

Development Permit

DP23-0026



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

270 Hiram Walker Ct

and legally known as

Lot 3 Section 2 Township 20 ODYD Plan EPP98124

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

General Industrial

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

Date of Council Approval: August 12, 2024

Development Permit Area: Form and Character

Existing Zone: I2 – General Industrial

Future Land Use Designation: IND - Industrial

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: 270 HWC GP Inc.

Applicant: Hans P. Neumann Architect Inc.

Nola Kilmartin
Development Planning Department Manager
Planning & Development Services

Date of Issuance

ATTACHMENT **A**

This forms part of application
DP23-0026

Planner Initials **GA**



City of Kelowna
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

THAT final adoption of Rezoning Bylaw No. 12648 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP23-0026 for Lot 3 Section 2 Township 20 ODYD Plan EPP98124, located at 270 Hiram Walker Ct, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. 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;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council 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 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 **\$127,481.25**

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.

DRAFT

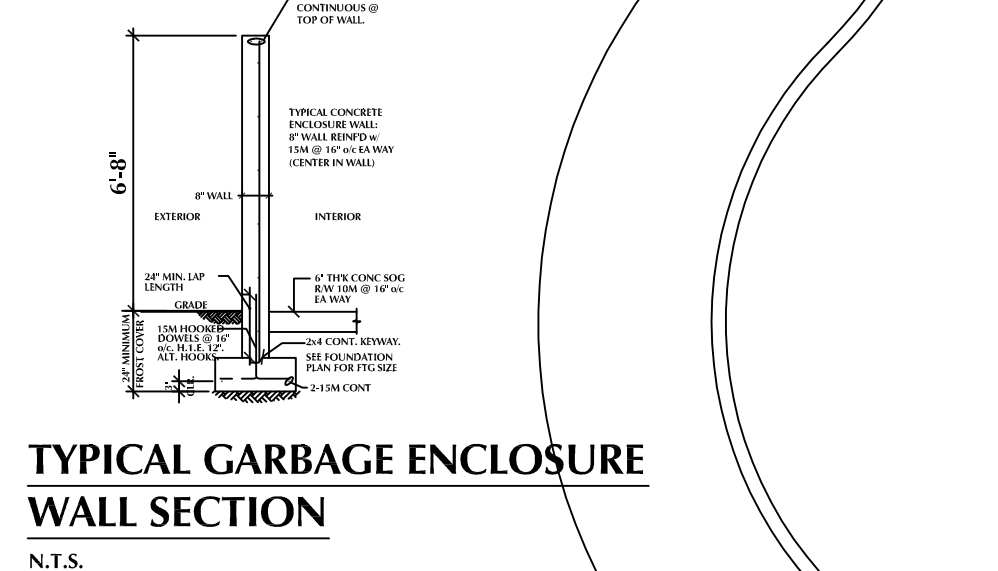
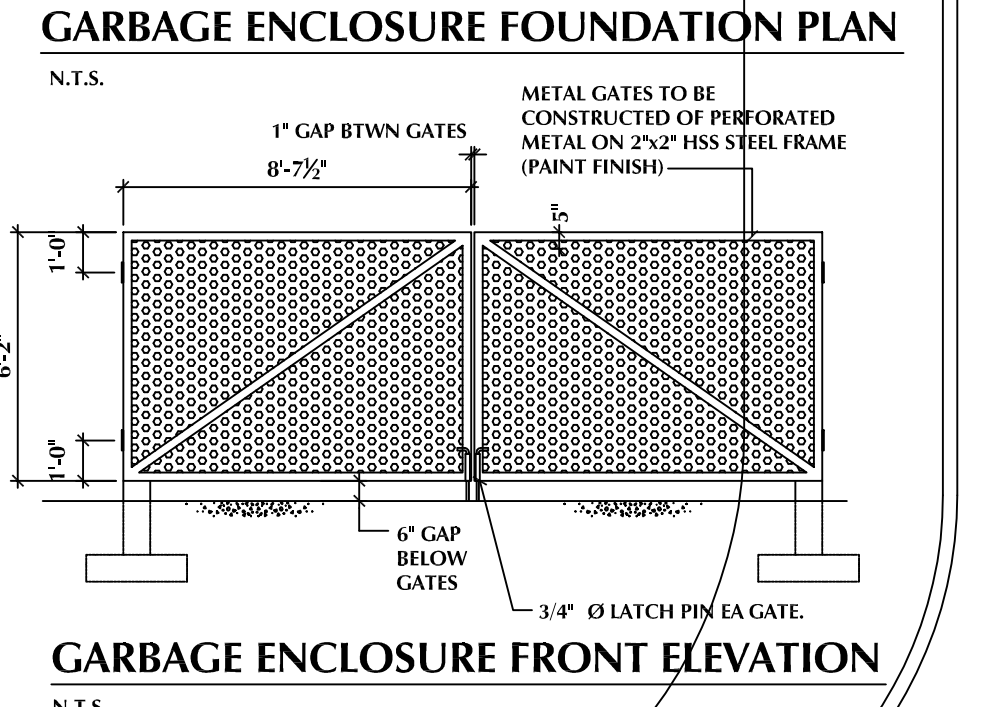
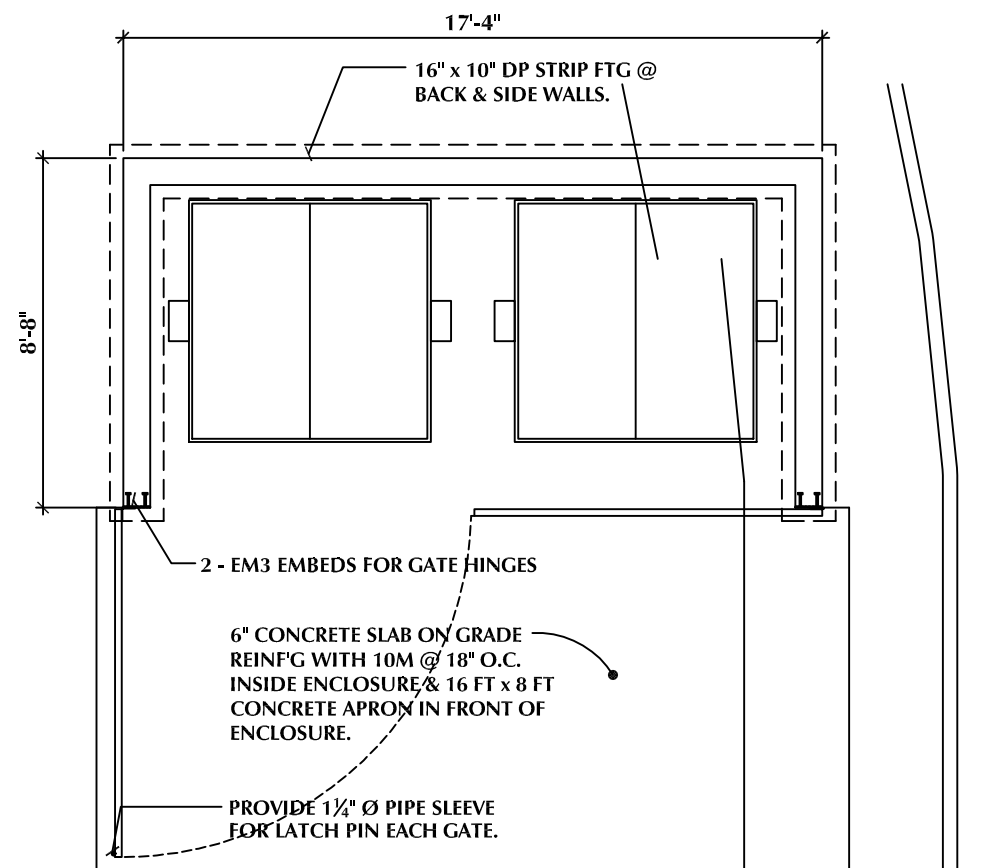
ATTACHMENT A

