

Development Variance Permit

DVP18-0002



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

695 Academy Way

and legally known as

Lot 4 Section 3 Township 23 Osoyoos Division Yale District Plan EPP53793

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

THREE AND A HALF STOREY MULTIPLE DWELLING HOUSING

with variances to the following sections 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.

Date of Decision: February 20, 2018

Decision By: City Council

Issued Date: February 20, 2018

Development Permit Area: N/A

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: Mission Group Homes Ltd.

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

Date

1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

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

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

3. PERFORMANCE SECURITY

None required.

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.**

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

January 4, 2017

RE: Development Variance Permit Application – U Six

Ms. Brunet

Further to our previous discussions, we enclose our Development Variance Permit application for the “U Six” condominium project at 695 Academy Way. The variance is being requested to the allowable building height in the RM4 zone in excess of 3 storeys permitted. While the Development Permit for this property was previously considered in December 2017, the requirement for a height variance was not identified at that time.

U Six 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 Six 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.

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

A handwritten signature in black ink, appearing to read 'Luke Turri', with a stylized flourish extending to the right.

Luke Turri
Vice President, Development

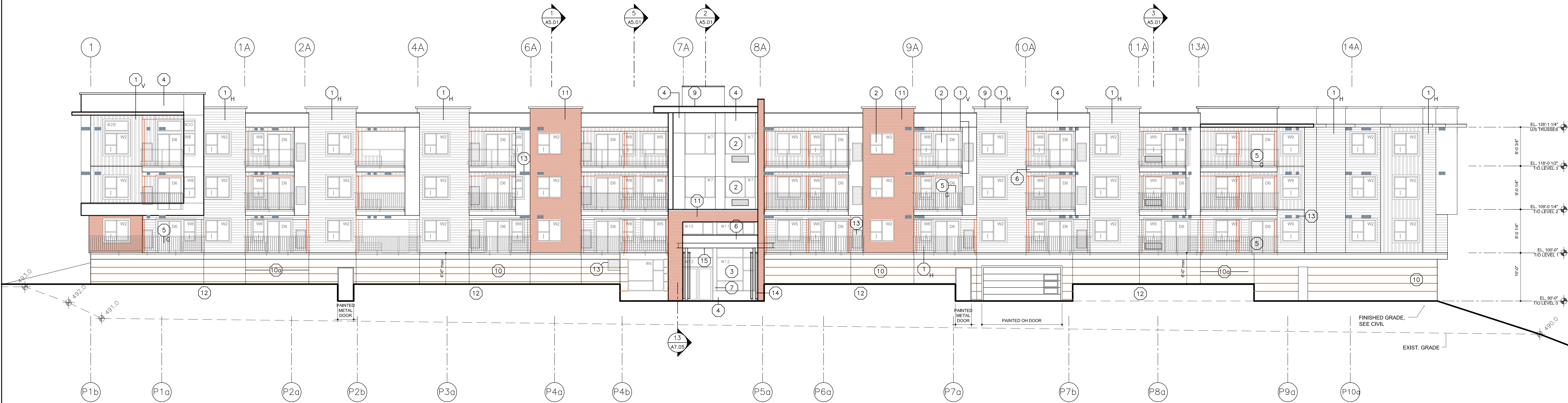


ATTACHMENT A

This forms part of application
DVP18-0002

Planner Initials KB

City of Kelowna
COMMUNITY PLANNING



ATTACHMENT

B

This forms part of application

DVP18-0002

Planner

Initials

KB

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<div>ELEVATION KEY NOTES LEGEND</div> <div>ALL COLOURS TO BE CHOSEN BY ARCHITECT FROM APPROVED PRODUCT MANUF.'S STANDARD LINE OF COLOURS.</div>	9	PREFINISHED METAL FLASHING
	10	CONCRETE WITH PARGE FINISH C/W REVEALS & FEATURE PAINT FINISH
	10a	TYP. CAST REVEALS
	11	BRICK VENEER, STACK BOND
	12	CONCRETE PLANTER
	13	PREFIN. METAL LOUVRES/ VENTS (SEE MECH.)
	13a	MECH. VENTS BEHIND BALCONY WALLS (V.O.S. - SEE MECH.)
	14	GLULAM/WOOD COLUMN FINISH
	15	PAINTED STEEL BEAM
	1	HORIZONTAL FIBRE CEMENT SIDING
	1	VERTICAL FIBRE CEMENT SIDING
	2	VINYL WINDOW & DOOR WITH LOW-E CLEAR GLAZING
	3	ALUM STOREFRONT WINDOW & DOOR WITH LOW E CLEAR GLAZING
	4	HARDIE PANELS C/W BUTT JOINTS/REVEALS
	5	ALUM. GLASS RAILING (SOUTH ELEVATION/LEVEL 3 ONLY)
	5	ALUM. PICKETS RAILING
	6	HARDI TRIM / BALCONY / ROOF FASCIA
	7	ALUMINUM BRAKESHAPE TO MATCH WINDOW FRAMES
	8	PREFINISHED METAL OVERFLOW SCUPPER

