

REPORT TO COUNCIL



Date: February 20, 2018

RIM No. 09400 & 0940-50

To: City Manager

From: Community Planning Department (AC)

Application: DP17-0191 & DVP17-0192

Owner: 1324632 Alberta Inc. No.
A72431

Address: 289 Queensway Ave

Applicant: Westcorp Projects Inc (Gail Temple)

Subject: Development Permit & Development Variance Permit Application

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

Zone: C7 – Central Business Commercial

1.0 Recommendation

THAT Council NOT authorize the issuance of Development Permit No. DP17-0191 for Lot 1, District Lot 139, ODYD, Plan EPP77920, located at 289 Queensway Ave, Kelowna, BC.

AND THAT Council NOT authorize the issuance of Development Variance Permit DVP17-0192 for Lot 1, District Lot 139, ODYD, Plan EPP77920, located at 289 Queensway Ave, Kelowna, BC.

2.0 Purpose

To consider staff recommendation of non-support of a Development Permit for the Form & Character Development Permit of a 33 storey hotel & luxury condo tower project with two levels of underground parking and a mixed-use 6 storey podium. To consider staff recommendation of non-support of a Development Variance Permit for four variances related to the maximum building height, podium height & size regulations as well as to consider a reduction in the number of loading stalls.

3.0 Community Planning

3.1 Development Permit and Associated Variances

Staff are recommending that Council not support the proposed Development Permit and associated variances. The proposal's overall size, height and massing are overwhelming for the subject property and its unique downtown context. The property is in close proximity to a number of culturally significant places including Kerry Park & Stuart Park, the Sails, Okanagan Lake, the historical character of Bernard Avenue and City Hall. In addition to creating shadowing impacts on these lower scale spaces, the proposal's built form may create an overpowering visual presence lacking the sensitivity and integration that development of the subject property needs. By virtue of the size and prominence, the proposed building may impact the qualities that some people value in the surrounding public spaces.

The proposal is not without merits in regards to some components of the project. The mixed-use component of the project is strong containing not only a hotel and residential units, but also commercial retail units, a restaurant and café at ground level, a second publicly accessible restaurant on the 16th floor, and a conference space as part of the hotel. In addition, the design quality of the ground-oriented spaces adjacent to Kerry Park and Queensway should create a positive public/private interface.

However, of more significance and weight, the applicant is proposing a height variance from 76.5m (26 storeys) as outlined in the Zoning Bylaw to 131m (33 storeys). The height variance and its impact is further accentuated by relatively large tower floor areas (i.e. width of the tower) and two further variances for the six-storey podium structure. It has never been the City's intention to achieve the region's tallest tower on this property and public policy states that contextual fit with the surrounding public realm and neighbouring buildings are of utmost importance.

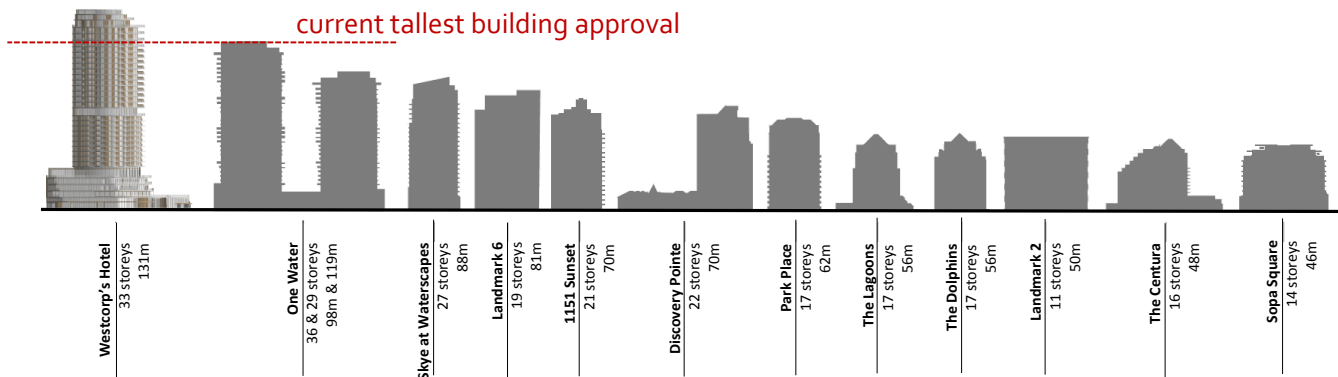


Figure 1: Kelowna Tall Building Comparison Chart

Although Council previously supported a height variance to 87m (26 storeys) in 2014 (DP14-0024 / DVP14-0025), for a past version of this project, that DP has now expired. The City's policies, vision, and goals for this site were originally determined in the Downtown Plan and then adopted into the Official Community Plan (OCP):

"The former Willow Inn site at the corner of Queensway Avenue and Mill Street is significant given the site's proximity to the waterfront and its high visibility. In order to achieve approval for up to 19 storeys on this site, any proposed development should be required to demonstrate that it gives careful consideration to view impacts from other parts of downtown, is a signature landmark building and that it meets a high standard of design excellence regarding aesthetics and building performance."

