

Memo



Date: May 31, 2010

To: City Manager

From: Community Sustainability Division

File No: DP07-0056 **Applicant:** Worman Resources Inc.
DVP09-0163

At: 500 Cook Road **Owner:** R 93 Enterprises Ltd.

Purpose: To obtain a Development Permit to authorize the form and character of a 126.2 m² meeting room addition to the second floor of existing building;
To obtain a Development Variance Permit to vary allowable projections into a required sideyard from 0.6m permitted to 1.06m proposed

Existing Zone: C9 - Tourist Commercial

Existing Future Land Use: Commercial

Report Prepared By: Paul McVey

1.0 RECOMMENDATION:

THAT Council authorize the issuance of Development Permit No. DP07-0056 for Lot 1, Sections 1 & 12, Township 25 and District Lots 134 & 5225, ODYD, Plan KAP67232; located at 500 Cook Road, Kelowna, BC subject to the following:

- 1) THAT the dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
- 2) THAT the exterior design and finish of the building to be constructed on the land, be in general accordance with Schedule "B";

AND THAT Council authorize the issuance of Development Variance Permit No. DVP09-0163 for Lot 1, Sections 1 & 12, Township 25 and District Lots 134 & 5225, ODYD, Plan KAP67232; located at 500 Cook Road, Kelowna, BC;

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

Section 6.4.2 - Projections into Yards

Vary the maximum permitted projection into a yard from 0.6m permitted to 1.06m proposed.

2.0 SUMMARY:

The applicant is proposing to construct a 126.2m² meeting room where an outdoor deck area currently exists and which is above the existing retail liquor store. This Development Permit application addresses the form and character of the modest addition and enclosure to the existing commercial area of the Hotel Eldorado building. A Development Variance Permit is requested to vary the allowable projection into a sideyard from 0.6m permitted to 1.06m proposed.

3.0 ADVISORY PLANNING COMMISSION:

The above noted application was reviewed by the Advisory Planning Commission at the meeting on February 16, 2010 and the following recommendations were passed:

THAT the Advisory Planning Commission support Development Permit Application No. DP07-0056, 500 Cook Road, to allow a Development Permit for a second storey addition above existing sales area.

THAT the Advisory Planning Commission support Development Variance Application No. DVP09-0163, 500 Cook Road, to vary projection into side yard from .6 m allowed to 1.1 m proposed for existing stairway.

COMMENT:

While the Advisory Planning Commission supports the above applications, the APC would like to ensure that the previous approvals dating back several years regarding the construction and repairs of the boardwalk should be expedited and to secure the public right-of-way.

The Advisory Planning Commission supported the Development Variance Permit, based on the fact that the variance was considered minor and did not significantly encroach on the public right-of-way.

4.0 BACKGROUND:

The existing Hotel Eldorado was constructed on the subject property in 1990, as authorized by DP89-10,007. Since that time, multiple approvals have been executed:

- In 1998, a Development Permit (DP98-10,011) was issued to authorize development of a gas bar and convenience store on the dock;
- In 2000, a Development Permit (DP00-10,006) was issued to authorize enclosure of some outdoor deck areas and a corresponding Variance Permit to allow the location of a patio enclosure that was located 4.5 m from the boundary of the lake, where the regulation required a minimum setback of 15 m.
- In 2003, a Development Permit (DP03-0050) was issued for construction of a 5 storey, 40 room apartment hotel addition as well as changes to the boardwalk along the lake. The apartment hotel construction has been completed, while the boardwalk project is still pending. That application "grandfathered" 75 on-site parking stalls as being adequate for the development at that time.

Accordingly, this original application was submitted in 2007 for a flat roofed structure to be added to the outdoor deck area above the liquor store. That application was held in abeyance pending a variance application for the number of parking stalls. Meanwhile, the application has been revised to utilize a pitched roof configuration to the proposed addition and to add a second exit stairway. A Development Variance Permit is required to address the permitted projection into the south side yard which is exceeded by the new proposed exit stairway.

4.1 The Proposal

The revised addition somewhat smaller than the original submission and converts one of the existing hotel rooms into a service area for the new meeting room. There will be no increase in building footprint, as the additional building floor area will be created on top of an existing floor area, and will not impact the existing site development. The proposed redevelopment of the roof area into a meeting room will involve the conversion of one hotel suite into service space for the meeting room. The reduction in size of the floor area and the removal of one of the hotel rooms (along with a reconfiguration of the parking lot) makes the parking comply with the required provision of parking stalls.

