## Development Permit & Development Variance Permit DP19-0146 / DVP19-0147





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

#### 2257 Speer Street

and legally known as

#### Lot A District Lot 14 ODYD Plan EPP116552

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

HD2 - Hospital and Health Supportive Services

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

<u>Date of Council Decision</u> February 8, 2022

Decision By: Council

<u>Development Permit Area:</u> Form and Character Development Permit Area

Existing Zone: HD2 – Hospital and Health Supportive Services

Future Land Use Designation: C-HTH – Core Area - Health District

#### 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: Speer Street Development LTD., Inc. No. BC1280555

Applicant: Urban Options Planning & Permits

Planner: Andrew Ferguson

Terry Barton	Date	
Development Planning Department Manager		
Development Planning		



#### 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";

<u>Section 17.2.5.1(b): HD2 – Hospital and Health Support Services, Development Regulations</u> To vary the maximum site coverage from 55% permitted to 67.36% proposed.

Section 17.2.5.1(d): HD2 – Hospital and Health Support Services, Development Regulations To vary the front yard setback from 4.5m required to 3.0m proposed.

Section 17.2.5.1(e): HD2 – Hospital and Health Support Services, Development Regulations

To vary the north side yard setback from 4.5m required to 1.5m proposed and south side yard setback from 4.5m required to 1.5m proposed for a 7.6m portion of the side yard.

Section 17.2.5.1(e): HD2 – Hospital and Health Support Services, Development Regulations
To vary the north and south side yard setbacks for portions of the building above 12.0m in height from 6.0m required to 4.4m proposed.

<u>Section 17.2.5.1(f): HD2 – Hospital and Health Support Services, Development Regulations</u> To vary the rear yard setback from 3.0m required to 1.52m proposed.

- 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 \$48,281.90

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

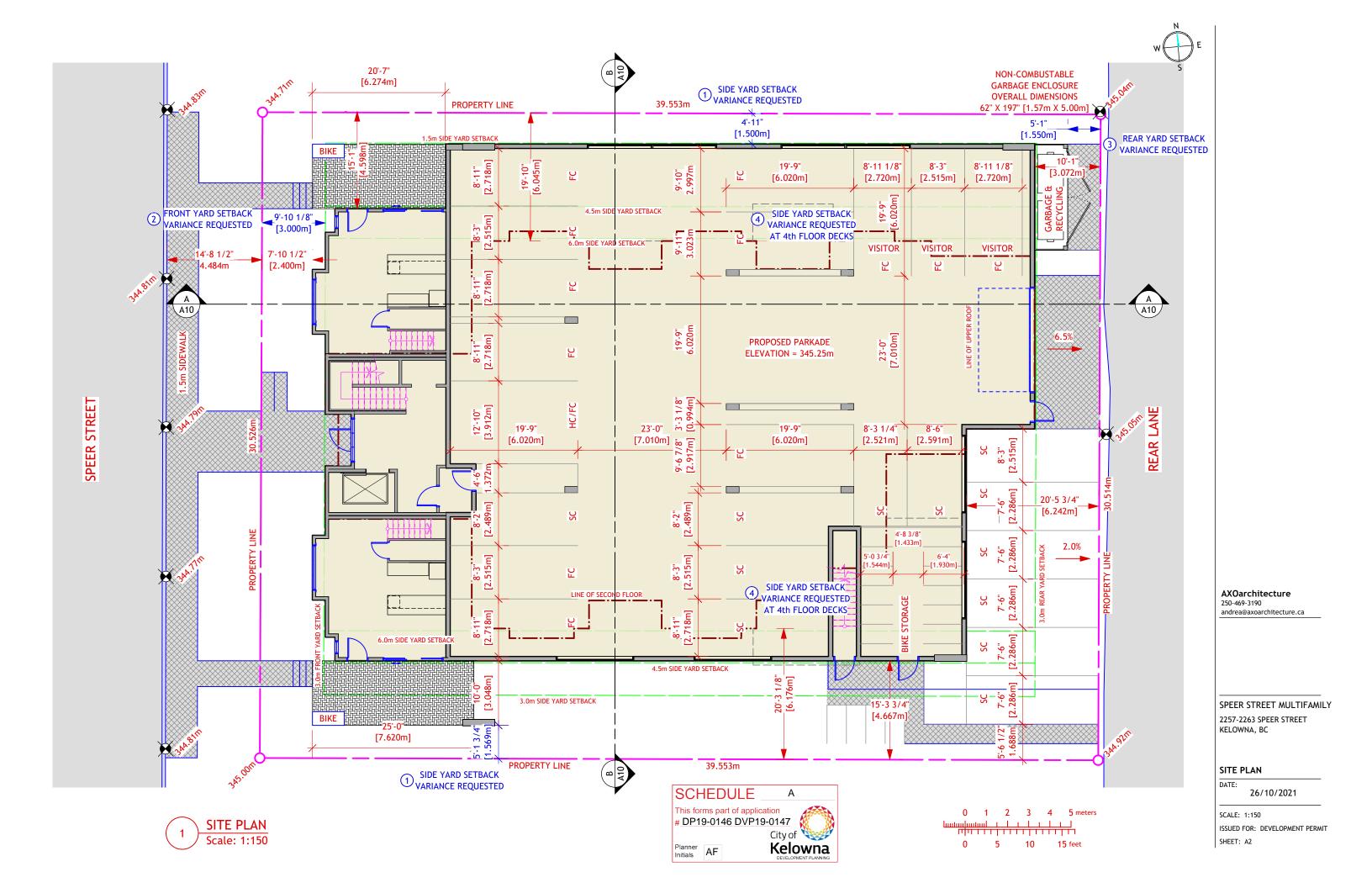
Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

