City of Kelowna Regular Council Meeting AGENDA



Tuesday, January 15, 2019 6:00 pm Council Chamber City Hall, 1435 Water Street

Pages

1. Call to Order

2. Reaffirmation of Oath of Office

The Oath of Office will be read by Councillor Given.

3. Confirmation of Minutes

Public Hearing - December 4, 2018 Regular Meeting - December 4, 2018

4. Bylaws Considered at Public Hearing

4.1 Darin Pl 4627, BL11702 (Z18-0090) - Calvin Meldrum & Barbara Laupitz

1-1

2 - 2

To give Bylaw No. 11702 second and third readings in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone.

4.2 Abbott St 2783A, 2783B & 2787, BL11703 (Z18-0038) - AJ Wiens Development Group Ltd., Inc. No. BC0798391

ect

To give Bylaw No. 11703 second and third readings in order to rezone the subject properties from the RU6 - Two Dwelling Housing zone to the RM3 - Low Density Multiple Housing zone.

4.3 Sarsons Rd 439, BL11705 (Z18-0076) - Rock Shore Developments Ltd., Inc. No. BC1114860

3 - 3

To give Bylaw No. 11705 second and third readings and be adopted in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone.

4-4	Molnar Rd 435, BL11707 (Z18-0096) - Craig J. and Natasha B. Guidi	4 - 4
	To give Bylaw No. 11707 second and third readings in order to rezone the subject property from RU1 – Large Lot Housing zone to RU1c – Large Lot Housing with Carriage House zone to facilitate the development of a carriage house.	
4.5	Eagle Dr 925, Z18-0052 (BL11709) - Gary Johnson and Edi Cote	5 - 5
	To give Bylaw No 11709 second and third readings and adopt in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone.	
4.6	Fuller Ave 555, OCP18-0013 (BL11713) - City of Kelowna	6 - 6
	Requires a majority of all members of Council (5). To give Bylaw No. 11713 second and third readings in order to change the future land use designation of the subject property.	
4.7	Fuller Ave 555, Z18-0062 (BL11714) - City of Kelowna	7-7
	To give Bylaw No. 11714 second and third readings in order to rezone the subject property from the RM5 – Medium Density Multiple Housing zone to the C7 – Central Business Commercial zone.	
4.8	Knox Cr. 1969, Z18-0098 (BL11716) - Charles and Lesley Roberts	8 - 8
	To give Bylaw No. 11716 second and third readings in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone.	
4.9	Richter St 2125 and 2137, Z18-0081 (BL11717) - 1140648 B.C. LTD., Inc. No. 1140648	9-9
	To give Bylaw No. 11717 second and third readings in order to rezone the two subject properties from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone.	
4.10	Gore Street 2627and 2643, Z18-0106 (BL11721) - Teano Holdings Ltd BC1090038	10 - 10
	To give Bylaw No. 11721 second and third readings in order to rezone the subject property from RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone .	
4.11	Old Vernon Rd 252, Z18-0034 (BL11722) -0959036 BC Ltd Inc. No. BC0959036	11 - 11
	To give Bylaw No. 11722 second and third readings in order to o rezone the subject property from the A1 – Agriculture 1 and A1c – Agriculture 1 with Carriage House zones to the I2 – General Industrial zone.	

4.12	Rutland Rd N 1354, Z18-0097 (BL11723) - Parminder Singh Kindhra and Sheetu
	Kindhra

12 - 12

To give Bylaw No. 11723 second and third readings in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RM3 - Low Density Multiple Housing zone.

4.13 Coopland Cr 786, Z18-0068 (BL11724) - Miles and Lisa Lang

13 - 13

To give Bylaw No. 11724 second and third readings in order to rezone the subject property from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling Housing zone.

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 Hwy 33 E 365, DP18-0123 DVP18-0124 - Harveer Singh Nijjar

14 - 42

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 proposed four-unit multiple dwelling housing development with variances to the west side yard setback and rear yard setback.

6.2 Academy Way 625, DP18-0188 DVP18-0189 - Watermark Developments Ltd, Inc No BC0642787

43 - 76

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 four storey apartment building on Academy Way known as "U eight" and to consider a Development Variance Permit to vary the maximum height of a retaining wall from 1.2 m (permitted) to 2.5 m (proposed), the required number of parking stalls from 132 (required) to 119 (proposed), and the maximum height from 3 storeys (permitted) to 4 storeys (proposed).

7. Reminders

8. Termination

BYLAW NO. 11702 Z18-0090 - 4627 Darin Place

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

- 1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 12 District Lot 357 ODYD Plan KAP57058, located on Darin Place, Kelowna, BC from the RU1 Large Lot Housing zone to the RU1C Large Lot Housing with Carriage House zone.

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 26 th day of November, 2018.	
Considered at a Public Hearing on the	
Read a second and third time by the Municipal Council this	
Adopted by the Municipal Council of the City of Kelowna this	
Mayor	
City Clerk	

BYLAW NO. 11703 Z18-0038 - 2783A, 2783B & 2787 Abbott Street

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

- 1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lots A, B and C District Lot 14 ODYD Plan 15324, located on Abbott Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone.

of adoption.	
Read a first time by the Municipal Council this 26 th day of November, 2018.	
Considered at a Public Hearing on the	
Read a second and third time by the Municipal Council this	
Adopted by the Municipal Council of the City of Kelowna this	
Mayor	
City Clerk	

BYLAW NO. 11705 Z18-0076 – 439 Sarsons Road

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

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

 THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 9 District Lot 167 ODYD Plan 8049, located on Sarsons Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone.

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 26 th day of November, 2018.
Considered at a Public Hearing on the
Read a second and third time by the Municipal Council this
Adopted by the Municipal Council of the City of Kelowna this
Mayor
City Clerk

BYLAW NO. 11707 Z18-0096 – 435 Molnar Road

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

- 1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 13, Section 23, Township 26, Osoyoos Division, Yale District, Plan 24651, located on Molnar Road, Kelowna, BC 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.

от адорион.
Read a first time by the Municipal Council this 26 th day of November, 2018.
Considered at a Public Hearing on this
Read a second and third time by the Municipal Council this
Approved under the Transportation Act this
Approving Officer – Ministry of Transportation)
Adopted by the Municipal Council of the City of Kelowna this
Mayor
City Clerk

BYLAW NO. 11709 Z18-0052 — 925 Eagle Drive

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 Section 29 Township 26 ODYD Plan 18073, located on Eagle Drive, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.

 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 3 rd day of December, 2018.
Considered at a Public Hearing on the
Read a second and third time by the Municipal Council this
Adopted by the Municipal Council of the City of Kelowna this
Mayor
City Clerk

BYLAW NO. 11713

Official Community Plan Amendment No. OCP18-0013 555 Fuller Avenue

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

- 1. THAT Map 4.1 **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of Lot 1 District Lot 139 ODYD Plan EPP78052, located on Fuller Avenue, Kelowna, BC from the MRM Multiple Unit Residential (Medium Density) designation to the MXR Mixed Use (Residential / Commercial) designation.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Mayor
City Clerk

BYLAW NO. 11714 Z18-0062 – 555 Fuller Avenue

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

- 1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1 District Lot 139 ODYD Plan EPP78052, located on Fuller Avenue, Kelowna, BC from the RM5 Medium Density Multiple Housing zone to the C7 Central Business 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.

of adoption.	
Read a first time by the Municipal Council this 3 rd day of De	ecember, 2018.
Considered at a Public Hearing on this	
Read a second and third time by the Municipal Council this	3
Approved under the Transportation Act this	
(Approving Officer – Ministry of Transportation)	
Adopted by the Municipal Council of the City of Kelowna t	his
<u> </u>	Mayor
-	City Clerk

BYLAW NO. 11716 Z18-0098 –1969 Knox Crescent

A byla	w to amend the "City of Kelowna Zoning Bylaw No. 8000".
The M	unicipal 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 6, District Lot 14, ODYD, Plan 2767, located on Knox Crescent, Kelowna, BC 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 3 rd day of December, 2018.
Consid	lered at a Public Hearing on
Read a	second and third time by the Municipal Council this
Appro	ved under the Transportation Act this
(Appro	oving Officer – Ministry of Transportation)
Adopt	ed by the Municipal Council of the City of Kelowna this
	Mayor

City Clerk

BYLAW NO. 11717 Z18-0081 – 2125 & 2137 Richter Street

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

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:
1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lots 2 & 3 Section 19 Township 26 ODYD Plan 700 located on Richter Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone.
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 3 rd day of December, 2018.
Considered at a Public Hearing on
Read a second and third time by the Municipal Council this
Adopted by the Municipal Council of the City of Kelowna this
Mayor
City Clerk

BYLAW NO. 11721 Z18-0106 – 2627 & 2643 Gore Street

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

- 1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 7, District Lot 14, ODYD, Plan KAP7927, located on Gore Street, Kelowna, BC and Lot 8, District Lot 14, ODYD, Plan 7927, located on Gore Street, Kelowna, BC from the RU6 Two Dwelling Housing zone to the RM5 Medium Density Multiple Housing zone.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

of adoption.	
Read a first time by the Municipal Council this 10 th day of	December, 2018.
Considered at a Public Hearing on this	
Read a second and third time by the Municipal Council th	nis
Adopted by the Municipal Council of the City of Kelowna	this
-	Mayor
<u>-</u>	City Clerk

BYLAW NO. 11722 Z18-0034 – 252 Old Vernon Road

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

- 1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of a Lot A, District Lot 2, ODYD, Plan EPP75507, located on Old Vernon Road, Kelowna, BC from the A1 Agriculture 1 and A1c Agriculture 1 with Carriage House zone to the I2 General Industrial zone.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

or adoption.	
Read a first time by the Municipal Council this 10 th day of I	December, 2018.
Considered at a Public Hearing on this	
Read a second and third time by the Municipal Council thi	S
Approved under the Transportation Act this	
(Approving Officer – Ministry of Transportation)	
Adopted by the Municipal Council of the City of Kelowna	this
_	Mayor
	City Clerk

BYLAW NO. 11723 Z18-0097 - 1354 Rutland Road North

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

- 1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1 Section 35 Township 26 Osoyoos Division Yale District Plan 14663, located on Rutland Road North, Kelowna, BC from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing zone.
- 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 10 th day of December, 2018.	
Considered at a Public Hearing on this	
Read a second and third time by the Municipal Council this	
Adopted by the Municipal Council of the City of Kelowna this	
Mayor	
City Clerk	

BYLAW NO. 11724 Z₁8-0068 – 786 Coopland Crescent

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

- 1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 29 District Lot 135 ODYD Plan 22856, located on Coopland Crescent, Kelowna, BC from the RU6 Two Dwelling Housing zone to the RM1 Four Dwelling Housing zone.
- This bylaw shall some into full force and effect and is hinding on all persons as and from the date

	_
Mayor	•
Adopted by the Municipal Council of the City of Kelowna this	
Read a second and third time by the Municipal Council this	
Considered at a Public Hearing on this	
Read a first time by the Municipal Council this 10 th day of December, 2018.	
of adoption.	!

REPORT TO COUNCIL



Date: January 15, 2019

RIM No. 0940-00

To: City Manager

From: Community Planning Department (KB)

Application: DP18-0123 & DVP18-0124 Owner: Harveer Singh Nijjar

Address: 365 Highway 33 East Applicant: Saath Development Corp

Subject: Development Permit and Development Variance Permit

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

Existing Zone: RM3 – Low Density Multiple Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP18-0123 and Development Variance Permit No. DVP18-0124 for Lot C Section 23 Township 26 Osoyoos Division Yale District Plan 5012, located at 365 Highway 33 East, 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 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:

Section 13.9.6(e): RM3 – Low Density Multiple Housing Development Regulations
To vary the required minimum side yard from 4.0 m permitted to 1.2 m proposed.

Section 13.9.6(f): RM3 – Low Density Multiple Housing Development Regulations
To vary the required minimum rear yard from a public lane from 3.0 m permitted to 1.45 m proposed.

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

AND FURTHER THAT this Development 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 proposed four-unit multiple dwelling housing development with variances to the west side yard setback and rear yard setback.

3.0 Community Planning

Community Planning Staff are recommending support for the Development Permit and Development Variance Permit due to the proposals consistency with the Official Community Plan's (OCP) Design Guidelines. The subject property has a long history of inquiries with the Planning Department and has been a challenging site to develop, due to road dedication requirements along both Hwy 33 East and Mallach Road, which would be required to be completed at the time of building permit. Community Planning Staff recognize the challenges these objectives have placed on the property for development according to the RM3 – Low Density Multiple Housing Zone.

The applicant is seeking variances to for the west side yard setback and the rear yard setback. Staff recommends support for the variances as the building achieves many of the OCP's revitalization design guidelines and the application provides a creative solution to achieving density on a smaller lot.

The proposal includes four parking stalls on-site, provided in single car garages accessed directly off the laneway and cash-in-lieu provision for 2 parking stalls in accordance with the Rutland Urban Centre Cash-in-Lieu Program (6 stalls required, 4 provided).

4.0 Proposal

4.1 Background

There is currently a single family dwelling on the subject property that is proposed to be demolished for this development to occur. The property is zoned RM₃ – Low Density Multiple Housing.

4.2 <u>Project Description</u>

The proposed development is for a four-unit multiple dwelling housing project, in two separate buildings. Each unit has two bedrooms. Two units are located in partially sunken building fronting on Highway 33 East, and the remaining two units (and garages) are farther south on the property. The exterior finishes of the development are proposed to consist largely of brick veneer and white stucco, with cedar coloured entry and garage doors.

All vehicular access for the development would come from the lane that fronts this development on the south property line. Four required parking stalls are provided in single car garages, with access off the lane. An additional two parking stalls are being requested as cash in lieu, as the subject property is located within the Rutland Urban Centre.

Image 1 – Rendering of the proposed development from the corner of Highway 33 East and Mallach Road (looking at the east elevations)



4.3 Site Context

The subject property is located at the corner of Highway 33 East and Mallach Road in the City's Rutland Sector. It is located within the Permanent Growth Boundary. The walk score is 72, indicating the site is very walkable and most errands can be accomplished on foot. The transit score is 40, with a few nearby public transit options. It is in close proximity to South Rutland Elementary School.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Residential
East	RU6 – Two Dwelling Housing	Residential
South	RM ₃ – Low Density Multiple Housing	Residential
West	RM ₃ – Low Density Multiple Housing	Residential

Subject Property Map: 365 Highway 33 East



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM ₃ ZONE REQUIREMENTS	PROPOSAL
	Development Regulations	
Maximum Site Coverage	50 %	38 %
Maximum Site Coverage (Buildings, Driveways and Parking Areas)	60 %	52 %
Floor Area Ratio	0.9	0.9
Height	10 m / 3 storeys	9.96 m / 3 storeys
Front Yard (north)	4.5 m	9.5 m
Flanking Side Yard (flanking - east)	1.5 M	4.0 m
Side Yard (west)	4.0 m	1.2 m0
Rear Yard (south)	3.0 m	1.4 m 2
Other Regulations		
Minimum Parking Requirements	6 stalls	4 stalls 3
Private Open Space	m²	m²

² Indicates a requested variance to the minimum rear yard setback

³ Indicates a request for cash in lieu parking

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5 - Development Process

Objective 5.3 Focus development to designated growth areas

Policy .2 Compact Urban Form. 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.

Objective 5.22 Ensure context sensitive housing development

Policy .6 Sensitive Infill. 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.

Policy .7 Healthy Communities. Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

Policy .13 Family Housing. Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, workshop space, larger units, safe design, and neighbourhood characteristics (e.g.: location and amenities).

Objective 5.23 Address the needs of families with children through the provision of appropriate family-oriented housing

Policy .1 Ground-Oriented Housing. Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets. High density residential projects in the Downtown area are encouraged to include a ground-oriented housing component, especially where such can be provided on non-arterial and non-collector streets.

6.0 Technical Comments

6.1 <u>Development Engineering Department</u>

See Attachment A – City of Kelowna Memorandum

7.0 Application Chronology

Date of Application Received: March 9, 2018

Date Public Consultation Completed: September 28, 2018

Report prepared by: Kimberly Brunet, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Draft Development Permit/Development Variance Permit No. DP18-0123/DVP18-0124

Revitalization Development Permit Guidelines Checklist

Schedule A – Site Plan

Schedule B - Elevations, Floor Plans and Colour Boards

Schedule C – Landscape and Hydrozone Plan

Attachment A – City of Kelowna Memorandum

Attachment B – Applicant's Design and Parking Rationale

Development Permit & Development Variance Permit DP18-0123 & DVP18-0124



This permit relates to land in the City of Kelowna municipally known as

365 Highway 33 East

and legally known as

Lot C Section 23 Township 26 Osoyoos Division Yale District Plan 5012

and permits the land to be used for the following development:

Multiple Dwelling Housing

with variances to the following sections of Zoning Bylaw No. 8000:

Section 13.9.6(e): RM3 - Low Density Multiple Housing Development Regulations

To vary the required minimum side yard from 4.0 m permitted to 1.2 m proposed.

Section 13.9.6(f): RM3 - Low Density Multiple Housing Development Regulations

To vary the required minimum rear yard from a public lane from 3.0 m permitted to 1.45 m proposed.

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

<u>Date of Council Decision</u> January 15, 2019

Decision By: Council

Community Planning & Strategic Investments

<u>Development Permit Area:</u> Revitilization Development Permit Area

This permit will not be valid if development has not commenced by January 15, 2021.

Existing Zone: RM₃ – Low Density Multiple Housing FLU Designation: MRM – Multiple Unit Residential (Medium Density)

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner:	Harveer Singh Nijjar		
Applicant:	Saath Development Corp		
Byan Smith		 Date	
Ryan Smith		Date	
Community P	lanning Department Manager		

SCOPE OF APPROVAL

This Development 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 Development 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 Development 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.

2. CONDITIONS OF APPROVAL

- 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"; and
- 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.

This Development Permit is valid for two (2) years from the date of Council 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 Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer 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 enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property own of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

a) An Irrevocable Letter of Credit or certified cheque in the amount of \$25,662.50

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. PARKING CASH-IN-LIEU BYLAW

Parking Cash-in-Lieu in the amount of \$15,000 required for 2 stalls as part of the proposed development within the Rutland Urban Town Centre

5. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees 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 said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, 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.

The PERMIT HOLDER is the <u>CURRENT LAND OWNER</u>. Security shall <u>ONLY</u> be returned to the signatory of the Landscape Agreement or their designates.

