

City of Kelowna

Regular Council Meeting

AGENDA



Tuesday, May 11, 2021
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 Sieben.

3. Confirmation of Minutes

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Public Hearing - April 20, 2021
Regular Meeting - April 20, 2021

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 - Highway 33 W 590 - DP20-0055 DVP20-0056 - 0838239 B.C. Ltd., Inc.No BCo838239

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To consider the form and character of mixed-use residential / commercial development with a variance to maximum building height.

5. Reminders

6. Termination



City of Kelowna Public Hearing Minutes

Date: Tuesday, April 20, 2021
Time: 6:00 pm
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given, Mohini Singh and Loyal Wooldridge

Members participating remotely Councillors Charlie Hodge and Luke Stack

Members Absent Councillor Brad Sieben

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Deputy City Clerk, Laura Bentley; Divisional Director, Planning & Development Services, Ryan Smith; Planner, Aaron Thibeault

Staff participating remotely Legislative Coordinator (Confidential), Clint McKenzie

1. **Due to COVID-19 a Public Hearing Agenda will also include Regular Meeting Items**
2. **Call to Order the Public Hearing - START TIME 6:00 PM - Aberdeen St, Burnett St, Glenwood Ave, Woodlawn St - OCP21-0001 (BL12188) Z20-0083 (BL12189) - Multiple Owners**

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

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

Mayor Basran advised that in accordance with the Order of the Provincial Health Officer on Gatherings and Events, applicants and the public are not permitted to attend in person. Participation by applicants and the public will be by electronic means only.

3. Individual Bylaw Submissions

- 3.1 START TIME 6:00 PM - Aberdeen St, Burnett St, Glenwood Ave, Woodlawn St - OCP21-0001 (BL12188) Z20-0083 (BL12189) - Multiple Owners

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

4. Termination

The Hearing was declared terminated at 6:12 p.m.

5. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 6:12 p.m.

6. Bylaws Considered at Public Hearing

- 6.1 START TIME 6:00 PM - Aberdeen St, Burnett St, Glenwood Ave and Woodlawn St - BL12188 (OCP21-0001) - Multiple Owners

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R0435/21/04/19 THAT Bylaw No. 12188 be read a second and third time and be adopted.

Carried

- 6.2 START TIME 6:00 PM - Aberdeen St, Burnett St, Glenwood Ave and Woodlawn St - BL12189 (Z20-0083) - Multiple Owners

Moved By Councillor Wooldridge/Seconded By Councillor Singh

R0436/21/04/19 THAT Bylaw No. 12189 be read a second and third time and be adopted.

Carried

7. Termination

The meeting was declared terminated at 6:14 p.m.

Mayor Basran

/cm



City Clerk



City of Kelowna Regular Meeting Minutes

Date: Tuesday, April 20, 2021
Time: 6:20 pm
Location: Council Chamber
City Hall, 1435 Water Street

Members Present Mayor Colin Basran, Councillors Maxine DeHart*, Ryan Donn, Gail Given, Mohini Singh and Loyal Wooldridge

Members participating remotely Councillors Charlie Hodge and Luke Stack

Members Absent Councillor Brad Sieben

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Deputy City Clerk, Laura Bentley; Divisional Director, Planning & Development Services, Ryan Smith; Community Planning & Development Manager, Dean Strachan*, Planner II, Tyler Caswell*

Staff participating remotely Legislative Coordinator (Confidential), Clint McKenzie

(*Denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 6:15 p.m.

2. Reaffirmation of Oath of Office

The Oath of Office was read by Councillor Given.

3. Confirmation of Minutes

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

Ro437/21/04/20 THAT the Minutes of the Public Hearing Meeting of April 6, 2021 be confirmed as circulated.

Carried

The meeting recessed at 6:17 p.m.

The meeting reconvened at 6:20 p.m.

4. Liquor License Application Reports

4.1 START TIME 6:20 PM - Clement Ave 890 301 - LL21-0003 - 1568447 Alberta Ltd., Inc. No. A0093042

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Dillian Crema & Bruce McKay, Applicant:

- Provided background to the proposed brewery.
- Provided details regarding the application.
- Spoke to the size of the proposed establishment.
- Spoke to the hours of operation and how they are compatible with neighbours hours.
- Spoke to the excitement of being in the neighbourhood with other breweries.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online indicated they wished to speak.

Moved By Councillor Donn/Seconded By Councillor Singh

Ro438/21/04/20 THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor and Cannabis Regulation Branch (LCRB):

In accordance with Section 71 of the Liquor Control and Licensing Regulation and Council Policy 359, BE IT RESOLVED THAT:

1. Council recommends support of an application from The Office Brewery Corp. for a manufacturer lounge endorsement area for Strata Lot 19 Section 30 Township 26 ODYD Plan EPS7283 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form V located at Unit 301, 890 Clement Avenue, Kelowna, BC for the following:
 - a. 9:00 am to 11:00 pm Sunday to Thursday for indoor service areas;
 - b. 9:00 am to midnight Friday and Saturday for indoor service areas.
 - c. 9:00 am to 10:00 pm daily for the outdoor patio service area.
2. Council's comments on LCLB's prescribed considerations are as follows:
 - a. The location of the lounge endorsement area: The brewery is located on an industrial property which consists of three separate buildings. The business is located in the eastern-most building which fronts onto Clement Ave. The property is east of the City Centre Urban Centre on a 4-lane arterial roadway;
 - b. The proximity of the establishment to other social or recreational facilities and public buildings: The north-end industrial area is becoming a destination with it being home to a number of small-scale wineries, cideries and breweries. The area is within walking distance of the downtown City Centre Urban Centre, it is close to the Rail Trail and the Ethel Street Active Transportation Corridor (ATC).

The site is within walking distance to multiple recreation facilities which includes Elks Stadium Ballpark, the Curling Club, and the Kelowna Badminton Club. Earlier this year, a lounge endorsement area for another brewery was approved on the subject site. This would be the second small capacity lounge with an outdoor patio on the site.

c. The person capacity and hours of liquor service of the establishment: The business proposes a total capacity of 89 persons as follows: Main Floor – 27 persons, Mezzanine – 30 persons, Outdoor Patio – 32 persons;

d. Traffic, noise, parking and zoning: The brewery is proposed in an industrial area adjacent to Clement Avenue, a 4-lane arterial roadway. The south side of Clement is primarily single-family dwellings with a small amount of multi-family residential. Any impacts of traffic, parking and associated noise already exist due to the industrial nature of the area on the north side of Clement Ave and the proximity to Clement Avenue. To minimize additional noise the outdoor patio would close at 10:00 pm nightly;

e. The impact on the community if the application is approved: The negative impact the business poses is considered minimal due to the existing nature of the area. The brewery would aide in activating the Clement Streetscape beyond the hours of a standard workday.

3. Council's comments on the views of residents are as contained within the minutes of the meeting at which the application was considered by Council. The methods used to gather views of residents were as per Council Policy #359 "Liquor Licensing Policy and Procedures."

Carried

5. Development Permit and Development Variance Permit Reports

5.1 START TIME 6:20 PM - Walrod St 758 - DVP20-0214 - Darryl John Reuter

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Birte Decloux, Urban Options & Planning, Applicant:

Available for questions.

No one participating online indicated they wished to speak.

Moved By Councillor Donn/Seconded By Councillor Stack

R0439/21/04/20 THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0214 for Lot 4 Section 30 Township 26 ODYD Plan 8373, located at 758 Walrod Street, Kelowna, BC;

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

Section 13.6.6(g): RU6 – Two Dwelling Housing, Development Regulations

To vary the side yard setback from a flanking street from 4.5m required to 3.24m proposed.

Section 13.6.6(g)(i): RU6 – Two Dwelling Housing, Development Regulations

To vary the side yard setback from a garage off a flanking street from 6.0m required to 3.91m 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

5.2 START TIME 6:20 PM - Ladd Ct 4303 - DVP21-0031 - Kevin Bruce Nichol and Valerie Virginia Nichol

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Birte Decloux, Urban Options, Applicant,

- Provided reasons for the variances being requested.
- Displayed a PowerPoint presentation providing an overview of the application.
- Showed the ALR buffers and how it restricts the portion of the lot that can be built on.

No one participating online indicated they wished to speak.

Moved By Councillor Wooldridge/Seconded By Councillor Donn

Ro440/21/04/20 THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0031 for Lot 19 Section 31 Township 29 ODYD Plan EPP94940, located at 4303 Ladd Court, Kelowna, B.C.;

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 front yard setback from 6.0m required to 3.0m proposed.

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

To vary the side yard setback from 2.3m required to 1.5m proposed.

Section 13.1.6(e): RU1 – Large Lot Housing, Development Regulations:

To vary the rear yard setback from 7.5m required to 6.0m 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

The meeting recessed at 6:42 p.m.

The meeting reconvened at 6:46 p.m.

5.3 START TIME 6:45 PM - Ellis St 1383 - DP20-0155 DVP20-0156 - 1383 Developments Inc., Inc.No. BC1100537

Councillor DeHart declared a conflict of interest as her employer has event and ballroom space, restaurants and liquor licence and left the meeting at 6:47 p.m.

Staff:

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

Mayor Basran invited anyone participating online who deemed themselves affected to indicate they wish to speak followed by comments from Council.

Birte Decloux, Urban Options & Planning, Applicant's agent:

- Introduced the applicant team.

- Displayed a PowerPoint presentation presenting the proposed application.
- Provided a concept overview of the music hall, urban ballroom and cafe.
- Spoke to the extensive experience of the applicant.
- Provided comments on food primary versus a liquor primary classifications.
- Identified and spoke to the three requested variances.
- Provided comments on the proposed design.

Responded to questions from Council.

Lee Simon, Applicant

- Responded to questions from Council.

Online Participants:

Soren Stenback, McIntosh Rd.

- Provided comments on concerns with what the City is doing to ensure those working on the project are protected from COVID-19.

Hazel Christy, representing the Madison Strata, Ellis St.

- Shared a PowerPoint presentation.
- Made reference to previously circulated letter of opposition.
- Provided comments on the Madison Strata concerns:
 - scale and intensity of development on small, mid-block lot
 - removal of loading bay and inadequate lane width
 - lack of clarity on liquor application
 - sideyard setback variances do not address the impacts on the Madison
- Provided concluding remarks highlighting concern regarding the scale and intensity of the operation of the proposed facility.

Doryan Elliott

- Technical issues at their end. Did not speak.

George Tozer, Guisachan Rd.

- Supportive of the application.
- Appropriate location for the Cultural District and neighbourhood.
- State of the art sound deadening will alleviate neighbourhood noise concerns.

Lloyd Peterson, representing Strata KAS 3731, Ellis St.

- Shared a PowerPoint presentation.
- Opposed to the application.
- Displayed a map showing the existing and approved residential developments in the immediate area.
- Concerned with a liquor primary entering the neighbourhood.
- Confirmed he met with the applicant.
- Concerned with laneway encroachment and loading bay of the existing building.
- Encouraged Council to read the correspondence letters submitted for the application.
- Requested covenants be placed on the property should variances be granted.

Sheila French, Guisachan Rd.

- Supportive of the application.
- Spoke to being a KSS music instructor and the student groups who would make use of the facility.
- Spoke to the need for such a music venue to support the community's needs for rising youth artists.
- Responded to questions from Council.

Walter Gray, Ellis St.

- Supportive of the application.

- Made reference to previously circulated correspondence.
- Made reference to the few private sector cultural businesses in the Cultural District.
- Provided reasons he is supporting the application.

Vic Pollen, Ellis St.

- Opposed to the application given its scale and use.
- Raised doubts on the ability to make the structure soundproof.
- Referenced similar type urban ballrooms in other communities such as the Commodore in Vancouver.
- Raised concern as other urban ballrooms in other communities are not in residential areas.

Kris Hargrace, Christleton

- Supportive of the application
- Need for more venue spaces such as this in the community.
- The facility will assist in the recovery of the local music industry.

Nathan Flavel, Modern Place

- Owner of neighbouring Actor's Studio.
- Supportive of the application.
- Responded to questions from Council.
- Has spoke to the applicant and will work together to address any street issues in front of their venues.

Doryan Elliott

- Unable to speak a second time as video and audio are not working on their computer.
- Gave a "thumbs up" in support of the application.

Birte Decloux, Applicant in response

- Presentation addressed many of the concerns raised.
- Appropriate location for the business.
- Responded to questions from Council.

Staff:

- Responded to questions from Council.

There were no further comments.

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

Re 441/21/04/20 THAT Council authorizes the issuance of Development Permit No. DP20-0155 for Lot 8, District Lot 139 ODYD Plan 432, located at 1383 Ellis Street, 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 be constructed on the land be in accordance with Schedule "B"

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP20-0156 for Lot 8, District Lot 139 ODYD Plan 432, located 1383 Ellis Street, Kelowna, BC;

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

Section 14.7.6(f): C7 – Central Business Commercial: Civic Precinct Development Regulations

To vary the setback for the portion of the building above the 9.0m height mark from any property line abutting a street from 3.0m required to 0.0m proposed.

Section 14.7.6(g): C7 – Central Business Commercial: Civic Precinct Development Regulations

To vary the setback for the portion of the building above the 9.0m height mark from any property line abutting another property from 4.0m required to 0.0m proposed.

Section 14.7.6(l): C7 – Central Business Commercial: Civic Precinct Development Regulations

To allow for the portion of the building above 12.0m in height to exceed a continuous exterior horizontal dimension of 40.0m.

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

Carried

6. Reminders

There were no reminders.

7. Termination

The meeting was declared terminated at 8:49 p.m.

