

# City of Kelowna

## Regular Council Meeting

### AGENDA



Tuesday, April 5, 2016  
6:00 pm  
Council Chamber  
City Hall, 1435 Water Street

Pages

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

The Oath of Office will be read by Councillor Donn.
3. **Confirmation of Minutes** 1 - 5

Public Hearing - March 15, 2016  
Regular Meeting - March 15, 2016
4. **Bylaws Considered at Public Hearing**
  - 4.1 **909 Juniper Road (formerly known as 1035 Hollywood Road South), BL11194 (OCP15-0014) - Seventh Day Adventist Church (British Columbia Conference)** 6 - 7

**Requires a majority of all members of Council (5).**  
To give Bylaw No. 11194 second and third readings in order to change the Future Land Use designation of the subject property to facilitate a single and two dwelling housing subdivision.
  - 4.2 **909 Juniper Road (formerly known as 1035 Hollywood Road South), BL11195 (Z15-0043) - Seventh Day Adventist Church (British Columbia Conference)** 8 - 9

To give Bylaw No. 11195 second and third readings in order to rezone the subject property to facilitate a single and two dwelling housing subdivision.
  - 4.3 **468 Barkley Road, BL11208 (Z15-0067) - Wyane & Lisa Heinen** 10 - 10

To give Bylaw No. 11208 second and third readings in order to rezone the subject property to facilitate the development of a carriage house.
5. **Notification of Meeting**

The City Clerk will provide information as to how the following items on the Agenda were publicized.

## 6. Development Permit and Development Variance Permit Reports

- 6.1 1960 Water Street, HAP15-0012 - Christina & Kelly Donovan** 11 - 23
- City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.**
- To consider a Heritage Alteration Permit application for an addition to an existing Single Detached House, and to vary the rear yard setback and the side yard setback to a Single Detached House on the subject property.
- 6.2 1088 Sunset Drive, DVP15-0301 - Strata Corp. KAS2503** 24 - 41
- City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.**
- To vary the width of a drive aisle from 5.6 m to 5.3 m on the subject property.
- 6.3 540 Osprey Avenue, BL11133 (Z15-0005) - 0958123 BC Ltd.** 42 - 42
- To adopt Bylaw No. 11133 in order to rezone the subject property to facilitate a five storey mixed use building.
- 6.4 540 Osprey Avenue, DP15-0020 & DVP15-0021 - 0958123 BC Ltd.** 43 - 60
- City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.**
- To consider the form and character of a mixed use building and to vary site coverage and building height on the subject property.
- 6.5 206 Lochview Road, DVP15-0293 - Norval Bradley** 61 - 73
- City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.**
- To vary the front yard setback on the subject property.
- 6.6 332 Lake Avenue, DP15-0173 & DVP15-0174 - Windmill Ventures Ltd. & 0797989 BC Ltd.** 74 - 118
- City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.**
- To consider a Staff recommendation to NOT issue a Development Permit and Development Variance Permit for the form and character of a 25 unit, 5 1/2 storey multi-family development.

**6.7 775 Academy Way, DP15-0314 & DVP15-0315 - Watermark Developments Ltd. 119 - 157**

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

To consider a Development Permit and a Development Variance Permit application for an 87 unit 4 ½ storey apartment development known as 'U3B'.

**6.8 805 Academy Way, DP15-0316 & DVP15-0317 - Watermark Developments Ltd. 158 - 195**

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

To consider a Development Permit and Development Variance Permit for a 63-unit 4 storey apartment development known as 'U3A'.

**7. Reminders**

**8. Termination**



## City of Kelowna Public Hearing Minutes

Date:	Tuesday, March 15, 2016
Location:	Council Chamber City Hall, 1435 Water Street
Members Present	Mayor Colin Basran, Councillors Maxine DeHart, Gail Given, Charlie Hodge, Brad Sieben and Luke Stack
Members Absent	Councillors Ryan Donn, Tracy Gray and Mohini Singh
Staff Present	City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith; Urban Planning Manager, Terry Barton; Suburban & Rural Planning Manager, Todd Cashin, Divisional Director, Community Planning & Real Estate, Doug Gilchrist; Council Recording Secretary, Arlene McClelland

(\* Denotes partial attendance)

### 1. Call to Order

Mayor Basran called the Hearing to order at 6:03 p.m.

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

### 2. Notification of Meeting

The City Clerk advised that Notice of this Public Hearing was advertised by being posted on the Notice Board at City Hall on March 1, 2016 and by being placed in the Kelowna Capital News issues on March 4 and 9, 2016 and by sending out or otherwise delivering 11 statutory notices to the owners and occupiers of surrounding properties, and 455 informational notices to residents in the same postal delivery route, between March 1 and 4, 2016. The correspondence and/or petitions received in response to advertising for the applications on tonight's agenda were arranged and circulated to Council in accordance with Council Policy No. 309.

### 3. Individual Bylaw Submissions

#### 3.1 875 Graham Road, BL11206 (Z15-0063) - Joseph & Cindy Burd

Staff:

- Displayed a PowerPoint presentation summarizing the application.

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

**Letters of Opposition or Concern**

Joan Mathers, Ruston Road

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

**Birte Decloux, Applicant Representative**

- Displayed photos and sketch plans of the subject property.
- Believes this is a good infill development and will be easily integrated into the existing neighbourhood.
- Acknowledged there were some concerns regarding the state of the property but believes the upkeep of two new and smaller properties will be attainable for the homeowners.
- Responded to questions from Council.

Gallery:

**Rob Forest, Graham Road**

- In complete favour of this application.

**4. Termination**

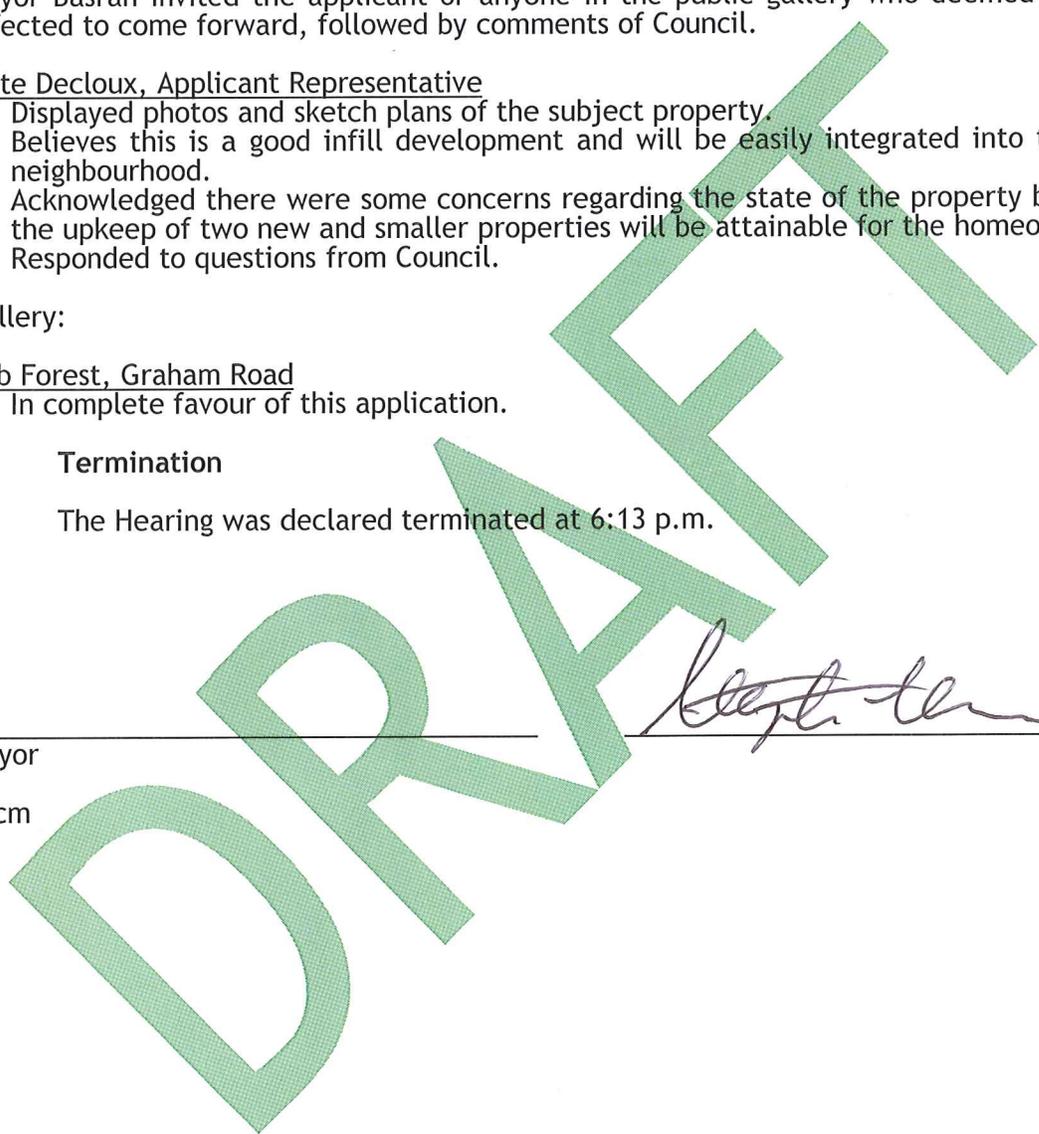
The Hearing was declared terminated at 6:13 p.m.

\_\_\_\_\_  
Mayor

/acm



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





**City of Kelowna  
Regular Council Meeting  
Minutes**

Date: Tuesday, March 15, 2016  
Location: Council Chamber  
City Hall, 1435 Water Street

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

Members Absent Councillors Ryan Donn, Tracy Gray and Mohini Singh

Staff Present City Manager, Ron Mattiussi; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith; Urban Planning Manager, Terry Barton; Suburban & Rural Planning Manager, Todd Cashin, Divisional Director, Community Planning & Real Estate, Doug Gilchrist; Council Recording Secretary, Arlene McClelland

(\* Denotes partial attendance)

**1. Call to Order**

Mayor Basran called the meeting to order at 6:13 p.m.

**2. Reaffirmation of Oath of Office**

The Oath of Office was read by Councillor DeHart.

**3. Confirmation of Minutes**

Moved By Councillor Hodge/Seconded By Councillor DeHart

R206/16/03/15 THAT the Minutes of the Public Hearing and Regular Meeting of March 1, 2016 be confirmed as circulated.

Carried

**4. Bylaws Considered at Public Hearing**

4.1 875 Graham Road, BL11206 (Z15-0063) - Joseph & Cindy Burd

Moved By Councillor Sieben/Seconded By Councillor DeHart

R207/16/03/15 THAT Bylaw No. 11206 be read a second and third time.

Carried

## 5. Notification of Meeting

The City Clerk advised that Notice of Council's consideration of the Development Variance Permit Applications was given by sending out or otherwise delivering 70 statutory notices to the owners and occupiers of surrounding properties, and 1848 informational notices to residents in the same postal delivery route, between March 1 and 4, 2016.

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

## 6. Development Permit and Development Variance Permit Reports

### 6.1 1981 Cross Road, DVP15-0126 - Lorne P. Pearson

Staff:

- Displayed a PowerPoint presentation summarizing the application.

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

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

Cory Barker, Alpin Martin Consultants, Leon Avenue, Owner's Agent

- Tried to achieve the 12 lot subdivision without a variance, however, to achieve the 15 m radius cul-de-sac we had to reduce the depth on 3 lots.
- Available for any further questions.

No one else came forward.

There were no further comments.

Moved By Councillor DeHart/Seconded By Councillor Stack

**R208/16/03/15** THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0126 for Lot 2 Section 4 Township 23 ODYD Plan 10134 Except Plan H8323, located at 1981 Cross Road, Kelowna, BC;

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

**Section 13.2.5 (b): RU2 - Medium Lot Housing Subdivision Regulations**

To vary the required minimum lot depth from 30.0 m permitted to 28.5 m (for future Lot 7) and 25.0 m (for future Lot 8) and 27.3 m (for future Lot 10) proposed, as shown on the attached Schedule A.

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

Carried

## 7. Reminders

City Clerk:

- Advised Council there will be minimum quorum for next Monday, March 21<sup>st</sup> meeting.

Councillor Stack

- Inquired about walkway criteria and safety measures.

Staff:

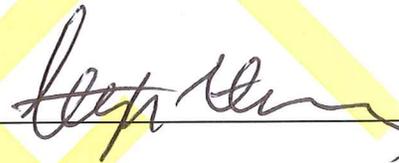
- Advised that walkways are often located at the end of a cul-de-sac to promote pedestrian traffic.
- Advised that the minimum width for a walkway is 3m and that pedestrians feel safer with walkways being as wide as possible. At times lighting or other materials are used to provide safety measures.
- Chain link fencing on the walkway would be installed on private property.

**8. Termination**

The meeting was declared terminated at 6:23 p.m.

\_\_\_\_\_  
Mayor

/acm



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City Clerk

DRAFT

# CITY OF KELOWNA

## BYLAW NO. 11194

### **Official Community Plan Amendment No. OCP15-0014 - Seventh-Day Adventist Church (British Columbia Conference) 909 Juniper Road (formerly known as 1035 Hollywood Road South)**

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A bylaw to amend the "*Kelowna 2030* - Official Community Plan Bylaw No. 10500".

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

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* - Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of Lot A, Section 23, Township 26, ODYD, Plan EPP56593 located at Juniper Road, Kelowna, B.C., from the EDINST - Educational / Major Institutional designation to the S2RES - Single / Two Unit Residential designation as per Map "A" attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 25<sup>th</sup> day of January, 2016.

Amended and read a first time by the Municipal Council this 14<sup>th</sup> day of March, 2016.

Read a second and third time by the Municipal Council

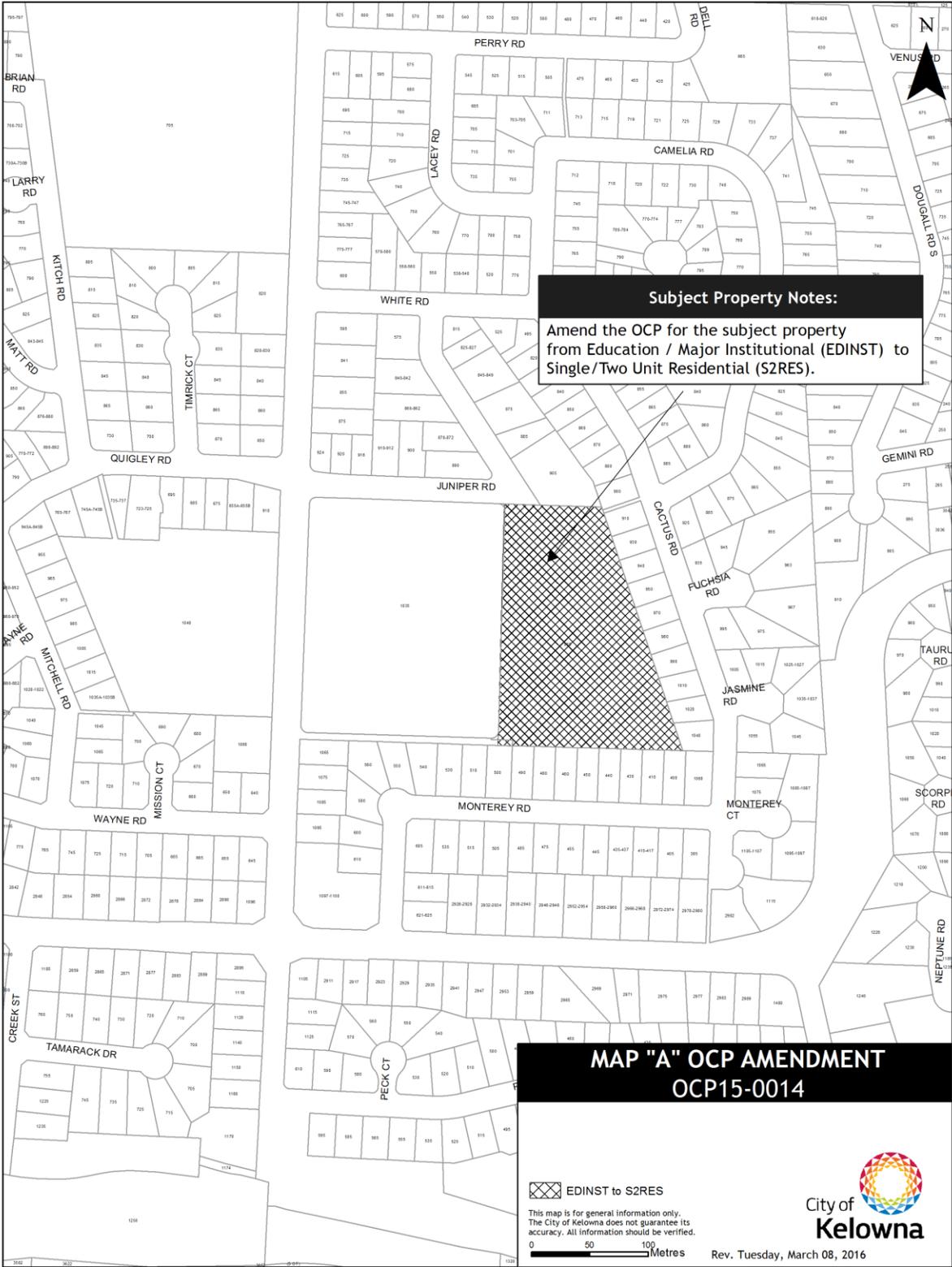
Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk



**CITY OF KELOWNA**  
**BYLAW NO. 11195**  
**Z15-0043 - Seventh-Day Adventist Church (British Columbia**  
**Conference)**  
**909 Juniper Road (formerly known as 1035 Hollywood Road**  
**South)**

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of portions of Lot A, Section 23, Township 26, ODYD, Plan EPP56593, located on Juniper Road, Kelowna, B.C., from the P2 - Education and Minor Institutional zone to the RU2 - Medium Lot Housing zone and the RU6 - Two Dwelling Housing zone as per Map "B" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 25<sup>th</sup> day of January, 2016.

Amended and re-read a first time by the Municipal Council this 14<sup>th</sup> day of March, 2016.

Read a second and third time by the Municipal Council this

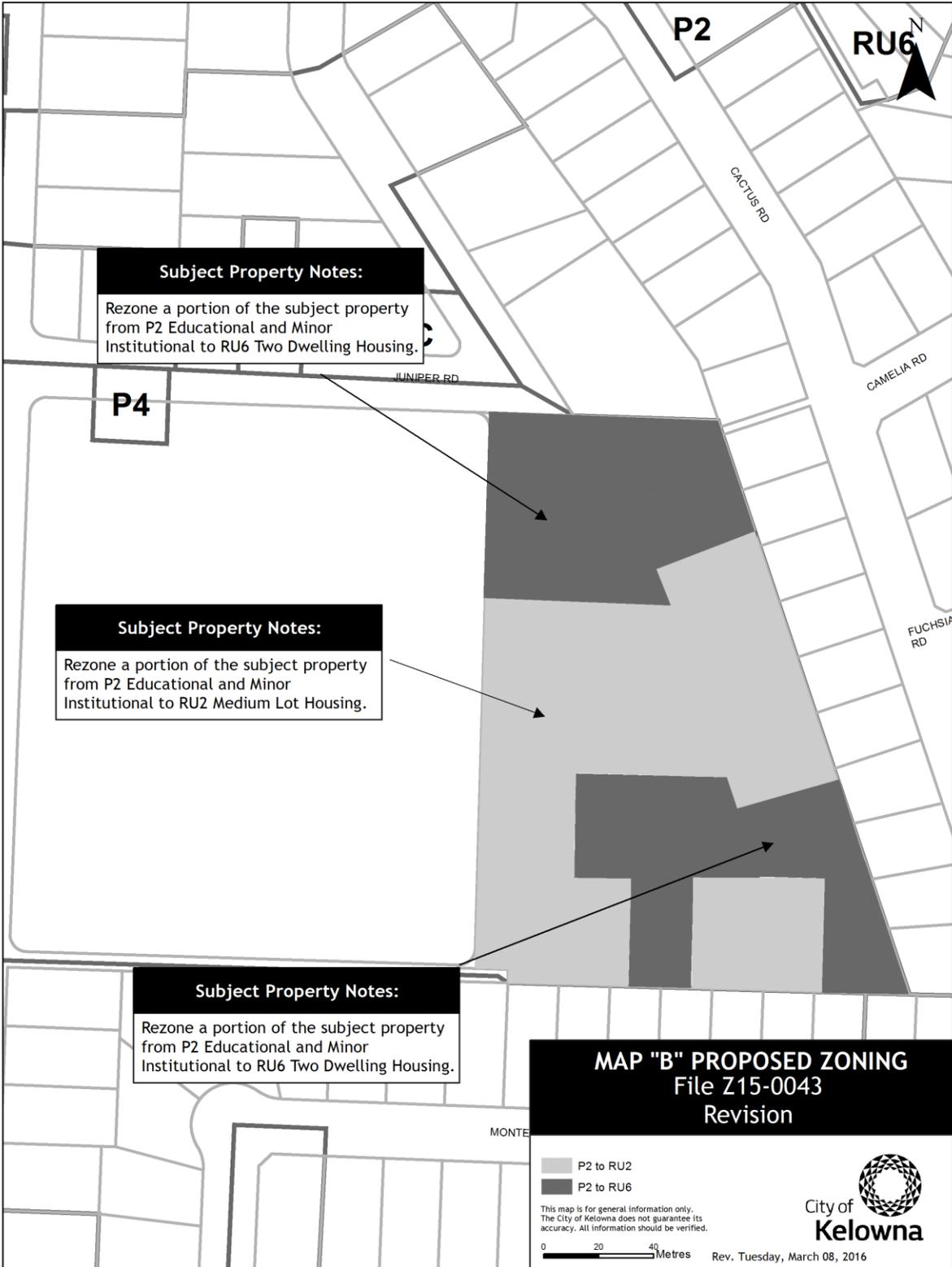
Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk



**CITY OF KELOWNA**  
**BYLAW NO. 11208**  
**Z15-0067 - Wayne & Lisa Heinen**  
**468 Barkley Road**

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 16, District Lot 167, ODYD, Plan 13550 located on Barkley Road, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 7<sup>th</sup> day of March, 2016.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

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City Clerk



### 3.0 Community Planning

Community Planning Staff supports the HAP application for an addition and variances to an existing Single Detached Dwelling. The subject property is located within the Abbott Street Conservation Area, but is not included on the Heritage Register. The existing dwelling is consistent with the Early Suburban Bungalow style. The Heritage Conservation Area Development guidelines suggest the design should be consistent with the immediate context and dominant style of the block, which is Late Vernacular Cottage.

The application is in keeping with heritage principles and policies to maintain the residential character of the area, and provides an example of sensitive development. In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation by individually contacting the neighbours. No concerns were identified during the consultation.

### 4.0 Proposal

#### 4.1 Project Description

The applicant is proposing an addition to the existing single detached house which will expand the current footprint and make it more functional. The house will be transformed from single storey into a 1½ storey dwelling.

A new covered patio on the south side of the house (See Fig. 1) provides an outdoor amenity area for the homeowners, while maintaining a flush front entry which is characteristic of the period. A new foyer area will provide a storage closet and primary entry to the house on the east side of the building (See Fig. 2). By constructing an addition in this area, the existing parking space and front driveway will be removed and rehabilitated. The two on-site parking stalls will be provided in a tandem configuration which is accessed from the rear lane.



Figure 1 – Covered Patio to be added.



Figure 2 – Area of addition and driveway to be removed.

The proposed second storey addition will provide two additional bedrooms and bathrooms along with a family lounge area. The exterior walls of the addition will match those of the existing main floor below on the south, east and west sides of the house. The north side steps back, therefore the second storey has a smaller footprint than that of the main floor.

In matching the existing exterior wall location, a side setback variance is requested to the west side property line for the upper storey addition (See Fig. 3).

The Zoning Bylaw requires a 2.0 m setback for a 1½ storey building, while the proposed setback is 1.6 m to the side property line. This setback is generally required to provide a fire separation and privacy to the adjacent dwelling. As

the side property line is adjacent to the lane, a large separation to the adjacent parcel is maintained. The adjacent parcel has a single car garage which runs parallel to the lane as well as protecting many mature trees. This will ensure the second storey addition will not infringe on the privacy of the adjacent parcel.

The second requested variance is for the rear yard setback to the proposed addition of the foyer area (See Fig. 3). The Zoning Bylaw rear yard setback requirement is 7.5 m. The proposed setback to the exterior wall will be 4.2 m, which will be flush with the exterior wall of the existing portion of the house along the north facade. As the addition is being constructed to match the original exterior wall locations, the non-conformity is not increasing. This area acts like that of a side setback and accommodates the required parking stalls in a tandem configuration.

The addition proposes features which meet several characteristics of Late Vernacular Cottage. This includes the new gable roof and dormers, a flush front entry, clustered window sashes and rear yard parking. The building finishes will match the existing with horizontal siding provided at the gable ends and wood shingles for the dormers.

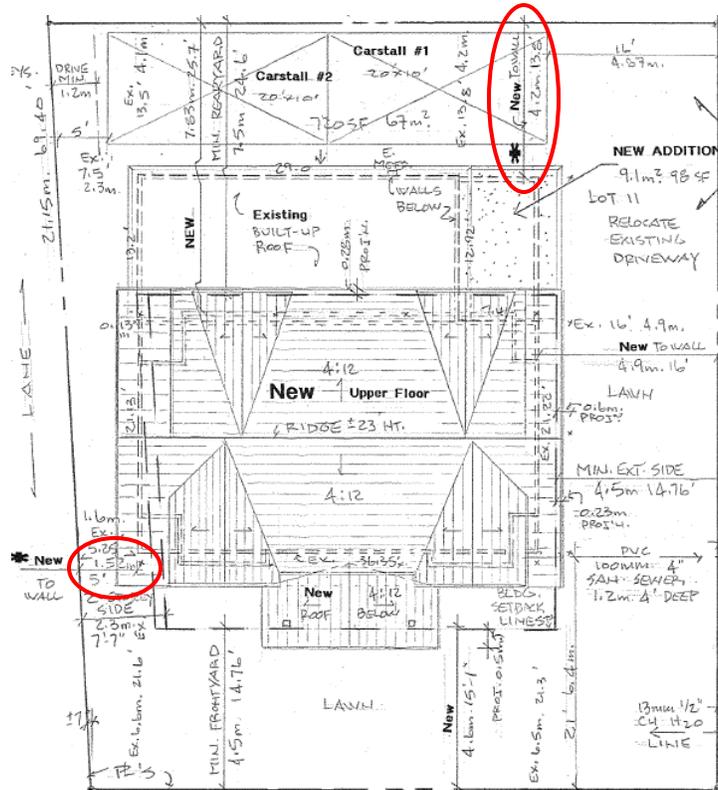


Figure 3 – Location of side and rear setback variances are indicated in red.

4.2 Site Context

The subject property has a lot area of approximately 378 m<sup>2</sup> and is located at the northeast corner of Water Street and Beach Avenue. The subject property is zoned RU1 - Large Lot Housing and has a Future Land Use designation of S2RES - Single / Two Unit Residential in the Official Community Plan (OCP). The property is within the Permanent Growth Boundary and the Abbott Street Heritage Conservation Area.

The parcel is surrounded by residential development on all sides. The front property line faces Abbott Street with the east side facing Beach Avenue and the west side adjacent to the lane. The rear property line is shared with the adjacent parcel to the north.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single dwelling housing
East	RU1 - Large Lot Housing	Single dwelling housing
South	RU1 - Large Lot Housing	Single dwelling housing
West	RU1 - Large Lot Housing	Single dwelling housing

Subject Property Map: 1960 Water Street



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	550 m <sup>2</sup>	378.5 m <sup>2</sup>
Minimum Lot Width	17 m	17.37 m
Minimum Lot Depth	30 m	21.12 m
Development Regulations		
Maximum Site Coverage (buildings)	40%	30.62%
Maximum Site Coverage (buildings, driveways and parking)	50%	48.30%
Maximum Height	9.5 m or 2 ½ stories	4.88 m & 2 stories
Minimum Front Yard	4.5 m	4.6 m
Minimum Side Yard (east)	4.5 m (flanking street)	4.5 m
Minimum Side Yard (west)	2.3 m	1.6 m <span style="color: red;">❶</span>
Minimum Rear Yard	7.5 m	4.2 m <span style="color: red;">❷</span>
Other Regulations		
Minimum Parking Requirements	2 stalls	2 stalls
Minimum Private Open Space	30 m <sup>2</sup>	78m <sup>2</sup>
<span style="color: red;">❶</span> Indicates a requested variance to the side setback. <span style="color: red;">❷</span> Indicates a requested variance to the rear setback.		

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Heritage Conservation Area.**<sup>1</sup> Continue to recognize the established heritage conservation areas of Abbott Street and Marshall Street as identified on Map 9.1.

### 5.2 Abbott Street and Marshall Street Heritage Conservation Areas Development Guidelines

#### Late Vernacular Cottage Characteristics:

- Less fanciful feel to the architecture
- Flush Gable Verges
- Stucco or horizontal siding
- Up to 2 storey massing
- Clustered vertical window sashes
- Asymmetrical facade design
- Flush front entrance
- Minor decorative detailing
- Gable roof forms
- Wood or interlocking asphalt shingle
- Side or rear yard parking

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

### 6.2 Development Engineering Department

- See Attachment A

## 7.0 Application Chronology

Date of Application Received: November 5, 2015  
Date Public Consultation Completed: January 4, 2016

#### Report prepared by:

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Lydia Korolchuk, Planner

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<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.7.4 (Development Process Chapter).

**Reviewed by:**  Terry Barton, Urban Planning Manager

**Approved for Inclusion:**  Ryan Smith, Community Planning Department Manager

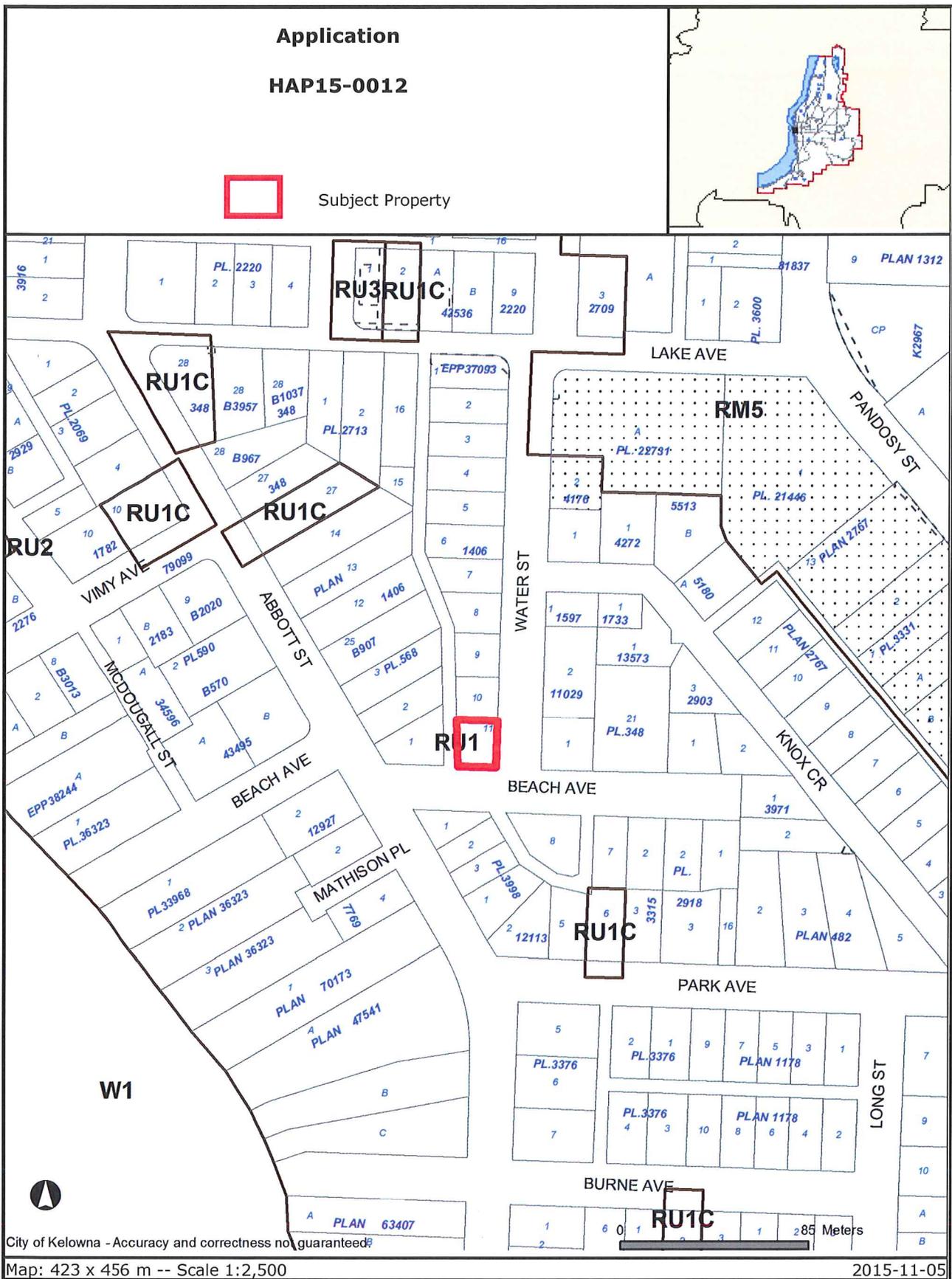
**Attachments:**

Schedule A: Site Plan & Conceptual Elevations

Attachment A: Subject Property Map

Attachment B: Development Engineering Memorandum dated November 20, 2015

Attachment C: Draft Heritage Alteration Permit No. HAP15-0012



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

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

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**Date:** November 20, 2015  
**File No.:** HAP15-0012

**To:** Community Planning (LK)

**From:** Development Engineering Manager (SM)

**Subject:** 1960 Water Street Renovation

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

1. Domestic Water and Fire Protection

The existing lot is serviced with a small diameter (13-mm) copper water service, which is substandard. Adequate metered water service can be provided to meet current by-law requirements. **The disconnection of the existing small diameter water service and the tie-in of a larger new service can be provided by City forces at the developer's expense. The applicant will be required to sign a Third Party Work Order for the cost of the water service upgrades.** For estimate inquiry's please contact Sergio Sartori, by email [ssartori@kelowna.ca](mailto:ssartori@kelowna.ca) or phone, 250-469-8589.

2. Sanitary Sewer

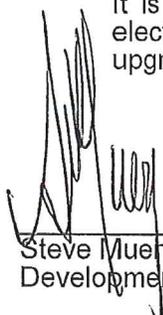
Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service which is adequate for this application.

3. Development Variance Permit and Site Related Issues

- a) The development variance request to vary the rear yard setback does not compromise any municipal services.
- b) Driveway access is permitted from the lane only. The existing driveway and curb letdown should be removed and replaced with barrier curb and landscaped as required.
- c) Direct the roof drains into on-site splash pads.

4. Electric Power and Telecommunication Services

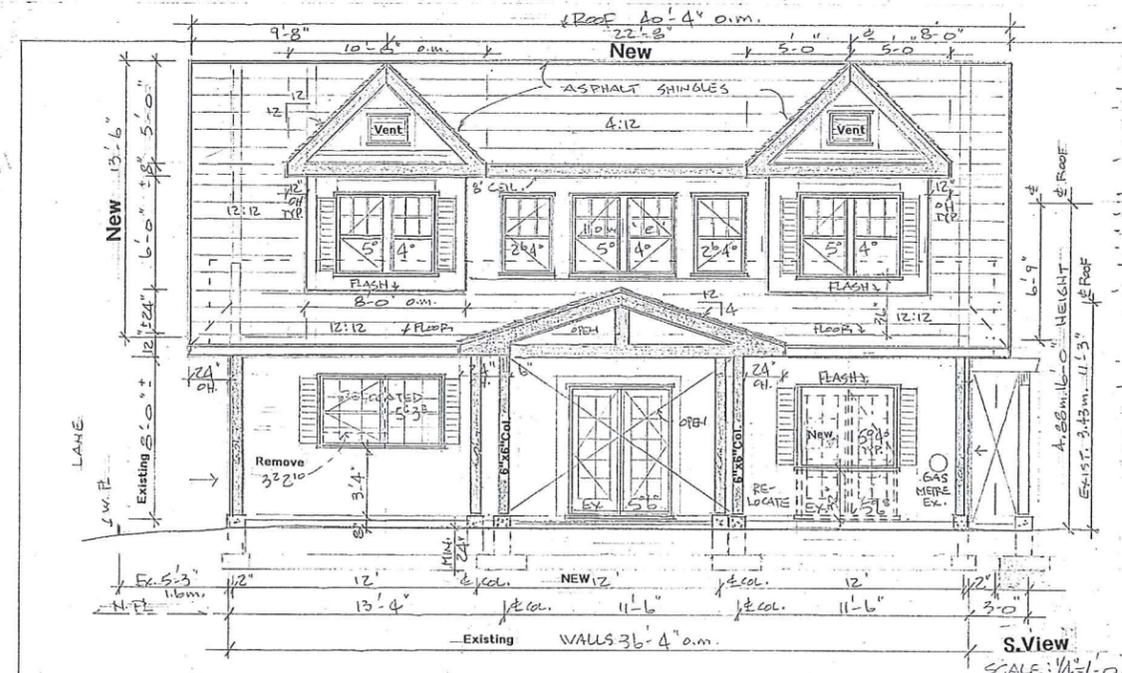
It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.



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Steve Muenz, P. Eng.  
Development Engineering Manager

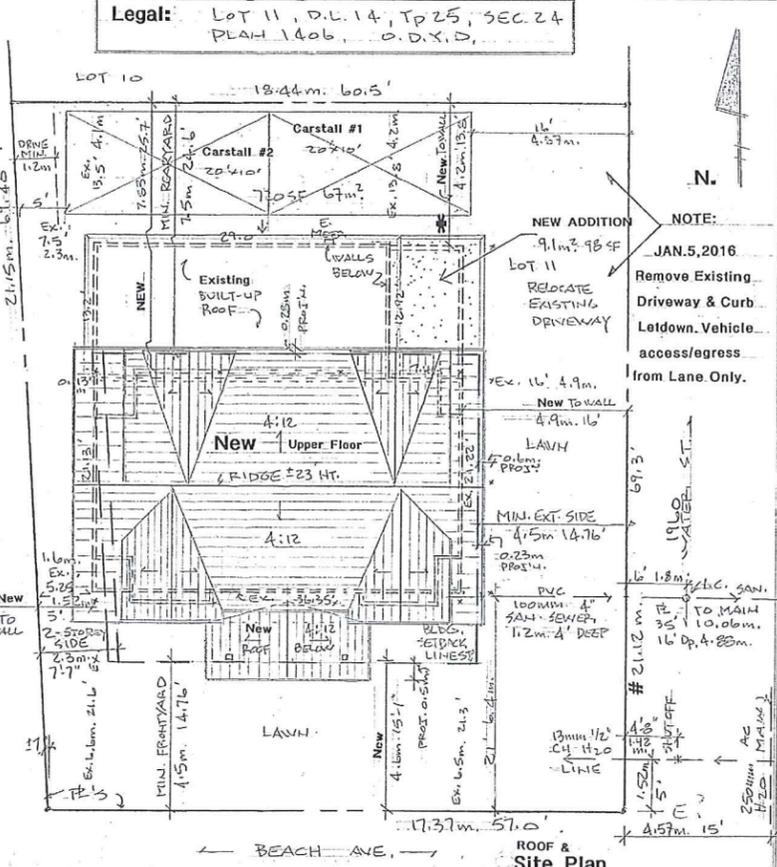
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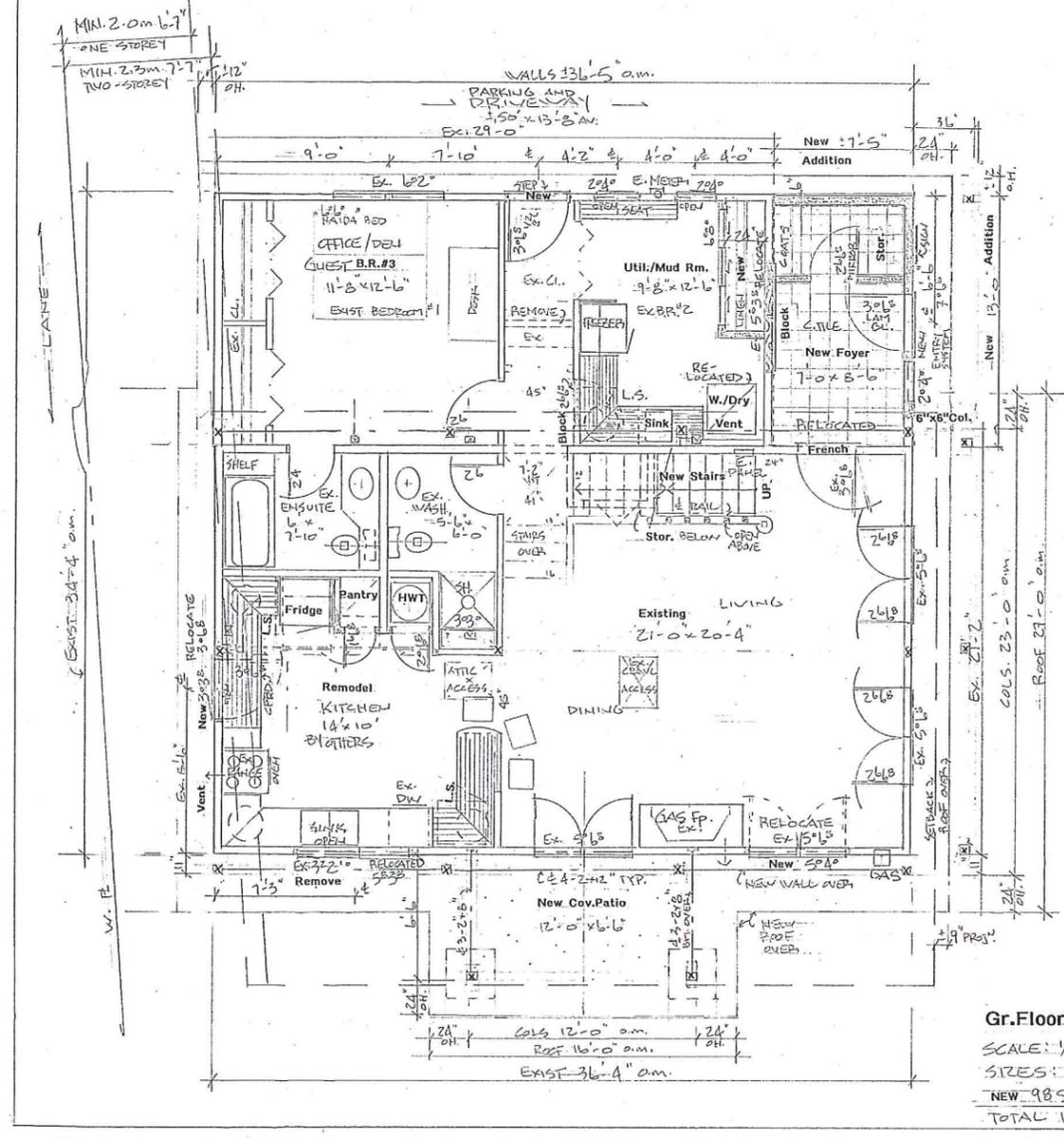
**Zoning: RU-1 LARGE LOT HOUSING**

- USES: SINGLE DETACHED HOUSE
- SUB-DIVISION REGS.: MIN. LOT WIDTH 17.0m. PROVIDED 17.37m.
- MIN. LOT DEPTH 30.0m. PROVIDED 21.12m #
- " " AREA 550m<sup>2</sup> " 378.5m<sup>2</sup> #
- DEV. REGS.: MAX. SITE COV. 40%. PROVIDED 30.62%.
- MAX. SITE COV. CH. PRS. ETC. 50% " 48.3% #
- MAX. HT. 9.5m. 2 1/2 STOREYS. PROVIDED HT. 4.88m. 1/2 STOREYS.
- MIN. FRONTYARD 4.5m. PROVIDED 4.6m. (TO COLS).
- MIN. EXT. (E.) SIDEYARD 4.5m. " 4.9m. (TO WALL).
- " " " " " 2.3m. " 1.52m. #
- " " REARYARD 7.5m. PROVIDED 4.2m. # (GR. FL. ADD'L).
- " " " " " 7.83m. (NEW UPPER FLOOR)
- OTHER REGS.: SEC. 6 - YARD PROT'N. MAX. 0.1m. - PROVIDED N. 0.22m. (NEW UPPER FLOOR).
- PROVIDED E. 0.1m. (TRELLIS) & 0.23m. ( " )
- PROVIDED S. 0.5m. (COV. RATIO ROOF 0.4)
- SEC. 7 - MAX. FENCE HT. 2.0m. 6'-7"
- SEC. 8 - PARKING - 2 STALLS REQ'D. & PROVIDED - SEE ADJ. PLAN.

