City of Kelowna Regular Council Meeting AGENDA



Tuesday, October 5, 2021 6:15 pm Council Chamber City Hall, 1435 Water Street

Pages

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

The Oath of Office will be read by Councillor Stack.

3. Confirmation of Minutes

1 - 14

Public Hearing - September 21, 2021 Regular Meeting - September 21, 2021

4. Liquor License Application Reports

Mayor to invite anyone participating online or in the public gallery who deems themselves affected by the liquor license application to come forward.

4.1. START TIME 6:15 PM - Bernard Ave 565 - LL21-0005 - MKK Property Corp., Inc. No. BC1307626

15 - 32

To consider a Liquor Primary License for a retail store, general with an occupant load of 6 persons.

5. Development Permit and Development Variance Permit Reports

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

5.1. START TIME 6:15 PM - Royal Ave 416 - BL12194 (Z19-0068) - Payam and Sanaz Holdings Ltd., Inc.No. A102760

33 - 33

To amend and adopt Bylaw No. 12194 in order to rezone the subject property from the RU1-Large Lot Housing zone to the HD3r- Health Services Transitional (Residential Rental Tenure Only) zone.

5.2.	START TIME 6:15 PM - Royal Ave 416 - HAP20-0002 - Payam and Sanaz Holdings Limited, Inc. No. A102760	34 - 170
	To issue a Heritage Alteration Permit for a mixed-use building with variances to site coverage and building height.	
5-3-	START TIME 6:15 PM - Bertram St 1451 - BL12147 (OCP21-0006) - Provincial Rental Housing Corporation, Inc.No. BC0052129	171 - 171
	Requires a majority of all members of Council (5).	
	To amend and adopt Bylaw No. 12147 in order to amend the Future Land Use designation for the subject property from the MRM – Multiple Unit Residential (Medium Density) designation to the MXR – Mixed Use (Residential/Commercial) designation.	
5.4.	START TIME 6:15 PM - Bertram St 1451 - BL12148 (Z21-0015) - Provincial Rental Housing Corporation, Inc.No. BC0052129	172 - 172
	To amend and adopt Bylaw No. 12148 in order to rezone the subject property from the RM5 – Medium Density Multiple Housing zone to the C7r –Central Business Commercial (Residential Rental Tenure Only) zone.	
5.5.	START TIME 6:15 PM - Bertram St 1451 - DP21-0037 DVP21-0038 - Provincial Rental Housing Corporation, Inc. No. BC0052129	173 - 257
	To consider the form and character development permit and the associated height variance for a mixed-use multiple dwelling housing development on the subject property.	
5.6.	START TIME 7:15 PM - Tina Ct 469 - DVP21-0118 - Shawn Achille Poisson	258 - 274
	To issue a Development Variance Permit to the front yard setback from 6.om required to 3.om proposed to facilitate the construction of a single-family dwelling.	
5.7.	START TIME 7:15 PM - Highway 33 W 145-147 - DP21-0178 DVP21-0212 - Koutsantonis Enterprises Ltd., Inc. No. 358948	275 - 311
	To consider a Form and Character DP for a proposed restaurant and dwelling units subject to a variance from eight (8) required parking spaces to four (4).	
Remii	nders	
_		

6.

7.

Termination



City of Kelowna Public Hearing and Associated Regular Meeting Minutes

Date:

Tuesday, September 21, 2021

Location:

Council Chamber

City Hall, 1435 Water Street

Members Present

Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given,

Brad Sieben*, Mohini Singh, Luke Stack and Loyal Wooldridge

Members participating

remotely Staff Present

Councillor Charlie Hodge

City Manager, Doug Gilchrist; Deputy City Clerk, Laura Bentley; Legislative Technician, Rebecca Van Huizen; Community Planning & Development Manager, Dean Strachan; Development Planning Department Manager,

Terry Barton

Staff participating remotely

Legislative Coordinator (Confidential), Clint McKenzie; Divisional Director,

Planning & Development Services, Ryan Smith

(* Denotes partial attendance)

- 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 Pandosy St 2949, 2955 and Tutt St 2918, 2970 LUCT20-0011 (BL12260) Multiple Owners

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

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

- 3. Individual Bylaw Submissions
 - 3.1 START TIME 6:00 PM Pandosy St 2949, 2955 and Tutt St 2918, 2970 LUCT20-0011 (BL12260) - Multiple Owners

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.

4. Termination

The Hearing was declared terminated at 6:06 p.m.

5. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 6:07 p.m.

6. Bylaws Considered at Public Hearing

6.1 START TIME 6:00 PM - Pandosy St 2949, 2955 and Tutt St 2918, 2970 - BL12260 (LUCT20-0011) - Multiple Owners

Moved By Councillor Singh/Seconded By Councillor Wooldridge

Ro878/21/09/21 THAT Bylaw No. 12260 be read a second and third time and be adopted.

Carried

7. Termination

The meeting was declared terminated at 6:07 p.m.

8. Call to Order the Public Hearing - START TIME 6:00 PM - Gray Rd 350 - LUCT20-0018 (BL12265) - 0897252 BC Ltd., Inc. No. BC0897252

Mayor Basran called the Hearing to order at 6:07 p.m.

9. Individual Bylaw Submissions

9.1 START TIME 6:00 PM - Gray Rd 350 - LUCT20-0018 (BL12265) - 0897252 BC Ltd., Inc.No. BC0897252

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.

10. Termination

The Hearing was declared terminated at 6:09 p.m.

11. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 6:09 p.m.

12. Bylaws Considered at Public Hearing

12.1 START TIME 6:00 PM - Gray Rd 350 - BL12265 (LUCT20-0018) - 0897252 BC Ltd., Inc.No. BC0897252

Moved By Councillor Wooldridge/Seconded By Councillor Singh

Ro879/21/09/21 THAT Bylaw No. 12265 be read a second and third time and be adopted.

Carried

13. Termination

The Hearing was declared terminated at 6:09 p.m.

Call to Order the Public Hearing - START TIME 6:00 PM - Knowles Rd 472 - Z21-0026 (BL12266) - Vision Excavating Ltd., Inc. No. BC0707315

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

- 15. Individual Bylaw Submissions
 - 15.1 START TIME 6:00 PM Knowles Rd 472 Z21-0026 (BL12266) Vision Excavating Ltd., Inc. No. BC0707315

Staff:

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

Jason Witt, Sexsmith Rd, Applicant

-Spoke to the landscaping and narrowing of driveways.

- -Spoke to the site coverage being reduced and the height of the buildings to address concerns from neighbours.
- -Believes RU2 zoning is consistent with the area.

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.

Online Participants

No one came forward.

Gallery:

Steven Kabanuk, Knowles Rd

- -Opposed to the application.
- -Did not receive information about the proposed covenant.
- -Commented on housing affordability.
- -Spoke to density and ability to develop under existing RU1 zone.
- -Concerned with recent RU2 developments in the neighbourhood.
- -Concerned about pedestrian and vehicle safety.
- -Responded to questions from Council.

Councillor Sieben joined the meeting at 6:23 p.m.

Roger Hume, Knowles Rd

- -Provided a written submission at the public hearing.
- -Opposed to the application.
- -Commented on the previous application.
- -Believes the proposal does not conform to the existing character of the street.
- -Concerned with impacts on privacy of adjacent properties.
- -Support subdividing into two lots under existing RU1 zone.
- -Spoke to lack of trees and landscaping.
- -Concerned with additional stormwater runoff with more driveways.

- -Concerned about traffic and pedestrian and cyclist safety.
- -Responded to questions from Council.

Ron Cannan, Applicant's Agent

- -Displayed a PowerPoint presentation showing proposed application and existing neighbourhood.
- -Commented on previous application.
- -Noted public notification completed.
- -Spoke to difference in setbacks.
- -Commented on landscaping and stormwater management plan.
- -Spoke to application conforming to OCP policies and Zoning Bylaw regulations.
- -Commented on proposed housing designs.
- -Read letter of support from resident on Knowles.
- -Responded to questions from Council.

Staff responded to questions from Council.

There were no further comments.

16. Termination

The Hearing was declared terminated at 6:53 p.m.

Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 6:53 p.m.

18. Bylaws Considered at Public Hearing

18.1 START TIME 6:00 PM - Knowles Rd 472 - BL12266 (Z21-0026) - Vision Excavating Ltd., Inc. No. BC0707315

The meeting recessed at 6:56 p.m. for Councillor Sieben to review a written report of the public hearing provided by the Deputy City Clerk.

The meeting reconvened at 6:58 p.m.

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R0880/21/09/21 THAT Bylaw No. 12226 be read a second and third time.

Carried

Opposed – Councillor Hodge, Stack

19. Termination

The meeting was declared terminated at 7:07 p.m.

20. Call to Order the Public Hearing - START TIME 6:40 PM - Cawston Ave 604-626 - OCP21-0020 (BL12267) Z21-0069 (BL12268) - Sole Cawston Developments Ltd., Inc.No. BC1270856

Mayor Basran called the Hearing to order at 7:07 p.m.

21. Individual Bylaw Submissions

21.1 START TIME 6:40 PM - Cawston Ave 604-626 - OCP21-0020 (BL12267) Z21-0069 (BL12268) - Sole Cawston Developments Ltd., Inc.No. BC1270856

Staff:

-Displayed a PowerPoint Presentation summarizing the application.

Kevin Edgecombe, KLO Rd., Applicant

-Displayed a PowerPoint presentation summarizing the project background, building design, and breakdown of uses.

-Spoke to the unique location on the multimodal corridor.

-Provided an overview of the units, setbacks, building height, parking and bicycle storage.

-Reviewed the floor plans and renderings and roof top drawings.

-Reviewed the landscape plan.

- -Displayed a video showing the proposed building.
- -Spoke to the urban center residential school.

- Responded to questions from Council.

- Spoke to the enrollment of the residential school being approximately 60 students.

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.

Online Participants

No one came forward.

Gallery:

Aaron Hussier, DeHart Ave

-Founder and principal of Balsam School.

-They have another school currently located at 540 Cawston Ave.

-Commented on importance of the location to grow the school in the downtown.

-Spoke to activities and opportunity for children and families.

There were no further comments.

22. Termination

The Hearing was declared terminated at 7:33 p.m.

23. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 7:33 p.m.

24. Bylaws Considered at Public Hearing

24.1 START TIME 6:40 PM - Cawston Ave 604-626 - BL12267 (OCP21-0020) - Sole Cawston Developments Ltd., Inc. No. BC1270856

Moved By Councillor Wooldridge/Seconded By Councillor Singh

Ro881/21/09/21 THAT Bylaw No.12267 be read a second and third time.

Carried

24.2 START TIME 6:40 PM - Cawston Ave 604-626 - BL12268 (Z21-0069) - Sole Cawston Developments Ltd., Inc. No. BC1270856

Moved By Councillor Wooldridge/Seconded By Councillor Singh

Ro882/21/09/21 THAT Bylaw No. 12268 be read a second and third time.

Carried

25. Termination

The meeting was declared terminated at 7:38 p.m.

26. Call to Order the Public Hearing - START TIME 7:20 PM - Springfield Rd 1994 - OCP21-0009 (BL12269) Z21-0035 (BL12270) - 1295991 B.C. Ltd., Inc. No. BC1295991

Mayor Basran called the Hearing to order at 7:38 p.m.

27. Individual Bylaw Submission

27.1 START TIME 7:20 PM - Springfield Rd 1994 - OCP21-0009 (BL12269) Z21-0035 (BL12270) - 1295991 B.C. Ltd., Inc. No. BC1295991

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Corey Makus Still Pond Place, Applicant

- Displayed a PowerPoint presentation summarizing the project location, applicant team and building design.
- -Commented on the site and the surrounding neighbourhood.
- -Spoke to the initial proposal and neighbourhood consultation.
- Commented on building amenities and design.

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.

Online Participants

Jim and Jan McBurney, Ambrosi Rd

- -Commented on concerns raised at public consultation process.
- -Concerned with parking.

Gallery:

Arthur Davis, Ambrosi Rd

- Agreed with previous speaker's traffic concerns.
- -Concerned with increase in on-street parking and site access.

Applicant, Corey Makus

- -Spoke to parkade access alignment being the safest approach.
- -Commented on building height meeting regulations.
- -Responded to questions from Council.

There were no further comments.

28. Termination

The Hearing was declared terminated at 7:56 p.m.

29. Call to Order the Regular Meeting

Mayor Basran called the meeting to order at 7:56 p.m.

30. Bylaws Considered at Public Hearing

30.1 START TIME 7:20 PM - Springfield Rd 1994 - BL12269 (OCP21-0009) - 1295991 B.C. Ltd., Inc. No. BC1295991

Moved By Councillor DeHart/Seconded By Councillor Stack

Ro883/21/09/21 THAT Bylaw No. 12269 be read a second and third time.

Carried

30.2 START TIME 7:20 PM - Springfield Rd 1994 - BL12270 (Z21-0035) - 1295991 B.C. Ltd., Inc. No. BC1295991

Moved By Councillor Stack/Seconded By Councillor DeHart

Ro884/21/09/21 THAT Bylaw No.12270 be read a second and third reading.

Carried

31. Termination

The meeting was declared terminated at 7:58 p.m.

Mayor Basran /cm



City of Kelowna **Regular Council Meeting Minutes**

Date:

Tuesday, September 21, 2021

Location:

Council Chamber

City Hall, 1435 Water Street

Members Present

Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given,

Brad Sieben, Mohini Singh, Luke Stack and Loyal Wooldridge

Members participating

remotely

Staff Present

Councillor Charlie Hodge

City Manager, Doug Gilchrist; Deputy City Clerk, Laura Bentley; Legislative Technician, Rebecca Van Huizen; Development Planning Department Manager, Terry Barton; Community Planning & Development Manager,

Dean Strachan*; Planner Specialist, Lydia Korolchuk*

Staff participating

remotely

Legislative Coordinator (Confidential), Clint McKenzie; Divisional Director,

Planning & Development Services, Ryan Smith

(* Denotes partial attendance)

Call to Order

Mayor Basran called the meeting to order at 8:14 p.m.

Reaffirmation of Oath of Office 2.

The Oath of Office was read by Councillor Singh.

Confirmation of Minutes 3.

Moved By Councillor Hodge/Seconded By Councillor Wooldridge

Ro885/21/09/21THAT the Minutes of the Public Hearing and Regular Meeting of August 24, 2021 be confirmed as circulated.

Carried

Development Permit and Development Variance Permit Reports 4.

START TIME 7:50 PM - Abbott St 1815 - HAP21-0001 - Diane Duckett 4.1

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Diane Duckett, Applicant

-Spoke to the proposed addition and intended use.

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 Wooldridge/Seconded By Councillor DeHart

Ro886/21/09/21 THAT Council authorizes the issuance of Heritage Alteration Permit No. HAP21-0001 for Lot 10, Block B, District Lot 14, ODYD, Plan 2220, located at 1815 Abbott 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 to be constructed on the land be in accordance with Schedule "B";

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted in accordance with Schedule "A":

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

To vary the minimum rear yard setback from 7.5 m required to 5.5 m proposed.

AND THAT a certified arborist be retained during construction to ensure a rootzone barrier is established and maintained during construction as well as to follow the other Arborist's recommendations attached to this report in order to protect the silver maple tree located on the north side of the property.

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

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

Carried

START TIME 7:50 PM - Hemmerling Crt 1958 - DVP21-0126 - Maxwell House 4.2 Developments Ltd., Inc.No. Co756620

- Displayed a PowerPoint Presentation summarizing the application.

Matt Johnston, Lime Architecture, Richter St., Applicant

- Commented on site coverage.
- -Spoke to the irregularly shaped subject property.
- -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 Sieben/Seconded By Councillor Donn

Ro887/21/09/21 THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0126 for Lot 15 Section 4 Township 23 ODYD Plan EPP95497, located 1958 Hemmerling Court, Kelowna, BC;

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

<u>Section 13.2.6(c): RU2: Medium Lot Housing - Development Regulations</u>
To vary the front yard setback from 4.5 m required to 1.8 m proposed and to vary the front yard setback from a garage from 6.0 m required to 2.2 m proposed.

<u>Section 13.2.6(e): RU2: Medium Lot Housing - Development Regulations</u>
To vary the rear yard setback from 7.5 m required to 3.5 m proposed.

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

Carried

4.3 START TIME 7:50 PM - Garner Rd 1625 - DVP21-0145 - Robert Willy Deubner and Sherry Lee Deubner

Staff:

-Displayed a PowerPoint Presentation summarizing the application.

Jacob Wall, Vineyard Dr., West Kelowna, Applicant

-Available for questions.

-Believes there are no negative impacts because of siting.

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 Wooldridge/Seconded By Councillor Hodge

Ro888/21/09/21 THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0145 for Lot 1 Section 17 Township 26 ODYD Plan KAP53187, located at 1625 Garner Road, Kelowna BC;

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

Section 11.1.6(Table 11.1): A1 – Agriculture 1, Development Regulations

To vary the front yard setback of an accessory building from 6.0m permitted to 4.0m 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

4.4 START TIME 7:50 PM - (N OF) Shayler Road - DVP21-0160 - Azhadi Vineyards Ltd., Inc. No. BC1155440

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Mike and Janet Azhadi, McKinley Beach Lane, Applicant

-Displayed a video showing the proposed project and site layout.

- -Displayed a PowerPoint presentation summarizing the vision.
- -Spoke to the vineyard being planted.
- -Commented on building design and architectural inspiration.
- -Displayed a virtual walk through of the site and building.

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 Donn

Ro88g/21/09/21 THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0160 for Lot 2, Section 33, Township 23, ODYD, Plan EPP8753, located at (N OF) Shayler Road, Kelowna;

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

Section 11.1.6(Table 11.1): A1 - Agriculture 1, Development Regulations

To vary the maximum building height from 9.5m permitted to 19.5 m proposed.

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

Carried

4.5 START TIME 8:30 PM - Swick Rd 160 - DVP21-0165 - EJF Holdings Ltd., Inc. No. B0778933

Staff.

-Displayed a PowerPoint Presentation summarizing the application.

Paul McVey, Urban Options Planning, Applicant

- 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 Singh/Seconded By Councillor Wooldridge

Ro890/21/09/21 THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0165 for Lot 1 Section 16 Township 28 SDYD Plan 39170, located at 160 Swick Road, Kelowna, BC;

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

Section 12.2.6(d): RR2 - Rural Residential 2 - Development Regulations:

To vary the side yard setback of the principal dwelling from 3.0m required to 2.38m 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.

4.6 START TIME 8:30 PM - Braemar St 1400 - DVP21-0177 - Damien Ignace Prud'homme and Stephanie Anne Edwards

Staff:

-Displayed a PowerPoint Presentation summarizing the application.

Damien Prud'homme, Braemar St. Applicant

-Commented on the siting of the property.

-Intent is to use more usable greenspace in the yard.

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>Ro891/21/09/21</u> THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0177 for Lot 13 Section 20 Township 26 ODYD Plan 14090, located at 1400 Braemar Street, Kelowna, BC;

AND THAT variance to the following section of the Zoning Bylaw no. 8000 be granted: Section 13.6.6(h): RU6 – Two Dwelling Housing – Development Regulations:
To vary the rear yard setback of a dwelling from 7.5 m required to 2.3 m proposed.

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

Carried

4.7 START TIME 8:30 PM - Valley Rd 252 - BL11641 (OCP18-0008) - Vanmar Developments Glenpark 2 Ltd., Inc. No. BC1155488

Moved By Councillor Sieben/Seconded By Councillor Stack

<u>Ro892/21/09/21</u> THAT Bylaw No. 11641 be amended at third reading by deleting the legal description that read:

- Lots 6, 5 & 4 Section 4 Township 23 and of Section 33 Township 26 ODYD Plan 18062;
- Lot 2 Section 4 Township 23 ODYD Plan EPP64488;

And replacing with:

Lot 1 Section 4 Township 23 and of Section 33 Township 26 ODYD Plan EPP111632

AND THAT Bylaw No. 11641, as amended, be adopted.

Carried

4.8 START TIME 8:30 PM - Valley Rd 252 - BL11642 (Z18-0042) - Vanmar Developments Glenpark 2 Ltd., Inc. No. BC1155488

Moved By Councillor Wooldridge/Seconded By Councillor Stack

<u>Ro893/21/09/21</u> THAT Bylaw No. 11642 be amended at third reading by deleting the legal description that reads:

- Lots 6, 5 & 4 Section 4 Township 23 and of Section 33 Township 26 ODYD Plan 18062;
 and
- Lot 2 Section 4 Township 23 ODYD Plan EPP64488;

And replacing with:

• Lot 1 Section 4 Township 23 and of Section 33 Township 26 ODYD Plan EPP111632

AND THAT Bylaw No. 11642, as amended, be adopted.

Carried

4.9 START TIME 8:30 PM - Valley Rd 252 - DP18-0086 DVP21-0187- Vanmar Developments Glenpark 2 Ltd., Inc. No. BC1155488

Staff:

-Displayed a PowerPoint Presentation summarizing the application.

Mary Lapointe, Applicant and Jeff Marin, Vanmar Construction, Owner

- -Displayed a PowerPoint presentation showing the project site, building design and landscape plans.
- -Commented on the Phase 1 progress.
- -Spoke to plan refinements in response to neighbour concerns.
- -Commented on the plan to install a fence and add landscaping along the west perimeter of the site.
- -Spoke to the window design in one building to improve the privacy of adjacent residents.

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.

Online Participants

Steve Brodrick, Zinnia Rd.

- -Commented on the landscaping, fencing and privacy details presented by the applicant.
- -Requested information on the timing of the privacy landscaping and fencing during the construction phase to minimize the impact to the neighbours.

Gallery:

No one came forward.

Applicant, Mary Lapointe

-Confirmed a six foot high fence during construction will be in place and then replaced by a permanent fence when construction is complete.

There were no further comments.

Moved By Councillor DeHart/Seconded By Councillor Hodge

Ro894/21/09/21 THAT Official Community Plan Map Amending Bylaw No. 11641 and Rezoning Bylaw No. 11642 be amended at third reading to revise the legal description of the subject properties from Lots 6, 5 & 4 Section 4 Township 23 and of Section 33 Township 26 ODYD Plan 18062 and Lot 2 Section 4 Township 23 ODYD Plan EPP64488 to Lot 1 Section 4 Township 23 and of Section 33 Township 26 ODYD Plan EPP111632;

AND THAT final adoption of Official Community Plan Map Amending Bylaw No. 11641 and Rezoning Bylaw No. 11642 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0086 for Lot 1 Section 4 Township 23 and of Section 33 Township 26 ODYD Plan EPP111632, located at 252 Valley Road, Kelowna, BC subject to the following:

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

AND THAT 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. DVP21-0187 for Lot 1 Section 4 Township 23 and of Section 33 Township 26 ODYD Plan EPP111632, located at 252 Valley Road, Kelowna, BC;

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

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

To vary the maximum building height for a building within 7.5 m of an abutting lot with a Single/Two Unit Residential Designation in the City's Official Community Plan from 9.5 m or 2 ½ storeys to 10 m and 3 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.

Carried

	-		7.1	
_	Ren	٦IP	1	Arc
~ ·	1/611	111	ıu	

There were no reminders.

6. Termination

The meeting was declared terminated at 9:21 p.m.

Mayor Basran

/cm

REPORT TO COUNCIL



Date: October 5, 2021

To: Council

From: City Manager

Department: Development Planning

Application: LL21-0005 Owner: MKK Property Corp., Inc.

No. BC 1307626

Address: 26 - 565 Bernard Ave Applicant: Chico Dhuga

Subject: Liquor License Application

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

Existing Zone: C7 – Central Business Commercial

1.0 Recommendation

THAT Council directs Staff to forward the following Recommendation to the Provincial Liquor and Cannabis Regulation Branch (LCRB):

In accordance with Section 10 of the *Liquor Control and Licensing Regulation* and Council Policy #359, BE IT RESOLVED THAT:

- 1. Council recommends support of an application from 1200883 BC Ltd. DBA Cubanos for Lot A District Lot 139 ODYD Plan 34786 located at unit 26 - 565 Bernard Avenue, Kelowna, BC, for a Liquor Primary License with a capacity of 6 persons and hours of sales from 10:00 AM to 5:30 PM Monday through Saturday for the following reasons:
 - Liquor licensing regulations allow for barbershops, salons and other establishments to apply for a new liquor primary license;
 - Council Policy No. 359 recommends supporting alternative entertainment options and/or establishments which are less focused on alcohol consumption;
 - The maximum occupancy of the space is 6 persons, which will have minimal impact on the community.
- 2. Council's comments on LCLB's prescribed considerations are as follows:
 - (a) The impact of noise on the community in the immediate vicinity of the establishment if the application is approved:

The potential impact for noise is minimal and would be compatible with surrounding land uses.

(b) The impact on the community if the application is approved:

The potential for negative impacts is considered to be minimal.

(c) The location of establishment:

The proposal of the establishment is suitable for a small establishment liquor primary license.

(d) The person capacity and hours of the liquor service of the establishment:

The hours of liquor service is suitable given the low occupancy of 6 persons.

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".

2.0 Purpose

To consider a Liquor Primary License for a retail store, general with an occupant load of 6 persons.

3.0 Development Planning

Staff support the request for a Liquor Primary License for the existing retail store. There have been numerous establishments in Kelowna that have applied under the Provincial Liquor Licensing Regulations that allow a variety of businesses types to apply for liquor primary license. Such businesses include barbershops, salons, bookstores, galleries and a variety of similar business types. This establishment is located within The District on Bernard shopping mall in the Downtown Urban Centre. The impact on the surrounding community will be minimal and noise is not an anticipated issue due to a combination of factors including:

- Maximum occupancy of 6 persons,
- Maintaining existing hours of operation in line with mall hours,
- o Central downtown location (compatible with surrounding land uses).

Council Policy No. 359 recommends supporting entertainments options, and/or establishments which are less focused on alcohol consumption to add a mix of entertainment options in Urban Centres.

4.0 Proposal

4.1 <u>Project Description</u>

Cubanos has been in operation for over year and offers an experience and expertise in cigars, humidors, apparel, and accessories. The current operation includes a coffee bar, but the applicant is looking to expand and introduce liquor tastings to allow the consumption of high-end Scotch, Cognac and other Spirits. Beyond creating the in-house experience, the intent is also to assist in paring these high-end whiskeys with the cigars.

Operating Hours:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open	Closed	10:00am	10:00am	10:00am	10:00am	10:00am	10:00am
Close	Closed	5:30pm	5:30pm	5:30pm	5:30pm	5:30pm	5:30pm

4.2 Site Context

The subject property is located within the Downtown Urban Centre in the Central City – OCP Sector. The surrounding area has predominantly the C7 Central Business Commercial zone and have Future Land Use Designation of MXR – Mixed-Use (Residential/Commercial).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C7 - Central Business Commercial	Office and Residential Tower
East	C7 - Central Business Commercial	Commercial Retail
South	C7 - Central Business Commercial	Commercial Retail
West	C7c - Central Business Commercial (Retail Cannabis Sales)	Commercial Retail



5.0 Current Development Policies

5.1 Council Policy No. 359

Small establishments (with person capacity less than 100 persons) should not be located beside another liquor primary establishment.

Where appropriate, support alternative entertainment options, and/or establishments which are less focused on alcohol consumption (including event-drive establishments, and Food Primary establishments with the Patron Participation Entertainment Endorsement) to add a mix of entertainment options in Urban Centres. Consider limiting potential community impacts via license terms and conditions (hours, capacity, etc.)

6.0 Technical Comments

6.1 RCMP

6.1.1 No issues identified from RCMP, supportive of application.

6.2 <u>Fire Department</u>

6.2.1 No objections

7.0 Application Chronology

Date of Application Accepted: March 3, 2021

Report prepared by: Jason Issler, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Letter of Rationale

Attachment B: Site Plan & Floor Plan / Occupant Load

CUBANOS

26, 565 Bernard Avenue Kelowna, BC V1Y 8R2 (236) 457-2324 clgarthings@gmail.com

October 29, 2020

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

Dear Sir/Madam:

Please accept this letter of intent to acquire a Primary Liquor License for my location at 26, 565 Bernard Avenue, Kelowna, BC V1Y 8R2.

This letter will serve as my intent to sell only high end Scotch, Cognac, etc. only. There will not be any beer sales, only limited to select liquors to pair up with cigars.

Landlord is MKK Property Management, who has agreed by signature below that they are in agreement with this process.

I have included a copy of the layout of the retail store currently operating.

Please let me know if you require any other information. I can be reached at (236) 457-2324 or by email at cigarthings@gmail.com

Thank you in advance.

Chico Phuga Owner

MKK Property Management



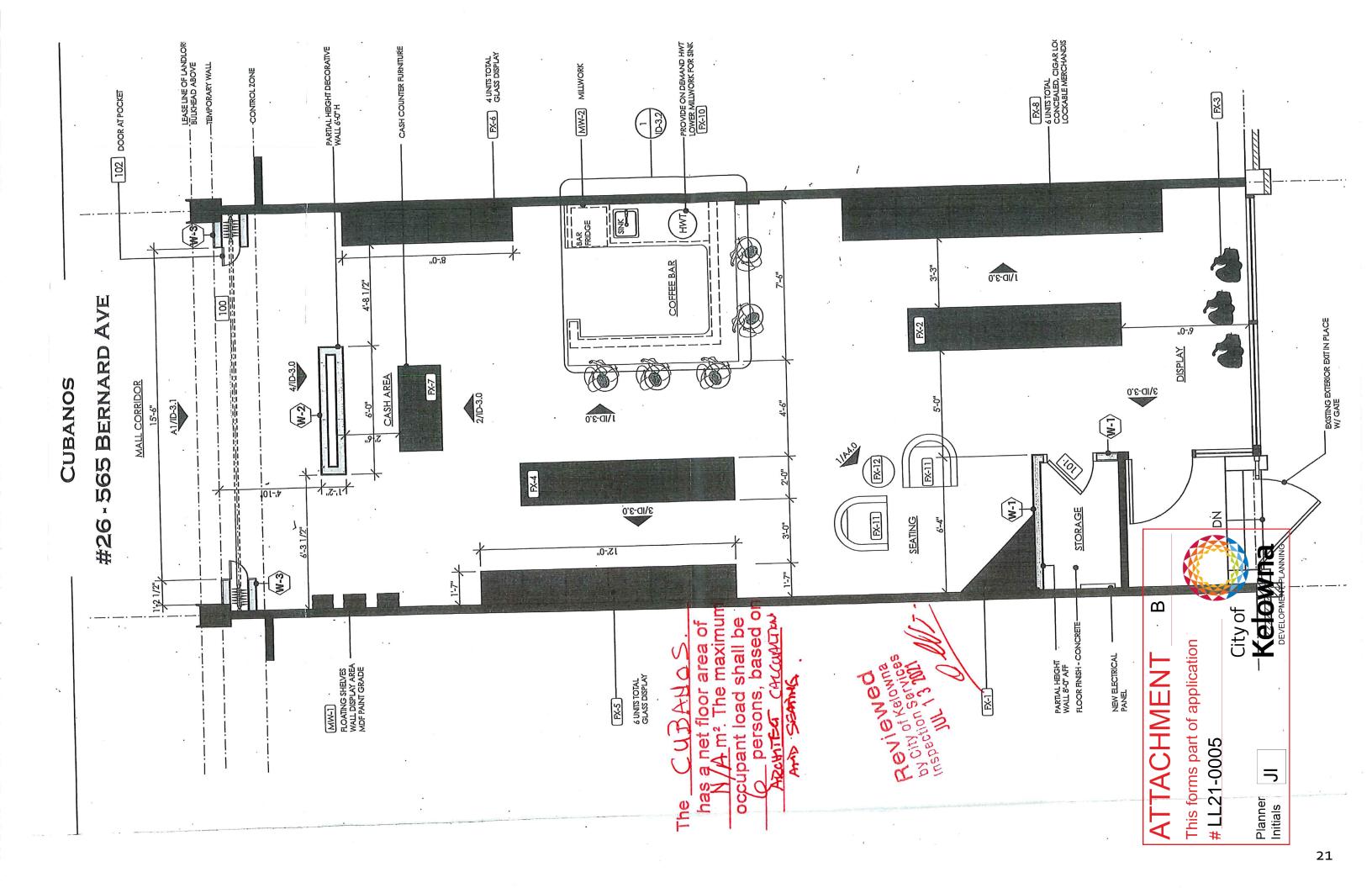
Community Impact

The community impact on acquiring a liquor license for the location at 26, 565 Bernard Avenue, Kelowna, BC would be as follows:

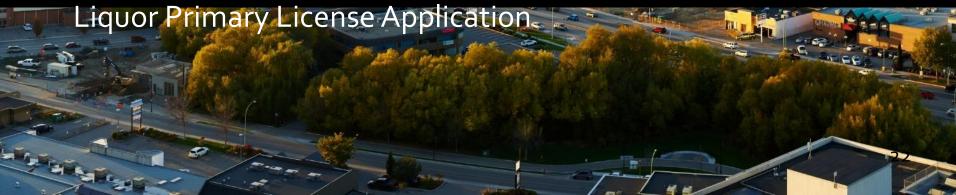
- Location is in a boutique shopping mall that would operate under mall hours which are currently set at 10 am to 530 pm Monday through Saturday, therefore would not interfere with any late night noise or extra traffic in the community
- The nature of this liquor license is to give the customer the ultimate shopping experience of pairing up only high end spirits with the purchase of cigars, coffee, etc.
- Downtown Kelowna is known to have unique shops, restaurants, etc. The shopping experience I
 want my customers to have is unique in itself as if they are in the Geneva of Canada.
- Seating is spaced out for a maximum of 8 people at any given time.

Therefore, in conclusion, the community impact would be an enhancement to the downtown core.







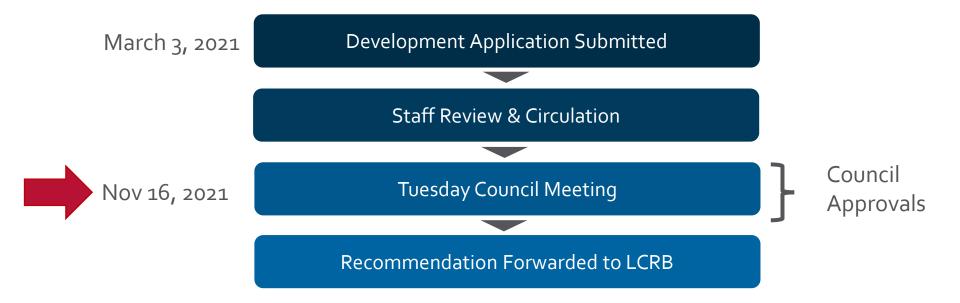




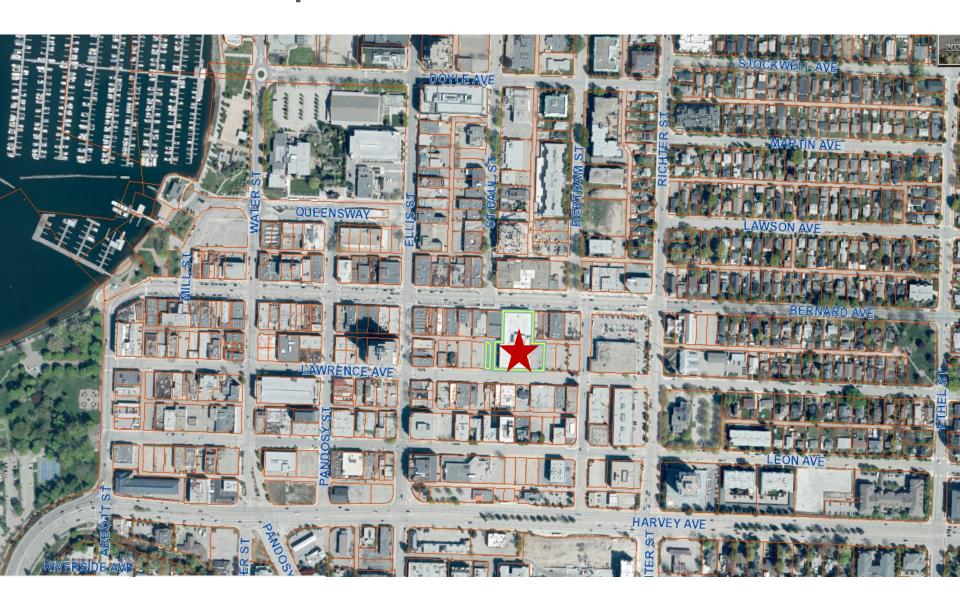
Proposal

► To consider a Liquor Primary License for a retail store, general with an occupant load of 6 persons.

Development Process



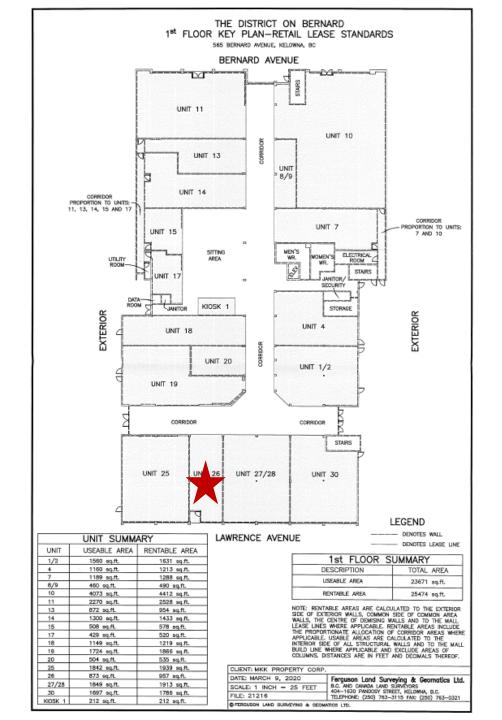
Context Map



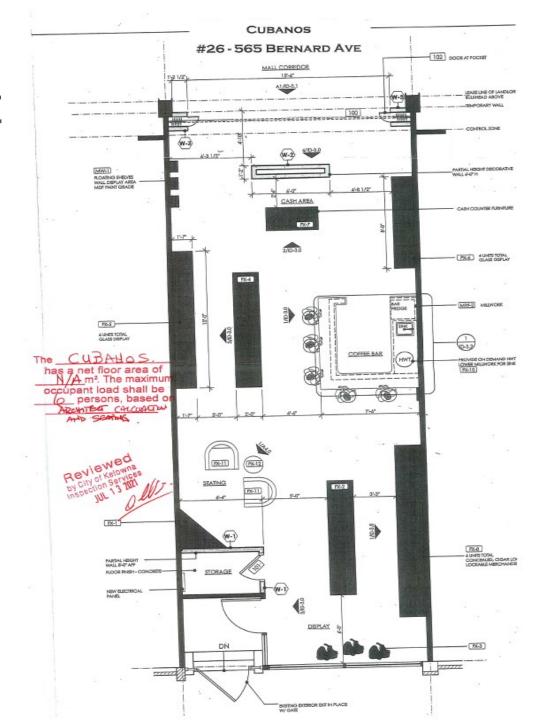
Subject Property Map



Site Layout



Site Layout



Project/technical details

- ► Liquor Primary License application
 - Seeking Liquor Primary Application for existing retail store.
- ► Maximum capacity of 6 persons
 - ▶ Based on BC Building Code and # of washrooms
- Licensed Hours:

Operating Hours:

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open	Closed	10:00am	10:00am	10:00am	10:00am	10:00am	10:00am
Close	Closed	5:30pm	5:30pm	5:30pm	5:30pm	5:30pm	5:30pm



Council Policy#359

- ► Location is suitable
 - Within an existing commercial and retail area
 - Not beside another liquor primary establishment
- ► Hours of service are suitable (10 AM to 5:30 PM)
 - Operating Monday Saturday
 - ► Low occupant load of 6 persons
- ► Minimal risk of negative impact
 - Negative impacts is considered to be minimal



Staff Recommendation

- Development Planning recommends support for a new Liquor Primary License;
- ➤ That Council directs Staff to forward a resolution of support to the LCRB for the Liquor Primary License.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12194 Z19-0068 416 Royal Avenue

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

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

- 1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1 District Lot 14 ODYD Plan EPP91145 located on Royal Avenue, Kelowna, BC from the RU1 Large Lot Housing zone to the HD3r Health Services Transitional (Residential Rental Tenure Only) zone.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

01	заорнон.
Read a firs	time by the Municipal Council this 17 th day of May, 2021.

Considered at a Public Hearing on the 1st day of June, 2021.

Read a second and third time by the Municipal Council this 1st day of June, 2021.

Amended at third reading and adopted by the Municipal Council of the City of Kelowna this

Mayor
 City Clerk

REPORT TO COUNCIL



Date: October 5, 2021

To: Council

From: City Manager

Department: Development Planning

Application: HAP20-0002 Owner: Payam & Sanaz Holdings

Limited, Inc. No A102760

Address: 416 Royal Avenue Applicant: Denciti Development Corp.

Subject: Heritage Alteration Permit

Existing OCP Designation: HLTH- Health District

Existing Zone: HD₃r- Health Services Transitional (Residential Rental Tenure Only)

1.0 Recommendation

THAT Rezoning Bylaw No. 12194 be amended at third reading to revise the legal description of the subject properties from Lot 22, 23 and 24 District Lot 14, ODYD Plan 3393 to Lot 1, District Lot 14, Osoyoos Division Yale District Plan EPP91145;

AND THAT final adoption of Rezoning Bylaw No. 12194 be considered by Council;

AND THAT Council authorizes the issuance of HAP20-0002 for Lot 1, District Lot 14, Osoyoos Division Yale District Plan EPP91145 located at 416 Royal 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 variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 17.3.4(b): HD3 – Health Services Transitional, Development Regulations

To vary the maximum site coverage from 60% permitted to 73% proposed.

Section 17.3.4(c): HD3 - Health Services Transitional, Development Regulations

To vary the maximum height from 9.5 m or 2 ½ storeys permitted to 10.97m or 3 storeys proposed.

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

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

2.0 Purpose

To issue a Heritage Alteration Permit for a mixed-use building with variances to site coverage and building height.

3.0 Development Planning

Development Planning is supportive of the proposed Heritage Alteration Permit. The architecture has been significantly modified throughout the application review process to result in a building that makes a gesture to the heritage context of the area while also meeting the City's Urban Design Guidelines.

The subject site is directly adjacent to a major institutional use (Kelowna General Hospital, specifically the emergency room entry) and a low density single- family neighbourhood. The HD₃(r) zone calls for building forms that can act as a buffer between the two uses. Planning sees the proposed building as beneficial in terms of use and form as it is designed to be integrated into the existing neighbourhood and will act as a buffer between the hospital campus and established low-density neighbourhood to the north. The project offers a minor increase in density in the form of rental housing that will directly benefit the hospital campus by offering rental housing for Staff and longer-term visitors. Additionally, one commercial unit located at the ground level is provided. The site is designed to buffer from the existing single family residential to the west and across the laneway to the north. The building and garbage enclosure is set closer to the east property line as this directly adjacent to the KGH parking lot.

As per Section 8: Parking and Loading of Zoning Bylaw No. 8000, the applicant has received the following parking incentives: a 10% reduction for rental tenure only, 5 car stall reduction for providing a car-share stall and a 5-stall reduction for long-term bike parking. A Modo car share vehicle will be located directly on-site in a designated stall.

4.0 Proposal

4.1 Background

The subject properties received third reading for Rezoning in May 2021. The properties have been consolidated into a single lot and contain dwelling units which will be demolished. The rezoning component of the project included the use of the "Residential Rental Tenure Only" subzone, which means that the subject property must be used for rental only housing.

4.2 Project Description

The proposed building consists primarily of residential units, as well as a commercial retail unit (CRU) on the ground floor facing Royal Ave. The unit breakdown includes 6 studio, 23 one-bedroom, and 9 two-bedroom for a total of 38 residential units. The CRU is +/-728 sq. ft (67 sq. m). Future tenancy of the commercial unit must be an allowable use as per the HD3 zone (such as Health Services, minor).

The Heritage Alteration Permit was accompanied by a Heritage Report prepared by a Registered Heritage Professional. In the absence of the City of Kelowna Heritage Advisory Committee, Staff utilized the information in the report to assist in the review of the Heritage Alteration Permit, as well as Section 17.3.6 Design Guidelines directly in the HD3 zone. Staff have worked with the applicant to ensure the building as made a gesture to its heritage context, without attempting to mimic traditional heritage elements. Key heritage elements incorporated into the architecture include:

- Gable articulations (found on the buildings at 426 & 430 Royal to be demolished); and
- Vertical Siding.

Staff worked with the applicant on key form and character considerations through the application process, as highlighted below.



Original Building Design

- Design lacked heritage consideration and was too contemporary in nature;
- A commercial retail unit was not provided; and
- Did not adequately meet the design guidelines outlined in Section 17.3.6 of the HD3 zone.



Revised Building Design

- Incorporation of peaked roof design based off Heritage analysis and context;
- Incorporation of CRU; and
- Updated window treatment.





Final Building Design

- Horizontal trim board added above the windows to enhance articulation;
- Deeper roof overhang which creates shading and exposes the soffit; and
- Use of a lighter color to reduce perceived bulk and mass of the building.

Overall, the building meets many desired guidelines such as:

- Reducing apparent mass and bulk;
- Appropriate roof form; and
- Prominent entrances off the street that adhere to the pattern of the established architectural style.

Variances

The applicant is requesting two variances; an increase in site coverage from 60% to 73% and an increase in building height. Staff are supportive of the minor height variance, as it is caused by the peaked roof design. The roof design is reflective of the heritage context, as well as the dwellings currently at 426 & 430 Royal Ave.

The proposed parking is a surface parking lot accessed off the rear lane. The applicant is requesting a site coverage increase in order to accommodate the required number of parking. The landscape plan indicates the use of permeable pavers for a portion of the parking stalls to help mitigate the negative impacts of increased site coverage. Additionally, Staff requested that a landscaped berm be provided at the rear property line to assist in creating physical buffer to the laneway and properties across the lane, as well as increase the amount of planting on site.

4.3 Site Context

The subject properties are located in the Abbott St Heritage Conservation Area. Single-family homes are located to the north, separated by laneway access. A surface parking lot that serves Kelowna General Hospital is located to the east, and KGH (specifically the emergency room entry) is located across Royal Ave to the south. A single-family dwelling is on the adjacent property to the west.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1- Large Lot Housing	Single-family dwelling
East	P1- Major Institutional	Non-accessory parking
South	HD1- Kelowna General Hospital	Hospital
West	RU1- Large Lot Housing	Single-family dwelling





4.4 Zoning Analysis Table

CRITERIA	HD ₃ (r) ZONE REQUIREMENTS	PROPOSAL	
	Existing Lot/Subdivision Regulations		
Min. Lot Area	490m²	2467m²	
Min. Lot Width	30.om	62.76m	
Min. Lot Depth	13.0m	39.62m	
	Development Regulations		
Max. Floor Area Ratio	1.0	0.95	
lax. Site Coverage (buildings, parking, driveways)	60%	73%•	
Max. Height	Lesser of 9.5m or 2 ½ storeys	10.97m/3 storeys 2	
Min. Front Yard	4.5m	4.5m	
Min. Side Yard (east)	2.0M	2.31M	
Min. Side Yard (west)	2.0M	7.2m	
Min. Rear Yard	6.om	15.36m	
	Other Regulations		
Min. Parking Requirements	54 total required before reductions Reductions applied: 10% rental 5 stalls per car share (1 provided) 20% long term bike parking (up to 5 stalls)	41	
Min. Bicycle Parking	44 stalls required for bonus 20 stalls short term	64	
Min. Private Open Space	m²	m²	
Min. Loading Space	m²	m²	

Indicates a requested variance to building height

5.0 Current Development Policies

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

Chapter 16: Heritage

Encourage new development, additions and renovations to existing development which are compatible with the form and character of the existing context

<u>Chapter 5: Development Process</u>

Objective 5.9 Support the creation of affordable and safe rental, non-market and/or special needs housing.

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.

HAP20-0002

6.0 Application Chronology

Date of Application Accepted: May, 2020

Date Public Consultation Completed: Ongoing between September 2019-present

Heritage Advisory Committee The HAC was not in operation during the review period of

this Heritage Alteration Permit.

Report prepared by: Jocelyn Black, Urban Planning Manager (formally Planner Specialist)

Reviewed by: Dean Strachan, Community Planning and Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Draft Heritage Alteration Permit

Schedule A: Site Plan

Schedule B: Elevations & Materials

Schedule C: Landscape Plan

Attachment B: Applicants Rationale

Attachment C: Heritage Report prepared by Schueck Heritage Consulting

Attachment D: Co-operative Car Share Agreement

Heritage Alteration Permit



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

416 Royal Ave

and legally known as

Lot 1, District Lot 14, Osoyoos Division Yale District Plan EPP91145

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

Multiple-dwelling housing

The development has been approved subject to any attached terms and conditions, and to full compliance with the approved plans bearing the stamp of approval and the above described development permit number.

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

<u>Date of Decision:</u> October 5, 2021

<u>Decision By:</u> City Council

Issued Date: TBD

<u>Development Permit Area:</u> Heritage Conservation Area

This permit will not be valid if development has not commenced by October 5, 2023.

Existing Zone: HD₃r- Health Services Transitional (Residential Rental Tenure Only)

Future Land Use Designation: Health District

Owner:

Development Planning

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.

	,	J	•	,	
Terry Barton, De	partment Manager			Date	

Pavam & Sanaz Holdings Limited, Inc. No A102760

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 the Zoning Bylaw 8000 be granted:

Section 17.3.4(b): HD3 – Health Services Transitional, Development Regulations

To vary the maximum site coverage from 60% permitted to 73% proposed.

Section 17.3.4(c): HD3 - Health Services Transitional, Development Regulations

To vary the maximum height from 9.5 m or 2 1/2 storeys permitted to 10.97 m or 3 storeys proposed.

This Development Permit is valid for two (2) years from the date of October 5, 2021 approval, with no opportunity to extend.

3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property own of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

- a) A Certified Cheque in the amount of \$153,322.03
- b) An Irrevocable Letter of Credit in the amount of \$153,322.03

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.



Sheet	Number	Sheet	Name

A01	SITE TTTTTTTT }
£ A02	LEVEL 01 FLOOR PLAN
A03	LEVELS 02+03 FLOOR PLAN
A04	ROOF PLAN }
A05	ENLARGED FLOOR PLANS
A06	ÉLÉVÁTIONS }
A07	ELEVATIONS 3
A08	SECTIONS
A09	PERSPECTIVE LOOKING NORTH EAST
A10	PERSPECTIVE LOOKING NORTH
A11	PERSPECTIVE LOOKING NORTH WEST 5
A12	PERSPECTIVE LOOKING SOUTH WEST {
A13	PERSPECTIVE LOOKING SOUTH EAST.
A14	SHADOW ANALYSIS
Ã15	COLOUR BOARD }
L1	CONCEPTUAL LANDSCAPE PLAN
L2	WATER CONSERVATION PLAN

DENCITI Development Corp. ROYAL AVENUE RENTAL DEVELOPMENT

PROJECT ADDRESS ARCHITECTS 416,426,430 ROYAL AVE KELOWNA V1Y 5L3

PROJECT NO. 1165088

REPLACEMENT SHEETS: 2021-05-11 DP + REZONING REV 3

CLIENTS

HDR Architecture Associates, Inc.
500-1500 West Georgia Street
Vancouver, BC V6G 2Z6

Vancouver, BC V6E 4E6 hdrinc.com

denciti.ca

THE DEVELOPMENT IS A 3 STORY WOOD FRAME RENTAL HOUSING BUILDING CONSISTING OF A MIX OF STUDIOS, 1 BEDROOM AND 2 BEDROOM UNITS.

THE SCALE OF THE DEVELOPMENT IS BROKEN DOWN ACROSS ROYAL AVENUE WITH THE FAÇADE ARTICULATION AND MATERIAL TREATMENTS.

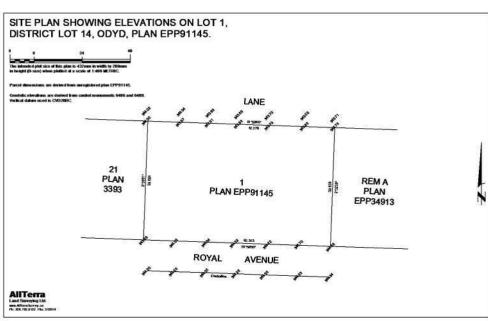
SURFACE PARKING FOR RESIDENTS IS ACCESSED FROM THE LANEWAY ON THE NORTH SIDE OF THE DEVELOPMENT. THIS PROMINENT LOCATION

ACROSS FROM KGH OFFERS RESIDENTS WITH ACCESS TO GREAT PUBLIC AMENITIES SUCH AS OKANAGAN LAKE AND CYCLING AND WALKING TRAILS. IN

ADDITION THE RESIDENTS WILL HAVE ACCESS TO PRIVATE DECKS, PATIOS, SECURED BICYCLE STORAGE AND SHARED GENERAL STORAGE SPACE.

