
CITY OF KELOWNA

MEMORANDUM

Date: February 4, 2005
File No.: (3060-20) **DP04-0097**

To: City Manager

From: Planning & Corporate Services Department

Subject:

DEVELOPMENT PERMIT APPLICATION NO. DP04-0097 OWNER: LEXINGTON ENTERPRISES LTD. (INC. NO. 381759)

AT: 110-250 HOLLYWOOD RD APPLICANT: MKS RESOURCES INC / STEVE OR KAMAL SHORANICK

PURPOSE: TO SEEK PERMISSION TO CONSTRUCT A 4 STOREY, 67 UNIT, MULTI-UNIT RESIDENTIAL APARTMENT BUILDING ON THE SUBJECT PROPERTY AS THE RESIDENTIAL COMPONENT OF THE MIXED-USE PROJECT PREVIOUSLY APPROVED BY DP96-10,022

EXISTING ZONE: C4 – URBAN CENTRE COMMERCIAL

REPORT PREPARED BY: PAUL McVEY

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Permit No. DP04-0097 for Lot B, Sec. 22, Twp. 26, O.D.Y.D., Plan 65621 Exc. Strata Plan KAS2403 (Phases 1,2, & 3), located on Hollywood 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The proponent originally made application for Development Permit (DP96-10,0022) and Development Variance Permit (DVP96-10,028) in association with the application to rezone (Z96-1012) the subject lands to the C-3 Community Commercial zone in 1996. The property became zoned C4 – Urban Centre Commercial when the City of Kelowna Zoning Bylaw #8000 was adopted in 1998.

Development Permit application DP96-10,022 was made to authorize the development of a mixed-use project containing approximately 16,300 m² of commercial, office and residential floor space according to the attached concept plan. To date, there have been 3 commercial buildings constructed on site, and a 4th commercial building currently under construction. However, there has been no construction of residential units commenced on site.

This current application seeks permission to construct a 4 storey, 67 unit apartment building as the proposed residential building which will create the residential component of the proposed mixed use development. As this proposed building differs from the residential development previously authorized by DP96-10,022, a new Development Permit application has been made to authorize the development of the revised residential component.

2.1 Advisory Planning Commission

The above noted applications (DP04-0097) was reviewed by the Advisory Planning Commission at the meeting of August 31, 2004 and the following recommendations were passed:

THAT the Advisory Planning Commission support Development Permit Application No. DP04-0097, for 110-250 Hollywood Road S/Lot CP, Plan K2403, Sec. 22, Twp. 26, ODYD, MKS Resources Inc. (Steve Shoranick) Lexington Ent. Ltd., to obtain a Development Permit to allow for construction of a 4 ½ storey, 67 unit apartment building that represents the first phase of residential development for the previously approved mixed use development.

NOTE;

The applicant has made changes to the proposed building design in order to reduce the building height to 4 storeys from the previous 5 ½ storey building height. As well, the applicant has revisited the selection of exterior finishes to incorporate a better selection of colours and materials to improve the resulting form and character.

3.0 BACKGROUND

3.1 The Proposal

A Development Permit (DP96-10,022) was issued in 1998 which authorized the construction of a mixed use development containing approximately 16,300 m² of residential, commercial and office space on 6.56 acres on both sides of Hollywood Road, south of Highway 33.

That project was originally designed to be comprised of seven retail/office buildings, two residential/commercial buildings and one residential building on two separate parcels of land. Each lot will be developed in a similar manner, with the residential components placed adjacent to existing adjoining single family residential areas, with the commercial components placed closest to Highway 33, providing a transition from existing single family residential development and the new commercial development.

To date, there have only been 3 commercial buildings constructed on the west side of Hollywood Road, with a 4th commercial building currently under construction. The original development concept anticipated that the commercial building being constructed as a 2 storey building, where the building construction that has occurred on site has been limited to 1 storey.

The original development concept anticipated the mixed-use buildings as 2 buildings with commercial on the ground floors, and 3 storeys above for the residential use. The proposed buildings were designed to create a total of 94 residential units. The buildings were arranged so that multi-unit residential uses were oriented towards the south end of the site away from the commercial component which will be accessed from the north side from the courtyard area. A small amount of office space was also designed to be provided on the second level of the north wing of the mixed use building located on the west side of Hollywood Road.

The original development plan indicated that there will be a three storey residential building proposed for the south end of the site west of Hollywood Road that was designed to contain 26 one and two bedroom apartments. The total residential component was proposed to contain 120 units (56 two bedroom units and 64 one bedroom units).

The original design for the proposed buildings indicated that they were proposed to be finished on the upper storeys with a stucco finish in light and dark tan colours, with light and dark brown coloured trim features around the doors and windows. The roof was proposed to be a dark brown asphalt shingle. The ground floor commercial areas were proposed to be finished with brown coloured stone columns at the building bay lines, and brown coloured store front units.

