
**CITY OF KELOWNA
MEMORANDUM**

Date: December 7, 2005
File No.: DP05-0160
To: City Manager
From: Planning & Corporate Services Department
Subject:

APPLICATION NO. DP05-0160 **APPLICANT:** 672499 B.C. Ltd. (Don Lloyd)

AT: 3690 Gordon Drive **OWNER:** 672499 B.C. Ltd.

PURPOSE: TO OBTAIN A DEVELOPMENT PERMIT TO ALLOW FOR THE CONSTRUCTION OF 252 APARTMENT HOUSING UNITS, TO BE DEVELOPED WITHIN FOUR (4) FOUR-STOREY BUILDINGS

EXISTING ZONE: A1 – AGRICULTURE 1

PROPOSED ZONE: RM5 – MEDIUM DENSITY MULTIPLE HOUSING

REPORT PREPARED BY: NELSON WIGHT

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Permit No. DP05-0160 for Lot A, D.L. 134 O.D.Y.D. Plan KAP56005, located on Gordon Drive, 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. The landscaping 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 make the appropriate arrangements with Telus for the easement and walk-in cabinet as required.

2.0 SUMMARY

This application seeks to allow for the construction of four apartment buildings accommodating 252 apartment units.

3.0 ADVISORY PLANNING COMMISSION

At a meeting held on September 27, 2005 the Advisory Planning Commission reviewed this application, and the following recommendation was passed:

THAT the Advisory Planning Commission supports Development Permit Application No. DP05-0160, for 3690 Gordon Drive, Lot A., Plan 56005, Sec. 7, Twp. 26, ODYD, by 672499 BC Ltd. (Don Lloyd), to obtain a Development Permit to allow for the construction of 252 unit apartment housing development contained within four (4), four-storey buildings.

BACKGROUND

3.1 History

This project began over a year ago, when the Applicant applied to rezone the subject property from the A1 zone to the RM5 zone. This rezoning application has progressed through initial consideration by Council, a public hearing, and is sitting at 3rd reading. Final adoption has been withheld, pending consideration of an accompanying development permit application. On July 25, 2005, Council adopted a motion to grant a six-month extension to the zone amending bylaw, which will now expire on January 27, 2006.

The previous development permit application (DP05-0089) and development variance permit application (DP05-0088), which contemplated three 12-storey towers surrounded by six 2-storey row-housing blocks, have been closed at the request of the Applicant.

3.2 The Proposal

This application contemplates development of the 2.62 ha (6.47 ac) site with four 4-storey apartment blocks, accommodating 252 housing units. Two thirds of the 364 required parking spaces are to be accommodated in a below ground parking structure, with the remainder being provided by surface level parking. A temporary access is proposed to come from Casorso Road, until the future Mission Springs Drive is constructed.

The coloured rendering of the exterior of the proposed buildings includes the following design elements: open beam gable detail; rock-faced column build-outs, completed in a brick pattern; interesting mullion pattern that deviates from the typical 4-light symmetry; rock-faced chimney with horizontal build-out at the top; alternating colour pattern of building face; wood construction, x-pattern balcony railing detail; and horizontal siding.

The proposed application meets the requirements of the RM5 – Medium Density Multiple Housing zone as follows:

CRITERIA	PROPOSAL	RM5 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area (m ²)	2.62 ha (6.47 ac.)	1,400 m ²
Lot Width (m)	136 m	30.0 m
Lot Depth (m)	194 m	35.0 m
Development Regulations		
Floor Area Ratio	1.067	1.4 (1.1 + 0.1 bonus for housing agreement + 0.2 bonus for parking below habitable space = 1.4) 1.1 + 0.15 bonus = 1.15
Site Coverage	29.8% 52.2%	40% (buildings) 60% (buildings, parking areas, and driveways)
Height	4 storeys / 16.5 m	16.5 m or 4 storeys

