
CITY OF KELOWNA

MEMORANDUM

DATE: October 10, 2008

TO: City Manager

FROM: Land Use Management Department

APPLICATION NO. DP08-0222 / DVP08-0223

OWNER: 3752 Investments LTD.

AT: 1040 Manhattan Drive

APPLICANT: Argus Properties Ltd.

PURPOSE: TO ALLOW A DEVELOPMENT PERMIT FOR THE FORM AND CHARACTER OF THE PROPOSED OFFICE BUILDING

TO ALLOW A DEVELOPMENT VARIANCE PERMIT TO VARY THE HEIGHT OF THE PROPOSED OFFICE BUILDING FROM 3 STOREYS PERMITTED TO 8 STOREYS PROPOSED

EXISTING ZONE: I1 – Business Industrial

REPORT PREPARED BY: Alec Warrender

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Permit No. DP08-0222, Lot B, District Lot 139, ODYD, Plan KAP71362 located at 1040 Manhattan Drive, Kelowna, B.C. subject to the following:

- a) The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
- c) Landscaping to be provided on the land be in general 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 professional landscaper;

AND FURTHER THAT the applicant be required to complete the above-noted condition (d) within 180 days of Council approval of the development permit application in order for the permit to be issued.

THAT Council authorize the issuance of Development Variance Permit No. DVP08-0223 for Lot B, District Lot 139, ODYD, Plan KAP71362 located at 1040 Manhattan Drive, Kelowna, B.C, subject to:

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

Section 15.1.5 (b) Development Regulations - Height

Vary the height of the proposed office building from 16.0m / 3 storeys permitted to 38m / 8 storeys proposed.

2.0 SUMMARY

The applicant has applied for a Development Permit to address the form and character of the proposed office building. A Development Variance Permit has been submitted as the proposed development will have a height of 8 storeys where 3 are permitted. The applicant has also submitted an Environmental Development Permit as the property is located adjacent to Brant's Creek.

3.0 ADVISORY PLANNING COMMISSION

At a meeting held on October 21, 2008, the APC passed the following motion:

THAT the Advisory Planning Commission support Development Permit Application No. DP08-0222 by Argus Properties Ltd. (P. Downward) to obtain a Development Permit to allow a development permit for an office building.

THAT the Advisory Planning Commission support Development Variance Permit Application No. DVP08-0223 by Argus Properties Ltd. (P. Downward) to obtain a Development Variance Permit to vary the height of the proposed office building from 3 storey permitted to 8 storeys proposed.

4.0 THE PROPOSAL

The applicant is seeking to obtain a Development Permit for the construction of an office building. The proposed office building will have a net floor area of 6,326.4m². Although only 189 of the required 197 on site parking stalls will be provided, the applicant will covenant the existing office building to the east in order to secure, as remote parking, the additional 8 stalls.

The parking scheme includes 99 underground parking stalls that will be accessed from the property to the east, 34 of the parking stalls will be located underneath the proposed building while the remaining 56 stalls will be surface parking. A Covenant and an Access Agreement will be secured with the neighbouring property to the east in order to secure the remote parking stalls and the access to the underground parkade.

Although the proposed development is taller than the existing office building to the east it will be adjacent to a 27 storey residential building, thus the overall form and character of the development will fit well with the surroundings. The colours and materials will be similar to those found on the existing office building to the east. The application conforms to the City's Zoning Bylaw No. 8000 as follows:

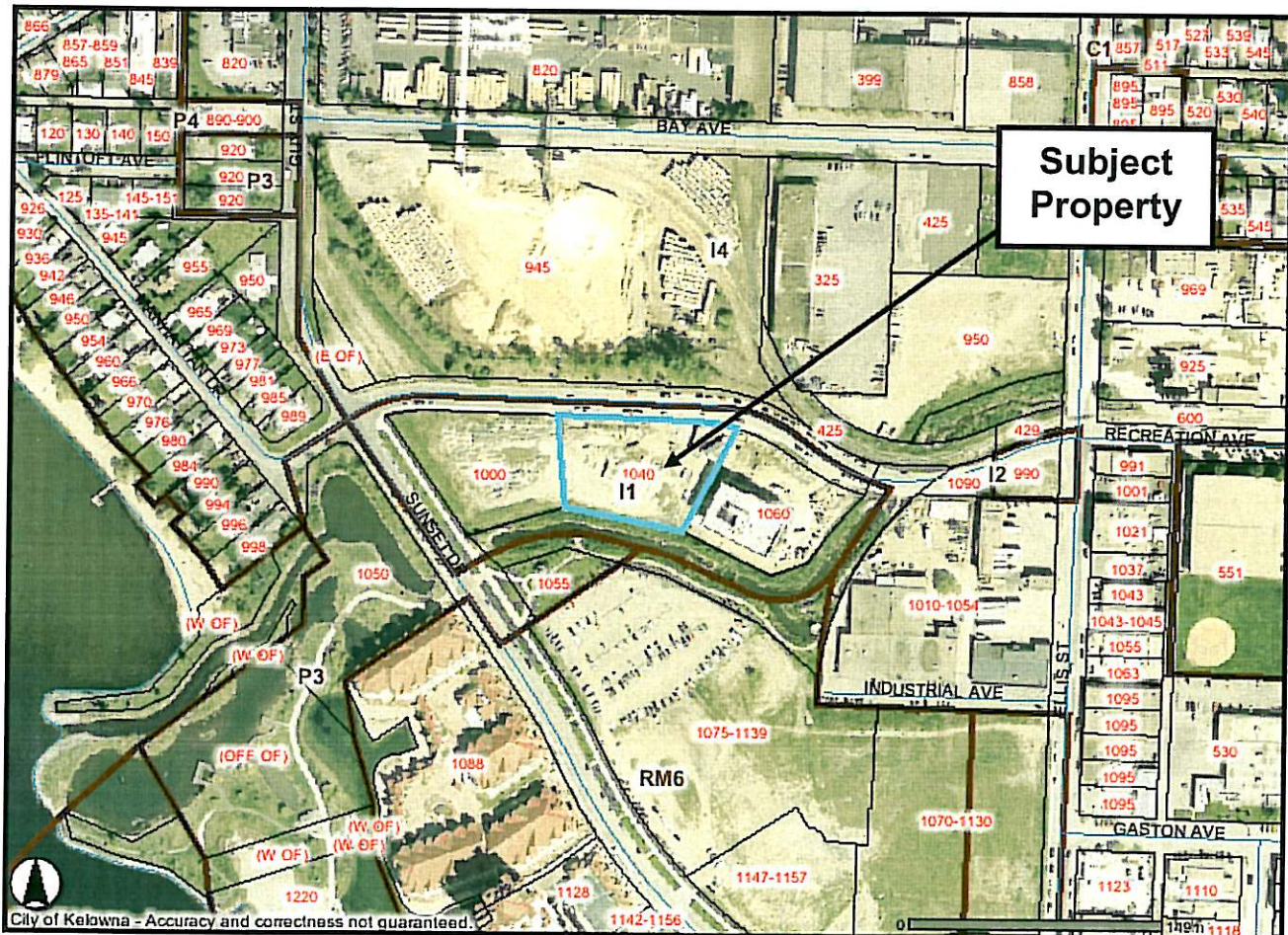
CRITERIA	PROPOSAL	I1 ZONE REQUIREMENTS
Development Regulations		
Floor Area Ratio	1.19	1.2

