



COUNCIL REPORT
Development Services
For the June 11, 2019 Council Meeting

DATE: May 28, 2019 **File:** DP 18-36
TO: Jim Zaffino, CAO
FROM: Jaleen Rousseau, Planner
RE: Development Permit with Variances (File No. DP 18-36)
Address: 1980 Upper Sundance Drive
Legal: Lot 1, DL 2044, ODYD, Plan EPP74050
Owner: Krisma Developments Inc.
Agent: Robert Lee / MARA NATHA Architecture Ltd.

RECOMMENDED MOTION:

THAT Council authorize the issuance of a Development Permit (DP 18-36) to construct 25 townhomes in six buildings located at 1980 Upper Sundance Drive subject to conditions outlined in the attached Development Permit; and

THAT Council authorize the following variances to City of West Kelowna Zoning Bylaw No. 0154 in accordance with the attached Site Plans, as follows:

- That the required number of loading spaces be reduced from 2 to 1;
- That the maximum allowable collective retaining wall height be increased from 2.5 m to 3.8 m (for one internal retaining wall only);
- That the maximum building height of Block C be increased from 12.0 m to 12.69 m;
- That the maximum building height of Block E be increased from 12.0 m to 12.88 m and
- That the interior side parcel boundary be reduced from 4.5 m to 4.39 m.

THAT issuance of the Development Permit be withheld pending the receipt of landscape security for the landscape plan attached to DP 18-36 as Schedule 'C' in the amount of \$213,361.90;

THAT if the Development Permit has not been issued within one year from the date of approval, the Permit shall be deemed to have been refused and the file closed.

RATIONALE:

- The proposal provides medium density housing options in the Shannon Lake Neighbourhood;
- The proposal is consistent with the Multiple Family Development Permit Guidelines contained in the OCP. The building design includes a variety of architectural detailing and character in association with a landscape plan which serves to soften the transition from boulevard edge to building edge.
- The proposal includes the redirection and improvement of an existing pedestrian trail linkage through the protected covenant area to connect to existing area trails;

- The proposal conforms to the primary uses and regulations outlined in Zoning Bylaw No. 0154 for the Medium Density Multiple Residential Zone (R4), with the exception of several variances which are considered to have minimal impact to adjacent properties; and
- The proposed height variance is specific to two of the buildings, located at the rear of the parcel, and is not anticipated to result in inconsistent development patterns in relation to neighbouring parcels along this portion of Upper Sundance Drive.

LEGISLATIVE REQUIREMENTS:

Council has the authority under Part 14 (s. 490) of the *Local Government Act* to issue a Development Permit. This Development Permit is specifically for form and character of a multiple family residential development. Section 498 of the *Local Government Act* gives Council the authority to issue a Development Variance Permit that varies, in respect of the land covered in the permit, the provisions of the Zoning Bylaw.

BACKGROUND:

In 2007 a Development Permit (DP 06-34) was approved by the Regional District of Central Okanagan for a 141 unit development in the form of apartments and townhomes. This development proposal was only partially completed when subdivision of the subject property and the parcel to the west occurred resulting in abandonment of a full build-out in accordance with DP 06-34 (2009). Twelve townhouse units were originally proposed for what is now the subject property. In 2008 (DP 08-13) this was further amended to replace townhomes with 125 unit apartment complex. Prior to the sale of the subject property, a site-specific text amendment was approved restricting the development of apartment buildings (2015). This amendment did not limit the height regulations (12.0 m) for the site which are the same as similarly zoned neighbouring R4 parcels.

Proposal

The applicant is seeking the issuance of a Form and Character Development Permit to accommodate the construction of six townhome complexes at 1980 Upper Sundance Drive. The development includes a total of 25 units: two 4-bedroom units, six 3-bedroom units, and 17 2-bedroom units. Two parking spaces within a garage are provided for each unit, in addition to five onsite parking spaces for visitors (includes one accessible) and one loading space. The proposal includes the development of a pedestrian trail through an existing covenant area located along the east and north portions of the property that will provide a formal neighbourhood link to Shannon Springs Park. Three variances are being requested facilitate the development respecting the maximum height of an internal retaining wall, the maximum height of two buildings,



Figure 1: Depiction of Site Topography with Approximate Parcel Boundaries

and a reduction in the number of required loading spaces and a reduction to the side parcel boundary setback (west).

Location and Surrounding Uses

The 0.818 ha (2.021 acres) subject property is located within the Shannon Lake Neighbourhood on Upper Sundance Drive (*Attachments 2 & 3*). The property is vacant, slopes from Upper Sundance Drive (south) to the rear of the parcel (north), with a more gradual grade change in elevation from west to east. The property was previously graded as a part of the adjacent development to the west, which includes apartment buildings (*Figure 1*). Uses surrounding the subject property include:

- North – Single Family Residential (R1) zone and Medium Density Multiple Residential (R4) zone in the form of duplexes.
- West – Medium Density Multiple Residential (R4) in the form of apartments
- East – Single Family Residential (R1) zone
- South – Medium Density Multiple Residential (R4) zone in the form of townhomes

Policy and Bylaw Review

Official Community Plan Bylaw No. 0100

The subject property maintains a Land Use Designation of *Low Density Multiple Family (LDMF)*, which anticipates semi-detached and attached townhouses building forms. The purpose of this designation is to provide a broader range of housing opportunities in areas served by transit and in walking distance to community amenities, shops and services, while acknowledging adjacent land uses. The proposal is aligned with the LDMF designation.

Development Permit Areas:

The proposed development is subject to three of the City's DPAs: Hillside; Sensitive Terrestrial Ecosystem; and Form and Character Multiple Family development.

In accordance with the OCP, the Hillside and Sensitive Terrestrial Ecosystem DPAs are considered to be adequately addressed for this application for the following reasons:

- Site development is to occur primarily on the portion of the subject property that has been previously disturbed;
- A Section 219 No Build / No Disturb covenant (LB122037) is currently registered to title which addresses preservation of the steepest slopes and existing vegetation (abutting the north and east parcel boundaries);

The Form and Character DPA for General and Multiple Residential development guidelines encourage pedestrian oriented design, safe communities, and visual interest through careful and thoughtful site design, building form and character, and landscaping. The proposal is found to be in general accordance with these guidelines.

Form & Character:

The OCP design guidelines encourage design and orientation that is sensitive to adjacent uses. The proposal is generally tailored to the physical character of the site, as the townhome complexes follow the natural topography. The portion of the property closest to Upper Sundance Drive is at a higher elevation than the rear of the parcel. The property includes steep slopes located primarily at the rear, which were protected by a No-Build covenant registered to title in 2007. The six townhouse buildings are arranged along an internal access road where all units have garage access. The units fronting Upper Sundance Road are two storeys (*Figure 2*). All six buildings are three storeys along the internal access road (*Figure 3*). However, units at the rear of the parcel are greater in height facing the covenant area due to retaining walls on the steep slope (*Figures 2, 3 & 4*). The site design also accommodates statutory right of ways for utility services and a parking easement in favor of the adjacent apartment development to the west.

Figure 4: Site Plan for 1980 Upper Sundance Drive

The OCP design guidelines encourage consistency with surrounding development and design that incorporates variation to building facades and rooflines to minimize height and massing. The proposal utilizes a west coast design with simple colour and materials scheme, which unifies the six complexes on the site and complements adjacent development (*Attachment 4*).



Figure 5: Depiction of Form and Character at Full Buildout of the Subject Property



Figure 6: Depiction of Proposed Form and Character

The design incorporates both natural materials such as stone and wood as well as contemporary elements such as and Hardie panels in “Pearl Gray” and “Arctic White” colours. Railings are finished in charcoal powder coat with clear tempered glass. Landscape planters with wood screens are provided for each unit for privacy. The building design includes dramatic peaked roofs, large glass windows of various shapes and sizes, and deep vertical face articulation to create visual interest and depth to the buildings.

Landscape Plan:

The landscape plan includes a mix of trees, shrubs, ornamental grasses, groundcovers, and perennials (*Attachment 5*). Landscaping has been enhanced along the building edges to soften the transition to boulevard edge. The subject property has varied terrain and the proposed development is supported by retaining walls with landscaping terraces to soften the appearance of concrete and enhance the visual interest. Figure 3 illustrates the manner in which proposed landscaping will serve to soften and in some cases screen these walls.

The outdoor amenity space has been designed to limit retaining walls located within statutory right of ways and accommodate the steep sloping site. The proposal includes a natural playground structure for children and benches. A nature trail is to be constructed around the development through the ESA covenant area in accordance with a Statutory Right of Way covenant for pedestrian access on the title of the property. This pedestrian trail will replace the temporary pathway through the centre of the site.

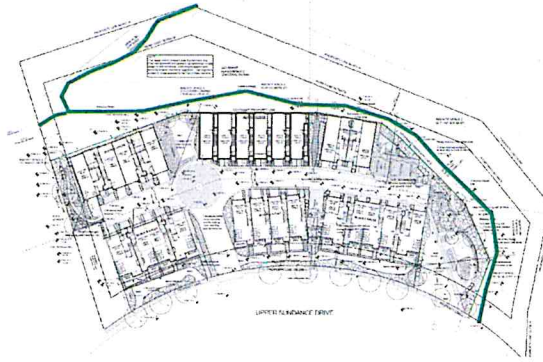


Figure 7: Nature Trail Location

The total landscape security is \$170,689.52 (\$213,361.90 at 125%). Prior to the issuance of the Permit, it is recommended that the submission of security be required to ensure installation of the landscape plantings and hardscaping are completed.

Zoning Bylaw No. 0154

The proposal conforms to the principal uses and regulations outlined in the Zoning Bylaw for the Medium Density Multiple Family Zone (R4), including density, parcel coverage, frontage, and parking for residents of the development. The proposal is inconsistent with some regulations applicable to the R4 zone including; minimum loading space requirements, height of a retaining wall, interior side setback and the height of two of the six townhome structures. However, the variances required to address these inconsistencies are considered to be acceptable when considered in conjunction with the overall proposal and its relation to the surrounding uses. Table 1 below provides a summary of the off-street parking provisions forming part of the proposal.

Table 1: Parking Summary

Table 1: Parking Summary Type of Parking	Required/Permitted Spaces	Spaces Provided
Standard Parking Space	50	50 (garage)
Visitor Parking Space	5	5
Accessible Parking Space	1	1
Total Vehicle Parking Spaces	55	55
Loading Spaces	2	1*

*Variance requested required number of loading spaces by 1.

Variance Requests:

The applicant is requesting several variances to the City's Zoning Regulations to facilitate the development. They are as follows:

- 1) Reduction in the required number loading spaces from 2 to 1 (s.4.10.1).
- 2) Increase to the maximum allowable collective retaining wall height from 2.5 m (8.4 ft) to 3.8 m (12.4 ft) [s.3.12.1].
- 3) Reduction to the interior side parcel boundary from 4.5 m (14.7 ft) to 4.39 m (14.3 ft) [s.10.10.5.g.3].
- 4) Increase to the maximum allowable height of a building as follows:
 - a. Block C Building from 12.0 m (39.3 ft) to 12.69 m (41.6 ft); and
 - b. Block E Building from 12.0 m (39.3 ft) to 12.88 m (42.2 ft).

See Attachment 6 for site plan depicting the location of requested variances.

Loading Spaces:

The applicant is requesting a reduction to the required number of loading spaces from two spaces to one space due to lack of area within the development plan to accommodate the additional space (See Figure 8 for location of loading space). The provision of loading spaces are intended to accommodate larger vehicles on the site for moving and delivery. One space is provided at the north end of the development (east of Block A) directly across from driveway access into the site. Moving and deliveries typically occur infrequently and as such impacts resulting from the requested reduction of loading spaces are anticipated to be minimal. Additionally, as the City is currently undertaking a Zoning Bylaw review, an evaluation of required loading spaces has been planned as part of this review. Based on the limited necessity of loading spaces on a daily basis and the density of the proposed development staff are recommending support of this variance request.

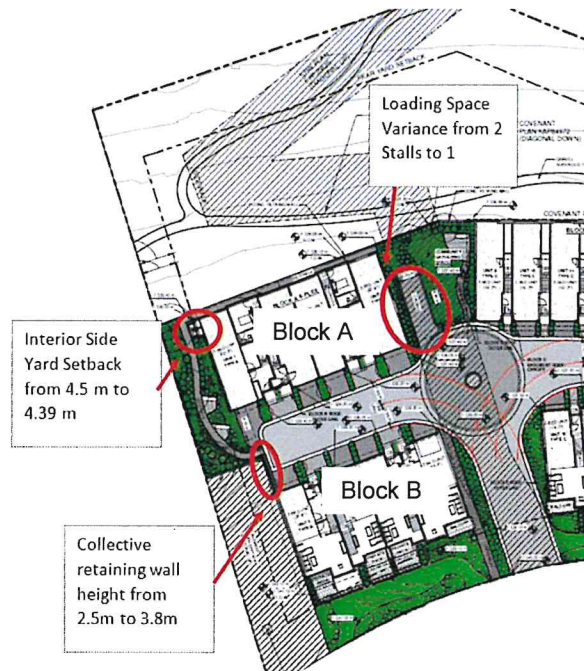


Figure 8: Location of Variances on Western Half of Subject Property

Retaining Wall Height:

The proposal includes a two-tiered retaining wall located at the western terminus of the internal access road. These two retaining walls are spaced 0.20 m (0.65 ft) apart requiring their heights to be measured collectively in accordance with the City's Zoning Bylaw (See Figure 8 for location of retaining wall).

The Zoning Bylaw maintains the following retaining wall regulations (S.3.12):

- .1 The maximum height of any individual retaining wall is 2.5 m (8.2 ft).
- .2 Individual retaining walls shall not be closer than 2.0 m (6.6 ft) apart, measured from the outer face of each retaining wall.
- .3 Despite 3.12.2, individual retaining walls may be constructed less than 2.0 m (6.6 ft) apart, measured from the outer face of each retaining wall, but will be collectively considered an individual retaining wall for the purpose of determining height.

