
CITY OF KELOWNA

MEMORANDUM

Date: July 25, 2001
File No. (3060-20) **DP00-10,053**
To: City Manager
From: Planning & Development Services Department
Subject:

DEVELOPMENT PERMIT APPLICATION OWNERS: 482627 BC LTD,
NO. DP00-10,053 ENVIROTECH REAL
ESTATE INC.,
GORDON A, & EMELIE D.
WALLACE,
DOROTHY & ELIZABETH
HOWE,
W & S BERNARD
INVESTMENTS LTD.

AT: 1681, 1983, 1659, & 1667 ETHEL APPLICANT: ENVIROTECH REAL
ST., 931 & 941 LEON AVENUE, ESTATE INC.
& 932 & 942 HARVEY AVENUE

PURPOSE: TO SEEK APPROVAL FOR CONSTRUCTION OF AN 9,220 M²
(NET FLOOR AREA), 12 STOREY, 136 UNIT, MULTIPLE
FAMILY RESIDENTIAL BUILDING FOR USE AS A SENIORS
CONGREGATE HOUSING FACILITY

EXISTING ZONE: RU6 – TWO DWELLING HOUSING

PROPOSED ZONE: RM6 – HIGH RISE APARTMENT HOUSING ZONE

REPORT PREPARED BY: PAUL McVEY

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Final Adoption of Zone Amending Bylaw No. 8678 be considered by the Municipal Council;

THAT Municipal Council authorize the issuance of Development Permit No. DP00-10,053; for Lot 1, DL 138, O.D.Y.D., Plan 3133, Lot 2, DL 138, O.D.Y.D., Plan 3133 Exc. Plan 36604, Lots 1,2,3, & 4, DL 138, O.D.Y.D., Plan 6535, and Lot 1 & 2, DL 138, O.D.Y.D., Plan 3007 Exc. Plan 36604, located on Harvey Avenue, Ethel Street & Leon 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 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 properties to the RM6 – High Rise Apartment Housing zone in order to permit the development of a 9,222 m², 12 storey high rise multi-family residential building proposed to be used as a congregate housing facility for seniors. This proposed land use is consistent with the Official Community Plan designation of "Multiple Family Residential – High Density".

The original application (Z00-1039) was made to rezone 7 lots, and proposed the development of a 16 storey highrise building. Subject to concerns raised at the associated public hearing on October 17, 2000, the public hearing for that application was closed, and the applicant was advised that the building should be redesigned. As a result of the public hearing being closed and a new building design being contemplated, the City of Kelowna Clerk's Department has advised that the best way to deal with the application would be to close the original application and defeat the associated bylaw at second reading, and amend the current application to include all 8 properties. The original bylaw was subsequently defeated by Council on April 9, 2001, and Council considered a new application and associated zone amending bylaw after a successful Public Hearing held on May 22, 2001.

Now that the outstanding issues relating to the Works and Utilities Department and the Ministry of Transportation and Highways has been addressed, it is now appropriate to have the Development Permit application receive consideration and the zone amending bylaw receive the final reading.

2.1 Advisory Planning Commission

The above-noted application was reviewed by the Advisory Planning Commission at the meeting of July 18, 2000 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Development Permit No. DP00-10,053 by Envirotech Real Estate Inc. (Tor Camren), for property described as Lots 1, 2, 3 & 4, Plan 6535, Lots 1 & 2, Plan 3133 and Lot 1, Plan 3007, all of ODYD, Sec. 19, Twp. 26, 1659, 1667, 1681, 1683 Ethel Street, 932 Harvey Avenue, 931, 941 Leon Avenue

AND THAT Council be advised that the Advisory Planning Commission is very concerned with the 16 storey building in such close proximity to Highway 97 AND prior to further consideration the applicant be encouraged to conduct a public consultation process so as to provide further information to assist Council in its decision.

The revised rezoning application (Z01-1021) was reviewed by the Advisory Planning Commission at the meeting of April 3, 2001 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z01-1021 by Envirotech Real Estate Inc. (Tor Camren), for the subject property from the RU6 – Two Family Dwelling zone to the RM6 – High Rise Apartment zone in order to add Lot 1, Plan 3007 (942 Harvey Avenue) to the development site to permit development of a 9220 m² 140 unit, 12 storey congregate housing complex.

Note; Since the APC meeting of July 18, 2000, the applicant has been able to purchase the eighth lot. The revised building plans reduce the building height down to 12 storeys and add more residential design features to the building exterior. As well, the applicant has held additional information meetings with the neighbourhood prior to the Public Hearing.

3.0 BACKGROUND

3.1 The Proposal

The applicant has assembled 8 properties in order to develop a high rise building to be used as congregate housing for seniors in a multiple family form. This current application seeks to rezone the subject properties from the existing RU6 – Two Dwelling Housing zone to the RM6 – High Rise Apartment Housing zone. The RM6 zone permits Congregate Housing as a principal permitted use.