<u>Revitalization Development Permit Area</u>

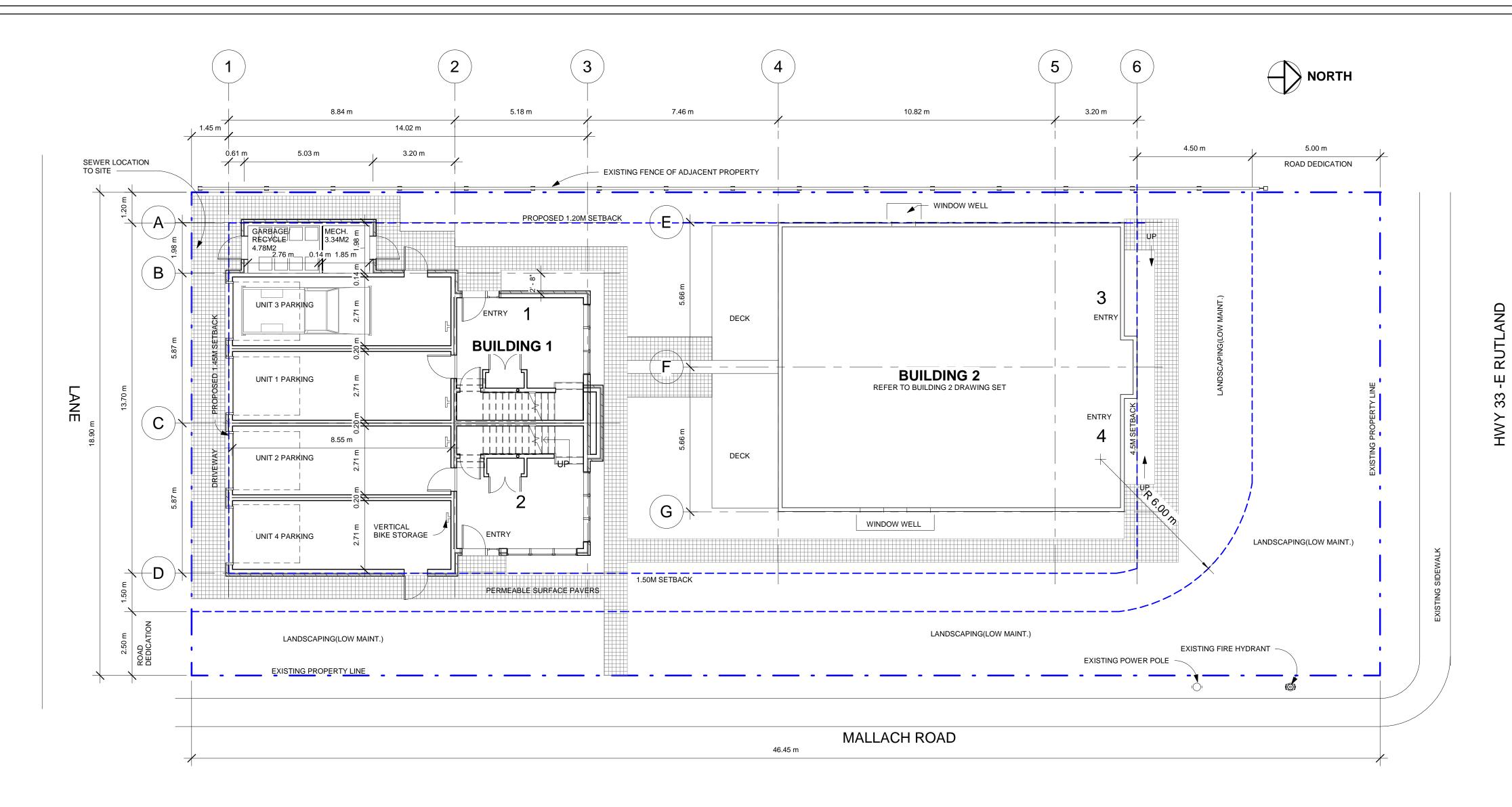
Consideration has been given to the following guidelines as identified in Section 14.B. of the City of Kelowna Official Community Plan relating to Revitalization Development Permit Areas:

REVITALIZATION DEVELOPMENT PERMIT AREA	YES	NO	N/A
Relationship to the Neighbourhood and Street			
Does the proposal maintain the established or envisioned architectural character of the neighbourhood?		✓	
Do developments adjacent to non-revitalization areas create an appropriate transition?	✓		
Are spaces for pedestrian friendly amenities, such as street furniture, included on site?		✓	
Is the ratio of streetwall height to street width less than 0.75:1?	✓		
Does the building frontage occupy the entire length of the street, without drive aisles or other dead zones?		✓	
Building Design			
Are architectural elements aligned from one building to the next?	✓		
Are the effects of shadowing on public areas mitigated?			√
Are doors or windows incorporated into at least 75% of street frontage?		\checkmark	
Do proposed buildings have an identifiable base, middle and top?	✓		
Are windows, entrances, balconies and other building elements oriented towards	√		
surrounding points of interest and activity?			
Are architectural elements such as atriums, grand entries and large ground-level windows used to reveal active interior spaces?			✓
Are buildings designed with individual entrances leading to streets and pathways			
rather than with mall style entrances and internal connections?	\checkmark		
For multiple unit residential projects, is ground level access for first storey units provided?	✓		
Are buildings finished with materials that are natural, local, durable and	√		
appropriate to the character of the development?			
Are prohibited materials such as vinyl siding, reflective or non-vision glass, plastic, unpainted or unstained wood, and concrete block not used in the design?	✓		
Are stucco and stucco-like finishes omitted as a principal exterior wall material?		\checkmark	
Are vents, mechanical rooms/equipment and elevator penthouses integrated with the roof or screened with finishes compatible with the building's design?	✓		
View Corridors			1
Are existing views preserved and enhanced?	✓		
Vehicular Access and Parking			
Are at-grade and above-grade parking levels concealed with façade treatments?			✓
Are garage doors integrated into the overall building design?	✓		

REVITALIZATION DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are pedestrian entrances more prominent features than garage doors and vehicle entrances?	✓		
Is surface parking located to the rear of the building or interior of the block?	✓		
Are truck loading zones and waste storage areas screened from public view?			✓
Do parking lots have one shade tree per four parking stalls?			✓
Are pedestrian connections provided within and between parking lots?			√
Are driving, parking, pedestrian and cycling areas distinguished through changes in colour or pattern of paving materials? Signage			✓
Is signage design consistent with the appearance and scale of the building?			✓
Are corporate logos on signs complimentary to the overall building character?			✓
Is signage lighting minimized?			✓
Public Art			
Is public art incorporated into the project?			✓
Tower Design (Building Greater than Six Stories)			1
Do towers enhance views to and through the skyline?			√
Are tower forms and the upper portions of buildings at once cohesive yet distinct from the overall design?			✓
Does the building design emphasize height rather than width?			✓
Does building design take into account micro-climates, shading and wind tunneling effects?			✓
Are new developments integrated into the established urban pattern through siting and building design?			✓
Are large flat expanses of roof enhanced with texture, colour or landscaping where they are visible from above or adjacent properties?			✓
Do elements such as gazebos, trellises, and pergolas provide visual interest and enhance usability of rooftop spaces?			✓
Are balconies recessed a minimum depth of 1 m within the adjoining building face?			✓
Are podiums designed to provide an animated pedestrian environment?			✓
Downtown Considerations			
Does the proposal maintain and extend the traditional block pattern?			√
Is the street façade articulated in a vertical rhythm that is consistent with the traditional street pattern?			✓
Are windows set back from the building face and do they include headers and sills?			√

REVITALIZATION DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are windows at street level kept low for displays of retail goods and for high visibility into interior spaces?			✓
Is the height of upper floor windows at least 1.5 times their width?			✓
Are building materials and colours consistent with other prominent Downtown buildings, preferably brick or cut stone?			✓
Is signage appropriate to the neighborhood and not internally lit or neon?			√





SECTION 6.4 PROJECTIONS INTO SIDE YARDS MAX PROJECTION 0.6M PROPERTY ADDRESS: 365 HWY 33 -E RUTLAND BC **BC BUILDING CODE:** LEGAL ADDRESS: KID 326886, PLAN 5012, LOT C <u>DIV B PART 9 - TABLE 9.10.14.4</u>.A LOT SIZE: 0.21 ACRES (849.83 M2) OPEN TREAD STAIR AND LANDING FOR UNITS 5& 6 = 0.6M INTO SIDE YARD LIMITING DISTANCE-MAX FACE OVER 100M2, 6.0M APART = MAX ALLOWABLE PROPOSED DEVELOPMENT: 4 UNITS TOTAL **SECTION 8: PARKING AND LOADING** OPENINGS = 19% FOR EACH BUILDING FACE UNITS 1,2,3,4 = 3 STOREY 2 BED + NOOK, 2.5 BATH WITH ROOF TOP PATIO, PARKING STALL SIZE = 6.0M X 2.5M, BESIDE A COLUMN OR WALL 2.70M BUILDING 2 - UNFINISHED BASEMENT BLDG 1 BLDG 2 TABLE 8.1 PARKING SCHEDULE (DISTANCE BETWEEN BLDGS 7.54M) ZONING BYLAW No. 8000 APARTMENT PARKING: WALL FACE = 124.30M2 WALL FACE = 125.14M2 ZONING: SECTION 13.9 - RM3 LOW DENSITY MULTIPLE HOUSING 1.5 SPACES PER 2 BEDROOM - 1.5 x 4 UNITS=6 OPENINGS = 22.11M2(SITE LOCATED WITHIN THE URBAN CENTRE) OPENINGS = 20.06M2TOTAL REQUIRED SPACES = 6 = 16% = 18% PROVIDED 4 STALLS, WITH CASH IN LEU FOR THE REMAINING 2 STALLS SECTION 13.9.6 - DEVELOPMENT REGULATIONS MAX FLOOR AREA RATIO IS 0.75 + 0.05 FOR SCREENED PARKING STREET PARKING ALONG MALLACH RD 3.2.2.52 - GROUP C, UP TO 3 STOREYS FACING TWO STREETS - MAX BUILDING AREA 750M2 + 0.1 FOR SITE LOCATED WITHIN THE URBAN CENTRE TABLE 8.3 BICYCLE PARKING
CLASS 1 - FOR RESIDENTS 0.5 PER DWELLING = 0.90 MAX FLOOR AREA RATIO NOT SPRINKLERED, COMBUSTABLE OR NON CUMBUSTABLE BLDG 1 = 0.5 X 4 = 2 STALLS REQUIRED GROUND LEVEL - 211SF GROUND LEVEL - 1430 SF MAIN LEVEL - 1418 SF MAIN LEVEL - 1388 SF PROVIDED 1 PER UNIT, VERTICAL RACK INSIDE GARAGE PROPOSED BUILDING FOOTPRINT FOR BOTH BUILDINGS = 323.56 M2 UPPER LEVEL - 1218 SF UPPER LEVEL - 1418 SF TOTAL BIKE PARKING PROVIDED = 4 STALLS ROOF TOP PATIO - 610 SF ROOF TOP PATIO - 586 SF SECTION 13.9.7
OPEN SPACE REQUIRED PER UNIT -3.3.4.2 (1) FIRE SEPARATION FIRE SEPARATION BETWEEN RESIDENTIAL UNITS **1 HR** *NOT INCLUDING PARKING,STAIRWELLS, AND MECH RMS PROPOSED = 8279 SF (769.14M2) / 849.83M2 = 0.90 25M2 PER 2 OR MORE BEDROOMS SITE COVERAGE
MAX BUILDING SITE COVERAGE: 40%, W/ PRIVATE OPEN SPACE PER **TOTAL REQUIRED OPEN SPACE= 100 M2** UNIT MAX ALLOWED 50% **PROVIDED**: 2 BEDROOM UNITS - ROOF TOP PATIO **BUILDING FOOTPRINT:** 610SF X 2 PLUS 586SF X 2= 2392 SF **222 M2** BLDG 1 = 166.10M2BLDG 2 = 157.46M2TOTAL PROVIDED USABLE OPEN SPACE = 222 M2 323.56M2 / 849.83M2 = 38% GROUND LEVEL LANDSCAPEING AREA = 420.30 M2 MAX SITE COVERAGE FOR DRIVEWAYS AND PARKING = 10%, MAY BE INCREASED TO 15% WITH PERMEBLE SURFACES SECTION 7: LANDSCAPING AND SCREENING PERMEABLE SIDEWALKS =111 M2 111 M2 / 849.83M2= 13% 7.3 REFUSE AND RECYCLE BINS (NOTED ON THE DEVELOPEMENT PERMIT CHECK LIST - 5 OR MORE RESIDENTIAL UNITS TOTAL COMBINED SITE COVERAGE (50% + 15%= 65% ALLOWABLE) = PROVIDED 52% REQUIRES A COMMERCIAL BIN) PROVIDED - SECURED GARBAGE ROOM WITH 4 STANDARD RESIDENTIAL MAX HEIGHT: LESSER OF 10M OR 3 STOREYS GARBAGE AND RECYCLE BINS, PROPOSED BUILDING HEIGHT = TOP TO ROOF DECK 9.96M ONE EACH PER UNIT. PLUS 2.65M ADDITIONAL HEIGHT TO TOP OF ENCLOSED STAIR ACCESS ROOF (STAIR ACCESS HEIGHT NOT INCLUDED IN CALC. PER SECTION 6.6, SENTANCE 6.6.1) ROAD DEDICATIONS: HWY 33 - 5M, MALLACH RD - 2.5M, WITH 6M RADIUS CORNER ROUNDING SETBACKS: FRONT: REQUIRED 4.5M (HWY 33), PROVIDED 4.5M SIDE FROM LANE: REQUIRED 3.0M, PROVIDED 1.45M -VARIANCE REQUIRED SIDE YARD: REQUIRED 1.5M (MALLACH RD) -URBAN CENTER, PROVIDED 1.5M SIDE YARD: REQUIRED 4.5M , PROPOSED 1.20M - VARIANCE REQUIRED



Saath Development Corp.

#205 -2901 32nd Street Vernon, BC www.saath.ca

9. REV. DP SET 04/12/18

DESCRIPTION I. Prelim. sketch review 21/11/17 2. revised plan 22/12/17 3. Design Review 02/03/18 4. Rev. site plan - parking 09/04/185. REVISED DP SET 07/05/18 6. REV. DP SET 31/05/18 7. REV DP SET 26/10/18 8. Rev. DP set 02/11/18

REVISIONS

DATE

GENERAL NOTES 1. ALL PLANS AND DIMENSIONS MUST BE REVIEWED BY CONTRACTOR BEFORE CONSTRUCTION AND MUST VARIFY ANY DISCREPANCIES BETWEEN THE DRAWING AND THE EXISTING CONDITIONS PRIOR TO WORK BEING

2. CONTRACTOR MUST COMPLY WITH ALL CURRENT BULDING CODES, BYLAWS AND REGULATIONS.

3. THESE PLANS ARE FOR A SINGLE PROJECT AND THE COPYRIGHT BELONGS TO SAATH DEVELOPMENT CORP. THE DESIGN MUST NOT BE COPIED AND THESE DRAWINGS MUST NOT BE DUPLICATED BY ANY PERSONS.

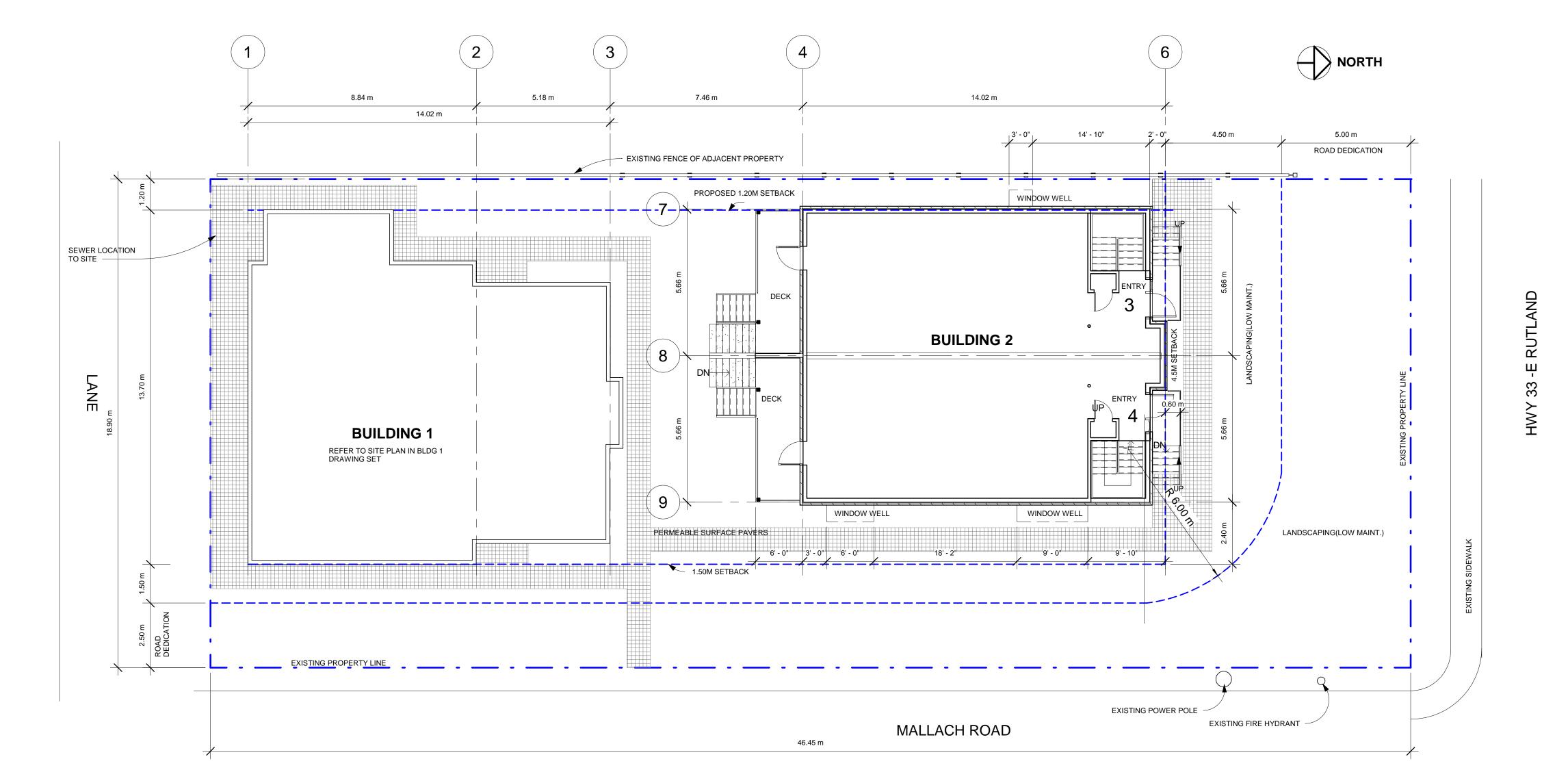
evelopment Kelowna BC Δш mily 33 --Fal

Multi-

Site plan

DATE DEC 4 2018 **DRAWN BY** PROJECT No. 1704 SCALE 1:100







Saath Development Corp.

#205 -2901 32nd Street Vernon, BC www.saath.ca

TKE VIOLOTTO	
DESCRIPTION	DATE
elim. sketch review 21/11/17 rised plan 22/12/17 sign Review 02/03/18	

1. Prelim. sketch review 21/11/17
2. revised plan 22/12/17
3. Design Review 02/03/18
4. Rev. site plan - parking 09/04/18
5. REVISED DP SET 07/05/18
6. REV. DP SET 02/11/18
7. REV. DP SET 04/12/18

GENERAL NOTES 1. ALL PLANS AND DIMENSIONS MUST
BE REVIEWED BY CONTRACTOR
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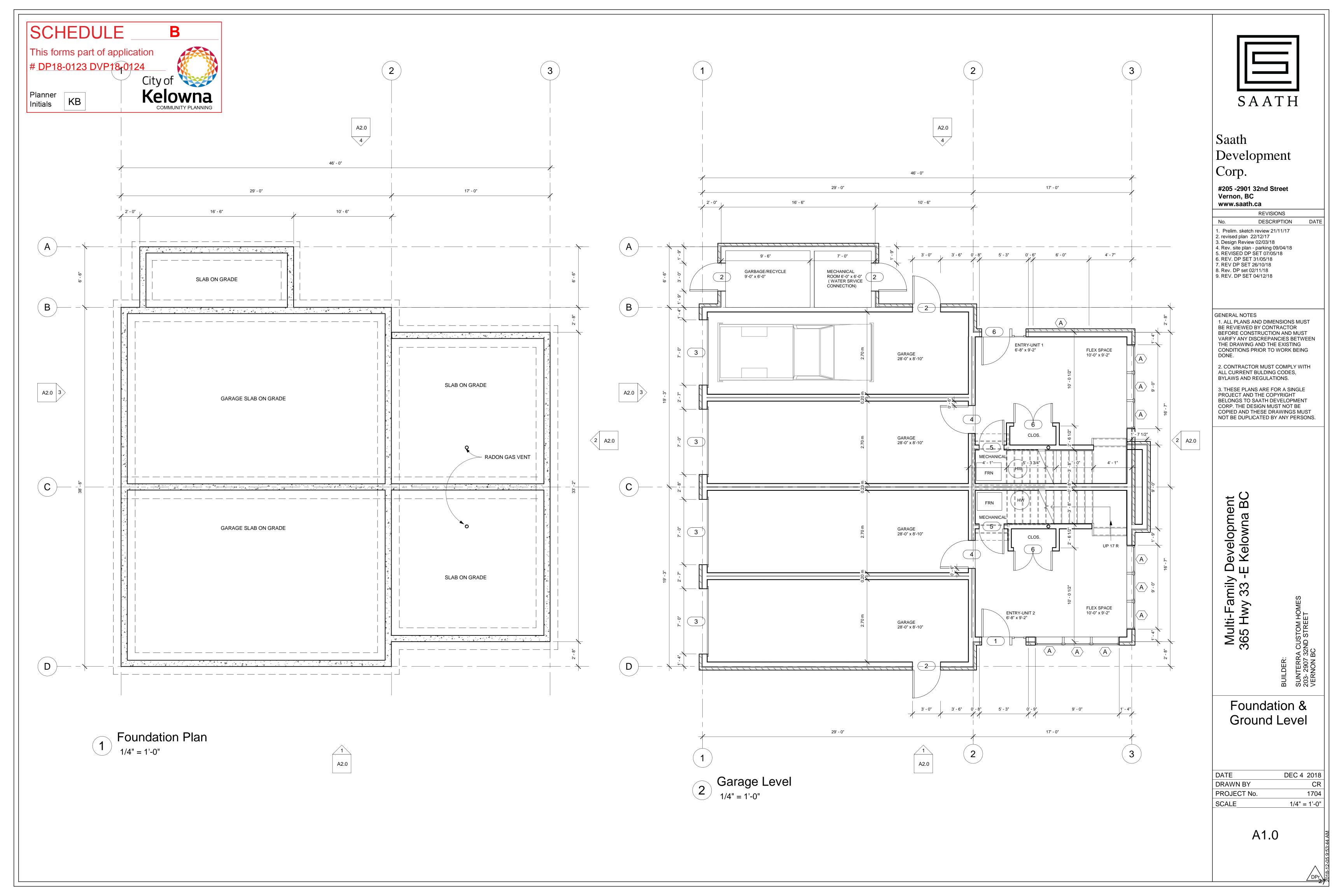
3. THESE PLANS ARE FOR A SINGLE PROJECT AND THE COPYRIGHT BELONGS TO SAATH DEVELOPMENT CORP. THE DESIGN MUST NOT BE COPIED AND THESE DRAWINGS MUST NOT BE DUPLICATED BY ANY PERSONS.

