



ICR Projects Inc.

#300 – 555 Sixth Street New Westminster, BC V3L 5H1

Telephone: (604) 523-6444

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October 12, 2017

City of Kelowna
Community Planning & Real Estate
1435 Water Street
Kelowna, BC
V1Y 1J4

Attention: Mr. Adam Cseke, BSc, MCP Planner

Dear Adam,

Reference: 1232 Ellis Street, Kelowna BC
Development Permit no. DP17-0011
Legal Description. Lot 3 District Lot 139 Osoyoos Division Yale District Plan KAP60698

Further to our recent telephone conversation and our attached letter of September 27, 2017 we submit for the City of Kelowna's consideration a Development Variance Permit Application.

In support of our application we submit drawing no. PK-01 parking plans & layout as previously submitted that form part of the existing Development Permit no. DP17-0011 and an alternate drawing no. PK-02 as a proposed alternate parking plan and layout for the City's consideration.

The application if considered and approved by the City of Kelowna would increase the provided parking from 100 to 120 stalls and would increase the Bicycle parking from 16 to 46 stalls.

The new proposed parking arrangement and driveway access shown on drawing no. PK-02 also addresses previous concerns from the City's Engineering department with regards to the parking entrance arrangements.

We look forward to a early response to the application.

Yours Truly,
ICR Projects Inc.

Leo Mariotto, President





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September 27, 2017

City of Kelowna
Community Planning & Real Estate
1435 Water Street
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Attention: Mr. Adam Cseke, BSc, MCP Planner

Dear Adam,

Reference: 1232 Ellis Street, Kelowna BC
Development Permit no. DP17-0011
Legal Description. Lot 3 District Lot 139 Osoyoos Division Yale District Plan KAP60698



Further to our recent telephone conversation we submit, as agents and of behalf of RG Lot 3 Ltd, the following submission for the City of Kelowna's review and consideration for a variance to the parking stall size requirement in DP117-0011

CD5 COMPREHENSIVE DEVELOPMENT ZONE:

The referenced property is zoned CD5 in the consolidated Zoning Bylaw no. 8000, Schedule 'B' – Comprehensive Development Zones with revisions dated July 8, 2003 and February 20, 2006.

The CD5 zone is Subject to the provisions of zoning Bylaw, 1976 as it existed on May 4, 1998.

CD5 1.8(b) Parking and Loading: all uses on Lot 2 and Lot 3 shall be required to provide parking as required by Part III of City of Kelowna Zoning Bylaw, 1976, No. 4500, as it existed on May 4, 1998.

CD5 1.9 (a) General Regulations: See part III of City of Kelowna Zoning Bylaw, 1976, No. 4500 as it existed on May 4, 1998.

BYLAW 1976 NO. 4500 PART III – GENERAL REGULATIONS: Dated November 12, 1993; June 24, 1996 February 17, 1997; December 4, 1997, July 6, 1998 - Required number of parking spaces in Multi- Family Dwellings:

- Bachelor: 1 per dwelling unit
- One Bedroom: 1.25 per dwelling unit
- Two Bedrooms: 1.5 per dwelling unit
- Three or more Bedrooms: 2 per dwelling unit
- Commercial uses: 1 stall per 75 m2 of gross floor area.

Visitor parking: None required

Bicycle Parking: None required

Size of parking Spaces and Aisles:

- Regular size at 90 degrees: 2.8m x 6m
- Small cars: at 90 degrees: 2.5m x 5m
- Parallel: 2.75m x 7m
- Aisles: 7.3 m

4.(q) – Where a proposed development is unable to meet the requirements of Section 4(a), the City may accept payment in lieu of a portion of the required parking, where the proposed development is within 500 metres of an existing City parking facility. (subject to confirmation by the City the parking payment in lieu as of May 4, 1998 was from our research \$ 7,500 per parking stall).

BACKGROUND INFORMATION:

On or about September 21, 2016 ICR Projects Inc. ,as agents for RG Lot 3 Ltd, submitted to the City of Kelowna a Parking Text Amendment Application to revise the Parking requirements and Parking Sizes in accordance with the requirements of the C4 and C7 zone of neighbouring properties.

The existing parking requirement in the C4 and C7 zones is 1.0 spaces per Dwelling unit.

The application considered by Kelowna City Council on April 10, 2017 for a proposed text amendment to Table 8.1 Parking Schedule to include the CD5 zone in the same parking category as the C4 and C7 neighbouring properties.


The text amendment application was considered by Kelowna City Council on Monday, April 10, 2017 and was defeated.

Following the April 10, 2017 Kelowna City Council defeat of the proposed Zoning Text amendment application revised development permit application drawings were submitted to the City of Kelowna on May 5, 2017 with parking requirements and parking sizes in accordance with Part III of the City of Kelowna Zoning Bylaw, 1976, No. 4500 as it existed on May 4, 1998.

Compliance with Kelowna Zoning Bylaw, 1976, No. 4500 as it existed on May 4, 1998 with regards to parking requirements and parking sizes resulted in the following parking calculations:

- Parking stall required: 139 Stalls
- Parking provided; 100 Stalls
- Proposed parking payment in Lieu as per Kelowna Zoning Bylaw, 1976, No. 4500 Part III section 4(q) as it existed on May 4, 1998: 39 Stalls
- Bicycle parking: NONE required (16 voluntary provided)

As a comparison, for information, compliance with the Kelowna Zoning Bylaw, 1976, No. 4500 as it existed on May 4, 1998 compared to the current C4 and C7 parking sizes resulted in a **decrease** in parking stalls provided by **17 stalls** and a **reduction of 30** Class I Bicycle parking.

ATTACHMENT		A
This forms part of application		
# DVP17-0236		
Planner Initials	AC	
		City of Kelowna COMMUNITY PLANNING

PROPOSALS FOR CONSIDERATION BY THE CITY KELOWNA.

