

Memo



Date: June 30, 2011

To: City Manager

From: Land Use Management, Community Sustainability (PMc)

Application: DVP11-0094

Owner: Northwood Retirement Resort Holding Corporation Inc.

Address: 1277 Gordon Dr.

Applicant: Northwood Retirement Resorts Ltd. (Ed Hall)

Subject: Development Variance Permit

Existing OCP Designation: Multiple Unit Residential (Medium Density)

Existing Zone: RM5 - Medium Density Multiple Housing

1.0 Recommendation

THAT Council authorize the issuance of Development Variance Permit No. DVP11-0094, Lot 1, DL 137, O.D.Y.D., Plan KAP87374, located on Gordon Dr., Kelowna, BC;

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

Section 13.11.6(c) Development Regulations:

To vary maximum building height from 16.5m or 4 storeys permitted to 16.5 m or 4½ storeys proposed.

2.0 Purpose

The applicant wishes to develop additional amenity space on the rooftop of the seniors housing complex currently under construction on the subject property. This Development Variance Permit application has been made to vary the building height from 16.5m or 4 storey permitted to 16.5 m or 4½ storeys proposed to accommodate this rooftop addition.

3.0 Land Use Management

The proposed addition of the rooftop amenity areas allows additional areas for social activities, without increasing the building footprint. The amenity areas are set into the sloped roof areas of the building under construction, and will have minimal visual. The amenity area proposed for Phase 1 in the central portion of the building will include the addition of a row of windows to the sloped roof area above the main entry area. The rooftop addition to the phase 2 (south wing) of

the development, will extend the elevator/mechanical penthouse a storey higher in order to provide access to the rooftop deck area.

4.0 Proposal

4.1 Background

In August 2008 Council authorized the development of the 4 storey, 161 unit seniors congregate housing apartment building, which is currently under construction.

4.2 Project Description

The applicant wishes to construct two rooftop amenity areas for the use of the building residents. Owing to the area located above the fourth storey which is surrounded by the sloped roof, the resulting building height will be considered as 4½ storeys. This Development Variance Permit application has been made to permit the increase in building height.

The Phase 1 proposed rooftop amenity area is to be constructed above the central area of the development. The original approved building permit indicates a short parapet wall in this area which serves to screen rooftop mechanical ventilation equipment. The applicant proposes to add a roof and windows above this parapet to create an enclosed rooftop amenity area.

The Phase 2 proposed rooftop amenity area is to be added to the roof of the second phase wing located adjacent to the south property line. This proposed roof top deck area will be adjacent to the mechanical penthouse for the elevators which will provide access to this new deck area. There will be a roof element over half of the deck area, while the remainder of the amenity area will remain open. The perimeter of the deck area is surrounded by the sloped roof area of this wing of the building.

The proposed window and roof elements are designed to be finished with the same materials as the remainder of the building.

4.3 Site Context

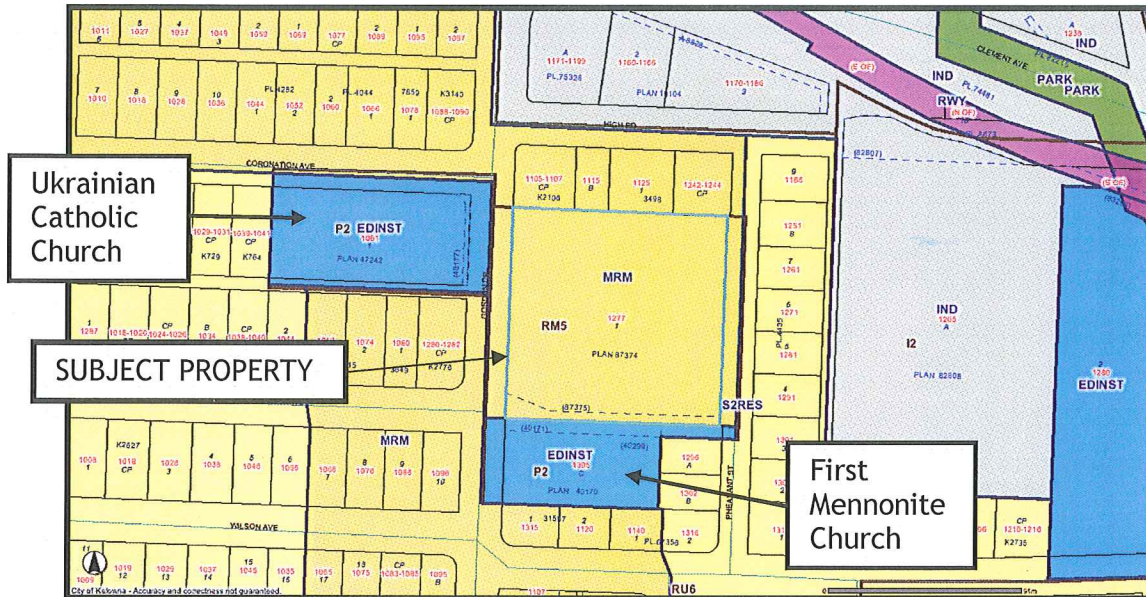
The subject property is located on the east side of Gordon Drive, south of High Road. The property currently has a senior's apartment building under construction.

