

# Development Permit

DP24-0019



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

**940 – 1070 Frost Road**

and legally known as

**Lot A District Lot 579 SDYD Plan EPP127116**

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

## **Retail**

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

**Date of Council Approval:**      **April 8, 2024**

Development Permit Area:      Form & Character

Existing Zone:                      VC1 – Village Centre

Future Land Use Designation:      VC – Village Centre

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

## **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:                                  0954654 BC Ltd., Inc. No. BC0954654

Applicant:                              Callahan Property Group Ltd.

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Nola Kilmartin  
Development Planning Department Manager  
Planning & Development Services

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Date of Issuance

## 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

THAT Council authorizes the issuance of Development Permit No. DP24-0019 for Lot A District Lot 579 SDYD Plan EPP127116, located at 940 – 1070 Frost Road, Kelowna, BC, subject to the following:

- 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";
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect.

## 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 owner of the day. Should the Developer carry out the development as per the conditions of this permit, the security shall be returned to the Developer or his or her designate following proof of Substantial Compliance as defined in Bylaw No. 12310. There is filed accordingly:

- a) An Irrevocable Letter of Credit **OR** certified cheque **OR** a Surety Bond in the amount of **\$23,043.75**

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.**

# SCHEDULE A

This forms part of application # DP24-0019



City of Kelowna DEVELOPMENT PLANNING

Planner Initials **JJ**

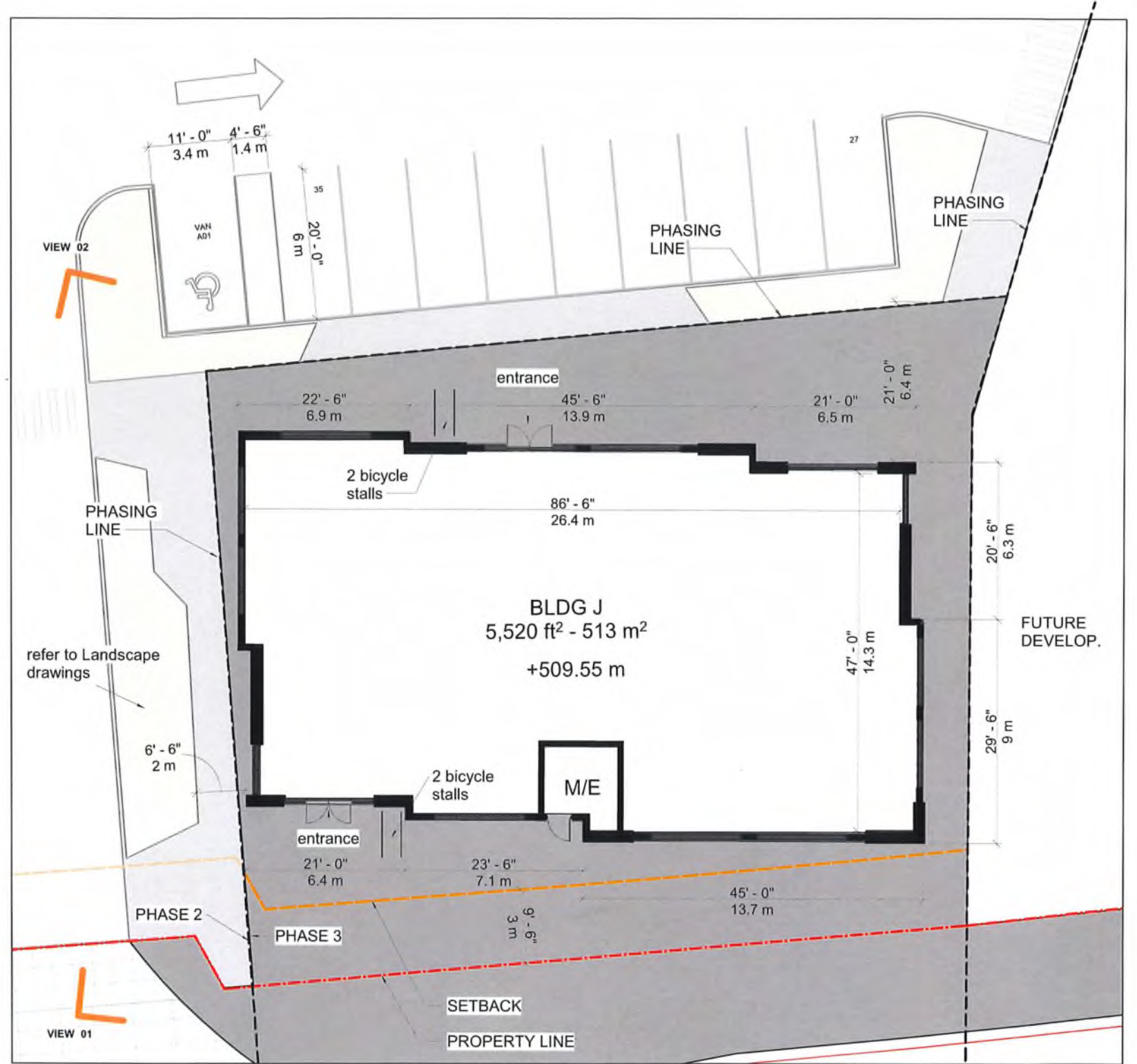




