### CITY OF KELOWNA **MEMORANDUM**

DATE:

December 13, 2007

TO:

City Manager

FROM:

Planning & Development Services Department

APPLICATION NO. DP07-0257

APPLICANTS: Garry Tomporowski Architect Ltd.

/DVP07-0258

AT:

129 Wyndham Crescent

OWNER:

0794942 BC Ltd.

PURPOSE:

TO OBTAIN A DEVELOPMENT PERMIT IN ORDER TO CONSTRUCT

A FOUR STOREY, 50 UNIT APARTMENT HOUSING BUILDING.

TO VARY THE NORTHERN AND SOUTHERN SIDE YARD SETBACKS

FROM 7.5M REQUIRED TO 4.5M PROPOSED

TO VARY THE ALLOWABLE BUILDING PROJECTION (ON THE DECK

STRUCTURES). FROM 0.6M PERMITTED TO 1.68M PROPOSED

EXISTING ZONE:

RM5 - MEDIUM DENSITY MULTIPLE HOUSING

REPORT PREPARED BY:

DANIELLE NOBLE

#### 1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Permit No. DP07-0257 for Lot 26, Sec. 4, Twp 23, ODYD, Plan KAP51847, located on Wyndham Crescent, 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 Attachment "A";
- 2. The exterior design and finish of the building to be constructed on the land be in general accordance with Attachment "B":
- 3. Landscaping to be provided on the land be in general accordance with Attachment "C", as amended;
- 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 estimate value of the landscaping, as determined by a professional landscaper;

AND THAT the applicant be required to complete #4 of 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. DVP07-0258 for Lot 26, Sec. 4, Twp 23, ODYD, Plan KAP51847, located on Wyndham Crescent, Kelowna, B.C.

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

### Section 6.4.2 - Projection Into Yards

To vary the projection into a side yard to 1.68m proposed where 0.6m is permitted.

### Section 13.11.6(e) - Development Regulations

To vary the minimum site side yard (northern and southern) to 4.5m proposed where 7.5m is required.

### 2.0 SUMMARY

This application is to seek approval for the form and character of a four-storey, 50-unit apartment housing development proposed for the vacant subject property. Variances to the northern and southern side yard setbacks and allowable buildable projections into side yards are also being sought.

### 3.0 BACKGROUND

### 3.1 The Proposal

The applicant is proposing a 50 unit apartment building in the Glenmore area on the subject property. Zoning for the property already conforms, and the proposal is generally compliant with the RM5 development regulations. While access will be via Wyndham Crescent, the building will have a streetscape presence along Union Road and the future collector bypass.

The 4 storey building will have an underground parkade which will accommodate the majority of the required parking, accessed through a circular plaza area in the front of the building. A secondary pedestrian access is proposed to connect to the Union Road frontage, along with another pedestrian path to the east of the building.

Siding materials and colours are shown on the attached colour board.

Project statistics show that there are to be 50 2-bedroom units (with a variety of floorplans). The proposed development meets the requirements of the RM5 – Medium Density Multiple Housing zone, as follows with variances as noted immediately following the table:

CRITERIA	PROPOSAL	RM5 ZONE REQUIREMENTS	
	Subdivision Regulations		
Lot Area (m²)	4,257 m <sup>2</sup>	1400 m <sup>2</sup>	
Lot Depth (m)	100.75 m	35.0 m	
	Development Regulations		
Floor Area Ratio	1.23	1.3 (0.2 bonus for underground parking)	
Site Coverage	38% 55%	40% (buildings)	
		60% (buildings, parking areas, and driveways)	

Page 3.

Height	14.1 m 4 storeys	16.5 m or 4 storeys				
Front Yard	15 m	6.0 m				
Side Yard (north)	4.5 m*	7.5 m (> 2 storeys)				
Side Yard (south)	4.5 m*	7.5 m (> 2 storeys)				
Side Yard (flanking)	7.5 m	7.5 m (> 2 storeys)				
Rear Yard (Union Rd.)	9.0 m	9.0 m				
Other Regulations						
Minimum Parking Requirements	75 spaces	Residential: 1.5 per 2-bdrm unit Total required: 75 spaces				
Visitor Parking	7 spaces	1 for every 7 required is to be designated for visitor parking = 7 spaces				
Bicycle Parking	Class 1 = 25 stalls Class 2 = 5 stalls	Class 1 = 25 stalls Class 2 = 5 stalls				
Building Projection	<b>1.68 m*</b> projection (for units 202, 302, 402)	0.6 m				
Private Open Space	1,404 m <sup>2</sup>	25 m <sup>2</sup> x 50 units = 1,250 m <sup>2</sup>				

<sup>\* =</sup> variance requested

### 3.2 Site Context

The subject property is located on Wyndham Crescent, between Union and Glenmore Roads. The surrounding neighbourhood is a collection of many zones. More specifically, the adjacent land uses are as follows:

North A1 – Agriculture 1

East C5 – Transition Commercial (currently vacant)
South P3 – Parks & Open Space (Wyndham Park)

West RM2 – Low Density Row Housing (currently single family dwelling)

### 3.3 Site Map



### 4.0 POLICY AND REGULATION

# 4.1.1 Kelowna 2020 - Official Community Plan

The Official Community Plan contains the following objectives for context and design for new multiple family developments:

# **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 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, and 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).

### 5.0 TECHNICAL COMMENTS

## 5.1 Fire Department

Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw.

### 5.2 <u>Inspections Department</u>

The proposed changes to the design of the building with the addition of the firewall and the hydrant proposal will deal with our code concerns to get this application to plan check stage.

### 5.3 Parks Department

- 1. The applicant is proposing a side yard setback variance from the property line adjacent to Wyndham Park. To mitigate the visual impact to the park, we recommend the applicant incorporate a vegetative screen containing both deciduous and evergreen trees along the property line.
- 2. The applicant is proposing a concrete retaining wall along the property line with the park. This will create maintenance, vandalism and graffiti problems. By considering the Crime Prevention Through Environmental Design Guidelines (CPTED), we recommend the applicant' remove the concrete retaining wall and to install a minimum 1.2 metre high (4 foot) high black vinyl chain link fence (or approved equivalent) located 150 mm (6 inches) within the private property.
- 3. The City of Kelowna Boulevard Maintenance By-Law No. 5708-84 requires the residents to 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.

### 5.4 Works and Utilities Department

As attached.

# 6.0 PLANNING & DEVELOPMENT SERVICES COMMENTS

The proposed multi-family project is seeking approval for the form and character of this residential complex. The initial staff review noted that the balconies were generous size and

this was commendable. Given the unique access to this site, the project had some distinct planning challenges with orientation of the building.

