
CITY OF KELOWNA
MEMORANDUM

Date: April 23, 2007
To: City Manager
From: Planning and Development Services Department

APPLICATION NO. DP07-0050 **OWNER:** Dale Charles Forsythe
AT: 200 and 225 Rutland Road **APPLICANT:** Protech Consultants Ltd.

PURPOSE: TO CONSTRUCT A NEW FOUR STOREY MIXED-USE
COMMERCIAL/RESIDENTIAL BUILDING ON THE SUBJECT
PROPERTIES

EXISTING ZONE: C4 – URBAN CENTRE COMMERCIAL

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Permit No. DP07-0050 for Lot 6 and 7, Section 23, Township 26, ODYD Plan 10372, located on Rutland 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;

2.0 SUMMARY

The applicant is proposing to construct a four storey mixed use building with commercial space on the first two storeys and two storeys of residential units above. This development permit application addresses the form and character of the proposed development.

3.0 ADVISORY PLANNING COMMISSION

At the regular meeting of March 13, 2007 it was resolved:

THAT the Advisory Planning Commission supports Development Permit Application No. DP07-0050, for 205 & 225 Rutland Road, Lots, 6 & 7, Plan 10372, Sec. 23, Twp. 26, ODYD, by Protech Consultants Ltd. (G. Maddock), to obtain a Development Permit for the construction of a four storey mixed use development on the subject property (commercial with 15 residential units).

The APC noted that on the whole they support canopies which extend above public property provided they do not pose a safety hazard.

4.0 BACKGROUND

The proposed development will encompass two lots. The northern lot is currently vacant and is used as a parking lot and the southern lot houses a chiropractic clinic.

5.0 PROPOSAL

The proposed building will house retail commercial and health services office space at grade with office space proposed for the second storey. Above the second storey the building will house 15 apartment units. Parking for the residential units will be provided in a parkade below the building and commercial stalls will be split between the underground parkade and parking at grade (at the rear of the building).

The proposed building is contemporary in character. The building's exterior will be finished in grey stucco with brick veneer accents and slate carbon trim. The applicant is seeking to place the building as close to Rutland and Robson Roads as possible and pedestrian accesses to the building will be located facing Rutland Road. The Rutland Road building elevation will be lit with black wall sconces which will highlight the building's architecture.

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

CRITERIA	PROPOSAL	C4 ZONE REQUIREMENTS
Lot Area (m ²)	1,837 m ²	1300m ²
Lot Width (m)	33.60m	40.0m
Lot Depth (m)	51.8m	30.0m
Storeys (#)	4	4
Site Coverage (%)	60%	75%
Floor Area Ratio	1.5	1.5
Net Floor Area Proposed (m ²)	2655m ²	n/a
Total Floor Area (site) (m ²)	3321m ²	n/a
Setbacks		
Front Yard (Robson Road) (m)	2.0m	0.0m
Flanking Side Yard (m) (Rutland Road)	0.5m	0.0m
Internal Side Yard (m)	4.5m	4.5m
Rear Yard (north)	0.0m	0.0m

Parking Spaces	Commercial: 23 Residential: 17 Total: 40	Proposed Commercial: (1.75 per 100m ² x 1274m ²):23 Proposed Residential: 1 stall per unit: 15 Total: 38
Bicycle Parking	As per bylaw requirement	As per bylaw requirement
Loading	1	1

6.0 SITE CONTEXT

The subject properties are located on the northeast corner of Rutland Road at Robson Road.

Adjacent zones and uses are:

- North - C4 – Urban Centre Commercial
- East - C4 – Urban Centre Commercial – Vacant
- South - C4 – Urban Centre Commercial – Retail Commercial use
- West - C4 – Urban Centre Commercial – Rutland Water Works

7.0 SITE LOCATION MAP

See attached subject property map.

8.0 Current Development Policy

8.1 Kelowna Official Community Plan

The Official Community Plan future land use designation for the subject properties is commercial. The proposed development is consistent with this future land use designation. This development is also subject to Guidelines for Development within Urban Centers contained in the OCP.

8.1.1 Objectives for Development within Urban Centres

- 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 the creation of pedestrian-oriented streets and public spaces (connections, social interaction).
- 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).

8.1.2 Guidelines for Development within Urban Centres

Access

- Design facilitates pedestrian and bicycle access. Building abuts the sidewalks on Rutland Road.
- Vehicle access and on-site circulation minimizes interference with pedestrian movement
- Pedestrian access to the building is from Rutland Road and is clearly marked with signage.

Amenities

- Residential units are provided with access to balconies.

