CITY OF KELOWNA

MEMORANDUM

 Date:
 October 13, 2005

 File No.:
 DP05-0143

To: City Manager

From: Planning & Corporate Services Department

Subject:

DEVELOPMENT PERMIT APPLICATION OWNER: CANADA LANDS CO. NO. DP05-0143

AT: 1187 SUNSET DRIVE APPLICANT: VIA ARCHITECTURE

PURPOSE: TO SEEK A DEVELOPMENT PERMIT TO AUTHORIZE CONSTRUCTION OF A 20 STOREY, 218 UNIT, APARTMENT HOTEL COMPLEX ON THE SUBJECT PROPERTY

EXISTING ZONE: C4 – URBAN CENTRE COMMERCIAL

REPORT PREPARED BY: PAUL McVEY

1.0 <u>RECOMMENDATION</u>

THAT Municipal Council authorize the issuance of Development Permit No. 05-0143; for Lot 1, DL 139, O.D.Y.D., Plan KAP76304, located on Sunset Drive, Kelowna, B.C., subject to the following terms and conditions:

- 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;

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;

AND FURTHER THAT DVP05-0144 be authorized concurrently.

2.0 <u>SUMMARY</u>

The applicant has applied for a Development Permit to authorize development of a 218 unit, 20 storey hotel project for the subject property. Application has also been made for a Development Variance Permit to vary the maximum building height from 7 storeys permitted for Hotels in the C4 zone, to 20 storeys proposed. As well, this application seeks a variance to the amount of off-street parking from 357 stalls required to 332 stalls proposed, and a variance to the number of loading stalls from 9 stalls required to 3 stalls proposed. The DVP application will be circulated separately for consideration at the same meeting as this Development Permit application.

2.1 Advisory Planning Commission

The above noted application (DP05-0143) was reviewed by the Advisory Planning Commission at the meeting of August 30, 2005 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Development Permit Application No. DP05-0143 for 1187 Sunset Drive, Lot 1, Plan 76304, Sec. 25, Twp. 25, O.D.Y.D by VIA Architecture (Guy Taylor) for Canada Lands Company CLC Ltd.; to obtain a Development Permit to authorize construction of a 218 unit, 20 storey hotel development.

3.0 BACKGROUND

3.1 <u>The Proposal</u>

The subject property had been under application for a Development Permit (DP02-0005) in 2002 for a 358 room 7 storey hotel proposal. That application had been authorized for issuance by Council on April 2, 2002. However, that Development Permit was never issued.

This current application seeks permission to construct a 20 storey, 218 unit hotel development on the subject property. The proposed development is designed with a 2 storey high pedestal to provide several street oriented retail units facing Clement Avenue along the south face of the building, a dining facility facing Sunset Drive, a loading area facing Ellis St., and a 2 storey high entrance lobby facing the parking area located at grade to the north of the proposed building. The entrance to the lobby area is identified by a "porte cochere" feature and an adjacent landscaped drop-off area. The second storey of this pedestal provides for a location for the kitchen facilities, a ballroom, and a sports bar. Located to the north of the pedestal, adjacent to Ellis Street is a 3 level parking structure that also has a landscaped, outdoor amenity area constructed on top, that provides space for a garden seating area, as well as outdoor swimming pool and court area. The parking structure is set back from Ellis Street to provide an area for future development of a retail "arcade" along the Ellis Street frontage in the future.

The 3rd storey level commences the apartment hotel units, adjacent to the Clement Avenue frontage. The hotel units are arranged in a "tee" shaped configuration, with the elevator lobby located at the intersection of the "tee".

Starting at the 7th storey, the western end of the "tee" is stepped back further each storey, up to the 12th storey, where the tower shape remains the same up to the 16th storey. The 17th through to the 20th storey, provides for a number of penthouse units. Where the building is setback from the storey below, the exposed roof area provides for

an outdoor patio area for the adjacent suites. Each of the suites has a small kitchen area to allow for meal preparation. However, a number of the units have internal locking doors to provide for a variety of rental unit configurations. This allows for the creation of a maximum of 218 suites.

The exterior of the proposed building is designed to incorporate red coloured "sandstone" finish to the exterior of the 2 storey building pedestal. This proposed finish material is to impart a level of visual interest at the pedestrian level, as this level incorporates the retail storefronts facing Clement Avenue, as well as the lobby and restaurant areas of the hotel. The remaining grade level portion of the building is the 3 level parking garage, which is designed to be finished as a painted concrete structure with wall openings to the parking garage enclosed with decorative metal screen elements. The top of the parking garage is surrounded with a glazed metal hand rail system.

