
CITY OF KELOWNA

MEMORANDUM

Date: June 6, 2001
File No.: (3060-20) **DP00-10,073**

To: City Manager

From: Planning & Development Services Department

Subject:

DEVELOPMENT PERMIT APPLICATION NO. DP00-10,073, OWNER: YELLOW ROSE VENTURES LTD.

AT: 2260 BENVOLIN ROAD APPLICANT: FWS CONSTRUCTION LTD.

PURPOSE: TO SEEK DEVELOPMENT PERMIT TO AUTHORIZE CONSTRUCTION OF A 58 UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT

EXISTING ZONE: A1 – AGRICULTURAL 1

PROPOSED ZONE: RM3 – LOW DENSITY MULTIPLE HOUSING

REPORT PREPARED BY: PAUL McVEY

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Final Adoption of Zone Amending Bylaw No. 8626 be considered by the Municipal Council;

AND THAT Municipal Council authorize the issuance of Development Permit No. DP00-10,073; for Lot 3, DL 128, O.D.Y.D., Plan 8771 Exc. Plan KAP61007, located on Benvoulin Road, 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 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 proposes the construction of a 58 unit, non-profit housing development on the subject property. The site development is designed as one apartment building and four townhouse buildings arranged along an access driveway with surface parking. The 38 unit apartment building is built over a parking structure for 39 vehicles. The remaining 20 residential units are contained within the 4 townhouse buildings and conform to the requirements of the RM3 zone.

An application for a Development Variance Permit has been made concurrently with the Development Permit application as the proposed 3½ storey or 11 m building height of the apartment building exceeds the maximum permitted 2½ storey or 9.5 m building height permitted in the RM3 – Low Density Multiple Housing zone. The Development Variance Permit application also seeks approval of a reduction of the required parking from the 97 stalls parking required to the 80 parking stalls which have been provided for on site. The development proposal conforms to the density provisions of the RM3 – Low Density Multiple Housing zone, and conforms to the Multiple Family Residential - low density future land use designation of the Official Community Plan.

2.1 Advisory Planning Commission

The above-noted application was reviewed by the Advisory Planning Commission at the meeting of October 24, 2000 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Application No. DP00-10,073 by FWS Construction Ltd., (Del Juba), 2260 Benvoulin Road, subject to the provision of a pedestrian access gate at the northeast corner of the subject property.

AND THAT the Developer review the plans with respect to reducing the height of the townhouse stairways.

3.0 BACKGROUND

3.1 The Proposal

The applicant wishes to construct a 58 unit multiple family residential development on the subject property to be used as "special needs housing" for the physically disabled and financially disadvantaged residents. The proposed development is anticipated to be sponsored by the Father DeLestre Housing society with financing by BC Housing.

The project is designed as a blend of 20 townhouse units arranged in four buildings, and 38 apartment units in one apartment building. The site plan is arranged in such a manner that there is a 7.5 m landscaped buffer adjacent to the existing agricultural lands to both the west and the north of the subject property. The main access point to the site from Benvoulin Road is located adjacent to the southern property line. The site plan indicates a substantial landscaped buffer area adjacent to Benvoulin Road to shield the

site from traffic and noise, as well as a substantial landscaping buffer from the agricultural lands. The site plan also incorporates a system of pedestrian pathways around the apartment building to serve as a connection to the playground area. The playground area is located at the west end of the parking lot, adjacent to the landscape buffer that is next to the agricultural lands. The site plan indicates enclosed garbage containers located at the west end of the parking lot across from the playground, and adjacent to the access driveway to the parking area under the apartment building. The landscape plan associated with the site plan includes a number of landscape islands within the parking lot in addition to the perimeter landscaping required as part of the landscape requirements of the zoning bylaw.

The 38 unit apartment building is located in the north west corner of the property, and is designed as a three storey building constructed above a concrete parking structure which is set partially into the ground, and is designed to provide parking for 39 vehicles. The resulting building height for this apartment building is 3½ storeys or 11 m, where the RM3 zone permits a maximum building height of 2½ storeys or 9.5 m. A Development Variance Permit application has been made in conjunction with the Development Permit application in order to authorize this increase in maximum building height. The Development Variance Permit application has been circulated to Council separately from the Development Permit application in order that the required notification to affected neighbours can occur in a timely manner.

The vehicle access to the under building parking structure is located east end of the building. The apartment building is designed with six one-bedroom units, twenty-nine two-bedroom units, and three three-bedroom units, for a total of thirty-eight dwelling units. The main floor plan for the apartment building shows a common room located at the east end of the building, adjacent to both the outdoor children's play area and the laundry room. The apartment building also has the main pedestrian entrance from the parking lot located in the approximate centre of the south side of the building.