RELEVANT CODES & BYLAWS
- BRITISH COLUMBIA BUILDING CODE 2018
- CITY OF KELOWNA ZONING BYLAW

ROYAL AVENUE RENTAL | DENCITI 05/11/2021 SITE SURVEY SITE & CONTEXT PHOTOS









AERIAL VIEW WEST





AERIAL VIEW EAST AERIAL VIEW SOUTH

PROJECT STATISTICS

	EXISTING ZONE	TARGETED ZONE REQUIREMENT		PROPOSED / PRO	VIDED	UNIT TYPE	COUNT	
ZONE	RU1	HD3		HD3		STUDIO	6 UNITS	
BUILDING HEIGHT	9.5m 2.5 STOREYS	10m 3 STOREYS		10.97m @ MID-SL0	OPE ROOF	1 BR	23 UNITS	
FAR	-	1.0		0.95		2 BR	9 UNITS	
COVERAGE	40%	60%		73% INCLUDING F	PARKING	TOTAL	38 UNITS	
FRONT YARD	4.5m	4.5m		4.5m		HEALTH SERVICES	1 UNIT	
SIDE YARD	2.0m	2.3m		2.31m (East)+7.294	lm(West)	THE LETT CENTRICES		
REAR YARD	7.5m	6m		15.36m				
GFA				28826.53sf(m2)				
NET FLOOR AREA				25136.29sf(m2)				
LOT AREA				26564.06sf(m2)				
CIRCULATION & SERVICES				3690.24sf (610m2)				
BALCONIES & PATIOS				3418.78sf (193.2m2	2)			
PARKING		STUDIO: 1.0 RATIO 1 BEDROOM: 1.25 RATIO 2 BEDROOM: 1.5 RATIO 0.14 STALL/UNIT (VISIT.) SUB-TOTAL REQUIRED:	6 28.75 13.5 5.32 54	41 SPACES PROV 17 REGULAR (INC ACCESSIBLE STA 24 SMALL (INCLUI SHARE STALL)	LUDES 2 LLS) DES 1 CAR			
		PARKING INCENTIVE BONUSES: - 10% RENTAL REDUCTION - 5 PER CAR SHARE - 20% (UP TO 5) LONG TERM BIKE TOTAL RESIDENTIAL PARKING	-5 -5 -5		This fo	HEDULE rms part of appl 20-0002	lication	
		REQUIRED:	39				City	
		3.5STALL/ 100m2 CRU CRU (67.6sm) REQUIRED	2		Planner Initials	JB	Ke	
		DEVELOPMENT TOTAL REQUIRED: 50% REGULAR 50% SMALL	41 21 20	41 PROVIDED 17 REGULAR 24 SMALL				
BICYCLE PARKING: LONG TERM SHORT TERM		1 PER STUDIO/1 BEDROOM 1.5 PER 2 BEDROOM 2 PER 500sm COMMERCIAL TOTAL REQUIRED FOR BONUS 6/Residential Entry 2//Commercial Entry TOTAL SHORT TERM REQUIRED	29 13.5 1 44 18 2 20	44				

1 BR 23 UNITS 561 sf 2 BR 9 UNITS 841-781 sf TOTAL 38 UNITS HEALTH SERVICES 1 UNIT 728 sf
TOTAL 38 UNITS
HEALTH SERVICES 1 UNIT 728 sf

AREA/UNIT

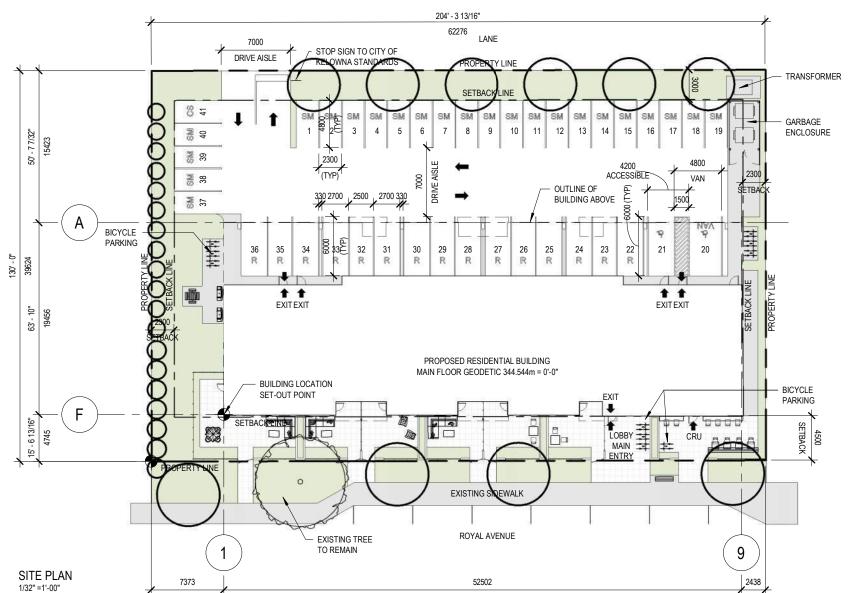




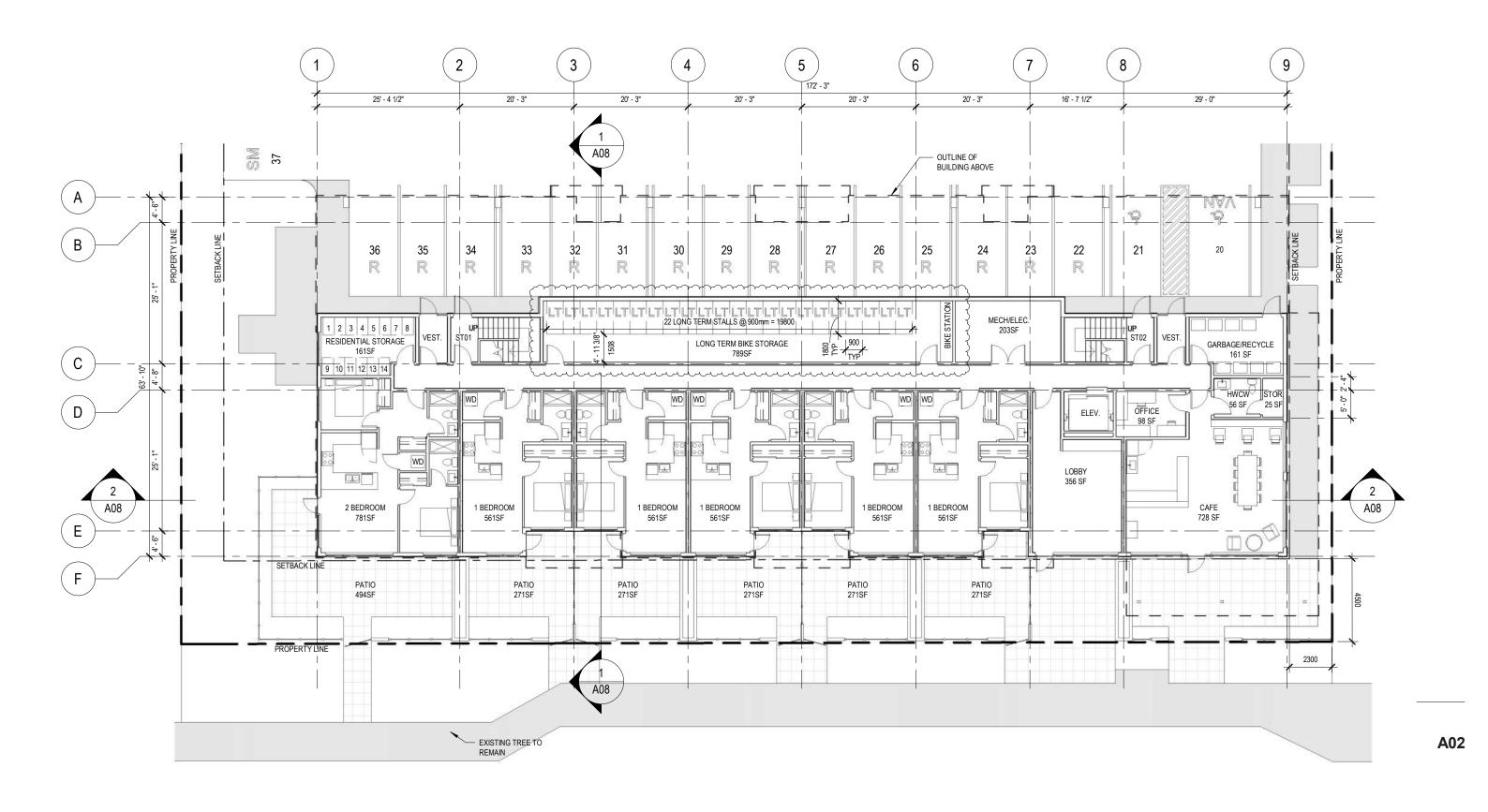


City of

Kelowna

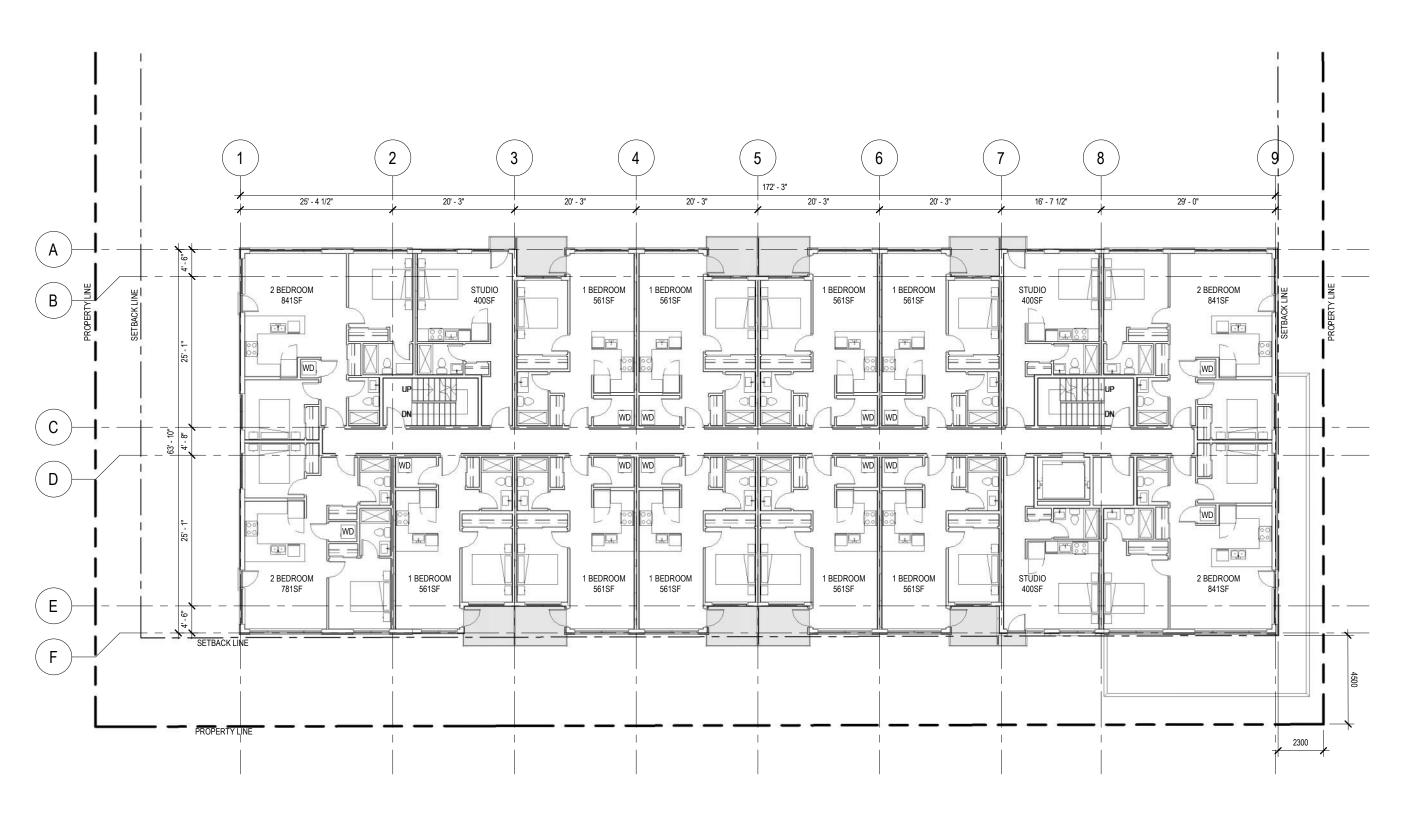


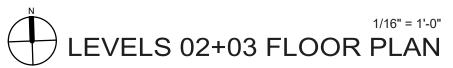
AERIAL SITE VIEW



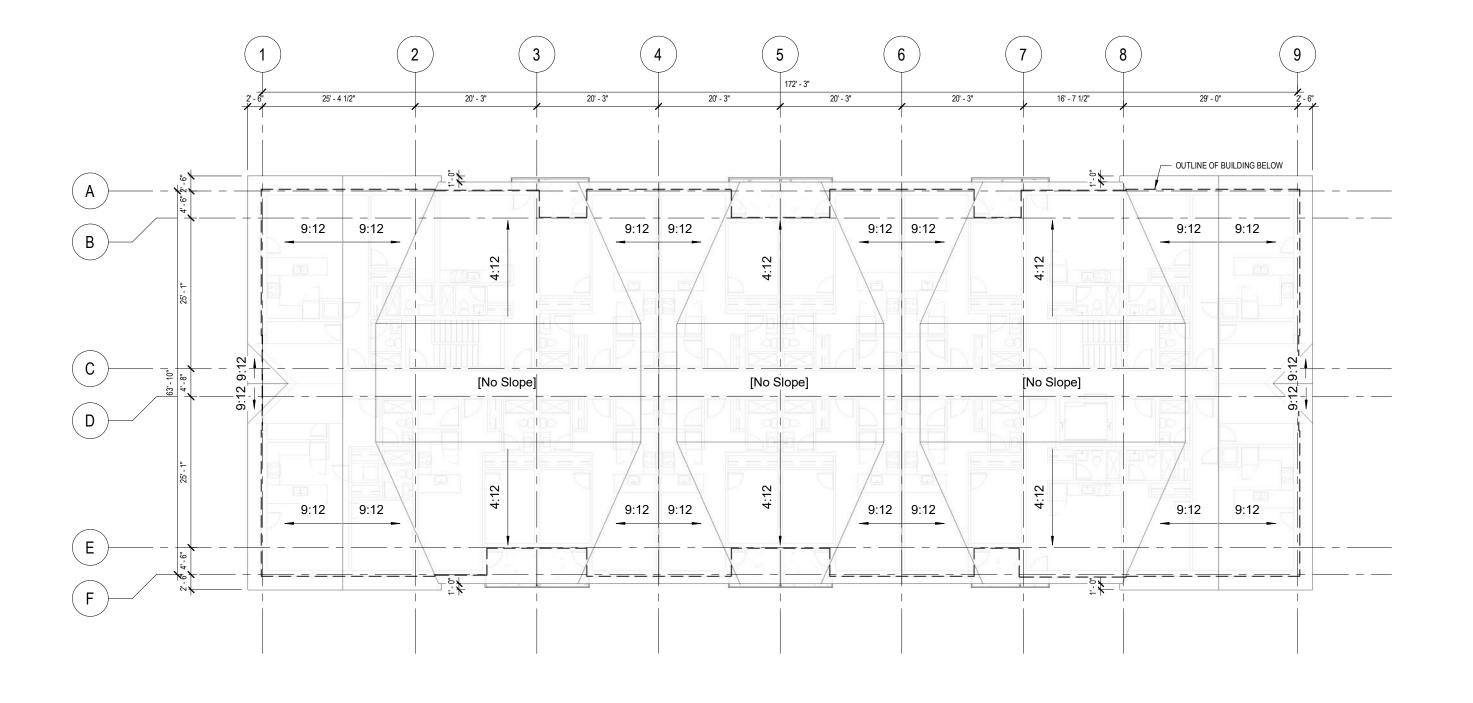






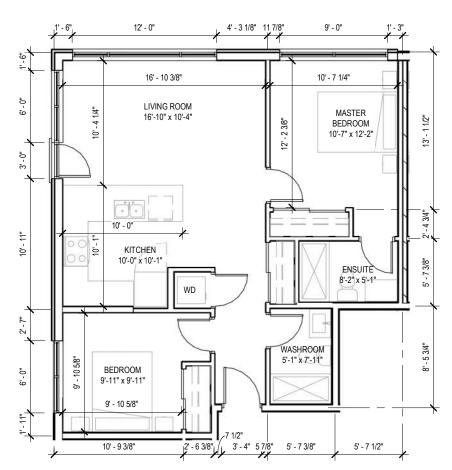






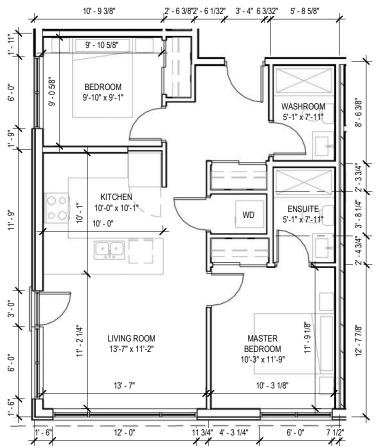




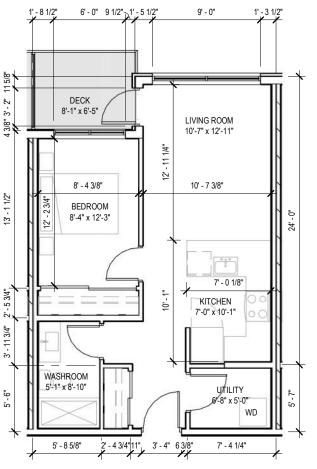


2BR ENLARGED FLOOR PLAN

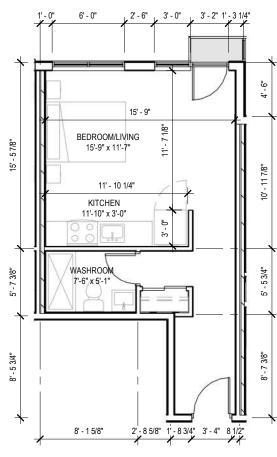
841SF



2BR ENLARGED FLOOR PLAN 781SF



1BR ENLARGED FLOOR PLAN



STUDIO ENLARGED FLOOR PLAN





CODE MATERIAL 01 GRAY BRICK 02 VERTICAL SIDING 03 EXTERIOR PANELS 04 PLYWOOD 05 CHARCOAL GRAY STUCCO
06 CHARCOAL GRAY WINDOW MULLION 07 CHARCOAL GRAY TRIM 08 CHARCOAL GRAY RAILING 09 NATURAL CONCRETE 10 WOOD SLATS

ELEVATION - EAST



ELEVATION - NORTH



1/16" = 1'-0" **ELEVATIONS**





01 GRAY BRICK
02 VERTICAL SIDING
03 EXTERIOR PANELS
04 PLYWOOD
05 CHARCOAL GRAY STUCCO
06 CHARCOAL GRAY WINDOW MULLION
07 CHARCOAL GRAY TRIM
08 CHARCOAL GRAY RAILING
09 NATURAL CONCRETE
10 WOOD SLATS

CODE MATERIAL

MID-POINT ROOF SLOPE

35 - 11 7/8"

LEVEL 05

30 - 0"

LEVEL 02

10 - 0"

LEVEL 02

A07

F350

1/16" = 1'-0"

ELEVATIONS

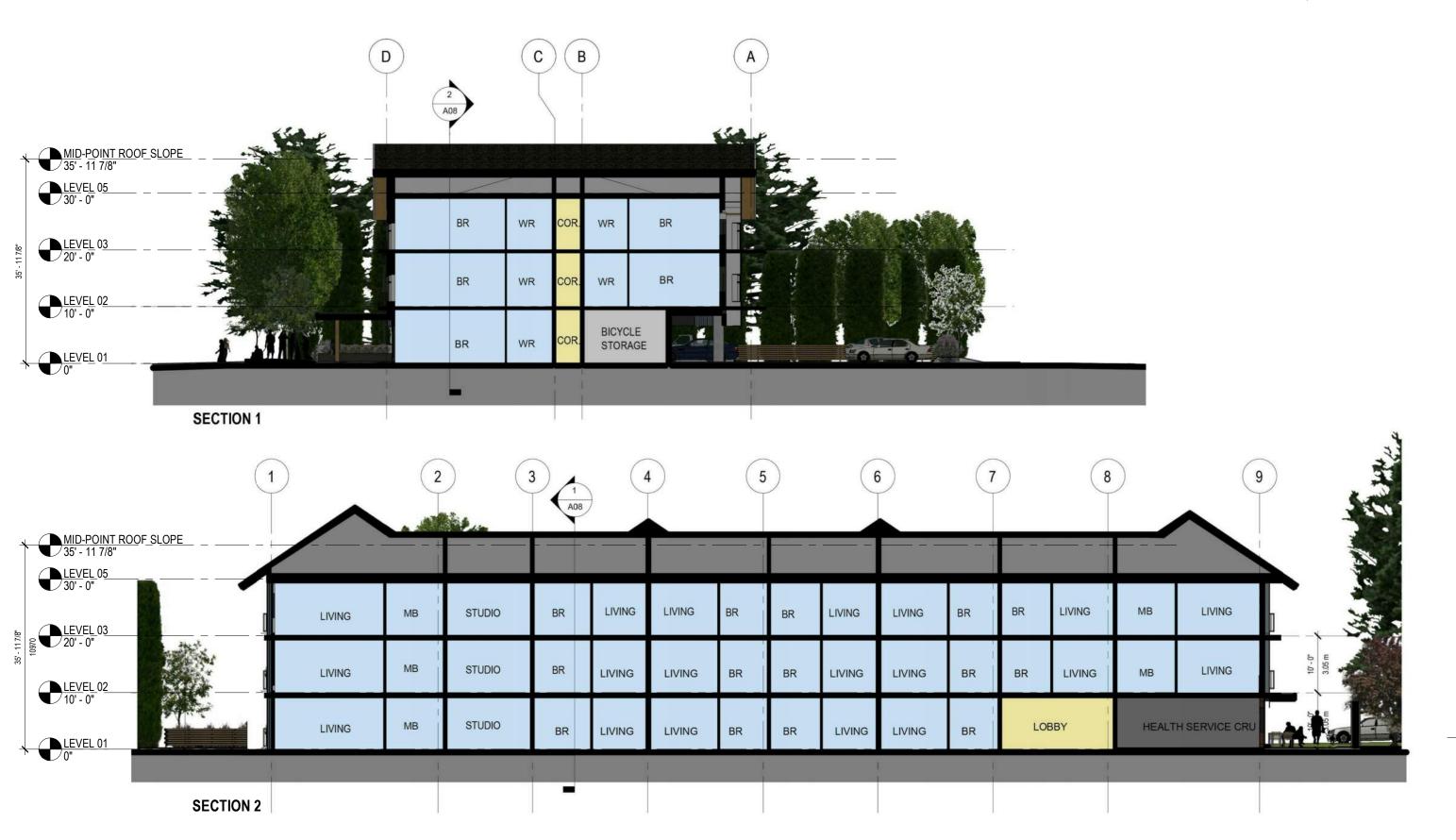
ELEVATION - SOUTH

This forms part of application
HAP20-0002

City of

Planner Initials

JB



















MARCH 20 - 9:00PM



MARCH 20 - 12:00PM



MARCH 20 - 3:00PM



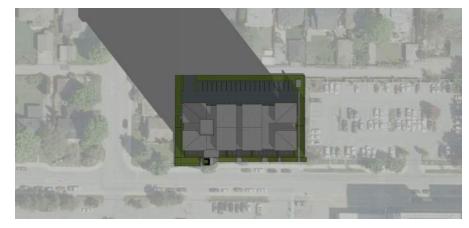
JUNE 21 - 9:00PM



JUNE 21 - 12:00PM



JUNE 21 - 3:00PM



DECEMBER 21 - 9:00PM



DECEMBER 20 - 12:00PM



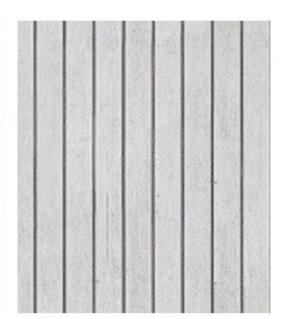
DECEMBER 20 - 3:00PM

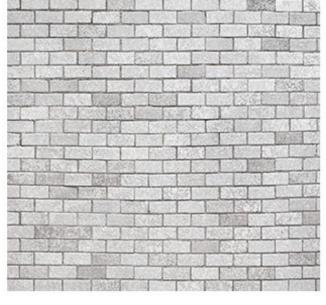




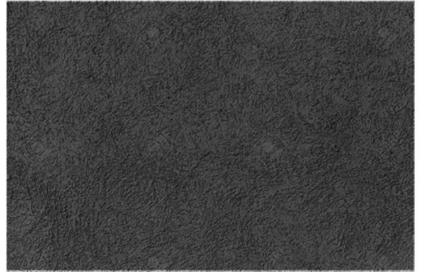
















CODE	MATERIAL
01	GRAY BRICK
02	VERTICAL SIDING
03	EXTERIOR PANELS
04	PLYWOOD
05	CHARCOAL GRAY STUCCO
06	CHARCOAL GRAY WINDOW MULLION
07	CHARCOAL GRAY TRIM
08	CHARCOAL GRAY RAILING
09	NATURAL CONCRETE
10	WOOD SLATS



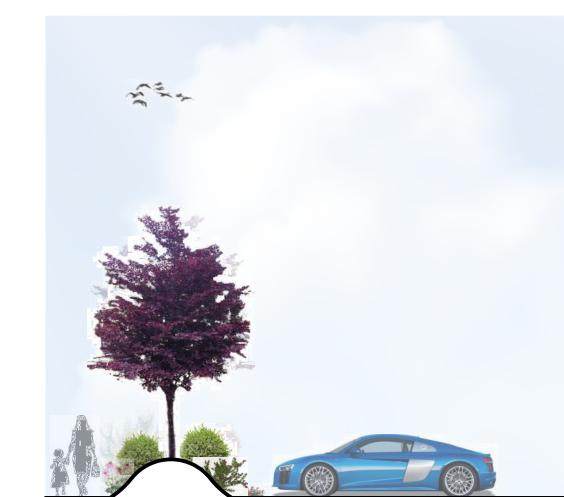
DEVELOPMENT SIGNAGE-

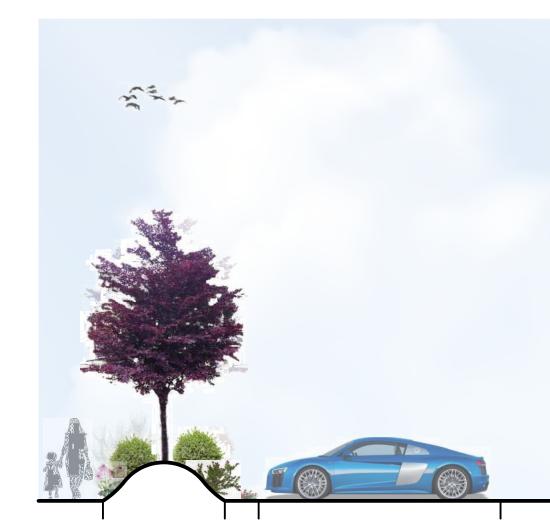
6 STALL BIKE RACK (TYP.)

TO REMAIN (TYP.)

—Shared Barbeque Area

-EXISTING EVERGREEN HEDGE





SHRUB PLANTING

PERMEABLE PAVER PARKING AREA

LANDSCAPE

SECTION

SCALE 1:75

NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED CNLA STANDARDS. ALL OFF-SITE LANDSCAPE WORKS TO MEEY CITY OF KELOWNA BYLAW 7900.

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

3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm DOUGLAS RED FIR MULCH, AS SHOWN IN PLANS. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.

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

5. TURF AREAS FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 150mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.

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

OUTDOOR SEATING WITH UMBRELLA CANOPY



BENCH

-EXISTING CONCRETE SIDEWALK

—TURF BOULEVARD

-BERMED LANDSCAPE BUFFER

-LOW SHRUB PLANTING

(ARCTOSTAPHYLOS UVA-URSI)

NEW CONCRETE SIDEWALK—

DECORATIVE PAVERS (TYP.)—

ROYAL AVE

OUTDOOR SEATING W/—

UMBRELLA CANOPY

2 STALL BIKE RACK—

-ELECTRICAL TRANSFORMER

—GARBAGE & RECYCLING RECEPTACLE ENCLOSURE

LANE

PERMEABLE PAVER PARKING STALLS

BUILDING

PRE-MANUFACTURED SELF-WATERING PLANTER (TYP.)

1.0m HEIGHT DECORATIVE-

FENCE (TYP.)

-MEDIUM DECIDUOUS TREE (ACER SACCHARUM 'JFS-KW8') (TYP.)

-EXISTING LARGE DECIDUOUS TREE TO REMAIN

ASPHALT PARKING LOT

-DECIDUOUS STREET TREE (FAGUS

SYLVATICA 'ROSEOMARGINATA') (TYP.)

-SMALL CONIFEROUS TREE (JUNIPERUS SCOPULORUM 'COLOGREEN') (TYP.)

BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS
TREES			
ACER SACCHARUM 'JFS-KW8'	AUTUMN FEST MAPLE	4	6cm CAL.
FAGUS SYLVATICA 'ROSEOMARGINATA'	TRICOLOR BEECH	6	6cm CAL.
JUNIPERUS SCOPULORUM 'COLOGREEN'	COLOGREEN JUNIPER	12	#15 CONT.
SHRUBS			
ARCTOSTAPHYLOS UVA-URSI	KINNIKINNICK	147	#02 CONT. /0.5M O.C. SPAC
BERBERIS THUNBERGII 'MONOMB'	CHEERY BOMB JAPANESE BARBERRY	37	#02 CONT. /1.0M O.C. SPAC
BUXUS 'GREEN GEM'	GREEN GEM BOXWOOD	102	#02 CONT. /0.6M O.C. SPAC
CORNUS ALBA 'BAILHALO'	IVORY HALO DOGWOOD	16	#02 CONT. /1.5M O.C. SPAC
EUONYMUS ALATUS 'SELECT'	FIREBALL BURNING BUSH	25	#02 CONT. /1.2M O.C. SPAC
HYDRANGEA ARBORESCENS 'ABETWO'	INCREDIBALL HYDRANGEA	16	#02 CONT. /1.5M O.C. SPAC
PERENNIALS AND GRASSES			
ARTEMISIA SCHMIDTIANA 'SILVER MOUND'	SILVERMOUND ARTEMESIA	68	#01 CONT. /0.6M O.C. SPAC
CALAMAGROSTIS ACUTIFLORA 'KARL FOERSTER'	Foerster's feather reed grass	44	#01 CONT. /0.75M O.C. SPA
CUSHION SPURGE	EUPHORBIA POLYCHROMA	68	#01 CONT. /0.6M O.C. SPAC
DESCHAMPSIA CESPITOSA 'GOLDTAU'	GOLD DEW TUFTED HAIR GRASS	44	#01 CONT. /0.75M O.C. SPA
IRIS 'BEFORE THE STORM'	BEFORE THE STORM BEARDED IRIS	68	#01 CONT. /0.6M O.C. SPAC
MISCANTHUS SINENSIS 'GRACILLIMUS'	MAIDEN GRASS	25	#01 CONT. /1.0M O.C. SPAC
MOLINIA CAERULEA 'VARIEGATA'	VARIEGATED MOOR GRASS	25	#01 CONT. /1.0M O.C. SPAC
PEROVSKIA ATRIPLICIFOLIA	RUSSIAN SAGE	25	#01 CONT. /1.0M O.C. SPAC
SEDUM SPECTABILE 'AUTUMN FIRE'	AUTUMN FIRE STONECROP	11	#01 CONT. /1.5M O.C. SPACI



PROJECT TITLE

416, 426 & 430 ROYAL AVE

OUTLAND DESIGN

LANDSCAPE ARCHITECTURE

303 - 590 KLO Road Kelowna, BC V1Y 7S2

T (250) 868-9270 www.outlanddesign.ca

Kelowna, BC

DRAVVING TITLE

CONCEPTUAL LANDSCAPE PLAN

ISSL	jed for / revision	
1	19.04.25	Review
2	19.06.28	Review
3	19.08.14	Review
4	20.02.07	Development Permit
5	20.04.27	Development Permit
6	20.09.10	Development Permit
7	20.11.26	Development Permit

PROJECT NO	19-033	
DESIGN BY	FB	
DRAVVN BY	SR/KM	
CHECKED BY	FB	
DATE	NOV. 26, 2020	
SCALE	1:150	
PAGE SIZE	24"x36"	



drawing number

ISSUED FOR REVIEW ONLY

Copyright Reserved. This drawing is the property of Outland Design Landscape Architecture Limited and shall not be reproduced, resold, or tendered without permission.







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



PROJECT TITLE

416, 426 & 430 ROYAL AVE

Kelowna, BC

DRAWING TITLE

WATER CONSERVATION/ IRRIGATION PLAN

ISSUED FOR / REVISION					
19.04.25	Review				
19.06.28	Review				
19.08.14	Review				
20.02.07	Development Permit				
20.04.27	Development Permit				
20.09.10	Development Permit				
20.11.26	Development Permit				
	19.04.25 19.06.28 19.08.14 20.02.07 20.04.27 20.09.10				

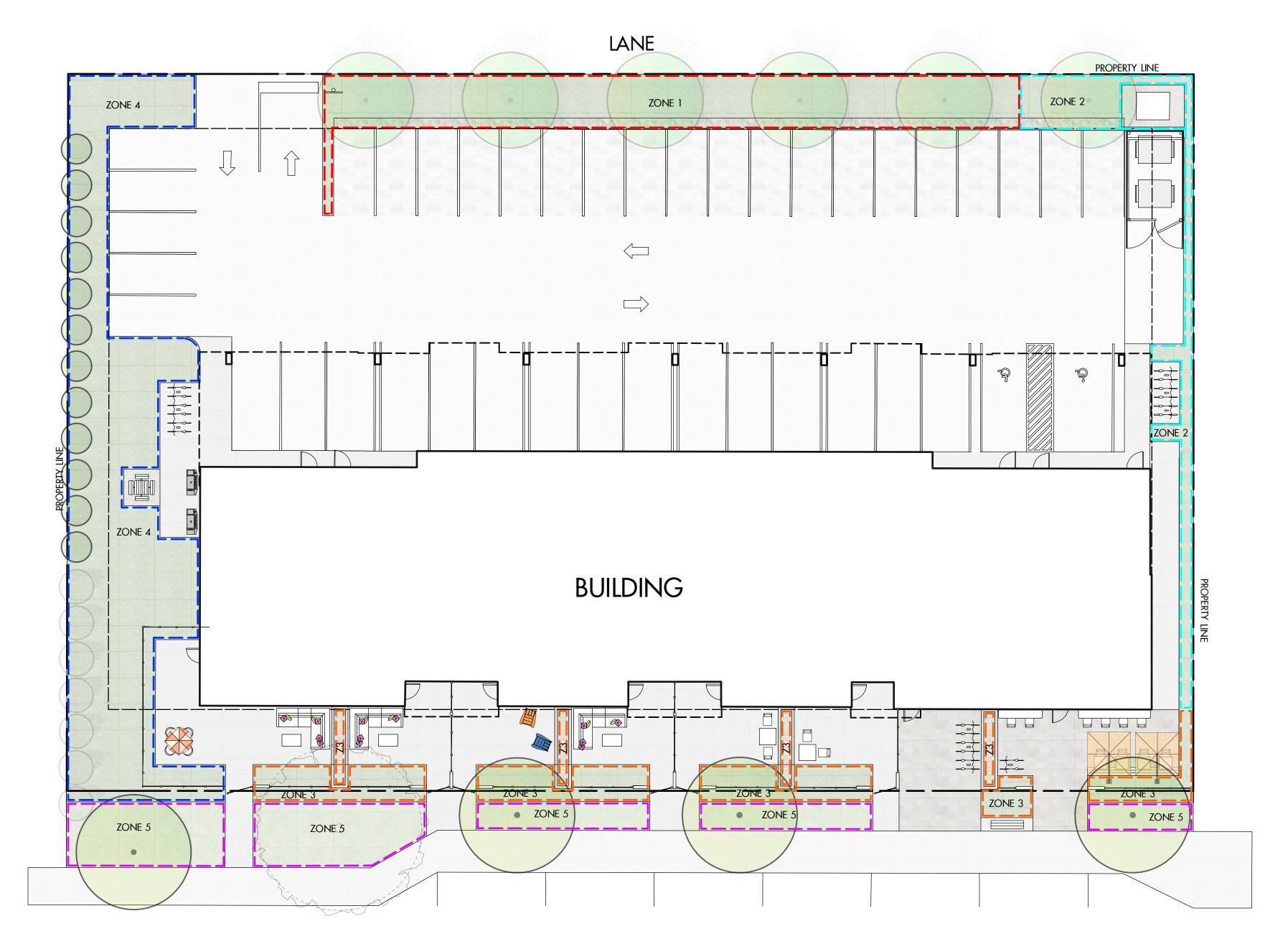
PROJECT NO	19-033
DESIGN BY	FB
DRAWN BY	SR/KM
CHECKED BY	FB
DATE	NOV. 26, 2020
SCALE	1:150
PAGE SIZE	24"x36"



drawing number

ISSUED FOR REVIEW ONLY

Copyright Reserved. This drawing is the property of Outland Design Landscape Architecture Limited and shall not be reproduced, resold, or tendered without permission.



ROYAL AVE

IRRIGATION NOTES

1. IRRIGATION PRODUCTS AND INSTALLATION METHODS SHALL MEET OR EXCEED THE REQUIREMENTS OF THE WATER USE REGULATION BYLAW NO. 10480 AND THE SUPPLEMENTARY SPECIFICATIONS IN THE CITY OF KELOWNA BYLAW 7900 (PART 6, SCHEDULE 5).

2. THE IRRIGATION SYSTEM SHALL MEET THE REQUIREMENTS, REGULATIONS, AND BYLAWS OF THE WATER PURVEYOR.

3. THE IRRIGATION SYSTEM SHALL BE EQUIPPED WITH AN APPROVED BACKFLOW PREVENTION DEVICE, WATER METER, AND SHUT OFF VALVE LOCATED OUTSIDE THE BUILDING ACCESSIBLE TO THE

4. AN APPROVED SMART CONTROLLER SHALL BE INSTALLED. THE IRRIGATION SCHEDULING TIMES SHALL UTILIZE A MAXIMUM ET VALUE OF 7" / MONTH (KELOWNA JULY ET), TAKING INTO CONSIDERATION SOIL TYPE, SLOPE, AND MICROCLIMATE.

5. DRIP LINE AND EMITTERS SHALL INCORPORATE TECHNOLOGY TO LIMIT ROOT INTRUSION.

6. IRRIGATION SLEEVES SHALL BE INSTALLED TO ROUTE IRRIGATION LINES UNDER HARD SURFACES AND FEATURES.

7. IRRIGATION PIPE SHALL BE SIZED TO ALLOW FOR A MAXIMUM FLOW OF 1.5m /SEC.

8. A FLOW SENSOR AND MASTER VALVE SHALL BE CONNECTED TO THE CONTROLLER AND PROGRAMMED TO STOP FLOW TO THE SYSTEM IN CASE OF AN IRRIGATION WATER LEAK.

WATER CONSERVATION CALCULATIONS

LANDSCAPE MAXIMUM WATER BUDGET (WB) = 775 cu.m. / year ESTIMATED LANDSCAPE WATER USE (WU) = 400 cu.m. / year WATER BALANCE = 375 cu.m. / year *REFER ATTACHED IRRIGATION APPLICATION FOR DETAILED CALCULATIONS

IRRIGATION LEGEND

ZONE #1: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR

MODERATE WATER USE PLANTING AREAS TOTAL AREA: 120 sq.m. MICROCLIMATE: SOUTH EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 67 cu.m.

MICROCLIMATE: EAST EXPOSURE, PARTIALLY SHADED BY BUILDING

ZONE #2: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 53 sq.m.

ESTIMATED ANNUAL WATER USE: 29 cu.m. ZONE #3: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 83 sq.m.

MICROCLIMATE: SOUTH EXPOSURE, PARTIALLY SHADED BY TREES

ZONE #4: HIGH EFFICIENCY SUBSURFACE DRIP IRRIGATION FOR MODERATE WATER USE PLANTING AREAS TOTAL AREA: 188 sq.m. MICROCLIMATE: WEST EXPOSURE, PARTIALLY SHADED BY TREES

ESTIMATED ANNUAL WATER USE: 46 cu.m.

ZONE #5: LOW VOLUME POP-UP SPRAYHEADS FOR TURF AREAS TOTAL AREA: 104 sq.m.

ESTIMATED ANNUAL WATER USE: 104 cu.m.

MICROCLIMATE: SOUTH EXPOSURE, PARTIALLY SHADED BY TREES ESTIMATED ANNUAL WATER USE: 149 cu.m.





December 11, 2020 City of Kelowna Community Planning 1435 Water Street Kelowna, BC, V1Y 1J4

Attention:

Ms. Jocelyn Black, Urban Planning Manager, City of Kelowna

RE: 416, 426 and 430 Royal Avenue Rezoning Submission

Dear Jocelyn:

DENCITI Development Corporation is pleased to submit this updated rationale letter for the development proposal designed by HDR Architecture Inc. and submitted to the City of Kelowna on February 19, for the rezoning of 416, 426 and 430 Royal Avenue.

The subject property is located across the street from the Kelowna General Hospital, one of the largest hospitals in Western Canada with over 700 beds. The site is composed of three single-family lots zoned RU1 (urban residential zone) located between Pandosy Street and Long Street, and it is part of a strip of lots that have been identified in the City of Kelowna zoning boundary map as HD3 zone.

The purpose of the HD3 zone is to provide a transition between the health district and the adjacent historic single-family residential zone. However, the uses currently permitted in the HD3 zone are limited and deter potential re-developments within the HD3 zone. With that in mind, our proposal is intended to serve the following objectives:

- 1. Serve as a <u>buffer</u> between the active emergency side of the KGH and the single-family houses to the immediate North.
- 2. Provide more housing alternatives in proximity to the hospital complex. Housing demand for rental apartments from hospital staff and students will be strong, as there is currently a lack of housing alternatives in the immediate area. The rental program for the proposed building will be focused on:

Short-term rental

We have identified numerous programs that will benefit from short-term rental. Working together with the property manager, we will allocate 6 to 8 units, which will be fully furnished and will be targeted specifically to visiting and resident doctors. The convenience of having their own private apartment, being across the street from the hospital, and having on-site parking, will make for a very appealing rental option.

Long-term rental

We will focus long-term rental on the health district community. With the property manager, we will prioritize medical, nursing, pharmacy, dental and other healthcare related students and faculty, as well as hospital staff as the key tenants for this development. Our long-term rental program will focus exclusively on the healthcare community for the first 3 months, and beyond that, will establish a program that continues to prioritize these tenants.

- 3. Provide a retail space that will benefit both tenants and hospital staff. In consultation with staff and residents, we are proposing an intimate street facing café on the southeast end of the building. This further reinforces the buffer concept between the active emergency side of the hospital and the residences to the North of Royal Avenue. With an improved landscape buffer, and conveniently located outdoor and indoor seating, we see this as an opportunity to enhance the sense of community around the hospital.
- 4. Provide much needed parking. As parking in this residential zone is currently in short supply with a high number of employees, the proposal would be largely accepted by employees of the hospital and adjacent buildings. Our concept will have a positive impact, even if in a small way, as it will help lower the number of trips to and from work, as residents would be able to walk or ride their bikes to work.
- 5. Promote the use of more sustainable modes of transportation. The development will provide 13 additional bicycle parking spaces, beyond the minimum required in the current Parking Bylaw. The development will also provide a Modo-car share vehicle, conveniently located and available for the use of the tenants who would like to join Modo's car-share membership.

To fulfil the program objectives described above, we have established a relationship with a property manager with a long track record of working with the Interior Health Authority and UBC Okanagan. He will be key in connecting us to potential tenants from the medical community (resident doctors and rural doctors who need accommodation near KGH). In addition, we have identified numerous programs with residencies that take place at KGH.

Kelowna General Hospital has become one of the province's most advanced tertiary teaching hospitals. And it is clear that the growing medical community needs housing alternatives. This has been further corroborated by members of the medical community who have shown their support of the development.

The proposed new rental building will provide 36 units with a mix of studios, 1-bedroom and 2-bedroom units; in addition to providing adequate parking and bike storage, renters will benefit from having access to public amenities such as the Okanagan Lake. The 3-storey building will add presence to the streetscape, while the form, materials and roof shape add to the character of the neighbourhood. Surface parking is to be accessed from the lane on the North side of the development with adequate landscape buffers provided on all sides as per the City of Kelowna requirements.

A Heritage Report was included with this application. The recommendations and strategies from such report have been followed and incorporated into the design of the proposed building.



Denciti Development Corp. firmly believes the proposed building achieves the urban design goals of the Kelowna Official Community Plan by being aesthetically pleasing; successfully breaking down the façade through the use of contrasting materials as well as providing an interesting roof line; using durable materials; and overall, providing a quality long-term and short-term rental building that respects the neighbourhood and benefits the community, the city and the Kelowna General Hospital.

Sincerely,

Denciti Development Corp.

Garry Fawley

CEO



Heritage Report 16, 426 and 430 Royal Avenue Kelowna, British Columbia

Introduction

The houses located at 416, 426 and 430 Royal Avenue in Kelowna, British Columbia are within the Abbott Street Heritage Conservation Area. They have been identified by the City of Kelowna as having marginal heritage value and are being considered for demolition as part of a proposal that would see the three properties consolidated into one, and the construction of a new multi-family building. The application process for properties within the Heritage Conservation Area includes the submission of a heritage report, with the following information:

- 1) an understanding of the past historic value of the properties;
- 2) an evaluation of the heritage values and significance of the properties;
- 3) identification of character-defining elements of the properties or of neighbouring properties; and
- 4) development of recommendations and strategies that can inform the design of the new building.







416 Royal Ave.

426 Royal Ave.

430 Royal Ave.

This report is presented in three sections: the first is a description of the context of the subject properties; the second identifies the heritage values and character-defining elements of each of the three subject houses; and the third identifies the character-defining elements of the neighbouring properties and possible design strategies for the proposed multi-family building.

Historic research has been conducted on the three subject properties, utilizing the Kelowna Public Archives, the City of Kelowna website, and various on-line research sources. The sites have been visited and a series of photographs taken of each of the three subject houses and of the neighbourhood. (All photographs are by Julie Schueck, unless otherwise stated.) Relevant documents, such as Chapters 14 and 16 of the Kelowna Official Community Plan and The Standards and Guidelines for the Conservation of Historic Places in Canada have been reviewed and used to inform the design strategies being proposed in this report.

Context

The subject houses, outlined in red below, are located in the 400 block of Royal Avenue, on the north side of the street. The most western subject house is one property in from the corner of Royal Avenue and Long Street, and the most eastern subject house is adjacent to an open-air parking lot.



Source: City of Kelowna MapViewer: https://maps.kelowna.ca/public/mapviewer/

To the rear of the property is a paved lane, providing vehicle and pedestrian access to the subject properties. Two of the subject properties access their off-street parking from the lane, and one has access from Royal Avenue. Across the lane are single-family houses which access their off-street parking from the lane.



Left: Lane, looking east from behind 416 Royal Ave.



Right: Lane, looking east from Long St.

Directly across the street from the subject properties is the Kelowna General Hospital and the Emergency entrance. Next to the hospital, to the west, is a 2 ½ -storey medical (BC Cancer) facility; and beside this building, on the corner of Royal Avenue and Abbott Street, is a 2 ½ storey multi-family building currently under construction.



Above: looking across Royal Ave to the hospital.



Left: the BC Cancer Centre.



Right: new multi-family building.

Across Long Street and to the west of the subject properties, the north side of the 300 block of Royal Avenue has single-family houses (all historic from different eras), as well as mature trees.



Above: The 300 block of Royal Avenue, north side.



To the east of the subject properties, Royal Avenue terminates at the end of the 400 block, at Pandosy Street. Kitty-corner at this intersection, on the southeast corner, is a large medical facility, while on the northeast corner is a large empty site awaiting development.



Above: The intersection of Royal Avenue and Pandosy Street, from the southeast corner.

The north side of Royal Avenue, where the subject properties are located, is zoned Urban Residential Zone 1 (RU-1), the purpose of which is "to provide a zone for single detached housing, and compatible secondary uses, on larger serviced urban lots."¹

Across the street on Royal Avenue, the area is zoned Health District 1 (HD-1), the purpose of which is "to provide a zone for the comprehensive development of buildings that provide health services associated with the Kelowna General Hospital, Interior Health Authority, and the University of British Columbia Clinical Academic Campus. This zone will provide for a range of institutional uses, as well as a limited amount of hospital-related supportive commercial uses."²

The subject properties fall within the Abbott Street Heritage Conservation Area (Conservation Area) and are therefore located within an area with heritage protection and which must follow the heritage guidelines that form Chapter 16 in the City of Kelowna Official Community Plan. According to the Development Guidelines for the Conservation Area, the neighbourhood was established in about 1904 when it was formally subdivided, and by the 1920/30s it was considered to be a prestigious area to live³. This is evident today from the age and architectural designs of the majority of the 325 noted houses, the mature gardens and trees, and the overall pattern of the neighbourhood.

The boundaries of the Conservation Area are Mill Creek (north), Royal Avenue (South), Pandosy Street (east) and Okanagan Lake (west). The south side of Royal Avenue, as noted above, contains institutional buildings (the Kelowna General Hospital and a cancer clinic), as well as a 2 ½ storey, multi-family dwelling under construction.

³ Abbott Street & Marshall Street Heritage Conservation Areas Development Guidelines, August 1997, p. 9.



¹ City of Kelowna, Consolidated Zoning Bylaw No. 8000, Section 13.

² City of Kelowna, Consolidated Zoning Bylaw No. 8000, Section 17.

Heritage Evaluation

The heritage value of a place is determined by assessing it for aesthetic, cultural, historic, scientific, social and/or spiritual importance or significance for past, present and future generations. *Please see Appendix A for definitions*. This method of assessing heritage value is taken from "The Standards and Guidelines for the Conservation of Historic Places in Canada", Second Edition, 2010, a pan-Canadian document created to guide heritage conservation work in Canada. If present, the heritage values of a place would be embodied by character-defining elements typically identified as materials, forms, location, spatial configurations, uses and cultural associations or meanings. The level of value can range from high (using such terms as 'significant' or 'very') to low (using such terms as 'some' or 'minor'), and for some value categories, there may be no heritage value at all. **The heritage value of the three subject properties is low.**

The heritage evaluation of the subject properties has been written using the format of a Statement of Significance, which is a methodology developed for this purpose in Canada and results in a document that summarizes heritage values and the character-defining elements and which follows a particular format for the presentation of this material:

- a brief description of the historic place;
- an identification of the key heritage values assigned to the historic place; and
- a list of its principal character-defining elements.

The architectural design category of each house has been taken from the Style Inventory that forms part of the Abbott Street & Marshall Street Heritage Conservation Areas Development Guidelines (August 1997)⁴, which divides the houses in the Conservation Area into one of four civic phases. The subject houses fall into the last two style phases in terms of design but are actually in the last phase (the Post-World War Two phase) when based solely on the year they were likely constructed.

The years in the Style Inventory for the different phases are approximate, and the author has taken the liberty of naming the phases.

•	1904 – 1918	Revival Period
		Style: Victorian, Dutch, Mediterranean, Tudor, and Colonial
		Revival; Early Arts & Crafts
•	1918 - 1932	Traditional Period
		Style: Late Arts & Crafts and Early Vernacular Cottage
•	1933 - 1945	Transition Period
		Style: Late Vernacular Cottage and Moderne
•	1946 - 1960	Post-World War Two Period
		Style: Early Suburban

⁴ https://www.kelowna.ca/homes-building/property-development/heritage-development



Statement of Significance for 416 Royal Avenue

Description

The house, located at 416 Royal Avenue in Kelowna, British Columbia, is a 1-storey, L-shaped house with a front-facing gable extension and a low-cross-hipped roof with deep overhanging eaves. It is clad in wide horizontal clapboard wood siding and sits at-grade. The property faces Royal Avenue, across the street from the Kelowna General Hospital. There is a lane at the rear but access to the garage is from a driveway that is located along the western edge of the property and accessed from Royal Avenue.



Heritage Value

Constructed circa 1947, the house has low heritage significance for its aesthetic, cultural and historic values.

Aesthetic Value: The house has some aesthetic value for its Early Suburban (or Ranch) Style, a style popular during the Post-World-War-Two era,



Subject house outlined in red.

and identified with this house through its 1-storey height, front-facing gable extension; low-cross-hipped roof with deep overhanging eaves; horizontal clapboard wood siding; its position at-grade; the location of the front door off-centre that is protected by the eaves⁵; and its placement on the lot, oriented to Royal Avenue, with a medium front yard setback.

Cultural Value: There is minor cultural value for its association with John H. and Hilda E. McLennan, who were likely the first owners and who lived in the house briefly from 1947 until approximately 1952. John was a District Salesman with British American Oil. Also, of some cultural value is the association with Winston A. and Marie (Margaret nee Briggs) Shilvock, who owned and lived in the house from approximately 1952 until at least 1958⁶. Winston (born in Vancouver, British Columbia November 8, 1908) was the Divisional Manager with Investors Syndicate in Kelowna. The first or longest residing owners of a property are interesting to know but do not always hold significance.

Historic Value: The house has minor historic value for its age, having been built in circa 1947 shortly after World War Two, and some value for retaining its original design and materials. It also has some value for being located within the Abbott Street Heritage Conservation Area.

Scientific Value⁷: There is minor scientific value associated with the house for providing some information that helps people understand and appreciate the era in which it was built.

⁷ "Scientific value" refers to the capacity of a historic place to provide evidence that can advance our understanding and appreciation of a culture and is derived from such factors as age, quality, completeness, complexity or rarity.



⁵ Virginia Savage McAlester, <u>A Field Guide to American Houses</u>, Alfred K. Knopf, New York, 2018, p. 597.

⁶ Research did not go beyond the year 1958.

*Social Value*⁸: There is some social value for its connection to the community today and the way it contributes to the community's sense of identity.

Spiritual Value: There is no spiritual value associated with the house from a non-indigenous viewpoint.

Character-defining Elements

Key elements that define the heritage character of the house include:

- The continuous use of the house as a single-family home since approximately 1947.
- The original form, scale and massing as expressed by its 1-storey height, L-shaped footprint, and how it sits at-grade.
- Its representation of the Early Suburban (Ranch) Style through original architectural elements such as a front-facing gable extension; low-cross-hipped roof with deep overhanging eaves; wide horizontal clapboard wood siding; location of the front door off-centre and protected by the eaves; and the fenestration pattern.

See photographs of the house on the next page.

^{8 &}quot;Social value" considers the meanings attached to a place by a community in the present time.



Photographs of 416 Royal Avenue: July 3, 2019



South (Front) Elevation



North (Rear) Elevation



West Elevation, north side



West Elevation, south side



East Elevation



Garage

Statement of Significance for 426 Royal Avenue

Description

The house, located at 426 Royal Avenue in Kelowna, British Columbia, is a 1½ -storey house with a front-projecting bay on the west side of the elevation. It has a steeply pitched cross-gable roof with medium overhanging eaves. It is clad in smooth stucco on the body of the house and wide horizontal clapboard wood siding in the gable ends. The front door is located in the projecting bay and is accessed by a set of

concrete steps. The property faces Royal Avenue, across the street from the Kelowna General Hospital. There is a lane at the rear for access to an open carport.



Subject house outlined in red

Heritage Value

Constructed circa 1948, the house has low heritage significance for its aesthetic, cultural and historic values.

<u>Aesthetic Value:</u> The house has low value for its Late Vernacular Cottage style, identified with this

house through its 1½ storey height, projecting bay with front door; steeply pitched cross-gable roof with medium overhanging eaves; smooth stucco cladding on the body of the house with wide horizontal clapboard wood siding in the gable ends; triple- sash (Chicago-style) picture windows; and its position on the lot, oriented to Royal Avenue, with a medium front yard setback.

<u>Cultural Value:</u> There is minor cultural value for its association with Gordon and Marie (nee Allen) Bennett, who owned and lived in the house briefly from 1951 to 1956. Gordon (born in Vancouver British Columbia November 14, 1908) was the Sales Manager for Okanagan Investments. There is further minor value for its association with Walter Renfrew, who owned and lived in the house from approximately 1957 onwards. Walter was retired from being a clerk with Rutherford & Co. Chartered Accountants. The first or longest residing owners of a property are interesting to know but do not always hold significance.

<u>Historic Value:</u> The house has low historic value for its age, having been built in circa 1948 shortly after World War Two, and some value for retaining its original overall design and materials. It also has some value for being located within the Abbott Street Heritage Conservation Area.

<u>Scientific Value</u>: There is minor scientific value associated with the house for providing some information that helps people understand and appreciate the era in which it was built.

Social Value 10 : There is low social value for its connection to the community today and the way it contributes to the community's sense of identity.

¹⁰ "Social value" considers the meanings attached to a place by a community in the present time.



⁹ Research did not go beyond the year 1958.

<u>Spiritual Value</u>: There is no spiritual value associated with the house from a non-indigenous viewpoint.

Character-defining Elements

Key elements that define the heritage character of the house include:

- The continuous use of the house as a single-family home since approximately 1948.
- The original form, scale and massing as expressed by its 1½ storey height and L-shaped footprint.
- Its representation of the Vernacular Cottage style through original architectural elements such as the steeply pitched cross-gable roof with medium overhanging eaves; smooth stucco on the body of the house and wide horizontal clapboard wood siding in the gable ends; the location of the front door in the front bay; and the fenestration pattern.

See photographs of the house on the next page.

Photographs of 426 Royal Avenue: July 3, 2019



South (Front) Elevation



North (Rear) Elevation



West Elevation



East Elevation



Carport



Rear door accessed from East elevation

Statement of Significance for 430 Royal Avenue

Description

The house, located at 430 Royal Avenue in Kelowna, British Columbia, is a 1 ½ storey house with a front-projecting bay on the west side of the elevation. It has a gable-and-wing roof with slightly overhanging eaves. It is clad in smooth stucco on the body of the house and wide vertical Board and Batten wood siding in the gable ends. The front door, slightly raised above grade and accessed by three steps, is located in the middle of the house, on

the part of the elevation that is set back. The front projecting bay has a small three-sided cant bay window that is covered by a hipped roof. The property faces Royal Avenue, across the street from the Kelowna General Hospital and adjacent to an open-air parking lot. There is a lane at the rear for access to a garage.





Subject house outlined in red.

Heritage Value

Constructed circa 1947, the house has low heritage significance for its aesthetic, cultural and historic values.

Aesthetic Value: The house has low aesthetic value for its Late Vernacular Cottage (or Minimal Traditional) Style identified on this house through its 1½ storey height with a front- projecting bay; medium pitched gable-and-wing roof with slightly overhanging eaves; internal brick chimney; smooth stucco on the body of the house and wide vertical Board and Batten wood siding in the gable ends; small three-sided cant bay window that is covered by a hipped roof on the front projecting bay; and through its position on the lot, oriented to Royal Avenue, with a medium front yard setback.

<u>Cultural Value:</u> There is minor cultural value for its association with Robert C. and Jill Gore, who were likely the first owners and who lived in the house from 1949 until approximately 1956. Robert was an accountant with Gore and Sladen. There is further minor value for its association with Frederick and Louise Kerfoot, who owned and lived in the house from approximately 1956 onwards¹¹. Frederick was a representative with Gault Brothers (a dry goods store). The first or longest residing owners of a property are interesting to know but do not always hold significance.

<u>Historic Value:</u> The house has low historic value for its age, having been built in circa 1947 during the post-World War Two building boom, using a design that was responding to a need for smaller, more simple yet pleasing houses that were easy to build and which had a lower purchase price than the larger



¹¹ Research did not go beyond 1958.

houses often constructed before the Great Depression of the 1930s. 12 The house has additional but minor historic value for retaining its original overall design and materials, and for being located within the Abbott Street Heritage Conservation Area.

Scientific Value: There is minor scientific value associated with the house for providing some information that helps people understand and appreciate the era in which it was built.

Social Value 13: There is low social value for its connection to the community today and the way it contributes to the community's sense of identity.

Spiritual Value: There is no spiritual value associated with the house from a non-indigenous viewpoint.

Character-defining Elements

Key elements that define the heritage character of the house include:

- The continuous use of the house as a single-family home since approximately 1948.
- The original form, scale and massing as expressed by its 1 ½ storey height and L- shaped footprint.
- Its representation of the Vernacular Cottage (Minimal Traditional) Style through original architectural elements such as the front-projecting bay on the west side of the elevation with a small three-sided cant bay window that is covered by a hipped roof; a medium pitched gableand-wing roof with slightly overhanging eaves; cladding of smooth stucco on the body of the house and wide vertical Board and Batten wood siding in the gable ends; and the fenestration pattern.

See photographs of the house on the next page.

¹³ "Social value" considers the meanings attached to a place by a community in the present time.



¹² Virginia Savage McAlester, A Field Guide to American Houses, Alfred K. Knopf, New York, 2018, p. 588

Photographs of 430 Royal Avenue: July 3, 2019



South (Front) Elevation



North (Rear) Elevation



East Elevation, from front yard



East Elevation, from back yard



West Elevation



View from lane looking south at the garage and the house, with 426 on the right

Conclusion: Heritage Evaluation

Heritage Value of the Subject Properties

Two of the subject properties were constructed in circa 1947 and one in circa 1948. All maintain their original overall design and the majority of their exterior materials, but the above heritage assessments have identified that each of the properties has low heritage value in the aesthetic, cultural and historic categories. They are also examples built in an era for which there are numerous other examples better suited to retention, that are in better condition and/or that are better examples of their design era. Additionally, the subject properties have substantially reduced heritage value as a result of the loss of their historic context (addressed in the next section). None are listed on the City's Heritage Register.

Heritage Value and Significance of Neighbouring Properties

The subject properties are located in the 400 block of Royal Avenue, which had been a streetscape consisting of single-family houses up until approximately 2015, by which time the three houses to the east of the subject properties had been demolished and replaced with an open, at-grade parking lot. By 2019, the house on the corner of Royal Avenue and Pandosy Street had also been demolished, leaving a currently vacant lot. Immediately to the west of the most western of the subject properties (416 Royal Avenue) is a single-family house (408 Royal Avenue) built in a comparable time period to the subject houses.

Directly across the street from the subject properties is the Kelowna General Hospital and its Emergency entrance. Next to the hospital, to the west is a 2 ½ storey medical (BC Cancer) clinic; and beside this building, on the corner of Royal Avenue and Abbott Street, is a 2 ½ storey multi-family building currently under construction.

The inner areas of the neighbourhood have maintained the look and feel of a single-family neighbourhood for the most part, with new houses working within the Guidelines to 'fit in' with the Conservation Area. The north side of the 300 block of Royal Avenue maintains an intact, single-family, historic-looking streetscape that is impacted by the large institutional uses in the 400 block of Royal Avenue.

As a result of the changes to the eastern half of the 400 block of Royal Avenue, and because of the institutional uses across the street and at the corner of Royal Avenue and Pandosy Street, the historic context of the 400 block of Royal has been significantly diminished and has resulted in it having a very different and un-historic character compared to the rest of the Conservation Area.

Conclusion

Based on the loss of historic context, the condition of at least one of the houses, and the commonality of all three houses, it is reasonable to have them replaced with a new development that is better suited to the streetscape and to the Health District 1 (HD-1) zoning category. All three houses have been researched, documented and photographed. This information (through this report) can be shared with the Kelowna Public Archives for their records.



Design Strategies

The following design suggestions for the proposed new multi-family building are based on the following:

- Abbott Street & Marshall Street Heritage Conservation Guidelines: Official Community Plan, Chapter 16
- Urban Design Development Permit Guidelines: Official Community Plan, Chapter 14
- The Standards and Guidelines for the Conservation of Historic Places in Canada, Second Edition,
 2010

The Official Community Plan, adopted by City Council in May 2011, acknowledges the value of heritage resources within the City of Kelowna. Chapter 16 deals with the Abbott Street & Marshall Street Heritage Conservation Areas and provides guidelines for renovations and new construction of single-family dwellings within the Conservation Areas. It is based on the guidelines that were completed in August 1997 as part of the creation of the Conservation Areas. The purpose of the guidelines is to have buildings that are compatible with the heritage value of the neighbourhood, in particular with its form and character.

The Official Community Plan has a number of designated Development Permit Areas with their own set of design guidelines. This proposal is not within a Development Permit Area and is therefore not required to follow these design guidelines but given that the guidelines for the Heritage Conservation Area are intended for single-family dwellings, it is reasonable that the design guidelines for a Development Permit Area are being used to inform the design process. For that reason, and at the request of the City, the Urban Design Development Permit Guidelines in Section A "Comprehensive (Multiple Unit Residential, Commercial, and Industrial)" of Chapter 14 of the Official Community Plan has been reviewed.

The Standards and Guidelines for the Conservation of Historic Places in Canada (Second Edition, 2010), is a pan-Canadian document used by heritage professionals and local governments for assessing heritage value and for providing best practices that can guide development projects which incorporate historic buildings. Intended primarily for projects that retain heritage resources, there are, however, some sections that are relevant to new construction within an historic area.

A house-by-house analysis of the 300 and the 400 block of Royal Avenue has been conducted and the results have also been used to inform the design strategies.

The Strategies

The following strategies have been developed to assist the architect team with the design of the proposed new multi-family building, with the understanding that these suggestions are based primarily on heritage conservation principles. The author is not an architect and understands that not all of the following suggestions can be implemented, either from a design rationale or for more practical reasons such as Building Codes or the Zoning Bylaw.



Guidelines from Chapters 14 and 16 of the Kelowna Official Community Plan

The italicized sentence at the beginning of each paragraph is based on either Chapter 14 or 16 of the Kelowna Official Community Plan, or in the event that they both identify the same type of guideline, is a combination of guidelines from the two Chapters. Possible design strategies, in a few cases taken directly from Chapter 14 or 16, follow each guideline summary.

The design should be distinct to Kelowna –Draw on the geography and the climate of Kelowna and how buildings have traditionally responded to these aspects, for example by providing deep overhangs or shady areas¹⁴. It may be that the landscape design makes this project distinctly "Kelowna" more than the design of the building or choice of materials.

The urban design and quality of construction should be high – There are various means to achieve this, with some suggestions found below; but in summary, the building can achieve this goal by being interesting, unique, aesthetically attractive and authentic¹⁵. The material (building and landscape) choices should be high quality, functional, durable, long-lasting and easily maintained.¹⁸

The building should be authentic — Use authentic materials that are respectful of the neighbourhood. It is important that the building be contemporary and not made to look 'old'.

Respect¹⁶ the nearby form and character of existing buildings – To achieve this character for a 3 storey multi-family building, some options include using:

- projecting and receding bays;
- gable pitch roofs over projecting bay sections;
- Chicago-style windows (large sash in middle with narrow side sashes); and/or
- smooth stucco and/or wide horizontal wood clapboard siding.

The window to wall ratio is not typical in these two blocks, with some houses having quite small ratios and others quite large, so it is reasonable to consider a large window to wall ratio on the new building. There is no consistent use of either vertical or horizontal proportioned windows in these two blocks. The design guidelines in Chapter 14 promote a more vertical orientation for windows, but as there are a number of houses with the Chicago-style windows, it is appropriate to consider this type of window design. Consider providing fabric awnings for at least the ground-level units. These ideas would also contribute to a design that respects human scale.

¹⁶ Chapter 14 of the OCP uses the word "emulate" in the above guideline, which can mean either to "match" or to "outdo". The first principles of heritage conservation do not support either matching or outdoing neighbouring heritage resources, the first in order to avoid a false sense of history, and the second in order to avoid overwhelming existing heritage resources. The term "respect" has been substituted here so that it adheres with heritage conservation principles.



¹⁴ Urban Design Development Permit Guidelines: Official Community Plan Chapter 14, p. 14.3

 $^{^{15}}$ Urban Design Development Permit Guidelines: Official Community Plan Chapter 14, p. 14.5

Create visual continuity with the existing streetscape – Some considerations include lining up the cornice or some level of the new building with something on the extant corner house (base of roof or top of roof peak for example)¹⁷. Set the building back to match the setback of the corner house. Provide a sense of solid/open pattern using architectural means (projecting bays for example). The dominant roof pattern along Royal Avenue is gabled with fairly deep overhangs, so consider including these design elements in some form on the building. None of the study houses have brackets or rafter tails, so do not use these, or any other historic elements that are not characteristic of the streetscape. It is important not to create a false sense of history with the new building.

Create an effective and interesting street edge that respects the design and rhythm of the existing streetscape – This should include consideration of both the 300 and the 400 block of Royal Avenue, through using similar or typical front yard setbacks; by having the façade read as multiple houses rather than one large building perhaps through the use of different façade setbacks; and/or by incorporating peaked roofs, etc. If these suggestions are not feasible, then perhaps the architectural detailing of the 'units' can be different through either the choice of materials, window pattern, design of balconies, and/or colour scheme, etc.

Use cladding materials that relate to the character of the neighbourhood — Consider the following common materials found in the 300 and 400 block of Royal Avenue: smooth or slightly textured stucco, wide horizontal wood clapboard siding, and/or vertical Board and Batten. If both wide horizontal wood clapboard and smooth stucco are being considered for use on the building, they could be alternated vertically or horizontally. If there are parts of the roof that will be visible from the street, consider using asphalt shingles, as this is the common roofing material along the street. Most of the houses have a foundation that is distinguished from the body of the house by material and/or colour.

