CITY OF KELOWNA
MEMORANDUM

DATE: November 16, 2007
TO: City Manager
FROM: Planning & Development Services Department

APPLICATION NO. DP07-0039 DVP07-0040 **APPLICANTS:** Tessco Inc.

AT: 1933 Ambrosi Road **OWNER:** 1314696 Alberta Ltd.

PURPOSE: TO OBTAIN A DEVELOPMENT PERMIT IN ORDER TO ALLOW CONSTRUCTION OF A 72-UNIT APARTMENT BUILDING.

TO OBTAIN A DEVELOPMENT VARIANCE PERMIT IN ORDER TO VARY THE FOLLOWING DEVELOPMENT REGULATIONS: MAXIMUM SITE COVERAGE, MAXIMUM HEIGHT, MINIMUM FRONT YARD SETBACK, MINIMUM REAR YARD SETBACK, MINIMUM SIDE YARD SETBACK, AND MINIMUM NUMBER OF VISITOR PARKING STALLS.

EXISTING ZONE: RU1 – LARGE LOT HOUSING ZONE
PROPOSED ZONE: RM5 - MEDIUM DENSITY MULTIPLE HOUSING ZONE
REPORT PREPARED BY: NELSON WIGHT

1.0 RECOMMENDATIONS

THAT Bylaw 9865 NOT be advanced for final adoption by Council;

AND THAT Council NOT authorize the issuance of Development Permit No. DP07-0039 for Lot A, District Lot 129, ODYD, Plan KAP84830, located on Ambrosi Road, Kelowna, B.C:

AND THAT Council NOT authorize the issuance of Development Variance Permit No. DVP07-0040 Lot A, District Lot 129, ODYD, Plan KAP84830, located on Ambrosi Road, Kelowna, B.C.;

AND FURTHER THAT a variance to the following section of Zoning Bylaw No. 8000 NOT be granted:

Section 13.11.6 (b) Site Coverage (Buildings)

A variance to allow a site coverage of 70%, where the maximum allowable is 40%.

Section 13.11.6 (b) Site Coverage (Buildings and Parking)

A variance to allow a site coverage of 71% for buildings and parking, where the maximum allowable is 60%.

Section 13.11.6 (c) Height

A variance to allow a building height of 4 ½ storeys where the maximum allowable height is 4-storeys.

Section 13.11.6 (d) Front Yard Setback

A variance to allow a reduction in the front yard setback from 6.0 m to 2.1 m.

Section 13.11.6 (e) Side Yard Setback (east)

A variance to allow a reduction in the easterly side yard setback for portions of the building below 2 ½ storeys from 4.5 m to 2.1 m.

Section 13.11.6 (e) Side Yard Setback (south)

A variance to allow a reduction in the southerly side yard setback for portions of the building above 2 ½ storeys from 7.5 m to 4.5 m.

Section 13.11.6 (f) Rear Yard Setback

A variance to allow a reduction in the rear yard setback from 9.0 m to 2.1 m.

2.0 SUMMARY

The applicant is seeking approval of a 72-unit apartment building. The Development Permit application addresses the form and character of the proposed building, while the Development Variance Permit application is needed to deal with those development regulations conflicts detailed in the table on page 3 of this report.

The accompanying rezoning application was considered by Council on September 10th, and forwarded to public hearing on October 2nd, at the recommendation of Staff. Staff continue their support of the change in zoning to the RM5 zone, but have been unsuccessful in resolving with the applicant those outstanding issues of form and character. There are also significant conflicts with development regulation of Zoning Bylaw No. 8000, which were not identified when the rezoning application was considered.

3.0 ADVISORY PLANNING COMMISSION

The above-noted application was reviewed by the Advisory Planning Commission at the meeting of May 22, 2007 and the following recommendation was passed:

> THAT the Advisory Planning Commission support Development Permit Application No. DP07-0039, for 1923, 1937, 1979 Ambrosi Road; 1926 Barlee Road, Lots, 6, 7 and 8, Plan 14187 and Lot A, Plan 34047, Sec. 20, Twp. 26, ODYD, by Tessco Inc. (R. Manning), to obtain a Development Permit for the form and character of a 5 storey, 72 unit multiple unit housing development.
>
> THAT the Advisory Planning Commission support Development Variance Permit Application No. DVP07-0040, for 1923, 1937, 1979 Ambrosi Road; 1926 Barlee Road, Lots, 6, 7 and 8, Plan 14187 and Lot A, Plan 34047, Sec. 20, Twp. 26, ODYD, by Tessco Inc. (R. Manning), to obtain a Development Variance Permit to vary the height of the building from 4 storeys permitted to 5 storeys proposed.

NOTE: It should be recognized that the extent of the variances required were not clearly identified on the plans at the time of this meeting.

4.0 BACKGROUND

Vehicle access is proposed from Ambrosi Road, leading to an underground parking structure, which accommodates all of the required parking. Two primary pedestrian connections are shown leading from both the Agassiz and Ambrosi Road frontages to two main entrances. In addition to these, most of the ground floor units facing the street have separate entrances.

Project stats show that there are to be eight (8) 1-bedroom units, and sixty-four (64) 2-bedroom units (72 units total).

