City of Kelowna Regular Council Meeting AGENDA



Tuesday, June 2, 2020 7:00 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 Stack.

3. Confirmation of Minutes

1 - 26

Public Hearing - May 12, 2020 Regular Meeting - May 12, 2020

4. Development Permit and Development Variance Permit Reports

Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward for each item.

4.1 START TIME - 7:00 PM - Bernard Ave 560 -592 DP19-0064 and DVP19-0065 - Mission Group Holdings Ltd., Inc. No. BC0993483

27 - 114

To consider a form and character Development Permit for a mixed-used development consisting of two towers, one residential and one office, both with ground floor commercial retail and to consider a development variance permit to increase the maximum tower height and to reduce the minimum class 2 bicycle parking stalls provided.

4.2 START TIME - 8:00 PM - Water St 1659, DP19-0161 and DVP19-0162 - MJI Contracting Inc., No. BC0915334

115 - 152

To consider a Form & Character Development Permit of a six storey office and retail commercial building and to consider six variances to the Zoning Bylaw.

4.3 START TIME - 9:00 PM - Clifton Rd 550, DP20-0017 DVP20-0096 - Ryan Peak ULC, Inc. No. A0066628

153 - 206

To consider a Staff recommendation to NOT issue a Development Variance Permit to allow tandem parking on the subject property and NOT issue a Development Permit for the form and character of 46-unit, 3-storey townhouse development.

- 5. Reminders
- 6. Termination



City of Kelowna **Public Hearing** Minutes

Date:

Location:

Monday, May 12, 2020 Council Chamber

City Hall, 1435 Water Street

Members Present

Mayor Colin Basran, Councillors Maxine DeHart, Mohini Singh

and Luke Stack

Members Participating Remotely

Councillors Ryan Donn, Gail Given, Charlie Hodge and Brad

Sieben and Loyal Wooldridge

Staff Present

City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Divisional Director, Planning & Development Services, Ryan Smith; Community Planning & Development Manager, Dean Strachan; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

Call to Order 1.

Mayor Basran called the Hearing to order at 4:02 p.m.

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

Individual Bylaw Submissions 2.

CD18 Zone Text Amendment, TA20-0013 (BL12009) - McKinley Hillside Limited 2.1 Partnership

Staff:

Displayed a PowerPoint Presentation summarizing the application.

The Applicant was present and available for questions.

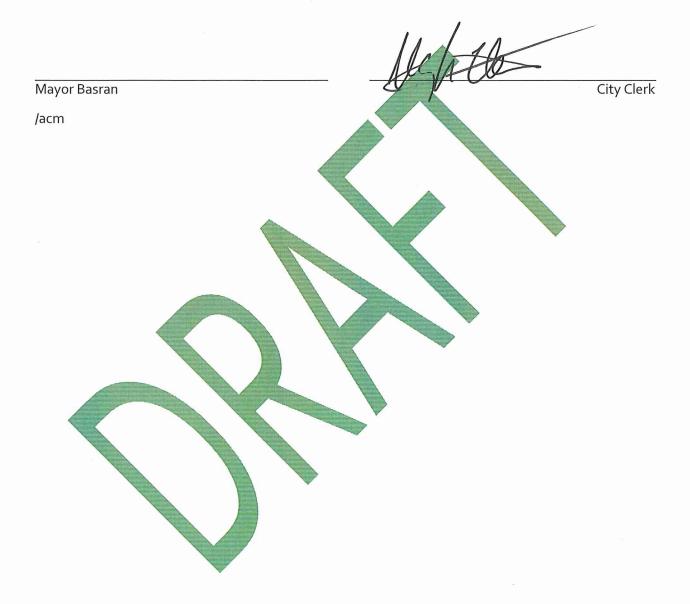
Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments from Council.

No one from the Gallery came forward.

There were no further comments

3. Termination

The Hearing was declared terminated at 4:06 p.m.





City of Kelowna Public Hearing Minutes

Date: Location: Monday, May 12, 2020 Council Chamber City Hall, 1435 Water Street

Members Present

Mayor Colin Basran, Councillors Maxine DeHart, Mohini Singh and Luke Stack

Members Participating Remotely

Councillors Ryan Donn, Gail Given, Charlie Hodge and Brad Sieben and Loyal Wooldridge

Staff Present

City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Divisional Director, Planning & Development Services, Ryan Smith; Community Planning & Development Manager, Dean Strachan; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the Hearing to order at 4:15 p.m.

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

2. Individual Bylaw Submissions

2.1 TA19-0020 CD2 Kettle Valley Comprehensive Residential Development Zone

Staff:

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

Ben Rawlinson Westpoint Drive, Applicant

- Spoke to the CD zone maximums and that the number of lots is under the maximum.
- Confirmed that the Traffic Impact Analysis noted by staff is correct.
- Townhomes will likely be 3 storeys from the ground up.
- Kettle Valley has a lot of diverse heights and this application is on par.
- Addressed concerns raised in received correspondence.
- Responded to questions from Council.

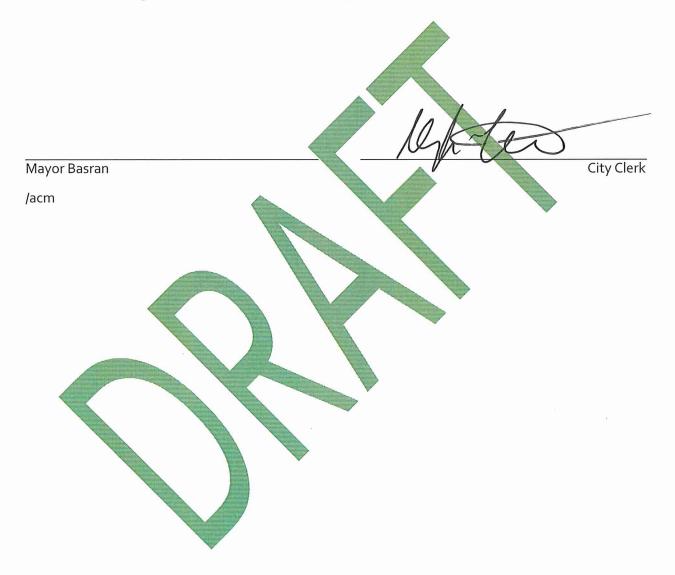
Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments from Council.

No one from the Gallery came forward.

There were no further comments

3. Termination

The Hearing was declared terminated at 4:24 p.m.





City of Kelowna Public Hearing Minutes

Date: Location: Monday, May 12, 2020 Council Chamber City Hall, 1435 Water Street

Members Present

Mayor Colin Basran, Councillors Maxine DeHart, Mohini Singh and Luke Stack

Members Participating Remotely

Councillors Ryan Donn, Gail Given, Charlie Hodge and Brad Sieben and Loyal Wooldridge

Staff Present

City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Divisional Director, Planning & Development Services, Ryan Smith; Community Planning & Development Manager, Dean Strachan; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

Call to Order

Mayor Basran called the Hearing to order at 4:30 p.m.

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

2. Individual Bylaw Submissions

2.1 Gordon Dr 1171-1199 - TA19-0021 (BL12005) - Manhattan Properties Ltd., Inc. No. 21606

Staff:

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

Birte Decloux, Urban Options Planning & Permits

- Displayed a PowerPoint Presentation summarizing the application.

- Spoke to neighbouring land uses on site with the small number of customer activity at those businesses.
- Spoke to the anticipated customer numbers and their frequency to the site.
- During the neighbourhood canvas there were no concerns apart from one neighbour.

- Spoke to concerns raised from one neighbour; discussed the site and noted that entrance and exit is being proposed off of High Road and that there is plenty of space to provide a 2 way drive out as per the Zoning Bylaw; there are 16 stalls along the front along with one accessible parking space with an accessible walkway.

In the future if there is movement and stores change and there needs to be more movement on the

site there is an opportunity to go one way all around the site.

- The Applicant is well established in the Kelowna market and have 2 other locations that have been around for some time.
- Available for questions.

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

Gallery:

Ken Sapriken, Coronation Avenue

- Opposed to this application.

- Raised concerns with traffic volume.

- Raised concerns with excessive traffic speeds and traffic speed statistics received from the RCMP.
- Raised concerns that there is an Elementary School within meters of this establishment.
- Raised concerns with entrance and exit to this site.
- Responded to questions from Council.

Kelly Ojeman, High Road

- Noted that his driveway is directly across from the proposed entrance to this site.
- Raised concerns with the traffic flow, in particular the entrance and exit to this site.
- Raised concerns with increased traffic
- Responded to questions from Council

There were no further comments

3. Termination

The Hearing was declared terminated at 4:55 p.m.

Mayor Basran

/acm

City Clerk



City of Kelowna Public Hearing Minutes

Date:

Location:

Monday, May 12, 2020

Council Chamber

City Hall, 1435 Water Street

Members Present

Mayor Colin Basran, Councillors Maxine DeHart, Mohini Singh

and Luke Stack

Members Participating Remotely

Councillors Ryan Donn, Gail Given, Charlie Hodge and Brad

Sieben and Loyal Wooldridge

Staff Present

City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Divisional Director, Rlanning & Development Services, Ryan Smith; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

Call to Order

Mayor Basran called the Hearing to order at 4.58 p.m.

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

2. Individual Bylaw Submissions

2.1 Leon Ave 815-831, OCP20-0001 (BL12007) and Z20-0001 (BL12008) - 1409493 Alberta Inc., Inc. No. 2014094938

Staff:

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

Corey Makus, 815 Leon Developments Ltd.

- Have no formal presentation but wanted to thank staff for their presentation.

- Spoke to the positive feedback from the neighbourhood through the formal and informal consultations.
- Spoke to positive track record in the community.
- Responded to questions from Council.

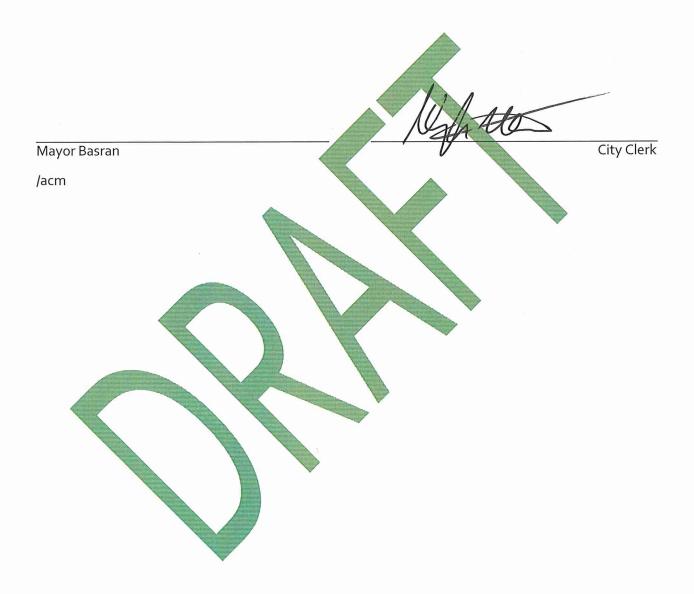
Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward, followed by comments from Council.

No one from the Gallery came forward.

There were no further comments

3. Termination

The Hearing was declared terminated at $5:06\ p.m.$





City of Kelowna Public Hearing Minutes

Date: Location: Monday, May 12, 2020 Council Chamber City Hall, 1435 Water Street

Members Present

Mayor Colin Basran, Councillors Maxine DeHart, Mohini Singh and Luke Stack

Members Participating Remotely

Councillors Ryan Donn, Gail Given, Charlie Hodge, Brad Sieben*

and Loyal Wooldridge

Staff Present

City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Divisional Director, Planning & Development Services, Ryan Smith; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the Hearing to order at 5.11 p.m.

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

2. Individual Bylaw Submissions

2.1 1729 1835 Gordon Dr, TA20-0011 Z20-0012, RG Properties Ltd., Inc. No. BC0812619

Councillor Sieben declared a conflict of interest for the Public Hearing and the subsequent Regular Meeting due to providing insurance for the Applicant and departed the meeting 5:13 p.m.

Staff:

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

Jordan Hettinga, Kent-Macpherson and Gavin Perry, RG Properties

- Displayed a PowerPoint Presentation.

- Spoke to the historical, current and future uses of the Capri area.

- The building is outdated and not aesthetically pleasing, and this proposed application will be a benefit to the surrounding area.

This will become a one stop shopping location and will be a benefit to the neighbourhood.

- This location will receive modernization, prominent lighting to the area and to the Harvey Avenue intersection, will establish a street wall along Harvey Avenue and will be an overall enhancement.
- Responded to questions from Council.

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

Gallery:

Chris Will, Venture Commercial Real Estate, Bernard Avenue

- Read a letter of opposition dated May 8, 2020 on behalf of a client landlord who has a cannabis retail renter.
- Strongly opposed to the application for the following reasons.
 - Through the City's consultation process established an evaluation criteria and guidelines for retail cannabis locations and Capri Centre was not selected, and do not believe the rules should be changing so freely.
 - City staff did not support this location.
 - o Existing cannabis retailers went through the rezoning process with considerable costs and understanding the rules and where the locations would be and the distance between stores.
 - o In addition, the existing cannabis tenants incurred considerable costs to improve stores in most cases paying full rent prior to receiving government licenses.
 - o Financial risks to open and develop a retail cannabis store.
 - o In the early stages the cannabis industry is experiencing an over supply of licensed producers creating an oversupply of cannabis and retail sales are not living up to original projections; some stores may not survive at a cost to the tenant.
 - o Support free market and economy but rules and quidelines were established.
- Responded to questions from Council.

Tarek Shbib, Owner of Spirit Leaf Kelowna, Harvey Avenue

- Opposed to the application.
- Believes his cannabis store would be negatively impacted by this proposed application.
- Spoke to the risks and cost undertaken with the expectations that Council would uphold their original rules and regulations.
- Made comment that Council did not support a proposed cannabis store in the Rutland area as it was within 500 m of another store.
- Believes the right thing to do would be to allow stores to open and then see if the 500 meter ruling should be amended.
- Encouraged Council to remain consistent with their regulations.
- Responded to questions from Council.

Donna McAllister, Mount Royal Drive

- Owner of a cannabis retail store on Gordon Drive.
- Opposed to the application.
- Raised concern with clustering of stores which may have been the intent of 500 meters.
- Encouraged Council to stay the course on the existing regulations and believe it is not the time to deviate.
- Agrees with the comments of the previous speaker.

Chris Grout, Kelowna

- Opposed to this application.
- Spoke to the Provincial application process being time consuming and taking a long time to get cannabis stores up and running.
- There are 20 stores approved and will be coming to market; should wait to see how the market unfolds before opening new stores.

Gary Johnson, Ethel Street

- Have been a Capri area resident for many years.

- A potential employee for the Spirit Leaf store about to open.
- Encouraged Council to stay with the existing regulation of 500 meters to see how stores operate and if more are needed.
- Opposed to the application.

Dale Sivucha, General Manager Coast Capri Hotel

- In support of this application.
- From a marketing perspective this cannabis store will make the hotel more competitive.
- Many hotel guests have inquired about a cannabis shop in the area; this store will be beneficial for our many guests and will compliment other nearby retail stores.
- The location of this cannabis store would also be beneficial for hotel employees as well.

Bryan Sargeant, Capril Mall Bowling Centre Operator, Gordon Drive

- In support of this application.
- Believes this cannabis store will create viability to the mall
- Believes this store will create a complimentary service to the other services the mall offers.
- There are no concerns with the 24 hour security on site.

Rob Mutch, Appleridge Road

- Landlord/owner of 1100 Lawrence Avenue.
- Spoke to the expense landlords incurred to attract a cannabis retail tenant and the various approvals required.
- Spoke to the risks taken by retailers and landlords under the assumption that existing rules would remain in place.
- Encouraged Council to keep existing rules in place.

Gavin Perry, Applicant:

- Commented on the potential impacts that COVID-19 may have on the Capri Mall currently and moving forward and that the viability of the site is critical.
- The Capri Centre requires a sold tenant base in order to expand.
- Responded to questions from Council.

Staff:

/acm

- Responded to questions from Council.

There were no further comments

3. Termination

The Hearing was declared terminated at 6:02 p.m.

Mayor Basran City Clerk



Date: Location: Monday, May 12, 2020 Council Chamber City Hall, 1435 Water Street

Members Present

Mayor Colin Basran, Councillors Maxine DeHart, Mohini Singh and Luke Stack

Members Participating Remotely

Councillors Ryan Donn, Gail Given, Charlie Hodge and Brad Sieben and Loyal Wooldridge

Staff Present

City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Divisional Director, Planning & Development Services, Ryan Smith; Community Planning & Development Manager, Dean Strachan; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 4:06 p.m.

2. Bylaws Considered at Public Hearing

2.1 CD18 Zone Text Amendment, BL12009 (TA20-0013) - McKinley Hillside Limited Partnership

Moved By Councillor Singh/Seconded By Councillor Stack

R0351/20/05/12 THAT Bylaw No. 12009 be read a second and third time and be adopted.

Carried

3. Termination

The meeting was declared terminated at 4:07 p.m.

Mayor Basran

City Clerk



Date: Location: Monday, May 12, 2020 Council Chamber City Hall, 1435 Water Street

Members Present

Mayor Colin Basran, Councillors Maxine DeHart, Mohini Singh and Luke Stack

Members Participating Remotely

Councillors Ryan Donn, Gail Given, Charlie Hodge, Brad Sieben and Loyal Wooldridge

Staff Present

City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Divisional Director, Planning & Development Services, Ryan Smith; Community Planning & Development Manager, Dean Strachan; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

Call to Order

Mayor Basran called the meeting to order at 4:24 p.m.

2. Bylaws Considered at Public Hearing

2.1 BL12016 - TA19-0020 CD2 Kettle Valley Comprehensive Residential Development Zone

Moved By Councillor DeHart/Seconded By Councillor Stack

R0352/20/05/12 THAT Bylaw No. 12016 be read a second and third time and be adopted.

Carried

3. Termination

The meeting was declared terminated at 4:25 p.m.

Mayor Basran

City Clerk



Date: Location: Monday, May 12, 2020 Council Chamber City Hall, 1435 Water Street

Members Present

Mayor Colin Basran, Councillors Maxine DeHart, Mohini Singh and Luke Stack

Members Participating Remotely

Councillors Ryan Donn, Gail Given, Charlie Hodge, Brad Sieben and Loyal Wooldridge

Staff Present

City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Divisional Director, Planning & Development Services, Ryan Smith; Community Planning & Development Manager, Dean Strachan; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

Call to Order

Mayor Basran called the meeting to order at 4:55 p.m.

- 2. Bylaws Considered at Public Hearing
 - 2.1 Gordon Dr 1171-1199, BL12005 (TA19-0021) Manhattan Properties Ltd., Inc No. 21606

Moved By Councillor Sieben/Seconded By Councillor Singh

R0353/20/05/12 THAT Bylaw No. 12005 be read a second and third me.

Carried

3. Termination

The meeting was declared terminated at 4:57 p.m.

Mayor Basran

City Clerk



Date:

Location:

Monday, May 12, 2020

Council Chamber

City Hall, 1435 Water Street

Members Present

Mayor Colin Basran, Councillors Maxine DeHart, Mohini Singh

and Luke Stack

Members Participating Remotely

Councillors Ryan Donn, Gail Given, Charlie Hodge, Brad Sieben

and Loyal Wooldridge

Staff Present

City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Divisional Director, Planning & Development Services, Ryan Smith; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

Call to Order

Mayor Basran called the meeting to order at 5:06 p.m.

- Bylaws Considered at Public Hearing
 - 2.1 Leon Ave 815-831, BL12007 (OCP20-0001) 1409493 Alberta Inc., Inc. No. 2014094938

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro354/20/05/12 THAT Bylaw No. 12007 be read a second and third time.

Carried

2.2 Leon Ave 815-831, BL12008 (Z20-0001) - 1409493 Alberta Inc., Inc. No. 2014094938

Moved By Councillor DeHart/Seconded By Councillor Stack

R0355/20/05/12 THAT Bylaw No. 12008 be read a second and third time.

Carried

3. Termination

/acm

The meeting was declared terminated at 5:10 p.m.

Mayor Basran City Clerk



Date: Location: Monday, May 12, 2020

Council Chamber

City Hall, 1435 Water Street

Members Present

Mayor Colin Basran, Councillors Maxine DeHart, Mohini Singh

and Luke Stack

Members Participating Remotely

Councillors Ryan Donn, Gail Given, Charlie Hodge and Loyal

Wooldridge

Members Absent Staff Present Councillor Brad Sieben

City Manager, Doug Gilchrist; City Clerk, Stephen Fleming, Divisional Director, Planning & Development Services, Ryan Smith; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

Call to Order

Mayor Basran called the meeting to order at 6:02p.m.

Bylaws Considered at Public Hearing

2.1 BL12028 - TA20-0011 - Gordon Drive 1729-1835

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0356/20/05/12 THAT Bylaw No. 12028 be read a second and third time.

Defeated

Councillors DeHart, Donn, Singh and Stack - Opposed

2.2 BL12029 - Z20-0012 - Gordon Drive 1729-1835

Bylaw No. 12029 did not proceed due to the Text Amending Bylaw being defeated.

3. Termination

The meeting was declared terminated at 6:31 p.m.

Mayor Basran

ity Clerk



Date: Location: Monday, May 12, 2020 Council Chamber

City Hall, 1435 Water Street

Members Present

Mayor Colin Basran, Councillors Maxine DeHart, Mohini Singh

and Luke Stack

Members Participating Remotely

Councillors Ryan Donn, Gail Given, Charlie Hodge and Brad

Sieben and Loyal Wooldridge

Staff Present

City Manager, Doug Gilchrist*; City Clerk, Stephen Fleming, Divisional Director, Planning & Development Services, Ryan Smith*; Development Planning Department Manager, Terry Barton*; Urban Planning & Development Policy Manager, James Moore*; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

Call to Order

Mayor Basran called the meeting to order at 7:03 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor DeHart.

- 3. Development Permit and Development Variance Permit Reports
 - 3.1 START TIME 7:00 P.M. Radant Rd 588, DVP18-0224 Craig B. Bulawka Professional Corporation

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The Applicant was not present due to COVID-19 concerns.

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

Gallery:

Rachel Petrie, Radant Road

Opposed to this application

- Made reference to correspondence and petition previously submitted.

- Believes this application will create a lack of privacy and obstruction of view.
- Believes this application will negatively affect neighbouring property value.
- Read a letter from neighbours who own homes on Radant Road that were unable to attend.
- Responded to questions from Council

There were no further comments

Moved By Councillor Donn/Seconded By Councillor Wooldridge

<u>R0357/20/05/12</u> THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0224 for Lot 3, Section 6, Township 26, Osoyoos Division Yale District, Plan 9002, located at 588 Radant Road, Kelowna, BC;

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

Section 13.6.6(i): RU6 – Two Dwelling Housing Development Regulations
To vary the required minimum separation between two single detached houses from 4.5 m permitted to 1.8 m proposed.

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

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

<u>Carried</u> Councillor Stack - Opposed

The meeting recessed at 7:25 p.m.

The meeting reconvened at 7:30 p.m. with the City Manager absent and the Division Director, Planning & Development Services, Ryan Smith acting for the City Manager.

3.2 START TIME - 7:30 P.M. - Valley Rd 728, DP19-0152 DVP19-0153- 1138742 B.C. Ltd, Inc. No. 1138742

Staff:

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

The City Manager returned to the meeting at 7:50 p.m.

<u>Jordan Hettinga</u>, <u>Kent-Machperson</u>

- Displayed a PowerPoint Presentation summarizing the application.
- Spoke to the amount of private open space per unit.
- Clarified that the Applicant owns the Creek which provides an additional 15 m to the subject parcel.
- Displayed an image of the overall site with the different phases on the property.
- Sussex Retirement specializes in state-of-the-art Memory Care, Independent Living and Assisted Living.
- Spoke to the height and rear yard setback variances and provided rationale.
- Responded to questions from Council.

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

No one from the Gallery came forward.

There were no further comments.

Moved By Councillor Stack/Seconded By Councillor Sieben

<u>Ro358/20/05/12</u> THAT Council authorizes the issuance of Development Permit No. DP19-0152 for Lot D, Section 29, Township 26 Osoyoos Division Yale District Plan EPP75038 located at 728 Valley Rd, 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 from 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 a reciprocal access easement be registered on the subject property and 726 Valley Rd to allow for vehicular and pedestrian access;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0153 for Lot D, Section 29, Township 26 Osoyoos Division Yale District Plan EPP75038 located at 728 Valley Rd, Kelowna, BC;

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

Section 1.6(c): CD27 - Valley Land Subdivision Development Regulations

To vary the maximum height as permitted in the RM5- Medium Density Multiple Housing zone from the lesser of 18.0m or 4.5 storeys permitted to 26.5m or 7 storeys proposed.

Section 1.6(e): CD27 - Valley Land Subdivision Development Regulations

To vary the side yard setback from 7.0m to o.0m for a portion of the south property line for the property located at 726 Valley Rd.

Section 1.6(f): CD27 - Valley Land Subdivision Development Regulations

To vary the rear yard setback from 9.0m permitted to 7.0m proposed for a portion of the north property line, and from 9.0m to 0.0m for a portion of the north property line.

AND THAT Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated April 7, 2020

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

<u>Carried</u> Councillor Hodge - Opposed

3.3 START TIME - 8:00 P.M. - Valley Rd 726, DP17-0197 DVP20-0040, The Vineyards Community Land Holdings Inc. No. BC1106986

Staff:

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

Jordan Hettinga, Kent-Machperson

- Displayed a PowerPoint Presentation.

- Spoke to the parking and landscaping variances and provided rationale for each variance.

- Spoke to the landscape plan and green roof.
- Responded to questions from Council.

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

No one from the Gallery came forward.

There were no further comments

Moved By Councillor Sieben/Seconded By Councillor Hodge

<u>R0359/20/05/12</u> THAT Council authorizes the amendment of Development Permit No. DP17-0197-02 for Lot 1, Section 29, Township 26 Osoyoos <u>Division Yale District Plan EPP80501</u>, located at 726 Valley Rd, Kelowna, BC subject to the <u>following</u>:

1. Parking to be provided on the land be in accordance with Schedule "A",

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0040 for Lot 1, Section 29, Township 26 Osoyoos Division Yale District Plan EPP80501, located at 726 Valley Rd, Kelowna, BC;

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

Table 8.3.1.1 Residential Parking-Supportive Housing

To vary the minimum spaces per sleeping unit from 0.35 required to 0.11 proposed.

Carried

The meeting recessed at 8:17 p.m.

The meeting reconvened at 8:26 p.m.

3.4 START TIME - 8:15 P.M. - Adams Road 105, DP19-0199; DVP19-0200 - Central Valley Truck Services Ltd. Inc. No. BC0288380

Staff:

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

Laura Jones, Pacific Land Group, Mark Reso and Michael Rizzo, Parkland Fuel

- Provided a Corporate overview of the companies operated within the City.
- Spoke to points raised in the staff report and presentation.
- Spoke to the extensive landscape proposed and that it is over and above the usual landscaping for such a project.
- Committed to offeri<mark>ng an electr</mark>ic charging station for free to reward customers for coming to our site.
- Identified other nearby food service outlets with drive throughs.
- Spoke to the form and character of the operation using high quality building design materials.
- Committed to building the site in 2021 as proposed today.
- Spoke to the moratorium on drive throughs.
- Displayed a PowerPoint Presentation and spoke to the Development Permit and Development Variance Permit being requested.
- Responded to questions from Council.

Mark Reso, Parkland Fuel

- Spoke to the local media stories regarding this application and read from media forum postings that a majority of residents were in favour of a drive through.
- Made comment that drive throughs are more ideal for some with disabilities.

Staff:

Responded to questions from Council.

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

No one from the Gallery came forward.

There were no further comments

Moved By Councillor Stack/Seconded By Councillor Singh

Ro360/20/05/12 THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0200 for Lot A Section 2 Township 23 ODYD Plan EPP84870, located at 105 Adams Road, Kelowna, BC;

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

Section 15.2.6(f): I2 – General Industrial, Other Regulations

To vary the requirement prohibiting drive-in food services in the zone.

AND THAT Council authorizes the issuance of Development Permit No. DP19-0199 for Lot A Section 2 Township 23 ODYD Plan EPP84870, located at 105 Adams Road, Kelowna, BC subject to the following:

- 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".

Carried

Councillor Donn - Opposed

3.5 START TIME - 8:40 P.M. - Abbott St 2455, DVP20-0029, Susan E. Jaeger and David J. Miller

Staff:

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

The Applicant was present and available for questions.

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

No one from the Gallery came forward.

There were no further comments.

Moved By Councillor Hodge/Seconded By Councillor Donn

<u>R061/20/05/12</u> THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0029 for Lot 5 District Lot 14 ODYD Plan 5101, located at 2455 Abbott Street, Kelowna, BC:

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

Section 13.1.6(c) -RU1 — Large Lot Housing Development Regulations

To vary the required minimum front yard from 6.0 m required to 4.0 m proposed.

Section 13.1.6(d) -RU1 – Large Lot Housing Development Regulations

To vary the required minimum side yard from 4.5 m required to 3.1 m proposed.

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

Carried

3.6 START TIME - 9:00 P.M. - Francis Ave 615, BL11635 (Z18-0058) - John Thomas Hodges

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro362/20/05/12 THAT Bylaw No. 11635 be adopted

Carried

3.7 START TIME - 9:00 P.M. - Francis 615, DP18-0111 and DVP20-0033, John Hodges

Staff:

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

Birte Decloux, Urban Options Planning & Permits, John Hodges, Owner

- Displayed a PowerPoint Presentation summarizing the application.
- Addressed concerns raised in correspondence received.
- Spoke to the two consultations with neighbours.
- Spoke to the neighbourhood context and provided a photo of the current dwelling.
- Spoke to the landscape and site plan.
- Commented that all the parking and traffic can access the building from the lane.
- There are connective pathways linking the front and rear of the site leading to entrance ways and outdoor open spaces.
- Noted that the RM3 zone requires a 4.0 m setback versus the current RU6 zone which requires a 2.3 m setback at most.
- A variance is sought to reduce the east side yard to 2.04 m for the closest section of the building and 2.6 m for the west side yard.
- The building is articulated on the west side to allow for an outdoor courtyard for the ground floor unit.
- The building is stepped back rom the front elevation on each level.
- The window places, size and form on each elevation is varied breaking up the side walls.
- Apart from the variances requested the project meets the requirements of the Zoning Bylaw for the RM3 zone.
- Responded to questions from Council.

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

Gallery:

Paul Van Gemst, Francis Avenue

- Opposed to this application.
- Raised concern with the east elevation looking like a blank wall and the closeness to the road; believes the blank wall will block the neighbours yard from sunshine.
- Raised concern with the front of the building looking to much like a storefront.
- Opposed to the siting of the building and the height in a residential neighbourhood.
- Raised concern that this building does not fit into the neighbourhood.

Bruce Greenwood, Francis Avenue

- Commented that he was born and raised in Kelowna and is very connected with the Community.

Opposed to this application.

- Spoke to the lack of consultation and communication by the Applicant with the neighbourhood.
- Raised concern with additional three families and the strains on infrastructure and demand on parking.
- Raised concern with increased vehicles, increased traffic and speeding on Francis Avenue.
- Believes the proposed structure does not fit in with the neighbourhood.
- Opposed to the size of the proposed structure and associated variances.

Matt Dillon, Francis Avenue

- Referenced correspondence that had been submitted earlier.
- The submitted correspondence listed nine reason for opposition and spoke to them.

- The design is nice but does not work in this location as it is too big.

There is nothing sensitive about this proposal.

- The neighbourhood does not support this application and believes the variances should be denied.
- Opposed to this application.

Daniel Tomlin, Richter Street

- Raised concerns with demand on parking on Francis Avenue.
- Raised concerns with loss of trees and greenspace in the neighbourhood.
- Opposed to this application.

Helen Ann Dillon, Francis Avenue

- Raised concern that this development will block the sun to her property and will negatively impact the view.
- Opposed to this application.
- Responded to questions from Council.

Mathew Barlow, Francis Avenue

- Raised concern that this development is too much for this area.
- Commented on the outrageous prices for these units.
- Believes by asking for variances is an attempt to stretch their limits.
- Opposed to this application.

There were no further comments

Birte Decloux, Urban Options Planning & Permits

- Thanked the community for attending.
- Spoke to how the proposed building does not maximize all the Zoning Bylaw regulations.
- Addressed the setback concerns.
- Responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Given

Ro363/20/05/12 THAT final adoption of Rezoning Bylaw No. 11635 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0111 for Lot 15, District Lot 14, Osoyoos Division Yale District Plan 1141, located at 615 Francis Ave, 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",
- 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 and 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 Council authorizes the issuance of Development Variance Permit No. DVP20-0033 for Lot 15, District Lot 14, Osoyoos Division Yale District Plan 1141, located at 615 Francis Ave, Kelowna, BC;

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

<u>Section 13.9.6(e) RM3- Low Density Multiple Housing Development Regulations</u> To vary the side yard setback from 4.om permitted to 2.om and 2.6m proposed

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

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

Defeated

Councillors DeHart, Hodge, Singh, Stack and Wooldridge

The meeting recessed at 10:50 p.m.

The meeting reconvened at 10:57 p.m.

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro364/20/05/12 THAT Council continue the Regular Meeting past 11:00 p.m.

Carried

3.8 START TIME - 9:30 P.M. - Barnaby Rd 691, DVP20-0050 - Andrew Kaiser and Panagiota Athanasopoulos

Staff:

Displayed a PowerPoint Presentation summarizing the application.

The Applicant was present and available for questions.

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

No one from the Gallery came forward.

There were no further comments

Moved By Councillor Donn/Seconded By Councillor Singh

<u>Ro365/20/05/12</u> THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0050 for Lot 9 District Lots 357 and 358 ODYD Plan 31179, located at 691 Barnaby Road, Kelowna, BC;

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

<u>Section 13.1.6(e): RU1 – Large Lot Housing – Development Regulations</u>
To vary the required minimum rear yard setback from 7.5m permitted to 6.2m proposed;

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

Carried

3.9 START TIME - 9:45 P.M. - Graham Road 1310, DVP20-0054, Peter and Elisabeth Burnett

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The Applicant was not present.

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

No one from the Gallery came forward.

There were no further comments

Moved By Councillor DeHart/Seconded By Councillor Singh

Ro366/20/05/12 THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0054 for Lot 33 Section 22 Township 26 ODYD Plan 19162, located at 1310 Graham Road, Kelowna, BC;

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

Table 8.3 Required Off-Street Parking Requirements

To vary the required minimum number of parking stall spaces as follows:

8.3.1 Single Detached Housing from 2.0 spaces per dwelling unit required to 1.0 spaces proposed; and

8.3.6 Child Care Centre, Minor from 2.0 spaces required to 1.0 spaces proposed.

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

Carried

4. Reminders

Mayor Basran advised of an announcement at 11:30 a.m. tomorrow morning regarding the City's Re-start Plan following the Provincial Governments timelines for various openings and initiatives.

5. Termination

The meeting was declared terminated at 11:03 p.m.

Mayor Basran

City Clerk

REPORT TO COUNCIL



Date: June 2 2020

To: Council

From: City Manager

Department: Development Planning Department

Inc. No. BC0993483

Address: 560 – 592 Bernard Avenue **Applicant:** Mission Group – Luke Turri

Subject: Development permit and Development Variance Permit

Existing Zone: C7 – Central Business Commercial

1.0 Recommendation

That Council authorizes the issuance of Development Permit No. DP19-0064 for Lot 1, District Lot 139, ODYD, Plan EPP96156, located at 560-592 Bernard Ave, 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. That the Development Permit and Development Variance Permit is issued subsequent to the outstanding conditions set out in Attachment "A" attached to the Report from the Community Planning Department dated July 25th 2017; and
- 4. That a building permit is not issued until the rear lane has been dedicated by 0.8m to the City.

AND THAT Council authorize the issuance of Development Variance Permit DVP19-0065 for Lot 1, District Lot 139, ODYD, Plan EPP96156, located at 560-592 Bernard Ave, Kelowna, BC. subject to the following:

1. That a Section 219 covenant be registered on title limiting the 25 compact stalls to be used by commercial or office tenants only and that the covenant ensures that the maximum vehicle dimensions that are permitted to park within the compact stall must be a maximum of 3.4m in length and 1.7m in width.

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

Section 14.7.5(a) — C7 Central Business Commercial - Development Regulations

To vary the maximum height from 76.5m (approx. 26 storeys) to 106m (34 storeys).

Section 8 Table 8.5 - Minimum Bicycle Parking Required

To vary the minimum amount of Class 2 bicycle parking stalls from 74 bikes to 17 bikes.

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

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

2.0 Purpose

To consider a form and character Development Permit for a mixed-used development consisting of two towers, one residential and one office, both with ground floor commercial retail and to consider a development variance permit to increase the maximum tower height and to reduce the minimum class 2 bicycle parking stalls provided.

3.0 Development Planning

When assessing the merits of a tall building projects, Staff break the design into three components: the base of the building called the podium; the middle of the building largely consisting of the towers; and the top of the buildings as it relates to Kelowna's skyline. For this project, Staff have divided the form and character comments in relation to the residential tower, the office tower, the base podium, and overall Development Variance Permit considerations. Overall, Staff are recommending support for these permits as this project should contribute positively to the revitalization and intensification of Bernard Avenue and the downtown core in general.

3.1 <u>Development Permit – Podium</u>

From a design perspective, the *size and scale* of the podium is supposed to help tall buildings fit harmoniously within the streetwall context and to define the edges of the adjacent streets. This proposed development will front on to three downtown streets, principally Bernard Avenue, which is why a strong pedestrian interface is critical. The regulation within the C7 zone limiting podium heights to a maximum of 16m before further setbacks are required are crucial design components of any high-profile tower project in order to:

- 1. ensure the podium is not over-bearing or too dominate;
- has appropriate human scaled street proportions;
- 3. maintain a reasonable amount of sunlight (at least 5 hours);
- 4. includes a quality retail experience at-grade along the streets; and
- ensure some skyviews above the podium are viewed by the pedestrian from the opposite side of the street.

A significant design challenge in downtown Kelowna is within the upper floors of the podium. Best practice in urban design is to ensure there are *active uses* (office, commercial, or residential space) integrated along the street interface to ensure direct line of sight between the building and the street to prevent the feeling of isolation on the street level as well as to provide activity and engagement.



Due to the applicant's proposal to accommodate parking in the podium without the provision for underground parking has resulted in active frontages being limited to the at-grade portion of the podium, with the parking structure exposed on floors 2 to 4. This is a concern to Planning Staff, not only from a use perspective, but also from a form and character perspective as large parking podiums generally lead to a rigid building form. When active frontages are not able to be accommodated within the podium, the parking structure should be screened using architectural and / or landscaped elements. The applicant has proposed a mitigating strategy based on architectural treatment and detailing which is outlined within their design rationale (attached to this report).

Due to the scale and massing of the podium along the length of the Bernard Ave frontage (100m from St. Paul Street to Bertram Street), Staff encouraged the applicant to utilize several sub-forms and various horizontal elements in order to provide visual diversity and intrigue. The applicant's final design is consistent with this goal and provides a different podium design for the office portion, the residential portion, and the transition between the two areas.

The ground floor includes active street related commercial and retail uses while designing an appropriately scaled residential lobby feature along Bertram Street. Large canopies are designed to provide weather protection (both rain and along the frontages. shade) Additional retractable shade awnings are included at their outer edge offering further shading, providing retailers the opportunity to obscure the line between indoor and outdoor space during warmer months. Both street intersections at Bernard/St. Paul and Bernard/Bertram have provided the necessary corner cut as regulated in the C7 zone and associated architectural features to enhance the sidewalk and pedestrian environments.



The applicant has added a water art feature inspired by the Okanagan's agricultural flume systems at the corner of St. Paul Street and Bernard Avenue. All these ground floor elements will complement the City's investment in Bernard Avenue and will enhance the city's "Main Street".

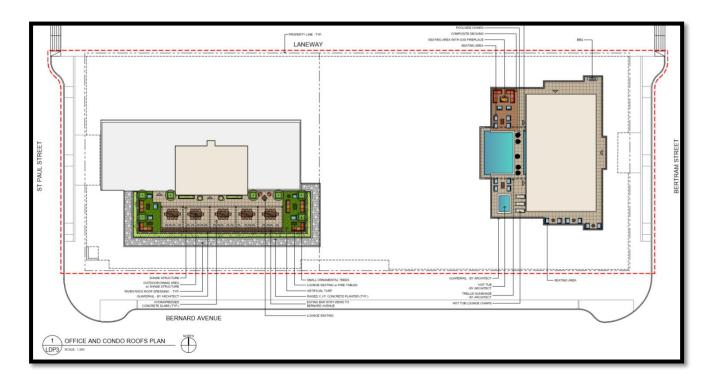
3.2 <u>Development Permit – Residential Tower</u>

The proposed design for the top of the residential tower will contribute positively to Kelowna's skyline with a unique top three floor design that provides an architectural break and visual interest. The City's main design objective is to avoid towers that appear 'chopped off', have flat roofs and do not have adequate articulation. The residential tower provides the necessary visual interest by providing a rooftop area designed for common amenity space and a landscaped roof. As compared to other residential towers, this design is much better as the rooftop amenity area precludes the use of the rooftop for large mechanical systems that then needs to be screened from view. Overall, the rooftop amenity area will increase the functionality and visual interest of the top of the tower when viewing it from street level and provide more livable outdoor space to the residents of the building.

The 'middle' of the tower contains window wall system that provides balconies and window placement at regular intervals to provide for a visually interesting tower. The tower is primarily cladded with 'white timid' coloured concrete with 'revere pewter' accents. The top three floors of the tower have a much darker tone of coloured concrete to provide that visual transition between the middle of the tower and the top.

The tower and balcony placements are oriented toward the west to create a feeling that the building is 'facing the lake'. However, the architectural treatment along Bertram Street has more vertical features but is still visually interesting meeting the necessary design guidelines for balcony and window rhythms.

The City's design guidelines are consistent with many other Canadian cities including restricting tower floorplates for tall buildings within the range of 650 to 750 m². This creates a slender tower form minimizing overall building mass and scale in order to mitigate the visual / physical impact and the three-dimensional



massing tall buildings have on the surrounding streets, parks, open space, and properties. The applicant's proposed tower floorplates are 65om² which is within the recommended tower floorplate area.

When adequately separated, slender, point form towers with compact floor plates cast smaller shadows, improve sky view, permit better views between buildings and through sites and contribute to a more attractive skyline. Staff confirmed with the applicant that the same tower footprint could be placed immediately south of the proposal on Bernard Ave and meet all the required setbacks including the 30m tower separation setback.

3.3 <u>Development Permit – Office Tower</u>

The office tower will be clustered together with the residential tower to the east and the Brooklyn tower to the north. The office tower will be of prominence along Bernard Avenue especially for pedestrians walking eastwards. The building will be constructed of a curtain wall system typical of office construction with ample glazing. The opaque glazing is proposed to have a light blue tint providing a lighter building interface as compared to the darker office glass towers of Landmark 3, 4, and 5.

There is a significant rooftop area dedicated to the building's mechanical systems. Staff have asked the applicant to provide additional detail to the screening of this mechanical equipment to ensure an aesthetically pleasing top of the building is incorporated into the design. The screening will be an extension of the curtain wall of the office consisting of opaque glazing and aluminum providing a unified look to the overall building.

The tower has an angle feature at the St. Paul/Bernard intersection to increase visual interest and increase the building's complexity. The floorplate for the office tower is relatively large in comparison to the typical residential floorplate at 890m². The nature of office developments tends to desire larger floorplates for functional internal office space per floor. This bulkier building form can be supported in this case because the overall height of the tower is at 17 storeys, lower than the two other adjacent residential towers; and due to its location on the north side of Bernard Avenue does not present major shadowing impacts other than on the two adjacent residential towers. Overall, the office tower is an important land use objective of locating significant employment floor area within the downtown area.



3.4 <u>Development Variance Permit</u>

The proposal requires two variances to the Zoning Bylaw:

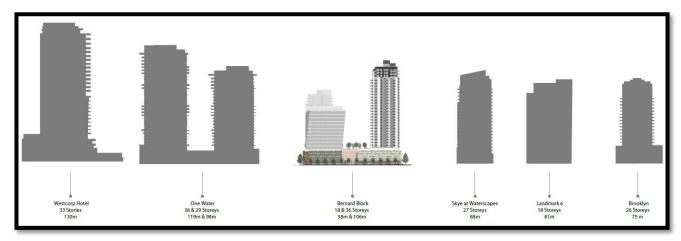
- 1. A variance to increase the maximum building height from 76.5m to 106m.
- 2. A variance to decrease the minimum Class 2 bicycle parking stalls from 74 bikes to 17 bikes.

The OCP encourages high density commercial and residential living in the downtown in order to limit growth on the periphery of the community, increase efficiency of municipal services and infrastructure, and increase downtown's vibrancy. The Official Community Plan and the Zoning Bylaw designate this site and surrounding area as the location in which the tallest buildings in the City of Kelowna are permitted. Increasing the maximum height limit on the residential tower in this circumstance can be justified because:

- 1. the location of the towers are well setback from the lake and are outside the cultural / historical sensitivities along the first three blocks of Bernard Avenue to Ellis Street;
- 2. the office tower with its larger floorplate is below the maximum height limit;
- 3. both towers designs meet the urban design guidelines;
- podium heights are within the maximum outlined in the C₇ zone;
- 5. tower floorplates are appropriate in context; and
- all the statistics derived from the total commercial floor area, office floor area, and number of
 residential units are within the maximums outlined within the Zoning Bylaw including the total
 number of vehicular parking spaces and number of bicycle parking spaces (except short term bicycle
 parking).

In fact, according to the calculations which can be viewed in Section 4.3 Zoning Analysis, the overall project has excess parking relative to the other factors. The applicant chose to develop in this manner because they anticipate the demand for office parking to remain relatively strong over the short term and the anticipated transportation modal split in Kelowna not to be large enough.

This proposal was submitted prior to the parking regulations being updated; therefore, the applicant has chosen to be grandfathered into the old regulations. This results in a variance necessary in the number of short-term bicycle parking spaces provided from 74 spaces to 17 spaces. Staff requested that the applicant provide 36 spaces as that is what the new regulations would require. However, the applicant chose to focus on the long-term bicycle parking by providing 262 long term bicycle parking spaces while the new parking regulations would only require 212. Further, at Staff's request the applicant amended their plans to include End-of-Trip facilities (change rooms, showers, and storage lockers for active transportation convenience) which were not requirements of the former parking regulations.



The proposal meets almost all the new parking regulations and the main reason the applicant requested the grandfathered regulations is the provision of compact car parking stalls. There are 25 compact car sized parking spaces (2.0m wide by 3.4m in length) which represent about 5% of the overall 462 parking stalls. After a number of projects over the last 8 years (length of time that the Zoning Bylaw permitted compact car parking size) proved the unviability and large number of complaints, Staff recommended and Council concurred that compact car sized parking stalls should be eliminated. The average compact car is 1.73m to 1.82m wide and 4.11m to 4.37m long¹. Due to conflict these parking stalls create and despite the applicant's disagreement, Staff are recommending that a Section 219 restrictive covenant be placed on the property limiting the use of the compact parking stalls. The restriction recommended is that the compact parking stalls be only used for the office and commercial development not the residential or the visitor stalls as the residential dwelling units are for sale and future owners should not be burdened with the use of these stalls. Further, the applicant stated that certain commuters may use motorcycles and other small vehicles. This is where the last restriction is also recommended that the use of the compact vehicle stalls must be only used by vehicles that are less than 3.4 m in length and less than 1.7m in width. This will protect any future leasee of commercial or office space from unknowingly acquiring a very restrictive parking stall.

Staff have provided an alternate recommendation does not include the addition of the restrictive covenant as requested by applicant.

4.0 Proposal

4.1 <u>Background & Context</u>

The redevelopment of "Bernard Block" provides the opportunity to extend and solidify the successful transformation and revitalization of Bernard Avenue. The previously approved development applications in

¹ https://anewwayforward.org/average-car-length/

the area include the Town Centre Mall upgrade and renovation, 'The Brooklyn' tower, and 'The Ella' tower. All those projects are under construction now.

The site has a total area of 4,116.4m² (44,310.3 ft²) and is bounded by Bernard Avenue to the south, St. Paul Street to the west, a public laneway to the north, and Bertram Street to the east. Bertram Street to the east constitutes a primary residential street, with a few single-family homes and predominantly two to four storey multifamily residential apartment buildings. It is characterized as a tree-lined street with a pleasant residential quality. A small commercial building wraps the corner to the east and continues the commercial "High Street" quality of Bernard Avenue.

St. Paul Street to the west continues with a commercial wrap of Bernard Avenue up toward the north. A commercial frontage has been continued along St. Paul Street with the first phase of the Bernard Block development ("Brooklyn" at 1471 St. Paul Street) immediately to the north, across the lane. This development is comprised of a 25-storey residential mixed-use complex, with a four storey podium along St. Paul, and a five storey podium to the rear.

Bernard Avenue in this area is primarily comprised of one to three storey commercial buildings, with retail functions at grade. The laneway to the north functions to serve garbage and loading requirements, while offering additional parking for these uses, and is proposed to maintain that principle use.

4.2 <u>Project Description</u>

Architecturally the development has been separated into a hierarchy of discreet and contrasting forms. The form and character of these components are intended to present an elegant, clean and contemporary expression to this area of Bernard Avenue.

The applicant is seeking approval of a form and character Development Permit and a Development Variance Permit for a mixed-use project including commercial, an office tower, and a residential tower along Bernard Avenue between St. Paul Street and Bertram Street.

Podium

The active ground floor level has been highly articulated and further characterized by multiple recessed entries, extending the urban character of the Bernard Avenue streetscape. Numerous retail entries provide opportunities for spill-out spaces onto Bernard Avenue's generous sidewalks, attracting a variety of retail services such as food stores, boutique shops, cafés and service orientated businesses. A large canopy of high opacity provides water protection and sun shade for most of the year, while additional retractable shade awnings located at their outer edge offer further shading, providing retailers the opportunity to obscure the line between indoor and outdoor space during warmer months.

The overall design objectives for the commercial retail areas is to attract goods and services tailored to the specific needs of this mixed-use neighbourhood, in an environment that is convenient, service-oriented, pedestrian-scaled and connected to the urban lifestyles of the neighbourhood residents.

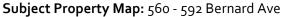
A feature 'water flume element' will be located at the southwest corner of the podium. This element is intended to be iconic in nature and artfully conceived, captivating pedestrians, and becoming a meaningful reference for an emerging new downtown "Bernard District".

Residential Tower

The residential tower, with its stacked balconies, window elements and smaller floorplate, is intended to exaggerate its vertical expression as a contrast to its strong horizontal base. While the general intention is to attract one's attention to the top of the building, where a common and evening-lit amenity area exists for owners use, the emphasis is on creating a vertical gesture. An interesting fenestration pattern draws attention to the east façade and similarly emphasizes the building's verticality, creating interest moving westward along Bernard Avenue. The residential tower will use Guardian SNX 51/23 Low 'E' glazing with warm edge spacers and Argon gas infill, CoG SHGC 0.23.

Office

The office building, as the lowest form in this composition of elements, uses an office floor plate size of 1,000 m² (10,000 ft²), and has a slender aspect as seen from Bernard Avenue to the west. It benefits from its own semi-private roof terraces and has direct access to both the common podium level terraces and the residential tower itself. The southern face of the office building intentionally angles back to draw attention to the important southwest corner of the podium, as well as create a more interesting contemporary form. The glazing provided will be typical of office towers consisting of fairly high reflectivity and shading coefficient for high energy performance.







4.3 Zoning Analysis Table

		Zoning A	Analysis Table							
CRITERIA	C ₇ ZONE REQUI	REMENTS		PROPOSAL						
		For portion of building between	n o.o metres & 16.o metres in height							
Front, Flanking, & Lane Setback	o.o m		o.o m							
		For portion of building betwe	een 16.0 metres & above in height							
			Podium	Condo Tower	Office Tower					
Front Yard Setbacks (Bernard Avenue)	3.0 m		n/a	4.2 m						
Flanking Street Setbacks (Bertram Street)	3.0 m		n/a	4.2 m	6o.7 m					
Flanking Street Setbacks (St. Paul)	3.o m		n/a	70.8 m	3.0 m					
Lane Setbacks	3.0 m		n/a	3.2 m	12.3 m					
Floorplate	1,221 M	,2	n/a	650 m²	890 m²					
		Developmo	ent Regulations							
	Podium	Tower	Podium	Condo Tower	Office Tower					
Height	16.0 m / approx. 4.5 stories (unless Bldg steps back)	76.5 m / approx. 26.0 storeys	16.0 m / 5 stories	106 m 34 storeys ①	62.2 m 17 storeys					
Corner Cut Setback	4.5 m			4.5 m						
FAR	9.0			6.0						
		Parking	Regulations							
Minimum Parking Requirements – Old Regulations	421 Total Parki (257 stalls for resid 36.7 stalls for 18.6 stalls for co 108 stalls for	lential units visitors mmercial		468 Total Parking Stalls (257 stalls for residential units 37 stalls for visitors 19 stalls for commercial 155 stalls for office)						
Ratio of Parking Stalls	Compact Size: Medium Size: A Regular Size: A	₊o% Max		Compact Size: 5.3% (25 stalls) Medium Size: 39.1% (183 stalls) Regular Size: 55.5% (251 stalls)						
linimum Bicycle Parking	Class 1: 144	bikes		Class 1: 262 bikes						
Requirements	Class 2: 74			Class 2: 17 bikes 2						
		Other	Regulations							
Minimum commercial / lobby	Min 90 ⁹	6		> 90%						

Required Parking - Old Grandfathered Regulations

Dw	elling U	Jnit Typ	es			\	/ehicular Parkin	g			Bicyc	le Class 1 Long-Te	erm	Bicycle	Class 2 Short-Te	rm	
Studio	1 bed	2 bed	Total Dwelling Units	Residential Parking	Visitor Parking	Commercial Area (m²)	Commercial Parking	Office (m2)	Office Parking	Total Parking	Residential	Commercial	Total Long Term stalls	Residential	Commercial	Total Short Term stalls	Total Bicycle Stalls
50	83	124	257	257.0	36.7	1,434.50	18.65	8248.10	107.23	419.6	128.5	19.4	147.9	25.7	58.1	83.8	231.7

Required Parking - Current Regulations

Dw	velling L	Jnit Typ	es			\	/ehicular Parkin	g			Bicyc	le Class 1 Long-To	erm	Bicycle	e Class 2 Short-Te	rm	
Studio	1 bed	2 bed	Total Dwelling Units	Residential Parking	Visitor Parking	Commercial Area (m²)	Commercial Parking	Office (m2)	Office Parking	Total Parking	Residential	Commercial	Total Long Term stalls	Residential (6 per entrance)	Commercial (6 per entrance)	Total Short Term stalls	Total Bicycle Stalls
50	83	124	257	238.7	36.0	1,434.50	12.91	8248.10	74.23	361.8	192.8	19.4	212.1	6.0	30.0	36.0	248.1

Bernard Block's Proposed Parking

_									Dema	a Block 5 i io	oosea . a.	9						
ı	Dwe	elling L	Jnit Typ	es			\	/ehicular Parkin	g			Bicyc	le Class 1 Long-Te	erm	Bicycle	e Class 2 Short-Te	rm	
	Studio	1 bed	2 bed	Total Dwelling Units	Residential Parking	Visitor Parking	Commercial Area (m²)	Commercial Parking	Office (m2)	Office Parking	Total Parking	Residential	Commercial	Total Long Term stalls	Residential	Commercial	Total Short Term stalls	Total Bicycle Stalls
	50	83	124	257	257.0	37.0	1,434.50	19.00	8248.10	155.00	468.o	182.0	80.0	262.0	6.0	11.0	17.0	279.0

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 14: Land Use Designation Massing and Height.2

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

Chapter 14: Tower Design.3

- Design towers that are sited, shaped, and oriented along their longest axis in order to enhance the views to and through the skyline;
- Incorporate tower forms and the upper portions of buildings as integral yet distinct elements
 of the overall building design. Tower tops are encouraged to have trellising and roof
 projections that are fundamental expressions of the building structure and contain
 substantial landscaping;
- Evaluate tower buildings with respect to their compatibility with surrounding structures and contribution to the general skyline. Tower design should contemplate:
 - Colour, reflectivity, shape, materials, detailing, and ease of maintenance;
 - Generally, lighter-coloured buildings are preferred;
- Incorporate architecture that expresses a slender verticality, particularly in its upper elements. Design buildings greater than ten floors that are tall, slender towers rather than bulkier towers of the same floor space ratio;
- Design new buildings to take into account microclimatic effects, including shading of adjacent areas (i.e., reduce the casting of long shadows on high volume pedestrian areas) and wind tunneling;
- Integrate new developments with the established urban pattern through siting and building design by utilizing transitional structures, setbacks, landscaping, etc.;
- Enhance large, flat expanses of roof (whether actively used or not) with texture, colour, and/or landscaping where visible from above or adjacent properties;
- Enhance towers with elements such as gazebos, trellises, and pergolas providing visual interest and usability of rooftop spaces;
- Incorporate balconies into building design as outdoor rooms rather than as appendages to
 a building's mass. Recess balconies a minimum depth of 1m within the adjoining building
 face;
- Design podiums to provide an animated pedestrian environment with the use of street wall
 massing, articulation, and overall design. Podiums should highlight their active uses and
 disquise any parking or ancillary uses.

² City of Kelowna Official Community Plan, Chapter 14 Urban Design Development Permit Areas, Guidelines

³ City of Kelowna Official Community Plan, Chapter 14 Urban Design Development Permit Areas, Guidelines

6.0 Application Chronology

Date of Application Received: March 4th 2019
Date MOTI approved Traffic Study: March 5th 2020
Date Public Consultation Completed: April 1st 2020

Report prepared by: Adam Cseke, Planner Specialist

Reviewed by: Terry Barton, Development Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Design Rationale

Technical Comments

Attachment A: Development Engineering Memo

Draft Development Permit and Development Variance Permit

Techincal Comments for the Bernard Block Application



Application DP19-0064 / DVP19-0065

Address 560 Bernard Ave

Application Type: Development Permit and Development Variance Permit

1.0 Technical Comments

1.1 Building & Permitting Department

- 1) Demolition Permit(s) required for any existing structure(s).
- 2) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).
- 3) Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- 4) HPO (Home Protection Office) approval or release is required at time of Building Permit application.
- 5) Requirements of the City of Kelowna fire prevention regulations bylaw No. 10760 for buildings 6 stories and greater are to be shown on the building permit drawings.
- 6) A Structural & Geotechnical peer review will be required at time of building permit application. Contact the Chief Building inspector for policy and procedure of pier review.
- 7) A Hoarding permit is required for the protection of the public during construction. Sidewalks are not allowed to be closed off. Design of a system for public protection shall meet all the minimum requirements of part 8 of BCBC 2018 plus any other controlling legislation. Application for the hoarding permit is thru the Yards office. Please reference city of Kelowna bulletin #19-01 available online thru kelowna.ca
- 8) Dewatering & Shoring plans must be provided to the Development Engineering Branch for approval. Approvals for work outside of the property lines must be obtained. No shoring may be left below grade outside of property lines.
- 9) A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
 - a. Any alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit.
 - b. Location, Heights, Colors of mechanical systems and the required screening are to be determined at time of DP.
 - c. Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
 - d. Access to the roofs are required per NFPA and guard rails may be required and should be reflected in the plans if required.
 - e. Green roof design will require schedules and design by the building envelope consultant.

