

# Development Permit & DP19-0026

<b>ATTACHMENT</b>		<b>A</b>
This forms part of application		
# DP19-0026		
Planner Initials	AT	 City of <b>Kelowna</b> COMMUNITY PLANNING



This permit relates to land in the City of Kelowna municipally known as  
907 Ethel St.

and legally known as

Lot A Section 30 Township 26 ODYD Plan 18927

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

**general industrial uses and multiple dwelling housing.**

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 19, 2020

Decision By:                                      COUNCIL

Development Permit Area:                      Comprehensive Development Permit Area

Existing Zone:                                      I4 – Central Industrial

Future Land Use Designation:                      IND - Industrial

## **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:                      Emil Anderson Construction Co. Ltd., Inc.No. 172775

Applicant:                      Matt Johnston

Planner:                      Aaron Thibeault

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Terry Barton  
Community Planning Department Manager  
Planning & Development Services

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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";
- 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 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 **\$111,062.50**

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 CURRENT LAND OWNER.

Security shall ONLY be returned to the signatory of the Landscape Agreement or their designates.

**ATTACHMENT**

**A**

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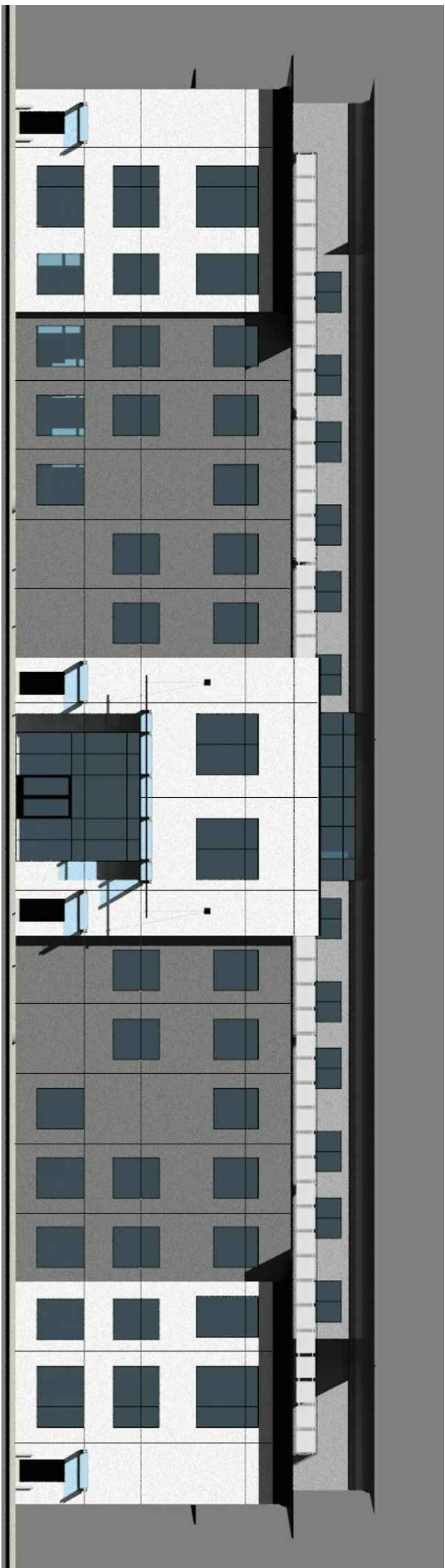


Development Planning Department 1435 Water Street Kelowna BC V1Y 1J4 [planninginfo@kelowna.ca](mailto:planninginfo@kelowna.ca) 250 469 8626









**SOUTH ELEVATION**  
**NOT TO SCALE**

NOT TO SCALE



**EAST ELEVATION**  
**NOT TO SCALE**

NOT TO SCALE



**WEST ELEVATION**  
**NOT TO SCALE**

NOT TO SCALE



**NORTH ELEVATION**  
**NOT TO SCALE**

NOT TO SCALE

### PROJECT MATERIALS:

- REIDENTIAL ROOF DECK RAILINGS:

BLACK ALUMINUM C/W  
FROSTED GLASS PANELS

ALUMINUM ENTRY AND WINDOW SYSTEM:  
BLACK, ANODIZED ALUMINUM

LIGHT GRAY STUCCO FINISH:  
MATCH BM SILENT NIGHT 1613

DARK GRAY STUCCO FINISH:  
MATCH BM STORYW SKY 1616

WHITE STUCCO FINISH:  
MATCH GENTEK WHITE

PRE-FINISHED ALUMINUM FLASHING  
TO MATCH ADJACENT COLOUR:

GENTEK BLACK

GENTEK WHITE

GENTEK DOVER GRAY

# SCHEDULE            **B**

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Revision No.	Date	Description
06.15.18 -	FOR INFORMATION	
07.24.18 -	FOR CITY COMMENT	
09.20.18 -	FOR DTP	
07.24.20 -	FOR DTP	

<b>Plot Date</b>	<b>Drawing No.</b>
24-Jul-20	A-RENDER

<b>PROJECT</b>
EA - 907 ETHEL ST.
*****

<b>DRAWING TITLE</b>
PROJECT MATERIALS





- The illustrated landscape plan is conceptual only, not for construction.
- All plants, material and planting practices to conform to the Canadian Landscape Standard - Current Edition
- Contractor to provide a warranty and maintenance period of 1 year on all plants and materials. Plants and materials that fail before end of the warranty period shall be replaced by the contractor.
- All planting areas to receive 450mm of topsoil
- Prior to delivery to site, a representative sample and test results of topsoil should be made available to the consultant for approval.
- Plant material selections are conceptual only, final planting selections may vary depending on availability. No plant species substitution will be accepted without the written consent of the consultant.
- All planting beds to receive min. 100 mm depth of washed 50-75mm dia. River Rock Mulch.
- Prior to any construction, contractor to verify the location of all existing utilities on the site.
- Install Deep Root Tree Root Barrier U8 18-2 along sidewalk edges within 2.0m of free trunks.
- All planting beds and lawn areas to be irrigated.



Legend	
	Sodded Lawn area
	Mossed planting shrubs, perennials, ornamental grasses in rock mulch-see Plant List L2
	Dryland Grass Mix
Dryland Grass Mix Seed Blend (lb by weight)	
Application Rate 150kg/ha	20
Orchard Wheat Grass	15
Perennial Ryegrass	10
Siberian Wheat Grass	10
Fall Wheat Grass	10
Creeping Red Fescue	10
Annual Ryegrass	10
Fall Ryegrass	15
Seed mix to be certified #1 Grade.	



