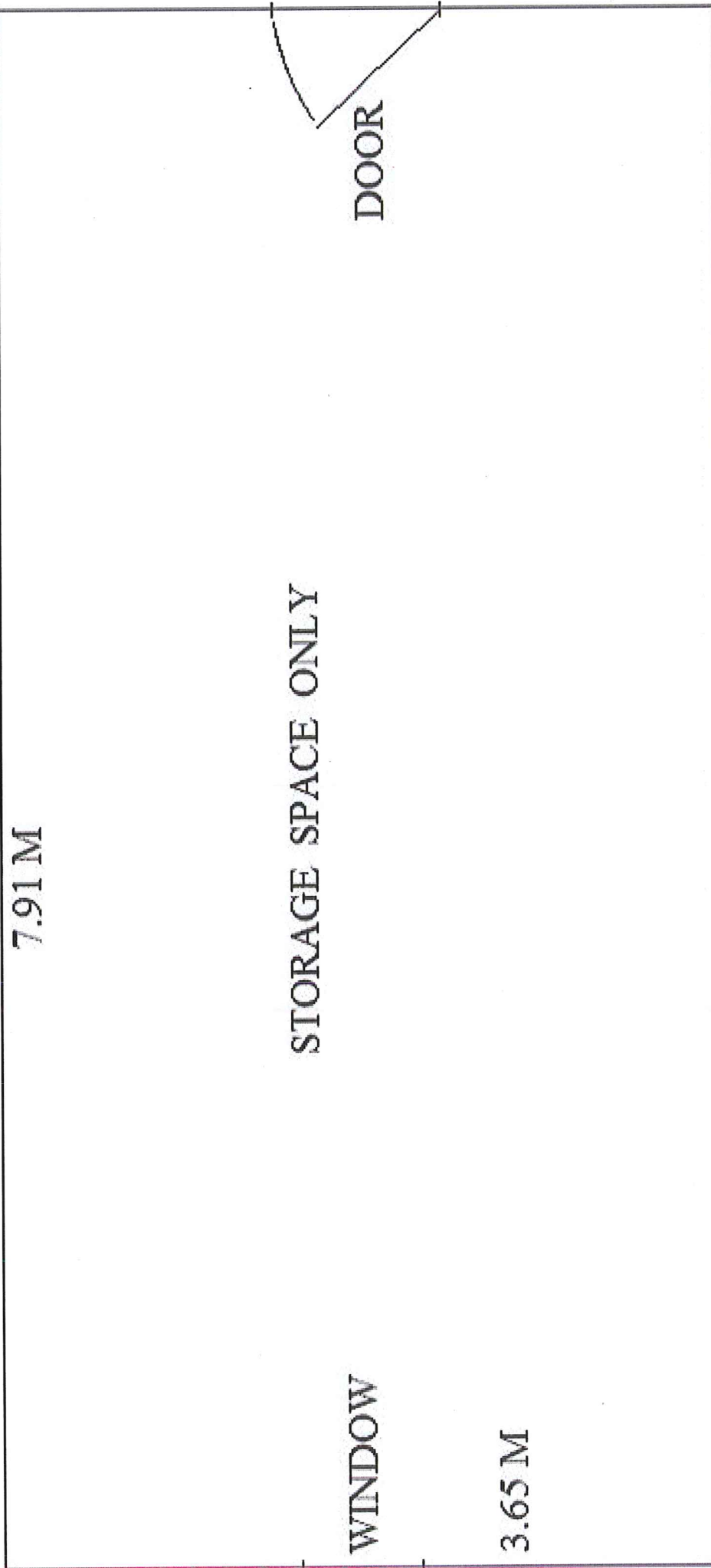
Steve Muenz, P.Eng.
Development Engineering Manager

B²



SCHEDULE 'A'
 This forms part of development
 Permit # DP13-0034, DP13-0033

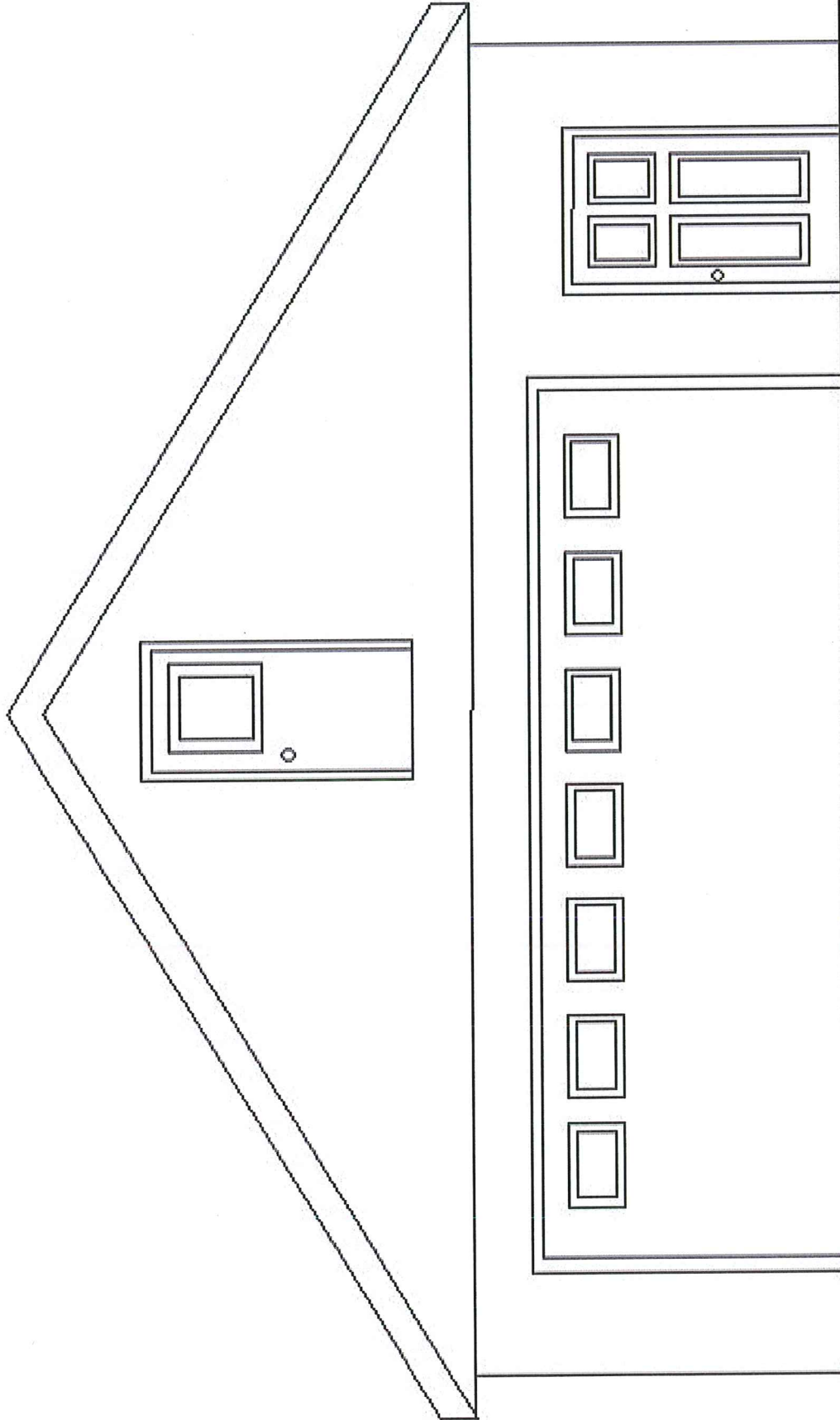




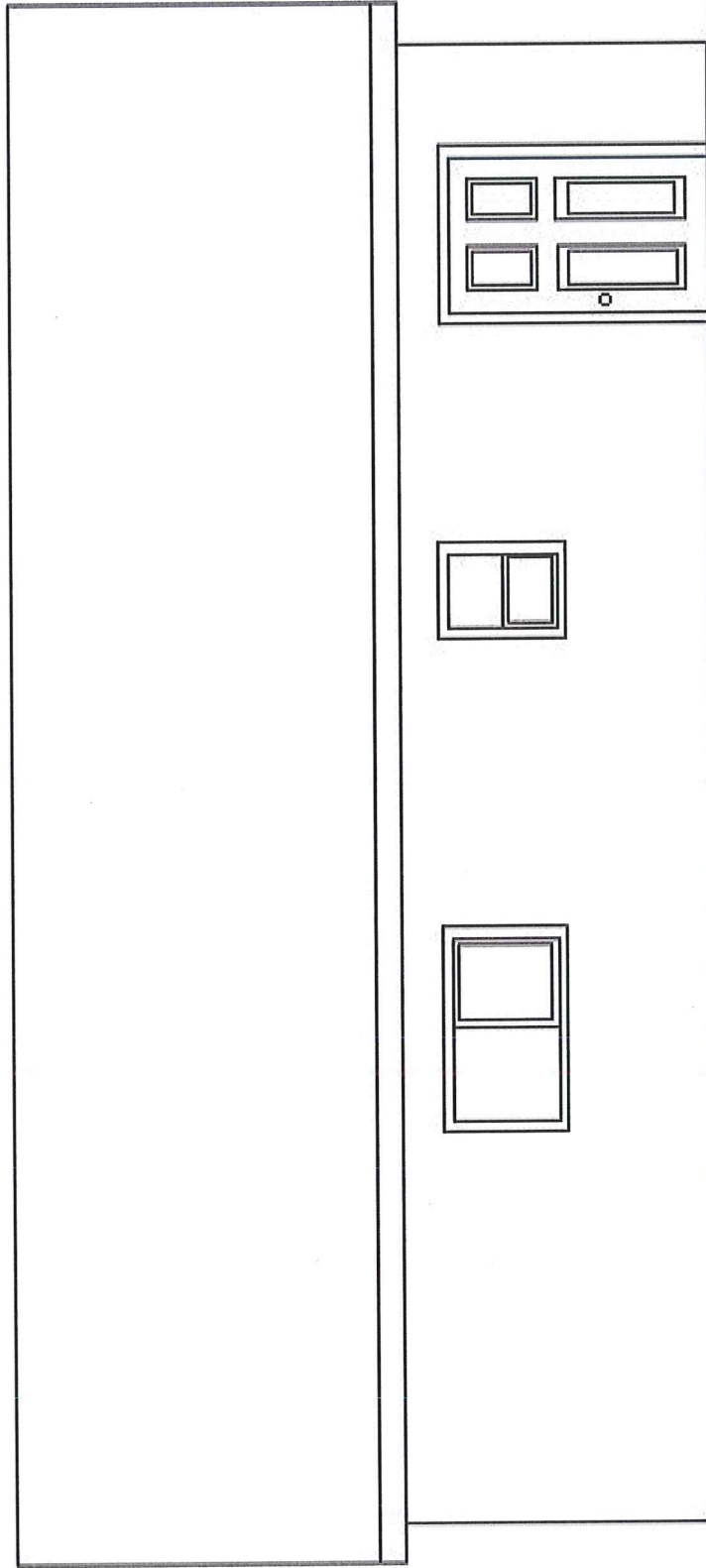
SCHEDULE 'A'

This forms part of development

Permit # DP13-0034, DP13-0032

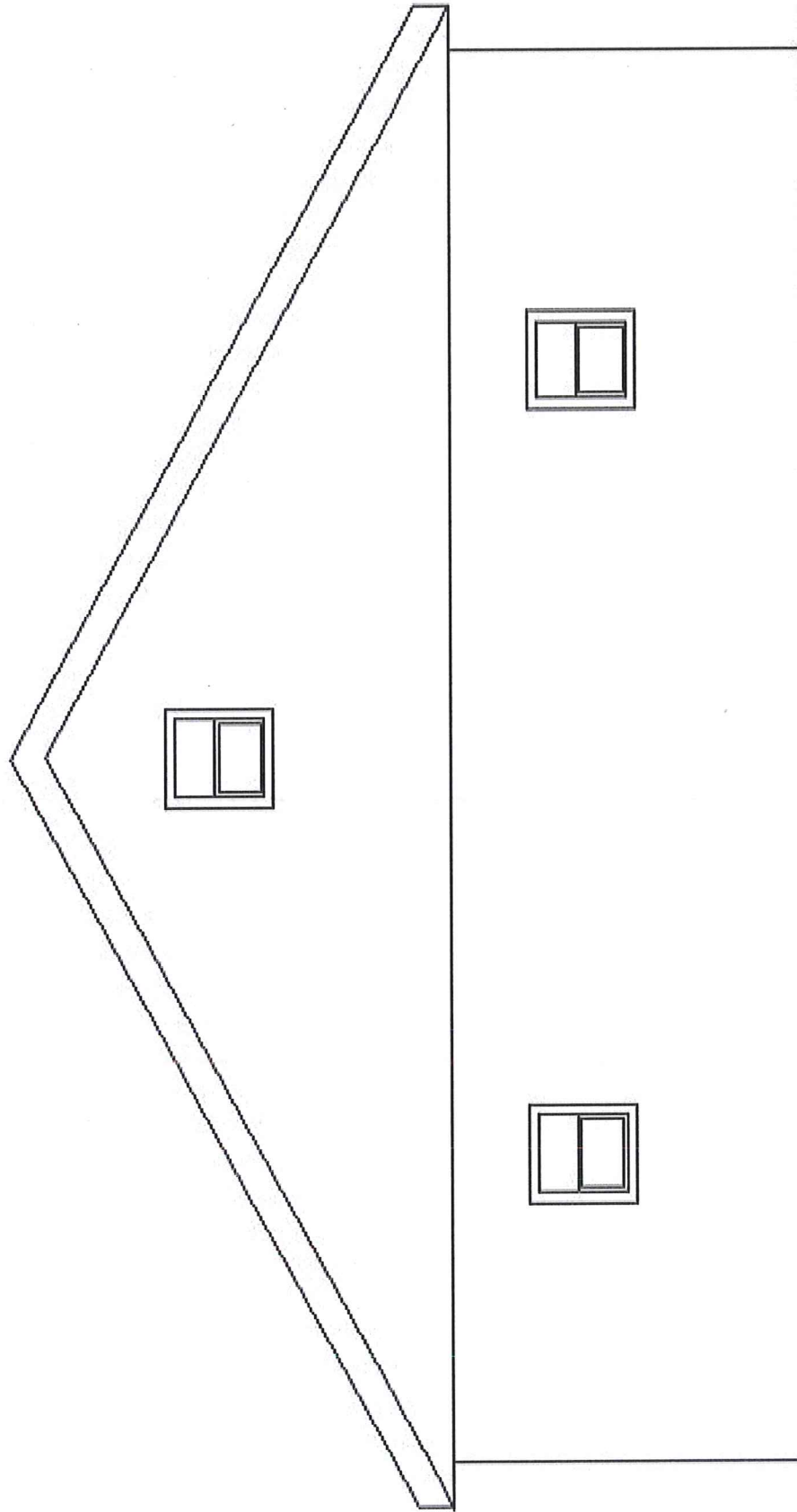


SCHEDULE 'B'
This forms part of development
Permit # DP13-0034, DP13-0083



RIGHT SIDE ELEVATION
LEFT SIDE SIMILAR (NO WINDOWS OR DOOR)

SCHEDULE B'
This forms part of development
Permit # DPB-0034, DPB-0033



SCHEDULE 'B'

This forms part of development

Permit # D013-0034, D013-0033

CITY OF KELOWNA

BYLAW NO. 10864

Official Community Plan Amendment No. OCP13-0013 - P 218 Enterprises Ltd., Inc. No. 0852875 459 Groves Avenue and 437 & 442 Newsom Avenue

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 14, District Lot 14, ODYD, Plan 3856, except Plan KAP90797, located at 459 Groves Avenue, Kelowna, B.C.; Lot 11, Block 2, District Lot 14, ODYD, Plan 4743, except Plan KAP90797, located at 437 Newsom Avenue, Kelowna, BC; and Lot 19, District Lot 14, ODYD, Plan 3856, except Plan KAP90797, located at 442 Newsom Avenue, Kelowna, BC 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 15th day of July, 2013.

Considered at a Public Hearing on the 30th day of July, 2013.

Read a second and third time by the Municipal Council this 30th day of July, 2013.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 10865
Z13-0021 - P 218 Enterprises Ltd., Inc. No. 0852875
459 Groves Avenue and 437 & 442 Newsom Avenue

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 14, District Lot 14, ODYD, Plan 3856, except Plan KAP90797, located at 459 Groves Avenue, Kelowna, B.C.; Lot 11, Block 2, District Lot 14, ODYD, Plan 4743, except Plan KAP90797, located at 437 Newsom Avenue, Kelowna, B.C.; Lot 19, District Lot 14, ODYD, Plan 3856, except Plan KAP90797, located at 442 Newsom Avenue, Kelowna, B.C., from the RU1 - Large Lot 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 15th day of July, 2013.

Considered at a Public Hearing on the 30th day of July, 2013.

Read a second and third time by the Municipal Council this 30th day of July, 2013.

Ministry of Transportation & Infrastructure Approval _____ 2013.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: 7/14/2015

RIM No. 1250-30

To: City Manager

From: Urban Planning, Community Planning & Real Estate (AC)

Application: Z13-0021 & OCP13-0013
DP15-0100 & DVP15-0102

Owner: AD SOPA Holdings INC.
BC1002480

Address: 459 Groves Avenue
3030 Pandosy Street
437 & 442 Newsom Avenue

Applicant: 804815 BC Ltd. (Aquilini Development) & CEI Architecture Planning Interiors.

Subject: Rezoning Adoption, OCP Adoption, Development Permit Application, and Development Variance Permit Application

Existing OCP Designation: MRM - Multiple Unit Residential, Medium-Density
MXR - Mixed Use (Residential/Commercial)

Proposed OCP Designation: MXR - Mixed Use (Residential/Commercial)

Existing Zone: C4 - Urban Centre Commercial
RU1 - Large Lot Housing

Proposed Zone: C4 - Urban Centre Commercial

1.0 Recommendation

THAT Final Adoption of OCP Amending Bylaw No. 10864 (OCP13-0013) be considered by Council;
AND THAT Final Adoption of Rezoning Bylaw No. 10865 (Z13-0021) be considered by Council;
AND THAT Council authorize the issuance of Development Permit DP15-0100 for following properties:

- Lot A, District Lot 14, Section 13, Township 25, ODYD, Plan KAP90796, except Air Space Plan EPP17953, located at 3030 Pandosy Street, Kelowna, BC;
- Lot 14, District Lot 14, ODYD, Plan 3856 except Plan KAP90797, located at 459 Groves Avenue, Kelowna, BC;
- Lot 11, Block 2, District Lot 14, ODYD, Plan 4743 except Plan KAP90797, located at 437 Newsom Avenue, Kelowna, BC;
- Lot 19, District Lot 14, ODYD, Plan 3856 except Plan KAP90797, located at 442 Newsom Avenue, Kelowna, BC;

- Air Space Parcel A, Section 13, Township 25 and of District Lot 14, ODYD Air Space Plan EPP17953.

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. That the previous landscape bonding amount (\$246,531.25) for DP07-0261 be transferred and applied to DP15-0100 as the Landscape Performance Security deposit;
5. That all the properties are consolidated into one parcel;

AND THAT Council authorizes the discharge of the previously approved Development Variance Permit (DVP08-0212) registered under No. LB392536 against Lot A, District Lot 14, Section 13, Township 25, ODYD, Plan KAP90796, except Air Space Plan EPP17953, and for Air Space Parcel A, Section 13, Township 25 and of District Lot 14, ODYD Air Space Plan EPP17953 located at 3030 Pandosy Street, Kelowna, BC, which varied Section 14.4.5(c) of Zoning Bylaw No. 8000 from 7 storeys and 25.0m to 11 stories and 36.5m in height;

AND THAT, in order to replace Development Variance Permit DVP08-0212, Council authorize the issuance of Development Variance Permit DVP15-0102 for Lot A, District Lot 14, Section 13, Township 25, ODYD, Plan KAP90796, except Air Space Plan EPP17953, and for Air Space Parcel A, Section 13, Township 25 and of District Lot 14, ODYD Air Space Plan EPP17953 located at 3030 Pandosy Street, Kelowna, BC;

AND THAT the variance 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":

Section 14.4.5 (c) C4 Development Regulations:

To vary the maximum permitted height from 7 storeys and 25.0m allowed to 14 storeys and 43.0m 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, a Statutory Easement be registered over the courtyard to protect public usage of the space.