- f. Roof top patio area may be defined as an A4 Occupancy which will affect exiting (panic hardware may be required, so no exterior lockable doors at this level that affects exiting), the code analysis to address occupant load, washroom calculations, public use, direction of door swings, pathway lighting and exit signage.
- g. Mechanical Ventilation inlet and exhausts vents are not clearly defined in these drawings for the enclosed parking storeys and are required. The location and noise from these units should be addressed at time of Development Permit. Any projections of mechanical units should be identified at DP to assure accurate parking space counts.
- h. 1½ Hr fire rating and rated doors are required at the fronts of parking spots for storage, sliding doors may not meet the fire rating requirements. This can be addressed at time of Building Permit application. Doors to storage lockers must be protected from being blocked.
- i. Emergency generator and all other safety systems are to be located above high water table or protected from the affects of ground water.
- 10) A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. Minimum building elevations are required to be established prior to the release of the Development Permit. If a soil removal or deposit permit is required, this must be provided at time of Development Permit application.
- 11) We strongly recommend that the developer have his professional consultants review and prepare solutions for potential impact of this development on adjacent properties. Any damage to adjacent properties is a civil action which does not involve the city directly. The items of potential damage claims by adjacent properties are items like settlement of foundations (preload), damage to the structure during construction, undermining & underpinning of existing foundation, additional snow drift on neighbour roofs, excessive noise from mechanical units, vibration damage during foundation preparation work, water infiltration systems, etc.
- 12) Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- 13) Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this complex at time of permit application.

1.2 Ministry of Transportation and Infrastructure

1) The ministry has completed the final review for the updated Transportation Impact Assessment dated January 31st, 2020 completed by Bunt & Associates that was prepared for Mission Group for the Bernard Block development. The Ministry has concluded that we have no issues or concerns. As this development is over 4500 square metres we are required to sign the final site plan as per section 505(2) of the Local Government Act. Please forward the final site plan for our final review and signature.

1.3 <u>Development Engineering</u>

See Development Engineering Memo dated March 7th 2019.

CITY OF KELOWNA

MEMORANDUM

Date: March 07, 2019

File No.: DP19-0064

To: Community Planning (AC)

From: Development Engineering Manager (JK)

Subject: 560 Bernard Ave Form and Character

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

1. General.

- a. This Development Permit for a 33 storey residential tower and for a 14 storey office tower with ground floor commercial will be required at Building Permit to complete the following works as laid out in this Engineering Memo:
 - i. Frontage Improvements on St Paul Street
 - ii. Frontage improvements on Bernard Ave
 - iii. Laneway Improvements and dedication
 - iv. Water service upgrade
 - v. Sanitary service upgrade
 - vi. Sanitary down stream analysis from the development to the Raymer Road Treatment Plant
 - vii. Landscape requirements on Bernard Ave and St Paul St
 - viii. All existing overhead utilities to be installed underground
 - ix. Lot consolidation
 - x. A Site Preparation Security Agreement needs to be completed and signed.
- b. Provide easements as may be required.
- c. The proposed development may require the installation of centralized mail delivery equipment. Please contact Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, to obtain further information and to determine suitable location(s) within the development.
- d. The proposed development triggers a traffic impact assessment. The applicant's transportation engineer shall contact the City's Development Engineering group to determine the terms of reference for the study. Recommendations from the Traffic Impact Analysis (TIA) will become requirements of the building permit release.
- e. The proposed development is subject to the review and requirements from the Ministry of Transportation (MOT) Infrastructure Branch. Requirements from the Ministry will become requirements of the building permit release.

2. Geotechnical Study

- a) Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed development. The Geotechnical reports must be submitted to the Development Services Department for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for development approval:
 - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - ii. Site suitability for development.
 - iii. Site soil characteristics (e.g., fill areas, sulphate content, unsuitable soils such as organic material).
 - iv. Any special requirements for construction of roads, utilities and building structures.
 - Recommendations for items that should be included in a Restrictive Covenant.
 - vi. Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
- vii. Any items required in other sections of this document.

Additional geotechnical survey may be necessary for building foundations, etc.

3. Domestic Water and Fire Protection

- a. Provide an adequately sized domestic water and fire protection system. The water system must be capable of supplying domestic and fire flow demands for the project in accordance with the Subdivision, Development & Servicing Bylaw. Provide water calculations for this property to confirm this. Ensure every building site is located at an elevation that ensures water pressure is within the bylaw pressure limits.
- b. The property is located within the City of Kelowna service area. Only one service will be permitted to the site. The applicant, at his cost, will arrange for the removal of the existing services and the installation of one new larger metered water service.
- c. An approved backflow protection devise must also be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.
- d. A water meter is mandatory for this development and must be installed inside a building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at their cost.

4. Sanitary Sewer

a. Our records indicate that these properties are currently serviced with a 100mm-diameter sanitary sewer service. 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. The applicant will arrange for the removal and disconnection of the existing services and the installation of one new service at the applicant's cost.

5. Drainage

- a. Provide a detailed Storm Water Management Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900.
- b. The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and recommendations for onsite drainage containment and disposal systems
- c. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system

6. Road Improvements

- a. St. Paul St. fronting this development site is urbanized but the existing curb and sidewalk are in a deteriorated state. The existing driveway letdown will need to be removed and replaced with barrier curb and gutter and sidewalk. The upgrades to St. Paul St. that are required are curb, gutter, boulevard street trees, driveway letdown and sidewalk removal and reconstruction, as well as the relocation or adjustment of any existing utility appurtenances if required to accommodate the upgrading construction. A modified SS-R5 cross section will be used and provided at the time of design. The design should include up to centreline of the St Paul Street ROW.
- b. Bertram Street is designated an urban collector road. Frontage improvements required include curb and gutter, separate sidewalk, piped storm drainage system, road works, landscaped boulevard complete with underground irrigation system, street lights. A modified SS-R5 cross section will be used and provided at the time of design. The design should include up to centreline of the Bertram Street ROW.
- c. The laneways fronting this development needs to be upgraded to a commercial laneway standard. Standard drawing to be used is SS-R2 as well as a 0.8m dedication is needed for the north south lane. The development will be responsible for the constructing the entire lane width, from PL to PL on the West-East laneway. A driveway let down (SS-C7) will be required at the East end of the west-east laneway.

7. Development Permit and Site Related Issues

- a. By Registered plan to provide the following
 - i. Grant statutory rights-of-way or dedicate lands if required for utility services and/or pedestrian access.

- Lane dedication of 0.8m is needed along the frontage of the west-east laneway. The standard SS-R2 drawing will need to be used in the design drawings.
- iii. Lot Consolidation is required
- b. All vehicle access to the development will be via laneway. No access will be granted from St Paul Street, Bertram Street or Bernard Ave.
- c. Truck turning movements are needed to show that a truck can access the loading bays along the laneway.

8. Power and Telecommunication Services and Street Lights

- a. All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road or laneway immediately adjacent to the site, are to be relocated and installed underground.
- b. Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.

9. Design and Construction

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

10. Servicing Agreements for Works and Services

- a. A Servicing Agreement is required for all offsite 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. Bonding and Levy Summary

a. Service Agreement Bonding

To be Determined

James Kay, P. Eng.
Development Engineering Manager

JA

CITY OF KELOWNA

MEMORANDUM

Date: March 07, 2019

File No.: DVP19-0065

To: Community Planning (JB)

From: Development Engineering Manager (JK)

Subject: 560 Bernard Ave

Development Engineering Department comments and requirements pertaining to this development variance permit application, are as follows:

a) This Development Variance permit to increase the maximum height from 26 storeys to 33 storeys and to increase the maximum parking allowed from 125% to 143% does not compromise any municipal services.

James Kay, P. Eng.

Development Engineering Manager

JΑ

Development Permit & Development Variance Permit DP19-0064 / DVP19-0065



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

560 - 592 Bernard Ave

and legally known as

Lot 1, District Lot 139, ODYD, Plan EPP96156

and permits the land to be used for the following development: commercial and residential as per the Zoning Bylaw

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> June 2, 2020

<u>Decision By:</u> COUNCIL OR COMMUNITY PLANNING DEPARTMENT MANAGER

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

Existing Zone: C7 – Central Business Commercial

Future Land Use Designation:

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: Mission Group Holdings Ltd. Inc. No. BC0993483

Applicant: Mission Group – Luke Turri

Planner: Adam Cseke

Terry Barton
Community Planning Department Manager

Planning & Development Services

Date

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) That the Development Permit and Development Variance Permit is issued subsequent to the outstanding conditions set out in Attachment "A" attached to the Report from the Community Planning Department dated July 25th 2017;
- d) That a building permit is not issued until the rear lane has been dedicated by 0.8 metres to the City.
- e) That a Section 219 covenant be registered on title limiting the 25 compact stalls to be used by commercial or office tenants only and that the covenant ensures that the maximum vehicle dimensions that are permitted to park within the compact stall must be a maximum of 3.4 metres in length and 1.7 metres in width.

This Development Permit is valid for two (2) years from the date of approval, with no opportunity to extend.

3. PERFORMANCE SECURITY

n/a.

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.



SOUTH WEST PERSPECTIVE

CONDO LEVELS 22-30

BERNARD BLOCK

DP APPLICATION RESUBMITION







NEIGHBOURHOOD PLAN

A0-0 COVER A2-10 CONDO LEVELS 31-33 A0-1 PROJECT DATA A2-11 CONDO LEVEL 34 A0-2 CONTEXT A2-12 CONDO LEVEL 35 A0-3 DESIGN RATIONALE A2-13 OFFICE LEVEL 7 A0-4 CONCEPTS A2-14 OFFICE LEVEL 16 A0-5 **ELEVATION DETAILS** A2-15 OFFICE LEVEL 17 A0-6 A2-16 PODIUM DETAILS ROOF PLAN OVERALL A0-7 **CANOPY DETAILS** A3-1 SOUTH ELEVATION A0-8 A3-2 WEST ELEVATION PERSPECTIVE SKETCHES A0-9 A3-3 NORTH ELEVATION SHADOW STUDY MARCH A0-10 A3-4 SHADOW STUDY JUNE EAST ELEVATION A0-11 SHADOW STUDY SEPTEMBER A4-1 SECTION A A1-1 SURVEY A4-2 SECTIONS B & C SITE PLAN A5-1 A1-2 **UNIT PLANS** A2-1 LEVEL 1 A5-2 **UNIT PLANS** A2-1a LEVEL 1 - WEST A5-3 **UNIT PLANS** A2-1b LEVEL 1 - EAST A5-4 **UNIT PLANS** A7-1 A2-2 LEVEL 2 WALL SECTIONS A1 & B3 A2-2a LEVEL 2 - WEST A7-2 WALL SECTIONS B1 & B2 A2-2b LEVEL 2 - EAST A7-3 WALL SECTION A4 LEVEL 3 A7-4 A2-3 WALL SECTIONS A2 & A3 A7-5 WALL SECTIONS C1 & C2 A2-3a LEVEL 3 - WEST LEVEL 3 - EAST A7-6 WALL SECTION C3 A2-3b A2-4 LEVEL 4 A8-1 WINDOW SCHEDULE_PODIUM A2-4a LEVEL 4 - WEST A8-2 WINDOW SCHEDULE_PODIUM A2-4b LEVEL 4 - EAST A8-4 WINDOW SCHEDULE_RESIDENTIAL A2-5 LEVEL 5 A8-5 WINDOW SCHEDULE_RESIDENTIAL A2-5a LEVEL 5 -WEST A8-6 WINDOW SCHEDULE_RESIDENTIAL A8-7 A2-5b LEVEL 5 - EAST WINDOW SCHEDULE_RESIDENTIAL LEVEL 6 A100 PERSPECTIVES A2-6 A2-6a LEVEL 6 - WEST A101 ISOMETRICS LEVEL 6 - EAST LDP1 A2-6b LANDSCAPE PLAN GROUND A2-7 LEVEL 7 OVERALL LDP2 LANDSCAPE PLAN LEVEL 6 LANDSCAPE PLAN TOWER ROOFS A2-8 CONDO LEVELS 7-21

CODE CONSULTANT

CFT ENGINEERING **BRAD WALTON** 500-1901 ROSSER AVENUE BURNABY, BC V5C 6R6 T: 604-684-2384 E: BWALTON@CFTENGINEERING.COM

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STRUCTURAL ENGINEER

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INTERIOR DESIGNER-OFFICE

FORME INTERIOR DESIGN **TAMARA JONES** KELOWNA, BC

T: 250-575-8484 E: TAMARA@FORMEINC.CA

<u>OWNER</u>

MISSION GROUP

LISA LOCK 1000-1631 DICKSON AVENUE KELOWNA, BC V1Y 0B5 T: 250-448-8810 E: LLOCK@MISSIONGROUP.CA

LANDSCAPE ARCHITECT

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ELECTRICAL ENGINEER

GAGER ELECTRICAL YURI MARTYNOV 20689 - 56TH AVENUE LANGLEY, BC V3A 3Y9 T: 778-277-2225

YURI.MARTYNOV@GAGERELECTRICAL.COM

BUILDING ENVELOPE CONSULTANT

WILLIAMS ENGINNERING CANADA INC.

RANDY SMITH N195, 3105 - 5 AVENUIE NE CALGARY, BC T2A 6T8 T: NUMBER E: RSMITH@WILLIAMSENGINEERING.COM

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ARCHITECT (DESIGN)

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MECHANICAL ENGINEER

REINBOLD ENGINEERING GROUP **JOSHUA BANCESCUE** 400 - 1580 W BROADWAY VANCOUVER, BC V6J 5K8 T: 604-737-3354 E: JBANCESCUE@REG-ENG.COM

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RICHARD HENRY ARCHITECT INC.

This plan and design are, and at all times remai the exclusive property of the architect/designe

2020-03-05 ISSUED FOR 50% REVIEW

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SUITE ONE 1600 HOWE ST VANCOUVER BC V6Z 2L9 CANADA



500 BERNARD AVENUE KELOWNA, B.C.

BERNARD BLOCK

COVER

Drawing Title

Project No. MARCH 2020 Drawing No. FMA

BERNARD BLOCK CENTRAL - Sarah

Zoning Context

C7 Central Business Commercial - Residential District

A development permit is sought to approve the form & character of the proposed "Bernard Block" redevelopment. Mission Group is also requesting approval of residential tower height above the 26-storey height limit referenced in Kelowna's C-7 Zone and Downtown Plan.

Physical Context

The site is consolidated into a single one-half city block that is 101.590 meters (332.30') by 40.520 m (130.94'). It is bounded to the south by Bernard Avenue, to the north by a laneway, to the east by Bertram Street and to the west by St. Paul Street. Total area is 4,116.427 sm, (44,310.30 sf)

Bertram Street to the east constitutes a primarily residential street, with a few single-family homes and predominantly two to four storey multifamily residential apartment buildings along its length to the north. It is characterized as a tree-lined street with a pleasant residential quality. A small commercial building wraps the corner to the east and continues the commercial "High Street" quality of Bernard Avenue.

St. Paul Street to the west continues with a commercial wrap of Bernard Avenue up toward the north. A commercial frontage has been continued along St. Paul Street with the first phase of the Bernard Block development ("Brooklyn" at 1471 St. Paul Street) immediately to the north, across the lane. This development is comprised of a 25-storey residential mixed-use complex, with a four storey podium along St. Paul, and a five storey podium to the rear.

Bernard Avenue in this area is primarily comprised of one to three storey commercial buildings, with retail functions at grade. The laneway to the north functions to serve garbage and loading requirements, while offering additional parking for these uses, and is proposed to maintain that principle use.

Use, Form and Height

The allowable uses, form and height as proposed are generally in keeping with the Downtown Plan policy objectives. The project is conceived as a true mixed-use, livework, play and shop contribution to the emerging and expanding downtown area with opportunities to do all of the above, with only a modest reliance on vehicular transportation to achieve other more distant objectives.

Commercial retail is proposed for street level use along Bernard Avenue, wrapping north along Bertram Street and St. Paul Street. A small amenity area "neighborhood cafe" is proposed as a semi-private use at the interface with residential neighbours to the north along Bertram Street. This is seen as a potential social gathering place to connect with neighbours in the area over a coffee, continuing a "soft" commercial use, extending to the lane.

A "Class A", 17-storey office building (including podium) is proposed for the western half of the site and is held back 95 feet from the new 25-storey residential tower neighbor to the north (Brooklyn). Access for pedestrians to this building is located mid-block along St. Paul Street. Parking, in all cases, is accessed from the middle of the lane to the north.

A 33-storey residential tower (including podium) is proposed on the eastern half of the site, setback 100 feet from the office tower to the west. Contrasting day/night use times between the office and residential buildings maintain privacy for residents. The total number of residential units proposed is 257, with a fairly even split between family oriented and non-family oriented units.

The podium massing model established with the "Brooklyn" development has been followed; a slightly higher parking podium along the lane (five storeys) and lower (four storeys) along the principle street, Bernard Avenue.

Soil conditions dictate a partially elevated parking podium, with commercial retail at grade. All podium elements have been kept below the prescribed 16 meter height restriction, as was followed by the "Brooklyn" development. Further shoulder stepbacks are discussed below. Due to the significant scale of the podium, there is an opportunity to create a substantial semi-private platform for outdoor use for both the office and residential building end users. The detailed planning of these potential uses is underway and are indicated on these drawings in a schematic fashion.

Setbacks and Step-backs

As previously noted, building setbacks in relation to one another conform to the 100 foot objective, with the exception of a small upper portion of the angled office component to the west. Offsetting day/night activities between residential and office use mitigate potential privacy concerns in this case.

The closest components of the residential tower have been set 3.05m (10') from both the lane and Bertram Street and 6.47m (21.2') from Bernard Avenue. The distance to the Brooklyn residential tower exceeds 45m (150'). The vertical planes of the residential tower step back towards the water views, and an eight units per floor (differing from Brooklyn's ten units per floor) give the tower a more vertical and slender appearance from most angles, creating a hierarchical composition of taller, medium and shorter building forms that add interest to the skyline of the area. The tower also steps back for the uppermost three storeys, giving a tripartite expression of base (podium), middle, and top.

Architectural Expression

Architecturally the development has been separated into a hierarchy of discreet and contrasting forms. The form and character of these components are intended to present an elegant, clean and contemporary expression to this area of Bernard Avenue.

<u>Podium</u>

The elevated parking podium was recognized at the outset to be of potential concern, due to its horizontal scale and mass. Conversely, it also provides the opportunity to express a meaningful design, worthy of its prominence in the downtown community. Elevating the bar and setting context for future downtown projects, Bernard Block's podium design proposes to celebrate, rather than hide this prominent feature of the buildings' expression. A gesture that is both thoughtfully conceived and purposefully executed, sculptural and artful in nature, and ultimately contextual in its meaning and origination offers an opportunity to become an attraction and destination along the Bernard Avenue streetscape.

Generally speaking, the podium offers a very horizontal expression, with all elements intended to convey a grounding effect for the overall development above. The active ground floor level has been highly articulated and further characterized by multiple recessed entries, extending the urban character of the Bernard Avenue streetscape. Numerous retail entries provide opportunities for spill-out spaces onto Bernard Avenue's generous sidewalks, attracting a variety of retail services such as food stores, boutique shops, cafés and service orientated businesses. A large canopy of high opacity provides water protection and sun shade for most of the year, while additional retractable shade awnings located at their outer edge offer further shading, providing retailers the opportunity to obscure the line between indoor and outdoor space during warmer months. The overall design objectives for the retail commercial areas at Bernard Block are to attract goods and services tailored to the specific needs of this mixed-use neighborhood, in an environment that is convenient, service-oriented, pedestrian-scaled and connected to the urban lifestyles of the neighborhood residents.

A feature element is located at the southwest corner of the podium and is designed to make an artful reference to how transformative the introduction of irrigation to the Okanagan area has been. It is formed as a series of overlapping "flumes", referencing the method utilized to bring water down from the mountains at the turn of the century, and is intended to both attract people up along Bernard Ave from the lake, and act in concert with the podium expression as a visual anchor point for this emerging area of the downtown district. Wind and temperature permitting it will operate as a cascading waterfall and will be specially lit to accent its components at night.

Residential Tower

The residential tower, with its stacked balconies, window elements and smaller floorplate, is intended to exaggerate its vertical expression as a contrast to its strong horizontal base. While the general intention is to attract one's attention to the top of the building, where a common and evening-lit amenity area exists for owners use, the emphasis is on creating a vertical gesture, thereby reinforcing the "tallest-in-the-neighbourhood" stance.

A playful fenestration pattern draws attention to the east façade and similarly emphasizes the building's verticality, creating interest as one moves westward along Bernard Avenue.

<u>Office</u>

The office building, as the lowest form in this composition of elements, uses an office floor plate size of 1000sm (10,000 sf), and has a slender aspect as seen from Bernard Avenue to the west. It benefits from its own semi-private roof terraces and has direct access to both the common podium level terraces and the residential tower itself. A truly live/work/play opportunity is presented here with this unique arrangement of uses.

The southern face of the office building intentionally angles back to draw attention to the important southwest corner of the podium, as well as create a more interesting contemporary form.

Nature, Culture and History

In the pursuit of finding an "artful" positioning for the building base, we have explored regional, cultural, historical, and in some cases metaphorical representations and interpretations for certain design elements.

To begin with, a "bird's nest" found from the area was thought to be an appropriate and interesting form in how it represented a unique and wonderfully beautiful expression of the most rudimentary of dwelling types. The one shown on the Concept Panel was primarily comprised of grass stalks and blades from the area, hence the notion of native "grasses" becoming a metaphor for the "foil" coverage for much of the office building base.

Followed by delicate "cirrus clouds" which have been interpreted for the special horizontal windows that allow light into the parkade, with overlapping frit layers implying these features. Bernard Block's design rationale further integrates materials and elements rooted in Kelowna's natural and cultural heritage, inspired by Bernard Avenue's streetscape revitalization, which incorporated "themes derived from Kelowna's local natural and cultural heritage combined with tributes to the First Nation people of this area". These elements including grasses and reeds, once used to craft useful objects such as mats, baskets and fabrics, integrate the notion of "weaving" into a basket form explored as the "foil" on the parkade podium under the residential tower (see Concept Panel).

Sedimentary deposits in the lower hill and mountain areas are an important and visible part of the region so the design incorporates a reference to this with robust and deep concrete walls forming the anchor points to the floating base while declaring entranceways to the two buildings and parking access points.

Water was an important and revolutionary element in the "greening" of the Okanagan Valley. The use of irrigation water transported from the surrounding mountains and hills transformed the area from relatively sparse grazing land into an agricultural and horticultural oasis. Water was a fundamental component in the current use of the land, and while not currently shown on the drawings submitted, we are continuing to explore design concepts that would express this important component to the history of the region.

Detail and Materiality

The podium is principally intended to express the nature of "grass foils" floating in front of a charcoal background. The "nest" version occupies the area under the office tower, comprised of prefinished aluminum extrusions layered in two overlapping planes that project in front of the windows and panels behind. The "basket" version is on one plane and is comprised of aluminum plating or sheeting hydro-cut to shape and partially overlapping the windows.

The charcoal background for these foils expresses itself and wraps the laneway as well. It is from a panelized, cementitious system of surface mounted plates in a deep charcoal color. Windows in the base are silver capped curtain wall with fritted cantilevered canopies and support system to match. White retractable awnings will be further fitted to shade certain areas. The horizontal windows above will have overlapping translucent frits, creating a soft glow behind the foils in the evening.

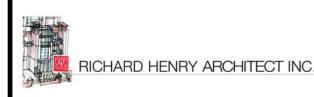
The office building is intended to be a simple crystalline form made of reflective glass surfaces and butt glazed curtainwall for its entirety. Some spandrel glass will be integrated to reduce heat loss.

The residential building is made of highly contrasting white painted cast-in-place concrete together with a dark charcoal mullion and spandrel glazed upstands emphasizing the building's verticality.

The "earth" entranceways are made from random loosely poured cast-in-place concrete that emulates a rammed earth composition of sedimentary layers.

COR-TEN steel, in its weather-rusted form, is proposed for entryway accents and landscape features at grade and at the podium. In keeping with the earth metaphor, the rusted iron brings a warmth and appropriateness to the materiality of the arid and semi-arid region of the Okanagan.

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500 BERNARD AVENUE KELOWNA, B.C.

BERNARD BLOCK

Drawing Title

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DESIGN RATIONALE

C:\Users\SarahM\Desktop\18-59\18 BERNARD BLOCK CENTRAL - Sarah

Date:
MARCH 2020

Scale:

Drawing No.

Project No.

18-59

A O - 3

SCHEDULE A & B

This forms part of application
DP19-0064 / DP19-0065

City of

Planner Initials AC

City of Kelowna DEVELOPMENT PLANNING

AREA SUMMARY PHASE A 28 LEVEL MARKET CONDO TOWER OVER 5 LEVEL PODIUM

LEVEL	RESIDENTIAL	COMMON	CRU	GROSS BUILD	BALCONY	ROOF DECK	PARKING	UTILITIES/STRG	GROSS SERVIO
LEVEL 1	0.00 SF	3,010.38 SF	8,503.19 SF	11,513.57 SF	0.00 SF	0.00 SF	1,650.97 SF	3,478.08 SF	5,129.05
LEVEL 2	0.00 SF	0.00 SF	0.00 SF	0.00 SF	0.00 SF	0.00 SF	11,150.52 SF	2,826.86 SF	13,977.38
LEVEL 3	0.00 SF	0.00 SF	0.00 SF	0.00 SF	0.00 SF	0.00 SF	15,542.41 SF	1,122.07 SF	16,664.48
LEVEL 4	0.00 SF	0.00 SF	0.00 SF	0.00 SF	0.00 SF	0.00 SF	15,542.41 SF	1,208.14 SF	16,750.55
LEVEL 5	0.00 SF	0.00 SF	0.00 SF	0.00 SF	0.00 SF	0.00 SF	14,669.28 SF	250.29 SF	14,919.57
LEVEL 6	5,021.00 SF	1,935.14 SF	0.00 SF	6,956.14 SF	161.30 SF	12,798.38 SF	0.00 SF	0.00 SF	0.00
LEVEL 7	5,930.08 SF	1,066.88 SF	0.00 SF	6,996.96 SF	840.90 SF	0.00 SF	0.00 SF	0.00 SF	0.00
LEVEL 8	5,930.14 SF	1,066.88 SF	0.00 SF	6,997.02 SF	840.84 SF	0.00 SF	0.00 SF	0.00 SF	0.00
LEVEL 9	5,930.14 SF	1,066.88 SF	0.00 SF	6,997.02 SF	840.84 SF	0.00 SF	0.00 SF	0.00 SF	0.00
LEVEL 10	5,930.14 SF	1,066.88 SF	0.00 SF	6,997.02 SF	840.84 SF	0.00 SF	0.00 SF	0.00 SF	0.00
LEVEL 11	5,930.14 SF	1,066.88 SF	0.00 SF	6,997.02 SF	840.84 SF	0.00 SF	0.00 SF	0.00 SF	0.00
LEVEL 12	5,930.14 SF	1,066.88 SF	0.00 SF	6,997.02 SF	840.84 SF	0.00 SF	0.00 SF	0.00 SF	0.00
LEVEL 13	5,929.87 SF	1,066.88 SF	0.00 SF	6,996.75 SF	840.84 SF	0.00 SF	0.00 SF	0.00 SF	0.00
LEVEL 14	5,930.14 SF	1,066.88 SF	0.00 SF	6,997.02 SF	840.84 SF	0.00 SF	0.00 SF	0.00 SF	0.00
LEVEL 15	5,930.14 SF	1,066.88 SF	0.00 SF	6,997.02 SF	840.84 SF	0.00 SF	0.00 SF	0.00 SF	0.0
LEVEL 16	5,930.14 SF	1,066.88 SF	0.00 SF	6,997.02 SF	840.84 SF	0.00 SF	0.00 SF	0.00 SF	0.0
LEVEL 17	5,930.14 SF	1,066.88 SF	0.00 SF	6,997.02 SF	840.84 SF	0.00 SF	0.00 SF	0.00 SF	0.0
LEVEL 18	5,930.14 SF	1,066.88 SF	0.00 SF	6,997.02 SF	840.84 SF	0.00 SF	0.00 SF	0.00 SF	0.0
LEVEL 19	5,930.14 SF	1,066.88 SF	0.00 SF	6,997.02 SF	840.84 SF	0.00 SF	0.00 SF	0.00 SF	0.0
LEVEL 20	5,930.14 SF	1,066.88 SF	0.00 SF	6,997.02 SF	840.84 SF	0.00 SF	0.00 SF	0.00 SF	0.0
LEVEL 21	5,930.14 SF	1,066.88 SF	0.00 SF	6,997.02 SF	840.84 SF	0.00 SF	0.00 SF	0.00 SF	0.0
LEVEL 22	5,917.56 SF	1,066.55 SF	0.00 SF	6,984.11 SF	866.08 SF	0.00 SF	0.00 SF	0.00 SF	0.0
LEVEL 23	5,917.56 SF	1,066.55 SF	0.00 SF	6,984.11 SF	866.08 SF	0.00 SF	0.00 SF	0.00 SF	0.0
LEVEL 24	5,917.56 SF	1,066.55 SF	0.00 SF	6,984.11 SF	866.08 SF	0.00 SF	0.00 SF	0.00 SF	0.0
LEVEL 25	5,917.56 SF	1,066.55 SF	0.00 SF	6,984.11 SF	866.08 SF	0.00 SF	0.00 SF	0.00 SF	0.0
LEVEL 26	5,917.56 SF	1,066.55 SF	0.00 SF	6,984.11 SF	866.08 SF	0.00 SF	0.00 SF	0.00 SF	0.0
LEVEL 27	5,917.56 SF	1,066.55 SF	0.00 SF	6,984.11 SF	866.08 SF	0.00 SF	0.00 SF	0.00 SF	0.0
LEVEL 28	5,917.56 SF	1,066.55 SF	0.00 SF	6,984.11 SF	866.08 SF	0.00 SF	0.00 SF	0.00 SF	0.0
LEVEL 29	5,917.56 SF	1,066.55 SF	0.00 SF	6,984.11 SF	866.08 SF	0.00 SF	0.00 SF	0.00 SF	0.0
LEVEL 30	5,917.56 SF	1,066.55 SF	0.00 SF	6,984.11 SF	866.08 SF	0.00 SF	0.00 SF	0.00 SF	0.0
LEVEL 31	4,986.80 SF	1,078.61 SF	0.00 SF	6,065.41 SF	1,374.56 SF	0.00 SF	0.00 SF	0.00 SF	0.00
LEVEL 32	4,986.80 SF	1,078.61 SF	0.00 SF	6,065.41 SF	1,374.56 SF	0.00 SF	0.00 SF	0.00 SF	0.0
LEVEL 33	4,986.80 SF	1,078.61 SF	0.00 SF	6,065.41 SF	1,297.77 SF	0.00 SF	0.00 SF	0.00 SF	0.0
LEVEL 34 (PH AMENITY)	0.00 SF	2,074.16 SF	0.00 SF	2,074.16 SF	0.00 SF	3,066.46 SF	0.00 SF	980.47 SF	980.4
LEVEL 35 (PH ROOF)	0.00 SF	281.80 SF	0.00 SF	281.80 SF	0.00 SF	0.00 SF	0.00 SF	0.00 SF	0.0
-	162,191.21 SF	36,139.46 SF	8,503.19 SF	206,833.86 SF	24,615.57 SF	15,864.84 SF	58,555.59 SF	9,865.91 SF	68,421.5

UNIT SUMMARY PHASE A

Wt	DESCRIPTION	COUNT	AREA	ioial area
STUDIO	STUDIO	50	311 SF	15,573 SF
SUB PH1	2 BED	3	977 SF	2,930 SF
SUB PH2	2 BED	3	820 SF	2,460 SF
SUB PH3	1 BED	3	498 SF	1,495 SF
SUB PH4	2 BED	3	817 SF	2,450 SF
SUB PH5	2 BED	3	991 SF	2,973 SF
SUB PH6	2 BED	3	884 SF	2,653 SF
UNIT A	1 BED	30	438 SF	13,142 SF
UNIT B	1B+D	25	537 SF	13,427 SF
UNIT B1	1 BED	25	523 SF	13,083 SF
UNIT C	2 BED	50	802 SF	40,072 SF
UNIT C1	2 BED	50	883 SF	44,120 SF
UNIT C2	2 BED	9	868 SF	7,813 SF
		257		162,191 SF

1 BED	58
1B+D	25
2 BED	124
STUDIO	50

BICYCLE SUMMARY PHASE A

MINIMUM BICYCLE STORAGE REQUIREMENTS:

RESIDENTIAL: CLASS 1 = 0.75 / UNITCLASS 2 = 6 SPACES

COMMERCIAL: CLASS 1 = 0.2 / 100m2 (1076 SF)8296.24 / 1076 * 0.2 = 2 SPACE CLASS 2 = 0.125 / 100m2 (1076 SF)8296.24 / 1076 * 0.125 = 1 SPACE

257 * 0.75 = 193 SPACE

PHASE 1 COMMERCIAL

CLASS 1 CLASS 2 6 SPACE

BICYCLE STORAGE PROVIDED:

PHASE 1 RESIDENTIAL	
CLASS 1	182
CLASS 2	6
	100

PARKING SUMMARY PHASE A

PHASE A PARKING	COMBINED PARKING
COMPACT	COMPACT
10	25
DISABILITY	DISABILITY
5	
FULLSIZE	FULLSIZE
67	25
MEDIUM	MEDIUM
109	183
191	468

RETAIL (C7 COMMERCIAL ZONE):

1.3 SPACES / 100m2(1,076SF)

TOTAL EXTRA PARKING

MINIMUM PARKING REQUIREMENTS AS LISTED IN THE CITY OF KELOWNA CONSOLIDATED ZONING BYLAW NO. 8000, DATED OCTOBER 26, 2015

	FOR GROSS FLOOR AREA UNDER 1,000m2	(10,760 SF)		
	8,503.19 SF / 1,076 7.90 x 1.3 SPACES	= 10 SPACES	10 SPACES	10 SPACES
	RESIDENTIAL: APARTMENT HOUSING: 1 SPACE / UNITS OVER 312 SF 207 UNITS =	207 SPACES	one space for all units 257 SPACES	one space for all units 257 SPACES
	+			
	1 VISITOR SPACE / 7 UNITS			
ES ES	257 UNITS / 7	= 37 SPACES	37 SPACES	37 SPACES
	MINIMUM PARKING REQUIRED	254 SPACES	304 SPACES	304 SPACES
ES ES	PARKING BUILT FOR PHASE A PARKING ALLOCATED FROM PHASE B 1.3 SPACES /	191 SPACES 160 SPACES 100m2 (1,076 SF)		191 SPACES 160 SPACES
	TOTAL PARKING AVAILABLE FOR PHASE A	351 SPACES	302 SPACES	351 SPACES

2020-01-08 DP APPLICATION RESUBMISSION

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2019-07-23 DP APPLICATION PROGRESS SET FMA

and conditions shown on the drawing.

2019-02-20 DP APPLICATION

REVISIONS

RICHARD HENRY ARCHITECT INC.

\mathbf{z} 304 SPACES 304 SPACES -2 SPACES 47 SPACES

AREA SUMMARY PHASE B 11 LEVEL OFFICE TOWER OVER 5 LEVEL PODIUM

LEVEL	COMMON	CRU	OFFICE	GROSS BUILD	BALCONY	ROOF DECK		PARKING	UTILITIES/STRG	GROSS SERVICE
		0.10	311132	3.1000 20.22	27.1200.11			.,	3.1.220, 3.13	3.1.3.3.3.2.1.1.3.2
LEVEL 1	4,601.18 SF	6,937.29 SF	0.00 SF	11,538.47 SF	0.00 SF	0.00 SF		7,593.68 SF	4,315.56 SF	11,909.24 SF
LEVEL 2	0.00 SF	0.00 SF	0.00 SF	0.00 SF	0.00 SF	0.00 SF		22,808.46 SF	706.17 SF	23,514.63 SF
LEVEL 3	0.00 SF	0.00 SF	0.00 SF	0.00 SF	0.00 SF	0.00 SF		25,091.17 SF	88.24 SF	25,179.41 SF
LEVEL 4	0.00 SF	0.00 SF	0.00 SF	0.00 SF	0.00 SF	0.00 SF		25,196.08 SF	97.89 SF	25,293.97 SF
LEVEL 5	0.00 SF	0.00 SF	0.00 SF	0.00 SF	0.00 SF	777.47 SF		24,068.89 SF	0.00 SF	24,068.89 SF
LEVEL 6	1,526.20 SF	0.00 SF	8,032.24 SF	9,558.44 SF	0.00 SF	0.00 SF		0.00 SF	0.00 SF	0.00 SF
LEVEL 7	1,502.13 SF	0.00 SF	8,037.44 SF	9,539.57 SF	0.00 SF	0.00 SF		0.00 SF	0.00 SF	0.00 SF
LEVEL 8	1,502.13 SF	0.00 SF	8,056.56 SF	9,558.69 SF	0.00 SF	0.00 SF		0.00 SF	0.00 SF	0.00 SF
LEVEL 9	1,502.13 SF	0.00 SF	8,063.35 SF	9,565.48 SF	0.00 SF	0.00 SF		0.00 SF	0.00 SF	0.00 SF
LEVEL 10	1,502.13 SF	0.00 SF	8,069.89 SF	9,572.02 SF	0.00 SF	0.00 SF		0.00 SF	0.00 SF	0.00 SF
LEVEL 11	1,502.13 SF	0.00 SF	8,067.71 SF	9,569.84 SF	0.00 SF	0.00 SF		0.00 SF	0.00 SF	0.00 SF
LEVEL 12	1,502.13 SF	0.00 SF	8,073.65 SF	9,575.78 SF	0.00 SF	0.00 SF		0.00 SF	0.00 SF	0.00 SF
LEVEL 13	1,502.13 SF	0.00 SF	8,079.37 SF	9,581.50 SF	0.00 SF	0.00 SF		0.00 SF	0.00 SF	0.00 SF
LEVEL 14	1,502.13 SF	0.00 SF	8,094.23 SF	9,596.36 SF	0.00 SF	0.00 SF		0.00 SF	0.00 SF	0.00 SF
LEVEL 15	1,502.13 SF	0.00 SF	8,100.03 SF	9,602.16 SF	0.00 SF	0.00 SF		0.00 SF	0.00 SF	0.00 SF
LEVEL 16	1,502.13 SF	0.00 SF	8,107.38 SF	9,609.51 SF	0.00 SF	0.00 SF		0.00 SF	0.00 SF	0.00 SF
LEVEL 17	1,774.52 SF	0.00 SF	0.00 SF	1,774.52 SF	0.00 SF	5,866.03 SF		0.00 SF	0.00 SF	0.00 SF
	22,923.20 SF	6,937.29 SF	88,781.85 SF	118,642.34 SF	0.00 SF	6,643.50 SF	'	104,758.28 SF	5,207.86 SF	109,966.14 SF

PARKING SUMMARY PHASE B

COMBINED PARKING
COMPACT
25
DISABILITY
9
FULLSIZE
251
MEDIUM
183
468

MINIMUM PARKING REQUIREMENTS AS LISTED IN THE CITY OF KELOWNA CONSOLIDATED ZONING BYLAW NO. 8000, DATED OCTOBER 26, 2015

1.3 SPACES / 100m2 (1,076 SF) FOR GROSS FLOOR AREA UNDER 1,000m2 (10,760 SF)

6,937.29 SF / 1,076 = 6.45 x 1.3 SPACES = 9 SPACES

OFFICE (C7 COMMERCIAL ZONE): 1.3 SPACES / 100m2 (1,076 SF)

RETAIL (C7 COMMERCIAL ZONE):

88,781.85 SF / 1,076 = 82.51 x 1.3 SPACES = 108 SPACES

MINIMUM PARKING REQUIRED 117 SPACES 160 EXTRA SPACES

OFFICE RATIO OF 2 (CLIENT PROPOSED RATIO): 2 SPACES / 100m2 (1,076 SF)

88,781.85 SF / 1,076 = 82.51 x 2.0 SPACES = 166 SPACES

MINIMUM PARKING REQUIRED 166 SPACES PARKING BUILT FOR PHASE B 277 SPACES EXTRA PARKING FOR PHASE A 111 SPACES

BICYCLE SUMMARY PHASE B

TOTAL PARKING PROVIDED FOR PHASE A 254 SPACES

MINIMUM BICYCLE STORAGE REQUIREMENTS:

COMMERCIAL: CLASS 1 = 0.2 / 100m2 (1076 SF) 118,206.19 SF / 1076 * 0.2 = 22 SPACES CLASS 2 = 0.125 / 100m2 (1076 SF) 118,206.19 SF / 1076 * 0.125 = 14 SPACES

BICYCLE STORAGE PROVIDED:

PHASE B COM	MERCIA	L
	CLASS 1	74
	CLASS 2	9
		83

97 SPACES

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rai@rafiiarchitects.com



PROJECT INFORMATION

CIVIC ADDRESS:	560 & 590-594 BERNARD AVENUE, KELOWNA, B.C.
LEGAL DESCRIPTION:	LOT A, PLAN 18789; AND LOTS 2 AND 3, PLAN 2127; DISTRICT LOT 139 O.D.Y.D
ZONING:	C7

44,306 SF 4,116.22 m² SITE AREA: **BUILDING HEIGHTS:** OFFICE: CONDO:

6.0

101.75 m SOUTH (BERNARD): 0.25 m **SETBACKS** WEST (ST. PAULS): 0.3 m EAST (BERTRAM) $0.3 \, \mathrm{m}$ NORTH (LANE) $0.8 \, \mathrm{m}$

NET AREAS FSR CALCULATION

FAR

162,191.21 SF 15,068.06 m² RESIDENTIAL 15,440.48 SF 1,434.47 m² Drawn By: RETAIL OFFICE

88,781.85 SF 8,248.10 m² 266,081.21 SF 24,719.76 m²

48.33 m

500 BERNARD AVENUE KELOWNA, B.C. BERNARD BLOCK

PROJECT DATA

Project No. JANUARY 2020 Drawing No. A0-1C:\Users\SarahM\Documents\18 BERNARD BLOCK CENTRAL_SarahM.rvt

- RESIDENTIAL, CRU, AND OFFICE AREAS (NET SELLABLE) ARE MEASURED FROM THE EXTERIOR FACE OF EXTERIOR WALLS TO CENTERLINE OF PARTY AND CORRIDOR (OR CORE) WALLS.

- COMMON AND CIRCULATION AREAS ARE MEASURED TO CENTERLINE OF CORRIDOR WALLS AND THE EXTERIOR FACE AT EXTERIOR WALLS (ON RESIDENTIAL TOWER, OFFICE BLOCK, AND GROUND FLOOR LOBBY/CRU/AMENITY ONLY) - AMENITY AREAS ARE INCLUDED IN COMMON AND CIRCULATION AREAS

SCHEDULE

This forms part of application

DP19-0064 / DP19-0065

A & B

City of 👐

Kelowna

- GROSS BUILDABLE AREA IS THE SUM OF NET SELLABLE AND COMMON AREA GROSS SERVICE AREA IS THE SUM OF ALL ABOVE AND BELOW GRADE PARKING AND UTILITY/STORAGE AREA



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RICHARD HENRY ARCHITECT INC.

T E L 6 0 4 . 6 8 8 . 3 6 5 5 FAX

604.688.3522 e M A I L rai@rafiiarchitects.com

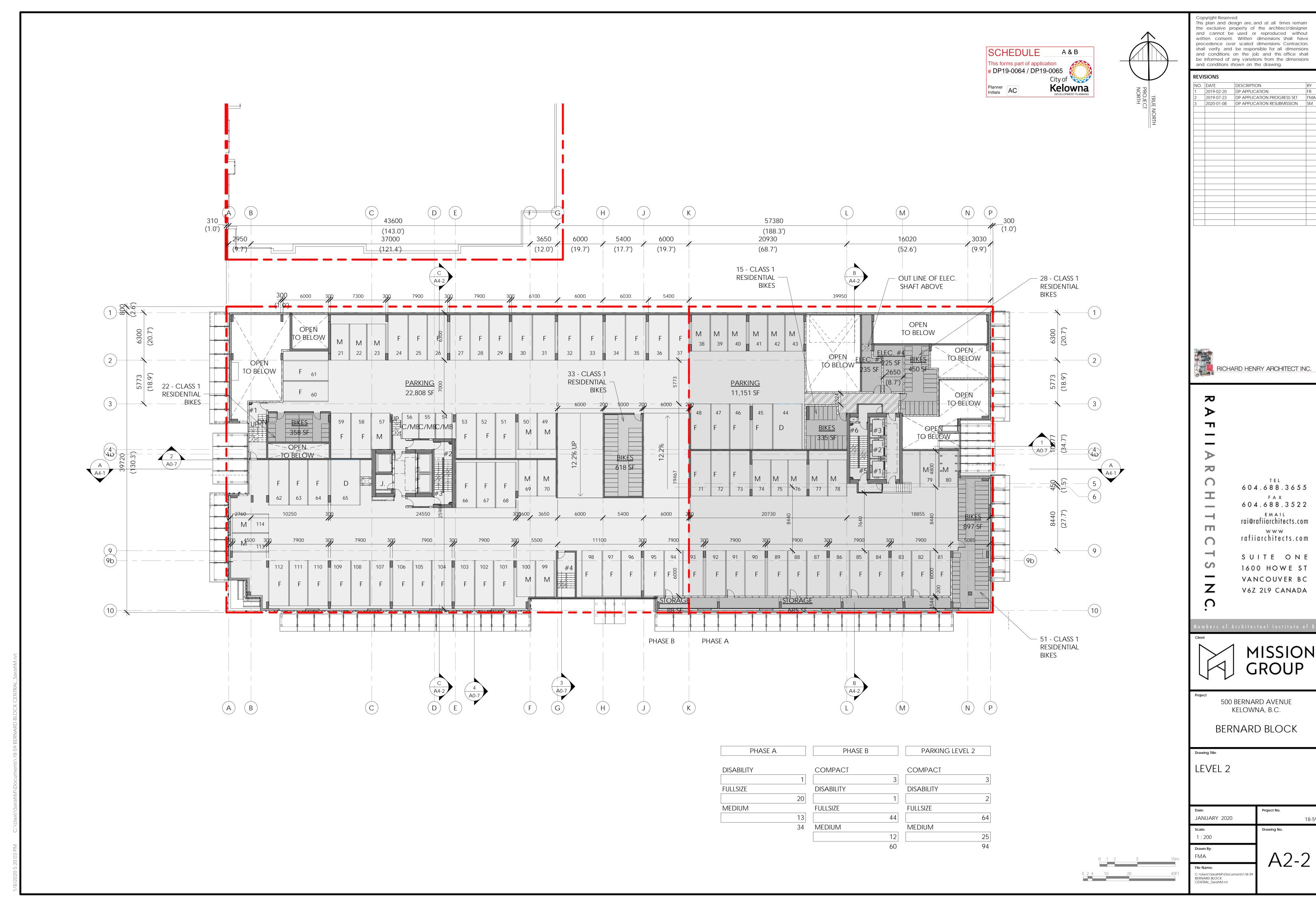
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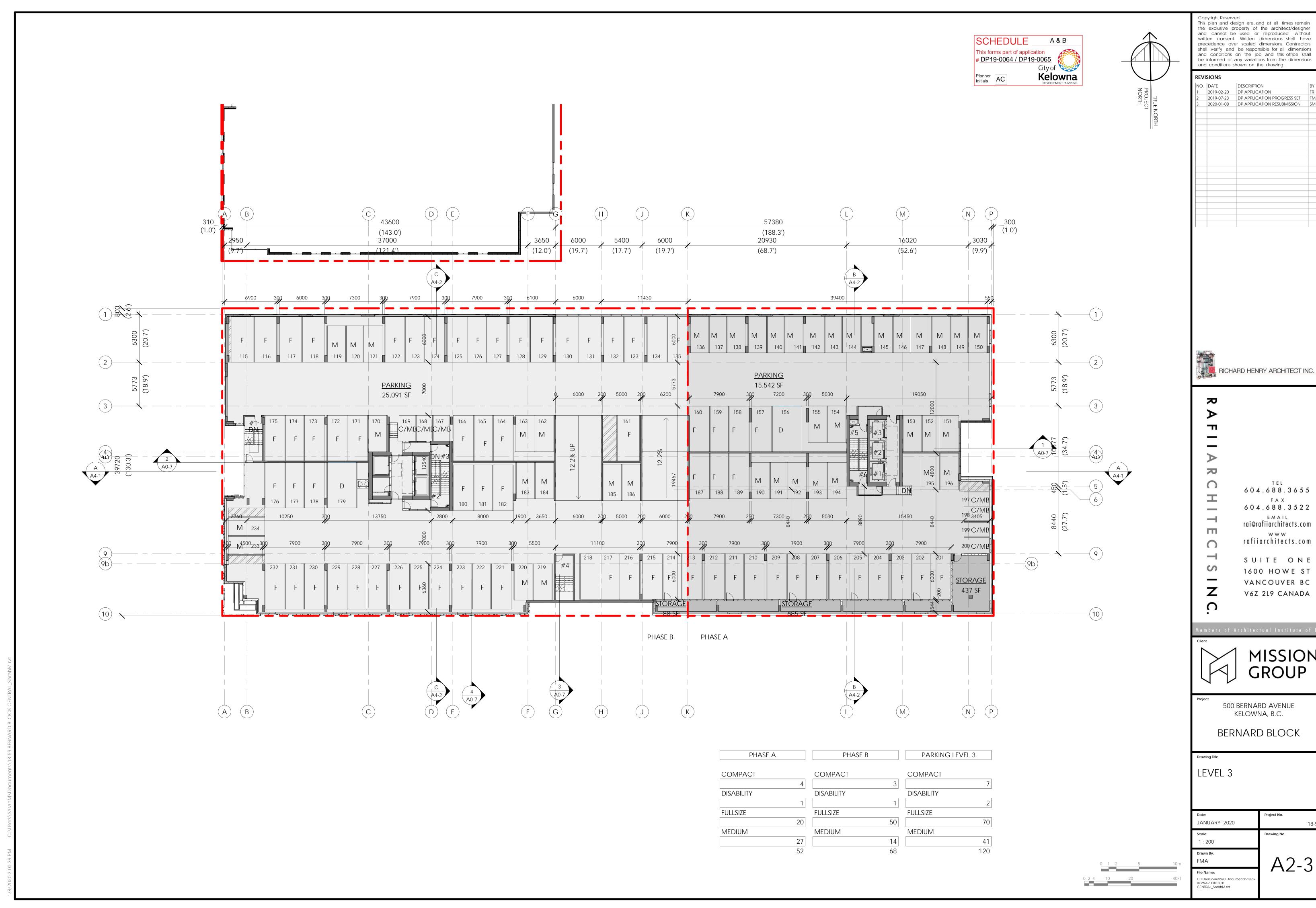
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BERNARD BLOCK

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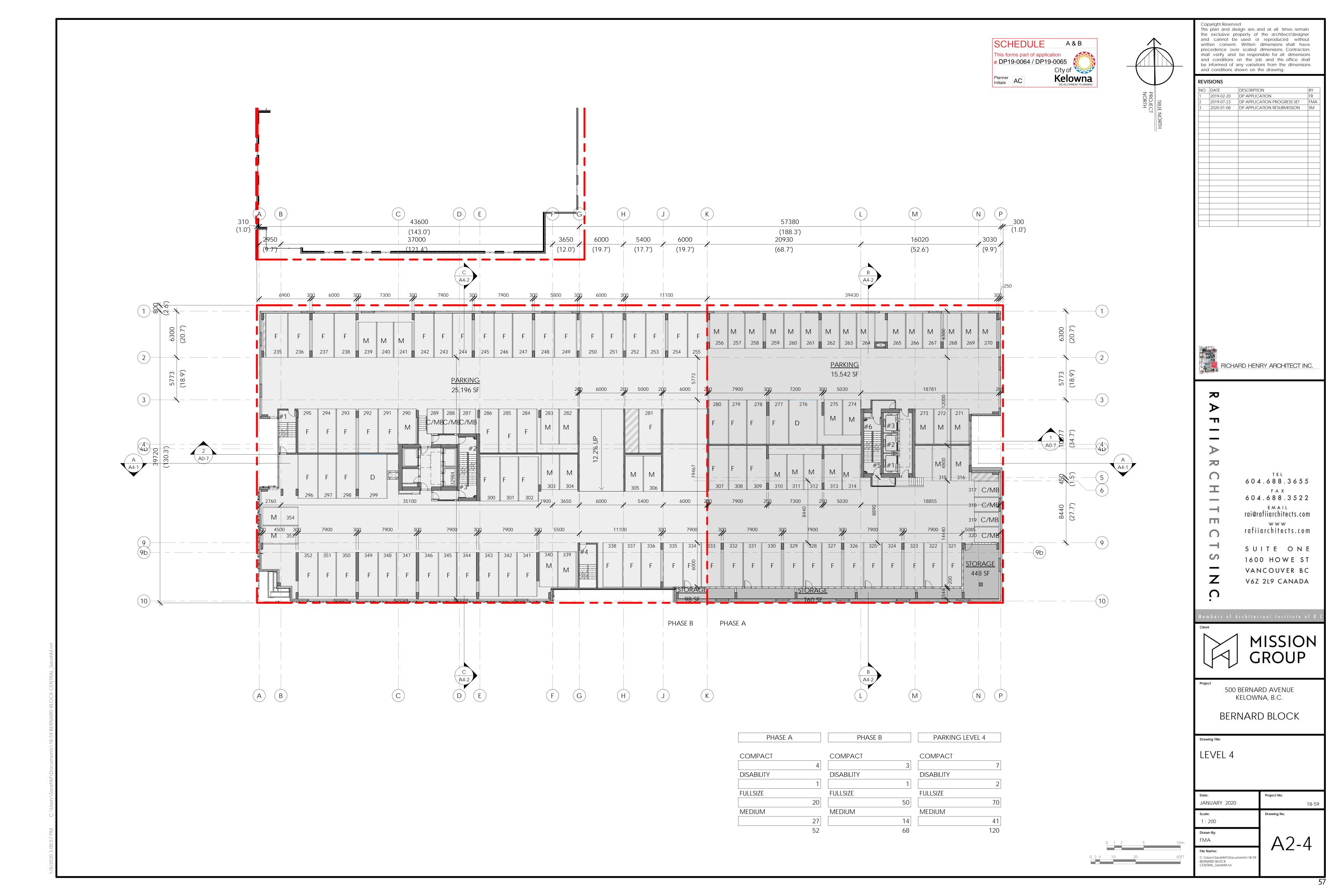
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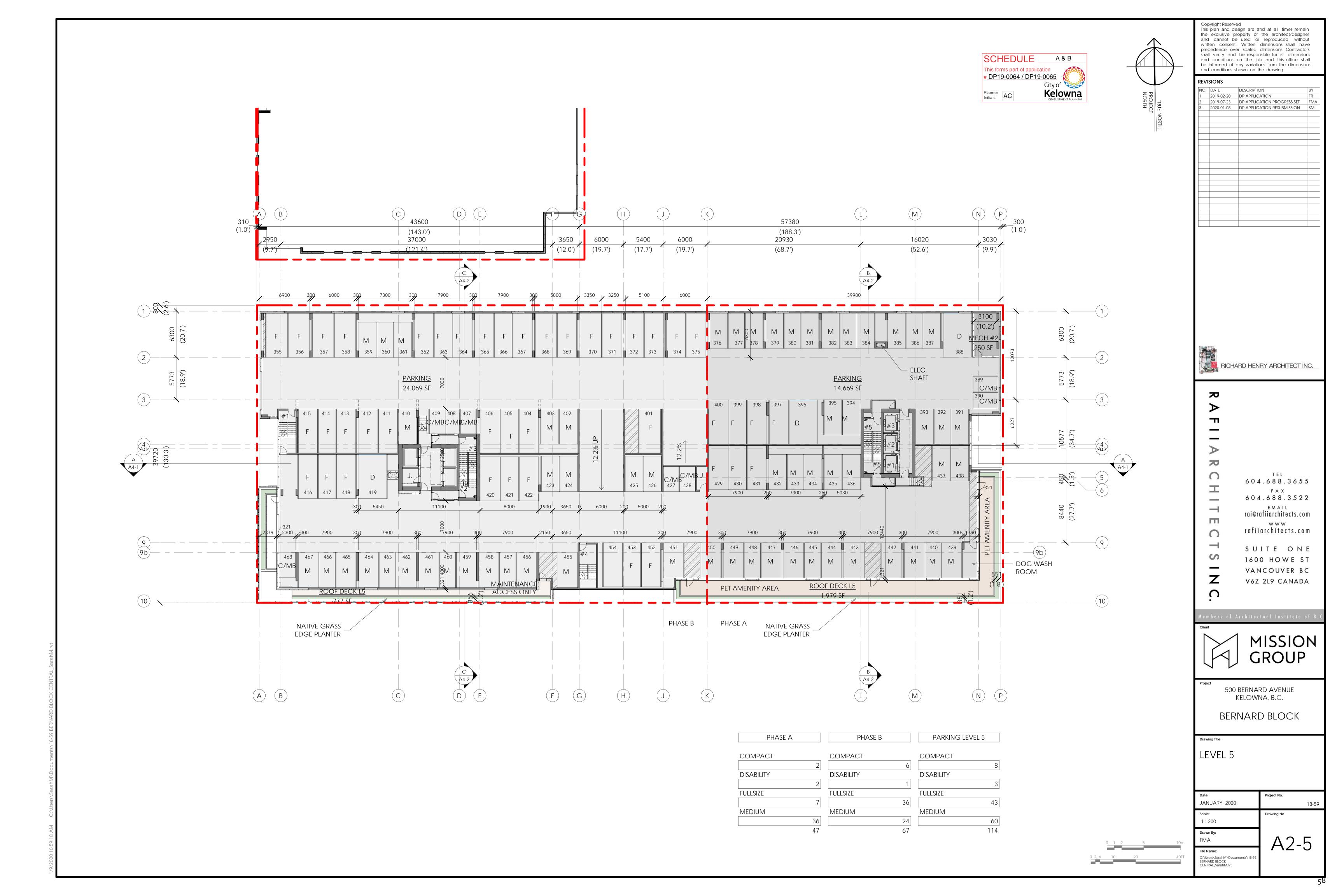


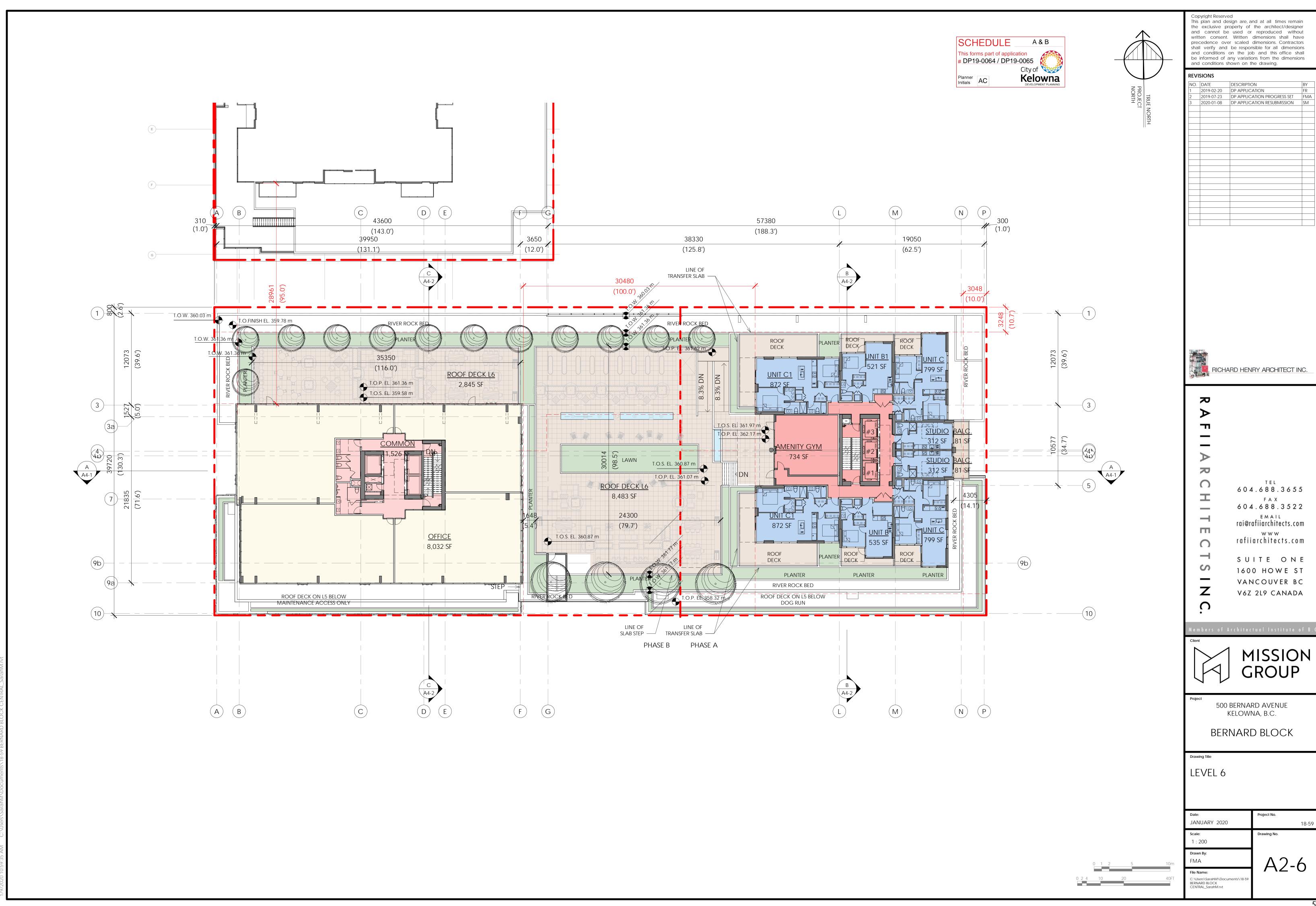
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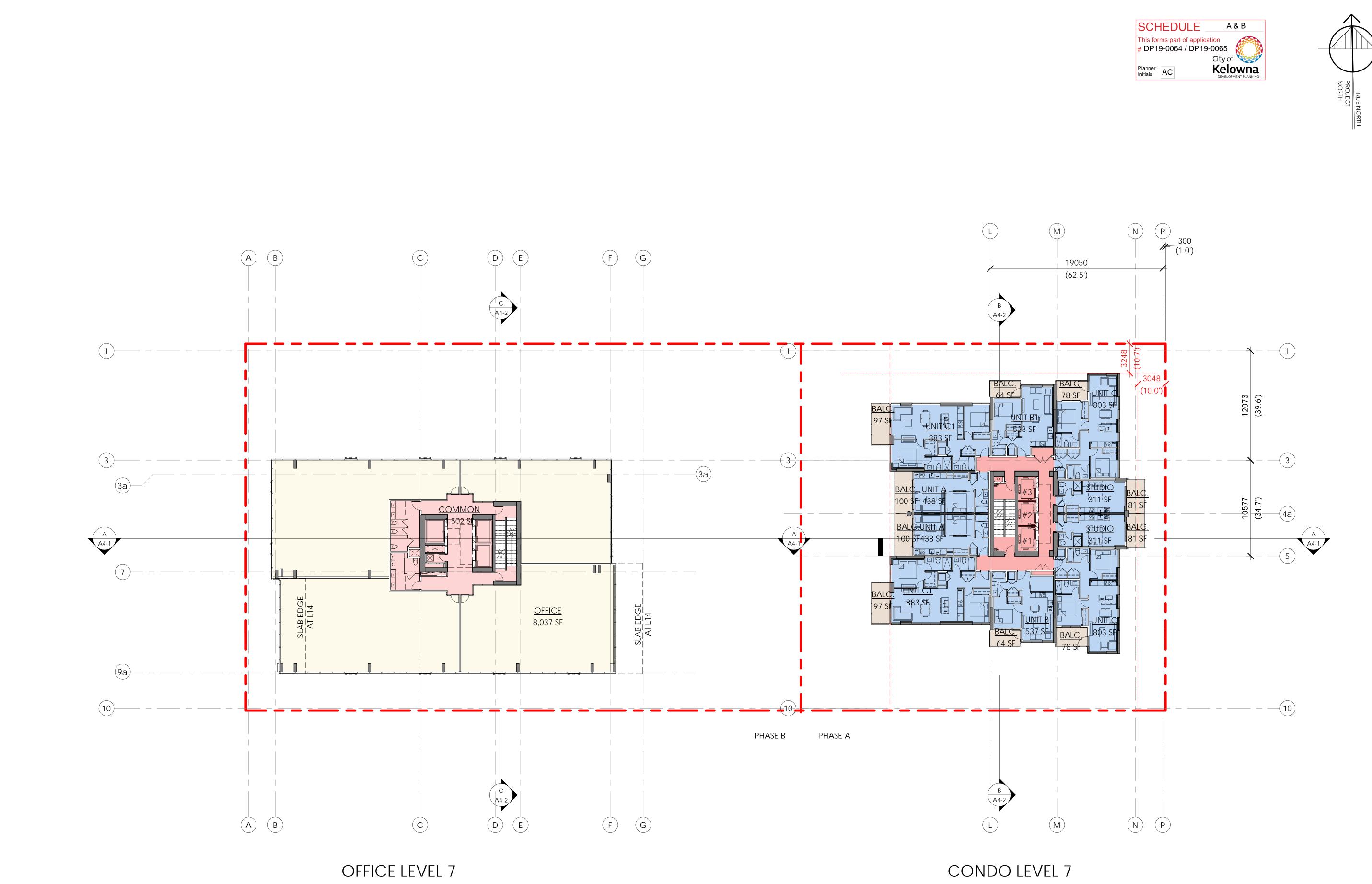






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RICHARD HENRY ARCHITECT INC.

