



COUNCIL REPORT  
Development Services Department  
For the June 25, 2019 Council Meeting

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DATE: June 17, 2019 File: DP 18-33  
TO: Jim Zaffino, CAO  
FROM: Hailey Rilkoff, Planner  
RE: Application: Development Permit with Variances (DP 18-33)  
Address: A 3746 Wetton Road  
Legal: Lot A, DL 5059 & 5069, ODYD, Plan 19238, Except Plan EPP69262  
Owner: Pelican Properties Ltd., Inc. No. BC1144682  
Agent: New Town Architecture and Engineering Inc.

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**RECOMMENDED MOTION:**

**THAT** Council authorize the issuance of a Development Permit (DP 18-33) to construct 18 stacked townhouse units in 3 buildings, subject to the conditions in and attached to the Development Permit; and

**THAT** Council authorize variances to City of West Kelowna Zoning Bylaw No. 0154 as follows:

- Table 4.1 *Required Parking Spaces* to vary the number of required parking spaces from 40 spaces to 37 spaces;
- S.10.9.5(f) to vary the maximum allowable building height from 9.0 m to a maximum of 3 storeys to 14.0 m to a maximum of 5 storeys for Building 2;
- S.10.9.5(f) to vary the maximum allowable building height from 9.0 m to a maximum of 3 storeys to 10.9 m to a maximum of 4 storeys for Buildings 1 & 3; and
- S. 10.9.5(g).2 to vary the required rear parcel boundary setback from 7.5 m to 4.5 m;

**THAT** a Section 219 no build / no disturb covenant be registered for protection of the Smith Creek riparian corridor; and

**THAT** issuance of the Development Permit be withheld pending the receipt of a landscape security for the landscape plan attached to DP 18-33 as Schedule 'C' in the amount of \$79,885.00;

**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 conforms to the principal uses and regulations outlined in the Zoning Bylaw for the Low Density Multiple Family Zone (R3), including density, parcel coverage and frontage with the exception of two variances to building height and one variance to the rear yard setback which are considered to have minimal impact on the site and adjacent properties;
- Amenity space provisions exceed the minimum required amount of space and include landscaped areas, a children's slide and community gardens;

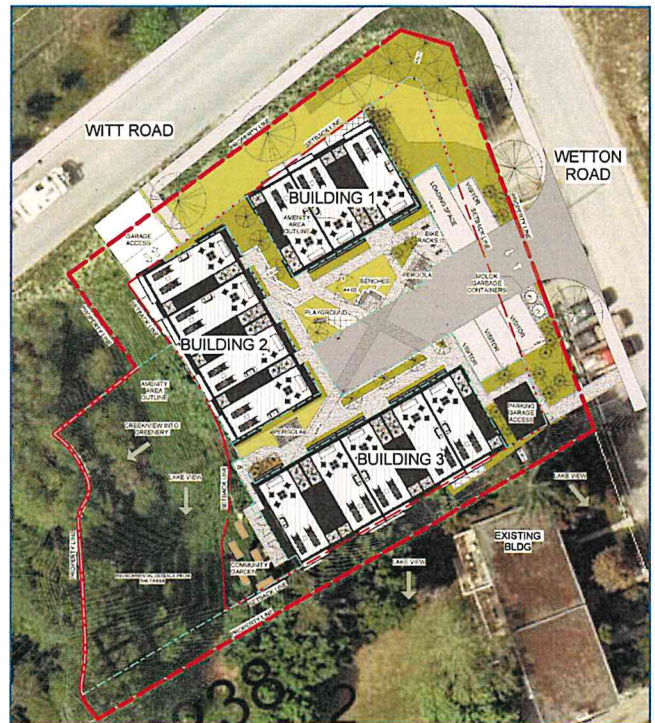
- The proposed development is in accordance with the Aquatic, Sensitive Terrestrial Ecosystem, and Hillside OCP guidelines;
- The siting, form and character, and landscaping of the proposed development is generally consistent with the requirements for multiple family development as established in the DPA 3 Guidelines contained in the OCP;
- The proposal includes the provision of one, two and three bedroom units with varying unit features which will serve a range of lifestyles and incomes;
- The proposed height variances to a maximum of 4 storeys for buildings 1&3 and 5 storeys for building 2 are to accommodate access to rooftop decks and a partially exposed parkade

## **BACKGROUND:**

This application was brought before council for consideration on June 11, 2019. The application was postponed by Council upon a staff recommendation to direct the applicant to revise the proposal to include the required parking stalls as per the zoning regulation. A resubmission has been provided which has reduced the number of overall units in order to reduce the number of required parking spaces as per the zoning regulation. The revisions have not impacted the form and character of the proposed development. The original staff report, dated June 3, 2019, is included as *Attachment 4* for Council's consideration.

### **Number of Units**

The internal layout of the end units of each building has been adjusted from stacked townhomes to a single residential dwelling, reducing the overall number of units from 24 to 18. The revised proposal provides six one-bedroom units, six two-bedroom units, and six three-bedroom units.



**Figure 1 – Revised Site Plan**

### **Required Parking Spaces**

Zoning Bylaw No. 0154 requires 2.0 parking spaces per unit. With the revised submission of 18 units, the required number of parking spaces has changed from 53 spaces (including 5 visitor spaces) to 40 spaces (including 4 visitor spaces).

**Table 1: Parking Summary**

Type of Parking	Required Spaces <sup>1</sup>	Spaces Provided (DP 18-33)
Standard Spaces	23	20
Accessible Spaces	2	2
Small Car Spaces	11	11
Visitor Spaces	4	4
<b>Total Parking Spaces</b>	<b>40</b>	<b>37</b>

The revised submission proposes 37 spaces (including 4 visitor spaces) requiring a variance to the required number of parking spaces. The required number of accessible parking spaces (2 spaces) are included within the 33 spaces proposed within the parking garage and the required

<sup>1</sup> The City's Zoning Bylaw asserts that where parking calculations result in fractional numbers that the requirement shall be rounded to the next highest whole number (P.4, S. 4.2).

number of visitor parking spaces (4 spaces) are provided on the site. The proposal includes the provision of one loading space as required.

### **Public Notification**

In accordance with the *Local Government Act* for the proposed variances, letters were sent to all property owners and their tenants (157 notices) within 100 metres of the subject property (*Attachment 3*). A development notice sign has been placed on the subject property in accordance with the Development Application Procedures Bylaw No. 0260. The public notice included the variance requests including: *To increase the maximum allowable encroachment of a cantilevered deck/balcony for Building 3 to the interior side setback from 1.5 m to 0.6 m.* However, this variance request is not necessary for the side parcel boundary setback. As of the date of this report, no submissions have been received from the public.

A Delegation request has been made by the applicant (*Attachment 5*). 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.*

### **ALTERNATE MOTIONS:**

#### **1. Postpone Consideration of DP 18-33**

**THAT** Council postpone the issuance of a Development Permit (DP 18-33) to construct 18 stacked townhouse units in 3 buildings, and direct the applicant to revise the proposal to meet building height, parking and parcel setbacks as per the Zoning Bylaw.

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.


#### **2. Deny Development Permit with Variances DP 18-33**

**THAT** Council deny the issuance of a Development Permit (DP 18-33) to construct 18 units in 3 buildings.

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,

  
Hailey Rilkoff  
Planner

  
Bob Dargatz  
Development Manager

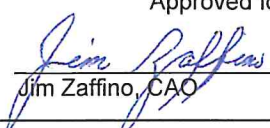
  
Brent Magnan  
Planning Manager

  
Nancy Henderson  
GM of Development Services

Powerpoint: Yes ☒ No ☐

Attachments:

1. Draft Development Permit DP 18-33 (not all documents attached)
2. Revised Architectural Plans/Renderings/Elevations (dated June 17 2019)
3. Public Notification Map
4. Council Report for June 11, 2019 Council Meeting
5. Delegation Request

Approved for Agenda	
 Jim Zaffino, CAO	June 21, 2019 Date

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**CITY OF WEST KELOWNA**  
**DEVELOPMENT PERMIT WITH VARIANCES**  
**DP 18-33**

**TO:** New Town Architecture & Engineering Inc.  
1464 St. Paul  
Kelowna, BC, V1Y 2E6  
c/o  
Pelican Properties Ltd., Inc. No. BC1144682  
15783 Pacific Ave  
White Rock, BC, V4B 1S5

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 A, DL, ODYD, Plan EPP69264 (A 3746 Wetton Road)

3. This Permit allows for the construction of 18 stacked townhouse units contained within three (3) standalone buildings and partially exposed underground parkade in the Multiple Family and Intensive Residential (DPA 3) Development Permit Area subject to the following conditions and related Schedules:
  - a. Dimensions, siting, exterior design and finish of the buildings to be constructed on the land in accordance with Schedule 'A';
  - b. Landscaping to be in accordance with Schedule 'B';
  - c. All construction activities to be conducted on the land in general accordance with Schedule 'C'.
  - d. That the following variances to City of West Kelowna Zoning Bylaw No. 0154 in accordance with the attached Building Elevation and Site Plan be included as part of this Development Permit:
    - i. A reduction in the number of required spaces from 40 to 37;
    - ii. An increase in the maximum allowable building height for 3 townhouse structures from 9.0 m to 14.0 m, in accordance with the Development Permit; and
    - iii. A reduction in the required rear parcel boundary setback from 7.5 m to 4.5 m.

***Environmental***

4. Disturbance is prohibited within 15 meters of Smith Creek (SPEA).
  - a. Limited temporary disturbance associated with the installation of the foundation for Building 2 is permitted within the previously disturbed areas of the SPEA under the guidance and monitoring of the Environmental Consultant and requires restoration as per the Environmental Consultant.
5. To reduce foot traffic impacts to the riparian area, snow and silt fencing shall be installed along the 15 m SPEA to delineate a no-go area (except for crews completing restoration works).
  - a. Temporary snow and silt fencing shall be installed at the limits of disturbance within the SPEA for construction of Building 2 works.
6. Construction activities to be in accordance with the attached environmental assessment by Triton Environmental Consultants.

### **Geotechnical**

7. Building foundations must be setback at a 3H:1V slope from Smith Creek in accordance with the attached geotechnical report.

### **Security**

8. As a condition of the issuance of this permit, the property owner shall deposit 125% of the cost estimate for the landscaping (\$79,885.00) as performance security to ensure installation of the required landscape plantings, as well as identified site signage/line painting in accordance with the City's Development Application Procedures Bylaw No. 0131.
9. The City of West Kelowna will hold the security outlined above, to ensure that the development is carried out in accordance with this Permit and is refundable upon completion of the landscaping and site signage/line painting to the satisfaction of the City. 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 by its servants, agents or contractors use the security to carry out the work or remediate any undeveloped portions of the site to restore a natural landscape. A professional rehabilitation plan may be required to restore the site.

### **No Build/No Disturb Covenant**

10. As a condition of the issuance of this permit, the property owner shall register to title a No Build/No Disturb Covenant that provides protection in perpetuity to the SPEA in accordance with the Environmental Assessment by Triton Environmental Consultants Ltd dated January 2019 and the hillside below contour line 376 m, in accordance with the Interior Testing Services Ltd. January 9, 2019.

### **General Terms**

11. 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 change be required to this permit, please ensure that you obtain written approval from the City of West Kelowna prior to making any changes.
12. If this Development Permit has not been issued within one year from approval, Development Permit with Variance DP 18-33 shall be deemed to have been refused and the file will be closed.
13. **This Permit is not a Building Permit.**
14. 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 two years after the date it is issued, the permit lapses.

AUTHORIZING RESOLUTION NO. \_\_\_\_\_ PASSED BY THE MUNICIPAL COUNCIL  
ON \_\_\_\_\_, 2019.

Signed on \_\_\_\_\_

City Clerk

As received on \_\_\_\_\_, there is filed accordingly an initial Irrevocable Letter of Credit or Bank Draft deposit in the amount of \$79,885.00.

I hereby confirm that I have read and agree with the conditions of Development Permit with Variances DP 18-33 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 \_\_\_\_\_

Attachments:

Schedule A:

- a. New Town Architecture & Engineering Inc., Wetton Rd Townhouses dated June 17, 2019;
- b. Triton Environmental Consultants, Environmental Impact Assessment dated January 2019; and
- c. Interior Testing Services Ltd, Geotechnical Investigation dated January 9, 2019.

Schedule B:

- a. Outland Landscape Architecture Conceptual Landscape Plan dated March 3, 2019 and Landscape Cost Estimate dated March 20, 2019.

Schedule C:

- a. New Town Architecture & Engineering Inc. Civil Design Drawings dated January 14, 2019.