VIEW 01



VIEW 02



BLDG J - FLOOR PLAN  
SCALE: 1/8" = 1'-0"

**SCHEDULE A**

This forms part of application # DP24-0019

Planner Initials: **JL**

City of Kelowna  
DEVELOPMENT PLANNING

**PRINCIPALS**

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M.Arch, Architect AIBC, AIA,  
SAA, OAA, LEED AP BD+C

Manuel S. Preskow  
CRX, CCP

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# LOCAL IDENTITY - MATERIALS & CHARACTER

The creation of successful cultural landmarks require recognition of existing natural beauty combined with visionary placemaking.

**SCHEDULE B**

This forms part of application  
# DP24-0019

Planner Initials **JJ**



OKANAGAN LAKE



MYRA CANYON TRAIL



9c - WEATHERING STEEL - CORTEN



5b - SAND STUCCO GREY



2c - FIBRE CEMENT PANEL SIDING



3a - DRYSTACK STONE



2b - "WOOD" COMPOSITE PLANKS



MAIN ST KELOWNA, 1909



WOOD COMPOSITE PLANKS



WEATHERING STEEL CORTEN



FIBER CEMENT

**PRINCIPALS**

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M Arch, Architect ABC, AAA,  
SAA, OAA, LEED AP BD+C

Marcel S. Prokhor  
CRK, CDP

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**BLDG J - NORTH ELEV**  
SCALE: 3/16" = 1'-0"



**BLDG J - NORTH ELEV**  
SCALE: 3/16" = 1'-0"



**BLDG J - SOUTH ELEV**  
SCALE: 3/16" = 1'-0"




**BLDG J - WEST ELEV**  
SCALE: 3/16" = 1'-0"

Keynote Legend - MATERIALS CLADDING	
Key Value	MATERIALS
2b	WOOD LOOK COMPOSITE PLANKS, VERTICAL - NEWTECHWOOD, UH58 BELGIAN CLADDING SILVER GREY
2c	FIBER CEMENT PANEL SIDING, VERTICAL - CONCRETE FOG GREY
3a	NATURAL STONE, DRYSTACK - BEIGE
5b	STUCCO PAINT - BM ASHLEY GREY HC-87
5d	STUCCO PAINT - LIGHT GREY
6a	CMU BLOCK - CHARCOAL (SMOOTH FACE) WITH PRE-CAST CONCRETE CAP/ FLASHING
7a	PRE-FINISHED METAL & GLASS CANOPY, PAINTED - BLACK
7i	WEATHERING STEEL PANELS - CORTEN
8a	CLEAR GLAZING IN ALUMINUM FRAME - CHARCOAL
8c	SPANDREL GLASS - #3-0770 WARM GRAY

**SCHEDULE B**

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City of Kelowna  
DEVELOPMENT PLANNING