2017-10-25
issued for DP

No.	Date	Revision
01	2017-10-25	issued for U6 DP

No.	Date	Revision

Project Title
UNIVERSITY HEIGHTS
CONDO - 3 LEVELS
57 UNITS WITH PARKADE
695 ACADEMY WAY KELOWNA



Consultant Seal

201-75 FRONT STREET
VICTORIA, B.C.
V2A 1H2
TEL: 250.492.3143
EMAIL: pmi-mai@shaw.ca
233 BERNARD AVENUE
KELOWNA, B.C.
V1Y 6K2
TEL: 250.762.3004
EMAIL: kel-mai@shaw.ca

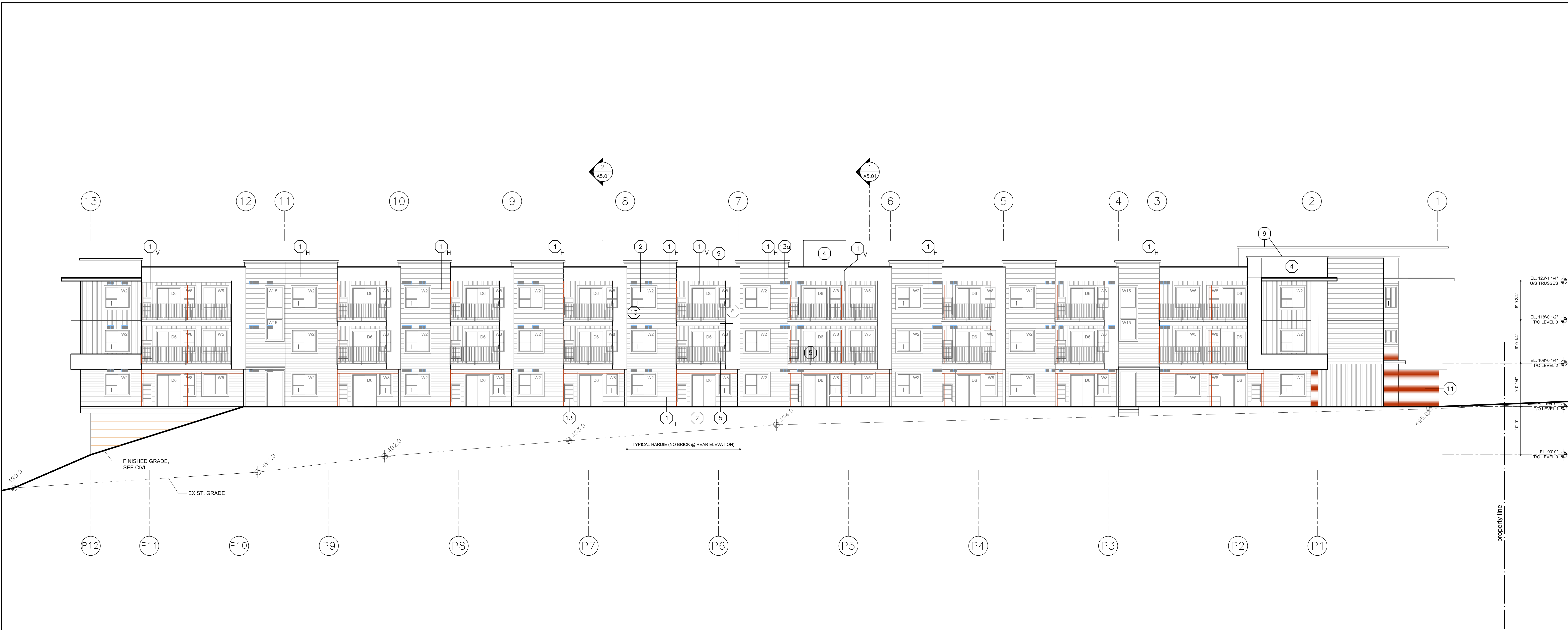


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Date	2017-10-25	Job No.	m+m 17-1780
Scale	AS SHOWN	Drawn	SN
Checked	JM		

Drawing Title
South
Bldg Elev
1/8"=1'0"

Drawing Number
A4.01
DRAWINGS ARE NOT TO BE SCALED.
ALL DIMENSIONS SHALL BE VERIFIED ON JOB

U6



ATTACHMENT

B

This forms part of application

DVP18-0002

Planner Initials

KB

City of Kelowna

COMMUNITY PLANNING

2017-10-25
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No.	Date	Revision
01	2017-10-25	issued for U6 DP