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DP23-0026

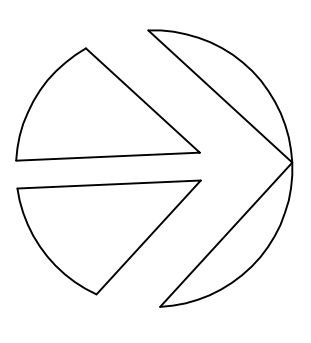
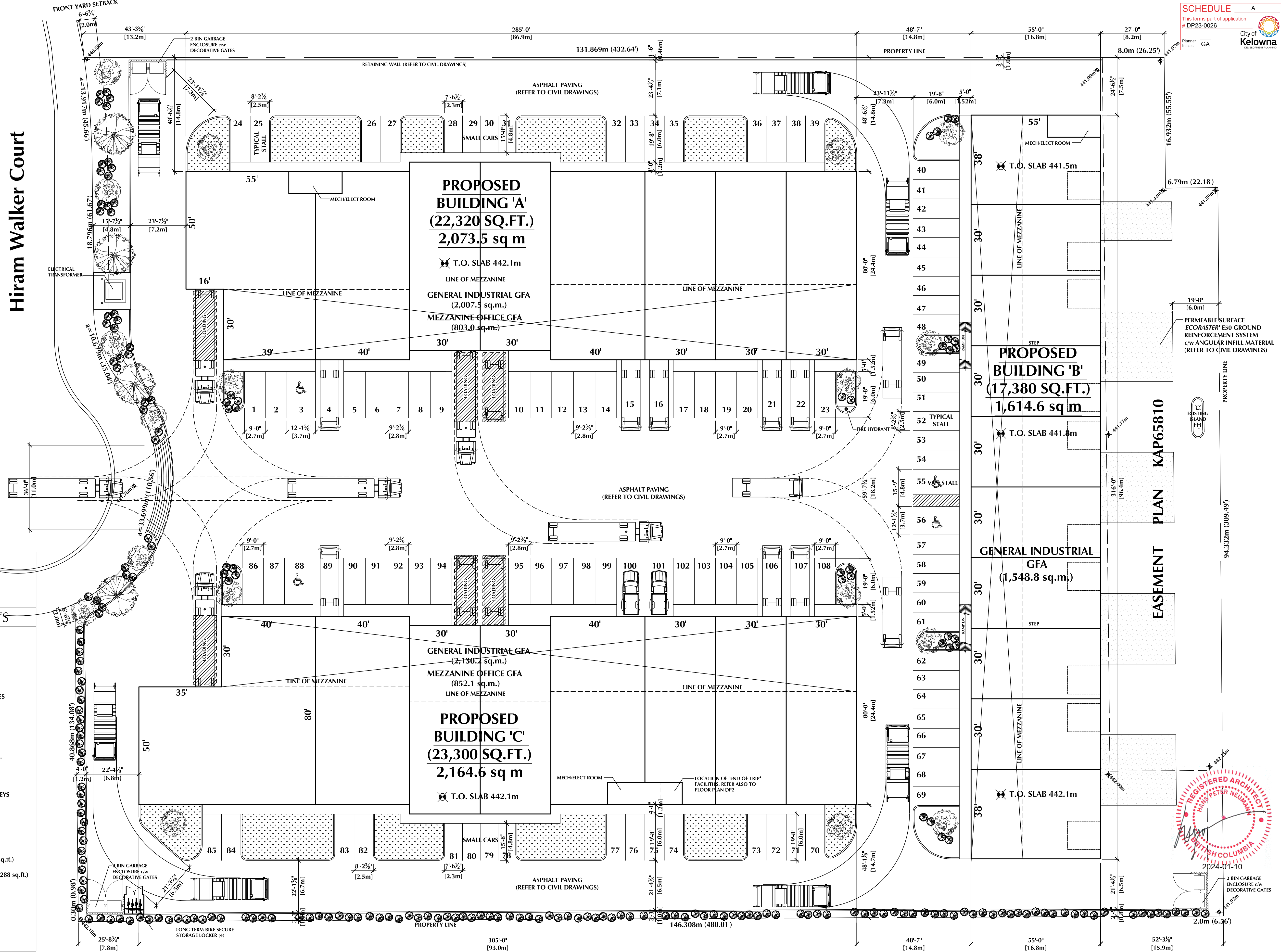
Planner
Initials **GA**