The 2½ storey townhouse units are arranged such that there are three buildings located near the south side of the property adjacent to existing "Arboretum" residential apartment development. The fourth townhouse building is located at the end of the apartment adjacent to Benvoulin Road.

The exterior of the five buildings employ common design and detail elements, such as similar gable end details and eave brackets. Each of the five buildings utilize paint details and horizontal vinyl siding in complementary colours, where buildings A & D are blends of light and dark "Tan", buildings B & E are blends of dark and light "Grey", and building "C" is a blend of light and dark "Yellow". The apartment building incorporates open balconies for each of the dwelling units. The townhouse units incorporate gable roof features over the exterior entry doorways. As well, the townhouse units also incorporate unfinished basement areas.

The proposed site development is designed with a FAR of 0.624, where the base FAR for the RM3 zone is 0.5. The RM3 zone does have provision for a density of FAR = 0.55 if a housing agreement is utilized as outlined in section 6.9, as well as an additional bonus of a maximum of 0.2 for underground parking. This provides for a maximum FAR of 0.63 for the development proposal as submitted. The proponents of this development have entered into a housing agreement as part of the approval process, to ensure that the development provides housing for financially disadvantaged occupants by ensuring that rents on 10 units are limited to a minimum of 10% below market rents.

The applicant has satisfied the outstanding issues relating to the servicing agreement and the housing agreement, so it is appropriate for Council to consider adoption of the zone amending bylaw at this time.

The proposal as compared to the RM3 zone requirements is as follows:

CRITERIA	PROPOSAL	R3 ZONE REQUIREMENTS
Site Area (m ²)	8,382 m ²	900 m ²
Site Width (m)	69.7 m	30.0 m
Site Coverage (%)		40% for buildings 50% for buildings, dwys, prkg area
Total Floor Area (m ²)	5,233 m ²	5,280.6 m ² @ FAR = 0.63
F.A.R.	0.624	Base FAR = 0.5 FAR = 0.55 with housing agr. Max 0.2 bonus for U/G parking Max. allowable FAR = 0.63
Storeys (#)	3½ storeys (11 m) *	2½ storeys (9.5 m)
Setbacks (m)		
- Front	4.5 m	4.5 m 6.0 m for garage & carport
- Rear	7.5 m	7.5 m 4.5 for common bldgs 1.5 for accessory bldgs
- North Side	7.5 m to apartment 6.0 m to townhouse	4.0 m for 1 or 1½ storey 4.5 m for 2 or 2½ storey
- South Side	4.5 m	4.0 m for 1 or 1½ storey 4.5 m for 2 or 2½ storey
Private Open Space	1,402 m ² provided	15.0m ² for 1 br, 25.0m ² for greater 1,390 m ² required
Parking Stalls (#)	80 stalls provided **	97 stalls required

Note; Parking Calculations;