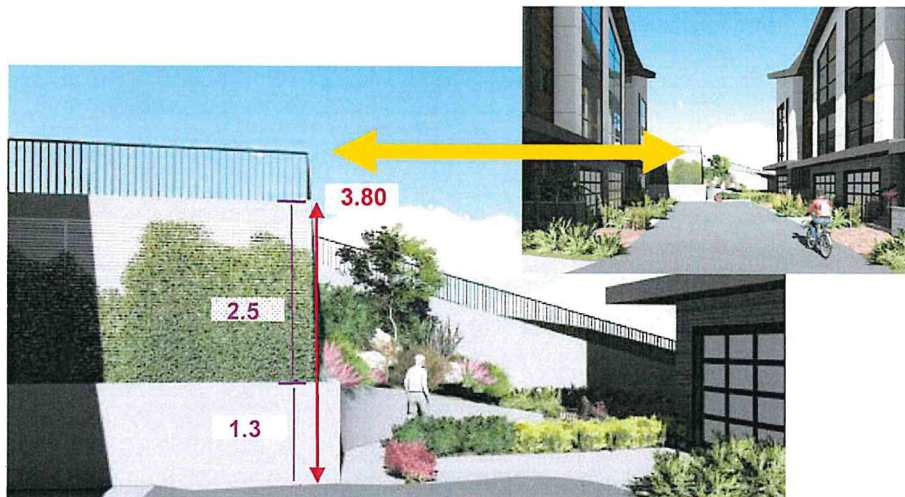


Figure 9: Two-Tiered Retaining Wall

The proposal includes several retaining walls throughout the site. All walls are within acceptable wall heights, with the exception of a two-tiered wall at the western terminus of the internal roadway. From the eastern side (internal to the development) this two-tiered wall has a collective measurement of 3.8 m (12.4 ft), which is 1.2 m (4.2 ft) higher than what is permitted in the Zoning Bylaw (See Figure 8). This side of the wall reduces in height as it continues north along the western parcel boundary (Figure 9). Substantial landscaping is proposed to reduce the visual appearance of collective wall height and a guardrail is located on top of the wall for safety.

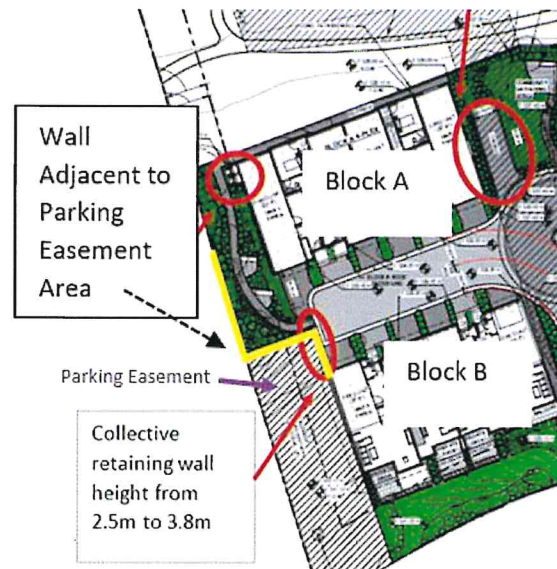


Figure 10: Retaining Wall Proximity to Parking Easement

The larger, outer retaining wall adjacent to the parcel to the west jogs around the parking easement area utilized by the neighbouring residents. The top of the wall on this side will be level with the grade of the parking area (Figure 10). It then continues in this manner north along the western parcel boundary, except for a small segment that is exposed at a maximum of 0.5 m (1.5 ft).

The visual impact of collective wall height for this small segment of retaining is visible only internally to the development and is mitigated by landscaping. Staff are recommending support of this variance request.

Interior Side Parcel Boundary:

The applicant is requesting a reduction to the interior side parcel boundary (west parcel boundary) from 4.5 m (14.7 ft) to 4.39 m (14.3 ft) to accommodate an electrical room located on the northwest corner of Block A (See Figure 8 for location of electrical room). Intrusion into the setback by this small structure is anticipated to be insignificant to adjacent properties and will be screened by landscaping. Staff are recommending support of this variance request.

Building Height:

The applicant is requesting a variance to building heights for Block C from 12.0 m (39.3 ft) to 12.69 m (41.6 ft) and Block E from 12.0 m (39.3 ft) to 12.88 m (42.2 ft). These structures are located at the rear of the parcel. (See Figure 11 for location of buildings requiring a variance). The request for a variance to height for Blocks C and E are to accommodate retaining walls that abut the structures where the natural terrain slopes steeply to the north. The retaining

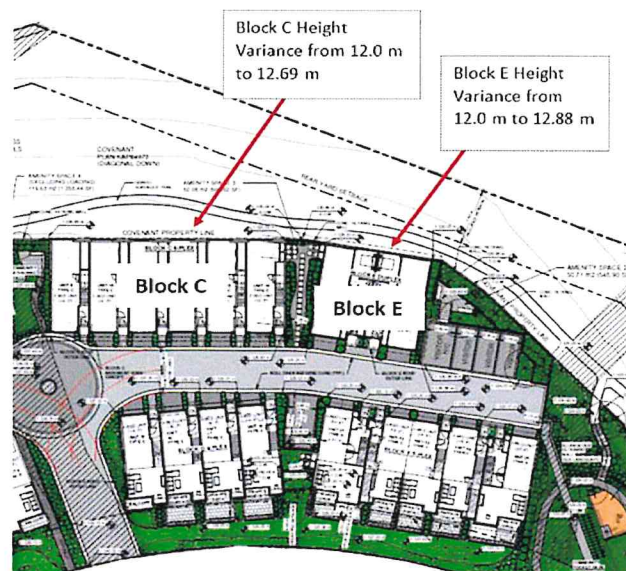


Figure 11: Location of Variances on Easter Half of Subject Property

BLOCK E BUILDING (Rear Elevation)

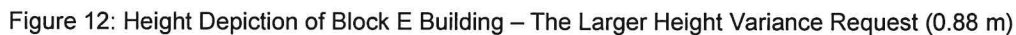


Figure 13: View into the Development Looking East

An aerial photograph of a residential development featuring several multi-story apartment buildings with dark roofs and light-colored facades. The buildings are arranged in a cluster. Four yellow squares are overlaid on the image, marking the locations of the four case studies: two on the left side and two on the right side of the central area.

Figure 14: Visual Breaks in Building Massing Shown in Yellow

blocked by the large evergreen trees located within the ESA covenant area. Staff are recommending support of this variance request.

Technical Review

The subject property can accommodate emergency vehicle access and has ensured that sightlines onto Upper Sundance Drive are not obstructed. The subject property can be serviced by community water and sewer, and there is sufficient capacity in existing systems. A geotechnical report indicates that the subject property is safe for the intended use and a sealed Landslide Assessment Assurance Statement has been provided.

Covenants

Title documents of interest registered on the subject property include the following:

- A No Build / No Disturb Covenant (LB122037) which requires the preservation of steepest slopes and existing vegetation (abutting the north and east parcel boundaries). This covenant includes the requirement for construction of a non-urban walkway through the covenant area at time of Development Permit; and
- An Easement (CA6169686) prohibiting construction of buildings or structures and securing three parking spaces in favour of the adjacent parcel (existing apartment development) on the southwestern corner of the subject property adjacent to Upper Sundance Drive

Public Notification

In accordance with the *Local Government Act*, letters were sent to all property owners and their tenants (311 notices) within 100 metres of the subject property (*Attachment 8*). A Development Application sign has been placed on the subject property in accordance with the Development Applications Procedures Bylaw No. 0260. As of the date of this report, fifteen submissions have been received from the public. These letters were received prior to the City's notification letter being sent out detailing the proposed variances, however they are attached to this report for Council's review (*Attachment 9*). Some of the correspondence appears to reflect a misunderstanding respecting the nature of the application citing opposition to proposed rezoning of the property.

Many of the letters are from residents of Camber Heights, a recent townhouse development located across Upper Sundance Drive from the subject property and zoned Medium Density Multiple Family Zone (R4). The concerns raised are in relation to:

- The density of the existing neighbourhood
- Traffic volumes and related safety concerns on Upper Sundance Drive
- The expectation of single family development on the subject property
- Impacts to existing views resulting from retaining the rear portion of the land in order to create more buildable area
- Associated building heights in relation to the previous decision to remove the apartment designation from the site.
- Lack of parking in the area and request for additional on-site parking
- Impacts of reduction in loading space
- Consideration/conformance to the Official Community Plan direction for low rise building form.

Delegations for Development Applications

In addition, the City has received a request from the developer of the adjacent Camber Heights development (Mr. Ryan Tamblyn) to address Council on this issue. As per Council's Policy:

3. Council may support an opportunity for both the applicant and members of the public to briefly address Council prior to Council considering the issuance of a development variance permit... Council may support such an opportunity regardless of whether the staff recommendation is to support or not support the application. Council may limit the time permitted.

Discussion

It is noted that on-street parking in the area continues to be a concern brought forward by local residents. This appears to be primarily related to the existing Sundance Ridge development, and construction related traffic associated with the current development in the area. However, the parking requirements (including visitor) as proposed by this application remain in accordance with the bylaw and the variance is only in relation to the required loading spaces.

Further, although a height variance is requested, the building heights for units fronting Sundance Drive are in accordance with the bylaw (2 storeys visible from Sundance Drive and <12 m in height). As the variance only pertains to several buildings at the rear of the site where the final roofline elevations are similar to those buildings fronting Sundance Drive, redesign of those units may not eliminate impacts to neighbouring properties.

Should Council wish to hear from the public on the matter, it is advisable to focus the discussion on the proposed variances, as Council and the applicant are bound to adhere to the Form and Character Development Permit Guidelines as outlined in the OCP.

ALTERNATE MOTIONS:

1. Postpone Consideration of Development Permit with Variances DP 18-36

THAT Council postpone consideration of Development Permit (DP 18-36).

Council may wish to postpone the issuance of the Development Permit and require the applicant to redesign components of the proposal in accordance with the City's Zoning Bylaw or Official Community Plan Development Permit Guidelines. Options to reduce the building heights/design may be explored to eliminate the need for a height variance.

2. Deny Consideration of Development Permit with Variances DP 18-36


THAT Council deny Development Permit (DP 18-36).

Council may wish to deny the requested variances and require the applicant to redesign the proposal in accordance with the City's Zoning Bylaw and/or Official Community Plan Development Permit guidelines. If the proposal was revised to avoid the proposed variances, the site plan and proposed building siting would have to be redesigned and the Development Permit would require further consideration by Council.


Respectfully submitted,



Jaleen Rousseau
Planner



Bob Dargatz
Development Manager




Brent Magnan
Planning Manager



Nancy Henderson
GM of Development Services

Approved for Agenda


for Jim Zaffino, CAO

June 6/19
Date

Powerpoint: Yes ☒ No ☐

Attachments:

1. Draft Development Permit with Variances DP 18-36 (not all documents attached)
2. Context Map
3. Subject Property Map
4. Site Plan and Architectural Design Drawings
5. Landscape Plan
6. Site Plan Depicting the Location of Requested Variances
7. Rendering Illustrating Retaining Wall Height Impacting Building Height
8. Public Notification Map
9. Public Letters



CITY OF WEST KELOWNA
DEVELOPMENT PERMIT WITH VARIANCES
DP 18-36

To: Krisma Developments Inc., Inc. No. BC1133039
 102-10277 154 Street
 Surrey, BC, V3R 4J7
 c/o
 Mara + Natha Architecture Ltd
 285 – 9600 Cameron St
 Burnaby, BC, V3J 7N3

1. This Permit is issued subject to compliance with all of the Bylaws of the City of West Kelowna applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies to and only to those lands within the City of West Kelowna described below, and any and all buildings, structures and other developments thereon:

LOT 1, DL 2044, ODYD, PLAN EPP74050
 (1980 Upper Sundance Drive)

3. This Permit allows the construction of 25 townhouse units in 6 buildings, up to three storeys in height and in the **Multiple Family and Intensive Residential Development Permit Area (DPA 3) Design Guidelines**, subject to the following conditions and related Schedules:
 - A. The siting, exterior design, and finish of buildings are to be in accordance with the Architectural submission (site plan, elevations, renderings, and materials and colour schedule) by Mara + Natha Architecture Ltd., dated November 2017, 24 Issued For DP Resubmission May 16 2019 and attached within Schedule "A" subject to the following:
 - B. The dimensions and siting of the structures to be constructed on the land be in accordance with Civil Engineering Drawings by CTQ Consultants Ltd., Drawings C-01 to C-05 for site servicing, grading, sediment control, and fire truck turning movements dated February 2019 and Functional Servicing Report dated February 14, 2019 and attached within Schedule "B".
 - C. The landscaping to be provided on the land be in accordance with Landscape Drawings and associated cost estimate by PD Group Landscape Architecture Ltd, dated September 10, 2018, REV 6 and attached within Schedule "C"; and
 - D. All construction activities to be conducted on the land be in general accordance with the Geotechnical Investigation Report by Geopacific, dated July 5, 2018 and attached within Schedule "D".
 - E. The following variances to Zoning Bylaw No. 0154 are included as part of this Development Permit:

- i. That the required number of loading spaces be reduced from 2 to 1;
- ii. That the maximum allowable collective retaining wall height be increased from 2.5 m to 3.8 m at the western terminus of the internal roadway;
- iii. That the maximum building height of Block C be increased from 12.0 m to 12.69 m;
- iv. That the maximum building height of Block E be increased from 12.0 m to 12.88 m and
- v. That the interior side parcel boundary be reduced from 4.5 m to 4.39 m.

4. As a condition of the issuance of this Permit the following requirements shall be satisfied:

- A. The City of West Kelowna is holding a landscape 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 the Permit within the time provided, the City of West Kelowna 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 below, the security shall be returned to the Permittee. There is filed accordingly:

An Irrevocable Letter of Credit or Bank Draft in the amount of \$213,361.90.

5. The land described herein shall be developed strictly in accordance with the terms and conditions of this Permit and any plans and specifications attached to this Permit, which shall form a part hereof. Should any changes be required to this permit, please ensure that you obtain written approval from City of West Kelowna prior to making any changes.
6. Construction abutting the No Disturb covenant area (LB122037) shall not impact the covenant area.
7. If this Development Permit has not been issued within one year from approval, Development Permit DP 18-36 with Variances shall be deemed to have been refused and the file will be closed.
8. **This Permit is not a Building Permit.**
9. Subject to the terms of the permit, where the holder of a permit issued under the *Local Government Act* does not substantially commence any construction with respect to which the permit was issued within one year after the date it is issued, the permit lapses.

AUTHORIZING RESOLUTION NO. CXXX/19 PASSED BY THE MUNICIPAL COUNCIL ON JUNE XX, 2019.

Signed on _____

City Clerk

I hereby confirm that I have read and agree with the conditions of Development Permit DP 18-36 with Variances and will ensure that copies of the Permit will be provided to onsite personnel at time of construction.