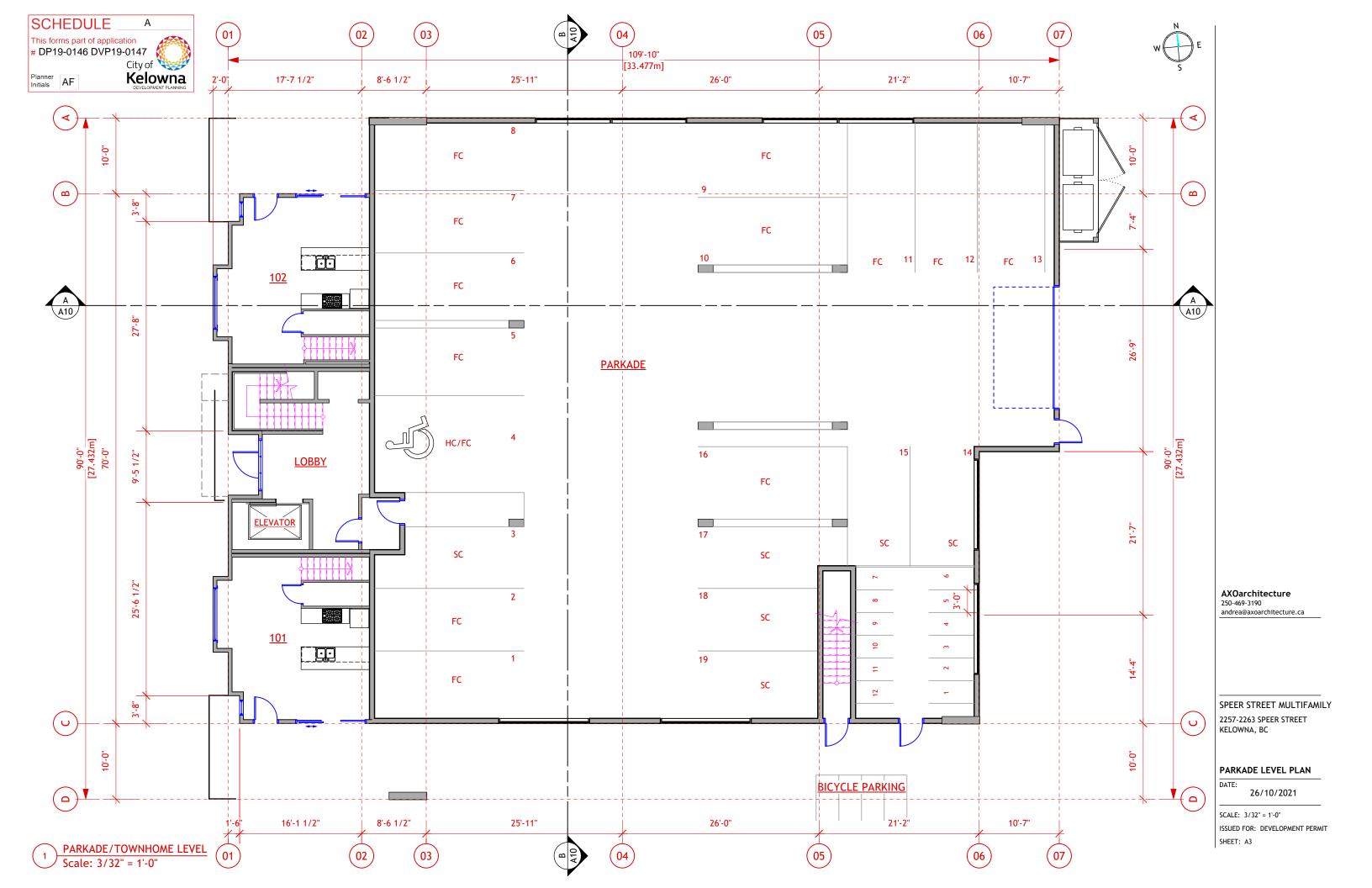
a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

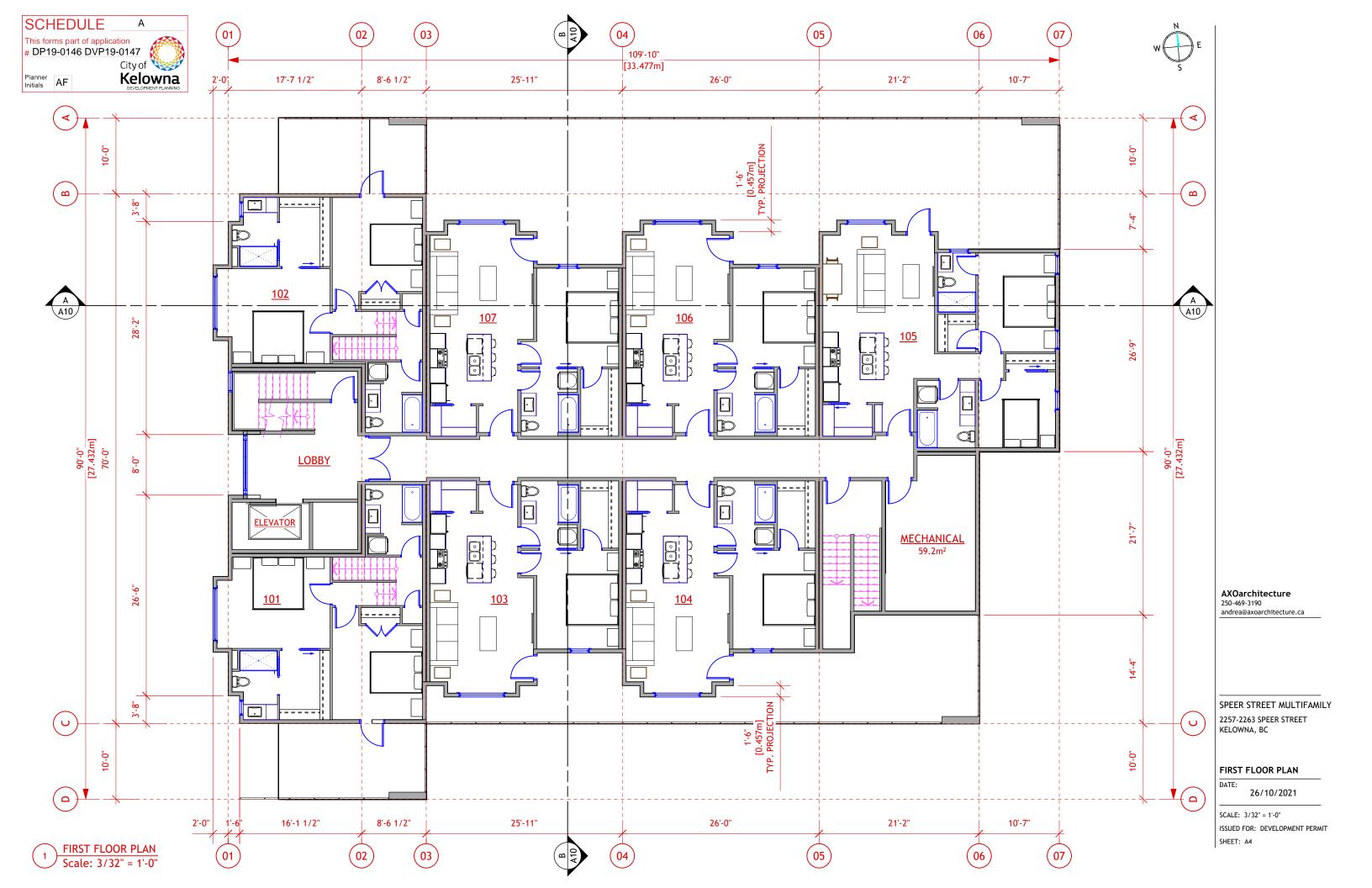
All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly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

