
CITY OF KELOWNA

MEMORANDUM

Date: February 16, 2004
File No.: DP03-0073/DVP04-0010

To: City Manager

From: Planning & Corporate Services Department

Subject:

APPLICATION NO. DP03-0073 **OWNER:** GAV Enterprises Limited
DVP04-0010

AT: 1810-1824 Gordon Drive **APPLICANT:** Pal Singla

PURPOSE: TO CONSTRUCT A 63 ROOM HOTEL

TO VARY THE LANDSCAPE BUFFER ON THE FRONT YARD
(SOUTH), FLANKING SIDE YARD AND REAR YARD (NORTH) FROM
3.0M REQUIRED TO 2.0M PROPOSED

VARY REQUIREMENT THAT OFF-STREET LOADING BE ORIENTED
AWAY FROM RESIDENTIAL DEVELOPMENT

VARY THE LANDSCAPE ISLAND REQUIREMENT FROM 2.0M² PER
STALL TO 0.0M² PER STALL FOR 63 PROPOSED PARKING STALLS

VARY THE REQUIRED PARKING FROM 65 STALLS REQUIRED TO 63
STALLS PROPOSED

EXISTING ZONE: C9- TOURIST COMMERCIAL

REPORT PREPARED BY: RYAN SMITH

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Permit No. DP03-0073 for Lot A, District Lot 138, ODYD Plan KAP73230, located on 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;
5. The applicant be required to register the road dedications (as required by the Works and Utilities Department) at the Land Titles Office in Kamloops.

AND THAT Council authorize the issuance of Development Variance Permit No. DVP04-0010; Lot A, District Lot 138, ODYD Plan KAP73230 located on Gordon Drive, Kelowna, B.C.;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 7: Landscaping and Screening: Subsection: 7.6.1(c)

Vary the level 3 (3m) landscape buffer required to a 2m landscape buffer proposed.

Section 8: Parking and Loading: Subsection: 8.2.8:

Vary the requirement that off-street loading be oriented away from residential development.

Section 8: Parking and Loading: Subsection: 8.3.5:

Vary the landscape island requirement from 2.0m² per stall to 0.0m² per stall for 63 proposed parking stalls.

AND THAT variances to the following sections of Zoning Bylaw No. 8000 not be granted:

Section 8: Parking and Loading: Table 8.1: Hotels (1 per sleeping unit + other required uses):

Vary the required parking from 65 stalls required to 63 stalls proposed.

1.0 SUMMARY

The applicant is seeking Development Permit to construct a 63-room hotel on the subject property. The applicant is also seeking a development variance permit to address landscape buffering, loading and parking requirements.

2.0 ADVISORY PLANNING COMMISSION

At the regular meeting of September 9, 2003 it was resolved:

THAT the Advisory Planning Commission supports Development Permit Application No. DP03-0073, 1810/1824 Gordon Drive, Lot A, Plan 73230, Sec. 19, Twp. 26, ODYD, by Pal Singla to obtain a Development Permit to allow for a 63 room hotel.

3.0 BACKGROUND

There are currently two old motels located on the subject property.

3.1 The Proposal

The applicant is applying for a development permit to construct a 63 room hotel on the subject property. The proposed hotel is 6 storeys in height and fronts onto Gordon Drive. The hotel is separated from Gordon Drive by the main parking/circulation area for the hotel. A porte-cochere extends from the front of the building towards Gordon Drive. A pedestrian walkway connects the Gordon Drive sidewalk to the porte-cochere and hotel. From the porte-cochere the main structure of the building steps up and back. The elevations of the proposed hotel are accented by columns that step-up from the outside to the centre of the building. The applicant is also proposing a cosmetic red brick or cultured stone feature around the base of the building. On the main floor of the hotel are located several meetings rooms, a breakfast area and a pool/waterpark facility, and located on the five storeys above are the guestrooms.

