
CITY OF KELOWNA
MEMORANDUM

DATE: October 16, 2007
FILE NO.: DP06-0155

TO: City Manager

FROM: Planning & Development Services Department

DEVELOPMENT PERMIT APPLICATION NO. DP06-0155 **OWNER:** MKS RESOURCES INC. & ESTATE OF ANN SMITH

AT: 529 & 537 MARTIN RD & 3869, 3879, 3889-3899 TRUSWELL RD **APPLICANT:** MKS RESOURCES INC. (Kamal Shoranick)

PURPOSE: TO SEEK A DEVELOPMENT PERMIT TO AUTHORIZE CONSTRUCTION OF AN APARTMENT HOTEL

EXISTING ZONE: RU1 – LARGE LOT HOUSING
RU6 – TWO DWELLING HOUSING

PROPOSED ZONE: C9 – TOURIST COMMERCIAL

REPORT PREPARED BY: PAUL McVEY

1.0 RECOMMENDATION

THAT Final Adoption of Zone Amending Bylaw No. 9753 be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP06-0155 for Lot 1, Sec. 1, Twp. 25, ODYD, Plan 13261; Lot 1, Sec. 1, Twp. 25, ODYD, Plan 12199; Lot 2, Sec. 1, Twp. 25, ODYD, Plan 15587; and Strata Lots 1&2, Sec. 1, Twp. 25, ODYD, Strata Plan K58; Lot 2, Sec. 1, Twp. 25, ODYD, Plan 13261; located on Martin Road and Truswell Road, Kelowna, B.C., and the parcel created by the closure of the adjacent Martin Road 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. Applicant to enter into a servicing agreement for required frontage improvements.
6. Applicant to register a plan of subdivision for lot consolidation and road closures

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 the development of a 64 unit, 6 storey apartment hotel development with a 245 m² grade level commercial area. Now that the outstanding issues area resolved, it is appropriate for Council to consider this development permit application and final adoption of this zone amending bylaw.

2.1 Advisory Planning Commission

The above noted application (Z06-0048) was reviewed by the Advisory Planning Commission at the meeting of September 26, 2006, and again at the meeting of October 10, 2006 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z06-0048, for 529 Martin Road; 3869, 3879, 3889-3899 Truswell Road, Lot 1, Plan 12199; Lot 2, Plan 15587; Strata Lots 1 & 2, Plan K58; & Lot 1, Plan 13261; Twp 25, Sec. 1, by MKS Resources (Kamal Shoranick), to rezone the subject properties from the RU1 – Large Lot Housing and the RU6-Two Dwelling Housing zone to the C9 – tourist commercial zone to permit the development of an apartment hotel;

AND THAT the Advisory Planning Commission ***not*** support Development Permit Application No. DP06-0155, for 529 Martin Road; 3869, 3879, 3889-3899 Truswell Road, Lot 1, Plan 12199; Lot 2, Plan 15587; Strata Lots 1 & 2, Plan K58; & Lot 1, Plan 13261; Twp 25, Sec. 1, by MKS Resources (Kamal Shoranick), to authorize construction of an apartment hotel.

Anecdotal Comment

The APC would like to see a true commercial component as part of the overall development but are generally in support of the design amendments to date.

NOTE: The applicant has amended the application to increase the size of the commercial space, and to remove variances to the application.

3.1 The Proposal

The applicant has reviewed the Development Permit application in order to address concerns raised by neighbourhood residents. As a result of the increase in development site size from the original submission, it has been possible to reconfigure the ground floor of the proposed building, and locate the building further north away from Mission Creek. The increase in development site size has also permitted the designer to increase the unit yield from the original proposal of 51 units up to the proposed 64 units. However, the overall building height will remain at 4 storeys plus loft areas constructed on top of a 1 storey parking structure as was originally proposed, for a total building height of six storeys.

As a result of neighbourhood concerns expressed at the original Public Hearing, the applicant has reviewed the development proposal. Because of the additional area added to the development site, the applicant has been able to move the building footprint further away from Mission Creek to create a 15m Riparian Management Area along Mission Creek. The applicant has also redesigned the building to use a flat roof profile for the building to reduce the proposed overall building height. The revised building plan also includes additional articulation and building stepping adjacent to the Mission Creek side to further reduce the potential building mass along the Mission Creek frontage.

The revised development plan proposes the construction of a contemporary designed building, with a large amount of landscaping around the perimeter of the parking structure. The parking structure is constructed at grade, and has landscape berms and planter around the perimeter to reduce the perceived building height. There is a commercial area located at the south west corner of the structure, which also has an outdoor patio seating area located adjacent to it. The north west corner of the parking structure has a drop off area located in a recessed area under the building which provides for a "porte-cochere" area and pedestrian access to an adjacent lobby area. The pedestrian entrance area is highlighted by the use of a stone finish to the parking structure. The remainder of the perimeter of the parking structure is finished with a two tier planter to provide an area for landscape plantings. The vehicle access to the parking garage is located on the north face of the parking structure. The parking garage will provide a total of 111 stalls, of which 5 stall are allocated to the commercial use, 94 stall for the apartment hotel, and the remaining 12 stalls for visitors.