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SUITE ONE 1600 HOWE ST VANCOUVER BC V6Z 2L9 CANADA

MISSION
GROUP

500 BERNARD AVENUE KELOWNA, B.C.

BERNARD BLOCK

Drawing Title

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LEVEL 7 OVERALL

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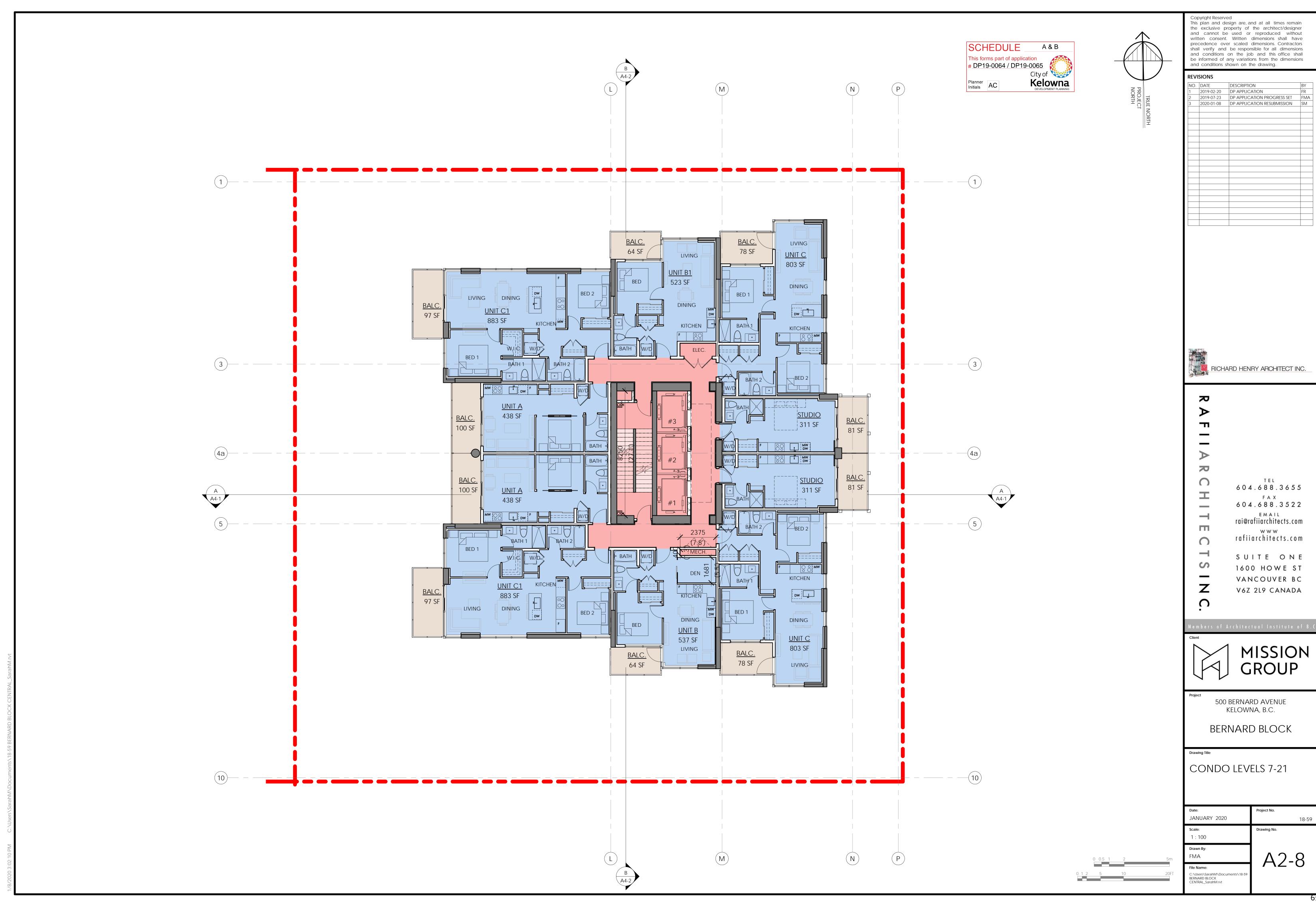
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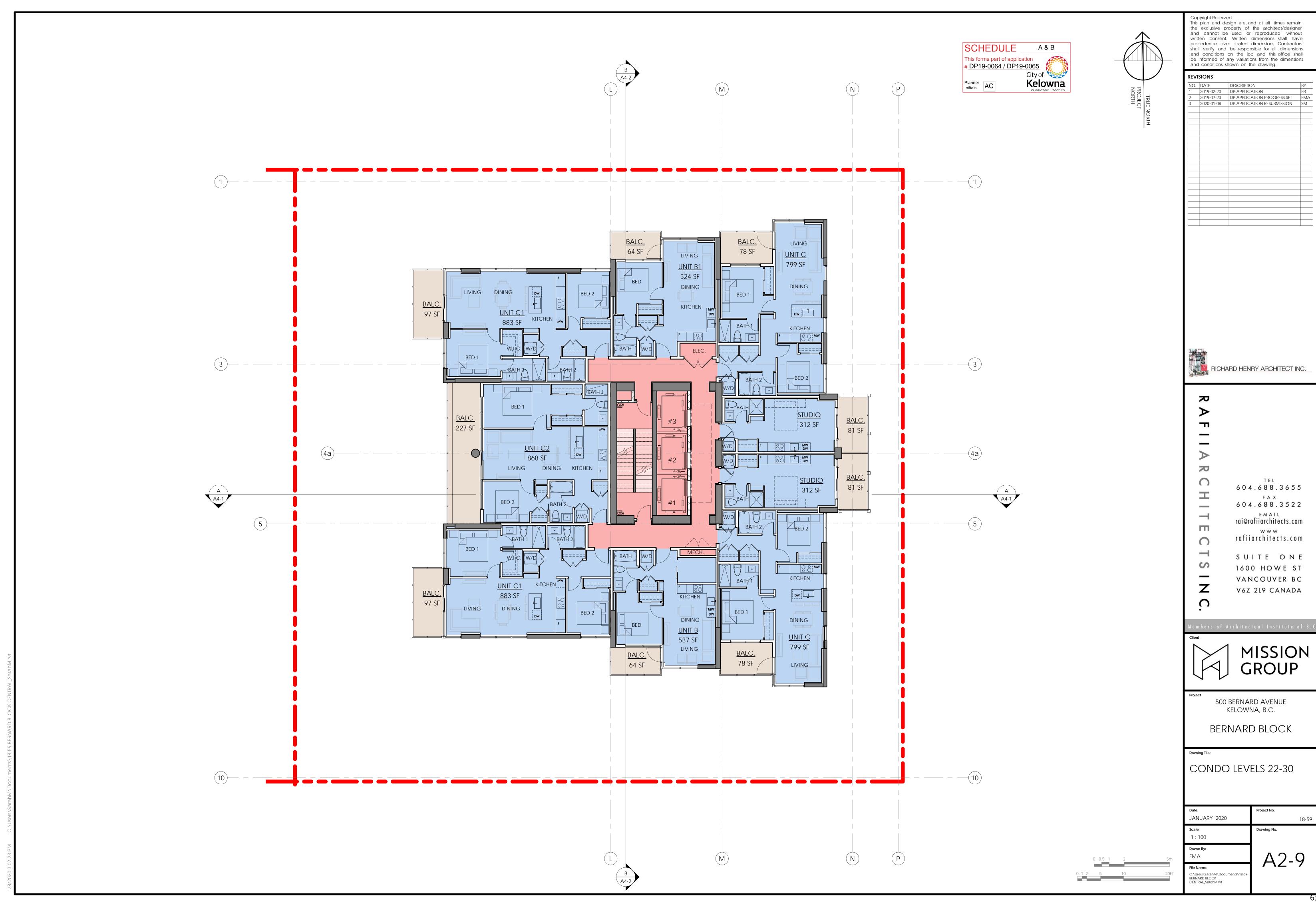
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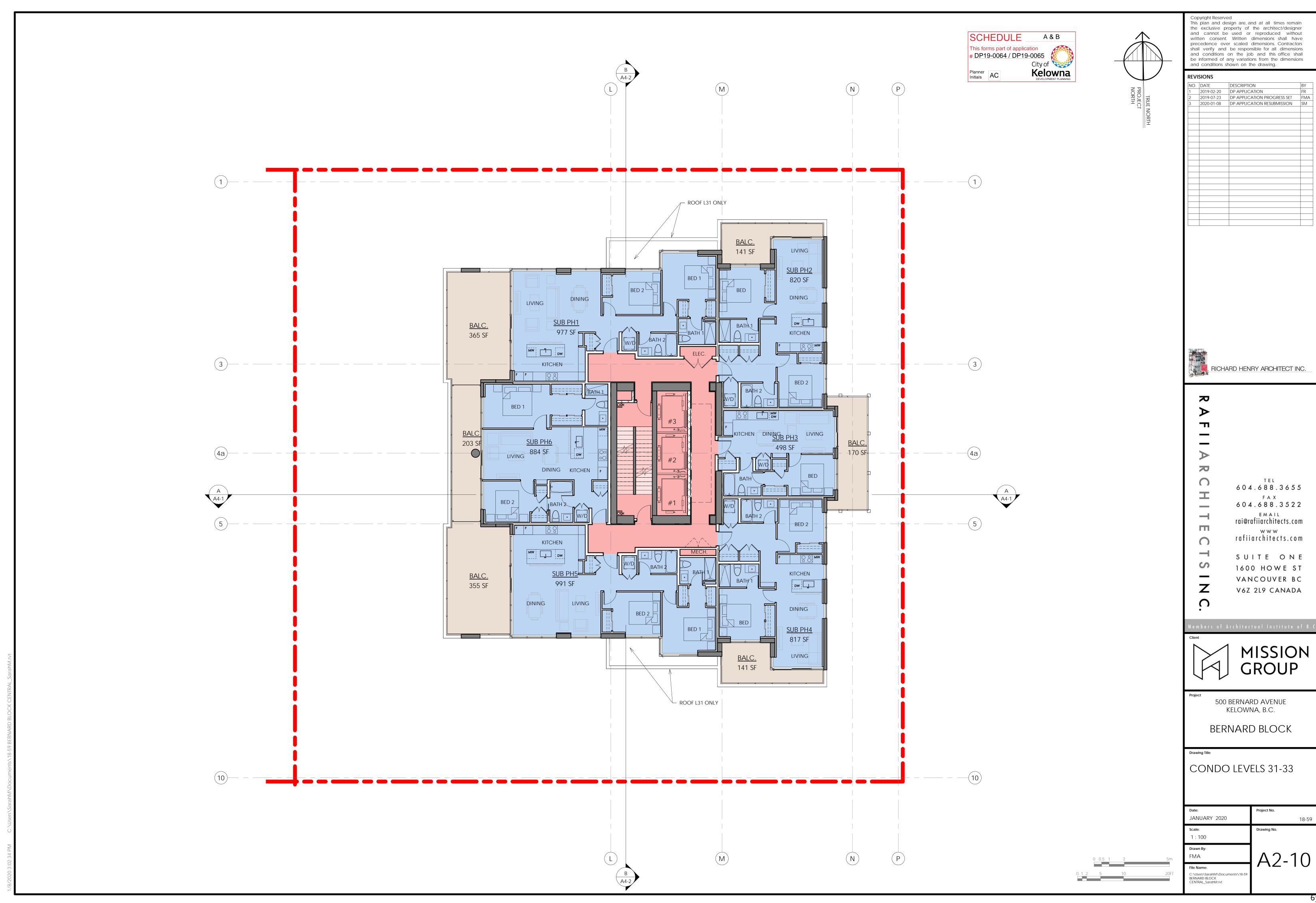
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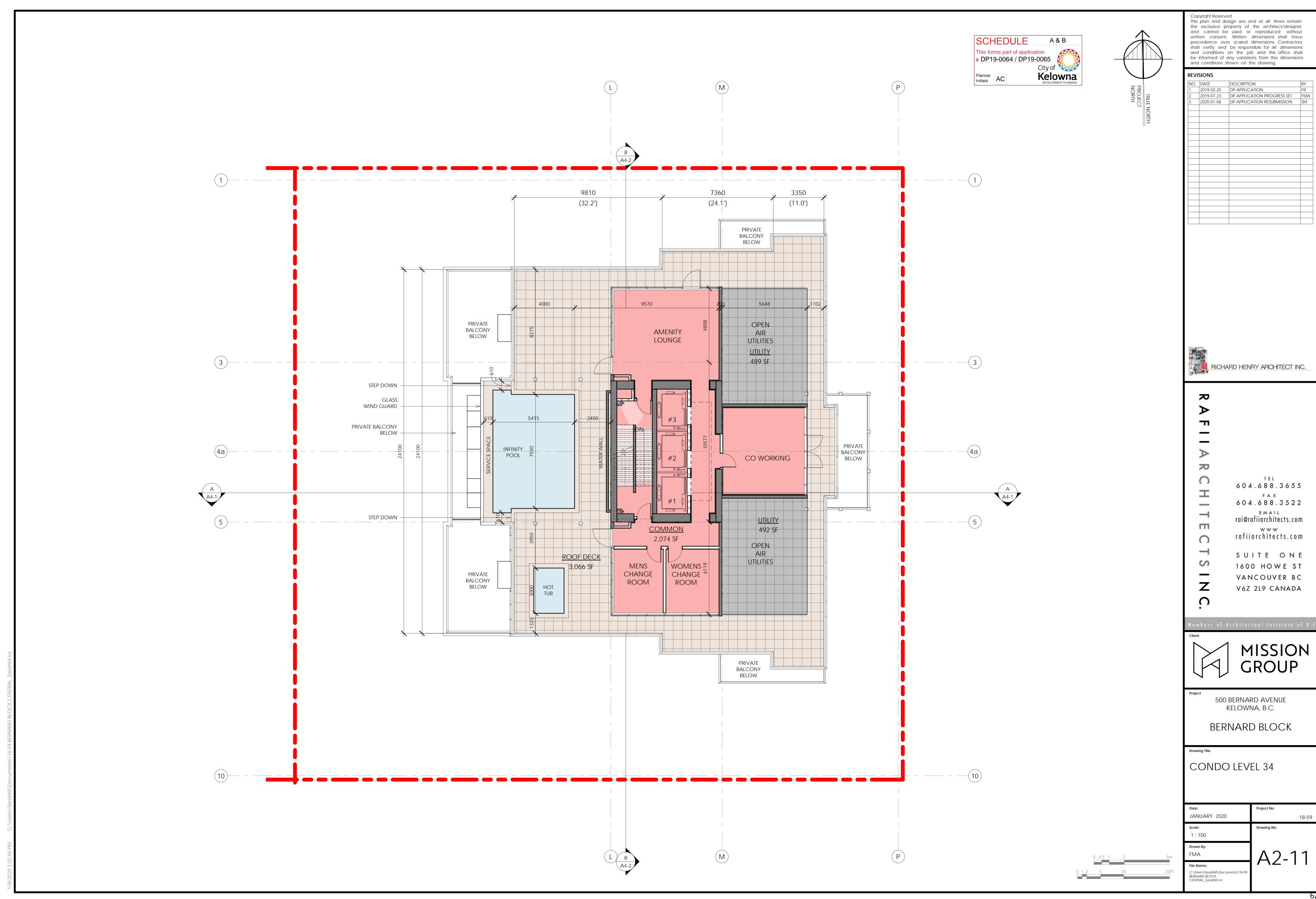
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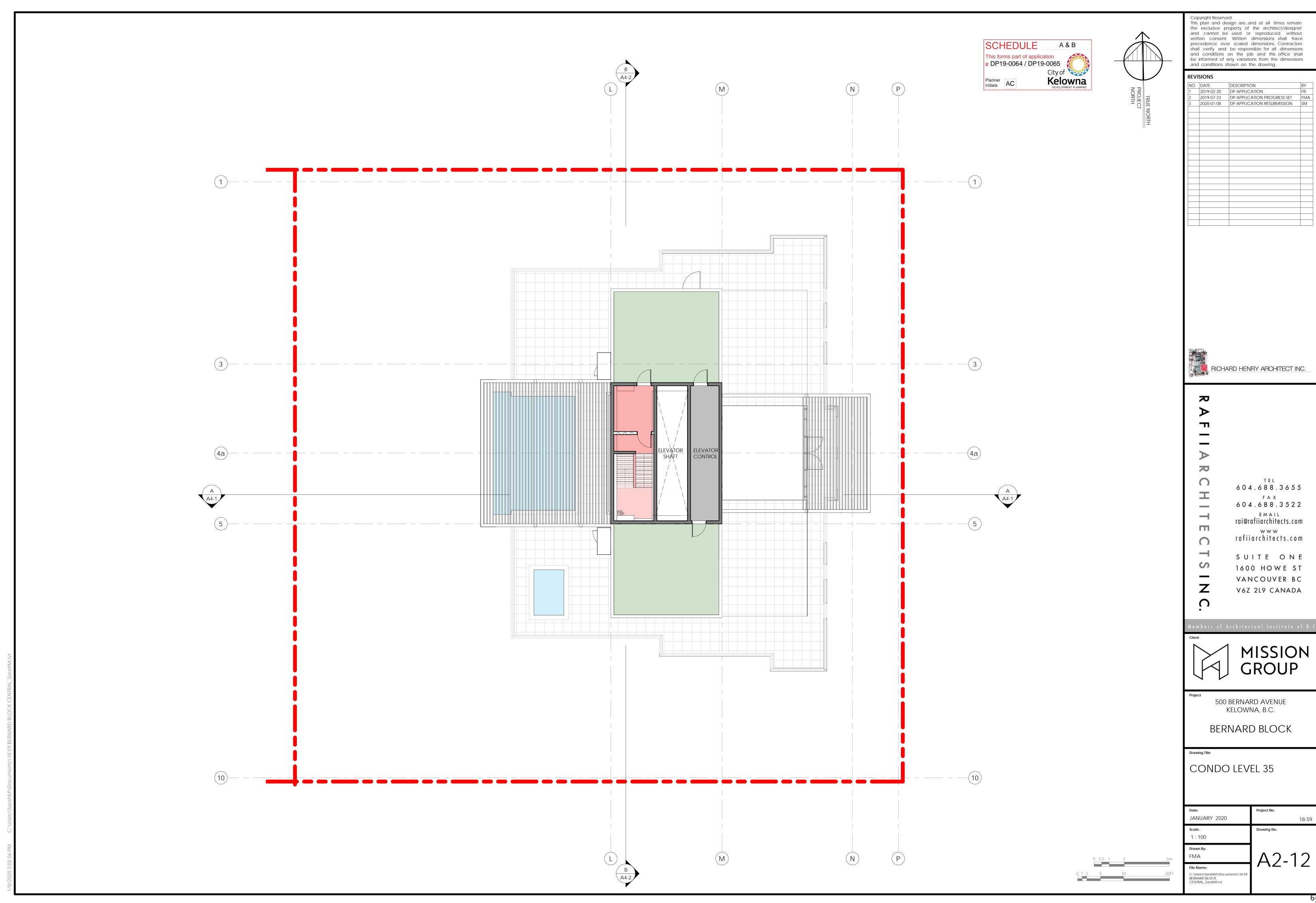
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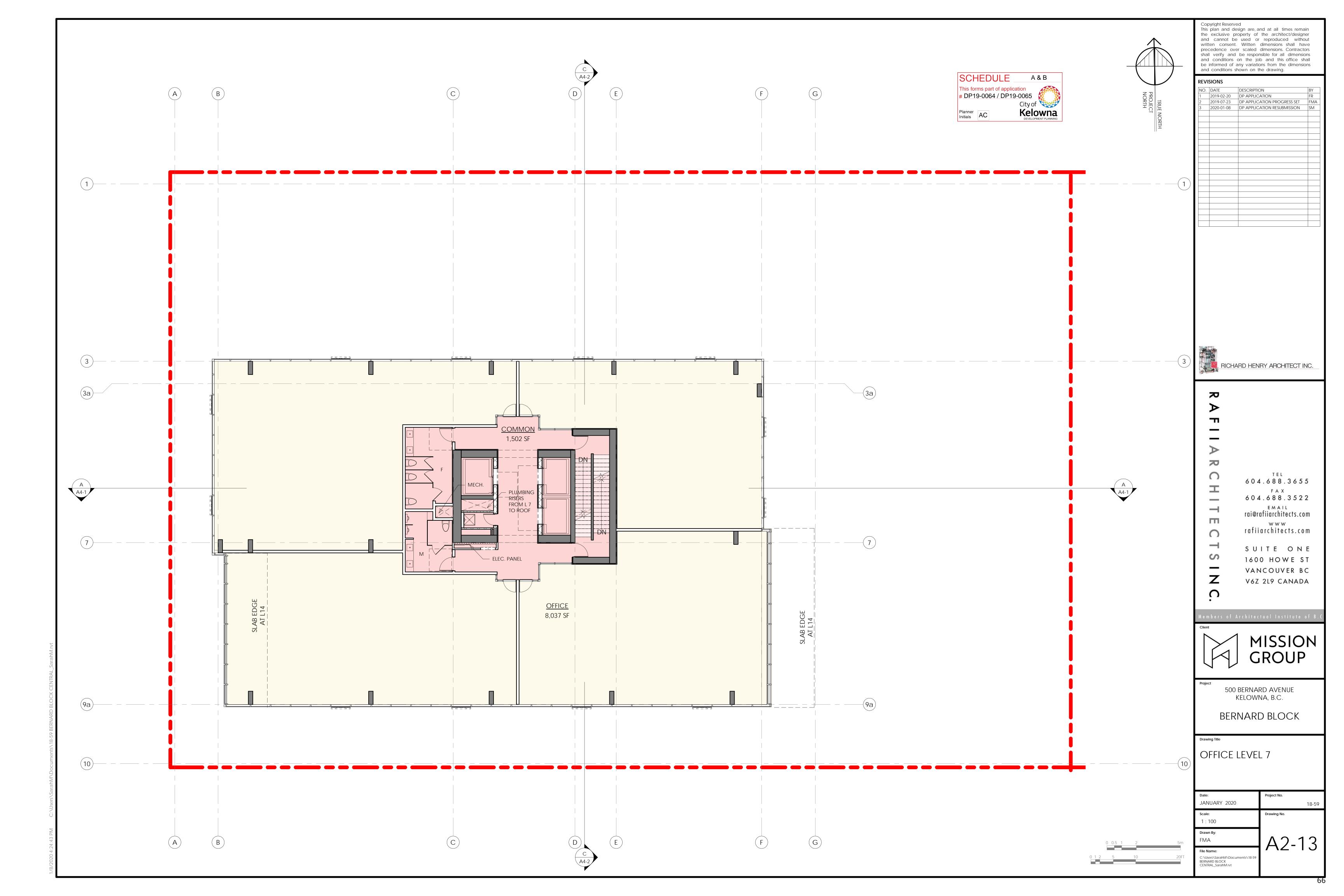
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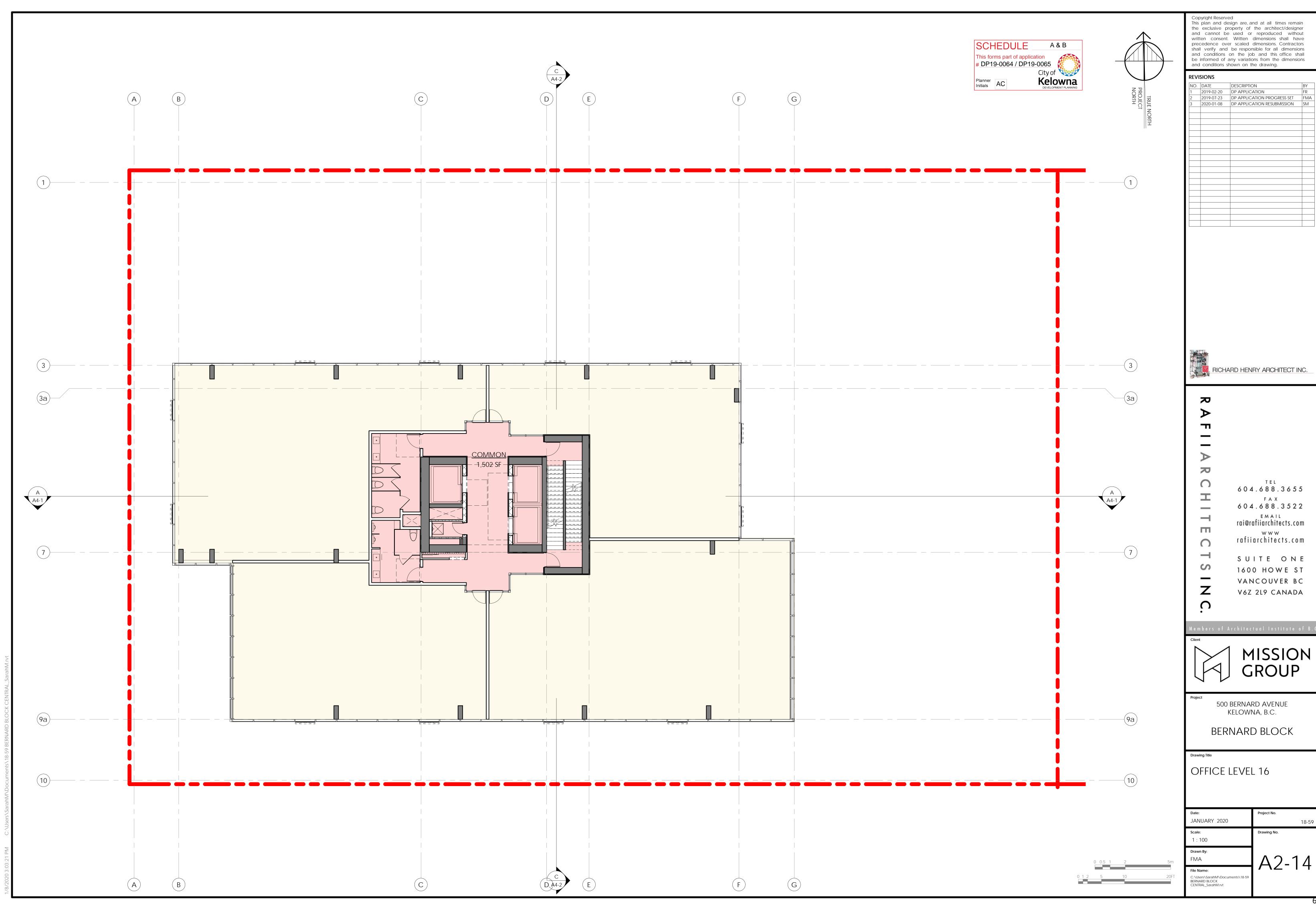


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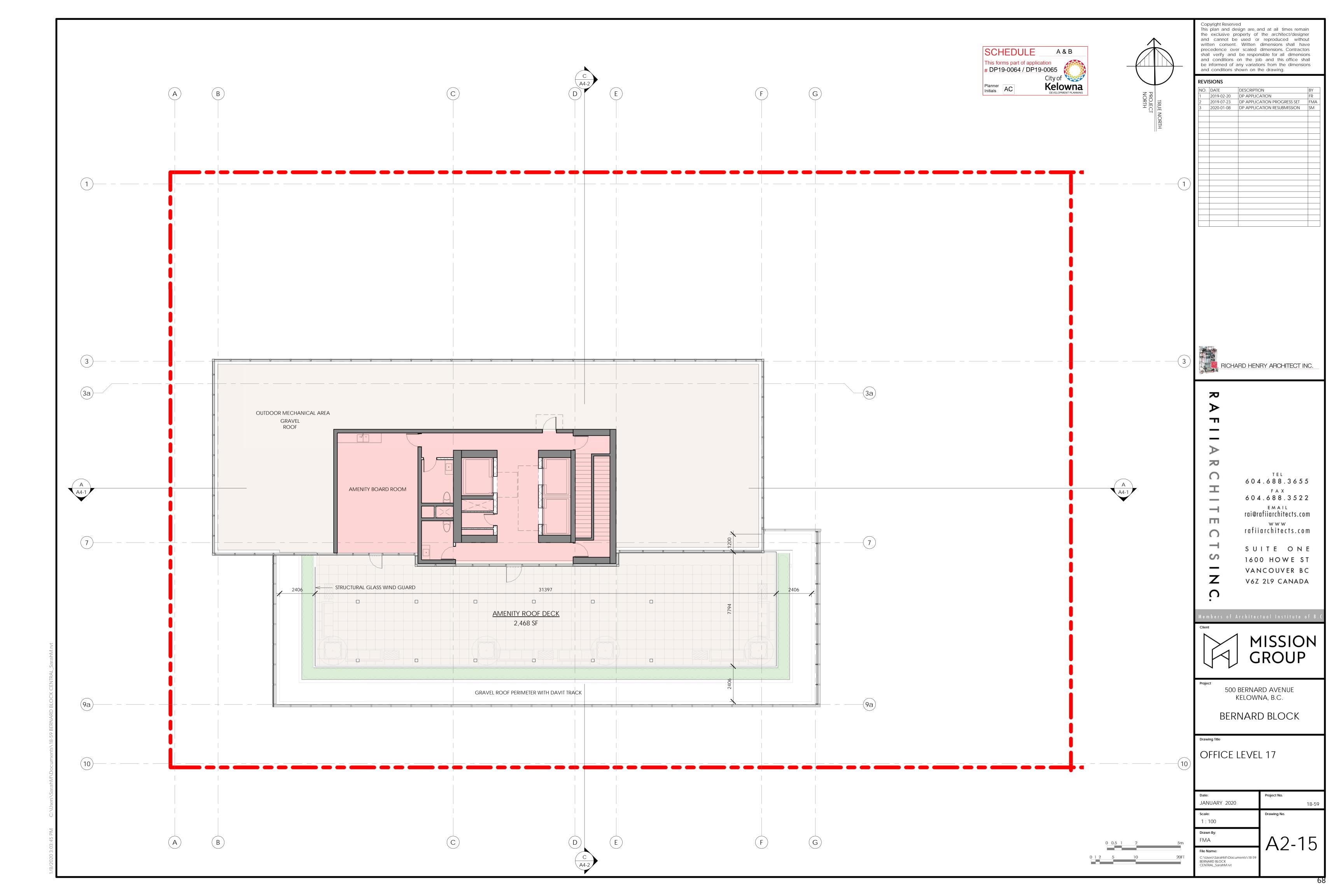


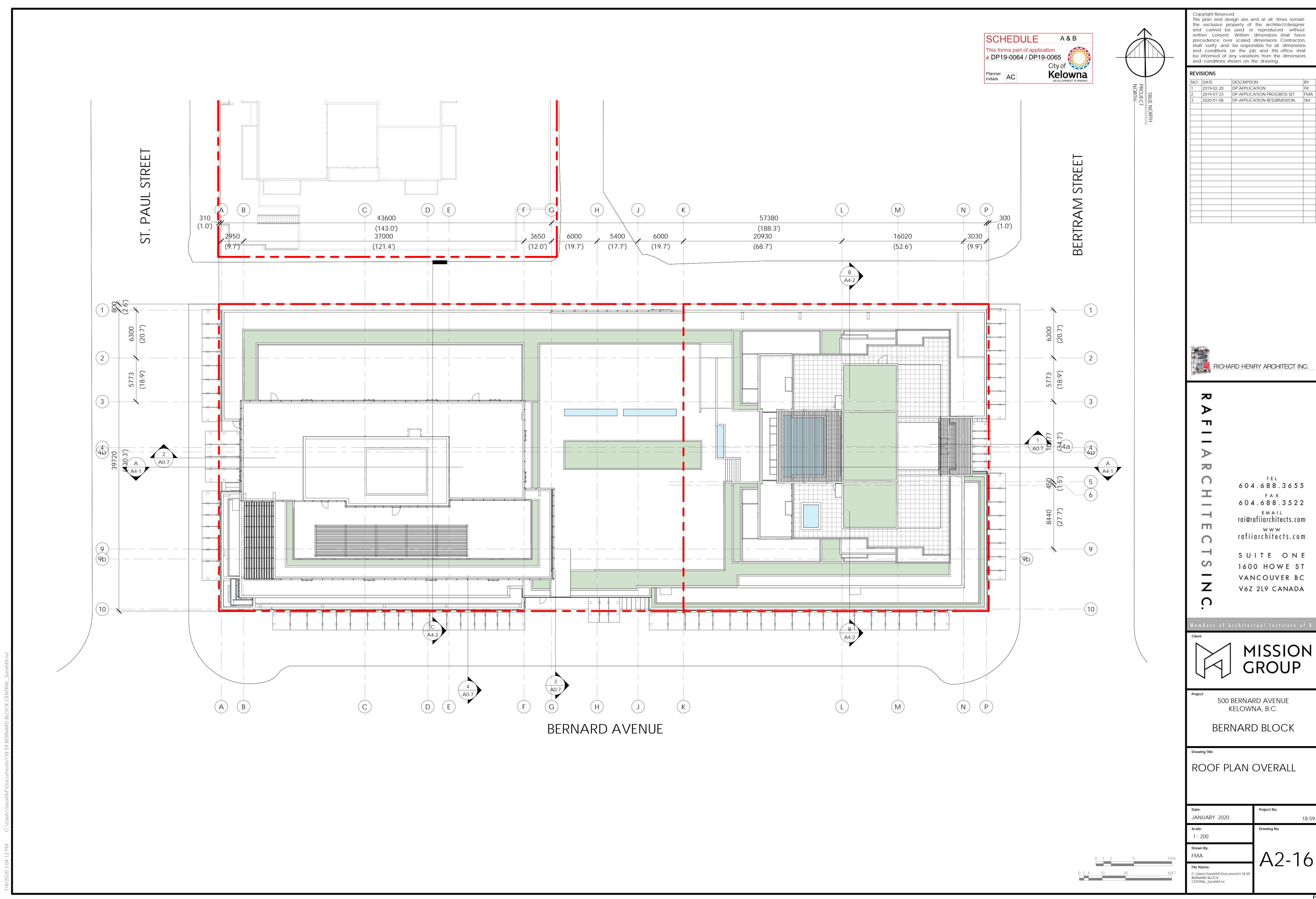
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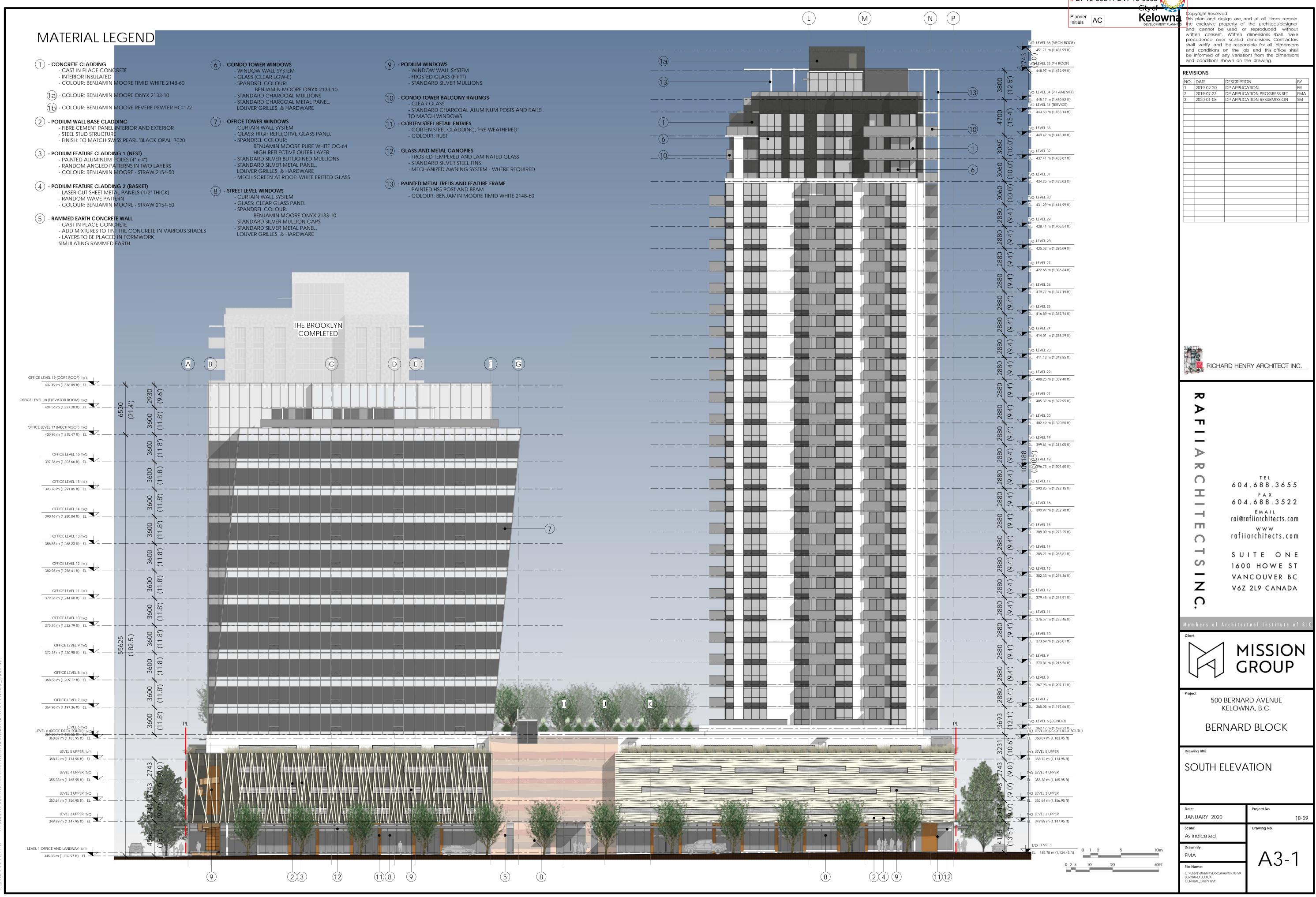


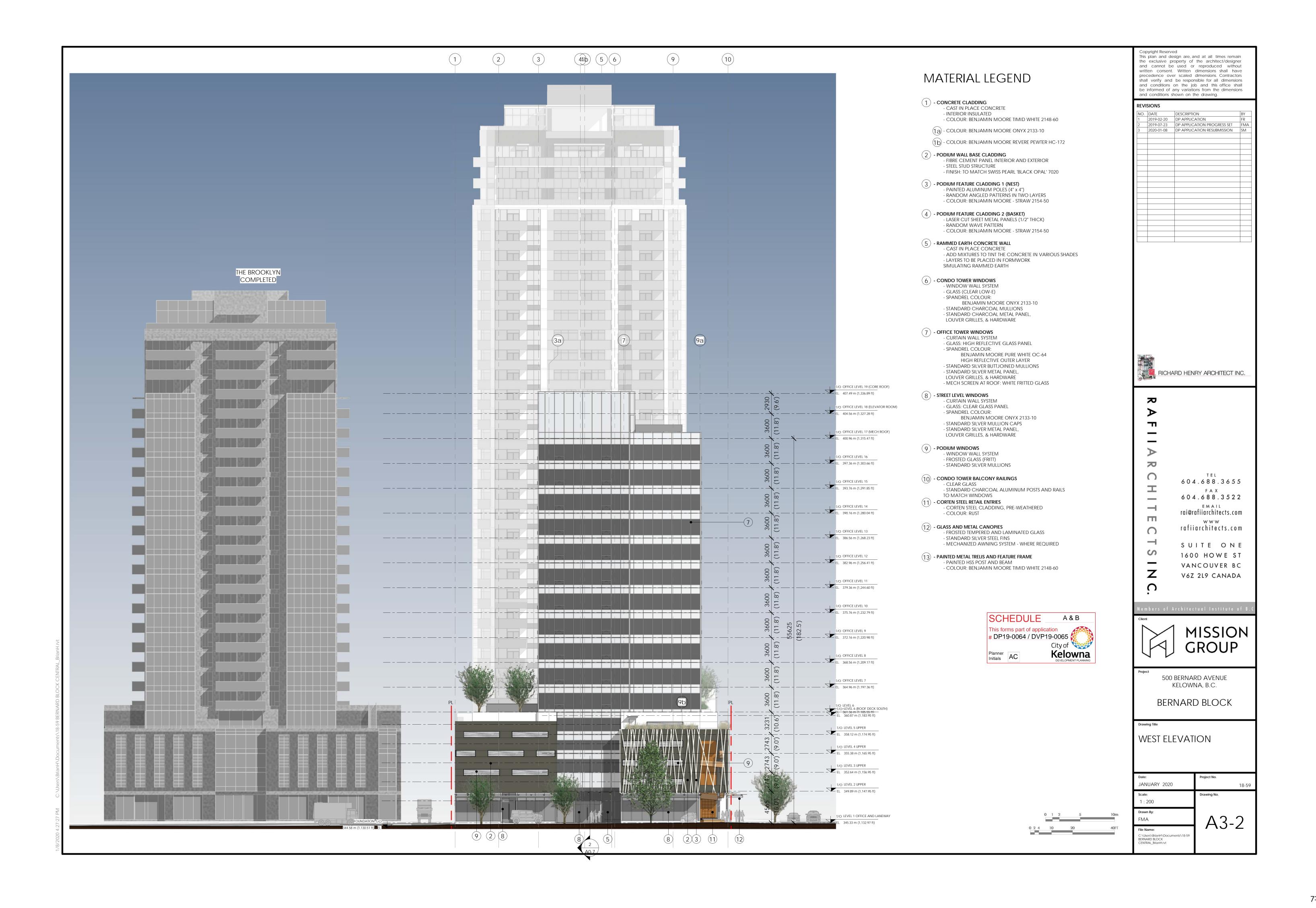
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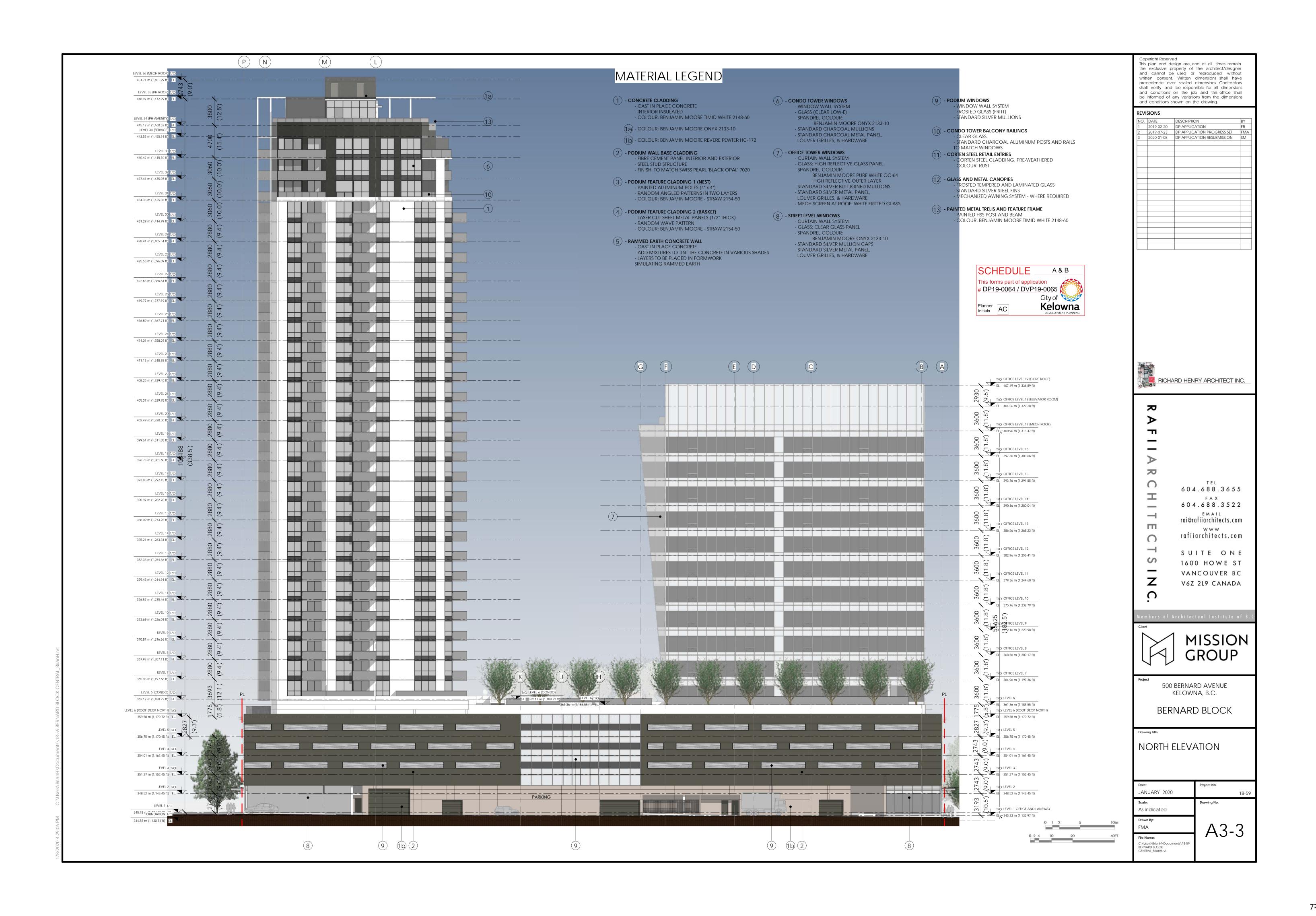


