
CITY OF KELOWNA

MEMORANDUM

Date: August 20, 2002
File No.: (3060-20) **DP02-0047**

To: City Manager

From: Planning & Development Services Department

Subject:

DEVELOPMENT PERMIT APPLICATION OWNER: 530751 BC LTD
NO. DP02-0047

AT: 1128 SUNSET DRIVE

APPLICANT: ALVIN REINHARD FRITZ
ARCHITECT INC. /
ALVIN FRITZ

PURPOSE: TO SEEK A DEVELOPMENT PERMIT TO ALLOW
DEVELOPMENT OF A 21 STOREY, 130 UNIT, 15,174M², HIGH
RISE APARTMENT BUILDING

EXISTING ZONE: RM6 – HIGH RISE APARTMENT HOUSING ZONE

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. DP02-0047; for Lot 1, DL 139 & 3454, O.D.Y.D., Plan KAP48963, located on Sunset Drive, 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 plan of subdivision to create the waterfront lagoons as a separate lot and transfer title to City of Kelowna;
6. The applicant register a reciprocal access easement and statutory right of way for public and emergency access over the waterfront promenade.

2.0 SUMMARY

In 1993, there had been a Development Permit (DP93-10,007) issued to authorize the construction of the Lagoons highrise 16 storey apartment building project. To date, only the first phase of construction has occurred on site. However, there was a second 16 storey tower authorized for construction as part of that Development Permit.

This Development Permit application seeks permission to construct a 130 unit, 21 storey high rise apartment building on what was the location of the second phase of the Lagoons. This project will form the last phase of construction for the Lakepointe Development Area lands.

As the maximum building height permitted in the RM6 zone is 16 storeys, the applicants have also made application for a Development Variance Permit to address the increase in building height, as well as deal with the daylighting angle, reduction of off-street parking provided, reduction in building setbacks to the existing parkade structure, and a reduction in building setbacks to the porte cochere entrance feature. This associated Development Variance Permit application has been circulated separately to Council for consideration.

2.1 Advisory Planning Commission

The above noted applications (DP02-0047, DVP02-0048) were reviewed by the Advisory Planning Commission at the meeting of July 9, 2002 and the following recommendation was passed:

That the Advisory Planning Commission supports Development Permit Application No. DP02-0047, 1128 Sunset Drive, Lot 1, Plan 48963, Sec. 25, Twp. 25, ODYD, by Fritz Architect (Alvin Reinhard), to allow for the development of a 21 storey, 130 unit, 15,291 m² high rise apartment building

3.0 BACKGROUND

3.1 The Proposal

The Lakepointe Development Agreement lands were first anticipated for development in the late 1980's. This agreement anticipated the development of the lakefront lands with a range of uses which included the development of a lakefront hotel, a public beach, a system of walkways and lagoons, and a range of multiple family residential apartment buildings.

The Multiple Family Residential uses were proposed to be located on 5 separate lots that were created for this use as part of the Lakepointe Development agreement. Over time, the area has been developed with the Okanagan Grand Resort, the Dolphins apartment building, the first phase of the Lagoons townhouse and apartment development, and the recently approved Discovery Bay apartment development.

The “Lagoons” project was originally conceived as two highrise residential towers located on top of a two storey parking structure with perimeter townhouse units. To date only the first phase of the Lagoons project had proceeded, leaving the site of the second phase as a separate titled lot. This lot is the subject property of the current Development Permit application.

The original “Lagoons” project was developed under the R-6 (Integrated High Density, Multi-Family) zone under City of Kelowna zoning bylaw #4500. Subsequent to the approval of the original Development Permit (DP93-10,007) for the “Lagoons” development, the City of Kelowna has adopted a new Zoning Bylaw (8000), which has allowed for an increase in density for the RM6 – High Rise Apartment Housing zone. One of the results of that change in the zone has been an increase in allowable density. This has allowed the developer to increase the buildable floor space for the proposed highrise apartment building.

The architect has reviewed the previously approved Development Permit drawings, and has chosen to accommodate this increase in floor area by increasing the height of the highrise tower from the previous height of 16 storeys to the proposed height of 21 storeys. As the RM6 – Highrise Apartment Housing zone is limited to a maximum height of 16 storeys, the applicant has also submitted a Development Variance Permit application to authorize the increased building height in conjunction with the Development Permit application.

When the first phase of the “Lagoons” project was designed and constructed, it was anticipated that the second phase of the project would soon proceed. To accommodate this second phase, there were certain utilities that were oversized to ensure adequate capacity to serve the proposed second phase.

