CITY OF KELOWNA

MEMORANDUM

ATTACHMENT

DP17-0011 / DVP17-0012

Mixed Use Building

Α This forms part of application

Date: File No.: March 6, 2017 DP17-0011

To:

Community Planning (AC)

From:

Development Engineering Manager (SM)

Subject:

1232 Ellis Street

Planner AC Initials

City of

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

1. **Domestic Water and Fire Protection**

- The existing lot is not serviced with water service. The developer's consulting (a) mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs.
- The applicant, at his cost, will arrange for the installation of one new metered (b) water service.

2. Sanitary Sewer

this project is Sergio Sartori

The existing lot is serviced with 200mm diameter sanitary service. The (a) 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 service and the installation of a new larger service if necessary.

3. Storm Drainage

The developer must engage a consulting civil engineer to provide a storm water (a) management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems. The existing lot is serviced with a 250mm diameter storm service which does not meet bylaw standards. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of the existing service for the installation of one new overflow service.

4. Road Improvements

- (a) Clement Avenue fronting this development site is urbanized but the existing curb and sidewalk is in a deteriorated state. The upgrades will require curb, gutter and sidewalk removal and reconstruction, boulevard streetscape as well as the relocation or adjustment of existing utility appurtenances if required to accommodate the upgrading construction. The decommissioning of existing services and installation of new services will also require road cuts. The extent of pavement restoration will be at the discretion of the City development engineer.
- (b) Ellis Street fronting this development site is urbanized but the existing curb and sidewalk is in a deteriorated state. The upgrades will require curb, gutter and sidewalk removal and reconstruction, boulevard streetscape as well as the relocation or adjustment of existing utility appurtenances if required to accommodate the upgrading construction. The bus shelter has an engineered foundation and electrical connection that may need to be replaced. The decommissioning of existing services and installation of new services will also require road cuts. The extent of pavement restoration will be at the discretion of the City development engineer.
- (c) The rear lane fronting this property will require fillet paving upgrades to the property line.

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-of-way (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. <u>Electric Power and Telecommunication Services</u>

- 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.

ATTACHMENT A

This forms part of application
DP17-0011 / DVP17-0012
City of
Planner Initials

AC

Kelowna
COMMUNITY PLANING

8. <u>Design and Construction</u>

- (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. <u>Geotechnical Report</u>

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.

This forms part of application
DP17-0011 / DVP17-0012
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AC

COMMUNITY PLANNING
COMMUNITY PLANNING

12. Development Permit and Site Related Issues

Access and Manoeuvrability
(i) Access to the site will be permitted from the lane only. The proposed parking access raises concerns of safety and poor sightlines between multiple converging ramps, and the 180 degree turning movements towards Ellis Street.

Steve Muenz, P. Eng. Development Engineering Manager

SS



DEVELOPMENT PERMIT / DEVELOPMENT VARIANCE PERMIT



APPROVED ISSUANCE OF DEVELOPMENT PERMIT (DP17-0011) / DEVELOPMENT VARIANCE PERMIT (DVP17-0012)

Issued To: RG Lot 3 Ltd., Inc.No. 556980

Site Address: 1232 Ellis St

Legal Description: Lot 3, District Lot 139, ODYD, Plan KAP60698

Zoning Classification: CD₅ – Multi-Purpose Facility

Development 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 No. DP17-0011 for Lot 3, District Lot 139, ODYD, Plan KAP60698, located at 1232 Ellis St, Kelowna, BC to allow the construction of a mixed use development be approved 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 form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

e) Payment-in-Lieu of parking be provided for 39 stalls according to the fee structure in Bylaw No. 8358 prior to building permit issuance.

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A, B, & C":

Schedule 'B' - Comprehensive Development Zones (CD5 - Multi-Purpose Facility)

Section 1.6 [Maximum Height of Buildings and Structures]:

To vary the maximum height from 12 storeys or 37 metres to 14 storeys or 49 metres.

Section 1.4 [Conditions of Use]:

To vary the minimum amount of commercial frontage on the front lot line from 90% to 67%; &

To vary the minimum ratio of commercial floor area on the first floor from 50% to 39%.

AND FURTHER THAT this Development Permit / Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

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 \$	98,818.75	OR	
b)	A Certified Cheque in the amou	nt of \$	98,818.75	OR
c)	An Irrevocable Letter of Credit i	n the amount	t of \$ 98,8	18.75

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.

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.

4. APPLICANT'S AGREEMENT

I hereby declare that all of the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree 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 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.