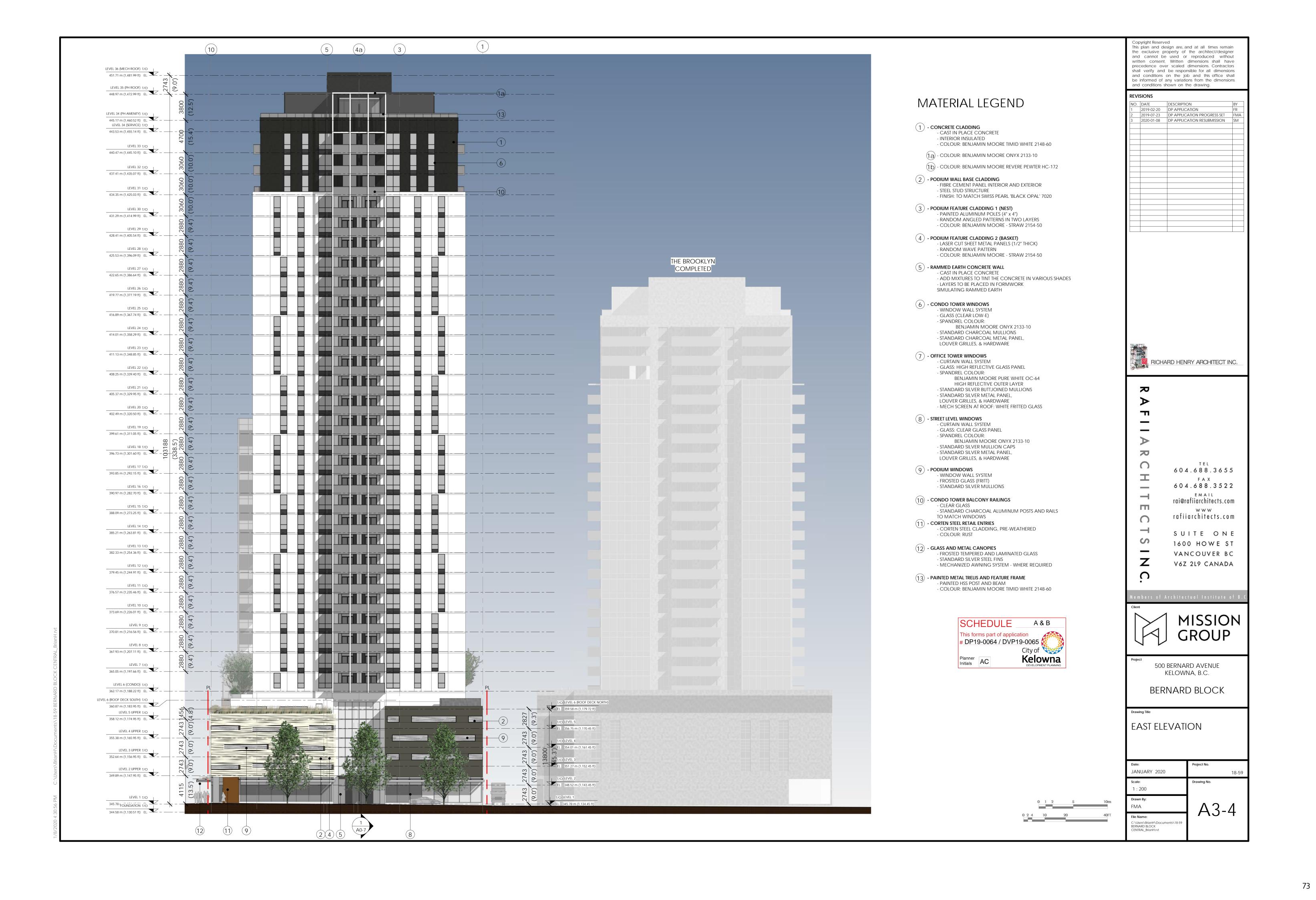


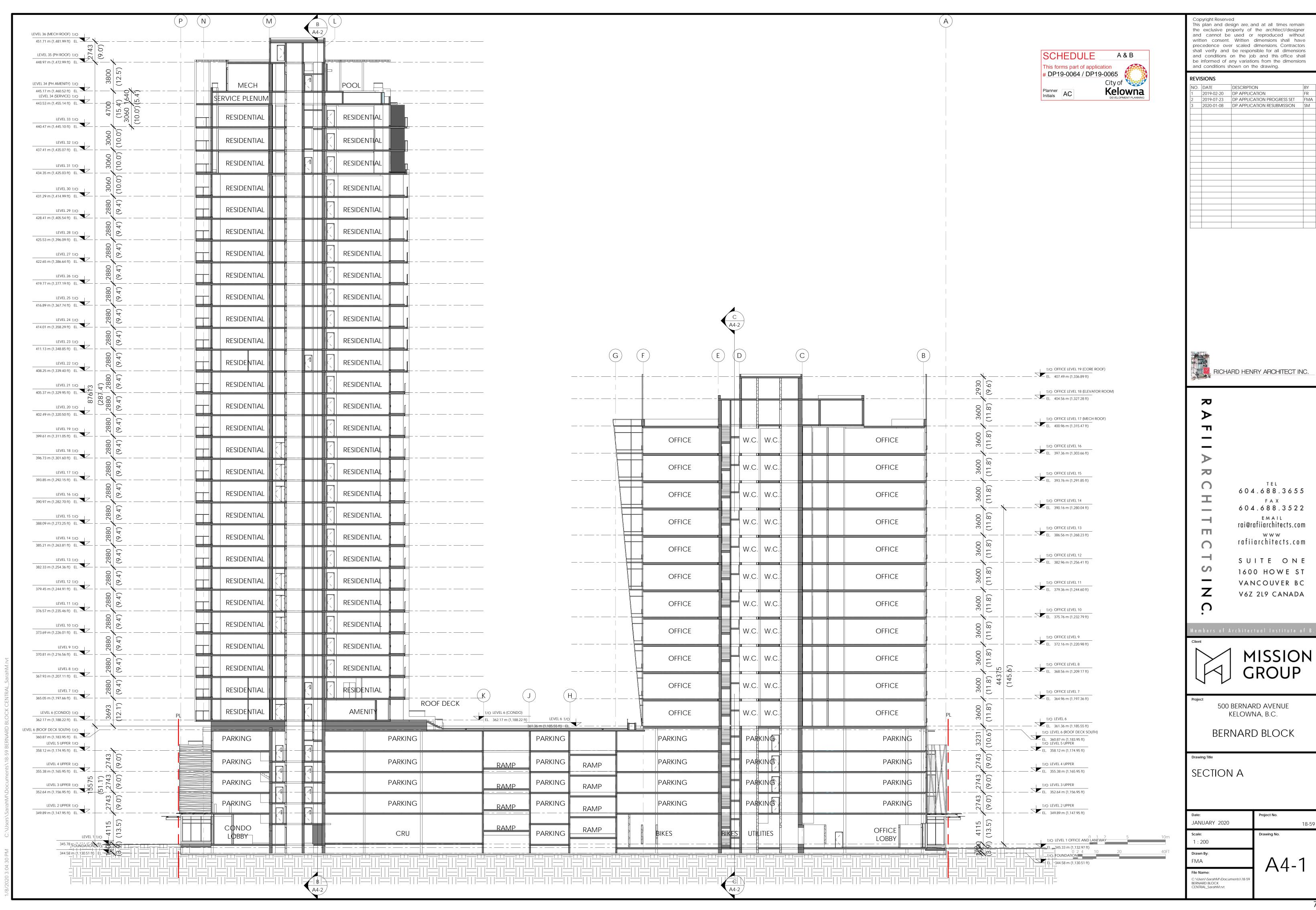
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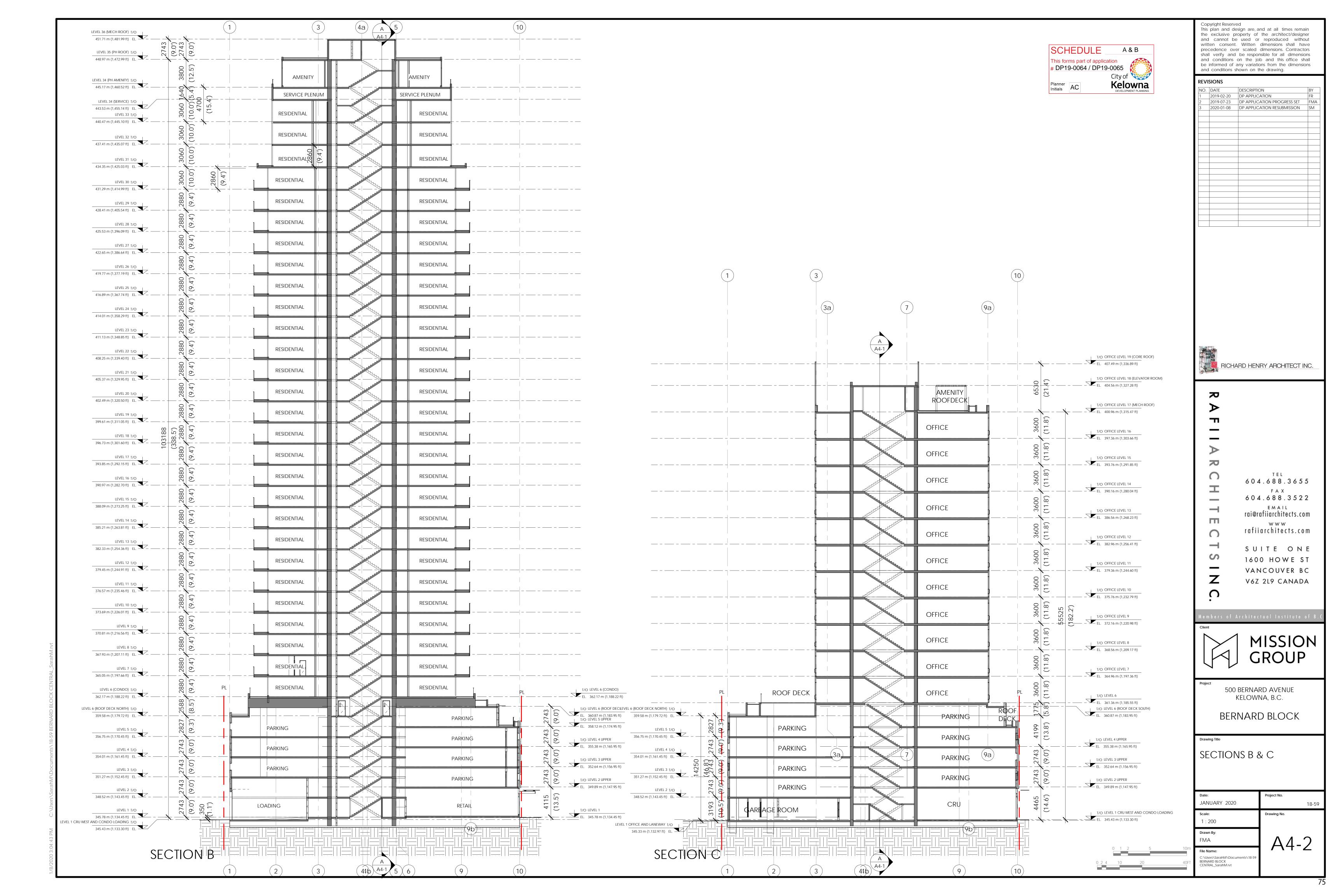














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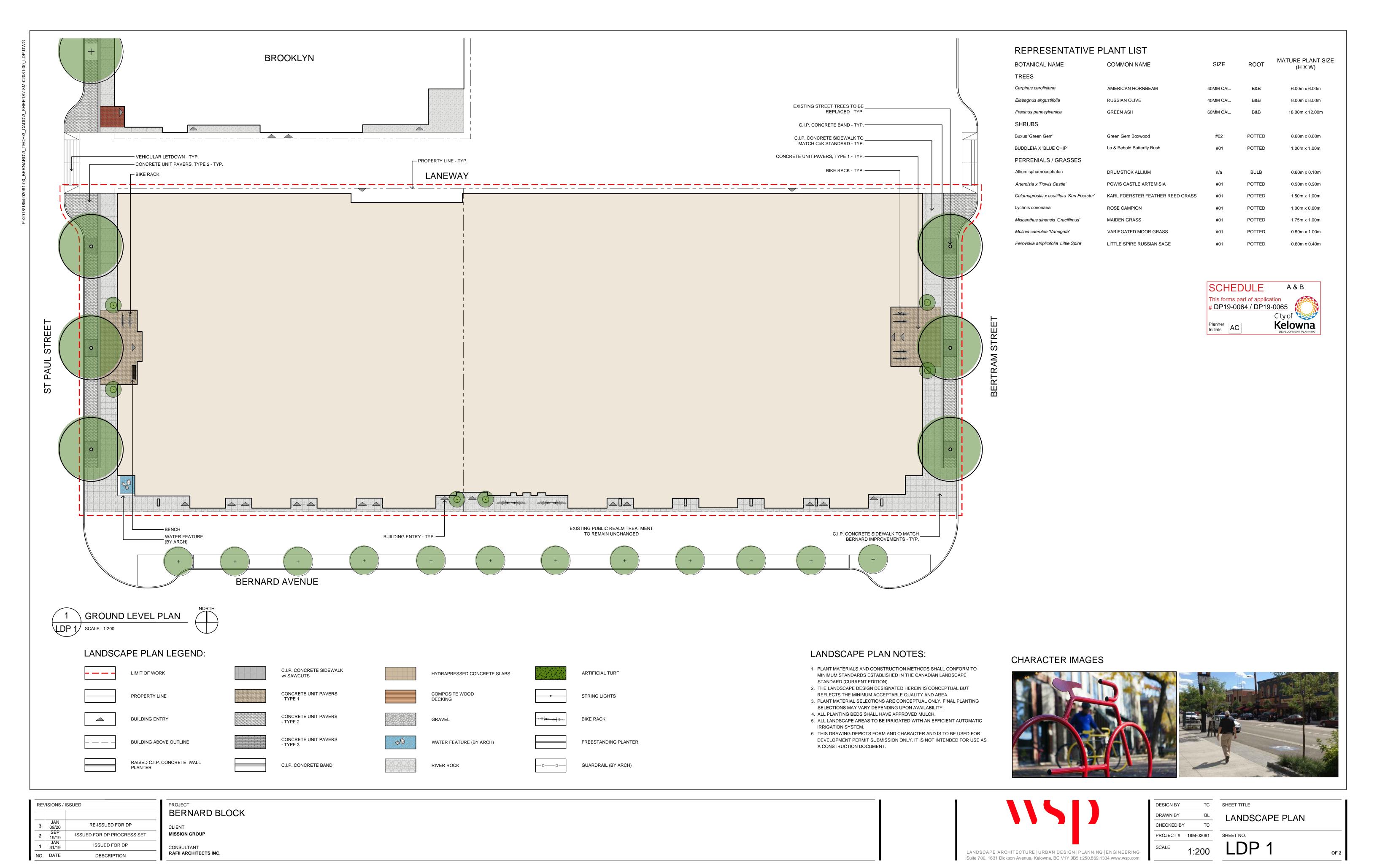
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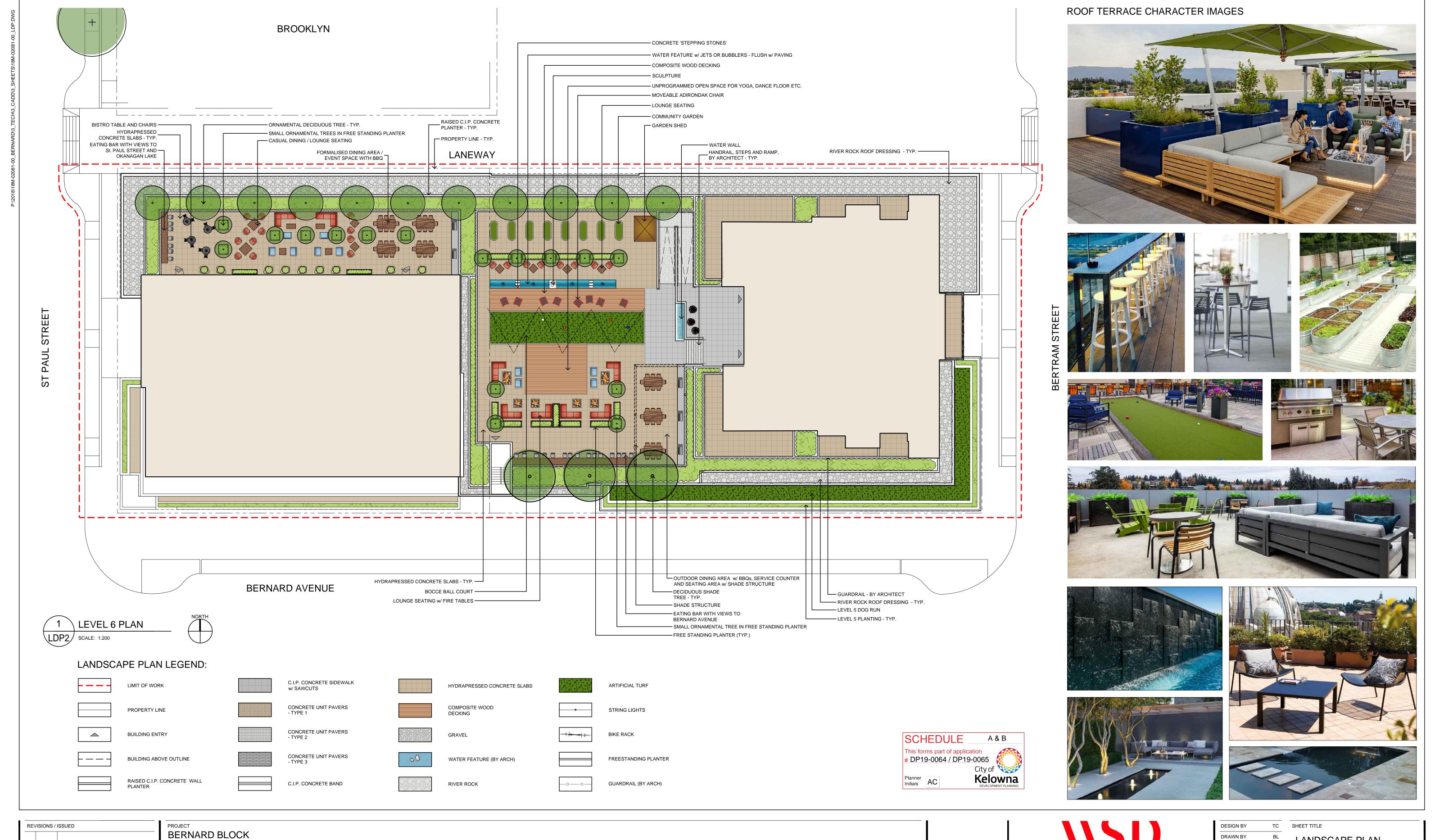
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UNIT PLANS

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RE-ISSUED FOR DP

ISSUED FOR DP PROGRESS SET

ISSUED FOR DP

DESCRIPTION

CLIENT

MISSION GROUP

RAFII ARCHITECTS INC.

CONSULTANT

3 09/20 SEP

2 19/19 JAN

1 31/19 NO. DATE

LANDSCAPE ARCHITECTURE URBAN DESIGN PLANNING ENGINEERING Suite 700, 1631 Dickson Avenue, Kelowna, BC V1Y 0B5 t:250.869.1334 www.wsp.com	

DESIGN BY
TC
DRAWN BY
BL
CHECKED BY
TC
PROJECT # 18M-02081
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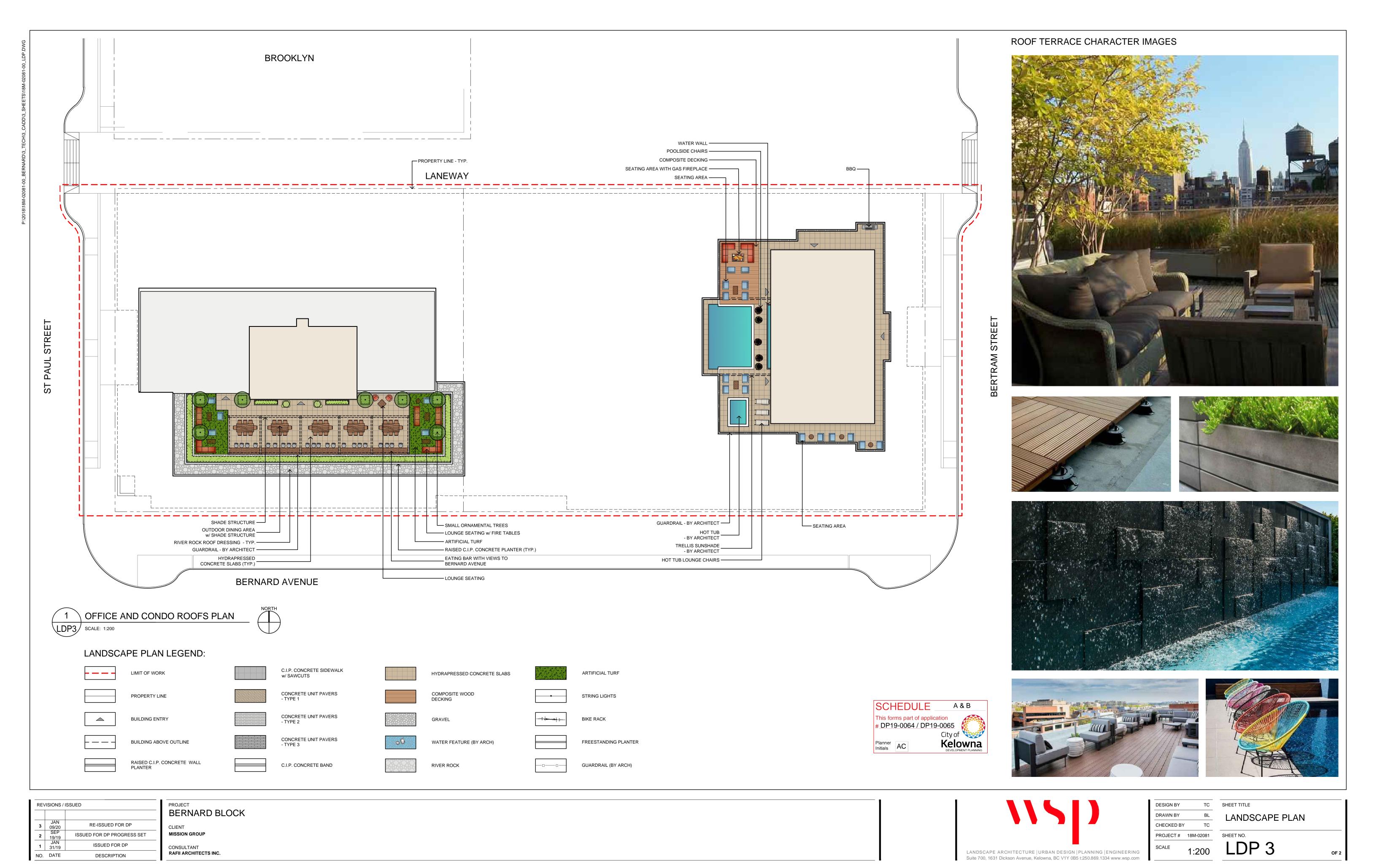
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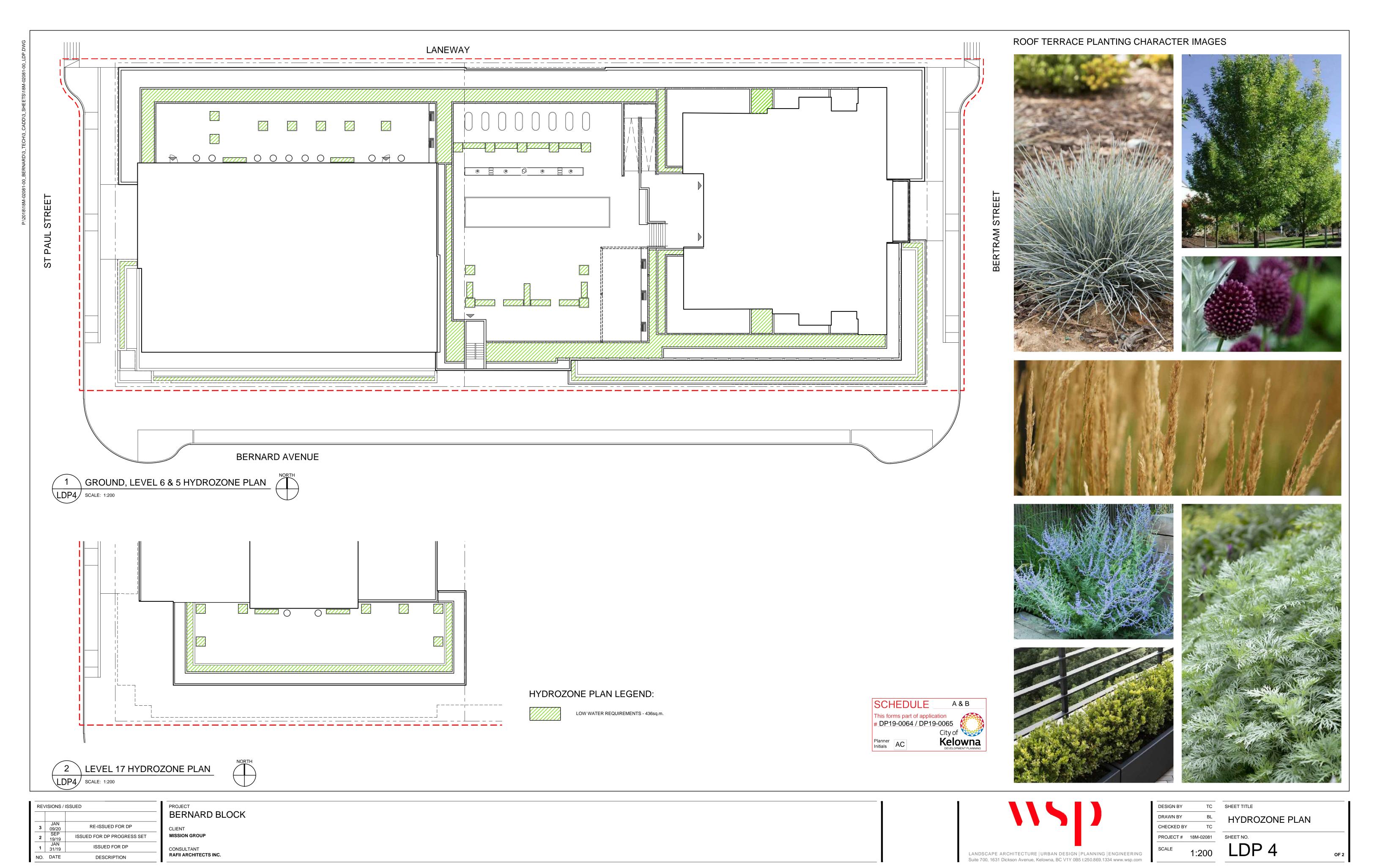
LANDSCAPE PLAN

SHEET NO.

LDP 2

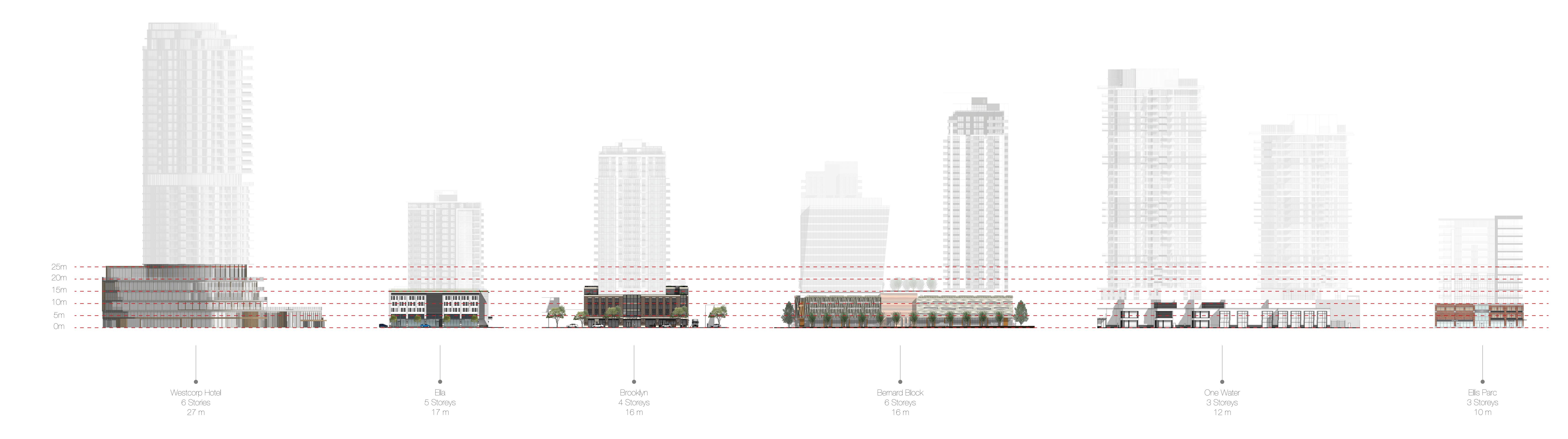
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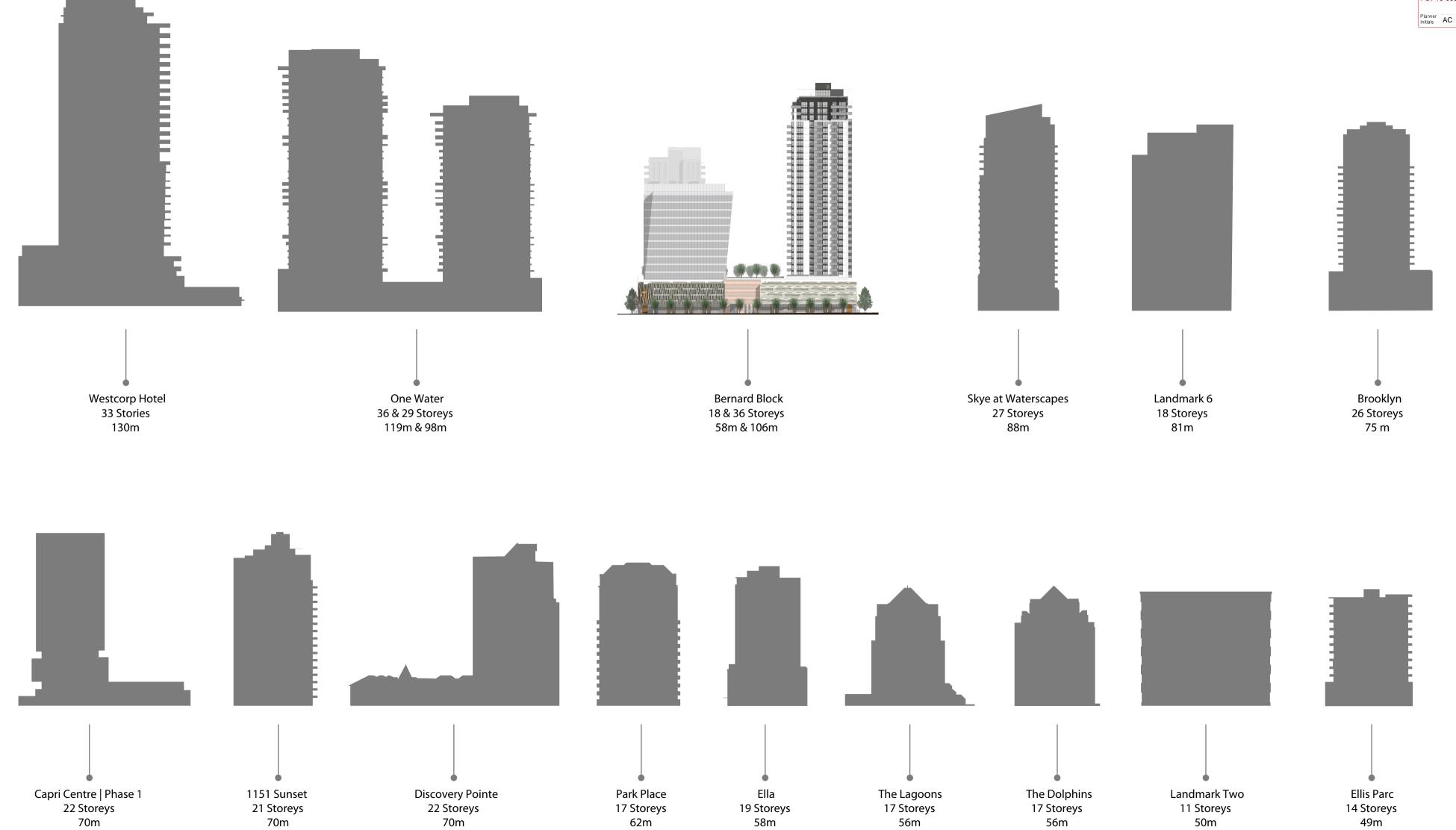












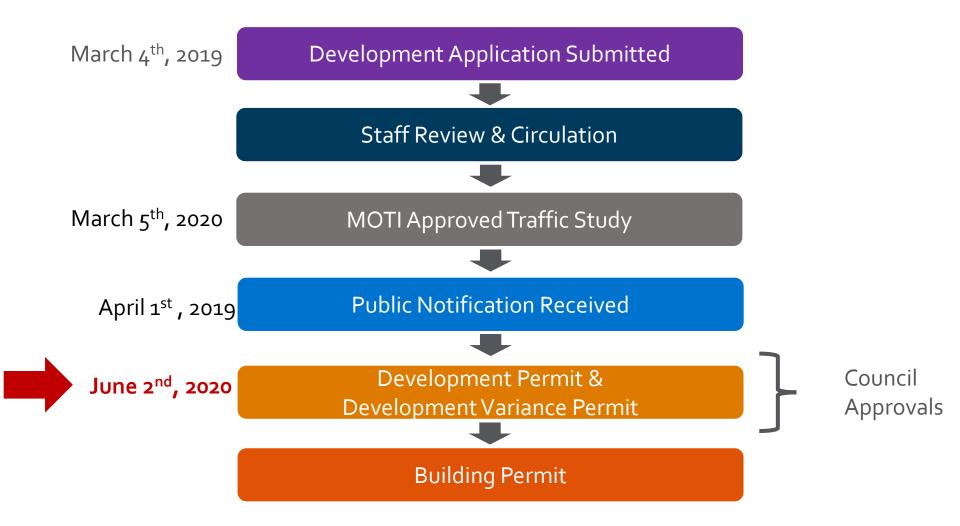




Purpose

► To consider a form and character Development Permit for a mixed used development consisting of a residential tower, an office tower, and ground floor commercial retail and to consider a development variance permit to increase the maximum tower height and to reduce the minimum class 2 bicycle parking stalls provided.

Development Process

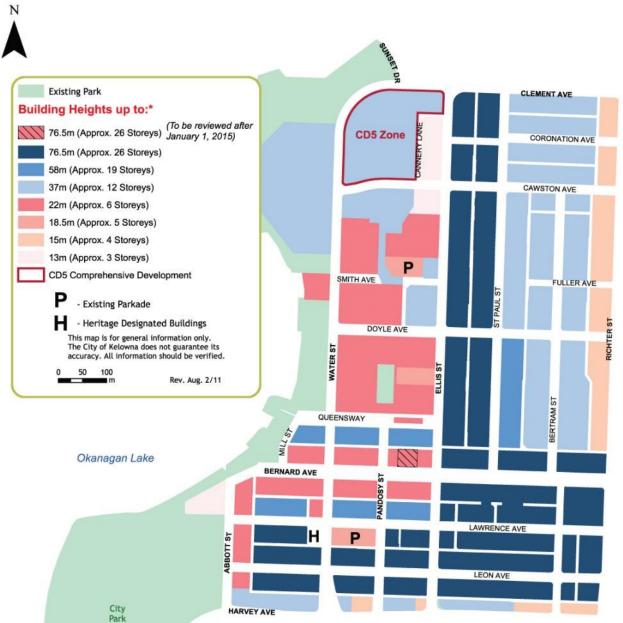


Subject Property

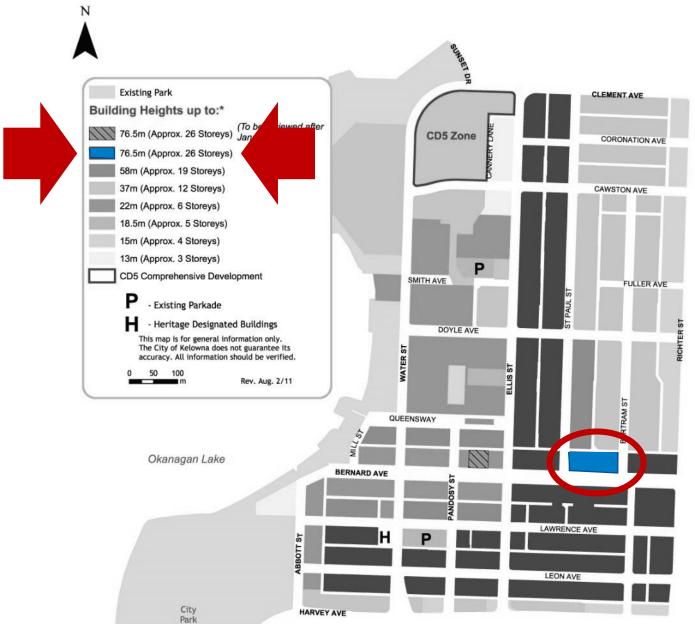




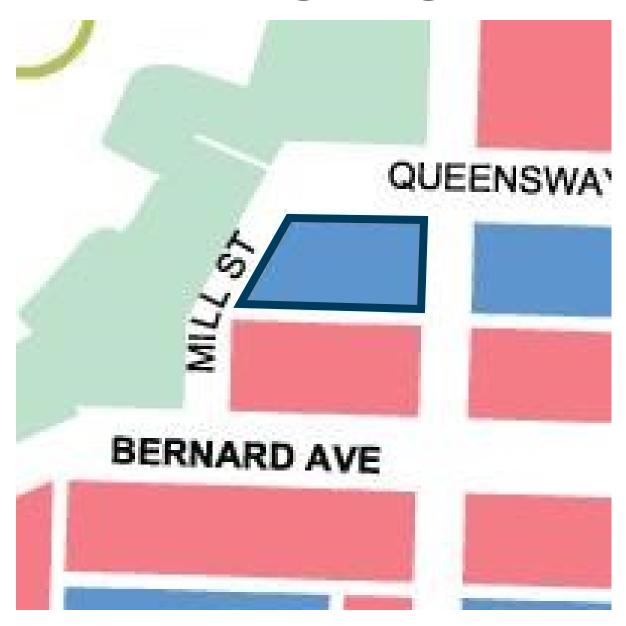
Downtown Building Heights



Downtown Building Heights



Downtown Building Heights



Tall Building Design Considerations



94



Project Differences

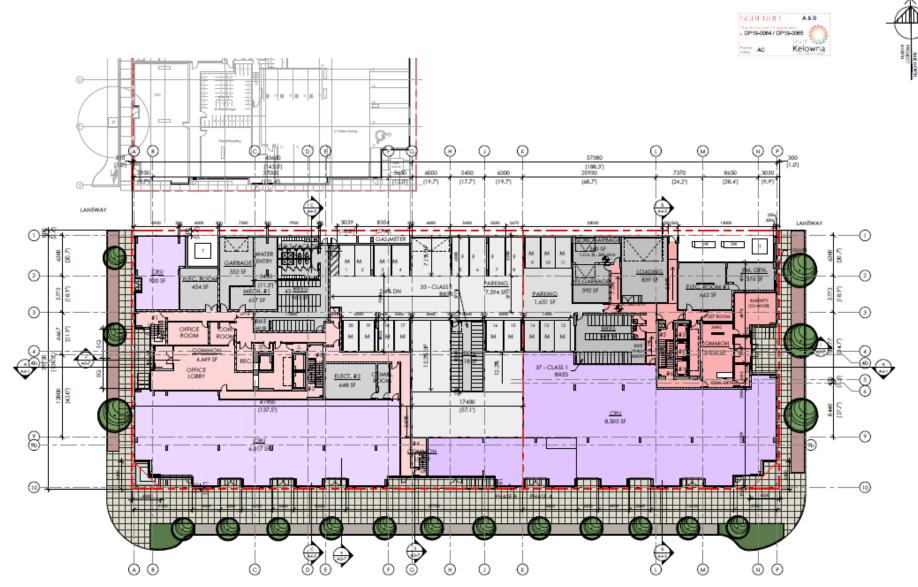
- ► 3rd floor underground parking
- ► Hotel units added (level 4 & 5)
- Overall tower height reduced
- Overall podium height is reduced (from 27.8m to 25.8m)

Development Regulations:	Previous Application	Proposal
Total Number & Types of	Residential 40 units / Hotel 174	Residential 65 units / Hotel 185
units	Suites	Suites
Floor Area Ratio (FAR)	70.63	7.93
Building Height (stories/meters)	131 metres / 33 storeys	33 storey / 127 metres
Number of Parking Stalls/Loading Spaces	295 stalls / 3 Loading Stalls	331 Stalls / 3 Loading Areas
Number of Bicycle Parking Spaces	36 Long-term / 20 short term	75 Long-term / 22 short term

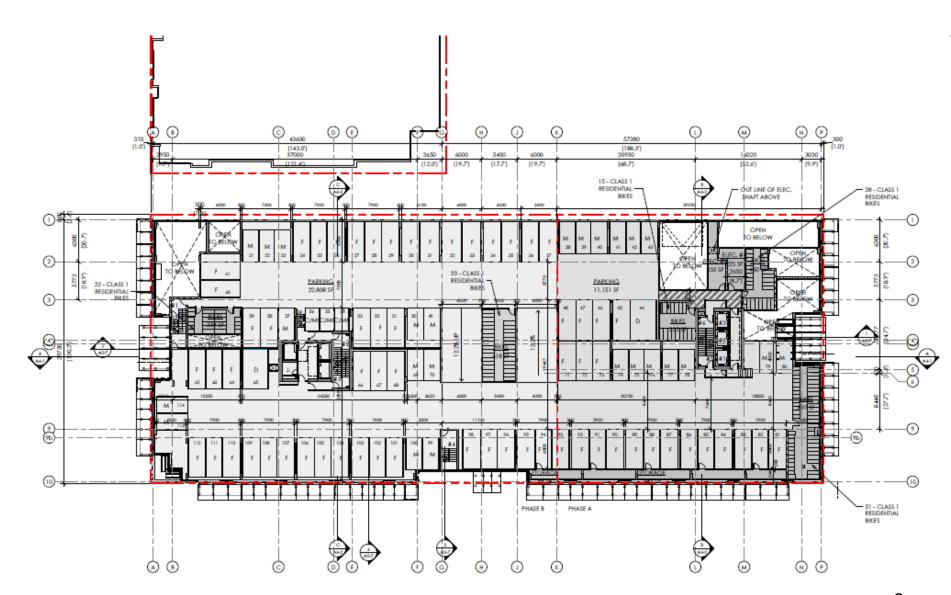
Rendering



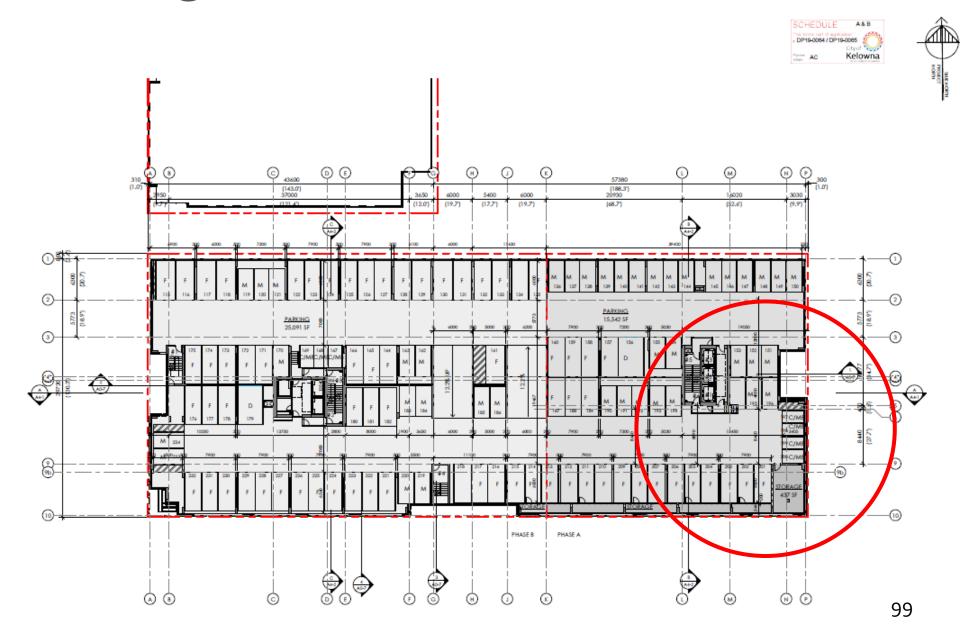
Site Plan



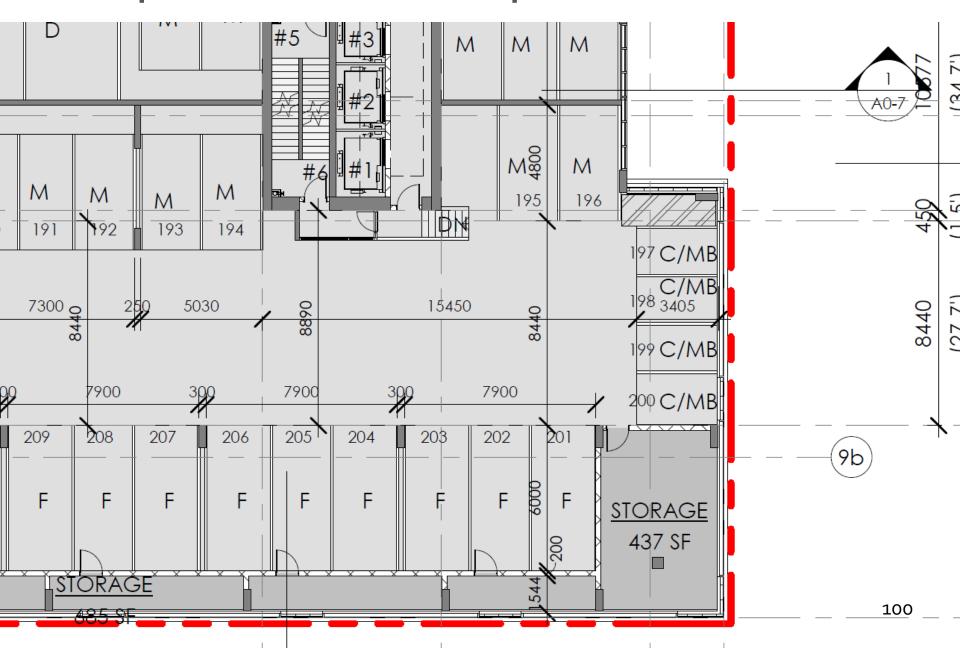
Parking



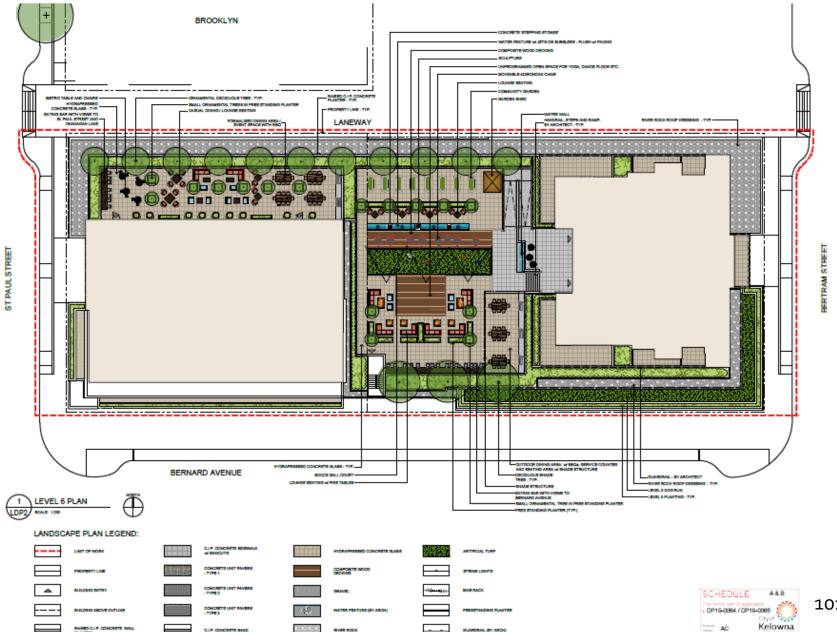
Parking



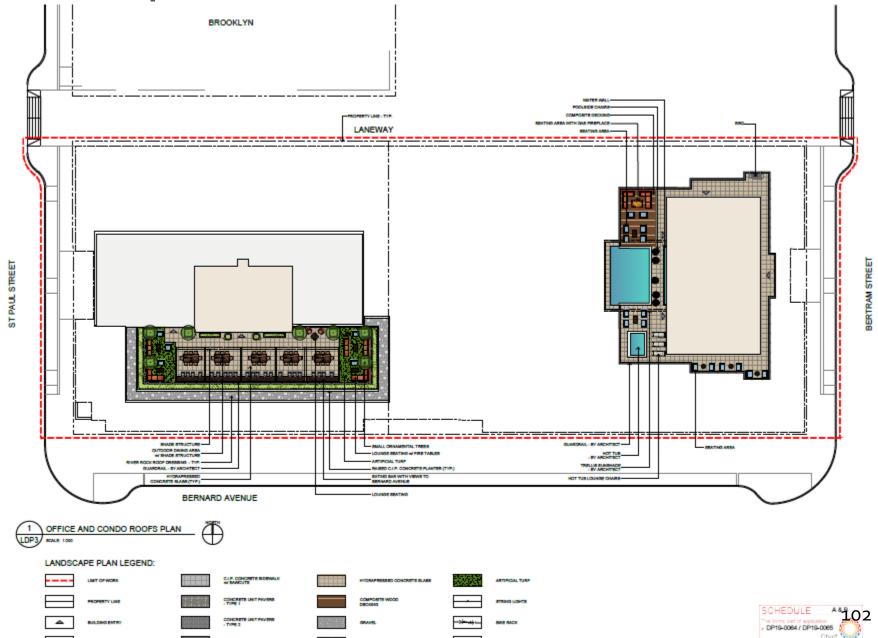
Compact Stall Example



Level 6



Rooftop Plans

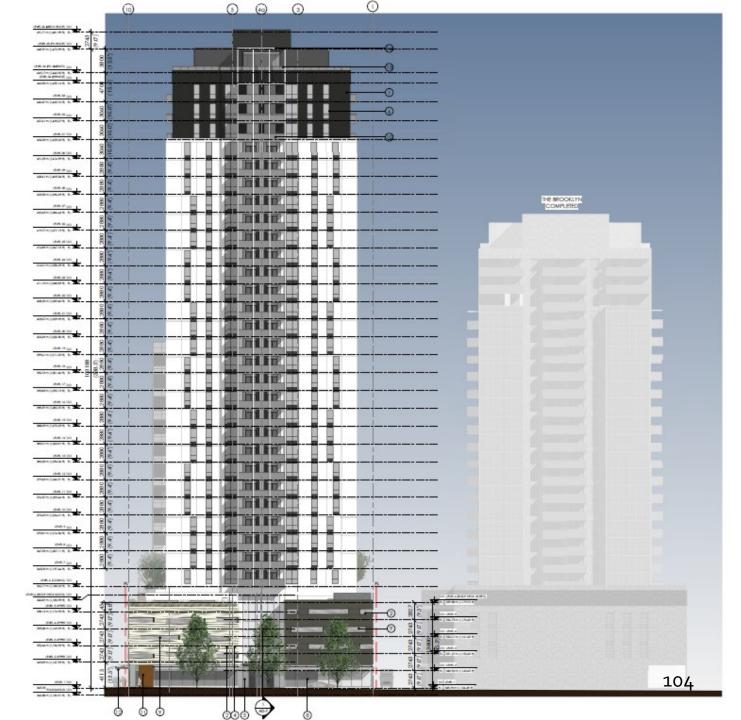


Kelowna

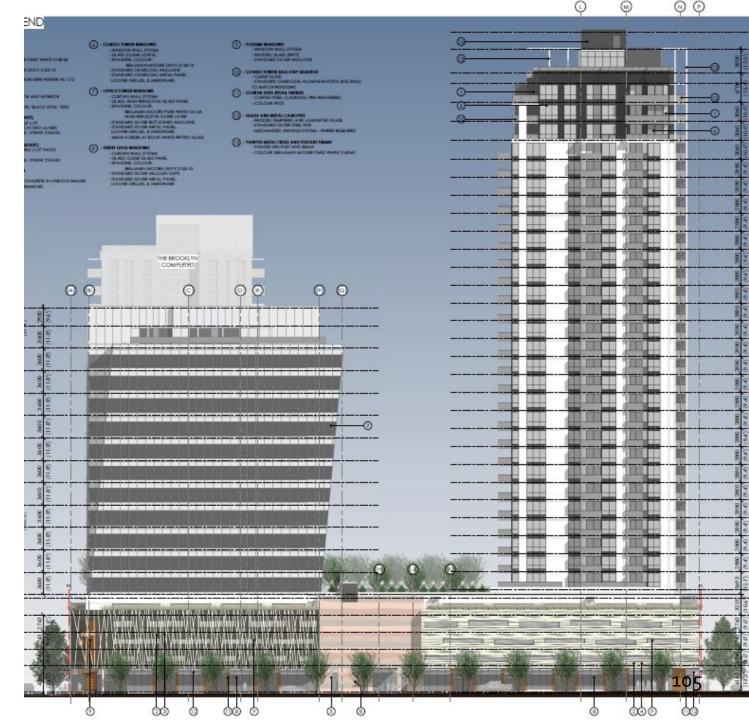
Elevations



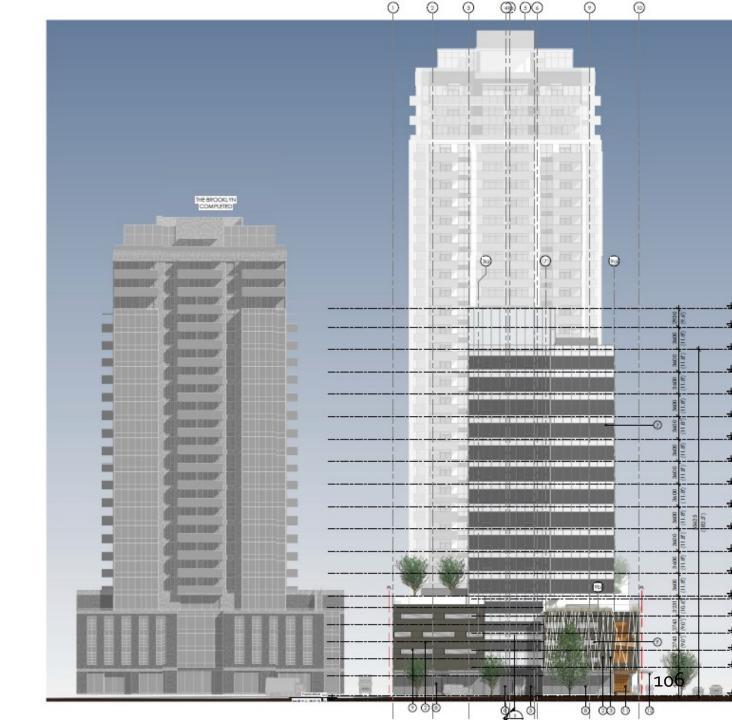
Bertram Elevation



Bernard Elevation



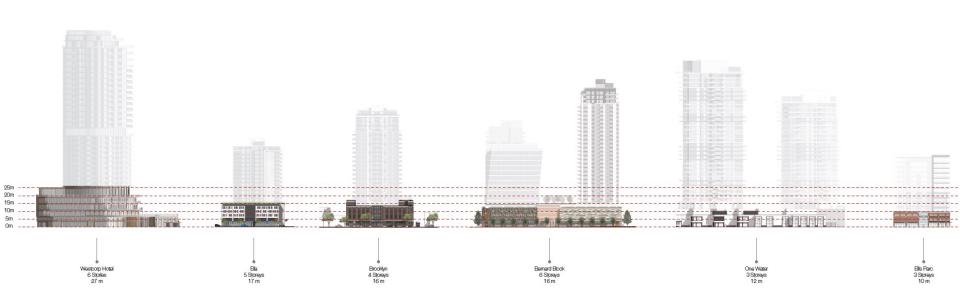
St. Paul Elevation



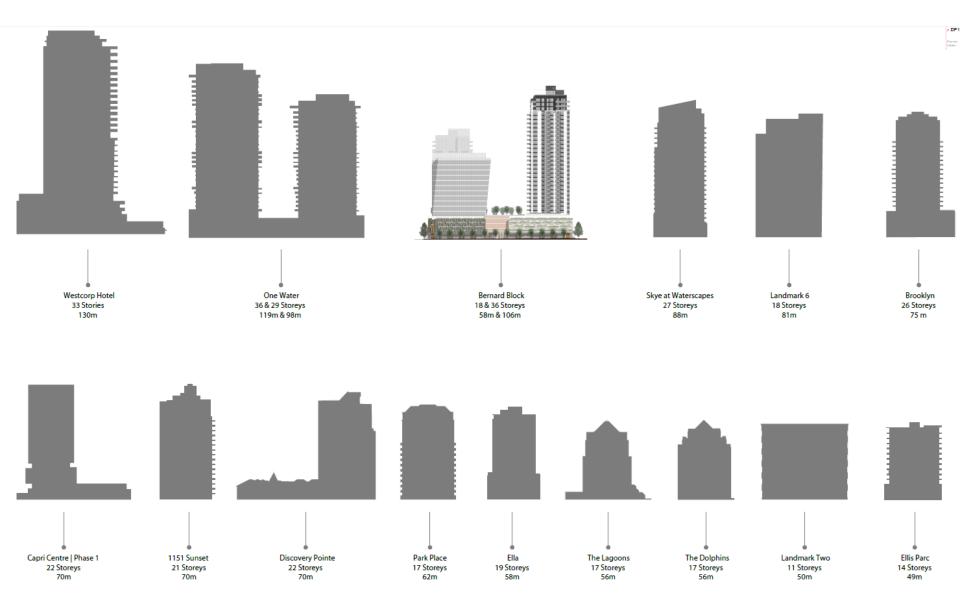
Lane Elevation



Podium Comparison



Tower Height Comparison

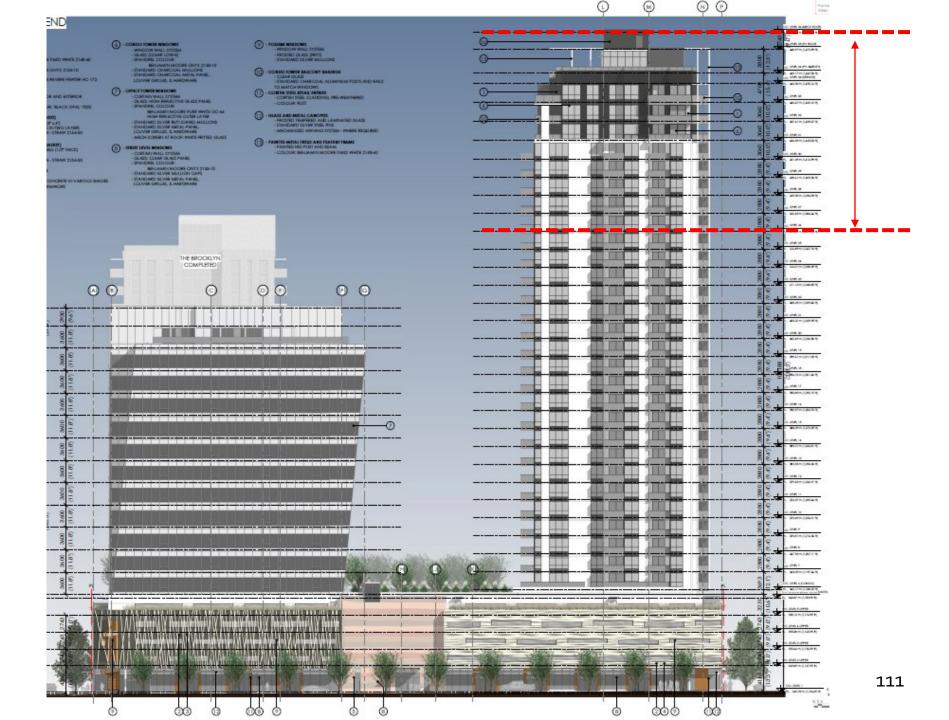




Variances

The proposal requires two variances to the Zoning Bylaw:

- 1. A variance to increase the maximum building height from 76.5 m to 106 m.
- 2. A variance to decrease the minimum Class 2 bicycle parking stalls from 74 bikes to 17 bikes.





Development Policy

- ► Tall buildings: ensure appropriate and context sensitive built form.
- In determining appropriate building height, the City will take into account such factors as:
 - Contextual fit into the surrounding neighbourhood;
 - Shadowing of the public realm
 - View impacts
 - Overlook and privacy impact on neighbouring buildings
 - ▶ Impacts on skyline
 - Impacts on adjacent or nearby heritage structures



Recommendation

- ➤ Support the proposed development permit application and associated variances:
 - ➤ To reduce the number of short term (class 2) bicycle parking spaces
 - ▶ To increase the maximum overall height
- ► Add Conditions of DP & BP



Conclusion of Staff Remarks

REPORT TO COUNCIL



Date: June 2nd 2020

To: Council

From: City Manager

Department: Development Planning Department

Application: DP19-0161 & DVP19-0162 Owner: MJI Contracting Inc., Inc. No.

" BC0915334

Address: 1659 Water Street Applicant: MJI Contracting Inc – Mathew

Isabelle

Subject: Development Permit & Development Variance Permit Application

OCP Designation: MXR – Mixed Use (Residential/Commercial)

Zone: C7 – Central Business Commercial

1.0 Recommendation

That Council authorizes the issuance of Development Permit No. DP19-o161 for Lot 12, Block 6, District Lot 139, ODYD, Plan 462, Except Plan KAP82841 located at Water St, 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";

AND THAT Council authorize the issuance of Development Variance Permit DVP19-0162 for Lot 12, Block 6, District Lot 139, ODYD, Plan 462, Except Plan KAP82841 located at Water St, Kelowna, BC;

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

Section 14.7.5(h) - C7 — Central Business Commercial - Development Regulations

- 1. To vary the setback above the 16.0 m height mark for the front yard from 3.0 m to 0.0 m.
- 2. To vary the setback above the 16.0 m height mark for the side yard (east) from 4.0 m to 0.1 m.
- 3. To vary the setback above the 16.0 m height mark for the flanking side yard (west) from 4.0 m to 0.0 m.

Table 8.3.2 - Required Off-Street Parking Requirements - Commercial

4. To vary the minimum off-street parking from 10 stalls to 3 stalls (cash-in-lieu for the remainder 3 stalls).

Table 8.5 - Minimum Bicycle Parking Required

5. To vary the minimum off-street short-term bicycle parking from 6 stalls to o stalls.

Section 14.7.7(d) - C7 - Central Business Commercial - Other Regulations

6. To vary the minimum commercial on ground floor area percentage from 90% to 68% on Leon Avenue and 40% on Water Street.

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

2.0 Purpose

To consider a Form & Character Development Permit of a six storey office and retail commercial building and to consider six variances to the Zoning Bylaw.

3.0 Development Planning

Staff are recommending support for the proposed Development Permit because of its consistency with architectural design principals within the Official Community Plan's (OCP) urban design guidelines as well as recommending support of the associated variances due to rationale stated below.

The original proposal was to vary the number of parking stalls from ten to zero. This issue was addressed and debated by Council on March 17th 2020. There is no viable area available for parking on this site thus the necessity to vary the parking regulations. The applicant could have provided cash-in-lieu of parking and this would have eliminated the necessity of a variance. However, the applicant argued this would eliminate the financial viability of the project. The Zoning Bylaw requires 10 stalls which would result in a cash-in-lieu payment of \$330,000. The lack of a cash-in-lieu of parking was the primary reason Staff recommended against the original proposal.