OPTION ONE:

That the City of Kelowna consider a variance to DP17-0011 to revise the parking size requirements to be in accordance with Bylaw 8000 Section 8 Parking and Loading section 8.1.11 to 8.1.14 inclusive that would result in the following calculations:

- Parking stalls required in Kelowna Zoning Bylaw, 1976, No. 4500 Part III section as it existed on May 4, 1998: **139 Stalls**
- Parking provided; **117 Stalls**
- Proposed parking payment in Lieu as per Kelowna Zoning Bylaw, 1976, No. 4500 Part III section 4(q) as it existed on May 4, 1998: **22 Stalls.**
- City's in the recent past have reduce the number of vehicle parking space requirements by introducing bicycle parking spaces and in some cases have further reduced vehicle parking requirement for Bicycle parking provided in addition to current bylaw requirements.

Provision of bicycle parking in accordance with Bylaw 8000 section 8.4 would result in required **46 Bicycle** class I parking space versus **Zero** requirement in Kelowna Zoning Bylaw, 1976, No. 4500 Part III section as it existed on May 4, 1998.

OPTION TWO:

With the aim to promote car sharing as an environmental responsible alternative to personal vehicle ownership some City's have or are considering revising their parking requirements to reduce vehicle parking requirements by 4 stalls for every car share parking spots. This environmental responsible alternative is also recognized by LEED that provides additional credits for this alternative.

Should this alternative be considered by the City of Kelowna Two car sharing electric vehicles and an electric charging stations can be provided as part of this development.

Parking calculations under Option Two could result in the following:

- Parking stalls required in Kelowna Zoning Bylaw, 1976, No. 4500 Part III section as it existed on May 4, 1998: **139 Stalls**
- Parking provided; **117 Stalls + 8 stalls for Car Sharing = 125**
- Proposed parking payment in Lieu as per Kelowna Zoning Bylaw, 1976, No. 4500 Part III section 4(q) as it existed on May 4, 1998: **14 Stalls.**
- Class I Bicycle parking = **46 stalls**

ATTACHMENT **A**

This forms part of application
DVP17-0236


City of
Kelowna
COMMUNITY PLANNING

Planner
Initials

AC

CONCLUSION:

Our submission is intended to demonstrate that by using the parking sizes as per Kelowna Zoning Bylaw, 1976, No. 4500 Part III section as it existed on May 4, 1998 in lieu of the current Bylaw 8000 parking sizes currently used in the City of Kelowna recent and new developments has actually reduced the amount of parking spaces available in this development by **17 stalls** and has eliminated the requirement for Bicycle Parking stalls.

Following Kelowna City Council's decision to not approve the previously requested text amendment to allow parking requirements as required by C4 and C7 neighbouring properties we request consideration to only vary the parking size requirements as per existing Bylaw 8000 requirements that would in increased available parking for the residents of this development and also provide them with additional Bicycle parking spaces.

We also ask that the City of Kelowna consider our second innovative option for a car sharing program as an environmental responsible alternative to personal vehicle ownership.

As the project is still in the working drawing stage there is currently is an opportunity for the City of Kelowna's early consideration of the foregoing proposals.

Thank you for the opportunity to present on behalf of RG Lot 3 Ltd the foregoing submission and proposals and we look forward to the City's early consideration.

