CITY OF KELOWNA

MEMORANDUM

DATE:

September 11, 2009

TO:

City Manager

FROM:

Community Sustainability Division

APPLICATION: DP09-0099 / DVP09-0100 OWNER: National Society of Hope,

Inc. No. S-0025475

AT:

2059-2129 Benvoulin Court

APPLICANT: New Town Architectural Services

PURPOSE:

TO APPROVE A DEVELOPMENT PERMIT FOR THE FORM AND CHARACTER OF THE PROPOSED 5 STOREY RESIDENTIAL

DEVELOPMENT:

TO APPROVE A DEVELOPMENT VARIANCE PERMIT TO VARY THE HEIGHT FROM 4 STORIES PERMITTED TO 5 STORIES PROPOSED AND TO VARY THE PARKING FROM 87 STALLS REQUIRED TO 72

STALLS PROPOSED.

EXISTING ZONE:

RM5 - Medium Density Multiple Housing

REPORT PREPARED BY: Alec Warrender/Paul McVey

1.0 RECOMMENDATION

THAT Final Adoption of Zone Amending Bylaw No. 10090 be considered by Council;

THAT the Council authorize the issuance of Development Permit No. DP09-0099 for Part of Lot A, DL 128 & 142, O.D.Y.D., Plan KAP85660, Exc. Plan KAP86951, located on Benyoulin Court. Kelowna B.C., subject to the following:

- The dimensions and siting of the building to be constructed on the land be in a) general accordance with Schedule "A";
- The exterior design and finish of the building to be constructed on the land be in b) general accordance with Schedule "B";
- Landscaping to be provided on the land be in general accordance with Schedule c) "C";
- The applicant be required to post with the City a Landscape Performance d) 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 condition No. 4 within 180 days of Council approval of the Development Permit application in order for the permit to be issued.

DP09-0099 / DVP09-0100 - Page 2

AND THAT Council authorize the issuance of Development Variance Permit No. DVP09-0100; for Part of Lot A, DL 128 & 142, O.D.Y.D., Plan KAP85660, Exc. Plan KAP86951, located at 2059-2129 Benvoulin Court, Kelowna, B.C.;

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

Section 8.1 – Off Street Vehicle Parking - Parking Schedule (Table 8.1) Vary the parking stalls from 87 required to 72 proposed.

Section 13.11.6 (c) – <u>Development Regulations - Height</u>
Vary the height of the building from 16.5m / 4 storeys permitted to 16.5m / 5 storeys proposed

2.0 SUMMARY

To consider a Development Permit for the form and character of the proposed 5 storey, 72 unit residential development. Also to consider a Development Variance Permit to vary the height from 4 stories permitted to 5 storeys proposed and to vary the parking from 87 stalls required to 72 stalls proposed.

3.0 ADVISORY PLANNING COMMISSION

The above noted applications were reviewed by the Advisory Planning Commission at the meeting of September 1, 2009 and the following recommendations were passed:

THAT the Advisory Planning Commission support Development Variance Permit Application No. DVP09-0100, for 2059 – 2129 Benvoulin Court; Lot A, Plan 85660, Sec. 21, Twp. 26, ODYD; to vary the height from four stories permitted to five stories proposed.

THAT the Advisory Planning Commission support Development Variance Permit Application No. DVP09-0100, for 2059 – 2129 Benvoulin Court; Lot A, Plan 85660, Sec. 21, Twp. 26, ODYD; to vary the parking from 87 stalls required to 72 stalls proposed.

AND THAT the Advisory Planning Commission support Development Permit Application No. DP09-0075, for 2059 – 2129 Benvoulin Court; Lot A, Plan 85660, Sec. 21, Twp. 26, ODYD; to approve the form and character of the proposed five storey residential development.

4.0 BACKGROUND

This development node was created with the realignment of Benvoulin Road, connecting directly to Dilworth Drive. This realignment resulted in an expansion of developable land east of Benvoulin Court. These lands were removed from the Agricultural Land Reserve in 2003, and designated for multiple-family (medium density) development within the Kelowna 2020 – Official Community Plan.

The rezoning application for this development has been through the Public Hearing held on October 28, 2008, and is currently sitting at 3rd reading. The development application originally submitted in 2007 was for the entire project at build out. This project was originally designed to be phased but due to external constraints the project team had to reassess their approach. Under this application a Development Permit for phase 1 has been submitted in order to have this portion of the project move forward in a timely manner.

5.0 THE PROPOSAL

The proposed project is a 72 unit development consisting of a 4 storey wood framed residential complex over a two storey concrete structure including one level of amenity space and one level of underground parking. The orientation of the building is designed to efficiently utilize the property while anticipating a larger master planned scheme that will allow for a main courtyard between the buildings with one main drop-off / pick up. The introduction of balconies, bay windows and bevelled column build-outs provide the building with sufficient articulation. The large roof over-hangs add to the visual interest and provide shading and weather protection. The exterior materials will be a combination of stucco, vinyl and hardi board. These materials along with the natural colour palette add to the buildings character (See applicants attached design rationale).

