

Development Permit & Development Variance Permit DP19-0248 & DVP19-0249

ATTACHMENT A	
This forms part of application # DP19-0248, DVP19-0249	
Planner Initials	AT
City of Kelowna COMMUNITY PLANNING	



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

Lot A Section 6 Township 26 ODYD Plan 10613

and legally known as

4071 Lakeshore Rd.

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

Multiple dwelling housing

With variances to the following sections of Zoning Bylaw No. 8000:

Section 13.11.6(f): RM5 – Medium Density Multiple Housing, Development Regulations

To vary the minimum rear yard setback from 9m required to 6.8m proposed.

Section 13.11.6(e): Medium Density Multiple Housing, Development Regulations

To vary the minimum side yard setback for portions of a building below 2 1/2 storeys from 4.5m required to 2.9m proposed.

Section 13.11.6(c): Medium Density Multiple Housing, Development Regulations

To vary the maximum height from 4.5 storeys permitted to 5 storeys proposed.

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Council Decision November 17, 2020

Decision By: COUNCIL OR COMMUNITY PLANNING DEPARTMENT MANAGER

Development Permit Area: Comprehensive Development Permit Area

Existing Zone: RM5 – Medium Density Multiple 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: Greencorp Ventures Inc., Inc.No. BC0987730

Applicant: Shane Worman

Planner: Aaron Thibeault

Terry Barton
Development Planning Department Manager
Planning & Development Services

Date

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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

- The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- Landscaping to be provided on the land be in accordance with Schedule "C"; and
- 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.

- With variances to the following sections of Zoning Bylaw No. 8000:

Section 13.11.6(f): RM5 – Medium Density Multiple Housing, Development Regulations

To vary the minimum rear yard setback from 9m required to 6.8m proposed.

Section 13.11.6(e): Medium Density Multiple Housing, Development Regulations

To vary the minimum side yard setback for portions of a building below 2 1/2 storeys from 4.5m required to 2.9m proposed.

Section 13.11.6(c): Medium Density Multiple Housing, Development Regulations

To vary the maximum height from 4.5 storeys permitted to 5 storeys proposed.

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 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:

- An Irrevocable Letter of Credit **OR** certified cheque in the amount of **\$75,855.00**

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.

5. 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.**

DRAFT

ATTACHMENT		A
This forms part of application		
# DP19-0248, DVP19-0249		
Planner Initials	AT	 City of Kelowna COMMUNITY PLANNING

4071 Lakeshore Drive, Kelowna, BC



PROPERTY DESCRIPTION

Civic: 4071 Lakeshore Drive, Kelowna, BC
LEGAL: KD-108136, PLAN: 10613, LOT: A
PLAN: KAP10613 LOT A, SECTION 6 TOWNSHIP 26

ZONING CALCULATIONS:

Current: RU1
Proposed: RM5

SITE INFORMATION:

Gross Site Area= 16,303 SF (1,514.6 sm)
Allowable Building Site Coverage= 40% (6,521 SF)

Allowable Total Site Coverage=

F.A.R. = 65% (10,597 SF)
1.2 (19,564 SF)

PRIVATE OPEN SPACE
289 SF (25 sm)/RESIDENCE
Proposed
323 SF/RESIDENCE (20% INCREASE ABOVE ZONING ALLOWS INCREASE IN SITE COVERAGE)

Unit Area Calculations: NET FLOOR AREA
PARKING LEVEL: 200 SF

FIRST LEVEL:
UNIT 101 = 2,592 SF
UNIT 102 = 2,171 SF

SECOND-FOURTH LEVELS
UNITS 201, 301 & 401 = 5,556 SF (1,852/3)
UNITS 202, 302 & 402 = 6,456 SF (2,152/3)

TOTAL 16,975 SF (1,577 SM)

Building Height:
Max. Height = 10m/4.5 storeys
Proposed:
17 (m)/5 storeys

Yard setbacks:
Front yard - 6.0 m (1.5m front door ground oriented)
Side yard - 4.5m up to 2+1/2 storeys/7.0m above 2+1/2 storeys/1.5 for ground oriented
Proposed:
6.0m
4.5m 1-1/2 storeys/7.0 m above 1-1/2 storey/2.9m ground oriented housing

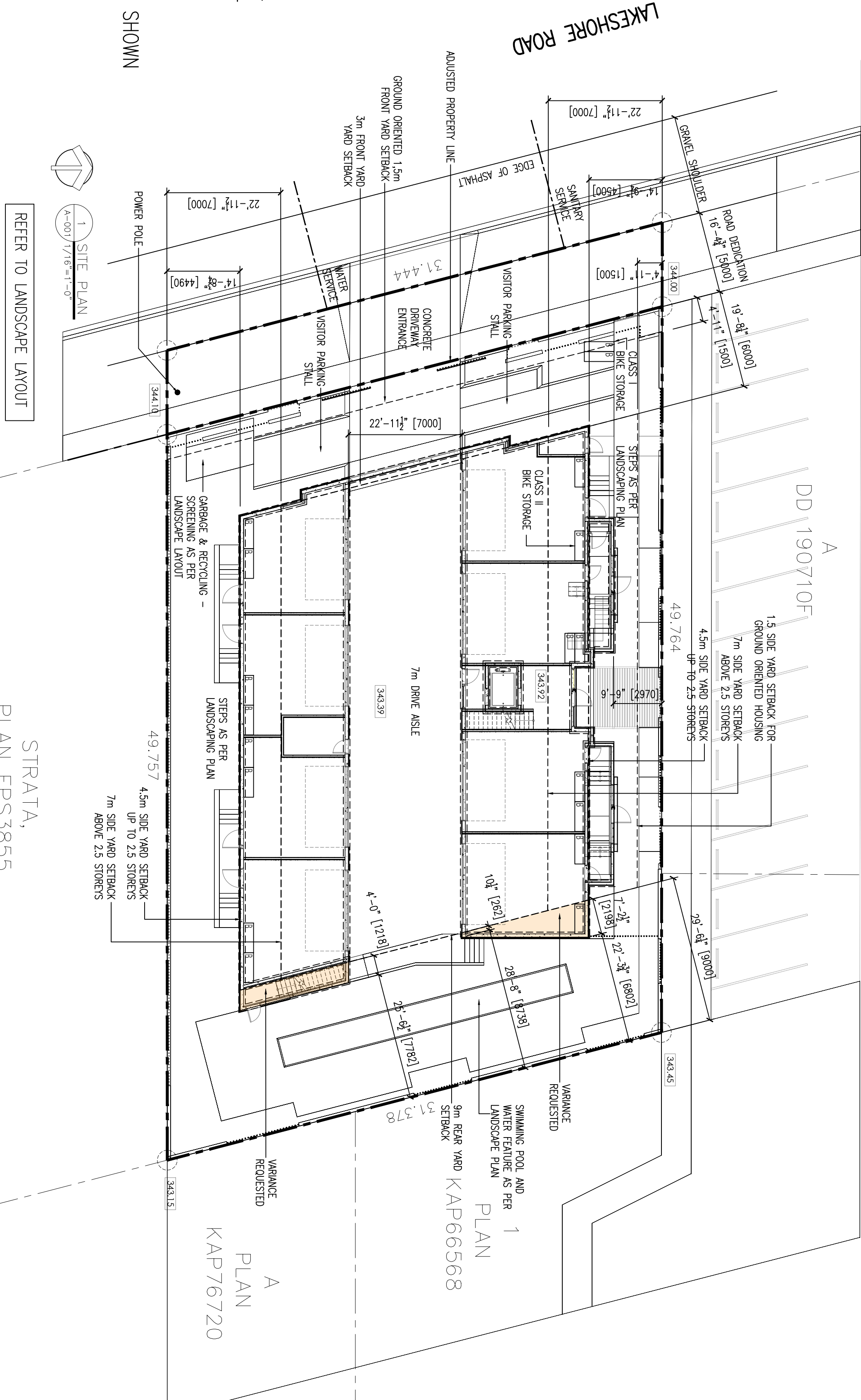
Rear yard - 9.0 m
Proposed:
6.8 m (min.)

