City of Kelowna Regular Council Meeting AGENDA



Tuesday, August 10, 2021 6:30 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 Hodge.

3. Confirmation of Minutes

1 - 13

Public Hearing - July 27, 2021 Regular Meeting - July 27, 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 6:30 PM - Cedar Ave 417 - BL12209 (Z21-0002) - 417 Cedar Developments Ltd., Inc. No. BC1283948

14 - 14

To adopt Bylaw No. 12209 in order to rezone the subject property from the RU1 - Large Lot Housing zone to the C4 - Urban Centre Commercial zone.

4.2. START TIME 6:30 PM - Cedar Ave 417 - DP21-0005 DVP21-0006 - 417 Cedar Developments Ltd., Inc. No. BC1283948

15 - 75

To consider a form and character Development Permit and variances to facilitate a mixed-use development on the subject property.

- 5. Reminders
- 6. Termination



City of Kelowna **Regular Meeting** Minutes

Date:

Tuesday, July 27, 2021

Time:

7:00 pm

Location:

Council Chamber

City Hall, 1435 Water Street

Members Present

Mayor Colin Basran, Councillors Brad Sieben, Maxine DeHart, Ryan Donn,

Gail Given, Mohini Singh, Luke Stack

Members Participating

remotely

Councillor Charlie Hodge

Members Absent

Councillor Loyal Wooldridge

Staff Present

City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Deputy City Clerk, Laura Bentley; Divisional Director, Planning & Development Services, Ryan Smith; Development Planning Department Manager, Terry Barton; Community Planning & Development Manager, Dean Strachan*; Planner II, Kimberly Brunet*

Staff participating remotely

Legislative Coordinator (Confidential), Clint McKenzie

(* Denotes partial attendance)

Call to Order 1.

Mayor Basran called the meeting to order at 8:58 p.m.

Reaffirmation of Oath of Office 2.

The Oath of Office was read by Councillor Given.

Confirmation of Minutes 3.

Moved By Councillor Hodge/Seconded By Councillor Sieben

Ro768/2021/07/27 THAT the Minutes of the Public Hearing and Regular Meeting of July 13, 2021 be confirmed as circulated.

Carried

4. Development Permit and Development Variance Permit Reports

4.1 START TIME 7:00 PM - Toovey Rd 1175 - DVP21-0061 - Douglas Marlton Carey

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 participating online or in the gallery who deemed themselves affected to indicate they wish to speak followed by comments from Council.

No one participating online or in the gallery indicated they wished to speak.

There were no further comments.

Moved By Councillor Donn/Seconded By Councillor Stack

<u>Ro769/2021/07/27</u> THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0061 for Lot 16 Section 24 Township 26 ODYD District Plan 23445, located at 1175 Toovey Road, Kelowna BC;

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

Section 6.5.3(c): General Development Regulations, Accessory Development, Accessory Buildings in Residential Zones

To vary the height of an accessory building from 4.8m permitted to 5.3m proposed.

Section 6.5.3(d): General Development Regulations, Accessory Development, Accessory Buildings in Residential Zones

To vary the front yard setback of an accessory building from 9.0m required to 6.15m 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

4.2 START TIME 7:00 PM - Shayler Ct 2890 - BL12214 (Z21-0023) - Erwin Victor Braun and Connie Teresa Braun

Moved By Councillor Given/Seconded By Councillor Singh

R0770/2021/07/27 THAT Bylaw No. 12214 be adopted.

Carried

4.3 START TIME 7:00 PM - Shayler Ct 2890 - DVP21-0069 - Erwin Victor Braun and Connie Teresa Braun

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

The applicant was present and available for questions.

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 or in the gallery indicated they wished to speak.

There were no further comments.

Moved By Councillor Donn/Seconded By Councillor Singh

R0771/2021/07/27 THAT final adoption of Rezoning Bylaw No. 12214 be considered by Council;

AND THAT Council authorizes issuance of Development Variance Permit No. DVP21-0069 for Lot A Sections 20 and 29 Township 23 ODYD Plan KAP89180 located at 2890 Shayler Court, Kelowna, BC;

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

Section 9.5b.1(f): Carriage House Development Regulations

To vary the upper floor storey area from 75% of the footprint permitted to 82% 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

4.4 START TIME 7:20 PM - Pacific Ave 1220 1230 - BL12191 (Z20-0094) - Great A and A Properties Ltd., Inc.No. BC0888141

Moved By Councillor Given/Seconded By Councillor Singh

<u>R0772/2021/07/27</u> THAT Bylaw No. 12191 be amended at 3rd reading by deleting the legal description(s) that read:

- "Lot 2, Section 19 Township 26 ODYD Plan 6634"; and
- "Lot 3 Section 19 Township 26 ODYD Plan 6634"

And replacing it with:

 "Parcel A (Being a Consolidation of Lots 2 and 3, see CA9109487) Section 19 Township 26 ODYD Plan 6634"

Carried

Moved By Councillor Given/Seconded By Councillor Singh

R0773/2021/07/27 THAT Bylaw No. 12191 as amended, be adopted.

Carried

4.5 START TIME 7:20 PM - Pacific Ave 1220 1230 - DP20-0196 DVP20-0197 - Great A and A Properties Ltd., Inc.No. BC0888141

Staff:

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

Jamela Van Steinberg, Applicant

- -Displayed a PowerPoint presentation.
- -Provided rationale for the application.

- -Spoke to form and character of the building.
- -Spoke to the bike friendly aspects of the proposal.
- -Spoke to the variances being requested.

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

Renee Denadi, Burtch Ave.

- -Raised concerns with older maple tree that would be removed.
- -Referred to the arborist's report that the tree can be removed.
- -Opposed to the removal of the tree.

Hailey Schneider, Burtch Ave.

- -Raised concerns with maple tree removal.
- -Raised concerns with height being requested.
- -Raised concern with reduction in parking stalls due to size of vehicles common in the City.
- -Provided comments on reasons to retain trees.

Mitch Lang, Raymer Rd.

- -Neighbourhood seems to be changing with greater heights and densities.
- -Supportive of the application.

Applicant, in response

-Responded to questions from Council regarding the maple tree and other trees along the property line.

Moved By Councillor Donn/Seconded By Councillor Sieben

R0774/2021/07/27 THAT final adoption of Rezoning Bylaw No. 12191 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP20-0196 for Parcel A (Being a Consolidation of Lots 2 and 3, See CA9109487) Section 19 Township 26 ODYD Plan 6634, located at 1220-1230 Pacific Avenue, Kelowna, BC subject to the following:

- 1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
- 2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
- 3. Landscaping to be provided on the land be in accordance with Schedule "C";
- 4. The applicant be required to post with the City a Landscape Performance Security deposit in the 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. DVP20-0197 for Parcel A (Being a Consolidation of Lots 2 and 3, See CA9109487) Section 19 Township 26 ODYD Plan 6634, located at 1220-1230 Pacific Avenue, Kelowna, BC;

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

Section 14.4.5(e): C4 - Urban Centre Commercial, Development Regulations

To vary the minimum side yard (east) where the site abuts a residential zone from 2.om required to 0.62m proposed.

Section 14.4.5(f): C4 - Urban Centre Commercial, Development Regulations

To vary the minimum rear yard setback where abutting a residential zone from 6.om required to o.om proposed.

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

To vary the maximum height from 15.0m or 4 storeys permitted to 19.0m and 5 storeys proposed.

<u>Section 8.2.7: Parking and Loading, Off-Street Parking Regulations, Table 8.2.7 (b) Ratio of Parking Space Sizes</u>

To vary the required percentage of regular size vehicle parking stalls from 50% required to 39% proposed.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and Development Variance Permit 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.

Carried

4.6 START TIME 7:20 PM - Lakeshore Rd 3377 - DP21-0040 DVP21-0041 - Cressey Lakeshore Holdings Ltd., Inc. No. 788131

Councillor DeHart declared a conflict of interest as the C9 designation is in direct conflict with her employment in the hotel industry and she also owns units in other C9 properties and left the meeting at 10:00 pm.

Staff.

-Displayed a PowerPoint Presentation summarizing the application.

Patrick Flannigan, Applicant

- -Present and available for questions.
- -Owned property for 14 years.
- -Excited to bring the project forward.

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

No one participating online or in the gallery indicated they wished to speak.

There were no further comments.

Moved By Councillor Sieben/Seconded By Councillor Given

<u>R0775/2021/07/27</u> THAT Council authorizes the issuance of Development Permit No. DP21-0040 and Development Variance Permit DVP21-0041 for Lot A District Lot 134 Osoyoos Division Yale District Plan EPP84686, located at 3377 Lakeshore 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 "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

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

Section 14.9.5(c): C9 - Tourist Commercial Development Regulations

To vary the required minimum front yard (Lakeshore Road) from 6.0 m permitted to 0.0 m proposed.

Section 14.9.5(d): C9 - Tourist Commercial Development Regulations

To vary the required minimum flanking side yard (Richter Street) from 4.5 m permitted to 3.3 m proposed.

Section 14.9.5(d): C9 - Tourist Commercial Development Regulations

To vary the required minimum side yard from 3.0 m permitted to 1.0 m proposed.

Section 7.6.1(c): Section 7 – Landscaping and Screening, Minimum Landscape Buffers

To vary the required minimum landscape buffer for the side yard (north) from 3.0 m required to 0.0 m proposed.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application and Development Variance 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.

Carried

Councillor Given:

-Would like staff to bring forward a report regarding options for regulating future retail cannabis applications.

Moved By Councillor Given/Seconded By Councillor Hodge

<u>R0776/2021/07/27</u> THAT Council direct staff to provide an information report that further considers cannabis restrictions in today's environment.

Carried

5. Reminders

There were no reminders.

6. Termination

The meeting was declared terminated at 10:26 p.m.

Mayor Basran City Clerk

sf/cm



City of Kelowna Public Hearing Minutes

Date:

Tuesday, July 27, 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, Brad

Sieben, Mohini Singh and Luke Stack

Members participating

remotely

Councillor Charlie Hodge

Members absent

Councillor Loyal Wooldridge

Staff present

City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Deputy City Clerk, Laura Bentley; Divisional Director, Planning & Development Services, Ryan Smith; Development Planning Department Manager, Terry Barton; Community Planning & Development Manager, Dean Strachan; Planner II, Kinghanda Burath

Kimberly Brunet

Staff participating

remotely

Legislative Coordinator (Confidential), Clint McKenzie

(* Denotes partial attendance)

- 1. Due to COVID-19 a Public Hearing Agenda will also include Regular Meeting Items
- Call to Order the Public Hearing START TIME 6:00 PM Boyd Rd 2840 LUCT20-0010 Z20-0084 - Dennis Victor Miller and Kimberley Marie Miller

Mayor Basran called the Hearing to order at 6:05 p.m.

- 3. Individual Bylaw Submissions
 - 3.1 START TIME 6:00 PM Boyd Rd 2840 LUCT20-0010 (BL12219) Z20-0084 (BL12221) Dennis Victor Miller and Kimberley Marie Miller

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

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

No one participating online or in the gallery indicated they wished to speak.

There were no further comments.

Moved By Councillor DeHart/Seconded By Councillor Sieben

<u>Ro759/2021/07/27</u> THAT Land Use Contract Termination No. LUCT20-0010 to terminate LUC76-1112 from Lot 2 District Lot 130 ODYD Plan KAP89521, located at 2840 Boyd Road, Kelowna, BC be considered by Council;

AND THAT Rezoning Application No. Z20-0084 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2 District Lot 130 ODYD Plan KAP89521, located at 2840 Boyd Road, Kelowna, BC from the A1 – Agriculture 1 to the RU1 – Large Lot Housing zone be considered by Council;

AND THAT Council waive the development sign requirement under Public Notification & Consultation for Development Applications No. 367 for Rezoning Bylaw No. 12221.

AND FURTHER THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

Carried

4. Termination

The Hearing was declared terminated at 6:08 p.m.

5. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 6:08 p.m.

- 6. Bylaws Considered at Public Hearing
 - 6.1 START TIME 6:00 PM Boyd Rd 2840 BL12219 (LUCT20-0010) Dennis Victor Miller and Kimberley Marie Miller

Moved By Councillor Sieben/Seconded By Councillor DeHart

R0760/2021/07/27 THAT Bylaw No. 12219 be read a second and third time and be adopted.

Carried

6.2 START TIME 6:00 PM - Boyd Rd 2840 - BL12221 (Z20-0084) - Dennis Victor Miller and Kimberley Marie Miller

Moved By Councillor DeHart/Seconded By Councillor Sieben

R0761/2021/07/27 THAT Bylaw No. 12221 be read a second and third time and be adopted.

Carried

7. Termination

The meeting was declared terminated at 6:10 p.m.

8. Call to Order the Public Hearing - START TIME 6:00 PM - Bernard Ave 520-526 - TA21-0008 Z21-0024 - GBD Holdings Inc., Inc.No. BC0941235

Mayor Basran called the Hearing to order at 6:10 p.m.

- 9. Individual Bylaw Submissions
 - 9.1 START TIME 6:00 PM Bernard Ave 520-526 TA21-0008 (BL12247) Z21-0024 (BL12248) GBD Holdings Inc., Inc.No. BC0941235

Staff:

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

Lee Schurian, Bernard Ave., Applicant

- -Made comments on the application.
- -Provided rationale for opening store at this location
- -Spoke to partnership with Williams Lake and Westbank First Nations.
- -Spoke to distance from Kasugai Gardens and stated door to door is 26om.
- -Responded to questions from Council

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

Marcus Weber, Vancouver

- -Addressed concerns raised in correspondence.
- -Supportive of the application.
- -Is a partner in Spirit Leaf Cannabis located in West Kelowna.

Matt Doner, Dunster Rd.

- -Provided comments on current City policy for retail cannabis.
- -Unfair to existing stores to change the rules now.

Kevin, Kelowna

- -Referenced correspondence previously submitted.
- -Raised concerns with over saturation of stores.
- -Responded to questions from Council.

James Hargraves, Toronto

- -Opposed to the application.
- -Entered the market based on current City policies with respect to cannabis retail.
- -Encouraged Council to stick with the current rules.
- -Responded to questions from Council.
- -Confirmed they have 91 stores across Canada.

Neil Grey, Burne Vista Rd.

- Supports the application.
- Spoke to the good character of the applicant.

Adam Lewis, CalGlen Cr.

- -Supports the application.
- -Spoke to the good character of the applicant.
- -Believes it is a good location for a retail outlet.

Kaillie Donahue, North Vancouver

-Speaking on behalf of another retail operator (Kiaro) at 1650 Pandosy.

-Opposed to the application.

-Encouraged Council to stick with existing policy.

Liam Park, Lindahl St.

- -Supports the application.
- -Supportive of the applicant.

Chris Grout, Dunveggen Ct.

-Has an interest in 3 cannabis stores in town.

- -Cannabis is a tightly regulated market so comparisons to other sectors isn't appropriate.
- -Existing policy does have locations within the City where cannabis stores could be located.
- -Encouraged Council to maintain existing policies.
- -Responded to questions from Council.

Jennifer Brazo, Upton Ct.

- -Supports the application.
- -Referenced petition of support.

David Duty, Blondeaux Cr

- -Supports the application.
- -Confirmed the applicant is very supportive of local artists.

Nordeen White, Capstone Crescent

- -Does not support the application.
- -Encouraged Council to maintain current regulations.

Hans Birker, Cadder, Kelowna

- -Supports the application.
- -Disclosed he is a Kiaro shareholder.
- -Not concerned with clustering of retail stores.

Erika Jarvis, Rhonda Cr

- -Supportive of the application.
- -Encouraged Council to consider tourists in determining the appropriate number of stores.

Rick Bershinski, Lucind, Kelowna

- -Owner of cannabis store on Lakeshore Ave.
- -Opposed to the application as it is not fair to the rest of the industry.

Applicant's response

- -Spoke to the Williams Lake First Nation partnership in ordering supply direct from farm to retail as they will not be ordering from the Province.
- -Will be targeting the tourist market.
- -Spoke to proximity measurement to Kasugai Gardens and the entrance to his store being further way than estimated.

There were no further comments.

10. Termination

The Hearing was declared terminated at 7:11 p.m.

11. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 7:11 p.m.

- Bylaws Considered at Public Hearing
 - 12.1 START TIME 6:00 PM Bernard Ave 520-526 BL12247 (TA21-0008) GBD Holdings Inc., Inc. No. BC0941235

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro763/2021/07/27 THAT Bylaw No. 12247 be read a second and third time.

Carried

Councillors DeHart, Sieben and Stack - Opposed

12.2 START TIME 6:00 PM - Bernard Ave 520-526 - BL12248 (Z21-0024) - GBD Holdings Inc., Inc. No. BC0941235

Moved By Councillor DeHart/Seconded By Councillor Stack

Ro764/2021/07/27 THAT Bylaw No. 12248 be read a second and third time.

Carried

Councillors DeHart, Sieben and Stack - Opposed

13. Termination

The Hearing was declared terminated at 7:42 p.m.

14. Call to Order the Public Hearing - START TIME 6:30 PM Bernard Ave 266 - TA21-0012 Z21-0039 - Macarther Ventures Inc., Inc.No. BC0684166

Mayor Basran called the Hearing to order at 7:42 p.m.

- 15. Individual Bylaw Submissions
 - 15.1 START TIME 6:30 PM Bernard Ave 266 TA21-0012 Z21-0039 Macarther Ventures Inc., Inc.No. BC0684166

Staff

- Displayed a PowerPoint Presentation summarizing the application.

Krista Lusted, Applicant:

-Growth in downtown will result in greater market demand.

- -Spoke to the reasons for the application and location of the proposed store.
- -Spoke to proximity of City Park and Kerry Park to the proposed location.