The building constructed on top of the parking structure is a "J" shaped structure, with the open portion of the "J" facing Mission Creek, and the Bluebird neighbourhood beyond the creek. The ends of the "J" have been stepped back as the building increases in height to reduce the visual massing of the proposed building when viewed from the Mission Creek side. The open area of the "J" on top of the parking structure is landscaped and includes an outdoor amenity area which includes a swimming pool and hot tub, as well as an outdoor seating area.

The roof proposed for the building is designed with a flat profile to further reduce the perceived building height, and to minimize the impact on the residents across Mission Creek. There are flat roof projections that incorporated bracketed support elements that break up the length of the roof area. There are also a number of lofted areas that project through the roof area, which also creates additional visual interest to this element.

The exterior of the proposed building is designed to be finished with a blend of stucco detail areas and horizontal hardie plank materials. The balconies are finished with a painted metal guard rail system which incorporates tempered glazing.

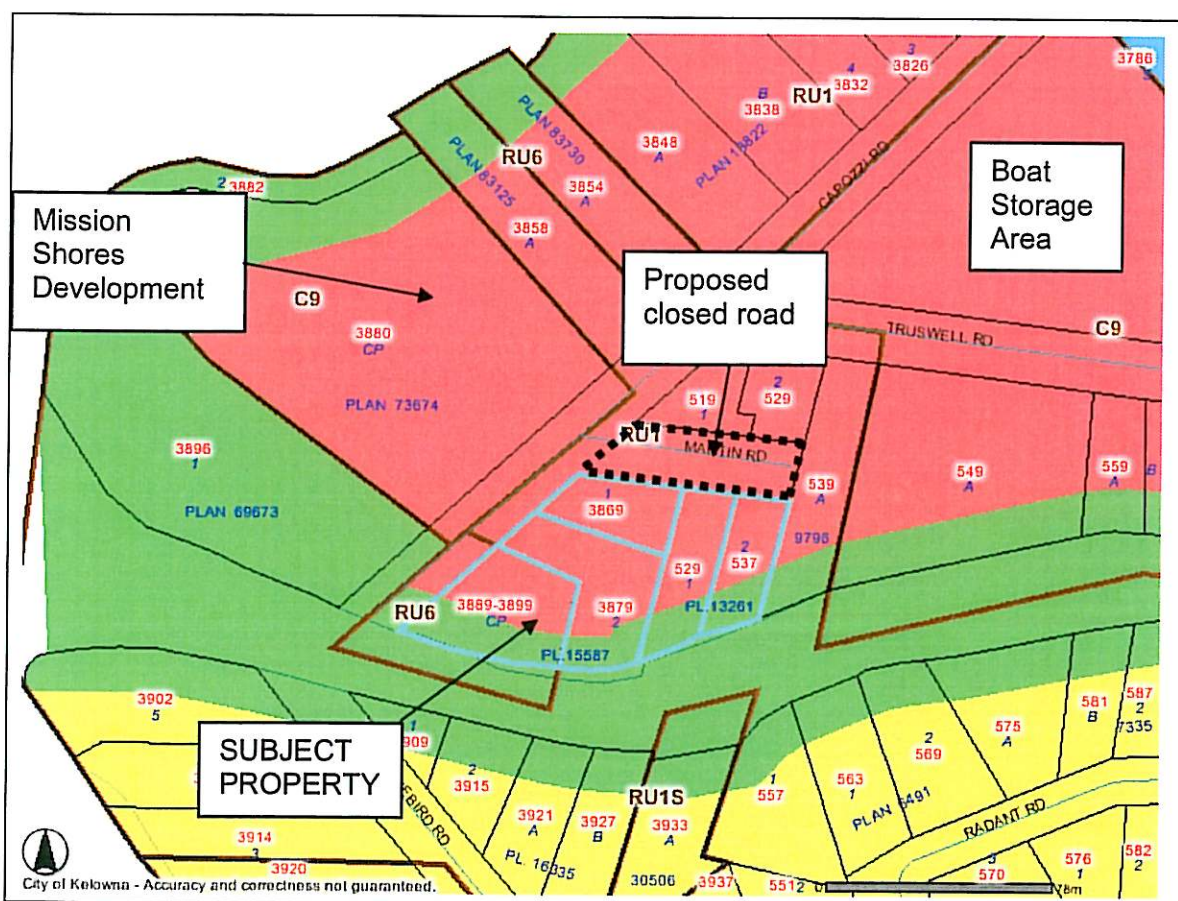
The subject property is located at the end of Truswell Road, bounded by Martin Avenue and Mission Creek. The site is generally level, and is currently developed with single unit and two unit residential buildings. It is proposed to close a portion of Truswell Road, and close the entire Martin Avenue and add this land to the development site.

Adjacent zones and uses are, to the:

- North - RU1 – Large Lot Residential / Martin Avenue
- East - RU1 – Large Lot Residential – Single Unit Residential
- South - RU1 – Large Lot Residential / Mission Creek
- West - RU1 – Large Lot Residential
- C9 – Tourist Commercial – Mission Shores Apartment Hotel

3.2 Site Context

SUBJECT PROPERTY MAP



3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

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

The OCP also contains the following statement; "Consider commercial development for tourism related uses in the Capozzi / Truswell Road area as outlined in the South Pandosy / KLO Sector Plan".