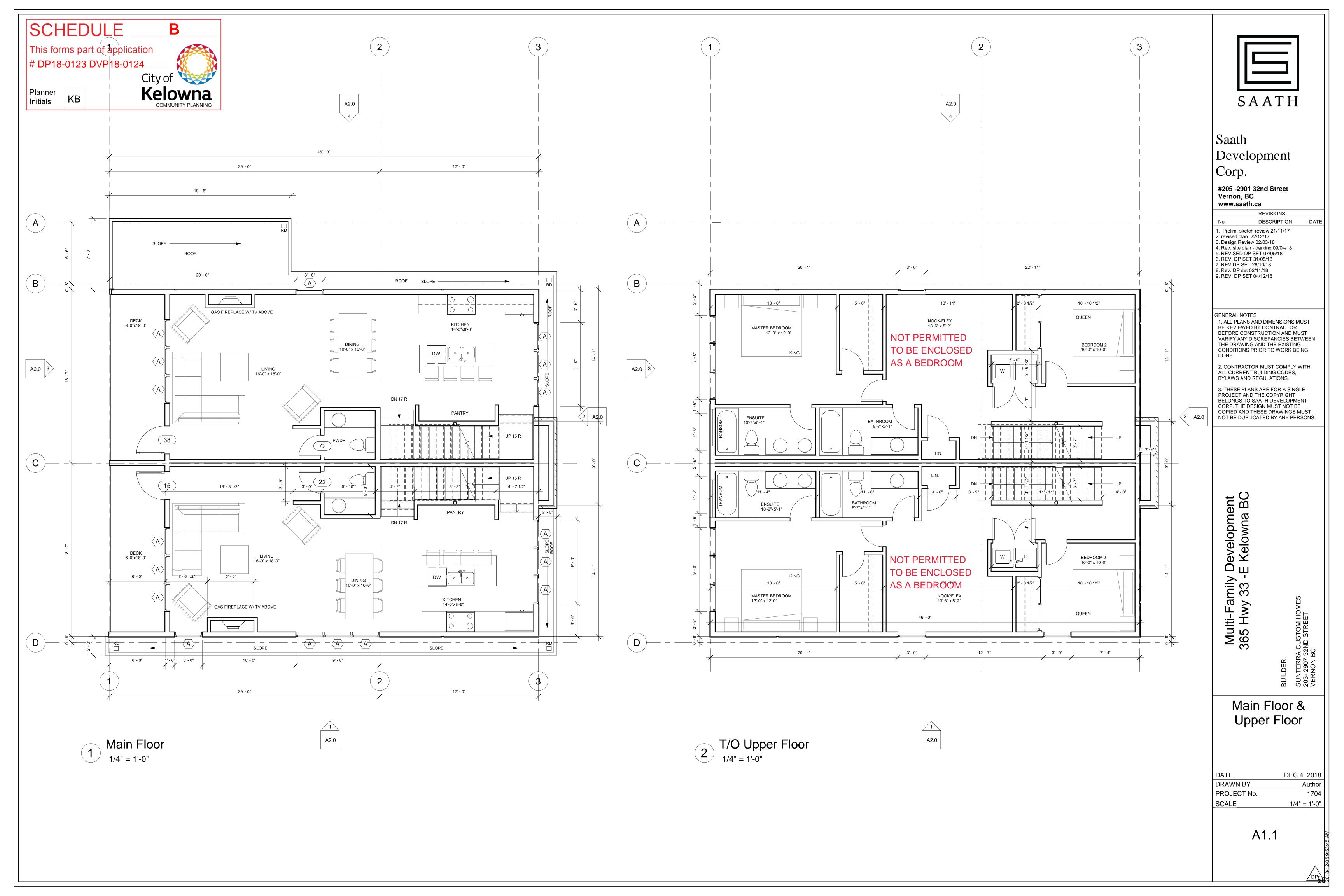
Multi-Family Development 365 Hwy 33 -E Kelowna BC

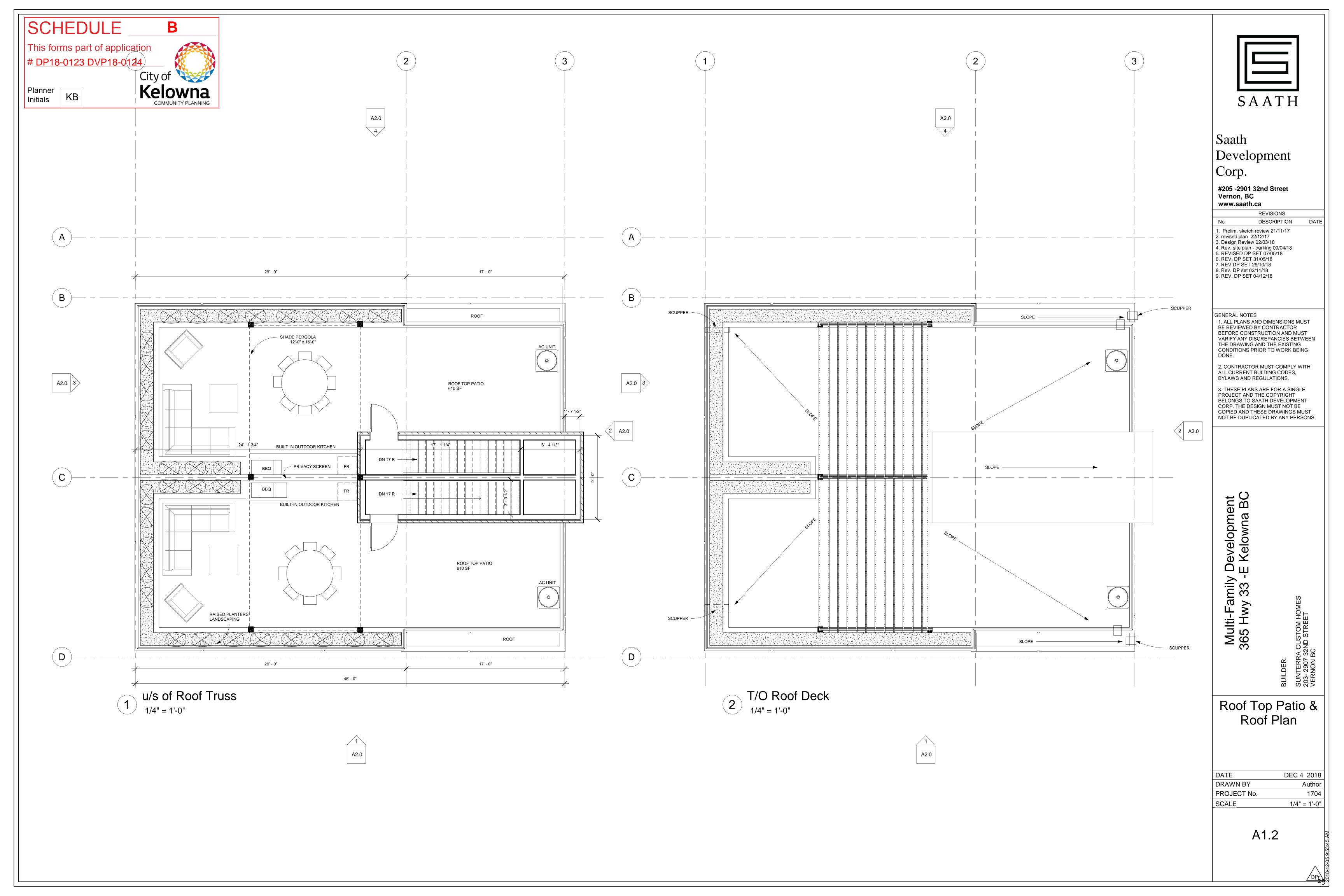
Site plan -Building 2

DATE	DEC 4 2018
DRAWN BY	CR
PROJECT No.	1704
SCALE	1 : 100

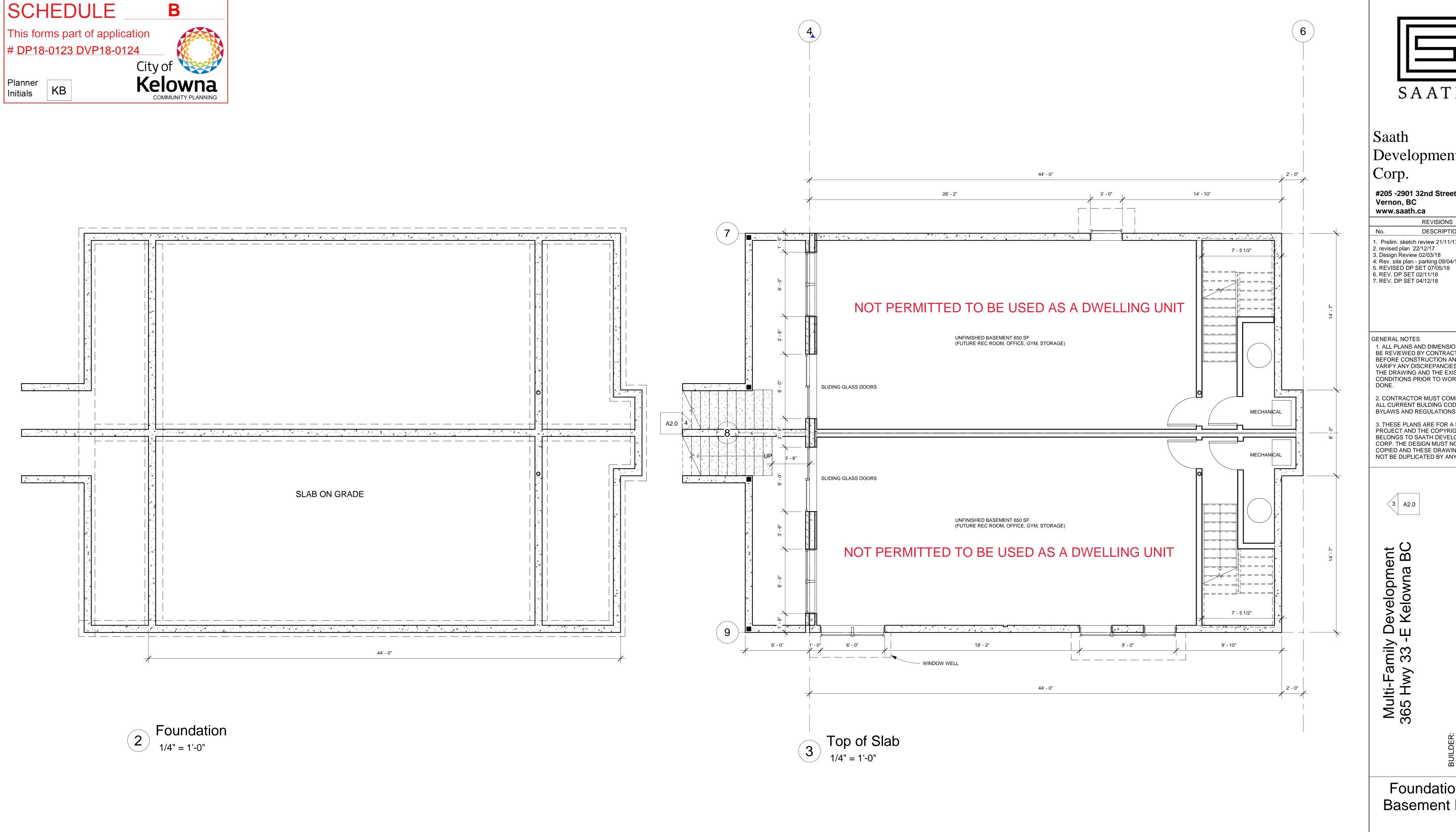
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Development

#205 -2901 32nd Street

No.	DESCRIPTION
1. Prelim. ske	etch review 21/11/17
2. revised plan	n 22/12/17
3. Design Rev	view 02/03/18
4. Rev. site pl	an - parking 09/04/18
5. REVISED [OP SET 07/05/18
6 DEV DD C	ET 02/44/40

DATE

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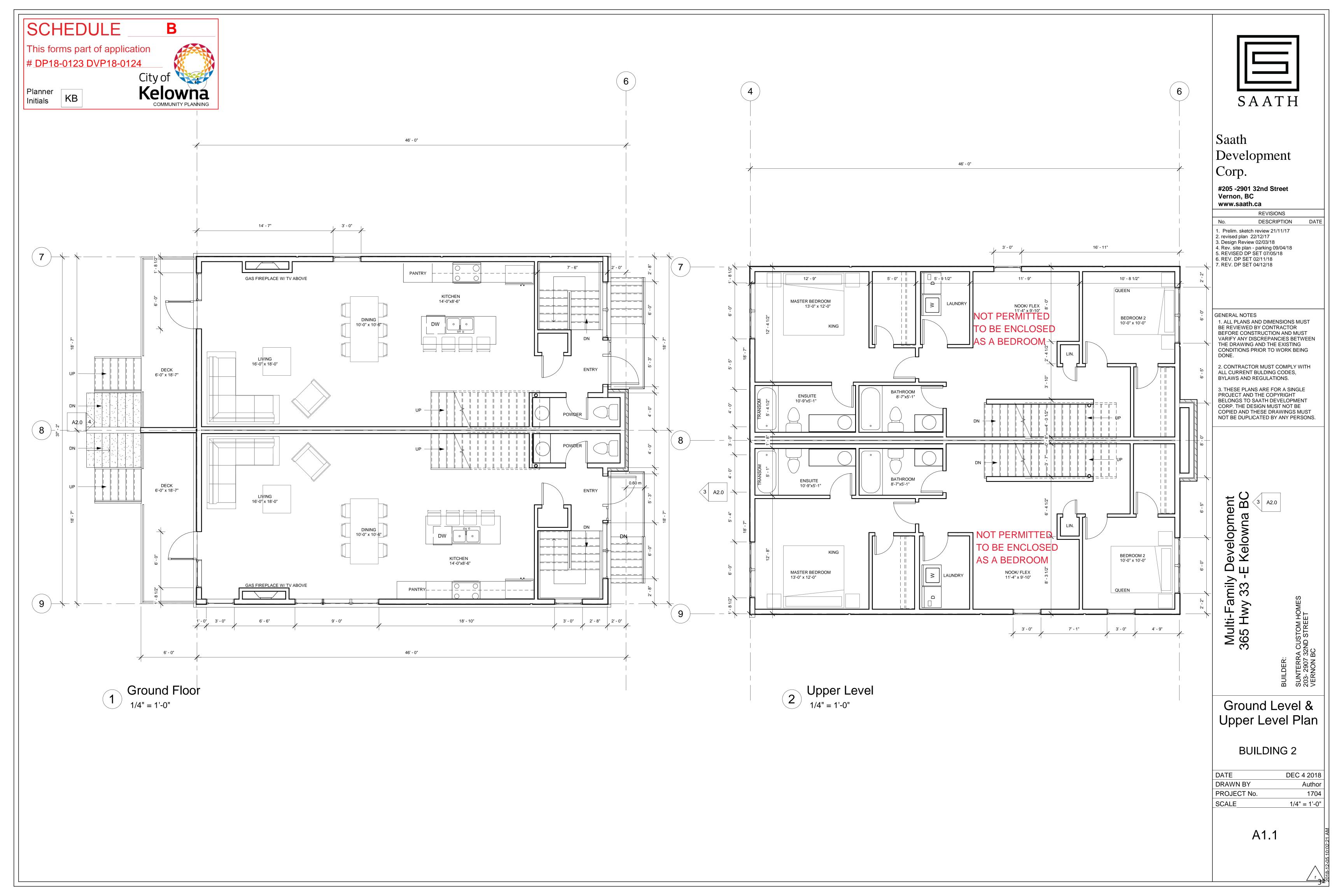
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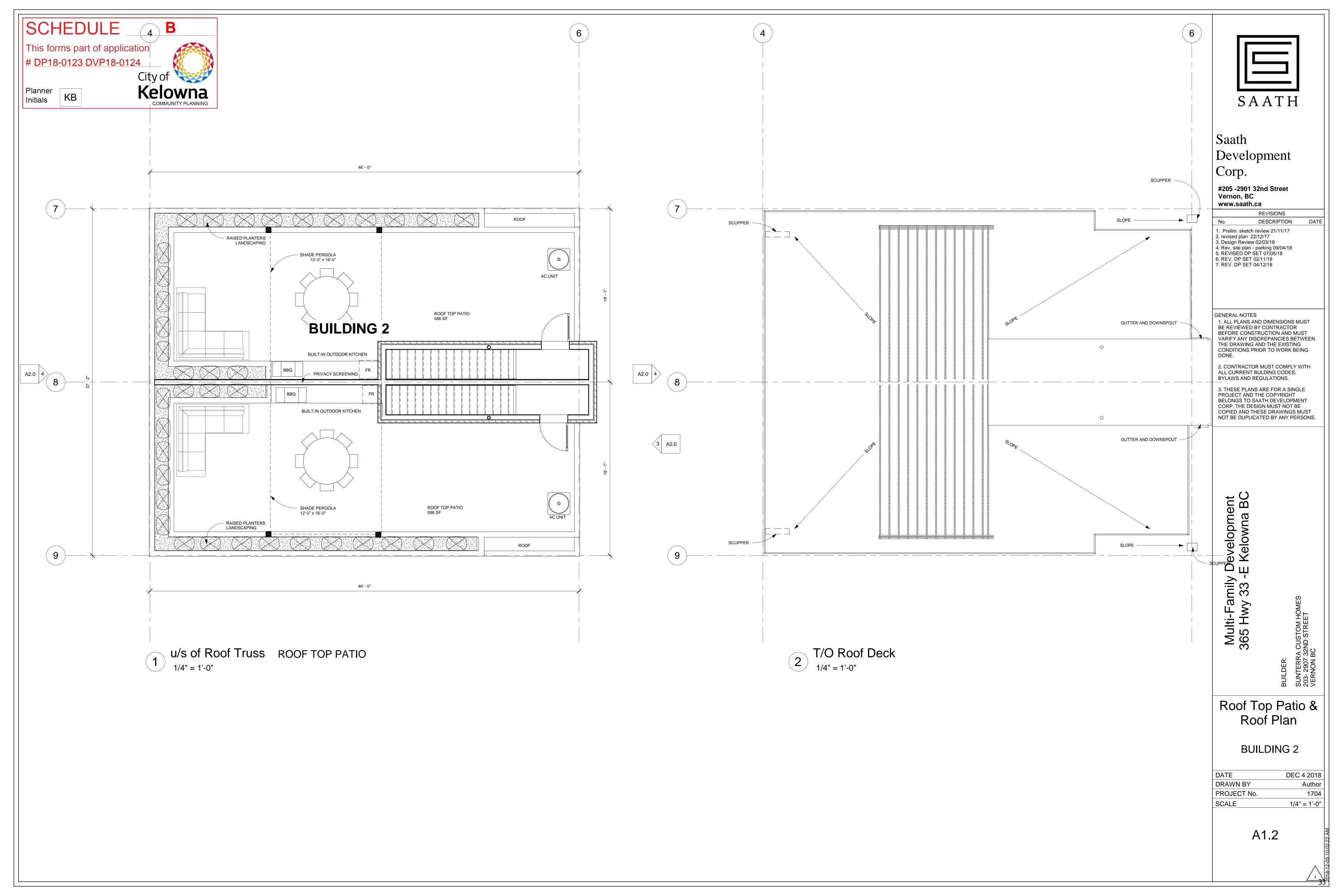
Foundation & Basement Plan

