
CITY OF KELOWNA

MEMORANDUM

Date: December 3, 2003
File No.: ((3060-20) **DP03-0108**

To: City Manager

From: Planning & Corporate Services Department

Subject:

DEVELOPMENT PERMIT APPLICATION OWNER: RUBY HOLDINGS LTD
NO. DP03-0108 (INC. NO. 146725)

AT: 680, 688, 690 LEQUIME

APPLICANT: WATER STREET
ARCHITECTURE

PURPOSE: TO SEEK A DEVELOPMENT PERMIT TO AUTHORIZE
CONSTRUCTION OF 2 – 4 STOREY, 4,932.4 M², 47 UNIT
APARTMENT BUILDINGS FOR THE RM5 ZONED
PROPERTIES, AND 2 – 4 UNIT AND 2 – 3 UNIT, 2 STOREY
ROW HOUSE BUILDINGS FOR THE RM3 ZONED PROPERTY

EXISTING ZONE: RM3 – LOW DENSITY MULTIPLE HOUSING
RM5 – MEDIUM DENSITY MULTIPLE HOUSING

REPORT PREPARED BY: PAUL McVEY

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Permit No. DP03-0108 for Lots 2,3,5, Sec. 6, Twp. 26, O.D.Y.D., Plan KAP72953, located on Lequime Road and Gordon 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;

AND FURTHER 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 seeks permission to construct the remaining building phases of the proposed low and medium density multiple unit residential development for the subject properties. These next phases of construction are designed to consist of 2 - 4 storey, 47 residential unit buildings constructed on top of a concrete parking structure for the RM5 zoned properties (Lots 2 & 3), and 2 - 4 unit 2 - 3 unit row house buildings for the RM3 zone property (Lot 5).

2.1 Advisory Planning Commission

The above noted application (DP03-0108) was reviewed by the Advisory Planning Commission at the meeting of October 7, 2003 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Development Permit Application No. DP03-0108, 688/690 Lequime Road, Lots 2, 3 & 5, Plan 72953, Sec. 6, Twp. 26, ODYD by Water Street Architecture (Doug Lane) to obtain a Development Permit to allow for construction of two, 4 storey, 4,932 m², 47 unit apartment buildings and four, 4 unit, 2 ½ storey rowhouse buildings, subject to a variation in the proposed colour scheme as recommended by the Planning & Corporate Services Department.

NOTE;

The applicant has provided revised site plan and colour boards for the RM3 portion of the development, which are supported by the Planning and Corporate Services Department.

3.0 BACKGROUND

3.1 The Proposal

The former Fairview Golf Course property has been the subject of several development proposals over the years. The proposal in 1998 (Z98-1014) proposed to rezone the subject property from the P3 – Parks and Open space zone to add Low and Medium Density Multiple Housing zones to the golf course property. The associated Development Permit application (DP99-10,095) proposed the development of low density and medium density multiple unit housing forms. That application proposed a number of 4 unit buildings in 4 building clusters or nodes, with the remainder of the site proposed to be developed with several 3 storey apartment buildings.

In April 2000, the property was subdivided into 3 lots, which created the park site, as well as two development lots. The larger of the two remaining lots was then made the subject of a new Development Permit application (DP00-10,038) which proposed the development of 31 residential units in the form of 2 to 4 unit, linked-dwellings as part of the first phase of a revised development plan, which anticipated the development of up to 85 units. This Development Permit received Council consideration on October 2, 2000, and was authorized for issuance. However, that Development Permit was never issued, and it subsequently lapsed.

In October 2001, a 2.04 Ha portion located at the southern end of Lot 3, Plan KAP66568 was subdivided off to create a development site for the Okanagan Academy school facility. At the same time, the right of way for revised Lequime Road was dedicated to facilitate the required drainage works associated with the Mission Sports Field project. Application Z01-1034 rezoned the new Lot B, Plan KAP70075 to the P2 – Education and Minor Institutional zone to permit the development of the site for education purposes. The Okanagan Academy has recently constructed a school facility, and is in the process of constructing a gymnasium addition to the development.

This current application proposes the next phases of multiple unit residential development of the subject properties located near the north west corner of Lequime Road and Gordon Drive.

RM5 Lots

This current application proposes the development of Lots 5 and 3, Plan KAP72953, each with a 47 unit, 5,709.8 m² (GFA), 4 storey apartment building constructed on top of a concrete parking structure, partially buried in the ground for each lot. These proposed buildings are designed in an “L” shape, with a circular drive aisle located within the interior side of the “L”. There is also a surface parking lot for 21 vehicles located adjacent to the side of the building. The building and surface parking area will be accessed from a private access driveway located along the west side of the building for lot 3, and along the east side of lot 5.