Council deferred the item and suggested the applicant renegotiate with Staff on the conditions of cash-in-lieu. The applicant has revised their application and is proposing to pay three cash-in-lieu stalls (totaling \$99,000) and to vary the remainder of the seven parking stalls. The applicant has provided an updated rationale justifying the proposal (attached to this report).

Despite the small building footprint and the small total building area, the applicant has included a bike storage room for 13 long term bike stalls on the ground floor with the associated End-of-Trip facilities (washrooms, change rooms, lockers, and showers) to encourage active transportation options to and from work.

Overall, due to the unique nature of the small lot and Council's suggestion to negotiate a compromise, Staff are recommending support for the proposed Development Permit and Development Variance Permit. The unique circumstances on this site is not readily applicable to other Urban Centre development sites and should not be seen as a precedent to vary parking regulations instead of providing cash-in-lieu.

4.0 Proposal

4.1 <u>Project Description</u>

The proposal is to build a six-storey commercial development with ground floor retail, upper floor offices, common rooftop patio, and no parking onsite. The proposal contains 964.4 m² (approx. 10,380 ft²) of commercial space.

The building materials are predominately glazing with metal siding stained in wood colour. The rear two storey addition is brick. The accent materials include wood canopies and exposed concrete. The lane facing façade and the east facing façade are concrete fire walls. There will also be a roof top patio deck providing amenity area for the various office staff.

The retail at street level is designed to accommodate 1-2 tenants with floor to ceiling storefront glazing. Signage will be refined and intentional within the architectural design as per the attached drawings.

Staff have discussed the possible snow load issue on the adjacent property's roof and the applicant believes the issue is solvable through the building permit processes. The City considers the matter a civil issue between property owners.



4.2 Zoning Analysis Table

The zoning analysis table shows the requirements of the C7 zone compared to the proposal:

Zoning Analysis Table					
CRITERIA	C ₇ ZONE REQUIREMENTS	PROPOSAL			
For portio	n of building between o.o metres & 16.0	metres in height			
Front Yard (Leon Ave)	o.o m	o.o m			
Side Yard (East)	o.o m	0.0 M			
Side Yard (Water St)	o.o m	o.o m			
Rear Yard (Lane)	o.o m	o.o m			
For portion of building between 16.0 metres & above in height					
Front Yard (Leon Ave)	3.0 m	o.o m 1			
Side Yard (East)	4.0 M	o.1 m 2			
Side Yard (Water St)	4.0 m	o.o m 😉			
Rear Yard (Lane)	3.0 m	6.6 m			
Floorplate	1,221 m²	177.5 m²			
Development Regulations					
Height	76.5m (approx. 26 storeys)	26.5 m (6 storeys)			
FAR	9.0	2.81			
Parking Regulations					
Minimum Parking Requirements	10 Stalls	o parking stalls 4			
Min. Loading Spaces	0 stalls	0 stalls			
Ratio of Parking Stalls	Small Parallel: n/a Compact Size: 10% Max Medium Size: 40% Max Regular Size: 50% Min	Small Parallel: n/a Compact Size: n/a Medium Size: n/a Regular Size: n/a			
Minimum Bicycle Parking Requirements	Long Term: 2 bikes Short Term: 6 bikes	Long Term: 13 bikes Short Term: 0 bikes ©			
Other Regulations					
Minimum frontage for commercial, civic, cultural, or ground oriented residential on 1 st floor	Leon Avenue: 90% (8.6m x o.9 = 7.75m) Water Street: 90% (36.02m x o.9 = 32.42m)	Leon Avenue: 5.9m / 68% 6 Water Street: 14.2m / 39.4% 6			

[•] Variance to reduce the front yard setback for portions of building between 16.0 m & above in height

② Variance to reduce the side yard (north) setback for portions of building between 16.0 m & above in height

[•] Variance to reduce the side yard (south) setback for portions of building between 16.0 m & above in height.

Zoning Analysis Table				
	CRITERIA	C ₇ ZONE REQUIREMENTS	PROPOSAL	

- Variance to reduce the number of required parking spaces from 10 stalls to 3 stalls with 3 cash-in-lieu spots.
- S Variance to decrease the amount of short-term bicycle stalls provided from 6 required to 0 provided
- **6** Variance to reduce the minimum commercial on ground floor from 90% to 68% on Leon Avenue and 40% on Water Street

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

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

Contain Urban Growth. Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

6.0 Technical Comments

6.1 Development Engineering Department

See attached memorandum dated August 19th 2019.

7.0 Application Chronology

Date of Application Received: August 8th 2019
Date of Public Notification: November 15th 2019
Date Application deferred by Council: March 17th 2020

Report prepared by: Adam Cseke, Planner Specialist

Reviewed by: Terry Barton, Development Planning Department Manager

Approved by: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Updated Applicant Rationale Draft DP19-0161 & DVP19-0162

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

² City of Kelowna Official Community Plan, Goals for a Sustainable Future, Objective 1 (Chapter 1 Introduction)

DRAFT Development Permit & Development Variance Permit DP19-0161 & DVP19-0162



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

1659 Water St

and legally known as

Lot 12, Block 6, District Lot 139, ODYD, Plan 462, Except Plan KAP82841

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

Office Building

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

Date of Decision:

Decision By: CITY COUNCIL

Issued Date:

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

This permit will not be valid if development has not commenced by two years after the Date of Decision by Council.

Existing Zone: C7 Future Land Use Designation: MXR

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: MJI Contracting Inc., Inc. No. BC0915334

Applicant: Matthew Isabelle

Terry Barton Date
Development Planning 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";

AND THAT the variances to the following sections of Zoning Bylaw No. 8000 be granted as described and shown in Schedule 'A':

Section 14.7.5(h) - C7 - Central Business Commercial - Development Regulations

- 1. To vary the setback above the 16.0 m height mark for the front yard from 3.0 m to 0.0 m.
- 2. To vary the setback above the 16.0 m height mark for the side yard (east) from 4.0 m to 0.1 m.
- 3. To vary the setback above the 16.0 m height mark for the flanking side yard (west) from 4.0 m to 0.0 m.

Table 8.3.2 - Required Off-Street Parking Requirements - Commercial

4. To vary the minimum off-street parking from 10 stalls to 3 stalls (cash-in-lieu for the remainder 3 stalls).

Table 8.5 - Minimum Bicycle Parking Required

5. To vary the minimum off-street short-term bicycle parking from 6 stalls to o stalls.

Section 14.7.7(d) - C7 - Central Business Commercial - Other Regulations

6. To vary the minimum commercial on ground floor area percentage from 90% to 68% on Leon Avenue and 40% on Water Street.

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

This Development Permit and Development Varaince Permit is valid for two (2) years from the Date of Decsion by City Council, with no opportunity to extend.

3. PERFORMANCE SECURITY

Prior to issuing any building permit, the applicant shall submit 3 cash-in-lieu of parking stalls as stated within Bylaw 8125 Payment In Lieu of Parking Bylaw.

4. 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.

HANS P. NEUMANN ARCHITECT INC.

1520 Highland Drive North, Kelowna, B.C. V1Y 4K5 Phone: (250) 868-0878 Fax: (250) 868-0837 **Principal: Hans P. Neumann, Architect AIBC, B.Arch.,B.E.S.**

April 22, 2020

The Honourable Mayor Colin Basran and City of Kelowna Council 1435 Water Street Kelowna, B.C. V1Y 1J4

Re: Proposed Retail/Commercial Project @ 1659 Water Street

We hereby request your consideration for the following approach to address parking requirements for the above-noted unique C7 – Central Business Commercial zoned project, which generally complies with the OCP vision for the area.

The current C7 Parking Schedule requires 0.9 spaces per 100 sq.m. of Gross Floor Area (GFA), which would equate to 10 spaces. As previously stated, the site dimensions and configuration simply do not support any kind of drive aisle & parking spaces. In addition, discussions with city traffic & engineering department staff confirms that they would not even consider any access off of Leon Avenue or Water Street.

As such we are requesting a variance down to 3 spaces, with a cash-in-lieu payment as permitted by City of Kelowna Bylaw No. 8125, for properties within an Urban Centre. We believe that this is a reasonable compromise, as the site is less than a block away from the Area 2 shown in Diagram 8.3.8. Parking Exception Area, which allows properties within this downtown area to not be required to meet <u>any</u> vehicle parking requirements if the height of the building is 4 storeys or less. This proposed building is 6 storeys, and the upper 2 floors of prime commercial space are approximately 341 sq.m. (3,670 sq.ft.), which would require 3 additional parking spaces, which the proposed cash-in-lieu payment would be applied to.

In addition we are proposing the following:

- 1. Provision of increased (13) secure bicycle parking spaces, above what is required by the zoning bylaw (3) spaces.
- 2. Provision of "End of Trip" facilities, including a universally accessible shower/toilet room, even though not required by the zoning bylaw.
- 3. The developer has received confirmation of being placed on the wait list for 13 random monthly parking permits at the Chapman Parkade. These will be made available to tenants of the building, and should be secured by the time that the building has been constructed. He has been advised that the first permit would be released within a year, and the remainder being available within a few months of the first.

We trust that you will favourably consider this approach, as building out this site would contribute to the increased energy & activity of this area, and is consistent with the City's encouragement for the reduction of dependence on automobiles.

CITY OF KELOWNA

MEMORANDUM

Date: August 19, 2019

File No.: DP19-0161

To: Community Planning (AC)

From: Development Engineering Manager (JK)

Subject: 1659 Water Street 6 storey commercial

Development Engineering Department have the following comments and requirements associated with this application. The road and utility upgrading requirements outlined in this report will be a requirement of the building permit. Form and Character Development Permit for a 6 storey commercial building with rooftop patio. The Development Engineering Technologist for this project is Ryan O'Sullivan.

1. Domestic Water and Fire Protection

- (a) This lots are two 50mm water services. The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs.
- (b) The applicant, at the developer's cost, will arrange for the installation of a metered water service. If it is determined that upgrades to the existing water distribution system must be made to achieve the required fire flows, additional bonding will be required.
- (c) A water meter is mandatory for this development and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at the developer's cost. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system.

2. Sanitary Sewer

- (a) This lot is serviced with three small diameter services. The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size of the new service. Only one service will be permitted for this development. The applicant, at the developer's cost, will arrange for the installation of a new service.
- (b) A downstream flow analysis check is required by a consulting civil engineer to determine the impact of additional flow contributions on the existing pipe system. If it is determined that upgrades to the existing facilities must be made, additional bonding will be required.

3. Storm Drainage

- (a) 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.
- (b) This lot is serviced with two small diameter services. Only one overflow service will be permitted for this development.
- (c) Storm drainage systems for the site will be reviewed and approved by Engineering when design drawings are submitted.

4. Road Improvements

- (a) Water Street fronting this development site is urbanized but the existing curb and sidewalk and street treesthat must be protected at all times during construction. re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction.
- (b) Leon Ave fronting this development site is urbanized but the existing curb and sidewalk is in a deteriorated state. The upgrades will require curb, gutter and sidewalk removal and reconstruction, boulevard streetscape as well as the re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction.
- (c) Street trees on Water and Leon are to be protected at all time withy Landscape boxes.
- (d) The City of Kelowna requested a 0.625m road dedication from the development to facilitate the widening of the lane to 7.00m. It was agreed upon that if the development could prove out the turning movements from the development to the lane without conflicts, that the City would accept the existing conditions of the lane width at 6.0m.
- (e) No driveway access will be granted to this site.
- (f) Water St. and Leon Ave. Sidewalks must be accessable at all times with covered walkway.
- (g) Laydown or staging area will not be allowed on Water St. or Leon Ave.

5. <u>Subdivision</u>

By registered plan to provide the following:

- (a) Grant statutory rights-of-way if required for utility services.
- 6. Electric Power and Telecommunication Services

- a) The electrical services to this development must be installed in an underground duct system, and the building must be connected by an underground service. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground as this site is located within the City Centre urban town centre.
- b) It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services which would be at the applicant's cost.

7. Engineering

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

8. <u>Design and Construction</u>

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

9. Servicing Agreements for Works and Services

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

DP19-0161 4 -

10. <u>Geotechnical Report</u>

As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydrogeotechnical 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.

11. Development Permit and Site Related Issues

Access and Manoeuvrability

(i) Perimeter access must comply with the BC Building Code. Fire Truck access designs and proposed hydrant locations will be reviewed by the Fire Protection Officer.

James Kay James Kay , P. Eng.

Development Engineering Manager

RO

CITY OF KELOWNA

MEMORANDUM

Date: August 19, 2019

File No.: DVP19-0162

To: Community Planning (AC)

From: Development Engineer Manager (JK)

Subject: 1659 Water Street

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

Development Variance Permit to reduce parking, to reduce upper floor setbacks, and to reduce the frontage area dedicated towards functional commercial space, does not compromise any municipal services.

All the offsite infrastructure and services upgrades are addressed in the Development Permit Report under file DP19-0161.

James Kay, P. ∉ng.

Development Engineering Manager

RO

HANS P. NEUMANN ARCHITECT INC.

1520 Highland Drive North, Kelowna, B.C. V1Y 4K5 Phone: (250) 868-0878 Fax: (250) 868-0837 **Principal: Hans P. Neumann, Architect AIBC, B.Arch.,B.E.S.**

July 31, 2019

The Honourable Mayor Colin Basran and City of Kelowna Council 1435 Water Street Kelowna, B.C. V1Y 1J4

HANS P. NEUMANN, Michitect AIBC

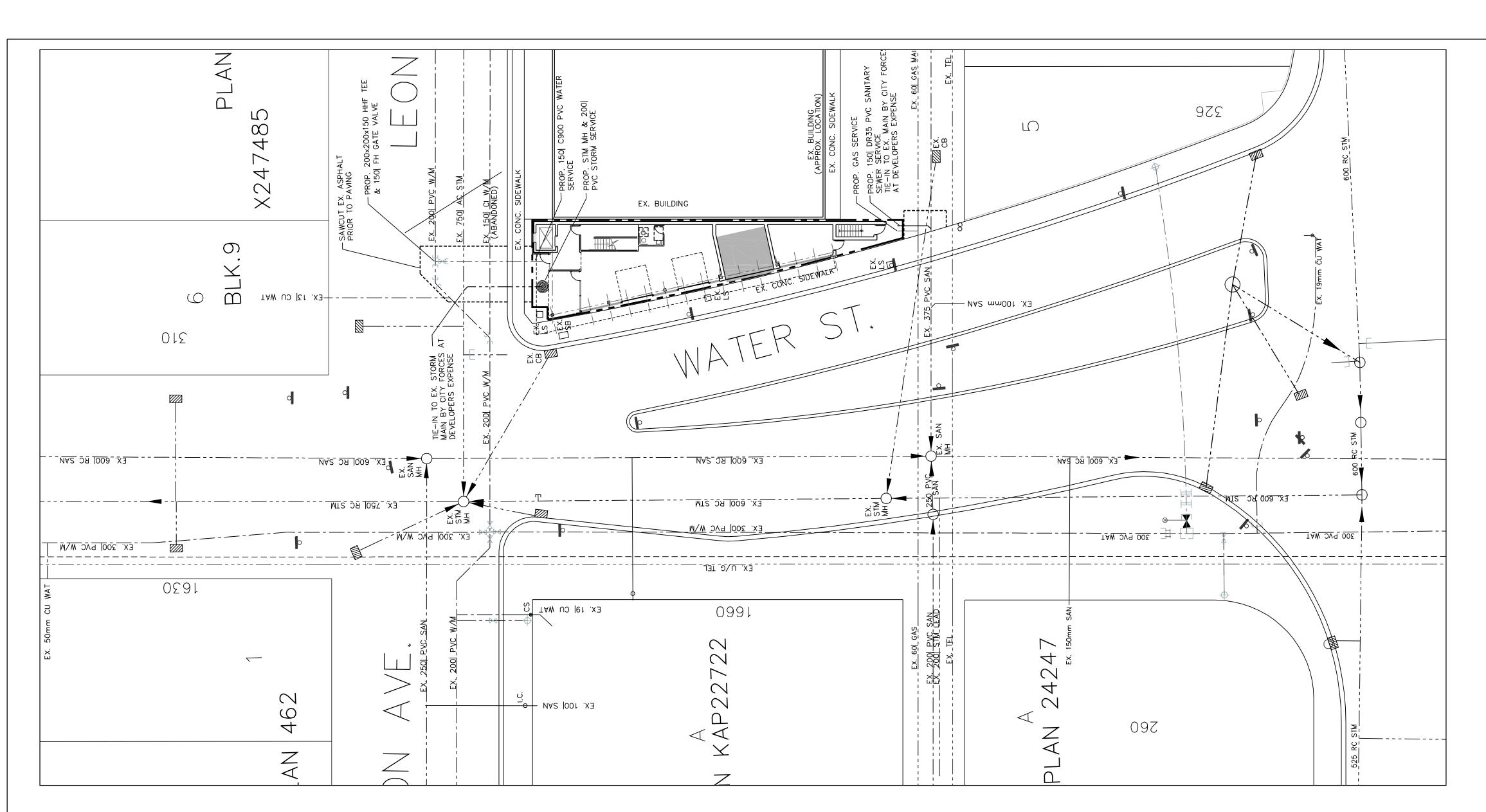
Re: Proposed Residential Project @ 1659 Water Street

We are submitting the above-noted project for Development Variance Permit and request the following variances to the C7 – Central Business Commercial zone. The extremely unique triangular site configuration requires the following variances in order to reasonably develop the property in a manner that generally complies with the OCP vision for the area, and attempts to comply with the current Zoning Bylaw No. 8000 as much as possible.

The rationale for requesting the bylaw variances is:

- 1. REQUIRED ON-SITE PARKING SPACES: The C7 Parking Schedule requires 1.3 spaces per 100 sq.m. of Gross Floor Area (GFA), which would equate to 15 spaces. The site dimensions simply do not support any kind of drive aisle & parking spaces, as the frontage on the lane side is only 1.78m (5′-10″), and the frontage off of Leon Avenue is 8.6m (28′-2″), which is substantially below the 13m required for a drive aisle plus parking stall depth, even using compact vehicle/motorcycle parking space dimensions. In preliminary discussions, it was suggested that the city traffic & engineering department would not even consider any access off of Leon Avenue or Water Street. As such we are requesting a variance to 0 spaces, which we feel is reasonable given the sites' location in a designated Urban Centre, proximity to public transit and the City's encouragement for the reduction of dependence on automobiles. We are proposing the provision of increased secure bicycle parking above what is required by the zoning bylaw to partially compensate for the shortfall.
- 2. REQUIRED ON SITE LOADING PARKING SPACE: As above, the required one (1) 28 sq.m. (300 sq.ft.+) loading space cannot be accommodated on the site.
- 3. REQUIRED FRONT & SIDE SETBACKS ABOVE HEIGHT OF 16m: Complying with this requirement would make the top floor & roof deck not possible and would limit the height of the building to five storeys. This would essentially make any type of building uneconomical by removing the prime highest revenue space, as well as deleting a key common amenity space from the potential tenants.
- 4. FUNCTIONAL COMMERCIAL SPACE ALONG LEON AVENUE: The only workable location for the building elevator reduces the functional space to 72% of minimal building frontage along Leon Avenue. The triangular site & floor plate configuration do not allow for the elevator & internal circulation to be placed in any alternative location.
- 5. FUNCTIONAL COMMERCIAL SPACE ALONG WATER STREET: The prime reason for requesting this variance to 55% of minimal building frontage, is to accommodate the required location & clearances for the Fortis electrical transformer servicing the site. Alternate solutions were unsuccessfully explored. In addition direct exterior access for the electrical room, as well as the fire protection sprinkler water entry facilities greatly reduced the available frontage. We propose to glaze the street frontage of the electrical/mechanical room to match the commercial space on the other side of the transformer to at least provide a consistent aesthetic along Leon Avenue.

We trust that you will favourably consider this application, as this building would contribute to the desired energy & activity of this area.



SITE PLAN SCALE: |" = 20'-0"



LEON AVE ELEVATION



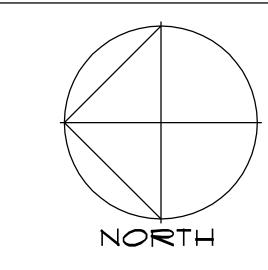
WATER STREET ELEVATION

VARIANCES REQUIRED

- FRONT SETBACK OF BUILDING ABOVE 16m FROM 3.0m REQUIRED TO 0.025m PROPOSED.
- 2. SIDE (EAST) SETBACK OF BUILDING ABOVE 16m FROM 4.0m REQUIRED TO 0,025m PROPOSED.

PROPOSED.

- 3. SIDE (WATER STREET) SETBACK OF BUILDING ABOVE 16m FROM 3.0m REQUIRED TO 0.025m PROPOSED.
- 4. FUNCTION COMMERCIAL SPACE FRONTAGE ALONG LEON AVENUE FROM 90% REQUIRED TO 72% PROPOSED.
- 5. FUNCTION COMMERCIAL SPACE FRONTAGE ALONG WATER STREET FROM 90%
- REQUIRED TO 55% PROPOSED. 6. NUMBER OF PARKING SPACES FROM 15 STALLS REQUIRED TO 0 STALLS
- 7. NUMBER OF LOADING SPACES FROM 1 STALL REQUIRED TO 0 STALLS PROPOSED.



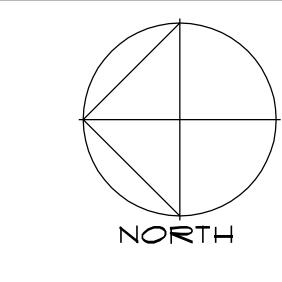


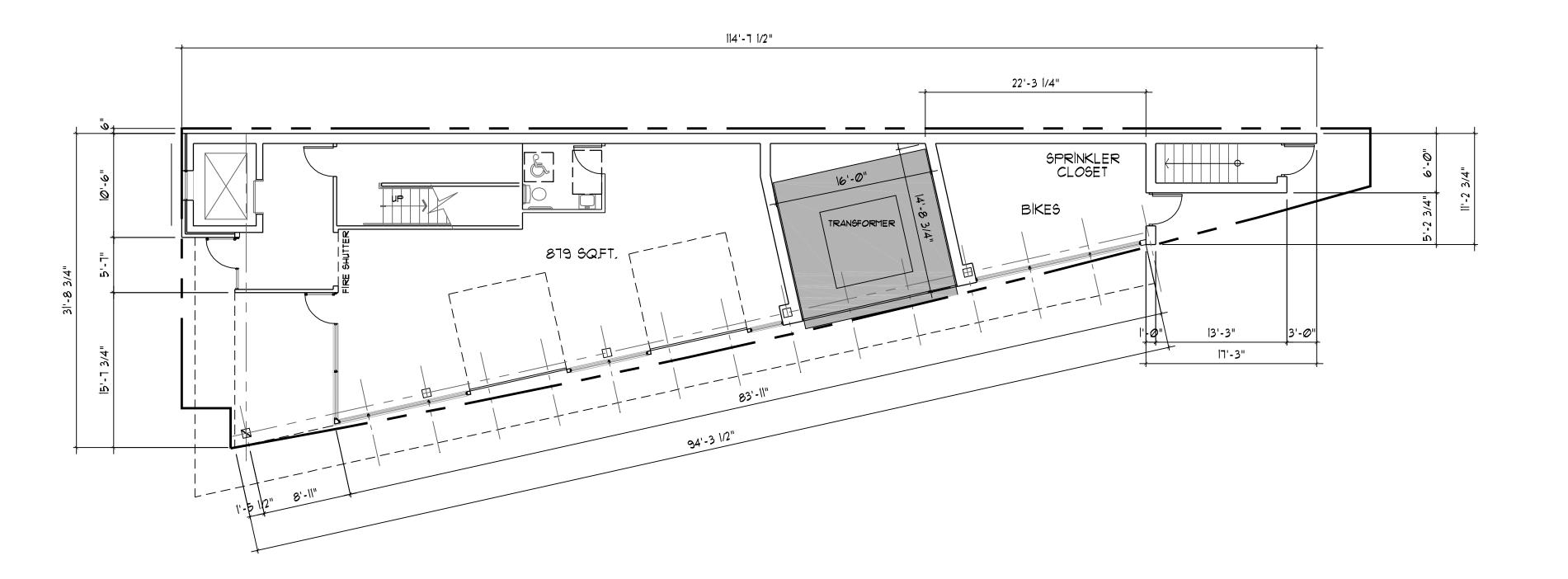
PROJECT DAT	A	
CIVIC ADDRESS: 1659 WATER ST., K		
LEGAL DESCRIPTION; LOT 12, PLAN KAPA		KAP82841 ODYD
CURRENT ZONING: C7 - CENTRAL BUS		1711 02011, 0,0,1,0,
CORRENT ZONING: C7 - CENTRAL BOS	SINESS COMMERCIAL	
ZONING BYLA	W REQUIRE	EMENTS
SITE AREA = 2,437 SQ.FT. (226.40 SQ.M.)		
BUILDING AREA (NET):	4 700 00 57 /400 0	2011)
MAIN FLOOR (RETAIL/OFFICES) SECOND FLOOR (OFFICES) THIRD FLOOR (OFFICES) FOURTH FLOOR (OFFICES) FIFTH FLOOR (OFFICES)	= 1,388 SQ.FT. (128.9 = 1,114 SQ.FT. (103.5	SQ.M.) SQ.M.)
THIRD FLOOR (OFFICES)	= 1,564 SQ.FT. (145.3 = 1,564 SQ.FT. (145.3	SQ.M.)
FIFTH FLOOR (OFFICES)	= 1,564 SQ.FT. (145.3	SQ.M.
SIXTH FLOOR (OFFICES) SEVENTH FLOOR (COMMON AREA)	= 1,564 SQ.FT. (145.3 = 1,509 SQ.FT. (140.2	SQ.M.) SQ.M.)
TOTAL NET BUILDING AREA:	=10,267 SQ,FT, (953,8	SQ.M.)
BUILDING AREA (GROSS):		
MAIN FLOOR (RETAIL/OFFICES) SECOND FLOOR (OFFICES) THIRD FLOOR (OFFICES) FOURTH FLOOR (OFFICES) FIFTH FLOOR (OFFICES) SIXTH FLOOR (OFFICES)	= 1,507 SQ.FT. (140.0 = 1,533 SQ.FT. (142.4	SQ.M.)
THIRD FLOOR (OFFICES)	= 1,835 SQ.FT. (170.5	SQ.M.
FOURTH FLOOR (OFFICES) FIFTH FLOOR (OFFICES)	= 1,835 SQ.FT. (170.5 = 1,835 SQ.FT. (170.5	SQ.M.)
SIXTH FLOOR (OFFICES) SEVENTH FLOOR (COMMON AREA)	= 1,835 SQ.FT. (170.5 = 1,664 SQ.FT. (154.6	SQ.M.)
TOTAL GROSS BUILDING AREA;	=12,044 SQ.FT. (1,118.9	
TOTAL GROOD BOLESHIO THEM	ZONE REQUIREMENT	PROPOSED
LOT WIDTH	6,0m	8,6m
LOT DEPTH	30.0m	36,02m
LOT AREA	200 sq.m.	226.4 sq.m.
FLOOR AREA RATIO (FAR)	9.0 (6,208 sq.m.)	*
HEIGHT (m)	76.5m	, , , , ,
SETBACKS (m)	70.5111	20.3117 0 31011213
FRONT (LEON AVENUE)	0.0m	0.025m
FRONT ABOVE 16m (LEON AVENUE)	3.0m	0.025m *
SIDE (EAST)	0.0m	0.152m
SIDE ABOVE 16m (EAST)	4.0m	0.152m *
SIDE (WATER STREET)	0.0m	0.025m
SIDE ABOVE 16m (WATER STREET)	3.0m	0.025m *
REAR (LANE)	0.0m	1.64m
REAR ABOVE 16m (LANE)	3.0m	6.60m
FLOOR PLATE ABOVE 16m (14.7.5)		
(h) AREA	1,221 sq. m.	177.5 sq. m.
FUNCTIONAL COMMERCIAL SPACE FRONTAGE		E 07 /C007 *
LEON AVENUE WATER STREET	8.6m x 90%=7.75m 36.02m x 90%=32.42m	
PARKING		,
COMMERCIAL @ 1.3/100 sq.m. GFA x 1,1	118.9 sq.m. =	
LOADING @ 1/1900 sq.m. GFA =	15 STALLS 1 STALL	O STALLS * O STALLS *
BICYCLE PARKING	1 SIME	O SINEES
	3 SPACES	3 SPACES
CLASS II @ 0.6/100 sq.m. GLA =	7 SPACES	7 SPACES
LANDSCAPE BUFFERS (m)		
FRONT (LEON AVENUE)	0.0m	0.0m
SIDE (EAST)	0.0m 0.0m	0.0m 0.0m
SIDE (WATER STREET) REAR (LANE)	0.0m 0.0m	0.0m 0.0m
LANDSCAPE TREATMENT LEVELS		
FRONT (LEON AVENUE)	NOT REQ'D NOT REQ'D NOT REQ'D	
SIDE (EAST)		
SIDE (WATER STREET) REAR (SOUTH)	NOT RE	
•	.,= /	

SCALE: 1" = 20'-0"

DATE: JULY 23,2019 DRAWN: MAC

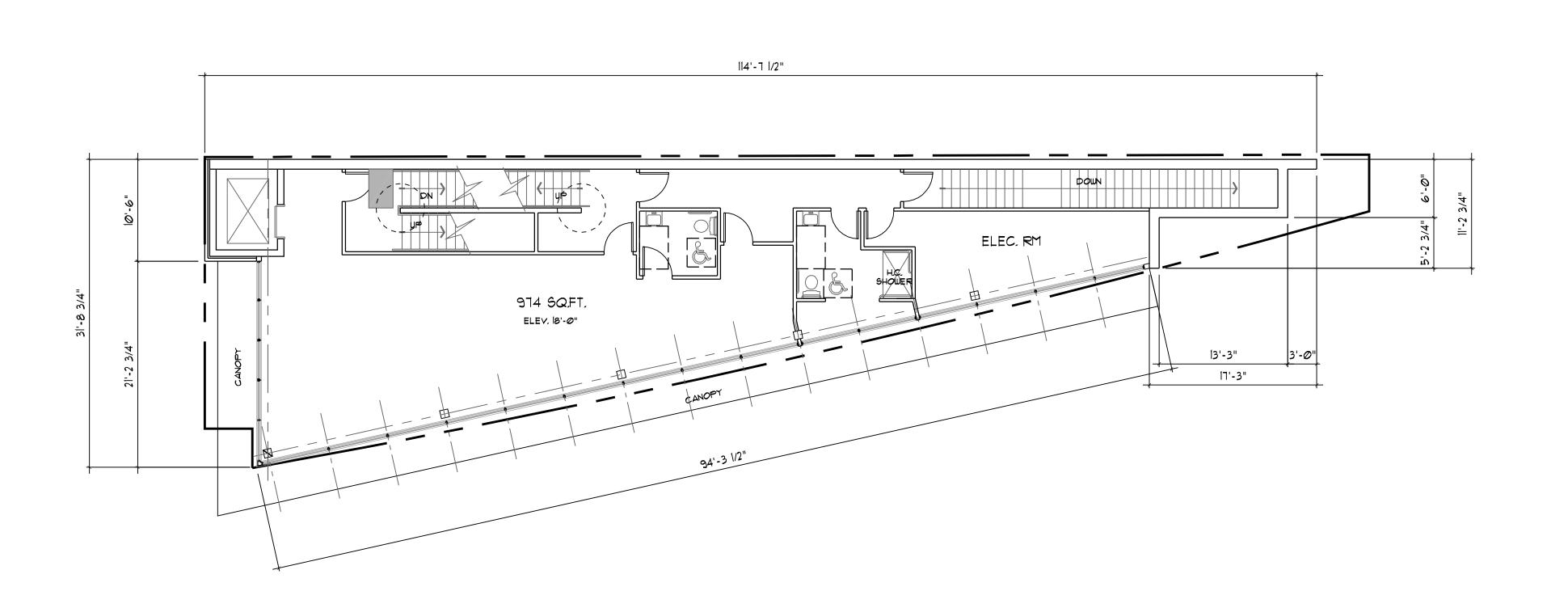
CHECKED: HPN







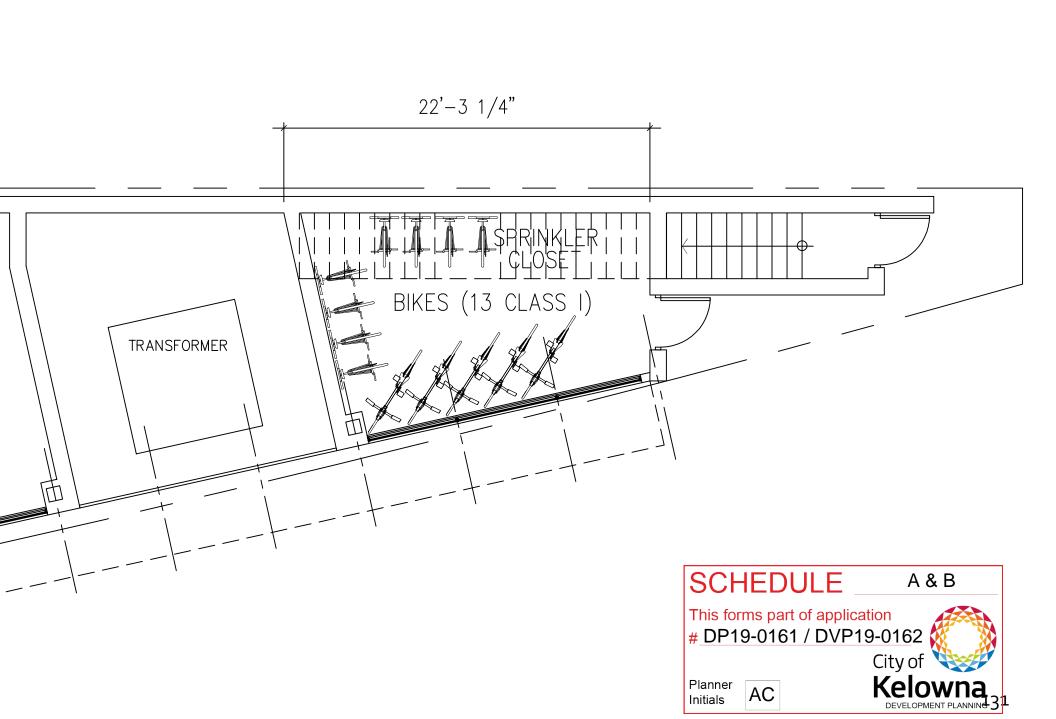
MAIN FLOOR PLAN SCALE: 1/8" = 1'-0"

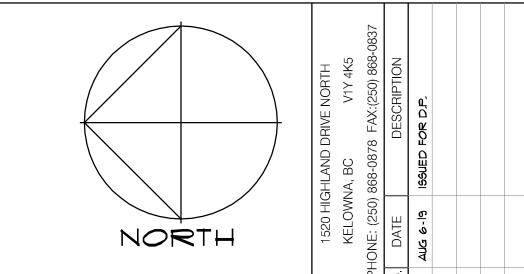


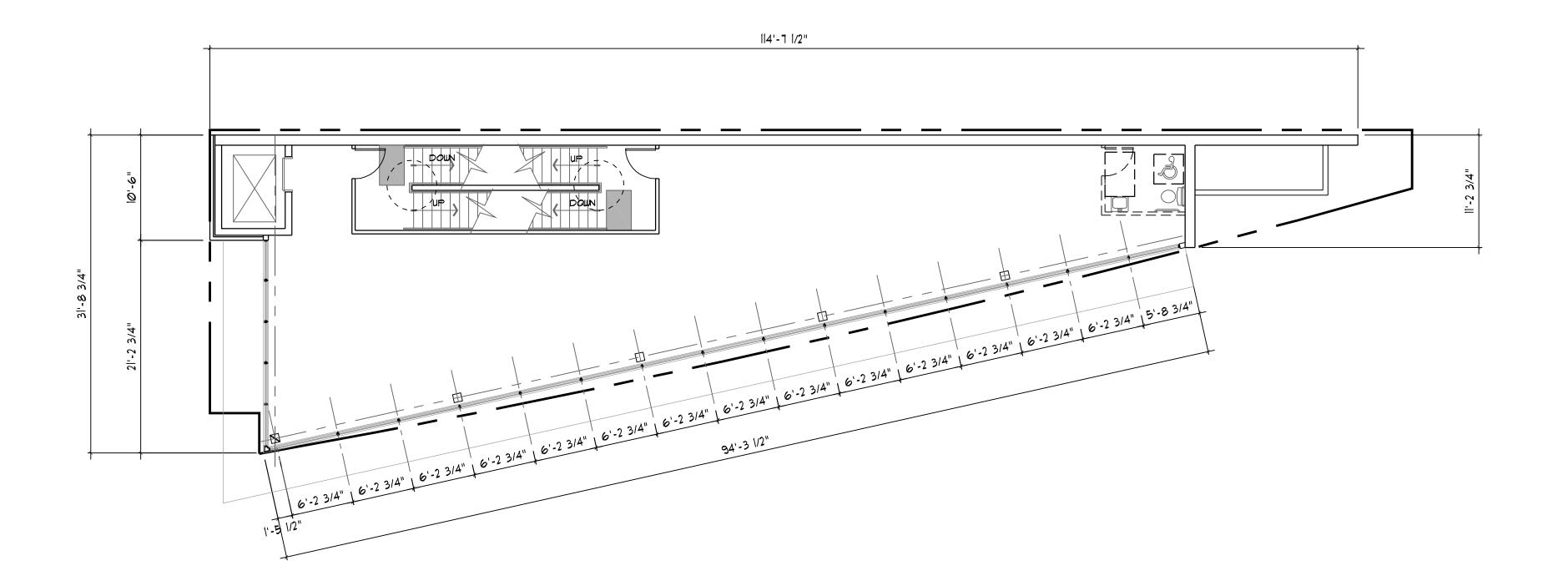
SECOND FLOOR PLAN SCALE: 1/8" = 1'-0"

COMMERCIAL DEVELOPMENT 1659 WATER STREET, KELOWNA, BC. SCALE: 1/8" = 1'-0" DATE: JULY 23,2019 DRAWN: MAC CHECKED: HPN

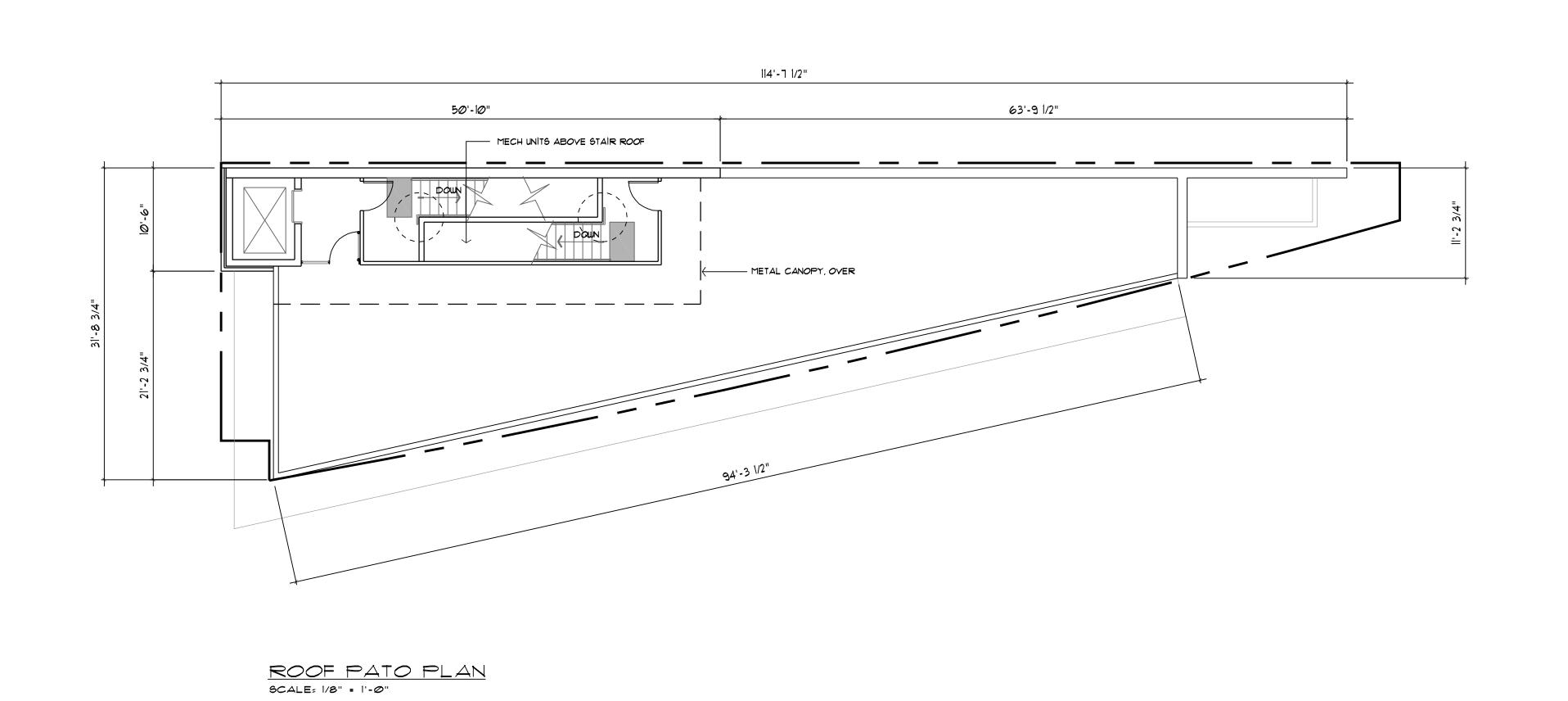
REVISION No.:



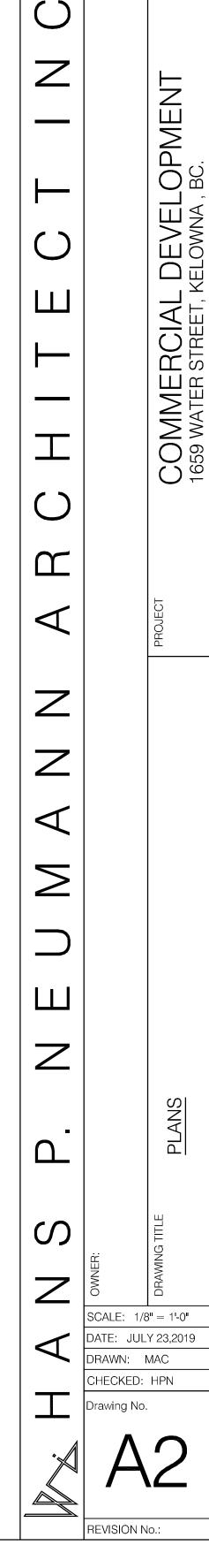


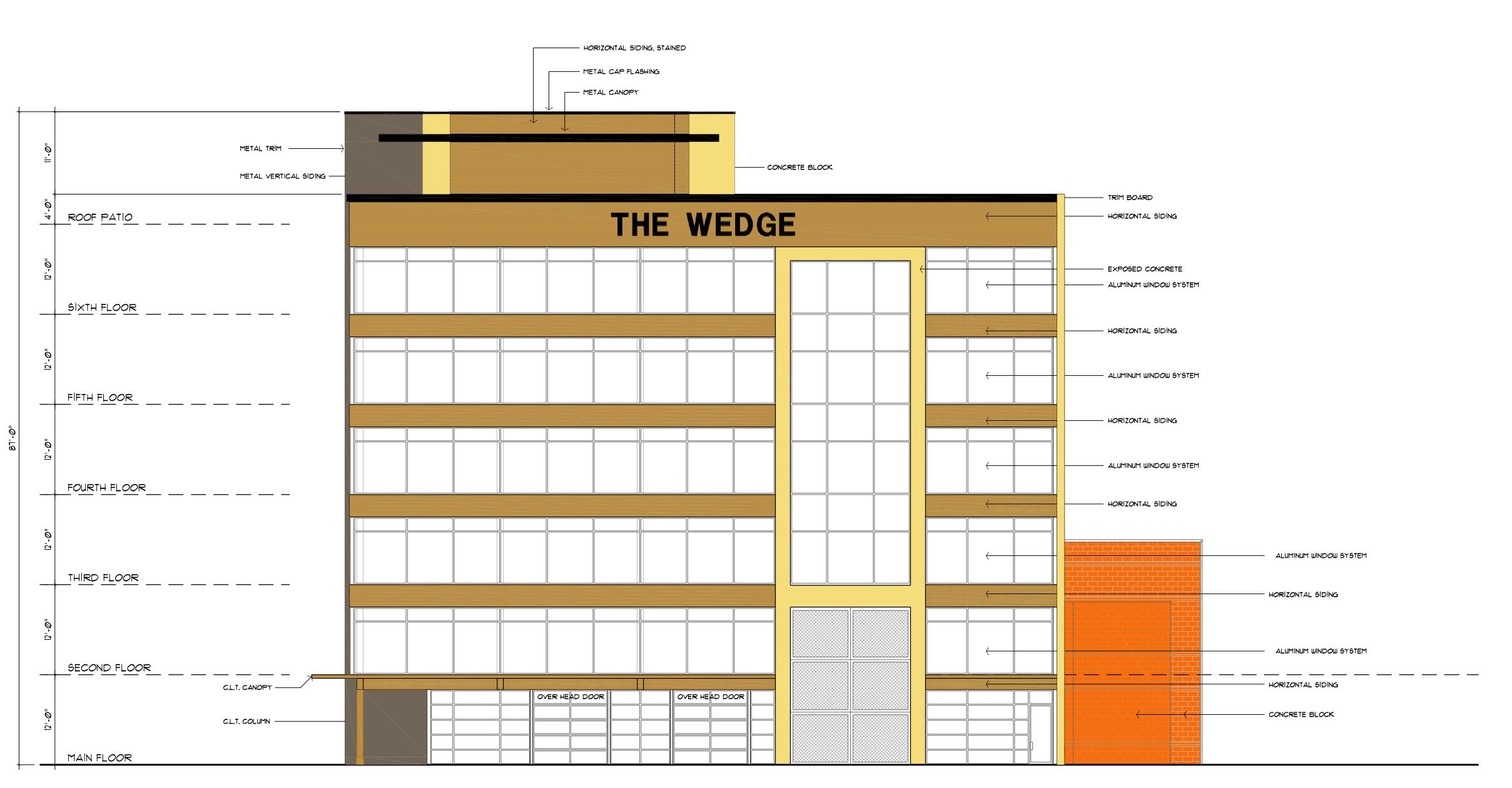


THIRD - SIXTH FLOOR PLAN SCALE: 1/8" = 1'-0"





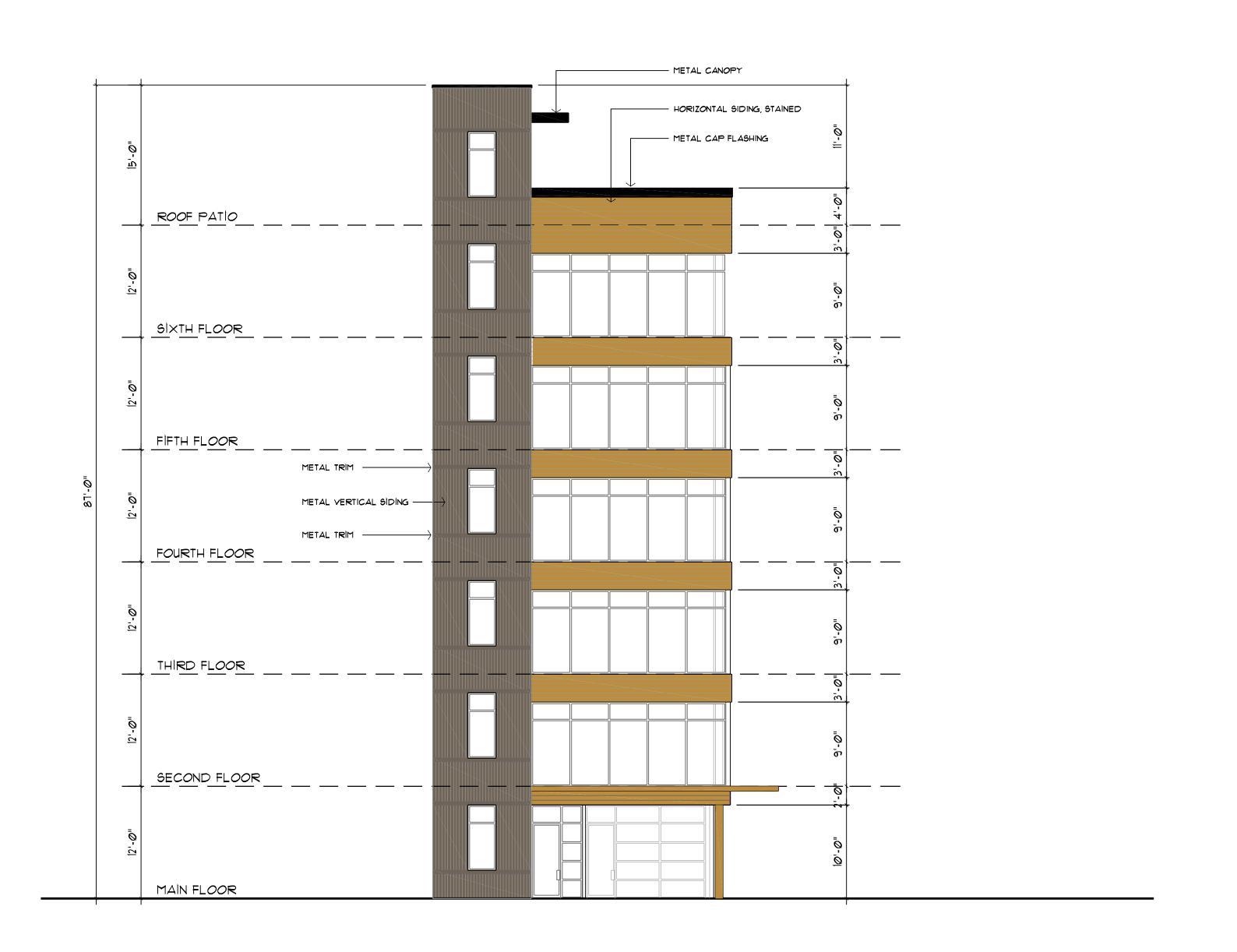




WATER STREET - WEST ELEVATION SCALE: 1/8" = 1'-0"

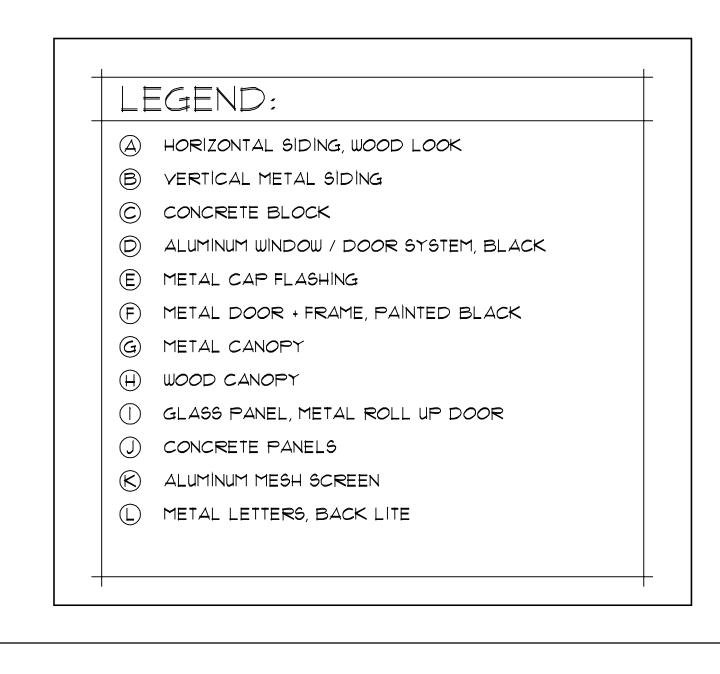


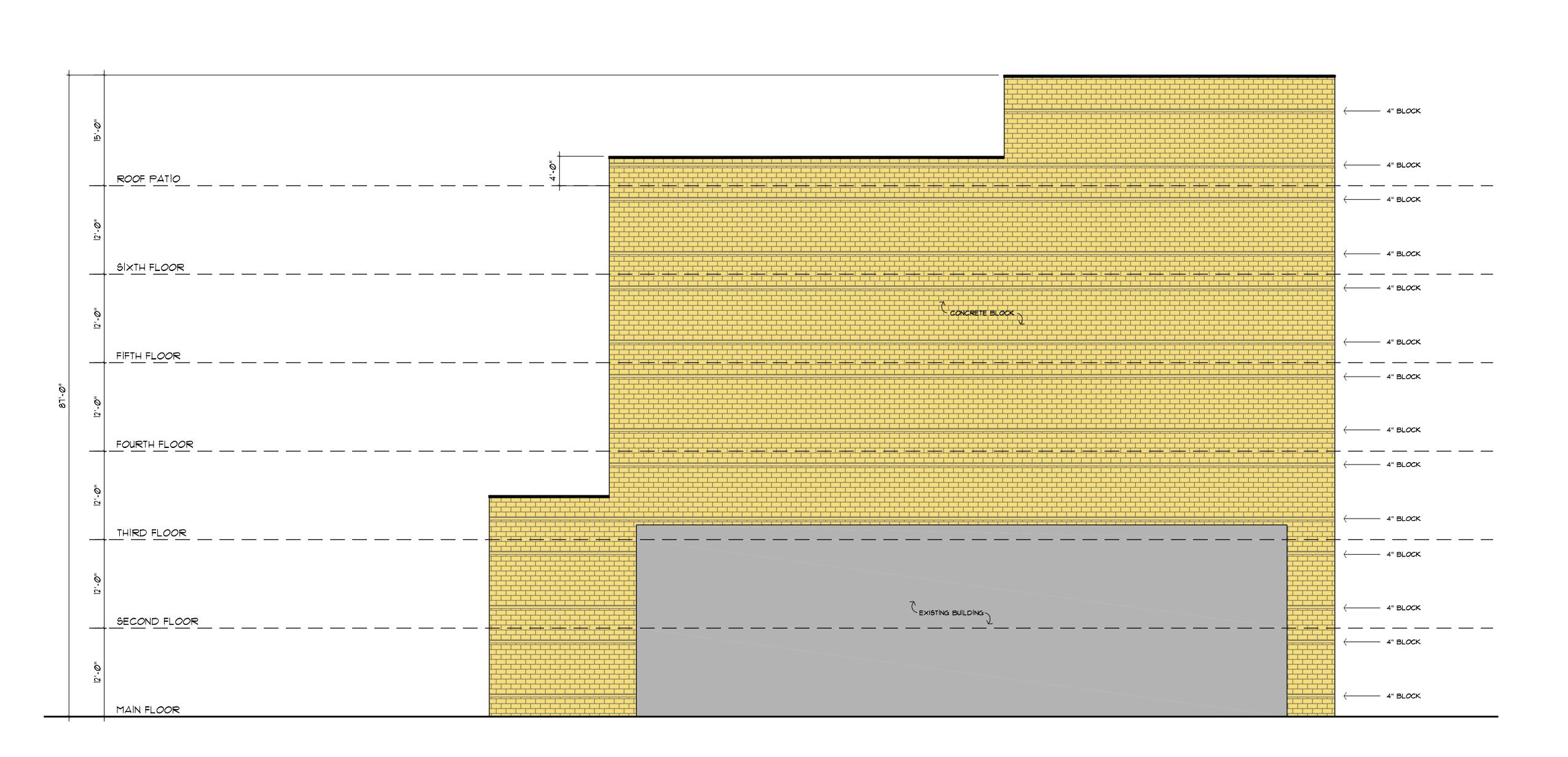




LEON AVE - NORTH ELEVATION SCALE: 1/8" = 1'-0"

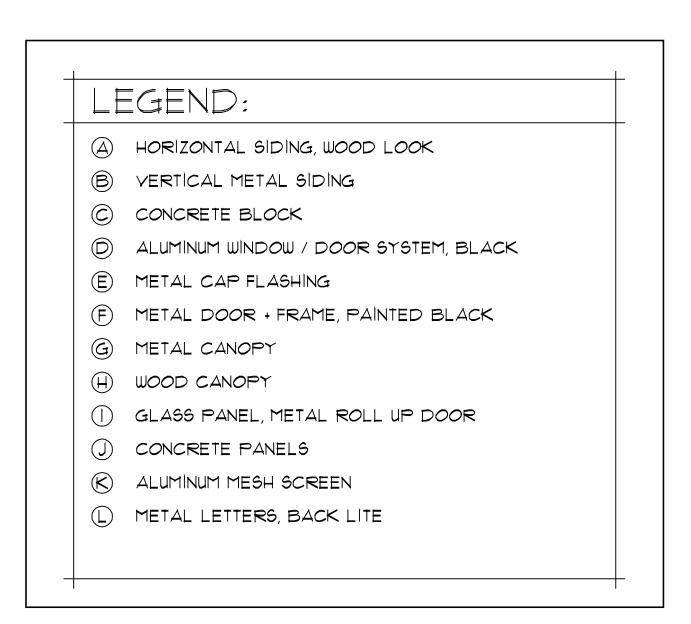






EAST ELEVATION SCALE: 1/8" = 1'-0"





COMMERCIAL DEVELOPMENT 1659 WATER STREET, KELOWNA, BC.



DP19-0161 & DVP16-0162 1659 Water Street

Development Permit & Development Variance Permit





Proposal

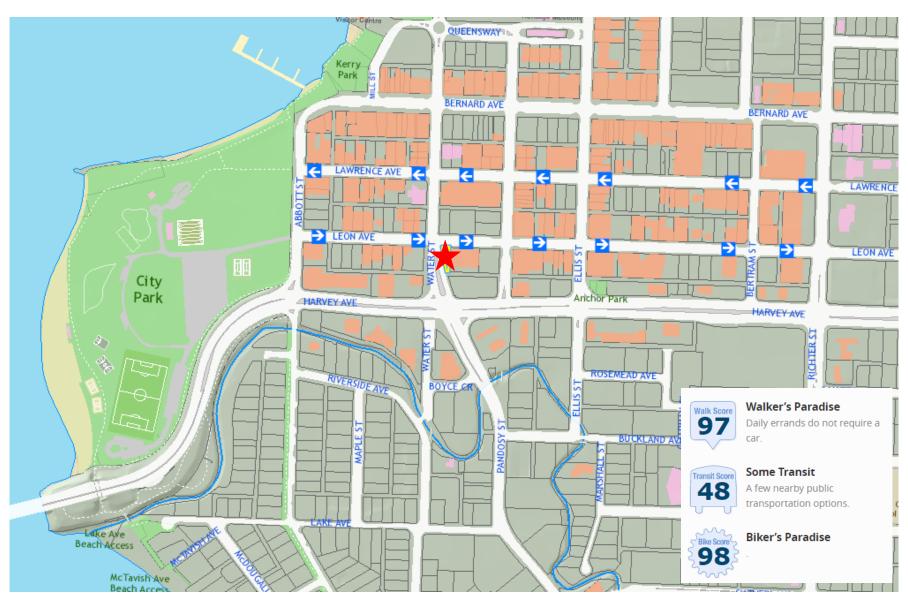
➤ To consider a Staff recommendation of support for a Form & Character Development Permit of a six storey commercial building as well as to consider six variances to the Zoning Bylaw.