3.3.2 City of Kelowna Strategic Plan (2004)

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.
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 Crime Prevention Through Environmental Design

Natural Surveillance

- building entrances and exterior doors should be clearly visible from the street or by neighbours;
- all doors that open to the outside should be well-lit;
- all four facades of a building should have windows;
- parking spaces should be assigned to each unit located adjacent to that unit, and not marked by unit numbers (a numbered parking space separated from its assigned residential unit might enable pursuit of a victim without enabling surveillance over the space);
- visitor parking should be designated;
- parking areas and pedestrian walkways should be well-lit;
- dumpsters should not create blind spots or hiding areas;
- 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;
- buildings should be sited so that the windows and doors of one unit are visible from another;
- stairwells should be well-lit and open to view; not behind solid walls.

Territorial Reinforcement

- property lines should be defined by landscaping or fencing which does not create a visual barrier;
- low shrubbery and fencing should allow visibility from the street;
- building entrances should create a strong sense of identity and presence on the street with the use of architectural elements, lighting and /or landscaping;
- balconies should be large enough to provide a useable activity area for residents, thereby increasing influence over the adjacent neighbourhood;

Natural Access Control

- balcony railings should never be a solid opaque material;
- entrances into parking lots should be defined by landscaping, or architectural design;
- dead end spaces should be blocked by a fence or gate;
- hallways should be well-lit;
- elevators and stairwells should be centrally located;
- access to the building should be limited to no more than two points.

Target Hardening

- cylinder dead bolt locks should be installed on all exterior doors;
- common building entrances should have locks that automatically lock when the door closes;
- common doorways should have windows and be key-controlled by residents;
- door hinges should be located on the interior side of the door;
- door knobs should be 40 inches (1 m.) from window panes;
- sliding glass doors should have one permanent door on the outside and on the inside moving door should have a lock device and a pin.

4.0 TECHNICAL COMMENTS

The technical comments have been addressed as part of the associated rezoning application (Z06-0048).

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The applicant has been working with City of Kelowna Parks Division and Environmental staff to ensure that adequate land has been secured along the Mission Creek frontage to meet the City's future needs to extend the Mission Creek Greenway to Okanagan Lake. As well, the applicant has also been working with Community Development and Real Estate staff to negotiate a deal to close a portion of Truswell Road and Martin Road that are surplus to the City's needs in this neighbourhood.

The siting of the proposed development has been revised to remove the requirements for a Development Variance Permit application. The other outstanding issues have been addressed.

The applicant has revised the proposed building form and character in order to reduce the building massing adjacent to Mission Creek to reduce the potential impact on the residents located across Mission Creek adjacent to the subject properties.