Now that there is a new application to construct what had been phase 2 of the “Lagoons” development, the applicant has elected to proceed on the basis that the new project will be completely separate from the phase 1 on the “Lagoons”, as this project is located on a separate titled lot, and has no connection with phase 1 of the “Lagoons” property, nor with the original developer.

This current application proposes the construction of a 19 storey highrise apartment building on top of a 2 storey parking structure that is surrounded with townhouse units around the perimeter. This results in 20 levels of residential units, as those units on the top floor are 2 storeys high, with lofts located on the second level.

The site plan of the proposed development indicates that the access to the building will be taken from the shared access driveway located south of the Discovery Bay project currently under construction (north of the proposed development). This access drive provides access to the two level parking structure, as well as a Porte Cochere feature adjacent to the main lobby entrance to the development. The site plan also includes a continuation of the walkways from both the “Lagoons” and the Discovery Bay project currently under construction.

The first level floor plan shows 10 residential dwelling units (4-1br, 6-2br) around the perimeter of the parking structure (6 facing the lagoon, 4 facing Sunset Dr.), parking for 86 vehicles within the parking structure and 3 vehicles outdoors, and the main entrance lobby to the development. This lobby area also includes amenity areas for the building residents, including an exercise room, and a pool area. The residential units facing

Sunset Drive are one storey high. The resulting roof structure facing Sunset Drive forms a visual buffer of the tennis courts located on the Plaza from Sunset Drive.

The second level floor plan shows 6 residential dwelling units (all 3 br) around the perimeter of the parking structure (all facing the lagoon), parking within the structure for 89 vehicles, and the open second storey of the main entrance lobby area. There is also a games room located on this level.

The third level floor plan show a total of 12 residential dwelling units (1-3br, 8-2br, 3-1br), of which 6 are 2 storey townhouse units facing the lagoon to the west. The second level of the townhouse units contain loft areas. The third level plan also shows the outdoor amenity area (Plaza) that is proposed to be constructed over the parking structure. The amenities shown include an outdoor swimming pool as associated features, and an outdoor tennis court.

The fourth level plan shows the loft area of the 6 townhouse units, and 7 units in the tower area (4-2 br, 3-1 br). The seven units per floor of the tower area continues up to the 15th level.

The 16th level to the 18th level each consist of 4 dwelling units (2-2br, 2-3br). Level 19 has 3 dwelling units (1-3br, 2-2br), and Level 20 has 2 dwelling units (1-3br, 1-5br). The 21st level contains the loft areas for the 20th level.

The proposed exterior finishes consist of stucco textures and colours that are similar to the existing “Dolphins” and “Lagoons” development. The glazing is proposed to utilize light green coloured glass in green coloured frames. The roof elements are proposed to be finished with a red coloured tile, similar to the adjacent developments.

The design elements of the exterior of the proposed building included features that are present on both the “Dolphins” and “Lagoons” projects, as well as proposed for the Discovery Bay project. The townhouse units located around the perimeter of the parking structure utilize a mix of stucco wall finishes, brick wall base, and a horizontal roof element with red coloured tile at the second storey floor level. The second and third levels of the townhouses have glass enclosed decks facing the lake. The roof areas are finished with red coloured roofing tiles. The townhouse units facing Sunset Drive are only one storey high.

The wall elements of the tower are consistent up to the 16 storey, which then are stepped back and incorporate a roof element. The walls are then stepped back further at the 20 storey level.

The roof incorporates a number of gable roof end and dormer elements, which are similar in character to both the “Dolphins” and “Lagoons” developments. The peaks of several of the roof areas are finished off with finial features.

The landscape drawings for the proposed development indicate a substantial amount of landscaping facing both Sunset Drive and Okanagan Lake. As well, the plans indicate a continuation of the walkway along the lagoon and the driveway between the proposed development and the Discovery Bay project currently under construction. The landscape plans also show a substantial amount of landscaping for the exterior plaza level above the parkade structure. The plaza level includes such outdoor amenities as swimming pool, hot tub, and tennis courts, and well as a system of meandering paths which connect the upper levels of the perimeter townhouse units and the lobby of the apartment tower.

The associated Development Variance Permit (DP02-0048) application made to address the required variances to building siting and height have been circulated separately to Council for consideration.

