Development Permit & Development Variance Permit DP18-0003 & DVP18-0004



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

655 Academy Way

and legally known as

Lot 5 Section 3 Township 23 Osoyoos Division Yale District Plan EPP53793

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

3 1/2 Storey Multi Family Building

with variances to the following section of the Zoning Bylaw 8000:

Section 13.10.6(c): RM4 - Transitional Low Density Housing Development Regulations

To vary the required maximum height from 13.0 m or 3 storeys (permitted) to 13.0 m or 3 ½ storeys (proposed).

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> February 20, 2018

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

<u>Issued Date:</u> February 20, 2018

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

This permit will not be valid if development has not commenced by February 20, 2020.

Existing Zone: RM4 - Transitional Low Density Housing

Future Land Use Designation: MRM - Multiple Unit Residential (Medium Density)

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

| Owner: | Watermark Developments Ltd., Inc. No. BCo642787 | | |
|------------|---|------|--|
| Applicant: | Meiklejohn Architects | | |
| | | | |
| • | mmunity Planning Department Manager nning & Strategic Investments | 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.

This Development Permit is valid for two (2) years from the date of Council 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) An Irrevocable Letter of Credit in the amount of \$193,221.25

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

4. Indemnification

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

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

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

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

Re: Development Permit Submission 655 Academy Way, Kelowna U Seven

December 12, 2017

Mission Group Homes is pleased to submit to the City of Kelowna our Development Permit Application regarding 655 Academy Way – which we have named U Seven.

Mission Group Homes Ltd. is a multi-family home builder with operations in Kelowna and Vancouver. Mission Group strives to dream beyond the conventional, design with care, and build with a keen eye for detail, while providing exceptional customer service for homeowners.

Mission Group has been actively involved with developing in the U District – since our U One project in 2015. Continuing with the "U" brand that Mission Group has developed, our newest community called U Seven - will also be adjacent to UBCO and is located on Academy Way directly next to our U Six project – which is scheduled to start construction in March of 2018.

UBCO currently has a population of approximately 8,500 students and is experiencing a shortage of accommodation on Campus – with housing for only 1,700 students in a variety of dorm room types.

In response to this housing shortage the following projects have recently been completed or are currently under construction in this district:

- Academy Hill a 78 unit 2 phase project completed in 2014
- U One a 66unit condominium project completed by the Mission Group in 2015
- U Two West a 56unit condominium project completed by Mission Group in August 2016
- VEDA a 400 unit microsuite rental project completed in August of 2016
- U Two East a 56unit condominium by Mission Group currently under construction and scheduled to be completed in December 2016.
- Ivy Walk a 63unit rental project by Mission Group completed in August 2017
- U Three an 87unit condominium project by Mission Group completed in August 2017
- Veda 2 a similar building to Veda to be completed in August 2018.
- U Five a 72 unit condominium project by Mission Group- to be completed in August 2018
- Ivy Hall a 108 unit rental project by Mission Group- to be completed in August 2018.
- \bullet U Six a 57 unit condominium starting in March and scheduled for completion in August 2019.

For this development, Mission Group Homes has retained Mieklejohn Architects of Kelowna to design this exciting new project. As they have designed all of our building to date in this area - they are extremely familiar with site and development issues within the University Heights Master Plan area.

Design Rationale

U Seven, will be third project located on the south facing slope – directly south of the U Five site. This site has been cleared and serviced and is ready for construction.

The U Six project will consist of a three storey building over an enclosed parkade. The building will contain 57 units of student housing and will be a sister building to U Six.

In an effort to provide consistent circulation patterns in this neighborhood – the site has a regional trail connection at the back of the site and is also linked to the sidewalk trails along Academy Way.

As the site is essentially the same size as the U Six site, the building nd site layout will be consistent with both projects. The end elevation that faces Academy Way will be different as we will use different brick, different siding and a different landscape look.

This building will continue in the three storey form as we step down the hill.

In regards to site design, the building has been located to;

- fit within the natural contours of the site
- maximize views
- preserve existing steep slope areas
- connect to existing and proposed trail systems
- be developed with minimal use of retaining walls.

The steep slope area on the eastern portion of the site results in a small area of the site area being not suitable for development and will be protected through a non disturbance agreement with the City.