The exterior of the of the accommodation tower portion of the apartment hotel is constructed of a painted concrete material, which also incorporates glazing in aluminium framing and glazed aluminium handrails at the balconies. Where the building facade faces Sunset Drive and the lake beyond, the façade is stepped back as the building increases in height. The resulting roof deck areas are designed to be surrounded by a glazed metal hand rail system. It is anticipated that each of the patio areas created by the building steps will be substantially landscaped. The leg of the "tee" configuration facing Sunset Drive and the lake, is proposed to be finished in a dark red colour to complement the sandstone colour, while the portion of the "tee" adjacent to Ellis Street is proposed to be finished in a light creme colour. However, the facade facing Ellis Street is designed to have a portion painted the same dark red colour as the section facing Sunset Drive in order to enhance the height of the building while minimizing the horizontal dimension of this portion of the building. As well, this change in colour is also anticipated to impart the notion that the dark coloured portion of the building facing the lake is continued through the intersecting portion of the "tee", penetrating the building to add visual interest to the Ellis Street façade.

The landscape plan indicates a substantial amount of landscaping around the entire site at the grade level. There is a drop-off area and turn-around accessed off of Sunset Drive which is finished with a cobble pavement that incorporates accent bands, and a pool and fountain feature adjacent to the "porte cochere" and lobby entrance. This area is set apart from the remainder of the grade level parking area by a sidewalk and a low landscape feature wall. The remainder of the grade level parking area is landscaped around the perimeter, and also incorporates a number of landscaped islands. The landscaped area adjacent to Ellis Street also includes the planting of a number of street oriented trees. The landscape plan also indicates a substantial amount of landscape planting to the top of the parking garage to create an outdoor amenity space to create space for a swimming pool and space for racquet sports. This landscaped area also includes a space for a banquet garden.

The applicant has requested a number of variances as part of this application. However, the Development Variance Permit application has been circulated to Council separately from this Development Permit application for consideration at this same meeting as the Development Permit application.

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

CRITERIA	PROPOSAL	C4 ZONE REQUIREMENTS	
Site Area (m ²)	11,536 m ²	1,300 m ²	
Site Width (m)	72m	40 m	
Site Coverage (%)	33%	75%	
Total Floor Area (m ²) gross	20,323 m ²		
net	16,550 m ²		
F.A.R.	1.4	Max FAR = 1.3 (mixed-use)	
		Max density bonus of 0.2 for	
		under building parking	
Storeys (#)	20 storeys (63.39 m)	Max 7 storeys (25m) for hotels	
		and apartment hotels	
Setbacks (m)			
 Front (Clement) 	0.0 m	0.0 m	
- Rear	16.7 m	6.0 m abutting a residential zone	
 West Side (Sunset Dr.) 	6.9 m	0.0 m	
 East Side (Ellis St.) 	4.7 m	0.0 m	
Parking Stalls (#)	332 stalls provided	1.75 stalls per 100 m ² GFA	
	-	357 stalls required	
Loading Stalls (#)	3 proposed	1 stall per 1,900 m ²	
		9 stalls required	

Notes:

- Height Variance from max 7 storeys (25m) permitted to 20 storeys (63.39m) proposed,
- Parking Variance from 357 stalls required to 332 stalls provided, based on 1 stall per hotel unit = 218 stalls (as per C9 Tourist Commercial zone for Apartment Hotel use), and 114 stalls for other commercial uses
- Loading stall variance from 9 stalls required to 3 stalls provided

The proposed density of development is based on a base density of 1.3 for a Mixed-Use development, and a parking bonus of $357/240 \times 0.2 = 0.13$ Maximum allow able density is 1.3 + 0.13 = 1.43 FAR

3.2 Site Context

The subject property is generally flat and level, bounded by Sunset Drive on the west side, Clement Avenue on the south side, and Ellis Street on the east. The area of the subject property had been the location of the CN Rail yards, and has been included as part of the subject properties of the "Downtown North Area Structure Plan".



SUBJECT PROPERTY MAP

Adjacent zones and uses are, to the:

- North RM6 High Rise Apartment Housing / vacant
- East I2 General Industrial, Ellis Street / various industrial uses I4 – Central Industrial, former CN Rail Station heritage building
- South CD5 Comprehensive Development 5 zone, Clement Avenue / Prospera Place facility
- West C7 Central Business Commercial / Sunset Dr. Dolphins complex P3 – Parks and Open Space / Sunset Dr. – Waterfront Park fountain

3.3 <u>Current Development Policy</u>

3.3.1 Kelowna Official Community Plan

The Kelowna Official Community Plan designates the subject property as a "Commercial" future land use. The proposed development is consistent with that future land use designation.