Adjacent zones and uses are, to the:

- North - RU6 - Two Dwelling Housing
- East - RU6 - Two Dwelling Housing / Pheasant St.
- South - P2 - Education and Minor Institutional (First Mennonite Church)
- West - RU6 - Two Dwelling Housing / Gordon Drive
P2 - Education and Minor Institutional (Ukrainian Catholic Church)

4.4 Subject Property Map

1277 Gordon Dr.



The proposal as compared to the RM5 zone requirements is as follows;

Zoning Analysis Table		
CRITERIA	PROPOSAL	RM5 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	10,040 m ²	1,400 m ²
Lot Width	98 m	30.0 m
Lot Depth	101 m	35.0 m
Development Regulations		
Floor Area Ratio	FAR = 1.07	Max. FAR = 1.1
Height	① 4½ storeys or 14.55m	4 storeys or 16.5 m
Building Envelope		
Front Yard (Gordon Dr.)	6.0 m	6.0 m
Side Yard (south)	7.5 m	4.5 m min for 2½ storey 7.5 m min for over 2½ storey
Side Yard (north)	7.5 m	4.5 m min for 2½ storey 7.5 m min for over 2½ storey
Front Yard (Pheasant St.)	9.0 m	6.0 m
Other Regulations		
Minimum Parking Requirements	74 stalls provided	65 stalls required

NOTE;

- ① Variance requested to vary building height from 4 storeys permitted to 4 ½ storeys proposed.

5.0 Technical Comments

5.1 Building & Permitting Department

- 1) The parapet wall around the roof top patio is to meet the requirements of non-climbable guard rails.
- 2) Structural Engineer to provide revised drawings and to support the required loading.
- 3) Full plan check to be done at time of drawing revisions

5.2 Development Engineering Department

No concerns

5.3 Fire Department

Fire department access, fire flows of 150ltr/sec, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw #7900. A building code analysis is required. Additional comments will be required at the building permit application.

6.0 Application Chronology

Date of Application Received: June 1, 2011

Advisory Planning Commission June 21, 2011

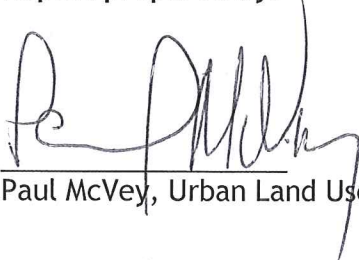
The above noted application was reviewed by the Advisory Planning Commission at the meeting on June 21, 2011 and the following recommendations were passed:

THAT the Advisory Planning Commission support Development Variance Permit Application No. DVP11-0094, for 1277 Gordon Drive, to vary the building height from 4 storeys required to 4½ storeys proposed to accommodate a resident rooftop amenity area for the middle and south portion of the building complex.


Anecdotal Comment:

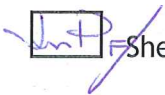
The Advisory Planning Commission supported the Development Variance Permit as it provides an important amenity function to the residents with minimal impact to the overall massing of the building.

Report prepared by:



Paul McVey, Urban Land Use Planner

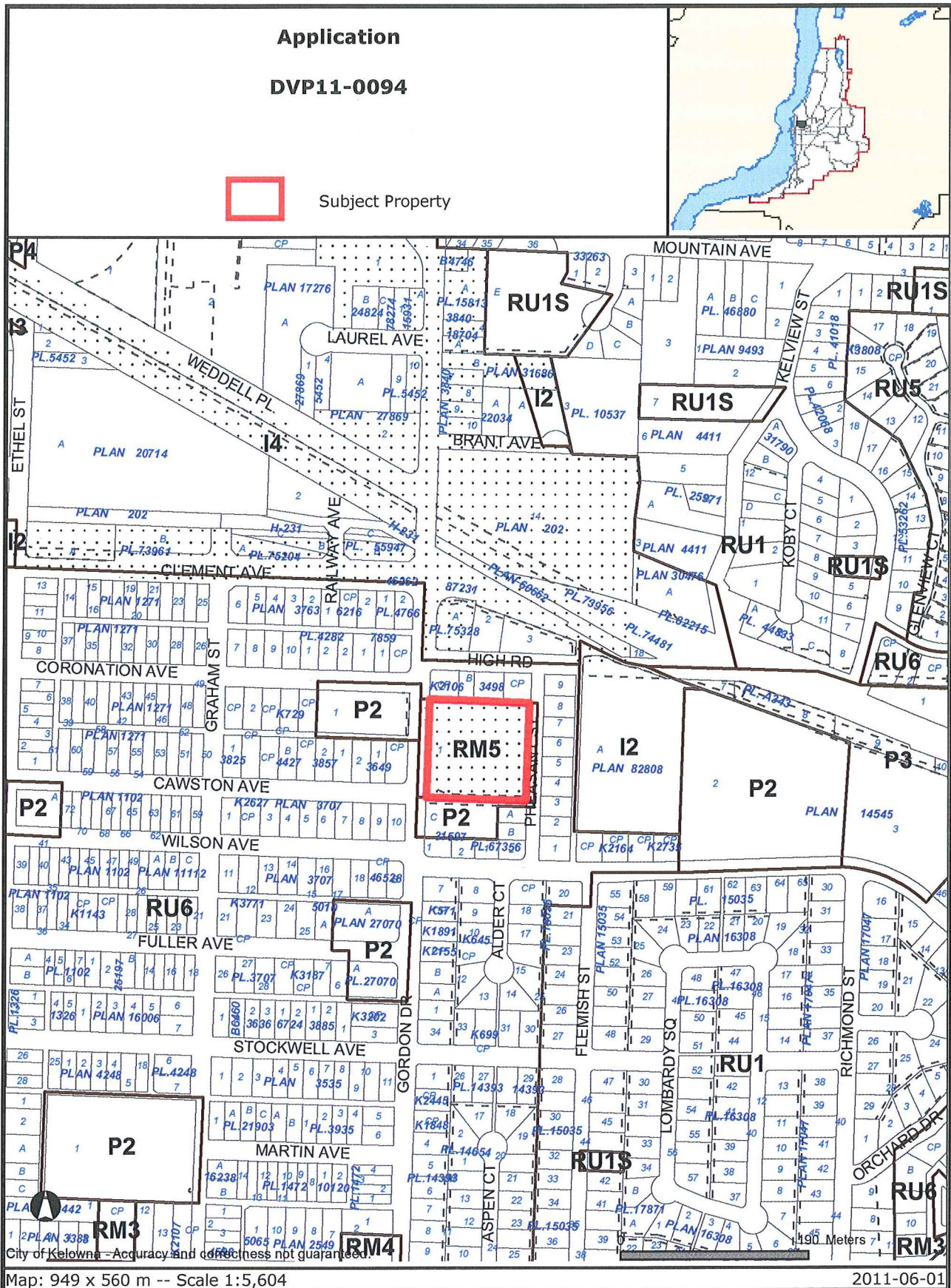
Reviewed by:  Danielle Noble Manager, Urban Land Use Management

Approved for Inclusion:  Shelley Gambacort, Director, Land Use Management

Attachments:

- Subject Property Map
- Site Plan
- Existing Roof Plan
- Proposed Roof Plan
- Existing Building Elevations
- Proposed Building Elevations





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.



ZONING DATA
 R-1.5 - MULTI-FAMILY RESIDENTIAL
 SITE AREA - 10,040 sq.ft.
 SITE COVERAGE - WITH PARKING - 53.27%
 TOTAL NET FLOOR AREA - 10,850 sq.ft.
 MAXIMUM HEIGHT - 4 STORIES (16.5 m)
 SETBACKS:
 FRONT YARD (Pheasant St.) - 6 ft.
 FRONT YARD (Gordon St.) - 8 ft.
 SIDE YARD - NORTH - 7.5m.
 SIDE YARD - SOUTH - 7.5m.
 PARKING REQUIRED - 68 STALLS
 PROVIDED - 74 STALLS

NO.	REVISION NO.	DATE
5	REVISIONS	APRIL 01/1
4	REVISIONS	MAY 17/10
3	B.P. REVISIONS	NOV 30/04
2	BUILDING PERMIT	DEC 29/03
1	DEVELOPMENT PERMIT	DEC. 20/01