AND THAT prior to issuance of the Building Permit, the requirements of the Development Engineering Branch dated June 15th 2015 be satisfied.

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

2.0 Purpose

To review the form and character of a mixed-use residential / commercial development, and to consider a height variance for the tower.

3.0 Urban Planning

Staff supports the proposed Development Permit and Development Variance Permit. The project meets many objectives of the Comprehensive Development Permit Area including:

- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;
- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
- Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character.

The new architectural design of the building fits within the neighbourhood context and the previously approved designs on the site. The location of the residential units within the South Pandosy Urban Centre meets many objectives of infill development identified within the Official Community Plan (OCP). The project is near existing local businesses, transit stops, services, the hospital, schools, and the Okanagan College.

One notable change to the previously approved plan is the additional height variance request on the residential tower. The applicant's proposal for additional height is in combination with a shift of density to the tower from the originally approved townhome design. This will lower the impact of the townhome development on the neighbourhood. The original scheme proposed five stories of townhomes above the two-storey podium and would have cast larger shadows over a greater area. Another change relates to the proposed landscape buffer along the west property line. The originally approved landscape buffer was between 5.2m - 6.5 m in width and the updated proposal shows a 3.1m - 4.3m landscape buffer width. This new width still exceeds the minimum 3.0m landscape buffer required in the Zoning Bylaw, however the reduction was necessary to widen the one-way service vehicle lane. This will ensure the row of trees planted along that lane are not directly above the water line as described in Figure 1 below.

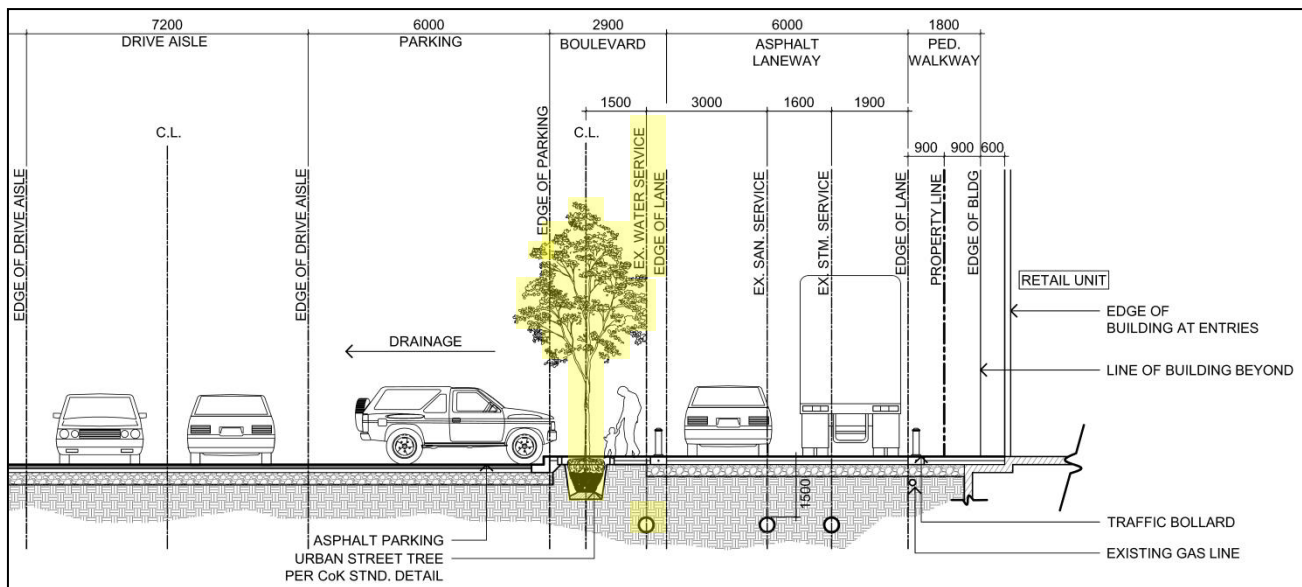


Figure 1

Key design components such as the pedestrian-oriented retail mews framed by storefronts, the street trees at the rear lane, and the substantive residential landscape buffers extending and transitioning the mixed-use momentum of the SOPA Square development to the surrounding area are significant reasons for supporting the proposed variances.

Staff are recommending that Council require an easement to be registered over the courtyard in order to protect the public use of the area. The C4 zone grants a density bonus of 0.18 FAR if the applicant provides a publicly accessible courtyard located at grade level in excess of the required open space. Therefore, the recommended statutory easement should be registered on title with a clause that states, during certain hours of the day the courtyard will remain open and accessible to the public.

Public Consultation and Feedback

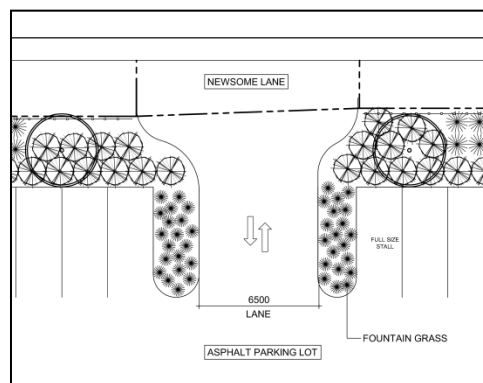
In fulfillment of *Council Policy #367: Public Consultation and Notification for Development Applications*, the proponent undertook notification of surrounding neighbours and property owners, and hosted a Public Information Meeting on June 25th, 2013 (see attached Neighbourhood Consultation Summary Report).

A few comments have been brought forward by nearby neighbours through the review process, regarding the proposed surface parking area, which include:

- increased traffic on Groves and Newsom Avenues, in the intervening residential lane, and on Abbott Street;
- a lack of sidewalks along Groves and Newsom Avenues for safe pedestrian movement from Abbott Street; and
- mitigation of noise, light, odour, and safety impacts for adjacent residences.

Notwithstanding the subject proposal, the overall density and commercial floor area approved for the project is not changing, and as such, it is not anticipated that there will be furthered traffic impacts. To address this concern, the City proposed that Newsom Avenue be narrowed to the minimum 6m dimension through landscaped “bulb outs” to encourage vehicles to use the parking area’s north and south entries for direct access to Pandosy Street. The applicant has agreed and incorporated those designs into the current proposal as shown in figure 2.

The applicant has sent out letters to all adjacent property owners within the required 50 metre radius indicating that they wish to amend the previous variance permit application regarding building height. The previous variance request (identified in DVP13-0077) was for 12 stories and 40 meters and the new variance request is for 14 stories and 43 meters in tower height. The applicant sent out the notification after the submission deadline for this Council Report but the details of that notification will be presented at the Public Meeting.



Frontage upgrades including sidewalks will be required along Groves Avenue adjacent to the subject development site. Sidewalks in the surrounding area will be constructed on an incremental basis, as redevelopment for multi-unit residential occurs.

Figure 2

4.0 Proposal

4.1 Background

In October 2008, City Council approved Development Permit and Development Variance Permit applications for the SOPA Square development at 2896-3030 Pandosy Street. The approval consisted of a 16,990 m² mixed-use development with a 2-storey commercial podium at grade, a 4-storey townhouse component above at the south end of the podium, and a 9-storey apartment building component at the north end. The development, at the time, anticipated a comprehensive commercial program with units accessed via street frontages, an extensive internal courtyard area, and an extension of commercial units along the rear laneway. All parking for the residential and commercial components of the development (214 spaces) was to be provided underground in a parkade and accessed from the rear lane. Additionally, commitments for the provision of a green roof and a co-op/car share program were secured through certain bonusing provisions in the C4 zone.

A Building Permit was subsequently issued in August 2010 for construction of the 2-storey commercial podium and underground parkade, which is mostly constructed with tenant improvements currently underway.

The subject properties at 459 Groves Avenue, 437 Newsom Avenue, and 442 Newsom Avenue are presently being used for construction staging which was permitted under Temporary Use Permit TUP10-003 approved by Council in March 2011 which has since expired. The properties are under application for zoning and consolidation which permits the use.

4.2 Project Timeline

TA07-0007 - Received 2nd & 3rd Reading on July 22, 2008. Final adoption on November 26, 2008.

- Text Amendment to the C4 - Urban Centre Commercial Zone to add density bonus provisions for “green development”.

DP07-0261 / DVP08-0212 - Authorized at Council on November 26, 2008.

- DP application to authorize development of a 16,990 m² mixed use development comprised of a 2-storey podium, 4-storey townhouse building and 9-storey apartment building above.
- DVP application to vary maximum site coverage from 70% permitted to 77% proposed, and to vary building height from 25m and 7 storeys permitted to 36.5m and 11 storeys proposed.

BP40630 - for the 2-storey commercial podium & parkade, approved August 27, 2010.

Z13-0021 / OCP13-0013 - Received 2nd & 3rd Reading on July 30, 2013.

- Amend the OCP land use designation for 459 Groves, and 437 and 442 Newsom from MRM - Multiple Unit Residential (Medium Density) to MXR - Mixed Use (Residential/Commercial).
- Rezone from RU1 - Large Lot Housing to C4 - Urban Centre Commercial to facilitate the development of an accessory surface parking area to serve the mixed-use SOPA Square development.

Road Closure Application - Consolidation and Registered.

DP13-0076 / DVP13-0077.

- Development Permit application to facilitate revisions to the approved mixed-use building and the construction of an adjacent accessory parking area at surface.

- Development Variance Permit (DVP) to increase building height to 12 storeys and 40m, to increase permitted parking, to reduce landscape buffers, and to accommodate signage.
- DP and DVP never proceeded to Council as the property owners were forced into a court ordered sale of the property.

Current Status:

- Zoning & OCP amending Bylaw conditions have been satisfied for adoption which were:
 - A Section 219 restrictive covenant be registered on the subject property limiting the use of the surface parking to serve the adjacent SOPA Square development;
 - Completion of the Purchase/Sale Agreement with the City, and registration of the Road Closure;
 - Confirmation of the co-op/car share program, as described in the Report of the Land Use Management Department dated July 3, 2013;
 - Completion of the requirements identified by the Development Engineering Branch, as described in the Report of the Land Use Management Department dated July 3, 2013.
- New DP for Council consideration.
- New DVP for Council consideration to consider an increase in building height to 14 storey and 43.0m.

4.3 Project Description

The SOPA project proposed by the Aquilini Investment Group, is located over the existing 2 storey podium, completed in 2014. This project is a multi storey residential project that includes the following residential unit breakdown:

- 20 two-storey townhomes
- 81 condo-units
- 4 social housing suites
- **105 total residential units**

The development, located in the South Pandosy district, has become the main anchor of the neighbourhood. The new SOPA tower and townhome development is designed to embrace the Okanagan. Large decks and outdoor spaces enhance the residential units and provides a significant selling feature. The townhome development is organized around an internal courtyard. This green space is intended for the enjoyment of the inhabitants. The green courtyard space acts as a transition to the townhomes from the parking level.

The townhomes are constructed with wood framing. They have living space on the lower levels with access to exterior amenity space. The bedrooms are located on the second floor. Roof top patio access is proposed for each unit. The exterior finish materials include metal panels, exposed and painted concrete, cedar siding and soffits, and coloured aluminum windows.

The residential tower is proposed to be 14 stories in height which is 3 meters taller than the original application. The construction material is primarily cast concrete. It is deemed to be non-combustible materials. The exterior finish materials include metal panels, exposed and painted concrete, cedar siding, and coloured aluminum windows. Amenity space is located on the roof of the podium on the third level.

The proponents of the SOPA Square development are proposing to develop a surface parking area on the three properties located at 459 Groves Avenue and 437 and 442 Newsom Avenue, immediately west of the development site (see Figure 3 below). It will serve the commercial component of the development, and address the lease requirements of prospective retail and

office tenants. While the originally approved mixed-use development provided all parking entirely underneath the development, the proponents have subsequently encountered challenges in securing commercial tenancies needed to support the viability of the project. Major commercial tenants generally require a certain number of directly accessible surface parking stalls. To facilitate the proposal for accessory surface parking, Council supported a rezoning application (subject to conditions) from RU1 - Large Lot Housing to C4 - Urban Centre Commercial (see Map 'B1'), and an Official Community Plan (OCP) amendment application to change the future land use designation from MRM - Multiple Unit Residential (Medium Density) to MXR - Mixed Use (Residential/Commercial) (see Map 'A1') for the identified subject properties.

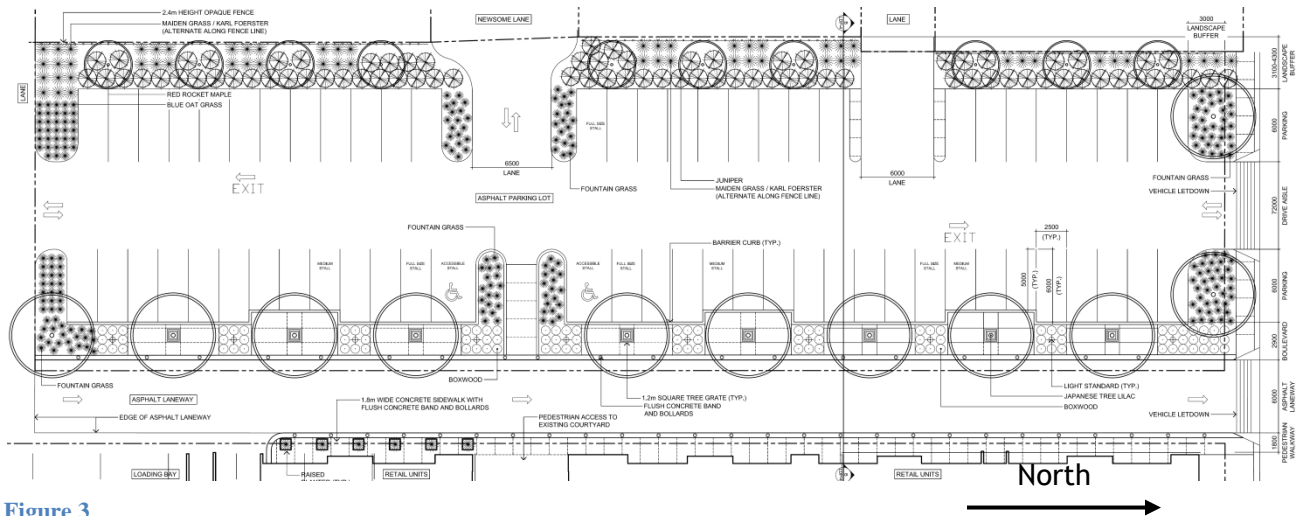


Figure 3

The proposed surface parking area originally included 58 parking spaces (including 2 co-op/car share spaces) with landscape buffers of varying dimension around the perimeter of the subject site. The current proposal is similar but has 62 parking spaces. A generous 5.2m - 6.5m landscape buffer was proposed along the west side property line, providing approximately 75%-120% more landscape setback than required, adjacent to the existing residential area. This landscape buffer is intended to provide a substantive buffer to the adjacent single-family residences, and will include a mix of fencing and landscaping in order to achieve privacy and mitigate potential noise, light, and odour impacts. The updated proposal is for a 3.1m - 4.3m landscape buffer along the west property line. The new proposed buffer width is still above the minimum 3.0m landscape buffer required in the Zoning Bylaw.

62 surface parking spaces, along with the 215 spaces located underground, increases the total number of parking spaces for the development to 277 spaces.

The original vision of the rear laneway area as a “pedestrian-friendly, retail mews” is retained under the new proposal. The laneway will be designed with upgraded paving materials and lined by street trees and landscaping to create an inviting space for pedestrian movement.

A Road Closure application has been completed to facilitate the subject proposal, and would see the east portion of the rear lane adjacent to the subject properties closed, as well as the portions of Newsom Avenue and the lane between Newsom and Groves Avenues within the site's boundaries. The necessary agreements have been registered on title to ensure continuing access to underground utilities, and public access through the site. To address some neighbour concerns for potential traffic exiting west through the residential neighbourhood, it is proposed to narrow

the Newsom Avenue parking area entrance to the minimum dimension of 6m through landscaped “bulb outs”. This will encourage traffic to exit via the north or south accesses to Pandosy Street.

4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C4 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
FAR	Max 2.35 (with all bonuses) Application qualifies for Max 2.32	1.88 for consolidated parcel 2.74 for original parcel
Height	25.0 m / 7.0 storeys 36.5 m / 11storeys (permitted through DVP07-0261)	43.0 m / 14 storeys ●
Front Yard (east)	0.0 m	1.7 m
Side Yard (north)	0.0 m	1.9 m
Side Yard (west)	2.0	1.7 m
Rear Yard (south)	0.0 m	0.0 m
Site coverage of buildings	75 %	52 %
Landscape Buffers	Front (North) - 3.0m Rear (South) - 3.0m Side (West) - 3.0m	Front (North) - 3.0m Rear (South) - 3.0m Side (West) - 3.1m-4.3m
Other Regulations		
Minimum Parking Requirements	215 parking stalls	277 parking stalls
Minimum Bicycle Parking Requirements	Class 1: 53 bikes Class 2: 11 bikes	Class 1: 53 bikes Class 2: 11 bikes
Private Open Space	1,425 m ²	5,207 m ²
● Indicates a requested variance to increase the maximum permitted height.		