The exterior of the proposed addition is designed to be finished with window units around the perimeter and infill wall portions that are designed to be finished with the same stucco finish as the existing building. The new roof is designed with the same slope and materials as the existing building. The fascia is designed to be painted “white” to match the existing building.

The existing internal access from the second storey level of the hotel will remain, as well as the existing access stairways at the front of the building. There will be a new exit stairway added to the south side of the addition. This new stairway projects 1.06m into the required sideyard setback where the zoning bylaw permits a maximum of 0.6m.

The proposal as compared to the C9 zone requirements is as follows:

CRITERIA	PROPOSAL	C9 ZONE REQUIREMENTS
Site Area (m ²)	5,610 m ²	1,800 m ²
Site Width (m)	77 m	30 m
Site Coverage (%) [bldgs only] [Buildings and parking structure]	26% 72%	N/A
Total Floor Area (m ²) gross Net	4,467 m ² 3,821 m ²	Max 8,415 m ² @ FAR = 1.5
F.A.R.	0.68	1.5 for apartment hotels / hotels
Storeys (#)	5 storeys (15m)	6 storeys (22m)
Setbacks (m)		
- Front (Cook Rd) [to hotel]	40.2 m	6.0 m
- [To parking structure]	3.0 m	
- Rear [deck enclosure] [covered patio] [apartment hotel building]	7.5 m 4.8 m ① 9.1 m	4.5 m for motel or accessory bldg 15.0 m from HWM Creek or Lake
- South Side (Capozzi Rd)	3.0 m ②	4.5 m to flanking street
- North Side [hotel]	4.5 m	3.0 m
Parking	77 stalls required ③	75 stalls “grandfathered” 2 additional stalls provided = Total 77 stalls provided

DVP00-10,030 was issued to approve the following variances;

- ① 10.2 m variance, from the required 15.0 m leave strip to the 4.8 m setback to the patio cover
- ② 1.5 m variance, from the required 4.5 m flanking side yard to the 3.0 m setback existing
- ③ New meeting room space at 126.2m² @ 2.2 stall per 100 m² requires 3 additional stalls
75 stalls “grandfathered”, less 1 stall for 1 unit removed, plus 3 additional stall = 77 stalls required

Parking review;

Existing hotel, dining room and marina “grandfathered” in at	55 parking stalls
(per DP89-10,007)	
(DP03-0054)	
2003 addition requires	20 new stalls
“Grandfathered” parking	75 stalls “required”

4.2 Site Context

The subject property is currently developed with a 5 storey, 60 room hotel building. A boardwalk along the lakeshore and a marina facility are located on the lake fronting the subject property with approximately 28 boat slips.

Site Location Map



Adjacent zones and uses are, to the:

- North - C9 - Tourist Commercial / Manteo Beach resort
- W2 - Intensive Water Use
- East - P1 - major Institutional / Cook Road, City parking lot
- South - RU1 - Large Lot Housing/ Boat Launch, Single Family Residential uses
- West - W2 - Intensive Water Use / Okanagan Lake, Marina use

5.0 Current Development Policy and Regulations

The purpose of the C9 - Tourist Commercial zone is preserve land for the orderly development of commercial visitor accommodation.

5.1 OCP Guidelines for Commercial Development

- Buildings, structures and additions should be designed and sited in a manner compatible with adjacent buildings and open areas.
- Development on or along the lake should minimize impacts on upland lake views
- Development on or along the lake should be compatible with the design and siting of surrounding development (existing and anticipated)

6.0 TECHNICAL COMMENTS

6.1 Building & Permitting

Registered architectural and engineered drawings and schedules are required at the building permit stage. The exterior stairs from the proposed second floor are not protected from the main floor windows. Either the stairs are to be relocated or an alternate solution must be submitted for review. Comments provided on DVP07-0056 are still valid.

6.2 Development Engineering Branch

The proposed 126.2 square meter second floor addition and associated variance does not compromise Works and Utilities servicing requirements.

6.3 Fire Department

Engineered fire flows are required to determine if existing hydrants/fire flows are adequate and if additional hydrants are necessary. The fire sprinkler system is to be extended into the addition. Additional comments may be required at permit application.