This current Development Permit application is designed with the proposed residential building being located on the south end of the development site on the west side of Hollywood Road. Where the original application included commercial uses on the ground floor, this current application does not include any commercial uses on the ground floor. As well, the access to the under building parking lot is now separated from the commercial area of the site in that the drive aisle is located directly adjacent to the residential building, not from the commercial area to the north as was indicated on the original submission.

This current application indicates a total of 67 residential units in the proposed for the 4 storey building. The under building parking structure provides a total of 76 parking stalls

and the site plan indicates 27 surface parking stalls, which provides for a total of 103 parking stalls available for the residential development.

The building is designed with a total of; 7 1-br units, 52 2-br units, and 8 3-br units. The first residential level has 1 1-br unit, 13 2-br units, 2 3-br units, and a common amenity room area. The 2nd, 3rd & 4th floors have 2 1-br units, 13 2-br units, and 2 3-br units.

The exterior of the proposed building is designed to be finished with vinyl siding in both a vertical and horizontal configuration, as well as stucco accent areas. The walls of the first 3 floor levels are designed to be finished with a horizontal siding in “medium tan” colour. The wall areas for the 4th level are designed to be finished with a vertical siding in a “light tan” colour. The window and trim elements are designed to be finished with a “white” coloured vinyl trim. The exposed sloped roof area is designed to be finished with an asphalt shingle that has various black and grey toned flecks. Each of the residential units has an exterior balcony, which are designed as stucco infill elements, and finished with a “dark tan” colour. The balcony railings are designed to be finished with a “black” colour.

The original landscape plan showed extensive landscaping, to provide an adequate buffering from the surrounding single family area, and to screen the internal surface parking area from Hollywood Road, as well as adding landscaping within the parking lot.

The landscape plan submitted with this Development Permit application indicates a reasonable level of landscaping around the proposed building.

The original landscape plan submitted as part of DP96-10,022 application indicated a 2.0 m high solid perimeter screening fence along each edge of the site adjacent to single family residential development. This feature will have to be added to the landscape plans submitted with this current application.

The proposal as compared to the C4 zone requirements is as follows:

CRITERIA	PROPOSAL	C4 ZONE REQUIREMENTS
Site Area (m ²)	14,974 m ²	1300 m ² is no lane
Site Width (m)	60.96	Min 40m
Site Coverage (%)	71.9%	Max 75%
Total Floor Area (m ²) gross	9,074 m ²	19,466 Maximum at 1.3 F.A.R.
net	7,125 m ²	
F.A.R.	.605	FAR = 1.3 max.
Storeys (#)	4 storeys	4 storeys, or 15m
Setbacks (m)		
- Front (Hwy 33)	2.5 m	0.0 m
- Rear	6.0 m	6.0 m when abutting a res. zone
- West Side	6.0 m	4.5 m or ½ the building height
- East Side (Hollywood Rd)	2.5 m	0.0 m
Parking Stalls (#)	103 stalls provided	103 stalls required
Private Open Space	2,223 m ² provided	1,023 m ² required

