

REPORT TO COUNCIL



Date: December 23, 2011

To: City Manager

From: Land Use Management, Community Sustainability (LT)

Application: DVP11-0163

Owner: 0871089 BC Ltd.

Address: 554 Leon Avenue

Applicant: Troika Developments

Subject: Development Variance Permit

Existing OCP Designation: Mixed-Use (Residential/Commercial)

Existing Zone: C7 - Central Business Commercial

1.0 Recommendation

THAT Council authorize the issuance of Development Variance Permit No. DVP11-0163, legally described as Lot A, District Lot 139, ODYD, Plan 34415, located at 554 Leon Ave, Kelowna, BC; AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted, as per Schedule "A":

Section 14.7.5 (e) (f) (h) (i) (j) - (C7 Development Regulations)

To vary minimum setback for a portion of a building above 15.0m adjacent to a street from 3.0m permitted to 0.0m proposed.

To vary the minimum setback for a portion of a building above 15.0m adjacent to an interior property line from 4.0m required to 0.0m proposed.

To vary the maximum floor plate above 15.0m in height from 676m² permitted to 753m² proposed.

To vary the maximum exterior horizontal dimension for a portion of a building above 15.0m in height from 26.0m allowed to 36.5m proposed.

To vary the maximum diagonal floor plate dimension above 15.0m from 39.0 allowed to 42.5m proposed.

Section 8 - Table 8.2 (Loading Schedule)

To vary the minimum loading space requirements from 2 required to 0 proposed.

AND THAT variances to the following sections of Sign Bylaw No. 8235 be granted, as per Schedule "A":

Section 5.5.2 (Fascia Signs)

To allow a fascia sign on a wall that is not a business frontage.

AND FURTHER THAT issuance of the Development Variance Permit be subject to the approval of an Urban Design Development Permit by the Director of Land Use Management.

2.0 Purpose

The applicant has proposed a 5-storey office building at the subject property. The development requires several variances to the Zoning Bylaw including relaxing setbacks for portions of the building above 15.0m in height, expanding floor plate dimensions, and eliminating loading space requirements.

3.0 Land Use Management

The majority of the variances proposed relate to building massing and articulation, including building setbacks above 15.0m, as well as relaxed floor plate dimensions. While these regulations serve an important urban design function, they are primarily directed at much taller buildings. The majority of the building massing is below 21m in height, with the rooftop trellis located in the centre of the floorplate, well within setback requirements. The building height is significantly less than the Zoning Bylaw permits (44.0m).

The variances are only required for portions of the building above 15.0m in height - generally the fifth floor office space. The building setback provisions seek to break-up building form, providing visual interest and creating a pedestrian-scale at street level. The application proposes some relief along the front elevation of the fifth floor, with portions of the building setback approximately 6ft at this level. The floor plate dimension regulations seek to minimize the effects of bulky tower footplates on view corridors, shadowing, wind, and the overall public realm - and are potentially less relevant for a 5 storey building. The size of the fifth storey floorplate of the proposed building mirrors the floors below, creating efficiencies for design and overall leasable area. These are important considerations for a project of this scale, particularly given the ground level space dedicated to vehicular parking.

The proposed fascia signage near the top of the firewall helps to add some visual interest to these elevations until neighbouring properties redevelop. While permitting signage on non-business frontages is typically not supported, the proposed signage and lighting is minor in nature, and could assist in place-making efforts in this transitional area of the Downtown Urban Centre.

The Land Use Management Department recommend that the variances be supported. Overall, the scale of the variances being proposed is minor, and is outweighed by the creation of new office space in a key location, supporting efforts for the continued revitalization of the Downtown Urban Centre.

Staff have worked with the applicant to achieve a high level of visual interest for the building to offset the impact of the proposed variances, ensuring the project conforms to the urban design objectives outlined in OCP2030. The associated Urban Design Development Permit will be executed at a staff level.

4.0 Proposal

A 5-storey office building is proposed for the subject property. The ground floor provides approximately 1315ft² of commercial space, creating an active use along Leon Avenue. This commercial unit is placed in front of a 17-stall secured, under-building vehicular parking area. Above the ground floor are four storeys of office space, each between 6770-6920ft². A common space on each floor incorporates dedicated bicycle storage, elevator, stairwell, washroom and service areas. Above the fifth storey, a portion of the roof is proposed as a landscaped terrace, complete with kitchen and seating areas, to be used as common area for building occupants.

The primary building entrance is located at the eastern-end of the Leon frontage. Access to under-building vehicular parking is via the rear lane. In addition to the 17 stalls provided on site,

18 stalls are to be secured via covenant at an off-site location within 400m of the subject property, as permitted within the Zoning Bylaw.

The five storeys of office space rise 20.3m in height, with an additional 4.2m required to accommodate the rooftop mechanical and trellis structures. The conservative building massing is articulated with varied window bay, material and colour treatments along both the front and rear elevations. Solar shading is proposed above the first and fifth storeys, with outdoor deck space along the front of the fifth storey. The material palette includes a mix of muted grey stucco, dark brick cladding, and black aluminum window & trim elements. A timber trellis/solar shade is utilized above the ground-level commercial space.

The project requires several variances, summarized below:

- Minimum setback for a portion of a building above 15.0m adjacent to a street (Leon Avenue/laneway) from 3.0m required to 0.0m proposed.
- Minimum setback for a portion of a building above 15.0m adjacent to an interior property line (west/east) from 4.0m required to 0.0m proposed.
- Maximum floor plate above 15.0m in height from 26.0m allowed to 36.5m proposed.
- Maximum exterior horizontal dimension for a portion of a building above 15.0m in height from 26.0m allowed to 36.5m proposed.
- Maximum diagonal floor plate dimension above 15.0m from 39.0 allowed to 42.5m proposed.
- Minimum loading space requirements from 2 required to 0 proposed.
- To allow fascia signs on a non-business frontage.

The associated Development Permit will be executed at a staff level (Direct Urban Design Development Permit) as the subject property is within an Urban Centre and is not adjacent to existing residential development.

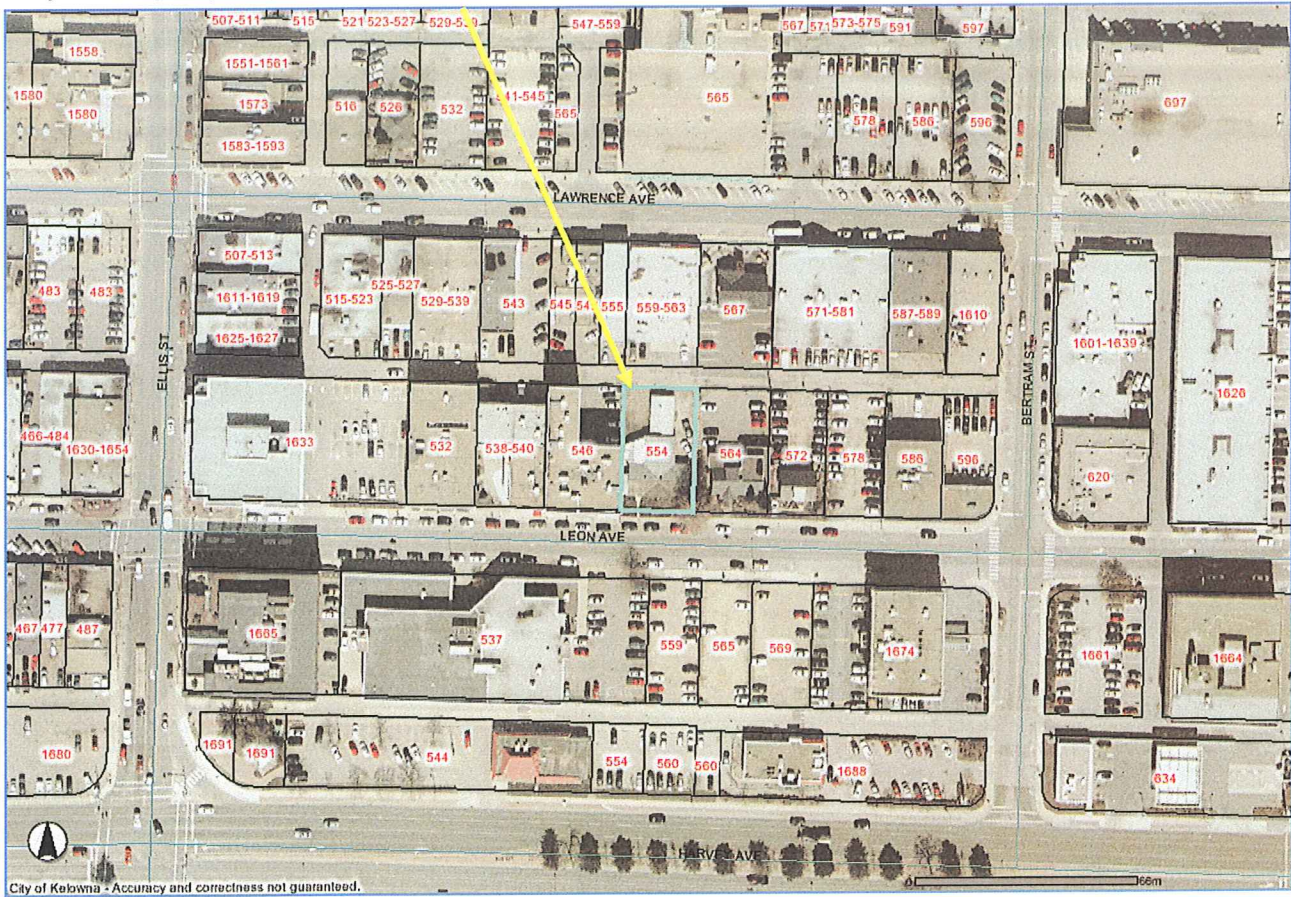
4.1 Site Context

The subject property is located on the eastern end of the central business district, within the Downtown Urban Centre. The surrounding area is a mix general commercial uses and future redevelopment sites.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C7 - Central Business Commercial	Mixed commercial
East	C7 - Central Business Commercial	Medical Offices
South	RM5 - Medium Density Multiple Housing C7 - Central Business Commercial	Parking Lot Law Offices
West	C7 - Central Business Commercial	Mixed office use/Sprott-Shaw College