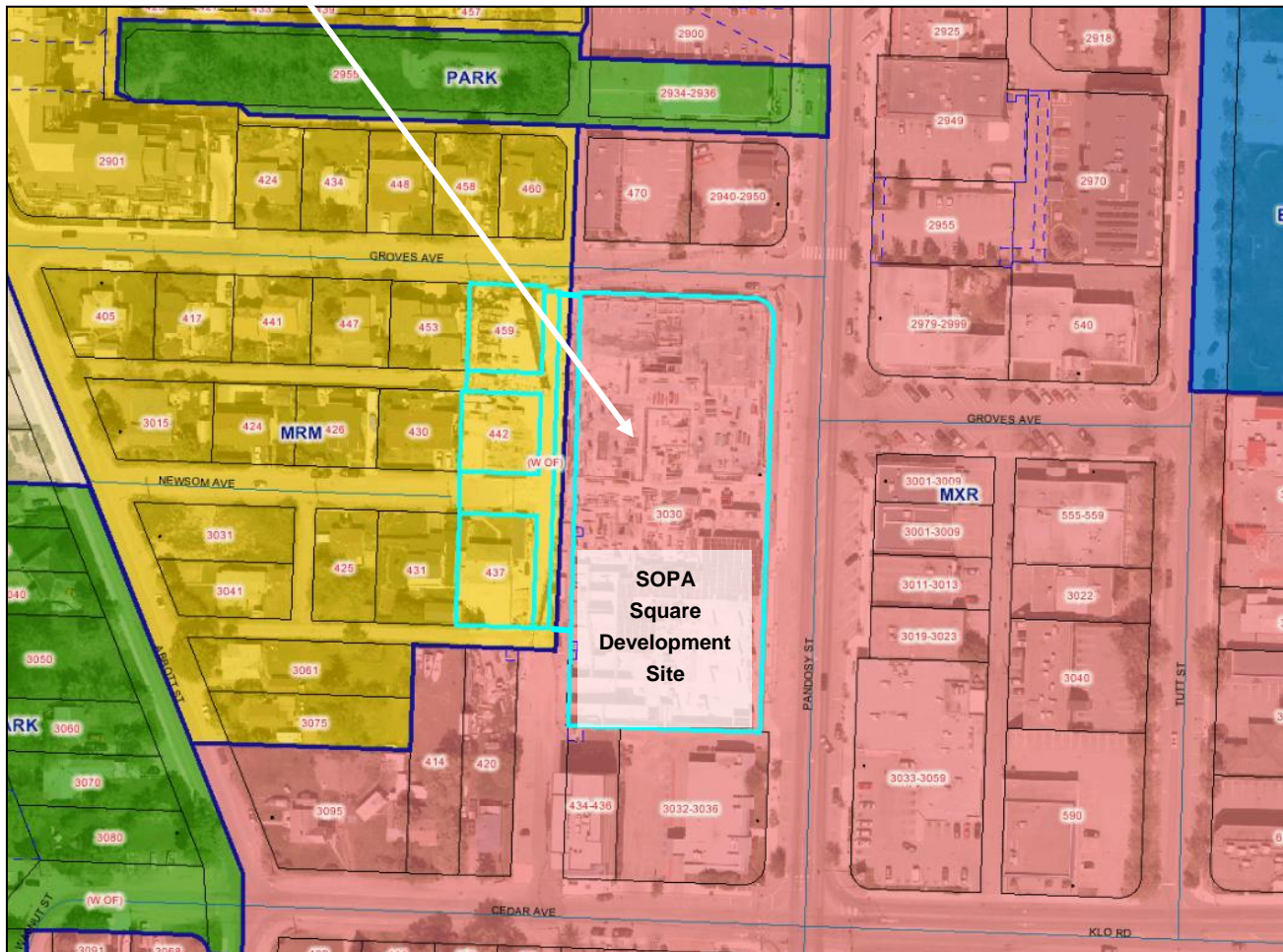
4.5 Site Context

The subject site is comprised of the road and lane closures as well as four properties located at 3030 Pandosy Street, 459 Groves Avenue, 437 Newsom Avenue, and 442 Newsom Avenue. It is located in the South Pandosy Urban Centre area. The surrounding area to the west is characterized by single-family housing, with future land use designations of MRM - Multiple Unit Residential (Medium Density) and MXR - Mixed Use (Residential/Commercial), per the attached “Subject Property Map”.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single Family Residential
East	C4- Urban Centre Commercial	Mixed Use & Commercial
South	RU1 - Large Lot Housing	Single Family Residential
West	RU1 - Large Lot Housing	Single Family Residential

Subject Property Map: 3030 Pandosy Street, 459 Groves Avenue 437 Newsom Avenue, and 442 Newsom Avenue



5.0 Current Development Policies

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

5.1 Kelowna Official Community Plan (OCP)

Policy 5.11.3 Preferred Parking. Encourage preferred (e.g. close to entrances) or dedicated parking stalls for share cars and/or hybrid vehicles for all developments.

Policy 5.40.1 Evaluation Checklist. Evaluate development applications that require an OCP amendment on the basis of the extent to which they comply with underlying OCP objectives, including the following:

- Does the proposed development contribute to preserving lands with slopes greater than 30%? *N/A*
- Does the proposed development respect the OCP Permanent Growth Boundary (OCP Maps 4.1 and 5.2)? *Yes*

- Does the proposed development feature a mix of residential, employment, institutional, and/or recreational uses within individual buildings or larger development projects? *No*
- Is the proposed development located in an Urban Centre? *Yes*
- Does the proposed development increase the supply of affordable (as defined in the OCP) apartments or townhouses? *No*
- Is the property serviced with water and City sanitary sewer at the time of application? *Yes*
- Could the proposed project be built at no financial cost to the City? (This should consider operational and maintenance costs.) *Yes*
- Would the proposed project help decrease the rate of travel by private automobile, especially during peak hours? *No*
- Is there transit service within 400m of non-residential projects or major employment generators (50+ employees)? *N/A*
- Does the proposed project involve redevelopment of currently under-utilized, urbanized land? *No*
- Does the proposed project result in the creation of substantially more public open space than would be available if the development were not to proceed (not including required open space dedications or non-developable areas)? *No*
- Is there a deficiency of properties within the applicable Sector (see Map 5.4) that already have the required OCP designation? *No*
- Does the project avoid negative impacts (shadowing, traffic, etc.) on adjoining properties where those adjoining properties are not slated for land use changes? *Yes*
- Is the project consistent with the height principles established in the OCP? *N/A*
- If the project goes ahead, would surrounding property owners be likely to develop their properties as per OCP Future Land Use and other City policy provisions? *Yes*
- Would the additional density or new land use designation enhance the surrounding neighbourhood in a way that the current land use designation does not? *No*
- Could the project be supported without over-burdening existing park and other community resources or threatening the viability of existing neighbourhood resources? *Yes*

6.0 Technical Comments

6.1 Building & Permitting Department

- a) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)
- b) 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.
- c) 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.
- d) 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.
 - Additional layout plans required to be submitted to determine exiting for the entire building thru the existing building and new proposed tower.
 - Roof hatches are not allowed under the Building Code to access the town homes patio roofs. Access doors c/w landings are required. Refer to comments from the fire department as well.

- e) Guards are required for all decks and walkways. The drawings provided don't clearly identify these requirements, but will be reviewed at time of building permit application. The appearance of these guards may affect the form and character of the building.
- f) 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.

6.2 Development Engineering

- See Engineering Memo dated June 15th 2015.

6.3 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.
- A visible address must be posted(COK subdivision manager)
- 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 or DVD to facilitate Fire Department pre-planning for this structure. The fire safety plan should clearly detail the unique requirements for this structure. A copy of the sprinkler system owner's certificate is to be included in the fire safety plan.
- Fire Stairwells to be marked clearly (including roof access) as per Fire Department requirements. This would be standardized and approved by the KFD.
- Fire Department steel lock box acceptable to the fire dept. is required by the entrance. Kurt's Lock & Safe at 100A - 1021 Ellis Street, Kelowna is the approved supplier for flush mount lock boxes.
- The standpipes connections are to be installed on the transitional landings of the stairwells as per NFPA 14.
- All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met including part 5, 7 and 14 (Additional requirements for High Buildings).
- Fire alarm system is to be monitored by an agency meeting the CAN/ULC S562 Standard.
- Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- Fire department connection is to be within 45M of a fire hydrant - ensure this is possible and that the FD connection is clearly marked and visible from the street.
- Do not issue BP unless life safety requirements complete.

7.0 Application Chronology

Date of First Reading for Rezoning / OCP:	July 17 th 2013
Date of Public Hearing and Third Reading for Rezoning / OCP:	July 30 th 2013
Date of DP and DVP Application Received:	May 1 st 2015
Date of DVP Public consultation:	June 18 th 2015

Report prepared by:

Adam Cseke, Planner

Reviewed by:



Ryan Smith, Urban Planning Manager

Attachments:

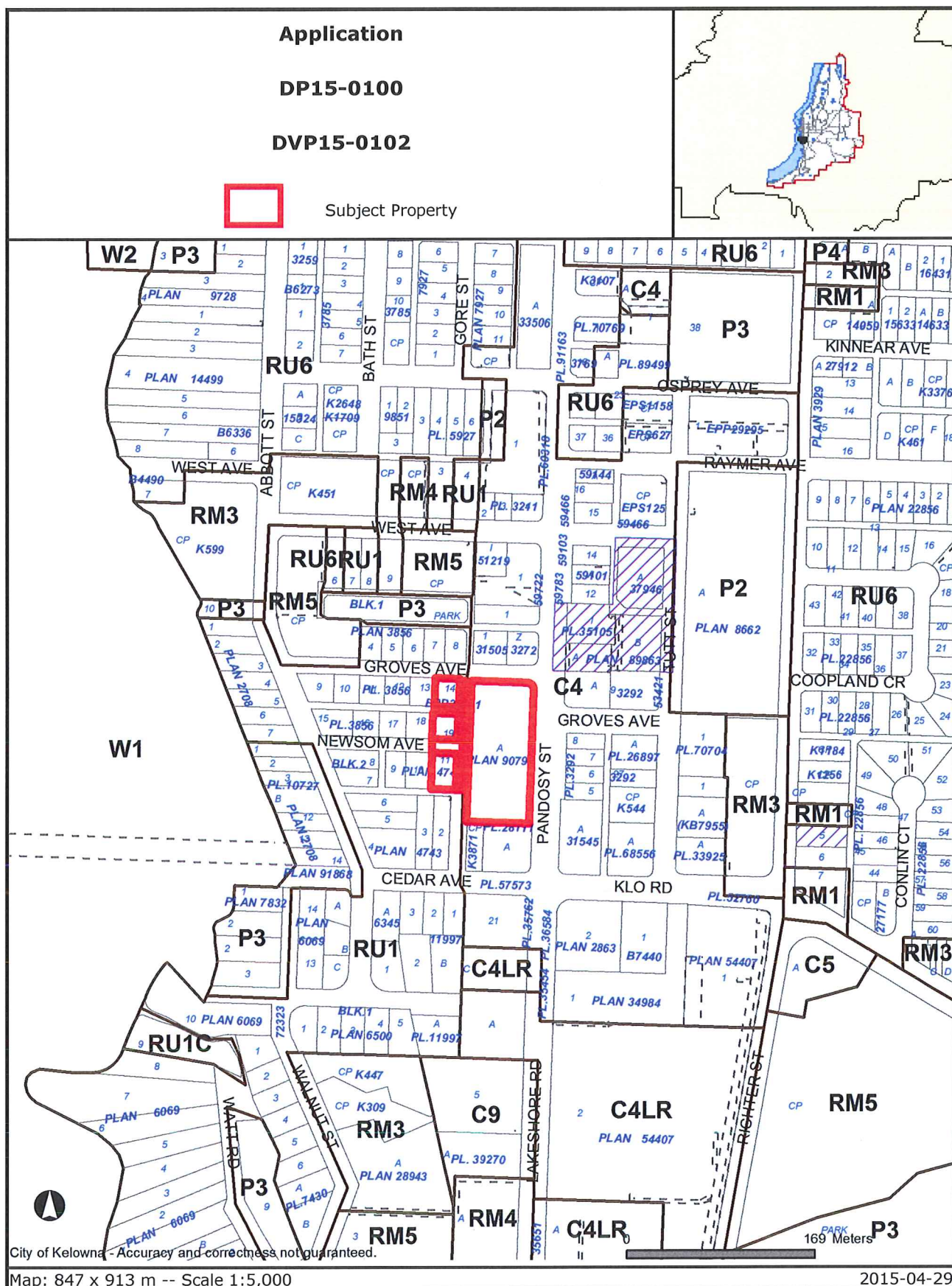
Subject Property Map

Applicant Rationale

Neighbourhood Consultation

Draft Development Permit / Development Variance Permit

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



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.

CITY OF KELOWNA
MEMORANDUM

Date: June 15, 2015
File No.: DP15-0100
To: Planning & Development Services Department (A)
From: Development Engineering Manager
Subject: 3030 Pandosy St Groves Ave Newsom Ave Proposed Surface Parking Sopa

The Development Engineering Branch comments and requirements regarding this application are as follows:

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

1. Domestic Water and Fire Protection

- (a) Our records indicate that lots 14 and 19 Plan 3856 are currently serviced with 19mm diameter copper services.
- (b) Only one service will be permitted for the consolidated Lot. The applicant, at his cost, will arrange for the disconnection of existing unused services at the mains.
- (c) Landscaped boulevards, complete with underground irrigation systems, must be integrated with the on-site irrigation system.
- (d) The existing hydrant at the terminus of Newsom Ave will require relocation to the satisfaction of the fire department.
- (e) Domestic water, fire protection and underground irrigation for the site will be reviewed and approved by Development Engineering when a site servicing design is submitted.

2. Sanitary Sewer

- (a) Our records indicate that lots 14 and 19 Plan 3856 are currently serviced with 100mm diameter services
 The applicant, at his cost, will arrange for the capping of all existing unused services at the mains.
- (b) Provide a sanitary inspection manhole at the terminus of Newsom Avenue

3. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for this development 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, and recommendations for onsite drainage containment and disposal systems. The on-site drainage system may be connected to an existing or proposed drainage system with an overflow service.
- (b) Provide a Storm Management and Lot-Grading Plan.

4. Road Improvements

- (a) Groves Avenue frontage will require fully urbanization (match the proposed road frontage to the east). Dedicate and construct a barrier curb and gutter, commercial driveway letdown, sidewalk, street trees with irrigation, fillet pavement, drainage system including a modified catch-basin and the re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- (b) Newsom Ave: At the approach to the parking area from Newsom Ave, provide curbed bulb outs that will reduce the drive isle width to 6.0m
- (c) Public Lane: The applicant has indicated his intentions of closing the public lane from Groves Ave to the existing Lane south of Newsom Avenue. A private one way service laneway will be constructed for vehicles accessing the loading bay. The proposed 2m wide landscape buffer will consist of small species trees. A 1.5m separation is required between the trees and existing deep municipal utilities that shall be protected by a utility statutory right-of-way.
- (d) No street light bases will be allowed within the proposed utility statutory right-of-ways.

5. Road Dedication and Subdivision Requirements

- (a) Dedicate a highway allowance widening of 1.5m for the Groves Avenue frontage of Lot 14 Plan 3856.
- (b) Lane right-of-way width adjacent to Lots 14, 19 Plan 3856 and Lot 11 Plan 4743 is indicated as being closed.
- (c) Lane right-of-way is indicated as being closed between Lots 14 and 19 Plan 3856. Maintain public access/egress through the proposed parking lot.
- (d) Newsom Road right-of-way is indicated as being closed between Lots 19 Plan 3856 and Lot 11 Plan 4743
- (e) The entire road closure area will be fully encumbered by statutory right of ways to protect any City or private utilities in the road closure area.
- (f) In addition to the utility SRW, the City will obtain a public access statutory right of way over a portion of the closed road as well as a portion of lots 14, 19 Plan 3856 and Lot 11 Plan 4743. The purpose of this SRW is to ensure that public access/egress through the future parking lot is maintained.

- (g) Transferring of various ownerships is to be dealt with by the City Real Estate Manager.
- (h) 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.
- (i) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- (j) Lot consolidation

6. Electric Power and Telecommunication Services

The electrical and telecommunication services to this development site must be installed in an underground duct system. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

7. Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the City Engineering Department for review and marked "issued for construction" by the City Engineer before construction may begin.

8. Survey Monuments and Iron Pins

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

9. Bonding and Levy Summary

(a) Bonding

The City currently has in place adequate bonding for the required off-site improvements and service upgrades under file Z07-0091

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

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

- ☐ Development Permit No.: DP15-0100
- ☐ Development Variance Permit No.: DVP15-0102

EXISTING ZONING DESIGNATION:	C4 - Urban Centre Commercial
WITHIN DEVELOPMENT PERMIT AREA:	Revitalization Development Permit Area

ISSUED TO:	AD SOPA Holdings INC. BC1002480
LOCATION OF SUBJECT SITE:	459 Groves Avenue, 3030 Pandosy Street, 437 & 442 Newsom Avenue

	LOT	SECTION	D.L.	TOWNSHIP	DISTRICT	PLAN
LEGAL DESCRIPTION:	A	13	14	25	ODYD	Plan KAP90796, except Air Space Plan EPP17953
	14		14		ODYD	Plan 3856 except Plan KAP90797
	11		14		ODYD	Plan 4743 except Plan KAP90797
	19		14		ODYD	Plan 3856 except Plan KAP90797
	AIR SPACE PARCEL A	13	14	25	ODYD	AIR SPACE PLAN EPP17953

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

- e) That the previous landscape bonding amount (\$246,531.25) for DP07-0261 be transferred and applied to DP15-0100 as the Landscape Performance Security deposit.

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

Section 14.4.5 (c) C4 Development Regulations:

To vary the maximum permitted height from 11 storeys and 36.5m allowed to 14 storeys and 43.0m 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 \$246,431.25 (as already submitted under DP07-0261).

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:

- (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

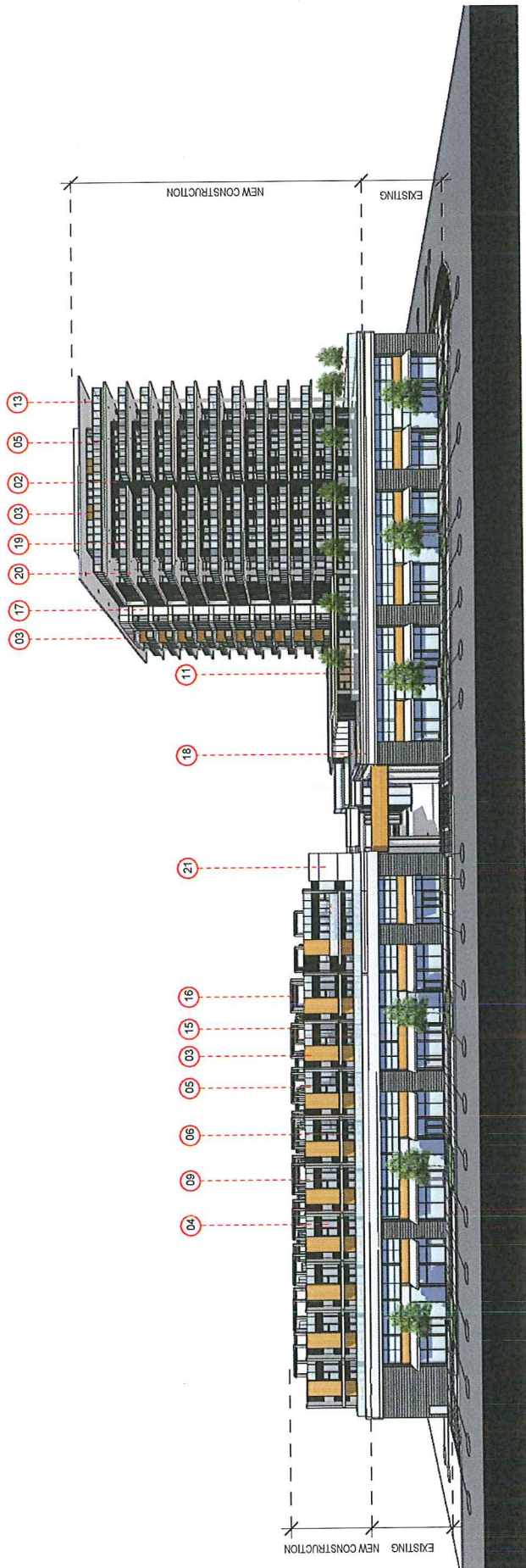
Print Name in Bold Letters

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



LEGEND

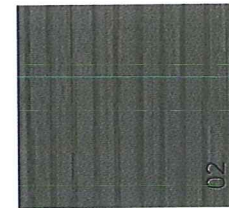
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- 02 METAL SIDING, COLOUR: CHARCOAL
- 03 COULSON CEDAR: SIDING, BRODA CLARITY
- 04 LOW E. DOUBLE GLAZED
- 05 GLASS GUARDS WITH PAINTED ALUMINUM POSTS - CAP, COLOUR: WHITE
- 06 COULSON CEDAR: SOFFIT, BRODA CLARITY
- 07 METAL PASODA, COLOUR: WHITE
- 08 CHARCOAL PAINTED ALUMINUM DOOR, OS

- 09 CHARCOAL PAINTED ALUMINUM WINDOW FRAMES, OS
- 10 FROSTED GLASS PRIVACY SCREEN, MATCH EXISTING
- 11 NATURAL GLASSING - MATCH EXISTING
- 12 NATURAL GLASSING - MATCH ADJACENT MATERIAL
- 13 NATURAL CONCRETE COLUMN
- 14 TIT WOOD FENCE
- 15 HSS STEEL - PAINTED METAL, COLOUR: WHITE