City of
Kelowna
DEVELOPMENT PLANNING





PROJECT DATA		
CIVIC ADDRESS:	270 HIRAM WALKER COURT, KELOWNA, BC	
LEGAL DESCRIPTION:	PLAN EPP98124, LOT 3, SEC 2, TWP 20, O.D.Y.D.	
CURRENT ZONING:	I3 - HEAVY INDUSTRIAL	
PROPOSED ZONING:	I2 - GENERAL INDUSTRIAL	
ZONING BYLAW 12375 REQUIREMENTS		
SITE AREA =	16,029.4 sq.m. (172,545 sq.ft.)	
BUILDING AREA:		
BUILDING A:	2,073.5 sq.m. (22,320 sq.ft.)	
BUILDING B:	1,614.6 sq.m. (17,380 sq.ft.)	
BUILDING C:	2,164.6 sq.m. (23,300 sq.ft.)	
TOTAL	5,852.7 sq.m. (63,000 sq.ft.)	
GROSS FLOOR AREA (GFA):		
BUILDING A:	2,810.5 sq.m. (30,253 sq.ft.) incl. 40% MEZZANINES	
BUILDING B:	2,167.1 sq.m. (23,327 sq.ft.) incl. 40% FUTURE MEZZANINES	
BUILDING C:	2,933.1 sq.m. (31,573 sq.ft.) incl. 40% MEZZANINES	
TOTAL	7,910.7 sq.m. (85,153 sq.ft.)	
OFFICE AREA @ 25% OF GROSS FLOOR AREA:	= 1,977.7 sq.m. (21,288 sq.ft.)	
	REQUIRED	PROPOSED
LOT WIDTH (min)	40.0m	111.3m
LOT DEPTH (min)	35.0m	131.9m
LOT AREA (min)	4,000 sq.m.	16,029.4 sq.m.
SITE COVERAGE - BUILDINGS (max)	60%	36.5%
SITE COVERAGE - BUILDINGS, STRUCTURES & IMPERMEABLE SURFACES (max)	90%	89.6%
FLOOR AREA RATIO (max)	1.5	.494
BUILDING HEIGHT (max)	16.0m	10.5m/2 STOREYS
SETBACKS (m)		
FRONT (HIRAM WALKER COURT)	2.0m	12.0m
SIDE (WEST)	0.0m	7.5m
SIDE (EAST)	0.0m	7.4m
REAR (NORTH)	0.0m	8.2m
PARKING	REQUIRED	PROVIDED
GENERAL INDUSTRIAL @ 1.0 - 2.5 STALLS/100 sq.m. x 5,933.0 sq.m. (63,864 sq.ft.)	59 STALLS	59 STALLS
ACCESSORY OFFICES (25%) @ 2.5 - 3.0 STALLS/100 sq.m. x 1,977.7 sq.m. (21,288 sq.ft.)	49 STALLS	49 STALLS
TOTAL REQUIRED =	108 STALLS	108 STALLS
SMALL SIZE PARKING @ 30% MAX	32 STALLS	8 STALLS
ACCESSIBLE PARKING	4 STALLS	4 STALLS
VAN-ACCESSIBLE PARKING	1 STALL	1 STALL
LOADING @ 1/1,900 sq.m. GFA =	6 STALLS	6 STALLS
BICYCLE (LONG TERM) @ 0.05/100 sq.m. GFA x 7,910.7 sq.m. =	4 SPACES	4 SPACES



HANS P. NEUMANN ARCHITECT INC.