BUILDING 2

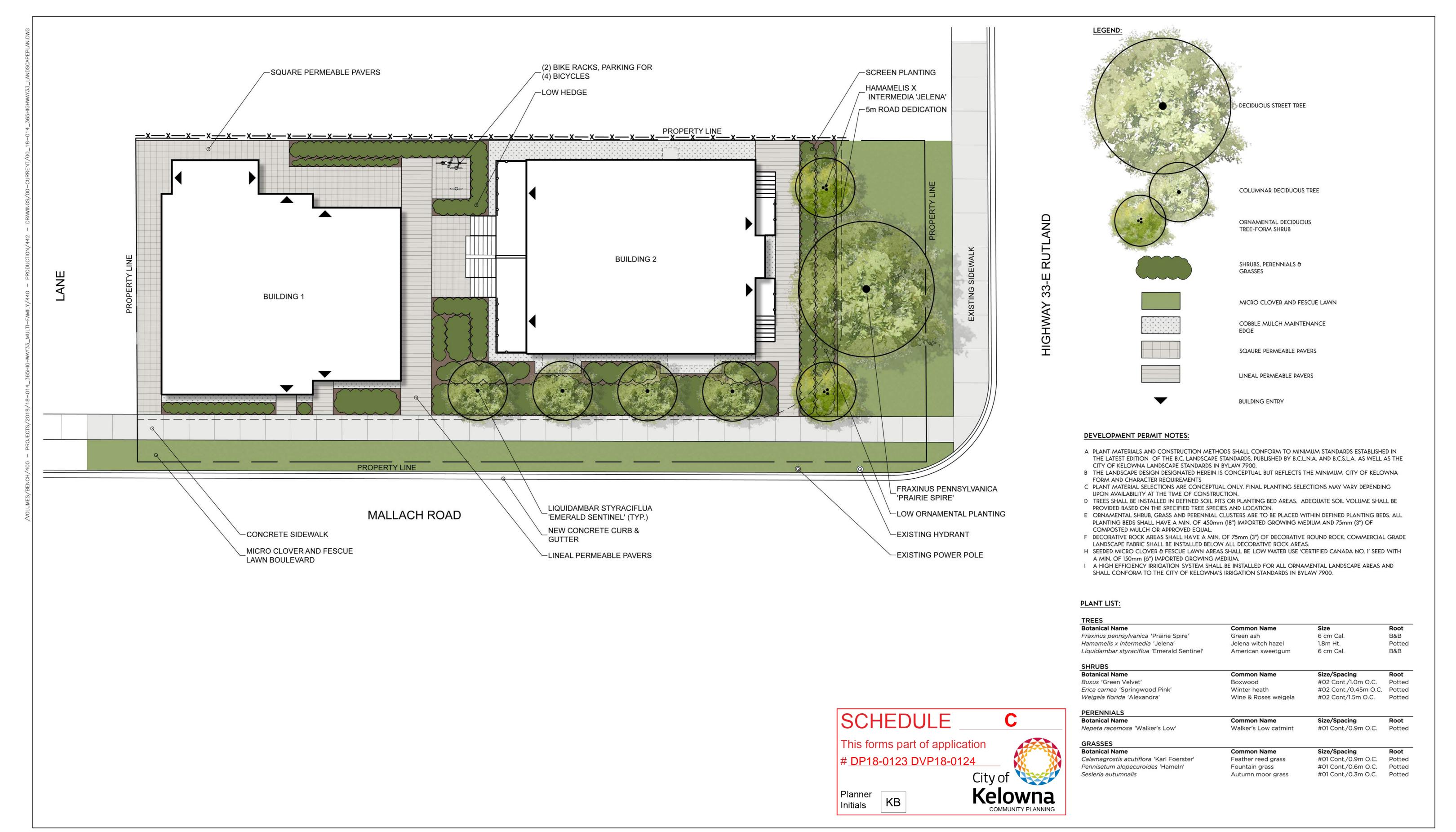
DATE	DEC 4 2018
DRAWN BY	CR
PROJECT No.	1704
SCALE	1/4" = 1'-0"

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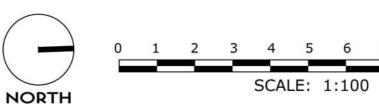




4	NOV 01/18	RE-ISSUED FOR DP
3	JUN 08/18	RE-ISSUED FOR DP
2	MAY 02/18	ISSUED FOR DP
1	APR 24/18	ISSUED FOR REVIEW
0.	DATE	DESCRIPTION

365 HIGHWAY 33 MULTI-FAMILY SAATH DEVELOPMENT CORP.

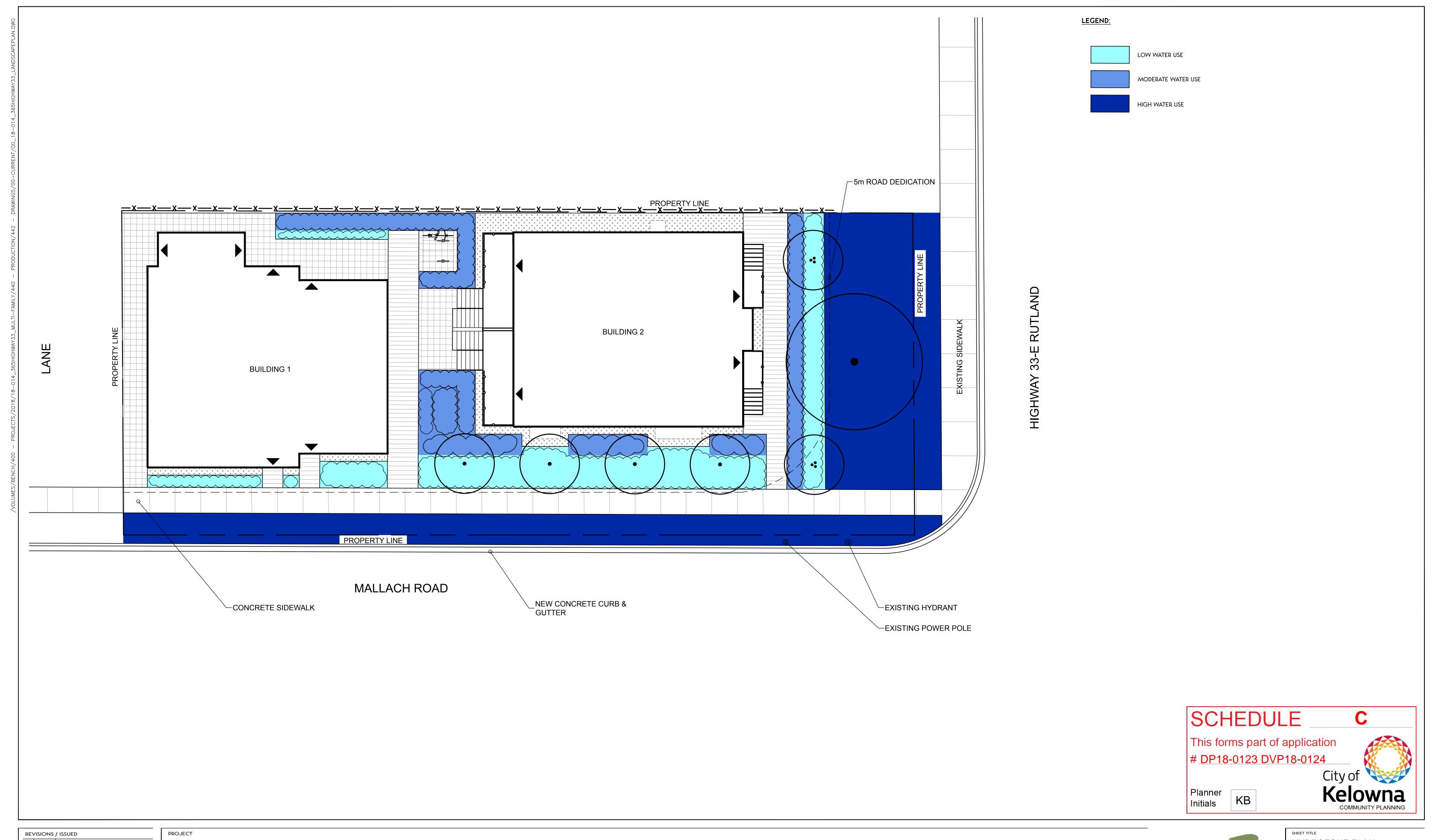
PROJECT



NOT FOR CONSTRUCTION

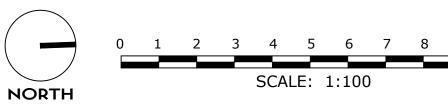


	LANDSCAF	PE PLAN	
	SHEET NO.	PROJECT #	
	Personal Professional Authorities	and another resolutions	18-014
7	120 32	SCALE	



revisions / issued							
4	NOV 01/18	RE-ISSUED FOR DP					
3	JUN 08/18	RE-ISSUED FOR DP					
2	MAY 02/18	ISSUED FOR DP					
1	APR 24/18	ISSUED FOR REVIEW					
NO.	DATE	DESCRIPTION					

365 HIGHWAY 33 MULTI-FAMILY SAATH DEVELOPMENT CORP.



NOT FOR CONSTRUCTION



	SHEET TITLE						
	HYDROZONE PLAN						
	SHEET NO.	PROJECT #					
			18-014				
′ 1J <i>7</i>	L-2	SCALE	1:100				

CITY OF KELOWNA

MEMORANDUM

Date:

June 28, 2018

File No.:

DP18-0123

To:

Urban Planning Management (KB)

From:

Development Engineering Manager (JK)

Subject:

365 Hwy 33 E

RU6 to RM5

The Development Engineering Department has the following comments and requirements and are subject to review and requirements from the Ministry of Transportation (MOTI). 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 Andy Marshall

1. Domestic Water and Fire Protection

The property is located within the Rutland Water District (RWD) service area. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. The developer is responsible, if necessary, to arrange with RWD staff for any service improvements and, if necessary, the decommissioning of existing services. Only one water service permitted.

2. Sanitary Sewer

(a) Our records indicate that this property is currently serviced with a 150mm-diameter sanitary sewer service off the lane. The applicant's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted for this development. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost. A brooks box is required on the service inspection chamber.

3. Storm Drainage

a) The developer must engage a consulting civil engineer to provide a storm water management plan for this site which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900. 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

4. Road Improvements

a) The applicant must have a civil engineering consultant submit a design for Mallach Road to be upgraded to an urban standard (SS-R6 modified – 20.0m ROW / 1.8m

DP18-0123 365 Hwy 33 E



sidewalk at property/ no parking lane) along the full frontage of the subject property; including curb and gutter, sidewalk, street lighting, landscaped boulevard, storm drainage system, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. An estimate for public side works will be required, for bonding purposes, to be submitted by the applicants civil engineering consultant.

b) Access to this development will be from the existing lane off Mallach Road along the south property line.

5. Road Dedication and Subdivision Requirements

- (a) Provide 5.0m of road dedication along Hwy 33.
- (b) Provide 2.5m of road dedication on Mallach Rd to achieve 20.0m ROW
- (c) Provide 6m corner rounding at the intersection Hwy 33 and Mallach Rd.
- (d) Grant Statutory Rights of Way if required for utility services.
- (e) 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

6. Electric Power and Telecommunication Services

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

7. Design and Construction

- (b) 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.
- (c) 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.
- (d) 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).
- (e) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (f) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design



drawings, it may be determined that rights-of-way are required for current or future needs.

8. Other Engineering comments

- (a) New frontage sidewalk and curb and gutter to be extend across the lane and tie into sidewalk and curb and gutter south of property with a driveway letdown (SS-C7) across the lane.
- (b) Curb to be extended from Hwy 33 onto Mallach Rd..

9. 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 pisometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- (e) Additional geotechnical survey may be necessary for building foundations, etc.

10. Servicing Agreement 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. Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as (3.5% of Total Off-Site Construction Cost plus GST).



12. Survey, Monument and Iron Pins

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

James Kay, P. Eng. Development Engineering Manager

agm



June 6, 2018

Kimberly Brunet, Planner
City of Kelowna Planning Department
1435 Water Street
Kelowna BC
V1Y 1J4

RE: Development Proposal Application – Design & Parking Rationale

Site Location: 365 Highway 33 E, Kelowna, British Columbia (corner of Hwy 33 and Mallach Rd)

365 Highway 33 E, Kelowna, British Columbia (the "**Property**") is a constrained site located on a high traffic area both for vehicular and pedestrian traffic. The current use of the site is a low density single family dwelling that is quite dated from the outside but renovated in the inside. Frankly, the building is a bit of an eye sore and the development of this corner lot would be beneficial to the values of neighboring properties.

The Property is just within the Rutland Urban Center and is surrounded by other multifamily developments. The Property has been the subject of previous development applications, however, due to the extensive road dedications, setbacks and parking requirements it has not been economically feasible to remove the existing structure and to replace it with a product that fits the neighbourhood. Our proposal is intended to provide a mix of unit types that take into consideration that the Property is in the Urban Center and on major bus routes. The Property is close to UBCO, Rutland's Town Center, South Rutland Elementary School and Big White Mountain truly allowing for an urban lifestyle where the need for a vehicle is largely reduced. It is the developer's intention through to work with the City to determine what incentives the developer can provide to future occupants such as ride share subsidies and public transit subsidies that promote urban living in consideration of the parking variance request.

At a time where attainable housing is in very short supply, this project would add much needed rental supply in a manner that is not desirable to all, but crucial to those that cannot afford a vehicle.

The development consists of (2) three storey buildings with a total of (4) units.

<u>Building One</u> – The first building includes (2) two-bedroom plus den units with roof top patios and a parking garage for the development (1 stall for each unit – 4 total). The first building is closer to the lane allowing for parking access off the lane. As determined in a meeting with City of Kelowna staff, any driveway access in the middle of the lot was deemed undesirable due to proximity to Highway 33.

<u>Building Two</u> - The second building, adjacent to Highway 33, includes (2) two-bedroom plus den ground oriented units. The units have a partially sunk-in unfinished basement and are designed to be attractive to young families. These unfinished basements have rear yard access and can be used for a rec room, home gym, and storage.

Due to the narrowness of the site after accounting for road dedications, the maximum amount of parking that would fit on site while allowing for a viable project is four parking stalls. The parking stall requirement for this development totals six stalls (1.5 stalls per two bedroom unit x 4 units = 6 stalls



required). This development is proposing four parking stalls at a one to one ratio and "cash in lieu" would be provided for the remaining two stalls. Street parking along Mallach road is also available.

This project will provide the neighborhood with a necessary facelift through its beautiful exterior finishes, low/no maintenance landscaping and privacy fencing and hedges. We hope that the City of Kelowna will allow this project to come to life by working through the various site constraints.

REPORT TO COUNCIL



Date: January 15, 2019

RIM No. 0940-00

To: City Manager

From: Community Planning Department (KB)

Application: DP18-0188 DVP18-0189 Owner: Watermark Developments Ltd.,

Inc.No. BC0642787

Address: 625 Academy Way **Applicant:** Meiklejohn Architects

Subject: Development Permit and Development Variance Permit

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

Existing Zone: RM4 – Transitional Low Density Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP18-o188 and Development Variance Permit No. DVP18-o189 for Lot 6 Section 3 Township 23 Osoyoos Division Yale District Plan EPP53793, located at 625 Academy Way, 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 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 in general accordance with Schedule "A":

Section 7.5.9: Fencing and Retaining Walls

To vary the required maximum height of a retaining wall from 1.2 m (permitted) to 2.5 m (proposed).

Table 8.1 - Parking Schedule

To vary the required number of parking stalls from 132 (required) to 119 (proposed).

Section 13.10.6(c): RM4 – Transitional Low Density Housing Development Regulations
To vary the required maximum height from 13.0 m or 3 storeys (permitted) to 13.0 m or 4 storeys (proposed).

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

AND FURTHER THAT this Development 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 four storey apartment building on Academy Way known as "U eight" and to consider a Development Variance Permit to vary the maximum height of a retaining wall from 1.2 m (permitted) to 2.5 m (proposed), the required number of parking stalls from 132 (required) to 119 (proposed), and the maximum height from 3 storeys (permitted) to 4 storeys (proposed).

3.0 Community Planning

Community Planning Staff are recommending support for the Development Permit and Development Variance Permit application due to the proposal's consistency with the Official Community Plan's (OCP) design guidelines and the vision of the University Village Master Plan.

3.1 Form and Character

The key form and character design features are:

- 1. 'U Eight' emulates the emulates the desirable form and character of nearby buildings by designing a sense of architectural cohesiveness along Academy Way with the 'U' building design theme.
- 2. Consistent with the University Village Master Plan, the narrow face of the building has been developed facing Academy Way, and the long articulated building form follows the site contours. There is an entrance to the building along Academy Way, which, together with landscaping, helps to create a defined street edge and promote a pedestrian-friendly streetscape.
- 3. The University Village Master Plan states all multiple family residential and mixed-use buildings should contain understructure (beneath habitable or commercial space) parking. 'U Eight meets this guideline by providing an enclosed parkade that accommodates 81 vehicles, 12 of which are located in the tandem configuration. Further, the parkade entrance is located to avoid pedestrian-vehicle conflicts on Academy Way.

Figure 1 - Rendering of the Academy Way (west) elevation of 'U Eight'.



3.2 Variances

Height

Staff would not be supportive of a variance to absolute height as it would increase the building profile on this prominent hillside. However, staff note that the application is under the absolute maximum height permitted under Zoning Bylaw No. 8000 (13.0 m permitted, 13.0 m proposed), and the variance is for the number of storeys (three storeys permitted, four storeys proposed), which results from positioning the building on the sloped subject property. Areas of four storeys are visible from the south and east elevations.

Parking

The applicant has requested a variance to the required number of parking stalls. Due to the location of the property in close proximity to UBCO, and the aplicant's intent to market the project to 'students', Staff feel comfortable with a lower amount of parking than the Zoning Bylaw requires. The developer is still providing one stall per unit parking ratio, plus the provision of visitor stalls. Where tandem stalls are provided, the two stalls will need to be paired together when they are sold by the developer.

Staff did explore adding additional parking stalls on site, with the developer, but it came at the detriment to landscaping and the amount of private open space, and so staff are recommending not adding anymore.

Retaining Walls

Due to the slope of the property, there are retaining walls on the south side that are over height. The applicant has included landscaping to help soften the overall height and massing of the wall, which includes a row of native deciduous and coniferous restoration trees in the area between the retaining wall and the property line.

3.3 Neighbourhood Notification

The applicant has confirmed the completion of public notification in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Background

The subject property is located within the University Village Neighbourhood, a comprehensive planned community under the University Village Master Plan (October 2009). Nearby buildings include 'U7', 'U6', 'U5B', 'U5A', 'U3B' and 'U3A'. This will be the final 'U-series' building along the east side of Academy Way.

4.2 Project Description

The 'U Eight' project is a 90 unit condo development. The proposed four storey wood frame building is located on the north side of the subject property, perpendicular to Academy Way. The driveway would be located directly off Academy Way. This access connects to a 38 stall surface parking lot and an 81 stall parkade proposed to be located under the 'U Eight' building.

The applicant meets the minimum private open space requirements. In addition to balconies and general outdoor landscaped areas, they have proposed an outdoor badminton count, for the recreational use of the residents of the development. There are also common amenity rooms on each of the residential floors, for use by the residents as possible study space. A breakdown of the private open space is provided in Attachment "B".

The overall site planning for 'U Eight is consistent with the pedestrian circulation patterns established in the neighbourhood. The site has a trail at the rear of the property and has a direct connection to the main pedestrian pathway along Academy Way. This trail connectivity provides connections to both University of British Columbia Okanagan (UBCO) Campus and the directly adjacent 'U7' building to the north. There is a stairway connection from 'U Eight' to this pathway system, which is located across from the lobby entrance.