# WETTON ROAD TOWNHOUSES

ADDRESS: 3748 WETTON RD, WEST VELONIA, BC V1T 2C1  
LEGAL DESCRIPTION: L&A, DISTRICT 14 50564.0000, Plan EPP690264 (PID 000-401-541)

GRADES: EXISTING AVERAGE - STEEP SLOPE  
PROPOSED AVERAGE - STEEP SLOPE

TOTAL NUMBER & TYPES OF UNITS:  
3 BUILDINGS (11 UNITS)  
8-1BR UNITS  
8-2BR UNITS  
6-3BR UNITS

## ZONING ANALYSIS:

EXISTING ZONING: R1

PROPOSED ZONING: R1

## R3 ZONING REQUIREMENTS:

REQUIRED ZONING: PROPOSED

## SUBDIVISION REGULATIONS

MINIMUM PARCEL AREA (m<sup>2</sup>): 1000 m<sup>2</sup> 25,395.54 (2289.33m)

MINIMUM PARCEL USABLE AREA (m<sup>2</sup>): 700 m<sup>2</sup> 14,114.6 (1311.2m)

MINIMUM PARCEL FRONTAGE (m): 30.0 m 43.2 m

## DEVELOPMENT REGULATIONS

MAXIMUM DENSITY (FAR): 0.75

FLOOR AREA (FAR): 11,046.34 (1035.5 m)

MAX 15.04% (1035.5 m) BASED ON 0.75 FAR

GFA FOR FAR + 43.5m/BLDG 1 + 506.4m/BLDG 2 + 714.6m/BLDG 3 = 11,046.34 (1035.5 m)

MAX PARCEL COVERAGE (%): 24.5%

BUILDING HEIGHT: 3 STOREYS OR LESS

5 STOREYS (14.0m TO 3rd FLOOR) - VARIANCE REQD

## SITING REGULATIONS

SETBACKS:

FRONT (NORTH-EAST): 4.5m

INTERIOR SIDE (SOUTH-EAST): 3.0m

EXTERIOR SIDE (NORTH-WEST): 4.5m

REAR (SOUTH-WEST): 7.5m

15.0m (SETBACK FROM THE GREEN)

## OUTDOOR AMENITY SPACE

MINIMUM OUTDOOR AMENITY SPACE:

25.0 m<sup>2</sup> per unit

10 UNITS = 251 m<sup>2</sup> + 450 m<sup>2</sup>

## PARKING & LOADING

NUMBER OF PARKING STALLS / LOADING SPACES:

TOWNHOUSE - 24 PER DWELLING UNIT

- 2.01 BDR + 6

- 2.01 BDR + 6

- 2.01 BDR + 6

36 STALLS

4 STALLS

11 SMALL SIZE

48 STALLS REQD

BIKE STALLS

CLASS I

10 BIKE STALLS IN GARAGE

CLASS II

8 BIKE STALLS

BIKE STALLS

CLASS I

10 BIKE STALLS IN GARAGE

CLASS II

8 BIKE STALLS

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CLASS II

8 BIKE STALLS

ALL CONTRACTORS ARE REQUIRED TO OBTAIN A PERMIT FROM THE CITY OF WEST VELONIA PRIOR TO COMMENCING ANY WORK. THE CITY OF WEST VELONIA IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF THE PROJECT. THE CITY OF WEST VELONIA IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF THE PROJECT. THE CITY OF WEST VELONIA IS NOT RESPONSIBLE FOR THE DESIGN OR CONSTRUCTION OF THE PROJECT.



NEW TOWN  
URBAN PLANNING  
CIVIL ENGINEERING  
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Scale

Revision	No	Date	Description
1	18-09-14	ISSUED FOR DP	
2	18-10-14	REVISED FOR DP	
3	18-12-14	REVISED FOR DP	
4	19-06-17	REVISED FOR DP	

Project Name  
WETTON RD  
TOWNHOUSE

Project Address  
WETTON ROAD  
WEST VELONIA, BC  
V1T 2C1

Project No.  
WET-19-001

Project Date  
18-09-14

Project No.  
WET-19-001

Project No.  
WET-19-001

Project No.  
WET-19-001

Project No.  
WET-19-001

Area Schedule GFA				
Name	Level	Area	Comments	
BLDG 1				
B1-1BR	LEVEL 1	41.2 m <sup>2</sup>	BLDG 3	
B1-1BR	LEVEL 1	41.2 m <sup>2</sup>	BLDG 3	
B1-1BR	LEVEL 1	41.2 m <sup>2</sup>	BLDG 3	
B1-2BR	LEVEL 1	6.2 m <sup>2</sup>	BLDG 3	
B1-2BR	LEVEL 1	6.2 m <sup>2</sup>	BLDG 3	
B1-2BR	LEVEL 1	6.2 m <sup>2</sup>	BLDG 3	
B1-3BR	LEVEL 1	46.3 m <sup>2</sup>	BLDG 3	
B1-3BR	LEVEL 1	46.3 m <sup>2</sup>	BLDG 3	
B1-3BR	LEVEL 1	46.6 m <sup>2</sup>	BLDG 3	
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B1-1BR	LEVEL 3	2.1 m <sup>2</sup>	BLDG 3	
B1-1BR	LEVEL 3	2.1 m		



ALL CONTRACTORS ARE REQUIRED TO PROTECT ALL EXISTING UTILITIES AND SAFETY FEATURES PRIOR TO ANY CONSTRUCTION WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND THE PROVINCE OF BRITISH COLUMBIA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND THE PROVINCE OF BRITISH COLUMBIA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND THE PROVINCE OF BRITISH COLUMBIA.



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Scale

Revision	No	Date	Description
1	18-05-14	ISSUED FOR DP	
2	18-05-14	RE-REVISED FOR DP	
3	18-05-22	RE-REVISED FOR DP	
4	18-05-22	RE-REVISED FOR DP	

Project Name  
**WETTON RD TOWN-HOUSES**

Project Address  
**WETTON ROAD  
WEST KILLOWNA, BC  
V2Y 1A1**

Project No.  
**0001**

Drawing No.  
**0001**

**RENDERINGS**

Project Name

Project Address

Project No.

Drawing No.

Scale

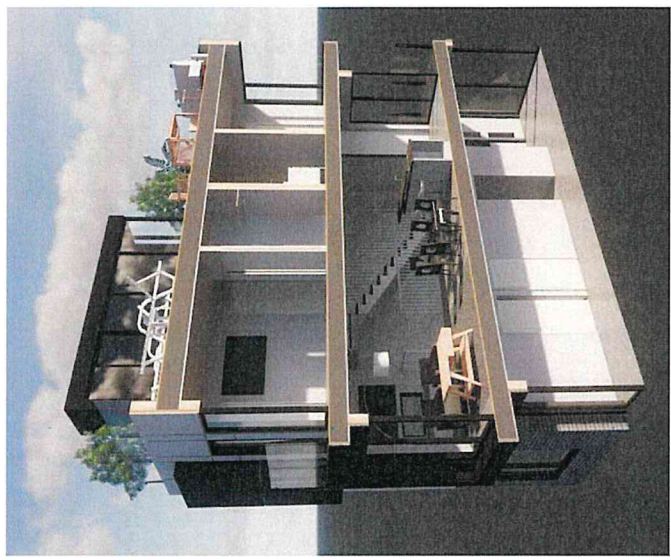
Scale

Scale

Scale

**A1.01**

11/20/2018 12:00 PM





ALL CONTRACTORS ARE REQUIRED TO OBTAIN PERMITS FROM THE LOCAL GOVERNMENT AND TO COMPLY WITH ALL BUILDING CODES AND REGULATIONS. THE DESIGNER ASSUMES NO LIABILITY FOR ANY DAMAGE TO THE PROPERTY OR PERSONS DURING THE CONSTRUCTION OF THE PROJECT. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR COMPLYING WITH ALL LOCAL, PROVINCIAL AND FEDERAL REGULATIONS. THE USER OF THIS DRAWING SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR COMPLYING WITH ALL LOCAL, PROVINCIAL AND FEDERAL REGULATIONS.



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Revision	No	Date	Description
1	18-05-14	ISSUED FOR DP	
2	18-05-14	ISSUED FOR DP	
3	18-05-14	ISSUED FOR DP	
4	18-05-17	RE-ASSIGNED FOR DP	
5	18-05-17	RE-ASSIGNED FOR DP	
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7	18-05-17	RE-ASSIGNED FOR DP	
8	18-05-17	RE-ASSIGNED FOR DP	
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10	18-05-17	RE-ASSIGNED FOR DP	

Project Title  
**WETTON RD  
TOWNHOUSES**

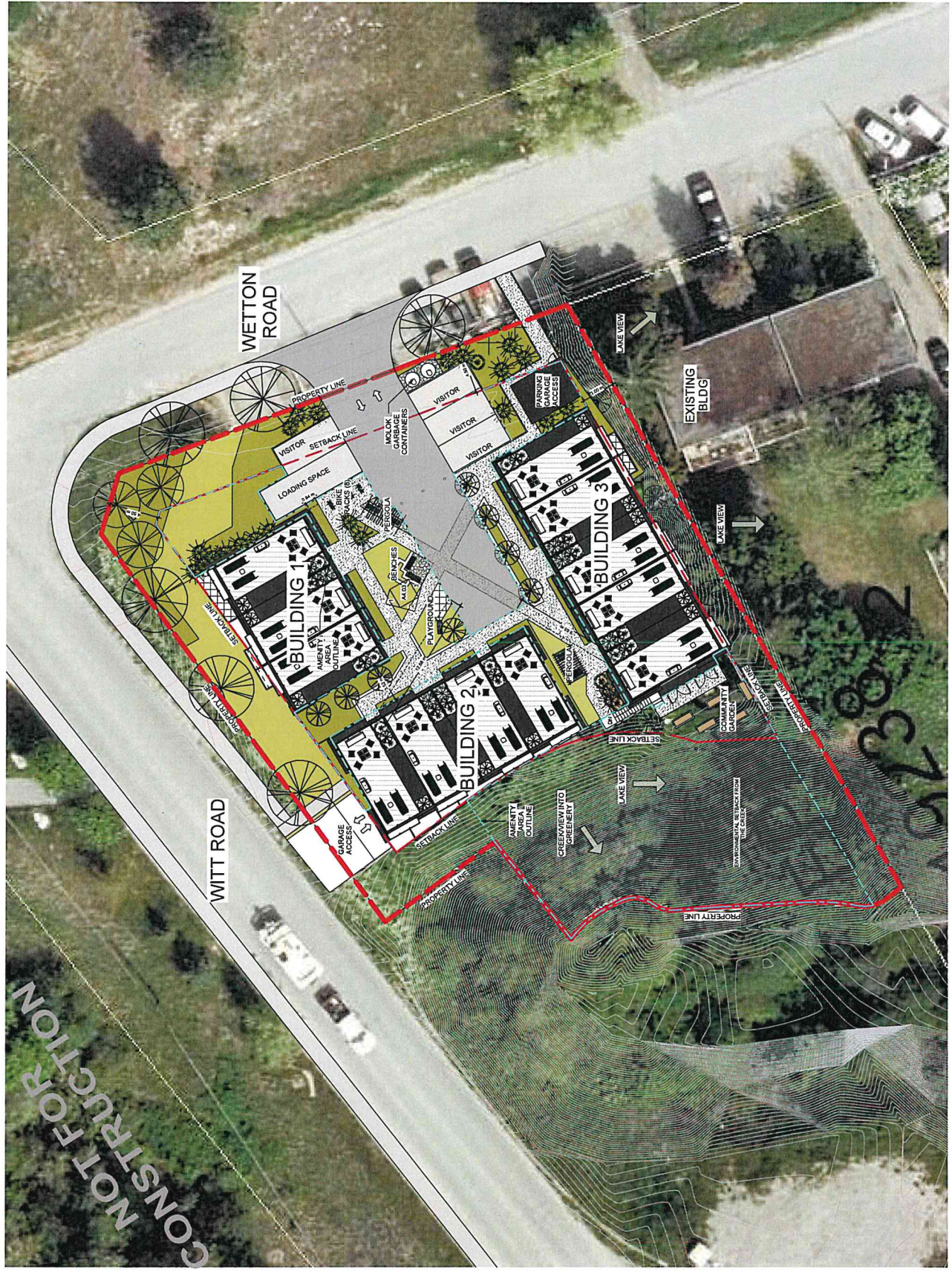
Project Address  
**WETTON ROAD  
VICTORIA, BC  
V8T 2C1**

Project No.  
**18-05-17**

Project Name  
**SITE PLAN**

**A2.00**

11/05/2018 3:24 PM





ALL CONTRACTORS ARE REQUIRED TO PREPARE PROPOSALS AND SUBMIT THEIR PROPOSALS IN ACCORDANCE WITH THE TENDERING PROCESSES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA.

This drawing is an integral part of the contract and the drawings shall be returned to the contractor upon completion of the work. The drawings shall be retained by the contractor and shall be made available to the contractor for use in connection with the work.

This drawing must not be altered.

Verify all dimensions and details prior to commencement of work.

Signatures and dates are required for all drawings.



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Goal

Revision	No	Date	Description
	1	18-09-14	ISSUED FOR DP
	2	19-01-14	REISSUED FOR DP
	3	19-03-22	REISSUED FOR DP
	4	19-06-17	REISSUED FOR DP

project title  
WETTON RD  
TOWNHOUSES

project address  
WETTON ROAD  
WEST KELOWNA, BC

project no.	6047

LEVEL 0 - drawing title

PARKADE

height	1.4	$r = 100$
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Year	LA	RY
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A 3 00

17/02/2011 10:07:51



ALL CONTRACTORS ARE REQUIRED TO OBTAIN A PERMIT FROM THE CITY OF VICTORIA TO CONSTRUCT WITHIN ALL EXISTING AND PROPOSED CONSTRUCTION ZONES. THE DRAWING IS AN APPROXIMATE REPRESENTATION OF THE PROPOSED DEVELOPMENT AND IS NOT TO BE USED FOR CONSTRUCTION. THE DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSES. THE DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSES. THE DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSES.