-Spoke to the benefit to downtown.

- -Spoke to employment that the organization would provide.
- -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.

Mathew Dober, Dunster Rd.

- -Initially opposed to the application but based on previous decision not sure where policy is headed.
- -Spoke to his Okanagan roots and is not a corporate store.
- -Wants to know what policy is and what the implications are for his company.
- -Will bring forward applications for alternate locations contrary to current policy.

Kevin, Toovey Rd.

- -Opposed to the application.
- -Raised whether Council has set precedence with previous decision.
- -Will bring forward applications for alternate locations contrary to current policy.
- -Responded to questions from Council.

Tyler Brewer, Bernard Ave

- -Supportive of the application.
- -Spoke to the industry in Calgary.

Kailie Donahue, North Vancouver

- -Speaking on behalf of another retail operator at 1650 Pandosy Kiaro.
- -Opposed to the application.
- -Council is setting new policy direction with previous decision.
- -Encouraged Council to stick with existing policy.

Lee Shurian, Hemp Hut

- -Supports application.
- -Believes it will add to a vibrant downtown.
- -Welcomed the competition.

<u>James Hargraves</u>, Toronto

- -Stimulating and interesting discussion this evening.
- -Raised concerns with policy changes evident this evening.
- -Encouraged Council to set new policy quickly.
- -Raised concerns with proximity to City Park.

David Duty, Blondeaux Cr.

- -Supportive of the application.
- -Spoke to professionalism of the applicant.
- -Referenced correspondence submitted previously.

<u>Applicant in response:</u>

- -Thanked those who spoke in support of the application.
- -Confirmed they were using a path that every applicant had an option to pursue.

Staff:

- -Responded to questions from Council.
- -Confirmed there are no other retail cannabis development applications being processed at this time.

There were no further comments.

16. Termination

The Hearing was declared terminated at 8:27 p.m.

17. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 8:27 p.m.

18. Bylaws Considered at Public Hearing

18.1 START TIME 6:30 PM - Bernard Ave 266 - BL12249 (TA21-0012) - Macarther Ventures Inc.,Inc.No.BC0684166

Moved By Councillor Given/Seconded By Councillor Singh

Ro766/2021/07/27 THAT Bylaw No. 12249 be read a second and third time.

Carried

Councillor DeHart, Sieben and Stack - Opposed

18.2 START TIME 6:30 PM - Bernard Ave 266 - BL12250 (Z21-0039) - Macarther Ventures Inc.,Inc.No.BC0684166

Moved By Councillor Singh/Seconded By Councillor Given

Ro767/2021/07/27 THAT Bylaw No. 12250 be read a second and third reading.

Carried

Councillor DeHart, Sieben and Stack - Opposed

19. Termination

The meeting was declared terminated at 8:47 p.m.

Mayor Basran

City Clerk

sf/cm

CITY OF KELOWNA

BYLAW NO. 12209 Z21-0002 417 Cedar Avenue

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

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

- THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2 District Lot 14, ODYD, Plan 4135 located at Cedar Avenue, Kelowna, BC from the RU1 – Large Lot Housing zone to the C4 – Urban Centre Commercial zone.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

or adoption.	
Read a first time by the Municipal Council this 19 th day of April,	2021.
Considered at a Public Hearing on the 11 th day of May, 2021.	
Read a second and third time by the Municipal Council this 11th	day of May, 2021.
Adopted by the Municipal Council of the City of Kelowna this	
	Mayor

City Clerk

REPORT TO COUNCIL



Date: August 10, 2021

To: Council

From: City Manager

Department: Development Planning

Application: DP21-0005 & DVP21-0006 Owner: 417 Cedar Developments Ltd.,

Inc. No. BC1283948

Address: 417 Cedar Avenue Applicant: Live Edge Okanagan

Enterprises Inc.

Subject: Development Permit and Development Variance Permit

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

Existing Zone: RU1 – Large Lot Housing

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 12209 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP21-0005 for Lot 2 District Lot 14 ODYD District Plan 4135 located at 417 Cedar Avenue, Kelowna, BC subject to the following:

- 1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- 2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
- 3. Landscaping to be provided on the land be in accordance with Schedule "C";
- 4. The applicant be required to post with the City a Landscape Performance Security deposit in the 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 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 THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0006 for Lot 2 District Lot 14 ODYD District Plan 4135 located at 417 Cedar Avenue, Kelowna, BC;

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

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

To vary the maximum site coverage allowed from 75% permitted to 91.5% proposed.

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

To vary the maximum height from 15.0 m or 4 storeys permitted to 19.5 m and 6 storeys proposed.

Section 14.4.5(e): C4 - Urban Centre Commercial, Development Regulations

To vary the required minimum side yard from 2.0 m permitted where the site abuts a residential zone to 0.0 m proposed for the east and west sides.

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

To vary the required minimum rear yard from 6.0 m permitted where the site abuts a residential zone to 0.0 m proposed.

Section 14.4.6(e): C4 - Urban Centre Commercial, Other Regulations

To vary the required functional commercial frontage for any building located on streets classified as a collector or arterial as identified in the OCP Map 7.3 – 20 Year Major Road Network and Road Classification Plan from 90% required to 27% 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 a form and character Development Permit and variances to facilitate a mixed-use development on the subject property.

3.0 Development Planning

Staff are recommending support of the proposed Development Permit and associated variances to facilitate the construction of a mixed-use project on the subject property. The form and character of the proposal is well-aligned with the Official Community Plan (OCP) Urban Design Guidelines and supports the goal of achieving residential density in Urban Centres. The proposal is for a 6-storey 17-unit condo building with one live-work unit to provide a small amount of commercial frontage along Cedar Avenue.

Some of the Urban Design Guidelines the proposal meets are:

- Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing, including:
 - Architectural elements (e.g. balconies, bay windows, cantilevered floors, cupolas, dormers);
 - Step back upper floors to reduce visual impact;
 - o Detailing that creates a rhythm and visual interest along the line of the building; and
 - 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
- Provide outdoor spaces, including rooftops, balconies, patios and courtyards, to allow residents to benefit from the favourable Okanagan weather;

The proposed residential density will be supported by the nearby amenities within the Pandosy Urban Centre including Okanagan Lake, parks, restaurants, and shopping opportunities in the immediate area. The parcel has a Walk Score of 71 – Very Walkable meaning that most errands can be accomplished on foot and a Bike Score of 93 - Biker's Paradise as the site provides easy access to the Abbott Street active transportation corridor and the KLO and Richter Street bike lanes.

The development proposal includes variances to both side setbacks, rear setback, site coverage, building height and functional commercial frontage. It is challenging to eliminate and/or reduce the impacts of some of these variances as this proposal is a single property redevelopment and it is the first site to redevelop on the street.

4.0 Proposal

4.1 Background

In 2004, the Cedar Avenue Land Use Review was completed by Staff and endorsed by Council. This resulted in the Cedar Ave corridor being redesignated as MXR – Mixed Use (Residential/Commercial) in the Official Community Plan (OCP). In the 15+ years since the changes to the OCP, redevelopment in this area has not occurred.

Public Hearing, 2nd & 3rd readings of the Zoning Bylaw were considered by Council on May 11, 2021. The applicant has worked to meet Development Engineering requirements which included entering into a service agreement and providing security for the completion of frontage upgrades extending east to Pandosy Street.

4.2 Project Description

The applicant is proposing to construct a 6-storey 17-unit condo building on the subject property. The unit mix includes 10 one-bedroom units and 7 two-bedroom units. One unit is live-work to add an at-grade commercial element along Cedar Avenue. Site access is taken from Cedar Avenue as there is no rear lane access available due to the mid-block location of the property. The site provides 20 bike storage spaces, which allows the development to benefit from a 20% parking reduction. With the reduction, the parking regulations require 16 parking stalls for the development. The proposal meets this requirement through the provision of 14 stalls allocated for residential use and 3 visitor stalls for a total of 17 parking stalls provided.

Form and Character

The building form proposes a flat-roof modern design with articulation and varied material textures to add visual interest. Each unit has generous balconies with large overhangs to provide shade from the Okanagan sun. The building is clad with a combination of stucco and composite hardi-panel siding with brick veneer to add warmth to the street level.

The development faces several design challenges due to the single parcel proposal due to the property being situated mid-block on Cedar Avenue between Pandosy Street and Abbott Street. The property does not have rear-lane access and provides limited commercial frontage. The variances proposed are in response to these constraints.

Variances

<u>Building Height</u> – the first variance is to increase the maximum building height from 15.0 m or 4 storeys permitted to 19.5 m and 6 storeys proposed. With the intent to densify our Urban Centres, additional height at this location can be supported. To reduce impacts to the adjacent parcels the building footprint steps back above the parkade podium and further reduces the building footprint for the top level. This along with the

oversized balconies provides a less imposing building mass to the adjacent properties. The project site will dominate the streetscape until further redevelop in the area begins to occur.

<u>Site Coverage and Setbacks</u> - the variance to site coverage proposes to increase the maximum from 75% allowed to 91.5% proposed. Both the east and west (side) setbacks propose variances from 2.0 m required to 0.0 m provided and the south (rear) setback from 6.0 m required to 0.0 m provided when a site abuts residentially zoned properties. The lack of parcel assembly has resulted in a smaller land base with a site area of 697 m². This necessitates maximizing the building footprint to accommodate the parkade and ensure maneuverability and usability of it.

<u>Functional Commercial Frontage</u> – the final variance is to reduce the functional commercial frontage from 90% required to 34% provided. This is due to the property not having a rear lane and parkade access being from Cedar Avenue. The existing parcel has a width of 18.27 m fronting onto Cedar Avenue. The proposed development divides this frontage into three sections of approximately 6.0 m each. The three sections provide: 1) a two-way parkade entry, 2) the residential foyer and 3) the commercial component (live/work unit).

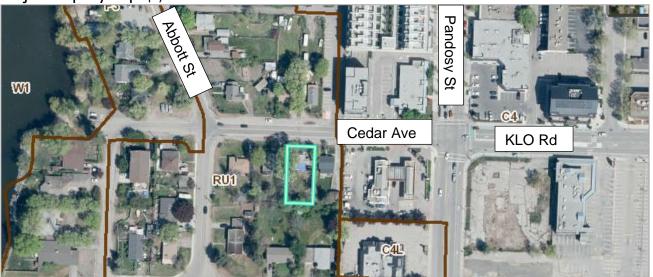
4.3 Site Context

The subject property is located within the Pandosy Urban Centre on the south side of Cedar Avenue between Pandosy Street and Abbott Street. The site is ½ block east of the Okanagan Lake Cedar Avenue Beach Access.

Specifically, adjacent land uses are as follows:

Orientation Zoning		Land Use
North	RU1 – Large Lot housing	Single Family Residential
	C4 – Urban Centre Commercial	Financial Institution
Fact	RU1 – Large Lot housing	Single Family Residential
East	C4 – Urban Centre Commercial	Gas Station
South	RU1 – Large Lot housing Single Family Residential	
\\/ a a b	RU1 – Large Lot housing	Single Family Residential
West	P ₃ – Parks and Open Space	Paddle Centre / Future Waterfront Park

Subject Property Map: 417 Cedar Avenue



4.4 Zoning Analysis Table

Zoning Analysis Table			
CRITERIA	C4 ZONE REQUIREMENTS	PROPOSAL	
	Development Regulations		
Max. Floor Area Ratio	1.7 FAR	1.7 FAR	
Max. Site Coverage (buildings, parking, driveways)	75%	91.5% •	
Max. Height (lessor of)	15.0 m or 4 storeys	19.5 m and 6 storeys 🥹	
Min. Front Yard	o.o m	o.49 m	
Min. Side Yard (east)	2.0 M	o.o m 🔨	
Min. Side Yard (west)	2.0 M	o.o m 6	
Min. Rear Yard (south)	6.o m	o.o m 4	
	Other Regulations		
Min. Parking Requirements	16 stalls	17 stalls	
Min. Bicycle Parking	20 long term spaces	20 long term spaces	
Min. Private Open Space	205 m²	584 m²	
Min. Commercial Frontage	90%	27% 6	

- Indicates a requested variance to Section 14.4.5(b) Development Regulations maximum site coverage.
- 2 Indicates a requested variance to Section 14.4.5(c) Development Regulations maximum building height.
- 14.4.5(e) Development Regulations minimum side yard.
- Indicates a requested variance to Section 14.4.5(f) Development Regulations minimum rear yard.
- 9 Indicates a requested variance to Section 14.4.6(e) Development Regulations minimum functional commercial space.

5.0 Current Development Policies

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

Chapter 1: Introduction

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.

Address Housing Needs of All Residents – Address housing needs of all residents by working towards an adequate supply of a variety of housing.

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas.

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

Objective 5.8 Achieve high quality urban design.

Streetscaping. Urban Centre roads should be considered as part of the public space and streetscaped with full amenities (i.e. sidewalks, trees and other planting, furniture, bike facilities, boulevards, etc.).

Objective 5.22 Ensure context sensitive housing development.

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

6.0 **Application Chronology**

Date of Application Accepted: January 14, 2021 Date Public Consultation Completed: May 19, 2021 Date of Rezoning Bylaw PH: May 11, 2021

Report prepared by: Lydia Korolchuk, Planner Specialist

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 DP21-0005 DVP21-0006

Schedule A: Site Plan

Schedule B: **Elevations and Colour Board**

Schedule C: Landscape Plan Attachment B: Project Rationale

ATTACHMENT A This forms part of application # DP21-0005 DVP21-0006 City of Planner Initials LK Kelowna DEVELOPMENT PLANNING City of Kelowna Market Planning Kelowna Market Planning Kelowna Market Planning Kelowna Market Planning Kelowna

Development Permit & Development Variance Permit DP21-0005/DVP21-0006

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

417 Cedar Avenue

and legally known as

Lot 2 District Lot 14 ODYD District Plan 4135

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

Mixed-use development

USE as per Zoning Bylaw

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 Augut 10, 2021

Decision By: COUNCIL

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

Existing Zone: C4 – Urban Centre Commercial

Future Land Use Designation: MXR – Mixed Use (Residential/Commercial)

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: 417 Cedar Developments Ltd. No. BC 0965634

Applicant: Lime Architecture Inc./ Edgecombe Builders Group

Planner: Lydia Korolchuk

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

- 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 variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A, B & C":

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

To vary the maximum site coverage allowed from 75% permitted to 91.5% proposed.

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

To vary the maximum height from 15.0 m or 4 storeys permitted to 19.5 m and 6 storeys proposed.

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

To vary the required minimum side yard from 2.0 m permitted where the site abuts a residential zone to 0.0 m proposed for the east and west sides.

Section 14.4.5(f): C4 - Urban Centre Commercial, Development Regulations

To vary the required minimum rear yard from 6.0 m permitted where the site abuts a residential zone to 0.0 m proposed.

Section 14.4.6(e): C4 – Urban Centre Commercial, Other Regulations

To vary the required functional commercial frontage for any building located on streets classified as a collector or arterial as identified in the OCP Map 7.3 – 20 Year Major Road Network and Road Classification Plan from 90% required to 27% proposed.

This Development Permit and Development Variance 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:

a) An Irrevocable Letter of Credit OR certified cheque in the amount of \$23,662.50

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

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.

417 Cedar Ave., Kelowna, BC

PROPERTY DESCRIPTION

CIVIC: 417 Cedar Ave., Kelowna, BC LEGAL: Plan 4135; Lot 2

ZONING CALCULATIONS: CURRENT: RU1 Zoning PROPOSED: C4 Zoning

SITE INFORMATION:

Allowed/Required 7,452 sf (697 sm) Gross Site Area= 75% (5,589sf) 91.5% (6,818sf) VARIANCE REQUIRED Allowable Site Coverage= F.A.R. =*Parking spaces provided beneath habitable space = F.A.R + 0.2Five or six storey buildings = F.A.R. + 0.2

PRIVATE OPEN SPACE

215 SF (20 SM)

395 SF (37 SM)

111 SF (11 SM)

359 SF (33 SM)

Total F.A.R. bonus = 0.4

First Floor Commercial Frontage (LOT WIDTH = 59'-11")

Unit Area Calculations:

ENTRY LEVEL / PARKADE 265 SF (25 SM) One Commercial Suite

2,610 SF (242 SM) SECOND LEVEL -Unit 201 - One Bedroom Suite 377 SF (36 SM) Unit 202 - One Bedroom Suite 947 SF (34 SM) Unit 203 - One Bedroom Suite 576 SF 313 SF (28 SM) Unit 204 - Two Bedroom Suite 694 SF 821 SF (35 SM)

NET FLOOR AREA

2,598 SF (241 SM) Unit 301 - One Bedroom Suite 215 SF (20 SM) Unit 302 - Two Bedroom Suite 395 SF (37 SM) Unit 303 - One Bedroom Suite 576 SF 111 SF (11 SM) Unit 304 - One Bedroom Suite 657 SF 359 SF (33 SM)

2,598 SF (241 SM) Unit 401 - One Bedroom Suite Unit 402 - Two Bedroom Suite Unit 403 - One Bedroom Suite

Unit 404 - One Bedroom Suite 657 SF

Unit 501 - One Bedroom Suite 215 SF (20 SM) Unit 502 - Two Bedroom Suite 722 SF 395 SF (37 SM) Unit 503 - Two Bedroom Suite 1,234 SF

SIXTH LEVEL -1,998 SF (186 SM) Unit 601 - Two Bedroom Suite 997 SF (93 SM) Unit 602 - Two Bedroom Suite 1,024 SF 597 SF (55 SM)

TOTAL 12,668 SF (1,176 SM)

Allowed:

Proposed:

19.5m - 6 storeys VARIANCE REQUIRED Building Height: 15m (49.2 ft) or 4 storeys 19.5m - 6 storeys Max. Height =

Yard setbacks: Proposed: 0.0 m 0.49m 0.49m Front yard -

West Side yard -2.0 m abutting residential 0.0 mVARIANCE REQUIRED 2.0 m abutting residential 0.0m
6.0 m abutting residential 0.0m 0.0 mEast Side yard -U.U.M. abutting residential UARIANCE REQUIRED Rear yard -

Parking Calculations: Commercial Unit - 1.3 per 100m² 1

0.9 per 1 Bedroom $0.9 \times 10 \text{ Suites} = 9$ 1 per 2 Bedroom 1×7 Suites = 7Visitor Parking- 0.14 per Suite 0.14 x 17 Suites = 3 20 - 20%* = 16

*Long-term bicycle storage bonus provided.

