

May 31, 2017

**Design Rationale for Form and Character Amendment to:  
Development Permit DP15-0033 / DVP15-00345**

**Overview:**

Located at the corner of Burtch and Sutherland, the currently approved DP & DVP permits a 4-storey building with a mix of uses; laundromat, insurance office, coffee shop and parking on the main level, elevator accessed parking on the second level, professional offices on the third level, and residential units on the fourth level.

Due to the poor soils characteristics on the site, the cost of the foundation system required to support this structure rendered the project un-feasible.

The owner has decided to reduce the scope of the work, and retain Redline Construction to provide the building as a Design-Build. Fox Architecture is now the Architect of Record on the project.

**Form and Character Amendment:**

This revised proposal reduces the size of the building, eliminating the second floor parking and the fourth floor residential. Programmatically the remaining uses are the same, so the revised main floor still contains a laundromat, coffee shop, insurance office and parking, while the revised second floor contains the professional offices. Similarly, all the other provisions of the original DP and DVP are to remain the same, including site access, servicing, landscaping, setbacks, covenants and agreements. Naturally with a new architect, copyright concerns mean the building façade has been revised.

Vehicle and bicycle parking have been revised to suit the adjusted building area and occupancy, and meets the City of Kelowna Section 8 Parking and Loading requirements.

The main entry faces south with a feature canopy and stair. Multiple access points at street level will serve pedestrian-oriented uses, and an outdoor seating plaza will help activate the streetscape. Generous glazing on all sides will further create a vibrant street presence, provide the occupants a dynamic experience of street and creekside views, while also assisting in CPTED “eyes on the street”.

The proposed building uses a “gridiron” form to showcase the ponted corner of the trapezoidal site, and uses a combination of steel frame, curtain wall, stucco, wood and concrete to provide a professional looking signature building at the intersection.



# DEVELOPMENT PERMIT



## APPROVED ISSUANCE OF DEVELOPMENT PERMIT (DP17-0050)

**Issued To:** Nor-Can Ventures Ltd Inc No. BC0951544  
**Site Address:** 1502-1504 Lougheed Ave  
**Legal Description:** Lot 1, District Lot 141, ODYD, Plan EPP51966  
**Zoning Classification:** C3 – Community Commercial  
**Development Permit Area:** REVITALIZATION & 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. DP17-0161 for Lot 1, District Lot 141, ODYD Plan EPP51966, located at 1502-1504 Sutherland Ave, Kelowna, BC to allow the construction of an industrial building 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) That the applicant complete the riparian restoration and landscaping works identified in the Natural Environment Development Permit (DP14-0230) prior to issuing any building permits on the subject property.



AND THAT this Development Permit is valid for two (2) years 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 \$ 36,339.45 OR
- b) A Certified Cheque in the amount of \$ 36,339.45 OR
- c) An Irrevocable Letter of Credit in the amount of \$ 36,339.45 .

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

Issued and approved by Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Ryan Smith, Community Planning Department Manager  
Community Planning & Real Estate

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ryan Smith, Community Planning Department Manager  
Community Planning & Real Estate

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



SHEET INDEX		
ID	Name	Published
S-100	FDN PLAN	<input type="checkbox"/>
A-001	COVER SHEET	<input checked="" type="checkbox"/>
A-002	NOTES & SCHEDULES	<input type="checkbox"/>
L-100	Site Plan	<input checked="" type="checkbox"/>
A-101	Main Floor Plan	<input checked="" type="checkbox"/>
A-102	2nd FLOOR PLAN	<input checked="" type="checkbox"/>
A-104	Roof Plan	<input checked="" type="checkbox"/>
A-201	ELEVATIONS	<input checked="" type="checkbox"/>
A-901	Colour Renderings	<input checked="" type="checkbox"/>