The breakdown of rooms is as follows:

- 25 Double Queen Rooms
- 18 King Room
- 9 Queen Suites
- 1 King Suite
- 1 King Studio
- 8 One Bedroom Suites
- 1 Handicap Unit

The application meets the requirements of the C9-Tourist Commercial zone as follows:

CRITERIA	PROPOSAL	C9 ZONE REQUIREMENTS
Site Area	3554m ²	1800m ²
Building Area	4605.4m ²	N/A
Lot Width	39.5m (approx.)	30.0m
Lot Depth	81m (approx.)	35.0m
Site Coverage	24%	N/A
Total Floor Area	46054m ²	N/A
F.A.R.	1.29	1.5
Height	6 storeys (21m)	6 storeys (22m)
Setbacks		
- Front	19.3m	6m
- Rear	16.9m	15m
- Side (w)	4.5m	3m
- Side (e)	18.4m	4.5m
Parking Stalls (#)	63❶	65
Bicycle Parking (#)	7	7
Loading	1	1

❶Note: The applicant is seeking to vary the required parking from 65 stalls required to 63 stalls proposed.

3.2 Site Context

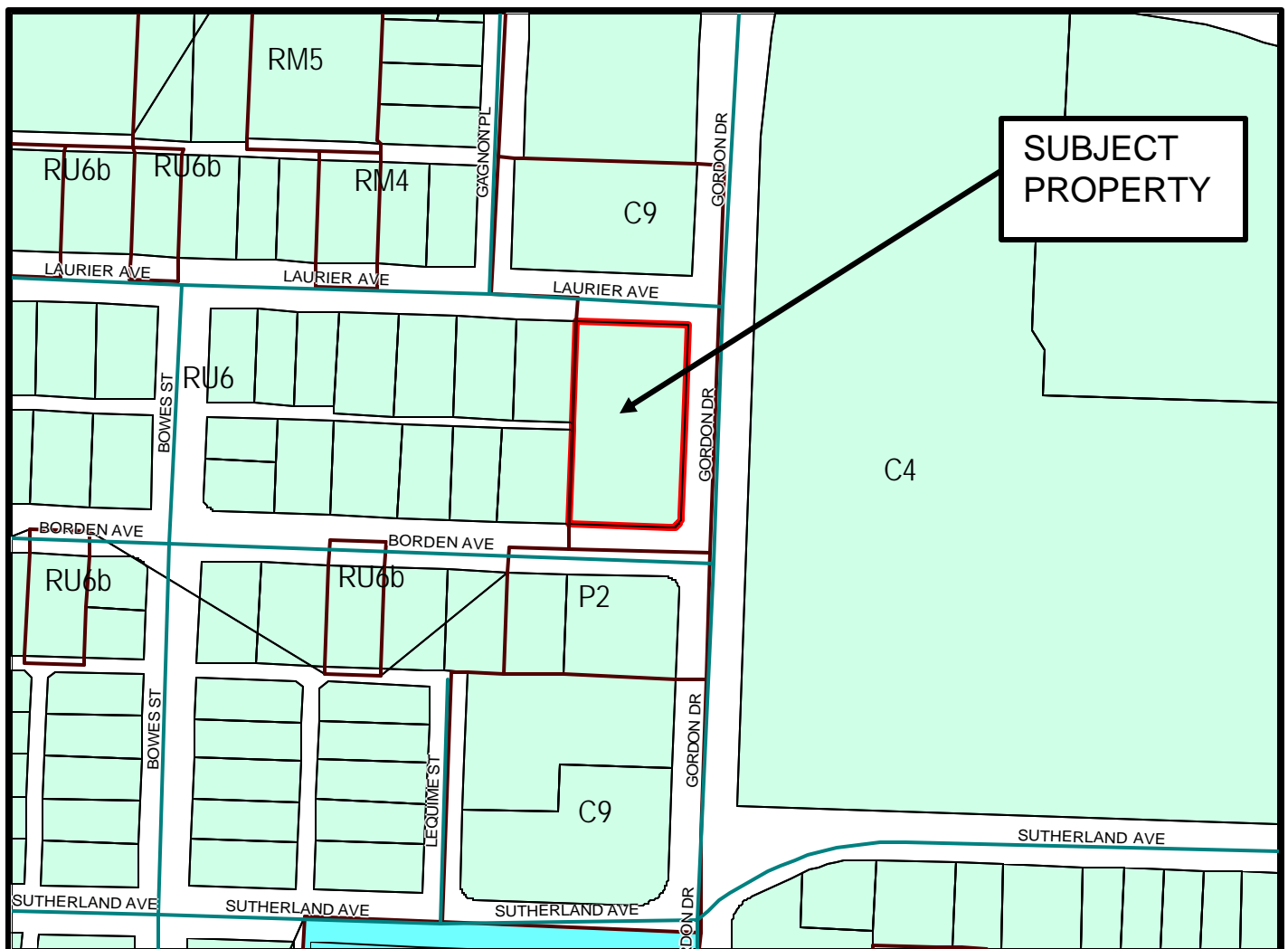
The proposed development is located on the west side of Gordon Drive between Laurier Avenue and Borden Avenue in the Central City Sector.

