
CITY OF KELOWNA
MEMORANDUM

Date: July 11, 2001
File No.: (3060-20) **DP00-10,072**

To: City Manager

From: Planning & Development Services Department

Subject:

DEVELOPMENT PERMIT APPLICATION OWNER: R640 HOLDINGS LTD
NO. DP00-10,072 (ED FENWICK)

AT: 3320 RICHTER STREET APPLICANT: TURIK NEUMANN
ARCHITECTS INC

PURPOSE: TO SEEK PERMISSION TO CONSTRUCT A 4,535 M², FOUR
STOREY OFFICE BUILDING

EXISTING ZONE: C4 – TOWN CENTRE COMMERCIAL

REPORT PREPARED BY: PAUL McVEY

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Municipal Council authorize the issuance of Development Permit No. DP00-10,072; for Lot 3, D.L. 14 & 135, O.D.Y.D., Plan 42579, located on Richter Street, 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;
5. The applicant register a reciprocal access easement on title to the satisfaction of the Development Engineer;

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 new 4,535 m², four storey office building on the subject property, similar in form and character to the recently completed office building located on the adjacent lot to the south (3330 Richter St.). The proposal generally conforms to the Official Community Plan in regards to future land use designation and guidelines for form and character. As well, the proposed building generally conforms to the form and character guidelines of the South Padosy/KLO sector plan. A Development Variance Permit application has been made concurrently with the Development Permit application in order to authorize the proposed building height of 19.4 m where the zoning bylaw limits maximum building height to 15 m in the C4 zone. This DVP has been circulated separately to Council for consideration on the same date as the DP.

2.1 Advisory Planning Commission

The above-noted application was reviewed by the Advisory Planning Commission at the meeting of October 12, 2000 and November 7, 2000 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Development Permit Application No. DP00-10,072 by Turik Neumann Architects Inc. (Clive McKenzie), 3320 Richter Street.

3.0 BACKGROUND

3.1 The Proposal

The subject property was created in 1993 as part of the development that formed the new Overwaitea Store and associated development. Since that time, the subject property has remained vacant. The property to the south, 3330 Richter was rezoned from the C-3a zone to the C-3 in 1996, and a 2,981 m², three storey building was constructed on that site in 1999. As a result of the adoption of the zoning bylaw #8000 in 1998, the subject property became zoned C4 – Town Centre Commercial. The site had been zoned C3 – Community Commercial under the previous Zoning Bylaw #4500.

This Development Permit application proposes the construction of a 4,535 m², four storey office building which is configured in an “L” shape. The proposed site plan locates the building adjacent to the north east corner of the subject property. As part of the site development, there is a pedestrian plaza proposed for the corner as an pedestrian entry feature to the site. The main pedestrian entry point to the building is located within the “L”, adjacent to the plaza. The parking areas are located to the south and to the west of the proposed building, with vehicle access from both Lanfranco Road and Richter Street. The parking area also has a drop off area adjacent to the plaza and the main pedestrian entrance to the building. The subject property has a major WKP powerline along the Richter Street frontage. The landscape plans submitted with the Development Permit application show a substantial amount of landscaping around the perimeter of the site, with the provision of a number of landscaped islands within the

parking lot area. The corner of the site, adjacent to Richter Street and Lanfranco Road is finished with a concrete paved surface and landscaped nodes. The area adjacent to the main pedestrian entrance is also finished with concrete paving and landscaping.

The exterior of the building is designed to be finished with a blend of precast concrete panels and glazed curtain wall units. The precast concrete panels located on the first floor are a “dark tan” colour, while the remainder of the panels are a “light tan” colour. The separation between the first and second floors is accentuated with a horizontal cornice feature in a “grey” concrete tone. The top of the walls project above the roof level by 1 m to form a parapet feature. There is a painted metal shade structure located at the ceiling level of the fourth floor. The parapets around the stair structures project 2.2 m above the roof level, and are finished off with a cornice feature similar to the cornice that is located at the first storey. These parapets also form screen structures for the roof top mounted mechanical air handling equipment.

The proposed building height of 19.4 m exceeds the maximum permitted building height of the C4 zone of 15 m by 4.4m. A Development Variance Permit application has been made to authorize the proposed building height of 19.4 m. and has been circulated separately to Council for consideration. The proposed building height conforms to the maximum number of 4 storeys, as permitted in the zone.

