
CITY OF KELOWNA
MEMORANDUM

Date: January 8, 2001
File No.: (3060-20) **DP00-10,020**

To: City Manager

From: Planning & Development Services Department

Subject:
DEVELOPMENT PERMIT APPLICATION OWNER: AL STOBER
NO. DP00-10,020 CONSTRUCTION LTD

AT: HARVEY AVENUE & DICKSON AVENUE APPLICANT: WATER STREET
ARCHITECTURE
(DOUG LANE)

PURPOSE: TO SEEK A DEVELOPMENT PERMIT FOR PERMISSION TO
CONSTRUCT THE FIRST PHASE OF A HIGH TECH BUSINESS
CAMPUS

EXISTING ZONE: C10 – SERVICE COMMERCIAL

PROPOSED ZONE: CD 14 – COMPREHENSIVE HIGH TECH BUSINESS CAMPUS

REPORT PREPARED BY: PAUL McVEY

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Final Adoption of Zone Amending Bylaw No. 8610 be considered by the Municipal Council;

AND THAT Municipal Council authorize the issuance of Development Permit No. DP00-10,020; for Lot A, D.L. 129, O.D.Y.D., Plan 2742, located on Harvey Avenue and Dickson Avenue, Kelowna, B.C., subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";

4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

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

2.0 SUMMARY

The applicant has made application to rezone the subject property from the C10 – Service Commercial zone to the CD14 – Comprehensive High Tech Business Campus zone in order to create a campus style development to serve “high tech” and “knowledge based” businesses. The subject property is located between the Downtown Urban town Centre and the Springfield and Highway 97 Urban Town Centres. As part of the development proposal, the applicant has also requested that the setback from Highway 97 be reduced to 4.5 m. This setback is consistent with the minimum permitted setback of 4.5 m permitted in Urban Town Centres.

The development of the subject property is anticipated to take place in two phases. Phase One of the development application is designed to consist of a 6 storey, 6,582 m² office building and related parking areas. The building is proposed to be designed to accommodate “high tech” and “knowledge based” businesses. The development site comprises approximately 1.47 hectares of the subject property located north of the proposed extension of Dickson Avenue, and does not include the triangular portion south of the Dickson Avenue extension. Phase One includes the development of the perimeter landscaping, the entire proposed surface parking, and the below grade parking for 43 vehicles located within the parking lot adjacent to Harvey Avenue.

The proposed site plan indicates the proposed parking structure associated with the phase two building being located 4.5 m from the new property line adjacent to Harvey Avenue (Highway 97), where section 6.10.1 **Setback from Provincial Highways** requires a minimum setback of 15 m. The Development Variance Permit application has been forwarded to Council separately from the Development Permit, to be considered concurrently with the final adoption of the zone amending bylaw.

Phase Two of the proposed development is proposed as a 4 storey, 4,388 m² office building constructed over a below grade parking structure for an additional 79 vehicles. The building is also intended primarily for “high tech” and “knowledge based” land uses. The applicants have not prepared detailed designs at this time for Phase Two, but have made an application for a variance to the setback requirements from a Provincial Highway from the 15 m setback required from Provincial Highways to a minimum of 4.5 m proposed for all buildings fronting Harvey Avenue (Highway 97). The Development Variance Permit application has been circulated separately from the Development Permit application.

The above noted applications also include a subdivision application that proposes to realign the existing east-side lot line to improve the configuration of the subject property in relation to the proposed development and to dedicate the extension of Dickson Avenue.

The outstanding issues identified at the time of Council’s consideration have been addressed to the satisfaction of the Planning and Development Services Department. The applicant has executed a servicing agreement and has provided the appropriate

security. The applicant has also supplied a letter outlining the sequence in which the existing uses on the subject property will be decommissioned to the satisfaction of the Planning and Development Services Department.

2.1 Advisory Planning Commission

The above-noted application was reviewed by the Advisory Planning Commission at the meeting of April 11, 2000 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Application No. DP00-10,020 by Water Street Architecture (Doug Lane), 1621 Harvey Avenue and that the landscaping or treatment of the kind designated for future phases be maintained in an aesthetically pleasing manner.