I further covenant and agree that should I be granted a Development Permit and/or Development Variance Permit, the Municipality may withhold the granting of any Occupancy Permit for the occupancy and / or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Divisional Director of Community Planning & Real Estate.

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.

5.	APPROVALS	
Iss	ued and approved by Council on the day of	, 2017.
	an Smith, Community Planning Department Manager	 Date
•	mmunity Planning & Real Estate	Julie
Ry	an Smith, Community Planning Department Manager	
Co	mmunity Planning & Real Estate	

The PERMIT HOLDER is the <u>CURRENT LAND OWNER</u>. Security shall be returned to the PERMIT HOLDER.

COMMERCIAL & RESIDENTIAL DEVELOPEMENT

1232 ELLIS STREET KELOWNA, BC







A & B

This forms part of application #_DP17-0011 / DVP17-0012

City of Kelowna

Planner Initials

AC

DRAWING LIST DP-01

SITE PLAN & STATISTICS FLOOR PLANS FLOOR PLANS & SECTIONS ELEVATIONS ELEVATIONS SHADOW ANALYSIS DP-02 DP-03

DP-04 DP-05

REV.NO.	DATE	REMARKS
5	MAY 04, 2017	RE-ISSUED FOR DEVELOPMENT PERMIT
4	MAR 31, 2017	RE-ISSUED FOR DEVELOPMENT PERMIT
3	FEB 21, 2017	RE-ISSUED FOR DEVELOPMENT PERMIT
2	JAN 16, 2017	ISSUED FOR DEVELOPMENT PERMIT
- 1	SEPT 08, 2016	TEXT AMENDMENT
	SEPT 08, 2016	PRELIMINARY

1232 ELLIS STREET PROPOSED DEVELOPEMENT KELOWNA BC

DECEMBER 2016 TITLE PAGE

AS SHOWN ICR ARCHITECTURE AND PROJECT CONSULTANTS INC

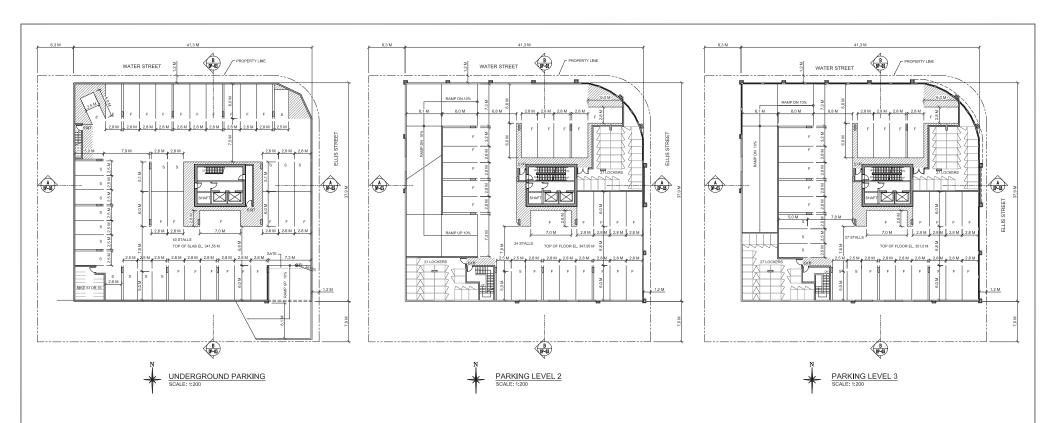
#300 - 555 SIXTH STREET NEW WESTMINSTER, BC V3L 5H1

