
CITY OF KELOWNA

MEMORANDUM

Date: November 20, 2002
File No.: DP02-0064 / DVP02-0065

To: City Manager

From: Planning & Development Services Department

Subject:

APPLICATION NO. DP02-0064 / OWNER: H. BENSON ELECTRIC LTD
DVP02-0065

AT: 1229 & 1239 KLO ROAD APPLICANT: PATRICK McCUSKER

PURPOSE: TO OBTAIN A DEVELOPMENT PERMIT FOR THE FORM AND
CHARACTER OF THE PROPOSED CONDOMINIUM DEVELOPMENT

TO VARY THE HEIGHT OF THE BUILDING FROM 3 STOREYS
PERMITTED TO 3 ½ STOREYS PROPOSED

EXISTING ZONE: A1 – AGRICULTURE 1

PROPOSED ZONE: RM4 – TRANSITIONAL LOW DENSITY HOUSING

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Bylaws No. 8903 & 8904 be finally adopted by Municipal Council;

AND THAT Council authorize the issuance of Development Permit No. DP02-0064; Patrick McCusker, Lots 2&3, ODYD, Plan 17528(Except Plan H17514); to obtain a Development Permit for the form and character of a 33 unit condominium building subject to the following conditions:

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. Registration of the easement with Lot 4, Plan 17528 (1249 KLO Rd.) for future cross access;

AND THAT Council authorize the issuance of Development Variance Permit No. DVP02-0065; Patrick McCusker, Lots 2&3, ODYD, Plan 17528 (Except Plan H17514);

AND THAT variances to the following section of City of Kelowna Zoning Bylaw No. 8000 be granted:

Section 13: Specific Zone Regulations: RM4 – Transitional Low Density Housing

- Vary the height of the proposed condominium building from three storeys permitted to 3.5 storeys requested.

2.0 ADVISORY PLANNING COMMISSION

The Advisory Planning Commission considered the proposed Development Permit and Development Variance Permit and passed the following resolutions:

THAT the Advisory Planning Commission supports Development Permit Application No. DP02-0064, 1229/1239 KLO Road, Lots 2 & 3, Plan 17528, Sec. 18, Twp. 26, ODYD, by Patrick McCusker, to obtain a Development Permit for the form and character of a 33 unit condominium building subject to an entrance feature being incorporated on the subject property at the access to KLO Road;

AND THAT the Advisory Planning Commission supports Development Variance Permit Application No. DVP02-0065, 1229/1239 KLO Road, Lots 2 & 3, Plan 17528, Sec. 18, Twp. 26, ODYD, by Patrick McCusker, to vary the height of a proposed condominium building from the 3 storeys permitted to the 3.5 storeys requested.

*Note: The applicant has revised entry details since the Advisory Planning Commission review.

3.0 SUMMARY

The applicant proposes to construct a 33-unit condominium building on KLO Road. The 3 ½ storey building would include twenty four two-bedroom units and nine one-bedroom units. The proposed development requires an OCP amendment from Low Density Multiple Unit Residential to Low Density Transitional Multiple Unit Residential, as well as a zone amendment to RM4 – Transitional Low Density Housing. Furthermore, applications have been made for a Development Permit and a Development Variance Permit to permit a height variance to 3 ½ storeys, rather than three storeys, as permitted by bylaw.

4.0 BACKGROUND

4.1 The Proposal

The applicant is proposing the development of a 33 unit condominium building on the south side of KLO Road, east of Gordon Drive. The proposed development triggers an amendment to the Official Community Plan to change the future land use designation from Low Density Multiple Unit Residential to Low Density Transitional Multiple Unit Residential. Furthermore, the

applicant is requesting a variance to rezone the subject property from A1 – Agriculture 1 to RM4 – Transitional Low Density Housing.

The building would be oriented sideways on the site, the main entrance facing the west side. The main floor consists of the lobby and mail area, as well as eight two-bedroom and three one-bedroom units. The same numbers of units are located on the second and third floors respectively, with an additional amenity area on each floor. The basement contains 37 parking stalls, bike lockers and a bicycle storage room, as well as 36 storage lockers. The building is essentially rectangular and its massing is broken up through the use of balconies and sub-roofs. The mid-section of the west elevation, where the front entrance is located, will be stepped back.

The finishing materials proposed for the building include brown asphalt roof shingles. Board & batten and clapboard vinyl siding will be used as the main finishing materials, accentuated by stucco and wooden trim. Additional detailing will be provided through the use of mullions and white wooden trim around the windows. Prefinished aluminum railings will be used on the balconies.