The site plans are arranged in such a manner that the main vehicle entrance is proposed to be located in the approximate centre of the properties to provide access to the lots from the private access driveway through the subdivision. The vehicle access forms a circular driveway to provide a drop off point to the main building entry, as well as to provide access to both the surface parking and the under building parking area. The landscape plan provided indicates a substantial amount of landscaping around the site and the base of the buildings, as was provided for the first phase building located on lot 4, Plan KAP72953.

The exterior finishes of the proposed building are designed to consist of horizontal siding combined with built out corner and accent details. The eaves and gables area utilize exposed rafter elements and beam ends. There are also stucco finished wall areas between the wall area finished with the horizontal siding to add additional visual interest to the façade. The base areas of the walls and column bases are finished with split faced concrete block, as is the entrance to the under building parking structure. The horizontal siding is proposed to be finished in a “dark green” colour, while the trim and fascia are proposed to be finished in a “dark orange” colour. The vinyl window trim is coloured a “dark tan”.

The main pedestrian access to the building is located within the junction of the two wings of the “L” shape of the building, facing the circular driveway. Several of the residential units on the ground floor have direct access to grade outdoors. There is also a common amenity room located on the ground floor level, adjacent to the main entrance lobby. Also included within the lobby area is a public seating area with a fireplace. Each of the proposed building are designed to be developed with 11 one bedroom units and 36 two bedroom units. All of the one bedroom units will contain a den.

The proposal for **Lot 3** as compared to the RM5 zone requirements is as follows:

CRITERIA	PROPOSAL	RM5 ZONE REQUIREMENTS
Site Area (m ²)	5,090 m ²	1,400 m ²
Site Width (m)		30 m
Site Coverage (%)	30% Building 58% Building & pvmt	40% Building 60% Building & Pvmt
Total Floor Area (m ²)	5,709.8 m ² (gross) 4,932.4 m ² (net)	
F.A.R.	0.93	1.1 base, + .138 bonus underbuilding parking max. = 1.238 max.
Storeys (#)	4 storeys (15m)	4 storeys (16.5 m) max.
Setbacks (m)		
- Front (Lequime Rd.)	6.0 m	6.0 m
- Rear	18.5 m	9.0 m
- West Side	14 m	The minimum site side yard is 4.5m for a portion of a building not over 2½ storeys, and 7.5m for portions of a building in excess of 2½ storeys
- East Side (Gordon Dr.)	7.5 m	The minimum site side yard is 4.5m for a portion of a building not over 2½ storeys, and 7.5m for portions of a building in excess of 2½ storeys, and 7.5 m from a flanking street.
Parking Stalls (#)	47 under building 21 surface	68 stalls required
Private open space	1,860 m ² Provided	15 m ² for 1 Br = 165 m ² 25 m ² per 2 Br = 900 m ² 1,060 m ² Req'd

The proposal for **Lot 5** as compared to the RM5 zone requirements is as follows:

CRITERIA	PROPOSAL	RM5 ZONE REQUIREMENTS
Site Area (m ²)	4,750 m ²	1,400 m ²
Site Width (m)		30 m
Site Coverage (%)	30% Building 58% Building & pvmt	40% Building 60% Building & Pvmt
Total Floor Area (m ²)	5,709.8 m ² (gross) 4,932.4 m ² (net)	
F.A.R.	0.93	1.1 base, + .138 bonus underbuilding parking max. = 1.238 max.
Storeys (#)	4 storeys (15m)	4 storeys (16.5 m) max.
Setbacks (m)		
- Front (Lequime Rd.)	6.0 m	6.0 m
- Rear	18.5 m	9.0 m
- West Side	14 m	The minimum site side yard is 4.5m for a portion of a building not over 2½ storeys, and 7.5m for portions of a building in excess of 2½ storeys
- East Side (Gordon Dr.)	7.5 m	The minimum site side yard is 4.5m for a portion of a building not over 2½ storeys, and 7.5m for portions of a building in excess of 2½ storeys, and 7.5 m from a flanking street.
Parking Stalls (#)	47 under building 21 surface	68 stalls required
Private open space	1,860 m ² Provided	15 m ² for 1 Br = 165 m ² 25 m ² per 2 Br = 900 m ² 1,060 m ² Req'd

RM3 Lot

Lot 2, Plan KAP72953, located at the north end of the private driveway, is zoned RM3 – Low Density Multiple Unit Housing. This application proposes the development of this property with 2 – 4 unit and 2 – 3 unit residential buildings. Each of the proposed buildings is designed as a 2 storey building with 1 br and living space on the main level, and additional bedrooms on the 2nd level. The 2 end units for each building have an attached 2 car garage, while the 2 internal units each have a single car garage. There will be an additional stacked parking stall available in front of each of the garages.

