
CITY OF KELOWNA
MEMORANDUM

Date: April 19, 2004
File No.: (3060-20/3090-20) **DP04-0027**
To: City Manager
From: Planning & Corporate Services Department

Subject:

DEVELOPMENT PERMIT APPLICATION OWNER: CPAC (LAKESHORE
NO. DP04-0027 GARDENS) INC.

AT: 654 COOK ROAD APPLICANT: ABUGOV KASPAR
ARCHITECTS

PURPOSE: TO OBTAIN A DEVELOPMENT PERMIT TO AUTHORIZE
CONSTRUCTION OF A 6 STOREY, 283 UNIT APARTMENT
HOTEL WITH 984 M² COMMERCIAL SPACE ON GROUND
FLOOR

EXISTING ZONE: C9 – TOURIST COMMERCIAL

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. DP04-0027 for Lot A, DL 134, O.D.Y.D., Plan 34182, located on Cook Road, 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 wishes to seek permission to construct a new 6 storey, 283 unit apartment hotel with 984 m² commercial space on the ground floor.

2.1 2.1 Advisory Planning Commission

The above noted application (DP04-0027) was reviewed by the Advisory Planning Commission at the meeting of March 16, 2004 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Development Application No. DP04-0027, 654 Cook Road, Lot A, Plan 34182, Sec 7, Twp. 26, ODYD, by Abugov Kaspar Architecture (Frank Kaspar), to obtain a Development Permit to allow for construction of a 24,465 m² (net), 6 storey, 283 unit apartment hotel and associated commercial development.

3.0 BACKGROUND

3.1 The Proposal

The subject property was under an application in 1998 to create a Comprehensive Development Zone (CD11) to facilitate the development of a 274 bed (231 unit), seniors housing and care development. The development proposed at that time was envisioned to consist of a "P" shaped, 5 storey building constructed over an under-building parking garage. The building was designed to consist of 80 congregate housing units, 59 independent living units, and 92 care units. The centre part of the "P" configuration was proposed to be heavily landscaped to create a landscaped courtyard feature.

That application proceeded to a successful public hearing on January 12, 1999, after which the zone amending bylaw received 2nd and 3rd readings. The bylaw stayed at 3rd reading until the applicant instructed City staff to close the file. That zone amending bylaw was defeated by Council on January 29, 2001.

In October, 2001, a new development group made application (DP01-10,073) on the subject property for the development of the subject property with a 100 unit apartment hotel, a 151 unit (169 bedroom) congregate housing facility, and a 36 unit seniors care facility constructed as 4 storey buildings over a single storey, under-building parking structure. That proposal considered the use of conventional zoning by using the existing C9 – Tourist Commercial zone for the Apartment Housing component, and the RM5 zone for the congregate housing and seniors care home. That application had a successful public hearing on January 22, 2002, and received 2nd and 3rd reading the same night. That applicant has decided not to proceed with their proposed development.

Then in April 2003, an application was made for a Development Permit (DP03-0044) which proposed the construction of a 22,528 m², (41,797 m² Gross Floor area) 6 storey, 215 unit apartment hotel on the subject property. That site plan indicated access to the 2 level under building parking structure coming from Cook Road. The development is designed to yield 9 townhouses (all 2 bedroom units), 206 apartment hotel units (118 - 2 bedroom units, 88 - 1 bedroom units), and 4 retail commercial areas. Twenty four of the

units located on the 6th floor have loft areas. That application was withdrawn by the applicant.

This current application proposes the construction of a 6 storey, 283 unit, 28,514 m² apartment hotel with 984 m² of commercial space located on the ground floor adjacent to the intersection of Cook and Lakeshore Roads.

The site plan shows access from Cook Road located near the centre of the Cook Road frontage of the subject property. This access is recessed into the building to create a turn-around area for service vehicles in order to allow the large trucks to exit the site without backing onto Cook Road as required by bylaw.

The building is generally designed as a 2 storey parking structure surrounded by two storeys of apartment hotel units located around the perimeter of this parking structure. The south west corner of the proposed building is designed as single storey commercial units. All of the ground level apartment hotel units around the perimeter of the building have direct access to grade.

