
CITY OF KELOWNA

MEMORANDUM

Date: September 30, 2009
File No.: Z09-0031
To: City Manager
From: Community Sustainability Division
Subject: 3975 & 3985 Lakeshore Road – Troika Developments Inc.

1.0 RECOMMENDATION:

THAT Council receives for information the Supplemental Report of the Community Sustainability Division dated September 30, 2009 with respect to the information requested from Staff for Z09-0031;

AND THAT Council absolve the applicant from the zone amending bylaw final adoption requirement for a transit pass program as the previously proposed parking variance has been eliminated;

2.0 BACKGROUND:

At the initial Public Hearing for Bylaw No. 10218 (Z09-0031), Council adopted the following resolution:

THAT Council defer consideration of Bylaw No. 10218 to the September 21, 2009 Council Meeting;

Council requested that Land Use Management Department Staff contact the applicant to determine whether or not they would be willing to amend their application based on the concerns raised by Council. Council chose to re-open the public hearing on September 21, 2009 in recognition of the applicant's willingness to amend their application. This supplemental report is intended to provide information on the scope and extent of the changes proposed.

3.0 PROPOSAL

The applicant has amended their application to address concerns raised by Council. In sum, the building has been reduced to three storeys but still contemplates the C3 zone. The proposal compares to the requirements of the C3 – Community Commercial zone as follows:

Handwritten initials: J-P


Zoning Bylaw No. 8000			
Criteria	Amended Proposal	Original Proposal	C3 Zone Requirements
Subdivision Regulations			
Site Width	40.0 m	40.0 m	40.0 m (no abutting lane)
Site Depth	45.7 – 46.1 m (after road dedication)	45.7 – 46.1 m (after road dedication)	30.0 m
Site Area	Approx. 1720 m ² after road dedication (1990 m ² before road dedication)	Approx. 1720 m ² after road dedication (1990 m ² before road dedication)	1300 m ² (no abutting lane)
Development Regulations			
Floor Area Ratio (FAR) *	0.81	1.0	1.0
Site Coverage	33.4% and 42% (incl. covered areas)	33.4% and 42% (incl. covered areas)	50%
Height	11.9 m to roof, 12.7 m to cornice feature & 3 storeys	15.0 m & 4 storeys	Lesser of 15m or 4 storeys
Front yard	0.15 m **	0.15 m **	3.0 m
Side yard	0.03 m	0.03 m	0.0 m
Side yard	13.2 m	13.2 m	0.0 m
Rear yard	13.8 m	13.8 m	6.0 m (abuts a residential zone)
Other Regulations			
Vehicle Parking	45 stalls	45 stalls	Retail: 2.0 per 100 m ² GFA (378 m ²) = 8 stalls Office: 2.5 per 100 m ² GFA, (1480 m ²) = 37 stalls = 45 stalls
Loading Bays	1 stall	1 stall	1 stall
Bicycle Parking	9 Class I 13 Class II	4 Class I 12 Class II	Class I – 0.2 per 100 m ² GLA Class II – 0.6 per 100 m ² GLA = 4 Class I, 10 Class II
* Based on site area prior to road dedication. ** Indicates a variance to the Zoning Bylaw.			

4.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

In response to Council's concerns the applicant has eliminated the fourth storey of the building without impacting the project's viability. This reduction in floor area has also eliminated the need for the previously proposed parking and loading variances. Storeys two and three now utilize the full area over the covered parking, representing an additional 2.5m of building width on levels two and three compared with the previous design (refer to attached drawings for elevations). By contrast, the previous application contemplated a 2.5m deep patio on the 2nd storey level.

While the proposal does still contemplate the C3 – Community Commercial zone, the amended application represents a significant change from the previous density. The form and character of the exterior materials and finishing remains essentially unchanged.

Should Council give favourable consideration to this application the Development Permit for form and character and the Development Variance Permit for the front yard setback will be brought forward for consideration at a later meeting.



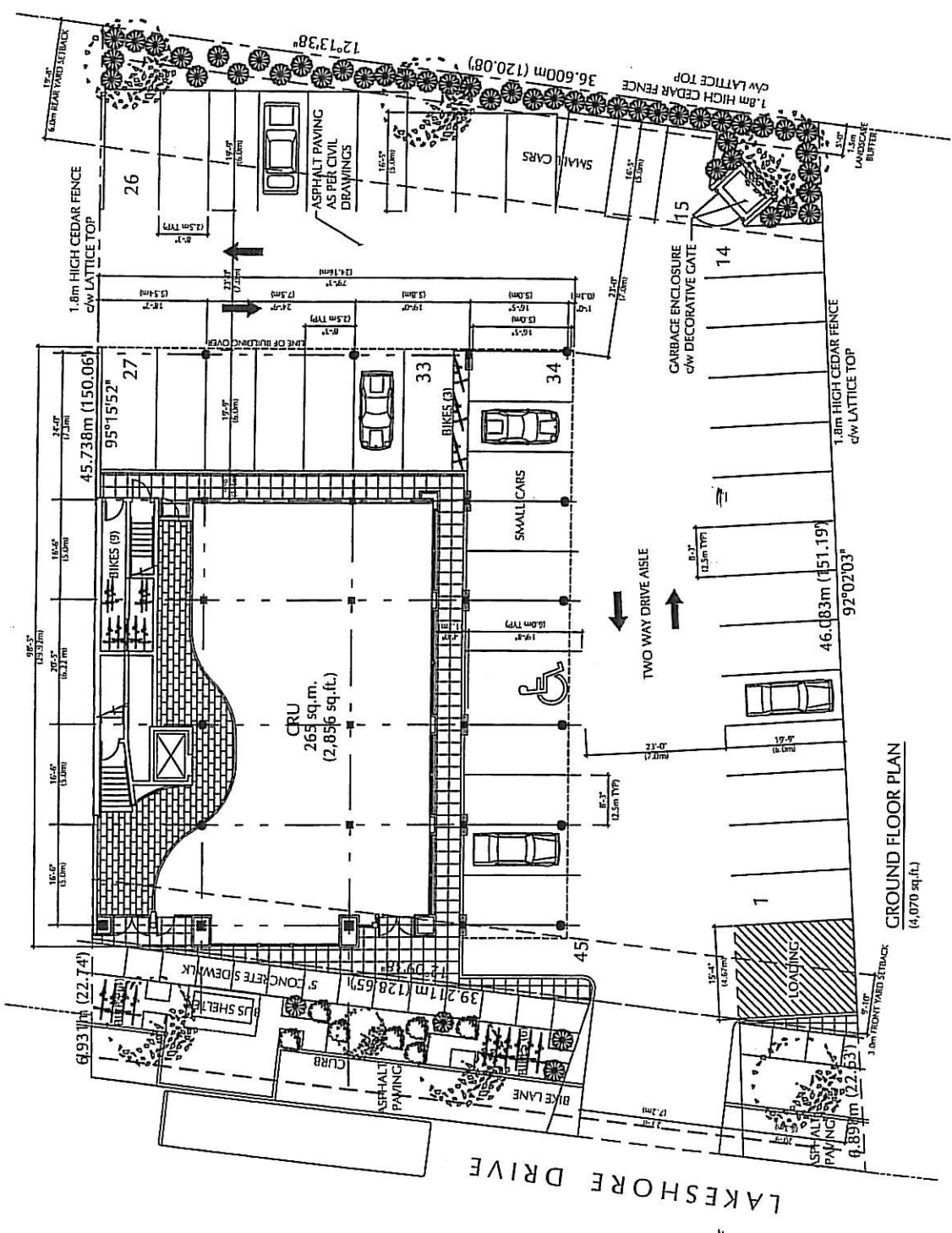
Danielle Noble
Urban Land Use Manager

Approved for Inclusion: 
Shelley Gambacort
Director of Land Use Management

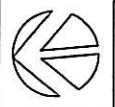
Attachments

- DP1 – Site plan / First floor plan
- DP2 – Second & third floor plans / West & south elevations
- DP3 – North & east elevations