Subject Property Map: 554 Leon Avenue



Zoning Analysis Table		
Criteria	Proposal	C7 Zone Requirements
Existing Lot/Subdivision Regulations		
Site Area (m ²)	778m ²	1300m ²
Site Width (m)	21.3m	40.0m
Site Depth (m)	36.5m	30.0m
Development Regulations		
Max. Net Building Floor Area	2,674 m ²	7,002m ²
F.A.R.	3.4	9.0
Maximum Height (m)	24.5m	44.0m
Maximum Height (storeys)	5 storeys	n/a
Setback above 15.0m in height (front/rear property lines)	0.0m ❶	3.0m
Setback above 15.0m in height (interior property lines)	0.0m ❷	4.0m
Maximum floor plate above 15.0m in height	753m ² ❸	676m ²
Maximum continuous exterior horizontal dimension above 15.0m in height	36.5m ❹	26.0m
Maximum diagonal floor plate dimension above 15.0m	42.5m ❺	39.0m
Required Setbacks		
Front (Leon)	0.0m	0.0m
Side (west/east)	0.0m	0.0m
Rear	0.0m	0.0m
Other Regulations		
Bicycle Parking	To meet requirements	Class I (Long-term): 6 spaces Class II (Short-term): 16 spaces
Vehicle Parking	17 spaces (on-site) 18 spaces (off-site) ❻	1.3 spaces per 100 m ² GLA = 35 spaces
Loading Spaces	0 spaces ❼	1 space per 1,900 m ² GFA = 2 spaces
<p>❶ Indicates requested variance to the minimum setback for a portion of a building above 15.0m adjacent to a street from 3.0m required to 0.0m proposed.</p> <p>❷ Indicates requested variance to the minimum setback for a portion of a building above 15.0m adjacent to an interior property line from 4.0m required to 0.0m proposed.</p> <p>❸ Indicates requested variance to the maximum floor plate above 15.0m in height from 676m² allowed to 753m² proposed.</p> <p>❹ Indicates requested variance to the maximum exterior horizontal dimension for a portion of a building above 15.0m in height from 26.0m allowed to 36.5m proposed.</p> <p>❺ Indicates a requested variance to the maximum diagonal floor plate dimension above 15.0m from 39.0 allowed to 42.5m proposed.</p> <p>❻ Parking to be secured via covenant at an off-site location within 200m of subject property, as per Section 8.1.10(a)</p> <p>❼ Indicates requested variances to the minimum loading space requirements from 2 required to 0 proposed.</p>		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP) 2030

Development Policies

Office Building Location.¹ Encourage office buildings providing more than 929 m² of useable space to locate in the City Centre or the Town Centres. This policy does not include offices integral to business park / industrial uses and “corporate offices” allowable under relevant industrial zones.

Offices Near Transit.² Direct new office development to areas served by public transit.

Downtown.³ The City of Kelowna recognizes that a unique, attractive, thriving and livable downtown is strategically important to Kelowna’s overall prosperity and success. Towards this end, the City will plan and manage the Downtown as a single and special entity and will take a proactive, comprehensive, integrated and collaborative approach towards providing services and infrastructure, delivering programs, and developing a supportive regulatory and financial environment.

Revitalization Design Guidelines - Objectives⁴

- 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; and
- Improve existing streets and sidewalks to promote alternative transportation.

Revitalization Design Guidelines - Downtown Considerations⁵

These guidelines apply specifically to the City Centre Revitalization DP area:

- Maintain and extend the traditional block pattern (e.g. 115m block pattern). Where extended blocks exist, locate public and/or private rights-of-way in a manner that reflects this traditional block pattern;
- Articulate the street façade in a vertical rhythm that is consistent with the traditional subdivision pattern (i.e., maintain the character of narrow buildings and storefronts through changing materials, patterns, reveals, setbacks, façade portions, or design elements to maintain façade widths);

¹ City of Kelowna OCP 2030, Development Process Chapter, Policy 5.25.3.

² City of Kelowna OCP 2030, Development Process Chapter, Policy 5.27.2.

³ City of Kelowna OCP 2030, Economic Development Chapter, Policy 8.9.2

⁴ City of Kelowna Official Community Plan, Urban Design DP Guidelines Chapter, p14.14.

⁵ City of Kelowna Official Community Plan, Urban Design DP Guidelines Chapter, p14.16.

- Incorporate a level of detailing that conveys a sense of craftsmanship consistent with the era in which original downtown buildings were built (i.e., incorporate architectural features such as quoins, traditional brick patterns, pediments, keystones, recessed entrances, etc.);
- Windows should be set back from the building face (as opposed to flush) and include headers and sills;
- Windows at street level should keep the sills low for displays of retail goods and for high visibility into interior spaces;
- Upper floor windows should have vertical proportions where the height is at a minimum, 1.5 times the width;
- Brick and cut stone are preferred building materials, where appropriate. Materials should emulate a range of colours found on prominent buildings located Downtown;
- Incorporate high quality signage utilizing traditional size, style, fonts and design. Prominent and colourful signage creating a rich visual character is encouraged, however, illuminated signs in fluorescent colours are discouraged.

6.0 Technical Comments

The application was circulated to pertinent departments and agencies along with the associated Development Permit. No comments or requirements were raised with respect the variances proposed.

7.0 Application Chronology

Date Application Received: September 28, 2011
Advisory Planning Commission: October 11, 2011
Revised drawings received: November 28, 2011

The above noted application was reviewed by the Advisory Planning Commission at the meeting on October 11, 2011 and the following recommendations were passed:

THAT the Advisory Planning Commission supports Development Variance Permit Application No. DVP11-0163 by Troika Developments Inc., to vary the setback for a portion of building above 15.0m from 3.0m to 0.0m abutting a street and from 4.0m to 0.0m abutting an adjacent property; To vary horizontal dimension of a building floorplate above 15.0m in height from 26.0 m to 36.5 m; To vary maximum diagonal dimension of a building floorplate above 15.0m in height from 39.0 m to 42.5 m.

THAT the Advisory Planning Commission supports Development Variance Permit Application No. DVP11-0163 by Troika Developments Inc., to vary the minimum loading space requirements from 2 required to 0 proposed.

APC Comment:

The Advisory Planning Commission supported the Development Variances and welcomed the addition to Leon Avenue which will help with the much needed office space in the Downtown core. Considering the minor nature of the variances proposed, this development is considered to be a good example of smart growth. The Advisory Planning Commission encourages the Applicant to work with staff to mitigate the visual impact of the side elevations

Report prepared by:



Luke Turri, Land Use Planner

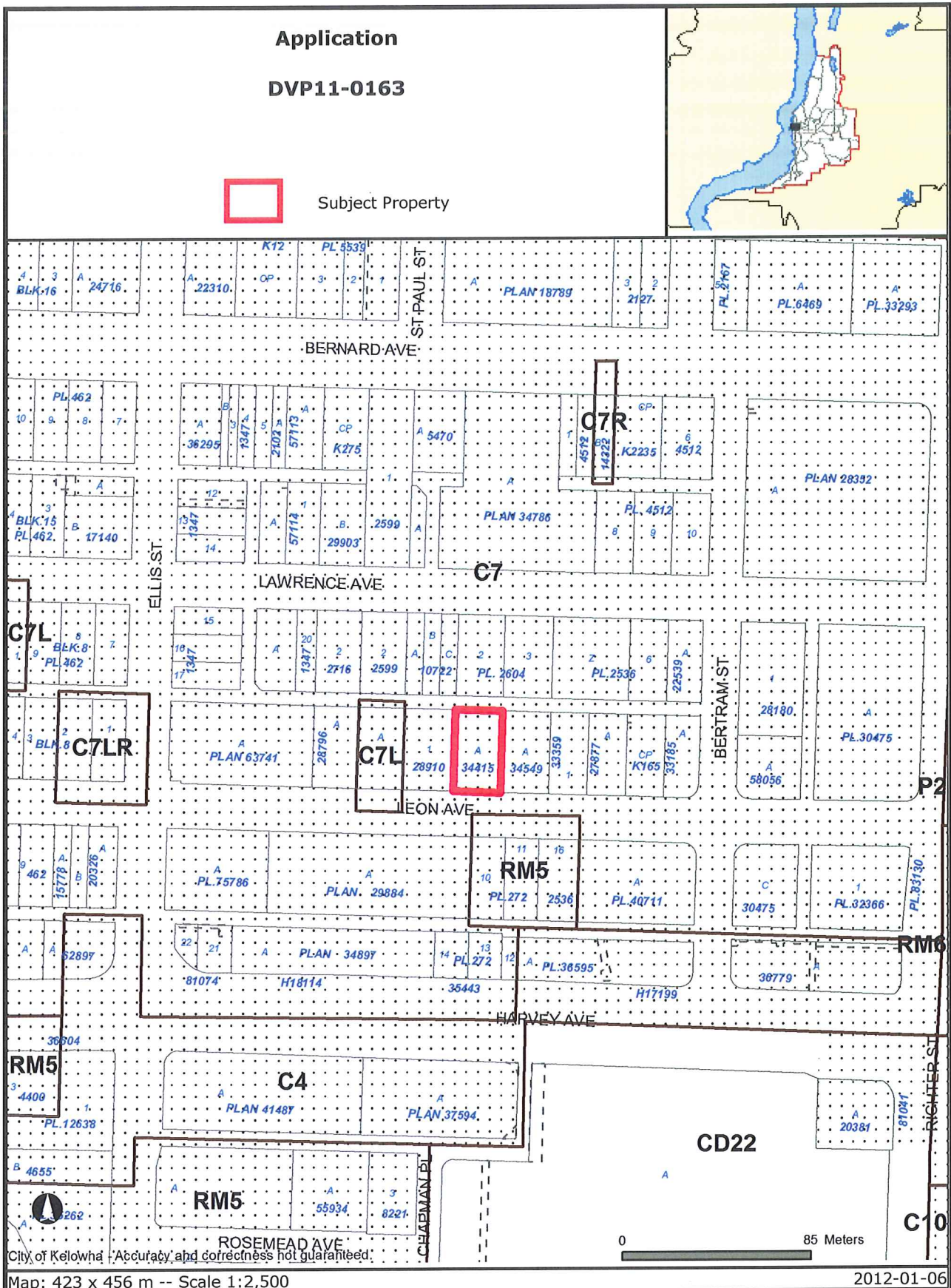
Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management