- 16 WOOD TERRACE ROOF
- 17 GLASS SPANDREL PANEL, COLOUR: WHITE
- 18 4" x 4" CONCRETE PAVERS
- 19 BALCONY COATING, COLOUR: LIGHT GREY
- 20 SOFFIT COATING, COLOUR: WHITE
- 21 CONCRETE, MATCH EXISTING



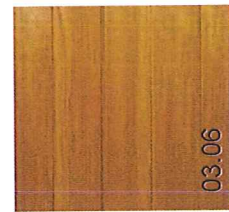
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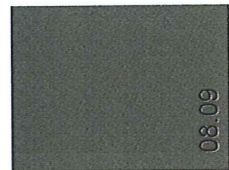
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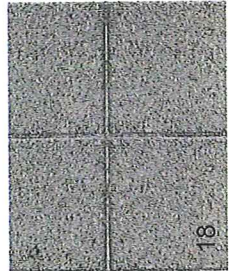
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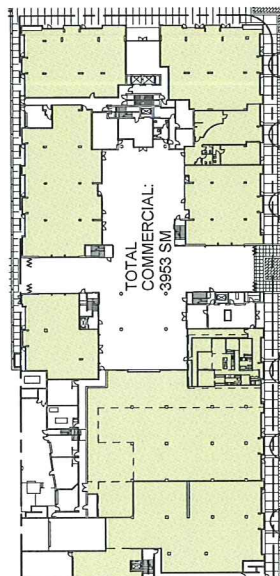
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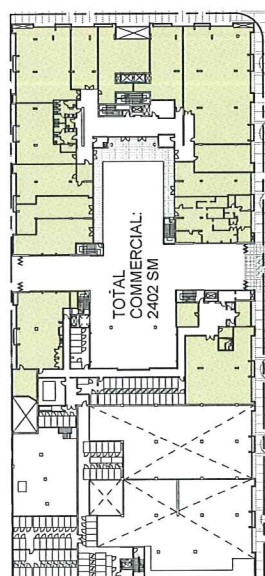
SOPA SQUARE

Colour Board

CEI



0.1	SCALE: 1"=50'
1	Existing Level 1 Plan - GFA Parking Requirement Diagram



2	Existing Level 2 Plan - GFA Parking Requirement Diagram
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PERMITTED / REQUIRED C1 ZONING		PROPOSED / PROVIDED	
TOTAL SITE AREA:	480 SM minimum	975.63 SM (7112.58 SM + 264.09 SM WEST LOT)	
SITE COVERAGE:	75%	52.0% FOOTPRINT / SITE AREA (5070.3 SM / 9755.63 SM)	
GROSS FLOOR AREA:		22,827 SM	
NET FLOOR AREA:	18,894 SM (FAR) Site + FAR BONUS (2.35 x 7112.55 m + 1321.54 m)	19,512 SM	
FLOOR AREA RATIO (FAR):	2.35	2.56 West Lot Area x FAR Bonus 2,943.09 sm x 0.5 FAR = 1,471.54 sm 19,120.45 sm + 1,471.54 sm = 20,592.00 sm 19,120.45 sm + 1,471.54 sm = 20,592.00 sm 19,120.45 sm + 1,471.54 sm = 20,592.00 sm 19,120.45 sm + 1,471.54 sm = 20,592.00 sm	
BUILDING HEIGHT: BYLAW 5000, 14.4.5 (c) 37.0 m or 12 stories	40.0 m (from previous scheme)	46.18 m (14 stories incl. mechanical) 42.88 m (14 stories not incl. mechanical)	
FRONT YARD: BYLAW 5000, 14.4.5	0.0 m minimum	1.7 m (west)	
SIDE YARD: BYLAW 5000, 14.4.5	0.0 m, 2.0 m where site abuts residential zone	1.9 m (north)	
REAR YARD: BYLAW 5000, 14.4.5	0.0 m, 2.0 where site abuts residential zone	0 m	
LOADING: BYLAW 5000, TABLE 8.2 1 PER 1900 SM GFA	3.34 (8355 sm / 1000sm)	3	
PARKING: BYLAW 5000, TABLE 8.1			
RESIDENTIAL			
1 STALL PER UNIT IN C4	UNITS: 105 STALLS		
VISITOR: 1 FOR EVERY 7 DWELLING	VISITOR: 15 STALLS		
UNITS (105 units / 7)	125 TOTAL STALLS	157 STALLS (underground)	
COMMERCIAL			
C4 ZONE - 1/5 PER 100 SM OF GFA (8355 sm / 100 x 1.75)	112 STALLS	120 STALLS (88 underground-62 west lot)	
BICYCLE SPACES: BYLAW 5000, TABLE 8.3			
RESIDENTIAL			
CLASS I: 0.2 SPACES PER DWELLING UNIT	CLASS I: 53 SPACES	53 SPACES	
CLASS II: 0.1 SPACES PER DWELLING UNIT (105 units x 0.1)	CLASS II: 11 SPACES	11 SPACES	
COMMERCIAL			
CLASS I: 0.2 SPACES PER 100 SM GLA (6114 sm / 100 x 0.2)	CLASS I: 13 SPACES	14 SPACES	
CLASS II: 0.1 SPACES PER 100 SM GLA (6114 sm / 100 x 0.1)	CLASS II: 37 SPACES	37 SPACES	
TOTAL CLASS I: 48 SPACES	TOTAL CLASS I: 48 SPACES	48 SPACES	
TOTAL CLASS II: 48 SPACES	TOTAL CLASS II: 48 SPACES	48 SPACES	

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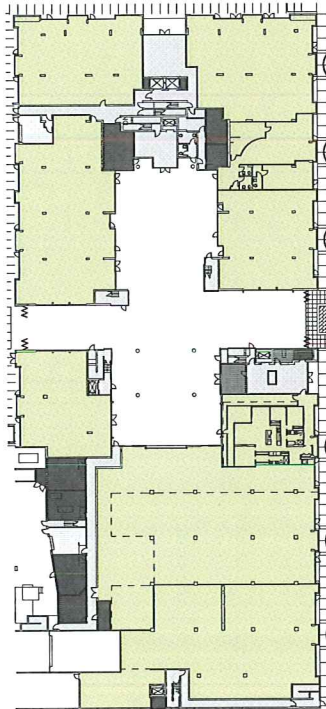
GFA Schedule

Level	Area (sq.m)	Area (sq.ft)
Existing Plaza Deck	6922 m ²	74504 SF
Existing Level 1	4954 m ²	53326 SF
Existing Level 2	4946 m ²	53251 SF
Level 3	2970 m ²	31965 SF
Level 4	2970 m ²	31965 SF
Level 14	558 m ²	6043 SF

NET Area Schedule

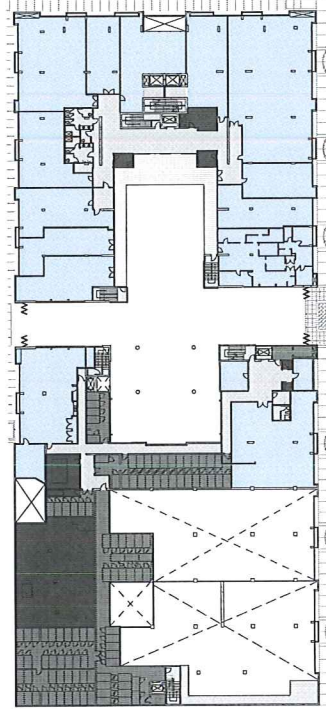
Level	Name	Area (sq.m)	Area (sq.ft)
Existing Plaza Deck	Circulation & Common	308 m ²	3320 SF
Existing Plaza Deck	Commercial & Retail	3310 m ²	35585 SF
Existing Plaza Deck	Garbage & Recycling	14 m ²	151 SF
Existing Plaza Deck	Residential Parking	3551 m ²	38365 SF
Existing Level 1	Circulation & Common	620 m ²	6671 SF
Existing Level 1	Commercial & Retail	188 m ²	2025 SF
Existing Level 1	M & E	27 m ²	291 SF
Existing Level 1	Storage & Utility	35 m ²	376 SF
Existing Level 2	Circulation & Common	197 m ²	2125 SF
Existing Level 2	Commercial & Retail	153 m ²	1644 SF
Existing Level 2	M & E	385 m ²	4159 SF
Existing Level 2	Office	228 m ²	2459 SF
Existing Level 2	Storage & Utility	720 m ²	7738 SF
Level 3	Residential	180 m ²	1937 SF
Level 3	Circulation & Common	277 m ²	2967 SF
Level 3	Exterior Area	0 m ²	0 SF
Level 3	M & E	31 m ²	334 SF
Level 3	Storage	2405 m ²	25817 SF
Level 4	Circulation & Common	121 m ²	1308 SF
Level 4	Exterior Area	197 m ²	2125 SF
Level 4	M & E	15 m ²	157 SF
Level 4	Storage	1539 m ²	16571 SF
Level 14	Circulation & Common	78 m ²	838 SF
Level 14	Exterior Area	480 m ²	5170 SF
Level 14	Storage	140 m ²	1507 SF
Level 14	Storage	510 m ²	5468 SF

- Circulation & Common
- Commercial & Retail
- Garbage & Recycling
- M & E
- Storage & Utility



3. Existing Level 1 Area Diagram
A0.2 SCALE 1"=40'

- Circulation & Common
- Exterior Area
- M & E
- Office
- Storage & Utility



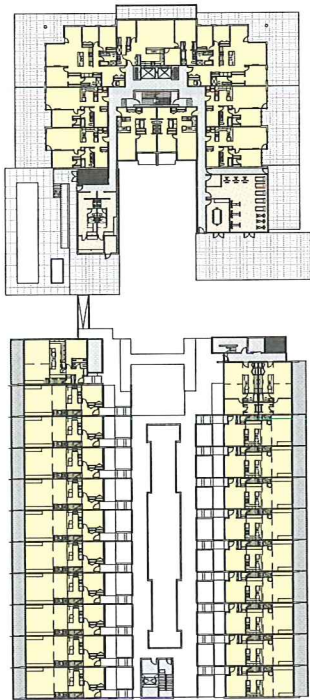
4. Existing Level 2 Area Diagram
A0.2 SCALE 1"=40'

GFA Schedule

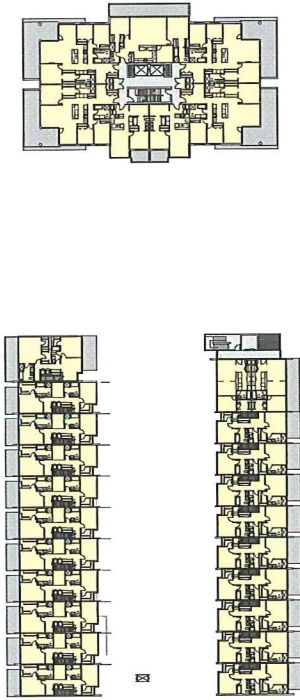
Level	Area (sq.m)	Area (sq.ft)
Existing Parking	6622 m ²	71454 SF
Existing Level 1	4954 m ²	53328 SF
Existing Level 2	4046 m ²	43551 SF
Existing Level 3	3575 m ²	38643 SF
Existing Level 4	2546 m ²	27440 SF
Level 14	558 m ²	6043 SF

NET Area Schedule

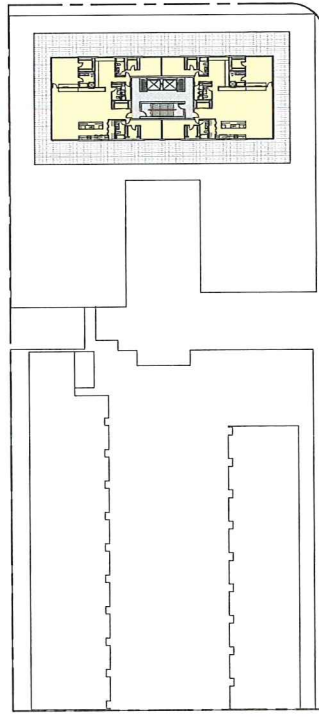
Use	Name	Area (sq.m)	Area (sq.ft)
Existing Parking	Circulation & Common	108 m ²	1163 SF
Existing Parking	Exterior Area	141 m ²	1522 SF
Existing Parking	M & E	167 m ²	1813 SF
Existing Parking	Residential Parking	3501 m ²	37684 SF
Existing Level 1	Circulation & Common	620 m ²	6671 SF
Existing Level 1	Exterior Area	104 m ²	1124 SF
Existing Level 1	Garage & Recycling	86 m ²	924 SF
Existing Level 1	M & E	275 m ²	2955 SF
Existing Level 1	Storage & Utility	36 m ²	389 SF
Existing Level 2	Circulation & Common	107 m ²	1153 SF
Existing Level 2	Exterior Area	153 m ²	1644 SF
Existing Level 2	M & E	366 m ²	3949 SF
Existing Level 2	Office	2294 m ²	24692 SF
Existing Level 2	Storage & Utility	700 m ²	7538 SF
Existing Level 3	Assembly	189 m ²	2047 SF
Existing Level 3	Circulation & Common	277 m ²	2987 SF
Existing Level 3	Exterior Area	0 m ²	0 SF
Existing Level 3	M & E	15 m ²	161 SF
Existing Level 3	Saleable	2436 m ²	26217 SF
Existing Level 4	Circulation & Common	121 m ²	1306 SF
Existing Level 4	Exterior Area	119 m ²	1279 SF
Existing Level 4	M & E	15 m ²	161 SF
Existing Level 4	Saleable	2389 m ²	25711 SF
Level 14	Circulation & Common	78 m ²	836 SF
Level 14	Exterior Area	480 m ²	5170 SF
Level 14	M & E	0 m ²	0 SF
Level 14	Saleable	511 m ²	5489 SF



1 Level 3 Area Diagram
 A0.3 SCALE: 1:400



2 Level 4 Area Diagram
 A0.3 SCALE: 1:400



3 Level 14 Area Diagram
 A0.3 SCALE: 1:400

Project Description:

The SOPA project proposed by the Aquilini Investment Group, occurs over an existing 2 storey podium, completed in 2014. The Aquilini project is a multi storey residential project that includes the following residential unit breakdown.

1. 20 two-storey townhomes
2. 81 condo-units
3. 4 social housing suites
4. 105 Total residential units

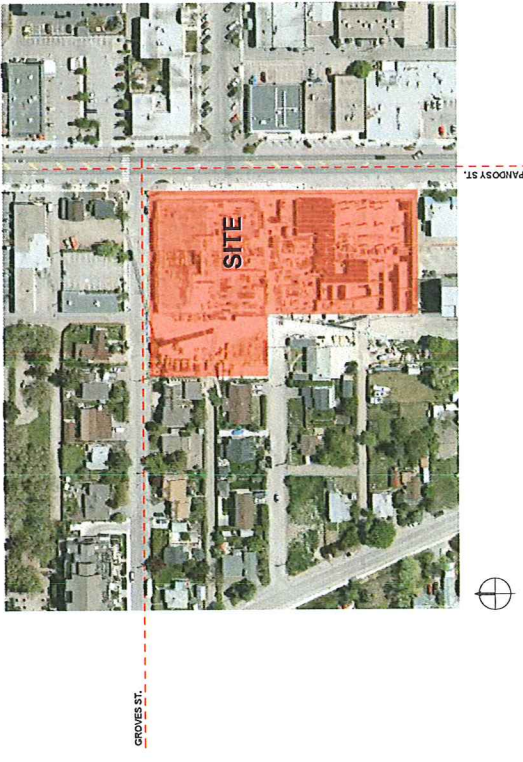
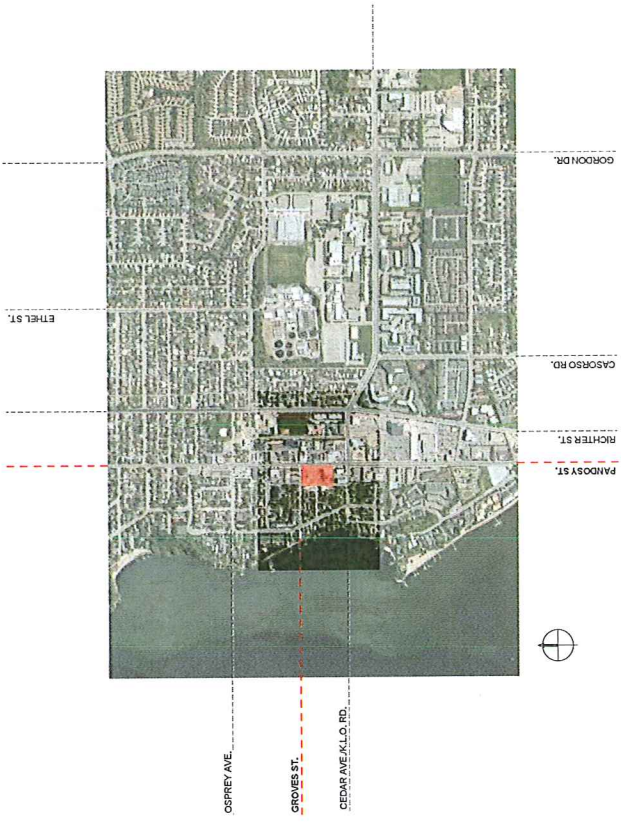
The development, located in the south Pandosy district becomes the main anchor for the neighbourhood. Since the early 1990's, this area has grown substantially with more high-density residential projects and new commercial venues. The new SOPA project places 105 families in the area, supporting local businesses and services, including the hospital, schools and college and generating substantial taxes for the municipality.

The new SOPA tower and townhome development is designed to embrace the opportunities of the Okanagan. Large deck and outdoor space enhances the residential unit and reinforces the inside/outside life style common to the Okanagan. The townhome development is organized around an internal courtyard. This space is a beautiful green space, intended for enjoyment by the inhabitants. Children can play safely or adults can get away and enjoy the privacy. The green courtyard space is acts as a transition to the townhomes from the parking level. It provides an amenity and has great appeal.

The townhomes are constructed with wood framing. Living space is located on the lower levels with access to exterior amenity space. Bedrooms and private spaces are located on the second floor. As a major amenity feature, The Aquilini Investment Group is proposing access to a roof top patio. This space is designed to structurally accommodate a hot tub. The exterior finish materials include metal panels, exposed and painted concrete, cedar for siding and soffit, and coloured aluminum windows.

The residential tower is 14 stories in height. The building height is proposed to be taller than the original application. We propose to shift density to the tower from the townhomes, lowering the impact of the high townhome development on the neighbourhood. The original scheme proposed five stories of townhomes above the two-storey podium and would have cast larger shadows over a greater area.