Mayor Basran

/cm

City Clerk

REPORT TO COUNCIL



Date: May 11, 2021

To: Council

From: City Manager

Department: Development Planning

Application: DP20-0055 & DVP20-0056

Owner: 0838239 B.C. Ltd., Inc. No.
BC0838239

Address: 590 Highway 33 West

Applicant: Argus Properties Ltd

Subject: Development Permit and Development Variance Permit Applications

Existing OCP Designation: MXR – Mixed Use (Residential / Commercial) / MRL – Multiple Unit
Residential (Low Density)

Existing Zone: C4rls – Urban Centre Commercial (Retail Liquor Sales)

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP20-0055 and Development Variance Permit No. DVP20-0056 for Lot B Sections 26 and 27 Township 26 ODYD Plan 30302, located at 590 Highway 33 West, 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 a variance to the following section of Zoning Bylaw No. 8000 be granted:

Section 14.4.5(c): C4 – Urban Centre Commercial Development Regulations

To vary building height from the lesser of 15.0 m or 4 storeys permitted to 22.6 m or 6 storeys proposed.

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

2.0 Purpose

To consider the form and character of mixed-use residential / commercial development with a variance to maximum building height.

3.0 Development Planning

Staff recommends support for the Development Permit for the form and character of a mixed-use development and the Development Variance Permit proposing to vary maximum building height. The proposed development meets zoning regulations for parking, setbacks and landscaping and is in general accordance with the Official Community Plans (OCP) Comprehensive and Revitalization Design Guidelines.

The project consists of one six-storey mixed-use building which will contain 95 residential units in addition to 922.6 m² of ground floor commercial space. The proposed building is situated adjacent to the west property line and will front directly onto Hollywood Rd N. The structure has been designed to step down in height towards Hollywood Road and incorporates building articulation and architectural detailing to add visual interest and reduce the apparent mass of the building, especially the street facing side. Staff have worked with the applicant on the form and character of all elevations to ensure they meet the design guidelines in the OCP. Overall, the proposed design achieves the following form and character objectives, from the OCP's Comprehensive and Revitalization Design Guidelines:

- Visually prominent entrances;
- Step back upper floors to reduce visual impact;
- Use of a variety of materials to create contrast and reduce the apparent mass of a building; and
- Locate buildings to provide an effective street edge

The property is located within the Permanent Growth Boundary (PGB) and within the City's Rutland Urban Centre. The increase in density at this location is supported by local amenities such as parks, transit, and recreational opportunities in the immediate area.

Variance

The application includes one variance, to maximum building height. This variance request is supported by policy within the OCP, which supports six storeys within C₄ - Urban Centre Commercial zoned areas in the Rutland Urban Centre. The increase to six-storeys allows additional height and density to be facilitated in an underutilized commercial parking lot and along a major transit corridor (Highway 33). Overall, the height variance does not negatively impact adequate supply of on-site parking, nor overall form and character objectives and staff consider the request reasonable.

4.0 Proposal

4.1 Background

The Willow Park Mall was originally constructed in 1960 and has been owned and operated by Argus Properties for the last 40 years. In 1995, approximately 40 residential infill townhome units were constructed at the north end of the property adjacent to Aurora Cr. The site has undergone several tenant improvements to the existing commercial spaces located throughout the site but the parcel has more or less remained as is since that time.

4.2 Project Description

The applicant is proposing a six-storey mixed-use residential / commercial building which will be located at the western edge of the subject site, adjacent to Hollywood Rd N and within the existing mall parking plaza. Site access to the development will come from the existing vehicle entrances located along Hollywood Rd to the north and south of the building location.

The main residential entrance for the building will be located at the north west corner of the structure and will be visible to Hollywood Rd N with commercial retail entrances situated throughout the north and south building elevations. The ground floor commercial component includes an exterior patio area located at the south west corner of the building which will help activate the streetscape and better define the street edge.

The building will contain 1 storey of ground floor commercial space and 5 storeys of residential above, including 95 total units comprising 57 micro-suites, 28 one-bedroom and 10 two-bedroom units. To meet the open space requirements a majority of the units proposed will include balconies, however, the units that do not have a private balcony will utilize the rooftop patio and grade level park space proposed on the north side of the building.

Required parking will be met on site by utilizing a combination of below grade parking in addition to surface parking located on the north, south and east sides of the building. Access to the parkade will come from the internal drive aisle located between the subject site and the adjacent property to the south.

The development has been designed using modern materials including; light blue and brown composite panels, brick veneer, concrete and storefront glazing with black trim.

4.3 Site Context

The subject property is located in the Rutland Urban and City Sector nearest to the major intersection of Hwy 33 W and Hollywood Rd N, approximately 330m southeast of Ben Lee Park. Surrounding zones include; C4 – Urban Centre Commercial, C10 – Service Commercial, RU1 – Large Lot Housing, RM3 – Low Density Multiple Housing, RM5 – Medium Density Multiple Housing, P1 – Major Institutional, and P2 – Education and Minor Institutional. Surrounding Future Land Use Designation include; MXR – Mixed Use (Residential / Commercial), MRL – Multiple Unit Residential (Low Density), MRM – Multiple Unit Residential (Medium Density), S2RES – Single / Two Unit Residential, EDINST – Educational / Major Institutional, and PARK – Major Park / Open Space.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C4 – Urban Centre Commercial	Commercial
East	C4 – Urban Centre Commercial	Commercial
South	C4 – Urban Centre Commercial / RU1 – Large Lot Housing	Commercial / Residential
West	RM5 – Medium Density Multiple Housing	Residential

Subject Property Map: 590 Highway 33 West**4.4 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	C ₄ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Floor Area Ratio	1.3	0.51
Max. Site Coverage	75%	34.5%
Max. Height	15.0 m / 4 storeys	22.6 m / 6 storeys ①
Min. Front Yard (west)	0.0 m	0.8 m
Min. Side Yard (south)	0.0 m	63.1 m
Min. Side Yard (north)	0.0 m	15.9 m
Min. Rear Yard (east)	0.0 m	103.3 m
Other Regulations		
Min. Parking Requirements	107 stalls	107 stalls
Min. Bicycle Parking	71 long-term stalls 11 short-term stalls	74 long-term stalls 12 short-term stalls
Min. Private Open Space	772 m ²	893.6 m ²
Min. Loading Space	1 stall	1 stall
① Indicates a requested variance to maximum building height.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.5 Ensure appropriate and context sensitive built form

Policy .1 Building Height. Rutland Urban Centre: Generally 4 storeys. Six storeys within C4 or C9 zoned areas.

Objective 5.22 Ensure context sensitive housing development.

Policy .6 Sensitive Infill. Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height, and siting.

Policy .11 Housing Mix. Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed-use developments.

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

6.0 Application Chronology

Date of Application Accepted: February 6, 2020

Date Public Consultation Completed: March 25, 2021

Report prepared by: Andrew Ferguson, Planner II

Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Draft Development Permit and Development Variance Permit No. DP20-0055 / DVP20-0056

Schedule A: Site Plan

Schedule B: Building Elevations & Material and Colour Board

Schedule C: Landscape Plan

Attachment B: Project Renderings

Attachment C: Comprehensive and Revitalization Design Guidelines Checklist

Attachment D: Applicant's Letter of Rationale

Development Permit & Development Variance Permit DP20-0055/DVP20-0056



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

590 Highway 33 West

and legally known as

Lot B Sections 26 and 27 Township 26 ODYD Plan 30302

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

Commercial

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

Date of Council Decision **May 11, 2021**

Decision By: Council

Development Permit Area: Comprehensive and Revitalization Development Permit Areas

Existing Zone: C4rls – Urban Centre Commercial (Retail Liquor Sales)

Future Land Use Designation: MXR – Mixed Use (Residential / Commercial) / MRL – Multiple Unit Residential (Low 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: o838239 B.C. Ltd., Inc. No. BCo838239

Applicant: Argus Properties Ltd

Planner: Andrew Ferguson

Terry Barton
Community Planning Department Manager
Planning & Development Services

Date

1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

- 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";
- Landscaping to be provided on the land be in accordance with Schedule "C"; and
- The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect.

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

Section 14.4.5(c): C4 – Urban Centre Commercial Development Regulations

To vary building height from the lesser of 15.0 m or 4 storeys permitted to 22.6 m or 6 storeys proposed.

This Development Permit is 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:

- An Irrevocable Letter of Credit **OR** certified cheque in the amount of **\$ 101,112.18**

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:

- 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 CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or their designates.**

SCHEDULE

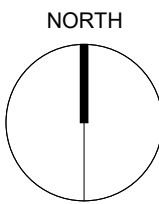
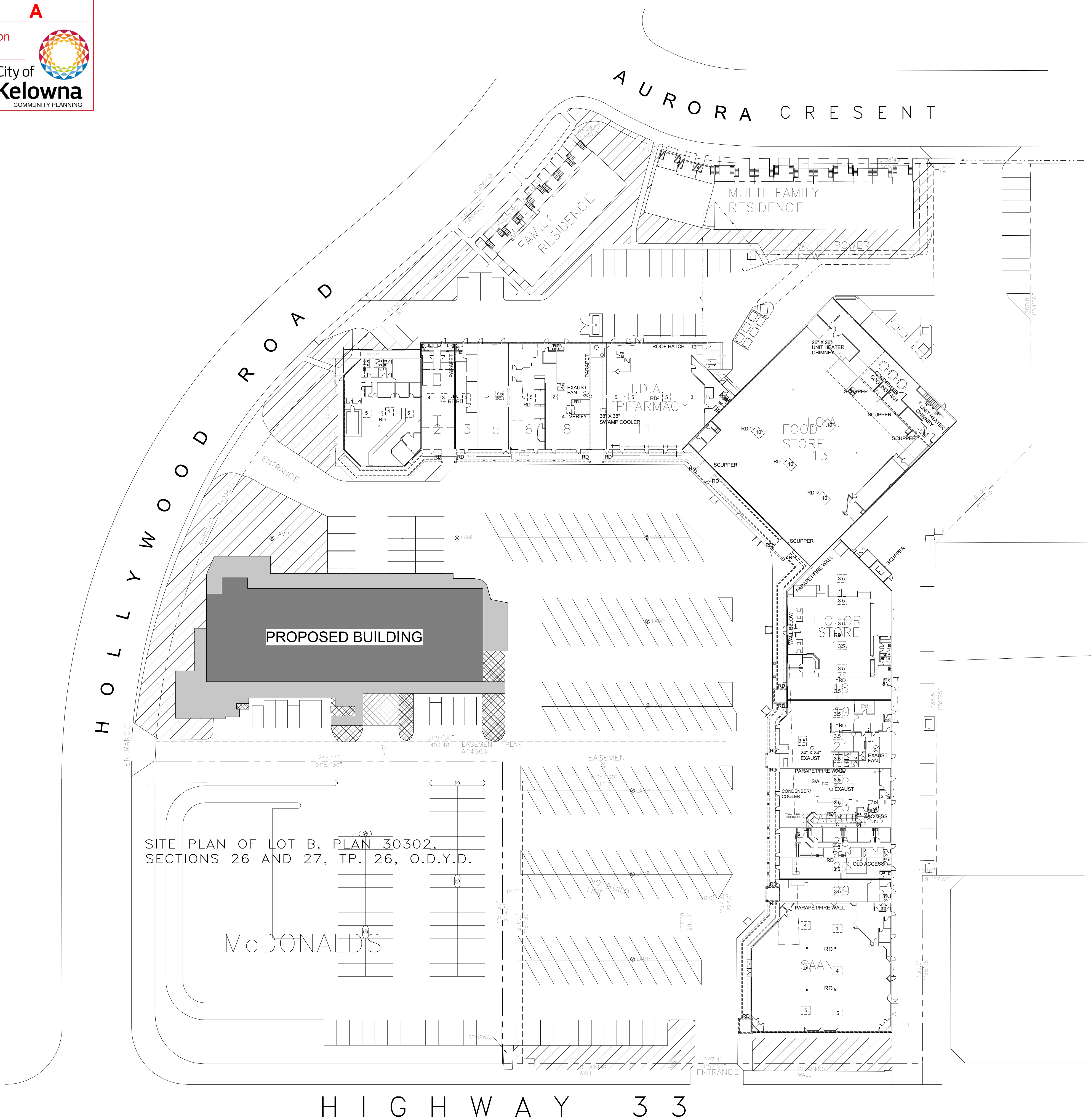
A

This forms part of application

DP20-0055
DVP20-0056

Planner
Initials

AF



ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA

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URBAN PLANNING
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3	MARCH, 8, 2021	ISSUED FOR REVIEW
4	APRIL 1, 2021	ISSUED FOR DP
5	APRIL 16, 2021	RE-ISSUED FOR DP

NOT FOR CONSTRUCTION

project title

WILLOW PARK

project address

590 Highway 33 W,
Kelowna, BC

project no. 4089

file no. C:\Users\jvachisino\Desktop\4089 WILLOW - Context_MY_Data.dwg

drawing title

CONTEXT PLAN

designed RY scale 1 : 450

drawn JR

checked RY

drawing no.