However, building design suggestions were brought forward for the applicant to incorporate into revised elevations. Staff had commented on façade improvements that would enhance the project by having additional emphasis on the main entrance as a strong place of entry and identity and stronger expression of colour choice on the exterior building materials to liven up the building and create accents on the building.

The proposed landscaping is strategic, and the open plaza on the eastern side of the site aims to incorporate open lawn areas and walkways to access future pedestrian paths for the neighbourhood. Revisions to the landscape buffer adjacent to Wyndham Park have been incorporated to create a more distinct buffer and to ensure adequate visual screening from the subject property and the park through strategic evergreen plantings.

The side yard setback and building projection variances being sought are a product to accommodate the unique configuration of the site and the appropriation of land along the east property boundary to accommodate the future Glenmore Bypass. Additionally, the applicants felt that alternate siting of the building on the property would compromise viewscapes for select units and that the projections for the balconies being sought will not have a direct impact on any abutting property owners.

Shelley Gambacort

Current Planning Supervisor

SG/dn

#### **ATTACHMENTS**

Location of subject property Rendering Site Plan Elevations & Floor Plans Landscape Plan

# CITY OF KELOWNA

# **MEMORANDUM**

Date:

November 26, 2007

File No.:

DP07-0257

To:

Planning & Development Services Department (DN)

From:

Development Engineer Manager (SM)

Subject:

129 Wyndham Crescent - Lots 26 Plan KAP51847

The Works & utilities Department comments and requirements regarding this application are as follows:

### 1. General

a) Provide easements as may be required.

## 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:

- a) Overall site suitability for development.
- b) Presence of ground water and/or springs.
- c) Presence of fill areas.
- d) Presence of swelling clays.
- e) Presence of sulfates.
- f) Potential site erosion.
- g) Provide specific requirements for footings and foundation construction.
- h) Provide specific construction design sections for roads and utilities over and above the City's current construction standards

.../2

# Domestic water and fire protection.

This development is within the service area of the Glenmore Ellison Improvement District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. 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 in accordance with current requirements for the zone currently applied for under this application.

# Sanitary Sewer.

a) The subject property is serviced by the Municipal wastewater collection system and is located within specified area #1. b) Our records indicate a 150mm diameter sanitary service connection exists to this site.

### 5. <u>Drainage</u>.

- a) 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 ground recharge system. This plan can become part of the geotechnical study to identify possible ground recharge/detention areas.
- b) Our records indicate a 200mm diameter storm service connection exists to this site.

# 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.

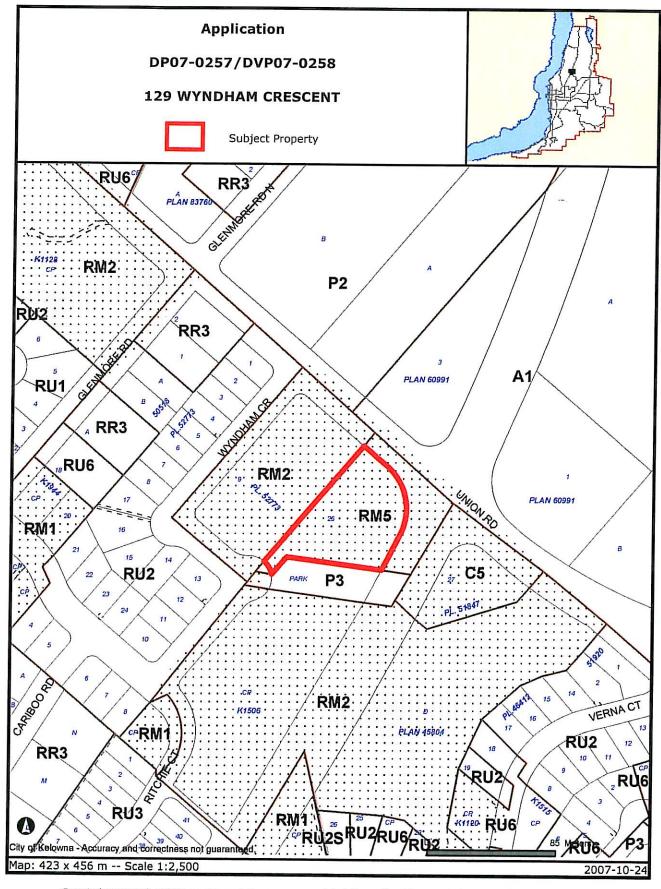
### Road improvements.

### a) Wyndham Crescent

All improvement requirements have been completed as part of a previous subdivision (city file; S90-055). As shown in the site plan driveway access is permitted on Wyndham Crescent.

