**CITY OF KELOWNA**

# MEMORANDUM

**DATE:** JUNE 7, 2007

**TO:** CITY MANAGER

**FROM:** PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

**APPLICATION NO.** DP07-0058
DVP07-0057

**OWNER:** 622632 BC Ltd.

**AT:** 110-150 Hwy.33 West

**APPLICANT:** Matrix Architecture and Planning Inc.

**LEGAL DESCRIPTION:** LOT A, SECTION 23 AND 26, ODYD PLAN 79622

**PURPOSE:** TO CONSTRUCT A NEW FOURTEEN STOREY MIXED-USE COMMERCIAL/RESIDENTIAL BUILDING ON THE SUBJECT PROPERTY; AND

VARY THE MAXIMUM HEIGHT FROM 44.0M PERMITTED TO 47.4M PROPOSED; AND

VARY THE MAXIMUM NUMBER OF ALLOWABLE PARKING STALLS FROM 125% OF THE REQUIRED MINIMUM TO 134% OF THE REQUIRED MINIMUM

**PROPOSED ZONE:** C7LP – CENTRAL BUSINESS COMMERCIAL-LIQUOR PRIMARY

**REPORT PREPARED BY:** RYAN SMITH

## 1.0 RECOMMENDATION

THAT Final Adoption of Zone Amending Bylaw No. 9801 be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP07-0057 located at 110-150 Highway 33 West, Kelowna, B.C. subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";

2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";

3. Landscaping to be provided on the land be in general accordance with Schedule "C";

4. 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 professional landscaper;

AND THAT Council authorize the issuance of Development Variance Permit No. DVP07-0059; located on 110-150 Highway 33 West, Kelowna, B.C.;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

**Section 14.7 – C7 - Central Business Commercial Zone: 14.7.5(a):**

Vary the maximum height from 44.0m permitted to 47.4m proposed.

**Section 8 – Parking and Loading: 8.1.2: Off-Street Vehicle Parking:**

Vary the maximum number of allowable parking stalls from 125% of the required minimum to 134% of the required minimum.

## 2.0 SUMMARY

The applicant is proposing to construct a fourteen storey mixed use building with commercial space on the first four storeys and nine storeys of residential units above. In order to accommodate the additional building height/density on-site the applicants are proposing to rezone the subject property from the C4-Urban Centre Commercial zone to the C7 – Central Business Commercial zone. The associated Development Permit application addresses the form and character of the proposed development and through a Development Variance Permit the applicant is seeking relaxations to the maximum building height and maximum allowable parking.

## 3.0 ADVISORY PLANNING COMMISSION

At the regular meeting of March 27, 2007 it was resolved:

THAT Advisory Planning Commission supports Development Permit Application No. **DP07-0058** for 110 – 150 Highway 33 W, Lot A, Plan 79622, Secs. 23 and 26, Twp. 26, ODYD., by Matrix Architect and Planning Inc., to obtain a Development Permit for the form and character of a 14 storey mixed used commercial/residential development.

THAT Advisory Planning Commission supports Development Variance Permit Application No. **DVP07-0059** for 110 – 150 Highway 33 W, Lot A, Plan 79622, Secs. 23 and 26, Twp. 26, ODYD., by Matrix Architect and Planning Inc., to vary the building height from 44 m permitted to 45.1 m proposed; to vary the maximum allowable amount of parking from 140 stalls (125% of required parking) to 151 stalls.

## 4.0 BACKGROUND

The proposed development will encompass property at the corner of Highway 33 and Rutland Road which is currently vacant but at one time was home to the Four –Way Food Market. The lot which fronts both onto Highway 33 and Rutland Road has one

building located at is rear which is currently occupied by the North Forty Saloon (a liquor primary licensed establishment).

## 5.0 PROPOSAL

The applicant has designed the proposed development in a manner which places the building as close to both Rutland Road and Highway 33 as possible. The parking and drive-through elements of the development are oriented towards the rear of the site. The applicant has also designed two levels of underground parking. The proposed building will house several commercial retail units at grade with 3 floors of office space above. Also located at grade will be the building's residential lobby with access to two elevators.

Above the fourth storey the building will step back and rise nine more storeys. These nine storeys will house a total of 54 residential units. The building's flat roof will house a rooftop terrace with hot tub and amenity space. In addition, each unit will have access to a balcony area. The proposed building will be constructed of concrete and the applicant has proposed to paint the majority of the building a light tan colour with several darker accent blocks.

The applicant has also submitted a comprehensive landscape plan which includes ornamental paving around the building's perimeter with a landscape buffer on the eastern property line and bicycle parking in front of the building.

## 6.0 DEVELOPMENT ANALYSIS

The application meets the requirements of the C7LP – Central Business Commercial Liquor Primary zone except as follows:

| CRITERIA | PROPOSAL | C7 ZONE REQUIREMENTS |
|---|---|---|
| Height (m) | 47.4m❶ | 44m |
| Parking Spaces | **Residential: 91** (below grade)<br><br>**Commercial: 60** (44 stalls at grade) (16 stalls below grade)<br><br>**Total: 151 Stalls❷** | **Residential: 54 Stalls**<br><br>**Commercial 58 Stalls**<br><br>**Total: 112 Stalls** |

❶Vary maximum height for a building in the C7 – Central Business Commercial zone from 44m permitted to 47.4m proposed.

❷Vary the maximum number of allowable parking stalls from 125% of the required parking to 134% of the required parking.

## 7.0 SITE CONTEXT

The subject properties are located on the northwest corner of Highway 33 and Rutland Road and form part of the Rutland Urban Centre.

Adjacent zones and uses are:

North - C4 – Urban Centre Commercial – Burger Baron
East - C4 – Urban Centre Commercial – Vacant
South - C4 – Urban Centre Commercial – Retail Commercial use
West - C4 – Urban Centre Commercial – Rutland Water Works

## 8.0 SITE LOCATION MAP

See attached map.

## 9.0 CURRENT DEVELOPMENT POLICY

### 9.1 Kelowna Official Community Plan

This application is consistent with Official Community Plan guidelines for the form and character of development in Urban Centers.

## 10.0 TECHNICAL COMMENTS

Technical comments addressed through the rezoning application.

## 11.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

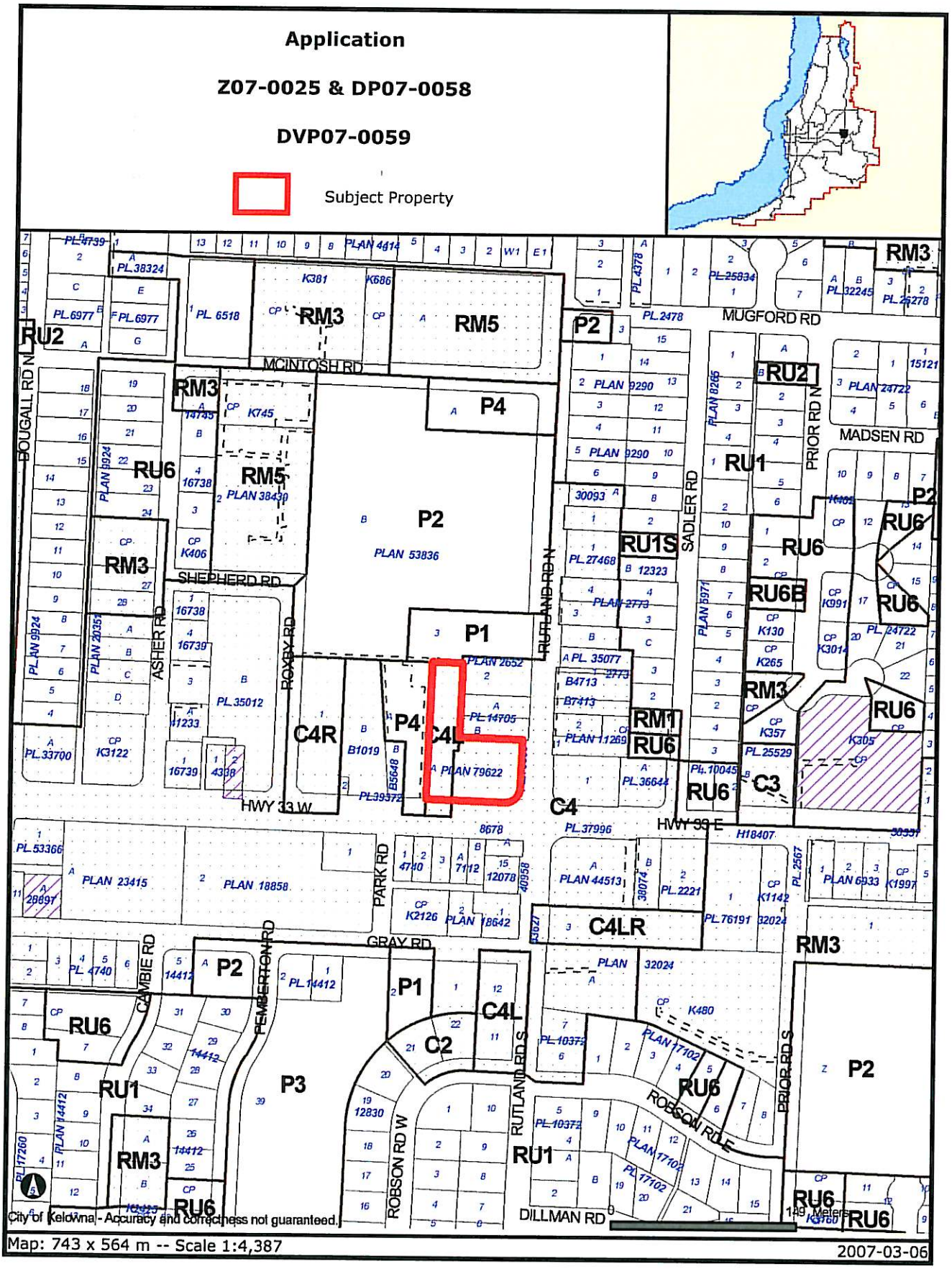
The Planning and Development Services Department supports this Development Permit and related Development Variance Permit application. The applicant has addressed all design related concerns with staff.

Carlos Felip
Manager of Development Services

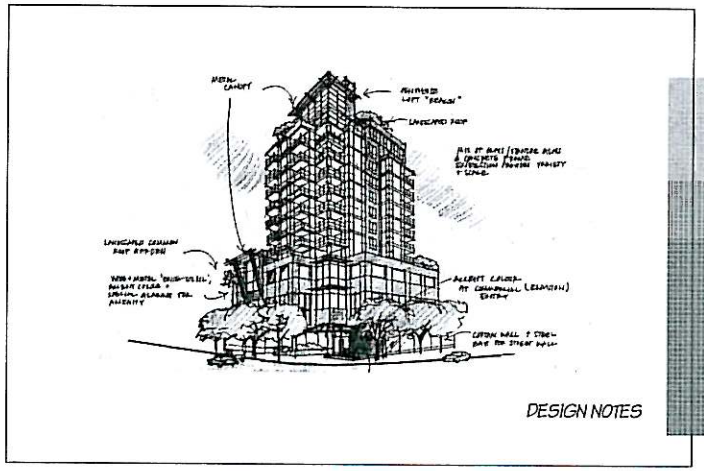
Approved for inclusion:

Mary Pynenburg, MRAIC MCIP
Director of Planning & Development Services

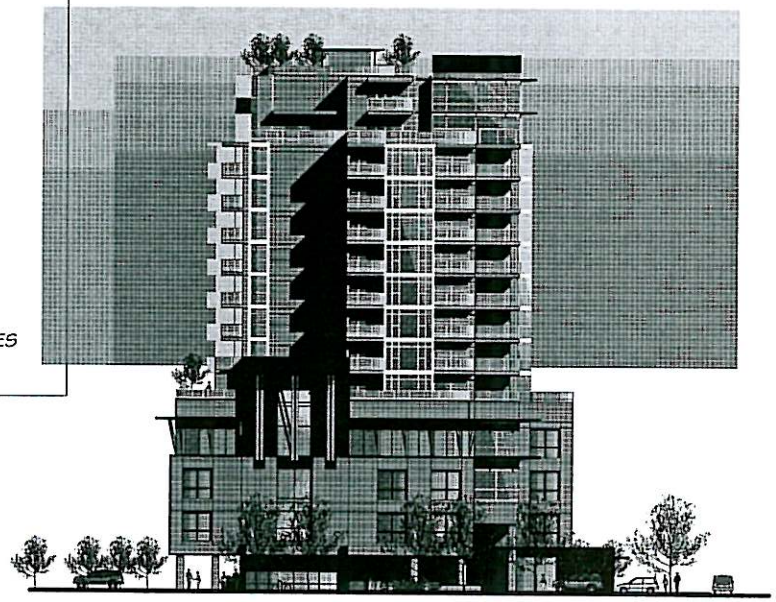
MP/SG/rs
Attach




*Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.*



DESIGN NOTES



## ARCHITECTURAL DRAWING LIST

| | |
|---|---|
| DPA100 | SITE PLAN & STATISTICS |
| DPA201 | PARKING LEVEL P1 FLOOR PLAN |
| DPA202 | PARKING LEVEL P2 FLOOR PLAN |
| DPA203 | LEVEL 1 FLOOR PLAN |
| DPA204 | LEVEL 2 FLOOR PLAN |
| DPA205 | LEVEL 3 FLOOR PLAN |
| DPA206 | LEVEL 4 FLOOR PLAN |
| DPA207 | LEVEL 5 FLOOR PLAN |
| DPA208 | LEVELS 6-12 FLOOR PLANS |
| DPA209 | LEVEL 13 LOWER PENTHOUSE FLOOR PLAN |
| DPA210 | LEVEL 14 UPPER PENTHOUSE FLOOR PLAN |
| DPA211 | ROOF PLAN |
| DPA301 | EAST ELEVATION |
| DPA302 | SOUTH ELEVATION |
| DPA303 | WEST ELEVATION |
| DPA304 | NORTH ELEVATION |
| DPA401 | SECTION A |
| DPA402 | SECTION B |

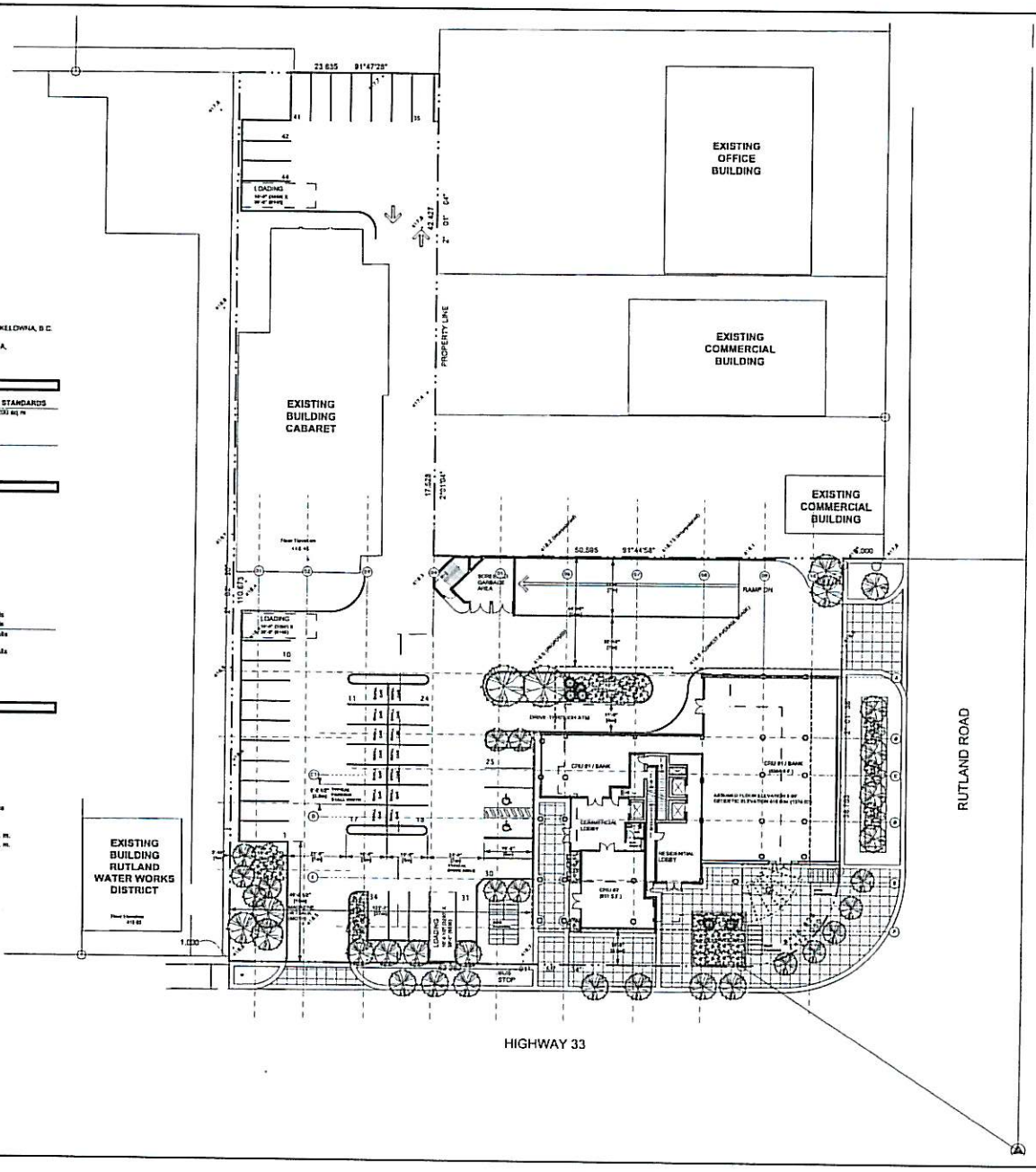
# MIXED USE BUILDING
# HIGHWAY 33 & RUTLAND ROAD
## KELOWNA, B.C.

MATRIX

## CHECKLIST TO CONFIRM COMPLIANCE WITH ZONING

| | | |
|---|---|---|
| CIVIC ADDRESS | 110 & 150 HIGHWAY 33 WEST, KELOWNA, B.C. | |
| LEGAL DESCRIPTION | P.I.D. 025499631, SEC. 26, LOT A, PLAN KAP79622, O.D.Y.D. | |
| EXISTING ZONING | C4 | |
| ** PROPOSED ZONING | C7 | |
| **CRITERIA** | **PROPOSED** | **ZONE STANDARDS** |
| SITE AREA | 8,371 sq m | MIN. 200 sq m |
| *EXISTING CABARET (GROSS FLOOR AREA)* | 589 sq m | |
| *PROPOSED MIXED USE BUILDING (GROSS FLOOR AREA)* | 9668 sq m | |
| TOTAL GROSS FLOOR AREA | 10,257 sq m | |
| F.A.R. (DENSITY) | 1.3 | 3.0 |
| ** HEIGHT (m) | 47.36 m | 44 m |
| SETBACKS AT GRADE | | |
| • FRONT YARD - SOUTH (HIGHWAY 33) | 4.5 m | 4.5 m |
| • SIDE YARD - EAST (RUTLAND ROAD) | 3.0 m | 3.0 m |
| • SIDE YARD - WEST | 3.0 m | 3.0 m |
| • REAR YARD - NORTH | 13.7 m | 3.0 m |
| SETBACKS ABOVE 15m IN HEIGHT | | |
| • FROM PROPERTY LINE ABUTTING HIGHWAY 33 | 7.3 m | 3.0 m |
| • FROM PROPERTY LINE ABUTTING RUTLAND ROAD | 4.7 m | 3.0 m |
| • FROM PROPERTY LINE ABUTTING ANOTHER WEST PROPERTY | 15.2 m | 4.0 m |
| • FROM PROPERTY LINE ABUTTING ANOTHER NORTH PROPERTY | 43.3 m | 4.0 m |
| REQUIRED PARKING MIN. | | |
| • RESIDENTIAL (1 PER DWELLING UNIT) | | 54 stalls |
| • 4408 sq m. COMMERCIAL (1.3 / 100 sq. m. COM. GFA) | | 58 stalls |
| | | 112 stalls |
| REQUIRED PARKING MAX. (MIN. X 1.25) | | 140 stalls |
| PROPOSED RESIDENTIAL | 91 stalls below grade | |
| PROPOSED COMMERCIAL | *44 stalls at grade* | |
| | *16 stalls below grade* | |
| | 60 commercial stalls | |
| ** PARKING STALL (NO.) | 151 stalls | |
| REQUIRED BICYCLE PARKING | | |
| • RESIDENTIAL | | |
| CLASS 1 (0.5 PER DWELLING UNIT) | 27 spaces below grade | 27 |
| CLASS 2 (0.1 PER DWELLING UNIT) | 6 spaces at grade | 6 |
| • COMMERCIAL | | |
| CLASS 1 (0.20 PER100 sq. m. GROSS LEASABLE AREA OR 1 PER 10 EMPLOYEES) | 8 spaces below grade | 8 |
| CLASS 2 (0.60 PER 100 sq. m. GROSS LEASABLE AREA) | 24 spaces at grade | 24 |
| LOADING SPACE | | |
| • 4408 sq. m. COMMERCIAL (1 PER 1,500 sq. m. COM. GFA) | 3 spaces | 3 spaces |
| USEABLE PRIVATE OPEN SPACE | | |
| • PER 1 BEDROOM DWELLING | 10.0 sq. m. | 10.0 sq. m. |
| • PER DWELLING WITH MORE THAN 1 BEDROOM | 15.0 sq. m. | 15.0 sq. m. |