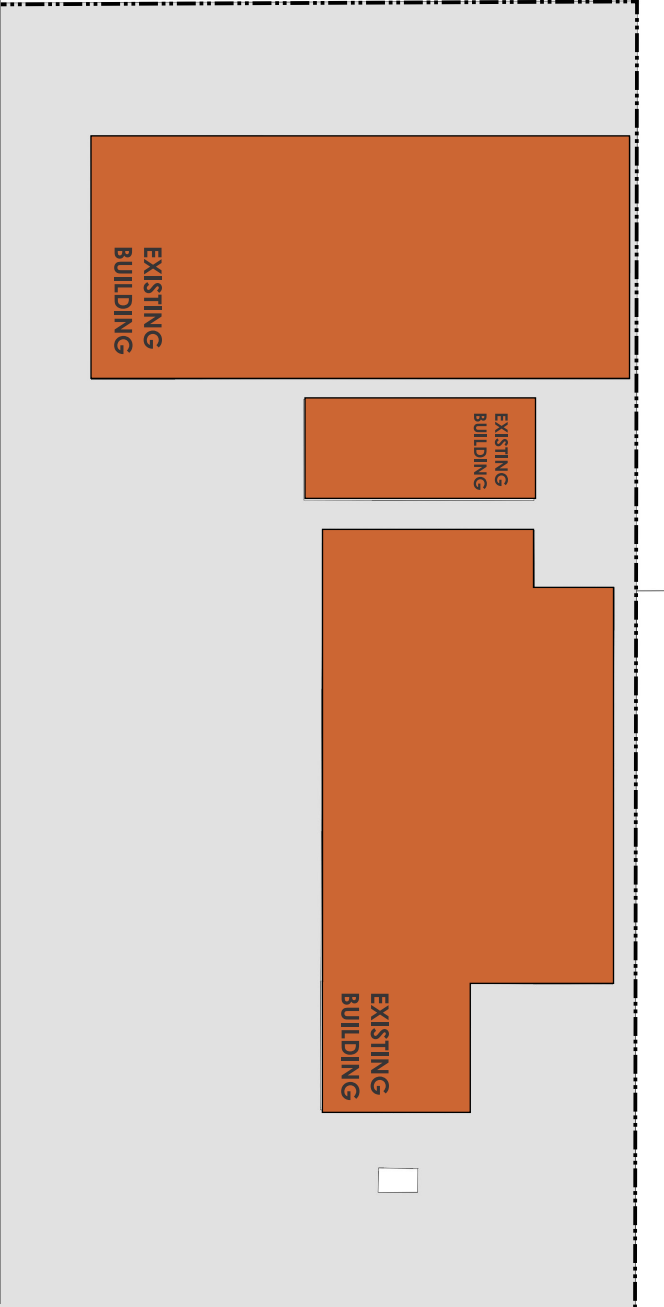
# SCHEDULE

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Planner Initials

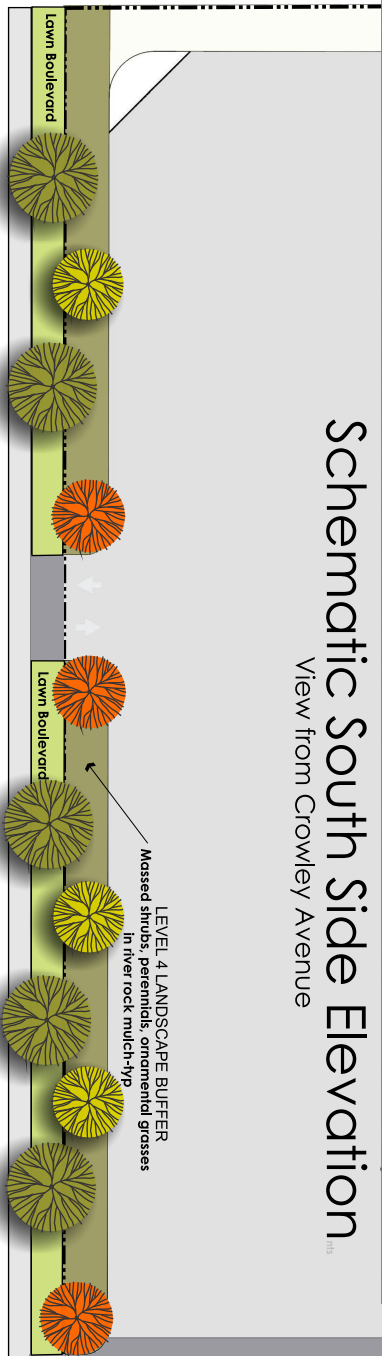
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Ethel Street

Schematic South Side Elevation  
View from Crowley Avenue



CROWLEY AVENUE



# 907 Ethel Street - MULTI-USE DEVELOPMENT

## Conceptual Landscape Plan





Suggested Ornamental Trees

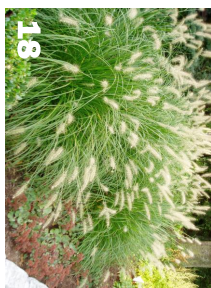
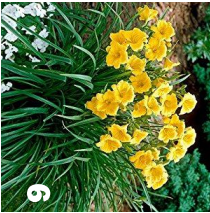
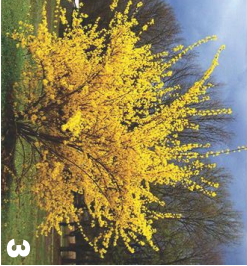