Furthermore, the OCP's foundational building height policy emphasises the need for the proposal to demonstrate an appreciation and understanding of the context of the subject property:

Objective 5.5: Ensure appropriate and context sensitive built form.

Building Height.¹ In determining appropriate building height, the City will take into account such factors as:

- Contextual fit into the surrounding neighbourhood;
- Shadowing of the public realm;
- View impacts;
- Overlook and privacy impact on neighbouring buildings;
- Impacts on the overall skyline;
- Impacts on adjacent or nearby heritage structures;

¹ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).



Figure 2: Proposed Westcorp Building

Staff acknowledge that some flexibility to building height policy could be rationalized, but not to the extent as proposed. Key design changes to create a more favourable proposal would include:

1. Reduction in the tower floor areas to achieve a more slender form; this would reduce massing and visual impact and help to reduce shadowing on neighbouring properties and the public realm.
2. Reduction in podium height especially on Water Street in order to provide a consistent streetscape experience and better transition to neighbouring buildings; and
3. Reduction in overall height would provide a more context sensitive development consistent with public policy and land use governance direction.

An alternative recommendation of support is included in Section 6.0 of this report for Council's consideration.

3.2 Tall Building Design Considerations

When assessing the merits of a tall building project, staff break the design into three components: the base of the building called the podium; the middle of the building largely consisting of the tower; and the top of the building as it relates to Kelowna's skyline.



Top: The tops of tall buildings, including upper floors and roof-top mechanical or telecommunications equipment, signage, 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.



Middle: The location, scale, floor plate size, orientation and separation distances of the middle affect sky view, privacy, wind, and the amount of sunlight and shadows that reach the public realm and neighbouring properties. The design and placement of the tower should effectively resolve these matters to ensure that a tall building minimizes its impact of surrounding streets as well as existing and/or future buildings on adjacent properties.



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

3.3 Development Permit – Top of Building

The building height is proposed at 131m representing 33 storeys. There are two floors of mechanical rooms, screening structures, and a penthouse amenity area at the top of the building. There is no exposed mechanical equipment and these levels have exterior finishes consistent with the main tower. They are also stepped back from the main tower to further soften and recess their appearance.

However, these two floors are above and beyond the measured building height (exempt from Zoning Bylaw definition for building height) and contributes to the mass and scale of the project. The applicant is proposing a luxury-type product for both the hotel and condo units resulting in the desire for large floor-to-ceiling heights for each level. The hotel lobby has a 24' ceiling, the hotel floors have 9' ceilings, the restaurant on the 16th floor has a 16' ceiling, the residential floors have 10', the 4 premium residential floors have 12'-8" ceilings and the penthouse floor has a 14' ceiling. The larger floor-to-ceiling heights is the key contributor to the overall height of the tower.

3.4 Development Permit – Middle of Building (Tower)

The tower floor areas, known as the 'floorplate' has increased significantly from the applicant's previous 2014 approved Development Permit. The past floorplate was 745 m² and the applicant's proposed floorplates are 933.0 m², 901.3m², & 833.1m². Staff remain concerned regarding the proposed new floorplates sizes as it directly relates to the buildings' overall massing and scale. The preference, consistent with many other Canadian urban centres, is to have floorplates for tall buildings within the range of 650 to 750 m². This would lead to the creation of a more slender tower form minimizing the building's three-dimensional massing and scale, helping to mitigate visual/physical impact on surrounding streets, parks, open spaces and neighbouring properties.