The top of the commercial area is designed to have an outdoor amenity space that has a gazebo and swimming pool area. There is 4 storeys of apartment units constructed on top of the parking structure in an inverted “U” configuration, with an additional bank of units located along the east end of the Cook Road frontage that is connected at right angles to the inverted “U”. The 6th storey units have a variety of loft areas, which create a number of different eave elevations which adds a number of steps to the roof line. As well, the building façade includes a number of steps to create a number of different planes to the façade, which adds visual interest to the building façade. There is also a 2 storey high bank of apartment units constructed on top of the parking structure which locates 10 units adjacent to the Wilson Creek frontage.

The open areas on top of the parking structure located within the various building wings are heavily landscaped to create an outdoor amenity space. The larger of the two areas is developed with a 9 hole mini-golf course. The small area which serves the 2 storey high bank of units, is developed with landscaping and walking paths.

The exterior of the proposed building is designed to be finished with a variety of stucco finishes ranging in colour from “dark brown”, “light brown”, “dark yellow”, and “dark orange”. The “dark orange” is used as a base colour to the walls, while the lighter shades are used on the higher areas of the walls. The “dark brown” colour is used as an accent colour to the loft wall areas and building trims. The building design uses balconies for each of the apartment hotel units to express the building floor levels. The exterior of the proposed building is further animated by the stepping back of the façade at various locations and the changes in roof line through the use of higher roof lines created by some of the top floor units having loft areas. The main entry to the development is well identified through the use of different materials and building details, as well as different colours to make this area stand out from the remainder of the building.

The commercial area located at the south west corner of the site incorporates a trellised sunshade feature located at the roof level, at the apex of the intersection of the walls. This feature draws attention to the commercial area below, and helps to identify the building.

The landscape drawing shows a substantial amount of plantings proposed for around the perimeter of the building. The landscaping ties into the ground level units which

have direct access to grade. As well, the landscape plans also show a pedestrian pathway along Wilson Creek.

The proposal as compared to the C9 zone requirements is as follows:

CRITERIA	PROPOSAL	C9 ZONE REQUIREMENTS
Site Area (m ²)	17,877 m ²	1,800 m ² min.
Site Width (m)	142 m	30 m min.
Site Coverage (%)	64.6.%	
Total Floor Area (m ²)	29,498.5 m ² (gross) 24,465.7 m ² (net)	Max 26,815 m ² at FAR = 1.5
F.A.R.	1.37	Max. FAR = 0.5 Max. FAR = 1.5 for Hotels and Apartment Hotels
Storeys (#)	6 Storeys	22.0 m or 6 storeys for Hotels and Apartment Hotels
Setbacks (m)		
- Front (Cook Road)	6.0 m	6.0 m min.
- Rear	15.0 m (to creek)	4.5 m min. 15 m min. for hotels
- West Side (flanking)	4.5 m	3.0 m min. 4.5 m min. for flanking streets
- East Side	4.5 m	3.0 m min. 4.5 m min. for flanking streets
Parking Stalls (#)	437 stalls provided	303 stall req'd 303 x 125% = 379 stalls max
Loading Stalls (#)	1 stall provided	1 stall per 2,800 m ² GFA

Parking calculations; 283 rm Apt. Hotel @ 1.0 stalls per room = 283 stalls
 984 m² @ 2.0 stalls pr 100 m² = 20 stalls
 total parking stalls = **303 stalls required**

Parking Provided;

Apartment hotel	377
Commercial	20
Visitors	40
Total	437 stalls provided

3.2 Site Context

Adjacent zones and uses are, to the:

- North - C1 – Local Commercial / Hiawatha Campground Store
C9 – Tourist Commercial / Hiawatha Campground
- East - RU2 – Medium Lot Housing / single family housing
- South - P4 – Utilities / Cook Road, Radio Station, single family housing
CD4 – Concept Development 4 zone (Somerville Corner)
- West - C9 – Tourist Commercial / Lakeshore Rd, Manteo Beach resort

3.3.3 South Pandosy/KLO Sector Plan

The South Pandosy / KLO Sector Plan designates the subject property as “Mixed Commercial Residential” future land use.