PROJECT DATA	
CIVIC ADDRESS:	3975 & 3985 LAKESHORE DRIVE, RELOWNA, BC
LEGAL DESCRIPTION:	LOTS 7 & 8, PLAN B758, DL 13, O.D.Y.D.
CURRENT ZONING:	C1 - LOCAL COMMERCIAL
ZONING BYLAW REQUIREMENTS	
PROPOSED ZONE C1 - COMMUNITY COMMERCIAL	
ORIGINAL SITE AREA = 21,434 SQ. FT. (1,980 SQ.M.)	
NET SITE AREA AFTER EXCLUDED WOODS/CRU = 16,116 SQ. FT. (1,729 SQ.M.)	
TOTAL CROSS FLOOR AREA = 19,288 SQ. FT. (1,799 SQ.M.)	
PERMITTED	PROPOSED
LOT WIDTH	45.63m
LOT DEPTH	30.0m
LOT AREA	1,300 sq.m.
FLOOR AREA RATIO (FAR)	0.81 (1,817 sq.m)
HEIGHT (m)	13.0m / 3 STOREYS
FRONT LAKESHORE DRIVE	3.0m
SIDE (NORTH)	0.0m
SIDE (SOUTH)	0.0m
REAR (EAST)	11.2m
REAR (WEST)	6.0m
LANDSCAPE	
RETAIL @ 2,100 sq.m. CFA x 37.8 sq.m. =	8 STALLS
OFFICES @ 2,510 sq.m. CFA x 1,400 sq.m. =	37 STALLS
SMALL CAR SPACES	26 STALLS (165M)
LOADING @ 11,900 sq.m. CFA =	1 STALL
BICYCLE PARKING	4 SPACES
CLASS B @ 0.27/100 sq.m. CLA =	12 SPACES
CLASS B @ 0.67/100 sq.m. CLA =	9 SPACES
LANDSCAPE BUFFERS (m)	
FRONT LAKESHORE DRIVE	3.0m
SIDE (NORTH)	0.0m
SIDE (SOUTH)	0.0m
REAR (EAST)	1.5m
REAR (WEST)	1.5m
LANDSCAPE TREATMENT LEVELS	
FRONT LAKESHORE DRIVE	3
SIDE (NORTH)	3
SIDE (SOUTH)	3
REAR (EAST)	3
REAR (WEST)	3



GROUND FLOOR PLAN
(4,070 sq.ft.)



HANS P. NEUMANN ARCHITECT INC.
1530 HIGHLAND DRIVE NORTH, RELOWNA, B.C. V1Y 2E3
PHONE (250) 864-0373 FAX (250) 864-0377

PROJECT: PROPOSED MIXED-USE COMMERCIAL OFFICE BUILDING
3975 & 3985 LAKESHORE DRIVE RELOWNA, BC

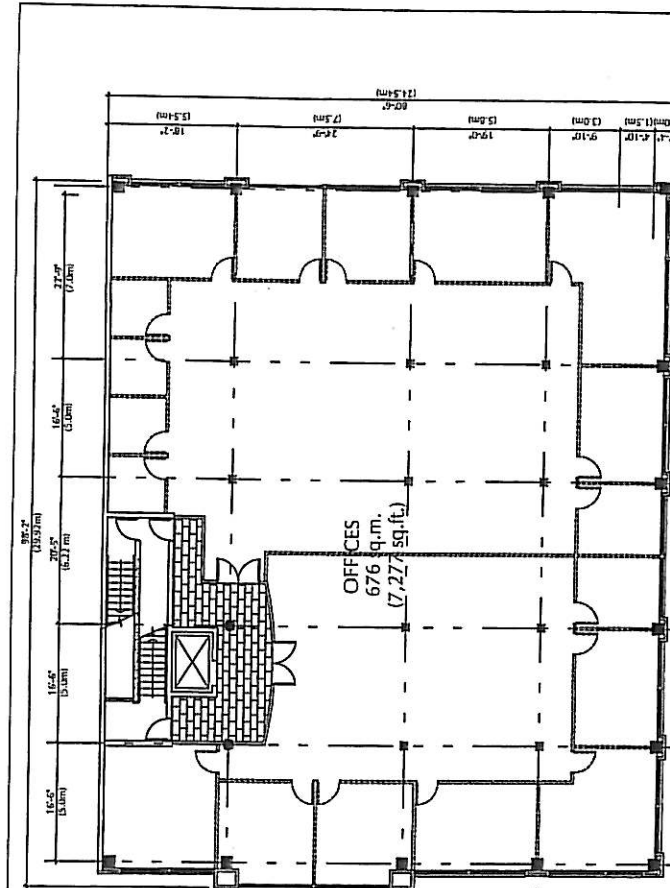
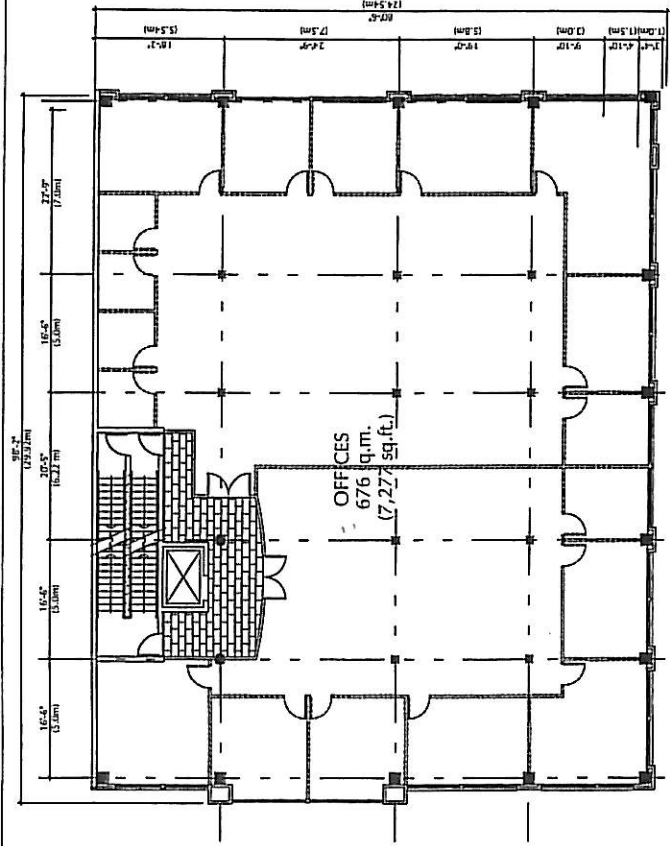
DATE: 14/03/2017
DESCRIPTION: PRELIMINARY DEVELOPMENT PERMIT
DRAWN: APRIL 1, 2017
SCALE: 1/8" = 1'-0"

