Development Permit & Development Variance Permit DP24-0101 DVP24-0162

This forms part of application
DP24-0101 DVP24-0162
City of
Planner Initials
City of

City of

Kelowna
Community PLANNING

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

1881 Barlee Rd

and legally known as

LOT 1 DISTRICT LOT 129 OSOYOOS DIVISION YALE DISTRICT PLAN EPP141068

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

Apartment Housing

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

<u>Date of Council Approval:</u> February 11, 2025

Development Permit Area: Form and Character

Existing Zone: UC3r – Midtown Urban Centre Rental Only

Future Land Use Designation: UC – Urban 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: BARLEE ROAD DEVELOPMENT GP LTD., INC.NO. BC1450498

Applicant: Zeidler Architecture

Nola Kilmartin

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

THAT Council authorizes the issuance of Development Permit No. DP24-0101 and Development Variance Permit No. DVP24-0162 for LOT 1 DISTRICT LOT 129 OSOYOOS DIVISION YALE DISTRICT PLAN EPP141068 located at 1881 Barlee Rd, 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;

AND THAT a variance to the following section of Zoning Bylaw No. 12375 be granted as shown on Schedule B:

Section 14.11: Commercial and Urban Centre Zone Development Regulations

To vary the minimum building stepback from the front yard from 3.0 m required to 0.0 m proposed.

AND FURTHER THAT this Development Permit and Development Variance 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 \$275,332.75

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.

ATTACHMENT A
This forms part of application
DP24-0101 DVP24-0162
City of

All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works 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.





ISSUED FOR DP - RESPONSE 2

BARLEE RD

1881 Barlee RD. KELOWNA, BC V1Y 4S2

ARCHITECTURAL

DP00 COVER SHEET
DP100 SITE SURVEY BY OTHERS)
DP10 SPRIGGET - 9 HAUN INFO, BLOCK PLAN & SITE
DP10 STIF PLAN SITE
DP10 STIF PLAN SITE
DP10 STIF PLAN SITE
DP10 FLOOR PLANS - 16 HEL 2-5
DP200 FLOOR PLANS - 16 HEL 2-5
DP201 FLOOR PLANS - 16 HEL 2-5
DP201 BULDING ELEVATION
DP10 SULDING ELEVATION
DP10 SULDING ELEVATION
DP10 SULDING SECTION

CIVIL

C-000 COVER L NOTES
C-001 GENERAL NOTES
C-002 TOPO & LEGAL PLAN
C-003 ARCHITECTURAL PLAN
C-003 ARCHITECTURAL PLAN
C-004 EROSION & SEDIMENT CONTROL PLAN
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LANDSCAPE

LI001 COVER SHEET
LI002 GENERAL LEGENDS & NOTES
LIM101 SURFACE TREATMENT PLAN
LP101 PLANTING PLAN
LE501 PLANTING DETAILS
LE502 FURNITURE DETAILS SHEET 01
LE503 FURNITURE DETAILS SHEET 01
LE504 PLANTING DETAILS

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DP - 4 ISSUED FOR DP - RESPONSE DP - 3 ISSUED FOR DP - RESPONSE DP - 2 ISSUED FOR DP DP - 1 ISSUED FOR DP - REVIEW

PROJECT NO. REVISION NO.

DP0.00







Residential Parking Exemptions	maker Orcard Park Tabase
	3
· Total Street	
	Description of Parking Exercises of Parking Exercis

BLOCK & URBAN CORE PLANS

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City of

Kelowna

DATE

SCHEDULE

This forms part of application # DP24-0101 DVP24-0162

NO. ISSUE/REVISION

NOT FOR CONSTRUCTION

BARLEE RD

PROJECT + BYLAW INFO., BLOCK PLAN & SITE PHOTOS

PROJECT NO.	DRAWN	CHECKED
223-060	SRB	Checker

DP1.01



PROJECT INFORMATION OWNER:

7EIDI ED ADCHITECTI IDE

ZONING BYLAW NO. 12375

1881 BARLEE RD., KELOWNA B.C. V1Y 4S2

4,176.937 m² / 44,960.2 ft² / 0.417 ha

PLAN KAP12956; LOT B,C,D; DISTRICT LOT 129

UNIT TYPE | COUNT | PERCENTAGE

DP APPLICANT:

MUNICIPAL ADDRESS:

REQUESTED VARIANCE SUMMARY:

DEVELOPMENT VARIANCE PERMIT

SECTION 14.11 - COMMERCIAL AND URBAN CENTRE ZONE DEVELOPMENT REGULATIONS

PROPOSING THE STEPBACK OCCURS AT GRADE, BELOW THE SECOND STOREY, FOR PORTIONS OF THE BUILDING BETWEEN BALCONIES ALONG THE BARLEE RD. FRONTAGE MIN. BUILDING STEPBACK = 3.0m

FOOTNOTE 14: MINIMUM BUILDING STEPBACKS APPLY ONLY TO BUILDINGS THAT ARE AT LEAST FIVE (6) STOREYS AND NOT TALLER THAN 12 STOREYS. THE STEPBACK CAN OCCUR ON ANY FLOOR ABOVE THE SECOND STOREY. SEE DEVELOPMENT VARIANCE PERMIT APPLICATION FOR ADDITIONAL RATIONAL

PARCEL AREA: LANDUSE BYLAW: ZONING (EXISTING): GENERAL DESCRIPTION: MULTI-FAMILY PRINCIPAL USES / FLOOR: RESIDENTIAL UNIT TYPE BREAKDOWN:

> CLAUSE REQUIREMENT % COVERAGE IMPERMEABLE AREA % COVERAGE
> LEVEL
> GROSS FLOOR AREA
> TOTAL (LEASABLE)
>
>
> m²
> ft²
> m²
> ft²
> 0.3 BONUS FOR RENTAL DESIGNATION 2.8 F.A.R (6 STOREY) (= 11,695.32 m²) F.A.R. IS CALCULATED USING NET-AREA MEASURE TO THE INSIDE FACE OF THE EXTERIOR WALLS AND CENTRE LINE O FAR = 2.25 FRONT SETBACK (BARLEE RD): 3.0 n SIDE SETBACK: 3.0 m SIDE SETBACK 3.0 m SIDE SETBACK 4.0 m REAR SETBACK: 3.0 m MAX. BASE HEIGHT: 6 STOREYS (22) FRONT SETBACK= 3.0m FRONT STEP BACK = 3.0m IDE SETBACK = 4.0m EAR SETBACK = 3.0m AT GRADE, 4.0m AT MAIN FLOOR STOREYS 21.0km

N 14.14 - AND HEIGHT	INFO. BASE REIGHT. 6 STORETS (22 III)	ľ	a TURE TO	1, 21.20111						
Y SPACE: N 14.11 -	THE REQUIRED MINUMUM AMENITY BACHELOR = 6.0 m ² /UNIT = 17 x 6 = 102 m ²	П	LEVEL	Nar		Sub-Dep		AME	NITIE	ES
MENT	1 BED = 10.0 m ² /UNIT = 111 x 10 = 1,110 m ² 2 BED = 15.0 m ² /UNIT = 32 x 15 = 480 m ²	Ш	LEVEL	Ndi	iie	эпр-рер	١.	m²		ft²
		Ш								
	TOTAL = 1,692 m ²		LEVEL 1			COMMON		179.38 m	2	193
		Ш	LEVEL 1	COURTY	'ARD	COMMON		475.00 m	2	511
		Ш	LEVEL 1	BALCON	Y	PRIVATE		216.74 m	2	233
			LEVEL 2			PRIVATE		242.40 m		260
		Ш	LEVEL 3	BALCON	Υ	PRIVATE		242.56 m	2	261
		Ш	LEVEL 4	BALCON	Y	PRIVATE		159.53 m	2	171
		Ш	LEVEL 5	BALCON	Υ	PRIVATE	Т	159.53 m	2	171
	* SECTION 14.11. FOOTNOTE 11 4.0 m21 INIT REQUIRED TO BE COMMON AMENITY	Ш	LEVEL 6	BALCON	Y	PRIVATE		170.39 m	2	183
	= 160 x 4 = 640 m ²	Ш						1845.52 m	1	988
	MULTI-RESIDENTIAL DEVELOPMENT 0.8 STALLS / STUDIO x 17 = 13.6 = 14	LO	ABLE 8.3, OTS IN A T ARKING R	RANSIT	ORIENT	TED AREA HAV	/E NO	MINIMUM	RESII	DEN
1.3.1 - URBAN	0.9 STALLS / 1 BED x 111 = 99 = 99.9 (~100)	П	1.0	red .	_	ommanle	-	Second .		