Signed on _____

Property Owner or Agent

ISSUED on _____

Attached Schedules:

Schedule "A"

1. Mara + Natha Architecture Ltd., dated November 2017, 24 Issued For DP Resubmission May 16 2019

Schedule "B"

1. Civil Engineering Drawings by CTQ Consultants Ltd., Drawings C-01 to C-05 dated February 2019

Schedule "C"

1. Landscape Plan and Associated Cost Estimate by PD Group Landscape Architecture Ltd, dated September 10, 2018, REV 6

Schedule "D"

1. Geotechnical Investigation Report by Geopacific, dated July 5, 2018 Rock Fall Protection Email dated

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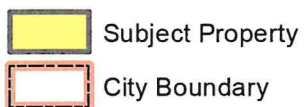
CITY OF
WEST
KELOWNA

CONTEXT MAP: DP 18-36



File: DP 18-36

Legal Description: Lot 1, DL 2044, ODYD, Plan EPP74050



0 150 300 600 Metres





SUBJECT PROPERTY: DP 18-36



File: DP 18-36

Legal Description: Lot 1, DL 2044, ODYD, Plan EPP74050

LEGEND

- Subject Property
- Zoning Boundary
- Parcels

0 35 70 140 Metres

1:2,500



Date: 2018-11-14

25 TOWNHOMES AT 1980 UPPER SUNDANCE DRIVE, WEST KELOWNA, B.C.

[illegible]

Revision Schedule		
No	Description	Date
1	ISSUED FOR PERMITS	MAY 11 2017
2	ISSUED FOR PERMITS	MAY 11 2017
3	ISSUED FOR PERMITS	MAY 11 2017
4	ISSUED FOR PERMITS	MAY 11 2017
5	ISSUED FOR PERMITS	MAY 11 2017
6	ISSUED FOR PERMITS	MAY 11 2017
7	ISSUED FOR PERMITS	MAY 11 2017
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WEST KELOWNA TOWNHOUSE DEVELOPMENT

1880 UPPER SUNDANCE DRIVE
WEST KELOWNA, B.C.

RENDERINGS

Sheet No. A00a

171102

NOVEMBER 2017

SIGN & SEAL

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ASDC: A00, A0A, A0B





24	RENDERING FOR UP-TO-DATE PRELIMINARY DESIGN	SEP 13 2016	14	RENDERING FOR LANDSCAPE ARCHITECT	SEP 13 2016	8	RENDERING FOR COORDINATION	SEP 13 2016	Project Name	1880 UPPER SUNDANCE DRIVE WEST KELOWNA, B.C.	Sheet No.	A00b	Client Name	RENDERINGS	Project No.	171102	Start of Project	NOVEMBER 2017	Sign & Seal	NOVEMBER 2017
23	RENDERING FOR UP-TO-DATE PRELIMINARY DESIGN	SEP 13 2016	13	RENDERING FOR CLIENT REVIEW	SEP 13 2016	7	RENDERING FOR COORDINATION	SEP 13 2016	Project Name	1880 UPPER SUNDANCE DRIVE WEST KELOWNA, B.C.	Sheet No.	A00b	Client Name	RENDERINGS	Project No.	171102	Start of Project	NOVEMBER 2017	Sign & Seal	NOVEMBER 2017
22	RENDERING FOR UP-TO-DATE PRELIMINARY DESIGN	SEP 13 2016	12	RENDERING FOR CLIENT REVIEW	SEP 13 2016	6	RENDERING FOR CLIENT REVIEW	SEP 13 2016	Project Name	1880 UPPER SUNDANCE DRIVE WEST KELOWNA, B.C.	Sheet No.	A00b	Client Name	RENDERINGS	Project No.	171102	Start of Project	NOVEMBER 2017	Sign & Seal	NOVEMBER 2017
21	RENDERING FOR UP-TO-DATE PRELIMINARY DESIGN	SEP 13 2016	11	RENDERING FOR CLIENT REVIEW	SEP 13 2016	5	RENDERING FOR CLIENT REVIEW	SEP 13 2016	Project Name	1880 UPPER SUNDANCE DRIVE WEST KELOWNA, B.C.	Sheet No.	A00b	Client Name	RENDERINGS	Project No.	171102	Start of Project	NOVEMBER 2017	Sign & Seal	NOVEMBER 2017
20	RENDERING FOR UP-TO-DATE PRELIMINARY DESIGN	SEP 13 2016	10	RENDERING FOR CLIENT REVIEW	SEP 13 2016	4	RENDERING FOR CLIENT REVIEW	SEP 13 2016	Project Name	1880 UPPER SUNDANCE DRIVE WEST KELOWNA, B.C.	Sheet No.	A00b	Client Name	RENDERINGS	Project No.	171102	Start of Project	NOVEMBER 2017	Sign & Seal	NOVEMBER 2017
19	RENDERING FOR UP-TO-DATE PRELIMINARY DESIGN	SEP 13 2016	9	RENDERING FOR CLIENT REVIEW	SEP 13 2016	3	RENDERING FOR CLIENT REVIEW	SEP 13 2016	Project Name	1880 UPPER SUNDANCE DRIVE WEST KELOWNA, B.C.	Sheet No.	A00b	Client Name	RENDERINGS	Project No.	171102	Start of Project	NOVEMBER 2017	Sign & Seal	NOVEMBER 2017
18	RENDERING FOR UP-TO-DATE PRELIMINARY DESIGN	SEP 13 2016	8	RENDERING FOR CLIENT REVIEW	SEP 13 2016	2	RENDERING FOR CLIENT REVIEW	SEP 13 2016	Project Name	1880 UPPER SUNDANCE DRIVE WEST KELOWNA, B.C.	Sheet No.	A00b	Client Name	RENDERINGS	Project No.	171102	Start of Project	NOVEMBER 2017	Sign & Seal	NOVEMBER 2017
17	RENDERING FOR UP-TO-DATE PRELIMINARY DESIGN	SEP 13 2016	7	RENDERING FOR CLIENT REVIEW	SEP 13 2016	1	RENDERING FOR CLIENT REVIEW	SEP 13 2016	Project Name	1880 UPPER SUNDANCE DRIVE WEST KELOWNA, B.C.	Sheet No.	A00b	Client Name	RENDERINGS	Project No.	171102	Start of Project	NOVEMBER 2017	Sign & Seal	NOVEMBER 2017

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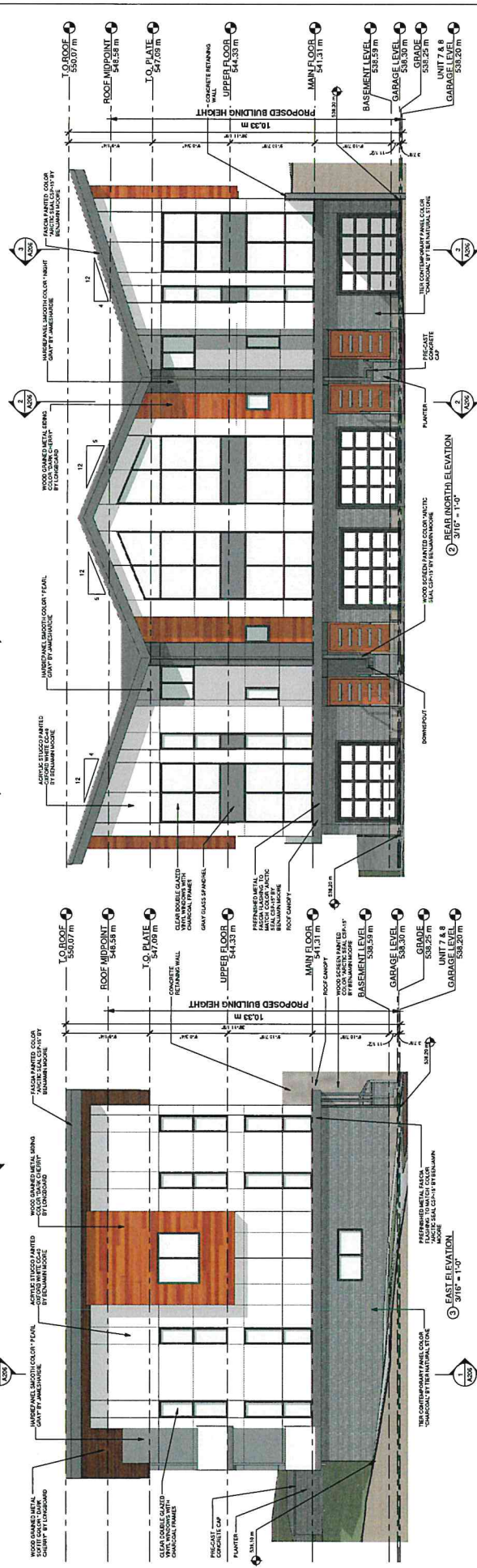
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<p>WEST KELOWNA TOWNHOUSE DEVELOPMENT</p>	<p>Project Address 1980 UPPER SUNDANCE DRIVE WEST KELOWNA, B.C.</p>
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Street Name

Sheet No.	A00c
Project No.	171102
Start of Project	NOVEMBER 2017

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[illegible]

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AIBC #344 546

① BLOCK B EAST-WEST SECTION
3/16" = 1'-0"

2 BLOCK B NORTH-SOUTH SECTION

3 BLOCK B M

[illegible]

No	Description	Date
24		
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22	SELECTED FOR UP REVISIONS	MAY 11 2017
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1	SELECTED FOR UP REVISIONS	MAY 11 2017

WEST KELOWNA TOWNHOUSE DEVELOPMENT

Project Address
1860 UPPER SUNDADE DRIVE
WEST KELOWNA, B.C.

Block C
NORTH AND SOUTH
ELEVATIONS

Sheet No.
A304

Project No.
171102

Date of Issue
NOVEMBER 2017

Scale
1:100

Sign & Seal
I am a registered professional architect and I certify that this drawing was prepared by me or under my direct supervision and that I am a member of the British Columbia Association of Architects (B.C.A.A.) and the Canadian Council of Registered Architects and Engineers (CCRAE).

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ANSI: A4.4, 5.14



1 FRONT (SOUTH) ELEVATION
3/16" = 1'-0"



2 REAR (NORTH) ELEVATION
3/16" = 1'-0"

Revision Schedule

No	Description	Date
1	ISSUED FOR PERMIT	MAY 11 2017
2	ISSUED FOR PERMIT	MAY 11 2017
3	ISSUED FOR PERMIT	MAY 11 2017
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WEST KELOWNA TOWNHOUSE DEVELOPMENT

Project Address
1880 UPPER SUNDANCE DRIVE
WEST KELOWNA, B.C.