The proposed development meets the requirements of the RM5 – Medium Density Multiple Housing zone, as follows; conflicts with the Zoning Bylaw requirements are detailed immediately following the table:

CRITERIA	PROPOSAL	RM5 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area (m²)	5,569.64 m^2	1,400 m^2
Lot Width (m)	100 m (Ambrosi Rd.) 82 m (Agassiz Rd.)	30.0 m
Lot Depth (m)	35.7 m 41.15 m	35.0 m
Development Regulations		
Floor Area Ratio	1.4	1.4 (1.1 + 0.2 bonus for underground parking + 0.1 bonus for housing agreement = 1.4)
Site Coverage	70% [A] 71%	40% (buildings) 60% (buildings, parking areas, and driveways)
Height	15.61 m 4 ½-storeys [B]	16.5 m or 4 storeys
Front Yard (Barlee Road)	2.1 m (to garbage enclosure) [C] 7.5 m (main building)	6.0 m
Side Yard (Agassiz Road)	6.0 m	4.5 m
Front Yard (Ambrosi Road)	2.1 m [D]	6.0 m
Side Yard (south)	4.5 m (< 2 ½ storeys) 4.5 m (> 2 ½ storeys) [E]	4.5 m (< 2 ½ storeys) 7.5 m (> 2 ½ storeys)
Rear Yard	2.1 m (< 2 ½ storeys) [F] 9.0 m (> 2 ½ storeys)	9.0 m
Projections	(meets requirements)	maximum 0.6 m

CRITERIA (cont.)	PROPOSAL (cont.)	RM5 ZONE REQUIREMENTS (cont.)
Other Regulations		
Minimum Parking Requirements	117 spaces	Residential: 1.5 per 2-bdrm unit/ 1.25 per 1-bdrm unit Total required: (64 units x 1.5 = 96) + (8 x 1.25 = 10) = **106 spaces**
Small Car Parking Spaces	38 small car spaces	Maximum 40% small car 106 x 40% = maximum 43
Visitor Parking	10 stalls [G]	1 for every 7 required is to be designated for visitor parking = 96 / 7 = **14 spaces** of 96 required.
Bicycle Parking	Inside: 48 Outside: 8	Residential Inside: 0.5/unit = 36 Outside: 0.1/unit = 8
Private Open Space	(meets requirements)	15.0 m^2 of private open space shall be provided per 1-bdrm dwelling, and 25 m^2 for 2-bdrm dwelling. 15 m^2 x 8 = 120 m^2 25 m^2 x 64 units = 1,600 m^2
Landscaping	(meets requirements)	Level 2 and 3 buffer required.
Setback to Garbage Enclosure	9.0 m	minimum 3.0 m from abutting residential zone

[A] The applicant is requesting a variance to allow an increase in the allowable site coverage.

[B] The applicant is requesting a variance to allow an increase in the height of the building from 4 storeys to 4 ½ storeys.

[C] The applicant is requesting a variance to allow a reduced front yard setback to the garbage enclosure from 6.0 m to 2.1 m.

[D] The applicant is requesting a variance to allow a reduced front yard setback from 6.0 m to 2.1 m.

[E] The applicant is requesting a variance to allow a reduced side yard setback above 2 ½-storeys.

[F] The applicant is requesting a variance to allow a reduced rear yard setback from 9.0 m to 2.1 m.

[G] The applicant is requesting a variance to allow 10 visitor parking stalls, where a minimum 14 stalls are to be designated for visitors (out of the total 117 required).

5.0 CURRENT DEVELOMPENT POLICY

5.1.1 Kelowna Official Community Plan (OCP)

Future Land Use

The subject properties are designated "Multiple Unit Residential – Medium Density" in the OCP. Consequently, the proposal to rezone to the RM5 – Medium Density Multiple Housing zone is consistent with that designation.

Objectives for Commercial and 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 within Urban Centres and Village Centres 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);

Housing Policies:

- Housing Agreements: Support the use of housing agreements to assist in creating affordable and special needs housing;
- Affordable and Special Needs Housing: Encourage the private sector to provide housing that is innovative and affordable and that is targeted to groups identified in the Housing Study, a Housing Reserve Fund Bylaw, or a list published by the City;

6.0 TECHNICAL COMMENTS

(Comments previously provided under accompanying rezoning application. No new information relative to DP or DVP)

7.0 STAFF COMMENTS

The project contemplates a number of variances, including the following:

- height – 4 ½-storeys, where the maximum is 4-storeys
- site coverage – 70 %, where the maximum is 40%
- front, rear, and side yard setback – various shortfalls in meeting the minimum setback requirements.

Staff has concerns with the requested variances, in addition to the impact these variances would have on the form and character of the building. However, the applicant has requested that these applications go forward to Council for further consideration, against Staff's recommendation.

It should be recognized that some of the attached drawings do not reflect the project entirely. For example, the rendering does not capture the extent to which the parkade will extend above grade. Furthermore, at the time of writing this report, Staff did not have updated building section drawings that would illustrate this further.

The majority of the concerns could be resolved by further submerging the parkade into the ground. However, the geotechnical report indicates that the water table (at the time of the site investigation) was between 1.7 m and 1.8 m below grade. Consequently, the applicant would need to possibly undertake tanking of the parkade structure and dewatering strategies in order to make that work.

Should Council wish to favourably consider these applications, alternate recommendations are included below.

8.0 ALTERNATE RECOMMENDATIONS

THAT Bylaw 9865 be advanced for final adoption by Council;

AND THAT Council authorize the issuance of Development Permit No. DP07-0039, following final adoption of Bylaw No. 9865 for Lot A, , District Lot 129, ODYD, Plan KAP84830, located on Ambrosi 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;

AND 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.