Ancillary Services/Utilities

- Garbage and other ancillary services are located at the rear of the building.
- The applicant has also provided loading zone.
- Utility service connections are to be screened from view or be located so as to minimize visual intrusion.

Building Massing

- The proposed mixed-use development is reasonably sensitive to and compatible with the massing and rhythm of the established streetscape that is projected to evolve in the Rutland Urban Centre.
- The proposed development will present a significant height gain when compared to existing developments in the general area; however, staff the OCP and Rutland Sector Plan and OCP to allow for greater heights and densities in this general area.

Landscaping

- Landscaping should:
 - complement buildings' 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, particularly of blank walls
- provide colour
- create design interest
- retain required sight distances (from roadways)
- contribute towards a sense of personal safety and security
- incorporate xeri-scape vegetation and principles

Lighting

- Lighting shall be used to create a safe and comfortable environment for pedestrians.

Parking

- Parking is located under the building or at the rear of the main building.

Relationship to the Street

- People-oriented facilities (store entrances, café seating areas, displays, signage) are focused along public streets and in front of buildings.
- Storefronts incorporate large windows such that passers-by can see in and occupants can “look out”.
- Awnings or overhangs are included where suitable, to provide sheltered environments for pedestrians and to aid in energy conservation.

Signs

- The placement, size and format of signs shall be such that signs can be easily read by pedestrians (e.g. store signs should be at pedestrian eye level, not just on awnings).

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.

8.1.3 Crime Prevention (CPTED)

a) Natural Surveillance

- Dumpsters should not create blind spots or hiding areas;

- Lighting should be even to avoid casting shadows where people can hide; using numerous low wattage lights accomplishes this better than a few high wattage lights;
- Loading areas should not create hiding places;
- All four facades of a building should have windows;
- The lower branches of existing trees should be kept at least ten feet (3 metres) off the ground;
- Exterior of buildings should be well-lit;
- Wherever it is appropriate, a mix of uses should be encouraged to increase natural surveillance at different times of the day; placement of residential uses above commercial is a good example of this;
- Elevators and stairwells should be clearly visible from windows and doors;
- Shrubbery should be no more than three feet (one metre) high for clear visibility;
- Stairwells should be well-lit and open to view; not behind solid walls.

b) Territorial Reinforcement

- Property boundaries, where possible, should be marked with hedges, low fences or gates;
- Private and semi-private areas should be easily distinguishable from public areas;
- All public and semi-private areas should be well-maintained to convey pride and ownership, which discourage negative activity;

c) Natural Access Control

- Public paths should be clearly marked;
- Signs should direct patrons to parking and entrances;
- There should be no easy access to the roof;
- Entrances to dwellings within a commercial building should be separate from the commercial entrance to enable distinction of residential visitors from those frequenting businesses;
- Rear access to shops should be provided from rear parking lots.

8.1.4 Rutland Sector Plan

The Rutland Sector Plan notes that the Rutland Urban Centre area is very low profile and under built in terms of floor area ratio. The plan advocates the increase of both commercial and residential densities in the urban centre area and also promotes the concept of mixed-use developments.

9.0 TECHNICAL CIRCULATION COMMENTS

This application was circulated to various City Departments and Technical Agencies and the following comments were received.

9.1 Inspection Services

Spatial separation calculations required for north elevation and partial east elevation, possible non-conformance to building code. Dead end corridor on two residential floor levels at south end of floor area. Front entrance canopy encroaches on public property.

9.2 Parks Manager

To prevent concrete heaving and cracking, the trees adjacent to the City sidewalk shall be installed with root barriers such as "Deep Root" brand, or City approved equal, installed per the manufacturer's instructions.

9.3 Works and Utilities

The Works & Utilities Department comments and requirements regarding this application to for the construction of a mixed use building are as follows:

9.3.1 Subdivision

Consolidate the lots.

Rutland Road Right of Way is to be established 12.5 m. from existing mean centreline by survey plan registered in the Land Title Office.

Dedicate a 6.0 m. corner radius at the intersection of Rutland Road and Robson Rod by legal plan registered in the Land Title Office.

Provide easements as may be required.

6.3.2 Geotechnical Study

A comprehensive Geotechnical Study is required, which is to be prepared by a Professional Engineer competent in the field of geotechnical engineering, the study 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 sulphates.

- Potential site erosion.
- 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

6.3.3 Domestic Water and Fire Protection

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

A water meter is mandatory as well as a sewer credit meter to measure all the irrigation water. Water meters 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.

6.3.4 Sanitary Sewer

Both existing properties have a 150 mm. diameter service to their respective property lines. Only one service will be acceptable when the properties are consolidated. The redundant service will have to be decommissioned to the City's satisfaction at the developer's cost.