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695 ACADEMY WAY KELOWNA



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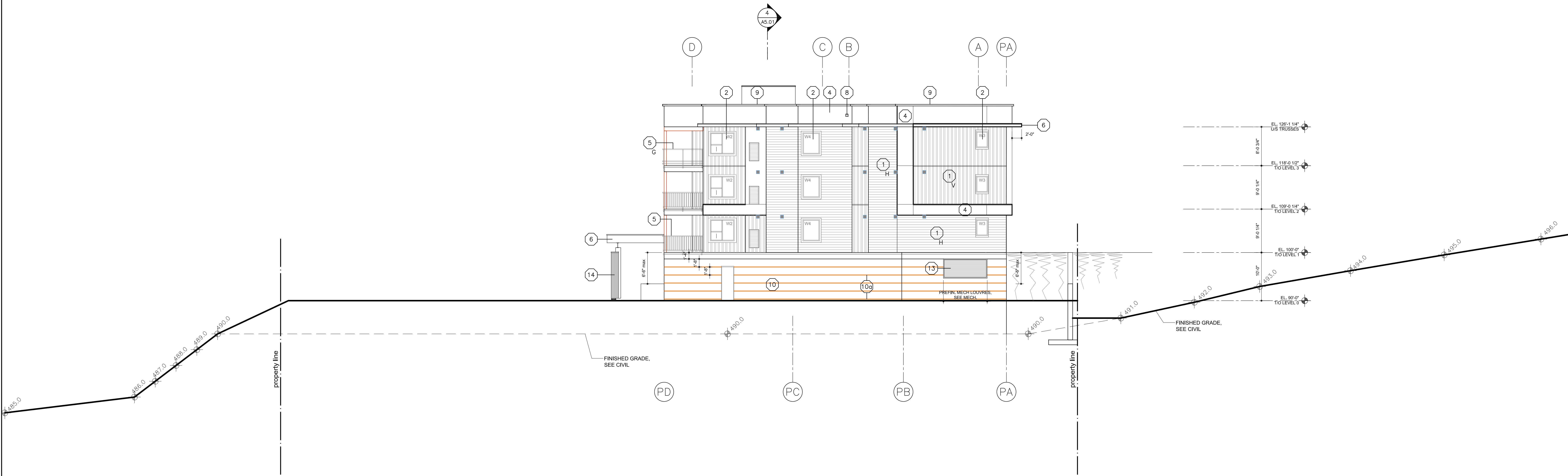


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Date	2017-10-25
Job No.	m+m 17-1780
Scale	AS SHOWN
Drawn	SN
Checked	JM

Drawing Title
North
Bldg Elev
1/8"=1'0"

Drawing Number
A4.02
DRAWINGS ARE NOT TO BE SCALED.
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U6



ATTACHMENT **B**

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Planner
Initials

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City of
Kelowna
COMMUNITY PLANNING



2017-10-25
issued for DP

No.	Date	Revision
01	2017-10-25	issued for US DP

No.	Date	Revision

Project Title
**UNIVERSITY HEIGHTS
CONDO - 3 LEVELS
57 UNITS WITH PARKADE**
695 ACADEMY WAY KELOWNA



Consultant Seal

201-75 FRONT STREET
PENTICTON, B.C.
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KELOWNA, B.C.
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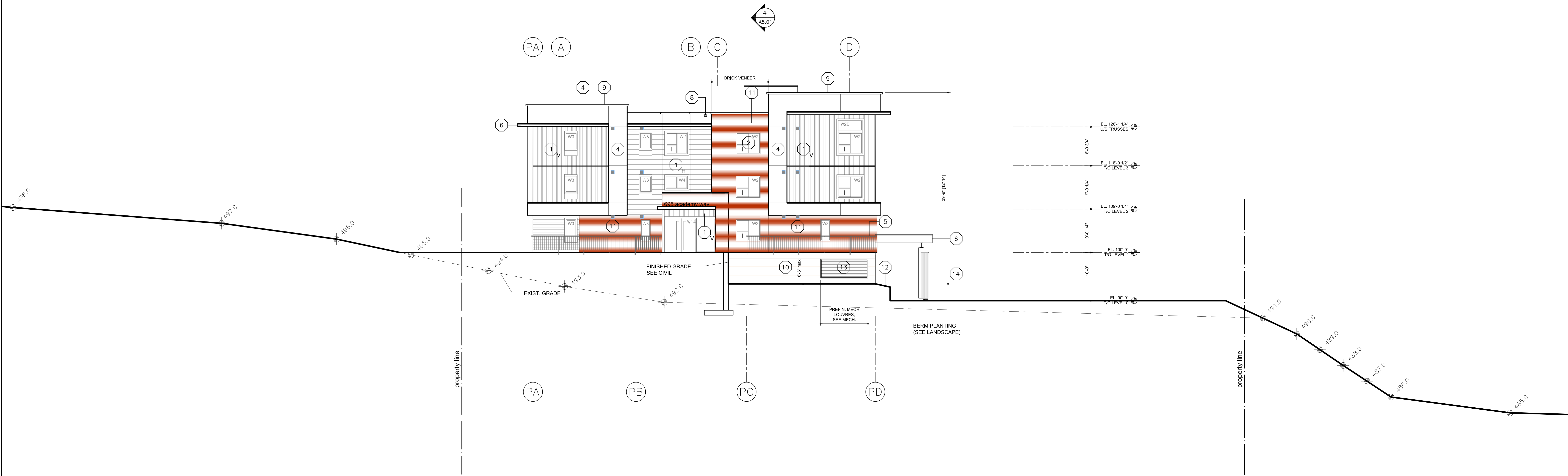
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Date	2017-10-25
Job No.	m+m 17-3780
Scale	AS SHOWN
Drawn	SN
Checked	JM

