Development Permit & Development Variance Permit DP22-0079 / DVP22-0080



This permit relates to land in the City of Kelowna municipally known as 289 Queensway

and legally known as Lot 1 District Lot 139 ODYD Plan EPP77920

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

C7lp – Central Business Commercial (Liquor Primary)



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

Date of Council Decision	September 20 th , 2022
Decision By:	COUNCIL
Development Permit Area:	Form and Character Development Permit Area
Existing Zone:	C7lp – Central Business Commercial (Liquor Primary)
Future Land Use Designation:	UC – Urban Centre

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: 1324632 Alberta Inc., Inc.No. A72431

Applicant: Westcorp Development Management Inc.

Terry Barton

Date of Issuance

Development Planning Department Manager Planning & Development Services

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) That variances to the following section of the Zoning Bylaw No. 8000 be granted in accordance with Schedule "A" and "B": <u>Section 14.7.5(a): C7 - Central Business Commercial, Development Regulations</u>

To vary the maximum allowable height from 26 storeys / 76.5m to 33 storeys / 131.0m proposed.

Section 14.7.5(h)i: C7 - Central Business Commercial, Development Regulations

To vary the setback for the north and east side of the building above 16.0m or 4 storeys from 3.0m required to 0.0m proposed

Section 14.7.5(h)ii(a): C7 - Central Business Commercial, Development Regulations

To vary the maximum floor plate size above 4 storeys from 750m² permitted to 2,912m² proposed for the podium and 750m² for the tower.

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

3. 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.

ATTACHMENT	А
This forms part of applicatio	n 👘
# DP22-0079 / DVP22-0 C	0080 (1000) ity of
Planner Initials TC	Celowna DEVELOPMENT PLANNING





2022-08-25







02. View looking toward site from Mill St and Bernard Ave.



04. View looking toward site from Marina.



03. View looking toward site from Queensway and Mill St.



05. View looking toward site from Stuart Park.



06. View looking toward site from Queensway and Water St.





07. View looking toward site looking down from Queensway.



08. View 06 close-up.





Project 1864 Downtown Hotel Kelowna Kelowna, BC **Plan** Context Photos
 Date
 Scale
 A1

 MAR 14, 2022

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DP A-0.04







PARKADE ACCESS

ACCESS 1 1 1

NATURAL | LIREAN



maximized outdoor areas harmonic relationship to city - tower -nature Expansive terraced common areas

> >In order to create opportunities for more outdoor experiences with strong connections to the lake on the lower levels of the hotel , the structure slopes back from the lake with a series of stepped terraces. These terraces become a soft transition in the massing along the lake front and create intensified public activities on these various terraces.

> >The introduction of sky lounge /restaurant level will give the public a unique dining experience with panoramic views of the lake . This experience is enhanced with extra ceiling height and grand expanses of glass.

> >The large useable individual outdoor terraces are a key feature in affording everyone a quality outdoor experience on every level with unobstructed views . Each floor slab is wrapped with extra isulation to meet the National Energy Code. Otherwise the terraces would be much smaller and the outdoor living experience greatly diminished.

> >Each level has gracious height to create more open and grand interior spaces with a greater connection to the outdoors and the lake.

NATURAL ORGANIC CITY -NATURAL | UREAN



Architects



TERRACES

NO REVISION



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Project 1864

Downtown Hotel Kelowna Kelowna, BC

Plan Concept Design Date Scale A1 MAR 14, 2022 -































2022 03 24















2022 03 24













Downtown Hotel Kelowna Kelowna, BC

Shadow Analysis

MAR 14, 2022 -



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2022 03 24



	BUILDING HEIGHT
⁴	MECH. (29.22 m
	SERVICE MEZZ 26.22 m
	33-MECH./PH. (22.39 m
	LEVEL 32-PH. 17.45 m
	LEVEL 31
	LEVEL 30 07.57 m
	LEVEL 29 (03.92 m)
	<u>LEVEL 28</u> 100.27 m
	<u>LEVEL 27 /96.62 m</u>
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	LEVEL 23 82.02 m
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	LEVEL 19-24 71.07 m
	LEVEL 19 67.42 m
	LEVEL 18 _62.13 m
	LEVEL 17 58.83 m
	LEVEL 16 55.53 m
	LEVEL 14 48.93 m
	LEVEL 13 45.63 m
	LEVEL 12 42.33 m
	LEVEL 11 39.03 m
	LEVEL 10 35.73 m
	LEVEL 09 32.43 m
	LEVEL 08 29.13 m
	LEVEL 07 (25.83 m)
	LEVEL 06 18.78 m
	LEVEL 05 (15,13 m)
	LEVEL 04 /11.48 m
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2022-06-24