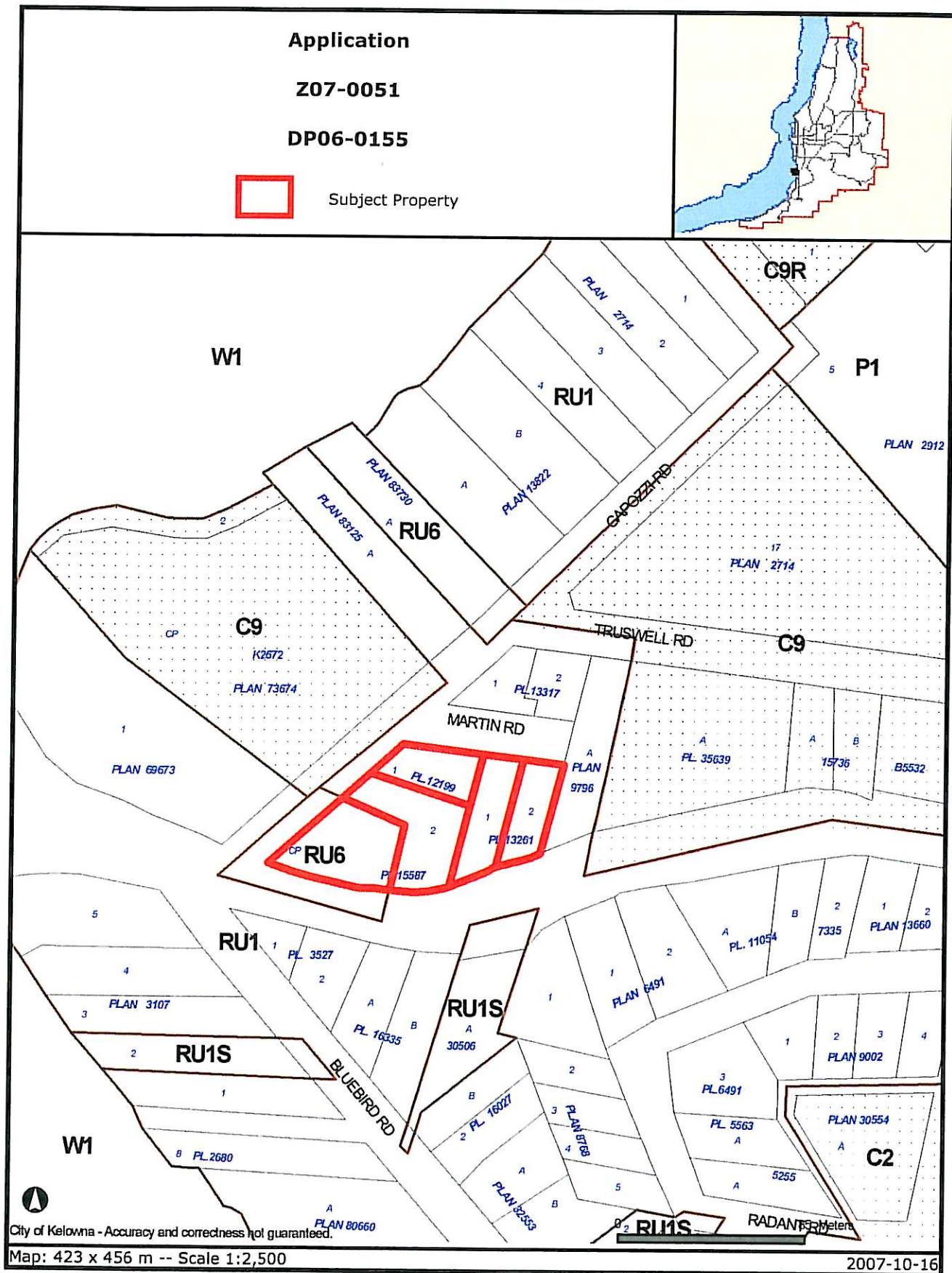

Shelley Gambacort
Current Planning Supervisor

Approved for inclusion



David Shipclark
Acting Director of Planning & Development Services

PMc/pmc
Attach.



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.



The Water's Edge Kelowna BC

by MKS Resources / 87 Gary Tompaowski Architects Ltd.