8 STALLS / STUDIO x 17 = 13.6 = 14	LOTS IN A TRANS PARKING REQUI	SIT ORIENTED AREA HA REMENTS.	VE NO MI
9 STALLS / 1 BED x 111 = 99 = 99.9 (~100)	Level	Comments	Cor
0 STALLS / 1 BED+DEN & 2 BED x 32 = 32 14 STALLS / UNIT (VISITOR) x 160 = 22.4 = 22	P1	BF - REGULAR	2
14 31ALL3 / UNIT (VISITOR) X 100 - 22.4 - 22	P1	BF - VAN	- 1
OTAL RESIDENTAIL PARKING = 168	P1	REGULAR	5
	P1	SMALL	2
ARKING REDUCTIONS			7
ENTAL DESIGNATION -20% = -33.6 = -34 IKE INCENTIVE = -5	LEVEL 1	BF - REGULAR	1
INC INCENTIVE = 10	LEVEL 1	REGULAR	- 1
	LEVEL 1	SMALL	7

DECLUBED DARKING - 120

LONG-TERM INCENTIVE BICYCLE PARKIN STUDIO & 1 BED = 1.25/UNIT x 128 = 160 1 BED+DEN & 2 BED = 1.5/UNIT x 32 = 48 OTAL BIKE PARKING = 208

HORT-TERM BICYCLE STALLS PER ENTRANCE IS SHORT-TERM BICYCLE STALLS PER ENTRANCE

IIN. # OF EV STALLS = TOTAL - (TOTAL * 75%) = 102 - (76.5) = 25.5 (26 BICYCLE PARKING PROVIDED: LONG TERM BICYCLE STALLS PROVIDED: GROUND ANCHORED = 104 WALL ANCHORED = 73 WALL ANCHORED (PARKING STALLS) = 31 TOTAL = 208

SMALL CAR RATIO = 31 SMALL STALLS / 102 TOTAL STALLS = 30% (0.3:1)

PROJECT INFORMATION

OWNER: TROIKA DEVELOPMENT DP APPLICANT: ZEIDLER ARCHITECTURE

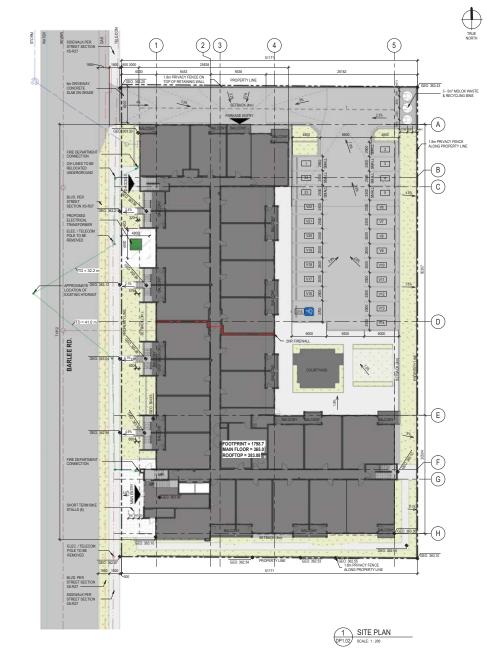
1881 BARLEE RD., KELOWNA B.C. V1Y 4S2 MUNICIPAL ADDRESS: PLAN KAP12956; LOT B, C, D; DISTRICT LOT 129 4,176.937 m² / 44,960.2 ft² / 0.417 ha LEGAL ADDRESS: PARCEL AREA

LANDUSE BYLAW: ZONING BYLAW NO. 12375 ZONING (EXISTING):

GENERAL DESCRIPTION: MULTI-FAMILY WOOD FRAMED RENTAL APARTMENTS

PRINCIPAL USES / FLOOR: RESIDENTIAL
UNIT TYPE BREAKDOWN: UNIT TO

UNIT TYPE	COUNT	PERCENTAGE
RESIDENTIAL 1BED	111	69.4%
RESIDENTIAL 2BED	32	20.0%
RESIDENTIAL STUDIO	17	10.6%





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SCHEDULE

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Planner Initials KB

DATE

NOT FOR CONSTRUCTION

NO. ISSUE/REVISION

BARLEE RD

1881 Barlee RD. KELOWNA, BC V1Y 4S2

SITE PLAN

PROJECT NO. 223-060 DRAWING NO.

DP1.02







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Kelowna

NOT FOR CONSTRUCTION

PROJECT

NO. ISSUE/REVISION

BARLEE RD

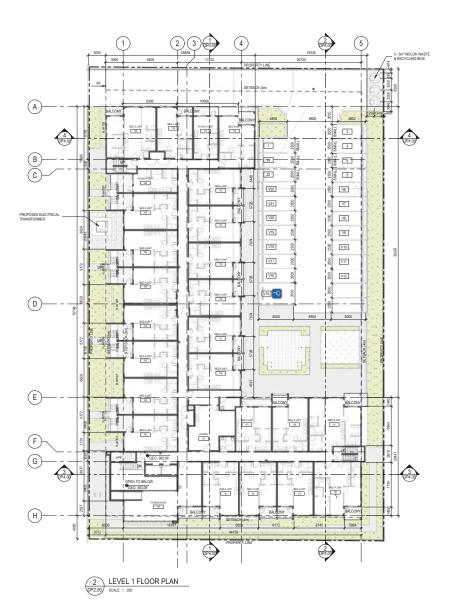
PROJECT ADDRESS 1881 Barlee RD. KELOWNA, BC V1Y 4S2

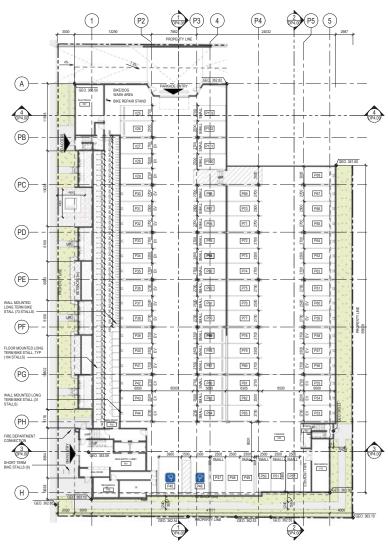
FLOOR PLANS - MAIN & P1

DRAWING NO.		REVISION NO
223-060	SRB	Checker
PROJECT NO.	DRAWN	CHECKED

DP2.00







PLAN - PARKADE DP2.00 SCALE: 1:200





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DP -	3 ISSUED FOR DP - RESPONSE	2024-12-1
DP -	4 ISSUED FOR DP - RESPONSE 2	2025-01-08