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Scale

Revision	No	Date	Description
1	19.05.17	19.05.17	REVISED FOR DP
2	19.01.14	19.01.14	REVISED FOR DP
3	19.03.17	19.03.17	REVISED FOR DP
4	19.05.17	19.05.17	REVISED FOR DP

Project Title  
**WETTON RD TOWNHUSES**

Project Address  
**WETTON ROAD  
WEST MELBORNE, VIC**

Project No.  
**1001**

Drawing Title  
**LEVEL 1**

Author  
**L.A.**

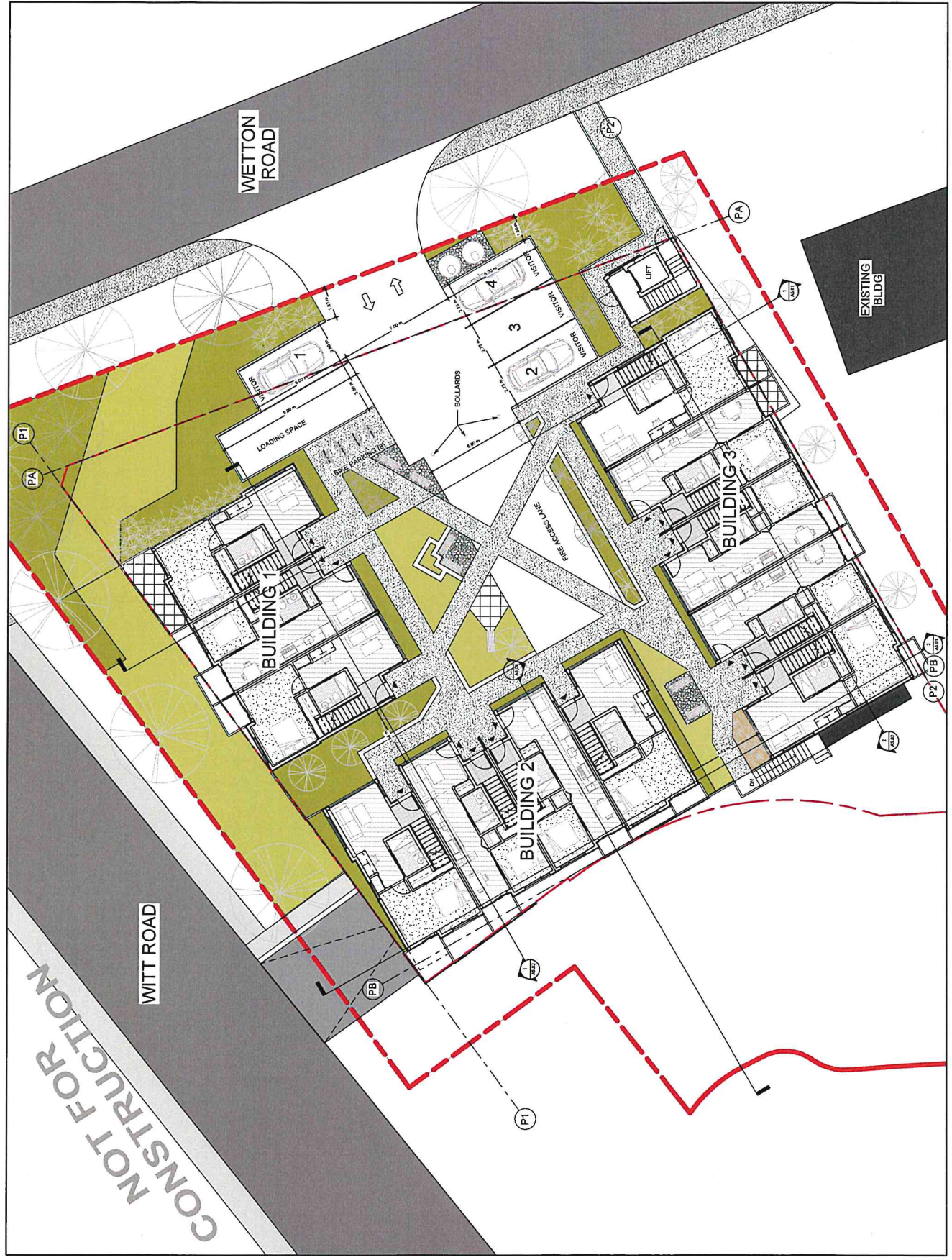
Check  
**L.A.**

Drawn  
**L.A.**

Scale  
**1:100**

Sheet  
**A3.01**

Date  
**11/06/2019 12:17 PM**







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Seal

Revision	No	Date	Description
	1	18-09-14	ISSUED FOR DP
	2	19-01-14	RE-ISSUED FOR DP
	3	19-03-21	RE-ISSUED FOR DP
	4	19-06-17	RE-ISSUED FOR DP

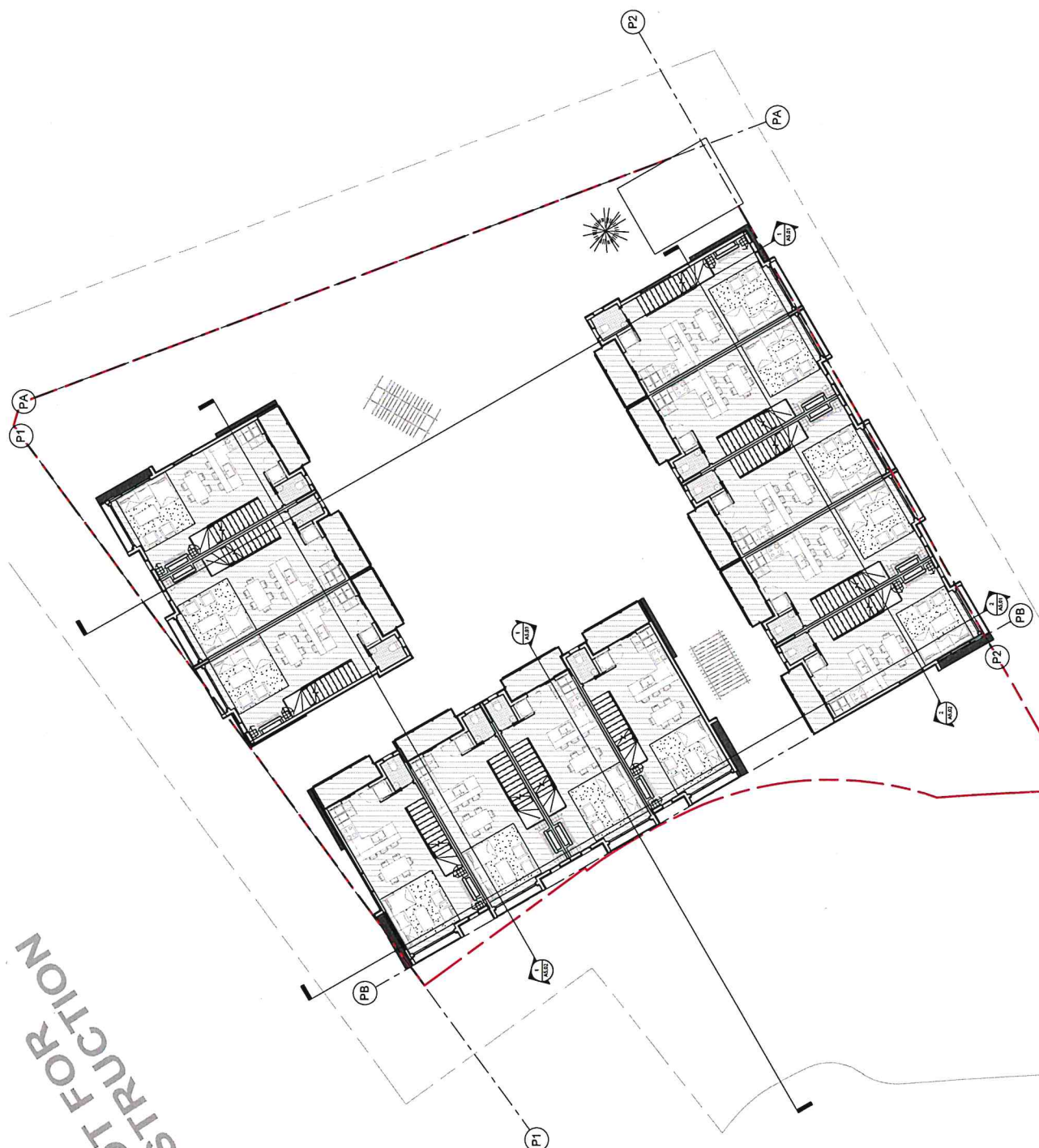
project title  
WETTON RD  
TOWNHOUSES

project address  
WETTON ROAD  
WEST KELOWNA, BC  
project no. 4047

LEVEL 2  
drawing table

Energy	L.A.	100 - 100
8 am		L.A.
Chloride		R.V.

## A3.02

[illegible]

NOT FOR CONSTRUCTION

NOT FOR  
CONSTRUCTION

ALL CONTRACTORS ARE REQUIRED TO PERFORM  
THEIR WORK IN ACCORDANCE WITH THE  
BY-LAWS OF THE PROVINCE OF BRITISH COLUMBIA,  
THE ACTS OF PARLIAMENT AND THE REGULATIONS  
AND ORDINANCES THEREUNDER. THE USE OF THIS  
DRAWING IS LIMITED TO THE PROJECT AND SITE  
SPECIFICALLY IDENTIFIED HEREON. ANY OTHER  
USE OF THIS DRAWING WITHOUT THE WRITTEN  
CONSENT OF NEW TOWN ARCHITECTURE  
IS STRICTLY PROHIBITED AND IS A VIOLATION  
OF THE PROFESSIONAL ACT AND REGULATIONS  
OF THE ARCHITECTS OF BRITISH COLUMBIA.  
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ANY OTHER PROJECT OR SITE WITHOUT THE  
WRITTEN CONSENT OF NEW TOWN ARCHITECTURE.  
Project all drawings and documents to the Architect.



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Seal

Revision	No	Date	Description
1	18-09-14		ISSUED FOR DP
2	18-09-14		ISSUED FOR DP
3	18-09-14		ISSUED FOR DP
4	18-09-14		ISSUED FOR DP
5	18-09-14		ISSUED FOR DP
6	18-09-14		ISSUED FOR DP
7	18-09-14		ISSUED FOR DP
8	18-09-14		ISSUED FOR DP
9	18-09-14		ISSUED FOR DP
10	18-09-14		ISSUED FOR DP

Project Name  
**WETTON RD  
TOWNHOUSES**

Project Address  
**WETTON ROAD,  
WEST KILGORE, BC  
V2Y 1K1**

Drawing No.  
**LEVEL 3**

Project	18-09-14	18-09-14	18-09-14
Drawn	L.A.	L.A.	L.A.
Checked	L.A.	L.A.	L.A.
Approved	L.A.	L.A.	L.A.

