
**CITY OF KELOWNA
MEMORANDUM**

DATE: AUGUST 22, 2006
TO: CITY MANAGER
FROM: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

APPLICATION NO. HAP06-0007 **OWNER:** Kane Resources

AT: 770-772 Rutland Road N **APPLICANT:** as above

PURPOSE: TO OBTAIN A HERITAGE ALTERATION PERMIT TO ALLOW FOR THE CONSTRUCTION OF 70 UNITS OF APARTMENT HOUSING.

EXISTING ZONE: RM5 – MEDIUM DENSITY MULTIPLE HOUSING

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Council authorize the issuance of Heritage Alteration Permit No. HAP06-0007 for Lot 2, Section 26, Township 26, ODYD, Plan KAP78999, located on Rutland Road N, 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. Prior to issuance of a building permit for Building "B", the heritage building must be restored and rehabilitated for residential use.

AND FURTHER THAT the applicant be required to complete the above-noted Landscape Performance Security Deposit condition 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 a four storey apartment building on the subject property. Prior to its construction, eight residential units are to be developed within the existing heritage building (former Rutland Elementary Schoolhouse).

3.0 ADVISORY PLANNING COMMISSION

At the regular meeting of July 18, 2006 it was resolved:

THAT the Advisory Planning Commission support Heritage Alteration Permit No. HAP06-0007, for 770-772 Rutland Road N., Lot 2, Plan 78999, Sec. 26, Twp. 26, ODYD, by Kane Resources, to obtain a Heritage Alteration Permit to allow for the construction of 70 units of apartment housing and convert the existing heritage building for residential use.

The Advisory Planning Commission did suggest that an iron railing/gate, similar to what originally existed, be added to the heritage school site and any additional finishing that could help to replicate the original front entrance. It was suggested that the applicant could refer to old photos that may be available to assist in this regard.

Note: The applicant was supplied with historical photos showing the stairs which originally provided access to the front of the building. The applicant has indicated that the stairs will be replicated if possible but exiting from the bottom floor residential units that are being created may impact the ability to recreate this historical architectural feature.

4.0 COMMUNITY HERITAGE COMMISSION

At the regular meeting of July 11, 2006 it was resolved:

THAT the Community Heritage Commission supports Heritage Alteration Permit No. HAP06-0007, for 770-772 Rutland Road N., Lot 2, Plan 78999, Sec. 26, Twp. 26, ODYD, by Kane Resources, to obtain a Heritage Alteration Permit to allow for the construction of 70 units of apartment housing and convert the existing heritage building for residential use.

5.0 BACKGROUND

The applicant previously obtained approvals to redevelop the northern portion of the old Rutland Elementary School site. An amendment to the Official Community Plan future land use designations allowed the property to be rezoned to the RM3- Low Density Multiple Housing and RM5- Medium Density Multiple Housing designations. A development permit further allowed for the construction of sixteen townhouse units and one apartment building on the northern portion of the site.

As the old brick schoolhouse is a heritage building, a Heritage Revitalization Agreement (HRA) was also required to ensure its preservation and restoration. At the time of approval, the HRA stipulated that the subdivision of the southern portion of the lot and approval of a Heritage Alteration Permit for further development would not be permitted until such time that the heritage building was restored. The provisions of the HRA also facilitated the future subdivision of the property by allowing variances to the rear and side yard setbacks to the heritage building.

The applicant subsequently made application to amend the conditions of the approved Heritage Revitalization Agreement to allow the subdivision of the southern lot prior to the restoration of the heritage building. The applicant indicated that the subdivision was required in order to facilitate the stratification of Phase I of the development. In order to continue to ensure the preservation of the heritage building, a restrictive covenant was registered on title. The covenant stipulates that no construction is permitted on the lot until such time that the heritage building has been restored. In addition, to ensure that the original developer remains

responsible for the restoration of the building, the covenant also stipulates that ownership of the property may not be transferred until such time that the restoration is complete. The applicant has now made application to proceed with the development of the southern lot including the restoration of the heritage building.

5.1 The Proposal

Though technically now consisting of two individual properties, the old Rutland school site will function as a single development with joint access agreements facilitating a single internal road looping through the property. Two driveway accesses (one on each lot) provide direct access to Rutland Road N. All parking is to be accessed from this internal driveway. Parking for the new proposed apartment building is to be located both within an underground parkade as well as surface parking spaces. A total of 56 parking spaces are proposed below the apartment building with an additional 45 surface parking spaces provided.