** VARIANCE REQUESTED FOR CRITERIA IN BOXED AREA



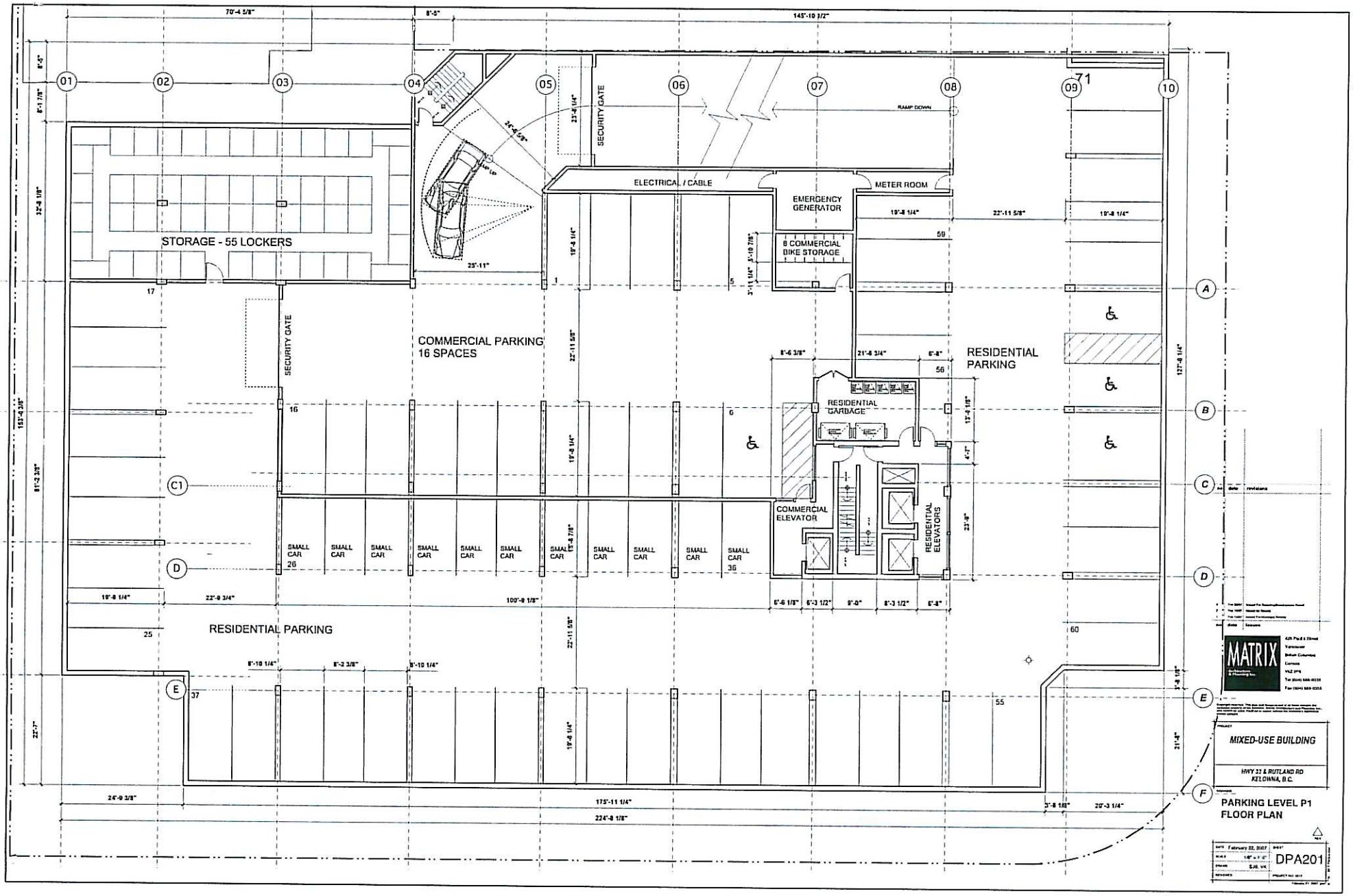

MATRIX

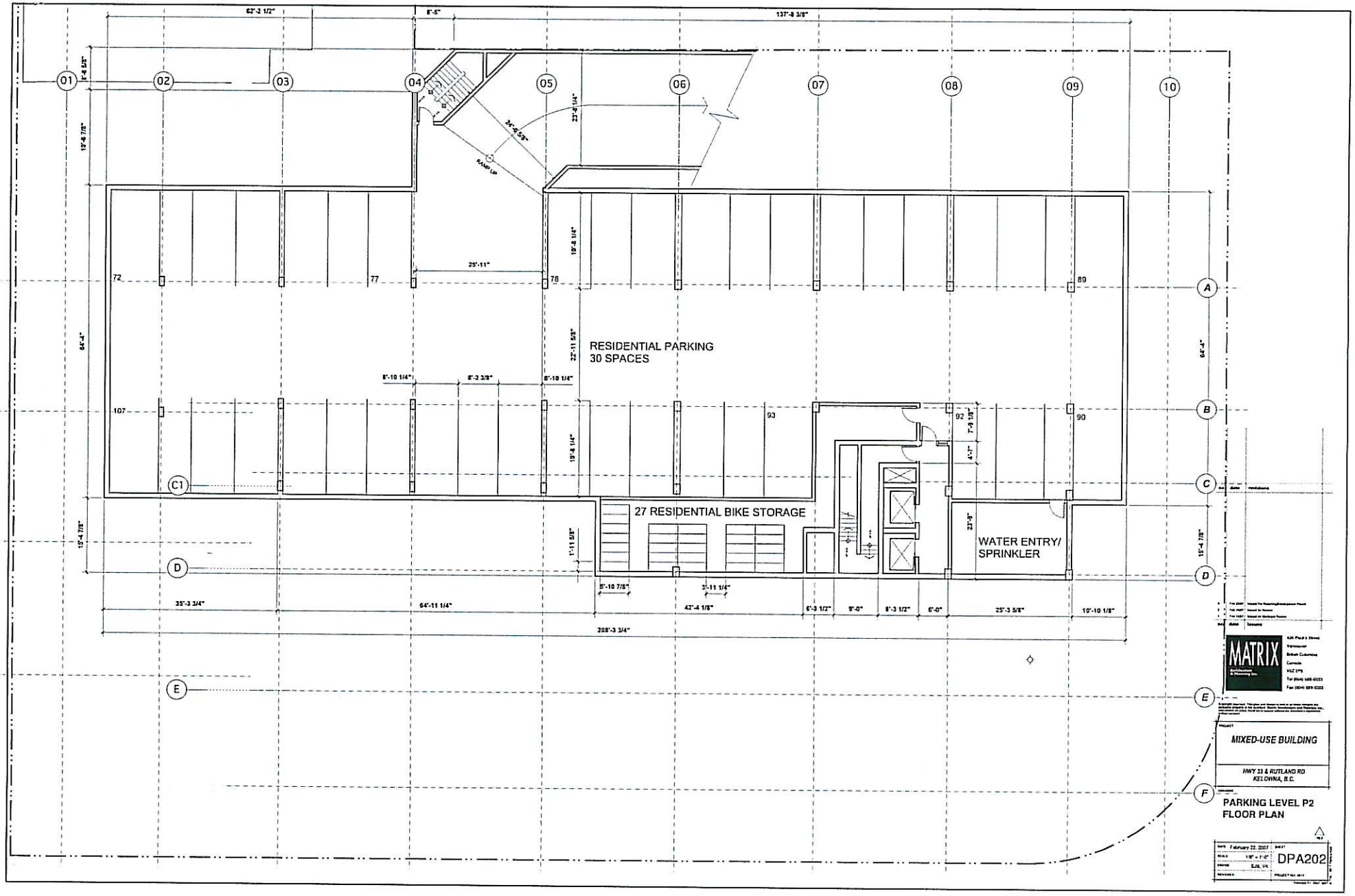
MIXED-USE BUILDING

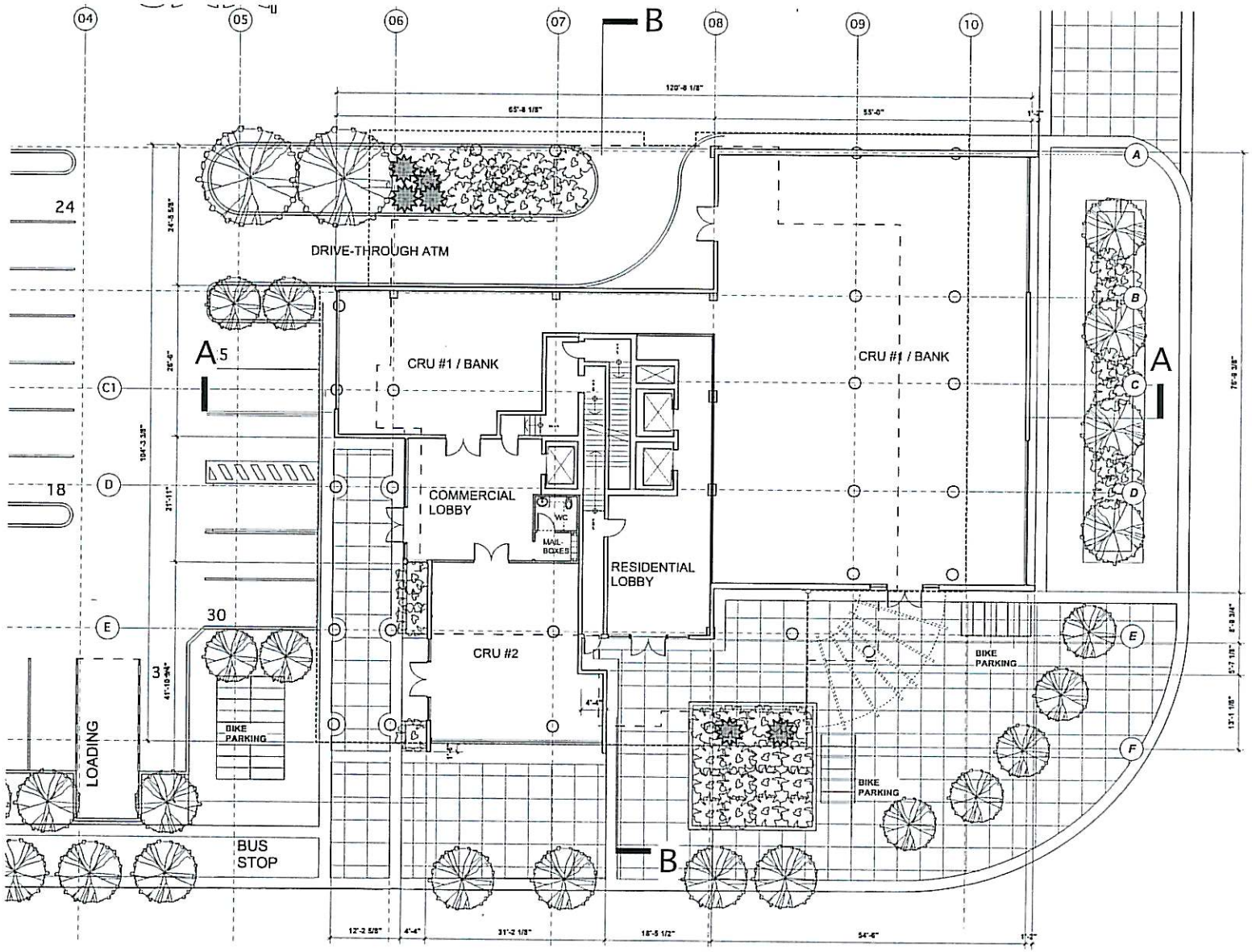
HWY 33 & RUTLAND RD
KELOWNA, B.C.

SITE PLAN

DPA101


STORAGE - 55 LOCKERS
SECURITY GATE
COMMERCIAL PARKING
16 SPACES
SECURITY GATE
ELECTRICAL / CABLE
EMERGENCY GENERATOR
METER ROOM
8 COMMERCIAL BIKE STORAGE
RAMP DOWN
RESIDENTIAL PARKING
RESIDENTIAL GARBAGE
COMMERCIAL ELEVATOR
RESIDENTIAL ELEVATORS
SMALL CAR
RESIDENTIAL PARKING
MATRIX
MIXED-USE BUILDING
HWY 33 & RUTLAND RD
KELOWNA, B.C.
PARKING LEVEL P1
FLOOR PLAN
DPA201


RESIDENTIAL PARKING
30 SPACES
27 RESIDENTIAL BIKE STORAGE
WATER ENTRY/
SPRINKLER
MIXED-USE BUILDING
HWY 33 & RUTLAND RD
KELOWNA, B.C.
PARKING LEVEL P2
FLOOR PLAN
DPA202



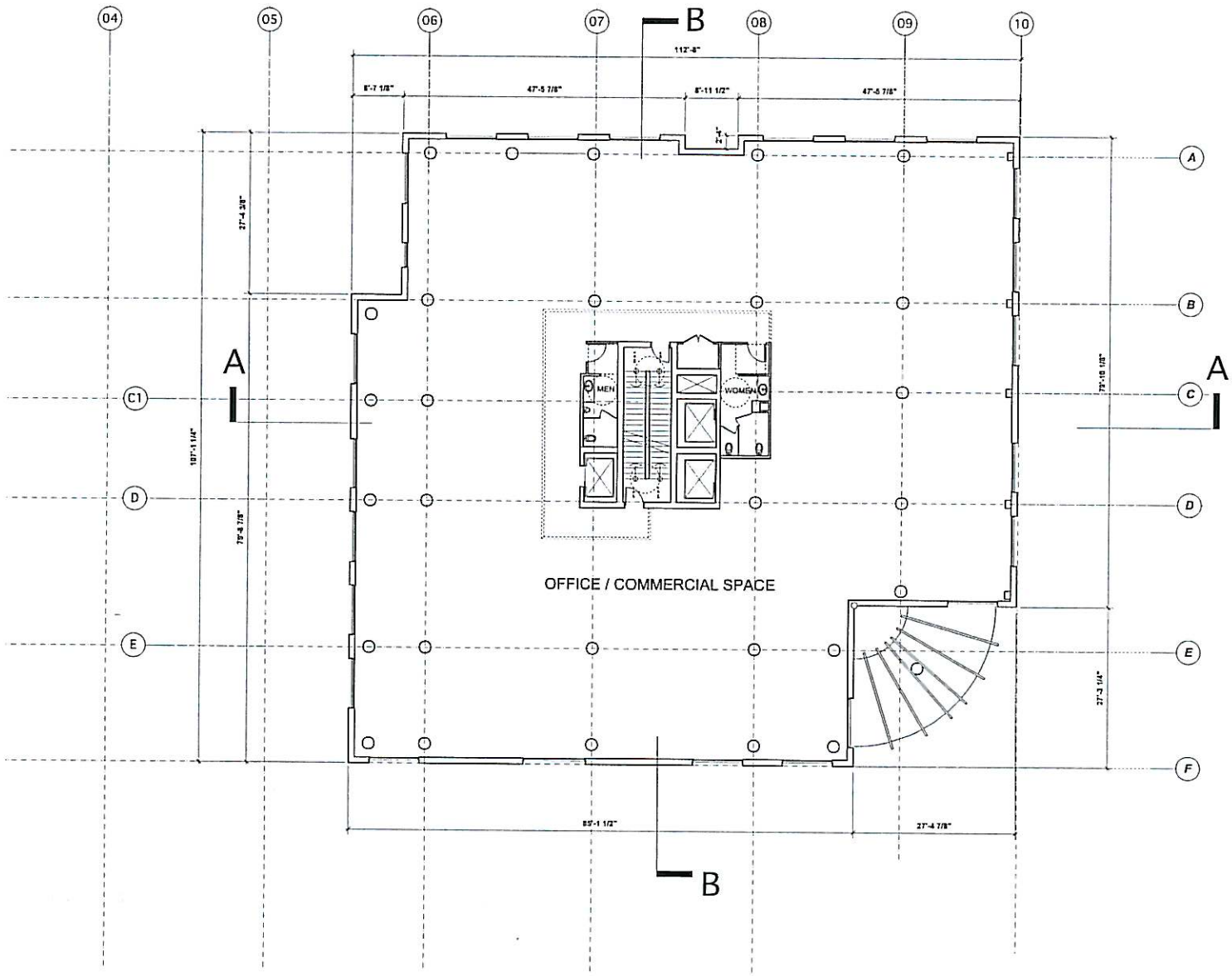

MATRIX Architecture & Planning Inc.