In regards to parking – U6 will have an enclosed parkade under the building that will accommodate 44 cars – including an electric vehicle charging station. There will be an additional 39 surface parking spaces and the required 8 visitor spaces. In total, this parking number complies with the parking requirements established by the City, for this site.

A Wildfire Report was previously submitted for the area and contains recommendations in regards to tree removal and future landscaping and building materials.

Trail systems and pathways will connect the building site to the main pedestrian pathway along Academy Way to the west. Steeply sloping access to the east – will prevent access to the regional trail – however – this can happen at the next site down the hill.

These trail connections will provide appropriate site circulation for pedestrians through a system of trails and pathways that will provide easy connections to both UBCO to the north and to future projects to the south.

The main vehicle access to the site will be towards the south end of the site which will allow for an easy transition from street level to the building site. This entry location will allow for a "gateway" design element to be created and present a welcoming vista into the site. The parkade door is located towards the east side of the site – which allows for a continuous pedestrian link to the sidewalk – without any vehicle conflict. Exterior parking has been minimized by having parking in front of the building as well as parallel parking along the access road.

The orientation of the building respects the University Village Master Plan concept, with the long articulated building form following the site contours and the shorter building façade facing Academy Way.

Design Rationale Form, Massing and Building Character

In regards to architectural form and character, It is envisioned that this project will be designed in a "campus modern" style, in a three storey building form that will reflect the character of recently constructed buildings at UBCO and on Academy Way and be a sister building to the U Six building.

The brick and Hardie exterior will be reflective of U6 – however colours and textrures and patterns will change. As mentioned previously, particular attention has been paid to providing some rhythm and interest along the long elevation. An architectural framework around balconies will break up this elevation nicely and provide visual interest along this façade.

The entry has been emphasized with a two storey glass feature with brick framework.

As in other buildings in this area – the building is built into the hill – so that the back side of the building is three storeys and the side with the exposed parkade face will appear to be three and a half storeys – with a band of landscaping and a detailed parkade façade to effectively deal with this transition.

This deign will create;

- a welcoming building vista from Academy Way with appropriate landscape features and wall.
- a "gateway" element with signage will connect both pedestrians and vehicles to the site and towards the main entry that has been designed into the building

- An articulated building façade will provide visual interest to those approaching the site and building.
- roof overhangs and fascia details will articulate the roofline on the longer building elevations and create breaks in the horizontality of the building.
- the street presence of the building has been emphasized with a building design that has been "grounded" to the site as well as designed landscaped areas including a pedestrian friendly environment from the street to the building entry that provides for a visually interesting walkway that is safe and easy for all to access.
- A modern design element at the entry has been designed with interest to visually bring people to the entry area of the building. This bold architectural element brings balance and a human scale to this area of the building.
- Surrounding landscape has been designed to incorporate visually interesting shade trees and shrubs.

In conclusion we believe that the building design for this project will be sensitive to and compliment adjacent developments, respect its immediate landscape area and be sensitive to existing site conditions.

The Mission Group continues to be a proud part of the exciting Campus District developing around the UBCO campus.



Ms. Kimberly Brunet Planner, City of Kelowna 1435 Water Street Kelowna BC, V1Y 1J4

December 19, 2017

RE: Development Variance Permit Application – U Seven

Ms. Brunet

Further to our previous discussions, we enclose our Development Variance Permit application for the "U Seven" condominium project at 655 Academy Way. The variance is being requested to the allowable building height in the RM4 zone in excess of 3 storeys permitted.

U Seven has been designed in conformance with the University Heights Master Plan. The Area Structure Plan and subsequent rezoning and subdivision plans have dictated the lot layouts and topography for these development parcels. As such, a building form perpendicular to Academy Way is required, and is most sensitive to the hillside condition. The U Seven building is designed as a 3 storey building above a structured parkade. However, as we are building on a sloping building site, the south side of the building facing the surface parking lot creates a 3 ½ storey condition. While the RM5 zone allows for an additional "half" storey, the RM4 zone does not. This makes RM4 a more difficult zone to design to in hillside areas.