The exterior design details and finishes for these proposed row houses are anticipated to be similar to the associated apartment buildings located on lots 3 and 5. However, the proposed colours for this portion of the development are designed to be either a “brick red” or “dark green” for the base wall colour, and “tan” for the trim elements.

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

CRITERIA	PROPOSAL	RM3 ZONE REQUIREMENTS
Site Area (m ²)	7,870 m ²	900 m ²
Site Width (m)	114 m	30 m
Site Coverage (%)	26% bldgs 47% bldg, pvmt	The maximum building site coverage is 40%, provided that the maximum site coverage of buildings, driveways, and parking areas is 50%.
Total Floor Area (m ²)	2,654 m ²	Max 3,935 m ² @ FAR = 0.5
F.A.R.	0.33	FAR = 0.5 max.
Storeys (#)	2 storeys	Max 2 storeys, or 9.5 m
Setbacks (m)		
- Front (Gordon Drive)	4.5 m	The minimum site front yard is 4.5 m, except it is 6.0 m for a garage or carport.
- Rear	7.5 m	The minimum site rear yard is 7.5 m, 4.5 m for common recreation buildings, and 1.5 m for other accessory buildings.
- North Side	26.7 m	The minimum site side yard is 4.5 m for a 2 or 2½ storey portion of a building
- South Side	4.5 m	The minimum site side yard is 4.5 m for a 2 or 2½ storey portion of a building
Parking Stalls (#)	32 stall provided	2 stall per 3 br units
Private Open Space (m ²)	2,137 m ²	25 m ² per unit (400 m ² req'd)