A200

plotted 4/16/21 11:24:30 AM

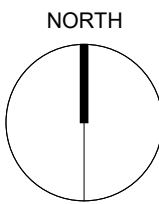
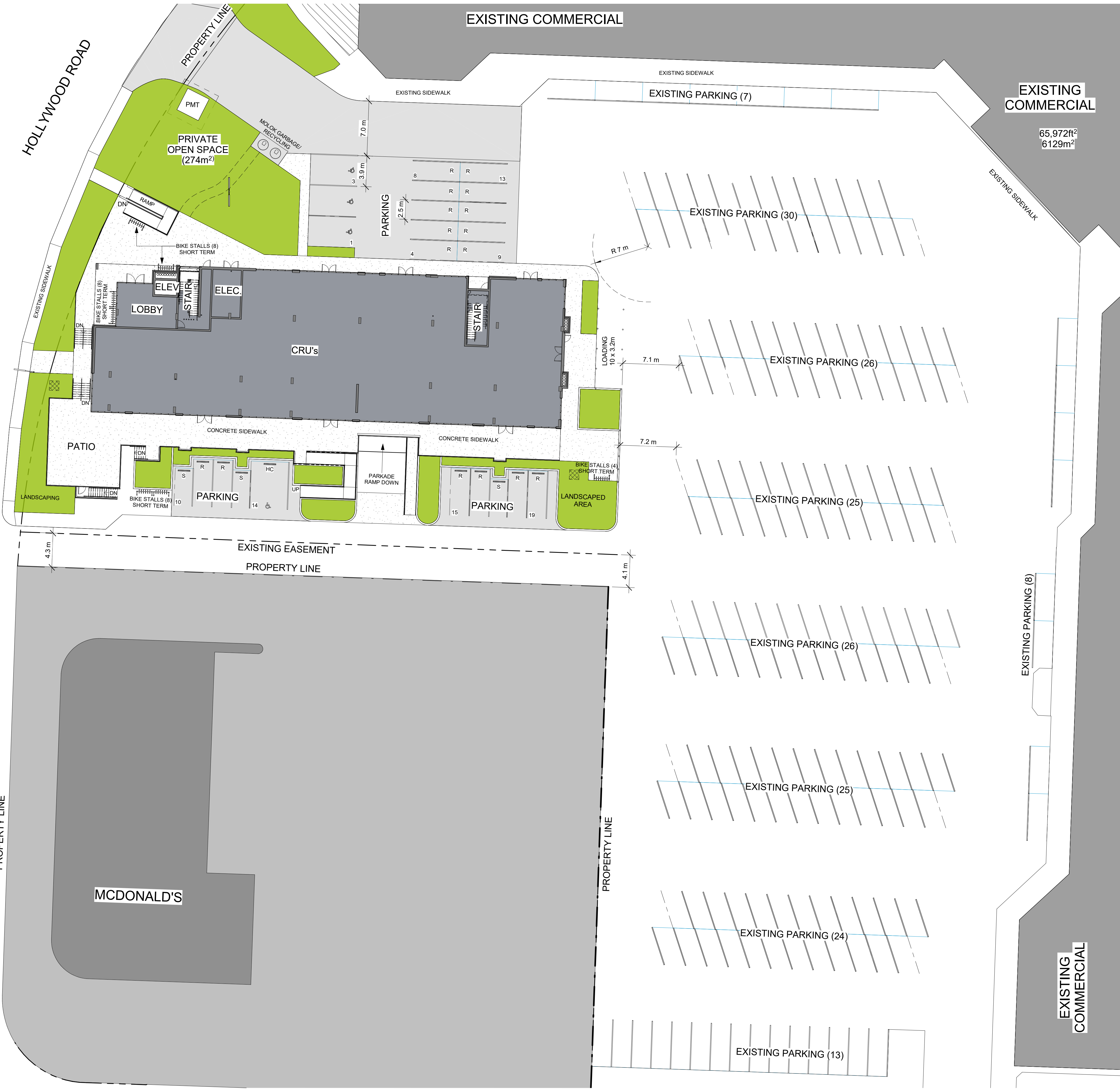
SCHEDULE

A

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DP20-0055
DVP20-0056

Planner
Initials AF



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NOT FOR CONSTRUCTION

project title

WILLOW PARK

project address

590 Highway 33 W,
Kelowna, BC

project no.

4089

file no.

C:\Users\miller\OneDrive\4089 WILLOW - Centre_MT_Drafts

drawing title

SITE PLAN

designed

RY

scale

1" = 20'-0"

drawn

DR / JR

checked

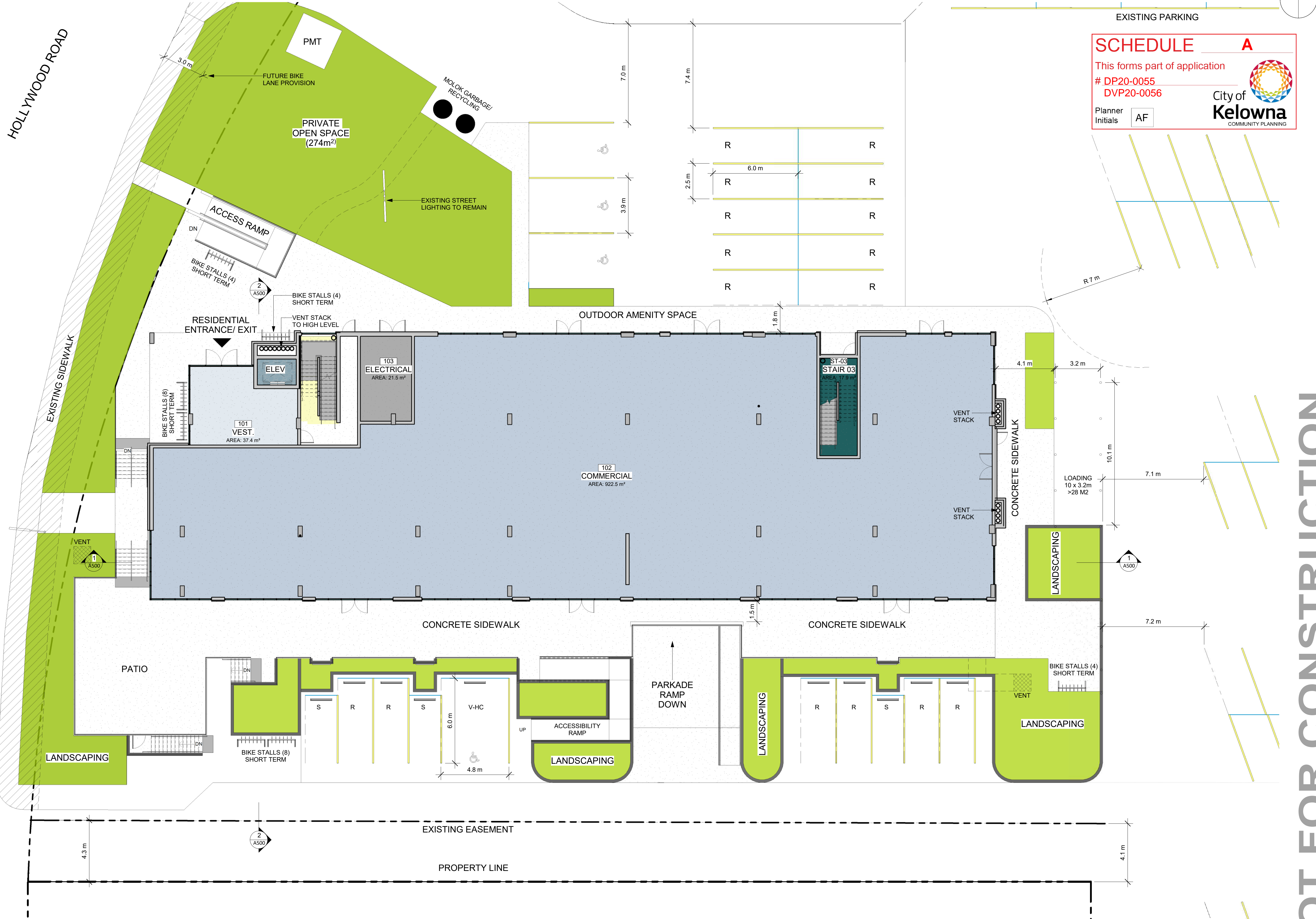
RY

drawing no.

A201

plotted

4/16/21 11:24:32 AM



EXISTING PARKING

SCHEDULE

A

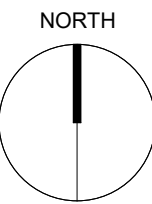
This forms part of application

DP20-0055
DVP20-0056

Planner Initials **AF**

City of Kelowna

COMMUNITY PLANNING



NOT FOR CONSTRUCTION

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NEW TOWN
ARCHITECTURE
URBAN PLANNING
CIVIL ENGINEERING
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Seal

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project title
WILLOW PARK

project address
590 Highway 33 W,
Kelowna, BC

project no. **4089**

drawing title
COMMERCIAL FLOOR PLAN

designed	RY	scale	1 : 125
drawn	DR / JR		
checked	RY		
drawing no.	A301		
plotted	4/16/21 11:24:36 AM		

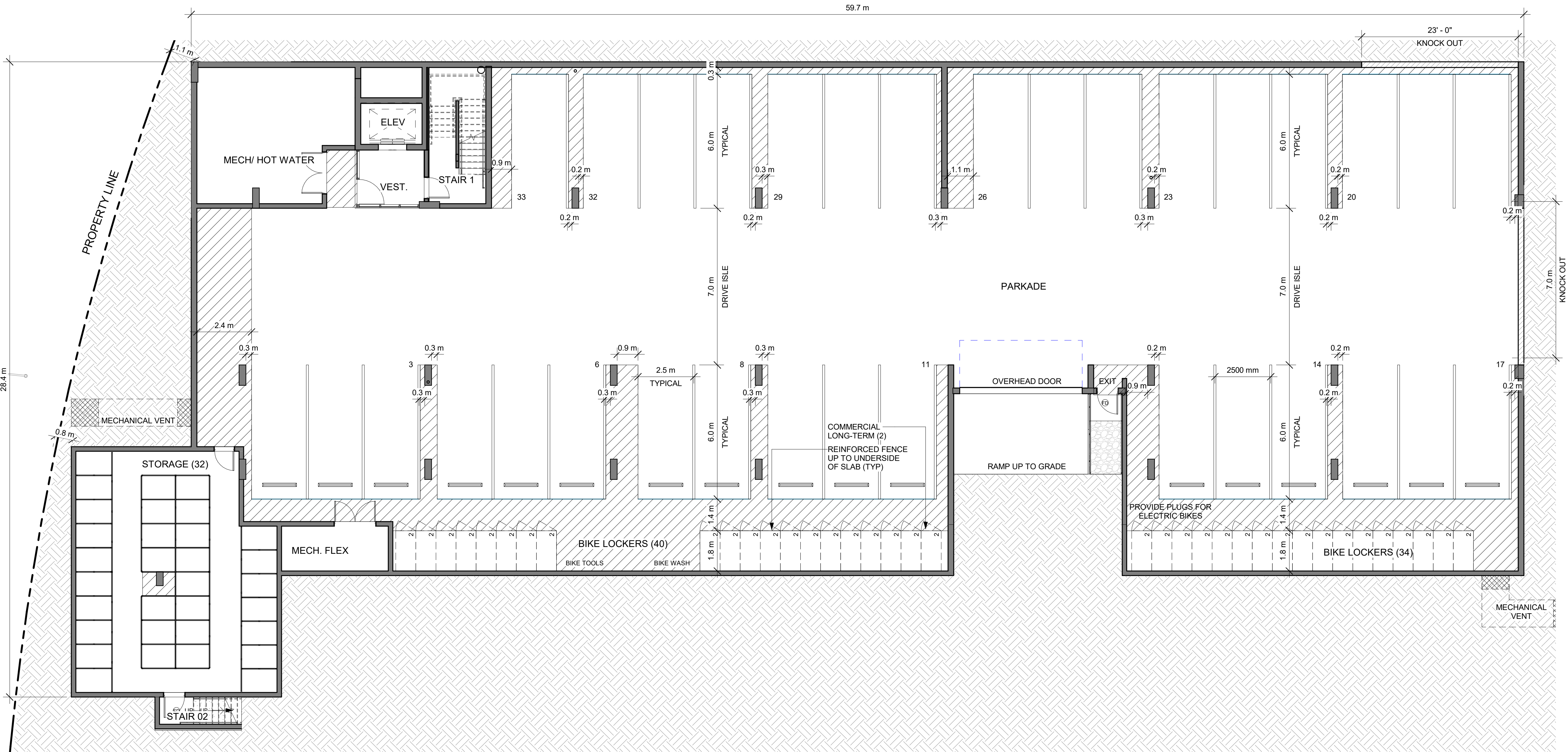
SCHEDULE

A

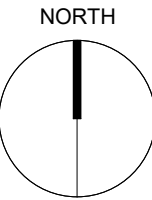
This forms part of application

DP20-0055
DVP20-0056

Planner
Initials AF



NOT FOR CONSTRUCTION



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5	APRIL 16, 2021	RE-ISSUED FOR DP

project title

WILLOW PARK

project address

590 Highway 33 W,
Kelowna, BC

project no. 4089

file no. C:\Users\miller\OneDrive\WORK\WILLOW - Central_NY_Drafts

drawing title

PARKADE
FLOOR PLAN

designed RY scale 1 : 100

drawn DR / JR

checked RY

drawing no.