Use a colour scheme that relates to the neighbourhood – The predominant colour scheme in the 300 and 400 block of Royal Avenue is white or creme/beige with a grey roof; however, some of the houses have a grey or a blue colour scheme. The colour scheme on the new building can be used effectively to help reduce the visual massing of it, to provide interest, and to be respectful of the heritage value of the neighbourhood.

¹⁷ Urban Design Development Permit Guidelines: Official Community Plan Chapter 14, p. 14.4



Transition the height of the building on the side that is next to the neighbouring house – The house next door (at 408 Royal Avenue) is 1 ½ storeys high. Consider using architectural solutions to transition the height on this side of the building.

Mitigate the height of the new building – This could be achieved through architectural elements such as balconies, bay windows, dormers, etc. ¹⁸

Provide a visually interesting roofline and make it distinguishable from the body of the building – Consider incorporating gable peaks, dormers, etc.

The front entrance to the different uses of the building should be obvious- The pattern along the street is for the front door to be inset and either centred or off-centred. Consider one path from the sidewalk for the institutional use and one for the residential use, designed in such a way that there is no confusion as to which path leads to which part of the building. It may be reasonable to provide more than one pathway to each entry if this is more respectful of the design and rhythm of the streetscape.

Parking should be internal or below-grade – The City has identified that undercover but open-sided atgrade parking has CPTED¹⁹ concerns. Consider means of securing access to the parking area and provide a CPTED analysis.

Have generous outdoor spaces for the residents – This could be achieved in the front yard, side yard, lane edge, and/or on the roof. See above notes regarding how the landscape design can be respectful of the historic context of the neighbourhood.

Guidelines from the Standards and Guidelines for the Conservation of Historic Places in Canada

The Standards and Guidelines provide a list of 14 standards, most all of which apply to extant heritage places. Most of the standards do not apply to situations when the heritage resources are being removed; however, there is one standard that is relevant to this project.

"Recognize each historic place as a physical record of its time, place and use. Do not create a false sense of historical development by adding elements from other historic places or other properties, or by combining features of the same property that never coexisted." – The design of the proposed new building should not mimic the neighbouring historic architecture, nor should it create a false sense of history; the new building should not be made to look 'old'. The new building may, however, draw on the historic architecture in the neighbourhood by using specific elements in a way that makes sense on a contemporary building; for example, by incorporating a selection of the following (either literally or interpreted): gabled roof forms, deep overhanging eaves, Chicago-style picture windows (large sashin



¹⁸ Urban Design Development Permit Guidelines: Official Community Plan Chapter 14, p. 14.4

¹⁹ CPTED = Crime Prevention Through Environmental Design

middle with narrow side sashes), smooth or slightly textured stucco and/or wide horizontal wood clapboard siding, a compatible colour scheme.

The Standards and Guidelines also provides a series of guidelines for various heritage conservation scenarios. For this project, the most relevant section is 4.1 "Guidelines for Cultural Landscapes, Including Heritage Districts". ²⁰ The subsection numbers are provided in brackets for reference.

Understand and respect how the relationships of the land use, buildings, streets and topography have affected the spatial organization of the neighbourhood (4.1.4) — The new building should be compatible with the spatial organization of the neighbourhood, by referencing or interpreting the pattern of open and solid spaces, by maintaining the pedestrian edge, by providing a similar amount of front-yard setback, and by designing a landscape that is informed by the landscape along Royal Avenue.

Respect and maintain the visual relationships of the neighbourhood (4.1.5)— Use architectural means to reduce the visual impact of the new building on the streetscape, through consideration of existing proportions and the ratio of open to solid spaces (perhaps by setting sections of the building back in a regular pattern).

Respect and maintain the existing circulation pattern of the neighbourhood (4.1.6) – Maintain the alignment, width, finished grade, surface materials of Royal Avenue and of the rear lane; use an interpretation of the typical street edge treatments along Royal Avenue (in particular consider the choice of plants, trees, shrubs, open grassy areas, type of fencing, pathways to the front door, etc.). If more pathways would respect the existing circulation pattern and spatial organization of the streetscape, then it would be appropriate to provide more pathways, with the understanding that the entry door to each portion of the building be obvious. Comply with accessibility requirements in a way that respects the existing circulation pattern.

Use vegetation (trees, shrubs, herbaceous plants, grasses, vines, etc.) that are typical of Kelowna and that are typical in the neighbourhood (4.1.8) — determine the most typical examples along Royal Avenue and incorporate them into the landscape design; but, if the dominant plant choices are no longer appropriate in the context of needing to provide a landscape that reduces the need for outdoor water usage, then preference should be given to a landscape that is suited to Kelowna rather than to a landscape that matches the rest of the streetscape.

Design the new building so that it is compatible with the heritage value associated with the neighbourhood (4.1.11) — by considering all of the above suggestions. Here is an example of a new multi-family building under construction at Royal Avenue and Abbot Street that is respectful of the Heritage Conservation Area across the street from it.



Schueck HERITAGE CONSULTING

²⁰ "Heritage District is defined in the Standards and Guidelines as: "a place comprising a group of buildings, structures, landscapes and/or archaeological sites and their spatial relationships where built forms are often the major defining features and where the collective identity has heritage value for a community, province, territory or the nation."

Patterns/Materials Study of the 300 and 400 Blocks of Royal Avenue (North Side)

The style identified for each house is taken from the City of Kelowna Abbott Street & Marshall Street Heritage Conservation Areas Development Guidelines (August 1997).²¹



2195 Abbott Street (corner of Abbott and Royal)

Style: "Early Suburban": 1- storey; flat roof, dominant stone chimney, high proportion of glazing on the front elevation, deep overhangs.

Materials: Body - smooth stucco cladding, dark grey; Roof - not visible.

Fenestration: horizontal with strong vertical casings

Landscape: large grassy area, edged with low shrubs, mature trees



340 Royal Avenue

Style: "Early Suburban": 1- storey; low pitch side gable roof, small exterior brick chimney, deep overhangs, inset front door 2 steps up from grade.

Materials: Body - wide horizontal wood clapboard siding, blue; Roof - asphalt

shingles, grey.

Fenestration: large 'picture' triple sash windows on front elevation (large sash in middle with narrow side sashes – Chicago Type).

Landscape: faces the lane, high fence, tall shrubs edging side property line, mature trees.

²¹ https://www.kelowna.ca/homes-building/property-development/heritage-development





Style: "Early Suburban":
1- storey; medium pitch side
gable roof, interior brick chimney,
deep overhangs, inset front door
5 steps up from grade.

Materials: Body - wide horizontal wood clapboard siding, white; Roof - asphalt shingles, red.

Fenestration: large 'picture' triple

sash window (large sash in middle with narrow side sashes – Chicago Type) for living room, small horizontal window for bedroom, both on front elevation.

Landscape: large grassy area, perennials near house, edged with low shrubs, mature trees



360 Royal Avenue

Style: "Vernacular Cottage – Late": 2 - storey; medium gable side roof with front dormer with shed roof; deep overhangs; half-width open front porch with quarter-turn steps, wood picket rail system, square porch posts.

Materials: Body - stucco, medium smooth, white; Roof asphalt shingles, red.

Fenestration: large multi-sash (6/1 lites per sash), 5 sash width on left side of elevation; triple sash (6/1 lites per sash) on right side

Landscape: large grassy area, perennials near house, edged with low shrubs, mature trees



Style: "Vernacular Cottage – Late": 1- storey; multi-hipped roof, low pitch; wide internal chimney at rear; open porch with square porch columns and wood picket rail system on the west elevation; small projecting bay on front elevation; door is accessed by

7 concrete steps with a simple picket rail system (possibly vinyl); glass block adjacent to front door.

Materials: Body - wide horizontal clapboard wood siding, white; Roof - asphalt shingles, grey

Fenestration: triple sash windows, larger on left than on right.

Landscape: large grassy area, perennials near house, low shrubs, columnar evergreens near house, mature trees



380 Royal Avenue

Style: "Vernacular Cottage –
Late": modified from original
design; 2 - storey; medium pitch
side gable roof with projecting
front gable over wide and
centred front bay; no chimney;
front door on far left of
projecting bay accessed by sideoriented steps faced with brick
panels and with wrought iron
(or vinyl) spindle rail system

with multiple steps.

Materials: Body - smooth stucco, creamy/beige colour with foundation painted a dark grey; Roof - asphalt shingles, grey.

Fenestration: traditional 3/1 double sash window on left side; large triple sash window on projecting bay with narrower 3/1 side sashes – Chicago Type; plain single sash, narrow frame corner window on the right side.

Landscape: large grassy area, perennials near house, mature trees.





Style: "Vernacular Cottage –
Late": 2 - storey; medium pitch
side multi-gable roof with
projecting front gable over
projecting front bay; projecting
side bay; internal brick chimney;
front door on far left of projecting
bay accessed by side-oriented
steps that lead to deep front
porch that runs the full width of
the projecting front bay and
which has a wood picket rail
system; small decorative cap roof
over front door and awning over

the adjacent window assembly.

Materials: Body - smooth stucco, white; Roof - asphalt roof shingles, grey.

Fenestration: traditional multi-sash windows on front elevation: on the left is a double sash, 3/1; adjacent to front door is a four-piece 3/1 sash window, with a similar window assembly on the far right.

Landscape: grassy area with perennial beds, perennials near house, mature trees (columnar Cedars) and shrubs.



<u>408 Royal Avenue</u> (corner house adjacent to subject properties)

Style: "Vernacular Cottage – Late": 1-1/2- storey; medium pitch cross-gable roof; front door centred on house but at left of projecting bay; accessed by 6 steps with abbreviated wrought iron railing system.

Materials: Body - wide horizontal

clapboard wood siding on projecting bay, beige/cream; river rock on left side of façade; Roof - asphalt roof shingles, grey.

Fenestration: large picture, single sash window on left side; small, horizontal slider on right side.

Landscape: large grassy area, perennials near house, columnar Cedars near house, mature trees

The following are the subject houses.



- asphalt roof shingles, grey/brown.

Fenestration: Small, horizontal, multi-lite single sash windows.

Landscape: large grassy area, perennials near house, mature trees



416 Royal Avenue

Style: "Vernacular Cottage – Late" on map but "Early Suburban" in list:

1 - storey; cross-hipped, low pitch roof; projecting front bay creating an L-shaped footprint; front door at grade in middle of primary front elevation.

Materials: Body - wide horizontal clapboard wood siding, pale grey; Roof

426 Royal Avenue

Style: "Vernacular Cottage – Late": 2 -storey; steep-pitch cross gable roof; projecting bay on left side of house; inset door on projecting bay accessed by 5 concrete steps with wrought iron railing system.

Materials: Body - smooth stucco on main part with wide horizontal clapboard wood siding in eaves on each elevation, white; Roof - asphalt roof shingles, grey.

Fenestration: large triple sash multi-lite window on projecting bay with narrower multi-lite side sashes – Chicago Type; large triple sash but with no divided lites window on right side, Chicago Type; some windows have yellow and white striped fabric awnings.

Landscape: large grassy area, perennials near house, mature trees.



Style: "Vernacular Cottage – Late": 1-1/2 - storey; medium pitched gable-and-wing roof with slightly overhanging eaves; internal brick chimney; projecting bay on left with a small three-sided cant bay window that is covered by a hipped roof; inset front door in middle of overall elevation, accessed by three steps; 1 storey shed-roofed addition on the

rear.

Materials: Body - smooth stucco on main part with wide vertical Board and Batten siding in gable ends on each elevation, blue; Roof - asphalt roof shingles, multi-grey.

Fenestration: Bay window has more recent, single-sash inserts; window to right of door is double-hung, 3/3. Most windows have decorative vertical wood slat shutters.

Landscape: large grassy area, shrubs near house, mature trees.

Common Characteristics

The following is a list of the common characteristics of the houses in the 300 and 400 block of Royal Avenue:

- Height ranges from 1- 2-storeys
- Gable pitch roofs, some cross-gables, ranging from low to medium pitches
- Medium to deep overhanging eaves
- Asphalt roofing material
- Chicago-style windows (large sash in middle with narrow side sashes)
- Smooth or slightly textured stucco
- Wide horizontal wood clapboard siding
- Off-set and recessed front door (only two of the houses have front porches)
- Colour schemes: white or creme/beige; grey; blue typically with a grey roof
- Medium front yard setbacks
- Open front yard, mostly grass
- Mature perennials, shrubs and trees (columnar Cedar trees)
- Front yard is edged with a low fence and/or shrubs
- Access to off-street parking from a rear lane

Appendix A: Definitions of Heritage Values

The following definitions of heritage value are quoted directly from the "Canadian Register of Historic Places: Writing Statements of Significance" Guide²² and have been used in the writing of the Statements of Significance of the subject properties.

<u>Aesthetic</u> value refers to the sensory qualities of a historic place (seeing, hearing, touching, smelling and tasting) in the context of broader categories of design and tradition. A place may have aesthetic significance because it evokes a positive sensory response, or because it epitomizes a defined architectural style or landscape concept. Visual aesthetic value is typically expressed through form, colour, texture or materials. It is possible for historic places to have other aesthetic values as well, such as auditory ones. Historic places with aesthetic significance may reflect a particular style or period of construction or craftsmanship, or represent the work of a well-known architect, planner, engineer or builder.

<u>Cultural and Historical</u> values are sometimes combined and refer to the associations that a place has with past events and historical themes, as well as its capacity to evoke a way of life or a memory of the past. Historical or cultural value may lie in the age of a heritage district, its association with important events, activities, people or traditions; its role in the development of a community, region, province, territory or nation; or its patterns of use. Historical or cultural value can lie in natural or ecological features of the place, as well as in built features.

<u>Scientific</u> value refers to the capacity of a historic place to provide evidence that can advance our understanding and appreciation of a culture. The evidence is found in the form, materials, design and/or experience of the place. Scientific value can derive from various factors, such as age, quality, completeness, complexity or rarity. Scientific value may also be present when the place itself supplements other types of evidence such as written sources, such as in archaeological sites.

<u>Social</u> value considers the meanings attached to a place by a community in the present time. It differs from historical or cultural value in that the value may not have an obvious basis in history or tradition and relates almost entirely to the present time. Social value may be ascribed to places that perform a key role within communities, support community activities or traditions, or contribute to the community's sense of identity. Places with social value include sites that bring the community together and create a sense of shared identity and belonging.

<u>Spiritual</u> value is ascribed to places with religious or spiritual meanings for a community or a group of people. Sacred and spiritual places could include places of mythological significance, landscape features associated with myth and legends, burial sites, rock cairns and alignments, fasting/vision quest sites etc., places representing particular belief system(s) or places associated with sacred traditions, ceremonial practices or rituals of a community/group of people.

²² Historic Places Program Branch, "Canadian Register of Historic Places: Writing Statements of Significance," Parks Canada, November 2006, pp. 12-13.



Appendix B: Historic Background

416 Royal Avenue

Date of Construction

Circa 1947 According to City records, a Plumbing Permit was taken out in 1947.

According to the City Directories, J.H. McLennan lived at this address in 1947.

Early Ownership History

1947-1951/52 John H. and Hilda E. McLennan

John was a District Salesman with British American Oil.

1951/52-1958+ Winston A. and Marie Shilvock

Winston was the Divisional Manager with Investors Syndicate.

426 Royal Avenue

Date of Construction

Circa 1948 According to City records, a Plumbing Permit was taken out in 1948.

According to the City Directories, the house was vacant until the mid-1950s; however,

there may have been occupants earlier than this who were not recorded.

Early Ownership History

1951-1956 Gordon and Marie Bennett

Gordon was the Sales Manager for Okanagan Investments

1957-1958+ Walter Renfrew

Walter was retired from being a clerk with Rutherford & Co Chartered Accountants.

430 Royal Avenue

Date of Construction

Circa 1947 According to City records, a Building Permit application was received in 1947.

According to the City Directories, the house was vacant until 1949; however, there may

have been occupants earlier than this who were not recorded.

Early Ownership History

1949 – 1956? Robert C. and Jill Gore

Robert was an accountant with Gore & Sladen

1958? - ? Frederick and Louise Kerfoot

Frederick was a representative with Gault Brothers (a dry goods store)

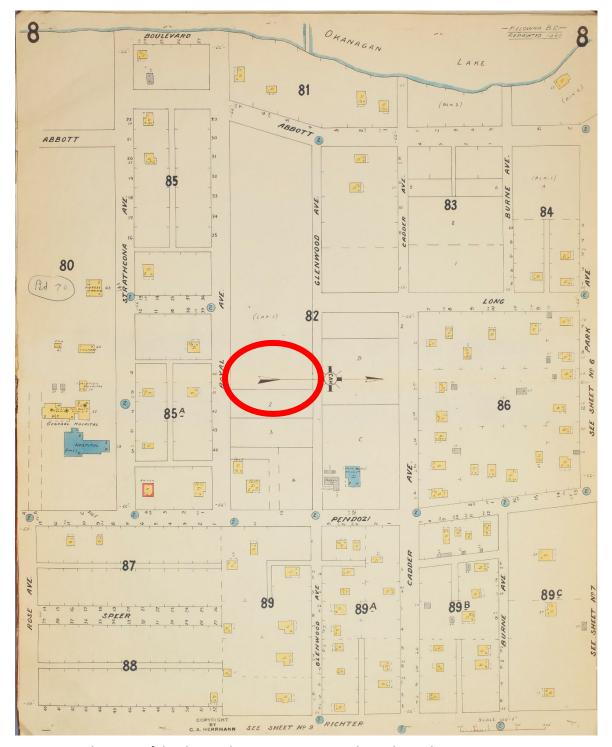
There are no listings for the years 1951-1955, so the above ownership years is speculative.

Ownership records for all three properties were only researched up to 1958.



Fire Insurance Map, reprinted 1948

(Source: City of Kelowna Public Archives, Bob DeMara Fonds 2011.012.011)



Approximate location of the three subject properties is indicated in red.

Aerial View of the Kelowna General Hospital, 1992, with One of the Subject Properties (430 Royal Avenue) Visible in the Lower Right

(Source: Kelowna Public Archives: KPA #8647)



Close-up of photograph Showing 430 Royal Avenue.



Kelowna City Directory, 1947, p. 44.

(Source: Kelowna Public Archives)

ROSEMEAD - (Cont'd)

511*James J E -338R 518*Brown G E -185 525*Metcalfe W -338R3

Dead end

ROWCLIFFE AV E from 1843 Marshall

529*Lindsay R 534*Crossley G Y L -465Y3

535 Giggey J R -834R 541 Bennett J C -762R

542*Melsted E -641R

550*Fitzgibbon J E 551 Bailey J M -641L1 555 Prosser Mrs I E -218R

558*Schleppe B N-641R1 563*Black Mrs B P

-236R 571*Charman W -236L

578 Lawrence A 586 Vacant

593*Brown G A -874 596 Howatt L L-218R2

610*Beuker J H

615 Bennett I -236L1

625*Hubatka J L 638*Schleppe B

643*Dagger J S Ends at Richter

ROYAL AV E from 2188 Abbott

343*Mandel A J-249L1 360*James P G-249R2 380*Kihlbom Mrs A O 381*Tozer W A -249R 390*0 W R-586L2

> Long inter ects

416*McLennan J H 586L1

ROYAL - (Cont'd)

419*Stirling R -674 427*Wilson Mrs M -586L

434 Cruise J T -586Y 443*Povak A H -249L 453*Johns S -700L

466 Ryer Mrs M S-700L1 477*Panton L A C phys -700R

> Pendozi intersects Ends at Speer

ST PAUL ST S from 556 Gaston

1110 Kel Cement Blk

Wks -1003

1110*Garward M D

1111*McIntosh W E 1123*Guidi A -625L

1131 Mooney Mrs J-625X1

1137*Coueslan Mrs E

1138*Buss Bros boat bldrs

1145*Sauer A B

1146*Wilson Pumice Prods

Ltd chimney &

bldg blks 1151*Watson Mrs M L

1159*Avender Mrs L 1179 Guidi L -634L

1193*Rossi J bldg contr -526

Clement intersects

1226*Favali P 1230*Shantz Mrs L A

Coronation intersects

1238 Northern Rooms 1246*Kozdrowski N-335Y1 1262*Gordon D A -425L 1290*Bodnar C

Cawston intersects

Of the subject properties, only 416 is shown.

Kelowna City Directory, 1949/50, p. 301.

(Source: Vancouver Public Library https://bccd.vpl.ca/index.php/browse/title/1949-1950/Kelowna_City_Directory)

```
ST PAUL ST - (Cont'd)
ROYAL AV - (Cont'd)
                                1151*Watson Mrs M L
350*Byers J E -1283L
                               1159*Avender Mrs L
353 Vacant
360*James P G -249R2
                               1179 Guidi L -634L
                                1193*Rossi J bldg contr
380*Kihlbom Mrs A O
                                        -526
        -249L2
                                        Clement intersects
381*Tozer W A -249R
                                1216*Seh. 1
                 5961.2
                                1226*Favali P -915L1
           Long intersects
                                1230*Shantz Miss W E
416*McLennan J H -586L1
                                     Coronation intersects
419*Stirling R -674
                                1238 Northern Rooms
423*Lipsett R S
                                1246*Kozdrowski N-335Y1
426 Vacant
                                1262*Gordon Mrs B Mc
427*Burns A W -586L
                                         -425L
430*Gore R C -956R
 34*Brown Dr A W -5865
43 Pough A H -2497
                                1272 New House
                                1290*Bodnar C
443 Pough A H -2407
453*Crowe F w -700X
466 Vacant
                                        Cawston intersects
                                1302 Gibb Gro - gro, dry
                                         gds & Hdw -75
477*Essa M J -700R2
                                         & 1020
        Pendozi intersects
                                1307 Lucking A -545X1
598*Smith L M -956Y1
                                1310*Draginov J
             Ends at Speer
                                1311 St Paul Rooms
                                1314*Stephens J G -545L
                                1314 (rear) Kleist Miss M
ST PAUL ST S from 556
                                 1320 Broun E
   Gaston
                                 1324*Westie Miss J
1110 Kel Cement Blk Wks
                                 1330*Gordon D A
          -1003
                                 1331*Robinson E A -930R
 1110*Garward Mrs V C
                                 1334*Wurzer Mrs A
         -1003
                                 1335 Colton Mrs E -335X2
1340*Hungle V -699L1
 1111*McIntosh W E -625Y
 1115 Daynard J W
                                 1341*Garner Mrs L M
 1123*Guidi A -625L
                                 1344*Koch K
 1131 Mooney Mrs J-625X1
                                 1345*Keer G C -425R
 1137 Perry Mrs H M
                                 1351*Kusz A
 1137 Savage A
                                 1357 Vacant
 1138 Vacant
                                       Chapman D & Co Ltd
 1145*Sauer A B
 1146*Wilson Pumice Prods
                                         stge
                                 1362*Schmidt L
          Ltd chimney &
                                 1362 (rear) Vogt J
         bldg blks-476L1
                                 1367*Rigetti J
         -1248L
                                                         301
```

The properties at 416 and 430 are shown as occupied. 426 is shown as vacant.

Kelowna City and District Directory, 1951/52, p 255.

(Source: Vancouver Public Library https://bccd.vpl.ca/index.php/browse/title/1951-1952/KelownaCity_and_District_Directory)

ROWCLIFFE - (Cont'd) ROSE - (Cont'd) 578 Sowerbutt H RICHTER INTERSECTS 585*Watson Dr T P -3157 586*Schmidt M J 706*Perley Rev D M -7813 593*Marr A B -7190 730*Manton R G -6977 740*Clark W -6788 596*Beuker J 610*Klapperstein H 615*McLean P C WOODLAWN ENDS 625*Goddard F E -7959 ABERDEEN ENDS 638*Hagel Mrs A -8456 ETHEL INTERSECTS 643*Dagger J S Cameron G D -6078 RICHTER INTERSECTS Cameron W J V -6068 ROYAL AV ROSEDALE AV EAST FROM 2188 ABBOTT NOW KNOWN AS ROSE AV ROSEMEAD AV 323*Crookes D -8283 340*Saunders G W -8188 EAST FROM 1800 ELLIS 343*Mandel A J -8249 350*Byers J E -7283 508*Rutherford R G -2612 353*Garland K -6925 511***James J E -6338** 360*James P G J -6249 518*Brown G E -2185 370 Manson F A -7172 525*Metcalfe W -7338 380*Kihlbom Mrs A O -6839 NOT OPENED THROUGH 381*Tozer W A -6661 390*Logie W J -8458 ROWCLIFFE AV EAST FROM 1843 MARSH-I ONG INTERSECTS ALL 416*Shilvock W A -8434 519*Vanidour Mrs M H 419*Stirling R -2674 -7139 423*Lipsett R S 529*Schlosser L N 426*Bennett G -6956 534*Clarke A R 427*Burns A W -7586 535*Garratt Rev C B -7834 430*Kerfoot F -7956 541 Tutt G -6762 34*Brown Dr A W -65-6 542 Scoullar H S -8375 roh A H 443 - Towe F W -6700 550*Fitzgibbon J E -6693 551*Evoy Mrs C -6641 466 Vacant 555 Prosser Mrs I E -7872 477*Nicholson W V -7617 558*Schleppe B N plmbr -8312 PENDOZI INTERSECTS 562*Marshall W H -7211 563*Black Mrs B P -6236 598*Smith L M -6270 568*Niedolin J R -7540 SPEER BEGINS 571*Charman W -7794 255

All three subject properties are now shown as occupied. The asterisk beside each name indicates that these are the owners as well as the occupiers of the properties.

Death Certificate of Winston Agnew Shilvock (416 Royal Avenue)

(Source: Royal BC Museum http://search-collections.royalbcmuseum.bc.ca/Genealogy)

	BRITIST COLUMI Ministry of Healt Ministry Responsivital STATISTICS	sible for Seniors			
	NAME OF DECEASED	SURNAME (Print or Type) Shilvock All Given Names (Print or Type) Winston Agnew SEX DATE OF DEATH MONTH DAY YEAR (By Name) SE P 1 8 1 9 9 8			
	PLACE OF DEATH	NAME OF HOSPITAL OR INSTITUTION (Otherwise give exact location where death occurred, address) Kelowna General Hospital CITY, TOWN OR OTHER PLACE (by name) Kelowna, British Columbia			
THIS IS A PERMANENT LEGAL RECORD - TYPE OR PRINT PLAINLY - COMPLETE ALL ITEMS DO NOT USE RED OR GREEN INK (See reverse for legal requirements under the Vital Statistics Act) IMPORTANT: Any change or correction made in the completion of this form must be initialled by the person certifying the original information	RESIDENCY INFORMATION AND USUAL ADDRESS	BC. RESIDENT NON-RESIDENT IF B.C. RESIDENT, PERSONAL HEALTH NUMBER ABORIGINAL STATUS? YES NO D			
	MARITAL STATUS	STATE NEVER MARRIED DIVORCED IF MARRIED, WIDOWED, SEPARATED OR DIVORCED GIVE FULL NAME OF SPOUSE; INCLUDE MAIDEN NAME IF APPLICABLE SEPARATED WIDOWED OTHER Briggs, Margaret			
	OCCUPATION	KIND OF WORK YEARS KIND OF BUSINESS OR INDUSTRY IN WHICH WORKED Manager Investment			
	BIRTHDATE	MONTH DAY YEAR AGE IF UNDER 1 YEAR IF UNDER 1 DAY HOURS MONTHS DAYS HOURS MINUTES N O V O 8 1 9 O 8 89			
	BIRTHPLACE	CITY, TOWN OR OTHER PLACE PROVINCE/STATE (country) OF BIRTH			
	BIRTHNAME IF DIFFERENT	SURNAME (Print or Type) n/a ALL GIVEN NAMES (Print or Type) n/a			
	FATHER	SURNAME AND GIVEN NAMES OF FATHER (Print or Type) Shilvock, unknown Shilvock, unknown			
	MOTHER	MAIDEN SURNAME AND GIVEN NAMES OF MOTHER (Print or Type) Unknown BIRTHPLACE - CITY OR PLACE, PROVINCE/STATE (country) unknown			
	INFORMANT	SIGNATURE ADDRESS OF INFORMANT SIGNATURE SIGNATURE DATE MONITH Day Year RELATIONSHIP TO DECEASED W1fe W1fe NAME OF INFORMANT (Print or Type) Margaret Shilvock ADDRESS OF INFORMANT POSTAL CODE			
		265 Poplar Point Dr., Kelowna, British Columbia VII Y I Y I Y Z			
IMP IMP	TO BE COMPLETED BY FUNERAL DIRECTOR ONLY TYPE OF DISPOSITION BURIAL PERMIT NUMBER DATE OF MONTH DAY YEAR				
THIS IS A P	DISPOSITION	BURIAL X CREMATION OTHER (SPECIFY): 455063616 BURIAL (ByName) DISPOSITION S E P 2 9 1 9 9 8			
	FUNERAL	Lakeview Crematorium, Kelowna, British Columbia NAME OF FUNERAL DIRECTOR OR PERSON IN CHARGE OF REMAINS (Print or Type) Day's Garden Chapel 889			
	DIRECTOR	ADDRESS 11.34 Bernard Ave, Kelowna, British Columbia POSTAL CODE V 1 Y 6 R 2			
	NOTATIONS	DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY			
	CERTIFICATION OF DISTRICY REGISTRAR HLTH 406 REV 96/11	I CERTIFY THAT THIS RETURN WAS ACCEPTED BY ME ON THIS DATE AT: WHICH AND A BRITISH COLUMBIA Month Day Yest SIGNATURE OF DISTRICT REGISTRAR REGISTRA HON DISTRICT NO.			

Death Certificate of Gordon Hamilton Bennett (426 Royal Avenue)

(Source: Royal BC Museum http://search-collections.royalbcmuseum.bc.ca/Genealogy)

RM 6	Intosh P	ROVINCE OF	Registration No. (Department use only)
1 cs.		COLUMBIA (Canada) REGISTRATION OF	
23,		TMENT OF HEALTH Of Vital Statistics [1. Surname of deceased (print or type)]	9-09-001208
	NAME OF DECEASED	BENETT All given names in full (print or type)	2. SEX
		Gordon Hamilton 3. Name of hospital or institution (otherwise give exact location where death occurred)	male
	PLACE OF DEATH	Still Waters Private Hospital 999	Inside municipal
		Kelowna, B.C. 4. Complete street address: If rural give exact location (not Post Office or Rural Route add	Inside municipal limits? (State Yes or No) Yes
	USUAL RESIDENCE	735 Elliott Ave.,	
		Kelowna 07-0/1/ Yes or No) Yes	
	MARITAL STATUS	or divorced (Specify) divorced Marie ALLEN	
	OCCUPATION	7. Kind of work done during most of working life accountant 8. Kind of business or industry in wind income tax	
	BIRTHDATE	November 14, 1908 70 If under 1 year	Days) (Hours) (Min If under 1 day
	BIRTHPLACE	Vancouver, B.C.	tate name of band
	FATHER	13. Surname and given names of father (print or type) BENNETT - James Hamilton 14. BIRTHPLACE - City or Quebec	
Log.	MOTHER	15. Moiden surname and given names of mother (print or type) 16. BIRTHPLACE - City or not known - Gladys Eleanor Wales	place, Province (or country)
of this matior			Relationship to deceased SON.
n the completion of this form the original information.	INFORMANT	19. Address of informant 20.	Date signed - Month, day, y Jan 6, 1979
comp		21. Burial, cremation or other disposition (specify) 22. Date of burial or disposition (specify) 23. Date of burial or disposition (specify) 24. Date of burial or disposition (specify) 25. Date of burial or disposition (specify) 26. Date of burial or disposition (specify) 27. Date of burial or disposition (specify) 28. Date of burial or disposition (specify) 29. Date of burial or disposition (specify) 21. Date of burial or disposition (specify) 21. Date of burial or disposition (specify) 22. Date of burial or disposition (specify) 23. Date of burial or disposition (specify) 24. Date of burial or disposition (specify) 25. Date of burial or disposition (specify) 26. Date of burial or disposition (specify) 27. Date of burial or disposition (specify) 28. Date of burial or disposition (specify) 29. Date of burial or disposition (specify) 29. Date of burial or disposition (specify)	tion (month, day, year)
in the	DISPOSITION	23. Name and address of cemetery, crematorium or place of disposition Pine Grove Crematorium Ltd., Kamloops, B. C.	
nade i ifying	FUNERAL	24. Name and address of funeral director (or person in charge of remains) (print or type)	
Reverse for Instructions or correction made in the re person certifying the c	DIRECTOR	Day's Funeral Service Ltd., Kelowna, B.C. MEDICAL CERTIFICATE OF DEATH	
	DATE OF DEATH	25. Month (by name), day, year of death January 6th, 1979	Approxinterval tween on & deat
or	OF DEATH	26. Part 1 3319 (a) Demund Green o	nia "
See IMPORTANT: Any change of must be initialled by th		due to, or as a consequence of	7
		Antecedent causes, If any, giving rise to the immediate cause (a) above, stating the under- lying cause last (c)	0
		Part II	
		Other significant conditions contributing to the death but not the limmediate cause (a) above	
	AUTOPSY PARTI- CULARS	27. Autopsy Yes No 28. Does the cause of death Yes No 29. May further inform relating to the cause held?	nation Yes No
	ACCIDENT		injury (Month (by name), day, y
	OR VIOLENCE (If applicable)	33. How did injury occur? (describe circumstances)	
	SURGICAL OPERATION	34. If there was a recent surgical operation give date of operation 35. State operative findings	
	CERTIFI-	36. I certify that to the best of my knowledge and belief the abovenamed person died on the date and from the causes stated X	Physician ling examining body in after death Coron
	CATION (attending physician,	and from the causes stated X AD MC The State of the results of the state of the sta	Date: Month, day, yes
	coroner, etc.)	A.D. MCINTOSH #19-1710 ELLIS ST, Kelow,	110.0
	Notations:	DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY	
	CERTIFI-	I certify this return was accepted by me on this date at— District Registration No.	1

References

BC City Directories

https://bccd.vpl.ca/index.php/browse/index

Canadian Register of Historic Places, "Writing Statements of Significance", Parks Canada, November 2006.

https://www.historicplaces.ca/media/21054/sos_guide_final_e_new_design.pdf

City of Kelowna Public Archives

https://www.kelownamuseums.ca/archives/

City of Kelowna Website for Heritage Information

https://www.kelowna.ca/homes-building/property-development/heritage-development

City of Kelowna Website for the Official Community Plan (Chapters 14 and 16)

https://www.kelowna.ca/city-hall/city-government/bylaws-policies/kelowna-2030-official-community-plan

Gottfried, Herbert and Jan Jennings. <u>American Vernacular Buildings and Interiors 1870-1960</u>. W. W. Norton & Company Inc., New York/London, 2009.

Kalman, Harold. <u>Heritage Planning: Principles and Process</u>. Routledge, New York, 2014.

McAlester, Virginia Savage. A Field Guide to American Houses. Alfred A. Knopf, New York, 2018.

Royal BC Museum for Marriage and Death Certificates http://search-collections.royalbcmuseum.bc.ca/Genealogy

"The Standards and Guidelines for the Conservation of Historic Places in Canada", Second Edition, 2010 https://www.historicplaces.ca/media/18072/81468-parks-s+g-eng-web2.pdf



CO-OPERATIVE CARSHARING AGREEMENT

THIS AGREEMENT made the 20th day of August, 2021,

BETWEEN:

MODO CO-OPERATIVE

200 - 470 Granville Street Vancouver, B.C. V6C 1V5

("Modo")

AND:

Payam & Sanaz Holdings Limited 2574 Linner Way Regina, SK S4V 1K3

("Developer")

WHEREAS:

A. Developer is the registered owner of those certain lands located in Kelowna, in the Province of British Columbia and legally described as follows:

PID: 031-464-025.

legal lot description: LOT 1 DISTRICT LOT 14 OSOYOOS DIVISION YALE DISTRICT PLAN EPP91145, (the "**Lands**");

- B. Developer has caused the construction of a new rental residential development (the "**Development**") on the Lands;
- C. It is intended that Development will include 38 Rental units (collectively the "**Rental Units**");
- D. Modo is a member-owned co-operative that facilitates carsharing for individuals and businesses as an alternative to privately-owned automobiles;
- E. As a condition of approving the Development, the City of Kelowna in British Columbia (the "Municipality") requires the Developer to provide one (1) cooperative vehicle (the "Shared Vehicle") in connection with the Development and to be available as part of a service to share the use of the Shared Vehicle (the "Carsharing Program");

- F. In addition, the Municipality requires the Developer to designate one (1) parking space at the Development for the exclusive use of the Shared Vehicle (the "Shared Vehicle Parking Space" as set out in Schedule A hereto) and free-ofcharge to Modo;
- G. Modo will deliver the Shared Vehicle to the Shared Vehicle Parking Space and make the Shared Vehicle available for use in accordance with the terms of this Agreement;
- H. Modo will, at its cost, operate, maintain, repair and insure the Shared Vehicle and administer the service to share the Shared Vehicle (collectively, the "Services");
- Developer and Modo intend that the Shared Vehicle will be available for use by all members of Modo (collectively, the "Modo Members" and each a "Modo Member"), including the Residents who become Modo Members; and
- J. Developer and Modo wish to set out in this Agreement the terms and conditions of the Carsharing Program as it pertains to the Development.

NOW THEREFORE in consideration of the sum of Ten (\$10.00) Dollars now paid by each party to the other (the receipt and sufficiency of which is hereby acknowledged) and in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

ARTICLE 1 - DEFINITIONS

- 1.1 Definitions. In this Agreement, the following terms have the following meanings:
 - (a) "Agreement" means this agreement, any schedules attached hereto which are referred to in this agreement, and every properly executed instrument which by its terms amends, modifies, supplements, or extends this agreement;
 - (b) "Commencement Date" means the date on which the Occupancy Permit is issued by the Municipality;
 - (c) "Developer" means the party defined as Developer on the first page of this Agreement and any of its heirs, executors, administrators, successors, assigns, subsidiaries or nominees who may assume the right, title or interest in the Development and/or this Agreement from the Developer named herein, and expressly includes any party which may manage or operate the Development for the Developer from time to time;
 - (d) "Development" has the meaning set out in Recital B;
 - (e) "Estimated Occupancy Date" has the meaning set out in section 3.5;

- (f) "EV Station" means one (1) electric vehicle charging station (which specifications are defined in Schedule B) to be provided, installed, maintained and replaced by Developer, at Developer's sole cost, to be used for the sole purpose of charging the Shared Vehicle;
- (g) "Lands" has the meaning set out in Recital A;
- (h) "Mediator" means a member in good standing of the Arbitrators Association of British Columbia or Mediate BC:
- (i) "Membership Holder" means the Rental Owner;
- (j) "Membership Obligations" means and includes any and all obligations or liabilities that a member of Modo or other person who participates in Modo's activities, including any Resident (as defined below), may have or incur to Modo or any other member of Modo or any other person as a result of or in connection with such membership in Modo, participation in the activities of Modo, use of Modo's vehicles, or otherwise associated with the ownership of shares of Modo including, without limiting the generality of the foregoing, the obligation to pay any fee, monthly administrative fee, charge, fine or other cost to Modo or any other person;
- (k) "Membership Shares" means membership shares in Modo;
- (I) "Occupancy Permit" means the first occupancy permit issued by the Municipality in respect of the Development;
- (m) "Partnership Membership" means the Membership Holder membership in Modo by way of ownership of the Subject Shares;
- (n) "Partner User" means a Resident (as defined below) of the Development who benefits from Modo membership privileges by way of the Partnership Membership;
- (o) "Project Fee" has the meaning set out in section 2.1;
- (p) "Rental Agreement" mean a tenancy agreement or similar agreement between the Rental Owner and the tenant or occupant of a Rental Unit with respect to the occupancy of such Rental Unit for any length of time;
- (q) "Rental Owner" means the owner of the Rental Units from time to time;
- (r) "Rental Units" has the meaning set out in Recital C;
- (s) "Residents" means collectively, the tenants of the Rental Units and "Resident" means any one of them;

- (t) "Shared Vehicle Minimum Term" means the term of three (3) years for the Shared Vehicle, commencing from the later of the Commencement Date or the first date that the Shared Vehicle is made available for use by Modo Members at a Shared Vehicle Parking Space;
- (u) "Shared Vehicle" has the meaning set out in Recital E;
- (v) "Subject Shares" has the meaning set out in section 2.1;
- (w) "Sustainable Usage Levels" means the level of use of the Modo vehicles by members that remains cost-effective to meet Modo's usage goals; and,
- (x) "**Term**" means the term of this Agreement as described in section 9.1.

ARTICLE 2 - PROJECT FEE

- 2.1 At least sixty (60) days prior to Estimated Occupancy Date, the Developer will pay to Modo the aggregate sum of \$29,000.00 plus GST (the "**Project Fee**"), representing the following:
 - (a) \$1,000.00 for the purchase of one hundred (100) Membership Shares (the "**Subject Shares**"); and
 - (b) the Project Fee minus \$1,000.00 to be used by Modo toward the ownership costs of Shared Vehicle.
- 2.2 Upon payment of the Project Fee, Modo will issue the Subject Shares and will issue a receipt to the Developer confirming payment of the Project Fee to Modo.
- 2.3 Developer agrees that Modo will not be under any obligation whatsoever to provide the Services or issue the Subject Shares if Modo has not received full payment of the Project Fee from Developer by the required deadline set out in
- 2.4 If the Occupancy Permit is issued later than the year 2024, the Project Fee will increase by 4% for each year thereafter, on January 1st of such year and until the Occupancy Permit is issued, including the year the Occupancy Permit is issued.

ARTICLE 3 - BENEFITS AND OBLIGATIONS OF DEVELOPER

- 3.1 Developer agrees to designate the Shared Vehicle Parking Space for the exclusive use of Modo, in compliance with the standards set out in Schedule B and free-of-charge to Modo from the Commencement Date and throughout the Term.
- 3.2 Developer agrees that throughout the Term, subject to section 11.5, the Shared Vehicle Parking Space will be accessible to and exclusively useable by Modo Members on a 24 hours a day, 7 days a week basis.

- 3.3 Developer permits Modo to directly authorize removal of unauthorized vehicles parked in the Shared Vehicle Parking Space through the towing company contracted by Developer, or a towing company of Modo's choice in the event there is not a designated contractor or if that contractor is unavailable. The unauthorized vehicle(s) parked in the Shared Vehicle Parking Space would be removed at the vehicle owners' risk and expense.
- 3.4 Developer will ensure that the EV Station is operational and for the exclusive use of Modo from the Commencement Date and throughout the Term.
- 3.5 At least sixty (60) calendar days prior to the date Developer anticipates that the Occupancy Permit will be issued, Developer will provide written notice to Modo of such estimated date (the "Estimated Occupancy Date").
- 3.6 Promptly upon issuance of the Occupancy Permit, Developer will further provide Modo with written notice of the Commencement Date.

ARTICLE 4 - ASSUMPTION BY MEMBERSHIP HOLDER

- 4.1 Once Developer is in a position to do so (as determined by the Developer in its sole discretion), Developer will cause the Rental Owner to execute an assumption agreement which provides that the Rental Owner agrees to be bound by the terms and conditions of this Agreement and assumes all of the obligations of the Developer and the Membership Holder under this Agreement. If the Subject Shares were issued to the Developer prior to such assumption, then the Developer will transfer an undivided interest in the Subject Shares to the Rental Owner concurrently with such assumption, and Modo hereby consents to such transfer.
- 4.2 Once the Developer, has complied with its obligations under section 4.1, the Developer will have no further obligations or liabilities whatsoever hereunder, except that the Developer (and not the Membership Holder) will continue to be liable for the Developer's obligations under ARTICLE 2 and this ARTICLE 4 -.

ARTICLE 5 - BENEFIT AND OBLIGATIONS OF THE MEMBERSHIP HOLDER

- 5.1 The parties agree that the Subject Shares will be registered in the name of the Membership Holder. The Membership Holder will be the legal owner of all the Subject Shares, and their beneficial interest vests in the Residents in accordance with this Agreement.
- The Subject Shares, and the benefit of the Partnership Membership, will not be allocated or divided in any manner as between the Residents, and there will be no limit on the number of Residents of any given Rental Unit that may apply to be Partner Users at any given time (subject to the overall limit on the number of Partner Users set out in section 6.2).

- 5.3 Residents will not automatically become Modo Members and must apply to join Modo and meet Modo's membership requirements in order to be eligible to use the Shared Vehicle and participate in the Carsharing Program.
- 5.4 Subject always to section 5.3, a Resident may only have the benefit of the Partnership Membership for as long as the Resident is actually residing within a Rental Unit and, for greater certainty, an owner of a Rental Unit is not a Resident for the purposes of this Agreement, and is not entitled to the benefit of the Partnership Membership, unless such owner is actually residing within a Rental Unit.
- No Resident has any right to require Modo to redeem any Subject Shares held by the Membership Holder for the benefit of such Resident or to receive any amount that may be payable upon the redemption thereof.
- 5.6 Every six (6) calendar months during the Term (commencing on the date that is six (6) months after the Commencement Date), Modo will provide the Rental Owner in writing with the name of each Partner User.
- 5.7 Within thirty (30) calendar days after receipt of the information, referred to in section 5.6, the Rental Owner will confirm to Modo in writing which Partner Users have ceased to be Residents of their respective Rental Units, and Modo will cancel such Partner Users' benefits of the Partnership Membership and such former Residents will cease to be Partner Users.
- The Rental Owner will use reasonable commercial efforts to make available to Residents of the Rental Units the rules in the form attached hereto as Schedule C.
- 5.9 Modo will be the sole provider of the Carsharing Program in respect of the Shared Vehicle during the Term.
- 5.10 The Rental Owner agrees to pay for the electricity withdrawn from the EV Station when due and Modo will reimburse the Rental Owner in accordance with section 6.12.
- 5.11 No Membership Holder will be liable hereunder for any breach of this Agreement by any other Membership Holder, and any Membership Holder which breaches this Agreement will be solely liable for such breach.

ARTICLE 6 - BENEFITS AND OBLIGATIONS OF MODO

6.1 Modo confirms and agrees that, in accordance with Modo's membership documentation, each Resident will be individually responsible for any and all actions, causes of action, costs or claims of whatsoever type or nature levied or made by Modo or by any other person as a result of or in connection with such Resident's participation in the Services or otherwise associated with the Subject

- Shares of, or membership in, Modo held by the Membership Holder, Developer and their respective affiliates, subsidiaries, successors or assigns.
- 6.2 Modo agrees that the Partnership Membership will allow up to a maximum number of Residents to be Partner Users at any given time equal to the Project Fee paid hereunder divided by \$500, rounded down to the closest whole number. For greater certainty, once the foregoing number of Partner Users has been reached, no other Resident may become a Partner User unless an existing Partner User ceases to be a Partner User.
- Any number of Residents of any given Rental Unit may apply to Modo to become Partner Users, and each such Resident who becomes a Partner User will count as a separate Partner User for the purposes of the limit set out in section 6.2.
- 6.4 Modo will use the Project Fee, less the amount required to purchase the Subject Shares, toward the ownership costs of one (1) new four-wheeled automobile with electric motorization for use as the Shared Vehicle, and will, forthwith upon the purchase of the Shared Vehicle, provide Developer with a copy of the Shared Vehicle's registration evidencing that the Shared Vehicle is registered in the name of Modo together with proof of insurance.
- 6.5 Modo will deliver the Shared Vehicle to the Shared Vehicle Parking Space and will make the Shared Vehicle available for use by the Modo Members in accordance with the terms of this Agreement and pursuant to the deployment sequence of the Shared Vehicle (the "Shared Vehicle Deployment Sequence") as set out in Schedule D hereto.
- In the event that the Occupancy Permit is not issued within thirty (30) days after the Estimated Occupancy Date, Modo reserves the right to park the Shared Vehicle at another location suitable for its use within the Carsharing Program and make it available for use by Modo Members, provided always that Modo will deliver the Shared Vehicle to the Shared Vehicle Parking Space by no later than the date(s) set out in the Shared Vehicle Deployment Sequence.
- 6.7 Modo agrees to provide the Shared Vehicle for the use of Modo Members and to cause the Shared Vehicle to be parked in the Shared Vehicle Parking Space at all times when not in use by a Modo Member and when not being repaired or serviced. For greater certainty, Modo will not be responsible for any costs in respect of the use of and access to the Shared Vehicle Parking Space during the Term, including, without limitation, the maintenance of the Shared Vehicle Parking Space.
- 6.8 Notwithstanding the foregoing, Modo must promptly and at its own expense clean up any oil or other substance which spills or leaks from a Shared Vehicle into or onto any part of the Development, failing which the Developer may clean up such spill or leak, and Modo will, forthwith on demand reimburse the Developer for the cost thereof.

- 6.9 Modo will at its sole expense provide Developer with appropriate signage for the Shared Vehicle Parking Space.
- 6.10 Modo will be solely responsible for providing and paying for the Services, including but not limited to the operation, administration, maintenance, repair, replacement and insurance costs in respect of the Shared Vehicle and the Carsharing Program in a prudent manner. If the Shared Vehicle is damaged beyond repair during the Shared Vehicle Minimum Term, then Modo will promptly replace such Shared Vehicle with a vehicle of at least equivalent value and function and such replacement vehicle will be such Shared Vehicle for all purposes hereunder.
- 6.11 Modo acknowledges and agrees that Developer and the Membership Holder will not be responsible for any costs associated with the Shared Vehicle, the Carsharing Program or the Services, including, without limitation, any applicable taxes or delivery fees in respect of the purchase of the Shared Vehicle or any user or membership fees of any of the Residents, other than the payment of the Project Fee and the maintenance, use of and access to the Shared Vehicle Parking Space and EV Station.
- 6.12 Modo will reimburse the Rental Owner the amount paid by the Rental Owner for the electricity withdrawn from the EV Station, based on data logs and reports from the EV Station. The reimbursement will be made in arrears on a yearly basis, starting on the Commencement Date or such other date as may be agreed upon by the Rental Owner and Modo.
- 6.13 Modo reserves the right to temporarily relocate the Shared Vehicle parked in the Shared Vehicle Parking Space if access to the Shared Vehicle Parking Space is not provided in accordance with section 3.1 or 3.2 for a duration greater than twenty-four (24) consecutive hours and until access to the Shared Vehicle Parking Space has been re-established in accordance with sections 3.1 and 3.2. Promptly following access being re-established Modo will relocate the Shared Vehicle back to the Shared Vehicle Parking Space.
- 6.14 Modo reserves the right to temporarily relocate the Shared Vehicle parked in the Shared Vehicle Parking Space if access to the EV Station is not provided in accordance with section 3.4 for a duration greater than twenty-four (24) consecutive hours and until access to the EV Station has been re-established in accordance with section 3.4. Promptly following access being re-established Modo will relocate the Shared Vehicle back to the Shared Vehicle Parking Space.
- 6.15 Modo will provide orientation to all Residents wishing to participate in the Carsharing Program or use Modo vehicles.
- 6.16 Modo will provide Developer with marketing materials to promote participation in the Services to Residents and prospective residents of the Development.

6.17 Modo represents and warrants that there are no other obligations associated with the holding of the Subject Shares beyond those which are contemplated in this Agreement, in the rules and policies of Modo regarding its shares, or at law.

ARTICLE 7 - MARKETING AND MONITORING

- 7.1 Modo acknowledges that the premises within the Development will be occupied by Residents that will change over time.
- 7.2 Modo will establish a marketing program (the "Marketing Program") where Modo will credit \$100 of driving credits ("Driving Credits") to the Modo account of each Resident who becomes a Modo Member for the first time, which Driving Credits will only be applied to fees for usage of Modo vehicles, for the duration of the Shared Vehicle Minimum Term.
- 7.3 Throughout the duration of the pre-leasing, leasing and initial occupancy phases of the Development, Developer agrees to communicate the benefits of the Carsharing Program to prospective residents and Residents. This will be done through Developer's existing communications channels such as email, website, collateral, leasing agents and property managers, with the intent to raise awareness and usage of the Services, and with the information and materials in support provided by Modo, including:
 - (a) a short description of Modo and offer for the Residents on the Development's website;
 - (b) to the extent permitted by law, a direct email or mail to the Residents once the first Residents have moved in the Development, with a link to a dedicated "welcome" page on Modo's website;
 - (c) to the extent permitted by law, a follow up direct email or mail to the Residents six (6) months after the first Residents have moved in the Development, with a link to a dedicated "welcome" page on Modo's website; and
 - (d) a small notice (sticker or poster) in a prominent location (i.e. elevator, community room), providing a short description of the offer for Residents,

and the Membership Holder consents and agrees to the foregoing and will take such steps as reasonably required to assist the Developer in carrying out the foregoing obligations.

7.4 During the Term, Developer and Modo will allow use of each other's graphics in advertising and promotional activities conducted by either party. Such use of graphics must be in a manner whereby the graphics remain in their original form and each party will use the most recent version of the other party's graphics (as approved by the party in writing).

- 7.5 Developer and Modo will only use each other's wordmarks, logos or trade names during the Term solely in connection with activities relating to the Development. Any other use must receive the prior written approval of each party (by mail or electronic mail).
- 7.6 The Membership Holder will permit Modo to assess, not more than once a year, the impacts of its Services by facilitating the administration of assessment measures including, but not limited to (and to the extent permitted by law), the distribution of emails, surveys and questionnaires for the Residents relative to the Services, provided that the Residents, in their sole discretion, shall elect to participate in any such assessment measures.

ARTICLE 8 - SECURITY INTEREST

- 8.1 Subject to receipt of the Project Fee, Modo agrees to grant to Developer a security interest in the Shared Vehicle and to execute a security agreement in the form attached as Schedule E hereto.
- 8.2 Modo acknowledges and agrees that Developer may register a security interest in the Shared Vehicle for a term equal to the Shared Vehicle Minimum Term in the British Columbia Personal Property Registry.

ARTICLE 9 - NO FIXED TERM

9.1 The term (the "**Term**") of this Agreement will commence on the date this Agreement is executed by the parties. This Agreement will not have a fixed term and will continue in full force and effect until terminated in accordance with the terms hereof provided that Modo agrees to provide the Services for a minimum term equal to the Shared Vehicle Minimum Term.

ARTICLE 10 - MUTUAL REPRESENTATIONS

- 10.1 Each Party represents and warrants to the other that:
 - (a) it is an entity duly organized and validly existing under the laws of its jurisdiction of organization or incorporation;
 - it has the requisite corporate power and authority to enter into this Agreement and to carry out the transactions contemplated by this Agreement; and
 - (c) this Agreement has been duly executed and delivered on its behalf and constitutes a legal, valid and binding obligation, enforceable against it in accordance with its terms.

ARTICLE 11 - TERMINATION AND AMENDMENT

- 11.1 Developer and Modo agree that, if after execution of this Agreement, Developer does not receive approval for a development permit, a building permit or any other permit necessary to construct and complete the Development from the Municipality then the Developer will give notice of same and thereafter this Agreement will be terminated and both parties will be relieved of their obligations herein, except as expressly set out herein.
- 11.2 No amendment, addition, deletion or other modification to this Agreement will be effective unless in writing and signed by each party.
- 11.3 During the Shared Vehicle Minimum Term, this Agreement may not be amended or terminated without the prior written consent of the of Engineering and Public Works of the Municipality.
- 11.4 Notwithstanding sections 11.2 and 11.3, Modo reserves the right to make reasonable amendments to the rules governing the Membership Shares and ownership of the Subject Shares as set out in Schedule C, so long as such changes apply equally to each group of Residents. Upon any amendments, Modo will immediately notify the Membership Holder, following which the Membership Holder will notify the Residents of such amendments.
- 11.5 Developer and Modo agree that, if the usage of the Shared Vehicle falls below Sustainable Usage Levels, and only after the Shared Vehicle Minimum Term has expired, Modo may exercise its right, in its sole discretion, to: (i) replace the Shared Vehicle with any vehicle of Modo's choice, or (ii) relocate the Shared Vehicle from the Shared Vehicle Parking Space, in each case so as to ensure that the terms of the Agreement are not oppressive to Modo or its members.
- 11.6 In the event of relocation of the Shared Vehicle pursuant to section 11.5, then the Shared Vehicle Parking Space will no longer need to be made available to Modo and sections 3.1 to 3.4 and 5.9 will cease to apply, and Modo will not be obligated hereunder to provide the Services or make the Shared Vehicle available for use of Residents, but, for greater certainty, the Partnership Membership will continue in effect. For the avoidance of doubt, in the event of a replacement of the Shared Vehicle pursuant to section 11.5, this section 11.6 will not apply.
- 11.7 If the Development is destroyed and not rebuilt in a form substantially similar to the original buildings, any of the parties may terminate this Agreement and in such case Modo will cancel the Subject Shares held by the Membership Holder, and the Membership Holder will not be entitled to a refund of the Subject Shares purchase price.
- 11.8 Either party will have the right to terminate this Agreement forthwith on the dissolution, winding up or bankruptcy of the other party.

ARTICLE 12 - SUBSEQUENT TRANSFERS OF THE LANDS

12.1 If at any time following the assumptions and transfer referred to in section 4.1, the Rental Owner subsequently transfers its interest in the Lands to a transferee, then the Rental Owner will cause such transferee to execute an assumption agreement which provides that such transferee agrees to be bound by the terms and conditions of this Agreement and assumes all of the obligations of the Developer and the Membership Holder under this Agreement, and the Rental Owner will transfer the Rental Owner's interest in the Subject Shares to such transferee, and the transferring Rental Owner will not be liable for any obligations or liabilities arising hereunder from and after the date of such transfer.

ARTICLE 13 - DEFAULT

13.1 A party claiming default under the terms of this Agreement must provide the defaulting party with written notice of the default. If the defaulting party fails to correct the default within thirty (30) calendar days of receipt of such written notice, then the party claiming default may proceed with the dispute resolution procedures provided for herein.

ARTICLE 14 - DISPUTE RESOLUTION

- 14.1 If a dispute arises between the parties in connection with this Agreement, then Developer and Modo agree to use the following procedure to resolve the dispute:
 - (a) if the dispute remains unresolved for thirty (30) calendar days after a notice of dispute has been issued as per subsection 14.1 (b)., or if a default is not cured within thirty (30) calendar days after either party notifies the other of such default, the parties will agree upon and appoint a Mediator for the purpose of mediating such dispute. The appointment of the Mediator will be carried out in accordance with the terms and conditions of an agreement to be entered into between the parties and the Mediator which will set out the terms of reference for the engagement of the Mediator. If the parties fail or neglect to agree upon a Mediator within ten (10) calendar days, the Mediator will be appointed by reference to a Judge of the Supreme Court of British Columbia. No one will act as a Mediator who has any direct or indirect interest in the subject matter of the Agreement or any direct or indirect interest in the parties to this Agreement;
 - (b) the party initiating the dispute will send a notice of dispute in writing to the other party which notice will contain the particulars of the matter in dispute and the relevant provisions of the Agreement. The responding party will send a notice of reply in writing to the other party to the dispute within ten (10) days after receipt of the notice of dispute, setting out particulars of its response and any relevant provisions of the Agreement;

- (c) after a period of ten (10) days following receipt of a responding party's written notice of reply, the parties will request the Mediator to assist the parties to reach agreement on any unresolved dispute. The Mediator will conduct a non-binding mediation of the dispute according to the rules and procedures as determined by the Mediator;
- (d) if the dispute has not been resolved within ten (10) days after the Mediator was requested under subsection 14.1. (a). to assist the parties to reach an agreement, or within such further period agreed to by the parties, the Mediator will terminate the mediated negotiations by giving notice in writing to both parties;
- (e) except for claims for injunctive relief, all claims, disputes and other matters in question between the parties to the Agreement arising out of or relating to this Agreement which are not resolved by use of the Mediator, will be decided by final and binding arbitration before a single arbitrator (the "Arbitrator") in accordance with the Arbitration Act (British Columbia). The parties will agree upon the Arbitrator within fifteen (15) days of the Mediator terminating the mediated negotiations. Failing such agreement between the parties, such Arbitrator will be finally chosen by reference to a Judge of the Supreme Court of British Columbia. The Arbitrator will not have any direct or indirect interest in the subject matter of the Development or any direct or indirect interest in either party of subsidiaries of the parties to this Agreement. No arbitration arising out of or relating to this Agreement will include, by consolidation or joinder or in any other manner, an additional person not a party to this Agreement, except by written consent containing specific reference to this Agreement and signed by each party and any other person sought to be joined. This provision will be specifically enforceable in any Court of competent jurisdiction;
- (f) the parties covenant and agree that the Arbitrator appointed hereunder has the power, among other things, to specifically declare that a party to this Agreement is in default of the terms of the Agreement and, in appropriate circumstances, declare that the Agreement is terminated and award damages for breach of contract or otherwise;
- (g) the award rendered by the Arbitrator will be final and binding upon the parties, and judgment may be entered upon it in accordance with applicable law in any Court having jurisdiction within the Province of British Columbia;
- (h) unless otherwise agreed in writing by the parties, the parties will continue to meet their obligations under this Agreement while the mediation and arbitration processes are continuing; and

- (i) the parties will each bear their own costs in connection with the foregoing and all costs of the arbitration (including the Mediator and the Arbitrator) will be shared equally by the parties.
- 14.2 The dispute resolution provisions herein will survive termination of this Agreement.

ARTICLE 15 - NOTICES

- 15.1 Notices under this Agreement will be provided in writing to the following addresses or electronic mail addresses set out below:
 - (a) Developer:
 - 4404 Wild Rose Dr, Regina, SK, S4V 3V6
 - Email: payamde@gmail.com
 - (b) Modo
 - 200 470 Granville Street, Vancouver, BC, V6C 1V5
 - Email: info@Modo.coop
- 15.2 All notices will be deemed to have been delivered on the next business day following their posting or emailing.
- 15.3 Addresses for notices may be amended by written notice from one party to the other.