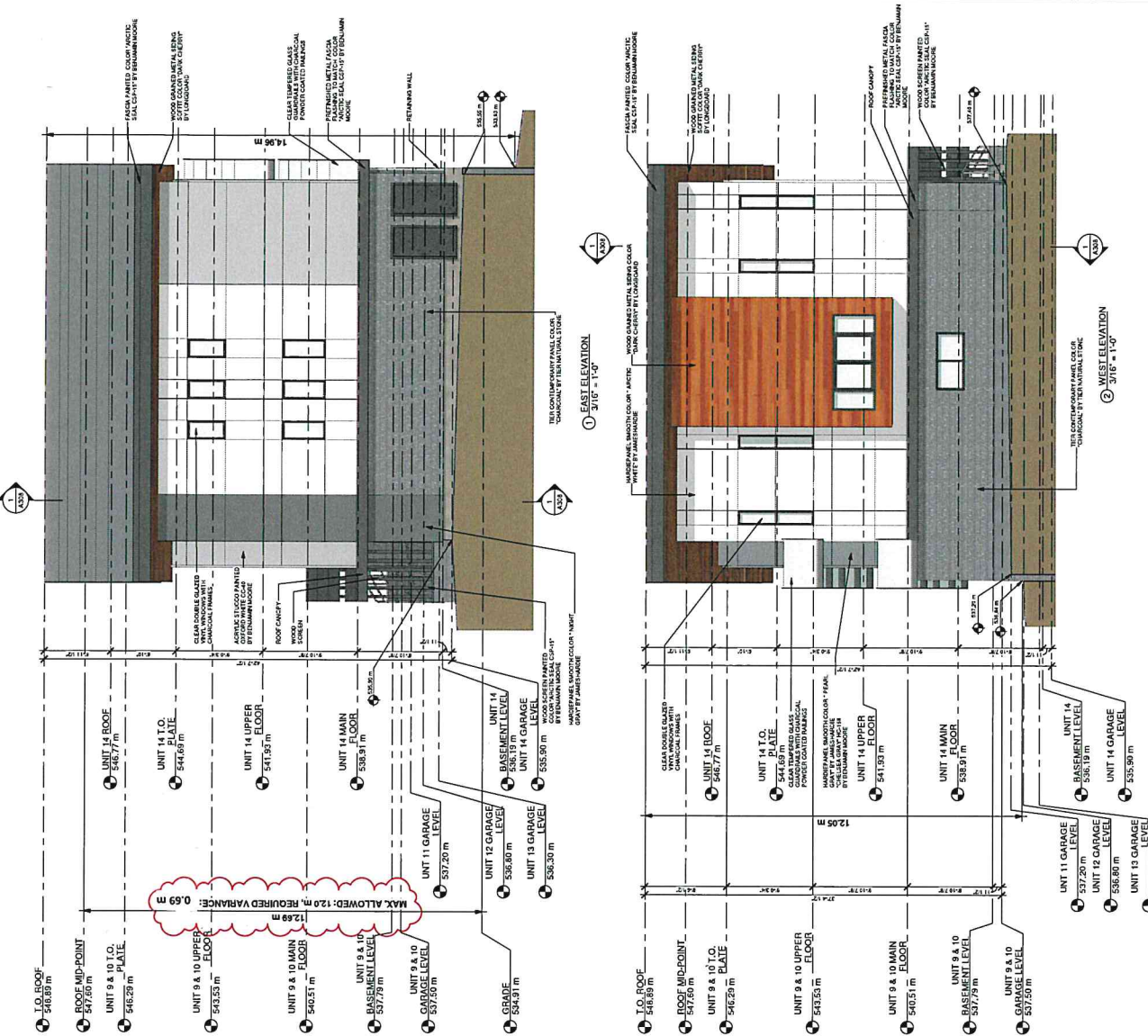
BLOCK C EAST AND WEST ELEVATION

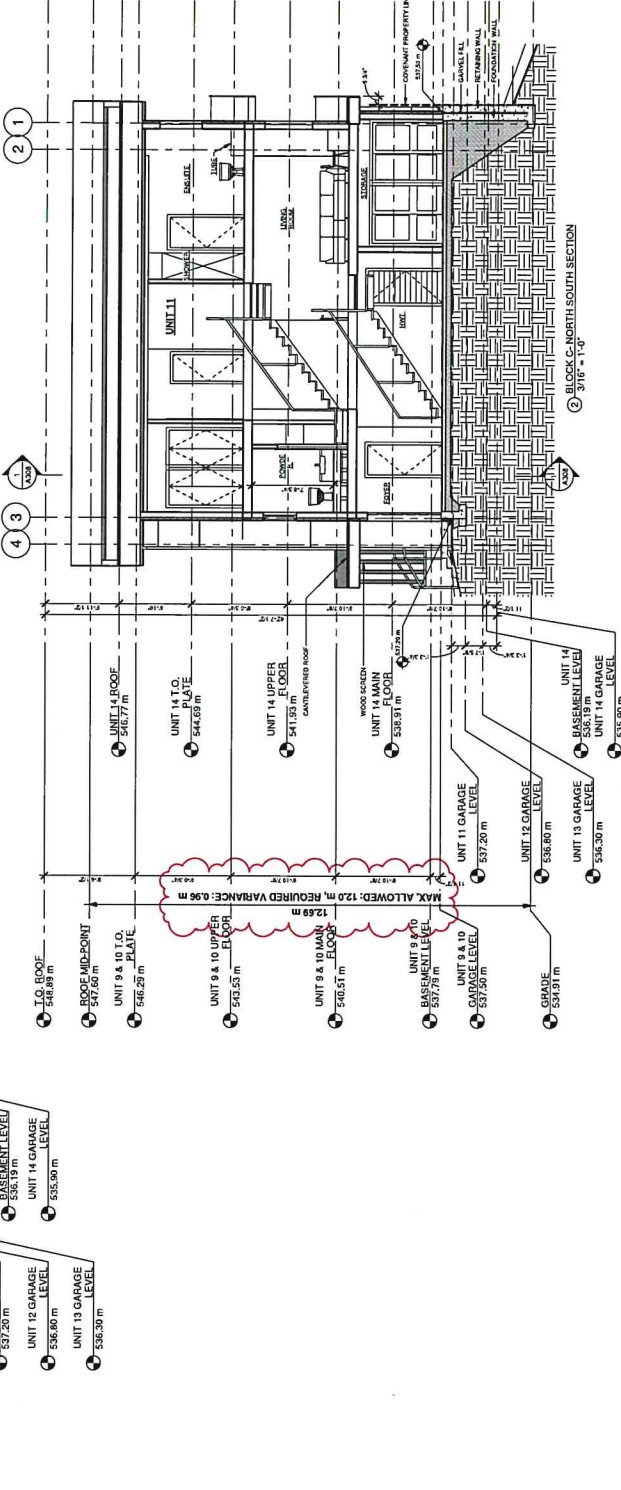
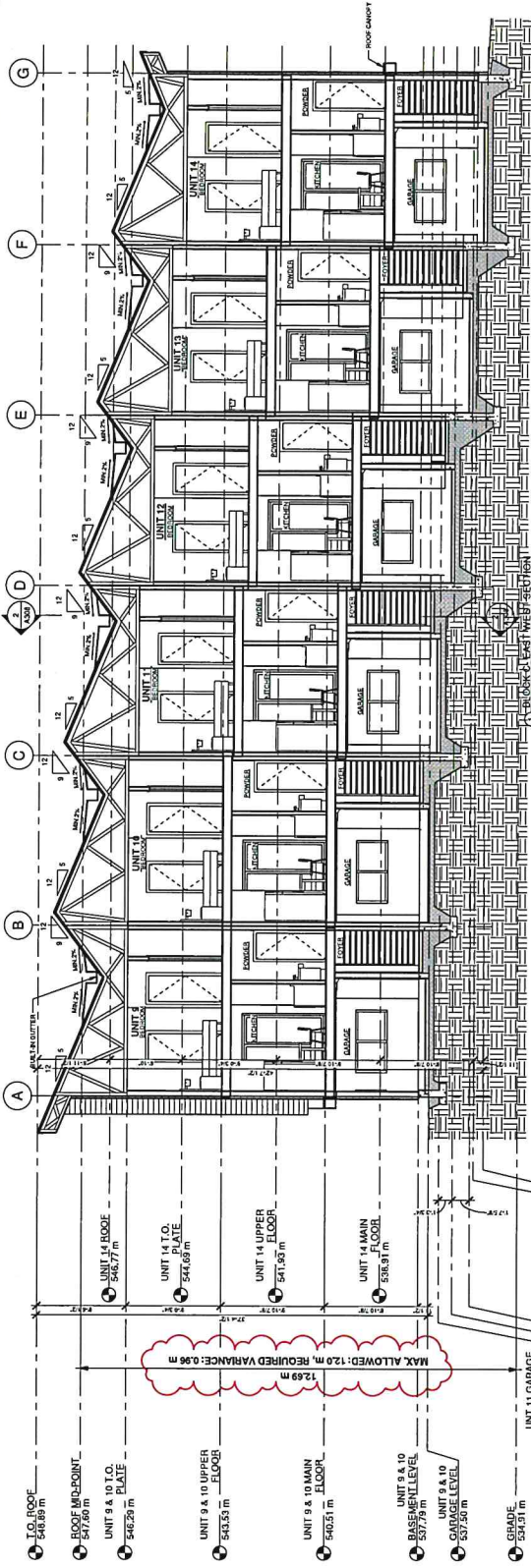
Sheet No. A306
Project No. 171102
Date of Issue NOVEMBER 2017

Prepared by: [Name]
Checked by: [Name]
Approved by: [Name]
Scale: 1/8" = 1'-0"

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NSIC: A44, S44





<p>WEST KELOWNA TOWNHOUSE DEVELOPMENT</p> <p>1980 UPPER SUNDADE DRIVE WEST KELOWNA, B.C.</p>		<p>BLOCK C BUILDING SECTIONS</p> <p>A308</p>		<p>MARA + NATHA ARCHITECTURE LTD.</p> <p>295 - 1000 Commons Street Burnaby B.C. V3J 7P6</p> <p>O: 604-430-2333</p> <p>C: 604-430-2413</p> <p>E: info@maranatha.com</p> <p>Web: www.maranatha.com</p>	
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24	14	BRIEF FOR LANDSCAPE ARCHITECT	SEP 12 2017	7	BRIEF FOR COORDINATION	JAN 12 2018	Project Name 1980 UPPER SUNDANCE DRIVE WEST KELOWNA, B.C.	Block E ELEVATIONS	Sheet No. A503	Project No. 171102	Start of Project NOVEMBER 2017	<p>These plans are FOR INFORMATION ONLY and ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED.</p> <p>These plans are the property of MARA & NAIHA ARCHITECTURE LTD. and are not to be reproduced, copied, or used in any way without the written consent of MARA & NAIHA ARCHITECTURE LTD.</p> <p>© 2017 MARA & NAIHA ARCHITECTURE LTD. All rights reserved.</p> <p>Website: www.maraandnaiha.com</p>
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Revision Schedule[illegible]WEST KELOWNA
TOWNHOUSE
DEVELOPMENT

Project Address:
1980 UPPER SUNDANCE DRIVE
WEST KELOWNA, B.C.

Sheet Name

BLOCK E

BUILDING SECTIONS

Sheet Name

BLOCK E

BUILDING SECTIONS

Sheet No. **A505**

Project No. 171102

Start of Project

NOVEMBER 2017

SIGN & SEAL

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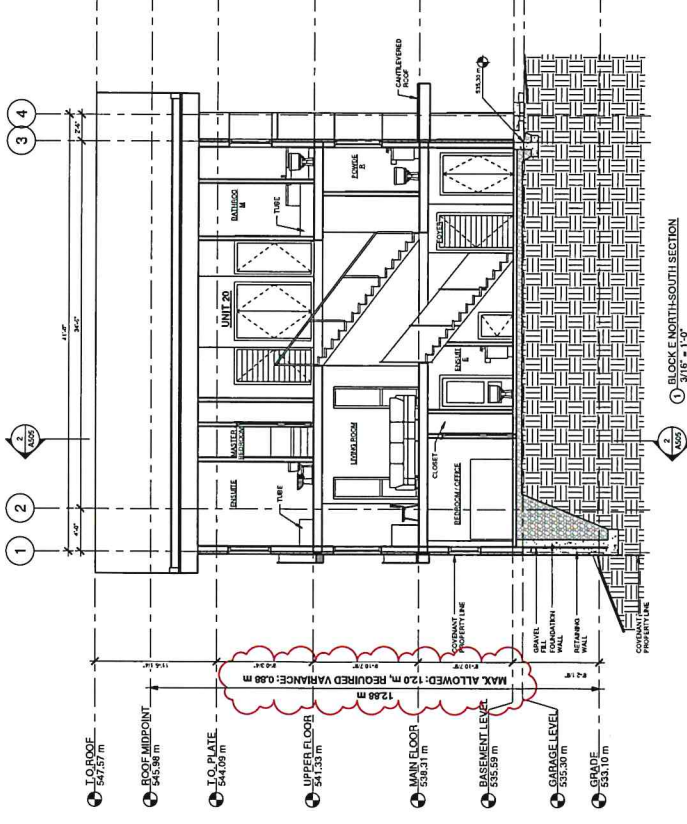
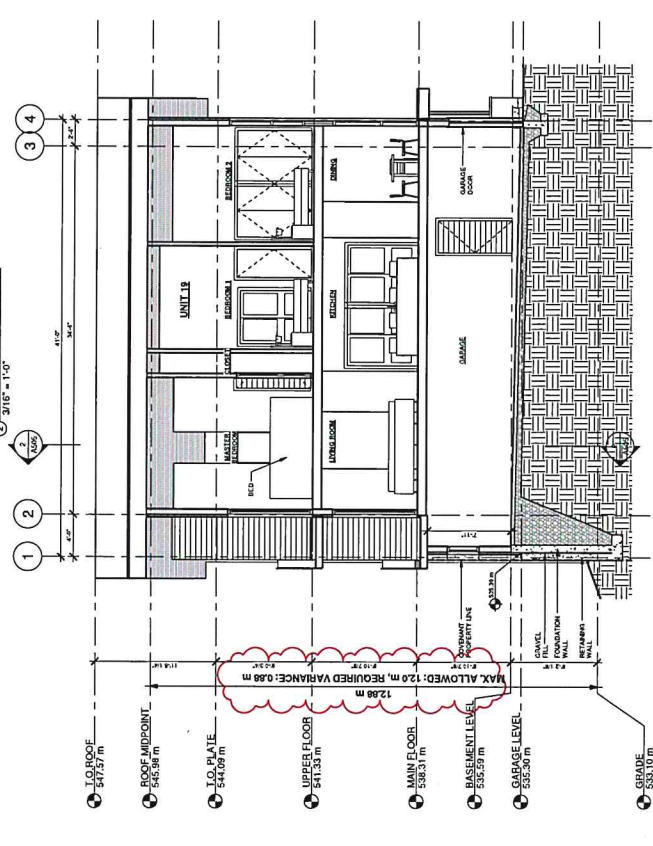
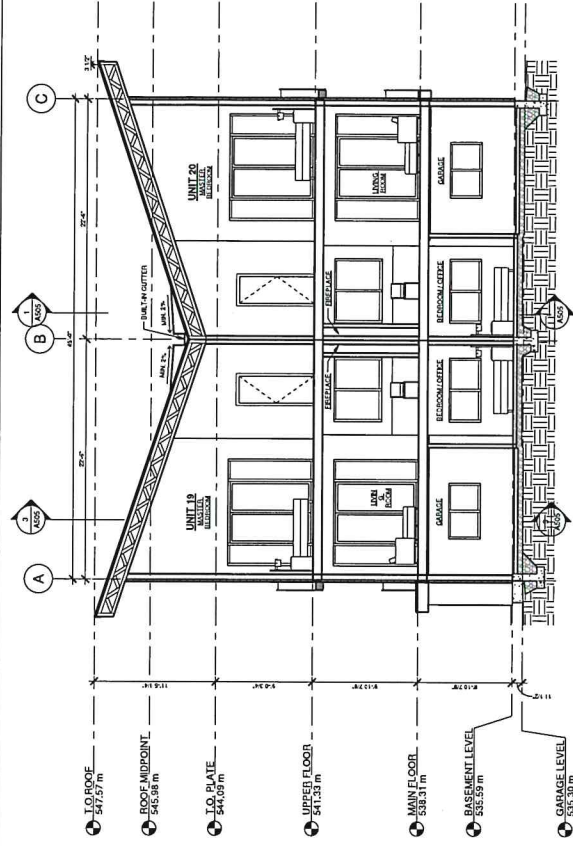
MARA + NATHA
ARCHITECTURE LTD.
285 - 9500 Cameron Street Burnaby B.C. V3J 7H4

O: 504. 420-2233
C: 504. 970-6413

Email: rob@marantz.com
Web: www.marantz.com

AIRC. AAA, SAA

AIRC. AAA, SAA



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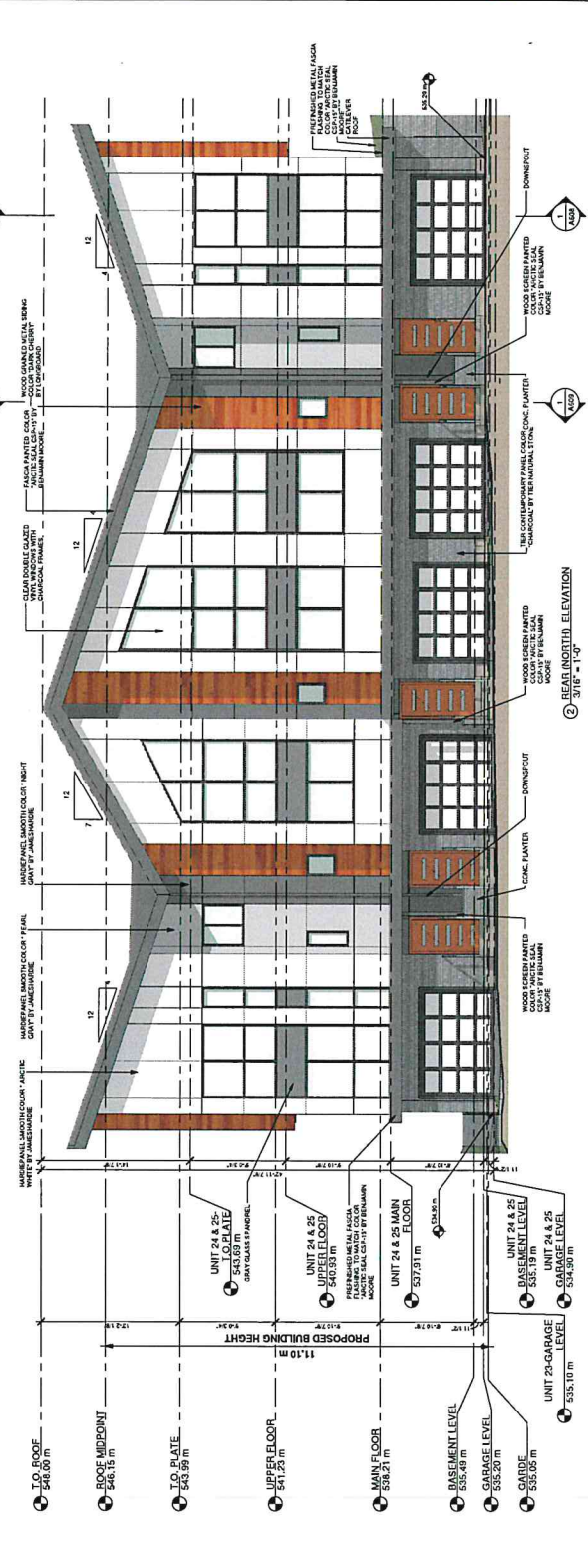
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1980 UPPER SUNDANCE DRIVE
WEST KELOWNA, B.C.