The Official Community Plan also contains the following statements;

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).
- Àmenities 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 genus MALUS (apples or crabapples, including all ornamental or flowering crabapples), PYRUS (pears, including asian and ornamental pears), CYDONIA (quince), CHAENOMELES (flowering quince or japonica), ULMNUS PUMILA (Siberian Elm) or ULMNUS PARVIFOLIA (Chinese Elm).

Lighting

external lighting should be used to enhance safety

3.3.2 <u>City of Kelowna Strategic Plan (2004)</u>

The City of Kelowna Strategic Plan 2004 describes a vision of what residents hope Kelowna will be like in the future and has identified as one of the themes that overall, residents aspire to live in a community that:

 works to develop and maintain a strong, diversified local economy that offers residents opportunities for high-paying jobs

The City of Kelowna Strategic Plan 2004 also states as Goal 2; "To foster a strong, stable and expanding economy"

The City of Kelowna Strategic Plan 2004 also states as Objectives for Goal 2;

1. Aid in the growth and progress of Kelowna as a desirable place to do business.

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- 2. Aid in the growth and progress of Kelowna as a desirable place to visit, shop and tour.
- 3. Increase the diversity of employment opportunities.

3.3.3 <u>Downtown North Area Structure Plan</u>

The Downtown North Area Structure Plan identifies the subject properties as for "Mixed Use Commercial/Residential". The ASP also states that the purpose is to "promote the redevelopment of the area in a consistent manner based on the character of the Railway Station Historic Village Theme. This theme will enhance the image of the Downtown North Area and create a unique neighbourhood within the City of Kelowna".

The Downtown North Area Structure Plan also states that "Development as an urban village will provide for:

- a variety of conveniences such as dry cleaners, grocers, coffee houses, and restaurants
- the consistent use and style of signage, lighting , landscape treatments, and street furnishings to create a distinguishable district
- architectural integrity in which facades will use consistent materials and massing to give buildings human scale and a character that is rooted in the area's history"

The Downtown North Area Structure Plan for the specific Mixed Use Commercial/Residential area includes the following recommendations; "all setbacks shall conform to the City of Kelowna Zoning Bylaw, a zero setback is encouraged along Ellis Street in order to promote an enhanced sense of street density and activity".

3.3.4 Crime Prevention Through Environmental Design

The Crime Prevention Through Environmental Design guidelines for developments located with Urban Centres include the following:

Natural Surveillance

- dumpsters should not create blind spots or hiding areas, particularly when located in lanes;
- recessed doorways, alcoves or other dark niches should be not be created or should be removed to eliminate hiding places for potential assailants, vandals or other criminal activity;
- 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;
- signs placed within windows should cover no more than 15% of the window area, to ensure that natural surveillance of the street is maintained;
- interior shelving and displays should be no higher than five feet (1.5 metres) for increased visibility;
- the lower branches of existing trees should be kept at least ten feet (3 metres) off the ground;
- parking areas should be clearly visible from the building or street;

- paths in commercial areas should be provided in locations with good surveillance, not blocked in by blank walls and dense landscaping;
- 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;
- windows should face rear parking lots for increased visibility;
- clear visibility should be maintained from the store to the street, sidewalk, parking areas and passing vehicles;
- lanes should be well-lit and should have windows overlooking them;
- all entrances should be under visual surveillance or monitored electronically.

Territorial Reinforcement

- public events, such as festivals and outdoor concerts help to increase activity and community ownership, thereby reducing the opportunities for crime;
- 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;
- shops should be identified by wall signs for those parking in the rear;
- awnings should be installed over rear doors and windows;
- lanes should be well-maintained with pavement treatment and landscaping, wherever possible;
- entrances onto lanes and use of the space in the lane (e.g. shopping entrances or outdoor cafes), increases public ownership and safety of the lane;
- blank walls should be avoided, but can be improved by the installation of windows, vertical landscaping (e.g. ivy), non-paint-able surfaces, or the use of mural art; which all discourage graffiti;
- all public and semi-private areas should be well-maintained to convey pride and ownership, which discourage negative activity;
- benches should be placed in public spaces and along paths or sidewalks to provide resting place, particularly for seniors or those with disabilities; elevated seating positions allow for broad observation and give users a greater sense of control.

Natural Access Control

- cash registers should be located in front of the store, near the main entrance;
- 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;
- wall treatments, such as climbing plants or trellises, should not provide a means to climb the wall;
- rear access to shops should be provided from rear parking lots.