	BUILDING HEIGHT	
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1 DP-East Elevation 1-300 1 : 300

2 DP-West Elevation 1-300 1:300





2022 03 24



Cladding system
 Reference image
 Manufactured cladding



Wood veneer ceiling panels
 Dark gray aluminum profiles for outdoor sliding doors and windows
 Double Low-E clear glazing

- Transparent glass panels handrail





Project 1864

Downtown Hotel Kelowna Kelowna, BC

Plan Material Board Date MAR 14, 2022

Scale A1 .



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A-4.02



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Project 1864 Downtown Hotel Kelowna Kelowna, BC Plan View from Okanagan Bridge Date Scale A1 MAR 14, 2022 -



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Project 1864 Architects

Downtown Hotel Kelowna Kelowna, BC

Plan View from Kerry Park Date Scale A1 MAR 14, 2022 -













Project 1864 Architects Downtown Hotel Kelowna Kelowna, BC **Plan** View toward the Hotel Lobby Date Scale A1 MAR 14, 2022 -









VIEW FROM QUEENSWAY & WATER STREET

MAR 14, 2022

289 Queensway Ave Kelowna, B.C. V1Y 8E6

No

3-15 5:14:58

Westcorp



DP A-3.11







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		33-MECH./PH22.39 m	DEVELOPMENT REGULATIONS, SECTION (a): "THE MAXIMUM ALLOWABLE HEIGHT SHALL BE IN ACCORDANCE WITH THE CT. MAXIMUM ALLOWABLE
Ama * (Jan		LEVEL 32-PH. (17.45 m	HEIGHT SHALL BE IN ACCORDANCE WITH THE CF MAP A DOWNTOWN HEIGHT PLAN - 76.5 m, OR APPROXIMATELY 26 STOREYS
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in many second		LEVEL 30 07.57 m	-PROPOSED BUILDING HEIGHT VARIANCE:
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		LEVEL 28 00.27 m	
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 	MECH. (29.22 m	14.7.5 Development Regu	lations		
SERVIC	26.22 m		o		
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	1.32-PH (17.45 m +117.45 m	· · · · · · · · · · · · · · · · · · ·			
		 (a) 750m² for residential (b) 850 m² for hotel use 	use.		
	EVEL 31 (12.51 m)	(0) 050	53		
	EVEL 30 07.57 m				
	EVEL 29 03.92 m	Areas representing e	ncroachment into floorpla	te restriction	
	EVEL 28 00.27 m	Typical Hotel Floor	Plates are 916.69 m ²		
	EVEL 27 96.62 m	 Residential Tower I 	Floor Plates Ranges from	599.15 m ² to 914.52	2 m ²
	EVEL 26 92.97 m				
	EL 25-31 89.32 m				
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289 QUEENSWAY AVENUE KELOWNA, B.C. V1Y 8E6

Plan LANDSCAPE PLAN

Date Scale MAR 14, 2022 1:300

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Westcorp



289 QUEENSWAY AVENUE KELOWNA, B.C. V1Y 8E6

LANDSCAPE PLAN



289 QUEENSWAY KELOWNA, B.C. V1Y 8E6

CITY OF KELOWNA

MEMORANDUM

Date: March 25, 2022

File No.: DP22-0079

To: Community Planning (TC)

From: Development Engineer Manager (NC)

Subject: 289 Queensway

The Development Engineering comments and requirements regarding this Development Permit Application for the form and character of a 33-storey mixed-use building application are as follows:

1. <u>General.</u>

- a) All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z14-0006 and are still outstanding. Servicing Agreement has been executed but will require updating prior to Building Permit issuance.
- b) All License of Occupation agreement will need to be executed between the City of Kelowna and the Property Owner prior to Building Permit issuance.
- c) A Maintenance agreement for works within Queensway ROW will need to be executed between the City of Kelowna and the Property Owner prior to Building Permit issuance.