The remainder of the site will be mainly taken up by 15 surface parking stalls, drive aisles and landscape buffers. London Plane trees and Austrian Pines will be used along KLO Road, whereas Maple Trees will be used in the landscape buffers along the east and west property lines. Honeylocust and an additional London Plane Tree will be planted at the southern of the site. Numerous types of shrubs will be used on the perimeter of the site and around the proposed building. The circular section of the driveway in front of the main entrance will be enhanced with stamped concrete, while the remainder of the parking lot and drive aisle will be paved. Open space requirements are met through the provision of individual decks and open space in front of the building.

The applicants have included a variance application to be permitted to increase the height of the building from three storeys permitted by bylaw to 3 ½ storeys. The underground parkade is raised more than 0.6m above ground, therefore constituting a half storey.

The application meets the requirements of the RM4 – Transitional Low Density Housing zone as follows:

CRITERIA	PROPOSAL	RM4 ZONE REQUIREMENTS
Lot Area (m ²)	3798m ²	900m ²
Lot Width	45.8m	30.0m
Lot Depth	82.8m	30.0m
F.A.R.	0.0801	0.65 plus 0.154 for underground parking: 0.804
Site coverage	33.4% 59.6%	50% 60% with buildings, driveways and parking
Height (# of storeys/m)	13.0m / 3 ½ storeys ^❶	13.0m or 3 storeys
Setbacks (m)		
- Front	6.0m	6.0m
- Rear	11m	9.0m
- West Side	4.5m	4.5m
- East Side	18m	4.5m
Private Open Space	653m ²	15.0m ² per 1-bdrm unit 25.0m ² per 2-bdrm unit Total: 735m ²
Bicycle Parking	14 bike lockers, bike room for appr. 3 bicycles, bike rack outside	Class I: 0.5 per dwelling unit: 16.5 Class II: 0.1 per dwelling unit: 3.3
Parking Stalls (#)	52	1.25 per 1-bdrm unit: 11.25 1.5 per 2-bdrm unit: 36 Total: 48

Notes:

- ❶ The applicant has requested a variance to increase the maximum height from 3 storeys permitted to 3 ½ storeys requested.

4.2 Site Context

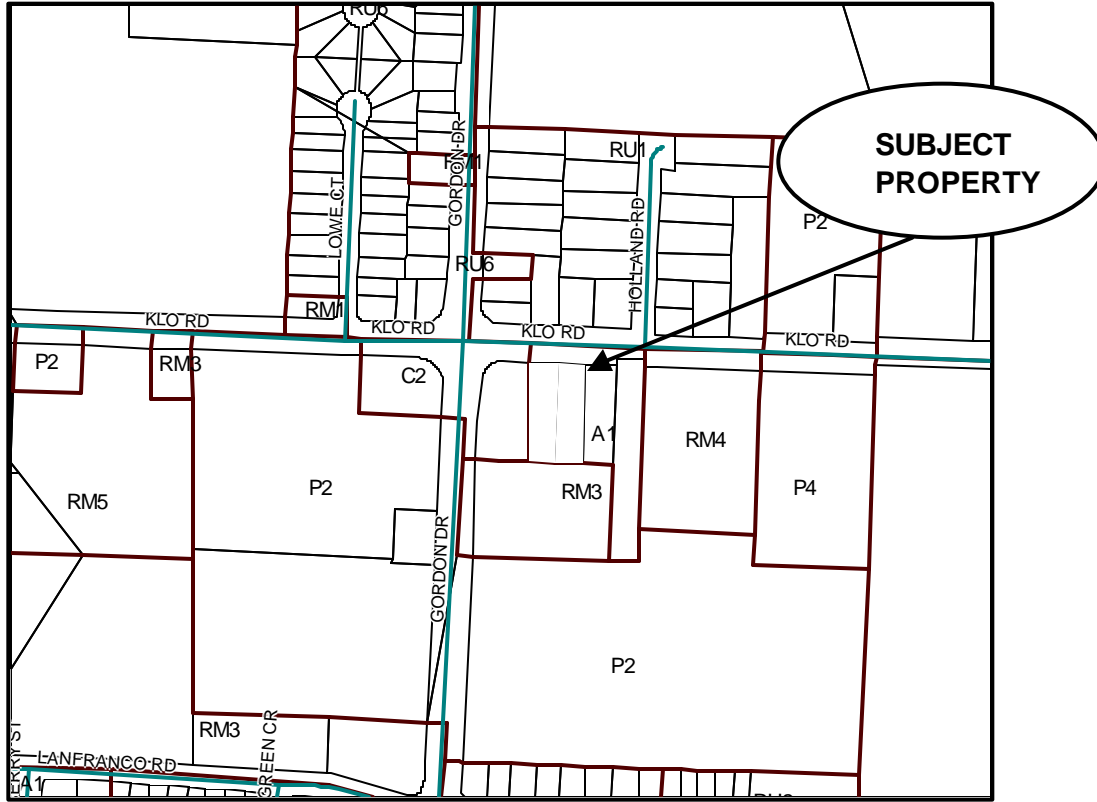
The subject site is located in the South Pandosy/KLO Sector. The two lots are on the south side of KLO Road, east of Gordon Drive. The area has a multitude of residential, commercial and institutional zones, with neighbourhood commercial uses on the corner of KLO Road and Gordon Drive, other multiple unit residential developments on Gordon Drive and KLO Road, single-detached housing north of KLO Road, as well as a school on KLO Road. The office of the Central Okanagan Regional District and the City of Kelowna Parks Department are located to the east of the subject properties on KLO Road.