Development Process

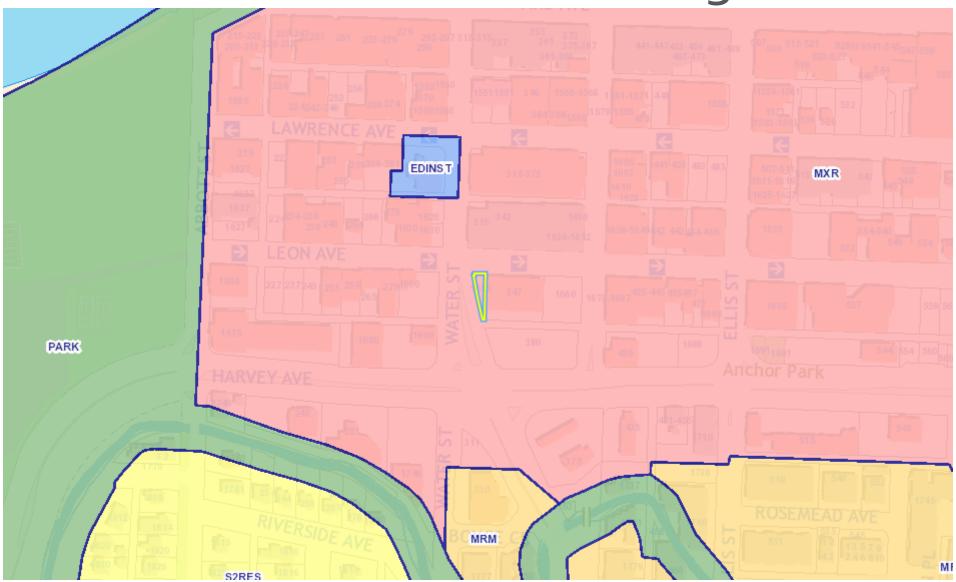




Context Map



OCP Future Land Use / Zoning



Subject Property Map



Subject Property





Project Details

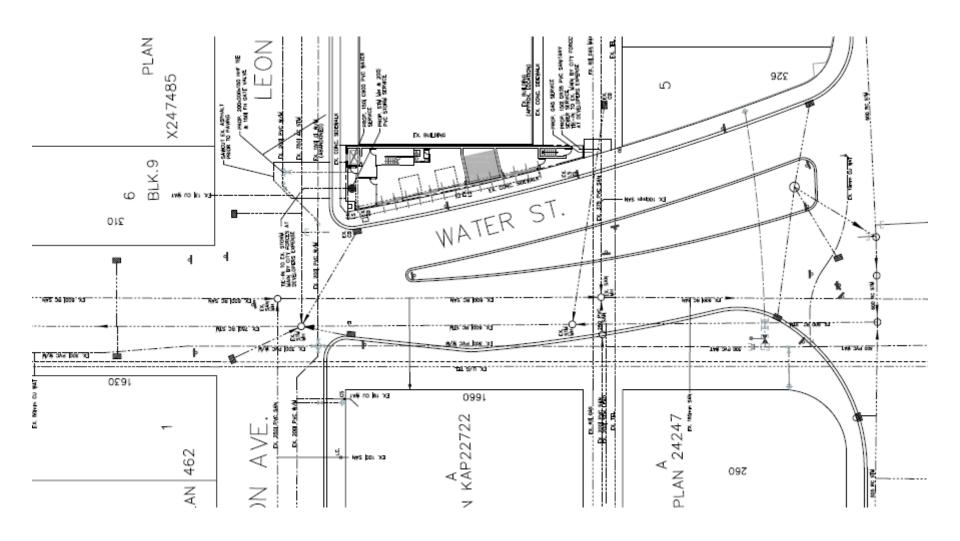
- ► Six storey office and retail commercial building.
- ► Ground floor retail (964.4m² of commercial retail), upper floor offices, common rooftop patio and no parking onsite
- ▶ Building materials are predominately glazing with metal siding stained in wood colour
- ► Rear storey addition is brick
- Several variances to reduce parking, upper floor setbacks and frontage area dedicated towards functional commercial space



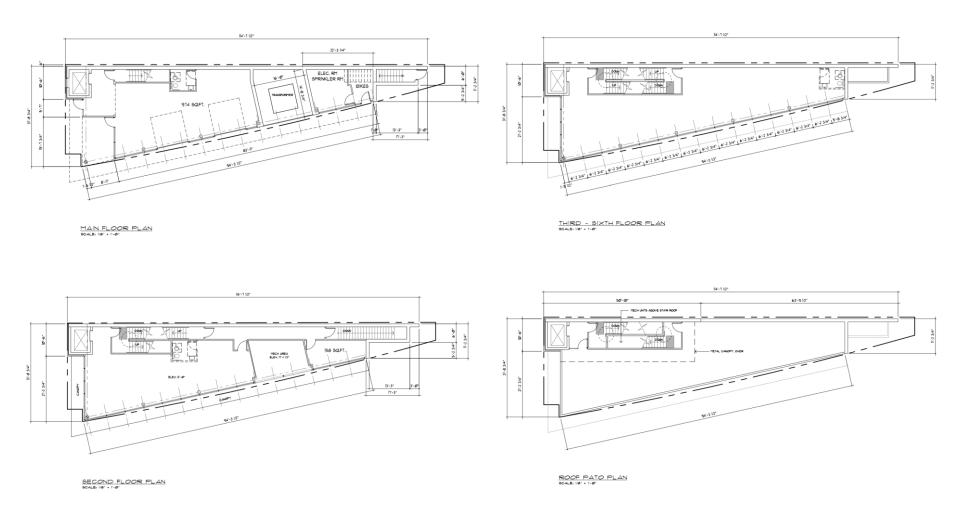
Variances

- Variance to reduce the front yard setback for portions of building between 16.0 metres & above in height
- 2 Variance to reduce the side yard (north) setback for portions of building between 16.0 metres & above in height
- Oraliance to reduce the side yard (south) setback for portions of building between 16.0 metres & above in height
- Variance to reduce the number of required parking spaces from 10 stalls to 3 stalls (then provide 3 cash-in-lieu totaling ce to decrease the amount of short-term bicycle vided from 6 required to 0 provided
- **6** Variance to reduce the minimum commercial on ground floor from 90% to 68% on Leon Avenue and 40% on Water Street

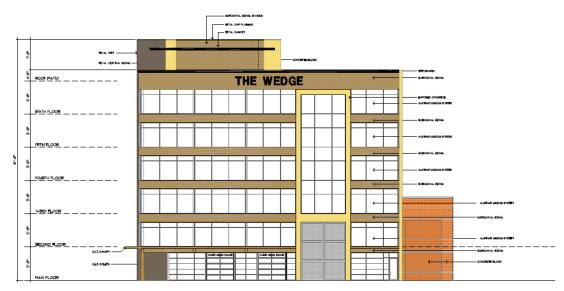
Site Plan



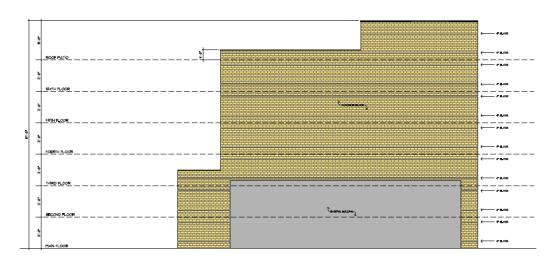
Floor Plan



Elevations



WATER STREET - WEST ELEVATION



MODEL PLACE

FINAL SERVICE

FINAL SE

LEON AVE - NORTH ELEVATION

Renderings



LEON AVE ELEVATION



WATER STREET ELEVATION



Development Policy

- ► Compact Urban Form (OCP, Policy 5.2.3)
- ► Contain Urban Growth (Objective 1- Chapter 1)
- ► Ensure appropriate and sensitive built form (OCP, Policy 5.22.6)
- ► Massing and Height (OCP, Policy 5.22.6)
- ▶ Urban Design Guidelines Amenities, ancillary Services and Utilities (OCP, Chapter 14 - Objective 11.0)
- ▶ Decks, balconies, rooftops, and common outdoor amenity space. (OCP, Chapter 14 – Objective 10.0)
- ➤ Signs (OCP, Chapter 14, Objective 17.0)

Public Notification Policy #367 Kelowna

► The applicant completed the required public notification on November 15th, 2019.



Staff Recommendation

- ➤ Staff are recommending **support** for the Development Permit and Development Variance Permit
 - ► Compromise reached with 3 stalls paid in cash-in-lieu
 - Alternative transportation options incorporated into design
 - On wait list for remainder of vehicle stalls within the Chapman Parkade
 - Unique site constraints resulting in low probability of cash-in-lieu precedent



Conclusion of Staff Remarks

REPORT TO COUNCIL



Date: June 2, 2020

To: Council

From: City Manager

Department: Development Planning

Application: DP20-0017 & DVP20-0096 Owner: Ryan Peak ULC, Inc. No.

' Aoo66628

Address: 550 Clifton Road Applicant: Mark Aquilon

Subject: Development Permit and Development Variance Permit Application

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

Existing Zone: RM4 – Transitional Low Density Housing

1.0 Recommendation

THAT Council <u>NOT</u> authorize the issuance of Development Permit No. DP20-0017 for Lot 2 Section 31 Township 26 ODYD Plan KAP86216, located at 550 Clifton Road, Kelowna, BC.

AND THAT Council <u>NOT</u> authorize the issuance of Development Variance Permit No. DVP20-0096 for Lot 2 Section 31 Township 26 ODYD Plan KAP86216, located at 550 Clifton Road, Kelowna, BC.

2.0 Purpose

To consider a Staff recommendation to NOT issue a Development Variance Permit to allow tandem parking on the subject property and NOT issue a Development Permit for the form and character of 46-unit, 3-storey townhouse development.

3.0 Development Planning

Development Planning does not support a proposed variance to allow tandem parking on the subject property. In the proposed development, which is located outside of the Urban Core, 40% of the parking spaces for the residents are provided in private garages oriented in a tandem parking configuration. Tandem parking is where two spaces are placed one behind the other in the same driveway or parking lot. The applicant is requesting a variance to allow for tandem parking which is currently prohibited in townhouse developments that are located outside of the Urban Core.

The subject site is located in a neighbourhood that is automobile oriented with minimal public transit options. New homes built in the area are likely to be car-dependent for the foreseeable future as the area is

intended to remain outside of the Urban Core in the next iteration of the OCP. Tandem parking is prohibited in these areas to avoid creating parking issues.

Other than the request for tandem parking the proposal is in general accordance with the City's Urban Design Guidelines. No other variances are being requested by the applicant. An alternate recommendation to support the tandem parking variance and Development Permit is included in section 7.0 of this report.

3.1 Form and Character

Attachment B outlines the proposal's consistency with the City's Urban Design Guidelines. The proposal includes ground-oriented units fronting onto Clifton Road and Cara Glen Road, with garage accesses internal to the site. Due to site topography, the units oriented towards Clifton Road would be accessed via staircases that are integrated into terraced and landscaped retaining walls. The units oriented towards Cara Glen Road would have at-grade entrances with front patios.

Regarding architecture, the design incorporates articulation and variety in terms of rooflines, projections, and materials. Gable roof forms are proposed at various heights, and parapets and awnings have also been included to provide additional detail. Materials proposed include multiple styles of hardie board siding as well as brick veneer, metal and shingle roofing, and neutral trim. The applicant is proposing a cohesive architectural style for all of the buildings; however, different colours and materials are proposed for each building to provide interest.

The landscaping plan proposed for this development includes a variety of trees, shrubs, and other plants around and within the site. Communal open areas are proposed in the centre and southern portions of the site, with amenities such as pathways, benches, bike stands, and shade trees to be included.

4.0 Proposal

4.1 Background

This property is currently in the process of being subdivided (S17-0053). The subdivision is nearing completion and will result in six new multi-family zoned lots. The subject property is currently vacant.

Amendments to Section 8 of Zoning Bylaw No. 8000 were adopted on November 25, 2019. Prior to this date, tandem parking was permitted in townhouse developments. This application was submitted to the City on January 13, 2020. The applicant has advised that pre-planning for the project began before the parking amendments were adopted. Plans were based on the City's old regulations which permitted townhouse parking in tandem throughout the City; however, the application was made after the new parking regulations were adopted.

In reviewing several other existing townhouse developments of similar size and scale throughout the City that have incorporated tandem parking, there are normally perennial parking issues associated with the development. The tandem stalls have a relatively low level of use for two vehicles causing vehicles to be parked in prescribed landscaped areas, vehicles parked in such a manner to interfere with vehicle flow through the development, and conflicts with garbage areas and other common spaces. It was these issues that were referenced as to the rationale for updating the Zoning Bylaw to eliminate tandem parking outside of the Urban Core area.

4.2 Project Description

The proposal is for a 12 building, 46-unit townhouse development. The buildings range from two to three storeys in height, and the proposal includes 12 two-bedroom units and 34 three-bedroom units. Parking for the townhouse units is provided in private double and tandem garages, and visitor parking is provided throughout the site at-grade. Private open space requirements are met through at-grade yards, private

decks, and common open areas. Waste receptacles are to be accommodated in private garages. Upon completion of the subdivision referenced in section 4.1, Cara Glen Way will be extended west as Cara Glen Road, which is proposed to provide access to this development.

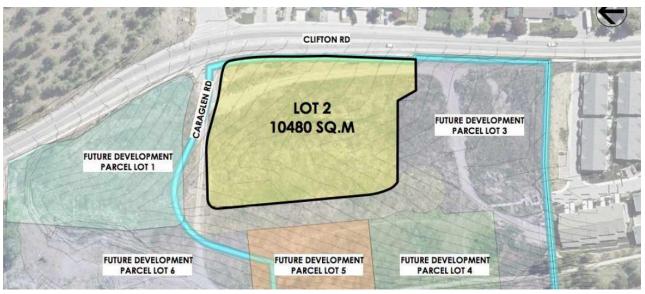
4.3 Site Context

The subject property is located in the Glenmore – Clifton – Dilworth City Sector. It is west of the intersection of Clifton Road and Cara Glen Way. The neighbourhood is a mix of single dwelling housing and multiple dwelling housing, with Knox Mountain Park located to the west. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM4 – Transitional Low Density Housing	Vacant
East	RU1 – Large Lot Housing	Single Dwelling Housing
South	RM4 – Transitional Low Density Housing	Multiple Dwelling Housing
West	P3 – Parks & Open Spaces	Park







4.4 Zoning Analysis Table

Zoning Analysis Table				
CRITERIA	RM4 ZONE REQUIREMENTS	PROPOSAL		
Existing Lot/Subdivision Regulations				
Min. Lot Area	900 m²	±10,480 m²		
Min. Lot Width	30.0 m	±119 m		
Min. Lot Depth	30.0 m	±90 m		
Development Regulations				
Max. Floor Area Ratio	0.669	0.665		
Max. Site Coverage (buildings)	50%	31 %		
Max. Site Coverage (buildings,	60%	41 %		
parking, driveways)		4- /*		
Max. Height	3-storeys / 13 m	3-storeys / 12.9 m		
Min. Front Yard (N)	6.o m	6.o m		
Min. Flanking Side Yard (E)	4.5 m	4.5 m		
Min. Side Yard (W)	4.5 m	4.5 m		
Min. Rear Yard (S)	7.5 m (2-storey) / 9.0 m (3-storey)	7.5 m (2-storey) / 9.0 m (3-storey)		
Other Regulations				
Min. Parking Requirements	minimum 92, maximum 118	101 (36 in tandem) 📵		
Min. Bicycle Parking	9 short term	9 short term		
Min. Private Open Space	1150 m²	1841 m²		
1 Indicates variance to parking requirements.				

5.0 Current Development Policies

Goals for a Sustainable Future:

Contain Urban Growth – Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

5.1 <u>Kelowna Official Community Plan (OCP)</u>

Chapter 5: Development Processes

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 per ha 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 5.32 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.

Chapter 14: Urban Design Development Permit Areas

Comprehensive Development Permit Area Objectives

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

6.0 Application Chronology

Date of Application Received: January 13, 2020
Date of Neighbourhood Notification: March 26, 2020

7.0 Alternate Recommendation

Alternate Recommendation

THAT Council authorizes the issuance of Development Permit No. DP20-0017 for Lot 2 Section 31 Township 26 ODYD Plan KAP86216, located at 550 Clifton Road, 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 Council authorizes the issuance of Development Variance Permit No. DVP20-0096 for Lot 2 Section 31 Township 26 ODYD Plan KAP86216, located at 550 Clifton Road, Kelowna, BC;

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

Section 8.2.6(d): Tandem Parking Regulations

To allow tandem parking outside of the Urban Core on the subject property.

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

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

DP20-0017 & DVP20-0096 - Page 6

Report prepared by: Arlene Janousek, Environmental Coordinator

Reviewed by: Terry Barton, Development Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Draft Development Permit DP20-0017/ DVP20-0096

Attachment B: Comprehensive Design Guidelines Checklist



DP20-0017 & DVP20-0096 550 Clifton Road

Development Permit and Development Variance Permit Applications

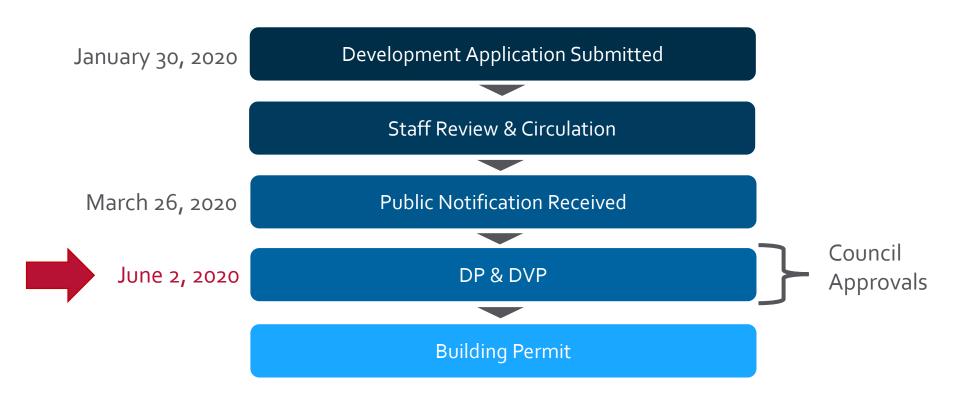




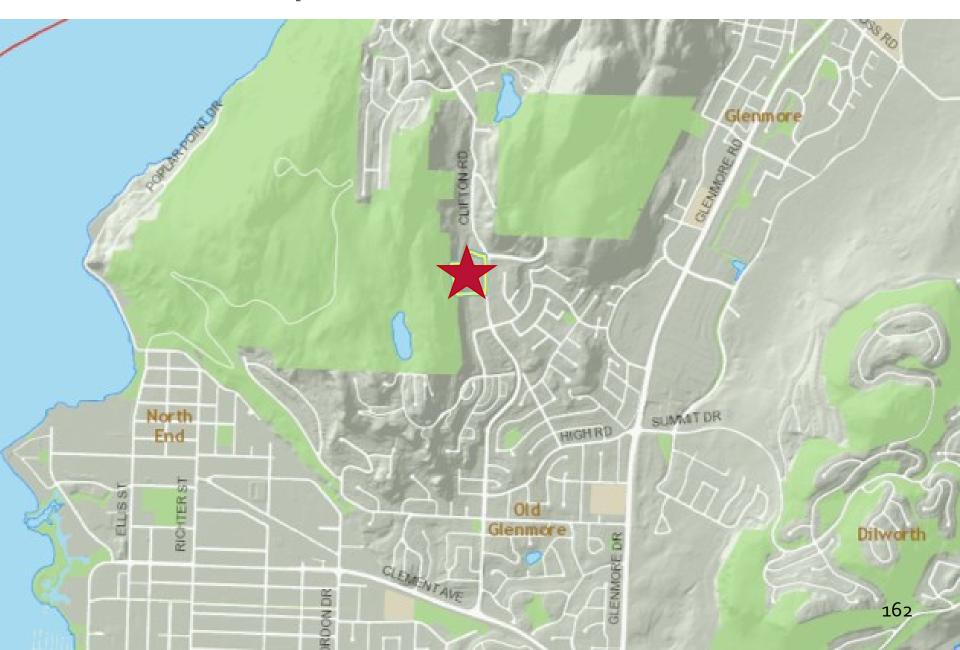
Proposal

➤ To consider a Staff recommendation to NOT issue a Development Variance Permit to allow tandem parking on the subject property and NOT Issue a Development Permit for the form and character of 46-unit, 3-storey townhouse development.

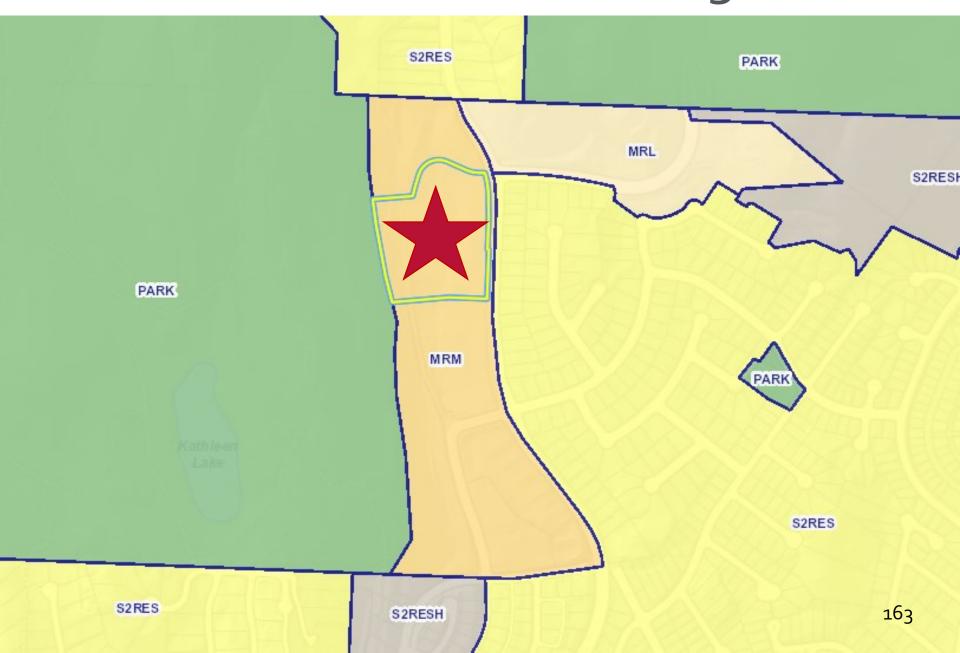
Development Process



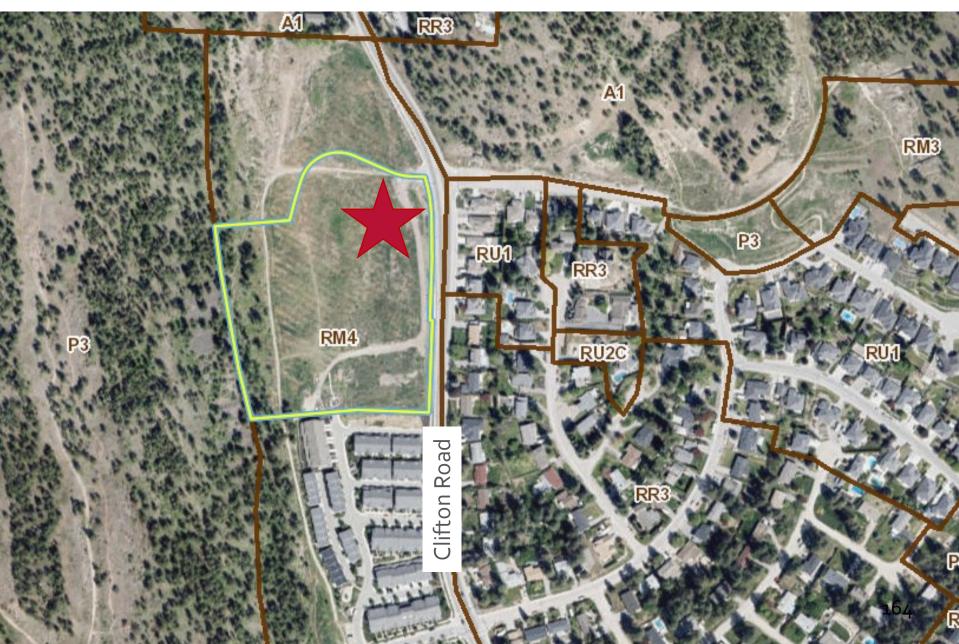
Context Map



OCP Future Land Use / Zoning



Subject Property Map



Subject Property Photo





Project Details

- ▶ 12 building, 46-unit townhouse development.
- ▶ 12 two-bedroom units, 34 three-bedroom unit
- ▶ 2-3 storeys in height
- ➤ Private open space provided through at-grade yards, private decks, and common open areas
- ➤ Parking in private double and tandem garages with visitor parking throughout the site at-grade



Variance

- ➤ Requesting a variance to allow 40% parking stalls to be configured in tandem garages
 - ► Two parking spaces would be placed one behind the other in the same garage
- ► Tandem parking is prohibited in townhouse developments that are located outside of the Urban Core

Site Plan



Elevations



Elevations facing east towards Clifton Road



Elevations facing north towards future Cara Glen Road expansion

Elevations



Elevations facing west towards future Cara Glen Road expansion



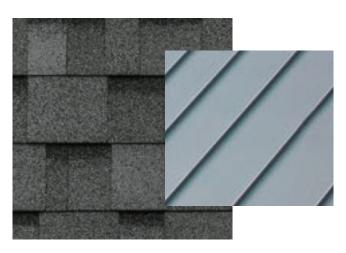
Internal site elevations (buildings 11 and 12)

Materials

Building Materials & Siding



Roofing Materials



Trim Materials



Landscape Plan





Background on Variance

- ▶ The Zoning Bylaw was updated in November 2019
 - ► Tandem parking in townhouse projects outside of the urban core now not permitted
 - ▶ Tandem parking is prohibited outside of the Urban Core to avoid creating parking issues
- ▶ This application was submitted to in January 2020
 - ► Planning for the project began when old regulations were still in place
- The property is in a car-oriented neighbourhood and is intended to remain outside of the Urban Core in the next OCP



Urban Design Guidelines

- ▶ No other variances requested
- ► Otherwise generally meets urban design guidelines:
 - Convey a strong sense of authenticity through urban design that is distinctive for Kelowna
 - Promote a high urban design standard and quality of construction for future development
 - ► Integrate new development with existing site conditions and preserve the character amenities of the surrounding area
 - ▶ Promote interesting, pedestrian friendly streetscape design
 - ► Incorporate architectural features and detailing of buildings and landscapes that define an area's character



Staff Recommendation

➤ Staff recommend NOT issuing a Development Variance Permit to allow tandem parking on the subject property and NOT issuing a Development Permit for the form and character of 46-unit, 3-storey townhouse development



Alternate Recommendation

- ► THAT Council authorizes the issuance of Development Permit No. DP20-0017
- ► AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted:
 - Section 8.2.6(d): Tandem Parking Regulations
 - ➤ To allow tandem parking outside of the Urban Core on the subject property.



Conclusion of Staff Remarks

Development Permit & Development Variance Permit DP20-0017 & DVP20-0096



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

550 Clifton Road, Kelowna BC

and legally known as

Lot 2 Section 31 Township 26 ODYD Plan KAP86216

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



Multiple Dwelling Housing

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

Date of Council Decision:

Decision By: COUNCIL

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

Existing Zone: RM4 – Transitional Low Density Housing

Future Land Use 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: Ryan Peak ULC, Inc. No. Aoo66628

Applicant: Mark Aquilon

Planner: Arlene Janousek

Terry Barton Community Planning Department Manager

Planning & Development Services

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.

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

Section 8.2.6(d): Tandem Parking Regulations

To allow tandem parking outside of the Urban Core on the subject property.

This Development Permit and Development Variance Permit are valid for two (2) years from the date of 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 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 owner 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: \$249,825.63

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. INDEMNIFICATION

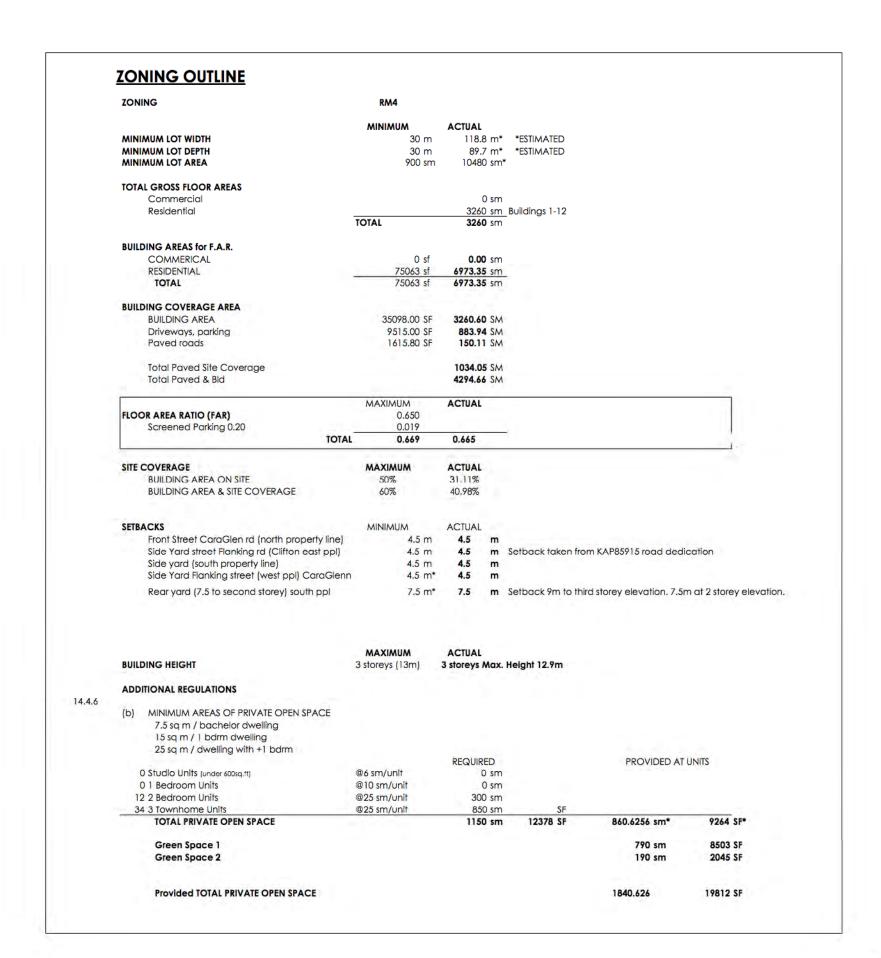
Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

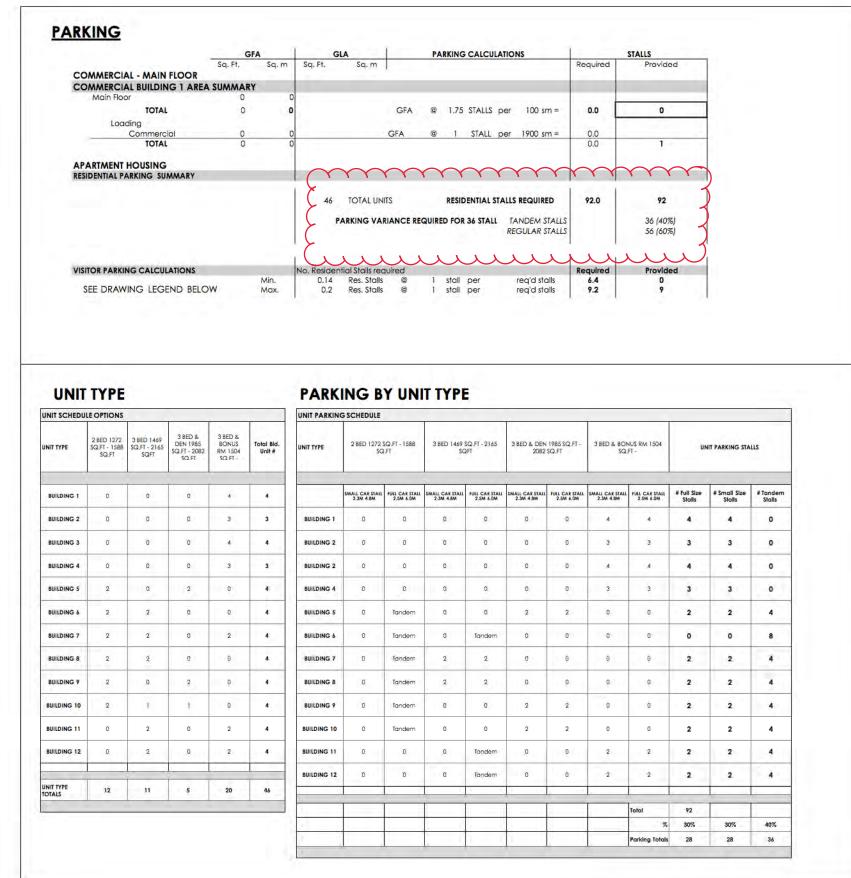
a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

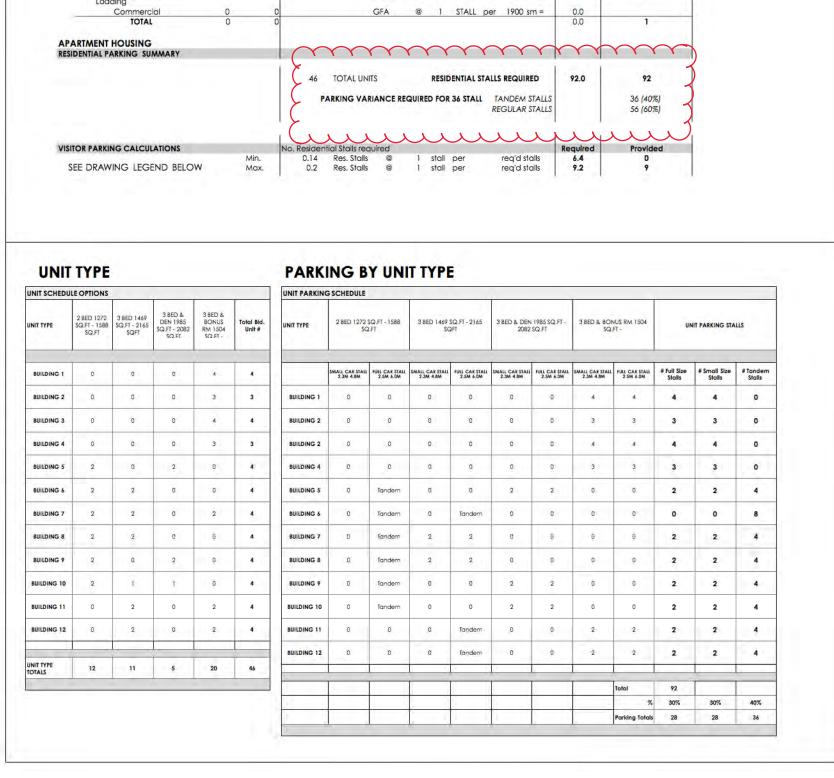
All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly 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.

Development Planning Department 1435 Water Street Kelowna BC V1Y 1J4 planninginfo@kelowna.ca 250 469 8626





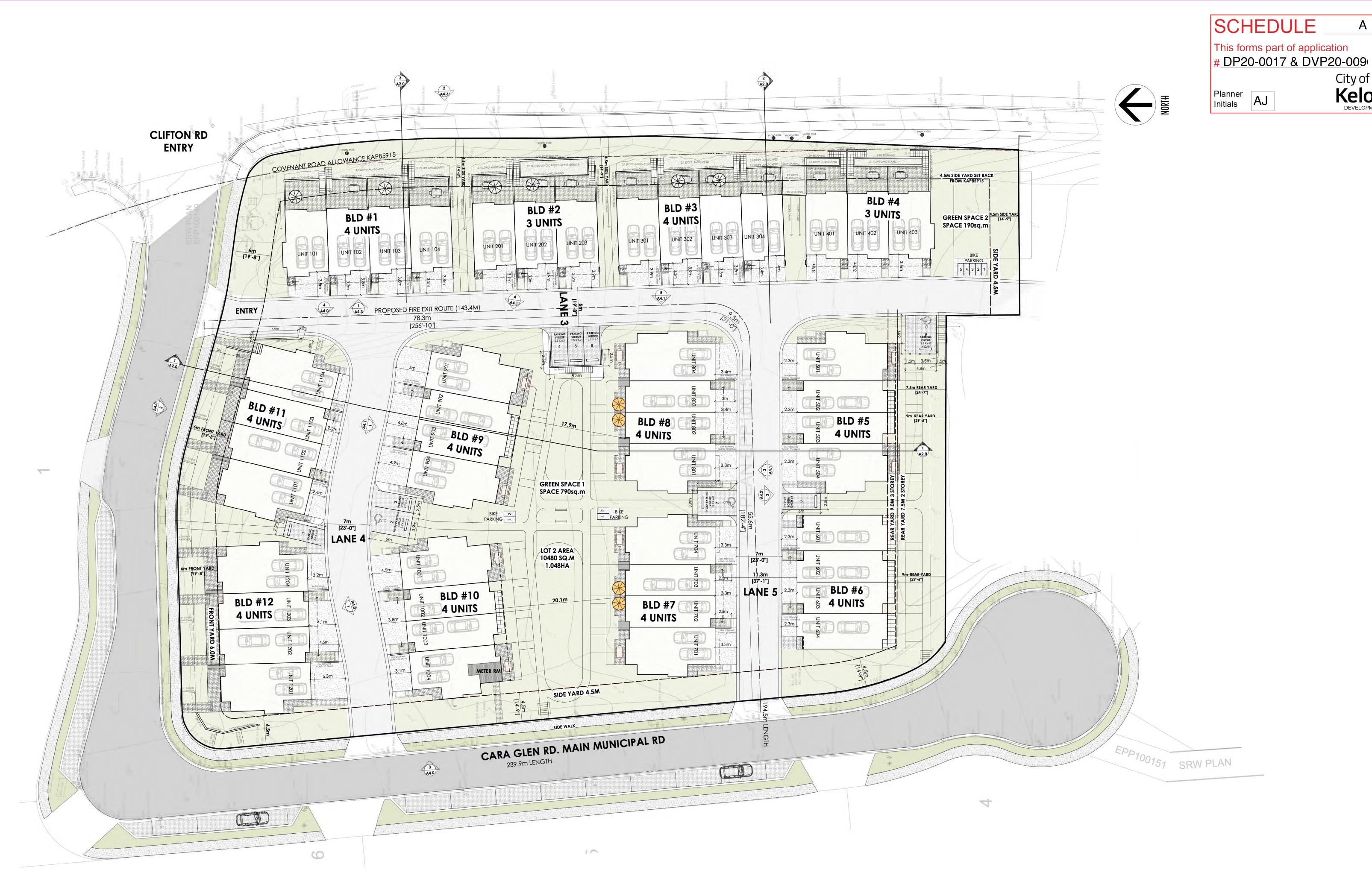












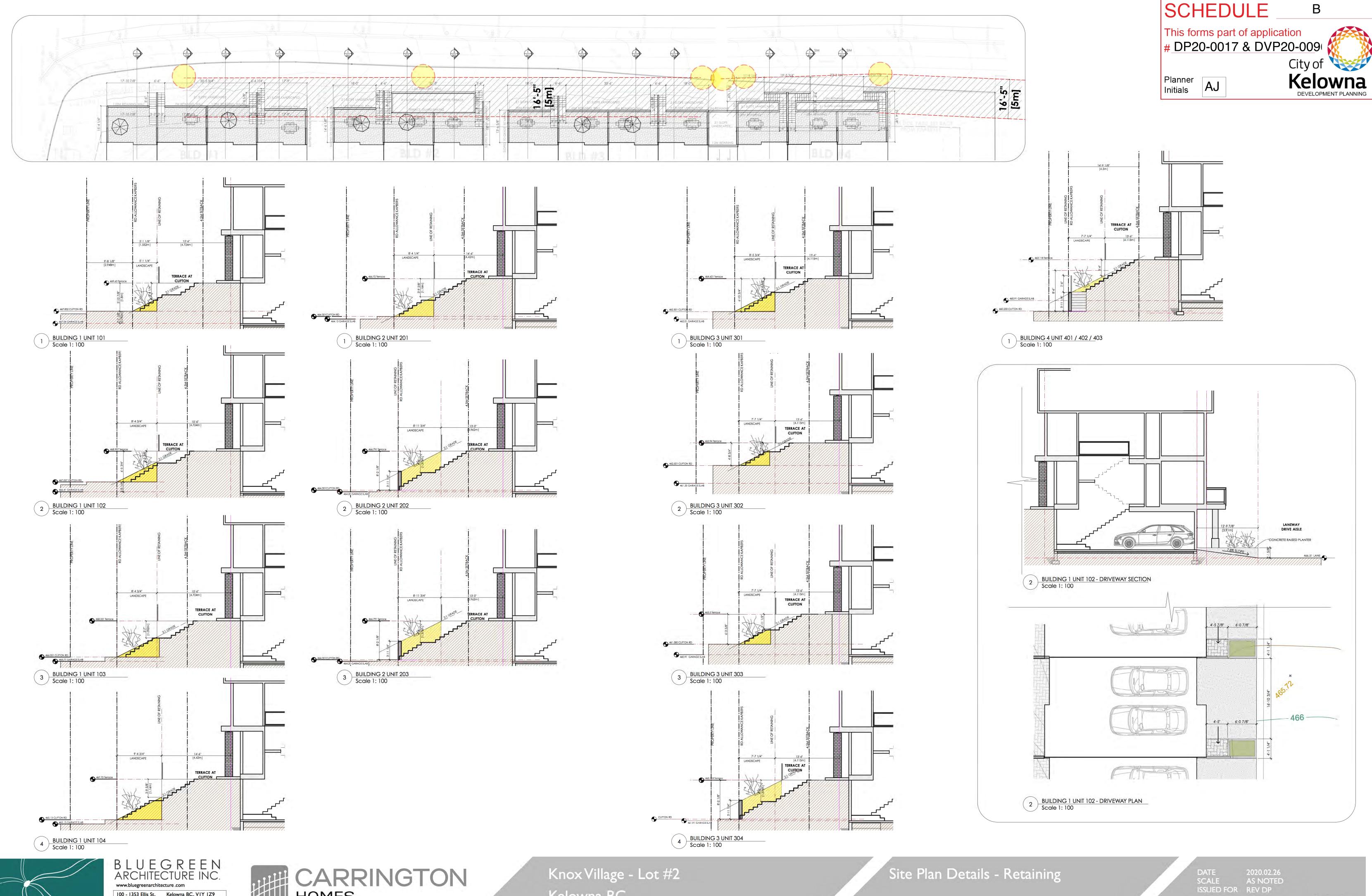
Knox Village - Lot #2

Kelowna BC





Kelowna DEVELOPMENT PLANNING













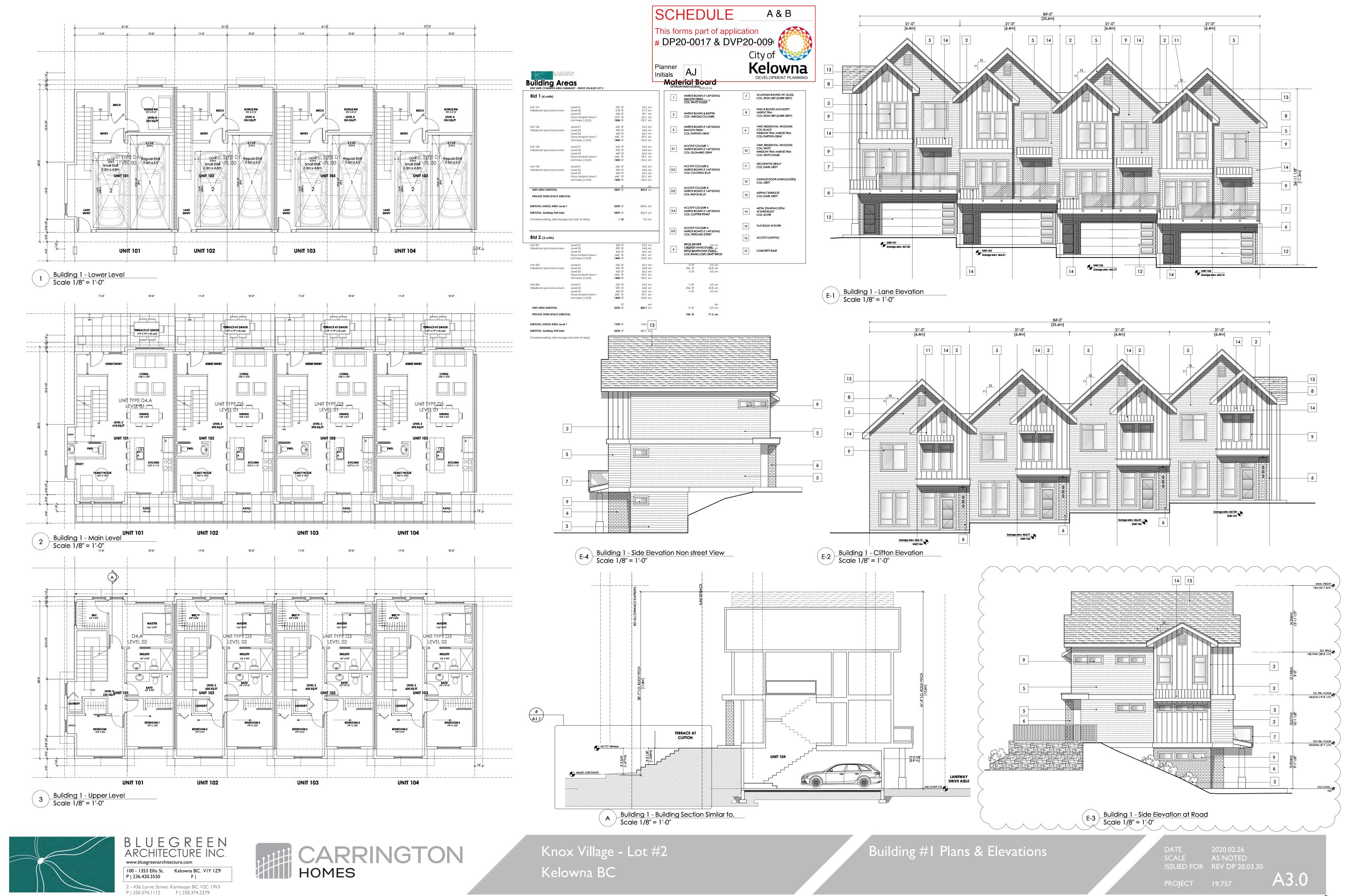
BLUEGREEN ARCHITECTURE INC. www.bluegreenarchitecture.com 2 - 436 Lorne Street, Kamloops BC,V2C TW3 P | 250.374.1112 F | 250.374.2279

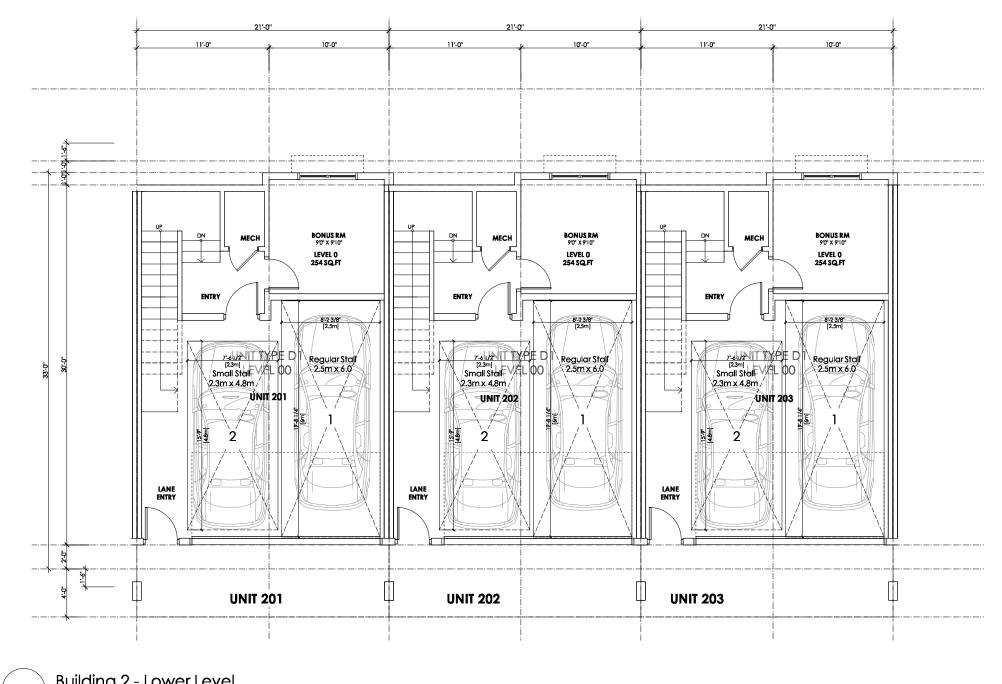


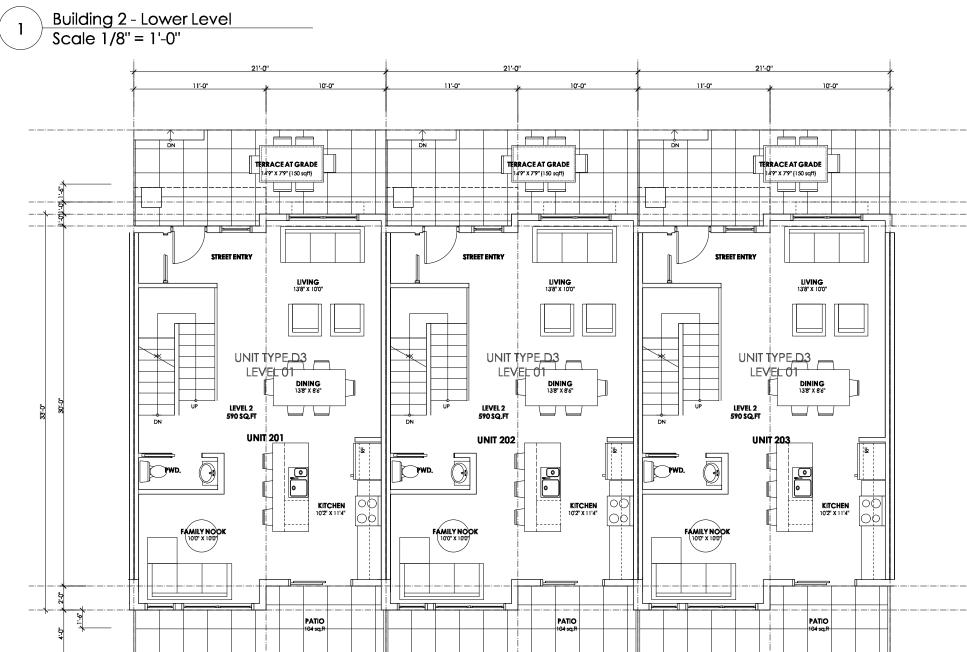
Building Site Sections

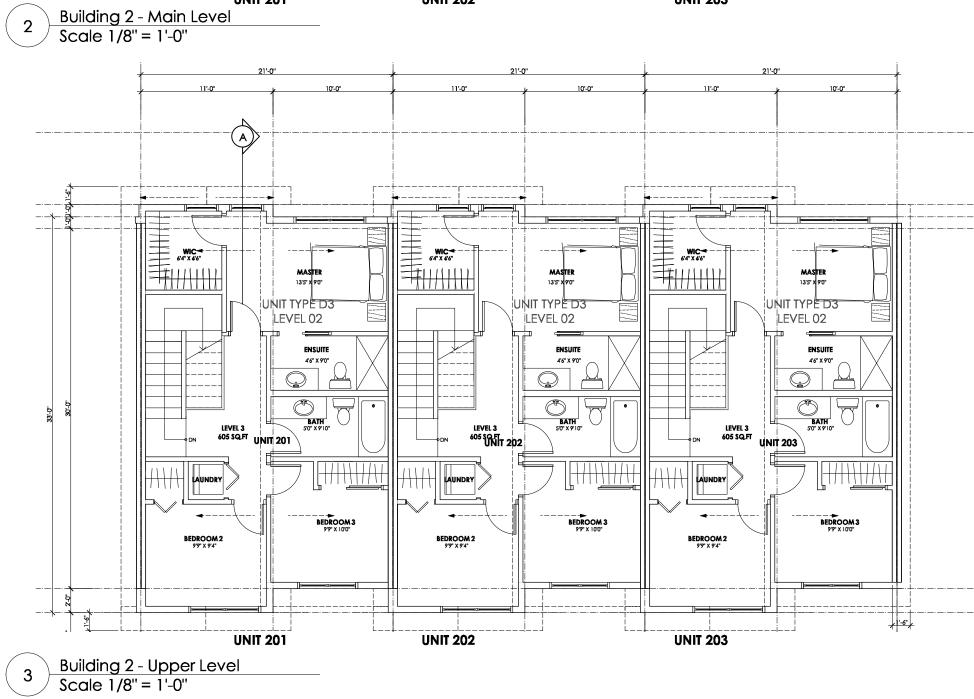
DATE 2020.02.26 SCALE 1: 200 ISSUED FOR REV DP