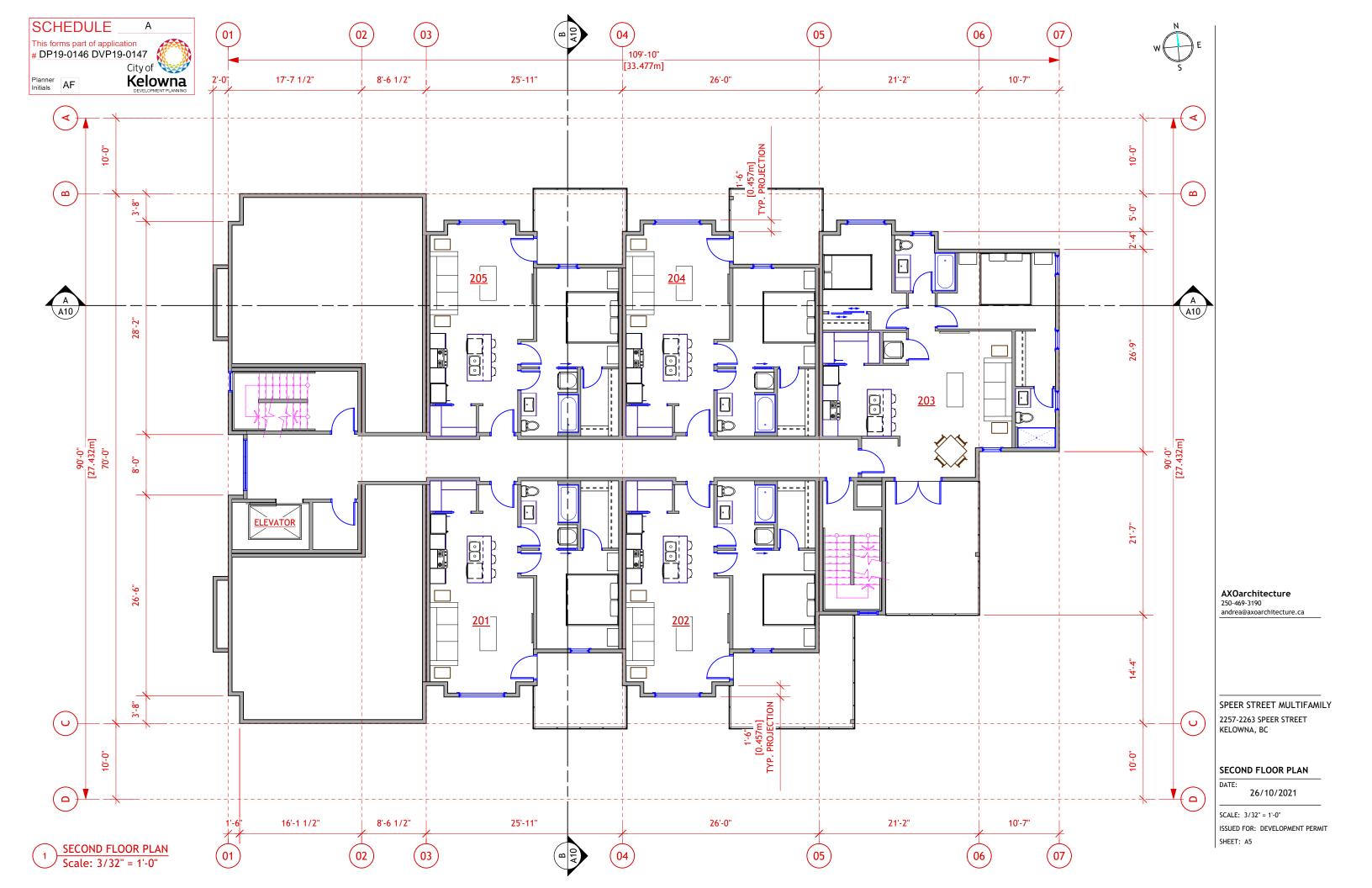
The PERMIT HOLDER is the <u>CURRENT LAND OWNER</u>. Security shall <u>ONLY</u> be returned to the signatory of the Landscape Agreement or their designates.