Front Yard	6.0 m	6.0 m
Side Yard (east)	7.5 m	4.5 m (< 2 ½ storeys) 7.5 m (> 2 ½ storeys)
Side Yard (west)	7.5 m	4.5 m (< 2 ½ storeys) 7.5 m (> 2 ½ storeys)
Rear Yard	10.0 m	9.0 m
Other Regulations		
Minimum Parking Requirements	364 spaces	<u>Residential:</u> 1.5 per 2-bdrm unit Total required: 2 bdrm 196 x 1.5 = 294 1 bdrm 56 x 1.25 = 70 Total: 364
Bicycle Parking	Class I: 126 stalls Class II: 26 stalls	<u>Residential</u> Class I: 0.5/unit = 126 Class II: 0.1/unit = 26
Private Open Space	6,020 m ²	15 m ² of private open space per 1-bdrm or 25.0 m ² per dwelling with more than 1 bedroom. 15 m ² x 56 1-bdrm = 840 m ² 25 m ² x 196 2-bdrm = 4,900 m ² Total: 5,720 m²
Landscaping	meets requirements	Level 2 and 3 buffer required.

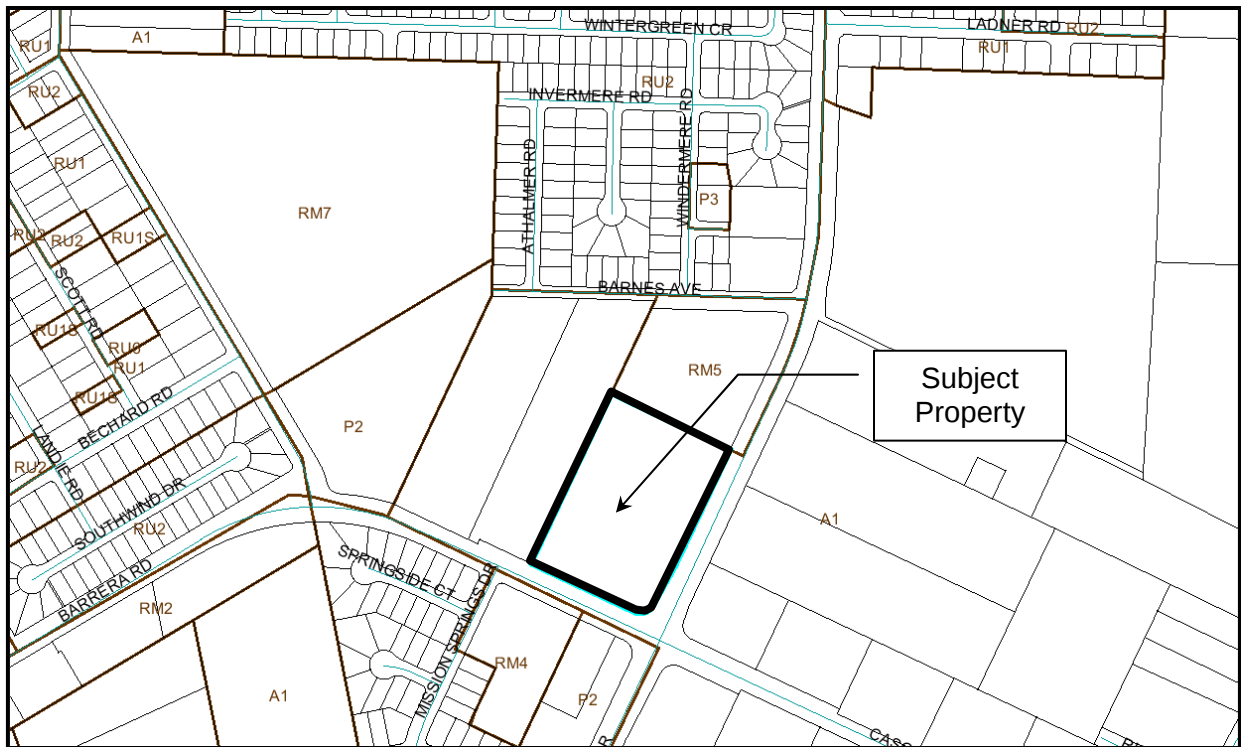
3.3 Site Context

The subject property is located on the west side of Gordon Drive between Barnes Road and Casorso Road. Because this is an area in transition, the existing uses on adjacent properties are mixed, ranging from agricultural uses to multifamily residential, with some institutional uses as well. More specifically, the adjacent land uses are as follows:

- North - RM5 – Medium Density Multiple Housing
- East - A1 – Agricultural 1
- South - RM4 – Transitional Low Density Multiple Housing
 - P2 – Education and Minor Institutional
- West - A1 – Agricultural 1

Site Location Map

Subject property: 3690 Gordon Drive



3.4 Existing Development Potential

The purpose of the RM5 – Medium Density Multiple Dwelling designation is to provide a zone primarily for medium density apartments. The principal uses in this zone are: apartment housing, congregate housing, group homes, major stacked row housing. Secondary uses include care centers, home based businesses, major and minor.