Adjacent zones and uses are to the:

- North - RU1 – Large Lot Housing – Single-detached housing
- East - A1 – Agriculture 1 – Single detached unit
- South - RM3 – Low Density Multiple Housing - Townhomes
- West - C2 – Neighbourhood Commercial

Site Map

Subject Properties: 1229 and 1239 KLO Road



4.3 Existing Development Potential

The property is zoned A1, a zone intended for rural areas and agricultural uses, as well as other complementary uses suitable in an agricultural setting.

4.4 Current Development Policy

4.4.1 Kelowna Official Community Plan

The Development Permit Guidelines address the relationship of proposed development to the street. One of the items addressed is that the front entrance should be clearly defined. The applicant has re-oriented the proposed development so that it now sits on the opposite side of the property.

4.4.2 South Pandosy/KLO Sector Plan

The sector plan encourages multiple unit development to concentrate around the Pandosy Urban Town Centre. The proposed development is directly adjacent to the town centre and abutting and in close proximity to other multiple unit developments, although these have slightly lower densities. The South Pandosy/KLO Sector Plan limits height of residential development to three storeys above structured parking. Despite the variance for 3.5 storeys, the proposed development would only have three storeys of residential units.

5.0 TECHNICAL COMMENTS

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

5.1 Inspection Services Department

This is a 4 storey sprinklered building facing 2 streets from a code point of view (see Article 3.2.2.45). This is a 3.5 storey building with respect to the zoning bylaw. A fire hydrant shall be located 90m from the fire department connection. The area between the building and the driveway marked P.O.S. may need to be widened for fire fighting purposes. Check with fire prevention officers.

5.2 Works and Utilities Department

The Works & Utilities Department comments and requirements regarding this application to rezone the subject property from A1 (Agricultural) to RM4 (Transitional Low Density Housing) are as follows:

5.2.1 Subdivision

- a) Provide easements as may be required.
- b) Consolidate the parcels.

5.2.2 Geotechnical Study.

We recommend that a comprehensive geotechnical study be undertaken over the entire site. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zoning. As well, the study should address drainage patterns including the identification of ground water and the presence of any surface springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays,

5.2.3 Domestic water and fire protection.

This development is within the City of Kelowna water service area. A new water service adequately sized for the proposed development and the decommission of the existing services might be required. All the charges for service connection, and upgrading costs are to be paid directly to the City at the time of the application for a new connection.

A watermeter is mandatory as well as a sewer credit meter to measure all the Irrigation water. Watermeters must be housed in an above-ground, heated, accessible and secure building, either as part of the main site buildings or in a separate building. Remote readers units are also mandatory on all meters.

5.2.4 Sanitary Sewer.

The subject property currently serviced by the municipal sanitary sewer collection system. A new sanitary sewer service adequately sized for the proposed development might be required. All the charges for service connection and upgrading costs are to be paid directly to the City at the time of the request for a new connection.

5.2.5 Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual, is a requirement of this application.

5.2.6 Power and Telecommunication Services.

The services to and fronting this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

5.2.7 Road improvements.

a) KLO Road

The applicant is responsible to upgrade KLO Road to an arterial standard. The construction consists of a separate sidewalk, curb and Gutter, storm drain extension, removal and/or relocation of utilities as may be required. The estimated cost for this work is \$35,800.00 inclusive of a bonding escalation.

5.2.8 Access.

KLO Road is classified as an arterial road and ultimately driveways accesses will be restricted to right-in and right-out only by the erection of a median along the center of KLO Road at some point in the future.

Works and Utilities recommends that the on-site parking layout for the proposed development includes provision for a potential connection, at the south east corner of the proposed development, to the existing private lane that is located opposite to Holland Road. Cross-access agreements will be obtained at the time of the redevelopment of the remaining parcels between the lane and the subject property.

5.2.9 Street lights.

Streetlights must be installed on all fronting roads as determined by the Manager of Electrical Utilities.

5.2.10 Engineering.

Design, construction, supervision and inspection of all off-site civil works and site servicing must be performed by a consulting civil Engineer and all such work is subject to the approval of the city engineer.