Height	38 m / 8 Storeys (*)	16m / 3 Storeys
Front Yard (north)	7.0 m	6.0 m
Side Yard (east)	Meets Requirement	0.0 m
Side Yard (West)	Meets Requirement	0.0 m
Rear Yard (south)	6.5 m	6.0 m
Other Regulations		
Minimum Parking Requirements	191 stalls	197 stalls
Bicycle Parking	Class I: 32 Class II: 38	Class I: 13 Class II: 38
Loading	2 spaces	2 spaces

(*) Vary the height from 16m / 3 storeys permitted to 38m / 8 storeys

4.1 Site Location

1040 Manhattan Drive



4.2 Site Context

<i>Direction</i>	<i>Zoning Designation</i>	<i>Land Use</i>
North	I4 – Central Industrial	Industrial
East	I1 – Business Industrial	Commercial
South	RM6 - Residential	Residential
West	I1 – Business Industrial	Commercial

5.0 TECHNICAL COMMENTS

5.1 Inspections Services

Common driveway access covenant/easement agreement to be drafted and reviewed by Planning Department for registration against both parcels of property. Geotechnical engineer to address construction flood plain issue and high water table related to Brandt's Creek to establish lowest slab elevation to 343.66m as part of DP prior to approval. Mechanical and electrical rooms to comply with this elevation. Code compliance report required to address spatial separation and smoke migration between buildings at parkade level common access between buildings.

5.2 Parks Manager

The City is not responsible for property and landscape damage from wildlife e.g. beavers. We suggest the applicant take the necessary measures to protect their property.

In order to protect the riparian area of Brandt's creek, we recommend a Section 219 no-build no-disturb covenant over the private property.

The City of Kelowna Boulevard Maintenance By-Law No. 5708-84 requires the property owner to be responsible to weed, water and mow the boulevards adjacent to their properties. They will also be responsible for maintaining the boulevard in a reasonably tidy condition, free and clear of garbage, litter or debris.


The adjacent parkland shall not be disturbed by the applicant; no unauthorized tree cutting, damage to natural vegetation, material and construction storage, equipment parking and/or grading and fill encroachments.

5.3 Works & Utilities

See Attached

6.0 PLANNING COMMENTS

The I2 zone permits office space as a principal use. The proposed development meets the FAR provision in the zone and is consistent with the adjacent zones to the east and the west. The subject property is located within the Urban Centre and the development of office space is appropriate. While the project does require a height variance, the project is intended to fit with the existing office space to the east and helps transition to the 27 storey apartment tower to the south.