The proposal as compared to the C4 zone requirements is as follows:

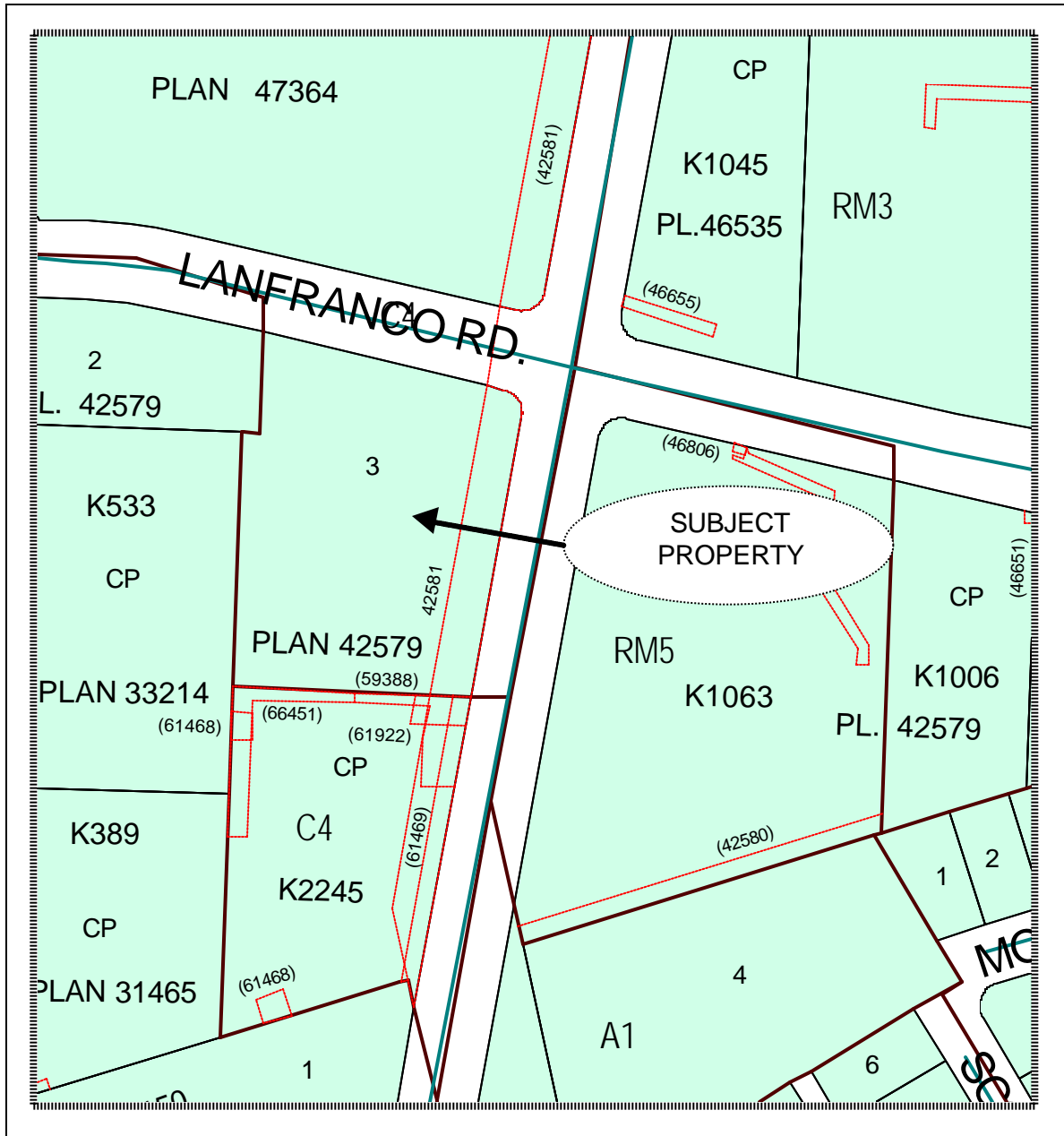
CRITERIA	PROPOSAL	C4 ZONE REQUIREMENTS
Site Area (m ²)	5,428 m ²	460.0 m ² with lane 1,300.0 m ² without lane
Site Coverage (%)	21%	75%
Total Floor Area (m ²)	4,535 m ² FAR = 0.84	Max FAR = 1.0
Storeys (#)	4 storeys / 19.4 m *	4 storeys or 15 m
Setbacks (m)		
- Front (Lanfranco)	1.8 m	0.0 m min.
- Rear	39 m	0.0 m min.
- West Side	18 m	0.0 m min.
- East Side (flanking)	10.5 m	2.0 m min.
Parking Stalls (#)	100 stalls provided (125% of required)	1.75 stall per 100 m ² = 80 stalls
Loading Stalls (#)	2 provided	1 stall per 1,900 m ²

* DVP application has been make concurrently with the DP to vary the proposed building height – 4.4m variance required from 15 m permitted to 19.4 m proposed

3.2 Site Context

The subject property is located on the south west corner of Lanfranco Rd. and Richter St., and is generally flat and level. The property to the south has recently been developed with a new office building.