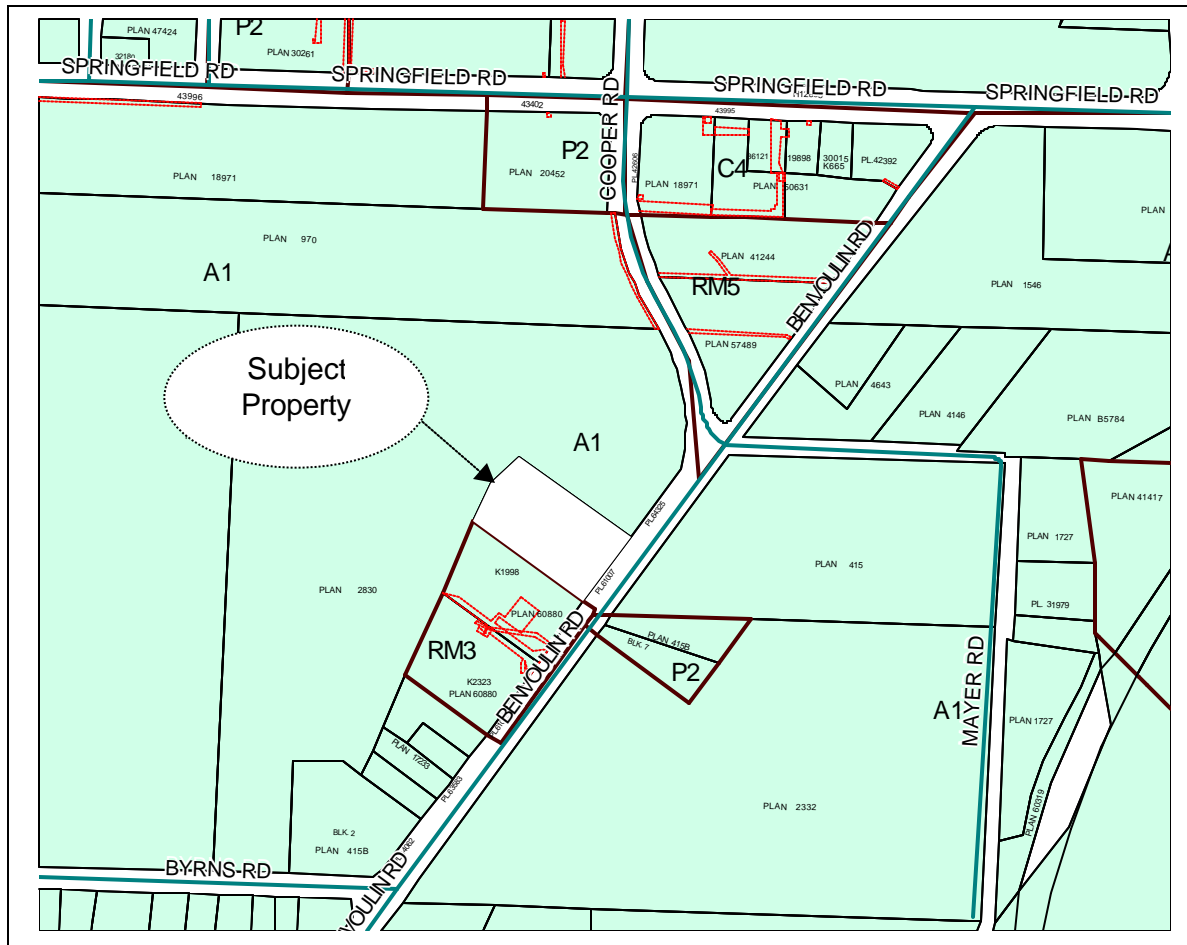
1 Br	6 x 1.25 =	7.5
2 Br	29 x 1.5 =	43.5
3 Br	15 x 2.0 =	30
4 Br	8 x 2.0 =	16
total	58 units	97 parking stalls

Variances Required;

- * Vary permitted building height from 2½ storeys or 9.5 m permitted to 3½ storeys or 11 m proposed,
- ** Vary parking stalls from 97 stalls required to 82 stalls proposed

3.2 Site Context

Subject Property Map



The subject property is generally level, currently has an older single family dwelling located on site, and the property is used for agricultural purposes.

Adjacent zones and uses are, to the:

- North - A1 – Agricultural 1/Farm uses
- East - A1 – Agricultural 1/Benvoulin Road - Farm uses
- South - RM3 – Low Density Multiple Housing – “The Arboretum” apartments
- West - A1 – Agricultural 1/Farm uses

3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

The proposal is generally consistent with the Multiple Family Residential – low density future land use designation of the Official Community Plan.

The Official Community Plan also includes general Multiple Family Residential Development Permit Guidelines. The proposal is generally consistent with the following guidelines;

- All buildings, structures, and physical improvements thereto shall be designed in a manner which gives consideration to the relationship with adjacent building and open areas, the efficiency of the circulation system, the design, scale and siting compatibility with surrounding development,
- Multiple Family development is encouraged to be sensitive to and compatible with the massing and rhythm of the established streetscape,
- The use of sub-roofs, dormers, balconies, bay windows, and shadowing to break up the massiveness of the structure is encouraged,
- The first storey units are encouraged to have ground access and outdoor amenity space for family use. Variation between architecture bays within each façade is encouraged while the use of identically cloned bays is discouraged,
- The principal front entrance shall be clearly identifiable and in scale with the development,
- Where multiple family developments are situated adjacent to arterial roads, measures should be taken to minimize the impacts of noise and exhaust emissions.
- Underground parking for multi-family residential development is encouraged,

3.3.2 City of Kelowna Strategic Plan (1992)

The proposal is consistent with the urban form objectives of the Kelowna Strategic Plan which encourages “a more compact urban form by increasing densities through infill and re-development within existing urban areas...”

As well, the City of Kelowna Strategic Plan also encourages the proposed development as follows;

Objective 7.1...

“To encourage the provision of an adequate supply of housing for families and seniors who require assistance.”

Objective 7.2...

“To encourage the provision of an adequate supply of housing for people with special needs.”