** 50% Regular / 50% Small

Bicycle Storage: Required: Long-term bicycle storage lockers .75X17 = 13 Short-term bicycle storage lockers 6 per entrance

Proposed: 20 (dedicated storage lockers) 6 (per Landscape Plan)

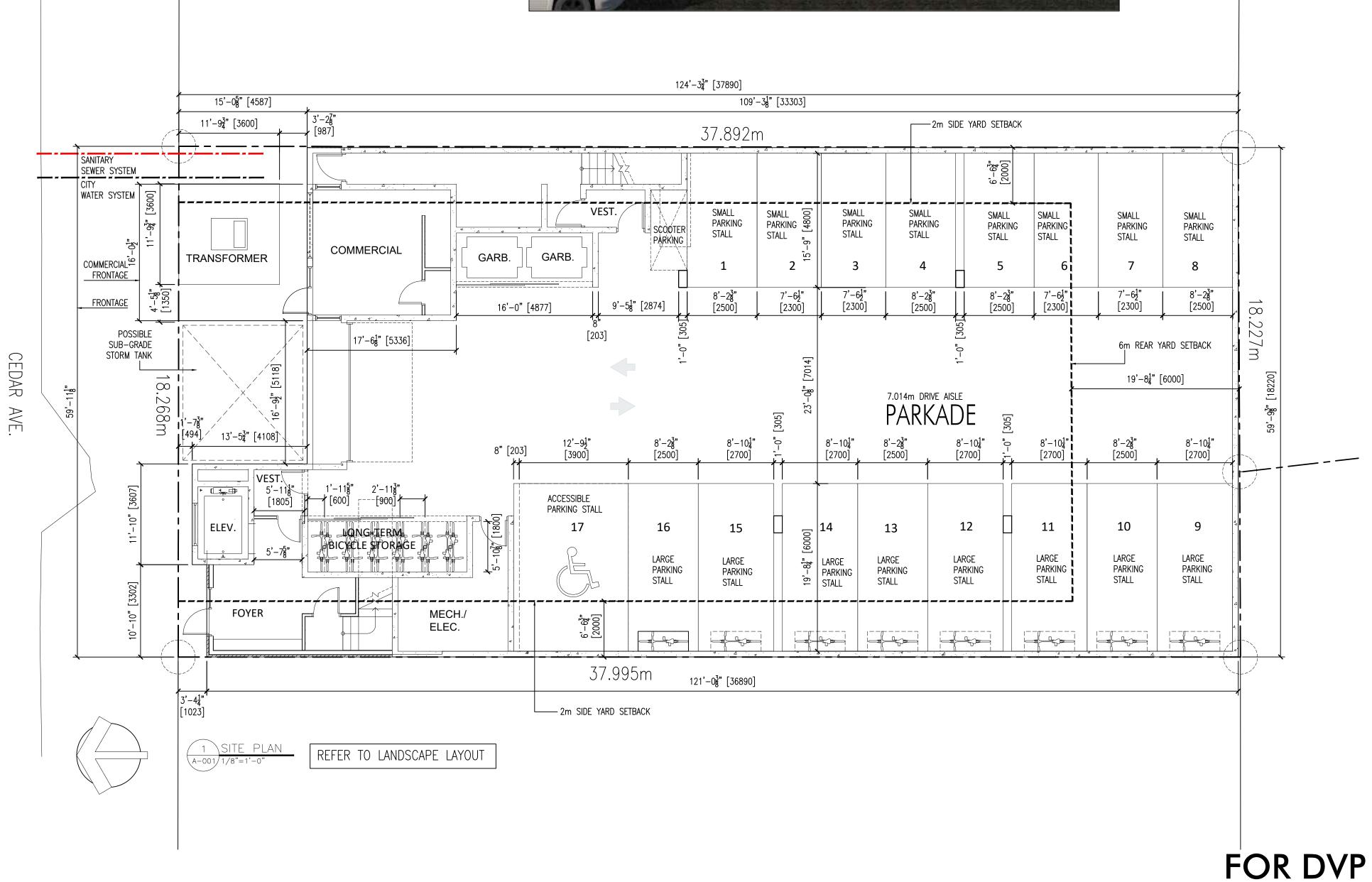
DRAWINGS:

PROJECT & SITE INFORMATION ENTRY LEVEL / PARKADE LEVEL A-102 SECOND LEVEL FLOOR PLAN A-103 THIRD LEVEL FLOOR PLAN A-104 FOURTH LEVEL FLOOR PLAN FIFTH LEVEL FLOOR PLAN A-105 A-106 SIXTH LEVEL FLOOR PLAN ROOF DECK PATIO PLAN A-200 ELEVATIONS A-201 ELEVATIONS A-300 SECTIONS A-600 RENDERS

LANDSCAPE: CONCEPTUAL LANDSCAPE PLAN WATER CONSERVATION/IRRIGATION PLAN











Westerkamp workerhouse

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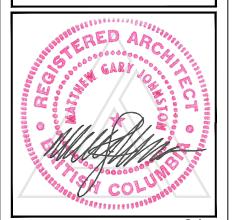
the british columbia building code - (most recent edition) including all published revisions and addenda. All trades shall assume full responsiblity for the locations and protection of all under and above ground utilities, wires and conduit connections, including (but not limited to) water, sewer, gas, hydro and telephone.

Revision No., Date and Description 11.03.20 - FOR REVIEW 11.20.20 - FOR DISCUSSION 11.26.20 - FOR COORDINATION 11.29.20 - FOR REVIEW 12.16.20 - FOR DVP 03.30.21 - DVP ADDENDUM #1

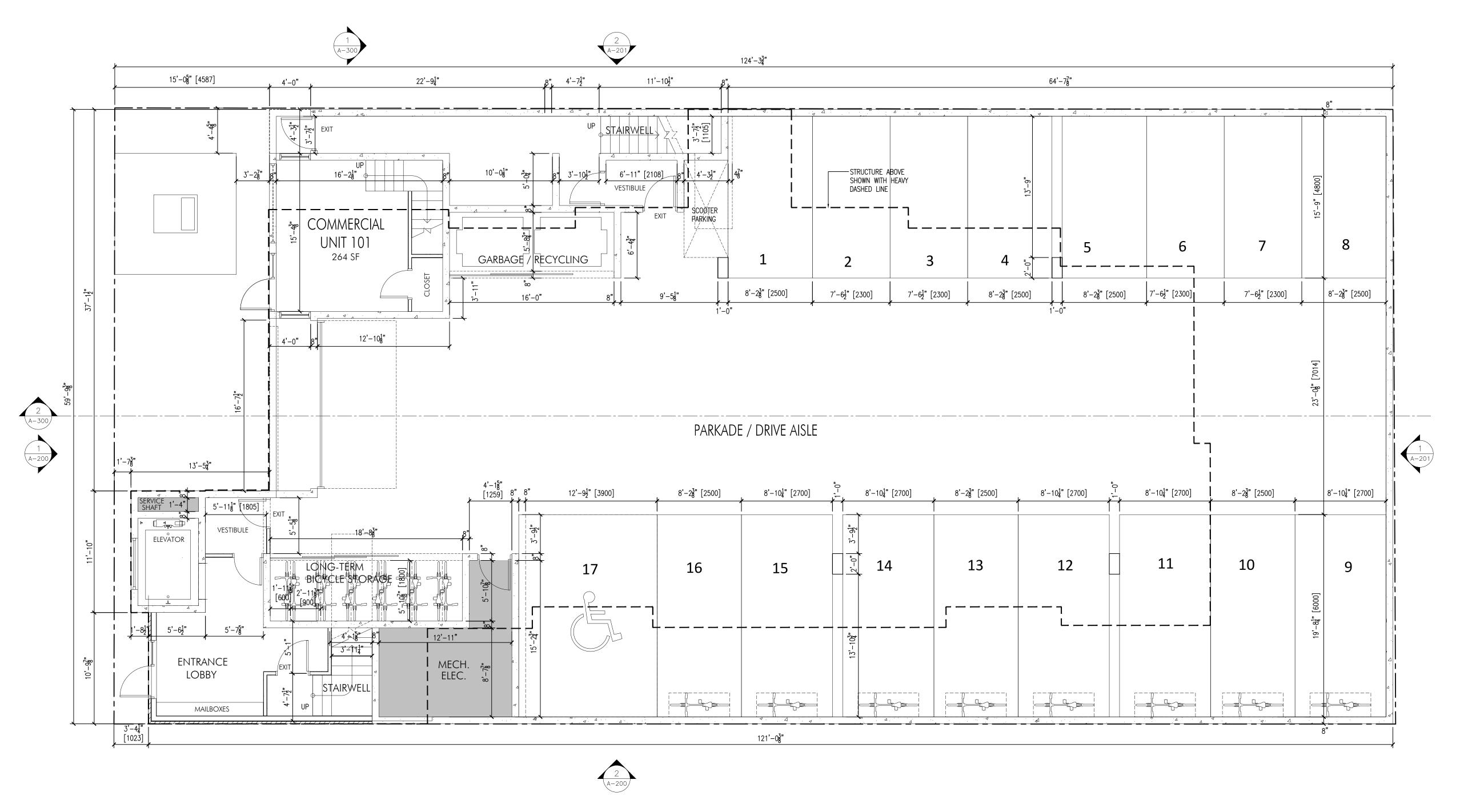
05.04.21 - FOR COORDINATION 05.05.21 - FOR PRESENTATION 05.19.21 - FOR DVP REVIEW 05.31.21 - FOR DVP 06.08.21 - CONSOLIDATED DVP

PROJECT 417 CEDAR AVENUE

DRAWING TITLE PROJECT INFORMATION







1 ENTRY LEVEL FLOOR PLAN



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205-1626 Richter Street, Kelowna, BC V1Y 2M3

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and Description

11.03.20 - FOR REVIEW
11.18.20 - FOR REVIEW
11.29.20 - FOR REVIEW
12.04.20 - FOR REVIEW
12.08.20 - FOR COORDINATION
12.16.20 - FOR DVP
04.27.21 - COORDINATION AND
REVIEW

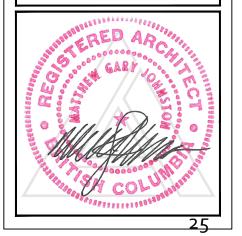
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05.04.21 - FOR COORDINATION
05.05.21 - FOR PRESENTATION
05.19.21 - FOR DVP REVIEW
05.31.21 - FOR DVP
06.08.21 - CONSOLIDATED DVP

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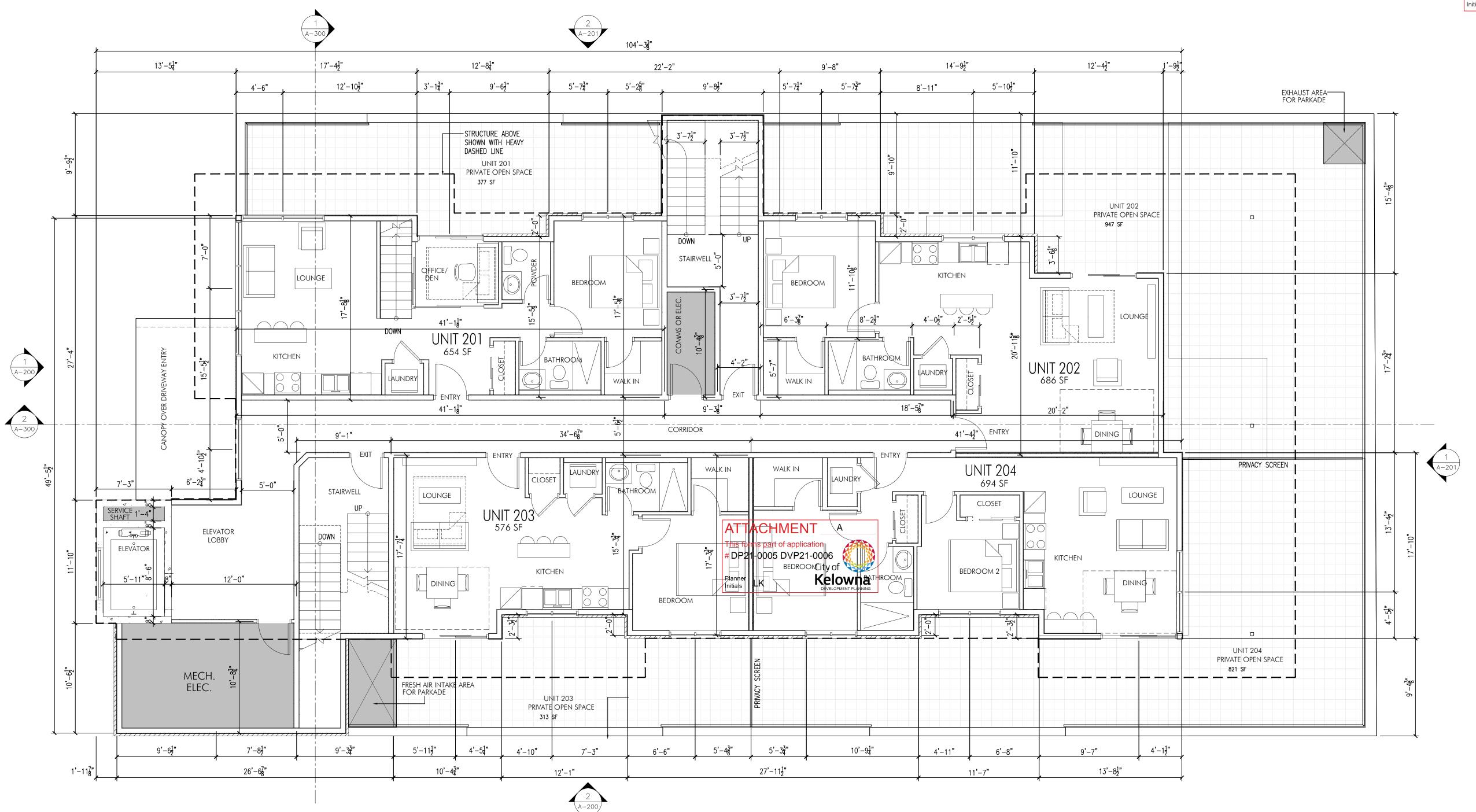
8-Jul-21

PROJECT 417 CEDAR AVENUE

DRAWING TITLE ENTRY LEVEL







1 SECOND LEVEL FLOOR PLAN

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10.28.20 - FOR COORDINATION
11.03.20 - FOR REVIEW
11.18.20 - FOR REVIEW
11.26.20 - FOR COORDINATION
11.29.20 - FOR REVIEW

12.04.20 - FOR REVIEW 12.08.20 - FOR COORDINATION

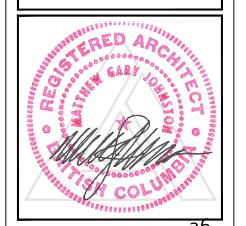
12.16.20 - FOR DVP 04.27.21 - COORDINATION AND REVIEW

04.30.21 - FOR REVIEW
05.04.21 - FOR COORDINATION
05.05.21 - FOR PRESENTATION
05.19.21 - FOR DVP REVIEW
05.31.21 - FOR DVP
06.08.21 - CONSOLIDATED DVP
PACKAGE