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

CRITERIA	PROPOSAL	RM6 ZONE REQUIREMENTS
Site Area (m ²)	8,048 m ²	1,700.0m ²
Site Width (m)	50.93 m	30.0 m min.
Site Coverage (%)	74.4% ⑥	50% max.
Total Floor Area (m ²)	Gross 25,935 m ² Net 15,174 m ²	
F.A.R.	FAR = 1.9	Base FAR = 1.5, Max 2.0
Storeys (#)	21 storeys (68.5m) ④	16 Storeys or 55m
Setbacks (m)		
- Front	5.0 m min. ⑤ 5.4 m max.	6.0 m
- Rear	12.95 m	9.0 m
- North Side	0.0 m to parkade⑥	4.5 m
- South Side	5.5 m to building-1.5m to porte cochere⑦	4.5 m
Private Open Space	5230 m ² provided	43 - 1 br @ 12 m ² = 516 m ² 64 - 2 br @ 18 m ² = 1152 m ² 23 - 3 br @ 18 m ² = 414 m ² 2082 m ² open space req'd
Parking Stalls (#)	175 stalls provided②	43 - 1 br @ 1.25 = 54 64 - 2 br @ 1.5 = 96 23 - 3 br @ 2.0 = 46 196 stalls required
Bicycle Parking (#)	78 stalls required	Class I 130 x 0.5 = 65 Class II 130 x 0.1 = 13

Development Variance Permit application to vary;

1. **Section 6.1.2 (c) Daylighting Standards**, Daylighting angle to the north side of the proposed building from maximum 65° permitted to the 80° proposed,
2. **Section 8.1.2 Off-Street Vehicle Parking - Number of Spaces**, Number of Parking stalls from 196 stalls required to 175 stalls proposed.
3. **Section 13.12.5(b) Development Regulations**, Maximum site coverage for principal buildings, accessory structures, and parking areas and driveways be varied from maximum 50% permitted to 74.4% proposed.
4. **Section 13.12.5(c) Development Regulations**, Maximum building height from the lessor of 55m or 16 storeys permitted, to 66m or 21 storeys proposed,
5. **Section 13.12.5(e) Development Regulations**, From 6.0 m required to 5.0 m proposed,
6. **Section 13.12.5(e) Development Regulations**, South Side Yard from 4.5 m required to 0.0 proposed to existing parkade structure,
7. **Section 13.12.5(e) Development Regulations**, North Side Yard from 4.5 m required to 1.5 m proposed to Porte Cochere feature.

Objectives for Multiple Unit Residential Development:

- All development should be an appropriate response to its physical context, or anticipated future context where an area is designated for increased density or land use transition in the OCP.
- All development within Urban Centres and Village Centres should contribute to the creation of pedestrian-oriented streets and public spaces (connections, social interaction).
- All development should promote safety and security of persons and property within the urban environment (CPTED).

Guidelines for Multiple Unit Development:

In issuing conditions relating to a development permit the City will specify how development permit objectives can be satisfied. This should include consideration of the following guidelines, as examples of how to meet the objectives:

Relationship to the Street

- First storey units should ideally provide ground-level access and outdoor amenity space
- The principle front entranceway should be clearly identified and in scale with the development.

Building Massing

- Developments with multiple, separate buildings should be designed in such a manner that individual buildings contain different, but compatible shapes, masses, and/or exterior finishes.
- Developments should be sensitive to and compatible with the massing and rhythm of the established streetscape.
- Sub-roofs, dormers, balconies, and bay windows should be encouraged.

Walls

- End walls visible from a public street or residential lot should be finished to provide an attractive appearance. Blank or solid walls (without glazing) should not be longer than 5 m. Walls longer than 5 m should incorporate wall detailing that will provide visual interest.

Views

- View corridors should, wherever possible, be preserved.
- All buildings and structures on lots along the Okanagan Lake foreshore should be sited so as to minimize any obstruction of lake views from established abutting development.
- Buildings along the lakefront should not be taller than those permitted further inland such that lakefront views are not obscured. Special circumstances may suggest relaxation of this policy to allow for a landmark development that is in the public's interest.

Crime Prevention

- Guidelines for Crime Prevention Through Environmental Design Guidelines (CPTED) should be followed.

Amenities

- Appropriate high quality public spaces, which provide links to surrounding areas and open space relief within the development should be encouraged.

Parking

- Underground parking 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 Crime Prevention Through Environmental Design

The proposed building development addresses Crime Prevention Through Environmental Design (CPTED) issues through the use of ground orientation of the residential units around the perimeter of the site development. This increases the opportunities for surveillance of the street and outdoor activities by building residents.