ARTICLE 16 - ASSIGNMENT

16.1 Neither party will transfer or assign this Agreement to any other party without the prior written consent of the parties to this Agreement, which consent will not be unreasonably withheld. Notwithstanding the foregoing, the Developer may assign this Agreement to the Rental Owner without Modo's prior consent but on notice to Modo.

ARTICLE 17 - INDEMNITY

17.1 Each party agrees to indemnify and save harmless the other party from and against all losses, costs, damages, suits, actions, causes of action, claims or demands in any way resulting from, connected with or arising out of the first party's breach of its obligations under this Agreement. This section 17.1 will survive the termination of the Agreement, which notice shall include the contact information of the parties to which the Agreement is being assigned

ARTICLE 18 - GENERAL

- 18.1 Nothing in this Agreement nor the acts of the parties will be construed, implied or deemed to create an agency, partnership or joint venture relationship between the parties. Neither party has the right or authority to, and will not, assume or create any obligation of any nature whatsoever on behalf of the other party or bind the other party in any respect whatsoever.
- 18.2 This Agreement constitutes the entire agreement between the parties with respect to the subject-matter hereof and cancels and supersedes any prior understandings and agreements between the parties with respect thereto. There are no representations, warranties, terms, conditions, undertakings or collateral agreements, express, implied or statutory, between the parties other than as expressly set forth in this Agreement.
- 18.3 Any provision of this Agreement that is or becomes unenforceable will be unenforceable to the extent of such unenforceability without invalidating the remaining provisions hereof. To the extent permitted by applicable law, each of the parties hereby waives any provision of law that renders any provision hereof unenforceable in any respect.
- 18.4 Any waiver or consent will be effective only in the instance and for the purpose for which it is given. A failure to enforce any breach of this Agreement by any party does not constitute a waiver of such breach or any provision of this Agreement by such party.
- 18.5 This Agreement will enure to the benefit of and be binding upon the parties and their heirs, executors, administrators, personal representatives, respective successors and permitted assigns.
- 18.6 The parties will at all times do, execute, acknowledge and deliver such acts, deeds, agreements and other instruments as may be reasonably necessary or desirable to give full force and effect to the terms of this Agreement.
- 18.7 This Agreement will be governed by and construed in accordance with the laws of the Province of British Columbia, and the federal laws of Canada applicable therein and each party irrevocably attorns to the exclusive jurisdiction of the courts of the Province of British Columbia.
- 18.8 This Agreement may be executed in any number of counterparts, each of which will be deemed to be an original and all of which taken together will be deemed to constitute one and the same instrument. Delivery of an executed counterpart of this Agreement by facsimile or electronic means will be equally effective as delivery of a manually executed counterpart thereof.

[Remainder of page intentionally left blank; signature page to follow.]

IN WITNESS WHEREOF the parties have executed this Agreement as of the date first written above.

By Modo:

MODO CO-OPERATIVE, by its authorized signatory

By:

Kayen New
Director of Profoonation Systems

By Developer:

Payam & Sanaz Holdings Limited, by its authorized signatory

By:

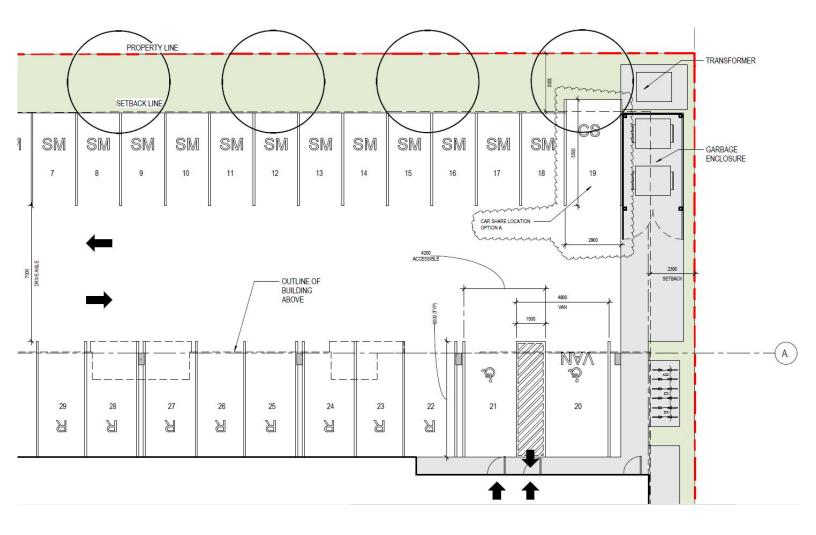
Payam Dehghani

Name:

Title:

SCHEDULE A SHARED VEHICLE PARKING SPACE

[Insert plan showing location and dimensions of parking space]



SCHEDULE B CONSTRUCTION STANDARDS FOR SHARED VEHICLE PARKING SPACE

The Shared Vehicle Parking Space shall be constructed to the satisfaction of the Director of Engineering and Public Works and the Chief Building Official of the municipality where the Shared Vehicle Parking Space is being constructed, and in accordance with the following specifications and requirements:

1. General

The Shared Vehicle Parking Space shall be constructed, finished and designated in accordance with applicable municipal building permits, by-laws, policies and guidelines, including the municipal standards as required by the Parking By-law and Building By-law applying to the property upon which the Shared Vehicle Parking Space is being constructed.

2. Dimensions

The Shared Vehicle Parking Space dimensions shall be standardized:

- The minimum height shall be 2.0 meters.
- The minimum width shall be 2.9 meters.
- The minimum length shall be 5.5 meters.

Tandem parking shall not be permitted. Perpendicular and angle parking shall be preferred.

Where one side of a Shared Vehicle Parking Space abuts any portion of a fence or structure, there shall be a horizontal clearance of at least 30 centimetres between such side of the Shared Vehicle Parking Space and the said fence or structure.

3. Location

It is preferred to locate the Shared Vehicle Parking Space at either street level or lane level. If locating the Shared Vehicle Parking Space at street level or lane level is not feasible, the Shared Vehicle Parking Space shall be located at the parking level of the parkade closest to the street level, second only in selection to the siting of disability parking spaces.

If the Shared Vehicle Parking Space is located underground or above ground, the location of the Shared Vehicle Parking Space will be chosen to ensure the greatest possible visibility of the space and most convenient access to the building, second only in selection to the siting of disability parking spaces.

When several Shared Vehicle Parking Spaces are provided, the spaces shall be located next to each other or in close proximity.

4. Access

Permitted users of the Shared Vehicle to be parked on the Shared Vehicle Parking Space must have the ability to access the Shared Vehicle Parking Space 24 hours a day, 7 days a week.

The procedure for permitted users to self-access the Shared Vehicle Parking Space by foot when the Shared Vehicle Parking Space is located in a gated parkade shall consist in typing a code on a keypad or swiping a key fob on a fob reader. The procedure shall be simple and consistent to prevent access disruption.

In the event that a keypad is being used to provide access to the Shared Vehicle Parking Space, it should be possible to change the code of the keypad over time.

The procedure for permitted users to depart from and return to the parkade with a Shared Vehicle when the Shared Vehicle Parking Space for the Shared Vehicle is located in a gated parkade shall consist in typing a code on a keypad or swiping a key fob on a fob reader or using a remote control. The procedure shall not require for the permitted users to step out of the Shared Vehicle to perform the procedure.

In the event that remote controls are being used for permitted users to depart from and return to the parkade with a Shared Vehicle, Modo shall be provided with one more remote control than the number of Shared Vehicles to be parked in the parkade.

The location of the Shared Vehicle Parking Space and procedure to access the Shared Vehicle Parking Space in a gated parkade shall be designed to mitigate potential security concerns from users of the parkade.

5. Maneuverability

The location of the Shared Vehicle Parking Space will be chosen to ensure the Shared Vehicle can be parked in the Shared Vehicle Parking Space driving forward with an angle of approach between 0° and 90°.

An angle of approach to park the Shared Vehicle in the Shared Vehicle Parking Space between 90° and 180° or the need to park the Shared Vehicle in reverse shall not be permitted.

The location of the Shared Vehicle Parking Space shall not require a maneuver more complex than a three-point turn to drive the Shared Vehicle out of the Shared Vehicle Parking Space.

If the Shared Vehicle Parking Space is located in a parkade with an entry/exit ramp, the location of the Shared Vehicle Parking Space shall not require for the Shared Vehicle to be driven in reverse to exit the parkade.

6. Signage

The Shared Vehicle Parking Space shall be clearly designated with signage and pavement markings.

Clear, visible and legible signs shall be placed directing users of the Shared Vehicle to the location of the Shared Vehicle Parking Space, indicating which parking space is the Shared Vehicle Parking Space and marking it as being reserved for the exclusive purpose of parking a Shared Vehicle.

A symbol (similar to that approved for a disability space) shall be stamped/painted on the Shared Vehicle Parking Space.

7. Lighting

The Shared Vehicle Parking Stall shall be illuminated to the satisfaction of the Director of Engineering and Public Works of the municipality where the Shared Vehicle Parking Space is being constructed with:

- average illumination levels of 11 Lux with a uniformity ratio (average level to minimum level) of 3:1;
- luminaires situated in such a way so as not to directly throw light onto streets, lanes, or adjacent properties; and
- a photocell or equivalent switch that will activate the lighting system when ambient light levels are 11 Lux or less.

8. Connectivity

Sufficient 3G and/or 4G LTE cellular network reception signal of the cellular network used for the operation of the Shared Vehicle shall be supplied at the Shared Vehicle Parking Space to ensure the reliable operation of the Shared Vehicle service, with:

- a Received Signal Strength Indicator (RSSI) for 3G cellular network superior to -86 dBm; and
- a Reference Signal Received Power (RSRP) for 4G LTE cellular network superior to -106 dBm.

9. Electric Vehicle charging infrastructure

The Shared Vehicle Parking Space shall be provided with an energized Level 2 electric vehicle charging station connected to an electrical courant of 240 Volts and with a minimum power of 30 Amps. The Level 2 electric vehicle charging station shall have (i) access control using RFID cards and (ii) networking/telematic functions to remotely monitor and collect utilization data.

SCHEDULE CD PARTNERSHIP MEMBERSHIP RULES

1.	The following	terms	have the	following	meanings:

(a)	"Development" means the ren	tal residential development known as
	located a	at, British Columbia

- (b) "Membership Holder" means Rental Owner;
- (c) "Modo" means Modo Co-operative;
- (d) "Rental Owner" means the owner of the Rental Development;
- (e) "Residents" means, collectively, residents of the Development, and each such resident is referred to herein as a "Resident";
- 2. The Membership Holder has assumed, or will assume, an agreement (the "Cooperative Carsharing Agreement") with Modo whereby Modo has issued the Membership Holder membership shares (the "Modo Shares") in Modo for the benefit of Residents, as set out in the Co-operative Carsharing Agreement, so Residents can benefit from Modo membership privileges without the need to themselves pay Modo membership fees.
- 3. Membership Holder will be the legal owner of the Modo Shares, and a certain number of Residents, as further set out in the Co-operative Carsharing Agreement, can, on a continuing basis, enjoy the benefits of Modo Shares subject to meeting Modo's eligibility requirements as set out on Modo's website from time to time.
- 4. Residents exercising the rights and benefits of Modo membership by way of the Modo Shares owned by the Membership Holder (each such Resident is referred to herein as a "**Partner User**" and, together "**Partner Users**") benefit from the same price plan for usage of Modo vehicles as shareholders of Modo and are not granted voting rights.
- Each Resident may apply to become a Partner User, provided that membership privileges are granted to applying and eligible Residents on a first-come, firstserved basis.
- 6. Each Resident will be responsible for and will save the Membership Holder and its respective subsidiaries, successors or assigns harmless from any and all its obligations incurred and any and all actions, causes of action, costs or claims of whatsoever type or nature levied or made by Modo or by any other person as a result of or in connection with such Resident's use of Modo services or otherwise associated with the Modo Shares of, or membership in, Modo held by the

- Membership Holder or its respective subsidiaries or any successors or assigns for the benefit of such Resident.
- 7. Residents may make use of Modo vehicles, pursuant to the Co-Operative Carsharing Agreement and pursuant to the policies and rules of membership in Modo.
- 8. For a Resident to become a Partner User, the Resident must apply to Modo, such application including but not limited to the following:
 - (a) The Resident, if a holder of a driver's licence issued in British Columbia, Canada, must prove current residency at the Development by providing Modo with a copy of its current driver's records indicating the Resident's address within the Development;
 - (b) The Resident, if a holder of a driver's licence issued outside of British Columbia, Canada, must prove current residency at the Development by providing Modo with a copy of a bill indicating the name of the Resident and the Resident's address within the Development; and
 - (c) The Resident must provide contact information and any other information required by Modo regarding the Resident that would allow Modo to determine if the Resident qualifies to exercise the rights and benefits of membership as provided herein and by the rules and policies of Modo as posted on its website and updated from time-to-time.
- 9. A Resident eligible for a membership in Modo may only exercise the rights and benefits of membership in Modo if such Resident would otherwise qualify and/or meet the requirements for those rights and benefits as posted on Modo's website and updated from time-to-time.
- 10. If at any time a Resident does not meet the criteria for the rights and benefits of membership in Modo, then the Resident may not exercise any Modo membership rights and benefits until such time that the Resident may again qualify for the rights and benefits of membership according to the rules for such membership as set out herein and in the rules and policies of Modo.
- 11. The benefits of Modo membership may only be exercised by Residents who actually reside in a residential unit within the Development, and the benefits may not under any circumstances be assigned, transferred or sold by Residents. Residents who no longer reside in the Development lose the benefit of the Modo Shares owned by the Membership Holder.
- 12. Every six (6) calendar months, Modo will provide the Rental Owner in writing with the name of each Partner User.

- 13. Within thirty (30) calendar days after receipt of this information, the Membership Holder will inform Modo in writing which Partner Users have ceased to be Residents, and unless otherwise advised, Modo will cancel the former Residents' beneficial interest in the Modo Shares owned by the Membership Holder.
- 14. No Resident is entitled to compensation or a refund of the Modo Shares purchase price upon the transfer of any share or benefit as provided herein, and no Resident may demand or otherwise require Modo to refund or redeem the Modo Shares.
- 15. Partner Users may decide to cease exercising the benefits of the Modo Shares owned by the Membership Holder, but the Modo Shares remain at all times in the name of the Membership Holder.
- 16. Modo reserves the right to revoke membership privileges of any Partner User who does not book a Modo vehicle for twelve (12) consecutive months.
- 17. Upon destruction of the Development, and if there is a decision to not rebuild the Development, then the Modo Shares and the purchase price therefor will be absolutely forfeited to Modo without right of compensation of any kind.

SCHEDULE C SHARED VEHICLE DEPLOYMENT SEQUENCE

Shared Vehicle	Commencement of Shared Vehicle deployment	Conditions for deployment of the Shared Vehicle
Shared Vehicle #1	Within seven (7) days after the Commencement	The Project Fee has been paid to Modo at least 60 days prior to the Commencement Date as per section 2.1 of this Agreement;
	Date.	The Shared Vehicle Parking Space is accessible as per sections 3.1 and 3.2 of this Agreement; and
		The EV Station is operational and accessible to Modo as per section 3.4 this Agreement.

SCHEDULE E SECURITY AGREEMENT

BY:	
MODO CO-OPERATIVE 200 - 470 Granville Street,	
Vancouver, B.C.	
V6C IV5	
	(the "Grantor")
IN FAVOUR OF:	
	(the "Secured Party")
	• ,
WHEREAS:	
A. The Secured Party	has financed the acquisition by the Grantor of the following vehicle:
Make/Model:	
	ation Number:
(the "Shared Ve	hicle"); and

B. The Grantor has agreed to deliver this Agreement to create security over the interest it has in the Shared Vehicle for the benefit of the Secured Party.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the premises and the covenants and agreements herein contained the Grantor and the Secured Party hereby agree as follows:

- Security Interest in the Shared Vehicle. As security for the performance by the Grantor of its obligations set forth in the Co-operative Carsharing Agreement attached hereto (the "Co-op Car Agreement"), the Grantor grants to the Secured Party a security interest (the "Security Interest") in all of its present and future right, title and interest in and to the Shared Vehicle.
- 2. Grant of Security Interest in Proceeds of Collateral. The Grantor also grants the Secured Party a security interest in the proceeds derived directly or indirectly from any dealing with the Shared Vehicle, including but not limited to, accounts receivable, bills of exchange, insurance proceeds, chattel paper, intangibles, motor vehicles, and all other after acquired property constituting proceeds. The Grantor acknowledges that the Security Interest hereby created attaches upon the execution of this Security Agreement, that the value has been given and that the Grantor has rights in the Shared Vehicle.
- 3. **Use and Location of the Shared Vehicle.** The Grantor will not sell, lease or otherwise dispose of the Shared Vehicle without the prior written consent of the Secured Party and

the Grantor will keep the Shared Vehicle in good condition, reasonable wear and tear excepted.

- 4. **No Liens on Shared Vehicle.** The Grantor will not permit any lien, charge, encumbrance or security interest (each, a "Lien") to attach to the Shared Vehicle which ranks prior to or equal with or could in any event rank prior to the equal with the rank of the Security Interest. The Grantor will not enter into any agreement with any person which would obtain prior or equal rank for any Lien over the rank of the 'Security Interest'.
- 5. **Name of Grantor.** The Grantor covenants not to change its name without giving fifteen (15) days' prior written notice to the Secured Party (so as to enable the Secured Party to amend its registration in respect of this Agreement and protect its rights hereunder).
- 6. **Default.** It will be a "Default" under this Agreement if:
 - (a) the Grantor breaches or fails to perform any of the terms, conditions, obligations or covenants to be observed and performed by the Grantor under the Co-op Car Agreement, and persists in such failure or breach after thirty (30) days' notice by the Secured Party requiring that the Grantor remedy such failure or breach,
 - (b) the Grantor commits an act of bankruptcy or becomes insolvent or files a proposal or a notice of intention to file a proposal,
 - (c) an assignment for the benefit of creditors under applicable bankruptcy or similar legislation is made or a petition is filed,
 - (d) an order is made, a resolution is passed, or any other step is taken for the bankruptcy, liquidation, dissolution or winding-up of the Grantor or for any arrangement or composition of its debts, or
 - (e) a receiver, receiver and manager or receiver-manager of the Grantor is appointed.
- 7. **Remedies.** The Security Interest is immediately enforceable, upon the occurrence of a Default, and the Secured Party, at its option, may exercise at any time following such Default any or all of the rights, remedies, privileges and powers available to it under this Agreement, the Personal Property Security Act (British Columbia) or any other applicable legislation. All rights, remedies, privileges and powers of the Secured Party hereunder are cumulative and no such right, remedy, privilege or power is exhaustive but is in addition to each other right, remedy, privilege and power of the Secured Party hereunder or under any other agreement, instrument or document now or hereafter existing at law or in equity or by statute.
- 8. **Costs of Enforcement.** The Grantor will be responsible for payment of all costs, charges and expenses (including legal costs on a solicitor and own client basis) of the Secured Party of and incidental to any proceeding taken to enforce the remedies of this Agreement.
- 9. **Loss, Injury or Destruction.** The loss, injury or destruction of the Shared Vehicle will not operate in any manner to release the Grantor from its obligations to the Secured Party under the Co-op Car Agreement.

- 10. **Term**. The Security Interest granted hereunder will terminate and be of no further force and effect as of the expiry of the Shared Vehicle Minimum Term (as defined in the Co-Op Car Agreement) for the Shared Vehicle.
- 11. **Amendment.** This Agreement may be altered or amended only by an agreement in writing signed by the parties hereto.
- 12. **Binding Effect.** This Agreement will enure to the benefit of and be binding upon the heirs, executors, administrators, legal and personal representatives, successors and permitted assigns of the parties, as applicable.
- 13. **Governing Law.** This Agreement is governed by and will be construed in accordance with the laws of the Province of British Columbia and the laws of Canada applicable therein.
- 14. **Counterparts.** This Agreement may be executed in any number of counterparts, each of which will be deemed to be an original and all of which taken together will he deemed to constitute one and the same instrument.
- 15. **Execution by Electronic Means**. This Agreement may be executed by the Grantors and transmitted by facsimile or other electronic means, and when it is executed and transmitted this Agreement will be for all purposes as effective as if the Grantor had delivered an executed original Agreement.

	TNESS WHEREOF the Grantor has executed this Agreement on the day of,
MODO	CO-OPERATIVE, by its authorized signatory
Ву:	Name:



HAP20-0002 416 Royal Ave

Heritage Alteration Permit





Proposal

➤ To issue a Heritage Alteration Permit for a mixeduse building with variances to site coverage and building height.

Development Process





Context Map



Subject Property Map





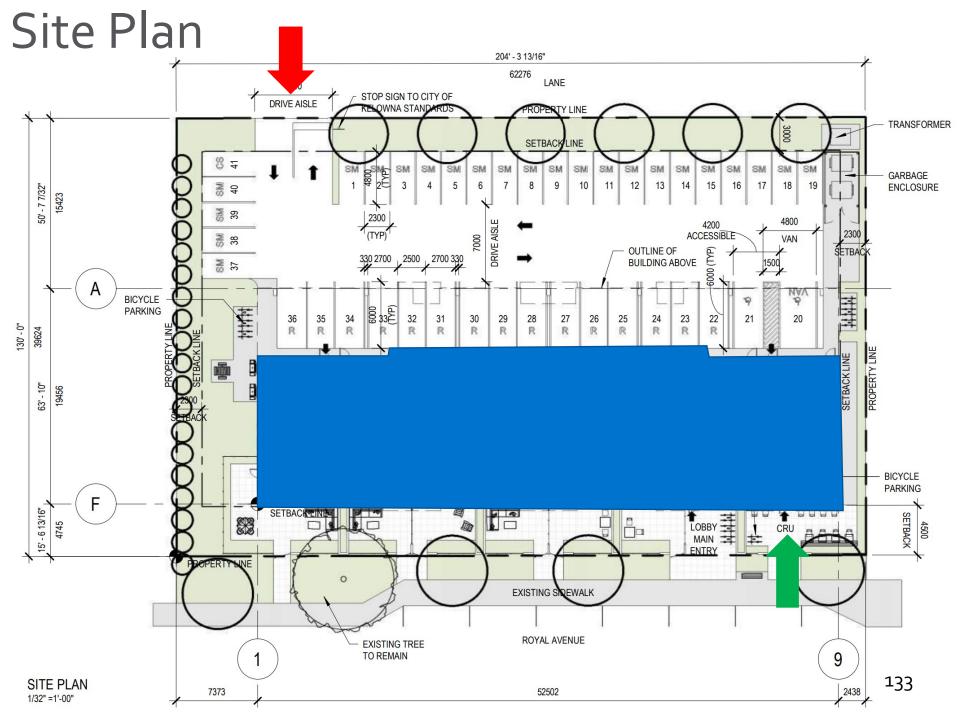
Project/technical details

- > 3 storey building, 38 residential units and 1 CRU
- ➤ Rental only subzone applies- portion of the units are intended to cater to hospital staff, visitors or hospital related institutions only
- ► Parking reductions:
 - ▶ 10% for rental only subzone
 - 5 stalls for providing a Modo Car (located on site)
 - 5 stalls for providing long-term bicycle parking



Project/technical details

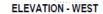
- Heritage Advisory Committee was not operational during the review of the HAP. Applicant provided a Heritage Report by a Registered Heritage Professional
- ▶ Proposed variances:
 - ► Site coverage increase to 73%
 - ▶ Building height

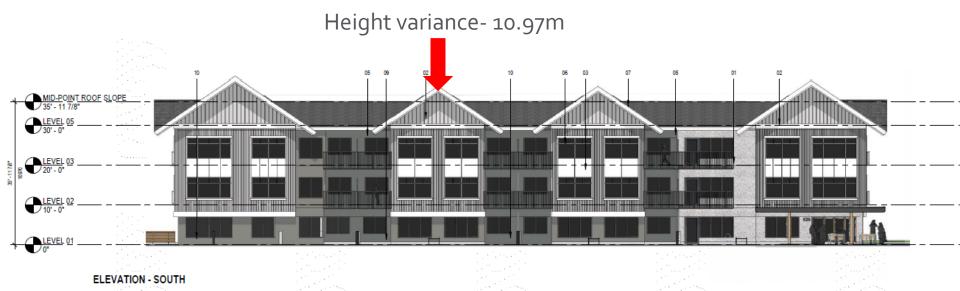


Elevations

ROYAL AVENUE RENTAL I DENCITI







Elevations



ELEVATION - EAST



ELEVATION - NORTH

Materials



CODE	MATERIAL
01	GRAY BRICK
02	VERTICAL SIDING
03	EXTERIOR PANELS
04	PLYWOOD
05	CHARCOAL GRAY STUCCO
06	CHARCOAL GRAY WINDOW MULLION
07	CHARCOAL GRAY TRIM
08	CHARCOAL GRAY RAILING
09	NATURAL CONCRETE
10	WOOD SLATS

Renderings



Renderings



Renderings



Landscape Plan





COMMON NAME

- I. FLANE WATERIAL AND CONSTRUCTION METHODS SHIVL MEET OR EXCEED CHA. SIANDARDS, ALL OFF-SITE JANESCAPE WORKS TO MEET CITY OF REICHINA BYLAW 7900.
- ALLSOFT JAHDSCAPE AREAS SHALLBE WATERED BY A RULLY WURCHARIC TIMED UNDERDROUND INICATION SYSTEM.
- TREE AND SHRUB BEDS TO BE DRESSED IN A MARBULA 75-WED DOUGLAS RED FIL MUCH, AS SHOWN IN PLANS. DO NOT PLACE WEED MAY UNDERNEATH THEE AND
- 4. THEE AND SHELIS BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSON.
- 5. TURE AREAS FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF MERCHED CULTIMAS REGISTRED FOR SALE N.B.C. AND SHALL RETOGRANT OF DISOUGHT CONDITIONS. A MINIMUM OF TSDam DEPTH OF GROWING MEDITAL IS REQUIRED MEMEATH TURY AREAS, TURY AREAS SHALL MIET EXISTING GRADES AND HARD SURFACES FILES.
- SITE GRADING AND DIMINAGE WILL BYSINE THAT ALL STRUCTURES HAVE POSITIVE BRANIAGE, AND THAT NO WATER OR LOOSE IMPERIORS WILL BE DISCHARGED FROM THE LOT ONEO ADDICENT PUBLIC, COMMON, OR PRIVATE



CUIDOOR SEATING WITH UNSUBLA CANOPY



PERENNIALS AND GRASSES ARTHURA SCHWIDTANA, SIVIE MOUND CALAMAGROSTIS ACUTIFLORA "KARL POERSTER" CUSHION SPURGE DESCHAMPSIA CESPEDSA GONDEAU BIS REPORE THE STORM! MESCANTHUS SINENSIS GRACIEMUS! MOLINIA CARRILLIA "MATEGATA" PERCYSICIA ATRIPUCIFICILA SEDUM SPECIARIE VALIFIANIN FRE

PLANT LIST

BOTANICAL NAME

ACED SACCHARIJA SES ICARE HADUS SYNATICA ROSCOMARGINATAV JUNINUS SCOPULORUM YCHOGRERY

ARCICISTAPINIOS UVA-URS

EIREURS THUNESGR WONOVE BURUS GREEN GEW CORNUS ALBA BARHAIO

HYDBANGEA ARRORESCENS 'ABETWO'

AUTUMN FEST MAPLE des CAL des CAL TRICOLOR BUBCH COLOGREIN JUNIPER 6 6m CAL 12 #15 CONE. #00 CONT. /0.5M O.C. SMCING #00 CONT. /1.0M O.C. SMCING #00 CONT. /0.6M O.C. SMCING KINNSKINNICK CHERY BOWS INDIVISE SARRIESY GREEN GEW POKONOOD #02 CONT. /1.5M O.C. SPACING MORY HALD DOGWOOD #02 CONT. /1.2W O.C. SPACING DECEMBER BUSINESS DUST INCREDIBAL HYDRANGEA #02 CONT. / LSM O.C. SPACING #01 CONT. / MAIN OLC. SPACING #01 CONT. / M2/M OLC. SPACING SEVENACUND ARTEMESIA FORESTER'S PEATHER REED GRASS BURNORMA POLYCHROMA GOLD DEW TUFFED HAIR GRASS MECKE THE STORM BEARDED INS HAIDEN GRASS VAREGATED MOOR GRASS RUSSIAN SAGE AUTUMN FIRE SICINECROP #01 CONT. / LOW O.C. SPACING

QTY SITE / SPACING & REMARKS

WOT CONT. /1.5W.O.C. SPACING



Development Policy

- Official Community Plan- encourage new development, additions and renovations to existing development which are compatible with the form and character of the existing context
- Support the creation the affordable and safe rental, non-market and/or special needs housing
- Context sensitive- transition from the hospital to single-family residential



Staff Recommendation

► Staff recommend **support** of the Heritage Alteration Permit



Conclusion of Staff Remarks

416 ROYAL AVENUE



APPLICATION NO. HAP20-0002

PUBLIC HEARING OCTOBER 5, 2021

OWNER: PAYAM & SANAZ HOLDINGS LTD









CONTEXT PLAN



CONTEXT AERIALS



Aerial view looking North



Aerial view looking East

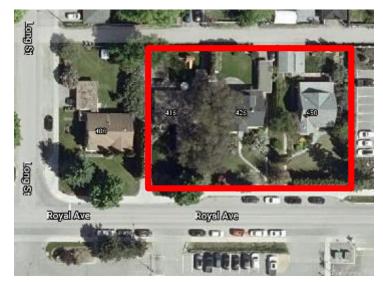


Aerial view looking West



Aerial view looking South

PHOTOS OF SUBJECT SITE



Site Plan



426 Royal Avenue



416 Royal Avenue



430 Royal Avenue

CONTEXT PHOTOS



KGH South of Royal Avenue



Parking Lot North of Royal Avenue

CONTEXT PHOTOS



Royal Avenue



400 Royal Avenue – BC Cancer Centre



321 Royal Avenue



2245 Abbott Street

ROYAL AVENUE RENDERING



South Elevation Rendering

HERITAGE REPORT HIGHLIGHTS

"It is important that the building be contemporary and not made to look 'old'." (page 20)

- □ Provide deep overhangs or shady areas
- □ Respect the nearby form and character:
 - Projecting and receding bays
 - Gable pitch roofs over projecting bay sections
 - Smooth stucco and/or clapboard siding
- ☐ Create an effective and interesting street edge by having the façade read as multiple houses rather than one large building through the use of different façade setbacks
- Incorporate peaked roofs
- ☐ Use asphalt shingles in roofs
- ☐ Use a colour scheme that relates to the neighbourhood: grey or blue colour scheme
- Landscape design distinct to Kelowna

PROGRESSION



(Spring 2019)



(Spring 2021)



(Fall 2020)



4 (current)

HERITAGE REPORT HIGHLIGHTS



The building design follows the recommendations from the Heritage Report, respecting the character of the neighbourhood, while being **authentic** to its contemporary nature.

Additionally, Planning sought the advise from an external architectural consultant and provided comments that were incorporated into the design to enhance the form and character, including: a horizontal board above the windows and trim details around the windows.

PROJECT STATS SUMMARY

HD3 zone:

Height allowed 3 storeys

FAR allowed 1.0

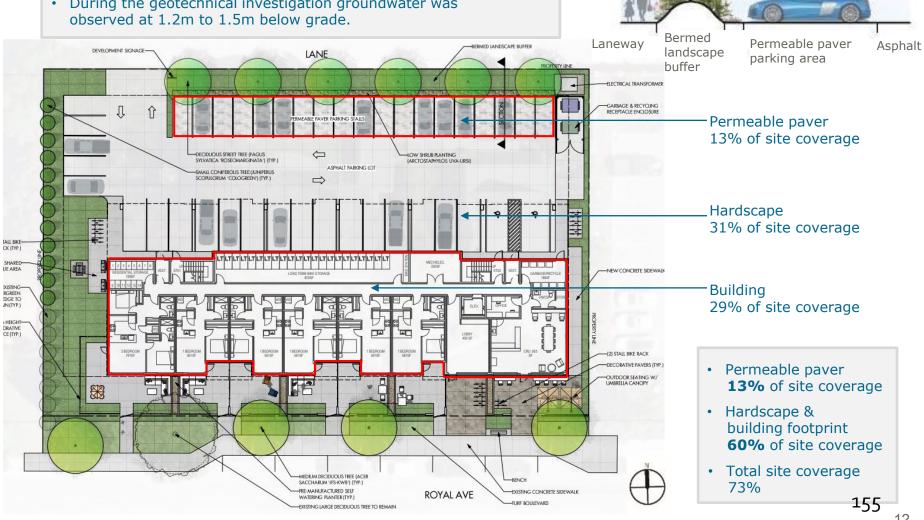
- Parking highlights:
 - Modo car-share
 - > 15 bonus longterm bicycle stalls

- HD3r zone
- Proposed 3 storeys
- FAR proposed 0.95
- Unit breakdown
 - Studios 6 units
 - > One bedroom 23 units
 - > Two bedroom 9 units
- Total residential units 38 units
- Health services 1 unit
- Parking provided 41 stalls (41 required)
 - > 39 residential stalls
 - 2 commercial stalls
- Bicycle Parking provided 64 stalls (49 required)
 - > 44 residential stalls
 - > 20 commercial stalls
- Coverage Variance
 - Increase from 60 to 73%
 - The 13% additional site coverage is proposed to use permeable pavers (*hydroPavers*)
 - As a reference, HAP20-008 was granted a site coverage increase from 60 to 72%

PARKING AND SITE COVERAGE

 Underground parking is not feasible due to the high water table in the area. The provision of **surface parking** results in a site coverage variance.

· During the geotechnical investigation groundwater was observed at 1.2m to 1.5m below grade.

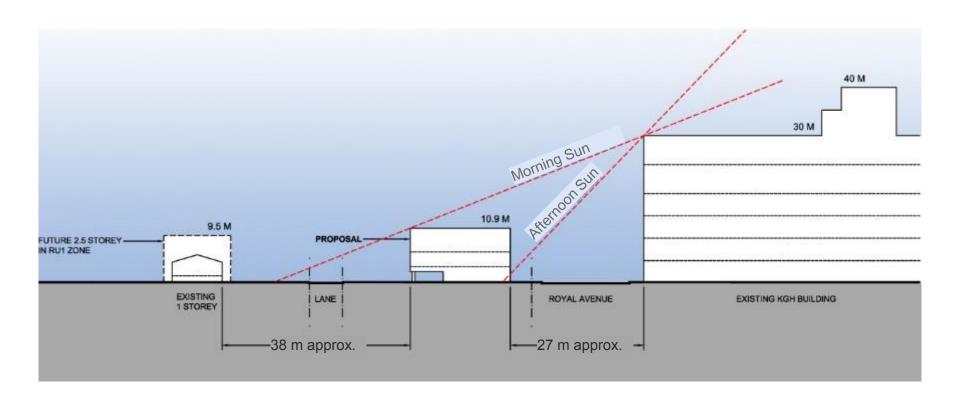


HEIGHT VARIANCE

HD3 zone height 3 storeys, 10 metres

- Requested Variance from 10 metres to 10.97 metres
- Denciti completed a detail Heritage Study and has based the design on report recommendations.
- The Study highlighted a number of roof styles as shown in our Progression Slide.
- Interaction with residents and Planning showed support for a high roof pitch.
- Our design has evolved to the current design and concept approach over the last 18 months.
- The street cross section and shadow study demonstrated minimum impact of this variance.

ROYAL AVENUE SCHEMATIC SECTION



MEDICAL COMMUNITY ENGAGEMENT

Dr. Jade Dittaro
UBC Faculty of Medicine
Family Practice Residency Program
Rural Okanagan Site

Testimonials from medical students/residents

Doreen Welsh
4th Year Elective Program Coordinator
UBCO

Dr. Tom Kinahan Urologist, Kelowna General Hospital

Dustin Linsdell
Associated Property Management Ltd

Christine Hamilton
Program Manager, Postgraduate Medical Education
Southern Medical Program

Amy Zimmer 2nd & 3rd Year Elective Program Coordinator UBCO

Dr. Sohayl Ghadirian
Family Physician, Kelowna General Hospital
Palliative Care Services



Interior Health Pharmacy Residency Program

Welcome to Your Residency Program

MEDICAL COMMUNITY OUTREACH

Current market needs:

- No shared accommodation preferred as a result of the Covid-19 pandemic
- Looking for accommodation 12 months in advance

Marketing campaign:

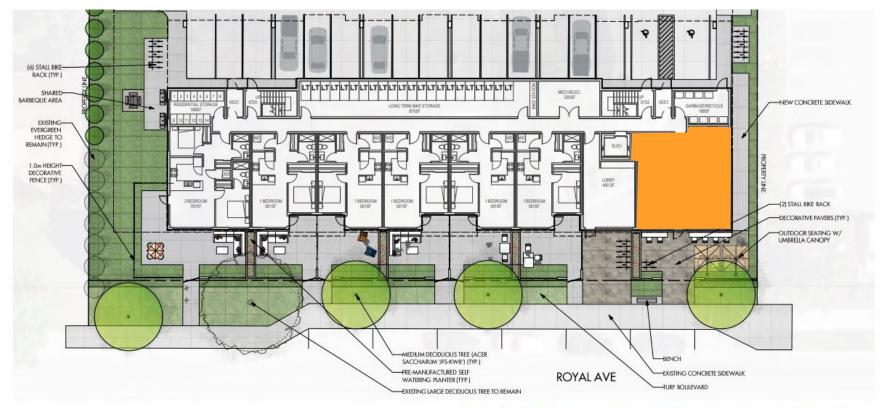
- Will begin 11 months before project completion
- ☐ Led by property manager, Dustin Linsdell
- Direct outreach + posters

Programs:

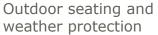
- □ **UBC Emergency Medicine Residency** (12 months)
- □ Kelowna Regional Family Medicine Program
 - 4 resident positions available
 - The first year of the Kelowna Regional Program is completed at KGH
- □ Kelowna Rural Program
 - 9 resident positions available
- ☐ Interior Health Pharmacy Residency Program
 - 1-year program
- ☐ UBC Okanagan School of Nursing
 - Bachelor of Science in Nursing (4-year program)
 - Licensed Practical Nurses Access Program (LPN)
 - Registered nurse Access Program (RN)
- ☐ Thomson Rivers University Respiratory TherapyProgram
 - 3-year program
 - 1 to 2 years practicum at KGH
- □ Okanagan College
 - Bachelor of Science in Nursing (2 years)
 - Certified dental assistant (10-month program)
 - Kinesiology Diploma
 - Pharmacy Technician Certificate
 - Practical Nursing Diploma
 - Health Care Assistant Certificate
 - Early Childhood Education Diploma

SITE PLAN Modo car-**Bermed** share Landscape buffer Bermed Permeable paver Laneway Asphalt landscape DEVELOPMENT SIGNAGE-LANE parking area buffer ELECTRICAL TRANSFORMER GARBAGE & RECYCLING RECEPTACLE ENCLOSURE -DECIDUOUS STREET TREE (FAGUS SYLVATICA 'ROSEOMARGINATA') (TYP.) LOW SHRUB PLANTING (ARCTOSTAPHYLOS UVA-URSI) ASPHALT PARKING LOT -SMALL CONFEROUS TREE (JUNIPERUS SCOPULORUM 'COLOGREEN') (TYP.) Entrance \Rightarrow **Entrance** 41 parking stalls Shared Including 2 accessible stalls **BBQ** area NEW CONCRETE SIDEWALL 14-44 long-term bicycle Storage parking stalls, including lockers 15 bonus stalls HEIGHT-ORATIVE CE (TYP.) 2) STALL BIKE RACK DECORATIVE PAVERS (TYP. OUTDOOR SEATING W/ **Patios** -20 short-term bicycle parking stalls, including 6 at each residential entrance, and 2 commercial KEDIUM DECIDUOUS TREE (ACER SACCHARUM 'JFS-KWB') (TYP.) FRE-MANUFACTURED SELF EXISTING CONCRETE SIDEWALK MAIN WATERING PLANTER (TYP.) 161 TURF BOULEVARD EXISTING LARGE DECIDLIOUS TREE TO REMAIN **ENTRANCE**

LANDSCAPE PLAN

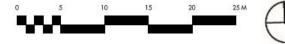








Bench



162

PRESENTATION SUMMARY

- **A)** We believe that multiple dwelling housing and particularly long-term rental product focused on the demand created by the Hospital campus will provide for:
 - 1. Low impact traffic and parking.
 - 2. Clearly addresses demands created by the Hospital campus.
 - 3. Provides an effective transition from the HD1 zone to the single family community to the North.
 - 4. Creates an effective use of a challenging location on Royal Avenue.

B) The requested variances for height and coverage will ensure that we can develop a project that will provide long rental options for students, staff and practitioners of the Kelowna General Hospital.

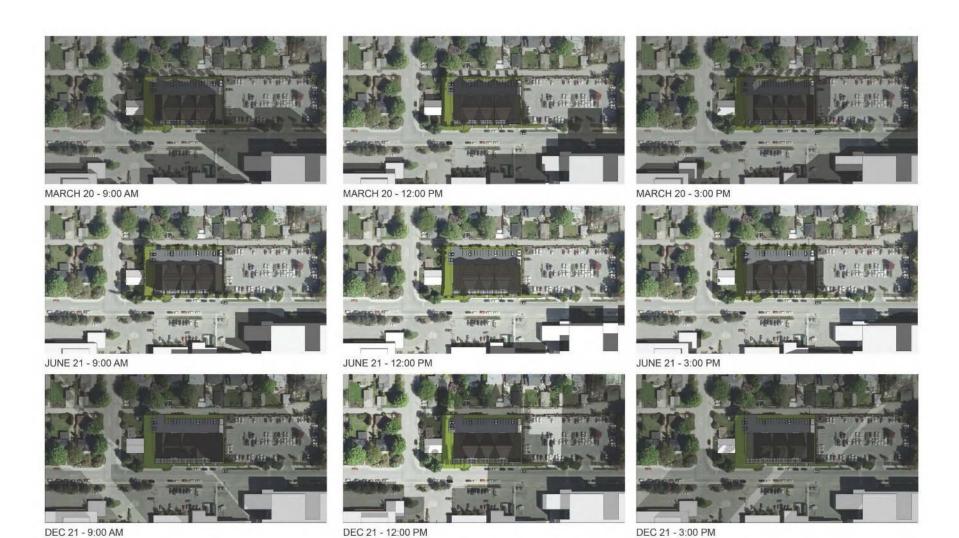
QUESTIONS & THANK YOU



Looking North West from Royal Avenue

SUPPLEMENTARY SLIDES

SHADOW STUDY



LEVEL 1 FLOOR PLAN

Health servicesGround floor rentalUpper floor rental





LEVELS 2 & 3 FLOOR PLAN

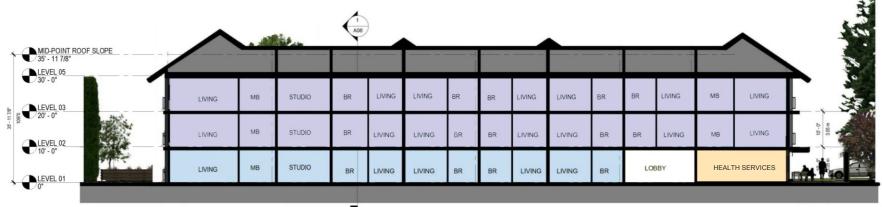




SECTIONS

SECTION 2





1/16" = 1'-0" SECTIONS

HD3 BOUNDARY MAP





CITY OF KELOWNA

BYLAW NO. 12147

Official Community Plan Amendment No. OCP21-0006 1451 Bertram Street

A bylaw to amend the " <i>Kelownα 2030</i> – Official Community Plan Bylaw No. 10500".				
The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:				
1.	THAT Map 4.1 - GENERALIZED FUTURE LAND USE of " <i>Kelowna 2030</i> – Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of Lot 1 District Lot 139 ODYD Plan EPP113832 located on Bertram Street, Kelowna, B.C., from the MRM – Multiple Unit Residential (Medium Density) designation to the MXR – Mixed Use (Residential / Commercial) designation.			
2.	This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.			
Read a first time by the Municipal Council this 17 th day of May, 2021.				
Considered at a Public Hearing on the 1st day of June, 2021.				
Read a second and third time by the Municipal Council this 1st day of June, 2021.				
Amended at third reading and adopted by the Municipal Council of the City of Kelowna this				
	Mayor			
	City Clerk			

CITY OF KELOWNA

BYLAW NO. 12148 Z21-00015 1451 Bertram Street

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

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

- 1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1 District Lot 139 ODYD Plan EPP113832 located on Bertram Street, Kelowna, BC from the RM5 Medium Density Multiple Housing zone to the C7r Central Business Commercial (Residential Rental Tenure Only) zone.
- This bylaw shall come into full force and effect and is hinding on all persons as and from the date

of adoption.	iii tile date
Read a first time by the Municipal Council this 17 th day of May, 2021.	
Considered at a Public Hearing on the 1 st day of June, 2021.	
Read a second and third time by the Municipal Council this 1st day of June, 2021.	
Approved under the Transportation Act this 2 nd day of June, 2021.	
Audrie Henry	
(Approving Officer – Ministry of Transportation)	
Amended at third reading and adopted by the Municipal Council of the City of Kelowna this	
	Mayor
	City Clerk

REPORT TO COUNCIL



Date: October 5, 2021

To: Council

From: City Manager

Department: Development Planning

Provincial Rental Housing

BC0052129

Address: 1451 Bertram Street Applicant: S2 Architecture

Subject: Development Permit and Development Variance Permit

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

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

Existing Zone: RM5 – Medium Density Multiple Housing

Proposed Zone: C7r – Central Business Commercial (Residential Rental Tenure Only)

1.0 Recommendation

THAT Official Community Plan Map Amending Bylaw No. 12147 and Rezoning Bylaw No. 12148 be amended at third reading to revise the legal description of the subject properties from Lot 3 Block E District Lot 139 ODYD Plan 2345 and Lot A District Lot 139 ODYD Plan 15900 to Lot 1 District Lot 139 ODYD Plan EPP113832;

AND THAT final adoption of Official Community Plan Map Amending Bylaw No. 12147 and Rezoning Bylaw No. 12148 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP21-0037 for Lot 1 District Lot 139 ODYD Plan EPP113832, located at 1451 Bertram 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 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 land use restriction covenant be registered on title to protect the provision of a day care use within the commercial space;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0038 for Lot 1 District Lot 139 ODYD Plan EPP113832, located at 1451 Bertram Street, Kelowna, BC;

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

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

To vary the maximum building height from 37 m (Approx. 12 Storeys) permitted to 63 m and 20 Storeys proposed.

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.

2.0 Purpose

To consider the form and character development permit and the associated height variance for a mixed-use multiple dwelling housing development on the subject property.

3.0 Development Planning

Staff are recommending support for the form and character development permit and the associated height variance for the 20-storey, 176-unit mixed-use condo building on the subject property. The application meets many of the Official Community Plan (OCP) Urban Infill objectives with respect to Compact Urban Form, Housing Mix and Creation of Affordable Housing. The development also meets a number of the OCP's Urban Design Guidelines including:

- Design new multi-storey buildings to transition in height where the OCP land use designation provides for smaller structures on adjoining lots;
- Locate buildings to provide an effective street edge while respecting the established, desired streetscape rhythm
- Distinguish key building elements through the use of setbacks, projections, textures, materials, and detailing:
 - Base: Within the first few storeys, a base should be clearly defined and positively contribute to the quality of the pedestrian environment;
 - o Middle: The body of the building above the base should contribute to, but not dominate, the physical and visual quality of the overall streetscape;
 - o Top: The roof should be distinguished from the rest of the building and designed to contribute to the visual quality of the skyline

Tall buildings follow a classic or standard form which consists of three parts, the base building (podium), the middle and the top. Staff review the proposal with how it relates to the Kelowna skyline, the adjacent buildings and the existing streetscape.

Podium/Base

The role of the podium is to frame the public realm, articulate entrances and assist in the creation of an attractive and animated public streetscape which provides a safe, interesting and comfortable pedestrian experience. The base should define and support adjacent streets at an appropriate scale, integrate with adjacent buildings, assist to achieve transition down to lower-scale buildings and minimize the impact of parking and servicing to the public realm.

The development proposes 2-storey townhouses with ground-oriented entries facing both the north property line and Bertram Street. Apartments are located at the third level and each of these levels terrace back from the street frontage to provide a less-imposing façade. This serves to screen the 3-storey parkade behind with the parkade access from the rear laneway.

Each at-grade townhouse unit has a private amenity area in the form of a patio to provide a stronger connection at the street level. The southwest corner of the first floor will house a daycare. The daycare space is two storeys with a secure children's outdoor play area at the ground floor level fronting onto Bertram Street. Pick-up/Drop-off stalls are located along the street frontage.



The site provides 3.5 m setback areas on both the north and south sides of the development with sidewalk connections from Bertram Street to the rear laneway. The combination of the above podium elements and the larger side setbacks assist in providing an appropriate scale to existing adjacent building and to a comfortable pedestrian scaled experience at the street level.

Middle/Tower

The location, scale, floor plate size, orientation and separation distances of the tower affects the sky view, privacy, wind, and the amount of sunlight and shadows that reach the public realm and neighbouring properties. They should attempt to minimize its impact on surrounding streets, public and private open space, as well as existing or future buildings on adjacent sites.

The development proposal also includes 2-storey townhouses located at the 4th and 5th level to provide additional terracing to the north property line and Bertram Street. The 4th floor hosts the buildings primary outdoor amenity area and provides access to those townhouses. The townhouses at this location are intended to provide both privacy and to reduce noise transmission to and from adjacent sites. The programming of the 4th floor amenity area includes: children's play area, bbq area and a common indoor amenity space complete with a small kitchen and bathroom facilities for private functions. The 8th floor provides rooftop community garden plots.

The 17-storey tower is oriented to the southwest corner of the building podium and towards the Bernard Avenue commercial street. This serves to reduce the visual and physical impacts to the existing multi-family buildings to the north and the single-family neighbourhood to the east.

Each floorplate has an average size of approximately 633 m². The C7 Development Regulations allow for floor plates up to a maximum of 750 m² for residential uses. With the development site providing a more transitional building height, the smaller floor plate lends itself well to a slender tower form. This in turn reduces visual and shadowing impacts to adjacent properties. For further information regarding site shadowing throughout the year, please refer to the shadow study included in the application attachments (Drawing DPo.7).

Top

The tops of buildings, including upper floors and roof-top mechanical and amenity space, should be designed, primarily through tower massing and articulation and secondarily through materials, to create an integrated and appropriate conclusion to the tall building form.

The development proposal includes a unique design for the two upper floors and the rooftop mechanical area. The reduced massing at these levels along with façade articulation aids in providing a seamless transition from the tower form to the top of the building. The use of materials and colours provides visual interest and presents a satisfying conclusion to the tower form.

<u>Variance – Building Height</u>

The development proposal requests one variance to the allowable building height from 37 m and 12 storeys permitted to 63 m and 20 storeys proposed. Both the current OCP and the C7 zoning regulations include a Downtown Building Heights Map which indicate a maximum of 12 storeys and 37.0 m at the subject location. Both height maps indicate the focus of the maximum allowable height along two corridors: east/west along Leon Ave/Lawrence Ave and Bernard Avenue from Ellis Street to Richter Street, and north/south for the properties between Ellis Street and St Paul Street.

The parcels adjacent to the above noted area are intended to provide a transitional height down to either the lake on the west or the single family residential to the east. This lends itself to creating a more focused area for towers and contributes to an interesting downtown skyline.

Staff is supportive of the height variance request as the project meets the OCP Downtown Height Policy which states that variances from the heights set out in the Zoning Bylaw may be considered, provided that the additional height results in the creation of affordable housing or yields other significant community benefits. The proposal meets both of these requirements through the provision of affordable non-market and market rental housing, accessible housing and daycare services. The project is intended to benefit local medium and low-income seniors, couples, individuals and families who are facing challenges meeting their housing and childcare needs.

4.0 Proposal

4.1 Background

The OCP Amendment and Rezoning applications had a Public Hearing and received 2nd & 3rd Readings of the Bylaws on June 1, 2021. The application was circulated to the Ministry of Transportation and Infrastructure (MOTI) with MOTI having provided signed approval of the Bylaws.

The development site consisted of two parcels which have been consolidated into a single titled property and the required laneway dedication has also been registered. Development Engineering off-site requirements have been satisfied through the service agreement and associated security/bonding provided.

4.2 Project Description

The subject property currently has one single detached dwelling which would be demolished to facilitate the development. The proposal includes 176 residential units, of which 14 are townhouses with an FAR of 3.88.

The unit configuration is as follows:

Unit Type	Total	% of Total
Studio	4	3%
1-Bedroom	73	41%
2- Bedroom	56	32%
3-Bedroom	43	24%

Note: 8 three-bedroom townhouses 6 two-bedroom townhouses
22 Accessible Units

The development form is a 20-storey tower with ground-oriented townhouses and a ground-floor childcare space. The project's proposed FAR of 3.88 is consistent with the Official Community Plan's future land use designation of MXR — Mixed Use (Residential/Commercial). The development proposal provides an appropriate height transition to existing adjacent developments.

All on-site parking requirements have been met through the provision of 165 parking stalls located within the structured parkade incorporated into the building podium. The development benefited from the rental housing incentive which provides a 20% reduction to the required number of parking stalls (194 stalls required prior to the reduction, 156 stalls required with the reduction). The project was able to accommodate additional stalls to provide a final total of 165 stalls for the site. The applicant is also hoping to provide carshare opportunities on-site, but this incentive for additional reductions was not utilized. The site provides 130 long-term bike spaces for the use of tenants in two secure bike storage rooms. Residential storage units are also available for tenants with secure locker rooms provided throughout the site.

4.3 Site Context

Specifically, adjacent land uses are as follows:

Orientation Zoning		Land Use
North	RM5 – Medium Density Multiple Housing	Multiple Dwelling Housing
East	RU6 – Two Dwelling Housing	Single Dwelling Housing
South RM5 – Medium Density Multiple Housing		Multiple Dwelling Housing
West	RU6 – Two Dwelling Housing	Single Dwelling Housing
west	RM5 – Medium Density Multiple Housing	Multiple Dwelling Housing

Subject Property Map: 1451 Bertram Street – 2 parcels consolidated to one title property Doyle Ave



Zoning Analysis Table 4.4

Zoning Analysis Table							
CRITE	RIA	C ₇ ZONE REQUIREMENTS	PROPOSAL				
	Existing Lot/Subdivision Regulations						
Min. Lo	t Area	200 m²	4131 m²				
Min. Lot	Width	6.o m	66.14 m				
Min. Lot	Depth	30.0 m	62.44 m				
		Development Regulations					
Max. Floor Are	a Ratio (FAR)	9.0	3.88				
Max. Site Coverage (buildings)		100 %	73 %				
Max. Height		37.0 m or 12 storeys	63.0 m & 20 storeys 0				
For Portion of Building Up to 16.0 m Height							
Min. Front Yard		o.o m	4.1 M				
Min. Side Yard (south)		o.o m	3.65 m				
Min. Side Yard (north)		o.o m	3.65 m				
Min. Rear Yard		o.o m	0.0 M				
For Portion of Building Above 16.0 m Height							
Min. Front Setback		3.0 m	16.0 m				
Min. Side Setback		4.0 m	12.5 m (North side)				
			4.0 m (South side)				
Parking Regulations							
Min. Parking Requirements		194 total stalls 156 stalls (20% 'rental' reduction) *	168 stalls				
Ratio of Parking	Regular	50%	51.8 %				
Stalls	Small	50%	48.2 %				

Accessible Stalls	4 Accessible Spaces 1 Van Accessible space	4 Accessible Spaces 1 Van Accessible space
Min. Bicycle Parking	130 Long term stalls 29 Short term stalls	131 Long term stalls 29 Short term stalls
	Other Regulations	29 SHOTE TETHI STAILS
Min. Private Open Space	2239 m²	2928 m²
Min. Commercial Frontage/ Lobby/ Residential	90%	90%

¹ Indicates a requested variance to the building height from 37.0 m or 12 storeys allowed to 63.0 m & 20 storeys allowed.

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 5.5 Ensure appropriate and context sensitive built form.

Policy .1 Building Height. City Centre – For the Downtown area, building heights shall at maximum, be as noted on the 'Downtown Building Heights' map. To achieve those heights, Council may 37

Chapter 14: Urban Design Guidelines

Objective 4.0 Massing and Height.

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

^{*} Rental Housing Incentive for developments with the 'r' sub-zone for residential rental tenure only shall receive a 20% reduction to the parking requirements.

4.2 Ensure developments are sensitive to and compatible with the massing of the established and/or future streetscape.

Objective 9.0 Tower Design.

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

6.0 Application Chronology

Date of Application Accepted: February 16, 2021
Date Public Consultation Completed: April 29, 2021

Date of Public Hearing

2nd & 3rd Readings: June 1, 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 DP21-0037 & DVP21-0038

Attachment B: Applicant's Project Rationale

Attachment C: Development Permit Design Guidelines

Schedule A: Site Plan & Floor Plans

Schedule B: Elevations

Schedule C: Landscape Plan



Development Permit & Development Variance Permit DP21-0037/DVP21-0038

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

1451 Bertram Street

and legally known as

Lot 1 District Lot 139 ODYD Plan EPP113832

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

Mixed Use (Residential/Commercial)

USE as per Zoning Bylaw

Multiple Dwelling Housing, Child Care Centre

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

<u>Date of Council Decision</u> October 5, 2021

Decision By: COUNCIL

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

Existing Zone: C7 – Central Business 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: Provincial Rental Housing Corporation, Inc.No. BC0052129

Applicant: S2 Architechture

Planner: Lydia Korolchuk

Terry Barton
Development Planning Department Manager
Planning & Development Services

Date

SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

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

That a land use restriction covenant be registered on title to protect the provision of a day care use within the commercial space;

That Council authorizes the issuance of Development Variance Permit No. DVP21-0038 for Lot 1 District Lot 139 ODYD Plan EPP113832, located at 1451 Bertram Street, Kelowna, BC;

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

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

To vary the maximum building height from 37 m (Approx. 12 Storeys) permitted to 63 m and 20 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:

a) An Irrevocable Letter of Credit OR certified cheque in the amount of \$ 282,968.75

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.

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

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.







Leadership in Affordable Rental Housing for Downtown Kelowna

BC Housing - 1451 and 1469 Bertram Street

Introduction

BC Housing's redevelopment initiative for 1451 and 1469 Bertram Street responds to the urgent need for *affordable non-market rental housing*, *affordable market rental housing*, *accessible housing and daycare services* in Kelowna's downtown. This redevelopment will benefit local medium and low-income seniors, couples, individuals and families who face significant challenges in meeting their housing and childcare needs.

The construction of 162 new apartments and 14 new townhomes in the City Centre will contribute to a more compact and sustainable urban form for Kelowna. The redevelopment will allow for more efficient use of existing municipal services and infrastructure and will replace aging municipal infrastructure along Bertram Street with new infrastructure, built to today's environmentally progressive standards. The redevelopment will voluntarily meet the BC Step Code 3 standard for energy efficiency and future residents will benefit from multi-modal transportation options and incentives.

Kelowna's downtown will benefit from the vitality future residents will bring to the area and from the diversity of housing options provided. Special attention is paid to building an *inclusive* community, integrating and connecting families, seniors and youth. Housing will support aging in place and the unique needs of people with disabilities, including the provision for dedicated wheelchair accessible housing. 11% of the units in the project are wheelchair accessible which is twice the minimum 5% BC Housing requirement. An on-site daycare will support local families by providing childcare options close to work and home.

The proposed form and character of the redevelopment delicately balance the importance of remaining sensitive to the existing residential character of the neighbourhood, while creating a proposal that is compatible with the area's future development context. Overall massing, height transitions, compatible setbacks, façade articulation and other architectural details have been carefully considered to ensure the new development "fits" with and enhances the neighbourhood context, both today and in the future. Integration of these design details reflect an on-going public involvement process that has proactively anticipated neighbourhood concerns and has integrated feedback received directly from neighbours. Significant consultation milestones included BC Housing's outreach on the initial redevelopment concepts and then outreach on the draft development application. Special attention has been paid through the engagement process to working directly with adjacent neighbours along shared property lines.

It is notable that the redevelopment will implement key plans and policies established by the City, including

realization of the key cornerstones of the *Kelowna's Healthy Housing Strategy* and *Healthy City Strategy* - healthy housing, inclusive communities, healthy neighbourhood design, healthy natural environments, healthy transportation and heathy food systems. BC Housing believes strongly that the Bertram Street redevelopment proposal is respectful of the neighbourhood residents who currently make Bertram Street their home, and that the new development will make a significant and positive difference in people's lives. The proposal will contribute to the health and vibrancy of Bertram Street, Kelowna's downtown and the community as a whole, and will stand out as an initiative that both the City of Kelowna and BC Housing can be proud of.

"There are significant connections between health and where people live, what type of transportation they use, what kinds of food they eat, how much physical activity they get and the social connections they have."