7.0 LAND USE MANAGEMENT DEPARTMENT

This is a modest building modification that generally emulates the existing building form and character, and is primarily visible from the lakeside. The proposed building addition does not substantially increase the building mass or height, and the proposed projection variance is required for safety and building code compliance.

The proposed addition is designed to be finished with the same wall and roof finishes, and utilize the same stucco details as the existing hotel. The resulting addition is anticipated to match the existing building development. There will be no impact on the existing landscaping, as the proposed addition does not involve any change to the building footprint.

The site plan provided in support of this application indicates a minor reconfiguration of the parking lot in front of the main entrance and will add several parallel parking stalls near the main front entrance. This change will increase the parking lot to 77 parking stalls. When combined with the "grandfathered" number of parking stalls and the 2 additional parking stalls created by the reconfiguration of the parking lot, this brings the proposed addition into compliance.



Danielle Noble
Manager, Urban Land Use

Approved for inclusion:



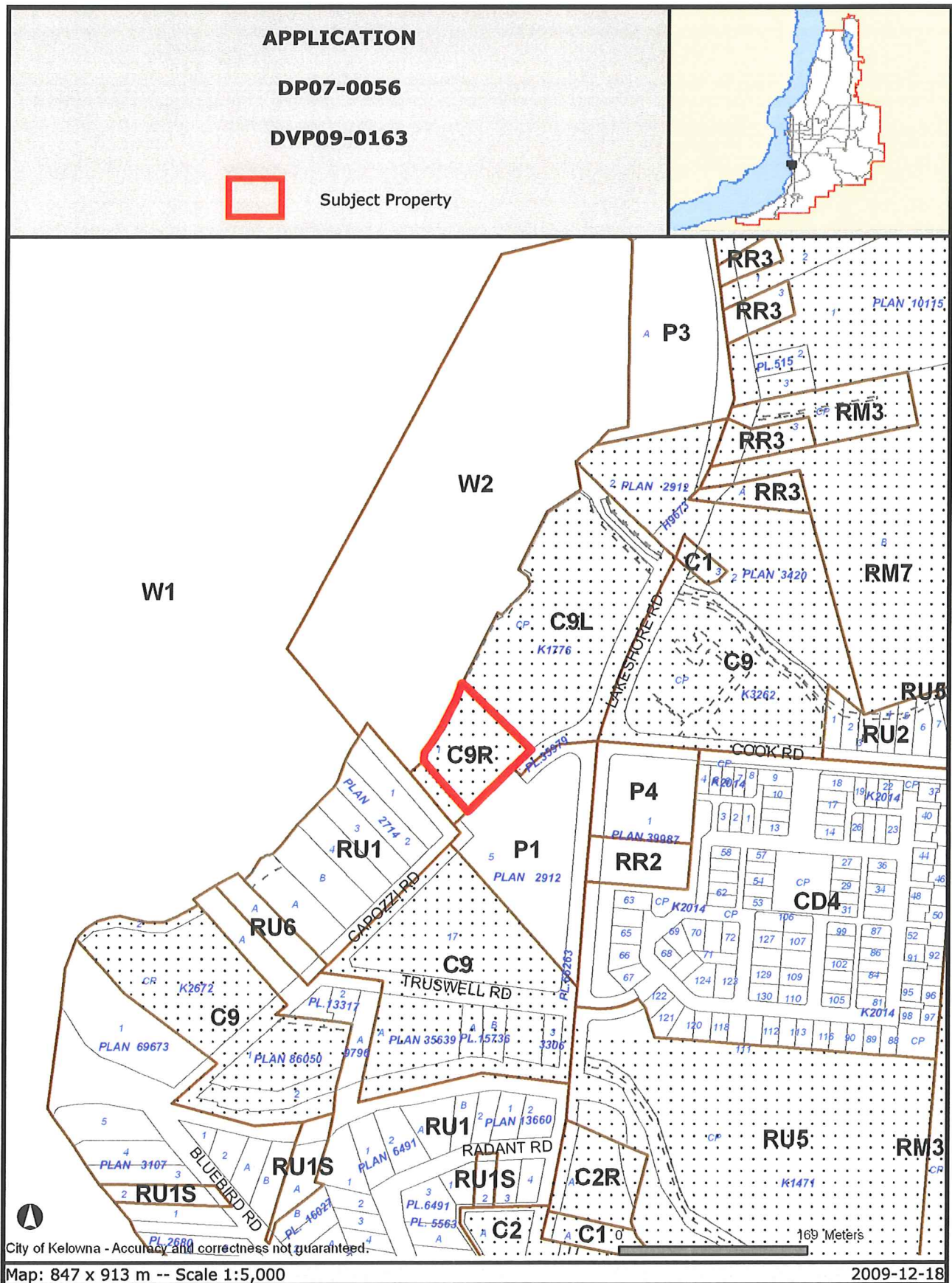
Shelley Gambacort
Director, Land Use Management