**PRINCIPALS**

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CRK, COP

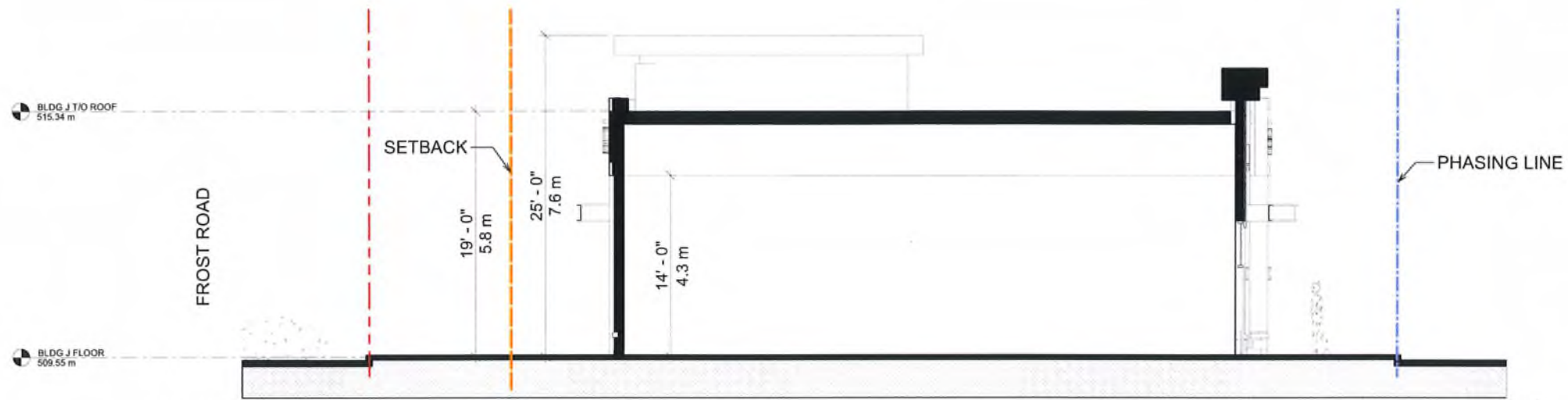
**ADDRESS**

The Kelowna Building  
140, 305 Bernard St  
Vancouver, BC Canada V6C 2D8

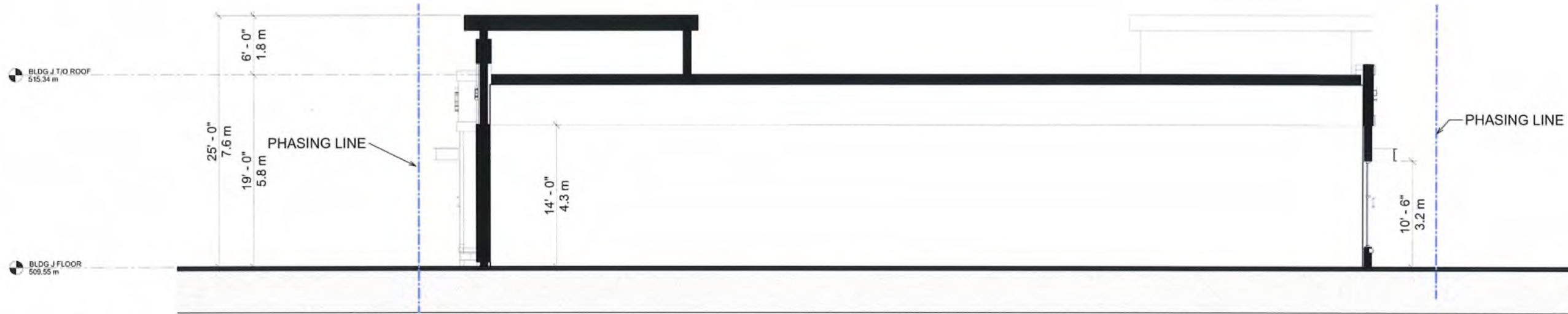
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BLDG J Section 1  
SCALE: 3/16" = 1'-0"

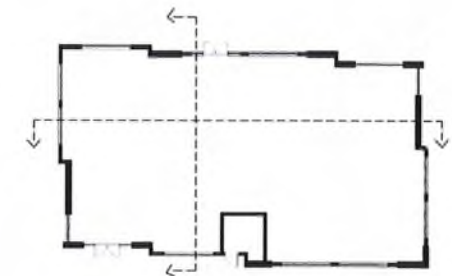


BLDG J Section 2  
SCALE: 3/16" = 1'-0"