Sheet No.	A604
Project No.	171102
Start of Project	NOVEMBER 2017

SIGN & SEAL

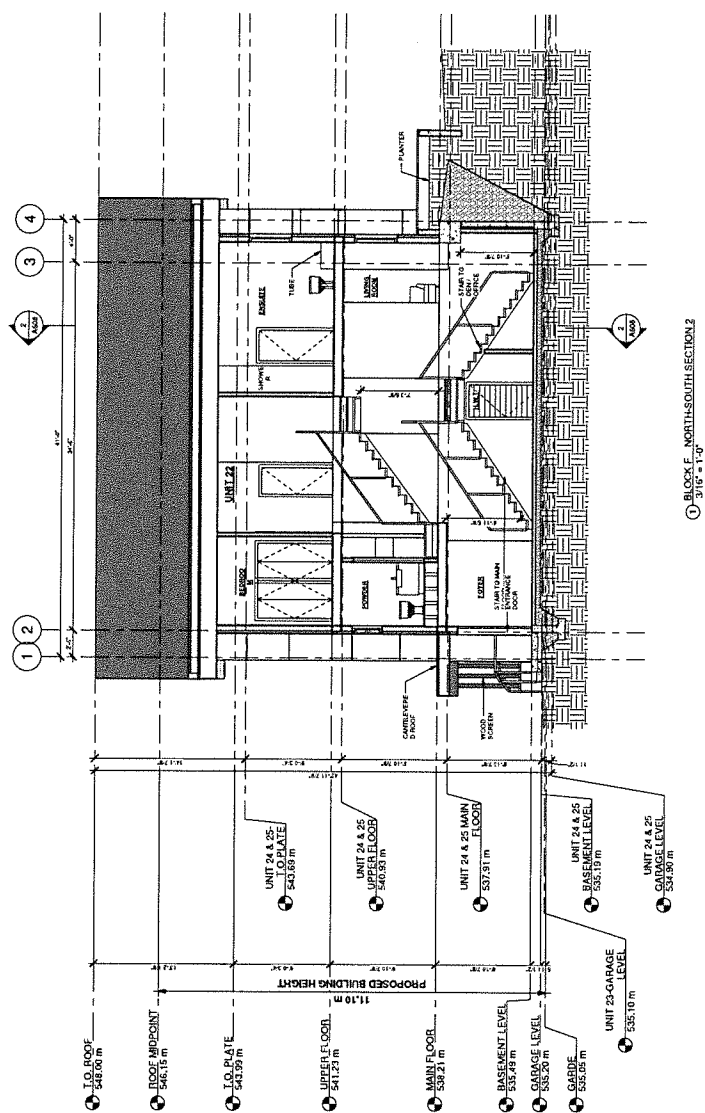
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Web: www.maranath.com



FRONT (SOUTH) ELEVATION

2. REAR (NORTH) ELEVATION



24	25	26	27	28	29	30	31
14	15	16	17	18	19	20	21
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**WEST KELOWNA
TOWNHOUSE
DEVELOPMENT**

5' over Name

BLOCK F

BUILDING SECTIONS

Street No.	A609
Project No.	171102
Start of Project	NOVEMBER 2017

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E-mail: info@maranath.com
Web: www.maranath.com



Overall Landscape Plan

CLIENT
Mani Bagga
3018 Calgary Trail NW
Edmonton, AB T6C 2B4

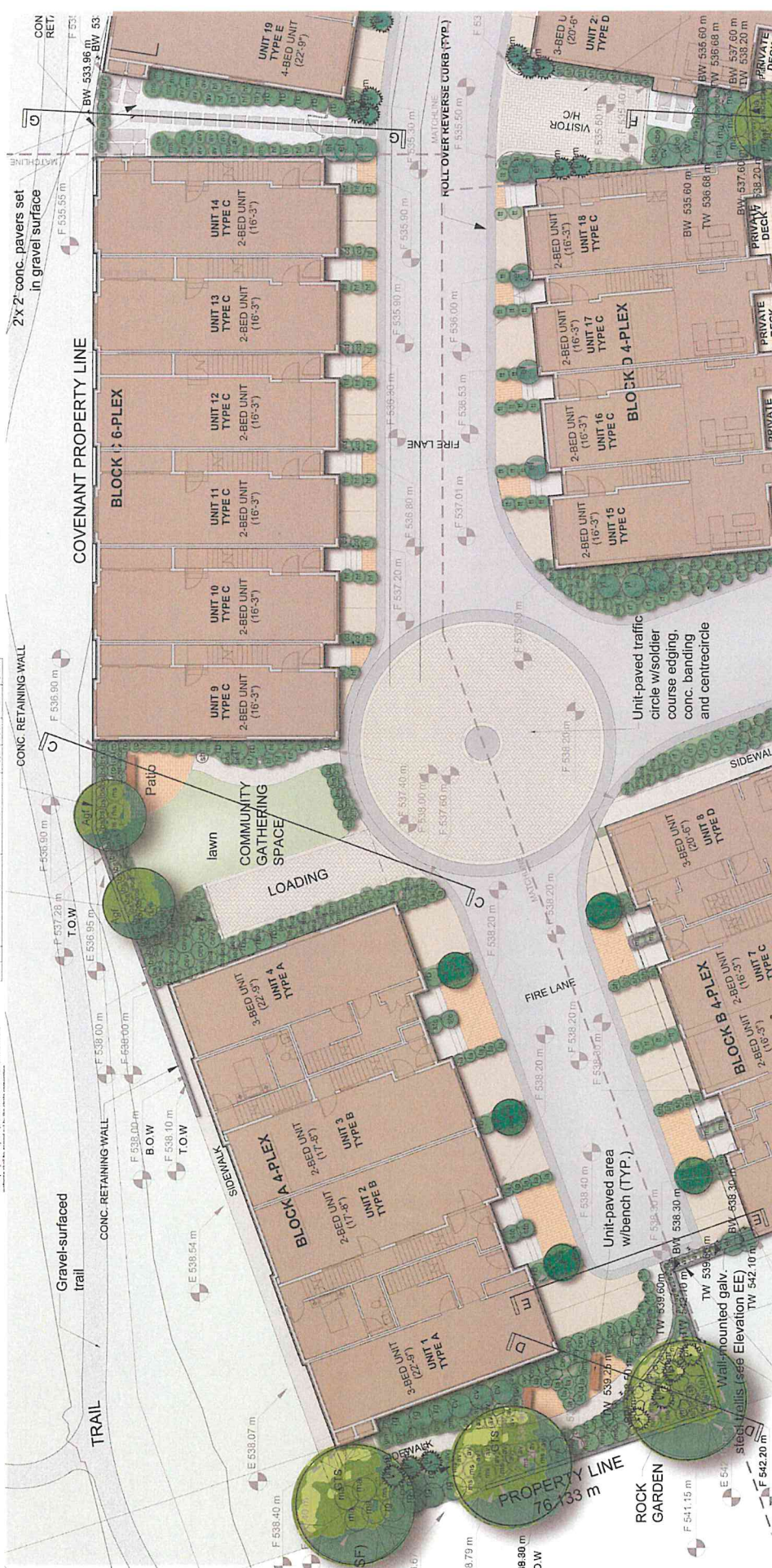
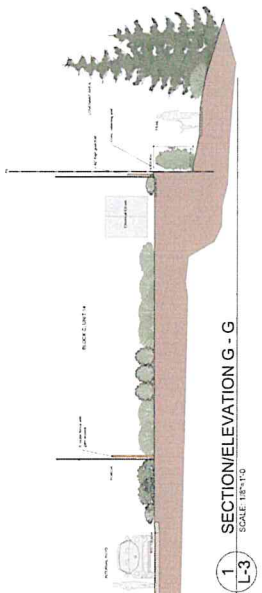
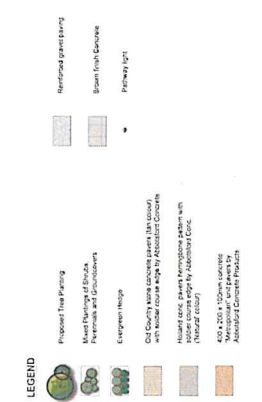
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25-Unit Townhouse Project
25-Unit Townhouse Project
25-Unit Townhouse Project

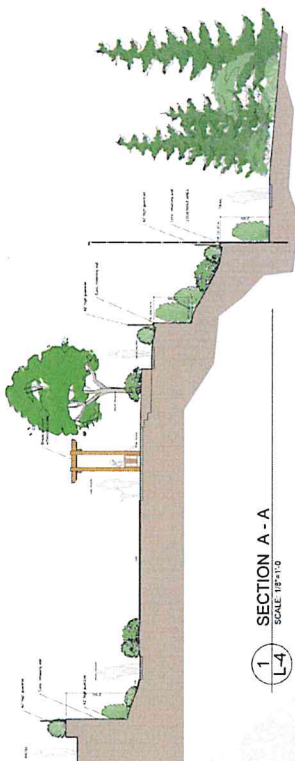
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Landscape Cost Estimate

1980 Upper Sundance Dr. W. Kelowna BC

Prepared by PD Group Landscape Architecture Ltd.
based on Landscape Drawings issued 24 April 2019

T: 604-904-9803

27/05/2019

Item	Off-site Quantity	On-site Quantity	Unit	Unit Price	Off-site Subtotal	On-site Subtotal
PLANTED AREAS:						
Decid. Tree 8cm cal.	10	24	ea.	600.00	6,000.00	14,400.00
Shrubs #5 pot		24	ea.	35.50	0.00	852.00
Shrubs #3 pot		114	ea.	25.00	0.00	2,850.00
Shrubs #2 pot		266	ea.	22.00	0.00	5,852.00
Specimen Shrub		10	ea.	25.00	0.00	250.00
Perennials #2 pot		561	ea.	12.00	0.00	6,732.00
Perennials #1 pot		561	ea.	12.00	0.00	6,732.00
50 cm Boxwood Hedge		31	ea.	28.00	0.00	868.00
Groundcover #2 pot		126	ea.	15.00	0.00	1,890.00
Grasses #3 pot		34	ea.	22.00	0.00	748.00
Grasses #2 pot		481	ea.	22.00	0.00	10,582.00
Growing Medium (450mm depth)	100	470	cu. m.	60.00	6,000.00	28,170.00
Mulch (50mm depth)		38	cu. m.	35.00	0.00	1,330.00
Subtotal:					12,000.00	81,256.00

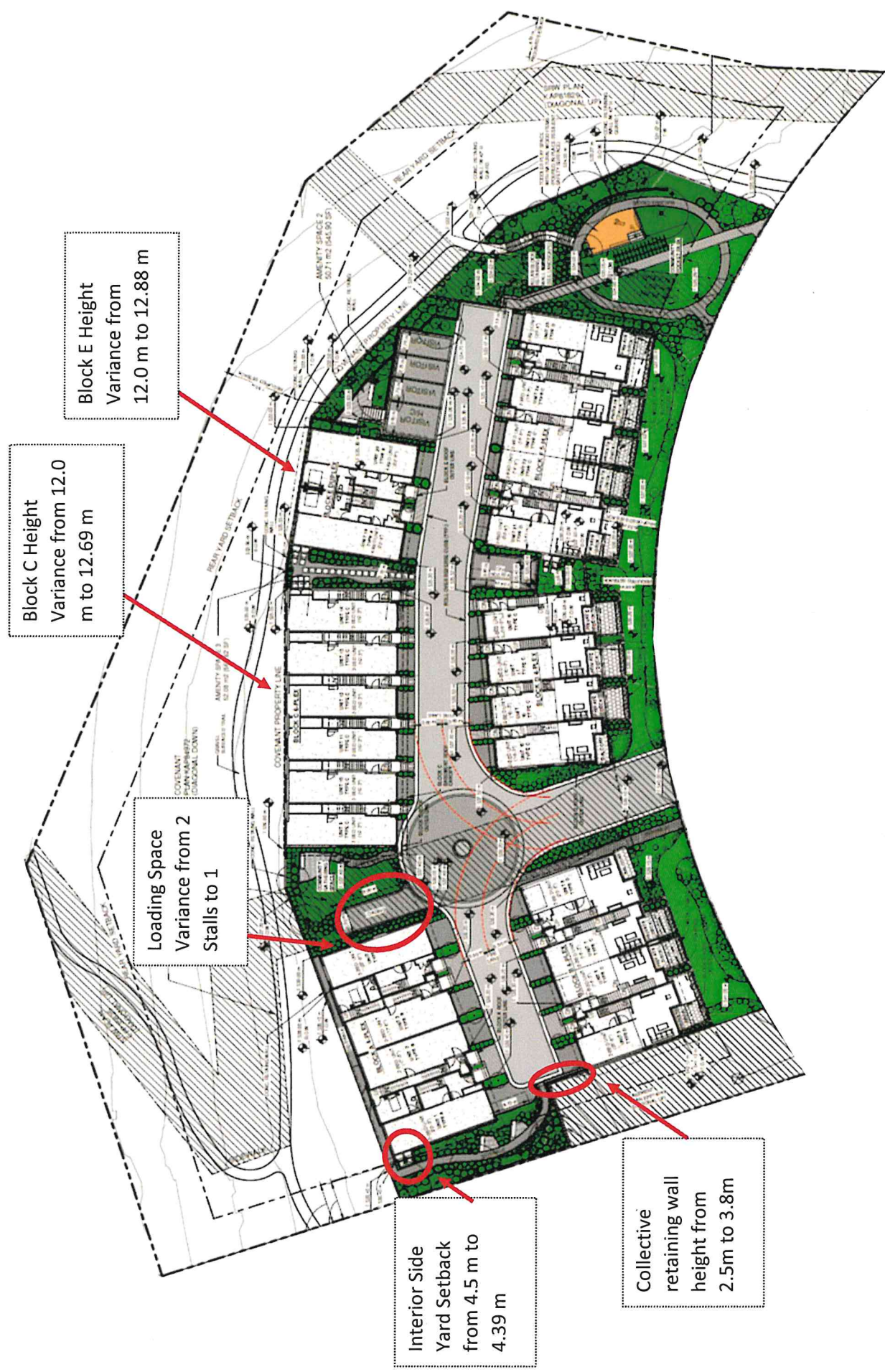
LAWN AREAS:						
Sod	90	300	sq. m.	10.00	900.00	3,000.45
Growing Medium (150mm depth)	14	45	cu. m.	60.00	810.00	2,700.00
Subtotal:					1,710.00	5,700.45

Grand Total Soft Landscaping					13,710.00	86,956.45
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HARD LANDSCAPE/SITE FURNISHINGS						
45 x 45cm Hydrapressed Concrete Unit Pavers	120	sq.m.	65.00	0.00	7,800.00	
Holland Concrete Unit Pavers	133	sq.m.	85.00	0.00	11,305.00	
Metropolitan Conc. Unit Pavers	96.5	sq.m.	125.00	0.00	12,062.50	
Reinforced gravel surface	120.25	104	sq.m.	50.00	6,012.50	5,200.00
Poured-in-place rubber crumb play area surface	18.5	sq.m.	175.00	0.00	3,237.50	
Trellis Shade Structure w/benches	1	Item	9,500.00	0.00	9,500.00	
Free-standing benches (MLB 1050 with back)	5	ea	1,750.00	0.00	8,750.00	
Natural timber play features	Group	Item	2,250.00	0.00	2,250.00	
Irrigation system	1	Item	15,500.00	0.00	15,500.00	
Grand Total Hard Landscaping/Site Furnishings				6,012.50	75,605.00	
Total Landscape Costs					19,722.50	162,561.45
Plus GST @ 5%					986.13	8,128.07
GRAND TOTALS					20,708.63	170,689.52