Attachments:

Subject Property Map
Schedule "A" - Site
Floor Plans
Schedule "B" - Building Elevations
Colour Photo of Existing façade

File Chronology:

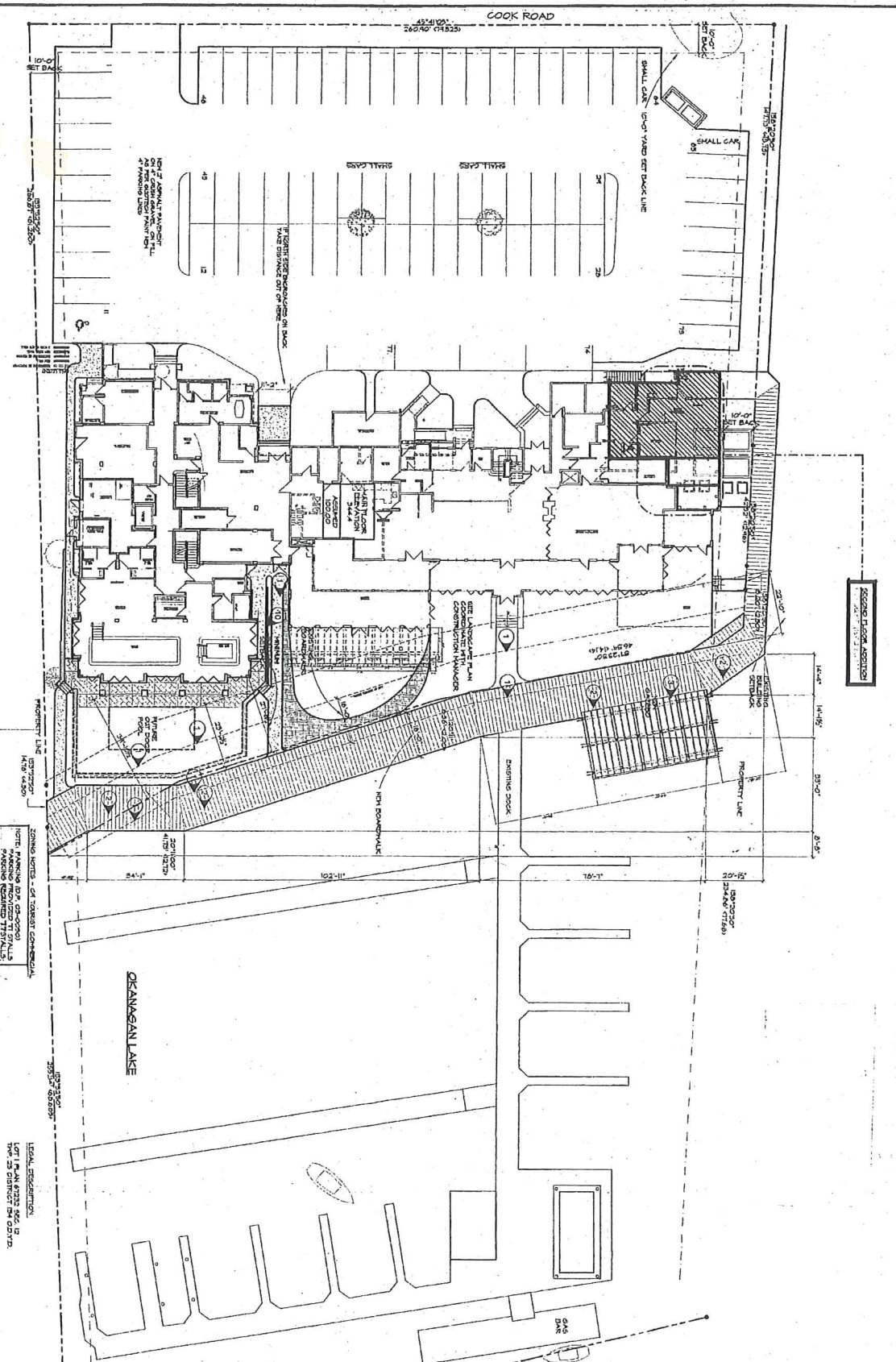
Date DP application accepted: March 5, 2007 (Put on hold pending DVP application to address parking issues)
Date DVP application accepted: December 17, 2009
APC: February 16, 2010
Clarification of outstanding issues resolved: May 19, 2010