Notes

Parking calcs

7 1br @ 1.25 stalls ea = 9

52 2br @ 1.5 stalls ea = 78

8 3br @ 2 stalls ea = 16

Total parking stalls required

103 stalls required

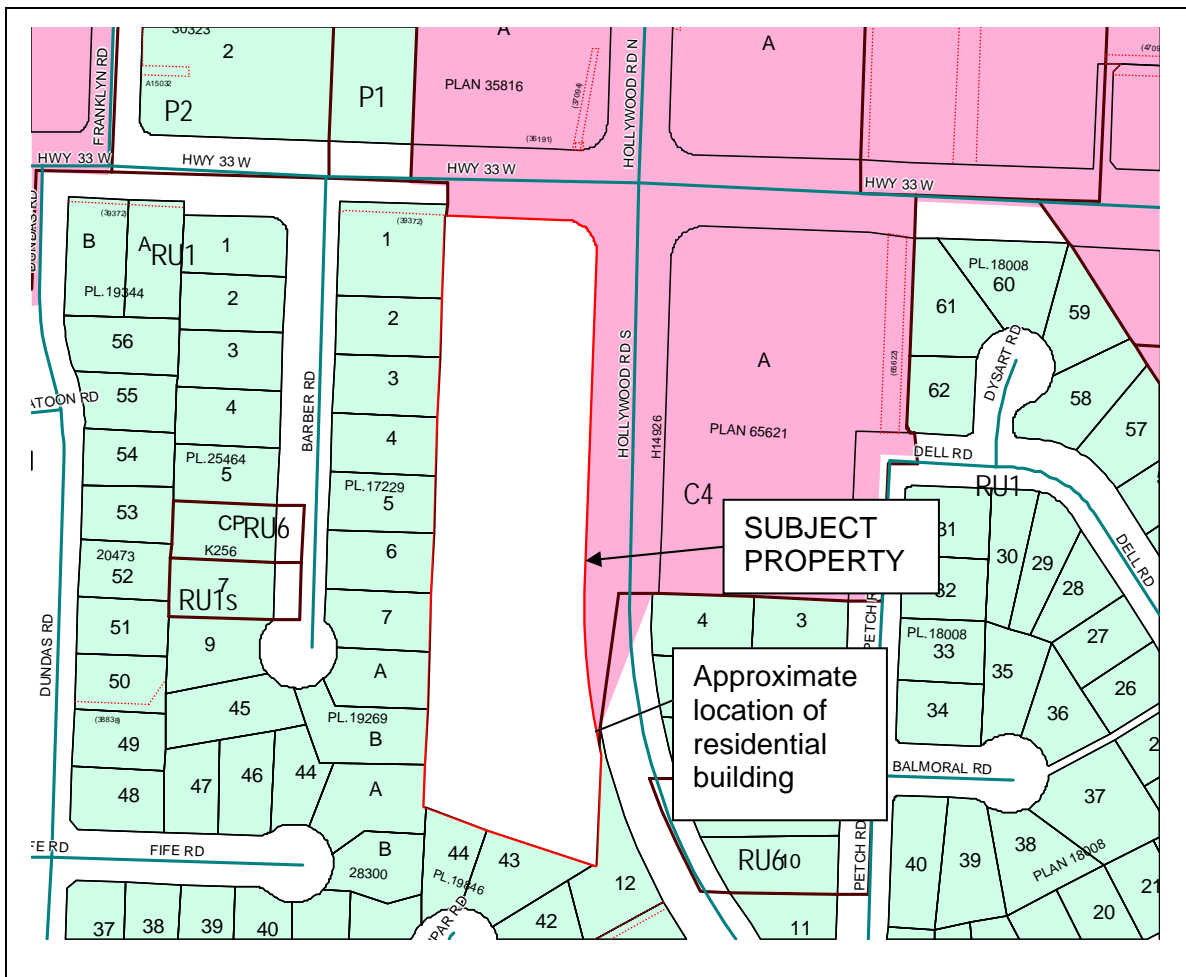
Stalls provided; 76 stall underbuilding + 27 surface = 103 stalls provided

3.2 Site Context

Adjacent zones and uses are, to the:

- North - C4 – Urban Centre Commercial -
- East - RU1 – Large Lot Residential – single unit residential uses
- South - RU1 – Large Lot Residential – single unit residential uses
- West - RU1 – Large Lot Residential – single unit residential uses

SUBJECT PROPERTY MAP



3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

The proposed development is consistent with the City of Kelowna Official Community Plan which designates the subject property as “Commercial” future land use.

The City of Kelowna Official Community Plan also contains the following;

Objectives for Commercial 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 provide visual interest and human scale.
- All development should contribute to a sense of community identity and sense of place (integration of development within larger community, belonging, community cohesiveness).
- 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 Commercial 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:

Access

- Design should facilitate pedestrian and bicycle access.
- Within multiple unit residential projects, vehicle access and on-site circulation shall minimize interference with pedestrian movement.
- Within multiple unit residential projects, vehicle access from arterial or collector roads is discouraged. Where possible, such access should be achieved from a local road or lane.
- Vehicle access should not interfere with pedestrian movement.
- Vehicle access (including parking and loading) should be, wherever possible, from a lane.
- Pedestrian access should be clearly marked.

Buildings, Structures and Additions

- Buildings, structures and additions should be designed and sited in a manner compatible with adjacent buildings and open areas.

Amenities

- Appropriate, high quality, public spaces which provide links to surrounding areas and open space relief should be encouraged (*community amenity bonuses may be applicable*).
- Amenities such as benches, garbage receptacles etc. should be encouraged to provide a pedestrian-friendly environment.

Ancillary Services/Utilities

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

- Utility service connections should be screened from view or be located so as to minimize visual intrusion.

Crime Prevention

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

Landscaping

Landscaping should:

- enhance public views
- provide noise buffering
- complement building's architectural features
- enhance the edges of buildings
- screen parking areas from view (with vegetation, berms, low walls, fences etc.)
- provide visual buffers of new buildings
- provide colour
- create shade
- create design interest
- retain required sight distances (from roadways)
- contribute towards a sense of personal safety and security
- facilitate the access, enjoyment and social activities for all authorized users
- provide equal access for mobility-challenged individuals
- incorporate existing vegetation with special character, historical or cultural significance
- incorporate native plants where practical
- incorporate xeri-scape vegetation and principles
- preclude species that are hosts to the coddling moth

Lighting

- external lighting should be used to enhance safety

3.3.2 City of Kelowna Strategic Plan (1992)

The proposal is consistent with the following urban form objectives of the Kelowna Strategic Plan:

"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 and,"

"To encourage a closer integration of residential, commercial, and employment oriented uses within existing and proposed future urban areas."