A300

plotted 4/16/21 11:24:33 AM

SCHEDULE

A

This forms part of application

DP20-0055

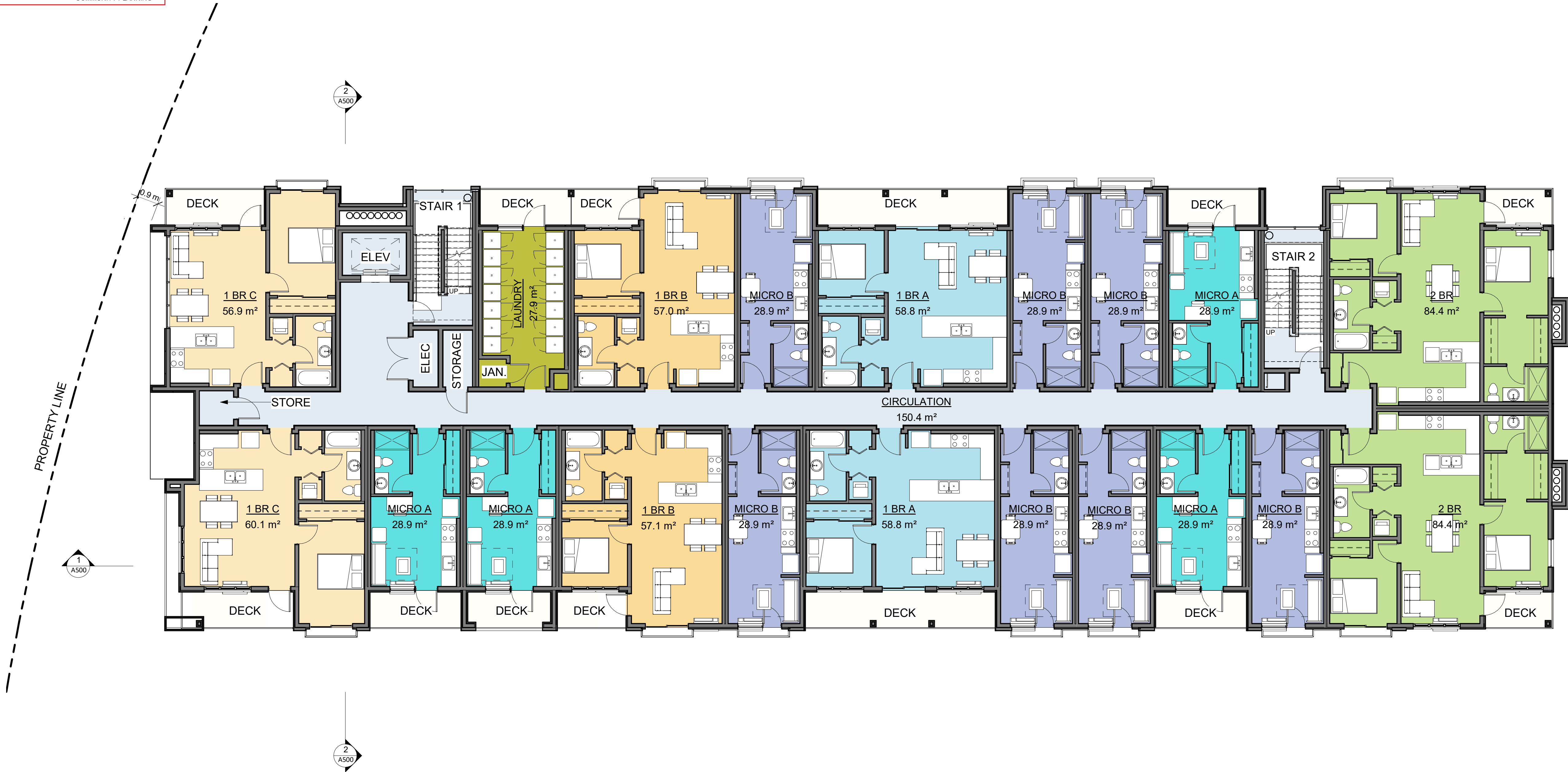
DVP20-0056

Planner Initials

AF

City of Kelowna

COMMUNITY PLANNING



NOT FOR CONSTRUCTION

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5	APRIL 16, 2021	RE-ISSUED FOR DP

project title
WILLOW PARK

project address
590 Highway 33 W,
Kelowna, BC

project no. 4089

File No. C:\Users\adam\OneDrive\4089 WILLOW - Central_NY_Drawn

drawing title
LEVEL 2 FLOOR PLAN

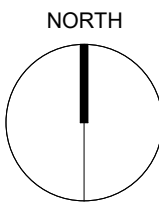
designed	RY	scale	1 : 100
drawn	DR / JR		
checked	RY		
drawing no.	A302		
plotted	4/16/21 11:24:43 AM		

SCHEDULE A

This forms part of application

DP20-0055
DVP20-0056

Planner
Initials AF



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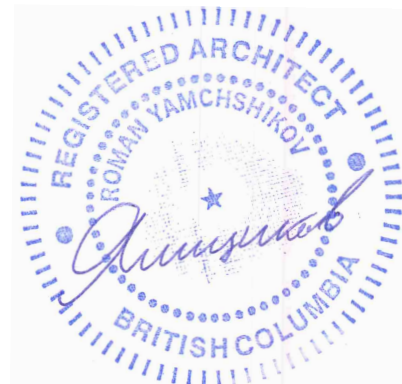
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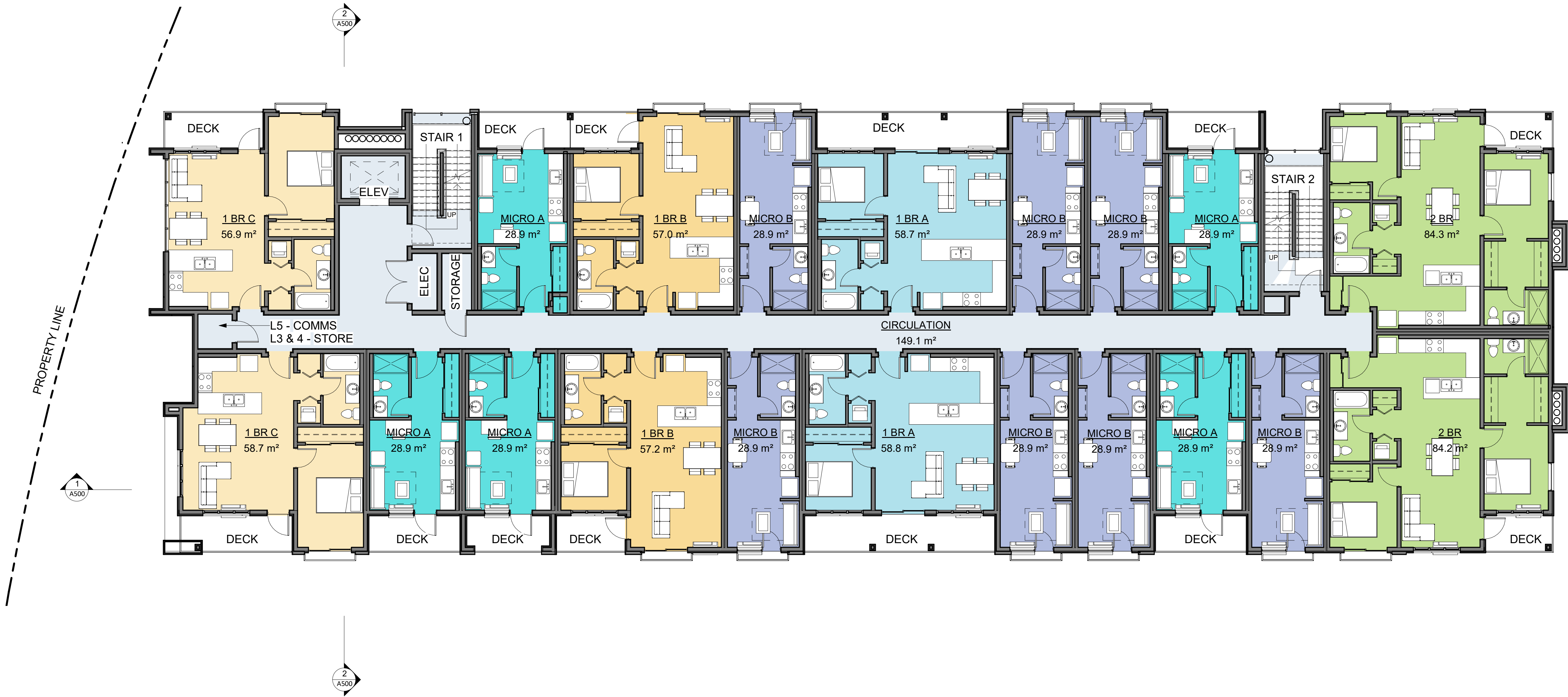
Seal



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5	APRIL 16, 2021	RE-ISSUED FOR DP

NOT FOR CONSTRUCTION



project title
WILLOW PARK

project address
590 Highway 33 W,
Kelowna, BC

project no. 4089

file no. C:\Users\jordan\Desktop\4089 WILLOW - Central_NT_Data.dwg

drawing title
LEVELS 3, 4 & 5
FLOOR PLANS

designed RY scale 1 : 100

drawn DR / JR

checked RY

drawing no. A303

plotted 4/16/21 11:24:49 AM

SCHEDULE

A

This forms part of application

DP20-0055
DVP20-0056

Planner
Initials AF



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5	APRIL 16, 2021	RE-ISSUED FOR DP

project title

WILLOW PARK

project address

590 Highway 33 W,
Kelowna, BC

project no. 4089

file no. C:\Users\rdh\OneDrive\Documents\WILLOW - Central_NY_Drafts

drawing title

LEVEL 6 FLOOR
PLAN

designed RY scale 1 : 100

drawn DR / JR

checked RY

drawing no.

A304

plotted 4/16/21 11:24:55 AM

NOT FOR CONSTRUCTION



SCHEDULE

A

This forms part of application

DP20-0055

DVP20-0056

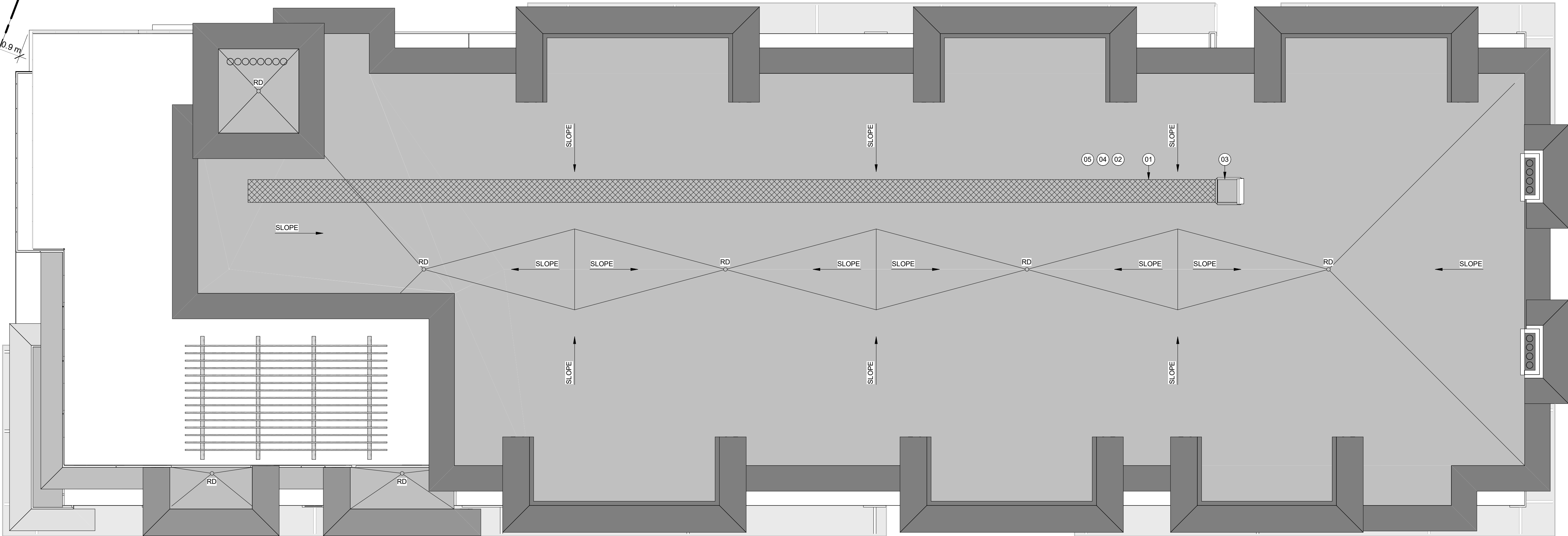
Planner

Initials

AF

City of Kelowna

COMMUNITY PLANNING



NOT FOR CONSTRUCTION

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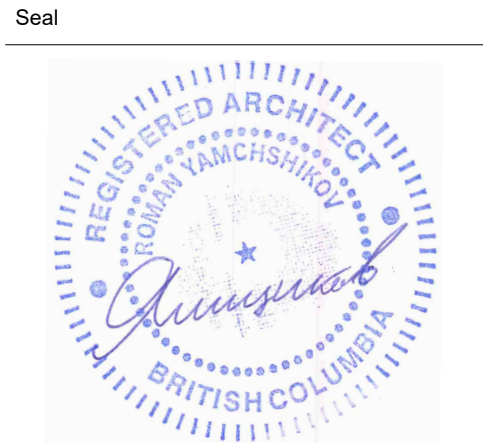
NEW TOWN

ARCHITECTURE

URBAN PLANNING

CIVIL ENGINEERING

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project title

WILLOW PARK

project address

590 Highway 33 W,
Kelowna, BC

project no.

4089

drawing title

ROOF PLAN

designed

RY

scale

1/8" = 1'-0"

drawn

DR / JR

checked

RY

drawing no.