The South Pandosy / KLO Sector Plan also includes the following policy statements;

1. Strongly encourage all development to contain both commercial and residential components within the Mixed Commercial Residential designation,
2. Generally encourage commercial uses to locate near major roadways and on the lower floors with residential uses located further from major roadways and on upper floors,
3. Ensure that the commercial and residential components of the entire contiguous area designated as Mixed Commercial and Residential are comprehensively planned to relate positively to each other and the surrounding areas.

The South Pandosy / KLO Sector Plan also includes the following policy statements for the “Resort Village Centre”;

- Encourage the use of bright and varied colours for building finished in the precinct, reminiscent for warm water, ocean-front, beach resort developments,
- Require alignment of building fronts close to Lakeshore Road. Require parking internally on sites, preferably in back yard or side yard, and not between the building and Lakeshore Road,
- Encourage “landmark” building architecture at the intersection of Lakeshore Road and Cook Road, and adjacent to and across from rotary Beach.

3.3.4 Crime Prevention Through Environmental Design

Natural Surveillance

- dumpsters should not create blind spots or hiding areas;
- lighting should be even to avoid casting shadows where people can hide; using numerous low wattage lights accomplishes this better than a few high wattage lights;
- loading areas should not create hiding places;
- all four facades of a building should have windows;
- the lower branches of existing trees should be kept at least ten feet (3 metres) off the ground;
- exterior of buildings should be well-lit;
- wherever it is appropriate, a mix of uses should be encouraged to increase natural surveillance at different times of the day; placement of residential uses above commercial is a good example of this;
- elevators and stairwells should be clearly visible from windows and doors;
- shrubbery should be no more than three feet (one metre) high for clear visibility;
- stairwells should be well-lit and open to view; not behind solid walls.

Territorial Reinforcement

- property boundaries, where possible, should be marked with hedges, low fences or gates;
- private and semi-private areas should be easily distinguishable from public areas;
- all public and semi-private areas should be well-maintained to convey pride and ownership, which discourage negative activity;

Natural Access Control

- Public paths should be clearly marked;
- signs should direct patrons to parking and entrances;
- there should be no easy access to the roof;
- entrances to dwellings within a commercial building should be separate from the commercial entrance to enable distinction of residential visitors from those frequenting businesses;
- rear access to shops should be provided from rear parking lots.

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 Aquila Networks Canada

Will provide u/g electrical service.

4.2 Environmental Manager

Drawing DP05 indicates an approximately 3-5 meter proposed ROW adjacent to the creek bank. This is not a practical location or viable width for a public route of access. Although the stream system is a relatively minor one, the OCP calls for a 15-m setback for this stream. The minimum, or critical, setback for protecting environmental values would still require a minimum 5 - 10 meter no-disturb immediately adjacent to the stream bank. Any proposed public access should meander within the 5 - 15-m setback.

Public access could be integrated into the landscaping, patios, and access plans for the commercial components of the development at the ground level. This path could provide access to the riparian area of the stream and thereby provide a green amenity to the development for the public, the resort residents, and the commercial customers. The path could provide access to the ground floor commercial units and thereby provide the 'walk-in' traffic businesses rely on. An appropriately integrated access and landscape plan that is well lit and properly managed could provide an area of park-like comfort and security.

The ROW should be a minimum 10 meters and be in favour of public access, riparian protection, as well as, access for drainage maintenance requirements.

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.

It does not appear that all of the structures face at least one street as required by BCBC.

Contact FPO for preferred location(s) of any new hydrant(s).

Access design will have to be reviewed.

4.4 Inspection Services Department

The consultant should set-up a meeting with Inspection Service to discuss this project. Some of the items to be discussed:

It appears that the first 2 storey are being treated as a separate building. Is this being proposed under an equivalency? How will fire fighting access be provided to the tower and the 10 units at the rear?

The lofts appear to be a separate floor area, making the building 7 storeys in total.

The corridor in the north south portion of the tower has a door swinging in one direction?

The exiting from the 5 unit at the rear does not comply with 3.3.4.4.(6). Are these exterior passageways exposed to fire from the unit below? Once out of these 10 units what is the means of egress to grade.