The bulk of the proposed apartment building is to be 4 storeys with the west end of the building tiered down to three storeys abutting the single/two dwelling neighbourhood. A total of 62 units are proposed (13 one bedroom units and 49 two bedroom units). Architectural detailing on the proposed apartment building facade includes detailing within the gables of the roof. Further interest to the building is provided through the use of several different window types and finishes. The arching above some of the upper floor windows replicates the windows on the schoolhouse building providing some sense of continuity throughout the development. The buildings are to be finished in a neutral toned ("pebble") horizontal siding with grey ("slate") trim. Columns on the main level are to be finished with brick that coordinates with the finish of the schoolhouse building. The proposed roofing is to consist of laminate shingles in "weathered wood", a dark multi-toned material. The applicant uses sub-roofs in an attempt to break up the long roofline. In addition, along the east elevation facing Rutland Road, the main floor units have direct access to the street.

The existing pedestrian linkages to the adjacent neighbourhood will be maintained with a concrete pathway leading from the existing walkway, through the development, to link up with Rutland Road. Pathways from the main entrance of the apartment building will also link up with this pathway with a stamped concrete area defining its crossing of the main driveway. The site is surrounded along the rear and side property lines with an existing 1.8 m (6'0") chain link fence. The landscaping plan also proposes the planting of trees along all of the property lines. Along the rear lot line a mix of linden, spruce and pine tree will buffer the development from the adjacent properties. A variety of maple trees are to be planted throughout the interior of the site and along the south property line. Adjacent to the sidewalk along Rutland Road, London plane trees will line the property. Landscaped islands will also serve to break up the large areas of surface parking. The landscaping in front of the heritage building will consist of a round walkway area with benches.

A Heritage Revitalization Agreement (HRA) is registered on the title of the property ensuring the preservation and restoration of the Rutland Elementary School heritage building. The HRA requires the existing two storey building to be converted into a total of eight one bedroom apartment units. In addition, the HRA allows for the non-conforming rear and side yard setbacks to the school building. The applicant will not be permitted to proceed with the construction of the new proposed building until such time that the brick schoolhouse has received an occupancy permit for the proposed residential units. Each of the proposed eight units contains an open concept living/dining/kitchen area, bedroom and one bathroom. The main level units also contain a den while the upper units contain a loft space. Each unit will have direct outdoor access. The upper levels units will have access via an open courtyard/staircase that will be facilitated by the removal of the existing front door of the school house.

The application meets the requirements of the proposed RM5- Medium Density Multiple-Family Zone as follows:

CRITERIA	PROPOSAL	RM5 ZONE REQUIREMENTS
Site Area (m ²)	7231m ²	1400m ²
Site Width (m)	109.18m	30.0m
Site Depth (m)	83.52m	35.0m
Site Coverage (%)	30.0%/ 55.64%	40% (60% with buildings, driveway, parking) RM5
F.A.R.	0.96 6942.5/7231 = 0.96	1.1 plus 0.1 for housing agreement, plus maximum of 0.2 for parking below habitable space (56/101) x 0.2 = 0.11 1.1 + 0.11 = 1.21
Setbacks (m)		
- Front (east)	6.0m	6.0m
- Rear (west)	9.0m	9.0m
- Side (south)	7.5m	7.5m
- Side (north)	4.3m (setback approved under HAR)	7.5m
Parking Stalls (#)	102 spaces (total) 56 spaces in parkade 46 surface spaces 18% small car	49 x 2 bedroom @ 1.50 = 74 13 x 1 bedroom @ 1.25 = 17 8 x 1.25 = 10 spaces max 40% small car = 40.4 TOTAL = 101
Driving Aisles	7.16m	7.0 m two way aisle, 90 degree parking
Bicycle Stalls (#)	8 spaces Class II (visitor) min. 35 spaces within parkade Total: 43	35 stalls (0.5 per dwelling unit of Class I) 7 stalls (0.10 per dwelling unit of Class II) Total: 44
Separation between principal buildings	10.0m+	3.0m
Height (m)	13.7m	16.5m