**A3.03**  
18-09-14 12:13 PM







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**Goal**

Revisions		No	Date	Description
1	18-09-14	1	18-09-14	ISSUED FOR DP
2	19-01-14	2	19-01-14	RE4ISSUED FOR DP
3	19-03-22	3	19-03-22	RE4ISSUED FOR DP
4	19-06-17	4	19-06-17	RE4ISSUED FOR DP

project title  
WETTON RD  
TOWNHOUSES

project address  
WETTON ROAD  
WEST KELOWNA, BC  
project no. 4017

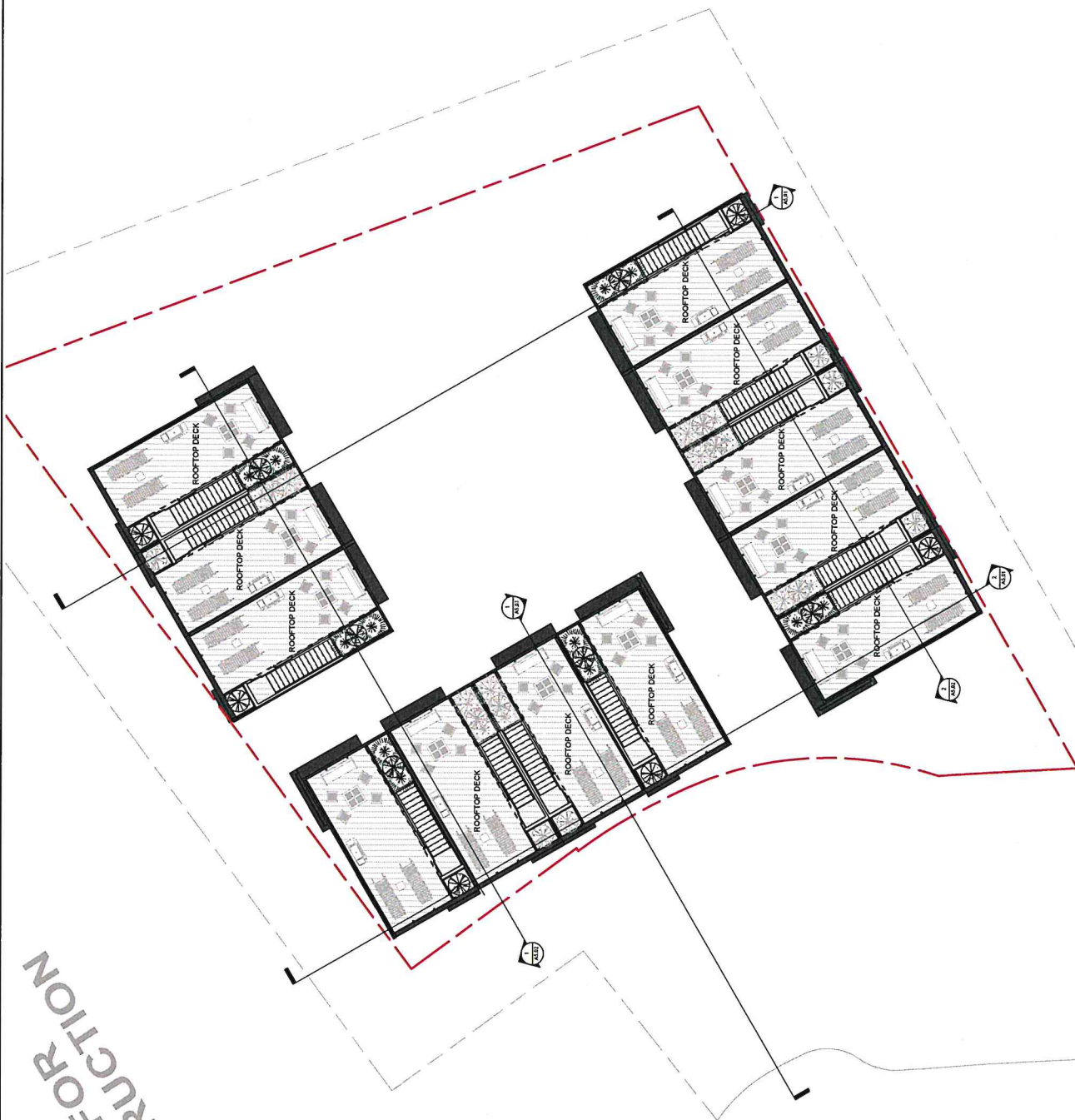
drawing title  
**ROOF PLAN**

10-27-04	LA	11:00	LA = 10-27
12-20-04	LA		LA
12-21-04			LA

## A3.04

17/06/2011 13:02:11 PM

CONSTRUCTION  
NOT FOR



2 Elevation NW  
3/16" = 1'-0"





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Revision	No	Date	Description
	1	18-09-14	ISSUED FOR DP
	2	19-01-14	REISSUED FOR DP
	3	19-03-22	REISSUED FOR DP
	4	19-06-17	REISSUED FOR DP

project title  
**WETTON RD  
TOWNHOUSES**

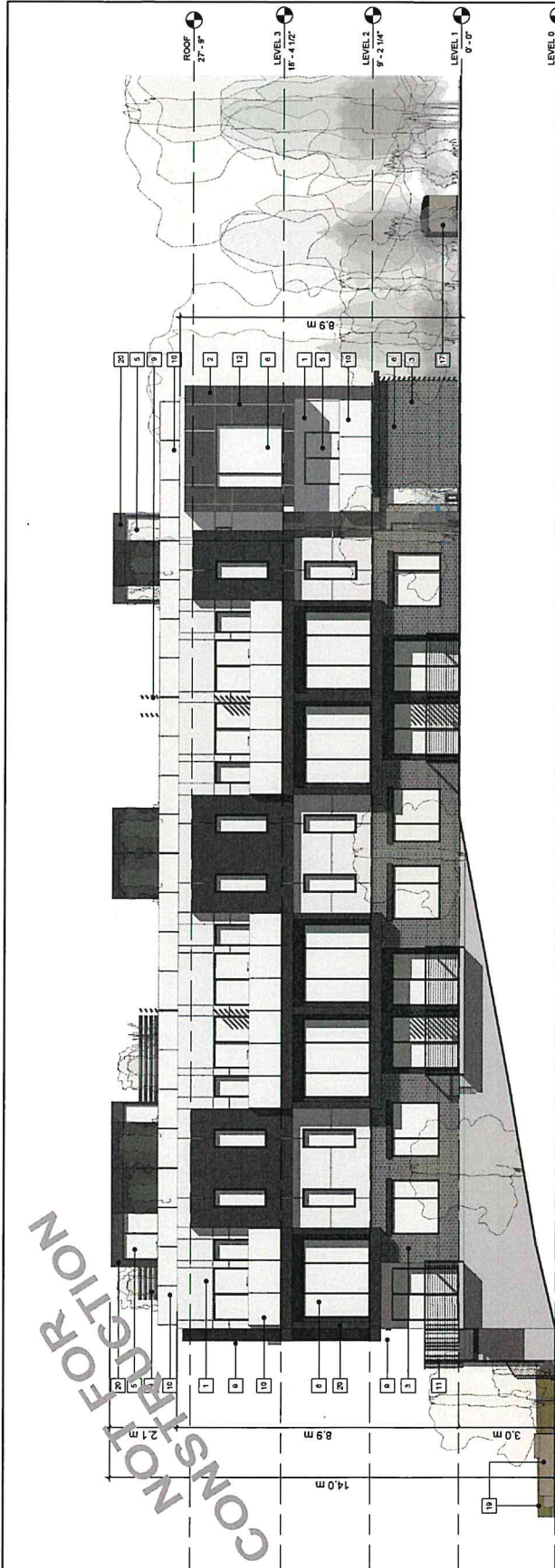
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WETTON ROAD  
WEST KELOWNA, BC

drawing title  
ELEVATIONS

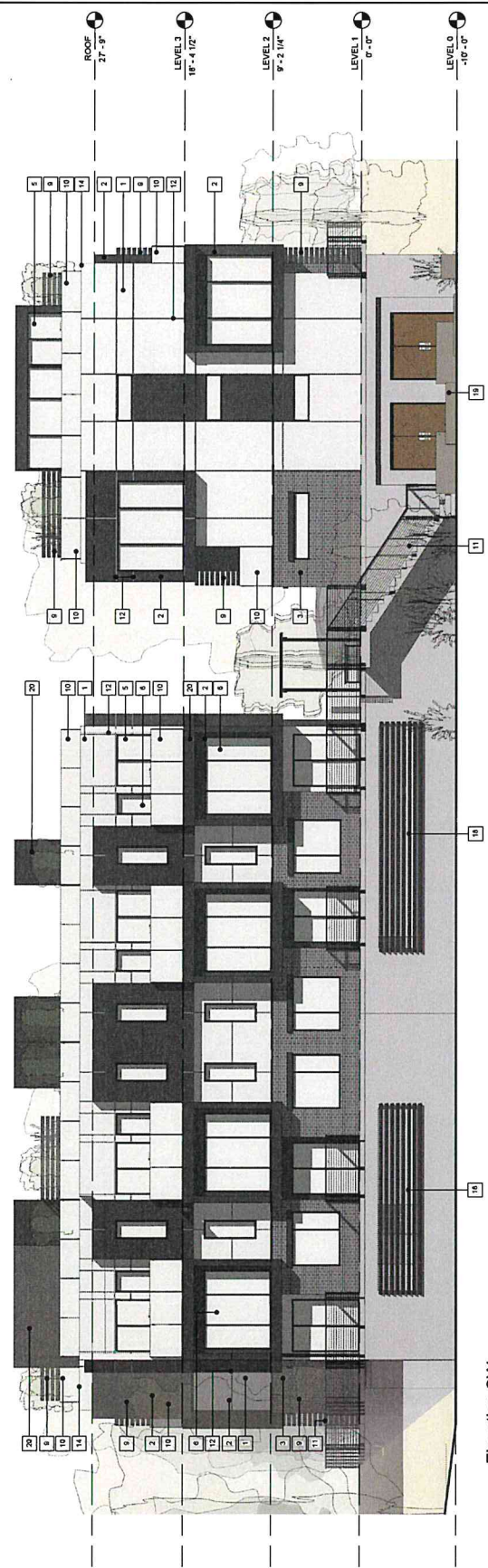
Grouped	LA	SL 80	318 - F-2
if not			LA
Classed			R.T.

## A4.02

Page 17 17/06/2018 9:29:11 PM



1 Elevation SE  
3/16" = 1'-0"



2 Elevation SW  
3/16" = 1'-0"



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<b>Revisions</b>		<b>Description</b>
No	Date	
1	18-09-14	ISSUED FOR DP
2	19-01-14	RE ISSUED FOR DP
3	19-03-27	RE ASSUED FOR DP
4	19-06-17	RE ASSUED FOR DP

project title

**WETTON RID  
TOWNHOUSES**

project address  
**WETTON ROAD  
WEST KELOWNA, BC**

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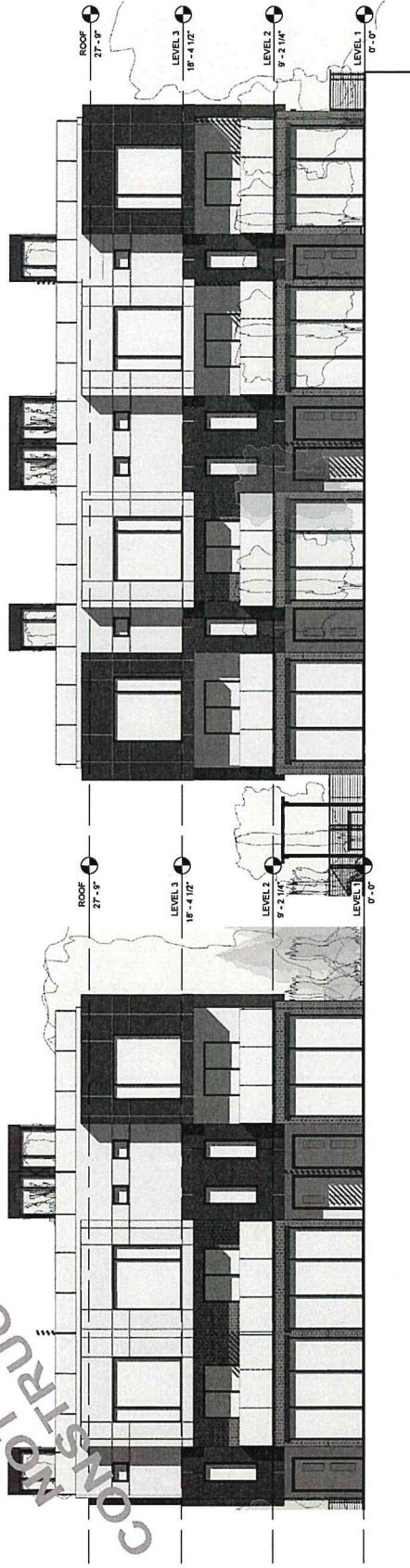
project no. 4047

drawing title  
BLDG FRONT  
ELEVATIONS

Grouped	LS	All individuals
Grouped		LS
Unpaired		P.V.