AND THAT Council authorize the issuance of Development Variance Permit No. DVP07-0040, following final adoption of Bylaw No. 9865, for Lot A, District Lot 129, ODYD, Plan KAP84830, located on Ambrosi Road, Kelowna, B.C.;

AND FURTHER THAT a variance to the following section of Zoning Bylaw No. 8000 be granted:

Section 13.11.6 (b) Site Coverage (Buildings)

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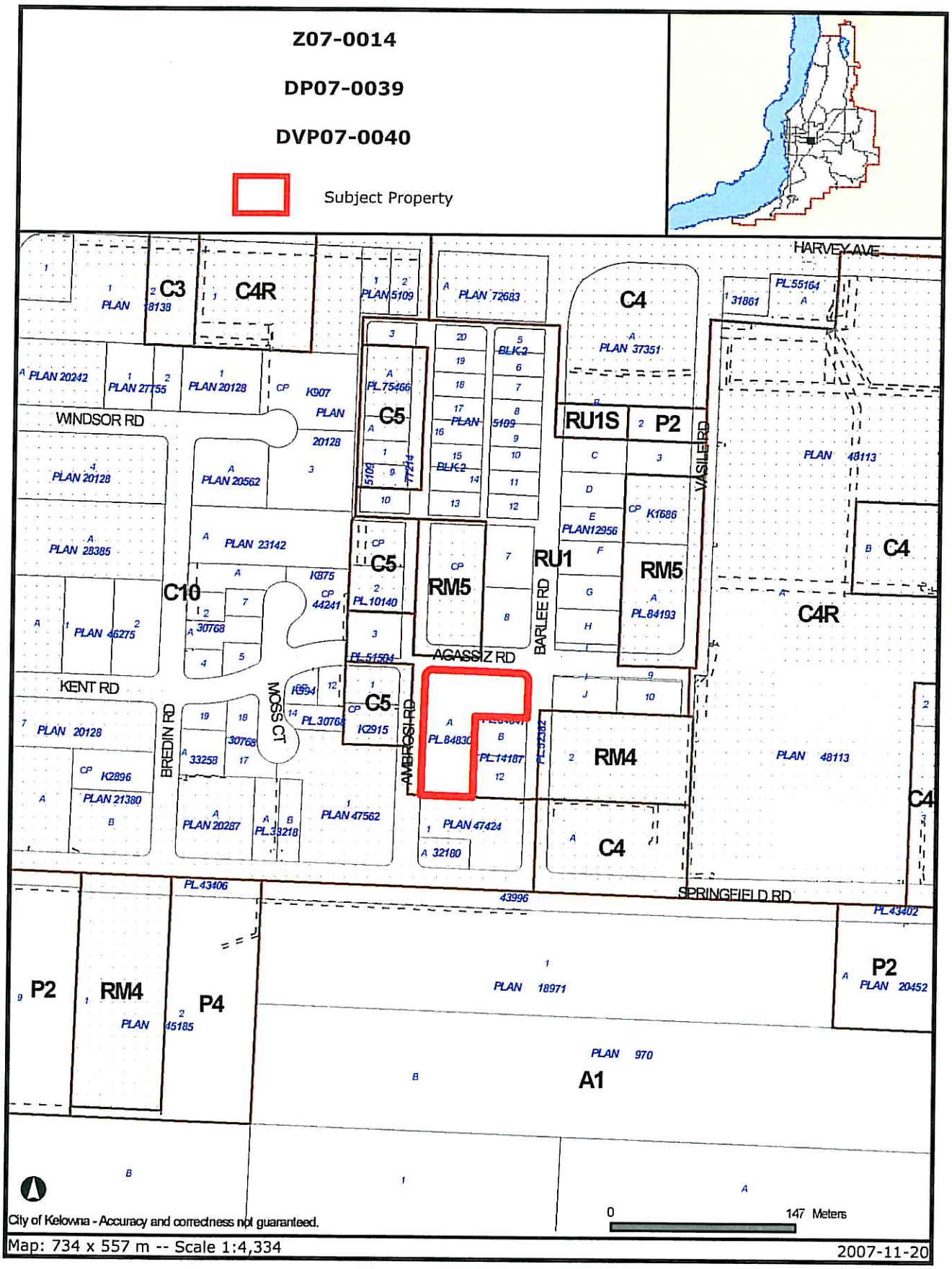
A variance to allow a reduction in the rear yard setback from 9.0 m to 2.1 m.

Shelley Gambacort
Current Planning Supervisor

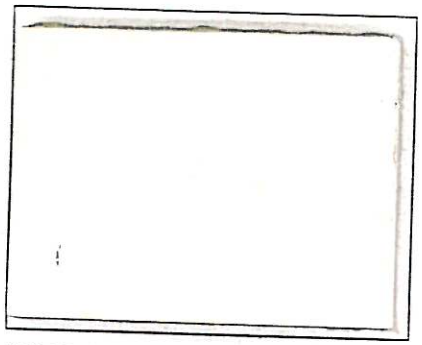
David Shipclark
Acting Director of Planning & Development Services

NW/nw

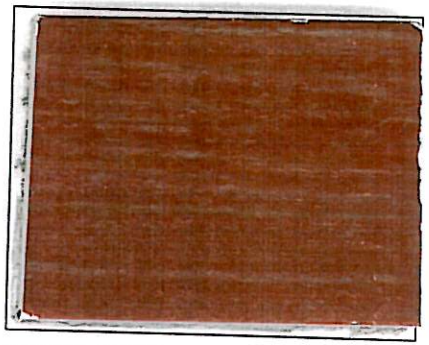
ATTACHMENTS
Location of subject property
Rendering
Site Plan
Parkade
Elevations (2 pages)
Building Section
Landscape Plan
Materials/Colours