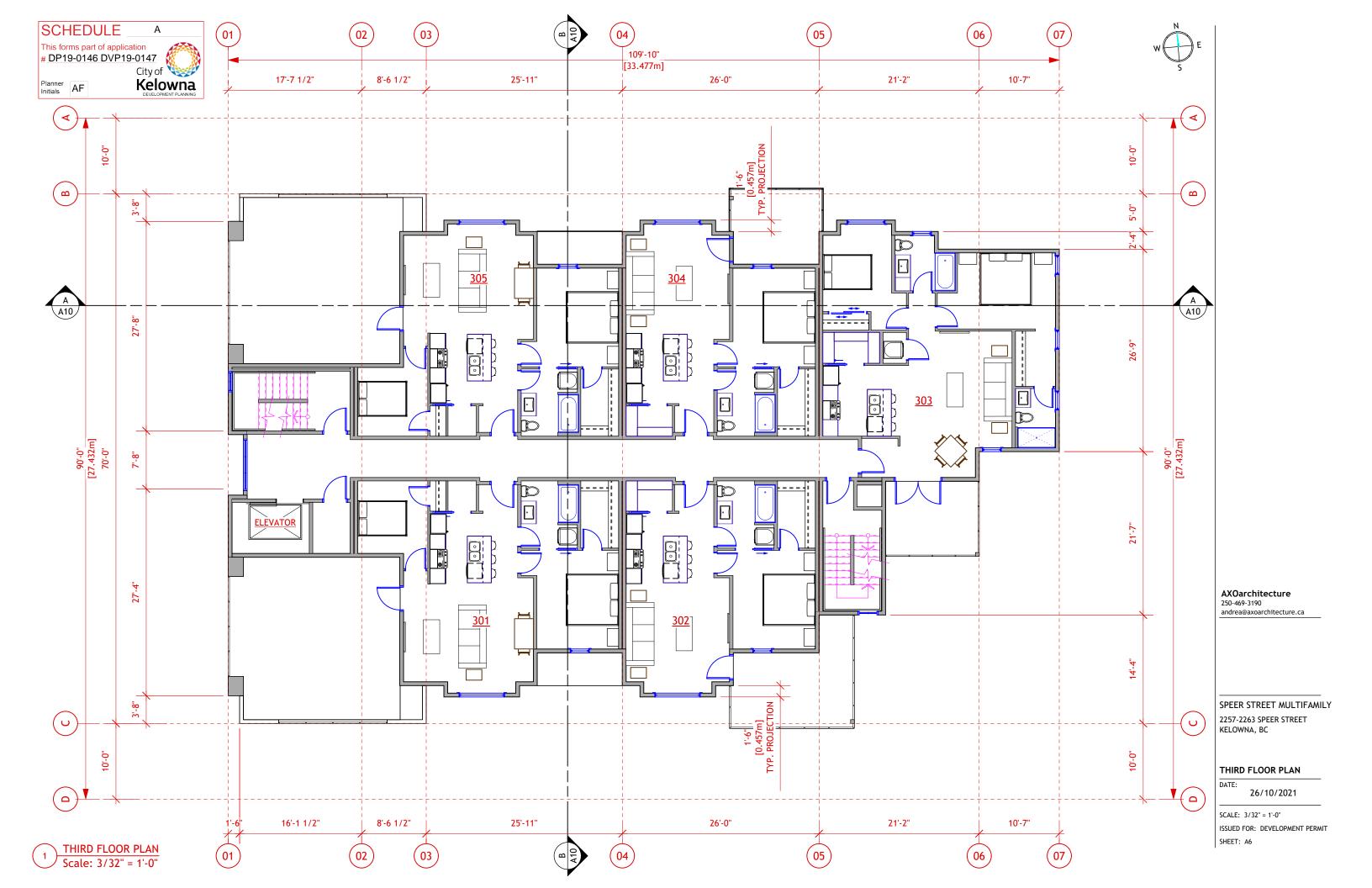


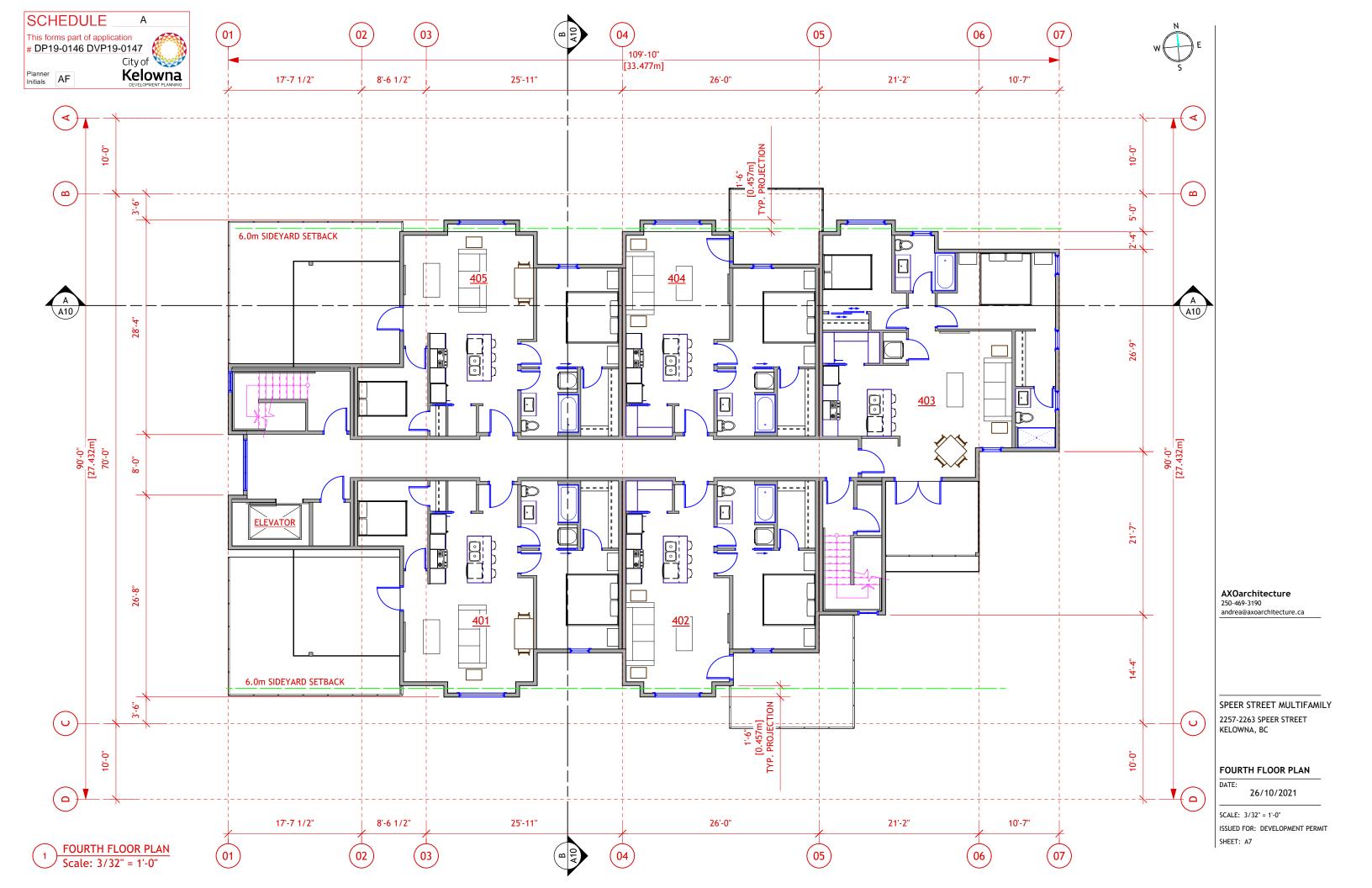














- 1. BRICK HEBRON BRICK SMOKEHOUSE
- 2. HARDIEPANEL ARCTIC WHITE W/ EASY TRIM
- 3. HARDIEPANEL NIGHT GRAY W/ SMART TRIM BATTENS
- 4. HORIZONTAL LAP SIDING CHAMCLAD MODERN WALNUT
- 5. ALUMINUM PICKET RAIL BLACK
- 6. ALUMINUM SOFFIT BLACK
- 7. CONCRETE SEALED
- 8. POWDER COATED ALUMINUM MESH BLACK
- 9. PREFINISHED HORIZONTAL METAL SLATS BLACK

#### \*OR EQUIVALENT





**AXOarchitecture** 

250-469-3190 andrea@axoarchitecture.ca

SPEER STREET MULTIFAMILY 2257-2263 SPEER STREET KELOWNA, BC

#### **ELEVATIONS**

DATE:

26/10/2021

SCALE: 1/16" = 1'-0"

ISSUED FOR: DEVELOPMENT PERMIT

SHEET: A8



#### **NORTH (SIDE) ELEVATION**

- 1. BRICK HEBRON BRICK SMOKEHOUSE
- 2. HARDIEPANEL ARCTIC WHITE W/ EASY TRIM
- 3. HARDIEPANEL NIGHT GRAY W/ SMART TRIM BATTENS
- 4. HORIZONTAL LAP SIDING CHAMCLAD MODERN WALNUT
- 5. ALUMINUM PICKET RAIL BLACK
- 6. ALUMINUM SOFFIT BLACK
- 7. CONCRETE SEALED
- 8. POWDER COATED ALUMINUM MESH BLACK
- 9. PREFINISHED HORIZONTAL METAL SLATS BLACK

#### \*OR EQUIVALENT



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SPEER STREET MULTIFAMILY 2257-2263 SPEER STREET KELOWNA, BC

#### **ELEVATIONS**

DATE:

26/10/2021

SCALE: 1/16" = 1'-0"
ISSUED FOR: DEVELOPMENT PERMIT

SHEET: A9





#### PROJECT INFORMATION

LEGAL DISCRIPTION: LOT 34, PLAN KAP413, D.L. 14, ODYD CIVIC ADDRESS: 2257 & 2263 SPEER STREET, KELOWNA, BC V1Y 2H1 PID: 012-403-008