PROJECT
MIXED-USE BUILDING
HWY 33 & RUTLAND RD
KELOWNA, B.C.

LEVEL 1
FLOOR PLAN

DATE February 22, 2021
SCALE 1/8" = 1'-0"
DRAWN S.R. / V.K.
PROJECT NO. 0010

DPA203



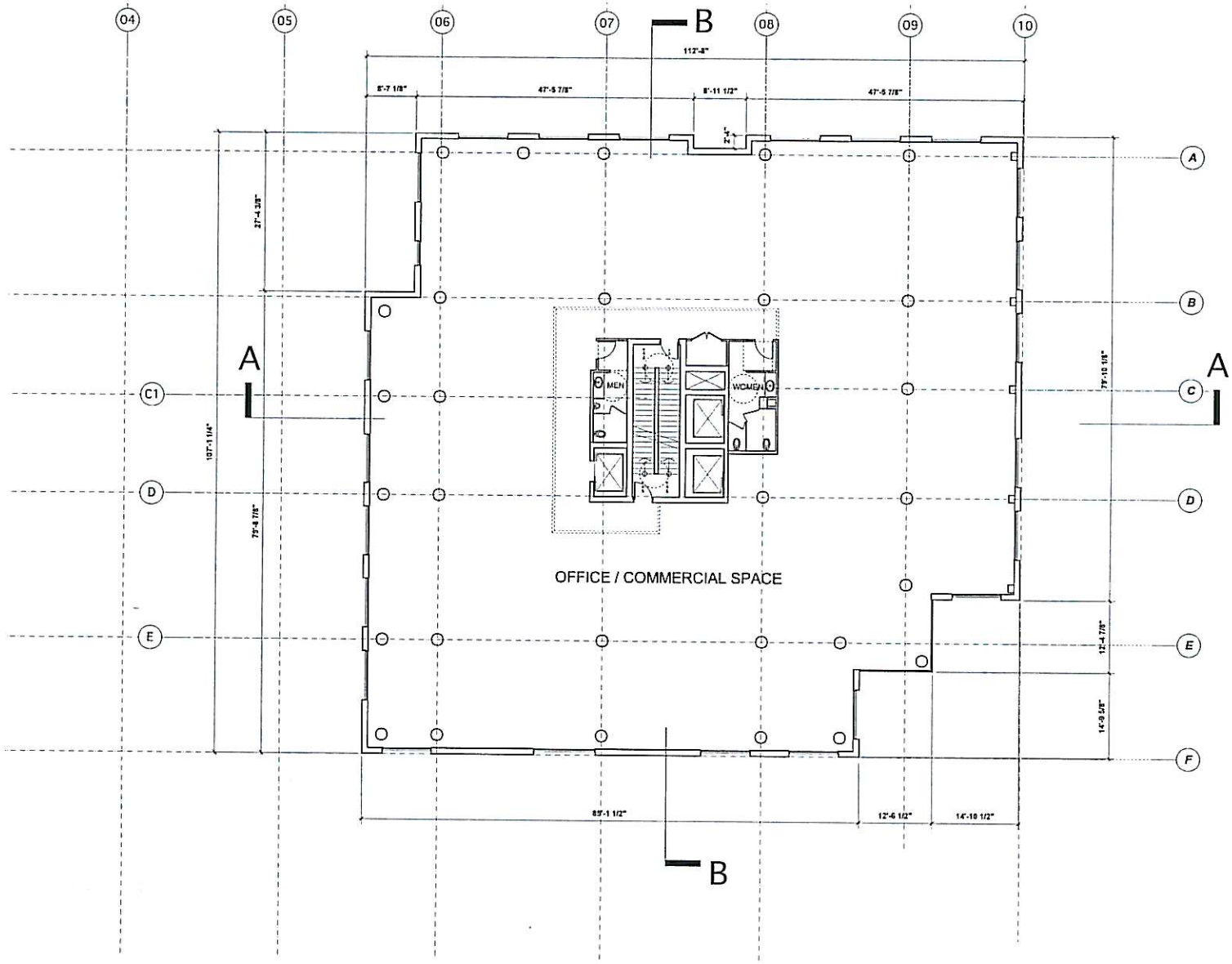

MATRIX

MIXED-USE BUILDING

HWY 33 & RUTLAND RD
KELOWNA, B.C.

LEVEL 2
FLOOR PLAN

DPA204



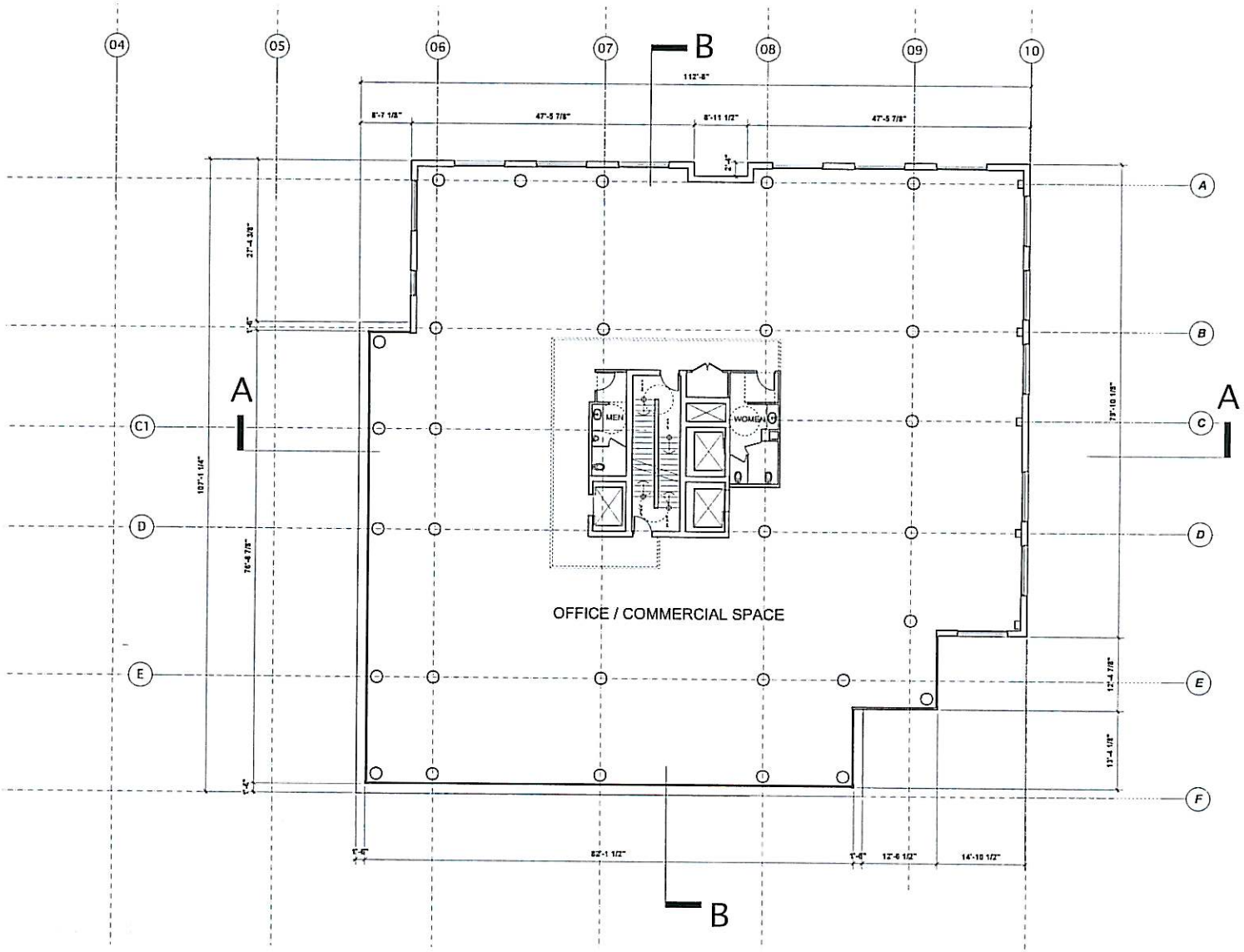

MATRIX

MIXED-USE BUILDING

HWY 33 & RUTLAND RD
KELOWNA, B.C.

LEVEL 3
FLOOR PLAN

DPA205



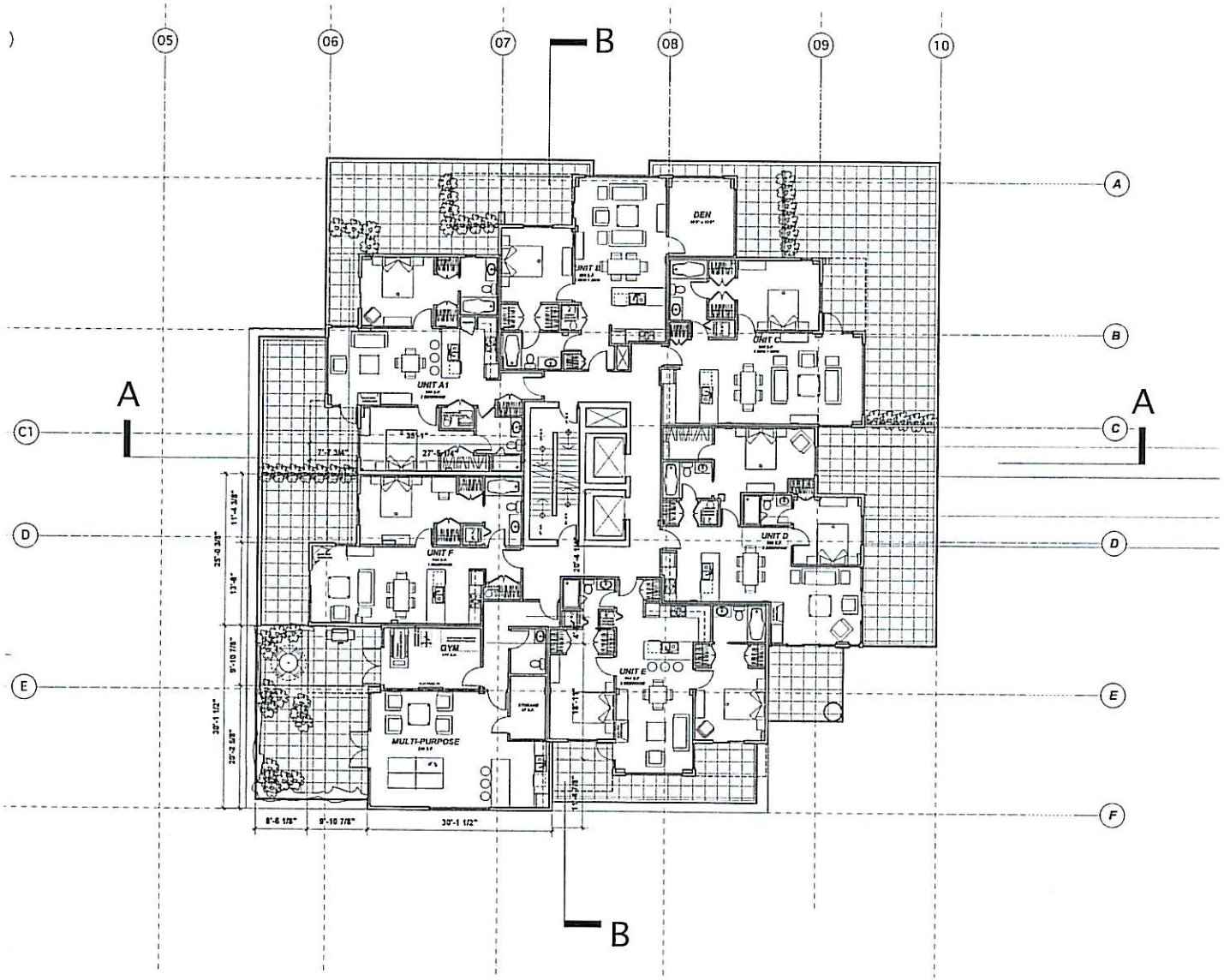

MATRIX

MIXED-USE BUILDING

HWY 33 & RUTLAND RD
KELOWNA, B.C.