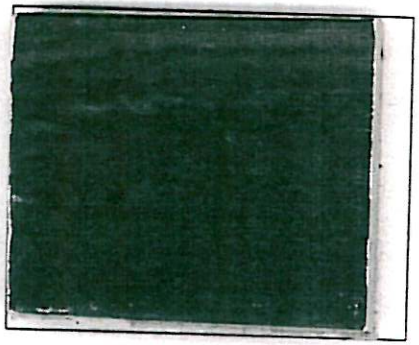
Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



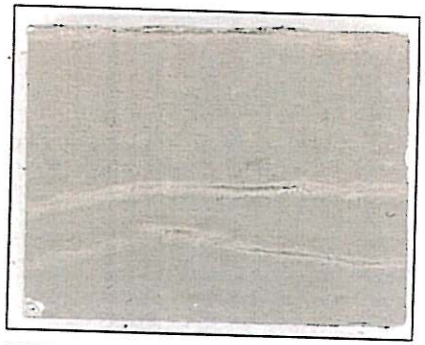
HARRIS CREAM
- HARDI PLANK - MAIN AREAS



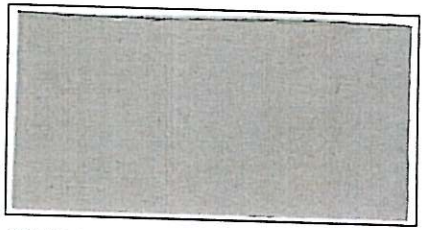
TRADITIONAL RED
- HARDI PLANK - ACCENTS



IRON GRAY
- HARDI PLANK - BALCONY/ROOF



KHAKI BROWN
- HARDI PLANK - WINDOW TRIM



SANDALWOOD
- VINYL WINDOW

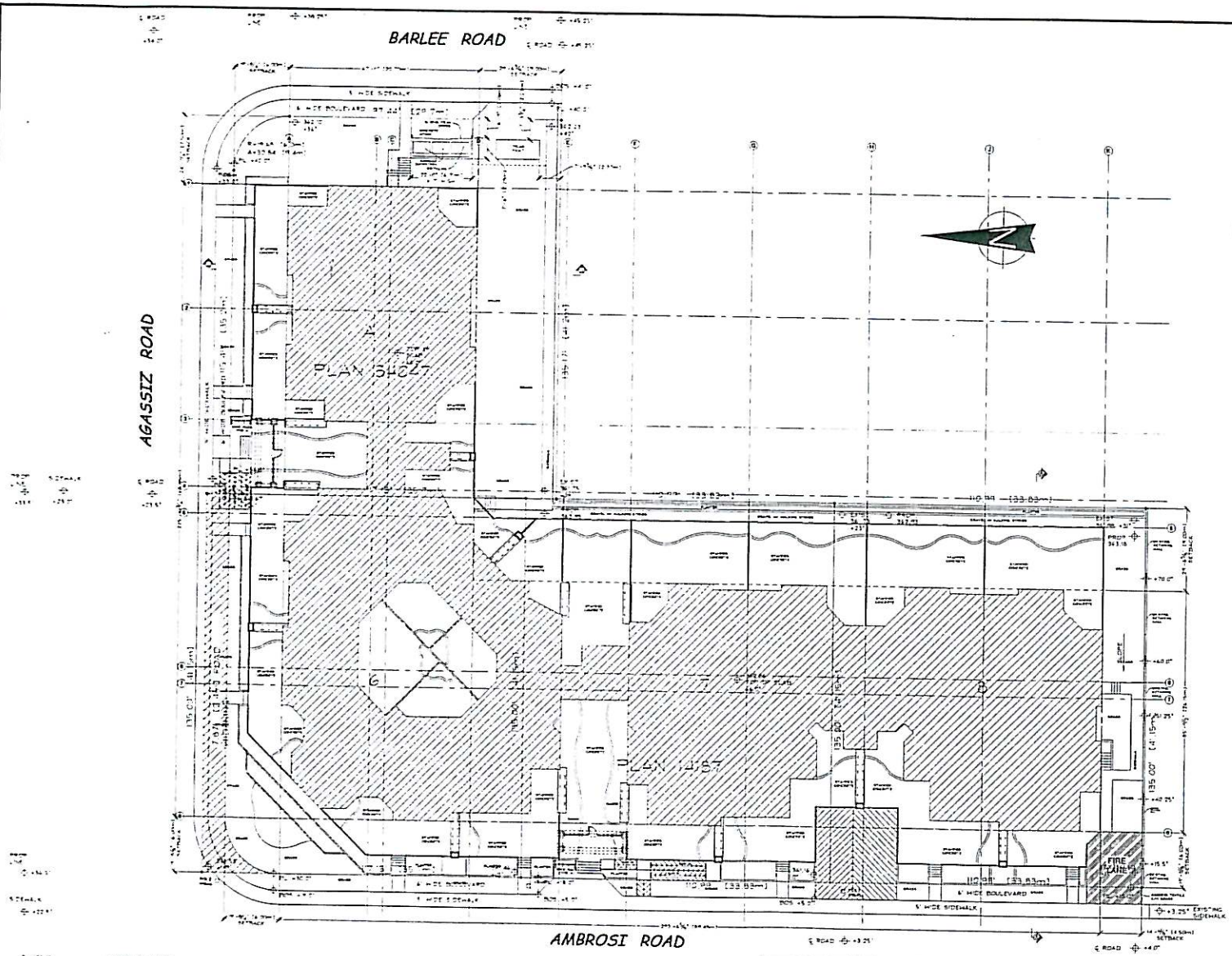
ROCK VENEER

COLOR SAMPLES FOR:

AMBROSI COURT

AMBROSI ROAD, KELOWNA

TESSCO INC.



