
CITY OF KELOWNA

MEMORANDUM

Date: November 7, 2005
File No.: DP05-0159/DVP05-0200

To: CITY MANAGER

From: PLANNING AND CORPORATE SERVICES DEPARTMENT

Subject:

APPLICATION NO. DP05-0159/DVP05-0200 **OWNER:** WGP-246 HOLDINGS LTD.,
INC.NO. BC0672704
AT: 260 FRANKLYN ROAD **APPLICANT:** HMA ARCHITECTS

PURPOSE: TO OBTAIN A DEVELOPMENT PERMIT TO ALLOW FOR 42 UNITS OF APARTMENT HOUSING.

TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW A SITE COVERAGE OF 43.7% WHERE A MAXIMUM SITE COVERAGE OF 40% IS PERMITTED.

EXISTING ZONE: RU1- LARGE LOT HOUSING

PROPOSED ZONE: RM3 – LOW DENSITY MULTIPLE HOUSING

REPORT PREPARED BY: KEIKO NITTEL

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Final Adoption of Zoning Bylaw No. 9293 be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP05-0159 for Lot A, Section 27, Township 26, ODYD, Plan KAP77915 located on Franklyn 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;

5. The applicant be required to pay the City the Sewer Specified Area # 20 Cash Commute Charge;

AND THAT Council authorize the issuance of Development Variance Permit No. DVP05-0200; Lot A, Section 27, Township 26, ODYD, Plan KAP77915 located on Franklyn Road, Kelowna, B.C.;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 13.9.6(b) – RM3 – Low Density Multiple Housing

A variance to allow site coverage of 43.7% including buildings where 40% is permitted.

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 is proposing to construct 42 units of apartment housing within a 2.5 storey building.

3.0 ADVISORY PLANNING COMMISSION

The above-noted application was reviewed by the Advisory Planning Commission at the meeting of September 27, 2005, and the following recommendation was passed:

THAT the Advisory Planning Commission supports Development Permit Application No. DP05-0159, for 260 Franklyn Road, Lot A, Plan 77915, Sec. 27, Twp. 26, ODYD by HMA Architects Inc. (Clive McKenzie), to obtain a Development Permit to allow for the construction of a 2 storey, 42 unit apartment housing building, subject to the elimination of the Houghton Road access to the underground parking and the provision of ground level access to the units along the Franklyn Road frontage.

No ground level access is to be provided along the Franklyn Road frontage. The applicant, however, has eliminated the Houghton Road access to the underground parking.

4.0 BACKGROUND

The City previously initiated the rezoning of the subject property from the RU1- Large Lot Housing zoning to RM3 – Low Density Multiple Housing zoning. The zone amending bylaw was to be held at third reading until such time that the property was sold and a developer was prepared to proceed with a development permit application. An RFP process was conducted to achieve a project featuring some affordable housing on the site. No viable option, however, was submitted and the property was sold at market value. No commitment was therefore made to provide housing that meets the City's affordability criteria.

4.1 The Proposal

The applicant is proposing to construct a two and a half storey apartment building on the subject property. The building runs the length of the property with the face of the building fronting onto Franklyn Road. The proposed building will house a total of 42 two bedroom units. All of the 63 required parking spaces are to be located in an underground parkade with access from both Badke and Houghton Roads.

The applicant has attempted to break up the building façade and provide visual interest to the building by using several different materials, roof types, and projections. The building façade is to be finished with a cultured stone base, stucco along the main level, and horizontal siding at

the second storey. Deck railings are to consist of glass balustrades in metal frames with second level deck posts consisting of a wood-like hardi panel trim. Amenity space will be provided both on the individual decks provided for each unit as well as the large landscaped area on the west side of the property. Trees will be located adjacent to the property lines with planting beds located beside the building as well as along the west property line. A meandering gravel pathway runs the length of the site providing a connection between Badke and Houghton Road. The pathway runs through to dryland garden features as well as to a grassed "recreation area" with benches looking onto it. As the balconies are included in site coverage calculations, the applicant will require a development variance permit to allow a site coverage of 43.4% where only 40% is permitted.