1 VIEW FROM SW

## MATERIALS & COLOURS

CURTAIN WALL - BLACK

CURTAIN WALL - ORANGE

GLAZING - BLUE

DOORS - BLACK

COLUMNS - NATURAL FINISH WOOD

FENCING - NATURAL FINISH WOOD

STAIR - NATURAL WOOD FINISH

RAILINGS - GREY POWDER COAT

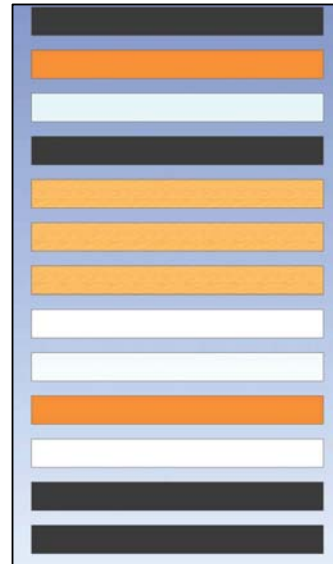
RAILINGS - TEMPERED GLASS

STUCCO - ORANGE

STUCCO - GREY

FASCIA TRIM - BLACK

ROOFING - MEMBRANE - BLACK



2 VIEW FROM SOUTH

## MacLeod Building - Project Description

Construction of a new two-storey commercial building on an existing vacant lot. Form and character have been revised from the previously approved four-storey building. Building perimeter massing and ground floor uses are very similar. Previously approved setback variances are intended to be maintained.

**Legal Description:** Lot A, Pln 19444, ODYD91

**Address:** 1502 Sutherland Ave, Kelowna BC

**Ordinance:** BCBC 2012  
City of Kelowna Zoning Bylaw 8000

**Current Zoning:** C-3  
**Proposed Zoning:** C-3

**Sprinklers:** NFPA 13

**Lot Area:** 1587.7 m<sup>2</sup> (17,090 s.f.)  
**Allowable F.A.R:** 1.0 = 1587.7 m<sup>2</sup> (17,090 s.f.)  
**Proposed F.A.R:** 0.43 = 699 m<sup>2</sup> (7524 s.f.)

**Building Area:**  
Main: 276.4 m<sup>2</sup> (2,975 s.f.)  
2nd: 688.2 m<sup>2</sup> (7,408 s.f.)  
**Total:** 964.6 m<sup>2</sup> (10,383 s.f.)

**Setbacks:**  
Front: 3m 1.5m  
Side - street: 2m 1.5m  
Side: 0m 2.2m  
Rear: 0m 32.4m

**Previously Approved Variance:**  
1.5m setbacks front & street side

**Height:** 4 Storeys/15m 2 Storeys/11m

**Parking:**  
Office: 2.5/100m<sup>2</sup> 6.15 x 2.5 15  
Food: 1/4 seats 2 2  
Laundry: 1/3 washers 5 5  
**Total Parking:** 22 22