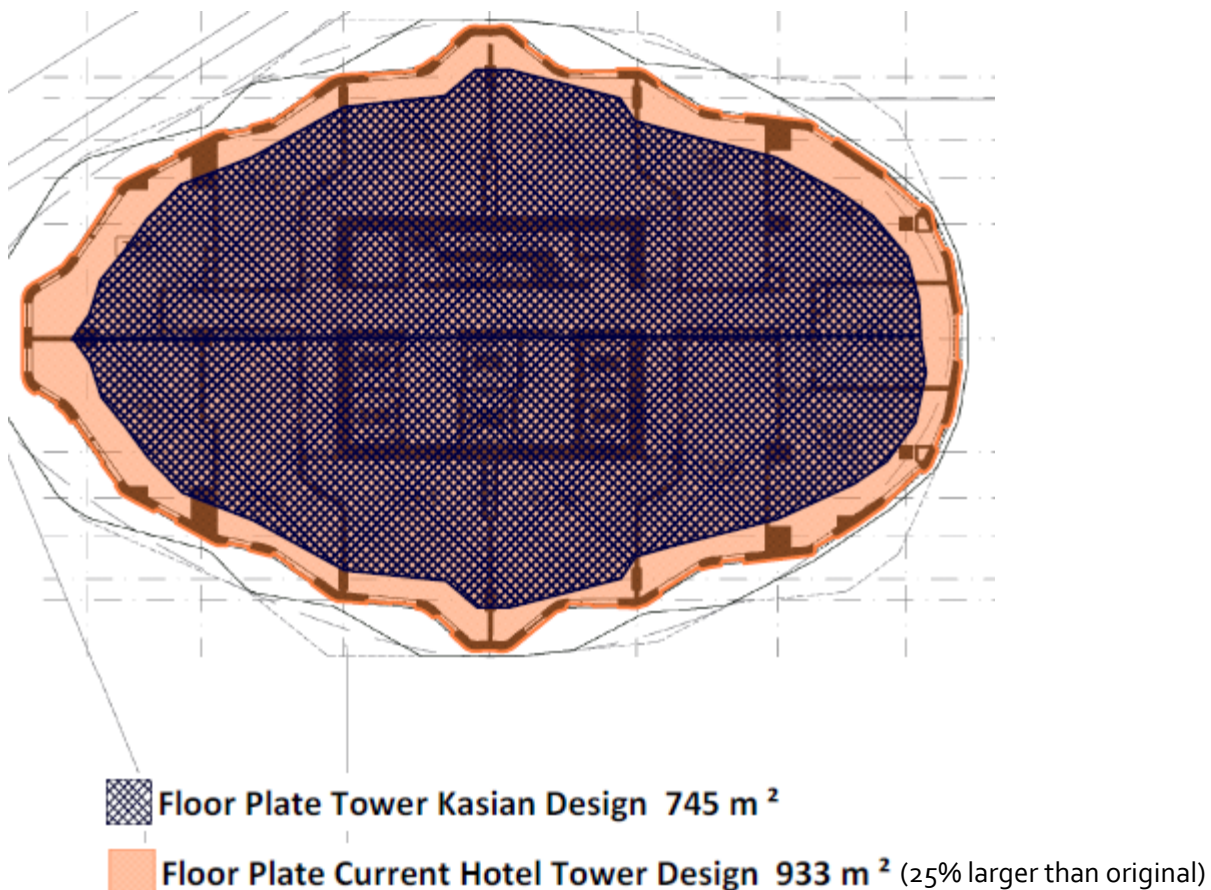


Figure 3: Comparison of Tower Floor Plates between Previous 2014 Development Permit & Current Proposal

The main tower is an elliptical shape softening the edges of what otherwise would be rectangular form and contributing to a unique building design. The elliptical form helps to minimize east/west view corridor impacts (e.g. shadowing on Kerry Park), however, the north/south view corridor is impacted by the longer, wider tower shape (Stuart Park and City Hall). The material palette for the tower utilizes a variety of building materials, all high quality and durable. To further increase the tower's visual interest, all the residential units and almost all the hotel units have balconies. They have been arranged in a manner that further creates unique character and complementary to the elliptical shape.

3.5 Development Permit – Base Building (Podium)

The role of the base building (known as the podium) is to help tall buildings fit harmoniously within the existing street context and to define the edges of adjacent streets, parks, and open spaces. This street framing is important to have the appropriate scale and proportion in order to maintain human-scale and comfort, access to sunlight and sky views for pedestrians and neighbour properties.

The podium design on the western elevation has strong urban design merits. It steps down from the tall tower with terraces and articulation towards the Kerry Park edge and results in an effective transition to public space. The interface demonstrates human-scale proportion and includes a pedestrian plaza and seating area to act as an extension to Kerry Park. Ground-oriented commercial spaces including a coffee shop and publically accessible restaurant have been incorporated into the building to further create a positive interface. Shifting the building back from the western property line (previous DP has zero lot line interface) has resulted in the creation of patios for dining and socializing.

However, the two proposed variances related to the podium indicate the overall size and massing is large on the eastern elevation along the Water Street frontage. The total height of the podium facing Water Street is 27.7 m and the height of the podium before a 3m stepback is 19.2m. Creating a streetwall and podium that is too tall and large and will dominate the public realm; decreasing the pedestrian human-scale at street level. The adjacent building (BMO Bank) is 3 storeys (13.7 m in height) which makes the applicant's podium design more than double the size. Further, the other neighbouring buildings on Water Street and the heritage and historical character of Bernard Avenue are even lower at 2 storeys and protected from tall building development through the Downtown Height Map. The proposed podium does not step down or provide a sensitive transition to these existing buildings. It would create inconsistency in street proportion and scale and compromises reasonable sunlight exposure and sky views from the sidewalks. Staff would suggest aligning the podium height more in keeping with the existing buildings to create a consistent streetwall along Water Street resulting in a more comfortable urban environment.

The applicant's rationale for the proposed podium height largely relates to the project's provision of structured parking. The interior of the podium consists of six storeys of structured parking on-top of two floor of underground parking. This results in the project providing 36 parking stalls in excess of the City's Zoning Bylaw requirements. Staff have suggested that the applicant reduce the number of parking stalls in an effort to reduce the podium height and have a more attractive street interface. Alternatively, the applicant could also reduce the tower height in order to reduce the number of residential units lowering the parking demand. However, the applicant informed staff that there was no flexibility in the parking numbers or overall unit count and wished to proceed with variances to the podium. The streetscape and public realm along Water Street is an important issue and staff cannot recommend support for increasing the massing and height of the podium.

Figure 4: Best management practice for podium heights: the height and scale should respond to the scale of neighbouring buildings and the street proportion.

