Memo

Date:

August 12, 2011

To:

City Manager

From:

Land Use Management, Community Sustainability (AW)

Application: OCP11-0004 / Z11-0034

Owner:

Simple Pursuits Inc., Inc. No. BC0449611

City of

Kelowna

Address:

565, 591, 615, 641, 657, 683 Osprey Ave.

564, 594, 616, 636, 656 Raymer Ave.

2764 Richter St.

Applicant: Worman Commercial

Subject:

OCP Amendment &Rezoning

Existing OCP Designation:

Multiple Unit Residential - Medium Density

Proposed OCP Designation:

Commercial

Existing Zone: Proposed Zone: RU6 - Two Dwelling Housing C4 - Urban Centre Commercial

1.0 Recommendation

THAT OCP Bylaw Amendment No. OCP11-0004 to amend Map 19.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot 35, D.L. 14, ODYD, Plan 3769, located at 564 Raymer Avenue, Lot 34, D.L. 14, ODYD, Plan 3769, located at 594 Raymer Avenue, Lot 33, D.L. 14, ODYD, Plan 3769, located at 616 Raymer Avenue, Lot 32, D.L. 14, ODYD, Plan 3769, located at 636 Raymer Avenue, Lot 31, D.L. 14, ODYD, Plan 3769, located at 656 Raymer Avenue, Lot 30, D.L. 14, ODYD, Plan 3769, located at 2764 Richter Street, Lot 29, D.L. 14, ODYD, Plan 3769, located at 683 Osprey Avenue, Lot 28, D.L. 14, ODYD, Plan 3769, located at 657 Osprey Avenue, Lot 27, D.L. 14, ODYD, Plan 3769, located at 641 Osprey Avenue, Lot 26, D.L. 14, ODYD, Plan 3769, located at 615 Osprey Avenue, Lot 25, D.L. 14, ODYD, Plan 3769, located at 591 Osprey Avenue, Lot 24, D.L. 14, ODYD, Plan 3769, located at 565 Osprey Avenue, Kelowna, B.C. from the Multiple Unit Residential - Medium Density designation to the Commercial designation, as shown on Map "A" attached to the report of the Land Use Management Department, dated July 29, 2011, not be considered by Council:

THAT Rezoning Application No. Z11-0034 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 35, D.L. 14, ODYD, Plan 3769, located at 564 Raymer Avenue, Lot 34, D.L. 14, ODYD, Plan 3769, located at 594 Raymer Avenue, Lot 33, D.L. 14, ODYD, Plan 3769, located at 616 Raymer Avenue, Lot 32, D.L. 14, ODYD, Plan 3769, located at 636 Raymer Avenue, Lot 31, D.L. 14, ODYD, Plan 3769, located at 656 Raymer Avenue, Lot 30, D.L. 14, ODYD, Plan 3769, located at 2764 Richter Street, Lot 29, D.L. 14, ODYD, Plan 3769, located at 683 Osprey Avenue, Lot 28, D.L. 14, ODYD, Plan 3769, located at 657 Osprey Avenue, Lot 27, D.L. 14, ODYD, Plan 3769, located at 641 Osprey Avenue, Lot 26, D.L. 14, ODYD, Plan 3769, located at 615 Osprey Avenue, Lot 25, D.L. 14, ODYD, Plan 3769, located at 591 Osprey Avenue, Lot 24, D.L.

14, ODYD, Plan 3769, located at 565 Osprey Avenue, Kelowna, B.C. from RU6 - Two Dwelling Housing to the C4 - Urban Centre Commercial Zone not be considered by Council;

2.0 Purpose

To amend the Official Community Plan future land use designation from "Multiple Unit Residential - Medium Density" to "Commercial" for the subject properties. To rezone the subject properties from RU6 - Two Dwelling Housing to C4 - Urban Centre Commercial in order to permit the construction of the 6 commercial building phased development project.

3.0 Land Use Management

The subject properties are located within the Pandosy Town Centre and the applicants land assembly efforts will allow for a coordinated approach to the redevelopment of this area. While the applicant has applied for a comprehensive development of the subject properties, six separate lots and commercial developments will be phased over time as part of this development. These properties are located east of the Pandosy commercial corridor between Pandosy Street and Richter Street. While development in this area would achieve various objectives within the 2030 OCP there are a significant concerns with expanding the urban centre commercial development in to an area designated for residential development.

OCP Future Land Use Designation

The Mixed Use / Residential designation within the Pandosy Town Centre was intended to accommodate the existing and future commercial needs within the Town Centre. The existing Multiple Unit Residential - Medium Density future land use designation applied to the subject properties is intended to generate additional people living in the area in support of the Pandosy businesses as well as to create more opportunity to live, work and play in the same neighbourhood. The revitalization of these properties in a comprehensive manner would be a welcomed addition to this area, recognizing the mix of uses and objectives that must be achieved within the entire boundary of the South Pandosy Urban Centre. Staff are concerned that expanding commercial development into this area without a substantial residential component may frustrate efforts to create a vibrant pedestrian oriented urban centre that fosters a mix of uses.

Vision - South Pandosy Town Centre

Land use policies within the OCP encourage a substantial residential component that supports the pedestrian-friendly environment envisioned for the Pandosy Town Centre and works towards achieving a highly urbanized concentration of different land uses. Permitting additional stand alone commercial developments outside of the designated commercial core could also delay the redevelopment of the existing core by allowing demand to expand outwards. However, commercial development located to the west of Tutt Street could be supported while maintaining residential, or a mixed use form of development with limited ground floor commercial and the balance as residential, east of Tutt Street.

Site Context - Residential Designation

Directly across from Osprey park is an ideal residential location where residents would have convenient access to the community park, and provide eyes on the park in the evening when a commercial development would typically be unoccupied. Proximity to the adjacent school site

also lends itself to a strong argument of ensuring 'complete communities' with residential uses that would attract families ensuring vibrancy and a synergy with the neighbourhood amenities.

Site Planning

The North / South Public Right of Way will provide a vital link between the Pandosy Town Centre and Osprey Park. Allowing pedestrian and vehicular movements to continue through the proposed development will help to alleviate some of the circulation concerns that the redevelopment of this area has presented. The applicant will be applying a similar level of streetscaping that can be found within the commercial core of the South Pandosy Town Centre, and this will help to improve pedestrian mobility in the area. However, the overall site planning, with significant surface parking, caters to automobile parking / movements and does not achieve the high level of pedestrian oriented development envisioned for the Pandosy Town Centre.

In summary, the applicant has designed a project that will introduce a significant amount of commercial space into an area that is designated for medium density residential development. The building and site design is an appropriate form of development on a smaller scale but when applied to the entire site it does not create the highly urbanized environment that is envisioned for the South Pandosy Urban Centre. While Staff acknowledge that there may not be significant multi-family development opportunities at present, it is important to protect and plan for multi-family development that will support the town centre as it continues to grow as envisioned and guided by the recently adopted 2030 OCP.

4.0 Proposal

4.1 Background

These properties had previously been under application by a different owner and applicant group. Staff and Council had supported the rezoning application and it sat at 3rd reading until the applicant withdrew the application due to the inability to finance the project. Principally, the form and character and mix of uses were supported as they provided a good balance of residential and commercial space. In addition, a very urban streetscape with active uses along the entire length of each building was proposed with all of the onsite parking and vehicular movements limited to the underground parkade.