Cast concrete is primarily used as the construction material for the tower. It is deemed to be of non-combustible materials. The exterior finish materials include metal panels, exposed and painted concrete, cedar siding, and coloured aluminum windows. Amenity space is located on the roof of the podium on the third level





South View of Pandosy Street



North View of Pandosy Street



North View of Grouse Street



North View of Grouse Street



West View of Nelson Avenue



North-West View from Site



West View from Site



South View of Pandosy Street



South-East View



South-East View



East View



North-East Corner View



West View



South-West View



South-West View

PLAN EPP35470

REFERENCE PLAN OF LOT A, DISTRICT LOT 14 AND SECTION 13, TOWNSHIP 25, OSOYOOS DIVISION YALE DISTRICT, PLAN KAP90796, EXCEPT AIR SPACE PLAN EPP17953 AND LOT 1, DISTRICT LOT 14, OSOYOOS DIVISION YALE DISTRICT, PLAN EPP34822

1:500 = 1" = 50.00'

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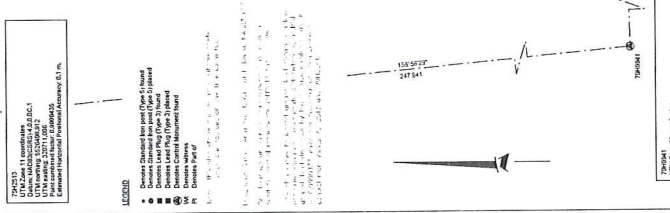
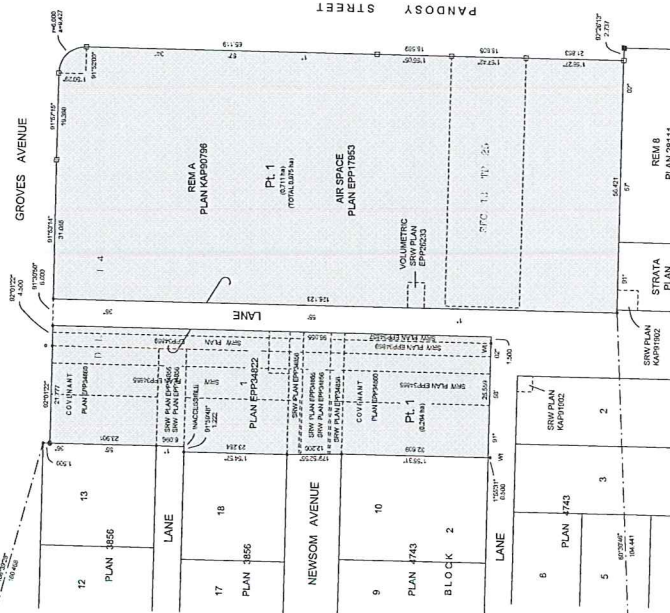
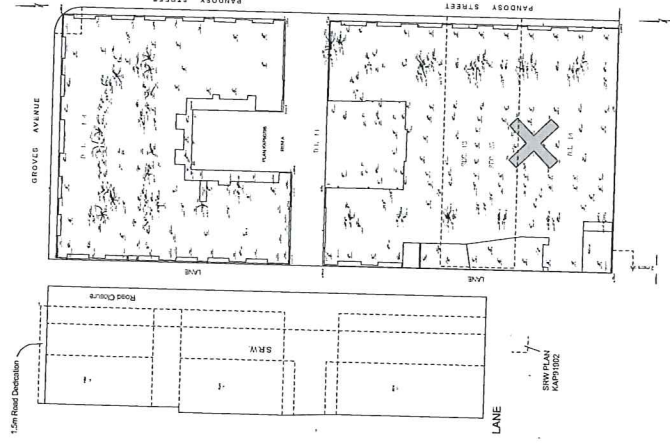
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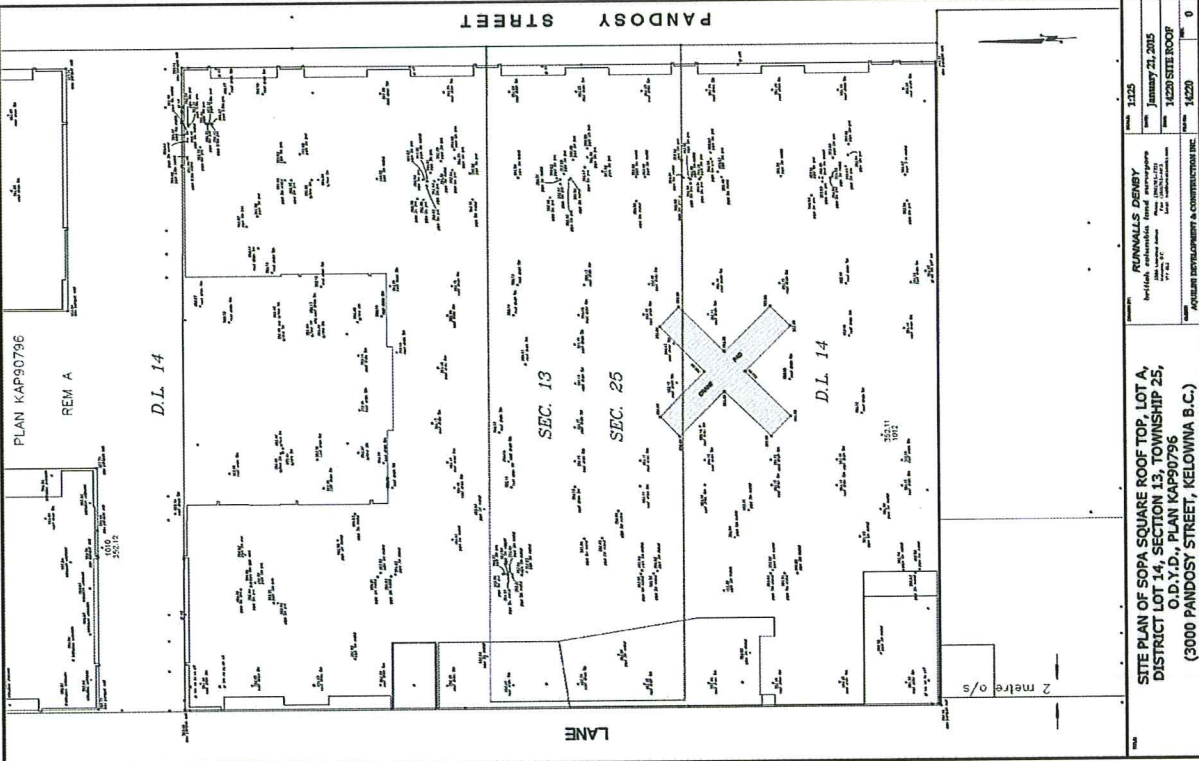
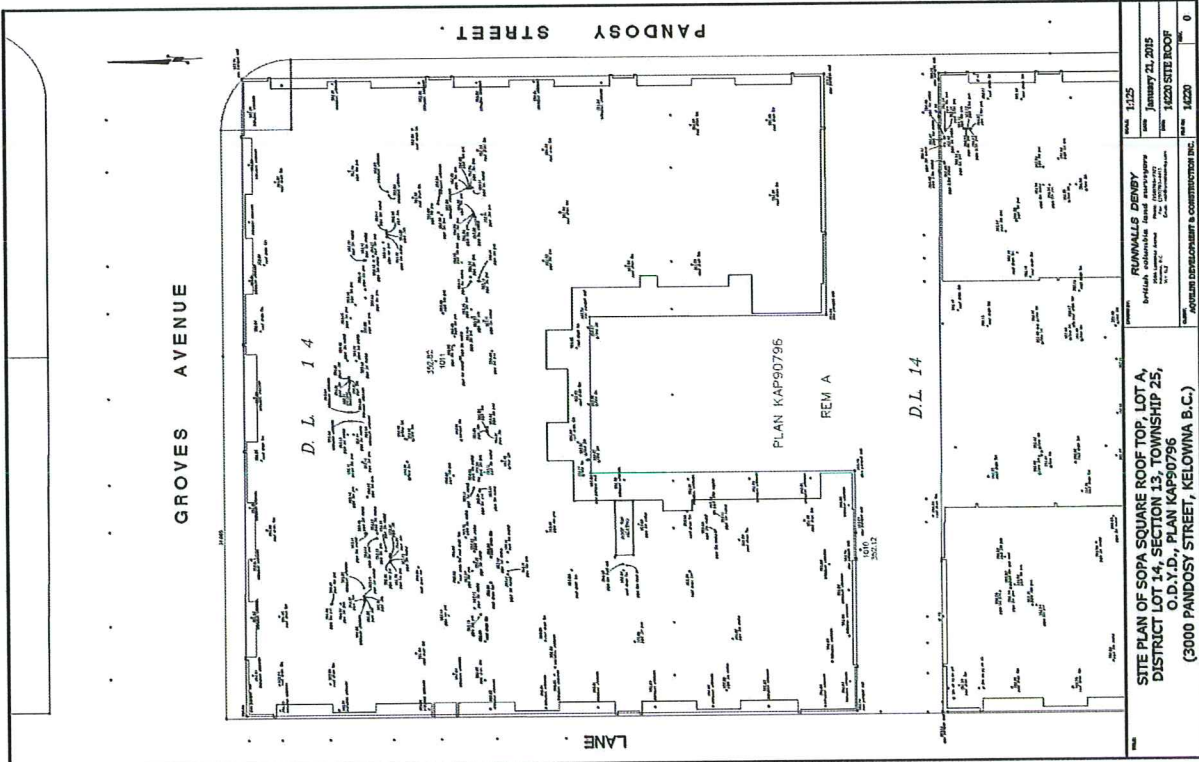
This plan was prepared by the Surveyor General of British Columbia, and is subject to the provisions of the Survey Act, R.S.B.C. 1996, Chapter 402, and the regulations made thereunder.

The land survey represented by this plan was completed on the 12th day of February, 2015.

Noted: Registered Survey, SLS 1785

RUNNALLS DENBY
British Columbia land surveyors
1111 West Georgia Street, Suite 100
Vancouver, BC V6C 2B5
Tel: 604-681-4800
Fax: 604-681-4801
www.runnallsdenby.com





CEI Architecture

100-100 West Georgia Street
Kelowna, BC V1Y 1A1
TEL: 250-860-7100 FAX: 250-860-7101
www.ceiarchitect.com

SCALE

CONSULTANTS

MMM GROUP

METRIC

NO. 1

DATE 1/21/2015

DESCRIPTION: Issued for Development Permit

PROJECT TITLE

SOPA SQUARE

ASQUIN INVESTMENT GROUP

2006 - 2020 PANDOSY ST.
KELOWNA, BC

DRAWING TITLE

Unofficial Roof Surveys

CHECKED BY: Chawin

DRAWN BY: Aulter

SCALE

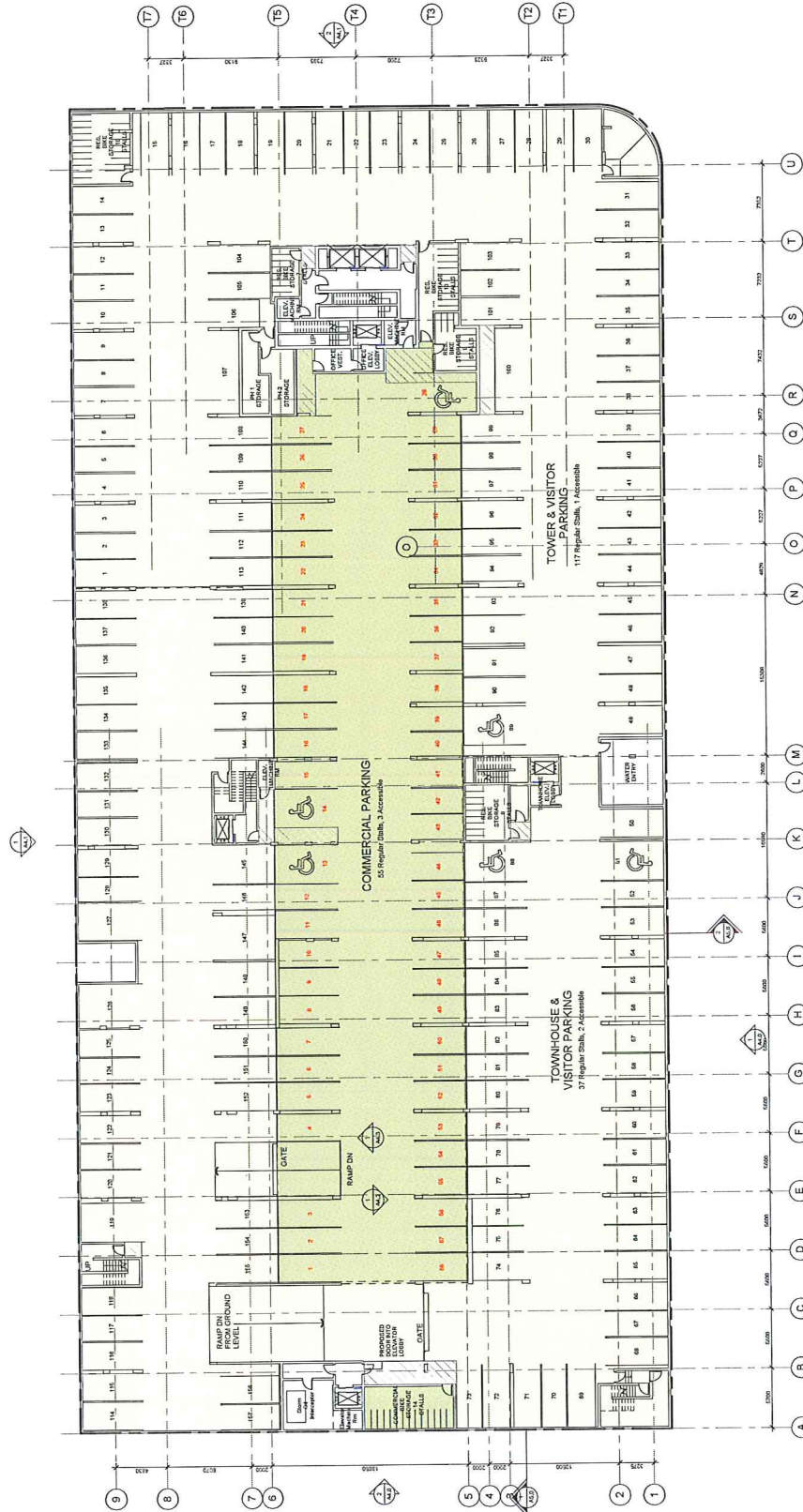
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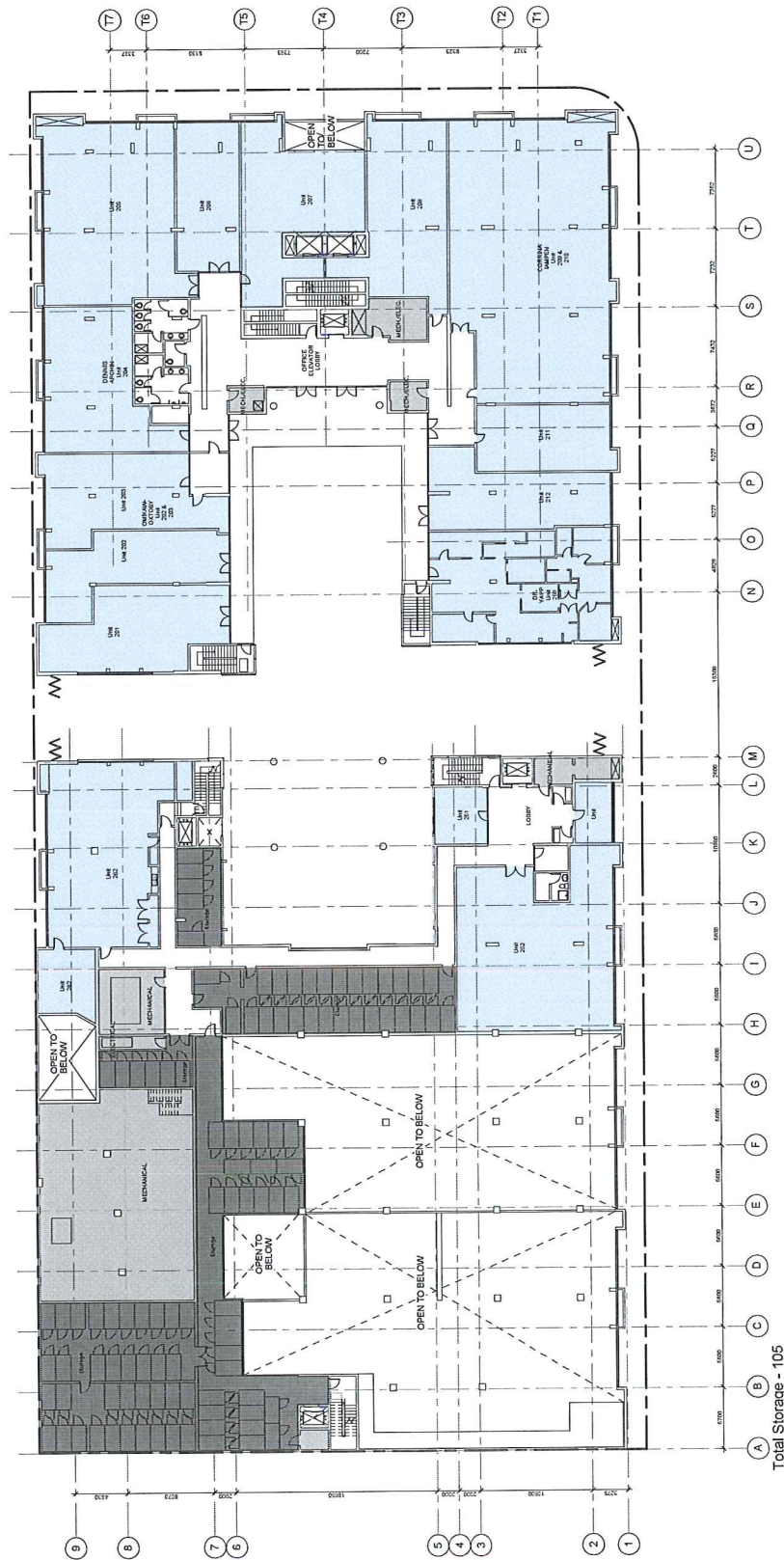
PROJECT NO.

DRAWING NO.