Adjacent zoning and existing land uses are to the:

- North - C9 – Tourist Commercial
- East - C4 – Town Centre Commercial
- South - P2 – Education and Minor Institutional
- West - RU6 – Two Dwelling Housing

Site Map

Subject Property: 1810-1824 Gordon Drive



3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

The OCP designates the future land use of the subject property as “Commercial”, and the proposed development is consistent with this designation.

4.0 TECHNICAL COMMENTS

This application was circulated to various internal departments and external technical agencies and the following comments were received:

4.1 Works and Utilities

4.1.1 **Domestic Water and Fire Protection**

- (a) The proposed development site is serviced with two small diameter water services. The developer must engage a consulting mechanical engineer to determine the domestic and fire flow requirements of this development, and establish if upgrades to the existing watermain are required. Only one water service is permitted. Unused services must be removed by City forces at the applicant's cost, and a larger service can also be provided by City forces at the applicant's cost.
- (b) 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.
- (c) City of Kelowna water will be used for on-site irrigation and within the fronting road boulevards. After the site is connected to City of Kelowna sanitary sewer, a “irrigation sewer credit meter” must also be purchased from the City and installed on the irrigation branch line. This development will have to be billed for sewer-use as a commercial account. (Sewer-use charge by metered consumption).

4.1.2 **Sanitary Sewer**

- (a) The proposed development site is serviced with two 100mm-diameter AC sanitary services. The developer's consulting mechanical engineer will determine the requirements of this development.
- (b) Only one sanitary service is permitted and all unused services must be removed by City forces at the applicant's cost. A larger sanitary sewer service will likely be required, and can be provided at the owner's cost.

4.1.3 **Storm Drainage**

- (a) 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 drainage study should

indicate the size and location of detention and treatment facilities. An overflow to the municipal storm drainage system can be provided at the applicant's cost.

4.1.4 Road Improvements

- (a) Gordon Drive: The existing accesses to Gordon Drive must be removed. This work will require curb, gutter, sidewalk and ramp removal and replacement. The work must be constructed to City of Kelowna Standards.
- (b) Borden Avenue fronting this development must be upgraded to a full urban standard (SS-R5) modified to including a separate sidewalk, barrier curb and gutter, landscaped boulevard, storm drainage system, fillet pavement, and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction. Grade the fronting road boulevard in accordance with the standard drawing.
- (c) Laurier Avenue fronting this development must be upgraded to a full urban standard (SS-R7) modified to include a barrier curb and gutter, landscaped boulevard, fillet pavement, storm drainage system and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction
- (d) The estimated cost of the road frontage improvements for bonding purposes is \$35,400.00, which includes a bonding escalation.
- (e) 4.6m width of rear lane measured from Laurier to the southern end of the lane driveway access and 3.0m of rear land south of the lane access to the subject must be constructed to a paved standard including a catch basin and drywell. The estimated cost of this construction for bonding purposes is \$12,500.00, which includes a bonding escalation. (See Schedule "A")

4.1.5 Road Dedication and Subdivision Requirements

By registered plan to provide the following:

- (f) Grant statutory rights of way if required for utility services.
- (g) Provide lane dedication along a portion of the westerly property boundary, from Laurier Avenue to the existing lane dedication. Lane dedication will be 4.5m in width at the Northwest corner of the property and will decrease to 3.0m south of the drive aisle entrance.
- (h) Provide a corner rounding of 6.0 meter where Laurier Avenue intersects with Gordon Drive.