On the 3rd level southeast corner; there are 2 units east of the exit stair. Their second exit is out on to the deck, then where?

Third level middle of north south portion of the tower, the door should swing in direction of exit travel.

Northwest corner exit stair, janitor room shall not be in the exit.

Southeast corner exit stair, a vestibule is required from the parkade.

1st level the southwest exit stair shall be protected and lead to the exterior.

1st level the southeast exit stair shall be protected and lead to the exterior.

How is fire fighting access provided to the 10 unit on the deck level at the rear.

NOTE: The architect has provided additional materials to the Inspection Services Department for review.

4.5 Parks Manager

The Parks Division requires a 10 meter wide parkland dedication for a linear park along Wilson Creek. Wilson Creek Linear Park, as outlined in the OCP extends from Gordon Drive westward along the creek to Lakeshore Road and continues to the Lake foreshore. The section of linear park adjacent to the proposed development is a critical link.

The OCP also requires a 15m Creek Setback from top-of-bank to protect the environmental quality of the stream. The linear park should be located between the 5-15m mark of the environmental setback with the trail meandering through.

Drawing No. DP06 indicates the developer will be landscaping the linear park. Trail connections to individual units in the development will be acceptable, although Parks suggests a 3' high fence with low gates to prevent encroachment and delineate the private/public realm. The plant material within the linear park and the 15m setback will be riparian type plants, indigenous to the Okanagan. A list of appropriate species can be found on the City of Kelowna website under Parks Division, Urban Forestry or by contacting the Parks Division directly.

In the short term, the trail will end on the eastern property line until further linear park can be acquired. The Parks Division requires a public access R-O-W agreement for a link southward to Cook Road. The agreement will grant public access between 7am and 10pm.

The existing site has many mature London Planetrees and Maples that will need to be removed for the development. The Parks Division is greatly interested in relocating these trees to our City Parks. Please contact the Parks Division, to let us know an appropriate time to carry out this treespading project.

All entry feature signs for the proposed development will be located on private property and not on City BLVD.

Shrub and flower beds will require plastic edging beside all areas abutting a city sidewalk or city land to prevent migration of mulch.

All trees in the boulevard will require the use of root shield barriers (min. 18" depth).

Any trees for removal on City property including BLVD must be flagged/marked on-site with Parks.

BLVD maintenance including irrigation, shrubs, ground cover, sod, and seeded areas will be the responsibility of owner/occupant.

BLVD tree maintenance will be the responsibility of Parks Division. However, the adjacent owner will be responsible for watering and replacement of trees during the establishment period, for at least two growing seasons after planting.

Any existing trees that will be saved, will require protection from construction along the drip line.

All turf areas to be sodded not seeded.

Site areas with public access shall be lit in keeping with the principals of crime prevention through environmental design and require site lighting as is necessary to encourage pedestrian safety and allow casual surveillance from adjacent buildings and streets of parking areas and walkways.

4.6 Shaw Cable

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

4.7 Works and Utilities Department

The Works & utilities Department has the following comments and requirements associated with this application for the proposed 6 storey plus lofts, 283 unit apartment hotel. The existing parcel is zoned C-9. The road and utility upgrading requirements outlined in this report are provided for information purposes.

1. Domestic Water and Fire Protection

- (a) Domestic water and fire protection for this development can be provided from a watermain on Lakeshore Road and or, alternatively from Cook Rd.

- (b) The lot is presently serviced from Cook Road with a 100mm-diameter water service, which will likely need replacing.
- (c) The developer's consulting mechanical engineer will determine the domestic and internal fire protection requirements of this proposed development and establish the required size of the new service. The disconnection and removal of existing small diameter water services and the tie-in of the new service will be by City forces at the developer's expense.
- (d) 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.
- (e) The boulevard irrigation systems must be integrated with the on-site irrigation system.

2. Sanitary Sewer

- (a) Sanitary sewer services for this development will be provided from a sanitary sewer main from Lakeshore Road or, alternatively from Cook Rd.
- (b) The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size of the new service. The existing 100mm diameter sanitary service will need replacing.
- (c) Removal and capping of unused existing sanitary services and the tie-in of the new service must be by City crews and will be at the applicant's cost.

3. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of a lot grading plan, identify minimum basement elevation (MBE), overland drainage routes, floodplain elevations and setbacks, and provision of a storm drainage service for the lot and /or recommendations for onsite 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 creek is not permitted
- (b) The subject development must include the design of a drainage system for Lakeshore Road in front of the subject lot, including catch basins for curb and gutter construction. The cost of the work was included in the road design calculations.

- (c) Storm drainage systems and overflow service(s) for the site will be reviewed and approved by Engineering when a site servicing design is submitted.

4. Road Improvements

- (a) Lakeshore Road must be upgraded to a full urban standard (SS-R11) along the full frontage of this proposed development, including curb and gutter, separate sidewalk, storm drainage system including catch basins, manholes / dry-wells and pavement widening. Also required is a landscaped boulevard complete with underground irrigation system, street lighting required and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost for this construction for budget purposes is \$64,600.00. Not included in the estimate are costs for pole relocations and modifications to the existing traffic control signalization system.
- (b) There is an existing bus stop on Lakeshore Road near the southwest corner of this property. The bus stop will still be required.
- (c) Cook Road has been upgraded to an urban standard, but it is necessary to install a monolithic sidewalk for the full length of this parcel and the landscaped boulevard must be complete with an underground irrigation system. Re-location or adjustment of utility appurtenances will also be required to accommodate the construction.
- (d) The existing access to Cook Road will need modification. This work will require curb and gutter and ramp removal and replacement. The work must be constructed to City of Kelowna Standards. Re-locate utility appurtenances if required to accommodate this construction.
- (e) Tree removal is **not permitted** within the Cook Road and Lakeshore Road right-of-ways without prior written approval from the city.
- (f) The cost of this construction for bonding purposes is \$22,400.00. Not included in the estimate are costs for pole relocations and modifications to the existing traffic control signalization system.
- (g) Provide Street Sign, Markings and Traffic Control Devices Drawings. The City will install or modify the required signs and traffic control devices at the developer's expense.

5. Road Dedication and Subdivision Requirements

By registered plan to provide the following:

- (a) A 15-meter wide "leave strip" is required adjacent to Wilson Creek through this property. This leave strip should be registered as a Road right-of-way.
- (b) A 'no-build' creek setback must be registered against the subject property as a Section 219 Restrictive Covenant. The building permit must stipulate the 'no-build' setbacks for any building structure.

- (c) A drainage right-of way (3.0 minimum width) must be secured adjacent to the creeks alignment.
- (d) A 10 meter wide parkland dedication for a linear park along Wilson Creek as well as a public access R-O-W agreement for a link southward to Cook Road.
- (e) Grant Statutory Rights Of Way if required for utility services.

6. Electric Power and Telecommunication Services

The existing overhead electrical and telecommunication distribution wiring on Lakeshore Road fronting this development must be relocated to an approved offset within the proposed boulevard area. The developer may choose to have the wiring installed in an underground duct system, and have the buildings connected by underground services.

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.

7. Street Lighting

Ornamental street lighting including underground ducts must be installed on Lakeshore Road fronting on the proposed development. The cost of this requirement is included in the roads upgrading item. If the electrical source for the street lighting is on the west side of Lakeshore Road, this source must be in underground ducts.

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.

9. Geotechnical Report

- a) Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed development.**

The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development.
- (iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (iv) Any special requirements for construction of roads, utilities and building structures.
- (v) Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands in accordance with the Subdivision, Development and Servicing Bylaw, Schedule 4 Sanitary Item 2.18.
- (vi) Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.
- (vii) Identify slopes greater than 30%.
- viii) Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.
- ix) Recommendations for items that should be included in a Restrictive Covenant.
- x) Any special requirements that the proposed subdivision should undertake so that it will not impact the bank(s). The report must consider erosion and structural requirements.
- xi) Any items required in other sections of this document.
- xii) Recommendations for erosion and sedimentation controls for water and wind.
- xiii) Recommendations for roof drains and perimeter drains.

Recommendations for construction of detention or infiltration ponds if applicable.

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.