LEGAL DESCRIPTION

SITE CALCULATIONS RM5 MEDIUM DENSITY MULTIPLE HOUSING

RECEIVED
OCT 2 2 2007
CITY OF KELOWNA
PLANNING DEPT

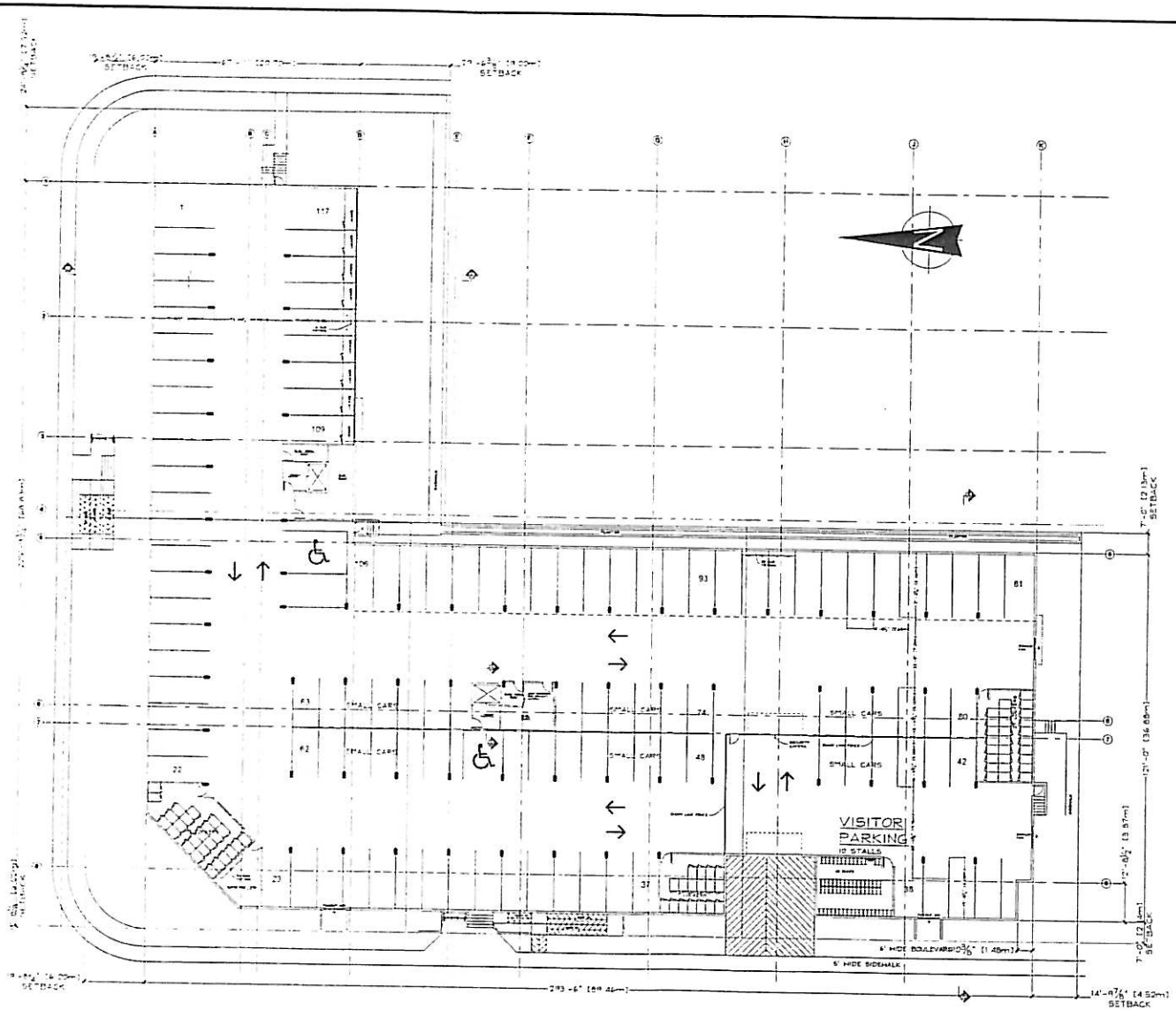
REVISED PLANS

DRAWING PREPARED BY:	ARCH · PLAN Architecture and Planning Inc. GARY MARVIN M A I B C WESTSIDE OFFICE: 170 S WESTSIDE ROAD KELOWNA, B.C.
CLIENT	TESSCO INC. EDMONTON, AB
PROJECT	AMBROSI COURT AMBROSI ROAD KELOWNA, BC
DRAWING TITLE	SITE PLAN
SCALE	1/16"=1'-0"
DATE	MAY 31/07
DRAWN	TGM Drafting
CHECKED	GM
JOB No	

No	REVISION	DATE
A	MOST PROBABLE ELEVATOR SIZE	JULY 11/07
B	REVISIONS FOR PLANNING DEPT.	SEPT 18/07
C	REVISIONS FOR PLANNING DEPT	OCT 2/07
D	ISSUED FOR DEVELOPMENT PERMIT	OCT 19/07

DRAWING No. A1

REV. D



DRAWINGS PREPARED BY
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2141 WESTSIDE ROAD
KELOWNA, B.C.
phone T (250) 768-1848
fax # (250) 768-2142
email: arch-plan@shaw.ca

CLIENT
TESSCO INC.
EDMONTON, AB

PROJECT
AMBROSI COURT
AMBROSI ROAD
KELOWNA, BC

DRAWING TITLE
PARKADE

SCALE	1/16"=1'-0"
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No.	REVISION	DATE