Vehicle access to this project will initially be provided from Benvoulin Court. However, a Road Reserve is registered such that access to Benvoulin Road at Mayer Road would also be possible (See Attached). In conjunction with the Road Reserve a lot line adjustment application has been processed in order to create the lot shown in the Development Permit drawings.

Through colour and material usage, the design of the building has a reasonable degree of visual interest. The trellises located along the first floor will help to introduce some landscaping into the building design. The introduction of balconies, bay windows and bevelled column build-outs provide the building with sufficient articulation. The large roof over-hangs add to the visual interest and provide shading and weather protection. Staff have made some design suggestions in order to help improve the overall form and character of the project, as this project is located across the road from the ALR interface, Staff have encouraged the applicant to strengthen the pastoral theme. Staff have also requested that the form and character and landscape treatments are complimentary to the future phasing and adjacent developments.

The application complies with the requirements of Zoning Bylaw No. 8000 as follows:

| Criteria | Proposal | RM5 Zone Requirements | |
|--------------------|------------------------|--------------------------------|--|
| | Subdivision Regulation | ons | |
| Lot Area | 3,594.3m ² | 460m ² | |
| Lot Width | 30.5m | 30.0m | |
| Lot Depth | 40.9m | 35.5m | |
| | Development Regulation | ons | |
| | | 1.2 | |
| Floor Area Ratio | 1.2 | 1.1 – permitted outright | |
| | | 0.1 covered parking bonus | |
| Site Coverage | 38.2% | 40% - Building Footprint | |
| | 60% | 60%-Buildings/Coverage/Parking | |
| Height | 16.5m / 5 storeys (V1) | 16.5m / 4 storeys | |
| Front Yard | 6.0m | 6.0m | |
| Side Yard | 7.5m | 7.5m | |
| Side Yard | 7.5m | 7.5m | |
| Rear Yard | 9.0m | 9.0m | |
| | Other Regulations | | |
| Parking Stalls | 72 stalls (V1) | 87 stalls | |
| Bicycle Parking | Class I: 34 spaces | Class I: 34 spaces | |
| | Class II: 8 spaces | Class II: 8 spaces | |
| Private Open Space | 1,556 m ² | 1,100 m ² | |

⁽V1) Vary the height from 4 storeys permitted to 5 storeys proposed

⁽V2) Vary the parking from 87 required to 72 proposed

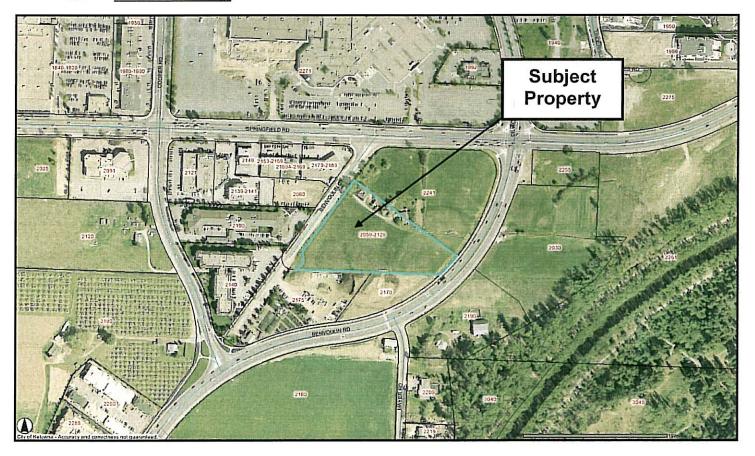
5.1 Site Context

The subject property is located in the Highway Urban Centre, and is designated as "Multiple Unit Residential – Medium Density". The adjacent land uses are as follows:

| Direction | Zoning Designation | Land Use |
|-----------|---|---------------------------|
| North | RM4 – Transitional Low Density Housing (Under application) | Residential |
| East | A1 – Agricultural 1 - ALR | Agriculture |
| South | A1 – Agricultural 1 (Multi-family designation) | Vacant |
| West | C4 – Urban Centre Commercial RM5 – Medium Density Multiple Housing | Commercial Residential |

5.2 Site Location Map

2059-2129 Benvoulin Court



6.0 CURRENT DEVELOPMENT POLICY

6.1 Official Community Plan

8.41 – 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 in a list published by the City.

8.44 – Integration – Encourage the sensitive integration of different housing forms in the various sectors of the City, in support of neighbourhood diversity and healthy communities.

8.50 – Housing in the Urban Corridor – A more varied housing supply and means of increasing affordability should be actively sought for the neighbourhoods surrounding and including the Urban Town Centres and the Highway 97 corridor extending to the north boundary of the City, north, south and east of Highway 97 as it changes to a northerly direction.

6.2 Objectives for Development within Urban Centres (OCP Chapter 6)

- 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).

<u>Access</u>

- Design should facilitate pedestrian and bicycle access.
- Vehicle access and on-site circulation should minimize interference with pedestrian movement
- Vehicle access from arterial or collector roads is discouraged. Where possible, such access should be achieved from a local road or lane.
- Pedestrian access should be clearly marked.