Objective 7.3...

“To ensure that there is a range of housing types and sizes, including socially assisted housing in all major sectors of Kelowna to meet the changing needs of current and future residents.”

3.3.3 South Pandosy/KLO Sector Plan

The proposal is consistent with the “Multiple Family Residential (Low Density)” designation of the South Pandosy/KLO Sector Plan.

3.3.4 Crime Prevention Through Environmental Design

The proposal is consistent with the Multiple Unit Residential Building guidelines of the Crime Prevention Through Environmental Design (CPTED) Guidelines for the City of Kelowna, which supports;

- Ground oriented units to enable surveillance over outdoor activity,
- Building entrances and exterior doors are clearly visible from the street of by neighbours,
- Parking areas are visible from building windows and doors,
- Recreation areas are visible from a number of windows and doors,
- Buildings are sited in such a manner that the windows and doors of one unit are visible from others,
- The property lines are well defined by landscaping to provide Territorial Reinforcement,
- The entrance to the parking lot is defined by landscaping,

4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments as part of the associated application for Rezoning. The following issues have been identified relating to the Development Permit application.

4.1 Works and Utilities Department

The Works & Utilities Department comments are as follows:

1. General

Requirements of the rezoning application, Z00-1009, must be satisfied prior to the issuance of this development permit.

2. Transportation

Bicycle racks must be provided on site in accordance with current bylaws

3. Onsite Circulation

The applicant must demonstrate that a SU-9 type of vehicle can safely negotiate the sharp angled entrance configuration as proposed.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The Planning and Development Services Department does not have concerns with this proposal, subject to the support of the neighbourhood for the required variances to the maximum building height and the reduction in off-street parking provided. The variances seem reasonable given that the development is developed by a non-profit housing agency, and is anticipated to be funded by BC Housing. The applicant has entered into a housing agreement which controls rent on a number of the units in order to qualify for the required density bonus of 0.05 to be added to the permitted FAR.

The applicant has also made some revisions to both the site layout and the building design in order to provide a higher level of liveability to the proposed development.

In light of the above, the Planning and Development Services Department supports this application, and recommends for Council's positive consideration.

Andrew Bruce
Current Planning Manager

Approved for inclusion

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

PMc/pmc
Attach.

FACT SHEET

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|---|--|
| 1. APPLICATION NO.: | DP00-10,073 |
| 2. APPLICATION TYPE: | Development Permit |
| 3. OWNER: | Yellow Rose Ventures Ltd.
(Inc. No. 556128) |
| . ADDRESS | 431 Okaview Rd |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1Y 7R3 |
| 4. APPLICANT/CONTACT PERSON: | FWS Construction Ltd./Del Juba |
| . ADDRESS | 1540 KLO Road |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1W 3P6 |
| . TELEPHONE/FAX NO.: | 717-3918/717-3948 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | September 21, 2000 |
| Date Application Complete: | September 25, 2000 |
| Servicing Agreement Forwarded to Applicant: | March 29, 2001 |
| Servicing Agreement Concluded: | June 5, 2001 |
| Staff Report to Council: | June 6, 2001 |
| 6. LEGAL DESCRIPTION: | Lot 3, DL 128, O.D.Y.D., Plan 8771
Exc. Plan KAP61007 |
| 7. SITE LOCATION: | West Side Benvoulin Road, south of
Cooper Road |
| 8. CIVIC ADDRESS: | 2260 Benvoulin Road |
| 9. AREA OF SUBJECT PROPERTY: | 8,382 m ² |
| 10. AREA OF PROPOSED REZONING: | 8,382 m ² |
| 11. EXISTING ZONE CATEGORY: | A1 – Agricultural 1 |
| 12. PROPOSED ZONE: | RM3 – Low Density Multiple Housing |
| 13. PURPOSE OF THE APPLICATION: | To Seek Development Permit To
Authorize Construction Of A 58 Unit
Multi-Family Residential Development |

**14. DEVELOPMENT VARIANCE PERMIT
VARIANCES:**

Variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 8.1 Off-Street Vehicle Parking, Parking Schedule (Table 8.1) be varied from 97 stalls required to 80 stalls provided;

Section 13.9.5 (c) Development Regulations the maximum height is the lesser of 9.5 m or 2 ½ storeys be varied to lesser of 11 m or 3 ½ storeys.

**15. DEVELOPMENT PERMIT MAP 13.2
IMPLICATIONS**

General Multi-Family; notify GIS of addition

Attachments

Subject Property Map
Schedule A, B & C (7 pages)
8 pages of site elevations / diagrams