NOT FOR CONSTRUCTION

BARLEE RD

FLOOR PLANS -LEVEL 2-5

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PROJECT NO.	DRAWN	CHECKE

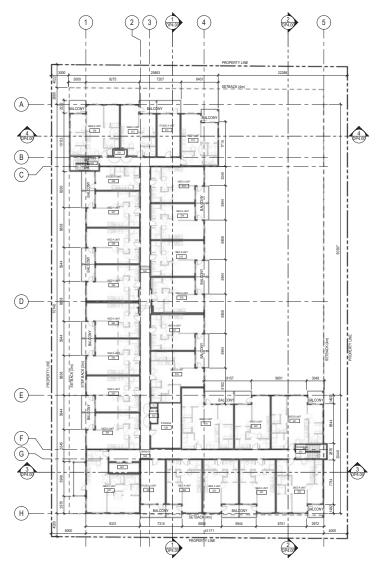












2 DP2.01 SCALE: 1: 200



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T FLOOR PLAN - LEVEL 2 & 3

DP2.01 SCALE: 1:200

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DP -	2 ISSUED FOR DP	2024-05-03
DP .:	3 ISSUED FOR DP - RESPONSE	2024-12-11
DP	4 ISSUED FOR DP - RESPONSE 2	2025-01-08

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BARLEE RD

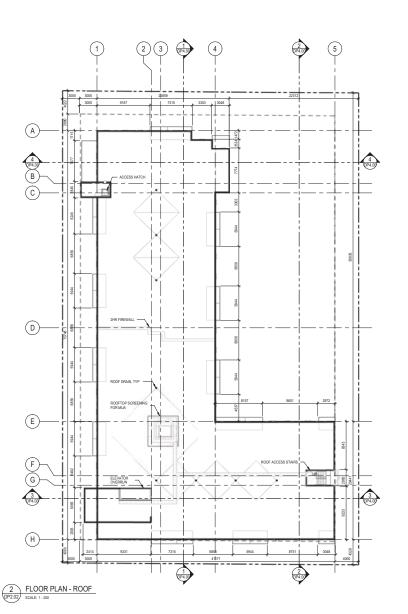
PROJECT ADDRESS 1881 Barlee RD. KELOWNA, BC V1Y 4S2

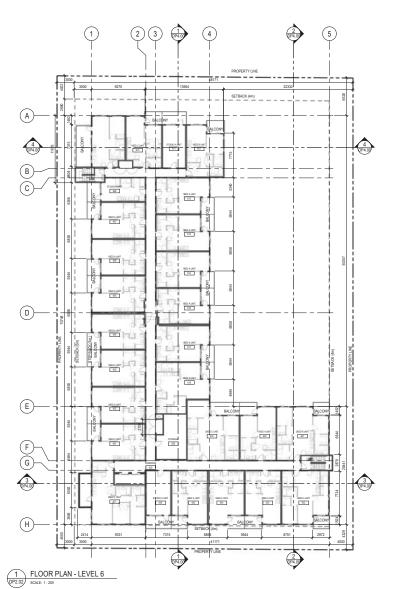
FLOOR PLANS -LEVEL 6

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223-080	SRB	Check
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DP2.02









PERSPECTIVE - SW

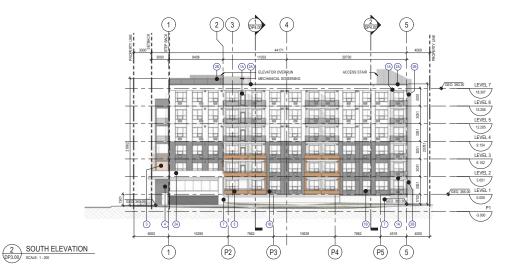


PERSPECTIVE - WEST ELEVATION



DP - MATERIAL LEGEND

- (1A) FIBERCEMENT BOARD LAP CLADDING (HARDIE, ARCTIC WHITE)
- (IB) FIBERCEMENT BOARD LAP CLADDING (HARDIE, RICH ESPRESSO)
- (2A) FIBERCEMENT PANEL CLADDING (HARDIE, ARCTIC WHITE)
- (2B) FIBERCEMENT PANEL CLADDING (HARDIE, RICH ESPRESSO)
- 3 WOOD APPARENT METAL CLADDING
- (4) CHICAGO BRICK (ANTHRACITE)
- (5) VINYL WINDOW FRAME (BLACK) DOUBLE GLAZED (CLEAR)
- (6) METAL FRAMED GUARDRAIL WITH METAL PICKETS (BLACK POWDER COAT)
- (7) EXPOSED CONCRETE
- (9) OVERHEAD DOOR (COLOUR TO MATCH ADJACENT CLADDING)
- (10) PRE-FINISHED METAL SOFFIT









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BARLEE RD

BUILDING ELEVATION

PROJECT NO.	DRAWN	CHECKE
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DP3.00





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SCHEDULE

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Planner Initials KB

NO. ISSUE/REVISION

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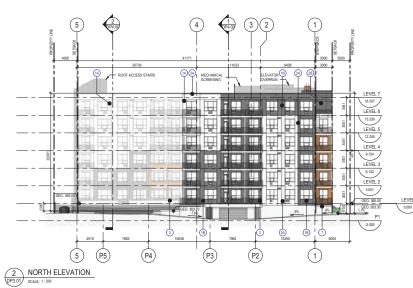
Kelowna

BARLEE RD

BUILDING ELEVATION

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13-060	SG	Checker

DP3.01



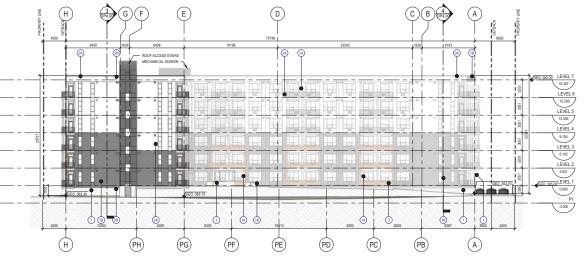






DP - MATERIAL LEGEND

- (1A) FIBERCEMENT BOARD LAP CLADDING (HARDIE, ARCTIC WHITE)
- (IB) FIBERCEMENT BOARD LAP CLADDING (HARDIE, RICH ESPRESSO)
- (2A) FIBERCEMENT PANEL CLADDING (HARDIE, ARCTIC WHITE)
- (2B) FIBERCEMENT PANEL CLADDING (HARDIE, RICH ESPRESSO)
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- (6) METAL FRAMED GUARDRAIL WITH METAL PICKETS (BLACK POWDER COAT)
- (7) EXPOSED CONCRETE
- (9) OVERHEAD DOOR (COLOUR TO MATCH ADJACENT CLADDING)
- (10) PRE-FINISHED METAL SOFFIT



EAST ELEVATION











PERSPECTIVE - SW

SCALE: 12" = 1"-0"