Per your request, we have explored ways to eliminate the need for this variance, but none of these options maintain design integrity or financial viability. These considerations have included the following:

- Lowering the parkade further into the ground to eliminate the first half storey: this is not possible as it would cause the homes facing north to become sunken into the ground due to the site slope. In addition, redesigning the parkade to accommodate a stepped building would create a single-loading parking layout. This is far less efficient and is not financially viable.
- Stepping the top floor back to create a 2.5 storey condition on the south elevation: this would result in a significant loss in homes, adds building complexity and substantial cost.
- Manipulating the grade in front of the building to reduce the exposed building face: this
 would result in a series of substantial retaining walls. These walls would detract from
 the overall building and landscape design.

Landmark Six – 10th Floor 1000 - 1631 Dickson Ave Kelowna, BC V1Y 0B5 We believe the proposed building is in-keeping with University Heights master plan and will be a welcomed addition to this growing neighbourhood. Given the above rationale, we believe the proposed variance is a sensible solution. We looking forward to moving forward with this application in-tandem with our previously submitted Development Permit application.

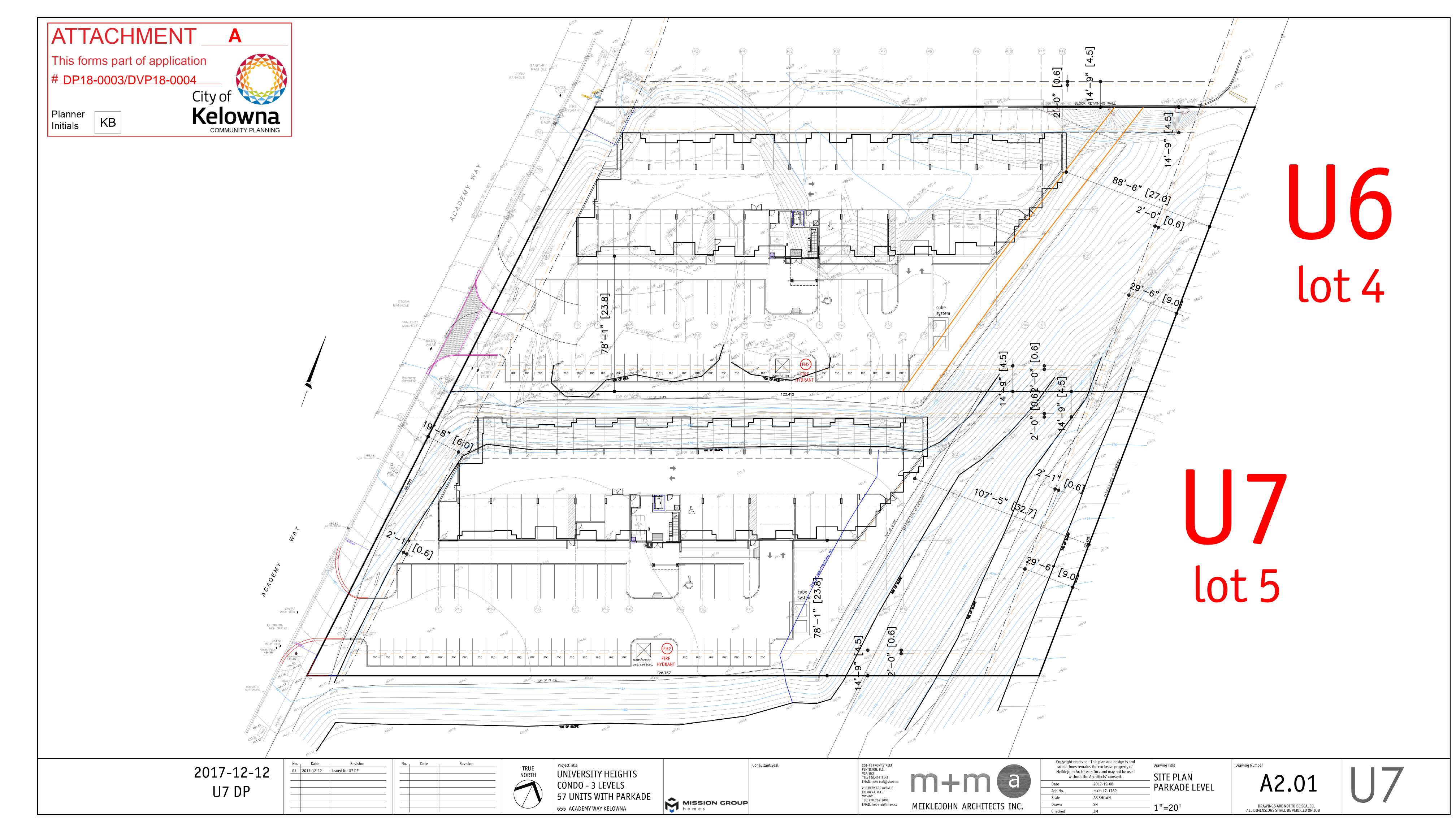
Should you require any further information, please contact us at your convenience.