The subject properties are located within an area of the “North Central Area Plan” which is identified as “High Density Residential”. The proposal is also consistent with the future land use designation of “Multiple Family Residential (High Density)” of the Official Community Plan.

The original development application proposed the construction of a 16 storey high rise building on 7 of the subject lots. At the time of the public hearing, there was substantial opposition to the proposed building form, and the applicant was advised to redesign the proposed building to include more residential design elements, and to reduce the building height to 12 storeys.

The revised development is designed as a 12 storey high rise building constructed over a parking structure set partially into the ground. The first two floors of the proposed building are designed for as common amenity areas for use by the residents of the building. These areas provide for kitchen and common dining room facilities, lobby area, and a reception area. The second floor is designed to provide additional common amenity areas to provide space for such uses as a library, chapel, exercise room and

spa, games lounge, crafts lounge, and a guest suite. The remaining 10 floors provide for residential accommodation. The 3^d through 10th floors are designed to have 14 one bedroom units. The 11th and 12th floors each have 10 one bedroom units and 2 two bedroom units. This works out to a total of 140 bedrooms in 136 dwelling units. As the building is designed as a congregate housing facility, none of the dwelling units have complete kitchens, only a snack preparation area.

The density of the proposed site development is based on the density bonus provisions of the RM6 zone, which permit a density bonus of 0.2 for provision of required parking below the building or amenity spaces. The RM6 zone also provides for a density bonus of 0.1 for provision of each 10% increment of open space provided above the minimum provision of 50% open space. The bonuses are permitted to add up to a maximum density of FAR = 2.0. For this current application, the resulting FAR = 1.9 (Base FAR = 1.5, U/G parking +0.2, site coverage < 30% +0.2)

The exterior of the building is designed to be finished with a mixture of “buff” and “red” coloured brick. The walls are capped with a “light beige” coloured pre-cast cornice molding. This feature is also repeated at the third and fourth floor levels to break up the vertical massing of the building façade. As well, a number of the windows incorporate “light beige” coloured pre-cast window sills. There are “buff” coloured brick strips included to the floor level of the second storey which further break up the vertical massing of the building. The balcony areas for the residential units are designed to be enclosed with “green” coloured glass curtain wall construction, which is arranged in such a manner to introduce complementary vertical elements into the building facades. The windows of the proposed building are also designed to be a “green” coloured glass set into “green” coloured metal window frames. The roof of the building includes a mechanical enclosure that is designed to be constructed of the same “red” coloured brick material used for the lower floors. The roof of the mechanical enclosure is finished with “grey” coloured concrete roof tiles. It is anticipated that there may be an area on the roof provided for outdoor patio seating and landscaping. The first floor of the proposed building is designed to be inset approximately 2m from the outside face of the west and south sides of the building and 3m from the north side of the proposed building to provide a sheltered landscaped area around the first floor level of the proposed building.

The site landscaping incorporated into the perimeter of the parking structure provides a heavily landscaped transition from the adjacent sidewalk level to the top of the parking structure. The top of the parking structure incorporates both glass guard railing and a screen fence constructed with brick columns and wood fence panels. The site plan shows vehicle access to the below building parking structure coming off of Leon Avenue, adjacent to the eastern property line. The below grade parking structure provides 56 parking stalls and storage lockers for the building residents. There are two vehicle access driveways to the building from Leon Street, which provides access to the 3 visitor parking stalls located on top of the parking structure, adjacent to the main entrance lobby. The vehicle access from Leon Avenue is arranged in a loop configuration to provide access to the parking adjacent to the main building entrance under the entrance canopy (Porte Cochere), and also to provide access to the loading area located on the east side of the building. The top of the parking structure is also designed to contain an outdoor patio area that includes a putting green and various walkways and sitting areas. The transition area from the top of the parking structure to the adjacent sidewalks has a number of retaining walls and sloped pathways to provide pedestrian access from the

building to the surrounding neighbourhood. The main entrance to the building is further identified by the provision of a canopy feature (Porte Cochere) at the main pedestrian entrance which provides a covered area for protection of occupants while they wait for pickup or drop off.

The revised subject property is now comprised of 8 lots and the future closed lane. The lane closure has been facilitated by means of a road exchange for required road widenings along both Harvey Avenue and Ethel Street.