**SCHEDULE B**

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Planner Initials **JJ**



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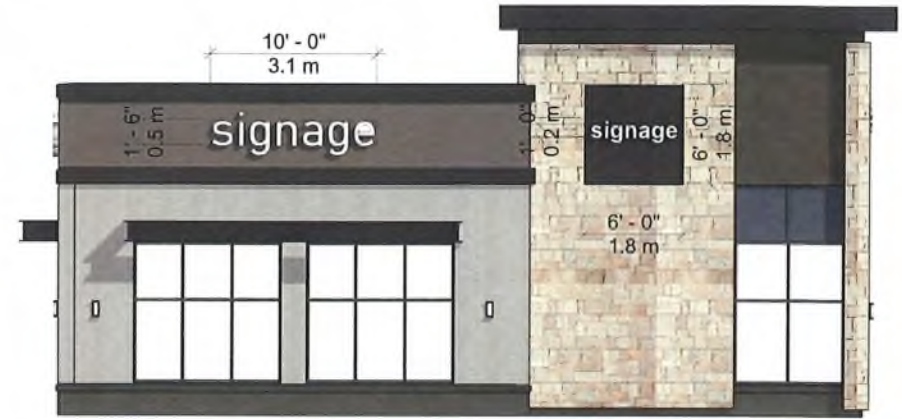
**Signage SJ1-SJ2**  
 Business Frontage = 13.1 m  
 Proposed Signage Area:  $2.7 \times 0.6 = 1.60\text{m}$ ,  $3.0 \times 0.5 = 1.50 = 3.10 \text{ sqm}$   
 Allowed Max: 4.0 sqm

**Signage SJ3-SJ4**  
 Business Frontage = 14.1 m  
 Proposed Signage Area:  $3.1 \times 0.6 = 1.86$ ,  $3.1 \times 0.5 = 1.55 = 3.41 \text{ sqm}$   
 Allowed Max: 4.0 sqm

**Signage SJ5-SJ6**  
 Business Frontage = 15 m  
 Proposed Signage Area:  $3.1 \times 0.5 = 1.55 = 1.6 \times 0.2 = 0.32 = 1.92 \text{ sqm}$   
 Allowed Max: 4.0 sqm



**BLDG J - NORTH ELEV**  
 SCALE: 3/16" = 1'-0"



**BLDG J - NORTH SIGNAGE**  
 SCALE: 3/16" = 1'-0"

**SCHEDULE B**

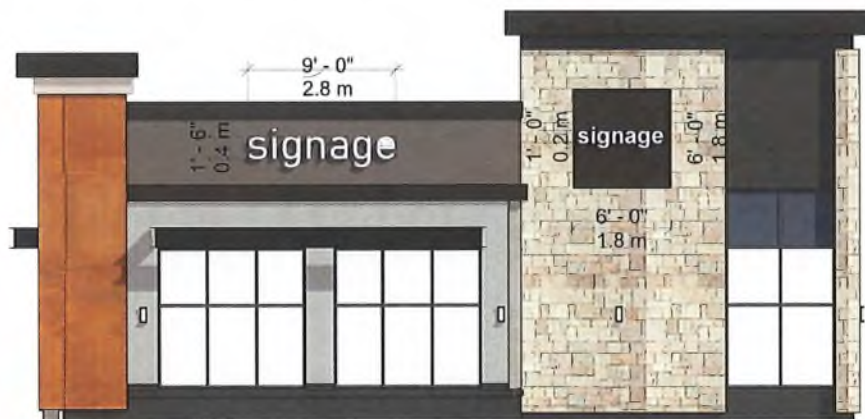
This forms part of application  
 # DP24-0019

Planner Initials **JL**

**Signage SJ7-SJ8**  
 Business Frontage = 15.2  
 Proposed Signage Area:  $2.8 \times 0.4 = 1.12$ ,  $1.6 \times 0.3 = 0.48\text{m} = 1.6 \text{ sqm}$   
 Allowed Max: 4.0 sqm

**Signage SJ9-SJ10**  
 Business Frontage = 13.6 m  
 Proposed Signage Area:  $2.3 \times 0.3 = .69$ ,  $3.1 \times 0.5 = 1.55 = 2.24 \text{ sqm}$   
 Allowed Max: 4.0 sqm

**Signage SJ11-SJ12**  
 Business Frontage = 13.8 m  
 Proposed Signage Area:  $3.0 \times 0.4 = 1.2 \times 2 = 2.4 \text{ sqm}$   
 Allowed Max: 4.0 sqm