Parking Calculations:
2 per /3 bed=
Total
Visitor=

Bicycle Storage:
Class I, 50/mi
Class II, 110/mi
Required:
508-4 (Required)
118-1 (Required)
Proposed:
16 (dedicated bike storage ex. garage)
2

ARCHITECTURAL & LANDSCAPE DRAWINGS:

A-001 SITE INFORMATION
A-106 ROOF PLAN
A-101 GARAGE/BEL PLAN
A-200 ELEVATIONS
A-102 FIRST LEVEL PLAN
A-201 ELEVATIONS
A-103 SECOND LEVEL PLAN
A-300 SECTIONS
A-104 THIRD LEVEL PLAN
A-RENDER RENDERINGS AND EXISTING CONDITION PHOTOS
A-105 FOURTH LEVEL PLAN
E-1/1-2 LANDSCAPE PLAN



SCHEDULE A

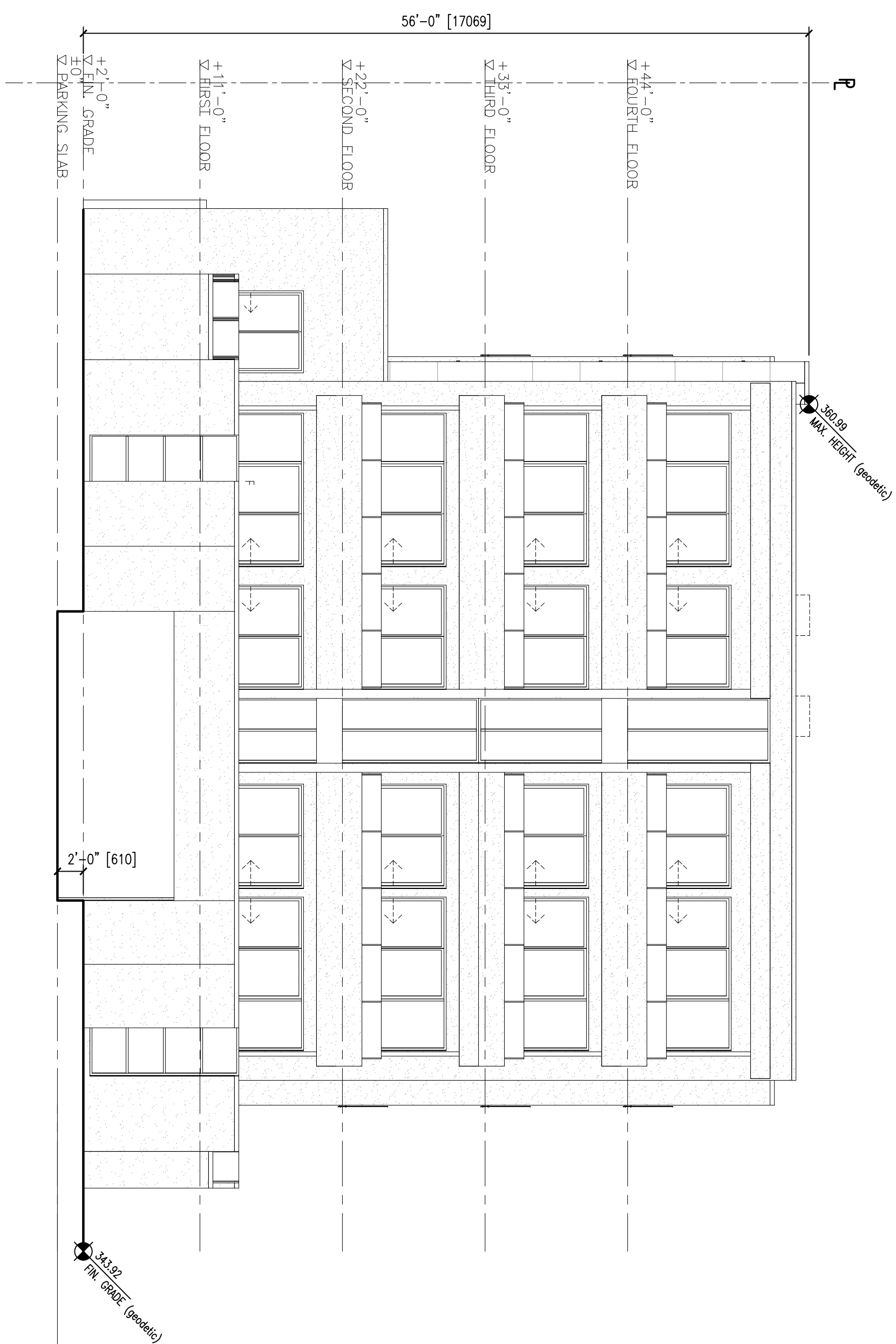
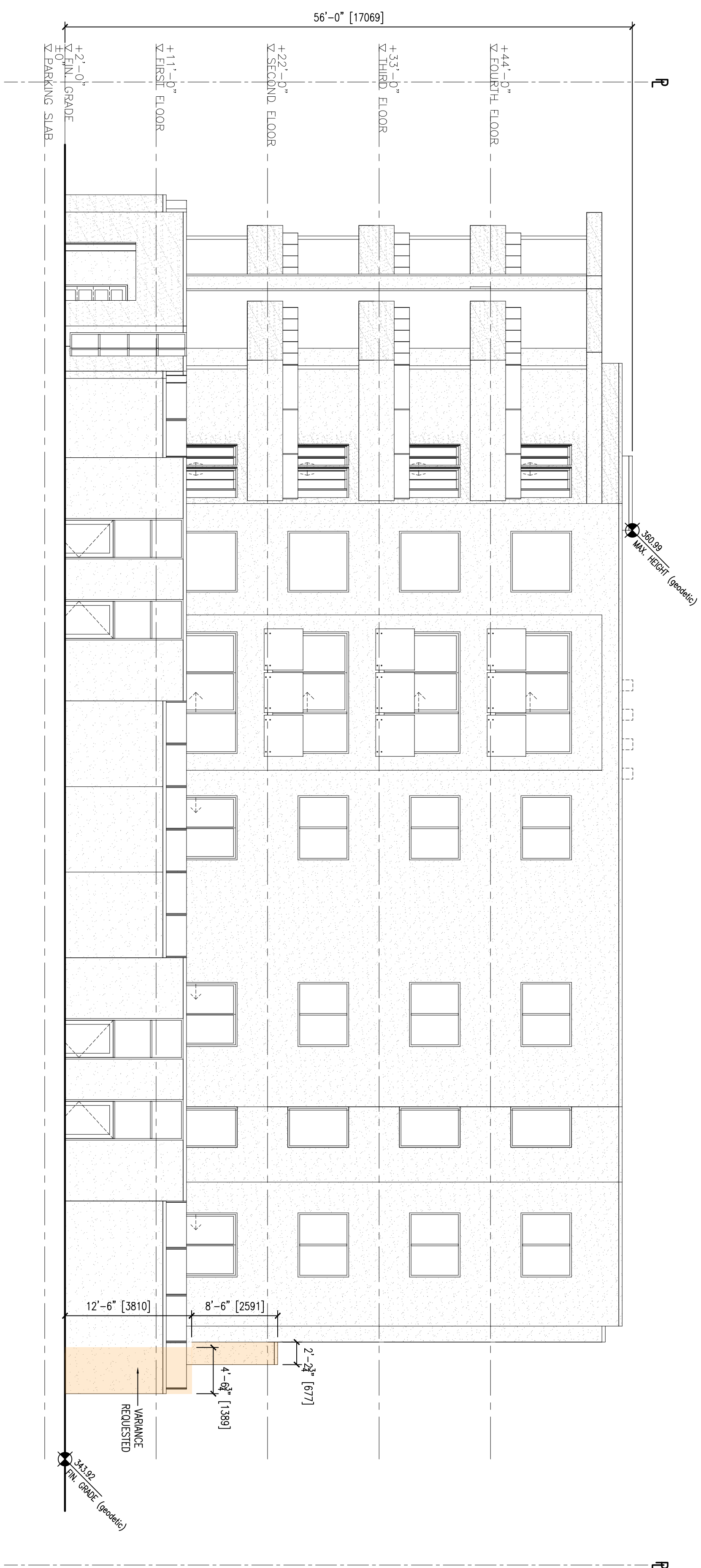
This forms part of application
DP19-0248, DVP19-0249