Ancillary Services/Utilities

- Loading, garbage and other ancillary services should be located at the rear of buildings.
- Utility service connections should be screened from view.

Building Massing

- Commercial, industrial and multiple-unit residential developments should be sensitive to and compatible with the massing and rhythm of the established streetscape. Detailed design features of existing buildings should be emulated if such features are of design value.
- Commercial, industrial, and multiple-unit residential developments should have no more than a one storey height gain between adjacent uses within 5.0 m of the side property line where the adjacent property is not designated for higher density redevelopment.

<u>Parking</u>

 Parking areas should, wherever possible and safe, be located either under buildings or at the rear or side of main buildings.

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• Pedestrian circulation areas within parking lots should be convenient and clearly identified, preferably with distinct paving and/or landscaping treatment.

Relationship to the Street

- Buildings containing uses attracting visits from the general public should be located as close to the front property line as practical and as permitted under prevailing zoning regulations.
- People-oriented facilities (store entrances, café seating areas, displays, signage) should be focused along public streets and in front of buildings.
- Storefronts should incorporate large windows such that passers-by can see in and occupants can "look out".
- Awnings or overhangs should be included, where suitable, to provide sheltered environments for pedestrians and to aid in energy conservation.
- Buildings at key intersections should be designed to highlight the corner. Design treatments could include setbacks at the corner, accentuated entrances and additional height using, for instance, towers and cupolas.

Signs

 The placement, size and format of signs shall be such that signs can be easily read by pedestrians

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.

7.0 TECHNICAL COMMENTS

7.1 Building and Permitting

Vestibule required at exit stairway next to handicap stall in parkade level, handicap stall to be located near access to elevator. Egress and exiting on main floor level? Fire separations, travel distances, firewalls? Possible high water table area. (NOTE: These issues will be dealt with at Building Permit stage)

7.2 Development Engineering

The Development Engineering comments and requirements regarding this application are as follows:

1.General.

- a) Requirements of the rezoning application no. Z07-0016 and subdivision application no. S07-0023 must be satisfied before the Issuance of this Development Permit.
- b) Provide easements and right of way as required.

2. Storm drainage.

A comprehensive drainage site management plan and design to comply with the City's Drainage Design and Policy Manual, is a requirement of this application.

3. Access and circulation.

- a) The on-site circulation plan for passenger vehicles submitted in support to this application appears acceptable.
- b) The location of the garbage enclosure is not ideal from a servicing point of view. The trucks are not able to manoeuvre safely without baking up for a long distance and will have to back up from or onto the public right of way without the provision of a turnaround.

(A servicing agreement has been executed to address the above noted items)

7.3 Fire Department

Engineered fire flows are required to determine if existing hydrants/fire flows are adequate and if additional hydrants are necessary. The fire department connection is required to be within 45M of a fire hydrant.

Additional comments will be required at the building permit application.

7.4 Fortis

No Response

7.5 Ministry of Transportation

With regards to this application, the Ministry has no objections.

7.6 Parks Planning Manager

No Comment

7.7 Public Health Inspector

Subject to water & sewer approval.

7.8 Shaw Cable

Owner/developer to install an underground conduit system

7.9 Telus

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

7.10 Terasen Utility Services

Please be advised that our gas facilities will not be adversely impacted; therefore, Terasen Gas has no objection to this proposal.

8.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

The subject property is located within a Greenfield area of the urban centre, and has the potential to establish a design tone for the remainder of the build out. Fostering the sensitive integration of a wide variety of housing forms is a strong civic objective and this project will be an affordable form of seniors housing. Developing these vacant properties will also help to revitalize the area which has been underutilized since the Benvoulin Road realignment. This project seeks to provide a much-needed form of housing, at an affordable price, and in a location which allows for alternate modes of transportation to nearby commercial and recreation amenities.

The project for affordable rental and income assisted housing is located in an Urban Centre with a full range of shopping services, employment opportunities and near a transit route / station that fulfils major OCP objectives with respect to affordable housing, compact urban form, TDM, and transit oriented development.

The reduction in the parking provided is justifiable for a number of reasons. The National Society of Hope has experience in providing this form of housing and is well aware of the parking demands of the future tenants that typically are not auto dependent. Construction of any surplus parking that would go unused is a waste of resources that could be better spent on reducing the housing cost. Furthermore, the location of this facility is within reach of various amenities (e.g. shopping, Mission Park Greenway, medical services etc.) through other modes of transportation (walking, cycling, transit, scooters, etc.). In this case there appears to be good reason not to satisfy this parking requirement.

In response to the traffic concerns highlighted in the Benvoulin Triangle Transportation Impact Study a Road Reserve has been secured and this will reserve a connection between Benvoulin Court and Benvoulin Road. Securing this reserve will allow for a road to be constructed at a later date if traffic becomes an issue at the Benvoulin Court and Springfield Road intersection.