LEVEL 4
FLOOR PLAN

DPA206



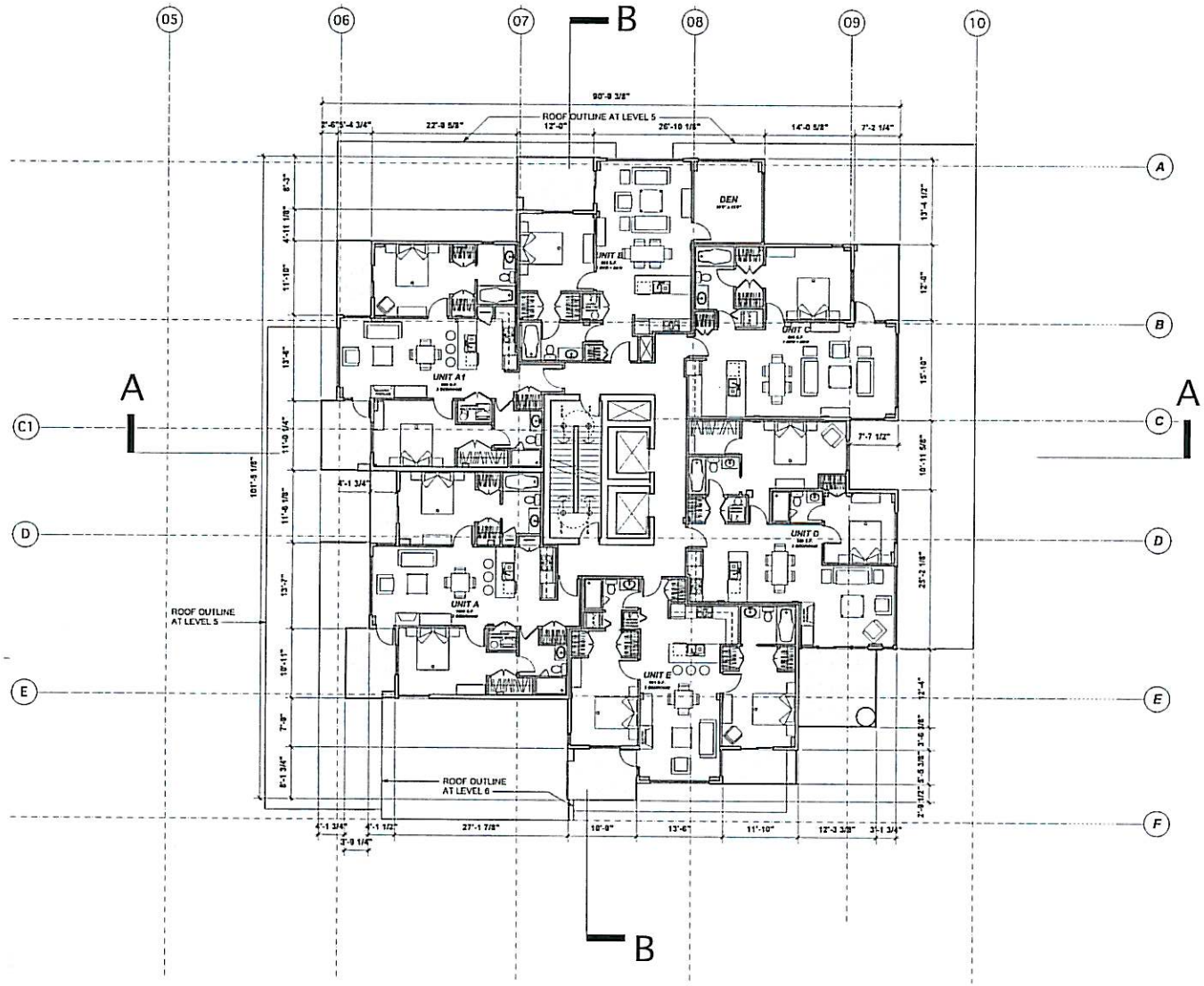

MATRIX

MIXED-USE BUILDING

HWY 33 & RUTLAND RD
KELOWNA, B.C.

LEVEL 5
FLOOR PLANS

DPA207



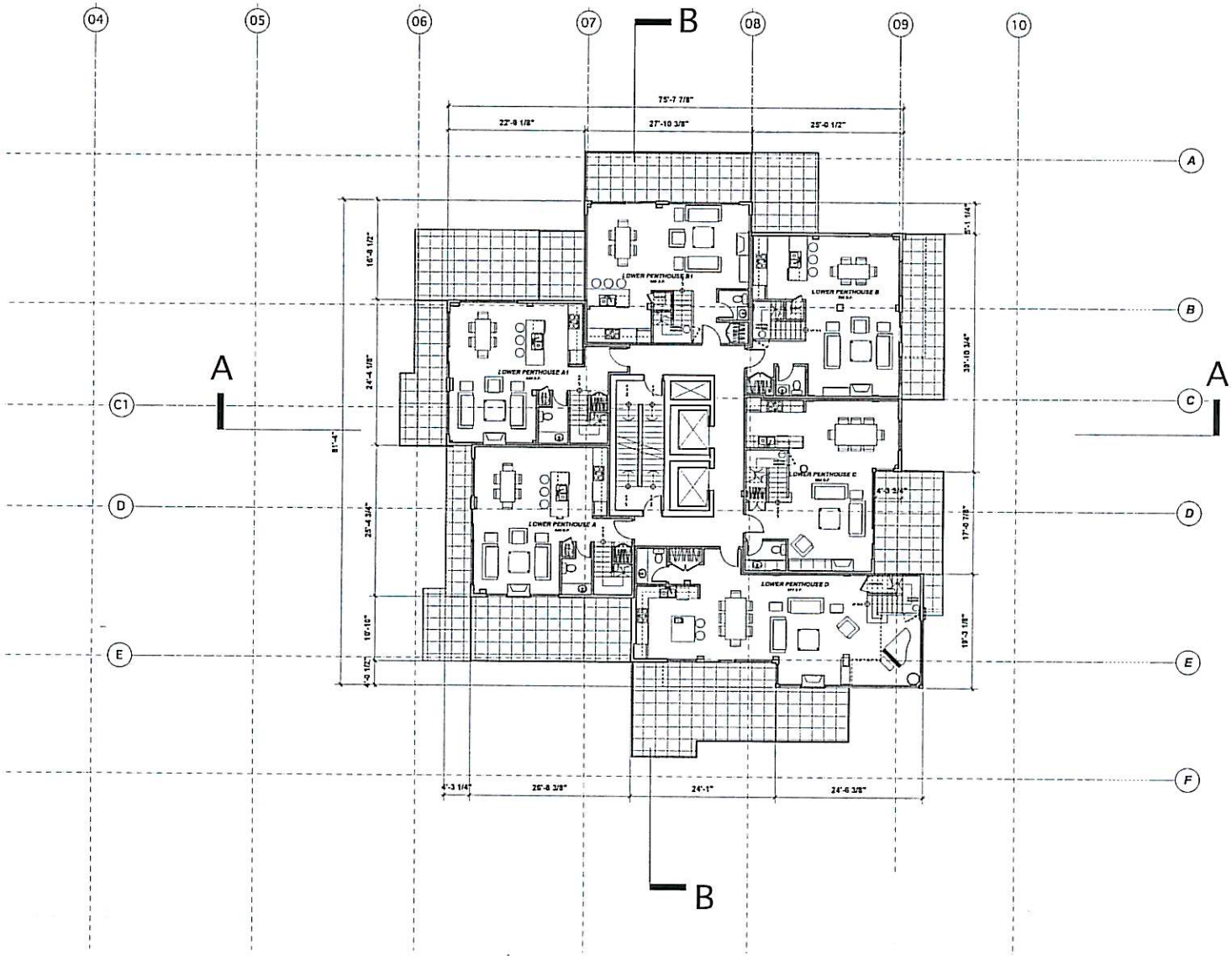

MATRIX

MIXED-USE BUILDING

HWY 33 & RUTLAND RD
KELOWNA, B.C.

LEVELS 6-12
FLOOR PLANS

DPA208

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MIXED-USE BUILDING

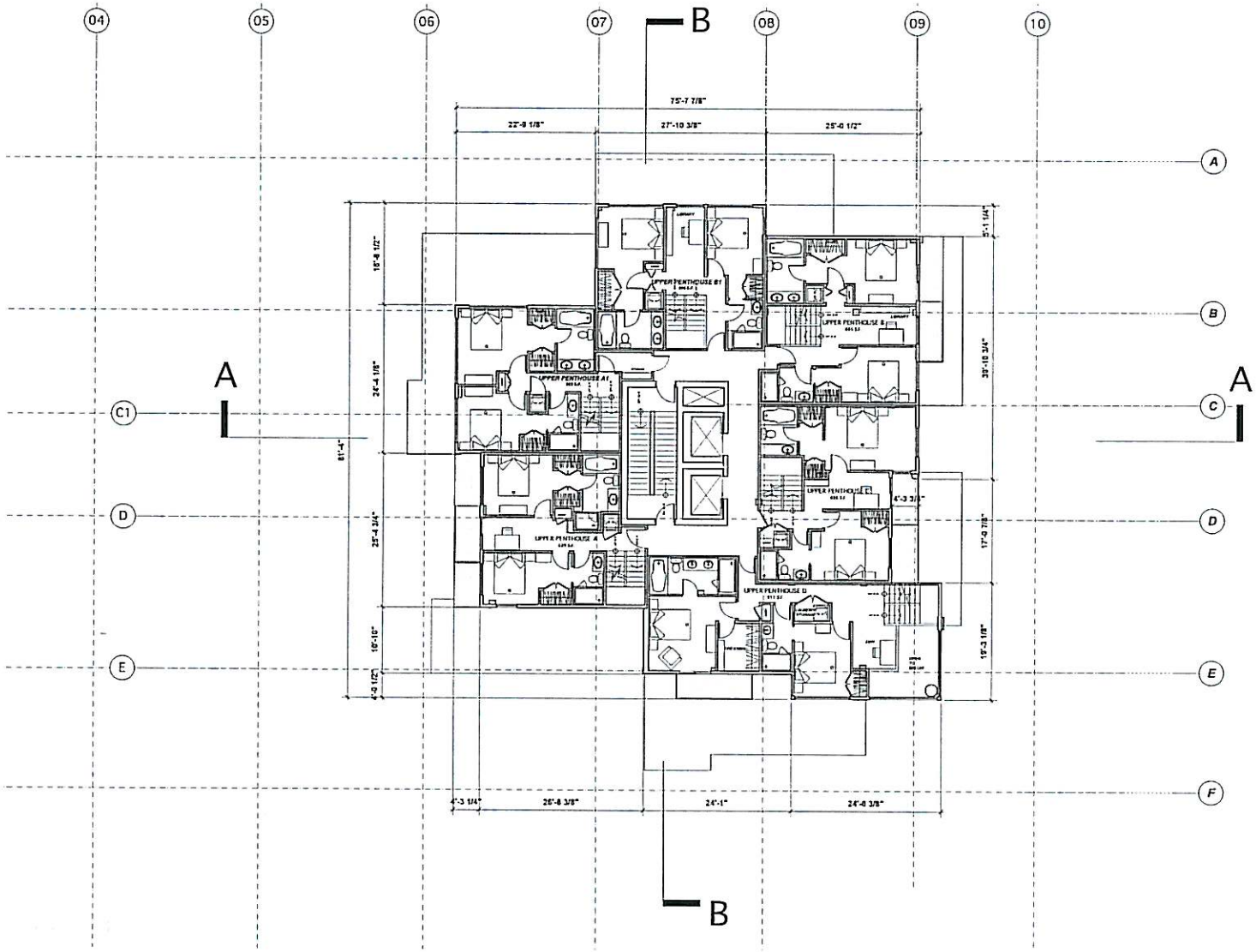
HWY 33 & RUTLAND RD
KELOWNA, B.C.