Attachments:

Site Plan
Conceptual Renderings and Building Info
Elevations
Floor Plans



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.

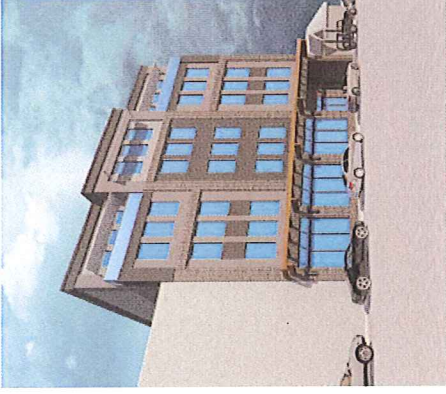
GENERAL NOTES:

- 1. ALL DRAWINGS SHALL BE PREPARED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL STANDARDS FOR ARCHITECTURAL DRAWINGS (ISO 9001), THE LATEST EDITIONS OF THE INTERNATIONAL STANDARDS FOR ARCHITECTURAL DRAWINGS (ISO 15924), AND THE LATEST EDITIONS OF THE INTERNATIONAL STANDARDS FOR ARCHITECTURAL DRAWINGS (ISO 15925).
- 2. IN THE CASE OF CONFLICTS, THE ARCHITECT'S DRAWINGS SHALL TAKE PRECEDENCE OVER ANY OTHER DOCUMENTS.
- 3. REFER TO MECHANICAL DRAWINGS FOR FINAL PLUMBING AND HANG LAYOUT AND SPECIFICATIONS.
- 4. REFER TO ELECTRICAL DRAWINGS FOR FINAL LIGHT, DASH, AND ILLUMINATION, PANEL LOCATIONS AND SPEC.
- 5. REFER TO MECHANICAL DRAWINGS FOR FINAL PLUMBING AND HANG LAYOUT AND SPECIFICATIONS.
- 6. REFER TO ELECTRICAL DRAWINGS FOR FINAL LIGHT, DASH, AND ILLUMINATION, PANEL LOCATIONS AND SPEC.
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- 10. REFER TO MECHANICAL DRAWINGS FOR FINAL PLUMBING AND HANG LAYOUT AND SPECIFICATIONS.
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- 13. REFER TO MECHANICAL DRAWINGS FOR FINAL PLUMBING AND HANG LAYOUT AND SPECIFICATIONS.
- 14. REFER TO MECHANICAL DRAWINGS FOR FINAL PLUMBING AND HANG LAYOUT AND SPECIFICATIONS.
- 15. REFER TO MECHANICAL DRAWINGS FOR FINAL PLUMBING AND HANG LAYOUT AND SPECIFICATIONS.

BUILDING CODE ANALYSIS:

- 1. OCCUPANCY CLASSIFICATION: COMMERCIAL
- 2. BUILDING HEIGHT: 4 STORIES
- 3. CODE AND COMPLIANCE REQUIREMENTS: 2015 IBC
- 4. CONSTRUCTION REQUIREMENTS: TYPE V
- 5. FIRE ALARM AND DETECTION SYSTEM: NONE
- 6. SPRINKLER AND SMOKE DETECTION SYSTEM: NONE
- 7. EMERGENCY LIGHTING AND POWER REQUIREMENTS: NONE
- 8. REQUIREMENTS FOR PERSONS WITH DISABILITIES: NONE

STREET ELEVATION:



NOTES:
 1. ALL DRAWINGS SHALL BE PREPARED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL STANDARDS FOR ARCHITECTURAL DRAWINGS (ISO 9001), THE LATEST EDITIONS OF THE INTERNATIONAL STANDARDS FOR ARCHITECTURAL DRAWINGS (ISO 15924), AND THE LATEST EDITIONS OF THE INTERNATIONAL STANDARDS FOR ARCHITECTURAL DRAWINGS (ISO 15925).

- NOT COMPLETE: Revision not for review
- A CONTROLLED DOCUMENT: Revision with consent
- This is the final of the document
- Approved by the client/owner
- Approved by the architect
- Approved by the contractor
- Approved by the manufacturer
- Other comments

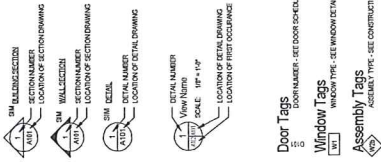
CONSULTANTS:

- ARCHITECTURE: NEW TOWN ARCHITECTURE, 1430 PANDORY STREET, SUITE 200, WASHINGTON, DC 20004, TEL: (202) 833-1314, FAX: (202) 833-1315
- STRUCTURAL: [Blank]
- Mechanical: [Blank]
- Electrical: [Blank]
- TEL: (202) [Blank]
- FAX: (202) [Blank]

DRAWING INDEX:

- CONTRACT: [Blank]
- CONTRACT NUMBER: [Blank]
- PROJECT NAME: [Blank]
- PROJECT ADDRESS: [Blank]
- ELEVATION: NORTH AND WEST
- DATE: [Blank]
- SCALE: 1/8" = 1'-0"
- CONTRACTOR: [Blank]
- ARCHITECT: [Blank]
- DATE: [Blank]
- SCALE: 1/8" = 1'-0"
- CONTRACTOR: [Blank]
- ARCHITECT: [Blank]
- DATE: [Blank]

SYMBOL LEGEND:



BUILDING STATISTICS:

Address: 554 Lott Street, Andrews, B.C., C.A., U.S. 121, 10110 Pm 34110 Twp 24

Zone (Current): Commercial

Zone (Proposed): Commercial

Permitted Use: Commercial

Site Area: 7,297 sq ft

Min Lot Area: 200 sq ft

Site Coverage: Maximum 100% up to 15m (Building Footprint)

Floor Area @ 15m (Proposed Building): 1.5 x 100m = 150,000 sq ft

Height: 44.00 m

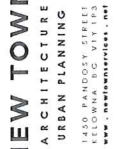
Plumbing Fixtures: 50

Site Footing: 40% area small cut

Category	Count	Area (sq ft)
Garage	2	10,000
Office	50	150,000
Storage	50	150,000
Other	1	10,000
Total	103	320,000

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Office	50	150,000
Storage	50	150,000
Other	1	10,000
Total	103	320,000

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Garage	2	10,000
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Other	1	10,000
Total	103	320,000