NOTE: Above costs include for supply and installation

SITE PLAN DEPICTING THE LOCATION OF REQUESTED VARIANCES



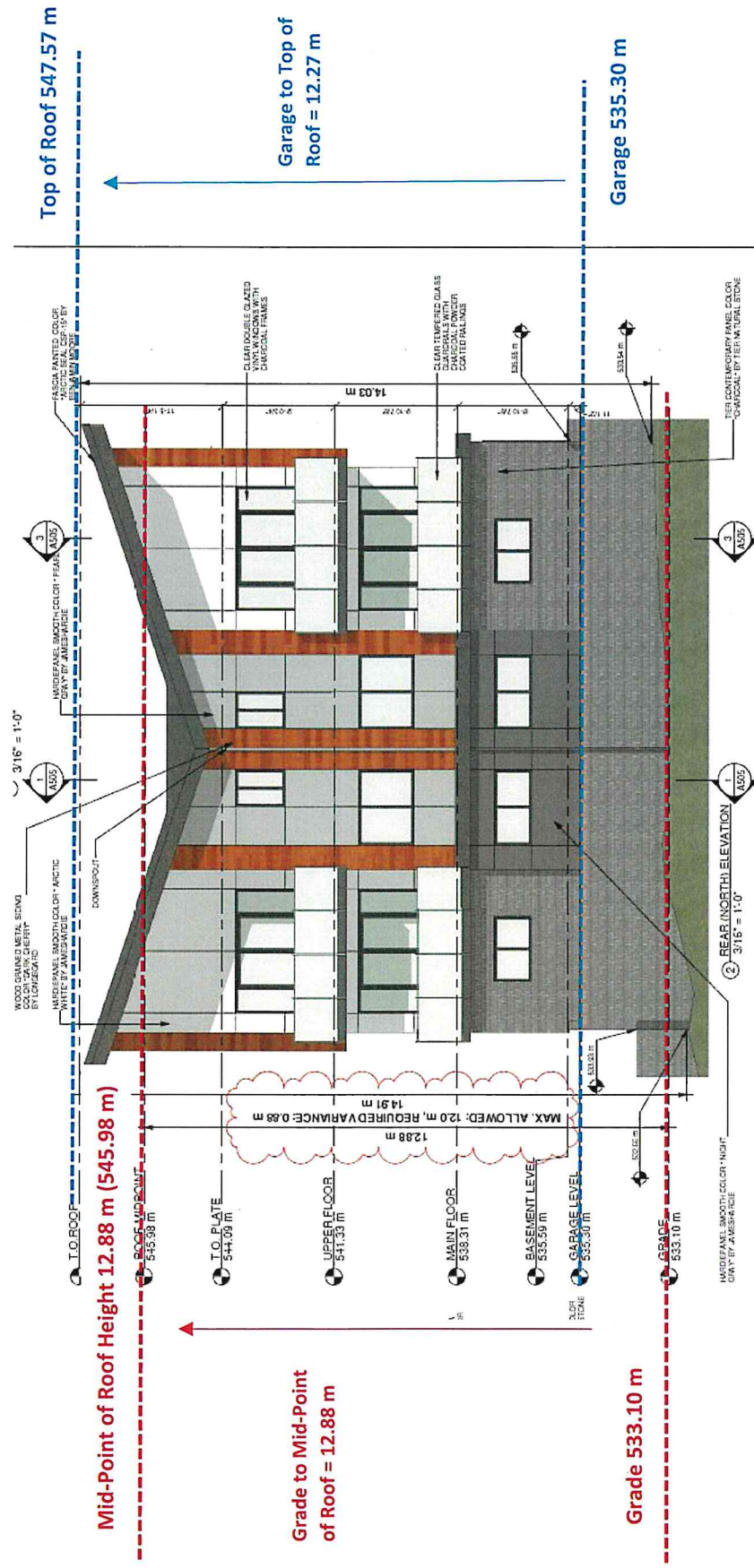
[illegible]

West Kelowna Zoning Bylaw Part 2 – Interpretation:

HEIGHT means, for multiple residential buildings and non-residential buildings, the vertical distance measured from grade to the highest point of the roof surface of a flat roof or the mid-point between eave and ridge of a sloped roof.

GRADE means the lowest of the average levels of finished ground adjoining each exterior wall of a building, except that localized depressions such as those used or intended for vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground.

BLOCK E BUILDING (Rear Elevation)



*The City's Zoning Bylaw dictates the manner in which grade is determined and height. Height is measured differently based on type of development (i.e. accessory structure, single family dwelling, multi-family dwelling, etc)

West Kelowna Zoning Bylaw Part 2 – Interpretation:

HEIGHT means, for multiple residential buildings and non-residential buildings, the vertical distance measured from grade to the highest point of the roof surface of a flat roof or the mid-point between eave and ridge of a sloped roof.

GRADE means the lowest of the average levels of finished ground adjoining each exterior wall of a building, except that localized depressions such as those used or intended for vehicle or pedestrian entrances need not be considered in the determination of average levels of finished ground.

DP 18-36 with Variances GIS Mail Notification Map



Legend

Landmarks

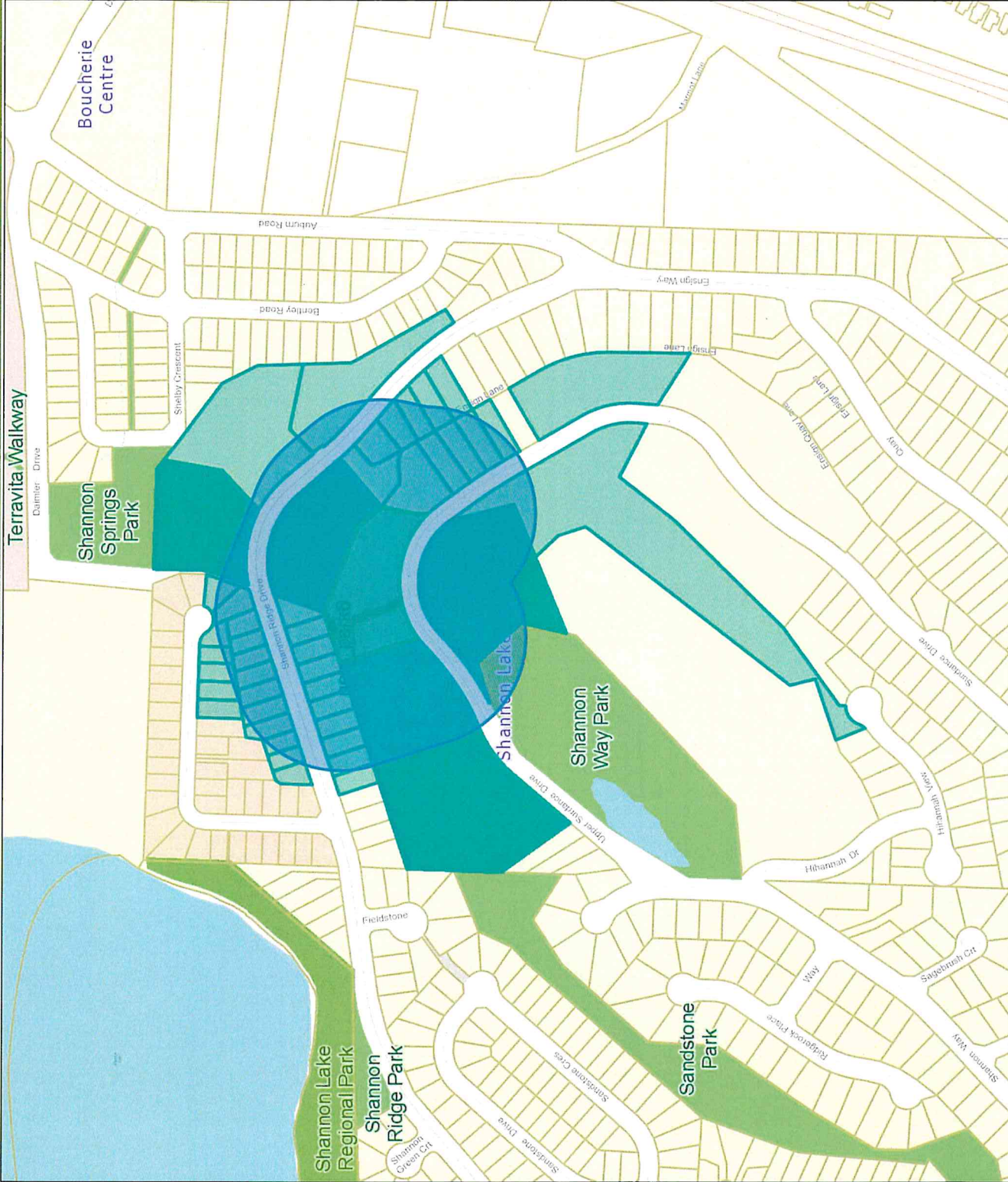
- Cemetery
- City Hall
- Community Centre
- Dam
- Fire Hall
- Museum

Basemap Layers

- VK Admin Boundary
- Regional Admin Boundary
- Highway
- River / Stream
- Intermittent Stream
- Parcels
- Ownership
- Land Stairs
- Building Strata
- Common Property
- Crown Land
- Waterbody
- Lake Access
- Regional Park
- Municipal Park
- Westbank First Nation
- Lease
- Park
- Read Right-Of-Way
- Walkway
- Common Access

Scale 1 : 5,129

Notes



This map has been produced by the City of West Kelowna's Geographic Information System. The data provided is derived from a variety of sources with varying levels of accuracy. The City of West Kelowna makes no warranty or representation, expressed or implied, with the regard to the correctness, accuracy and/or reliability of the information contained herein.



0 130 261 Meters

Map Projection: NAD_1983_UTM_Zone_11N

© City of West Kelowna (2015)

Map Produced on: 5/24/2019 9:33:35 AM

May 26, 2019

To: City of West Kelowna

Regarding: 1980 Upper Sundance Drive development proposal

Please be advised that as owners of #20 – 2161 Upper Sundance Drive (Camber Heights) - we are highly opposed to the acceptance of any requested variances to building height, retaining wall height, parking, and side parcel boundary distance for the proposed development on 1980 Upper Sundance Drive. Camber Heights development has obviously considered and adhered to the City of West Kelowna's residential building rules and restrictions and considered, expected, and relied on the same adherence for any and all future developments around Camber Heights prior to building for a variety of salient reasons including value determination. Fortright approval of the requested variance changes would obviously negate the intended rationale for residential building standards and not only impact Camber Heights aesthetics and property value, however, it may also prove to impact prospective developers from considering West Kelowna as a trustworthy and viable city to invest. Simply put, from our perspective acceptance of the variances request would be an unjust and unacceptable violation that may have far-reaching implications.

Thank you for *opposing* the request for variances.

Sincerely,

Shane Henry & Marylene Rivet

From: Mike Anderson [REDACTED]
Sent: May-15-19 5:02 PM
To: MayorAndCouncil <mayorandcouncil@westkelownacity.ca>; Jaleen Rousseau <Jaleen.Rousseau@westkelownacity.ca>
Cc: Mike Anderson [REDACTED]; Ryan Tamblyn [REDACTED]
Subject: Proposed development permit

To Whom it may concern;

Regarding the development permit for 1980 Upper Sundance drive.

It has come to my attention that the permit is requesting variances in building height, retaining wall height, parking and side parcel boundary distance.

I hope this council will not accept this clear attempt to bypass the zoning requirements as it will have a profound impact the beautiful views we have, add more cars to an already crowded street parking situation and definitely devalue our home.

- We do not think the building height variance is on the best interest of the entire area
- The retaining wall variance is a way to lift the ground to add even more height (obviously to bypass height restrictions)
- Asking for 5 parking + 1 handicap spots for 25 units will force a lot of cars to park on the street

Kind Regards
Mike and Sonia Anderson
#18 2161 Upper Sundance Drive
West Kelowna, V4T 3M9

From: Connie Hattum [REDACTED]
Sent: May 16, 2019 3:20 PM
To: MayorAndCouncil <mayorandcouncil@westkelownacity.ca>; Jaleen Rousseau <Jaleen.Rousseau@westkelownacity.ca>
Cc: Ryan Tamblyn [REDACTED]
Subject: Concerns re Variance Requests for 1980 Upper Sundance Drive

Hello,

I am a homeowner at Camber Heights 2161 Upper Sundance Drive in West Kelowna. I have just recently purchased this property.

I have become aware that there is a development permit pending for 1980 Upper Sundance Drive across the street from Camber Heights that is requesting variances in building height, retaining wall height, parking and side parcel boundary distance. I understand that this request, if granted, would violate the zoning requirements by exceeding the building height limits, raising the ground height of the property with larger retaining walls and providing inadequate parking.

Regarding the parking, the side streets in this area are already extremely congested with parked vehicles and traffic. In fact, there are some safety concerns as often one oncoming vehicle needs to stop to allow another to go through as there is not enough room for 2 vehicles to pass. In addition, there are safety risks for the pedestrians/home owners who are crossing the street to gain access to the nearby apartment complex or crossing to get to the park on the opposite side. Along with the additional moving traffic, there is limited visibility due to the number of vehicles that are parked on the street. There are also many children in the neighbourhood, so sight lines and safety are of the utmost importance. In addition to these concerns around traffic and pedestrian safety, if approved, these changes would have a negative impact on the home owners at Camber Heights in terms of congestion and potentially obstructing views which was one of the key selling features of this development.

In summary, the three main points of contention are:

1. Building height variance. The developer seeks to increase building height obstructing views of Camber Heights owners.

2. Retaining wall variance- The developer seeks to lift the ground level of the back of property by adding larger retaining walls which ultimately increases building heights and bypasses height restrictions.

3. Parking- The developer has only provided 5 parking spots including 1 H/C. Although this meets the minimum zoning requirements, city staff made Camber Heights put in a total of 17 additional parking stalls 12 of which were visitor because of the congestion on upper Sundance drive. The development on 1980 upper Sundance has 25 units in total and is providing much less parking which will add to the already congested street parking.

As a homeowner and a concerned citizen, I would request that the application for the variances be denied.

Can you please provide me with confirmation of receipt of this message.

Please feel free to contact me if you have any questions.

Respectfully,

Connie Hattum

Unit 13-2161 Upper Sundance Drive, West Kelowna



From: Jason McGowan [REDACTED]
Sent: May 17, 2019 8:47 AM
To: MayorAndCouncil <mayorandcouncil@westkelownacity.ca>; Jaleen Rousseau <Jaleen.Rousseau@westkelownacity.ca>
Subject: 1980 Upper Sundance Drive - Development Proposal Variance

Dear Mayor & Council members,

Regarding the announcement of the above development I unfortunately find this deeply troubling.