Management

operating hours should coincide with those of other neighbouring businesses;

- pay phones should be call-out only and under surveillance at all times;
- interior space should be well-lit.

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 <u>Fire Department</u>

Fire department access and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw. Engineered fire flows should determine hydrant requirements

4.2 Inspection Services Department

Inspection Services Department comments as follows:

- 1. Architect to review exit routes on first two levels.
- 2. Maximum 60 occupant loads for single egress from decks.
- 3. Additional exits required for large swimming pool deck.
- 4. Will all the units be considered residential suites? (kitchens)
- 5. Ensure applicant provides sealed fire flow calculations, sealed civil drawings and geotechnical report as part of BP application.

4.3 <u>Ministry of Transportation</u>

No objection.

4.4 Parks Manager

- 1. The Owner will be responsible to weed, water and mow the boulevards adjacent to their properties. The Owner will also be responsible for maintaining the boulevards in a reasonably tidy condition, free and clear of garbage, litter or debris. This requirement includes the existing boulevard on Sunset Drive. To tie in correctly to the existing irrigation system, the Applicant should contact Ted Sophonow, Parks Operations & Maintenance Supervisor at (250) 469-8844.
- 2. The boulevard tree planting on Clement Avenue proposes using Pyrus calieryana 'Aristocrat'. Parks Staff recommend substituting for Pyrus calieryana 'Chanticleer'. The form of the tree is more upright and suitable for this location.
- 3. Boulevard tree maintenance will be the responsibility of Parks Division. However, the Applicant will be responsible for watering and replacement of trees during the establishment period, for at least one growing season after planting.
- 4. All entry feature signs for the proposed development will be located on private property and not on the City's boulevard lands and be in compliance with the City's Signage Bylaw No. 8235.
- 5. Trées in boulevards less than 3.0m in width shall be installed with root barriers such as "Deep Root" brand, or City-approved equal, installed per the manufacturer's instructions.
- Tree Plantings in the boulevard will conform with Master Municipal Specifications (MMCD) Section 02950 and British Columbia Landscape Standard (1997) Section 9.3.
- 7. In an effort to conserve water, all automated irrigation systems will be design to minimize over spraying on non-landscaped areas including City sidewalks, courtyards, parking areas, roadways, etc.

4.5 <u>Public Health Inspector</u>

Plans to be submitted for any pool, whirlpool, food store, public operations or strata prior to construction. Health Dept must approved plans.

4.6 Shaw Cable

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

4.7 <u>Telus</u>

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

4.8 Works and Utilities Department

The Works & Utilities Department has the following requirements associated with this development application. The road and utility upgrading requirements outlined in this report will be a requirement of the issuance of a building permit, but are outlined in this report for information only. The Development Engineering Technologist for this project is John Filipenko.

1. <u>Domestic Water and Fire Protection</u>

- (a) The existing water main on Sunset Drive fronting this development is 250mm diameter in size.
- (b) The existing water main on Cement Avenue fronting this development is 250mm diameter in size.
- (c) The existing water main on Ellis Street fronting this development is 300mm diameter in size.
- (d) The developer must engage a consulting mechanical engineer to determine the domestic and fire flow requirements of this development, and establish if the existing 200mm service can be utilized. Decommissioning of any unused water services and the installation of all new services will be at the applicant's cost.
- (e) 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.

The developer must also purchase an irrigation sewer credit meter from the City and prepare a meter setter at his cost.

- 2. Sanitary Sewer
 - (a) A 530mm-diameter sanitary sewer main fronts this development and is sufficient to support this proposed development.
 - (b) The developer must engage a consulting mechanical engineer to determine the requirements of this development, and establish if the existing 200mm service can be utilized. An inspection manhole must be installed on the service. Service upgrades will

be at the owner's cost. The estimated cost of upgrading the service for bonding purposes is **\$ 10,000.00**

- 3. <u>Storm Drainage</u>
 - (a) A 1050mm-diameter AC storm sewer main fronting this property is sufficient to support the proposed development.
 - (b) It must be understood that the storm drainage systems in this vicinity are relatively shallow as the level of Okanagan Lake influences drainage. The drainage systems are inundated in water at times of high lake levels.
 - (c) The developer's consulting civil engineer will be required to provide a storm water management plan for this site which meets the requirements of the City Storm Water Management Policy and Design Manual and the engineer will determine if the existing 250mm service can be utilized, or if a larger service is required. Unused services must be decommissioned at the applicant's cost, and if a larger service is required it will be installed at the applicant's cost.
- 4. Road Improvements
 - (a) Access driveway modifications and construction of additional commercial driveways will be at the applicant's cost. This work will require curb, gutter, sidewalk and ramp removal and replacement, boulevard landscaping and lamp-standard relocation. The work must be constructed to City of Kelowna Standards. Re-locate or adjust existing appurtenances if required to accommodate this construction. The estimated cost of this construction for bonding purposes is \$30,000.00
 - (b) Sunset Drive, Clement Avenue and Ellis Street fronting this development have recently been urbanized. Care must be taken to avoid asphalt scaring. Protect existing sidewalks and streetscapes during construction. Replacement of damaged works and restoration will be at the developer's expense. The extent of the restoration works will be determined by the City Engineer once construction is completed.

