## CITY OF KELOWNA

## MEMORANDUM

Date: December 6, 2016
File No.: DP16-0258

## To: Community Planning (AC)

From: Development Engineering Manager(SM)
Subject: 322 Lake Ave Multi-family
Development Engineering Department have the following comments and requirements associated with this application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Sergio Sartori

## 1. Domestic Water and Fire Protection

(a) The existing lot is serviced with small diameter water services (3). The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The estimated cost of this construction for bonding purposes is $\mathbf{\$ 1 0 , 0 0 0 . 0 0}$
(b) The applicant, at his cost, will arrange for the removal of the existing services and the installation of one new larger metered water service.
(c) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures. The City of Kelowna water meter contractor must salvage existing water meters, prior to building demolition. If water meters are not salvaged, the developer will be invoiced for the meters.
2. Sanitary Sewer
(a) The existing lot is serviced with 100 mm diameter sanitary services (3). The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size and preferred location of the new service. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of all existing small diameter services and the installation of a new larger service. The estimated cost of this construction for bonding purposes is $\$ 8,000.00$

## 3. Storm Drainage

(a) The developer must engage a consulting civil engineer to provide a storm water management plan for these sites which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.
(b) Only one service will be permitted for this development. The applicant, at his cost, will arrange for the installation of one new overflow service. The estimated cost of this construction for bonding purposes is $\$ 5,000.00$

## 4. Road Improvements

(a) Lake Ave must be upgraded to an urban standard along the full frontage of this proposed development including sidewalk, landscaped boulevard complete with street trees and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be $\$ 3,468.00$
(b) Water Street has been upgraded to an urban standard along the full frontage of this proposed development with the exception of the boulevard landscaping. The condition of this infrastructure must be maintained through the construction process. A tree covenant will be required for proper care of the trees during construction.
5. Subdivision
(a) Grant Statutory Rights of Way if required for utility services.
(b) If any road dedication or closure affects lands encumbered by a Utility right-ofway (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

## 6. Electric Power and Telecommunication Services

a) All proposed distribution and service connections are to be installed underground.
b) Streetlights must be installed on roads.
c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
d) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

## 7. Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the city engineering department for review and marked "issued for construction" by the city engineer before construction may begin.

## 8. Design and Construction

(a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
(b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
(c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development \& Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
(d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
(e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works \& Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

## 10. Servicing Agreements for Works and Services

(a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development \& Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
(b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than $\$ 5,000,000$ and the City is to be named on the insurance policy as an additional insured.

## 11. Geotechnical Report

As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:
(a) Area ground water characteristics.
(b) Site suitability for development, unstable soils, etc.
(c) Drill and / or excavate test holes on the site and install pisometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, Identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
(d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
(e) Additional geotechnical survey may be necessary for building foundations, etc.
12. Bonding and Levy Summary
(a) Levies
(b) Bonding

Water service upgrades
\$ 10,000.00
Sanitary sewer service upgrades
\$ 8,000.00
Storm overflow services
\$ 5,000.00
Total Bonding
\$23,000.00
NOTE: The bonding amount shown above are comprised of estimated construction costs escalated by $140 \%$ to include engineering design and contingency protection and are provided for information purposes only. The owner should engage a consulting civil engineer to provide detailed designs and obtain actual tendered construction costs if he wishes to do so. Bonding for required off-site construction must be provided and may be in the form of cash or an irrevocable letter of credit, in an approved format.

The owner must also enter into a servicing agreement in a form provided by the City.
12. Development Permit and Site Related Issues

Access and Manoeuvrability
(i) Access to the site will be permitted from the lane only.
(ii) Indicate on the site, the locations of loading bays as well as the garbage and recycle bins.


Steve Muenz, P. Eng.
Development/Engineering Manager

## NORR <br> ARCHITECTS PLANNERS



MAGALA PLACE, KELOWNA BC PROJECT SUMMARY + DESIGN RATIONALE
(UPDATED: 10th OCTOBER, 2016)

## MAGALA PLACE / KELOWNA: DESIGN CLARIFICATION and PLANNING RATIONALE

September 1st, 2016

## OVERALL PROJECT DESIGN RATIONALE / PROJECT SYNOPSIS

## PROJECT SITE

Located in the South Central district of Kelowna, BC, the proposed project, "Magala Place" will be a four storey, multi-family residential (condominium) building. The building is located west and north of medium density rental housing district which transitions to the west (towards Okanagan Lake).

The site is located at the transition between multi-rental buildings (to the West of the lane and south of Lake Avenue) and single family housing to the West.


## NORR

## BUILDING MASSING

The massing of the proposed building steps on the west and south façades to order to decrease the massing of the building as well as respecting the adjacent single family neighbourhood. Extensive balconies have also been used to break up the massing of the building.

Given the high water table of this site, the below grade parkade is partially exposed - but screened by extensive landscaping and stepping, stairs, railings, and gates which will serve to provide a definition of public, semi-public, and private space. The raised patios also allows the residents an additional sense of security.

The project also steps back as the building rises to minimize massing, and as a gesture to the adjacent single family house and neighbourhood.