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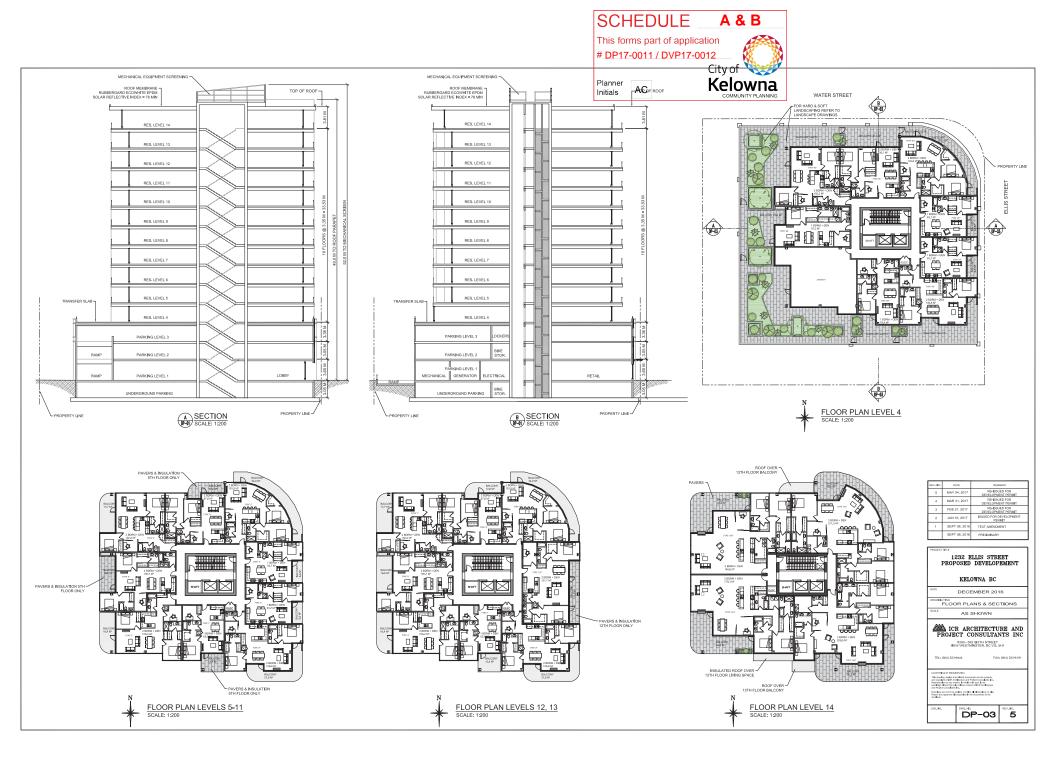
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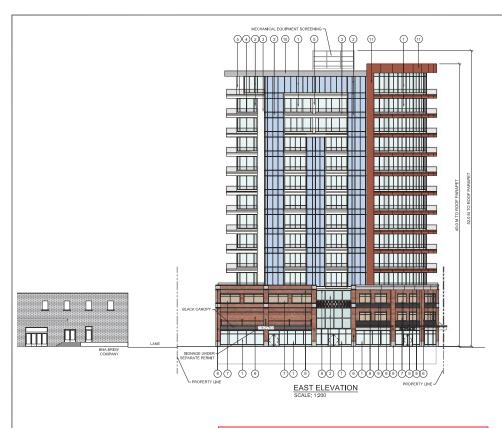
1232 ELLIS STREET PROPOSED DEVELOPEMENT

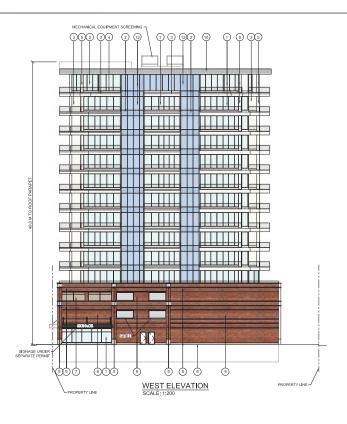


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DP-02 5











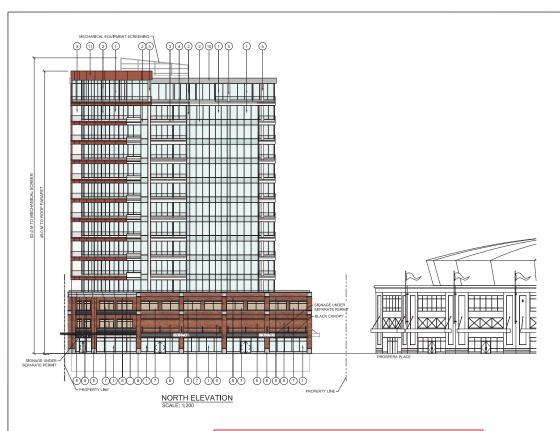
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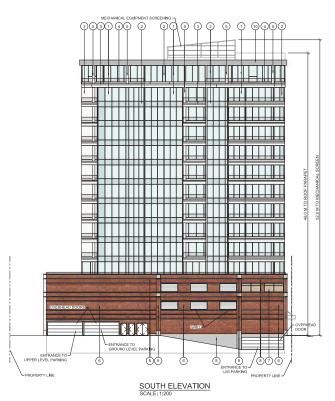
1232 ELLIS STREET PROPOSED DEVELOPEMENT

	KELOWNA BC
DATE	DECEMBER 2016
DRAWING TITLE	ELEVATIONS
SCALE	AS SHOWN
PROJEC	ARCHITECTURE AND CONSULTANTS IN 1300 - 555 SIXTH STREET WESTMINSTER, BC V3L SHI
TEL: (604) 523-64	44 FAX; (604) 523-6
committee present	