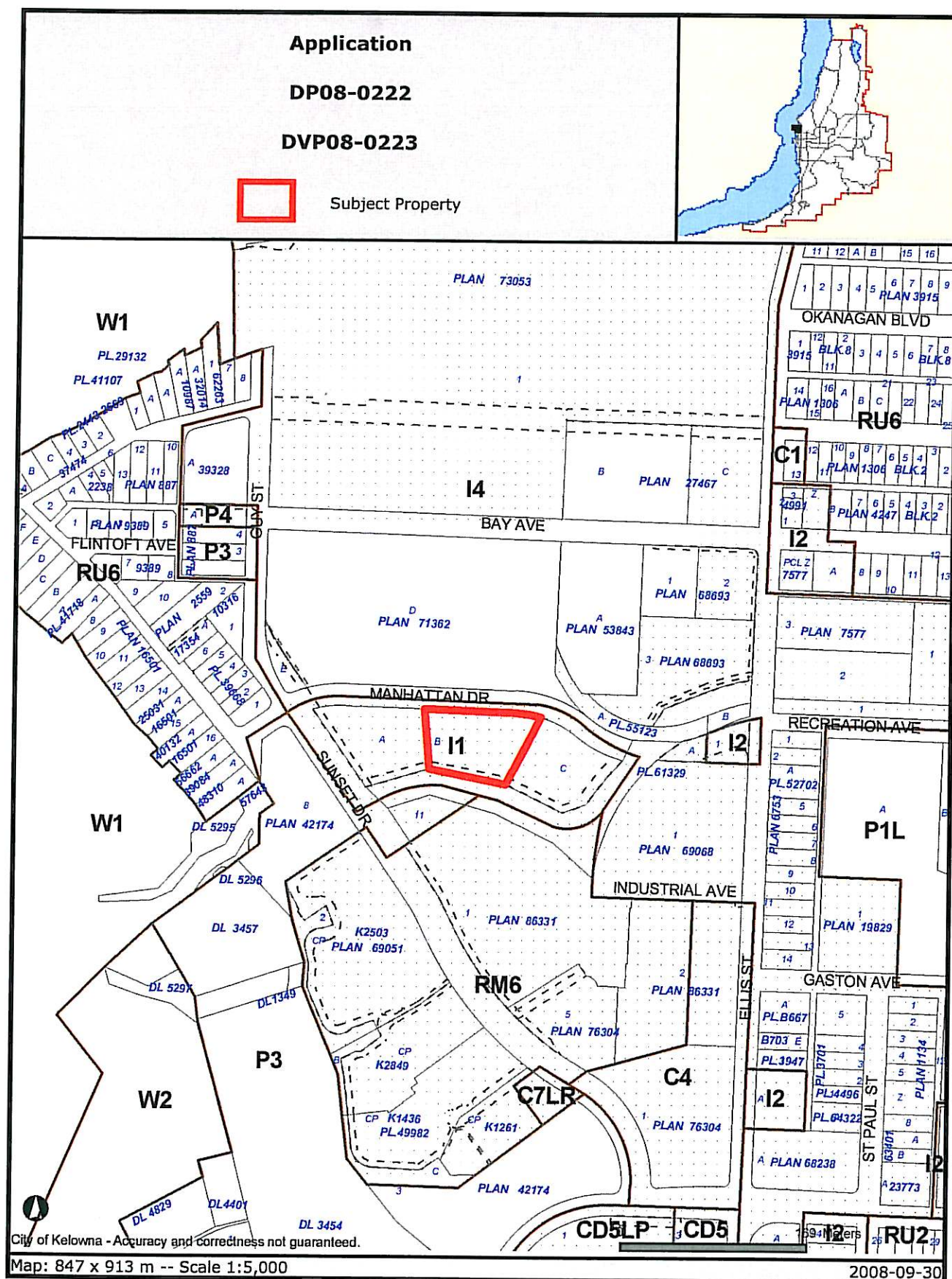


Shelley Gambacort
Director of Land Use Management

SG/aw

Attachments

- Location Map
- Site Plan & Elevations
- Works & Utilities - Comments



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.

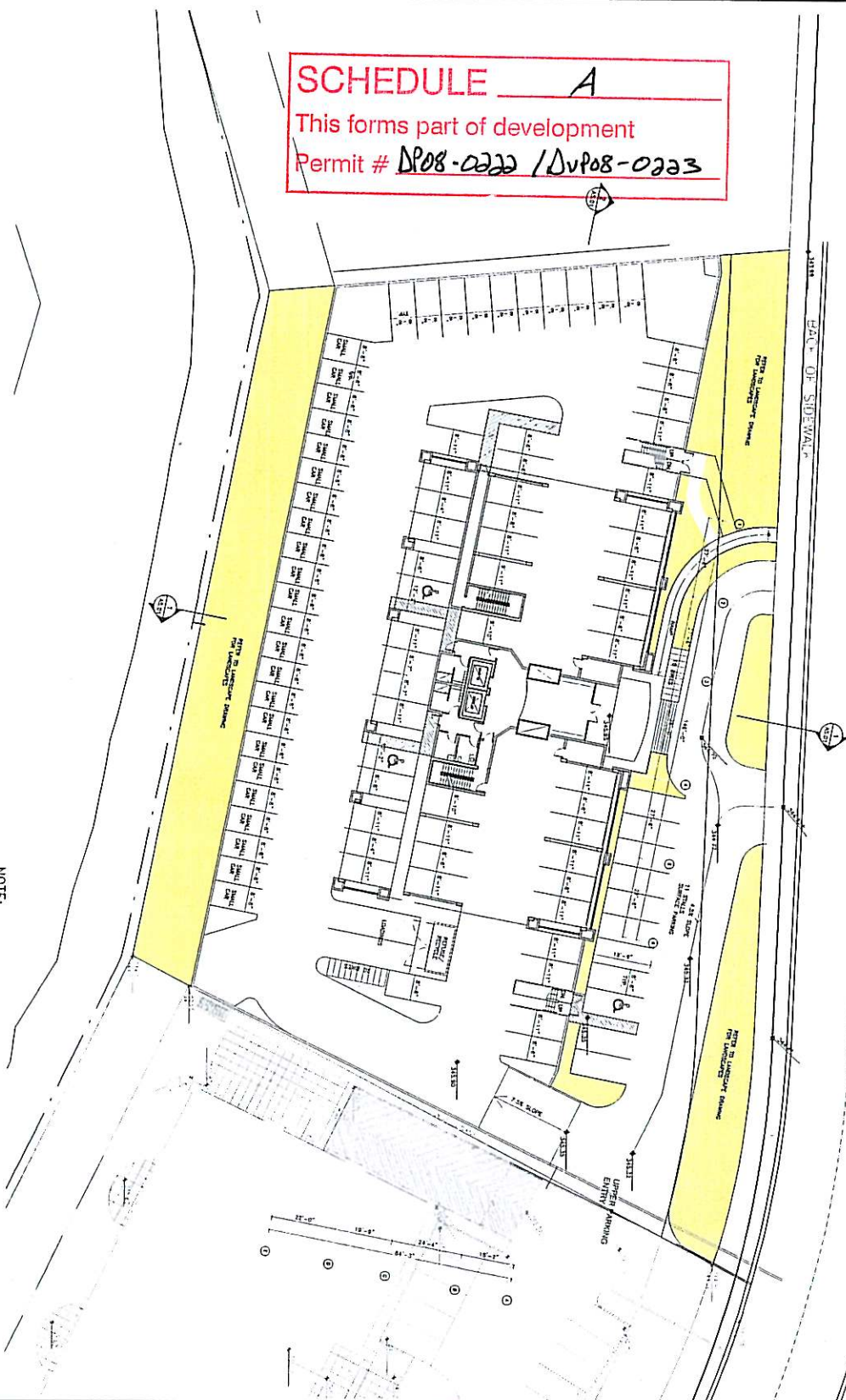
SCHEDULE A

This forms part of development

Permit # DPO8-0222 / DVP08-0223

1 SITE PLAN
SCALE 1/8"=1'-0"

NOTE:
THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER
ARCHITECTURAL AND STRUCTURAL DRAWINGS. IF THERE IS A
DISCREPANCY IN DIMENSIONS, ELEVATIONS OR DETAILS NOTIFY THE
ARCHITECT BEFORE PROCEEDING.



cei ARCHITECTURE
PLANNING
INTERIORS
VANCOUVER, VICTORIA, KELLOWNA
TEL: (250) 725-4333 FAX: (250) 725-4333
1000 BURNHAMTHORPE DRIVE, KELLOWNA, B.C. V1Y 8S8
(250) 725-4333 FAX: (250) 725-4333

ARGUS
PROPERTIES LTD.
1000 BURNHAMTHORPE DRIVE, KELLOWNA, B.C. V1Y 8S8
(250) 725-4333 FAX: (250) 725-4333

NO.	DATE	REVISION
1	10-20-13	ISSUED FOR DEVELOPMENT TEAM

IMPERIAL
NO. 1000 BURNHAMTHORPE DRIVE, KELLOWNA, B.C. V1Y 8S8
(250) 725-4333 FAX: (250) 725-4333

PROJECT TITLE
ARGUS PROPERTIES LTD.