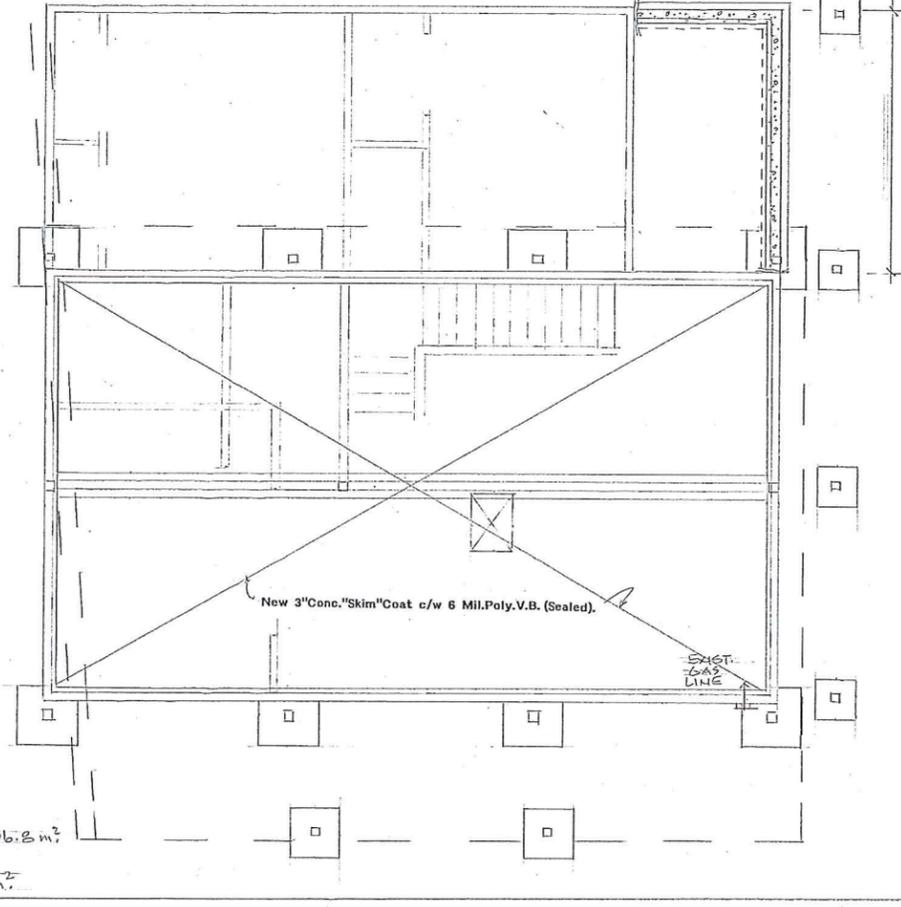
# EXISTING NON-CONFORMING  
\* Variance Requests



**Roof & Site Plan**  
SCALE: 1/8" = 1'-0"  
LOT AREA # .09 AC.  
378.5m<sup>2</sup> 4 074 SF



**Gr. Floor Plan**  
SCALE: 1/4" = 1'-0"  
SIZES: EXIST. 1150 SF 106.8 m<sup>2</sup>  
NEW 98 SF 9.1 m<sup>2</sup>  
TOTAL 1248 SF 115.94 m<sup>2</sup>



**Figs. & Fdn. Plan**  
SCALE: 1/4" = 1'-0"  
NOTE: NEW CONC. SEAL COAT IN CRAWL

**SCHEDULE A**  
This forms part of development  
Permit # HAP15-0018

**Legal:** Lot 11, D.L. 14, Tp 25, Sec. 24  
PLAN 1406, O.D.Y.D.

**NOTE:**  
JAN. 5, 2016  
Remove Existing Driveway & Curb  
Letdown Vehicle access/egress from Lane Only.

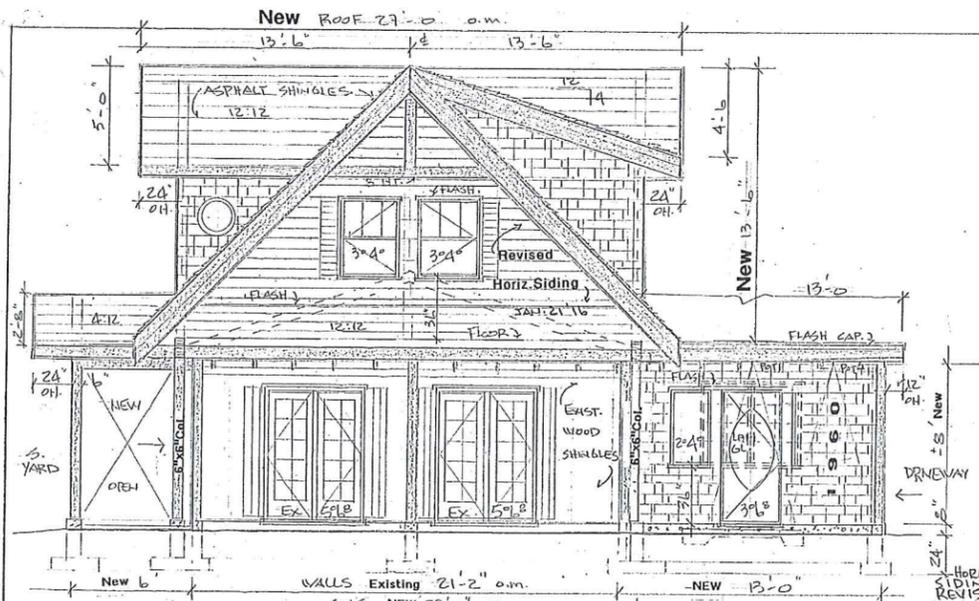
**Peter J. Chataway, B.Sc., B.Arch.**  
HOUSE PLANS AND DESIGN 368 CADDEN AVE.  
Kelowna, B.C. V1Y 5N1  
Office: (250) 763-1334  
Home: (250) 763-5367  
E-mail: murcha@pjc.net

**Donovan House Addition**  
1960 Water Street, Kelowna, B.C. V1Y 1K6  
SCALE: AS SHOWN  
PROJ. NO.  
Date: Oct. 28/15.  
DWG. PJC

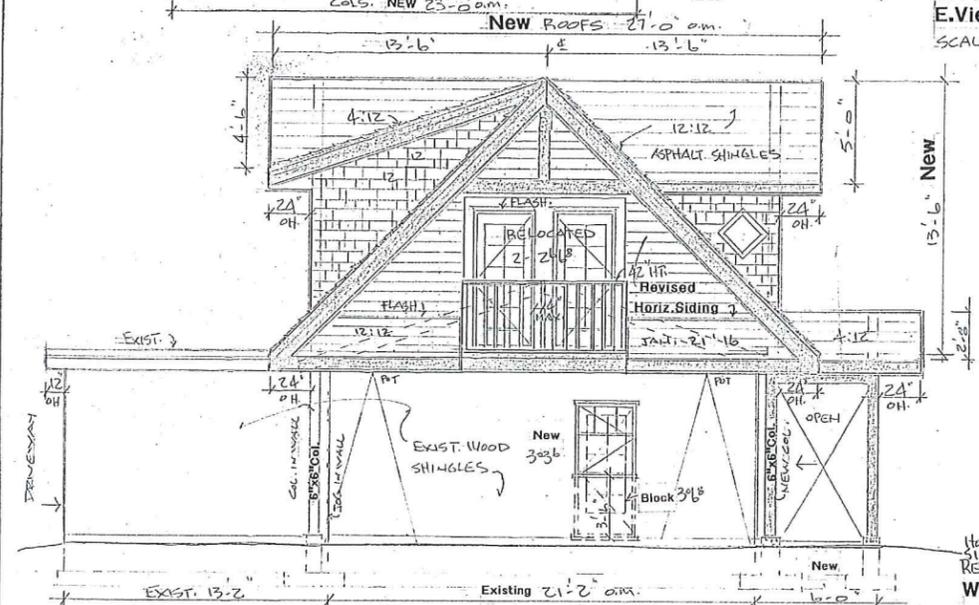
**NOTES:**

H.A.P. App'n.

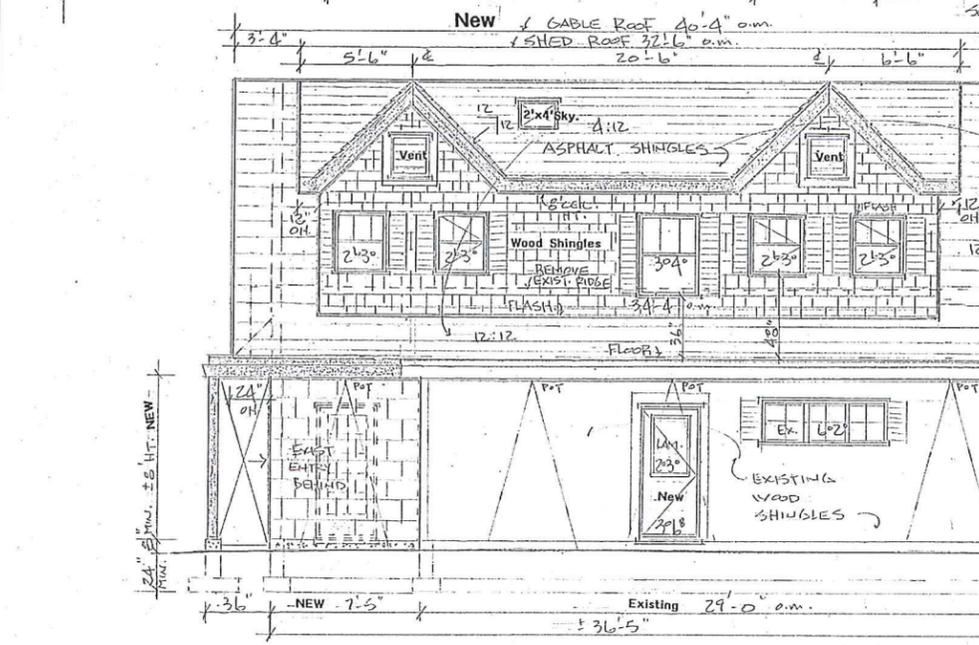
DWG. No. 1 OF 2



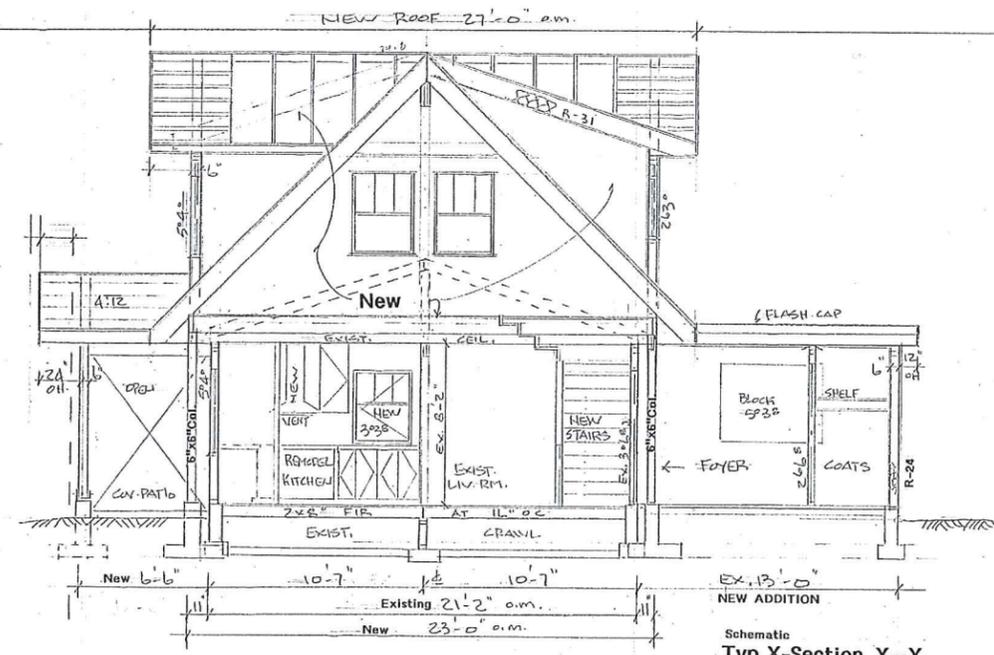
E.View  
SCALE: 1/4"=1'-0"



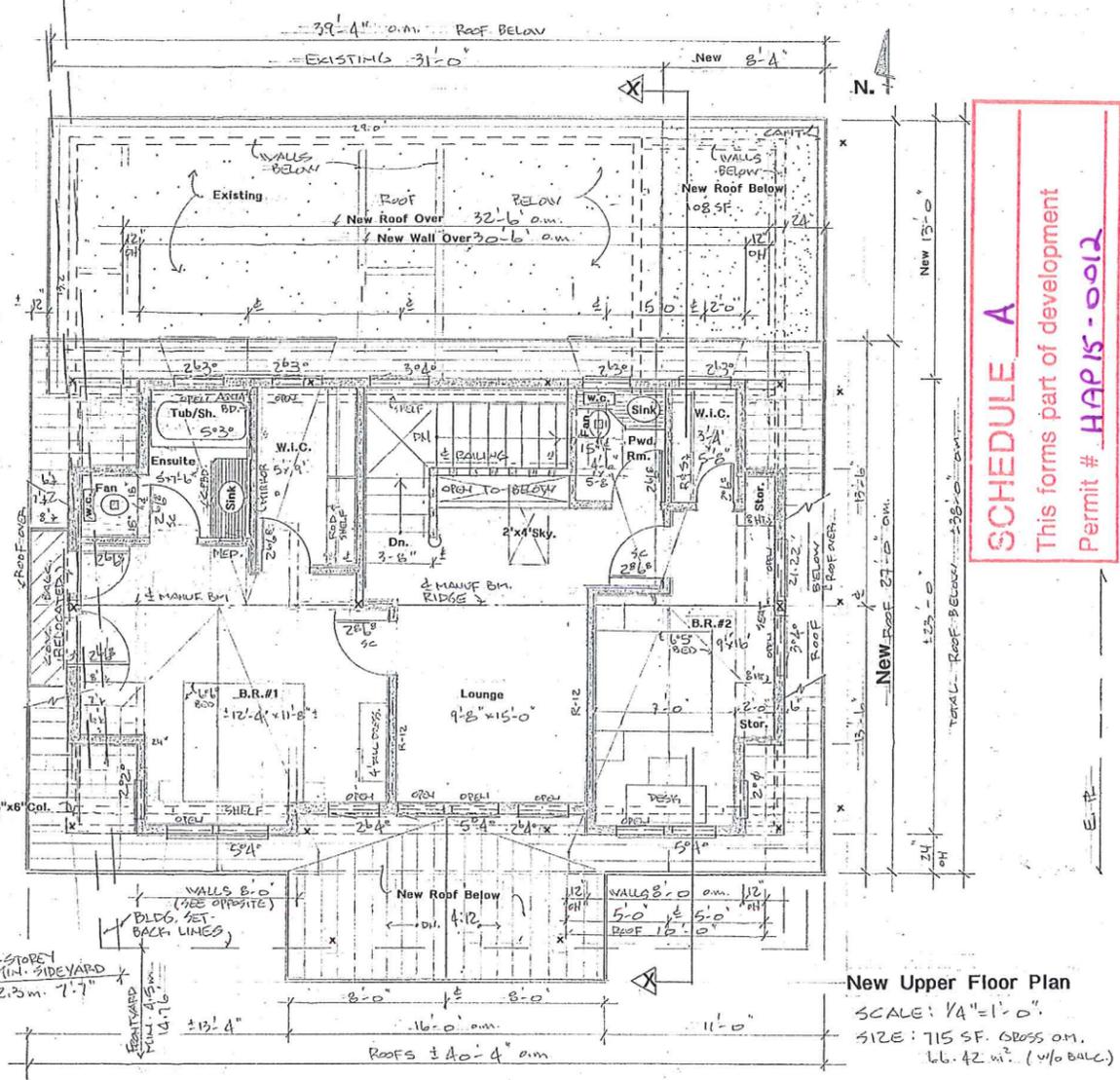
W.View  
SCALE: 1/4"=1'-0"



N.View  
SCALE: 1/4"=1'-0"



Schematic  
Typ. X-Section X-X  
SCALE: 1/4"=1'-0"



New Upper Floor Plan  
SCALE: 1/4"=1'-0"  
SIZE: 715 SF. GROSS OM.  
66.42 m<sup>2</sup> (w/o BALC.)

**SCHEDULE A**  
This forms part of development  
Permit # HAPIS-0012

Peter J. Chataway, B.Sc., B.Arch.  
HOUSE PLANS AND DESIGN 368 CADDOR AVE.  
KELOWNA, B.C. V1Y 5N1  
Office: (250) 763-1334  
Home: (250) 763-5367  
E-mail: muncha@com.net



NOTES: 1. SC E-SOLID CORE DOOR

Donovan House Addition  
1960 Water Street, Kelowna, B.C. V1Y 1K6  
SCALE: AS SHOWN  
PROJ. NO. 205-206-08  
DATE: 06/28/15  
DWG. PJC

DWG. No. 2- OF 2  
H.A.P. Appln.

# HERITAGE ALTERATION PERMIT



## APPROVED ISSUANCE OF HERITAGE ALTERATION PERMIT NO. HAP15-0012

**Issued To:** Christina & Kelly Donovan  
**Site Address:** 1960 Water Street  
**Legal Description:** Lot 11 District Lot 14 ODYD Plan 1406  
**Zoning Classification:** RU1 - Large Lot Housing

### SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

### 1. TERMS AND CONDITIONS

THAT Heritage Alteration Permit No. HAP15-0012 for Lot 11 District Lot 14 ODYD Plan 1406, located at 1960 Water Street, Kelowna, BC to allow the construction of an addition to a Single Detached House be approved subject to the following:

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

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "C":

#### **Section 13.1.6 (d): RU1 - Large Lot Housing Development Guidelines**

To vary the required minimum side yard from 2.3 m permitted to 1.52 m proposed.

#### **Section 13.1.6 (e): RU1 - Large Lot Housing Development Guidelines**

To vary the required minimum rear yard from 7.5 m permitted to 4.2 m proposed.

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

**2. PERFORMANCE SECURITY**

None required.

**3. DEVELOPMENT**

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

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

**This Permit IS NOT a Building Permit.**

**4. APPLICANT’S AGREEMENT**

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

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

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

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

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

---

Signature of Owner / Authorized Agent	Date
---------------------------------------	------

---

Print Name in Bold Letters	Telephone No.
----------------------------	---------------

**5. APPROVALS**

Issued and approved by Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

\_\_\_\_\_  
Date

**The PERMIT HOLDER is the CURRENT LAND OWNER.  
Security shall be returned to the PERMIT HOLDER.**

DRAFT



## 4.0 Proposal

### 4.1 Background

The Discovery Bay Resort is an existing 236 unit residential building. The building climate control system cannot provide sufficient heating or cooling during peak months, so the developer has provided plans to install a new system.

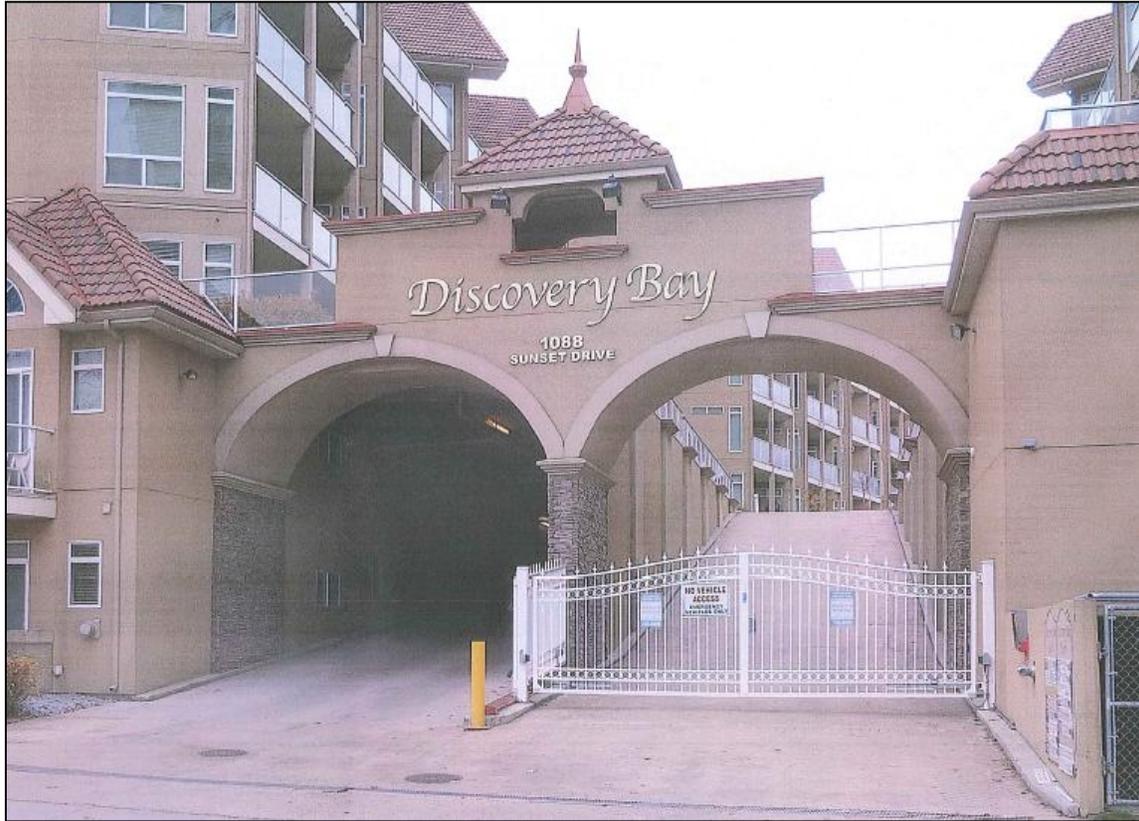


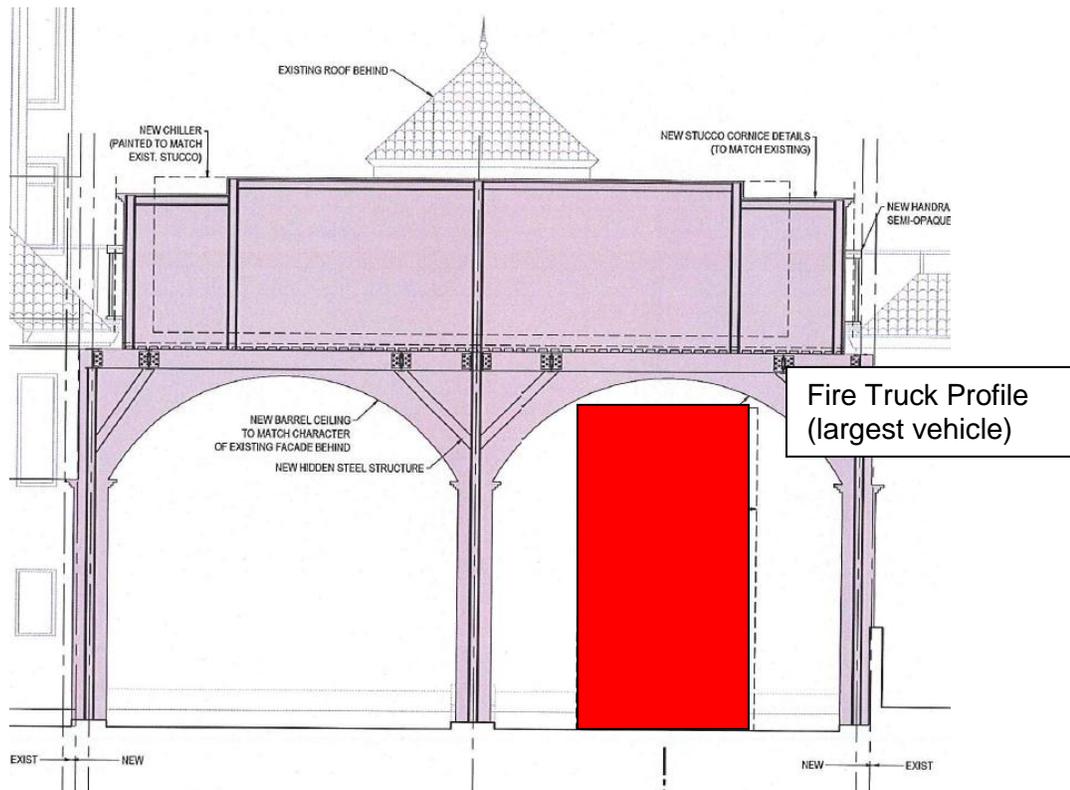
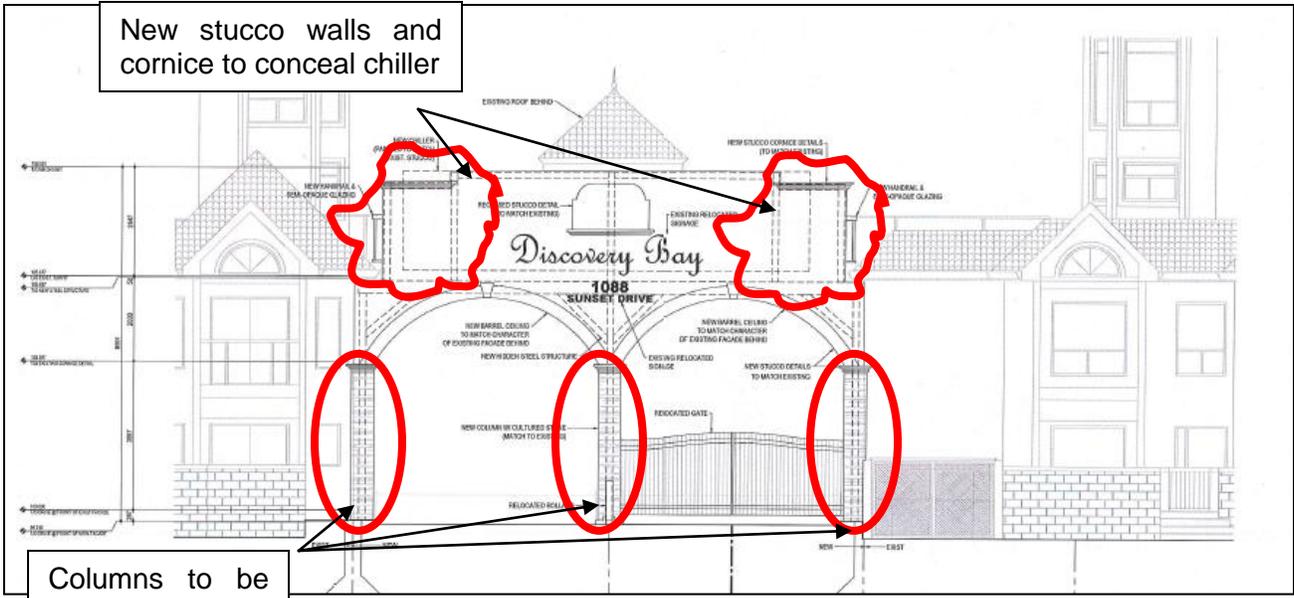
Figure 1 Existing Entry

### 4.2 Project Description

Working with City Planning staff, the developer has drawn up plans to locate the large chilling unit over the existing vehicular entrance. This location will not compromise building aesthetics for either residents or passers-by, and will be concealed from all angles by the entry archway feature.

Because of the size and weight of the chiller, the entry structure will need to be reinforced. As consequence of this reinforcement, the pillars around the drive aisles will be expanded, reducing the drive aisle width from 5.6 m to 5.3 m. The minimum required drive aisle width per the Zoning Bylaw is 6.0 m.

The City has reviewed the variance request with Development Engineering, Building and Permitting and the Fire Department to ensure that the proposed variance does not constitute an undue hazard to traffic or reduce Fire access. All review bodies are satisfied that the entrance will remain accessible to emergency response vehicles.

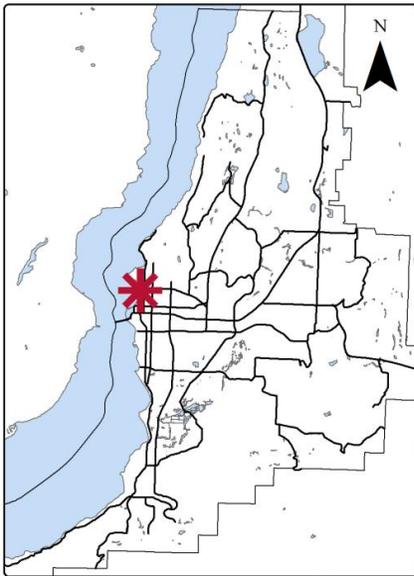


### 4.3 Site Context

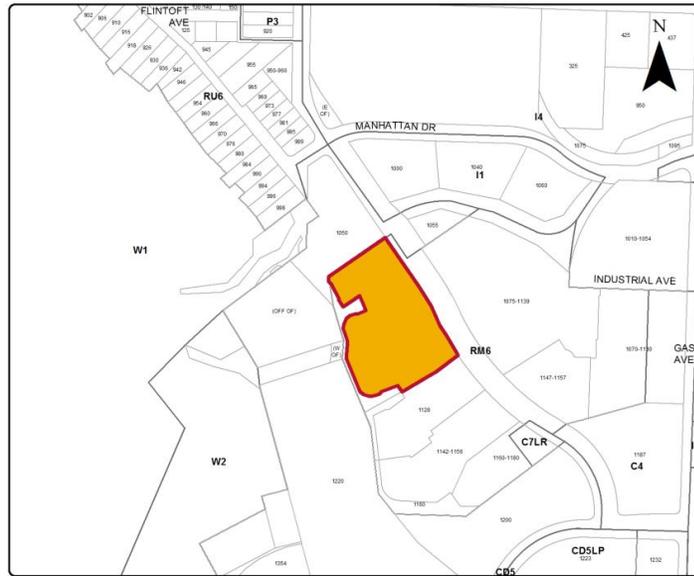
The subject property is the Discovery Bay Resort, off of Sunset Drive. It is surrounded by other resort elements. The design of the renovation is such that the chiller will be concealed by the entry feature,

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3	Waterfront Park
East	RM6 - High Rise Apartment Housing	High Density Residential
South	RM6 High Rise Apartment Housing	High Density Residential
West	P3	Waterfront Park



CONTEXT



NEIGHBOURING ZONING



SUBJECT PROPERTY

Zoning Analysis Table			
CRITERIA	ZONE REQUIREMENTS	CURRENT	PROPOSAL
	Other Regulations		
Drive Aisle Width	6.0 m	5.6 m	5.3 m <span style="color: red;">●</span>

**4.4 Technical Comments**

**4.5 Building & Permitting Department**

- 1) Dimensions of opening to be verified with the fire department to allow for access.

**4.6 Development Engineering Department**

- 1) This development variance permit application to vary the drive aisle to the parkade does not compromise any municipal services. It is suggested that the appropriate warning/information signage be posted for traffic entering this narrow drive aisle.

**4.7 Fire Department**

- 1) After a discussion with the engineer, we are satisfied that KFD's largest apparatus shall be able to access the ramp - both the width and height variance is acceptable.
- 2) Ensure that during construction, this width is maintained in case of an emergency

**5.0 Application Chronology**

Date of Application Received: November 30, 2015

**Report prepared by:**

---

Ryan Roycroft, Planner

**Reviewed by:**  Terry Barton, Urban Planning Manager

**Approved for Inclusion:**  Ryan Smith, Community Planning Department Manager

**Attachments:**

- Site Plan
- Conceptual Elevations
- Letter of Rationale

# DEVELOPMENT VARIANCE PERMIT



## APPROVED ISSUANCE OF DEVELOPMENT VARIANCE PERMIT NO. DVP15-0301

**Issued To:** Gerard Fougere  
**Site Address:** 1088 Sunset Drive, Kelowna, BC  
**Legal Description:** Lot CP, Plan K2503  
**Zoning Classification:** RM6 - High Density Multiple Dwelling

### SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

### 1. TERMS AND CONDITIONS

THAT Development Variance Permit No. DVP15-0301 for Lot CP, Plan K2503 located at 1088 Sunset Dr., Kelowna, BC granting variances to the following sections of Zoning Bylaw No. 8000

#### **Section [8.1.11 (h) Drive Aisle Width**

To vary the required drive aisle width from 6.0 m to 5.3 m as proposed as shown on the attached Schedule 'A'

Be authorized.

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

### 2. DEVELOPMENT

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

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

**This Permit IS NOT a Building Permit.**

**3. APPLICANT'S AGREEMENT**

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

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

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

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

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

Signature of Owner / Authorized Agent	Date
---------------------------------------	------

Print Name in Bold Letters	Telephone No.
----------------------------	---------------

**4. APPROVALS**

Issued and approved by Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.



Ryan Smith, Community Planning Department Manager Community Planning & Real Estate	Date
---	------

**The PERMIT HOLDER is the CURRENT LAND OWNER.**







# 1088 Sunset Drive Design Rationale



## Proposal

Discovery Bay Condo Resort is located at 1088 Sunset Drive in the Downtown Kelowna Area. Discovery Bay Condo Resort is a large residential apartment resort with 236 suites. There have been many past failures by the original design professionals to adequately design for the needs of such a development. The existing mechanical system was not designed to keep up with the heating needs during the winter months and the cooling needs during the summer months and residents have been left coping with the current situation. The proposal is to introduce an additional 275 ton chiller to accommodate the cooling demands and rectify this deficiency.

## Location

One of the challenges of rectifying this mechanical deficiency has been finding an appropriate location for this equipment. The design team first looked at the existing roof as being the ideal location for this unit but we found that there was a limited amount of available space and the existing structure was incapable of supporting the added weight. The courtyard was the next location investigated but again was found unsuitable due to the importance of maintaining an open and pleasant exterior space for residents to enjoy. The last potential location available to us was at the southernmost parkade entrance and firetruck access. Originally, the design team considered locating the unit on the inside of façade so as to not impact the view from the street. However, the close proximity to units and challenges with maintaining fire-truck access heights made this option unviable. Locating the unit on the exterior of the previously mentioned façade was the only practical location but is not without its own challenges.

## Challenges of Proposed Location

There are two factors which challenge this design. One of those factors stems from the building's history and in particular, structural and architectural concerns with the design of the existing building. The challenge is to create the addition without integrating it structurally into the existing building and without changing the existing building's envelope. The obstacle which this challenge has yielded is that the proposed minimum drive aisle width has been lessened from 5.6 metres to 5.3 metres. The other factor which challenges this design is the size of the chiller which is required to bring the building's performance up to an acceptable level. The required 275 ton chiller is roughly 10 metres long, 2 metres wide and 2.5 metres tall. The team

tried finding a smaller unit but all others would present noise issues to adjacent units and public sidewalk. Using multiple smaller units was impossible due to lack of potential locations. The selected unit is the quietest model available and therefore noise should not be problematic. However, the size of this unit makes it challenging to not only hide but also integrate into the existing design aesthetic as tastefully and considerately as possible.

## Continuity with the Original Design Aesthetic

The proposed addition's design is visible from the street and therefore special attention has been made to create continuity with the existing façade. The materials selected create continuity as all the materials with the exception of the glazing for the railing are the same as what is existing. We also created continuity by replicating the form, scale and many of the design elements found on the existing façade that we are shielding. We feel that this allows the addition to blend into the existing building. It is in keeping with this desire to blend that we have intentionally limited the amount of massing in front of the chiller.

## Steps taken to Hide the Chiller from the Street

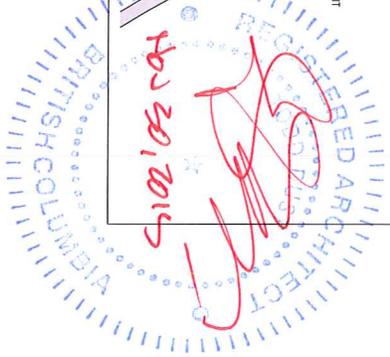
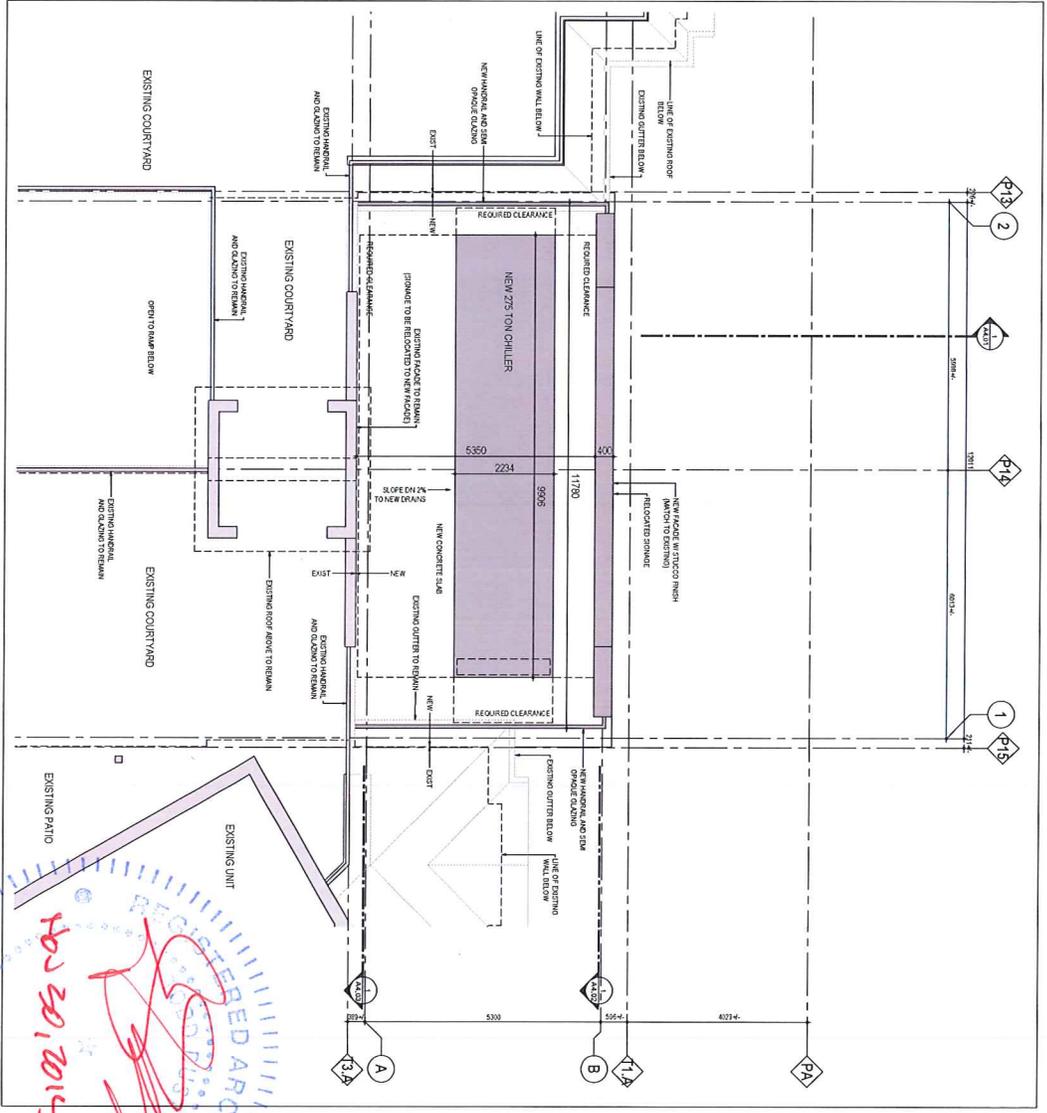
We also feel that there must be a balance between hiding the proposed chiller from any potential view and avoiding a harsh 2.5 metre high monolithic box on 5.5 metre legs. It is precisely for this reason that we have chosen to step down the massing at the corners of the front façade and to flank the ends of that massing with a glass railing that continues back to the existing glass railing. Although the glass railing will not restrict 100 percent of the view of the chiller unit, we feel it allows the façade to be lighter and visually more interesting than a tall and relatively blank stucco wall. To mitigate visual transparency of the chiller behind, we have decided to use glass infill panels with a semi opaque film coating. We also feel that painting the chiller with the same colour as the existing / proposed stucco will also help to de-emphasize the size of the chiller and help reduce the chiller's visual prominence.







PARTIAL THIRD FLOOR PLAN  
SCALE 1/8" = 1'-0"



NO.	DATE	DESCRIPTION
1	11/11/14	ISSUED FOR PERMIT
2	01/14/15	ISSUED FOR PERMIT
3	01/14/15	ISSUED FOR PERMIT
4	01/14/15	ISSUED FOR PERMIT
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100	01/14/15	ISSUED FOR PERMIT

DISCOVERY BAY CONDO RESORT RENOVATIONS  
KELOWNA, BC

**thinkspace**  
architecture planning interior design  
206-1470 St. Paul Street | Kelowna, BC | V1Y 2E6  
(250) 762 2503 | (250) 861 5047 www.thinkspace.ca







**CITY OF KELOWNA**  
**BYLAW NO. 11133**  
**Z15-0005 - 0958123 BC Ltd., Inc. No. BC0958123**  
**540 Osprey Avenue**

---

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, District Lot 14, ODYD, Plan EPP14200 located on Osprey Avenue, Kelowna, B.C., from the RU6 - Two Dwelling Housing zone to the C4 - Urban Centre Commercial zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 24<sup>th</sup> day of August, 2015.

Considered at a Public Hearing on the 15<sup>th</sup> day of September, 2015.

Read a second and third time by the Municipal Council this 15<sup>th</sup> day of September, 2015.

Adopted by the Municipal Council of the City of Kelowna this

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Mayor

---

City Clerk

# REPORT TO COUNCIL



**Date:** April 5, 2016

**RIM No.** 0940-50

**To:** City Manager

**From:** Community Planning Department (TY)

**Application:** DP15-0020 & DVP15-0021      **Owner:** 0958123 BC Ltd.,  
Inc. No. BC0958123

**Address:** 540 Osprey Avenue      **Applicant:** U-NeeK Thinking

**Subject:** Development Permit & Development Variance Permit Application

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

**Existing Zone:** C4 - Urban Centre Commercial

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## 1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11133 (Z15-0005) be considered by Council;

AND THAT Council Authorizes the issuance of Development Permit No. DP15-0020 for Lot A District Lot 14 ODYD Plan EPP14200, located at 540 Osprey Avenue, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;
5. The Development Permit not be issued until the lot consolidation is register at the Land Title Office;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0021 for Lot A District Lot 14 ODYD Plan EPP14200, located at 540 Osprey Ave, Kelowna, BC;

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

Section 14.4.5 (b) - C4 - Urban Centre Commercial Development Regulations

- A) To vary the required maximum site coverage from 75 % permitted to 91% proposed.

Section 14.4.5 (c) - C4 - Urban Centre Commercial Development Regulations

B) To vary the required maximum height from the lesser of 15.0 m or 4 storeys permitted to 17.8 m or 5 storeys proposed.

AND THAT this Development Permit and Development Variance Permit be subsequent to the payment of cash-in-lieu payment in the amount of \$45,000.00 for six parking stalls.

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

**2.0 Purpose**

To consider the form and character of a mixed use building and to vary site coverage and building height on the subject property.

**3.0 Community Planning**

Community Planning Staff supports the proposed Development Permit and Development Variance Permit applications on the subject property. The applicant is proposing a mixed use building that meets the intent of the Future Land Use of MXR - Mixed Use Residential / Commercial and the C4 - Urban Centre Commercial zone. The building as proposed provides residential, commercial and office opportunities with retail located on the first storey, offices on the second storey, and residential on the remaining three storeys.

The applicant worked with City Staff to bring forward an example of a mixed use development with three types of uses on one property. This development will add six residential units with the goal of densifying the Pandosy Urban Centre, and encouraging a live/work/play ideal. The two variances for consideration should not create any conflicts within the neighbourhood, are proposed to be mitigated through design measures and overall the project will be a benefit to South Pandosy Urban Town Centre. The building brings a mix of residential unit sizes into the Centre which meets Kelowna's OCP community goals of supporting new housing units in the form of townhomes and apartments. This also supports Kelowna's infrastructure policies and social sustainability goals. Please see the Current Development Policies section of this report for highlights on the OCP goals met with this application.

