
CITY OF KELOWNA
MEMORANDUM

Date: April 27, 2005

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. Z05-0015/DP05-0031 **OWNER:** P.R. Hotels (Kelowna) Ltd.

AT: 2480 Hwy 97 N **APPLICANT:** Garry Tomporowski
1651 Powick Road Architect Ltd.

PURPOSE: TO REZONE LOT 3, ODYD PLAN 18724 FROM THE C9 – TOURIST COMMERCIAL ZONE TO THE C4 – URBAN CENTRE COMMERCIAL ZONE;

EXISTING ZONE: C9 – TOURIST COMMERCIAL
C4 – URBAN CENTRE COMMERCIAL

PROPOSED ZONE: C4 – URBAN CENTRE COMMERCIAL

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Rezoning Application No. Z05-0015 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, District Lot 125, O.D.Y.D. Plan 18724, located on Powick Road, Kelowna, B.C. from the C9 – Tourist Commercial zone to the C4 – Urban Centre Commercial zone be considered by Council;

AND THAT pursuant to the provisions of the City of Kelowna Council Policy #307 and Section 890 of the Local Government Act the requirement for the public hearing be waived;

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit on the subject property;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department and Ministry of Transportation being completed to their satisfaction;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of Rutland Water Works being completed to their satisfaction;

2.0 SUMMARY

The applicant is seeking to rezone one of the subject properties from the C9 – Tourist Commercial zone to the C4 – Town Centre Commercial zone in order to achieve uniform zoning when the subject properties are consolidated. In addition, the application is seeking a development permit for the construction of two multi-storey express style hotels with a total of 211 rooms on the subject properties.

3.0 ADVISORY PLANNING COMMISSION

At the regular meeting of March 15, 2005 it was resolved:

THAT the Advisory Planning Commission supports Rezoning Application No. Z05-0015, for 2480 Hwy 97 N, Lot A, Plan 39298 & 1651 Powick Road, Lot 3, Plan 18724, Sec. 28, Twp. 26, ODYD, by Garry Tomporowski Architect Ltd. (Garry Tomporowski), to rezone a portion of the subject property (Lot 3, Plan 18724) from the C9-Tourist Commercial zone to the C4-Urban Centre Commercial zone, in order to allow for a proposed hotel development;

4.0 BACKGROUND

The subject property at the corner of Hwy.97N and Powick is currently vacant while the Safari Inn is currently located on the other subject property.

4.1 The Proposal

The applicant is proposing a large hotel development which will consist of two buildings on the subject property. The applicant is also seeking to rezone the interior lot on Powick Road in order to create a complete development site which is zoned C4- Urban Centre Commercial.

The larger of the two buildings is a Marriot Hotel with 117 rooms. This building will be four storeys in height with an underground parkade below and will be located on the eastern side of the property. The main floor will have meeting facilities, ski lockers, laundry facilities, breakfast room, and exercise room. The ground floor also has access to an outdoor pool which will abut the Hwy.97 frontage of the property. Two waterslides that descend from the 4th storey of the building will feed into the pool. The second and smaller proposed hotel is the Hampton Inn Hotel with 94 rooms which will occupy the northwestern corner of the site. This building will measure six storeys in height and will also have an underground parkade. At grade the hotel will have an indoor pool, exercise room, breakfast room, laundry room and ski locker room.

The exteriors of the proposed hotels will be finished with complementary materials and colors schemes. Both will have brick veneer bases which extend in some areas to the third storey. The walls will be finished in with stucco with windows and trim accented with pre-finished metal fascia.

The sloping roof of the Marriot hotel building will be finished with a dark colored asphalt shingle while the flat roof of the Hampton Inn hotel building will accented with a strong painted cornice line. A portion of the rooftop area on this building will be used as a roof-

top patio. The roof-top cornice line will also be emulated in several other horizontal sections of the Hampton Inn building. Both buildings will have entrances clearly marked by porte-cochere features which allow for covered pick-up and drop-off.