Note; The development plans reviewed by the APC were for the original proposal which was for several buildings. These plans have been revised to proposed only two buildings. The phase one building is located in the approximate centre of the site.

3.0 BACKGROUND

3.1 The Proposal

The subject property is located north of Dickson Avenue and south of Harvey Avenue (Highway 97), adjacent to the north end of Dayton Street. The applicant proposes to develop the property to accommodate “high tech” and “knowledge based” businesses, in two phases, and is proposed to be named the “Landmark Corporate Campus”. The portion of the subject property which is located north of the proposed extension of Dickson Avenue is under application for rezoning to the CD14 – Comprehensive High Tech Business Campus zone. However, at this time, the applicant only intends to proceed with construction of Phase One of the proposal and the installation of the landscaping and sidewalk treatment shown in Phase Two where the subject property abuts Harvey Avenue (Highway 97).

The concept of a “High Tech Business Campus” is quite unique in terms of existing zones and permitted uses identified in the City of Kelowna Zoning Bylaw No. 8000. At the time that this application was presented to the Advisory Planning Commission for review, the application for rezoning was proceeding on the basis of using the C3 – Community Commercial zone with a number of text amendments and variances to accommodate the proposed site development. Since that time, the applicant and City staff have reviewed the application with a view that the use of a Comprehensive Development zone for the site would be a more appropriate means of dealing with the proposed development.

The applicant has consulted with City staff to review the proposed CD14 – Comprehensive High Tech Business Campus zone. The resulting CD zone combines a substantial number of the permitted uses of the C3 zone as secondary uses plus the addition of the High Technology Research and Product Design as the principal use in the zone, while permitting increased building height for Phase One that would have otherwise have to be addressed through a Development Variance Permit application.

The proposed development site is approximately 1.47 ha in area, and is located north of the proposed extension of Dickson Avenue. One 6 storey building, approximately 6,582 m² (GFA) in size, is proposed for Phase One and is positioned near the centre of the Dickson Avenue frontage. The proposal also includes a Phase Two building that is

proposed to be 4 storeys high and approximately 4,388 m² (GFA) in size constructed over an underground parking structure. The proposed parking structure associated with the Phase Two building is located 4.5 m from the property line adjacent to the Provincial Highway. The Development Variance Permit application has been circulated to Council separately from the Development Permit, to be considered concurrently with the final adoption of the zone amending bylaw.

The proposed Phase One building is designed to include 6 floors that are fully developed, and a mechanical enclosure on the roof which also provides for access to the rooftop area. The basement area is proposed to be used for bicycle parking, a mechanical room, and tenant storage. While the building height for the Phase One building is higher than what would be permitted under the C3 zoning, the overall development provides less density and more open space than what could be achieved through conventional C3 zoning. The proposed CD zone will also be accomplished by a site plan that will regulate general building location, size and height.

The exterior design of the proposed buildings are predominantly curtainwall construction, with a number of precast concrete column and cornice elements. The east and west facades are designed with major entrance features identified with canopy features to provide weather protection. The east and west elevations are generally the same as the north and south elevations, but without the entry features. The building faces have several areas that are recessed the full building height in order to provide some relief to the building façade.

A large portion of the exterior finish of the building is proposed to be glass curtain wall construction that is glazed in green tone glass. The column and cornice features are proposed to be constructed of precast concrete that will be custom coloured in a "light taupe" colour.

Primary vehicle access to the site is achieved from Dickson Avenue at the south side of the subject property. The internal pedestrian network is well defined from vehicle and parking areas. Sidewalks are three to four metres wide and are proposed to connect the buildings and plaza areas. There are two pedestrian access points from Harvey Avenue adjacent to the proposed Phase Two building, and two pedestrian access points from Dickson Avenue adjacent to the Phase One building and surface parking lot. The pedestrian network also provides a strong connection between the two buildings through a pedestrian plaza area which also provides for an outdoor meeting and amenity space.

The landscape plan includes a variety of deciduous and coniferous trees, as well as a variety of shrubs. The landscaped boulevard and sidewalk treatment along Harvey Avenue (Highway 97) and Dickson Avenue is proposed to be implemented in Phase One of the proposal. In addition to sodded lawn, landscaping of these areas is proposed to include the planting of deciduous trees at approximately ten metres spacing. Rooftop landscaping is proposed for exposed portions of the roof of the third storey of the building.