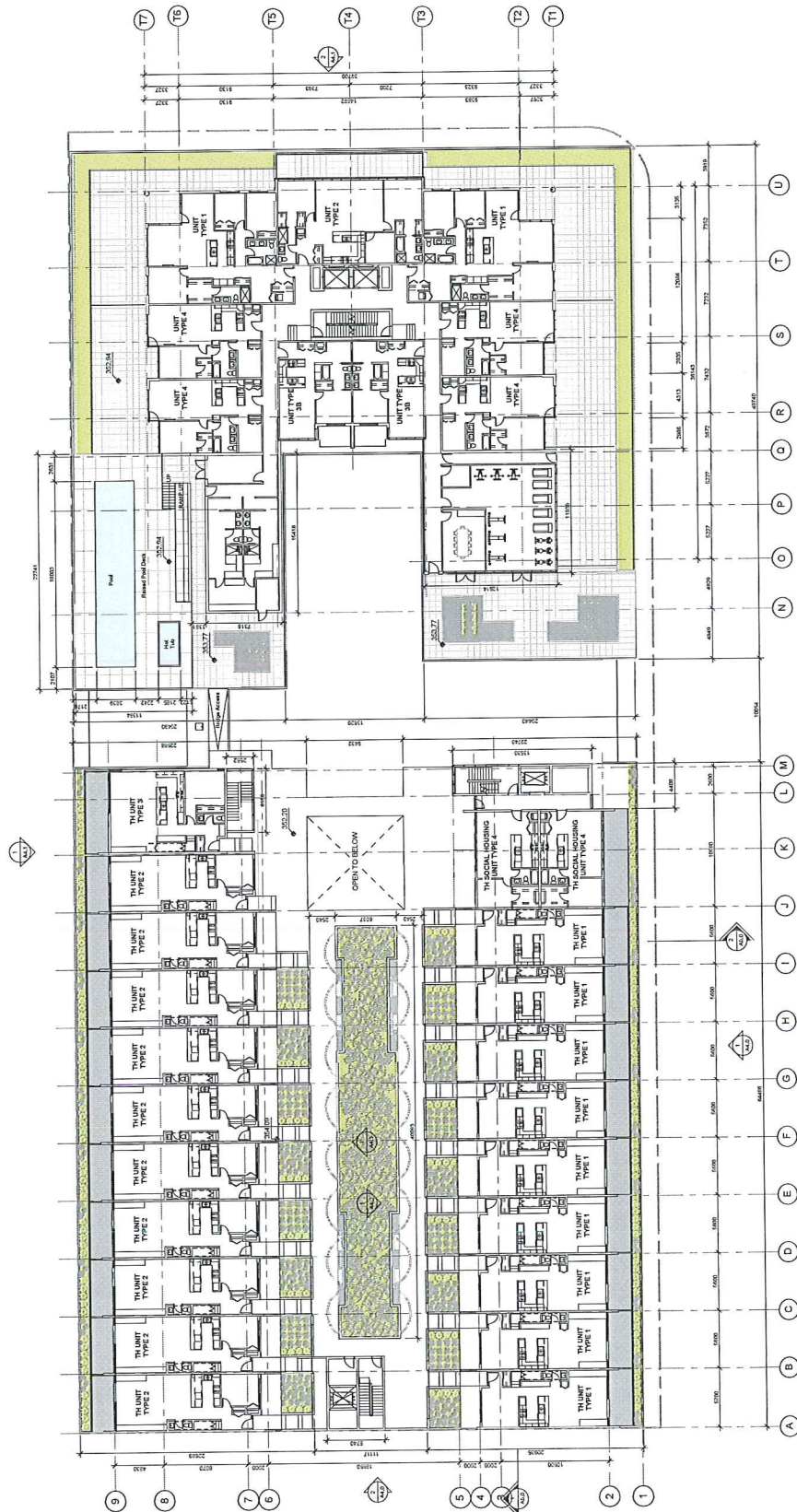
2014-066

A0.7

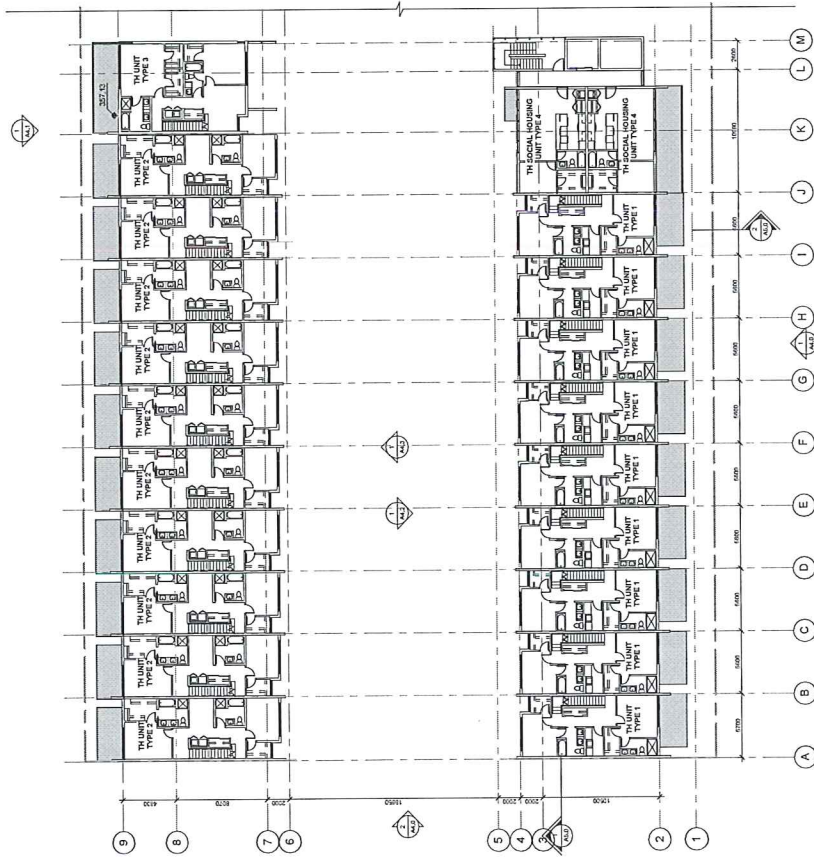




1	Existing Level 2 Plan
A2.2	SCALE: 1 : 200

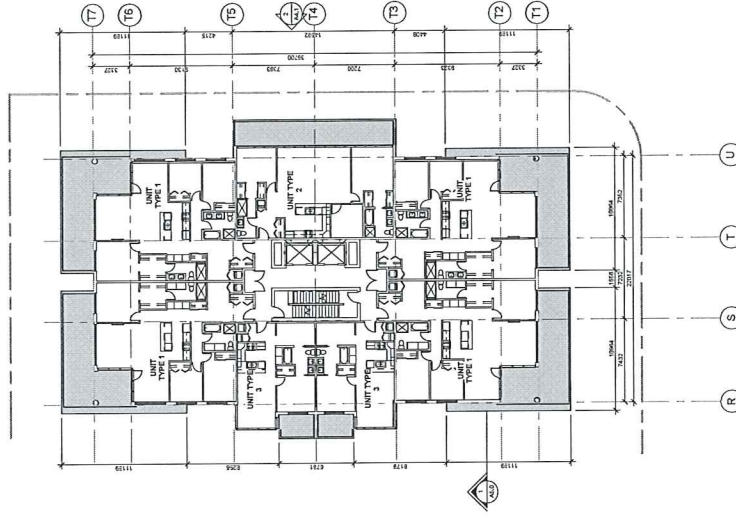


1 Proposed Level 3 Plan
A2.3 SCALE: 1:200



1 Level 4 Townhome Plan

A2.4 SCALE: 1:200

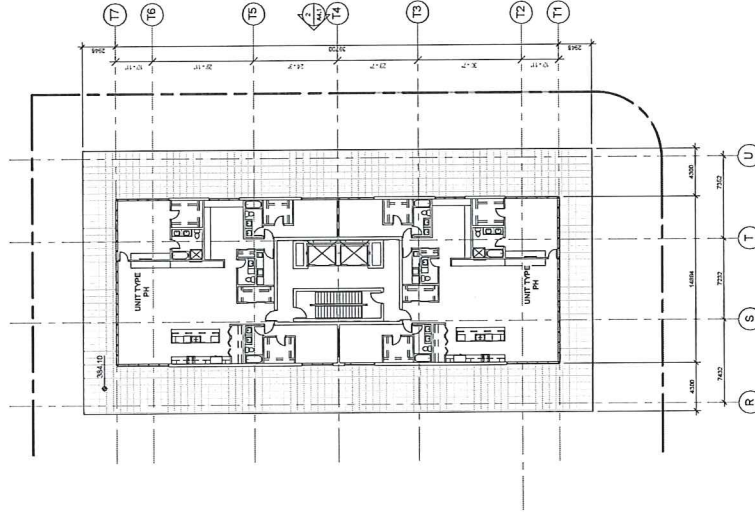


2 Typical Tower Level 4-13 Plan

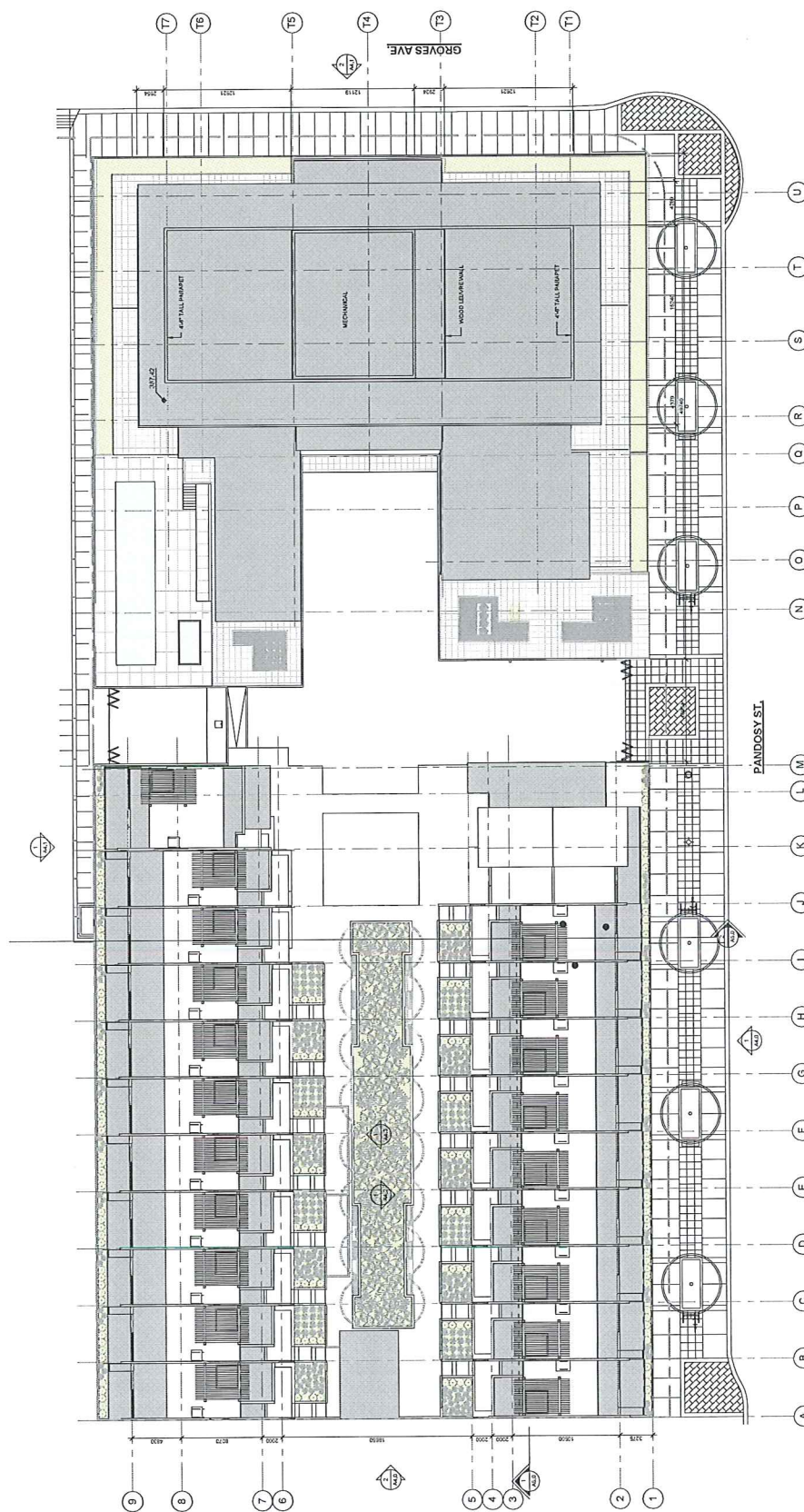
A2.4 SCALE: 1:200



1 Proposed Level 5 Townhome Plan
A2.5 SCALE: 1/320



2 Proposed Tower Level 14 Penthouse Plan
A2.5 SCALE: 1/320



1	Proposed Roof Plan
A2.7	SCALE: 1"=200'



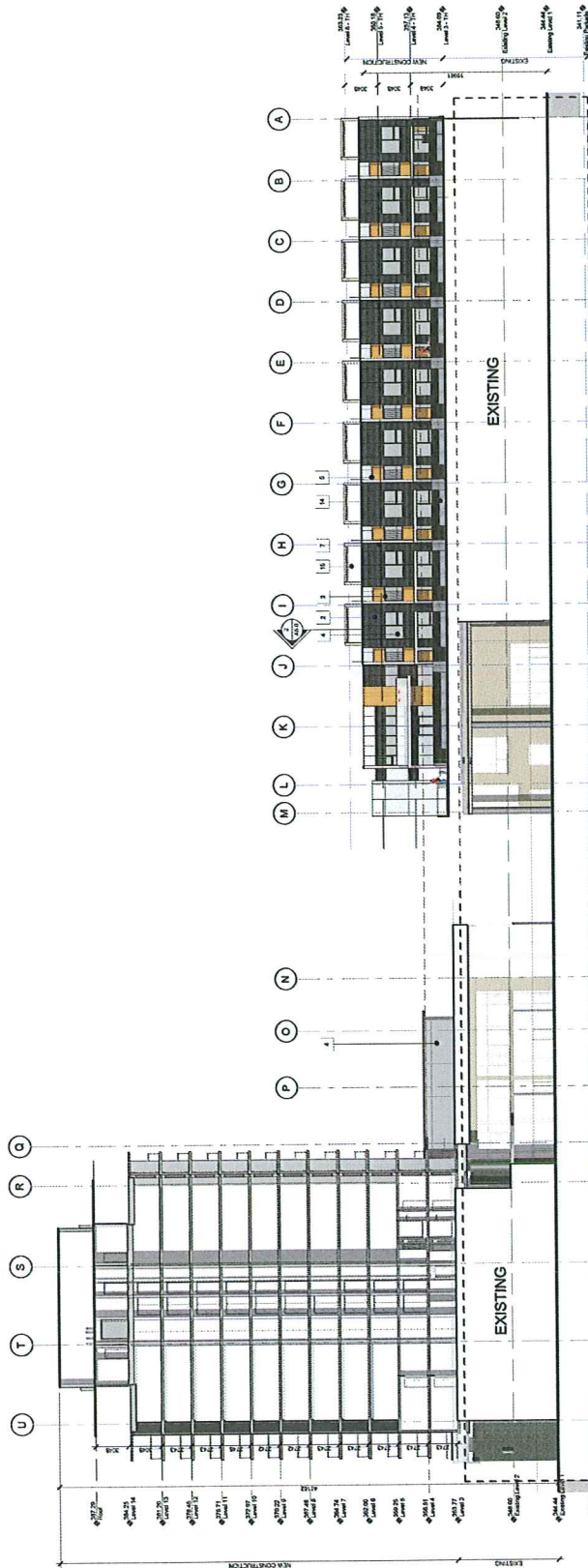
1 West Elevation
A4.1 SCALE: 1/200



2 North Elevation
A4.1 SCALE: 1/200

GENERAL NOTES	
1.	ALL NEW WALLS SHALL TO PROVIDE A LIGHT SHELTER FROM
2.	EXISTING ARCHITECTURAL CONCRETE IN LIGHT SHELTER
3.	SHALL BE REFINISHED TO MATCH EXISTING
4.	20mm HORIZONTAL LINE SPECTRUM LINEAR CLAD BOARD
5.	COLOR HORIZONTAL/VERTICAL CEDAR BOARD
6.	STIFFNESS GLASS
7.	EXTERIOR GLASS GLAND
8.	GLASS WOOD 100 3.5" (100)
9.	METAL FASIA
10.	EXTERIOR GLAZED WOOD DOOR
11.	METAL CLAD WOOD WINDOWS (PER SET)
12.	FRAMED GREEN (PROTECTED GLASS) COMPLETE WITH BLACK METAL
13.	CONCRETE PAVING
14.	METAL FLASHING - PRE FINISHED - COLOUR TO MATCH GLAZING
15.	CONCRETE COLUMN
16.	WOOD FENCE
17.	HIS STEEL ATTY AND GRADE B
18.	WOOD TRIMMED ROOF

MATERIAL LEGEND



1 Interior Podium Elevation - East

GENERAL NOTES	
1.	ALL EXTERIOR WALLS TO RECEIVE A LIGHT BANGLASH FINISH
1	CAST-IN-PLACE ARCHITECTURAL CONCRETE IN LIGHT BANGLASH FINISH TO MATCH ADJACENT EXTERIOR WALLS
2	22mm HORIZONTAL LINE SPECTRAL INCOH GLAZ BEING
3	COLOR: HORIZONTAL/VERTICAL, CEAM BEING
4	EXTENDED GLAZING
5	EXTENSIVE GLASS GLAZING
6	SMALL WOOD TAG 3.5 FT (1M)
7	METAL FACIA
8	EXTENSIVE GLAZED WOOD DOOR
9	METAL GLAZED WOOD WINDOW (PIR BT)
10	PRINACY CORNICE IN PORTED GLASS, COMPLETE WITH BLACK METAL FRAME
11	CONCRETE PLASTER
12	METAL PLASTERING - PRE-FINISHED, COLOR TO MATCH ADJACENT METAL
13	CONCRETE COLUMN
14	WOOD FINE
15	160 STEEL ASTM A500 GRADE B
16	WOOD TRIM/RAIL ROOF



500-1500 West Georgia Street
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SCALE

CONSULTANT:



MMM GROUP

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METRIC

DESIGNED FOR:
Issued for Development Permit

NO. 1
DATE 12/2015

PROJECT TITLE
SOPA SQUARE

ADJULIN INVESTMENT GROUP
2906 - 3025 RANDOLPH ST.
KELDONIA, DC

DRAWING TITLE

West Interior Podium Elevation

CHECKED BY: Checker

DRAWN BY: Author

SCALE: As Shown

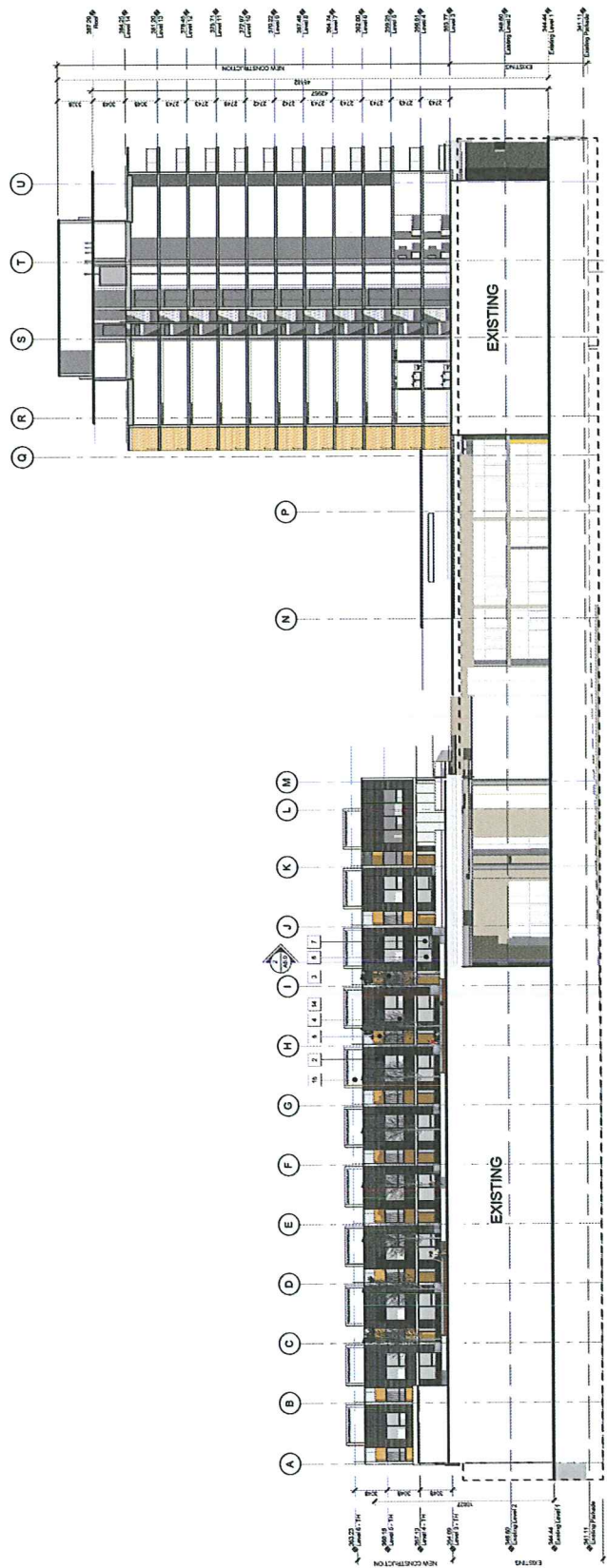
DATE: APRIL 12, 2015

PROJECT NO.

DRAWING NO.