4.1.6 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 which would be at the applicant's cost.

4.1.7 Street Lighting

Ornamental street lighting including underground ducts has been installed on all roads 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.

4.1.8 Engineering

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

4.1.9 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:

- Area ground water characteristics, including water sources on the site.
- Site suitability for development; i.e. unstable soils, foundation requirements etc.
- 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.
- List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- Additional geotechnical survey may be necessary for building foundations, etc.

4.1.10 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.

4.1.11 Bonding and Levy Summary

Bonding

Road access modification and road frontage improvements	\$ 35,400.00
Lane construction	\$ 12,500.00
Total Bonding	<u>\$ 47,900.00</u>

NOTE: The bonding amounts 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 4th reading of the zone amending bylaw or issuance of a building permit.

4.1.12 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.

4.1.13 Access and Manoeuvrability

The site plan should illustrate the ability of an SU-9 standard size vehicle to manoeuvre onto and off the 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.

The future driveway access onto Laurier Avenue will be from the commercial lane once it's fully constructed. The proposed access locations are acceptable as shown, but the site driveway and parking layout must be configured to permit the future access and driveways to operate.

The site access and egress design onto the frontage roads and lane as well as the parking lot configuration must be submitted for approval by the City Works & Utilities Department before final adoption of the development permit. This is required to guarantee that the requirements and the limitations of access and egress required by the City have been addressed to the City's satisfaction.

4.1.14 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.

4.2 Inspection Services

- a) Details required for H/C parking.
- b) Door from pool area shall not open directly into an exit stair shaft.
- c) The door from pool area to corridor shall swing in direction of exit (towards the lobby).

d) The egress doors from the meeting rooms shall swing out in direction of exit (more than 60 persons).

e) Linen chute shall comply with 3.6.3.3.

f) A hose and stand pipe system is required.

***Note:** Applicant will be required to address these issues at the time of building permit.

4.3 Shaw Cable

Owner/developer to supply/install a conduit system to Shaw Cable standards & specifications.

4.4 Telus

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

4.5 Public Health Inspector

Requires connection to sewer and water.

4.6 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.

5.0 PLANNING AND CORPORATE SERVICES COMMENTS

The Planning and Corporate Services Department is generally supportive of the proposed development permit and development variance permit. Staff feels that the proposed form and character provides a reasonable degree of visual interest and detail. Moreover, the articulation of the base and the cornice lines at the two storey height help create a sense of scale and help to create a transition to the lower-height buildings in the vicinity.

Although generally supportive of the proposal, staff would like to note several concerns with regards to pedestrian access. The applicable guidelines (Section 9.2 of the OCP), encourage design that facilitates clearly marked pedestrian access. In this regard, the treatment of the pedestrian access to the site from Gordon Drive suggests pedestrian access is not of significance, nor does it communicate a desire of the project to be connected to the public realm. Although the main entrance is readily identifiable by virtue of the porte-cochere, the path connecting the public sidewalk with the entrance appears to be of minimal width, the dimension being even further reduced at the point at which it passes the column supporting the porte-cochere.

The Planning and Corporate Services Department has no concerns with the variances relating to landscape buffering, loading and landscaping in the parking area, there is some concern regarding the proposed parking variance. The department is unwilling to set a precedent by supporting a variance for parking in a village centre. Unfortunately, there is no cash-in-lieu option for the applicant in this area as this may provide a suitable alternative. Should Council elect to support the proposed parking variance, an alternate recommendation has been provided below.

Staff has provided the applicant with Council policy #270 which relates to the notification of year-round tenants as per the Residential Tenancy Act.