OFFICE BUILDING

1000 BURNHAMTHORPE DRIVE
KELLOWNA, B.C.

SITE PLAN

DATE: 2013.11.15 DRAWN: SH
PROJECT NO: 26099
SHEET NO: 1 OF 1
SCALE: 1/8"=1'-0"

rei **ARCHITECTURE**
PLANNING
INTERIORS
VANCOUVER, VICTORIA, KELOWNA
1-800-451-1111
250-1000 BURNHAMTHORPE DRIVE, KELOWNA, B.C. V1Y 6Z2
(250) 718-4789

ARGUS
PROPERTIES LTD.
250-1000 Burnhamthorpe Drive, Kelowna, B.C. V1Y 6Z2
(250) 718-4789

DATE: 10/10/14 DRAWN: [Signature]
REV: 001
PROJECT NO: 26099
DRAWING NO: A2.01

CONTRACT NO:

IMPERIAL
ARCHITECTURE
100-1000 Burnhamthorpe Drive, Kelowna, B.C. V1Y 6Z2
(250) 718-4789

NO. 1
DATE: 10-10-14
REVISION: [Blank]

ARGUS PROPERTIES LTD.

OFFICE BUILDING

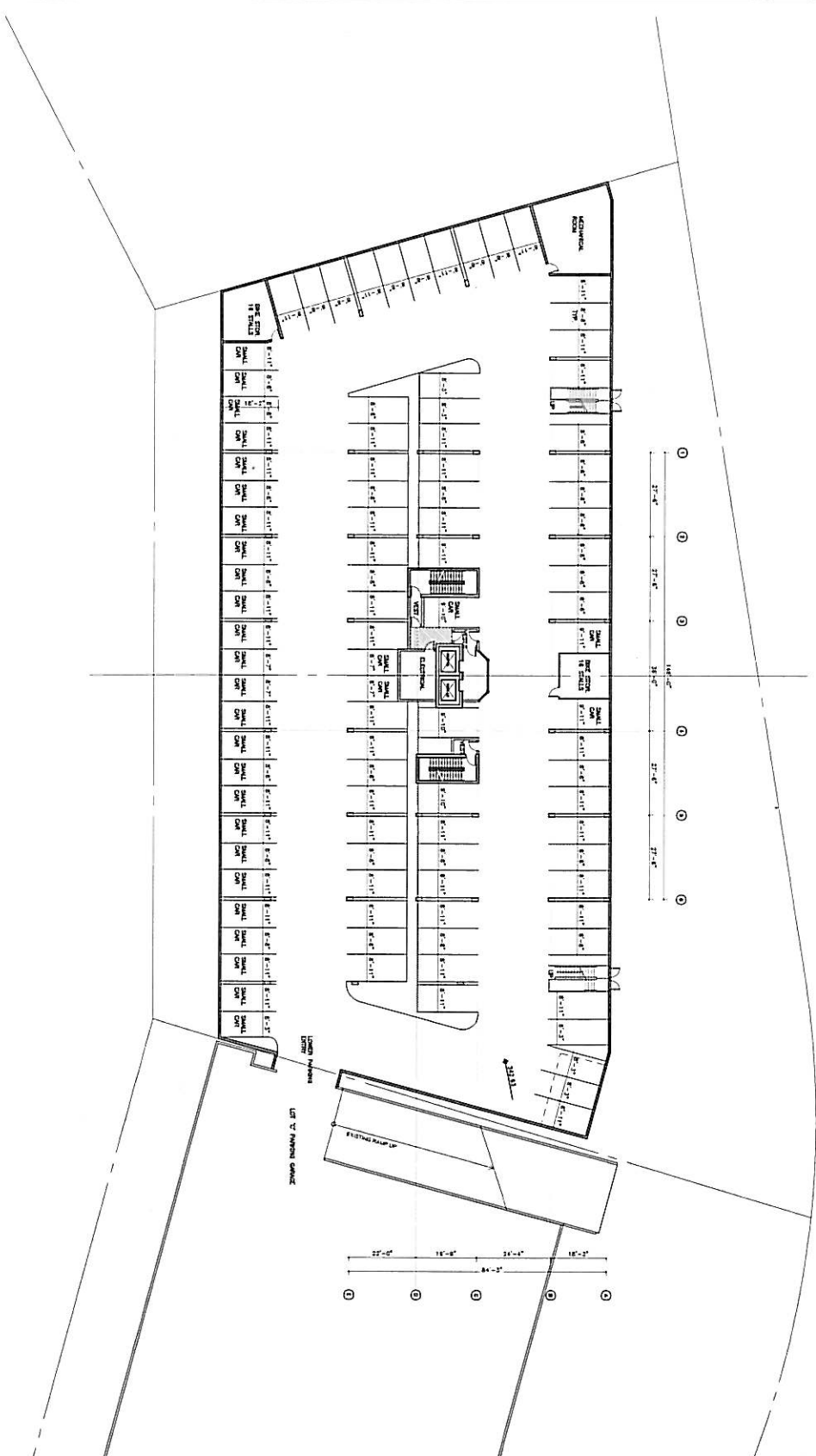
**1040 MARATHON DRIVE
KELOWNA, B.C.**

**LOWER PARKING
FLOOR PLAN**

26099 A2.01

NOTE:
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LOWER PARKING FLOOR PLAN
SCALE: 1/8" = 1'-0"