1520 HIGHLAND DRIVE NORTH, KELOWNA, B.C. V1Y 4K5 PHONE (250) 868-0878 EMAIL: hans@hpna.ca



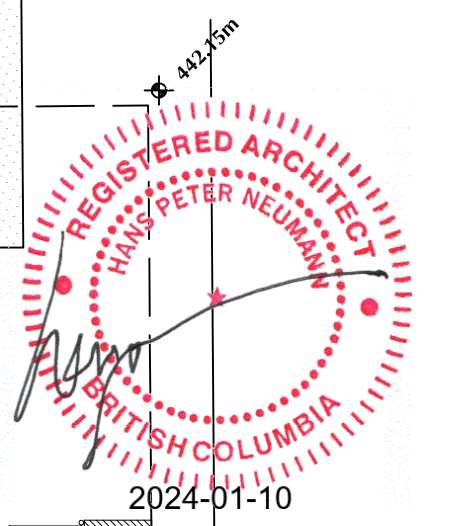
PROPOSED INDUSTRIAL DEVELOPMENT
 270 HIRAM WALKER COURT, KELOWNA, BC

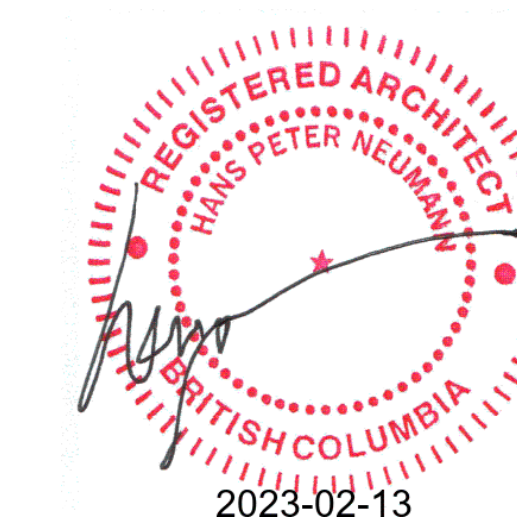
DRAWING TITLE
SITE PLAN/ZONING ANALYSIS



No.	DATE	DESCRIPTION	SCALE: 1" = 20'-0"
			DATE: OCTOBER 04, 2022
1	JAN 05/23	ISSUED FOR DEVELOPMENT PERMIT	DRAWN: HPN
	FEB 01/23	REV FOR INITIAL STAFF COMMENTS	Drawing No.
	FEB 13/23	REV ISSUED FOR DEVELOPMENT PERMIT	
2	OCT 17/23	REV BLDGS TO INCREASE PERMEABLE AREA	
	JAN 8/24	RE-ISSUED FOR REZONING & DEV PERMIT	