A305

plotted

4/16/21 11:24:56 AM

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5	APRIL 16, 2021	RE-ISSUED FOR DP

project title
WILLOW PARK

project address
**590 Highway 33 W,
Kelowna, BC**

project no. **4089**

file no. C:\Users\andrew\Documents\WILLOW PARK\Drawings\WILLOW_Park_NY_Drawing

drawing title
**EXTERIOR
ELEVATIONS**

designed **RY** scale **As indicated**

drawn **DR / JR**

checked **RY**

drawing no. **A401**

plotted 4/16/21 11:25:08 AM

SCHEDULE B

This forms part of application

DP20-0055
DVP20-0056

Planner
Initials **AF**



MATERIAL KEYNOTE LEGEND

1. THIN BRICK VENEER
2. CEMENTITIOUS PANEL - DARK COFFEE
3. CEMENTITIOUS PANEL - LIGHT BLUE
4. CEMENTITIOUS BANDS - WHITE
5. ROOF CORNICE #1 - ACRYLIC PAINT - BROWN
6. ROOF CORNICE #2 - ACRYLIC PAINT - BROWN
7. STOREFRONT GLAZING W/ SPANDREL PANELS
8. ALUMINUM FRAMED GLAZED DOORS
9. ALUMINUM SLIDING PATIO DOOR- BLACK FRAME
10. WINDOWS- CLEAR VISION GLASS W/ BLACK FRAME
11. PAINTED METAL EXTERIOR DOORS
12. ARCHITECTURAL CONCRETE
13. FEATURE CANOPY
14. VENT STACKS
15. BIKE RACK
16. ALUMINUM PICKET RAILING

1 NORTH ELEVATION

A3.01/ 1: 200



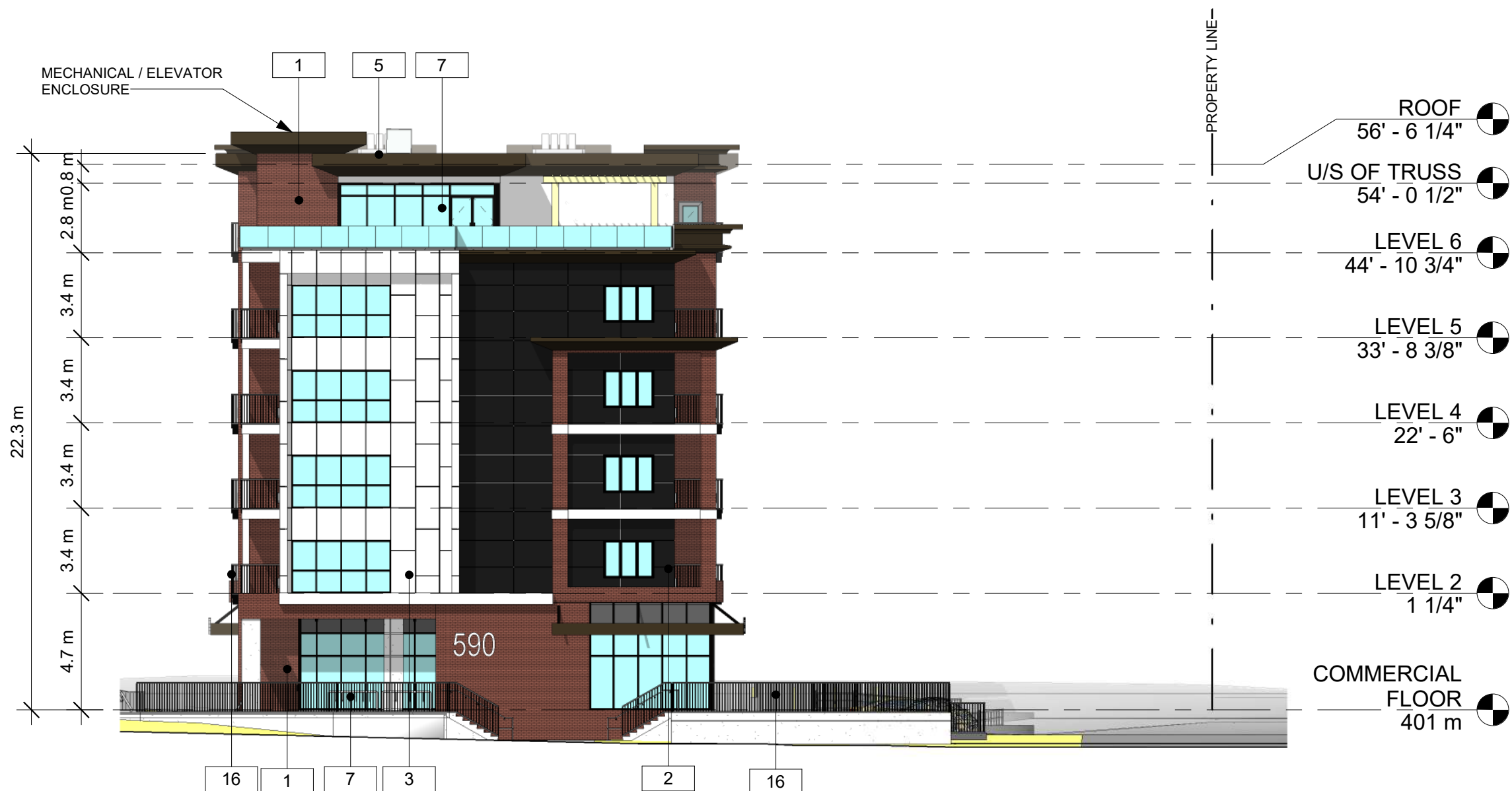
2 SOUTH ELEVATION

A3.01/ 1: 200



3 WEST ELEVATION

A3.00/ 1: 200



4 EAST ELEVATION

A3.01/ 1: 200



NOT FOR CONSTRUCTION

CEMENTITIOUS PANEL - COFFEE (#2)



THIN BRICK VENEER PANEL - (#1)



CEMENTITIOUS PANEL - LIGHT BLUE (#3)



ARCHITECTURAL CONCRETE (#16)



ALUMINUM PICKET RAILING - BLACK (#11)



STOREFRONT GLAZING (#6)



SCHEDULE

B

This forms part of application

DP20-0055

DVP20-0056

Planner

Initials

AF


City of

Kelowna

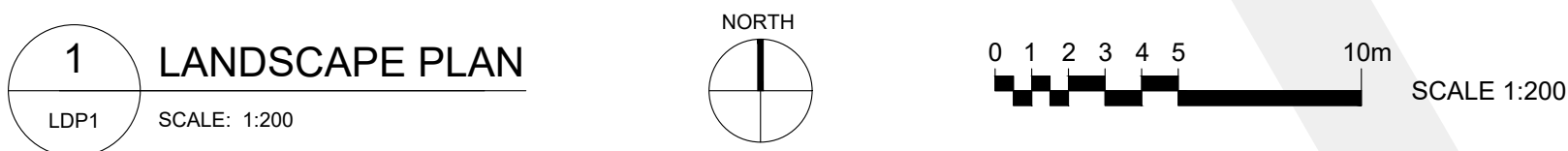
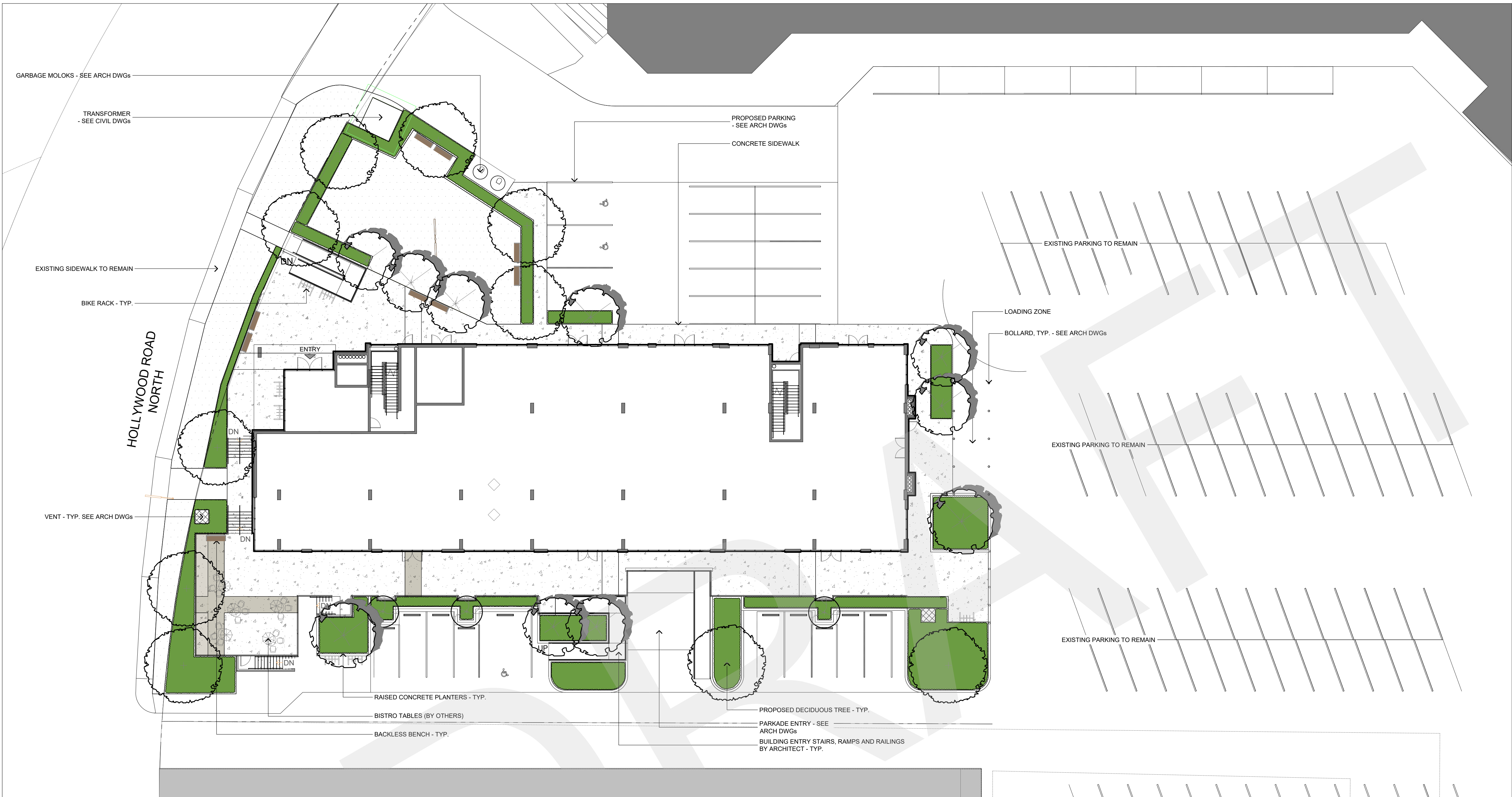
COMMUNITY PLANNING

NOT FOR CONSTRUCTION

Seal



Revisions		
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3	MARCH, 8, 2021	ISSUED FOR REVIEW
4	APRIL 1, 2021	ISSUED FOR DP



PLANTING CHARACTER IMAGES



LANDSCAPE PLAN LEGEND:

- PROPERTY LINE
- BUILDING ENTRY
- BOLLARD
- CONCRETE BANDING
- CONCRETE PAVING
- BIKE RACK
- DECORATIVE BENCH

PLANTING LEGEND:

- LAWN
- ORNAMENTAL PLANTING
- PROPOSED TREE

SCHEDULE C

This forms part of application
DP20-0055
DVP20-0056

Planner Initials AF

City of Kelowna
COMMUNITY PLANNING

- PLANTING LEGEND:**
- PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE CANADIAN LANDSCAPE STANDARD (CURRENT EDITION).
 - THE LANDSCAPE DESIGN DESIGNATED HEREIN IS CONCEPTUAL BUT REFLECTS THE MINIMUM ACCEPTABLE QUALITY AND SIZE.
 - PLANT MATERIAL SELECTIONS ARE CONCEPTUAL ONLY. FINAL PLANTING SELECTIONS MAY VARY DEPENDING UPON AVAILABILITY.
 - ALL PLANTING BEDS SHALL HAVE APPROVED MULCH.
 - ALL LANDSCAPE AREAS TO BE IRRIGATED WITH AN EFFICIENT AUTOMATIC IRRIGATION SYSTEM.
 - THIS DRAWING DEPICTS FORM AND CHARACTER AND IS TO BE USED FOR DEVELOPMENT PERMIT SUBMISSION ONLY. IT IS NOT INTENDED FOR USE AS A CONSTRUCTION DOCUMENT.

REPRESENTATIVE PLANT LIST				
BOTANICAL NAME	COMMON NAME	SIZE	ROOT	Mature Plant Size (Ht.xWd.)
TREES				
<i>Acer ginnala</i>	Amur Maple	2.5m hgt.	B&B	4.5m x 3.0m
<i>Acer griseum</i>	Paperbark Maple	6cm Cal	B&B	7.5m x 7.5m
<i>Betula platyphylla</i> 'Jefpark' PP 25468	Parkland Pillar Birch	4cm Cal	B&B	9.0m x 2.4m
<i>Cercis canadensis</i> 'Forest Pansy'	Forest Pansy Redbud	4cm Cal	B&B	6.0m x 7.5m
<i>Picea pungens</i> 'Baker'	Bakeri Spruce	3.0m hgt.	B&B	6.0m x 4.5m
<i>Platanus x acerifolia</i> 'Blood Gold'	Bloodgood London Plane	6cm Cal.	B&B	20.0m x 12.0m
SHRUBS				
<i>Aronia melanocarpa</i> 'Lowscape Mound'	Chokeberry	#02	Potted	0.5m x 0.6m
<i>Cornus alba</i> 'Bailhalo'	Ivory Halo Dogwood	#01	Potted	1.50m x 1.50m
<i>Ilex x meserveae</i> 'Blue Girl'	Blue Girl Holly	#01	Potted	2.0m x 1.5m
<i>Juniperus x pfitzeriana</i> 'Sea Green'	Chinese Juniper 'Sea Green'	#05	Potted	1.5m x 2.0m
<i>Picea pungens</i> 'Glauca Globosa'	Colorado Spruce	#05	Potted	1.5m x 1.8m
<i>Pinus mugo</i> 'Slowmound'	Slowmound Mugo Pine	#03	Potted	0.9m x 1.25m
<i>Potentilla</i> 'Mango Tango'	Mango Tango Potentilla	#02	Potted	0.7m x 0.6m
<i>Spiraea betulifolia</i> 'Glow Girl'	Glow Girl Birchleaf Spirea	#02	Potted	1.2m x 1.2m
PERENNIALS / ORNAMENTAL GRASSES				
<i>Achillea filipendulina</i> 'Cloth of Gold'	Cloth of Gold Yarrow	#01	Potted	1.0m x 0.75m
<i>Arctostaphylos uva-ursi</i>	Kinnickinick	#01	Potted	0.15m x 0.3m
<i>Calamagrostis x acutiflora</i> 'Overdam'	Variegated Reed Grass	#01	Potted	1.25m x 0.75m
<i>Deschampsia cespitosa</i> 'Bronzeschleier'	Bronze Veil Tufted Hair Grass	#01	Potted	0.7m x 0.8m
<i>Echinacea purpurea</i> 'Magnus'	Magnus Coneflower	#01	Potted	1.0m x 0.75m
<i>Iris sibirica</i> 'Caesar's Brother'	Siberian Iris	#02	Potted	1.0m x 0.6m
<i>Lavandula angustifolia</i> 'Hidcote Superior'	English Lavender	#01	Potted	0.5m x 0.5m
<i>Miscanthus sinensis</i> 'Gracillimus'	Maiden Grass	#05	Potted	1.5m x 0.9m
<i>Nepeta x fassenii</i> 'Walker's Low'	Walker's Low Catmint	#01	Potted	0.90m x 0.90m
<i>Perovskia atriplicifolia</i>	Russian Sage	#01	Potted	1.25m x 0.90m
<i>Rudbeckia fulgida</i> 'Goldsturm'	Goldsturm Coneflower	#01	Potted	0.75m x 0.6m

