

## MEMORANDUM

The Applicant is seeking to rezone the subject property from the existing RU6 – Two Dwelling Housing zone to RM5 – Medium Density Multiple Housing zone. In addition, the Applicant is seeking a Development Permit for a 4-storey apartment style housing complex on top of one level of underground parking.

### 3.0 ADVISORY PLANNING COMMISSION

THAT the Advisory Planning Commission supports Rezoning application No. Z04-0016 and Development Permit application No. DP03-0174, affecting Lot A D.L. 138 O.D.Y.D. Plan KAP76073 (formerly Lots 1 & 2, District Lot 138, O.D.Y.D. Plan 2769), located at 993 and 1003 Harvey Ave Kelowna, B.C.

### 4.0 BACKGROUND

#### 4.1 The Proposal

The main entrance to the building is located on the east side of the building, facing the adjacent property, with an additional entrance facing Harvey Ave. Vehicular access to the development is to be provided via the existing lane at the rear of the property. There are to be three (5) parking stalls provided at grade, and accessible from the lane, with the remaining 65 stalls provided in an underground parking structure.

The proposed building consists of 43 two-bedroom units and 4 one-bedroom units. See attached floor plans for detail on the six different unit designs.

There is adequate architectural detailing and character in the design of the proposed building. Light beige stucco with dark beige trim forms the basis of the siding scheme. All façades have additional stonework detail on the first and second storeys, with cedar shake siding incorporated on the third and fourth floor detail. The principle and secondary entrances are defined by a column and canopy structure, helping to mark these features of the building. Proposed roofing consists of fiberglass roof shingles in a “natural wood” colour.

Landscaping for the site consists of a pedestrian link from the rear lane to Harvey Avenue and modest plantings around the structure. Planting beds are proposed adjacent to the building, with a variety of trees plantings proposed for the perimeter of the site. Bicycle parking is to be located next to the front entrance.

The application for the subject properties meets the subdivision regulations for lot size in the RM5- Medium Density Multiple Dwelling Housing as follows:

CRITERIA	PROPOSAL	RM5 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	3556 m <sup>2</sup>	1400 m <sup>2</sup>
Site Width (m)	43.54 m	30.0 m
Site Depth (m)	80.47m	35.0 m
Site Coverage (%)	40%	40% or 60% including buildings, driveways, and parking
F.A.R.	1.26	1.1 plus density bonus of 0.2 x ratio parking beneath habitable space/required parking spaces up to 0.2) 0.2 x 1.0 = 0.2 bonus + 1.1 = <b>1.3</b>
Height (m)	14.25 m	16.5 m
Storeys (#)	4 storeys	4 storeys
Units	two-bedroom: 43 units one-bedroom: 4 units Total: 47 units	
<b>SETBACKS</b>		
- Front (north)	7.0 m	6.0 m
- Rear (south)	8.53 m	9.0 m except 7.5 m where there is a rear lane

CRITERIA (continued)	PROPOSAL	RM5 ZONE REQUIREMENTS
- Side (east)	9.7 m	4.5 m up to 2.5 storeys 7.5 m for over 2.5 storeys or to a flanking street
- Side (west)	5.4 m (< 2 storey) 7.5 m (> 2 storey)	4.5m up to 2.5 storeys 7.5 m over 2.5 storeys
OTHER REQUIREMENTS		
Parking Stalls (#)	70 spaces 22 small car (31.4%)	1.25 per 1 bedroom unit (4 x 1.25 = 5 stalls), 1.5 per 2 dwelling unit (43 x 1.5 = 65 stalls) 70 spaces (< 28 small car)
Parking Setbacks - rear yard	1.5 m	1.5 m
Driveway Width	7.0m	7.0m
Bicycle Stalls (#)	<b>33</b> Class 1 (storage lockers) <b>24</b> Class 2	0.5 per unit – Class 1 ( <b>24</b> stalls) 0.1 per unit – Class 2 ( <b>5</b> stalls) Total: 29 stalls
Projection	Front yard: 2.4 m projection Side yard: 3.0 m from lot line.	Entrance canopies may project no more than <b>3.0</b> m into a front yard or no closer than <b>1.5</b> m to a side lot line.