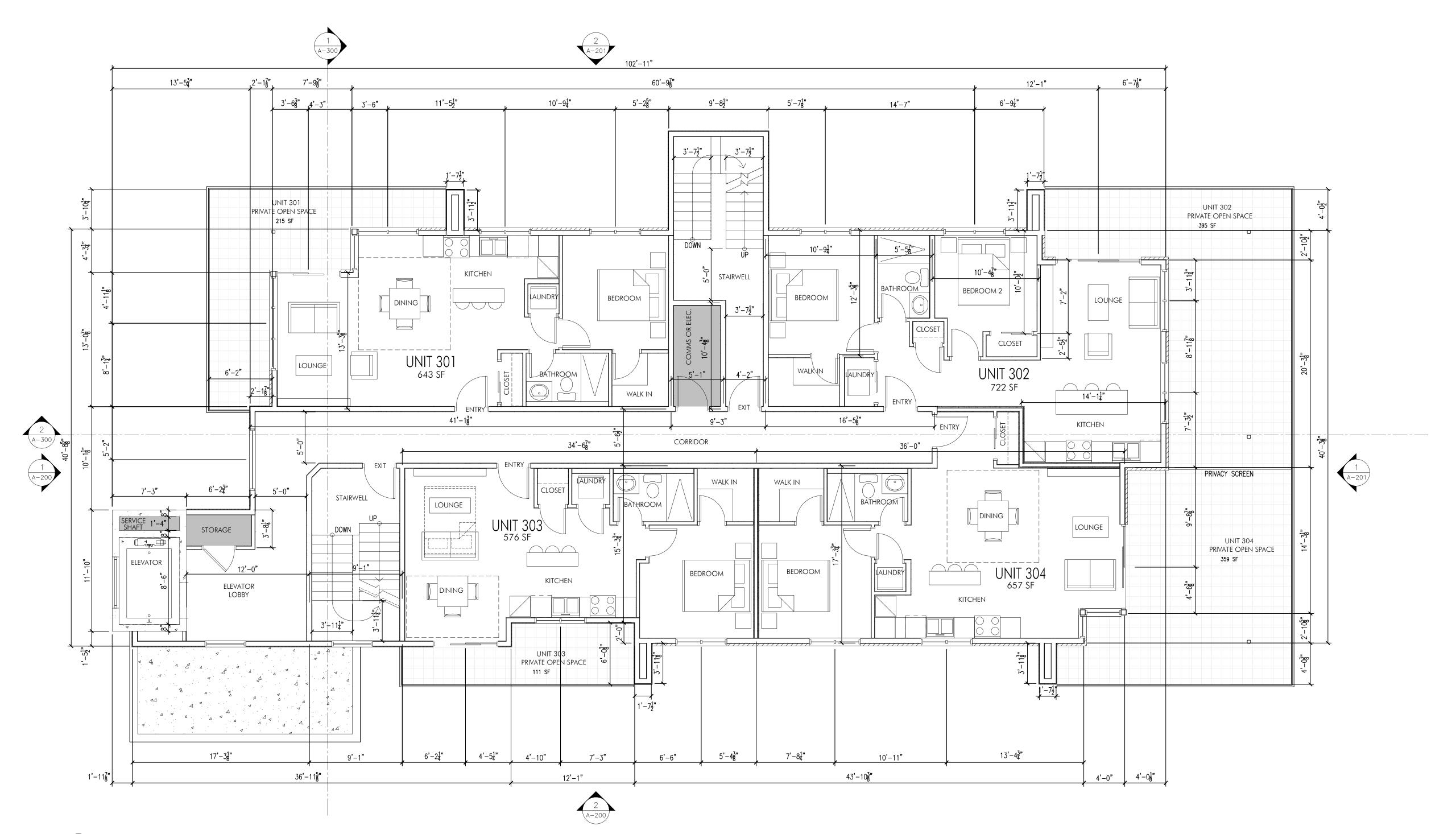
A-102 8-Jul-21

PROJECT 417 CEDAR AVENUE

DRAWING TITLE SECOND LEVEL FLOOR PLAN







1 THIRD LEVEL FLOOR PLAN

City of

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11.26.20 - FOR COORDINATION
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12.04.20 - FOR REVIEW
12.08.20 - FOR COORDINATION

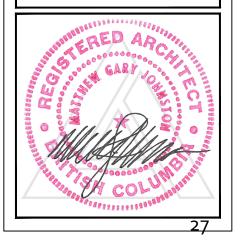
12.16.20 - FOR DVP 04.27.21 - COORDINATION AND REVIEW

04.30.21 - FOR REVIEW
05.04.21 - FOR COORDINATION
05.05.21 - FOR PRESENTATION
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05.31.21 - FOR DVP
06.08.21 - CONSOLIDATED DVP
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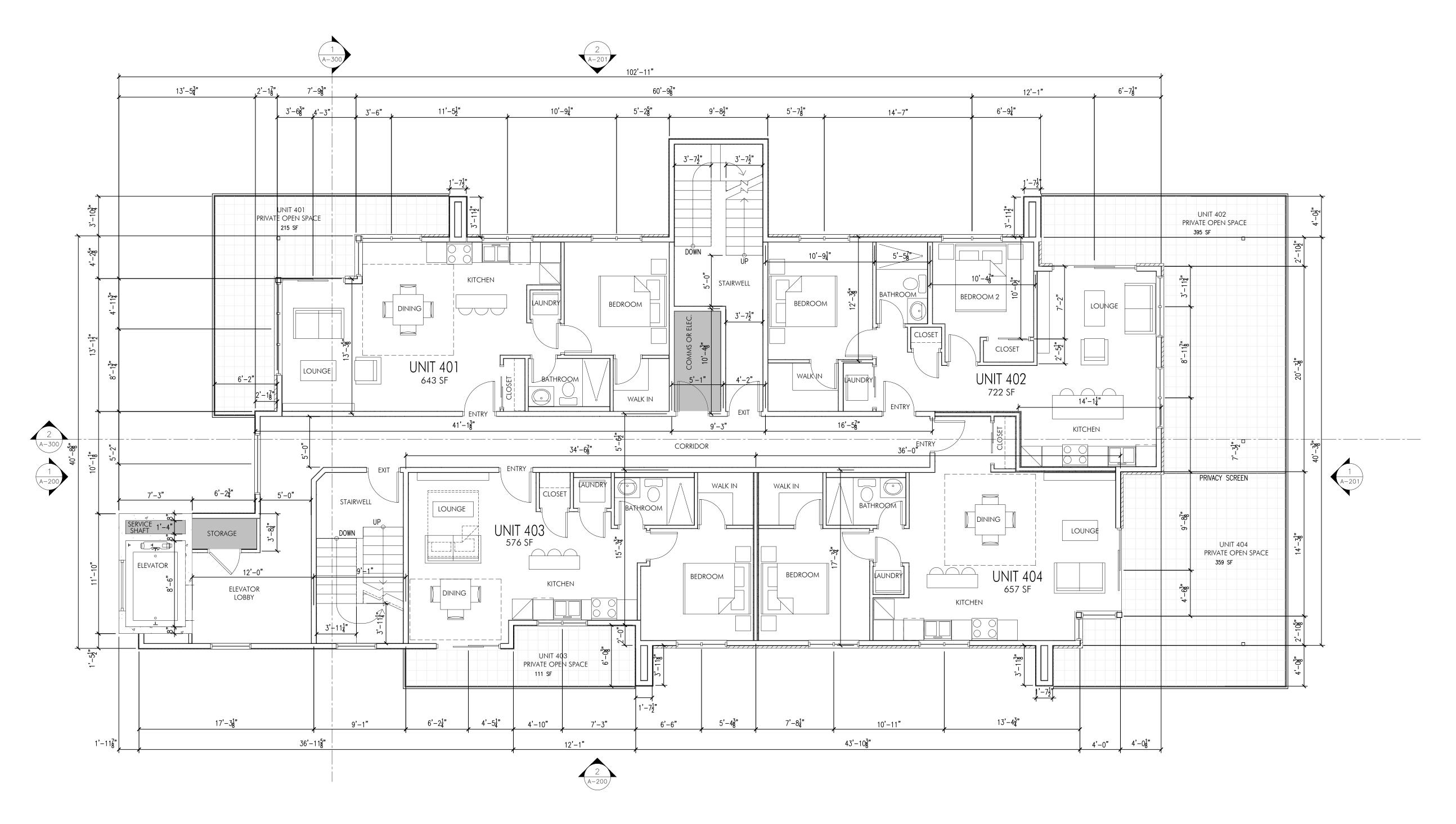
A-103 8-Jul-21

PROJECT 417 CEDAR AVENUE

DRAWING TITLE THIRD FLOOR LEVEL







1 FOURTH LEVEL FLOOR PLAN





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Revision No., Date and Description

and Description

11.26.20 - FOR COORDINATION

11.29.20 - FOR REVIEW

12.04.20 - FOR REVIEW

12.08.02 - FOR COORDINATION

12.16.20 - FOR DVP

04.27.21 - COORDINATION AND

REVIEW

05.04.21 - FOR COORDINATION

05.05.21 - FOR PRESENTATION

05.19.21 - FOR DVP REVIEW

05.31.21 - FOR DVP

06.08.21 - CONSOLIDATED DVP

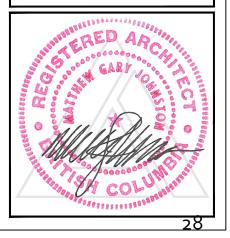
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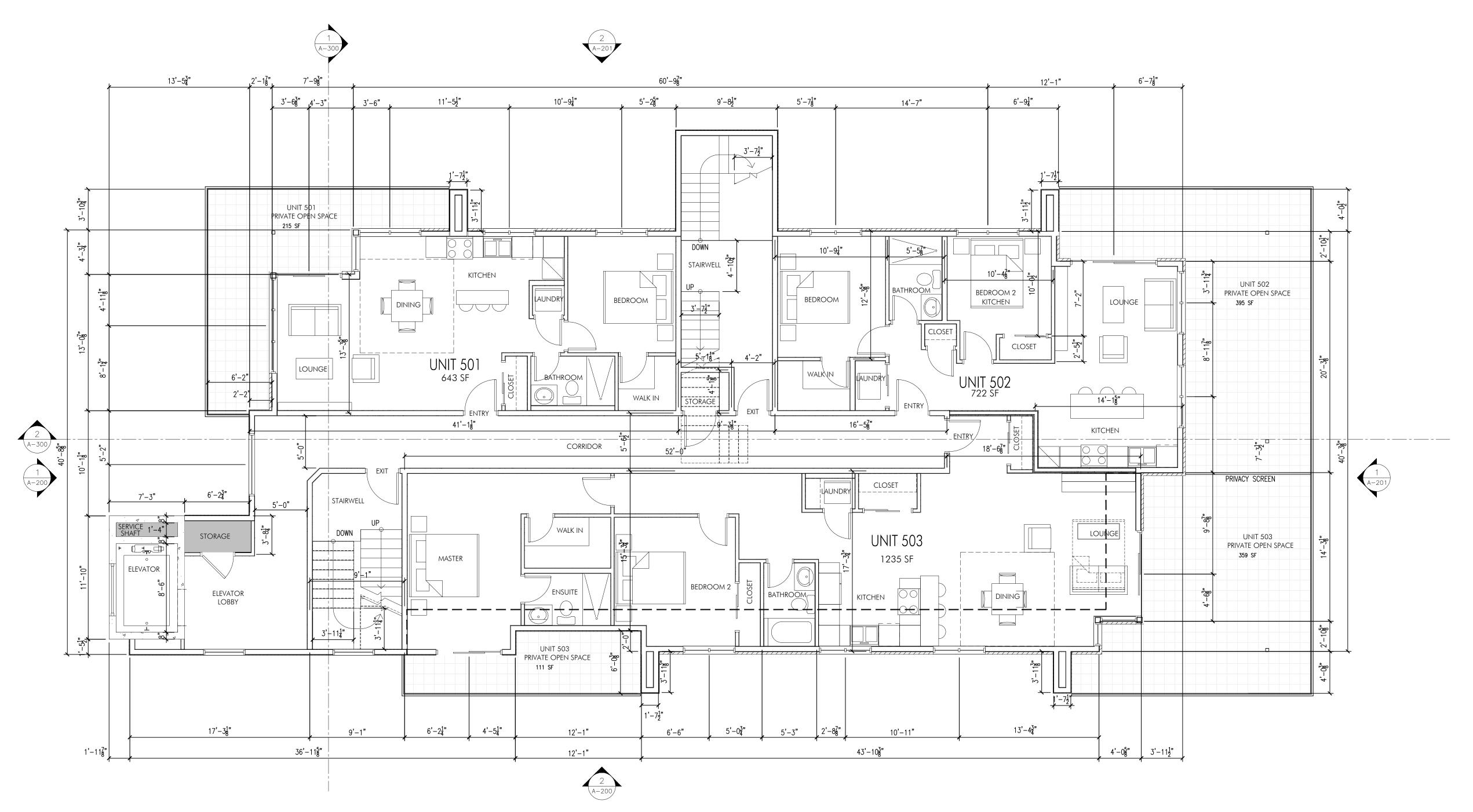
PROJECT 417 CEDAR AVENUE

DRAWING TITLE

FOURTH FLOOR LEVEL







1 FIFTH LEVEL FLOOR PLAN



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Revision No., Date and Description

and Description

11.26.20 - FOR COORDINATION

11.29.20 - FOR REVIEW

12.04.20 - FOR REVIEW

12.08.20 - FOR COORDINATION

12.16.20 - FOR DVP

04.27.21 - COORDINATION AND

REVIEW

05.04.21 - FOR COORDINATION

05.05.21 - FOR PRESENTATION

05.19.21 - FOR DVP REVIEW

05.31.21 - FOR DVP

06.08.21 - CONSOLIDATED DVP

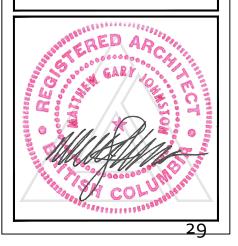
PACKAGE

8-Jul-21

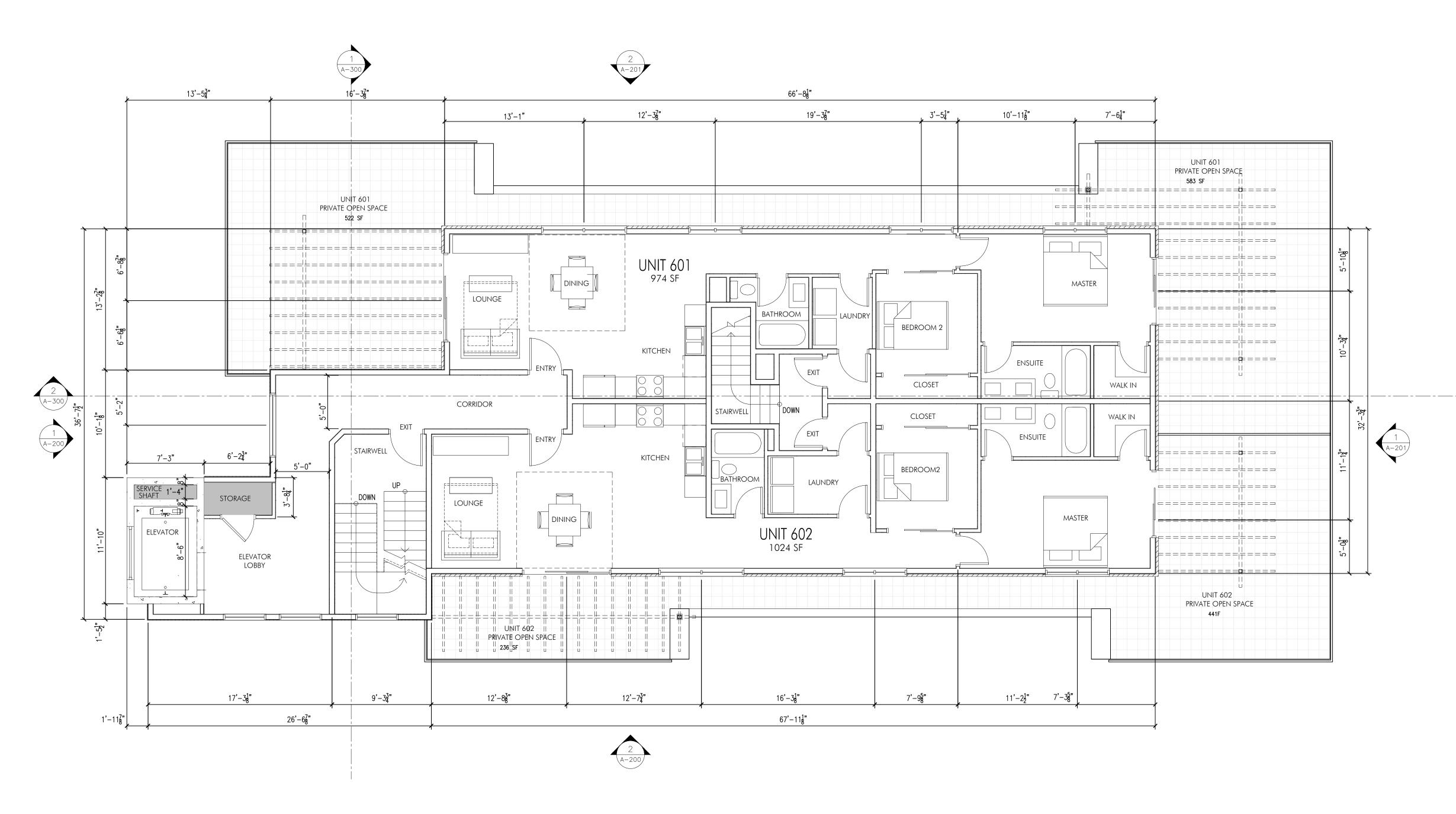
PROJECT

417 CEDAR AVENUE

DRAWING TITLE FIFTH FLOOR LEVEL







1 SIXTH LEVEL FLOOR PLAN

SCHEDULE This forms part of application # DP21-0005 DVP21-0006

PHONE:250-448-7801

Westerkamp workstoom

205-1626 Richter Street, Kelowna, BC V1Y 2M3

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Revision No., Date

and Description

11.03.20 - FOR REVIEW
11.18.20 - FOR REVIEW
11.29.20 - FOR REVIEW
12.04.20 - FOR REVIEW
12.08.20 - FOR COORDINATION
12.16.20 - FOR DVP

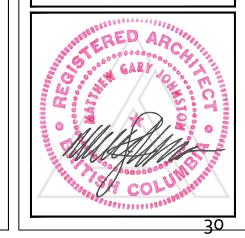
04.27.21 - COORDINATION AND REVIEW 05.04.21 - FOR COORDINATION 05.05.21 - FOR PRESENTATION 05.19.21 - FOR DVP REVIEW 05.31.21 - FOR DVP 06.08.21 - CONSOLIDATED DVP