COVER SHEET

Project No: 2214

Project Site: 554 Lott Ave

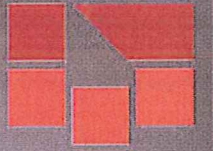
Sheet No: PS

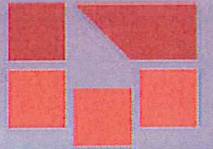
Scale: As indicated

Date: JB

Author: PS

Project Name: DP0.01

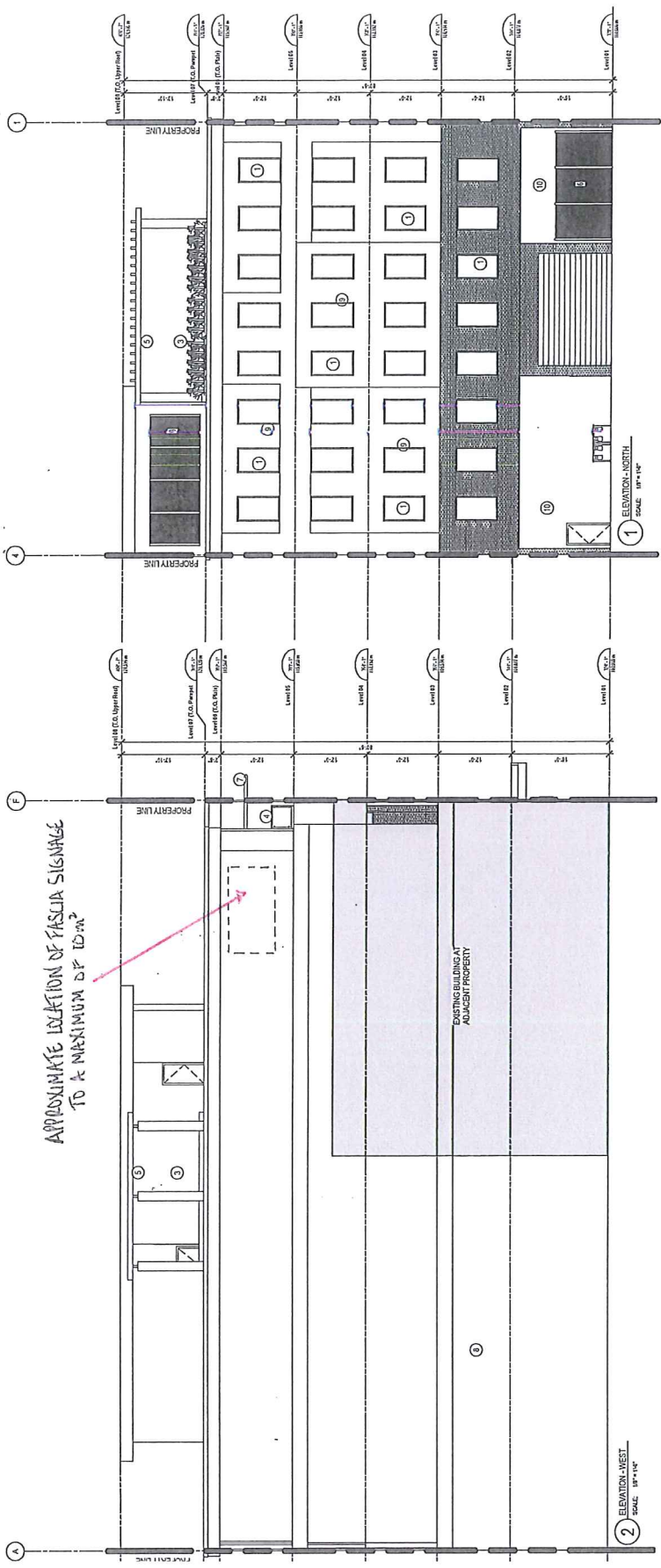




SCHEDULE "A"
 This forms part of development
 Permit # **DVPII-0163**

NOTES:
 1. All work shall be in accordance with the City of Atlanta Code, Ordinance 20-10, and all applicable codes and regulations.
 2. The applicant shall be responsible for obtaining all necessary permits from the appropriate agencies.
 3. The applicant shall be responsible for providing all necessary information and documentation to the City of Atlanta.
 4. The applicant shall be responsible for providing all necessary information and documentation to the City of Atlanta.
 5. The applicant shall be responsible for providing all necessary information and documentation to the City of Atlanta.

- LEGEND:**
- NOT TO BE CONSTRUCTED
 - TO BE CONSTRUCTED
 - TO BE DEMOLISHED
 - TO BE MAINTAINED
 - TO BE REPAIRED
 - TO BE REPLACED
 - TO BE REMOVED
 - TO BE RESTORED
 - TO BE REWORKED
 - TO BE REFINISHED
 - TO BE REFINISHED AND PAINTED
 - TO BE REFINISHED AND PAINTED WITH A DIFFERENT COLOR
 - TO BE REFINISHED AND PAINTED WITH A DIFFERENT FINISH
 - TO BE REFINISHED AND PAINTED WITH A DIFFERENT MATERIAL
 - TO BE REFINISHED AND PAINTED WITH A DIFFERENT COLOR AND FINISH
 - TO BE REFINISHED AND PAINTED WITH A DIFFERENT COLOR AND MATERIAL
 - TO BE REFINISHED AND PAINTED WITH A DIFFERENT COLOR AND FINISH AND MATERIAL



- MATERIALS LEGEND:**
- ① CLEAR GLASS
 - ② HAND PANELS
 - ③ GUARDRAIL WITH PICKETS
 - ④ GUARDRAIL WITH GLASS PANEL
 - ⑤ WOOD POST, BEAM AND/OR TRELIS
 - ⑥ CHAIN LINK
 - ⑦ SOLAR SHADE
 - ⑧ STUCCO WALL
 - ⑨ ALUMINUM WINDOW FRAMES
 - ⑩ PAINTED CONCRETE

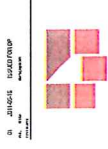
NEW TOWN
 ARCHITECTURE
 URBAN PLANNING
 1105 PARKWAY, SUITE 1100
 ALPHARETTA, GA 31707
 www.newtownplanning.com
 Project Size: 554,000 sq. ft.

Project No.	2214
Client	DEVELOPERS - NORTH AND WEST
Architect	NEW TOWN ARCHITECTURE
Scale	1/8" = 1'-0"
Drawn By	DP3.02
Checked By	
Date	02/01/2024

SCHEDULE "A"
 This forms part of development
 Permit # DP11-0163

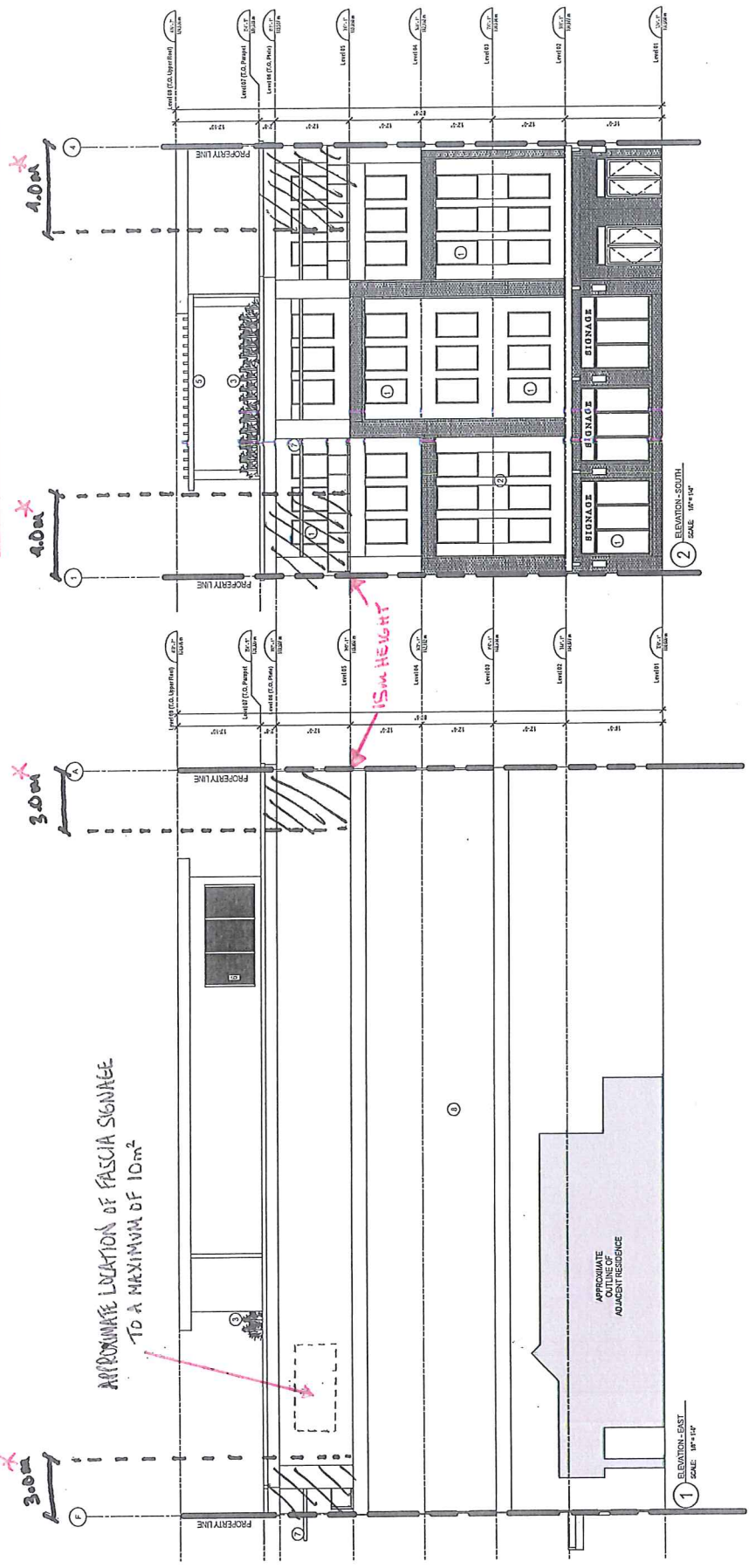
NOTES:
 1. The owner shall be responsible for obtaining all necessary permits from the relevant authorities.
 2. The architect shall be responsible for the design and construction of the building.
 3. The contractor shall be responsible for the construction of the building.
 4. The owner shall be responsible for the payment of all costs associated with the development.
 5. The architect shall be responsible for the preparation of all drawings and specifications.
 6. The contractor shall be responsible for the execution of all work in accordance with the drawings and specifications.
 7. The owner shall be responsible for the completion of all work in accordance with the drawings and specifications.
 8. The architect shall be responsible for the supervision of the construction of the building.
 9. The contractor shall be responsible for the maintenance of the building during the construction period.
 10. The owner shall be responsible for the completion of all work in accordance with the drawings and specifications.