- City of Kelowna, Community for All



Redevelopment Application

The purpose of the BC Housing application for 1451 and 1469 Bertram is to pursue the following bylaw amendments and permits:

- Official Community Plan Future Land Use Amendment from Multiple Unit Residential Medium Density (MRM) to Mixed Use – Residential/Commercial (MXR)
- Zoning Bylaw Amendment from Medium Density Multiple Housing (RM5) to Central Business Commercial Residential Rental Tenure only (C-7r)
- Development Variance Permit to vary the height of the C-7r zone from 12 to 20 storeys
- Development Permit for the form and character in the City Centre Revitalization Area

Prior to final zoning approval, the application will also include a subdivision application to consolidate the two properties (1451 and 1469 Bertram Street) and to dedicate a 0.6 metre portion of the rear lane.

The application is being pursued to facilitate the development of total of 176 rental housing units and a daycare. 162 apartment units are proposed in a single 17 storey apartment building on a 3 storey parkade. 14 townhomes are also planned to face north and west towards Bertram Street. The total height of the project will be 20 storeys.

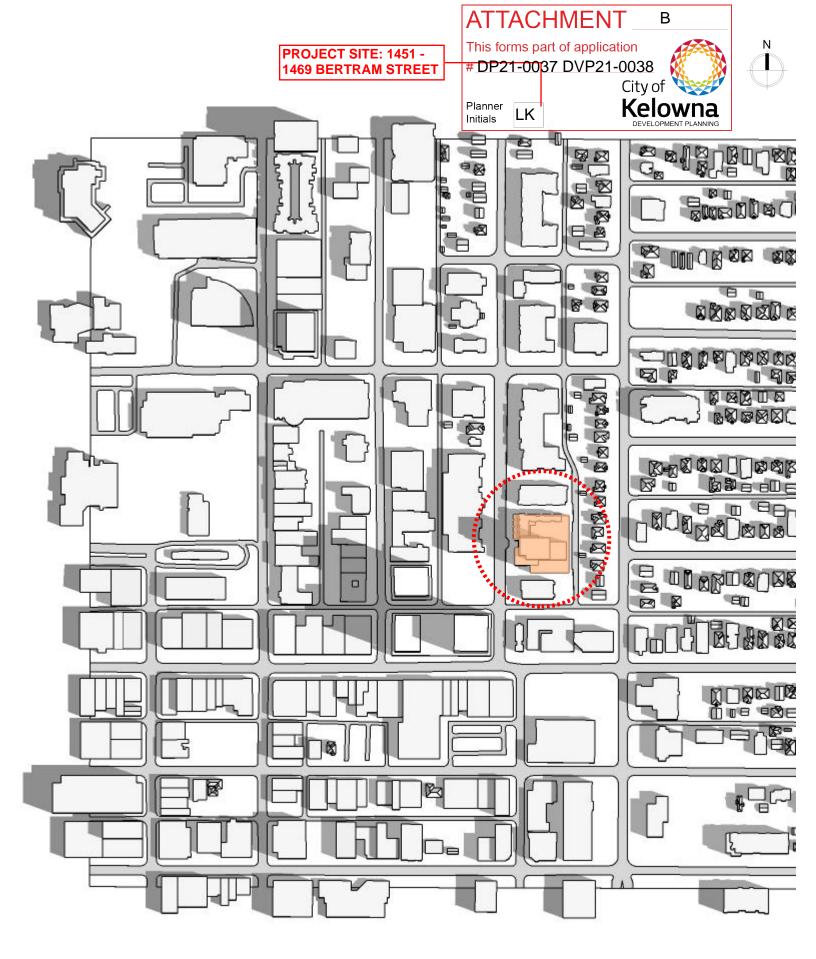
Neighbourhood Context

The redevelopment site currently consists of one large property 1451 Bertram and one single family property 1469 Bertram. These two properties will be consolidated to create the combined redevelopment site.

The subject property is bounded by Bertram Street on the west and a lane to the east. The north property line is shared with the Evangel Seniors' Apartments (non-profit rental apartments) and the south property line is shared with the Elkar Apartments (market rental apartments).

Bertram Street is a tree-lined residential street, consisting predominately of three and four storey market and non-market rental apartments, as well as cooperative and market condominiums. A gravel drainage strip runs the length of the property. Where Bertram Street meets Bernard Avenue, the street transitions to low-rise commercial uses fronting on Bernard. The property directly west, across Bertram Street, is vacant and currently is in use as a parking lot. To the east of the subject property, across the lane, immediate uses are single-detached homes. A four storey apartment is located further along Richter Street.

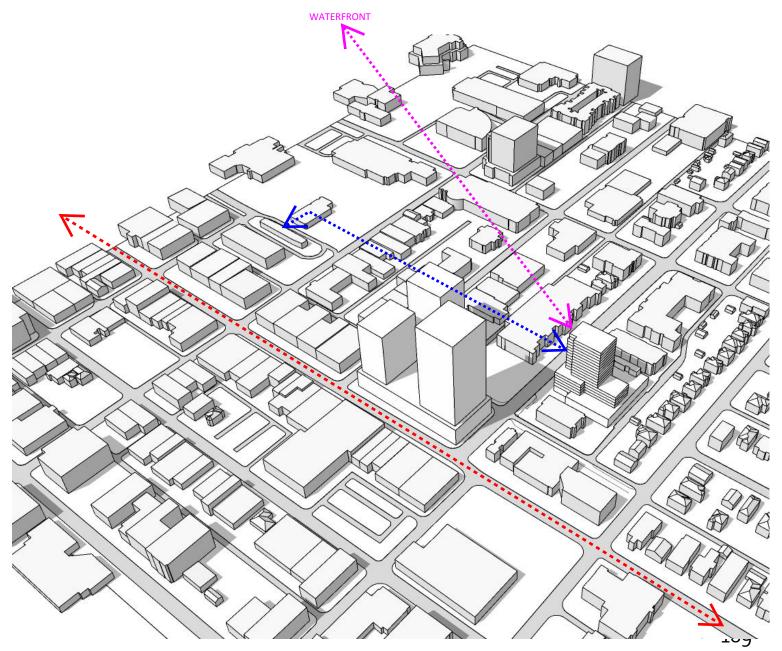
Significant change is underway in the immediate area, including a 34 storey condominium tower planned for the corner of Bernard Avenue and Bertram Street and a 13 storey office building planned for the corner of Bernard and St.Paul Street. Directly west, an application has recently been submitted for a 46 storey apartment. A 26 storey condominium is currently under construction behind that proposal and fronting on St. Paul Street. Planning is also underway nearby on Doyle Avenue for the future UBCO campus high-rise.



ATTACHMENT B This forms part of application # DP21-0037 DVP21-0038 City of Planner Initials LK Kelowna DEVELOPMENT PLANNING

Planning Context

The subject property is located within the City's Permanent Growth Boundary and the City Centre (Downtown) Urban Centre - one of the five Urban Centres planned to accommodate 44% of Kelowna's future growth. This proposal is consistent with *Official Community Plan* (OCP) policies on Compact Urban Form and is located in an appropriate location to increase residential densities. The proposed density and land uses are well supported in Kelowna's downtown by nearby community amenities, public transit and commercial, retail, health and personal services. Increasing residential densities in this walkable, mixed-use urban centre through the low vehicle dependent land use proposed (e.g., non-market rental housing and housing for people with diverse abilities), coupled with BC Housing's voluntary commitment to building to the BC Energy Step Code 3 standard, directly supports the implementation of the City's *Community Climate Action Plan*. The proposed location achieves an exceptional walk-score of 86 and a bicycle score of 95 and provides electric vehicle plug-in and multi-modal incentives including outdoor, parkade and in-suit bicycle parking, as well as a bicycle wash and repair station. Given its location to the immediate shopping, business, recreation facilities, and transit, the site promotes the "15-minute city" approach to urban design, which emphasises the improvement of the quality of life whereby residents' needs can be accessed within a 15 minute window of time by foot, bicycle, or transit. Additionally, BC Housing will also be looking to pursue car-share opportunities as an additional amenity for the residents of this project.



The Landscaping on the podium level includes community gardens to support access to healthy food systems and large boulevard trees are retained along Bertram to achieve Kelowna's tree canopy targets.

The subject property is located within City's *Downtown Plan* Boundary (2012) and is subject to the *C7 Zone Design Guidelines* (2006). The property is located outside the Cultural District, outside the Downtown Heritage Area Boundary and does impede views to Okanagan Lake. Direction to building height is set out in the *Downtown Building Heights Plan*. The plan establishes the majority of Bertram Street for future building heights of 12 storeys, with the exception of properties on Bertram at Bernard, which are set out for a future building height of 26 storeys. OCP direction allows for consideration of height variances from the zoning bylaw "provided the additional height results in the creation of affordable housing or yields other community benefits" (OCP 5.5.1).

Since the approval of the *Downtown Plan* and the *Zone Guidelines*, the City has pursued a more ambitious vision for building height in the immediate area. Redevelopment approvals for adjacent market condominiums have granted variances allowing for a 37% increase in some cases to the height set out by the Downtown Building Heights map. The Mission Group's St. Paul Street redevelopment, directly west of the subject property received approval for a height variance from 19 to 26 storeys. The Mission Group's market condominium project at Bertram and Bernard, located south west of the subject property, received a height variance from 26 to 33 storeys.

Council's approval of BC Housing's proposal to develop non-market rental and market rental apartments and townhomes, housing for diverse abilities and a daycare, including the applicant's request for a variance from 12 to 20 storeys, is consistent with this grouping of tall buildings and the area's evolving development context. The proposal is also consistent with the OCP policy to allow height variances that create affordable housing and other community benefits. The proposal meets all C7r zoning requirements with the exception of the height requirements.

Affordable Rental Housing Needs

The City of Kelowna's *Housing Wheelhouse* is the foundation for defining housing categories in Kelowna. The Wheelhouse concept recognizes that, like other cities, Kelowna's housing stock needs to reflect the diverse socioeconomic and demographic needs of Kelowna's residents and that housing should not focus exclusively on market housing or home ownership. The Bertram Street redevelopment responds to the need for diverse housing in the Wheelhouse categories of "Rental Housing" and "Subsidized Rental Housing". The housing market in Kelowna continues to have a limited supply and a high demand for purpose-build rentals, and there is a significant and growing demand for subsidized rentals.

The City of Kelowna's *Housing Needs Assessment* also identifies a significant gap in family-oriented housing, including three-bedroom rental units and housing for the "missing-middle". The Bertram redevelopment proposes a significantly higher proportion of three-bedroom units than would be otherwise be developed within a market rental or condominium apartment project; and it proposes a number of townhomes suitable to help address the growing demand for walkable, ground-oriented family urban living.

The proposal directly supports the implementation the City's OCP Housing Availability Policy and the City's vision established by the *Healthy Housing Strategy* – i.e., to ensure that "housing needs of all Kelowna residents are met through affordable, accessible and diverse housing options." The proposal also directly supports implementation of the City's *Imagine Kelowna* community vision. *Principle 2 (Smarter)* of that vision is grounded in the goal to "build healthy neighbourhoods that support a variety of households, income levels and life stages. Everyone in our community should have the ability to find stable and appropriate housing."





Daycare Needs

There is a clear and important need for high-quality daycare in the Okanagan as a whole and in the Kelowna's downtown neighbourhood in particular. As the downtown is redeveloped, it is important that amenities accompany new housing, and that these amenities support downtown as a viable option for families. High-quality daycare keeps children safe and healthy, and helps children develop important social, emotional and communication skills. Daycare also allows parents, and women in particular, access options for employment and economic security.

There are no licensed daycares within approximately 500 metres of the Bertram redevelopment site. A preschool-only centre, which offers 3-hour classes for those three to five years of age is available approximately 500 metres to the north at the Unitarian Church. There are five licensed day cares within 1.5 kilometres; and of the five, there were no vacancies at the time of research (June 2019).

Last year, the Central Okanagan child care assessment (i.e. Community Child Care Planning, 2020), identified an *annual* need in Kelowna for an additional 30 child care spaces for ages 0 to 5 years, and 1103 spaces for those between the ages 6 to 12. The assessment notes the Covid-19 pandemic has likely increased the current need for child care beyond that identified by the assessment.

Need for Housing for Diverse Abilities

The City of Kelowna's Housing Needs Assessment has identified a significant and going need for housing that incorporate universal and accessible design, and which supports aging in place and people for people with diverse abilities. "As of 2016, one in five Kelowna residents is over the age of 65. By 2040, the number will have increased to one in four. And within the senior demographic, 40% will be over the age of 80. These demographic changes will necessitate changes to housing design as residents may encounter mobility challenges. New housing development, however, is responding to this future demographic shift slowly. Recent updates to the BC Building Code have forced some progress, but even simple, inexpensive design features to promote accessibility are rare in new construction. By incorporating universal and accessible design at the time of construction allows residents to easily and cost-effectively adapt the home without requiring significant renovations."

The BC Housing proposal will include 5%, a minimum of 10 units, of wheelchair accessible housing. All homes will be designed based on universal design standards, all common areas will be designed to allow universal access and all outdoor areas will meet the City's Guidelines for Accessibility in Outdoor Areas.

Context-Sensitive Form and Character

The redevelopment is committed to addressing OCP Multi Unit Design Guidelines, the OCP Revitalization Design Guidelines, the City's Crime Prevention Through Environmental Design Guidelines (CPTED) and the City's Guidelines for Accessibility in Outdoor Areas. The proposed height, massing and site layout promote a context sensitive design to proactively address the needs and interests of neighbouring residents. Figure 1: Neighbourhood Fit, outlines the design features that will ensure a context sensitive redevelopment.

Figure 1: "Neighbourhood Fit"

Appropriate Fit with the	The proposed development will add to a grouping of tall buildings (i.e.,
Downtown Urban Form and	26, 34, and 13 storeys) and in the downtown, close to Bernard Avenue
Skyline	but outside of the heritage area, and in a location that does not block
	lake views. Top floors will step back to add interest with these upper
	storeys.

Appropriate Scale in Relation to the Size of the Property	The subject property is a significant size, a F140,397 square feet (4,142 square meters), and can comfortably accompliate a building of this height and massing. The proposed FAR is 3.34 which is well under the 9.0 FAR permitted in the C-7 zone.
Appropriate Land Use Transitions from Residential on Bertram to Commercial on Bernard	The proposal has intentionally located the townhomes at the north end of the property to reinforce the residential nature of the street. The daycare is located towards the Bernard end of the property, which transitions to the commercial uses only Bernard.
Minimal to No Impact of the Parking Podium to the Quality of the Streetscape	Soil and water table conditions dictate an elevated parking podium. Podium height has been kept to a minimum and is well below the 16 metre height restriction at 10.25 metres. The podium façade is well hidden from the Bertram Street view by an active streetscape composed of townhomes and the daycare façade. The north façade is also concealed by townhomes and the west façade will include architectural details to disrupt the massing of the parkade wall. The south façade is broken up by a significant building setback for the daycare component and by architectural detailing of the parkade wall and landscaping between the adjacent properties.
Views are Maximized and Shadow Impacts are Minimized	 The proposed development is designed to maximize view corridors and minimize shadow impacts. The tower portion of the proposed development is located toward the centre of the property. A tower separation distance is achieved from buildings to the south of 20.5 metres and 31.5 metres from the building to the north. The separation distance of the proposed tower to the nearest tower at 44 metres (i.e., St. Paul Street) exceeds the 30.5 metres guideline for separation between towers. The tower floorplate remains narrow at 612.25 square metres, well within the maximum allowable area of 676.00 square metres. Little to no impact on lake views Fully preserves the 40-degree panoramic view for the future tower on Bertram at Bernard
Effective Height Transitions from Lower to Upper Storeys	The overall height of the building transitions and steps back to reduce the overall impact of the building height. Where the lot line of the subject property abuts the apartment to the north, the proposed buildings facing this lot line are stepped back such that there is less than a one storey height difference between the two buildings. To the south, the proposed building height is lower than the existing apartment. To the east, the transition of scale from the existing single-detached housing is achieved through the lane separation, transitioning to the three storey parkade before stepping back to the seven storey and then 20 storey portions of the apartment.

This forms part of application # DP21-0037 DVP21-0038



Residential Building Setbacks Reinforce the Residential Street Character

Setbacks from property lines are designed to Reinferce the residential nature of Bertram Street and are similar to properties to the north and south. Although the C-7 zone allows development up to the property line (zero lot line condition), the proposal provides proposed setbacks from a minimum of 4.10 metres up to 7.50 metres (for an average of 5.80 metres along Bertram Street to protect and retain the existing boulevard tree root system.

Additionally, 3.650 metre building setbacks on the north and south property lines have been provided to create appropriate separation from neighbours, reinforce the residential nature of the areas, provide light corridors between buildings, and to minimize any CPTED concerns.

Impacts on Neighbours' Privacy are Mitigated

The consultant team has worked with neighbours to ensure landscaping along the north and south property line is designed to encourage privacy for the existing neighbours to the north and to the south. As noted above, the proposal is also designed with residential setbacks of 3.65 metres along shared property lines at ground level despite the zone allowing for a "0" setback.

Interesting and High-Quality Bertram Streetscape Achieved

The Bertram streetscape, from the road centre-line to the building frontage has been designed as a high-quality public and semi-public space. Mature boulevard trees are preserved, new trees are planted, residential building setbacks are maintained and sidewalks, benches, landscaping and bike facilities are carefully designed.

Implements Crime Prevention Through Environmental Design Strategies (CPTED)

The walkout townhomes facing Bertram, include lower and upper storey windows, contributing to "eyes on street" and the overall safety of this area. Landscaping and fencing along the north and south property lines has been designed to allow natural surveillance of these pedestrian walkways. Gates ensure access control where needed and pedestrian level lighting is strategically located to illuminate potential hiding areas or targets for graffiti.

Landscaping, fencing, gates, lighting, and other site design features will support other operational safety and security measures to support and reinforce Crime Prevention Through Environmental Design (CPTED). Detailed design of the parkade interior will reflect a complete CPTED review.

Implements Guidelines for Accessibility

Apartment housing will include 10 units of wheelchair accessible housing and all units will be designed based on universal design standards. All common areas will be designed to allow universal access and all outdoor areas will meet the City's *Guidelines for Accessibility in Outdoor Areas*.

Downtown Heritage is not Impacted	The proposal is outside the downtown heritage area and does not pose any impact on local heritage.
Healthy Food Systems	The top of the parking podium has been designed and irrigated to incorporate a community garden for residents. This activity will promote urban agriculture and residents' interaction thus reinforcing the



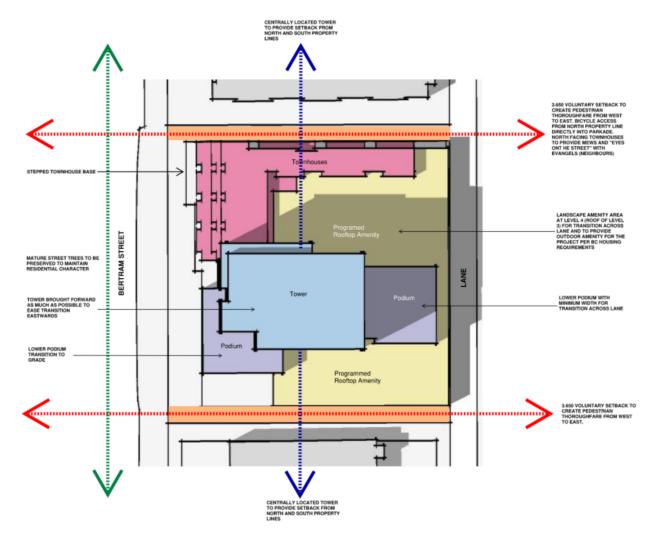


Architectural Design Approach

Response to Overall Context and Building Physical Siting

This proposal seeks to Integrate new development with existing site conditions and preserve the character amenities of the surrounding areas and promote interesting pedestrian friendly streetscape design and pedestrian linkages. This is achieved as follows:

- Provide pedestrian scale and tactility by using familiar residential exterior materials
- Providing on grade access to define public, semi private, and private spaces;
- Providing on-grade uses to activate and enhance security and well being via "eyes on the street"
- Apply the appropriate scale of building elements to further enhance the residential uses;
- Provide meaningful height transition via townhouses, building base, podium, and tower;
- Create visual continuity with neighbouring buildings with base building transition
- Provide building articulation to enhance massing and detail diversity
- Minimise building jogs (specifically at grade) for CPTED concern mitigation
- Use of clear and distinct signage to identify building program components
- Use of low maintenance and high quality cladding reflective of the downtown Kelowna context.

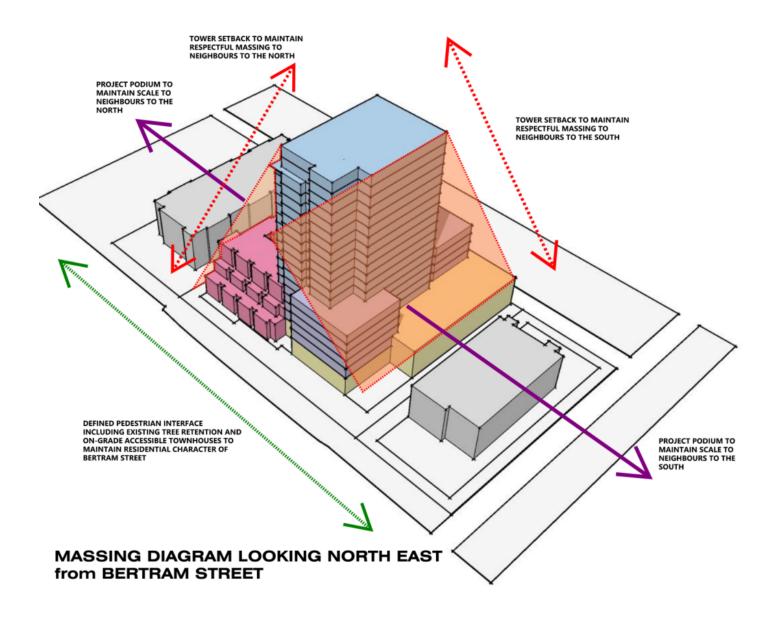




Building Height and Massing

The project has been designed to ensure that the massing maintains the residential scale and context of the existing neighbourhood. Our approach is as follows:

- and the opportunity to provide urban mews.
- On-grade townhouses with opportunities for private garden / patios;
- On grade townhouses facing the North property line to transition towards the established residential area northward;
- Using the townhouses' design to create visual continuity with neighbouring buildings;
- Locating the Daycare to the Southwest corner of the site to provide eclecticism within the streetscape;
- Sensitive design of the parkade to orient vehicles without any light pollution to the neighbours;
- Providing intermediate podiums to "step back" appropriately from the neighbours;
- Providing a defined building base, middle, and top;





Architectural Components and Materials

Architectural components and materials have been have been included in the dissign of the project to enhance thement Planning design of the project to add a layer of visual interest as follows:

- Designing townhouses / townhouse base to provide rhythm and visual interest for residents and pedestrians alike along Bertram Street;
- Use of projections, building indentations, materials and textures to enhance the project's visual interest and articulation;
- Specification of building materials /cladding that is durable and low maintenance;
- Providing building "elements" to create recognisable and defined massing;
- Prominent and recognizable entrances with residential patios provide meaningful transition from the street to the landscape amenity podium;

Direct Relationship to Street

All townhouse units facing Bertram Street and the north property line will have direct access to grade via the application of integrated stairs and gates to define public, semi public, semi private, and private areas. This approach not only provides residential continuity to the streetscape but most importantly promotes human scale, proportion, and tactility.

The main entry points to the townhouses will also include integrated lights which will be used as a means of wayfinding and to provide animation to the street and mews during the evening hours.



Additional Ancillary Design Approach and CPTED Mitigation

The project has been designed to provide integration into the residential nature of the residents of the res focus of servicing the residents of the project and providing a feeling of increasing the neighbourhood approach to design. A major focus for the project is to also create a feeling of a "community within a community"

- Provide security, residential and public safety by defining public, private and private open spaces;
- Provide the residents' and visitors experience of transition and movement from the Street and Mews to the project in a familiar and safe environment;
- Integration and enhanced programming of resident amenity uses such urban agriculture, children's play area, outdoor barbeque and picnic areas on the main podium to promote neighbourly interaction;
- Provide safe and well lit bicycle access for the residents of the project;
- Maximise "eyes the street" by ensuring occupied areas at pedestrian level;
- Ensure full accessible design and integrate accessible design to meet and exceed the Zoning and BC Housing Design Guidelines;
- Provide decks, balconies, rooftop and common outdoor amenity space to ensure that all residents have access to the outdoors;
- Provide benches outside the main building entry to further promote residential interraction



PLAN | BUILDING ARRANGEMENT & PROGRAM

This forms part of application
DP21-0037 DVP21-0038
City of

Revitalization Development Permit Area

Consideration has been given to the following guidelines as identified in Section 4.B. of the City of Kellowing 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?	✓		
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			1
Are existing views preserved and enhanced?	✓		
Vehicular Access and Parking		<u>I</u>	1
Are at-grade and above-grade parking levels concealed with façade treatments?	✓		
Are garage doors integrated into the overall building design?			✓

REVITALIZATION DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are pedestrian entrances more prominent features than garage doors and vehicle entrances?	✓		
Is surface parking located to the rear of the building or interior of the block?			✓
Are truck loading zones and waste storage areas screened from public view?	✓		
Do parking lots have one shade tree per four parking stalls?			✓
Are pedestrian connections provided within and between parking lots?			√
Are driving, parking, pedestrian and cycling areas distinguished through changes in colour or pattern of paving materials?	✓		
Signage			
Is signage design consistent with the appearance and scale of the building?			✓
Are corporate logos on signs complimentary to the overall building character?			√
Is signage lighting minimized?			✓
Public Art			•
Is public art incorporated into the project?		✓	

ATTACH	MENT c
This forms part	of application
# DP21-0037	DVP21-0038 🧗 📡
	City of 👐
Planner Initials LK	Kelowna DEVELOPMENT PLANNING

PROJECT DEVELOPMENT STATISTICS

AFFORDABLE HOUSING PROJECT, KELOWNA, BC

Planner

Initials

Project Legal Di Existing Zoning	dress		1451 & 1469 Bu	rtram Street, Kel	ovna BC	LOCK E, DL. 139, 00YD, PL		
	iscription Bylaw	_	LOT A, DL 139, 0 Proposed Zoning	OOYD, PLAN 150 Bylaw I (900 & LOT 3, 8 Modified) C7r	LOCK E, DL 139, 00YD, PL I Central Business Cor	AN 2345 mmercial (Residential Res	ntal Tenura Only)
Project Site Area Current Permitte	a ad Building Height		Proposed Zoning 4,131.41m² (44, 37m (12 Storeys	485 (17)				
Proposed Builds	ing Height:		73m (20 Storeys				A	
Building Setback North Property I	Line:		Required 0.00m	Pro 3.	ovided 85m	Notes: All Satbacks are not a Supplementary Satback	ong Dyara Requiremen	
East (Rear Lane South Property)	t: Line:		0.00m 0.00m	0.	80n 85m	Ministry of Highways Requir Supplementary Setback	wo setback	
West (Betram 5	Shed:		0.00m Permitted	4.1m/ 6	3.0m / 7.5m	Based on Arborist Report (T	ree Retention / Root Setb	ack)
Gross Floor Are			N/A		21858-35	mt.		
Finer Area Batin	vFAR Deductions		N/A 9.0	37 182 69m²	8005 16s			
Let Coverage Ps	hato/FAR (per 14.7.6) ermitted (%) or Floor Plate Area Above 9.0n		100%	gar razawa	3.34 73% 1083.76s 612.25m	13//43089		
	E FROM PIER AND ADDWG 22.0	m	678.00m²		612.25m			
UNIT DISTRIBU	THOM MEX							
LINIT TYPE STUDIO			COUNT 3	PERCENTACE 2% 42% 32% 24%	E			
1 BEDROOM 2 BEDROOM			74 56	42% 32%				
3 BEDROOM UNIT TYPE SUI	MMA DV		43	245				
	INITS IN TOWER AND PODILI	AL DID C						
NAME	TYPE		LOCATION		TOTAL	AREA (SQM)	AREA (SQ)	T)
LINIT AD LINIT A1	STUDIO 1 BEDROOM		LEVEL 8 LEVEL 3 LEVEL 3		1 1	39.86 m² 50.47 m²	429.05 ft ¹ 543.25 ft ¹	
1807.42	2 BEDROOM 3 BEDROOM		LEVEL 3 LEVEL 3		1	71.49 m² 88.94 m²	769.51 81 938.81 81	
LINIT AS LINIT BO LINIT B1	1 REDBOOM		LEVELS LEVELS 19 LEVELS 4 LEVELS 4 LEVELS 4	-29 18	2 28	40.70 m² 40.83 m²	438.09 ft	
LINIT BOA LINIT BS	2 BEDROOM ACCESSIBL 3 BEDROOM	.E	LEVELS 4 -	7	4	80.86 m² 88.83 m²	870.37 ft ¹ 956.16 ft ¹	
LINET C1 LINET C2	1 BEDROOM 2 BEDROOM	_	LEVELS 4 - LEVELS 4 - LEVELS 4 -	20	21 4	49.83 m² 74.88 m²	536.37 ft1 806.00 ft1	
	2 RETROOM ACCESSION	.E	LEVELS 4 -	7	7 2			
LINET CS LINET DTA LINET DQ	3 BEDROOM 1 BEDROOM + DEN AC 2 BEDROOM	CESSIBLE	LEVELS 4 - LEVEL 4 LEVELS 4 -	.7	1	100.73 m² 74.20 m² 78.41 m²	1084.25 N 798.68 N 844.00 N	
LINET DS	3 BEDROOM 1 BEDROOM ACCESSES				11			
LINIT E1A LINIT E2A LINIT E3	2 BEDROOM ACCESSES 2 BEDROOM ACCESSES	.E	LEVELS 5	7	3 13	97.33 m²	1047.65 th	
	2 BEDROOM ACCESSIS 3 BEDROOM 1 BEDROOM ACCESSIS 2 BEDROOM	.E	LEVEL 4 LEVELS 5 LEVELS 8 LEVELS 4 LEVELS 6	7	13 4 13	74.85 m ² 97.33 m ² 80.51 m ² 57.52 m ² 73.80 m ²	805.68 81 1047.65 8 983.48 81 819.14 81 794.38 81	
LINET F3 LINET G1	2 BEDROOM 3 BEDROOM 1 BEDROOM		LEVELS 6 - LEVELS 19 LEVELS 9 -	16 - 20	13	73.80 m² 92.14 m² 56.47 m²	794.38 81 992.11 81 997.84 81	
	2 BEDROOM		LEVELS 8 -	20	12	73.99 m²	796.42 81	
LINIT H2 TOTAL	2 BEDROOM		LEVELS 11	- 20	2 155	81.15 m²	873.49 81	
PODIUM APART	TMENTS AT TOWNHOUSE BA	SE						
NAME LINIT TA1	TYPE 1 BEDROOM		LOCATION LEVEL 3		TOTAL 3	AREA (SOM) 53.61 m²	AREA (90) 577.05 th	7)
LINIT TA2 LINIT TB1	2 BEDROOM 1 BEDROOM	_	LEVEL 3 LEVEL 3 LEVEL 3		1	81.15 m² 56.39 m²	873.49 ft ⁻ 806.98 ft ⁻	
LINIT TC1 LINIT TD1	1 BEDROOM 1 BEDROOM		LEVEL 3 LEVEL 3		1	48.31 m² 54.31 m²	520.00 ft ¹ 584.59 ft ¹	
TOTAL TOWNHOUSES					7			
TOWNHOUSES NAME	TYPE		LOCATION		Itotai	ARFA (SOAR)	AREA (02)	T)
TH1 TH2	2 BEDROOM 3 BEDROOM + DEN		LEVELS 1 -		3	AREA (SOM) 112.82 m² 148.71 m²	1214.38 ft 1600.70 ft	
THS	3 BEDROOM + DEN 3 BEDROOM + DEN 3 BEDROOM 2 BEDROOM		LEVELS 1 - LEVELS 1 -	2	1	129.51 m² 137.52 m² 144.43 m² 102.71 m²	1391.88 8	
THS	3 BEDROOM		LEVELS 1 - LEVELS 4 -	2		144.43 m²	1554.63 0	
TH7	3 BEDROOM 2 BEDROOM + DEN		LEVELS 4 -		2	130.45 m² 129.69 m²	1404.15 ti 1395.97 ti	
TH9	2 BEDROOM		LEVELS 4 - 5		1	98.14 m²	1056.37 N	
TH10 TH11	3 BEDROOM 3 BEDROOM		LEVELS 4 -	5	1	139.18 m² 154.01 m²	1498.12 ft 1657.75 ft	
PRIVATE OPEN	SPACE REQUIREMENT				114			
				(PER 14.4.4)	REQUIR	FD.		
LINIT TYPE	COUNT		AREA PER UNIT	AREA PER UNIT (PER 14.4.4) 6.0m² 10.0m²			PROVIDED	
LINIT TYPE STLOID 1 BEDROOM	3 74		10.0m²		REQUIR 18.00m 740.00m	a).	PROVIDED 23.30m² 982.00m²	
1 BEDROOM	3		AREA PER UNIT 8.0m² 10.0m² 15.0²		18.00m 740.00m 1485.00 2243.00	a).	990V0ED 23.30m² 992.00m² 1918.29m² 2903.59m²	
1 BEDROOM	3 74		10.0m²		740.00r 1485.00 2243.00	et 100 ²	982.00m²	
1 BEDROOM 2 BEDROOM/31 TOTAL: VEHICULAR PA	3 74 8EDROOM 29 8EDROOM PEQUIREMENT	pyo	15.0°		740.00r 1485.00 2243.00	et 100 ²	982.00m ¹ 1918.20m ¹ 2903.59m ¹	PROVINCE
1 BEDROOM 2 BEDROOM/31 TOTAL: VEHICULAR PA	3 74 8EDROOM 29 8EDROOM PEQUIREMENT		10.0m²		740.00r	et 100 ²	982.00m²	MONDED
1 BEDROOM 2 BEDROOM/31 TOTAL: VEHICULAR PA	3 74 74 8EDROOM 99 99 99 99 99 99 99 99 99 99 99 99 99	PAR 0.9	15.0°		740.00r 1485.00 2243.00	et 100 ²	982.00m ¹ 1918.20m ¹ 2903.59m ¹	PROVIDED
1 BEDROOM 2 BEDROOM/3 TOTAL: VEHICULAR PA RESIDENTIAL L STLOD 1 BEDROOM 2 BEDROOM	3 74 74 75 8EDROOM 20 20 30006 REQUIREMENT UNIT PARKING: 3 74 56 43	0.9	15.0°	REQ COM 3 87 56 43	740.00r 1485.00 2243.00	97 97 98 98 98 98 98 98 98 98 98 98 98 98 98	982.00m ¹ 1918.20m ¹ 2903.59m ¹	PROVIDED
1 BEDROOM 2 BEDROOM/3 I TOTAL: VEHICULAR PA RESIDENTIAL E STLOO 1 BEDROOM 2 BEDROOM 1 OTAL:	3 74 8EDROOM 99 PRONC REQUIREMENT UNIT COUNT 3 74 58 43 176	0.9 0.9 1.0 1.0	15.0°	9EQ COM 3 87 56 43 169	740.00r 1485.00 2243.00	97 serios (MITH 20 Serios (MIT	982.00m ¹ 1918.20m ¹ 2903.59m ¹	PROVIDED
1 BEDROOM 2 BEDROOM/3 I TOTAL: VEHICULAR PA RESIDENTIAL E STLOO 1 BEDROOM 2 BEDROOM 1 OTAL:	3 74 74 75 8EDROOM 20 20 30006 REQUIREMENT UNIT PARKING: 3 74 56 43	0.9 0.9 1.0	15.0°	REQ COM 3 87 56 43	740.00r 1485.00 2243.00	97 97 98 98 98 98 98 98 98 98 98 98 98 98 98	982.00m ¹ 1918.20m ¹ 2903.59m ¹	PROVIDED 23 173
1 BEDROOM 2 BEDROOMS 1 TOTAL: VEHICULAR PA RESIDENTIAL L STLOD 1 BEDROOM 3 BEDROOM 3 BEDROOM 10TAL RESIDENTIAL L TOTAL	3 74 3ECDECOM 99 1POINT PARAMO 2NIT COUNT 2NIT COUNT 3 74 95 175 176 177 177 177 177 177	0.9 0.9 1.0 1.0	15.0°	REG COM S S 67 56 43 160 25 194	740.00r 1485.00 2243.00	97 serios (MITH 20 Serios (MIT	982.00m ¹ 1918.20m ¹ 2903.59m ¹	23 173 PROVIDED
1 BEDROOM 2 BEDROOMS 1 TOTAL: VEHICULAR PA RESIDENTIAL L STLOD 1 BEDROOM 3 BEDROOM 3 BEDROOM 10TAL RESIDENTIAL L TOTAL	3 74 3ECDECOM 99 1POINT PARAMO 2NIT COUNT 2NIT COUNT 3 74 95 175 176 177 177 177 177 177	0.9 0.9 1.0 1.0 0.14	10.0m² 15.0° KM2 STALLS-LIMT	REQ COM 3 67 56 43 169 25 194	740.00r 1485.00 2243.00	97 1987	982.00m ¹ 1918.20m ¹ 2903.59m ¹	
1 BEDROOMS 2 BERROOMS 2 BERROOMS 2 BERROOMS 2 BERROOMS 3 BEDROOM 3 BEDROOM 3 BEDROOM 5	3 74 74 74 8ECDICOM 90 UNIT COUNT 90 1001 COUNT 93 24 95 43 77 45 97 1001 PARKENSE 170 170 170 170 170 170 170 170 170 170	0.9 0.9 1.0 1.0 0.14	100m ² 150 ² CANS STALLS-LANT	REQ COM 3 67 56 43 169 25 194	740.00r 1485.00 2243.00	pt pt pt pt pt pt pt pt	982.00m ¹ 1918.20m ¹ 2903.59m ¹	PROVIDED
1 BEDDOM/S 1 2 BEDDOM/S 1 70742: VEMCULAR PA PESDENTIAL L STUDIO 1 BEDDOM/S 2 BEDDOM/S 3 3 BEDDOM/S 3 3 BEDDOM/S 3 10744. LIVITS CONLD CARE CE LIVITAL L CONLD CARE CE LIVITAL S CRAND TOTAL: CONLD CARE CE LIVITAL S CRAND TOTAL:	3 74 74 76 76 76 76 76 76 76 76 77 77 77 77 77	0.9 0.9 1.0 1.0 0.14 PAR	10.0m ² 15.0° COND. STALLS-LANT COND. STALLS-EART COND. STALLS-EAR	REO COM S 67 56 43 169 25 194 LONEE	740.00r 1485.00 2243.00		982.00m ¹ 1918.20m ¹ 2903.59m ¹	РЯОМОЕО 2
1 BEDROOM 2 2 BEDROOM 3 1 TOTAL: VEHICLE AR PA RESIDENTIAL E STLOO 1 BEDROOM 2 BEDROOM 3 BEDROOM 3 BEDROOM 5 BEDROOM 5 BEDROOM 6 BEDR	3 74 38EDICOM 99 38EDICOM 99 38EDICOM 99 38EDICOM 90 3	0.9 0.9 1.0 1.0 0.14 PAR	100m ² 150 ² CANS STALLS-LANT	REO CON \$ 67 56 43 169 25 194 LONEE ERS	740.00r 1485.00 2243.00	97 97 98 98 98 98 98 98 98 98 98 98 98 98 98	982.00m ¹ 1918.20m ¹ 2903.59m ¹	РЯОМОЕО 2
1 BEDIDOOM 2 2 BEDIDOOM 3 1 TOTAL 2 VEHICLE AR PA VEHICLE ALLOWAGE S SI BICYCLE PARKET.	S 2 24 24 24 24 24 26 26 26 26 26 26 26 26 26 26 26 26 26	0.9 0.9 1.0 1.0 0.14 PAR 1 PE 5 SP 50%	10.00° 15.0° CAND STALLS-LANT KNND STALLS-EMPT ACES PER 151-300 OF TOTAL STALLS	REG COM 3 67 56 67	240.00h 1485.00 2243.00 UURED (MITH II £ £ \$50.0h)		\$42.00 (a) 20 (a	75 5
1 BEDROOM 2 BEDROOM 3 ITOTAL VERICULAR PA RESIDENTIAL L STLOD 3 TEDROOM 3 BEDROOM 3 BEDROOM 10TAL CHILD CARE CE EUFLOVES CHARD TOTAL EARNE TOT	3 3 74 74 74 74 74 74 74 74 74 74 74 74 74	0.9 0.9 1.0 1.0 0.14 PAR	10.00° 15.0° COND. STALLSUMMET	REG COM 3 67 56 67	240.00h 1485.00 2243.00 UURED (MITH II £ £ \$50.0h)	97 97 98 98 98 98 98 98 98 98 98 98 98 98 98	982.00m ¹ 1918.20m ¹ 2903.59m ¹	75 5
1 BEDROOMS 2 BEDROOMS 1 TOTAL: VERECULAR PA PRESDENTIAL U STLUDO 1 BEDROOM 3 BEDROOM 3 BEDROOM 3 BEDROOM 3 BEDROOM 1 DOTAL CHIED CAPE CE ENTLOYE CHIED CAPE CHIED CHIED CAPE CHIED	3 3 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	0.9 0.9 1.0 1.0 0.14 PAR 1 PE 5 SP 50%	10.0m2 15.0F KOND STALLSUNNT KOND STALLSUNNT KOND STALLSUNNT ACES PER 151-30 OF TOTAL STALLS BOX	REG COM 3 67 56 67	240.00h 1485.00 2243.00 UURED (MITH II £ £ \$50.0h)		\$42.00 (a) 20 (a	75 5
1 BEDROOMS 2 BEDROOMS 1 TOTAL: VEHECULAR PA RESDENTIAL L STLUDO 1 BEDROOM 3 BEDROOM 3 BEDROOM 3 BEDROOM 1 DITAL: CHILD CARE CE BEDROOM 1 DITAL: CHILD CARE CE BEDROOMS 1 BEDROOM 1 BED	BY THE PROPERTY OF THE PROPERT	0.9 0.9 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0	10.00° 15.0° 15.0° COND.STALLS.UNIT COND	REG COM	240.00h 1485.00 2243.00 UURED (MITH II £ £ \$50.0h)		\$42.00 (a) 20 (a	75 5
T BEDROOM 2 BEDROOM 3 TOTAL VEHECULAR PA RESIDENTIAL L STLOD 1 BEDROOM 3 BEDROOM 3 BEDROOM 1 BEDROOM 2 BEDROOM 3 BE	3 1 2 2 2 2 2 2 2 2 2	0.9 0.9 1.0 1.0 0.14 PARE 11 PE 5 SP 50%	10.0m2 15.0F KOND STALLSUNNT KOND STALLSUNNT KOND STALLSUNNT ACES PER 151-30 OF TOTAL STALLS BOX	REG COM	240.00h 1485.00 2243.00 UURED (MITH II £ £ \$50.0h)	Manual	\$42.00 (a) 20 (a	75 5
ERISHOOM SERBICOMENT OF SERBICOMENT	ACCIONNE TRALES ACCIONNE REQUIREMENT SALE COMP SALE	0.9 0.9 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0	10 DON' 15 DY CAND STALLS-LINET CAND STALLS-LINE	REGO COMMON TO THE TOTAL S TO STATE OF THE TOTAL S TO STATE OT THE TOTAL S TO STATE OF THE TOTAL S TO STATE OT THE TOTAL S TO STATE OF THE TOTAL S TO STATE OF THE TOTAL S TO	240,000 PART PART PART PART PART PART PART PART		\$42.00ml 398.00ml 398.00ml 398.00ml 2993.50ml 2993.50ml 2993.50ml 2993.50ml 2993.50ml 2995.60ml 2995.60m	75 5
E RESIDOUGH SE RES	ST.	0.9 0.9 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0	10.0m² 115.0F COND. STALLS-LINET COND. STALL	REG COM	244000 224100 2241		\$42 200 at \$10	75 5
E RESIDOUGH SE RES	ST.	0.9 0.9	10.0m² 115.0F COND. STALLS-LINET COND. STALL		244000 224100 2241		942 (2014) 1918 (2014) 1	75 5
E REMOUND SE REMOUNDES DE REMOU	STATE OF THE PROPERTY OF THE P	0.9 0.9 0.9 1.0	TABLE THE STALL CHAPTER STALL		PADED CONTROL OF THE		\$42 200 at \$10	75 5
E RESIDOURI SE RES	STORY LOSS TRANSPORTER TO THE PROPERTY AND A COUNTY TO THE PROPERTY	6.9 0.9 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0	15 DEPT 15 DEP	REGISTRATE AND A TOTAL S OF STATE AND A TOTAL	240,000 (MIN) 140,000 (MIN) 14	Page	982 001	75 5
E RESIDOURI SE RES	STORY OF THE PROPERTY OF THE P	6.9 0.9 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0	THE PROPERTY OF THE PROPERTY O	RED COMMISSION OF THE STATE OF	2 ADDOC TO THE STATE OF T		902 2007 1918	775 5
S REMINIOUS DE SERVICIONES DE SERVIC	ACCOUNTS TO THE PARKET. ACCOUNTS THE PARKET. ACCOUNTS TO THE PARKET. ACCOUNTS THE PAR	6.9 0.9 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0 1.0	THE PROPERTY OF THE PROPERTY O	REGO COLONIA DE LA COLONIA DE	2 ADDOC TO THE STATE OF T	20	902 2007 1918	775 5



DRAWING LIST

DP0.0 COVER SHEET DP0.1 SITE LOCATION DP0.2 SITE CONTEXT DP0.3 SITE DESIGNATION MASSING CONCEPT DP0.4 DP0.5 SITE PLAN CONCEPT DP0.6 SITE SURVEY DP1 0 SITE PLAN VIEW CORRIDOR DP2.0 LEVEL 1 FLOOR & PARKING PLAN LEVEL 2 FLOOR & PARKING PLAN DP2.2

LEVEL 3 FLOOR & PARKING PLAN DP2.3 LEVEL 4 FLOOR PLAN (COURTYARD LEVEL) DP2.4 LEVEL 5 FLOOR PLAN DP2.5 LEVELS 6-7 FLOOR PLAN

LEVEL 8 FLOOR PLAN DP2.6 LEVELS 9-18 FLOOR PLAN DP2.7

DP2.8 LEVEL 19 FLOOR PLAN DP2.9 LEVEL 20 FLOOR PLAN

DP2.10 MECHANICAL PENTHOUSE PLAN

DP2.11 ROOF PLAN

DP3.0 BUILDING ELEVATIONS - NORTH BUILDING ELEVATIONS - EAST (LANE)

DP3.2 BUILDING ELEVATIONS - SOUTH

BUILDING ELEVATIONS - WEST (BERTRAM STREET) DP3.3

BUILDING ELEVATIONS - COURTYARD & COURTYARD DP3.4

BUILDING SECTION DP4.1 BUILDING SECTION

DP4.2 BUILDING SECTION

DP6.0 SITE PLAN DETAILS

PROJECT TEAM

BC HOUSING #1701, 4555 KINGSWAY BURNABY, BC, V5H 4V8 PHONE: 604.433.1711 CONTACT: MICHAEL BIRMINGHAM mbirming@bchousing.org

ARCHITECT: S2 ARCHITECTURE #402, 134 ABBOTT STREET VANCOUVER, BC, V6B 2K4 PHONE: 604.661.8806 CONTACT: SIMON HO s.ho@s2architecture.com

QUANTITY SURVEYOR: CORE TWO

#400, 22 EAST 5TH AVE PHONE: 604.760.3402 CONTACT: ANGELA LAI angelalai@coretwo.ca

GEOTECHNICAL: GEOPACIFIC CONSULTANTS 1779 WEST 75TH AVE VANCOUVER, BC, V6P 6P2 CONTACT: ROBERTO AVENDANO avendano@geopacific.ca

TRAFFIC CONSULTANT:

BUNT & ASSOCIATES #530, 645 FORT STREET VICTORIA, BC, V8W 1G2 PHONE: 250.592.6122 CONTACT: JASON POTTER jpotter@bunteng.com

PLANNER: JULIET ANDERTON CONSULTING 435 HOBSON CRESCENT KELOWNA, BC, V1W 1Y6 PHONE: 250.863.6249 CONTACT: JULIET ANDERTON juliet@julietanderton.ca

LANDSCAPE: OUTLAND DESIGN #303, 590 K.L.O. RD KELOWNA, BC, V1Y 7S2 PHONE: 250.868.9270 CONTACT: FIONA BARTON fiona@outlanddesign.ca

CIVIL:

ECORA ENGINEERING 579 LAWRENCE AVE KELOWNA, BC, V1Y 6L8 PHONE: 250.469.9757

SUSTAINABILITY:
RECOLLECTIVE CONSULTING #120, 128 WEST HASTINGS VANCOUVER, BC, V6B 1G8 PHONE: 604.669.4940 CONTACT: JASON PACKER jason@recollective.ca

ARBORIST:
M2 LANDSCAPE ARCHITECTURE
#220, 26 LORNE MEWS NEW WESTMINSTER, BC, V3M 3L7 PHONE: 604.553.0044 CONTACT: MEREDITH MITCHELL office@m2la.com



PROJECT AFFORDABLE HOUSING STREET / BERTRAM HOUSING

BC









DP - STREETSCAPE VIEW 01 (LOOKING EAST)



2 DP - STREETSCAPE VIEW 02 (LOOKING SOUTH EAST)



3 DP - STREETSCAPE VIEW 03 (LOOKING NORTH)



DP - STREETSCAPE VIEW 04 (LOOKING NORTH-EAST)