6.3.5 Drainage

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

6.3.6 Power and Telecommunication Services

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

6.3.7 Road Improvements

a) Rutland Road

The applicant is responsible for the removal of the temporary sidewalk where it does not meet the ultimate cross-section and construct the entire frontage of the consolidated lots to an urban arterial standard equivalent to City Standard SS-R15 complete with fillet paving, curb, gutter, separate sidewalk, landscaped boulevard, storm drainage works, removal and/or relocation of utilities as may be required, etc. The estimated cost of this work, for bonding purpose would be \$40,300.00, inclusive of a bonding contingency (Utilities and poles relocation/removal is not included).

The City has collected some financial contribution from previous development application on the subject property towards the completion of a full urban standard along the frontage of the subject property. Upon completion of the frontage upgrades, the City will make the collected funds available to the developer. The total contribution will be limited to the accrued amount in the account; any shortfall shall be born by the current developer undertaking the frontage upgrades.

b) Robson Road

The applicant is responsible to upgrade Robson Road to a paved urban collector standard (SS-R5). The construction consists of curb, gutter and sidewalk, fillet paving, storm drainage works, removal and/or relocation of utilities as may be required, etc. The estimated cost for this work, for bonding purpose, would be \$28,500.00, inclusive of a bonding contingency (Utilities and poles relocation/removal is not included).

6.3.8 Street Lights

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

6.3.9 Engineering

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

6.3.10 Access

The access to the proposed development meets the City of Kelowna transportation network plan objectives with regard to the distance to the intersection.

6.3.11 DCC Credits

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

6.3.12 Bonding and Levies Summary

a) Performance Bonding

Rutland Road frontage upgrading	\$ 40,300.00
Robson Road frontage upgrading	\$ 28,500.00
Less security in place	\$ 7,800.00

Total security **\$ 61,000.00**

b) Levies

Administration and Inspection fee	\$1,562.97 (\$1,474.50 + \$ 88.47 GST)
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7.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no significant concerns with this development permit application.

The proposed development displays a reasonable degree of visual interest and appears to address many design guidelines for development in urban centers advocated in the Official Community Plan. The proposal also appears to be consistent with policy contained in the Rutland Sector Plan.



Shelley Gambacort
Acting Manager of Development Services

Approved for inclusion:



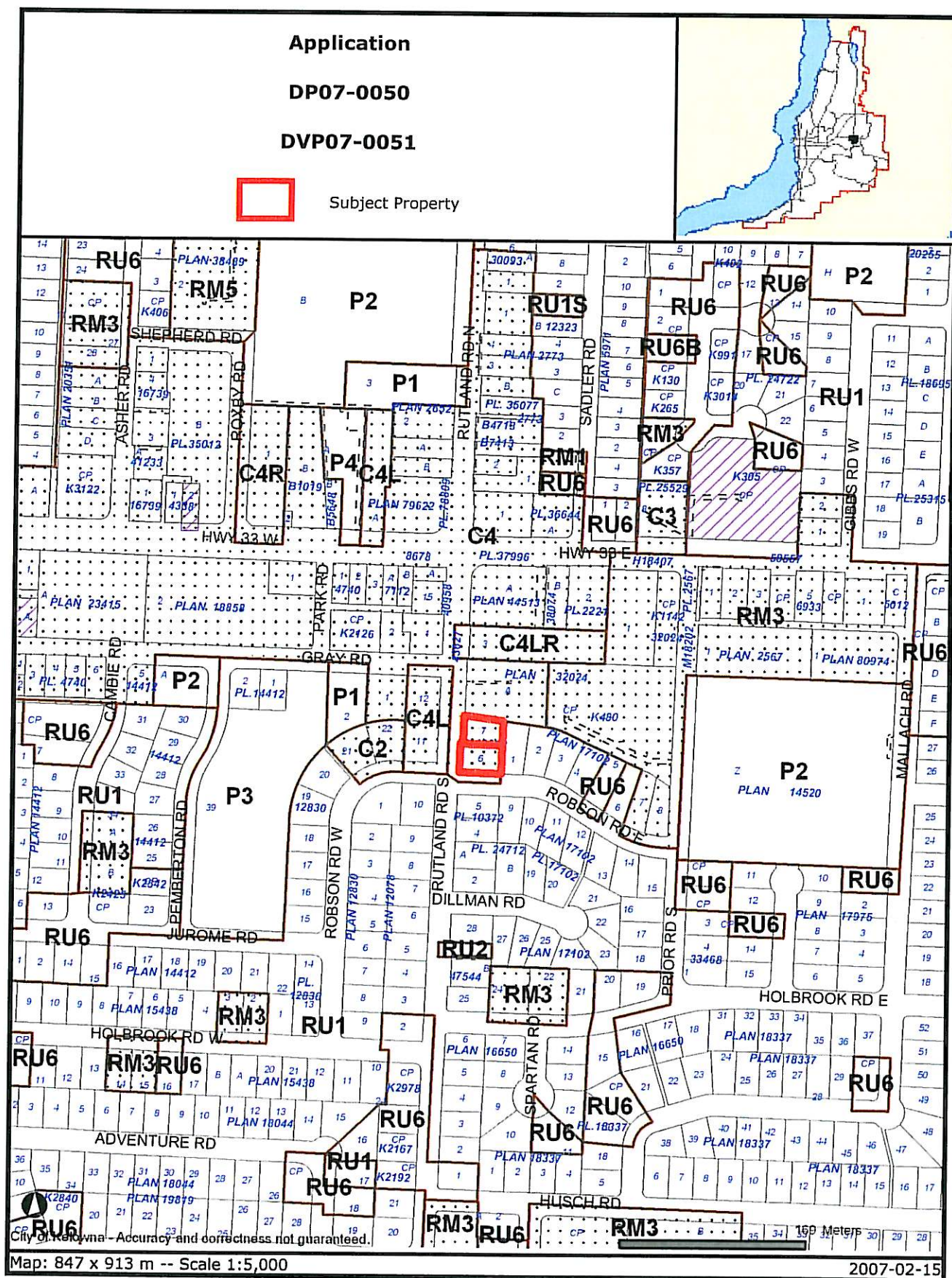
Mary Pynenburg, MRAIC MCIP
Director of Planning & Development Services