Planner Initials

AT

City of Kelowna

COMMUNITY PLANNING



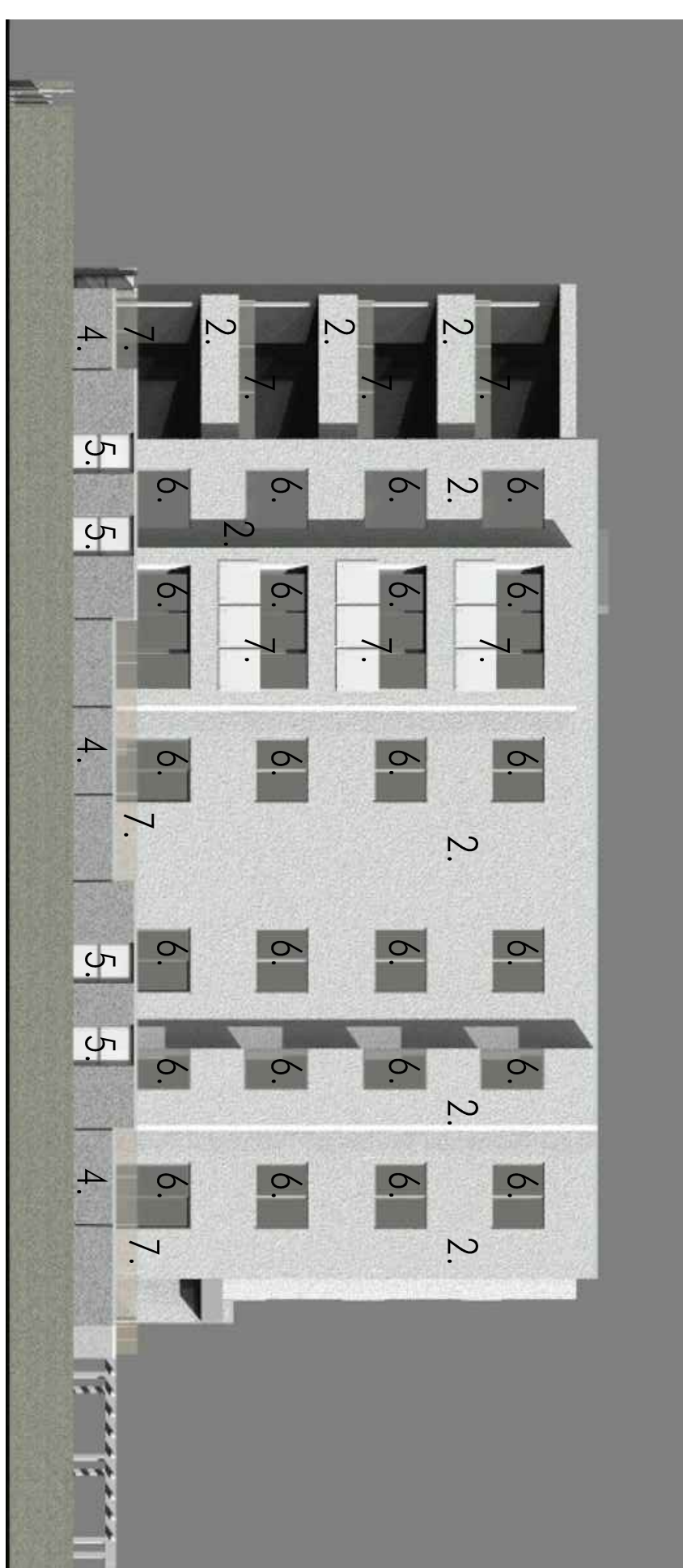
SCHEDULE B

This forms part of application
DP19-0248, DVP19-0249

Planner
Initials

AT

- MATERIAL/COLOUR LEGEND:
1. ENGINEERED FIR DOORS - STAIN ITS CLEAR 6403253.12 (LIGHT, NATURAL WOOD)
 2. ACRYLIC STUCCO (MATCH BENJAMIN MOORE "DISTANT GREY")
 3. ACCENT WALL AND SOFFITS (ALUCOBOND, "SILVER METALIC")
 4. PRECAST CONCRETE (NATURAL CONCRETE)
 5. ALUMINUM WINDOWS (ANODIZED ALUMINUM, MAIN AND SOUTH FEATURE)
 6. VINYL WINDOWS (WHITE)
 7. ALUMINUM/GLASS RAILING SYSTEM
 8. INSULATED, EXTERIOR METAL DOOR (PAINTED TO MATCH ALUCOBOND)



www.limearchitecture.com

205-1626 Richter Street,

PHONE: 250-448-7801

PHONE: 250-448-7801



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All nodes are to execute the work in accordance with the current multiplicity building by-buys and the requirements of