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BARLEE RD

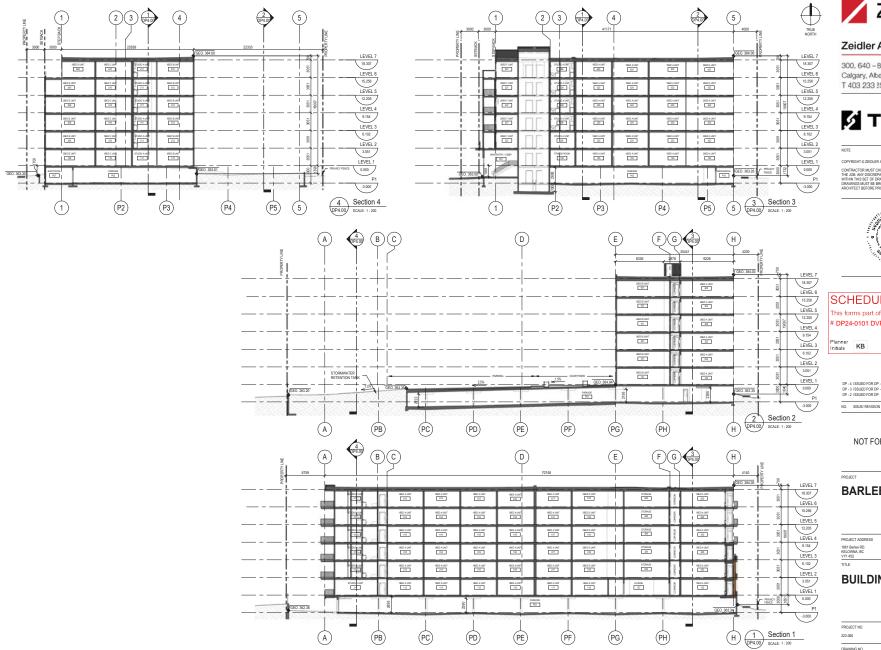
PERSPECTIVES

PROJECT NO. 223-080	DRAWN	CHECKE
223-060	SG	Checks

DP3.02









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SCHEDULE

DP24-0101 DVP24-0162

City of Kelowna

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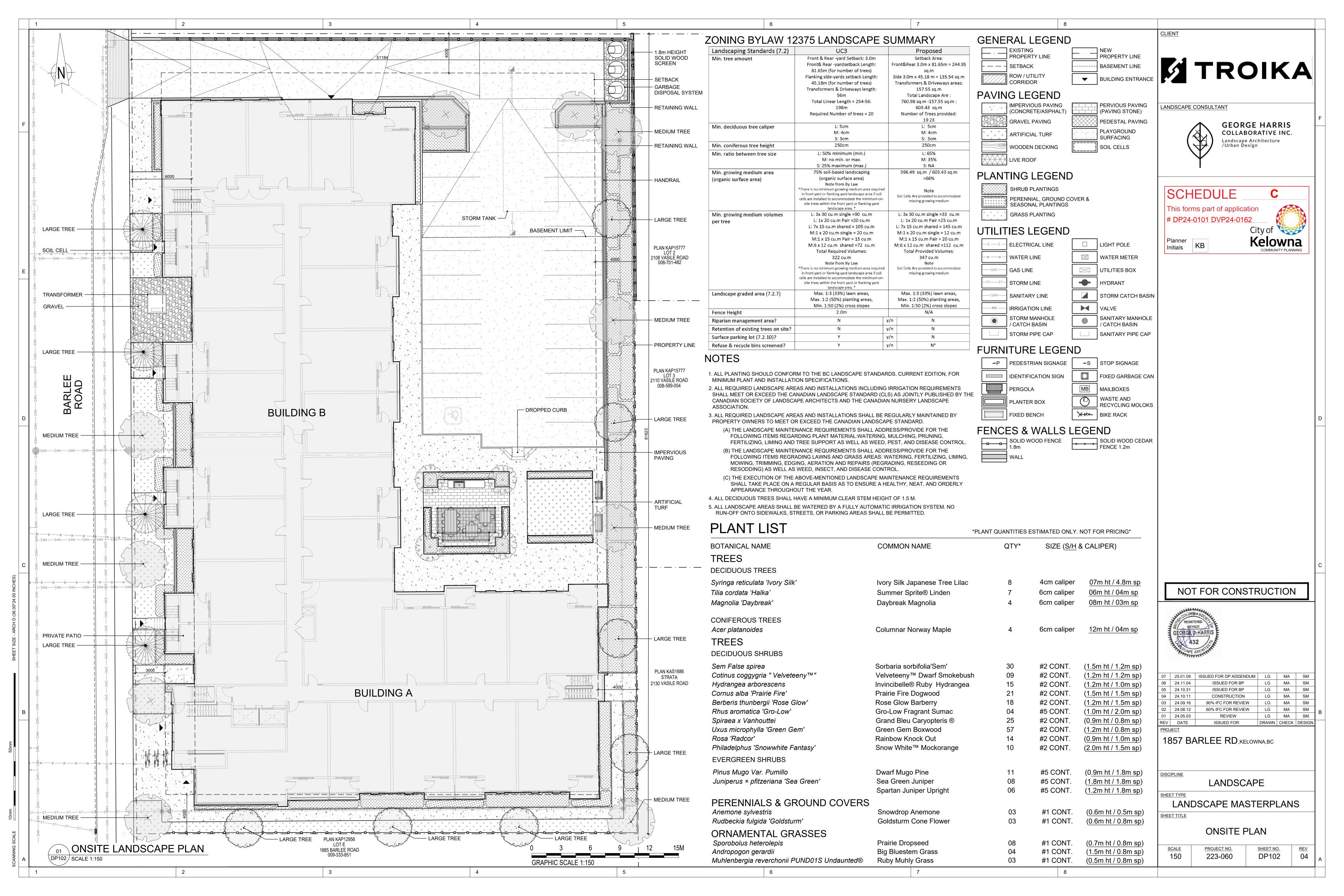
BARLEE RD