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The Water's Edge

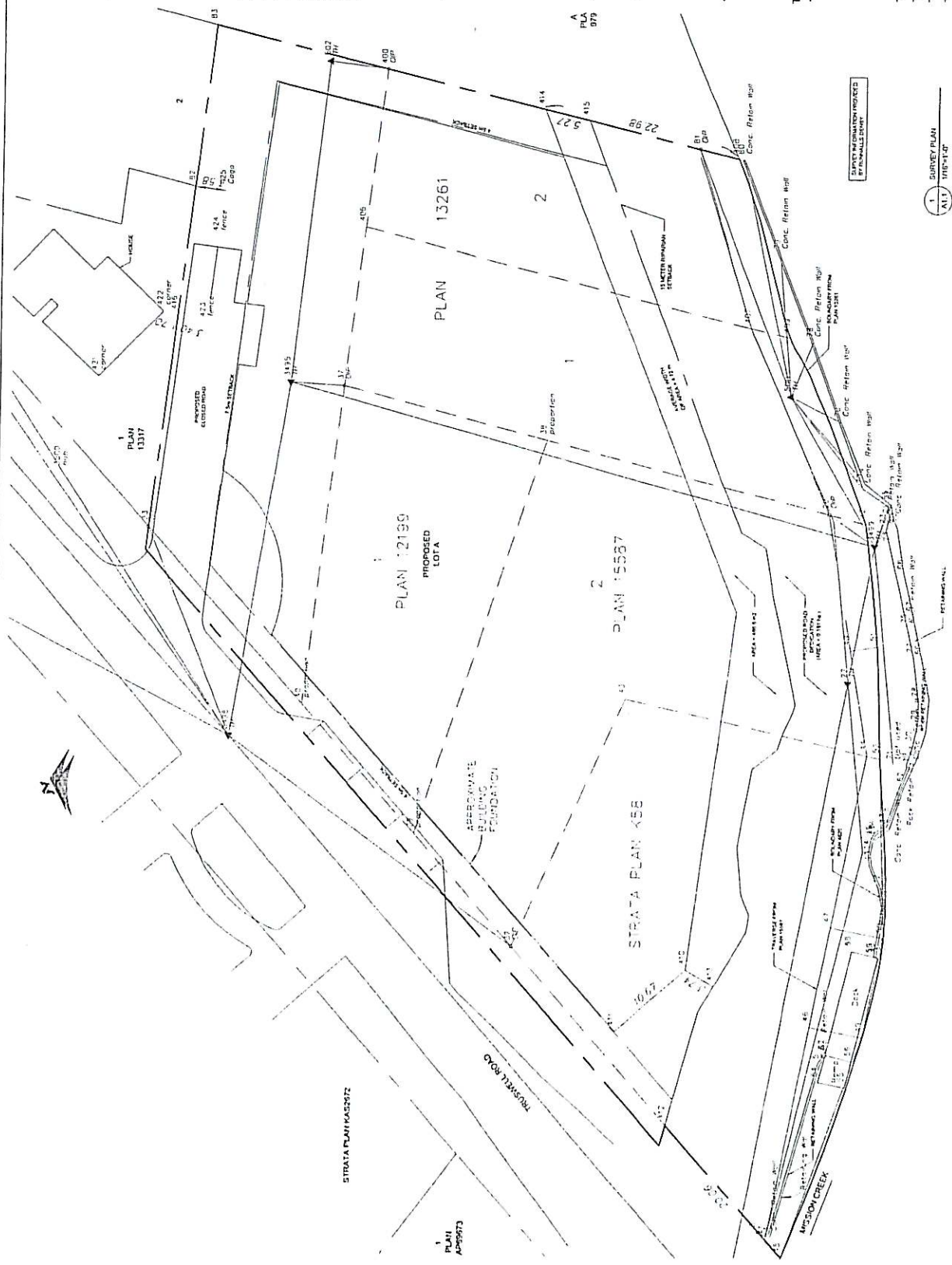
Truswell Rd. - Kelowna BC
BERRY HOLD

SURVEY PLAN

DEVELOPMENT
PERMIT

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1 SURVEY PLAN
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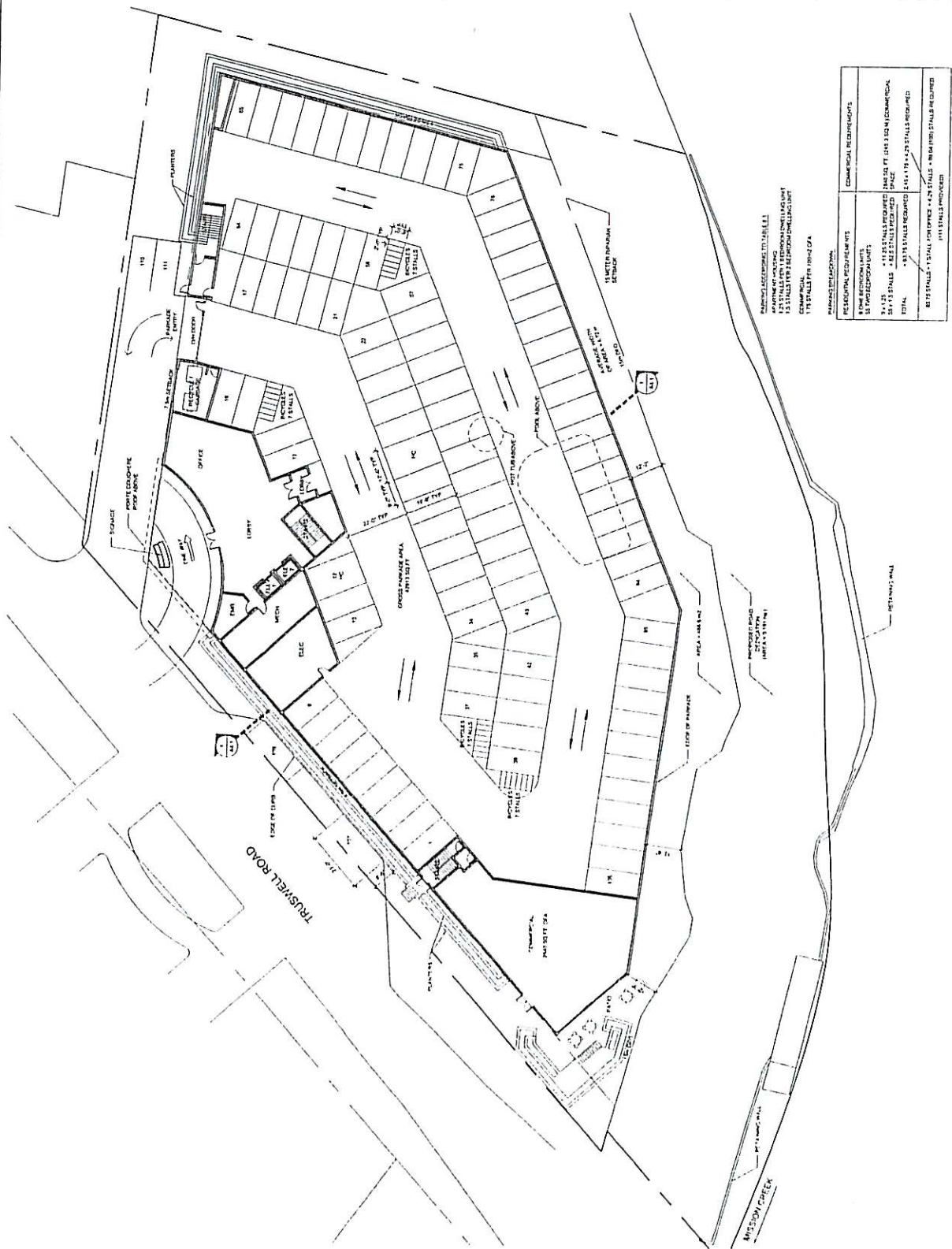
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ruswell Rd. Kelowna BC

ARKADE PLAN
DEVELOPMENT
PERMIT

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The Water's Edge

Truswell Rd., Kelowna BC

MAIN FLOOR
PLAZA PLAN
DEVELOPMENT
PERMIT

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Abstract

The Water's Edge

Truswell Rd. Kelowna BC

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SECOND FLOOR
PLAN
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The Water's Edge