The applicant has provided a draft of the CD14 - Comprehensive High Tech Business Campus zone that provides zoning bylaw regulation for the proposed development. The development as proposed compared to the draft CD14 – zone is as follows;

CRITERIA	PROPOSAL	CD14 ZONE REQUIREMENTS
Site Area (m ²) (after subdivision, and road dedications)	14,737 m ²	14,737 m ²
Site Width (m)	130 m	N/A
Site Depth (m)	115 m	N/A
Site Coverage (%)	35% (Ph 1 & 2)	50%
Total Floor Area (m ²) Phase One Phase Two Total Floor area	6,582 m ² (excluding u/g parking) 4,388 m ² (excluding u/g parking) 10,970 m ²	Maximum 14,737 m ² @ FAR = 1.0
F.A.R.	.74 (excluding u/g parking)	1.0 max.
Storeys (#)	22 m & 6 storeys	22 m
Setbacks (m)		
- Front (Dickson Ave) Ph 1	6 m	4.5 m
- Front (Highway 97) Ph 2	4.5 m *	15 m from Provincial Hwy
- East Side	6 m	0 m
- West Side	77 m	0 m
Landscaping (m)		
- Front	6 metres	Level 2: 3 metres
- Rear	4 metres	Level 3: 3 meters or opaque barrier
- East Side	6 metres	0
- West Side	6 metres	0
Parking Stalls (#) (Phase 1 & Phase 2)	157 open 129 underground = 286	2.5 stalls per 100m ² (GFA) 275 required
Loading Stalls (#)	3	3 loading spaces
Landscaped Parking	1900 m ² (approx.)	2.0 m ² landscaping / per required surface parking space = 272 m ²
Bicycle Stalls (#) **	32	Class I : 16 Class II: 16

Notes:

* The applicant has made application for a Development Variance Permit to reduce the required building setback from a Provincial Highway from the 15 m required to the 4.5 m setback proposed.

** The application has provided the required number of bicycle stalls. However, a minimum of sixteen will need to be accommodated on the site in a location that is readily accessible for visitors.

3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

The proposed rezoning is consistent with the Official Community Plan Future Commercial Land Use designation of the subject property.

The OCP Landscaping Guidelines encourage a landscape plan that displays of an overall design theme, and that complements the building's architectural features. The proposed landscape plan is well integrated with the pedestrian and plaza network, includes articulation of rooftops, and related well to the proposed building.

The proposal is consistent with OCP Industrial Policies that state that the City will place an emphasis on attracting job-intensive, high-technology, knowledge-based, non-polluting industries to the City (6.14.12). Employment policies also speak to the desire to promote economic development, for the City to work in co-operation with other employment related interest, and to explore evolving technological changes and alternative employment opportunities with respect to their impact on job creation, and work related travel demands (1.8.3). The application could be considered inconsistent with other aspects of the OCP commercial and employment policies in that these policies encourage major commercial development and employment opportunities to focus in the Urban Town Centres. (6.5.1, 6.5.4, 1.8.1).

3.3.2 City of Kelowna Strategic Plan (1992)

The Strategic Plan encourages the development of a more compact urban form by increasing densities through infill and re-development within existing urban areas and to provide for higher densities within future urban area. The Strategic Plan did not develop objectives or strategies for employment generation.

4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and have been addressed through the associated subdivision and rezoning applications.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The Planning and Development Services Department notes that the proposed land use is consistent with the Official Community Plan (OCP) future land use designation of the subject property and that the OCP employment and industrial policies encourage development that attracts job-intensive, high-technology, knowledge-based, non-polluting industries to the City (6.14.12). However, it should be noted that the OCP did not contemplate a development of this scale and the potential to employ a significant number of people, outside of Kelowna's Urban Town Centres.

The Planning and Development Services Department also notes that the proposal has changed substantially from the previous submission to the Advisory Planning Commission. The original submission proposed a 5 storey Phase One building located in the south east corner of the site, with the next phase proposed as a number of smaller buildings ranging in height from 2 storeys up to a 6 storey portion located adjacent to Harvey Avenue (Highway 97) at the north west corner of the development site. The original proposal also located the bulk of the surface parking in the centre of the development site, and provided additional parking under the Phase One building.