REVISION No.: 2





SOUTH PROPERTY LINE LOOKING EAST



EAST PROPERTY LINE LOOKING SOUTH



WEST PROPERTY LINE LOOKING NORTH



NORTH PROPERTY LINE LOOKING WEST

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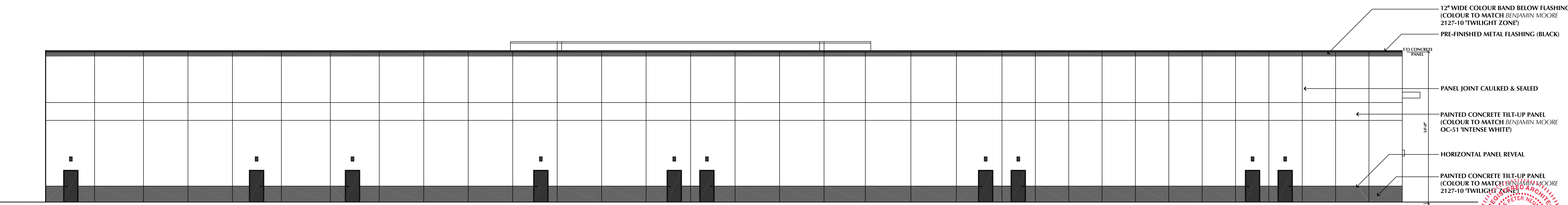