THIS DOCUMENT IS:
 1. NOT A CONTRACT. It is intended to be used as a guide only.
 2. A CONTRACT DOCUMENT. It is intended to be used as a guide only.
 3. THE FINAL DESIGN OF THE PROJECT.
 4. A CONTRACT DOCUMENT. It is intended to be used as a guide only.
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NEW TOWN
 ARCHITECTURE
 ARCHITECTURE
 URBAN PLANNING
 1100 PANDORF STREET
 ALEXANDRIA, VA 22304
 WWW.NEWTOWNARCHITECTURE.COM
 Project No. 554 Leon Ave

Project No. 3214
 ELEVATIONS - SOUTH AND EAST
 Designer: JWP
 Author: JWP
 Checker: JWP
 Date: 10/12/11
 DP3.01
 10/12/11



- MATERIALS LEGEND:**
- 1 CLEAN GLASS
 - 2 HARI PANELS
 - 3 CURVED WITH PICKETS
 - 4 CURVED WITH CLASS PANEL
 - 5 WOOD POST, BEAM AND/OR TRELLIS
 - 6 CHAIR LUNG
 - 7 SOLAR SHADE
 - 8 STUCCO WALL
 - 9 ALUMINUM WINDOW FRAMES
 - 10 PAINTED CONCRETE

* VALANCES REQUIRED TO SETBACK OF BUILDING ABOVE 15.0m IN HEIGHT FROM ADJACENT PROPERTY LINES

1 ELEVATION - EAST
 SCALE: 1/8" = 1'-0"

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

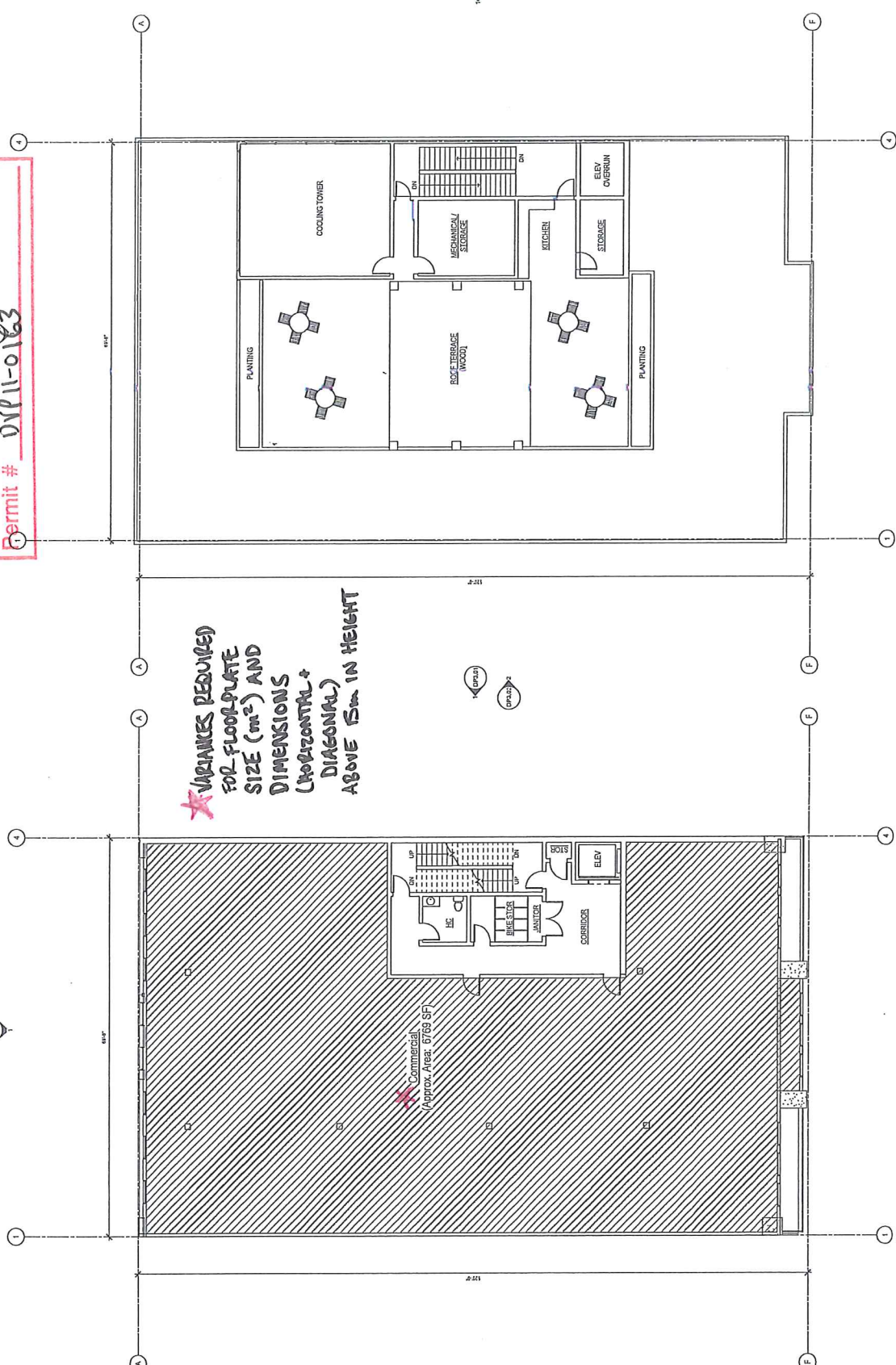
SCHEDULE "A"
 This forms part of development
 Permit # **DY11-0163**

NOTES:
 1. All work shall be in accordance with the provisions of the City of Toronto Building Code, 1997, as amended, and the Ontario Building Code, 1997, as amended.
 2. The contractor shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
 3. The contractor shall be responsible for ensuring that all work is completed in accordance with the approved plans and specifications.
 4. The contractor shall be responsible for ensuring that all work is completed in accordance with the approved plans and specifications.
 5. The contractor shall be responsible for ensuring that all work is completed in accordance with the approved plans and specifications.

- BY DOCUMENT:**
- 1.01 CONTRACT DOCUMENTS AND BY-LAWS
 - 1.02 REGULATIONS
 - 1.03 APPROVED DEVELOPMENT PLAN
 - 1.04 THE POLICE ACT
 - 1.05 THE FIRE PREVENTION ACT
 - 1.06 THE OCCUPANCY ACT
 - 1.07 THE CONSTRUCTION ACT
 - 1.08 THE CONSTRUCTION AMENDMENT ACT
 - 1.09 THE CONSTRUCTION AMENDMENT ACT
 - 1.10 THE CONSTRUCTION AMENDMENT ACT

NEW TOWN
 ARCHITECTURE
 URBAN PLANNING
 1400 WILSON AVENUE
 SUITE 1000
 MISSISSAUGA, ONTARIO L4X 1L3
 TEL: (905) 277-1111
 WWW.NEWTOWNARCHITECTURE.COM

PROJECT NO.	2214
PROJECT NAME	Phase 1-15 and Terrace
DATE	10/11/11
DESIGNER	Author
CHECKER	Checker
DATE	10/11/11



***VIOLATES REQUIRED FOR FLOORPLATE SIZE (m²) AND DIMENSIONS (HORIZONTAL + DIAGONAL) ABOVE 15m IN HEIGHT**

***Commercial (Approx. Area: 5789 SF)**

2 **LEVEL 2 - RETAIL**
 SCALE: 1/8" = 1'-0"

1 **LEVEL 1 - COMMERCIAL**
 SCALE: 1/8" = 1'-0"

SCHEDULE "A"
 This forms part of development
 Permit # **DNP11-0163**

VARIANCE REQUESTED TO ELIMINATE LOADING SPACE REQUIREMENT (2)

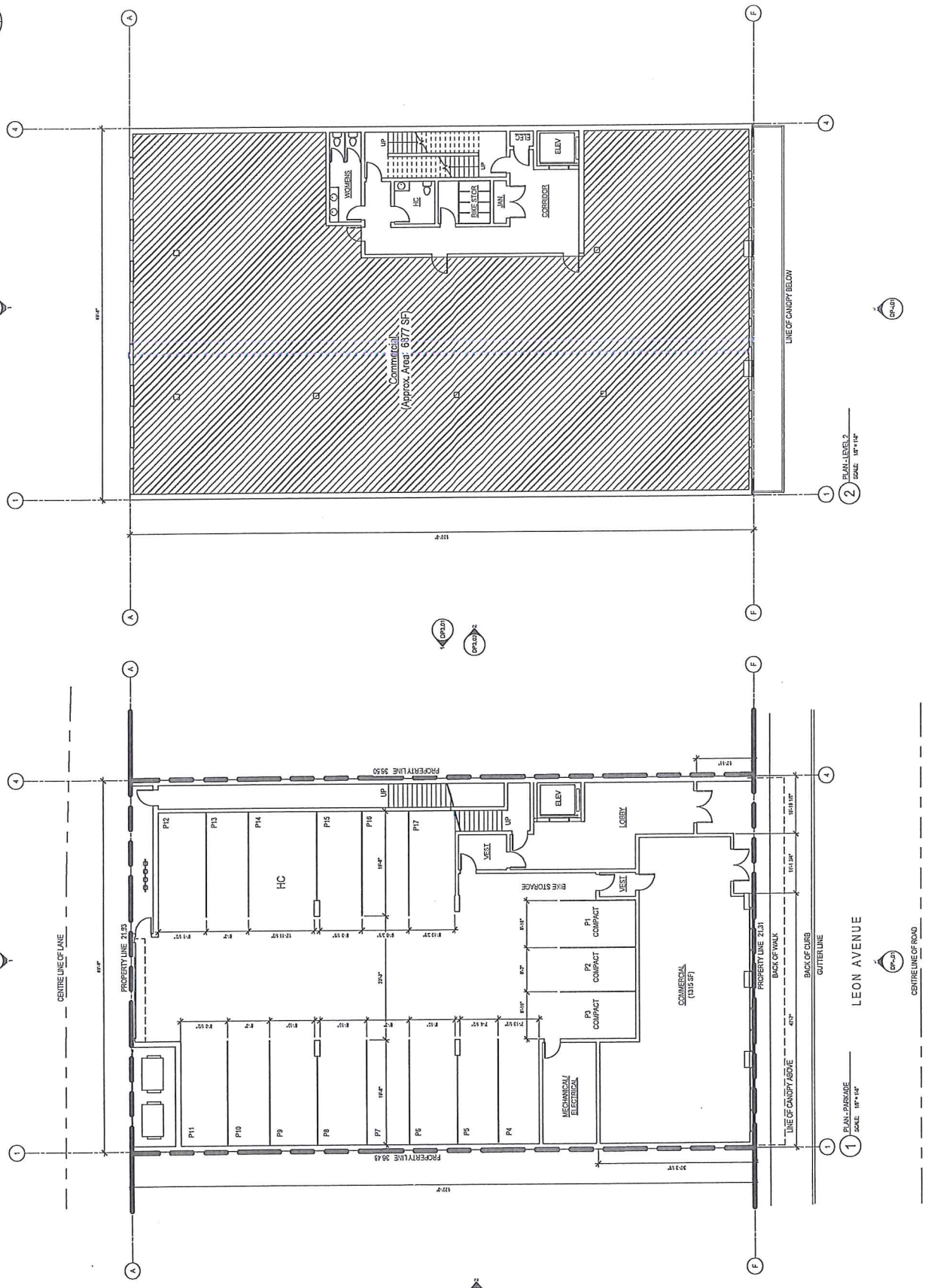
Notes:
 1. All dimensions are in feet and inches, unless otherwise noted.
 2. All dimensions are to the centerline of the road, unless otherwise noted.
 3. All dimensions are to the centerline of the lot, unless otherwise noted.
 4. All dimensions are to the centerline of the building, unless otherwise noted.
 5. All dimensions are to the centerline of the parking space, unless otherwise noted.
 6. All dimensions are to the centerline of the driveway, unless otherwise noted.
 7. All dimensions are to the centerline of the sidewalk, unless otherwise noted.
 8. All dimensions are to the centerline of the gutter, unless otherwise noted.
 9. All dimensions are to the centerline of the curb, unless otherwise noted.
 10. All dimensions are to the centerline of the building, unless otherwise noted.