Danielle Noble

Urban Land Use Manager

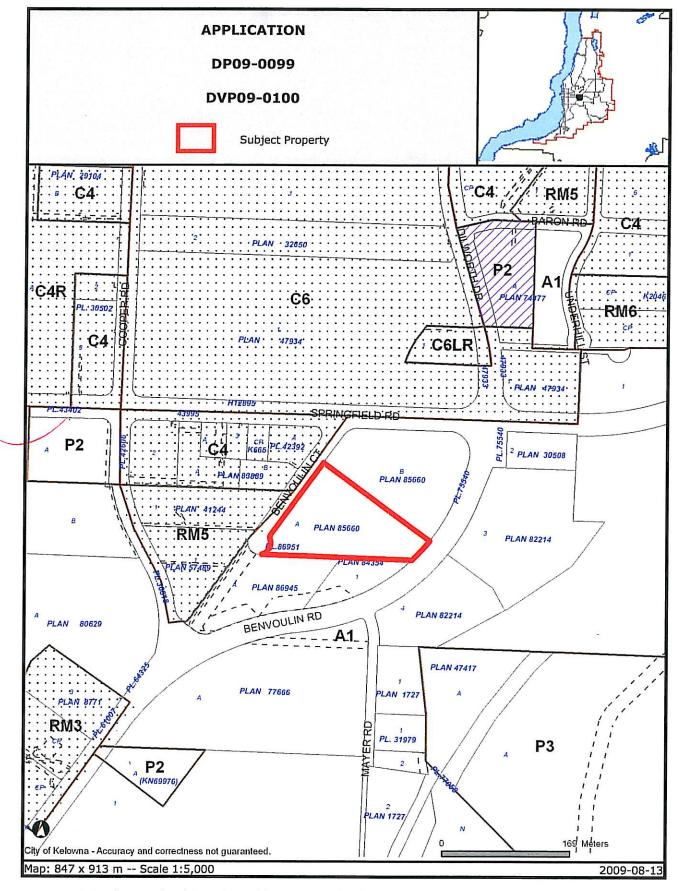
Approved for inclusion: Shelley Gambacort

Director of Land Use Management

DN/aw

ATTACHMENTS

- Location Map
- Subdivision Plan
- Site Plan & Elevations
- Colour & Materials Board
- Landscape Plan
- Applicants Design Rationale



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.



Aug 12, 2009

Our File: 3165

City of Kelowna 1435 Water Street Kelowna, BC V1Y 1J4

Attention: Alec Warrender, Planning & Development Officer

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Dear Mr. Warrender:

Re: Development Permit Application for

0000 Benvoulin Court

This development proposal will adhere to the requirements of the RM-5 zone as described in the City of Kelowna Zoning Bylaw No. 8000.

Project Description

The proposed project is a 72-unit, 4-story wood framed residential complex over a two story concrete structure including one level of Amenities and one level of underground parking garage. Access to the building and the parking will be off of Benvoulin Court. At present the lot is zoned A1 (not within ALR) with the OCP designating the future land use to be medium density RM5.

Pedestrian access will be off Benvoulin Court. Garbage and recycling will be enclosed within the parking garage and picked-up by way of staging area near the Parking ramp (East of property).

Design Rationale

As the lot only has a single street frontage off Benvoulin Court, the building design features a simple shaped footprint that minimizes the visual impact to Benvoulin Court. The orientation of the building is designed to efficiently utilize the property while anticipating a larger master plan scheme that will allow for a main courtyard between the buildings with one main drop off/pick up. This will create visual interest all around the project while helping to reduce security issues for the projects.

The building is highly articulated by the introduction of balconies, bay windows, beveled column build-outs with canted struts and undulating vertical planes to further soften the

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overall mass of the building. Large roof over-hangs add to the visual interest and provide needed shading and weather protection.

The exterior materials will be a combination of stucco, Vinyl and hardi board. These materials, along with the corresponding rich natural colour palette, will further add to the visual diversity and provide a sophisticated addition to the existing urban context. The building has been designed without a typical base to create more focus on the vertical elements rather than the horizontal mass.