Truswell Rd. Kelowna BC

704 1104

THIRD FLOOR
PLAN

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The Water's Edge

Truswell Rd. Kelowna BC

1997

ROOF PLAN
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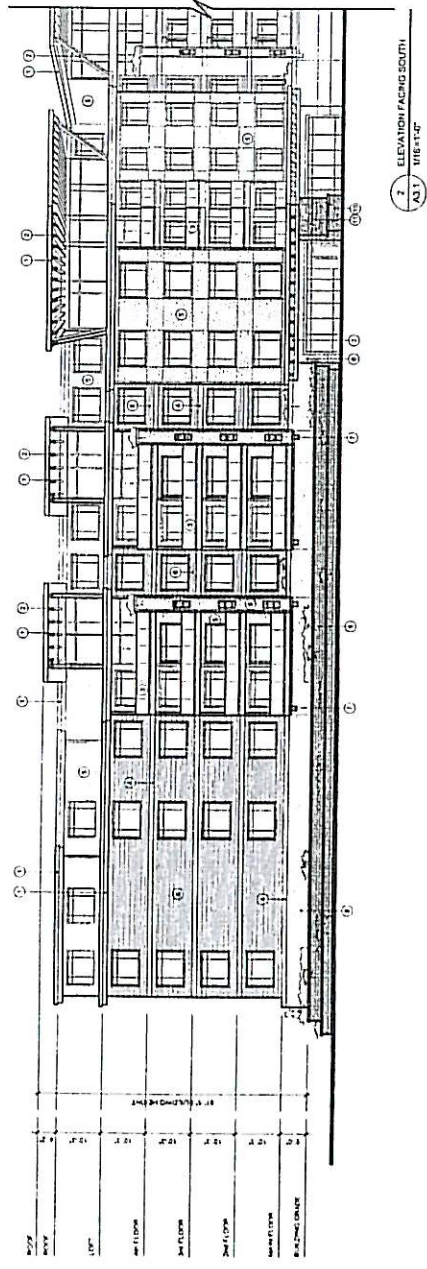
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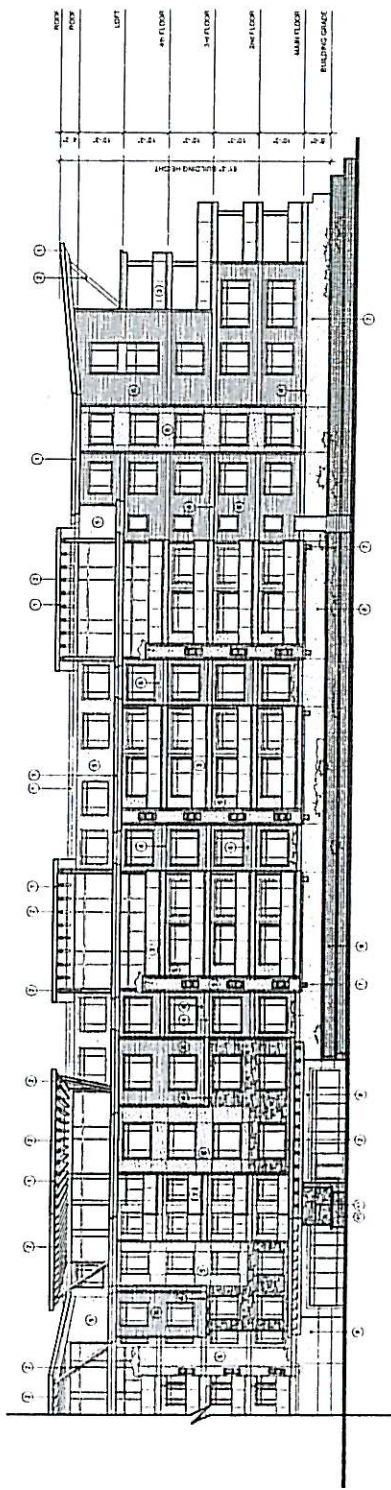
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The Village Edge