MP/SG/rs
Attach

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan
- Floor plans
- Elevations



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



ROBSON MEWS

RAILS AND OTHER IRON WORK
ENAMELLED FLAT BLACK

WINDOWS
MEDIUM GLOSS BLACK

ACCENT METAL TRIM
GENTEK; SLATE CARBON

STUCCO RENDER
SIM TO BENJAMIN MOORE
Hamshire Gray

BRICK VENEER

STONE BASE

GLASS
UPSTAND

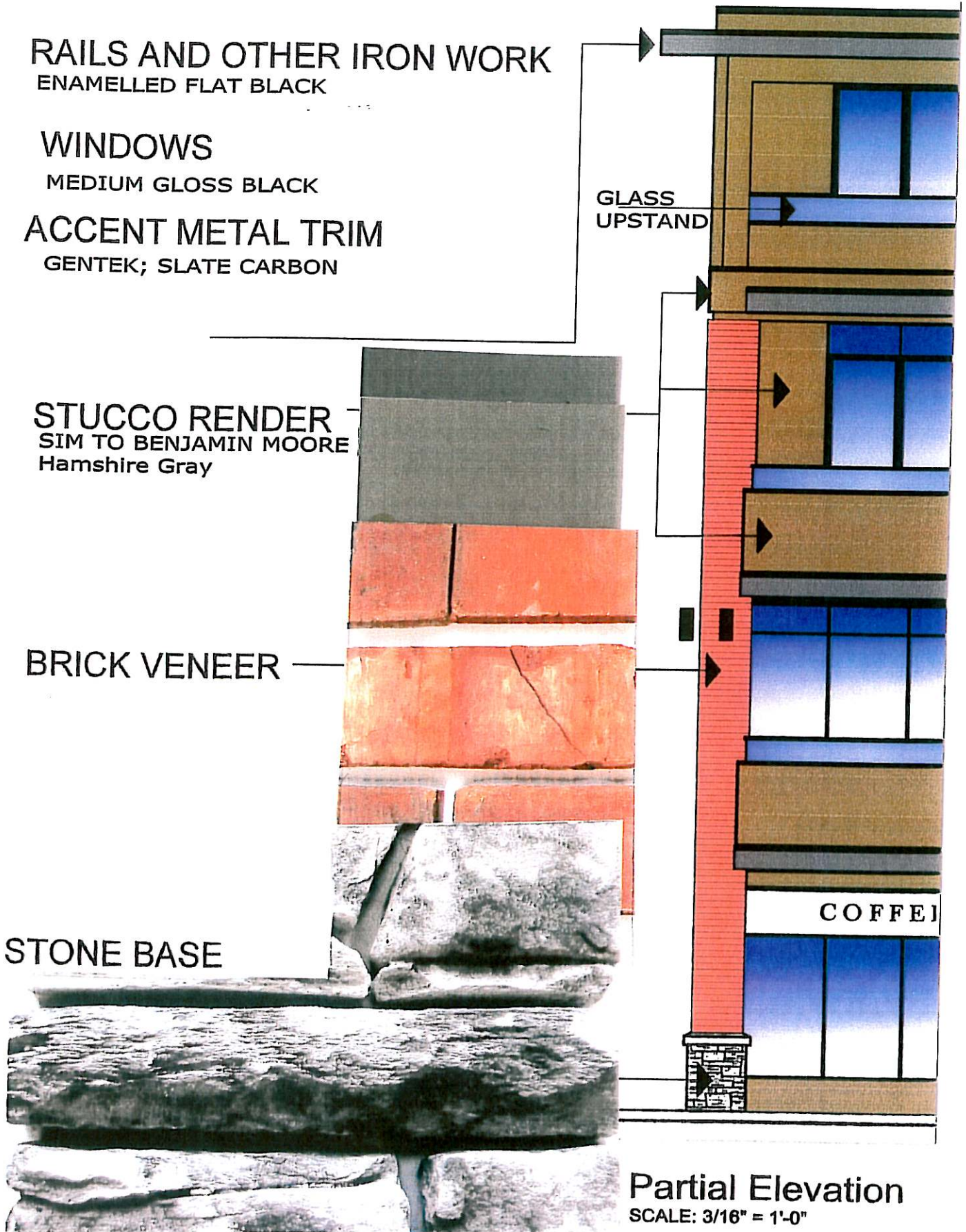
COFFEE

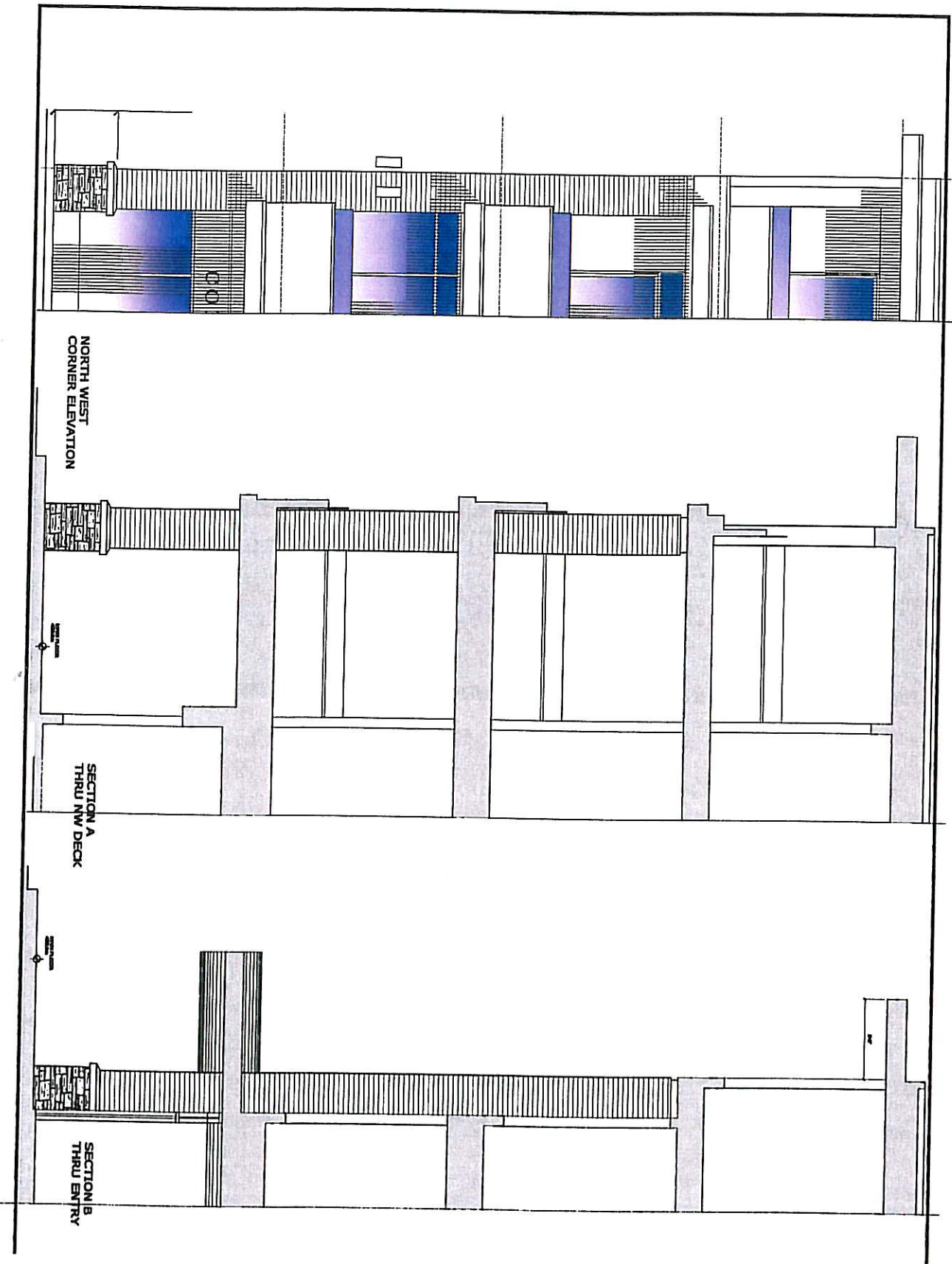
Partial Elevation

SCALE: 3/16" = 1'-0"

DRAWN: J.M.B.
DATE: 12/13/05

COLOUR BOARD





Galaxywest
Design Group
 229 - 20th Street West
 Suite 1000
 San Francisco, CA 94111
 (415) 774-7000

Robson/Williams
 Architects
 211 West Broadway
 San Francisco, CA 94111
 (415) 774-1100

DATE: 03/17/03
PROJECT: Galaxywest
SCALE: 1/8" = 1'-0"

SECTION A THRU NW DECK

SECTION B THRU ENTRY

NORTH WEST CORNER ELEVATION

sta

ROBSON/WILLIAMS
 Architects
 211 West Broadway
 San Francisco, CA 94111
 (415) 774-1100

DATE: 03/17/03
PROJECT: Galaxywest
SCALE: 1/8" = 1'-0"