2014-066

A4.3



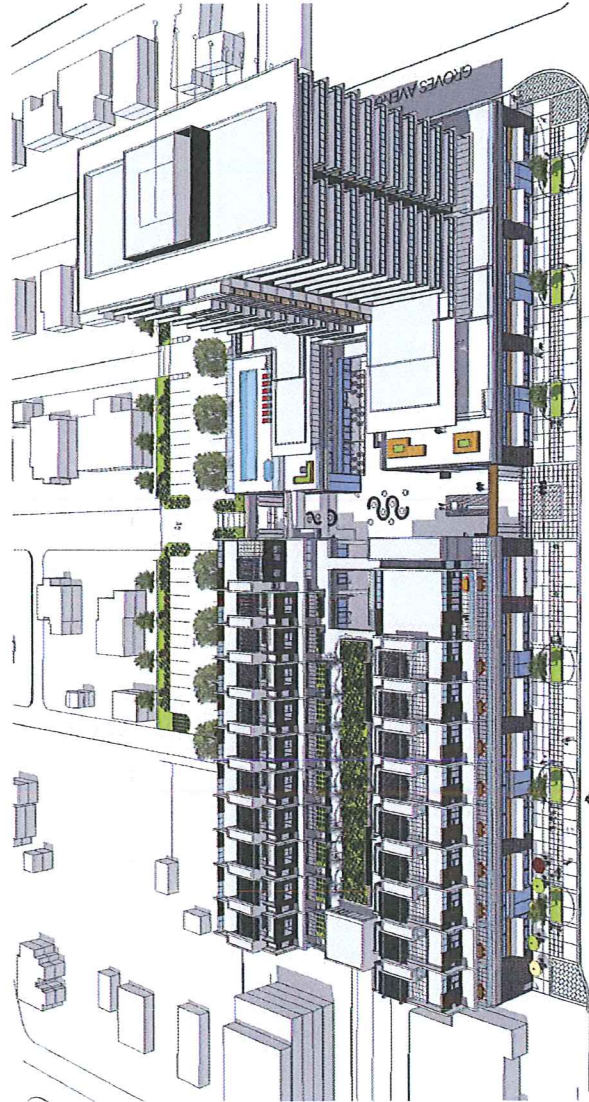
MATERIAL LEGEND

GENERAL NOTES

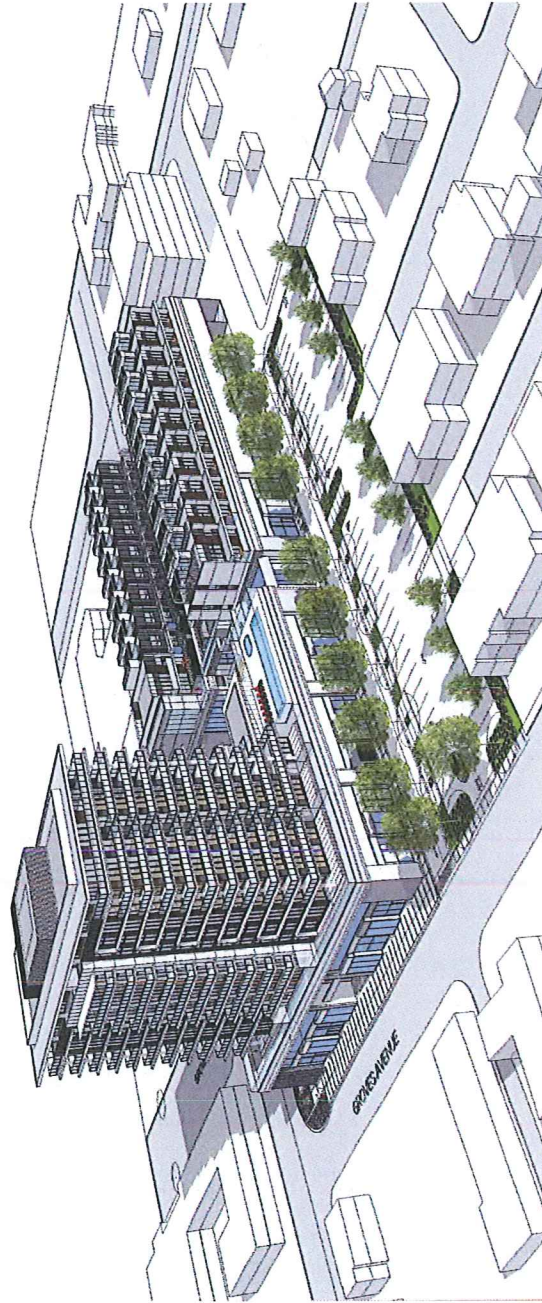
1. ALL INTERIOR WALLS TO RECEIVE A LIGHT BASECALT FINISH

NO.	DESCRIPTION
1	CASERANCE ARCHITECTURAL CONCRETE RE LIGHT BASECALT FINISH
2	20mm HORIZONTAL LINE SPECTRUM LINEAR CLAD BOND
3	COLORADO HORIZONTAL LINEAR CLAD BOND
4	STAINLESS STEEL
5	EXTERIOR GLASS CURTAIN
6	ROOFIT WOODY T&B 3.5" (100)
7	METAL PANELS
8	EXTERIOR GLAZED WOOD DOOR
9	METAL CLAD WOOD WINDOWS 6" (150)
10	FRAMING SYSTEMS PRECAST GLASS COMPLETE WITH BLACK METAL FRAME
11	CONCRETE PARTS
12	METAL PLUMBING - PRE-FABRICATED - COLOUR TO MATCH ADJACENT METAL
13	CONCRETE COLUMN
14	WOOD TRIM
15	HIS STEEL METAL AND SPACER B
16	WOOD TRIM DOOR

1 Interior Podium Elevation - West
A4.3 SCALE: 1/120



1 Aerial View Looking West
 A4.4 Scale: NTS



2 Aerial View Looking South-East
 A4.4 Scale: NTS



SCALE

CONSULTANTS

ARCHITECT: CEI Architecture, LLC
 PROJECT: SOPA SQUARE
 LOCATION: 200-200 PACIFY ET., KELOWNA, BC
 CLIENT: ADRIAN INVESTMENT GROUP
 DATE: JULY 2016
 DRAWING NO.: 2014-066

METRIC

NO.	DATE	DESCRIPTION
1	2016	Issued for Development / Permit
2	July 2016	For Replacement Sheet

ISSUED FOR

PROJECT TITLE

SOPA SQUARE

ADRIAN INVESTMENT GROUP
 200-200 PACIFY ET.,
 KELOWNA, BC

DRAWING TITLE

Exterior Perspectives

CHECKED BY: Oskar

DRAWN BY: Aubrey

SCALE

DATE: JULY 2016

PROJECT NO.

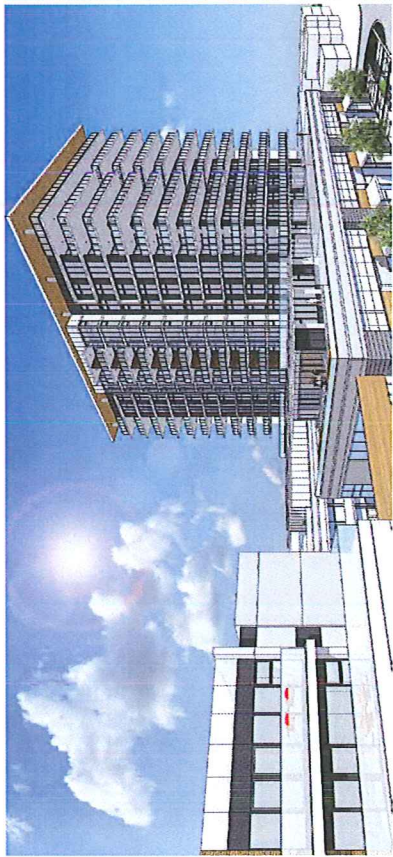
DRAWING NO.

2014-066

A4.6



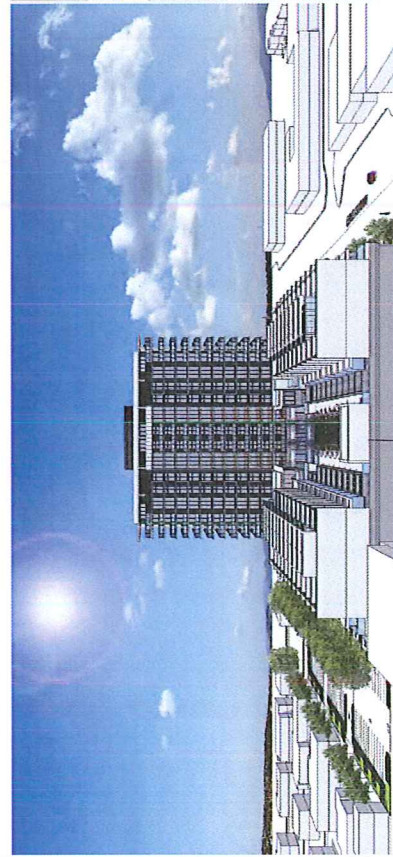
2 Level 3 Amenity Building
 A4.5 | Scale: NTS



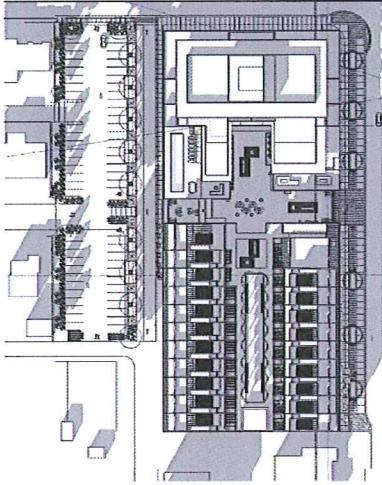
1 View looking north towards Tower and Amenity Building (Tower South facade)
 A4.5 | Scale: NTS



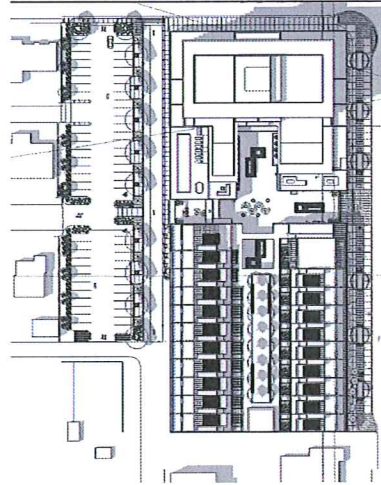
4 Level 3 outdoor amenity, looking North towards Tower
 A4.5 | Scale: NTS



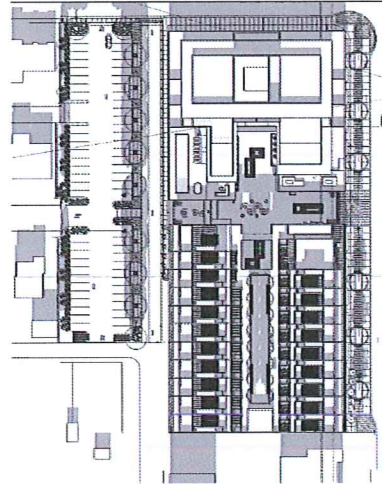
3 Aerial View looking north (Level 3 Outdoor Amenity)
 A4.5 | Scale: NTS



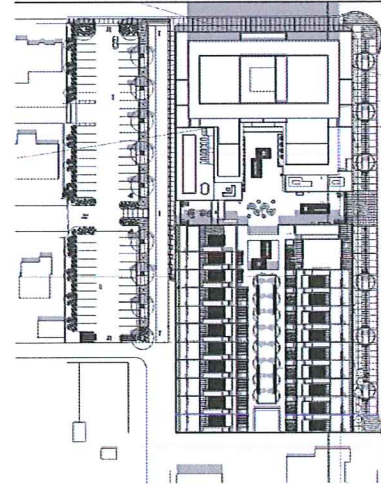
3 DECEMBER 22
2:00 PM
A6.0 Scale: NTS



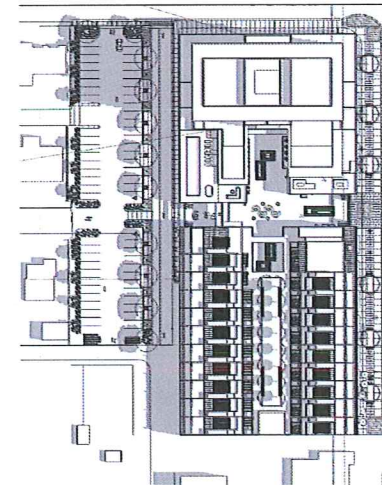
5 JUNE 21
2:00 PM
A6.0 Scale: NTS



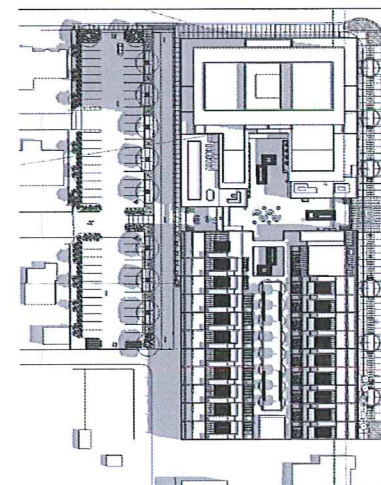
2 DECEMBER 22
12:00 NOON
A6.0 Scale: NTS



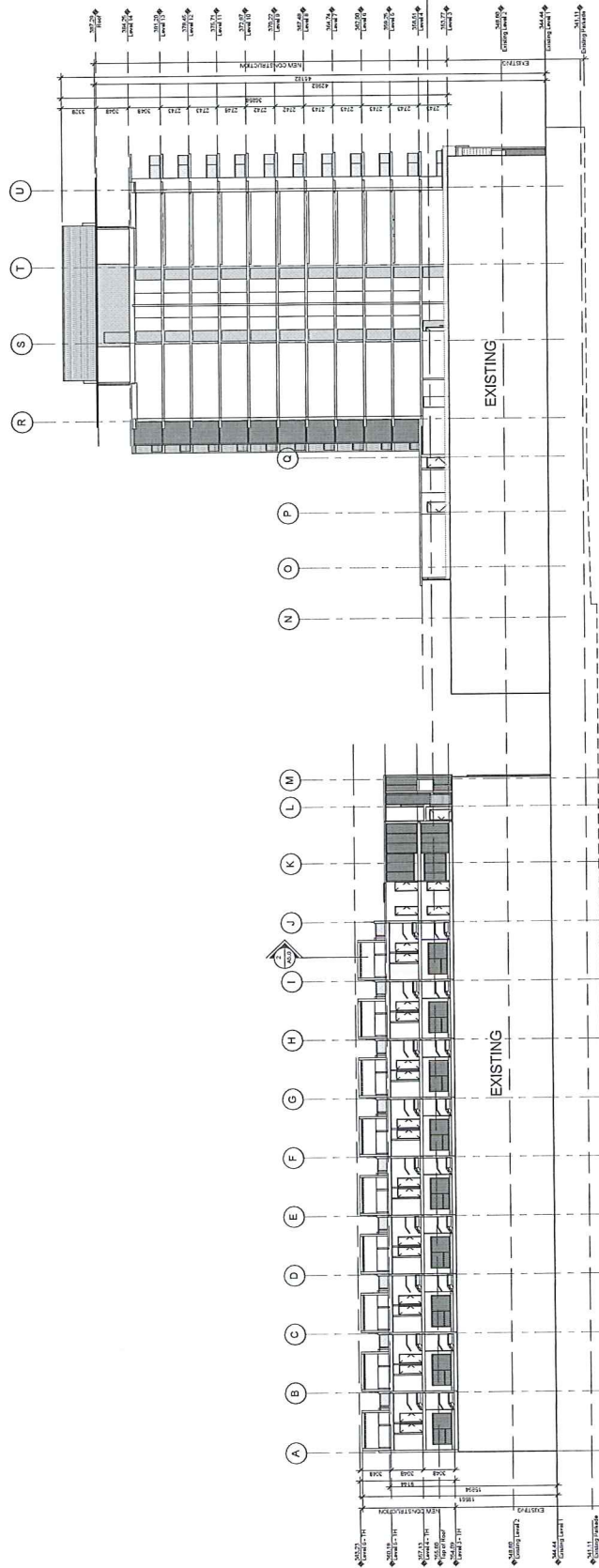
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1 DECEMBER 22
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A6.0 Scale: NTS

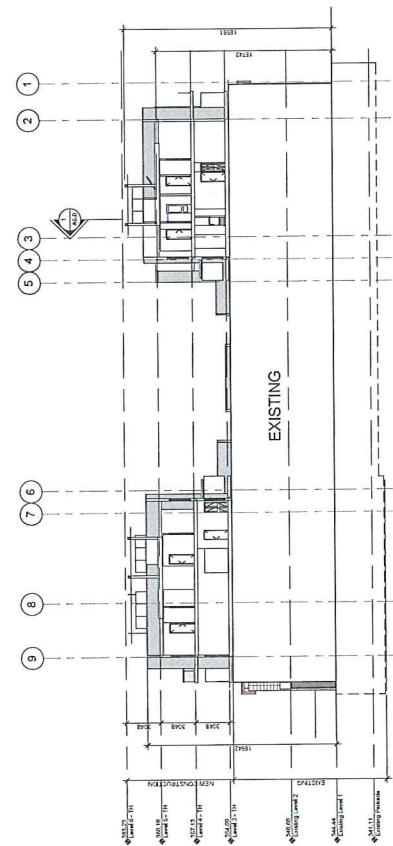


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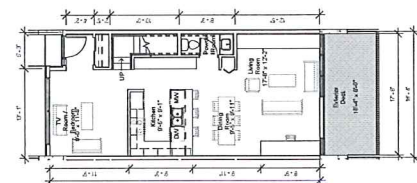
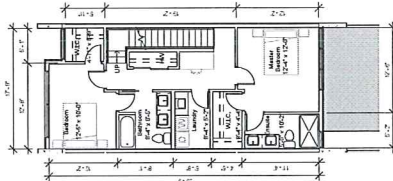
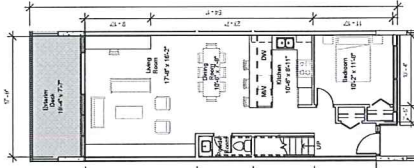
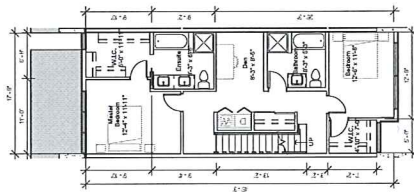
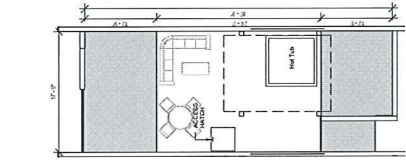
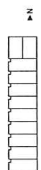
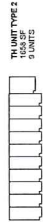


1 N-S Overall Section
 ASD SCALE: 1/320

MATERIAL LEGEND	
1	ALL RETAINING WALLS TO RECEIVE A LIGHT SAND/SLANT FINISH
2	CASABLANCA (ANTIQUE) CONCRETE W/ LIGHT SAND/SLANT FINISH FOR EXTERIOR WALLS
3	3mm HORIZONTAL LIME SPECKLED BRICK CLAY BRICK
4	COLLON HORIZONTAL PALETTE CLAY BRICK
5	STURTEWANT CLAY
6	EXTENDED GLASS BRICK
7	SOFT WOOD (S.P. 1146)
8	METAL FACIA
9	EXTENDED GLAZED WOOD DOOR
10	METAL CLAY WOOD WINDOW (P.R. 117)
11	PANTRY (GREEN) FINISH GLASS COMPETITION BLACK METAL FRAME
12	CONCRETE FINISH
13	METAL CLAY BRICK (P.R. 117) MATCH ADJACENT MATERIAL
14	CONCRETE COLUMN
15	WOOD FINE
16	HIS STEEL (S.P. 1146) CLAY BRICK
17	WOOD FINISH ROOF