REVISIONS / ISSUED		
3	MAR 03/31	RE-ISSUED FOR DP
2	DEC 09/20	RE-ISSUED FOR DP
1	NOV 01/19	ISSUED FOR DP
NO.	DATE	DESCRIPTION

WILLOW PARK

ARGUS PROPERTIES Ltd.
ADDRESS
590 HIGHWAY 33 W, KELOWNA, BC

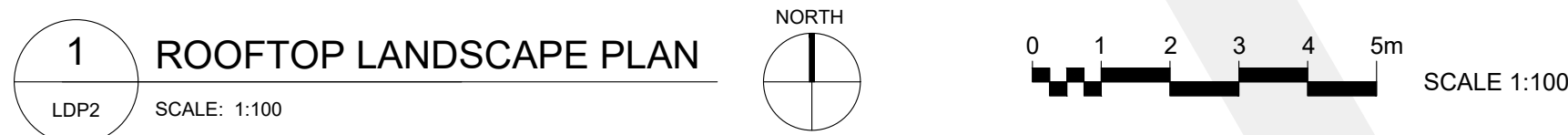
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THIS DRAWING SUPERSEDES PREVIOUS ISSUES.

wsp

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	EB
CHECKED BY	TC
PROJECT #	19M-01/132
SCALE	1:200

SHEET TITLE	LANDSCAPE PLAN
SHEET NO.	LDP 1
OF 4	



LANDSCAPE PLAN LEGEND:

BUILDING ENTRY

RAISED C.I.P. CONCRETE WALL PLANTER

HYDRAPRESSED CONCRETE SLABS

PLANTING LEGEND:

ORNAMENTAL PLANTINGPROPOSED TREE

SCHEDULE C

This forms part of application

DP20-0055

DVP20-0056

Planner Initials AF

City of Kelowna COMMUNITY PLANNING

BOTANICAL NAME	COMMON NAME	SIZE	ROOT	Mature Plant Size (Ht.xWd.)
TREES				
<i>Acer ginnala</i>	Amur Maple	2.5m hgt.	B&B	4.5m x 3.0m
<i>Acer griseum</i>	Paperbark Maple	6cm Cal	B&B	7.5m x 7.5m
<i>Betula platyphylla</i> 'Jefpark' PP 25468	Parkland Pillar Birch	4cm Cal	B&B	9.0m x 2.4m
<i>Cercis canadensis</i> 'Forest Pansy'	Forest Pansy Redbud	4cm Cal	B&B	6.0m x7.5m
<i>Picea pungens</i> 'Bakeri'	Bakeri Spruce	3.0m hgt.	B&B	6.0m x 4.5m
<i>Platanus x acerifolia</i> 'Blood Gold'	Bloodgood London Plane	6cm Cal.	B&B	20.0m x 12.0m
SHRUBS				
<i>Aronia melanocarpa</i> 'Lowscape Mound'	Chokeberry	#02	Potted	0.5m x 0.6m
<i>Cornus alba</i> 'Bailhalo'	Ivory Halo Dogwood	#01	Potted	1.50m x 1.50m
<i>Ilex x meserveae</i> 'Blue Girl'	Blue Girl Holly	#01	Potted	2.0m x 1.5m
<i>Juniperus x pfizeriana</i> 'Sea Green'	Chinese Juniper 'Sea Green'	#05	Potted	1.5m x 2.0m
<i>Picea pungens</i> 'Glauca Globosa'	Colorado Spruce	#05	Potted	1.5m x 1.8m
<i>Pinus mugo</i> 'Slowmound'	Slowmound Mugo Pine	#03	Potted	0.9m x 1.25m
<i>Potentilla</i> 'Mango Tango'	Mango Tango Potentilla	#02	Potted	0.7m x 0.6m
<i>Spiraea betulifolia</i> 'Glow Girl'	Glow Girl Birchleaf Spirea	#02	Potted	1.2m x 1.2m
PERENNIALS / ORNAMENTAL GRASSES				
<i>Achillea filipendulina</i> 'Cloth of Gold'	Cloth of Gold Yarrow	#01	Potted	1.0m x 0.75m
<i>Arctostaphylos uva-ursi</i>	Kinnickinick	#01	Potted	0.15m x 0.3m
<i>Calamagrostis x acutiflora</i> 'Overdam'	Variegated Reed Grass	#01	Potted	1.25m x 0.75m
<i>Deschampsia cespitosa</i> 'Bronzeschleier'	Bronze Veil Tufted Hair Grass	#01	Potted	0.7m x 0.8m
<i>Echinacea purpurea</i> 'Magnus'	Magnus Coneflower	#01	Potted	1.0m x 0.75m
<i>Iris sibirica</i> 'Caesar's Brother'	Siberian Iris	#02	Potted	1.0m x 0.6m
<i>Lavandula angustifolia</i> 'Hidcote Superior'	English Lavender	#01	Potted	0.5m x 0.5m
<i>Miscanthus sinensis</i> 'Gracillimus'	Maiden Grass	#05	Potted	1.5m x 0.9m
<i>Nepeta x fassenii</i> 'Walker's Low'	Walker's Low Catmint	#01	Potted	0.90m x 0.90m
<i>Perovskia atriplicifolia</i>	Russian Sage	#01	Potted	1.25m x 0.90m
<i>Rudbeckia fulgida</i> 'Goldsturm'	Goldsturm Coneflower	#01	Potted	0.75m x 0.6m

CHARACTER IMAGES



REVISIONS / ISSUED		
3	MAR 03/31	RE-ISSUED FOR DP
2	DEC 09/20	RE-ISSUED FOR DP
1	NOV 01/19	ISSUED FOR DP
NO.	DATE	DESCRIPTION

WILLOW PARK

ARGUS PROPERTIES Ltd.

ADDRESS
590 HIGHWAY 33 W, KELOWNA, BC

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THIS DRAWING SUPERSEDES PREVIOUS ISSUES.

WSP

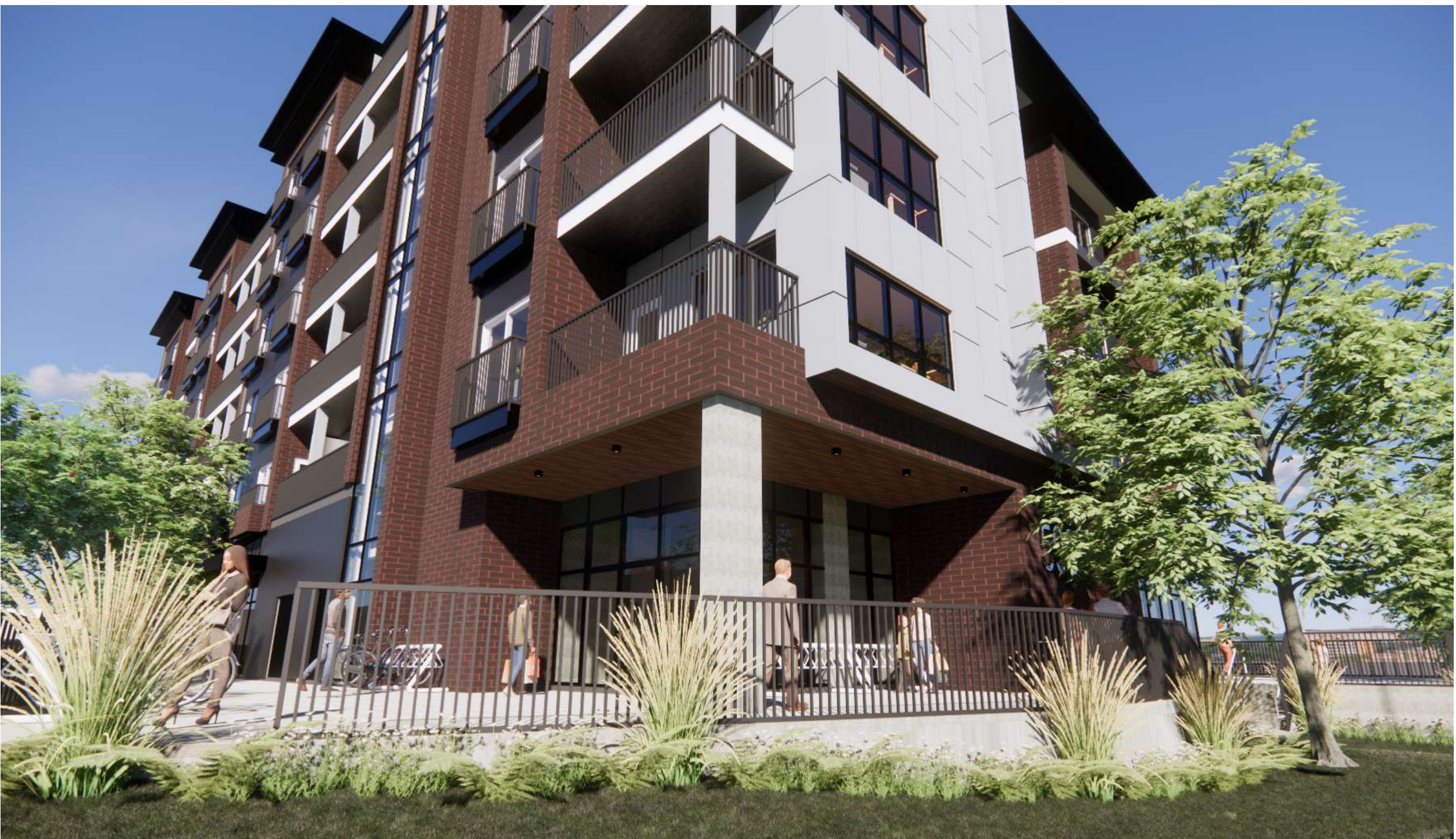
LANDSCAPE ARCHITECTURE | URBAN DESIGN | PLANNING | ENGINEERING

Suite 700, 1631 Dickson Avenue, Kelowna, BC V1Y 0B5 t:250.869.1334 www.wsp.com

DESIGN BY	TC	SHEET TITLE
DRAWN BY	EB	
CHECKED BY	TC	ROOFTOP LANDSCAPE PLAN
PROJECT #	19M-01332	
SCALE	1:100	SHEET NO.
		LDP 2
		OF 4



NORTH - WEST CORNER



NORTH ELEVATION, RESIDENTIAL ENTRY, CLOSE-UP



SOUTH ELEVATION



NORTH ELEVATION, PARK

ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA

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Verify all dimensions and datums prior to commencement of work.

Report all errors and omissions to the Architect.


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ARCHITECTURE
URBAN PLANNING
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Revisions		
No.	DATE	DESCRIPTION
1	DEC 18, 2020	ISSUED FOR DP R2
2	FEB 25, 2021	ISSUED FOR REVIEW
3	MARCH, 8, 2021	ISSUED FOR REVIEW
4	APRIL 1, 2021	ISSUED FOR DP
5	APRIL 16, 2021	RE-ISSUED FOR DP

NOT FOR CONSTRUCTION

project title	
WILLOW PARK	
project address	
590 Highway 33 W, Kelowna, BC	
project no.	4089
drawing title	
RENDERINGS	
designed	RY
drawn	JR
checked	RY
drawing no.	A101
plotted	4/16/21 11:24:28 AM



SOUTH-WEST ELEVATION



SOUTH ELEVATION, ELEVATED SIDEWALK



NORTH-EAST CORNER



SOUTH-EAST CORNER

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NEW TOWN

ARCHITECTURE

URBAN PLANNING

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Seal



Revisions

No.	DATE	DESCRIPTION
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NOT FOR CONSTRUCTION

project title

WILLOW PARK

project address

590 Highway 33 W,
Kelowna, BC

project no.

4089

file no.

C:\Users\jv\OneDrive\Documents\WILLOW - Central_NY_Drafts

drawing title

RENDERINGS

designed

RY

scale

drawn

JR

checked

RY

drawing no.

A102

plotted

4/16/21 11:24:29 AM



ROOFTOP AMENITY SPACE - NORTH WEST



ROOFTOP AMENITY SPACE - SOUTH WEST

Seal



Revisions		
No.	DATE	DESCRIPTION
1	DEC 18, 2020	ISSUED FOR DP R2
2	FEB 25, 2021	ISSUED FOR REVIEW
3	MARCH, 8, 2021	ISSUED FOR REVIEW
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NOT FOR CONSTRUCTION

project title

WILLOW PARK

project address

590 Highway 33 W,
Kelowna, BC

project no.

4089

File no.

C:\Users\jldell\Desktop\4089 WILLOW - Central_NT_Data.mxd

drawing title

RENDERINGS

designed

RY

scale

drawn

JR

checked

RY

drawing no.