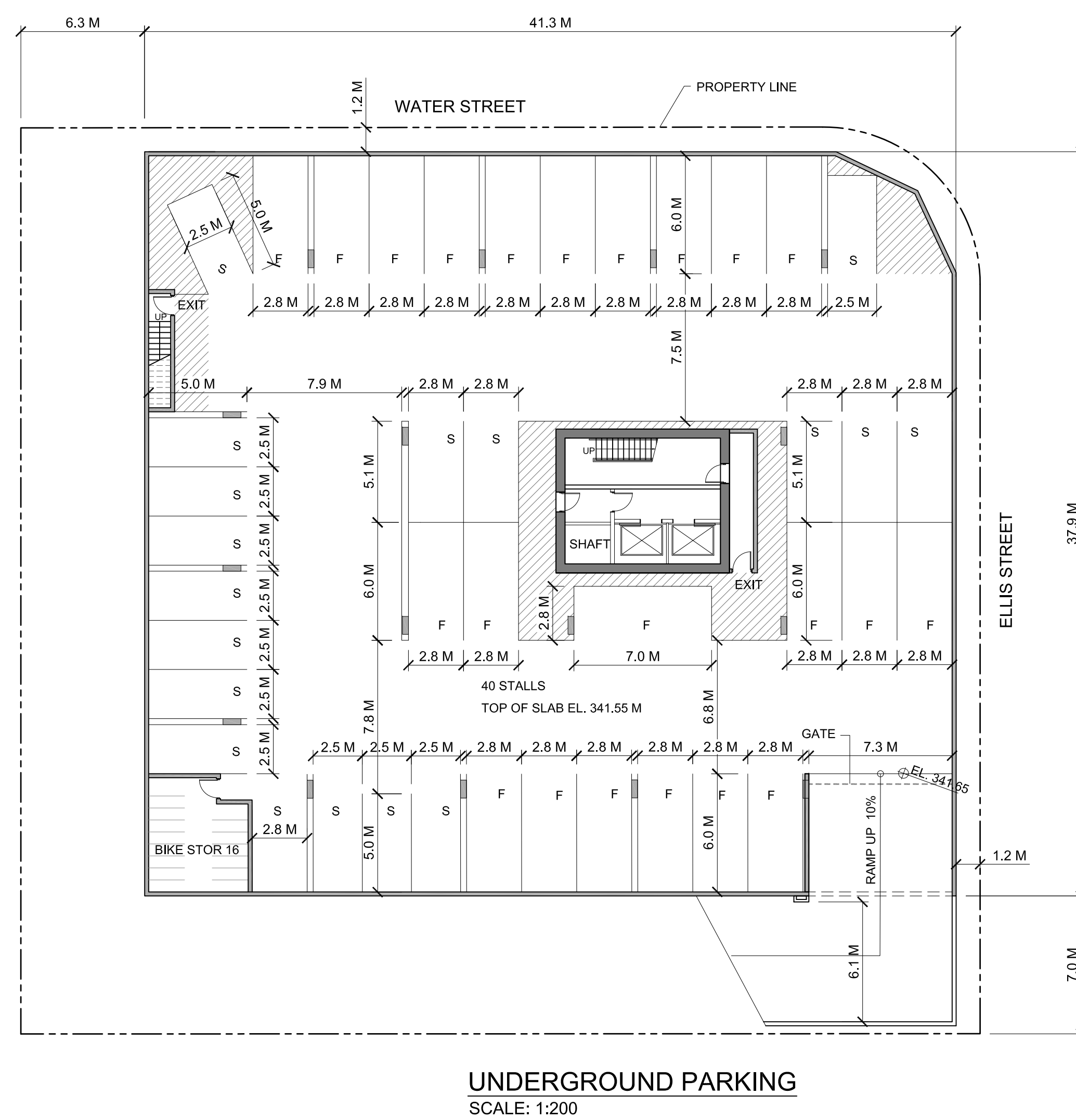
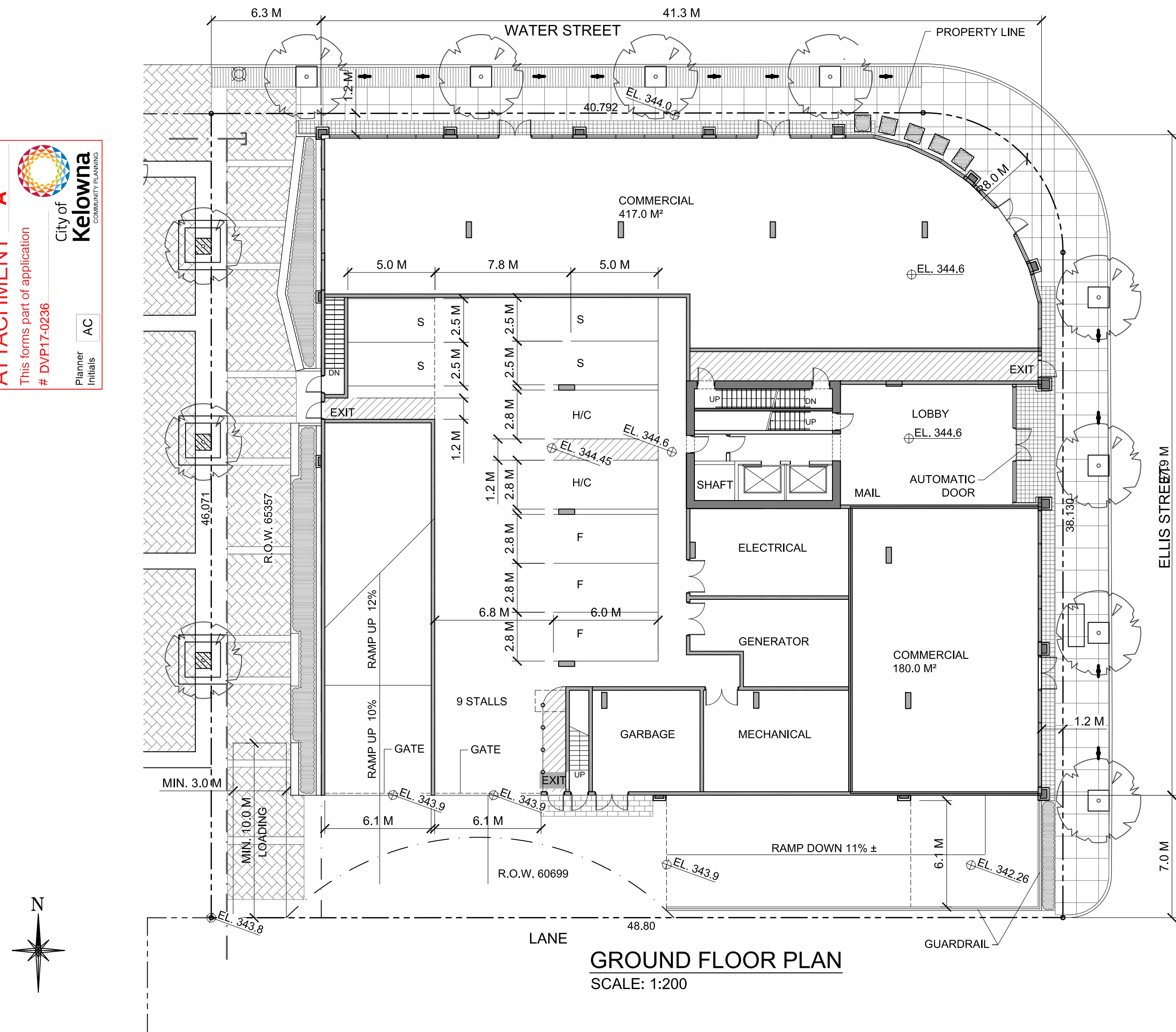
Yours Truly,
ICR Projects Inc.



Leo Mariotto, President.