**Stalls:**  
Full Size 50% 11  
Medium 40% 9  
Small 10% 2

**Bikes:**  
Class I 2 2  
Class II 6 6

**Loading:** 1 1

## SCHEDULE A & B

This forms part of application

# DP17-0161

Planner  
Initials AC

City of  
**Kelowna**  
COMMUNITY PLANNING





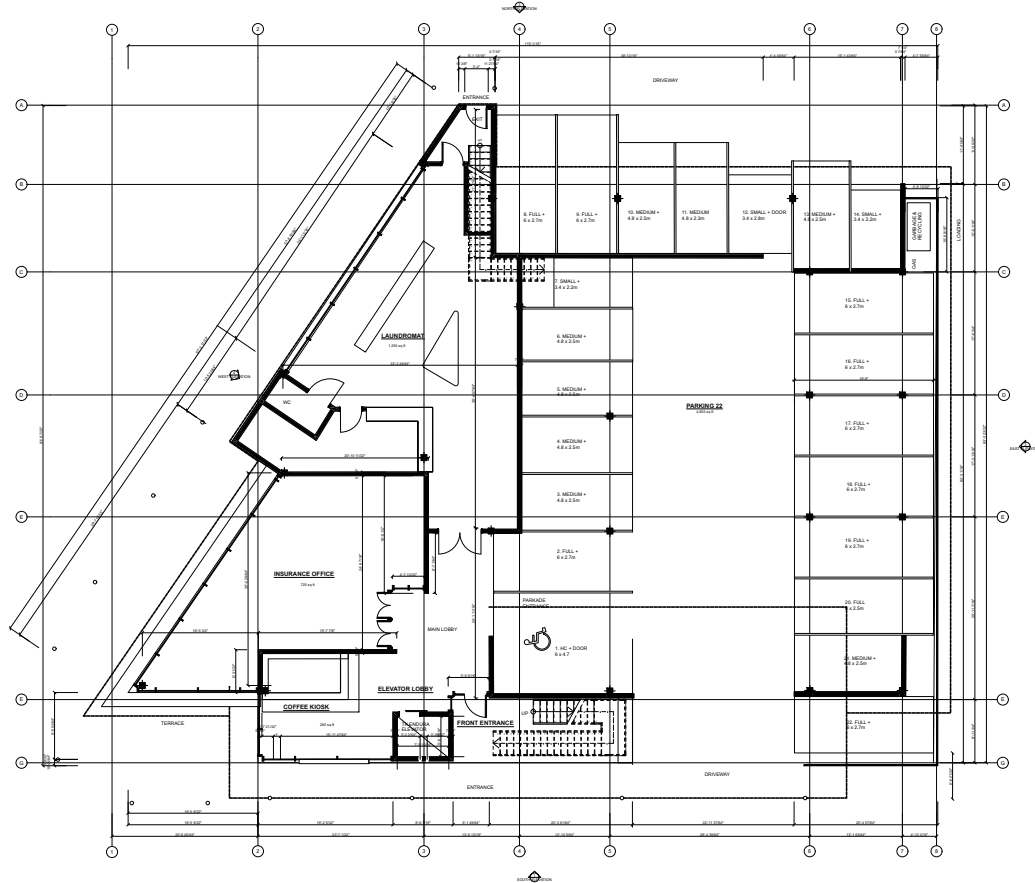




# SCHEDULE A & B

This forms part of application  
# DP17-0161

Planner  
Initials AC



1 MAIN FLOOR PLAN  
SCALE: 1:100



510 West Ave  
Kelowna BC V1Y 4Z4  
foxarchitecture.ca  
778.484.3696

16-081

MacLeod Building  
1502 Superland Ave  
Kelowna BC  
LOT A, PLAN 19444, DL 141, CDYD91