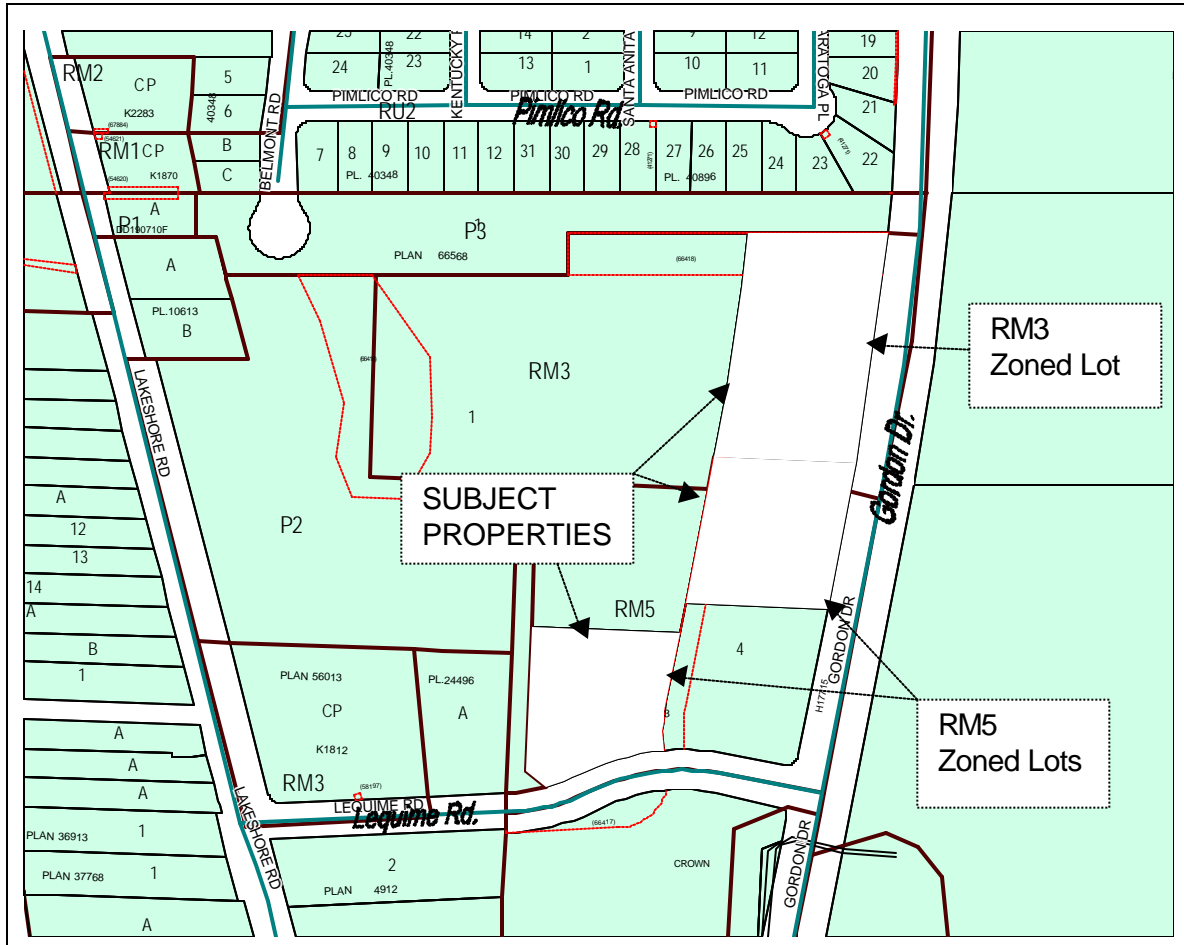
3.2 Site Context

The subject property was part of the former Fairview Golf Course site. The subject property is generally level, and is adjacent to Gordon Drive on the east side. A portion of the former golf course has been recently developed with a new Lutheran Church and school facility that is currently under construction. The majority of the lot has been filled approximately 1.2 to 2.0 m.

Adjacent zones and uses are, to the:

- North - P3 – Parks and Open Space / new linear park
- East - A1 – Agricultural 1 / Mission District Park and Wet Lands
- South - P2 – Education and Minor Institutional / Lequime Rd., Okanagan Academy Site
- West - RU1 – Large Lot Housing / Group Home
RM3 – Low Density Multiple Housing / future Lutheran Church Property
RM5 – Medium Density Multiple Housing / future Lutheran Church Property

Subject Property Map



3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

The current Official Community Plan designates the future land use of the subject property as a combination of multi-family residential – low density and multi-family residential – medium density. It also designates Park and Open Space along the length of Thompson Creek.

The Official Community Plan also contains the following statements;

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.

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:

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.

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 Mission/Crawford Sector Plan

The North Mission/Crawford Sector Plan generally supports the proposed land uses. Most of the site specific development criteria listed on Illustrative Concept #5 in the Sector Plan has been addressed through the conceptual development plans

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 Fire Department

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

Hydrant required within 45m of fire department connection.

4.2 Inspection Services Department

1. A Code analysis is required.
2. Ensure that there is adequate exits from the parkade directly to the exterior. Typically stair case are locked for security reasons.
3. In Phase I the exit stairs to the west was slightly compromised by the driveway, ensure the stair widths conform to the Code.
4. A driveway providing fire fighter access over 90 m in length requires a turn around for fire trucks.
5. Ensure a hydrant is located within 45 m of the fire department connection.

4.3 Parks Manager

1. The section of land marked 'Park Dedication' on the north side of the property is incorrect. It is Parks understanding that this land is a no-build zone, but will remain in private ownership.
2. Parks requests a 6' tall black vinyl fence be installed demarking the northern property line with Belmont Linear Park.
3. All entry feature signs for the proposed development to be located on private property and not on City Blvd.
4. Shrub beds require plastic edging beside all areas abutting a city sidewalk or city land to prevent migration of mulch.
5. All trees planted near City sidewalk, BLVD or other municipal concrete infrastructure requires root shield barriers, min 18" depth.
6. BLVD maintenance along Gordon Drive (irrigation, shrubs, ground cover, sod, and seeded areas) is the responsibility of owner/occupant.
7. Parks suggests installing a 2" conduit sleeve across City sidewalk to the Gordon Drive BLVD for irrigation of grass by owner/occupant.

4.4 Shaw Cable

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

4.5 Telus

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

Developer to provide a 3m wide easement on the private road at no cost to TELUS to provide service to Phase 2 and future phases. TELUS will require 24 hour access.

4.6 Works and Utilities Department

The Works & Utilities Department has the following comments and requirements associated with this application for the proposed Phase 2 Development – RM5 47 Unit Multi Family and the RM3 16 Unit Multi Family.

1. General

The Works & Utilities Department requirements have been addressed in the PLR Report S02-0080 and Rezoning Report Z01-1034, additional comments are as follows:

(a) Access and Manoeuvrability

The site plan illustrates the ability of an SU-9 standard size vehicle to manoeuvre onto and off the site without requiring a reverse movement onto public roadways.