Suggested Large Scale Trees



Common Name		Botanical name	Comments
	TREE QTY		
Ivory Silk Japanese Tree Lilac	8	Syringa reticulata Ivory Silk	60 mm cal
Kousa Dogwood	4	Cornus kousa	60 mm cal
Star magnolia	9	Magnolia stellata "Royal Star"	60 mm cal
Red Sunset Maple	13	Acer rubrum 'Red Sunset'	75 mm cal
Skyline Honeylocust	13	Gleditsia triacanthos 'Skyline'	75 mm cal
Ponderosa pine	11	Pinus ponderosa	2.0m ht
1 Red Twig Dogwood		Cornus sericea	red twigs winter
2 Dwarf Burning Bush		Euonymus alata compacta	bright red foliage in fall
3 Show Off Forsythia		Forsythia 'Mindor'	bright yellow March
4 Blizzard Mockorange		Philadelphus lewisii 'Blizzard'	fragrant white April /May
5 Dwarf Mugo Pine		Pinus mugo pumilio	evergreen
6 Stella d'Oro Daylily		Hemerocallis 'Stella d'Oro' (yellow)	yellow may to aug
7 Regal Splendor Hosta		Hosta 'Regal Splendor'	white July/Aug
8 Munstead Lavander		Rudbeckia angustifolia 'Munstead'	purple late june thru August
9 Goldsturm Gloriosa Daisy		Rudbeckia hirta 'Goldsturm'	golden yellow late summer into fall
10 Russian sage		Perovskia atriplicifolia	purple late spring to fall
11 Snow Lady Shasta Daisy		Leucanthemum x superbum 'Snow Lady' (white)	white summer to fall
12 Ruby Star Coneflower		Echinacea purpurea 'Ruby Star'	purple July to Sept
13 Frikarts Aster		Aster frikartii Monch	blue Aug to Oct
14 Karl Foerster Reed grass		Calamagrostis 'Karl Foerster'	
15 Elijah Blue Fescue		Festuca ovina Elijah Blue	
16 Blue Oat Grass		Helictotrichon sempervirens	
17 Miscanthus sinensis purpurascens		Orange Flame grass	
18 Pennisetum alopecuroides		Fountain Grass	
19 Vancouver Jade Kinnikinnick		Arctostaphylos uva ursi 'Vancouver Jade'	white blooms in April red berries in winter

Context Existing Streetscape



Suggested Shrubs, Perennials and Grasses

SCHEDULE

This forms part of application # DP19-0026

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City of Kelowna

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Project No.: 18004

Sept 30.2020

Attention: Mr. Brad Clifton  
Emil Anderson Construction  
907 Ethel Street  
Kelowna BC V1Y 2W1


**Re: 907 Ethel Street – Multi Use Development  
Landscape Cost Estimate**

**SCHEDULE C**

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Please find below, our preliminary landscape cost estimate for 907 Ethel Street, Multi-Use Development for Emil Anderson Construction, based on the Landscape Concept Plan, prepared by CTQ Consultants Ltd. in September 2020

ITEM	UNIT PRICE	UNIT	QTY	SUB-TOTAL
<b>Trees</b>				
Large Scale Deciduous 60mm cal	\$600.00	each	26	\$15,600.00
Small Scale Deciduous 50mm cal	\$400.00	each	21	\$8,400.00
Coniferous Trees – 1.8m ht	\$350.00	each	11	\$3,850.00
<b>Massed shrubs, perennials and ornamental grasses (inc 450mm topsoil)</b>	\$60.00	m2	600	\$36,000.00
<b>River Rock Mulch (100mm depth) and Landscape Fabric</b>	\$7.00	m2	200	\$1,400.00
<b>Sod Lawn (inc 100mm topsoil)</b>	\$15.00	m2	340	\$5,100.00
<b>Dryland grass seeding (inc 75mm topsoil)</b>	\$7.00	m2	100	\$700.00
<b>50 mm depth ogogrow mulch</b>	\$3.00	m2	600	\$1,800.00
<b>Irrigation system</b>	ls			\$16,000.00
<b>TOTAL</b>				<b>\$88,850.00</b>

Should you have any questions regarding the foregoing, or require additional information, please contact the undersigned.