Subject Property Location Map



Adjacent zones and uses are, to the:

- North - C4 – Town Centre Commercial / Lanfranco Rd. – Commercial uses
- East - RM5 – Medium Density Multiple Housing / Richter St. – apartment uses
- South - C4 – Town Centre Commercial – Commercial uses
- West - C9 – Tourist Commercial – Motel uses

3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

This proposal is consistent with the Official Community Plan future land use designation of “Commercial”. The OCP also supports a maximum building height of 4 storeys in the South Pandosy Urban Town Centre.

The Official Community Plan also contains the following statements;

General Commercial Development Permit Areas Objectives;

- Ensure that the siting, form and /character of commercial development enhances the positive qualities of the area and that site access, parking, storage and landscaping matters are satisfactorily resolved,
- Improve the visual qualities of roadways and marketability of commercial establishments by situating new commercial buildings adjacent to the street and incorporation parking areas behind the structure,

General Commercial Development Permit Areas Guidelines;

- All buildings structures, and additions thereto shall be designed in a manner which gives consideration to the relationship with adjacent buildings and open area, the efficiency of the circulation system, and the design and siting compatibility with surrounding development,
- All facades of commercial buildings shall be designed in a manner which appropriately addresses adjacent uses and structures,
- Courtyard style of development with parking at the rear is to be encouraged rather than commercial strip development

3.3.2 City of Kelowna Strategic Plan (1992)

The application is consistent with the Strategic Plan, as follows:

“The City will, in its plans and policies concerning future urban development, place an emphasis on more efficiently using serviced land within existing urban areas through infill and will provide for an increased density of development within established urban areas through redevelopment of areas which are in transition. Urban areas which are targeted include the Central City area with emphasis on the waterfront and north end, Rutland, and South Pandosy particularly along major traffic arteries and near the town centres, the Glenmore Valley and Highway 97 corridor.”

3.3.3 South Pandosy/KLO Sector Plan

This proposal is consistent with the “Commercial” future land use designation of the South Pandosy/KLO Sector Plan.

The South Pandosy/KLO Sector Plan also includes the following statements relating to the 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,

- Encourage the development of landmark building at key intersections within the precinct and at the terminus of significant sight lines. Landmark buildings should be distinguished from other buildings through the conscientious use of siting , common entrances, additional stories, articulation of the footprint or roofline, decorative structures, colour and other means appropriate to the setting and desired effect,
- Encourage the provision of landscape at-grade or on-slab open space for multiple family residential developments for the use and enjoyment of the residents. For commercial and mixed-use buildings, encourage the provision of accessible public open space (e.g. widened sidewalk, dining/retail patio, courtyard) that is compatible with the use and design of the building,
- Encourage articulation of buildings at regular intervals along commercial streets. Articulation may be applied to building width, façade modulation, repetition of window patterns, changing materials and roof forms to achieve the desired regular effect.

3.3.4 Crime Prevention Through Environmental Design

Crime Prevention Through Environmental Design issues have been addressed through the use of extensive exterior glazing on all four sides of the proposed building in order to provide a high level of surveillance of the surrounding exterior by building occupants, and ensuring that the parking area is highly visible from both the street.

4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and the following relevant comments have been submitted:

4.1 B.C. Gas

Gas is available from Richter Street. A gas application is required allowing sufficient time to schedule and design works.

4.2 Fire Department

- Fire Department access and hydrants as per the B.C. Building Code and City of Kelowna Subdivision Bylaw.
- Engineered fire flows should determine hydrant requirements.
- If building is sprinkled a hydrant will be required within 45m of the fire department connection.

4.3 Inspection Services Department

The Inspections Department has the following comments:

1. The exit stairs are not separated as per the Building Code. Minimum 9 m is required.
2. The corridors are dead end, maximum length not to exceed 6 m.
3. Exist stairs may be exposed to fire from windows of the tenant areas.
4. Building shall be non-combustible construction. It may require sprinklers depending on tenant mix.