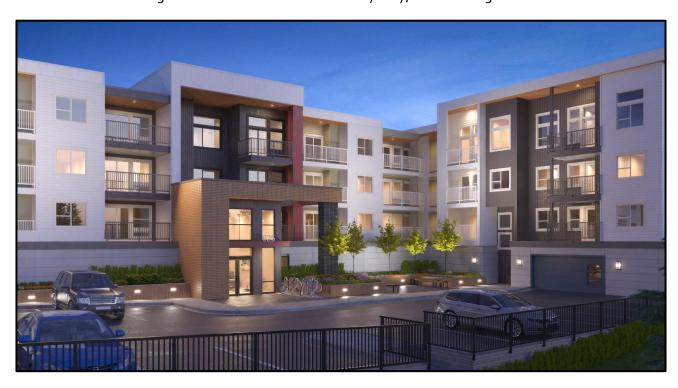
An area of steep slopes on the eastern portion of the subject property is not suitable for development and has been protected through a no-disturbance agreement.

4.3 Character and Materials

The architectural form and character of the buildings is designed in a "campus modern" style and reflects similar architectural styles along the east side of Academy Way. The 'U Eight' building has a complementary form, image and colour to the previous approved 'U7', 'U6', 'U5B', 'U5A' and additional buildings along Academy Way.

The brick and Hardie exterior is reflective of recent 'U7', 'U6' and 'U5' buildings. As the building is built into the hill, the north side of the building has ground oriented units at grade. The south side, one of the elevations where the variance is requested from 3 to 4 storeys, has raised planters and landscaping along the front facade which helps to add visual interest to the building and help to soften the building mass.

Figure 2 – Rendering of the main entrance to 'U Eight' on the south elevation. The central entryway has been emphasized with a two storey glass feature with a brick framework. There is also a secondary entrance for the building on the west elevation on Academy Way, as seen in Figure 1.



4.4 Site Context

The 'U Eight development project is located on the east side of Academy Way, near the UBCO Campus. The property has a Future Land Use Designation of MRM – Multiple Unit Residential (Medium Density) in the Official Community Plan and it is located within the Permanent Growth Boundary. It has a walk score of 16 which indicates that almost all errands require a car and a transit score of 31, indicating there are a few nearby public transportation options.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM4 – Transitional Low Density Housing	Multiple Dwelling Housing
East	A1 – Agriculture 1	Park & Potential S2RES
South	P ₃ – Parks and Open Space	Current Vacant Land
West	RM ₃ – Low Density Multiple Housing P ₃ – Parks and Open Space	Current Vacant Land

Subject Property Map: 625 Academy Way



4.5 Zoning Analysis Table

Zoning Analysis Table								
CRITERIA	RM4 ZONE REQUIREMENTS	PROPOSAL						
	Development Regulations							
Site Coverage (buildings)	50 %	33 %						
Site Coverage (buildings, driveways and parking areas)	60 %	46 %						
Floor Area Ratio	0.77	0.70						
Height	13.0 m / 3 storeys	13.0 m / 4 storeys 1						
Front Yard (west – Academy Way)	6.o m	6.o m						
Side Yard (north)	4.5 m	4.5 m						
Side Yard (south)	4.5 m	13.7 m						
Rear Yard (east)	9.0 m	29.2 M						
	Other Regulations							
Minimum Parking Requirements	132 stalls	119 stalls (81 stalls within parkade)(38 surface stalls at grade)						
Minimum Distance of Parking Stalls from Side Property Lines (south)	1.5 M	1.5 M						
Minimum Distance of Parking Stalls from Front Property Lines (west)	4.5 m	> 4.5 m						
Bicycle Parking	45 Class I spaces 9 Class II spaces	45 Class I spaces 9 Class II spaces						
Private Open Space	1,903 m²	1,903 m²						
Maximum Retaining Wall Height	1.2 M	2.5 m 🗿						

- Indicates a requested variance to the maximum height of the building
- 2 Indicates a requested variance to the required number of parking stalls
- 3 Indicates a requested variance to the maximum height of a retaining wall

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5 - Development Process

Policy 5.2.3 - Compact Urban Form. 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.

Policy 5.5.1 – For all areas of the City outside the Urban Centres. Buildings heights shall be a maximum of four storeys for residential and six storeys for apartment hotels and hotels. Additional height restrictions may be imposed as a result of airport-related zoning regulations.

Policy 5.10.1 - Maximize Pedestrian / Cycling Connectivity. Require that pedestrian and cyclist movement and infrastructure be addressed in the review and approval of all City and private sector developments, including provision of sidewalks and trails and recognition of frequently used connections and informal pedestrian routes. With new developments, require dedication of on-site walking and cycling paths where necessary to provide links to adjacent parks, schools, transit stops, recreation facilities, employment nodes, cul-de-sacs and large activity areas.

Policy 5.22.1 - **Cluster Housing.** Require new residential development to be in the form of cluster housing on / or near environmentally sensitive areas and areas of steeper slopes to lessen site disturbance and environmental impact on those areas identified on the Future Land Use Map 4.1 as single-two unit residential hillside. Steeply sloped areas should be retained as natural open space, public or private. The intent of the clustering would be to preserve features identified through the Development Permit process that otherwise might be developed and to maximize open space in order to:

- a) Protect environmentally sensitive areas of a development site and preserve them on a permanent basis utilizing the most appropriate tools available;
- b) Facilitate creative and flexible site design that is sensitive to the land's natural features and adaptive to the natural topography;
- c) Decrease or minimize non-point source (i.e. asphalt roofs, driveways and parking) pollution impacts by reducing the amount of impervious surfaces in site development;
- d) Promote overall cost savings on infrastructure installation and maintenance; and
- e) Provide opportunities for social interaction, walking and hiking in open space areas.

6.o Technical Comments

6.1 Development Engineering Department

See Attachment "A" – City of Kelowna Memorandum.

7.0 Application Chronology

Date Application Accepted as Complete: September 13, 2018
Date Public Consultation Completed: December 10, 2018

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Report prepared by: Kimberly Brunet, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Draft Development Permit and Development Variance Permit No. DP18-o188 & DVP18-o189

Schedule "A" – Site Plan

Schedule "B" – Exterior Elevations

Schedule "C" – Landscape Plan

Attachment "A" – City of Kelowna Memorandums

Attachment "B" – Private Open Space Breakdown

Development Permit & Development Variance Permit DP18-0188 & DVP18-0189



This permit relates to land in the City of Kelowna municipally known as

625 Academy Way

and legally known as

Lot 6 Section 3 Township 23 Osoyoos Division Yale District Plan EPP53793

and permits the land to be used for the following development:

Multiple Dwelling Housing

with variances to the following sections of Zoning Bylaw No. 8000 in general accordance with Schedule "A":

Section 7.5.9: Fencing and Retaining Walls

To vary the required maximum height of a retaining wall from 1.2 m (permitted) to 2.5 m (proposed).

Table 8.1 – Parking Schedule

To vary the required number of parking stalls from 132 (required) to 119 (proposed).

Section 13.10.6(c): RM4 - Transitional Low Density Housing Development Regulations

To vary the required maximum height from 13.0 m or 3 storeys (permitted) to 13.0 m or 4 storeys (proposed).

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

<u>Date of Council Decision</u> January 15, 2019

<u>Decision By:</u> Council

<u>Development Permit Area:</u> Comprehensive Development Permit Area

This permit will not be valid if development has not commenced by January 15, 2021.

Existing Zone:RM4 Future Land Use Designation: MRM

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: Watermark Developments Ltd., Inc. No. BCo642787

Applicant: Meiklejohn Architects

Ryan Smith Date

Community Planning Department Manager
Community Planning & Strategic Investments

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1. SCOPE OF APPROVAL

This Development 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 Development 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 Development 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.

2. CONDITIONS OF APPROVAL

- 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"; and
- 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.

This Development Permit is valid for two (2) years from the date of Council 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 Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer 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 enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property own of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

a) An Irrevocable Letter of Credit or a certified cheque in the amount of \$120,192.50

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

5. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees 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 said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, 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.

The PERMIT HOLDER is the <u>CURRENT LAND OWNER</u>. Security shall <u>ONLY</u> be returned to the signatory of the Landscape Agreement or their designates.



B. B. W. G. G. G. G. W.									
PARKING CALCUL	_	_	_						
STALL SIZE	WIDTH		LENG	LENGTH		-IT	PARKING RATIO		
							required	proposed	
FULL SIZE STALL	8'-3"	2.5m	19'-8"	6.0m				71	
MEDIUM SIZE STALL (40% max)	7'-6"	2,3m	19-9*	4.8m	65.6*	2,011	53 max	35	
COMPACT SIZE STALL (10% max)	6'-6"	2.0m	111-2"	3.4m	1	****	14 max	- 11	
DISABLED STALL	12"-2"	3.7m	19'-8"	6.0m			2 min	2	
DRIVE AISLES (2-way 90° pkg)	23"-0"	7.0m			1				
PARKING REQUIREMENTS:									
	RESID	ENTIAL			no	of unit	no of stall		
	1.0 sta	d / bach	elor		13		13		
	1,25 stall / 1 bed				12		15		
	1.5 sta	1 / 2 bec			63		79.5		
	2.0 sta	1/3 bed			т	12	24		
			10	tal unit	т	90			
	TOTA	L PARK	NG REC	URED:			131.5 (132) stats		
	TOTA	L PARK	NG PRO	MDED:					
	WITH	N PARK	ADE	69	stats				
		TAN	DEM	12	stals (fo	r 3 bed u	nlt)		
		(g) GF	ADE	25	stats				
	VISIT	DR @ GI	RADE	13	stats				
	TOTA	L		119 stalls					
	_								
PRIVATE OPEN SI	PAC	Е							

		TOTAL	119 sta	ls .							
			-								
PRIVATE OPEN SPACE											
PROPOSI	ED.			REQUIRED							
		±16	±611	±970							
Level 1	balconles/ amenity rms	2,298	213,5	622,5							
Level 2	balconles/ amenity rms	2,243	208,4	540,0							
Level 3	balconles/ amenity rms	2,243	208,4	540,0							
Level 0	landscape	14,346	1332-8								
Total		21,130	1,963,0	1,903,0							

NFA		UNIT	UNIT		L1	'	.2		L3	
unit type	g bed	NFA #sf	NFA 4sm	A unit	area	e unit	area	g unit	area	
A	BACH	312	29.0	5	144,9	4	115,9	4	115,9	
В	- 1	503	46.7	1	46.7	1	46.7	1	46.7	
B1	- 1	511	47.5	1	47,5	1	47,5	1	47,5	
B2	- 1	487	45.2	0	0	1	45.2	1	45,2	
B3	- 1	522	48.5	1	48,5	0	0	0	0	
B4	- 1	509	47,3	1	47,3	1	47,3	1	47,3	
С	2	702	65.2	14	912,8	14	912.8	14	912.8	
C1	2	697	64.8	1	64,8	1	64,8	1	64,8	
C2	2	698	64.8	0	0	1	64,8	1	64,8	
C3	2	777	72.2	1	72.2	1	72.2	1	72.2	
C4	2	879	81.7	1	81,7	1	81.7	1	81.7	
D	3	930	86.4	1	86,4	1	86,4	1	86,4	
D1	3	960	89.2	1	89.2	1	89.2	1	89.2	
D2	3	909	84.4	1	84,4	1	84,4	1	84,4	
D3	3	949	88.2	1	88.2	1	88.2	1	88,2	
				30	1,815	30	1,847	30	1,847	
				_						
									±sf	±sm
					AL NET A	REAT	or FAR:	2	9,304	5,510

D3	3	949	88.2	1	88,2	1	88,2	1	88.2	
						Т				
30 1,81							1,847	30	1,847	
									±sf	±51
				TOT	AL NET	AREA	for FAR:	- 5	9,304	5,51
			COMMO	N/P	RIVATE	OPEN	SPACE:	2	1,130	1,963
GFA		-								
GFA		GFA	±sf (3FA±	sm	Res	GFA ±s	1	Res.	GFA ±sm
PARKADE		28,0	28,046		2,606					
1ST LEVEL						24,206			2,24	
2ND LEVEL						23,836			2,214,44	
3RD LEVEL						23,836			2,214,44	
TOTAL RE	SIDENTAL	.GFA				71,878 6,678				
SITE COVI	ERAGE AF	EAS:								
BLDG, FO	OTPRINT A	AREA (parkz	de) FOR S	TE O	WERA	3E: 1	2,606 sm	(2	8,046 st)	
PARKING	@ GRADE					- 1	1,021 sm	(1	0,993 st)	
TOTAL FO	OTPRINT	AREA + PAI	RKING @ G	RADE	: _	- 1	3,627 sm	(3	9,039 st)	

ZONING SUMMARY			U8	BUILDING C	ODE F	EVIEW
ADDRESS	525 ACADEMY WAY	OCCUPANCY				
LEGAL DESCRIPTION	LOT 6 Plan EPP53793			ARTICLE		
DEVELOPMENT PERMIT AREA	NIA			NO, OF STOREYS		
EXISTING ZOMING	RM4 TRANSITIONAL LOW DENSITY I	HOUSING		NO, OF STREETS FACIN	G	
EXISTING LEGAL USE	VACANT			MAX, BUILDING AREA		
GRADES	EXISTING AVERAGE - SLOPING	FINISH AVERAG	E - SLOPING			
NUMBER OF BUILDINGS	3- STOREY CONDO BUILDING OVER	PARKADE		NOTE: PARKADE TO BE	CONSIDER	ED AS A SEPARAT
				CONSTRUCTION TYPE		
CRITERIA FOR	RM4 TRANSITIONAL LOW	DENSITY HOL	ISING	SPRINKLERED		
ALL TYPES OF APPLICATION:	ZONING STANDARD	PROPOSAL		ASSEMBLY RATINGS:		
				FLOOR		
SITE AREA (sm)	900 sm	±7,900 sm		WALLS / BEARING STRU	ICTURE	
		_		ROOFS		
SITE WIDTH (m)	30,0m	±48,02m				
SITE DEPTH (m)	30,0m	±128,77m		SPATIAL SE	DADA	TION
PARKING				SPATIAL SE		
OFF-STREET PARKING	132 stalls min. (see parking calcs)	119 stalls (variance requeste	rd)		8 EAST W	(EST (FRONT) WLL
PRIVATE OPEN SPACE	1,903,0±sm	2,077± sm		WALL AREA	wtsnow	OPENINGS &
bachelor = 7.5 sm 1 bed = 15 sm				OPENING AREA	WALL CO	NSTRUCTION
over 1 bed = 25 sm				% PROVIDED	UN-RESTI	RICTED. DISTANCES
				LIMITING DISTANCE	EXCEED 9	kom, OR BLDG
HEIGHT				% PERMITTED		STREET IN NICE WITH
HEIGHT OF BUILDING (S)W OF STOREYS				CONSTRUCTION TYPE	3.2.3.10	
REGIT OF BOLDING (S)# OF STURETS	13.0m / 3 storeys	±13,0m/3 storeys		CLADDING MATERIAL		
				REQUIRED RATINGS		
OOVER LOE	50% max.					
COVERAGE SITE COVERAGE OF BUILDING(S) (%)	SUS Mas.	building:	±(2,606 / 7,900) sm ±33,0%	BUILDING F	IRE SA	AFETY
				SOFFIT PROTECTION		N/A (SPRINKLER
SITE COVERAGE INCLUDING BUILDINGS,	60% max.	buiding:	+2 606 sm	FLAME SPREAD RATING	is .	COMPLY WITH
DRIVEWAYS AND PARKING (%)		perlang/driveway:		METAL DECK ASSEMBL	ES	N/A
				ROOF COVERING		
		total:	±(3,627 / 7,900)em	CLASSIFICATION		CLASS "A"
		1	±45.9%	ATTIC FIRESTOPS		YES
ADDITIONAL REQUIREMENTS FOR	RM4 TRANSITIONAL LOW	DENCITY HOL	ICINIC	MAX, ATTIC AREA		300 sm
COMMERCIAL, INDUSTRIAL AND	reme TrounsTHONAL LOW	DENSITY HOL	DINO	MAX, CRAWLSPACE AR	EA	N/A
MULTIPLE UNIT / INTENSIVE RESIDENTIAL APPLICATIONS:	ZONING STANDARD	PROPOSAL		CONCEALED FLOOR AF	£Α	N/A
NUMBER OF BICYCLE PARKING SPACES	Class £ 0.5 per dwelling unit x 90 units		acks within parkade			
number of the role PARKING SPACES	Total = 45 blees min	C4999 L 240 0409 N	arve with the beautions	ACCESSIBIL	TY CD	

IG LEGAL USE	VACANT			MAX, BUILDING AREA		_
8	EXISTING AVERAGE - SLOPING	FINISH AVERAG	E - SLOPING			
R OF BUILDINGS	3- STOREY CONDO BUILDING OVER I		NOTE: PARKADE TO BE	CONSIDERE	ED.	
FRIA FOR	RM4 TRANSITIONAL LOW I	CONSTRUCTION TYPE				
YPES OF APPLICATION:	INNE HOUSTHOUGH LOW	Johns	SPRINKLERED			
	ZONING STANDARD	ASSEMBLY RATINGS:				
SEA (sm)		900 sm ±7.900 sm				
actu (seri)	800 SII	21,900 SIII		WALLS / BEARING STRU	CTURE	
DTH (m)	30,0m	±48,02m		ROOFS		
PTH (m)	30,0m	±128,77m				
RKING	502011	2120011111		SPATIAL SE	ΡΔΡΔΊ	TI
REET PARKING	132 stalls min. (see parking calcs)	119 stalls (variance requests	rd)	OF ATTIECT OF	SOUTH, W & EAST W.	/ES
E OPEN SPACE	1,903.0±sm	2,077± sm		WALL AREA	WINDOW	_
= 7.5 sm 15 sm				OPENING AREA	WALL CON	
ed = 25 sm				% PROVIDED	UN-RESTR	RIC
				LIMITING DISTANCE	EXCEED 9	01S
OUT				% PERMITTED	FACES A 5	STF
GHT				CONSTRUCTION TYPE	ACCORDA 323.10	INC
OF BUILDING (S)# OF STOREYS	13.0m / 3 storeys	±13,0m/3 storeys		CLADDING MATERIAL		
				REQUIRED RATINGS		
				TIEGOTICO TOTTITOO		_
/ERAGE OVERAGE OF BUILDING(S) (%)	50% max.	building:	±(2,606 / 7,900) sm ±33,0%	BUILDING FI	IRE SA	۱F
				SOFFIT PROTECTION	\neg	N
OVERAGE INCLUDING BUILDINGS,	60% max.	buiding: ±2,606 sm perking/driveway: ±1,021sm		FLAME SPREAD RATINGS		c
(AYS AND PARKING (%)				METAL DECK ASSEMBLIES		
				ROOF COVERING	-	Т
		total:	±(3,627 / 7,900)em	CLASSIFICATION		c
			±45.9%	ATTIC FIRESTOPS	\neg	Υ
ONAL REQUIREMENTS FOR	RM4 TRANSITIONAL LOW	DEMOLTS LIGH	ICINIC	MAX, ATTIC AREA	\neg	3
RCIAL, INDUSTRIAL AND	RM4 IRANSITIONAL LOW	DENSIT HOU	Jaine	MAX, CRAWLSPACE ARE	EA	N
LE UNIT / INTENSIVE NTIAL APPLICATIONS:	ZONING STANDARD	PROPOSAL.		CONCEALED FLOOR AR	EA	N
						_
R OF BICYCLE PARKING SPACES	Class £ 0.5 per dwelling unit x 90 units Total = 45 bikes min Class £: 0.1 per dwelling unit x 90 units	Class 1: 9 stall ble	acks within parkade	ACCESSIBIL	ITY RE	Ē
	Total = 9 bikes min	(see site plan)	e races			R
R OF LOADING SPACES	NA	NA		ACCESS TO MAIN ENTR		Υ
VISLE WIDTH (m) (IF PROPOSED)	7,0m	7,0m		ACCESS TO ALL FLOOR		N
CKS TO PARISING (m):	7,000	7,000		ACCESSIBLE WASHROO	м	N
(SIDE)	NA	NIA				
(SIDE)	N/A	NA		WASHROOM	A CIVTI	ш
FRONT)	±3.0m m(n,	±3.7m				0
FRONT)	SIA NO.	±3,rm N/A		MIN. 1 REQ'D / DWELLIN	GUNIT	
	1001	1001		1		
AREA NET	± 6,104 sm max	± 5.510 sm (±59.3	04.45	1		
	0.65 + (81/132 x 0.2) paging horses	+0.0974				_