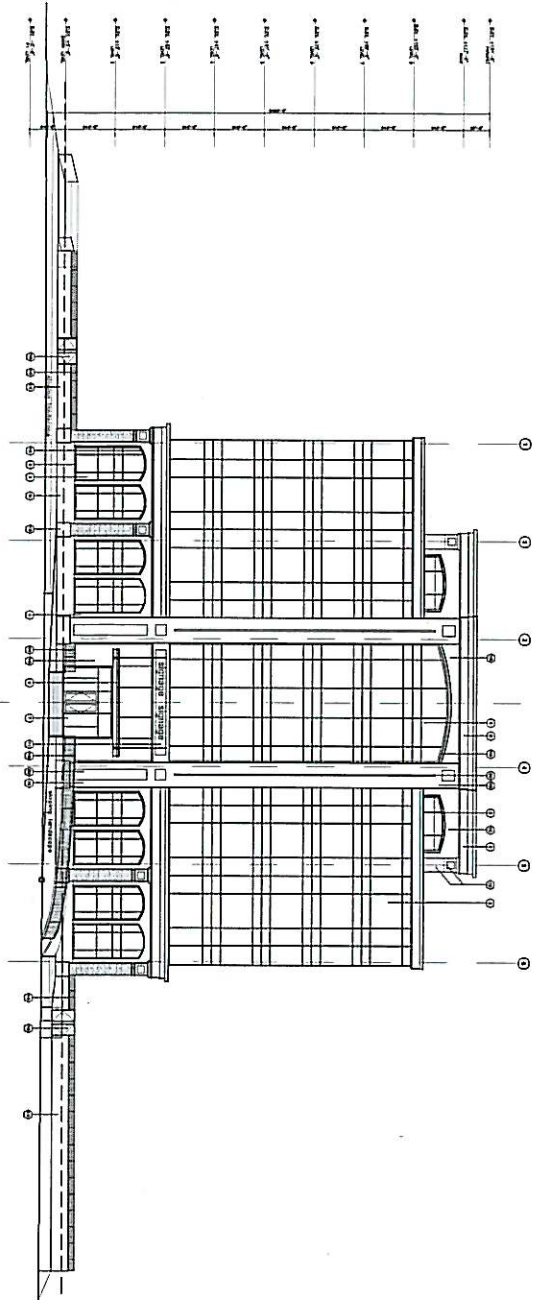
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B

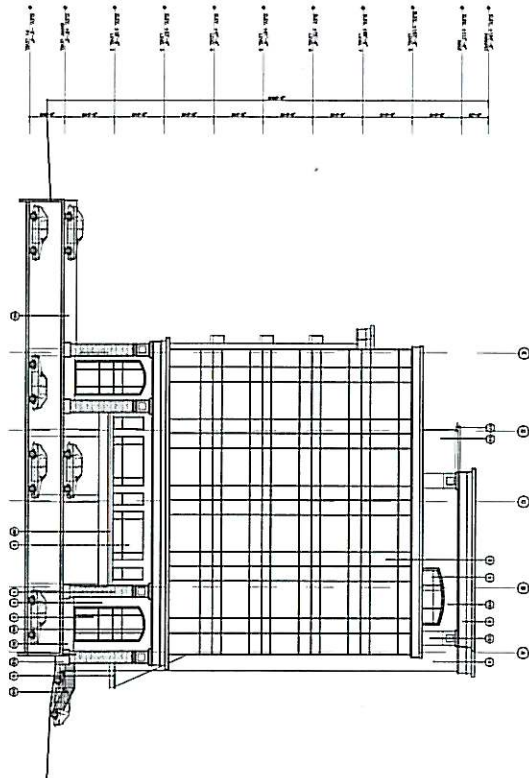
This forms part of development

Permit # DP08-0222 / DP08-0223

1 NORTH ELEVATION
SCALE 1/16" = 1'-0"



2 EAST ELEVATION
SCALE 1/16" = 1'-0"



ELEVATION KEY NOTES	
1	GLASS CURTAIN WALL
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cel ARCHITECTURE
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SCALE

CONTRACT

IMPERIAL
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NO. 1000 Burnhamthorpe Drive, Kelowna, B.C. V1Y 8S2
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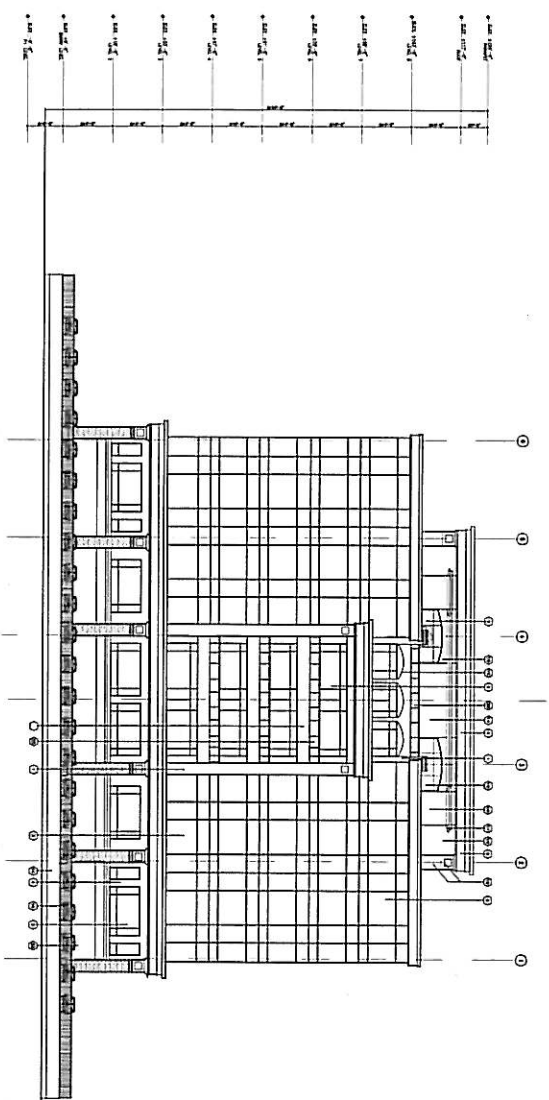
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OFFICE BUILDING

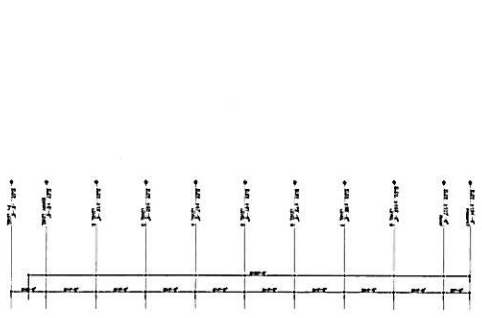
1040 KAWATANI DRIVE
KEDLOWNA, B.C.