**4.0 Proposal**

**4.1 Background**

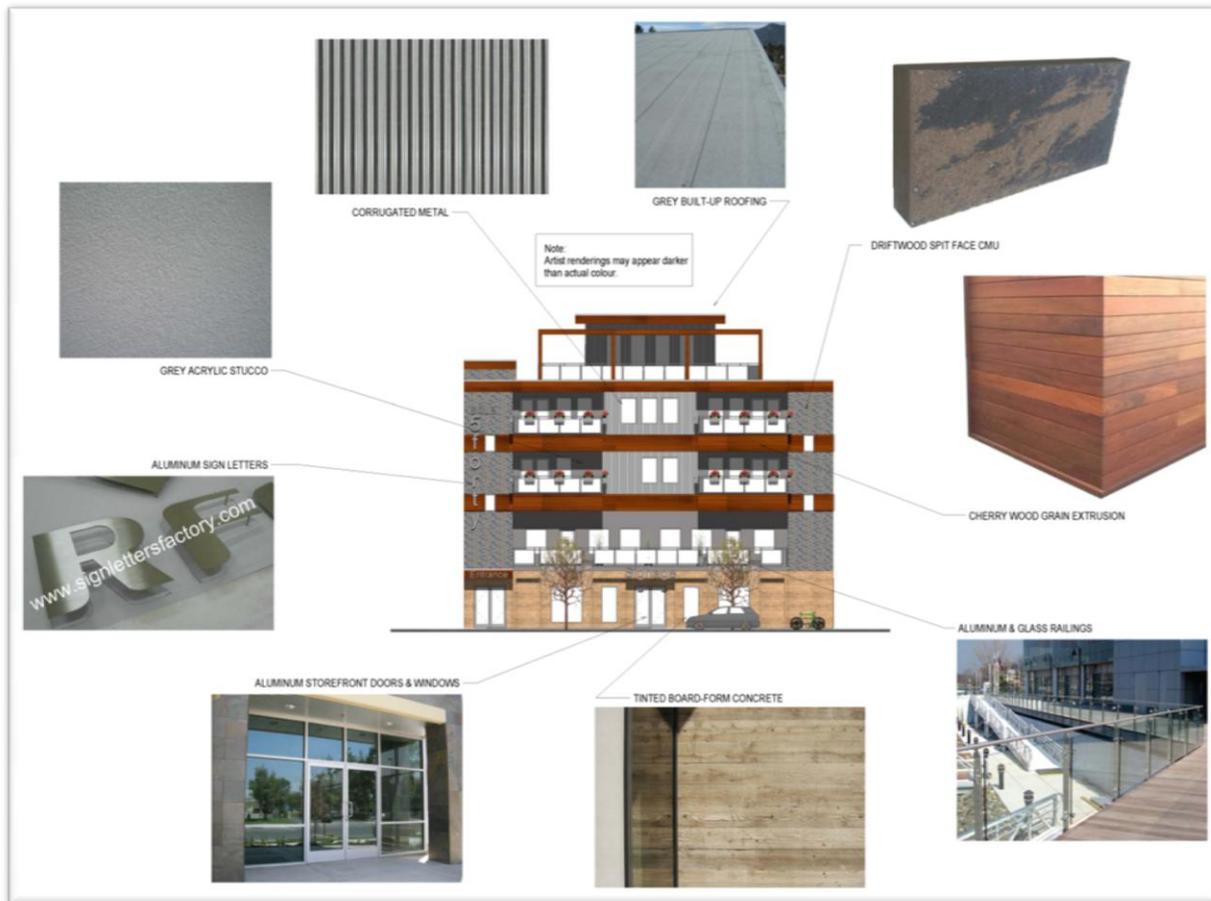
A 1940s single family home that was on the subject property was renovated and relocated to 2047 Doryan Street, Kelowna BC.

As part of the rezoning application Z15-0005 which rezoned the subject property from RU6 to C4, City of Kelowna Community Planning identified that a 1.5 m dedication requirement along the front of the property was required in order to construct a sidewalk along the north side of Osprey Avenue. The subject property line has been adjusted to reflect this.

**4.2 Project Description**

The five storey building uses a mix of exterior finishes. The first storey will be coloured concrete with a textured finish. The remaining storeys will be a mix of materials such as stucco, split faced concrete masonry block, corrugated metal, and wood finish fibreglass siding. The design proposed by the applicant is consistent with Kelowna's OCP Urban Design Guidelines for revitalization areas incorporating retail on the first storey, bicycle parking on the front of the building, and the use of public art.

**Proposed South Elevation & Materials**



A zero lot line is permitted and utilized along the west side of the property. This west wall of the proposed building is void of any architectural details such as windows in order to meet BC building code fire separation requirements and as such does not have the same aesthetic appeal as other exterior walls. The adjacent property to the west is also permitted to construct along the property line, as such the applicant on the subject property designed the building anticipating this. As this west side of the building will be exposed until a new building is constructed to the west, the applicant has proposed a mural installation to enhance visual interest for the neighbouring properties and traffic along Pandosy Street. The final design has not been determined; however the applicant has noted the proposed size and location as shown on Schedule B.



On the first storey along the Osprey Avenue frontage, the proposed building will provide retail space with two entrances to the upper storeys. Patio space for the second to fifth storeys are designed along the front and rear of the building.

## VariANCES

Two variances are triggered with the proposed design for site coverage and building height. The maximum site coverage as required in Zoning Bylaw No. 8000, C4 Zone is 75%. The first storey of the development creates a site coverage of 91%, the upper storeys of the building have a footprint on the site of 37%. The site coverage is triggered on the first storey as all parking is enclosed, ensuring all parking is screened from neighbouring properties as noted as a guideline in Kelowna’s OCP’s site and context considerations. The same exterior treatment along the front of the building will continue around the rear parking enclosure. Although a large variance, the parking area being enclosed with a quality exterior design provides an appealing addition to the neighbourhood at the pedestrian level. Massing of the building is mediated with only a 37% site coverage on the second to fourth storeys. The fifth storey has a total of 10% site coverage. The building as proposed is also mediated by recent neighbouring developments with similar three and four storey urban buildings.

The fifth storey requires the second variance as noted in the Zoning Analysis Table in this report. The C4 zone has a maximum building height of the lesser of 4 storeys or 15.0 m. The proposed building is 5 storeys or 17.8 m. The footprint of the fifth storey is 22% of the storey below it, set back 5.0 m from the front of the building, and 6.0 m from each side. This reduces the visibility of the top storey from surrounding properties as well as pedestrian and vehicular traffic. The floor area of the fifth floor is 56.5 m<sup>2</sup>, and together with patio trellis is 132.5 m<sup>2</sup>.

## Parking Strategy

Approval of the proposed development permit will allow the applicant to provide cash-in-lieu payment for the 6 parking spaces not provided on site. The applicant is required to provide the City with \$45,000 as per the Payment in Lieu of Parking Bylaw No. 8125, Schedule A, South Pandosy Urban Town Centre. The applicant has accommodated six full size parking stalls (one per residential unit) along with the one accessible parking space for the commercial uses. The six commercial spaces required as part of Zoning Bylaw No. 8000 will be paid for by the applicant in the amount of \$7,500 per required off-street parking space. The location of the subject property within the South Pandosy Town Centre affords the development opportunities for alternative means of transportation. Shops, businesses and schools are within walking distance and the subject property is within 100 m of a BC Transit stop. These local amenities will help encourage less vehicle reliance.

The landscape design along Osprey Avenue takes into account safety and sightlines for pedestrian use as well as vehicular traffic using the adjacent lane. Trees will be installed with root protection for the building and City infrastructure. A Landscape Agreement is a requirement of this Development Permit that will secure bonding to ensure the landscape as per Schedule C is installed as per British Columbia Society of Landscape Architects standards.

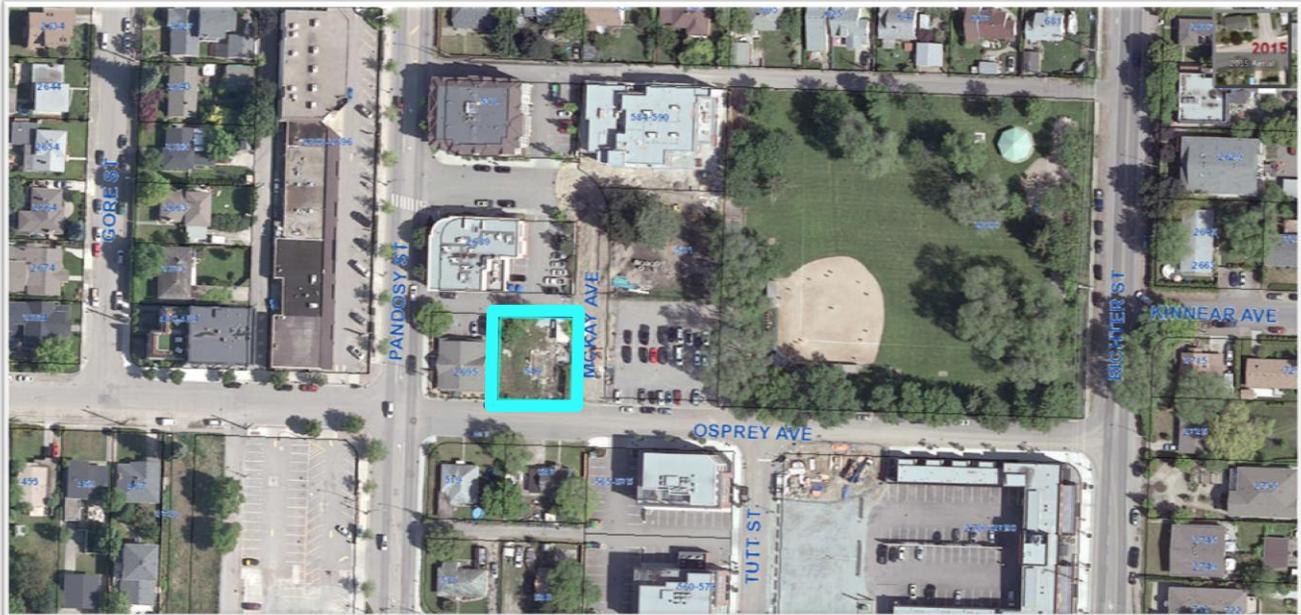
### 4.3 Site Context

The subject property is located on the north side of Osprey Avenue between Pandosy Street and Richter Street in the South Pandosy sector of Kelowna. The property is currently zoned C4 - identified in Kelowna’s OCP as MRX, and is within the Permanent Growth Boundary.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C4	Retail Commercial Building
East	C4	Non-Accessory Parking Lot
South	RU6	Single Family Dwelling
West	C4	Retail Commercial Building

Subject Property Map: 540 Osprey Avenue



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C4 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	460 m <sup>2</sup>	543.21 m <sup>2</sup>
Minimum Lot Width	13.0 m	22.01 m
Minimum Lot Depth	30.0 m	24.68 m
Development Regulations		
Maximum Floor Area Ratio	1.3 + (0.2*(7/12)) = 1.42	1.42
Maximum Site Coverage	75%	91% ●
Maximum Building Height	4 Storeys or 15.0 m	5 storeys or 17.8 m ●
Minimum Front Yard	0.0 m	0.4 m
Minimum Side Yard (west)	0.0 m	0.0 m
Minimum Side Yard (east)	0.0 m	0.4 m
Minimum Rear Yard	0.0 m	0.0 m
Other Regulations		
Minimum Parking Requirements	1 per dwelling unit = 6 required  1.75 per 100m <sup>2</sup> GFA of commercial space 382 m <sup>2</sup> of GFA commercial (6.7) = 7 required 1 to be accessible parking  13 total	6 residential 1 commercial (accessible)  7 total  ● Cash-in-lieu payment of 6 missing parking spaces

Bicycle Parking Class I	0.5 per dwelling unit = 3 0.2 per 100 m <sup>2</sup> GLA = 1	11
Bicycle Parking Class II	0.1 per dwelling unit = 1 0.6 per 100m <sup>2</sup> GLA = 3	7
Private Open Space	6.0 m <sup>2</sup> per bachelor = 24m <sup>2</sup> 10.0 m <sup>2</sup> per 1 bedroom = 10 m <sup>2</sup> 15.0 m <sup>2</sup> per +1 bedroom = 15.0m <sup>2</sup>	44 m <sup>2</sup> 16 m <sup>2</sup> 92 m <sup>2</sup>
<p><span style="color: red;">●</span> Indicates a requested variance to the Maximum Site Coverage</p> <p><span style="color: red;">●</span> Indicates a requested variance to the Maximum Building Height</p>		

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

**Goals For a Sustainable Future** <sup>1</sup> The objectives and policies in each of the OCP chapters are focused on creating a sustainable community. Some of the main goals of this OCP are to: Contain Urban Growth. Reduce greenfield urban sprawl and focus growth in compact connected and mixed-use (residential and commercial) urban and village centres.

#### Land Use Designation Definitions

**Mixed Use (Residential / Commercial) (MXR)** <sup>2</sup> Developments that provide for commercial floor space on the ground floor or above, with additional potential for residential units above the ground floor.

**Development Process Compact Urban Form.** <sup>3</sup> Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

**Other Urban Centres** <sup>4</sup> : Locate taller buildings in the geographic centre of Urban Centres and generally decrease height moving away from the centre, to a maximum of 4 storeys at the periphery of the Urban Centres, where adjoining land is designated for single/two unit housing.

**Site and Context Considerations** <sup>5</sup> Ensure all parking is screened from public view or contained within the structure.

#### Revitalization Development Permit Guideline Objectives <sup>6</sup>

Use appropriate architectural features and detailing of buildings and landscapes to define area character;

Convey a strong sense of authenticity through high quality urban design that is distinctive of Kelowna;

Enhance the urban centre’s main street character in a manner consistent with the area’s character;

Provide for a scale and massing of buildings that promotes an enjoyable living, pedestrian, working, shopping and service experience;

<sup>1</sup> City of Kelowna Official Community Plan, (Introduction Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, (Future Land Use Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.5.1 (Development Process Chapter).

<sup>5</sup> City of Kelowna Official Community Plan, Policy 5.5.1 (Development Process Chapter).

<sup>6</sup> City of Kelowna Official Community Plan, Objectives (Urban Design Development Permit Areas Chapter).

Encourage an appropriate mix of uses and housing types and sizes;  
 Design and facilitate beautiful public open spaces that encourage yearround enjoyment;  
 Create open, architecturally-pleasing and accessible building facades to the street; and  
 Improve existing streets and sidewalks to promote alternative transportation.

**Town Centre (S. Pandosy / Rutland / Capri-Landmark) <sup>7</sup>**

A vibrant, amenity-rich area wherein different land uses frequently occur within the same building and almost always occur within a one-block area.

**Housing Mix <sup>8</sup>**

Deliver services and infrastructure and create financial structures that will support the aim of having 57% of new housing units in the form of townhouses and apartments.

**6.0 Technical Comments**

**6.1 Building & Permitting Department**

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

<sup>7</sup> City of Kelowna Official Community Plan, Policy D.1.19(Urban Design Development Permit Areas Chapter).

<sup>8</sup> City of Kelowna Official Community Plan, Policy 7.3.1 (Infrastructure Chapter).

- Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this structure.

6.2 Development Engineering Department

- All requirements for rezoning application Z15-0005 have been met.

6.3 FortisBC Inc - Electric

- There are primary distribution facilities within the lane adjacent the subject's north property line. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

7.0 Application Chronology

Date of Application Received:	January 28, 2015
Date of Z15-0005 3 <sup>rd</sup> Reading:	September 15, 2015
Date Development Engineering Requirements Met	February 19, 2016

Report prepared by:

---

Tracey Yuzik, Planner

Reviewed by:  Terry Barton, Urban Planning Manager

Approved for Inclusion:  Ryan Smith, Community Planning Department Manager

Attachments:

DRAFT Development Permit DP15-0020 DVP15-0021  
Schedule A: Site Plan & Floor Plans  
Schedule B: Elevations  
Schedule C: Landscape Plan

# DEVELOPMENT PERMIT



## APPROVED ISSUANCE OF DEVELOPMENT PERMIT NO. DP15-0020 & DVP15-0021

**Issued To:** 0958123 BC Ltd  
**Site Address:** 540 Osprey Avenue  
**Legal Description:** Lot A District Lot 14 ODYD Plan EPP14200  
**Zoning Classification:** C4 - Urban Centre Commercial  
**Development Permit Area:** South Pandosy Revitalization

### SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

### 1. TERMS AND CONDITIONS

THAT Development Permit No. DP15-0020 Lot A District Lot 14 ODYD Plan EPP14200 located at 540 Osprey Avenue, Kelowna, BC to allow the construction of a mixed use building subject to the following:

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- c) Landscaping to be provided on the land be in accordance with Schedule "C";
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A" and "B":

**Section 14.4.5 (b) - C4 - Urban Centre Commercial Development Regulations**

1. To vary the required maximum site coverage from 75% permitted to 91% proposed.

**Section 14.4.5 (c) - C4 - Urban Centre Commercial Development Regulations**

2. To vary the required maximum height from the lesser of 15.0 m or 4 storeys permitted to 17.8 m or 5 storeys proposed.

AND THAT this Development Permit and Development Variance Permit be subsequent to the payment of cash-in-lieu payment in the amount of \$45,000.00 for six parking stalls.

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

### 3. PERFORMANCE SECURITY

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

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

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

### 4. DEVELOPMENT

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

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse. **This Permit IS NOT a Building Permit.**

### 5. APPLICANT'S AGREEMENT

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

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

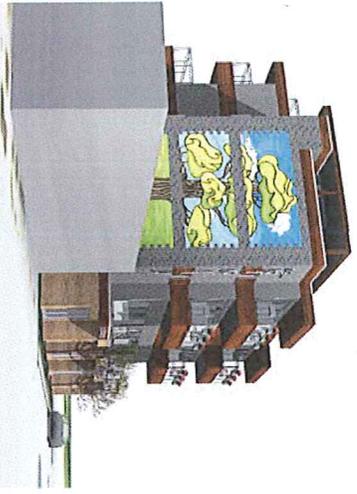




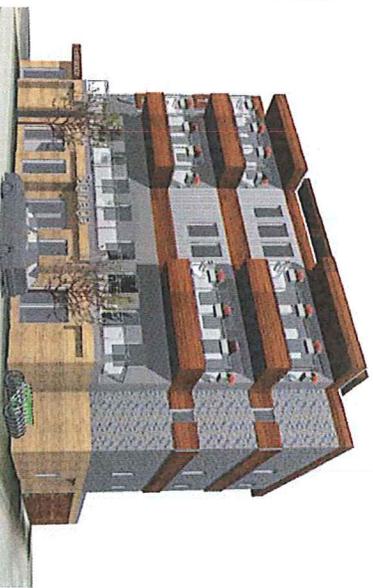






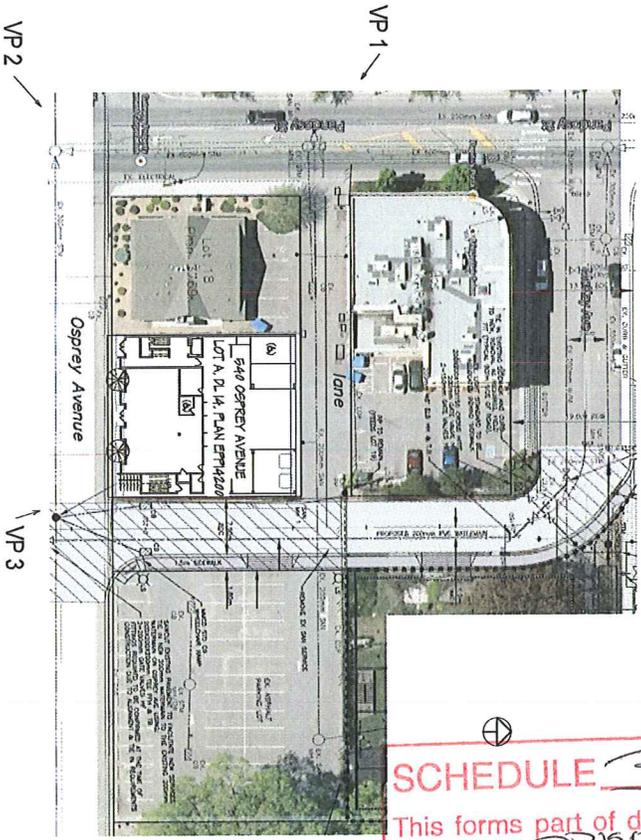


VIEWPOINT 1



VIEWPOINT 2

VIEWPOINT 3



Note:  
Artist renderings may appear darker  
than actual colour.

**SCHEDULE B**  
This forms part of development  
DP15-0020  
Permit # DPV15-0021

**NOT FOR CONSTRUCTION**

<b>SOLE 5FORTY</b>	
540 OSPREY AVENUE KELOWNA, BC	
<small>ALL CONSTRUCTION AND REVISIONS TO PERFORM THIS DRAWING AND ANY OTHER PROVISIONS AT THE DEVELOPER'S RISK AND WITHOUT LIABILITY TO THE ARCHITECT. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROVISIONS OF THE PROFESSIONAL ACT AND THE PROFESSIONAL REGULATIONS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROVISIONS OF THE PROFESSIONAL ACT AND THE PROFESSIONAL REGULATIONS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROVISIONS OF THE PROFESSIONAL ACT AND THE PROFESSIONAL REGULATIONS.</small>	
<small>This drawing shall not be used for any other purpose without the written consent of the architect. The architect shall not be responsible for any errors or omissions in this drawing. The architect shall not be responsible for any errors or omissions in this drawing.</small>	
<small>Scale of views and dimensions to be indicated.</small>	
<small>SEAL</small>	
<b>PERSPECTIVES</b>	
JOB NO.	DP-002-240
FILE NO.	
DATE:	15-03-20
SCALE:	1:300
DRAWN BY:	A. Vadas
CHECKED BY:	
DRAWING NO.	DP-002

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NO.	DATE	REVISION







Other renovations are proposed throughout the dwelling, the addition along the front property line is the only portion of the renovations that requires a development variance permit.

Kelowna's Official Community Plan (OCP) seeks to consider the existing architecture and established streetscape when considering a variance such as this. The established front yard setback of single family homes along Lochview Road are substantially closer to the front property line along than typical A1 zoned properties as the steep terrain along this road limits the available land for dwellings. Staff are in support of the proposed application as the streetscape will not be altered and the proposed design meets the form and character of the existing dwelling facade and does not increase the (legal) non-conformity of the dwelling.

#### 4.0 Proposal

##### 4.1 Background

In 1992, a single family dwelling was constructed on the property, it was built 1.35 m from the front property. From Lochview Road, the grade of the property slopes down towards Okanagan Lake at an average of 45%. The owners applied for a Variance through a Board of Variance (BOV) application in order to site the dwelling this close to the front property line in order to reduce grading impacts on the hillside. The BOV decision allowed the dwelling to be constructed within 0.3 m of the front property line however the dwelling was constructed with a 1.35 m setback.

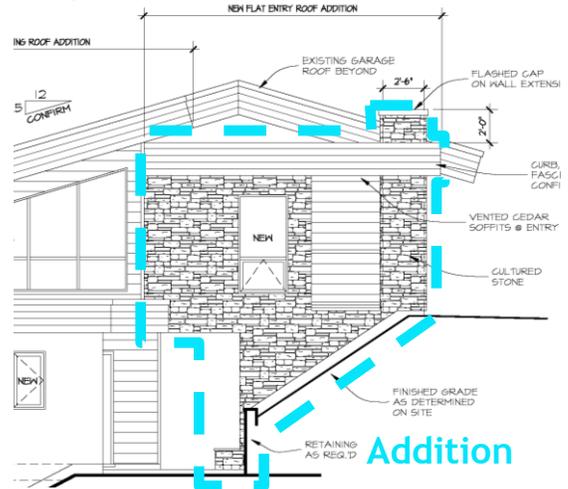
##### 4.2 Project Description

The applicant is proposing to enclose an existing stairwell that leads to the main floor of the dwelling from Lochview Road. The main floor of the dwelling is one storey below Lochview Road. The addition will result in a front door facing Lochview Road that leads to an indoor stairwell. The addition will be flush with the existing garage along Lochview Road, set back 1.3 m from the front property line. The addition is 3.0 m in length.

Existing South Elevation



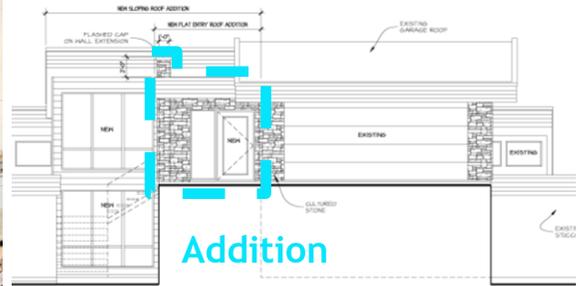
Proposed South Elevation



Existing East View



Proposed East Elevation



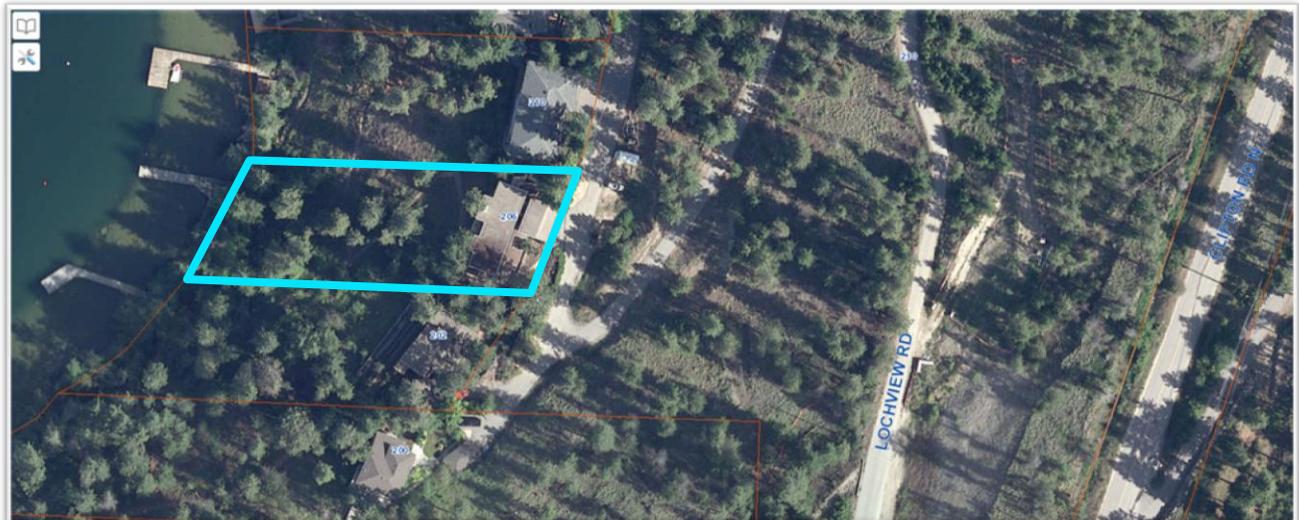
### 4.3 Site Context

The subject property is located on the shore of Okanagan Lake, on Lochview Road in the Glenmore-Clifton-Dilworth Sector of Kelowna. The parcel is zoned A1 - Agricultural 1, is located in the Okanagan Lake Foreshore Development Permit Area and is within the Permanent Growth Boundary.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1	Single Family Residential
East	A1	Vacant Lot / Road Right of Way
South	A1	Single Family Residential
West	W1	Okanagan Lake

Subject Property Map: 206 Lochview Road



#### 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	A1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	9.9 acres/40,000 m <sup>2</sup>	0.7 acres/2,691 m <sup>2</sup>
Minimum Lot Width	40.0 m	32.4 m
Development Regulations		
Maximum Site Coverage (residential buildings)	10%	9.5%
Maximum Height	9.5 m	6.0 m
Minimum Front Yard	6.0 m	1.3 m <span style="color: red;">❶</span>
Minimum Side Yard (north)	3.0 m	3.2 m
Minimum Side Yard (south)	3.0 m	3.2 m
Minimum Rear Yard	10.0 m	+ 60.0 m
Other Regulations		
Minimum Parking Requirements	2	2
Minimum Okanagan Lake Sightlines	120°	+ 120°
<span style="color: red;">❶</span> Indicates a requested variance to front yard setback		

#### 5.0 Current Development Policies

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

##### Comprehensive Development Permit Areas

**Context.**<sup>1</sup> Respect and enhance the original character of an existing building when modifying its exterior;

The proposed renovation carries the same architectural character as the existing building. Quality material such as cultured stone and stucco are proposed.

**Relationship to the street.**<sup>2</sup> Locate buildings to provide an effective street edge while respecting the established, desired streetscape rhythm;

Lochview Road has an established average front yard setback of 2.7 m.

#### 6.0 Technical Comments

##### 6.1 Building & Permitting Department

A Full Plan Check is required at time of Building Permit application.

Current Building Code Current Building code applies to the addition as well as spatial calculation at time of application.

##### 6.2 Development Engineering

The proposed variance does not compromise any municipal services.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 2.5 (Urban Design Development Permit Areas Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 3.1 (Urban Design Development Permit Areas Chapter).

## 7.0 Application Chronology

Application Received:	November 26, 2015
Public Consultation Completed:	January 16, 2016
Public Consultation and Notification Package Submitted:	February 29, 2016

Report prepared by:

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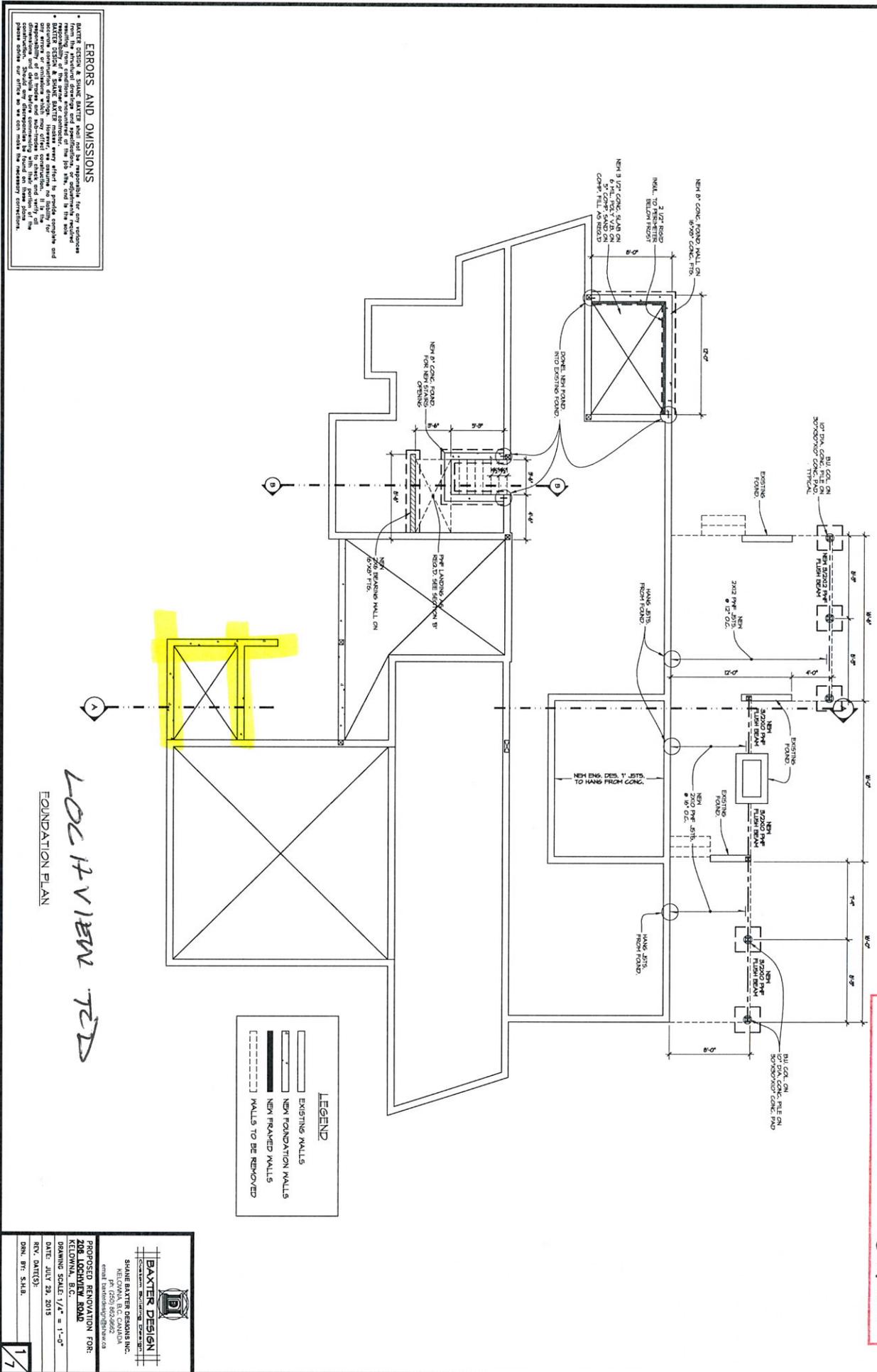
Tracey Yuzik, Planner

Approved for Inclusion:  Todd Cashin, Suburban and Rural Planning Manager

### Attachments:

DRAFT DVP15-0293  
Schedule A: Site Plan  
Schedule B: Elevations

**SCHEDULE A**  
 This forms part of development  
 Permit # DP19-0093



**ERRORS AND OMISSIONS**

BAYTER DESIGN & SOLINE BAYTER shall not be responsible for any omissions resulting from conditions not shown on the drawings, or for any errors or omissions which may occur in the construction of the project. It is the responsibility of the contractor to verify all dimensions and details before commencing the work. The drawings are to be used in conjunction with the contract documents and shall not be used for any other purpose.

*LOC VIEW TID*  
 FOUNDATION PLAN

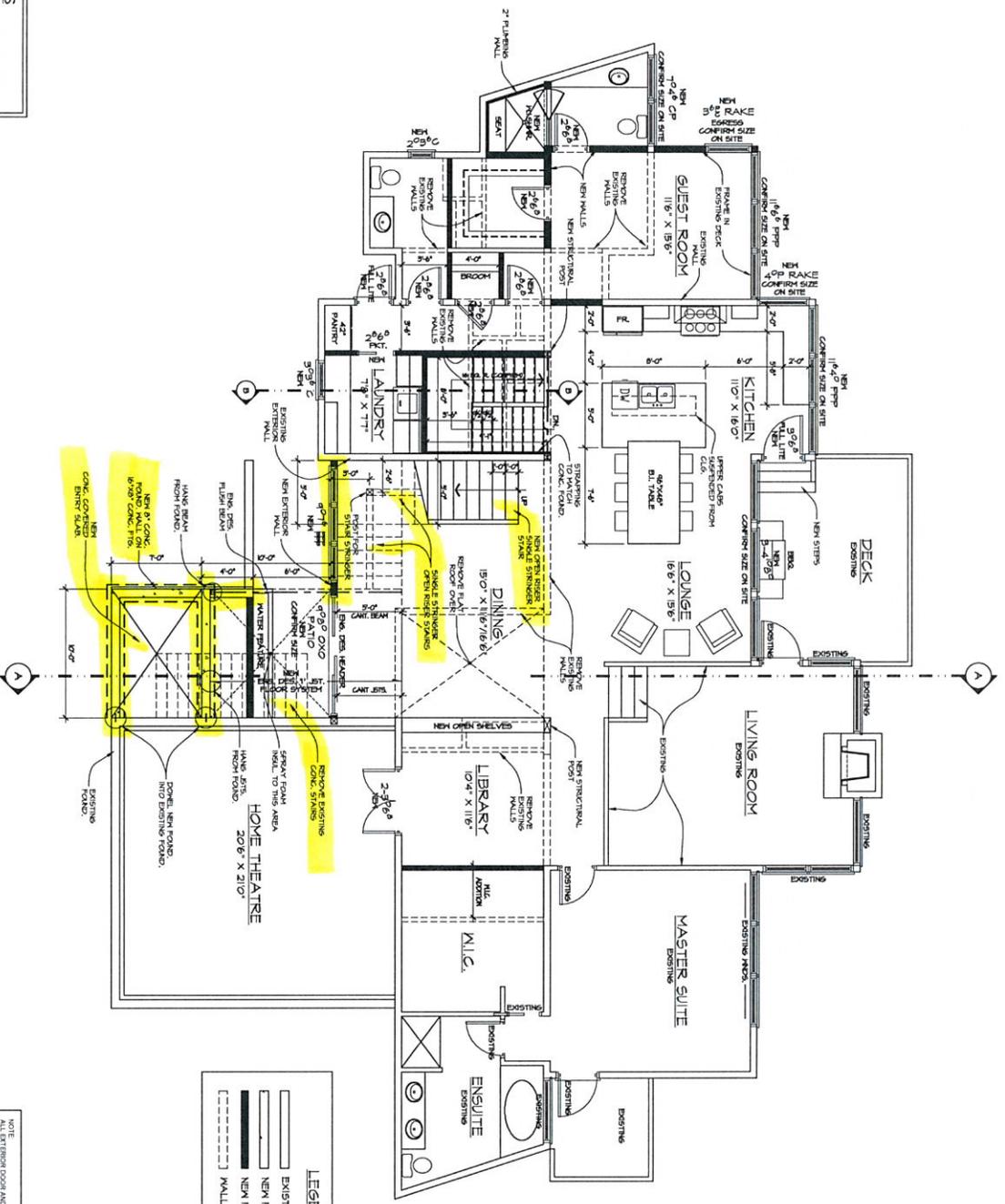
**LEGEND**

	EXISTING WALLS
	NEW FOUNDATION WALLS
	NEW FRAMED WALLS
	WALLS TO BE REMOVED

**BAYTER DESIGN**  
 SHARON BAYTER DESIGN INC.  
 MELBOMBA, B.C. CANADA  
 PH: (250) 852-9692  
 email: sharon@bayterdesign.com

**PROPOSED RENOVATION FOR:**  
 208 LOGANVILLE ROAD  
 LOGANVILLE, B.C.  
 DRAWING SCALE: 1/4" = 1'-0"  
 DATE: JULY 29, 2019  
 REV: 04/15/19  
 DRN. BR: S.H.B.





MAIN FLOOR PLAN 3073 SQ. FT.

**ERRORS AND OMISSIONS**

BAXTER DESIGN & SKANS BAXTER shall not be responsible for any omissions resulting from conditions represented of the job site, and in the field. BAXTER DESIGN & SKANS BAXTER makes every effort to provide complete and accurate drawings, but it is not possible to eliminate all errors or omissions. It is the responsibility of the contractor to verify the accuracy of the drawings and to report any discrepancies to the architect immediately. The contractor shall be responsible for any errors or omissions in the construction of the project.

**LEGEND**

[Solid line]	EXISTING WALLS
[Dashed line]	NEW FOUNDATION WALLS
[Dotted line]	NEW FRAMED WALLS
[Line with diagonal hatching]	WALLS TO BE REMOVED

NOTE: CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS OF THE EXISTING STRUCTURE AND UTILITIES PRIOR TO CONSTRUCTION. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AND STATE AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REMOVAL AND DISPOSAL OF ALL DEBRIS AND WASTE MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES AND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE AND PLANTING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES AND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE AND PLANTING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING STRUCTURES AND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING LANDSCAPE AND PLANTING.

**BAXTER DESIGN**  
SHANE BAXTER DESIGNS INC.  
KELLOWNA, B.C. CANADA  
PH: (250) 862-9862  
WWW.BAXTERDESIGN.COM

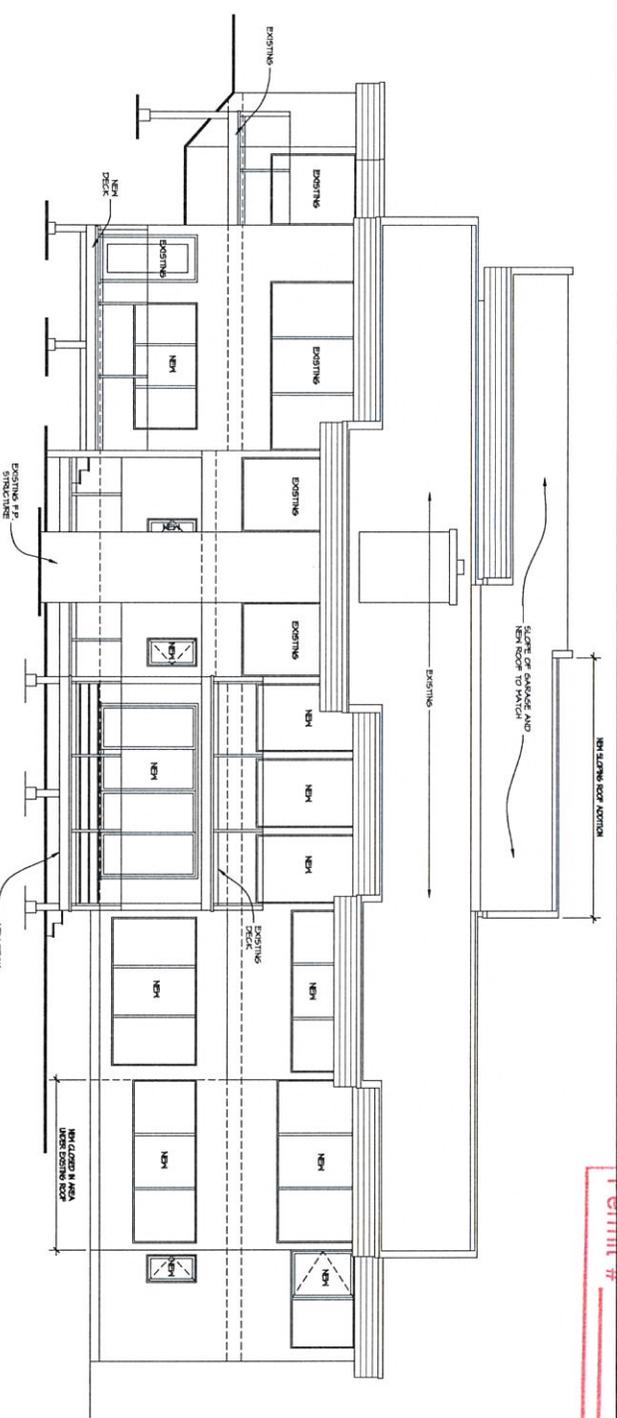
**PROPOSED RENOVATION FOR:**  
**RENOVATION OF 3073 SQ. FT. HOME**  
KELLOWNA, B.C. CANADA  
DRAWING SCALE: 1/4" = 1'-0"  
DATE: JULY 29, 2015  
REV. DATE(S):  
DRN. BY: SJB

**5/7**

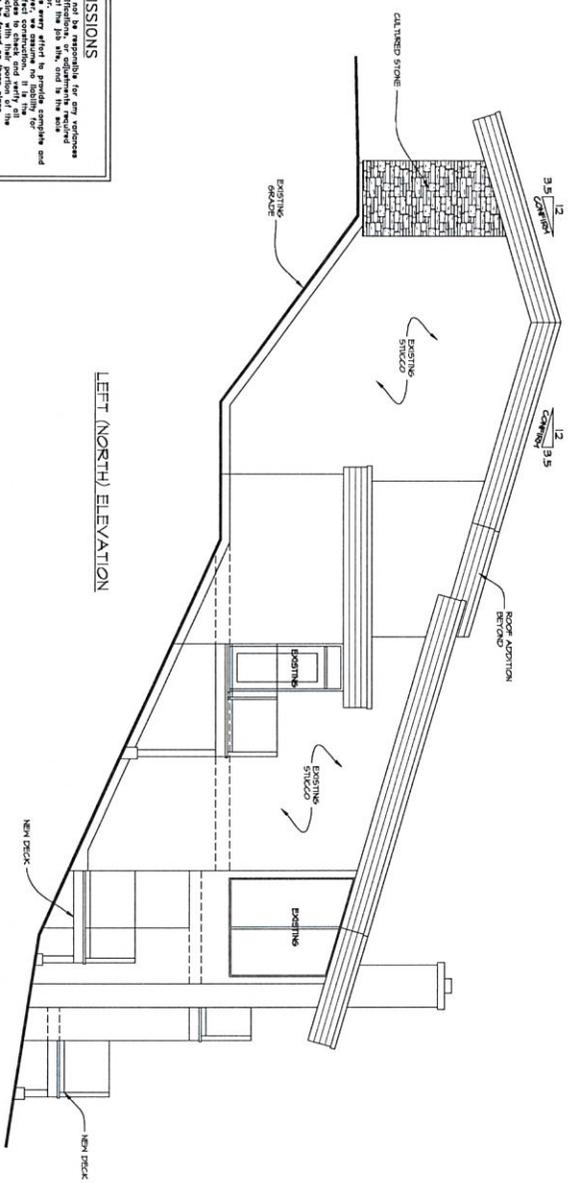




**SCHEDULE** B  
 This forms part of development  
 Permit # 2015-0003



REAR (WEST) ELEVATION



LEFT (NORTH) ELEVATION

**ERRORS AND OMISSIONS**

BAXTER DESIGN & SKANS BAXTER shall not be responsible for any omissions resulting from conditions measurement of the job site, and is the sole responsibility of the client. BAXTER DESIGN & SKANS BAXTER makes every effort to provide complete and accurate drawings, but does not warrant the accuracy of the drawings for any purpose other than that intended. BAXTER DESIGN & SKANS BAXTER shall not be responsible for any errors or omissions which may occur in the construction of the project. BAXTER DESIGN & SKANS BAXTER shall not be responsible for any errors or omissions which may occur in the construction of the project. BAXTER DESIGN & SKANS BAXTER shall not be responsible for any errors or omissions which may occur in the construction of the project.