5 DP - STREETSCAPE VIEW 05 (LOOKING SOUTH EAST)



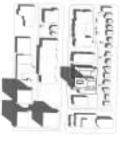




7 DP - STREETSCAPE VIEW 07 (LOOKING NORTH)







5 JUNE 21 - 10:00



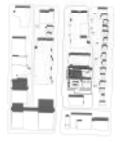
9 SEPTEMBER 21 - 10:00



13 DECEMBER 21 - 10:00



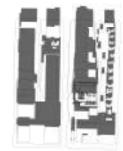
2 MARCH 21 - 12:00 504E: 1:2000



6 JUNE 21 - 12:00



0 SEPTEMBER 21 - 12:00 SCALE: 1: 2000



14 DECEMBER 21 - 12:00 BOALE 1:2000



3 MARCH 21 - 14:00



7 JUNE 21 - 14:00



SEPTEMBER 21 - 14:00 DR17 SCALE 1: 2000



15 DECEMBER 21 - 14:00



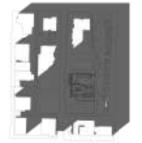
4 MARCH 21 - 16:00 SCALE 1:2000



8 JUNE 21 - 16:00



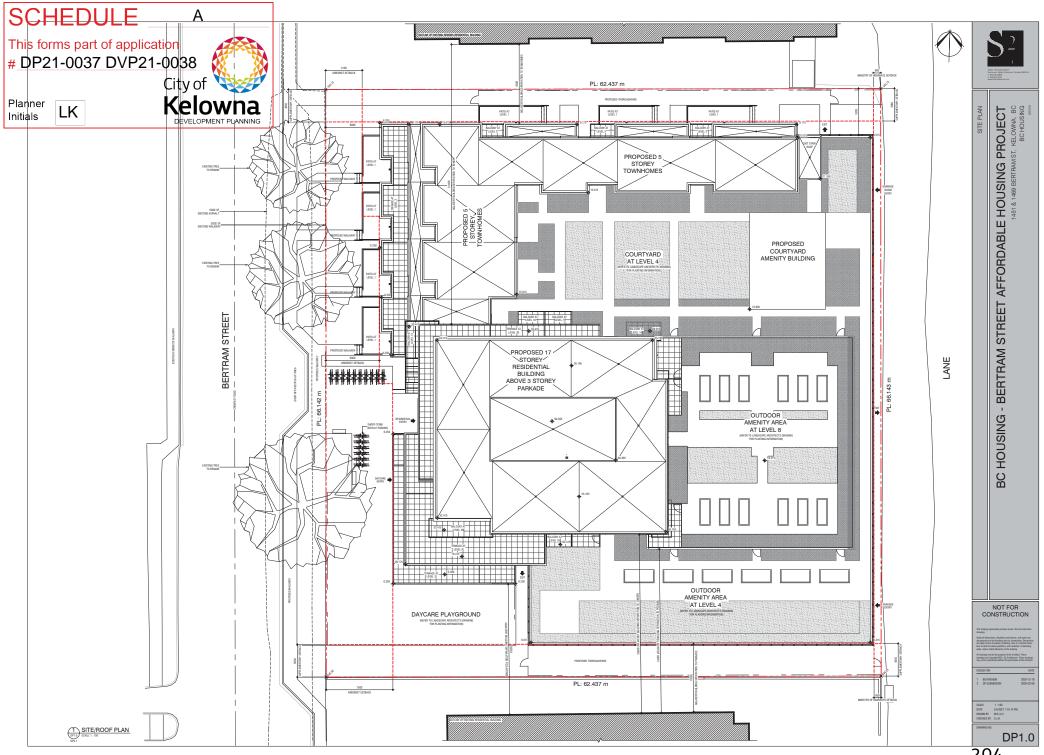
SEPTEMBER 21 - 16:00



16 DECEMBER 21 - 16:00



BC HOUSING







BC HOUSING - BERTRAM STREET AFFORDABLE HOUSING PROJECT
1451 & 1469 BEFTRAMST, RELOWNA, BC
BCHOUSING

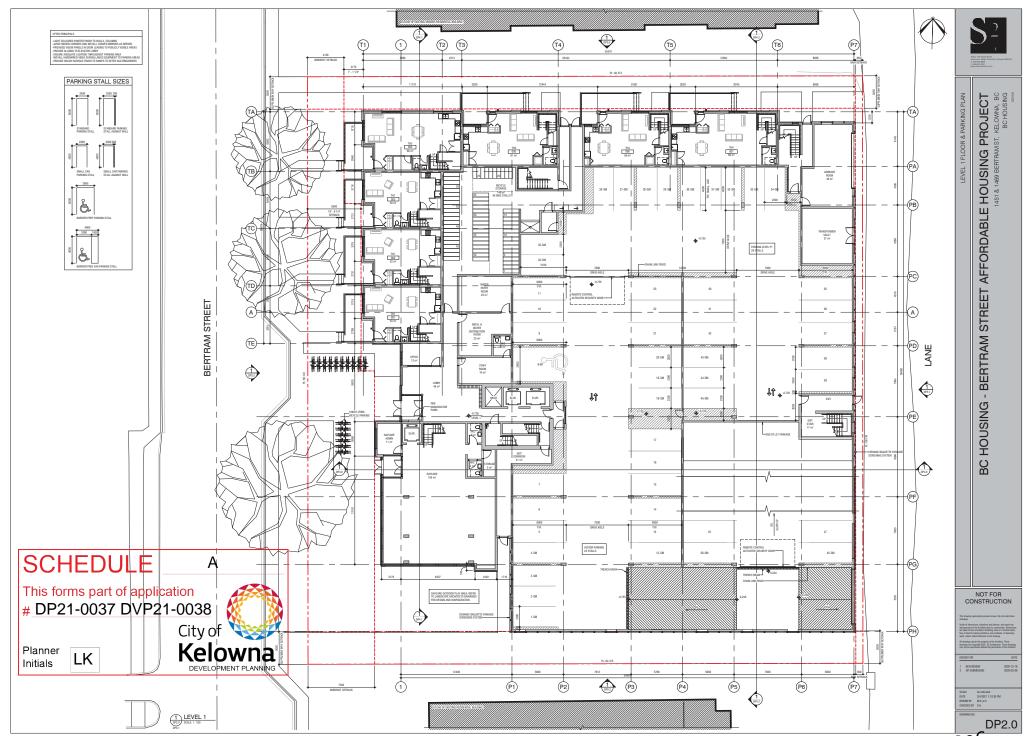


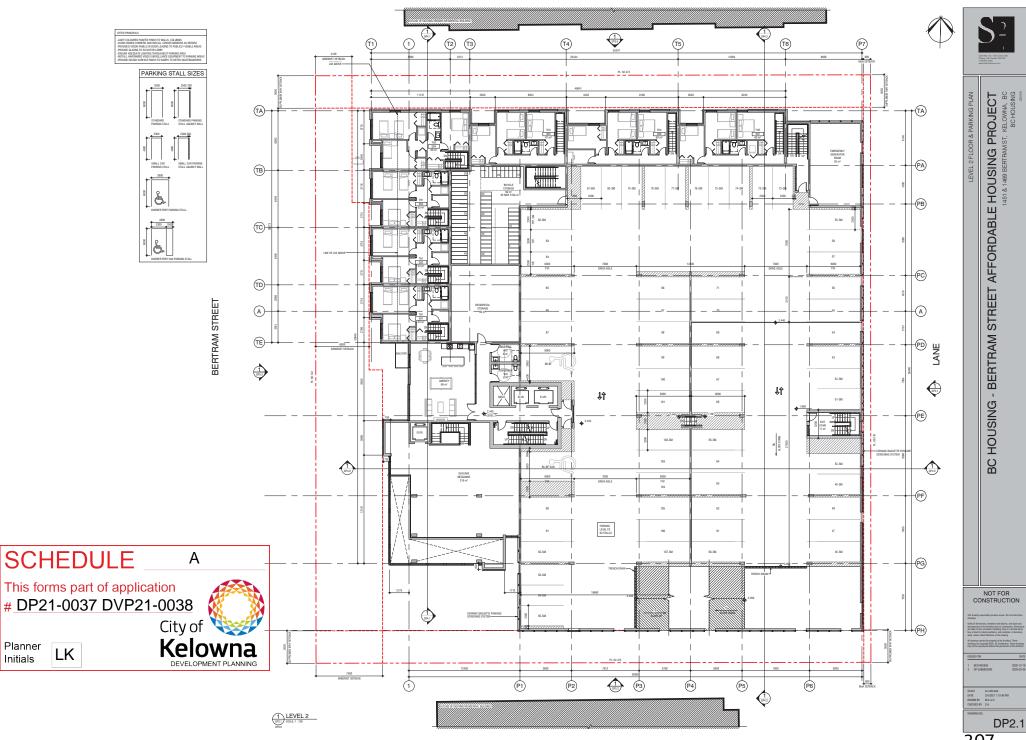
EAST-WEST VIEW CORRIDOR

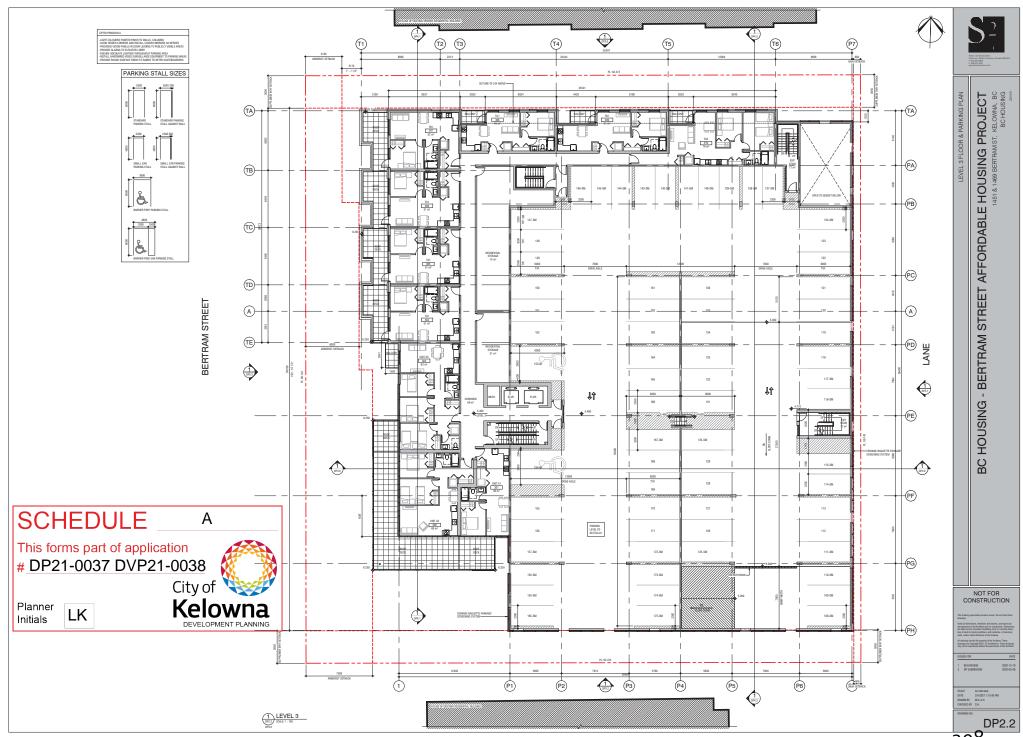


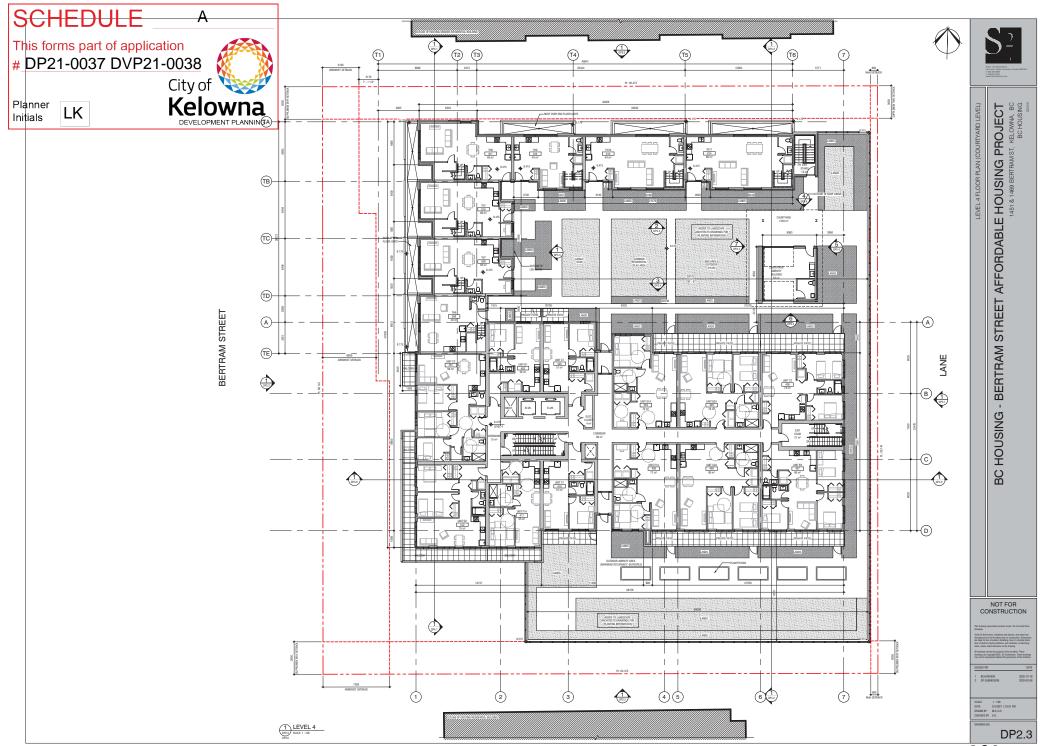
2 NORTH-SOUTH VIEW CORRIDOR

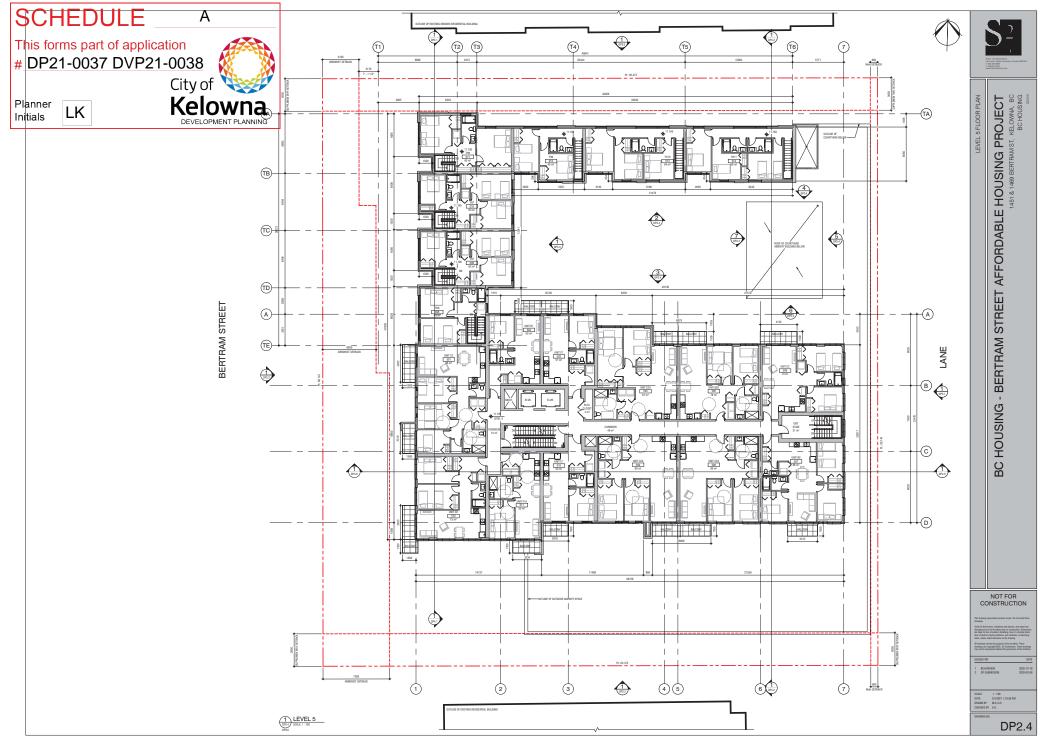
NOT FOR CONSTRUCTION DP1.2 205

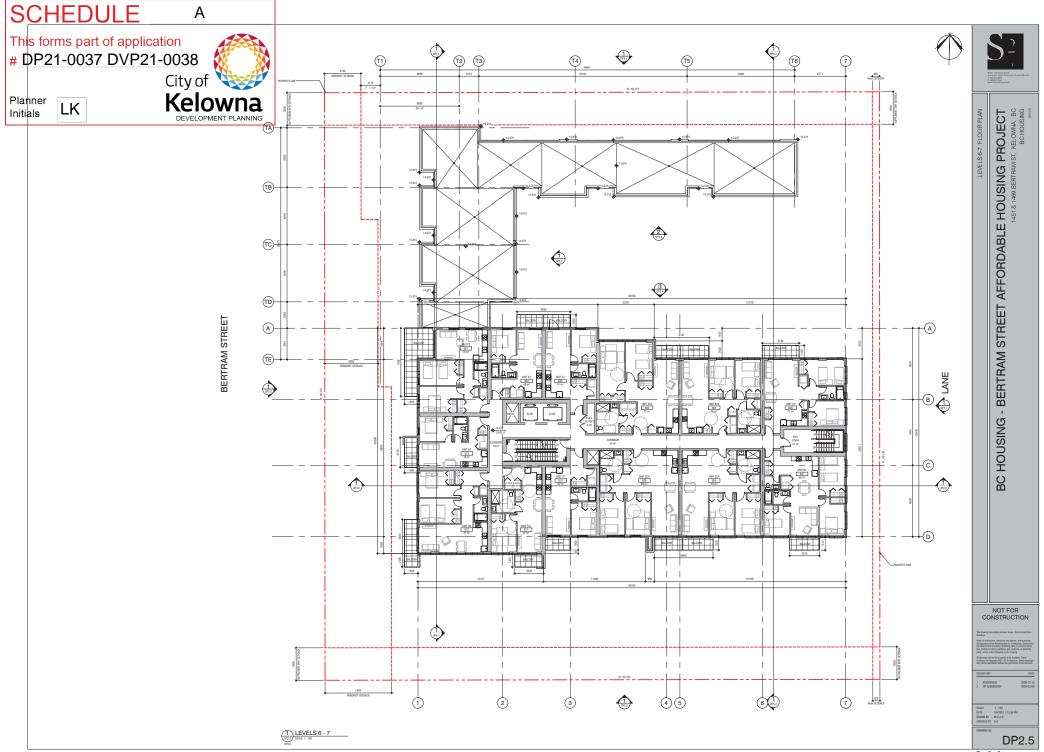


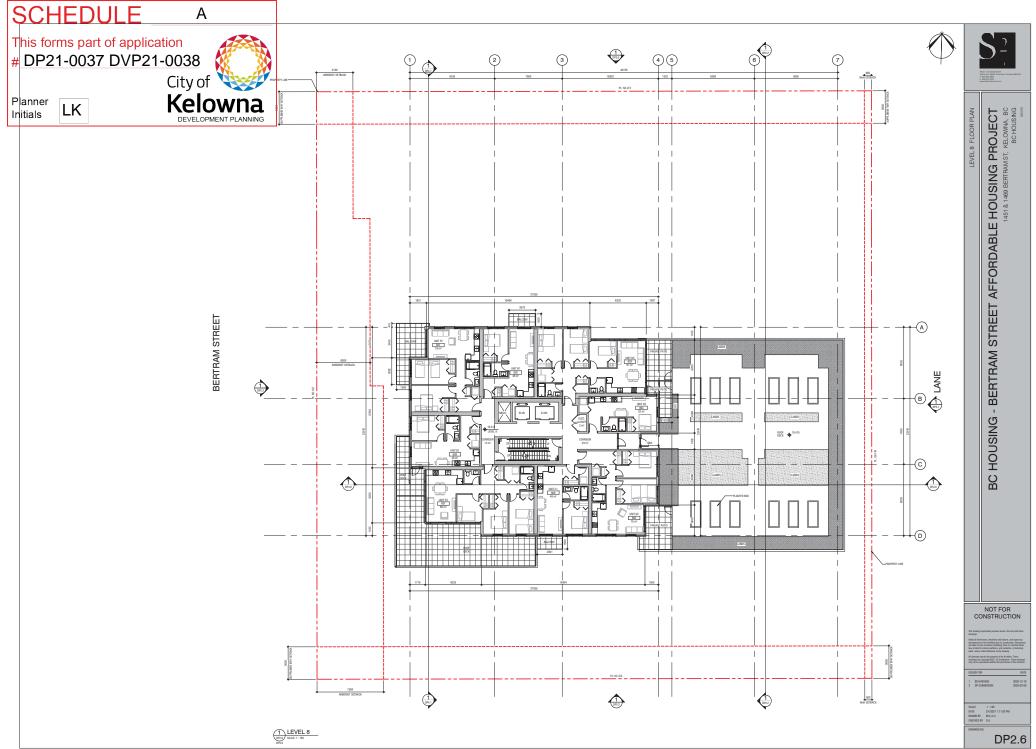


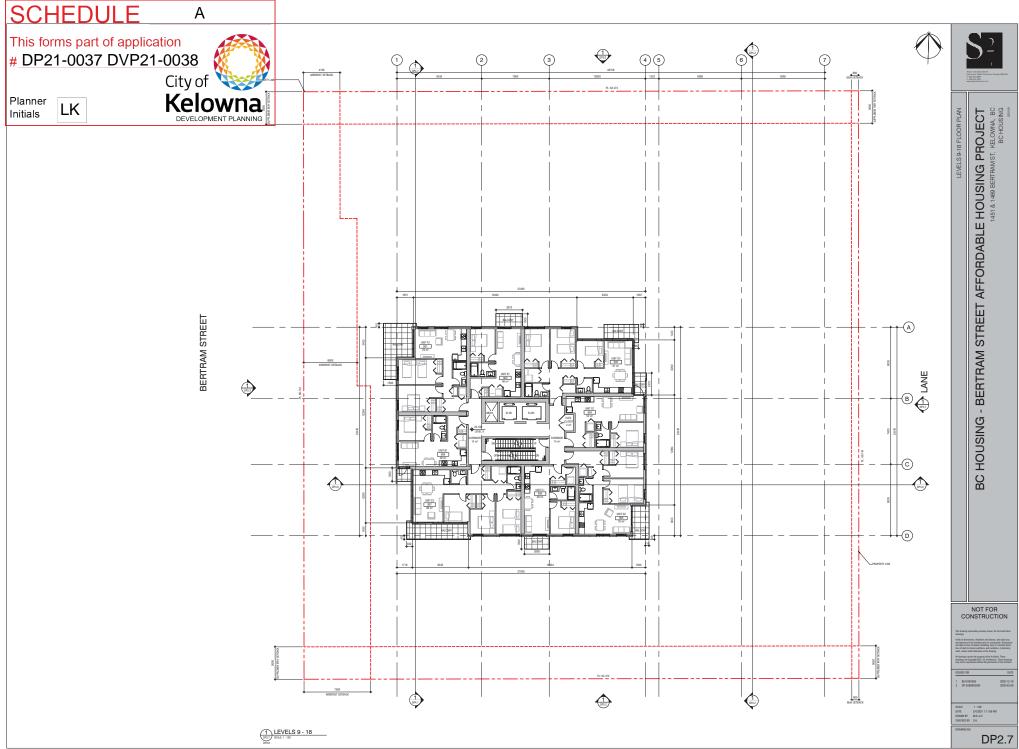


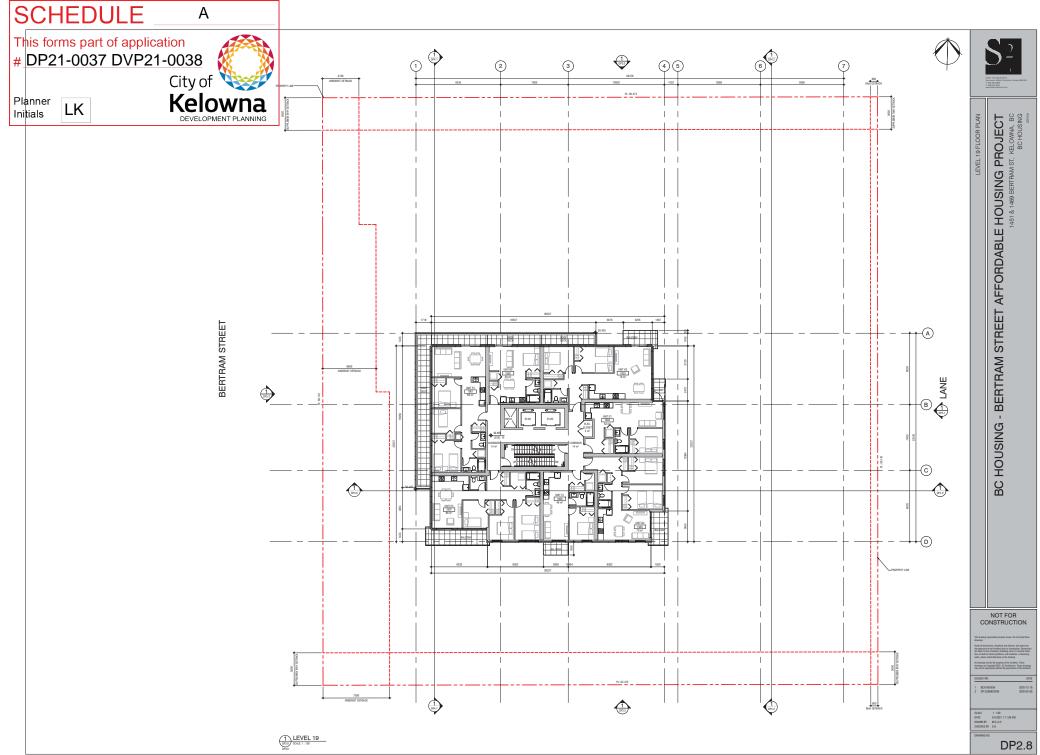


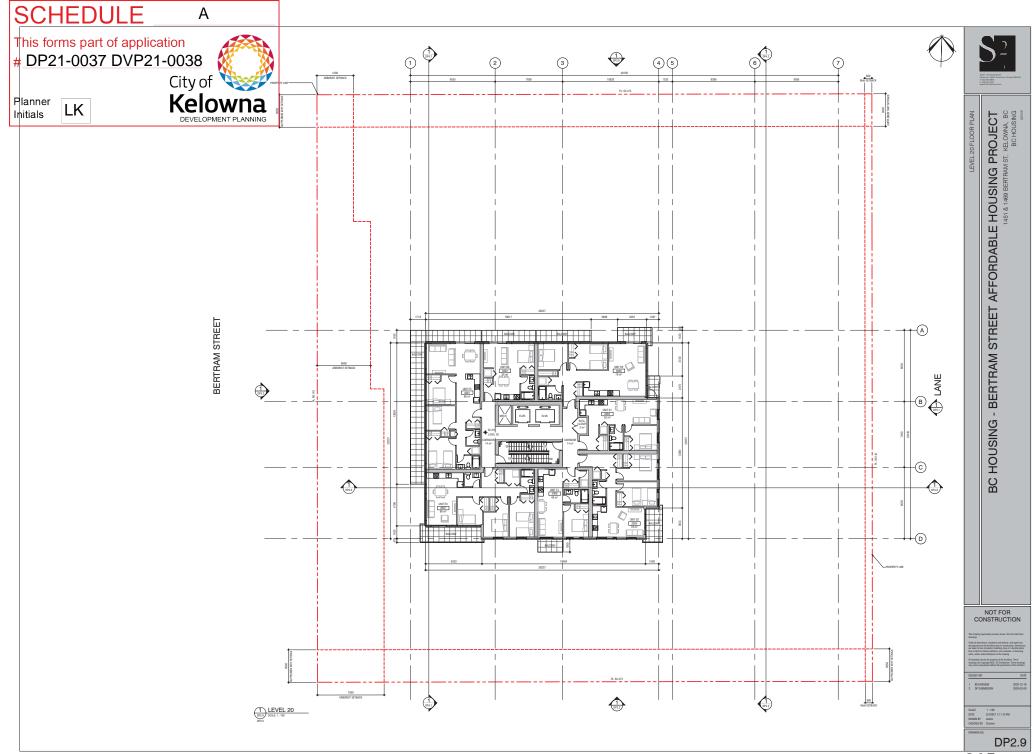


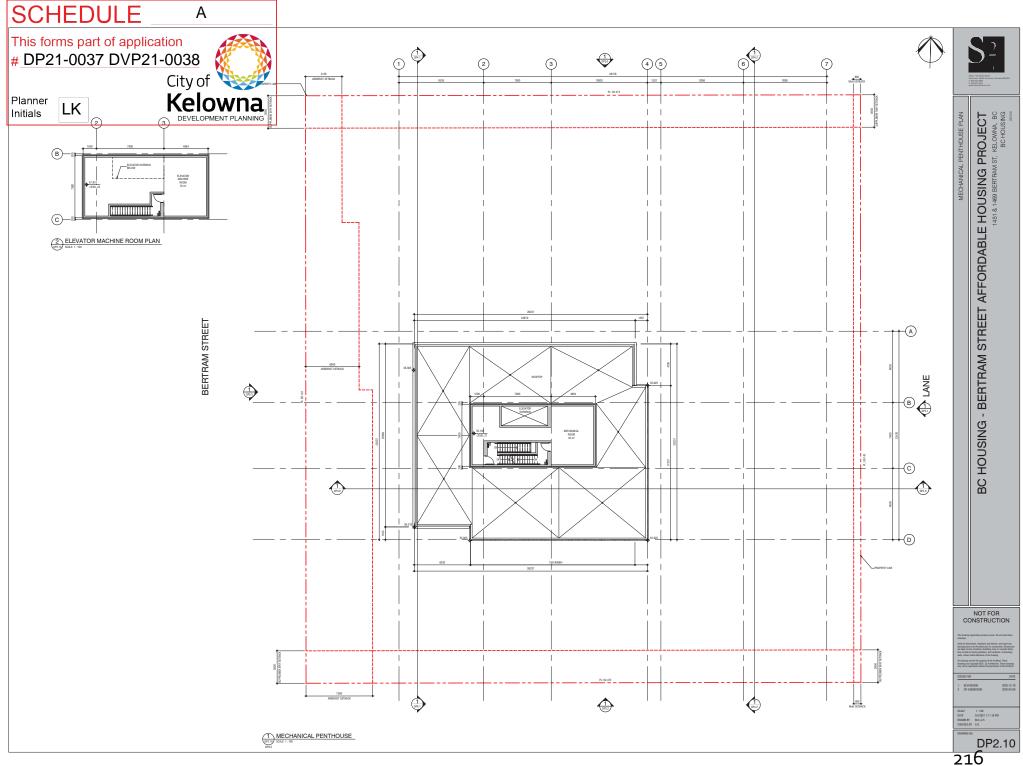


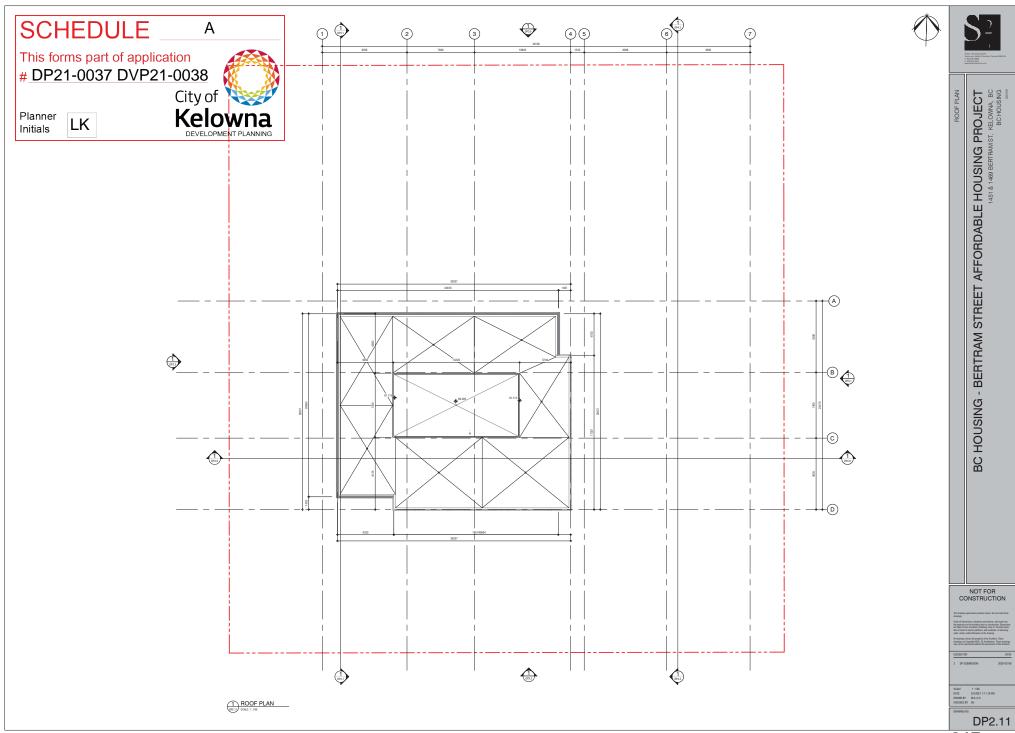


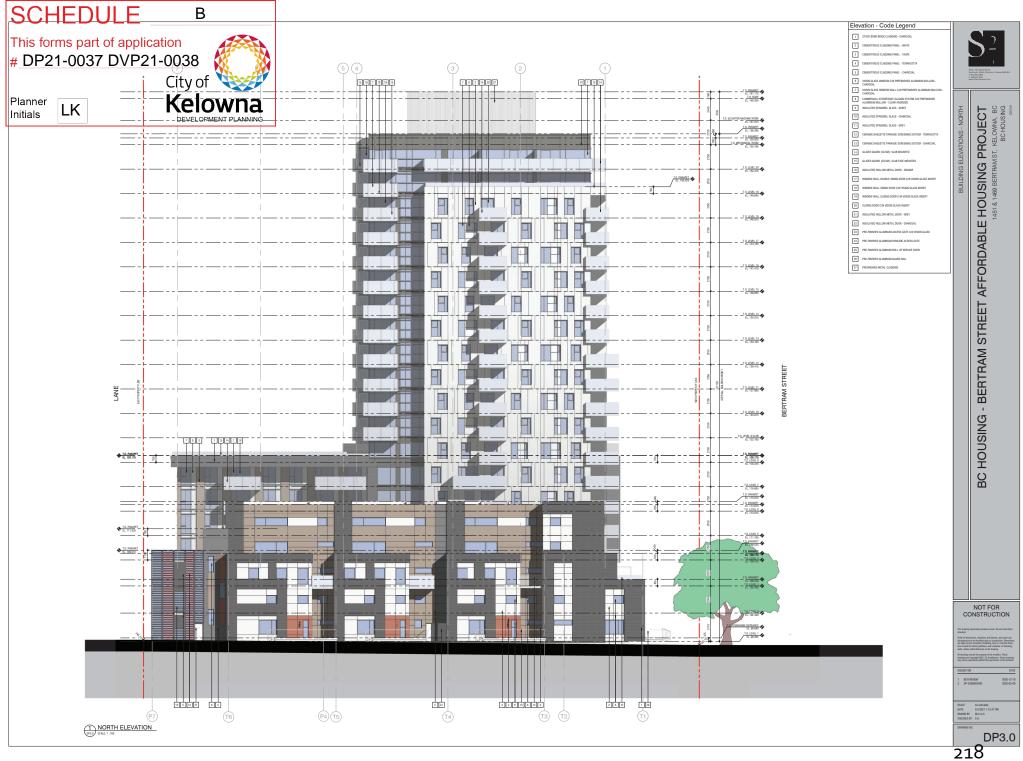


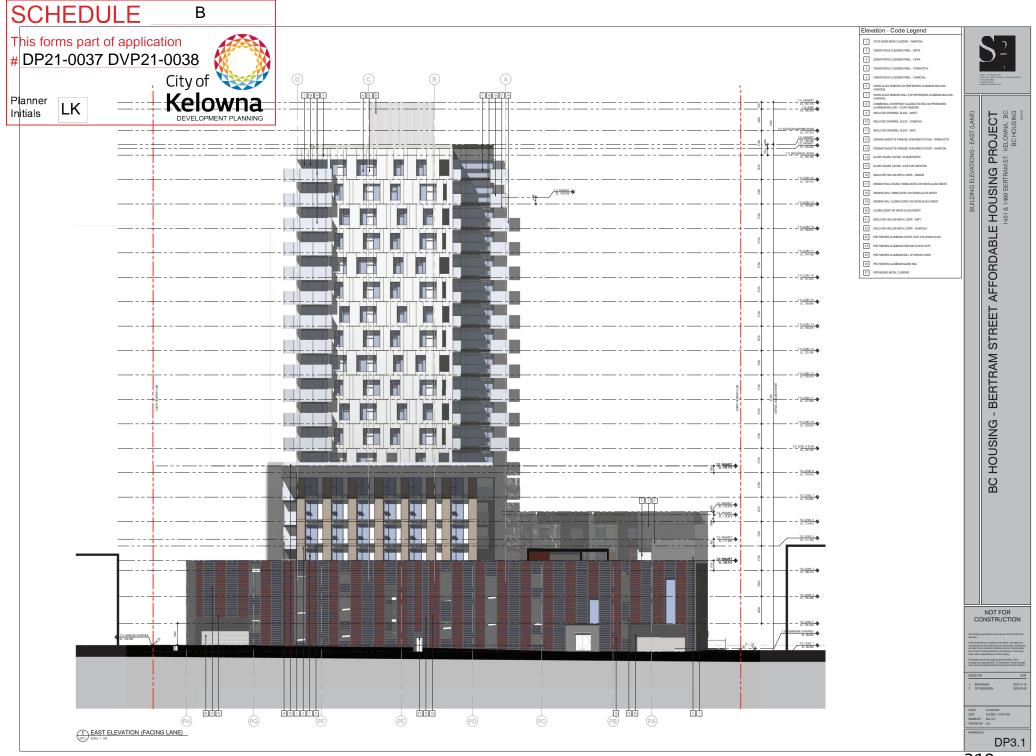


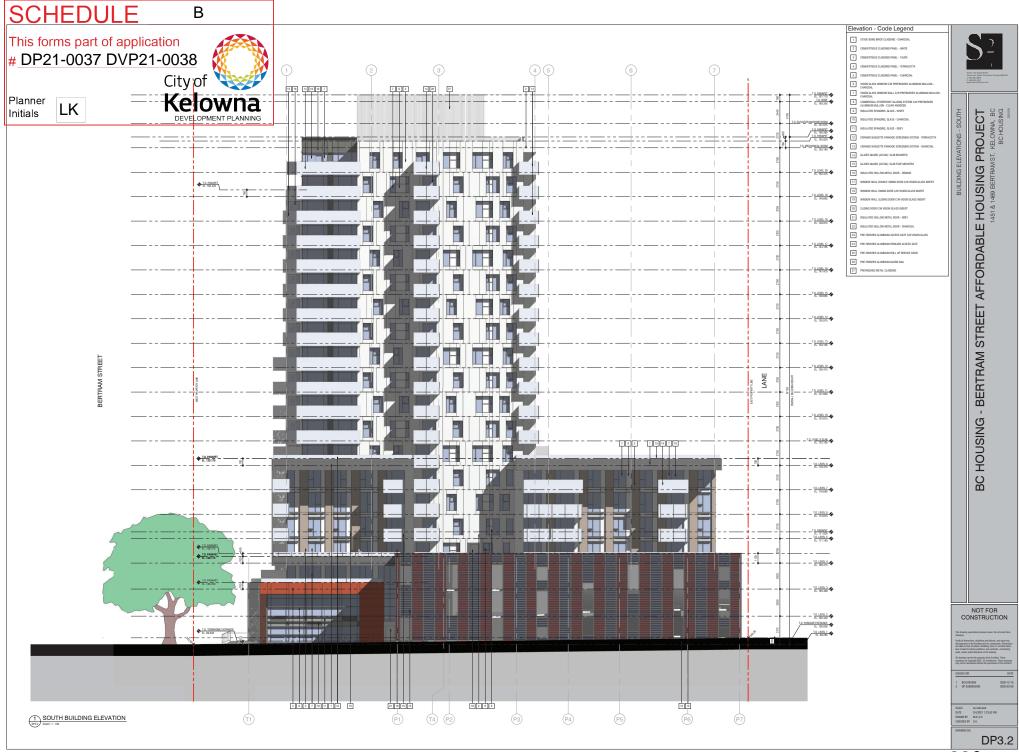


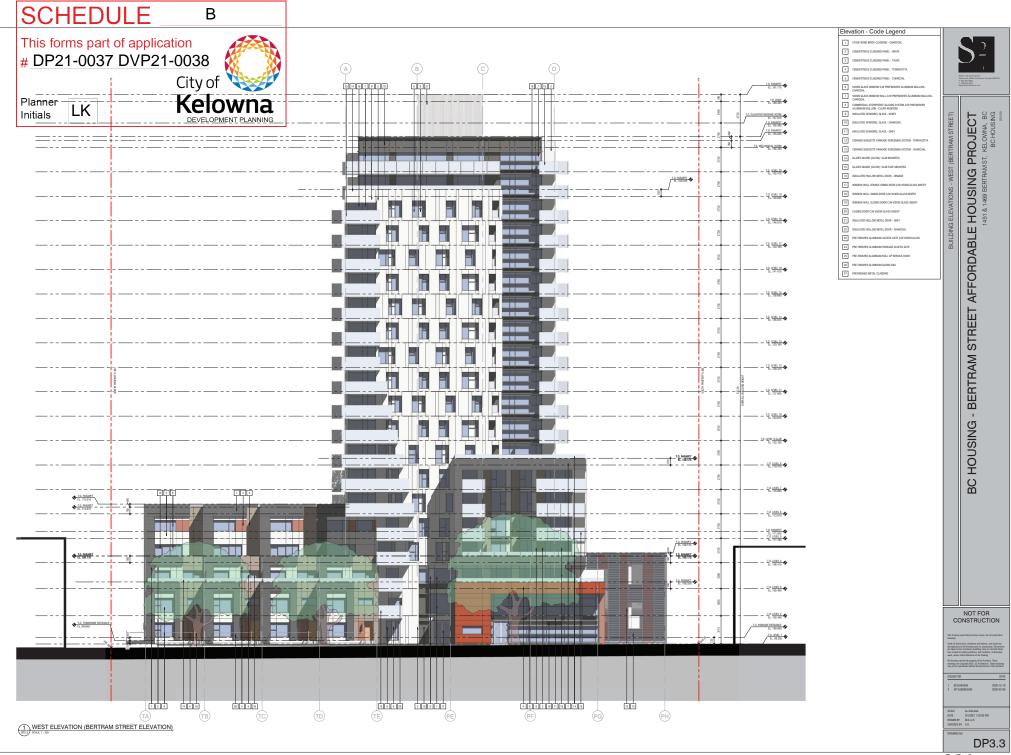




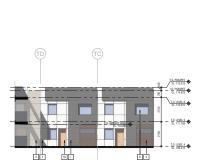






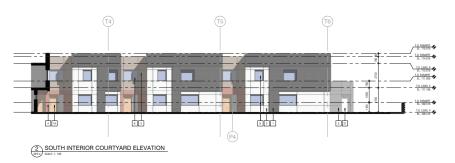






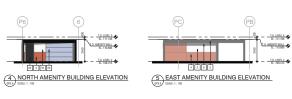
EAST INTERIOR COURTYARD ELEVATION

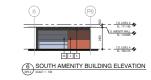
| STAIL | S















BC HOUSING - BERTRAM STREET AFFORDABLE HOUSING PROJECT



Planner Initials

-1.8m HT. METAL PICKET FENCE (TYP.)

-DECORATIVE SHRUB, PERENNIAL, & ORNAMENTAL GRASS PLANTINGS (TYP.)

-CRUSHER FINES SURFACING (TYP.) -DECORATIVE PAVER BAND (TYP.)

4TH FLOOR

SMALL DECIDUOUS FEATURE TREE

EXISTING TREE TO BE REMOVED

8TH FLOOR

CONCRETE SIDEWALK (TYP)

DAYCARE PLAY AREA = 280 SQ. M.

BERTRAM STREET







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

NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED C.L.N.A. STANDARDS. 2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.

3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM $75 \mathrm{mm}$ WOOD MULCH. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.

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

5. TURF AREAS FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CUITIVASS RECISITERS FOR SALE N.B.C. AND SHALL BETCHEARM OF DROUGHT CONDITIONS. A MINIMUM. OF 150mm EPRITH OF BOOWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FILISH.

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.

7. ALL BOULEVARD OFF-SITE IMPROVEMENTS TO BE INCONFORMANCE WITH CITY OF KELOWNA SUBDIVISION AND DEVELOPMENT SERVICING BYLAW 7900

BOTANICAL NAME	OMMON NAME	QTY	SIZE/SPACING & REMARKS
TREES			
ACER PALMATUM	JAPANESE MAPLE		6om CAL
ERCIS CANADENSIS 'COVEY'	LAVENDER TWIST REDBUD		6om CAL
RAXINUS AMERICANA 'AUTUMN PURPLE'	AUTUMN PURPLE ASH		6cm CAL
IQUIDAMBAR STYRACIFLUA 'SLENDER SILHOUETTE'	SLENDER SILHOUETTE SWEETGUM		6om CAL
TILIA CORDATA 'GREENSPIRE'	GREENSPIRE LINDEN	3	6am CAL
SHRUBS			
BERBERIS THUNBERGII 'MONOMB'	CHERRY BOMB BARBERRY		#02 CONT. /1.2M O.C. SPACIN
UXUS 'GREEN MOUNTAIN'	GREEN MOUNTAIN BOXWOOD		#02 CONT. /1.2M O.C. SPACIN
ORNUS SANGUINEA 'MIDWINTER FIRE'	MIDWINTER FIRE DOGWOOD		#02 CONT. /1.5M O.C. SPACIN
UONYMUS ALATUS 'SELECT'	FIRE BALL BURNING BUSH		#02 CONT. /1.2M O.C. SPACIN
UNIPERUS'IDYLLWILD'	IDYLLWILD JUNIPER	13	#02 CONT. /2.0M O.C. SPACIN
'INUS SYLVESTRIS 'GLAUCA NANA'	DWARF BLUE SCOTCH PINE		#02 CONT. /1.8M O.C. SPACIN
ROSA MELMODAC	ROYALBONICA ROSE	25	#02 CONT. /1.2M O.C. SPACIN
ERENNIALS & ORNAMENTAL GRASSES			
AQUILEGIA VULGARIS 'BLACK BARLOW'	BLACK BARLOW COLUMBINE		#01 CONT. /0.6M O.C. SPACIN
ALAMAGROSTIS ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS		#01 CONT. /0.75M O.C. SPACI
DICENTRA SPECTABILIS	PINK BLEEDING HEART		#01 CONT. /1.0M O.C. SPACIN
IEPETA X FAASSENII "WALKER'S LOW"	WALKER'S LOW CATMINT		#01 CONT. /1.2M O.C. SPACIN
ACHYSANDRA TERMINALIS	JAPANESE SPURGE		#01 CONT. /0.75M O.C. SPACI
AXISTIMA CANBYI	CLIFF GREEN	39	#01 CONT. /0.75M O.C. SPACE
ENNISETUM ALOPECUROIDES	FOUNTAIN GRASS		#01 CONT. /1.2M O.C. SPACIN
'UDBECKIA FULGIDA 'GOLDSTURM'	GOLDSTURM CONEFLOWER		#01 CONT. /0.75M O.C. SPACE
EDUM SPECTABILE 'AUTUMN FIRE'	AUTUMN FIRE STONECROP	60	#01 CONT. /0.6M O.C. SPACIN
VINES			
ONICERA HECKROTTI 'GOLDFLAME'	GOLDFLAME HONEYSUCKLE		#01 CONT. /SPACING PER PLA
ARTHENOCISSUS QUINQUEFOLIA	VIRGINIA CREEPER	22	#01 CONT /SPACING PER PLA



BERTRAM BC HOUSING

1451 & 1469 BERTRAM STREET

CONCEPTUAL LANDSCAPE PLAN

	20.12.10	Review	
2	21.02.03	Development Permit	
3 4 5			
4			
5			
PRC	IECT NO	19027	
	JECT NO	19027 FB	

DESIGN BY	FB		
DRAWN BY	SR		
CHECKED BY	FB		
DATE	FEB. 3, 2021		
SCALE	1:200		
PAGE SIZE	24x36		



ISSUED FOR REVIEW ONLY





DP21-0037 & DVP21-0038 1451 Bertram St

Development Permit and Development Variance Permit
Applications



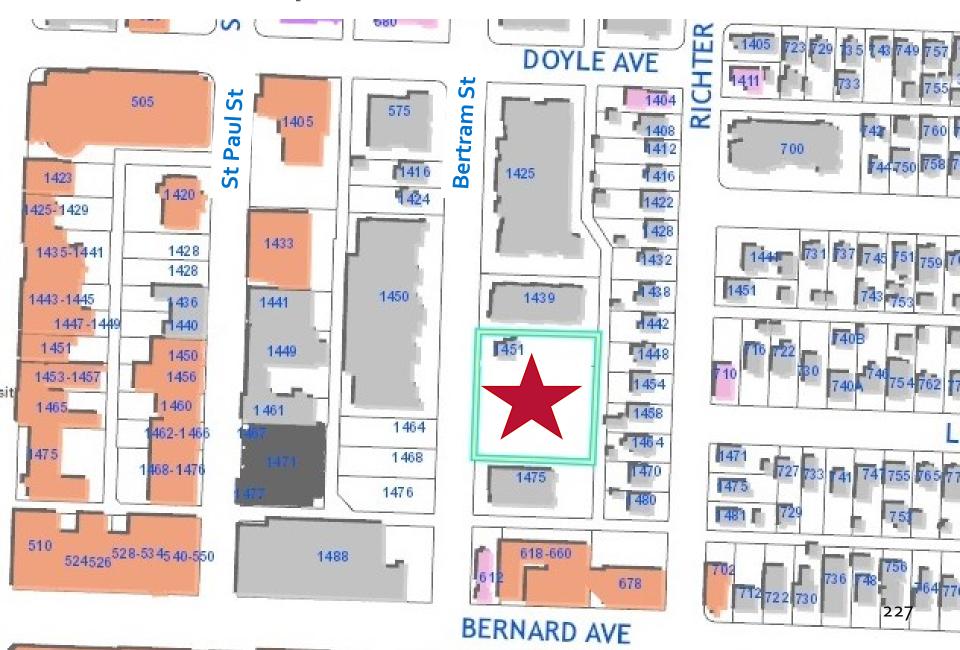
Proposal

➤ To consider the form and character development permit and the associated height variance for a mixed-use multiple dwelling housing development on the subject property.

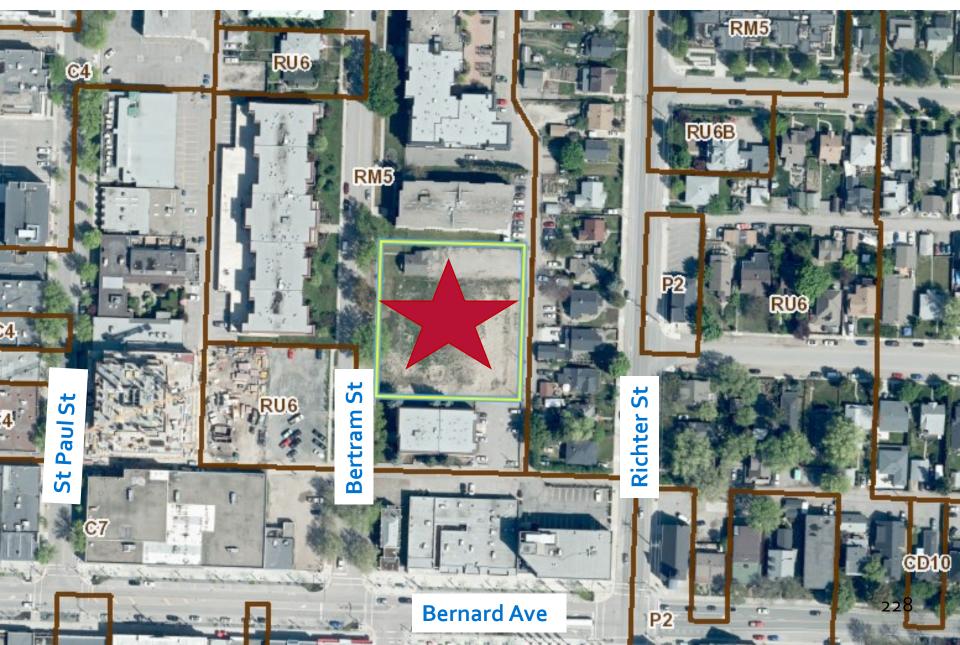
Development Process



Context Map



Subject Property Map



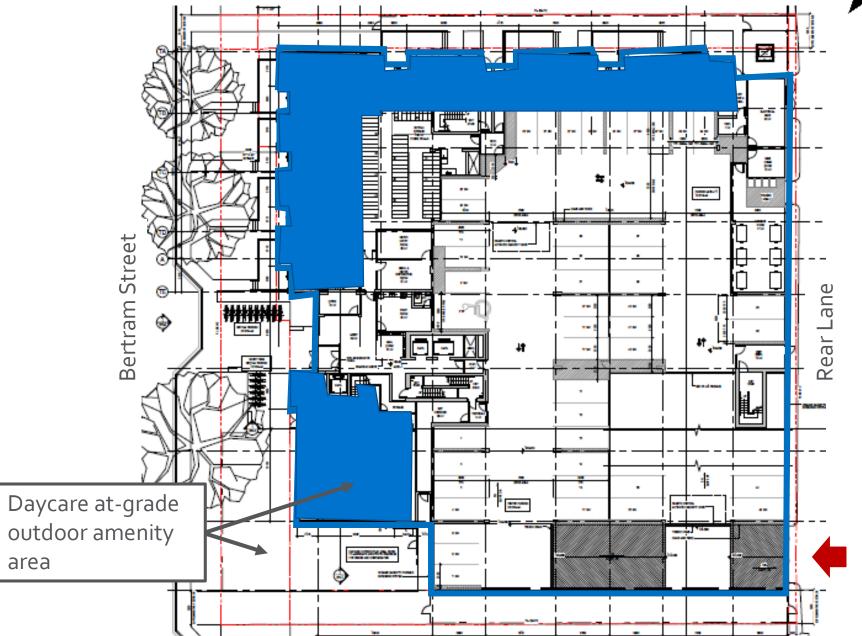
Project Details



- ► FAR 3.88
- 20-storeys (17-storey residential tower on 3-storey parking podium)
- ▶ 176 residential rental units
 - ► Studio 4 units (3%)
 - ▶ 1-Bedroom 73 (44%)
 - ▶ 2 Bedroom 56 (32%)
 - > 3 Bedroom -43 (24%)
- Daycare and 14 townhomes to screen parkade along Bertram St and north shared property line
- ▶ 165 parking stalls provided (156 stalls required)

Main Floor Plan



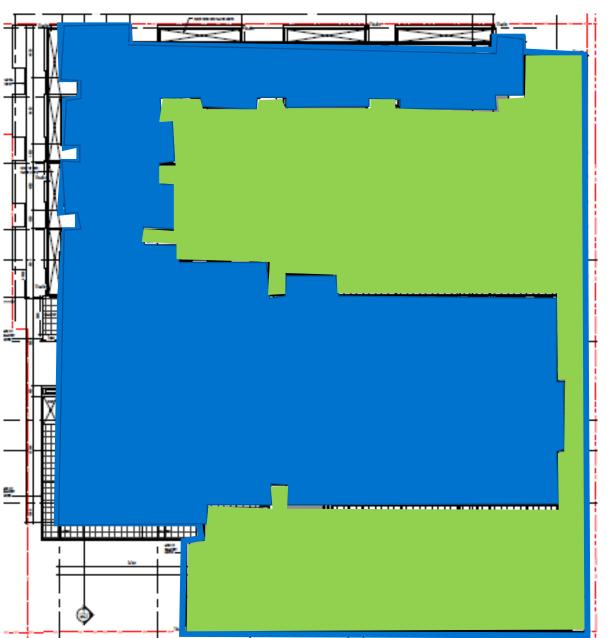


4th Floor Plan



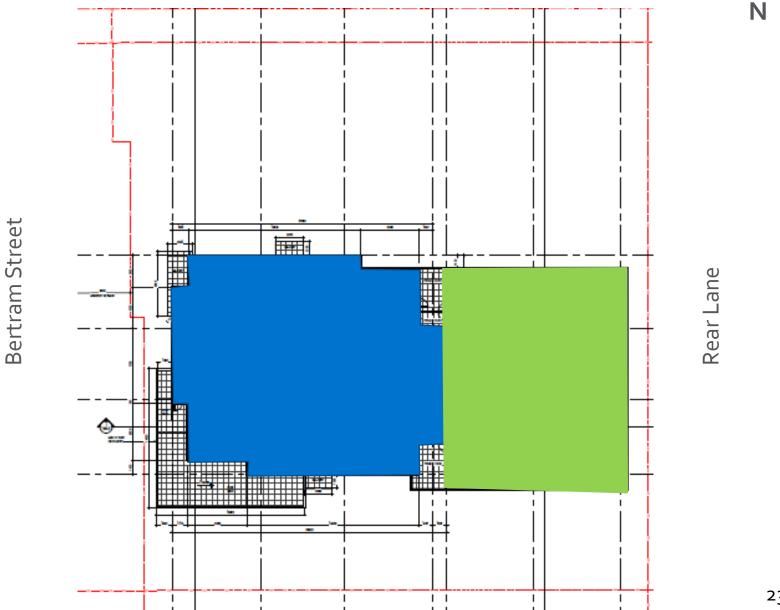
Rear Lane





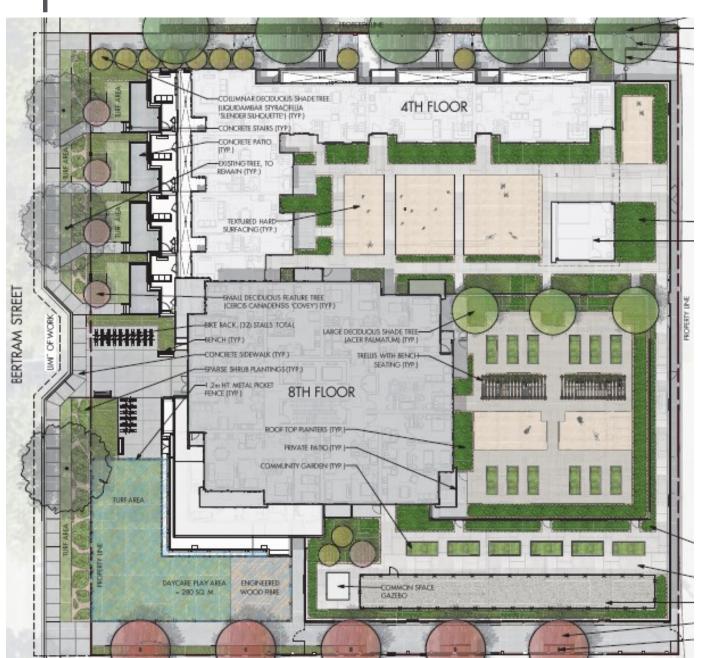
8th Floor Plan





232

Landscape Plan



Elevations

20 Storey Apartments

7 Storey Apartments

5 Storey Townhomes

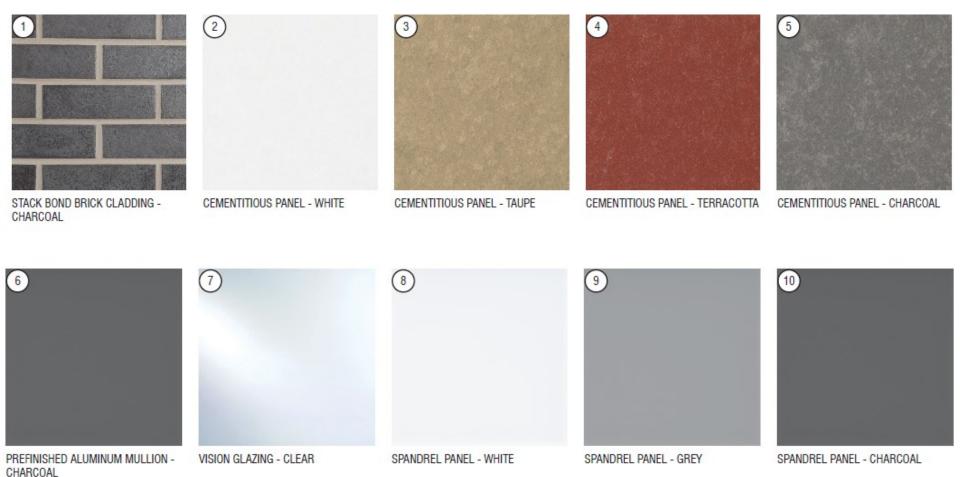
3 Storey Parkade

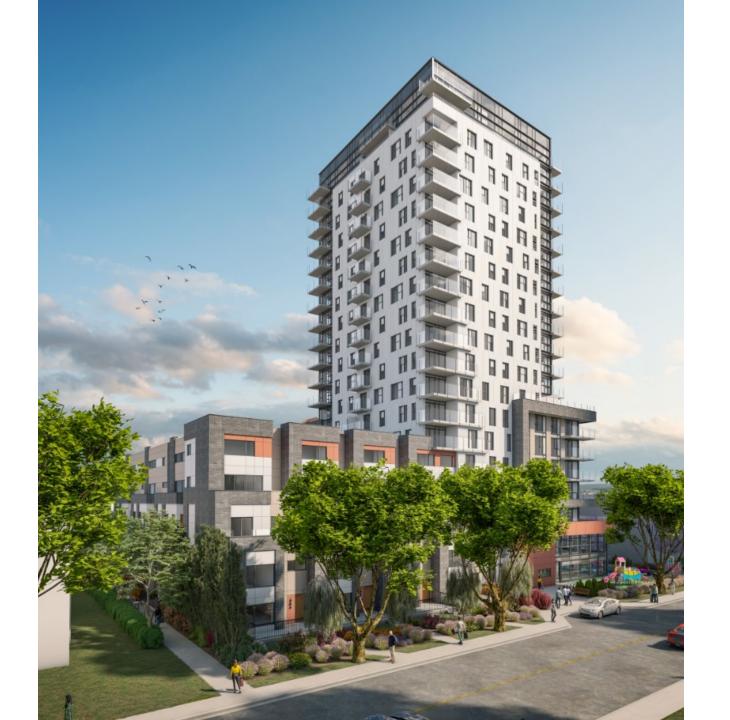


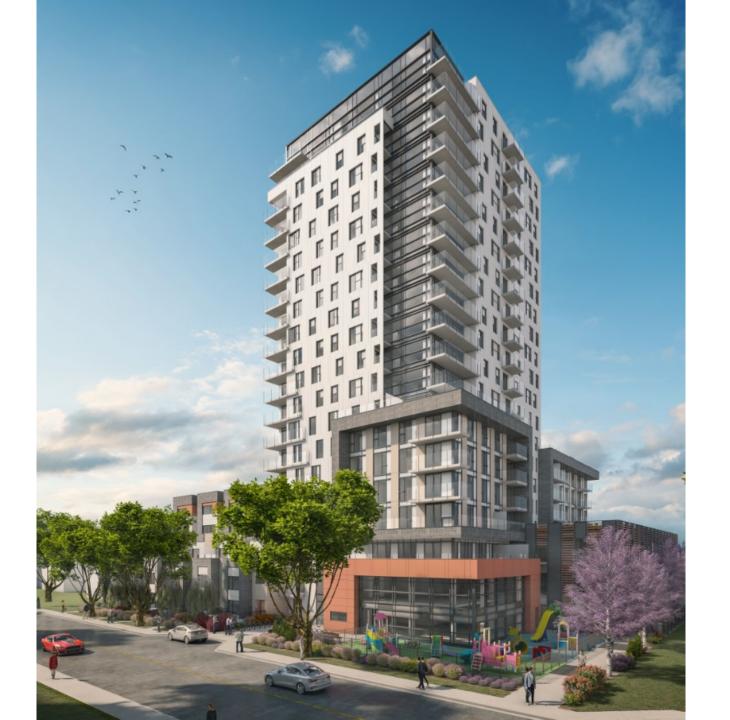
North Elevation

Elevations 20 Storey Apartments 7 Storey Apartments West Elevation (Bertram) 3 Storey Par 1 Storey Daycare 235

Material Board









Variance for Height

Max. of 37.0 m or 12 Storeys to 63 m & 20 storeys proposed.

Approx 37.0 m / 12 storeys

7 Storey Apartments 1 Storey Daycare 240

20 Storey Apartments

3 Storey Parkade

Development Policy



- ► OCP Urban Infill Policies:
 - Provide a variety of housing types, affordable and special needs housing.
 - Purpose-built rental building
 - 22 universally accessible units (12.5%)
 - ▶ 43 three-bedroom units (24%)
 - Consider height variances to the Zoning Bylaw, provided this results in the creation of affordable housing or yields other significant community benefits.
 - Below Market and Market rental units
 - Child Care Centre
 - ▶ Tower design sensitively integrated to neighbouring properties.



Staff Recommendation

➤ Staff supports the proposed form and character Development Permit and associated variance.