2 E-W Overall Section
 ASD SCALE: 1/320



6 Unit Type 2 - Roof Terrace Plan
A7.0 SCALE: 1/8" = 1'-0"

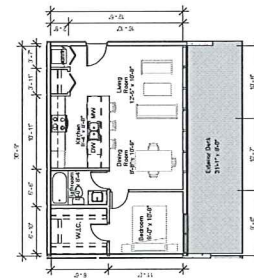
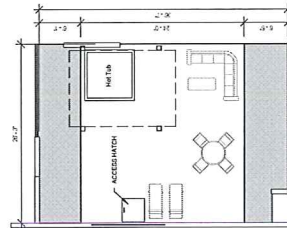
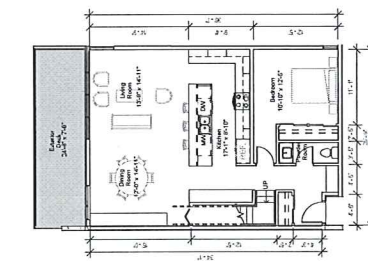
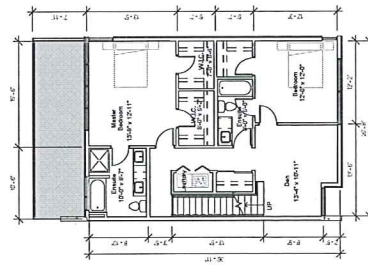
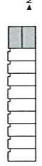
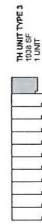
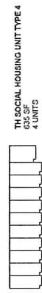
5 Unit Type 2 - Second Floor Plan
A7.0 SCALE: 1/8" = 1'-0"

4 Unit Type 2 - Main Floor Plan
A7.0 SCALE: 1/8" = 1'-0"

3 Unit Type 1 - Roof Terrace Plan
A7.0 SCALE: 1/8" = 1'-0"

2 Unit Type 1 - Second Floor Plan
A7.0 SCALE: 1/8" = 1'-0"

1 Unit Type 1 - Main Floor Plan
A7.0 SCALE: 1/8" = 1'-0"



8 Unit Type 3 - Second Floor Plan
A7.0 SCALE: 1/8" = 1'-0"

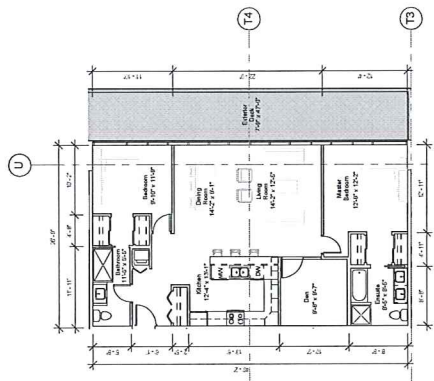
7 Unit Type 3 - Main Floor Plan
A7.0 SCALE: 1/8" = 1'-0"

9 Unit Type 3 - Roof Terrace Plan
A7.0 SCALE: 1/8" = 1'-0"

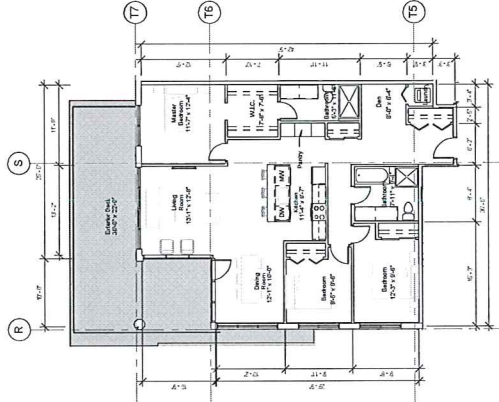
10 Social Housing Unit - Main & Second Floor Plan
A7.0 SCALE: 1/8" = 1'-0"



UNIT TYPE 3
1278 SF
2 UNITS



UNIT TYPE 2
1278 SF
1 UNIT



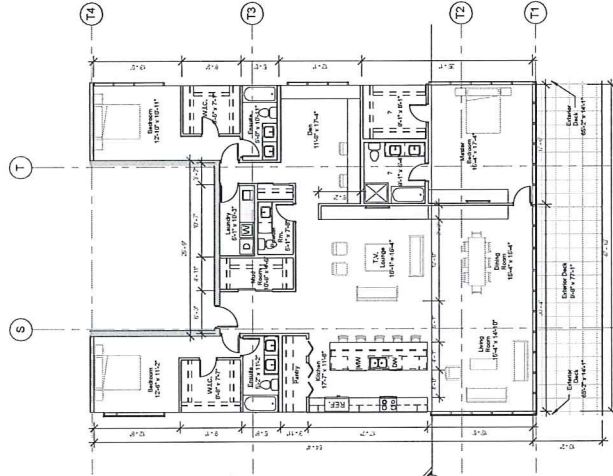
UNIT TYPE 1
1432 SF
4 UNITS

3 Unit Type 3 - 1 Bedroom + Den

A7.1 SCALE: 1:100

2 Unit Type 2 - 3 Bedroom

A7.1 SCALE: 1:100



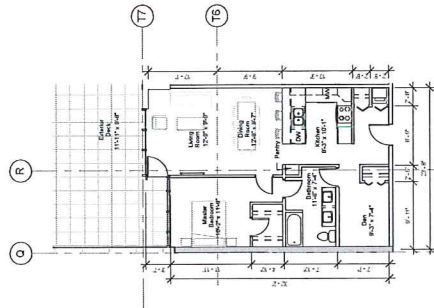
UNIT TYPE PH
2720 SF
2 UNITS

PH Unit - 3 Bedroom + Den

A7.1 SCALE: 1:100

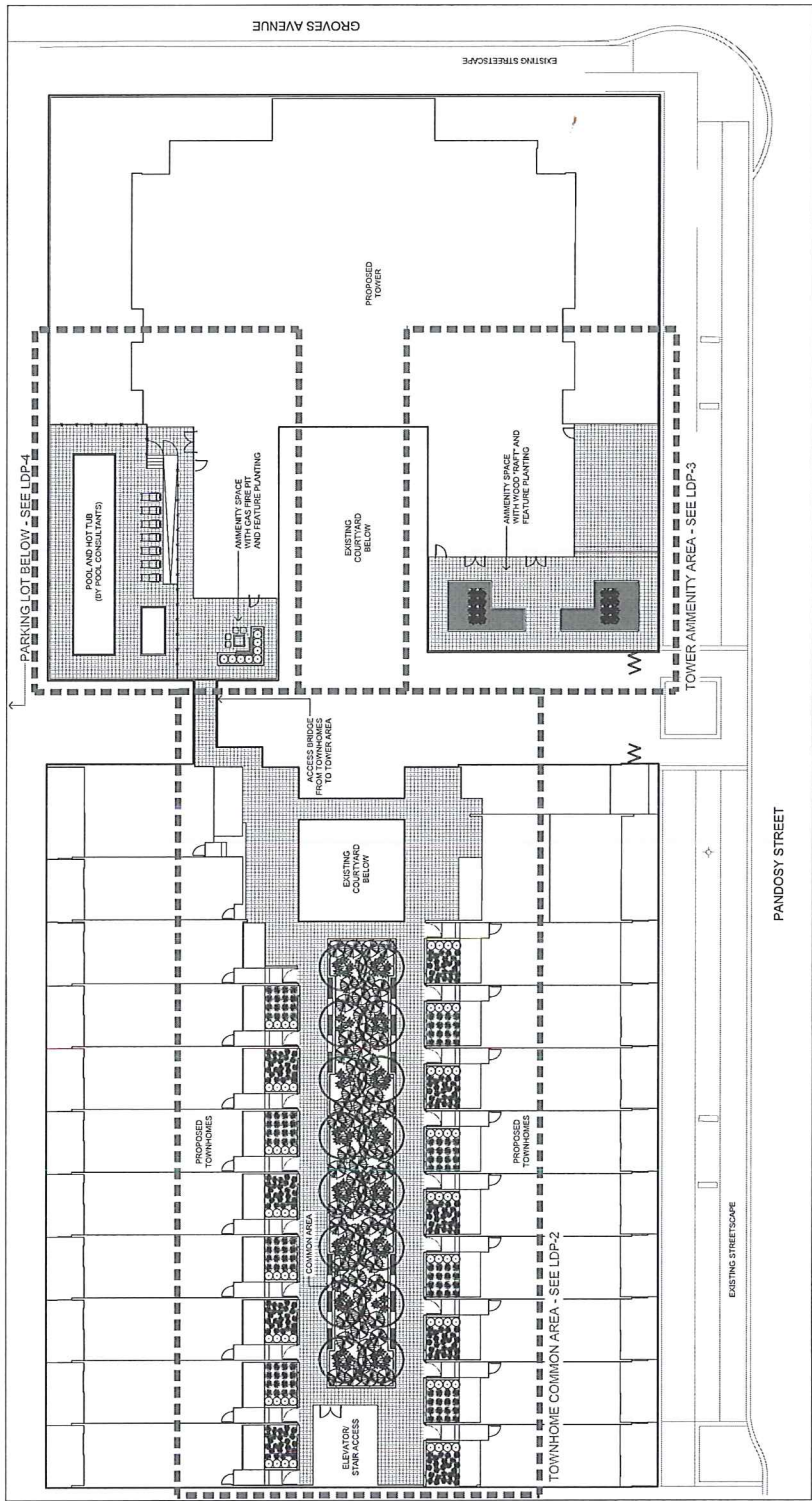


UNIT TYPE 4
1432 SF
4 UNITS



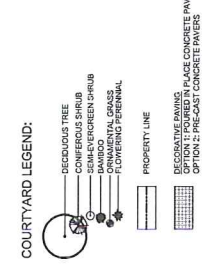
Unit Type 4 - 1 Bedroom + Den

A7.1 SCALE: 1:100

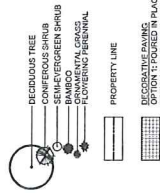
[illegible]

LANDSCAPE DEVELOPMENT DATA:

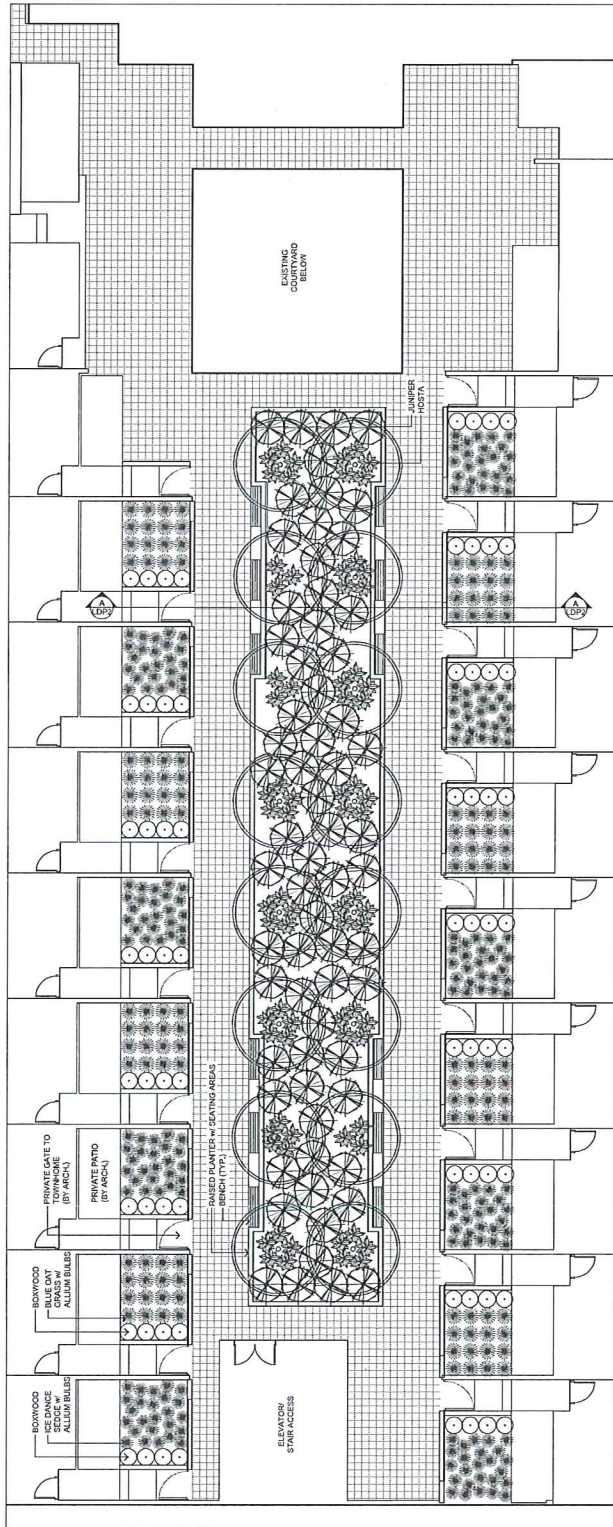
1. PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE E.G. STANDARD MANUAL CURRENT EDITION.
2. ACCEPTABLE PLANT MATERIALS MUST BE IDENTIFIED HEREIN AS CONCEPTUAL, BUT REFLECTS THE MINIMUM ACCEPTABLE QUALITY.
3. PLANT MATERIAL SELECTIONS ARE CONCEPTUAL ONLY. FINAL PLANTINGS SELECTIONS MAY VARY DEPENDING UPON AVAILABILITY.
4. ALL PLANTINGS SHALL BE PROTECTED BY A 12" DIA. PLASTIC GUARD.
5. ALL LANDSCAPE AREAS TO BE IRRIGATED WITH AN EFFICIENT AUTOMATIC IRRIGATION SYSTEM.
6. THE DRAWING DEPICTS FLOW AND CHARACTER AND IS TO BE USED FOR DEVELOPMENT. PRINT EXPLANATION ONLY. IT IS NOT INTENDED FOR USE AS A CONSTRUCTION DOCUMENT.



COURTYARD LEGEND:



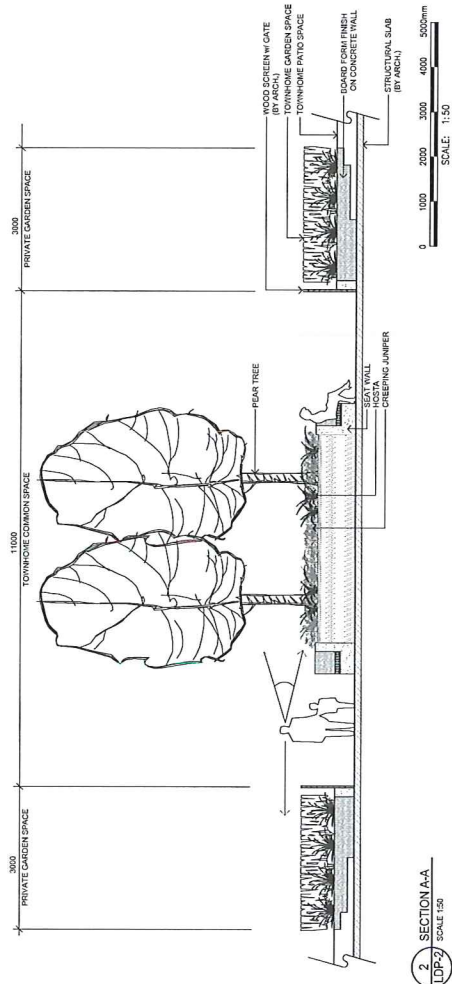
OPTION 1: FLOURED IN PLACE CONCRETE PAVING
OPTION 2: PRE-CAST CONCRETE PAVERS



1 TOWNHOME - COMMON AREA
LDP-2 SCALE 1:100



PLANTING NAME	COMMON NAME	SIZE	NO.	MEASURE (PLANT SIZE IN X W X H)
Platanus 'Golden Wonder'	Golden Wonder Platanus	6.0m Dia. x 10.0m	1	6.0m Dia. x 10.0m
Platanus 'Golden Wonder'	Golden Wonder Platanus	6.0m Dia. x 10.0m	1	6.0m Dia. x 10.0m
Platanus 'Golden Wonder'	Golden Wonder Platanus	6.0m Dia. x 10.0m	1	6.0m Dia. x 10.0m
Platanus 'Golden Wonder'	Golden Wonder Platanus	6.0m Dia. x 10.0m	1	6.0m Dia. x 10.0m
Platanus 'Golden Wonder'	Golden Wonder Platanus	6.0m Dia. x 10.0m	1	6.0m Dia. x 10.0m
Platanus 'Golden Wonder'	Golden Wonder Platanus	6.0m Dia. x 10.0m	1	6.0m Dia. x 10.0m
Platanus 'Golden Wonder'	Golden Wonder Platanus	6.0m Dia. x 10.0m	1	6.0m Dia. x 10.0m
Platanus 'Golden Wonder'	Golden Wonder Platanus	6.0m Dia. x 10.0m	1	6.0m Dia. x 10.0m
Platanus 'Golden Wonder'	Golden Wonder Platanus	6.0m Dia. x 10.0m	1	6.0m Dia. x 10.0m
Platanus 'Golden Wonder'	Golden Wonder Platanus	6.0m Dia. x 10.0m	1	6.0m Dia. x 10.0m



2 SECTION AA
LDP-2 SCALE 1:50

MMM GROUP

3000 EAST 10TH AVENUE, SUITE 1000, DENVER, CO 80202

PROJECT: TOWNHOME COMMON AREA

CLIENT: AQUILINI INVESTMENT GROUP

CONSULTANT: DENVER ARCHITECTURE

NO. DATE DESCRIPTION

1 1/24/2017 ISSUED FOR DEVELOPMENT PERMIT

2 1/24/2017 ISSUED FOR DEVELOPMENT PERMIT

AS NOTED

LDP-2

OF 5





SOPA Square - Courtyard Furnishing

ESTIMATE OF PROBABLE COSTS - Reference: L300 - Issued March 25 / 2015

Item	Unit	Estimated Amount	Estimated Value	Total Value
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LANDSCAPE ITEMS

1.0 Site Amenities				
1.1 0.95mx0.95m Selfwatering planter (Type 1)	ea.	2	\$1,225.00	\$2,450.00
1.2 1.9mx 0.95m Selfwatering planter (Type 2)	ea.	3	\$2,210.00	\$6,630.00
1.3 Scoop Planter (Type 4)	ea.	12	\$2,500.00	\$30,000.00
1.4 Loop Arc Bench (Type 4)	ea.	14	\$2,750.00	\$38,500.00
1.5 Bike Rack	ea.	37	\$550.00	\$20,350.00
1.6 Trash Receptables	ea.	4	\$1,105.00	\$4,420.00
1.7 Wood Raft	ea.	3	\$15,000.00	\$45,000.00
1.8 Coloured Metal Poles for Scoop Planter	ea.	12	\$750.00	\$9,000.00
1.9 Metal Screen	ea.	3	\$1,000.00	\$3,000.00
SUBTOTAL				\$159,350.00

2.0 Softscape				
2.1 Ornamental shrub planting	ea.	24	\$20.00	\$480.00
2.2 Bamboo planting (5 Gal) (incl. shipping)	ea.	36	\$79.00	\$2,844.00
2.3 Imported growing medium	m ³	15	\$50.00	\$750.00
2.4 Composted Bark Mulch Dressing	m ²	30	\$5.00	\$150.00
SUBTOTAL				\$4,224.00

LANDSCAPE TOTAL				
				\$163,574.00

3.0 Shipping				
3.1 Loop Ark Benches & Scoop Planters	allow.	1	\$13,000.00	\$13,000.00
3.2 Wishbone Furniture (incl. in Furniture cost)		N/A	\$0.00	\$0.00
SUBTOTAL				\$13,000.00