4.2 Project Description

The applicant is proposing to develop the subject property with a series of 6 four-storey commercial buildings. Each building will be located on a separate property so that the development can be phased. The required parking is located at grade and each lot will meet its individual parking needs. The applicant has indicated that their intended mix of tenants will not require a loading space and has applied to reduce the required loading stalls for each site from 1 space required to 0 provided.

As part of the infrastructure requirements a vehicular and pedestrian link connecting Tutt Street from Osprey to Raymer Avenue will be provided. A detailed design will include streetscaping and a different roadway treatment that will act as a gateway for people entering the South Pandosy Town Centre from this location. The landscape plan shows that a number of street trees will be added to the area while a few additional trees have been applied to help provide shade to the surface parking areas. The applicant will be providing wider sidewalks with a similar treatment to that found within the existing South Pandosy commercial area which will occur within the City's

existing road right of way. The surface parking will be framed by the proposed buildings and the multiple access points onto Raymer and Osprey Avenues will provide access to the development.

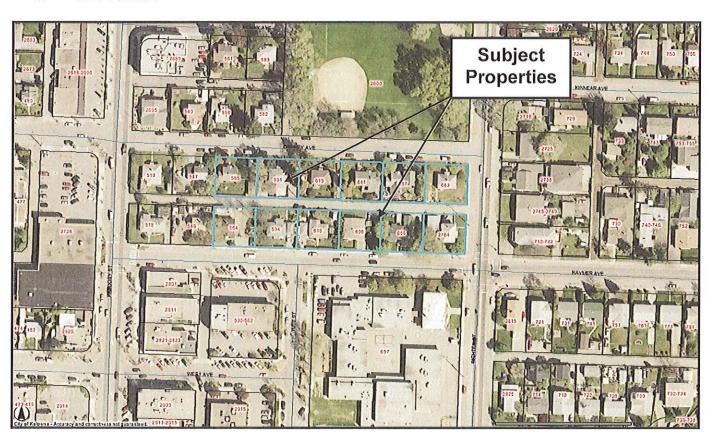
The application compares with the requirements of Zoning Bylaw No. 8000 for each of the six proposed buildings as follows:

	Zoning Bylaw No. 8000			
Criteria	Proposed	C4 Zone Requirements		
Development Regulations				
Floor Area Ratio (FAR)	1.0	1.0		
Site Coverage (buildings)	31%	75%		
Height	15m / 4 storeys	15m / 4 storeys		
Front yard - Entire Site	0.0m	0.0m		
Side yard (W) - Entire Site	19.5m	2.0m		
Side Yard (E) - Entire Site	4.38m	0.0m		
Rear yard - Entire Site	7.6m	0.0m		

	Other Regulations	
Vehicle Parking (per bldg.)	24 stalls	23 stalls
Bicycle Parking	Class I: 3	Class I: 3
	Class II: 7	Class II: 7
Loading stalls	0 stalls*	6 stalls

^{*} Variance Required

4.3 Site Context



The subject property is located in an area of transition between Pandosy and Richter Streets and adjacent to Osprey Park and Raymer Elementary in the South Pandosy Town Centre area. The area is designated for future "Multiple Unit Residential - Medium Density" development. The adjacent land uses are as follows:

Direction	Zoning Designation	Land Use
North	P3 - Parks & Open Space	Osprey Park
East	RU6 - Two Dwelling Housing (FLU Designation - Multiple Unit Residential - Low Density)	Residential
South	P2 - Education & Minor Institutional	Raymer Elementary
West	RU6 - Two Dwelling Housing (Future Land Use Designation - Commercial)	Residential

5.0 Current Development Policies

Staff recommends that the APC public process should be considered appropriate consultation for the purpose of Section 879 of the *Local Government Act*, and that the process is sufficiently early and does not need to be further ongoing in this case. Furthermore, additional consultation with the Regional District of Central Okanagan is not required in this case.

Staff have reviewed this application and it may move forward without affecting either the City's financial plan or waste management plan.

5.1 South Pandosy / KLO Sector Plan Vision Statements

- A complete community with a balance of jobs, homes and shopping. The plan recognizes the need to encourage more local employment through commercial retail and service, offices and an enhanced agricultural industry. The ability to live close to inner-city employment will be fostered through a careful integration of higher density housing. A revitalized commercial district will improve access to a variety of services and retails businesses by tourists and local residents.
- Establishment of the South Pandosy Urban Town Centre with a mixture of commercial, multiple family housing forms and institutional uses.

South Pandosy Town Centre Policies

- Locate commercial and mixed-use buildings within the core business area close to the road corridor to minimize the distance between the sidewalk and the building front. Parking and service site uses should be located behind or within the building.
- Develop pedestrian connections to provide a continuous network of efficient pedestrian routes, in particular, to and from key destinations.
- Encourage mixed-use and multiple family residential buildings with useable exterior balconies and arcades. Also, encourage landscaping on the balconies and roof structures of these buildings.

5.2 Kelowna Official Community Plan 2030 (OCP)

5.2.1 Development Process (Chapter 5) - Considerations in Reviewing Development Applications

Achieve High Quality Design Urban Design and appropriate land uses (Objective 5.20)

South Pandosy Urban Design (Policy .2). Ensure that the urban design for South Pandosy clearly differentiates this commercial district from others in the City and interior of BC. To this end, redevelopment should:

 encourage the development of residential buildings fronting on the Abbott / Watt Road corridor to present a "grander" or more "stately" image than other residential areas which will enhance the desired character of the corridor;

5.2.2 <u>Urban Design Guidelines (Chapter 14) - Revitalization Development Permit Area</u>

Revitalization Design Guidelines

Objectives

- Use appropriate architectural features and detailing of buildings and landscapes to define area character;
- Convey a strong sense of authenticity through high quality urban design that is distinctive of Kelowna;
- Enhance the urban centre's main street character in a manner consistent with the area's character;
- Provide for a scale and massing of buildings that promotes an enjoyable living, pedestrian, working, shopping and service experience;
- Encourage an appropriate mix of uses and housing types and sizes;
- Design and facilitate beautiful public open spaces that encourage year-round enjoyment;
- Create open, architecturally-pleasing and accessible building facades to the street;
- Improve existing streets and sidewalks to promote alternative transportation.

5.2.3 <u>Urban Design Guidelines (Chapter 14) - Comprehensive Development Permit Area (Multiple Unit Residential, Commercial, and Industrial Design guidelines)</u>

Objectives

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;
- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
- Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character;
- Promote alternative transportation with enhanced streetscapes and multimodal linkages;
- Highlight the significance of community institutional and heritage buildings; and

- Protect and restore the urban ecology (i.e. architectural and site consideration with respect to the ecological impact on urban design).
- Moderate urban water demand in the City so that adequate water supply is reserved for agriculture and for natural ecosystem processes.
- Reduce outdoor water use in new or renovated landscape areas in the City by a target of 30%, when compared to 2007.