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.



SITE PLAN
SCALE: 1/8" = 1'-0"



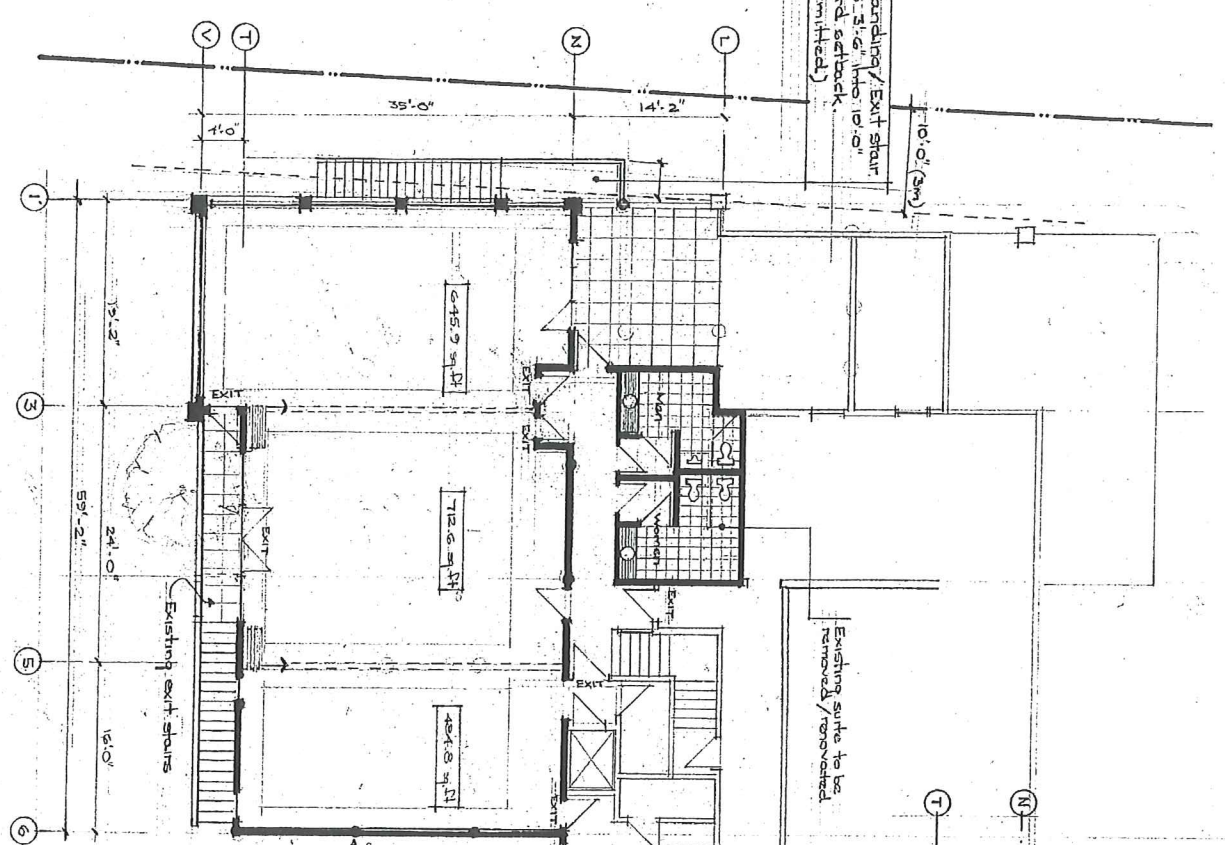
- LEGAL PROVISIONS:**
 1. LEGAL PROVISIONS - OF TOWN OF COMMERCE
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- CONSTRUCTION NOTES:**
 1. EXISTING BOARDWALK TO BE REMOVED
 2. LOCATION OF NEW BOARDWALK, NEW BOARDWALK TO BE 1.2' LOWER & PAINTED RESIST BOARDWALK
 3. NEW GARAGE