3.5 Current Development Policy

3.5.1 City of Kelowna Strategic Plan

The objectives of the Strategic Plan include 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.

3.5.2 Kelowna 2020 Official Community Plan

Objectives for Multiple Unit Residential Development

- All development should be an appropriate response to its physical context, or anticipated future context where an area is designated for increased density or land use transition in the OCP.
- All development should 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).

4.0 TECHNICAL COMMENTS

Fire Department

Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw. Engineered fire flows should determine hydrant requirements. Required hydrants to be in place before combustible construction begins.

FortisBC

Will provide electrical underground service.

Inspection Services

No comments.

Parks Department

1. 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.
2. 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.
3. We encourage the Applicant to consider the planting of Tulip Trees, *Liriodendron tulipifera* within the boulevard along Gordon Drive and Casorso Road, spaced at 12-15 metres, consistent with the City of Kelowna's Urban Forestry Tree Planting Guide. To further discuss boulevard trees, please contact Ian Wilson, Parks Division Urban Forester at (250) 469-8842.
4. If boulevard trees are approved by Parks Staff, the tree maintenance will be the responsibility of Parks Division. However, the owner will be responsible for watering and replacement of trees during the establishment period, for at least one growing season after planting.
5. 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.
6. In an effort to conserve water, all automated irrigation systems should be designed to minimize overspraying on non-landscaped areas including sidewalks, courtyards, parking areas and roadways.

Shaw Cable

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

Telus

Developer to provide a 5 m x 8 m easement. Developer will place a concrete walk-in cabinet to house Telus switching equipment to service this property and surrounding properties. Will provide underground facilities to this development. Developer will be required to supply and install conduit.

Works and Utilities

The Works & utilities Department has the following comments and requirements associated with this application for the proposed Multi Family Residential Development. The road and utility upgrading requirements outlined in this report are provided for information purposes.

1. Domestic Water and Fire Protection

- (a) The water main on Gordon Drive along the full frontage of this development was recently constructed. Latecomer protection is being executed for this water main. The developer of the subject parcel will be required to pay the determined Latecomer charge prior to issuance of a building permit
- (b) The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The estimated cost for bonding purposes is \$18,000.00

Tie-in of new services to existing mains will be by City forces at the developer's expense.
- (c) 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.
- (d) Landscaped boulevards, complete with underground irrigation systems, must be integrated with the on-site irrigation system. Boulevard landscaping must be completed for the full frontage of Casorso Road and Gordon Drive. Adjustments to the irrigation system for credit metering may be made after each phase of development is complete.
- (e) This property is not within a water specified area. A \$ 250.00 application fee is required to cover the cost of a service boundary amendment

2. Sanitary Sewer

A sanitary sewer service can be provided at the developer's cost and connected to the existing sanitary sewer system on Casorso Rd. The estimated cost for bonding purposes is \$12,000.00

- (a) This property is not within a sanitary sewer specified area. A \$ 250.00 application fee is required to cover the cost of a service boundary amendment.

3. Storm Drainage

- (a) It will be necessary for the developer to construct a storm drainage system on Gordon Dr. to accommodate road drainage on Gordon Dr fronting the proposed development. The cost is included in the Road upgrading item.
- (b) The developer must engage a consulting civil engineer to provide a storm water management plan for this site which meets the requirements of the City Storm Water Management Policy and Design Manual. The plan must accommodate the requirements to contain a 1 in 5-year storm event within pipes and identify

overland drainage routes for a 100-year storm event with consideration for upstream water sources and downstream facility upgrading and / or provision of storm water retention facilities. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), and storm water services for each lot created and / or on-site drainage containment and disposal systems. The on-site drainage system may be connected to the street drainage system with an overflow service at the developer's cost, with approval from the City drainage engineer.