PACKAGE

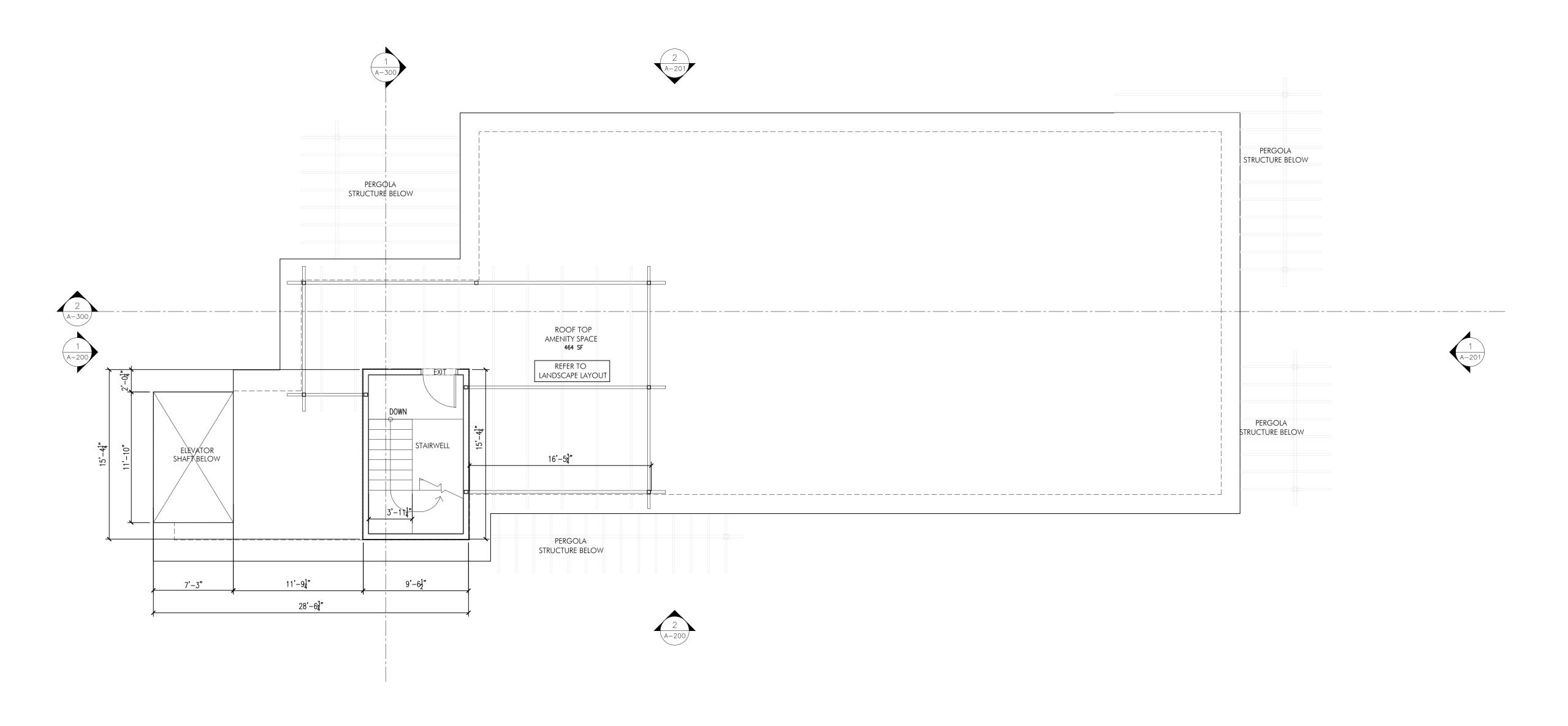
A-106 8-Jul-21

PROJECT 417 CEDAR AVENUE

DRAWING TITLE SIXTH LEVEL FLOOR PLAN







1 ROOF DECK LEVEL FLOOR PLAN

PHONE:250-448-7801

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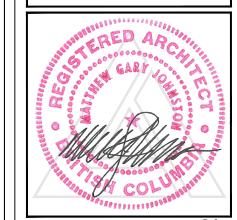
Revision No., Date and Description 12.04.20 - FOR REVIEW
12.08.20 - FOR COORDINATION
12.16.20 - FOR DVP
04.27.21 - COORDINATION
AND REVIEW

05.04.21 - FOR COORDINATION
05.05.21 - FOR PRESENTATION
05.19.21 - FOR DVP REVIEW
05.31.21 - FOR DVP
06.08.21 - CONSOLIDATED DVP
PACKAGE

8-Jul-21

PROJECT 417 CEDAR AVENUE

DRAWING TITLE ROOF DECK PATIO FLOOR PLAN







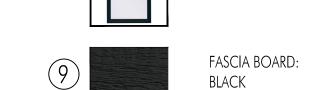










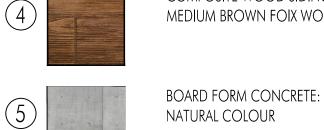




PROJECT MATERIALS:















BOARD FORM CONCRETE: NATURAL COLOUR BLACK ANODIZED ALUMINUM STOREFRONT WINDOWS AND DOORS: BLACK

> Revision No., Date and Description 11.03.20 - FOR REVIEW
> 12.16.20 - FOR DVP
> 05.31.21 - FOR DVP
> 06.30.21 - ADDENDUM NO.1
> 06.08.21 - PROJECT MATERIAL UPDATES
> 06.08.21 - CONSOLIDATED DVP PACKAGE

PHONE:250-448-7801

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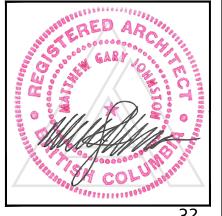
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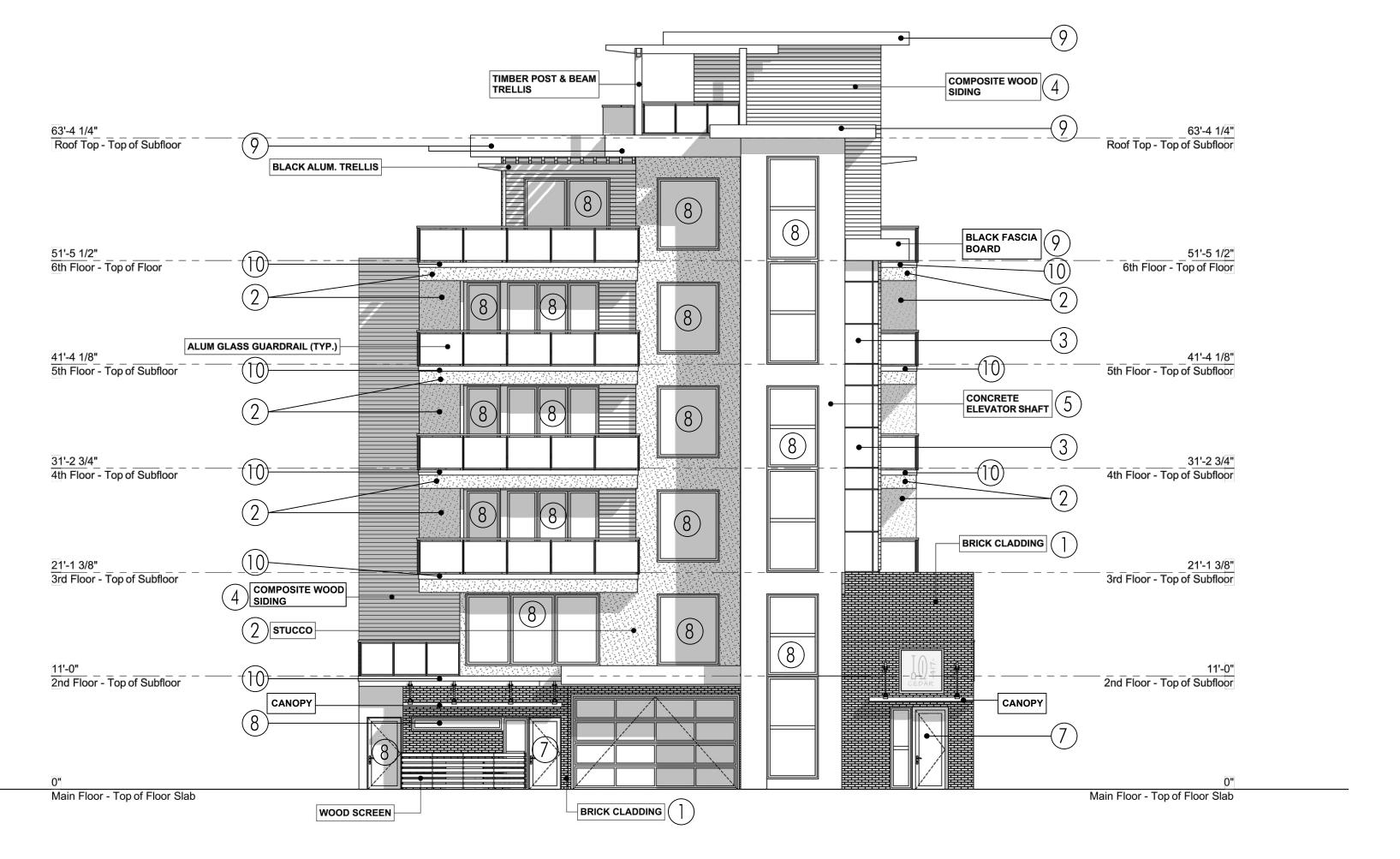
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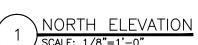
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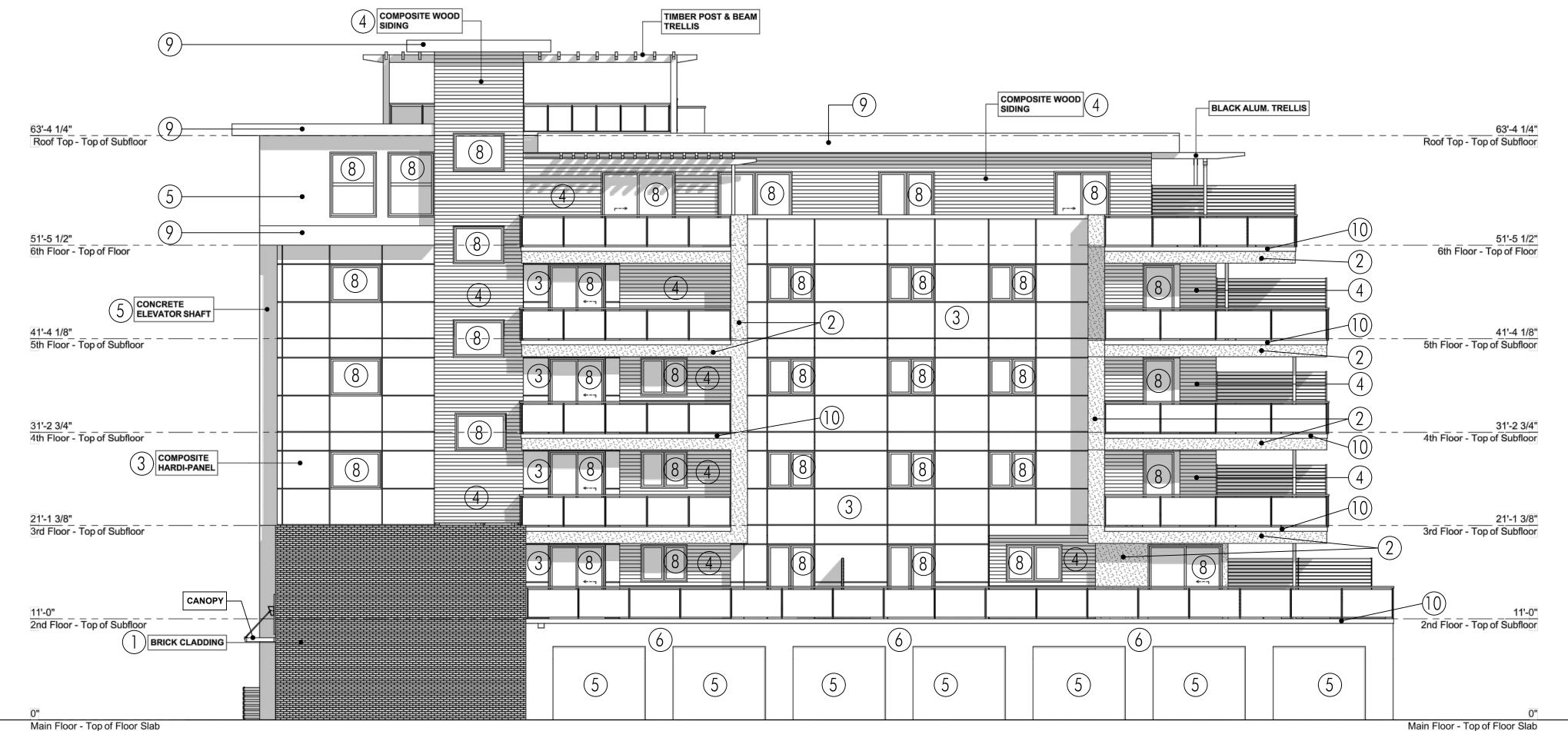
PROJECT 417 CEDAR AVENUE

DRAWING TITLE **ELEVATIONS**



















BOARD FORM CONCRETE:

NATURAL COLOUR





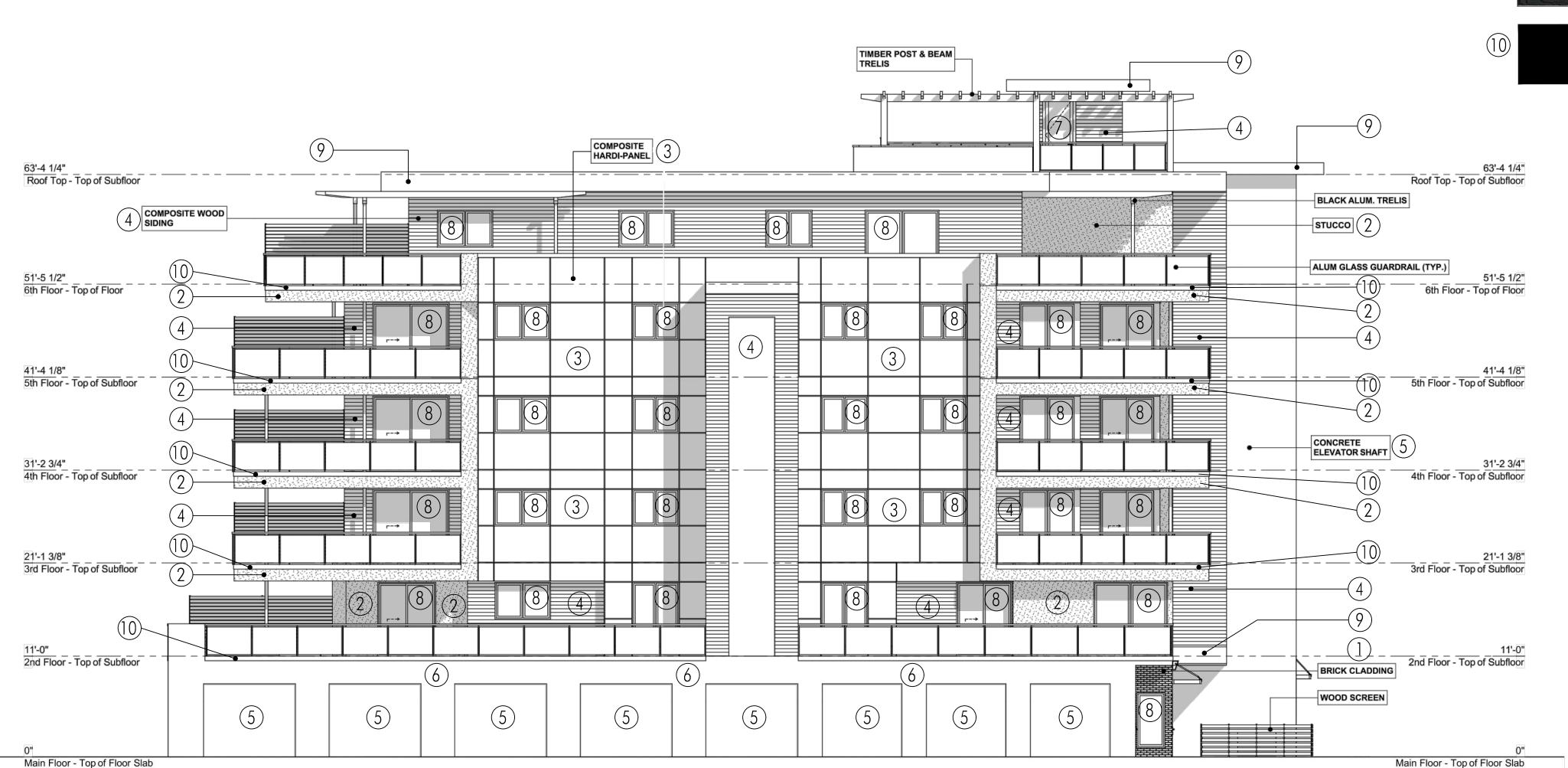
BLACK

WINDOWS AND DOORS:



5

PRE-FINISHED ALUMINUM FLASHING:
BLACK



TIMBER POST & BEAM

BLACK ALUM. TRELLIS

5

5

63'-4 1/4"

Roof Top - Top of Subfloor

51'-5 1/2" 6th Floor - Top of Floor

5th Floor - Top of Subfloor

4th Floor - Top of Subfloor

21'-1 3/8" 3rd Floor - Top of Subfloor

2nd Floor - Top of Subfloor

Main Floor - Top of Floor Slab

ALUM GLASS GUARDRAIL (TYP.)