SECOND FLOOR ADDITION

REVISED

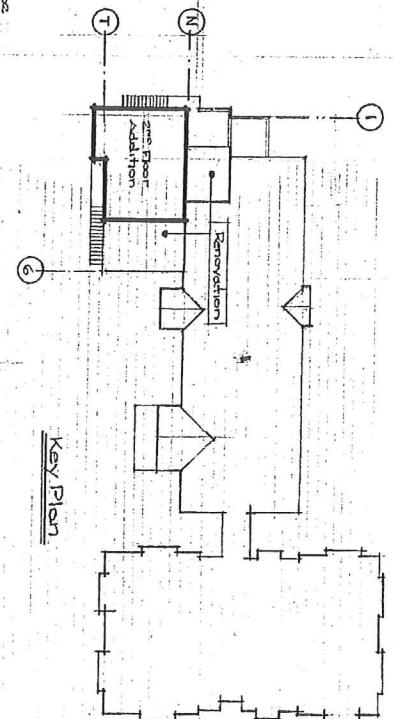
PROJECT: HOTEL EL DORADO ALTERATIONS / ADDITION KELOWNA, B.C.		DRAWING TITLE: SITE PLAN	
DRAWING NO.: 2004156		PROJECT NO.: 2004156	
SHEET NO.: 1 OF 1		DATE: JUN 13/07	
DRAWING NO.: 2004156		DATE: JUN 13/07	
PROJECT NO.: 2004156		DATE: JUN 13/07	
SHEET NO.: 1 OF 1		DATE: JUN 13/07	

10/10/07 10:40 AM C:\Users\j\Documents\Projects\Hotel Eldorado Alterations\Site Plan.dwg



New Landings / Exit stair.
Projects 3'-6" into 10'-0"
side yard setback
(2'-0" permitted)

Existing suite to be
removed / renovated



Key Plan

Zoning Notes

C-9 Tourist Commercial

Site Area = 56,000 sq ft

Site Coverage = 26% buildings
72% w/ parking

Floor Area - Existing = 4208 sq ft
New = 4437 sq ft

Floor Area Ratio = .68

Parking - 75 stalls - Grandfathered, DP03-0094

Added floor area: 126.2 sq ft

@ 2.2 stalls/100 sq ft = 3 cars

Total Parking required - 77 cars.

(Remove 1 suite 5 car reduction)

Legal Description - Lot 1 Plan 67232
Sec. 12 Twp 25, S1, R14

Give Address - 500 Cook Road
Kelowna, B.C.