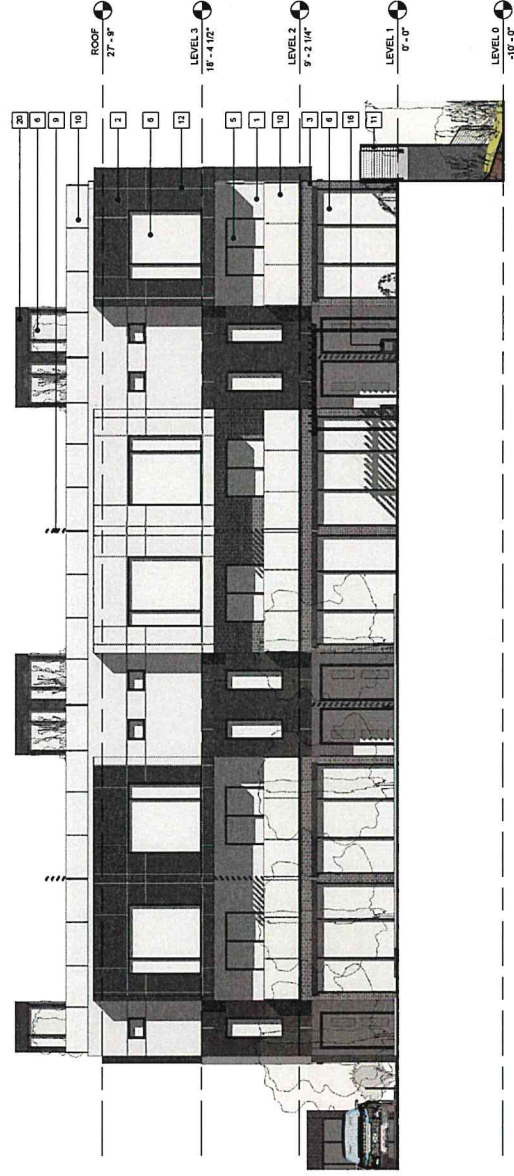
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17,000,000



BLDG 1  
1 ————— 3/16" = 1'-0"

BLDG 2  
3/16" = 1'-0"



BLDG 3  
3/16" = 1'-0"

## MATERIAL KEYNOTE LEGEND

- |     |   |
|-----|---|
| 1.  | HARDIE PANEL - SMOOTH (COLOR OR ARTIFICIAL WHITE) |
| 2.  | HARDIE PANEL - SMOOTH (COLOR RICH ESPRESSO)       |
| 3.  | BRICK VENEER (COLOR GREY)                         |
| 4.  | EXTERIOR ENTRANCE DOOR W/ BLACK FRAME             |
| 5.  | SLIDING PATIO DOOR W/ BLACK FRAME                 |
| 6.  | WINDOW W/ BLACK FRAME                             |
| 7.  | WINDOW DOOR W/ BLACK FRAME                        |
| 8.  | OVERHEAD GARAGE DOOR                              |
| 9.  | PLASTIC SCREEN                                    |
| 10. | GLASS GUARDRAIL W/ BLACK POWDER COATED POSTS      |
| 11. | BLACK CABLE GUARDRAIL W/ BS CODE PROVISION        |
| 12. | BLACK PANEL REVEAL                                |
| 13. | PARADE PERIMETER WALL - BRUSHED CONCRETE FINISH   |
| 14. | GREEN METAL FLASHING - BLACK                      |
| 15. | BLACK RACK  |
| 16. | PARK BENCH  |
| 17. | MOLDED GARAGE CONTAINERS                          |
| 18. | TREX SCREENING PANELS                             |
| 19. | COMMUNITY GARDEN/PLAYER                           |
| 20. | CORR. METAL - STAINLESS SEAM (COLOR TO MATCH #2)  |



Revisions	No	Date	Description
	1	18-09-14	ISSUED FOR DP
	2	19-01-14	RE4SSUED FOR DP
	3	19-03-22	RE4SSUED FOR DP
	4	19-06-17	RE4SSUED FOR DP

project title  
WETTON RD  
TOWNHOUSES

project address	WETTON ROAD WEST KELOWNA, BC	project no.	4517
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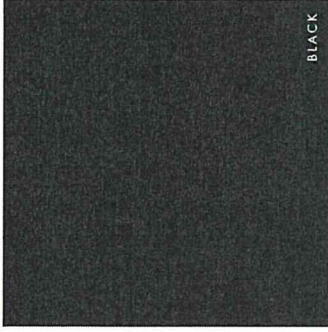
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MATERIALS

designed	to do	
of such	LA	LA
of such		RY.

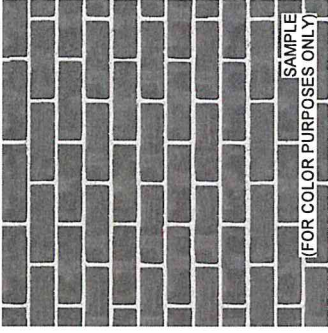
## A4.04

Printed: 17/06/2018 2:29:38 PM

**PRE-FINISHED CORRUGATED METAL;  
COLOR BLACK (#14)**



**GREY BRICK VENEER (#3)**



**HARDIE REVEAL PANEL (SMOOTH) W/ PAINTED EXP. FASTENERS; COLOR RICH ESPRESSO (#2)**



DOUBLE GLAZED WINDOWS  
W/ BLACK FRAMES (#6)



BRUSHED CONCRETE FINISH (#13)



**HARDIE REVEAL PANEL (SMOOTH) W/ PAINTED EXP. FASTENERS; COLOR ARCTIC WHITE (#1)**



MOLOK GARBAGE CONTAINERS (#17)



GLASS GUARDRAIL W/ BLACK POWDER COATED POSTS (#10)



BLACK CABLE GUARDRAIL W/ BC CODE PROVISION (#11)





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Revisions	No	Date	Description
	1	18-09-14	ISSUED FOR DP
	2	19-01-14	RE-ISSUED FOR DP
	3	19-03-22	RE-ISSUED FOR DP
	4	19-06-17	RE-ISSUED FOR DP

project title  
WETTON RD  
TOWNHOUSES

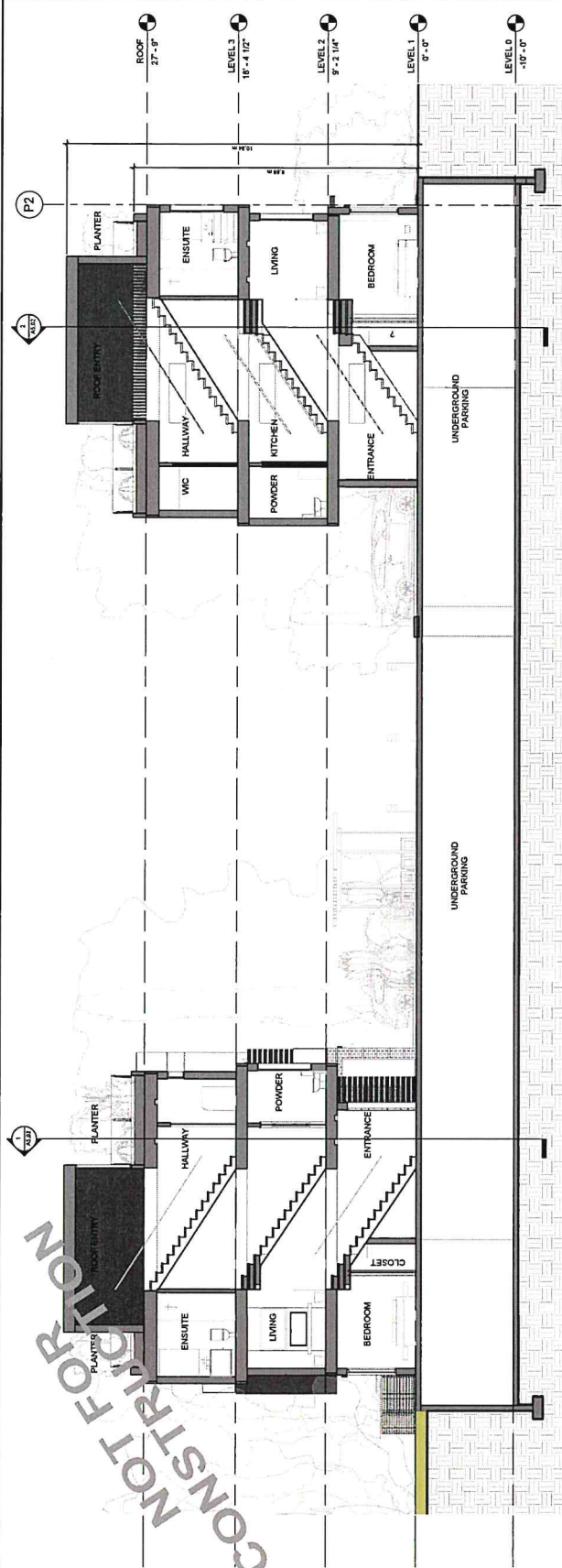
project address  
WETTON ROAD  
WEST KELOWNA, BC

## SECTIONS

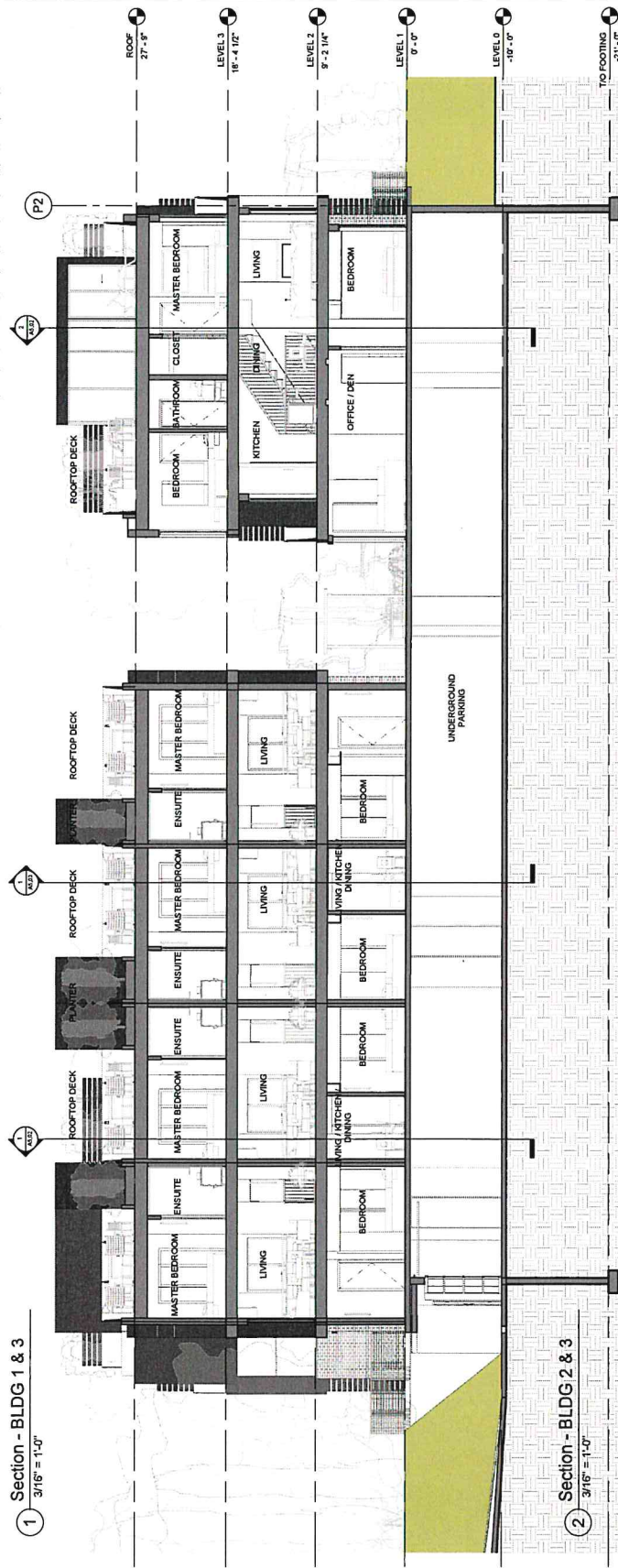
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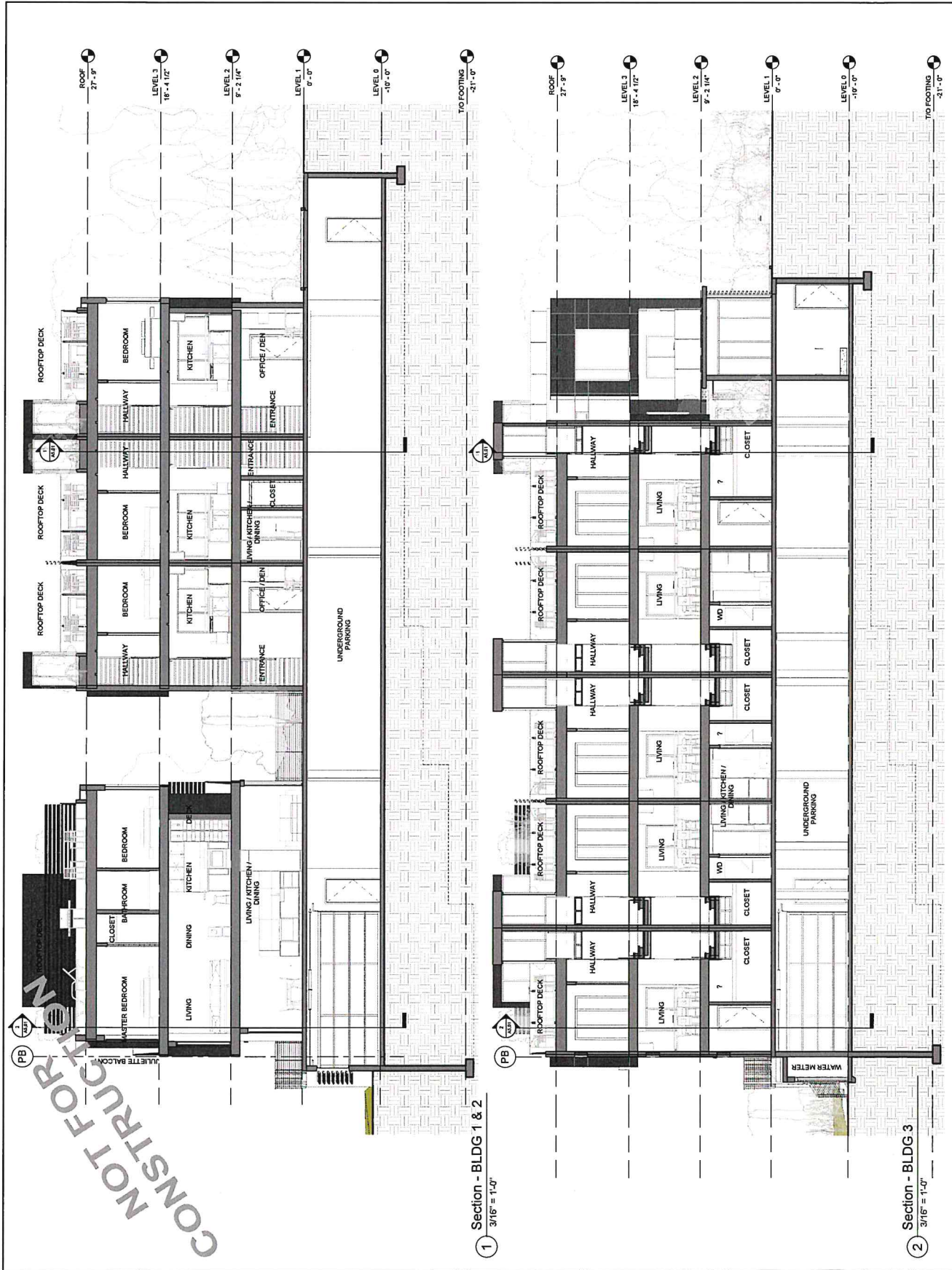
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1 Section - BLDG 1 & 3  
3/16" = 1'-0"