The applicant is seeking to provide both underground and at-grade parking for each of the hotels. The access to the underground parking will be shared for both hotels. A total of 215 stalls are proposed for the site (109 surface stalls and 94 underground stalls). Three accesses are proposed for the site, all of which are located on Powick Road.

The proposed landscape plans offers a level 4 landscape buffer abutting the Hwy.97 frontage and a level 3 buffer along the Powick Road frontage. Landscaping is also provided in the parking area and along both internal property lines. Fencing is also provided along the northern and western property lines in order to screen the property from adjacent uses.

The application meets the requirements of the C4 – Urban Centre Commercial zone as follows:

| CRITERIA | PROPOSAL | C4 ZONE REQUIREMENTS |
|---------------------------------------|--|---|
| Lot Area (m ²) | 9743m ² | 13.0m |
| Lot Depth (m) | 153m | 30.0m |
| Lot Width (m) | 59m | 460m ² |
| Area of Buildings at Grade | | |
| Marriott Hotel | 1565.6m ² | |
| Hampton Inn | 691.4m ² | |
| Site Coverage (%) (Buildings) | 31.7% | 75% |
| Net Floor Area (m²) | | |
| Marriott Hotel | 4051m ² | |
| Hampton Inn | 3332m ² | |
| Floor Area Ratio (FAR) | 0.81 | 1.0max |
| Parking Spaces | | |
| Surface | 109 stalls | |
| Marriott Hotel (underground) | 56 stalls | |
| Hampton Inn (underground/covered) | 50 stalls | |
| Total | 215 stalls | 10,6251.1/1000 X 1.75 = 186 stalls required |
| Loading | 1 Loading Bay building (2 total) | 2 |
| Bicycle Parking | Class 1: 11 bicycle spaces Class 2: 11 bicycle spaces | Class 1: 1 per 20 sleeping units 211/20= 11 bicycle spaces Class 2: 1 per 20 sleeping units 211/20=11 bicycle spaces |
| Height (# storeys) | | |
| Marriott Hotel | 4 | 12 storeys |
| Hampton Inn | 6 | 12 storeys |
| Marriott Setbacks(m) | | |
| - Front | 19.6m | 0.0m |
| - Side | 65.2m | 0.0m |
| - Flanking Side (Hwy.97N) | 14.5m | 4.5m |
| - Rear | 10.7m | 0.0m |

| Hampton Setbacks(m) | | |
|---------------------------|------------------------|------------------------|
| - Front | 1.2m | 0.0m |
| - Side | 1.8m | 0.0m |
| - Flanking Side (Hwy.97N) | 130.5m | 4.5m |
| - Rear | 1.8m | 0.0m |
| Drive Aisle Width | 7.5m | 7.5m |
| Refuse/Recycling Bins | Min. 2m high screening | Min. 2m high screening |