FIRE PROTECTION	ON:	3.2.4 / 3.2.5 / 3.2
LOCATION OF HYDRANT TO SIAMESE CONNECTION	45 m MAX.	3255
STANDPPEHOSE	YES (IN EACH STAIR SHAFT)	3258
SPRINKLERED	YES	
FIRE ALARM SYSTEM	YES	3.2.4.1.(2)(f)
EXIT LIGHTS	YES	
EMERGENCY LIGHTING	YES	



SCHEDUL	E	Α
his forms part of a	pplication	4
DP18-0188 DVP	18-0189	
	City	of War
lanner itials KB		owna
	0011	month i Datiento

ENERGY EFFICIENC	10.2 ENERGY		
COMPLIANCE PATH (ASHRAE/IMPERIAL)	NOVEMBER, 21, 201		
EQUIRED: ZONE 55 WITH MAX, 40% GL PROPOSED: ZONE 55 WITH 17%± GLAZI			
FENESTRATIONS ARE TO BE RATED MAXIMUM PRESCRIPTIVE UVALUES ASHRAE 50.1 (BASED ON TABLE 5.5 - 5)		TRADE-OFF U-VALUES	
ERTICAL GLAZING (NON-METAL):			
PICTURE WINDOW	U - 0.35 / SHGC - 0.40	U - 0.27 / SHGC - 0.25	
HORIZONTAL / VERTICAL SLIDER	U - 0.35 / SHGC - 0.40	U - 0.300 / SHGC - 0.23	
ERTICAL GLAZING (METAL):	U - 0.45 / SHGC - 0.40	U - 0.300 / SHGC - 0.35	
DOORS (NON-METAL)			
PATIO SLIDER > 50% GLAZING	U - 0.35 / SHGC - 0.40	U - 0.29 / SHGC - 0.23	
PATIO SWING DOOR > 50% GLAZING	U - 0.35 / SHGC - 0.40	U - 0.29 / SHGC - 0.23	
BWING DOOR (METAL - INSULATED)	U - 0.5	U-02	
MAIN FLOOR SLAB/PARKADE CEILING	U - 0.064 / R - 12.5 c4	U - 0.047 / R - 18 (Spray Insulation)	
JPPER ROOF	U -0.027 / R - 38	U - 0.023 / R - 44 (Batt Insulation)	
CORRIDOR ROOF	U - 0.027 / R - 38	U - 0.036 / R - 28 (Spray foam Insulation)	
ROOF OVER ELEVATOR SHAFT	U - 0.048 / R - 20 C.L	U - 0.044 / R - 22 C.I.	
WALLS	U - 0.061 / R-13 plus R-7.5 cl	U - 0.061 / R - 22	
LEVATOR WALLS	U = 0.000 / R = 13.3 C.L.	U - 0.055 / R - 22	

NO, OF STOREYS	O. OF STOREYS 3 STOREYS		UNLIMITED			
NO. OF STREETS FACING		1		1		
MAX, BUILDING AREA		PROPOSED	CODE MAXIMUM	PROPOSED	CODE MAX.	
		±2,248.81sm	2,400sm	2,806 sm	UNLIMITED	
NOTE: PARKADE TO BE	CONSIDERED AS A SEPARATE	BUILDING IN A	ACCORDANCE WIT	H 3.2.1.2		
CONSTRUCTION TYPE		COMBUSTIBL	E	NON-COMBUS	T.	
SPRINKLERED		YES		YES		
ASSEMBLY RATINGS:						
FLOOR		1 HR, (2 HR, F	RATING ABOVE PAR	RKADE)		
WALLS / BEARING STRUCTURE 1 HI			ATING FOR PARK	NOE)		
ROOFS		1 HR				
SPATIAL SE			:	3.2.3.1.D		
	SOUTH, WEST (FRONT) 8 EAST WALL		NORTH WALL			
WALL AREA	WINDOW OPENINGS &	±26.1sm				
OPENING AREA	WALL CONSTRUCTION UN-RESTRICTED	±10.3sm				
% PROVIDED	UNITING DISTANCES	±30.5%				
LIMITING DISTANCE	EXCEED 9.0m, OR BLDG	4.5m				
% PERMITTED	FACES A STREET IN ACCORDANCE WITH	195%				
CONSTRUCTION TYPE	3.2.3.10	Combust.				
CLADDING MATERIAL		Combust.				
		at utus moo				

REQUIRED RATINGS	45 MIN	LITTE O	
NEGUINED FOLLINGS	45 MIN	IUIES	
BUILDING FIRE :	SAFETY		
SOFFIT PROTECTION	N/A (SPRINKLERED)	3.2.3.16.	
FLAME SPREAD RATINGS	COMPLY WITH	3.1.13.2	
METAL DECK ASSEMBLIES	N/A	3.1.14.2.	
ROOF COVERING CLASSIFICATION	CLASS "A"	3.1.15.2.	
ATTIC FIRESTOPS	YES	3.1.11.	
MAX, ATTIC AREA	300 sm	3.1.11.5.	
MAX, CRAWLSPACE AREA	N/A	3.1.11.6.	
CONCEALED FLOOR AREA	N/A	3.1.11.5	

	REQUIRED	PROVIDED	
ACCESS TO MAIN ENTRANCES	YES	YES	
ACCESS TO ALL FLOORS	NO	YES	
ACCESSIBLE WASHROOM	NO.	NO.	

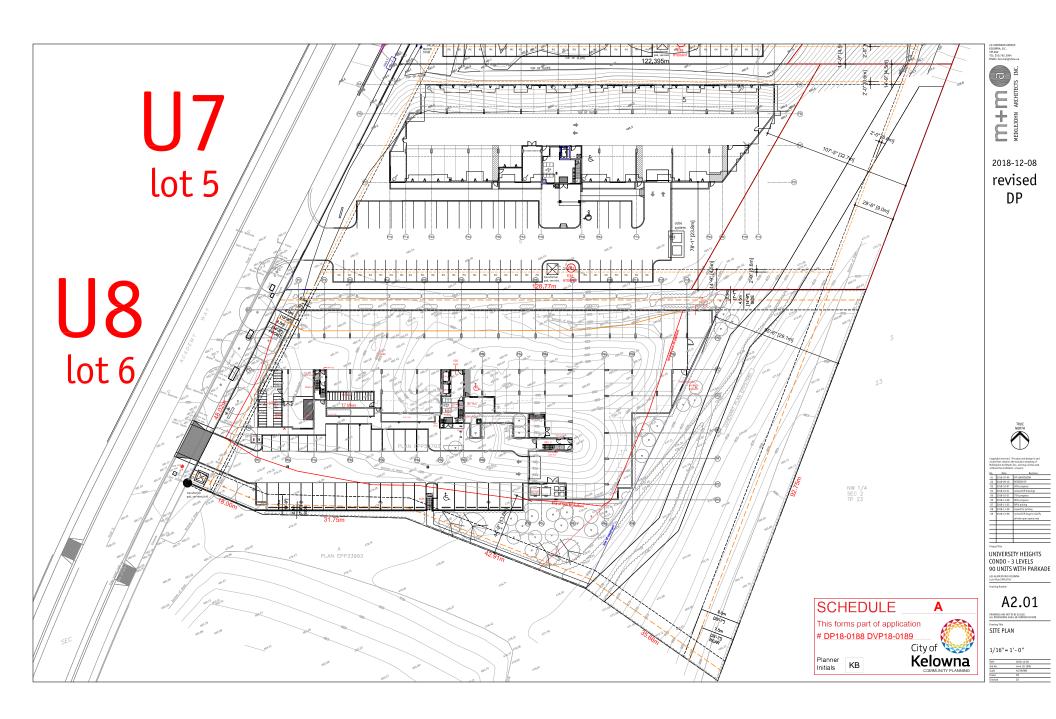
RESID	ENTIAL BUILDING TOTAL	387 PERSON
EXIT FACILITIES	3	3.1 TO 3.6
REQUIRED EXITS	2 MIN, PER FLOOR	
	REQUIRED WIDTHS	PROVIDED WIDTHS
	min, 900mm door width as per 3.4.3.2 (A)	
	min. 1100mm stair width as per 3.4.3.2 (A)	
PARKADE LEVEL	6.1mm/ person X 57 persons = 347.7mm (800mm MIN)	4 doors @ 3'-0" = 12'-0" (3658mm)
RESIDENTIAL LEVELS:		
LEVEL 1 - 3 (doors)	6.1mm/ person X 110 persons max.	min.2 doors @ 3'-0"
	= 671mm (800mm MIN)	width/floor = 6'-0" (1829mm)
LEVEL 1 - 3 (states)	8.0mm/ person X 110 persons max.	min. 2 stairs @ 3'-10"
	= 880mm (1100mm MIN)	width/floor = 7'-8" (2337mm)
RESIDENTIAL UNITS	min, 1 door @ 900mm (each unit)	36" door @ each unit.
EXIT THROUGH LOBBY	NO	3.4.4.2.
PANIC HARDWARE REO'D	yes (at exterior stair doors)	3.4.6.16.(2)
EXIT EXPOSURE	ck	3.2.3.13.
MAX, TRAVEL DISTANCE	45m	3.4.2.5.(1)
EXIT RATINGS REQUIRED:	•	
STAIR SHAFTS	1 HR (2 HR @ Parkade)	3.44.1.
CORRIDORS	188	3.3.2.6.(4)

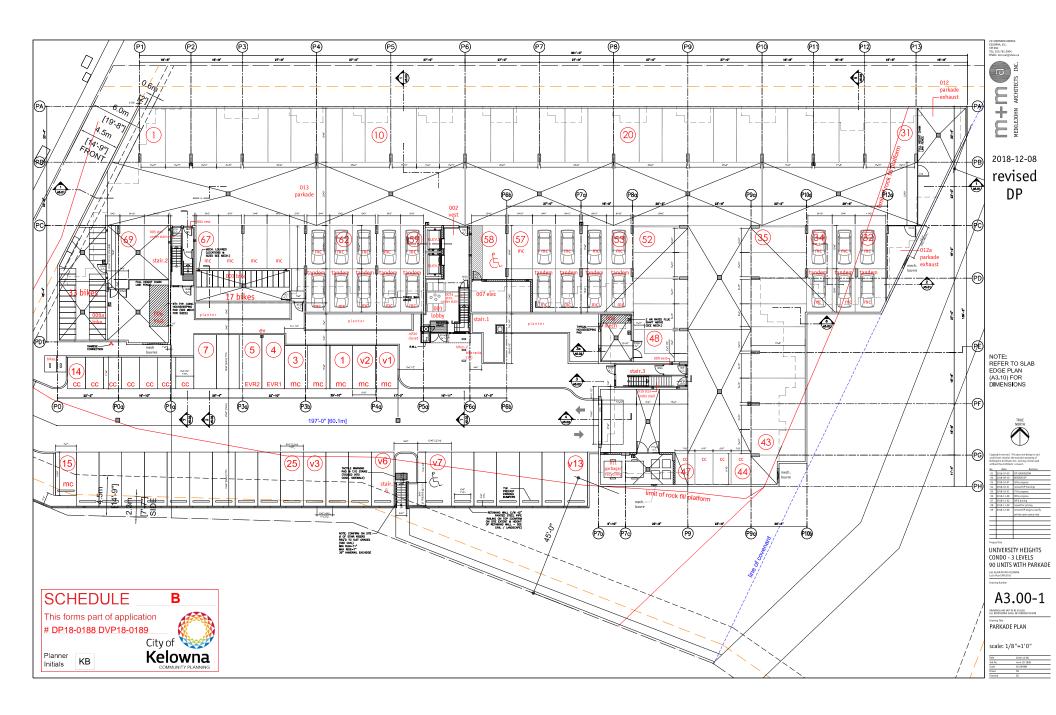
REQUIRED FIRE S	3.1.3.1		
TENANTS / MAJOR OCCUPANCIES			
GROUP C TO C	1 HR	3.3.1.1.	
GROUP F3 TO C	2 HR	32.12.	
SERVICES ROOMS	1 HR	3.6.2.	
JANIFOR ROOM	Non-Rated Fire Separation		

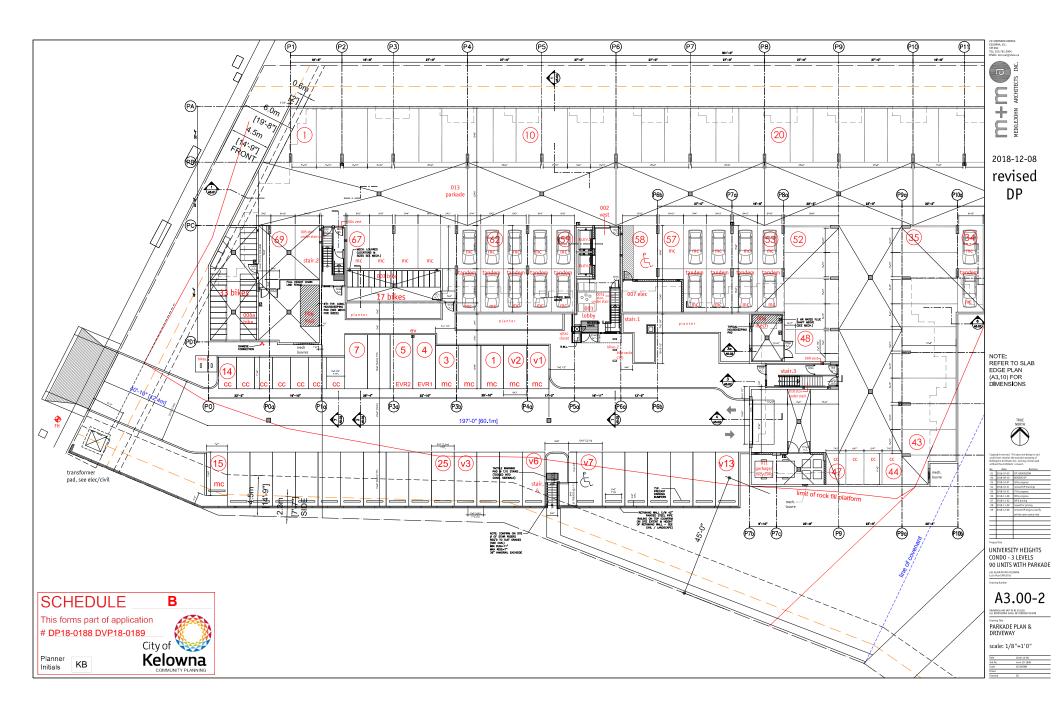
2018-12-08 revised DP

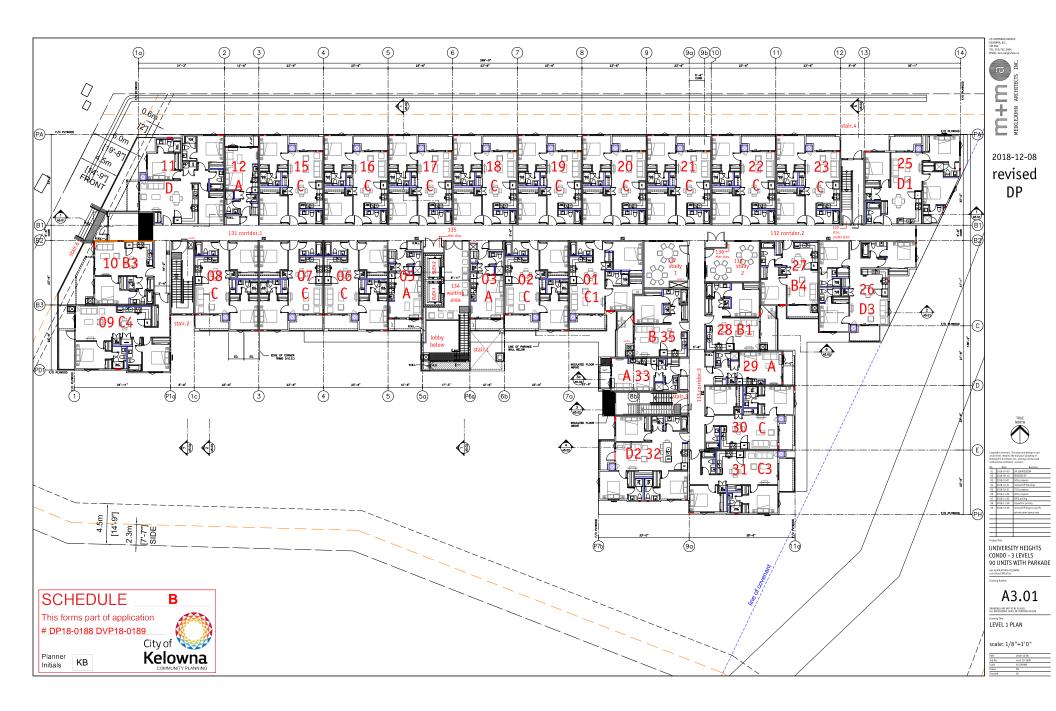
UNIVERSITY HEIGHTS CONDO - 3 LEVELS 90 UNITS WITH PARKADE

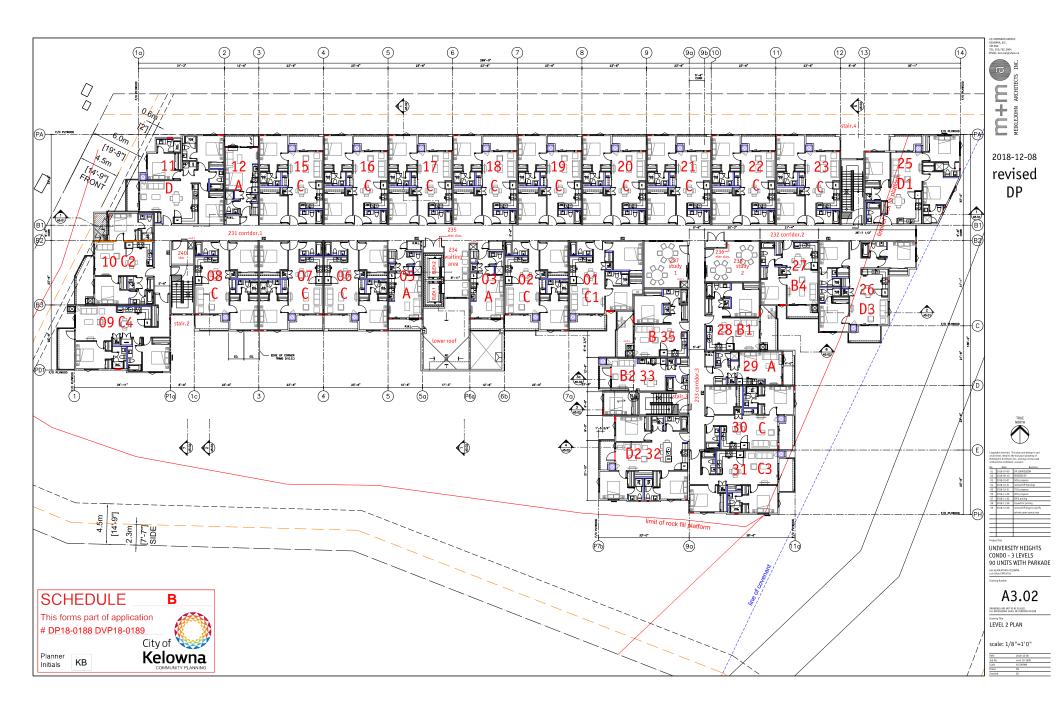
A1.01 DENVIONES ARE NOT TO BE SCALED.
ALL BENESSEDS SHALL BE VERSTED ON 30 ZONING & CODE REVIEW