## BUILDING PROGRAM

Programmatically, the project has maximised 2 and 3 bedroom units where possible to ensure that families are significantly represented in this project. We note that as proposed, $70 \%$ of this project houses 2 and 3 bedroom units. Furthermore, the Owner has also provided a guest suite on the main floor to allow for guests to stay in the building so that they can visit with family members.

This project has also preliminarily gleaned interest from families with children, as well as healthy and independent living seniors looking to downsize from a typical suburban house, as the project is located within a neighbourhood with immediate amenities, such as the waterfront as well as the close proximity to Kelowna General Hospital

## ARCHITECTURAL COMPONENTS

The project has been designed using extensive use of overhangs, structural brackets, and exterior decks. All of these elements were used to minimise the visual massing of the building as well as adding visual interest to the facades of the project.

The use of extensive overhangs / broad eaves visually 'lower' the building similar to the Prairie Style of architecture. The decks / brackets / and lux panel trim provide an additional layer of components to the project façade.


## BUILDING MATERIALS

The project uses brick at visually exposed areas of the main and second floor. This will provide a defined building base or 'piano nobile".

We have also accommodated the use of cementitious panels in order to maintain the contemporary (and contextual) overall look of the project.


## GROUND FLOOR ORIENTED UNITS

All units on the main floor facing the north lane, Water Street, and Lake Street will have direct access to grade. This is provided through the integrated use of stairs and gates. We also propose that at the entry point to these residential units to include integrated lights will be used as a means of wayfinding and also to animate the street during the evening.


## BUILDING SETBACKS / SITE COVERAGE (and PROPOSED) VARIANCES

As noted, the parkade is elevated due to water table issues on this site. In response to this, extensive landscaping and stepped planters have been provide around the entire site with the exception of the east lane interface. The building steps back in strategic locations to minimise the massing both on Water Street and Lake Avenue, respectively. We provide the Zoning Analysis as follows:

| Zoning Analysis Table |  |  |
| :---: | :---: | :---: |
| CRITERIA | RM5 ZONE REQUIREMENTS | PROPOSAL |
| Development Regulations |  |  |
| Height | 18.0 m / 4.5 storeys | 12.7 m / 4.5 storeys |
| Front Yard (Lake Ave) | Min 6.0 m except for <br> 1.5 m for ground oriented housing | 3.0 m to parkade 1 <br> 5.3 m to townhouses <br> 7.8 m to apartments |
| Side Yard (east) | 4.5 m (up to $21 / 2$ storeys) <br> 7.0 m (above $21 / 2$ storeys) | 0.22 m to parkade <br> 1.6 m to apartments |
| Side Yard (west) facing Water St | 4.5 m (up to $21 / 2$ storeys) <br> 7.0 m (above $21 / 2$ storeys) | 1.5 m to parkade 3.6 m to townhouses <br> 5.3 m to apartments |
| Side Yard (west) facing Lake Ave | 4.5 m (up to $21 / 2$ storeys) <br> 7.0 m (above $21 / 2$ storeys) | 2.8 m to parkade ${ }^{2}$ <br> 2.8 m to apartments |
| Flanking Side Yard (Water St ) | 6.0 m | 3.0 m to parkade 6.7 m to apartments |
| Rear Yard (north) | 7.0 m | 3.9 m to parkade ${ }^{3}$ <br> 11.9 m to apartments |
| Site coverage of buildings | 40 \% | 75.6\% 4 |
| Site coverage of buildings, driveways \& parking | 65 \% | 85.2 \% 5 |
| FAR | $1.1+0.1+0.2=1.4 \mathrm{Max}$ | 1.4 |
| Parking Regulations |  |  |
| Minimum Parking Requirements | 55 parking stalls | 54 parking stalls 6 |
| Ratio of Parking Stalls | Full size: 50\% Min Medium Size: 40\% Max Small Size: 10\% Max | Full size: 48\% (26 stalls) ${ }^{\text {Z }}$ Medium Size: $43 \%$ ( 23 stalls) ${ }^{\text {8 }}$ Small Size: 9\% (5 stalls) ${ }^{2}$ |
| Minimum Drive Aisle Width | 7.0 m | 7.0 m |
| Minimum Bicycle Parking Requirements | Class 1: 18 bikes Class 2: 4 bikes | Class 1: 35 Class 2: 4 bikes |
| Private Open Space | $765 \mathrm{~m}^{2}$ | $1249 \mathrm{~m}^{2}$ |
|  |  |  |

## LANDSCAPE ARCHITECTURE

The project has been designed to meet the requirements set forth in Section 7 - Landscaping and Screening. Specified planting has been chosen specifically based on the following design concepts:

- Ornamental shrubs / flowering species to provide colour around the site throughout the year;
- Drought tolerant plant types for arid micro-climate;
- Use of coniferous plants to provide greenery during the winter months;
- Use of ornamental grasses to provide soft screening at the edges of the project and to minimise the visual impact of the (partially) exposed garage;
- Use of perennials to provide colour in areas that are physically constrained.