11. Development Permit and Site Related Issues

- (a) A site grading plan, a site servicing plan and a storm drainage plan are a requirement of this application. Site servicing issues and road access will be further reviewed and comments related to site development will be

addressed when a detailed site development design or building permit application is received.

- (b) A landscape plan must also be submitted depicting proposed vegetation treatment within this 15m "leave strip". Upon review and acceptance by City staff, a bonding amount will be determined.
- (c) 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.
- (d) A bike rack must be provided in accordance with current bylaws and policies.
- (e) Access and Manoeuvrability
 - (i) 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.
 - (ii) Perimeter access must comply with the BC Building Code. Fire Truck access designs and proposed hydrant locations will be reviewed by the Fire Protection Officer.

12. Bonding and Levy Summary

(a) Bonding

Lakeshore Road Frontage Improvements	\$64,600.00
Cook Road Frontage Improvements	\$22,400.00
<u>Total</u>	<u>\$87,000.00</u>

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 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.

(b) Levies

No levies are applicable. Off-site service connection costs will be included in the servicing agreement.

13. Administration Charge

An administration charge is applicable to this development in the amount of 3% (+ GST) of the total off-site servicing costs. The administration charge will be assessed and must be paid prior to release of any security deposits.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS

The Planning and Corporate Services Department does not have concerns with this proposal. The current proposal is similar to the previous submission, except that this current proposal features a larger number of smaller units. As well, the colours selected are toned down from the most recent proposal, while still embracing the notion of “bright and varied colours reminiscent of a beach resort” as supported by the South Pandosy / KLO Sector Plan.

The applicant has provided a substantial amount of excess parking to the proposed development. The parking lot may be reconfigured to provide larger stalls for boat or RV trailers, or something of that nature.

Historically, it has been demonstrated that there is a shortage of parking in the area, especially if there is an event going on at the Hotel Eldorado or the Manteo Beach Resort.

In light of the above, the Planning and Corporate Services Department supports this application, and recommends for positive consideration by Council.

Andrew Bruce
Manager of Development Services

Approved for inclusion

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

PMc/pmc
Attach.

FACT SHEET

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|------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. APPLICATION NO.: | DP04-0027 |
| 2. APPLICATION TYPE: | Development Permit |
| 3. OWNER: | CPAC (Lakeview Gardens) Inc.
Inc. 578858 |
| . ADDRESS | #800 – 885 West Georgia St. |
| . CITY/POSTAL CODE | Vancouver BC V6C 3H1 |
| 4. APPLICANT/CONTACT PERSON: | Abugov Kaspar Architects |
| . ADDRESS | #200 – 422 11 Ave. SE |
| . CITY/POSTAL CODE | Calgary, AB T2G 0Y4 |
| . TELEPHONE/FAX NO.: | (403)237-9227/(403)237-9230 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | February 27, 2004 |
| Date Application Complete: | February 27, 2004 |
| Servicing Agreement Forwarded to Applicant: | N/A |
| Servicing Agreement Concluded: | N/A |
| Staff Report to Council: | April 19, 2004 |
| 6. LEGAL DESCRIPTION: | Lot A, DL 134, O.D.Y.D., Plan 34182 |
| 7. SITE LOCATION: | North East Corner of Cook Road and
Lakeshore Road |
| 8. CIVIC ADDRESS: | 854 Cook Road |
| 9. AREA OF SUBJECT PROPERTY: | 17,890 m ² |
| 10. TYPE OF DEVELOPMENT PERMIT AREA: | General Commercial DP Area –
Lakeshore Road |
| 11. EXISTING ZONE CATEGORY: | C9 – Tourist Commercial |
| 12. PURPOSE OF THE APPLICATION: | To Obtain A Development Permit To
Authorize Construction Of A 6 Storey,
283 Unit Apartment Hotel With 984 M ²
Commercial Space On Ground Floor |
| 13. DEVELOPMENT VARIANCE PERMIT
VARIANCES: | N/A |
| 14. VARIANCE UNDER DEVELOPMENT
PERMIT: | N/A |
| 15. DEVELOPMENT PERMIT MAP 6.2
IMPLICATIONS | N/A |

Attachments

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