Requested Variance

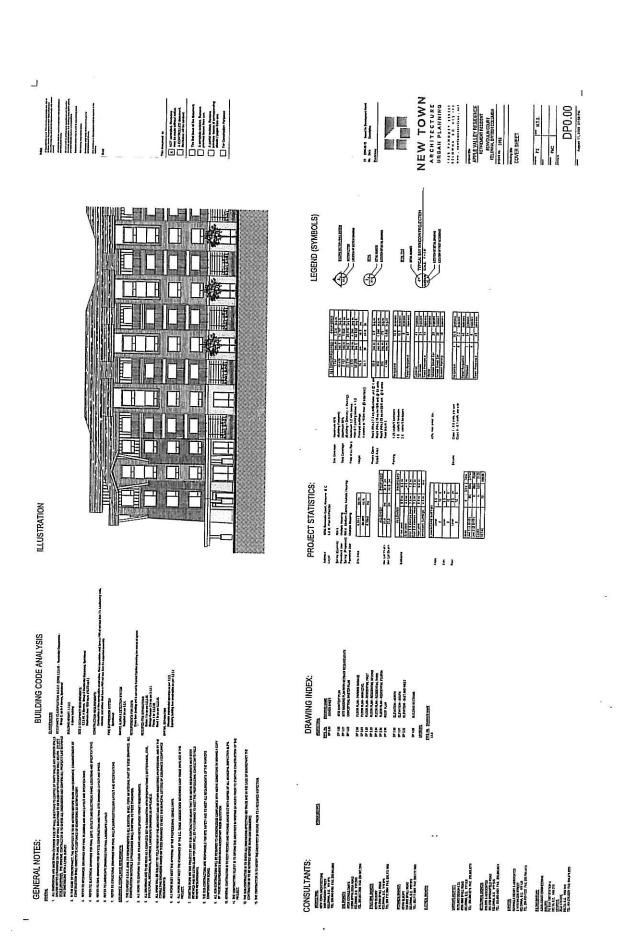
- 1) Through the design process we concluded that in order to provide the needed density and amenities that will be offered to the occupants we needed to increase our number of floors to 5. The new building code allows for this type of design and construction. Although the building is deviating from the Zoning in the number of story's the building height limit is being maintained.
- 2) We also request a reduction of parking stalls from the required 87 to 72 which all but 31 will be located completely underground. We feel this is a justifiable variance for the following reasons:
 - a) The target market for this project is senior's rental housing all of which do not traditionally own two cars. We have allowed for one stall for each unit in anticipation of the actual parking requirement reality.
 - b) Sustainable design dictates that people should live closer to work and amenities in order to reduce our carbon footprint. This project is located well within walking distance of all major amenities and major bus routes servicing downtown and the university. The location of this project reduces the need for a car to the point where it is a choice rather than a necessity. The owner also anticipates providing a car co-op program for those that need to get around from time to time but without the hassles of car maintenance and up keep.

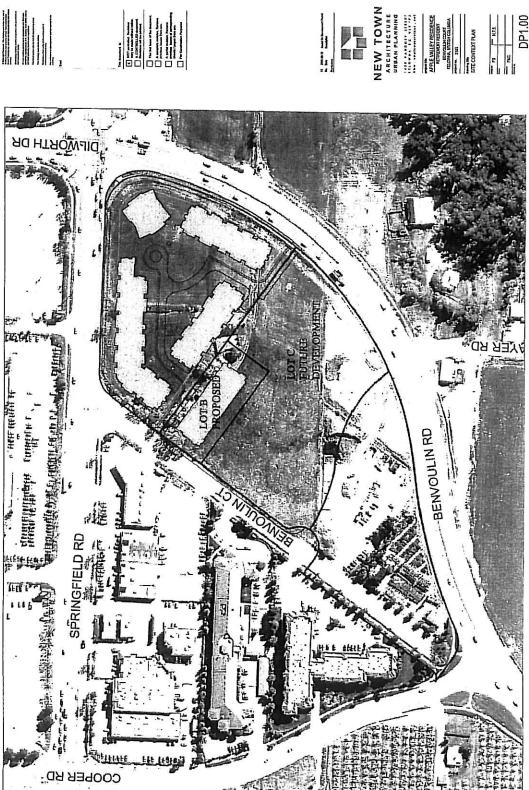
I trust that you will find our application in good order. Please contact our office if you require any further information.

Sincerely,

Patrick M. McCusker, M.A.I.B.C Principal

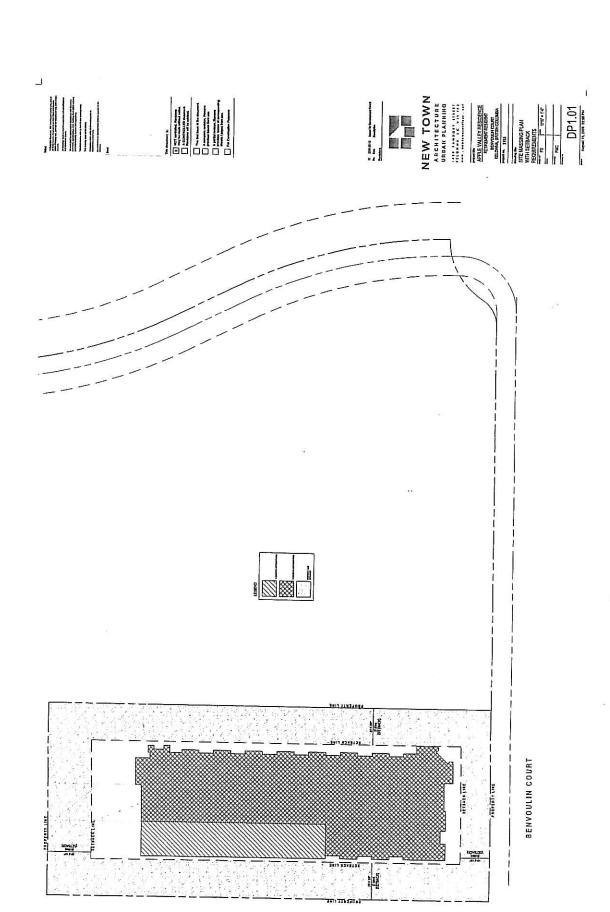
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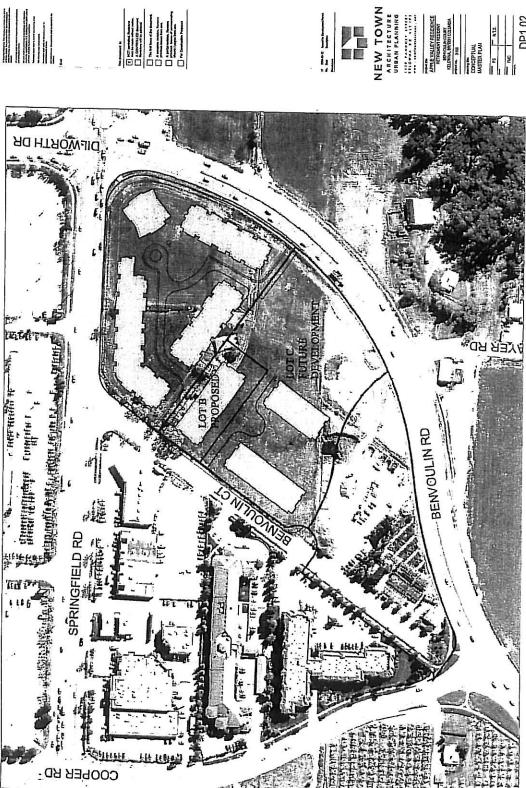