- Site Accommodated:**
- 1. All dimensions are in feet and inches, unless otherwise noted.
 - 2. All dimensions are to the centerline of the road, unless otherwise noted.
 - 3. All dimensions are to the centerline of the lot, unless otherwise noted.
 - 4. All dimensions are to the centerline of the building, unless otherwise noted.
 - 5. All dimensions are to the centerline of the parking space, unless otherwise noted.
 - 6. All dimensions are to the centerline of the driveway, unless otherwise noted.
 - 7. All dimensions are to the centerline of the sidewalk, unless otherwise noted.
 - 8. All dimensions are to the centerline of the gutter, unless otherwise noted.
 - 9. All dimensions are to the centerline of the curb, unless otherwise noted.
 - 10. All dimensions are to the centerline of the building, unless otherwise noted.

NEW TOWN ARCHITECTURE URBAN PLANNING
 11405 PARKWAY STREET
 FLEETWOOD, SC 29516
 www.newtownarchitecture.com

Project No: 5541 Leon Ave

Project No.	3214
Project Name	PLANS - PARKADE AND L2
Scale	1/8" = 1'-0"
Sheet No.	PS
Sheet Title	DP2.01
Scale	1/8" = 1'-0"



1 PLAN - PARKADE
 SCALE: 1/8" = 1'-0"

2 PLAN - LEVEL 2
 SCALE: 1/8" = 1'-0"

SCHEDULE "A"
 This forms part of development
 Permit # **DVPI1-0163**

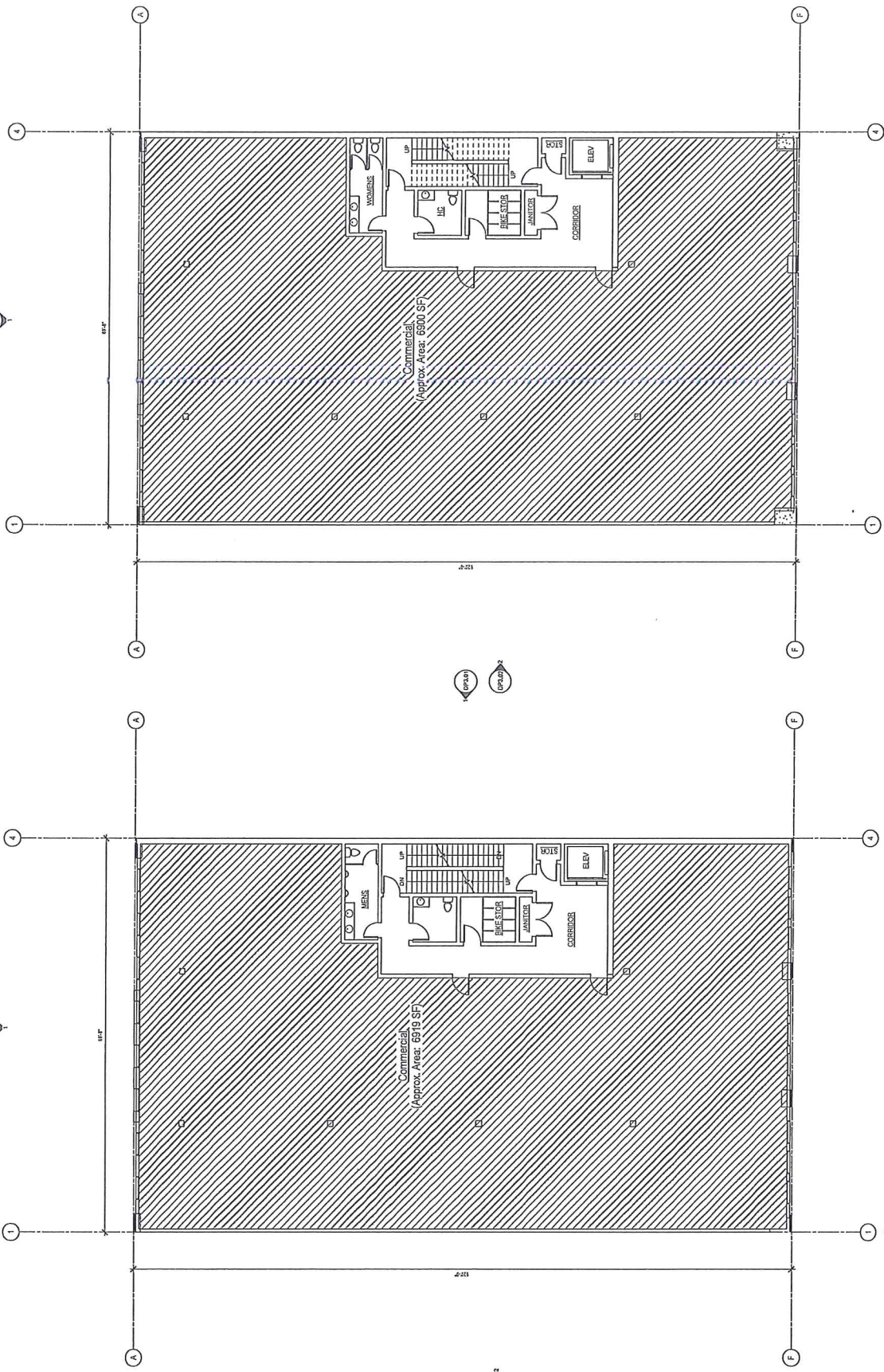
Notes:
 1. All work shall be done in accordance with the approved plans and specifications.
 2. The contractor shall be responsible for obtaining all necessary permits.
 3. The contractor shall maintain access to all adjacent properties at all times.
 4. The contractor shall be responsible for the safety of all workers and the public.
 5. The contractor shall be responsible for the protection of all existing utilities.
 6. The contractor shall be responsible for the removal of all debris.
 7. The contractor shall be responsible for the cleanup of all materials.
 8. The contractor shall be responsible for the completion of all work within the specified time frame.
 9. The contractor shall be responsible for the payment of all bills.
 10. The contractor shall be responsible for the maintenance of all records.

- THE DOCUMENTS:**
- THE PERMIT
 - THE PLANS
 - THE SPECIFICATIONS
 - THE SCHEDULE
 - THE CONTRACT
 - THE AGREEMENT
 - THE ORDER
 - THE RECEIPT
 - THE CERTIFICATE
 - THE LICENSE
 - THE REGISTRATION
 - THE INSURANCE
 - THE BOND
 - THE TAXES
 - THE FEES
 - THE PENALTIES
 - THE FINES
 - THE PROSECUTIONS
 - THE JUDICIAL DECISIONS
 - THE LEGAL OPINIONS
 - THE COURT ORDERS
 - THE EXECUTIVE ORDERS
 - THE ADMINISTRATIVE DECISIONS
 - THE REGULATIONS
 - THE BY-LAWS
 - THE CHARTERS
 - THE STATUTES
 - THE ACTS
 - THE ORDINANCES
 - THE RESOLUTIONS
 - THE MEMORANDUMS
 - THE MINUTES
 - THE RECORDS
 - THE ARCHIVES
 - THE LIBRARY
 - THE COLLECTIONS
 - THE MANUSCRIPTS
 - THE PRINTS
 - THE BOOKS
 - THE PAPERS
 - THE LETTERS
 - THE CARDS
 - THE SLIDES
 - THE FILMS
 - THE TAPES
 - THE DISKS
 - THE CD-ROMS
 - THE DVD-ROMS
 - THE BLUEPRINTS
 - THE DRAWINGS
 - THE MODELS
 - THE SAMPLES
 - THE TESTS
 - THE REPORTS
 - THE RECORDS
 - THE ARCHIVES
 - THE LIBRARY
 - THE COLLECTIONS
 - THE MANUSCRIPTS
 - THE PRINTS
 - THE BOOKS
 - THE PAPERS
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 - THE SLIDES
 - THE FILMS
 - THE TAPES
 - THE DISKS
 - THE CD-ROMS
 - THE DVD-ROMS
 - THE BLUEPRINTS
 - THE DRAWINGS
 - THE MODELS
 - THE SAMPLES
 - THE TESTS
 - THE REPORTS