PRELIMINARY

Main Floor Plan  
05.31.17 DEVELOPMENT PERMIT AMENDMENT

A-101



# SCHEDULE

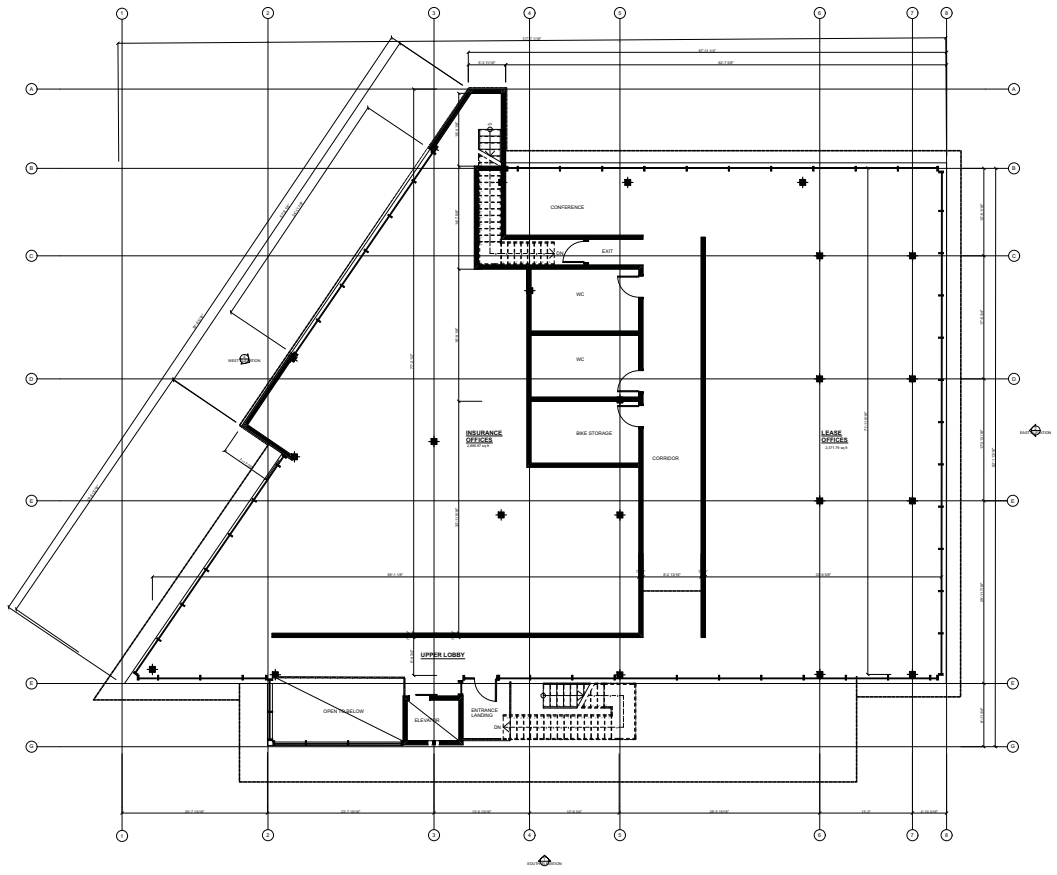
## A & B

This forms part of application  
# DP17-0161

Planner Initials AC




City of  
**Kelowna**  
COMMUNITY PLANNING



1 SECOND FLOOR PLAN  
SCALE: 1/100





510 West Ave  
Kelowna BC V1Y 4Z4  
foxarchitecture.ca  
778.484.3696

16-081

MacLeod Building  
1502 Sutherland Ave  
Kelowna BC  
LOT A, PLN 19444, DL 141, OD YD91

