
CITY OF KELOWNA

MEMORANDUM

Date: February 2, 2005
File No.: (3060-20) **DP05-0009**

To: City Manager

From: Planning & Corporate Services Department

Subject:

DEVELOPMENT PERMIT APPLICATION OWNER: SUNSTONE RESORTS
NO. DP05-0009 (KELOWNA) LTD.

AT: 660 LEQUIME ROAD APPLICANT: FWS CONSTRUCTION
LTD.

PURPOSE: TO SEEK APPROVAL OF AMENDMENTS TO THE FORM AND
CHARACTER OF A PREVIOUSLY AUTHORIZED
DEVELOPMENT PERMIT DP02-0117

EXISTING ZONE: RM5 – MEDIUM DENSITY MULTIPLE HOUSING

REPORT PREPARED BY: PAUL McVEY

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Permit No. DP05-0009 for Lot c, Sec. 6, Twp. 26, O.D.Y.D., Plan KAP76720, located on Lequime 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 change the form and character of the 4 storey apartment building that was previously authorized by Development Permit DP02-0117.

The proposed changes affect the corners of the ends of the top floor of the proposed building. This feature that stepped down of the ends of the building was an area of concern that was raised the the Advisory Planning Commission. This proposed change in the form and character of the building design is beyond what the Planning and Corporate Services Department is prepared to authorize without Council consideration.

2.1 Advisory Planning Commission (relating to DP02-0117)

The above noted application (DP02-0117) was reviewed by the Advisory Planning Commission at the meeting of January 28, 2003 and the following recommendation was passed:

That the Advisory Planning Commission defer consideration of Development Permit Application No. DP02-0117, 4091 Lakeshore Road - Lot 2, Plan 66568, Sec 6, Twp. 26, ODYD, by McDonell Quiring Lunde Neumann Architects (Wally Neumann) to seek a Development Permit to authorize construction of eight 2 ½ storey row house buildings (35 units) on the RM3 zoned portion of the site, and a 4 storey, 50 unit apartment building for the RM5 zoned portion of the property pending the provision of revised drawings to address their concerns.

The above noted application (DP02-0117) was again reviewed by the Advisory Planning Commission at the meeting of March 11, 2003 after design changes were made to the four storey building, and the following recommendation was passed:

That the Advisory Planning Commission supports Development Permit Application No. DP02-0117, 4091 Lakeshore Road/Lot 2, Plan 66568, Sec 6, Twp. 26, ODYD, McDonell Quiring Lunde Neumann Architects (Wally Neumann), to seek a Development Permit to authorize construction of eight 2 ½ storey row house buildings (35 units) on the RM3 zoned portion of the site, and a 4 storey, 50 unit apartment building for the RM5 zoned portion of the property based on the revised drawings received February 19, 2003, for the apartment building.

3.0 BACKGROUND

3.1 The Proposal

The subject property was the site of the former Fairview Golf Course, and has been the subject of several development applications. The latest development proposal (Z02-1018) authorized development of the Lutheran Church and school facility and the associated residential component. That applicant received adoption consideration on April 28, 2003, in conjunction with Council consideration of Development Permit application DP02-0117. Authorization for issuance of the Development Permit was given that same night. DP02-0117 authorized the development of 50 units within a 4 storey apartment building, and 35 residential units in 8 rowhouse buildings. That application has had several extensions, but has not been issued. Construction has not commenced on any of the residential buildings.

This current Development Permit application seeks approval for changes proposed to the form and character of the proposed 4 storey apartment building. As the changes proposed differ from the drawings that Council reviewed on April 28, 2003, and the changes have an impact on the comments made by the Advisory Planning Commission, Planning and Corporate Services Department staff felt that the changes proposed were beyond what could be approved at a staff level, and this application was made for review by Council.

The proposed building is very similar to the building approved by DP02-0117, except for the ends of the building. The building approved by DP02-0117 did not have upper floor units at the ends, in order that there was an element of stepping down of the building mass on the upper floors at the end of the building to minimize impact on adjacent properties.