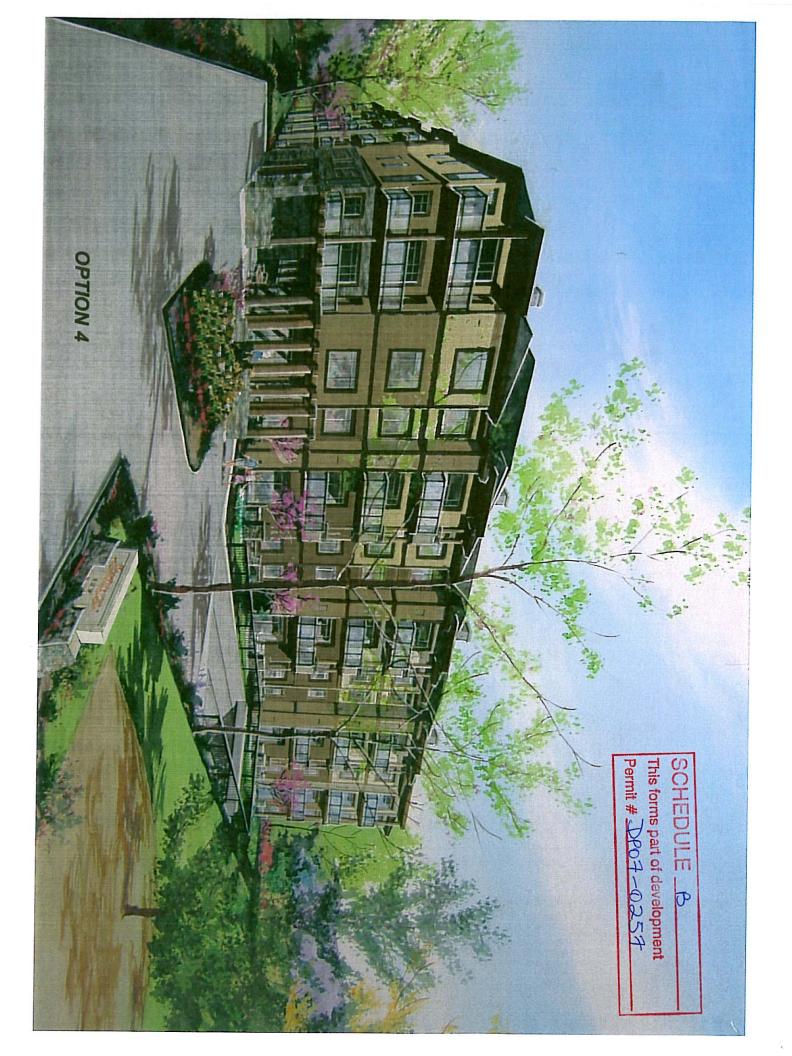
# b) Union Road & Glenmore Bypass

Union Road & Glenmore Bypass improvement requirements have been dealt with in the form of cash in lieu of construction as part of previous rezoning and subdivision files (Z92-1012 & S90-055). Driveway access is not permitted onto Union Road or Glenmore Bypass



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.



# WYNDHAM CRESCENT Kelowna BC

### FASCIA, WINDOW TRIM AND BELLYBANDS

Materials 1 and 3 on A4.1 and A4.2

Dark Brown

### **STUCCO**

Material 4 on A4.1 and A4.2 Taupe



# **HARDIE PLANK SIDING**

Material 5 on A4.1 and A4.2
Dark Olive



### HARDIE PLANK PANEL SIDING

Material 6 on A4.1 and A4.2 Light Olive



### **STONE**

Material 7 on A4.1 and A4.2 Charcoal and Light Grey



# **ASPHALT SHINGLES**

Material 8 on A4.1 and A4.2 Two Tone Black



SCHEDULE\_B

This forms part of development

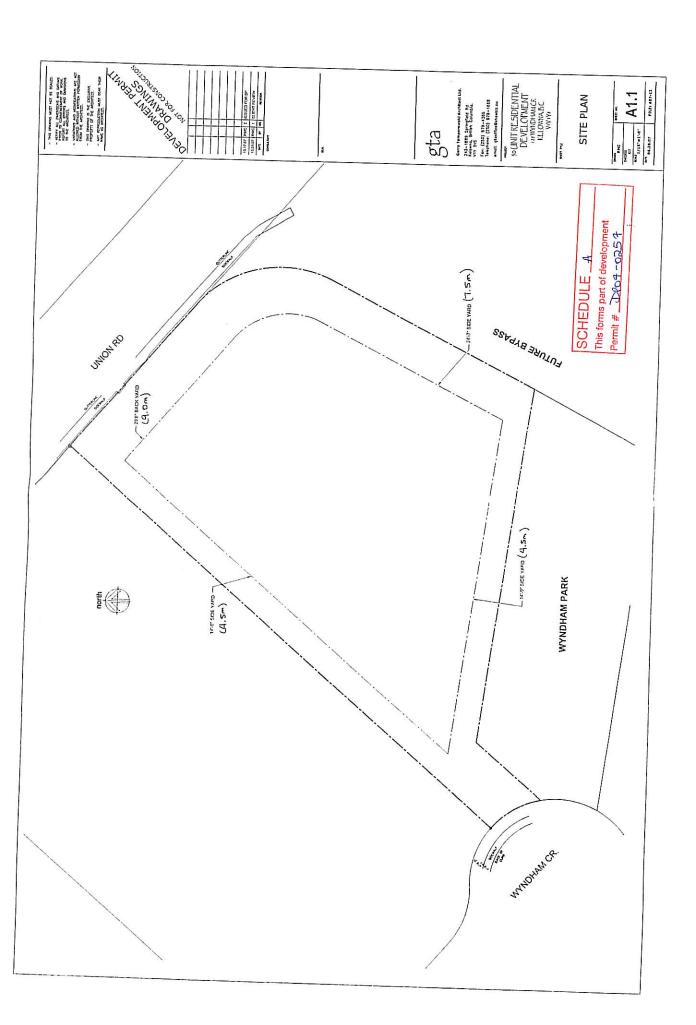
Permit # \_ DP07-0257

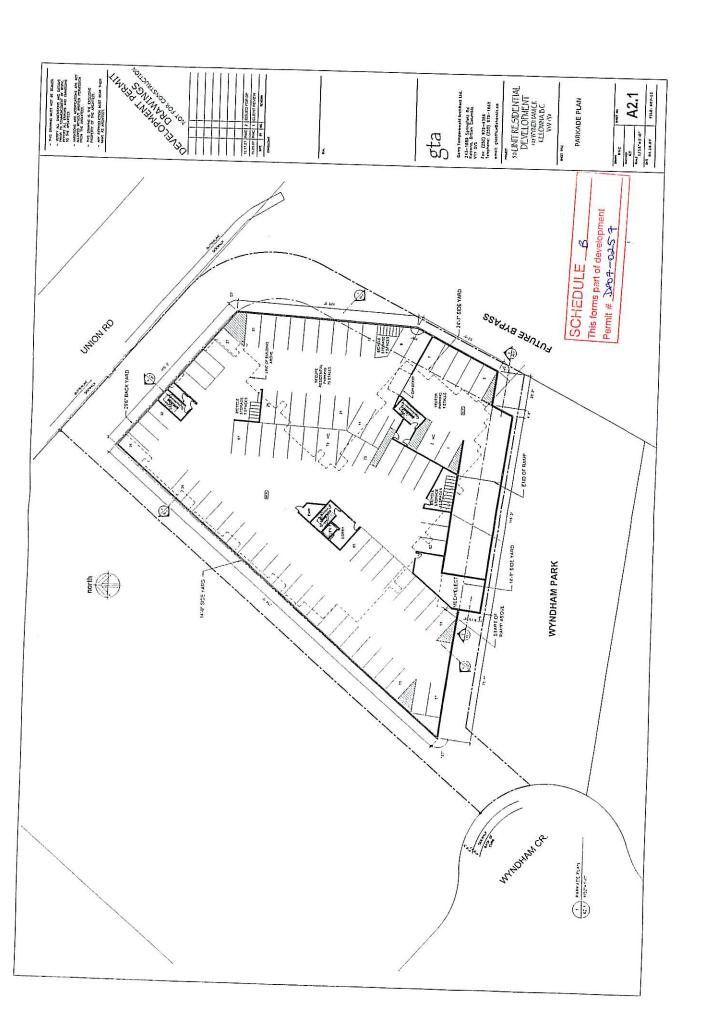
Development Permit Colour Board October 27, 2007(revised Nov.12)