**BLDG J - SOUTH SIGNAGE**  
 SCALE: 3/16" = 1'-0"



**BLDG J - WEST SIGNAGE**  
 SCALE: 3/16" = 1'-0"

**PRINCIPALS**

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PHASE 2

PHASE 2



**LEGEND**

- PROPOSED TREES
- PROPERTY LINE
- PHASE LINE
- SETBACK LINE
- CONCRETE PAVING (BY OTHERS)
- COMPACT GRAVEL PATHWAY
- ROCK MULCH
- SHRUB PLANTING
- PERENNIAL & ORNAMENTAL GRASS PLANTING
- ROOT BARRIER
- HEADERBOARD

**PLANT LIST**

QTY.	BOTANICAL NAME	COMMON NAME	SIZE	ROOT
<b>Trees - Deciduous</b>				
3*	<i>Cercidiphyllum japonicum</i>	Katsura Tree	60m Cal	B&B
<b>Shrubs</b>				
	<i>Cornus alba 'Alba'</i>	White Dogwood	#02	Potted
	<i>Rhus aromatica 'Gro-Low'</i>	Fragrant Sumac	#02	Potted
	<i>Salix purpurea 'Wang'</i>	Purple Willow	#02	Potted
	<i>Syringa meyeri 'Palibin'</i>	Dwarf Korean Lilac	#02	Potted
<b>Ornamental Grasses</b>				
	<i>Calamagrostis x acutiflora 'Dorland'</i>	Variagated Reed Grass	#01	Potted
	<i>Helictotrichon sempiternum</i>	Blue Oat Grass	#01	Potted
	<i>Panicum ornamental 'Karl's Rose'</i>	Karl's Rose Oriental Fountain Grass	#01	Potted
<b>Perennials</b>				
	<i>Aster x hybrid 'Monet'</i>	Friar's Aster	#01	Potted
	<i>Nepeta x 'Fassen's Water's Line'</i>	Walker's Low Catmint	#01	Potted
	<i>Perovskia atriplicifolia</i>	Russian Sage	#01	Potted

\* - Cost Byline for 12075 Required Tree

**SCHEDULE C**

This forms part of application # DP24-0019

Planner Initials **JL**



- NOTES:**
- THIS DRAWING DEPICTS FORM AND CHARACTER AND IS TO BE USED FOR DEVELOPMENT PERMIT SUBMISSION ONLY. IT IS NOT INTENDED FOR USE AS A CONSTRUCTION DOCUMENT.
  - ALL PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO THE MINIMUM STANDARDS SET OUT IN THE CANADIAN LANDSCAPE STANDARD (CURRENT EDITION).
  - ALL PLANTING BEDS SHALL TO RECEIVE 50mm OF ROCK MULCH UNLESS OTHERWISE NOTED.
  - ALL LANDSCAPE AREAS ARE TO BE IRRIGATED WITH A HIGH EFFICIENCY AUTOMATIC IRRIGATION SYSTEM.
  - SOIL DEPTH TO BE AS FOLLOWS:  
LAWN AREAS 150mm MIN  
SHRUB AREAS 450mm MIN  
TREES 1000mm MIN UNLESS OTHERWISE NOTED.