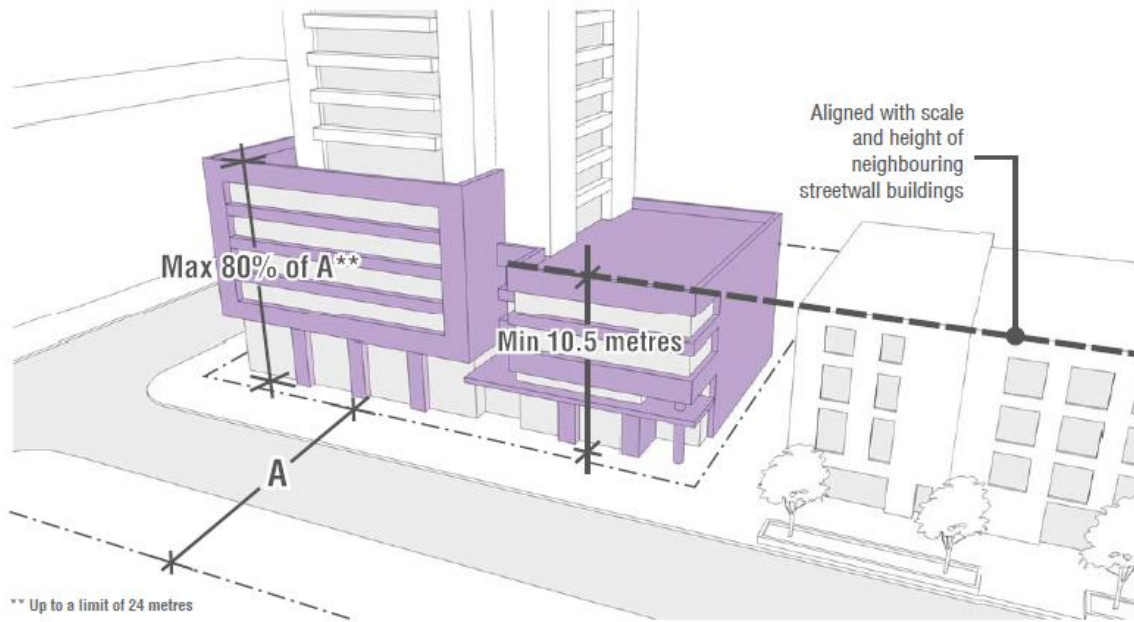
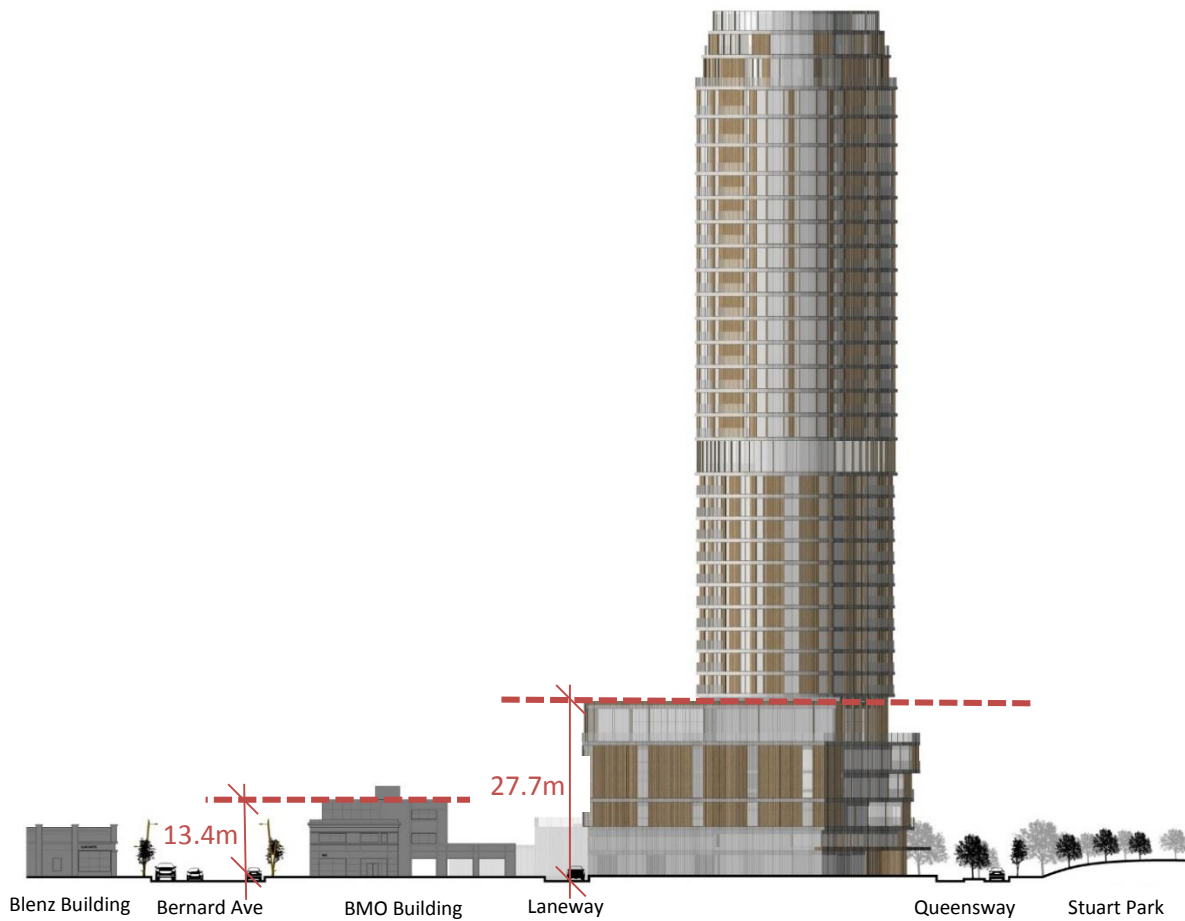