2 Section - BLDG 2 & 3  
3/16" = 1'-0"

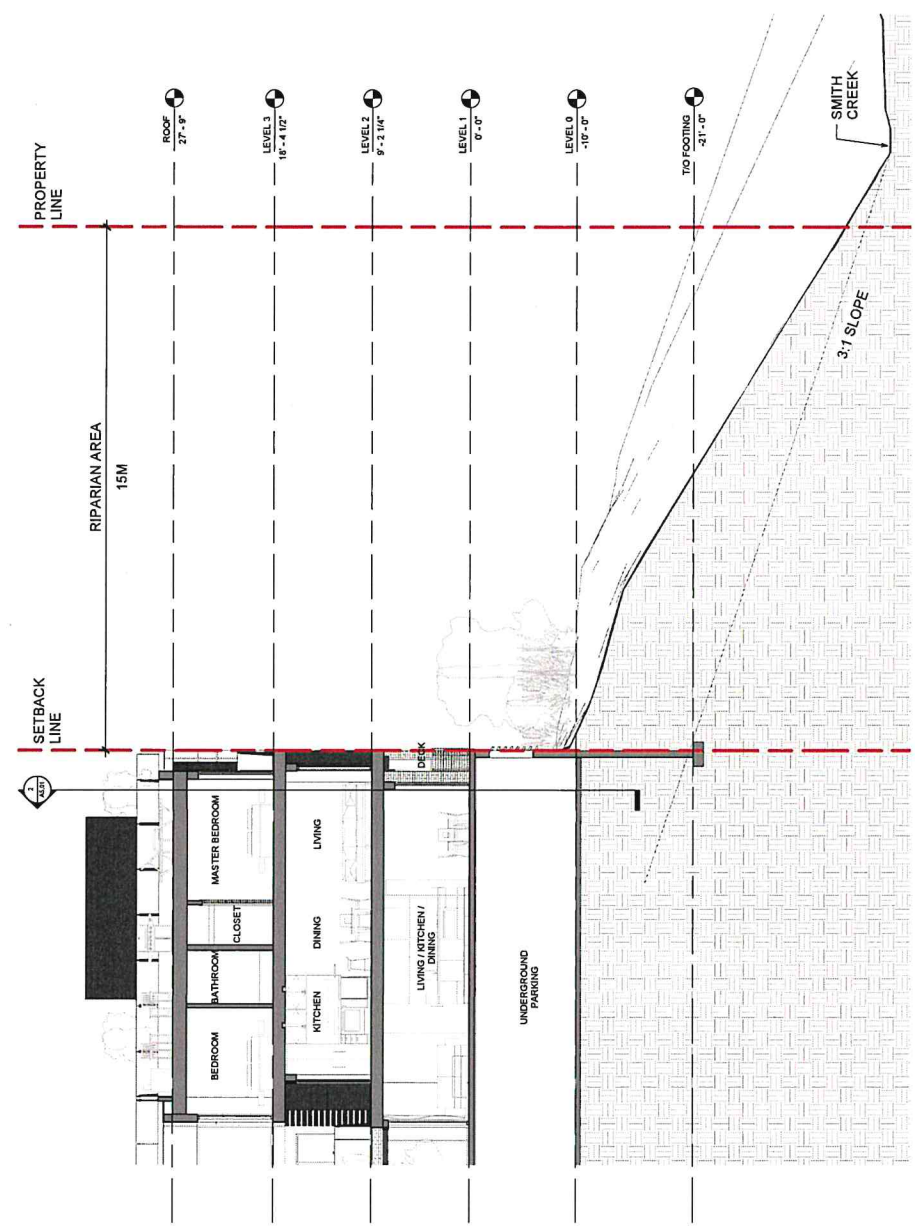


1 Section - BLDG 1 & 2  
 3/16" = 1'-0"

2 Section - BLDG 3  
 3/16" = 1'-0"



NOT FOR CONSTRUCTION



ALL CONTRACTORS ARE REQUIRED TO PERFORM CONSTRUCTION OF THIS PROJECT IN ACCORDANCE WITH THE PROVISIONS OF THE BUILDING ACT AND THE PROVISIONS OF THE BUILDING CODE. THE USE OF THIS DRAWING IS LIMITED TO THE PROJECT AND THE SITE SPECIFICALLY IDENTIFIED HEREON. THE USER OF THIS DRAWING IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR ENSURING THAT THE PROJECT IS COMPLETED IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS. THE USER OF THIS DRAWING IS ALSO RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE. THE USER OF THIS DRAWING IS NOT TO BE HELD RESPONSIBLE FOR ANY CONSEQUENCES ARISING FROM THE USE OF THIS DRAWING.

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Revision	No	Date	Description
2	18-01-17	RE-ISSUED FOR DP	
3	18-01-17	RE-ISSUED FOR DP	
4	18-06-17	RE-ISSUED FOR DP	

Project Name  
**WETTON RD TOWNHOUSES**

Project Address  
**WETTON ROAD  
WEST MELBOURNE, VIC  
3047**

Project No.  
**18-01-17**

Project Date  
**18-01-17**

Project Status  
**18-01-17**

Project Stage  
**18-01-17**

Project Type  
**18-01-17**

Project Location  
**18-01-17**

Project Owner  
**18-01-17**

Project Manager  
**18-01-17**

Project Engineer  
**18-01-17**

Project Architect  
**18-01-17**

Project Designer  
**18-01-17**

Project Drafter  
**18-01-17**

Project Checker  
**18-01-17**

Project Approver  
**18-01-17**

Project Sign-off  
**18-01-17**

Project Seal  
**18-01-17**

Project Stamp  
**18-01-17**

Project Signature  
**18-01-17**

Project Date  
**18-01-17**

Project Location  
**18-01-17**

Project Owner  
**18-01-17**

Project Manager  
**18-01-17**

Project Engineer  
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Project Architect  
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Project Designer  
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Project Drafter  
**18-01-17**

Project Checker  
**18-01-17**

Project Approver  
**18-01-17**

Project Sign-off  
**18-01-17**

Project Seal  
**18-01-17**

Project Stamp  
**18-01-17**

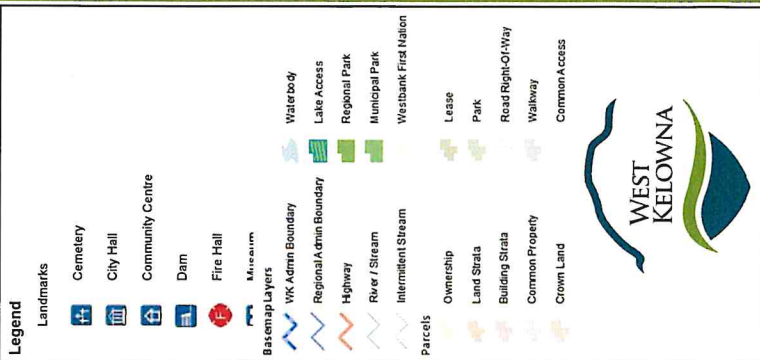
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**18-01-17**

Section - SMITH CREEK  
3/16" = 1'-0"

**A5.03**

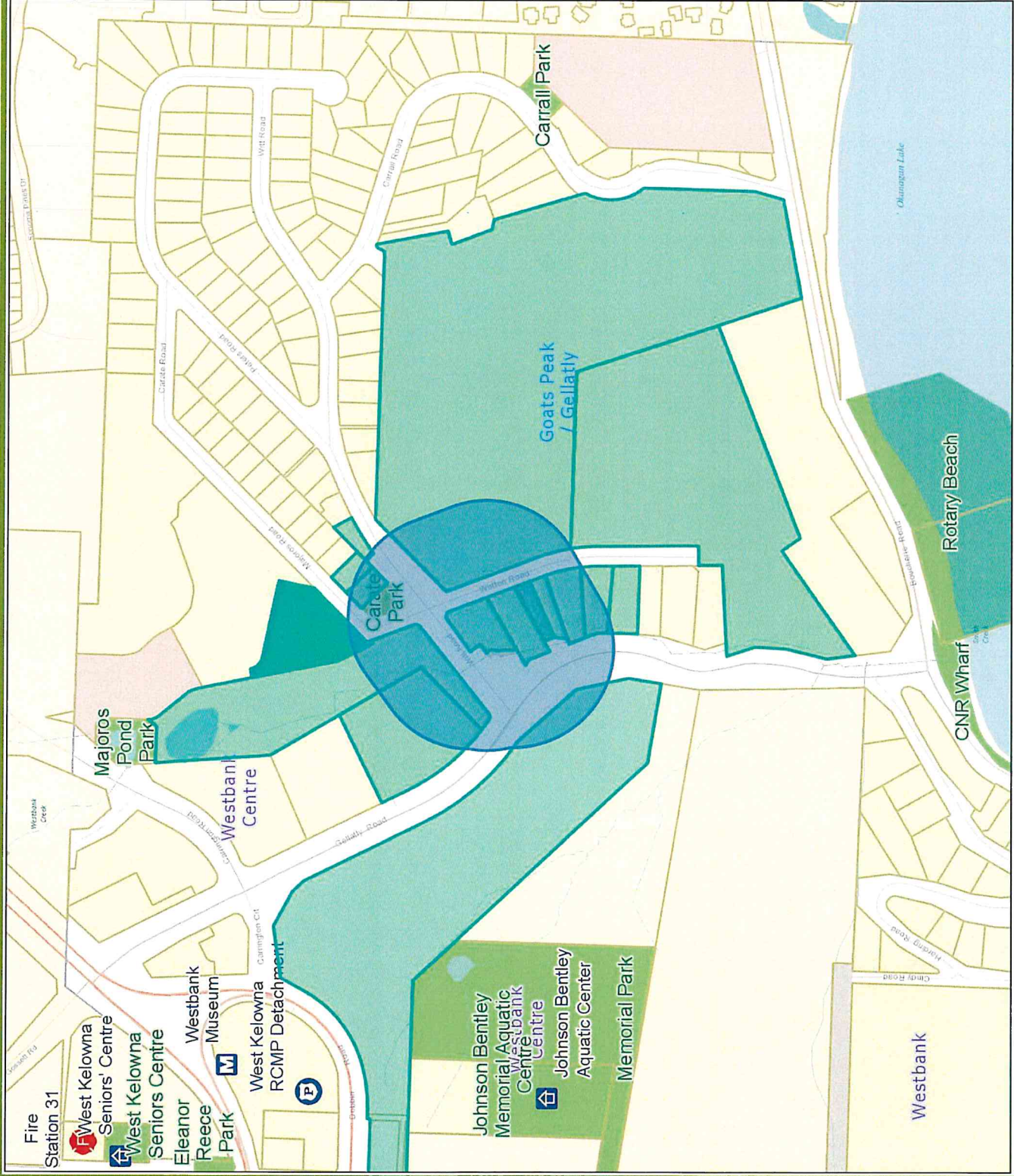


**DP 18-33 GIS Mail**  
**Notification Map**



Scale 1 : 5,630

## Notes



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Map Projection: NAD\_1983\_UTM\_Zone\_11N

Map Produced on: 5/23/2019 9:44:04 AM



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

DATE: June 3, 2019 File: DP 18-33  
 TO: Jim Zaffino, CAO  
 FROM: Jaleen Rousseau, Planner  
 RE: Application: Development Permit with Variances (DP 18-33)  
 Address: A 3746 Wetton Road  
 Legal: Lot A, DL 5059 & 5069, ODYD, Plan 19238, Except Plan EPP69262  
 Owner: Pelican Properties Ltd., Inc. No. BC1144682  
 Agent: New Town Architecture and Engineering Inc.

**RECOMMENDED MOTION:**

**THAT** Council postpone the issuance of a Development Permit (DP 18-33) to construct 24 stacked townhouse units in 3 buildings, and direct the applicant to revise the proposal to include the required parking stalls as per the zoning regulation.