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DP-05









REV.NO.	DATE	REMARKS
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4	MAR 31, 2017	RE-ISSUED FOR DEVELOPMENT PERMIT
3	FEB 21, 2017	RE-ISSUED FOR DEVELOPMENT PERMIT
2	JAN 16, 2017	ISSUED FOR DEVELOPMENT PERMIT
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1232 ELLIS STREET PROPOSED DEVELOPEMENT

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DP-04

SCHEDULE **A & B** This forms part of application # DP17-0011 / DVP17-0012 City of **Kelowna**



SHADOW STUDY JUNE 21, 10:00 AM



SHADOW STUDY JUNE 21, 12:00 PM



SHADOW STUDY JUNE 21, 2:00 PM



SHADOW STUDY JUNE 21, 4:00 PM



SHADOW STUDY SEPT 21, 10:00 AM



SHADOW STUDY SEPT 21, 12:00 PM



SHADOW STUDY SEPT 21, 2:00 PM



 $\underset{\text{N.T.S.}}{\underline{\mathsf{SHADOW}}}\,\,\underline{\mathsf{STUDY}}\,\,\underline{\mathsf{SEPT}}\,\,\,21,\,4:00\,\,\underline{\mathsf{PM}}$



NORTH-EAST CORNER VIEW



5	MAY 04, 2017	RE-ISSUED FOR DEVELOPMENT PERMIT
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SHADOW ANALYSIS

DP-06

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March 17, 2017

City of Kelowna 1435 Water Street Kelowna, B.C. V1J 1J4



Attention: Community Planning & Real Estate Division

Project: 1232 Ellis St. Mixed Use - Development Permit Application

Please be advised that a landscape security bond of <u>\$98,818.75</u> will be required for the 1232 Ellis St. Mixed Use development project. This sum is equal to 125% of the estimated installed cost for all soft landscape. As per City of Kelowna requirements, the estimate includes trees, shrubs, grasses, perennials, topsoil, mulch, irrigation, and bicycle racks. Please see the attached Estimate of Probable Landscape Construction Costs for Bonding for a detailed breakdown of these costs.

Should you require any additional information, please do not hesitate to contact me.

Sincerely,

Xenia Semeniuk, BCSLA, CSLA, LEED AP (ND)

Registered Landscape Architect

СС

Leo Mariotto, ICR Projects Inc.



1232 Ellis St. Mixed Use

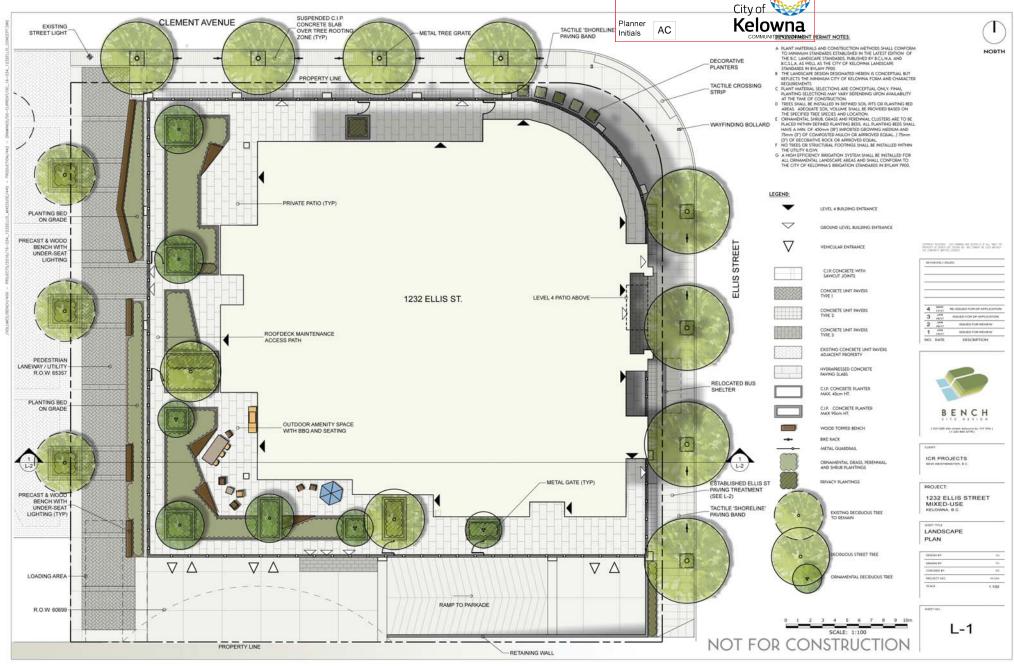
Estimate of Probable Landscape Construction Costs for Bonding