_втиссо 2

TRELLIS

63'-4 1/4" Roof Top - Top of Subfloor

31'-2 3/4" _____ 4th Floor - Top of Subfloor

21'-1 3/8" 3rd Floor - Top of Subfloor

2nd Floor - Top of Subfloor (10)

Main Floor - Top of Floor Slab

BLACK ALUM. TRELLIS

2 втиссо

BRICK CLADDING

5

SOUTH ELEVATION

EAST ELEVATION

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

PHONE: 250-448-7801

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Plot Date Drawing N 8-Jul-21 A-201

PROJECT 417 CEDAR AVENUE

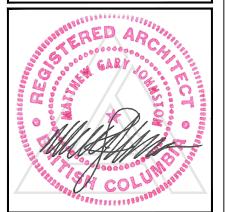
Revision No., Date and Description

PACKAGE

11.03.20 - FOR REVIEW
12.16.20 - FOR DVP
05.31.21 - FOR DVP
06.30.21 - ADDENDUM NO.1
06.08.21 - PROJECT MATERIAL

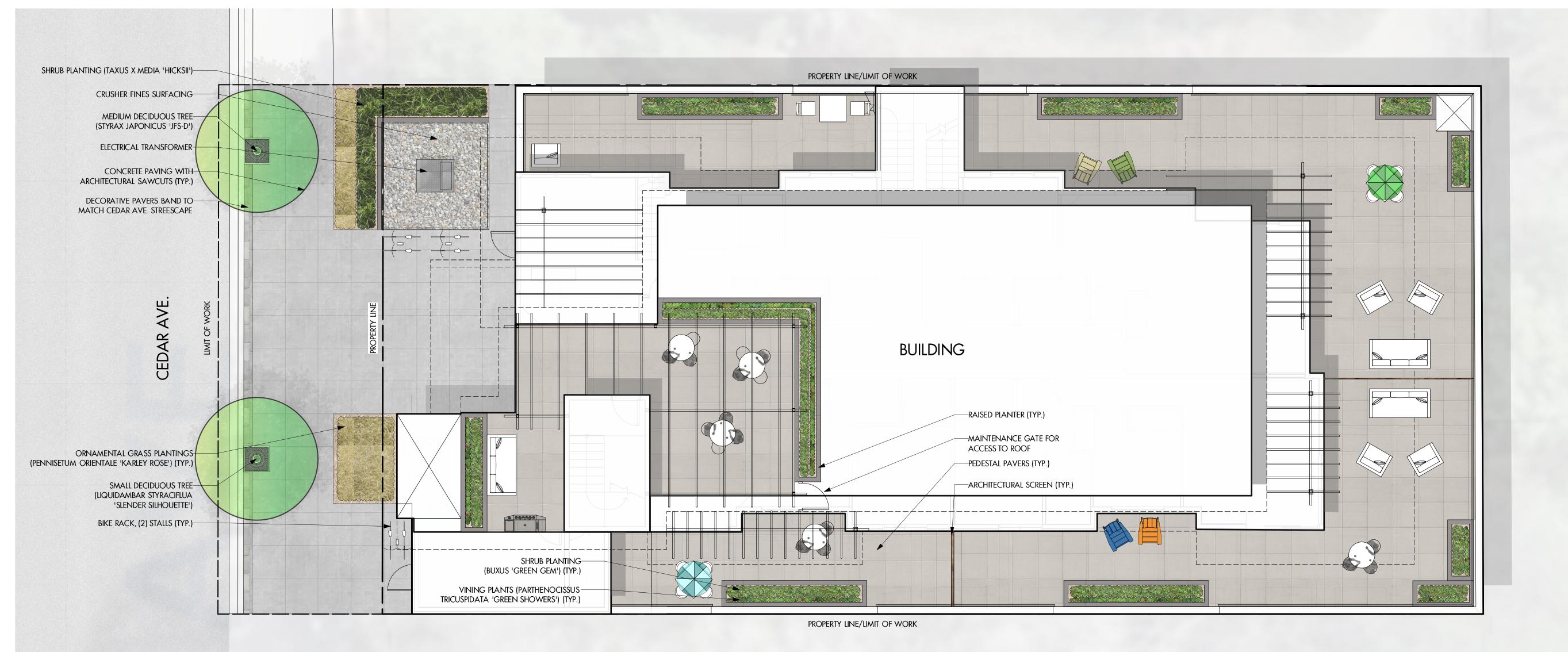
UPDATES
06.08.21 - CONSOLIDATED DVP

DRAWING TITLE
ELEVATIONS



5 10 15 20 25





NOTES

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

2. ALL OFFSITE LANDSCAPE WORKS TO MEET CITY OF KELOWNA BYLAW 7900 STANDARDS.

3. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.

4. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm BLACK WOOD MULCH, AS SHOWN IN PLANS. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.

5. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.

6. TURF AREAS SHALL BE 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 AND HARD SURFACES FLUSH.

7. 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 PROPERTIES.

PLANT LIST			
OTANICAL NAME REES	COMMON NAME	QTY	SIZE/SPACING & REMARKS
HOUETTE'STYRAX JAPONICUS 'JFS-D'	SNOWCONE SNOWBELL	2	6cm CAL.
HRUBS			
JXUS 'GREEN GEM'	GREEN GEM BOXWOOD	20	#02 CONT. /1.0M O.C. SPACING
AXUS X MEDIA 'HICKSII'	HICK'S YEW	15	#02 CONT. /1.0M O.C. SPACING
ERENNIALS & GRASSES			
ARTHENOCISSUS TRICUSPIDATA 'GREEN SHOWERS	GREEN SHOWERS BOSTON IVY	22	#01 CONT. /0.75M O.C. SPACING
ennisetum orientale 'Karley Rose'	Karley Rose Fountain Grass	8	#01 CONT. /0.75M O.C. SPACING



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



PROJECT TITLE

417 CEDAR AVENUE

Kelowna, BC

DRAWING TITLE

CONCEPTUAL LANDSCAPE PLAN

	issued for / revision		
	1	20.12.11	Review
	2	20.12.16	Development Permit
	3	21.05.05	Development Permit
	4	21.06.10	Development Permit
	5	21.06.22	Development Permit

PROJECT NO	20-124
DESIGN BY	FB
DRAVVN BY	NG
CHECKED BY	FB
DATE	JUNE 22, 2021
SCALE	1:75
PAGE SIZE	24x36"

SEAL



drawing number

. 1/2

ISSUED FOR REVIEW ONLY

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NORTH VIEW



7 EAST VIEW







8 WEST VIEW





FOR DVP



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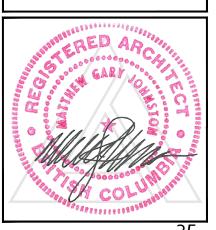
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Revision No., Date and Description 12.16.20 - FOR DVP 05.31.21 - FOR DVP 06.08.21 - CONSOLIDATED DVP PACKAGE

PROJECT 417 CEDAR AVENUE

DRAWING TITLE RENDERS





ATTACHMENT B

This forms part of application
DP21-0005 DVP21-0006
City of

Planner Initials

LK

Kelowna
DEVELOPMENT PLANNING

Transmittal Page 1 of 3

To: Planning Department
CC: Kevin Edgecombe

kevin@edgecombebuilders.com

City of Kelowna

June 30, 2021

Re: Design Rationale for the Proposed Development of

417 Cedar Avenue, Kelowna, BC (The Site)

Dear City of Kelowna Planning Department,

Further to submitted information as it pertains to the DVP associated with the proposed Development of 417 Cedar Avenue in Kelowna, we offer the following Design Rationale for the project:

Located immediately west of the corner of Pandosy Street and KLO Road, 417 Cedar Avenue is located in the heart of Kelowna's Mission Centre neighbourhood. The project location is in close proximity to shopping and restaurants allowing most errands from the location to be accomplished by foot as is emphasized with a 70+ walk score. Kelowna's Mission Centre is ideally located for residential use and because of its associated high walk score, reduces the reliance on automobile use. The proposed C4 zone allows for mixed use (residential/commercial) which is well suited to the property's location between existing residential and commercial zones.

The building design includes a ground floor accessible commercial space from Cedar Avenue that connects internally to a residence on the second level above in order to create a work-live residence. Also included on the Cedar Ave. frontage is vehicle access to a ground level parkade and the entry lobby for the remaining 16 residences (17 in total) located on the upper 5 storeys above the entry level (6 levels in total). The location close to the commercial centre of the Mission Centre influenced the overall design that includes the provision of additional bicycle parking in order to reduce the required number of vehicle parking stalls. The reduction in automobile reliance in conjunction with the higher density infill development of the property contribute to a more sustainable approach to the building design that aligns with the City of Kelowna's Healthy City Strategy and planning initiatives. The concept for the building includes providing a mix of private outdoor spaces and a community roof-top amenity space that allows a variety of outdoor options for the occupants of the building.

One of the challenges in developing the property is its midblock location thereby eliminating the opportunity for rear lane access. In response to the location of the property and lack of lane access, the building design had to incorporate the residential entry, vehicle entry and commercial frontage from Cedar Avenue. This requirement meant that the commercial frontage had to be reduced from the zoning requirement of 90% commercial space on the first floor to approximately 34% commercial frontage in order to integrate the vehicle and pedestrian entries required off of Cedar Avenue. In addition to the reduced commercial frontage, the narrow nature of the property required a design approach that maximized the building footprint on the site in order to accommodate parking to support a higher density project to take advantage of the Mission Centre location as well



Transmittal Page 2 of 3

as anticipate the future development of neighbouring properties to higher density, mixed use buildings. Above the entry level, we felt it important to reduce the impact of the building massing on adjacent properties by stepping the building away from the property edges. The response to stepping the building was to increase the height in order to achieve the residential density that the C4 zone supports. Accordingly, the final design solution for 417 Cedar Avenue resulted in the following proposed variances:

- increasing the maximum site coverage from 75% to 91.5%
- vary the maximum building height from 15m or 4 storeys to 19.5m and 6 storeys
- vary the required side yard from 2m where the property abuts a residential zone to 0m
- vary the required minimum rear yard from 6m where the property abuts a residential zone to 0m
- vary the commercial frontage from 90% to 34%.

The final building form takes inspiration from the trend to design and build with a modern building style combined with energy efficiency in mind. The modern form includes the use of punch windows to reduce the impact of the exterior located elevator shaft while offering transparent connection between indoor and exterior spaces. The use of this type of window system helps establish a regular rhythm on the building exterior while enhancing energy performance by limiting glazing areas. The building human scale at the street level is inviting with most of the massing above the entry level stepped back from the property line in order to reduce the impact of the building massing while maintaining a sense of privacy between neighbouring buildings.

The priority to densify precious, developable land within an existing urban centre while ensuring the building stepped away from neighbouring properties resulted in the building height exceeding the maximum allowed in the C4 zone. Achieving 17 residences on the property while being sensitive to the neighbourhood was felt to be important from a location and sustainability perspectives. To further reduce the impact of the additional height, the 6th storey was stepped back even further than the 5 storeys below in order to help reduce the impact of the height and massing further than the stepping of the stories between the entry and upper. The result is an attractive infill project that combines a commercial component, addresses the human scale while sensitively designed to reduce impact on neighbours. Additionally, bicycle storage was regarded as an important aspect and in fact occupies prime floor space on both the entry and second levels. Easily accessible while being secured within the building is a testament to the priority that bicycle storage had in the design of this project. We believe that reducing the number of parking stalls in exchange for the additional bicycle storage aligns with the City's vision and our own when it comes to healthy, interactive urban living.



Transmittal Page 3 of 3

In summary, the rationale for this project is as follows:

- i. Provide a thoughtful, sustainable infill housing solution to a property located in the heart of an existing urban centre of Kelowna.
- ii. Provide a live-work space in response to current changing habits that influence the way people work and live.
- iii. Propose a development that meets the City of Kelowna Parking Bylaw requirements. Specifically, and in conjunction with the additional bicycle storage, the project provides a vehicle parking stall for 14 of the 17 residential units plus 3 visitor spaces that includes an accessible stall.
- The proposed development results in a building design that is attractive in its modern design, iv. is inviting and addresses the human scale at ground level and is sensitive to the neighbourhood at large by the way it has been designed and massed on the site.

This proposed development recognizes the City of Kelowna's strategic approach to overall residential growth including better use of precious developable land in accordance with the City's OCP/Future Land Use, Healthy City Strategy and planning initiatives.

We look forward to your supportive comments in response to this DVP application.

Please do not hesitate to contact our office if you have any questions or require additional information in these matters.

Sincerely:

Matt Johnston // Architect AIBC, LEED AP

LIME Architecture Inc.

c/o

The Development Team including, but not limited to: Edgecombe Builders Group.



DP21-0005 & DVP21-0006 417 Cedar Avenue

Development Permit and Development Variance Permit
Applications



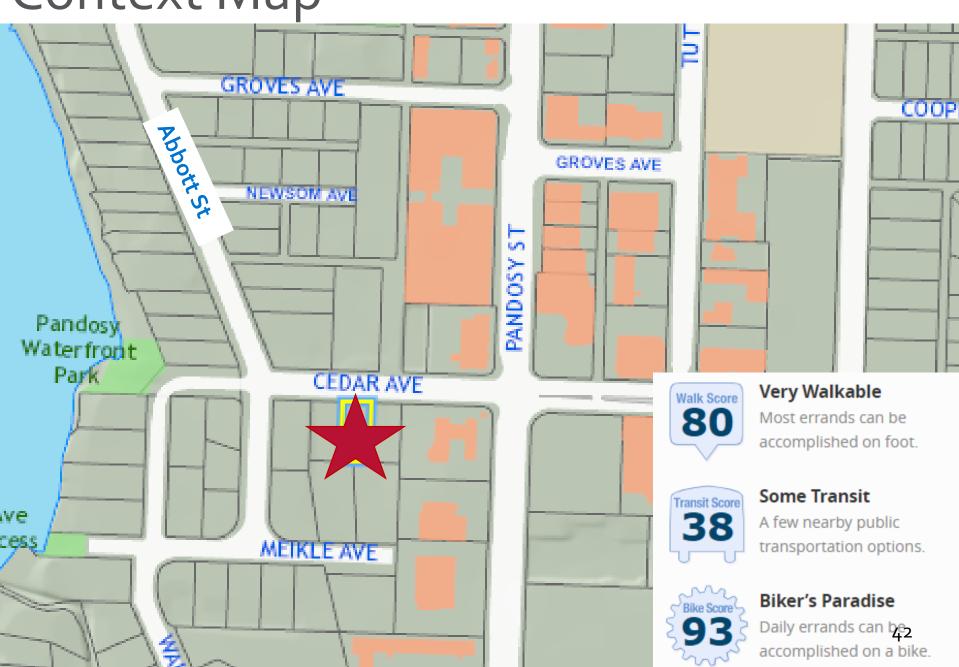
Proposal

➤ To consider a form and character Development Permit and variances to facilitate a mixed-use development on the subject property.