4.2 Site Context

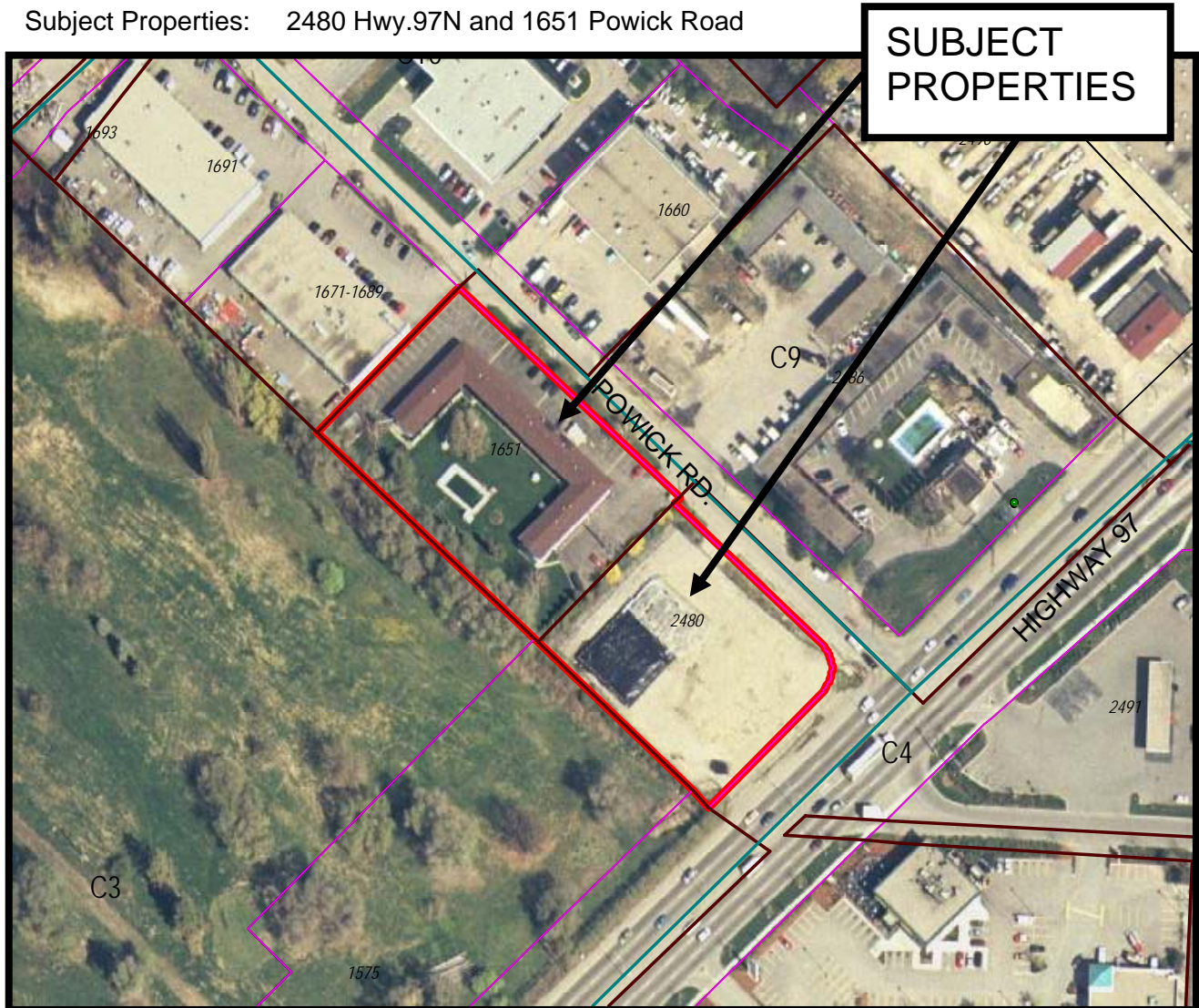
The subject properties are located on the northwest corner of Hwy.97 N at Powick Road.

Adjacent zones and uses are:

- North - C10 – Service Commercial – Barnes Storage Equipment Supplies/CF Mineral Research Co.
- East - C9 – Tourist Commercial – Vineyard Inn
- South - C4 – Urban Centre Commercial – Joey Tomatoes/Chevron
- West - C3 – Community Commercial - Walmart

4.3 Site Location Map

Subject Properties: 2480 Hwy.97N and 1651 Powick Road



4.4 Existing and Proposed Development Potential

The subject properties are currently zoned C9 – Tourist Commercial and C4 – Urban Centre Commercial. The purpose of the C9 – Tourist commercial zone is to designate and preserve land for the orderly development of commercial visitor accommodation. The purpose of the C4 – Urban Centre Commercial zone is to provide a zone for the development of community commercial centres to serve more than one neighbourhood.

The applicant is seeking to rezone the properties to rezone the northernmost property from the C9 – Tourist Commercial zone to the C4 – Urban Centre Commercial zone in order to provide a development site with uniform zoning.

4.5 Current Development Policy

4.5.1 Kelowna Official Community Plan

Map 19.1 of the Official Community Plan designates the future land use of the subject properties as Commercial.

Objectives for Commercial Development

The development is an appropriate response to its physical context and provides visual interest and human scale.

The development facilitates access by, and minimizes conflicts among pedestrian, bicycle, and vehicular modes of transportation (access, mobility) and promotes safety and security of persons and property within the urban environment (CPTED).