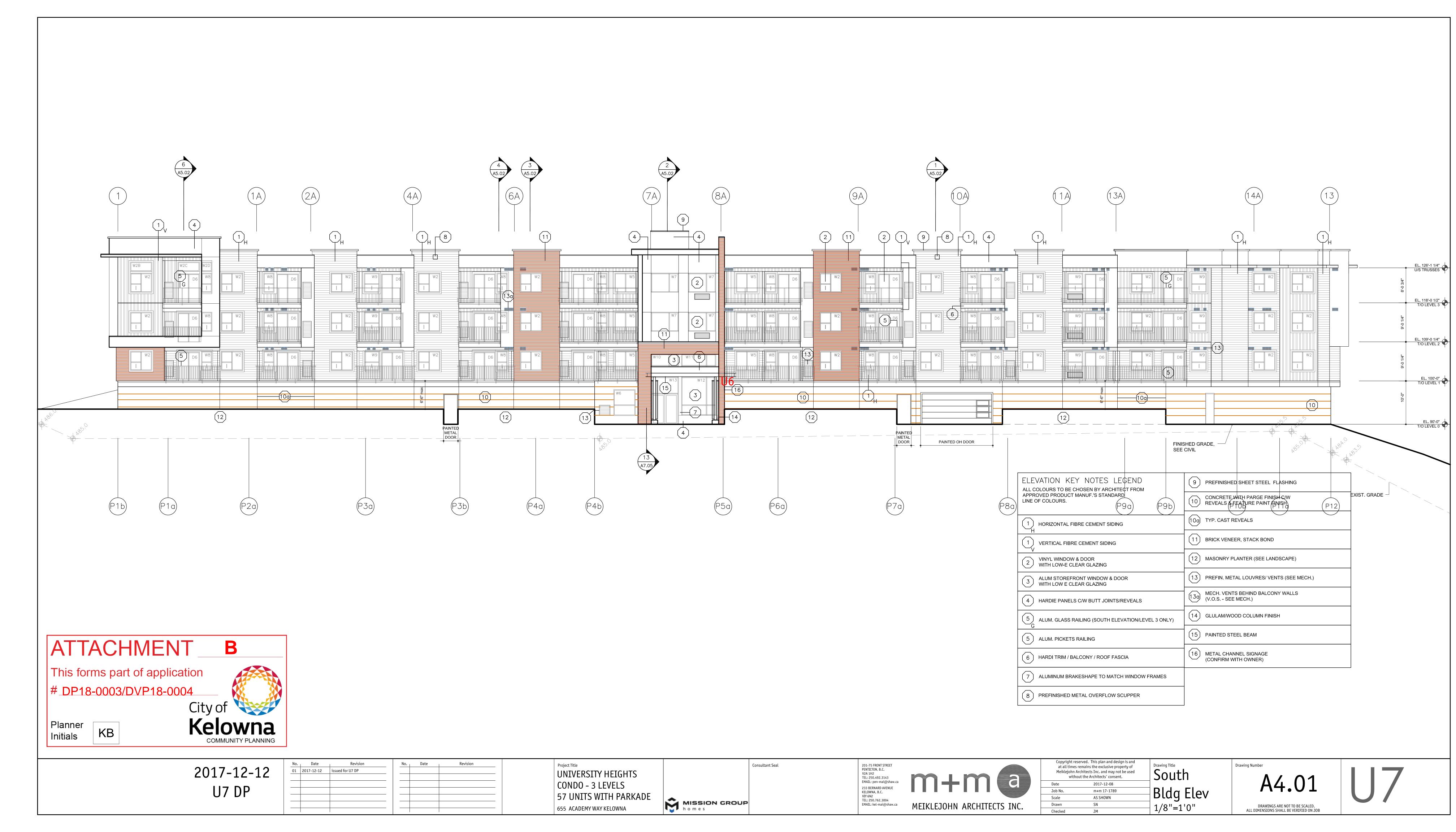
Regards,

Mission Group

Ĺuke Turri

Vice President, Development







Consultant Seal

MISSION GROUP



2017-12-12 U7 DP No. Date Revision
O1 2017-12-12 issued for U7 DP

UNIVERSITY HEIGHTS