Copy: Mr. Graham Lee – RG Lot 3 Ltd

ATTACHMENT		A
This forms part of application		
# DVP17-0236		
Planner Initials	AC	 City of Kelowna <small>COMMUNITY PLANNING</small>



PARKING CALCULATIONS AND DIMENSIONS AS PER PART III
CITY OF KELOWNA ZONING BYLAW, 1976 NO. 4500

CIVIC ADDRESS: 1232 ELLIS STREET, KELOWNA BC

LEGAL DESCRIPTION:
PID: 023-979-020
LOT 3 DISTRICT LOT 139 OSOYOOS DIVISION
YALE DISTRICT PLAN KAP60698

PROPOSED UNIT MIX :
ONE BEDROOM: 27 SUITES
TWO BEDROOMS: 62 SUITES
THREE BEDROOMS: 2
TOTAL NUMBER OF SUITES: 91

COMMERCIAL: 597.0 M²

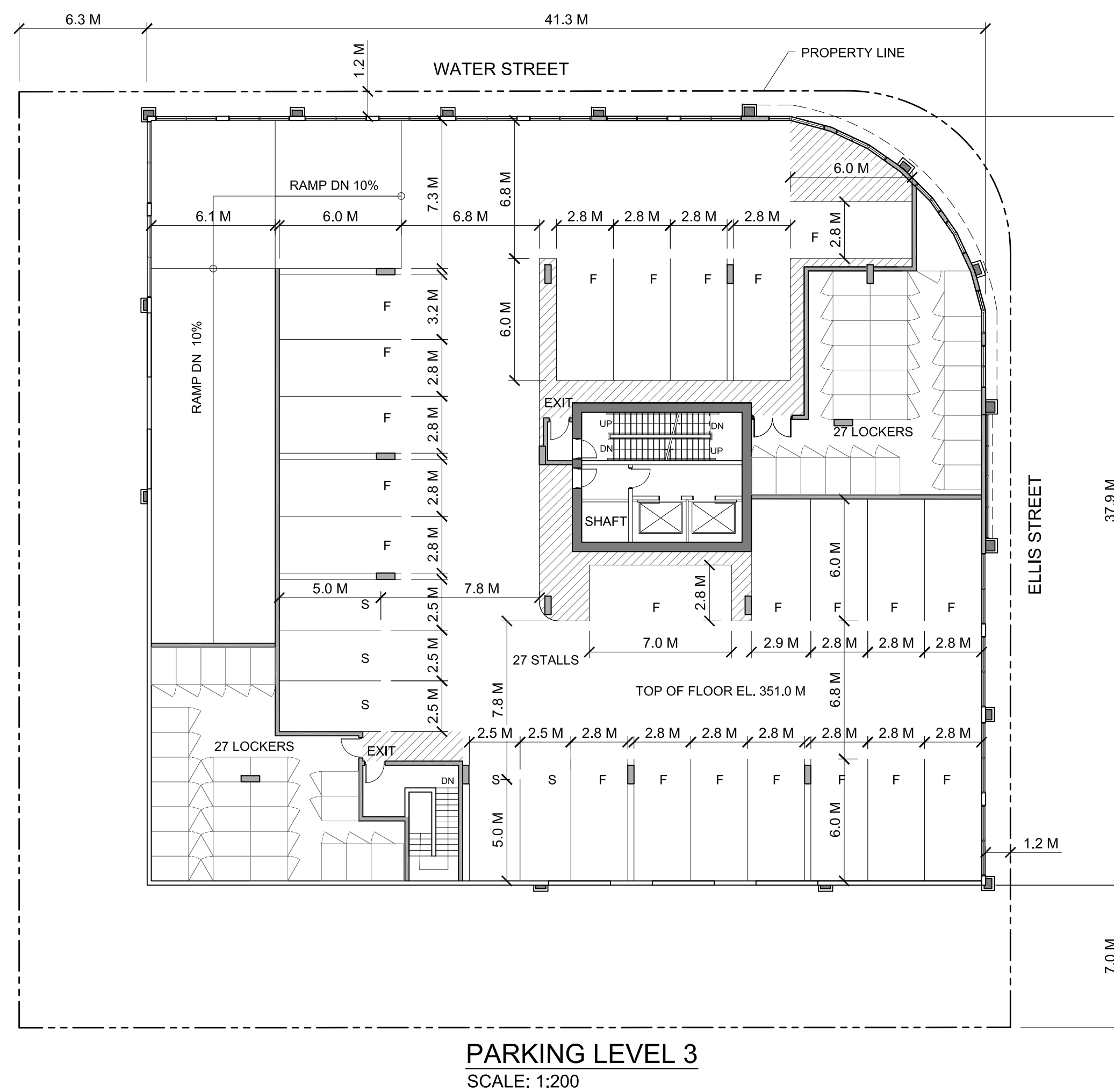
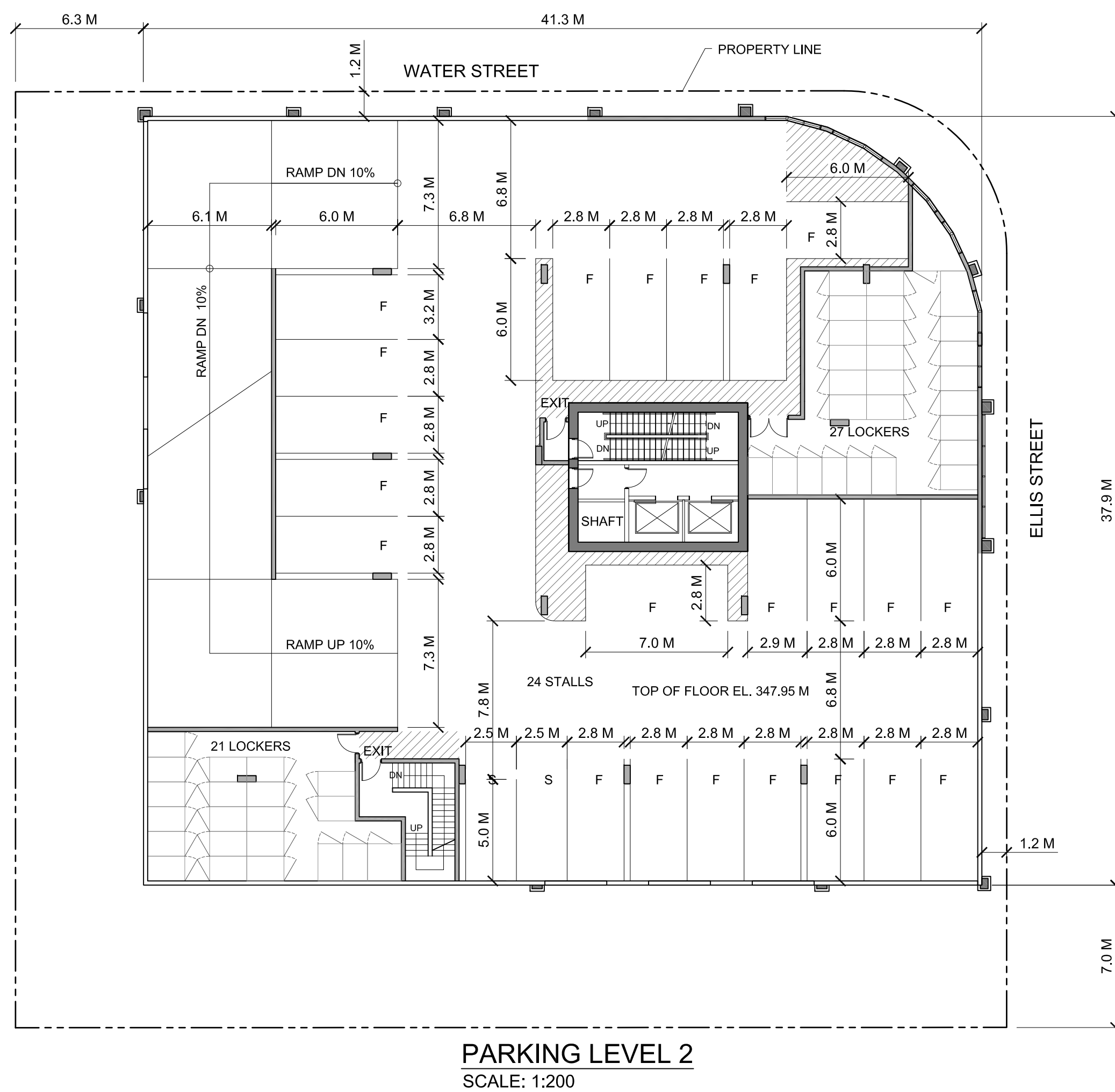
PARKING REQUIRED:
1.25 SPACES PER 1 BDRM X 27 = 33.75
1.5 SPACES PER 2 BDRM X 62 = 93
2.0 SPACES PER 3 BDRM X 2 = 4
1.0 SPACES PER 75 M² COMMERCIAL = 8
TOTAL REQUIRED: 139 STALLS