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 to this development. Application must be made by customer or representative allowing at least 8 wks time to meet the customer's needs.

4.2 Canada Post

This application will require the installation of centralized mail delivery equipment

4.3 Fire Department

Fire department access and hydrants as per the BC Building Code and City of Kelowna Subdivision By-law.

Engineered fire flows will be required.

Confirm that perimeter access complies with BC Building Code

4.4 Inspection Services Department

First comment;

It is difficult to comment on this project without further information on the Code analysis and any possible equivalency reports. The plans show the non-combustible tower and the combustible townhouses connected. I need more information to assess this proposal.

Second comment;

Architect has a solution conforming to the building code which will allow the project to proceed essentially as presented.

4.5 Land Agent

Public access along the lagoon must be secured as per original development plan prior to final approval

4.6 Ministry of Water, Land, and Air Protection

In regard to your letter of June 5, 2002, the Ministry of Water, Land and Air Protection, Southern Interior Region, have reviewed the above and have no recommendations or objections regarding this proposal at this time.

4.7 Parks Manager

1. Please provide landscape plan for the proposed development.
2. All entry feature signs for the proposed development to be located on private property and not on city Blvd. This includes any landscape treatment.

Landscape Plan Requirements:

3. The following applies for all boulevard (BLVD) landscape on city ROW and is standard information required on a landscape plan:
 - A. Planting plan to include a plant materials list:

i)	Latin name	iv)	plant symbol key
ii)	common name	v)	indicate existing trees
iii)	size at planting	vi)	indicate existing trees to be removed
 - B. Minimum plant material specifications for blvds. as follows:
 - 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. Shrub beds require plastic edge beside all areas abutting a city sidewalk or city land to prevent migration of mulch.
 - D. Scale of plan and north arrow clearly indicated on plan.
 - E. Planting plan to include all u/g utility locations in BLVD.
4. 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.
5. **BLVD maintenance** (irrigation, shrubs, ground cover, sod, and seeded areas) is the responsibility of owner/occupant.
6. **BLVD tree maintenance** is responsibility of Parks Division.
7. Planting plan to include all u/g utility locations in BLVD.

All trees planted in sidewalk and not in grass Blvd will require a vault and grate and/or root shield barriers. All trees in grass Blvd to use root shield barriers beside concrete infrastructure.

4.8 School District #23

Variance has no impact on SD 23. It is not anticipated any significant student enforcement will result from this development.

4.9 Shaw Cable

Developer/contractor to install Shaw conduit as per Shaw specifications.

4.10 Telus

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

4.11 Aquilla Networks Canada

ANC will provide underground electrical service on behalf of the City of Kelowna.

4.15 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 or subdivision approval, but are outlined in this report for information only.

1. Domestic Water and Fire Protection

- (a) The existing water main on Sunset Drive is a 250mm-diameter pipe and is sufficient to supply the proposed development.
- (b) The developer's consulting mechanical engineer will determine the domestic and fire flow requirements of this proposed building and establish the required size and preferred location of the new service. Decommissioning of any unused water services and the installation of all new services will be at the applicant's cost.
- (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.

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) A 530mm-diameter sanitary sewer main fronts this lot and is sufficient to support this proposed development. The developer's consulting mechanical engineer will determine the requirements of this proposed building and establish the required size and preferred location of the new service. Decommissioning of any unused service and the installation of all new services will be at the applicant's cost.

Storm Drainage

- (b) A 1050mm-diameter AC storm sewer main fronting this property is sufficient to support the proposed development.
- (c) It must be understood that the storm drainage systems in this vicinity are relatively shallow as the level of Okanagan Lake influences drainage. The drainage systems are inundated in water at times of high lake levels.
- (d) The developer's consulting mechanical engineer will determine the requirements of this proposed development site and establish the required size and preferred location of the new service. The service will be provided at the applicant's cost.
- (e) 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 plan must accommodate the requirements to contain a 1 in 10-year storm event within pipes and identify overland drainage routes for a 100-year storm event and possible provision of storm water retention facilities. The storm water management plan must also include provision of a lot grading plan, provide minimum basement elevation (MBE), and provide on-site drainage containment and disposal systems. The on-site drainage system may be connected to the street drainage system with an overflow service. A direct pipe discharge to the lake is not permitted.

3. Road Improvements

Sunset Drive was constructed to an urban standard by the City of Kelowna several years ago. This developer must contribute a share of the cost for widening the carriageway pavement and relocating the centre-line apex to create a symmetrical carriageway. The existing curb, gutter and sidewalk alignment will remain in place, as the carriageway widening occurred on the east side. A one-time cash payment is required in the amount of \$6,500.00 as this applicant's share of the cost of widening Sunset Drive to an acceptable standard.