The proposal calls for the areas surrounding the building to be landscaped.

CRITERIA	PROPOSAL	RM3 ZONE REQUIREMENTS
Site Area (m ²)	5,607m ²	900m ²
Site Width (m)	39.01m	30.0m
Site Depth (m)	125.04m	30.0m
Site Coverage (%)	43.4% * or 45.6%	40% or 50% including buildings, driveways, and parking
F.A.R.	0.61	0.5 + 0.2 (all require parking below habitable space)= 0.7
Height (m)	8.6m	9.5m 4.5m for accessory building
Storeys (#)	2.5 storeys	2.5 storeys
Setbacks (m)		
- Front (m)	5.8m	4.5m
- Rear (m)	10.7m	7.5m
- Side (m)	7.6m	4.5m
- Side (m)	14.6m	4.5m
Private open space	1458m ²	25m ² per 3 bedroom dwelling (1050m ²) not to be located within required setback
Parking Stalls (#)	63 spaces	42 x 1.5 spaces (2 bedroom) = 63 spaces
Bicycle Stalls (#)	26	26 spaces 0.5 per dwelling unit Class I, 0.1 per dwelling unit Class II

* The lot coverage of the building without the inclusion of the balconies is 39.4%. The decks, however, result in a site coverage of 43.7% which exceeds the maximum site coverage of 40% that is permitted.

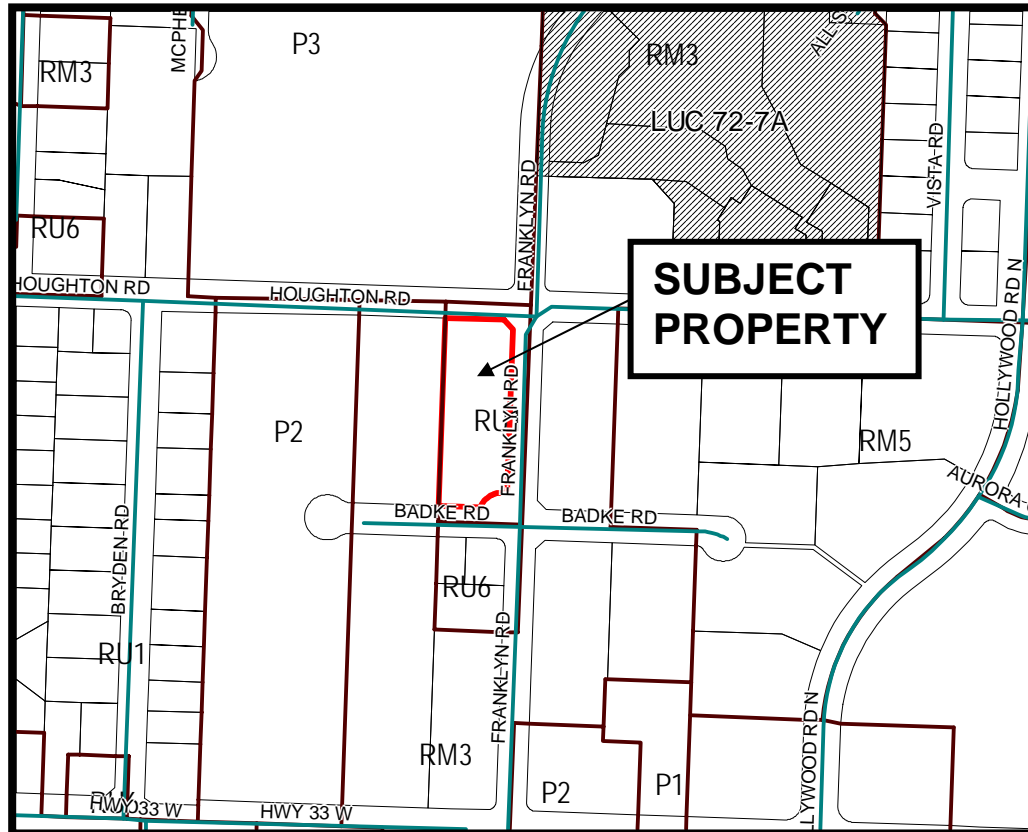
4.2 Site Context

The subject property is located on Franklyn Road between Houghton Road & Highway 33.