Figure 5: Proposed podium height along Water Street in relationship to neighbouring buildings



3.6 Development Variance Permit

The four variances associated with the applicant's proposal:

1. To increase the podium height without a setback from 16.0 metres to 20.25m for the Queensway frontage as per A-54 drawing attached to Schedule 'A'.
2. To increase the maximum floorplate for any building above 16.0m from 1,221m² to 3,130m²;
3. To increase the overall height of the building from 76.5 metres (approx. 26 stories) to 131 metres (33 stories); and
4. To decrease the number of loading stalls from 6 spaces to 3 spaces;

The previous application (DP14-0024 / DVP14-0025) approved the reduction in the number of loading stalls to 3 spaces. The operational needs of the hotel and residential uses are similar in both the old 2014 proposal and the current proposal. Therefore, Staff see no issue in the loading stall reduction variance.

3.7 Background

In 2008, the subject properties were involved in the CD21 – Comprehensive Development ("CD21 Downtown Zone") zone that aimed to facilitate the redevelopment of several blocks of the downtown core of Kelowna, reshaping the downtown into a vibrant, high-density, and pedestrian friendly area. The zone proved highly controversial, and the introduction of a large number of tall towers was the focus of considerable public discussion. The CD21 bylaw was ultimately defeated by Council in 2010.

Following the defeat of the CD21 zone, Council tasked staff with the development of a plan to guide the development of the downtown into the future. Working with diverse interest groups over several years, a new Downtown Plan was completed and its height policies adopted into the OCP by Council on February 27, 2012.

Within the context of its broader goals for the success of Kelowna's downtown, the Downtown Plan specifically contemplated building height and an appropriate downtown skyline. The public consultation process gained public trust and established confidence around a comprehensive approach. The Downtown Building Heights Map provides general maximum height guidance on a lot-by-lot basis, and expresses a form of development that generally increases height as buildings move away from the lake. Originally, the Downtown Plan (which was adopted into the OCP) suggested this property was suitable for a maximum of 19 storeys in height under the premise of a hotel use. Section 3.8 outlines Westcorp's original proposal made in 2014 and compares it to the current proposal. The 2014 application was approved by Council in August 2014 but has since expired.

3.8 Comparative Analysis

See Westcorp's rationale (attached to this report) outlining why it was necessary to re-design the project. The key changes from the previous project to the current one are:

Summary of Differences in Project Proposals		
CRITERIA	Previous Proposal	Current Proposal
Height	26 storeys / 88m	33 storeys / 131m*
FAR	5.4	7.63
No. of Units	187 hotel rooms and 27 long-stay rental units (214 units total)	174 hotel rooms and 40 residences (214 units total)
Tower Floorplates	745 m ²	933 m ²
Parking	237 parking stalls in above-grade parkade (+5 surface stalls)	289 parking stalls (majority in two levels underground) +5 surface stalls
Tenants along Kerry Park	Restaurant and coffee shop on the edge of Kerry Park	no change from previous project
Hotel	Hotel's hospitality suite and hotel pool located on the conference level -conference terraces were "shared" with hotel guests	Hotel's hospitality suite and pool terrace are on the 2nd level of the hotel. The conference level terraces (level 6) will be for exclusive use of conference/event attendees
Tower & Parkade Location	Tower was located at the Kerry Park property line because of large parkade structure that needed to fit behind it	The tower is pulled back toward Water St. This is made possible because the above-grade parking structure is significantly smaller. The tower relocation has allowed the design of terraces that step up from the lake and park
Balconies & Terraces	Room balconies were appropriately sized for hotel rooms and affixed to the exterior of the structure	Large terraces are an integral part of each floor slab. The residential terraces are expansive and include outdoor kitchens
Elevators	The hotel tower serviced by 3 elevators	The tower is serviced by 6 elevators, 3 for the hotel rooms, conference level and 17th floor restaurant, 2 for the residences, and one for service purposes. With 2 additional elevators to the conference level, the total number of elevators servicing the conference level is 5
Retail	Retail opportunities located on Water St. side of the building	Retail opportunities are located on both Water St. and within the hotel lobby
Tower Restaurant	No mid-tower restaurant	The project includes a 17th floor publically accessible restaurant as well as a culinary teaching venue
*The current design's floor slab thickness is also a factor in the increased height. Each of the floor slabs of the new tower will be 4" thicker than in the previous proposal. Increased ceiling heights and floor slab thickness account for 16.5m (38%) of the height increase		