Provide a performance bond in the amount of **\$10,000.00** to assure replacement of damaged off-site street facilities during construction.

- 5. Road Dedication and Subdivision Requirements
 - (a) Grant statutory rights of way if required for utility services.
 - (b) Register a statutory right-of-way over the fire truck access lane.
- 6. <u>Electric Power and Telecommunication Services</u> 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. <u>Engineering</u>

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.

8. <u>Geotechnical Report</u>

As a requirement of this application and building permit approval the applicant must provide a comprehensive geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics, including water sources on the site.
- (b) Site suitability for development; i.e. unstable soils, foundation requirements etc.
- (c) Drill and/or excavate test holes on the site and install pisometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- (e) A comprehensive geotechnical report was provided at the time of subdivision and extensive soil remediation was carried out. Additional geotechnical survey may be necessary for building foundations, etc.
- 9. <u>Survey Monuments and Iron Pins</u>

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.

- 10. <u>Development Permit and Site Related Issues</u>
 - (a) 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.
 - (b) Curve the westerly access driveway onsite so that the vehicle approaching the boulevard and pedestrian walkway is aligned perpendicular to the sidewalk prior to the reaching the road right-of-way.
 - (c) We have no objection to the height variance and the reduction in the required loading bay requirements. The Works & Utilities Department does not support the parking stall reduction variance.

11. Bonding and Levy Summary

(a)	Bonding	
()	Road access driveways.	\$ 30,000.00
	Service upgrades	\$ 10,000.00
	Replacement of damaged street facilities	\$ 10,000.00

Total Bonding

\$ 50.000.00

<u>NOTE</u>: The bonding amounts 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 subdivision approval or 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 4th reading of the zone amending bylaw or issuance of a building permit.

12. <u>Administration Charge</u>

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as 3% of the total off-site construction costs, not including design. 7% GST will be added.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS

The notion of a hotel use for this area of the city has been identified in the Kelowna Centre Plan, focusing on a lower form of hotel use from the level provided by the "Grand Okanagan Resort and Convention Centre". However that plan anticipated the land located across the street from the "Grand" as the site of this proposed hotel use. That location subsequently was used for the development of Prospera Place.

This site had been the subject of an application for a proposed hotel development in 2002. At that time, the proposed hotel development contemplated the creation of 358 units. That application was for a 7 storey building with a site coverage of approximately 67%. However, that application was never issued, and the application file was closed on December 13, 2002 for lack of action.

This current application for a 20 storey apartment hotel development on the subject property represents a comprehensive design proposing a "4 star", top line hotel development. The applicant has taken care to orient the tower portion of the hotel building to maximize the potential views for the occupants of the rooms. The designer has also taken steps to maximize the entry experience by locating the arrival court off of Sunset Drive, to take advantage of the park setting across Sunset Drive from the subject property. The amenity package included as part of this proposed apartment hotel development anticipates the needs of a clientele seeking a "4 star" hotel experience.

The proposed design of the pedestal provides for a rich pedestrian experience along the Clement Avenue frontage. The proposed retail units are designed with "storefront" elements to provide for a rich window shopping experience. As well, the parking structure located adjacent to Ellis Street is sited 6 m back from property line to provide space for future retail unit development along Ellis Street, at such time as there is a need for additional grade oriented retail along Ellis Street. The applicant has worked on a character sketch for this future proposed commercial "mall" façade in order to provide a realistic example of what this façade will look like in the future when the retail development is completed.

The applicant has worked with City staff in order to refine and add detail to the proposed building façades in order to resolve issues with the design vision, as well as to respond to concerns raised at the Advisory Planning Commission meeting. The Urban Design Planner has worked with the applicant to improve and clarify the design vision of the proposed project.

In light of the above, the Planning and Corporate Services Department supports this application, 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 <u>Attach</u>. DP05-0143 – Page 16.

Attachments

Subject Property Map Schedule A, B & C (8 pages) 9 pages of site elevations / diagrams