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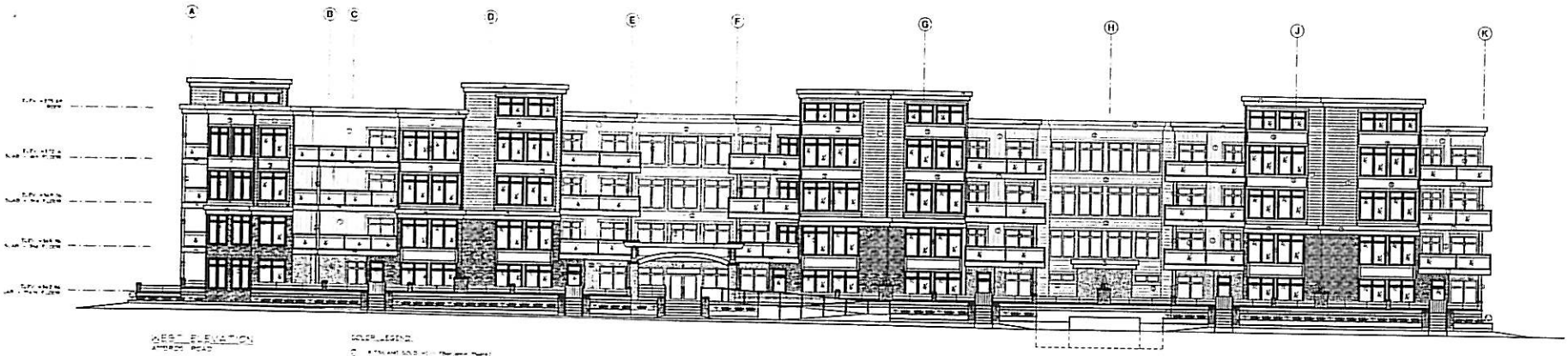
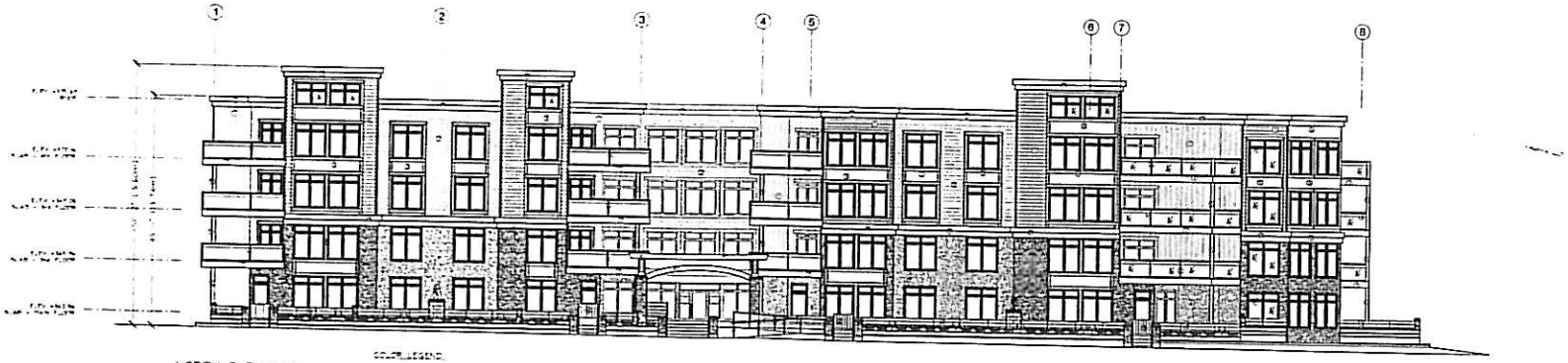


WEST ELEVATION
AMBROSI ROAD

COLOUR LEGEND:



NORTH ELEVATION
ROAD 2

COLOUR LEGEND:

DRAWINGS PREPARED BY:
ARCH · PLAN
Architecture and Planning Inc.
GARY MARVIN
A I B C
WESTSIDE OFFICE
116 2 WESTSIDE ROAD
KELOWNA, B.C.