The proposed access road and terminus Cul-De-Sac must be of sufficient radius to accommodate fire equipment. Consultation with the City Fire Prevention Officer and the Assistant Chief is necessary to establish

guidelines for all fire prevention and fire fighting issues, and modify the drawings accordingly.

Register a statutory right-of-way over the fire truck access and turning cul-de-sac.

(b) Landscaped boulevards

Adjustments to the Gordon Drive boulevard irrigation system for credit metering may be made after construction for each development phase is complete.

2. Bonding Summary

Water main extension to lot 2	\$13,800.00
Sanitary sewer main extension lot 2	\$19,500.00
Storm sewer main extension to lot 2	\$17,200.00
Road access to lot 2	<u>\$30,000.00</u>
Total Bonding	\$80,500.00

NOTE: The bonding amounts shown above are comprised of estimated construction costs escalated by 125% to include engineering 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 4th reading of the zone amending bylaw or issuance of a building permit.

3. 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 CORPORATE SERVICES DEPARTMENT COMMENTS

The Planning and Corporate Services Department generally support the development plan as provided, but does have minor concerns with this proposal for the next phases of development of the subject property. The proposed development is consistent with the RM5 zone. The proposed development is a reasonable form of multiple family residential development as the design of the buildings incorporate a high level of architectural detailing to provide for a visually interesting building, which is consistent with the first phase building.

However, the Official Community Plan Multiple Unit Development Permit Guidelines suggest the projects with multiple buildings have different yet compatible shapes, masses and /or exterior finishes. The two RM5 apartment buildings seem to be exact replicas of the first building. The applicant is encouraged to review these two buildings to incorporate some elements for design that will provide visual and aesthetic signatures that are different yet compatible with the Phase 1 building.

The proposed development for the RM3 zoned lands meets the requirements of the zone. The applicant has revisited the site plan for the townhouse portion of the development and has reworked the siting of the proposed building to ensure that the layout conforms to the zone requirements. As well, the applicant has reviewed the proposed colours, and has provided revised colour boards which introduce a “brick red” colour for the RM3 portion of the proposed development.

Andrew Bruce
Manager of Development Services

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Community and Corporate Services

PMc/pmc
Attach.

FACT SHEET

- | | |
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| 1. APPLICATION NO.: | DP03-0108 |
| 2. APPLICATION TYPE: | Development Permit |
| 3. OWNER:
· ADDRESS
· CITY
· POSTAL CODE | Ruby Holdings Ltd. (Inc. No. 146725)
1081 Mission View Ct.
Kelowna , BC
V1Z 3R3 |
| 4. APPLICANT/CONTACT PERSON:
· ADDRESS
· CITY
· POSTAL CODE
· TELEPHONE/FAX NO.: | Water Street Architecture / Doug Lane
1485 Water Street
Kelowna, BC
V1Y 1J6
762-2235/762-4584 |
| 5. APPLICATION PROGRESS:
Date of Application:
Date Application Complete:
Servicing Agreement Forwarded to Applicant:
Servicing Agreement Concluded:
Staff Report to Council: | September 16, 2003
September 16, 2003
N/A
N/A
December 3, 2003 |
| 6. LEGAL DESCRIPTION: | Lots 2,3,5, Sec. 6, Twp. 26, O.D.Y.D.,
Plan KAP72953 |
| 7. SITE LOCATION: | North West Corner Lequime Road
and Gordon Drive |
| 8. CIVIC ADDRESS: | 680, 688, 690 Lequime Rd. |
| 9. AREA OF SUBJECT PROPERTY: | Lot 2 – 7870 m ²
Lot 3 – 5090 m ²
Lot 5 – 4750 m ² |
| 10. TYPE OF DEVELOPMENT PERMIT AREA: | General Multiple Unit DP Area |
| 11. EXISTING ZONE CATEGORY: | RM3 – Low Density Multiple Housing
RM5 – Medium Density Multiple
Housing |
| 12. PURPOSE OF THE APPLICATION: | To Seek A Development Permit To
Authorize Construction Of 2 – 4
Storey, 4,932.4 m ² , 47 Unit Apartment
Buildings For The RM5 Zoned
Properties, And 4 – 4 Unit, 2 Storey
Row house Buildings For The RM3
Zoned Property |

- | | | |
|-----|---|-----|
| 13. | DEVELOPMENT VARIANCE PERMIT
VARIANCES: | N/A |
| 14. | DEVELOPMENT PERMIT MAP 13.2
IMPLICATIONS | N/A |

Attachments

Subject Property Map
Schedule A, B & C (7 pages)
1 page of floor plan diagrams