6.0 Technical Comments

6.1 Building & Permitting Department

- 1) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s) for new construction
- 2) Signage areas for the commercial spaces are to be defined on the Development Permit (areas allowed)
- 3) Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building. A 2nd exit may be required from all of the ground floor units depending on floor layout and if the building is protected by a sprinkler system or not. Spatial calculations to support the unprotected openings between building 3 & 4 and buildings 5 & 6 are required along with confirmation if the buildings are sprinklered or not. Guard rails are required for the upper floor decks along with confirmation of occupant load of the decks and confirmation of travel distances to exit from the deck.
- 4) Minimum width of the public corridor is required on ground floor level and confirmed at time of building permit application.
- 5) Awnings over city property require an indemnification agreement(s).
- 6) Full Plan check for Building Code related issues will be done at time of Building Permit applications

6.2 Development Engineering Department See Attached.

6.3 Fire Department

Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw #7900. The Subdivision Bylaw requires a minimum of 150ltr/sec flow. The fire hydrants are to be within 45M of the fire department connection. A Fire Safety Plan as per section 2.8 of the BCFC is required. Addition comments will be required at the Building Permit application.

6.4 Fortis BC

FBC requires that the developer bears the cost of salvage of the existing overhead wire if it is no longer required. If the overhead service is to remain, right of way for these facilities is required by FortisBC. Right of way is required for the existing street lighting impacted by the development. Of additional note is that the four properties at the west end of the development require electrical servicing at the developer's cost should their service be impacted by the development.

Of additional note is that the location of the overhead 138 kilovolt transmission facilities relative to the proposed buildings must be addressed. Appropriate clearances between

the proposed buildings and associated facilities and overhead electrical conductors must be maintained. FortisBC must complete a technical review once the proposed plans for the building locations and associated facilities are in place in order to address safety and operation considerations as to the transmission facilities.

7.0 Application Chronology

Date Application Received: May 09, 2011

Advisory Planning Commission

July 19, 2011

The above noted application was reviewed by the Advisory Planning Commission at the meeting on July 19, 2011and the following recommendation was passed:

THAT the Advisory Planning Commission supports Official Community Plan Amendment Application No. OCP11-0004 for 565, 591, 615, 641, 657, 683 Osprey Avenue, 564, 594, 616, 636, 656 Raymer Avenue and 2764 Richter Street to change the Future Land Use Designation of the subject properties from the "Multiple Unit Residential - Medium Density" designation to the "Commercial" designation.

THAT the Advisory Planning Commission supports Rezoning Application No. Z11-0034 for 565, 591, 615, 641, 657, 683 Osprey Avenue, 564, 594, 616, 636, 656 Raymer Avenue and 2764 Richter Street to rezone the subject properties from the RU6 - Two Dwelling Housing zone to the C4 - Urban Centre Commercial zone.

Anecdotal Comments

The Advisory Planning Commission supported the Official Community Plan Amendment Application and the Rezoning Application because the Members felt that even though the residential component of the development will be lost, the land uses presented were very suitable and will fit well into the neighbourhood.

8.0 Alternate Recommendation

If Council chooses to support the proposed development the following recommendations will be required:

THAT OCP Bylaw Amendment No. OCP11-0004 to amend Map 19.1 of the *Kelowna 2030* - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot 35, D.L. 14, ODYD, Plan 3769, located at 564 Raymer Avenue, Lot 34, D.L. 14, ODYD, Plan 3769, located at 594 Raymer Avenue, Lot 33, D.L. 14, ODYD, Plan 3769, located at 616 Raymer Avenue, Lot 32, D.L. 14, ODYD, Plan 3769, located at 636 Raymer Avenue, Lot 31, D.L. 14, ODYD, Plan 3769, located at 2764 Richter Street, Lot 29, D.L. 14, ODYD, Plan 3769, located at 683 Osprey Avenue, Lot 28, D.L. 14, ODYD, Plan 3769, located at 657 Osprey Avenue, Lot 27, D.L. 14, ODYD, Plan 3769, located at 641 Osprey Avenue, Lot 26, D.L. 14, ODYD, Plan 3769, located at 591 Osprey Avenue, Lot 24, D.L. 14, ODYD, Plan 3769, located at 565 Osprey Avenue, Kelowna, B.C. from the Multiple Unit Residential - Medium Density designation to

the Commercial designation, as shown on Map "A" attached to the report of the Land Use Management Department, dated July 29, 2011, be considered by Council;

AND THAT Council considers the APC public process to be appropriate consultation for the purpose of Section 879 of the *Local Government Act*, as outlined in the report of the Land Use Management Department dated July 29, 2011;

AND THAT Rezoning Application No. Z11-0034 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 35, D.L. 14, ODYD, Plan 3769, located at 564 Raymer Avenue, Lot 34, D.L. 14, ODYD, Plan 3769, located at 594 Raymer Avenue, Lot 33, D.L. 14, ODYD, Plan 3769, located at 616 Raymer Avenue, Lot 32, D.L. 14, ODYD, Plan 3769, located at 636 Raymer Avenue, Lot 31, D.L. 14, ODYD, Plan 3769, located at 656 Raymer Avenue, Lot 30, D.L. 14, ODYD, Plan 3769, located at 2764 Richter Street, Lot 29, D.L. 14, ODYD, Plan 3769, located at 683 Osprey Avenue, Lot 28, D.L. 14, ODYD, Plan 3769, located at 657 Osprey Avenue, Lot 27, D.L. 14, ODYD, Plan 3769, located at 641 Osprey Avenue, Lot 26, D.L. 14, ODYD, Plan 3769, located at 615 Osprey Avenue, Lot 25, D.L. 14, ODYD, Plan 3769, located at 591 Osprey Avenue, Lot 24, D.L. 14, ODYD, Plan 3769, located at 565 Osprey Avenue, Kelowna, B.C. from RU6 - Two Dwelling Housing to the C4 - Urban Centre Commercial Zone be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP11-0004 bylaw and the zone amending bylaw be forwarded to a Public Hearing for further consideration

AND 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;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Fire Department, Development Engineering Branch and Fortis BC being completed to their satisfaction;

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

AND THAT final adoption of the zone amending bylaw be considered subsequent to the lane closure and the registration of Statutory Right of Ways for Public Utilities and Public Access;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to a 15m road dedication for the Tutt Street link between Osprey and Raymer Avenues.

Report prepared by:

Alec Warrender, Urban Land Use Planner

Reviewed by:

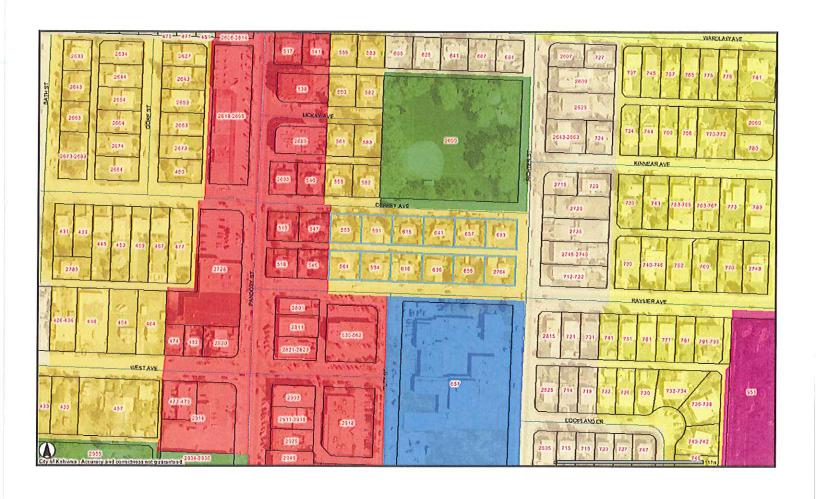
Shelley Gambacort Director, Land Use Management