CLIENT
TESSCO INC.
EDMONTON, AB

PROJECT:
AMBROSI COURT
AMBROSI ROAD
KELOWNA, BC

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ELEVATIONS

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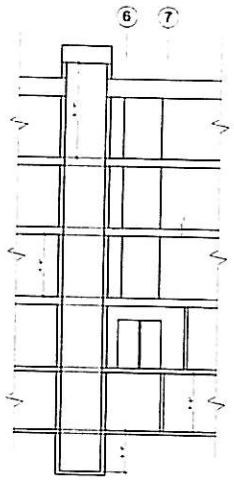
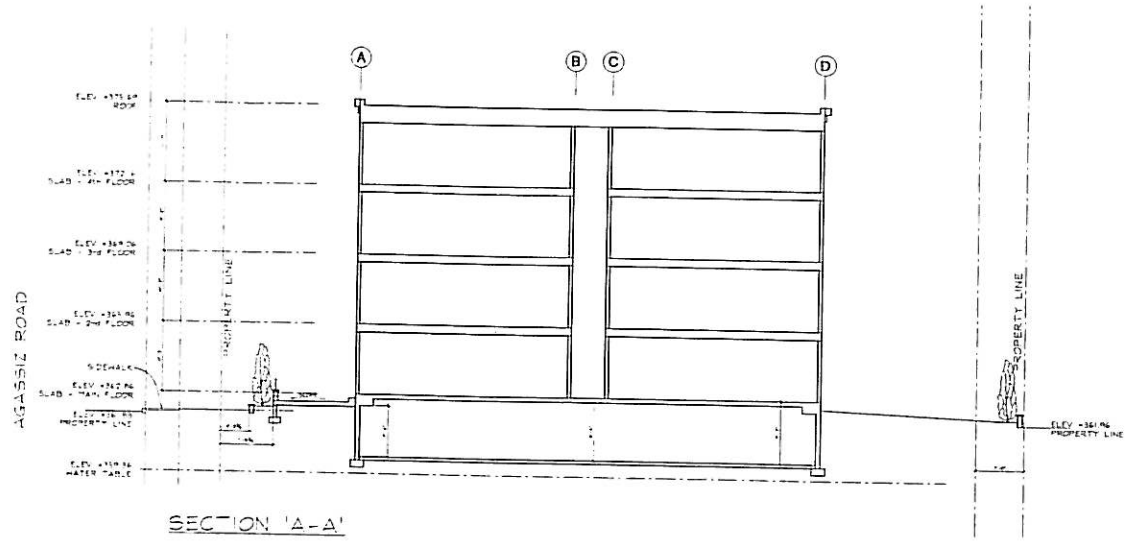


SECTION 'C-C'



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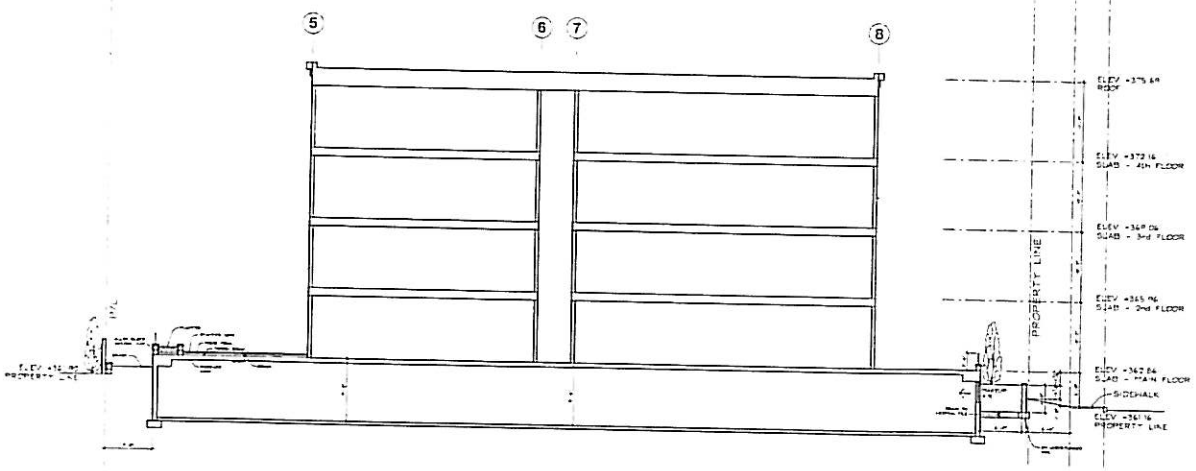

SECTION 'B-B'

ARCH · PLAN
Architecture and Planning Inc.
GARY MARVIN
MAIBC

CLIENT
TESSCO INC.
EDMONTON, AB

PROJECT
AMBROSI COURT
AMBROSI ROAD
KELOWNA, BC

DRAWING TITLE

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No	REVISION	DATE

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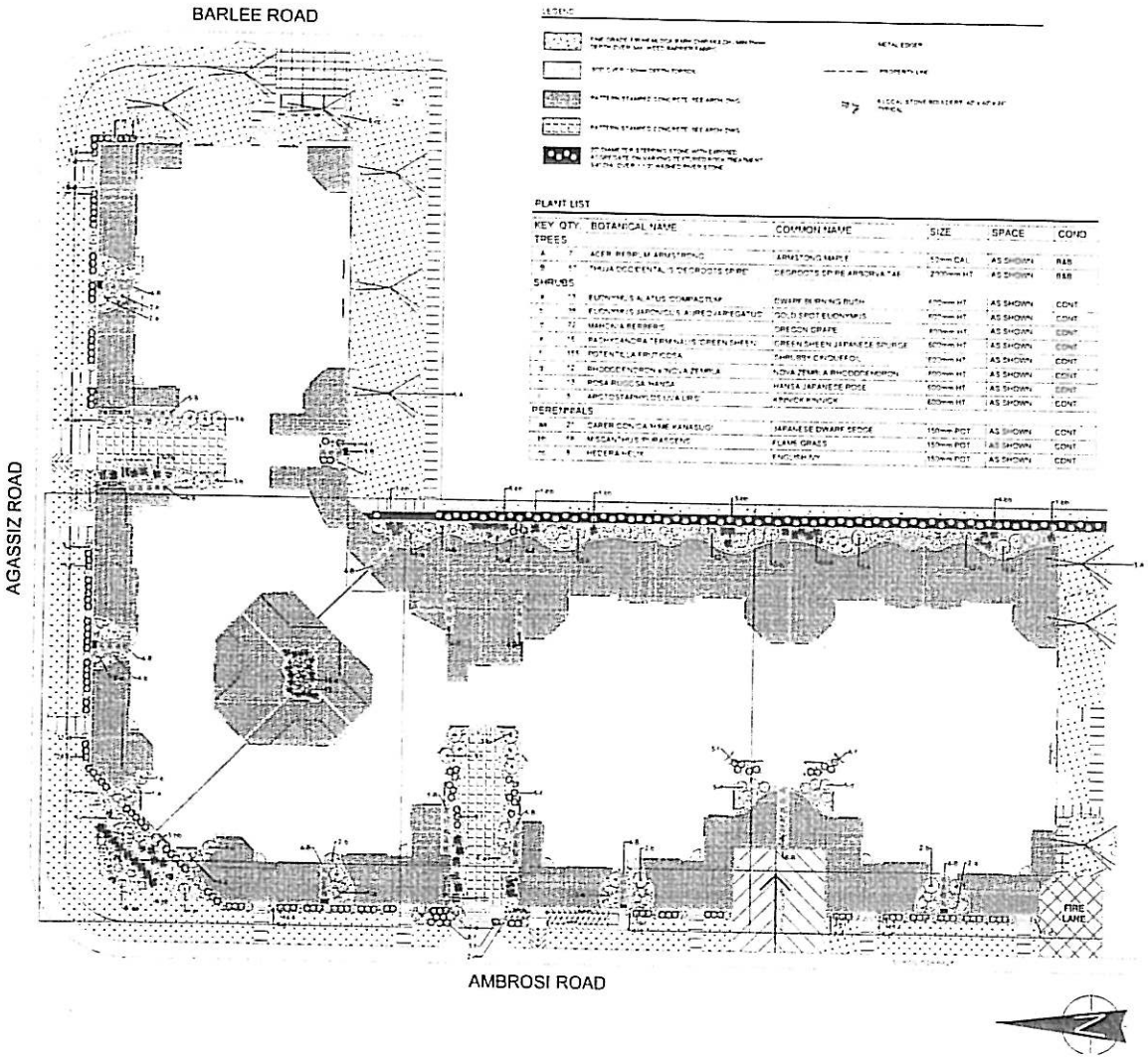