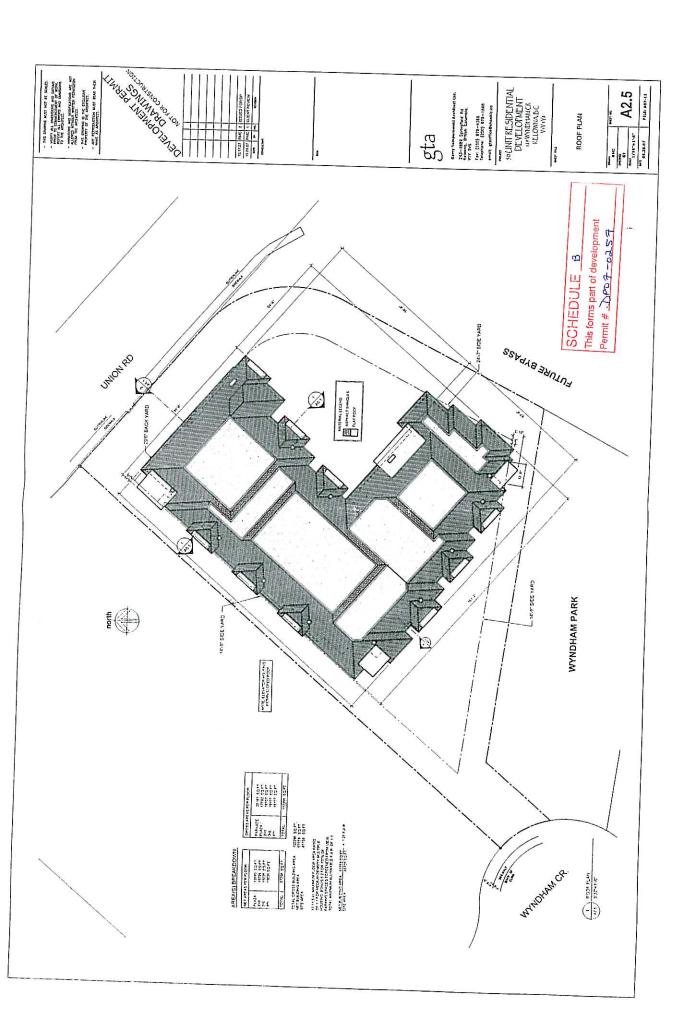


Garry Tomporowski

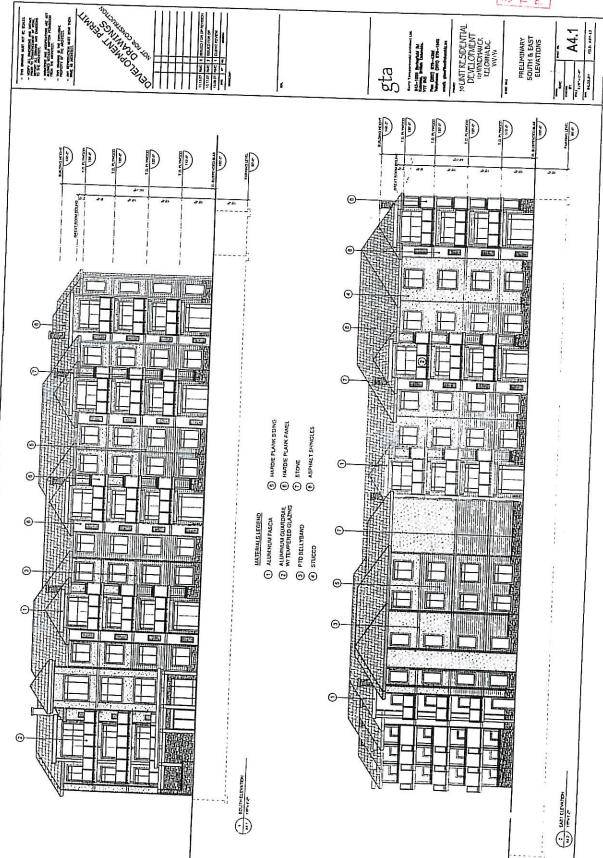
Architect Ltd 243 – 1889 Springfield Road Kelowna, BC CanadaV1Y 5V5 Phone: 250/979.1668 Fax: 250/979.4366