Approved for inclusion:

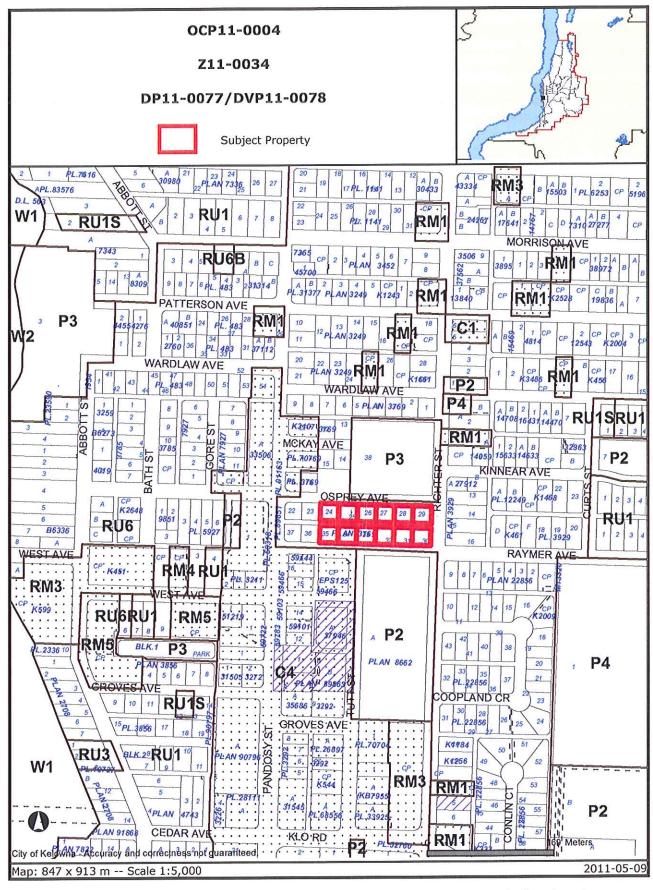
J. Paterson General Manager, Community Sustainability

Attachments:
Subject Property Map
Site Plan
Building Elevations
Schematic Rendering
Landscape Plan
Development Engineering Requirements
Applicant's Letter of Rationale
Sustainability Checklist

MAP "A"



Subject Property to have Future Land Use designation changed from "MUTIPLE UNIT RESIDENTIAL – MEDIUM DENSITY" to "COMMERCIAL"

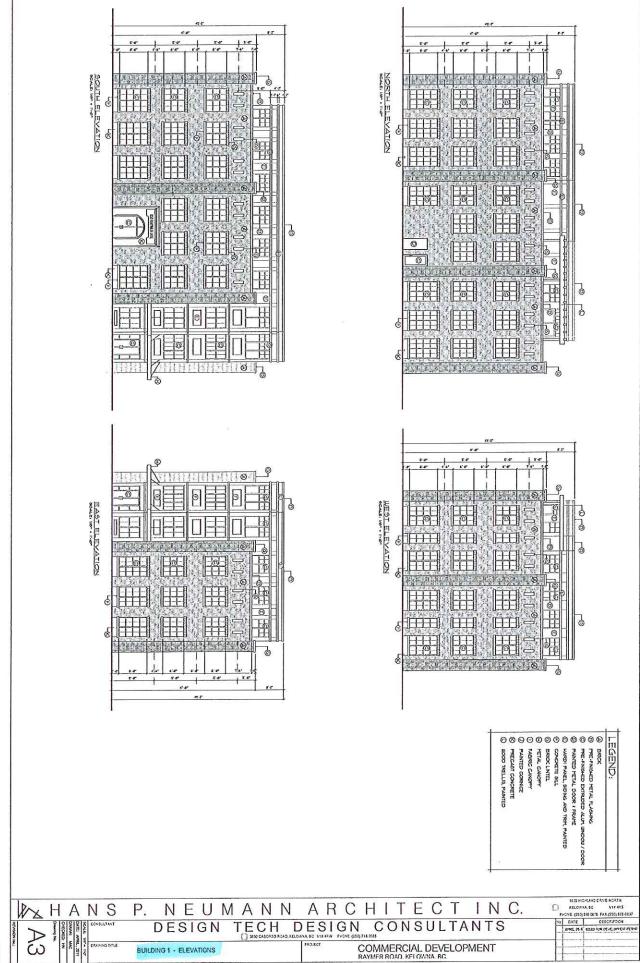


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.

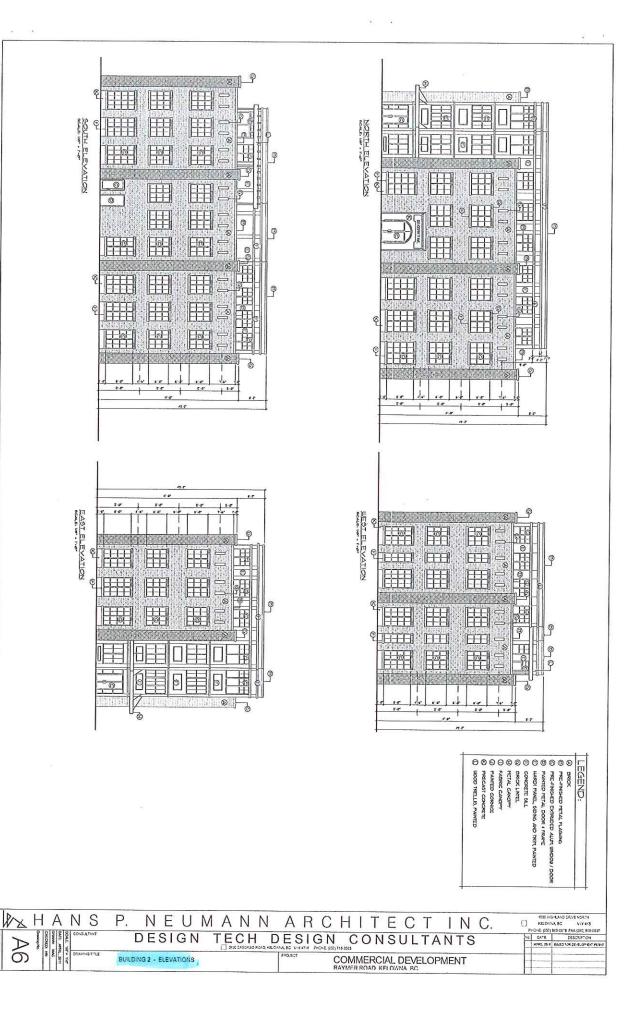
The City of Kelowna does not guarantee its accuracy. All information should be verified.