Truswell Rd. Kelowna BC

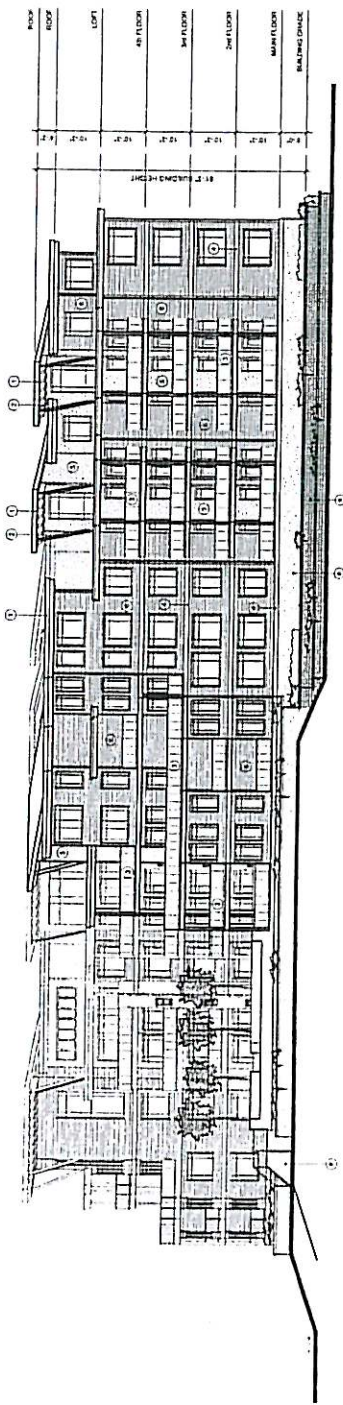
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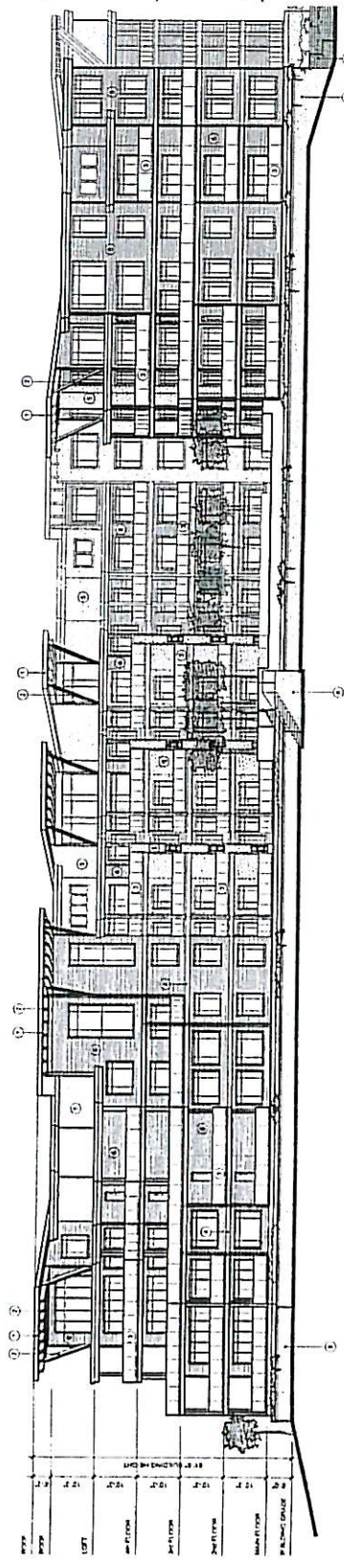
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2 ELEVATION FACING WEST
A3.2 1/8"=1'-0"

- MATERIAL LEGEND**
- 1 WOODEN FRAME WINDOW
 - 2 PAINTED CONCRETE
 - 3 CONCRETE BLOCK WALLS
 - 4 LUMBER
 - 5 NATURAL LOG SKIN
 - 6 PAINTED METAL LETTERING
 - 7 METAL LETTERING
 - 8 BRICK
 - 9 GLASS
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1 ELEVATION FACING NORTH
A3.2 1/8"=1'-0"

gta
GARY TAMPONETTI ARCHITECTS LTD.
213-1088, SURREY RD.
V1V 2S5
TEL: 250-279-4386
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WWW.GTAARCHITECTS.COM