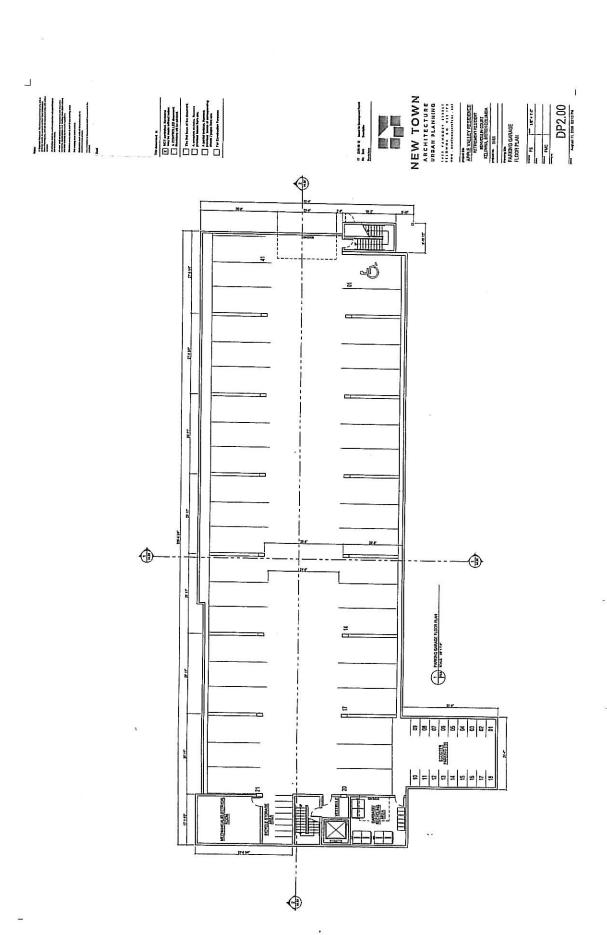














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ARCHITECTURE
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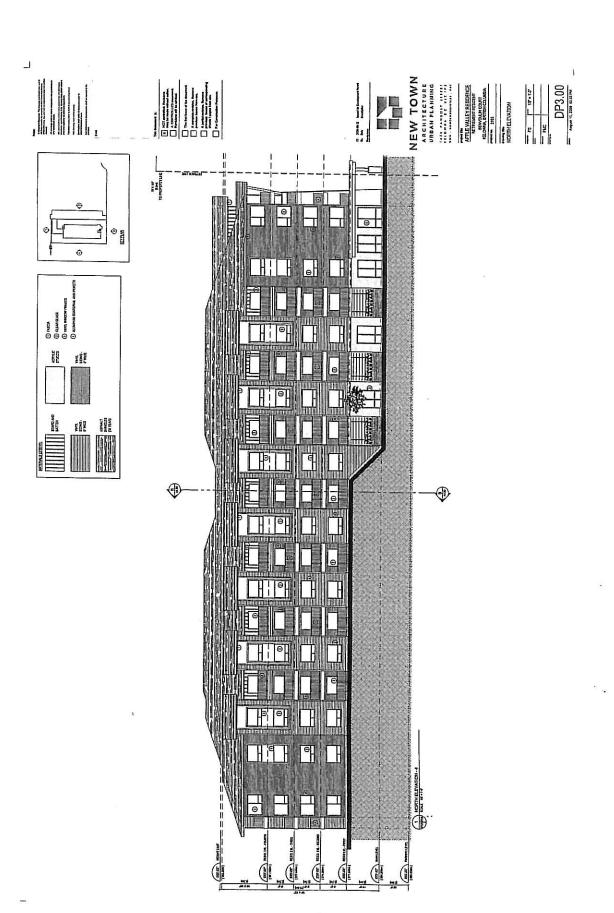