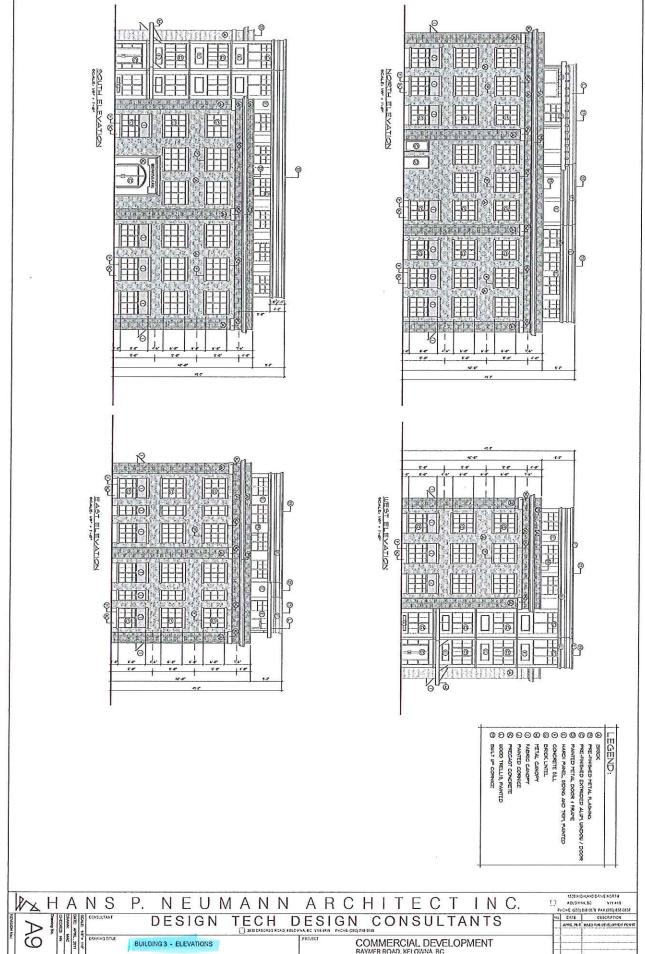
19.50 [64'-2"] 3.00 [9"-10"]

19.50 [64'-2"]