CURRENT ZONING: RU6 - TWO DWELLING HOUSING PROPOSED ZONING: HD2 - HOSPITAL & HEALTH SUPPORT SERVICES FUTURE LAND USE: HLTH - HEALTH DISTRICT

#### **OWNER INFORMATION**

SPEER STREET DEVELOPMENTS PH 250.212.1770

#### **DRAWING LIST**

#### ARCHITECTURAL DRAWING INDEX

A0	COVER SHEET
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Α4	FIRST FLOOR PLAN
A5	SECOND FLOOR PLAN
A6	THIRD FLOOR PLAN
Α7	FOURTH FLOOR PLAN
A8	ELEVATIONS
Α9	ELEVATIONS
A10	BUILDING SECTIONS
L1	LANDSCAPE PLAN

ARCHITECTURE

AXOarchitecture

#207 - 3030 PANDOSY STREET

KELOWNA, BC V1Y 0C4

PH 250.469.3190

andrea@axoarchitecture.ca

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PH 250.868.9270

CONTACT: NATALIE GAUTHIER natalie@outlanddesign.ca

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259A LAWRENCE AVENUE
KELOWNA, V1Y 6L2
PH 250.763.7322

CONTACT: NEIL DENBY neil@runnallsdenby.com

GEOTECHNICAL
CALIBRE GEOTECHNICAL ENGINEERING LTD
201-1889 SPALL ROAD

KELOWNA, BC V1Y 4R2 PH 250.712.9538

CONTACT: ANDREA VAN NIEKERK CONTACT: ALBERT LOSCH andrea@axoarchitecture.ca calibre@telus.net

URBAN PLANNING CONSULTANT
URBAN OPTIONS PLANNING CORP.
#202-1470 ST. PAUL STREET
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PH 250.575.6707

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DRAFTING CONSULTANT
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PH 250.860.1771

CONTACT:





AXOarchitecture 250-469-3190 andrea@axoarchitecture.ca

1. BRICK - HEBRON BRICK 'SMOKEHOUSE'

2. HARDIE PANEL 'ARTIC WHITE' W/ EASY TRIM

3. HARDIE PANE L'NIGHT GRAY' W/ SMART TRIM BATTENS

4. HORIZONTAL LAP SIDING - CHAMCLAD 'MODERN WALNUT'

5. ALUMINUM PICKET RAILING - BLACK

6. ALUMINUM SOFFIT - BLACK

7. VINYL WINDOWS - BLACK EXTERIOR

\*OR EQUIVALENT APPEARANCE

SPEER STREET MULTIFAMILY 2257-2263 SPEER STREET KELOWNA, BC

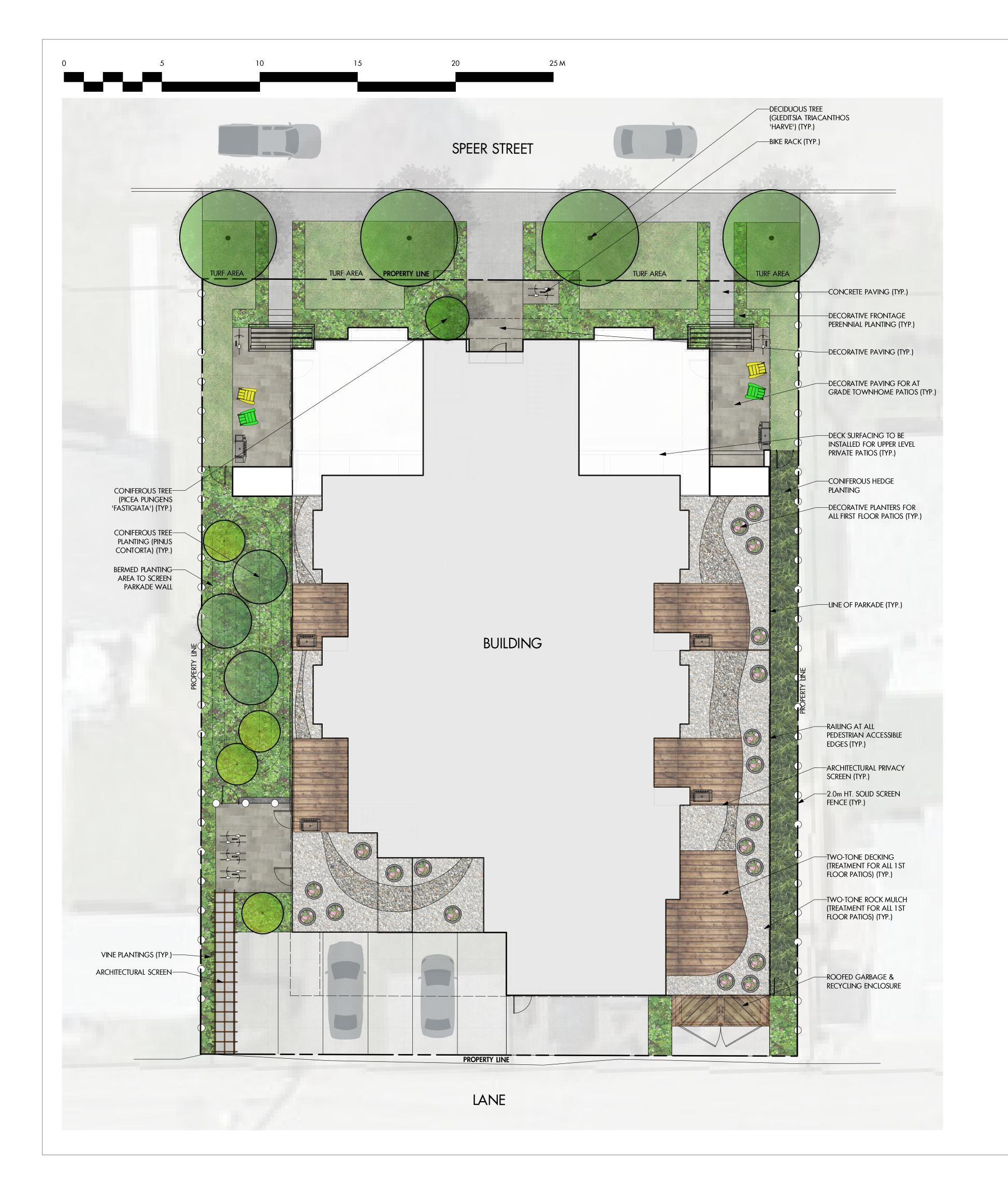
MATERIAL BOARD

DATE:

07/01/2022

ISSUED FOR: DEVELOPMENT PERMIT

SHEET: A12





T (250) 868-9270 www.outlanddesign.ca



#### **NOTES**

- 1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED C.L.N.A. STANDARDS & CITY OF KELOWNA BYLAWS 7900 & 8000.
- 2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
- 3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm WOOD MULCH. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
- 4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
- 5. TURF 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 TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.
- 6. SITE GRADING AND DRAINAGE WILL ENSURE THAT ALL STRUCTURES HAVE POSITIVE DRAINAGE AND THAT NO WATER OR LOOSE IMPEDIMENTS WILL BE DISCHARGED FROM THE LOT ONTO ADJACENT PUBLIC, COMMON, OR PRIVATE PROPERTIES.

BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS
TREES			
GLEDITSIA TRIACANTHOS 'HARVE'	NORTHERN ACCLAIM HONEY LOCUST		6cm CAL.
KOELREUTERIA PANICULATA 'FASTIGIATA'	COLUMNAR GOLDENRAIN TREE	4	6cm CAL.
PICEA PUNGENS 'FASTIGIATA'	COLUMNAR BLUE SPRUCE	1	2.5m HT.
PINUS CONTORTA	LODGEPOLE PINE	3	2.5m HT.
SHRUBS			
BERBERIS THUNBERGI 'GENTRY'	ROYAL BURGUNDY BARBERRY	13	#02 CONT. /1.0m O.C. SPAC
CORNUS STOLONIFERA 'FARROW'	ARCTIC FIRE DOGWOOD	6	#02 CONT. /1.5m O.C. SPAC
ILEX MESERVAE 'BLUE BOY'	BLUE BOY HOLLY	6	#02 CONT. /1.5m O.C. SPAC
ILEX MESERVAE 'BLUE GIRL'	BLUE GIRL HOLLY	6	·
ITEA VIRGINICA 'SCENTLANDIA'	SCENTLANDIA SWEETSPIRE	9	#02 CONT. /1.2m O.C. SPAC
ROSA 'SUNSAY'	SUNSAY ROSE	13	· · · · - · - · ·
SPIRAEA 'GOLDMOUND'	GOLDMOUND SPIREA	9	#02 CONT. /1.2m O.C. SPAC
THUJA OCCIDENTALIS 'SMARAGD'	EMERALD CEDAR	28	#02 CONT. /1.0m O.C. SPAC
PERENNIALS, GRASSES & VINES			
ARRHENATHERUM ELATIUS BULBOSUM 'VARIEGATUM'			#01 CONT. /0.75m O.C. SPA
CATANANCHE CAERULEA 'ALBA'	WHITE CUPID'S DART		#01 CONT. /0.6m O.C. SPAC
CLEMATIS 'DIAMOND BALL'	DIAMOND BALL CLEMATIS	5	·
DIANTHUS GRATIANOPOLITANUS 'FIREWITCH'	FIREWITCH PINKS		#01 CONT. /0.6m O.C. SPAC
HEMEROCALUS 'RUBY STELLA'	RUBY STELLA DAYLILY	7	#01 CONT. /0.9m O.C. SPAC
HEUCHERA 'SILVER SCROLLS'	SILVER SCROLLS CORAL BELLS		#01 CONT. /0.75m O.C. SPA
HOSTA 'FIREWORKS'	FIREWORKS HOSTA	11	#01 CONT. /0.75m O.C. SPA
IRIS PALLIDA 'AUREO VARIEGATA'	GOLDEN VARIEGATED SWEET IRIS	11	#01 CONT. /0.75m O.C. SPA
LEUCATHEMUM SUPERBUM 'SUNNY SIDE UP'	SUNNY SIDE UP SHASTA DAISY	7	#01 CONT. /0.9m O.C. SPAC #01 CONT. /1.2m O.C. SPAC
MISCANTHUS SINENSIS 'HURON SUNRISE'	HURON SUNRISE MAIDEN GRASS		



PROJECT TITLE

### **SPEER STREET**2257-2263 SPEER STREET

Kelowna, BC

DRAWING TITLE

# CONCEPTUAL LANDSCAPE PLAN

ISSL	issued for / revision	
1	19.05.27	Review
2	19.06.04	Development Permit
3	19.06.20	Development Permit
4	21.05.07	Development Permit
5	21.08.20	Development Permit

PROJECT NO	19-046
DESIGN BY	FB
DRAWN BY	NG
CHECKED BY	FB
DATE	AUG. 20, 2021
SCALE	1:100
PAGE SIZE	24"x36"

SEAL



drawing number

1/2

ISSUED FOR REVIEW ONLY

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August 23, 2021



City of Kelowna Community Planning Dept. **Attn. Lydia Korolchuk** 1435 Water Street Kelowna, BC V1Y 1J4

Re: Revised Development Permit/Development Variance Permit application submission for 2257-2263 Speer Street (DP19-0146 / DVP19-0147)

Dear Lydia,

We are pleased to submit the updated Development Permit / Development Variance Permit drawings for the properties addressed 2257 & 2263 Speer Street.

The associated Rezoning Application (Z19-0102) was previously considered by Council at a Public Hearing on February 4, 2020, where the application received 3<sup>rd</sup> reading. This application was extended for an additional 12 months, set to lapse on February 4, 2022.

The subject properties and associated development applications have now been transferred to a new development group, who are able to move ahead to complete this application. The general form and character of this project will remain the same as the original application package. However, the new ownership group have made some changes to the proposed building and require 3 additional variances.

One of the requirements for final adoption was a geotechnical report to confirm that the parkade could be built as originally designed. It was designed to be set partially below grade to take advantage of the 1.5m setback rule for parking structures that are less than 2.0m above grade in the HD2 zone. However, this has proven to be impractical after reviewing the in-depth geotechnical report. The report confirms that the ground water elevation is higher than was originally anticipated. Owing to this discovery, it has been necessary to raise the parking structure to now be constructed at grade. The biggest impact to the overall design is the 4.5m side yard setback requirement from the property line.

The new ownership group decided to reconfigure the building program which also impacts the overall form. The original application proposed 24 dwelling units (3-2 bedroom & 21-1 bedroom), where the revised proposal is now 22 units. The revised unit yield is now 10-2 bedroom units and 12-1 bedroom units. 2 townhouse units are located adjacent to the Speer Street frontage that have direct access to the street and have the potential to function as live – work units,



the same as the original submission. The reduction of 2 units has allowed the for a smaller parkade structure.