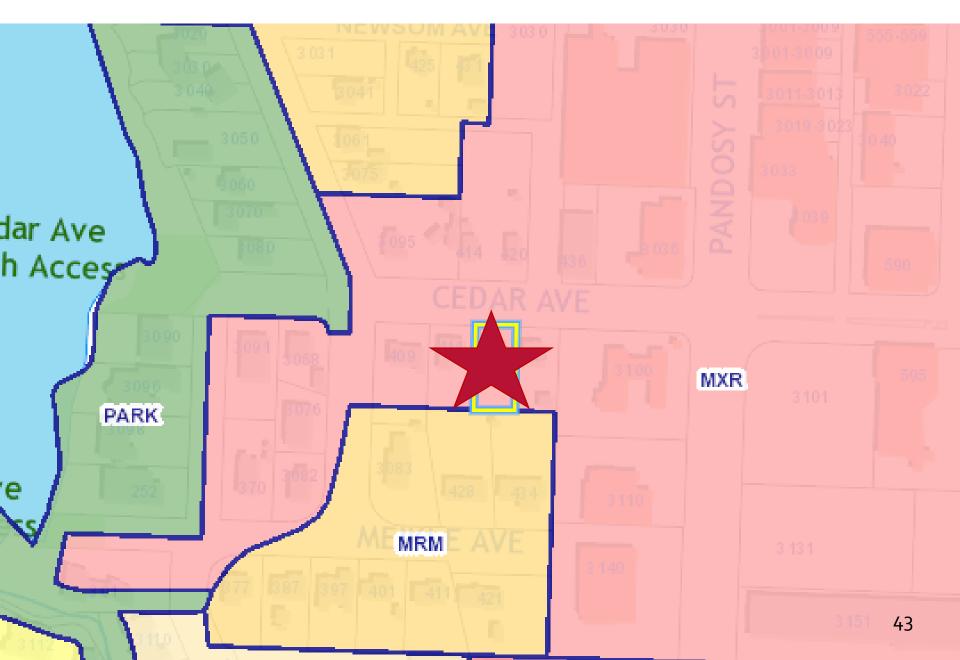
Development Process



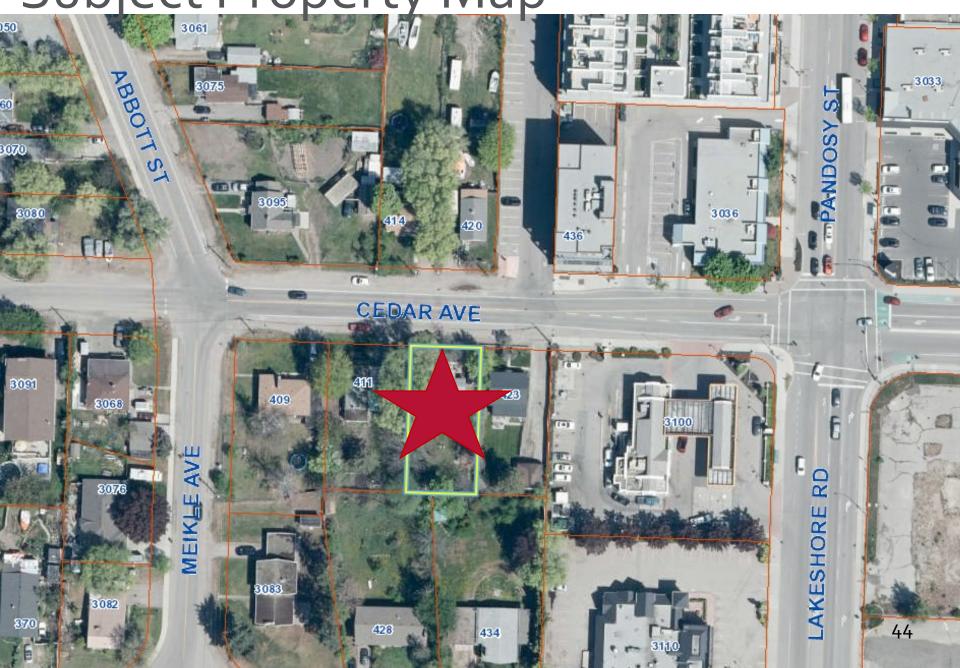
Context Map



Future Land Use

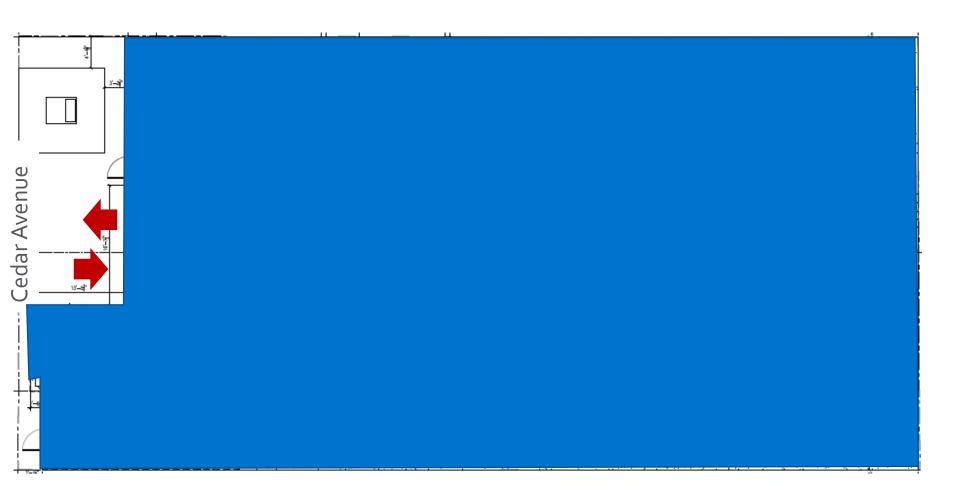


Subject Property Map



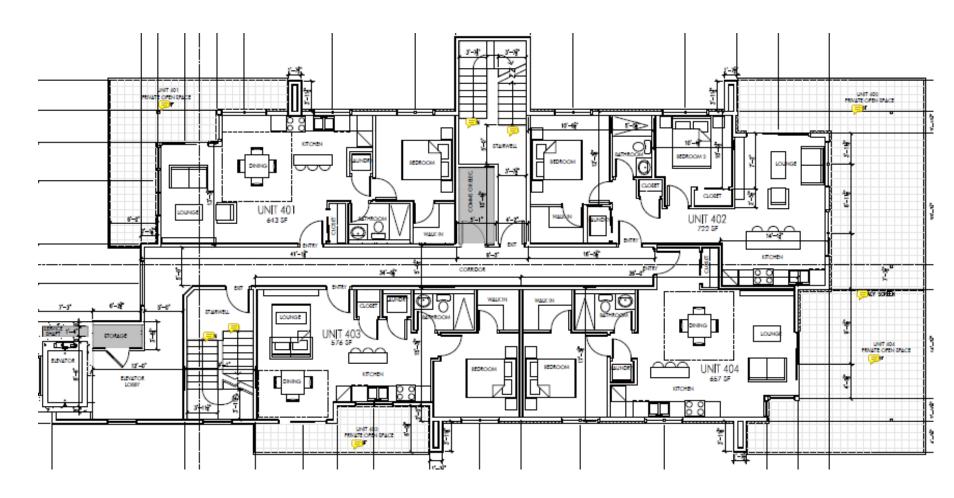
Site Plan





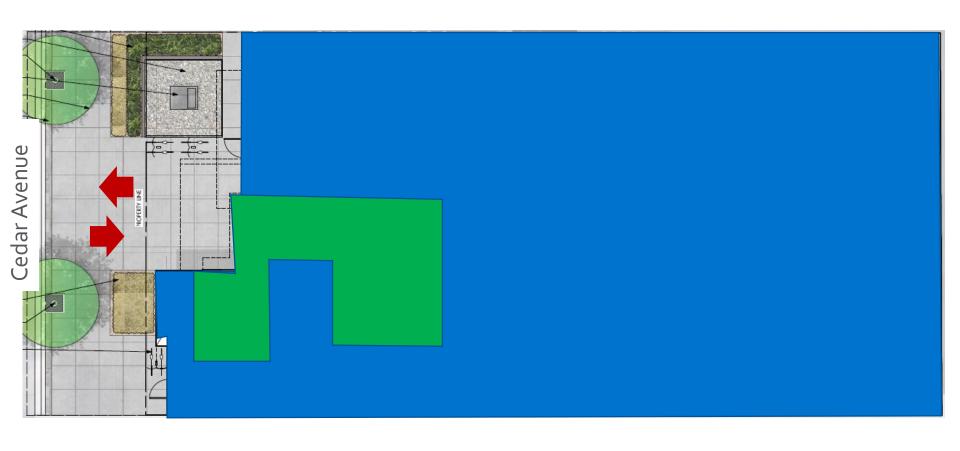
Floor Plan



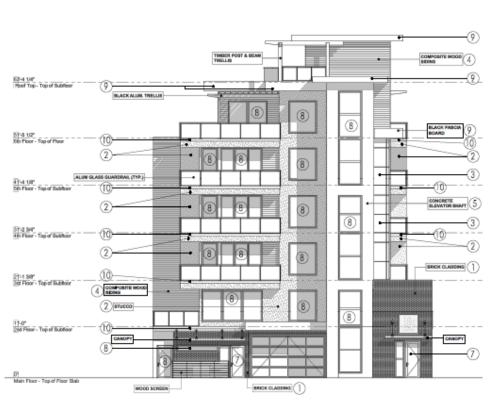


Landscape Plan

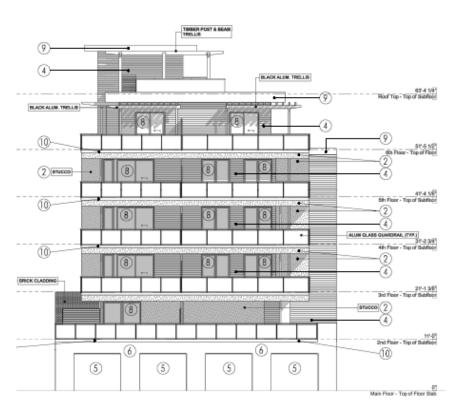




Elevations

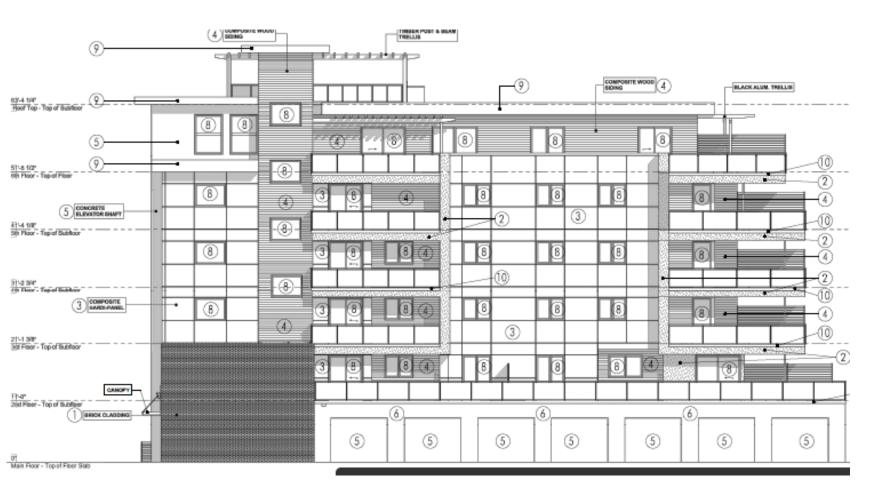


Cedar Avenue Elevation



Rear Elevation

Elevations



West Elevation

Elevations



East Elevation

PROJECT MATERIALS:



STUCCO:



OFF WHITE STUCCO FINISH



COMPOSITE HARDI PANEL: BOOTHBAY BLUE

COMPOSITE WOOD SOING AND SOFFITS: MEDIUM BROWN FOR WOOD METAL SIDING

BOARD FORW CONCRETE:

STOREFRONT ENTRY: BLACK ANODIZED ALUMINUM STOREFRONT

WINDOWS AND DOORS:

PRE-FINISHED ALUMINUM FLASHING:

Project Details



- ▶ 6 storey condo building
- ▶ 17 residential units (1 is a live/work)
- ► FAR 1.7
- ➤ One level at-grade parking podium 17 stalls provided
- Modern Building Design
- Finish Materials:
 - ▶ Stucco Off-white
 - Hardi-panel siding Boothbay Blue
 - Composite metal siding Wood finish
 - Brick veneer Red-Brown finish
 - Board form/ Standard concrete Parkade & Elevator Shaft







Variances

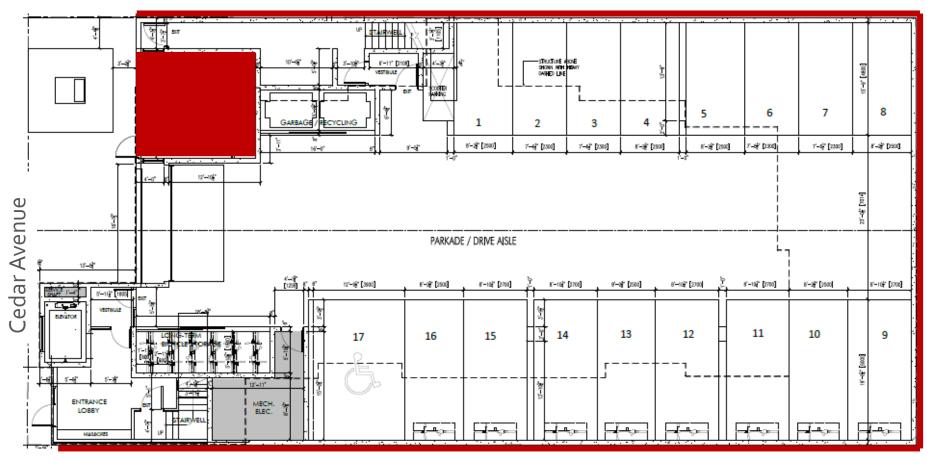


To vary:

- ▶ Site coverage from 75% permitted to 91.5% proposed;
- Side setback from 2.0 m required to 0.0 m proposed (both sides);
- ▶ Rear setback from 6.0 m required to 0.0 m proposed;
- ► Functional commercial frontage from 90% required to 27% proposed;
- ▶ Building height from 15.0 m or 4 storeys permitted to 19.5 m & 6 storeys proposed.

Variances



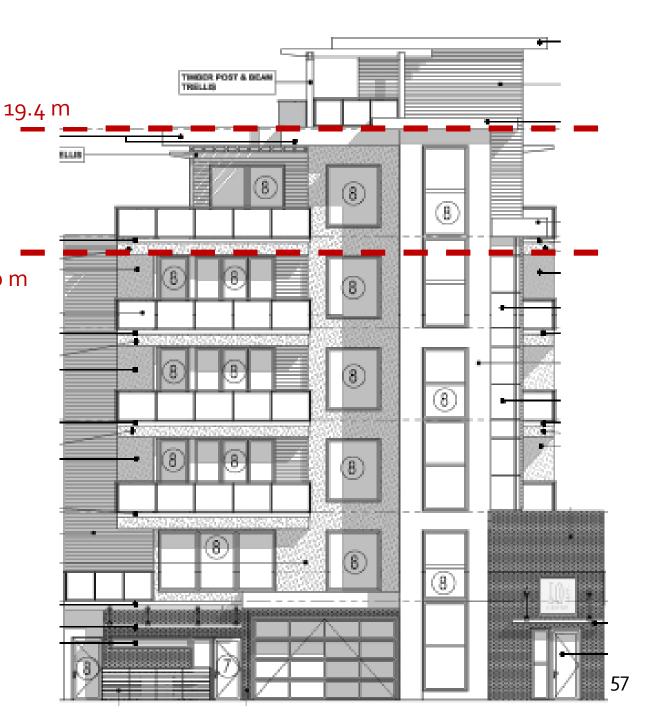


Site coverage from 75% allowed to 91.5% proposed
Setbacks – Sides 2.0 m required to 0.0 m proposed
- Rear 6.0 m required to 0.0 m proposed
Commercial Frontage from 90% required to 27% proposed

Variances

Building Height: Max. of 15.0 m or 4 Storeys to 19.5 m & 6 storeys proposed.

Approx 15.0 m



Development Policy



- Proposed design substantially meets many of the OCP Urban Design Guidelines
 - Respond architecturally to summer sun with buildings that have overhangs and recesses of sufficient depth to provide comfort and shade;
 - Provide generous outdoor spaces, including rooftops, balconies, patios and courtyards, to allow residents to benefit from the favourable Okanagan weather;
 - ► Exterior building materials should be selected for their functional and aesthetic quality, and should exhibit qualities of workmanship, durability, longevity and ease of maintenance;



Staff Recommendation

- ➤ Staff supports the proposed form and character Development Permit and associated variances.
 - ▶ Variances are supported due to the site constraints



Conclusion of Staff Remarks



417 CEDAR AVE.

PRESENTATION TO COUNCIL AUG 10, 2021

DVP 21-0006

Presented by: KEVIN EDGECOMBE



Presentation Outline





Background

We are seeking a DVP for 417 Cedar Avenue to create a 17 Unit, 6-storey development that is located on the south side of Cedar Avenue just west of Pandosy Street. The immediate area currently consists of largely single-family homes zoned RU1, as well as a large amount of C4 commercial on the Pandosy corridor.

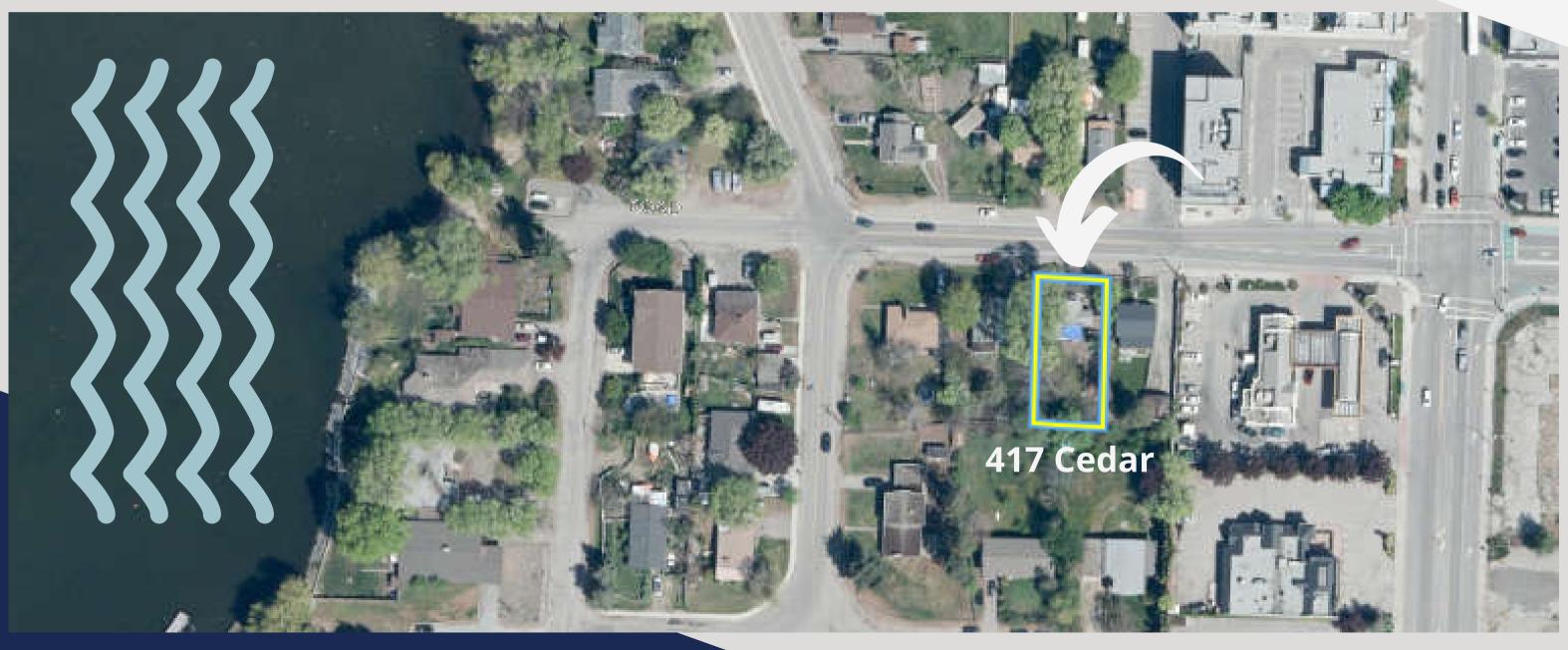
The application was submitted following 4 pre-submission meetings with COK staff with several iterations of the building's form and character being presented and refined. Our application was ultimately submitted mid-December 2020. During our very positive pre-submission discussions, there were 3 main components discussed and worked on with staff and our architect.