other local authorities having jurisdiction as well as the british columbia building code - (most recent edition) including all published revisions and addenda. All nodes shall assume full responsibility for the locations and protection of all under and above ground utilities, wires and conduit connectors, including (but not limited to) water, sewer, gas, hydro and telephone.

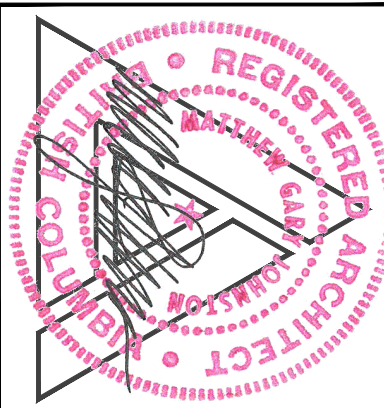
Revision No., Date
and Description

11.20.19 - FOR CLIENT REVIEW
11.27.19 - FOR DISCUSSION
12.13.19 - FOR REZONING & DVP
04.09.20 - FOR COORDINATION
04.16.20 - Rezone/DVP Add. No.1
07.28.20 - Rezone/DVP Add. No.3

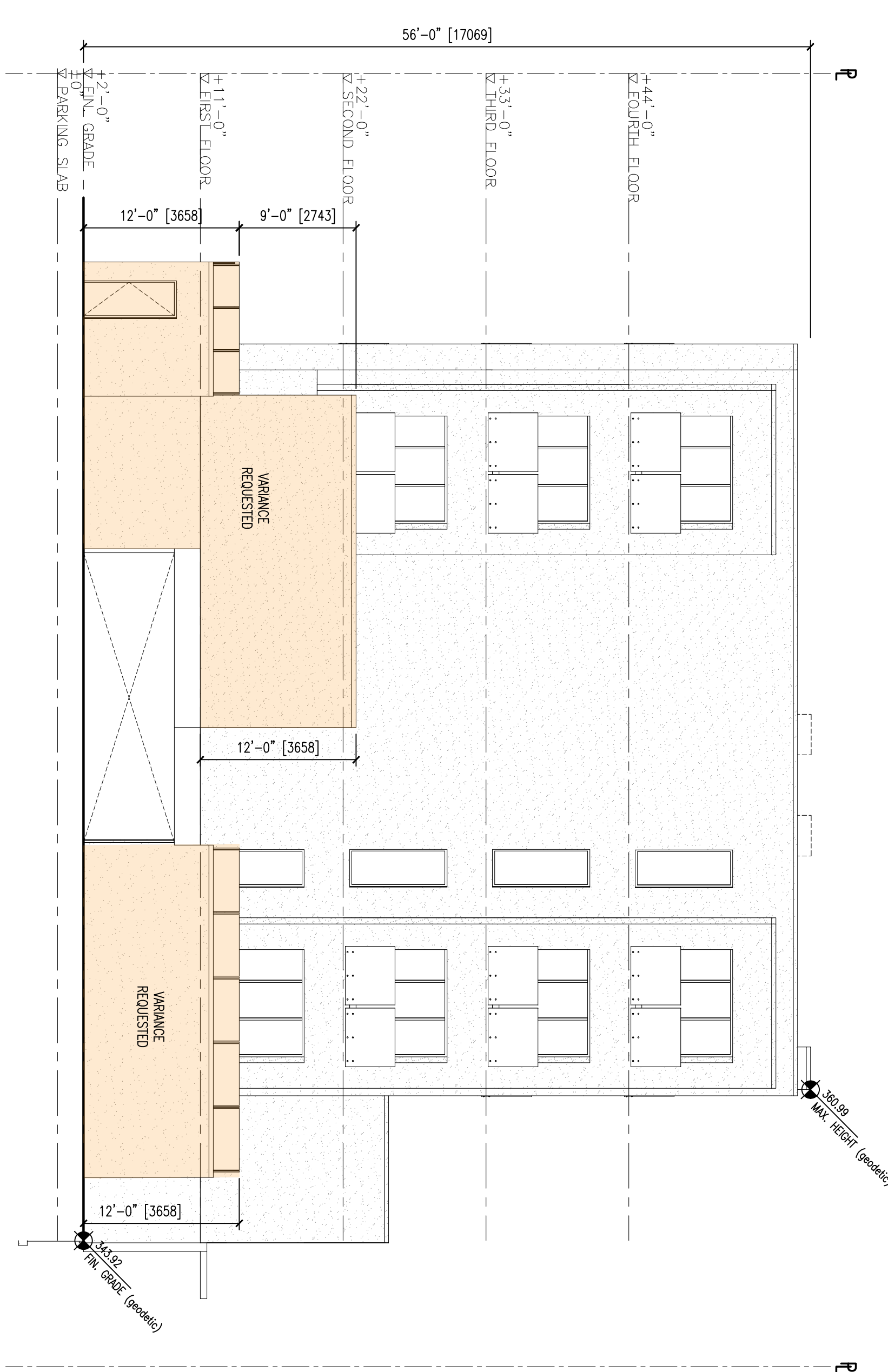
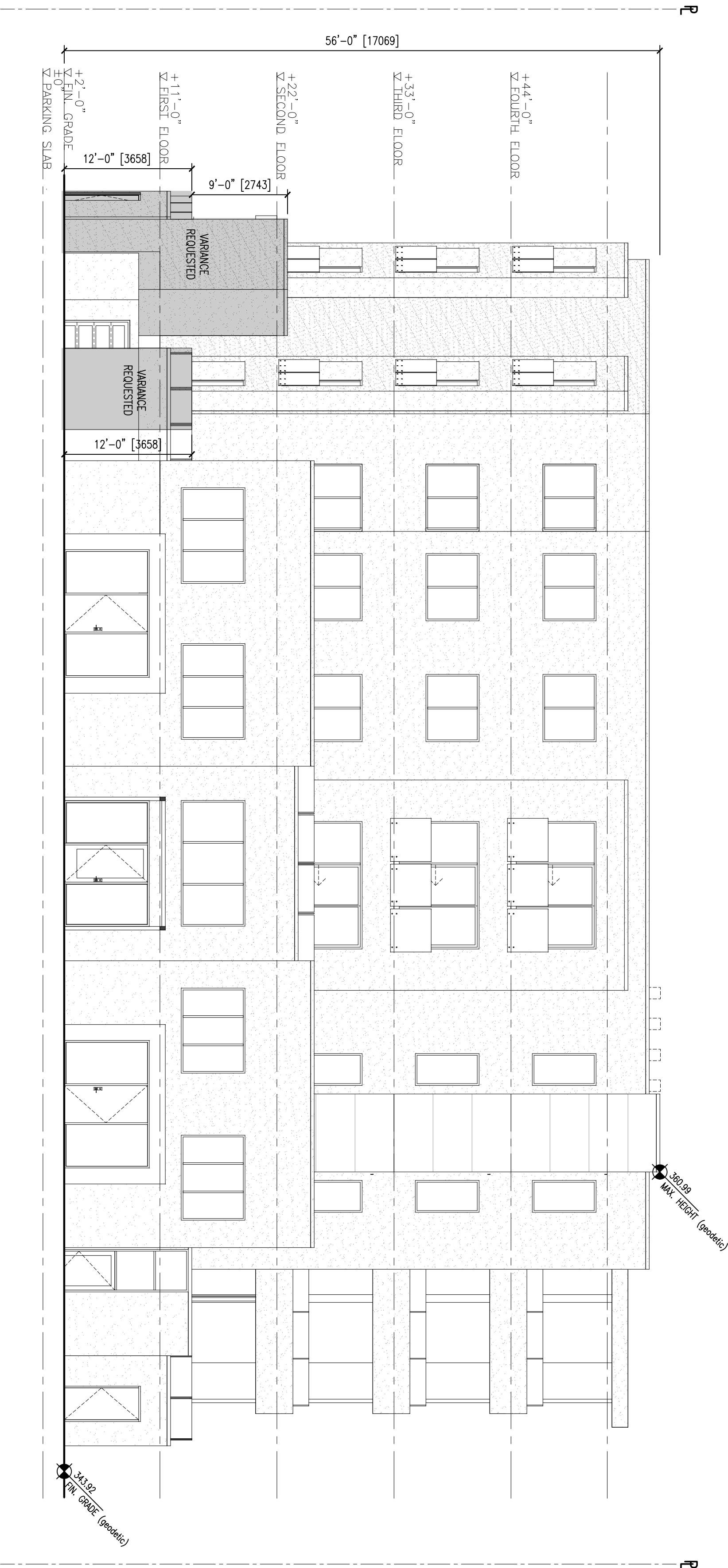
Plot Date	Drawing No.
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28-Jul-20	A-200
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PROJECT
4071 LAKESHORE DRIVE
ELEVATIONS