My wife & I moved into Camber Heights earlier this February. This is a complex of five buildings, housing six suites into total. A well designed, architecturally & uniquely planned development by 'Millennial Developments Corp'. It got our attention way back into early 2018 where we recognised it's potential for quietness & favourable views of both Shannon Lakes Golf Course & spectacular mountainous & valley views looking beyond the city of Kelowna.

We were always aware of the potential of future development on the other side of the road to the right of the condominium complex named Sundance Ridge, but we were re-assured by the developer 'Ryan Tamblyn' that this was zoned for low level housing similar expected & anticipated to street addresses 1948, 1952 & 1956, etc, etc on Upper Sundance Drive - in other words single level homes with a lower level basement going down the bank. Certainly nothing to restrict or take away our spectacular views.

But now, if we had known of this potential change in re-zoning that is requesting variance(s) in building height, retaining wall height, parking and side parcel boundary distance, then we probably would not have invested here in Camber Heights.

What is disturbing, essentially 'Mara & Natha' are attempting to bypass the zoning requirements on the land by increasing the building height (to two to three story town-homes inclusive of roof-top decks), raising the ground height of the property with larger retaining walls and providing less than required parking. If approved this has the potential to definitely obstruct views for the majority of owners here at Camber Heights. It also further congests the already congested street parking. When quizzing Ryan of this potential in re-zoning, he clearly stated that if he had known, then there would have been no way he would chosen this parcel of land to build Camber Heights on.

What I also disappointedly feel is that this future developer is taking a total disregard for its surrounding existing residents. It appears a total lack of concern & a naive decision in obstructing & in some cases blocking entire views to Camber Heights has been taken. This changes the dynamics of our entire home surroundings. Most owners @ Camber Heights are either semi or fully retired. They have worked hard over the years to get to this point, to have a quiet place & to enjoy spectacular views. Ryan Tamblyn saw the potential to provide us this, but possibly now this could all be dashed by this one developer that wants to 'fully' change the zoning.

I ask, please take some time, drive up & view Camber Heights & it's surroundings. This is a unique, well built, good looking development. As owner's we take pride in investing up here. I sincerely hope you can make the right decision & NOT pass this proposal & keep to the original zoning.

Jason McGowan (one of many deeply concerned residents @ Camber Heights)

#4


Rebecca Narinesingh

From: MARILYN ELSENHEIMER [REDACTED]
Sent: May 17, 2019 12:57 PM
To: MayorAndCouncil
Cc: Jaleen Rousseau
Subject: 1980 Upper Sundance Drive DP Variance

We are recent inhabitants of Camber Heights located directly across from a newly proposed development and are concerned that the proposed variances will not only affect our view which we paid a premium for as well as the congestion in the area. There is already a considerable amount of congestion on this road already and our builder Ryan Tamblyn had to have 17 visitor parking per 30 units whereas this new development has only proposed 5 visitor parking spots per 24 units. This is not only unfair but will greatly impact parking on Upper Sundance Drive. I implore you to not allow the requested variances in building height, retaining wall height, parking and side parcel boundary distance. We appreciate your looking into this matter.

Sincerely Brian & Marilyn Elsenheimer Sent from my iPad

Mayor & Council	<input checked="" type="checkbox"/>	GM Development Services	<input checked="" type="checkbox"/>
CAO	<input checked="" type="checkbox"/>	Planning	<input checked="" type="checkbox"/>
Human Resources	<input type="checkbox"/>	Subdivision	<input type="checkbox"/>
Information Services	<input type="checkbox"/>	Building	<input type="checkbox"/>
Deputy CAO	<input type="checkbox"/>	GM Engineering & Public Works	<input type="checkbox"/>
Bylaw Enforcement	<input type="checkbox"/>	Engineering	<input type="checkbox"/>
Communications	<input type="checkbox"/>	Facilities	<input type="checkbox"/>
Finance	<input type="checkbox"/>	Parks & Recreation	<input type="checkbox"/>
Fire Rescue	<input type="checkbox"/>	Facilities	<input type="checkbox"/>
Purchasing	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>
	<input type="checkbox"/>		<input type="checkbox"/>

Mark & Dianne Hancock
22 – 2161 Upper Sundance Drive
West Kelowna BC V4T 3M9


May 20, 2019

Mayor and Council
City of West Kelowna
2760 Cameron Road
West Kelowna BC V1Z 2T6

Dear Mayor and Council:

RE: Development Permit Pending for 1980 Upper Sundance Drive

This letter is in adamant opposition to the proposed variances in building height, retaining wall height, parking and side parcel boundary distance at the above noted address.

Purchasing a home is the biggest personal investment people make in their community and the trust placed in the city and its government to protect individual rights in that investment is of the utmost importance. Other than the need to provide the necessary space and amenities required, the next biggest factor when purchasing a home in the Okanagan is location and view. When purchasing their home owners trust the information provided to them regarding zoning and future plans in the area.

Owners in Camber Heights are all affected greatly by the variances proposed in the pending development permit for 1980 Upper Sundance Drive. We are all negatively impacted by the following:

1. Building Height Variance: Our view of Shannan Lake Golf Course would be completely obstructed.
2. Retaining Wall Variance: Lifting the ground level of the back of the property by adding larger retaining walls would increase building heights, bypassing height restrictions and further obstructing views.
3. Five Parking Spots for the entire development of 25 units: Upper Sundance Drive is already dangerously crowded with current street parking making two-way

traffic impossible throughout most of the street. In addition to restricting the two-way traffic, the entrance to Camber Heights has become dangerous due to extremely restricted visibility when exiting our development due to already overcrowded street parking.

We are extremely upset with these proposed variances. Enjoyment of our property and views aside, they are dangerous to the safety of all residents. Please do not allow these changes to proceed!

Sincerely,



Mark and Dianne Hancock
Unit 22, Camber Heights

cc: Ryan Tamblyn, CEO, Millennial Developments Corp.

#5

From: Dianne Hancock [REDACTED]
Sent: May 20, 2019 3:53 PM
To: MayorAndCouncil <mayorandcouncil@westkelownacity.ca>; Jaleen Rousseau
<Jaleen.Rousseau@westkelownacity.ca>
Cc: [REDACTED]
Subject: Development Permit Pending for 1980 Upper Sundance Drive

Please see attached letter.

Mark & Dianne Hancock
Unit 22, Camber Heights
2161 Upper Sundance Drive
West Kelowna BC V4T 3M9

Sent from [Mail](#) for Windows 10

From: Glenn Rayson [REDACTED]
Sent: May 20, 2019 10:45 AM
To: MayorAndCouncil <mayorandcouncil@westkelownacity.ca>; Jaleen Rousseau <Jaleen.Rousseau@westkelownacity.ca>
Cc: Ryan Tamblyn [REDACTED]; Brenda Rayson [REDACTED]
Subject: 1980 Upper Sundance Drive DP Variance

Good day Mayor & City Council members,

My wife and I recently relocated to West Kelowna from Cloverdale (Clayton Heights) for many reasons but especially to get away from commuting and congested & overcrowded streets. I'm sure you've seen the news reports of how horribly congested street parking is in the Clayton Heights area near Katzie Elementary, not to mention driving down overcrowded side streets (safety hazard) & overcrowded schools. Please don't make the same mistake here. Please learn from their mistakes.

We purchased at Camber Heights because we loved the location in West Kelowna and the tranquil views we would be able to enjoy from our ground floor unit. We purchased our ground floor unit because we have a dog (German Shepherd Cross) and wanted to give her a large yard to run around in. Ryan Tamblyn and his team were upfront and honest right from the beginning by letting us know there would be a development going in across the road (1980 Upper Sundance Dr.) however it wouldn't block out our views and not be an eye sore. We were advised the development would be built starting below road level and only go as high as the trees just north of the development on the slope. Of course we would prefer to not have anything built in front of us but we realize that's not possible and accepted the height of the development as proposed by Ryan & his team.

Unfortunately to everyone's surprise, this development is asking to be rezoned and increase their overall height thus almost completely blocking out our views...to say we're pissed is an understatement. This will have a drastic impact on our property values not to mention our loss of privacy by having this development look right into our units! We bought here under a completely different premise...this is not right or fair to allow a massive change to their structural design after so many of us purchased at Camber Heights based on their original design. Had this development been built ahead of time before Camber Heights, I'm sure Camber Heights would've had to drop the purchase prices significantly and many would probably still be for sale due to the loss of views & privacy. I know for a fact, we probably would've reconsidered purchasing here had this development been built prior to Camber Heights. We wanted to get away from townhouse living and the "fishbowl" effect and were seeking to enjoy the Okanagan valley & mountain views.

Also the lack of visitor parking that is being proposed for the site is completely ridiculous! How can anyone assume that 5 visitor parking stalls is enough for 25 units?!? If Camber Heights was required to put in 17 visitor parking stalls for 30 units...why are these guys not having to put in 12 visitor stalls? Like I said before, please don't make the same mistake Cloverdale/Clayton

Heights did by allowing overcrowded and congested streets. Developments like this should have enough visitor stalls so that very little street parking will be required.

I hope you, as our Mayor & City Council member, will consider the serious impact these proposed changes will have on us at Camber Heights who have already purchased and moved in. We all relocated to West Kelowna and purchased here because of the location and tranquil views...please don't take that away from us. This development should not be allowed to rezone after the fact. Again...please learn from other city councils (Cloverdale/Clayton Heights) past mistakes...

Thank you for your time.

Glenn & Brenda Rayson

-----Original Message-----

From: john kenny [REDACTED]

Sent: May 20, 2019 6:12 AM

To: MayorAndCouncil <mayorandcouncil@westkelownacity.ca>

Cc: Ryan Tamblyn [REDACTED]; Thao [REDACTED]

Subject: Variances To 1980 Upper Sundance Drive

Re: Variances To 1980 Upper Sundance Drive

Dear Mayor Milsom and Council,

We, as long time residents of the City of West Kelowna, are writing to strongly object to the proposed building variances requested by the developer of 1980 Upper Sundance Drive. It is our understanding that the developer is requesting variances in building height, retaining wall height, parking and side parcel boundary distance.

If approved, these variances have the potential to obstruct our home's views and further congest the already congested street parking. The zoning restrictions on 1980 Upper Sundance Drive (especially building height) were one of the reasons we chose to purchase our current property.

We feel confident that you, as Mayor and Council of the City of West Kelowna, have the good judgement to reject this developer's requests for variances. We believe these variances are not in the best interest of the residential community in the vicinity of 1980 Upper Sundance Drive.

Thank you for your consideration,

John and Thao Kenny
#11-2161 Upper Sundance Drive,
West Kelowna,
BC V4T 3M9

From: [REDACTED] <[REDACTED]>
Sent: May 21, 2019 10:11 AM
To: MayorAndCouncil <mayorandcouncil@westkelownacity.ca>; Jaleen Rousseau <Jaleen.Rousseau@westkelownacity.ca>
Cc: Rtamblyn [REDACTED]
Subject: Letter regarding Shannon Lake Development
Importance: High

William and Danielle Brown
12-2161 Upper Sundance Drive
West Kelowna, BC V4T3M9
[REDACTED]

May 20, 2019
Mayor and Council
City of West Kelowna, BC
2760 Cameron Road
West Kelowna, BC
V1Z 2T6

Dear Mr. Milsom and Council,

Last May, my husband and I made an important decision for our family and sold our West Kelowna home of seventeen years. We purchased our unit in Camber Heights, on Upper Sundance Drive, when the development was breaking ground. We were concerned about what kind of development would be going in across the street on Upper Sundance Drive and were told that there would be homes, but that they would be single level homes. We have just been informed that this is not the case.

We have been notified that the developer, Mara + Natha Architecture Ltd. Permit #18-36, is attempting to bypass the zoning requirements on the land across the street from Camber Heights, by raising the ground and installing larger retaining walls to alter the original zoning requirements.

Not only are we upset about the possibility of losing our natural surroundings, but we are extremely concerned about the other problems that will occur if this development is passed. The larger retaining walls that the developer is looking to install, will destroy what little natural land that is left providing a small tree belt for the homes below Upper Sundance Drive. Another major concern of ours, and the neighbouring developments and homes, is the lack of parking and road safety issues.

Upper Sundance is already a very crowded street when people are parked along the roadside. We walk our dog along the sidewalk and in the small wooded area on Upper Sundance Drive and it is already overly congested. Anymore vehicle traffic on this street would make it most definitely unsafe. As parents of a new driver, we are always worried about road safety.

It is difficult to see around all of the parked cars, trucks and trailers on Upper Sundance Drive, which makes it hard to park and pull out of a parked position. We worry, that the new proposed development will not have enough parking for all tenants in their building and will only meet the minimum zoning requirements. The two existing condominiums on Upper Sundance Drive do not have enough parking to accommodate their current tenants and the road cannot handle anymore congestion.

As neither of us work for the City of West Kelowna, clearing streets, collecting garbage or ensuring street safety for our community, we can only imagine how difficult and unsafe, it will be for the city employees to do their respected jobs if more road congestion is permitted.

The zoning restrictions were put into place to protect our community and homeowners. Please help us keep our homes and neighbourhood safe by not allowing Mara + Natha Architecture Ltd. to bypass the zoning requirements.

We respectfully ask, that you take all of our valid concerns into consideration when you are making the decision on whether to pass this proposed development. Thank you for your valued time and consideration with this serious matter.

Sincerely,

William and Danielle Brown

From: Michael Campbell [REDACTED]
Sent: May 22, 2019 9:19 AM
To: MayorAndCouncil <mayorandcouncil@westkelownacity.ca>
Cc: Ryan Tamblyn [REDACTED]
Subject: Zoning Variances DP 18-36 (1890 Upper Sundance Dr)

Dear council,

The developer Mara +Natha Architecture Ltd.is requesting **zoning variances** that will impact me directly. I am **apposed** to the proposal as outlined below.

One of the main reasons that we purchased a unit at 2161 Upper Sundance Dr. was because of the unobstructed green space view. **With the existing zoning for 1890 Upper Sundance the VALUE and VIEW of my property would be preserved. This has translated into a premium in purchase price and an iNCREASE IN TAXES PAID to the City of West Kelowna.** The zoning variances are attempting to **bypass** the current development zoning status by increased retaining wall height and increasing building height. This can not be approved!

This past winter Upper Sundance Drive was reduced to single lane traffic due to the number of vehicles on both sides of the road. This resulted in some vehicle near misses. This situation has continued into the spring as evident by the repeated attempts of the street sweepers to clean the winter gravel. DP 18-36 **does not provide sufficient parking spaces for the number of units proposed.** Considering the amount of congestion currently this is not acceptable!

The zoning rules are have two purposes in my mind, one is to protect the intrinsic values of our city and the second is to careful consider future development. The proposed zoning variances do NEITHER.