PROJECT 19.757



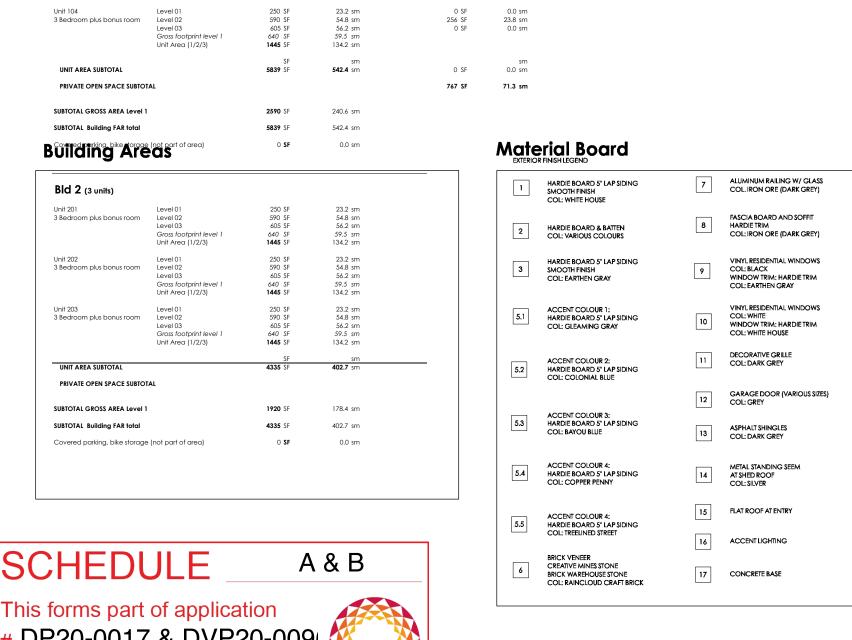




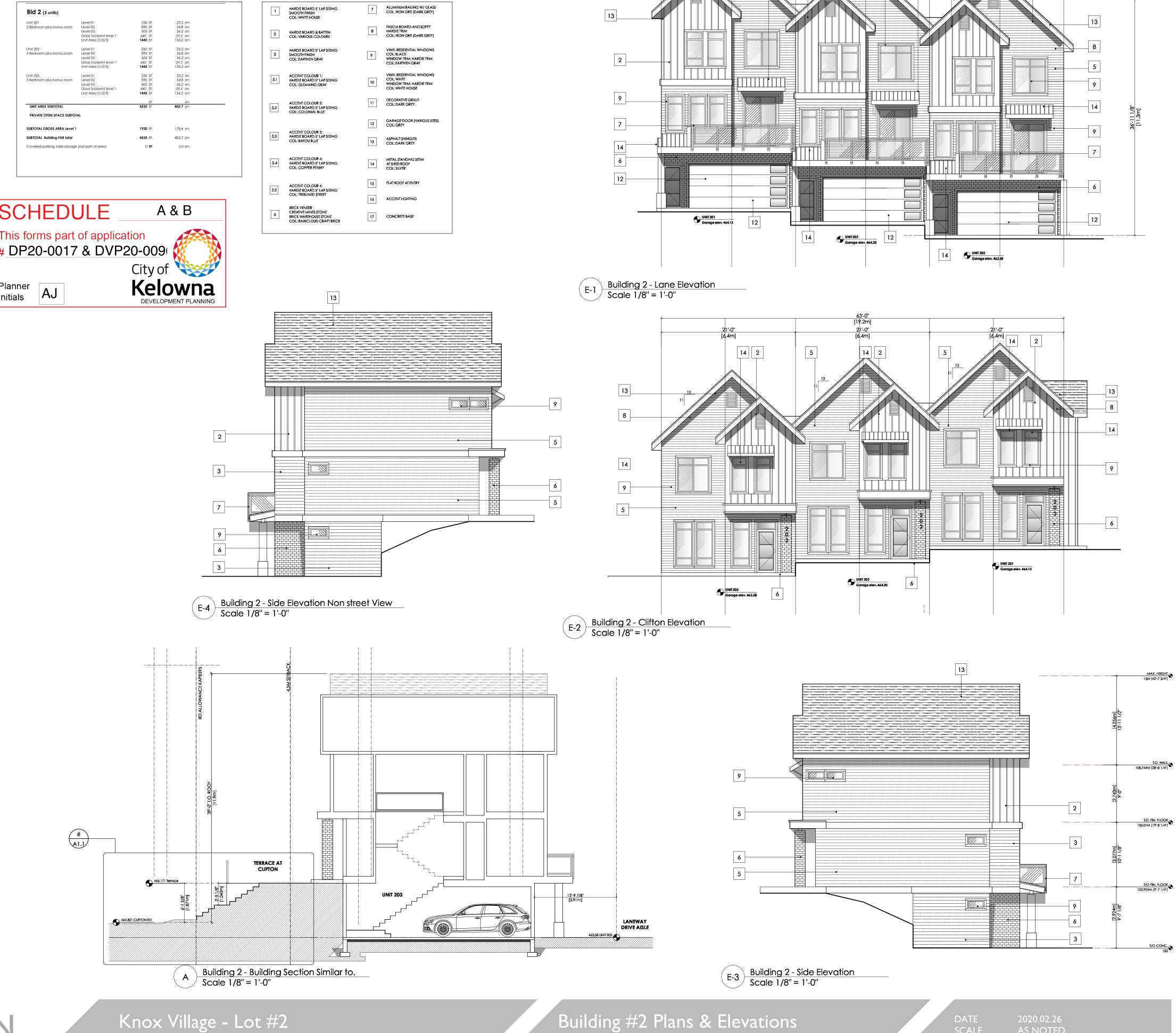




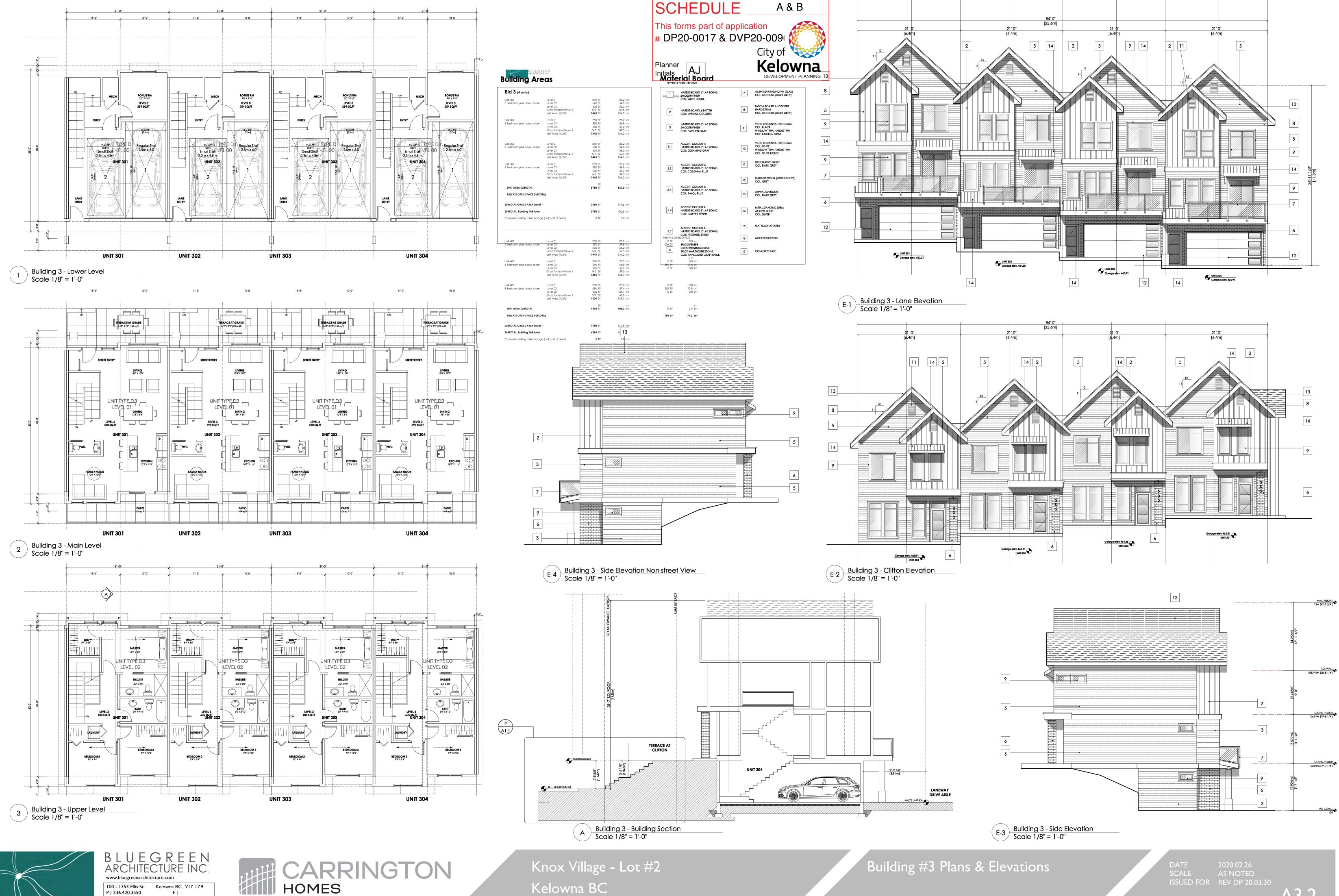
UNIT 203



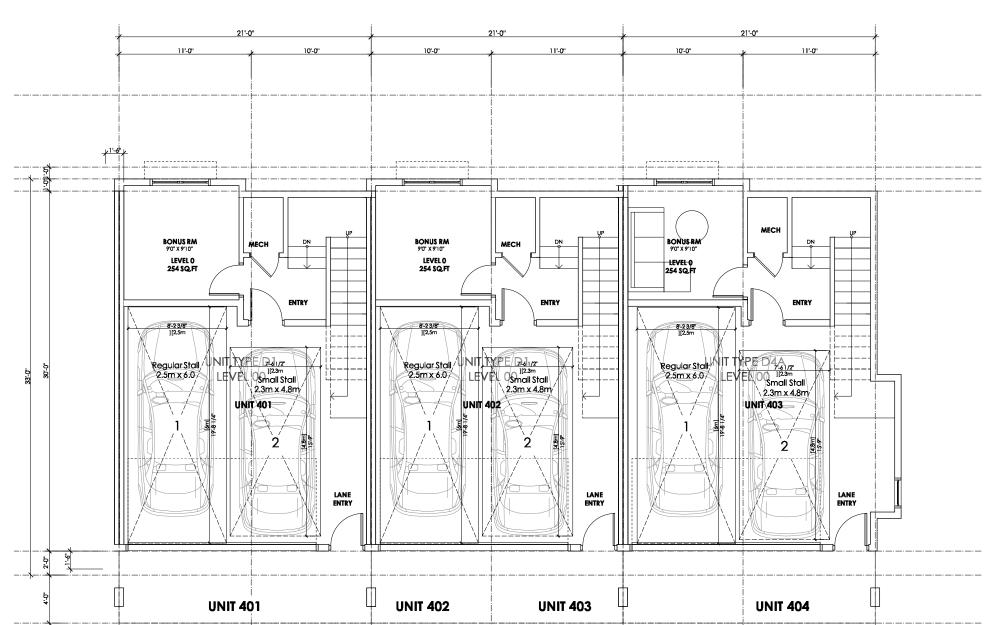
Planner

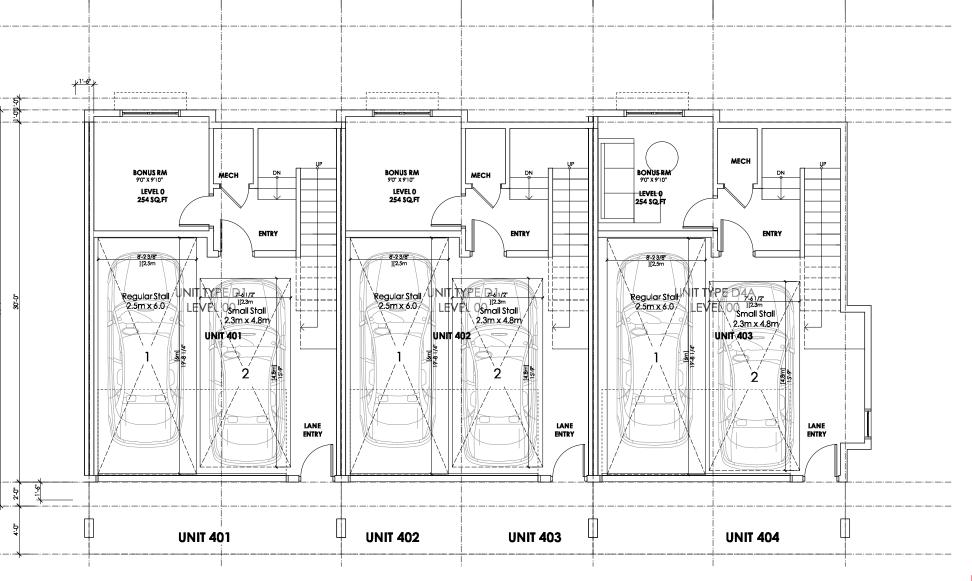


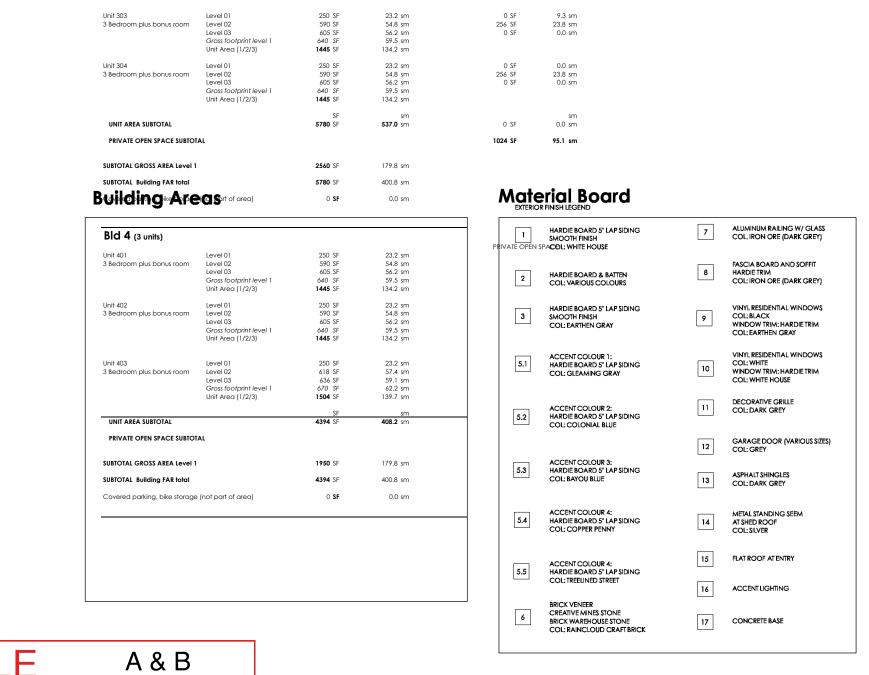
Kelowna BC



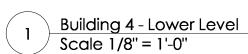


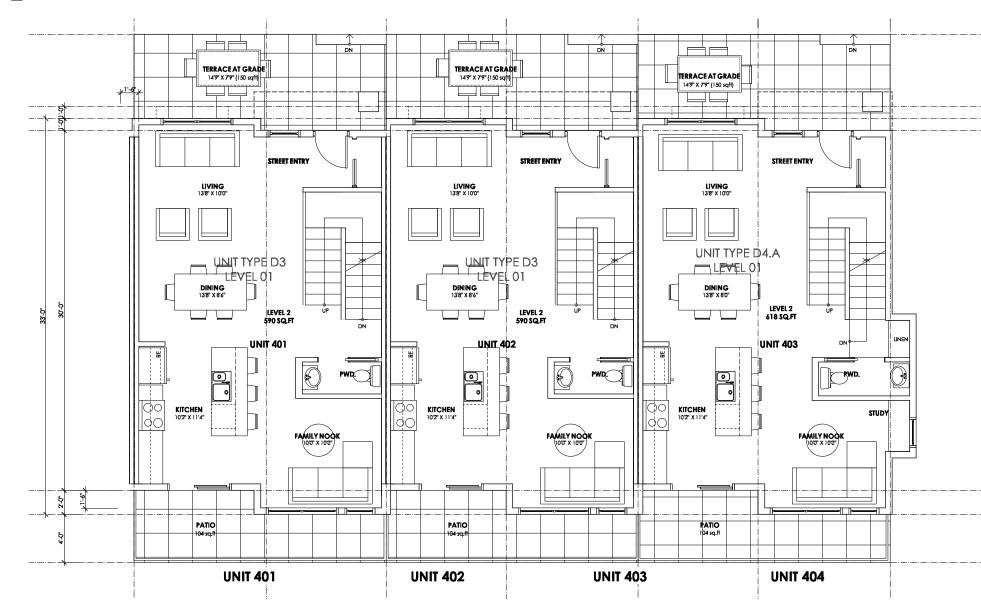




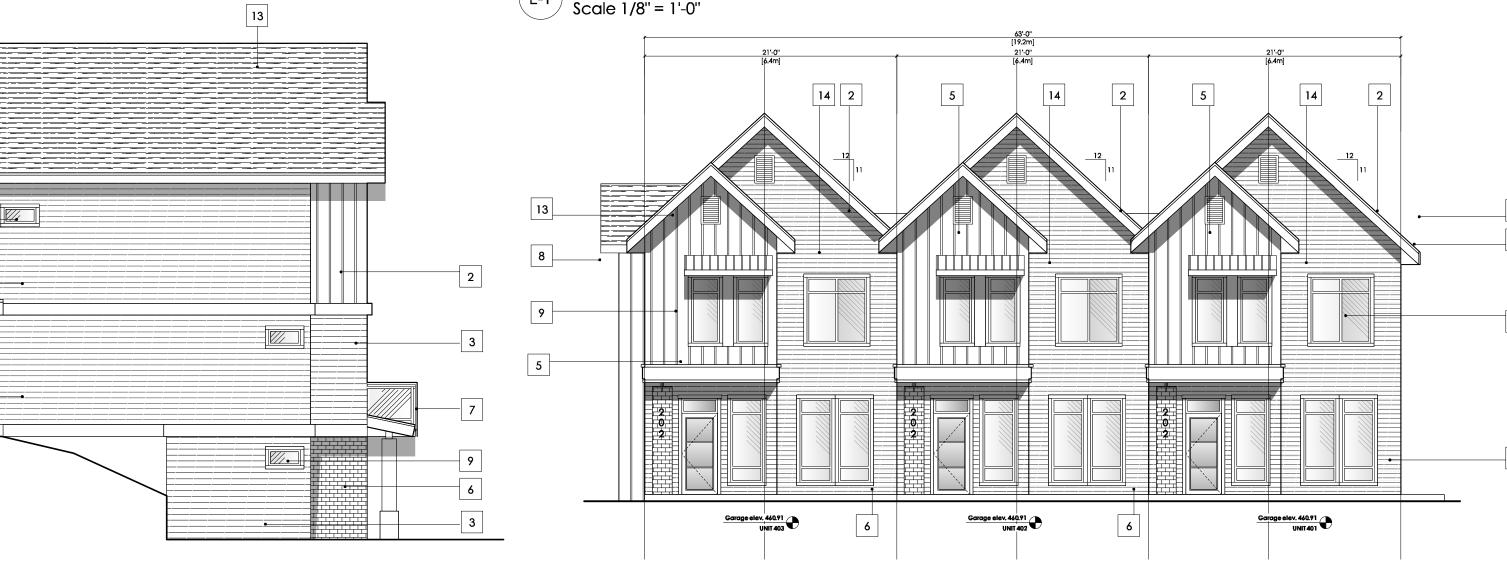




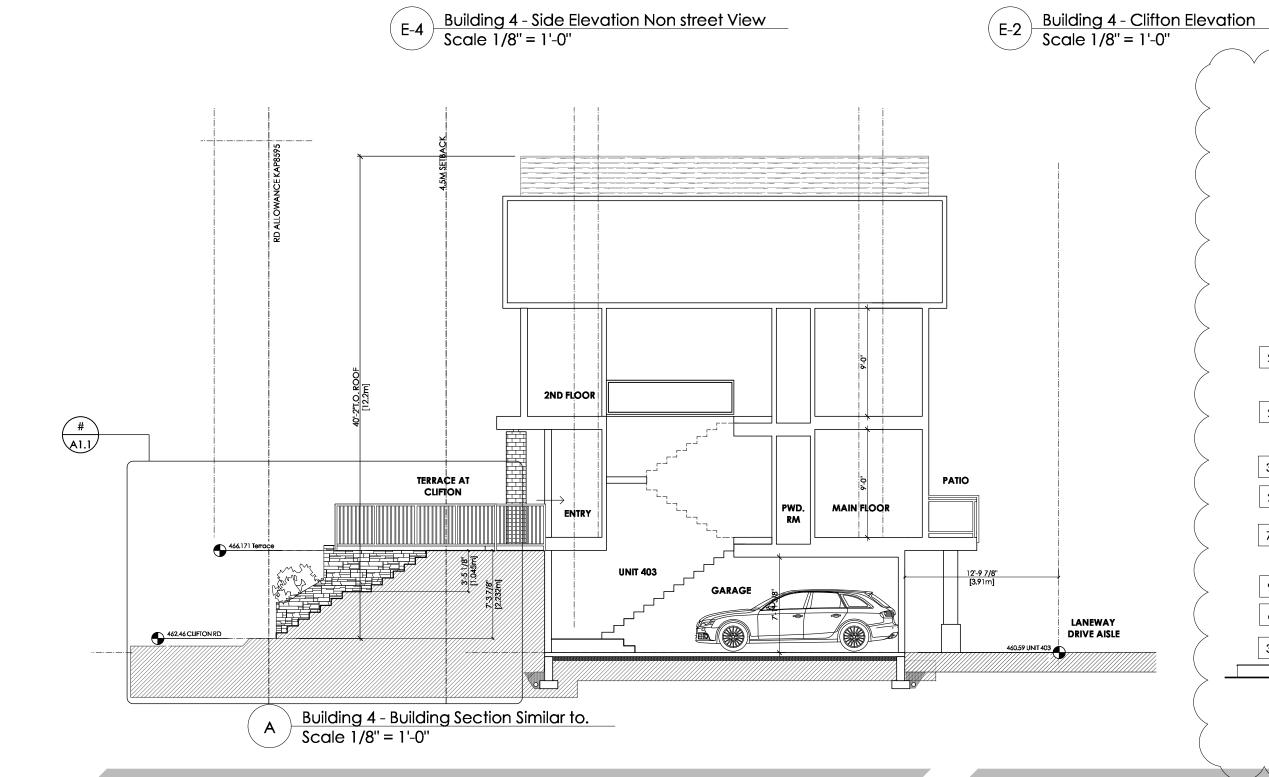


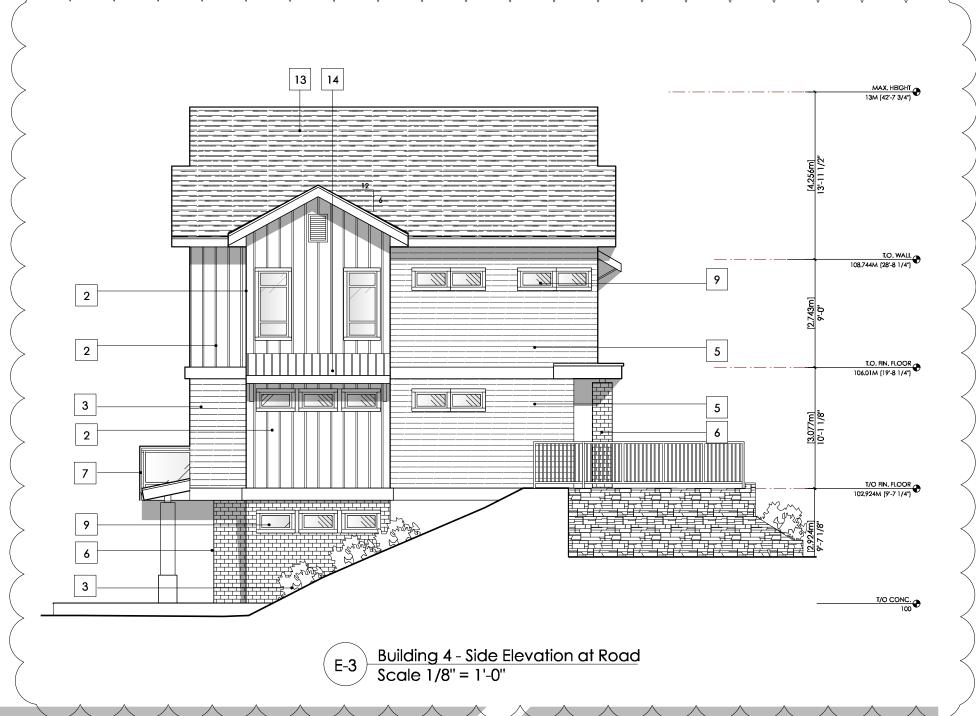






Building 4 - Main Level
Scale 1/8" = 1'-0" LEVEL 02 **UNIT 401 UNIT 402 UNIT 403 UNIT 404**





Building 4 - Upper Level
Scale 1/8" = 1'-0"

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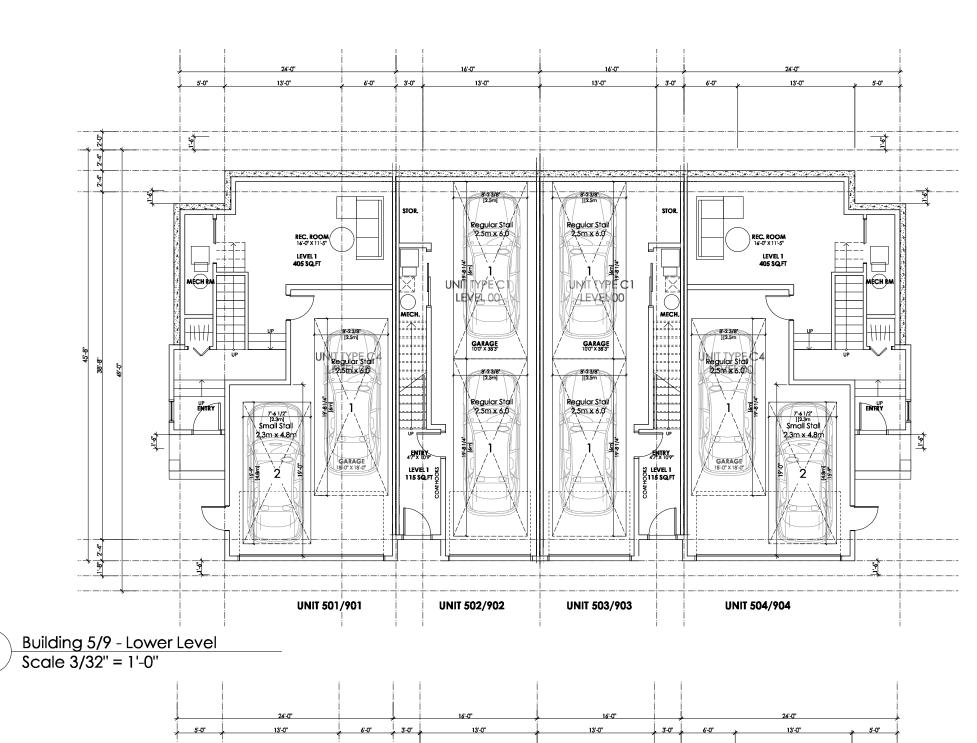


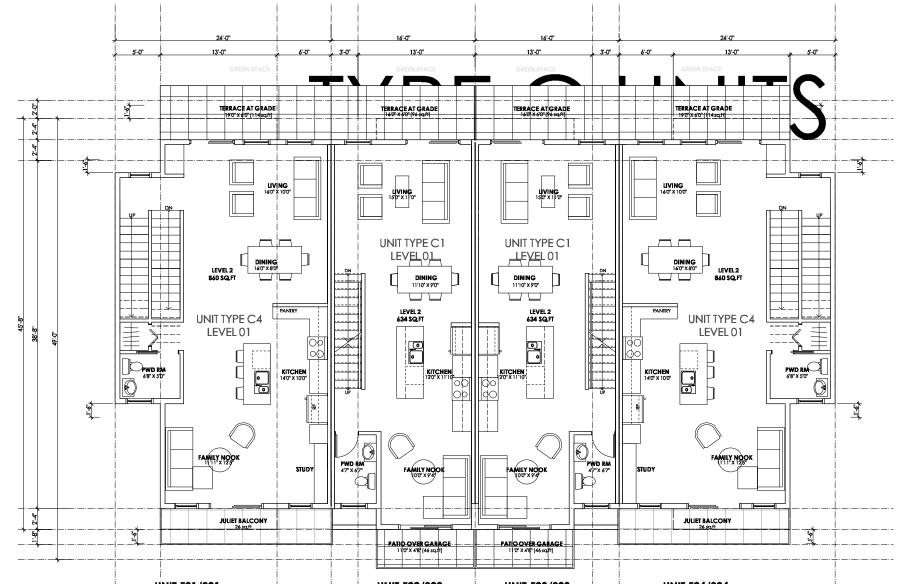
Knox Village - Lot #2 Kelowna BC

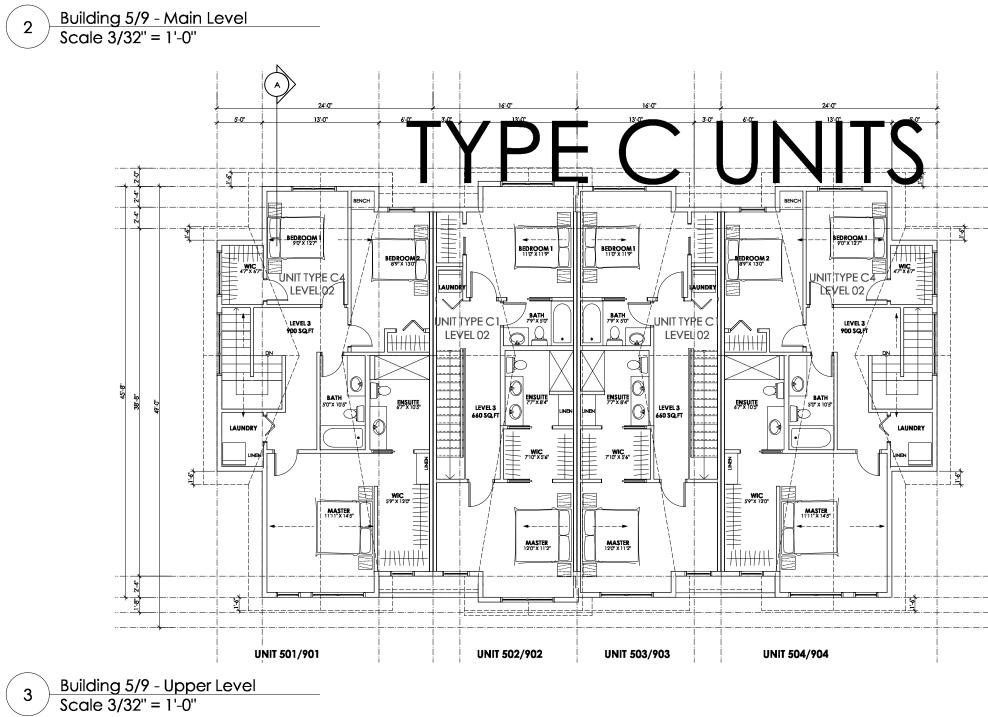
Building #4 Plans & Elevations

AS NOTED ISSUED FOR REV DP 20.03.30

PROJECT 19.757





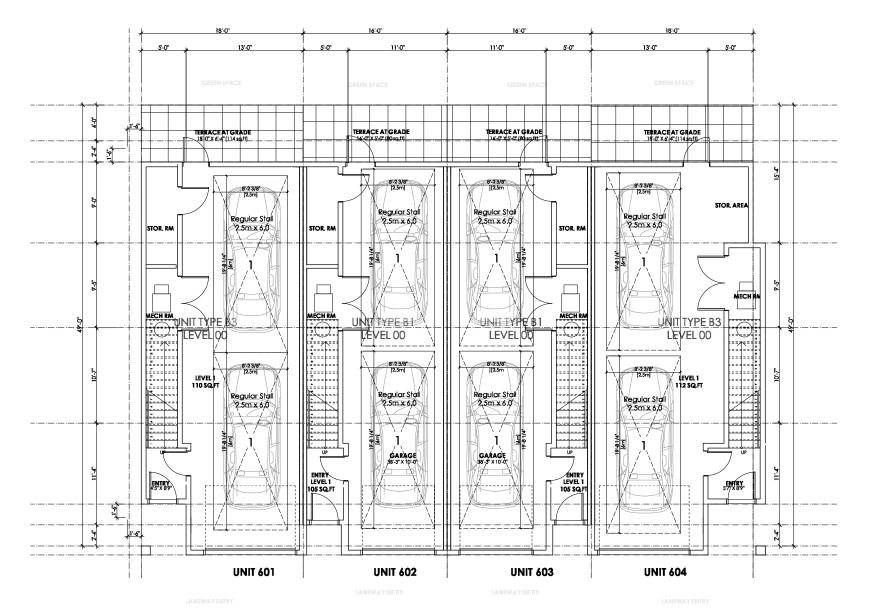




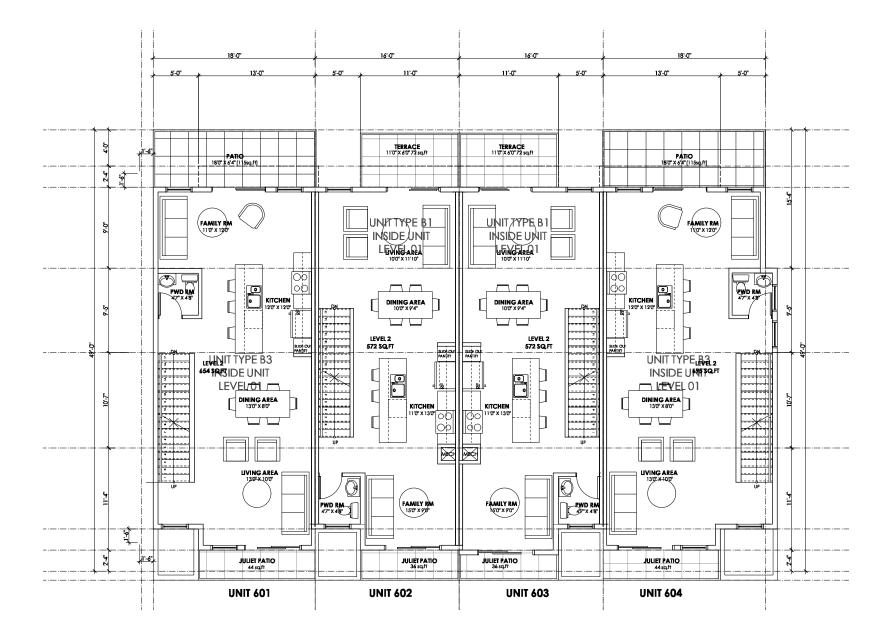


Building #5 Plans & Elevations

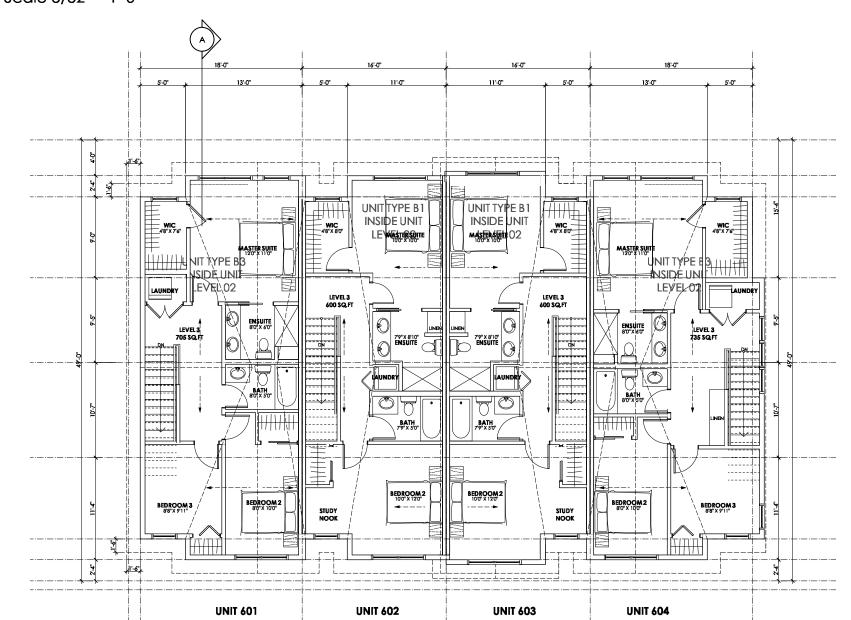
2020.02.26 AS NOTED ISSUED FOR REV DP 20.03.30



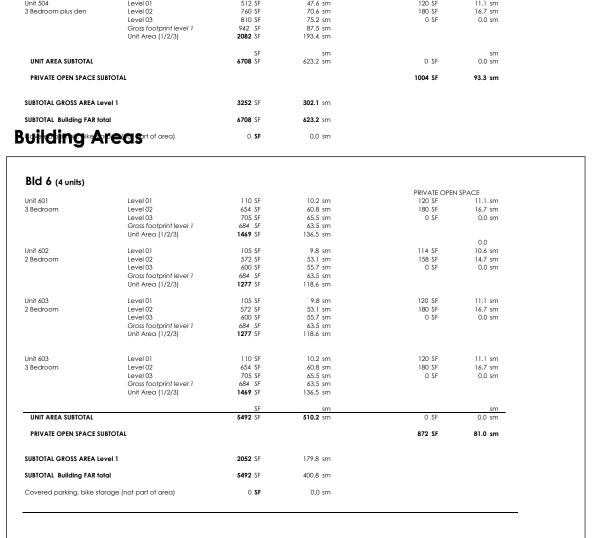
Building 6 - Lower Level
Scale 3/32" = 1'-0"



Building 6 - Main Level
Scale 3/32" = 1'-0"



Building 6 - Upper Level
Scale 3/32" = 1'-0"



A & B

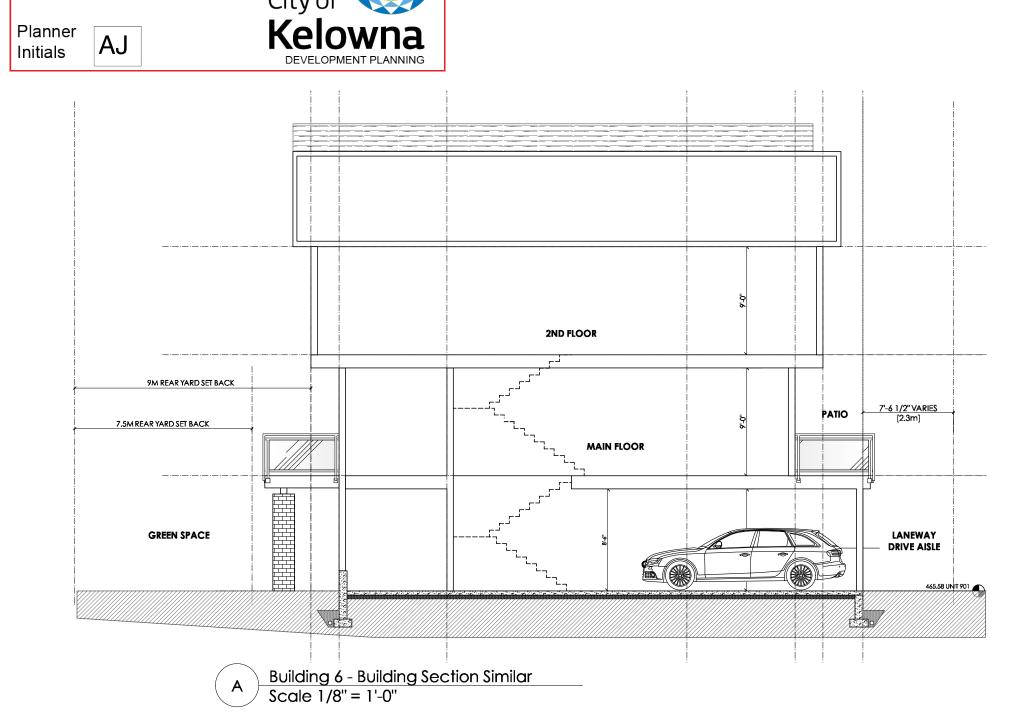
SCHEDULE

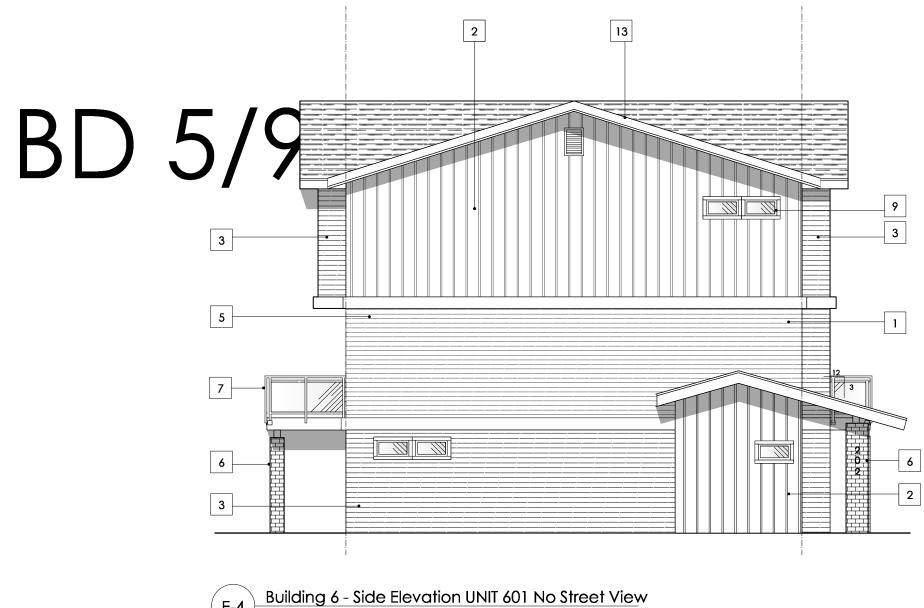
This forms part of application

DP20-0017 & DVP20-009 🥻

Material Board HARDIE BOARD 5" LAP SIDING SMOOTH FINISH COL: WHITE HOUSE ALUMINUM RAILING W/ GLASS COL. IRON ORE (DARK GREY) FASCIA BOARD AND SOFFIT HARDIE TRIM COL: IRON ORE (DARK GREY) 2 HARDIE BOARD & BATTEN COL: VARIOUS COLOURS VINYL RESIDENTIAL WINDOWS COL: BLACK WINDOW TRIM: HARDIE TRIM COL: EARTHEN GRAY VINYL RESIDENTIAL WINDOWS COL: WHITE WINDOW TRIM: HARDIE TRIM COL: WHITE HOUSE ACCENT COLOUR 2: HARDIE BOARD 5" LAP SIDING COL; COLONIAL BLUE GARAGE DOOR (VARIOUS SIZES)
COL: GREY ASPHALT SHINGLES COL: DARK GREY 15 FLAT ROOF AT ENTRY 16 ACCENT LIGHTING

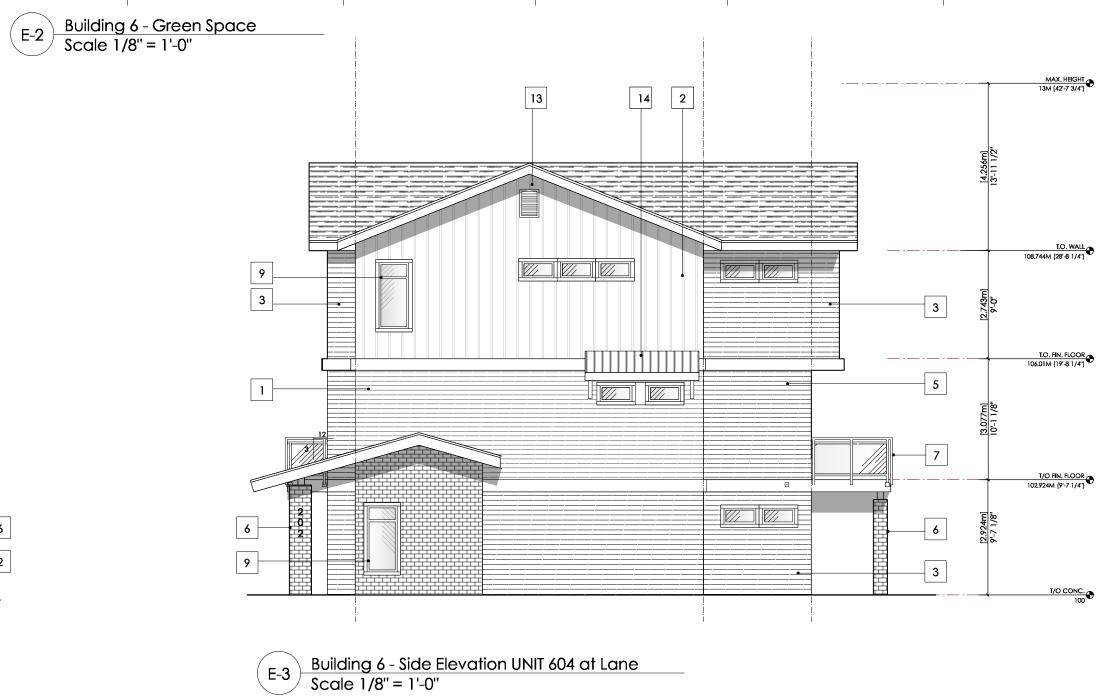






Building 6 - Side Elevation UNIT 601 No Street View Scale 1/8" = 1'-0"

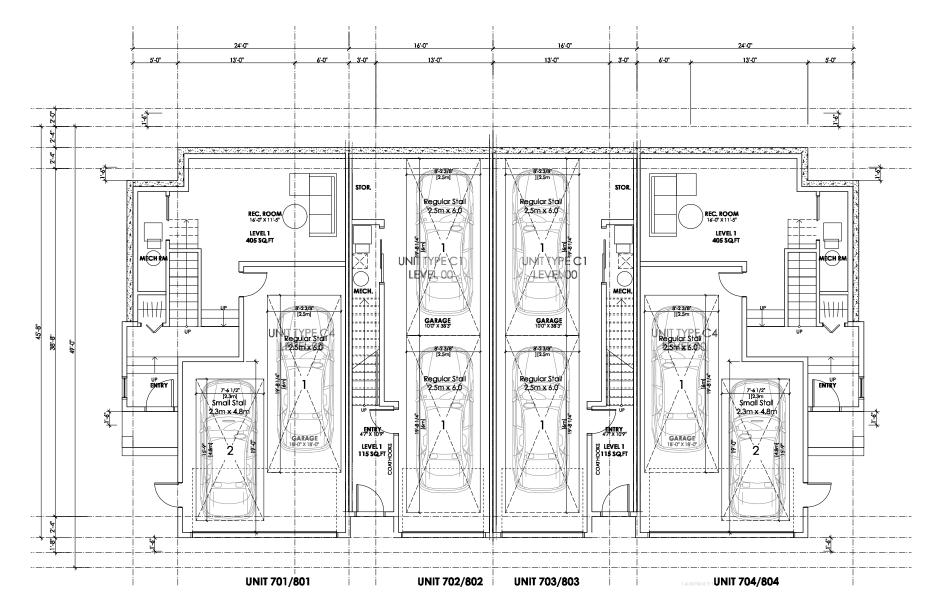


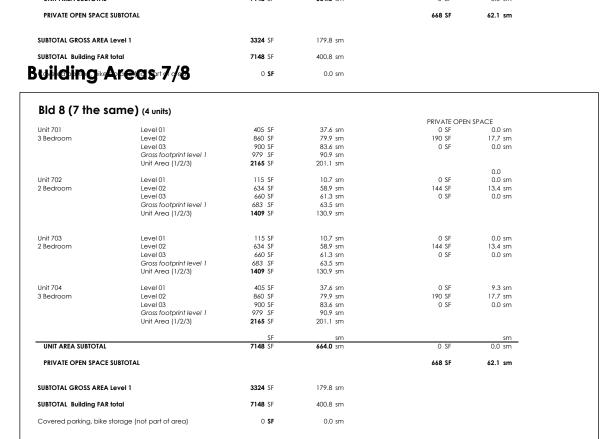


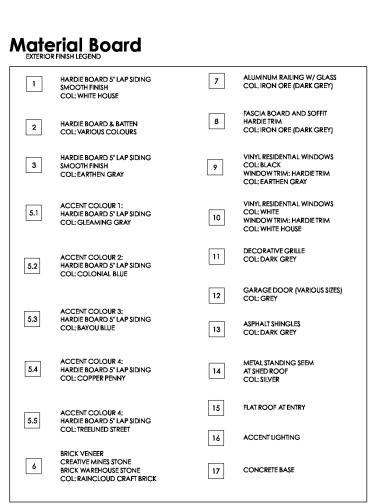




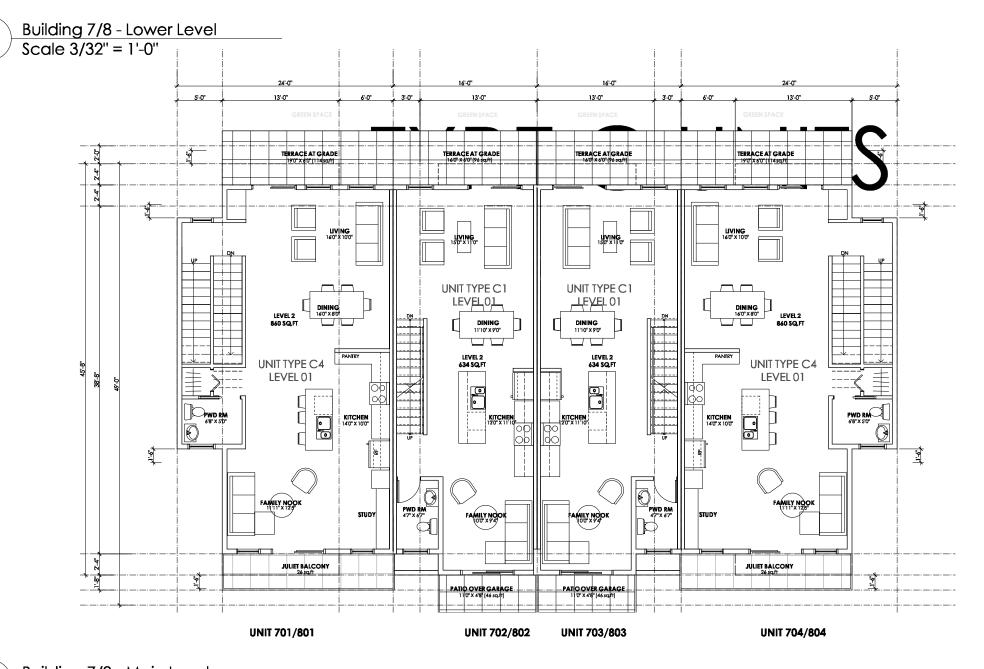
Building #6 Plans & Elevations

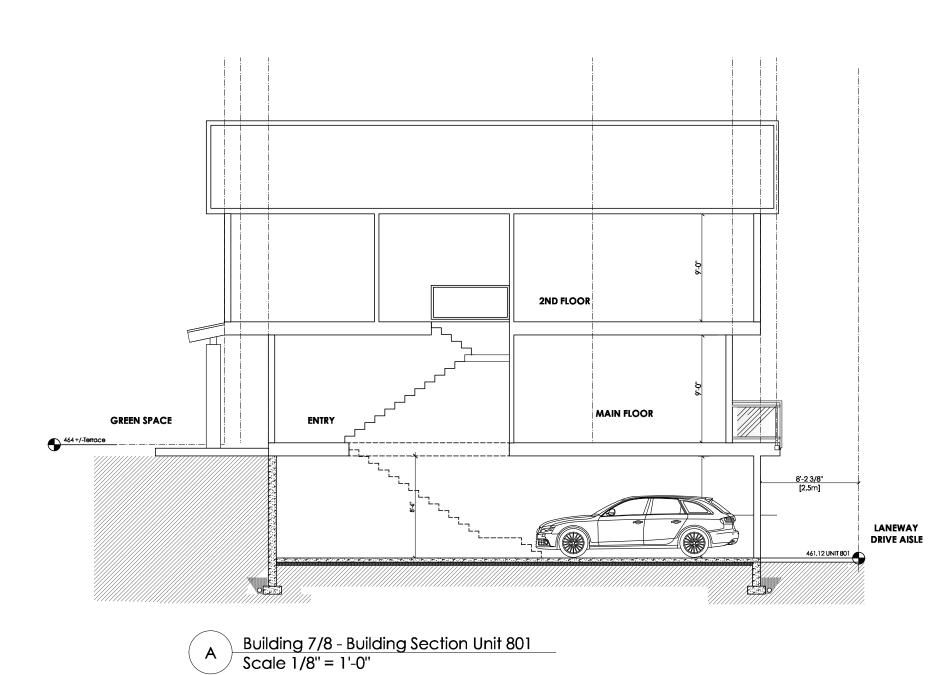




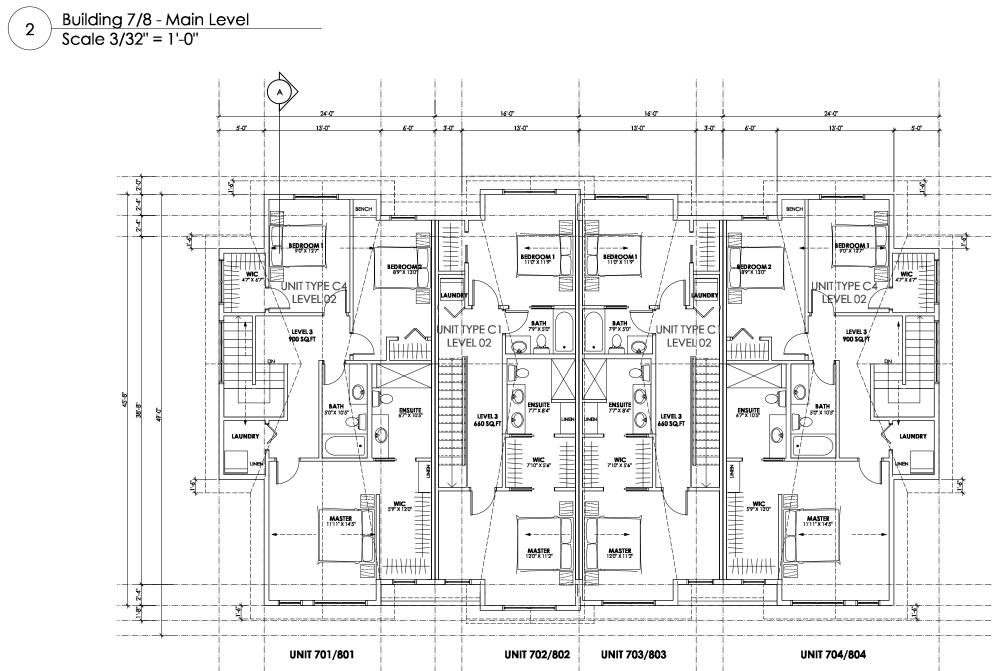




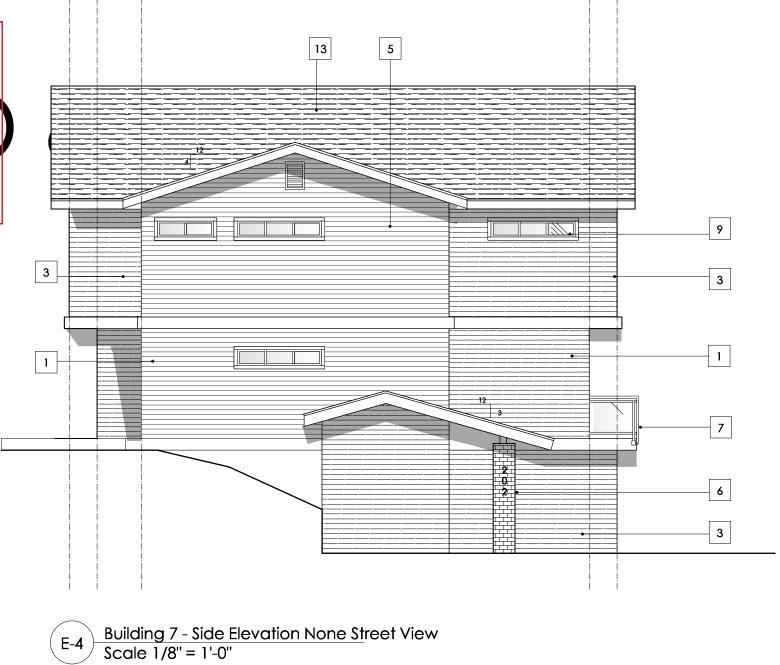


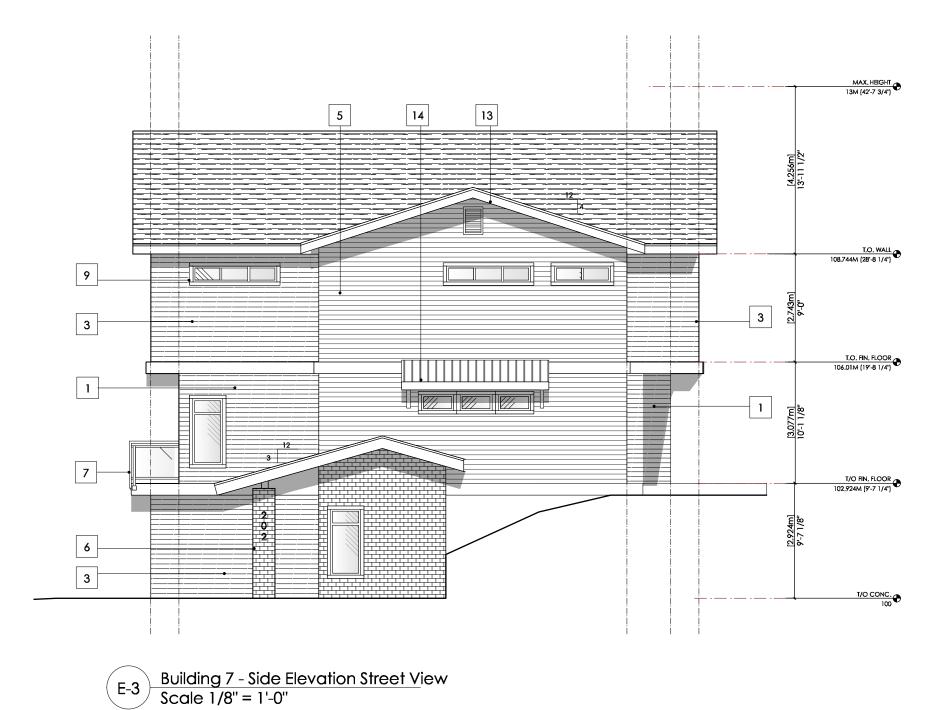














Building 7/8 - Upper Level
Scale 3/32" = 1'-0"

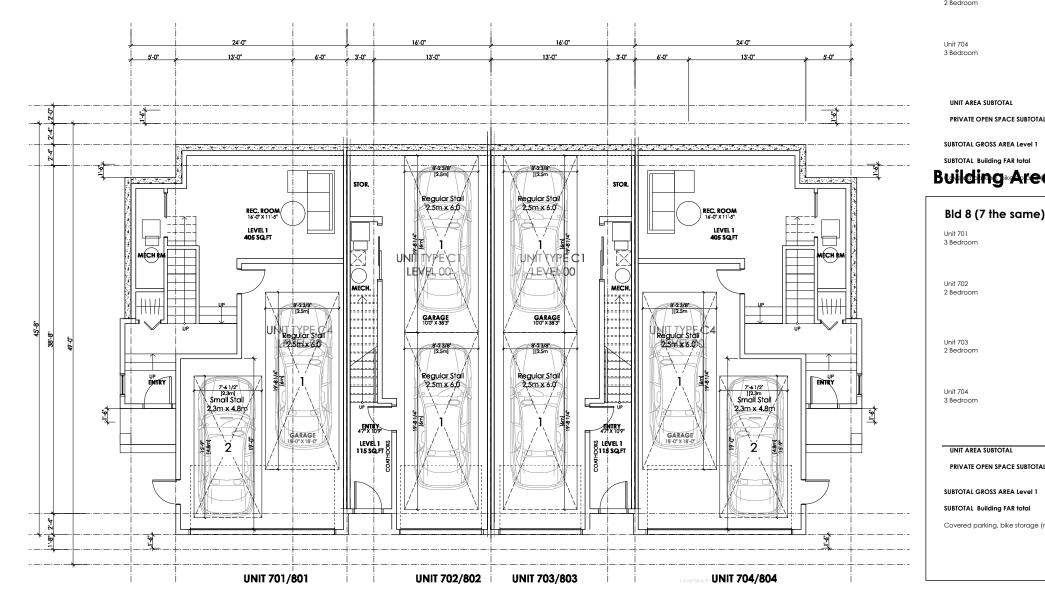
B L U E G R F EN P E CURITS TO SHIP St., www.bluegreenarchitecture.com

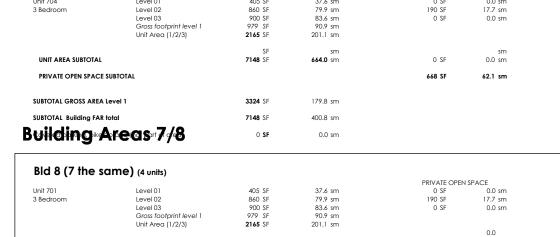
100 - 1353 Ellis St., P | 236.420.3550 F | HOMES

Knox Village - Lot #2 Kelowna BC Building #7 Plans & Elevations

DATE 2020.02.26
SCALE AS NOTED
ISSUED FOR REV DP 20.03.30
PROJECT 19.757

A3.6





SUBTOTAL Building FAR tota	Į	7148 SF	400.8 sm			
uilding Areas 7/8		0 SF	0.0 sm			
Bld 8 (7 the san	1e) (4 units)					
-	-			PRIVATE OPEN	PRIVATE OPEN SPACE	
Unit 701	Level 01	405 SF	37.6 sm	0 SF	0.0 sm	
3 Bedroom	Level 02	860 SF	79.9 sm	190 SF	17.7 sm	
	Level 03	900 SF	83.6 sm	0 SF	0.0 sm	
	Gross footprint level 1	979 SF	90.9 sm			
	Unit Area (1/2/3)	2165 SF	201.1 sm			
					0.0	
Unit 702	Level 01	115 SF	10.7 sm	0 SF	0.0 sm	
2 Bedroom	Level 02	634 SF	58.9 sm	144 SF	13.4 sm	
	Level 03	660 SF	61.3 sm	0 SF	0.0 sm	
	Gross footprint level 1	683 SF	63.5 sm			
	Unit Area (1/2/3)	1409 SF	130.9 sm			
Unit 703	Level 01	115 SF	10.7 sm	0 SF	0.0 sm	
2 Bedroom	Level 02	634 SF	58.9 sm	144 SF	13.4 sm	
	Level 03	660 SF	61.3 sm	0 SF	0.0 sm	
	Gross footprint level 1	683 SF	63.5 sm			
	Unit Area (1/2/3)	1409 SF	130.9 sm			
Unit 704	Level 01	405 SF	37.6 sm	0 SF	9.3 sm	
3 Bedroom	Level 02	860 SF	79.9 sm	190 SF	17.7 sm	
	Level 03	900 SF	83.6 sm	O SF	0.0 sm	
	Gross footprint level 1	979 SF	90.9 sm			
	Unit Area (1/2/3)	2165 SF	201.1 sm			
		SF	sm		sm	
UNIT AREA SUBTOTAL		7148 SF	664.0 sm	0 SF	0.0 sm	