REZONE/DVP ADDENDUM NO.3



SCHEDULE

B

This forms part of application

DP19-0248, DVP19-0249

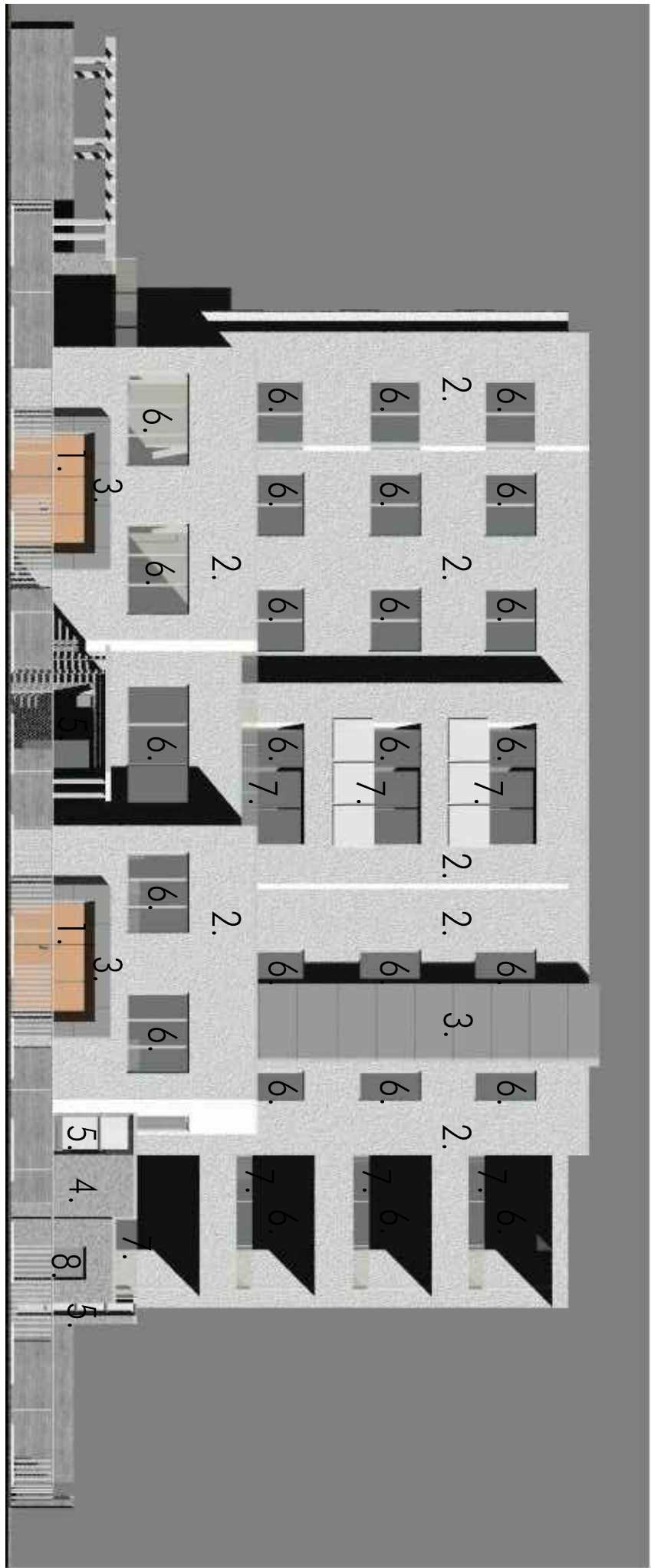
Planner Initials

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