NEW TOWN ARCHITECTURE URBAN PLANNING
 PROJECT: 5541 LOCH AFB
 PROJECT NO: 2014
 DRAWING NO: PLANS-1314
 SCALE: 1/8" = 1'-0"

DESIGNER	DATE
CHECKER	DATE
DATE	DATE

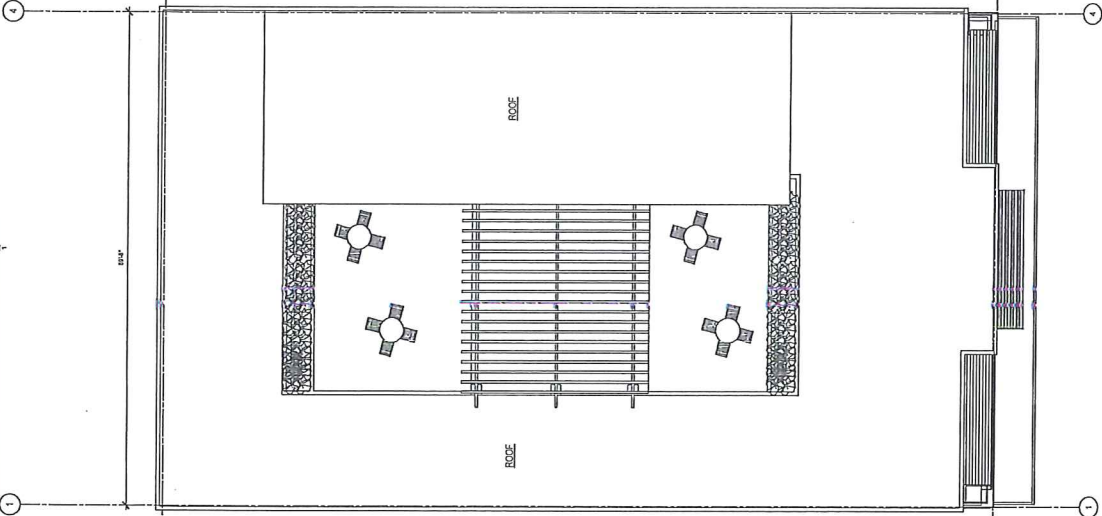
DP2.02



2 PLAN-LEVEL 1
 SCALE: 1/8" = 1'-0"

1 PLAN-LEVEL 3
 SCALE: 1/8" = 1'-0"

SCHEDULE A
 This forms part of development
 Permit # **DIP11-0163**



2 EVAN-ROOF
 SCALE: 1/8" = 1'-0"



NOTES:
 1. See the General Notes on the title page for a complete list of specifications and standards.
 2. The contractor shall be responsible for obtaining all necessary permits and approvals.
 3. All dimensions are in feet and inches (Ft x In).
 4. All dimensions are to be taken to the center of the member unless otherwise noted.
 5. All materials shall be of the highest quality and shall conform to the specifications and standards.
 6. The contractor shall be responsible for coordinating with all other trades and agencies.
 7. The contractor shall be responsible for maintaining accurate records of all work performed.
 8. The contractor shall be responsible for ensuring that all work is completed in accordance with the specifications and standards.
 9. The contractor shall be responsible for ensuring that all work is completed within the specified time frame.
 10. The contractor shall be responsible for ensuring that all work is completed within the specified budget.

- THE DOCUMENT IS:**
- 1. A SET OF DRAWINGS AND SPECIFICATIONS TO BE USED FOR CONSTRUCTION.
 - 2. A CONTRACT DOCUMENT.
 - 3. A DOCUMENT WHICH IS TO BE USED TO OBTAIN A PERMIT FROM THE CITY OF NEW TOWN.
- THE DESIGN OF THE DRAWING:**
- 4. An original design.
 - 5. A design based on information provided by the client.
 - 6. A design based on information provided by the client and other sources.
 - 7. A design based on information provided by the client and other sources, and based on the designer's own research.
 - 8. A design based on information provided by the client and other sources, and based on the designer's own research, and based on the designer's own research.
 - 9. A design based on information provided by the client and other sources, and based on the designer's own research, and based on the designer's own research, and based on the designer's own research.

NEW TOWN ARCHITECTURE URBAN PLANNING



NEW TOWN
 ARCHITECTURE
 URBAN PLANNING

1115 BRIDGE STREET
 KILGORE, NC 27524
 www.newtownarchitecture.com

PROJECT NO: 554 Leon Ave

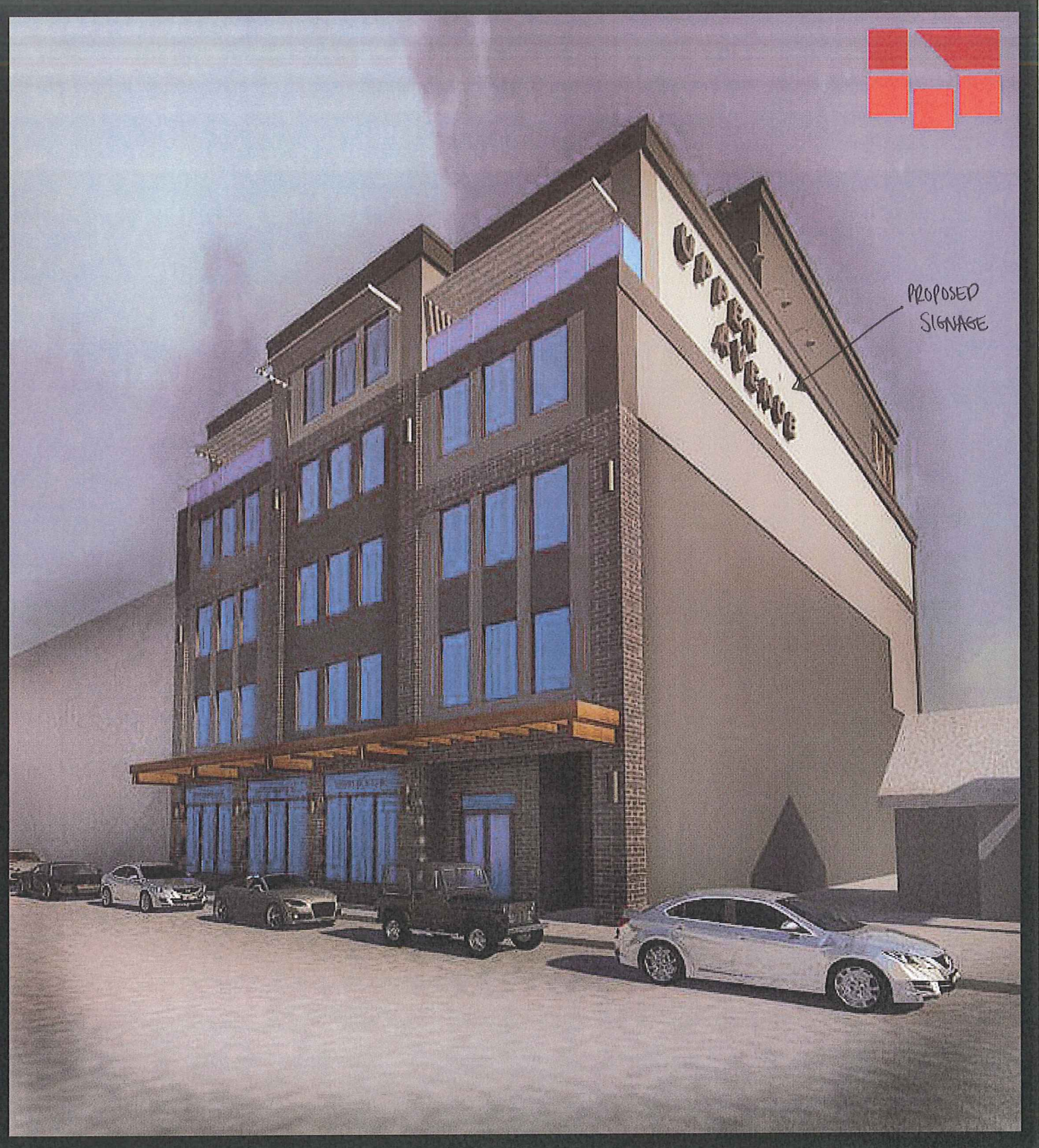
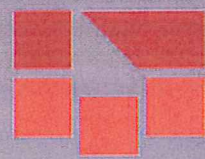
PROJECT NO: 2014

DESIGNED BY: PLAN ROOF

DATE: 05/14/14
 DRAWN BY: JH
 CHECKED BY: JH

DP2.04

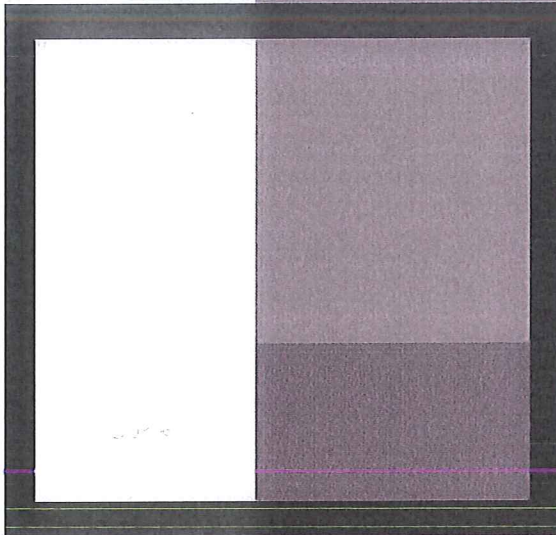
SCALE: 1/8" = 1'-0"