- (c) Storm drainage systems and overflow service(s) for the site will be reviewed and approved by Engineering when a site servicing design is submitted.

4. Road Improvements

- (a) Gordon Drive

Gordon Drive fronting this development must be upgraded to a full urban standard including curb and gutter, separate sidewalk, piped storm drainage system including catch basins, manholes / drywells, pavement widening, landscaped boulevard complete with underground irrigation system, ornamental street lights as required and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction. The cost for bonding purposes is \$215,900.00

- (b) Casorso Road

Casorso Road fronting this development must be upgraded to a full urban standard including curb and gutter, monolithic sidewalk, storm drainage pipe (existing) catch basins, manholes / drywells, pavement widening, landscaped boulevard complete with underground irrigation system, street lights as required and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction. The cost for bonding purposes is \$63,500.00

- (c) Future Mission Springs Road Extension.

Mission Springs Road will be extended in the future between Casorso Rd and Barnes Rd when lands to the west develop. This development must dedicate and contribute to the future construction of one half of that portion of Mission Springs Road that fronts on the subject property. The cost for bonding purposes is \$103,200.00. This bonding may be converted to a one-time cash payment if so desired by the developer, and the City of Kelowna will contribute that share toward the construction of the road and utilities when the lands to the west develop.

5. Road Dedication and Subdivision Requirements

By registered plan to provide the following:

- (a) Dedicate Mission Springs Rd. within the subject property as identified in the Sketch provided by Earth Tech Canada Inc.
- (b) Grant statutory rights of way if required for utility services.

6.

Electric Power and Telecommunication Services

The electrical and telecommunication services to the buildings as well as the local distribution wiring must be installed in an underground duct system, and the building must be connected by an underground service. 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. Street Lighting

Street lighting including underground ducts must be installed on all roads fronting on the proposed development. The cost of this requirement is included in the roads upgrading item.

8. Engineering

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.

9. Development Cost Charge Reduction Consideration

The proposed construction on Gordon Drive is eligible to receive a DCC credit for a portion of the pavement widening. The amount of the DCC credit will be determined when the design engineer has submitted construction tender costs. DCC credit cannot exceed the actual DCC assessed by the City, nor shall it exceed the actual cost of construction as substantiated by the actual construction cost.

10. Latecomer Protection

Under provisions of Section 990 of the BC Municipal Act, and in conformance with the City of Kelowna Subdivision Development & Servicing Bylaw No. 7900, the owner is eligible to apply for latecomer protection for the following:

- (a) Storm drainage construction on Gordon Drive.

11. Geotechnical Report

As a requirement of this application, 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 and overland surface drainage courses traversing across or influencing this property.
- (b) Site suitability for development; i.e., unstable soils, etc.
- (c) Drill and/or excavate test holes on the site and install piezometers 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.

12. Survey Monuments and Iron Pins

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.

13. Bonding and Levy Summary

(a) Bonding

Water and Sanitary service costs	\$20,000.00
Gordon Dr. Upgrade	\$215,900.00
Casorso Rd. Upgrade	\$63,500.00
Future Mission Springs Rd.	<u>\$103,200.00</u>
Total Bonding	<u>\$422,600.00</u>

NOTE: 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.

14. Site Related Issues

- (a) The requested height variance does not compromise Works and Utilities requirements
- (b) Our comments regarding the site related issues will be provided when a building permit application is made and site servicing drawings are submitted.
- (c) Access and Manoeuvrability
- (i) The site plan should illustrate the ability of an SU-9 vehicle to manoeuvre onto and off-site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles, the site plan should be modified and illustrated accordingly.
- (ii) The proposed driveway access on Casorso Road must be considered temporary until a permanent access can be provided when Mission Springs Rd. is constructed. The cost of removing the temporary driveway in the future is included in the Future Mission Springs Road upgrading item.

- (iii) Gordon Drive driveway access will be restricted to a right in and right out only.
- (iv) Site access and egress designs onto public roads must be submitted for approval by the City Works & Utilities Department. This is required to guarantee that the requirements and the limitations of access and egress required by the City have been addressed to the City's satisfaction.

15. Administration Charge

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.