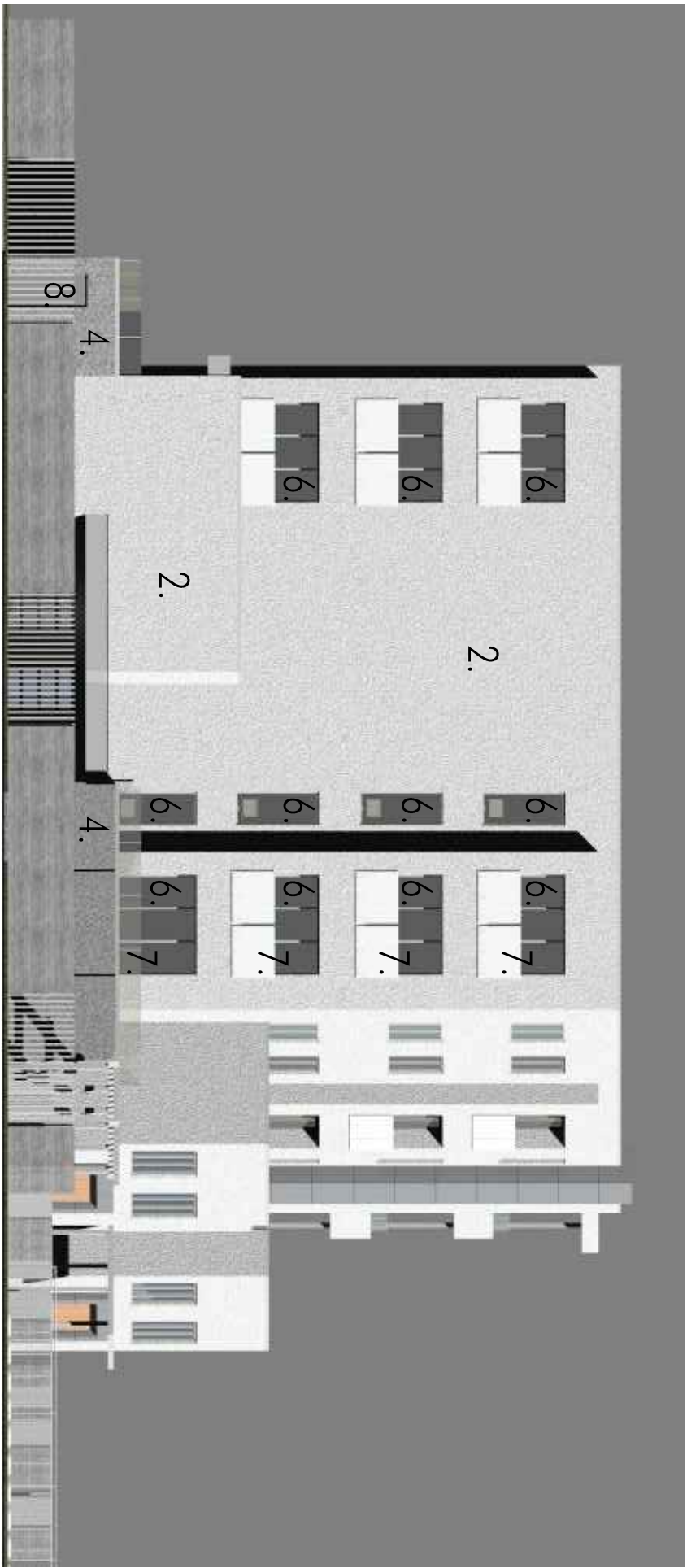
City of

Kelowna

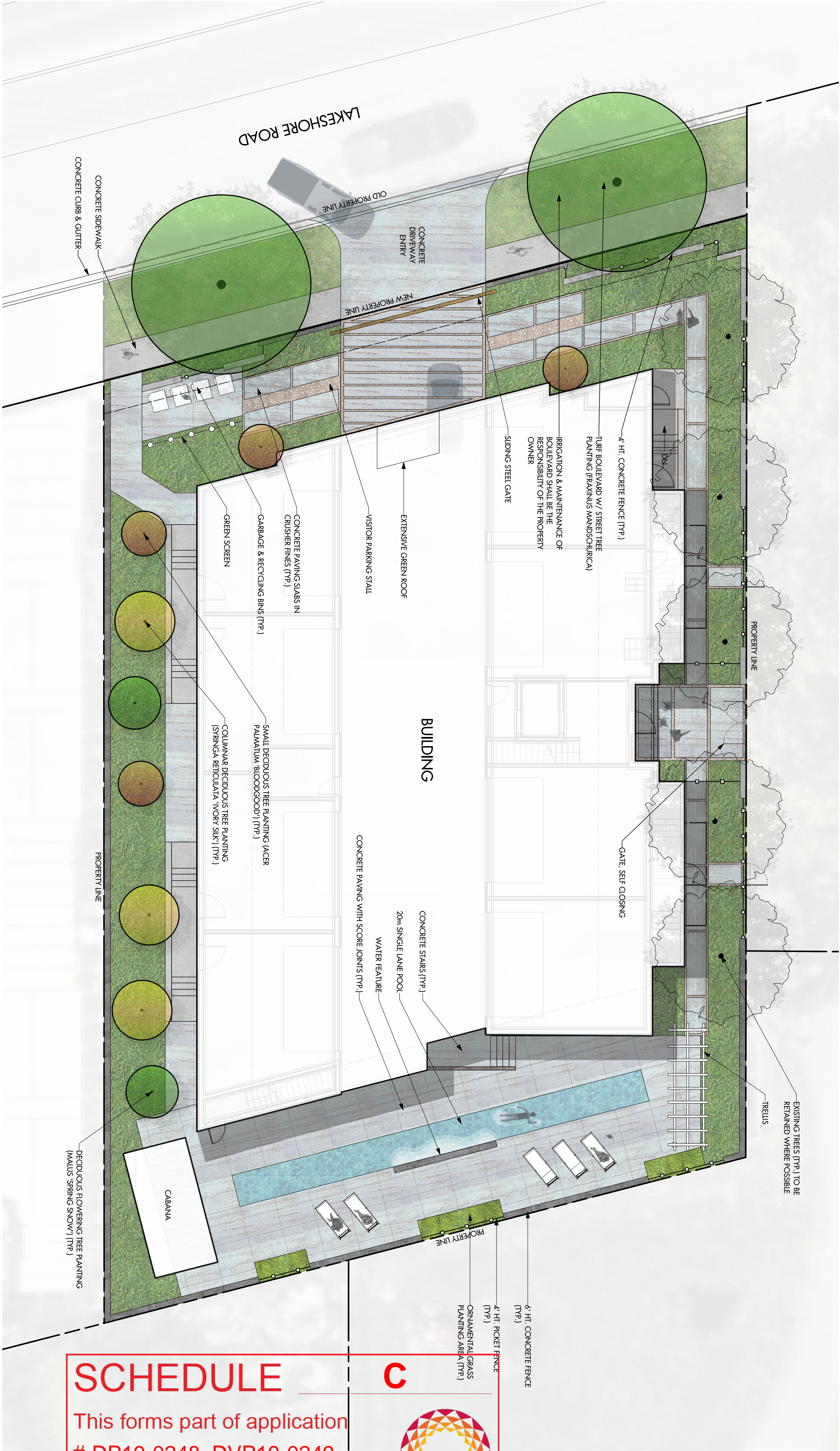
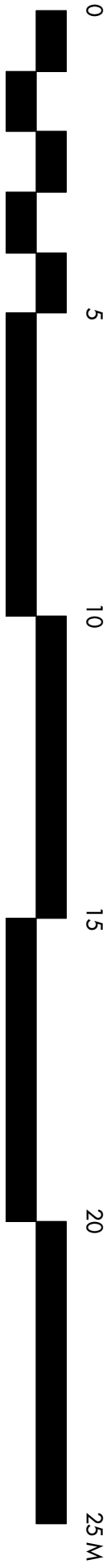
COMMUNITY PLANNING