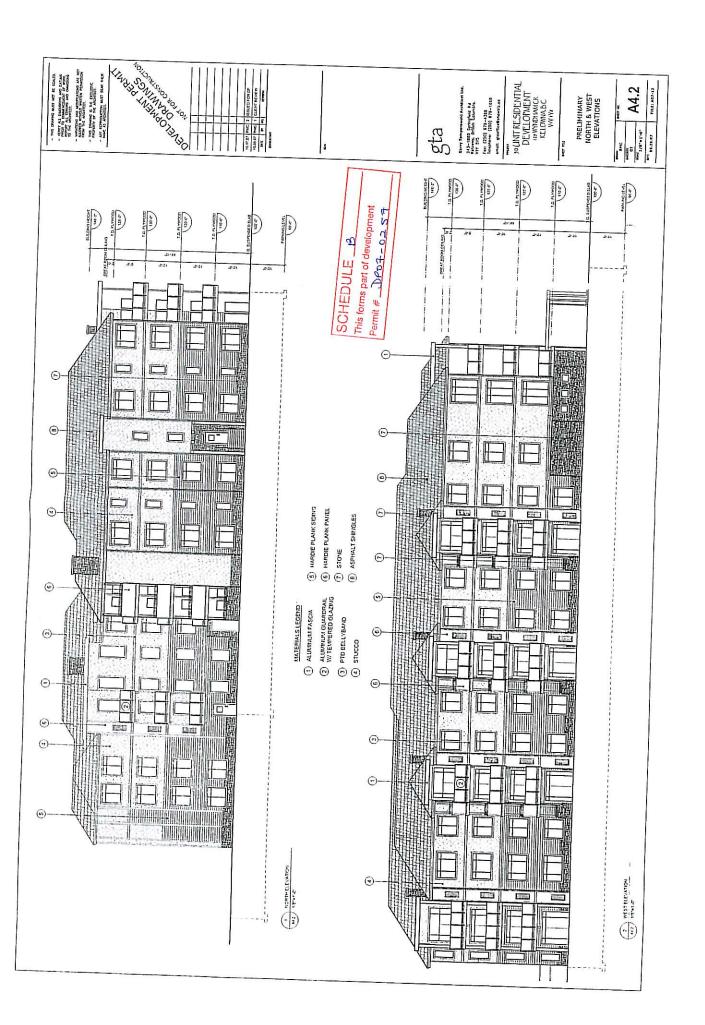




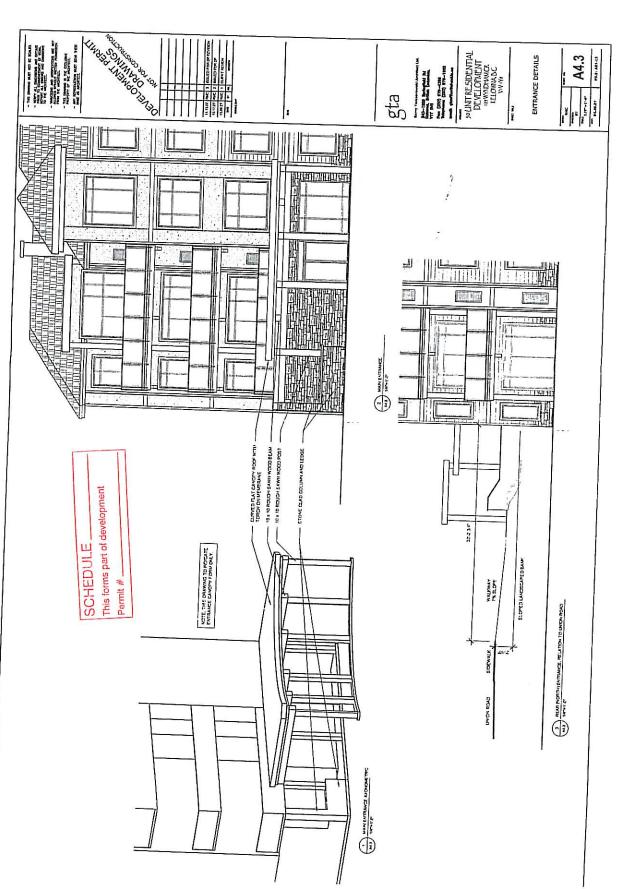


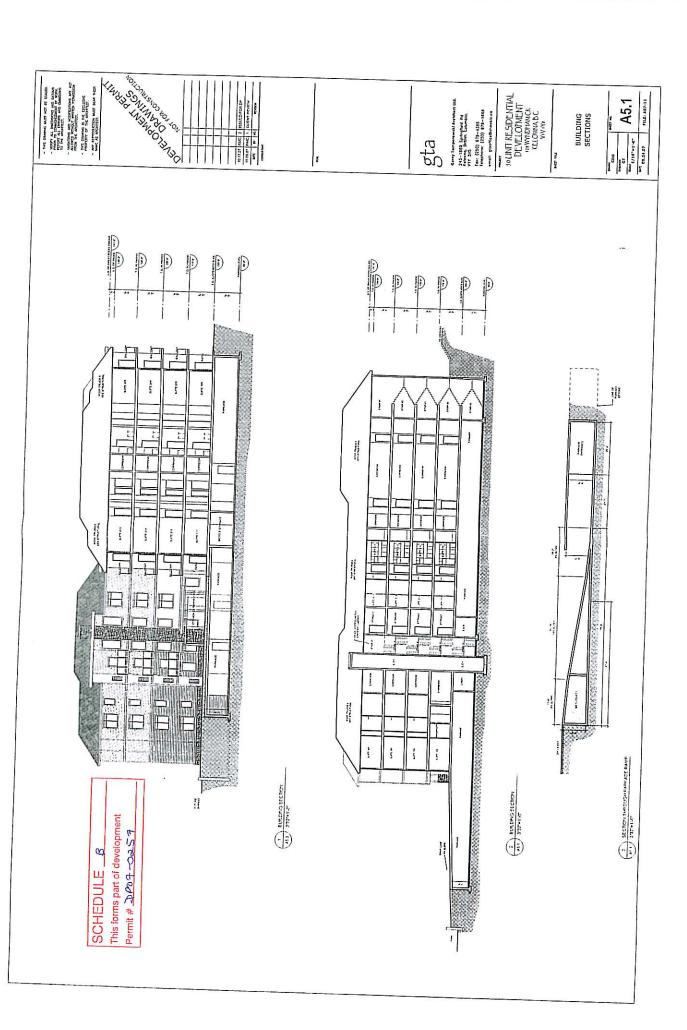
SCHEDULE\_B This forms part of development Permit # APo+-02S4