Conclusion of Staff Remarks





City Council Presentation

BCH Bertram Street Affordable Housing

1451 Bertram Street
October 5, 2021









Development Facts

176 Affordable Non-market and Market Rental Units

- 162 apartment style units
- 14 direct street and podium oriented townhouse units

Studio Units 4(3%)
 1 Bedroom Units 73(41%)
 2 Bedroom Units 56 (32%)
 3 Bedroom Units 43 (24%)
 Accessible Units (BCH Min 5%) 22 (12.5%)

Outdoor Amenities on Levels 4 & 8

- Large private courtyard on level 4 with common areas, bbq area and amenity building
- Rooftop garden on level 8 with common areas and planter boxes

Daycare and Outdoor Play Area

- At grade access on south-west building corner
- Support for young families living in the building and surrounding neighbourhood
- 336sm of indoor daycare space

Leadership in Climate Change

- Voluntary implementation of Step Code 3
- Passive energy and sustainability design principles
- Landscaping to reduce ambient temperature around the building
- Landscaping to minimize water consumption
- Construction waste diversion target of 60%
- 25% of parking supports vehicle charging
- Car share options

Site Location & Context



1 DP - STREETSCAPE VIEW 01 (LOOKING EAST)

SCALE: 1:1



DP - STREETSCAPE VIEW 02 (LOOKING SOUTH EAST)

SCALE: 1:1



3 DP - STREETSCAPE VIEW 03 (LOOKING NORTH)

DP0.2 SCALE: 1:1

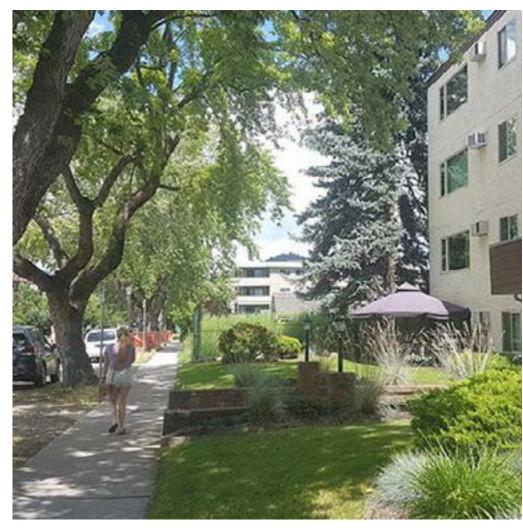


DP - STREETSCAPE VIEW 04 (LOOKING NORTH-EAST)
SCALE: 1:1



5 DP - STREETSCAPE VIEW 05 (LOOKING SOUTH EAST)

SCALE: 1:1



6 DP - STREETSCAPE VIEW 06 (LOOKING NORTH)

SCALE: 1: 1



7 DP - STREETSCAPE VIEW 07 (LOOKING NORTH)

SCALE: 1: 1

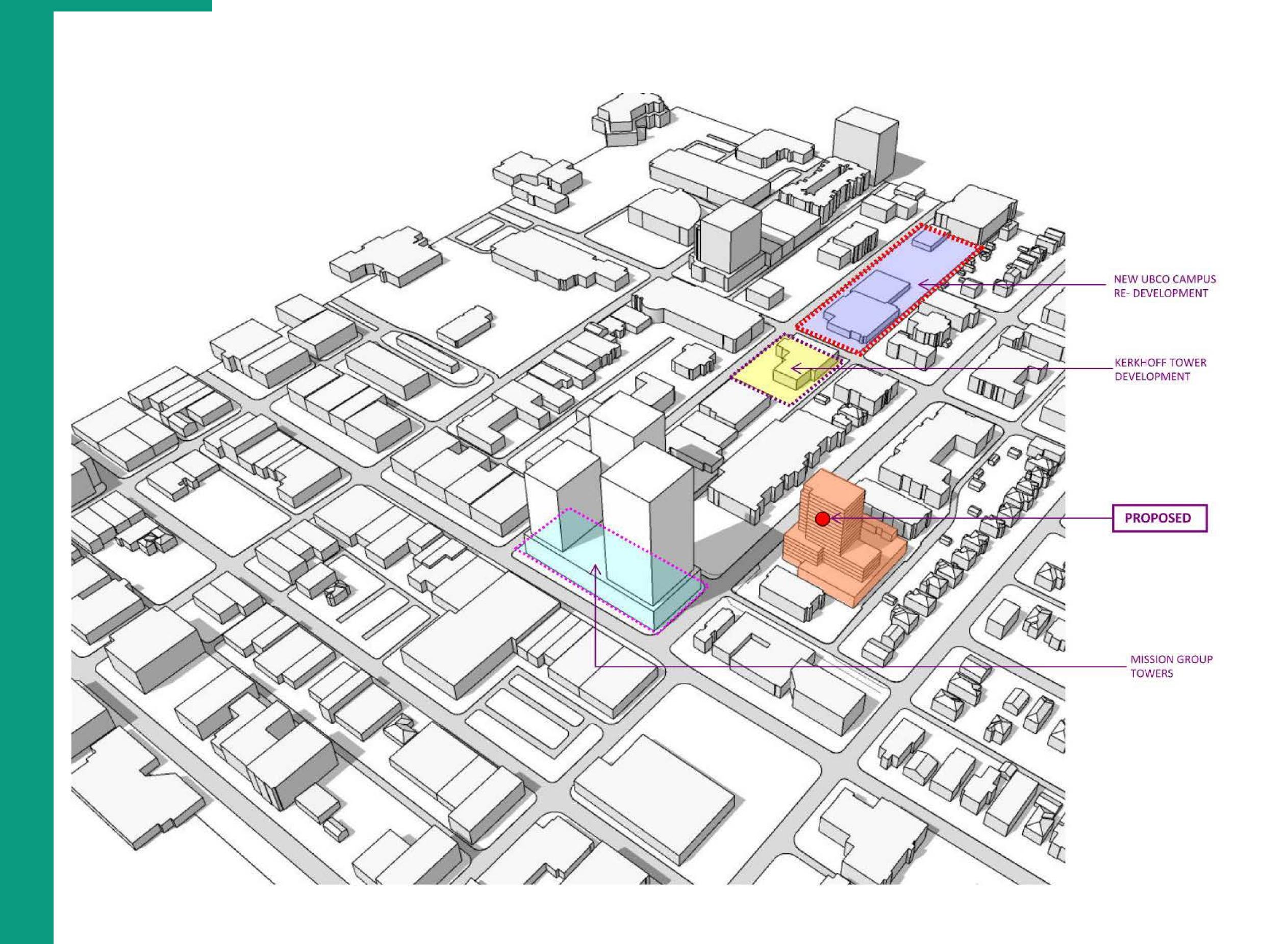


8 DP - STREETSCAPE VIEW 08 (LOOKING NORTH)
DP0.2 SCALE: 1:1



9 DP - STREETSCAPE PLAN

Site Massing



NEIGHBOURHOOD FIT

Residential Character of Bertram Streetscape is Strengthened

- Residential setbacks are typical for Bertram Street
- Walkout townhomes reinforce the residential feel
- Mature street trees are preserved and new trees are planted
- Sidewalk and lighting improvements create welcoming and safe spaces
- Parkade is limited to 3 storeys and hidden from Bertram Street

Proposed Building Heights Setback and Stepback from Neighbours

- Building heights are lower or one storey higher than adjacent apartments
- The apartment is set back from neighbours toward the middle of the site
- The narrow form minimizes shadow and maximizes sky view better than a low and wide building

Vehicle and Parking Management

- All required parking is accommodated on site, no parking variance
- Rear lane is widened to support vehicle access
- Secure bicycle spaces are provided in the parkade and in-suites
- Car share agreement will be pursued with Modo

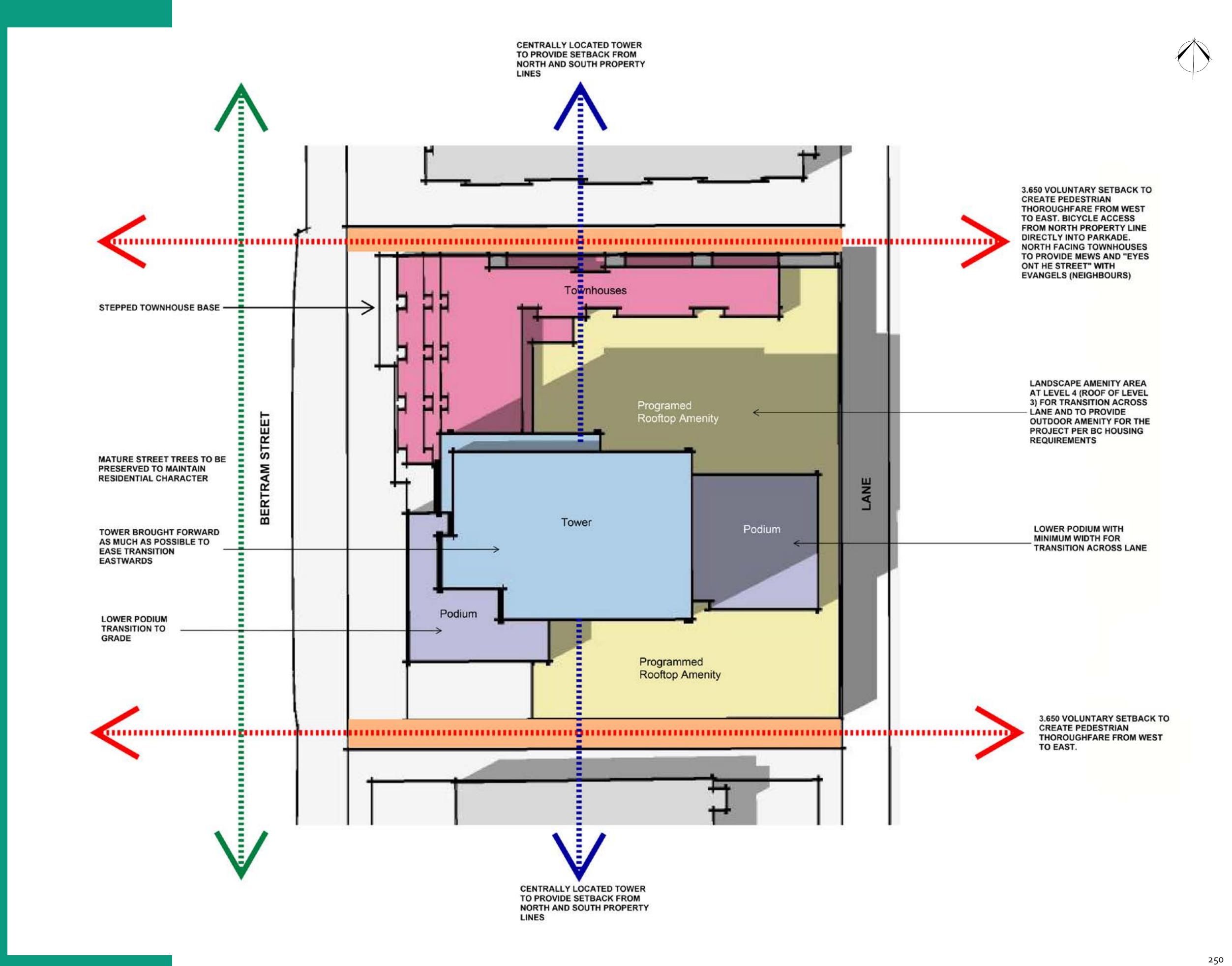
Careful Attention to Shared Property Lines

- Landscaping, paving and fencing along shared property lines has been designed in consultation with neighbours
- Both privacy and CPTED techniques have been considered

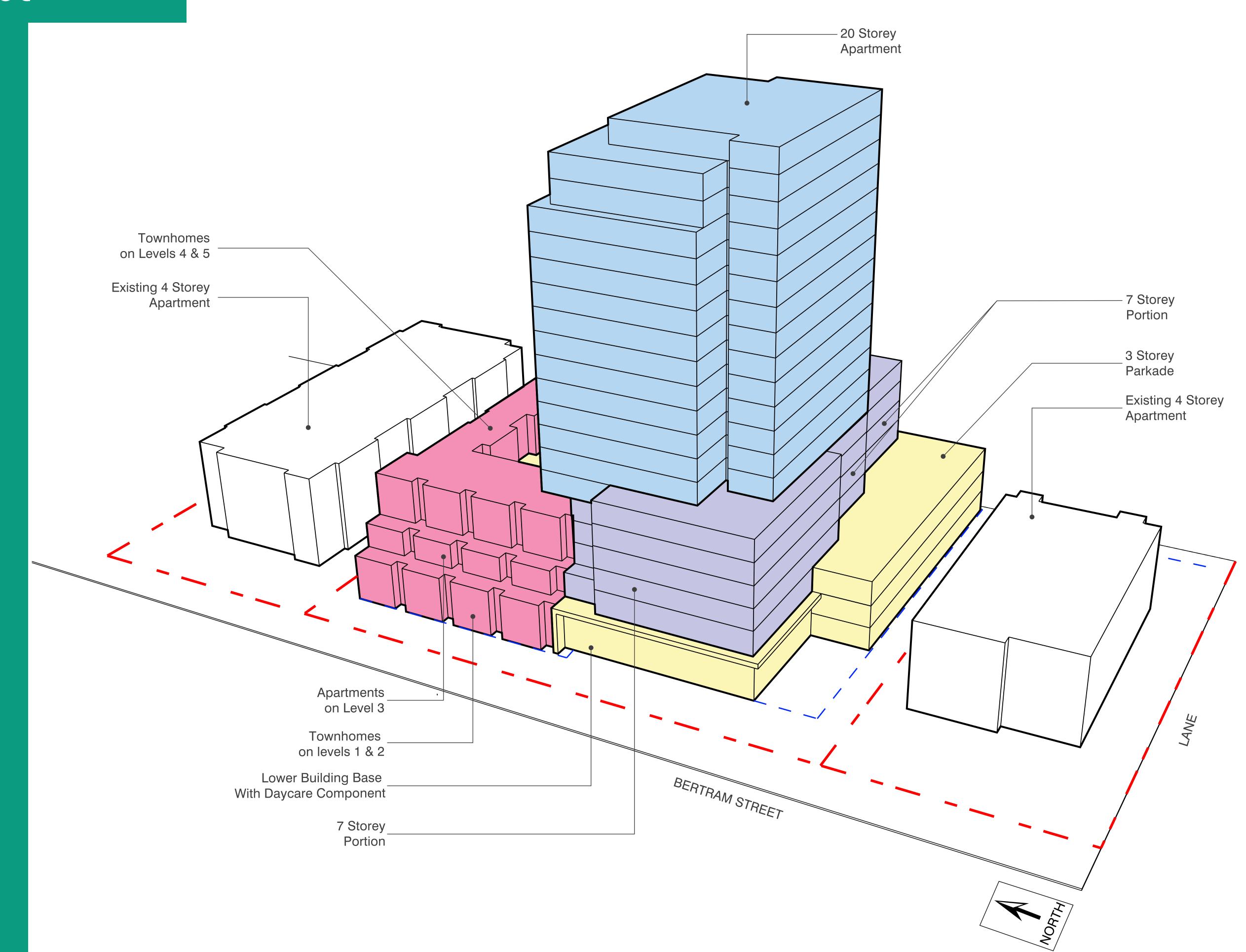
Comprehensive Public Envolvement

- Public engagement and consulatation with neighbourhood and interest based organizations
- Key changes made through engagement feedback such as commitment to climate mitigation and Step Code 3, inclusion of electric vehicle charging stalls, accommodation for more 3 bedroom family units, landscaping along shared property lines that minimize maintenance needs for adjacent owners and reduced impacts of vehicle lighting to ensure implementation of CPTED principles

Site Concept

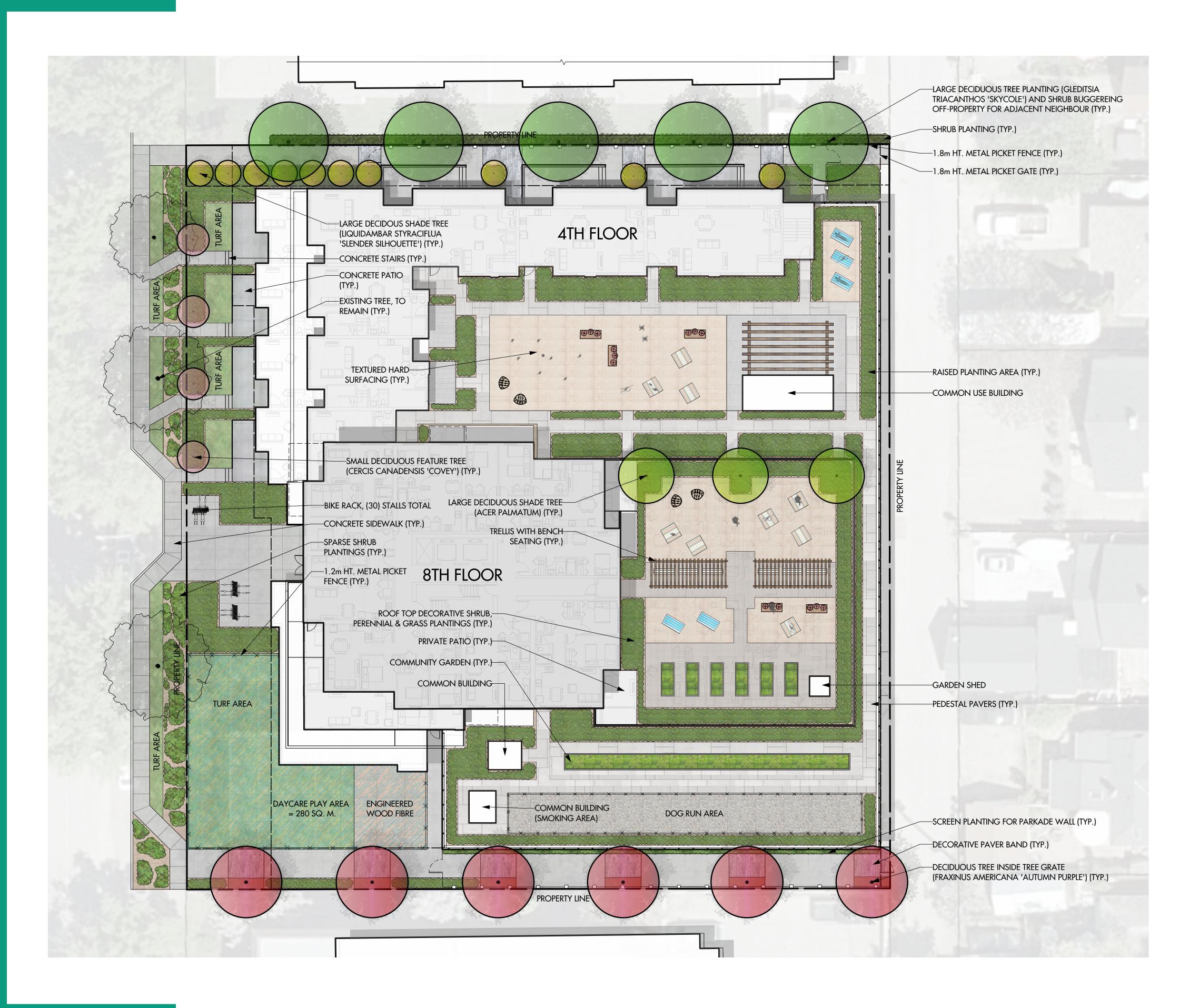


Massing Concept

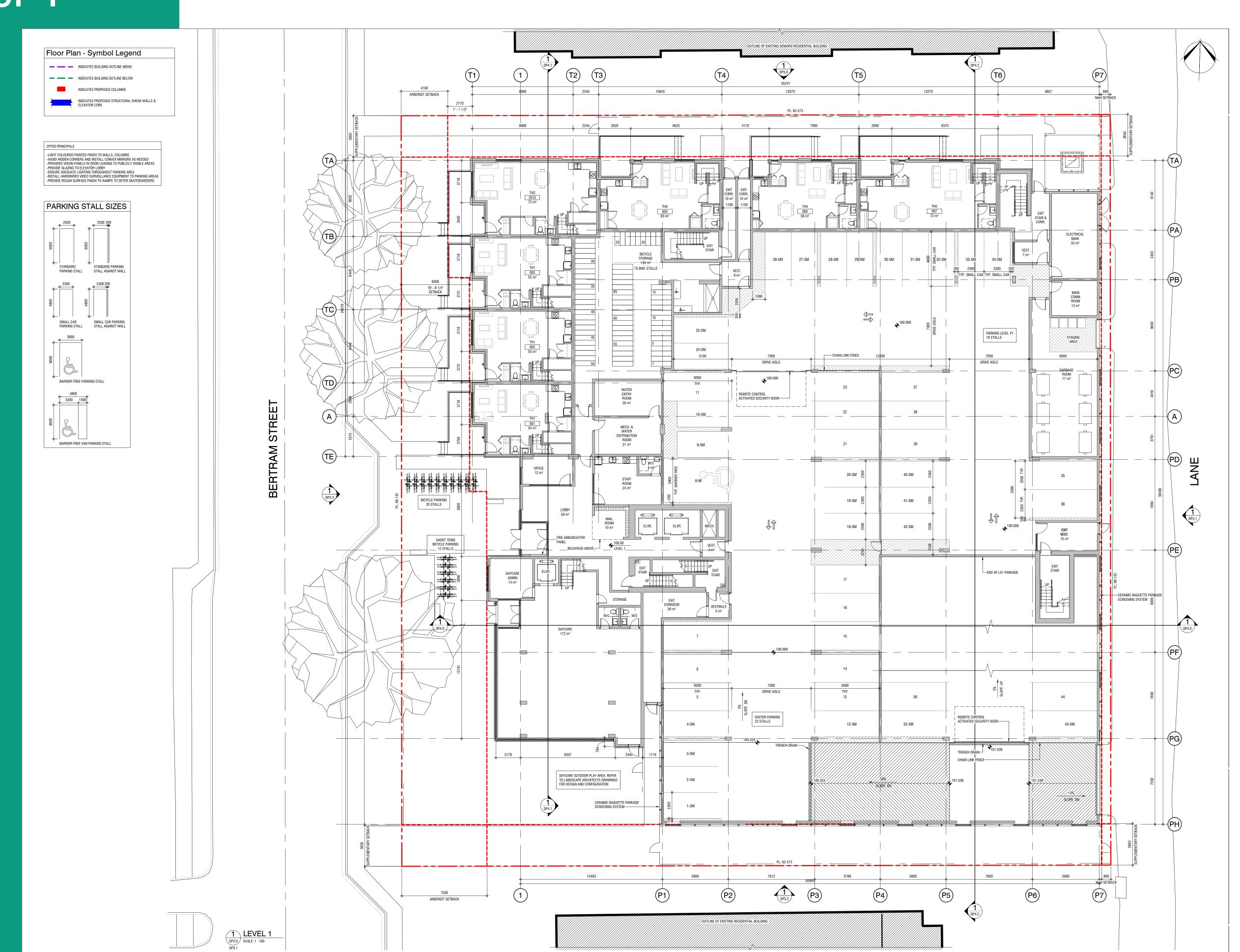


Site Plan





Floor Plan - Level 1



253

Looking South-East



Looking North-East



Looking North-West



Looking South-West



REPORT TO COUNCIL



Date: October 5th, 2021

To: Council

From: City Manager

Department: Development Planning

Application: DVP21-0118 Owner: Shawn Achille Poisson

Address: 469 Tina Court Applicant: Frame Custom Homes Ltd.

Subject: Development Variance Permit Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RR3 – Rural Residential 3

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0118 for Lot A Section 8 Township 23 ODYD Plan EPP73625, located at 469 Tina Court, Kelowna, BC;

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

Section 12.3.6(c): RR3: Rural Residential 3 - Development Regulations

To vary the front yard setback from 6.om required to 3.om proposed.

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

2.0 Purpose

To issue a Development Variance Permit to the front yard setback from 6.om required to 3.om proposed to facilitate the construction of a single-family dwelling.

3.0 Development Planning

Staff support the Development Variance Permit for the front yard setback to facilitate the construction of a single-family dwelling. The subject property is located along a hillside, so at the time of subdivision (S16-0098), there was a no-disturb covenant and a no-build covenant registered on-title to protect the environmentally sensitive areas, which limited the total buildable area. The property is also at the end of a cul-de-sac on Tina Court, so the property is an irregular shape, making it challenging to meet the front yard setback. Overall, the subject property has several design challenges, which makes it challenging to design a house that meets all the Zoning Bylaw Development Regulations, so Staff are comfortable supporting a front

yard setback variance. Staff do not anticipate any negative neighbourhood impacts to be caused by the proposed variance.

4.0 Proposal

4.1 <u>Project Description</u>

The applicant is seeking a variance to the front yard setback to facilitate the construction of a single-family dwelling. The subject property's irregular shape, as well as the encumbered portions of the property has led to many design challenges. The proposed variance will allow for a well-functioning design, as well as offer a stronger street interface with Tina Court. The applicant has indicated that all other Zoning Bylaw requirements can be fulfilled.

4.2 Site Context

The subject property is zoned RR₃ – Rural Residential $_3$ and has a Future Land Use Designation of $_{2}$ RES – Single/Two Unit Residential. The property is located on Tina Court in the Glenmore – Clifton – Dilworth OCP Sector. The surrounding area is primarily zoned RR₃ – Rural Residential $_{3}$ and $_{4}$ – Agriculture $_{1}$.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR3 – Rural Residential 3	Single-Family Dwelling
East	RR3 – Rural Residential 3	Single-Family Dwelling
South	RR3 – Rural Residential 3	Single-Family Dwelling
West	A1 – Agriculture 1	Single-Family Dwelling





4.3 Zoning Analysis Table

Zoning Analysis Table					
CRITERIA	RR ₃ ZONE REQUIREMENTS	PROPOSAL			
Existing Lot/Subdivision Regulations					
Min. Lot Area	1,600m²	2,319m²			
Min. Lot Width	18.om	53.om			
Min. Lot Depth	30.om	37.2m			
	Development Regulations				
Max. Site Coverage (buildings)	30%	30%			
Min. Front Yard	6m	3m 0			
Min. Side Yard (East)	2M	2 M			
Min. Side Yard (West)	2M	2 m			
Min. Rear Yard	7.5m	7.5m			

5.0 Application Chronology

Date of Application Accepted: May 21st, 2021
Date Public Consultation Completed: September 13th, 2021

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

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

Attachments:

Attachment A: Draft Development Variance Permit DVP21-0118

Schedule A: Site Plan

Development Variance Permit DVP21-0118



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

469 Tina Court

and legally known as

Lot A Section 8 Township 23 ODYD Plan EPP73625

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

RR3 - Rural Residential 3 (Single-Family Dwelling)

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

Date of Council Decision October 5th, 2021

Decision By: COUNCIL

Existing Zone: RR3 – Rural Residential 3

Future Land Use Designation: S2RES – Single/Two Unit Residential

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: Shawn Achille Poisson

Applicant: Frame Custom Homes Ltd.

Terry Barton Date

Development Planning Department Manager Planning & Development Services

ATTACHMENT A

This forms part of application
DVP21-0118

City of

Planner Initials

TC

Kelowna

DEVELOPMENT PLANNING

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

That variances to the following section of the Zoning Bylaw No. 8000 be granted in accordance with Schedule "A":

Section 12.3.6(c): RR3 - Rural Residential 3 - Development Regulations

To vary the front yard setback of a dwelling from 6.om required to 3.om proposed.

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

3. INDEMNIFICATION

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

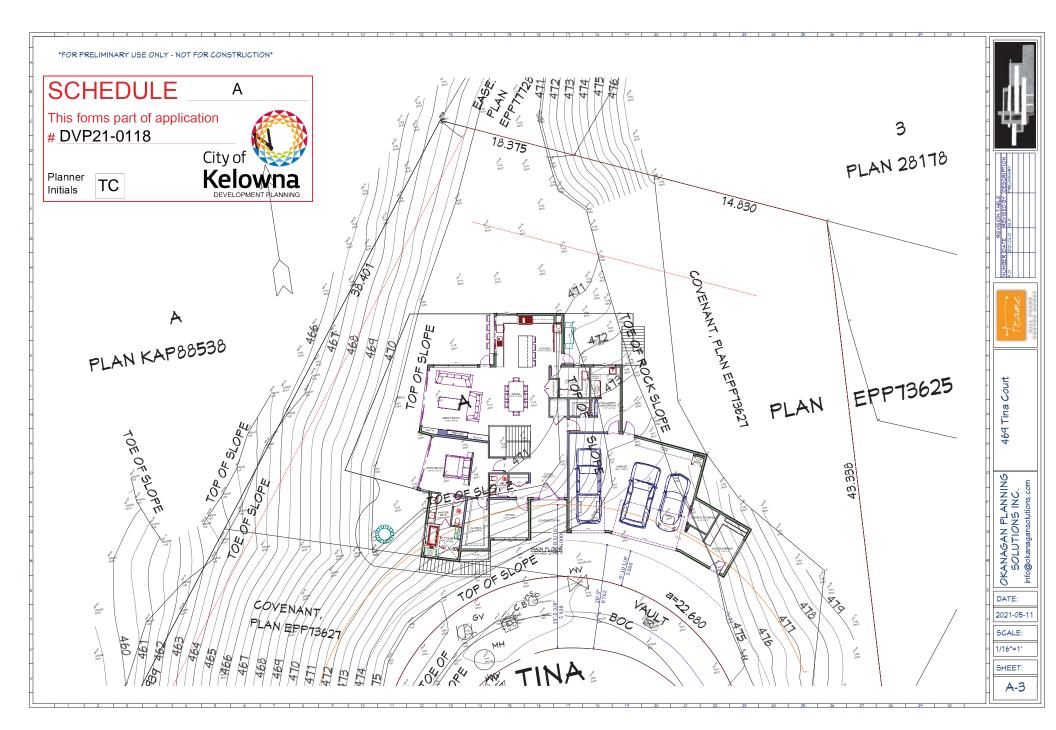
a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

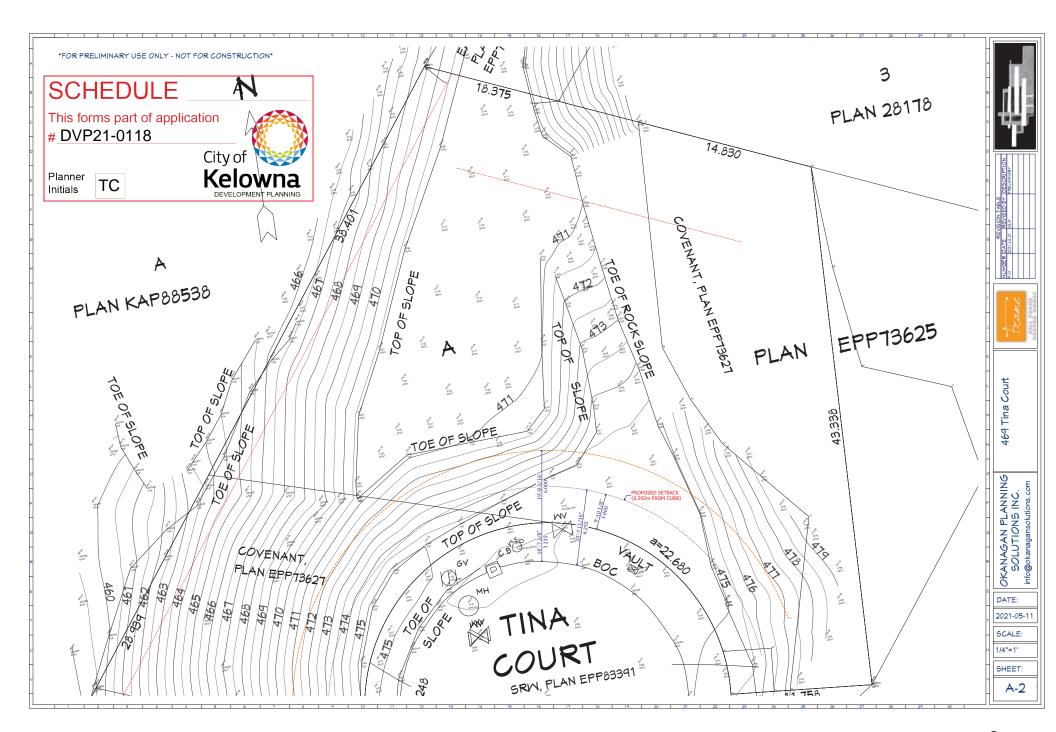
All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly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









DVP21-0118 469 Tina Court

Development Variance Application



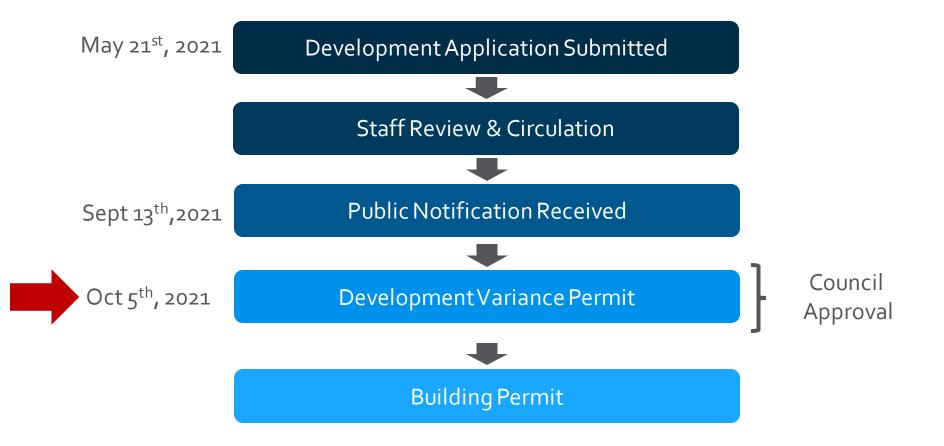


Proposal

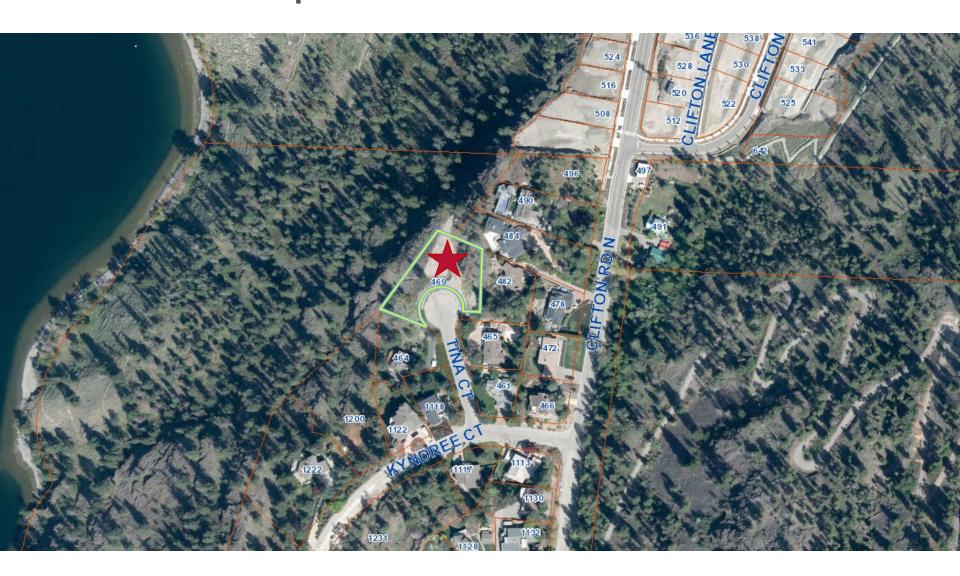
➤ To consider a Development Variance Permit to vary the front yard setback from 6.om required to 3.om proposed to facilitate the construction of a singlefamily dwelling.

Development Process





Context Map



Site Map

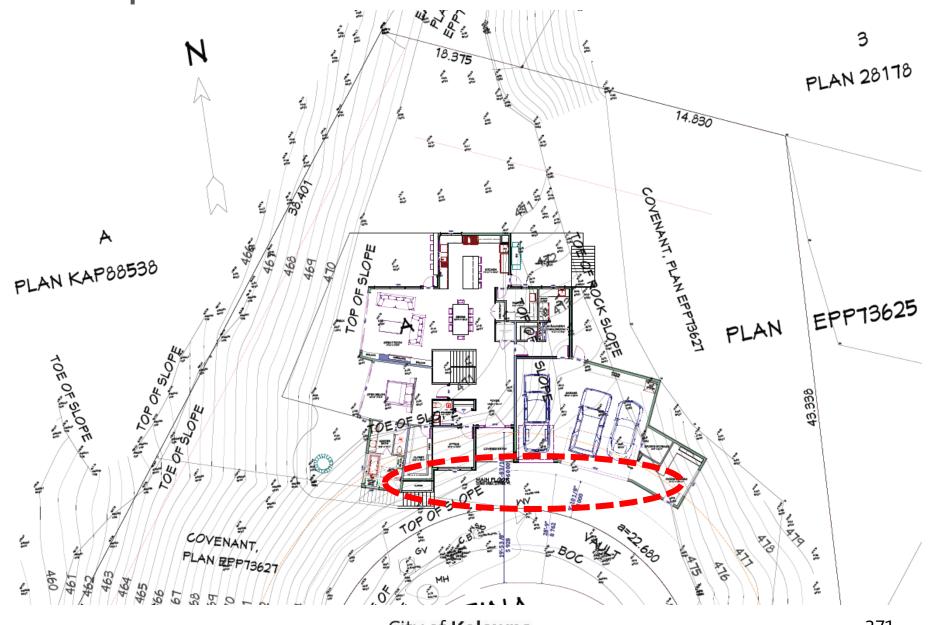




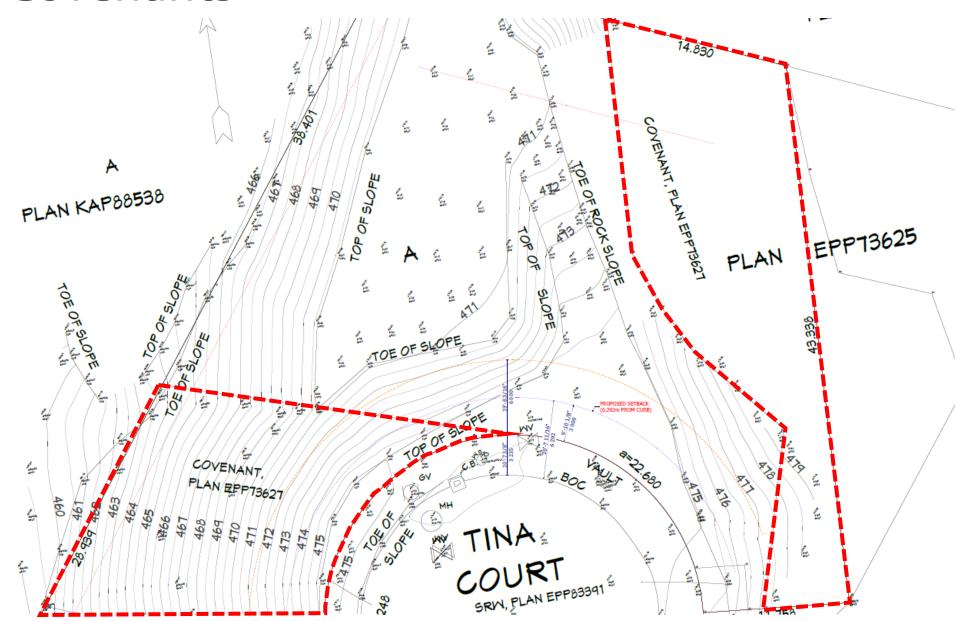
Project/technical details

- ➤ The applicant is seeking a variance to the front yard setback from 6.om required to 3.om proposed to facilitate the construction of a single-family dwelling.
- ► The property has an irregular shape due being at the end of a cul-de-sac.
- ► Large areas of the property are covered by a nobuild covenant and no-disturb covenant, as well as an easement.

Conceptual Site Plan



Covenants





Staff Recommendation

- ➤ Staff recommend **support** of the proposed Development Variance Permit application.
 - ▶ Irregular lot size due to cul-de-sac
 - Several covenants on Title limited the buildable area.
 - ▶ No/Minimal neighbourhood impacts are anticipated.



Conclusion of Staff Remarks

REPORT TO COUNCIL



Date: October 5, 2021

To: Council

From: City Manager

Department: Community Planning

Application: DP21-0178 & DVP21-0212 Owner: Koutsantonis Enterprises Ltd.,

Inc. No. 358948

Address: 145-147 Highway 33 West Applicant: Koutsantonis Enterprises Ltd.

(Chris Koutsantonis)

Subject: Development Permit & Development Variance Permit

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

Existing Zone: C4 – Urban Centre Commercial

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP21-0178 for Lot 3 Block A Section 23 Township 26 ODYD Plan 4740, located at 145-147 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";

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0212 for for Lot 3 Block A Section 23 Township 26 ODYD Plan 4740, located at 145-147 Highway 33 West, Kelowna, BC;

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

<u>Table 8.3.2: Section 8 – Parking and Loading, Required Off-Street Parking Requirements - Commercial</u>

To vary the required parking spaces from eight (8) required to four (4) 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 DP for a proposed restaurant and dwelling units subject to a variance from eight (8) required parking spaces to four (4).

3.0 Development Planning

Staff are recommending support for the proposed Development Permit and Development Variance Permit. The original restaurant was destroyed in a fire in October of 2020, and the owner is endevoring to rebuild with the addition of residential units. The proposed building will include restaurant space on the first floor and second storey, and three (3) residential units that will take up part of the second storey and the entire third storey. The proposal is in alignment with the OCP Urban Design Guidelines by conforming to the original character of the building. Staff are supportive of the parking variance as the parking stalls provided will be allocated to the residential units and restaurant patrons typically do not use the parking area. The parking lot will be redesigned to meet zoning bylaw standards for waste, recycling and stall size. The building is also located in the Rutland Urban Centre, with proximity to major transit routes, and provision of residential density on an existing business.

4.0 Proposal

4.1 <u>Project Description</u>

The Development Permit Application and Development Variance Permit Application is for a mixed use building containing a restaurant and three (3) two-bedroom residential units. The proposed building will be in the place of the original restaurant that was destroyed in a fire. The building will be composed of Stucco with a terracotta roof, concrete block masonry, with stone veneer cladding for the entrance and accent, and wooden architectural windows.

The restaurant dining room, kitchen and dishwashing room will be located on the first storey, with an additional dining room and rooftop terrace talking up part of the second storey. The residential units will take up the rest of the second storey as well as the third store, with a separate entrance at the back of the building. The restaurant and rooftop terrace will front onto Highway 33 W, while the residential balconeys will face the lane at the rear of the building.

4.2 <u>Site Context</u>

The subject property is in the Rutland OCP Sector within the Rutland Urban Centre. The Surrounding area is primarily C₄ – Urban Centre Commercial zoning, as well as P₁ – Major Institutional and P₃ – Parks and Open Space. The surrounding area has a Future Land Use Designation of MXR – Mixed Use (Residential / Commercial), along with PARK – Major Park / Open Space (public) and EDINST - Educational / Major Institutional.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C ₄ – Urban Centre Commercial	Retail stores, service commercial
East	C ₄ – Urban Centre Commercial	Retail stores, service commercial
South	C ₄ – Urban Centre Commercial	Retail stores, service commercial
West	C ₄ – Urban Centre Commercial	Retail stores, service commercial



4.3 Zoning Analysis Table

Zoning Analysis Table					
CRITERIA	C4 ZONE REQUIREMENTS	PROPOSAL			
Existing Lot/Subdivision Regulations					
Min. Lot Area	46om²	577m²			
Min. Lot Width	13.om	15.24M			
Min. Lot Depth	30.om	36.6m			
Development Regulations					
Max. Floor Area Ratio	1.3	1.1			
Max. Site Coverage (buildings)	75%	72.9%			
Max. Height	15m	10.7M			
Other Regulations					
Min. Parking Requirements	8	4 0			
• Indicates a requested variance to Table [8.3.2]: [Required Off-Street Parking Requirements - Commercial]					

5.0 Current Development Policies

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

Chapter 14: Urban Design DP Guidelines

Objectives

- Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
- Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
- Promote alternative transportation with enhanced streetscapes and multimodal linkages;

6.0 Application Chronology

Date of Application Received: 2021-06-11
Date Public Consultation Completed: 2021-09-07

Report prepared by: Graham Allison, Planner 1

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 & Development Variance Permit DP21-0178/DVP21-000

Attachment B: Development Engineering Memo

Schedule A: Site Plan

Schedule B: Elevation Drawings

Development Permit & Development Variance Permit DP21-0178 / DVP21-0212



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

145-147 Highway 33 West

and legally known as

Lot 3 Block A Section 23 Township 26 ODYD Plan 4740

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

Restaurant and Dwelling Units (MXR - Mixed Use (Residential / Commercial))

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

October 5th, 2021 Date of Council Decision

COUNCIL Decision By:

MXR - Mixed Use (Residential / Commercial) Existing Zone:

C4 - Urban Centre Commercial Future Land Use Designation:

This is NOT a Building Permit.

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

NOTICE

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

Date

Owner: Koutsantonis Enterprises Ltd., Inc. No. 358948

Chris Koutsantonis Applicant:

Graham Allison Planner:

Terry Barton Development Planning Department Manager

Planning & Development Services

ATTACHMENT Α This forms part of application # DP21-0178 / DVP21-0212 Planner GΑ Initials

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) That variances to the following section of the Zoning Bylaw No. 8000 be granted in accordance with Schedule "A":

Table 8.3.2: Section 8 - Parking and Loading, Required Off-Street Parking Requirements - Commercial

To vary the required parking spaces from eight (8) required to four (4) proposed.

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

3. 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.

ARCHITECTURAL DRAWING LIST		
A00-00	COVERSHEET	
A00-01	CODE ANALYSIS / GENERAL NOTES	
A01-01	SITE PLAN	
A01-02	LEVEL 1 FLOOR PLAN	
A01-02a	LEVEL 1 FLOOR PLAN - EQUIPMENT LIST	
A01-03	LEVEL 2 FLOOR PLAN	
A01-04	LEVEL 3 FLOOR PLAN	
A01-05	LEVEL 1- REFLECTED CEILING PLAN	
A01-06	LEVEL 2- REFLECTED CEILING PLAN	
A01-07	LEVEL 3- REFLECTED CEILING PLAN	
A02-01	BUILDING ELEVATIONS	
A02-02	BUILDING ELEVATIONS	
A02-03	BUILDING ELEVATIONS	
A02-04	3D PERSPECTIVE	
A02-05	BUILDING SECTIONS	
A03-01	SCHEDULES	



MBC GROUP

OLYMPIA TAVERNA

KELOWNA B.C PROJECT NUMBER: ENG 20850 RE-ISSUED FOR DEVELOPMENT PERMIT DATE: 09-09-2021

COORDINATING PROFESSIONALS & STRUCTURAL



Antoine Caron, P Eng.
MBC Group
Suite 135, 7560-12 St. SE Calgary AB, T2H 2S5
Cell: 587-892-7663
Email: antoine.caron@mbc-group.ca
Web: www.MBC-Group.ca

ARCHITECTURAL



CONTRACTOR

RGH Construction

RGH



ENGINECTRA License Engineers 4030 8 st SE, Calgary AB T2G 3A7 Cell: 403-754-4350 Web: ENGINECTRA.COM

MECHANICAL & ELECTRICAL

CODE ANALYSIS / GENERAL NOTES:

BC BUILDING CODE (2018) ANALYSIS-PART 3 BG BUILDING CUDE (2016) MALTSIS-FART 3

. DIVIA II 1.1.1 AND 1.3.3.2 APPLICATION OF PART 3 (4.5 AND 6)

1.3.3.2 (1) PARTS 3,4.5 AND 6 SHALL APPLY TO ALL BUILDINGS A,B, OR F1 MAJOR
OCCUPANICES AND ALL BUILDINGS WHICH EXCEED 600 SQ M (6458 SF), OR 3

- BUILDING AREA: 4533.5 SF/ 421 SQ M, 3 STORIES-TOTAL 2 STORIES- GROUP A2, AND 2 STORIES- GROUP C.

2. 3.1.2.1 MAJOR OCCUPANCY CLASSIFICATIONS (per 3.1.17)
CLASSIFICATION AND USEFLOOR AREAS AND OCCUPANT LOADS
GROUP A2-MAIN FL.-4012 SF (372.73 SQ M)
PUBLIC AREA OF RESTAURANT/ FRONT OF HOUSE = 2097 SF/194.8 SQ M

BACK OF HOUSE = 1915 - 129(MECH RM)= 1786 SF/165.9 SQ M

FIRST FLOOR TOTAL OCCUPANCY = 107 PERSONS

2ND FL AREA = 4533.5 SF (421 SQ M)

GROUP A2- 2^{NO} FL -PUBLIC AREA/FRONT OF HOUSE= 1779.5 SF/167 SQ M BACK OF HOUSE = 231 SF/ 21.5 SQ M(21.5/9.3= 3 persons) PROPOSED 26 SEATS (INSIDE), PLUS 30-ROOFTOP TERRACE= 56 PERSONS

GROUP C-TOTAL 2ND FL = 2040.5 SF(THREE 2 BR UNITS, PLUS CIRCULATION) UNIT #1- 587.3 SF/ 54.5 SQ M = 2 OCCUPANTS UNIT #2- 576.3 SF/53.5 SQ M= 2 OCCUPANTS UNIT #3- 590.3 SF/54.8 SQ M = 2 OCCUPANTS

TOTAL OCCUPANTS-2ND FL = 62 PERSONS

GROUP C- 3RD FL = 1753.9 SF/ 162.9 SQ M

TOTAL OCCUPANTS-3RD FL = 6 PERSONS

NOTE: ALL SQUARE FOOTAGES OF CLASSIFICATIONS ARE ESTIMATED ONLY AND MUST BE DETERMINED/ CONFIRMED FOR TENANT IMPROVEMENT PERMITS.

3.1.3 MULTIPLE OCCUPANCY REQUIREMENTS
3.1.3.1(1) SEPARATION BETWEEN C (RESIDENTIAL) AND ANY A2 (ASSEMBLY) = 1 hr. 1 HR. floor assembly provided between tenants.
3.2.2.6 ANY BUILDING THAT CONTAINS MORE THAN ONE MAJOR OCCUPANCY SHALL BE DESIGNED TO THE MORE RESTRICTIVE OF THE MAJOR OCCUPANCIES

SHALL BE DESIGNED TO THE MODE INC.

1N 3.22

4.3.17 OCCUPANT LOAD

AS PER 3.1.17.1 - OCCUPANT LOAD TABLE

Main III = 107 PERSONS-Group A2

2nd II = 6 PERSONS-Group C, 56 persons- Group A2.

2nd II = 6 PERSONS-Group C, 56 persons- Group A2.

37 df II - 6 persons-Group C 37 df II - 6 persons-Group C 5.3.2.2 BUILDING SIZE AND CONSTRUCTION RELATIVE TO OCCUPANCY CODE ANALYSIS- OLYMPIA TAVERN- 052721 FOUR ELEMENTS FOR DETERMINING 3.2.2 REQUIREMENTS

A. BUILDING TO BE FULLY SPRINKLER AS PER 3.2.2.18
-3.2.4.9 SPRINKLER SYSTEM TO BE ELECTRONICALLY SUPERVISED

B. COMBUSTIBLE CONSTRUCTION
- TO ALLOW FOR COMBUSTIBLE PARTITIONS AND FRAMING

C. NO. OF STORIES D. BUILDING AREA 421 SQ M

6 3 2 2 BUILDING CLASSIFICATION

MAJOR CLASSIFICATION:

MAJOR CLASSIFICATION:
3.2.2.24. Group A, Division 2, up to 6 Storeys, Any Area, Sprinklered
1. A building classified as Group A, Division 2, that is not limited by building area, is permitted to conform to Sentence (2), provided a) except as permitted by Sentences
3.2.2.7.(1) and 3.2.2.18.(2), the building is sprinklered throughout, and b) it is not more than 6 storeys in building height.

2) Except as permitted by Article 3.2.2.16., the building referred to in Sentence (1) shall be of noncombustible construction, and a) floor assemblies shall be fire separations with a fire-resistance rating not less than 1 h, b) mexzanines shall have a fire-resistance rating not less than 1 h, and c) loadbearing walls, columns and arches shall have a fire-resistance rating not less than that required for the Supported assembly.

MINOR CLASSIFICATION:

3.2.2.54, Group C, up to 3 Storeys, Sprinklered 2. A building classified as Group C is permitted to conform to Sentence (2) provided a) except as permitted by Sentences 3.2.2.7.(1) and 3.2.2.18.(2), the building is sprinklered

unougnout, b) it is not more than 3 storeys in building height, and c) it has a building area not more than + 5 400 m2 if 1 storey in building height, - 2 700 m2 if 2 storeys in building height, - 1 800 m2 if 3 storeys in building height.

2) The building referred to in Sentence (1) is permitted to be of combustible construction or noncombustible construction used singly or in combination, and
3) except as permitted by Sentences (3) and (4), floor assemblies shall be fire separations with a fire-resistance rating not less than 45 min,
4) mezzanines shall have, if of combustible construction, a fire-resistance rating not less

than 45 min, and 5) loadbearing walls, columns and arches shall have a fire-resistance rating not less than that required for the supported assembly.

3) In a building that contains dwelling units that have more than one storey, subject to the requirements of Sentene 3.3.42.(3), the floor assemblies, including floors over basements, which are entirely contained within these dwelling units, shall have a fire-resistance rating not less than 45 min but need not be constructed as fire separations. 4) In a building in which there is no dwelling unit above another dwelling unit, the fire-resistance rating for floor rely within the dwelling unit is waived.

TABLE 3 23 10-ALLOWABLE UNPROTECTED OPENINGS-SPRINKLERED GROUPS A.C.

ELEV AREA LIMITIN PERMITTE PROPOSE RATING
G DIST. D
G DIST. D OPENINGS 100% D REQ G REQ OPENINGS 265 SF/ N/A N/A 28 4% N/A N/A 150 SF N/A N/A 7.64 on NORTH-RESID- 4605F/42.T 23.7M 100% REAR SQ.M 14.5M 160% SQ.M 14.5M 160% SQ.M 635F/ N/A 13.7% 338.4 SF/ N/A 37.4% N/A WEST @ ATRIMM 2005F04 4 30 M 100% 102 SF 30 M 20 4% 9 50 M 0 50 M 0 M 0 M NA N/A 1840SF/170 0 15M 9 SO M

7. 3.2.3 SPATIAL SEPARATION
3.2.3.2 (2) IF A BUILDING IS DIVIDED BY FIRE SEPARATIONS INTO FIRE
COMPARTMENTS, THE AREA OF EXPOSED BUILDING FACE IS PERMITTED TO BE
CALCULATED FOR EACH COMPARTMENT PROVIDED THE FIRE SEPARATIONS HAVE A
FIRE RESISTANCE RATING NOT LESS THAN 45 MINS.

3.2.3.10 (2) THE EXPOSING BUILDING FACE OF A STOREY FACING A STREET AND WITH A LIMITING DISTANCE > 9M MAY HAVE UNLIMITED UNPROTECTED OPENINGS NOTE: ALL SQUARE FOOTAGES OF CLASSIFICATIONS ARE ESTIMATED ONLY AND MUST BE DETERMINED/ CONFIRMED FOR TENANT IMPROVEMENT PERMITS

8. 3.2.4 FIRE ALARM AND DETECTION SYSTEMS 3.2.4.1(1) A FIRE ALARM SYSTEM SHALL BE INSTALLED IN A BUILDING IN WHICH AN

AUTOMATIC SPRINKLER SYSTEM IS INSTALLED. FIRE ALARM SYSTEM TO FULLY CONFORM TO REQUIREMENTS OF 3.2.4

SEE ELECTRICAL DRAWINGS FOR DETAILS. 9. 3.2.5 PROVISION FOR FIRE FIGHTING

3.2.5.5 (1) ACCESS ROUTE TO BE LOCATED TO BE NOT LESS THAN 3M AND NOT MORE THAN 15M FROM PRINCIPAL ENTRANCE

3 2 5 6 ACCESS ROUTE DESIGN

A. CLEAR WIDTH 6M
B. CENTERLINE RADIUS 12M

B. CENTERLINE RADIUS 12M
C. OVERHEAD CLEARANCE NOT LESS THAN 5M
D. CHANGE IN GRADE NOT MORE THAN 1 IN 12.5
E. DESIGN TO SUPPORT FIRE VEHICLE LOADING
F. TURNAROUND FACILITY AFTER 90M (DEAD END)
G. BE CONNECTED WITH A PUBLIC THROROUGH F/

3.2.5.8 (1) NO STANDPIPE SYSTEM REQUIRED-BUILDING IS SPRINKLERED

3.2.5.16 (2) PATH OF TRAVEL FOR FIREFIGHTING < 45M FROM FIRE DEPARTMENT

3.2.5.17 PORTABLE EXTINGUISHERS SHALL BE PROVIDED AND INSTALLED IN ACCORDANCE WITH BC FIRE CODE

10. 3.2.7 LIGHTING AND EMERGENCY POWER SYSTEMS 3.2.7 EMERGENCY LIGHTING REQUIRED AND SHALL CONFORM TO ALL APPLICABLE SECTIONS OF 3.2.7. DETAILS ON ELECTRICAL DRAWINGS

3.2.7.1 (1) MINIMUM LIGHTING LEVEL IN ALL EXITS, ACCESS TO EXITS SHALL BE 50 LUX

3.2.7.3 (1) EMERGENCY LIGHTING OF NOT LESS THAN 10 LUX AT FLOOR OR TREAD HEIGHT SHALL BE PROVIDED IN ALL EXITS, ACCESS TO EXITS, PRINCIPAL ROUTES, PROVIDING ACCESS TO EXITS IN OPEN FLOOR AREAS, AND IN SERVICE ROOMS.

3.2.7.4 (1) MINIMUM BATTERY LIFE OF EMERGENCY POWER SUPPLY - 1/2 HOUR

11. 3.2.8. MEZZANINES AND OPENINGS THROUGH FLOOR ASSEMBLIES
3.2.8.2.6 INTERCONNECTED ATRIUM FLOOR SPACES TO CONFORM TO THE
REQUIREMENTS OF 3.2.8.3 TO 3.2.8.9
3.2.8.6 D TRIST Stops A draft stop shall be provided at each floor level within an interconnected floor space, immediately adjacent to and surrounding the opening, and shall be not less than 500 mm deep measured from ceiling level down to the underside of the draft stop.

12. 3.3 SAFETY WITHIN FLOOR AREAS 3.3.1.1 (1) EACH SUITE IN OTHER THAN BUSINESS AND PERSONAL SERVICES SHALL

BE SEPARATED FROM ADJOINING SUITES BY A FIRE SEPARATION RATED FOR 45 MINS PROVIDED THE FLOORS ABOVE AND BELOW THE FLOOR AREA ARE REQUIRED TO BE RATED FOR LESS THAN 1 HOUR

Except as permitted by Sentences (2) to (4), a suite shall be separated from adjoining suites by a fire separation having a fire-resistance rating not less than 1 h. (See also Subsection 3.3.3 for care, treatment or detention occupancies, Article 3.3.4.2 for residential occupancies, and Article 3.1.8.7. for fire dampers.)

2.) The fire-resistance rating of the fire separation required by Sentence (1) is permitted to be less than 1 h but not less than 45 min provided the fire-resistance rating required by Subsection 3.2.2 is permitted to be less than 1 h for a required by Subsection 3.2.2. is permitted to be less than 1 h for a req. or b. the floor assembly above the floor area, or b. the floor assembly below the floor area, if there is no floor assembly above.

3.10cc granatics that are severed by subtic configers conforming to Clause 3.3.1.4.44

3.) Occupancies that are served by public corridors conforming to Clause 3.3.1.4.(4) (b) in a building that is sprintlered throughout, are not required to be separated from one another by fire separations provided the occupancies are

suites of business and personal services occupancy, fast food vending operations that do not provide seating for customers

c. sulles of mercantille occupancy, or
 d. any combination of these occupancies.

4) No fire separation is required between suites of business and personal services.

3.3.1.5(1) TWO EGRESS DOORS REQUIRED FROM ROOM OR SUITE IF:

A. CLASSIFIED AS F1 AND OVER 15 SO M B. INTENDED FOR OCCUPANT LOAD OVER 60.

C. SPRINKLERED AND TRAVEL DIST, OVER 15M

3.3.1.9 MINIMUM WIDTH OF PUBLIC CORRIDOR IS 1100 MM 3.3.1.11 ALL EXIT DOORS TO SWING ON A VERTICAL AXIS IN THE DIRECTION OF TRAVEL

3.3.1.13(1) ALL EXIT AND ACCESS TO EXIT DOORS TO HAVE MINIMUM CLEAR WIDTH OF MM, AND SHALL BE OPENABLE IN TRAVELING TO AN EXIT WITHOUT KEYS, AND NOT OPEN ONTO A STEP.

3.3.1.14(1) RAMPS AND STAIRS TO CONFORM TO SECTION 3.4 FOR EXITS

3.3.1.18(1) A GUARD NOT LESS THAN 1070MM SHALL BE PROVIDED AT THE EDGE OF EVERY RAISED FLOOR OR MEZZANINE WITH FLOOR ELEVATION DIFFERENCE OF MORE THAN 600MM HYPERLINK "https://3.3.1.18." 3.3.1.18. Guards

1. Except as provided in Sentence (5) and Article 3.3.2.9., a guard not less than 1 070 mm high shall be provided

A. around any roof to which access is provided for purposes other than maintenance.

maintenance, at openings into smoke shafts referred to in Subsection 3.2.6. that are less than 1 070 mm above the floor, and at each raised floor, mezzanine, balcony, gallery, interior or exterior vehicular ramp, and at other locations where (see Note A-9.8.8.1.)

the difference in elevation is more than 600 mm between the walking surface and the adjacent surface, or

the adjacent surface within 1.2 m of the walking surface has a slope of more than 1 in 2. Except as provided in Sentences (3) and 3.3.2.9.(4) and Articles 3.3.4.7, and

HYPERLINK "https://3.3.5.10/", 3.3.5.10., openings through *guards* shall be of a size that prevents the the passage of a spherical object whose diameter is more than 100 mm.

Openings through *guards* other than those required by Sentence (1) that serve occupancies other than

ind strial occupancies shall be of a size that
a. prevents the passage of a spherical object whose diameter is 100 mm, or
b. permits the passage of a spherical object whose diameter is 200 mm. (See Note
A-9.8.8.5.(3).)

4) Except for guards conforming to Article HYPERLINK "https://3.3.5.10/" 3.3.5.10, guards that protect a level located more than one storey or a make the adjacent level shall be designed so that no member, attachment or opening located between 140 mm and 900 mm above the level protected by the guard facilitates climbing. (See Note A-9.8.8.6.(1).)

Sentence (1) does not apply to the front edges of stages.

to loading docks, or
 c) where access is provided for maintenance purposes only.

3.3.1.21(3) IN SPRINKLERED FLOOR AREAS. AN UNRATED FIRE SEPARATION IS REQUIRED AROUND ALL JANITORS ROOMS. RATING WAIVED IF IN SPRINKLERED SPACE

13. 3.4. REQUIREMENTS FOR EXITS

3.4.1 GENERAL REQUIREMENTS
3.4.1.2 (1) IF MORE THAN ONE EXIT IS REQUIRED. EACH EXIT SHALL BE SEPARATED.

3.4.1.2(2) WHERE MORE THAN 2 EXITS ARE REQUIRED, EXITS ARE PERMITTED TO

3.4.1.9 NO MIRRORS SHALL BE PLACED IN OR ADJACENT TO EXITS

3.4.2 NUMBER AND LOCATION OF EXITS 3.4.2.1 MINIMUM OF 2 EXITS REQUIRED FOR EACH FLOOR AREA WITH A TRAVEL DISTANCE GREATER THAN 25M AND A FLOOR AREA GREATER THAN 200 SQ M FOR GROUP A2 AND 150 SQ M FOR GROUP C. 2 STOREYS OF GROUP C PROVIDED IN THIS BUILDING, FLOOR AREA OF GROUP C = 54 SQ M PER SUITE.

Minimum Number of Exits

Minimum Number of Exits

a. Except as permitted by Sentences (2) to (4), every floor area intended for occupancy shall be served by at least 2 exits.

b. A floor area in a building not more than 2 storeys in building height, is permitted to be served by one exit provided the total occupant load served by the exit is not more than 60, and c. in a floor area that is not sprinkhered throughout, the floor area that is not sprinkhered throughout, the floor area and the travel distance are not more than the values in Table 3.4.2.1.-A, or

not more than the values in Table 3.4.2.1.-A, or d in a floor area that is sprinklered throughout a. the travel distance is not more than 25 m, and ii) the floor area is not more than the value in Table 3.4.2.1.-B.

3.4.2.3(1) MINIMUM DISTANCE BETWEEN EXITS TO BE HALF THE MAXIMUM DIAGONAL DISTANCE OF THE FLOOR AREA, BUT NOT LESS THAN 9M

3.4.2..3(2) EXITS NEED NOT COMPLY WITH 3.4.2.3(1) WHERE THE FLOOR AREA IS DIVIDED SO THAT NOT LESS THAN ONE THIRD OF THE AREA IS ON EACH SIDE OF A FIRE SEPARATION OR IF IT IS NECESSARY TO PASS THROUGH THE FIRE SEPARATION FROM

3.4.2.5(1) MAXIMUM TRAVEL DISTANCE IS 45M FOR SPRINKLERED FLOOR AREA.

3.4.3.1(2) EXCEPT AS PER 3.4.3.2(4) EXIT WIDTH SHALL BE CUMULATIVE WHERE TWO OR MORE EXITS CONVERGE

3.4.3.2(1) EXIT CAPACITY SHALL BE DETERMINED BY MULTIPLYING THE OCCUPANT LOAD OF FLOOR AREA BY:
6.1MM FOR DOORS, CORRIDORS, PASSAGEWAYS, AND RAMPS WITH GRADE < 1 IN 8 8MM FOR STAIR WITH STEPS WHERE RISE NOT MORE THAN 180MM AND RUN NOT LESS

9.2MM FOR STAIRS AND RAMPS WITH GRADE > 1 IN 8 3.4.3.2(6) EXCEPT FOR INTERCONNECTED FLOOR AREAS. THE REQUIRED EXIT WIDTH IS NOT REQUIRED TO BE CUMULATIVE IN AN EXIT SERVING 2 OR MORE FLOOR AREAS

3.4.3.2(8) WIDTH AND HEIGHT OF EXITS

MINIMUM REQUIRED WIDTHS OF EXITS: 1100 MM FOR CORRIDORS AND PASSAGEWAYS

1100 MM RAMPS(NOT SERVING MORE THAN 2 STOREYS)
1100 MM STAIRS SERVING MORE THAN 2 STOREYS ABOVE LOWEST EXIT 900MM STAIRS SERVING NOT MORE THAN 2 STOREYS ABOVE LOWEST EXIT 800 MM FOR DOORWAYS
3.4.3.3(1) NO CONSTRUCTION SHALL PROJECT INTO REQUIRED EXIT

3.4.3.3(2) SWINGING DOORS IN THEIR SWING SHALL NOT REDUCE THE WIDTH OF EXIT STAIRS OR LANDINGS TO LESS THAN 750MM OR REDUCE THE WIDTH OF AN EXIT PASSAGEWAY TO LESS THAN THE MINIMUM

REQUIRED WIDTH 3.4.3.3(3) DOORS SHALL BE INSTALLED SUCH THAT, WHEN OPEN THEY DO NOT OBSTRUCT OR DIMINISH THE REQUIRED WIDTH OF THE EXIT 3.4.3.3(4) HANDRAILS AND CONSTRUCTION BELOW HANDRAILS ARE PERMITTED TO PROJECT INTO REQUIRED WIDTH OF MEANS OF EGRESS BY PERMITTED TO PROJECT INTO REQUIRED WIDTH OF MEANS OF EGRESS 100MM MAXIMUM. 34.3.4 HEADROOM CLEARANCE FOR DOORS IS 2030MM, EXITS IS 2100MM

3.4.4 FIRE SEPARATION OF EXITS
3.4.4.(1) REQUIRED FIRE SEPARATION FOR EXITS TO BE EQUAL TO THAT REQUIRED FOR THE FLOOR ASSEMBLY BUT NOT LESS THAN 45 MINS.
3.4.4.(2) REQUIRED FIRE SEPARATION FOR EXITS NEED NOT EXCEED 2

3.4.4.4(7)(8) SERVICE ROOMS AND ANCILLARY ROOMS SUCH AS STORAGE, WASHROOMS OR LAUNDRY ROOMS SHALL NOT OPEN DIRECTLY INTO AN

3.4.5 EXIT SIGNS .
3.4.5.1(1) EVERY EXIT DOOR SHALL HAVE AN EXIT SIGN PLACED OVER OR ADJACENT TO IT IF THE EXIT SERVES A BUILDING MORE THAN 2 STOREYS OR HAS AN OCCUPANT LOAD MORE THAN 150
3.4.5 EXIT SIGN AND PLACEMENT WILL CONFORM TO THIS SECTION.