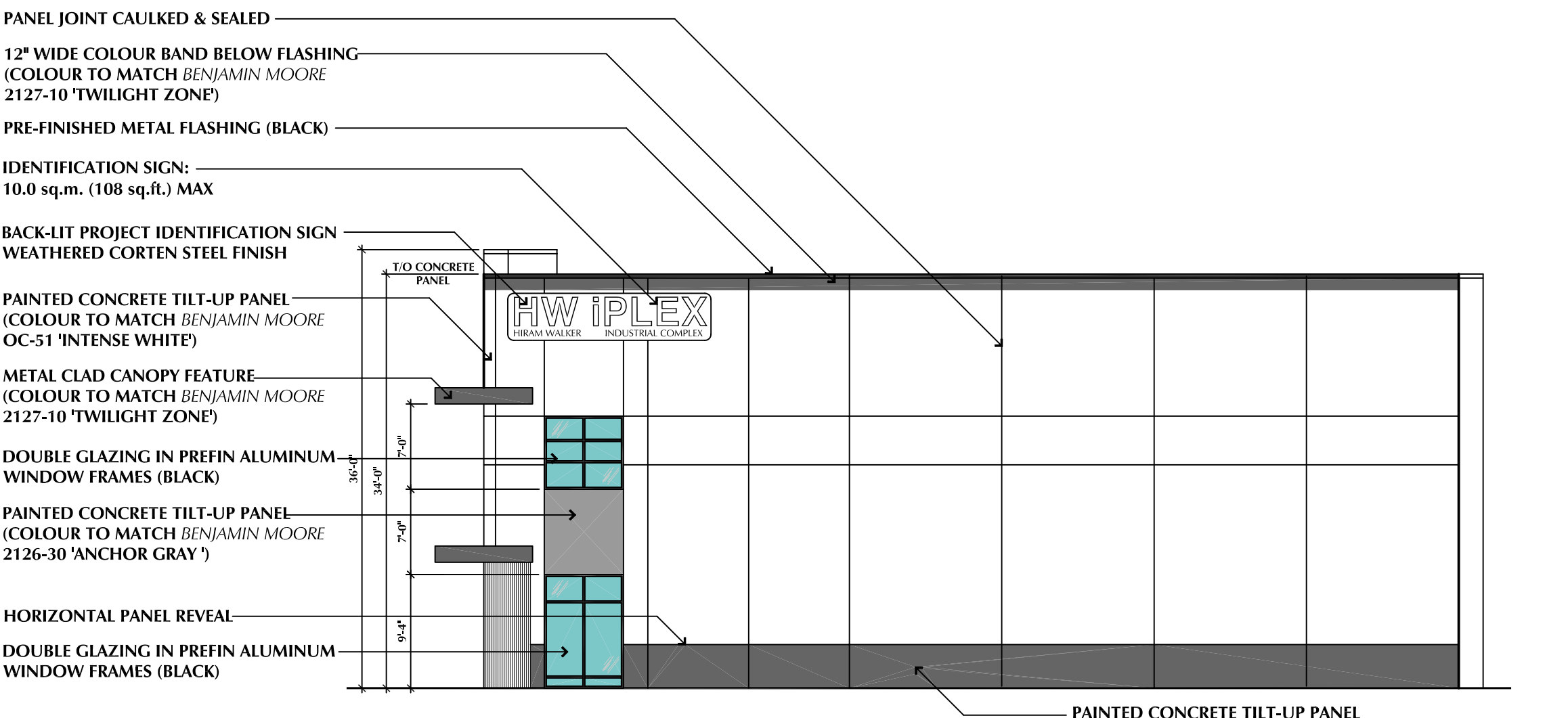
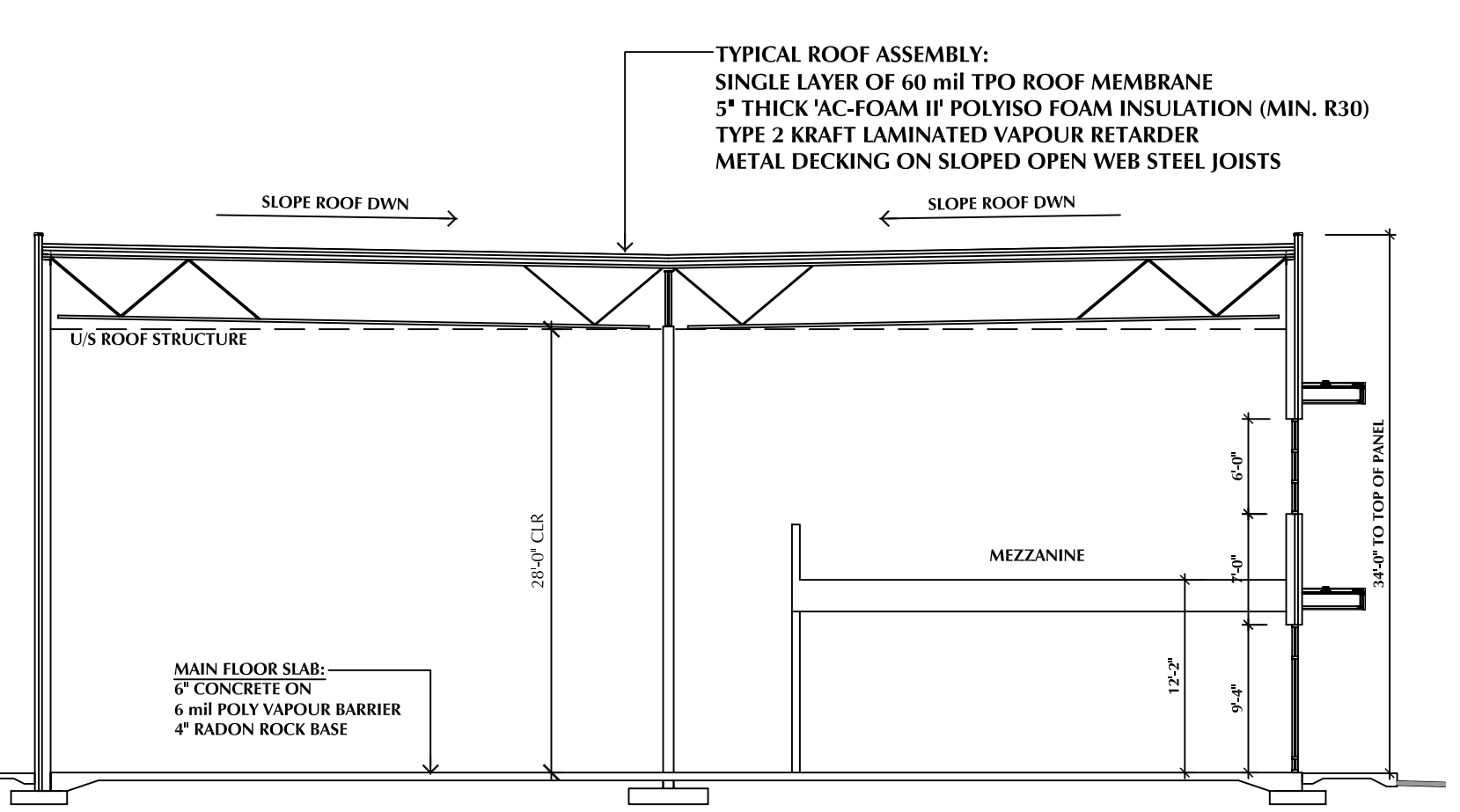
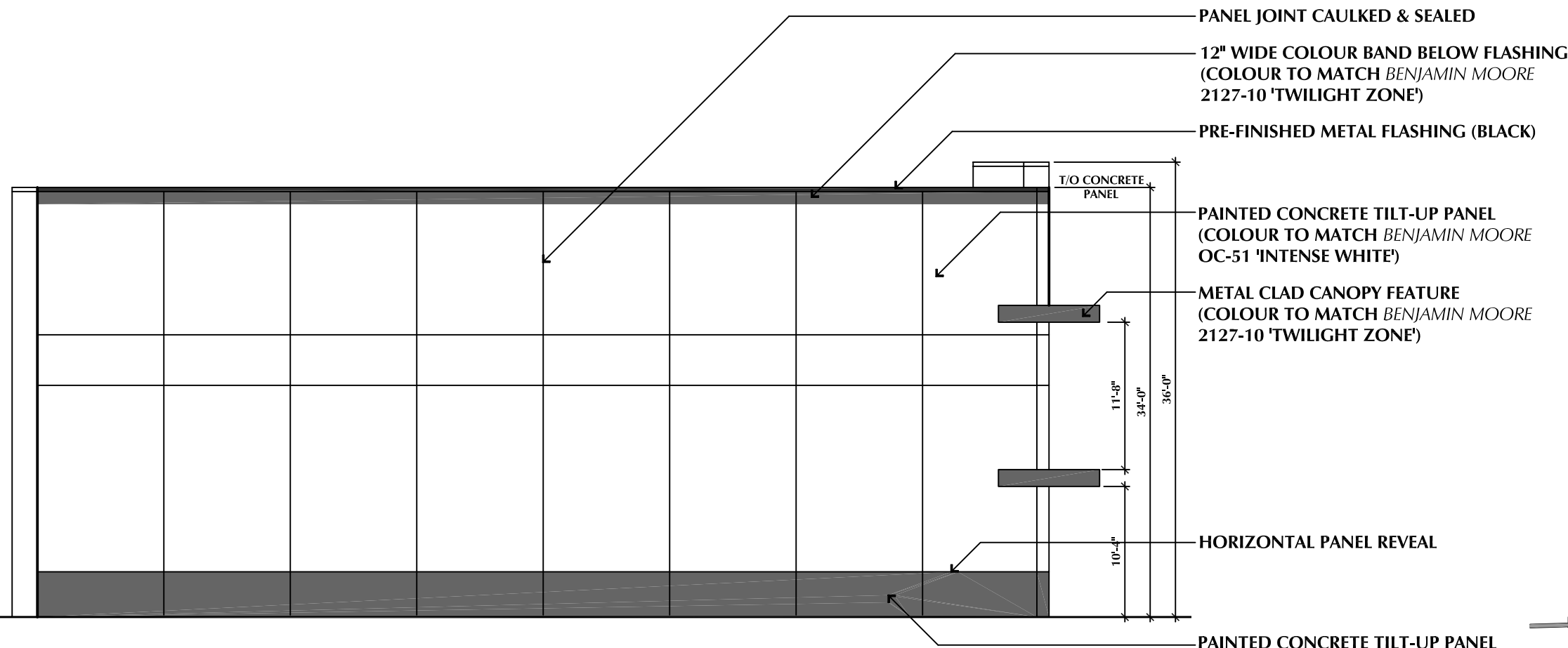
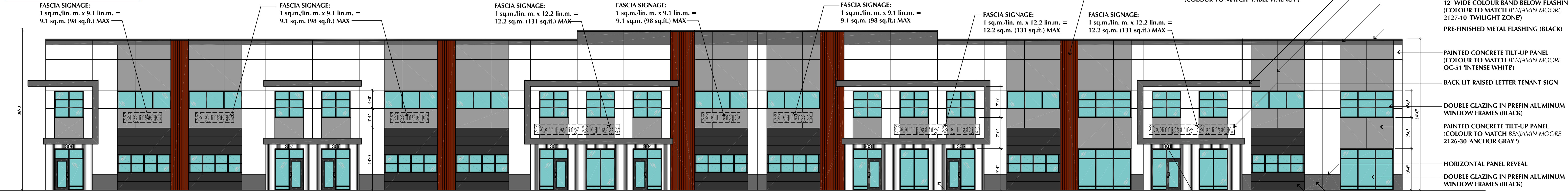
PROPOSED INDUSTRIAL DEVELOPMENT
 270 HIRAM WALKER COURT, KELOWNA, BC