NOTE: INTERIOR ROOM AND WINDOW SIZES, FINISHES, COMBINATIONS, CONFIGURATIONS AND DIMENSIONS ARE SUBJECT TO CHANGE WITHOUT NOTICE. BAXTER DESIGN & SKANS BAXTER SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS WHICH MAY OCCUR IN THE CONSTRUCTION OF THE PROJECT. BAXTER DESIGN & SKANS BAXTER SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS WHICH MAY OCCUR IN THE CONSTRUCTION OF THE PROJECT.

**BAXTER DESIGN**  
 SHANE BAXTER DESIGNS INC.  
 KILGONA, B.C. CANADA  
 TEL: (250) 862-9462  
 WWW.BAXTERDESIGN.COM

PROPOSED RENOVATION FOR  
**RENOVATION OF ROOF**  
 DRAWING SCALE: 1/4" = 1'-0"  
 DATE: JULY 28, 2015  
 REV. DATE(S):  
 DRN. BR: S.A.B.

6/7

# DEVELOPMENT VARIANCE PERMIT



## APPROVED ISSUANCE OF DEVELOPMENT VARIANCE PERMIT NO. DVP15-0293

**Issued To:** Norval Bradley  
**Site Address:** 206 Lochview Road  
**Legal Description:** Lot 2 Section 7 Township 23 ODYD Plan 18805  
**Zoning Classification:** A1 - Agricultural 1  
**Development Permit Area:** n/a

### SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

### 1. TERMS AND CONDITIONS

THAT Development Permit No. DVP15-0293 for Lot 2 Section 7 Township 23 ODYD Plan 18805, located at 206 Lochview Road, Kelowna, BC to allow the construction of a residential addition be approved subject to the following:

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

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A" and "B":

#### **Section 11.1.6 (c): A1 - Agricultural 1 - Zone Development Regulations**

To vary the required front yard setback from 6.0 m permitted to 1.3 proposed.

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

**2. PERFORMANCE SECURITY**

None required.

**3. DEVELOPMENT**

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

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

**This Permit IS NOT a Building Permit.**

**4. APPLICANT'S AGREEMENT**

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

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

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

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

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

Signature of Owner / Authorized Agent	Date
---------------------------------------	------

Print Name in Bold Letters	Telephone No.
----------------------------	---------------

**5. APPROVALS**

Issued and approved by Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Ryan Smith, Community Planning Department Manager Community Planning & Real Estate	Date
---	------

**The PERMIT HOLDER is the CURRENT LAND OWNER.  
Security shall be returned to the PERMIT HOLDER.**

# REPORT TO COUNCIL



**Date:** 4/5/2016  
**RIM No.** 0940-00 & 0940-50  
**To:** City Manager  
**From:** Community Planning Department (AC)

**Application:** DP15-0173, DVP15-0174      **Owner:** Windmill Ventures Ltd.,  
Inc.No. BC0686196 &  
0797989 B.C. Ltd., Inc. No.  
BC0797989

**Address:** 332 Lake Ave      **Applicant:** DiStefano Architecture

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

**Existing OCP Designation:** MRM - Multiple Unit Residential (Medium Density)

**Existing Zone:** RM5 - Medium Density Multiple Housing

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## 1.0 Recommendation

THAT Council NOT authorize the issuance of Development Permit DP15-0173 and Development Variance Permit DVP15-0174 for Lot A, District Lot 14, ODYD, Plan KAP90495, located at 332 Lake Ave, Kelowna, BC.;

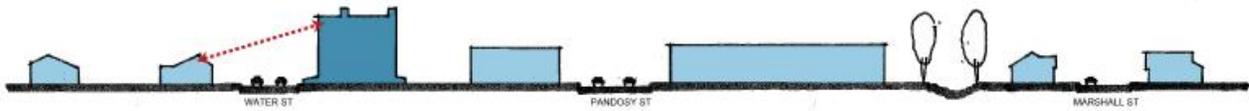
## 2.0 Purpose

To consider a Staff recommendation to NOT issue a Development Permit and Development Variance Permit for the form and character of a 25 unit, 5 ½ storey multi-family development.

## 3.0 Community Planning

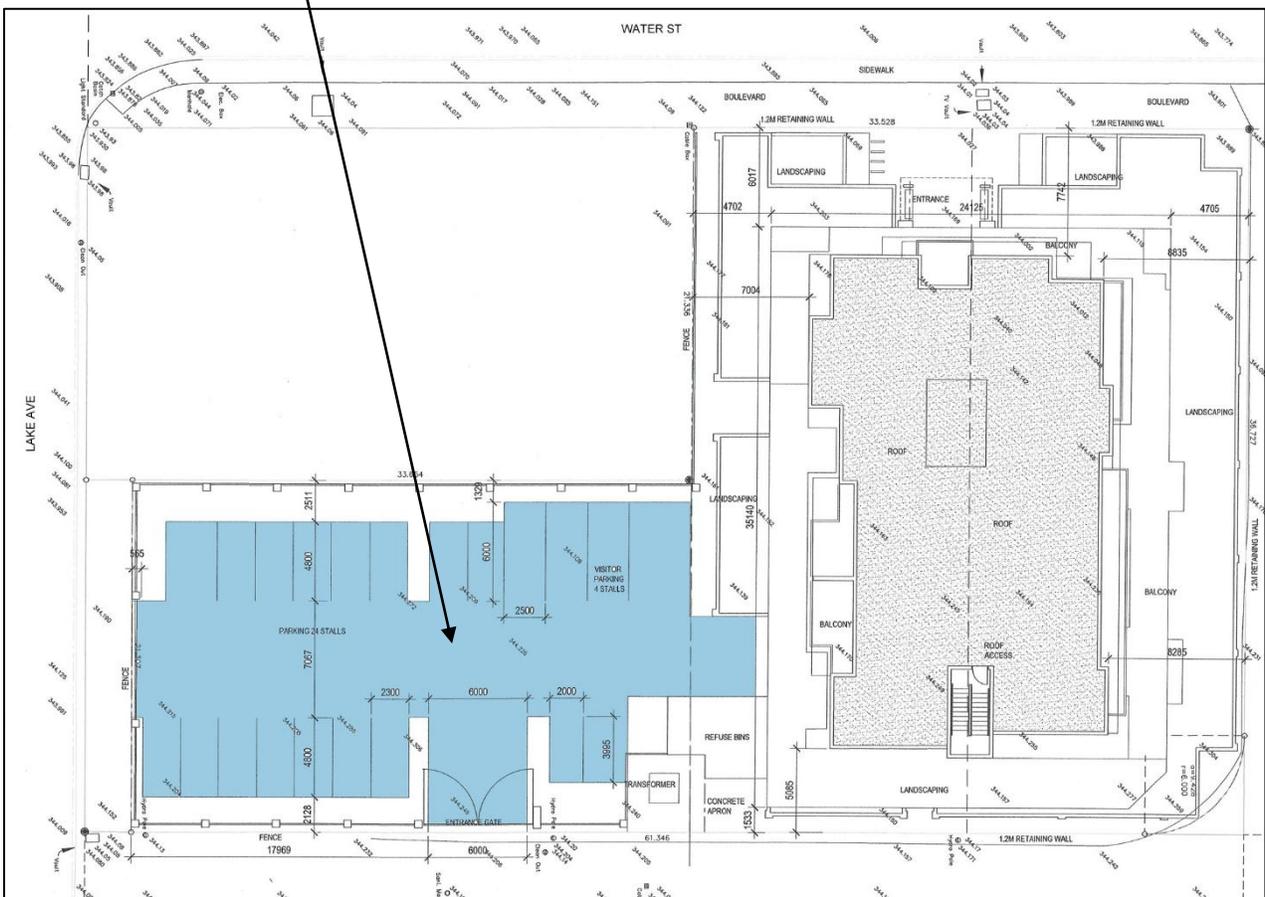
Staff are recommending to Council a position of non-support for the proposed Development Permit and Development Variance Permit due to the proposal's negative impact on the surrounding single family neighborhood. Under the variance, the applicant is proposing a six storey building on the edge of a multi-family area that transitions to the Abbott Street Heritage Conservation Area, a well-established single family neighbourhood to the west. The multi-family area along Pandosy Street contains three and four story buildings, consistent with the height requirements of the RM5 zone. This six story building proposal would be the tallest structure in the overall neighbourhood and located on the edge of it. This is contrary to the OCP's policy for sensitive urban infill. This public policy promotes responsible development solutions that provide the public with a level of confidence and creditability such that development will not negatively erode the character of their neighbourhood.

Figure 1: Proposed Building's Relationship to Neighbourhood



Further, the OCP Urban Design Guidelines discourage the construction of surface parking lots fronting Lake Ave. The proposal under consideration is contrary to this policy as the site plan proposes a surface parking lot fronting Lake Avenue. The surface parking lot prevents a streetscape rhythm of buildings to be established and would further erode the character of the neighbourhood.

Figure 2: Proposed Surface Parking Lot



Overall, a development proposal that reduced the height (consistent with the RM5 zone) would reduce the number of units and reduce the need for a surface parking lot. A shorter building would provide a more sensitive transition to the surrounding Abbott Street Heritage Conservation Area and would be more in keeping with City Policy. Eliminating the surface parking lot would meet City Policy by adhering to best urban design principles. This would create an opportunity for future collaboration between property owners to develop a similar density on the corner of Lake Ave and Water Street thus providing a more comprehensive approach to the area. This would ultimately achieve the desired streetscape pattern, transitional land use, and building form.

## 4.0 Proposal

### 4.1 Background

The applicant had a previous development permit and development variance permit (DP08-0250 & DVP-0251) on the subject property approved by Council on March 23<sup>rd</sup> 2010. There were extensions granted, but the applicant failed to complete the final conditions prior to the permit expiry date (File closed March 28<sup>th</sup> 2012). Those permits were for the construction of a similar size condominium project, with a parkade underneath. The variances originally applied for were a reduction in rear yard setback from 7.0 metres to 4.5 metres and a building height variance to permit 5 stories.

### 4.2 Project Description

A 25-unit condominium project, with parkade underneath, is proposed on the subject property. Of the 25 units, 20 are proposed to be 2-bedroom units and 5 are to be 1-bedroom units. The subject property is currently zoned RM5 and supported with nearby amenities such as bus stops along Pandosy St, downtown shops and business within walking distance and nearby beach parks.

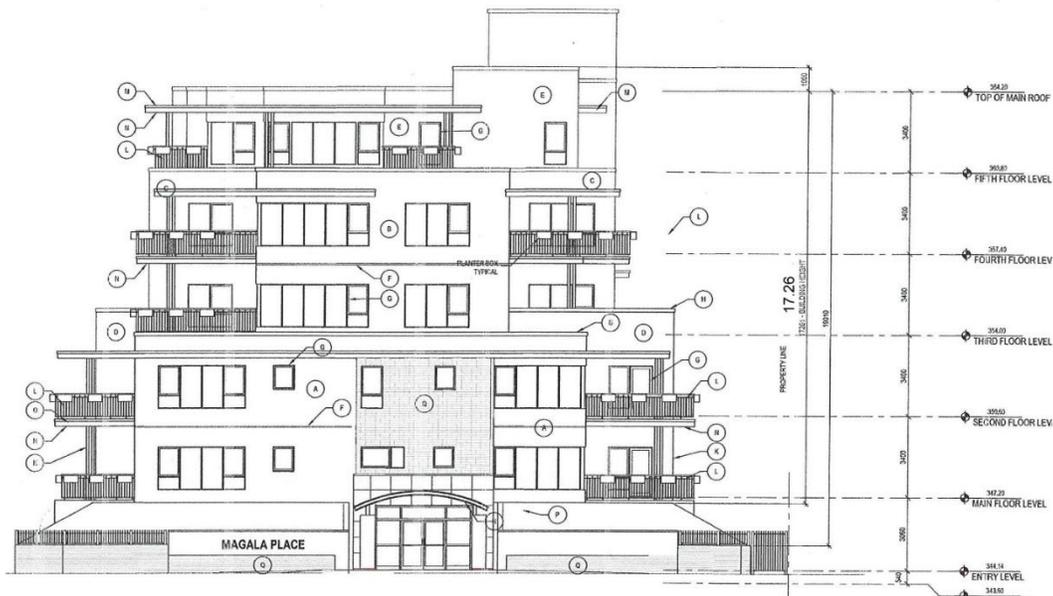
#### Parking

The site plan includes a 21 stall surface parking lot fronting Lake Avenue and 16 stalls in covered parking under the building. The number of stalls meets the requirements of the Zoning Bylaw. The request for the height variance allows additional units in the building triggering the need for additional parking stalls. A smaller building would need less parking stalls, effectively reducing the size of the surface parking lot and its impact to the neighbourhood.

#### Character & Materials

The shape of the building is articulated with accents by way of stained wood, an arched canopy against a tiled entrance wall, stone masonry above the canopy, coloured railings with planter boxes, wood balcony soffits, coloured metal deck fascia, coloured metal columns supporting the balconies and coloured window frames. The predominant colour is beige with some stone detailing and wood accent features.

Figure 3: Proposed Water Street Elevation



The applicant suggested that the architecture is inspired by one of the early modern Art Deco homes in the Abbott Street neighbourhood. However, the adaptation is challenged by applying a single family residential style of architecture to a much larger scale multi-family building. The relevance of this inspiration is questionable as the dominant form of the single family homes along Water Street immediately to the west of the development is bungalow style with pitched roofs. A more sensitive approach to building design would have considered the style of the immediate neighbourhood.

#### Landscape

The landscape buffers terrace from each property line to the second floor of the building in order to hide the first floor of structured parking. This is achieved with a series of retaining walls. The proposed street trees on the City's right-of-way will require approval from the City's Urban Forestry department. The current landscape plan may not be applicable to the boulevard area given the requirement to protect the large existing tree along Water Street.

#### Green Features

The applicant is proposing the inclusion of several green features for the building design including considerations for energy efficiencies and building-landscaping system innovations. The project will utilize Fortis BC's energy efficient construction program including the provision of natural gas appliances, energy efficient heating/cooling units and individualized metering for each unit. The building will be built with non-combustible, impact resistant, no-rot magnesium oxide boards. The roof top is also proposed as an amenity space for residents with garden boxes and a social gathering space.

#### Variances

The Zoning Bylaw permits a maximum building height of 18.0 m or 4.5 stories in the RM5 zone. The applicant is seeking a height variance to allow a building of 20.06 m in height facilitating 5 ½ stories. Planning Staff have suggested to the applicant that the building mass above the first three stories should be set back from Water Street to provide a transition to the single family neighbourhood. While this would reduce the applicant's unit count, it would demonstrate the principle of transitioning to existing, lower density building forms. Kelowna has witnessed the recent construction of many multi-family developments in other urban neighbourhoods. It has become evident that sensitive urban infill and providing adequate transitions to the surrounding neighbourhoods is critical to ensure successful integration.

The rear yard setback variance has increased from the previous application because the applicant is no longer proposing to access the parkade from the lane. The parkade is now accessed from the surface parking lot fronting Lake Avenue. The required rear yard setback is 7.0 metres and the applicant's proposal is for 1.5 metres.

#### Neighbouring Parcel

During the application process, Planning Staff recommended to the applicant to work with the adjacent corner lot (1891 Water Street) to achieve a larger, consolidated site. The additional land would benefit the development in that there would be greater area to achieve the desired unit count without the need for the height variance. Ideally, the development would be wrapped around the Lake Avenue and Water Street corner with parking situated in the rear. The applicant approached the property owner at 1891 Water Street, but the two owners did not arrive at an agreement. Without the corner property,

the applicant’s proposal is limited to the subject property at 332 Lake Avenue in which the ‘L’ shape lot and its relatively small size creates challenges to achieve a sensitive RM5 infill development.

Figure 4: Consolidated Approach



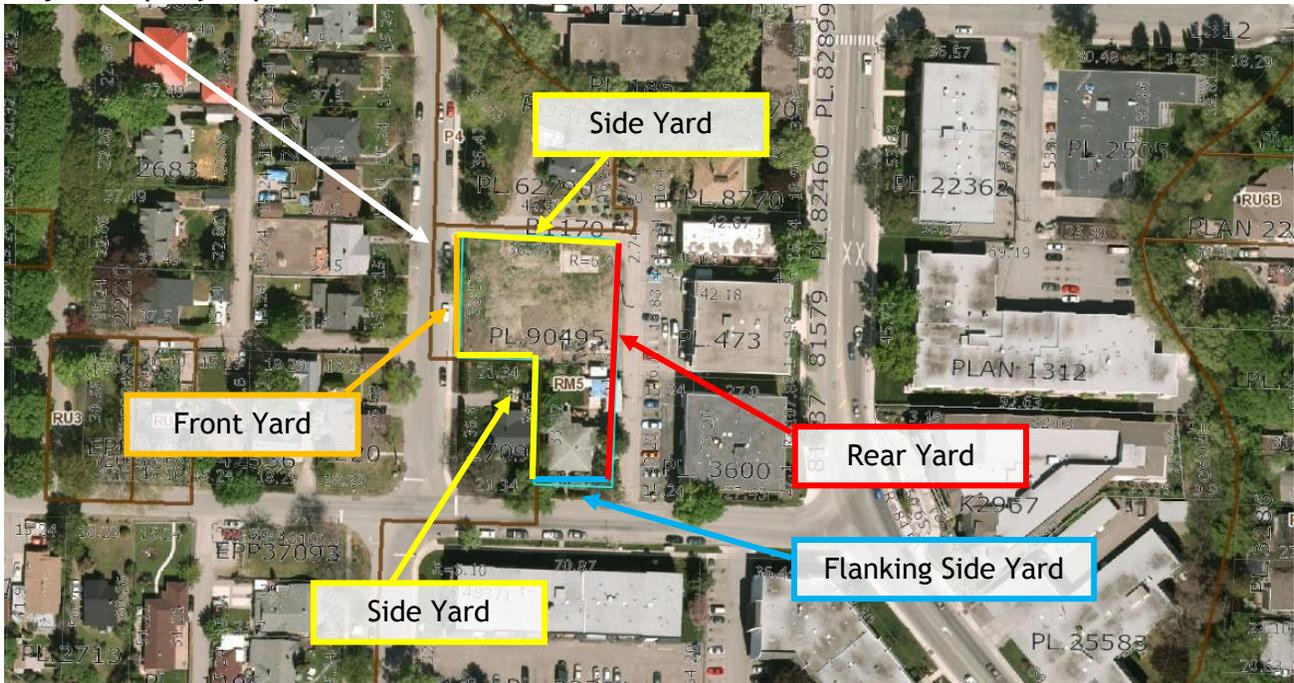
If the applicant restricts the development to only the yellow area, Staff would be supportive of some of the variances. Developing only within the yellow area provides enough remainder land to be consolidated for future development with 1891 Water Street and provides for a suitable multi-family infill project. The current proposal under the ‘L’ shaped lot configuration constrains the future potential of the corner lot to redevelop.

### 4.3 Site Context

The subject property is located adjacent to the Abbott Street Heritage Conversation area and within the edge of an Urban Centre. The site is level, and is designated as MRM - Multiple Residential (Medium Density) in the OCP Future Land Use Map. Specifically, the adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P4 - Utilities	Utilities
East	RM5 - Medium Density Multiple Housing	Residential
South	RM5 - Medium Density Multiple Housing & RU1 - Large Lot Housing	Residential
West	RU1 - Large Lot Housing	Residential

Subject Property Map: 332 Lake Ave



5.0 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C9 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Height	16.5m / 4.5 storeys	20.06 m / 5 ½ storeys ❶
FAR	1.3	1.14
Front Yard (west)	6.0 m	6.02m (to match phase 1)
Side Yard (south)	4.5 m for 1 <sup>st</sup> 2.5 stories & 7.0 m for anything above 2.5 stories	4.7 m for 1 <sup>st</sup> 2.5 stories & 7.0 m for anything above 2.5 stories
Side Yard (north)	4.5 m for 1 <sup>st</sup> 2.5 stories & 7.0 m for anything above 2.5 stories	4.7 m for 1 <sup>st</sup> 2.5 stories & 7.0 m for anything above 8.3 stories
Rear Yard (south)	7.0 m / 1.5 m to parkade	4.5 m ❷ / 1.5 m to parkade
Other Regulations		
Minimum Parking Requirements	Total: 37	16 covered parking stalls 21 surface parking stalls Total: 37
Minimum Bicycle Parking Requirements	Class 1: 13 bikes Class 2: 3 bikes	Class 1: 25 bikes Class 2: 3 bikes
Loading space	1	1
❶ Variance to increase the allowable height. ❷ Variance to decrease the rear yard setback.		

## 6.0 Current Development Policies

The applicant's proposal contravenes the following Official Community Plan (OCP) policies:

### Chapter 5: Development Process

**Sensitive Infill.**<sup>1</sup> Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height, and siting.

**Objective 5.5: Ensure appropriate and context sensitive built form.**

**Building Height.**<sup>2</sup> In determining appropriate building height, the City will take into account such factors as:

- Contextual fit into the surrounding neighbourhood
- Shadowing of the public realm
- View impacts
- Overlook and privacy impact on neighbouring buildings
- Impacts on the overall skyline
- Impacts on adjacent or nearby heritage structures

### Chapter 14: Urban Design Guidelines

**Amenities, ancillary Services and Utilities.**<sup>3</sup>

**11.1** - Locate loading, garbage, storage, utilities and other ancillary services away from public view. All such areas shall be screened and designed as an integral part of the building to minimize impact;

**11.3** - Create attractive rear alley facades with high quality materials on buildings facing residential areas (e.g. rear building entrances, windows, balconies, plazas, and plantings).

### Chapter 4: Land Use Designation

**Massing and Height.**<sup>3</sup>

**4.1** - Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing, including:

- Architectural elements (e.g. balconies, bay windows, cantilevered floors, cupolas, dormers);
- Visually-interesting rooflines (e.g. variations in cornice lines and roof slopes);
- Step back upper floors to reduce visual impact;
- Detailing that creates a rhythm and visual interest along the line of the building;
- Wall projections and indentations, windows and siding treatments as well as varied material textures should be utilized to create visual interest and to articulate building facades;
- Building frontages that vary architectural treatment in regular intervals in order to maintain diverse and aesthetically appealing streets.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Chapter 14 (Urban Design Development Permits Area).

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

<sup>3</sup> City of Kelowna Official Community Plan, Chapter 14 (Urban Design Development Permits Area).

## 7.0 Technical Comments

The following technical staff comments are provided should Council support the Alternative Recommendation under Section 9.0 of this report:

### 7.1 Building & Permitting Department

- a) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).
- b) Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- c) A Hoarding permit is required and protection of the public from the staging area and the new building area during construction. Location of the staging area and location of any cranes should be established at time of DP.
- d) A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
  - i. Vestibules may be required at parking level or on all upper floors;
  - ii. Fire department access must meet the minimum requirements to the front door as per BCBC;
  - iii. Any security system that limits access to exiting needs to be addressed in the code analysis by the architect; and
  - iv. Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.
- e) A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. including parking garages.
- f) Guards are required for all decks and parking areas. The drawings provided don't clearly identify compliance to these minimum requirements, but will be reviewed at time of building permit application. The appearance of these guards may affect the form and character of the building.
- g) Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
- h) An exit analysis is required as part of the code analysis at time of building permit application. The exit analysis is to address travel distances within the units, number of required exits per area, door swing direction, handrails on each side of exit stairs, width of exits etc.
- i) Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- j) Mechanical Ventilation inlet and exhausts vents are not clearly defined in these drawings for the enclosed parking storeys. The location and noise from these units should be addressed at time of Development Permit.

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

## 7.2 Development Engineering

- See the attached Development Engineering Memos dated September 21<sup>st</sup> 2015.

## 7.3 Fire Department

- a) Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template available online at Kelowna.ca.
- b) Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900. Should a hydrant be required on this property it shall be deemed private and shall be operational prior to the start of construction.
- c) A visible address must be posted as per City of Kelowna By-Laws.
- d) Sprinkler drawings are to be submitted to the Fire Department for review when available.
- e) A fire safety plan as per section 2.8 BCFC is required at occupancy. The fire safety plan and floor plans are to be submitted for approval in AutoCAD Drawing format on a CD.
- f) Fire Department access is to be met as per BCBC 3.2.5.
- g) Approved fire steel lock box or key tube acceptable to the Fire Department is required at the entrance.
- h) All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met.
- i) Fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard.
- j) Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- k) Fire department connection is to be within 45M of a fire hydrant.
- l) Ensure FD connection is clearly marked and visible from the street.
- m) Dumpster/refuse container must be 3 meters from structures or if inside the parking garage, it shall be enclosed within a rated room
- n) Do not issue BP unless all life safety issues are confirmed.

## 8.0 **Application Chronology**

Date of Application Received:	August 4 <sup>th</sup> 2015
Public Notification (Policy #367):	January 7 <sup>th</sup> 2016

## 9.0 **Alternate Recommendation**

Alternative recommendations have been drafted by Staff for the Council's consideration in supporting the applicant's proposed Development Permit and Development Variance Permit as follows:

THAT Council authorize the issuance of Development Permit DP15-0173 for Lot A, District Lot 14, ODYD, Plan KAP90495, located on 332 Lake Ave, Kelowna, BC, subject to the following:

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

2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. Prior to issuance of the Building Permit, the requirements of the Development Engineering Branch must be satisfied as described in the attached report dated September 21<sup>st</sup> 2015;
5. That the applicant be required to post with the City, a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND THAT Council authorize the issuance of Development Variance Permit DVP15-0174 for Lot A, District Lot 14, ODYD, Plan KAP90495, located on 332 Lake Ave, Kelowna, BC.

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

Section 13.11.6 (c) Development Regulations

Vary the maximum height from 18.0 metres or 4.5 stories required to 20.1 metres or 5 ½ stories proposed.

Section 13.11.6 (f) Development Regulations

Vary the required rear yard setback from 7.0m to 4.5m proposed.

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

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

**Report prepared by:**

\_\_\_\_\_  
Adam Cseke, Planner

**Reviewed by:**

Terry Barton, Urban Planning Manager

**Approve for Inclusion by:**

Ryan Smith, Community Planning Manager

**Attachments:**

Subject Property Map  
Development Engineering Memos dated September 21<sup>st</sup> 2015  
Draft Development Permit / Development Variance Permit

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

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

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**Date:** September 21, 2015  
**File No.:** DP150173  
**To:** Community Planning (AC)  
**From:** Development Engineering Manager  
**Subject:** 1855 Water Street/322 Lake Ave

RM5

---

Development Engineering Department have the following comments and requirements associated with this application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Sergio Sartori

1. Domestic Water and Fire Protection

- (a) The existing lot is serviced with small diameter water services (3). The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The estimated cost of this construction for bonding purposes is **\$10,000.00**
- (b) The applicant, at his cost, will arrange for the removal of the existing services and the installation of one new larger metered water service.
- (c) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures. The City of Kelowna water meter contractor must salvage existing water meters, prior to building demolition. If water meters are not salvaged, the developer will be invoiced for the meters.

2. Sanitary Sewer

- (a) The existing lot is serviced with 100mm diameter sanitary services (3). The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size and preferred location of the new service. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of all existing small diameter services and the installation of a new larger service. The estimated cost of this construction for bonding purposes is **\$8,000.00**

3. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for these sites which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.

- (b) Only one service will be permitted for this development. The applicant, at his cost, will arrange for the installation of one new overflow service. The estimated cost of this construction for bonding purposes is **\$5,000.00**

4. Road Improvements

- (a) Lake Ave must be upgraded to an urban standard along the full frontage of this proposed development including sidewalk, landscaped boulevard complete with street trees and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost of this construction for bonding purposes is **\$5,000.00**
- (b) Water Street has been upgraded to an urban standard along the full frontage of this proposed development. No further upgrades are required. The condition of this infrastructure must be maintained through the construction process. A tree covenant will be required for proper care of the trees during construction.

5. Transportation

- a) These Development Engineering comments/requirements are subject to the review and requirements from the Ministry of Transportation (MOT) Infrastructure Branch.
- b) Access to the site is limited to the lane only.

6. Subdivision

- (a) Grant Statutory Rights Of Way if required for utility services.
- (b) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

7. Electric Power and Telecommunication Services

- a) All proposed distribution and service connections are to be installed underground.
- b) Streetlights must be installed on roads.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

8. Engineering

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

9. Design and Construction

- (a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- (b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- (c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- (d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

#### 10. Servicing Agreements for Works and Services

- (a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- (b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

#### 11. Geotechnical Report

As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

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

#### 12. Bonding and Levy Summary

- (a) Bonding

Water service upgrades	\$ 10,000
Sanitary sewer service upgrades	\$ 8,000
Storm overflow services	\$ 5,000
Lake Ave frontage improvements	\$ 5,000
<b>Total Bonding</b>	<b>\$28,000.00</b>

NOTE: The bonding amount shown above are comprised of estimated construction costs escalated by 140% to include engineering design and contingency protection and are provided for information purposes only. The owner should engage a consulting civil engineer to provide detailed designs and obtain actual tendered construction costs if he wishes to do so. Bonding for required off-site construction must be provided and may be in the form of cash or an irrevocable letter of credit, in an approved format.

The owner must also enter into a servicing agreement in a form provided by the City.

12. Development Permit and Site Related Issues

Access and Manoeuvrability

- (i) Access to the site will be permitted from the lane only.
- (ii) Indicate on the site, the locations of loading bays as well as the garbage and recycle bins.

---

Steve Muenz, P. Eng.  
Development Engineering Manager

SS



1855 Water Street – Magala Place – A sustainable community within a community

**Design Concept**

The design concept derives from the locale of the neighbourhood community bounded by Abbot Street and Pandosy Street to the South of Harvey Avenue. The housing mix in the area is rich in historical context with early modern homes, English country homes and Arts and Crafts homes. The colour and details found in the neighbourhood homes offer a palette from which to add to the warm inviting community character. The design is intended to reinforce the sense of community by expanding this local palette and with its landscaped perimeter yards, modulated and detailed building facades and convergence on the entrance communal “gathering space”. The resident community of Magala Place thus connects with the local neighbourhood community while describing a defining edge along Mill Creek.

To reinforce the community sensibility the Owners have retained the services of Avalon Alliance Management Corporation to integrate social planning and ecological components to the design. For example, solar panels supplying power to Fortis, energy consumption reduction implementation and a rooftop community garden for cultivation by the residents and to enjoy an outdoor healthful experience.

**Setting**

South of, and overlooking the Mill Creek greenway and on the Eastern edge of Water street, 1855 Water Street - Magala Place draws its inspiration from the locale, takes its formal character from the early modern homes in the area and utilizes warm soft colouring and texture to fit into the community context. Bermed and fenced landscaping surrounding the building offer the sense of residential security and connection to the “calm” of residential yards in the area. The building is set well back from the property edges and terraces back further as it rises in height. The building mass diminishes as it rises thus softening the borders to the adjacent surroundings and maintaining a scale in context with the neighbourhood. The Water Street entrance is detailed, scaled and landscaped to reflect the community setting and provide a welcoming entryway.

**Detail**

The formal modeling and shape of the building is articulated with accents by way of stained wood, arched canopy against a tiled entrance wall, stone masonry above the canopy, coloured railings with planter boxes, rich, warm wood balcony soffits, coloured metal deck fascia, coloured metal columns supporting the balconies and coloured window frames. These details bring the essence of the early modern design as well as the warmth of the English country detailing found in the area.

The base of the building is firmly rooted into the street fabric with extensive plantings of shrubs and trees framed by a residential scale articulated fence and retention walls.



IMAGE OF ONE OF MANY EARLY MODERN HOMES IN THE AREA / PROPOSED MAGALA PLACE



## Technical Review Summary – response

1. **Incorporation to traditional building materials**
  - a. The materials palette has been expanded and includes:
    - i. Additional wood detailed entry
    - ii. Wall tile
    - iii. Stone masonry
    - iv. Coloured stucco
    - v. Wood soffits to overhangs and decks
    - vi. Metal railings simulating wrought iron
2. **Incorporate ground oriented units**
  - a. Our design concept builds upon community and security and as such we have retained a central main entrance where residents have the opportunity to interact socially and build the “resident community”. Ground oriented units would fragment this opportunity for social connection.
  - b. Crime prevention CPTED guidelines are met with a central building entrance
3. **Reduce massing of the front elevation**
  - a. The massing is modulated by increasing setbacks as the building rises, balcony indents, roof overhangs, open grille railings, entry detailing and entry plantings
4. **Entrance**
  - a. The entrance has been redesigned to articulate the materials, express the entrance as a focal point of gathering and make a visual connection to the surrounding neighbourhood
5. **Height and setback**
  - a. The front façade and entrance is designed as a series of layers each receding from front to back. This design detailing articulates the “parts” of the building and is effective in providing a strong sense of scale, setback and height.
6. **Adjacent neighbor**
  - a. A number of approaches by the owners and a representative have resulted in no common ground with regard to a collaborative design effort or in fact interest by the owner of the residence to enter into serious negotiations.
  - b. The design recognizes the opportunity for low rise development to the South and the Magala Place offers a defining edge with vantage to Mill Creek
7. Building and permitting and fire Department comments will be addressed in the Building Permit documents.

# LETTER OF RATIONALE With SUSTAINABLE PLANNING AND DESIGN BRIEF

Prepared by: Avalon Alliance Management Corp.  
For: the 1855 Water Street Condos Project (Magala Place),  
City of Kelowna Development Permit Application,  
Technical Review Summary DP15-0173



Version Date: January 13, 2015

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## AVALON ALLIANCE INC.

#2 - 4025 FIELD ROAD, KELOWNA, BC V1W 4G1 TEL: 250 868 8992 FAX: 250 868 9368

*A Conscious Evolution in Living*

AVALONALLIANCE.ORG

**Date:** January 13, 2016

**Attention:** Adam Cseke, Planning Department, and other City of Kelowna Staff

**Re:** Letter of Rationale for Revised Development Permit Application, Magala Place

Dear City of Kelowna Staff:

I am pleased to present this Letter of Rationale with attached Sustainable Planning and Design Brief on behalf of the project owners, Jerry Pasitney and Tim Olenczuk, in collaboration with DiStefano Architecture. The Avalon Alliance was recently retained by the owners to help address the community planning and design recommendations outlined in your Technical Review Summary correspondence of September 25, 2015. Moreover, they wish to re-position this proposed condominium development at 1855 Water Street as a special green project demonstrating leading edge building practices, eco-technologies and local food self-reliance. The Avalon Alliance is uniquely suited to assist with this task, as we specialize in sustainable community development and our team members have outstanding professional track records and in-depth knowledge of Kelowna's socio-economic and environmental conditions. I will be acting as Avalon's lead consultant in this project, with an Master's degree in Urban and Regional Planning, BES Honours degree in Environment and Resource Studies, and over 30 years professional experience in both public and private sectors.

Our comprehensive protocols set out in the attached Sustainable Planning and Design Brief aim to achieve short and long-term benefits for the developer, future occupants, the neighbourhood and larger community environment. Extensive research conducted by the Royal Institution of Chartered Surveyors (RICS) has confirmed that there are real business advantages, public benefits and increased market value associated with greening buildings. Numerous case studies of owners and occupiers of green buildings across Canada and USA have reaffirmed the positive outcomes (eg. Univ. Guelph study 2015). These benefits range from less operating costs due to water and energy efficiencies and longer building lifecycle, to wellness aspects like superior indoor environmental quality and occupant productivity. Consequently, greater public support, market appeal and faster unit sales can be anticipated.

This work is intended to enhance the substantive site, building and landscape planning already completed by DiStefano Architecture. Their initial submission included a Design Concept prepared by Neil Jaud on June 26, 2015. While this concise concept communicates some stylistic elements of this project within its urban heritage context, Avalon's attached Brief and Neil's updated Design Concept Statement will further explain the advantages of this project's unique magnesium oxide building envelope, as well as many new details that will make this project an exciting showcase of progressive development. While it is important to ensure that this project complements the existing housing mix in the area, our green design

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ethos will create its own set of neighbourhood improvements.

We welcome your feedback and support for our proposed sustainability measures that entailed some minor modifications to the plans previously submitted by the architect and are generally reflected in DiStefano's latest drawings and Design Concept Statement. Please note that the *Building and Permitting* requirements discussed in your DP Technical Review Summary will be addressed in the building permit drawings being prepared. Avalon's responses to your key *Community Planning recommendations (in italics)* are as follows:

1. ***Incorporate more traditional building materials:*** DiStefano already intends to incorporate warm wood in the balcony soffits, art deco tile and other accents mentioned in their Design Concept Statement. Noteworthy new revisions for the project include incorporating the traditional texture of ledgerstone into some retaining walls, as well as an eco-art garden feature. We will add quaint flower/ herb window boxes to the balcony railings, which will reflect a traditional European style and provide more amenity for the residents. The front entrance will be redesigned with a glulam timber archway, wooden benches and natural stone veneer fascade that will give it a more natural and welcoming feel.
2. ***Incorporate some ground oriented units:*** The rise up to the first floor units/ balconies will be tastefully transitioned by the retaining walls and landscaping. Moreover, both the existing and revised plans are in keeping with creek flood protection and crime prevention guidelines.
3. ***Reduce the massing of the front elevation by stepping back the building more or providing more articulation:*** In our view the architect has already effectively stepped back the building; that being said, the front articulation will be improved by our entrance redesign. This redesign concept does not require the addition of more balconies. Selective utilization of tree plantings and other vegetation in the landscape plan also reduces some front and side wall massing.
4. ***Consider an alternative entrance solution to the tunnel at the front:*** Substantive changes have been made to the original drawings to reflect a unique "eco-signature" outside entrance. These more natural building materials and human-scale improvements help the project tie in with the adjacent heritage district while visually identifying the project as "green". The inside entrance foyer will incorporate a living green wall and possibly mural work that lends colour and vitality to the overall design.
5. ***Height and setback concern:*** Mid-rise buildings are arguably the most sustainable form of urban habitat, being a more compact, efficient use of land than single family dwellings, yet more liveable than their high-rise counterparts. 5-6 storey buildings like Magala Place are on the low side of the mid-rise category, which goes up to 11 stories in larger cities. In many parts of Kelowna, in mixed residential and commercial zones, there are much taller buildings than the proposed Water Street condominiums already built or currently being developed. Municipalities across North America are strongly encouraging the mid-rise category for its many benefits, as evidenced in many sustainability planning conferences, to which the residential market has responded with enthusiasm. Whether at *Building Sustainable Communities* events or *Happy City*

workshops, both local developers and municipal officials agree that mid-rise buildings make good sense. We believe that the project's close proximity to downtown and the Pandosy Street mixed use corridor, as well as to many surrounding apartment buildings, make it an appropriate land use that adds considerable value and variety to the neighbourhood. Moreover, the height was approved for the owner's previous application by the Advisory Planning Commission and Council.

6. ***Approach immediate adjacent property (corner of Water and Lake) for a better neighbourhood solution:*** The owners have previously attempted to negotiate purchase of this adjacent property in order that a comprehensive mixed-use concept could be developed. However, to date the adjacent property owner has refused to consider a fair market price, so the owners are seeking approval for the Magala Place condominiums as currently envisioned.

Beyond addressing these recommendations from City of Kelowna staff, the project owners and design-build team are prepared to take initiative on implementing additional green features that we believe will increase market demand for the units and make the project an real asset to the neighbourhood. These features include many of the renewable energy and building-landscape system innovations listed in your municipal *Sustainability Checklist* and other rating systems like *LEED®*. The project will engage Fortis BC's super efficient construction program including state-of-the-art gas appliances, Magic-Pak heating/ cooling units and individualized metering. Avalon has created its own *SHIFT™*-certified process, sustainability guidelines and colour-coded matrix, which are partly reflected in the attached *Sustainable Planning and Design Brief*. The project owners and team are also excited to make this the first multifamily project in the Okanagan to be built with non-combustible, impact resistant, bug-proof and no-rot magnesium oxide board. Moreover this project's sustainability framework incorporates other important residential community amenities such as organic food garden boxes on roof/ balconies, social meeting place, indoor green wall, etc.

Last but not least, we believe this project will meet the growing need for quality urban living near the attractions of downtown and the trendy Pandosy St. district. While this project is intended to be intergenerational and widely appealing, we believe many professionals wish to live closer to the City centre and transit stations to take up employment at UBC Okanagan, Okanagan College, new Interior Health/ Kelowna General Hospital facilities, Landmark business centre and technology hub, and other emerging opportunities.

Our forward-thinking project could also catalyze some landscaping improvements and walkway linkages to the nearby creek through your adjacent pump station property. Avalon may be able to facilitate government funding and technical support for an upgrade of your facility so more comprehensive improvements to the neighbourhood can be achieved.

We look forward to your support and valuable input at the upcoming meeting scheduled January 14, 2016. Thank you for your kind attention to this matter.

Sincerely,  
Laurel Zaseybida, Avalon Alliance CEO/ President

## SUSTAINABLE PLANNING AND DESIGN BRIEF For the 1855 Water St. Condos Project (Magala Place)

The following **Project Checklist** itemizes and further explains the green site location factors, special building/ landscape features and performance efficiencies currently being considered. This checklist is a blend of the most important criteria associated with green rating systems like *LEED®* and the City of Kelowna's own *Sustainability Checklist* for Commercial or Multi-unit Development. It also reflects the broader sustainable community considerations of Avalon's colour-coded framework and *SHIFT™*-certified process: *Sustainable, Healthy, Integrated, Feasible* and *Transformative*. Magala Place is "a sustainable community within a community".

### ETHICAL MARKETPLACE (Economic Sustainability)

#### Local, Green and Ethical Sourcing

- ✓ Will employ mostly local contractors and tradespeople during construction
- ✓ When feasible, construction products sourced from Canadian suppliers
- ✓ Many construction products sourced with consideration given to green performance, fair trade criteria, durability and/or life cycle analysis
- ✓ Strata maintenance policy requiring non-toxic landscape and organic growing supplies

#### Urban Food Security

- ✓ Residential food self-reliance through balcony and rooftop garden boxes
- ✓ Some edible species and herbs incorporated into the landscape plan



### SUSTAINABLE DEVELOPMENT PLANNING AND DESIGN (Environmental and Social Sustainability)

#### Sustainable Site Development

- ✓ No environmentally sensitive area to protect during construction phase
- ✓ Efficient development of a vacant urban brownfield site that will improve neighbourhood liveability and surrounding property values
- ✓ Site disturbance and soil erosion reduction measures during construction
- ✓ Pre-fabrication of SIP (structural insulated panels) and potentially other building components achieves better quality control, faster construction process with less nuisance impacts on neighbourhood

## Urban Location and Alternative Transportation

- ✓ Close proximity to shopping, business offices and other services of Kelowna's urban core, Pandosy St. Village and the hospital
- ✓ Walkable location with close access to downtown transit station and bus stops
- ✓ Interconnected, safe and well-lit pathways and parking area
- ✓ Short-term bicycle parking provided outside building
- ✓ Safe bicycle storage inside building
- ✓ Pathways and entrance designed for wheelchair accessibility
- ✓ Potential pedestrian and biking connectivity from site to nearby creek by catalyzing improvements to adjacent municipal utility property



## Compact Mid-Rise Building

- ✓ Mid-rise buildings are inherently more human-scale and liveable than high rise towers or low density sprawl (according to current urban planning theory)
- ✓ Proposed mid-rise building fits in better with existing neighbourhood context than a high rise tower, and is effectively stepped back to reduce massing
- ✓ Adds variation to skyline and visual relief from existing blocks of low-rise apartment buildings in the neighbourhood
- ✓ High market demand, appealing to a variety of incomes and age groups including seniors and young couples
- ✓ Land-efficient density and relatively affordable form of housing for a growing municipality like Kelowna
- ✓ Less maintenance and related costs for residents than most single family homes
- ✓ Indoor multipurpose room for residents and strata meetings
- ✓ Shared outdoor roof space for social connection, gardening and relaxation activities

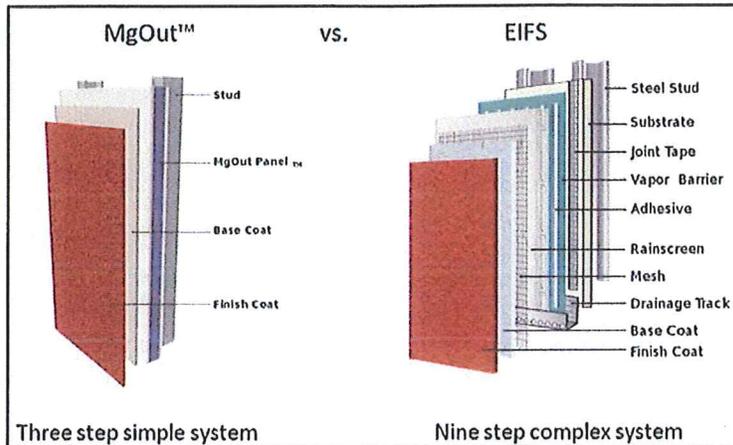


## Green Space

- ✓ Design includes green space on rooftop (rooftop garden plots for residents)
- ✓ Optimal combination of drought-resistant (xeriscape), edible and beautifying site landscaping species (trees, shrubs, herbs, berries, balcony flower boxes)
- ✓ Attractive trees and arbor to reduce heat island effect and provide valuable shading

## High Performance, Long-lasting Building Envelope

- ✓ Magnesium oxide board (MgOut) for exterior wall cladding and fire separation walls: strong, non-toxic, impervious to water, fire-proof, anti-microbial/ mold-proof



## Reduced Consumption of Building Materials

- ✓ Building products selected with durability in mind
- ✓ Use of some recycled content materials in building and furnishings
- ✓ Storage and collection of recyclables
- ✓ Unnecessary finishes and other materials eliminated in technically advanced magnesium oxide building system (see MgOut versus EIFS image)
- ✓ Wider doors where feasible for easier unit adaption to accommodate lifestyle changes and aging in place (efficient flex housing approach)
- ✓ Magnesium board is a natural mineral, non-toxic to dispose of in landfill and can be ground into a soil amendment



## Energy Efficiency and Conservation



- ✓ Renewable energy demonstrated by incorporating a photovoltaic panel array on rooftop, as well as some solar street lamps and pathway lighting
- ✓ Advanced Fortis BC individual metering for each unit to control and encourage energy conservation by residents
- ✓ Fortis BC Energy Star appliances and high efficiency LED lighting
- ✓ Super insulation values achieved by engineered MagO wall systems, quality taping, no thermal bridging
- ✓ Magic-Pak heating and cooling solution for each unit/Fortis BC supported
- ✓ High energy efficiency windows (wood clad/ aluminum, low emission glass coating, double or triple pane)
- ✓ Exterior patio/ balcony doors with sealed double pane glass and no air gaps
- ✓ Rooftop garden provides some added insulation value

## On-Site Stormwater Management and Water Use Efficiency

- ✓ Garden plots on the roof absorb rainwater and reduce runoff
- ✓ Rainwater harvesting system further conserves water for irrigation and helps with stormwater management: any excess runoff from roof drained down to groundwater infiltration system features (some permeable block paving and vegetated swale)
- ✓ Vegetated “biofiltration” swale in parking area designed to slow stormwater velocity, promote better infiltration and filter out sediment and oily materials
- ✓ Water Smart plan prepared for City of Kelowna Irrigation Application, including designated “hydrozones”, drip irrigation, etc.