A103

plotted

4/16/21 11:24:29 AM

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			
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			
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			
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?	✓		
Are vehicle and service accesses from lower order roads or lanes?	✓		
Do vehicle and service accesses have minimal impact on the streetscape and public views?	✓		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
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?	✓		
Do parking lots have one shade tree per four parking stalls?	✓		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
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?	✓		
<i>Landscape Water Conservation Guidelines</i>			
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?	✓		
<i>Irrigation System Guidelines</i>			
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?	✓		
Lakeside Development			
Are lakeside open spaces provided or enhanced?			✓
Are lake views protected?			✓
Does lakeside development act as a transition between the lake and inland development?			✓

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Signs			
Do signs contribute to the overall quality and character of the development?	✓		
Is signage design consistent with the appearance and scale of the building?	✓		
Are signs located and scaled to be easily read by pedestrians?	✓		
For culturally significant buildings, is the signage inspired by historical influences?			✓
Lighting			
Does lighting enhance public safety?	✓		
Is "light trespass" onto adjacent residential areas minimized?	✓		
Does lighting consider the effect on the façade, neighbouring buildings and open spaces?	✓		
Is suitably scaled pedestrian lighting provided?	✓		
Does exterior street lighting follow the International Dark Sky Model to limit light pollution?	✓		

Revitalization Development Permit Area

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

REVITALIZATION DEVELOPMENT PERMIT AREA	YES	NO	N/A
Relationship to the Neighbourhood and Street			
Does the proposal maintain the established or envisioned architectural character of the neighbourhood?	✓		
Do developments adjacent to non-revitalization areas create an appropriate transition?	✓		
Are spaces for pedestrian friendly amenities, such as street furniture, included on site?	✓		
Is the ratio of streetwall height to street width less than 0.75:1?	✓		
Does the building frontage occupy the entire length of the street, without drive aisles or other dead zones?	✓		
Building Design			
Are architectural elements aligned from one building to the next?			✓
Are the effects of shadowing on public areas mitigated?			✓
Are doors or windows incorporated into at least 75% of street frontage?	✓		
Do proposed buildings have an identifiable base, middle and top?	✓		
Are windows, entrances, balconies and other building elements oriented towards surrounding points of interest and activity?	✓		

REVITALIZATION DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are architectural elements such as atriums, grand entries and large ground-level windows used to reveal active interior spaces?	✓		
Are buildings designed with individual entrances leading to streets and pathways rather than with mall style entrances and internal connections?		✓	
For multiple unit residential projects, is ground level access for first storey units provided?	✓		
Are buildings finished with materials that are natural, local, durable and appropriate to the character of the development?	✓		
Are prohibited materials such as vinyl siding, reflective or non-vision glass, plastic, unpainted or unstained wood, and concrete block not used in the design?	✓		
Are stucco and stucco-like finishes omitted as a principal exterior wall material?		✓	
Are vents, mechanical rooms/equipment and elevator penthouses integrated with the roof or screened with finishes compatible with the building's design?	✓		
View Corridors			
Are existing views preserved and enhanced?			✓
Vehicular Access and Parking			
Are at-grade and above-grade parking levels concealed with façade treatments?	✓		
Are garage doors integrated into the overall building design?			✓
Are pedestrian entrances more prominent features than garage doors and vehicle entrances?	✓		
Is surface parking located to the rear of the building or interior of the block?	✓		
Are truck loading zones and waste storage areas screened from public view?	✓		
Do parking lots have one shade tree per four parking stalls?	✓		
Are pedestrian connections provided within and between parking lots?			✓
Are driving, parking, pedestrian and cycling areas distinguished through changes in colour or pattern of paving materials?	✓		
Signage			
Is signage design consistent with the appearance and scale of the building?	✓		
Are corporate logos on signs complimentary to the overall building character?			✓
Is signage lighting minimized?			✓
Public Art			
Is public art incorporated into the project?		✓	
Tower Design (Building Greater than Six Stories)			
Do towers enhance views to and through the skyline?			✓
Are tower forms and the upper portions of buildings at once cohesive yet distinct from the overall design?			✓

REVITALIZATION DEVELOPMENT PERMIT AREA	YES	NO	N/A
Does the building design emphasize height rather than width?			✓
Does building design take into account micro-climates, shading and wind tunneling effects?			✓
Are new developments integrated into the established urban pattern through siting and building design?			✓
Are large flat expanses of roof enhanced with texture, colour or landscaping where they are visible from above or adjacent properties?			✓
Do elements such as gazebos, trellises, and pergolas provide visual interest and enhance usability of rooftop spaces?			✓
Are balconies recessed a minimum depth of 1 m within the adjoining building face?			✓
Are podiums designed to provide an animated pedestrian environment?			✓
Downtown Considerations			
Does the proposal maintain and extend the traditional block pattern?			✓
Is the street façade articulated in a vertical rhythm that is consistent with the traditional street pattern?			✓
Are windows set back from the building face and do they include headers and sills?			✓
Are windows at street level kept low for displays of retail goods and for high visibility into interior spaces?			✓
Is the height of upper floor windows at least 1.5 times their width?			✓
Are building materials and colours consistent with other prominent Downtown buildings, preferably brick or cut stone?			✓
Is signage appropriate to the neighborhood and not internally lit or neon?			✓



December 9, 2019

City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4

Attention: Laura Bentley, Urban Planning & Development Policy Manager

Dear Ms. Bentley

RE: Development Permit and Variance Permit Application – 590 Highway 33 W, Kelowna, BC

Please find attached an application for a Development Permit and Development Variance Permit at 590 Highway 33 West.

Further information on the proposed development is provided below, including a project rationale, and a discussion of the development purpose and requested variance.

1. DP / DVP Application

In accordance with the Development Application Procedures Bylaw No. 10540, the following items are required for Development Permit applications (numbering as per the bylaw):

- a) Application Form
- b) State of Title Certificates
- c) Owner's Authorization form
- d) Site Profile or Site Profile Waiver
- e) Zoning Analysis Table
- f) Project Rationale (below)
- g) Photographs of the existing site
- h) Sustainability Statement
- i) Site Plan
- j) Floor Plan
- k) Elevation Drawings
- l) Colour Board
- m) Landscape Plan

We understand that item (h) is no longer routinely reviewed, and is not included.

2. Project Rationale and Corporate Background

Argus Properties Ltd. has owned and operated the Willow Park Mall property in Rutland for over 40 years. During this lengthy corporate ownership, the mall has been continuously maintained and upgraded in the course of tenant relocation and expansion. A previous phase of infill residential development was also added to the northern edge of the site in 1995, containing 40 units.

As a major community partner in Kelowna, Argus has a long history of involvement in the Rutland neighbourhood. Along with being a founding member of the Uptown Rutland Business Association, Argus was a major contributor to the construction of Ben Lee Park, and has sponsored various community programs and events such as youth soccer over the past few decades.

With the ongoing need for rental housing in Kelowna, Willow Park Mall represents an ideal location for this type of densification project. The proposed building is located in the heart of Rutland, next to shopping and a short walk from a number of major transit routes and active transportation corridors. With underground parking, a commercial main floor, and five floors of residences above, we feel that this building offers context-sensitive infill development which complements the existing neighbourhood, while laying the foundation for future densification in the area.

The residential component of the building is expected to attract a range of potential tenants, including Kelowna's hospitality workforce, students, and other single person households. Census data shows the number of single person households has increased significantly as a percentage of the population, and future projections show that trend continuing. The building features common amenity space on each floor, which is anticipated to offer a variety of uses for the tenants, from a gym to quiet and active social spaces, along with a rooftop patio and food prep/lounge area.

The building footprint is currently an underutilized area of the mall parking lot. This project will activate the Hollywood Road frontage with new commercial space and a patio, while also increasing the retail and dining options for all of Rutland.

The preliminary design in the attached drawings is based upon modular construction. If conventional wood-framed construction is selected for detailed design, minor reductions in building height and dimensions may result, but the overall form and character will remain consistent with the DP drawings.

3. Conclusion

We thank you for your consideration in reviewing the attached application. Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

ARGUS PROPERTIES LTD.



Darren Schlamp
Development Manager

DKS/



DP20-0055 & DVP20- 0056

590 Highway 33 W

Development Permit and Development Variance Permit
Applications



Proposal

- ▶ To consider the form and character of a mixed-use residential / commercial development with a variance to maximum building height.