PRELIMINARY

2nd FLOOR PLAN  
05.31.17 DEVELOPMENT PERMIT AMENDMENT

A-102

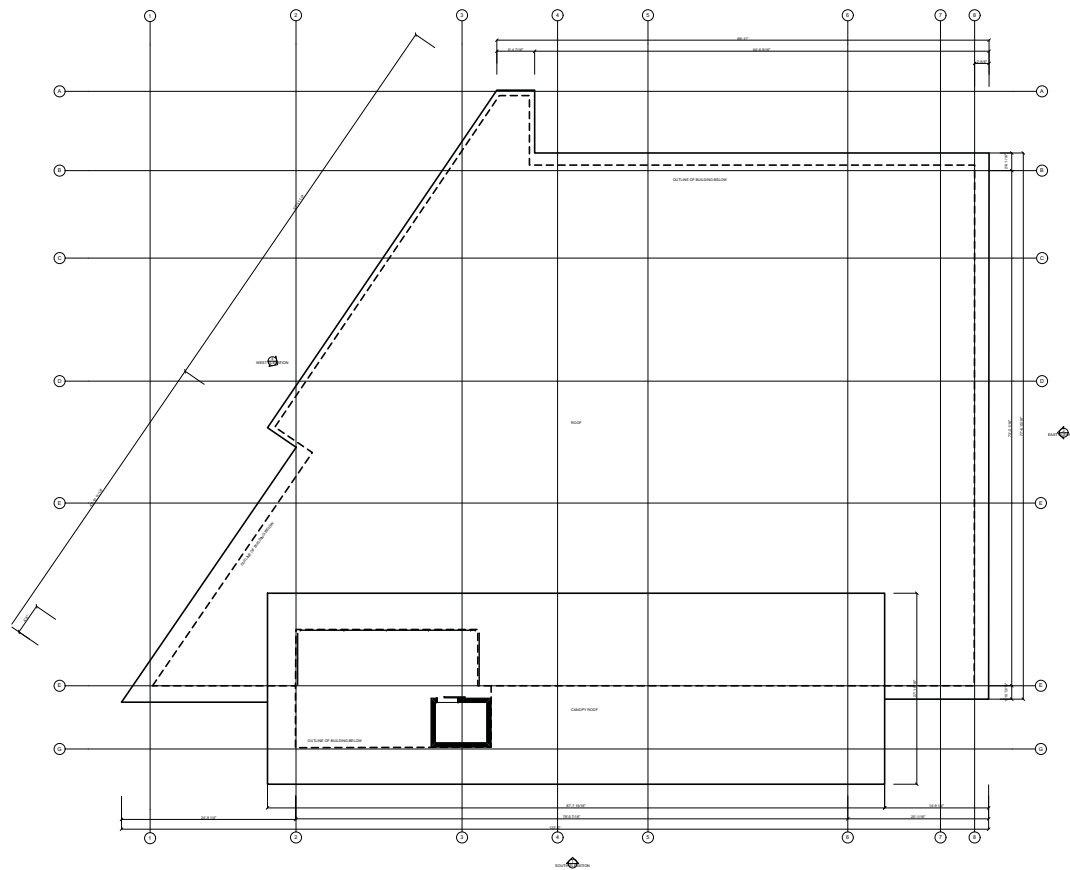


This forms part of application  
# DP17-0161



**City of Kelowna**  
COMMUNITY PLANNING

Planner Initials AC



1 ROOF PLAN  
SCALE: 1:100



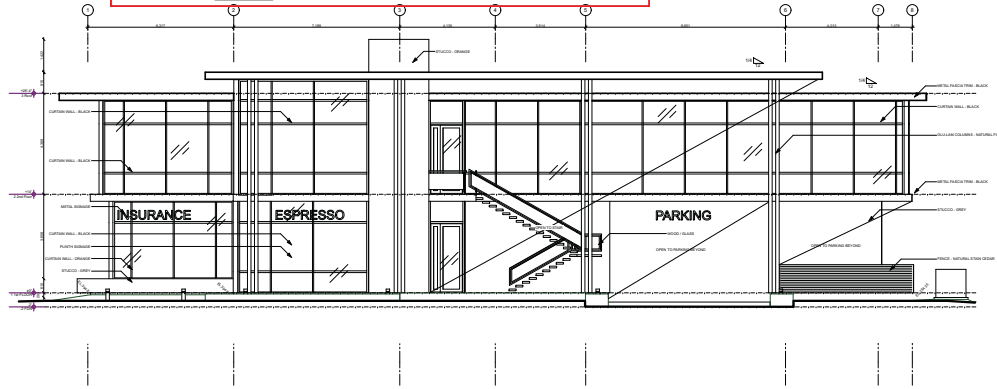


# SCHEDULE A & B

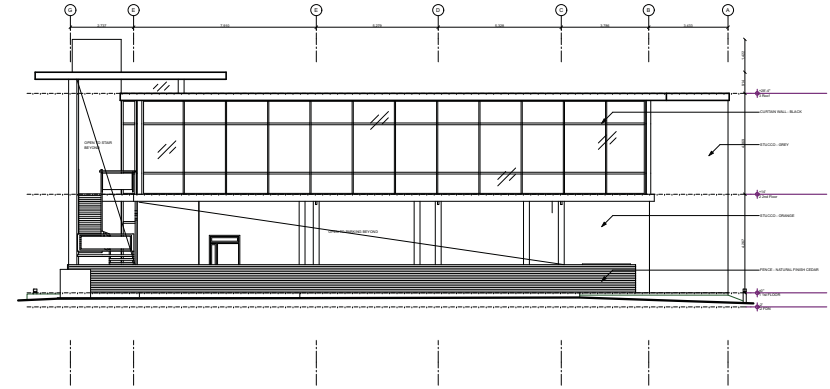
This forms part of application  
# DP17-0161

Planner  
Initials AC

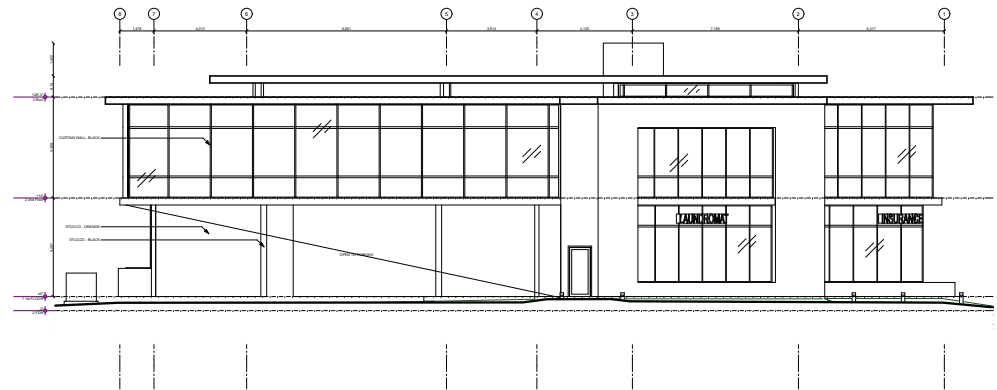
City of  
**Kelowna**  
COMMUNITY PLANNING