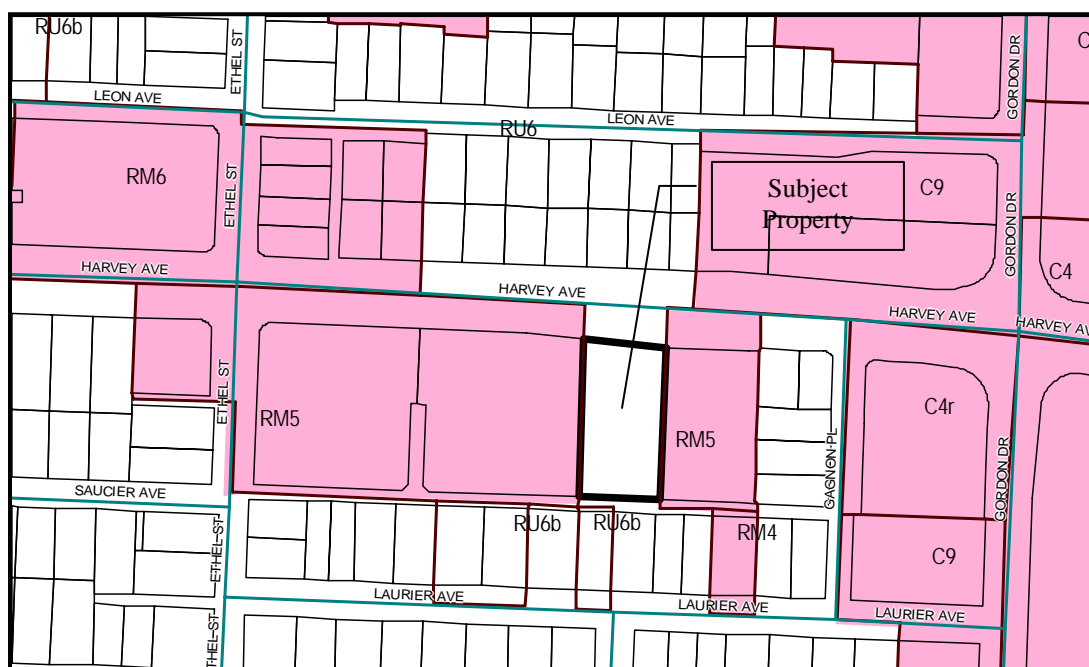
#### 4.2 Site Context

The subject property is located on at the south side of Harvey Avenue between Ethel Street and Gagnon Place.

Adjacent zones and uses are:

- North - RU6 – Two Dwelling Housing
- East - RM5 – Medium Density Multiple Housing
- South - RU6 – Two Dwelling Housing  
- RU6b – Two Dwelling Housing (Boarding House)
- West - RM5 – Medium Density Multiple Housing

#### Site Location Map



#### 4.3 Development Potential

The purpose of the RM5 – Medium Density Multiple Dwelling designation is to provide a zone primarily for medium density apartments. The principal uses in this zone are: apartment housing, congregate housing, group homes, major stacked row housing. Secondary uses include care centers, home based businesses, major and minor.

#### 4.4 Current Development Policy

##### 4.4.1 City of Kelowna Strategic Plan (1992)

One of the objectives of the Strategic Plan is “to develop a more compact urban form by increasing densities through infill and re-development within existing urban areas and to provide for higher densities within future urban areas” (Objective 1.1). The proposal is consistent with these objectives and with their accompanying strategies.

##### 4.4.2 Kelowna Official Community Plan (OCP)

The proposal is generally consistent with the future land use designation of Medium Density Multiple Family in the Official Community Plan. The OCP also outlines development guidelines for multi-dwelling developments as follows:

###### Multi Dwelling Guidelines

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

###### Relationship to the Street

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

###### Building Massing

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

###### Walls

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

###### Crime Prevention

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

###### Amenities

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

###### Parking

- Underground parking is encouraged.