5.2.11 DCC Credits.

None of the required improvements qualify for DCC credit consideration, as these upgradings are not identified in the current DCC schedules.

5.2.12 Bonding and Levies Summary.

a) Performance Bonding

KLO Road frontage upgrading	<u>\$ \$35,800.00</u>
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b) Levies

At the time of building permit and services permit application

Additional comments for DP02-0064:

1. KLO Road is classified as an arterial road and ultimately driveways accesses will be restricted to right-in and right-out only by the erection of a median along the center of KLO Road at some point in the future.

The on-site circulation appears acceptable, however, Works and Utilities recommends that the on-site parking layout for the proposed development includes provision for a potential connection, at the south east corner of the proposed development, to the existing private lane that is located opposite to Holland Road. Cross-access agreements will be obtained at the time of the redevelopment of the remaining parcels between the lane and the subject property.

2. A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual, is a requirement of this application.

5.3 FIRE DEPARTMENT

Engineered fire flows will be required. Fire department access and hydrants as per the BC Building Code and City of Kelowna Subdivision By-law. Hydrant required within 45m of the fire department connection, if building is sprinkled.

5.4 BC GAS

A main extension may be required to serve this development. Abandonment of existing services is required prior to any demolition on site. Service application is required 8-10 weeks before install needed to meet construction schedules.

5.5 PARKS MANAGER

1. 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:

2. 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
 - ii) common name
 - iii) size at planting
 - iv) plant symbol key
 - v) indicate existing trees
 - 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.
3. 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.
4. BLVD maintenance (irrigation, shrubs, ground cover, sod, and seeded areas) is the responsibility of owner/occupant.
5. BLVD tree maintenance is responsibility of Parks Division.
6. Planting plan to include all u/g utility locations in BLVD.

5.6 SHAW CABLE

Owner/contractor to supply & install conduit system as per Shaw Cable drawings and specifications.

5.7 TELUS

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

5.8 AQUILA NETWORKS CANADA

ANC will provide underground electrical service.

6.0 PLANNING COMMENTS

The Planning and Development Services Department suggested certain changes to the form and character of the proposed development, such as the enhancement of the main entrance in order to improve its visibility from KLO Road. This could be accomplished through the use of a porte-cochere for example. It is also recommended that the applicant pursue an access easement with the property to the east for future cross access.

The applicant has since revised the site plan, adjusting the proposed building to the opposite side of the site. This change was required to address soil stability issues on the site and to accommodate the concerns of neighbors. The applicant has also indicated clear pedestrian access from KLO to the front entrance and has incorporated an entry feature near the front property line.

The Planning and Development Services Department has no objections to the proposed variance as the development is essentially a three storey building. The additional 0.5 storeys derives from the under-building parking, of which only half is located below grade.

Andrew Bruce
Current Planning Manager

Approved for inclusion

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

RWS
Attach.

FACT SHEET

- | | |
|---|---|
| 1. APPLICATION NO.: | DP02-0064 / DVP02-0065 |
| 2. APPLICATION TYPE: | Development Permit, Development
Variance Permit |
| 3. OWNER: | H. Benson Electric Ltd., Inc. No.
347936 |
| . ADDRESS | #212 – 1626 Richter Street |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1Y 2M3 |
| 4. APPLICANT/CONTACT PERSON: | Patrick McCusker |
| . ADDRESS | 1450 Pandosy Street |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1Y 1P3 |
| . TELEPHONE/FAX NO.: | 860-8185 / 860-0985 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | July 11, 2002 |
| Date Application Complete: | October 17, 2002 |
| Servicing Agreement Forwarded to
Applicant: | |
| Servicing Agreement Concluded:
Staff Report to APC: | July 29, 2002 |
| 6. LEGAL DESCRIPTION: | Lots 2/3, D.L. 131, ODYD, Plan 17528
(Except Plan H17514) |
| 7. SITE LOCATION: | South Pandosy / KLO Sector, on the
south side of KLO Road, east of
Gordon Drive |
| 8. CIVIC ADDRESS: | 1229 & 1239 KLO Road |
| 9. AREA OF SUBJECT PROPERTY: | 3798m" |
| 10. EXISTING ZONE CATEGORY: | A1 – Agriculture 1 |
| 11. TYPE OF DEVELOPMENT PERMIT AREA: | Multiple Unit Development Permit |
| 13. PURPOSE OF THE APPLICATION: | To develop a 33-unit condominium
building |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.: | N/A |
| NOTE: IF LANDS ARE WITHIN 800 m OF A
CONTROLLED ACCESS HIGHWAY | |
| 15. DEVELOPMENT PERMIT MAP 6.2
IMPLICATIONS | |
| General Multiple Unit DP | Mandatory DP |

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan
- Elevations
- Floor plans
- Sample finishing materials
- Landscape plan