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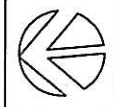
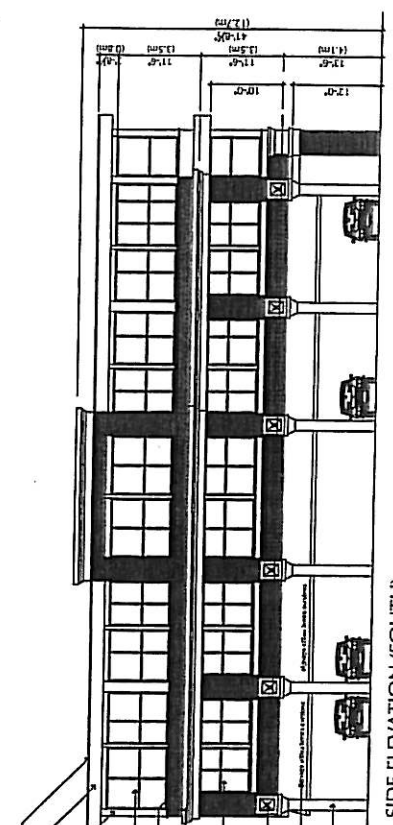
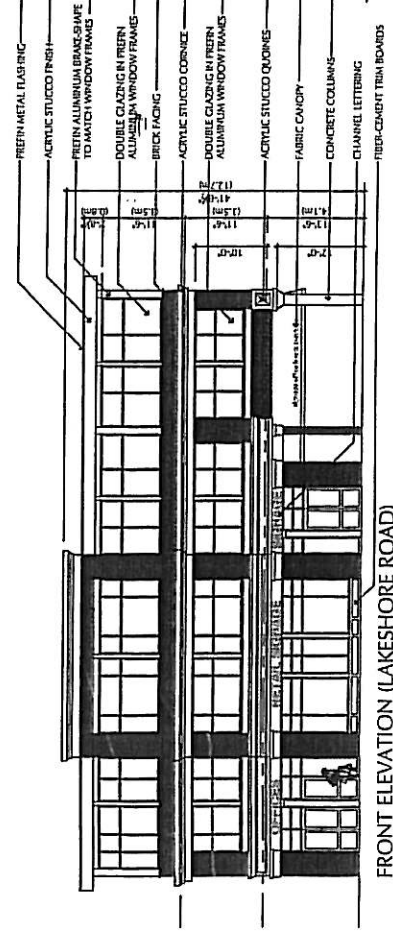
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SECOND FLOOR PLAN
17,965 sq. ft.

THIRD FLOOR PLAN
17,965 sq. ft.



HANS P. NEUMANN ARCHITECT INC.

PROPOSED MIXED-USE COMMERCIAL OFFICE BUILDING
3975 & 3985 LAKESHORE DRIVE
KELOWNA, BC

1310 HIGHLAND DRIVE NORTH, KELOWNA, B.C. V1Y 4G5
PHONE: (250) 868-8378 FAX: (250) 868-8377
DRAWING TITLE

SECOND/ THIRD FLOOR PLANS & ELEVATIONS



NO.	DATE	DESCRIPTION
1	APR 2, 2007	ISSUED FOR DEVELOPMENT PERMIT
2	APR 2, 2007	ISSUED FOR DEVELOPMENT PERMIT
3	APR 2, 2007	ISSUED FOR DEVELOPMENT PERMIT
4	APR 2, 2007	ISSUED FOR DEVELOPMENT PERMIT
5	APR 2, 2007	ISSUED FOR DEVELOPMENT PERMIT
6	APR 2, 2007	ISSUED FOR DEVELOPMENT PERMIT
7	APR 2, 2007	ISSUED FOR DEVELOPMENT PERMIT
8	APR 2, 2007	ISSUED FOR DEVELOPMENT PERMIT
9	APR 2, 2007	ISSUED FOR DEVELOPMENT PERMIT
10	APR 2, 2007	ISSUED FOR DEVELOPMENT PERMIT

SCALE: 1/8" = 1'-0"
DATE: APRIL 2, 2007
DRAWING: 107
DRAWING: 107
PROJECT: DEVELOPMENT PERMIT

DP2

REVISED: 1

CITY OF KELOWNA
MEMORANDUM

Date: July 14, 2009
To: City Manager
From: Community Sustainability Division

APPLICATION NO. Z09-0031

AT: 3975 & 3985 Lakeshore Rd

OWNERS: Louis Spartin, Tracey Spartin, Gary Taylor and Maureen Ryan

APPLICANT: Troika Developments Inc.

PURPOSE: To rezone the subject properties from the C1 - Local Commercial zone to the C3 – Community Commercial zone for a four storey commercial building.

EXISTING ZONE: C1 - Local Commercial

PROPOSED ZONE: C3 - Community Commercial

REPORT PREPARED BY: Andrew Browne

1.0 RECOMMENDATION

THAT Rezoning Application No. Z09-0031 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 7 & 8 Section 6 Township 26 ODYD Plan 8758, located on 3975 & 3985 Lakeshore Road, Kelowna, B.C. from the C1 – Local Commercial zone to the C3 – Community Commercial zone be considered by Council;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the registration of a plan of subdivision to consolidate the properties into one title;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the applicant entering into a legal agreement with and acceptable to the City of Kelowna, to be registered on title (or in a manner equally acceptable to the Director of Land Use Management), with respect to the ongoing provision of transit passes for those employed in the completed development;

AND FURTHER THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit on the subject properties;

2.0 SUMMARY

The applicant is proposing a 4-storey mixed-use office building with commercial at grade. A rezoning from C1 – Local Commercial to C3 – Community Commercial is being sought. In addition, a Development Permit to approve the form and character of the proposed development and a Development Variance Permit is required. The following variances are under consideration: to vary the front yard setback from 3.0m required to 0.15m proposed, to vary the number of parking spaces from 56 required to 45 proposed, and to vary the number of loading spaces from 2 required to 1 proposed.

3.0 ADVISORY PLANNING COMMISSION

At the June 23, 2009 meeting of the Advisory Planning Commission, the following was resolved:

THAT the Advisory Planning Commission support Rezoning Application No. Z09 0031, for 3975 Lakeshore Road; Lot 7, Plan 8758, Sec 6, Twp 26, ODYD and 3985 Lakeshore Road; Lot 8, Plan 8758, Sec 6, Twp 26, ODYD; to rezone from C1 - Local Commercial zone to C3 - Community Commercial zone to facilitate a 4-storey office building with retail at grade.

4.0 BACKGROUND & PROPOSAL

A 4-storey mixed-use office building with retail at grade is proposed on the subject properties. The proposed development would be a welcomed street-oriented addition to the North Mission Village Centre. A significant road dedication is required for the future widening of Lakeshore Road, amounting to almost 7 metres off the front of the property.

The application compares with the requirements of the C3 – Community Commercial zone as shown in the following table.

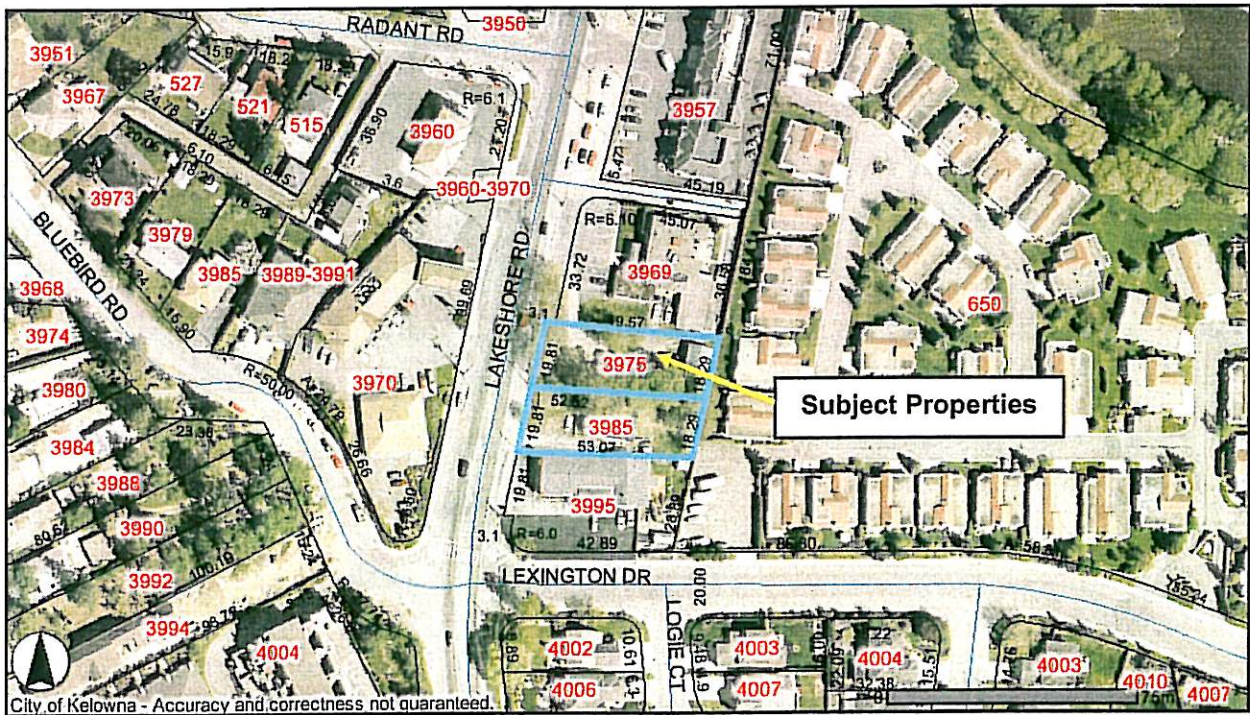
Zoning Bylaw No. 8000		
Criteria	Proposed	C3 Zone Requirements
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Site Width	40.0 m	40.0 m (no abutting lane)
Site Depth	45.7 – 46.1 m (after road dedication)	30.0 m
Site Area	Approx. 1720 m ² after road dedication (1990 m ² before road dedication)	1300 m ² (no abutting lane)
Development Regulations		
Floor Area Ratio (FAR) *	1.0	1.0
Site Coverage	33.4 % approx.	50%
Height	15.0 m & 4 storeys	Lesser of 15m or 4 storeys
Front yard	0.15 m **	3.0 m
Side yard	0.03 m	0.0 m
Side yard	13.2 m	0.0 m
Rear yard	13.8 m	6.0 m (abuts a residential zone)
Other Regulations		
Vehicle Parking	45 stalls **	Retail: 2.0 per 100 m ² GFA (378 m ²) = 8 stalls Office: 2.5 per 100 m ² GFA, (1917 m ²) = 48 stalls = 56 stalls