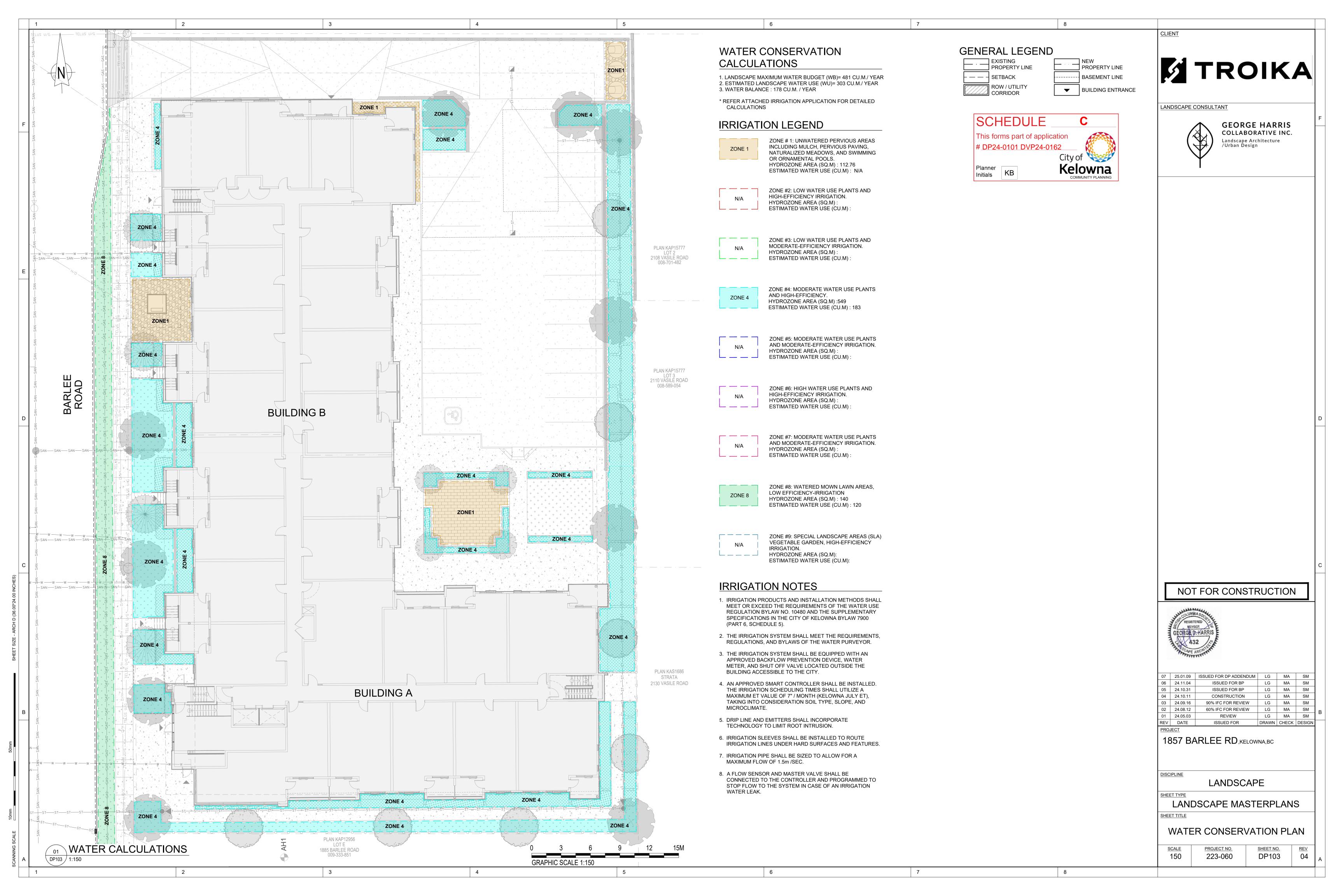
BUILDING SECTION

PROJECT NO.	DRAWN	CHECKED
223-080	SRB	Checker
DRAWING NO.		DEMISION NO

DP4.00











1857 Barlee Road Multi-Family - Zoning Bylaw 12375 Landscape Summary

Landscaping Standards (7.2)	UC3		Proposed				
Min. tree amount	Front & Rear -yard Setback: 3.0m Front& Rear -yardsetback Length: 81.65m (for number of trees)		Number of Trees provided: 23				
	Flanking side-yards setback Length: 45.18m (for number of trees) Transformers & Driveways length:						
	56m						
	Total Linear Length = 254-56: 198m						
	Required Number of trees = 20						
Min. deciduous tree caliper	L: 5cm		L: 5cm				
	M: 4cm		M: 4cm				
	S: 3cm	-	S: 3cm				
Min. coniferous tree height	250cm		250cm				
Min. ratio between tree size	L: 50% minimum (min.)		L: 65%				
	M: no min. or max.		M: 35%				
	S: 25% maximum (max.)		S: NA				
Min. growing medium area	75% soil-based landscaping		398.49 sq.m / 603.43 sq.m				
(organic surface area)	(organic surface area) Note from By Law		=66%				
	*There is no minimum growing medium area required in front yard or flanking yard landscape area if soil cells are installed to accommodate the minimum onsite trees within the front yard or flanking yard landscape area. *		Note Soil Cells Are provided to accommodate missing growing medium				
Min. growing medium volumes	L: 3x 30 cu.m single =90 cu.m		L: 3x 30 cu.m single =33 cu.m				
per tree	L: 1x 20 cu.m Pair =20 cu.m		L: 1x 20 cu.m Pair =25 cu.m				
	L: 7x 15 cu.m shared = 105 cu.m		L: 7x 15 cu.m shared = 145 cu.m				
	M:1 x 20 cu.m single = 20 cu.m		M:1 x 20 cu.m single = 12 cu.m				
	M:1 x 15 cu.m Pair = 15 cu.m		M:1 x 15 cu.m Pair = 20 cu.m				
	M:6 x 12 cu.m shared =72 cu.m		M:6 x 12 cu.m shared =112 cu.m				
	Total Required Volumes:		Total Provided Volumes:				
	322 cu.m		347 cu.m				
	Note from By Law *There is no minimum growing medium area required in front yard or flanking yard landscape area if soil cells are installed to accommodate the minimum onsite trees within the front yard or flanking yard landscape area. *	Note I Soil Cells Are provided to accommod- missing growing medium					
Landscape graded area (7.2.7)	Max. 1:3 (33%) lawn areas,		Max. 1:3 (33%) lawn areas,				
,	Max. 1:2 (50%) planting areas,		Max. 1:2 (50%) planting areas,				
	Min. 1:50 (2%) cross slopes		Min. 1:50 (2%) cross slopes				
Fence Height	2.0m		N/A				
Riparian management area?	N	y/n	N				
Retention of existing trees on site?	N	y/n	N				
Surface parking lot (7.2.10)?	Υ	y/n	N				
Refuse & recycle bins screened?	Y	y/n	N ⁴				
Other:	¹ Growing medium volumes include are		•				
	zone and soil cell area to attain required volumes per tree.						



² Organic surface area will need to include areas outside of landscape setback zone to attain required minimum soft based landscaping. This includes offsite area of planting at Mugford Road & Rutland Road. ³ Garbage and recycling bins to be stored inside building.	
1 0 0	·
	includes offsite area of planting at Mugford Road & Rutland Road.





January 09, 2025

Re: 1857 Barlee Rd. Kelowna, BC Preliminary Cost Estimate for Bonding

Dear Josh Klassen:

Please be advised of the following preliminary cost estimate for bonding of the proposed landscape works shown in the Barlee Rd. conceptual landscape plan dated 09.01.25;

- On-site Improvements: 2161 square meters (23260.81 square feet) = \$220,266.20
- Off-site Improvements: 295 square meters (3175 square feet) = \$19,184

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

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

Best regards,



George Harris, AALA, BSCLA, CSLA

FORM & CHARACTER - DEVELOPMENT PERMIT GUIDELINES

Chapter 2 - The Design Foundations: apply to all projects and provide the overarching principles for supporting creativity, innovation and design excellence in Kelowna.

- Facilitate Active Mobility
- Use Placemaking to Strengthen Neighbourhood Identity
- Create Lively and Attractive Streets & Public Spaces
- Design Buildings to the Human Scale
- Strive for Design Excellence

The General Residential and Mixed Use Guidelines: provide the key guidelines that all residential and mixed use projects should strive to achieve to support the Design Foundations.

 The General Guidelines are supplement by typology-specific guidelines (e.g., Townhouses & Infill on page 18-19, High-Rise Residential and Mixed-Use on page 18-42), which provide additional guidance about form and character.

Chapter 2 - Design Foundations Apply To All Projects Page 18-8

Section 2.1 - General Residential and Mixed Use Design Guidelines
Page 18-9

Section 2.2 - Achieving High Performance Page 18-17

Chapter 3
Townhouses & Infill

Page 18-19

Chapter 4 Low & Mid-Rise Residential & Mixed Use

Page 18-34

Chapter 5 High-Rise Residential & Mixed Use

Page 18-42

^{*}Note: Refer to the Design Foundations and the Guidelines associated with the specific building typology.