CONDO - 3 LEVELS
57 UNITS WITH PARKADE
655 ACADEMY WAY KELOWNA



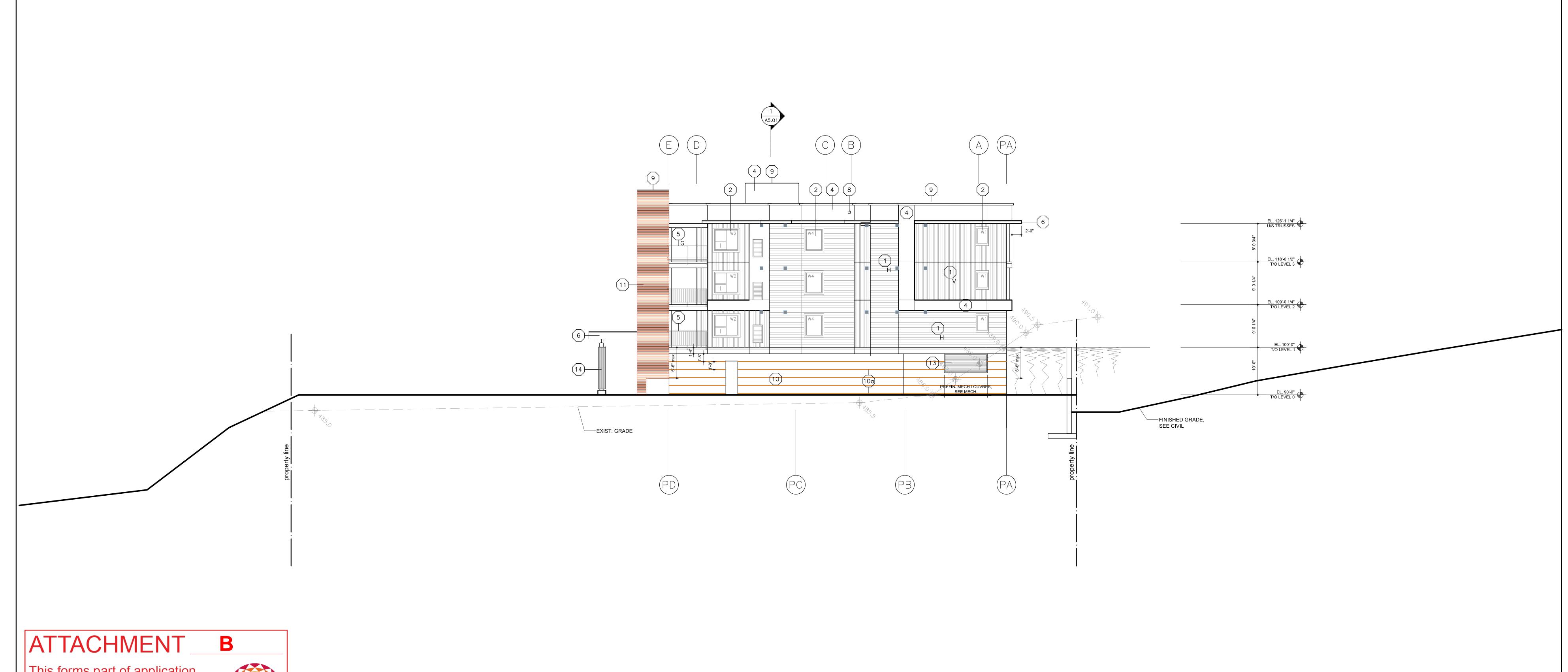


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DRAWINGS ARE NOT TO BE SCALED.
ALL DIMENSIONS SHALL BE VERIFIED ON JOB