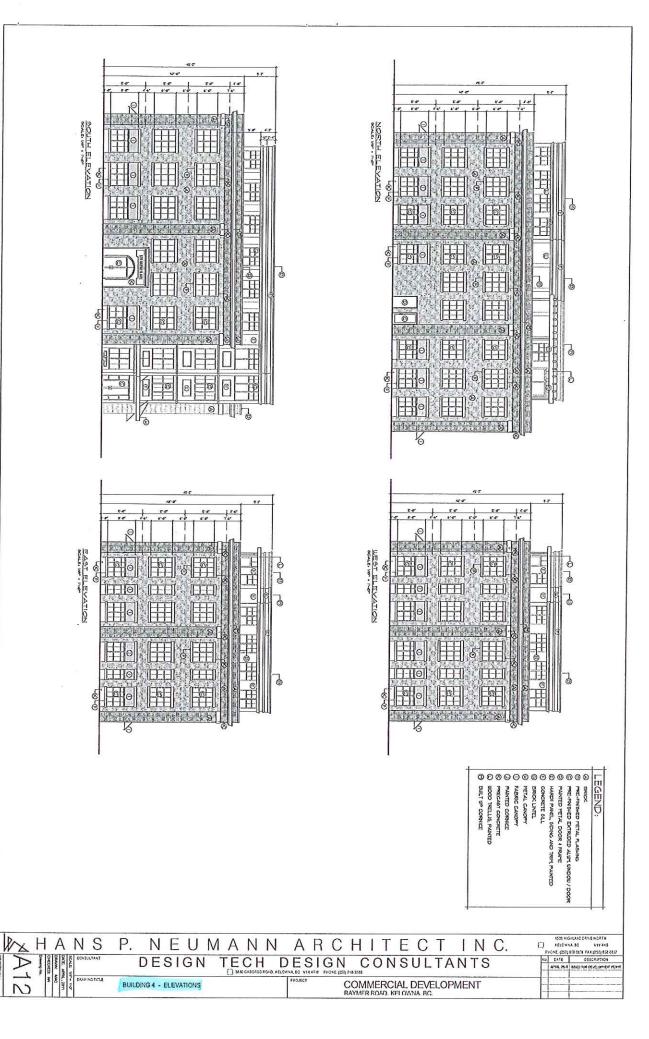


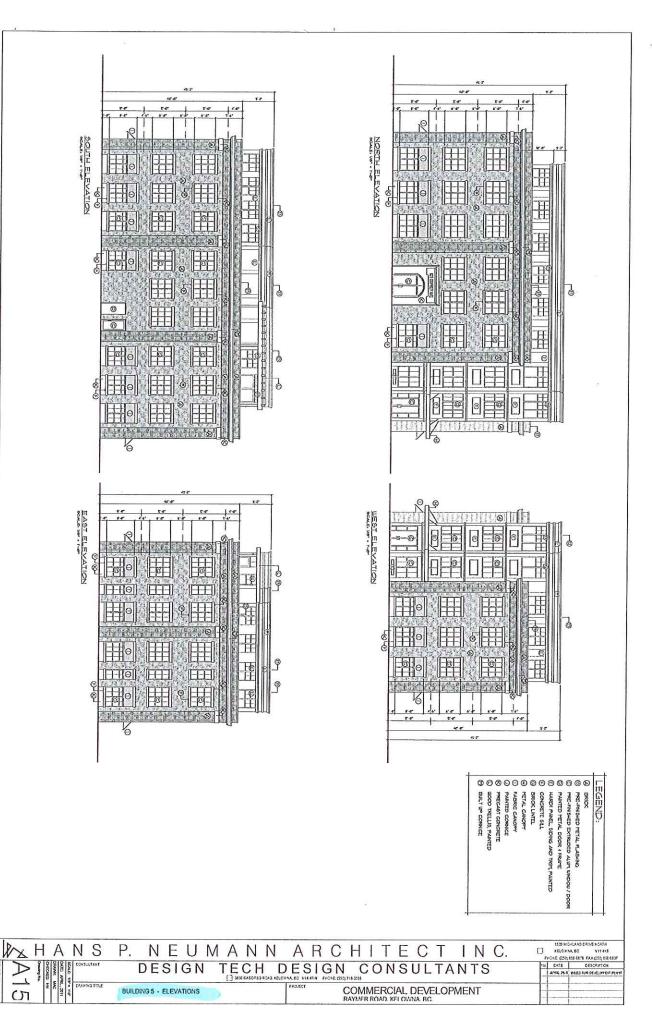
A/28/2013 2:04:65



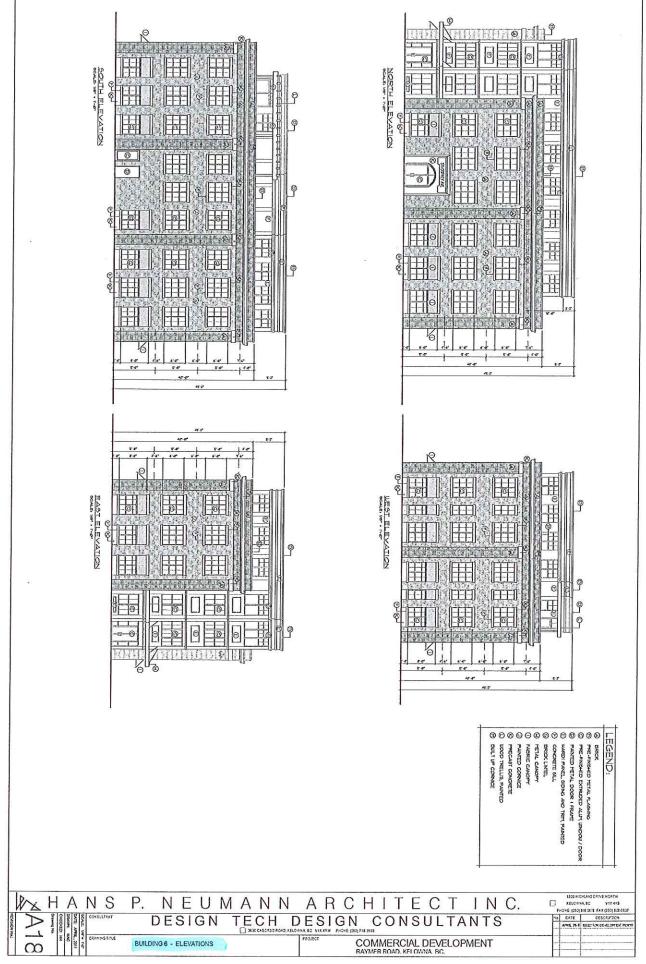


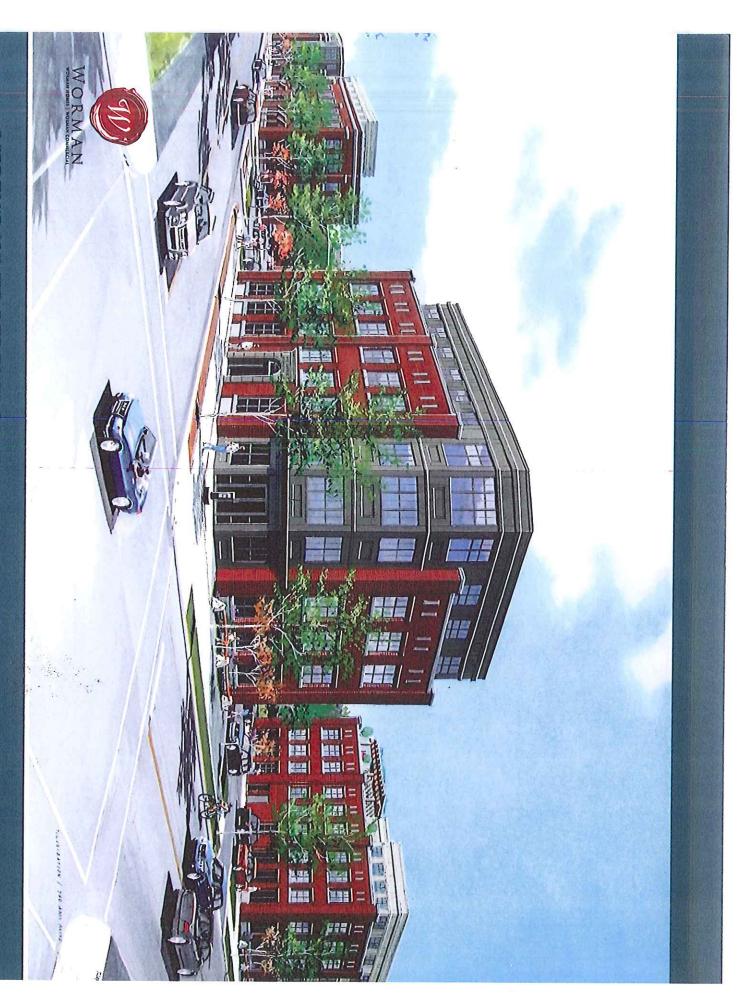
4/28/2011 6:57:45

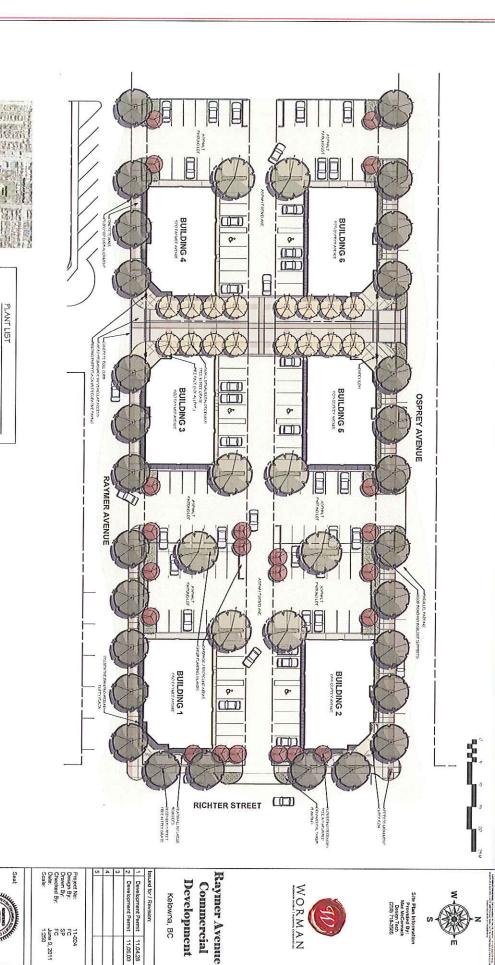




/28/2011 7:00:25 P







Landscape Plan

CONTEXT MAP - N.T.S.

CHANGETER LEVE CHANGETER MATEVAH WHIE WALTE

NOTES

I NATIANTE I ANCIONTECTANTECOS SAI I NET CEDITO
NELLO ÉNVOLTE.

JALI OFFI LANGUA CARRECIONA E INATIONE A FILLY AUTOMNS
LANGUA CONTROL DE ROCCIONATION.

MELLO DE SAIN DE DE CENTROL DE ROCCIONATION DE CONTROL DE PROPRIO DE L'ANGUAL DE PROPRIO DE CONTROL D

CITY OF KELOWNA

MEMORANDUM

Date:

June 29, 2011

File No.:

Z11-0034 OCP11-0004

To:

Land Use Management (AW)

From:

Development Engineering Manager (SM)

Subject:

Z11-0034 / OCP11-0004

Proposed 4-6 story Commercial

565, 591, 615, 641, 657, 683 Osprey Ave / 2764 Richter St. / 656, 636, 616, 594,

564 Raymer Ave. Lots 24 -35 Plan 3769

The Works & Utilities Department have the following comments and requirements associated with this application to amend the OCP and to rezone from RU-6 to C4. 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 Derek Corning E.I.T.

1. General

- a) Provide a lot consolidation plan for review.
- b) The postal authorities must be contacted to determine whether or not a "community mailbox" will be utilized, and if so, its location should be determined and the proposed location shown on the construction plans. Please contact the Canadian Post Corporation, Delivery Services, P.O. Box 2110, Vancouver, B.C. V6B 4Z3 (604) 662-1381 in this regard.
- c) Where there is a possibility of a high water table or surcharging of storm drains during major storm events, non-basement homes may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.
- d) Land transactions must be arranged through the City's Real Estate and Building Services department. Contact Jordan Hettinga, the City's REBS Manager, to make arrangements.
- e) The developer must obtain the necessary permits and have all existing utility services disconnected prior to moving existing houses.
- f) Access is not permitted onto Richter St.
- g) If the existing lane remains public, 7.6m of width is required for the commercial area.