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

	SECTION 2.0: GENERAL RESIDENTIAL AND MIXED USE						
RA	TE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE	N/A	1	2	3	4	5
(1	s least complying & 5 is highly complying)					'	
	. General residential & mixed use guidelines	1		1	1	1	
	1 Relationship to the Street	N/A	1	2	3	4	5
a.	Orient primary building facades and entries to the fronting street					-	√
	or open space to create street edge definition and activity.						
b.	On corner sites, orient building facades and entries to both	✓					
	fronting streets.						
C.	Minimize the distance between the building and the sidewalk to						✓
	create street definition and a sense of enclosure.						
d.	Locate and design windows, balconies, and street-level uses to						✓
	create active frontages and 'eyes on the street', with additional						
	glazing and articulation on primary building facades.						
e.	Ensure main building entries are clearly visible with direct sight						✓
	lines from the fronting street.						
f.	Avoid blank, windowless walls along streets or other public open			✓			
	spaces.						
g.	Avoid the use of roll down panels and/or window bars on retail and	✓					
	commercial frontages that face streets or other public open						
	spaces.						
2 1	2 Scale and Massing						
2.3		N/A	1	2	3	4	5
a.	Provide a transition in building height from taller to shorter	N/A ✓	1	2	3	4	5
	Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration		1	2	3	4	5
a.	Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction.		1	2	3		5
	Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction. Break up the perceived mass of large buildings by incorporating		1	2	3	4	5
a. b.	Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction. Break up the perceived mass of large buildings by incorporating visual breaks in facades.		1		3		5
a.	Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction. Break up the perceived mass of large buildings by incorporating visual breaks in facades. Step back the upper storeys of buildings and arrange the massing		1	√	3		5
a. b.	Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction. Break up the perceived mass of large buildings by incorporating visual breaks in facades. Step back the upper storeys of buildings and arrange the massing and siting of buildings to:		1		3		5
а. b. с.	Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction. Break up the perceived mass of large buildings by incorporating visual breaks in facades. Step back the upper storeys of buildings and arrange the massing		1		3		5
а. b. с.	Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction. Break up the perceived mass of large buildings by incorporating visual breaks in facades. Step back the upper storeys of buildings and arrange the massing and siting of buildings to: Minimize the shadowing on adjacent buildings as well as public		1		3		5
а. b. с.	Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction. Break up the perceived mass of large buildings by incorporating visual breaks in facades. Step back the upper storeys of buildings and arrange the massing and siting of buildings to: Minimize the shadowing on adjacent buildings as well as public and open spaces such as sidewalks, plazas, and courtyards; and		1		3		5
a. b. c.	Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction. Break up the perceived mass of large buildings by incorporating visual breaks in facades. Step back the upper storeys of buildings and arrange the massing and siting of buildings to: Minimize the shadowing on adjacent buildings as well as public and open spaces such as sidewalks, plazas, and courtyards; and Allow for sunlight onto outdoor spaces of the majority of ground		1		3		5
a. b. c.	Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction. Break up the perceived mass of large buildings by incorporating visual breaks in facades. Step back the upper storeys of buildings and arrange the massing and siting of buildings to: Minimize the shadowing on adjacent buildings as well as public and open spaces such as sidewalks, plazas, and courtyards; and Allow for sunlight onto outdoor spaces of the majority of ground floor units during the winter solstice.	✓ 		✓		✓	
a. b. c. •	Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction. Break up the perceived mass of large buildings by incorporating visual breaks in facades. Step back the upper storeys of buildings and arrange the massing and siting of buildings to: Minimize the shadowing on adjacent buildings as well as public and open spaces such as sidewalks, plazas, and courtyards; and Allow for sunlight onto outdoor spaces of the majority of ground floor units during the winter solstice. 3.3 Site Planning	✓ 		✓		✓	
a. b. c. •	Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction. Break up the perceived mass of large buildings by incorporating visual breaks in facades. Step back the upper storeys of buildings and arrange the massing and siting of buildings to: Minimize the shadowing on adjacent buildings as well as public and open spaces such as sidewalks, plazas, and courtyards; and Allow for sunlight onto outdoor spaces of the majority of ground floor units during the winter solstice. 3 Site Planning Site and design buildings to respond to unique site conditions and opportunities, such as oddly shaped lots, location at prominent intersections, framing of important open spaces, corner lots, sites	✓ 		✓		✓	
a. b. c. •	Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction. Break up the perceived mass of large buildings by incorporating visual breaks in facades. Step back the upper storeys of buildings and arrange the massing and siting of buildings to: Minimize the shadowing on adjacent buildings as well as public and open spaces such as sidewalks, plazas, and courtyards; and Allow for sunlight onto outdoor spaces of the majority of ground floor units during the winter solstice. 3 Site Planning Site and design buildings to respond to unique site conditions and opportunities, such as oddly shaped lots, location at prominent intersections, framing of important open spaces, corner lots, sites with buildings that terminate a street end view, and views of	✓ 		✓		✓	
a. b. c. •	Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction. Break up the perceived mass of large buildings by incorporating visual breaks in facades. Step back the upper storeys of buildings and arrange the massing and siting of buildings to: Minimize the shadowing on adjacent buildings as well as public and open spaces such as sidewalks, plazas, and courtyards; and Allow for sunlight onto outdoor spaces of the majority of ground floor units during the winter solstice. 3 Site Planning Site and design buildings to respond to unique site conditions and opportunities, such as oddly shaped lots, location at prominent intersections, framing of important open spaces, corner lots, sites with buildings that terminate a street end view, and views of natural features.	✓ 		✓		✓	
a. b. c. •	Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction. Break up the perceived mass of large buildings by incorporating visual breaks in facades. Step back the upper storeys of buildings and arrange the massing and siting of buildings to: Minimize the shadowing on adjacent buildings as well as public and open spaces such as sidewalks, plazas, and courtyards; and Allow for sunlight onto outdoor spaces of the majority of ground floor units during the winter solstice. 3 Site Planning Site and design buildings to respond to unique site conditions and opportunities, such as oddly shaped lots, location at prominent intersections, framing of important open spaces, corner lots, sites with buildings that terminate a street end view, and views of natural features. Use Crime Prevention through Environmental Design (CPTED)	✓ 		✓		✓	
a. b. c. • 2.1	Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction. Break up the perceived mass of large buildings by incorporating visual breaks in facades. Step back the upper storeys of buildings and arrange the massing and siting of buildings to: Minimize the shadowing on adjacent buildings as well as public and open spaces such as sidewalks, plazas, and courtyards; and Allow for sunlight onto outdoor spaces of the majority of ground floor units during the winter solstice. 3 Site Planning Site and design buildings to respond to unique site conditions and opportunities, such as oddly shaped lots, location at prominent intersections, framing of important open spaces, corner lots, sites with buildings that terminate a street end view, and views of natural features. Use Crime Prevention through Environmental Design (CPTED) principles to better ensure public safety through the use of	✓ 		✓		✓	
a. b. c. • 2.1	Provide a transition in building height from taller to shorter buildings both within and adjacent to the site with consideration for future land use direction. Break up the perceived mass of large buildings by incorporating visual breaks in facades. Step back the upper storeys of buildings and arrange the massing and siting of buildings to: Minimize the shadowing on adjacent buildings as well as public and open spaces such as sidewalks, plazas, and courtyards; and Allow for sunlight onto outdoor spaces of the majority of ground floor units during the winter solstice. 3 Site Planning Site and design buildings to respond to unique site conditions and opportunities, such as oddly shaped lots, location at prominent intersections, framing of important open spaces, corner lots, sites with buildings that terminate a street end view, and views of natural features. Use Crime Prevention through Environmental Design (CPTED)	✓ 		✓		✓	