REQUIRED BICYCLE PARKING = 0

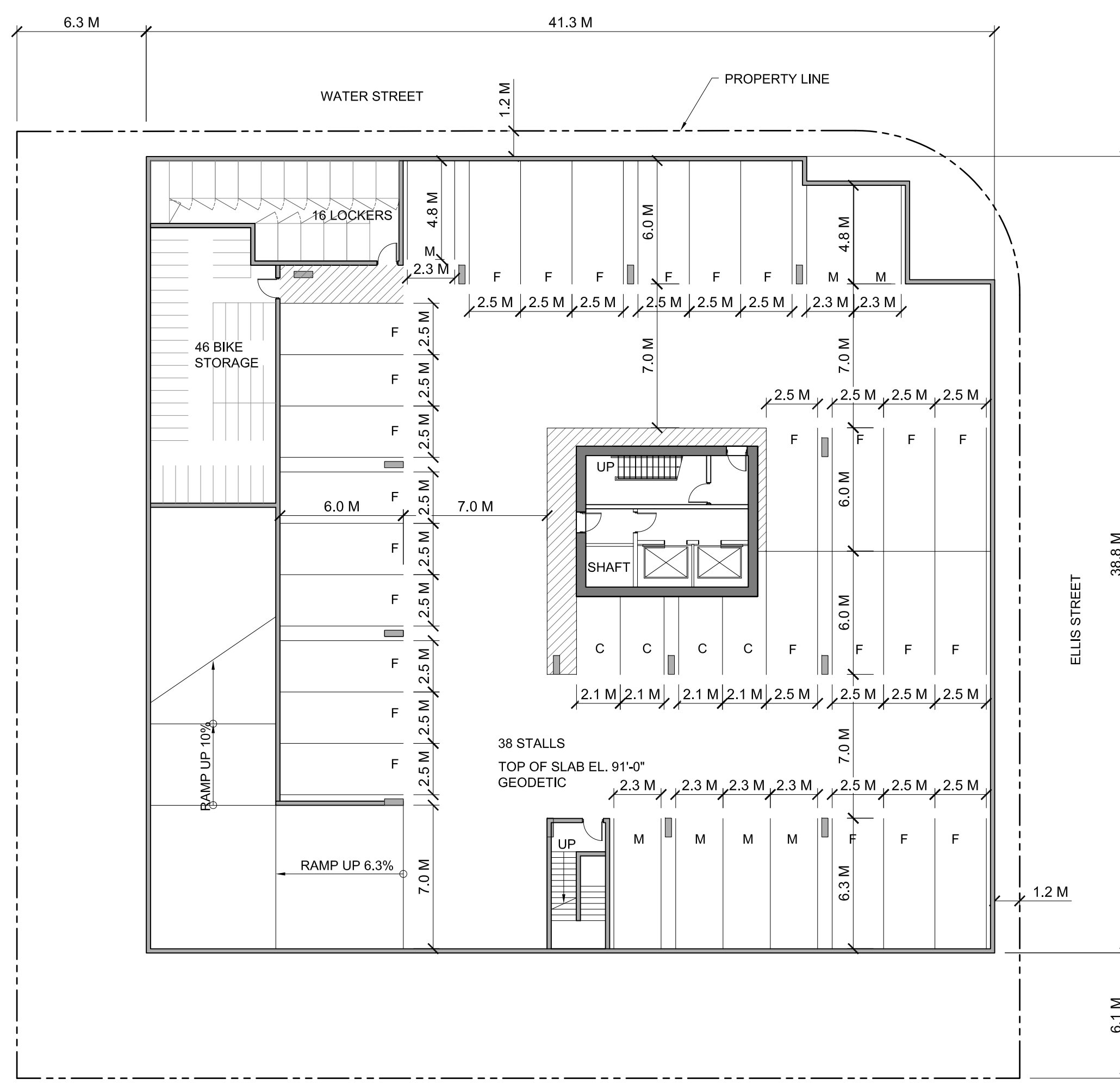
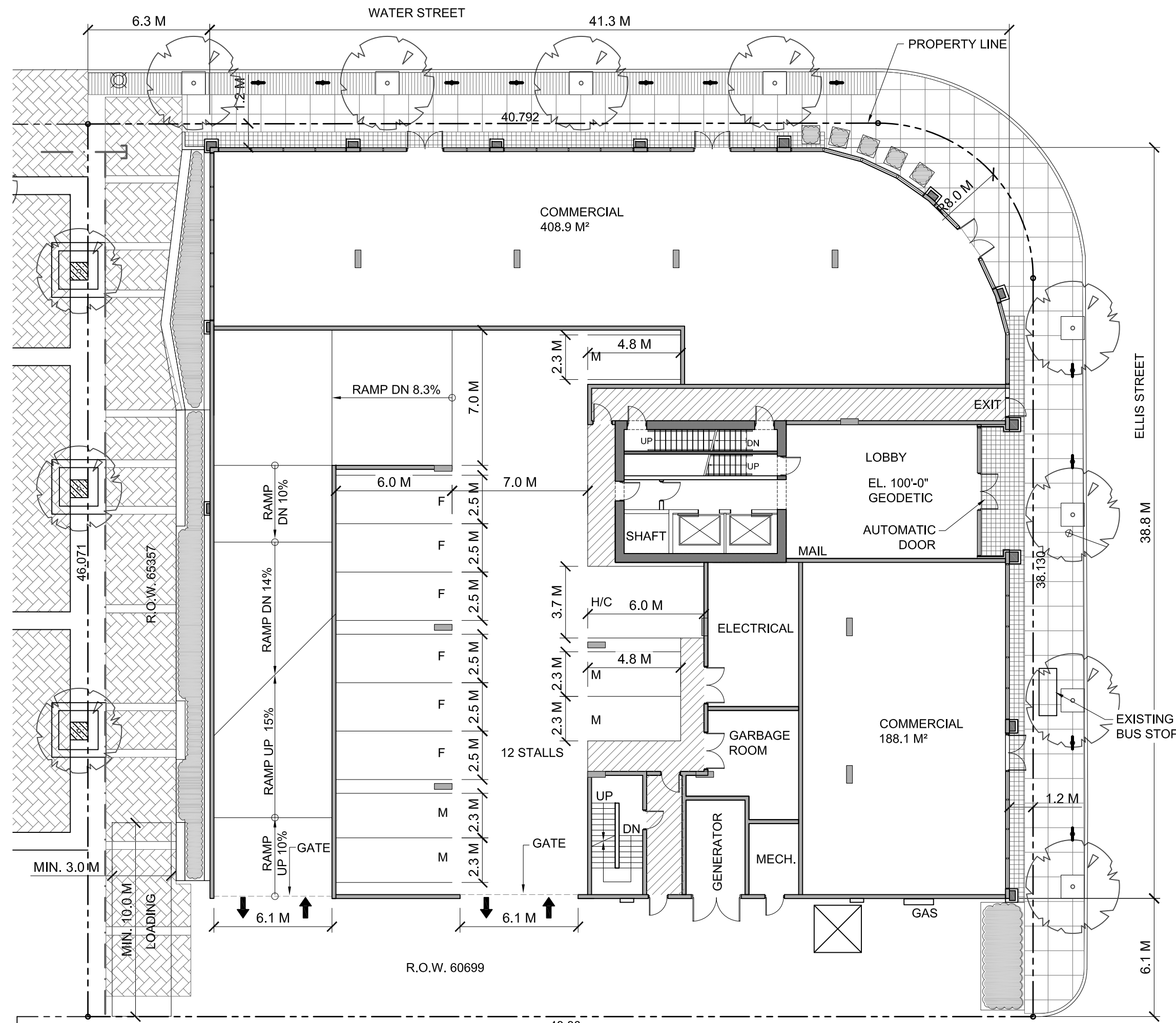
PARKING STALL SIZE REQUIRED:
FULL SIZE VEHICLE = 6.0M X 2.8 M
SMALL SIZE VEHICLE = 5.0M X 2.5 M

PARKING PROVIDED:
FULL SIZE VEHICLE 6.0M X 2.8 M = 71 STALLS (71%)
SMALL SIZE VEHICLE 5.0M X 2.5 M = 29 STALLS (29%)
TOTAL: 100 STALLS
PARKING PAYMENT IN LIEU = 39 STALLS

BICYCLE PARKING PROVIDED = 16



PROJECT TITLE 1232 ELLIS STREET PROPOSED DEVELOPEMENT KELOWNA BC		
DATE OCTOBER 10, 2017		
DRAWING TITLE PARKING FLOOR PLANS AS PER DEVELOPMENT PERMIT NO. DP17-0011		
SCALE AS SHOWN		
ICR ARCHITECTURE AND PROJECT CONSULTANTS INC #500 - 505 SIXTH STREET NEW WESTMINSTER, BC V3L 5H1 TEL: (604) 523-6444 FAX: (604) 523-6191		
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JOB NO.	DWG. NO. PK-01	REV. NO.