SECTION A THRU NW DECK

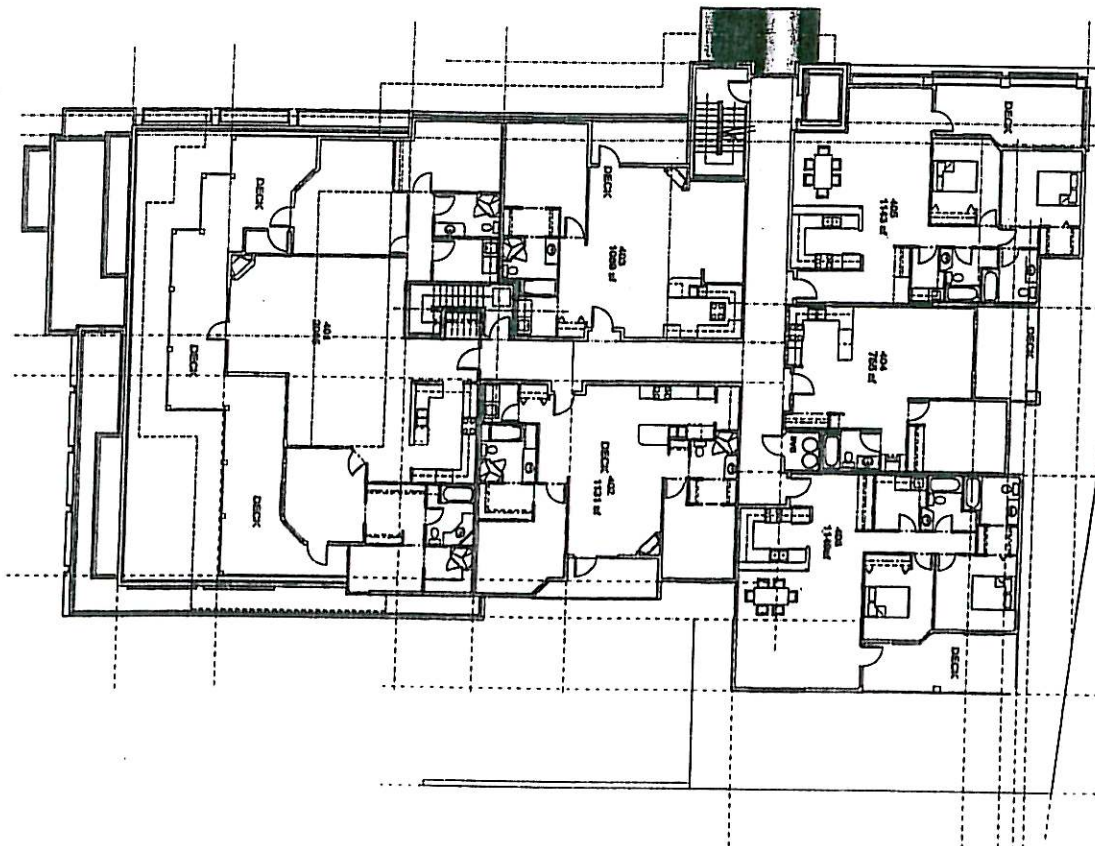
SECTION B THRU ENTRY

NORTH WEST CORNER ELEVATION