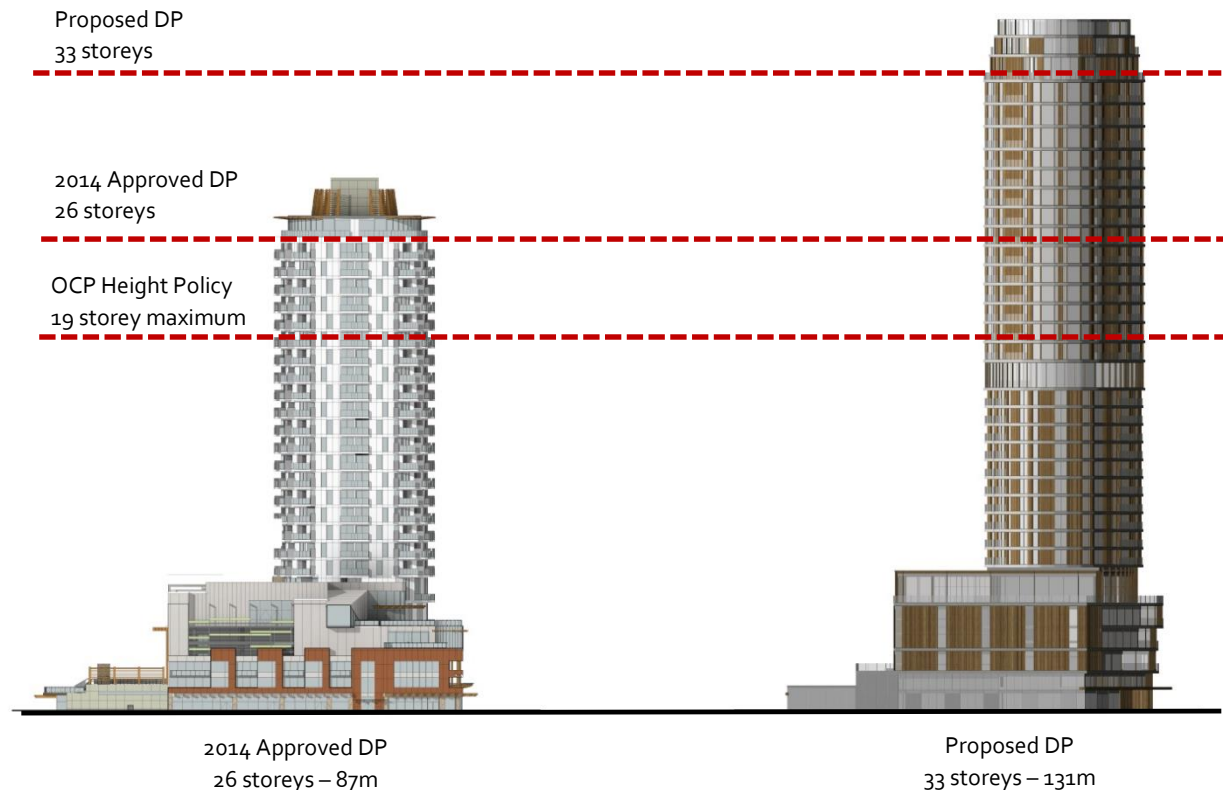


Figure 6: Comparison of current proposal to past version of the project

3.9 Queensway Treatment

The Queensway interface is substantially changed from the previous development permit. Instead of a standard roadway and cul-de-sac on Queensway, the applicant and staff worked collaboratively on a street plaza design, one that would provide a pedestrian-friendly entrance to Kerry Park, the Visitor Information Centre, and the applicant's proposed hotel/condo project. The materials selection is of high quality with the intent of stimulating year-round use and creating a vibrant streetscape. The cost and construction of the plaza will be borne by Westcorp, and through a maintenance agreement with the City of Kelowna, Westcorp will be responsible for the plaza's annual maintenance due to the custom selection of high quality materials well above and beyond city standards (e.g. typical frontage improvement for asphalt, curb & gutter and sidewalks). The total road upgrade cost is estimated at \$536,515 (\$100,912 for Mill Street, \$50,165 for Water Street, & \$385,438 for Queensway Ave) which would need to be bonded for as part of a DP approval.

3.10 Project Description - Laneway

At the request of Staff, the applicant has agreed to move the entire building from the previous Development Permit application 0.8m north to create a 6.8m laneway on the south side. This, although not required as part of the current Development Permit application, would allow the City to be better able to carry out service in the laneway. It would also benefit the existing businesses being serviced by the current 6.0m wide laneway as the vehicle turning movements and overall functionality would improve with the lane widening.

The podium design on the laneway elevation has been considered by the applicant and includes cladding and glazing down the entire length of the laneway in order to improve the character and visual quality from the Bernard Avenue view corridor.

3.10 Site Context

The subject property is located in the heart of downtown, near the waterfront at the corner of Water Street and Queensway Ave.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C4 – Urban Centre Commercial & RM6 – High Rise Apartment Housing	Vacant & Residential
East	I2 – General Industrial I4 – Central Industrial	Industrial & Commercial
South	CD5 – Multi-Purpose Facility	Arena & Parking Lot
West	RM6 – High Rise Apartment Housing; C7 – Central Business Commercial; & P3 - Parks	Mixed use (residential / commercial) Residential Park

Subject Property Map: 289 Queensway Ave



3.11 Zoning Analysis Table

The zoning analysis table shows the requirements of the C7 zone compared to the proposal:

Zoning Analysis Table				
CRITERIA	C7 ZONE REQUIREMENTS		PROPOSAL	
For portion of building between 0.0 metres & 16.0 metres in height				
Front Yard, Flanking Street & Rear Setback	0.0 m		0.0 m	
Lane Setback	0.0 m		0.0 m	
Floorplate	No restriction		1,671 m²	
For portion of building between 16.0 metres & above in height				
			Podium (17.07m)	Tower
Front Yard, Flanking Street, & Rear Setback	3.0 m		3.0m for most area except 0.0m for Water St frontage up to 20.25m tall❶	>3.0 m
Lane Setback	0.0 m		0.0m	~10.0 m
Floorplate	1,221 m²		3,129.3 m² ❷	933 m²
Development Regulations				
Height	Podium	Tower	Podium	Tower
	16.0 / ~4.5 stories (unless Bldg steps back)	76.5 m / ~26.0 storeys	27 m / 6 stories	131 m / 33 storeys ❸
Corner Cut Setback	4.5 m		n/a (roundabout)	
FAR	9.0		7.92	
Parking Regulations				
Minimum Parking Requirements	259 stalls parking stalls (40 stalls for residential units 6 stalls for visitors 39 stalls for commercial 174 stalls for hotel)		295 parking stalls (36 stalls over or 14%)	
Minimum Loading Requirements	6 loading stalls (5.3 for hotel & restaurant + 0.529 for commercial area)		3 loading stalls ❹	
Ratio of Parking Stalls	Small Size: 10% Max Medium Size: 40% Max Regular Size: 50% Min		Small Size: 6.4% Medium Size: 34.9% Regular Size: 56.9%	
Minimum Bicycle Parking Requirements	Class 1: 36 bikes Class 2: 20 bikes		Class 1: 36 bikes Class 2: 20 bikes	
Other Regulations				
Minimum commercial	Min 90% frontage on Water St Min 90% frontage on Water St		100% frontage on Water St >90% on Queensway Ave	

Zoning Analysis Table		
CRITERIA	C7 ZONE REQUIREMENTS	PROPOSAL
Minimum Private Open Space	785 m ²	2,741 m ²
<p>The four proposed variances associated with this permit are as follows:</p> <ul style="list-style-type: none"> ❶ To increase the podium height without a setback from 16.0 metres to 20.25m for the Queensway frontage as per A-54 drawing attached to Schedule 'A'. ❷ To increase the maximum floorplate for any building above 16.0m from 1,221m² to 3,130m²; ❸ To increase the overall height of the building from 76.5 metres (approx. 26 stories) to 131 metres (33 stories); and ❹ To decrease the number of loading stalls from 6 spaces to 3 spaces; 		

4.0 Current Development Policies

4.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.² 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.

Commercial Land Use Policies.³ Encourage mixed-use commercial development.

Contain Urban Growth.⁴ Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Ensure appropriate and context sensitive built form and building height.⁵

In determining appropriate building height, the City will take into account such factors as:

- Contextual fit into the surrounding neighbourhood;
- Shadowing of the public realm;
- View impacts;
- Overlook and privacy impact on neighbouring buildings;
- Impacts on the overall skyline;
- Impacts on adjacent or nearby heritage structures;

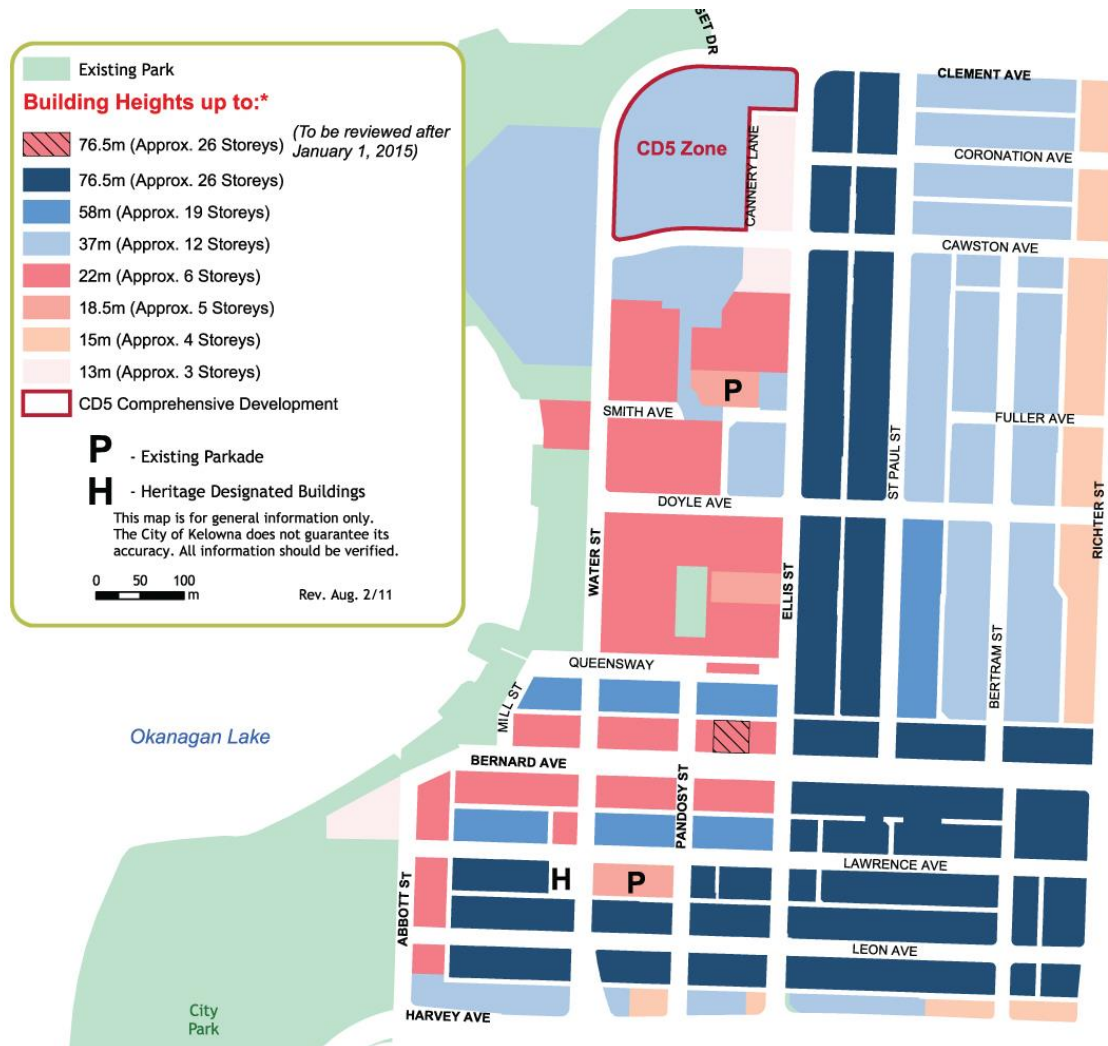
² City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Objective 5.24 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Goals for a Sustainable Future, Objective 1 (Chapter 1 Introduction)