Drawing Title
**East
Bldg Elev**
1/8"=1'0"

Drawing Number
A4.03
DRAWINGS ARE NOT TO BE SCALED.
ALL DIMENSIONS SHALL BE VERIFIED ON JOB

U6



ATTACHMENT

B

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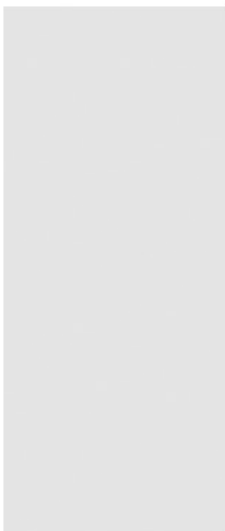
DVP18-0002

Planner Initials

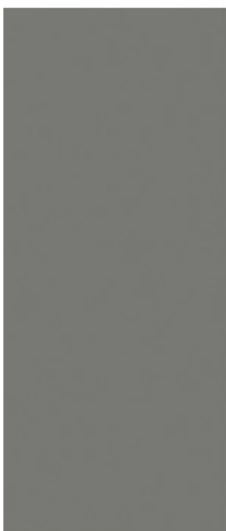
KB

City of Kelowna

COMMUNITY PLANNING



light grey stucco



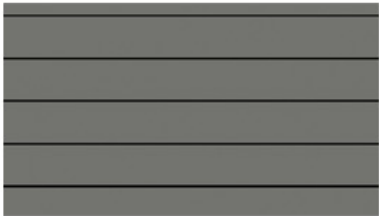
dark grey stucco



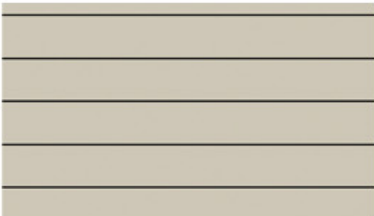
hardie-V aged pewter



hardie-V cobble stone



hardie-H aged pewter



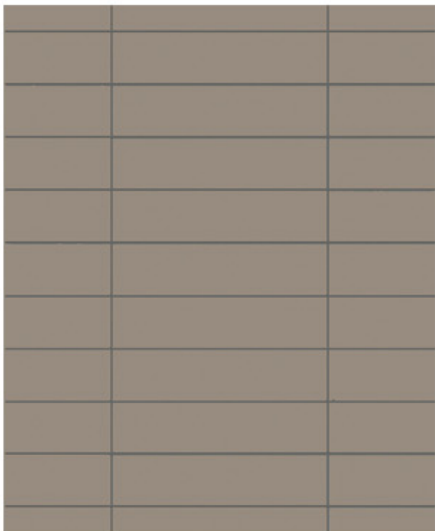
hardie-H cobble stone



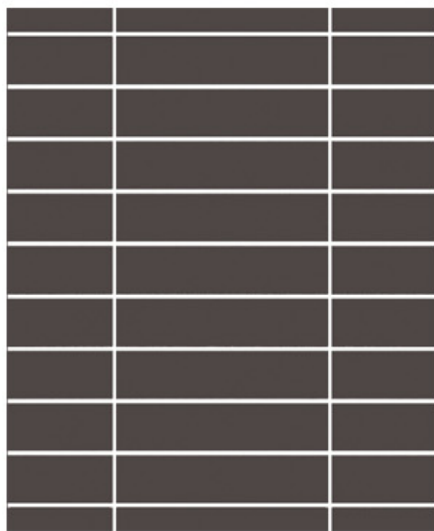
red accent



stain
wood+post



redondo gray - stack bond



ebony - stack bond