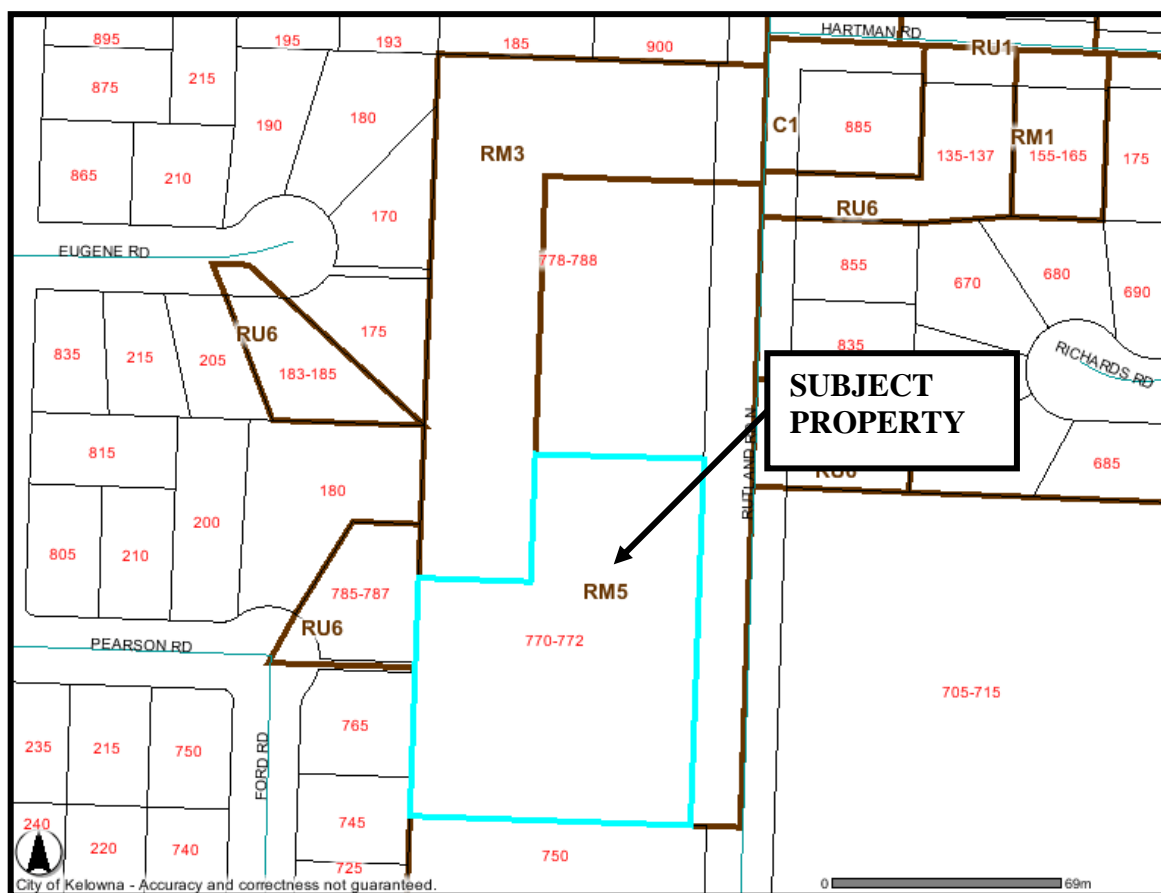
5.2 Site Context

The subject property is located on Rutland Road between McCurdy Road and Leathead Road.

Adjacent zones and uses are:

- North - RM3 – Low Density Multiple Housing, RM5 – Medium Density Multiple Housing
- East - P2- Education & Minor Institutional, RU6 - Two Dwelling Housing
- South - P2- Education & Minor Institutional
- West - RU1 - Large Lot Housing,
- RU6 – Two Dwelling Housing

Site Location Map



5.3 Existing Development Potential

The subject property is zoned RM5 – Medium Density Multiple Housing. The purpose of the RM5 zone is to provide a zone primarily for medium density apartments. The principal uses in this zone are apartment housing, congregate housing, group homes (major), and stacked row housing. Secondary uses include care centres (major), and home based businesses (minor).