Demotes piles below



Second Floor Plan

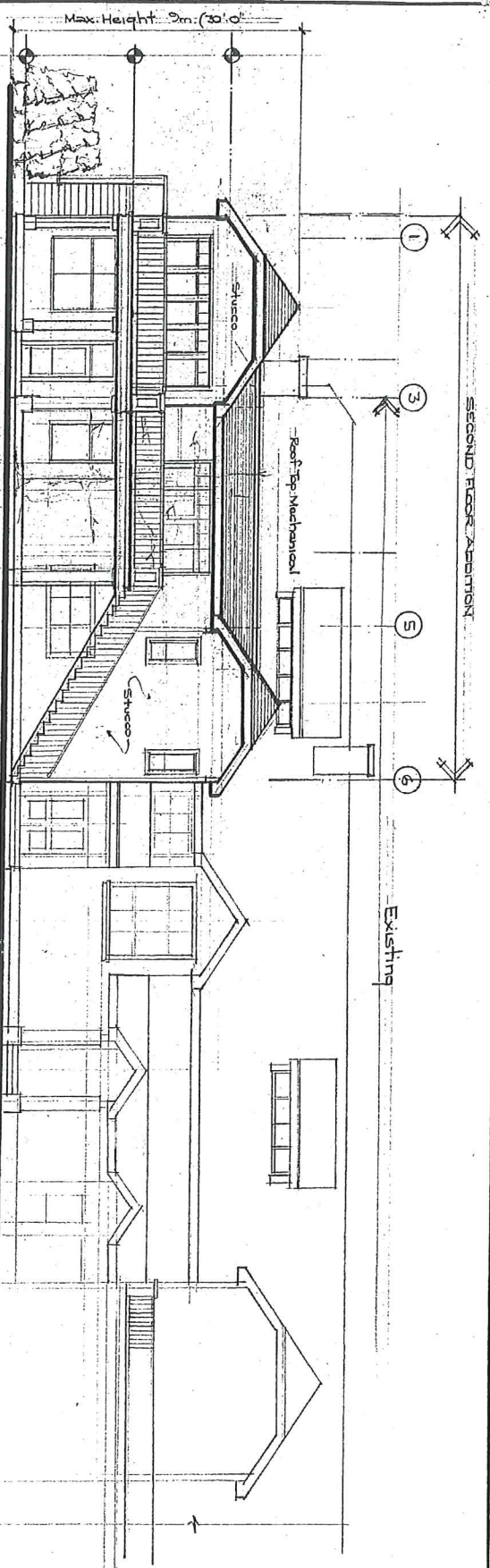
Scale: 1/8" = 1'-0"

Total Additional Floor Area = 1358.5 sq ft (126.2 sq ft)

Hotel Eldorado

DATE: Nov / 2009	APPROVED BY:	DRAWN BY:
		Janis

DRAWING NUMBER
A2 of 4



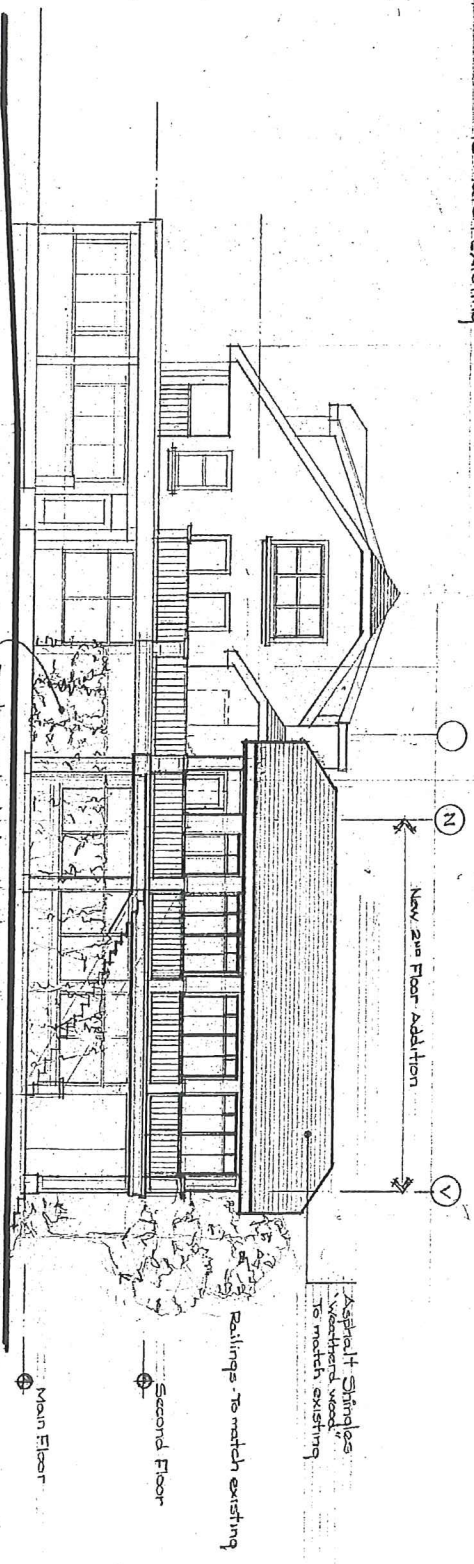
SECOND FLOOR ADDITION

Existing

Note: All materials, colours and details to match existing

EAST ELEVATION

Scale: 1/8" = 1'-0"



Existing cedar hedge / landscaping to remain - undisturbed

SOUTH ELEVATION

Scale: 1/8" = 1'-0"