- Commercial component/frontage.... incorporated a commercial space directly connected to a one bedroom unit above
- Potential Land Assembly....many attempts were made to create an assembly but we were unable to execute
- Lack of lane way on south side of property.... made it tough to create meaningful commercial frontage given the need for a Foyer, a Drive Lane and a Transformer

2030 OCP - Current zone

Site Location Map

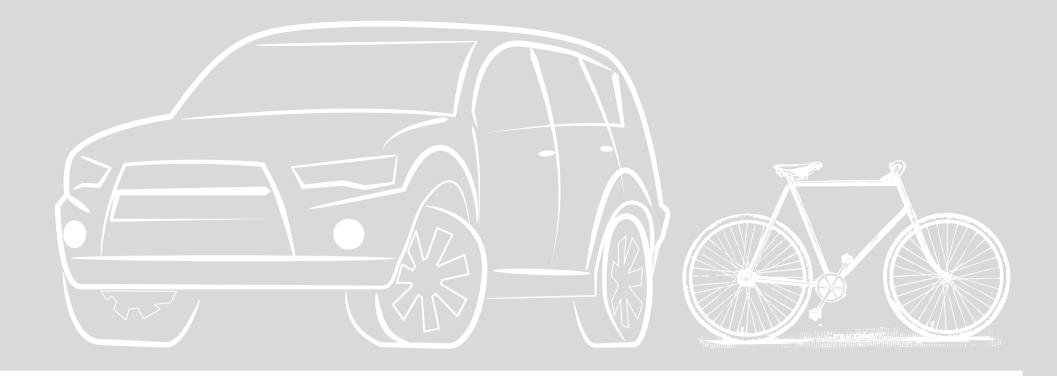




Density in Urban Centers

We believe that support of this DVP will provide much needed density in an Urban Center such as the South Pandosy Area.

- 17 Unique condos in a great location including one Live/Work studio opportunity
- Very high Walk-Score with less reliance on motor vehicles
- Steps away from the lake and the new South Pandosy Park
- A critical step in renewing and revitalizing the Cedar Ave corridor



Parking Analysis

STALLS REQUIRED

20 stalls are required by bylaw which include:

- 1 for commercial space
- 9 for 1 bedroom
- 7 for 2 bedrooms
- 3 for Visitor stalls
- 13 Long term bicycle stalls
- 6 short term bicycle

Total stalls required - 20 Less 20% for long term bicycle bonus = 16 stalls required

STALLS PROVIDED

17 stalls are provided

- 8 full size stalls
- 8 regular stalls
- 1 accessible stall
- 20 long term bicycle stalls
- 6 short term bicycle stalls
- NOTE, 3 of the above parking stalls will be visitor stalls

WHAT DOES THIS MEAN

- 3 units will not have parking stalls
- We exceed the parking by-law by 1 stall
- We feel this is an excellent location to prove the new parking by-law
- Healthy City Strategy: "When [our built environment] is strategically designed, these places can reduce obesity and chronic diseases, like heart disease and diabetes, and improve our well-being and social connections."

Evolution of 417 Cedar

Challenges Faced

- Lack of laneway at rear of property (south side)
- Inability to secure adjacent land assembly to the east
- Lack of commercial frontage (90%)
- Single lot development in infill environment
- Variance requirements 6



Early iteration



DP Submission

Mid-Design changes

• We attended 4 pre-submission meetings with COK staff, all of which resulted in changes to improve set-backs, and overall building aesthetics (many of which are listed below)

Design enhancements

- Project is in full compliance with COK parking bylaw exceeds number of required stalls by 1
- Added a small commercial space connected to suite above (Live/Work opportunity)
- Created an aesthetically pleasing infill project with great curb appeal
- Reduced massing with good setbacks above the first level parkade
- Reduced the mass of the level 1 parking structure with added features
- Reduced the elevator core to only travel to 6th floor rather than roof top.
- Large Private Decks on all units as well as a significant rooftop amenity space
- Added windows to the north-west corner of the building to enhance the aesthetic and views to the water
- Changed the composite siding from grey to light blue
- Solved technical exiting issues from the parkade level



Current DVP

Site Statistics

Property Description

Civic: 417 Cedar Ave. Kelowna, BC

Legal plan 4135, Lot 2 Current zoning: C4 Gross site area: 7452 sf

FAR allowed: 1.3 + .4* = 1.7 (12668 sf)

FAR proposed: 1.7 (12668 sf)

Unit area calculations

Commercial suite 265 sf Second level 2610 sf Third level 2598 sf 2598 sf Fourth level Fifth level 2599 sf Sixth level 1998 sf TOTAL: 12668 sf

Allowed/Required

Front yard setback allowed: 0.0m Side yard setback allowed: 2m Rear yard setback allowed: 6m Commercial frontage allowed: 90% Allowable site coverage: 75% 5589 sf Maximum height allowed: 4 storeys

Parking required: 16

Bicycle storage required: 21

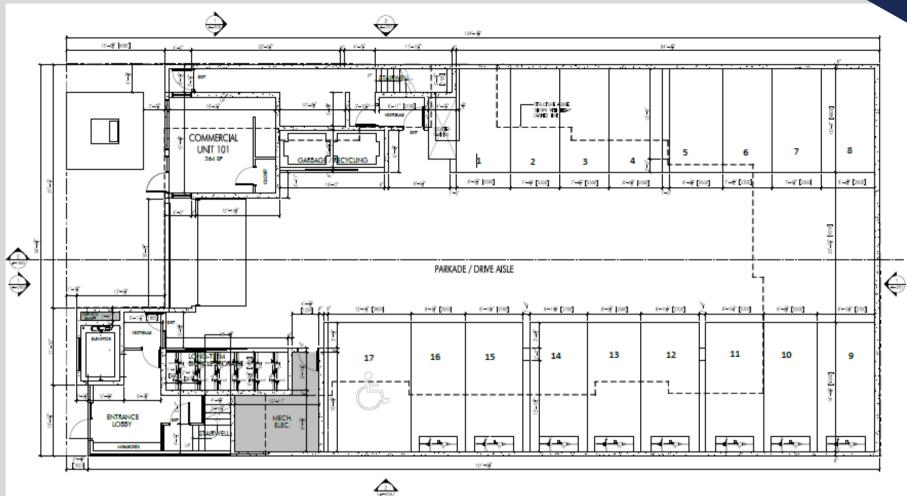
Proposed

Variance Front yard setback proposed: 0.49m West side yard setback proposed: 0m Required Rear yard setback proposed: 0m Required Commercial frontage proposed: 27% Required Proposed site coverage: 91.5% (6818 sf) Required Maximum height proposed: 6 storeys Required

Parking proposed: 17

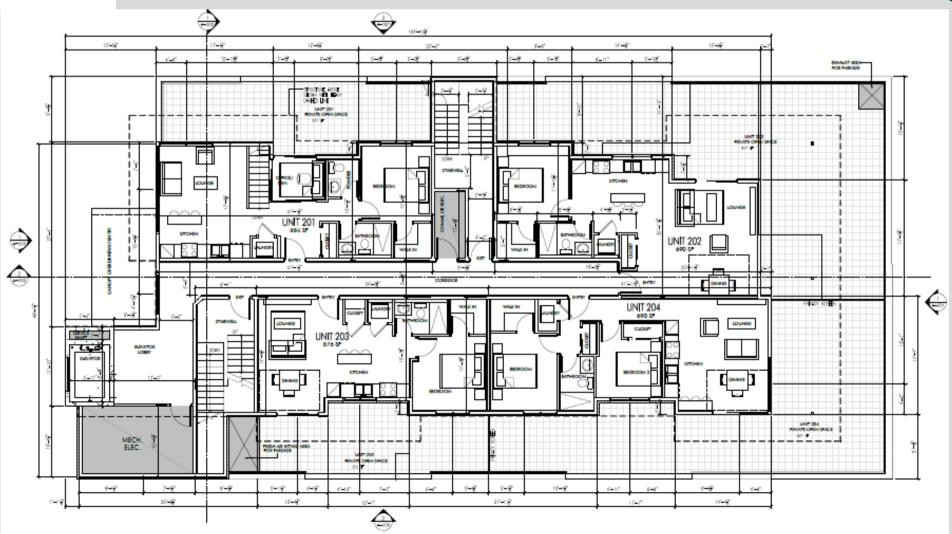
Bicycle storage proposed: 26

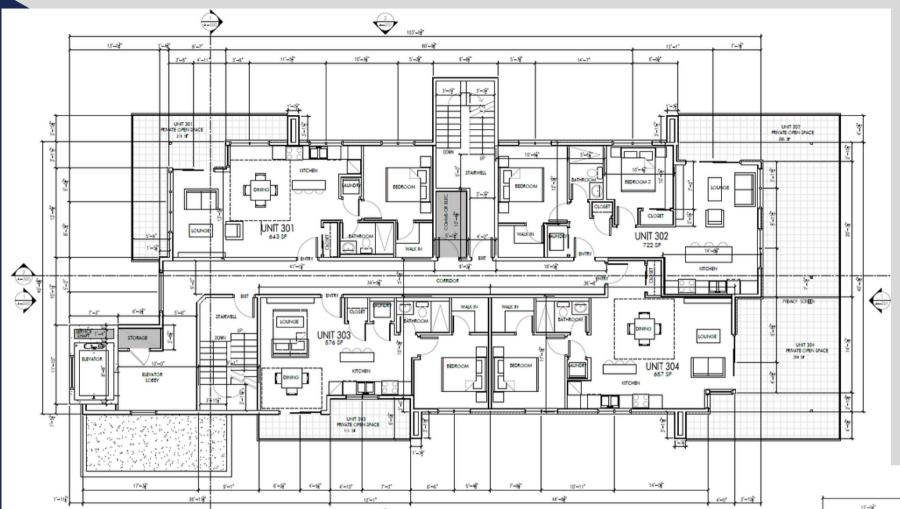




Ground floor

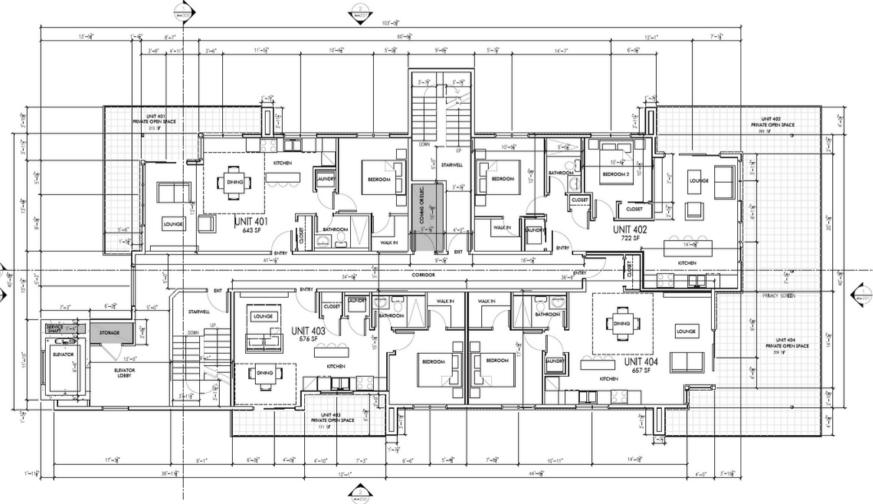
Second floor

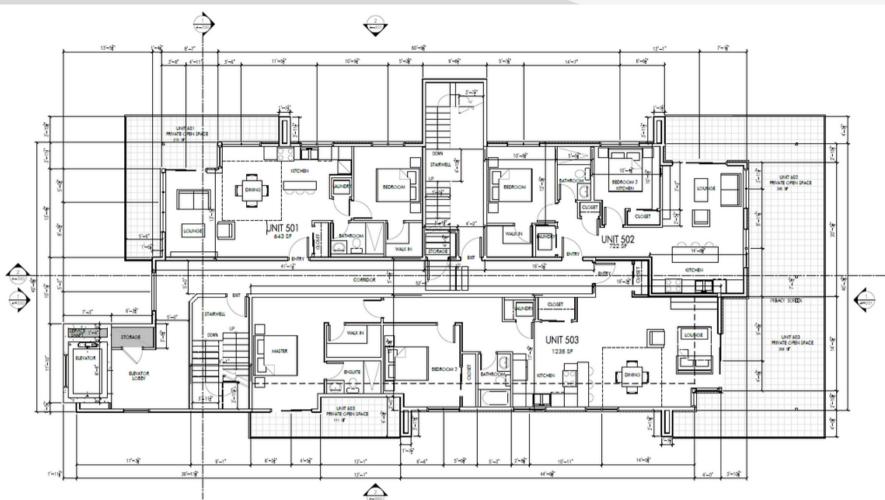




Third floor

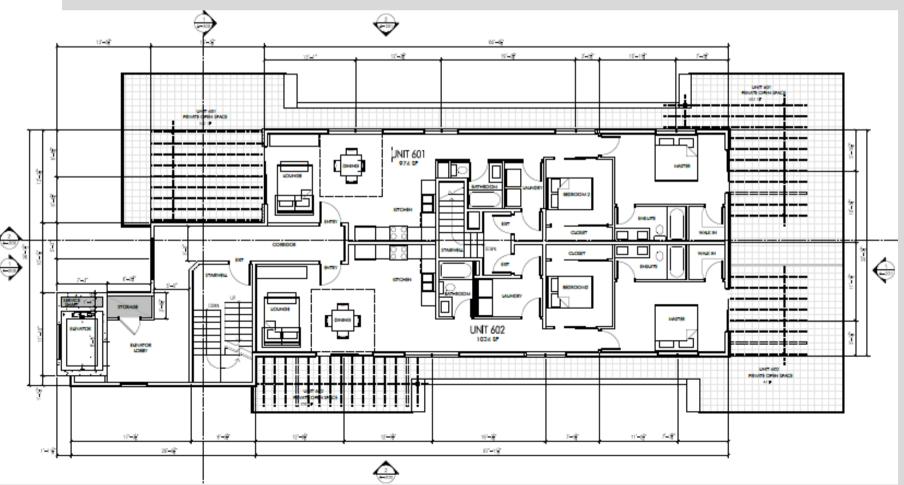
Fourth floor

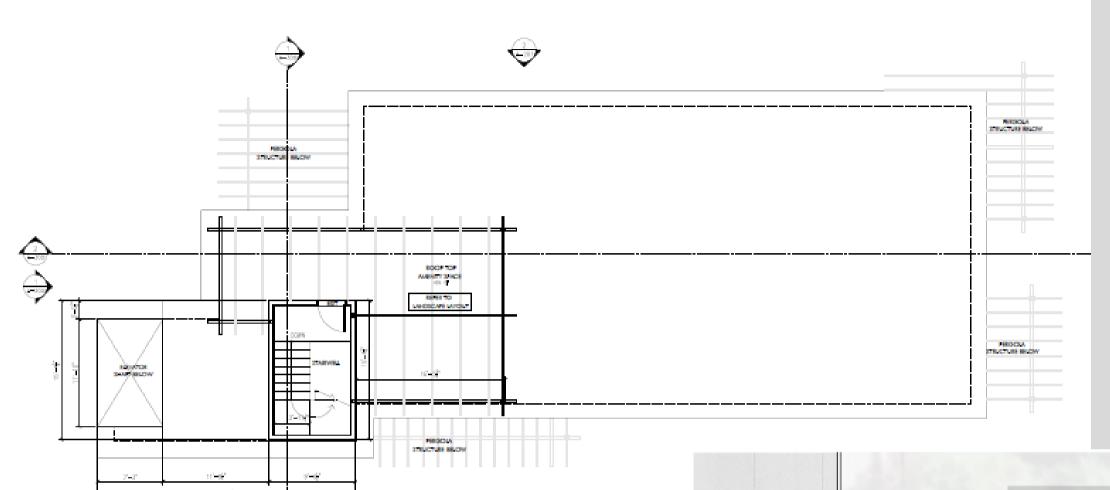




Fifth floor

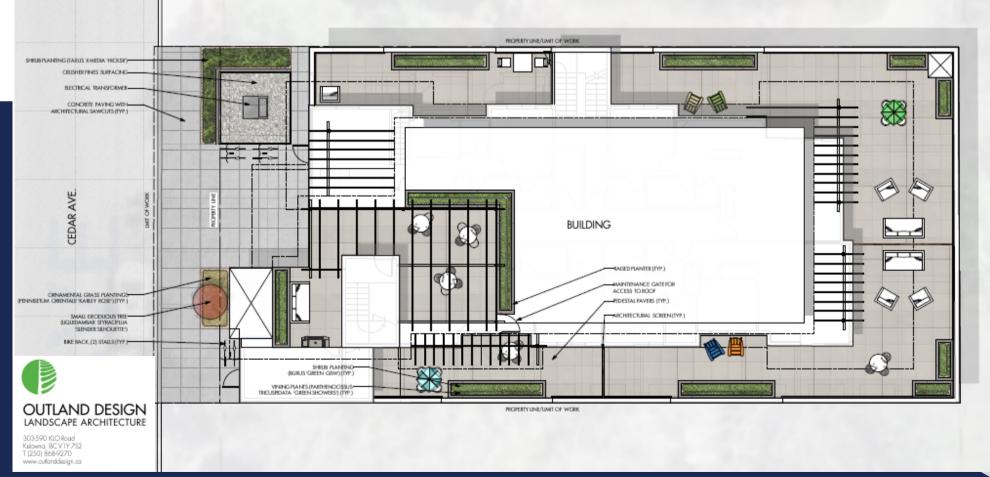
Sixth floor





Roof-top amenity

Landscape plan



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Summary

Please consider supporting this DVP application which is a unique opportunity that provides high quality design, creative infill development and unique and attainable homes in the South Pandosy