LEVEL 13
LOWER PENTHOUSE
FLOOR PLANS

February 22, 2007

1/8" = 1'-0"

DPA209




| no | date | revisions |
|---|---|---|
| 3 | Feb 2007 | Issued for Development Permit |
| 2 | Feb 16/07 | Issued for Review |
| 1 | Feb 16/07 | Issued for Strata Review |

| no | date | issues |
|---|---|---|

MATRIX Architecture & Planning Inc.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Canada
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Fax (604) 688-0365



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PROJECT

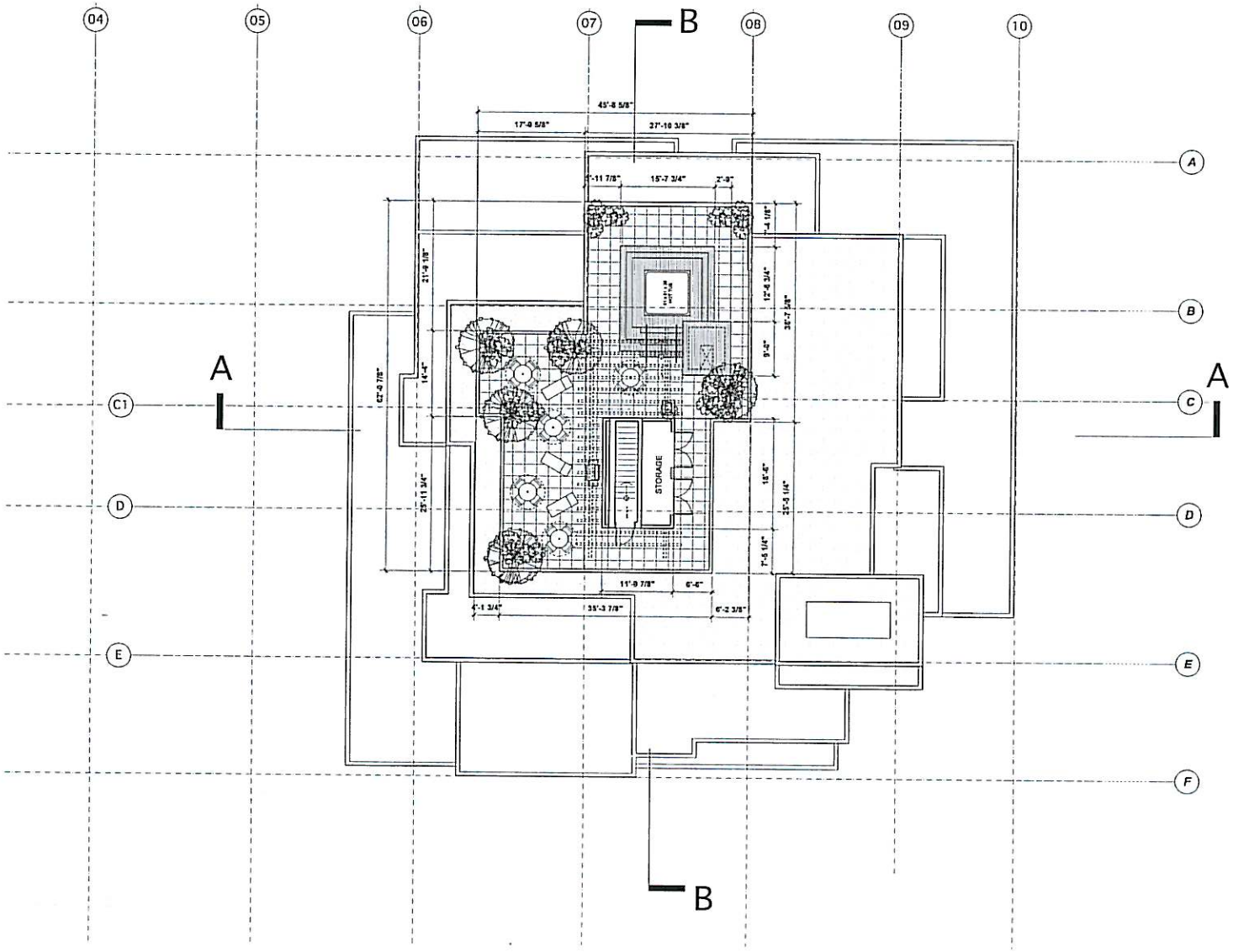
**MIXED-USE BUILDING**

HWY 33 & RUTLAND RD
KELOWNA, B.C.

**LEVEL 14**
**UPPER PENTHOUSE**
**FLOOR PLANS**

| | | |
|---|---|---|
| DATE | February 22, 2007 | SHEET |
| SCALE | 1/8" = 1'-0" | DPA210 |
| DRAWN | S.JE, V.K | |
| REVIEWED | | PROJECT NO. 0717 |

February 2007 - Issue 3

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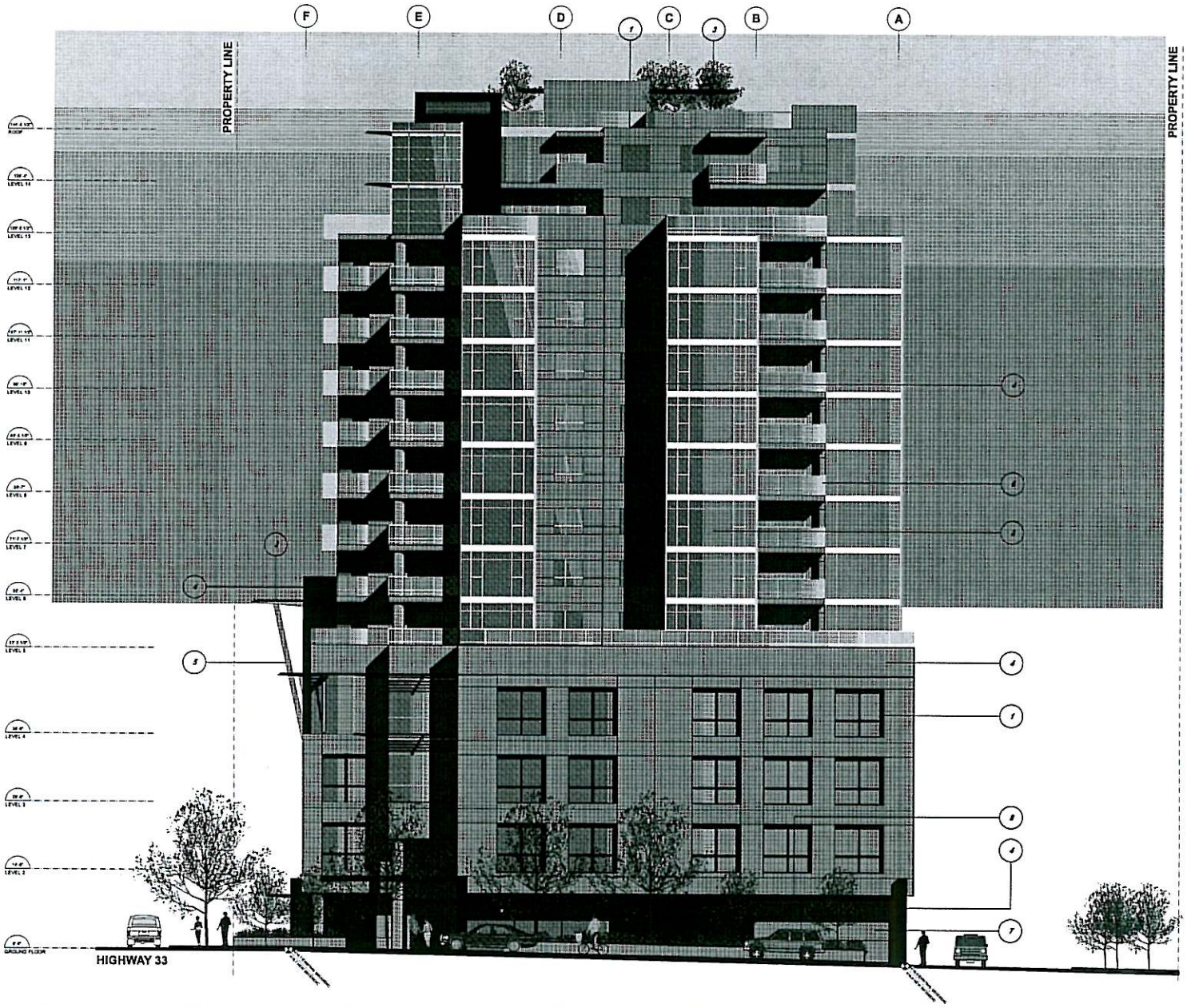
MIXED-USE BUILDING

HWY 33 & RUTLAND RD
KELOWNA, B.C.

ROOF PLAN

DPA211




| EXTERIOR FINISH SCHEDULE | |
|---|---|
| 1 | AL. FRAME WINDOWS (LOW-E GL.) |
| 2 | "WINDOW WALL" (AL. SASH, LOW-E GL.) & SPANDREL GL. |
| 3 | POWDER KOTED ALUMINUM |
| 4 | PAINTED CONCRETE |
| 5 | STAINED TIMBER |
| 6 | AL. & GL. BALCONY RAIL |
| 7 | STRUCTURAL GLASS |
| 8 | POWDER KOTED METAL CANOPY |

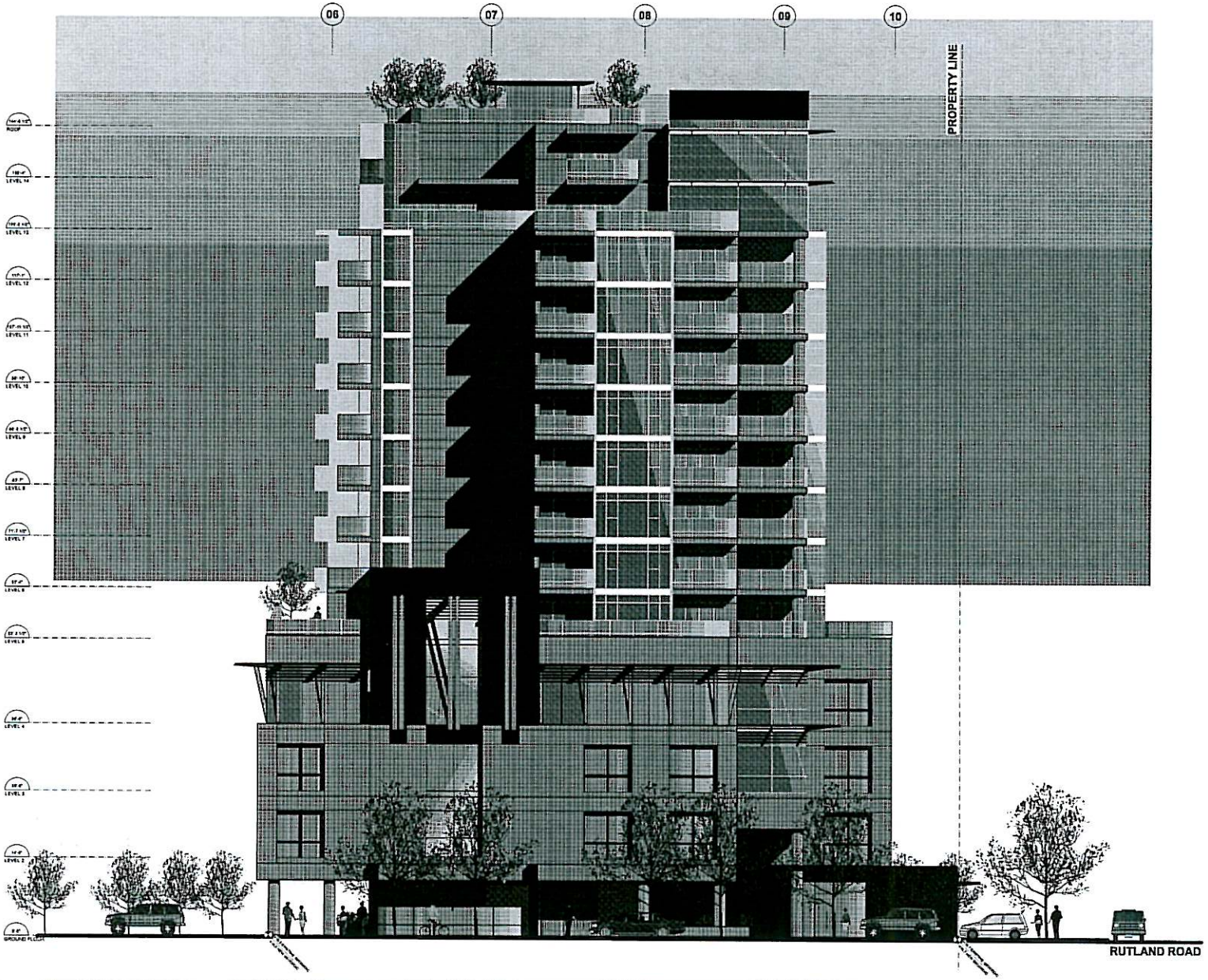
MATRIX

MIXED-USE BUILDING

HWY 33 & RUTLAND RD
KELOWNA, B.C.

EAST ELEVATION

DATE February 22, 2007
SCALE 1/8" = 1'-0"
DRAWN VK
DPA301

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MIXED-USE BUILDING

HWY 33 & RUTLAND RD
KELOWNA, B.C.