Respectively

Mike Campbell
21-2161 Upper Sundance Dr.
West Kelowna.
[REDACTED]

From: Eric Thompson [REDACTED]
Sent: May 26, 2019 10:01 AM
To: MayorAndCouncil <mayorandcouncil@westkelownacity.ca>; Jaleen Rousseau
<Jaleen.Rousseau@westkelownacity.ca>; Ryan Tamblyn [REDACTED]
Subject: 1980 Upper Sundance Drive

We are owner residents of #30 2161 Upper Sundance Drive.

We have become aware that there is a development permit pending for 1980 Upper Sundance drive across the street from Camber Heights that is requesting variances in building height, retaining wall height, parking and side parcel boundary distance. If approved as requested this will obstruct our sightlines and further congest the already congested street parking. The current zoning restrictions on the property, especially building height were one of the reasons we chose to purchase in Camber Heights. Additionally, the developer is proposing that only 5 parking spots including 1 H/C be provided. Although this meets the minimum zoning requirements, city staff made Camber Heights put in a total of 17 additional parking stalls 12 of which were visitor because of the congestion on upper Sundance drive. The development on 1980 upper Sundance has 25 units in total, only 5 less than Camber Heights, and is proposing much less parking which will add to the already congested street parking.
Eric & Debra Thompson

11

From: Shane Henry [REDACTED]
Sent: May 26, 2019 9:19 AM
To: MayorAndCouncil <mayorandcouncil@westkelownacity.ca>; Jaleen Rousseau
<Jaleen.Rousseau@westkelownacity.ca>; [REDACTED]
Subject: 1980 Upper Sundance Drive Variances Proposal

Please refer to attached,

Sincerely,

Shane Henry & Marylene Rivet

Sent from [Mail](#) for Windows 10

From: TERRY TINLINE [REDACTED]
Sent: May 28, 2019 4:46 PM
To: MayorAndCouncil <mayorandcouncil@westkelownacity.ca>; Jaleen Rousseau
<Jaleen.Rousseau@westkelownacity.ca>
Cc: [REDACTED]
Subject: Variance1980 Upper Sundance

Dear Mayor and Council,

We live at 2161 Upper Sundance. The development permit pending at 1980 Upper Sundance is across the street from our home at Camber Heights. The developer wants variances in
1 (building height)
2 (retaining wall height)
3 (less onsite parking) thus putting cars on the street which is already overcrowded
building height would destroy our and neighbors' view on main and lower floors
The view was one of the main reasons that we chose this complex for our new home. We were told by our developer that any building across the street would not interfere with our sight lines as that was what they were told.
Our complex has 17 visitor parking spots on site and our understanding is that 1980 has only 5. This will greatly add to on street parking as well as difficult snow removal and street cleaning in spring.

We are asking that the original variances be adhered to.
Best Regards Terry and Bonnie Tinline

City of West Kelowna

Date: May 23rd 2019

Attn: Jaleen Rousseau

2760 Cameron Rd.

West Kelowna, BC

V1Z 2T6

Dear Jaleen,

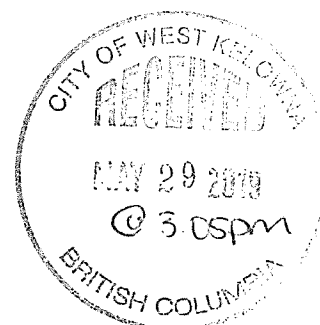
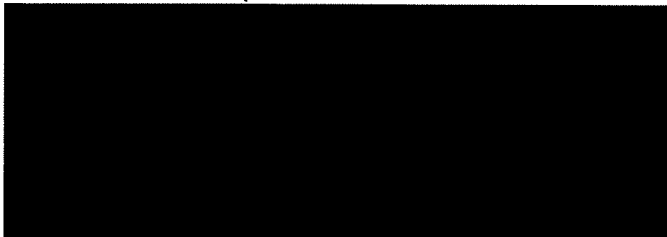
We have become aware that there is a development permit pending for 1980 Upper Sundance drive across the street from Camber Heights that is requesting variances in building height, retaining wall height, parking and side parcel boundary distance. Essentially, they are attempting to bypass the zoning requirements on the land by increasing the building height, raising the ground height of the property with larger retaining walls and providing less than required parking. If approved this has the potential to obstruct views of our property at Camber Heights and further congest the already congested street parking. The zoning restrictions on the property especially building height were one of the reasons we chose our property at Camber Heights.

As a property owner at Camber Heights, I am strongly opposing these variances due to the potential negative impacts on our property and neighborhood view, its value and the quality of living there.

Sincerely

Roy Manoff CEO

Silk Scarf Capital Ltd.



#14

From: Carol Malmas [REDACTED]
Sent: June 4, 2019 8:43 AM
To: MayorAndCouncil <mayorandcouncil@westkelownacity.ca>; Jaleen Rousseau
<Jaleen.Rousseau@westkelownacity.ca>
Cc: Ryan Tamblyn [REDACTED]; [REDACTED]
Subject: Variance Application - 1980 Upper Sundance Drive

Dear Mayor Milsom, Council and Ms. Rousseau,

My name is Carol Malmas. My husband, Brian Malmas and I recently moved in to our new home at Camber Heights - 2161 Upper Sundance Dr in West Kelowna.

We are writing to you to express our opposition to the application that has been submitted, requesting a variance for the building permit on 1980 Upper Sundance Dr.

As you know, this developer has made an application to change it's building design, by increasing the building height. If approved, this has the potential to seriously impact the view for all of the owners at Camber Heights and alter the community plan in place for our area. We also understand that sufficient parking will not be part of the developers plans, which is going to significantly increase street parking which is already very congested.

Our developer at Camber Heights was made to increase the parking in our developments plans, as it was already recognized that an increase in residents was going to further impact an already congested parking situation.

We have lived in Shannon Lake for over 25 years now and have always enjoyed the scenic views of this peaceful community. We specifically chose to purchase in Camber Heights because of it's location, design, and the views it offers.

We were told about this new housing development when we made the decision to purchase in Camber Heights, however at the time the building plan in place was set to proceed within the existing By-laws and Community Plan, and the approved height of the building was not going to be an issue for Camber residents.

We strongly oppose this variance application and respectfully request that you do not approve it. While we understand the need for growth and development in our community, we believe the current By-laws and Community Plans are designed to allow everyone to enjoy the beautiful views and vistas that West Kelowna has to offer.

Sincerely,

Brian and Carol Malmas
17-2161 Upper Sundance Dr
West Kelowna BC V4T 3M9

From: Ryan Tamblyn [REDACTED]
Sent: June 5, 2019 12:29 PM
To: MayorAndCouncil <mayorandcouncil@westkelownacity.ca>; Jaleen Rousseau
<Jaleen.Rousseau@westkelownacity.ca>
Subject: DP 18-36 Opposition

Dear Mayor and Council,

Please see attached our letter of opposition to DP 18-36. We would ask that this letter be included in the minutes of the June 11, 2019 council meeting where DP 18-36 is set to be voted on. I will also be attending this meeting on behalf of Millennial Developments Corp/Camber Heights Developments LP and the Strata of Camber Heights homeowners where I hope to be afforded the opportunity to speak.

Sincerely,

Ryan Tamblyn

CEO

Millennial Developments Corp
Suite 1100 1631 Dickson Ave
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June 5, 2019

Mayor and Council
City of West Kelowna
2760 Cameron Road
West Kelowna BC V1Z 2T6

RE: DP 18-36 for 1980 Upper Sundance Dr.

Dear Mayor & Council Members,

The purpose of this letter is to oppose the variances sought by Mara + Natha Architecture Ltd on 1980 Upper Sundance Drive. Specifically, the variances in building height, retaining wall height, and parking.

Based on our review of the 18-36 Development Permit we feel that the developer is attempting to bypass the zoning requirements on the land by increasing the building height, raising the ground height of the property with larger retaining walls and providing less than required parking. If approved the building height and retaining wall variances will completely obstruct views of some of our lower and main floor units, substantially lowering property values of homes at Camber Heights greatly impacting the existing residents and our ability to sell the remaining units.

Similarly, the lack of visitor and loading parking provided by the developer of DP 18-36 (5 visitor & 1 loading) for 25 units will considerably add to the already substantial congestion on upper Sundance drive. During the development permit process for Camber Heights (DP 17-01) we were told that in order to receive support from city staff we would need to exceed the minimum visitor parking requirements of 6 spots because of the existing congestion on Upper Sundance drive. We agreed to this and added a total of 17 additional parking spaces, 12 of which were designated visitor. We ask that the same consistency by city staff and council be applied to DP 18-36, which would require them to add at least 5 more visitor parking spots and 1 more loading spot.

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Prior to purchasing the Camber Heights site at 2161 Upper Sundance Drive we reviewed the zoning restrictions on 1980 Upper Sundance Drive to ensure that our owners views would not be obstructed. It was our understanding that In October of 2015, Council adopted a site-specific text amendment to the R4 Zone (Bylaw 154.23) that retained the use and density provisions of the R4 Zone, but prohibited apartments as a building form on this property. OCP policy discourages the development of medium and high-density apartments where access to the development is required through existing single-family areas. This came with a specific height restriction and based on our calculations of existing ground height and a typical 3-story design the buildings on 1980 upper Sundance drive would reach ground height of our bottom units and would not obstruct views. With the variance currently being requested with DP 18-36 of increasing the building height and raising the ground height this raises the buildings approximately 9-10 feet completely blocking the views of the homes on our lower level as well as some on the mid-level.

The City of West Kelowna's Official Community Plan (OCP) adopted in 2011., sets out a series of Objectives and Policies that direct future land use and servicing decisions. The subject property is part of a neighbourhood within the OCP Growth Management Designation. As such, the desired attributes are: low and medium density residential land use comprising a variety of ground-oriented residential types in **low-rise building form**; accessible neighbourhood parks; sensitive hillside development where hazards from slip and rockfall are minimized; and high aesthetic standards of built form, landscape value **and protection of views** are encouraged. (OCP Table 3 Growth Management Designation Summary).

Neighborhood Objectives are to:

1. Maintain and enhance the character and livability of existing neighbourhoods;
2. Increase housing choice and neighbourhood amenities in a manner that complements existing neighbourhood character;
3. Protect, restore and integrate environmental features such as watercourses, hillsides and habitat areas within neighbourhoods; and
4. Facilitate pedestrian access, with potential links to transit services. (OCP Sec. 3.2.6)

The proposed development permit 18-36 does not conform to these key Objectives, in the following ways.

1. Increase in building height violate the “low rise building form guideline” laid out in OCP table 3 Growth Management Designation Summary.
2. Increase in building height eliminates the “protection of viewsapes” that are encouraged in OCP table 3 Growth Management Designation Summary, by blocking the views of neighboring properties.
3. Lack of onsite visitor parking ignores the “Maintain and enhance the character and livability of existing neighbourhoods” laid out in OCP Sec. 3.2.6, by increasing congestion on neighboring streets.
4. Lack of onsite visitor parking dismisses “Facilitate pedestrian access” laid out in OCP Sec. 3.2.6, by increasing safety issues for pedestrians caused by street parking congestion.

Multiple Family and Intensive Residential (DPA 3) objectives are intended to ensure that residential development is well designed, and appropriately integrated into the community. Emphasis is placed on pedestrian scale to ensure that infill development preserves and enhances the positive architectural, landscape and sense of place aspects of the neighbourhood. DP 18-36 in its current form clearly does not meet these guidelines as laid out in the community plan as referenced above and for that reason, we ask that this development permit is denied.

In discussions with city staff from the planning department we were told that even though variances were sought on DP 18-36 **impacts to neighbouring properties were not considered when determining if staff supported this application.** We feel that this was a mistake and ask that the city of West Kelowna planning department re-consider their support of this application, closely considering the impacts on neighboring properties as required in the official community plan for West Kelowna.

After reviewing the Development Permit application on 1980 Upper Sundance drive it is our opinion that some modifications to the building & site design along with the addition of more parking would help integrate the development into the surrounding community and align with the OCP objectives. These modifications could include a lower roof pitch & height, reduced grade level using a sloped downward road entrance and some additional parking stalls.

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In closing we would like to reiterate the grave financial impact approving DP 18-36 in its current form would have on the individual owners at Camber Heights and us as the developer; Millennial Developments Corp. Losing the viewsapes of a substantial number of units would drastically reduce the values of properties at Camber Heights and hamper our ability to sell the remining units. This would lead to severe revenue loses and damages which we would have no choice but to seek compensation for.

We trust that the city of West Kelowna's Mayor and Council after hearing our concerns will adhere to the official community plan and deny the application for DP 18-36.

Sincerely,



Ryan Tamblyn
Project Director & CEO
Camber Heights Developments LP.
Millennial Developments Corp.

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CITY OF WEST KELOWNA

COUNCIL POLICY MANUAL

Pages: 1 of 2
Adoption Date: 2018-SEP-04

SUBJECT: DEVELOPMENT APPLICATION DELEGATION REQUEST

Purpose:

This policy outlines the process for applicants and the public to address Council or Council Committees for the following development applications: Official Community Plan amendments, Zoning amendments, development permits, development variance permits, Agricultural Land Commission applications (requiring notification as per the *Agricultural Land Commission Act*) and temporary use permits.

Policy:

1. An Official Community Plan amendment or Zoning amendment application or where staff support the application.

These types of applications are considered by Council in a process that mandates an opportunity for public input through a public hearing following first and second readings. The process includes comprehensive public notification, advertisement, and is the appropriate venue for anyone to provide input. Therefore delegations from the applicant and members of the public will not be considered prior to the public hearing. At the discretion of Council, however, Council may ask questions of the applicant for the purposes of clarification only during a Council meeting where the application is being considered.

Should Council, regardless of the positive staff recommendation, consider not giving first and second reading to the application, the applicant may be provided an opportunity to address Council. Council may limit the time permitted.

2. An Official Community Plan amendment or Zoning amendment application where staff do not support the application.

When staff do not support an application, the developer may wish to address Council prior to Council considering first and second readings. In these cases, delegation requests will be accepted on an application to not support, by Legislative Services until 4:00 p.m., the business day prior to the Council meeting.

3. A development variance permit application, Agricultural Land Commission application (requiring notification as per of the *Agricultural Land Commission Act*), or application for a temporary use permit.

Council may support an opportunity for both the applicant and members of the public to briefly address Council prior to Council considering the issuance of a development variance permit, Agricultural Land Commission application (e.g. Agricultural Land Reserve Exclusion application) or, a temporary use permit. Council may support such an opportunity regardless of whether the staff recommendation is to support or not support the application. Council may limit the time permitted.

4. Applications which do not require or allow for public input.

The public or the applicant are not provided an opportunity to address Council prior to Council considering any application which does not require or allow for public input (e.g. Development Permits and Non-Farm Use applications). Council's decision to approve or deny an application must fall within the parameters of enabling legislation and not be based on extraneous factors which would exceed Council's statutory authority.

Previous Revision/s:	2008-APR-22 2018-FEB-27
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