Adjacent zones and uses are:

North - P3 - Parks and Open Space
 East - RM3 - Low Density Multiple Housing
 South - RU6 - Two Dwelling Housing
 West - RM3 - Low Density Multiple Housing

Site Location Map



4.3 Development Potential

The property is currently zoned RU1 – Large Lot Housing. The purpose of this zone is to provide for single detached housing as a principal use, and compatible secondary uses, such as bed and breakfast homes, minor care centres and group homes, as well as home based businesses. Secondary suites are permitted on lots with RU1s – Large Lot Housing with Secondary Suite zoning.

The proposed zoning is RM3- Low Density Multiple Housing. The purpose is to provide a zone for low density multiple housing on urban services. Permitted uses include apartment housing, congregate housing, group home (major), row housing, semi-detached housing, stacked row housing. Secondary uses care centres (major) and home based businesses (minor).

4.4 Current Development Policy

4.4.1 City of Kelowna Strategic Plan (2004)

One of the objectives of the Strategic Plan is includes the construction of housing forms and prices that meet the needs of Kelowna residents; the achievement of accessible, high quality living and working environments; and the sensitive integration of new development with heritage resources and existing urban, agricultural and rural areas.

4.4.2 Kelowna Official Community Plan (OCP)

The proposal is consistent with the land use designation Low Density Multiple Family in the Official Community Plan future land use designation (OCP, Chapter 15). In issuing conditions relating to a development permit the City will specify how development permit objectives can be satisfied. This should include consideration of the following guidelines, as examples of how to meet the objectives:

Relationship to the Street

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

Building Massing

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

Walls

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

Crime Prevention

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

Amenities

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

Parking

- Underground parking is encouraged.

5.0 TECHNICAL COMMENTS

5.1 Fire Department

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

5.2 Inspections Services

Full compliance of BC Building Code is required. A detailed review will be conducted at the building permit stage.

5.3 Black Mountain Irrigation District

Developer must meet BMID requirements prior to issuance of a Building Permit.

5.4 Parks Manager

Residents will be responsible to weed, water and mow the boulevards adjacent to their properties. They will also be responsible for maintaining the boulevard in a reasonably tidy condition, free and clear of garbage, litter or debris.

All proposed plant material (trees, shrubs, ground covers and sod) for the boulevard to be reviewed and approved by Parks Staff prior to application approval.

We suggest to the Applicant to consider the design of the private open space area to include garden plots, a dog run, and/or children's play equipment i.e. swings.

5.7 Interior Health

No comment.

5.10 Shaw Cable

Owner/developer to install an underground conduit system.

5.11 Telus

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

5.13 Works & Utilities

The Works & utilities Department comments and requirements regarding this application are as follows:

1.General.

- a) Requirements of the rezoning application no. Z03-0043 must be satisfied before the Issuance of this Development Permit.
- b) Provide easements and right of way as required.

2.Geotechnical Study.

- a) Prior to the issuance of a building permit a geotechnical report prepared by a Professional Engineer competent in the field of geotechnical engineering must be provided, the report is to address the following:
 - Overall site suitability for development.
 - Presence of ground water and/or springs.
 - Presence of fill areas.
 - Presence of swelling clays.
 - Presence of sulfates.
 - Provide specific requirements for footings and foundation construction.
 - Provide specific construction design sections for roads and utilities over and above the City's current construction standards

3.Domestic water and fire protection.