Nelson Chapman, P.Eng. Development Engineering Manager



RO

FORM & CHARACTER - DEVELOPMENT PERMIT GUIDELINES

Consideration has been given to the following guidelines as identified in Chapter 18 of the City of Kelowna 2040 Official Community Plan:

RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE		1	2	3	4	5
(1 is least complying & 5 is highly complying)						
CHAPTER 5.0: High-Rise & Residential & Mixed Use	ATTA	CHME	NT_C			
5.1 Guidelines	This form # DP22-	s part of app -0079 DVP	22-0080			
5.1.1 Relationship to the Street	Planner Initials	ГС	Kelo	wna		
Design podiums to have transparent frontages to promote 'eyes on the						\checkmark
street', using strategies such as:						
Having continuous commercial and retail uses with windows						
and primary entrances facing the street; and						
Having ground-oriented residential units with windows and						
primary entrances facing the street.						
Locate private, indoor amenity facilities such as bicycle storage along						\checkmark
secondary street frontages as opposed to primary street frontages.						
Blank walls over 5 m in length along a commercial frontage are strongly						~
discouraged and should be avoided.						
Building Address and Access		r –	r –			
Use architectural and landscape features to create well-defined, clearly						v
Additionally						
Additionally:						
 Differentiate between residential and commercial entrances; Design lebby entry ways to ansure they are well defined and 						
 Design lobby entryways to ensure they are well-defined and visually emphasized in the facade. 						
For retail frontages, provide small format retail storefronts						
with frequent entrances and a minimum denth of 10 m; and						
Locate main building entries close to transit stops						
Cidewalk Interface						
Sidewalk Interface		1	1			1
follows:						•
 Frontage zone next to the building that may include natios 						
• From age zone flexit to the boliding that may include patios,						
 Pedestrian zone that accommodates pedestrians walking along 						
the sidewalk:						
 Furnishing / planting zone that provides space for street trees. 						
landscaping, seating and lighting; and						
Edge zone that provides a buffer from moving bicvcles and						
vehicles.						
Provide a generous sidewalk width and space for streetscape amenities				\checkmark		
such as street trees, benches & patios.						
5.1.2 Scale and Massing						
Podium						

RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE	N/A	1	2	3	4	5
(1 is least complying & 5 is highly complying)						
Provide a minimum first floor height of 4.5 metres, measured from		~				
Provide a minimum podium beight of a storeys and a maximum podium		\checkmark				
height of 4 storeys, and ensure that the total podium height does not						
exceed 80% of the adjacent street right-of-way width.						
When adjacent sites are lower in height and are not anticipated to			✓			
change, provide a transition in the podium height down to the lower-						
scale neighbours.						
When adjacent sites include heritage buildings, design the						
scale and height of the podium to align with the heritage						
building height.						
Tower Middle				-		
Orient towers in a north/south direction						\checkmark
A maximum of four towers should be located within an individual block,						\checkmark
with a staggered tower spacing.						
5.1.3 Site Planning		1	1		1	
Building Placement						
Site podiums parallel to the street and extend the podium along the						✓
edges of streets, parks, and open space to establish a consistent street						
wall.						
Site towers to be setback from the street wall and closer to the lane.				✓		
Greater setbacks can be provided at strategic points or along the entire				✓		
frontage for increased architectural interest and improved pedestrian						
experience, for example to provide space for tree planting, wider						
sidewalks, plazas, and other open spaces.						
Greater selbacks can be provided along retail streets in order to			Ť			
Wherever possible, retain existing landscaped streetscapes by providing			v			
generous setbacks for trees and plantings.						
Building Separation						
Maintain a minimum spacing distance of 25 m between towers,						\checkmark
measured from the exterior wall of the buildings, excluding balconies.						
Place towers away from streets, parks, open space, and neighbouring		\checkmark				
properties to reduce visual and physical impacts of the tower.						
Fit and Transition						
Promote fit and transition in scale between tall buildings and lower-		\checkmark				
scaled buildings, parks, and open spaces by applying angular planes,						
minimum norizontal separation distances, and other strategies such as huilding setbacks and stepbacks to limit shadow and visual impacts						
Domaing Seconders and Steppacks to inflit shadow and visual impacts.						
Solar Access						

RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE	N/A	1	2	3	4	5
(1 is least complying & 5 is highly complying)						
Orient buildings to maximize solar access to adjacent streets and public		√				
spaces, while also considering optimizing for solar orientation to improve						
energy performance and occupant comfort (see 2.2.1). Strategies for						
minimizing impact on solar access include:						
 Limiting the scale and neight of the podium; Designing clonder towers with generous separation distances 						
 Designing stender towers with generous separation distances; Vanving the beight of towers on sites with multiple towers, and 						
 Varying the height of towers on sites with moltiple towers; and Locating towers on site to minimize shadowing adjacent 						
• Locating towers on site to minimize shadowing adjacent						
Views from the Public Bealm						
Site buildings to create, frame, or extend views from the public realm to						~
important natural and human-made features (e.g., to Okanagan Lake) by						
Using strategies such as varying setbacks to protect important views.						
5.1.4 Site Servicing, Access, and Parking						
Wherever possible, provide access to site servicing and parking at the						✓
rear of the building or along a secondary street. Through-lanes are						
encouraged to minimize the need for vehicle turnarounds on site.						
When parking cannot be located underground due to the high water					\checkmark	
table and is to be provided above ground, screen the parking structure						
from public view as follows:						
On portions of the building that front a retail or main street, line						
the above ground parking with active retail frontage;						
On portions of the building that front onto non-retail streets, line						
the above ground parking with an active residential frontage,						
Such as ground oriented townhouse units;						
 When active frontages are not able to be accommodated, screen 						
parking structures by using architectural or landscaped screening						
elements; On corner sites, screen the parking structure from public view						
On contensites, screen the parking structure from public view on both fronting structs using the appropriate strategy listed						
above						
An additional acceptable strategy for mitigating visual impacts from		✓				
above ground parking is to create a setback between the ground floor						
and upper storeys of the podium that can accommodate significant soil						
volumes for planting trees and other landscaping to screen the parking						
structure.						
Public art can also be used to mitigate visual impacts from blanks						
walls on upper storey podium levels.						
ivinimize the visual impact of garage doors, parking entrances and						×
service openings on the public realm by using strategies such as						
recessing, screening, and size minimization.						
Avoid split level, raised or sunken parkade entrances.						



RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE	N/A	1	2	3	4	5
(1 is least complying & 5 is highly complying)						
Locate drop-off areas into the side or rear of the site and provide			\checkmark			
pedestrian access to the street frontage.						
Provide clearly visible pedestrian access to and from parking areas.						\checkmark
5.1.5 Publicly-Accessible and Private Open Spaces						
Publicly Accessible Open Spaces						
Wherever possible, include publicly accessible open space on-site, such			\checkmark			
as hard or soft landscaped setbacks, plazas, courtyards, and mid-block						
pedestrian connections.						
Define and animate the edges of open spaces with well proportioned						\checkmark
podiums and active uses at-grade.						
Locate and design publicly accessible open space to:						\checkmark
Be directly accessible from the fronting public sidewalk:						
Maximize access to sunlight and encourage year-round use						
through the use of landscaning, seating, and weather protection.						
Where possible complement and connect with publicly						
accessible open space on neighbouring properties: and						
Maximize safety, comfort, amenity, and accessibility						
On language state was much link a second bla second accessionity.						
On larger sites, use publicly accessible open space to provide through-						ř
block pedestrian connections.						
where provided, tailor furniture elements as appropriate to encourage a				ľ		
range of seating and gathering opportunities, including both fixed and						
Unfixed seating to allow for flexibility of use.						
Private Open Spaces		<u> </u>				
private courtwards, private gardens, and accessible green reafs						ř
private courtyards, private gardens, and accessible green roots.						
Locate private patios and gardens to minimize overlook from				~		
Locate and design shared private outdoor amenity space to:						\checkmark
Maximize access to sunlight:						
 Minimize access to somight, Minimize noise, smell and/or visual impacts from site servicing or 						
mechanical equipment: and						
 Provide secting lighting trees shade structures and weather 						
• Provide seating, lighting, trees, shade structures, and weather						
For shared roottop amenity spaces (e.g., on the top of the podium					V	
parkade), ensure a balance of amenity and privacy by:						
Limiting sight lines from overlooking residential units to outdoor						
amenity space areas through the use of pergolas or covered						
areas where privacy is desired; and						
Controlling sight lines from the outdoor amenity space into						
adjacent or nearby residential units by using fencing,						
landscaping, or architectural screening.						
Design private balconies to be large enough to provide usable outdoor					\checkmark	
space.						

RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE	N/A	1	2	3	4	5
(1 is least complying & 5 is highly complying)						
Where applicable, integrate public art on-site to generate interest and activity and reflect the unique natural, Indigenous, or human history of Kelowna.		√				
Provide adequate building setbacks and space to accommodate the pedestrian view and experience of public art installations.		~				
Site artwork at key pedestrian spaces such as courtyards, midblock connections, lanes, and plazas.			√			
5.1.6 Building Articulation, Features, and Materials						
Design tall buildings to have a cohesive architectural look with a distinct podium, tower, and top. Strategies for achieving this include changes in articulation, materials, and the use of step backs.						✓
Podium						
 Provide architectural expression in a pattern, scale and proportion that is in relation to neighbouring buildings and that differentiates it from the tower. Examples of such design elements include the use of: Cornice lines; Window bays; Entrances; Canopies; Durable building materials; and Energy efficient fenestration. 						✓
Highlight primary retail facades with high quality materials and detailing, with particular attention to building entrances.						√
Avoid blank walls, but if necessary, articulate them with the same materials and design as the other active frontages.						~
Along mixed-use and commercial street frontages, avoid locating balconies (projecting or inset) within the first 2 storeys of the podium. Between 3 and 6 storeys, inset balconies behind the streetwall.		~				
Provide weather protection and signage in accordance with Guidelines found in section 4.1.6 as well as lighting in accordance with section 2.1.5.						~
Tower Middle		1			1	
On sites with multiple towers, provide variation in the design and articulation of each tower facade to provide visual interest while maintaining a cohesive architecture overall.						



RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE	N/A	1	2	3	4	5
 Design balconies to limit increases in the visual mass of the building and to become an extension of interior living space, while balancing the significant potential for heat loss through thermal bridge connections which could impact energy performance (see 2.2.1). Consider that inset or partially inset balcony arrangements may offer greater privacy and comfort, particularly on higher floors. 					v	
Tower Top						
 Design the top of tall buildings to terminate and be distinguishable from the middle building and to make a positive contribution to the skyline (See Figure 60). Design and screening of mechanical rooms, and incorporation of roof top amenity spaces and architectural lighting, can be used to distinguish the tower top. 						~
Setback the upper floors of the tower and incorporate a projecting cornice or other feature to terminate the building and contribute to a varied skyline.			√			





Summary of Changes to DP Drawing Set for Westcorp Hotel

There are no changes to the hotel design that was approved on Feb 4th, 2020. Minor changes to the drawing set are summarized here:

- 1. On the stats page, the tables have been re-ordered for ease of review. Our BP drawing work revealed a small error in floor area calculation for the purposes of FAR and the number has increased slightly from 36,013sqm to 36,830sqm, with a corresponding adjustment to the FAR. *No floor area has been added to the project*.
- 2. With tandem stalls no longer allowed to count toward required parking stalls in the C7 zone, the tandem stalls are shown separately. They are shown this way on the drawings because, while they cannot count toward required stalls, they remain in the project. These stalls will be used by the hotel valet service. One further change is that we have also now included reference to the provision of EV stalls.
- 3. For the purposes of the parking stall requirement, we have reduced the hotel room count from 184 to 175. While the DP drawings for hotel floors do not yet reflect the reduction in hotel rooms, the hotel brand we are working with is requiring a number of Presidential and Executive suites (much larger hotel suites) to be designed which will reduce the overall hotel room count. That work is ongoing, so no finalized drawings are available yet. We expect to lose anywhere between 9 and 15 keys. To be conservative, for the purpose of expected total room count, we have reduced the total by 9. It could well be more by the time brand approval is concluded. If anticipation of reduction of room count is not acceptable to City staff due to the fact that the design drawings do not yet reflect that change, we ask that our tandem (valet) stalls be allowed to count toward required stalls because of our hotel use.
- 4. In our BP drawing work we noticed that the hotel elevator did not extend down to level B3. This has been rectified and is now shown on the current drawings.
- 5. The length of the loading bay stalls has increased slightly in order to comply with current Section 8 Bylaw.
- 6. Variance pages have been updated to reflect current bylaw. We have made no changes to the building design from what was approved in 2020.