4.4 Parks Manager

1. a. All plant material (trees, shrubs, ground covers and seed/sod) used in BLVD to be reviewed by City Parks Division. All materials located in BLVD to meet city standard for size and method of installation.
 - b. Plant material specifications are as follows for:
 - i. DECIDUOUS TREE - caliper @ 300mm above rootball (min. 60mm)
 - ii. DECIDUOUS SHRUB - spread (min. 450mm)
 - iii. CONIFEROUS TREE - height (min. 2.5m)
 - iv. CONIFEROUS SHRUB - spread (min. 450mm)
 - v. SEED/SOD MIX according to location and proposed activity use.
 - c. BLVD maintenance is responsibility of owner/occupant.
 - d. All BLVD tree maintenance is responsibility of Parks Division.
 - e. Site planting plan (site and BLVD) to include A plant materials list:
 - i. Latin name
 - ii. common name
 - iii. size at planting
 - iv. plant symbol key
 - v. indicate existing trees
2. Planting plan to include all u/g utility locations in BLVD.
 3. BLVD landscape to be approved by Parks Division.
 4. PLEASE SEE ATTACHED COPY OF LANDSCAPE PLAN FOR LOCATION OF THE COMMENTS BELOW:
 1. Locate three (3) additional trees to match others in parking lot islands.
 2. Pinus nigra (Austrian Pine) tree shall not be planted closer then 2.5m off the sidewalk. At mature growth the tree will overhang the sidewalk. Deciduous trees canopy is higher and will not impede pedestrian traffic on sidewalk.

4.5 Shaw Cable

Owner/Contractor to supply and install an underground conduit system as per Shaw Cable drawings and specifications.

4.6 Telus

Telus will provide underground facilities to this development. Developer will be required to supply and install as per Telus policy.

4.7 West Kootenay Power

WKP will provide underground electrical service.

4.8 Works and Utilities Department

The Works & Utilities Department has the following requirements associated with this development application. The road and utility upgrading requirements outlined in this report will be a requirement of the issuance of a building permit, but is outlined in this report for information only.

1. Domestic Water and Fire Protection

- (a) The existing water mains in the fronting streets are of sufficient size to supply the requirements of this development. No public water system upgrading is required at this time.
- (b) This lot is pre-serviced with a 50mm diameter water service that may be used for the proposed development with no connection charge, if it is large enough for the proposed development. If a larger service is required, it can be provided at the owner's cost. That cost must include a sum to decommission the existing service if it is not used.
- (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.

If there is to be landscaping on the site, the developer must also purchase an irrigation sewer credit meter from the City and prepare a meter setter at his cost.

2. Sanitary Sewer

- (a) The existing sanitary sewer systems in the fronting streets are sufficient to supply the requirements of this development. No public sewer system upgrading is required at this time.
- (b) This lot has an existing 150mm-diameter sanitary sewer service, which may be used for the development without connection charge. If a larger service is required, it can be provided at the owner's cost.

3. Storm Drainage

- (a) There are existing storm drainage systems in both fronting streets. No additional street drainage improvements are required at this time.
- (b) The developer must engage a consulting civil engineer to provide a storm water management plan for this site which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of a lot grading plan, establishment minimum basement elevation (MBE), storm water services for this lot and / or on-site drainage containment and disposal systems. The on-site drainage system must be connected to the street drainage system with an overflow service at the developer's cost.

4. Road Improvements

- (a) Richter St and Lanfranco Road have been upgraded to a full urban standard. No additional upgrading is necessary, except for surface restoration after installation of utility services, if required.

- (b) Driveway accesses have been installed during earlier road construction. The following driveway changes are necessary as depicted by the site plan submitted:
 - i) It is necessary to register a cross-access driveway easement and agreement with the property to the south. The proposed parking stalls at that location must be reconfigured and the existing barrier must be reconstructed to accommodate a cross access at that location.
 - ii) Close the existing driveway access on Richter St. nearer to Lanfranco Rd.

The driveway closures and reconstruction may be completed by the site contractor as long as the construction is in conformance to City and MMCD Standards. (Drawing C 7).

A performance deposit of \$5,000.00 is required for this work.

5. Road Dedication and Subdivision Requirements

By registered plan to provide the following:

- (a) Register a joint driveway easement adjoining existing easement KAP61922.
- (b) Grant statutory rights-of-way if required for utility services.

6. Electric Power and Telecommunication Services

The electrical supply services to this development 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.

7. Street Lighting

No additional streetlights are required on the existing fronting streets.

8. Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the City Engineering Department for review and marked "issued for construction" by the City Engineer before construction may begin.

9. Development Cost Charge Reduction Consideration

Not applicable

10. Latecomer Protection

Not applicable.

11. Geotechnical Report

As a requirement of this application and/or prior to issue of a building permit the applicant must provide a comprehensive geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics, including water sources on the site and overland surface drainage courses traversing across or influencing this property.
- (b) Site suitability for development; i.e. unstable soils, etc.
- (c) Drill and / or excavate test holes on the site and install monitoring wells if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyze soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary. We believe that previous site excavation and peat removal was performed prior to subdivision approval. Provide verification of the extent of the soil remediation already completed on this site.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.