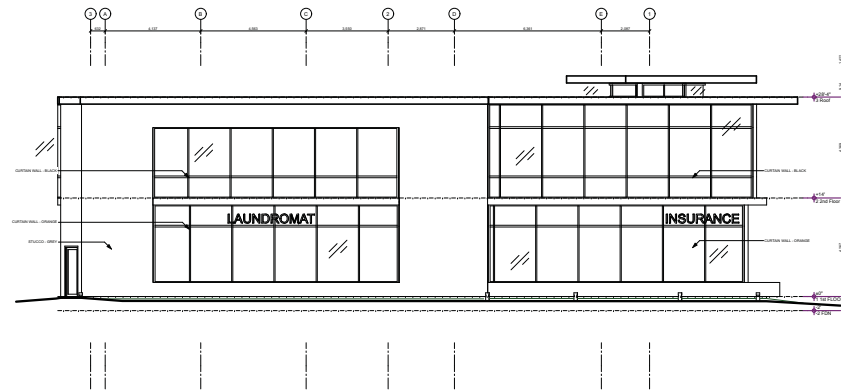
1 SOUTH ELEVATION  
SCALE: 1:100



2 EAST ELEVATION  
SCALE: 1:100



3 NORTH ELEVATION  
SCALE: 1:100



4 WEST ELEVATION  
SCALE: 1:100



510 West Ave  
Kelowna BC V1Y 4Z4  
f+architecture.ca  
778.484.3696

16-081

MacLeod Building  
1504 Sutherland Ave  
Kelowna BC

PRELIMINARY

ELEVATIONS  
05.31.17 DEVELOPMENT PERMIT AMENDMENT

A-201





① VIEW FROM SE



② VIEW FROM SW



③ VIEW FROM SOUTH



④ VIEW FROM NE



⑤ VIEW FROM NW

SCHEDULE

A & B

This forms part of application

# DP17-0161

Planner

Initials

AC

City of Kelowna

COMMUNITY PLANNING













**Sutherland Ave Development**  
**Estimate of Probable Costs for Bonding**  
 Prepared on: July 6, 2017

**SCHEDULE C**

This forms part of application  
 # DP17-0161

Planner  
Initials

AC

**City of Kelowna**  
COMMUNITY PLANNING

Items Description	Units	Qty.	Price	Item Total
<b>1.0 Plant Material</b>				
1.1 Trees				
1.1.1 6cm Cal.: Deciduous Street Tree	ea.	10	\$550.00	\$5,500.00
			<i>Sub-Total</i>	<i>\$5,500.00</i>
1.2 Shrubs, Perennials, Ground Covers				
1.2.1 #2 Pot: Shrubs (1.2m O.C.)	ea.	51	\$25.00	\$1,275.00
1.2.2 #1 Pot: Grasses(0.6m O.C.)	ea.	153	\$15.00	\$2,295.00
1.2.3 #1 Pot: Perennials (0.5m O.C.)	ea.	146	\$15.00	\$2,190.00
1.2.4 #1 Pot: Vines (0.6m O.C.)	ea.	51	\$15.00	\$765.00
			<i>Sub-Total</i>	<i>\$6,525.00</i>
			<b>1.0 Total</b>	<b>\$12,025.00</b>
<b>2.0 Topsoil &amp; Mulch</b>				
2.1 Topsoil				
2.1.1 Tree Pit Topsoil (1M <sup>3</sup> /Tree)	ea.	10	\$55.00	\$550.00
2.1.2 Planter Topsoil (800mm Depth)	m <sup>3</sup>	7	\$55.00	\$368.72
2.1.3 Planter Topsoil (600mm Depth)	m <sup>3</sup>	3	\$55.00	\$152.79
2.1.4 Shrub Bed Topsoil on Grade (450mm Depth)	m <sup>3</sup>	66	\$55.00	\$3,618.20
			<i>Sub-Total</i>	<i>\$4,689.71</i>
2.2 Mulch				
2.2.1 Shrub Bed Mulch (75mm Depth)	m <sup>3</sup>	12	\$50.00	\$597.00
2.2.2 Cobblestone Mulch Maintenance Strip (100mm Depth)	m <sup>3</sup>	1	\$45.00	\$59.85
			<i>Sub-Total</i>	<i>\$656.85</i>
			<b>2.0 Total</b>	<b>\$5,346.56</b>
<b>3.0 Servicing</b>				
3.1 Irrigation				
3.1.1 Sleeving	l.s.	1	\$1,500.00	\$1,500.00
3.1.2 Point of Connection	l.s.	1	\$2,000.00	\$2,000.00
3.1.3 Control System	l.s.	1	\$1,500.00	\$1,500.00
3.1.4 Irrigation system (heads, pipes, valves)	m <sup>2</sup>	160	\$20.00	\$3,200.00
			<i>Sub-Total</i>	<i>\$8,200.00</i>
			<b>3.0 Total</b>	<b>\$8,200.00</b>
<b>4.0 Site Construction</b>				
4.1 Site Furniture				
4.1.1 Bike Rack	ea.	5	\$700.00	\$3,500.00
			<i>Sub-Total</i>	<i>\$3,500.00</i>
			<b>4.0 Total</b>	<b>\$3,500.00</b>
			<b>Subtotal</b>	<b>\$29,071.56</b>
			<b>Security Total (125%)</b>	<b>\$36,339.45</b>