In order to assist you with review and comparison, below is a summary in the form of a table to outline the drawing revisions;

SUMMARY COMPARIS	ON TABLE			
General Development Regulations:				
	Original Submission	Revised Submission		
Unit Yield	21 – 1 bedroom units	12 – 1 bedroom units		
	3 – 2 bedroom units	10 – 2 bedroom units		
	Total 24 units	Total 22 units		
Density	Floor area – 1,534.76m <sup>2</sup>	Floor area – 1,545.6m <sup>2</sup>		
	FAR = 1.27	FAR = 1.28		
Site Coverage	Parkade 69.8%	Parkade 67.36% (1)		
	Building 50.73%	Building 47.77%		
Building height	15.7m	16.4m		
Building Setbacks:				
Front yard	2.4m to projection	2.4m to projection		
	3.0m to building	3.0m to building ②		
North Side yard	1.5m to parkade	1.5m to parkade 3		
		4.4m to deck above 12.0m height 4		
South Side yard	1.5m to parkade	1.5m to deck 3		
		4.5m to parkade		
		4.4m to deck above 12.0m height 4		
Rear Yard	1.5m to parkade	1.52m to garbage enclosure 5		
		3.0m to parkade		

The revised submission tracks the following variances;

- ① Vary Section 17.2.5.1.(b) site coverage from max. 55% to 67.36% proposed
- 2 Vary Section 17.2.5.1.(d) front yard setback from 4.5m required to 3.00m proposed
- 3 Vary Section 17.2.5.1.(e) north side yard setback from 4.5m required to 1.5m proposed and south side yard setback from 4.5m required to 1.5m for a 7.5m portion of the site yard to allow for a covered deck
- 4 Vary Section 17.2.5.1.(e) north and south side yard setback for portions of the building above 12m in elevation from 6.0m required to 4.4m proposed
- Solution 17.2.5.1.(f) rear yard setback from 3.0m required to 1.52m proposed to accommodate a 5.3m wide garbage enclosure

#### Variance details:

The first additional variance triggered for site coverage is the result of the parkade structure no longer being less than 2.0m above grade and is therefore not exempt from site coverage. The variance request is for an additional site coverage of only 148m<sup>2</sup>. It is felt that this is minor due to

the reconfiguration of the building to include more 2-bedroom units, which are ample in size at just shy of 83m<sup>2</sup> (900sq.ft.). It is noteworthy that the 1-bedroom units are approximately 63m<sup>2</sup> (678sq.ft.).

The second new variance is for the north and south side yard setback. For the north side yard, a reduction from 4.5m to 1.5m is sought. Although much of the building has been reconfigured due to the higher parkade, it was not possible to provide the project without varying this side yard. As in many other locations in Kelowna, the water table is very high and it is cost prohibitive to submerge the entire parkade with a result that it is almost completely out of the ground. The property owners to the north support the variance.

For the south side yard variance to from 4.5m to 1.5m is sought for the 7.5m portion of a covered deck located at the front of the building. A similar deck is planned for the north side of the building, and it was felt that removing this deck would unbalance the symmetry of the building. Further, the deck is covered to ensure that it is usable in the summer due to its southern exposure. All the other decks on this side of the building are partially covered to allow for outdoor usage in all seasons.

The third new variance is sought to vary the north and south side yards above 12.0m in height. Regulation under the HD2 zone states that any structure must be setback 6.0m when greater than 12.0m in elevation. The reason for this variance is to allow for the building to remain linear in height while maintaining a reasonable balcony sizes on the 4<sup>th</sup> storey. Again, raising the parkade because of the water table effected this variance. Since this variance only applies to the 4<sup>th</sup> storey, we do not anticipate a negative impact on the surrounding neighbourhood.

The original application sought a variance to the front and rear yards. These are still sought with the following changes. The reason for the rear yard variance is no longer due to access to the parkade. The garbage enclosure is attached to the main structure and a reduction to 1.52m is requested for this 5.3m portion. Although the garbage could be relocated within the parking structure to avoid a variance, it would reduce the large bike storage area. It is felt that bike storage has higher importance due to the easy connectivity through multi-modal pathways.

Finally, a front yard setback variance remains at 3.0m. By locating the building closer to the street, we can ensure that there is a positive pedestrian interaction with the building and provide surface parking off the laneway for vehicles which may not be as maneuverable in the parkade. There is quite a distance between the property line and the curb increasing the effective front yard setback. In addition, there are two established mature trees within the city boulevard that work to give scale to the building.

The proposed submission meets many of the design guideline provisions of the Official Community Plan.

1. 1.4 Incorporate materials that relate to the character of the region and the context of the surrounding neighbourhood. Care was taken to ensure design ques from the Dr. Walter Anderson Building and other buildings proposed within the hospital precinct were incorporated in the design. The exterior palette incorporates some timeless materials

including red brick, hardi-panel with battens, metal louvres and warm wood hardi-board elements. These imitate colours are found in the region's natural and cultural landscape.

- 2. 3.2 Promote interesting, pedestrian friendly streetscape design and pedestrian linkages and develop visual and physical connections between the public street and private buildings. The front door is highlighted through architectural details. The placement of a large tree further works to clearly define the entrance. The entrance feature is flanked by ground level windows and terraces for the townhouses at the edge of the building. The entrance is further enhanced with a small seating area and interesting vegetation. These features contribute to an approachable, pedestrian-friendly experience.
- 3. 4.2 Ensure developments are sensitive to and compatible with the massing of the established and/or future streetscape. As this is the first project of this kind in the immediate area apart from the hospital, sensitive integration is challenging. The proposed building meets the zoning regulations to ensure that it is compatible with future development in the area. The massing is mitigated using a variety of window shapes and forms as well as the stepping in of the upper floors to reduce visual impact.

#### A few items of note:

- the walkability score of 66 is somewhat walkable which indicates some errands can be accomplished on foot;
- located close to both pedestrian and bicycle transportation networks;
- located close to Cameron and Strathcona park;
- good use of the land replacing 2 dwellings with 24 residential units; and
- easy access to 3 different bus routes that link to Downtown, UBCO, Okanagan College and other locations.

We believe that this project is a good fit for the property and the neighbourhood. The townhouse units facing Speer Street have the potential to be used as live – work units and have direct access to the street. Through the use of good contemporary design, integrated landscaping, and the use of quality finish materials, this proposal will meet OCP objectives for the area. Further, the resulting development will provide positive infill and will contribute to additional housing stock in a very desirable area of Kelowna. We look forward to hearing your comments and feedback on the project. Should you have any questions please call me at 250.575.6707.

Regards,

Birte Decloux, RPP MCIP Urban Options Planning Corp. on behalf of the Speer Street Developments Ltd.