⁵ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

Downtown Building Heights Map⁶



Building Massing and Height.⁷

- 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.

⁶ City of Kelowna Official Community Plan, Policy 5.7.2 (Development Process Chapter).

⁷ City of Kelowna Official Community Plan, Policy 14.4 (Urban Design DP Guidelines).

5.0 Technical Comments

5.1 Building & Permitting Department

- Full Plan check for Building Code related issues will be done at time of Building Permit application.

5.2 Development Engineering Department

- a) All the off-site infrastructure and services upgrades are addressed as part of the previous associated Rezoning Application - Engineering Report (Z14-0006).
- b) A License of Occupation agreement will need to be executed between the City of Kelowna and the Property Owner.
- c) A Maintenance agreement for works within Queensway ROW will need to be executed between the City of Kelowna and the Property Owner.

5.3 Fire Department

- A fire safety plan and full review will be required at the time of Building Permit application.

6.0 Alternate Recommendation

Council authorizes the issuance of Development Permit No. DP17-0191 for Lot 1, District Lot 139, ODYD, Plan EPP77920, located at 289 Queensway Ave, 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;
5. That the outstanding conditions set out in Attachment "A" attached to the Report from the Community Planning Department dated February 20th 2017;

AND THAT Council authorize the issuance of Development Variance Permit DVP17-0192 for Lot 1, District Lot 139, ODYD, Plan EPP77920, located at 289 Queensway Ave, Kelowna, BC, subject to the following:

A maintenance agreement with associated bonding be signed and submitted with the City of Kelowna to ensure the upgraded off-sites improvements along Queensway Ave and Water St are provided for and maintained for in perpetuity.

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

Section 14.7.5 Development Regulations (h)i.

To vary the maximum height of a building before a 3 metre setback is required from 16 metres to 20.25 metres for the Queensway frontage as per A-54 drawing attached to Schedule 'A'.

Section 14.7.5 Development Regulations (h)iii.

To vary the maximum floorplate for any building above 16.0m from 1,221m² to 3,130m² limited to the seventh floor as per A-56 drawing attached to Schedule 'A'.

Section 14.7.5 Development Regulations (b)

To vary the maximum height of a building from 76.5 metres to 131 metres.

Section 8 Parking and Loading – Table 8.2 Loading Schedule

To vary the number of loading spaces from 6 spaces to 3 spaces.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and Development Variance Permit applications in order for the permits to be issued;

AND THAT the applicant be required to complete the following conditions prior to a building permit being issued:

1. That a subdivision be registered with the land titles office completing the land exchange and lane dedication;
 - a. As part of the new registered plans, the vehicular right-of-way and turn around within the lane be amended to reflect the updated plans; &
 - b. A statutory right-of-way be registered on the property guaranteeing public access between the proposed building and Queensway Rd / Kerry Park.
2. That a license of occupation be signed by the City of Kelowna to permit the canopy encroachments across the property lines.
3. That a license of occupation be registered for the Hotel permitting the portions of Queensway Ave to be used for Hotel purposes such as valet services.

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.

7.0 Application Chronology

Date of Application Received: September 1st 2017

Date Public Consultation Completed: December 1st 2017

Report prepared by:

Adam Cseke, Planner Specialist

Reviewed by:

Terry Barton, Urban Planning Manager

Approved for Inclusion:

Ryan Smith, Community Planning Department Manager

Attachments:

Applicant Rationale

DP17-0191 & DVP17-0192

Pedestrian Wind Study