## C

# DP17-0161

AC



City of Kelowna  
COMMUNITY PLANNING

 MODERATE WATER USE

F PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE LATEST EDITION OF THE B.C. LANDSCAPE STANDARDS, PUBLISHED BY B.C.L.N.A. AND B.C.S.L.A. AS WELL AS THE CITY OF KELLOWNA LANDSCAPE STANDARDS IN BYLAW 2006-01.

G THE LANDSCAPE DESIGN DESIGNATED HEREIN IS CONCEPTUAL BUT REFLECTS THE MINIMUM CITY OF KELLOWNA DESIGN STANDARDS FOR CONCEPTUAL PLANNING.

H CITY OF KELLOWNA LANDSCAPE SELECTIONS ARE CONCEPTUAL ONLY. FINAL PLANTING SELECTIONS WILL BE DETERMINED UPON AVAILABILITY AT THE TIME OF CONSTRUCTION.

I PLANTING SHALL BE INSTALLED IN ACCORDANCE WITH THE CITY OF KELLOWNA DESIGN STANDARDS. ADEQUATE SOIL VOLUME SHALL BE PROVIDED BASED ON THE SPECIFIED TREE SPECIES AND LOCATION.

J ALL PLANTING BEDS SHALL HAVE A MIN. OF 400mm (16") IMPROVED GROWING MEDIUM AND 10% OF COMPOST.

K DECORATIVE ROCK AREAS SHALL HAVE A MIN. OF 100mm (4") OF WASHED SUBORDINATE COBBLE.

L LANDSCAPE FABRIC SHALL BE INSTALLED BELOW ALL DECORATIVE ROCK AREAS. LANDSCAPE FABRIC SHALL BE NEARLY IMPERVIOUS TO WATER.

M A HIGH EFFICIENCY IRRIGATION SYSTEM SHALL BE INSTALLED FOR ALL ORNAMENTAL LANDSCAPE AREAS AND SHALL CONFORM TO THE CITY OF KELLOWNA'S IRRIGATION STANDARDS IN BYLAW 2006-01.

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NO.	DATE	DESCRIPTION
4	JULY 06/17	ISSUED FOR DP
3	JUNE 29/17	ISSUED FOR REVIEW
2	JUN 27/16	RE-ISSUED FOR REVIEW
1	JAN 26/16	ISSUED FOR REVIEW



**BENCH**  
SITE DESIGN  
(843) 521-5000 • 10010 S. 17th St., Suite 100, Fort Worth, TX 76135  
(FAX) 817-335-8226 • [www.benchsite.com](http://www.benchsite.com)

CLONING TAYVE

FOX ARCHITECTURE  
KELDNA, B.C.

PROJECT:

**MACLEOD BUILDING**  
1502 SUTHERLAND AVE  
KELOWNA, B.C.

SWIFT TITLE

HYDROZONE  
LANDSCAPE PLAN

DESIGN BY	SM
DRAWN BY	KM
CHECKED BY	JS
PROJECT NO.	12-012
SCALE	1:150

SHEET NO.

L-2

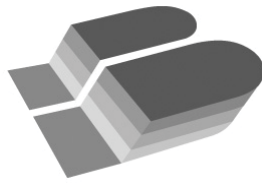


NORTH



SCALE: 1:150





July 17, 2017

<b>SCHEDULE</b>		<b>C</b>
This forms part of application # <b>DP17-0161</b>		
Planner Initials	<b>AC</b>	 <b>City of Kelowna</b> COMMUNITY PLANNING

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

Attention: Community Planning & Real Estate

**Project:** 1502 Sutherland Avenue DP Application – Landscape Bond

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Please be advised that a landscape security bond of **\$36,339.45** will be required for the 1502 Sutherland Avenue commercial development project. This sum is equal to 125% of the estimated installed cost for landscaping improvements. As per City of Kelowna requirements, the estimate includes trees, shrubs, grasses, perennial, topsoil, mulch, irrigation, and required 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  
Registered Landscape Architect

cc  
Bernie Penner, Redline Contracting  
Randi Fox, Fox Architecture