DRAWING TITLE

RENDERING/SITE PHOTOS



No.	DATE	DESCRIPTION	SCALE:
	JAN 05/23	ISSUED FOR DEVELOPMENT PERMIT	DATE: OCTOBER 04, 2022
	FEB 13/23	RE-ISSUED FOR DEVELOPMENT PERMIT	DRAWN: HPN
			Drawing No.:
			REVISION No.:



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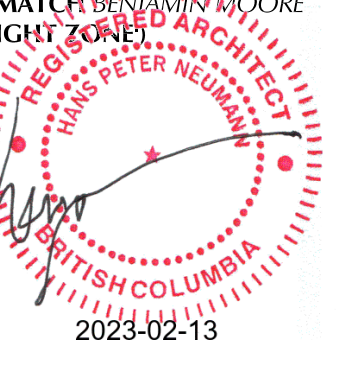
PROPOSED INDUSTRIAL DEVELOPMENT
 270 HIRAM WALKER COURT, KELOWNA, BC

DRAWING TITLE

BUILDING 'C' ELEVATIONS



No.	DATE	DESCRIPTION	SCALE: 3/32" = 1'-0"
	JAN 05/23	ISSUED FOR DEVELOPMENT PERMIT	DATE: OCTOBER 04, 2022
1	JAN 14/23	REV FOR INITIAL STAFF COMMENTS	DRAWN: HPN
	JAN 17/23	RE-ISSUED FOR DEVELOPMENT PERMIT	Drawing No.



DP7
 REVISION No.: 1

LEGEND:

- PROPOSED TREES
- PROPERTY LINE
- SETBACK LINE
- ASPHALT (REFER CIVIL)
- CONCRETE PAVING (REFER ARCHITECT)
- DECORATIVE ROCK MULCH
- SHRUB PLANTING
- PERENNIAL/ ORNAMENTAL GRASS PLANTING

PLANT LIST

QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT
Deciduous Trees				
2*	<i>Acer rubrum</i> 'Bowhall'	Bowhall Red Maple	6cm Cal	B&B
3	<i>Acer rubrum</i> 'Bowhall'	Bowhall Red Maple	6cm Cal	B&B
4*	<i>Celtis occidentalis</i>	Common Hackberry	6cm Cal	B&B
6	<i>Liquidambar styraciflua</i> 'Slender Silhouette'	Slender Silhouette Sweet Gum	6cm Cal	B&B
2*	<i>Quercus bicolor</i> 'Bonnie & Mike'	Beacon Swamp White Oak	6cm Cal	B&B
6	<i>Syringa reticulata</i> 'Ivory Silk'	Ivory Silk Japanese Tree Lilac	6cm Cal	B&B
Shrubs				
	<i>Chrysanthemum nauseosus</i>	Common Rabbit Brush	#02	Potted
	<i>Juniperus sabinna</i> 'Manna'	Calgary Carpet Juniper	#02	Potted
	<i>Juniperus horizontalis</i> 'Blue Chip'	Blue Chip Juniper	#02	Potted
	<i>Rhus aromatica</i> 'Gro-Low'	Fragrant Sumac	#02	Potted
	<i>Yucca filamentosa</i> 'Golden Sword'	Golden Sword Yucca	#02	Potted
Ornamental Grasses				
	<i>Helictotrichon sempervirens</i>	Blue Oat Grass	#01	Potted
Perennials				
	<i>Achillea filipendulina</i> 'Gold Plate'	Gold Plate Yarrow	#01	Potted
	<i>Lavandula angustifolia</i> 'Munstead'	Munstead English Lavender	#01	Potted
	<i>Perovskia atriplicifolia</i> 'Longin'	Longin Russian Sage	#01	Potted

* - CoK Bylaw No.12375 Required Tree

- 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 TO RECEIVE A MINIMUM DEPTH OF 50mm OF ROCK MULCH.
 - ALL LANDSCAPE AREAS ARE TO BE IRRIGATED WITH A HIGH EFFICIENCY AUTOMATIC IRRIGATION SYSTEM.
 - ALL PLANTING AREAS TO RECEIVE IMPORT TOPSOIL/GROWING MEDIUM AS FOLLOWS:
 SHRUB AREAS: 450mm MIN. DEPTH
 TREES: 1000mm MIN. DEPTH



PRECEDENT IMAGES:



SEAL NORTH

 SCALE: 1:300

ISSUED FOR:

NO.	DESCRIPTION	DATE
1	REISSUED FOR DEVELOPMENT PERMIT	2024-01-05
0	ISSUED FOR DEVELOPMENT PERMIT	2023-01-03

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 6.0: RETAIL, COMMERCIAL AND INDUSTRIAL						
RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE <i>(1 is least complying & 5 is highly complying)</i>	N/A	1	2	3	4	5
6.1 General Guidelines						
6.1.1 Relationship to the Street	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.				✓		
6.1.2 Site Planning and Landscaping	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"> • Soften property edges facing the street; • Define internal roads, pedestrian routes, and open spaces; • Create pleasant pedestrian conditions; • Screen parking, loading, service, and utility areas; • Manage stormwater on-site; and • Break up large rows of parking by substituting a parking stall with a canopy tree in planter every 8-10 parking stalls; 					✓	
e. Provide on-site bio-retention facilities (e.g. bioswales, rain gardens) to collect, store and filter stormwater from parking areas.				✓		
f. Use permeable materials such as paving blocks or permeable concrete in parking areas to maximize rainwater infiltration.				✓		
g. Pedestrian pathways should provide clear sight lines and connect the following: <ul style="list-style-type: none"> • Parking areas to building entrances; • Main building entrances to public sidewalks (where applicable); • Main building entrances to transit stopes (where applicable); • Between buildings on adjacent lots. 					✓	