Loading Bays	1 stall **	2 stalls
Bicycle Parking	4 Class I 12 Class II	Class I – 0.2 per 100 m ² GLA Class II – 0.6 per 100 m ² GLA = 4 Class I, 12 Class II
<p>* Based on site area prior to road dedication.</p> <p>** Indicates a variance to the Zoning Bylaw.</p>		

4.1 Site Context

The subject properties are located on the east side of Lakeshore Road, between Haug Road and Lexington Drive in the North Mission Village Centre. Land uses and densites in the vicinity are varied, although the future land use designation of the subject properties is commercial. Specifically, the adjacent land uses are as follows:

- North C1 – Local Commercial
- South C1 – Local Commercial
- East RU5 – Bareland Strata Housing
- West C2 – Neighbourhood Commercial



5.0 CURRENT DEVELOPMENT POLICY

5.1 Kelowna 2020 – Official Community Plan

Urban Centre Policies

Tree Planting. Attach priority to planting street trees within Urban Centre areas where there are currently few trees and where pedestrian activity is high or is planned to be high.

Alternative Transportation. Ensure that pedestrians, bicyclists and transit users can move about pleasantly and conveniently and that they are not unduly impeded in their movements by provisions for enhanced automobile mobility.

Mixed Uses. Work towards increasing the number of buildings with mixed uses by encouraging developers to incorporate retail uses on the lower storeys with office and/or residential above.

Employment Opportunities. Encourage increased employment opportunities within Urban Centres to support the Transportation Demand Management (TDM) strategies of Chapter 12 – Transportation, and to continue to improve the economic health of the labour force residing within and adjacent to the Urban Centres.

Commercial Policies

Commercial - Location of New Commercial. Direct new commercial ventures to locate in areas designated for commercial purposes (see Map 19.1).

Commercial - Office Space. Consider rezoning applications with the objective of ensuring that there is a competitive supply of office space.

6.0 TECHNICAL COMMENTS

See attached memorandums.

7.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

The proposed rezoning is consistent with the OCP future land use designation for the subject properties. Providing new retail and office space in the Urban and Village Centres is a positive land use transition that makes efficient use of existing infrastructure and land, and places these services at or near the established centres of the community and alongside public transit. Furthermore, this project may prove to be a strong catalyst for commercial and mixed use development in this village centre.

This immediate area is in transition and the eclectic mix of land uses and commercial designations warrants a sensitive infill. The project has some appealing elements in that the ground oriented commercial will promote additional pedestrian activity within this village centre.

A Development Permit for form and character is under consideration and staff have consulted with the applicant to provide commentary on the form and character of the proposal. Variances to the Zoning Bylaw requirements for the front yard setback and the number of parking and loading stalls are being sought. Staff are working with the applicant to refine their various proposals intended to mitigate the impacts of the proposed variances. Upon Council's favourable consideration of the rezoning, the Development Permit and related variances will come forward for review.

Land Use Management recommends support for the application.



for/ Shelley Gambacort
Director of Land Use Management

Approved for inclusion:

Jim Paterson

General Manager of Community Sustainability



Attachments

Location and zoning map

Development Application File Circulation Report

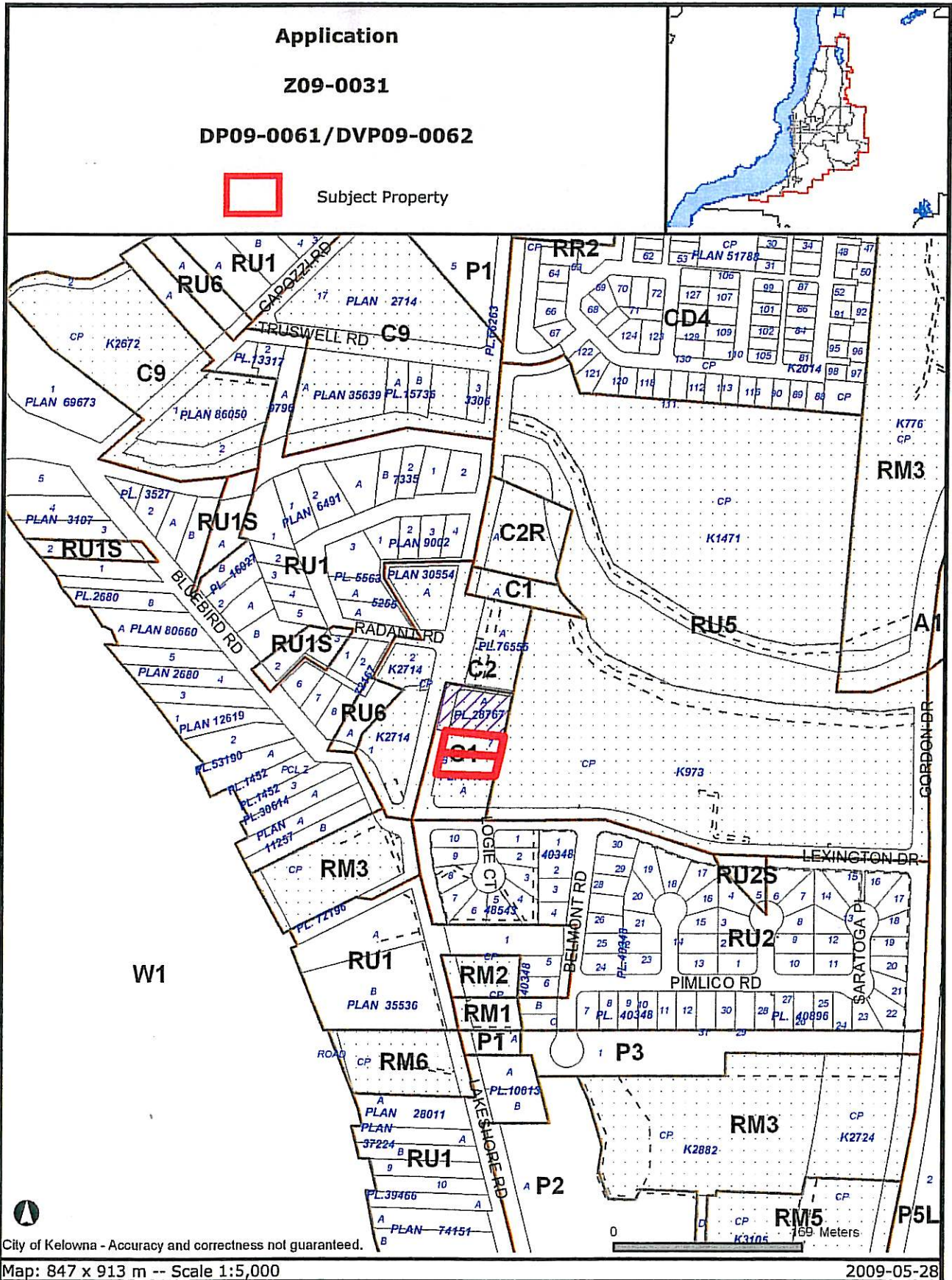
Development Engineering Branch Technical Comments (4 pages)