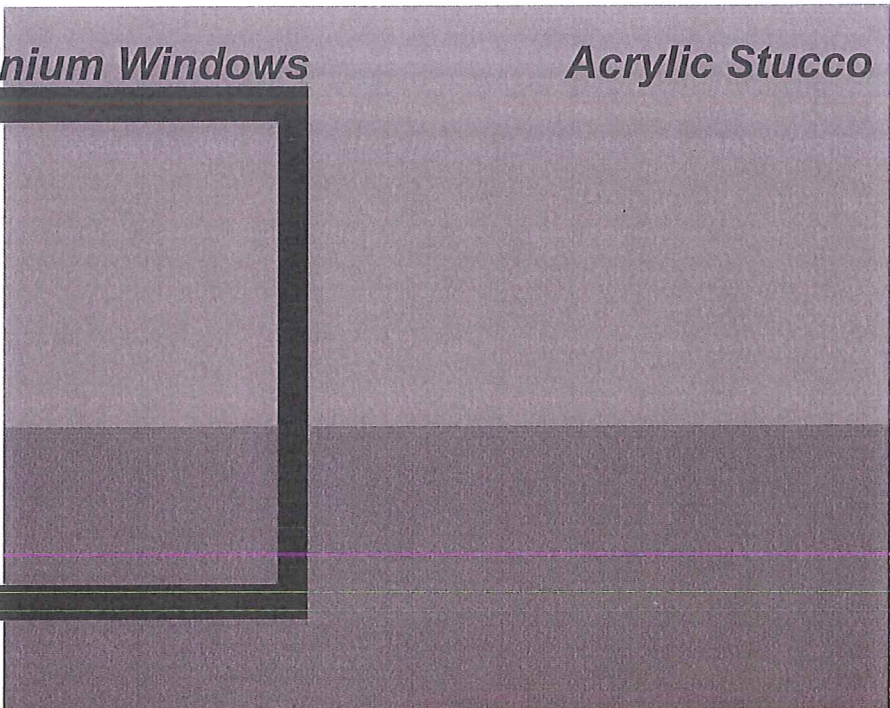
PROPOSED
SIGNAGE

SCHEDULE A
This forms part of development
Permit # DVP11-0163

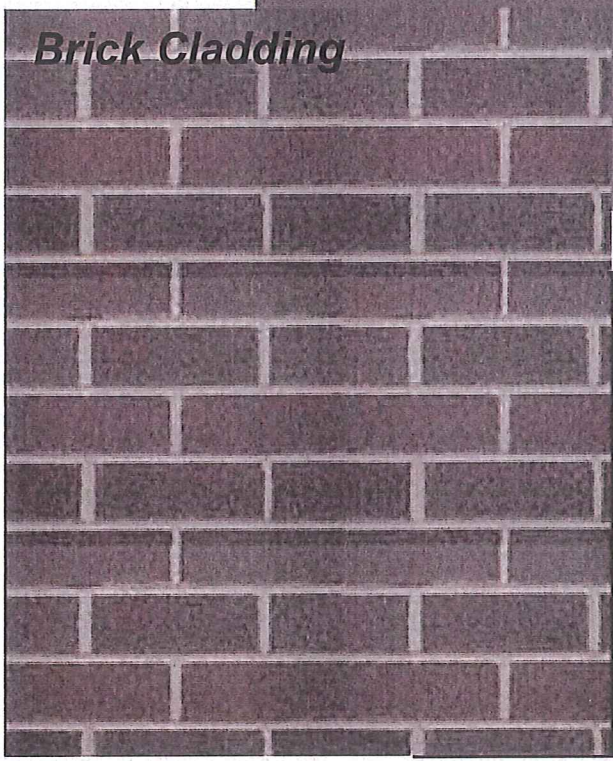
Aluminium Windows



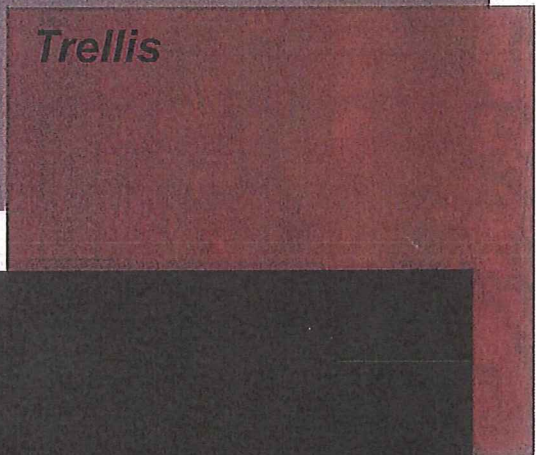
Acrylic Stucco



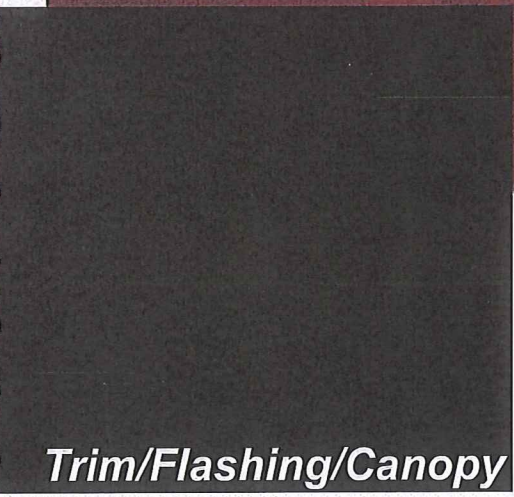
Brick Cladding



Trellis



Trim/Flashing/Canopy



TROIKA COMMERCIAL BUILDING

554 LEON AVENUE

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

Development Variance Permit No.: DVP11-0163

EXISTING ZONING DESIGNATION:	C7 - Central Business Commercial
DEVELOPMENT VARIANCE:	To vary C7 development regulations for building setback, floorplate size, and floorplate dimensions. To vary loading space requirements. To vary signage regulations for side elevation fascia signs.

ISSUED TO:	Troika Developments
LOCATION OF SUBJECT SITE:	554 Leon Avenue

	LOT	DISTRICT LOT	TOWNSHIP	DIV & DIST	PLAN
LEGAL DESCRIPTION:	A	139	26	ODYD	34415

SCOPE OF APPROVAL

- This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.
- This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.
- Applicants for Development and Development Variance Permit should be aware that the issuance of a Permit limits the applicant to be in strict compliance with regulations of the Zoning Bylaw or Subdivision Control Bylaw unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which may not have been identified as required Variances by the applicant or City staff.

1. TERMS AND CONDITIONS:

- a) THAT variances to the following section of Zoning Bylaw No. 8000 are granted as per Schedule "A":

Section 14.7.5 (e) (f) (h) (i) (j) - (C7 Development Regulations)

To vary minimum setback for a portion of a building above 15.0m adjacent to a street from 3.0m permitted to 0.0m proposed.

To vary the minimum setback for a portion of a building above 15.0m adjacent to an interior property line from 4.0m required to 0.0m proposed.

To vary the maximum floor plate above 15.0m in height from 676m² permitted to 753m² proposed.

To vary the maximum exterior horizontal dimension for a portion of a building above 15.0m in height from 26.0m allowed to 36.5m proposed.

To vary the maximum diagonal floor plate dimension above 15.0m from 39.0 allowed to 42.5m proposed.

Section 8 - Table 8.2 (Loading Schedule)

To vary the minimum loading space requirements from 2 required to 0 proposed.

AND THAT variances to the following sections of Sign Bylaw No. 8235 be granted, as per Schedule "A":

Section 5.5.2 (Fascia Signs)

To allow a fascia sign on a wall that is not a business frontage.

2. **PERFORMANCE SECURITY:**

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permittee, or should the Permittee carry out the development Permitted by this Permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly:

- (a) Cash in the amount of \$ N/A .
- (b) A Certified Cheque in the amount of \$ N/A .
- (c) An Irrevocable Letter of Credit in the amount of \$ N/A .

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

3. **DEVELOPMENT:**

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.

If the Permittee does not commence the development Permitted by this Permit within one year of the date of this Permit, this Permit shall lapse.

This Permit is not transferrable unless specifically Permitted by the Municipality. The authorization to transfer the Permit shall, if deemed acceptable, be granted by Council resolution.

THIS Permit IS NOT A BUILDING Permit.

4. **APPLICANT'S AGREEMENT:**

I hereby declare that all the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to save harmless and effectually indemnify the Municipality against:

- (a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality granting to me the said Permit.
- (b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

I further covenant and agree that should I be granted a Development Permit or Development Variance Permit, the Municipality may withhold the granting of any occupancy Permit for the occupancy and/or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and the Director of Land Use Management.

Should there be any change in ownership or legal description of the property, I undertake to notify the Land Use Management Department immediately to avoid any unnecessary delay in processing the application.

I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.

Signature of Owner/Authorized Agent

Date

Print Name in Bold Letters

Telephone No.

5. APPROVALS:

AUTHORIZING RESOLUTION PASSED BY MUNICIPAL COUNCIL THE @ OF @, 20@@.

ISSUED BY THE LAND USE MANAGEMENT DEPARTMENT OF THE CITY OF KELOWNA THE @ DAY OF @, 20@@, BY THE DIRECTOR OF LAND USE MANAGEMENT.

Shelley Gambacort
Director of Land Use Management