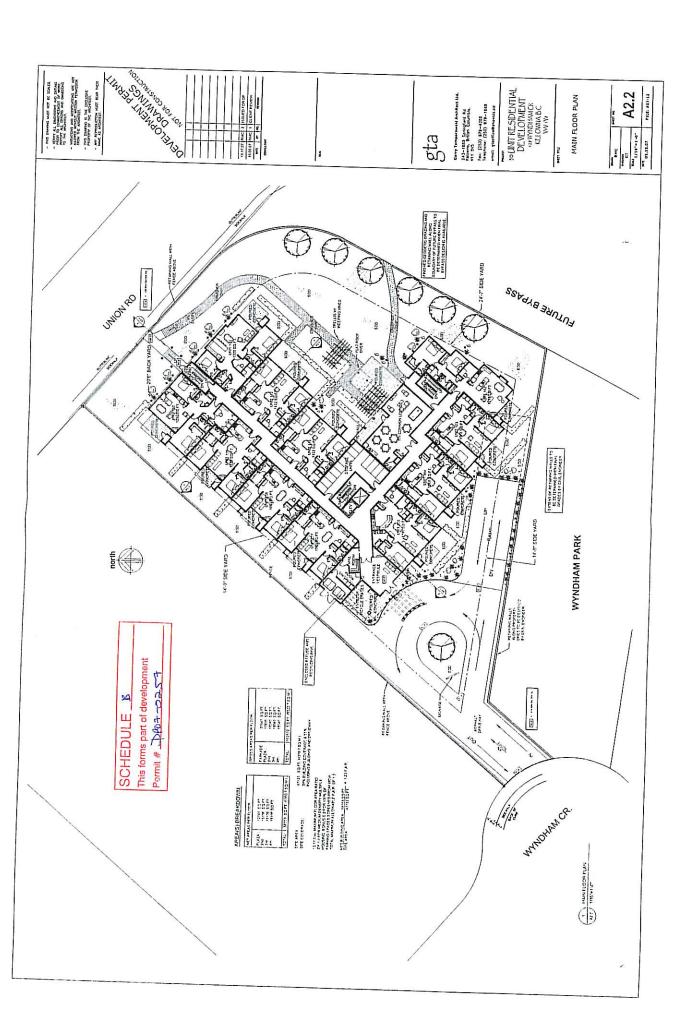


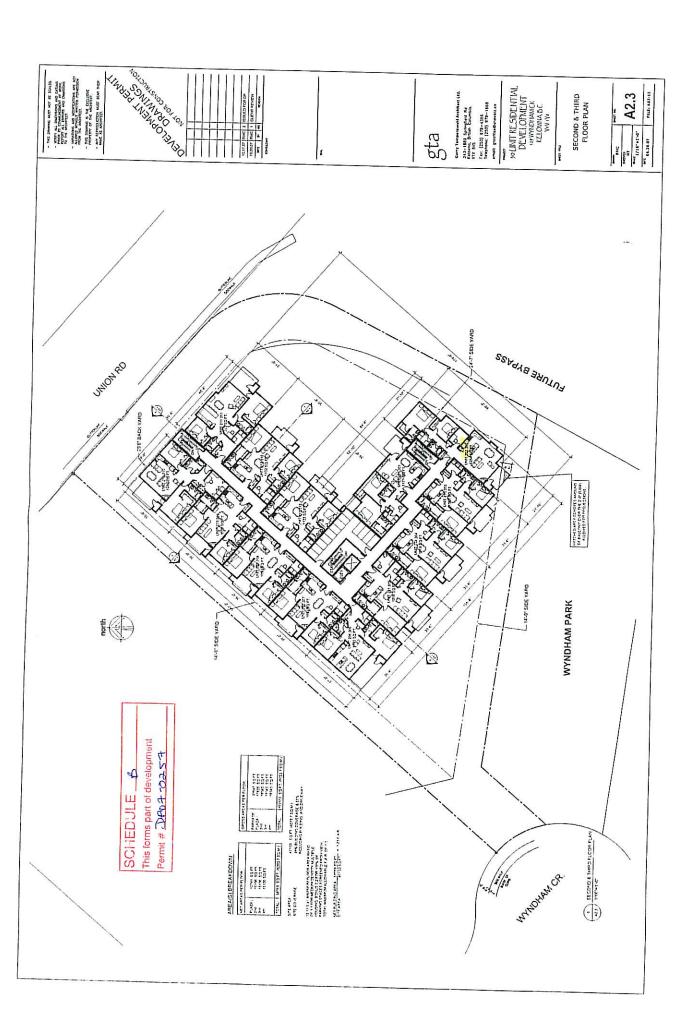


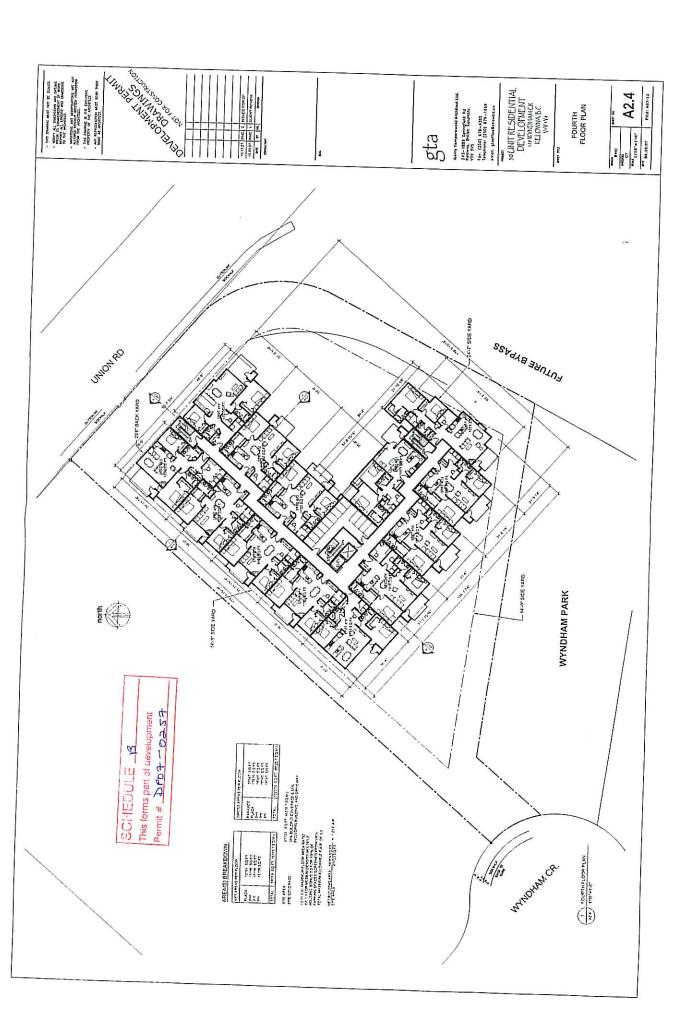


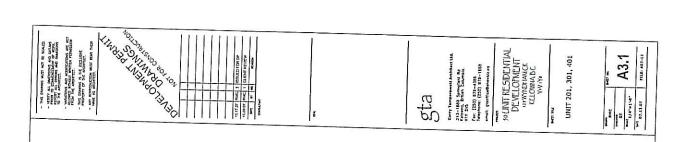






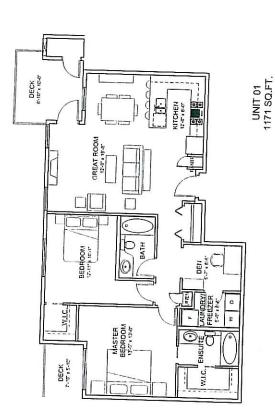


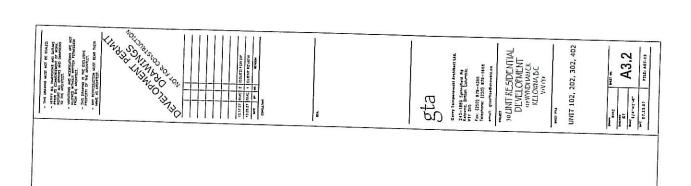




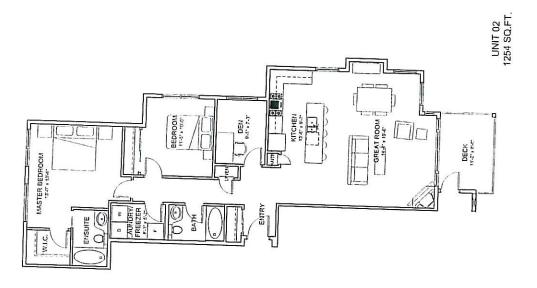
This forms part of development Permit # 2404-0257