3.4.6 TYPES OF EXIT FACILITIES

3.4.6.1(1) A-RAMPS AND STAIRS SHALL HAVE A SLIP RESISTANT FINISH B- AND A COLOR CONTRAST OR PATTERN THAT IS READILY APPARENT

DIRECTIONS THAT DEMARCATES THE LEADING EDGE OF THE TREAD AND LEADING EDGE OF THE LANDING AS WELL AS THE BEGINNING AND END OF THE STAIR RUN OR RAMP. 3.4.6.2(1) EVERY FLIGHT OF INTERIOR STAIRS SHALL HAVE NOT LESS THAN

3.4.6.3(1) NO FLIGHT OF STAIRS SHALL HAVE A VERTICAL RISE MORE THAN

3.7M A
3.4.6.3(2) THE LENGTH AND WIDTH OF A LANDING SHALL BE AT LEAST AS WIDE AS THE STAIR, EXCEPT THAT IN A STRAIGHT RUN, NEED NOT BE MORE THAN 1100MM 10.6 MM STRAIGHT RUN, NEED NOT BE MORE THAN 1100MM WIDE, SHALL HAVE HANDRAILS ON BOTH SIDES 3.4.6.4(3) HANDRAILS SHALL BE CONTINUOUSLY GRASPABLE ALONG ENTIRE LENGTH 3.4.6.4(3) HANDRAILS SHALL BE CONTINUOUSLY GRASPABLE ALONG ENTIRE LENGTH 3.4.6.4(4) HANDRAILS SHALL BE CONTINUOUSLY GRASPABLE ALONG ENTIRE LENGTH 3.4.6.4(4) HANDRAILS SHALL BE DETWEEN 865 AND 965MM HIGH, MEASURED VERTICALLY FROM A LINE DRAWN THROUGH OUTSIDE EDGE OF TREAD

OF TREAD 3.4.6.4(8) HANDRAILS SHALL BE NOT LESS THAN 50MM CLEAR OF A SMOOTH WALL ÀND 60MM CLEAR OF A TEXTURED WALL 3.4.6.4(9) HANDRAILS SHALL BE CAPABLE OF WITHSTANDING A LOAD OF

NOT LÈSS THAN 0.9KN 3.4.6.4(10) A RAMP SHALL HAVE A HANDRAIL ON BOTH SIDES

14. 3.6. SERVICE FACILITIES 14. 3.6. SCRVIVE TRACETIES
3.6.1.3 (1) NO SERVICE SPACES SHALL CONTAIN ANY STORAGE SPACES
3.6.2.1 ALL SERVICE ROOMS REQUIRE A FIRE SEPARATION OF 1 HOUR,
UNILESS IT CONTAINS A LIMITED QUANTITY OF SERVICE EQUIPMENT THAT
DOES NOT CONSTITUTE A FIRE HAZARD NOR IS ESSENTIAL TO THE OPERATION OF FIRE SAFETY SYSTEMS IN THE BUILDING

15 37 HEALTH REQUIREMENTS

13. 3.7 NEALTH REQUIREMENTS 3.7.2.2 PLUMBING FACILITIES 3.7.2.2.A -FOR GROUP A2, TOTAL SEATS = 145, WATER CLOSETS REQ -2M,

3F
WATER CLOSETS PROVIDED
1 UNIVERSAL TOILET ROOM-MAIN FL

1 MALE, 1 FEMALE-MAIN FL

2 UNISEX WASHROOMS-2¹⁰ FL.

3.7.2.2.A TOTAL STAFF = 21 PERSONS 1 STAFF WC PROVIDED. FOR EACH RESIDENTIAL UNIT – 2 BATHROOMS PROVIDED.

16. 3.8. BARRIER-FREE REQUIREMENTS

3.8.2.3 BARRIER FREE WASHROOM PROVIDED
3.8.2.191) BARRIER FREE ACCESSIBILITY TO ALL NORMALLY OCCUPIED MAIN FLOOR AREAS.

Groupe Group

MBC Group Suite 135, 7560-12 St. SE Calgary AB, T2H 2S5 Cell: 597-892-7663 Email: antoine.caron@mbc-group.ca RCHITEC

Mobolanie O George, B Arch.
M O George Architect
P O Box 22013, Pollard Mearlouse Edmands 13, Pollard Meadows Edm Cell: 403-307-0040 Email: mogdvpt@gmail.c Web: www.Mogarch.co ONSULTANT

THIS DRAWING, AS AN INSTRUMENT OF SERVICE IS THE PROPERTY OF ABC GROUP AND MIO GEORGE ARCHITECT, THE COPYRIGHT IN THE SA

No.	Description	Date
1	ISSUED FOR DEVELOPMENT PERMIT	06-10-202
2	ISSUED FOR DEVELOPMENT PERMIT	06-23-202
3	ISSUED FOR DEVELOPMENT PERMIT	07-05-202
4	ISSUED FOR DEVELOPMENT PERMIT	06-15-202
5	RE-ISSUED FOR DEVELOPMENT PERMIT	09-09-202
_		_

ROJECT

OLYMPIA TAVERN

CODE ANALYSIS / GENERAL NOTES

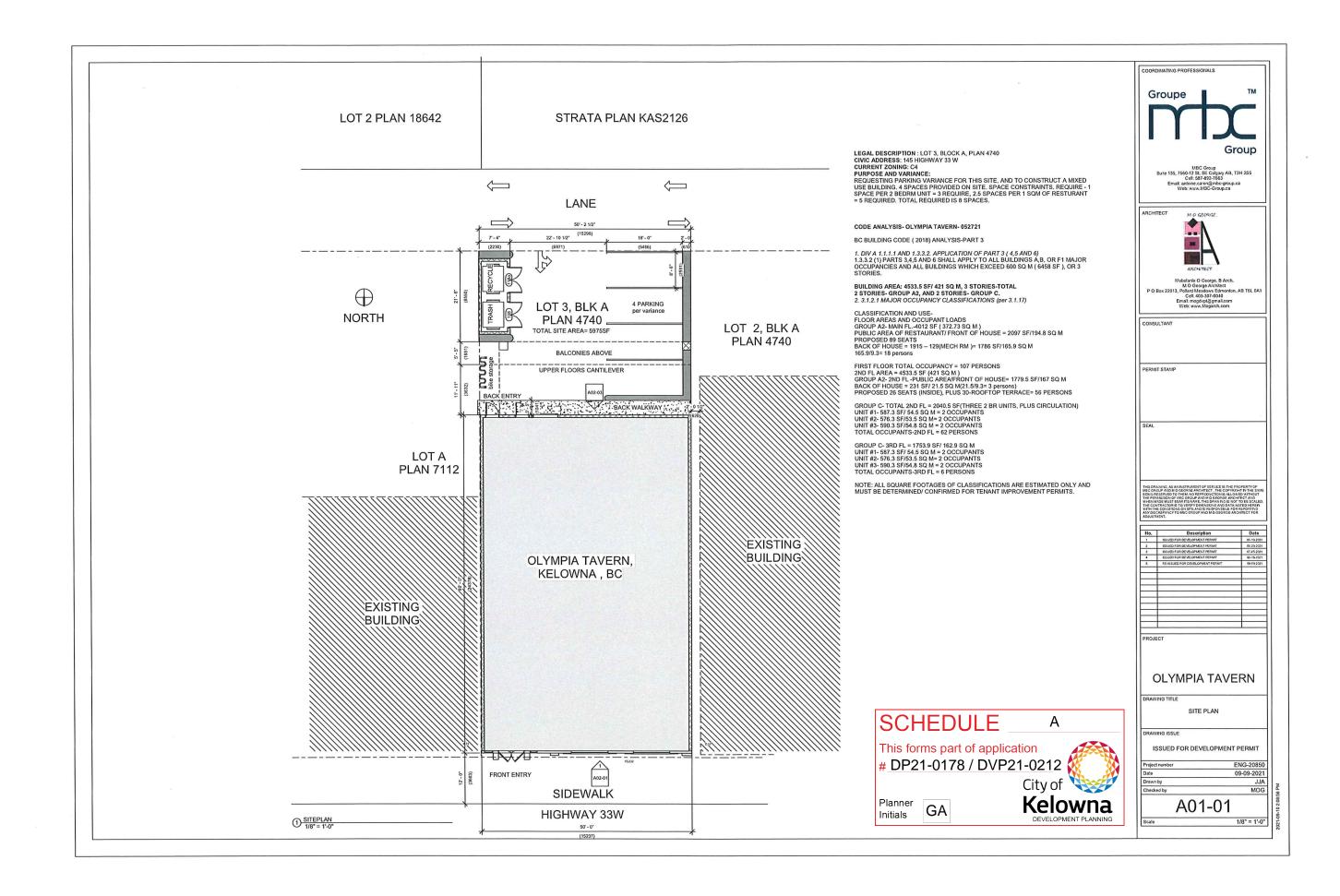
AWING ISSUE

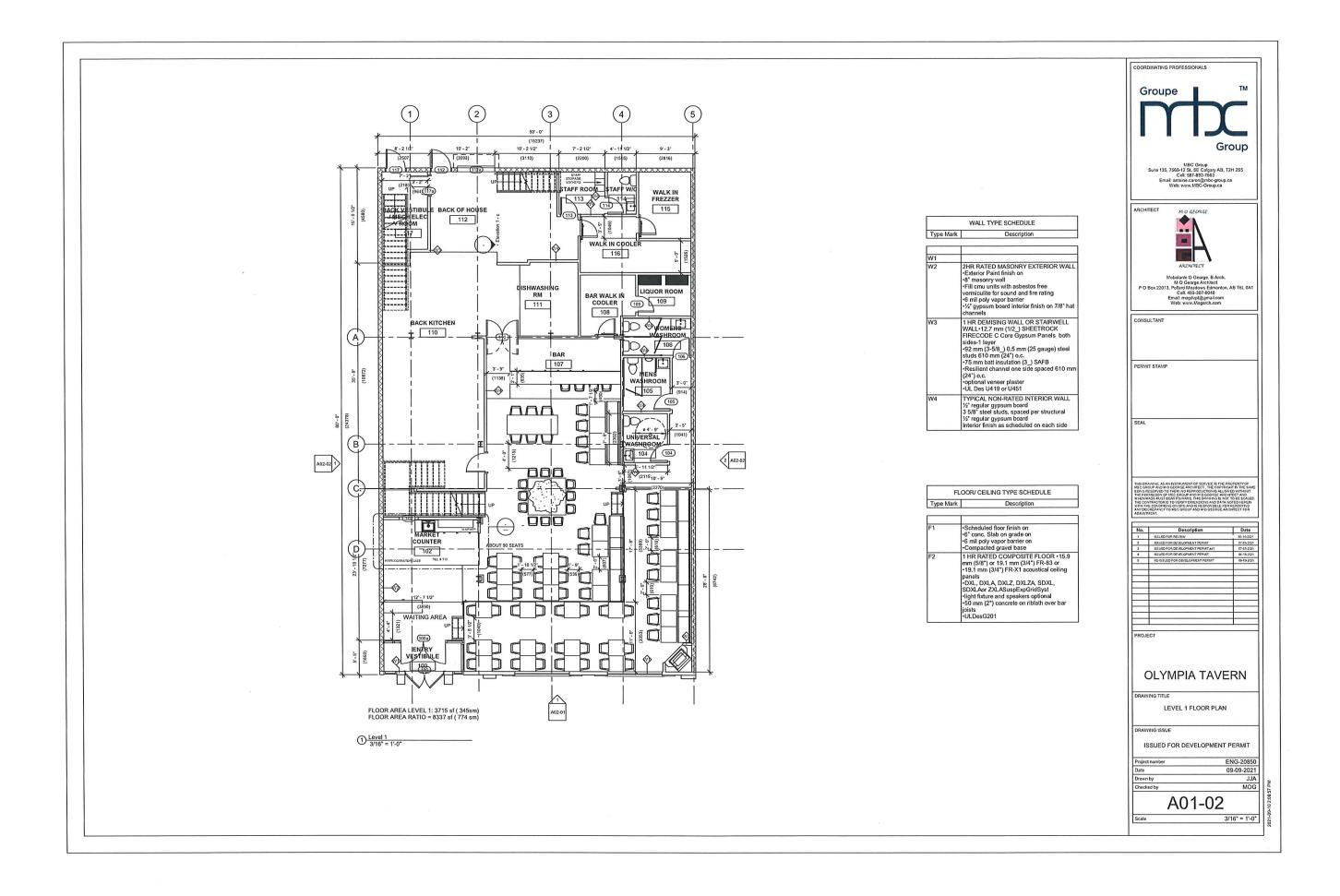
ISSUED FOR DEVELOPMENT PERMIT Project number

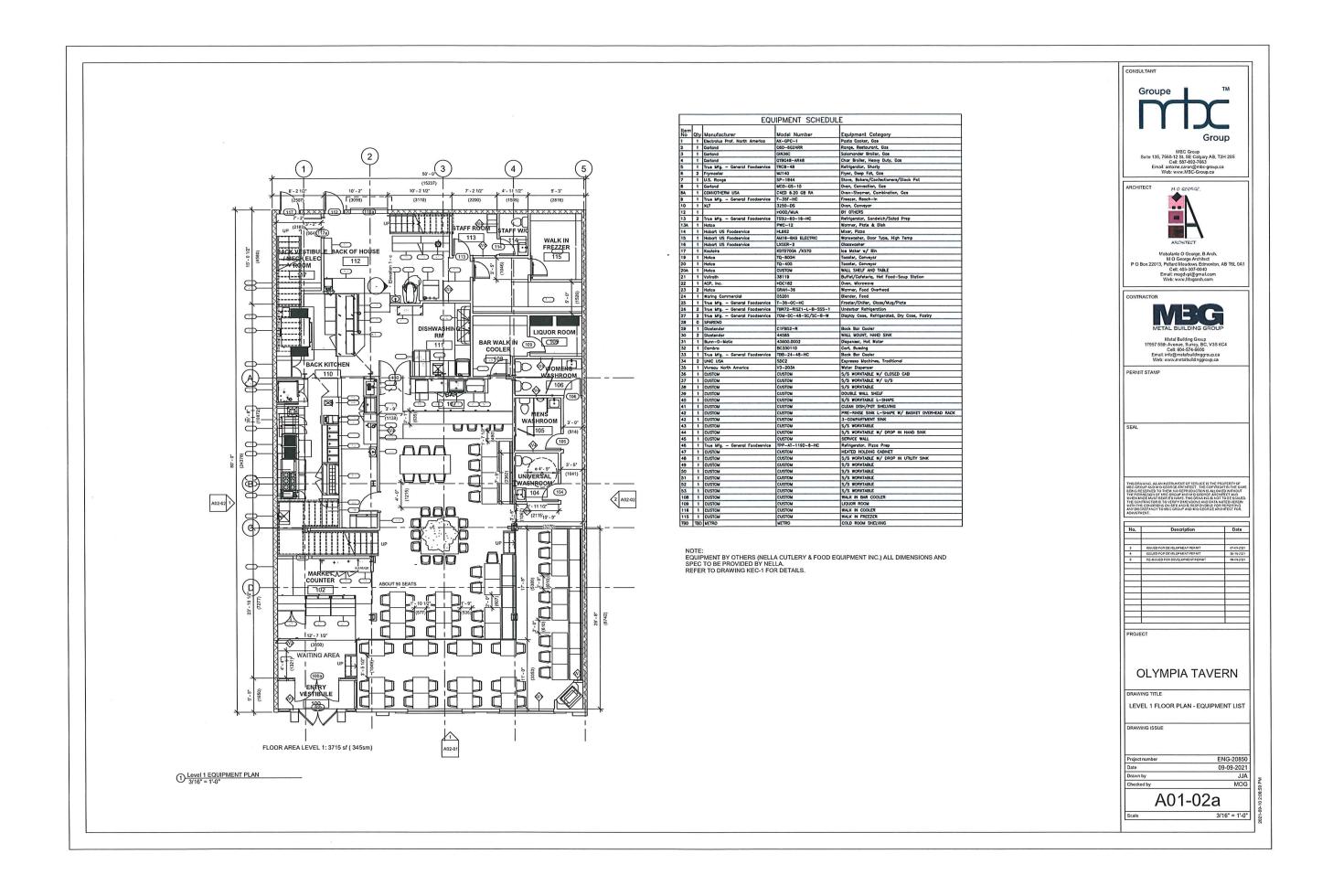
09-09-2021

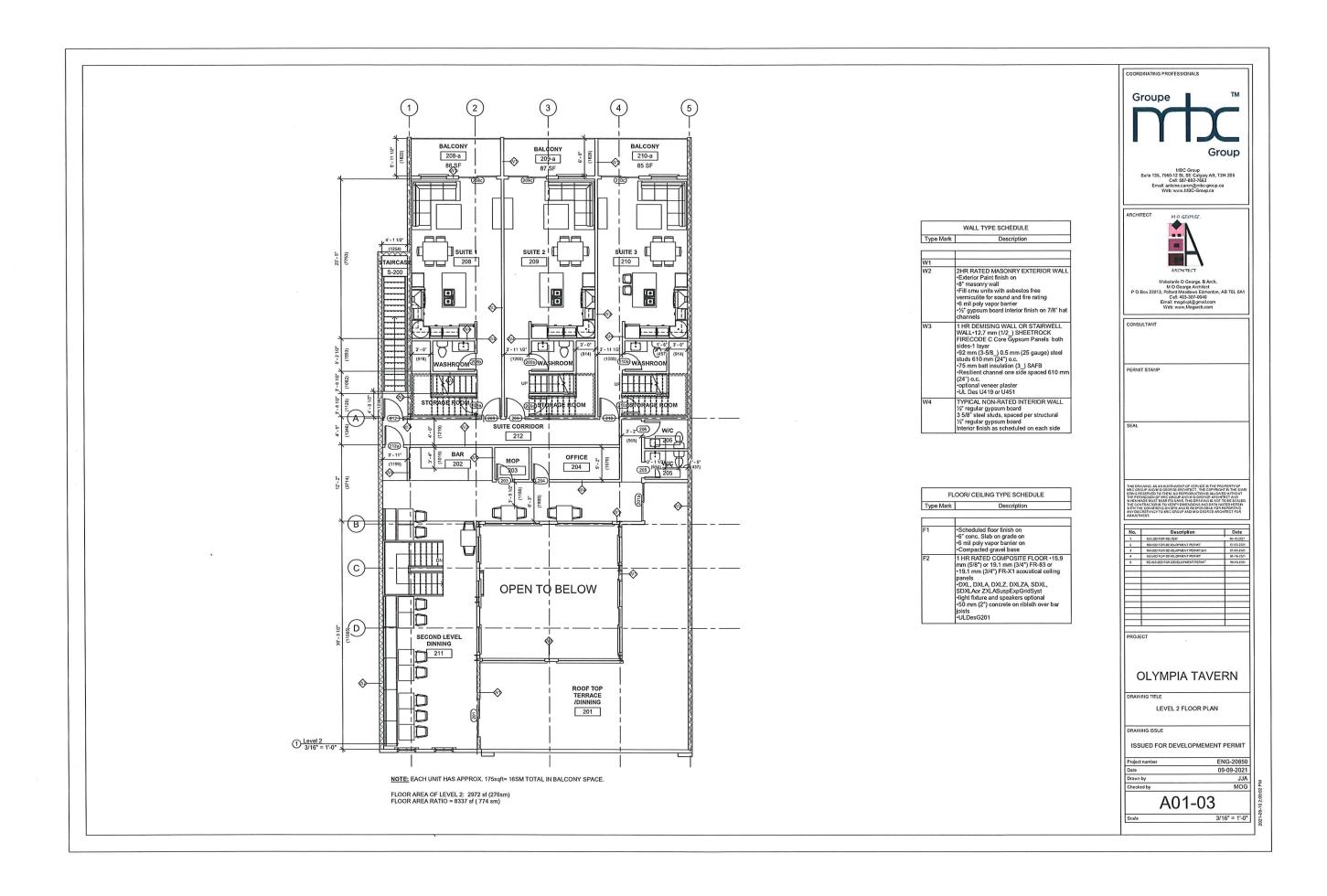
MOG

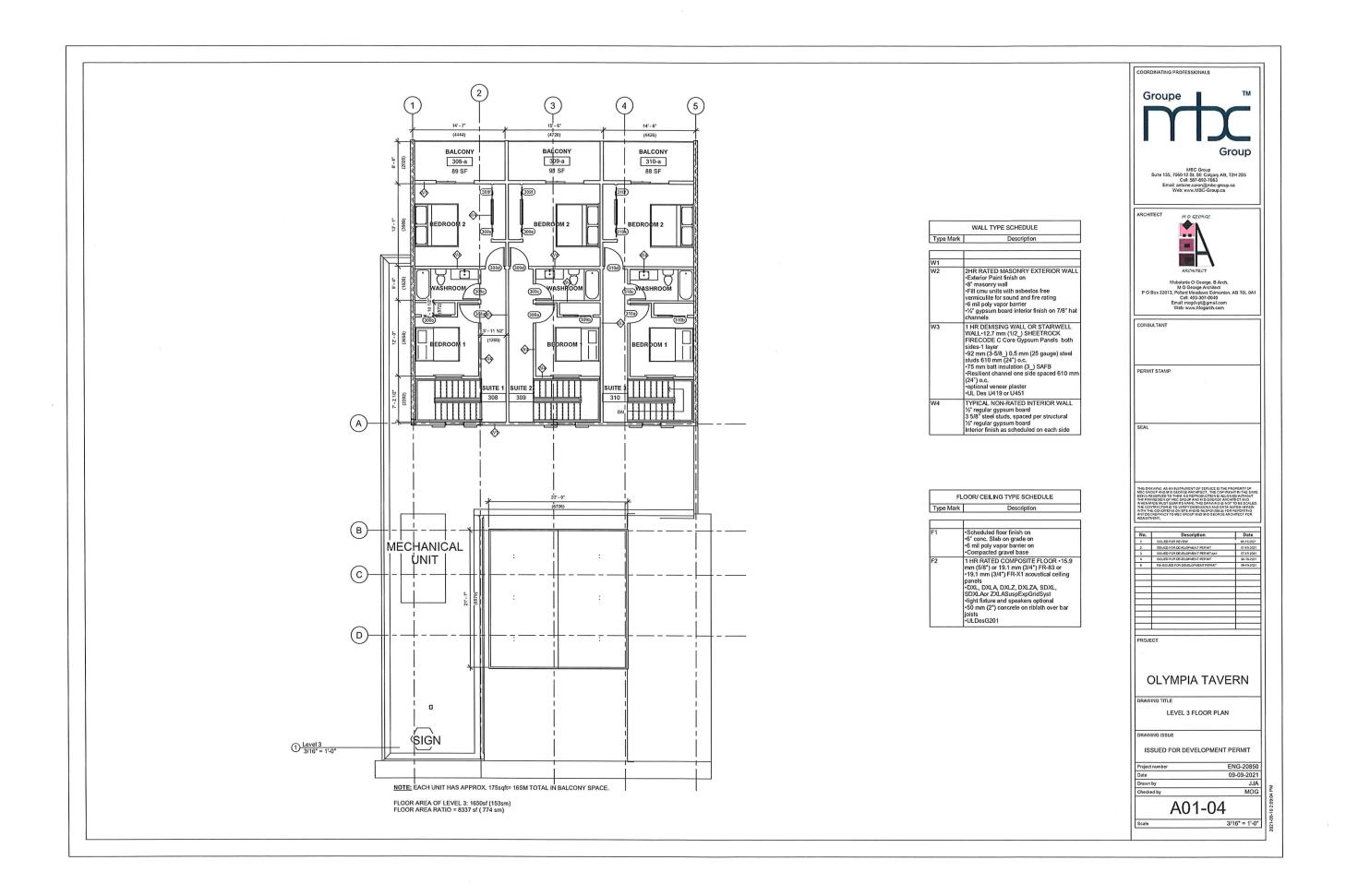
A00-01

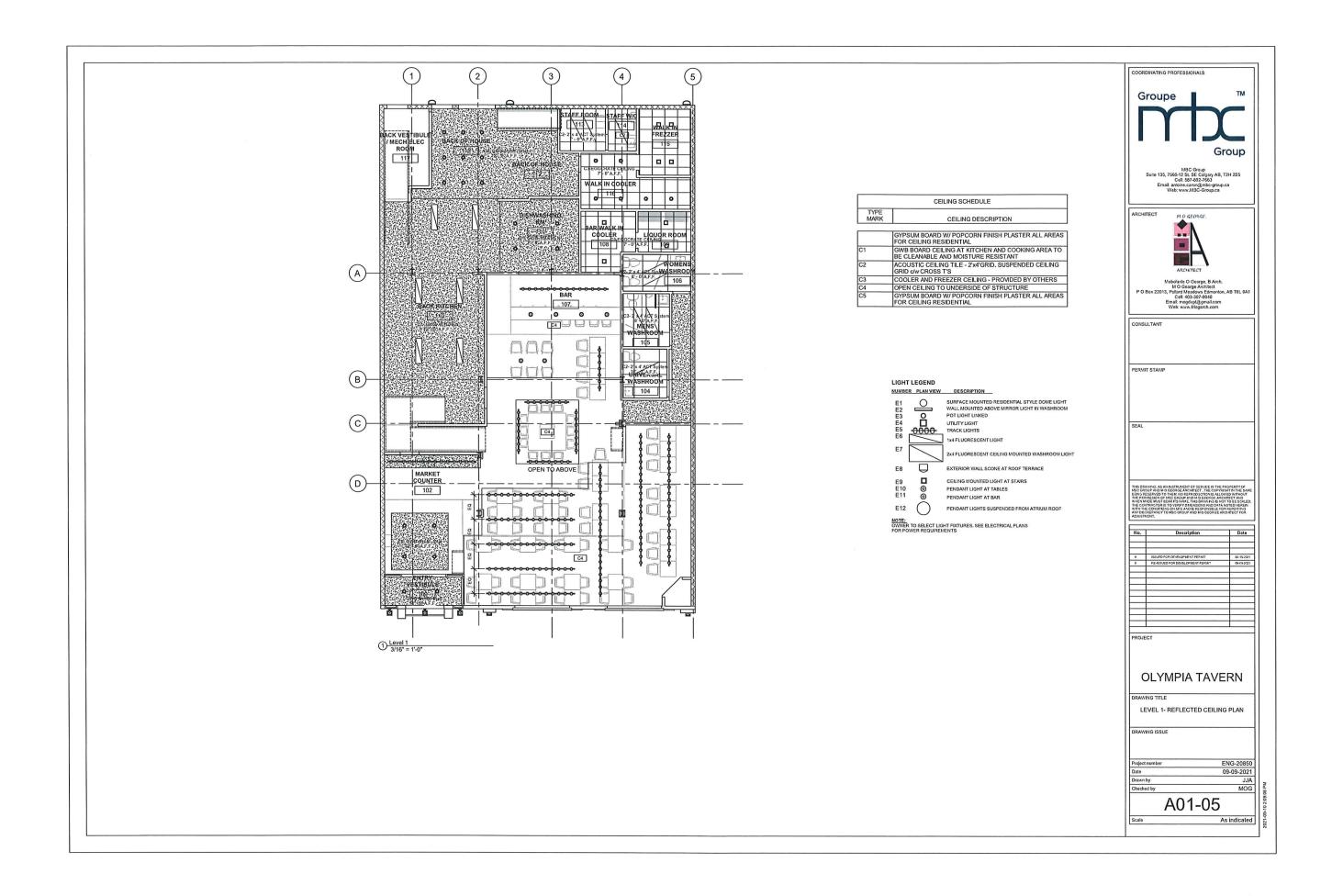


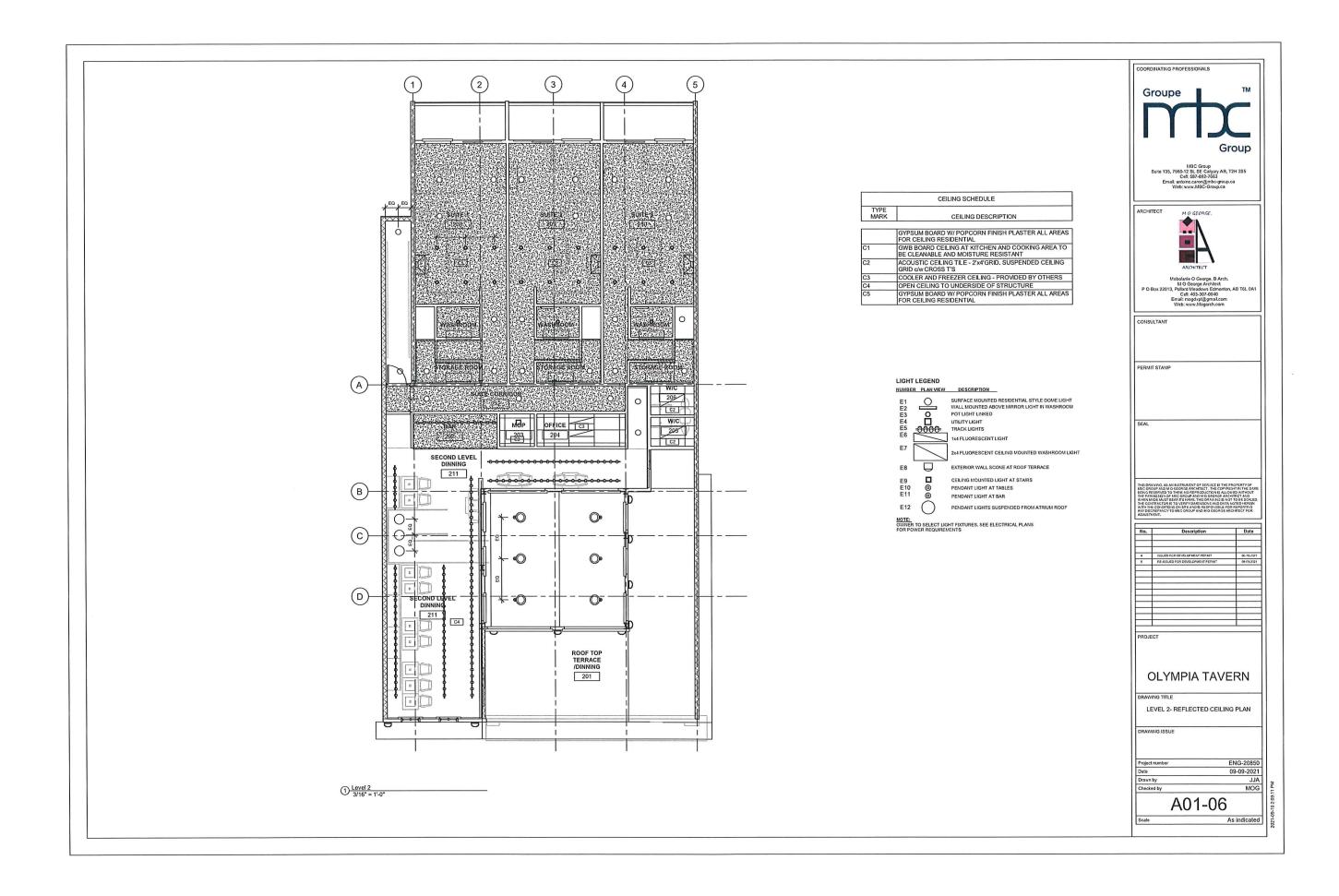


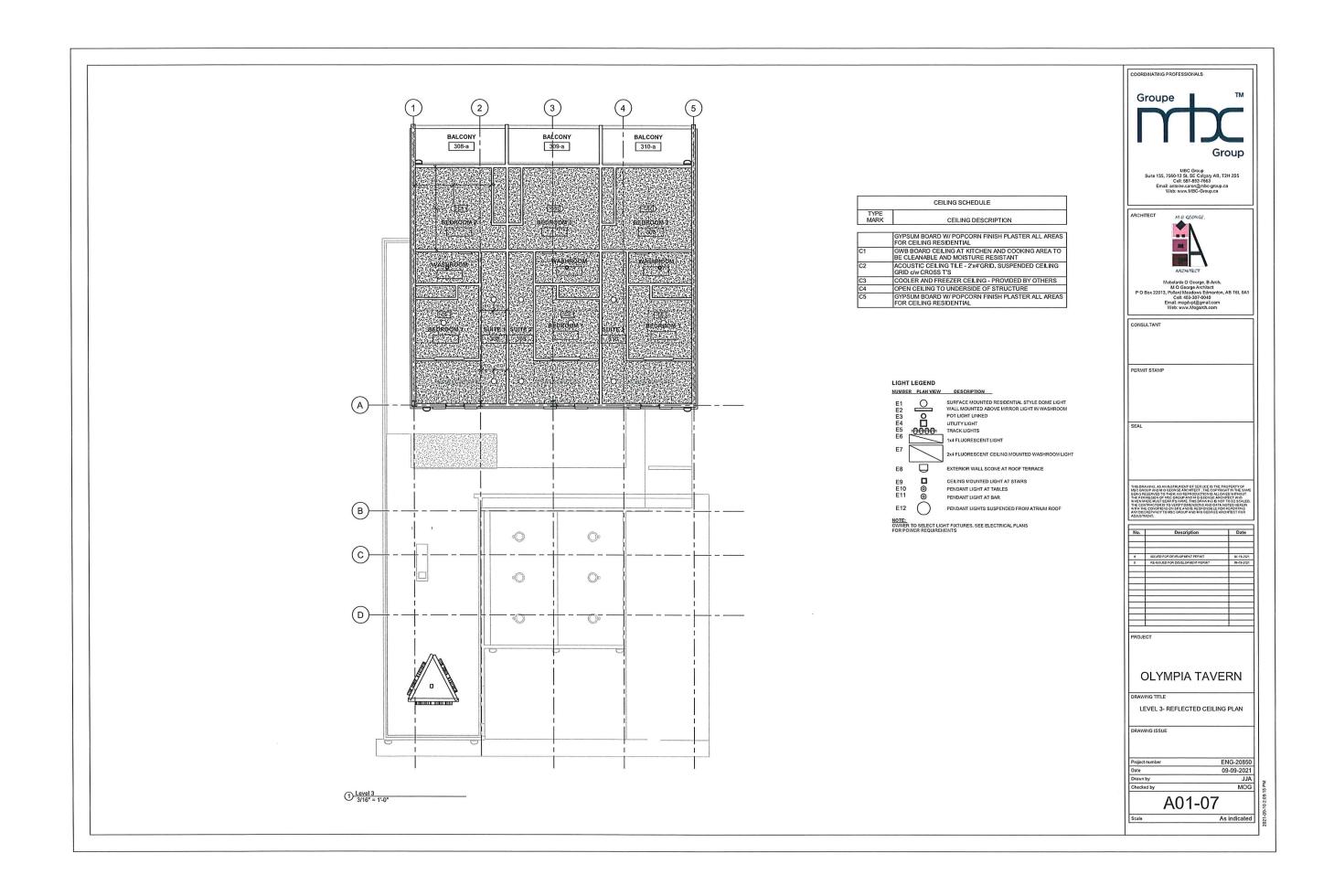


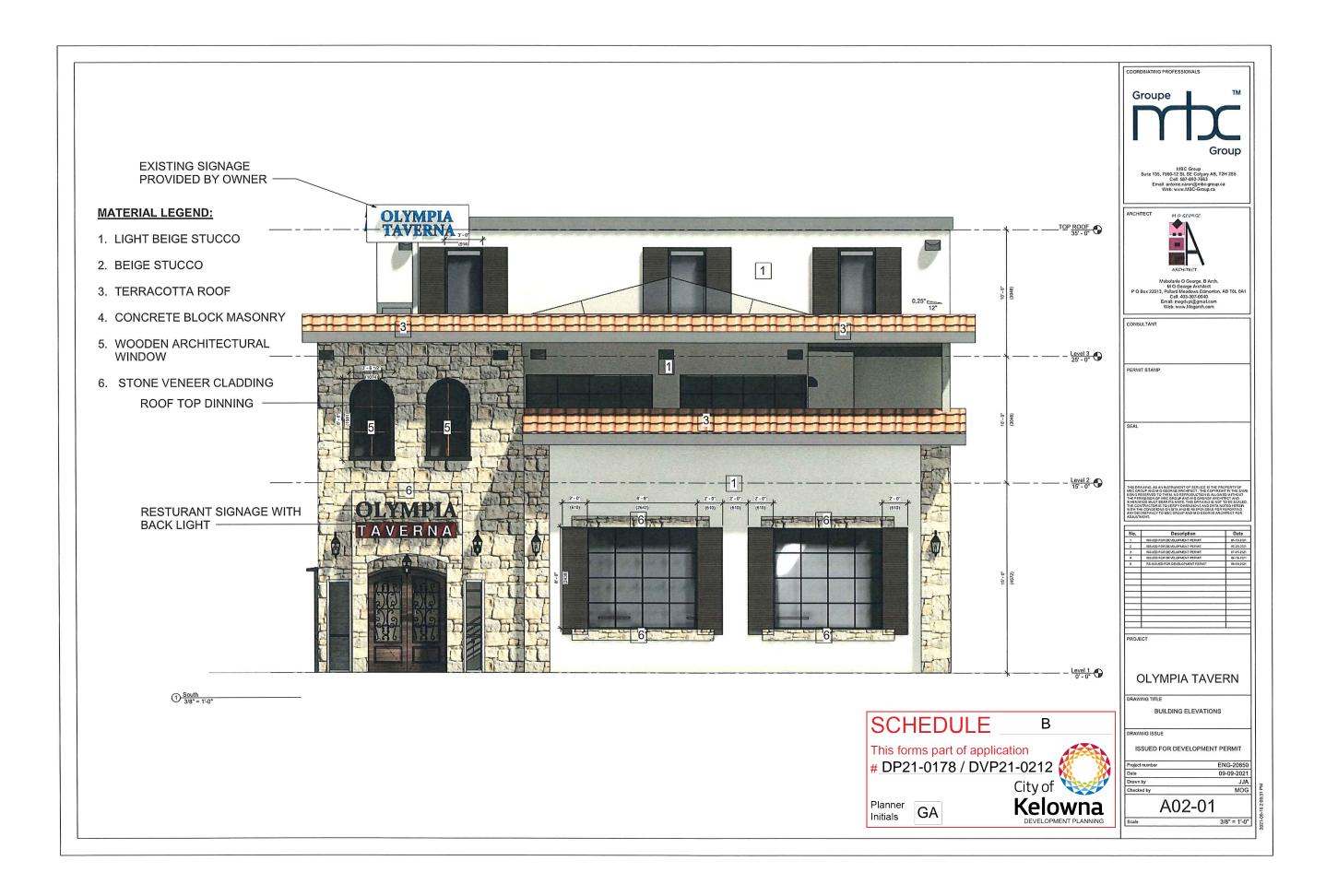


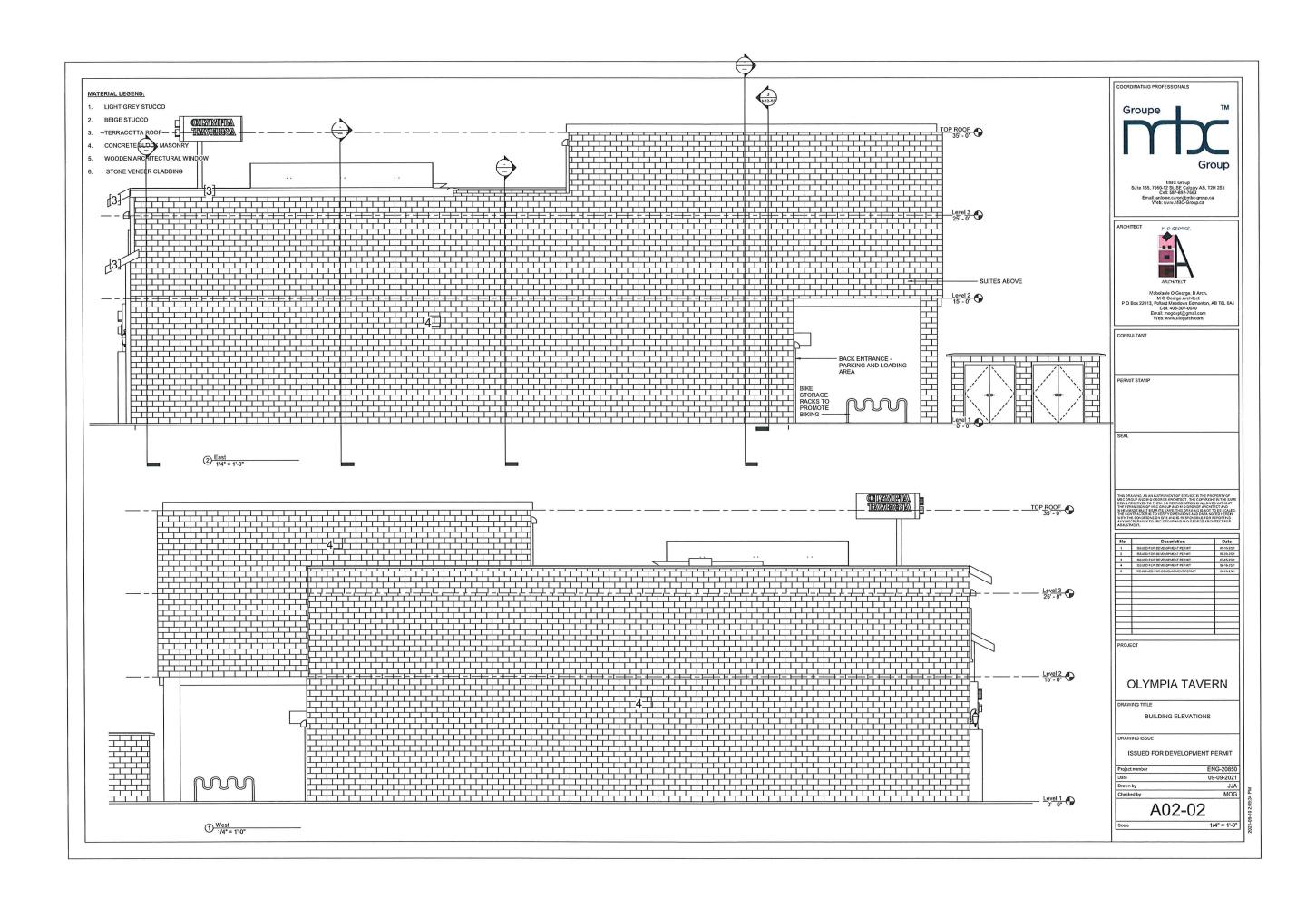


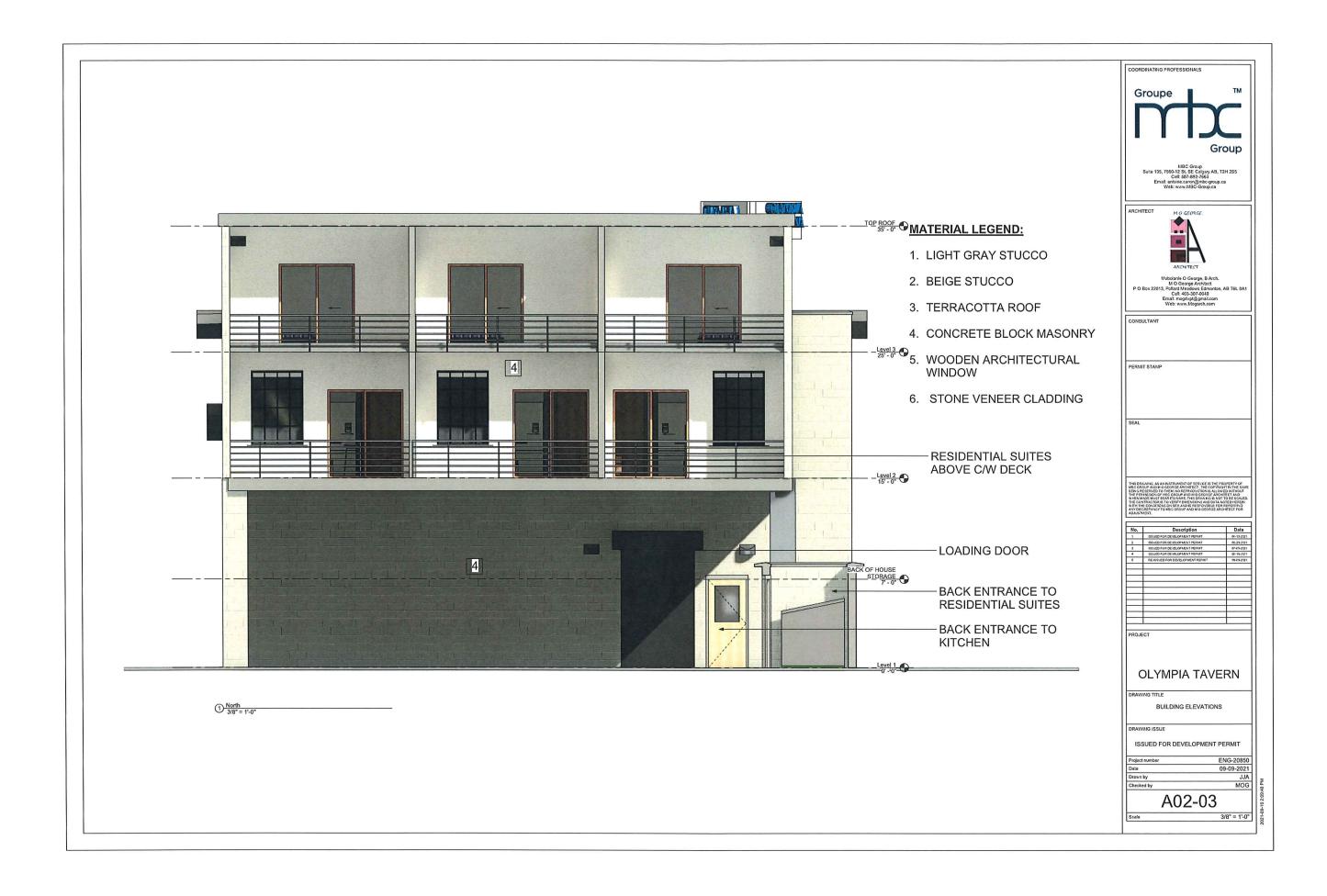




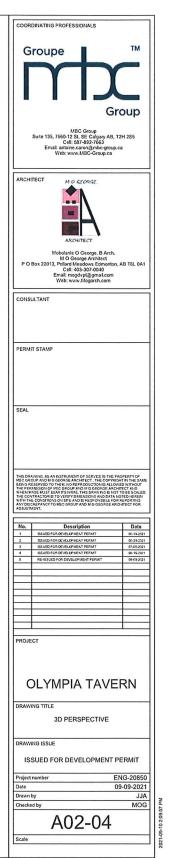


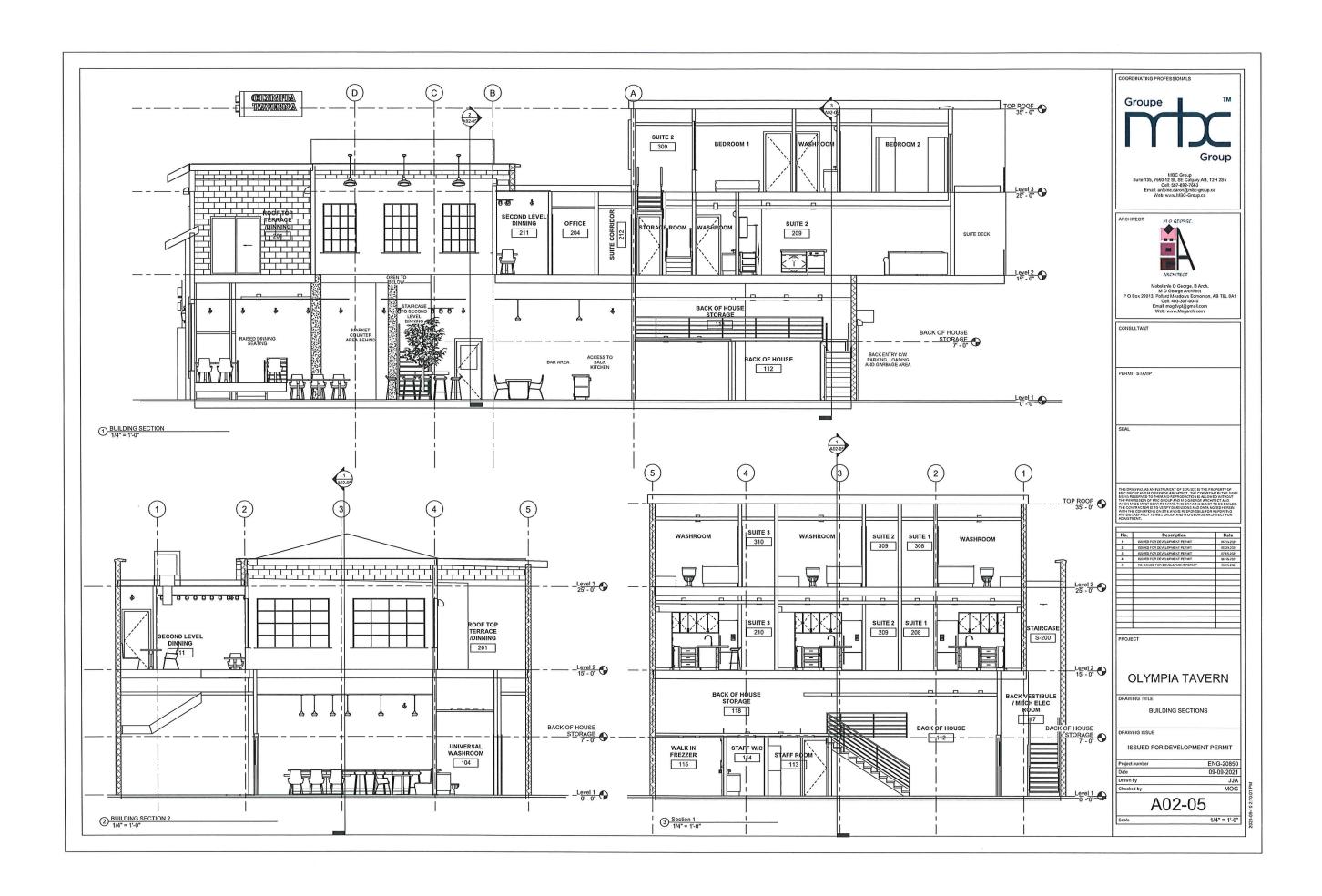


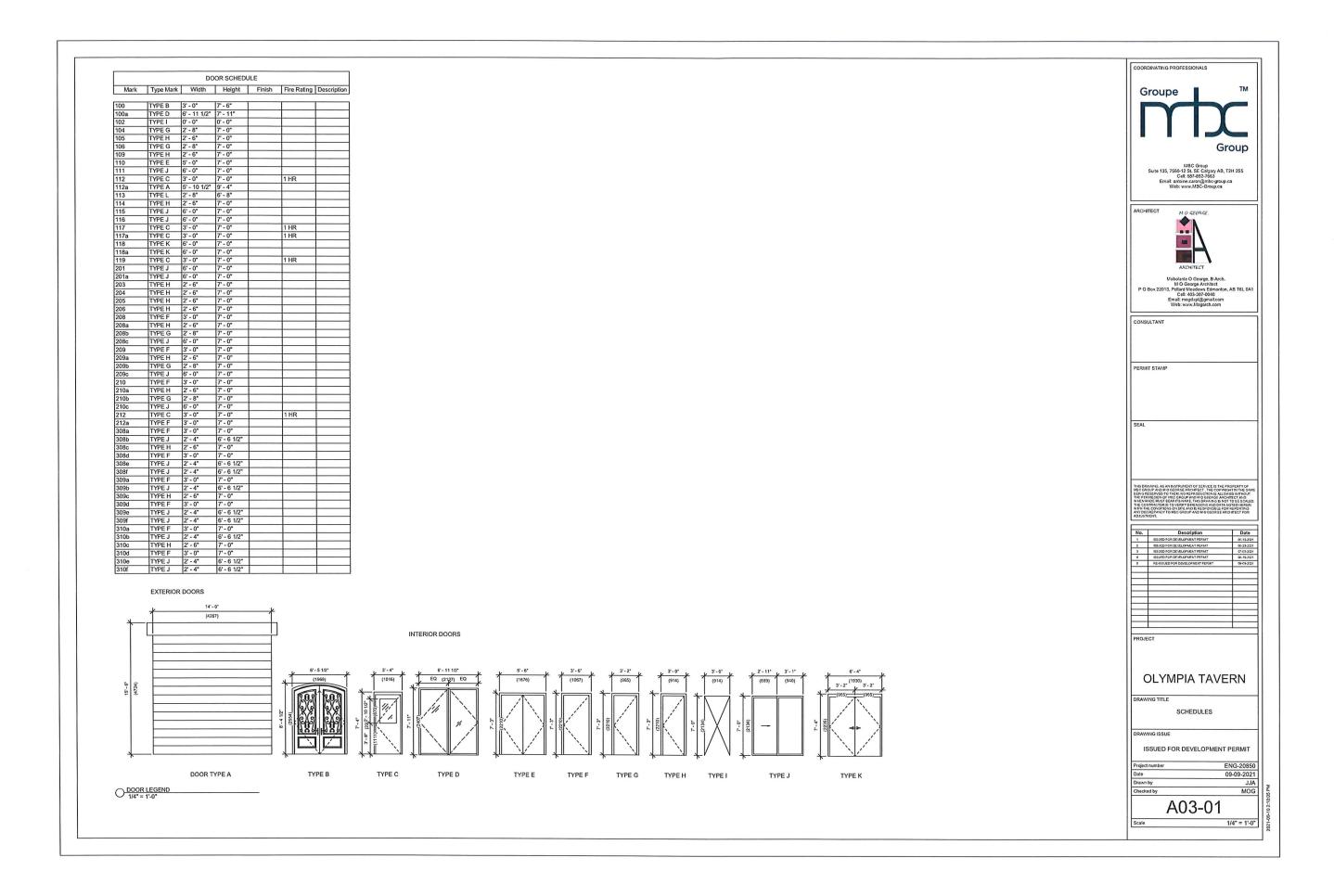












CITY OF KELOWNA

MEMORANDUM

Date: July 30, 2021

File No.: DP21-0178

To: Planning and Development Officer (AF)

From: Development Engineering Manager (RO)

Subject: 145-147 Hwy 33 W

ATTACHMENT B

This forms part of application
DP21-0178 / DVP21-0212
City of

Planner Initials

GA

RELOPMENT PLANNING

Form and Character

The Development Engineering Branch has the following comments and requirements, applicable at time of Building Permit, associated with this Development Permit Application for the form and character a proposed mix use building with ground floor commercial and upper storey residential. The Development Technician for this project is Sarah Kelly (skelly@kelowna.ca).

GENERAL

- a. The following requirements are valid for two (2) years from the reference date of this memo, or until the application has been closed, whichever occurs first. The City of Kelowna reserves the rights to update/change some or all items in this memo once these time limits have been reached.
- b. This proposed development may require the installation of centralized mail delivery equipment. Please contact Arif Bhatia, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, (250) 859-0198, arif.bhatia@canadapost.ca to obtain further information and to determine suitable location(s) within the development.
- c. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.
- d. These Development Engineering comments/requirements are subject to the review and requirements from the Ministry of Transportation and Infrastructure (MoTI).

2. <u>DOMESTIC WATER AND FIRE PROTECTION</u>

- a. The subject lot is located within the Rutland Waterworks District (RWD) service area. The Developer is required to make satisfactory arrangements with RWD for all water and fire protection-related issues. All charges for service connection(s) and upgrading costs, as well as any costs to decommission existing services, shall be the responsibility of the Developer.
- b. The Developer's Consulting Mechanical Engineer will determine the fire protection requirements of this proposed development and establish hydrant requirements and service needs. All fire flow calculations approved by RWD are to be shared with the Development Engineering Branch upon submittal of off-site civil engineering drawings.

3. SANITARY SEWER SYSTEM

- a. Our records indicate that the subject lot is currently serviced with a 150-mm diameter sanitary sewer service. The Applicant's Consulting Mechanical Engineer will determine the requirements of the proposed development and establish the service needs.
- b. Only one service will be permitted. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost.

4. STORM DRAINAGE

- a. The developer must engage a consulting civil engineer to provide a storm water management plan for this site which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.
- b. An Erosion and Sediment Control Plan is to be prepared by a Professional Engineer proficient in the field of erosion and sediment control. The plan is to be prepared as per section 3.14 of Schedule 4 of Bylaw 7900.

5. ROAD IMPROVEMENTS

- a. Hwy 33 frontage has been upgraded to urban standard, no further frontage upgrades required.
- b. East west lane fronting this development to the south must be upgraded to SS-R2 commercial lane standard; including road fillet paving, storm drainage, burial of overhead wires and removal of poles, and relocation or adjustment of existing utility appurtenances if required to accommodate the upgrading construction.
- c. Only the service upgrades, if required, must be completed at this time. The City wishes to defer the upgrades to the Laneway fronting this development. Therefore, cash-in-lieu of immediate construction is required and the City will initiate the work later, on its own construction schedule. The cash-in-lieu amount is determined to be \$12,972.75 not including utility service cost.

6. POWER AND TELECOMMUNICATION SERVICES

- a. All proposed distribution and service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.
- b. If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.
- c. Re-locate existing poles and utilities, where necessary including within lanes. Remove aerial trespass(es).

7. GEOTECHNICAL STUDY

a. Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below:

<u>NOTE</u>: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.

- b. The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.
 - Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - ii. Site suitability for development.
 - iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
 - Any special requirements for construction of roads, utilities, and building structures.
 - v. Recommendations for items that should be included in a Restrictive Covenant.
 - vi. Recommendations for roof drains and perimeter drains.
 - vii. Recommendations for erosion and sedimentation controls for water and wind.
 - viii. Any items required in other sections of this document.

8. ROAD DEDICATION/SUBDIVISION REQUIREMENTS

- a. A dedication of approximately 0.8 m along the full frontage of the lane is required to achieve a 7.6 m commercial lane.
- b. No driveway access will be permitted to Hwy 33. The vehicular access to the development site is to be provided from the lane.
- c. Perimeter access must comply with the BC Building Code. Fire Truck access designs and proposed hydrant locations will be reviewed by the Fire Protection Officer.

9. CHARGES AND FEES

- a. Development Cost Charges (DCC's) are payable.
- b. Fees per the "Development Application Fees Bylaw" include:
 - i. Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) only if disturbed.
 - ii. Engineering and Inspection Fee: 3.5% of construction value (plus GST).
- c. Cash-in-Lieu of Construction Payments:

*Payment must be made with certified cheque or bank draft

i) Laneway Frontage Upgrades \$12,972.75

ii) Engineering and Inspection Fee
3.5% of construction cost (\$454.05) + GST(\$22.70)

\$476.75

Ryan O'Sullivan Development Engineering Manager

SK







Proposal

▶ To consider a Form and Character DP for a proposed restaurant and dwelling units subject to a variance from eight (8) required parking spaces to four (4).



Development Process

Jun. 11, 2021

Development Application Submitted

Jul. 7, 2021

Staff Review & Circulation

Sep 3, 2021

Public Notification Received



Oct. 5, 2021

Development Variance Permit

Building Permit

Council Approval

Context Map



Site Map





Project/technical details

- ► The applicant proposing a mixed-use building containing a restaurant and three (3) two-bedroom residential units.
- Parking variance is being requested and the proposed spots will be allocated to the residential units
- ► The building is located in the Rutland Urban Centre, with proximity to major transit routes, and provision of residential density on an existing business.



Site Plan Proposed Access STRATA PLAN KAS2126 LOT 2 PLAN 18642 LEGAL DESCRIPTION : LOT 3, BLOCK A, PLAN 4740 CMM ADDRESS 194 HIGHWAYST W COMMENT ZONNER COMMENT ZONNER CHARLES CHARLE \Leftrightarrow \Diamond LANE GODE ANALYSIS- OLYMPIA TAVERN- 952721 BC BUILDING CODE (2018) ANALYSIS PART S Proposed BUILDING AREA: 4533.5 SFT 431 SQ N, 3 STORIES-TOTAL 2 STORIES- GROUP AS, AND 2 STORIES- GROUP C. 2 3 5 2 7 MAJOR OCCUPANCY CLASSIFICATIONS (Set 3.1.17) 4 PARKING per verience LOT 3, BLK A NORTH PLAN 4740 . Parking LOT 2, BLK A PLAN 4740 BALCONIES ABOVE FIRST FLOOR TOTAL OCCUPANCY = 907 PERSONS 290 PL AREA = 453.5 8F (427.50 M) GROUP PA - 390 FL - PLEULC AREA-FRONT OF HOUSE - 1778.5 SF/NS7 SQ M BACK OF HOUSE = 231 SF / 31.5 SQ M(32.59 32.3 persons) PROPOCEDS DE BACKS | MSDEL FLUX 32 HOLD TO TERRIFICE - 56 PERSONS Lot The State of State Commission of the LOT A PLAN 7112 Proposed EXISTING BUILDING OLYMPIA TAVERN. KELOWNA, BC Building EXISTING BUILDING FRONT ENTRY SIDEWALK

HIGHWAY 33W



Front Elevation





Rear Elevation





Staff Recommendation

- ➤ Staff recommend **support** of the proposed Development Permit and Development Variance Permit Application.
 - Application is in alignment with the OCP Urban Design Guidelines by conforming to the original character of the building
 - ➤ Parking lot will be redesigned to meet zoning bylaw standards for waste, recycling and stall size.
 - ► Location in the Rutland Urban Centre, with proximity to major transit routes, and provision of residential density on an existing business.



Conclusion of Staff Remarks