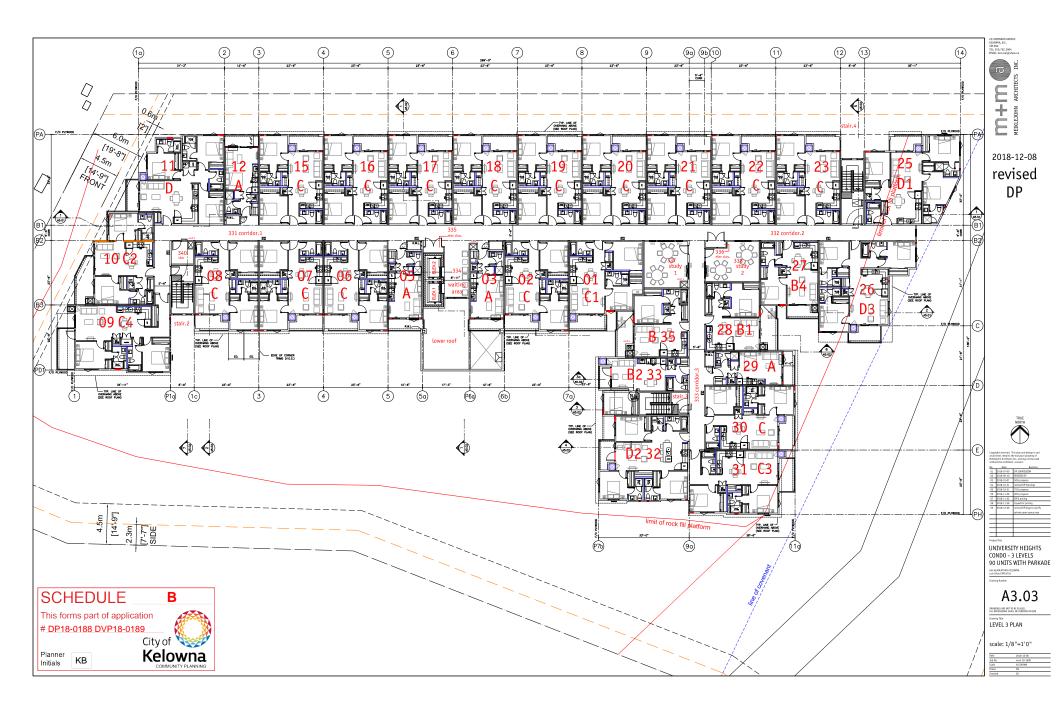


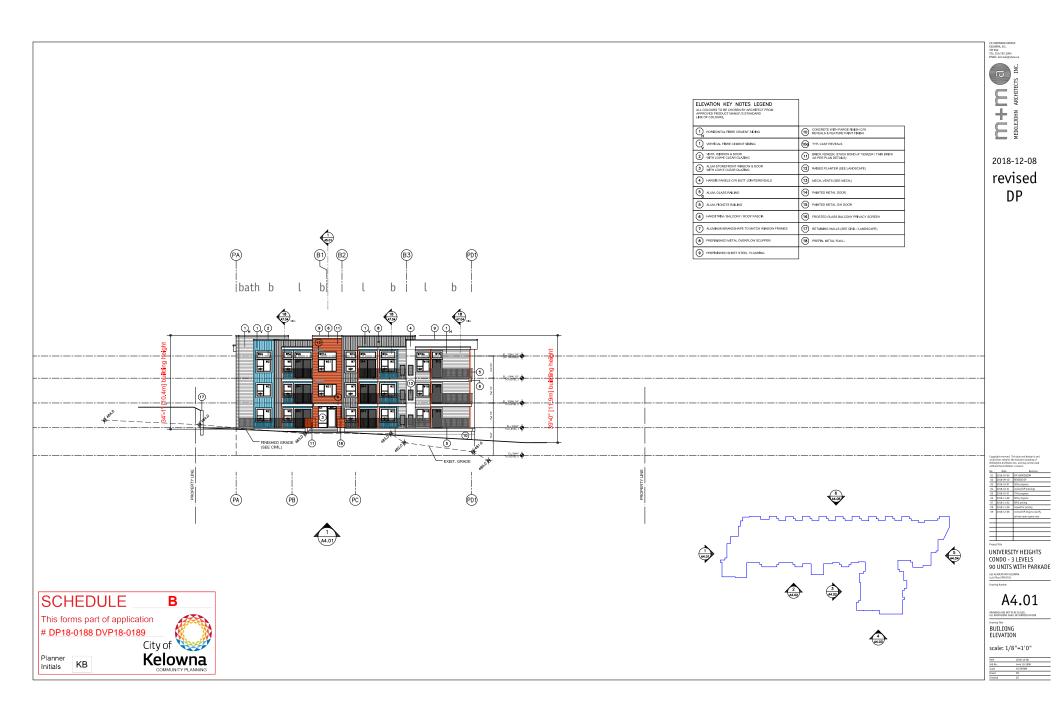


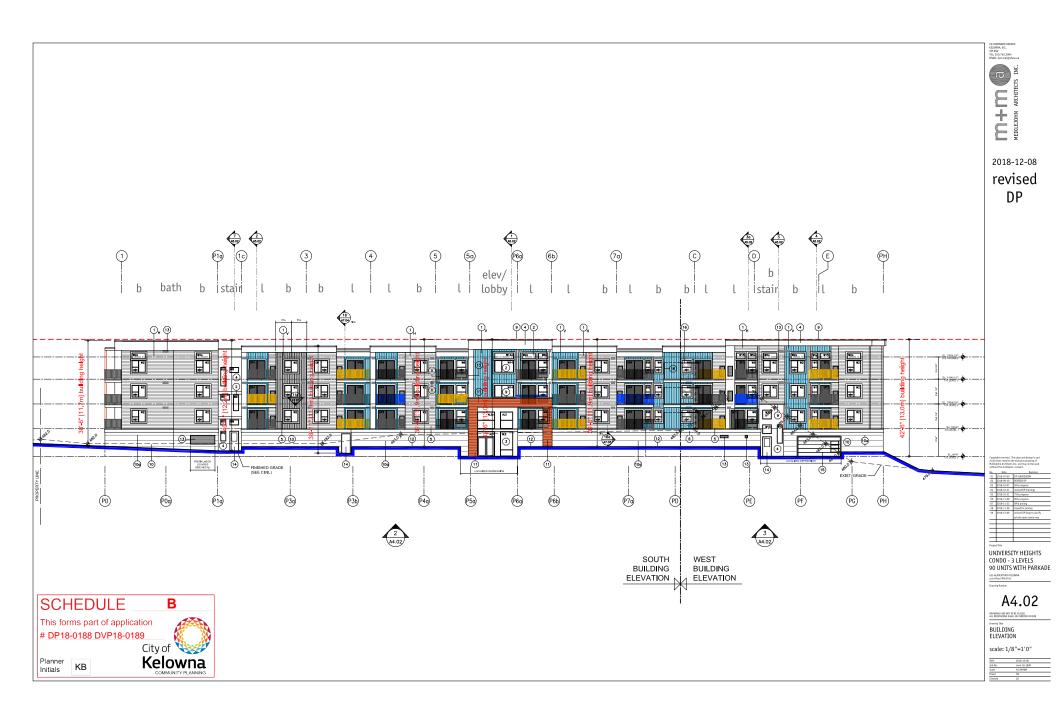


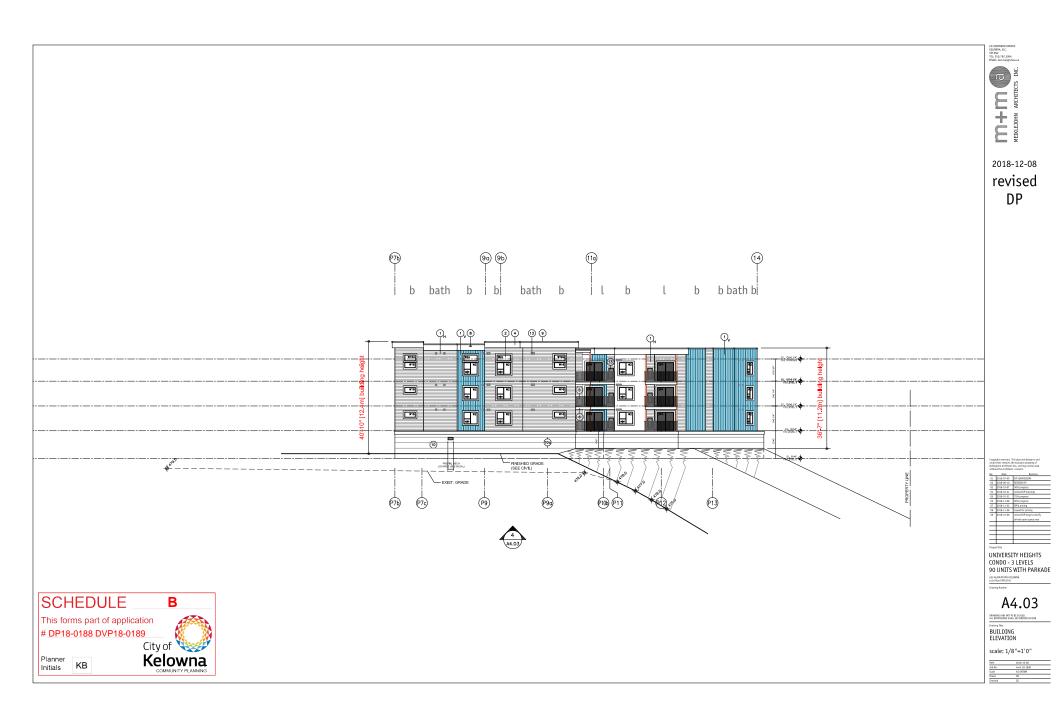


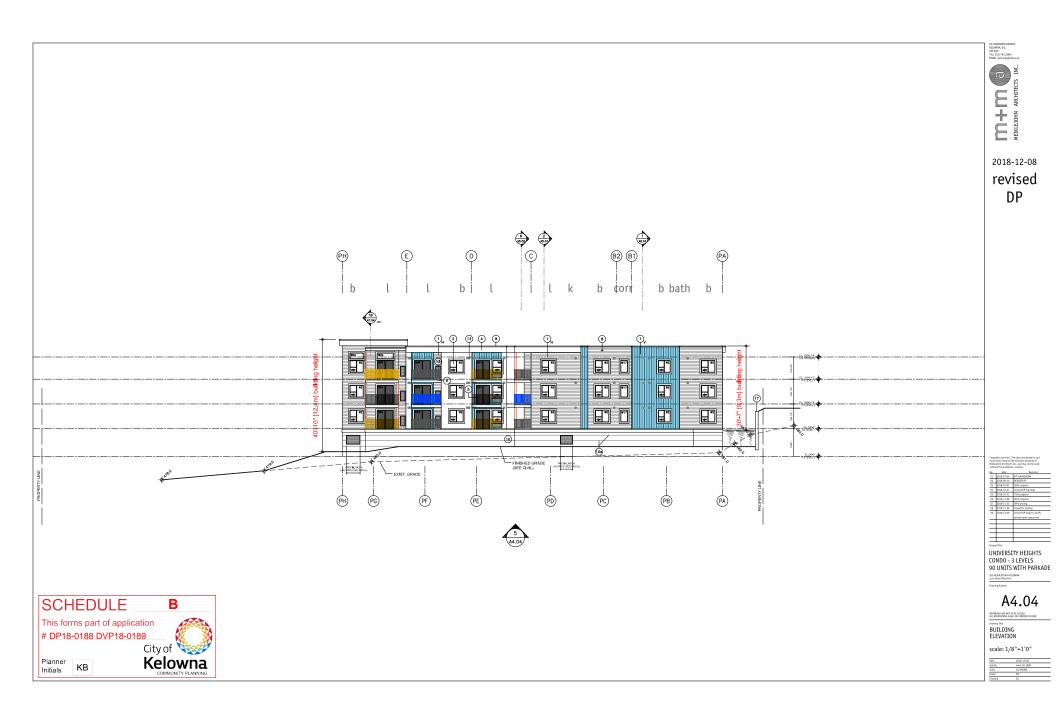


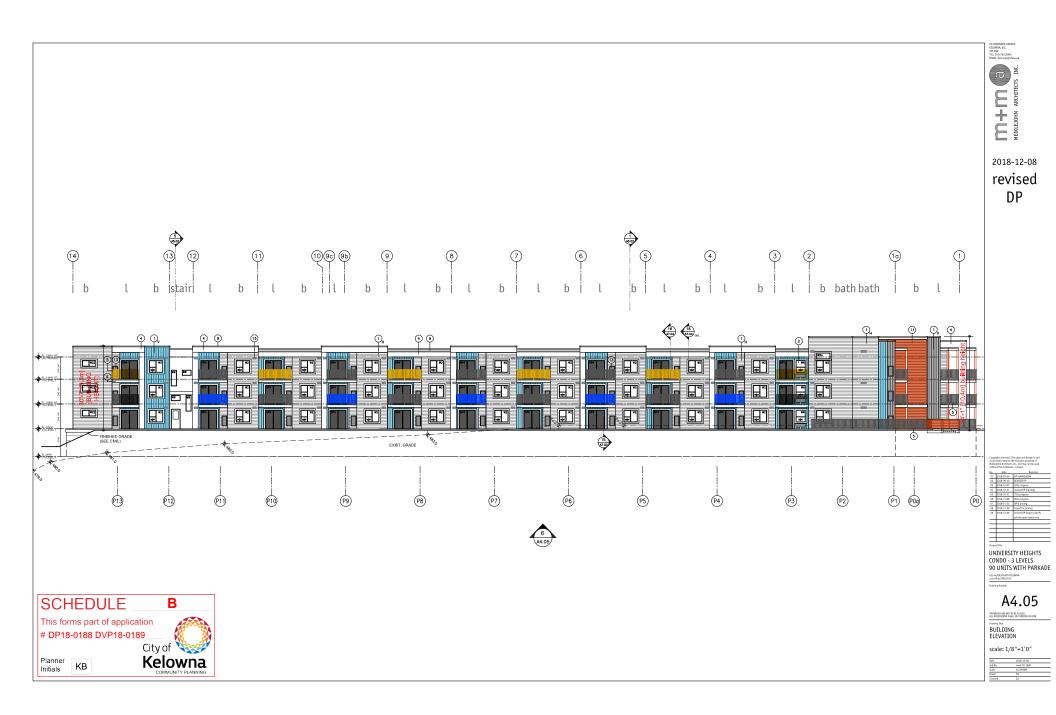






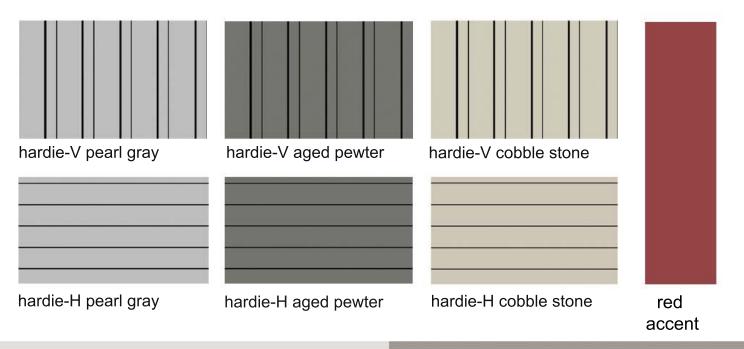




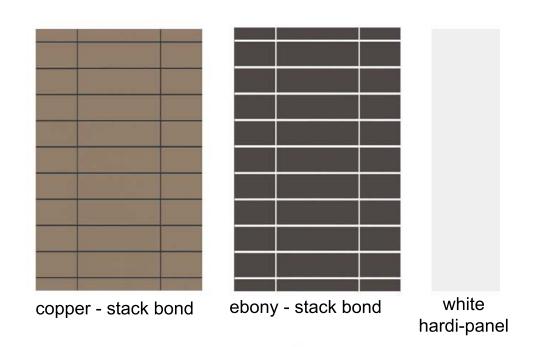






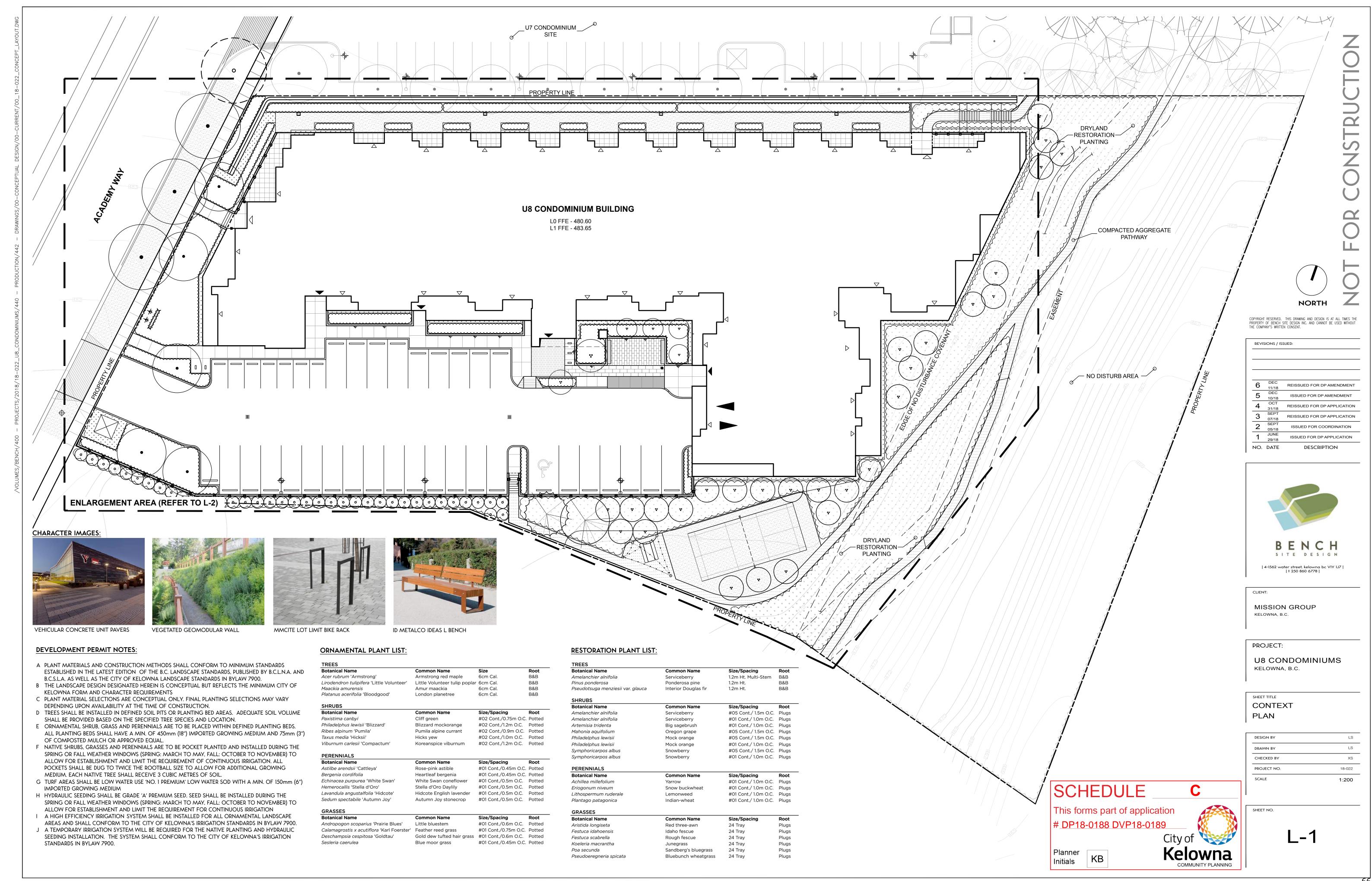


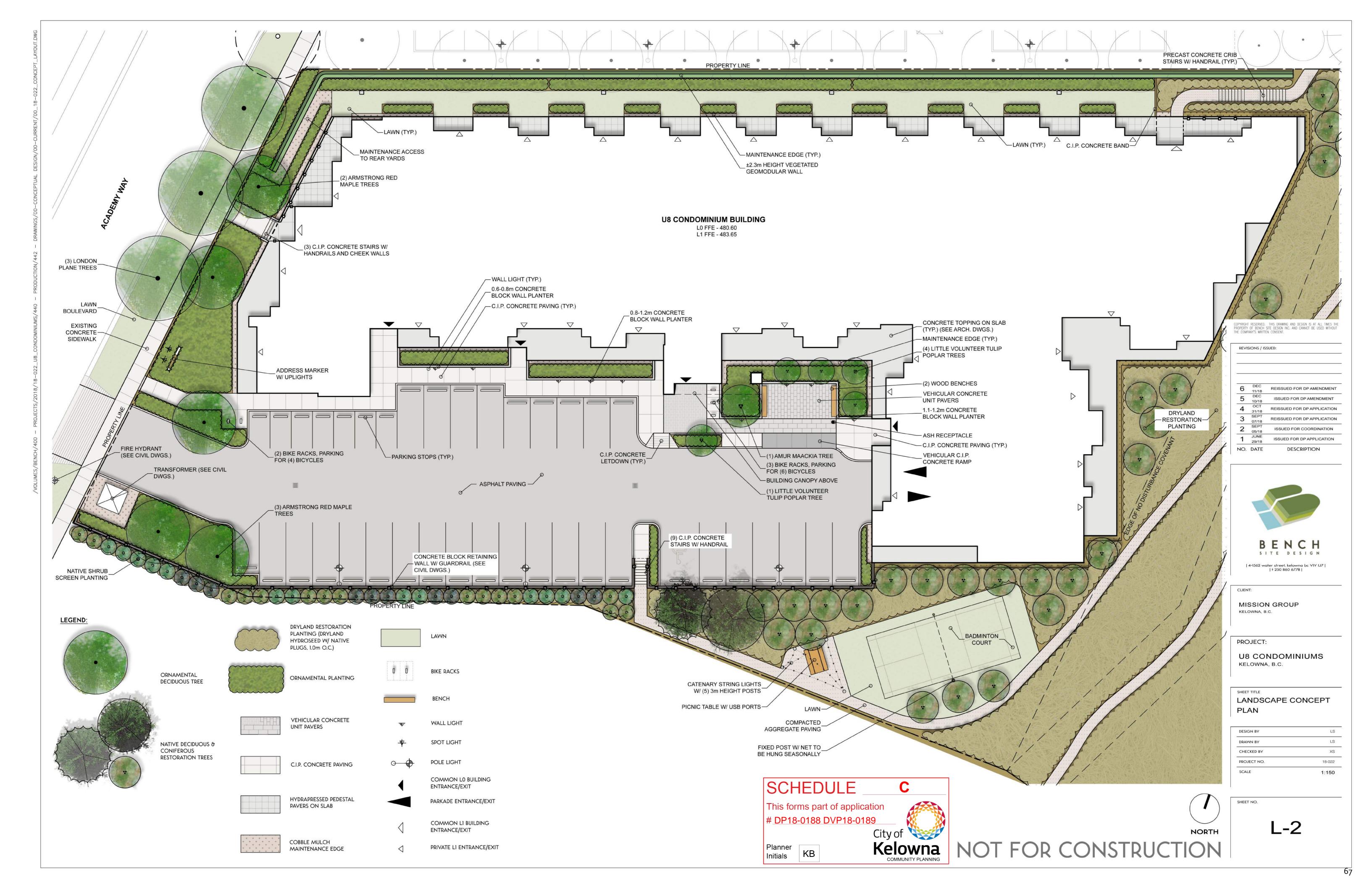
U8 condo

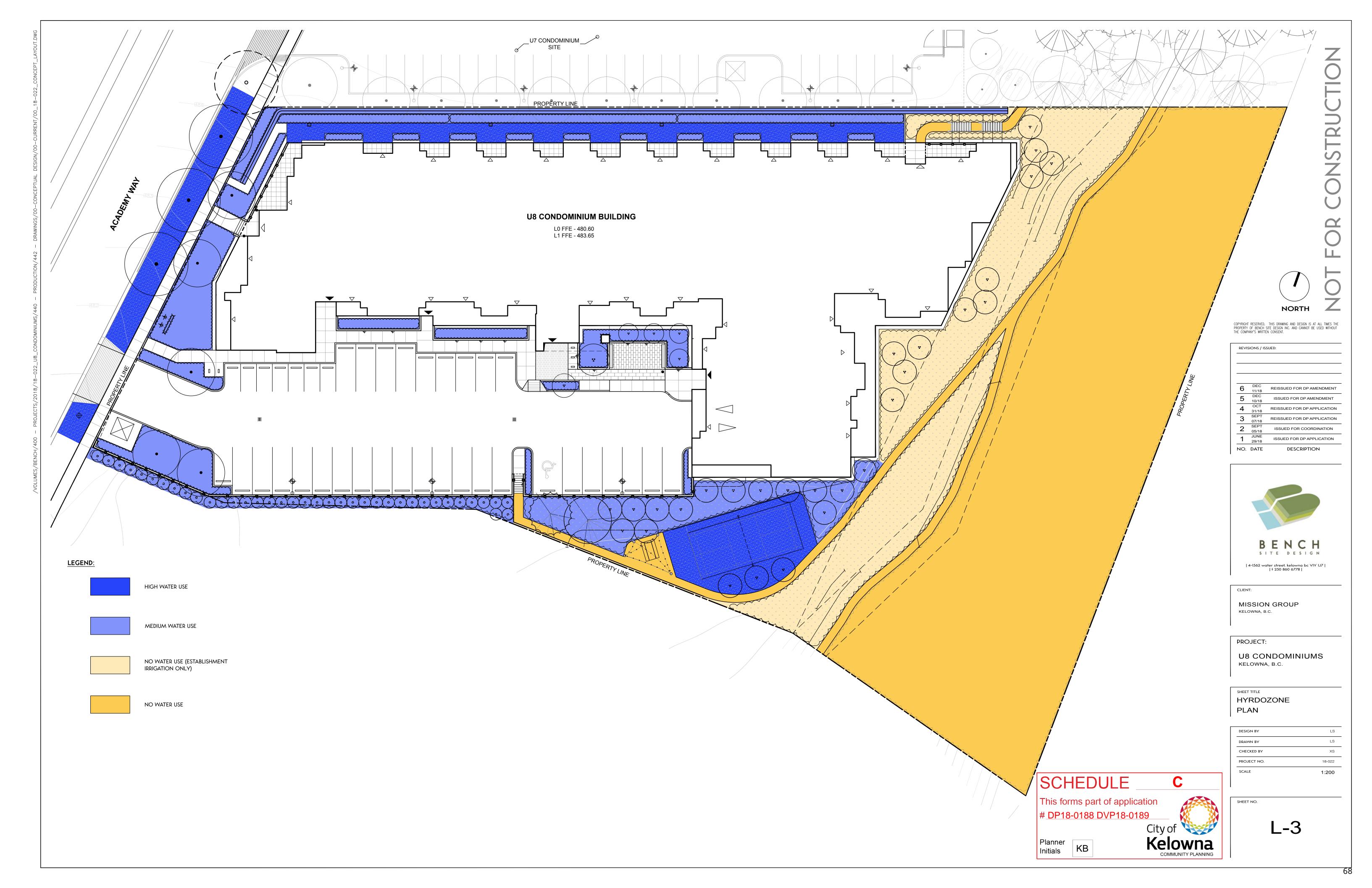












CITY OF KELOWNA

MEMORANDUM

Date: September 17, 2018

File No.: DP18-0188

To: Community Planning (KB)

From: Development Engineering Manager (JK)

Subject: 625Academy Way Lot 6, Plan EPP53793

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 Ryan O'Sullivan

1. General

- a) Subdivision requirements have been addressed in the Development Engineering report under file S09-0074.
- b) Provide Right of Way and Easement as may be required.
- c) This proposed subdivision may require the installation of centralized mail delivery equipment. Please contact, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC V1Y 2K0 to obtain further information and to determine suitable location(s) within the development.

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. <u>Domestic Water and Fire Protection</u>

a) 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. DP18-0188 2 -



4. <u>Sanitary Sewer</u>

The developer's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Our records indicate existing lot is serviced with a 200mm diameter sanitary service. Only one service per lot will be permitted for this development. The applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost.

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 HIGHWAY AGREEMENT between CITY OF KELOWNA and WATERMARK DEVELOPMENTS LTD. executed December 23, 2015.
- 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.
- c) Boulevard landscape irrigation system, must be integrated with the on-site irrigation system.
- d) 9.0m Concrete letdown for site access.

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.

DP18-0188 3 -



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

- a) Access and Manoeuvrability
 - (i) An MSU 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.

James Kay, P. Eng. Development Engineering Manager

RO

CITY OF KELOWNA

MEMORANDUM

Date: September 17, 2018

File No.: DVP18-0189 Variance DP

To: Community Planning (KB)

From: Development Engineering Manager (JK)

Subject: 625 Academy Way Lot 6, Plan EPP53793

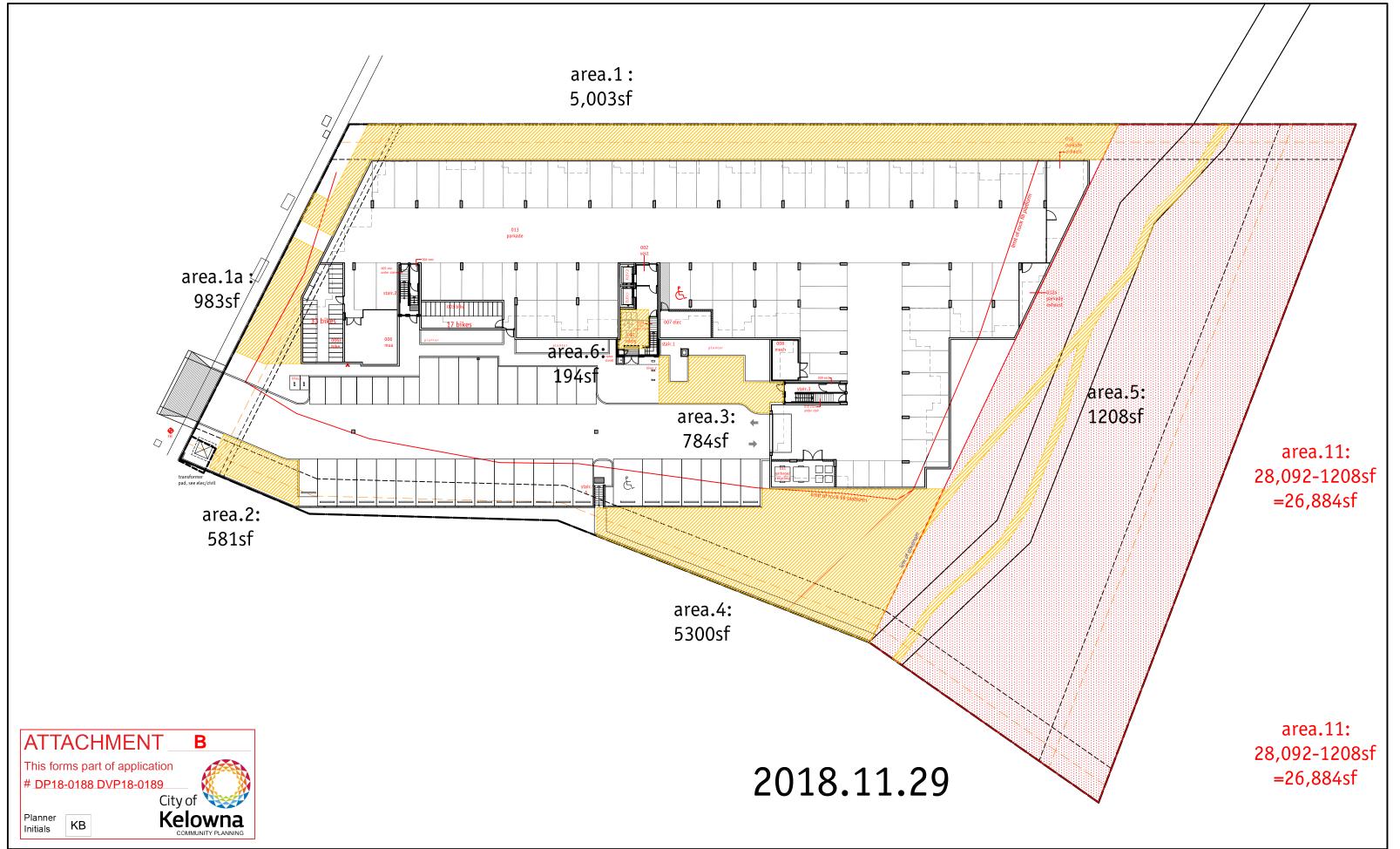