#### 4.4.4 Crime Prevention Through Environmental Design (1999)

The City of Kelowna Crime Prevention Through Environmental Design guidelines include the following suggestions for Multiple Unit Residential Developments;

##### Natural Surveillance

- building entrances and exterior doors should be clearly visible from the street or by neighbours;
- all four facades of a building should have windows;
- visitor parking should be designated;
- parking areas should be visible from windows and doors;
- parking areas and pedestrian walkways should be well-lit;
- dumpsters should not create blind spots or hiding areas;
- elevators and stairwells should be clearly visible from windows and doors;
- buildings should be sited so that the windows and doors of one unit are visible from another;

##### Territorial Reinforcement

- property lines should be defined by landscaping or fencing which does not create a visual barrier;
- building entrances should create a strong sense of identity and presence on the street with the use of architectural elements, lighting and /or landscaping;
- balconies should be large enough to provide a useable activity area for residents, thereby increasing influence over the adjacent neighbourhood;

##### Natural Access Control

- balcony railings should never be a solid opaque material;
- entrances into parking lots should be defined by landscaping, or architectural design;
- access to the building should be limited to no more than two points.

##### Target Hardening

- cylinder dead bolt locks should be installed on all exterior doors;

## 5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The form and character of the proposed apartment building is suitable for the area and satisfactorily conforms to the adopted policies detailed in Section 4.4 of this report. Consequently, Staff is supportive of the Development Permit application, subject to the conditions listed on the first page of this report.

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Andrew Bruce  
Development Services Manager

Approved for inclusion

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Attach.

FACT SHEET

- |                       |   |  |
|-----------------------|---|--|
| 1.                    | APPLICATION NO.:                            | DP04-0033  |
| 2.                    | APPLICATION TYPE:                           | Development Permit   |
| 3.                    | OWNER (A):                                  | R.S.S.D. Ventures Ltd.   |
|                       | • ADDRESS                                   | c/o 3832 Capozzi Road  |
|                       | • CITY                                      | Kelowna, B.C.  |
|                       | • POSTAL CODE                               | V1W 3L2  |
| 3.                    | OWNER (B):                                  | LOF Holdings Ltd   |
|                       | • ADDRESS                                   | c/o 3832 Capozzi Road  |
|                       | • CITY                                      | Kelowna, B.C.  |
|                       | • POSTAL CODE                               | V1W 3L2  |
| 4.                    | APPLICANT/CONTACT PERSON:                   | Emeral Development Inc.  |
|                       |   | (Tony Lockhorst)   |
|                       | • ADDRESS                                   | 972 Grenfell Court   |
|                       | • CITY                                      | Kelowna, BC  |
|                       | • POSTAL CODE                               |  |
|                       | • TELEPHONE/FAX NO.:                        | (250) 470-1356   |
|                       |   | (250) 862-3678   |
| APPLICATION PROGRESS: |   |  |
|                       | Date of Application:                        | March 24, 2004   |
|                       | Date Application Complete:                  | March 24, 2004   |
|                       | Servicing Agreement Forwarded to Applicant: | September 16, 2004   |
|                       | Servicing Agreement Concluded:              | September 27, 2004   |
|                       | Staff Report to APC:                        | March 24, 2004   |
|                       | Staff Report to Council:                    | September 28, 2004   |
| 6.                    | LEGAL DESCRIPTION:                          | Lot A DL 138 ODYD Plan KAP76073  |
| 7.                    | SITE LOCATION:                              | The subject property is located on at the south side of Harvey Avenue between Ethel Street and Gagnon Place. |
| 8.                    | CIVIC ADDRESS:                              | 1007 Harvey Avenue   |
| 9.                    | AREA OF SUBJECT PROPERTY:                   | 3556 m <sup>2</sup>  |
| 10.                   | AREA OF PROPOSED REZONING:                  | 3556 m <sup>2</sup>  |
| 11.                   | EXISTING ZONE CATEGORY:                     | RU6- Two Dwelling Housing  |
| 12.                   | PROPOSED ZONE:                              | RM5 – MEDIUM DENSITY MULTIPLE HOUSING  |
| 13.                   | PURPOSE OF THE APPLICATION:                 | TO OBTAIN A DEVELOPMENT PERMIT TO ALLOW FOR THE CONSTRUCTION OF 47 UNITS OF APARTMENT HOUSING                |

14. MIN. OF TRANS./HIGHWAYS FILES NO.: 2-81-20677  
NOTE: IF LANDS ARE WITHIN 800 m OF A  
CONTROLLED ACCESS HIGHWAY
15. DEVELOPMENT PERMIT MAP 13.2 Multi-Family Development  
IMPLICATIONS

#### ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- State of Title
- Schedule A – Site plan (4 pages)
- Schedule B – Elevations (2 pages)
- Schedule C – Landscaping Plan