**RATIONALE:**

While multiple family development is desirable within this area, the current proposal attempts to achieve a density of units which are unattainable without the application of variances (building height, parking and rear parcel boundary setback). Some of the requested variances may be supported by staff. However, the proposal includes a request for a large reduction in the number of required parking stalls. A parking reduction of this size is anticipated to result in negative impacts to future residents of the site as well as those of the surrounding area. Although staff have encouraged the applicant to revise the proposal to meet the parking requirements, the applicant has requested to bring the application forward to Council as is.

**LEGISLATIVE REQUIREMENTS:**

Council has 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:**

**Proposal**

The applicant is requesting the issuance of a Form and Character Development Permit with Variances to facilitate the construction of 24 stacked townhouse units in 3 structures on the subject property. The proposal in its entirety includes:



- 12 one bedroom and 12 two bedroom units;
- Rooftop decks (12);
- 36 parking stalls (21 regular, 11 small car, 2 accessible, 2 visitor, 1 loading);
- 16 bicycle stalls;
- Amenity space (interior courtyard, 6 community garden beds, children's slide, pergola seating area)

The requested variances pertain to parking, building height to accommodate access to rooftop decks and slope of the land, and proximity of a building to the rear parcel boundary setback. The applicant has provided a proposal summary (*Attachment 2*).

### Location and Surrounding Uses

The 2,359.32 m<sup>2</sup> (0.58 acres) subject property is corner parcel located adjacent to Smith Creek and in close proximity to Gellatly Bay (See *Attachments 3 & 4*). The parcel underwent a land exchange with the City to acquire a portion of the Witt Road Right of Way in exchange for the property west of Smith Creek. The parcel currently maintains a fourplex and slopes from the east down to the west where the rear yard abuts Smith Creek (*Figure 1*).

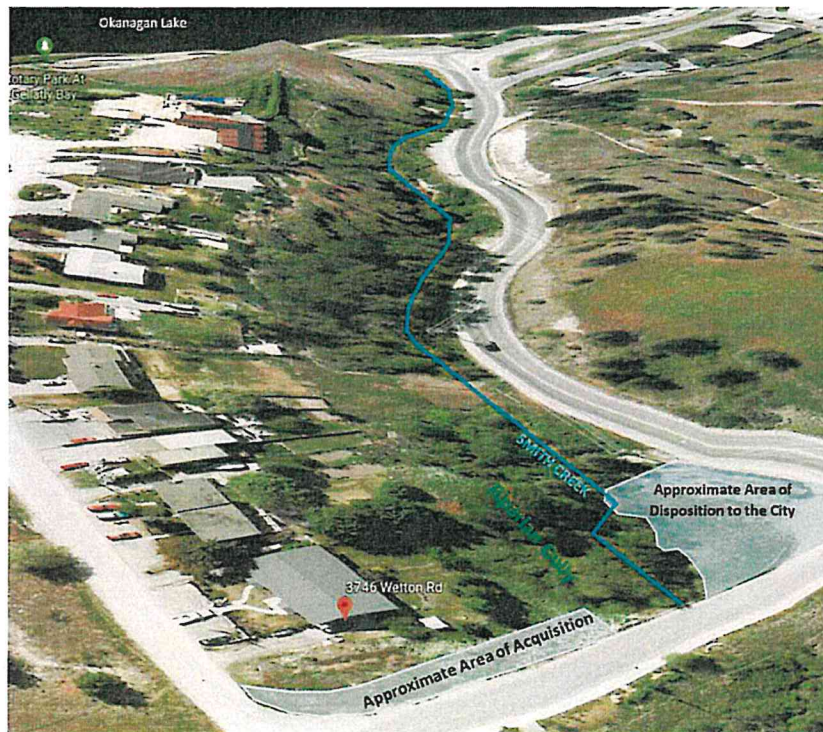


Figure 1: Site Context

Uses surrounding the subject property include:

- North – Witt Road, Lions Manor (Westbank Centre Multiple Residential Zone R5) and Carate Municipal Park (undeveloped).
- East – Agricultural Zone A1 parcel within the Agricultural Land Reserve.
- West – Gellatly Road and Westbank First Nations IR#9
- South – Low Density Multiple Residential Zone R3 (existing fourplex)

### 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. 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 the adjacent land uses. The proposal is aligned with the LDMF designation.



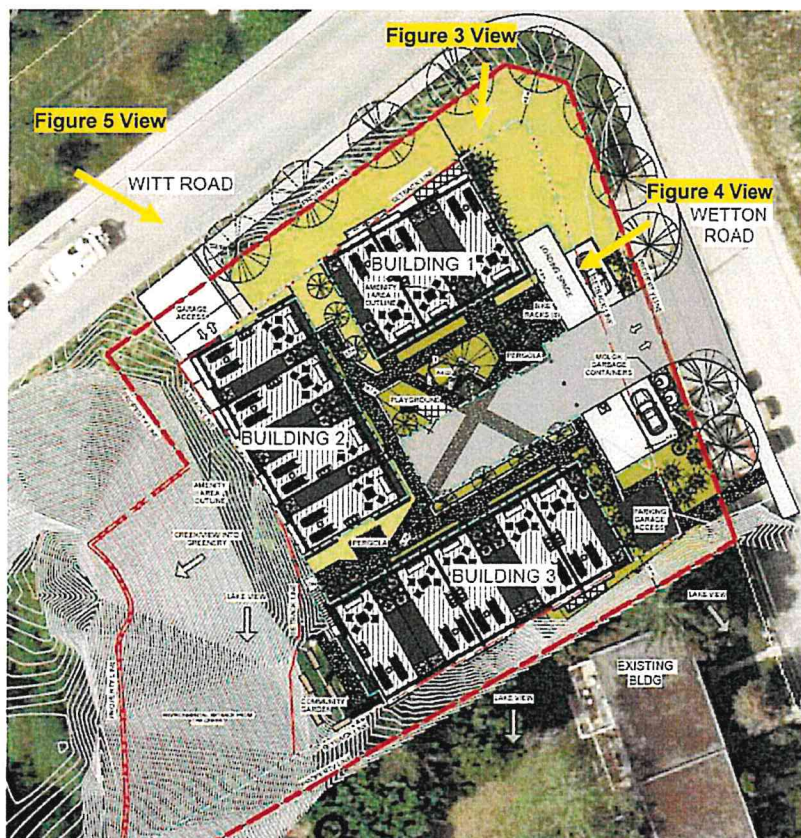
The proposed development is subject to three of the City's DPAs: Aquatic, Sensitive Terrestrial Ecosystem, Hillside and Form and Character Multiple Family development.

The OCP supports development where it is sensitive to aquatic and sensitive terrestrial features and incorporates long term protection for areas of high sensitivity. The subject property slopes down from Wetton Rd to the southwest where the rear yard abuts Smith Creek. Given the level of protection and restoration afforded to Smith Creek (see Technical section), the development is in accordance with the OCP guidelines.

The OCP supports hillside development where it is sensitive to topography, does not result in hazardous conditions to future residents and/or neighbours of the site. The guidelines encourage long term protection of slopes over 30%. Given adherence to the geotechnical recommendations (see Technical section), the development is in accordance with the OCP guidelines.

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.

The three townhouse structures are arranged in a U-shape with a central courtyard that is accessible from Wetton Road (Figure 2). A single loading space and three visitor parking stalls (one accessible) are located within the front of the property adjacent to Wetton Road access. This access extends through the parking area and into the courtyard to ensure fire fighting access. Bollards are in place to restrict general traffic from entering the courtyard beyond the visitor parking. A second site access is proposed from Witt Road to accommodate



Development Permit with Variances (File No. DP 18-33, A3746 Wetton Road)



access to an underground parking garage. Pedestrian access to and from the garage is located adjacent to Building 3 and is visible in Figure 3. See *Attachment 5* for site plans and architectural rendering of the proposed development.

The townhouse units are accessed from the central courtyard. One bedroom units are located on the main level and include exterior decks. Two bedroom units are located on the second floor and include access to rooftop decks with lake views. All units are oriented into the courtyard (Figures 3, 4 & 5).



Figure 3: Rendering – View of Proposed Development from the Corner of Wetton and Witt Roads.



– Figure 4: Rendering – View of Internal Courtyard





Figure 5: Rendering – View of Proposed Development from Witt Road.

#### *Landscaping & Amenity Space*

Amenity space provisions exceed the minimum required amount of space and include landscaped areas, a children's slide and community gardens. The landscape plan is divided into two components: Landscaping for the developed portion of the site and riparian plantings for the SPEA in the rear of the property (Figure 6).

Landscaping exclusive to the development includes a mix of trees, shrubs, ornamental grasses, groundcovers, and perennials. The plan includes provisions of green walls, seating areas and six community garden plots for the benefit of residents.

In accordance with recommendations contained within the environmental assessment, removal of invasive vegetation from the SPEA followed by restorative plantings are planned for the riparian area.

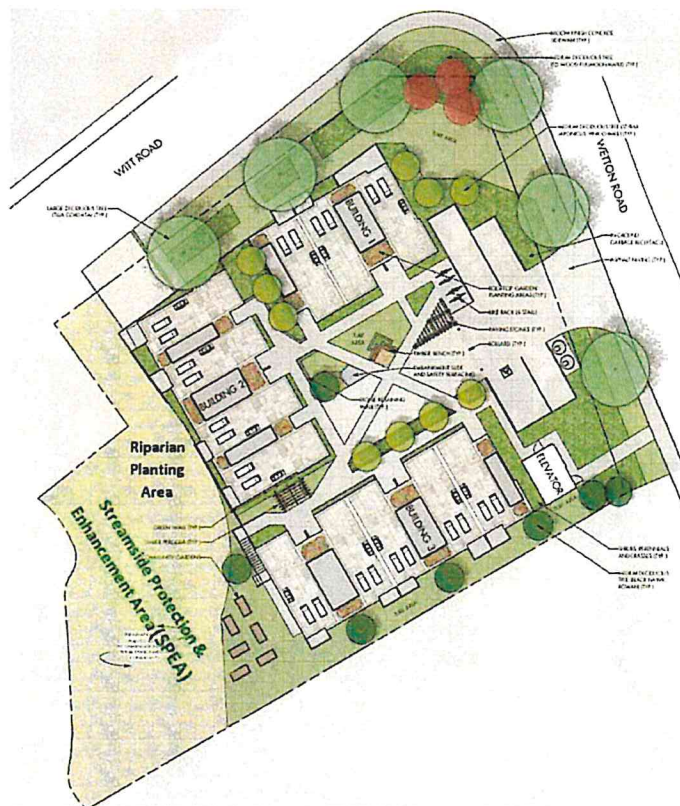


Figure 6: Landscape Plan for DP 18-33



The total landscape security is \$63,908.00 (\$79,885.00 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 Low Density Multiple Family Zone (R3), including density, parcel coverage and frontage. The proposal is inconsistent with some regulations applicable to the R4 zone including; parking, building height and rear parcel boundary setback. The height and rear parcel boundary setback are considered to be acceptable when considered in context with the site. However, the parking variance is not supported as it is anticipated to result in negative impacts to future residents of the site as well as those of the surrounding area.

#### *Variance Requests:*

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

1. To reduce the number of required parking stalls from 53 to 36 and to increase the number of permitted small car stalls from 10 to 11;
2. To increase the allowable building height from 9.0 m to 14.0 m; and
3. To reduce the required rear parcel boundary setback for Building 2 from 7.5 m to 4.5 m.

#### *1. Parking*

The City's Zoning Bylaw requires that all townhouse developments include the provision of 2.0 parking spaces per unit regardless of number of bedrooms. The applicant proposes to allocate 1.2 spaces per one bedroom unit and 1.5 spaces per two bedroom unit for a total of 33 spaces, in addition to the provision of visitor, accessible and loading spaces. This request would result in a 30% reduction in required parking.

Table 1 below provides a summary of the off-street parking provisions as proposed by the applicant.

**Table 1: Parking Summary**

Type of Parking	Required Spaces <sup>1</sup>	Spaces Provided (DP 18-33)
Standard Spaces	31	21
Accessible Spaces	2	2
Small Car Spaces	15	11*
Visitor Spaces	5	2
Total Parking Spaces	53	36

\*Up to 30% of the total number of required parking spaces may be provided for small cars in Multiple Residential Zones. At 48 stalls, 15 small car stalls would be permitted. At 33 stalls 10 stalls would be permitted. The proposal includes one additional small car stall than what would be permitted.

The proposal includes the provision of one loading space as required.

The applicant's rationale for the request is that the site is in close proximity to Westbank Centre and therefore should be considered as an area of 'transition' into Westbank Centre and in turn should benefit from a parking reduction.

The boundaries of Westbank Centre extend down to the property (Lions Manor) across Witt Road from the subject property. The City's Zoning Bylaw contains reduced parking requirements for parcels located within the boundaries of Westbank Centre due to its proximity

<sup>1</sup> The City's Zoning Bylaw asserts that where parking calculations result in fractional numbers that the requirement shall be rounded to the next highest whole number (P.4, S. 4.2).

to transit and amenities which serve to reduce the necessity for automobile use (*Figure 7*). Development within Westbank Centre must allocate 1.0 spaces per one bedroom unit and 1.25 spaces per two bedroom unit. The applicant asserts that the allocation of 1.2 spaces per one bedroom unit and 1.5 spaces per two bedroom unit is in excess of the parking requirements for Westbank Centre and are appropriate for an area in close proximity to the boundaries of Westbank Centre.