Construction of the new concrete driveway access will require removing existing curb and sidewalk sections and it may be necessary to relocate or adjust existing facilities. The cost for bonding purposes is \$5,800.00. Damage to other existing curb and sidewalk sections will also likely occur during the excavation and construction period. Replacement of damaged works will be at the developer's expense.

4. Road Dedication and Subdivision Requirements

- (a) Grant statutory rights of way if required for utility services.
- (b) Register a statutory right-of-way over the fire truck access lane.
- (c) Register a joint access agreement.

5. Electric Power and Telecommunication Services

The electrical and telecommunication services to this building as well as the local distribution wiring 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.

6. Street Lighting

Ornamental street lighting including underground ducts has been installed on the road fronting on the proposed development. It may be necessary to relocate or add new light standards. The cost of this requirement will be at the applicant's cost.

7. 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.

8. Development Cost Charge Reduction Consideration

Not applicable.

9. Latecomer Protection

Not applicable.

10. Geotechnical Report

As a requirement of this application and building permit approval 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.
- (b) Site suitability for development; i.e. unstable soils, foundation requirements etc.

- (c) Drill and/or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.

11. 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.

12. Bonding and Levy Summary

- (a) Bonding Sunset Drive Driveway Access
\$5,800.00

The owner must also enter into a servicing agreement in a form provided by the City prior to issuance of a building permit.

- (b) Levies

Sunset Drive pavement widening
\$6,500.00

Total Levies
\$12,300.00

NOTE: The foregoing levies if over \$5,000.00 may at the applicant's option be temporarily secured by the provision of a separate irrevocable letter of credit to cover the amount of the levy, with the understanding that the City will convert the letter of credit to cash upon final adoption of the zone amending bylaw or prior to issue of a building permit.

If the applicant elects to secure the levies by an irrevocable letter of credit rather than cash, a \$50.00 non-refundable processing fee must be paid to the City upon provision of the letter of credit.

NOTE: The bonding amount shown above are comprised of estimated construction costs escalated by 140% to include engineering design and contingency protection and are provided for information purposes only. The owner should engage a consulting civil engineer to provide detailed designs and obtain actual tendered construction costs if he wishes to do so. Bonding for required off-site construction must be provided as a condition of subdivision approval or building permit issuance, and may be in the form of cash or an irrevocable letter of credit, in an approved format.

The owner must also enter into a servicing agreement in a form provided by the City prior to or issuance of a building permit.

13. Development Permit, Variance and Site Related Issues

- (a) 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.

(b) Access and Manoeuvrability

Perimeter access must comply with the BC Building Code.

An SU-9 standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles movements should also be illustrated on the site plan.

(c) Development Variance Permit

The development variance application to reduce the required side yard setbacks does not compromise Works and Utilities servicing requirements.

The Transportation Department does not support the proposed development variance to reduce the number of parking stalls from 196 to 175.

The development variance application to increase the building height and day-lighting angle does not compromise Works and Utilities servicing requirements.

14. Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as 3% of the total off-site construction costs, not including design. 7% GST will be added.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The original Lakepoint Development Agreement was originally conceived in the late 1980's as a means to facilitate the redevelopment of what had been predominately industrial lands along the lake. This agreement created the development site for the Grand Okanagan Resort, the adjacent Kelowna foreshore development consisting of a system of walkways and lagoons, and 5 multi-family residential lots adjacent to Sunset Drive. The "Dolphins" apartment tower was the first building constructed in 1991, followed by the construction of the first phase of the "Lagoons" development in 1993.

In 2000, the Point of View group had a Development Permit (DP00-10,057) approved on the northern 2 lots of the Lakepoint Development Agreement lands to facilitate the construction of a 236 unit, medium rise building consisting of a 3 - 4 storey wood framed building constructed on top of a 2 storey concrete parking structure (Discovery Bay).

Since that time, Point of View has acquired development rights to the remaining waterfront development parcel created by the Lakepoint Development Agreement. The subject property is the lot remainder from the development of the first phase of the Lagoons development.

It is interesting to note that there is an approved Development Permit (DP93-10,007) for the second phase of construction for the Lagoons project. However, the proposed building height for that Development Permit was limited to a maximum of 16 storeys, the maximum permitted by the zone of the day.