NORTH

SCALE: 1 : 100

NO.	DESCRIPTION	DATE
0	ISSUED FOR DEVELOPMENT PERMIT	2024-01-11

LEGEND:  
 LOW WATER REQUIREMENTS  
 MEDIUM WATER REQUIREMENTS



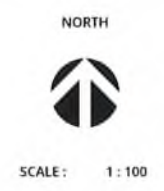
**SCHEDULE C**

This forms part of application # DP24-0019

Planner Initials



City of Kelowna  
DEVELOPMENT PLANNING



ISSUED FOR:		
NO.	DESCRIPTION	DATE

## 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:

SECTION 6.o: RETAIL, COMMERCIAL AND INDUSTRIAL						
RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE <i>(1 is least complying &amp; 5 is highly complying)</i>	N/A	1	2	3	4	5
<b>6.1 General Guidelines</b>						
<b>6.1.1 Relationship to the Street</b>	N/A	1	2	3	4	5
a. Orient the long side of each building to be parallel to the public street.					✓	
b. Locate entries to be visible and directly accessible from the public street.					✓	
c. For buildings fronting highways, entries can be located away from the street, as long as there is a direct pedestrian connection to the site.	✓					
d. Avoid blank walls adjacent to the highway, streets, walkways, parks, or other amenity spaces.						✓
<b>6.1.2 Site Planning and Landscaping</b>	N/A	1	2	3	4	5
a. Locate buildings to ensure good sight lines for vehicular and pedestrian traffic.						✓
b. Provide direct, safe, continuous, and clearly defined pedestrian access from public sidewalks, parking areas, and transit stops to building entrances.					✓	
c. Use large canopy trees to define the public realm (e.g. at the sidewalk and property edge facing the street)						✓
d. Distribute trees and landscaping throughout the site in order to: <ul style="list-style-type: none"> <li>• Soften property edges facing the street;</li> <li>• Define internal roads, pedestrian routes, and open spaces;</li> <li>• Create pleasant pedestrian conditions;</li> <li>• Screen parking, loading, service, and utility areas;</li> <li>• Manage stormwater on-site; and</li> <li>• Break up large rows of parking by substituting a parking stall with a canopy tree in planter every 8-10 parking stalls;</li> </ul>					✓	
e. Provide on-site bio-retention facilities (e.g. bioswales, rain gardens) to collect, store and filter stormwater from parking areas.	✓					
f. Pedestrian pathways should provide clear sight lines and connect the following: <ul style="list-style-type: none"> <li>• Parking areas to building entrances;</li> <li>• Main building entrances to public sidewalks (where applicable);</li> <li>• Main building entrances to transit stopes (where applicable);</li> <li>• Between buildings on adjacent lots.</li> </ul>						✓
g. Provide separation between vehicular routes (especially truck access/loading) and pedestrian routes on-site to avoid conflict and					✓	

distinguish pedestrian routes from driving surfaces by using varied paving treatments and/or raising walkways to curb level.						
h. Base new development on an internal circulation pattern that allows logical movement throughout the site and that will accommodate, and not preclude, intensification over time.						✓
<b>6.1.3 Site Servicing, Access, and Parking</b>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
a. Design site accesses to provide the potential for future shared access with neighbours and to minimize curb cuts.						✓
b. Where practical, link access drives and parking lots of adjacent properties in order to allow for circulation of vehicles between sites.						✓
c. The preferred location for main parking areas is at the rear and/or side of the building. Avoid locating large parking areas between the building and the street.						✓
d. Where parking areas are visible from the street, screen them using strategies such as tree planting, berming, low walls, decorative fencing and/or hedging.	✓					
e. Break parking areas into smaller blocks defined by landscaping in order to minimize the amount of paved areas.						✓
f. Locate loading, utilities, mechanical equipment and garbage collection areas away from public view by: <ul style="list-style-type: none"> <li>Integrating these facilities into the footprint of the building; or</li> <li>Screening using fencing, walls, and/or landscaping</li> </ul>						✓
g. Provide areas for temporary snow storage that do not conflict with site circulation, landscaping, and access to utility boxes. For example, by providing access via a lane away from public view.						✓
<b>6.1.4 Building Articulation, Features, and Materials</b>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
a. Avoid facing unarticulated facades to the street and use projections, recesses, arcades, awnings, color, and texture to improve the pedestrian experience						✓
b. Design primary entrances to face the street, exhibit design emphasis, and provide weather protection by means of canopy or recessed entry.					✓	
c. Design buildings such that their form and architectural character reflect the building's internal function and use (e.g. an industrial building, a large format retail mall).						✓
d. Design signage as an integral element of the building's façade and to be compatible in scale and design with the design, color and material of the building.						✓
e. Allow for brand identification where there are multiple buildings and uses on a site, but avoid individual corporate image, color, and signage back-lit signs from dominating the site.						✓
f. Locate, size and design ground-mounted signs to be oriented to pedestrians as opposed to vehicles.	✓					
g. Provide shielded, down lighting to provide security and ambient lighting while minimizing light pollution and spill over lighting into adjacent properties.	✓					