It has been identified that there is a heritage tree located on the subject property. The tree in question is an Indian Bean Tree which is approximately 73 years of age. The tree is located in the court yard of the northernmost motel. Although identified as a heritage tree, Council has not afforded any special protection to such trees by bylaw. The Planning and Corporate Services Department would support the retention of this tree if at all possible, however, due to its location on the subject property it does not appear as though this is an option.

6.0 ALTERNATE RECOMMENDATION

THAT Council authorize the issuance of Development Permit No. DP03-0073 for Lot A, District Lot 138, ODYD Plan KAP73230, located on 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;
5. The applicant be required to register the road dedications (as required by the Works and Utilities Department) at the Land Titles Office in Kamloops.

AND THAT Council authorize the issuance of Development Variance Permit No. DVP04-0010; Lot A, District Lot 138, ODYD Plan KAP73230 located on Gordon Drive, Kelowna, B.C.;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

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Vary the level 3 (3m) landscape buffer required to a 2m landscape buffer proposed.

Section 8: Parking and Loading: Subsection: 8.2.8:

Vary the requirement that off-street loading be oriented away from residential development.

Section 8: Parking and Loading: Subsection: 8.3.5:

Vary the landscape island requirement from 2.0m² per stall to 0.0m² per stall for 63 proposed parking stalls.

Section 8: Parking and Loading: Table 8.1: Hotels (1 per sleeping unit + other required uses):

Vary the required parking from 65 stalls required to 63 stalls proposed.

Andrew Bruce
Development Services Manager

Approved for inclusion

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

RM/AB/rs
Attach.

FACT SHEET

1. **APPLICATION NO.:** DP03-0073
2. **APPLICATION TYPE:** Development Permit
3. **OWNER:** GAV Enterprises Limited
 . **ADDRESS** 1864 Gordon Drive
 . **CITY** Kelowna, BC
 . **POSTAL CODE** V1Y 3H7
4. **APPLICANT/CONTACT PERSON:** Pal Singla
 . **ADDRESS** C/O 1864 Gordon Drive
 . **CITY** Kelowna, BC
 . **POSTAL CODE** V1Y 3H7
 . **TELEPHONE/FAX NO.:** 490-1700
5. **APPLICATION PROGRESS:**
 Date of Application: June 30, 2003
 Date Application Complete: June 30, 2003
 Servicing Agreement Forwarded to Applicant: N/A
 Servicing Agreement Concluded: N/A
 Staff Report to APC: July 29, 2003
 Staff Report to Council:
6. **LEGAL DESCRIPTION:** Lot A, District Lot 138, ODYD, Plan KAP73230
7. **SITE LOCATION:** The proposed development is located on the west side of Gordon Drive between Laurier Avenue and Borden Avenue in the Central City Sector.
8. **CIVIC ADDRESS:** 1810-1824 Gordon Drive
9. **AREA OF SUBJECT PROPERTY:** 3554m²
10. **EXISTING ZONE CATEGORY:** C9-Tourist Commercial
11. **TYPE OF DEVELOPMENT PERMIT AREA:** Commercial

- | | |
|--|--|
| 13. PURPOSE OF THE APPLICATION: | <p>TO CONSTRUCT A 63 ROOM HOTEL</p> <p>TO VARY THE LANDSCAPE BUFFER ON THE FRONT YARD (SOUTH), FLANKING SIDE YARD AND REAR YARD (NORTH) FROM 3.0M REQUIRED TO 2.0M PROPOSED</p> <p>VARY REQUIREMENT THAT OFF-STREET LOADING BE ORIENTED AWAY FROM RESIDENTIAL DEVELOPMENT</p> <p>VARY THE LANDSCAPE BLAND REQUIREMENT FROM 2.0M² PER STALL TO 0.0M² PER STALL FOR 63 PROPOSED PARKING STALLS</p> |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.:
NOTE: IF LANDS ARE WITHIN 800 m OF A
CONTROLLED ACCESS HIGHWAY | |
| 15. DEVELOPMENT PERMIT MAP 13.2
IMPLICATIONS | N/A |

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Elevations
- Floor Plan
- Landscape Plan
- Colour Samples