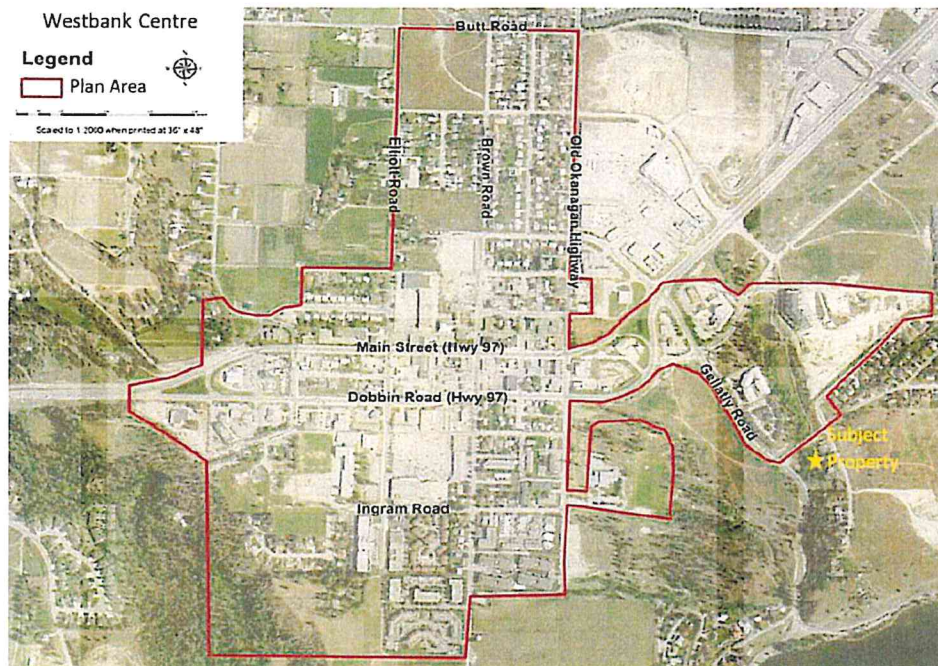


Figure 7: Westbank Centre Area

It is noted that the Carrington/Gellatly area of Westbank Centre was originally included based on existing zoning. However, the area is sufficiently removed from the core of Westbank Centre and is not necessarily considered a 'transition' area.

The parking reductions offered in Westbank Centre are based on availability of on and off-street parking availability. The City is currently undertaking a Westbank Centre parking study, which indicates that on and off-street parking in the core commercial area of Westbank Centre is currently underutilized.

Staff are not in support of the requested parking variance for the following reasons:

- If approved, the parking variance is anticipated to result in negative impacts to future residents of the site as well as those of the surrounding area. Insufficient parking on-site will result in daily on-street parking by residents and visitors of the development.
- There is concern that a 30% reduction in the number of required parking spaces in conjunction with the proposed allocation of small car parking spaces (11 spaces) will contribute to parking issues anticipated on Wetton and Witt Roads.
- The proposal does not include adequate visitor parking provisions.
- The City's Zoning Bylaw review (currently underway) does not include plans to reconsider parking requirements for townhouse developments.
- The property is sufficiently removed from the core of Westbank Centre to not qualify for parking standard reductions.



Staff recommend postponing consideration of the application to allow the applicant an opportunity to redesign the proposal to achieve a balanced approach to density and parking provisions.

## 2. Height

The City's Zoning Bylaw allows a maximum building height of 9.0 m (29.5 ft) up to three storeys for the R3 zone. The applicant is proposing to increase the maximum allowable building height for three townhouse structures from 9.0 m to 14.0 m in accordance with the attached design drawings to facilitate a townhouse development with a partially exposed parkade and rooftop access on a sloping parcel (*Attachment 5*).

The development has been designed to include parking located underground, which is accessed from Witt Road. As the land slopes down towards Gellatly Road the parkade becomes increasingly exposed, with a maximum exposure of 3.0 m at the rear of Building 2 (*Figure 8*). The landscape plan includes the installation of large deciduous trees along this portion of the site that will serve to screen the parkade up to the garage access. This maximum degree of parkade exposure continues at the rear of the parcel. However, this will be screened by existing vegetation within the Smith Creek gully (*Figure 9*). The south side of Building 3 (opposite Building 2 on Witt Road) includes similarly exposed parkade without the garage access and is also landscaped with trees. The height of Buildings 1 and 3 fronting Wetton Road would 11.0 m (8.9 of habitable space and 2.1 m for the rooftop access).



Figure 8: Height Variance Greatest Area of Impact (Building 2) Adjacent to Witt Road

The applicant's rationale for the request is that the City includes roof access in the calculation of height, the slope of the land, and environmental site constraints (required 15 m SPEA).



Staff recommend support for the proposed height variance in consideration of slope of the land and associated environmental restrictions. Further, the proposed landscaping and existing Smith Creek vegetation will serve to screen the exposed parkade and limit visual impact of rooftop accesses. However, this support can only be given in conjunction with a proposal that includes adequate provisions for parking.

### 3. *Rear Parcel Boundary Setback*

The City's Zoning Bylaw requires development within the R3 zone to establish a rear parcel boundary setback of 7.5 m. The rear parcel boundary is an unusual configuration resulting in shortened parcel depth on a portion of the site. This is the portion for which the setback reduction is being requested.

Staff recommend support for the proposed rear parcel boundary variance in consideration of the configuration of the rear parcel boundary and existing vegetation within Smith Creek that would serve to screen the reduced setback. However, this support can only be given in conjunction with a proposal that includes adequate provisions for parking.

## Technical Review

### Site Access

The property is accessed off of both Witt and Wetton Roads (Urban Local Road). Frontage improvements will be required on both Roads to an urban local road standard, which includes the provision of a sidewalk on Wetton Road.

A traffic impact assessment is not required for developments less than 100 units as per the City's Standardized Terms of Reference. However, it is expected that the proposed development will result in increased volume of traffic currently experienced by residents of Wetton Road.

### Site Servicing

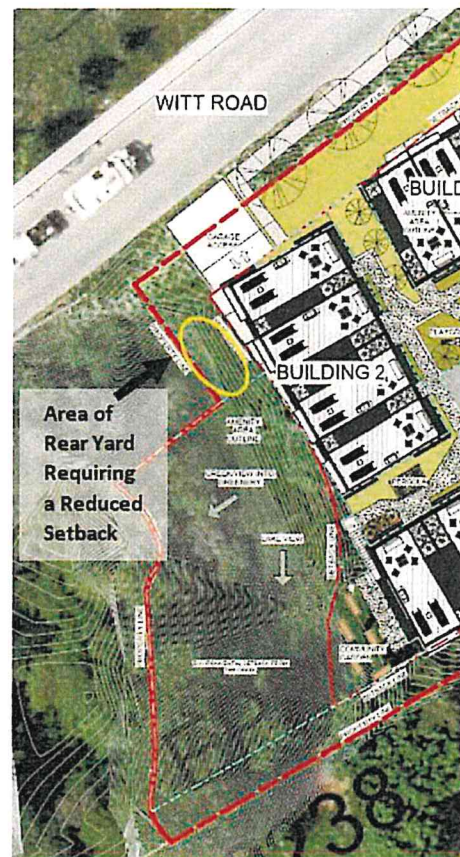
A Functional Servicing Report indicates that the property can be feasibly serviced for the proposed development by existing area services.

### Aquatic & Sensitive Terrestrial Ecosystem

An environmental assessment has been completed for this property in consideration of its proximity to Smith Creek. The report requires a 15 m Streamside Protection and Enhancement Area (SPEA) setback from Smith Creek, where no development is to occur. The report identifies the gully forming the Smith Creek channel as a riparian feature necessitating protection. As such a Section 219 no disturb covenant has been included as a condition of the permit. Further, as previously disturbed lands are anticipated to be temporarily impacted within the 15 m setback area, full restoration of the lands immediately adjacent to the development will be required. It is



Figure 9: View of Property from Junction Witt & Gellatly Roads





noted that this is only for lands previously disturbed, and no disturbance of the existing riparian vegetation is authorized.

#### Geotechnical

In general, the subject property slopes down from Wetton Road towards Smith Creek. A geotechnical report has been completed for development of the site and confirms that the site is suitable for the proposed development from a geotechnical perspective. The report includes a recommendation for building foundations to be setback at a 3H:1V slope from Smith Creek and a no-build covenant to be placed on title at the rear of the property where it begins to slope down into the gully that forms the Creek channel. This recommended no-build covenant area is consistent with the riparian gully identified in the environmental assessment. A no-build/no disturb covenant to satisfy aquatic, sensitive terrestrial ecosystem and hillside features will be required as a condition of issuance of the Development Permit.

#### **Public Notification**

In accordance with the *Local Government Act* for the proposed variances, letters were sent to all property owners and their tenants (157 notices) within 100 metres of the subject property (*Attachment 8*). A development notice sign has been placed on the subject property in accordance with the Development Application Procedures Bylaw No. 0260. The public notice included the following variance request: To increase the maximum allowable encroachment of a cantilevered deck/balcony for Building 3 to the interior side setback from 1.5 m to 0.6 m. However, the applicant has since provided information that confirms a variance is not necessary for the side parcel boundary setback. As of the date of this report, no submissions have been received from the public.

The applicant's agent has submitted a delegation request to address Council on the matter (*Attachment 8*). 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.*

#### ALTERNATE MOTIONS:

##### **1. Postpone Consideration of DP 18-33**

THAT Council postpone the issuance of a Development Permit (DP 18-33) to construct 24 stacked townhouse units in 3 buildings, and direct the applicant to revise the proposal to meet building height, parking and parcel setbacks as per the Zoning Bylaw.

##### **2. Approve Development Permit with Variances DP 18-29**

THAT Council authorize the issuance of a Development Permit (DP 18-33) to construct 24 units in 3 buildings, subject to the conditions outlined in and attached to the Development Permit;

THAT Council authorize variances to West Kelowna Zoning Bylaw No. 0154 as follows:

- Table 4.1 *Required Parking Spaces* to vary the number of required spaces from 53 to 36;
- S.4.7.1(a) to vary the number of allowable small car spaces from 10 to 11;

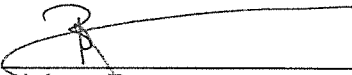
- S10.9.5(f) to vary the maximum allowable building height for 3 townhouse structures from 9.0 m to 14.0 m, in accordance with the designs attached Development Permit DP 18-33;
- S10.9.5(f).2 to vary the required rear parcel boundary setback from 7.5 m to 4.5 m;


**THAT** a Section 219 no build / no disturb covenant be registered for protection of the Smith Creek riparian corridor.

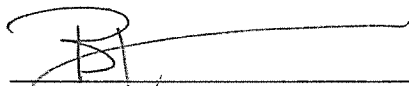
**THAT** issuance of the Development Permit be withheld pending the receipt of landscape security for the landscape plan attached to DP 18-33 as Schedule 'C' in the amount of \$79,885.00;

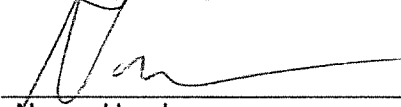
**THAT** if the Development Permit has not been issued within one year from the date of approval, the Permit shall be deemed to have been refused and the file closed.

Respectfully submitted,

  
for - Jaleen Rousseau  
Planner

  
Bob Dargatz  
Development Manager

  
Brent Magnan  
Planning Manager

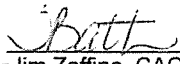
  
Nancy Henderson  
GM of Development Services

Powerpoint: Yes ☒ No ☐

Attachments:

1. Draft Development Permit DP 18-33
2. Applicant Proposal Summary
3. Subject Property Map
4. Context Map
5. Architectural Plans/Renderings/Elevations
6. Landscape Plan
7. Public Notification Map
8. Delegation request

Approved for Agenda

 June 6/19  
for - Jim Zaffino, CAO Date



**Shelley Schnitzler**

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**From:** noreply@esolutionsgroup.ca  
**Sent:** June-18-19 8:40 AM  
**To:** Delegation Requests  
**Subject:** New Response Completed for Request to Appear As a Delegation

Hello, Please note the following response to Request to Appear As a Delegation has been submitted at Tuesday June 18th 2019 8:39 AM with reference number 2019-06-18-003.

- **Request to appear as a delegation on:**  
6/25/2019
- **Name of person making the presentation:**  
Keith Funk
- **Name of the group or organization that the person is representing:**  
New Town Architecture and Engineering Inc
- **Daytime phone number:**  
[REDACTED]
- **Email address:**  
[REDACTED]
- **Presentation title:**  
Wetton Rd Townhomes
- **What is your request to Council?**  
To present changes made to the development proposal for DP18-33 since the last council meeting.
- **Presentation points:**  
We will submit a powerpoint presentation separately.

[This is an automated email notification -- please do not respond]