The Development Engineering Permit for the form and character of multiple dwelling housing (90 unit apartment housing), with variances to the required number of parking stalls (132 required, 122 proposed) and the height from 13.0 m / 3 storeys (permitted) to 13.5 m / 4 storeys (proposed)

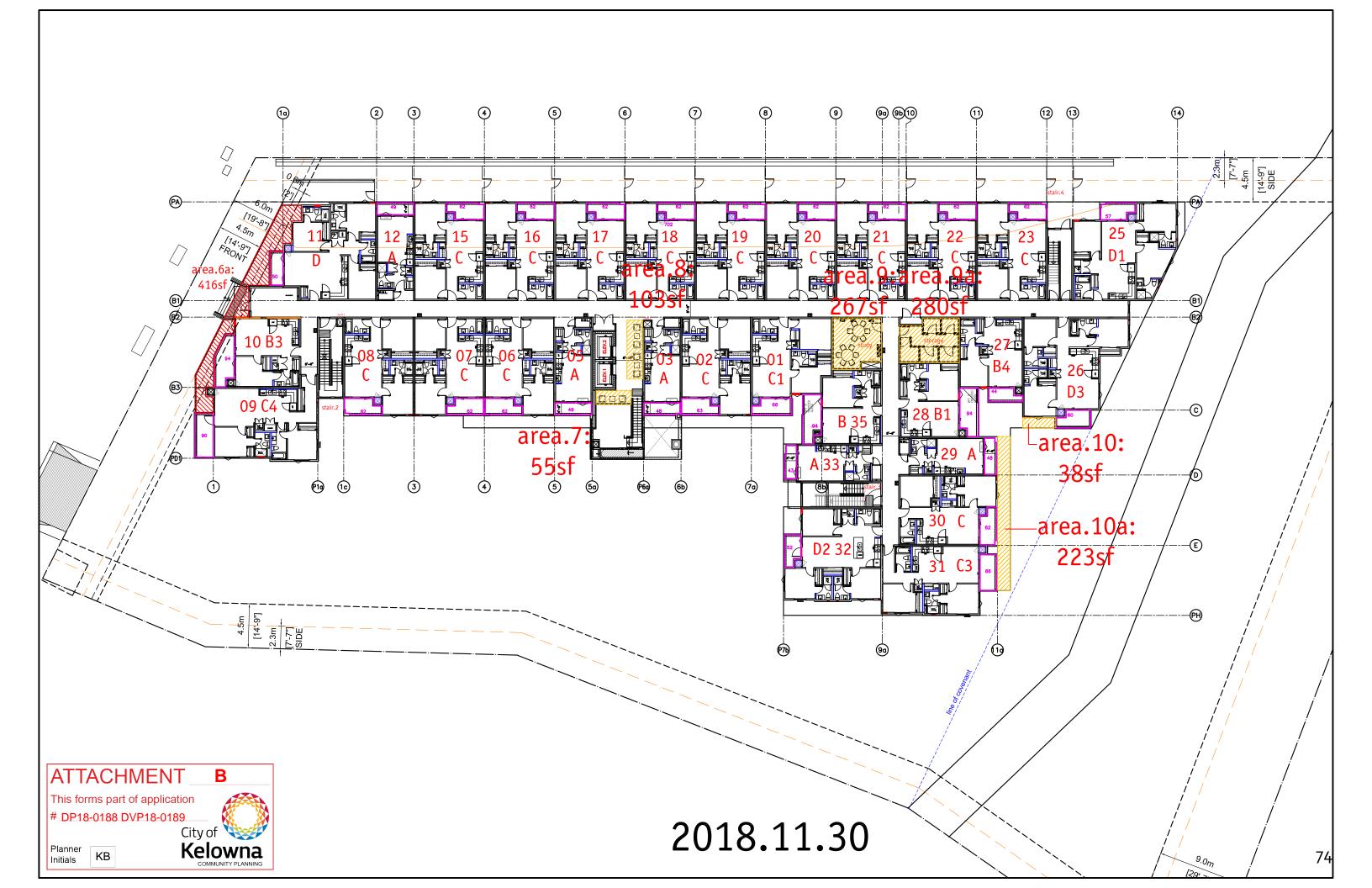
1. This application does not compromise any City of Kelowna municipal infrastructure.

James Kay P.Eng.

Development Engineering Manager

RO





Private Open Space	sm	2018-11-29 U8-RM4
bachelor	7.5	3-storey
1 bedrm	15.0	
over 1 bedrm	25.0	

Required sf sm 85034.0 site area 7899.9 Level 1 Required unit unit Proposed Proposed no of bed sm type no sf sm 25 C1 1 66.0 6.1 2 25 С 2 63.0 5.9 bachelor 7.5 Α 3 48.0 4.5 bachelor 7.5 Α 4 49.0 4.6 2 25 С 5 62.0 5.8 2 25 С 6 62.0 5.8 2 25 С 7 62.0 5.8 2 25 C4 8 90.0 8.4 15 ВЗ 94.0 8.7 1 9 3 25 D 10 50.0 4.6 bachelor 7.5 11 49.0 4.6 2 25 С 12 62.0 5.8 2 25 С 13 62.0 5.8 2 25 С 14 62.0 5.8 25 15 2 С 62.0 5.8 2 25 С 16 62.0 5.8 2 25 С 17 62.0 5.8 2 25 С 18 62.0 5.8 2 25 С 19 62.0 5.8 25 С 20 62.0 5.8 3 25 D1 21 57.0 5.3 D3 3 25 22 60.0 5.6 1 15 В4 23 44.0 4.1 24 94.0 1 15 В1 8.7 bachelor 7.5 Α 25 48.0 4.5 С 2 25 26 62.0 5.8 2 25 С3 27 66.0 6.1 3 25 D2 28 52.0 4.8 29 43.0 4.0 bachelor 7.5 Α 15 30 94.0 8.7 1 total 1873.0 174.0 55.0 5.1 area.7 area.8 103.0 9.6 267.0 24.8 area.9 area.9a 280.0 26.0 area.10 38.0 3.5 area.10a 223.0 20.7 622.5 Level 1 Total 2839.0 263.8



Level 2	Required	unit	unit	Proposed	Proposed
no of bed	sm	type	no	sf	sm
2	25	C1	1	66.0	6.1
2	25	С	2	63.0	5.9
bachelor	7.5	Α	3	48.0	4.5
bachelor	7.5	Α	4	49.0	4.6
2	25	С	5	62.0	5.8
2	25	С	6	62.0	5.8
2	25	С	7	62.0	5.8
2	25	C4	8	90.0	8.4
1	25	C2	9	94.0	8.7
3	25	D	10	50.0	4.6
bachelor	7.5	Α	11	49.0	4.6
2	25	С	12	62.0	5.8
2	25	С	13	62.0	5.8
2	25	С	14	62.0	5.8
2	25	С	15	62.0	5.8
2	25	С	16	62.0	5.8
2	25	С	17	62.0	5.8
2	25	С	18	62.0	5.8
2	25	С	19	62.0	5.8
2	25	С	20	62.0	5.8
3	25	D1	21	57.0	5.3
3	25	D3	22	60.0	5.6
1	15	B4	23	44.0	4.1
1	15	B1	24	94.0	8.7
bachelor	7.5	Α	25	48.0	4.5
2	25	С	26	62.0	5.8
2	25	C3	27	66.0	6.1
3	25	D2	28	52.0	4.8
1	15	B2	29	43.0	4.0
1	15	В	30	94.0	8.7
			total	1873.0	174.0
			area.8	103.0	9.6
			area.9	267.0	24.8
			area.9a	280.0	26.0
Level 2 Total	640.0			2523.0	234.4
Level 3 Total	640.0			2523.0	234.4
		sf		sf	
Required Private Open Space	sm 1903	20479		21	sm

Total Balconies 7885.0 732.5

landscape area/deck area		
Parkade	sf	sm
area.1	5003	464.8
area.1a	983	91.3
area.2	581	54.0
area.3	784	72.8
area.4	5300	492.4
area.5	1208	112.2
area.6	194	18.0
area.6a	416	38.6
sub-total	14469.0	1344.2
balconies	7885.0	732.5
Total Provided	22354.0	2076.8
Required	20479	1903
Difference	-1875	-174