- MATERIAL/COLOUR LEGEND:
- ENGINEERED FIR DOORS - STAIN STS CLEAR 640325312 (LIGHT, NATURAL WOOD)
 - ACRYLIC STUCCO (MATCH BENJAMIN MOORE "DISTANT GREY")
 - ACCENT WALL AND SOFFITS (ALUCOBOND, "SILVER METALIC")
 - PRECAST CONCRETE (NATURAL CONCRETE)
 - ALUMINIUM WINDOWS (ANODIZED ALUMINIUM, MAIN AND SOUTH FEATURE)
 - VINYL WINDOWS (WHITE)
 - ALUMINIUM/GLASS RAILING SYSTEM
 - INSULATED, EXTERIOR METAL DOOR (PAINTED TO MATCH ALUCOBOND)



REZONE/DVP ADDENDUM NO.3



PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS
TREES			
ACER PALMATUM 'BLOODGOOD'	BLOODGOOD JAPANESE MAPLE	4	6cm CAL.
FRAXINUS MANDSCHURICA	MANCHURIAN ASH	2	6cm CAL.
MALUS SPRING SNOW	SPRING SNOW CRABAPPLE	2	6cm CAL.
STRONGIA RETICULATA 'IVORY SILK'	IVORY SILK TREE LILAC	3	6cm CAL.
SHRUBS, PERENNIALS & GRASSES			
DESCHAMPSIA CESPITOSA 'GOLDEN RAIN'	GOLDEN RAIN TUFTED HAIR GRASS	109	#01 CONT. /0.75M O.C. SPACING
MISCANTHUS SINENSIS 'GOLDEN RAIN'	TALL MOOR GRASS	42	#01 CONT. /1.2M O.C. SPACING
MOJUNA ARUNDINACEA	RED SWITCH GRASS	42	#01 CONT. /1.0M O.C. SPACING
PANICUM VIRGATUM 'ROSTRATUS'	RED HEAD FOUNTAIN GRASS	61	#01 CONT. /1.0M O.C. SPACING
PENNISETUM ALOPECUROIDES 'RED HEAD'	GOLD SWORD YUCCA	44	#01 CONT. /0.6M O.C. SPACING
YUCCA FILAMENTOSA 'GOLD SWORD'			

NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED THE CANADIAN NURSERY LANDSCAPE ASSOCIATION STANDARDS.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TYPED UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm DOUGLAS RED FIR MULCH OR DECORATIVE ROCK MULCH, AS SHOWN IN PLANS. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS IN WOOD MULCH AREAS.
4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
5. TREE AREAS FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 150mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TREE AREAS. TREE AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.

SCHEDULE

This forms part of application
DP19-0248, DVP19-0249

C



City of
Kelowna
COMMUNITY PLANNING

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Initials

AT

PROJECT TITLE

4071 LAKESHORE ROAD

Kelowna, BC

DRAWING TITLE

CONCEPTUAL
LANDSCAPE PLAN

ISSUED FOR / REVISION	
1	19.12.10 DP Submission
2	20.04.14 DP Submission
3	
4	
5	

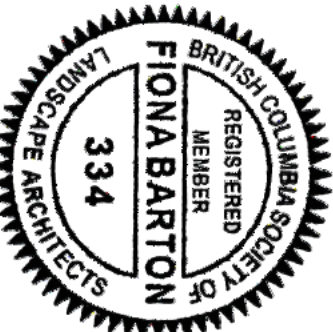
PROJECT NO	19-122
DESIGN BY	FB
DRAWN BY	NG
CHECKED BY	FB
DATE	APR. 14, 2020
SCALE	1:100

S&L



OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

303-590 KLO Road
Kelowna, BC V1Y 7S2
T (250) 868-9270
www.outlanddesign.ca



DRAWING NUMBER

L1/2

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OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

Tuesday, December 10, 2019

4071 Lakeshore Road
C/o Worman Homes
Suite 202, 474 West Avenue
Kelowna, BC V1Y 4Z2
Attn: Shane Worman

SCHEDULE

C

This forms part of application

DP19-0248, DVP19-0249

Planner
Initials

AT



Re: Proposed 4071 Lakeshore Road Development – Preliminary Cost Estimate for Bonding

Dear Shane:

Please be advised of the following preliminary cost estimate for bonding of the proposed landscape works shown in the 4071 Lakeshore Road conceptual landscape plan dated 19.12.10;

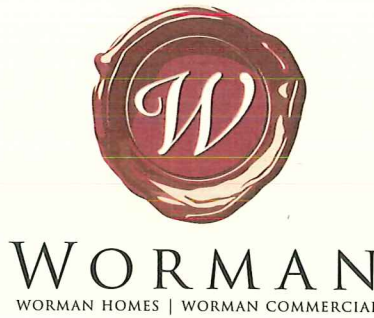
- On-site Improvements: 642 square meters (6910 square feet) = \$60,684.00
- Off-site Improvements: 147 square meters (1582 square feet) = \$12,345.25

This preliminary cost estimate is inclusive of trees, shrubs, turf, mulch, topsoil, hardscape & irrigation.