03



RUTLAND ROAD

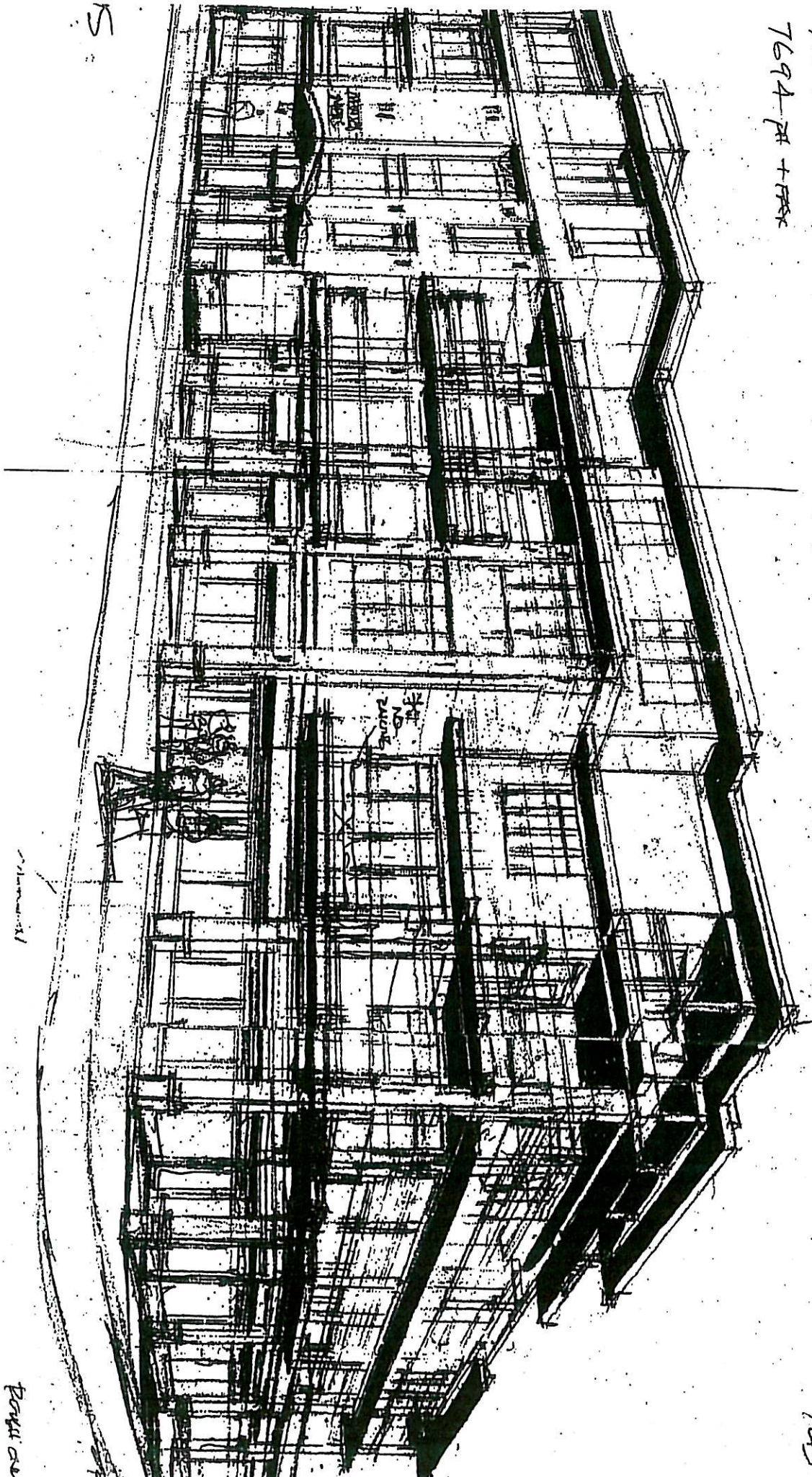


FOURTH FLOOR
FLOOR AREA 13322 SQ.FT.
SCALE 1/8" = 1'-0"