SCHEDULE R

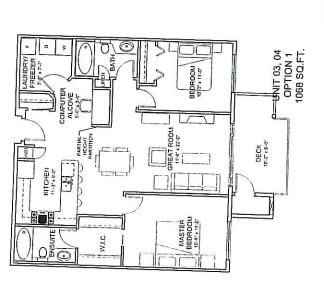




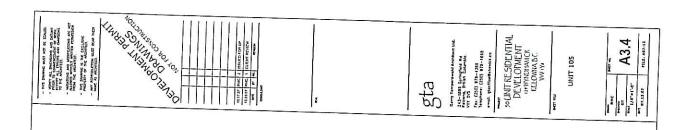




Standard 177 - 178 Charles and	ACCIONATE IN THE STATE OF THE S	i	子子 : #[[ ] ] : 子口 -	17 103,203 104,204,30
--	--	---	---------------------	--------------------------



SCHEDULE B This forms part of development Permit # DP04 T0253



LAUNDHY,"

KITCHEN ENTRY

DEN



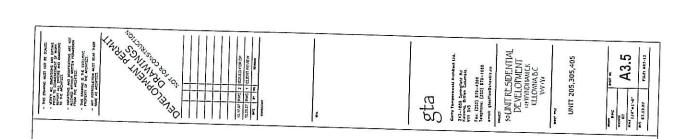
MASTER BEDROOM

W.I.C.

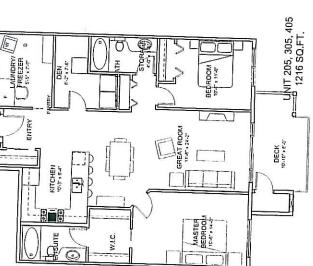
This forms part of developmen.
Permit # \$\int \Per \fo \text{Po} \text{\$\fo \text{}}\$

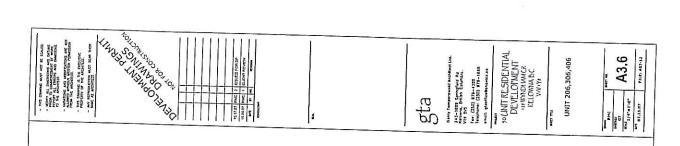
UNIT 105 1211 SQ.FT. GREAT ROOM I

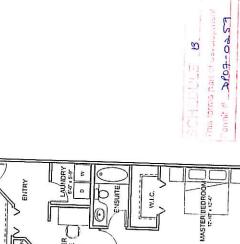
PATIO











LIVING AREA

GINING AREA

COMPUTER ALCOVE

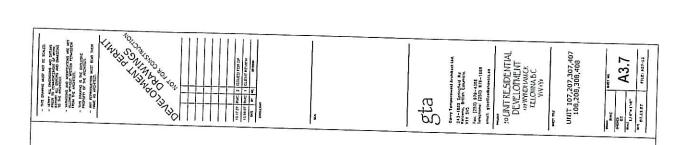
> 616 616

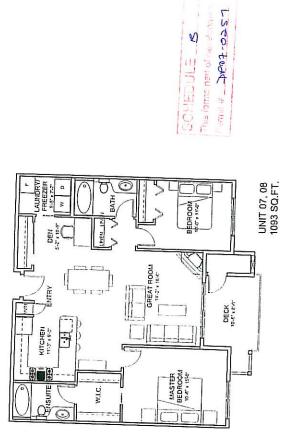
MITCHEN MATTER M

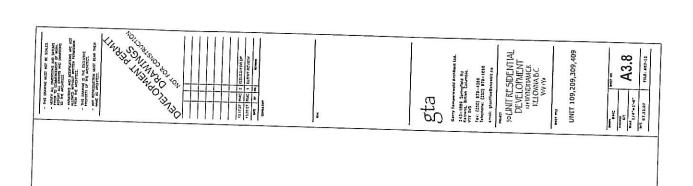
BEDROOL!

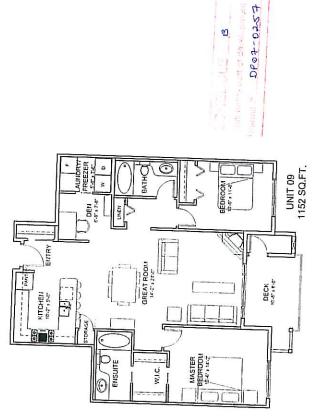
UNIT 06 1149 SQ.FT.

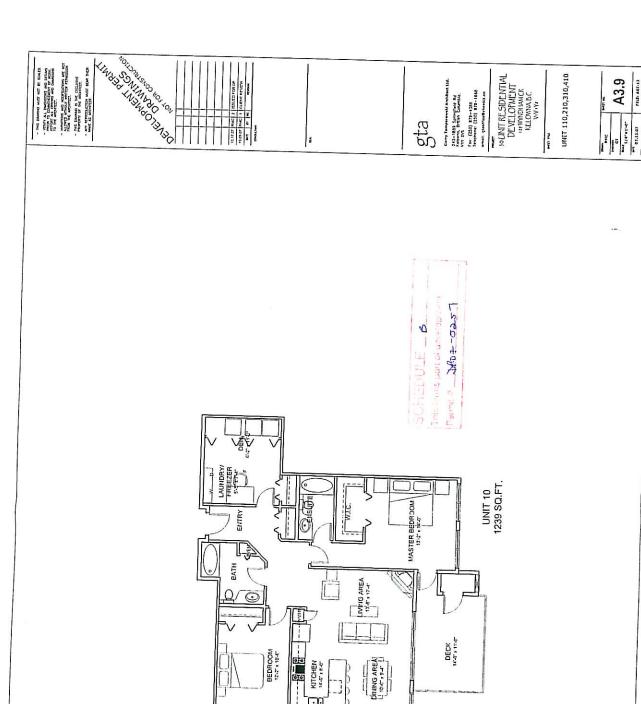
DECK











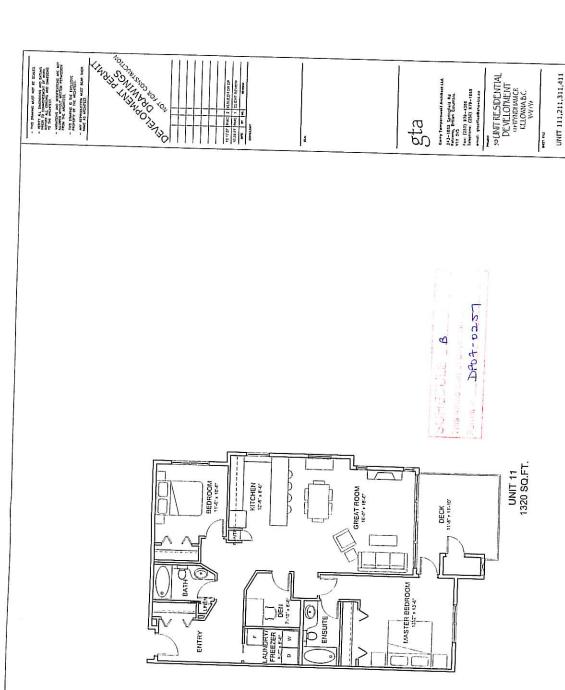
BEDROOM 12.2" x 10-4"