BUILDING
ELEVATIONS

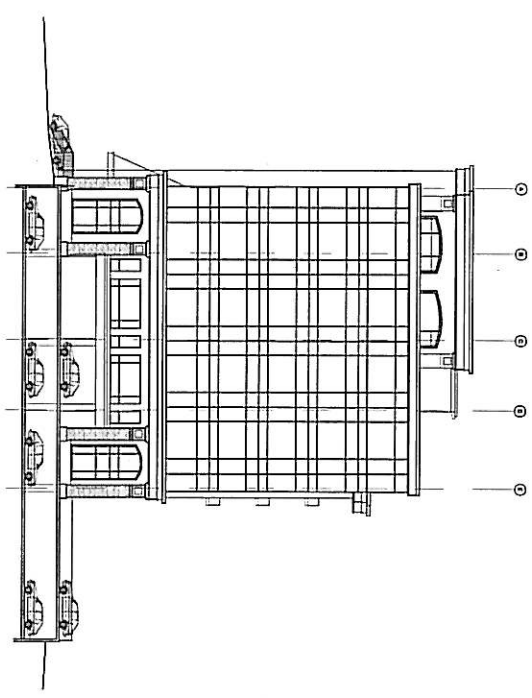
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CHECKED BY: [Signature]
PROJECT NO: 26099
DRAWING NO: A4.01



1 SOUTH ELEVATION
SCALE 1/8" = 1'-0"



2 WEST ELEVATION
SCALE 1/8" = 1'-0"



ELEVATION KEY NOTES	
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FAX: (604) 271-1112

ARGUS
PROPERTIES LTD.
200-1000 Macdonald Drive, Victoria, B.C. V8T 4K2
(250) 383-8100

IMPERIAL
DESIGNED FOR
RECEPTION
DATE: 08-23-18
DESIGNED FOR DEVELOPMENT FROM

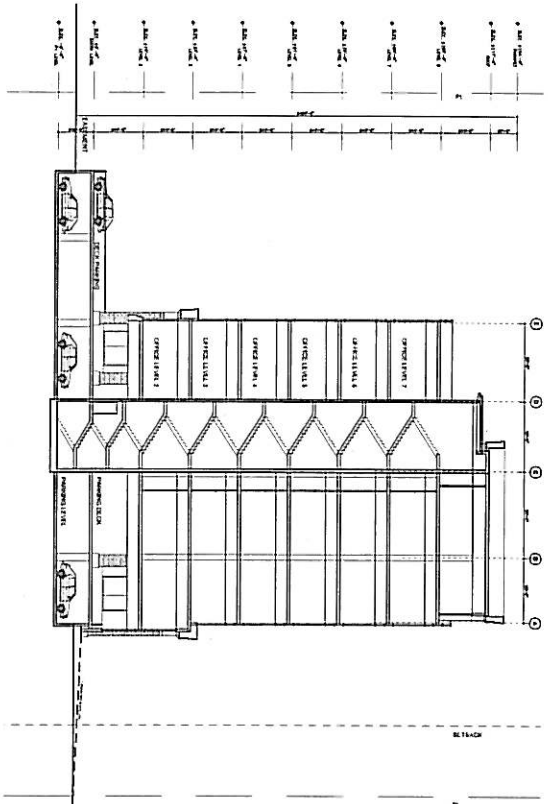
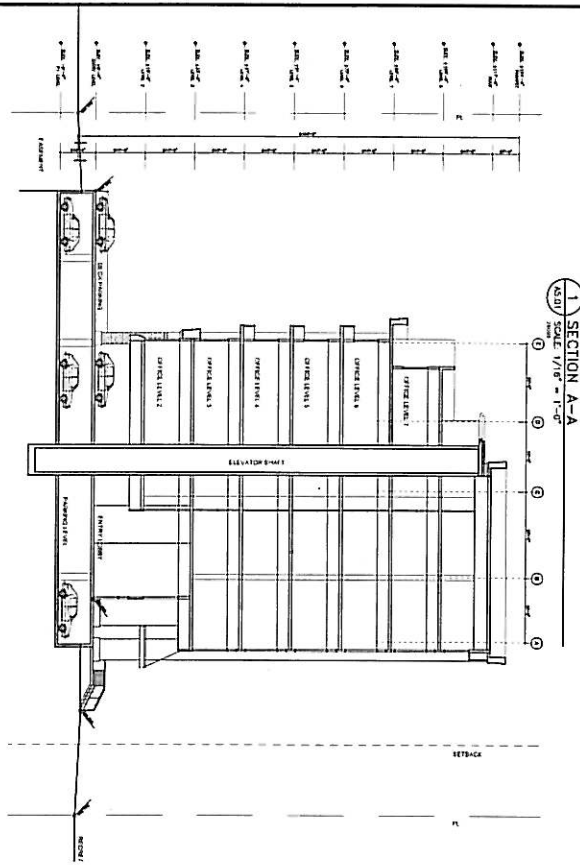
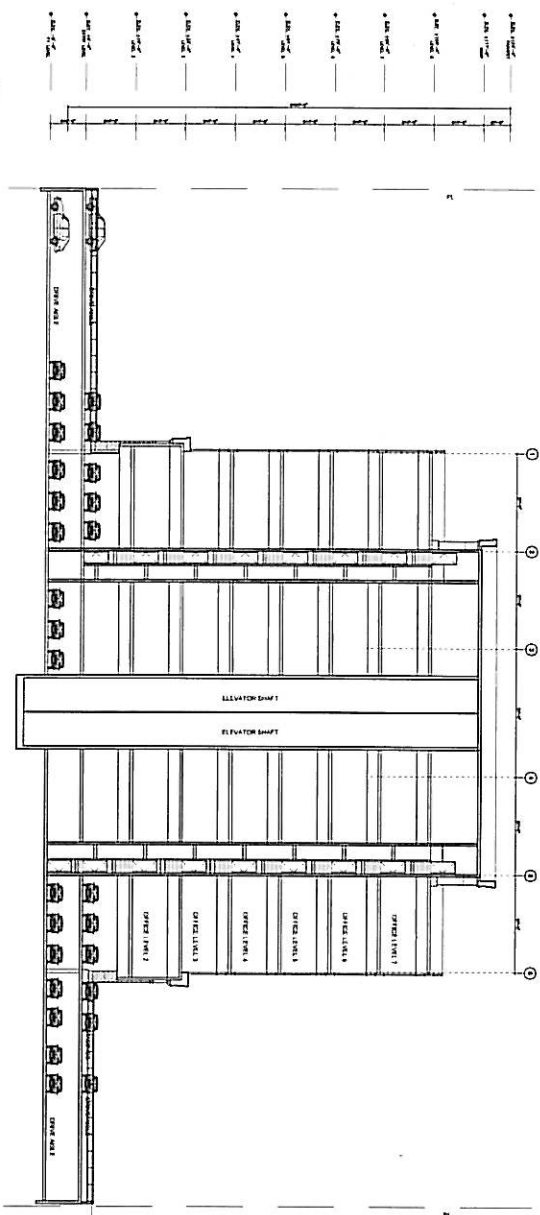
ARGUS PROPERTIES LT