U7



Consultant Seal



2017-12-12 U7 DP
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 2017-12-12
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UNIVERSITY HEIGHTS
CONDO - 3 LEVELS
57 UNITS WITH PARKADE
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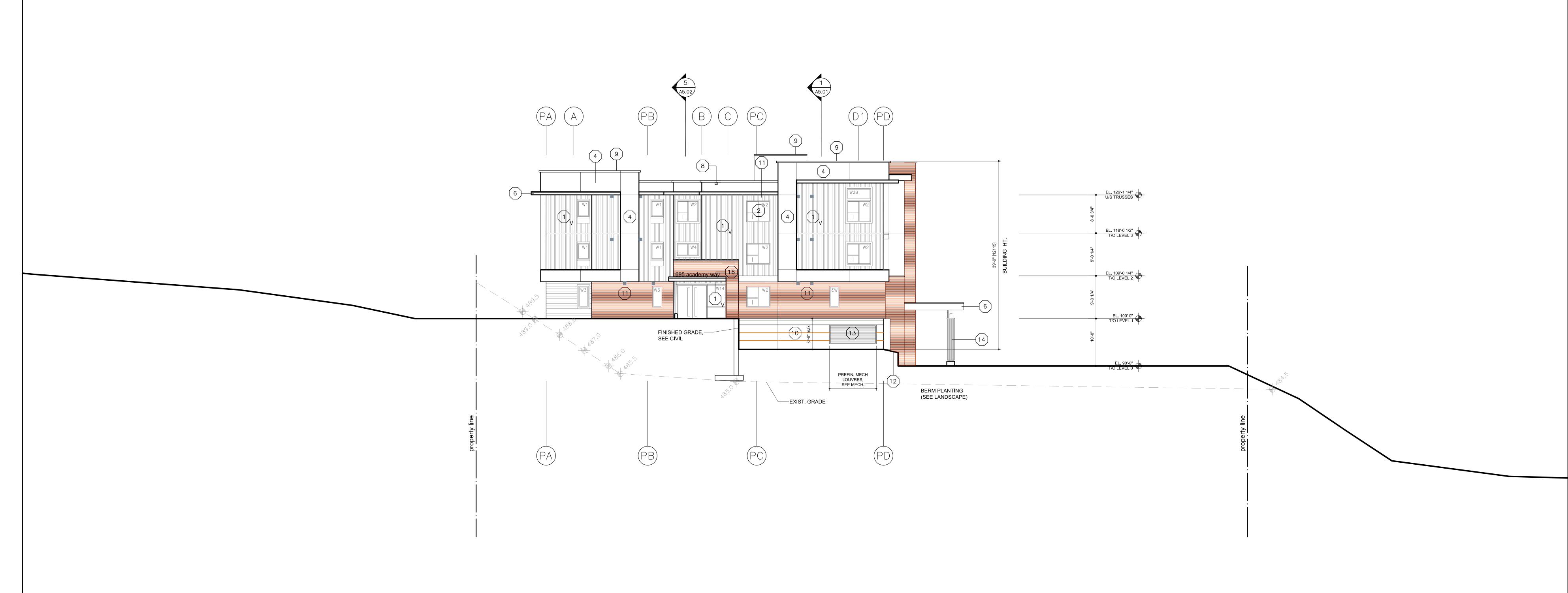


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ALL DIMENSIONS SHALL BE VERIFIED ON JOB

U7



Consultant Seal



2017-12-12 U7 DP Date Revision

2017-12-12 issued for U7 DP

No. Date Revision

No. Date Revision

UNIVERSITY HEIGHTS
CONDO - 3 LEVELS
57 UNITS WITH PARKADE
655 ACADEMY WAY KELOWNA

Project Title
UNIVERSITY HEIGHTS

CONDO - 3 LEVELS

MISSION GROUP
homes





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DRAWINGS ARE NOT TO BE SCALED.
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