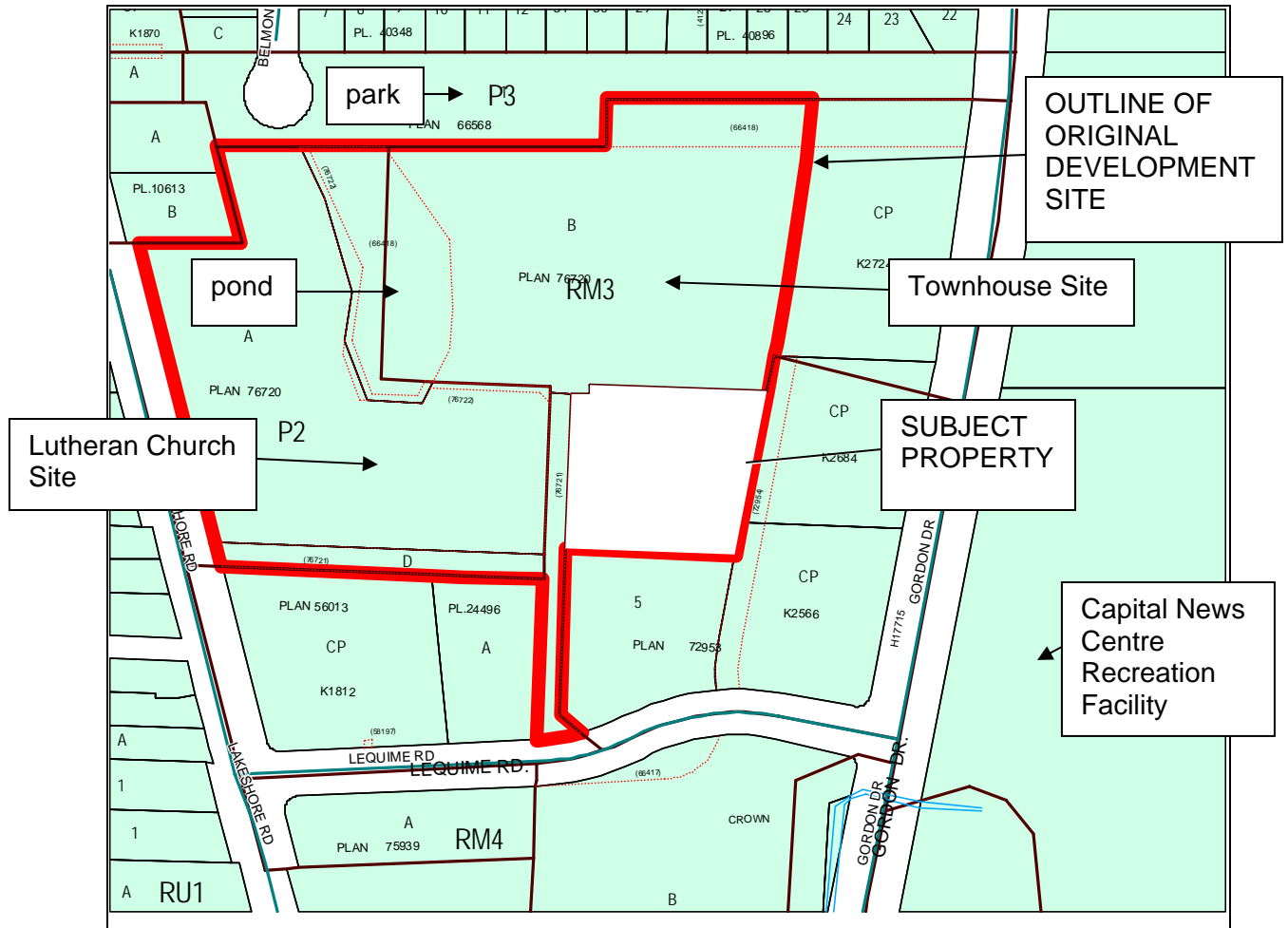
This revised proposal includes full residential units on the upper floor to both ends. The building designer has stepped up the adjacent gable roof end elements to impart the visual impression that there is a minimal stepping down of the roof line at the corner units. However, there are still residential units proposed to be constructed to the upper floor areas of the building ends.