C.	Limit the maximum grades on development sites to 30% (3:1)						✓
d.	Design internal circulation patterns (street, sidewalks, pathways)						√
	to be integrated with and connected to the existing and planed						
	future public street, bicycle, and/or pedestrian network.						
e.	Incorporate easy-to-maintain traffic calming features, such as on-	✓					
	street parking bays and curb extensions, textured materials, and						
	crosswalks.						
f.	Apply universal accessibility principles to primary building entries,					✓	
	sidewalks, plazas, mid-block connections, lanes, and courtyards						
	through appropriate selection of materials, stairs, and ramps as						
	necessary, and the provision of wayfinding and lighting elements.						
2.1	.4 Site Servicing, Access, and Parking	N/A	1	2	3	4	5
a.	Locate off-street parking and other 'back-of-house' uses (such as						✓
	loading, garbage collection, utilities, and parking access) away						
	from public view.						
b.	Ensure utility areas are clearly identified at the development						✓
	permit stage and are located to not unnecessarily impact public or						
	common open spaces.						
c.	Avoid locating off-street parking between the front façade of a						✓
	building and the fronting public street.						
d.	In general, accommodate off-street parking in one of the					✓	
	following ways, in order of preference:						
•	Underground (where the high water table allows)						
•	Parking in a half-storey (where it is able to be accommodated to						
	not negatively impact the street frontage);						
•	Garages or at-grade parking integrated into the building (located						
	at the rear of the building); and						
•	Surface parking at the rear, with access from the lane or						
	secondary street wherever possible.						
e.	Design parking areas to maximize rainwater infiltration through		✓				
	the use of permeable materials such as paving blocks, permeable						
	concrete, or driveway planting strips.						
f.	In cases where publicly visible parking is unavoidable, screen using	✓					
	strategies such as:						
•	Landscaping;						
•	Trellises;						
•	Grillwork with climbing vines; or						
•	Other attractive screening with some visual permeability.						
g.	Provide bicycle parking at accessible locations on site, including:						✓
•	Covered short-term parking in highly visible locations, such as						
	near primary building entrances; and						
•	Secure long-term parking within the building or vehicular parking						
	area.						
h.	Provide clear lines of site at access points to parking, site						✓
	servicing, and utility areas to enable casual surveillance and safety.	1					•



				1	ı	ı	
i.	Consolidate driveway and laneway access points to minimize curb						✓
	cuts and impacts on the pedestrian realm or common open						
	spaces.						
j.	Minimize negative impacts of parking ramps and entrances					✓	
	through treatments such as enclosure, screening, high quality						
	finishes, sensitive lighting and landscaping.						
2.1	.5 Streetscapes, Landscapes, and Public Realm Design	N/A	1	2	3	4	5
a.	Site buildings to protect mature trees, significant vegetation, and				√		
	ecological features.						
b.	Locate underground parkades, infrastructure, and other services					√	
	to maximize soil volumes for in-ground plantings.						
C.	Site trees, shrubs, and other landscaping appropriately to						√
С.	maintain sight lines and circulation.						
d.	Design attractive, engaging, and functional on-site open spaces	1					✓
u.	with high quality, durable, and contemporary materials, colors,						
	lighting, furniture, and signage.						
_						√	
e.	Ensure site planning and design achieves favourable microclimate					*	
	outcomes through strategies such as:						
•	Locating outdoor spaces where they will receive ample sunlight						
	throughout the year;						
•	Using materials and colors that minimize heat absorption;						
•	Planting both evergreen and deciduous trees to provide a balance						
	of shading in the summer and solar access in the winter; and						
•	Using building mass, trees and planting to buffer wind.						
f.	Use landscaping materials that soften development and enhance						✓
	the public realm.						
g.	Plant native and/or drought tolerant trees and plants suitable for						✓
	the local climate.						
h.	Select trees for long-term durability, climate and soil suitability,						✓
	and compatibility with the site's specific urban conditions.						
i.	Design sites and landscapes to maintain the pre-development					✓	
	flows through capture, infiltration, and filtration strategies, such						
	as the use of rain gardens and permeable surfacing.						
2.1	.6 Building Articulation, Features and Materials	N/A	1	2	3	4	5
a.	Express a unified architectural concept that incorporates variation					√	
	in façade treatments. Strategies for achieving this include:						
•	Articulating facades by stepping back or extending forward a						
	portion of the façade to create a series of intervals or breaks;						
•	Repeating window patterns on each step-back and extension						
	interval;						
	Providing a porch, patio, or deck, covered entry, balcony and/or						
•	bay window for each interval; and						
•	Changing the roof line by alternating dormers, stepped roofs,						
I.	gables, or other roof elements to reinforce each interval.	-					./
b.	Incorporate a range of architectural features and details into						√
	building facades to create visual interest, especially when approached by pedestrians. Include architectural features such as:						
		•					1



bay windows and balconies; corner feature accents, such as turrets or cupolas; variations in roof height, shape and detailing; building entries; and canopies and overhangs. Include architectural details such as: Masonry such as tiles, brick, and stone; siding including score lines and varied materials to distinguish between floors; articulation of columns and pilasters; ornamental features and art work; architectural lighting; grills and railings; substantial trim details and moldings / cornices; and trellises, pergolas, and arbors. c. Design buildings to ensure that adjacent residential properties have sufficient visual privacy (e.g. by locating windows to minimize overlook and direct sight lines into adjacent units), as well as protection from light trespass and noise. d. Design buildings such that their form and architectural character reflect the buildings internal function and use. e. Incorporate substantial, natural building materials such as masonry, stone, and wood into building facades. f. Provide weather protection such as awnings and canopies at **√** primary building entries. g. Place weather protection to reflect the building's architecture. h. Limit signage in number, location, and size to reduce visual clutter and make individual signs easier to see. Provide visible signage identifying building addresses at all ✓ entrances.

SECTION 4.0: LOW & MID-RISE RESIDENTIAL MIXED USE							
RATE PROPOSALS COMPLIANCE TO PERTINENT GUIDELINE	N/A	1	2	3	4	5	
(1 is least complying & 5 is highly complying)							
4.1 Low & mid-rise residential & mixed use guidelines							
4.1.1 Relationship to the Street	N/A	1	2	3	4	5	
h. Ensure lobbies and main building entries are clearly visible from						✓	
the fronting street.							
i. Avoid blank walls at grade wherever possible by:			✓				
Locating enclosed parking garages away from street frontages	or						
public open spaces;							
Using ground-oriented units or glazing to avoid creating dead							
frontages; and							
When unavoidable, screen blank walls with landscaping or							
incorporate a patio café or special materials to make them more	e						
visually interesting.							
Residential & Mixed Use Buildings	•						
j. Set back residential buildings on the ground floor between 3-5 r	n		✓				
from the property line to create a semi-private entry or transition	n						



zone to individual units and to allow for an elevated front entryway or raised patio. A maximum 1.2 m height (e.g. 5-6 steps) is desired for front entryways. Exceptions can be made in cases where the water table requires this to be higher. In these cases, provide a larger patio and screen parking with ramps, stairs and landscaping. **√** k. Incorporate individual entrances to ground floor units accessible from the fronting street or public open spaces. Site and orient buildings so that windows and balconies overlook public streets, parks, walkways, and shared amenity spaces while minimizing views into private residences. 4.1.2 Scale and Massing N/A 1 3 4 5 a. Residential building facades should have a maximum length of 60 m. A length of 40 m is preferred. Residential buildings should have a maximum width of 24 m. **√** c. Buildings over 40 m in length should incorporate a significant horizontal and vertical break in the façade. 4.1.3 Site Planning N/A 1 3 5 4 a. On sloping sites, floor levels should step to follow natural grade and avoid the creation of blank walls. b. Site buildings to be parallel to the street and to have a distinct front-to-back orientation to public street and open spaces and to rear yards, parking, and/or interior court yards: Building sides that interface with streets, mid-block connections and other open spaces and should positively frame and activate streets and open spaces and support pedestrian activity; and Building sides that are located away from open spaces (building backs) should be designed for private/shared outdoor spaces and vehicle access. c. Break up large buildings with mid-block connections which should ✓ be publicly-accessible wherever possible. ✓ d. Ground floors adjacent to mid-block connections should have entrances and windows facing the mid-block connection. 4.1.4 Site Servicing, Access and Parking N/A 1 3 a. Vehicular access should be from the lane. Where there is no lane, and where the re-introduction of a lane is difficult or not possible, access may be provided from the street, provided: Access is from a secondary street, where possible, or from the long face of the block; Impacts on pedestrians and the streetscape is minimised; and There is no more than one curb cut per property. b. Above grade structure parking should only be provided in instances where the site or high water table does not allow for other parking forms and should be screened from public view with