2. Geotechnical Report

a) Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.

The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development.
- (iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (iv) Any special requirements for construction of roads, utilities and building structures.
- (v) Suitability of on-site disposal of storm water, including effects upon adjoining lands.
- (vi) Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.
- ii) Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.
- iii) Recommendations for items that should be included in a Restrictive Covenant.
- iv) Any items required in other sections of this document.
- v) Recommendations for roof drains and perimeter drains.
- vi) Recommendations for construction of detention or infiltration ponds if applicable.

3. <u>Domestic Water and Fire Protection</u>

(a) The developer's consulting engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The existing 100mm Cast Iron water-main on Osprey Avenue is substandard. The applicant is responsible for removal and replacement of this section of main. Once the fire flow requirement is known the City can model the water main to determine the required pipe replacement diameter.

- If it is determined that upgrades to any other existing water distribution system must be made to achieve the required fire flows, additional bonding will be required.
- (b) The existing twelve lots are serviced with small -diameter copper water services. Only one service will be permitted per lot. The applicant, at his cost, will arrange for the removal of all existing services and the installation of one new larger metered water service per lot.
- (c) 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.
- (d) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures. The City of Kelowna water meter contractor must salvage existing water meters, prior to building demolition. If water meters are not salvaged, the developer will be invoiced for the meters.
- (e) The applicant is to confirm with the City of Kelowna water division that the supply of domestic water and fire protection is achievable in accordance with the City standards for the proposed development.

Sanitary Sewer

- (a) The existing twelve lots are connected with sewer services. The developer's consulting engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted per lot. The applicant, at their cost, will arrange for service and main upgrades as required, as well as the capping of all existing unused services. Any upgrades required will be at the developer's expense.
- (b) The sanitary main existing in the laneway between Osprey Avenue and Raymer Avenue must continue to service the School site. If the lane is incorporated within the development a Utility Right of Way will be required at the applicants cost. If the development proposes to build over the sanitary main, the developer must provide all properties currently being serviced by this main with an alternative service connection.

5. Storm Drainage

- (a) It will be necessary for the developer to construct storm drainage facilities on Osprey Avenue and Richter Street to accommodate road drainage fronting the proposed development.
- (b) The developer must engage a consulting civil engineer to provide a storm water management plan for the 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 lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the lot and /or recommendations for onsite drainage containment and disposal systems. The on-site drainage system may be connected to an existing or proposed drainage system with an overflow service.

(c) Provide a lot-grading plan.

6. Road Improvements

- (a) Osprey Avenue fronting this development must be upgraded to an urban standard including barrier curb and monolithic sidewalk, piped storm drainage system, fillet pavement, landscaped boulevard complete with underground irrigation system, and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading.
- (b) Raymer Avenue fronting this development must be upgraded to an urban standard including barrier curb and monolithic sidewalk, piped storm drainage works, fillet pavement, landscaped boulevard complete with underground irrigation system, and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading.
- (c) Richter Street fronting this development must be upgraded to a major arterial standard (SS-R12) including barrier curb and separate sidewalk, piped storm drainage system, pavement widening, landscaped boulevard complete with underground irrigation system, and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading.
- (d) The centre line of the Tutt Street shall be extended through the site to provide 7m of drive aisles. The curb/gutter and sidewalk shall be provided onsite and a SROW for public access must be registered (8m total). As an alternative the standard 15m roadway can be dedicated and constructed.
- (e) Service upgrades will require road cuts and pavement restoration work within City road ways. The work must be approved by the City and constructed to City Standards.
- (f) Provide traffic control and street name signs where required. The City will install all signs and traffic control devices at the developer's expense.
- (g) Relocate existing poles and utilities, where necessary.
- (h) Sidewalks on Raymer Avenue and Osprey Avenue must be extended through the Tutt Street Extension to maintain a continuous sidewalk.
- Provide a cost estimate from the Civil Consultant of all the offsite works for review.

7. Road Dedication and Subdivision Requirements

- (a) Corner rounding (7m Radius) dedications are required for the North and South East lot corners.
- (b) If the public laneway becomes private a utility Statutory Right of way will be required along the sanitary sewer main alignment.
- (c) If the public lane becomes private a public access easement will be required from the west property line to the future Tutt Street extension.

8. <u>Electric Power and Telecommunication Services and Street Lights</u>

- (a) The electrical and telecommunication services to this building must be installed in an underground duct system, and the building must be connected by an underground service. 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.
- (b) Street lights must be installed on all roads
- (c) Remove aerial trespass(es)

9. 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.

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

- (a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- (b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- (c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- (d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

11. Servicing Agreements for Works and Services

- (a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- (b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

12. 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.

13. Bonding and Levy Summary

(a) Bonding (cost estimate to be provided by civil engineer)

Civil Consultant to provide Estimate of all offsite upgrades for review and for bonding purposes

Frontage improvements
Raymer Avenue
Osprey Avenue
Richter Street
Tutt Street Construction
Service upgrades
Water Main Replacement

Total Bonding

TBD

<u>NOTE</u>: 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.

14. 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 the total off-site construction costs, not including design. 5% GST will be added.



Osprey/Raymer - Development Rationale Letter

April 28, 2011

To: City of Kelowna Planning Department and City Council

Re: Development Permit, OCP Amendment, Rezoning, & Development Variance Permit

Dear City Staff and Council,

The reason for this letter is to explain the rationale behind the development proposal for the 12 lots at Osprey and Raymer.

As a business owner, property owner, and a resident of the South Pandosy area in Kelowna I have an intimate knowledge of this area. I live within a block of my office and over the past several years have been involved in at least 11 different developments within the neighborhood. Projects such as 550 West, 464 Cedar, and 480 Osprey have been mixed use developments. We have also completed 2900 Pandosy & 474 West Avenue which were strictly commercial developments. On the residential side, we have completed single family dwellings on West Avenue, 2 new homes and 2 renovations on Morrison Street and we are in for permit right now for a duplex on Morrison as well.

We have followed very closely the subject properties on Osprey and Raymer as the previous application proceeded through its application process. That development proposal had run into some snags and has since been pulled. We have now acquired these properties and are very excited to bring forward the proposal that you see before you now.

As a development company in Kelowna for the last 19 years we have always done our best to bring forward applications that are fully supported by staff and have very little "controversy" surrounding them. We have prided ourselves on doing what we say we are going to do and providing the best possible "built" environment. It is with a heavy, but

P. 250.762.0040

F. 250.762.0550



determined heart, that we bring forward this application which as we understand it cannot garner Staff support because it falls outside of the OCP.

The OCP for this site calls for medium density multifamily development. Our proposal, although mixed use, is predominantly designed to be commercial and office space. We will be providing a "flex" space on the 4th floor of each building which has been designed for residential use. We will only be finishing this space to a shell state and since we have not increased our density beyond 1.0 it would allow us to use the space as additional office space should the residential demand not be there. Our experience on the 3 most recent projects has shown us that the residential units produced in a mixed use building have a high price point. Currently all but 1 of these recent units sit vacant and for sale on the market, so we are positioning our new units with the flexibility to morph from one use to the other should this market not recover.