5.4 Current Development Policy

5.4.1 City of Kelowna Strategic Plan (1992)

One of the objectives of the Strategic Plan is “to develop a more compact urban form by increasing densities through infill and re-development within existing urban areas and to provide for higher densities within future urban areas” (Objective 1.1). The proposal is consistent with this objective and with the accompanying strategies.

5.4.2 Kelowna Official Community Plan

The future land use designation of the subject property is Medium Density Multiple Housing. The proposed designation of RM5 is therefore consistent with the Official Community Plan. Several elements of the proposed building design are consistent with the Multiple Dwelling Housing Guidelines as listed in the

OCP. Examples of elements of the building design that are consistent with the design guidelines are as follows:

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

- 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.

Parking

- Underground parking is encouraged.

6.0 TECHNICAL COMMENTS

6.1 Fire Department

Engineered fire flows required. Fire hydrant placement as per City of Kelowna Bylaw.

6.2 FortisBC

Fortis BC will provide underground electrical service to this development.

6.3 Irrigation District

BMID to provide service to this development.

6.4 Inspections Department

The existing school house building to have structural review prior to proposed renovations to 8 residential suites. Building to be upgraded to BCBC 1998 related to renovation upgrades. Spatial separation calculation required at common area between suites. Verification on travel distance calculations for parkade and public corridors on residential floor levels.

6.5 Parks Manager

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

All entry feature signs for the proposed development will be located on private property and not on City BLVD.

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

In an effort to conserve water, all automated irrigation systems will be designed to minimize over-spraying on non-landscaped areas including City sidewalks, courtyards, parking areas, roadways, etc.

Parks encourages the applicant/property owner to incorporate native plants and xeriscape vegetation into the landscape where practical.

6.6 Shaw Cable

Owner/developer to supply and install an u/g conduit system

6.7 Telus

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

6.8 Works & Utilities

The heritage alteration permit does not compromise Works and Utilities servicing requirements. The frontage upgrades as well as the servicing issues have been addressed under rezoning application Z04-0053 and construction is near completion.

7.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The proposed RM5 - Medium Density Multiple Dwelling zone development is consistent with many of the design guidelines of multiple dwelling housing as listing in the Official Community Plan. Through the use of architectural detailing, the designer has generally created a visually appealing building. The proposed building exhibits good use of windows on all facades. In order to mitigate the impact of the development on the adjacent single/two dwelling neighbourhood, the applicant has also tiered the apartment building down to three storeys on the west elevation. Staff has some concern with the long continuous and repetitive building frontage. Staff, however, acknowledge that the applicant has attempted to use a variety of materials, including brick, shingles, and horizontal siding, to break up the building facades. In addition, the façades are further broken up with the use of sub roofs and balconies. Staff commends the applicant for the proposal to create ground oriented units on the main level of the building. These units have the potential to create a strong sense of connectivity to Rutland Road thus contributing to a pedestrian friendly streetscape.

In addition to meeting the guideline provisions, a prime concern of this project was the integration of the residential buildings proposed for the site with the former Rutland Elementary School. The four-storey apartment buildings use similar window forms and materials to relate to the existing brick schoolhouse structure, thus somewhat achieving a dialogue between the old and the new and a sense of continuity with the past. This is illustrated through the use of brick accents, arched windows treatments, and gabled sub-roofs which duplicate architectural detailing found on the exiting brick schoolhouse.

Staff notes that because of the proposed height, massing, and proximity of the flanking residential structures and their location closer to the street, the stature of the school when seen from Rutland Rd. is somewhat diminished by the flanking apartment buildings. Staff, however, do acknowledge that this impact is somewhat mitigated by the conservation of an open space in front on the building. The proposed landscaping in this area also attempts to enhance the identity of the schoolhouse as a historic building within the community. The space therefore takes on a more formal quality, providing a tree lined path from the street to the front door of the building. While appearing welcoming, visual clues convey that the space is on private property. These clues include low-growing shrubs at the perimeter of the space. The proposed

landscape plan also offers benches, a children's play area, and an open grass space to promote social interaction within the space.

Shelley Gambacort
Acting Development Services Manager

Approved for inclusion ☐
Signe Bagh
Acting Director of Planning & Development Services

SB/SG/rs

ATTACHMENTS

(not attached to the electronic version of the report)

- **Location of subject property**
- **Site plan**
- **Elevations**
- **Landscaping Plan**