With the adoption of the new zoning bylaw #8000 in 1998, there was an increase in the maximum permitted density provisions, which has allowed the developer of the proposed building to add 5 storeys of building height without exceeding the maximum permitted density provisions of the RM6 zone.

This development proposal represents a reasonable form of development that is very similar to the previously approved Development Permit (DP93-10,007). The increase in density proposed for this development, as allowed by changes in the RM6 zone, permits provision of housing in the Downtown Urban Town Centre, which creates an opportunity to address a substantial number of Traffic Demand Management initiatives by providing housing near major employment areas of the City.

The Planning and Development Services Department does not have concerns with this proposed development, and recommends for positive consideration by Council.

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.: | DP02-0047 |
| 2. APPLICATION TYPE: | DVP02-0048
Development Permit
Development Variance Permit |
| 3. OWNER: | 530751 BC Ltd. (Pointe of View) |
| . ADDRESS | #200 – 683 10 th St. SW |
| . CITY | Calgary AB |
| . POSTAL CODE | T2P 5G3 |
| 4. APPLICANT/CONTACT PERSON: | Alvin Reinhard Fritz Architect Inc./ |
| . ADDRESS | Alvin Fritz |
| . CITY | RR8, S28, C14 |
| . POSTAL CODE | Lethbridge AB |
| . TELEPHONE/FAX NO.: | T1J 4P4
(403)571-8400/(403)571-8439 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | May 30, 2002 |
| Date Application Complete: | June 5, 2002 |
| Servicing Agreement Forwarded to Applicant: | N/A |
| Servicing Agreement Concluded: | N/A |
| Staff Report to Council: | August 20, 2002 |
| 6. LEGAL DESCRIPTION: | Lot 1, DL 139 & 3454, O.D.Y.D., Plan
KAP48963 |
| 7. SITE LOCATION: | West Side of Sunset Drive, North of
Clement Avenue |
| 8. CIVIC ADDRESS: | 1128 Sunset Drive |
| 9. AREA OF SUBJECT PROPERTY: | 8,036m ² |
| 10. TYPE OF DEVELOPMENT PERMIT AREA: | General Multiple Unit DP Area |
| 11. EXISTING ZONE CATEGORY: | RM6 – High Rise Apartment Housing |

12. PURPOSE OF THE APPLICATION:

- a) To Seek a Development Permit to Allow Development of a 21 Storey, 130 Unit, 15,174M² High Rise Apartment Building,
- b) To Seek a Development Variance Permit to Vary;
 - 1. Daylighting angle to the north side of the proposed building from maximum 65° permitted to the 80° proposed,
 - 2. Number of Parking stalls from 196 stalls required to 175 stalls proposed.
 - 3. Maximum Site Coverage From 50% Permitted to 74.4% Proposed,
 - 4. Maximum building height from the lesser of 55m or 16 storeys permitted, to 68.5m or 21 storeys proposed,
 - 5. Front Yard From 6.0m required to 5.0m proposed,
 - 6. South Side Yard from 4.5 m required to 0.0 proposed to existing parkade structure,
 - 7. North Side Yard from 4.5 m required to 1.5 m proposed to Porte Cochere feature.

13. DEVELOPMENT VARIANCE PERMIT VARIANCES:	Development Variance Permit application to vary;
	<ol style="list-style-type: none"> 1. Section 6.1.2 (c) Daylighting Standards, Daylighting angle to the north side of the proposed building from maximum 65° permitted to the 80° proposed, 2. Section 8.1.2 Off-Street Vehicle Parking – Number of Spaces, Number of Parking stalls from 196 stalls required to 175 stalls proposed. 3. Section 13.12.5(b) Maximum site coverage for principal buildings, accessory structures, and parking areas and driveways be varied from maximum 50% permitted to 74.4% proposed. 4. Section 13.12.5(c) Development Regulations, Maximum building height from the lesser of 55m or 16 storeys permitted, to 66m or 21 storeys proposed, 5. Section 13.12.5(e) Development Regulations, From 6.0 m required to 5.0 m proposed, 6. Section 13.12.5(e) Development Regulations, South Side Yard from 4.5 m required to 0.0 proposed to existing parkade structure, 7. Section 13.12.5(e) Development Regulations, North Side Yard from 4.5 m required to 1.5 m proposed to Porte Cochere feature.
14. VARIANCE UNDER DEVELOPMENT PERMIT:	N/A
15. DEVELOPMENT PERMIT MAP 6.2 IMPLICATIONS	N/A

Attachments

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