16. Transportation related Recommendations are as follows:

- (a) The long term street network for this area includes the extension of Mission Springs Road along the westerly boundary of the subject property connecting Casorso and Barnes Rd.
- (b) A road dedication is required over this development site, to protect the future ROW for the northerly extension of this Mission Springs Rd.
- (c) Drawing A-1 identifies the location of the future Mission Springs Rd. relative to their site. This proposal may be approved on the condition that when the Mission Springs extension is built, access will then be restricted to the new Mission Springs Road along their west property line, and the Casorso Rd. access will then be closed.
- (d) Prior to development of the Mission Springs extension, one temporary access will be permitted directly onto Casorso Road at the west boundary of the subject site as shown on drawing A-1.
- (e) If a gated entrance is proposed, the entrance area before the gate must allow for a vehicle (who has been denied gate access) to turn around and re-enter the public street in a forward direction. The area must allow for an "SU-9" vehicle turning radius and the gate must open into the site.
- (f) The west side of Gordon Drive, fronting this development site, will have to be urbanized to its ultimate cross-section. This will include the separate sidewalk, curb & gutter plus pavement fillet. See item 4. (a).
- (g) The north side of Casorso Road, fronting this development site, will have to be urbanized to its ultimate cross-section. This will include a separate sidewalk, curb & gutter plus pavement fillet. See item 4. (b).
- (h) The east side of the future Mission Springs Rd. extension will require bonding to cover the construction cost of an urbanized roadway. See item 4. (c).

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS

The exterior of the proposed buildings follows good design principles, presenting a friendly face to the street, providing strong interest through architectural detailing and a mix of colours. The project also appears to meet all Zoning Bylaw requirements.

Although Staff are supportive of this application, at this time, there are some items that could be improved, as detailed below:

- **Floor Plans** – There is some discrepancy between the project data and the actual floor plans. The project data shows that there are a number of 1-bedroom plus den, and 2-bedroom plus den units. When reviewing the actual floor plans for some of these units, what appear to be the intended “den” areas are, in fact, bedrooms. This distinction may present conflicts due to inadequate parking, private open space, etc, and will have to be resolved prior to building permit application.
- **Mission Springs Drive** – This development should contemplate the eventual consolidation of that portion of land on the adjacent property to the west that will be left over following the dedication of Mission Springs Drive. The Applicant has stated that they have tried unsuccessfully to secure that portion of land from the adjacent landowner. They have also indicated that they would consider re-orienting the building, should they be able to secure the land prior to actual construction.
- **Site Grading** – it appears that the Applicant intends to alter the site grades to disguise the “below-grade” parking structure. Although it is possible to accomplish this well, there are examples of development in the City of Kelowna where such strategies have proven to be less than desirable. The Applicant should provide a site grading plan showing pre- and post-development grades.
- **Coloured Rendering** – The coloured rendering shows a more interesting mullion pattern to the windows, and also includes chimneys that are not shown on the elevation drawings. These elements would be an improvement, and it is hoped that the elevation drawings are the ones in error.
- **Open Space** – After construction of the surface parking areas and buildings, there should be approximately 13,600 m² (3.4 ac) of open space left on the site for landscaping. Greater attention should be given to any opportunities for more functional uses of this space. The proposed pathway around the site is a good first step. Below are some other suggestions:
 - o reconfigure buildings # 1 and #3 to define their respective street frontages, freeing up a larger block of open space between the two buildings.
 - o remaining open space could be improved for more functional use with the addition of more formalized areas (e.g.: Japanese garden, rose garden, garden plots for tenants).
 - o remaining open space could be considered for more active pursuits (e.g.: bocce, volleyball, fenced dog play area, etc.)

Staff considers that this proposed development is more sensitively designed to integrate with the surrounding development than the previous attempt (12-storey towers). The design for the exterior of the buildings also appears to be consistent with the design guidelines articulated in the Kelowna 2020 – Official Community Plan.

The proposed development meets the requirements of the intended zoning designation, and Staff is, therefore, recommending support. Planning Staff have reviewed the above-noted concerns with the Applicant and encouraged that, in particular, the open space plan be reviewed in light of the opportunities that this site presents for development.

Andrew Bruce
Manager of Development Services

Approved for inclusion

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

ATTACHMENTS

Location of subject property
Site Plan
Parkade Layout
Main Floor Plan
Elevations
Landscape Plan