<p>ROBSON/MDWS 220 - 2300 - 14th Street Washington, DC 20037 (202) 783-7127</p>		<p>gta</p>	<p>DEAN WINTER GROUP 220 - 2300 - 14th Street Washington, DC 20037 (202) 783-7127</p>
<p>DAVID CLIFTON ARCHITECTS 1100 - 14th Street, N.W. Washington, DC 20004 (202) 783-7127</p>			
<p>ROBSON/MDWS 220 - 2300 - 14th Street Washington, DC 20037 (202) 783-7127</p>		<p>DEAN WINTER GROUP 220 - 2300 - 14th Street Washington, DC 20037 (202) 783-7127</p>	

A2 / 05

1E / JOHN SCHLOSSER
THE REES AVENUE
7694 PT + FRK



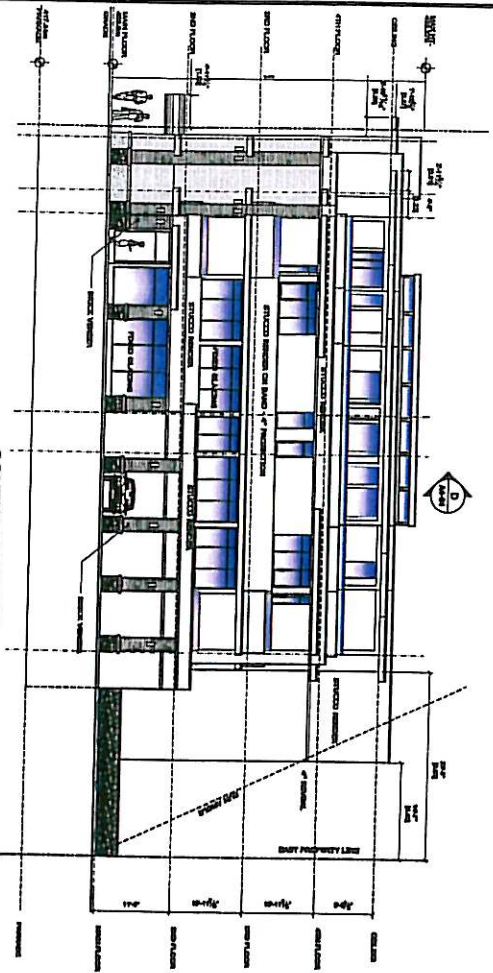
5

Porter Ave

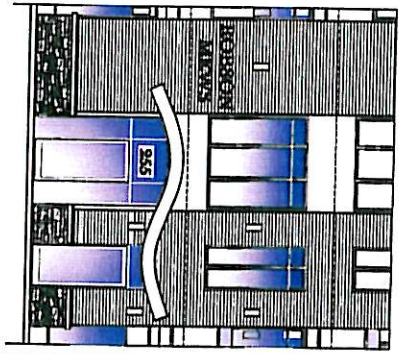
FRK



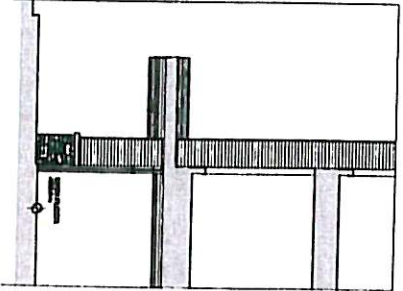
WEST ELEVATION
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



Elevation at Entrance
SCALE: 1/4" = 1'-0"



Section thru Entrance
SCALE: 1/4" = 1'-0"

<p>gta</p> <p>341 NEW YORK AVENUE, N.W. WASHINGTON, D.C. 20001 TEL: (202) 775-1100 FAX: (202) 775-1101 WWW: WWW.GTA.COM</p>		<p>ROBSON/NEUMS ARCHITECTS 2000 M STREET, N.W. WASHINGTON, D.C. 20036 TEL: (202) 775-1100 FAX: (202) 775-1101 WWW: WWW.ROBSONNEUMS.COM</p>	
<p>CLIENT CITY OF WASHINGTON 2000 M STREET, N.W. WASHINGTON, D.C. 20036 TEL: (202) 775-1100 FAX: (202) 775-1101 WWW: WWW.CITYOFWASHINGTON.GOV</p>		<p>PROJECT 365 NEW YORK AVENUE WASHINGTON, D.C. 20001 TEL: (202) 775-1100 FAX: (202) 775-1101 WWW: WWW.CITYOFWASHINGTON.GOV</p>	
<p>DATE 01/01/01</p>		<p>SCALE 1/8" = 1'-0"</p>	
<p>PROJECT NO. 01</p>		<p>DATE 01/01/01</p>	

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