SOUTH ELEVATION

DPA302

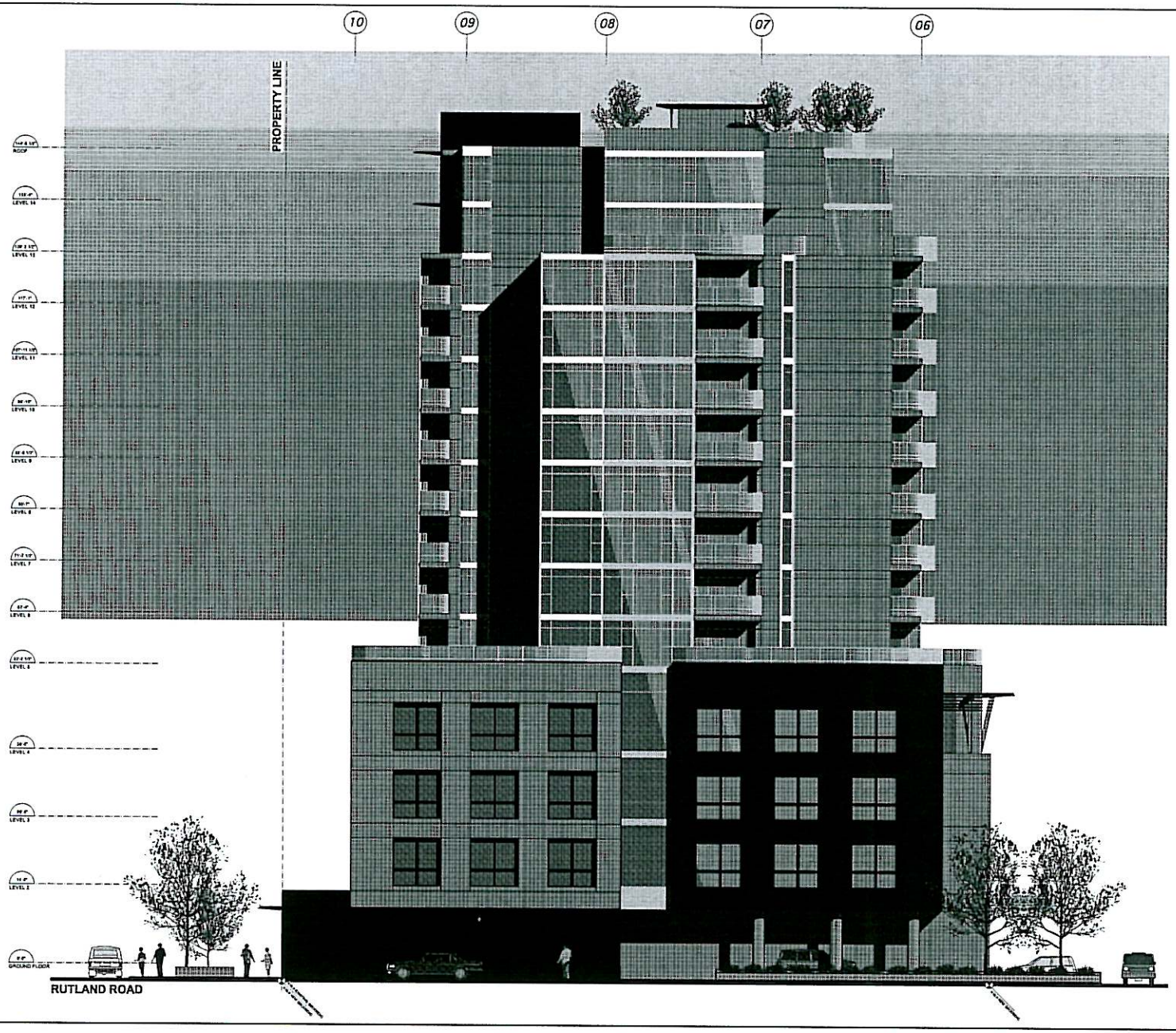
MATRIX Architecture & Planning Inc.

MIXED-USE BUILDING

HWY 33 & RUTLAND RD
KELOWNA, B.C.

WEST ELEVATION

DPA303



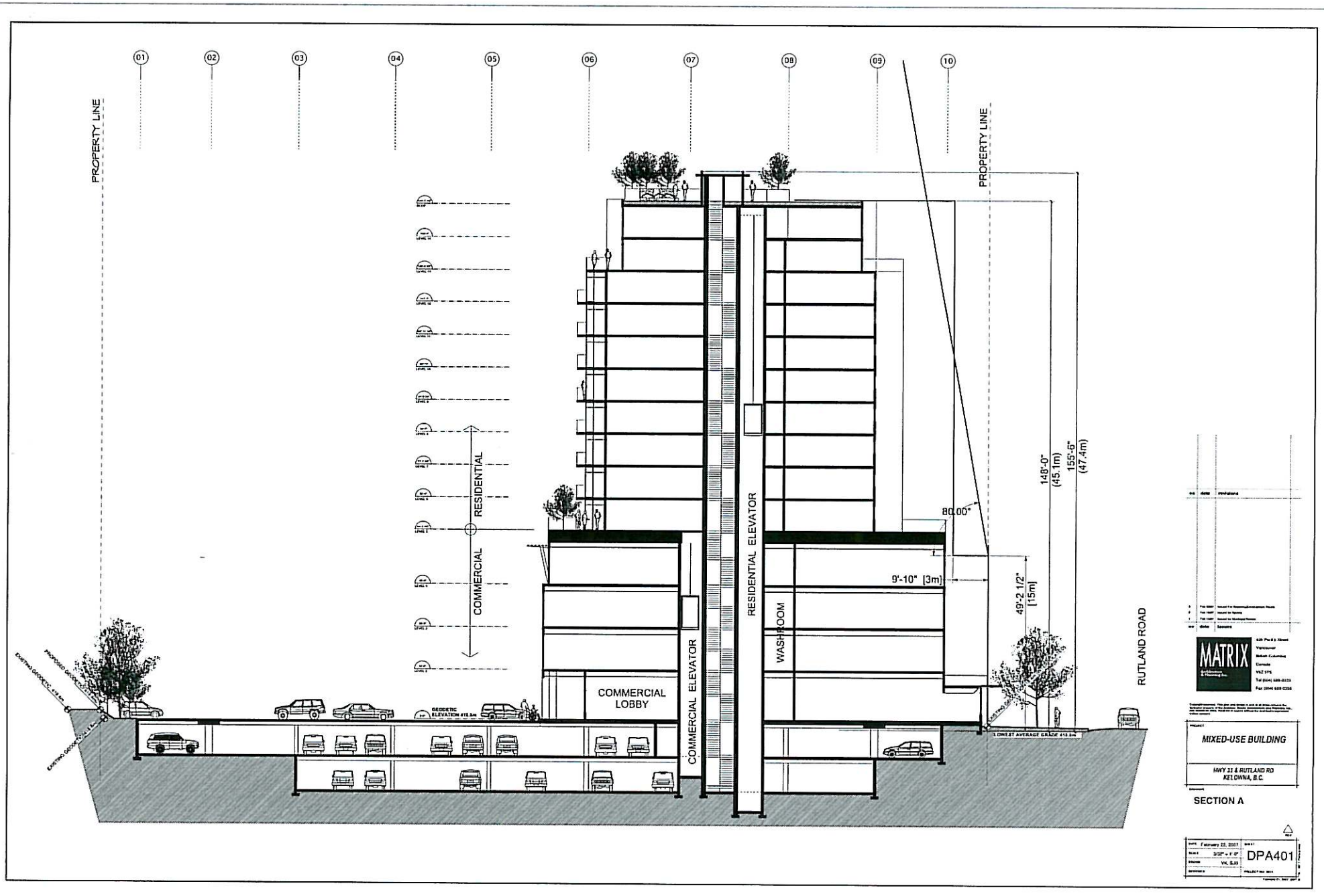

MATRIX

MIXED-USE BUILDING

HWY 33 & RUTLAND RD
KELOWNA, B.C.

NORTH ELEVATION

DPA304


01
02
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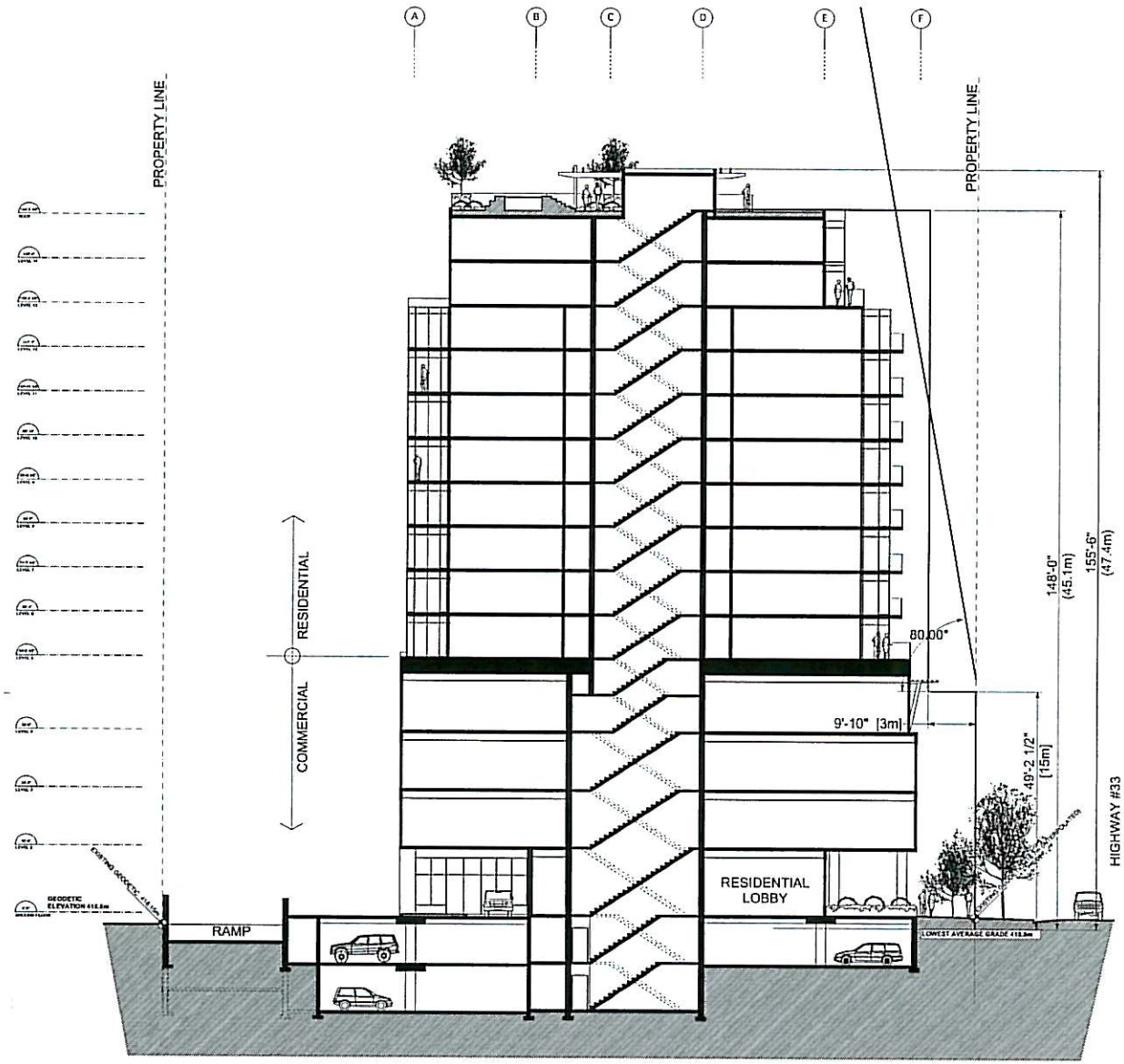
09
10
PROPERTY LINE
PROPERTY LINE
RESIDENTIAL
COMMERCIAL
COMMERCIAL LOBBY
COMMERCIAL ELEVATOR
RESIDENTIAL ELEVATOR
WASHROOM
80.00°
9'-10" [3m]
49'-2 1/2" [15m]
148'-0" (45.1m)
155'-6" (47.4m)
RUTLAND ROAD
GEODETIC ELEVATION 418.3m
LOWEST AVERAGE GRADE 418.3m
MATRIX
MIXED-USE BUILDING
HWY 33 & RUTLAND RD
KELOWNA, B.C.
SECTION A
DPA401




MATRIX

MIXED-USE BUILDING

HWY 33 & RUTLAND RD
KELOWNA, B.C.