Letter of Rationale (2 pages)

"Site / Ground Floor Plan"

Colour rendering

Sustainability Checklist (8 pages)



*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.*

File: Z09-0031

Application

File: Z09-0031

Type: REZONING

File Circulation

Seq	Out	In	By	Comment
	B.C. Assessment Authority (info only)			
	2009-05-28	2009-05-28		
	Building & Permitting			
	2009-05-28	2009-06-02	RREADY	Code analysis required. High water table area? Travel distance and distance between stairs needs to be checked related to each floor level. Handicapped washrooms to be identified and to code. Cornice projections over property lines.
	Development Engineering Branch			
	2009-05-28	2009-07-09		See "Documents" Tab.
	Fire Department			
	2009-05-28	2009-07-02	GDAFT	Engineered fire flows are required to determine if existing hydrants/fire flows are adequate and if additional hydrants are required. Additional comments will be required at the building permit application.
	FortisBC			
	2009-05-28			
	Kelowna Regional Transit/Operations Mgr			
	2009-05-28	2009-06-01		No comment
	Parks Planning Manager			
	2009-05-28	2009-06-10	TBARTON	No comment
	Policy & Planning			
	2009-05-28	2009-06-29		The proposed rezoning to C3 Community Commercial for a retail / office building does comply with the OCP definition of Village Centre and therefore could be supported. Variances are requested for the front setback as well as parking and loading spaces. I would defer to the Development Services Department with respect to parking and loading variances. The requested variance for the front setback would fit with overall objectives to create a pedestrian oriented village by bringing the building closer to Lakeshore Road and locating parking to the side and rear of the building.
				It is recommended that the proposed rezoning and setback variance be supported.
				It may also be appropriate to consider flipping the building to the south side of the site so that the driveway access from Lakeshore Road is opposite the driveway of development on the west side of Lakeshore Road.
	Public Health Inspector			
	2009-05-28			
	RCMP			
	2009-05-28	2009-06-01		No comment.
	Real Estate & Building Services Manager			
	2009-05-28	2009-06-04	SALEXANC	RE&BS Comments for Inclusion in Council Report: Please contact the Land Agent for road dedications over 20 metres in width, land dedications and land transfers to or from the City of Kelowna, road closures and road reserves. Depending on the type of land transaction being contemplated, the processing time can vary from 3 weeks to 3 months. The Real Estate & Building Services Department requires a full-sized copy, together with an 8 ? x 11 copy, of any survey plans.
	School District No. 23			
	2009-05-28			
	Shaw Cable			
	2009-05-28	2009-06-03		Owner/developer to install an underground conduit system per Shaw Cable drawings and specifications.
	TDM - (Works and Utilities)			
	2009-05-28			
	Telus			
	2009-05-28	2009-06-15		Telus will provide underground facilities to this development. Developer will be required to supply and install conduit as per Telus policy.
	Terasen Utility Services			
	2009-05-28			

CITY OF KELOWNA
MEMORANDUM

Date: June 5, 2009
File No.: Z09-0031, DP09-0061
To: Planner II, Land Use Management (AB)
From: Development Engineering Manager (SM)
Subject: 3975/3985 Lakeshore Rd. Lot 7/8 Plan 8758

The Development Services Department has the following comments and requirements associated with this rezoning and development application for the proposed Low Density Residential Development. The road and utility upgrading requirements outlined in this report are provided for information purposes.

1. Domestic Water and Fire Protection

- (a) Domestic water and fire protection for this development can be provided from a watermain on Lakeshore Road.
- (b) The developer's consulting mechanical engineer will determine the domestic and fire flow requirements of this proposed development and establish the required size and preferred location of the new service. Decommissioning of the three existing small diameter services, the installation of one larger service will be at the applicant's cost.

2. Sanitary Sewer

- (a) A sanitary sewer service for this development will be provided from a sanitary sewer main on Lakeshore Road.
- (b) The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size of the new service.
- (c) Removal and capping of the three existing 100mm sanitary services and the tie-in of the one new larger service must be by City crews and will be at the applicant's cost.
- (d) The subject lot is included into Sanitary Sewer Specified Area Number 13.

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 at the developer's cost, with approval from the City drainage engineer.

4. Road Improvements

- (a) Lakeshore Road must be upgraded to a full urban standard along the full frontage of this proposed development, including curb and gutter, separate sidewalk, storm drainage system including catch basins, manholes / dry-wells and pavement widening. Also required is a landscaped boulevard complete with underground irrigation system, street lighting required and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.

5. Road Dedication and Subdivision Requirements

- (a) Provide an additional highway allowance widening for the frontage of Lakeshore Rd consisting of approx. 6.9m wide. See preliminary design of the Lakeshore Road Parkway Arterial prepared by D.A. Watt Consultants Drawing B-4

This widening may be accomplished by:

- (i) A dedication on the subdivision plan.
 - (ii) Sale of the land to the City of Kelowna provided sufficient funds are available in the City's current budget. Contact the City's Assistant Land Agent, if this option is selected.
- (b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Gas, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.
- (c) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- (d) Lot consolidation is required.

6. Electric Power and Telecommunication Services

The existing overhead electrical and telecommunication distribution wiring on Lakeshore Road fronting this development must be relocated to an approved offset within the proposed boulevard area. The developer may choose to have the wiring installed in an underground duct system, and have the buildings connected by underground services.

It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services which would be at the applicant's cost.

7. Street Lighting

Street lighting including underground ducts must be installed on Lakeshore Road fronting on the proposed development. The cost of this requirement is included in the roads upgrading item. If the electrical source for the street lighting is on the west side of Lakeshore Road, this source must be in underground ducts.

8. 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.

9. Geotechnical Report

As a requirement of this application and building permit approval 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:

- (a) Area ground water characteristics, including water sources on the site.
- (b) Site suitability for development; i.e. unstable soils, foundation requirements etc.
- (c) 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, 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.

10. Survey Monuments and Iron Pins

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.

11. Development Permit and Site Related Issues

A site grading plan, a site servicing plan and a storm drainage plan are a requirement of this application. Site servicing issues will be reviewed and comments related to site development will be addressed when a detailed site development design or building permit application is received.

- (a) The site plan should illustrate the ability of an SU-9 standard size vehicle to manoeuvre onto and off the site without requiring a reverse movement onto public roadways.
- (b) Depending on traffic circulation and a possible median on Lakeshore Road, the proposed access to this development may be limited to right-in and right-out. To facilitate access to this development, the developer is to provide a cross-access covenant to Lots Plan # 28767 and Lot Plan # 44495. The accesses should be located in the rear of the property.

12. Other Engineering Comments

- (a) Only the service upgrades and separate sidewalk with pole relocation must to be completed at this time. The City wishes to defer the remainder of the upgrades to Lakeshore Road fronting this development. Therefore, cash-in-lieu of immediate construction is required and the City will initiate the work later, on its own construction schedule. The cash-in-lieu amount is determined to be \$ 13,266.00

13. Levy Summary

- a) The City wishes to defer the construction of frontage improvements on Lakeshore Rd which is premature at this time. Therefore, cash-in-lieu of immediate construction is required and the City will initiate the work later, on its own construction schedule. The cash-in-lieu amount is determined as follows:

Item	Cost
Drainage	\$1,875.00
Curb &Gutter	\$3,467.00
Sidewalk	TO BE INSTALLED
Street Lighting	\$1,337.00
Landscape Blvd	\$1,238.00
Road Fillet	\$5,349.00
Total	\$13,266.00

14. Administration Charge

An administration charge is applicable to this development in the amount of 3% (+ GST) of the total off-site servicing costs. The administration charge will be assessed and must be paid prior to release of any security deposits.