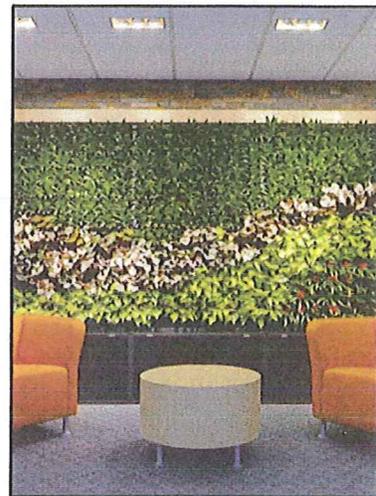
### PROGRESSIVE COMMUNICATIONS

- ✓ Show suite and sales promotion activities highlight unique green features and amenities of project, educating the public about sustainability solutions
- ✓ Co-marketing with assistance of Fortis BC Super-Efficient Construction program

## HEALTH AND WELLNESS

### Indoor Environmental Quality

- ✓ Low pollution emission paints and building materials
- ✓ Enhanced penetration of daylight and window glare reduction
- ✓ Outdoor views provided where feasible
- ✓ LED lighting is full spectrum color quality where appropriate
- ✓ Quiet operation appliances and mechanical systems
- ✓ Selective use of soundproofing insulation for walls, floors and ceilings
- ✓ Hydroponic green living wall in indoor entrance foyer improves building air quality and aesthetics



### Wellness and Leisure Features

- ✓ Balcony and rooftop garden boxes promote the growing of nutritious “low carbon footprint” food while increasing social connection and affordability for residents



## ABOUT THE AVALON ALLIANCE – [www.avalonalliance.org](http://www.avalonalliance.org)



**VISIONARY COMPANIES WITH HEART:** The Avalon Alliance group of companies is dedicated to building communities that are inspired, healthy, green & prosperous. While we are headquartered in the Okanagan valley of BC, Canada, our vision is global in scope. Our community planning, design-build and business practices are guided by principles of creative leadership, social justice & environmental stewardship. Our working culture is nonsectarian & collaborative, embracing cultural diversity & adhering to a professional code of ethics. We created our own *Sustainability Framework*<sup>™</sup> & *SHIFT*<sup>™</sup> certification to provide our client services & project partnerships with a pathway to success & integrity. Our mixed-use development concepts reflect our colour-coded matrix, encompassing a wide variety of “live, work, play, learn” activities to create thriving neighbourhoods & districts. Avalon’s innovative designs, technologies, services & educational marketing programs surpass existing green standards & foster “inside-out” change.



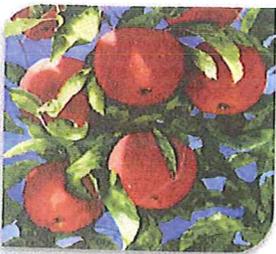
**PROGRESSIVE ORGANIZATIONAL STRUCTURE:** Avalon Alliance Inc. & its subsidiary companies are led by principals Laurel Zaseybida, a sustainable community planner & green development expert, & Bonnie Wilkes, a healthcare professional with experience in agriculture & financial securities. The Directors govern the organization in consultation with a Core Management Team & Advisory Council. Our original parent company Avalon Alliance Inc. (established 1997) now does innovative “R & D” & licenses our intellectual property. Avalon Alliance Management Corp. oversees project initiatives & offers interdisciplinary services, educational training & events through seven professional trade guilds. We engage a local & global workforce of accomplished management associates, specialized consultants & practitioners, teaching faculty, scientific researchers, green building subtrades & suppliers. In addition to our honorary advisors, we have excellent financial, business and legal counsel.



**LEADING EDGE SERVICES, PROJECTS & TECHNOLOGIES:** We provide to our public & private sector clients diverse consulting/ technology transfer services, including: urban & rural sustainability planning, impact assessment, green retrofit/ building design, renewable energy solutions, eco-engineered utility systems, natural resource stewardship, environmental restoration & transitions to organic agriculture. Avalon Ecovillage Development Corp. created a fully integrated system of sustainable settlement design and resident livelihood opportunities that meet our Ethical Marketplace criteria. Avalon Sustainable Ventures Corp. was formed to raise capital investment for our local and global enterprises. We have a special investment stream & settlement support for prospective immigrants who wish to partner in an Avalon venture or establish their own business enterprise in one of our comprehensive projects. We have initiated some mixed-use ecovillage, health resort development & town revitalization projects in BC, & are forming several large-scale project partnerships in other countries. Additionally, we are commercializing Avalon’s *SHIFT*<sup>™</sup> certification process, green design-build systems & integrated technologies for the Canadian & global markets. Avalon Bio-Mineral Technologies Inc. will manufacture an exciting range of patent-pending products that restore the soil, neutralize pollution, protect the ecosystem & replenish vital nutrients in plants, animals & people. We also envision in Kelowna a master-planned international campus village & eco-district, Avalon World Centre, networked with satellite projects worldwide.



**COMMUNITY COMMITMENT & PARTNERSHIPS:** Avalon is part of a growing Benefit Corp. movement mobilizing private-public capital & entrepreneurial creativity. We created a professional trade & community membership structure, & partner with universities & government agencies, to promote wider community engagement. From offering ethical workplace training to pioneering wellness programs to lively multicultural events, we aim to assist people with realizing their personal best while supporting sustainable futures for local and global communities. As our memberships & projects expand, regional chapters can be established with social media connection.



**CONTACT US: For more information, we can be reached at -**  
Mailing Address: #2, 4025 Field Road, Kelowna, BC Canada V1W 4G1  
Telephone: 250-868-8992/ Fax: 250-868-9368/ Email: [avalonalliance@shaw.ca](mailto:avalonalliance@shaw.ca)

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# CITY OF KELOWNA

**APPROVED ISSUANCE OF A:**

- Development Permit No.: DP15-0173
- Development Variance Permit No.: DVP15-0174

EXISTING ZONING DESIGNATION:	RM5 - Medium Density Multiple Housing
WITHIN DEVELOPMENT PERMIT AREA:	Comprehensive Development Permit Area

ISSUED TO:	Windmill Wentures Ltd., Inc.No. BC0686196
LOCATION OF SUBJECT SITE:	332 Lake Avenue

	LOT	SECTION	D.L.	TOWNSHIP	DISTRICT	PLAN
LEGAL DESCRIPTION:	A		14		ODYD	KAP90495

<u>SCOPE OF APPROVAL</u>
<ul style="list-style-type: none"> <li><input type="checkbox"/> This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.</li> <li><input type="checkbox"/> This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.</li> <li><input type="checkbox"/> Applicants for Development and Development Variance Permit should be aware that the issuance of a Permit limits the applicant to be in strict compliance with regulations of the Zoning Bylaw or Subdivision Control Bylaw unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which may not have been identified as required Variances by the applicant or City staff.</li> </ul>

**1. TERMS AND CONDITIONS:**

- a) The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
- c) Landscaping to be provided on the land be in general accordance with Schedule "C";
- d) Prior to issuance of the Building Permit, the requirements of the Development Engineering Branch must be satisfied;
- e) The applicant be required to post with the City, a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND THAT the variances to the following sections of Zoning Bylaw No. 8000 be granted:  
Section 13.11.6 (c) Development Regulations

Vary the maximum height from 18.0 metres or 4.5 stories required to 20.1 metres or 6 stories proposed.

Section 13.11.6 (f) Development Regulations

Vary the required rear yard setback from 7.5m to 4.5m proposed.

2. PERFORMANCE SECURITY:

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

- (a) Cash; OR
- (b) A Certified Cheque; OR
- (c) An Irrevocable Letter of Credit in the amount of \$ ????????

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

4. DEVELOPMENT:

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

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

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

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

5. APPLICANT'S AGREEMENT:

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

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

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

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning & Real Estate Department immediately to avoid any unnecessary delay in processing the application.

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

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

\_\_\_\_\_  
Date

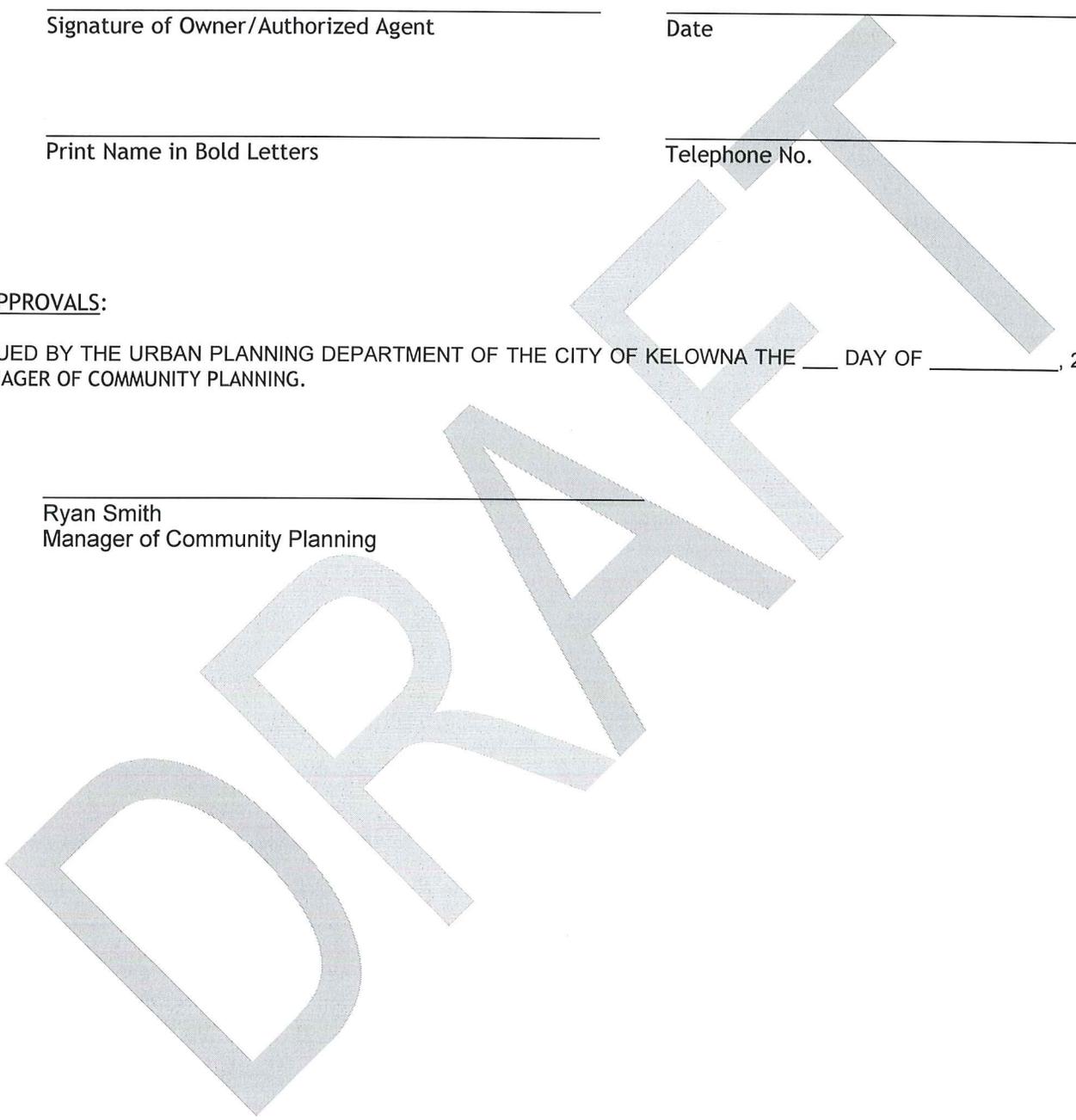
\_\_\_\_\_  
Print Name in Bold Letters

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

**6. APPROVALS:**

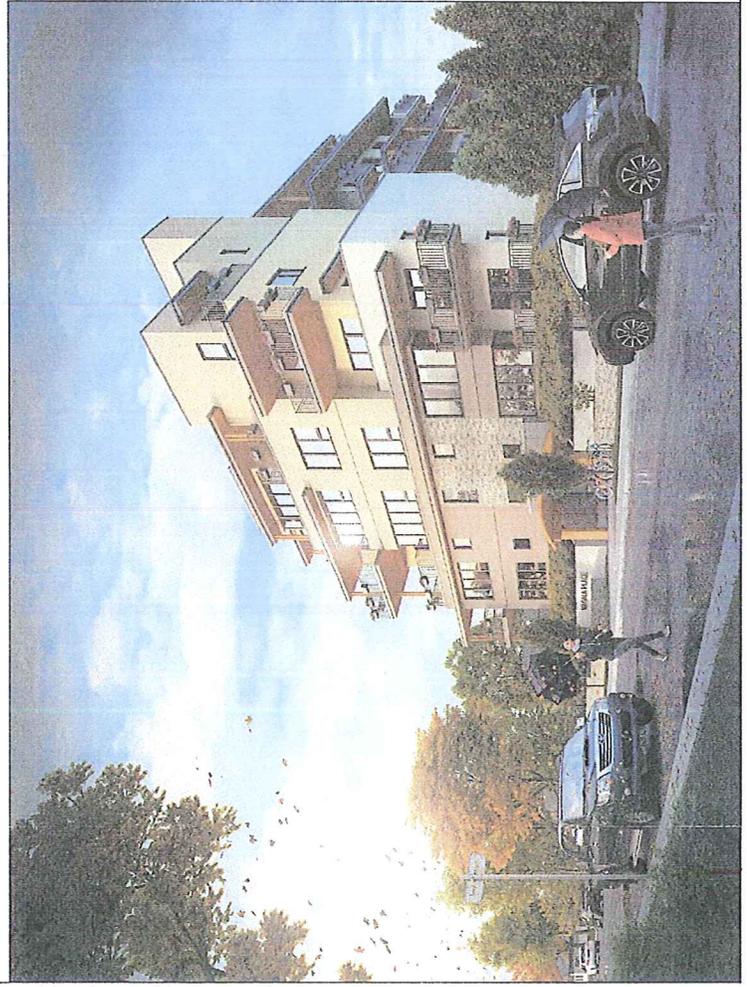
ISSUED BY THE URBAN PLANNING DEPARTMENT OF THE CITY OF KELOWNA THE \_\_\_\_ DAY OF \_\_\_\_\_, 2015 BY THE  
MANAGER OF COMMUNITY PLANNING.

\_\_\_\_\_  
Ryan Smith  
Manager of Community Planning



**SCHEDULE** A/B  
 This forms part of development  
 Permit # DP 15-0173

# 1855 WATER STREET CONDOS - MAGALA PLACE



VICINITY PLAN

**LEGAL DESCRIPTION**  
 LOT 14  
 DISTRICT LOT 14  
 GOSWICK DIVISION YALE DISTRICT  
 PLAN KAP10495  
 MUNICIPAL ADDRESS  
 1855 WATER STREET  
 RELOWANA, BC

**BY-LAWS**

- ZONING - RM5
- LOT AREA - 21450M<sup>2</sup>
- COVERED FOOTPRINT - 5000M<sup>2</sup>
- SITE COVERAGE - 40%
- SITE COVERAGE (EXCLOS & PARKING) - 65% PLUS 5% FOR PERMEABLE PAVING
- BUILDING HEIGHT - 18M
- FRONT YARD - 0M
- REAR YARD - 4.5M
- SIDE YARD ABOVE 2.5 STOREYS - 7M
- REAR YARD - 1.5M FOR PARKING STRUCTURE 2M IN HEIGHT
- PRIVATE OPEN SPACE
  - 25M<sup>2</sup> TWO BEDROOM
  - 0.6M FOR BALCONIES AND CANTILEVERS
  - PROJECTIONS INTO SETBACK
  - 3M FOR ENTRANCE CANOPY
- PARKING & LOADING
  - 1.5 - 2 BEDROOM
  - 50% FULL SIZE
  - 40% MEDIUM SIZE
  - 10% COMPACT
- BICYCLE PARKING
  - CLASS 1 (RESIDENTS) - 0.5 PER DWELLING UNIT
  - CLASS 2 (GUESTS) - 0.1 PER DWELLING UNIT

**NOTES**

LOT AREA	21450M <sup>2</sup>
COVERED FOOTPRINT	5000M <sup>2</sup>
PARKING AREA	5000M <sup>2</sup>
FLOOR PLATE 1	6300M <sup>2</sup>
FLOOR PLATE 2	5210M <sup>2</sup>
FLOOR PLATE 3	4700M <sup>2</sup>
FLOOR PLATE 4	5700M <sup>2</sup>
FLOOR PLATE 5	5700M <sup>2</sup>
TOTAL FLOOR PLATES	24300M <sup>2</sup>
SITE COVERAGE	21450M <sup>2</sup> X 0.40 = 8580M <sup>2</sup>
SITE COVERAGE (PARKING)	14100M <sup>2</sup> X 0.65 = 9165M <sup>2</sup>
F.A.R.	2460M <sup>2</sup> / 21450M <sup>2</sup> = 1.14
PRIVATE OPEN SPACE	20 - 2 BED X 250M <sup>2</sup> = 5000M <sup>2</sup>
TOTAL REQUIRED	5700M <sup>2</sup>
PRIVATE OPEN SPACE PROVIDED	5762M <sup>2</sup>
UNIT TYPES	
2 BED UNITS	20
1 BED UNITS	5
TOTAL UNITS	25
PARKING	
1.5 STALLS X 20 =	30 STALLS
1.25 STALLS X 5 =	7 STALLS
TOTAL BICYCLE PARKING	37 STALLS
PARKING STALLS PROVIDED	40 STALLS
BICYCLE PARKING	
CLASS 1 - 25	
CLASS 2 - 15	

**SCHEDULE**  
 This forms part of development  
 Permit #

DATE  
 01 JUN 26 2015  
 02 JUN 11 2015

PROJECT NAME  
 1855 WATER STREET  
 CONDOS

Neil Jaud Architect Inc.  
 DISCIPLINE: Architecture  
 2-1181 (100) Street, Kelowna, British Columbia, V1Y 2Z9  
 TEL: 250-860-2222 FAX: 250-860-2222  
 1-800-363-2222 E: info@njai.com

PROJECT  
 WATER STREET  
 CONDOMINIUMS  
 DS 2014-14  
 PROJECT LOCATION  
 1855 WATER STREET  
 RELOWANA, B.C.  
 SHEET TITLE  
 SITE PLAN

DATE  
 JUNE 26, 2015

SCALE  
 A0  
 N.T.S.

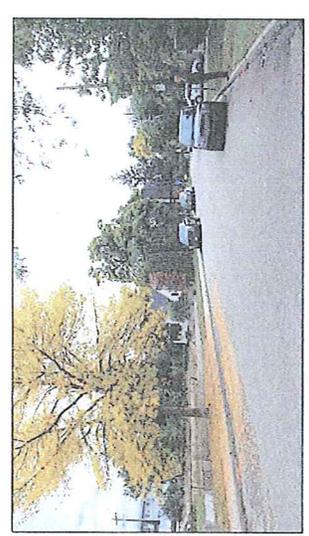
**SCHEDULE A/B**  
 This forms part of development  
 permit # **DP5-6173**

DATE	NO.	DESCRIPTION
JUNE 26, 2015	01	ISSUED FOR DP
JULY 11, 2015	02	REVISED FOR DP

PROJECT NAME  
 COMMENTS  
 DRAWING SHEET (TOTAL SHEETS)



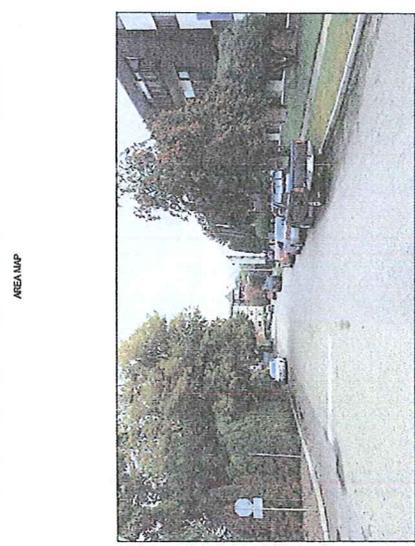
VIEW NORTH - PALMHOUSE PARK - MILL CREEK



VIEW SOUTH - WATER STREET



SITE DETAIL



AREA MAP

VIEW EAST - LAKE AVENUE

**Nell Jaud Architect Inc.**  
**Dissefeno Architecture**  
 2-1888 Elm Street, Kelowna, British Columbia, V1Y 5P7  
 Tel: (250) 860-8888 Fax: (250) 860-8889  
 www.nelljaud.com

PROJECT  
**WATER STREET  
 CONDOMINIUMS**  
 PROJECT NUMBER  
**DS 2014-14**  
 PROJECT LOCATION  
**1855 WATER STREET  
 KELOWNA, B.C.**  
 SHEET NO.  
**LOCATION PLAN**

DATE  
**JUNE 26, 2015**

SHEET NUMBER  
**A0.1**

SCALE  
**N.T.S.**

**SCHEDULE** B  
 This forms part of development  
 Permit # OPS-0173

NO. DATE  
 01 JUNE 26, 2015  
 02 JUNE 26, 2015  
 03 JUNE 26, 2015

PROJECTING ENGINEER  
 CONSULTANT

NEIL LAUD ARCHITECT INC.  
 1100 WEST 10TH AVENUE, SUITE 100  
 VANCOUVER, BC V6H 2B6  
 TEL: (604) 681-1111 FAX: (604) 681-1112  
 WWW.NEILLAUDARCHITECT.COM

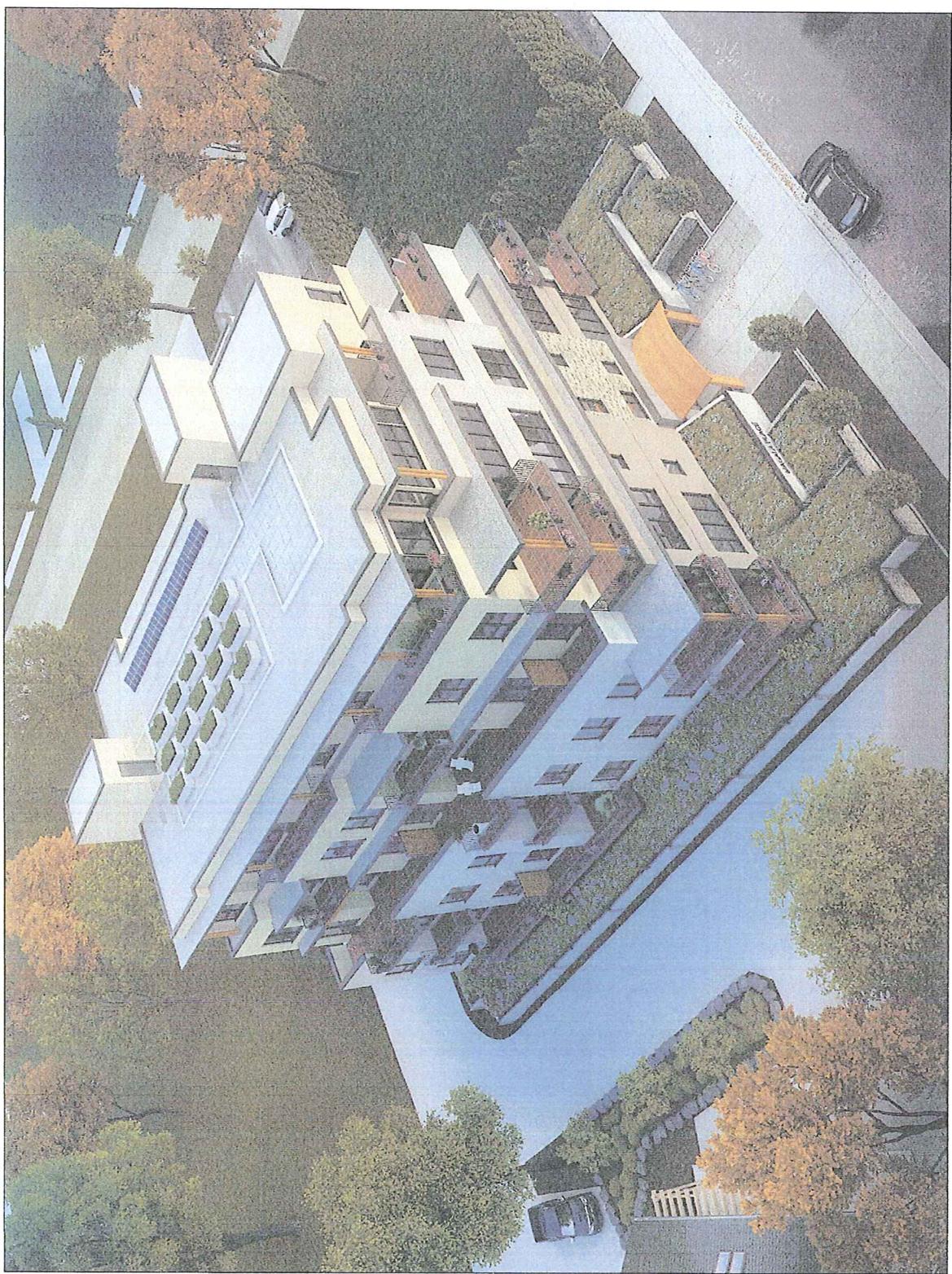
Neil Laud Architect Inc.  
 DISCLOSURE ARCHITECTURE  
 3-1124 Elm Street, Kelowna, British Columbia, V1Y 1Z9  
 TEL: (250) 860-1111 FAX: (250) 860-1112  
 WWW.DISCLOSUREARCHITECTURE.COM

PROJECT  
 WATER STREET  
 CONDOMINIUMS  
 PROJECT NUMBER  
 DS 2014-14  
 PROJECT LOCATION  
 1855 WATER STREET  
 KELOWNA, B.C.

IMAGE  
 IMAGE-1

DATE  
 JUNE 26, 2015

SCALE  
**A0.2**  
 N.T.S.



**SCHEDULE B**  
 This forms part of development  
 Permit # **DP15-0173**

DATE: JUNE 26, 2015  
 BY: ISSUED FOR DP  
 OF: RESUBMIT FOR DP

PROFESSIONAL SEAL  
 CONSULTANT

PROJECT NO. 15-0173  
 PROJECT NAME: WATER STREET CONDOMINIUMS  
 PROJECT LOCATION: 1855 WATER STREET, RELOWINGA, B.C.  
 DRAWING NO. DS-2014-14  
 DATE: JUNE 26, 2015

**Neil Jand Architect Inc.**  
**Discedano Architecture**  
 3-1241 66th Street, Columbia, British Columbia, V2Y 1P7  
 TEL: 250-733-1111 FAX: 250-733-1112  
 WWW.NEILJANDARCHITECT.COM

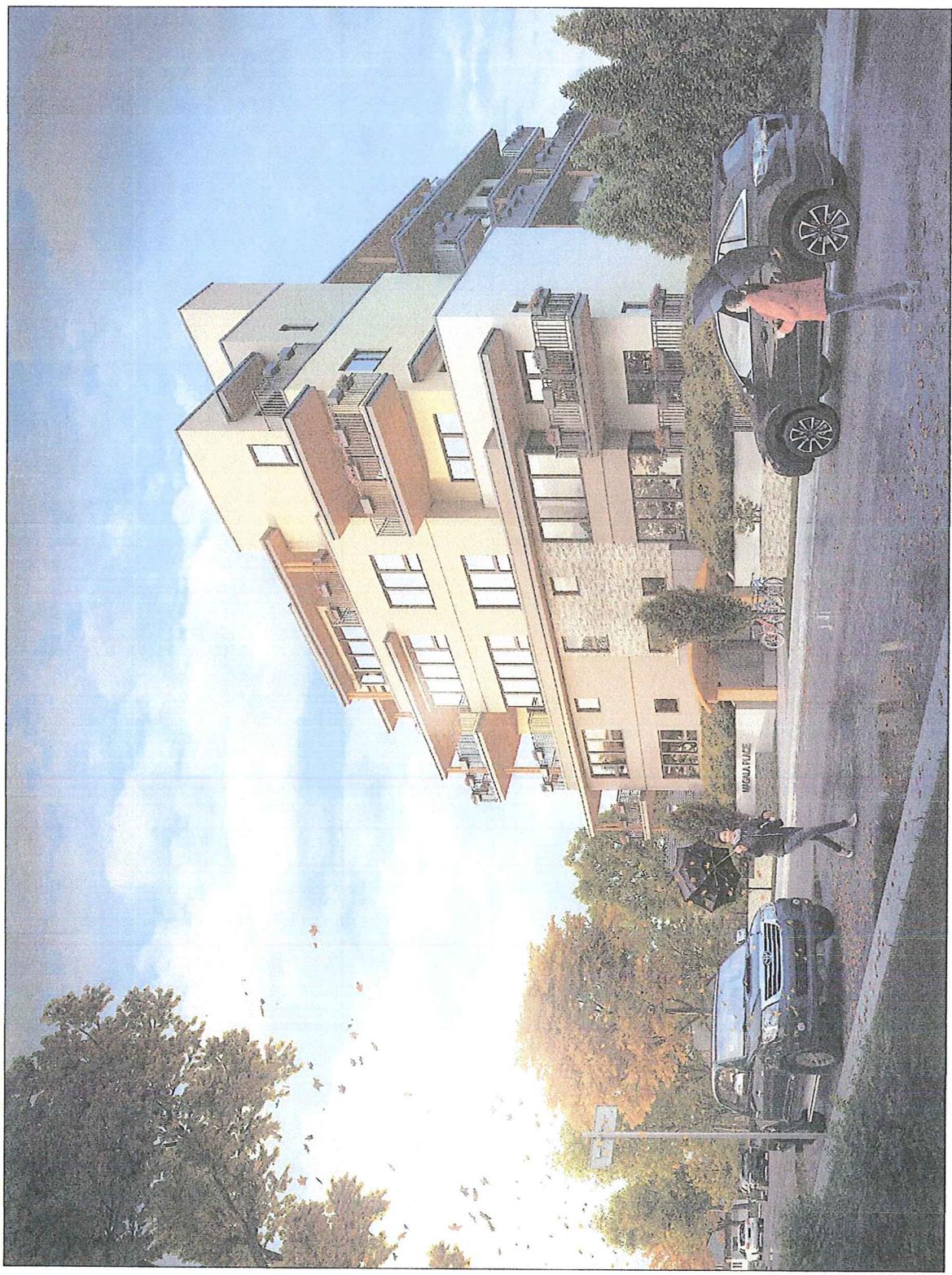
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 PROJECT NUMBER: DS-2014-14  
 PROJECT LOCATION: 1855 WATER STREET, RELOWINGA, B.C.  
 DRAWING TITLE: IMAGE-2

DATE: JUNE 26, 2015

SCALE: N.T.S.  
**A0.3**



**SCHEDULE B**  
 This forms part of development  
 Permit # DP15-0173



DATE: JUNE 26, 2015  
 SHEET NO.: A0.4  
 PROJECT NO.: DS 2014-14

PROJECT NAME: WATER STREET CONDOMINIUMS  
 PROJECT LOCATION: 1855 WATER STREET, RELOWANA, B.C.

PROJECT NUMBER: DS 2014-14  
 PROJECT LOCATION: 1855 WATER STREET, RELOWANA, B.C.

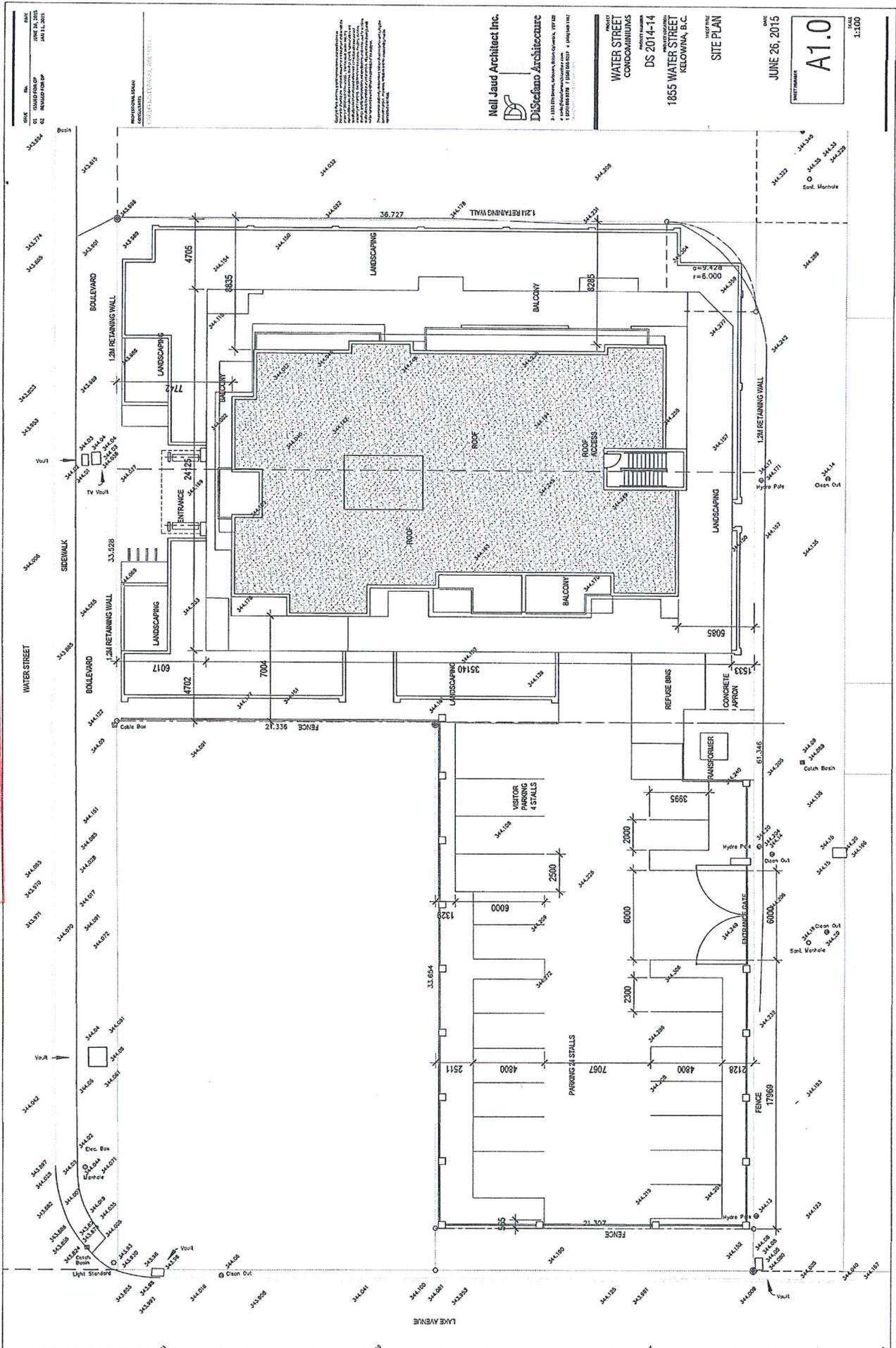
NEIL JAUD ARCHITECT INC.  
 DISCELANO ARCHITECTURE  
 3-1111 10th Street, Kelowna, British Columbia, V1Y 1P7  
 TEL: 250-860-1111 FAX: 250-860-1112  
 WWW.NEILJAUDARCHITECT.COM

PROJECT: WATER STREET CONDOMINIUMS  
 PROJECT NUMBER: DS 2014-14  
 PROJECT LOCATION: 1855 WATER STREET, RELOWANA, B.C.  
 SHEET TITLE: IMAGE-3

DATE: JUNE 26, 2015

SHEET NUMBER: A0.4  
 SCALE: N.T.S.

**SCHEDULE A**  
 This forms part of development  
 Permit # DP15-0173











DATE  
 JUNE 15, 2015  
 REVISION FOR SP  
 APR 11, 2015

PROJECT TITLE  
 WATER STREET CONDOMINIUMS

PROJECT LOCATION  
 855 WATER STREET  
 KELOWNA, B.C.

PROJECT NUMBER  
 DS 2014-14

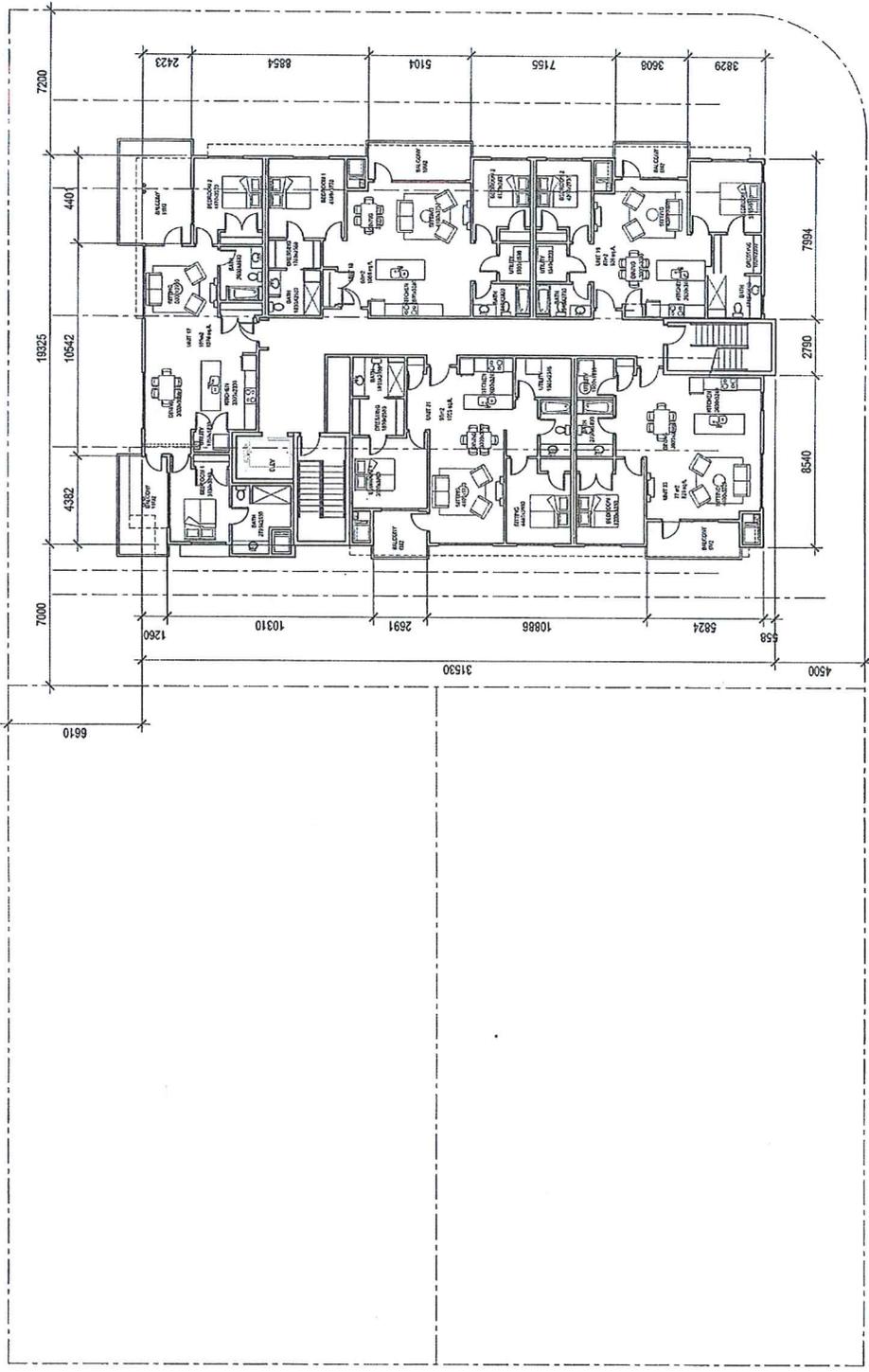
PROJECT ARCHITECT  
 Neil Jaud Architect Inc.  
 DISCIANO Architecture

PROJECT DATE  
 JUNE 15, 2015

SHEET NUMBER  
 A2.4

SCALE  
 1/100

**SCHEDULE A**  
 This forms part of development  
 Permit # OP15-0173



1 LEVEL 4  
 A2.4  
 1/100



**SCHEDULE A**  
 This forms part of development  
 Permit # DP15-0173

DATE	NO.	DESCRIPTION
JUNE 26, 2015	01	ISSUED FOR I.P.
AUG 11, 2015	02	REVISED FOR I.P.

PROFESSIONAL SEAL  
 PROJECT: 1855 WATER STREET, KELOWNA, B.C.