The proposal as compared to the RM6 zone requirements is as follows:

CRITERIA	PROPOSAL	RM6 ZONE REQUIREMENTS
Site Area (m ²)	5,396.42 m ²	1,700.0 m ²
Site Width (m)	59.2 m	30.0 m
Site Coverage (%)	28.94%	50%
Total Floor Area (m ²)	13,778.79 m ² (Gross) 9,220 m ² (Net)	
F.A.R.	1.7*	Base FAR = 1.5, Max 2.0 Current proposal includes bonuses up to a max. FAR = 1.9
Storeys (#)	12 Storeys, 37.9m	16 storeys, 55.0m
Setbacks (m) after road widenings		
- Front (Ethel Street)	17.5 m	6.0 m
- Rear	23.4 m	9.0 m
- North Side (Leon Ave.)	19.78 m	4.5 m, 6.0 m Flanking Street
- South Side (Harvey Ave.)	14.8 m	4.5 m, 6.0 m Flanking Street
Parking Stalls (#)	59 stalls provided**	49 stalls required
Bicycle parking	5 stalls required	5 per building entrance
Private Open Space	791.8 m ² (balconies) 1,771 m ² (outdoor) 1,978 m ² (indoor)	7.0 m ² per congregate hsg room 136 units x 7.0 m ² = 952 m ² private open space required

Note;

* Density; Base FAR of 1.5 has provision for bonuses of; 0.2 for parking beneath the building or amenity areas, and 0.1 for each 10% increment of open space above the minimum 50% open space, up to a maximum FAR = 2.0
(Net Floor area 9,220 m² FAR 9220/5396.42 = 1.7)

**Parking; Parking is based upon the Congregate Housing requirement of 1 stall per 3 beds. 140 beds in 136 units / 3 = 47 stalls
Plus, 1 per bldg, & 1 per guest ste = total 49 stalls required
56 stalls provided below building, 3 at front entrance for a total 59 stalls provided (49 x 125% = 62 stalls maximum permitted)

- ## Subject Property Map

3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

The proposal is consistent with the “Multiple Family Residential (High Density)” designation of the Official Community Plan.

The Official Community Plan also contain general design guidelines. The proposal conforms with the following;

- The principal front entrance way shall be clearly identifiable and in scale with the development,
- Access to multi-family development from arterial or collector roads is discouraged in order to minimize the number of driveway openings onto such roads.
- Underground parking for multi-family residential development is encouraged,

3.3.2 City of Kelowna Strategic Plan (1992)

The project is consistent with the Urban Form objectives of the Strategic Plan which encourages a “more compact urban form by increasing densities through infill and redevelopment within existing urban areas...”

3.3.3 North Central Area Plan

The proposal is consistent with the “High Density Residential” designation of the North Central Area Plan.

3.3.4 Crime Prevention Through Environmental Design

Crime Prevention Through Environmental Design (CPTED) identifies numerous issues as they relate to multiple family residential projects. This proposal generally conforms with the following issues:

- Building entrances and exterior doors should be clearly visible from the street or by neighbours,
- All four facades of a building should have windows,
- Property lines should be defined by landscaping or fencing which does not create a visual barrier,
- Building entrances should create a strong sense of identity and presence on the street with the use of architectural elements, lighting and /or landscaping,
- Entrances to parking lots should be defined by landscaping, or architectural design,
- Elevators and stairwells should be centrally located

4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City Departments. Most of the issues have been identified as part of the rezoning application. The following relevant comments have been submitted as part of the Development Permit application:

4.1 B.C. Gas

Gas services to any existing homes will require an abandonment application and cut off by BC Gas before demolition may occur.

4.2 B.C. Telephone (Telus)

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

Telus will require an easement for communication equipment installation.

4.3 Electrical Department

This complex will require a new power line and transformer, the transformer is 14 weeks lead time to order - please submit loading ASAP.

4.4 Fire Department

Fire Department access and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw. Engineered fire flows should determine hydrant requirements. Contact Fire Prevention Officer for preferred location(s) of hydrant(s).

4.5 Inspection Services Department

1. A coordination professional is required to be involved with the design,
2. An additional exit is required from the parking garage directly to the exterior,
3. The lobby shall be separated from the tuck shop to protect the exit thorough the lobby,
4. A fire hydrant shall be located within 45 m of the fire department connection.

4.6 Works and Utilities Department

The Works & Utilities Department has reviewed this application, and has addressed the bulk of the servicing issues with the Rezoning application. The following requirements associated with this Development Permit application.

1. Development Permit and Site Related Issues

- (a) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures.
- (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 as determined by the geotechnical survey and designed by a consulting civil engineer.

- (c) The site plan should illustrate the ability of an SU-9 standard size 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) Where a vehicular access from a collector street is restricted by a locking gate or garage door, there shall be provided off the street carriageway sufficient space to turn an SU-9 standard size vehicle around to permit forward return to the street, if the vehicle is not able to gain access onto the site. Once on the site, an SU-9 and WB-15 vehicle must be able to manoeuvre on site and exit to the street in a forward motion. The need for a turn-around at the entranceway is obviated if the applicant does not install a locking gate at the entrance. Ethel Street and Leon Ave. are collector roads and the foregoing would be applicable if a locking gate is to be installed.