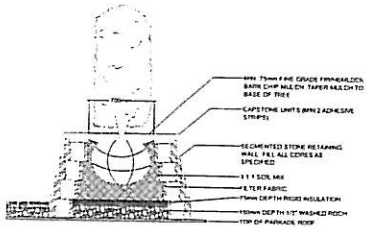
LEGEND

METAL EDGE

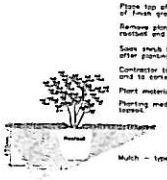
PROPERTY LINE

PLANT LIST

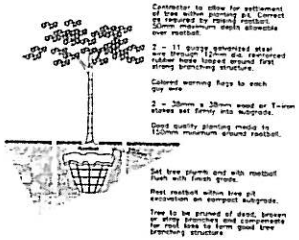
KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	SPACE	COND
TREES						
A	7	ACER RUBRUM 'ARMSTRONG'	ARMSTRONG MAPLE	63mm CAL	AS SHOWN	B&B
B	17	THUJA OCCIDENTALIS 'DESCHOISTS SPIRE'	DESCHOISTS SPIRE ARBORVITAE	2500mm HT	AS SHOWN	B&B
SHRUBS						
[illegible]	13	EUONYMUS ALATUS 'COMPACTUS'	DWARF BURNING BUSH	600mm HT	AS SHOWN	CONT
[illegible]	14	EUONYMUS JAPONICUS AUREO-MARGINATUS	GOLD SPOT EUONYMUS	600mm HT	AS SHOWN	CONT
[illegible]	72	MAHONIA AQUIFOLIUM	OREGON GRAPE	600mm HT	AS SHOWN	CONT
[illegible]	15	PACHYSANDRA TERMINALIS 'GREEN SHEEN'	GREEN SHEEN JAPANESE SPURGE	600mm HT	AS SHOWN	CONT
[illegible]	111	POTENTILLA FRUTICOSA	SHRUBBY CINQUEFOIL	600mm HT	AS SHOWN	CONT
[illegible]	12	RHODODENDRON NOVA ZEMBLA	NOVA ZEMBLA RHODODENDRON	600mm HT	AS SHOWN	CONT
[illegible]	13	ROSA RUGOSA 'HANSA'	HANSA JAPANESE ROSE	600mm HT	AS SHOWN	CONT
[illegible]	5	ARCTOSTAPHYLOS UVA-URSI	KINNICKINNICK	600mm HT	AS SHOWN	CONT
PERENNIALS						
[illegible]	27	CAREX CONICA 'KANSUGI'	JAPANESE DWARF SEDGE	150mm POT	AS SHOWN	CONT
[illegible]	19	MISCANTHUS SINENSIS	FLAME GRASS	150mm POT	AS SHOWN	CONT
[illegible]	5	HEDERA HELIX	ENGLISH IVY	150mm POT	AS SHOWN	CONT



SEGMENTED STONE RETAINING WALL PLANTING DETAIL



TYPICAL SHRUB PLANTING DETAIL



TYPICAL TREE PLANTING DETAIL

notes

NTS

1 ISSUED FOR DEVELOPMENT PERMIT - 05-07-07 D W L A

revised

Douglas Walters Landscape Architect Ltd.
a m a l g a m a t e d a s s o c i a t e s
phone: 780 955 5009
fax: 780 955 5008

D. H. WALTERS

design dwla
drawn J.S.
date MAY 07 2007
checked dw
scale 1:200

any errors or omissions in the drawing or any discrepancy between the specifications and this drawing shall be referred to the landscape architect for correction, interpretation and revisions before proceeding with work.

project
AMBROSI COURT
KELOWNA, BC.

for
TESCO INC.
EDMONTON, ALBERTA

drawing
LANDSCAPE PLAN

sheet L01
issue no. 001