The revised submission now proposes the construction of the Phase One building near Dickson Avenue, located approximately in the centre of the Dickson Avenue road frontage. The Phase Two development is now proposed as 1 building, 4 storeys high. The changes to the site plan do permit the two buildings to be sited closer together, with an open green space area to provide both a direct pedestrian connection between the buildings and an outdoor amenity space.

The resulting site development, while differing somewhat from the original proposal submitted to the APC, does provide for a quality development, similar in style to the Landmark I & II buildings located on Dolphin Road. The revised site plan also reduces the anticipated FAR down to 0.74 for the development site, where the original proposal was designed for a FAR = 1.0.

The changes to the form and character of the proposed buildings still incorporate similar materials to the original proposal. However, the most noticeable change to the building facades is the removal of the sun shade structures that were originally proposed to be installed near the roofline of the proposed buildings to provide shade to the glazed exterior of the buildings. The revised buildings still incorporate a variety of steps to the plane of the building façade and roof line. The proposed building and site design for Phase One of the proposal is consistent with the General Commercial and Landscaping Development Permit Guidelines.

Another change in the proposal from the submission to the Advisory Planning Commission has been the request for a comprehensive Development zone, instead of proceeding with development under existing zoning designations. At the time of presentation to the APC, it was anticipated that the development would proceed on the basis of the C3 Community Commercial zone, and application for a number of text amendments to the C3 zone, as well as application for a Development Variance Permit to address an increase in building height.

In light of the improvements in site development criteria that are proposed as part of the CD14 zone in comparison to the existing C10 zone, the Planning and Development Services Department supports the land use concept proposed by the applicant. Furthermore, the principal uses target the high technology business sector directly which has not been achieved by the development community to date.

Andrew Bruce
Current Planning Manager

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning and Development Services

PM/hb
Attach.

FACT SHEET

1. **APPLICATION NO.:** DP00-10,020
2. **APPLICATION TYPE:** Development Permit
3. **OWNER:** Al Stober Construction
• **ADDRESS** 900-1708 Dolphin Ave
• **CITY/POSTAL CODE** Kelowna, BC, V1Y 1J6
4. **APPLICANT/CONTACT PERSON:** Water Street Architecture
• **ADDRESS** 1485 Water Street
• **CITY/POSTAL CODE** Kelowna, B.C.
• **TELEPHONE/FAX NO.:** 762-2235
762-4584
5. **APPLICATION PROGRESS:**
Date of Application: March 17, 2000
Date Application Complete: April 5, 2000
Servicing Agreement Forwarded to Applicant: August 29, 2000
Servicing Agreement Concluded: November 23, 2000
Staff Report to Council: December 13, 2000
6. **LEGAL DESCRIPTION:** Lot A, D.L. 129, O.D.Y.D., Plan 2742
7. **SITE LOCATION:** Between Harvey and Dickson Avenues, adjacent to the north end of Dayton Street
8. **CIVIC ADDRESS:** 1621 Harvey Avenue
9. **AREA OF SUBJECT PROPERTY:** 17,799 m²
10. **AREA OF PROPOSED REZONING:** 14,737 m²
11. **EXISTING ZONE CATEGORY:** C10 – Service Commercial
12. **PROPOSED ZONE:** CD14 – Comprehensive High Tech Business Campus
13. **PURPOSE OF THE APPLICATION:** To Seek A Development Permit For Permission To Construct The First Phase Of A High Tech Business Campus
14. **DEVELOPMENT VARIANCE PERMIT VARIANCES** THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:
Section 6.10.1 **Setback from Provincial Highways** be varied from 15 m setback required to 4.5 m setback proposed.

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| 14. MIN. OF TRANS./HIGHWAYS FILES NO.:
NOTE: IF LANDS ARE WITHIN 800 m OF A
CONTROLLED ACCESS HIGHWAY | 02-081-18405 |
| 15. DEVELOPMENT PERMIT MAP 13.2
IMPLICATIONS | N/A |

Attachments that are missing from electronic version of the report;

Subject Property Map
Schedule A, B & C (pages)
3 pages of site elevations / diagrams