3.3.3 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 Fire Department

Engineered fire flow calculations are required, as well as a 6m. fire dept. access

4.2 FortisBC

Will provide u/g service to proposed development.

4.3 Inspection Services Department

Detailed Spatial Separation calculations to be submitted for both buildings facing each other on north of the parcel ,also south and west elevations. A detailed Code Analysis to be provided at Building Permit stage.
Check accessibility & dead end corridor on south end.

Note;

There will be an opportunity for further review of the proposal at the time of the building permit application.

4.4 Irrigation District (R.W.W.)

Mould Engineering letter received November 22, 2004

As requested, the development application for the above noted project has been reviewed for water supply considerations.

The proposed development is located on the west side of Hollywood Road just south of Highway 33. The current zoning for Lot B, Plan 65621 is C4 (Urban Centre Commercial). The proposal is to develop a 67 unit, 4 storey strata complex. Our comments regarding water supply are as follows;

1. The maximum day water use estimated for this development is approximately 1.5 lps (20 igpm) which can be supplied by the existing distribution system
2. The fire flow requirement was calculated using the Fire Underwriters Survey guidelines. The proposed building has 1 fire wall with an internal sprinkler system and requires a fire flow of 333 lps (4,500 igpm) for a duration of 5.0 hours.
3. Under the fire flow conditions, water is being supplied by the upper zone reservoir to the lower zone, and the reservoir has adequate volume to supply the required duration of 5.0 hours. However, the distribution system along Hollywood road cannot meet the proposed fire flow demand. A 200mm diameter system loop, from the south east corner of Lot B Plan 65621 to Argyll Road is recommended in the Districts 2004 Capital Works Plan. With this upgrade, the available fire flow from the two fire hydrants on the west side of Hollywood Road is 2600 igpm. The use of the fire hydrant on the east side of Hollywood Road located in the upper pressure zone could supply an additional 1500 igpm. The City of Kelowna Fire Department would have to approve the usage of a hydrant across the street. It is recommended the proposed development be revised or additional fire wall(s) be installed to reduce the building fire flow demand to a maximum of 4100 igpm.

4. Capital Expenditure Charges applicable to this development will be calculated upon receiving the revised development plan.

The District cannot provide adequate fire flow for the proposed building as presently designed and therefore cannot approve this development. If there are any questions regarding the foregoing or additional information is required, please advise.

Note;

There will be an opportunity for further review of the proposal at the time of the building permit application.

4.5 Ministry of Transportation

No Objection

4.6 Parks Manager

1) All plant material (trees, shrubs, ground covers and seed/sod) used in BLVD to be reviewed by City Parks Division. All materials located in BLVD to meet City standard for size and method of installation.

2) BLVD maintenance including watering (manual or automated irrigation), shrubs, ground cover, sod, and seeded areas will be the responsibility of owner/occupant.

3) In an effort to conserve water, all automated irrigation systems will be design to minimize overspraying on non-landscaped areas including City sidewalks, courtyards, parking areas, roadways, etc.

4) Parks encourages the property owner to incorporate native plants and xeriscape vegetation where practical.

4.7 Public Health Inspector

Ensure condominium is connected to water and sanitary sewer

4.8 Shaw Cable

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

4.9 Telus

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

4.10 Works and Utilities Department

A site grading plan and a storm drainage management plan will be required at the time of the application for a building permit. The property is fully serviced and the frontage is urbanized to a level consistent with current requirements. This application does not trigger any offsite upgrading.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS

The plans submitted for this latest version of development of the subject property represent a reasonable form of development for the south end of the subject property.

The Planning and Corporate Services Department observes that the changes that have occurred with the development plan at each phase for the commercial development that has occurred on site to date have reduced the building heights of the commercial buildings from the 2 storey building heights originally proposed to the single storey buildings that have been built on site.

The applicant has had several meetings with Planning staff to review the residential component of this mixed-use project, and revise the proposal. The resulting development has been reduced in height from the 5 ½ storey building height of the APC submission to the 4 storey building height, which conforms to the requirements of the C4 – Urban Centre zone. As well, the applicant has reviewed proposed colours and materials shown on the colour board, and has introduced areas of darker stucco accents to break up the building façade, as well as changing the balcony railing to a black finish which provide a better contrast to the adjacent wall areas.

In light of the above, the Planning and Corporate Services Department supports this application, and recommends that Council favourably consider this amended Development Permit application.

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 (7 pages)
1 page of floor plans