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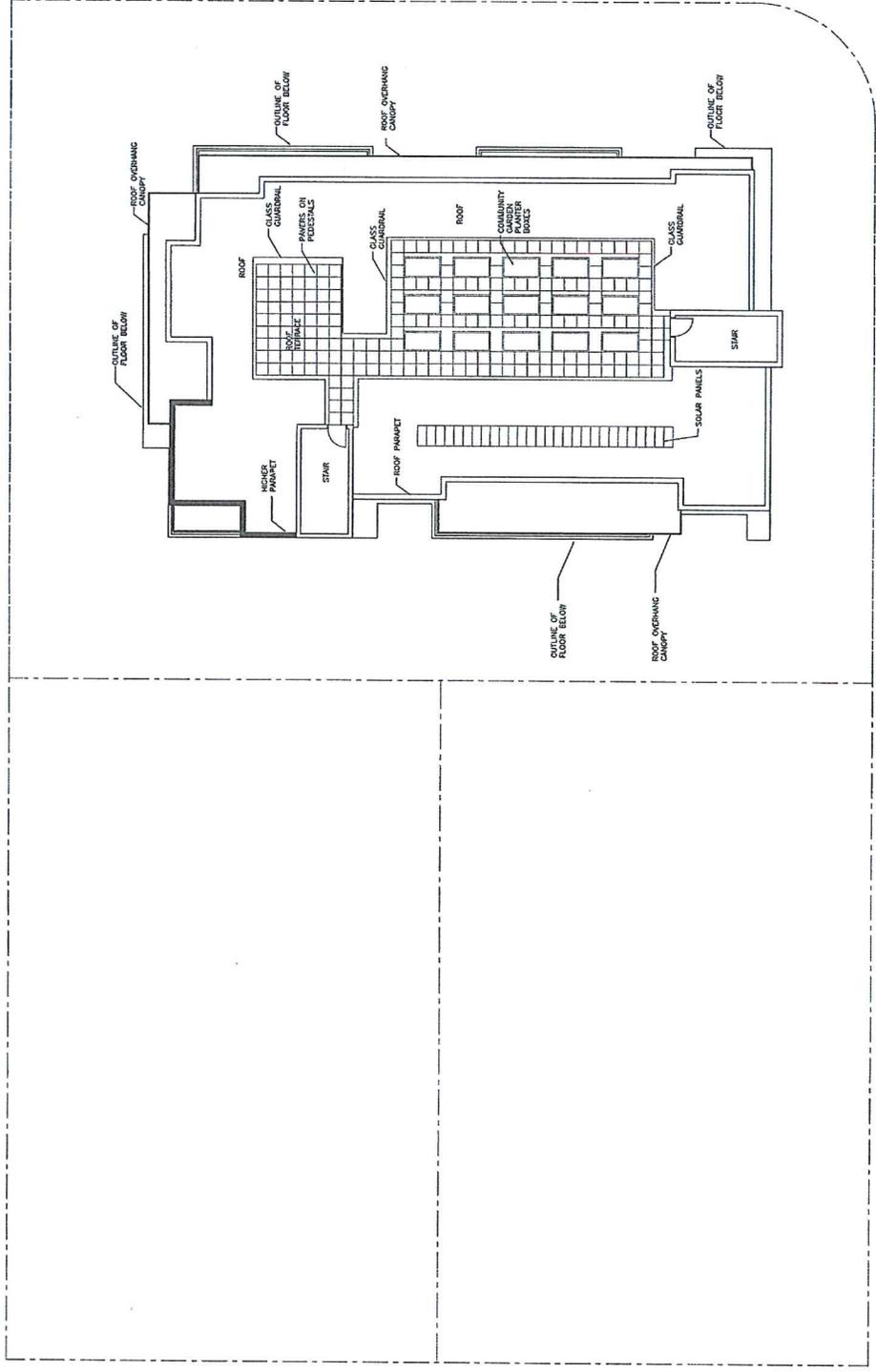
**Neil Jaud Architect Inc.**  
**Dissecano Architecture**  
 2-1212 10th Street, Kelowna, British Columbia, V1Y 1Z9  
 • 250-864-6666 • 250-864-6667 • 250-864-6668  
 1-800-663-7778 • 1-250-864-2071 • 1-800-668-1012

PROJECT  
**WATER STREET  
 CONDOMINIUMS**  
 PROJECT NUMBER  
**DS 2014-14**  
 PROJECT LOCATION  
**1855 WATER STREET  
 KELOWNA, B.C.**

DATE  
**JUNE 26, 2015**

PROJECT NUMBER  
**A2.6**

SCALE  
 1:150



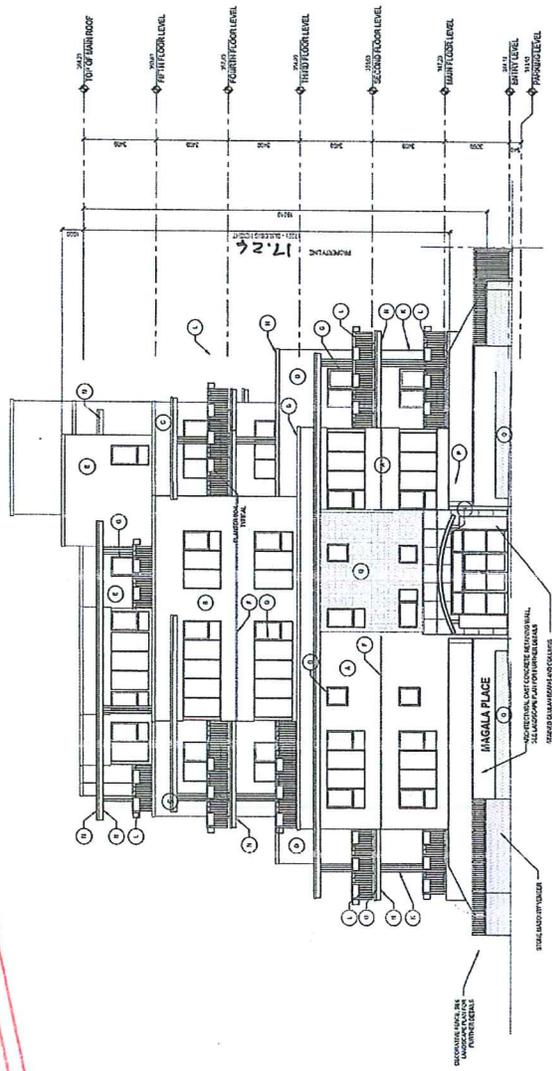
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**JUNE 26, 2015**

PROJECT NUMBER  
**A2.6**

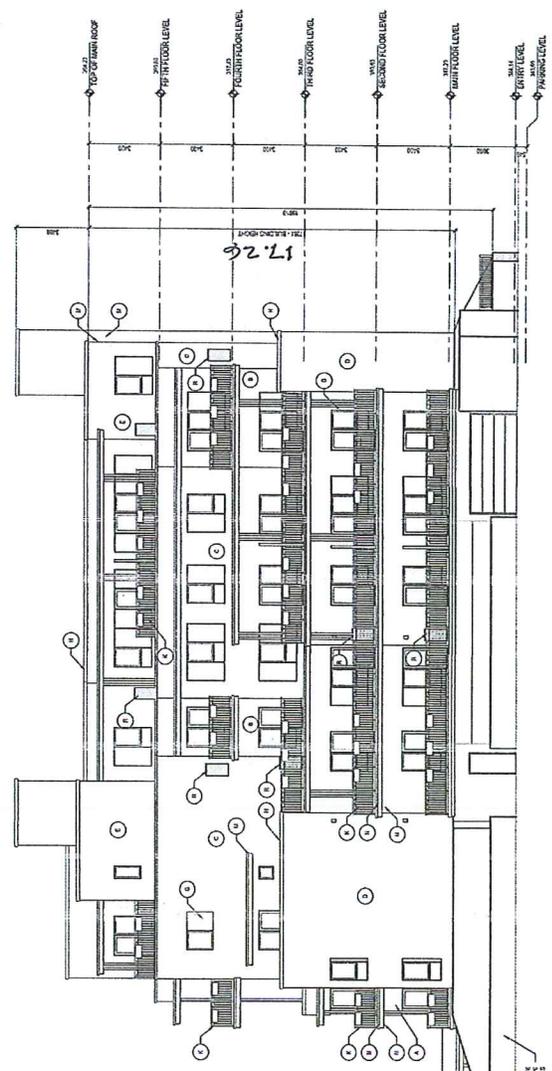
SCALE  
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**SCHEDULE B**  
 This forms part of development  
 Permit # **OP15-0173**

DATE: JUNE 26, 2015  
 USED FOR: DS 2014-14  
 PROJECT: 855 WATER STREET  
 SHEET: WEST / SOUTH



1 WEST / SIDE ELEVATION  
 1/100



2 SOUTH / SIDE ELEVATION  
 1/100

**EXTERIOR CLADDING LEGEND**

TYPE	DESCRIPTION
(1)	CONCRETE
(2)	GLASS
(3)	ALUMINUM CLADDING
(4)	BRICK
(5)	WOOD
(6)	STAINLESS STEEL
(7)	PAINTED METAL
(8)	STAINLESS STEEL
(9)	GLASS
(10)	CONCRETE
(11)	GLASS
(12)	CONCRETE
(13)	GLASS
(14)	CONCRETE
(15)	GLASS
(16)	CONCRETE
(17)	GLASS
(18)	CONCRETE
(19)	GLASS
(20)	CONCRETE

**Neil Jaud Architect Inc.**  
**Dissefano Architecture**  
 3-1111 East Street, Kelowna, British Columbia, V1Y 1Z9  
 • 250-860-8888  
 • 250-860-8889

**PROJECT:** WATER STREET CONDOMINIUMS  
**PROJECT NUMBER:** DS 2014 - 14  
**PROJECT LOCATION:** 855 WATER STREET KELOWNA, B.C.  
**SHEET TITLE:** BUILDING ELEVATIONS WEST / SOUTH

DATE: JUNE 26, 2015

**A3.1**

1/100





# REPORT TO COUNCIL



**Date:** April 5<sup>th</sup>, 2016  
**RIM No.** 0940-40  
**To:** City Manager  
**From:** Community Planning (AC)  
**Application:** DP15-0314 & DVP15-0315      **Owner:** Watermark Developments Ltd., Inc. No. BC0642787  
**Address:** 775 Academy Way      **Applicant:** Mission Group Homes  
**Title:** Development Permit and Development Variance Permit  
**Existing OCP Designation:** MRM - Multiple Unit Residential (Medium Density)  
**Existing Zone:** RM5 - Medium Density Multiple Housing

---

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP15-0314 for Lot 2, Section 3 & 10, Township 23, ODYD, Plan EPP53793, located on 775 Academy Way, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. An updated Landscape Plan be provided on the land in general accordance with Schedule "C" and to the satisfaction of the Community Planning Director;
4. Prior to issuance of the Building Permit, the requirements of the Development Engineering Branch must be satisfied as described in the report's "Attachments";
5. The applicant be required to post with the City, a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0315, Lot 2, Section 3 & 10, Township 23, ODYD, Plan EPP53793, located on 775 Academy Way, Kelowna, BC.

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

Section 8.1 - Parking Schedule

Vary the parking requirements from 152 parking stalls required to 103 parking stalls proposed.

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

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

## 2.0 Purpose

To consider a Development Permit and a Development Variance Permit application for an 87 unit 4 ½ storey apartment development known as 'U3B'.

## 3.0 Community Planning

The applicant is proposing a variance to the number of parking stalls as required by the City's Zoning Bylaw in support of the proposed 87-unit multi-family building. The proposed parking ratio of stalls to units is 1.18 representing a 33% reduction. In support of the parking relaxation, the applicant has committed to a number of Transportation Demand Management (TDM) strategies to help promote alternative forms of transportation and minimize possible parking impacts.

Staff have assessed the applicant's request in consideration to the OCP policy for parking relaxations:

**Parking Relaxations.**<sup>1</sup> Consider parking requirement relaxations, in areas that are not part of a cash-in-lieu program, where an approved TDM strategy indicates a lower use of vehicles and the City is satisfied that parking relaxations would not create parking spill-over problems on adjoining neighbourhood streets. Parking relaxations will not be considered in hillside areas (as defined on Map 4.1 - Future Land Use).

While the parking variance represents a significant reduction from the Zoning Bylaw, staff are supportive of the variance largely due to the unique character of the University South Village neighbourhood and the project's intended niche demographic.

Staff acknowledge that the Zoning Bylaw's regulations for the provision of parking are broad-based in nature and do not consider the uniqueness of individual neighbourhoods in the City. The most significant neighbourhood variable in the University South Village is the combination of walkability (measured by distance to UBCO) and frequency of transit service (along John Hindle Way) within walking distance. As walkability and transit frequency become viable options, parking utilization should decrease.

While it is challenging to determine the 'appropriate' number of parking stalls for any given development, Planning staff are conscious of the community consequences of oversupplying parking. It can lead to increased automobile ownership, vehicle miles traveled and congestion on the City's roads. Parking availability affects travel mode choices for residents, increasing single-occupancy vehicle use and decreasing the use of transportation alternatives. This would not be in keeping with the OCP Vision and its livability objectives for the City. Therefore, Planning staff are recommending support to Council for the parking variance in consideration of the merits of the project as a whole.

---

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.11.1 (Development Process Chapter).

## 4.0 Proposal

### 4.1 Background

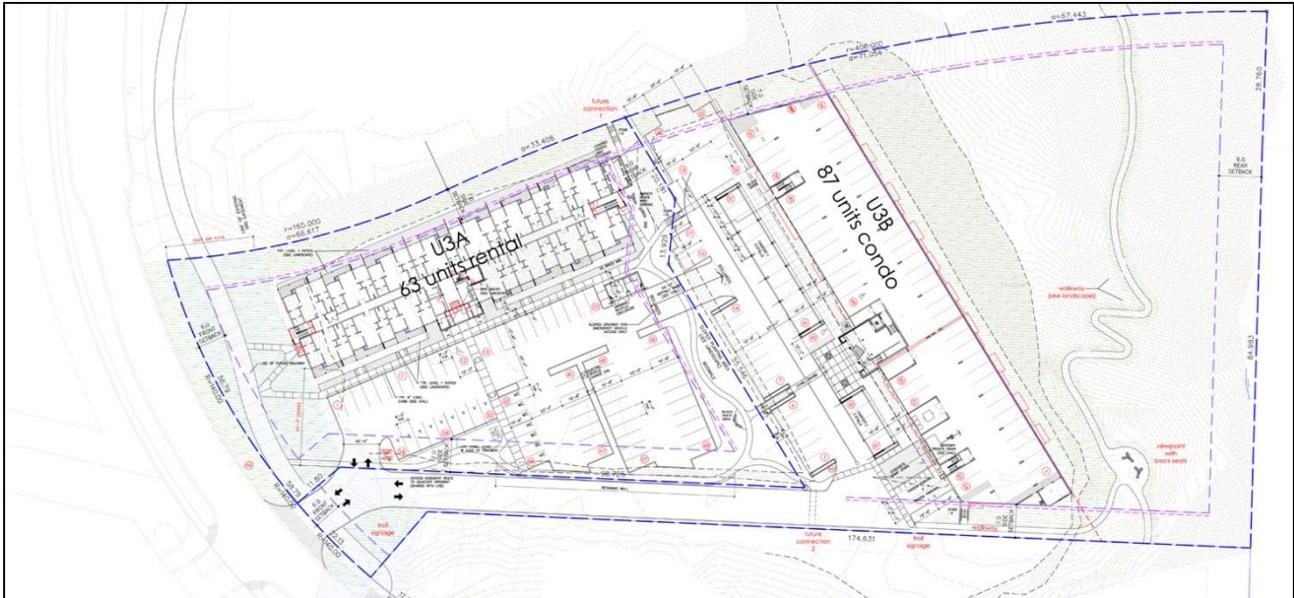
The subject property is located within the University South Neighbourhood, a comprehensive planned community under the University Village Master Plan (October 2009). The applicant has recently completed a subdivision of a RM5 lot within the neighbourhood in order to develop two different types of residential buildings: 'U3A' as a rental building and 'U3B' and a condo building. The development permits will be considered by Council individually as they relate to two separate legal parcels, however, both projects rely upon a coordinated approach to the site layout.

### 4.2 Project Description

The 'U3B' project is an 87-unit condo development. The site has been terra-formed and rough graded to create a relatively flat building site slightly lower in elevation than the U3A site. An environmental covenant (e.g. no build/no disturb) has been registered on the eastern portion of the property to protect the steep slope areas representing approximately 28% of the overall site.

The wood frame building is 4 ½ stories and located towards the rear of the property parallel to the top of the steep slope area. The proposed drive way will be located directly off Academy Way and will access the proposed 55 stall under-structure parking area and 48 stall surface parking lot. An emergency vehicle looping route will be established through both the U3A and U3B sites to adequately address fire truck and emergency vehicle access.

Figure 1 - U3A & U3B Site Layout



Character & Materials

The architectural form and character of the building is designed in a “campus modern” style and reflects similar architectural styles along the east side of Academy Way. Both ‘U3A’ and ‘U3B’ have a complimentary form, image, and colour. Both buildings will use a combination of Hardie Panel, Hardie Siding, and stucco. The design has incorporated significant vertical elements to break up the mass of the buildings, provided ground oriented housing units, a defined entrance and unique colours to adequately meet building design guidelines.

Figure 2: Concept Rendering



Site Layout & Landscape

The site plan shows common landscape elements for both ‘U3A’ and ‘U3B’ that contribute towards a consistent image between the two sites. The applicant is proposing significant tree planting and landscape areas to help mitigate the surface parking lot’s visual impact. A dedicated pedestrian circulation system will connect the building entrances to the parking areas and connect U3B beyond the property to the Academy Way multi-use corridor and the public trail system to the east.

#### 4.3 Parking Variance

The applicant is proposing to provide 103 parking stalls for 87 units. The City's Zoning Bylaw requires the project to have 152 stalls and so the applicant is requesting a variance of 33%. The Applicant feels confident that this number of stalls is appropriate for the development. In support of the variance, the applicant has committed to the following TDM measures:

- The parking stalls will be de-coupled from the sale of each unit meaning that potential purchasers may choose to not acquire a parking stall and save money on their purchase. This will also provide more transparency to potential purchasers on the true costs of parking.
- The project will include 10 additional Class 1 bike storage stalls and a maintenance and repair area with a washing station as an amenity to encourage cycling;
- A well-defined pedestrian circulation system connected to the Academy Way Multi-use corridor and the public trail system to the east to promote walking and cycling options; and
- As part of both U3A and U3B, the developer will commit to funding the cost of a car-share pool vehicle in partnership with OGO Care-Share to support the overall neighbourhood.

For context, Staff provide the following chart for Council's consideration that summarizes the parking variances within the University South Village neighbourhood:

Project	Number of Units	Number of Parking Stalls per unit	Parking Variance
Academy Hill	78	1.49	0%
U1	66	1.41	7%
U2	112	1.38	7%
Veda (Micro Suites)	251	0.58	42%
U3A	63	1.10	26%
U3B	87	1.18	33%

#### 4.4 Public Notification

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation by individually contacting the neighbours. No major issues were identified during the initial consultation with neighbouring parcels. However, most of the adjacent parcels are currently undeveloped.

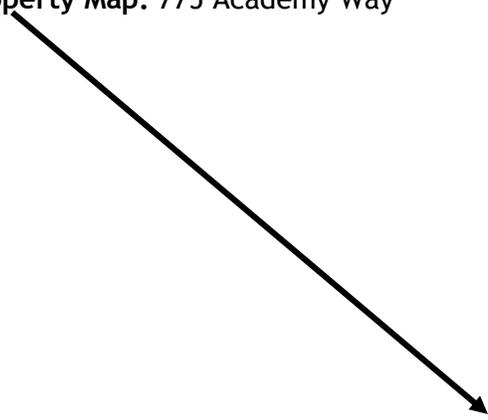
#### 4.5 Site Context

The U3A and U3B development projects are located on the north slope adjacent to Academy Way. The property has a Future Land Use designation of MRM - Multiple Unit Residential (Medium Density) in the Official Community Plan and is within the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C3 - Neighbourhood Commercial RM5 - Medium Density Multiple Housing	Vacant
East	A1 - Agricultural	Park
South	RM4 - Transitional Low Density Housing	Multiple family dwellings
West	RM5 - Medium Density Multiple Housing A1 - Agricultural	Vacant - micro suite application Vacant - single family subdivision application

Subject Property Map: 775 Academy Way





4.6 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM5 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Site Coverage (buildings)	40 %	16 %
Site Coverage (buildings, driveways, and parking)	60 %	35 %
FAR	1.14	0.47
Height	18.0 m and 4 ½ storeys	12.0 m and 4 ½ storeys
Front Yard (west)	6.0 m	110.5 m
Side Yard (north)	7.0 m	7.0 m
Side Yard (south)	7.0 m	7.0 m
Rear Yard (east)	9.0 m	43.0 m
Other Regulations		
Private Open Space	2,115 m <sup>2</sup>	2,305 m <sup>2</sup>
Parking Stalls	152	103 ●
Bicycle Spaces	44 Class 1 spaces 9 Class 2 spaces	54 Class 1 spaces 10 Class 2 spaces
● Indicates a requested variance to reduce the minimum number of parking stalls by 33%.		

5.0 Current Development Policies

## 5.1 Kelowna Official Community Plan (OCP)

### Chapter 14 - Comprehensive Development Permit Area

#### Objectives

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;
- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
- Provide for a scale and massing of buildings that promotes a safe, enjoyable living, pedestrian, working shipping and service experience;
- Incorporate architectural features and detailing of buildings and landscapes that define an areas' character; and
- Promote alternative transportation with enhanced streetscapes and multi-modal linkages;

### Chapter 5 - Development Process

**Maximize Pedestrian/Cycling Connectivity<sup>2</sup>.** Require that pedestrian and cyclist movement and infrastructure be addressed in the review and approval of all City and private sector developments, including the provision of sidewalks and trails and recognition of frequently used connections and informal pedestrian routes. With new developments, require dedication of on-site walking cycling paths where necessary to provide links to adjacent parks, schools, transit stops, recreation facilities, employment nodes, cul-de-sacs and large activity areas.

**Support parking management programs<sup>3</sup>** that promote reduced vehicles ownerships, reduced vehicles trips, and increased use of active modes of transportation.

**Preferred Parking<sup>4</sup>.** Encourage preferred or dedicated parking stalls for electric vehicles, shared cars and/or hybrid vehicles and small vehicles for all developments.

**Multi-Unit Residential Parking<sup>5</sup>.** Encourage developers to unbundle parking price from the multi-family housing or rental price.

## 6.0 Technical Comments

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.10.1 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.11 (Development Process Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.11.3 (Development Process Chapter).

<sup>5</sup> City of Kelowna Official Community Plan, Policy 5.11.4 (Development Process Chapter).

## 6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)
- Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
  - Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
  - Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.
  - Handicap parking is required in the parkade of the Condo building and access provided to the lobby. Vestibule between parkade and lobby to be designed for barrier free dimensions
  - Separate Permits required for all retaining walls in excess of 1.2 meters and require engineering design. Provide schedules and drawings for each retaining wall.
- Mechanical Ventilation inlet and exhausts vents are not clearly defined in these drawings for the enclosed parking storey. The location and noise from these units should be addressed at time of Development Permit.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
- An exit analysis is required as part of the code analysis at time of building permit application. The exit analysis is to address travel distances within the units, number of required exits per area, accessibility, etc.
- Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- Separate Building permits required for each carport at time of application.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this structure at time of permit application.

## 6.2 Fire Department

- Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template available online at Kelowna.ca
- Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900. Should a hydrant be required on this property it shall be deemed private and shall be operational prior to the start of construction.
- A visible address must be posted on Academy Way as per City of Kelowna By-Laws.
- Sprinkler drawings are to be submitted to the Fire Dept. for review when available. Floor isolation valves shall be installed as per bylaw 10760 section 5.3 - under 7 feet in height.
- A fire safety plan as per section 2.8 BCFC is required at occupancy. The fire safety plan and floor plans are to be submitted for approval in AutoCAD Drawing format on a CD. This

plan shall address the unique characteristics in this building as well as the evacuation procedures with all staffing levels.

- Fire Department access is to be met as per BCBC 3.2.5. -
- Approved Fire Department steel lock box or key tube acceptable to the fire dept. is required by the fire dept. entrance.
- All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met.
- Fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard.
- Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- Fire department connection is to be within 45M (unobstructed) of a fire hydrant.
- Ensure FD connection is clearly marked and visible from the street.
- Dumpster/refuse container must be 3 meters from structures and overhangs or if inside the parking garage, it shall be enclosed within a rated room.
- Do not issue BP unless all life safety issues are confirmed.

### 6.3 Real Estate and Building Services

- It should be noted that with each new multi-family residential complex approved, the potential impact/costs for parking enforcement increases. When variances are granted the potential impact on City resources increases.

### 6.4 Parks Planning

- Provide an obvious link from main building entrances to public trail along the eastern property line and multi-use corridor along the Academy Way frontage by providing a clear, continuous sidewalk / pedestrian connection and wayfinding signage.
- Provide Multi-use trail and landscaping to match previous developments to the north along the Academy Way frontage.

### 6.5 Development Engineering Department

- See attached memorandum.

## 7.0 Application Chronology

Date of Application Received: December 17<sup>th</sup>, 2015  
Date of Public Consultation: February 19<sup>th</sup>, 2016

Report prepared by:

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Adam Cseke, Planner

Approved for Inclusion:  Ryan Smith, Community Planning Manager

### Attachments:

- Applicant Notification
- Development Engineering Memorandum
- Applicant Rationale
- Draft Development Permit / Development Variance Permit
  - Schedule 'A'
    - Site Plan
    - Floor Plan
  - Schedule 'B'
    - Elevations
  - Schedule 'C'
    - Landscape Plan

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

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**Date:** February 18, 2016  
**File No.:** DP15-0314

**To:** Community Planning (AC)

**From:** Development Engineering Manager (SM)

**Subject:** 755 Academy Way Lot 1, Plan EPP45919

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

The Development Engineering Technologist for this project is Jason Ough

**1. General**

- a) Subdivision requirements have been addressed in the Development Engineering report under file S15-0075. Requirements identified in the subdivision report must be completed prior to the issuance of an occupancy permit.
- b) Provide Right of Way and Easement as may be required.
- c) A Statutory 219 Covenant of No Occupancy Permit is required until such time that Bylaw conforming fireflow and domestic water demand capacity is in place.

**2. Geotechnical Study**

A comprehensive Geotechnical Study is required to be prepared by a Professional Engineer competent in the field of geotechnical engineering. The study is to address the following:

- a) Overall site suitability for development.
- b) Presence of ground water and/or springs.
- c) Presence of fill areas.
- d) Presence of swelling clays.
- e) Presence of sulfates.
- f) Potential site erosion.
- g) Provide recommendations for on-site storm water disposal.
- h) Provide specific requirements for footings and foundation construction.

**3. Domestic Water and Fire Protection**

- a) The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of the proposed development and establish hydrant requirements and service needs. Provide confirmation of available capacity.
- b) This development is within the service area of the Glenmore Ellison Improvement District (GEID). The developer is required to make satisfactory arrangements with GEID for these items. All charges for service connection and upgrading costs are to be paid directly to GEID.

**4. Sanitary Sewer**

The developer's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Installation of the required service must be complete prior to the issuance of a plumbing permit and at the expense of the developer. One service will be permitted per lot.

**5. Storm Drainage**

The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems. All the storm drainage must be dealt with on site.

**6. Road Improvements**

- a) Requirements for road cross sections, dedications, design and construction have been addressed in the Development Engineering report under file S15-0075.
- b) Road improvements will be constructed along the full frontage of this proposed development, including separate sidewalk, landscaped boulevard complete with street trees and irrigation. Relocate or adjust utility appurtenances if required to accommodate construction. All improvements will be at the developer's expense.

**7. Other Engineering Comments**

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

**8. Development Permit and Site Related Issues**

- a) Access and Manoeuvrability
  - (i) An SU-9 standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles movements should also be illustrated on the site plan.

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Steve Muenz, P. Eng.  
Development Engineering Manager

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

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**Date:** February 24, 2016  
**File No.:** DVP15-0315  
**To:** Land Use Management (AC)  
**From:** Development Engineering Manager (SM)  
**Subject:** 755 Academy Way Lot 1, Plan EPP45919

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Development Engineering Services comments and requirements pertaining to this Development Permit application, to reduce the parking requirements, are as follows:

- a) Additional information is required to support the proposed parking stall reduction from 146 to 103. A 30% reduction in the minimum parking requirement is excessive. A proposed parking variance in line with Phase 1 approvals can be supported.
- b) Provide a detailed rationale explaining and justifying the proposed parking stall reduction.
- c) Provide a proposed solution to parking related problems as a contingency in case cumulative parking variances fail to meet the needs of the neighborhood as development proceeds.



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Steve Muenz, P.Eng.  
Development Engineering Manager

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**Re: Development Permit Submission  
755 Academy Way, Kelowna**

**December 8th, 2015**

Mission Group Homes is pleased to submit to the City of Kelowna our Development Permit Application regarding 755 Academy Way – which we have named U Three. The U Three site is large enough to accommodate two buildings – U3A – will be a 63 unit rental building and U3B will be a 87 unit condominium building.

Mission Group Homes Ltd. is a multi-family home builder with operations in Kelowna and Vancouver. Mission Group strives to dream beyond the conventional, design with care, and build with a keen eye for detail, while providing exceptional customer service for homeowners. At Mission Group Homes, our mission is to build each home as it were our own, and treat our homeowners like family.

Our newest community called U Three - will be adjacent to UBCO and is located on Academy Way in the vicinity of our completed U One project and U Two– which is currently under construction.

UBCO currently has a population of approximately 8,500 students and is experiencing a shortage of accommodation on Campus – with housing for only 1,700 students in a variety of dorm room types. As a new Development Plan for Campus was recently approved –the UBCO campus is expected to grow over the next few years.

In response to this housing shortage, Academy Hill - a 78 unit – 2 phase project - was completed in 2014- with 100% of the units sold.

U One – our first project in this area which is a 66 unit condominium project was completed in August of this year with all units sold.

U Two – our second project in the area – consists of two 56 unit buildings. The first building is 100% sold and will be ready for occupancy in August of 2016. The second building of 56 units is currently 50% sold and will be ready for occupancy in December of 2016.

In addition, Beaumont Timber is also constructing a 250 unit rental building – that is scheduled for completion in the fall of 2016.

The amount of construction in this area is indicative of the extreme need for student housing in the City of Kelowna.

For U Three, Mission Group Homes has retained Micklejohn Architects of Kelowna to design this exciting new project. As they have designed the two phases of the Academy Hill project, Aberdeen Hall expansion and our U One and U Two projects – they are extremely familiar with site and development issues within the University Heights master plan area.

## **Design Rationale**

U Three, will be located on the start of the south facing slope (Lot 4 of the University Village Master Plan area.) The project will consist of two buildings – U3A being a 63 unit – 4 storey rental project – and U3B – which will be a 87 unit condominium project over an enclosed parking structure.

### **U Three A**

With a total of 63 units – U3A will be a 4 storey wood frame building that will have only surface parking. As a rental building – 1 parking stall will be provided for each unit in addition to 6 visitor parking spaces. We have found that this is an adequate amount of parking for a student residential building in this location. Similar to other projects in the area, – we will be requesting a parking variance with our Development Permit application.

U3A – will be located at the front of the site and will be the closest building to Academy Way. As the site has been cleared and graded by the land developer – the building location did not provide the challenges of previous sites in the area.

In regards to site design, the building has been located to;

- fit within the natural contours of the site
- maximize views
- preserve existing steep slope areas
- connect to existing and proposed trail systems
- be developed with minimal use of retaining walls.

A Wildfire Report has been completed on the site and contains recommendations in regards to tree removal and future landscaping and building material – however it is not applicable to this section of the site – as all natural vegetation has been removed.

Trail systems and pathways will connect the building site to the main pedestrian pathway along Academy Way to the west as well as the regional trail system that exists along the eastern boundary of the site. These trail connections will provide appropriate site circulation for pedestrians through a system of trails and pathways that will provide easy connections to both UBCO to the north and to future projects to the south. On site viewpoint nodes have been incorporated into the landscape design.

The main vehicle access to the site will be from Academy Way - which will allow for an easy transition from street level to the building site. This entry location will allow for a project signage element to be created and present a welcoming vista into the site.

The orientation of the building respects the University Village Master Plan concept, with the long articulated building form following the site contours and the shorter building façade facing Academy Way.

### **U Three B**

With a total of 87 units – U3B will be a 4 storey wood frame building that will be built on top of an enclosed parkade. This building will be built on the east side of the site and be sited to run parallel to the top of the steep slope area – allowing for view opportunities for all eastern facing units.

As a condominium building – 1 enclosed parking stall will be provided for each unit. As the parkade only accommodate 55 cars, an additional 32 cars will be provided in covered parking spaces in front of the building. This is the same concept we used for U2 – and will present a consistent design theme/element along the street.

In addition to the 87 enclosed parking spaces, an additional 19 visitor parking spaces will be provided in the surface parking lot in front of the building. Again, we have found that this is an adequate amount of parking for a student residential building in this location. For this parking reduction – we will be requesting a parking variance with our Development Permit application.

U3B – will be located at the "Back" of the site and will be the furthest building from Academy Way. An access road along the south property line - will lead to the building and parkade entry. As the site has been cleared and graded by the land developer – the building location did not provide the challenges of previous sites in the area.

In regards to site design, this building has also been located to;

- fit within the natural contours of the site
- maximize views
- preserve existing steep slope areas
- connect to existing and proposed trail systems
- be developed with minimal use of retaining walls.

A Wildfire Report has been completed on the site and contains recommendations in regards to tree removal and future landscaping and building material – however it is not applicable to this section of the site – as all natural vegetation is contained within the steep slope covenant area at the east of the site.

Trail systems and pathways will connect the building site to the main pedestrian pathway along Academy Way to the west as well as the regional trail system that exists along the eastern boundary of the site. These trail connections will provide appropriate site circulation for pedestrians through a system of trails and pathways that will provide easy connections to both UBCO to the north and to future projects to the south. On site viewpoint nodes have been incorporated into the landscape design.

The main vehicle access to the site will be from Academy Way - which will allow for an easy transition from street level to the building site. This entry location will allow for a project signage element to be created and present a welcoming vista into the site.

The orientation of the building respects the University Village Master Plan concept, with the long articulated building form following the site contours and the shorter building façade facing Academy Way.

The steep slope area on the eastern portion of the site results in approximately 28% of the site area being not suitable for development and will be protected through a non disturbance agreement with the City.

### **Design Rationale**

#### **Form, Massing and Building Character**

In regards to architectural form and character, It is envisioned that this project will be designed in a "campus modern" style, in a four storey building form that will reflect the character and form of recently constructed buildings at UBCO and on Academy Way.

As a two building project – each building will have its own unique design features – however they will compliment each other in form, image and colour. Common landscape elements will contribute towards a consistent image amongst the two building sites.

Both building will use a combination of Hardie Panel, Hardie Siding and stucco and as a result will compliment campus building materials as well as those that we have used in other building in this district.

Particular attention has been paid to the Academy Way - west facing streetscape. Design considerations of this façade will include articulated corner details to create a welcoming building vista from Academy Way with appropriate landscape features and walls, building signage, and an articulated building façade that will provide interest to those approaching the site and building.

This design will create;

- a welcoming building vista from Academy Way with appropriate landscape features and walls
  
- visible building signage will connect both pedestrians and vehicles to the street and towards the main entry of the building
  
- by creating a balcony frame / roof element that will be consistent in both buildings – and adding some subtle colour variations to finishes, we are able to give this site a slightly different architectural feel from the previous projects on Academy Way – yet still fit into the "campus" style of architecture that has been

created in the area. This articulated building façade will provide visual interest to those approaching the site and building.

- the street presence of the building has been emphasized with a building design that has been "grounded" to the site as well as designed landscaped areas including a pedestrian friendly environment from the street to the building area that provides for a visually interesting walkway that is safe and easy for all to access.
- A view point area will be incorporated into the landscaped area at the south east corner of the site – where the natural vegetation has been maintained.
- A modern design element at the entry to each building - has been designed with interest to visually bring people to the entry area of the building. This bold architectural element brings balance and a human scale to this area.
- On U3B – a sensitively designed carport will be created in front of the building and add visual interest to this area of the site.
- Surrounding landscape has been designed to incorporate visually interesting shade trees and shrubs and create a "berming" effect around the building entry and surface parking areas. Sensitively located trees will also screen much of the parking in front of the U3B building.
- To create a safer pedestrian environment, the building entry is located well away from the parkade entrance.
- Pedestrian site circulation has been carefully reviewed. Both buildings will be linked to Academy Way by low slope sidewalk adjacent to the entry road, and without steps. This trail will lead pedestrians to future commercial developments adjacent to this project or down the hill to the campus.  
This will be considered the main pedestrian access to the site.

To access the trail systems adjacent to the site – we will connect – at the top of the steep slope bank - to the trail provided along the eastern edge of the project. This trail will lead down to the regional trail system at the bottom of the bank. This will eliminate disturbance through the steep slope area of the site.

In conclusion we believe that the building design for this project will be sensitive to and compliment adjacent developments, respect its immediate landscape area and be sensitive to existing site conditions.

The Mission Group continues to be a proud part of the exciting Campus District developing around the UBCO campus.



Adam Cseke  
Planner II, Urban Planning  
City of Kelowna  
1435 Water Street  
Kelowna BC V1Y 1J4

January 12, 2016

**RE: U Three "A" & U Three "B" - Proposed Parking Variances**

Dear Adam,

We are excited to move ahead with our next residential buildings in the University Heights neighbourhood. As per our previously submitted Development Permit, "U Three" will include both a condominium building (U Three "B") and a purpose-built rental building (U Three "A"). We are requesting a parking variance for both buildings. Below is a summary of our rationale for these proposed relaxations:

**U-Three "A"**

Notably, U-Three "A" will be our first purpose-built rental (non-stratified) building in this area, as U One and U Two are both stratified buildings. Mission Group intends to hold and maintain this building within our property portfolio. Accordingly, we have designed this building to create the highest value for prospective renters.

With this in mind, we have decided to not include under-building parking in the community design for U Three "A". We understand that this may be viewed as an under-utilization of the site. However, there are several reasons for this decision:

- **Affordability.** Firstly, we are attempting to create affordable rental housing adjacent to UBC Okanagan campus. Not providing under-building parking reduces building costs, which translates to more affordable rents for students. Prospective renters would now have the choice to rent at a building that does not have under-building parking, if this is not an important consideration for them. Notably, of the 1,676 student housing beds provided on-campus by UBC Okanagan, none have under-building parking.
- **Constructability.** Under-building parking for U3A is geotechnically problematic, as this would require costly blasting or rock hammering near already occupied homes and the adjacent high-pressure Fortis gas line.
- **Non-stratified.** When purchasing a stratified condominium, a buyer expects to have a dedicated, under-building parking stall included in their purchase. For a non-stratified rental building, this is not the case.

Kelowna Office  
Landmark Six  
10<sup>th</sup> Floor – 1631 Dickson Avenue  
Kelowna, BC V1Y 0B5  
t: 250.448.8810 f: 250 762 4236

Vancouver Office  
Park Place  
Suite 500 – 666 Burrard Street  
Vancouver, BC V6P 3P6  
t: 604.639.6142 f: 604.688.2419

- **Design.** Eliminating under-building parking creates a more favorable interface for the ground level homes, as the building slab will be positioned closer to the surrounding landscaping grades.
- **Parking Pool Efficiency:** In addition, it is important to note the parking efficiencies related to a comprehensively-managed parking pool. In a stratified building with dedicated parking stalls, if the occupant of a particular unit does not use a vehicle, their stall is left vacant and not used. As a rental building is managed as a single parking "pool", the parking usage is much more efficient. This will create greater capacity and parking efficiency.

Regarding the parking relaxation being requested, all recent housing developments in this location have received a parking variance. U Three "A" compares to these previously-approved developments as follows:

<b>Building</b>	<b>Parking Required</b>	<b>Parking Provided</b>	<b>% of required</b>
U One:	100 stalls	93 stalls	93%
U Two:	168 stalls	155 stalls	92%
Veda:	251 stalls	148 stalls	59%
<b>U Three (A):</b>	<b>93 stalls</b>	<b>69 stalls</b>	<b>74%</b>

While the variance requested is greater than the previous applications in Mission Group's "U" district, it is smaller compared to the "Veda" rentals on the other side of Academy Way. Since the completion and occupancy of U-One (August 2015), the property manager has noted that parking usage has been below capacity. This parking usage trend has also been experienced at the "Academy Hill" development, as noted by CTQ Consultants Ltd's review (per attached letter dated December 18, 2014). Furthermore, the suite sizes at U-Three are smaller than the stratified residences at Academy Hill, U One and U Two, which should translate into a lower car ownership percentage.

### **U-Three "B"**

For the condominium building – U Three "B" – we have completely maximized the potential parking on the site, including both under-building and surface stalls. Topographically, there is no additional area to add stalls. In the design, all 87 units will have one covered parking space, and in addition, 16 visitor stalls are provided. As mentioned above, this would be more than adequate to meet parking demand.

The unit mix (proportion of studio, one, two and three-bedroom unit plans) for U-Three "B" is very similar to that of U One and U Two. However, since the approval of the parking variance at U-Two, the City's interpretation of U Three's internal "dens" has changed as it relates to parking requirements. These internal dens are now considered as "bedrooms" for the purposes of calculating the number of parking stalls required. *This interpretation has artificially increased our required parking (making our variance appear larger than previous requests), but the demand on a per unit basis is still the same as the previous buildings.*

A breakdown of this interpretation change is shown below:

<b>Building</b>	<b>Parking Required</b>	<b>Parking Provided</b>	<b>% of required</b>
U One:	100 stalls	93 stalls	93%
U Two:	168 stalls	155 stalls	92%
Veda:	251 stalls	148 stalls	59%
<b>U Three "B":</b>	<b>146 stalls</b>	<b>103 stalls</b>	<b>72%* (dens counted as bedrooms)</b>
<b>U Three "B":</b>	<b>122 stalls</b>	<b>103 stalls</b>	<b>84%* (dens not counted as bedrooms)</b>

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In short, we believe that there is more than adequate parking for our proposed housing at U Three. By not including under-building parking at U-Three "A", we have minimized unnecessary building costs, and will provide the greatest value to potential renters. Site parking at U-Three "B" has been maximized and would be more than adequate to service the community. One of the key reasons for the recent success of this area is its proximity to UBCO and the fact that students can walk to class – without the need for a car.

We trust that this provides enough information for your review and look forward to receiving your feedback. Should any further clarification be required, please do not hesitate to contact us.

Regards,

Mission Group Homes Ltd.

Attachments:

- Letter from CTQ Consultants dated December 18, 2014 re: "Academy Hill"

# DEVELOPMENT PERMIT



## APPROVED ISSUANCE OF DEVELOPMENT PERMIT

**File Number** DP15-0314 & DVP15-0315  
**Issued To:** Mission Group Homes  
**Site Address:** 775 Academy Way  
**Legal Description:** Lot 2, Section 3 & 10, Township 23, ODYD, Plan EPP53793  
**Zoning Classification:** RM5 - Multiple Unit Residential (Medium Density)  
**Development Permit Area:** Comprehensive Development Permit Area

### SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

### 1. TERMS AND CONDITIONS

THAT Development Permit No. DP15-0314 & DVP15-0315 for Lot 2, Section 3 & 10, Township 23, ODYD, Plan EPP53793, located at 775 Academy Way, Kelowna, BC to allow the construction of a single storey commercial building to be approved subject to the following:

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- c) Landscaping to be provided on the land be in accordance with Schedule "C";
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

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

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

Section 8.1 - Parking Schedule

Vary the parking requirements from 152 parking stalls required to 103 parking stalls proposed.

## 2. PERFORMANCE SECURITY

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

- a) Cash in the amount of \$ \_\_\_\_\_ ?????? OR
- b) A Certified Cheque in the amount of \$ \_\_\_\_\_ ?????? OR
- c) An Irrevocable Letter of Credit in the amount of \$ \_\_\_\_\_ ?????? .