Development Process

Feb 6, 2020

Development Application Accepted



Staff Review & Circulation



Mar 25, 2021

Public Notification Received



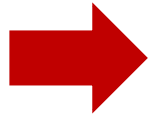
May 11, 2021

Final Reading
DP/DVP Consideration

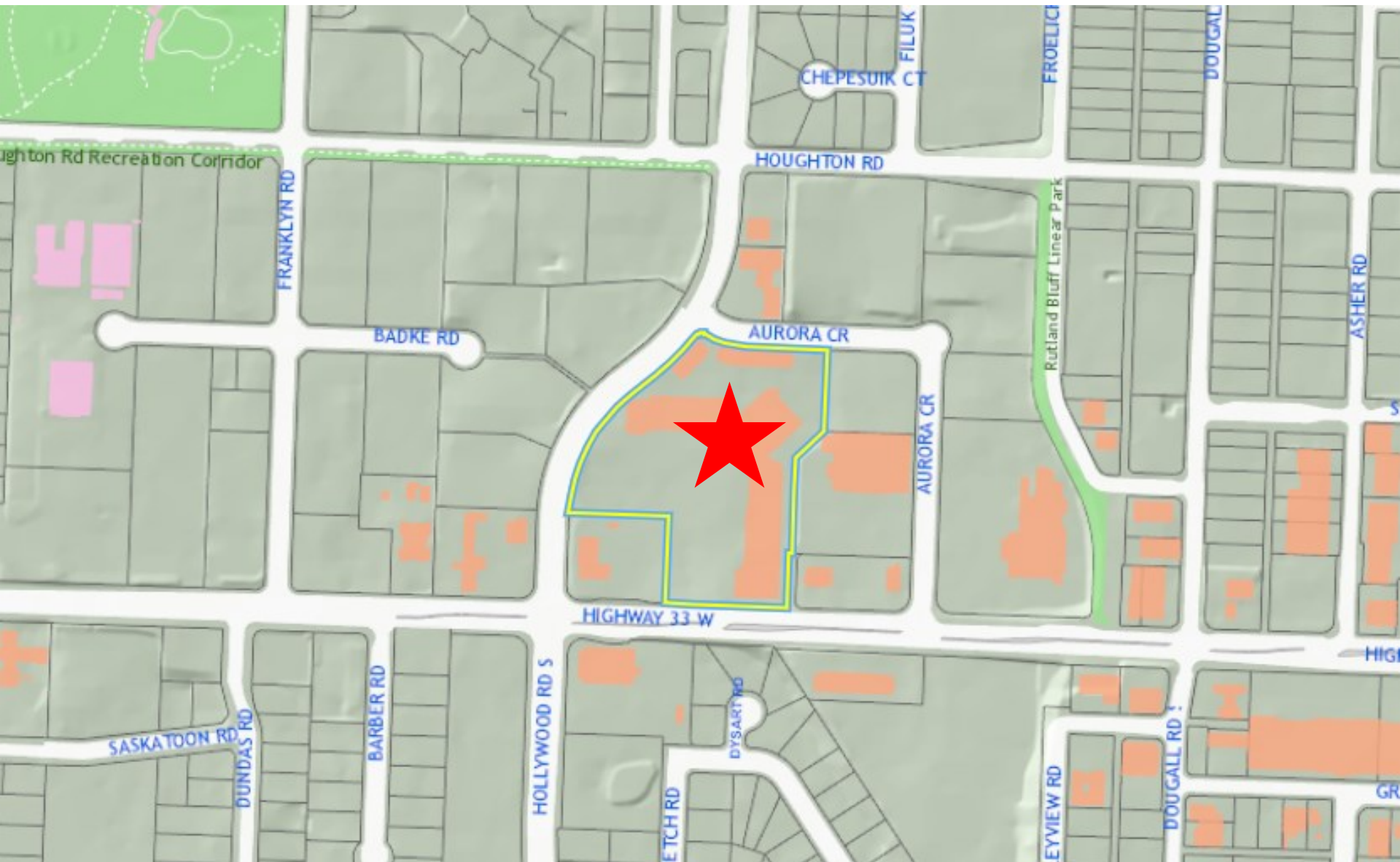


Council
Approvals

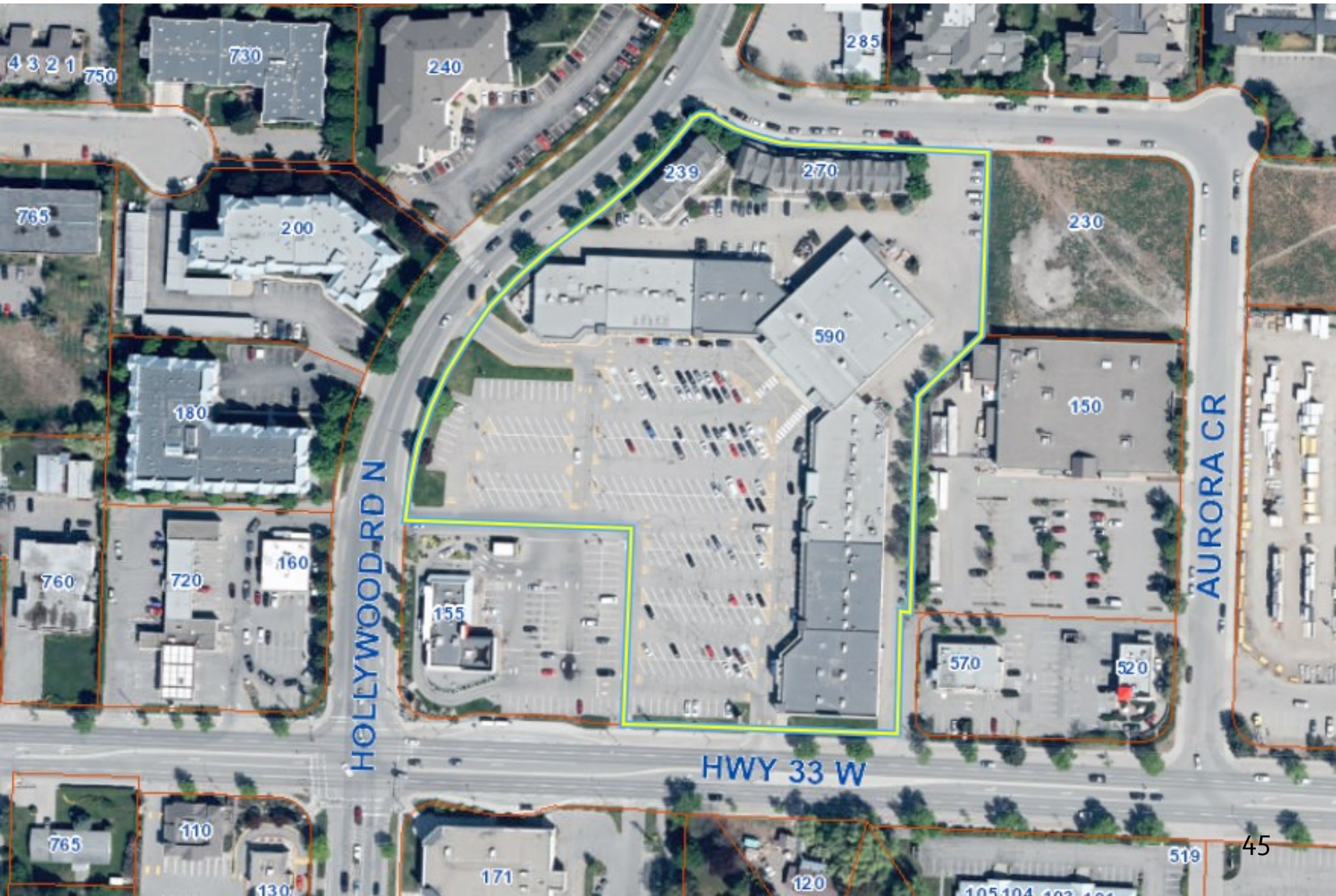
Building Permit



Context Map



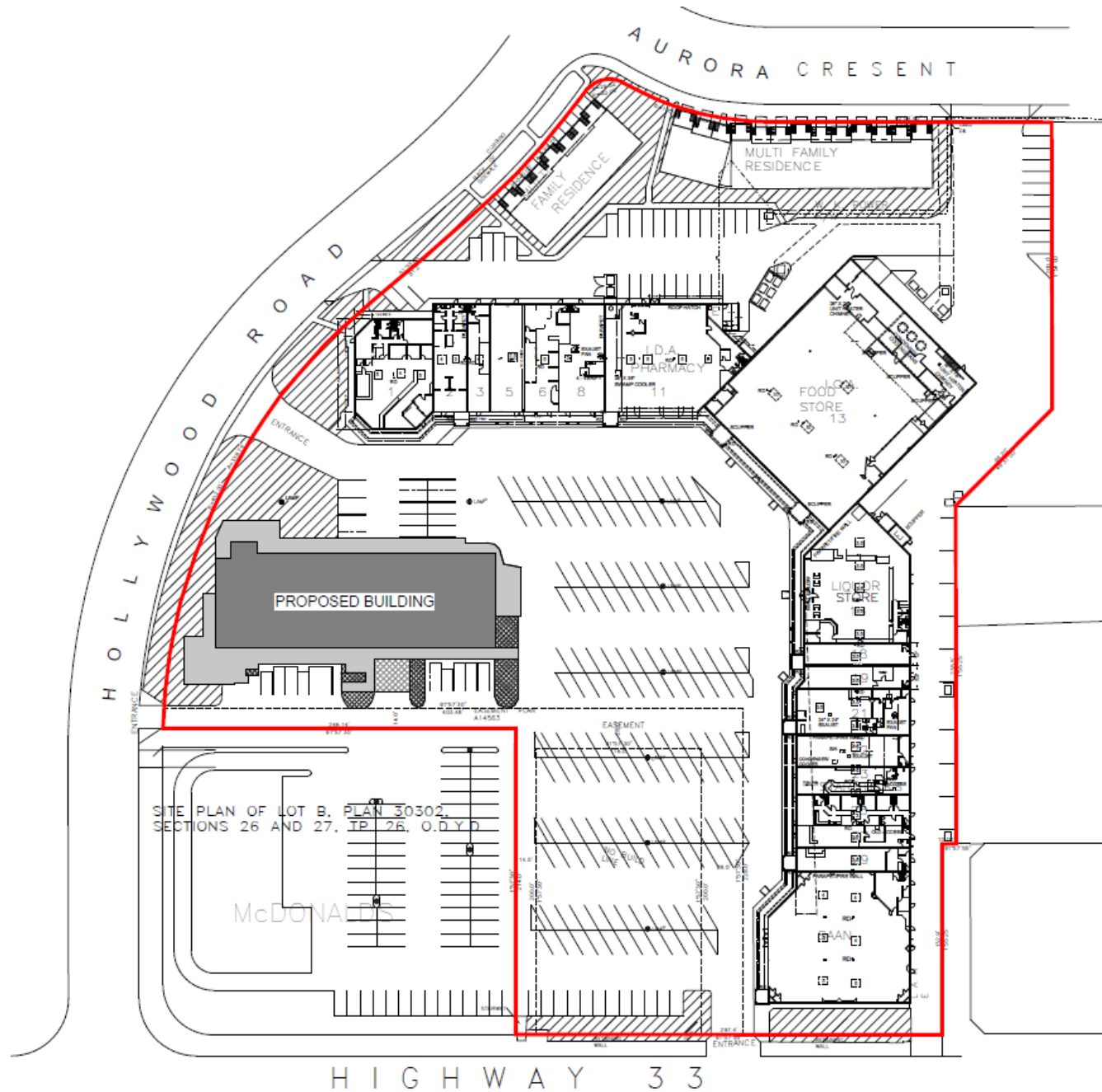
Subject Property Map



Project/technical details

- ▶ 95 residential apartment units
 - ▶ 57 micro-suites
 - ▶ 28 one-bedroom
 - ▶ 10 two-bedroom
- ▶ 922.6 m² ground floor commercial
- ▶ Surface and below grade parking
- ▶ Features private balconies, rooftop amenity and grade level private open spaces
- ▶ Variance to building height

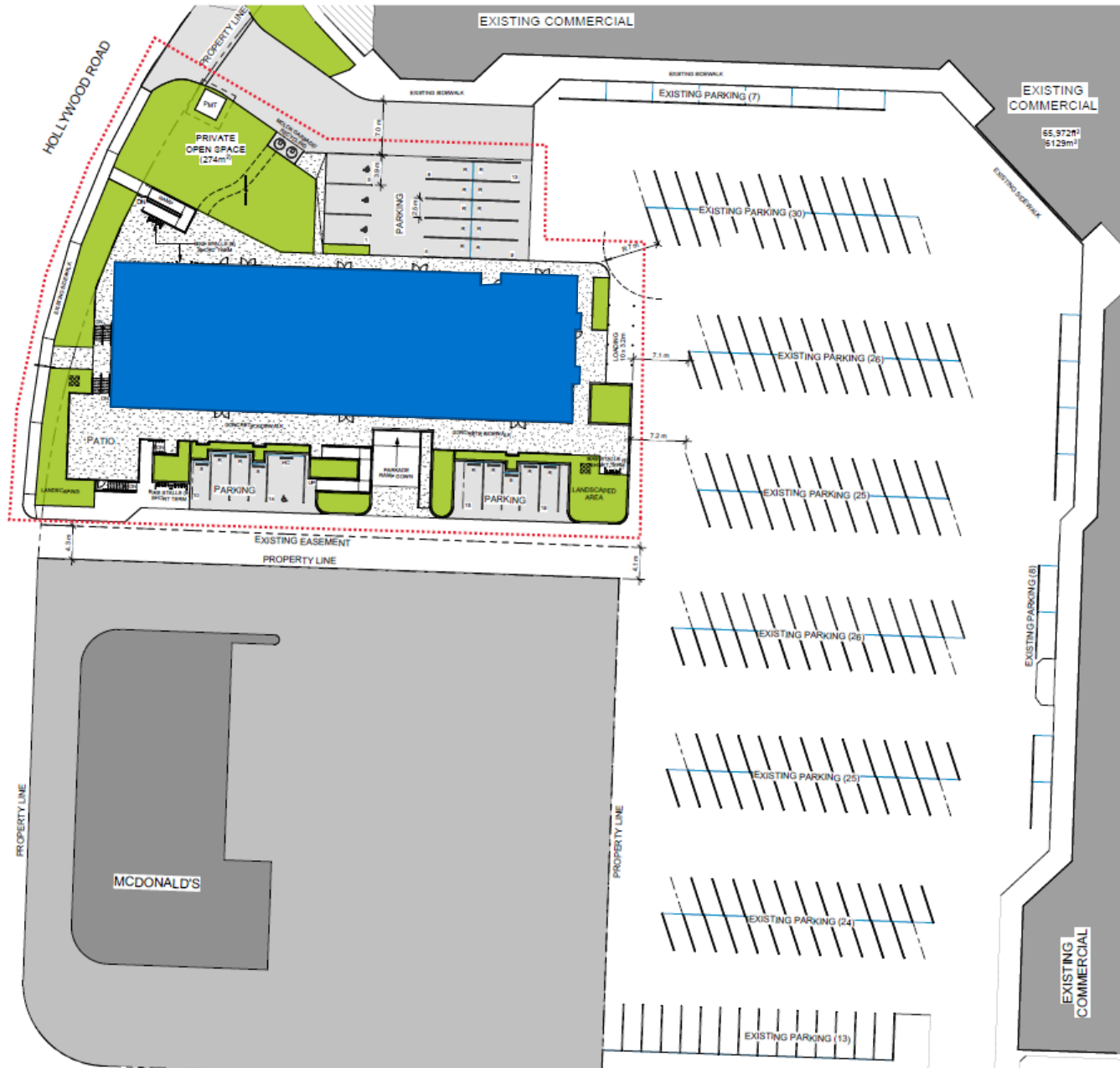
Context Plan



Site Plan



Site Plan



Site Plan Enlargement



Elevations



1 NORTH ELEVATION
A3.01 1:200



2 SOUTH ELEVATION
A3.01 1:200

Renderings

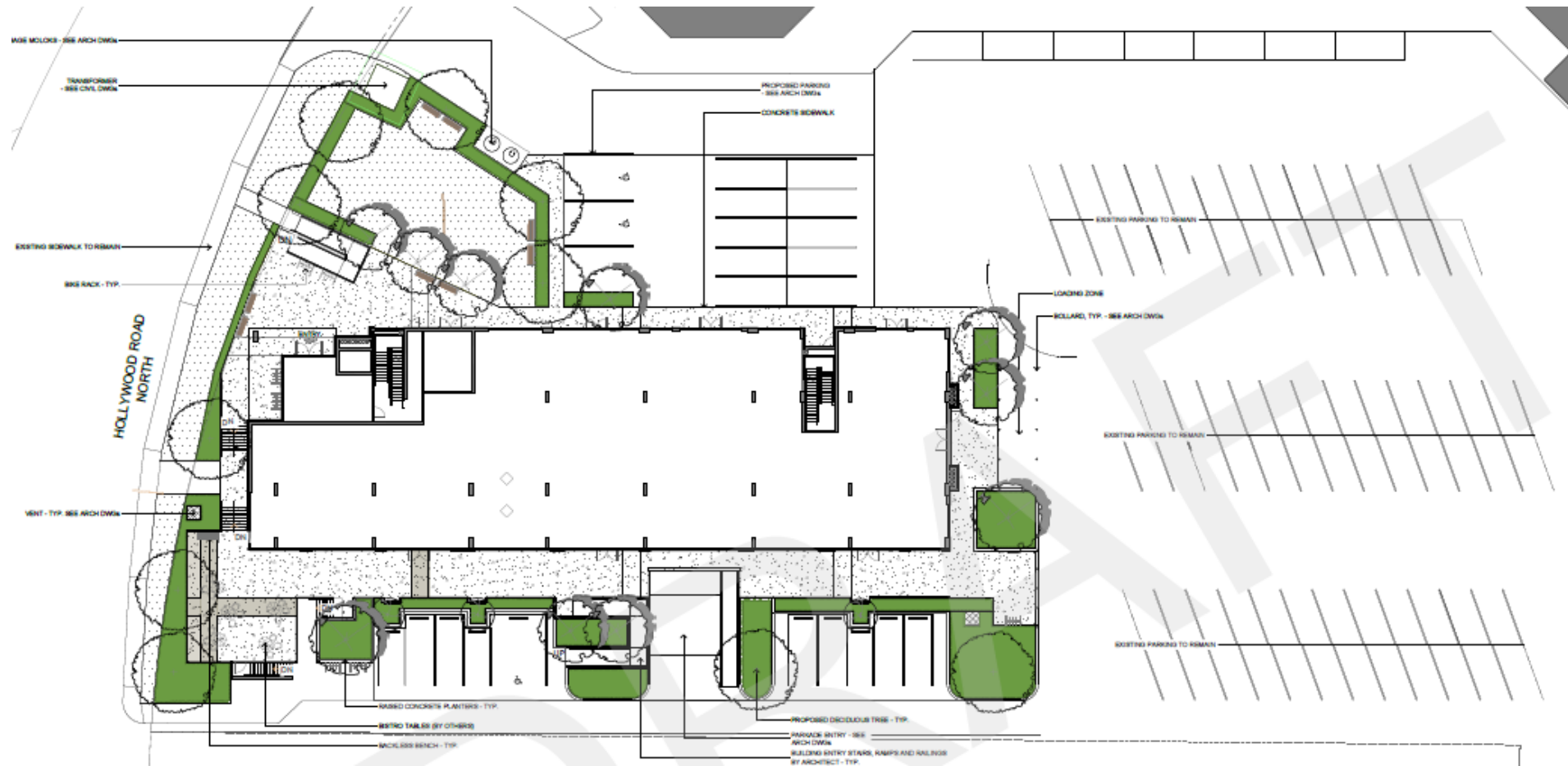


3 WEST ELEVATION
A3.00 1 : 200



4 EAST ELEVATION
A3.01 1 : 200

Landscape Plan



Landscape Plan



Renderings



Renderings



NORTH - WEST CORNER



ROOFTOP AMENITY SPACE - NORTH WEST



NORTH EAST CORNER



SOUTH ELEVATION

Development Policy

- ▶ Chapter 5: Development Process
 - ▶ Building Height
 - ▶ 6 storeys appropriate within Rutland Urban Centre
 - ▶ Sensitive Infill
 - ▶ Development to reflect the form and character of existing neighbourhood
 - ▶ Housing Mix
 - ▶ Support a greater mix of unit types, form and tenure
 - ▶ Family Housing
 - ▶ Support housing alternatives for families when single detached housing is too costly

Staff Recommendation

- ▶ Staff recommend **support** for the Development Permit and Development Variance Permit applications
 - ▶ Meets zoning requirements, except for building height
 - ▶ High quality landscaping
 - ▶ Consistent with OCP Comprehensive and Revitalization Design Guidelines
 - ▶ Height variance does not negatively impact development



Conclusion of Staff Remarks