active retail uses, active residential uses, architectural or landscaped screening elements. c. Buildings with ground floor residential may integrate half-storey underground parking to a maximum of 1.2 m above grade, with the following considerations: Semi-private spaces should be located above to soften the edge and be at a comfortable distance from street activity; and Where conditions such as the high water table do not allow for this condition, up to 2 m is permitted, provided that entryways, stairs, landscaped terraces, and patios are integrated and that blank walls and barriers to accessibility are minimized. 4.1.5 Publicly-Accessible and Private Open Spaces N/A 1 2 3 4 5 a. Integrate publicly accessible private spaces (e.g. private courtyards accessible and available to the public) with public open areas to create seamless, contiquous spaces. b. Locate semi-private open spaces to maximize sunlight penetration, minimize noise disruptions, and minimize 'overlook' from adjacent units. Outdoor amenity areas c. Design internal courtyards to: Provide amenities such as play areas, barbecues, and outdoor seating where appropriate. Provide a balance of hardscape and softscape areas to meet the specific needs of surrounding residents and/or users. d. Design mid-block connections to include active frontages, seating and landscaping. 4.1.6 Building Articulation, Features, and Materials N/A 1 3 5 4 a. Articulate building facades into intervals that are a maximum of 15 m wide for mixed-use buildings and 20 m wide for residential buildings. Strategies for articulating buildings should consider the potential impacts on energy performance and include: Façade Modulation – stepping back or extending forward a portion of the façade to create a series of intervals in the façade; Repeating window pattern intervals that correspond to extensions and step backs (articulation) in the building façade; Providing a porch, patio, deck, or covered entry for each interval; Providing a bay window or balcony for each interval, while balancing the significant potential for heat loss through thermal bridge connections which could impact energy performance; Changing the roof line by alternating dormers, stepped roofs, gables, or other roof elements to reinforce the modulation or articulation interval; Changing the materials with the change in building plane; and Provide a lighting fixture, trellis, tree or other landscape feature within each interval. b. Break up the building mass by incorporating elements that define a building's base, middle and top.



c. Use an integrated, consistent range of materials and colors and provide variety, by for example, using accent colors. d. Articulate the façade using design elements that are inherent to the buildings as opposed to being decorative. For example, create depth in building facades by recessing window frames or partially recessing balconies to allow shadows to add detail and variety as a byproduct of massing. e. Incorporate distinct architectural treatments for corner sites and highly visible buildings such as varying the roofline, articulating the façade, adding pedestrian space, increasing the number and size of windows, and adding awnings or canopies. f. Provide weather protection (e.g. awnings, canopies, overhangs, etc.) along all commercial streets and plazas with particular attention to the following locations: Primary building entrances;, Adjacent to bus zones and street corners where people wait for traffic lights; Over store fronts and display windows; and Any other areas where significant waiting or browsing by people occurs. Architecturally-integrate awnings, canopies, and overhangs to the building and incorporate architectural design features of buildings from which they are supported. h. Place and locate awnings and canopies to reflect the building's architecture and fenestration pattern. Place awnings and canopies to balance weather protection with daylight penetration. Avoid continuous opaque canopies that run the full length of facades. Provide attractive signage on commercial buildings that identifies uses and shops clearly but which is scaled to the pedestrian rather than the motorist. Some exceptions can be made for buildings located on highways and/or major arterials in alignment with the City's Sign Bylaw. ✓ k. Avoid the following types of signage: Internally lit plastic box signs; Pylon (stand alone) signs; and Rooftop signs. Uniquely branded or colored signs are encouraged to help ✓ establish a special character to different neighbourhoods.





DESIGN RATIONALE: Midtown Urban Core Rental Project

TROIKA

September 8th, 2024

To: To whom it may concern,

Re: Development Variance Permit Application for 1857-1879 Barlee Rd. (DP24-0101 & Z24-0024)

PARTNERS

BILL MITCHELL

VAIDILA BANELIS | ARCHITECT

AAA, AIBC, SAA, OAA, MRAIC,
LEED® AP

JAMES D BROWN | ARCHITECT

AAA, AIBC, MRAIC

R. SEAN CRAWFORD | LICENSED
INTERIOR DESIGNER, AAA, IDC,
IDA, NCIDQ

JEAN GUY BELIVEAU

Bylaw Regulation:

Section 14.11 – Commercial and Urban Centre Zone Development Regulations

- Min. Building Stepback from Font Yard and Flanking Side Yard
 - UC3 = 3.0m
 - Footnote 14 Minimum building Stepbacks apply only to buildings that are at least five (5) storeys and not taller than 12 stores. The Stepback can occur on any floor above the second storey.

Additional Bylaw Considerations:

Section 7.2 - Tree & Landscaping Planting Requirements

- Minimum Setback from buildings, raised patios, and balconies to on-site trees.
 - o Large: 3m radius from centre of tree up to the second storey of the building
 - o Medium: 2m radius from centre of tree up to the second storey of the building
 - o Small: 1m radius from centre of tree up to the second storey of the building
 - Any underground parkade, underground building, underground structure (such as a stormwater detention tank) must be setback at least 1 metre volumetrically measured from the centre of the tree at finished grade (truck flare).

Design Rationale:

It has been our practice to design our projects with a continuous Stepback along the entire façade similar to the multi-storey building diagram found under the definition of Stepback in the City Bylaws, but changes to the Tree and Landscaping Planting Requirements have resulted in the design we submitted. The current design incorporates Stepbacks along the Barlee Rd. frontage: on the northwest corner at the 6th storey, as well as the stepping back of the balcony-pairs at the second storey along the bulk of the building, and the balconies on the southwest corner — mimicking a similar massing to the northwest corner. The portions of the building that do not Stepback, or rather Stepback at grade because they are recessed 6m from the property line, are designed in response to the minimum Setback from buildings, raised patios, and balconies to on-site trees as outlined in table 7.2 of the Zoning Bylaw 12375, which required a 3m radius from centre of large trees up to the second storey of the building. The required trees must be planted in the setback area and because it is only 3m deep the trees would need to be centered on the property line to maintain the 3m radius of the trees and provide a Stepback element along the



entire building. Supposing that planting a tree half off our property would not be allowed we endeavoured to literally design around these trees.

The Bylaw definition of a Stepback is, "the horizontal recessing of the building façade above a specified storey". This does not speak to the purpose of the Stepback, but rather goes on to show diagrams of how it applies to a single-family house and a mid-rise building of 8 storeys, neither of which truly reflects our project. We are left to infer that the Stepback is intended, as it is in many jurisdictions, to reduce the amount of shadowing of the street, maintain the street fronting façade at a "human scape" (typical 2 or 3 storeys), and provide additional articulation to increase visual interest. We suggest that the current design meets all these criteria while still providing sufficient space for the large trees to be planted on our property. We are requesting support of our variance due to our design recessing the building to a depth of the Stepback below the second storey.

Conclusion:

We are requesting a variance because despite our best efforts to design a bylaw compliant building there is a conflict between sections 7.2 and 14.11, which prevents us from complying fully to the letter of the Bylaw. However, we believe we have designed this project to the spirit of the Bylaw by meeting all the intents of the Stepback requirement, those being reduced shadowing, increased articulation, and a more human scaled street front. May we request that the Bylaws be reviewed for internal conflicts, or perhaps the Stepback requirement be amended so it applies to a percentage of the building, which will allow for the Landscape requirements to be accommodated.

Sincerely,

Steve Belt He/Him

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