2. Development Permit Issues

Development Engineering does not have any requirements of the proposed form and character of the proposed building. Issues more specific to site servicing will be addressed at the building permit stage or when engineering designs of off-site construction and site services have been submitted to the city for review and construction approval.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

This application for a Development Permit represents the latest evolution of the concept of a highrise congregate housing facility. The original concept started off as a 16 storey non-descript, monolithic tower of glass and brick. The design has matured into a 12 storey building that incorporates a substantial number of design features that are reminiscent of a residential use, such as expressed horizontal elements that reflect the number of floors contained within the building, and the use of balconies that are visible from the building exterior. The use of red brick and light tan coloured pre-cast lintels and cornice elements serve to reinforce the residential nature of the building. The increase in exterior detail imparts a more residential feel to the building. The inclusion of a porte cochere entrance feature provides a strong identifiable entry to the building.

The applicant has worked with City staff to revise the site plan in order to address the concerns which were raised by the Works and Utilities Department as they related to access. The landscape plan has been developed to incorporate a substantial level of detail to increase the usability of the open space. The changes to the landscape plan incorporate a number of pedestrian scale features that improve the relationship between the proposed development and the surrounding neighbourhood.

The proposed building incorporates a number of positive features such as under-building parking, useable open space on the roof, transparent materials for fencing to enable natural surveillance, and having the subject property located in proximity to a variety of services because of the central location of the site.

The Planning and Development Services Department supports this application, and recommends for Council's positive consideration of this Development Permit application.

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.: | DP00-10,053 |
| 2. APPLICATION TYPE: | Development Permit |
| 3a. OWNER: | 482627 BC Ltd. |
| . ADDRESS | 3832 Capozzi Rd. |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1W 3L2 |
| 3b. OWNER: | Envirotech Real Estate Inc. |
| . ADDRESS | #2302, 1100 8 th Ave. S.W. |
| . CITY | Calgary, AB |
| . POSTAL CODE | T2P 3T9 |
| 3c. OWNER: | Gordon A. & Emilie D. Wallace |
| . ADDRESS | 5013 Georgia Park Terrace |
| . CITY | Victoria, BC |
| . POSTAL CODE | V8Y 2B9 |
| 3d. OWNER: | Dorothy & Elizabeth Howe |
| . ADDRESS | 941 Leon Ave. |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1Y 6K1 |
| 4. APPLICANT/CONTACT PERSON: | Envirotech Real Estate Inc. / |
| . ADDRESS | Tor Camren |
| . CITY | #2302, 1100 8 th Ave. S.W. |
| . POSTAL CODE | Calgary AB |
| . TELEPHONE/FAX NO.: | T2P 3T9 |
| | (403)237-8008/(403)237-8016 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | June 27, 2000 |
| Date Application Complete: | June 27, 2000 |
| Servicing Agreement Forwarded to Applicant: | April 19, 2001 |
| Servicing Agreement Concluded: | July 24, 2001 |
| Staff Report to Council: | July 25, 2001 |
| 6. LEGAL DESCRIPTION: | Lot 1, DL 138, O.D.Y.D., Plan 3133
Lot 2, DL 138, O.D.Y.D., Plan 3133
Exc. Plan 36604, Lots 1,2,3, & 4, DL
138, O.D.Y.D., Plan 6535, and Lot 1 &
2, DL 138, O.D.Y.D., Plan 3007 Exc.
Plan 36604 |
| 7. SITE LOCATION: | North east corner of Harvey Avenue,
Ethel Street and Leon Avenue |

- | | |
|--|---|
| 8. CIVIC ADDRESS: | 1681, 1983, 1659, & 1667 Ethel St.,
931 & 941 Leon Avenue, &
932 & 942 Harvey Avenue |
| 9. AREA OF SUBJECT PROPERTY: | 4384.7 m ² |
| 10. AREA OF PROPOSED REZONING: | 4384.7 m ² |
| 11. EXISTING ZONE CATEGORY: | RU6 – Two Dwelling Housing |
| 12. PROPOSED ZONE: | RM6 – High Rise Apartment Housing |
| 13. PURPOSE OF THE APPLICATION: | To rezone subject properties to the
RM6 – High Rise Apartment Housing
zone to permit the development of a
8,330.86 m ² (net), 16 storey building
for use as a Seniors Congregate
housing facility |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.:
NOTE: IF LANDS ARE WITHIN 800 m OF A
CONTROLLED ACCESS HIGHWAY | 02-081-18278 |
| 15. DEVELOPMENT PERMIT MAP 13.2
IMPLICATIONS | General Multi-Family; notify GIS of
addition |

Attachments

Subject Property Map
Schedules A, B & C
14 pages of site elevations / diagrams