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

## 3. DEVELOPMENT

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

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

**This Permit IS NOT a Building Permit.**

## 4. APPLICANT'S AGREEMENT

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

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

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







**U3B/U3A**

2016-02-18  
DP UPDATE

<b>NO.</b>	<b>DATE</b>	<b>DESCRIPTION</b>	<b>BY</b>	<b>CHKD.</b>

**UNIVERSITY HEIGHTS**  
CONDO - 4 LEVELS  
87 UNITS WITH PARKING  
755 GARDENWAY (SFR 4, 4, 8)

CITY OF AUSTIN

MISSION GROUP

**m+m a**  
HECKERLING ARCHITECTS INC.

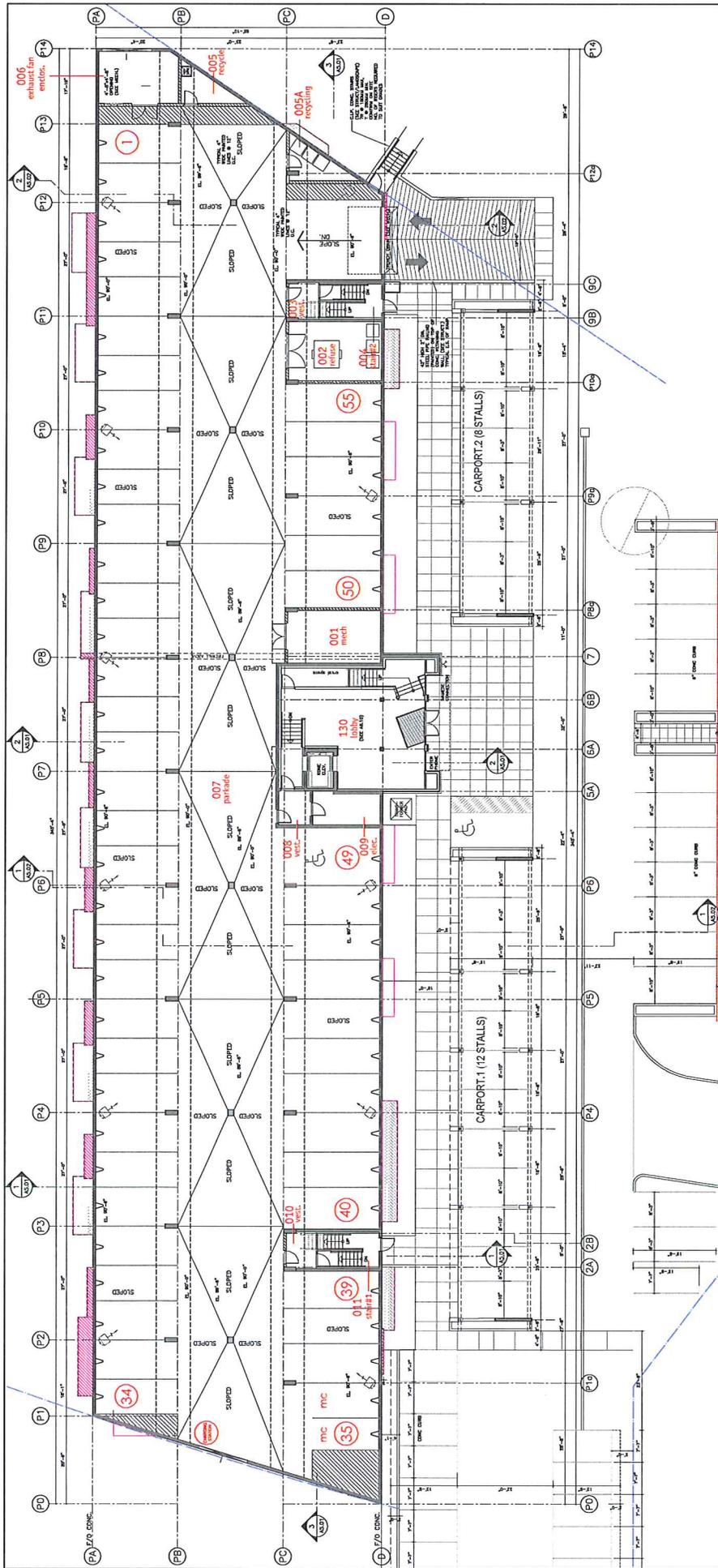
<b>PROJECT</b>	UNIVERSITY HEIGHTS CONDO - 4 LEVELS	<b>DATE</b>	2016-02-18
<b>CLIENT</b>	MISSION GROUP	<b>SCALE</b>	1" = 20'-0"
<b>DESIGNER</b>	m+m a HECKERLING ARCHITECTS INC.	<b>PROJECT NO.</b>	U3B/U3A
<b>DATE</b>	2016-02-18	<b>PROJECT NO.</b>	U3B/U3A
<b>PROJECT NO.</b>	U3B/U3A	<b>PROJECT NO.</b>	U3B/U3A
<b>PROJECT NO.</b>	U3B/U3A	<b>PROJECT NO.</b>	U3B/U3A

**A2.01**  
OVERALL SITE PLAN

**SCHEDULE A**

This forms part of development

Permit # **DP15-0314**

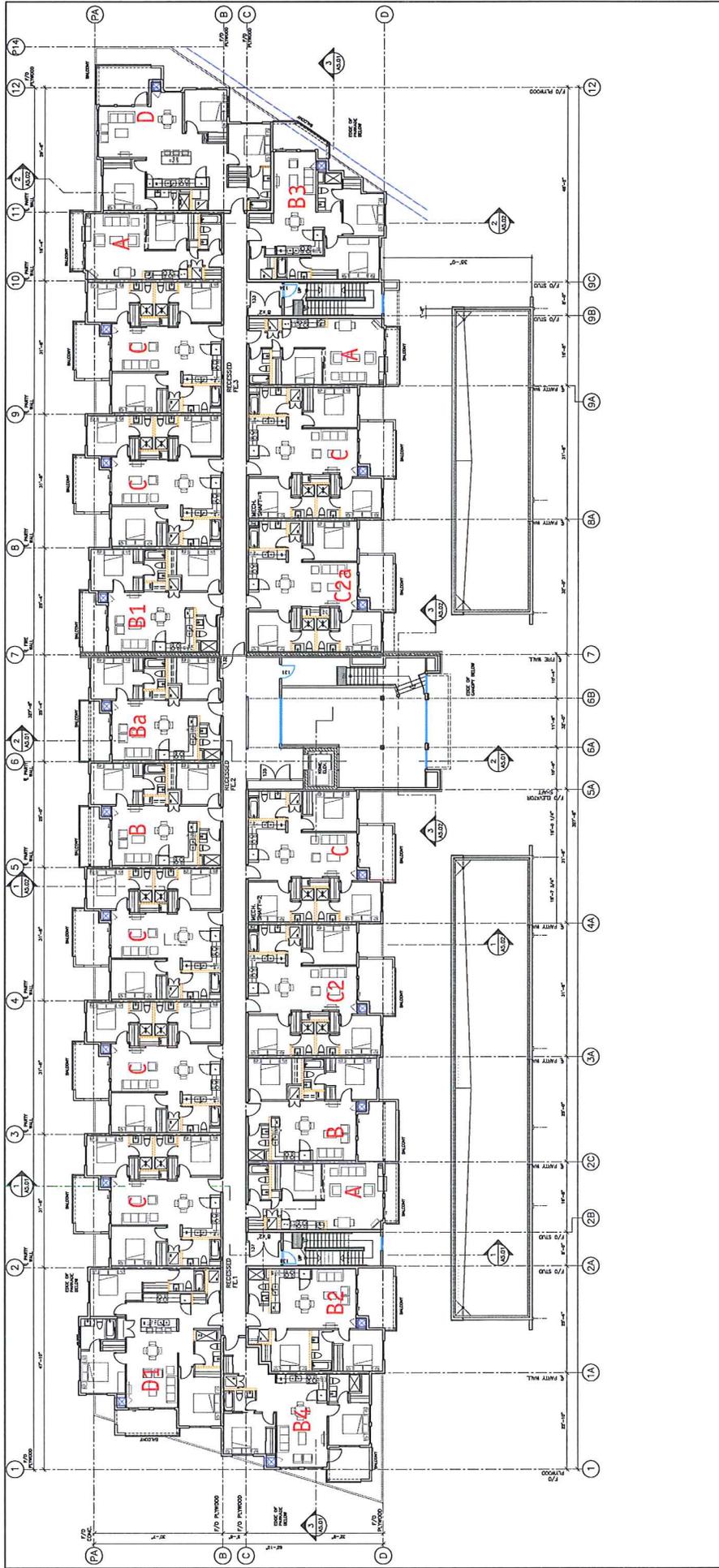


**U3B**

2016-02-18  
DP UPDATE

			<b>A3.00</b> LEVEL 0 PARKING PLAN Scale: 1/8"=1'-0"
PROJECT: UNIVERSITY HEIGHTS CONDO - 4 LEVELS BY UNITS WITH PARADE 135 ACADEMY WAY (E18 + A4.8)			
ARCHITECT: MISSION GROUP 1111 17th St, Suite 100, San Francisco, CA 94103			
ARCHITECT OF RECORD: m+m a 1000 Market Street, Suite 1000, San Francisco, CA 94102			
ENGINEER: [Redacted] 1000 Market Street, Suite 1000, San Francisco, CA 94102			
DATE: 02/18/16			

**SCHEDULE A**  
 This forms part of development  
 Permit # DP15-0314



**U3B**

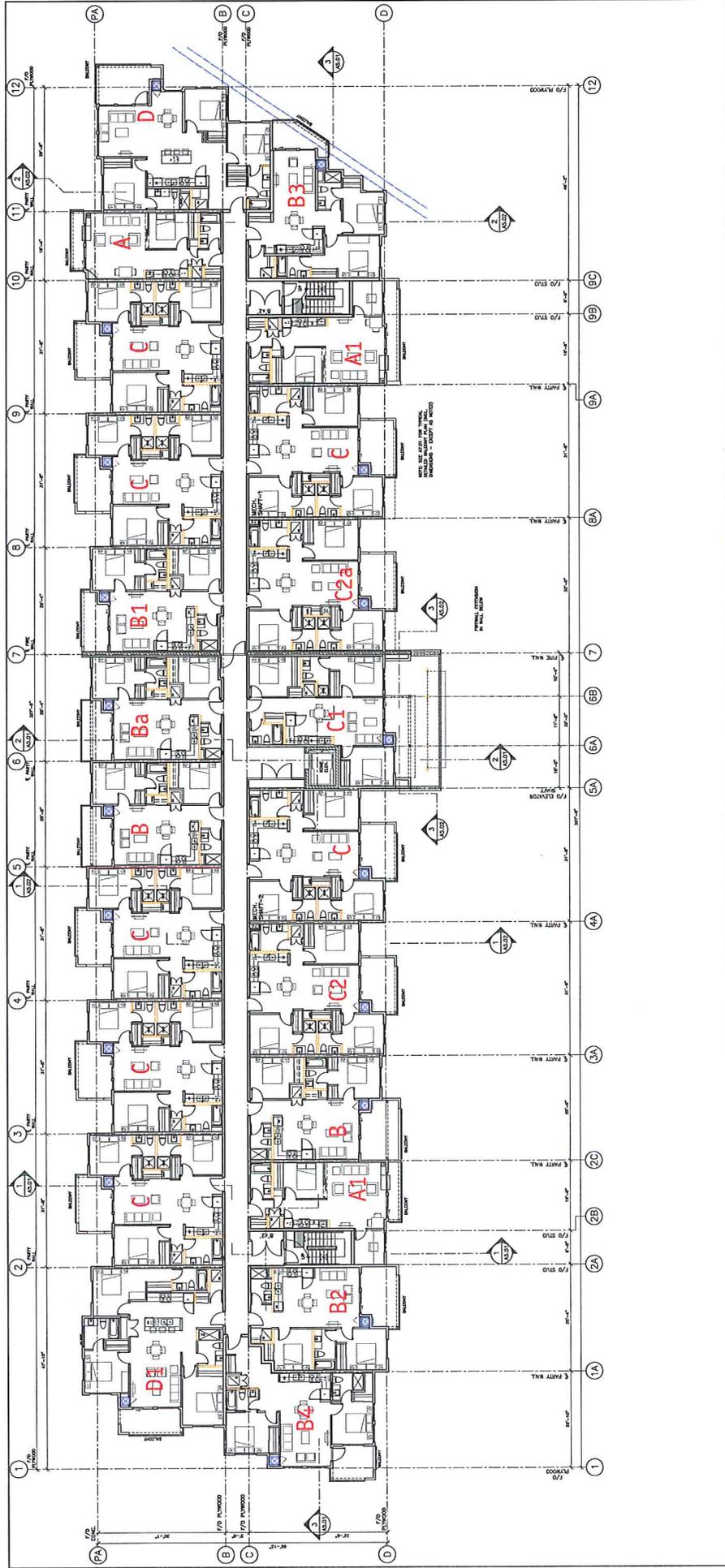
2016-02-18  
DP UPDATE

	UNIVERSITY HEIGHTS CONDO - 4 LEVELS BY JUNITES WITH PARADISE 755 GARDENWAY (OFF. 1 & 2)		<b>A3.01</b> LEVEL 1 FLOOR PLAN SCALE: 1/8" = 1'-0"
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SCHEDULE   A  

This forms part of development

Permit #   DP15 - 0314



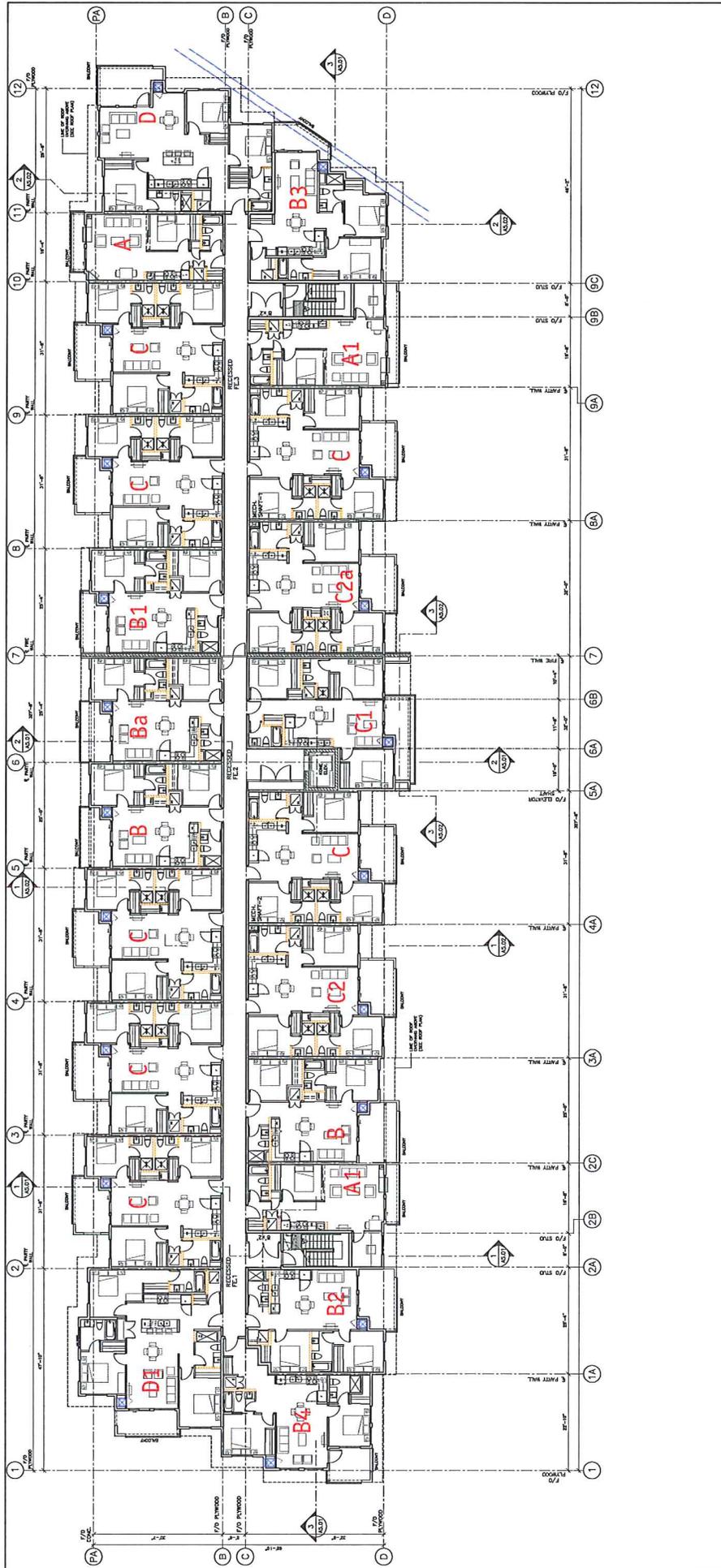
U3B

2016-02-18  
DP UPDATE

					<p><b>A3.02</b></p> <p>Project Name: <b>LEVEL 2 FLOOR PLAN</b></p> <p>Scale: 1/8"=1'-0"</p>
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**SCHEDULE A**  
 This forms part of development  
 Permit # **DP15-0316**





**U3B**

2016-02-18  
DP UPDATE

<b>PROJECT</b>	UNIVERSITY HEIGHTS CONDO - 4 LEVELS WITH PARADE 87 UNITS WITH PARADE
<b>CLIENT</b>	MISSION GROUP
<b>ARCHITECT</b>	m+m HERLEDDIN ARCHITECTS INC.
<b>DATE</b>	2016-02-18
<b>SCALE</b>	1/8" = 1'-0"
<b>PROJECT NO.</b>	A3.04
<b>LEVEL</b>	FLOOR PLAN

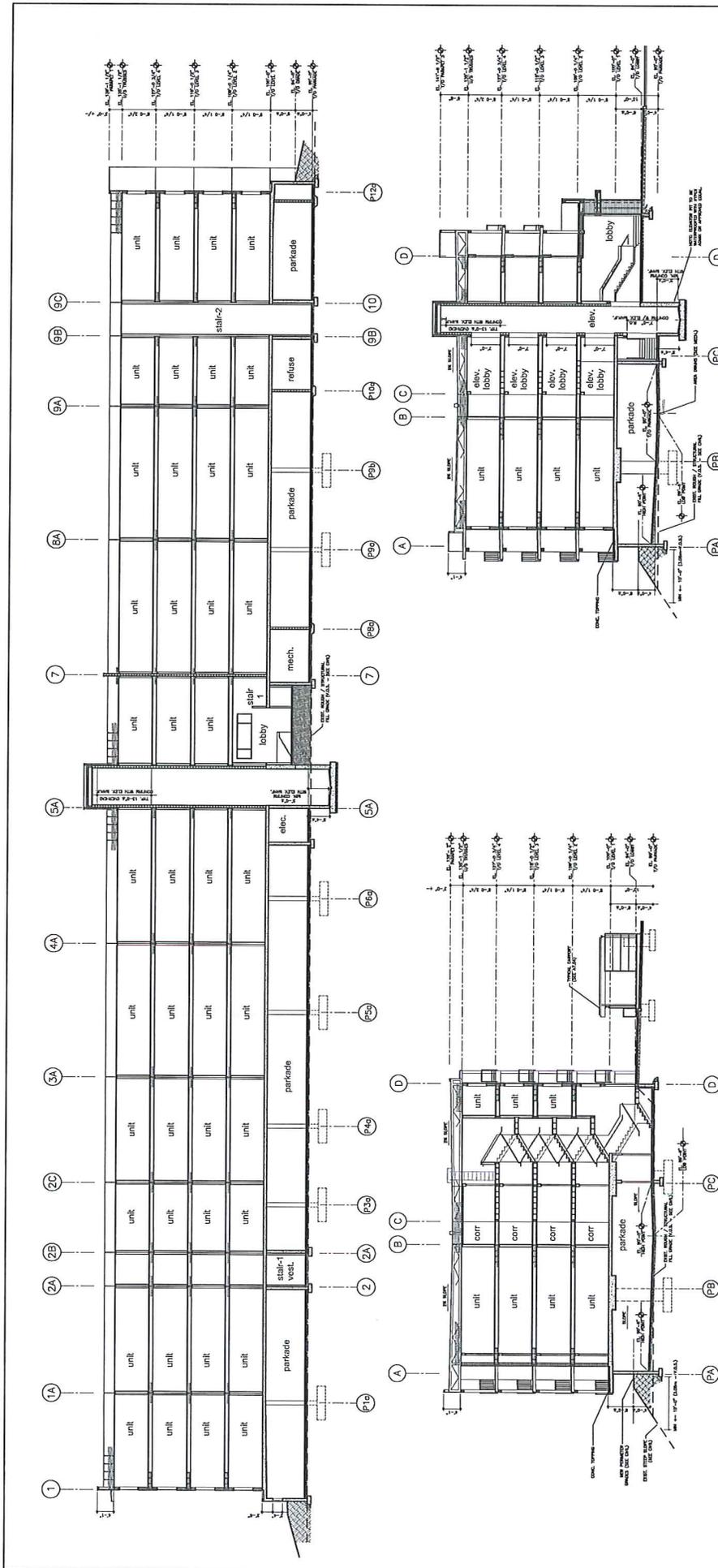
**SCHEDULE A**  
 This forms part of development  
 Permit # DP15-0314



**SCHEDULE B**  
 This forms part of development  
 Permit # DP15-0314

<b>U3B</b>	2016-02-18 DP UPDATE	 MEREDITH ARCHITECTS INC.	 MEREDITH ARCHITECTS INC.	<b>A4.01</b> BUILDING ELEVATIONS
PROJECT: UNIVERSITY HEIGHTS CONDO - 4 LEVELS WITH PARADE 150 ADOPTIVE L.P. 14.53				
SHEET NO. A4.01 OF 01 DATE: 2016-02-18 DRAWN BY: [blank] CHECKED BY: [blank] PROJECT MANAGER: [blank]				





**2016-02-18  
DP UPDATE**

**USB**

<b>DATE</b>		<b>DESCRIPTION</b>		<b>BY</b>	

**UNIVERSITY HEIGHTS  
CONDOS - 2 LEVELS  
OF UNITS WITH PARKADE**

1700 ADVANTAGE CENTER, SUITE 1000  
DALLAS, TEXAS 75201

**MISSION GROUP**

**m+m**  
MEELEDOWN ARCHITECTS INC.

**A5.01**

**BUILDING  
SECTIONS**

Scale: 1/8" = 1'-0"

SCHEDULE DP/15.13

This forms part of development  
Permit # DP/15-0314



PROJECT TITLE  
**UNIVERSITY HEIGHTS  
APARTMENTS - U3b**  
Kalamazoo, MI

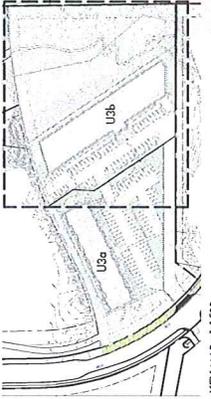
CONCEPTUAL  
LANDSCAPE PLAN

DESIGNER	DATE
PROJECT NO.	SCALE
DATE	200
SCALE	200



**L1/2**

ISSUED FOR REVIEW ONLY  
Copyright Reserved. No changes to the project or details may be made without the written approval of the architect.



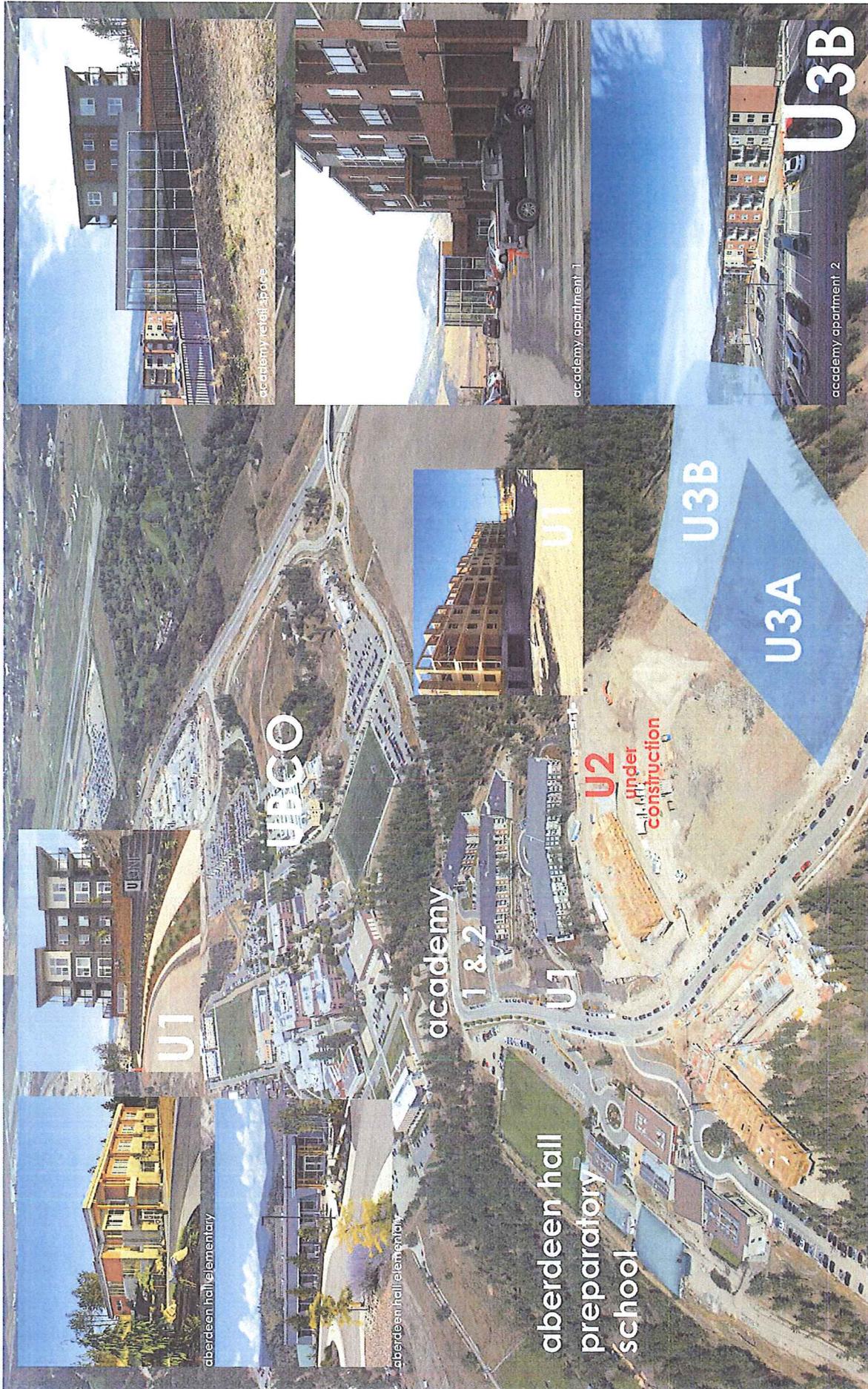
**NOTES**

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED B.C.L.A. STANDARDS.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TYPED UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 50mm WOOD MULCH. DO NOT PLACE WOOD MULCH UNDERNEATH TREE AND SHRUB BEDS.
4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
5. TURF AREAS FROM LOD SHALL BE NO. 11 GRADE GROWN FROM CERTIFIED SEED OR SOD. TURF AREAS SHALL BE DRESSED IN A MINIMUM 50mm DEPTH OF BE TOLERANT OF FOOT TRAFFIC. A MINIMUM OF 100mm DEPTH OF TOPSOIL SHALL BE APPLIED TO ALL TURF AREAS. TURF AREAS SHALL MEET EXISTING GRASSES AND TURF SERVICES FLORA.

**PLANT LIST - U3b**

BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS
ACER RUBRUM 'FRANKSRED'	RED SUNSET RED MAPLE	7	6m CALL
POPULUS TREMULOIDES	TREMULING ASPEN	10	4m CALL
POPULUS TREMULOIDES	DOUGLASS FIR	40	1.5m H.T.
PERENNIALS & GRASSES	MOONWAX VASEBURY	30	#1 CONT / 0.75m O.C. SPACING
ASTILE AER. 'DORIS'	ASTILE WHITE ASTILE	40	#1 CONT / 0.75m O.C. SPACING
ANEMONE 'MISTY MORN'	ANEMONE	40	#1 CONT / 0.75m O.C. SPACING
CONIFERS	MAHONIA	10	#1 CONT / 0.75m O.C. SPACING
PERENNIALS	SMOOTH STIMAC	14	#1 CONT / 0.75m O.C. SPACING
RUBICORDA FLORIDA 'CORONATA'	COLUSTARIA CORNFLOWER	40	#1 CONT / 0.75m O.C. SPACING
SCHIZOCYPRUM SCOPARIUM 'BLAZE'	BLAZE LITTLE BLUESTEM	18	#1 CONT / 1.0m O.C. SPACING

**SCHEDULE C**  
This forms part of development  
Permit # DP15-0314



U  
three A

m + m a MISSION GROUP  
h o m e s

U3B Condo Building

site & surrounding context

S1

dec. 8, 2015

**SCHEDULE B**  
This forms part of development  
Permit # *DP15-0314*



1

dec. 8, 2015

front facing parking

U3B Condo Building

U  
three B

MISSION GROUP  
homes  
**SCHEDULE B**

This forms part of development  
Permit # **DP15-0314**



green stucco	red stucco	blue stucco	dark grey hardie panel	hardie-V cobble stone	hardie-V iron gray	hardie-V arctic white	light grey stucco	post & beam	stucco soffit
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U3B

5

U3B Condo Building

dec. 8, 2015

material board



**m+m a** MISSION GROUP  
**SCHEDULE B**  
 This forms part of development  
 Permit # DP15-0314

# REPORT TO COUNCIL



**Date:** April 5<sup>th</sup>, 2016  
**RIM No.** 0940-40  
**To:** City Manager  
**From:** Community Planning (AC)  
**Application:** DP15-0316 & DVP15-0317      **Owner:** Watermark Developments Ltd., Inc. No. BC0642787  
**Address:** 805 Academy Way      **Applicant:** Mission Group Homes  
**Title:** Development Permit and Development Variance Permit  
**Existing OCP Designation:** MRM - Multiple Unit Residential (Medium Density)  
**Existing Zone:** RM5 - Medium Density Multiple Housing

---

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP15-0316 for Lot 1, Section 3 & 10, Township 23, ODYD, Plan EPP53793, located on 805 Academy Way, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. Prior to issuance of the Building Permit, the requirements of the Development Engineering Branch must be satisfied as described in the report's "Attachments";
5. The applicant be required to post with the City, a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND THAT Council authorize the issuance of Development Variance Permit No. DVP15-0317, Lot 1, Section 3 & 10, Township 23, ODYD, Plan EPP53793, located on 805 Academy Way, Kelowna, BC.

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

### Section 8.1 - Parking Schedule

Vary the parking requirements from 93 parking stalls required to 69 parking stalls proposed.

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

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

## 2.0 Purpose

To consider a Development Permit and Development Variance Permit for a 63-unit 4 storey apartment development known as 'U3A'.

## 3.0 Community Planning

The proposed 'U3A' development will provide 63 rental units in the University South Village neighbourhood primarily serving UBCO students and helping to address the community housing need for rental options. The multi-family development is consistent with the OCP Future Land Use designation and the subject property's current RM5 zoning. The applicant is requesting a parking variance to the Zoning Bylaw for a 26% relaxation to the number of parking stalls. The reduction will equate to providing approximately 1 stall per unit plus visitor parking. The Applicant suggests that this is the appropriate number of stalls for this type of housing. This is based on the Applicant's experience in the neighborhood with similar types of developments at 'U1' and 'U2'. Planning Staff have assessed the applicant's request in consideration to the OCP policy for parking relaxations:

**Parking Relaxations.**<sup>1</sup> Consider parking requirement relaxations, in areas that are not part of a cash-in-lieu program, where an approved TDM strategy indicates a lower use of vehicles and the City is satisfied that parking relaxations would not create parking spill-over problems on adjoining neighbourhood streets. Parking relaxations will not be considered in hillside areas (as defined on Map 4.1 - Future Land Use).

The parking relaxation is further supported by the Applicant's Transportation Demand Management Strategy and they are proposing a number of improved site development features to promote walking and cycling. While the parking variance represents a significant reduction from the Zoning Bylaw, staff are supportive of the variance largely due to the unique character of the University South Village neighbourhood and the project's intended niche demographic.

Staff acknowledge that the Zoning Bylaw's regulations for the provision of parking are broad-based in nature and do not consider the uniqueness of individual neighbourhoods in the City. The most significant neighbourhood variable in the University South Village is the combination of walkability (measured by distance to UBCO) and frequency of transit service (along John Hindle Way) within walking distance. As walkability and transit frequency become viable options, parking utilization should decrease.

While it is challenging to determine the 'appropriate' number of parking stalls for any given development, Planning staff are conscious of the community consequences of oversupplying parking. It can lead to increased automobile ownership, vehicle miles traveled and congestion on the City's roads. Parking availability affects travel mode choices for residents, increasing single-occupancy vehicle use and decreasing the use of transportation alternatives. This would not be in keeping with the OCP Vision and its livability objectives for the City. Therefore, Planning staff

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<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.11.1 (Development Process Chapter).

are recommending support to Council for the parking variance in consideration of the merits of the project as a whole.

## 4.0 Proposal

### 4.1 Background

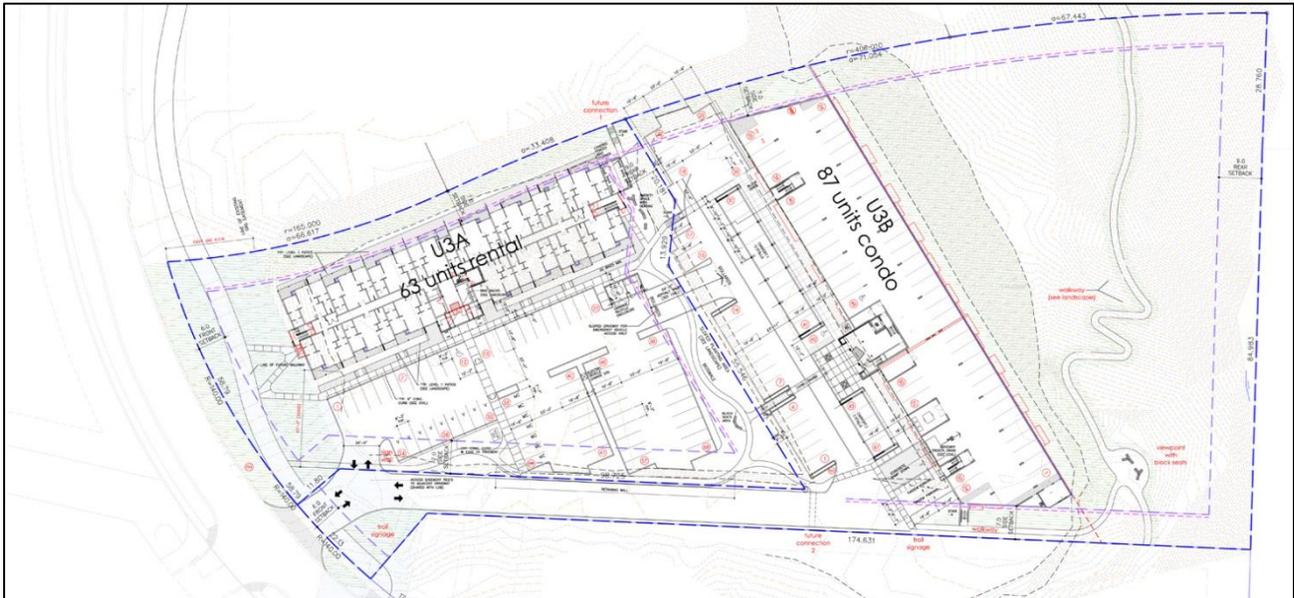
The subject property is located within the University South Neighbourhood, a comprehensive planned community under the University Village Master Plan (October 2009). The applicant has recently completed a subdivision of a RM5 lot within the neighbourhood in order to develop two different types of residential buildings: 'U3A' as a rental building and 'U3B' and a condo building. The development permits will be considered by Council individually as they relate to two separate legal parcels, however, both projects rely upon a coordinated approach to the site layout.

### 4.2 Project Description

The 'U3A' project is a 63-unit rental development. The site has been terra-formed and rough graded to create a relatively flat building site. A Fortis Right-of-Way is secured on the western portion of the property adjacent to Academy Way for a natural gas line.

The 4 storey wood frame building is located on the north side of the site perpendicular to Academy Way. The proposed drive way will be located directly off Academy Way and will access a 69 stall surface parking lot as well as access 'U3B'.

Figure 1 - U3A & U3B Site Layout



## Character & Materials

The architectural form and character of the building is designed in a “campus modern” style and reflects similar architectural styles along the east side of Academy Way. Both ‘U3A’ and ‘U3B’ have a complimentary form, image, and colour. Both buildings will use a combination of Hardie Panel, Hardie Siding, and stucco. The design has incorporated significant vertical elements to break up the mass of the buildings, provided ground oriented housing units, a defined entrance and unique colours to adequately meet building design guidelines.

Figure 2: U3A - Front Facade



### Site Layout & Landscape

The site plan shows common landscape elements for both ‘U3A’ and ‘U3B’ that contribute towards a consistent image between the two sites. A dedicated pedestrian circulation system will connect the building entrances to the parking areas and connect beyond the property to the Academy Way multi-use corridor and the public trail system to the east.

Planning Staff requested that the Applicant provide an underground structured parking area rather than rely solely upon a surface parking lot. The University South Village Master Plan (2009) created a vision for the area that parking spaces for automobiles would be largely limited to under-building/structured facilities with only minor surface parking lots.

- **3.8 Design (Parking Structures)<sup>2</sup>** - All multiple family residential and mixed use buildings will contain understructure (beneath habitable or commercial space) in keeping with zoning requirements. Parking structures should be screened from views/wrapped by other uses, and entrances must be located to avoid pedestrian-vehicle conflicts.

The Applicant has declined this request and proposed all parking for U3A be provided through a surface parking lot. They have sited the costs of providing structured parking as a significant obstacle that would lead to price implications on the rental units. The

<sup>2</sup> Part 2 University South Village Master Plan (October 2009) - Watermark



The Applicant feels confident that this number of stalls is appropriate for the development. As the owners of the building, should parking spillover become a problem in the future, the City would work with them on possible parking management solutions.

In support of the variance, the applicant has committed to the following TDM measures:

- Additional Class 1 bicycle storage;
- Dedicated bicycle maintenance & repair room with wash station;
- Separated parking fee from monthly rental fee;
- Managing the stalls as a 'parking pool' rather than dedicated stalls to residents;
- Provision of electrical vehicle charging station with free charging for residents; and
- Funding the cost of a car-share pool vehicle in partnership with OGO Car-Share to support the overall neighbourhood;

For context, Staff provide the following chart for Council’s consideration that summarizes the parking variances within the University South Village neighbourhood:

Project	Number of Units	Number of Parking Stalls per unit	Parking Variance
Academy Hill	78	1.49	0%
U1	66	1.41	7%
U2	112	1.38	7%
Veda (Micro Suites)	251	0.58	42%
U3A	63	1.10	26%
U3B	87	1.18	33%

#### 4.5 Public Notification

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant undertook neighbour consultation by individually contacting the neighbours. No major issues were identified during the initial consultation with neighbouring parcels. However, most of the adjacent parcels are currently undeveloped.

#### 4.6 Site Context

The 'U3A' and 'U3B' development projects are located on the north slope adjacent to Academy Way. The property has a Future Land Use designation of MRM - Multiple Unit Residential (Medium Density) in the Official Community Plan and is within the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C3 - Neighbourhood Commercial RM5 - Medium Density Multiple Housing	Vacant
East	A1 - Agricultural	Park
South	RM4 - Transitional Low Density Housing	Multiple family dwellings
West	RM5 - Medium Density Multiple Housing A1 - Agricultural	Vacant - micro suite application Vacant - single family subdivision application

Subject Property Map: 805 Academy Way



4.1 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM5 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Site Coverage (buildings)	40 %	18.7 %
Site Coverage (buildings, driveways, and parking)	60 %	52.1 %
FAR	1.1	0.59
Height	18.0 m and 4 ½ storeys	12.2 m and 4 storeys
Front Yard (west)	6.0 m	20.0 m
Side Yard (north)	7.0 m	8.0 m
Side Yard (south)	7.0 m	25.0 m
Rear Yard (east)	9.0 m	12.0 m

Other Regulations		
Private Open Space	1,495 m <sup>2</sup>	1,538 m <sup>2</sup>
Parking Stalls	93	69 <span style="color: red;">❶</span>
Bicycle Spaces	32 Class 1 spaces 7 Class 2 spaces	42 Class 1 spaces 8 Class 2 spaces
❶ Indicates a requested variance to reduce the minimum number of parking stalls by 33%.		

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Chapter 14 - Comprehensive Development Permit Area

##### Objectives

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;
- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
- Provide for a scale and massing of buildings that promotes a safe, enjoyable living, pedestrian, working shipping and service experience;
- Incorporate architectural features and detailing of buildings and landscapes that define an areas' character; and
- Promote alternative transportation with enhanced streetscapes and multi-modal linkages;

#### Chapter 5 - Development Process

**Maximize Pedestrian/Cycling Connectivity<sup>3</sup>.** Require that pedestrian and cyclist movement and infrastructure be addressed in the review and approval of all City and private sector developments, including the provision of sidewalks and trails and recognition of frequently used connections and informal pedestrian routes. With new developments, require dedication of on-site walking cycling paths where necessary to provide links to adjacent parks, schools, transit stops, recreation facilities, employment nodes, cul-de-sacs and large activity areas.

**Support parking management programs<sup>4</sup>** that promote reduced vehicles ownerships, reduced vehicles trips, and increased use of active modes of transportation.

**Preferred Parking<sup>5</sup>.** Encourage preferred or dedicated parking stalls for electric vehicles, shared cars and/or hybrid vehicles and small vehicles for all developments.

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.10.1 (Development Process Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.11 (Development Process Chapter).

<sup>5</sup> City of Kelowna Official Community Plan, Policy 5.11.3 (Development Process Chapter).

**Multi-Unit Residential Parking<sup>6</sup>.** Encourage developers to unbundle parking price from the multi-family housing or rental price.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)
- Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
  - Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
  - Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.
  - Handicap parking is required in the parkade of the Condo building and access provided to the lobby. Vestibule between parkade and lobby to be designed for barrier free dimensions
  - Separate Permits required for all retaining walls in excess of 1.2 meters and require engineering design. Provide schedules and drawings for each retaining wall.
- Mechanical Ventilation inlet and exhausts vents are not clearly defined in these drawings for the enclosed parking storey. The location and noise from these units should be addressed at time of Development Permit.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
- An exit analysis is required as part of the code analysis at time of building permit application. The exit analysis is to address travel distances within the units, number of required exits per area, accessibility, etc.
- Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- Separate Building permits required for each carport at time of application
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this structure at time of permit application.

### 6.2 Fire Department

- Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template available online at Kelowna.ca
- Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900. Should a hydrant be required on this

<sup>6</sup> City of Kelowna Official Community Plan, Policy 5.11.4 (Development Process Chapter).

property it shall be deemed private and shall be operational prior to the start of construction.

- A visible address must be posted on Academy Way as per City of Kelowna By-Laws.
- Sprinkler drawings are to be submitted to the Fire Dept. for review when available. Floor isolation valves shall be installed as per bylaw 10760 section 5.3 - under 7 feet in height.
- A fire safety plan as per section 2.8 BCFC is required at occupancy. The fire safety plan and floor plans are to be submitted for approval in AutoCAD Drawing format on a CD. This plan shall address the unique characteristics in this building as well as the evacuation procedures with all staffing levels.
- Fire Department access is to be met as per BCBC 3.2.5.
- Approved Fire Department steel lock box or key tube acceptable to the fire dept. is required by the fire dept. entrance.
- All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met.
- Fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard.
- Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- Fire department connection is to be within 45M (unobstructed) of a fire hydrant.
- Ensure FD connection is clearly marked and visible from the street.
- Dumpster/refuse container must be 3 meters from structures and overhangs or if inside the parking garage, it shall be enclosed within a rated room.
- Do not issue BP unless all life safety issues are confirmed.

### 6.3 Real Estate and Building Services

- It should be noted that with each new multi-family residential complex approved, the potential impact/costs for parking enforcement increases. When variances are granted the potential impact on City resources increases.

### 6.4 Parks Planning

- Provide an obvious link from main building entrances to public trail along the eastern property line and multi-use corridor along the Academy Way frontage by providing a clear, continuous sidewalk / pedestrian connection and wayfinding signage.
- Provide Multi-use trail and landscaping to match previous developments to the north along the Academy Way frontage.

### 6.5 Development Engineering Department

- See attached memorandum.

## 7.0 **Application Chronology**

Date of Application Received: December 17<sup>th</sup>, 2015  
 Date of Public Consultation: February 19<sup>th</sup>, 2016

**Report prepared by:**

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Adam Cseke, Planner

**Approved for Inclusion:**



Ryan Smith, Community Planning Manager

**Attachments:**

Development Engineering Memorandum

Applicant Rationale

Draft Development Permit / Development Variance Permit

- Schedule 'A'
  - Site Plan
  - Floor Plan
- Schedule 'B'
  - Elevations
- Schedule 'C'
  - Landscape Plan

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

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**Date:** February 18, 2016  
**File No.:** DP15-0316

**To:** Community Planning (AC)

**From:** Development Engineering Manager (SM)

**Subject:** 755 Academy Way Lot 1, Plan EPP45919

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

The Development Engineering Technologist for this project is Jason Ough

**1. General**

- a) Subdivision requirements have been addressed in the Development Engineering report under file S15-0075. Requirements identified in the subdivision report must be completed prior to the issuance of an occupancy permit.
- b) Provide Right of Way and Easement as may be required.
- c) A Statutory 219 Covenant of No Occupancy Permit is required until such time that Bylaw conforming fireflow and domestic water demand capacity is in place.

**2. Geotechnical Study**

A comprehensive Geotechnical Study is required to be prepared by a Professional Engineer competent in the field of geotechnical engineering. The study is to address the following:

- a) Overall site suitability for development.
- b) Presence of ground water and/or springs.
- c) Presence of fill areas.
- d) Presence of swelling clays.
- e) Presence of sulfates.
- f) Potential site erosion.
- g) Provide recommendations for on-site storm water disposal.
- h) Provide specific requirements for footings and foundation construction.

**3. Domestic Water and Fire Protection**

- a) The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of the proposed development and establish hydrant requirements and service needs. Provide confirmation of available capacity.
- b) This development is within the service area of the Glenmore Ellison Improvement District (GEID). The developer is required to make satisfactory arrangements with GEID for these items. All charges for service connection and upgrading costs are to be paid directly to GEID.

**4. Sanitary Sewer**

The developer's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Installation of the required service must be complete prior to the issuance of a plumbing permit and at the expense of the developer. One service will be permitted per lot.

**5. Storm Drainage**

The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems. All the storm drainage must be dealt with on site.

**6. Road Improvements**

- a) Requirements for road cross sections, dedications, design and construction have been addressed in the Development Engineering report under file S15-0075.
- b) Road improvements will be constructed along the full frontage of this proposed development, including separate sidewalk, landscaped boulevard complete with street trees and irrigation. Relocate or adjust utility appurtenances if required to accommodate construction. All improvements will be at the developer's expense.

**7. Other Engineering Comments**

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

**8. Development Permit and Site Related Issues**

- a) Access and Manoeuvrability
  - (i) An SU-9 standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles movements should also be illustrated on the site plan.