KITCHEN

Dining AREA

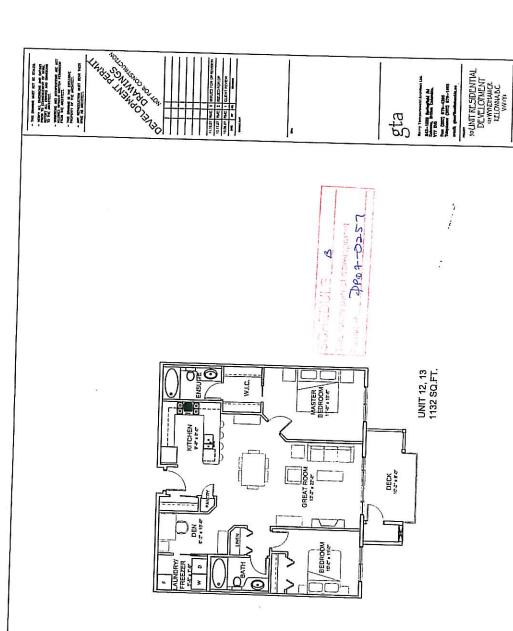
DECK ICT 11TO

71121-467-12



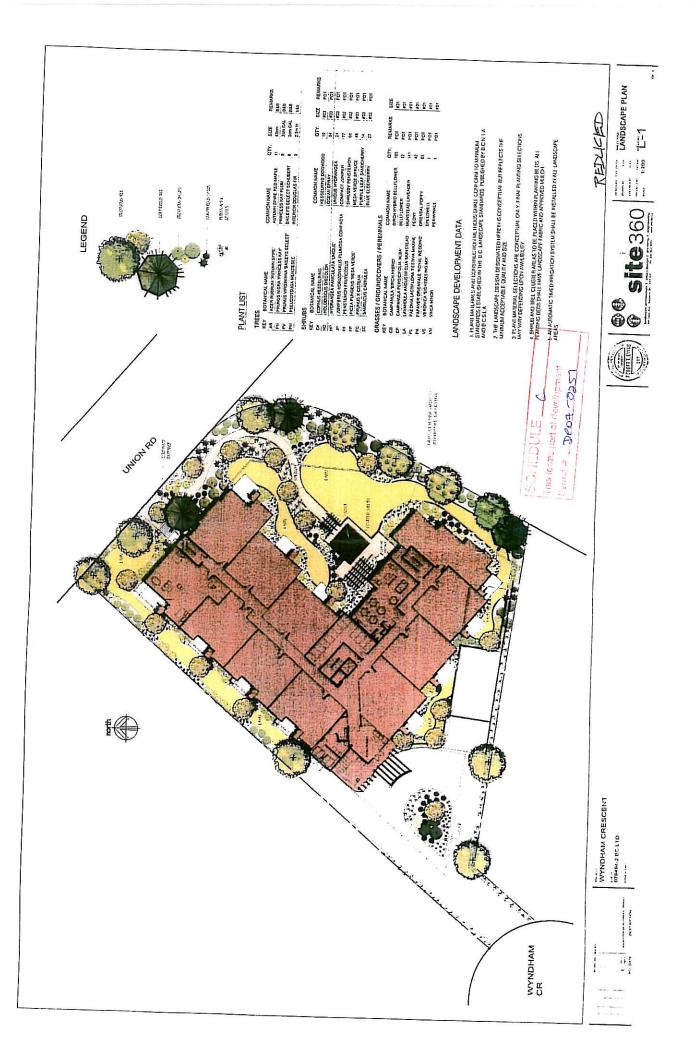
A3.10

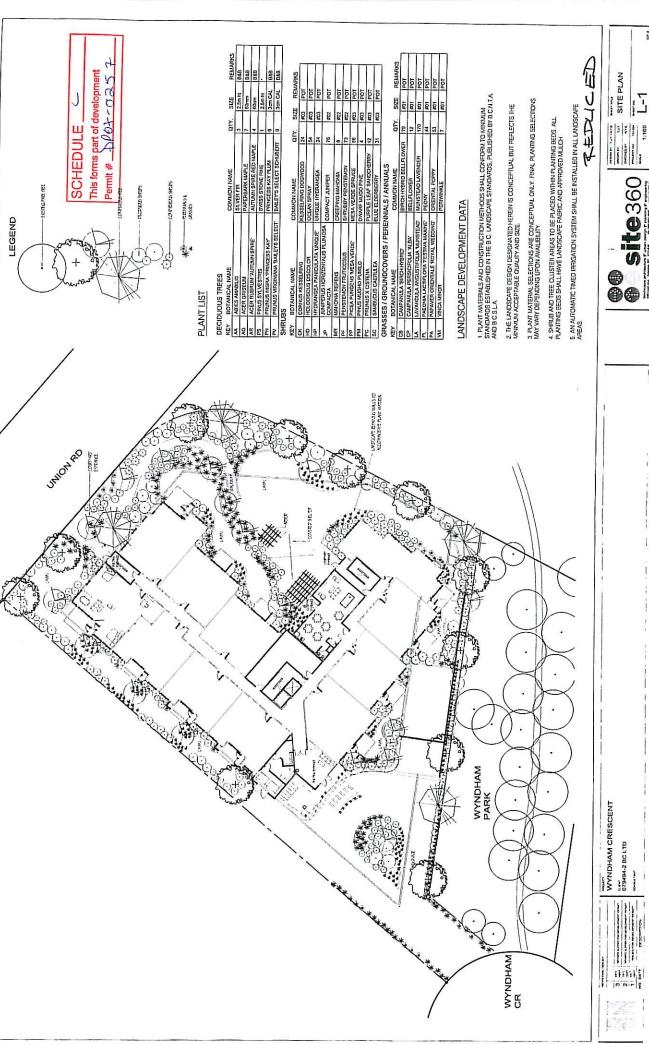
Per Process of Land (1,4° a1)-@\*



UNIT 112,212,312,412 113,213,313,413

A3.11





**e**360 **⊕ ⊕** ⊕

WYNDHAM CRESCENT 079494-2 BC LTD

2 see seed both or seed of the seed of the