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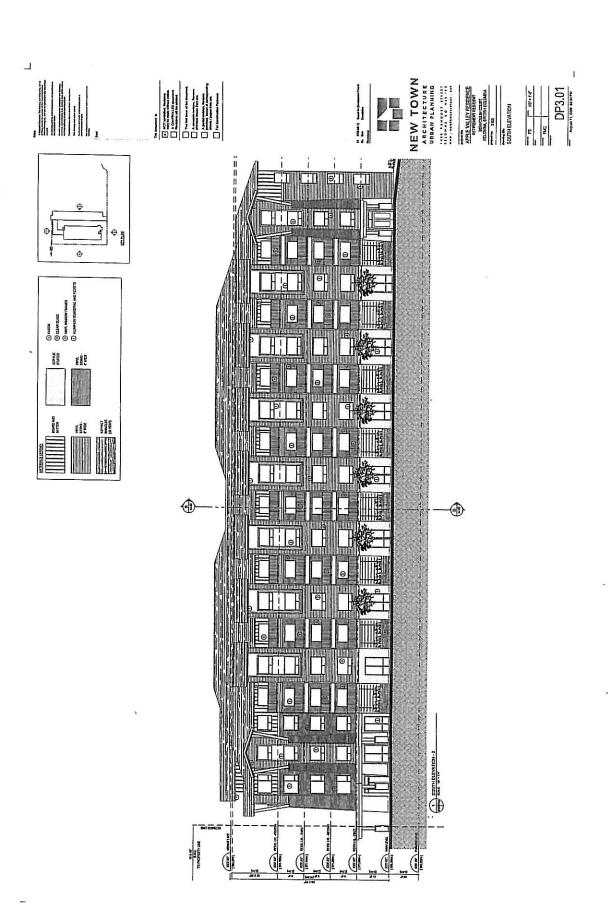
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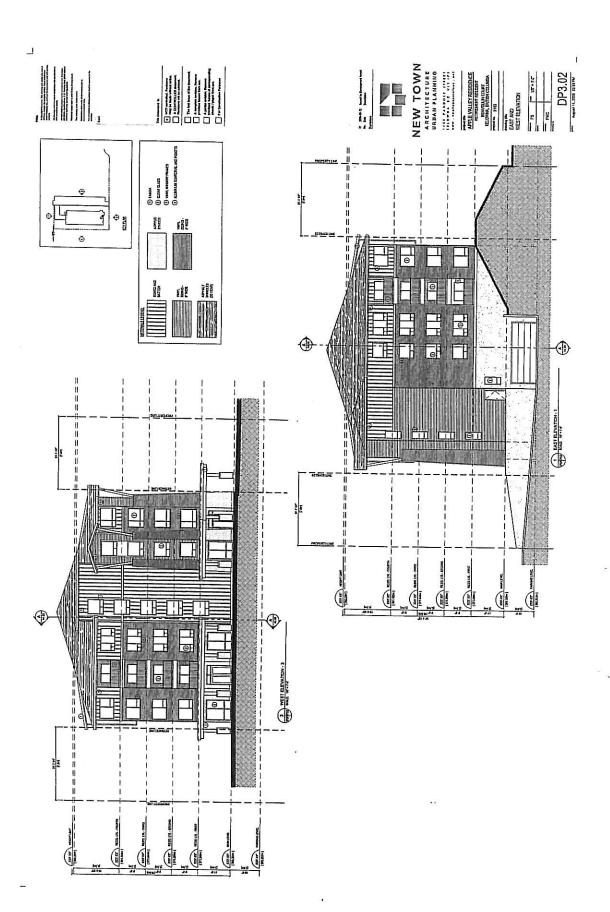
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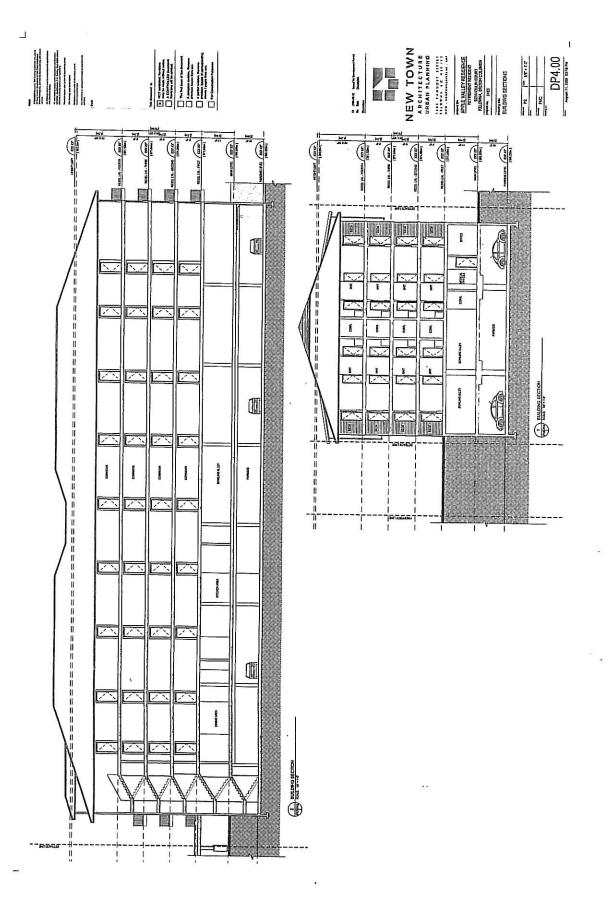