You will be required to submit a performance bond to the City of Kelowna in the amount of 125% of the preliminary cost estimate. Please do not hesitate to contact me with any questions about the landscape plan.

Best regards,

Fiona Barton, MBCSLA, CSLA
as per
Outland Design Landscape Architecture



ATTACHMENT B

This forms part of application

DP19-0248, DVP19-0249

Planner
Initials

AT



City of
Kelowna
COMMUNITY PLANNING

Dec. 16, 2019

Re: 4071 Lakeshore Drive
Development and Variance Rationale Letter

Dear City Staff and Council,

The attached application for 4071 Lakeshore Road is a 4-storey residential development. The development consists of 8 residential strata units. There are 7 three-bedroom units and 1 two-bedroom unit. Parking is provided just below grade, entered from a center drive aisle. Each unit has large private deck spaces, as well as private 2 car garages large enough to also accommodate storage. The building also has a common pool and a small amenity building at grade located in the rear yard.


The RM5 zone was chosen for this site in order to maximize the density in this infill location. The close proximity to the beach, H2O and Capital News Center, as well as to transit and neighbourhood commercial makes this an ideal site for a denser zone. The proposed layout allows for integration with the trail to the north which accesses the park and linear trail. The decision to add more density was also predicated by the City's recent purchase of the waterfront park across the road.

Our proposal meets most of the requirements under the RM5 zone with two exceptions. The first exception is for the number of storeys. Under the proposed zone we are allowed 4.5 storeys. With the location of this building so close to the lake, the water table is very high which only allows us to drop our parking down about two feet below the existing grade. This means that our parking level is now too far out of the ground to be considered a half storey, so under the strict definition of the zone, we are considered 5 storeys high. Although we are below the maximum height for an RM5 development, we require a "storeys" variance, rather than a height variance.

The second variance is for a small portion of the building which protrudes into the rear yard setback for the first storey and part of the second. This variance is required in order for the stairs to exit the building and still maintain double car garages for each of the 8 units. Within our design, the stairs are in the center of the building between the 2 units on each floor. However, in order to make the driveway work, which also runs down the center of the building, we had to take the stairs outside the building from the 2nd floor down to the main, therefore requiring a small variance.

This application maintains our design philosophy of creative solutions for density on smaller lots and we believe it will be an asset to this area. We look forward to the application's approval.

Sincerely,



Shane Worman
Worman Homes/ Worman Commercial

P. 250.762.0040

F. 250.762.0550

ATTACHMENT C

This forms part of application

DP19-0248, DVP19-0249



City of
Kelowna
COMMUNITY PLANNING

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AT

SEPTEMBER 01, 2PM



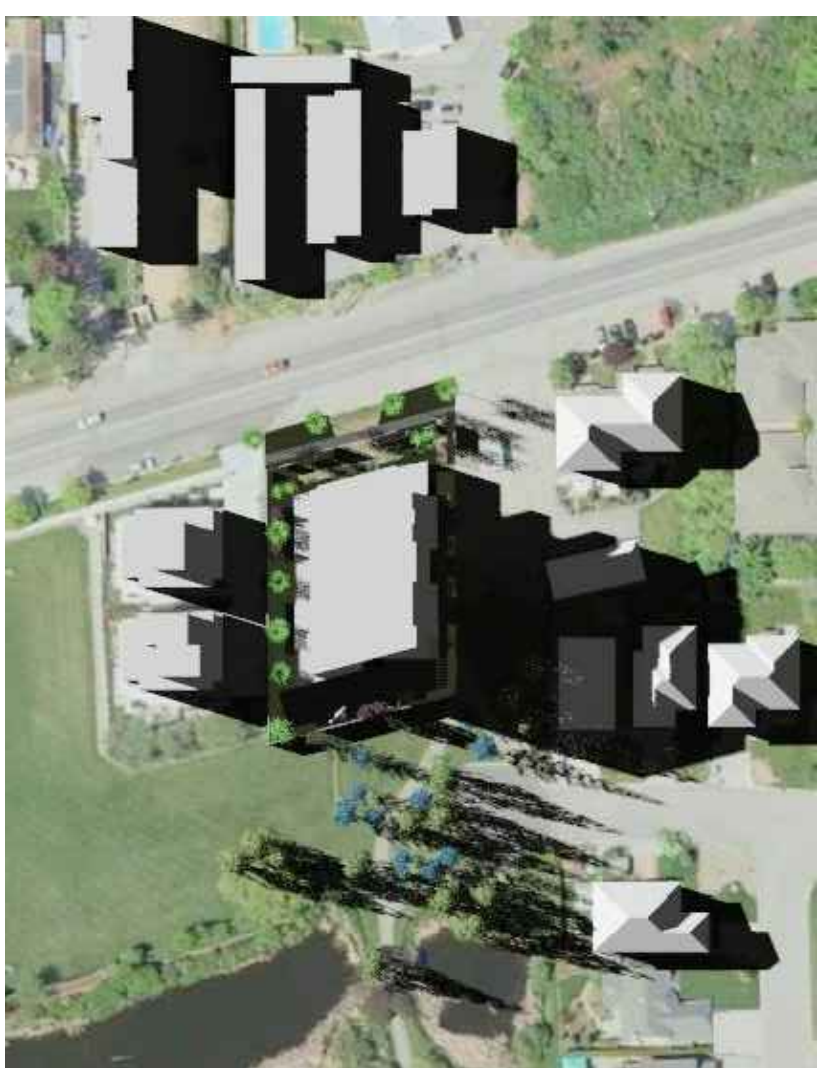
OCTOBER 01, 2PM



NOVEMBER 01, 2PM



DECEMBER 01, 2PM



MAY 01, 2PM



JUNE 01, 2PM



JULY 01, 2PM



AUGUST 01, 2PM



JANUARY 01, 2PM



FEBRUARY 01, 2PM



MARCH 01, 2PM



APRIL 01, 2PM



SHADOW IMPACT MIDDAY

PARTIAL SHADOW IMPACT MIDDAY

FOR INFORMATION ONLY



PHONE: 250-445-7801

2505-1626 Robber Street,
Kelowna, BC V1Y 2M3

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All notes are to execute the work in accordance with the approved drawings, building by-laws and requirements of other local authorities having jurisdiction as well as the British Columbia Building Code. - (most recent edition) including all published revisions and addenda. All notes shall remain the property of LIME Architecture Inc. and shall not be used or reproduced without the written consent of LIME Architecture Inc. Do not scale any dimensions from the drawings.

Revision No., Date and Description
08-25-10 - FOR INFORMATION

Plot Date Drawing No.
25-Aug-20 A-SH-1

PROJECT
4071 LAKESHORE DRIVE
DRAWING TITLE
SHADOW STUDIES