Steve Muenz, P. Eng.
Development Engineering Manager



Phone: 250.869.4945
Fax: 866.824.9417

620 - 1620 Dickson Avenue
Kelowna, BC V1Y 9Y2

May 6, 2009

City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4

Attention: City of Kelowna Planning Department

**Re: Rezoning and Development Permit Application for
3975 & 3985 Lakeshore Road**

Project Description

The proposed project is a four-storey wood frame commercial office and retail building. Access to the building and the parking will be off Lakeshore Road. At present the lots are zoned C1 with the OCP designating the future land use as Village Center Commercial. We propose to amend the current zoning of the property to C3 and apply for a Development Permit including a parking and front yard set back variance.

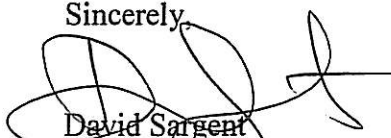
Requested Variances

- 1) **Front Yard Set Back:** The building has been sited as to provide an edge and pedestrian scaled presence for Lakeshore Road. The site planning decision was to locate the front building façade within the 3.0m (9'-10") front yard setback in order to provide the urban edge. The result is an increased street presence which provides greater walkability and a neighbourhood feel. The pedestrian orientation design approach allows for a more intimate interaction between the building and the streetscape, as opposed to a parking dominated frontage. A sidewalk along with a landscape buffer is still provided allowing for an ample pause between the road and the building.
- 2) **Parking:** A 7 stall parking variance is requested for this project and is justifiable for the following reasons:

- a) A lower parking provision is part of sustainable design. Smart Growth B.C prescribes that people should be encouraged to live closer to work and amenities in order to reduce their carbon footprint. The proposed project meets these criteria as it is located within walking distance of many single family and multifamily residential neighbourhoods.
 - b) The building provides for ample bicycle storage onsite.
 - c) Lakeshore Road is a major bus route corridor. The location of this project relative to alternative transportation reduces the need for a car to the point where it is a choice rather than a necessity, for those working in or visiting the building.
 - d) The owners of the building are supporting a "Bus to Work" program that would allow free transit passes for employees of the building. This incentive eases the transition and promotes public transit.
 - e) The office spaces have different peak hours of operation. The retail aspect of the project will have peak operating hours during weekends when the office spaces will be closed. This allows peak parking utilization.
 - f) The large road dedication required by the City of over 2900 square feet reduces the number of stalls possible. This dedication represents over 13.5% of the total site area and over \$150,000.00 in land value, of which no discernible benefit is returned to the land owner.
- 3) **Loading Spaces:** This proposal requests a variance to provide one loading space. Using The zoning bylaw method of calculation, 1 space/ 1,900 sq.m. GFA, this project would require 1.2 loading spaces. Due to the limited amount of ground floor commercial space, this minor variance has no real affect on the overall project. In addition, once the building is fully leased, the management can adjust the parking to suit the pragmatic requirements of the tenants. Again, the usable number of parking spaces on site has been maximized in anticipation of how the project will most effectively function to minimize impact on surrounding properties.

I trust that you will find our application in good order. Please contact our office if you require any further information.

Sincerely,



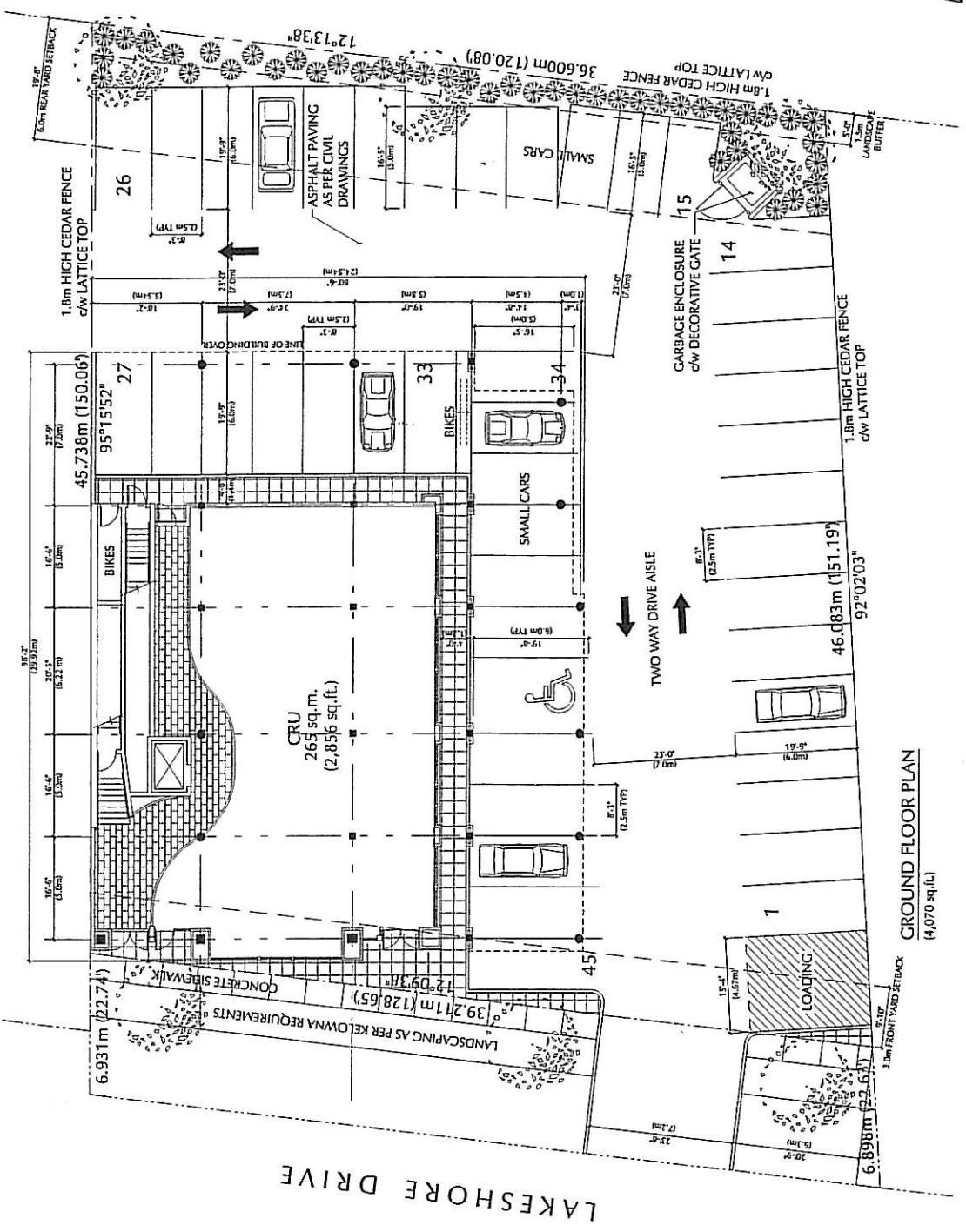
David Sargent
Development Manager

PROJECT DATA

OWNER ADDRESS: 3975/3985 LAKESHORE DRIVE, KELOWNA, BC
 LEGAL DESCRIPTION: LOTS 7 & 8, PLAN B254, DL 123, O.D.N.D.
 CURRENT ZONING: C1 - LOCAL COMMERCIAL