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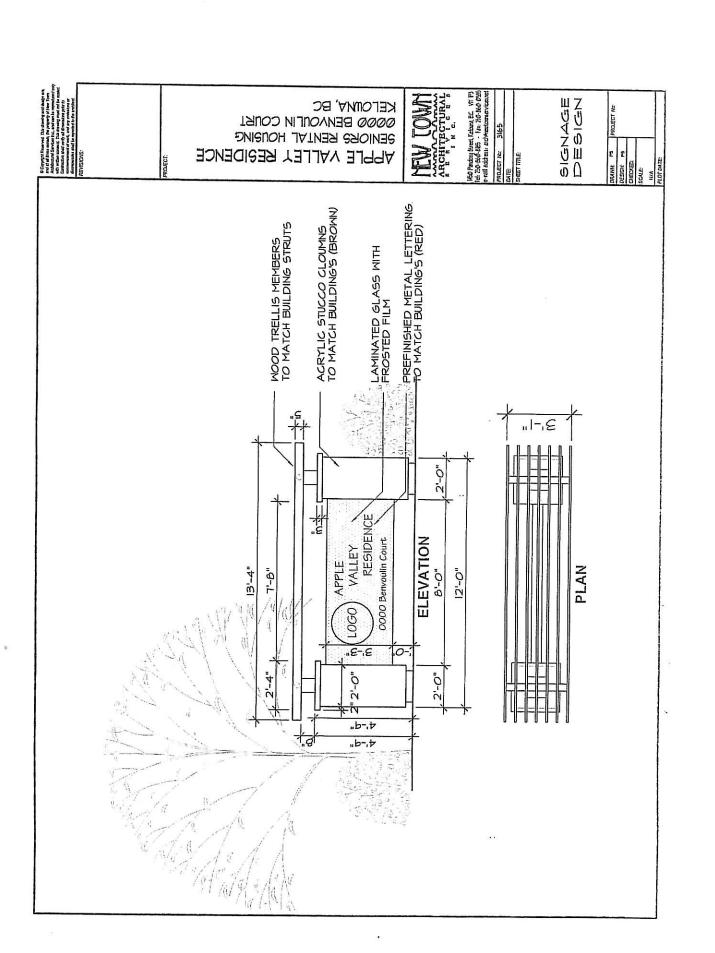
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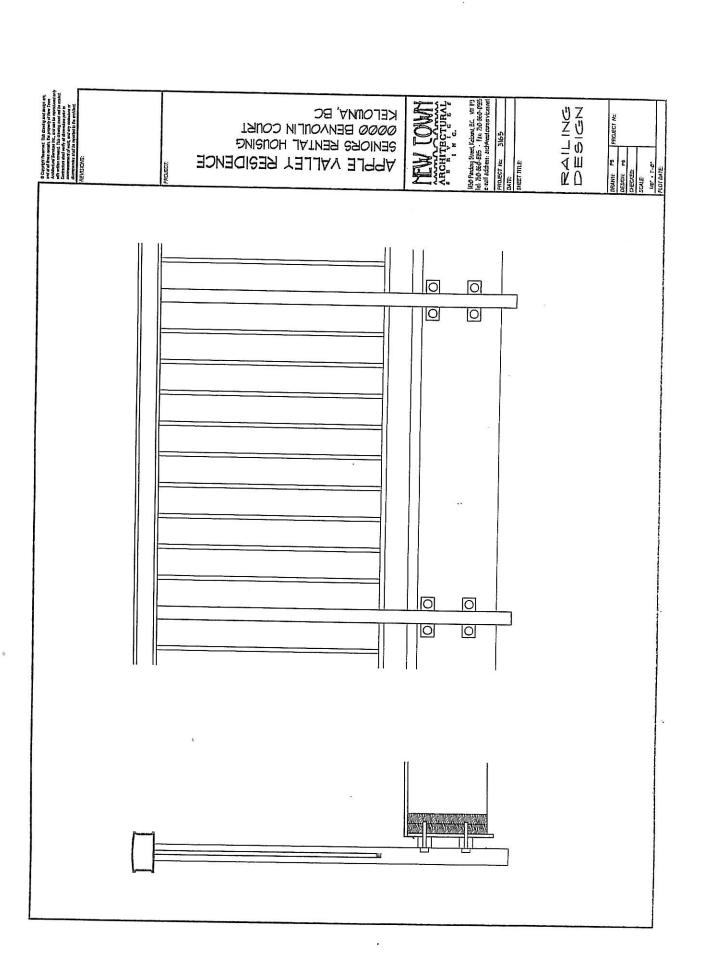












Apple Valley Residence