- a) This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for these items. All charges for service connection, and upgrading costs are to be paid directly to the BMID.
- b) A single watermeter is mandatory as well as a sewer credit meter to measure all 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. Both buildings should be serviced from one common service.
- c) The applicant is required to submit a report addressing the available fire flow supply to adequately protect the proposed development in accordance with current fire protection standards.

4. Sanitary Sewer.

The subject property is not currently serviced by the Municipal sewer collection system and is located within the Sanitary sewer connection area # 22F (Central Rutland). The development of 42 units on the property triggers a payment of **\$199,920.00** (\$6,800.00 x 0.7x 42). The fees are valid until Bylaw 8469 is amended and includes the installation of a service

5. Storm drainage.

A comprehensive drainage site management plan and design to comply with the City's Drainage Design and Policy Manual, is a requirement of this application.

6. Road improvements.

The applicant is responsible for the construction of a sidewalk along the Badke Road frontage of the property. The estimated cost of this work, for bonding purpose would be **\$5,800.00**, inclusive of a bonding contingency.

7. Power and Telecommunication Services.

Briarwood is located within the Rutland Urban Town Centre which requires underground wiring as per current policies. It should be noted that the area is currently serviced with overhead wiring and the utilities companies have expressed that it is preferable to keep the main feeding lines, running parallel with the road, overhead at this time. Works and Utilities recommends that only the services to this new development be installed underground.

8. Access.

Houghton Road is classified as a class 1 collector, therefore, the optional parking garage exit as shown on drawing No. A1 onto Houghton Road is not supported by Works and Utilities; the only acceptable access to the proposed development is from Badke Road.

9. Engineering.

Design, construction supervision, inspection and certification 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.

10. Bonding and Levies Summary.

- a) Performance Bonding

Sidewalk on Badke Road **\$ 5,800.00**

- b) Levies

Sanitary Sewer Connection Area Fees **\$199,920.00**

6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

Staff is generally supportive of the proposed development and development variance permit applications. The proposed building exhibits good use of windows on all facades, as well as transparent balcony railings which are features that support crime prevention through environmental design concepts. Staff has some concern with the continuous and repetitive building frontage of 108.2m, essentially spanning the length of the block between Badke and Houghton Roads. Staff, however, acknowledge that the applicant has attempted to use a variety of materials, including cultured stone, two shades of stucco, hardi-plank siding, and wood-like hardi-panel trim, to break up the building facades. In addition, the building façades are further broken up with the use of covered balconies and cantilevers.

Staff does note their preference for ground oriented units, created by sinking the underground garage lower into the ground and providing individual steps directly onto the main level decks, to give the development the appearance of walk-up row-housing. The provision of a main entrance at grade, rather than below grade, would also be a preferable design. The applicant has acknowledged that it would be technically possible to lower the building but has argued that the additional cost could not be absorbed by the project. Though not providing this direct relationship to the street, Staff acknowledges that the applicant has attempted to compensate for the lack of ground oriented units and building entrances. While the location of the main entrance below grade is somewhat inconsistent with the OCP design guidelines stating that the principle front entranceway should be clearly identified and in scale with the development, the applicant has used a canopy feature, plantings and benches, to visually identify the main entrance. The use of cultured stone, different than that used on the rest of the building, provides further definition of the main entrance. Two pathways also lead from the building to Franklyn Road on the east elevation of the building. Though direct access from the units to the open space on the west side of the property is not provided, a meandering gravel pathway running the length of the site, and providing connection to both Badke and Houghton Roads, encourages the use of this area as both active and passive recreational space.

Andrew Bruce
Development Services Manager

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

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Attach.

ATTACHMENTS

(not attached to the electronic version of the report)

- **Location of subject property**
- **Site Plan**
- **Floor Plans**
- **Elevations**
- **Landscape Plan**