ZONING BYLAW REQUIREMENTS

PROPOSED	PERMITTED	PROPOSED
LOT WIDTH	30.0m	45.63m
LOT DEPTH	30.0m	88.22m
LOT AREA	1,200 sq.m.	1,770 sq.m.
FLOOR AREA RATIO (FAR)	1.0 (1,770 sq.m.)	1.0 (1,770 sq.m.)
HEIGHT (m)	15.0m / 4 STOREYS	15.0m / 4 STOREYS
FRONT BLANKSHORE DRIVE	3.0m	0.17m
SIDE (NORTH)	0.0m	0.03m
SIDE (SOUTH)	0.0m	13.2m
REAR (EAST)	6.0m	13.8m
PARKING	RETAIL @ 2,010 sq.m. CFA = 378 sq.m.	4 STALLS
	OFFICES @ 2,510 sq.m. CFA = 1,918 sq.m.	41 STALLS
	SMALL CAR SPACES	12 STALLS (17%)
	LOADING @ 11,900 sq.m. CFA =	3 STALLS
	BICYCLE PARKING	4 SPACES
	CLASS 1 @ 0.2100 sq.m. CFA =	12 SPACES
	CLASS 2 @ 0.6100 sq.m. CFA =	0.0m
	LANDSCAPE BUTTERS (m)	0.0m
	FRONT LAKESHORE DRIVE	0.0m
	SIDE (SOUTH)	1.5m
	REAR (EAST)	1.5m
	LANDSCAPE TREATMENT LEVELS	3
	FRONT LAKESHORE DRIVE	3
	SIDE (SOUTH)	3
	REAR (EAST)	3



GROUND FLOOR PLAN
(4,070 sq.ft.)

HANS P. NEUMANN ARCHITECT INC.

PROPOSED MIXED-USE COMMERCIAL OFFICE BUILDING
 3975 & 3985 LAKESHORE DRIVE
 KELOWNA, BC

NO.	DATE	DESCRIPTION	SCALE
1	14 FEB 2019	BASED FOR DEVELOPMENT PERMIT	SCALE: 1/8" = 1'-0"
2			DATE: APRIL 2019
3			DRAWING TITLE
4			DRAWING NO.

DP1





KELOWNA SUSTAINABILITY CHECKLIST

Economic Sustainability

A healthy economy relates to the quality of life for the citizens in our community. The City would like to maintain a balance between the number of jobs and the resident labour force, and ensure those jobs are accessible by transit. Important considerations also include support for local business, job creation, infrastructure efficiency and consideration for and reduction of resource consumption.

1. Comment on **direct employment** created by this project during construction:

- a) number and duration of jobs (full time, part time)

This project will initiate the creation of 38 direct jobs, 17.2 indirect jobs, and will provide the finances to support 6.4 individuals on government aid. The duration of these jobs will last between 12 and 24 months.

- b) types of jobs (e.g., construction, design)

Jobs created will include: consultants i.e. architects, designers', engineers, construction employment, real estate leasing agents, security, property management, landscapers

- c) income range of jobs

The income range for these jobs fall between \$25,000 and \$75,000 per year.

2. Will the project provide direct employment (i.e., on the development site) after the project is completed?

Yes

If so, comment on employment provided by sector, type, income range, and the number of jobs that are full-time and part-time.

_The project is a mix of retail and office space. The tenant space has yet to be leased; however with the mix of commercial uses a wide variety of employment will be available within the project.

3. Are there any other components of economic sustainability (e.g., suitability of units for home based businesses, green products, local job creation) advanced by this proposal?

Yes

If yes, describe:

Yes local job creation will become available through the businesses that operate in the building. Furthermore, this project will help support other local businesses by increasing the areas working population.

Environmental Sustainability

Community and building design can significantly influence resource consumption (e.g., energy, water) and waste generation (e.g., vehicle emissions, solid waste) in the local community. New development should be designed to avoid or minimize negative impacts on the existing natural environment and maximize the benefits of the City's existing infrastructure.

Built Environment

4. Comment on the following site planning components:

4.1 Walking distance to:

- a) bus stop (in kms)

.01 Kms

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b) trails, greenways, cycling routes (in kms)

.5 Kms from soccer fields, .32kms from mission creek greenway, .1 kms from public beach access,

4.2 Is development located in the Downtown or in one of the City's designated Urban Centres (see Kelowna Official Community Plan Map 6.2) and on lands less than 30% slope (Map 7.1 of Kelowna's Official Community Plan).

Yes

North Mission Village Center

4.3 Provides additional support for alternative transportation use (check all that apply):

variance received to provide less parking than required;

bicycle storage;

change rooms (end of trip facilities);

designated parking for car share spaces, high occupancy vehicles (e.g., carpool, vanpool, smart cars, hybrids);

incorporates Transportation Demand Management (TDM)¹ measures;

other, describe:

A space suitable for bicycle storage has been incorporated into the design layout. Several of the parking spaces have been designated as small car spaces. The site is walking distance to a school, a community center, post office, bus stop, shopping center and entertainment.

¹Note: for TDM information see <http://www.kelowna.ca/CM/Page377.aspx>.

4.4 On site storm water management (e.g., green roof treatment, permeable paving, on-

site detention/retention drainage, fish or aquatic habitat protection)

Undetermined

If yes, describe (note ratio of impervious to pervious surfaces):

4.5 Floodplain mitigation (note: this is a requirement in floodplain areas)

N/A

4.6 Will site remediation be part of the development process?

N/A

If yes, briefly outline proposed remediation approach:

4.7 Mitigation of light pollution (e.g., spill lighting and off-site glare avoided)

Building lights will have proper shading in order to mitigate spill lighting onto adjacent properties.

If yes, describe:

4.8 Does the project provide enhanced waste diversion facilities (e.g., on-site recycling for cardboard, bottles cans/other recyclables, or on-site composting)

Yes onsite garbage and recycling bins are provided.

5. Comment on inclusion of the following water efficiency techniques:

5.1 Water efficient landscaping (e.g., drought resistant and/or native plantings, use of non-potable or reclaimed water for irrigation, high

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efficiency irrigation, use of rainwater cisterns for irrigation and Xeriscape Landscaping)

Xeriscape landscaping principles will be utilized to include drought resistant and native plantings, all conducive to the Okanagan Climate.

5.2 Onsite wastewater treatment?

Undetermined

If yes, describe:

5.3 Water use reduction measures (e.g., low consumption fixtures, storm water irrigation)

Low flow toilets and faucets will be installed

6. Comment on inclusion of the following methods to reduce energy use and improve air quality:

6.1 Energy efficiency of proposed structures (e.g. building location responding to daily sun/shade patterns, high performance envelopes, passive solar gain, solar shading, natural ventilation, ground heating/cooling, high efficiency fixtures, consideration of heat island effect²).

Installation of compact florescent lighting fixtures will be utilized. Low E windows with proper shading or blinds will be installed.

²For more information on the heat island effect, visit <http://eetd.lbl.gov/HeatIsland/>.

6.2 Use of renewable energy alternatives (e.g., geothermal, solar, off-grid, FortisBC Green Power).

Fortis B.C Power Smart programs are being pursued.

If yes, describe:

6.3 Chlorofluocarbons (CFC) reduction in heating, ventilating, and air conditioning (HVAC) equipment, Power Smart technology?

High efficiency HVAC systems will be installed.

If yes, describe:

7. Comment on the following methods for sustainable use and reuse of materials and resources:

7.1 Management of construction wastes (e.g. reuse of existing buildings or building materials during construction and/or demolition, remade/recycled content).

A demolition waste management plan will be incorporated separate materials such as wood, metal, drywall etc. so that they may be recycled; furthermore any fixtures that can be reused will be donated

7.2 Use of environmentally sensitive or recycled construction materials (e.g., high volume fly-ash concrete, non-toxic finishing materials³).

Undetermined

If yes, describe:

7.3 Enhanced durability of construction materials (e.g. wall systems, roof materials)

All roofing and envelop material will have long term warranties

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7.4 Is LEED⁴ certification being pursued for this project?

No

If yes, what level of certification are you aiming for:

³ For more information on environmentally sensitive or recycled construction materials, see <http://www.ecosmart.ca/>.