The proposal as compared to the RM5 zone requirements is as follows:

CRITERIA	PROPOSAL	RM5 ZONE REQUIREMENTS
Site Area (m ²)	5,625 m ²	1,400 M ²
Site Coverage (%)	30.8% building 58% bldg & prkg	40% Building area only, 60% Buildings, Driveways, and Parking areas
Total Floor Area (m ²)	5,784.5 m ²	6,187 m ² max
F.A.R.	1.03	FAR = 1.1 max
Storeys (#)	4 Storeys (16.5 m)	4 Storeys (16.5 m) max
Setbacks (m)		
- Front (facing Lakeshore)	6.0 m	6.0 m
- Rear	9.0 m	9.0 m
- North Side	7.5 m	4.5 m for 2 ½ storey of less 7.5 m for more than 2 ½ storey
- South Side	7.5 m	4.5 m for 2 ½ storey of less 7.5 m for more than 2 ½ storey
Parking Stalls (#)	50 stalls U/G 30 stalls surface	50 – 2 br @ 1.5 stalls = 63 stalls 63 x 125% = 79 stalls max
Private open space	930 m ² provided	37 x 25 = 925 m ² required

3.2 Site Context

SUBJECT PROPERTY MAP



The adjacent zone uses are as follows:

- North - RM3 – Low Density Multiple Housing / Vacant
 East - RM5 – Medium Density Multiple Housing / Apartment building
 South - RM5 – Medium Density Multiple Housing / Apartment building
 West - P2 – Education and Minor Institutional / Lutheran Church & School

3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

The proposed development is consistent with the Kelowna Official Community Plan which designates the subject property as “Multiple Unit Residential (Medium Density)” future land use.

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.
- All development should facilitate access by, and minimize conflicts among pedestrian, bicycle, and vehicular modes of transportation (access, mobility).
- All development should promote safety and security of persons and property within the urban environment (CPTED).

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:

Landscaping

Landscaping should:

- screen parking areas from view (with vegetation, berms, low walls, fences etc.)
- provide colour
- retain required sight distances (from roadways)
- contribute to a sense of personal safety and security
- facilitate access, enjoyment and social activities for all authorized users
- provide equal access for mobility-challenged individuals

Relationship to the Street

- The principle front entranceway should be clearly identified and in scale with the development.

Building Massing

- 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.

Ancillary Services/Utilities

- Loading, garbage and other ancillary services should be located at the rear of buildings.

Amenities

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

Access

- Vehicle access and on-site circulation shall minimize interference with pedestrian movement.

Parking

- Underground parking is 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 Crime Prevention Through Environmental Design

Natural Surveillance

- building entrances and exterior doors should be clearly visible from the street or by neighbours;
- all doors that open to the outside should be well-lit;
- all four facades of a building should have windows;
- visitor parking should be designated;
- the lower branches of existing trees should be kept at least ten feet (3 metres) off the ground;
- 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;
- shrubbery should be no more than three feet (one metre) high for clear visibility;
- buildings should be sited so that the windows and doors of one unit are visible from another;
- stairwells should be well-lit and open to view; not behind solid walls.

Territorial Reinforcement

- property lines should be defined by landscaping or fencing which does not create a visual barrier;
- low shrubbery and fencing should allow visibility from the street;
- 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;
- dead end spaces should be blocked by a fence or gate;
- hallways should be well-lit;
- where feasible, no more than four apartments should share the same entrance;

- elevators and stairwells should be centrally located;
- 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;
- where necessary, entrances to parking lots may be monitored by a guard;
- common building entrances should have locks that automatically lock when the door closes;
- common doorways should have windows and be key-controlled by residents;

4.0 TECHNICAL COMMENTS

Technical issues associated with this application have been dealt with through previous rezoning (Z02-1018) and subdivision (S04-0021) applications.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS

The proposed changes to the 4 storey apartment building do not change the dominant design elements of the building. The resulting form and character will still retain the richness of building detail imparted by the finish material selection, and the timber detail elements proposed for the gable ends of the roof.

The changes that will be visible relate to the stepping down of the corners of the building ends, a design element that was recommended by the Advisory Planning Commission. It is this change to the building that causes the Planning and Corporate Services Department concern, as this element was the result of recommendations of the Advisory Planning Commission.

The resulting building conforms to the provisions of the RM5 – Medium Density Multiple Housing zone. The revised proposal does not result in a net gain of units nor does it present a form and character that is inconsistent with the three 4 storey building located at the adjacent Wildwood Village development. Other than the issue relating to the stepping down of the corner units at the end of the proposed building, the Planning and Corporate Services Department does not have concerns with this proposal, and recommend for positive consideration by Council.

Andrew Bruce
Manager of Development Services

Approved for inclusion

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

PMc/pmc
Attach.

Attachments

(Not attached to the electronic copy of the report)

Subject Property Map

Schedule A, B & C (2 pages)

1 page revised building rendering

3 pages previously approved building elevations