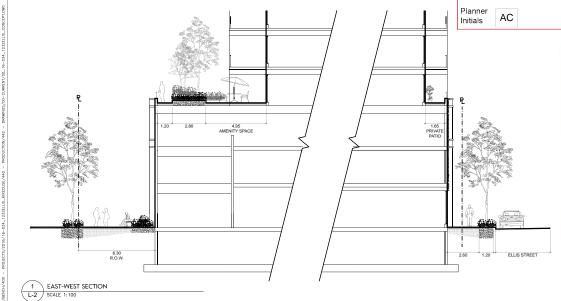
Prepared on: March 17, 2017

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	=		\$2,000.0
	=		\$1,500.0
m²	60		\$1,200.0
			\$5,700.0
		3.0 Total	\$ 5,700.0
ea.	11	\$850.00	\$9,350.0
			\$1,700.0
			\$12,000.0
cu.	•		\$23,050.0
		4.0 Total	\$23,050.0
		Subtotal	\$79,055.0
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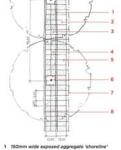




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REPRESENTATIVE PLANT LIST:

TREES			
Botanical Name	Common Name	Size	Root
Acer rubrum 'Autumn Spire'	Autumn Spire red maple	6cm Cal.	8-8-8
Amelanchier x grandiflora 'Ballerina'	Ballerina serviceberry	#15 Cont.	Potted
Fraxinus americana 'Autumn Purple'	Autumn Purple white ash	6cm Cal.	888
Malus x "Spring Snow"	Spring Snov crabapple	4cm Cal.	888
SHRUBS			
Botanical Name	Common Name	Size	Root
Arctostaphylos uva-ursi	Kinnikinnick	#02 Cont.	Potted
Aronia melanocarpa 'Autumn Magic'	Black chokeserry	#03 Cont.	Potted
Hydrangea paniculata 'Beto'	Bobo hydrargea	#03 Cont.	Potted
Rhus aromatica 'Gro-Low'	Gro-Low fragrant sumac	#03 Cont.	Potted
Rosa 'Bill Reid'	Bill Reid rose	#03 Cont.	Potted
"Taxus x media "H.M. Eddir"	H.M. Eddie yew	#05 Cont.	Potted
PERENNIALS			
Botanical Name	Common Name	Size	Root
Alchemilla mollis	Lady's mantle	#01 Cont.	Potted
Bergenia cordifolia Winterglut'	Winterglow bergenia	#01 Cont.	Potted
Echinacea purpurea White Swan*	White Swan coneflower	#01 Cont.	Potted
Persicaria affinis 'Dimity'	Himslayan fleece flower	#01 Cont.	Potted
Paxistima canbyi	Cliff green	#01 Cont.	Potted
Salvia officinalis	Garden sage	#01 Cont.	Potted
Sedum sieboldii	October Daphne stonecrop	#01 Cont.	Potted
GRASSES			
Botanical Name	Common Name	Size	Root
Deschampsia caespitosa 'Bronzeschleier'	Bronze tuffed hair grass	#01 Cont.	Potted
Festuca amethystina	Tufted fescue	#01 Cont.	Potted
Miscanthus sinensis 'Graziella'	Graziella maiden grass	#01 Cont.	Potted
Pennisetum 'Karley Rose'	Karley Rose fountain grass	#01 Cont.	Polited



- Walking aisle CIP concrete, broom finish, clear of all furnishings, signs, and obstacles
 CIP concrete sandblast finish
- 3 Cip concrete sandowst hinsh
 5 Sawcut joints
 6 Street tree and planting bed
 7 Property line
 6 Curb

ELLIS STREETSCAPE STANDARD TREATMENT



TREE GRATE AND PAVING TREATMENT



ROOF DECK PLANTERS, PAVING, AND SEATING





VARIED-HEIGHT PLANTER BOXES ON SUSPENDED SLAB



ICR PROJECTS

PROJECT:

1232 ELLIS STREET MIXED-USE KELOWNA, B.C.

LANDSCAPE SECTIONS & PRECEDENTS

DESIGN BY	A
DRAWN BY	A
CHECKED BY	XS
PROJECT NO.	16-034
SCALE	AS SHOWN

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