The Klee's Edge
Truswell Rd. Kelowna BC

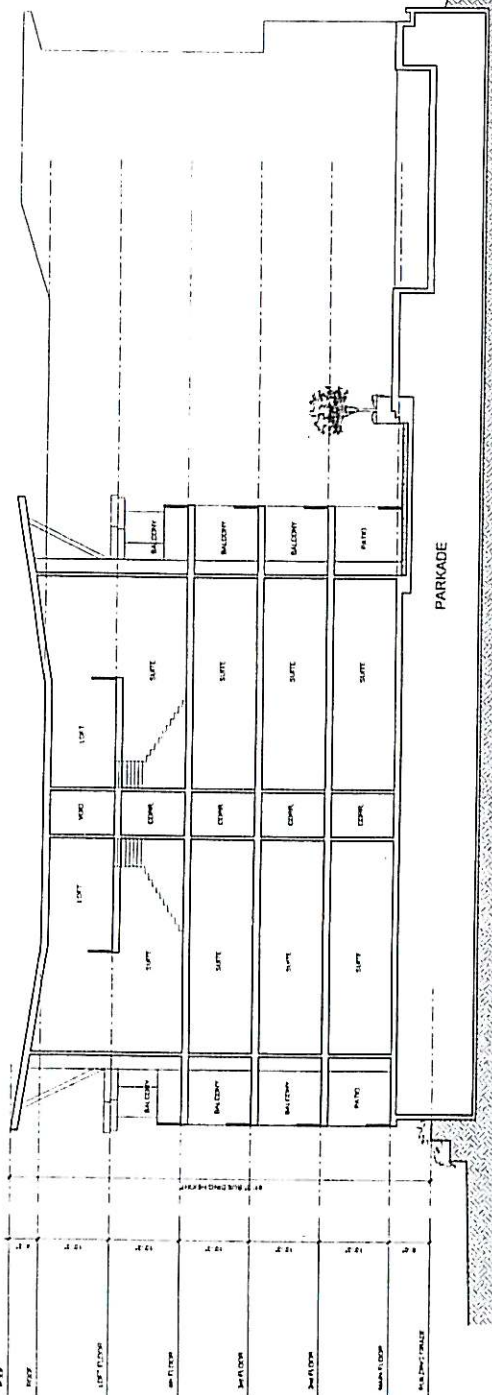
ELEVATIONS
DEVELOPMENT PERMIT

DATE: 10/10/10
SCALE: 1/8"=1'-0"
SHEET: 01 OF 01
FILE: A3.2

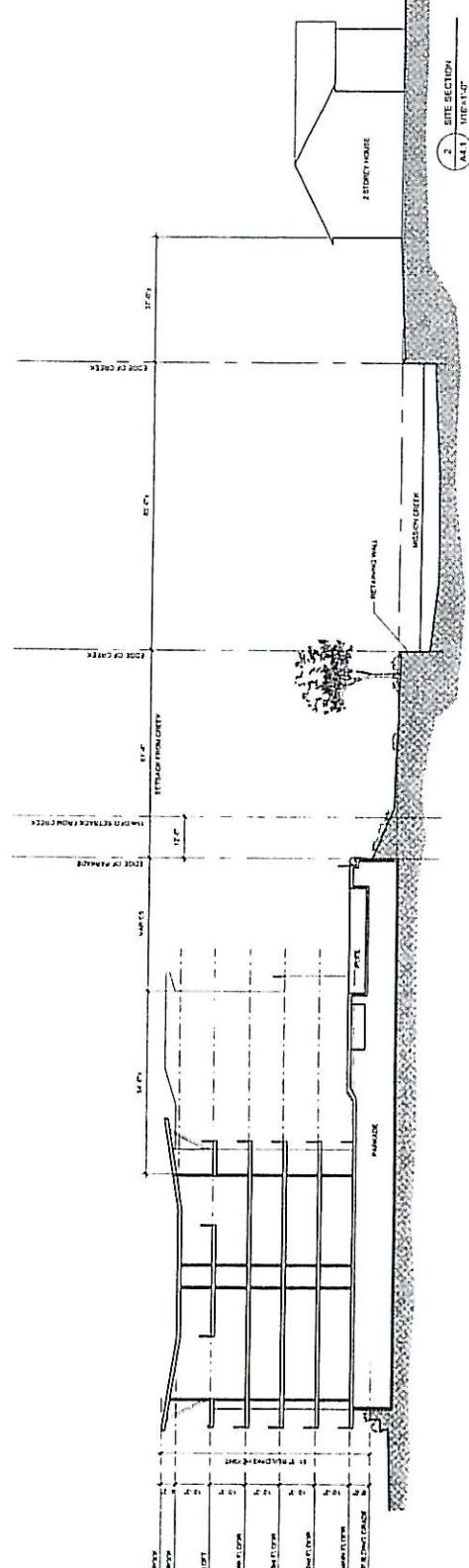
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6	10/1/14	ISSUED FOR PERMIT
7	10/1/14	ISSUED FOR PERMIT
8	10/1/14	ISSUED FOR PERMIT
9	10/1/14	ISSUED FOR PERMIT
10	10/1/14	ISSUED FOR PERMIT



1 BUILDING SECTION
A4.1 1/8" = 1'-0"



2 SITE SECTION
A4.1 1/8" = 1'-0"

gta

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www.gta.ca
email: gta@gta.ca

The Water's Edge

Truswell Rd. Kelowna BC

SITE / BUILDING SECTION

DEVELOPMENT PERMIT

DATE: 10/1/14	SCALE: 1/8" = 1'-0"
PROJECT: A4.1	DATE: 10/1/14
DESIGNER: GARY T. GARDNER ARCHITECTS INC.	DATE: 10/1/14
CLIENT: THE WATER'S EDGE	DATE: 10/1/14

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3	10/1/10	REVISED PER COMMENTS
4	10/1/10	REVISED PER COMMENTS
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8	10/1/10	REVISED PER COMMENTS
9	10/1/10	REVISED PER COMMENTS
10	10/1/10	REVISED PER COMMENTS

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FOURTH FLOOR
PLAN

DEVELOPMENT
PERMIT

DATE	10/1/10
PROJECT	THE WATER'S EDGE
SCALE	1/4" = 1'-0"
FILE	211-1188

A2.5



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3	2014/01/15	ISSUED FOR PERMIT
4	2014/01/15	ISSUED FOR PERMIT
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8	2014/01/15	ISSUED FOR PERMIT
9	2014/01/15	ISSUED FOR PERMIT
10	2014/01/15	ISSUED FOR PERMIT

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The River's Edge

Truswell Rd. Kelowna BC

LOFT PLANS
DEVELOPMENT
PERMIT

DATE	2014/01/15
BY	gta
SCALE	1/8" = 1'-0"
PROJECT NO.	2014-01-15
DATE	2014/01/15

A2.6