h. Provide weather protection at building entrances close to transit stops, and in areas with pedestrian amenities.			✓			
i. Incorporate substantial, natural building materials such as masonry, stone, and wood into building facades.						✓
j. Use an integrated, consistent range of materials and colors and provide variety by, for example, using accent colors.						✓
<b>6.2 Boutique Retail</b>						
<b>6.2.1 Relationship to the Street</b>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
a. Buildings on a corner parcel should orient frontages towards both streets is possible and included distinct architectural features, such as: <ul style="list-style-type: none"> <li>• Special or decorative canopies; or</li> <li>• Bay windows, balconies, turrets, or articulated roof line features; or</li> <li>• A corner entrance.</li> </ul>	✓					
b. Avoid blank walls adjacent to the highway, streets, lanes, walkways, parks, or other amenity spaces.						✓
<b>6.2.2 Site Planning and Landscaping</b>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
a. Provide site furnishings, such as seating, bike racks, and shelters at building entrances and amenity areas.						✓
<b>6.2.2 Site Planning and Landscaping</b>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
a. Provide sheltered bicycle parking in visible and well-lit locations near building entrance and pedestrian walkways.	✓					
<b>6.2.4 Building Articulation, Features, and Materials</b>	<b>N/A</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
a. Design the façade of buildings with multiple storefronts so that each is defined through individual signage, entrances, canopies and/or materiality.						✓
b. Create transparent retail frontages with visual access to the interior of retail stores, and avoid the use of: <ul style="list-style-type: none"> <li>• Materials such as black out advertising panels;</li> <li>• Dark and/or reflective glass</li> </ul>						✓

**PHASE 3 DESIGN RATIONALE**

INTRODUCTION

The proposed Phase 3 development is 763 m<sup>2</sup> in size and is located east of Phase 2, on Frost Road in the Ponds area of Upper Mission in Kelowna. The development is bounded by Phase 2, currently with an approved Development Permit, to the west and north, Frost Road to the south and by the remaining undeveloped property to the east.

The overall site is designated as a Village Centre and as such is designed to serve the immediate surrounding area, providing basic day to day services for the area and serves as a hub of activity for the surrounding community. The overall site plan offers a number of public spaces and plazas that provide a community amenity, creating small activity hubs and allows residents to travel shorter distances for day-to-day errands.

Strong visual references throughout the development - along the perimeter and within the development are critical in establishing this development as a “place maker” for the neighbourhood. The stylized wood trestle elements are a nod to the iconic train trestles in the outlying areas of Kelowna and have been integrated into the design of the buildings, signage and landscape to create repetitive elements that create a recognizable character for the site. Along with the use of red brick on most buildings, we have layered an historic patina on a modern design aesthetic to create a striking neighbourhood centre.

COLOURS AND MATERIALS

Materials and colours have been selected to create a rich and textured palette. Taking cues from the local environment, the colour palette is rich in natural earth tones from warm greys and blacks, through to ambers, taupes and reds. The materials used inherently provide much of the rendered colours – from the local brick, stone and timbers to coated metal panels and canopies.

PEDESTRIAN ORIENTED / CONNECTIVITY

This third phase of the proposed development continues the incorporation of fundamental qualities and characteristics required for a successful village retail development. The smaller individual retail buildings continue the natural pedestrian flow from the larger retail anchors in Phase 1, drawing patrons across the development from the first phase through to the third phase site. The retail units are designed to activate both the internal circulation system as well as along Frost Road, with ample glazing, a mix of materials and active entrances on all sides of the units. The following principles have been considered in the development that is going to be an extension of the second phase:

- Creation of an internal main pedestrian route, connected through entry points along Frost Road to the village centre where the smaller stores surround a central green space.
- The central green space is one of a series of enhanced “connection points” within the site, designed as areas for the public to meet, connect and rest while shopping or passing through the development.
- Large sidewalks and secondary plazas throughout the site create another level of public gathering areas that act as informal seating areas with benches and also can act as extension of patio areas associated with potential restaurant and café spaces.
- A localized internal vehicle circulation route provides access to all retail storefronts while remaining secondary to pedestrian routes.
- Strong visual connections throughout the site promote shoppers circulating through the development.
- All retail, restaurants and service uses are at grade
- Strategically locating landscape and street trees to maximize the pedestrian comfort

INTEGRATE NATURE

The overall plan integrates landscaping that reflects the surrounding natural environment and integrates an active green space in the centre of the village. Street trees along the perimeter of the site as well as trees within the site create a comfortable, well planted development. The landscape design reflects the natural environment through the use of indigenous trees, shrubs and grasses, along with the use of hard landscaping materials including benches and planters using local aggregate in the mix.