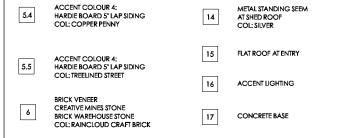


2ND FLOOR

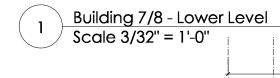
MAIN FLOOR

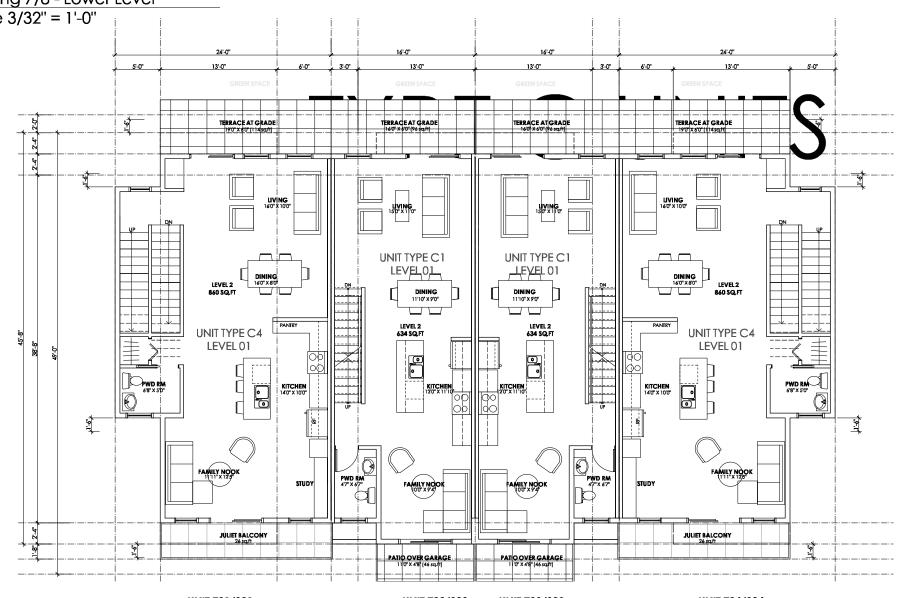
7 ALUMINUM RAILING W/ GLASS COL, IRON ORE (DARK GREY) 9 VINYL RESIDENTIAL WINDOWS
COL: BLACK
WINDOW TRIM: HARDIE TRIM
COL: EARTHEN GRAY VINYLRESIDENTIAL WINDOWS
COL: WHITE
WINDOW TRIM: HARDIE TRIM
COL: WHITE HOUSE





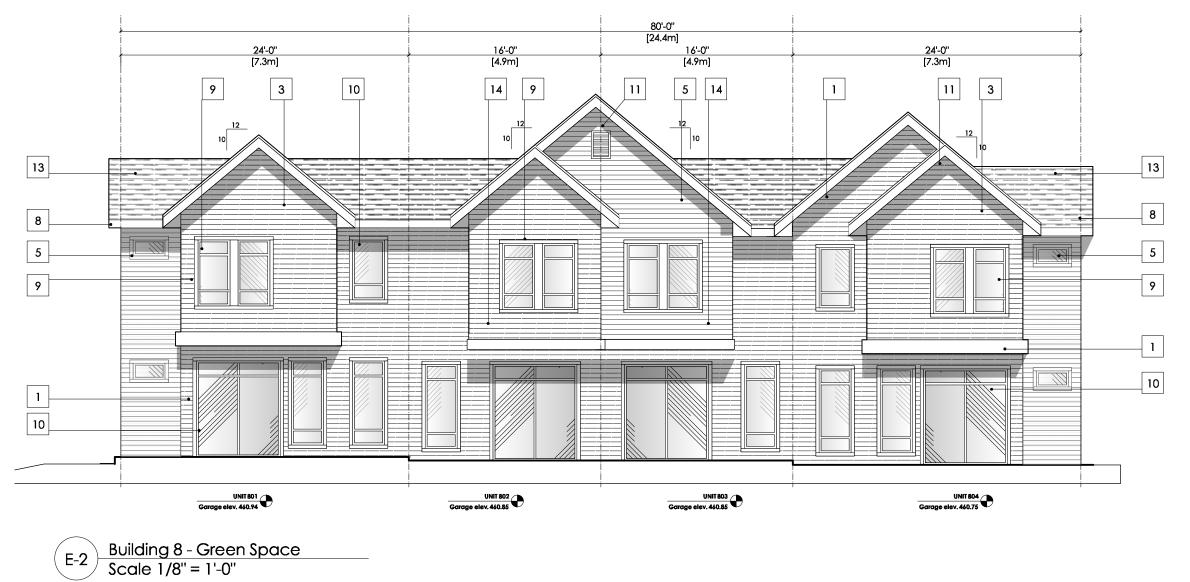




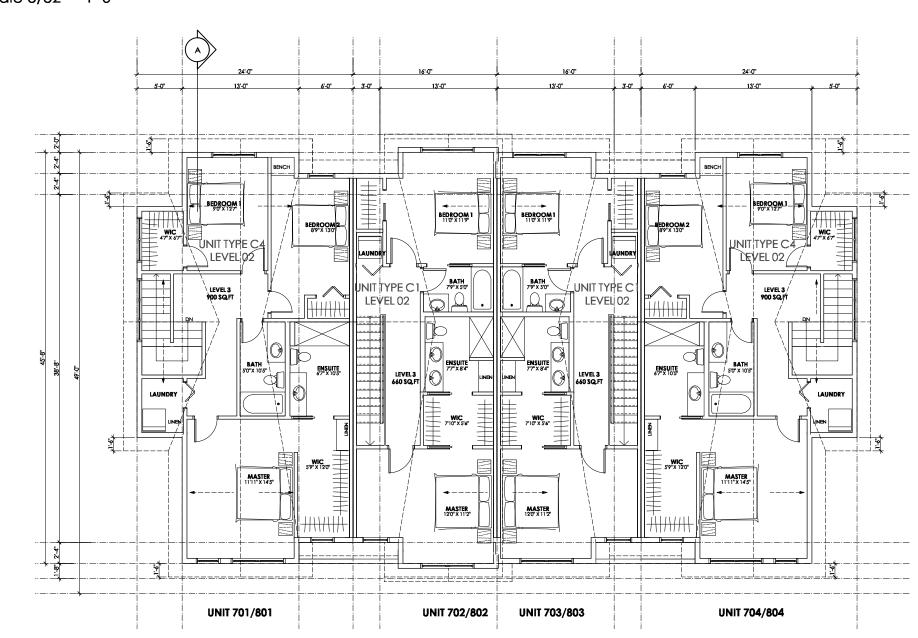


Building 8 - Lane Elevation
Scale 1/8" = 1'-0"

8'-2 3/8" [2.5m]



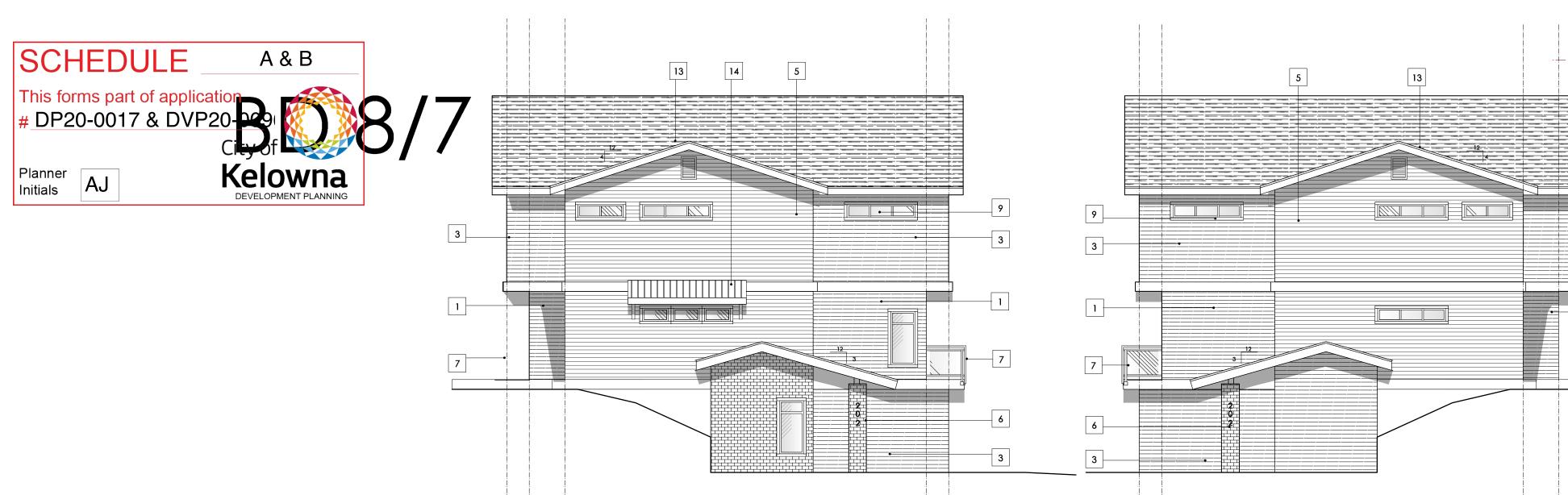
Building 7/8 - Main Level Scale 3/32" = 1'-0"



A Building 7/8 - Building Section Unit 801
Scale 1/8" = 1'-0"

GREEN SPACE

464+/-Теттасе



E-3 Building 8 - Side Elevation Lane View Scale 1/8" = 1'-0"

E-3 Building 8 - Side Elevation no street view Scale 1/8" = 1'-0"



3 Building 7/8 - Upper Level Scale 3/32" = 1'-0"

HOMES 100 - 1353 Ellis St, Kelowna BC, VIY IZ9

Knox Village - Lot #2 Kelowna BC

Building #8 Plans & Elevations

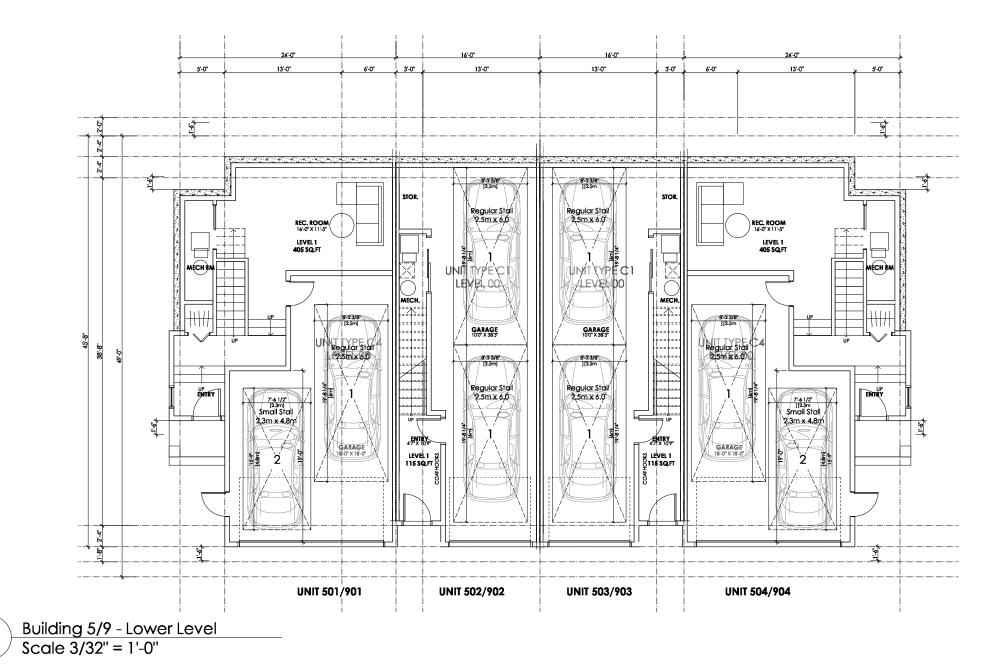
2020.02.26 AS NOTED ISSUED FOR REV DP 20.03.30

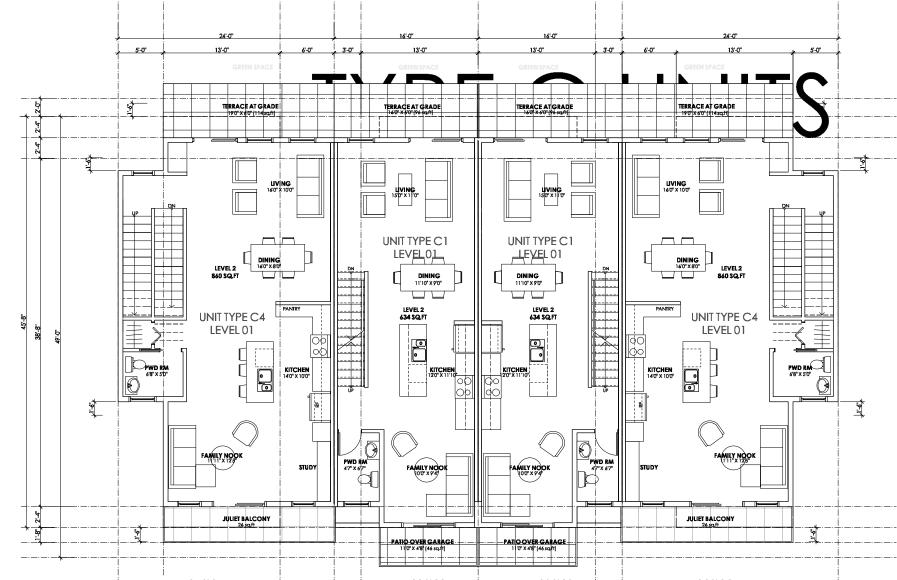
PROJECT 19.757

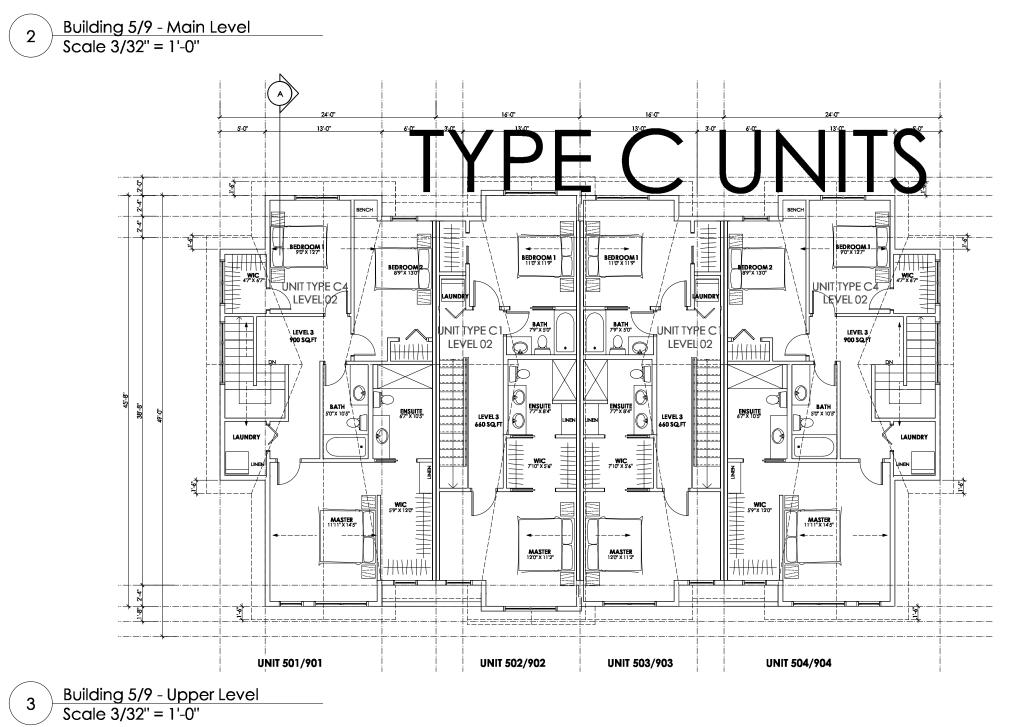
3

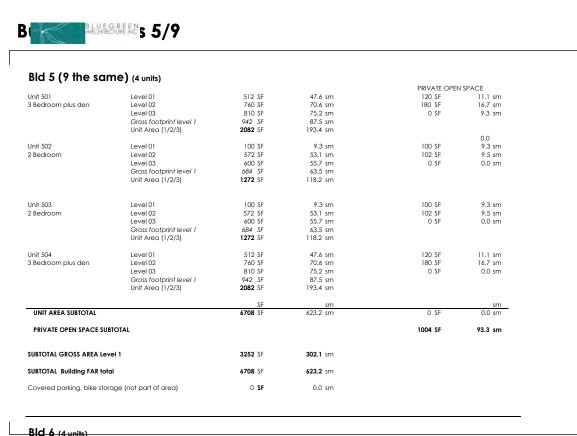
T.O. FIN. FLOOR 106.01M (19'-8 1/4")

T/O FIN. FLOOR 102,924M (9'-7 1/4")



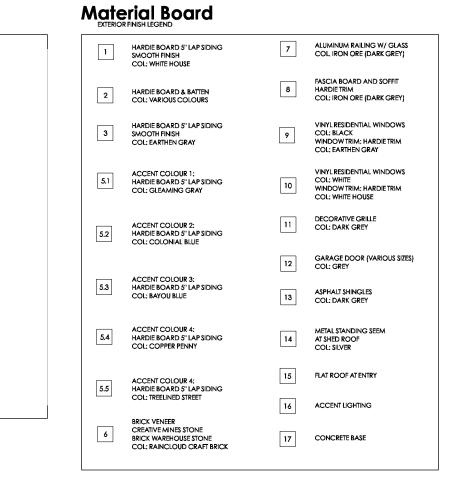




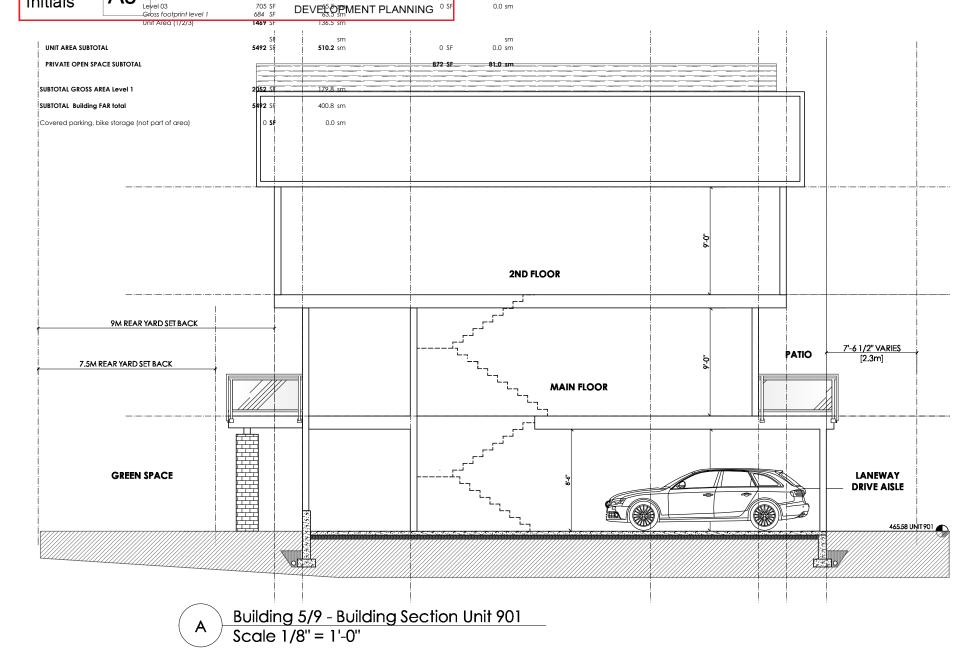


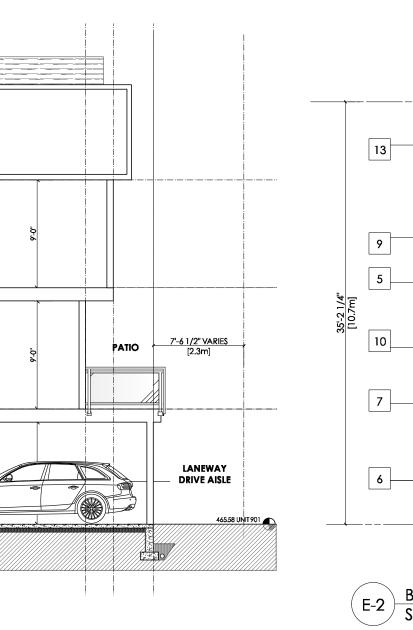
This forms plant of application 9.8 sm 53.1 sm 55.7 sm 4 DP20-00 1 Provided DVP 20-00 9 1 P

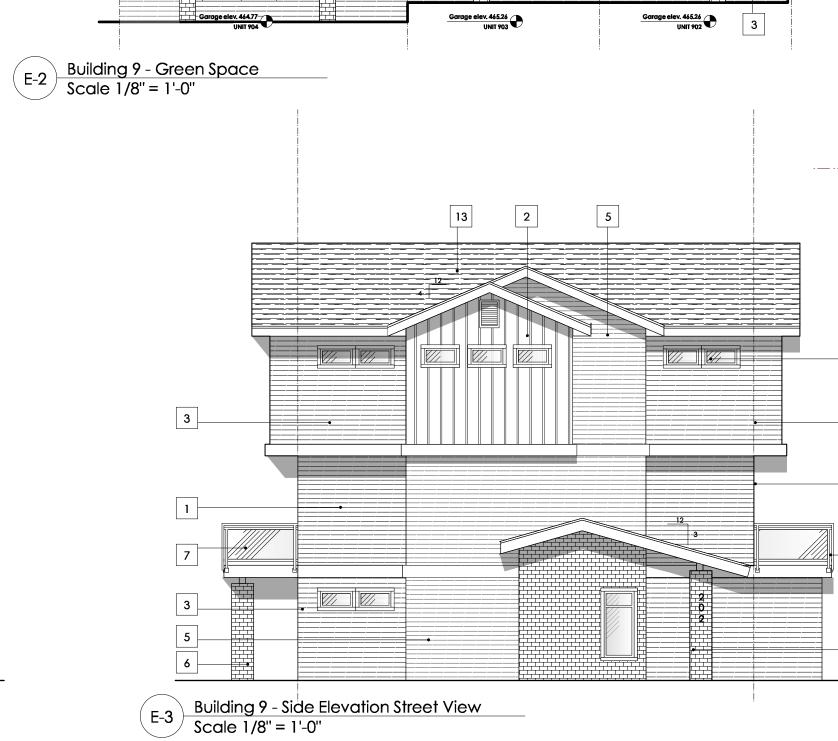
Initials AJ Level 01 Level 02 Level 03

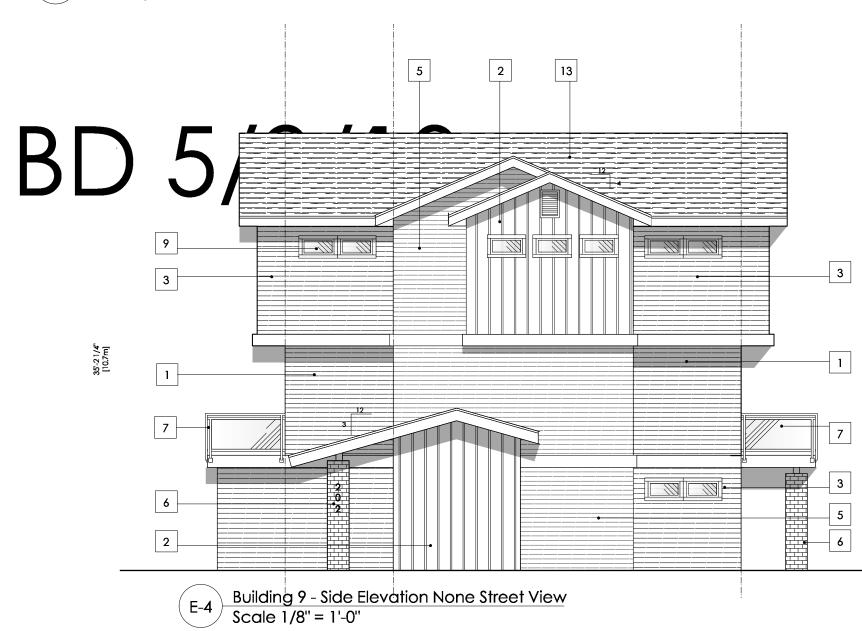


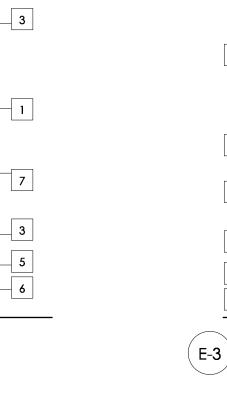














Knox Village - Lot #2 Kelowna BC

Building #9 Plans & Elevations

5 11

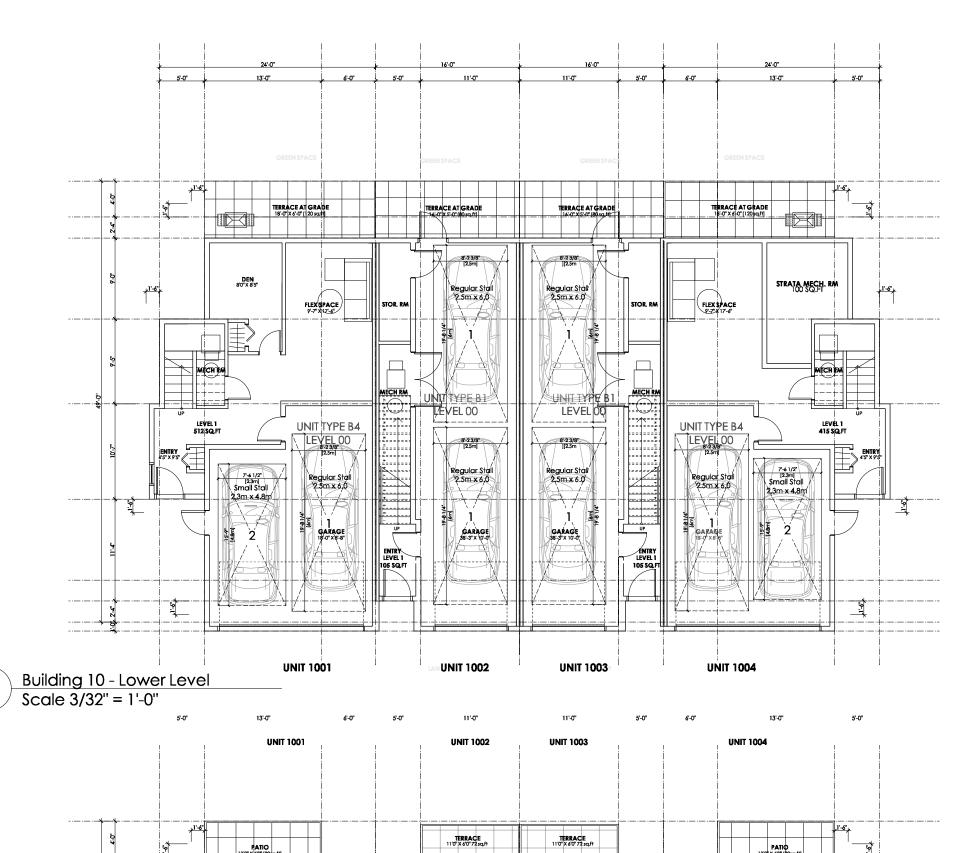
2020.02.26 AS NOTED ISSUED FOR REV DP 20.03.30 PROJECT 19.757

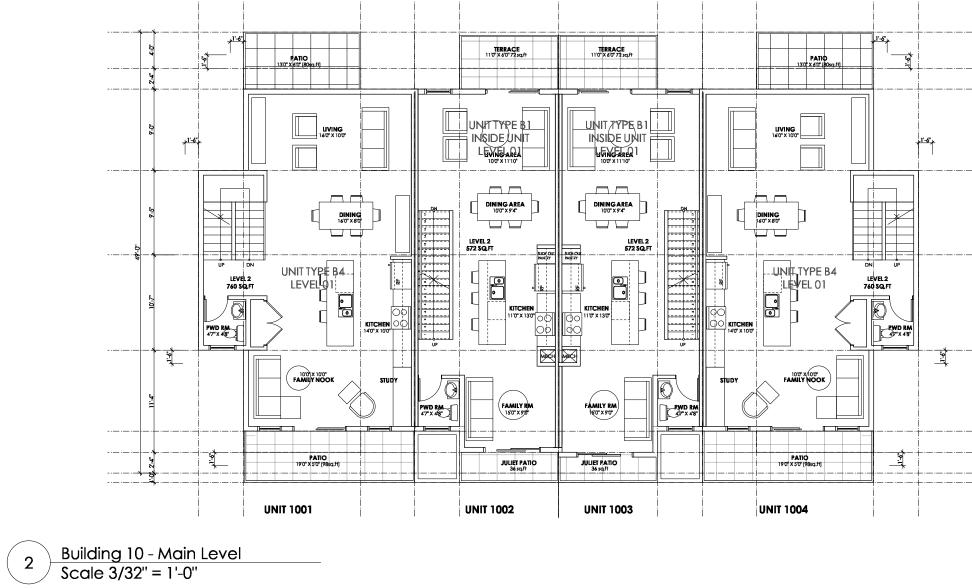
6 Garage elev. 465.68 UNIT 901

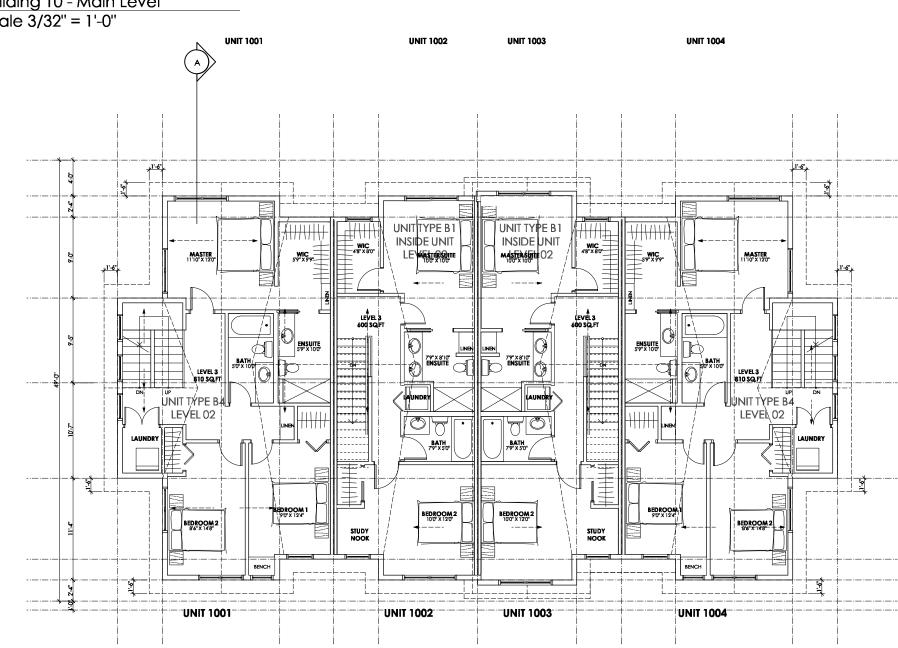
T.O. WALL 108.744M (28'-8 1/4")

T.O. FIN, FLOOR 106,01M (19'-8 1/4")

T/O FIN, FLOOR 102,924M (9'-7 1/4")



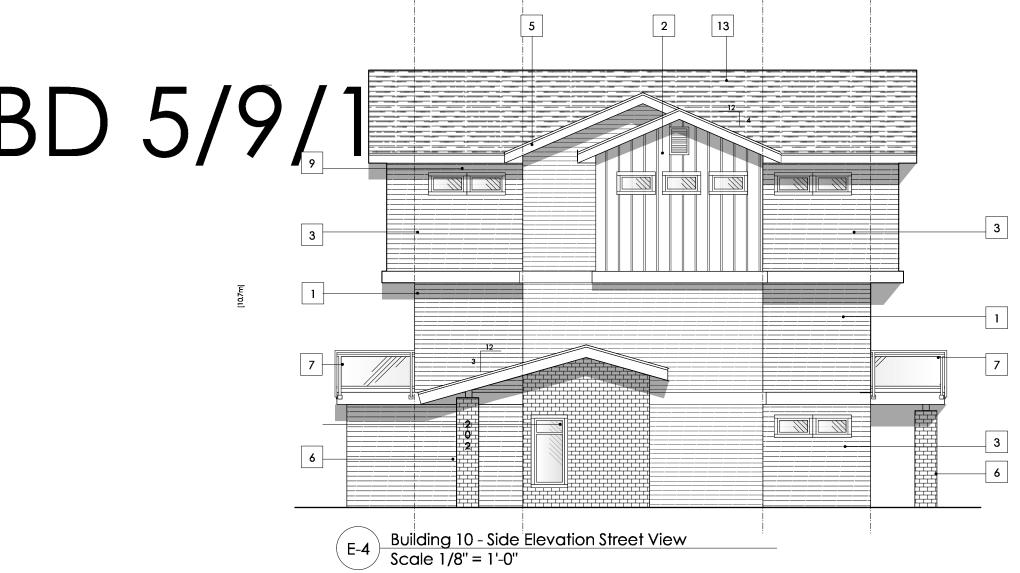


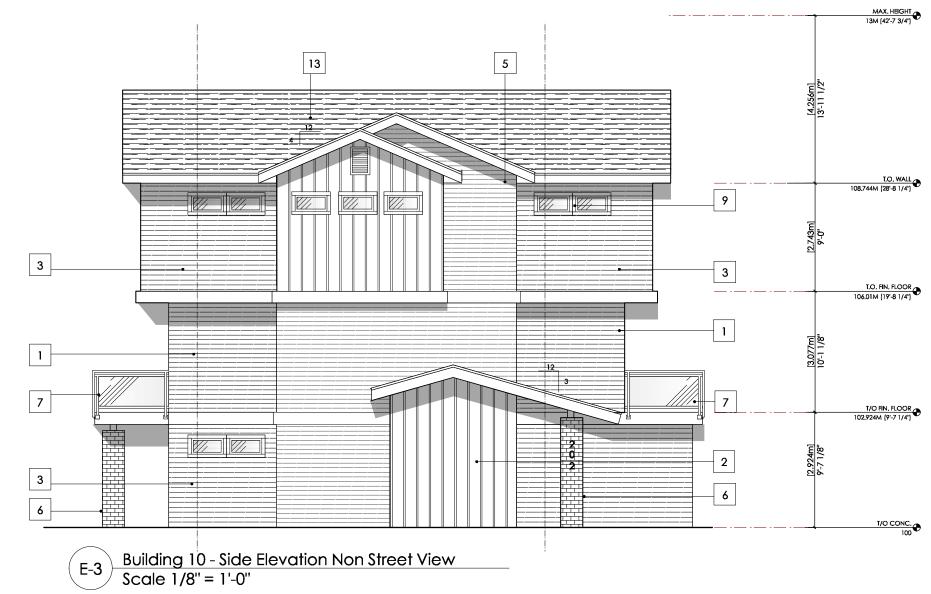


Building 10 - Upper Level
Scale 3/32" = 1'-0"









Building #10 Plans & Elevations

2020.02.26 AS NOTED ISSUED FOR REV DP 20.03.30 PROJECT 19.757

14





2 - 436 Lorne Street, Kamloops BC, V2C TW3 P | 250.374.1112 F | 250.374.2279













BLD. 11 LANE 3 ELEVATION
Scale 3/32"

SCHEDULE

This forms part of application

DP20-0017 & DVP20-009

City of

Planner Initials

AJ

Relowna



Note: Exterior colours may vary pending exterior scheme option (1-4). See A5.0 Material Scheme Board.

2 CaraGlen Rd - Street Elevation (South View)
Scale 3/32"





Note: Exterior colours may vary pending exterior scheme option (1-4). See A5.0 Material Scheme Board.

3 CaraGlen Rd - Street Elevation (East View)
Scale 3/32"



CARRINGTON

Knox Village - Lot #2 Kelowna BC Building & Site Elevations
Building 11/12

DATE 2020.02.26
SCALE 3/32" = 1'-0"
ISSUED FOR REV DP

PROJECT 19.757

32" = 1'-0" EV DP 9.757 **A**4



Lane 4 South View Bld. 9/10 Scale 3/32"



Note: Exterior colours may vary pending exterior scheme option (1-4). See A5.0 Material Scheme Board.

Green Space Elevation - Scale 3/32"



Note: Exterior colours may vary pending exterior scheme option (1-4). See A5.0 Material Scheme Board.

3 Lane 5 North View Bld. 7/8 Scale 3/32"



Note: Exterior colours may vary pending exterior scheme option (1-4). See A5.0 Material Scheme Board.

BLD. 9 LANE 3 ELEVATION
Scale 3/32"





Note: Exterior colours may vary pending exterior scheme option (1-4). See A5.0 Material Scheme Board.

5 BLD. 8 LANE 3 ELEVATION Scale 3/32"



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Knox Village - Lot #2 Kelowna BC

Building & Site Elevations Building 9/10/7/8

DATE 2020.02.26 SCALE 3/32" = 1'-0" ISSUED FOR REV DP

PROJECT 19.757



Green Space Elevation Scale 3/32"



Note: Exterior colours may vary pending exterior scheme option (1-4). See A5.0 Material Scheme Board.

2 Lane 5 South View Bld. 6 & 5 Scale 3/32"



Note: Exterior colours may vary pending exterior scheme option (1-4). See A5.0 Material Scheme Board.

3 BLD. 5 LANE 3 ELEVATION Scale 3/32"



Note: Exterior colours may vary pending exterior scheme option (1-4). See A5.0 Material Scheme Board.

Green Space Elevation - Scale 3/32"



CARRINGTON

SCHEDULE

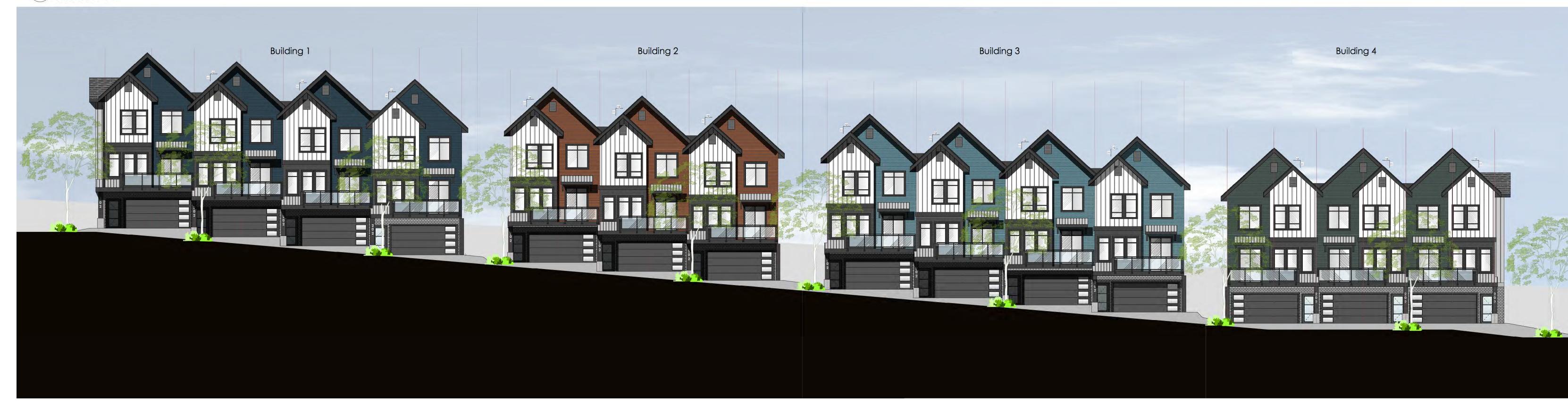
Planner Initials AJ

This forms part of application

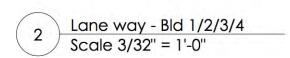
DP20-0017 & DVP20-009



Clifton Rd Elevation Scale 3/32" = 1'-0"



Note: Exterior colours may vary pending exterior scheme option (1-4). See A5.0 Material Scheme Board.



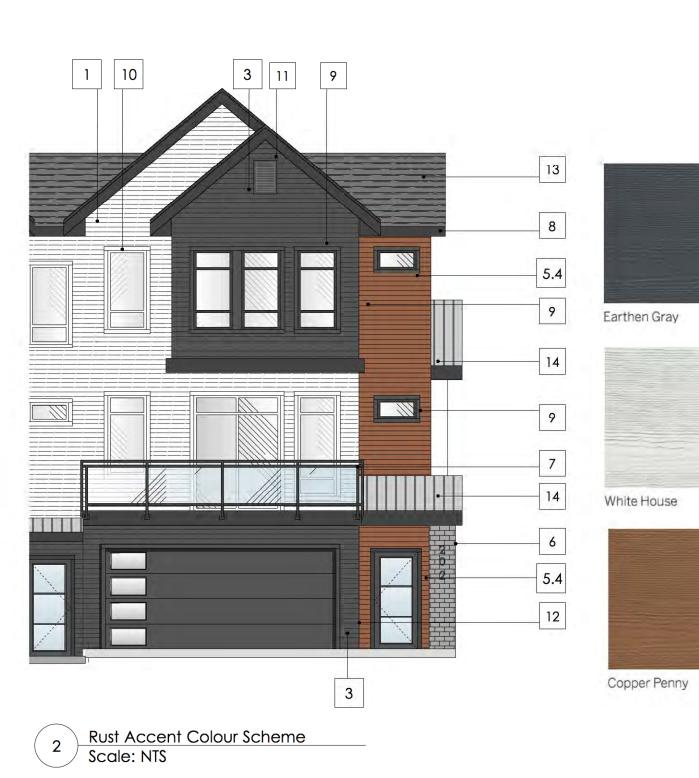














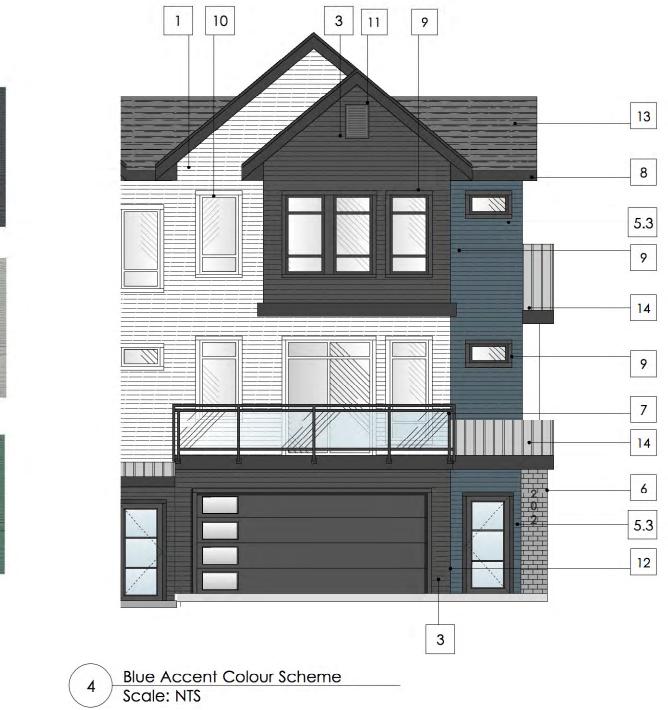


| 100 - 1353 Ellis St, | Kelowna BC, VIY IZ9 | P | 236.420.3550 | F |

2 - 436 Lorne Street, Kamloops BC,V2C IW3 P | 250.374.1112 F | 250.374.2279



Treelined Street





Knox Village - Lot #2

Kelowna BC

Material Colour Schedule

- HARDIE BOARD 5" LAP SIDING SMOOTH FINISH COL: WHITE HOUSE
- ALUMINUM RAILING W/ GLASS COL. IRON ORE (DARK GREY)
- HARDIE BOARD & BATTEN COL: WHITE HOUSE
- FASCIA BOARD AND SOFFIT 8 HARDIETRIM COL: IRON ORE (DARK GREY)
- HARDIE BOARD 5" LAP SIDING SMOOTH FINISH COL: EARTHEN GRAY
- VINYL RESIDENTIAL WINDOWS COL: BLACK WINDOW TRIM: HARDIE TRIM COL: EARTHEN GRAY
- ACCENT COLOUR 1: HARDIE BOARD 5" LAP SIDING COL: GLEAMING GRAY
- VINYL RESIDENTIAL WINDOWS COL: WHITE WINDOW TRIM: HARDIE TRIM COL: WHITE HOUSE
- ACCENT COLOUR 2: HARDIE BOARD 5" LAP SIDING COL: COLONIAL BLUE
- COL: DARK GREY

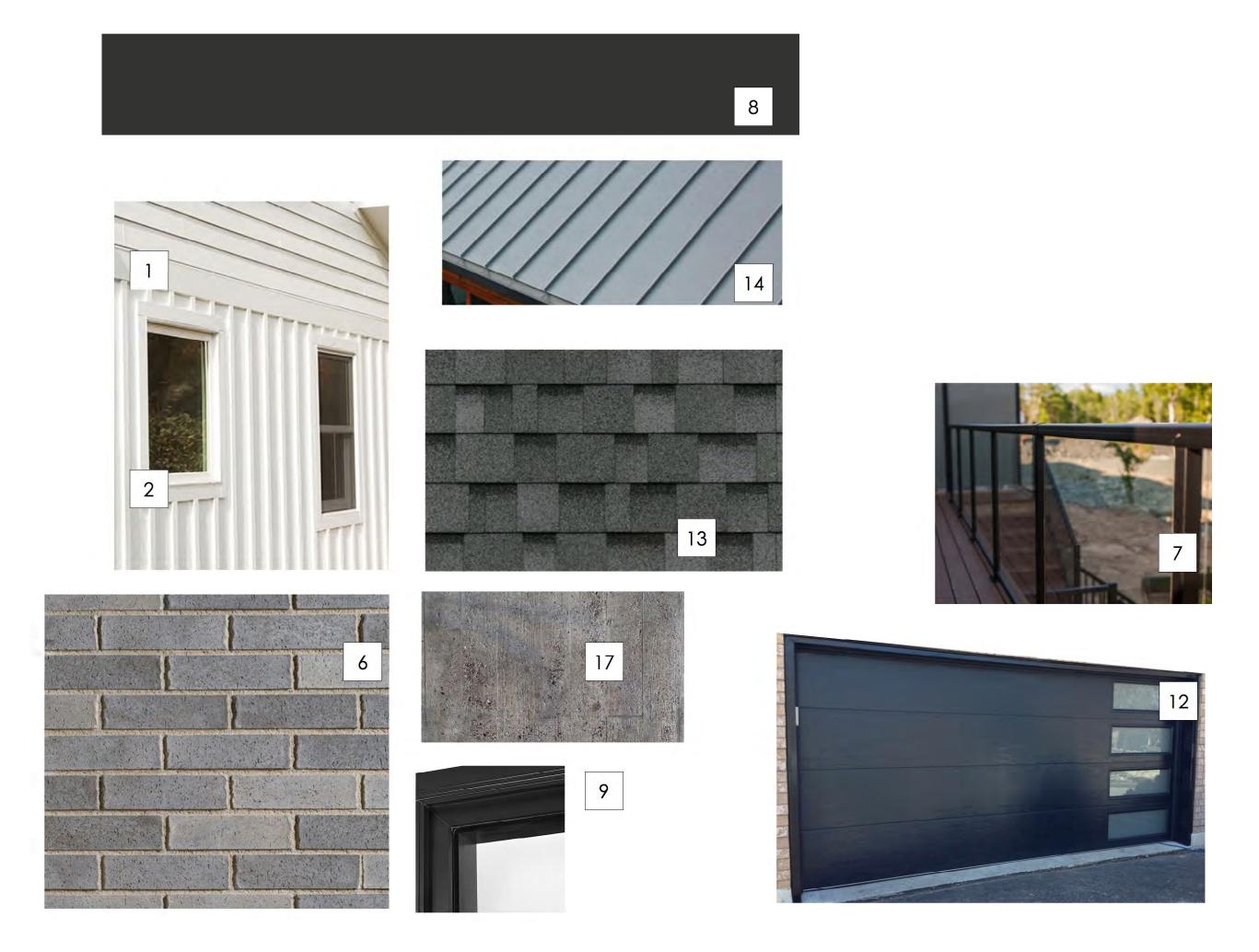
DECORATIVE GRILLE

GARAGE DOOR (VARIOUS SIZES)

- ACCENT COLOUR 3: 5.3 HARDIE BOARD 5" LAF COL: BAYOU BLUE HARDIE BOARD 5" LAP SIDING
- GARAGE DO COL: GREY ASPHALT SHINGLES COL: DARK GREY
- ACCENT COLOUR 4: HARDIE BOARD 5" LAP SIDING COL: COPPER PENNY
- METAL STANDING SEEM 14 AT SHED ROOF COL: SILVER
- ACCENT COLOUR 4: HARDIE BOARD 5" LAP SIDING
- FLAT ROOF AT ENTRY
- COL: TREELINED STREET BRICK VENEER CREATIVE MINES STONE

BRICK WAREHOUSE STONE COL: RAINCLOUD CRAFT BRICK 17 CONCRETE BASE

ACCENT LIGHTING













303-590 KLO Road Kelowna, BC V1Y 7S2 T (250) 868-9270 www.outlanddesign.ca

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED THE

2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED

3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm WOOD MULCH. DO

5. TURF AREAS FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 100mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES

6. SITE GRADING AND DRAINAGE WILL ENSURE THAT ALL STRUCTURES HAVE POSITIVE DRAINAGE AND THAT NO WATER OR LOOSE IMPEDIMENTS WILL BE DISCHARGED FROM THE LOT ONTO ADJACENT PUBLIC, COMMON, OR PRIVATE



PROJECT TITLE

KNOX VILLAGE 550 & 510 CLIFTON ROAD

Kelowna, BC

DRAWING TITLE

CONCEPTUAL LANDSCAPE PLAN

1	19.12.18	Development Permit
2	20.02.26	Development Permit Revision
3	20.03.31	Development Permit Revision
4	20.04.28	Development Permit Revision
5		

PROJECT NO	19-116
DESIGN BY	FB
DRAWN BY	NG
CHECKED BY	FB
DATE	APR. 28, 2020
SCALE	1:250
	·



ISSUED FOR REVIEW ONLY

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DEVELOPMENT PERMIT GUIDELINES

Comprehensive Development Permit Area

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

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Authenticity and Regional Expression			
Do landscaping and building form convey a character that is distinct to Kelowna and the Central Okanagan?	✓		
Are materials in keeping with the character of the region?	✓		
Are colours used common in the region's natural landscape?	✓		
Does the design provide for a transition between the indoors and outdoors?	✓		
Context		•	•
Does the proposal maintain the established or envisioned architectural character of the neighbourhood?	✓		
Does interim development consider neighbouring properties designated for more intensive development?			✓
Are façade treatments facing residential areas attractive and context sensitive?	✓		
Are architectural elements aligned from one building to the next?	✓		
For exterior changes, is the original character of the building respected and enhanced?			✓
Is the design unique without visually dominating neighbouring buildings?	✓		
For developments with multiple buildings, is there a sense of architectural unity and cohesiveness?	✓		
Relationship to the Street			
Do buildings create the desired streetscape rhythm?	✓		
Are parkade entrances located at grade?			✓
For buildings with multiple street frontages, is equal emphasis given to each frontage?	✓		
Massing and Height			
Does the design mitigate the actual and perceived mass of buildings?	✓		
Does the height consider shading and view impacts for neighbouring properties and transition to less intensive areas?			✓
Human Scale		ı	1
Are architectural elements scaled for pedestrians?	✓		
Are façades articulated with indentations and projections?	✓		

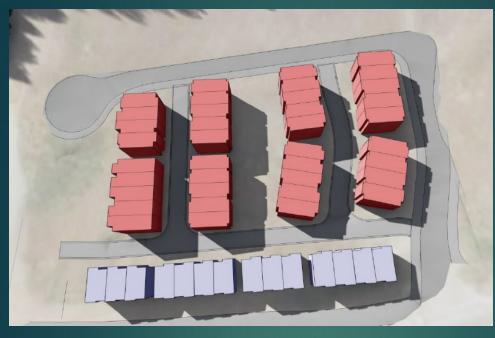
COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are top, middle and bottom building elements distinguished?	✓		
Do proposed buildings have an identifiable base, middle and top?	✓		
Are building facades designed with a balance of vertical and horizontal proportions?	✓		
Are horizontal glazed areas divided into vertically proportioned windows separated by mullions or building structures?	✓		
Does the design incorporate roof overhangs and the use of awnings, louvers, canopies and other window screening techniques?	✓		
Is the visual impact of enclosed elevator shafts reduced through architectural treatments?			✓
Exterior Elevations and Materials			
Are buildings finished with materials that are natural, local, durable and appropriate to the character of the development?	✓		
Are entrances visually prominent, accessible and recognizable?	✓		
Are higher quality materials continued around building corners or edges that are visible to the public?	✓		
Are a variety of materials used to create contrast, enhance the pedestrian environment and reduce the apparent mass of a building?	✓		
Are elements other than colour used as the dominant feature of a building?	✓		
Public and Private Open Space			I.
Does public open space promote interaction and movement through the site?	✓		
Are public and private open spaces oriented to take advantage of and protect from the elements?	✓		
Is there an appropriate transition between public and private open spaces?	✓		
Are amenities such as benches, garbage receptacles, bicycle stands and community notice boards included on site?			
Site Access			Ī
Is the safe and convenient movement of pedestrians prioritized?	√		
Are alternative and active modes of transportation supported through the site design?		✓	
Are identifiable and well-lit pathways provided to front entrances?	✓		
Do paved surfaces provide visual interest?		✓	
Is parking located behind or inside buildings, or below grade?	✓		
Are large expanses of parking separated by landscaping or buildings?			✓
	İ		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Do vehicle and service accesses have minimal impact on the streetscape and public views?	✓		
Is visible and secure bicycle parking provided in new parking structures and parking lots?	✓		
Environmental Design and Green Building			
Does the proposal consider solar gain and exposure?	✓		
Are green walls or shade trees incorporated in the design?	✓		
Does the site layout minimize stormwater runoff?	✓		
Are sustainable construction methods and materials used in the project?	✓		
Are green building strategies incorporated into the design?		✓	
Decks, Balconies, Rooftops and Common Outdoor Amenity Space			•
Are decks, balconies or common outdoor amenity spaces provided?	✓		
Does hard and soft landscaping enhance the usability of decks, balconies and outdoor amenity spaces?	✓		
Are large flat expanses of roof enhanced with texture, colour or landscaping where they are visible from above or adjacent properties?			✓
Amenities, Ancillary Services and Utilities			
Are loading, garage, storage, utility and other ancillary services located away from public view?	√		
Are vents, mechanical rooms / equipment and elevator penthouses integrated with the roof or screened with finishes compatible with the building's design?	✓		
Landscape Development and Irrigation Water Conservation			
Does landscaping:	-	-	-
 Compliment and soften the building's architectural features and mitigate undesirable elements? 	√		
 Maintain the dominant pattern of landscaping along the street and surrounding properties? 	✓		
• Enhance the pedestrian environment and the sense of personal safety?	✓		
 Screen parking areas, mechanical functions, and garbage and recycling areas? 	✓		
Respect required sightlines from roadways and enhance public views?	✓		
 Retain existing healthy mature trees and vegetation? 			✓
Use native plants that are drought tolerant?	✓		
Define distinct private outdoor space for all ground-level dwellings?	✓		
Do any fences and retaining walls create visual interest and enhance the pedestrian environment?	✓		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Do parking lots have one shade tree per four parking stalls?			✓
Does the Landscape Architect's Landscape Water Conservation Report:	-	-	-
 Meet the requirements for Landscape Water Budget calculations for the landscaped area? 	✓		
 Indicate how the development complies with or varies from the Landscape Water Conservation Guidelines? 	✓		
Landscape Water Conservation Guidelines			
Are plants grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas?	✓		
Does at least 25% of the total landscaped area require no irrigation / watering?		✓	
Does at least 25% of the total landscaped area require low water use?		✓	
Does at most 50% of the total landscaped area require medium or high water use?		✓	
Is mulch cover provided for shrubs and groundcover to reduce soil evaporation?	✓		
Do water features such as pools and fountains use recirculated water systems?			✓
Do landscape installation standards meet the requirements of the BC Landscape Standard and / or the Master Municipal Construction Document?	✓		
Are the required written declarations signed by a qualified Landscape Architect?	✓		
Irrigation System Guidelines		ı	1
Is the Irrigation Plan prepared by a Qualified Professional?	✓		
Are irrigation circuits grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas consistent with the landscaping plan?	✓		
Is drip or low volume irrigation used?	✓		
Are the required written declarations signed by a qualified Certified Irrigation Designer?		✓	
Crime prevention			
Are CPTED practices as related to landscaping, siting, form and exterior design included in the design?	✓		
Are building materials vandalism resistant?		✓	
Universal Accessible Design			
Is access for persons with disabilities integrated into the overall site plan and clearly visible from the principal entrance?		✓	
Are the site layout, services and amenities easy to understand and navigate?	✓		

KNOX VILLAGE – Parking Models

A) October 2019

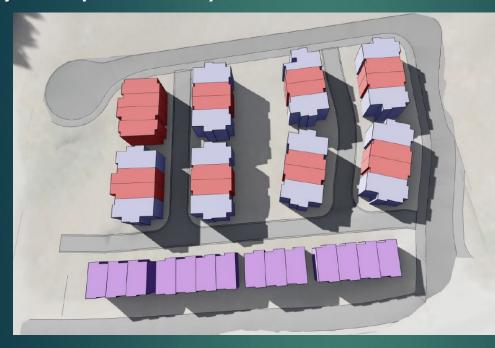


Initial plan & Subdivision

Highest Density 2 Types of Product

- S Tandem Garage
- L Double Garage

B) As Proposed to City of Kelowna



Medium Density 3 Types of Product

- S Tandem Garage
- M Double Garage
- L Double Garage

C) New Bylaw - November 2019



Low Density 1 Type of Product

L Double Garage