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: Driveway closures and reconstruction \$5,000.00
- (b) Levies: No requirements.

14. Development Permit and Site Related Issues

- (a) The developer must obtain the necessary permits prior to proceeding with any construction, on or off the site.
- (b) The development will be required to contain and dispose of site generated storm water on the site by installing a ground recharge system consisting of drywells and perforated pipe bedded in drain rock.

(c) Access and Manoeuvrability

The site plan should illustrate the ability of an SU-9 vehicle to manoeuvre onto and off-site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles, the site plan should be modified and illustrated accordingly.

(d) The proposed parking modules must meet the minimum dimension standards of the Zoning bylaw.

NOTE; The servicing requirements noted above are provided at this time as a convenience to the applicant. The servicing requirements are not part of the Development Permit, but are part of the pending building permit.

The Works and Utilities Department has been working with the applicant to resolve the issue of the shared access from Richter Street with the property to the south, and have the following comments as they relate to the shared access;

- Ensure that an "Joint access agreement" is registered,
- Future development on the north lot is aware of the restriction through the pole and its anchor; and that any adjustment to the anchor will be the responsibility of either or both lots.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The Planning and Development Services Department does not have concerns with this proposal. The proposed building is designed to form a complementary addition to the existing building recently completed on the adjacent property to the south. The form and character of the proposed building development is similar to the new office building development located on the lot to the south of the subject property. The applicant has sited the proposed building in such a manner that the building is located near the corner of Richter Street and Lanfranco Road, which accentuates the pedestrian connection of the proposed building to the neighbourhood. The main entry area of the building also accesses the pedestrian plaza feature. The parking is located behind the building to the west and south sides, as recommended by both the Official Community Plan and the South Padosy / KLO Sector Plan. The perimeter of the property is well landscaped in conformance with bylaw requirements.

The applicant has been working with City staff to design a workable form of a shared access to Richter Street with the adjacent property to the south. While the final layout has not been reviewed, there appears to be an opportunity to have the details worked out as part of the building permit application.

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

Andrew Bruce
Current Planning Manager

Approved for inclusion

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

PMc/pmc
Attach.

FACT SHEET

- | | |
|---|--|
| 1. APPLICATION NO.: | DP00-10,072 |
| 2. APPLICATION TYPE: | Development Permit |
| 3. OWNER: | R640 Holdings Ltd (inc. no. 512031) |
| . ADDRESS | 306 Gibraltar Ct. |
| . CITY | Kamloops, BC |
| . POSTAL CODE | V2C 1P2 |
| 4. APPLICANT/CONTACT PERSON: | Turik Neumann Architects Inc |
| . ADDRESS | Clive McKenzie |
| . CITY | 2263 Leckie Rd. |
| . POSTAL CODE | Kelowna, BC |
| . TELEPHONE/FAX NO.: | V1X 6Y5 |
| 5. APPLICATION PROGRESS: | 762-4407/762-7033 |
| Date of Application: | September 18, 2000 |
| Date Application Complete: | September 19, 2000 |
| Servicing Agreement Forwarded to Applicant: | June 28, 2001 |
| Servicing Agreement Concluded: | July 11, 2001 |
| Staff Report to Council: | July 11, 2001 |
| 6. LEGAL DESCRIPTION: | Lot 3, DL 14 & 135, O.D.Y.D., Plan 42579 |
| 7. SITE LOCATION: | South East Corner of Lanfranco Rd. and Richter St. |
| 8. CIVIC ADDRESS: | 3320 Richter Street |
| 9. AREA OF SUBJECT PROPERTY: | 5,428 m ² |
| 10. TYPE OF DEVELOPMENT PERMIT AREA: | Urban Town Centre – South Pandosy |
| 11. EXISTING ZONE CATEGORY: | C4 – Town Centre Commercial |
| 12. PURPOSE OF THE APPLICATION: | To authorize construction of a 1134.0 m ² , four storey office building |
| 13. DEVELOPMENT VARIANCE PERMIT VARIANCES: | That variances to the following sections of Zoning Bylaw No. 8000 be granted:
Section 14.4.5(c) Development Regulations be varied from 15.0 m maximum building height permitted to 19.4 building height proposed. |
| 14. VARIANCE UNDER DEVELOPMENT PERMIT: | N/A |

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| 15. DEVELOPMENT PERMIT MAP 13.2
IMPLICATIONS | N/A |
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Attachments

Subject Property Map
Schedule A, B & C
13 pages of site elevations / diagrams