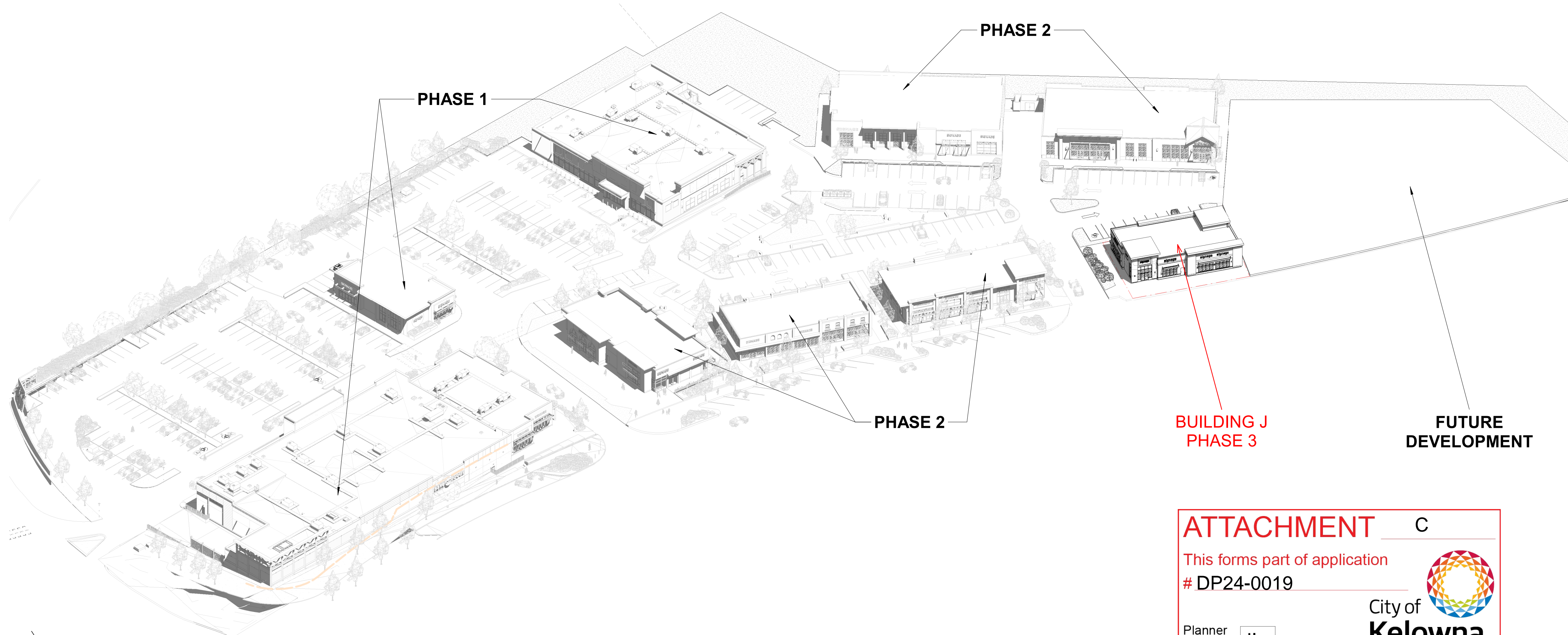
SOCIAL INTERACTION + CULTURAL / ARTISITIC EXPRESSION

The development integrates small-scale spaces where the public can experience and participate in local cultural programs, public events and performances. Opportunities for local art exist within these public spaces.

CPTED

CPTED principles are integrated into the design on all levels of the development from site layout, landscaping, lighting and individual building design. Considerations incorporated into the conceptual design include:

- View corridors throughout the development present long uninterrupted vistas
- Natural surveillance is maximized through visual connections to streets along the perimeter and through the development.
- Pathways with integrated landscaping will come with low plantings and high canopies to provide view corridors with no areas of concealment.
- Lighting levels will be appropriate, balancing security with comfort and ambience.
- Exterior building materials will be impact resistant and come with graffiti resistant finishes (texturing and coating)
- Buffer plantings will include a number of plants to discourage traffic through the buffer areas.
- Landscaping used to screen the parking areas will be designed to allow visibility from the streets offering a good level of surveillance for cars and pedestrians.
- Extensive glazing provides visibility and transparency and opportunities for “eyes on the street”.



3D Design Rationale  
SCALE:

**ATTACHMENT C**

This forms part of application  
# DP24-0019

Planner Initials **JJ**

City of Kelowna  
DEVELOPMENT PLANNING

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