**CTQ CONSULTANTS LTD.**

Frank Pohland, BES  
Designer





**To:** Planning Department  
**Cc:** Greg Asling  
**Cc:** Matthew Temple

City of Kelowna  
Emil Anderson Construction (EAC)  
EAC

August 5, 2020

**Re: Design Rationale for Proposed New Mixed Use Building at 907 Ethel Street,  
Kelowna, BC (The Site)**

Dear City of Kelowna Planning Department,

Further to all previously submitted information as it pertains to the proposed Development of 907 Ethel Street in Kelowna, we offer the following updated Design Rationale for the project:

Recognizing the transitional location of the property between existing residential and existing industrial properties located at the north end of Ethel Street in Kelowna, we are proposing a 3 storey buildings that will meet the needs of a mix of uses on the property.

The building being proposed is in an area of the property (eastern edge) that allows a majority of the existing industrial use to continue on The Site while allowing additional tenants to occupy the new building (the current Owner – EAC, will be relocating their office operations to the second storey of the building). This proposed building allows all existing buildings on site to remain functional for current industrial use while introducing a new building whose form and character will add an aesthetic that is complimentary to the nearby residential in lieu of a purely industrial look and feel.

Because of the natural setting, residential neighbourhoods nearby and the needs for employee housing by the property Owner, the design concept includes introducing more than 1 residential unit on the upper level of the new 3 storey building. While the I4 zoning and BC Building Code allow for a single residence when combining F2 occupancy with residential use, the proposed new building separates the medium industrial from the residential in order to develop a mixed use that is complimentary to the property's location and life safe via an alternative solution. Further to the issue of mixed residential and F2 in a single building, precedence for similar mixed use has been set in more than one jurisdiction by way of an alternative solutions. Additionally, previous consideration of this project includes a City of Kelowna Council approved text amendment in support of the additional residential units mixed with ground level F2. The manner by which the proposed building creates a life safe mix of residential and F2 includes a storey of light industrial or clean manufacturing between the F2 and residential as well as ensuring exiting from the commercial/light industrial or clean manufacturing and residential are completely separated from the ground oriented F2 by 2hour rated assemblies.





The rationale for this project can be summarized as follows:

- i. The existing neighbourhood includes a blend of industrial and residential. Accordingly, and in order to provide additional residences on the existing property, the site seems an ideal opportunity to continue the trend of mixed use buildings that use precious developable land in ways that discourage sprawl and integrate the industrial and residential uses.
- ii. The residential units are intended for use by the Owner for employee and/or rental housing and will be life safe as per an alternative solution document. Additionally, the provision of the purpose built residential units integrated into the zone is in keeping with the City's vision to provide a variety of housing types in Kelowna and the City of Kelowna Council has approved a text amendment to allow the proposed mix of uses.
- iii. To create comfortable residences in the zone, the units have been pushed back from the building face below there by creating a sense of privacy for the residences as well as allowing for private outdoor spaces for each of the units.
- iv. Recognizing that this project is a transition property between adjacent residential and industrial properties, the form and character was developed to integrate into the more traditional form and character without introducing the stark style of building that is typical for industrial use. Additionally, colours selected are neutral in nature with contrast created by lighter colour accents giving the building character with subtleties that are not distracting.
- v. A long term tenant has agreed to lease the entry level F2 portion of the building as well as sharing part of level 2 with the Owner.
- vi. The tenant is an established company that is compatible for blending with the existing neighbours.
- vii. The Owner's shop will remain at 907 Ethel Street while the proposed building is constructed and occupied.
- viii. The proposal development is supported in the OCP.
- ix. EAC is working to establish alliances with adjoining property owners for future industrial development that is consistent with the transitional quality between residential and industrial uses of the properties in the area.

This proposed development recognizes the City of Kelowna's strategic approach to overall urban growth including better use of existing land through increased density of existing developable land. The project also results in the addition of much needed more affordable housing as part of the proposal.

We look forward to your supportive comments in response to this Development application.

Please do not hesitate to contact our office if you have any questions or require additional information in these matters.

Sincerely,



Matt Johnston  
Architect AIBC, LEED AP  
**LIME Architecture Inc.**





**LIME**  
ARCHITECTURE INC.

Page 3 of 3



Existing Site



Proposed Form and Character illustrating residential stepped back on the upper level

**ATTACHMENT B**

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