⁴ For more information on LEED (Leadership in energy and Environmental Design) certification, see

http://www.usgbc.org/LEED/LEED_main.asp.

Or

<http://www.cagbc.org/index.php>

7.5 Has the applicant considered PowerSense Residential/Commercial energy saving initiatives offered by FortisBC:

Currently in discussions with Fortis B.C

<http://www.fortisbc.com/powersense/about.htm>

7.6 Has the applicant considered rebate and energy efficiency programs offered by Terasen Gas:

Currently Pursuing available programs

<http://www.terasengas.com/Residential/default.htm>

8. Comment on inclusion of the following suggested strategies to improve indoor environmental quality:

8.1 Improved air quality through low emitting materials (e.g., paint, carpets) and natural ventilation with windows that open.

Low VOC (volatile organic compounds) paints and carpets will be installed. Natural ventilation will be provided through opening windows.

8.2 Design attempts to maximize exposure to natural light (i.e. through building orientation).

Large windows on 3 sides of the building ensure that natural light will be available in each tenant space.

9. Does the street layout and design encourage walking and cycling, while providing for personal and commercial vehicle use?

A bus stop is provided directly outside of the project, and onsite bicycle storage is provided. The construction of a new sidewalk will help aid in the village feel and pedestrian orientation of the area.

10. If new streets or lanes are constructed as part of the development, are they designed to reduce storm water runoff (e.g., narrow right of ways, permeable shoulders)?

N/A

If yes, describe:

11. If the property is adjacent to existing park space, open space, paths or trails, is a visual and pedestrian connection provided?

N/A

If yes, describe:

12. Do any of the City of Kelowna's policies or regulations currently prevent you from implementing identified Sustainability initiatives?

No

If yes, describe:

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13. Is the proposed residential, commercial or institutional development within a ten-minute walk (approximately 800 meters) from:

a) neighbourhood store or other shopping opportunities

Yes

b) school

Yes

c) community services (e.g., library, community centre)

Yes

d) child care facility

Yes

e) health services (e.g., hospital, doctor's office)

Yes

f) parks or trails

Yes

g) bus stop

Yes

Natural Environment

14. Comment on green-space and natural environment.

14.1 Is proposed development in an environmental development permit area (eg. Steep Slope, Hazardous Conditions, Wildland Fire, Natural Environment)?

No

If yes, describe:

14.2 Was an environmental assessment of the property completed prior to the commencement of design work:

Yes

14.3 Are any of the following environmental features present on the property:

a) Significant trees **Yes/No/Unknown**
No

b) Natural grassland areas **Yes/No/Unknown**
No

c) Riparian areas **Yes/No/Unknown**
No

d) Wildlife (red or blue listed species)
No

e) Wildlife habitat **Yes/No/Unknown**
No

f) Wildlife corridors **Yes/No/Unknown**
No

g) Has the preservation and/or enhancement of the areas listed above been incorporated in the proposed project? **Yes/No/Unknown**
N/A

14.4 Provision of green-space and trees on site (includes retention of existing trees).

Where possible

If yes, note and show calculations for:

h) Amount of green-space in square feet:

i) Amount of usable open space in square feet:

KELOWNA SUSTAINABILITY CHECKLIST

j) Number and percentage of existing trees to be retained on site:

Undertermined

k) Number of trees removed:

l) Number of trees to be planted:

14.5 Are there any significant existing environmental features that are maintained or enhanced on the site (e.g., tree and/or shrub preservation or daylighting of a stream)?

N/A

If yes, describe:

Social Sustainability

The primary purpose of a city is to provide for the well being of its residents, labour force and visitors. New development should contribute to the health and safety of Kelowna, as well as enhance the range of housing, service and recreational options to meet diverse community needs. The design of new development should respect local heritage and provide attractive spaces that encourage social interaction.

15. Anticipated price range of units (note price range for both commercial and residential units, if applicable). Average price per square foot:

N/A

16. Does the proposed development include non-market housing units (affordable housing)?

N/A

If yes:

a) number of units:

b) as a percentage of total units:

c) form of tenure (e.g., rental, co-op, owner):

d) targeted population, if applicable (e.g. seniors, family):

17. Does the project include rental housing units?

N/A

If yes:

Number of units:

Expected average rent for a one bedroom unit
\$ _____

Expected average rent for a two bedroom unit
\$ _____

18. If the project includes low or medium density residential, are the housing units ground-oriented (i.e. does a door have direct outdoor access to a street or courtyard as opposed to a corridor)?

N/A

If yes:

Number of units:

As a percentage of total units:

19. Does the project design incorporate Crime Prevention Through Environmental Design (CPTED⁵) principles.

The building is at the front of the property line increasing the street visibility and eyes on the project.

KELOWNA SUSTAINABILITY CHECKLIST

Video surveillance will be provided in appropriate areas. Attention to image maintenance, ensure the site and building remain clean and well kept. All open spaces will be well lit including the parking lot.

⁵For more info on Crime Prevention Through Environmental Design Principles CPTED, see:

<http://www.kelowna.ca/citypage/docs/pdfs/development%20services/crime%20prevention%20thru%20design%20guidelines.pdf>

20. Does the project incorporate features to enhance adaptability and accessibility within the proposed housing units for people with disabilities (e.g. wider door openings, reinforced walls in bathrooms for future installation of grab bars, ground-oriented entrances)?

Large commercial doors and wheel chair access will be provided.

If yes, describe:

21. Actions proposed to mitigate noise from external sources such as traffic, railways, industry, commercial uses, patrons, etc.

N/A

If yes, describe:

22. Does the project enhance local identity and character (e.g., through architectural style, landscaping, colours, project name)?

The proposed project will be a catalyst for the desired village center feel, by providing a pedestrian orientated streetscape with an urban feel.

23. Describe the existing neighbourhood character (i.e., historical, single family, mixed use etc.) and how the proposed development will enhance the adjacent neighbourhood.

The two adjacent properties both have a commercial use. The proposed development will complement the neighbouring businesses by increasing traffic to the area.

24. Does the project contain a mix of uses (e.g. residential, commercial) or introduce a new community serving land use type to the neighbourhood (e.g., new housing form, commercial service)?

Retail and Office Use

25. Does the project contribute to heritage revitalization through the reuse, relocation or rehabilitation of an existing structure or feature?

N/A

If yes, describe:

26. Does the project involve provincial designation of a heritage building?

No

27. Are public amenities provided with the development (check all that apply):

- Public art
- Child care facility
- Walking / Bike Trails
- Other, describe:

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28. Does the development incorporate space for public gathering and activities (e.g., courtyards, communal gardens, play areas)?

A sitting or picnic area will be incorporated into the boulevard area.

29. Does the proposed development enhance the streetscape?

Currently the property consists of two adjacent lots that have become over grown and poorly maintained. The new project will add a much needed aesthetic upgrade to the property.

30. Are private amenities provided with the development (e.g., meeting rooms, outdoor space)?

Outdoor sitting areas

31. Are residents, community stakeholders, and end-user groups involved in the planning and design process?

An invitation for a public open house was sent out to the 337 addresses in postal area. Local residents and business owners were given the opportunity to view and provide feedback on the proposed project.

32. Is there something unique or innovative about your project that has not been addressed in this checklist (e.g., creation of a new zone, other sustainable features, contributions to the community)?

No

If yes, describe:

OTHER

33. Have you engaged any Green Building or LEED experienced consultants in association with this development proposal? No

If yes, please list and briefly describe their experience:

VERIFICATION BY THE APPLICANT

34. I hereby certify that the information provided on this Kelowna Sustainability Checklist is accurate and truthful to the best of my knowledge and release the contents for use by the City of Kelowna:

Applicant Name: Troika Developments

Owner Name: _____

Title: Development Manager

Signature: 

Date: June 12/2009

35. I have read and considered the Kelowna Sustainability Checklist and have elected not to complete it at this time.

(Check Here if Applicable)