OFFICE BUILDING

**1040 MANITOWA DRIVE
KEDLOWA, B.C.**

**BUILDING
ELEVATIONS**

DATE: 08/23/18 DRAWN BY: [blank]
PLotted DATE: 08/23/18
SCALE: 1/8" = 1'-0"
PROJECT NO: 26099 DRAWING NO: A4.02



NOTE:
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cel ARCHITECTURE
PLANNING
INTERIORS
VANCOUVER, VICTORIA, KELLOWNA
2200-1000 West 10th Ave. Suite 100
V6Z 1Y1
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Fax: (604) 253-1112

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2200-1000 West 10th Ave. Suite 100
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Fax: (604) 253-1112

2200-1000 West 10th Ave. Suite 100
V6Z 1Y1
Tel: (604) 253-1111
Fax: (604) 253-1112

CONTRACT NO.

IMPERIAL
1000 W. 10th Ave.
KELLOWNA, B.C. V1Y 1A2

NO.	DATE	DESCRIPTION
1	10-03-14	ISSUED FOR DEVELOPMENT PERMIT

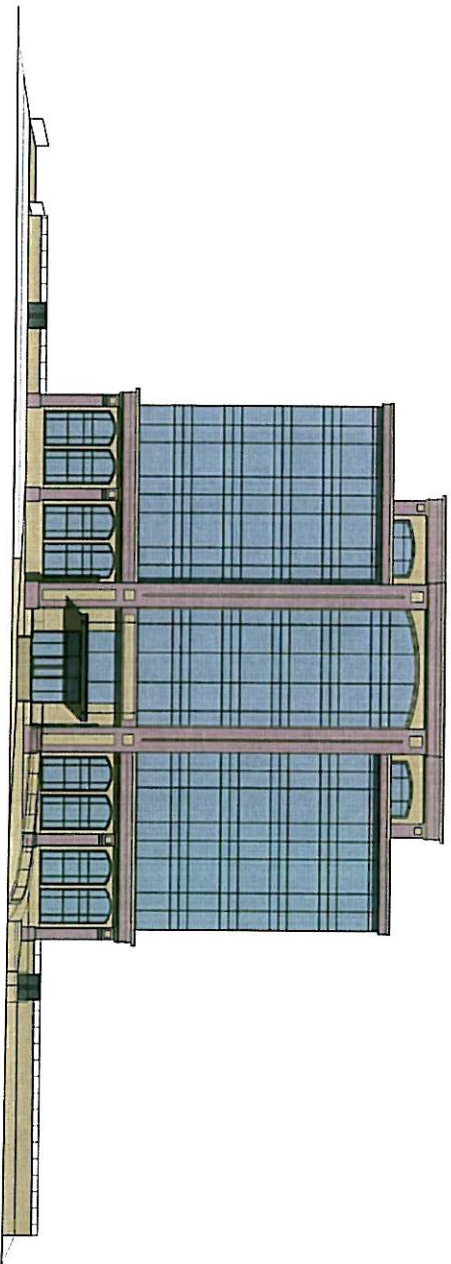
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ARGUS PROPERTIES LI

OFFICE BUILDING
1000 W. 10th Ave.
KELLOWNA, B.C.

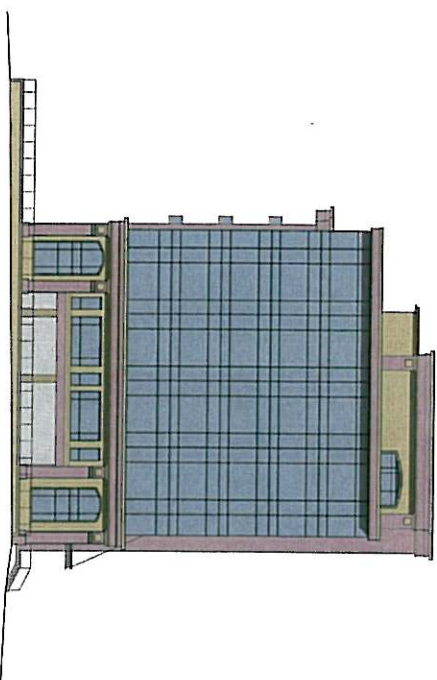
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DATE: 10/21/14 DRAWN: SH
PLT DATE: MAR 01/17
COP FILE: 20140314
PROJECT NO.: 26099
AS.01