SECTION B

DATE February 22, 2017
SCALE 3/32" = 1'-0"
DRAWN VK, EJS

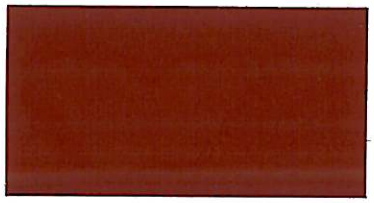
DPA 402

# EXTERIOR COLOURS

*WINDOW WALL ALUMINUM SASH*

*PAINTED CONCRETE / ACCENT COLOUR*

*PAINTED CONCRETE / FIELD COLOUR*



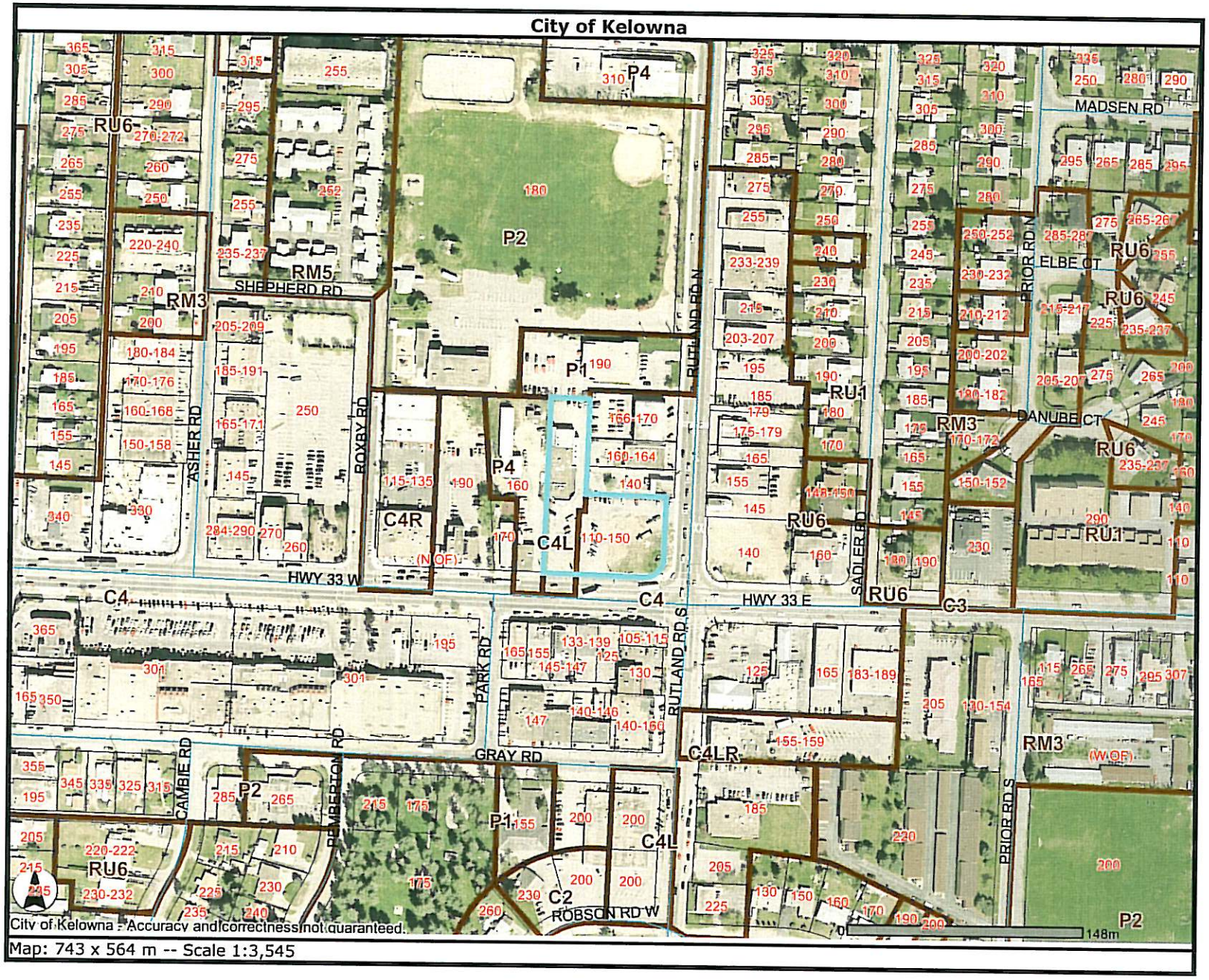
*PAINTED CONCRETE / ACCENT COLOUR*

**MIXED USE BUILDING**

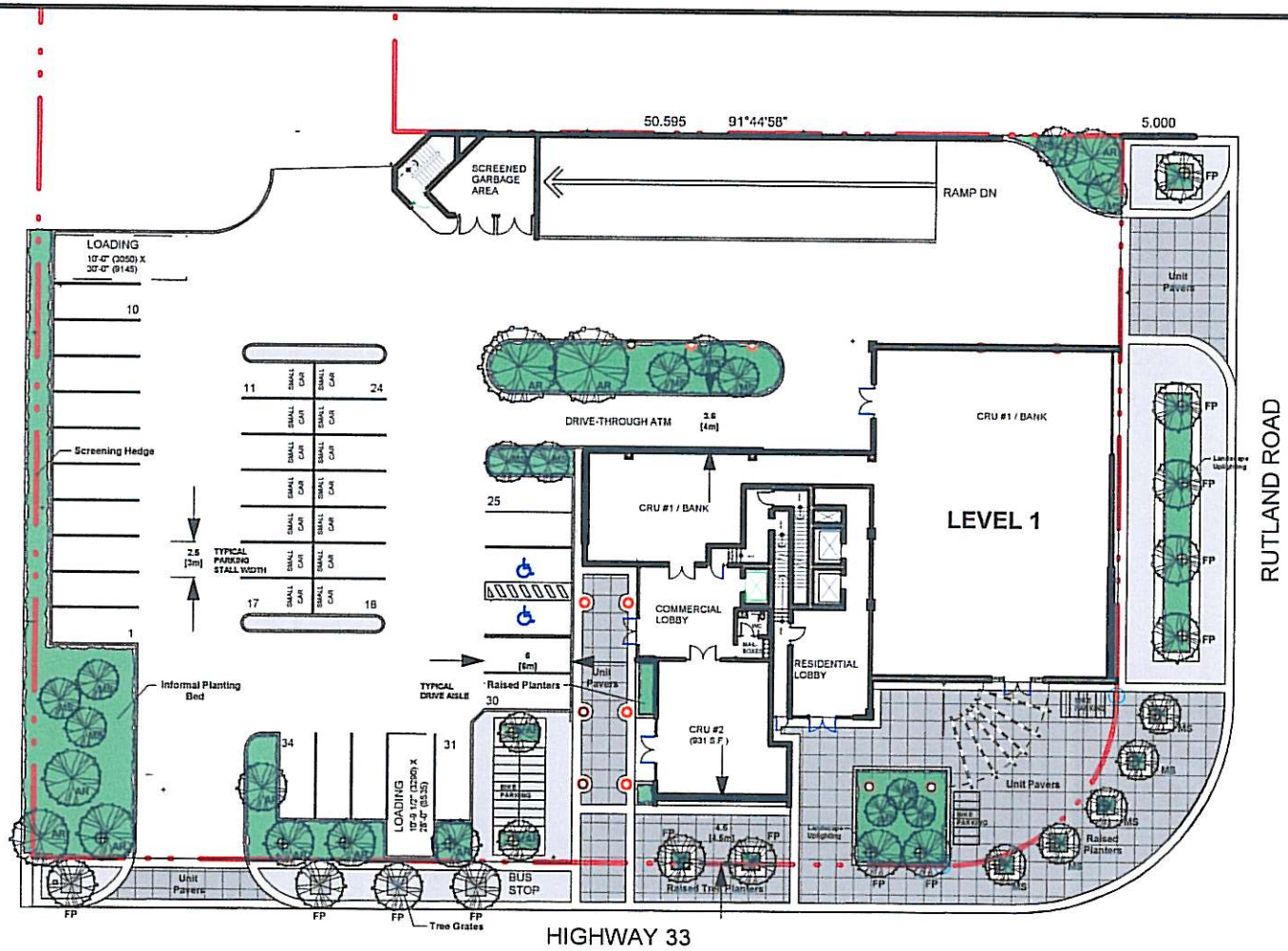
**HIGHWAY 33 & RUTLAND ROAD**

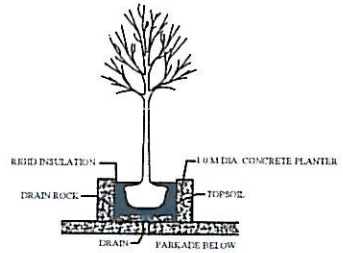
**KELOWNA, B.C.**

MATRIX
Architecture & Planning Inc.




*This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.*




L/1 TREE PLANTER DETAIL

N T S

## CONCEPTUAL PLANT LIST

| Key | Botanical | Common | Size |
|---|---|---|---|
| AR | ACER RUBRUM | RED MAPLE | 60 CM CAL |
| FP | FRAXINUS PENNSYLVANICA | GREEN ASH | 50 CM CAL |
| MS | MAGNOLIA STELLATA | STAR MAGNOLIA | #15 |
| | ACER GINNALA | AMUR MAPLE | #5 |
| | CORNUS ALBA 'SIBERICA' | SIBERIAN DOGWOOD | #1 |
| | ARCTOSTAPHYLOS UVA URSI | KINNICKINNICK | #1 |
| | SYRINGA PATULA | MISS KIM LILAC | #2 |
| | JUNIPERUS HORIZONTALIS | PRINCE OF WALES JUNIPER | #2 |
| | CLETHRA ALNIFOLIA | RUBY SPICE CLETHRA | #2 |
| | COTONEASTER HORIZONTALIS | ROCKSPRAY COTONEASTER | #2 |
| | ROSA 'NEARLY WILD' | NEARLY WILD ROSE | #2 |
| | SPIRAEA JAPONICA | NEON FLASH SPIRAEA | #2 |
| | COTINUS COGGIGRIA | 'GRACE' SMOKE TREE | #5 |
| | PHYSOCARPOS OPULIFOLIUS | 'DIABLO' NINEBARK | #2 |
| | BUDDLEIA DAVIDI | BLACK KNIGHT BUTTERFLY BUSH | #1 |
| | HEDERA HELIX | ENGLISH IVY | #1 |
| | ALCHEMILLA MOLLIS | LADY'S MANTLE | #1 |
| | HOSTA FORTUNEI | 'AUREO MARGINATA' HOSTA | #1 |
| | IRIS GERMANICA | PINK HORIZON IRIS | #1 |
| | CALAMAGROSTIS AQUTIFOLIA | FOERSTER'S FEATHER REED GRASS | #1 |
| | PENNASETUM ALOPECUROIDES | FOUNTAIN GRASS | #1 |

## GENERAL NOTES

1. PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE B.C. LANDSCAPE STANDARDS, PUBLISHED BY B.C.N.T.A. AND B.C.S.L.A.

2. PLANT LIST IS IN CONCEPTUAL FORM ONLY EVENTUAL SELECTION MAY VARY DEPENDING ON AVAILABILITY. PLANTS SHALL BE ACQUIRED FROM A NURSERY CERTIFIED FREE OF P. RAMORUM (SUDDEN OAK DEATH)

3. SITE TO BE WATERED WITH A FULLY AUTOMATIC IRRIGATION SYSTEM

4. LANDSCAPE LIGHTING TO BE INSTALLED IN SPECIFIED LOCATIONS

5. ALL PLANTING BEDS TO HAVE 100MM OGO GROW MULCH

6. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ARCHITECT'S SITE PLAN AND ENGINEERING DRAWINGS

7. THIS DRAWING IS THE PROPERTY OF OUTLAND DESIGN LTD. AND SHALL NO BE COPIED, TENDERED, OR RESOLD WITHOUT EXPRESS PERMISSION FROM THE LANDSCAPE ARCHITECT

| REVISIONS | DATE |
|---|---|
| | 02/26/2007 |

Contractor Shall Verify All Dimensions On Site

Consultant:

OutLand DESIGN
LANDSCAPE ARCHITECTURE

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Drawn: M.M. Design: M.M.

Project: Hwy 33 & Rutland Rd Mixed Use Building

Drawing: CONCEPTUAL LANDSCAPE PLAN

Drawing #: 07-014

Scale: 1:150

Date: 03/09/2007