Guidelines for Commercial Development

Access

Design facilitates pedestrian and bicycle access.

Vehicle access is limited to Powick Road.

Vehicle access does not interfere with any significant pedestrian corridors.

Vehicle access (including parking and loading) should be, wherever possible, from a lane.

Pedestrian access will be clearly marked.

Building, Structures, Additions

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

Ancillary Services/Utilities

Loading, garbage and other ancillary services are located at the rear of buildings or are screened from view.

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

Landscaping

Landscaping enhances public views;

Provides noise buffering.

Complements building's architectural features.

Enhances the edges of buildings.

Provides visual buffers of new buildings.

Provides colour.

Creates shade.

Create design interest.

Retains required sight distances (from roadways).

Contributes towards a sense of personal safety and security.

Facilitates the access, enjoyment and social activities for all authorized users.

Lighting

External lighting will be used to enhance safety.

4.5.2 Kelowna Strategic Plan

Four objectives which support the goal of fostering a strong and stable economy:

- a) Aid in the growth and progress of Kelowna as a desirable place to do business.
- b) Aid in the growth and progress of Kelowna as a desirable place to visit, shop and tour.
- c) Increase the diversity of employment opportunities.
- d) Commit to continued sound fiscal management.

3.5.3 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.

5.0 TECHNICAL COMMENTS

5.1 **Inspection Services**

Spatial separation calculations to be provided for North West and South West elevation of Building B. Canopies over the access to main entrance either to have five metres clearance or other provisions to be provided as per requirement of building code for fire fighters access. Additional required fire hydrant to be shown as per BCBC. Disabled access including parking stalls are not identified in detail and DP Drawings full compliance to BC Building Code is required for accessibility. Separate Building Permits applications is required for Building A and B along with full code analysis.

5.2 Community Planning Manager

Council Policy 270 Motel/Hotel Redevelopment - applies to this site, with the removal of the 35 room Safari Inn. The owner will either need to sign an affidavit with the City that the Residential Tenancy Act does not apply to this motel, combined with a letter from the Residential Tenancy Office, or comply with the Act and the Policy using proper notification to tenants.

5.3 Fire Department

Fire Department access and hydrants as per City of Kelowna Subdivision Bylaw.

5.4 Ministry of Transportation

The application is currently under review. The applicant has submitted a Traffic Impact Study for MOT consideration.

5.5 Shaw Cable

Owner/developer to supply and install an underground conduit system.

5.6 Telus

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

5.7 RCMP, Public Health Inspector, School District #23, Terasen Utility Services, Fortis BC

No comment.

5.8 Works and Utilities

These are W. & U. initial comments and they may be subject to MOT requirements.

5.8.1 Subdivision.

Dedicate the necessary widening along Hwy 97 to provide for one half of the ultimate 46.0 m. right of way, measured from the highway road centerline.

Dedicate approximately 2.4m. widening along the frontage of lot 3, Plan 18724

The corner rounding at the intersection of Powick Road and Hwy 97 must be sufficient to accommodate the turning radii along the curb line of a WB 15 vehicle at a minimum 15-25 km/h design speed.

Consolidate the lots

Provide easements as may be required.

5.8.2 Geotechnical Study.

We recommend that a comprehensive geotechnical study be undertaken over the entire site. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zoning. As well, the study should address drainage patterns including the identification of ground water and the presence of any surface springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays,

5.8.3 Sanitary Sewer System.

The subject property is currently serviced by the Municipal Wastewater collection system. Any changes to the existing services that may be required to accommodate the proposed development will be at the Developer's cost.

5.8.4 Water Servicing Requirements.

This development is within the service area of the Rutland Waterworks District (RWD). The developer is required to make satisfactory arrangements with the RWD for these items. All charges for service connection and upgrading costs are to be paid directly to the RWD. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with current requirements.

A watermeter is mandatory as well as a sewer credit meter to measure all the irrigation water. Watermeters must be housed in an above-ground, heated, accessible and secure building, either as part of the main site buildings or in a separate building. Remote readers units are also mandatory on all meters.