h. 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.					✓	
i. 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.						✓
6.1.3 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
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"> Integrating these facilities into the footprint of the building; or Screening using fencing, walls, and/or landscaping 						✓
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.			✓			
6.1.4 Building Articulation, Features, and Materials	N/A	1	2	3	4	5
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.						✓
6.4 Industrial and Service Commercial						
6.4.1 Relationship to the Street	N/A	1	2	3	4	5
a. Design primary entries to be clearly visible and accessible from the street.					✓	
b. Site the building's primary façade parallel to the street and close to the minimum setback to establish a defined street edge.				✓		
c. Include glazing, as a major component of street facing facades.					✓	
d. Maintain and enhance street edge definition by preserving or incorporating street trees.	✓					
e. Locate the office, reception, or sales component of the building closer to the street than the plant or warehouse component.					✓	
f. Do not locate service doors (e.g., an overhead loading door) facing the street.			✓			
6.4.2 Site Planning and Landscaping	N/A	1	2	3	4	5
a. Pedestrian pathways should provide clear sight lines and connect the building to outdoor amenity spaces.				✓		
b. Consider providing landscaped green roofs to manage runoff, add visual appeal, improve energy efficiency, reduce heat island effect, and provide amenity value.	✓					
6.4.3 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a. The preferred location for main parking areas is at the rear and/or side of the building.				✓		
b. Avoid locating large parking areas between the building and street. A single loaded row of visitor parking and passenger drop-off areas may be located between the building and the street.				✓		
c. Where parking areas are visible from the street, screen it using strategies such as tree planting, berming, low walls, decorative fencing and/or hedging.				✓		
d. Break parking areas into smaller blocks defined by landscaping in order to minimize the amount of paved areas.					✓	
e. Locate outdoor storage areas within rear yards and/or interior side yards and screened from street view.				✓		
6.4.4 Building Articulation, Features and Materials	N/A	1	2	3	4	5
a. Avoid facing unarticulated facades to the street and use projections, recesses, plantings, awnings, color and texture to reduce the visual size of any unglazed walls.				✓		

b. Use different exterior materials to distinguish between the plant/warehouse component of a building from the office/sales component.					✓	
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HANS P. NEUMANN ARCHITECT INC.

1520 Highland Drive North, Kelowna, B.C. V1Y 4K5
Phone: (250) 868-0878 Email: hans@hpna.ca
Principal: Hans P. Neumann, Architect AIBC, B.Arch., B.E.S.

January 04, 2023

Tyler Caswell, Planner
City of Kelowna Council
1435 Water Street
Kelowna, B.C. V1Y 1J4

ATTACHMENT C

This forms part of application

DP23-0026

Planner
Initials GA



City of
Kelowna
DEVELOPMENT PLANNING

Re: Design Rationale for I3 Heavy Industrial Project @ 270 Hiram Walker Court

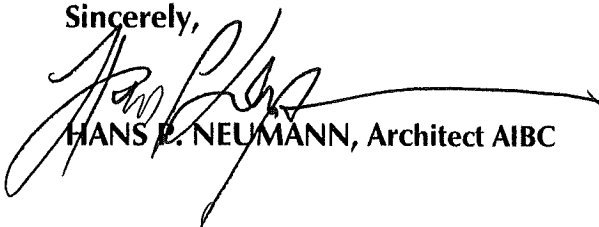
The proposed project consists of 3 (three) multi-tenant buildings, with a total building area of $\pm 63,000$ sq.ft. The buildings are organized around an over-sized central courtyard with additional vehicular circulation around the perimeter of the site. The entrance is located on the south side of the property off of Hiram Walker Court, with the paved parking/loading area at the front of the buildings allowing efficient and convenient vehicular circulation, as well as visual connection to the internally facing storefront industrial units. Each unit in the front buildings have a grade-level overhead door, while the units in the back building have overhead doors accessed from the rear joint-access agreement easement. The unit sizes vary between 1,500-4,600 sq.ft., which would cater to small or medium sized heavy industrial contractors or uses, complimenting the surrounding IND area noted in OCP 2040 plan for the north end of the City.

Professionally designed drought tolerant landscaping is located along the north and east sides of the property, screening the buildings from the adjacent sidewalks. The enclosed refuse/recycling bins are located at the west end of the parking area, out of public view.

The tilt-up concrete building design has contemporary storefronts with generous energy-efficient glazing. Each unit will have $\pm 28'$ clear ceiling height, with capacity for additional partial mezzanines. The building has been designed in such a manner as to create visual interest around the entire building. Articulation, in addition to color changes on the concrete walls will ensure that there are no long blank walls on any of the street facing façades.

With regard to CPTED (Crime Prevention Through Environmental Design), the subject property is located in the Hiram Walker Industrial Park and bounded by other heavy industrial uses. Recognizing the predominately industrial nature of the area, both employee and customer safety are key considerations. The parking areas are well lit with clearly defined pedestrian entrances to the building. The buildings themselves are well lit with security lighting along all sides to allow for maximum visibility, and do not have any features that would allow for hiding places.

Sincerely,


HANS P. NEUMANN, Architect AIBC