PROPOSED VARIANCE FOR PARKING STALL DIMENSIONS AS PER CITY OF KELOWNA BYLAW 8000

CIVIC ADDRESS: 1232 ELLIS STREET, KELOWNA BC

LEGAL DESCRIPTION:
PID: 023-979-020
LOT 3 DISTRICT LOT 139 OSOYOOS DIVISION
YALE DISTRICT PLAN KAP60698

PROPOSED UNIT MIX :
ONE BEDROOM: 27 SUITES
TWO BEDROOMS: 62 SUITES
THREE BEDROOMS: 2
TOTAL NUMBER OF SUITES: 91

COMMERCIAL: 597.0 M²

PARKING REQUIRED AS PER PART III CITY OF KELOWNA BYLAW, 1976 NO. 4500:

1.25 SPACES PER 1 BDRM X 27 = 33.75
1.5 SPACES PER 2 BDRM X 62 = 93
2.0 SPACES PER 3 BDRM X 2 = 4
1.0 SPACES PER 75 M² COMMERCIAL = 8
(DESIGNATED VISITOR 1 SPACE PER 7 DWELLING UNITS INCLUDED IN RESIDENTIAL PARKING REQUIREMENT)
TOTAL REQUIRED: 139 STALLS

REQUIRED BICYCLE PARKING: 0

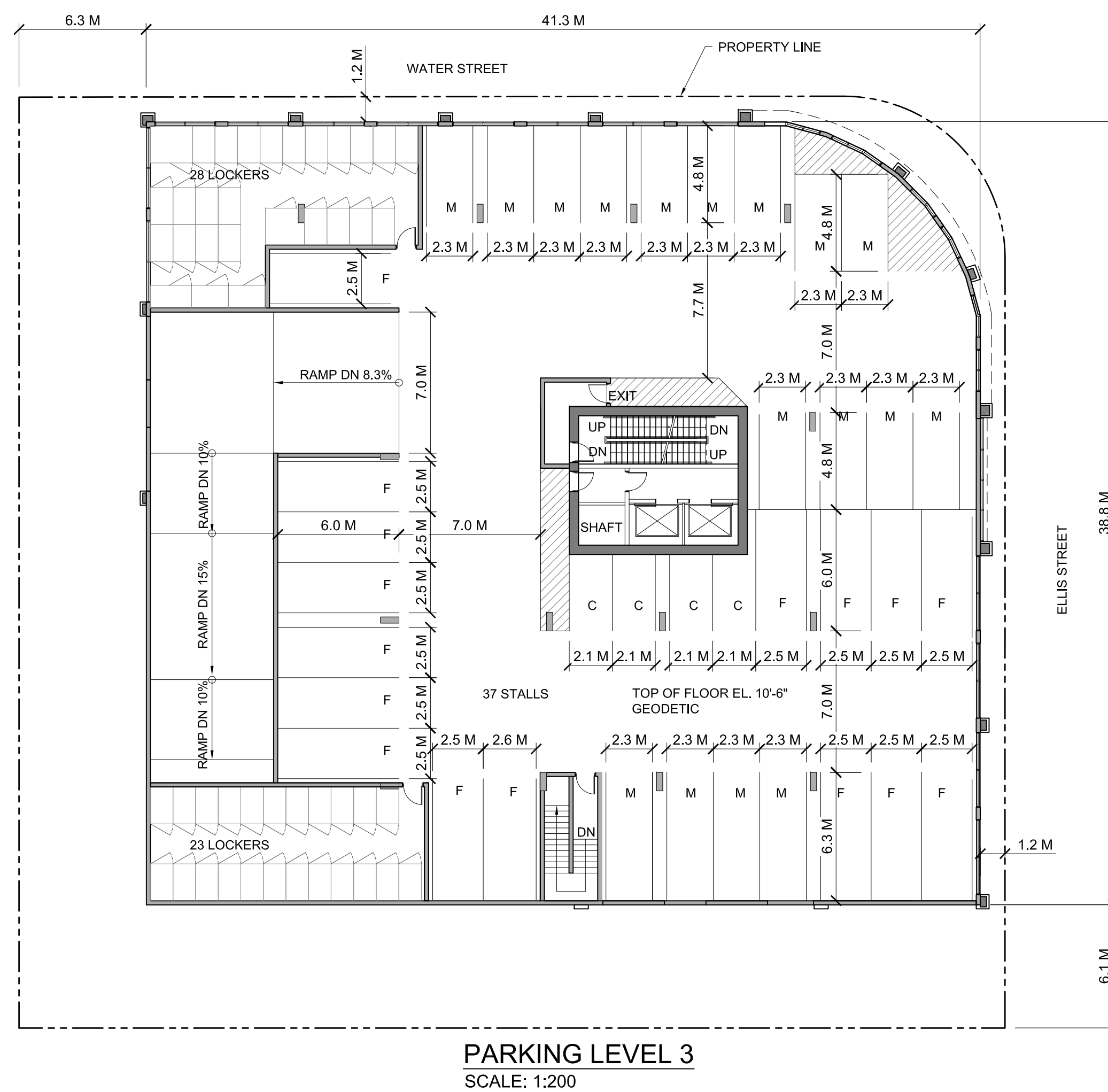
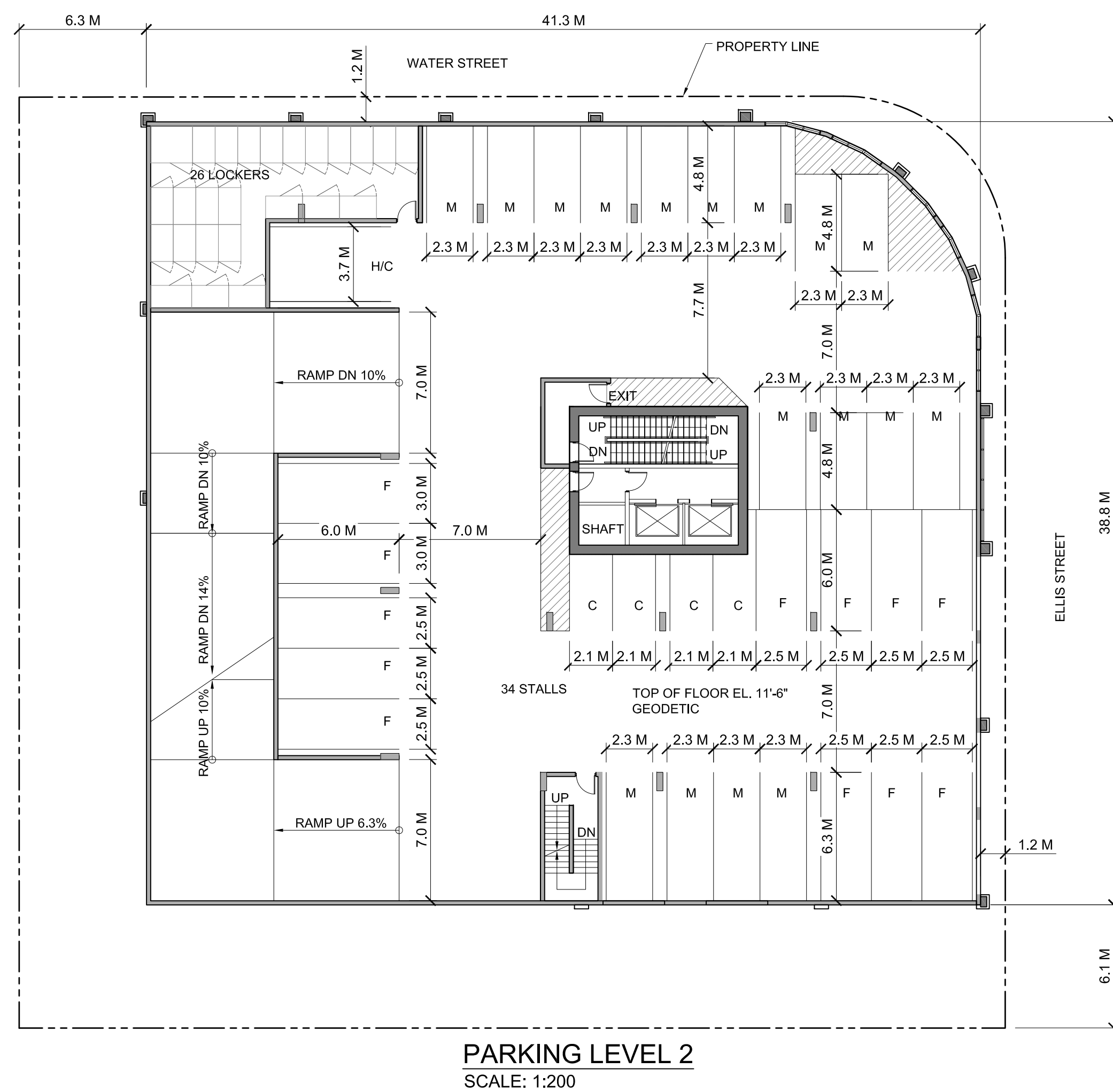
PROPOSED VARIANCE PARKING STALL SIZES AS PER CITY OF KELOWNA BYLAW 8000:

FULL SIZE VEHICLE = 6.0M X 2.5 M
MEDIUM SIZE VEHICLE = 4.8M X 2.3 M
COMPACT VEHICLE/MOTORCYCLE = 3.4 M X 2.0 M

PROPOSED PARKING PROVIDED:

FULL SIZE VEHICLE 6.0M X 2.5 M = 62 STALLS (52%)
MEDIUM SIZE VEHICLE 4.8M X 2.3 M = 46 STALLS (38%)
COMPACT VEHICLE/MOTORCYCLE 3.4 M X 2.0 M = 12 STALLS (10%)
TOTAL: 120 STALLS
PROPOSED PARKING PAYMENT IN LIEU = 19 STALLS

PROVIDED BICYCLE PARKING: 46



PROJECT TITLE		
1232 ELLIS STREET PROPOSED DEVELOPEMENT KELOWNA BC		
DATE		
OCTOBER 16, 2017		
DRAWING TITLE		
PROPOSED PARKING FLOOR PLANS FOR VARIANCE APPLICATION		
SCALE		
AS SHOWN		
ICR ARCHITECTURE AND PROJECT CONSULTANTS INC #500 - 505 SIXTH STREET NEW WESTMINSTER, BC V3L 5H1 TEL: (604) 523-6444 FAX: (604) 523-6191		
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JOB NO.	DWG. NO.	REV. NO.
	PK-02	1

Development Variance Permit

DVP17-0236



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

1232 Ellis St

and legally known as

Lot 3, District Lot 139, ODYD, Plan KAP60698

and permits the land to be used for the development with variances to the following sections of the Zoning Bylaw 8000:

Schedule 'B' – Comprehensive Development Zones (CD5 – Multi-Purpose Facility)

Section 1.8 [Parking and Loading (b)]

To vary the parking and loading section from "All uses on Lots 2 and 3 as shown on CD5 Map 1, shall be required to provide parking and loading as required by Part III for C-5 (B/L 4500) uses. See Part III of City of Kelowna Zoning Bylaw, 1976, No. 4500, as it existed on May 4, 1998." To "All uses on Lots 2 and 3 as shown on CD5 Map 1, shall be required to provide parking and loading as required by Part III for C-5 (B/L 4500) uses. See Part III of City of Kelowna Zoning Bylaw, 1976, No. 4500, as it existed on May 4, 1998, EXCEPT the parking stall size requirements are to be in accordance with the updated current Zoning Bylaw No. 8000 Section 8 Parking and Loading.

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.

Date of Decision: December 5th 2017

Decision By: CITY COUNCIL

Issued Date: **DATE**

Development Permit Area: n/a

File Manager: AC

This permit will not be valid if development has not commenced within 2 years of the council approved Date of Decision.

Existing Zone: CD5 – Multi-Purpose Facility

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: RG LOT 3 LTD., INC.NO. 556980
Address: 2088-1177 WEST HASTINGS STREET V6E 2K3
City: Vancouver, BC
Phone: n/a

Ryan Smith, Community Planning Department Manager
Community Planning & Strategic Investments

Date

1. SCOPE OF APPROVAL

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 Variance 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

This Development Variance Permit is valid for two (2) years from the Council Date of Decision if applicable, or Community Planning Department Manager approval, with no opportunity to extend.

3. PERFORMANCE SECURITY

n/a.

4. Indemnification

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

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

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

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