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Steve Muenz, P. Eng.  
Development Engineering Manager

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

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**Date:** February 24, 2016  
**File No.:** DVP15-0315  
**To:** Land Use Management (AC)  
**From:** Development Engineering Manager (SM)  
**Subject:** 755 Academy Way Lot 1, Plan EPP45919

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Development Engineering Services comments and requirements pertaining to this Development Permit application, to reduce the parking requirements, are as follows:

- a) Additional information is required to support the proposed parking stall reduction from 146 to 103. A 30% reduction in the minimum parking requirement is excessive. A proposed parking variance in line with Phase 1 approvals can be supported.
- b) Provide a detailed rationale explaining and justifying the proposed parking stall reduction.
- c) Provide a proposed solution to parking related problems as a contingency in case cumulative parking variances fail to meet the needs of the neighborhood as development proceeds.



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Steve Muenz, P.Eng.  
Development Engineering Manager

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**Re: Development Permit Submission  
755 Academy Way, Kelowna**

**December 8th, 2015**

Mission Group Homes is pleased to submit to the City of Kelowna our Development Permit Application regarding 755 Academy Way – which we have named U Three. The U Three site is large enough to accommodate two buildings – U3A – will be a 63 unit rental building and U3B will be a 87 unit condominium building.

Mission Group Homes Ltd. is a multi-family home builder with operations in Kelowna and Vancouver. Mission Group strives to dream beyond the conventional, design with care, and build with a keen eye for detail, while providing exceptional customer service for homeowners. At Mission Group Homes, our mission is to build each home as if it were our own, and treat our homeowners like family.

Our newest community called U Three - will be adjacent to UBCO and is located on Academy Way in the vicinity of our completed U One project and U Two- which is currently under construction.

UBCO currently has a population of approximately 8,500 students and is experiencing a shortage of accommodation on Campus – with housing for only 1,700 students in a variety of dorm room types. As a new Development Plan for Campus was recently approved –the UBCO campus is expected to grow over the next few years.

In response to this housing shortage, Academy Hill - a 78 unit – 2 phase project - was completed in 2014- with 100% of the units sold.

U One – our first project in this area which is a 66 unit condominium project was completed in August of this year with all units sold.

U Two – our second project in the area – consists of two 56 unit buildings. The first building is 100% sold and will be ready for occupancy in August of 2016. The second building of 56 units is currently 50% sold and will be ready for occupancy in December of 2016.

In addition, Beaumont Timber is also constructing a 250 unit rental building – that is scheduled for completion in the fall of 2016.

The amount of construction in this area is indicative of the extreme need for student housing in the City of Kelowna.

For U Three, Mission Group Homes has retained Micklejohn Architects of Kelowna to design this exciting new project. As they have designed the two phases of the Academy Hill project, Aberdeen Hall expansion and our U One and U Two projects – they are extremely familiar with site and development issues within the University Heights master plan area.

## **Design Rationale**

U Three, will be located on the start of the south facing slope (Lot 4 of the University Village Master Plan area.) The project will consist of two buildings – U3A being a 63 unit – 4 storey rental project – and U3B – which will be a 87 unit condominium project over an enclosed parking structure.

### **U Three A**

With a total of 63 units – U3A will be a 4 storey wood frame building that will have only surface parking. As a rental building – 1 parking stall will be provided for each unit in addition to 6 visitor parking spaces. We have found that this is an adequate amount of parking for a student residential building in this location. Similar to other projects in the area, – we will be requesting a parking variance with our Development Permit application.

U3A – will be located at the front of the site and will be the closest building to Academy Way. As the site has been cleared and graded by the land developer – the building location did not provide the challenges of previous sites in the area.

In regards to site design, the building has been located to;

- fit within the natural contours of the site
- maximize views
- preserve existing steep slope areas
- connect to existing and proposed trail systems
- be developed with minimal use of retaining walls.

A Wildfire Report has been completed on the site and contains recommendations in regards to tree removal and future landscaping and building material – however it is not applicable to this section of the site – as all natural vegetation has been removed.

Trail systems and pathways will connect the building site to the main pedestrian pathway along Academy Way to the west as well as the regional trail system that exists along the eastern boundary of the site. These trail connections will provide appropriate site circulation for pedestrians through a system of trails and pathways that will provide easy connections to both UBCO to the north and to future projects to the south. On site viewpoint nodes have been incorporated into the landscape design.

The main vehicle access to the site will be from Academy Way - which will allow for an easy transition from street level to the building site. This entry location will allow for a project signage element to be created and present a welcoming vista into the site.

The orientation of the building respects the University Village Master Plan concept, with the long articulated building form following the site contours and the shorter building façade facing Academy Way.

### **U Three B**

With a total of 87 units – U3B will be a 4 storey wood frame building that will be built on top of an enclosed parkade. This building will be built on the east side of the site and be sited to run parallel to the top of the steep slope area – allowing for view opportunities for all eastern facing units.

As a condominium building – 1 enclosed parking stall will be provided for each unit. As the parkade only accommodate 55 cars, an additional 32 cars will be provided in covered parking spaces in front of the building. This is the same concept we used for U2 – and will present a consistent design theme/element along the street.

In addition to the 87 enclosed parking spaces, an additional 19 visitor parking spaces will be provided in the surface parking lot in front of the building. Again, we have found that this is an adequate amount of parking for a student residential building in this location. For this parking reduction – we will be requesting a parking variance with our Development Permit application.

U3B – will be located at the "Back" of the site and will be the furthest building from Academy Way. An access road along the south property line - will lead to the building and parkade entry. As the site has been cleared and graded by the land developer – the building location did not provide the challenges of previous sites in the area.

In regards to site design, this building has also been located to;

- fit within the natural contours of the site
- maximize views
- preserve existing steep slope areas
- connect to existing and proposed trail systems
- be developed with minimal use of retaining walls.

A Wildfire Report has been completed on the site and contains recommendations in regards to tree removal and future landscaping and building material – however it is not applicable to this section of the site – as all natural vegetation is contained within the steep slope covenant area at the east of the site.

Trail systems and pathways will connect the building site to the main pedestrian pathway along Academy Way to the west as well as the regional trail system that exists along the eastern boundary of the site. These trail connections will provide appropriate site circulation for pedestrians through a system of trails and pathways that will provide easy connections to both UBCO to the north and to future projects to the south. On site viewpoint nodes have been incorporated into the landscape design.

The main vehicle access to the site will be from Academy Way - which will allow for an easy transition from street level to the building site. This entry location will allow for a project signage element to be created and present a welcoming vista into the site.

The orientation of the building respects the University Village Master Plan concept, with the long articulated building form following the site contours and the shorter building façade facing Academy Way.

The steep slope area on the eastern portion of the site results in approximately 28% of the site area being not suitable for development and will be protected through a non disturbance agreement with the City.

### **Design Rationale**

#### **Form, Massing and Building Character**

In regards to architectural form and character, It is envisioned that this project will be designed in a "campus modern" style, in a four storey building form that will reflect the character and form of recently constructed buildings at UBCO and on Academy Way.

As a two building project – each building will have its own unique design features – however they will compliment each other in form, image and colour. Common landscape elements will contribute towards a consistent image amongst the two building sites.

Both building will use a combination of Hardie Panel, Hardie Siding and stucco and as a result will compliment campus building materials as well as those that we have used in other building in this district.

Particular attention has been paid to the Academy Way - west facing streetscape. Design considerations of this façade will include articulated corner details to create a welcoming building vista from Academy Way with appropriate landscape features and walls, building signage, and an articulated building façade that will provide interest to those approaching the site and building.

This design will create;

- a welcoming building vista from Academy Way with appropriate landscape features and walls
  
- visible building signage will connect both pedestrians and vehicles to the street and towards the main entry of the building
  
- by creating a balcony frame / roof element that will be consistent in both buildings – and adding some subtle colour variations to finishes, we are able to give this site a slightly different architectural feel from the previous projects on Academy Way – yet still fit into the "campus" style of architecture that has been

created in the area. This articulated building façade will provide visual interest to those approaching the site and building.

- the street presence of the building has been emphasized with a building design that has been "grounded" to the site as well as designed landscaped areas including a pedestrian friendly environment from the street to the building area that provides for a visually interesting walkway that is safe and easy for all to access.
- A view point area will be incorporated into the landscaped area at the south east corner of the site – where the natural vegetation has been maintained.
- A modern design element at the entry to each building - has been designed with interest to visually bring people to the entry area of the building. This bold architectural element brings balance and a human scale to this area.
- On U3B – a sensitively designed carport will be created in front of the building and add visual interest to this area of the site.
- Surrounding landscape has been designed to incorporate visually interesting shade trees and shrubs and create a "berming" effect around the building entry and surface parking areas. Sensitively located trees will also screen much of the parking in front of the U3B building.
- To create a safer pedestrian environment, the building entry is located well away from the parkade entrance.
- Pedestrian site circulation has been carefully reviewed. Both buildings will be linked to Academy Way by low slope sidewalk adjacent to the entry road, and without steps. This trail will lead pedestrians to future commercial developments adjacent to this project or down the hill to the campus.  
This will be considered the main pedestrian access to the site.

To access the trail systems adjacent to the site – we will connect – at the top of the steep slope bank - to the trail provided along the eastern edge of the project. This trail will lead down to the regional trail system at the bottom of the bank. This will eliminate disturbance through the steep slope area of the site.

In conclusion we believe that the building design for this project will be sensitive to and compliment adjacent developments, respect its immediate landscape area and be sensitive to existing site conditions.

The Mission Group continues to be a proud part of the exciting Campus District developing around the UBCO campus.



Adam Cseke  
Planner II, Urban Planning  
City of Kelowna  
1435 Water Street  
Kelowna BC V1Y 1J4

January 12, 2016

**RE: U Three "A" & U Three "B" - Proposed Parking Variances**

Dear Adam,

We are excited to move ahead with our next residential buildings in the University Heights neighbourhood. As per our previously submitted Development Permit, "U Three" will include both a condominium building (U Three "B") and a purpose-built rental building (U Three "A"). We are requesting a parking variance for both buildings. Below is a summary of our rationale for these proposed relaxations:

**U-Three "A"**

Notably, U-Three "A" will be our first purpose-built rental (non-stratified) building in this area, as U One and U Two are both stratified buildings. Mission Group intends to hold and maintain this building within our property portfolio. Accordingly, we have designed this building to create the highest value for prospective renters.

With this in mind, we have decided to not include under-building parking in the community design for U Three "A". We understand that this may be viewed as an under-utilization of the site. However, there are several reasons for this decision:

- **Affordability.** Firstly, we are attempting to create affordable rental housing adjacent to UBC Okanagan campus. Not providing under-building parking reduces building costs, which translates to more affordable rents for students. Prospective renters would now have the choice to rent at a building that does not have under-building parking, if this is not an important consideration for them. Notably, of the 1,676 student housing beds provided on-campus by UBC Okanagan, none have under-building parking.
- **Constructability.** Under-building parking for U3A is geotechnically problematic, as this would require costly blasting or rock hammering near already occupied homes and the adjacent high-pressure Fortis gas line.
- **Non-stratified.** When purchasing a stratified condominium, a buyer expects to have a dedicated, under-building parking stall included in their purchase. For a non-stratified rental building, this is not the case.

**Kelowna Office**  
Landmark Six  
10<sup>th</sup> Floor – 1631 Dickson Avenue  
Kelowna, BC V1Y 0B5  
t: 250.448.8810 f: 250 762 4236

**Vancouver Office**  
Park Place  
Suite 500 – 666 Burrard Street  
Vancouver, BC V6P 3P6  
t: 604.639.6142 f: 604.688.2419

- **Design.** Eliminating under-building parking creates a more favorable interface for the ground level homes, as the building slab will be positioned closer to the surrounding landscaping grades.
- **Parking Pool Efficiency:** In addition, it is important to note the parking efficiencies related to a comprehensively-managed parking pool. In a stratified building with dedicated parking stalls, if the occupant of a particular unit does not use a vehicle, their stall is left vacant and not used. As a rental building is managed as a single parking "pool", the parking usage is much more efficient. This will create greater capacity and parking efficiency.

Regarding the parking relaxation being requested, all recent housing developments in this location have received a parking variance. U Three "A" compares to these previously-approved developments as follows:

<b>Building</b>	<b>Parking Required</b>	<b>Parking Provided</b>	<b>% of required</b>
U One:	100 stalls	93 stalls	93%
U Two:	168 stalls	155 stalls	92%
Veda:	251 stalls	148 stalls	59%
<b>U Three (A):</b>	<b>93 stalls</b>	<b>69 stalls</b>	<b>74%</b>

While the variance requested is greater than the previous applications in Mission Group's "U" district, it is smaller compared to the "Veda" rentals on the other side of Academy Way. Since the completion and occupancy of U-One (August 2015), the property manager has noted that parking usage has been below capacity. This parking usage trend has also been experienced at the "Academy Hill" development, as noted by CTQ Consultants Ltd's review (per attached letter dated December 18, 2014). Furthermore, the suite sizes at U-Three are smaller than the stratified residences at Academy Hill, U One and U Two, which should translate into a lower car ownership percentage.

**U-Three "B"**

For the condominium building – U Three "B" – we have completely maximized the potential parking on the site, including both under-building and surface stalls. Topographically, there is no additional area to add stalls. In the design, all 87 units will have one covered parking space, and in addition, 16 visitor stalls are provided. As mentioned above, this would be more than adequate to meet parking demand.

The unit mix (proportion of studio, one, two and three-bedroom unit plans) for U-Three "B" is very similar to that of U One and U Two. However, since the approval of the parking variance at U-Two, the City's interpretation of U Three's internal "dens" has changed as it relates to parking requirements. These internal dens are now considered as "bedrooms" for the purposes of calculating the number of parking stalls required. *This interpretation has artificially increased our required parking (making our variance appear larger than previous requests), but the demand on a per unit basis is still the same as the previous buildings.*

A breakdown of this interpretation change is shown below:

<b>Building</b>	<b>Parking Required</b>	<b>Parking Provided</b>	<b>% of required</b>
U One:	100 stalls	93 stalls	93%
U Two:	168 stalls	155 stalls	92%
Veda:	251 stalls	148 stalls	59%
<b>U Three "B":</b>	<b>146 stalls</b>	<b>103 stalls</b>	<b>72%* (dens counted as bedrooms)</b>
<b>U Three "B":</b>	<b>122 stalls</b>	<b>103 stalls</b>	<b>84%* (dens not counted as bedrooms)</b>

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In short, we believe that there is more than adequate parking for our proposed housing at U Three. By not including under-building parking at U-Three "A", we have minimized unnecessary building costs, and will provide the greatest value to potential renters. Site parking at U-Three "B" has been maximized and would be more than adequate to service the community. One of the key reasons for the recent success of this area is its proximity to UBCO and the fact that students can walk to class – without the need for a car.

We trust that this provides enough information for your review and look forward to receiving your feedback. Should any further clarification be required, please do not hesitate to contact us.

Regards,

Mission Group Homes Ltd.

Attachments:

- Letter from CTQ Consultants dated December 18, 2014 re: "Academy Hill"

# DEVELOPMENT PERMIT



## APPROVED ISSUANCE OF DEVELOPMENT PERMIT

<b>File Number</b>	DP15-0316 & DVP15-0317
<b>Issued To:</b>	Mission Group Homes
<b>Site Address:</b>	805 Academy Way
<b>Legal Description:</b>	Lot 1, Section 3 & 10, Township 23, ODYD, Plan EPP53793
<b>Zoning Classification:</b>	RM5 - Multiple Unit Residential (Medium Density)
<b>Development Permit Area:</b>	Comprehensive Development Permit Area

### SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

### 1. TERMS AND CONDITIONS

THAT Development Permit No. DP15-0316 & DVP15-0317 for Lot 1, Section 3 & 10, Township 23, ODYD, Plan EPP53793, located at 805 Academy Way, Kelowna, BC to allow the construction of a single storey commercial building to be approved subject to the following:

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- c) Landscaping to be provided on the land be in accordance with Schedule "C";
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

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

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

Section 8.1 - Parking Schedule

Vary the parking requirements from 93 parking stalls required to 69 parking stalls proposed.

**2. PERFORMANCE SECURITY**

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

- a) Cash in the amount of \$ \_\_\_\_\_ ?????? OR
- b) A Certified Cheque in the amount of \$ \_\_\_\_\_ ?????? OR
- c) An Irrevocable Letter of Credit in the amount of \$ \_\_\_\_\_ ?????? .

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

**3. DEVELOPMENT**

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

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

**This Permit IS NOT a Building Permit.**

**4. APPLICANT'S AGREEMENT**

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

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

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

the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Divisional Director of Community Planning & Real Estate.

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

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

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

\_\_\_\_\_  
Date

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

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

**5. APPROVALS**

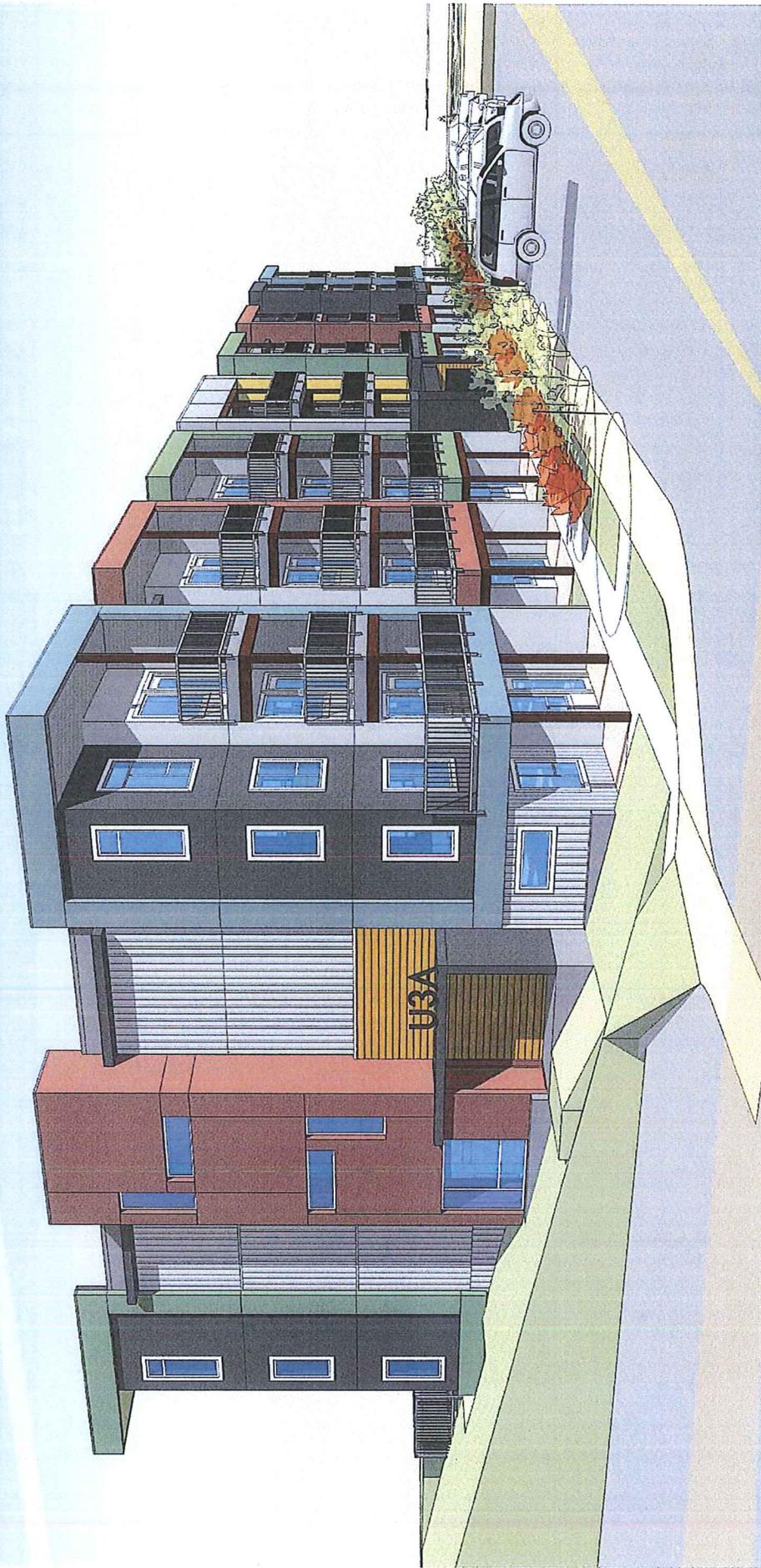
Issued and approved by Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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

\_\_\_\_\_  
Date

**The PERMIT HOLDER is the CURRENT LAND OWNER.  
Security shall be returned to the PERMIT HOLDER.**

**SCHEDULE** *A+B*  
This forms part of development  
Permit # *DP15-0316*



m+m a

MISSION GROUP  
homes

U  
three A

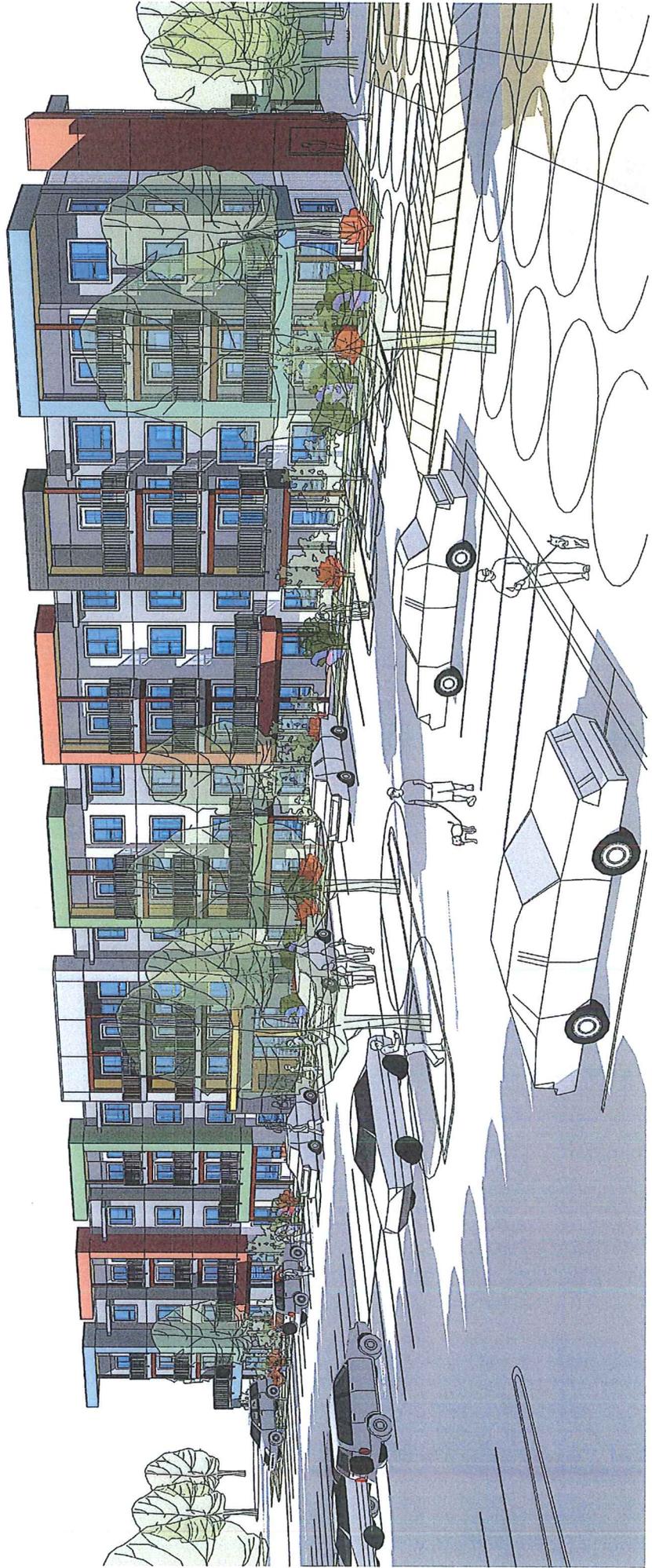
USA Rental Building

view along academy way

jan.29, 2016

6

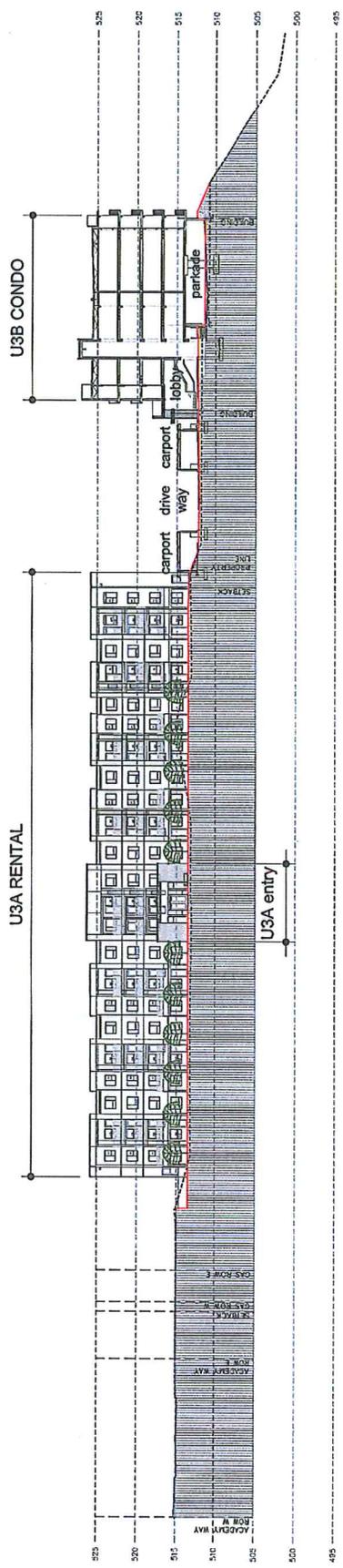
SCHEDULE B  
This forms part of development  
Permit # DP15-0316



SCHEDULE B  
This forms part of development  
Permit # DP15-0316

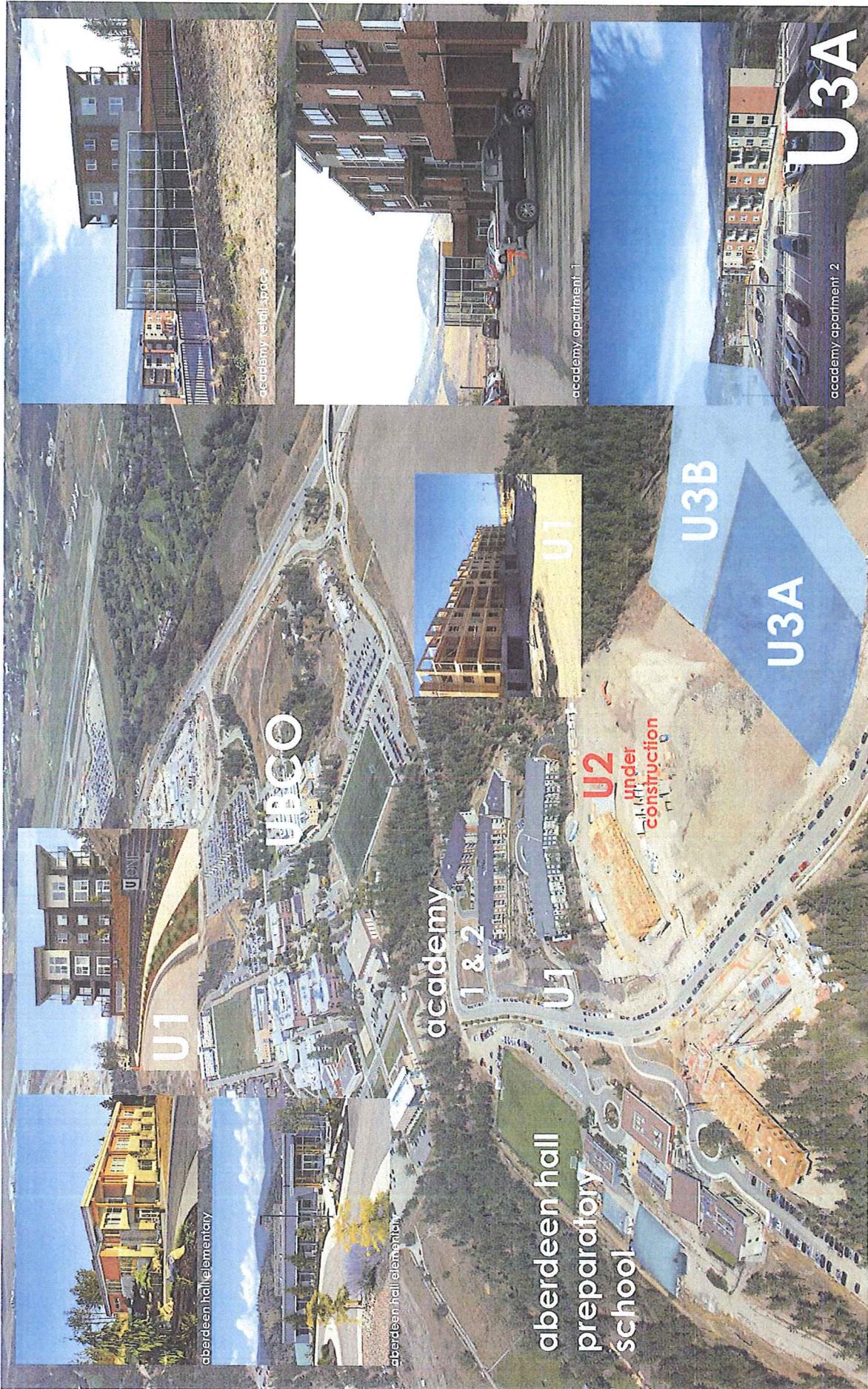


**SCHEDULE A+B**  
 This forms part of development  
 Permit # *DP15-0316*



site section thru U3A parking lots  
 & U3B parkade/carports

<h1 style="font-size: 2em; margin: 0;">U3A/U3B</h1>	<p><b>Project Name</b>          UNIVERSITY HEIGHTS          CONDO - 4 LEVELS          87 UNITS WITH PARKADE          755 ACADREY WAY (BT 448 &amp; B)</p>	<p><b>Client</b>          MISSION GROUP          INCORPORATED</p>	<p><b>Architect</b>          MEIKLEDOHN ARCHITECTS INC.</p>	<p><b>Site Section</b>          2016-02-01          Scale: 20" = 1"</p>	<p><b>Sheet Number</b>          A2.10</p>
	<p>Copyright reserved. All rights reserved. No part of this drawing may be reproduced or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the architect.</p>				



m + m a  MISSION GROUP HOME CARE

U  
line # A

U3A Rental Building

site & surrounding context

dec. 8, 2015

S1

**SCHEDULE** B  
 This forms part of development  
 Permit # DP15-0316

SCHEDULE B  
This forms part of development  
Permit # DP15-0316



1

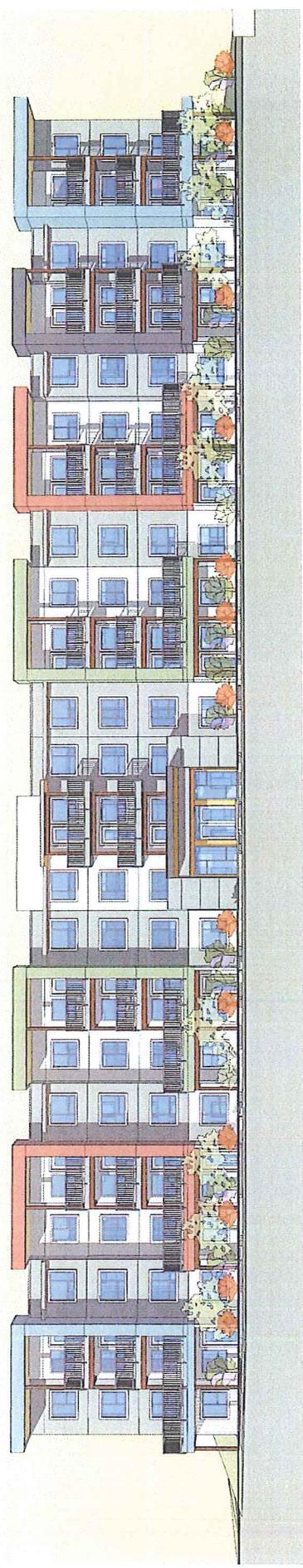
dec. 8, 2015

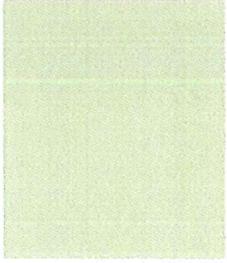
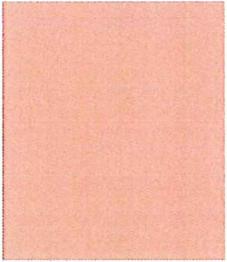
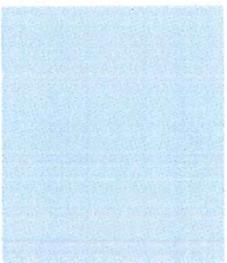
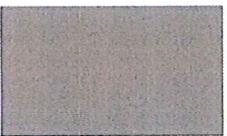
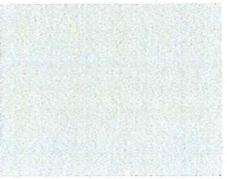
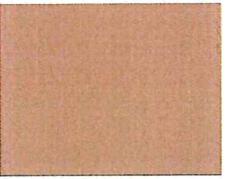
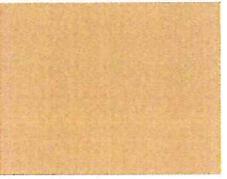
front facing parking

U3A Rental Building



**SCHEDULE B**  
 This forms part of development  
 Permit # DP15-0316



-  green stucco accent
-  red stucco accent
-  blue stucco accent
-  dark grey stucco
-  light grey stucco
-  post & beam
-  stucco soffit

U3A



MISSION GROUP  
 COMPANY



U3a Condo Building

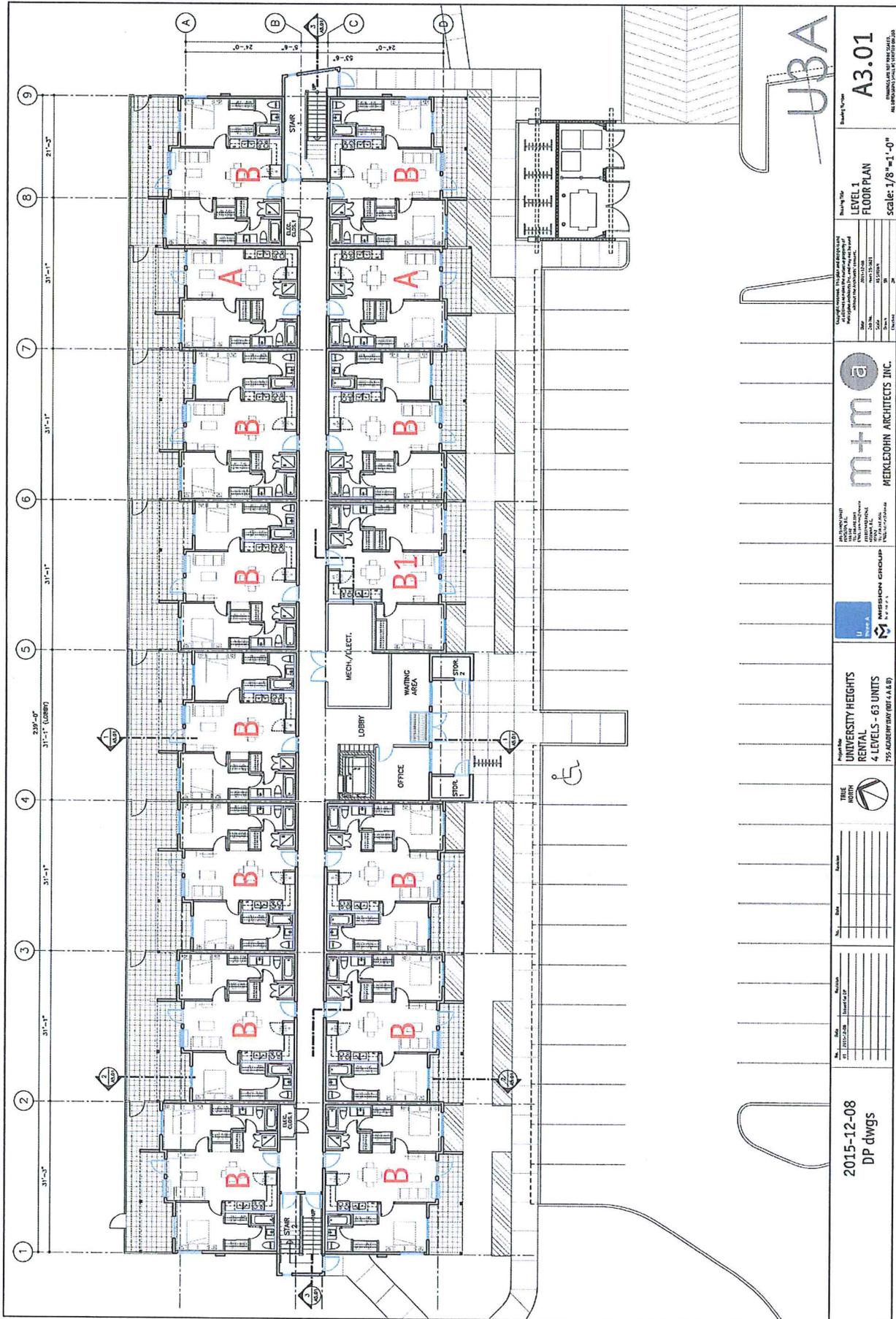
material board

dec. 8, 2015

4







2015-12-08  
DP dwgs

UNIVERSITY HEIGHTS  
RENTAL  
4 LEVELS - 63 UNITS  
755 ADVERTINTY (B1, A & D)

MISSION GROUP  
by m+a

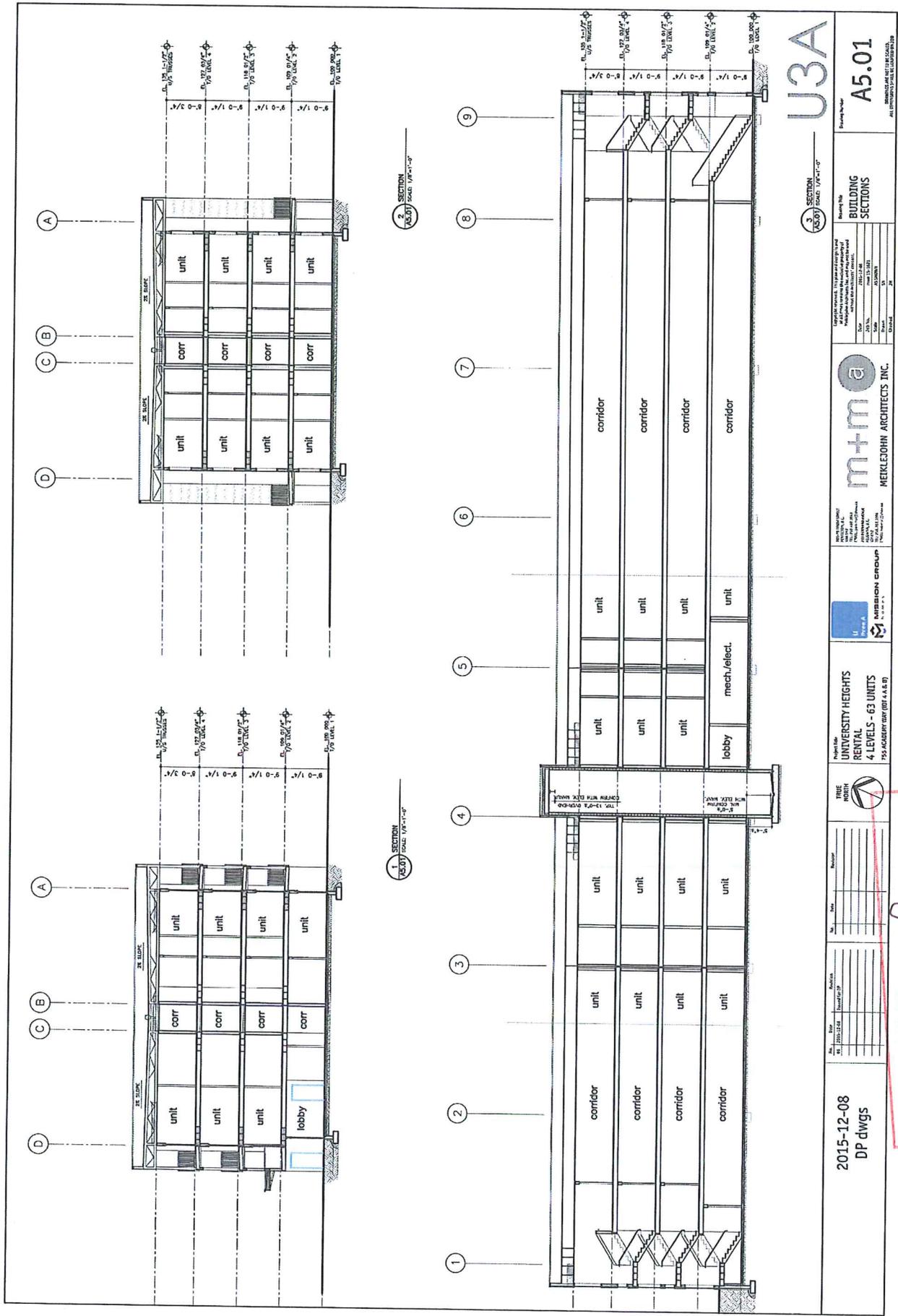
m+a  
METKLEJOHN ARCHITECTS INC.

LEVEL 1  
FLOOR PLAN  
Scale: 1/8"=1'-0"

A3.01

**SCHEDULE A**  
This forms part of development  
Permit # DP15-0316





2015-12-08  
DP dwgs

UNIVERSITY HEIGHTS  
RENTAL  
4 LEVELS - 63 UNITS  
175-ADEPENT BLVD (BET A & B)



**m+m**  
HEIKLEJOHN ARCHITECTS INC.

Building Name  
**UNIVERSITY HEIGHTS**  
Building Sections

Sheet Number  
**A5.01**

**U3A**

**SCHEDULE B**  
This forms part of development  
Permit # **DP15-0316**



**OUTLAND DESIGN  
LANDSCAPE ARCHITECTURE**

506 - 115 5th St. S.  
Suite 100  
Tulsa, OK 74106  
Tel: 918.492.7270  
www.outlanddesign.com



PROJECT TITLE

**UNIVERSITY HEIGHTS  
APARTMENTS - U3a**

LOCATION

UNIVERSITY HEIGHTS, OK

DATE

10/15/15

CONCEPTUAL  
LANDSCAPE PLAN

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	10/15/15
2	REVISED	
3	REVISED	
4	REVISED	
5	REVISED	

DESIGNED BY	DAVID W. HARRIS
CHECKED BY	DAVID W. HARRIS
DATE	10/15/15
SCALE	AS SHOWN

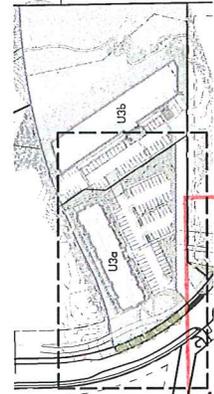
SCALE



DATE

**L1/2**

ISSUED FOR REVIEW ONLY  
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KEY MAP - 1:1,500

**NOTES**

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED I.C.I.N.A. STANDARDS.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TYPED UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 50mm WOOD MULCH. DO NOT PLACE TREES WITH UNDERGIRTH TREE AND SHRUB BEDS.
4. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 50mm DEEP-HORROR MULCH.

**SCHEDULE**

This forms part of development

Permit # **DP15-0316**

**PLANT LIST - U3a**

BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS
TREES			
PATANUS 3 AERIFOLIA	SPRING SLURRY (SUN) ASHERRY	70	60cm CAL
POPULUS TREMICOLOR	RED SUNSET RED MAPLE	7	60cm CAL
POPULUS TREMICOLOR	TRUMBULL PASTEL	84	45cm CAL
SHRUBS			
MOONSHAW YARBOW	MOONSHAW YARBOW	50	401 CONT / 0.75M O.C. SPACING
EARLY WHITE ASTILBE	EARLY WHITE ASTILBE	50	401 CONT / 0.75M O.C. SPACING
MAGNUS CORNERFLOWER	MAGNUS CORNERFLOWER	50	401 CONT / 0.75M O.C. SPACING
SMOOTH SUMAC	SMOOTH SUMAC	20	401 CONT / 1.5M O.C. SPACING
COLLETTIA CORNETOWER	COLLETTIA CORNETOWER	50	401 CONT / 0.75M O.C. SPACING
BLAZE LITTLE BLUESTEM	BLAZE LITTLE BLUESTEM	62	401 CONT / 1.5M O.C. SPACING