5.8.5 Stormwater Management Plan.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual, is a requirement of this application. The drainage study should indicate the size and location of the detention facilities and provide for a positive outflow to the existing municipal storm drainage system. This plan can become part of the geotechnical study to identify possible ground recharge/detention areas.

The storm sewer located on Powick Road does not have a positive out flow connection, therefore, an overflow service to the proposed development

cannot be provided. The storm sewer on the Hwy has a positive outflow and could be extended to provide a service to the proposed development.

5.8.6 Roads.

Powick Road.

Powick Road must be upgraded to an urban collector standard (SS-R5) complete with curb and gutter extension, sidewalk, fillet paving and overlay along the existing curb, storm drainage works, storm sewer extension, landscaped and irrigated boulevard, street lighting, removal and/or relocation existing utilities and driveways as may be required, etc. The estimated cost of this work, for bonding purposes, is \$78,300.00, inclusive of a bonding contingency and including landscaping along Hwy 97.

Hwy 97.

The MOT is planning to reconstruct the intersection of Hwy 97 and Hwy 33. The reconstruction extends to the existing curb fronting the Central Park development. A proposed temporary sidewalk along the frontage of the subject property has been designed to avoid a trespass situation; therefore, it will not be on the ultimate preferred location. With the Hwy dedication required under this application it will be possible to construct the sidewalk at the ultimate location. It would be in the interest of the developer to dedicate the Hwy widening or provide a letter of intent prior to the MOT scheduled construction in order to place the sidewalk at the ultimate location to avoid a later relocation of the temporary sidewalk at the developer's cost.

Powick Road will ultimately be restricted to right-in right-out movements from and onto Hwy 97; but will keep full movement from and onto Enterprise Way.

5.8.7 Street lights

Street lights must be installed on all fronting roads as determined by the Manager of Electrical Utilities.

5.8.8 Power and Telecommunication Services.

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

5.8.9 Engineering.

Design, construction, supervision and inspection of all off-site civil works and site servicing must be performed by a consulting civil Engineer and all such work is subject to the approval of the city engineer.

DCC Credits.

None of the required improvements qualify for DCC credit consideration, as these upgradings are not identified in the current DCC schedules.

5.8.10 Bonding and Levies Summary.

a) Performance Bonding

Powick Road frontage upgrading and Hwy boulevard landscaping:

\$78,300.00

Total Estimated Bonding: \$78,300.00

5.9 Rutland Water Works

Comments pending.

6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate Services Department has no significant concerns with this rezoning application.

It appears as though the project conforms to the relevant portions of Zoning Bylaw No.8000 and the proposal is generally consistent with policy contained in the Official Community Plan and new Strategic Plan. Because the subject properties are in an urban centre staff feel that the C4 – Urban Centre Commercial zone is the appropriate zone rather than the C9 – Tourist Commercial zone; however, the proposed development could be achieved under either zoning.

The form and character of the proposed development is consistent with applicable development permit guidelines for commercial development. The applicant has provided a portion of the parking below grade and has created a development with identifiable entrances and an adequate landscape scheme. The architect has provided some visual interest on the elevations by recessing and projecting alternating sections of the façade and using different tones of stucco on these areas. The applicant has also indicated that a brick veneer will be used at the base of both buildings. Staff feel that this feature helps to provide the appearance of a firm base for both buildings as well as a complementary element between the two. While sharing similar finishing materials and base architectural elements staff feel the differing rooflines of the two buildings is positive in that it creates visual interest and the flat roof of the Hampton Hotel may help to reduce its overall mass.

Staff also note that although the Hampton Inn building appears to be 6 storeys in height, only the first five storeys will be occupied by hotel rooms. The sixth storey is mainly comprised of an extension of the buildings façade which provides architectural detail and screening for the building's mechanical equipment.

Andrew Bruce
Manager of Development Services

Approved for inclusion

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

RM/AB/rs
Attach.

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan
- Floor plans
- Elevations
- Landscaping plan
- Colour Rendering