Asphalt Shingles weathered wood to match existing

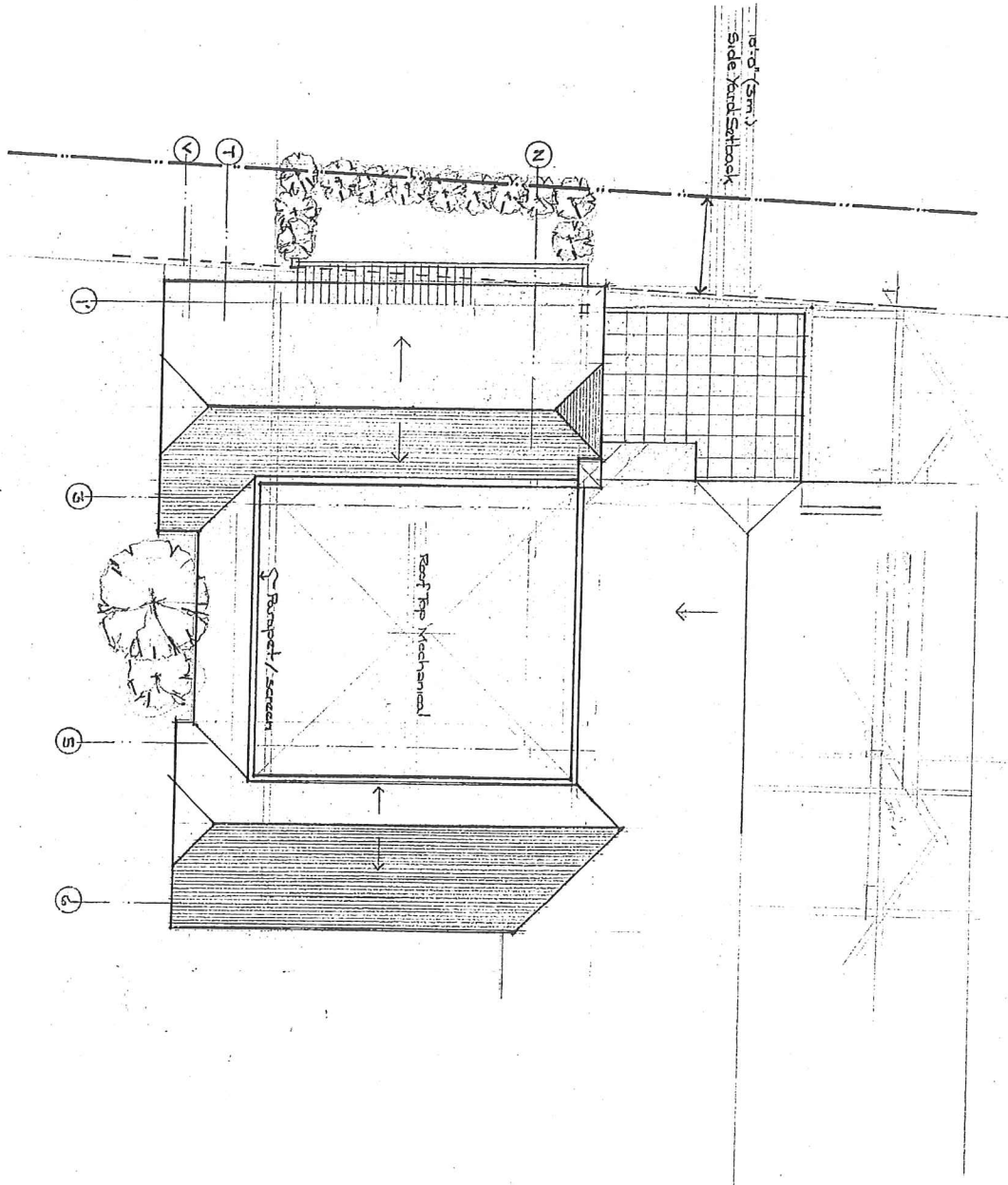
Railings - to match existing

Main Floor
Second Floor

Hotel Eldorado

SCALE	DATE	APPROVED BY	DRAWN BY
1/8" = 1'-0"	Nov / 2009		Janice

DRAWING NUMBER
A5 of 4



Roof Plan
Scale: 1/8" = 1'-0"

Hotel Eldorado	
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