# DEVELOPMENT PERMIT \& DEVELOPMENT VARIANCE PERMIT 

# APPROVED ISSUANCE OF DEVELOPMENT PERMIT \& DEVELOPMENT VARIANCE PERMIT 

| File Number | DP16-0258 / DVP16-0259 |
| :--- | :--- |
| Issued To: | Windmill Ventures Ltd.\& 0797989 BC. Ltd |
| Site Address: | 332 Lake Ave |
| Legal Description: | Lot A, District Lot 14, ODYD, Plan KAP90495 |
| Zoning Classification: | RM5-Medium Density Multiple Housing |
| Developent Permit Area: | Comprehensive Development Permit Area |

## SCOPE OF APPROVAL

This 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 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 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.

## 1. TERMS AND CONDITIONS

THAT Development Permit \& Development Variance Permit No. DP16-0258 \& DVP16-0259, located at 332 lake Ave Kelowna, $B C$ be approved subject to general conformance to the drawings (Schedule "A", "B", \& " $C$ ") attached to this permit.

AND THAT the variances to the following sections of Zoning Bylaw No. 8000 be granted:
Section 13.11.6 (d) Development Regulations:

- To decrease the front yard setback for the parkade from 6.0 m to 3.0 m ;


## Section 13.11 .6 (e) Development Regulations:

- To decrease the side yard setbacks for the eastern property:
- From 1.5 m for the parkade to 0.22 m ;
- From 4.5 m (up to $21 / 2$ stories) to 1.6 m (up to $21 / 2$ stories);
- From 7.0m (above to $21 / 2$ stories) to $1.6 m$ (above to $21 / 2$ stories).
- To decrease the side yard setbacks (south) facing the adjacent single family dwelling:
- From 4.5 m (for the parkade \& up to $21 / 2$ stories) to 2.8 m (for the parkade \& up to $21 / 2$ stories);
- From 7.0 m (above to $21 / 2$ stories) to 1.6 m (above to $21 / 2$ stories).
- To decrease the side yard setbacks (west) facing the adjacent single family dwelling:
- From 4.5 m (for the parkade \& up to $21 / 2$ stories) to 2.8 m (for the parkade \& up to $21 / 2$ stories);
- From 7.0m (above to $21 / 2$ stories) to 5.2 m (for the $3^{\text {rd }}$ level) and 6.2 m (for the $4^{\text {th }}$ level);
- To decrease the flanking side yard setbacks (facing Water St):
- From 6.0 m for the parkade to 1.5 m ;
- From 6.0 m to 3.7 m (for the $1^{\text {st }} \& 2^{\text {nd }}$ levels);
- From 6.0 m to 5.8 m (for the $3^{\text {rd }}$ level);


## Section 13.11.6 (f) Development Regulations:

- To decrease the rear yard setbacks (north):
- From 7.0 m to 6.7 m (for the $1^{\text {st }}, 2^{\text {nd }}, \& 3^{\text {rd }}$ levels).

Section 13.11 .6 (b) Development Regulations:

- To reduce the maximum site coverage from 40\% to 80\%;
- To reduce the maximum site coverage of buildings, driveways, and parking areas from 65\% to $80 \%$.


## Section 8.1.11 (a) (Parking) Size and Ratio:

- To reduce the minimum extra width for a parking stall when it abuts an obstruction on one side from 0.2 m to 0.0 m .


## Section 8.1.11 (b) (Parking) Size and Ratio:

- To reduce the minimum percentage of full sized parking stalls for Apartment Housing from $50 \%$ to $48 \%$;
- To increase the maximum percentage of medium sized parking stalls for Apartment Housing from 40\% to 43\%.


## 2. 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 Permit Holder and be paid to the Permit Holder if the security is returned. The condition of the posting of the security is that should the Permit Holder 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 the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permit Holder, or should the Permit Holder carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permit Holder. There is filed accordingly:
a) Cash in the amount of \$ TBD OR
b) A Certified Cheque in the amount of \$ $\qquad$ OR
c) An Irrevocable Letter of Credit in the amount of \$ TBD.

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.

## 3. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

This Permit IS NOT a Building Permit.
The issuance of this Permit grants to the municipality a 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 granting to me the said Permit.
b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of 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.

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning Department immediately to avoid any unnecessary delay in processing the application.

## 4. APPROVALS

Issued and approved by Council on the $\qquad$ day of $\qquad$ 2016.

Ryan Smith, Community Planning Department Manager<br>Date Community Planning \& Real Estate

## The PERMIT HOLDER is the CURRENT LAND OWNER. Security shall be returned to the PERMIT HOLDER.



## SCHEDULE <br> A \& B

This forms part of application \# DP16-0258

City of
Kelowna
 Proiect
MAGALA PLACE 1853,1869 WaTER STRET
+332 LAKE AVENUE KELOWNA, BC

PROJECT VIEWS
AND DEVELOPMENT SUMMARY



















east elevation (adjacent civic lane)


## SCHEDULE B

This forms part of application \# DP16-0258

City of
Kelowna
NOTE:





| Panner |
| :---: |
| nitias |
| AC Kelowna |

CIVIC LANE