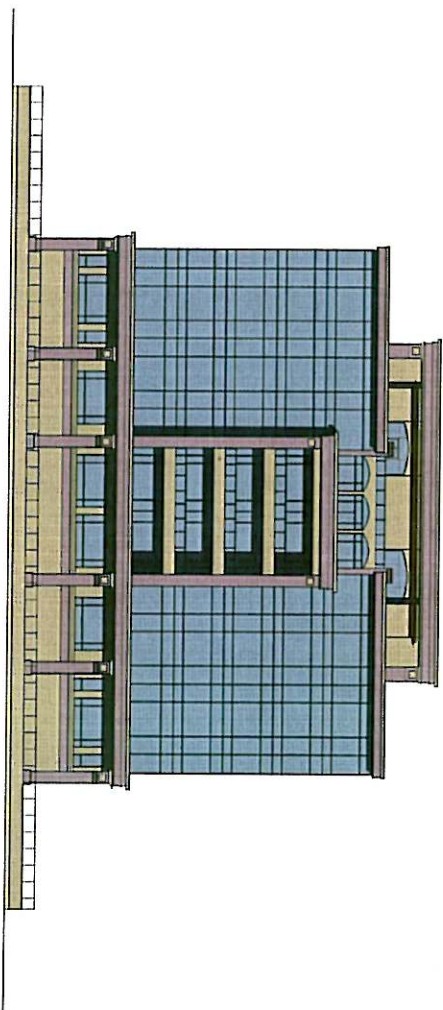
North Elevation



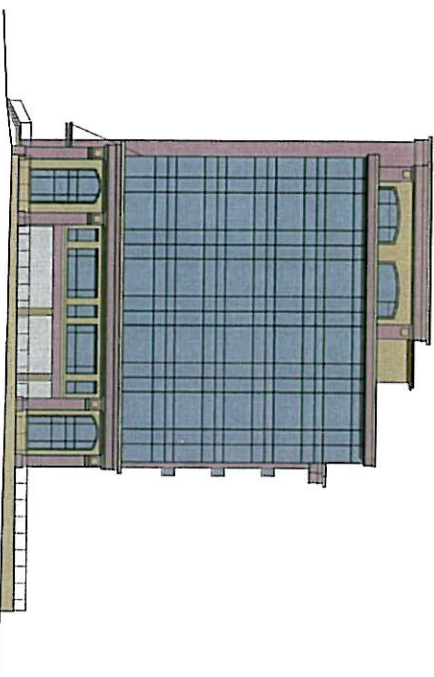
East Elevation



South Elevation



West Elevation



Permit # DP08-0222 / DP08-0223

CONCEPTUAL LANDSCAPE PLAN

THE MANHATTAN

SUGGESTED PLANT LIST

[illegible]

LEGEND

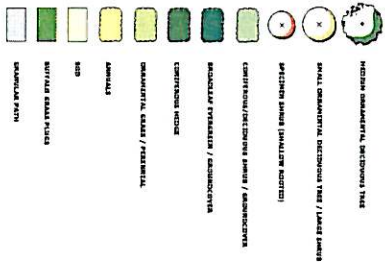


PHOTO CREDITS

1. Pp. 42, *Landmark Architecture*, March 2008 Vol. 88 #3
2. *Seattle Urbanism*
3. Pp. 16, *Enduring L.A.*, June/July 2003 Vol. 8, #4
4. Pp. 72, *Landmark Architecture*, October 2003 Vol. 87 #18
5. <http://www.landmark.org/about/press.htm>
6. <http://www.aiaa.org/landmark/press/PressRoom.cfm>
7. <http://www.aiaa.org/landmark/press/PressRoom.cfm>
8. <http://www.aiaa.org/landmark/press/PressRoom.cfm>



CITY OF KELOWNA
MEMORANDUM

Date: October 16, 2008
File No.: DP08-0222 DVP08-0223
To: Planning & Development Services Department (A.W.)
From: Development Engineering Manager
Subject: 1040 Manhattan Drive Lot B Plan 71362 Office Building

The Works & Utilities 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 John Filipenko. AScT

1. Domestic Water and Fire Protection

- (a) The existing lot is serviced with a 150mm-diameter water service. The developer's consulting mechanical engineer will determine the domestic, fire protection requirements of this proposed development, and establish hydrant requirements and service needs. Only one service will be permitted for this development. If it is determined by the consulting mechanical engineer that an additional hydrant or servicing upgrades must be made, additional bonding will be required.
- (b) A water meter is mandatory for this development and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system.

2. Sanitary Sewer

- (a) The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. A 200mm-diameter sanitary sewer service was provided for the site that should be adequate for this development. An inspection chamber (IC) must be installed on the service as required by the sewer-use bylaw.

3. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for this site which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of a lot grading plan, minimum basement elevation (MBE), storm water service and/or on-site drainage containment and

disposal systems. The on-site drainage system may be connected to the street drainage system with an overflow service.

- (b) A 200mm-diameter storm drainage service was provided for this site.

4. Road Improvements

- (a) Provide access driveways to Manhattan Drive. This work will require curb, gutter, sidewalk removal, adjustments to the landscaped boulevard and relocation of utility appurtenances if required to accommodate this construction. The work must be constructed to City of Kelowna Standards. The estimated cost of this construction for bonding purposes is **\$10,000.00**.
- (b) There is a wide boulevard fronting this lot. The boulevard must be landscaped complete with an underground irrigation system.

5. Development Permit and Site Related Issues

(a) Access and Manoeuvrability

The site plan should illustrate the ability of an SU-9 vehicle to manoeuvre onto and off-site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles, the site plan should be modified and illustrated accordingly.

- (b) Register a cross access agreement in favour of Lot C Plan 71362, which can facilitate the access as a common access driveway.
- (c) The request to vary the building height from three storeys allowed, to eight storeys proposed, does not compromise Works and Utilities servicing requirements.

6. Engineering

- (a) 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.

7. Geotechnical Report

- (a) As a requirement of this application and / or prior to issue of a building permit, the applicant must provide a comprehensive geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:
- (b) Area ground water characteristics.
- (c) Site suitability for development; i.e. unstable soils, etc.

- (d) Drill and/or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyze soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (e) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.

8. Survey Monuments and Iron Pins

- (a) If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

9. Bonding and Levy Summary

(a) Bonding

Sanitary Sewer Inspection Chamber	\$ 1,000.00
Access driveways to Manhattan Drive	\$10,000.00

Total Bonding	\$11,000.00
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If it is determined by the consulting mechanical engineer that an additional hydrant or servicing upgrades must be made, additional bonding will be required.

NOTE: The bonding amounts 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 prior to 4th reading of the zone amending bylaw.

10. Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as (3% of Total Off-Site Construction Cost (\$300.00 min) plus GST) in the amount of **\$315.00** (\$300.00 + 15.00 GST)

Steve Muenz, P. Eng.
Development Engineering Manager
JF/jf