The main reason that we are proposing predominately commercial and office uses is that we whole heartedly believe that in order for an area to attract people to live it also needs to have places for them to work. We also believe that these places to work have to be more than retail spaces which generally provide only low paying jobs, not higher paying professional jobs. We have looked at this area and this development on a very micro level, property by property and we feel that what is needed for the Pandosy Town Center is professional office space. I have been a resident of the Pandosy area for 6 years now. It was very difficult to find office space in the area that I would be proud to locate my business in. We were fortunate enough to work with Dr. Skidmore to design and build a building which we moved into and have been in ever since.

Most businesses looking for Class A space end up moving to the Landmark development on Dolphin, not because they love it or the area, but because it is one of the few places in Kelowna that provides a new, professional image for their business. The south Pandosy area has lost several businesses over the past few years, such as Scotia McCleod to just this scenario. Our belief is that if we can give people a place they are proud to work, they will also want to live in the area. So although we may not be providing a large amount of residential development we will be a catalyst for future residential redevelopment in this area. If we build residential buildings with retail on the main, similar to what has been built on Ellis downtown, the residents will still have to travel to their offices in other parts of the city.

We have also taken great pride in the architectural feel and design of these buildings. Unlike the previous application, we are not dropping a very large building onto this entire

P. 250.762.0040

F. 250.762.0550



site. Our belief is that these building should have a scale and context which fits into the quainter, village feel of the South Pandosy area. We are providing the required parking, but are striving to set up a pedestrian friendly environment within urban plazas at Richter Street and in between the 4 more central buildings. This central plaza will be an excellent connection point and pathway to allow the commercial uses on Tutt Street access to both the parking lot on Osprey and Osprey Park.

Our variance request on this project is to remove the requirement for loading zones. In our initial design the loading area came in between the buildings in the location where we have run the walkway connection. We felt strongly that this connection should continue right to the laneway, so we have removed the loading stalls. It is also proven that a building that is predominantly office has very little demand for loading unlike that of a more commercial oriented site. With the large amount of internal laneways on this site, we believe the small amount of loading needed can be accomplished in existing parking stalls and in those laneways without an interruption to traffic or site accessibility.

This development will be a significant benefit to the South Pandosy neighborhood as it will add the missing "work" component which is essential for a great town center: "live, work, play". Thank you for your consideration of this matter and look forward to your favorable response to our proposal.

Sincerely,

Shane Worman

Simple Pursuits Inc.

202 - 474 West Ave., Kelowna, BC, V1Y 4Z2

Phone: (250) 762-0040, Fax: (250) 762-0550



Land Use Management 1435 Water Street Kelowna, BC V1Y 1J4 250 469-8626 kelowna.ca/landuse sustainability@kelowna.ca

Sustainability Checklist
Commercial or Multi-unit Development
with Rezoning

Project Name or Location 575, 625, 655 Ospry + 570, 600, 650 Rayno	· Are.	
Applicant Name Simple Pusuits Inc. yo Share Worman		
Organization		
ECONOMIC SUSTAINABILITY		
	Score	Points
Building uses: (IF APPLICABLE, SELECT ONE FROM LIST)	Score	FOIRES
☐ 3 or more uses (ie. Office space, retail & residential)		3
2 uses or types of residential (ie. retail & residential or townhouse & low-rise apartments)	2	2
Employs local contractors (some, most or all) during construction	5	2-5
Construction products and supplies sourced within the region	2	1-2
TOTAL	9	10
ENVIRONMENTAL SUSTAINABILITY		
	Score	Points
Green Building Certification being sought		
□ LEED		5
☐ BuiltGreen, Green Globe or other (please specify)		3
Recycled Materials used in Building Construction / Necycle clemo	12	2
Green Space	0	
Design includes Shared Green Space (ie. Rooftop garden, community garden)	3	2-3
Environmentally-Sensitive Areas Protected during construction phase (ie. Fenced)	0	2
or	2	1
No Environmentally Sensitive Area to protect		
Air Quality		
Co-op Car(s) or Transit Passes for Building Occupants (secured through an agreement)	0	2
Natural Ventilation (ie. Windows that open)	2	2
Safe & Accessible Bicycle Storage Facilities	2	2
Trees planted on the site beyond zoning requirements (not including any replacement trees)		
□ 1-5 trees		1
回 5+	2	2
No Fast Food Drive Thru facilities	1	1
Water Quality & Quantity		
Recycling of grey water	0	4
50% of area outside of permitted site coverage is permeable or unpaved surface	2	2
Irrigation system employs conservation technology (ie. Drip irrigation)		
or	2	2
No irrigation system required for landscaping		
Rainwater collection	2.	
or	2	2
Water conservation beyond building code requirements		
Xeriscaping for water conservation		

ant of Recomm	APP	LICATION FOR
or Landscaping with indigenous vegetation (drought resistant)	O	2
Energy Conservation		
Renewable Energy Source(s) for Building, such as geo-thermal, solar photovoltaic, air pumps, etc. Please Specify: Air Source Level pumps	4	2-4
Building Orientated and/or Designed to Maximize Energy Savings	0	2
Low Energy Windows Installed throughout Building(s)	2	2
Pre-Heating Water Energy Technology to be Employed	0	2
Energy Efficient Features (lighting, appliances, etc.)	2	2
SUBTOTAL	28	45

SOCIAL SUSTAINABILITY

	Score	Points
Provides Indoor or Outdoor Social/Recreational Amenity (i.e. community meeting place, dog park, public community garden, etc.). Please Specify: Urban Plaza Connecting Connected were to Carrey Public	3	2-3
Designed According to Crime Preventions Through Environmental Design (CPTED) Principles (staff can provide document)	2	2
SUBTOTAL	5	5

CULTURAL SUSTAINABILITY

	Score	Points
Voluntary Streetscaping Improvements, such as benches, planters, or lighting upgrades	4	2-4
City Design Guidelines & Staff Comments Addressed in Project Design	1	1-3
Heritage Site Identified and Recommendations for Conservation Followed		1-3
or	17	
No Disturbance to a Heritage Site/No Heritage Site	3	3
Public Art Provision urban plaze count		1-3
or connecting	-3	
Significant Public Amenity (i.e. covered walkway, fountain, etc.) Please Specify:)	
Connectivity from site to Parks, Bike Paths, Pedestrian Walkways, or Local Amenities (shops, medical centre,	2	2
etc.)	1	
SUBTOTAL	13	15

BONUS

	Score	Points
Other Sustainability Measure(s), including but not limited to:		
▶ Rehabilitation of a Natural Feature (i.e. wetland); Green Roof; Accessible Design Beyond Building	1	1-10
Code; Child-Friendly Design.	1	
Please provide details below		
ECCONMIC SUBTOTAL	Ġ	10
ENVIRONMENTAL SUBTOTAL	28	45
SOCIAL SUBTOTAL	5	5
CULTURAL SUBTOTAL	13	15
TOTAL	55	85

ADDITIONAL DETAILS

CITY OF KELOWNA	APPLICATION FORM

Thank you for taking the time to complete the City of Kelowna Sustainability Checklist. Once you have completed the checklist, please email it to sustainability@kelowna.ca or drop it off on the 2nd floor of City Hall.

Thank you.