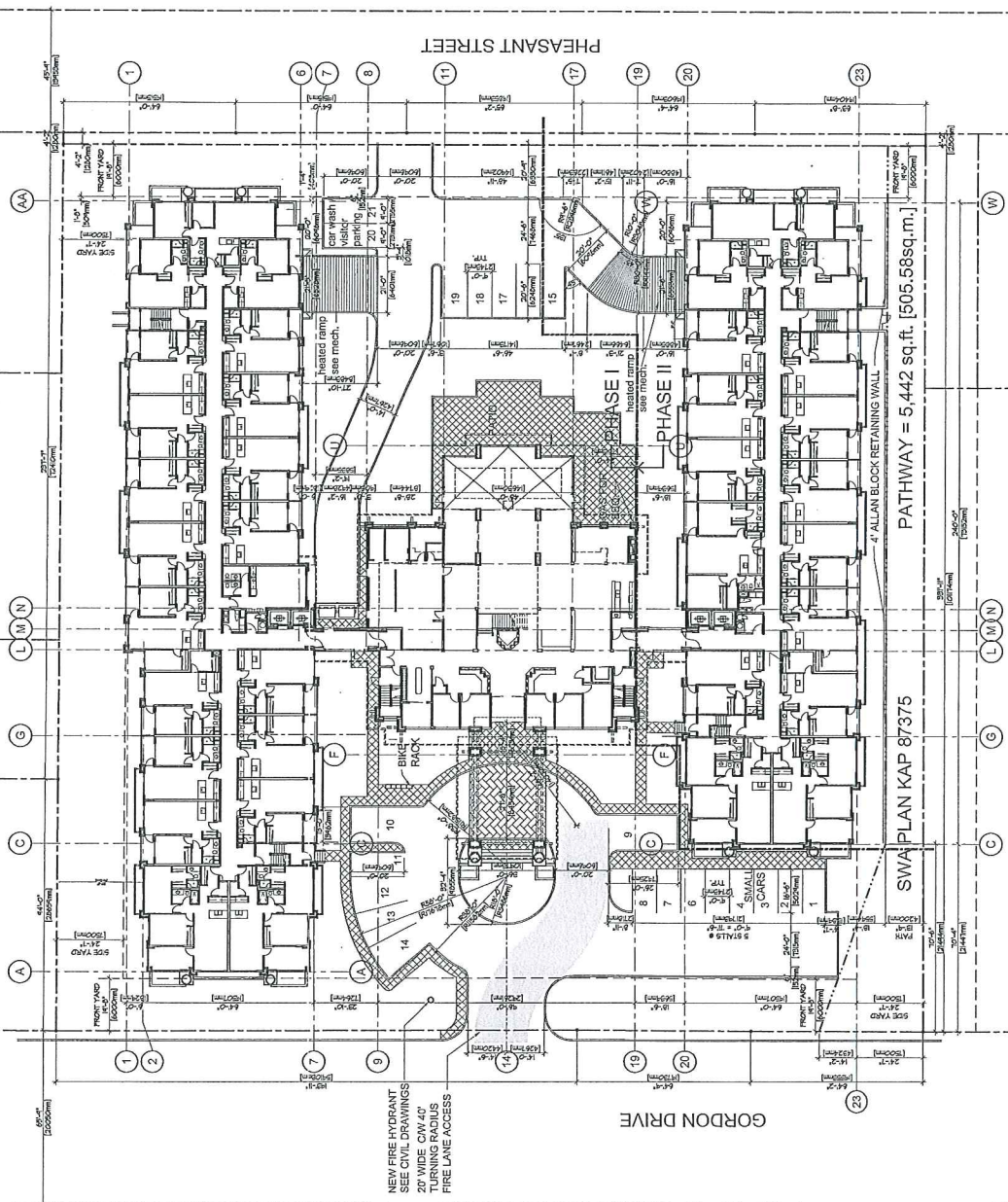
water street architecture inc.
 Doug Lamb
 1100 West 10th Street, Kelowna, BC, V1Y 1A7

PROJECT:
NORTHWOOD
 BY REGENCY
 RETIREMENT RESORTS
 KELOWNA, B.C.

DRAWING TITLE:
SITE PLAN

DRAWN BY: MG	CHECKED BY: DL
DATE: APRIL 8, 2011	SCALE: 1"=25'
PROJECT NO.:	DRAWING NO.:

A1.1



CORONATION AVENUE

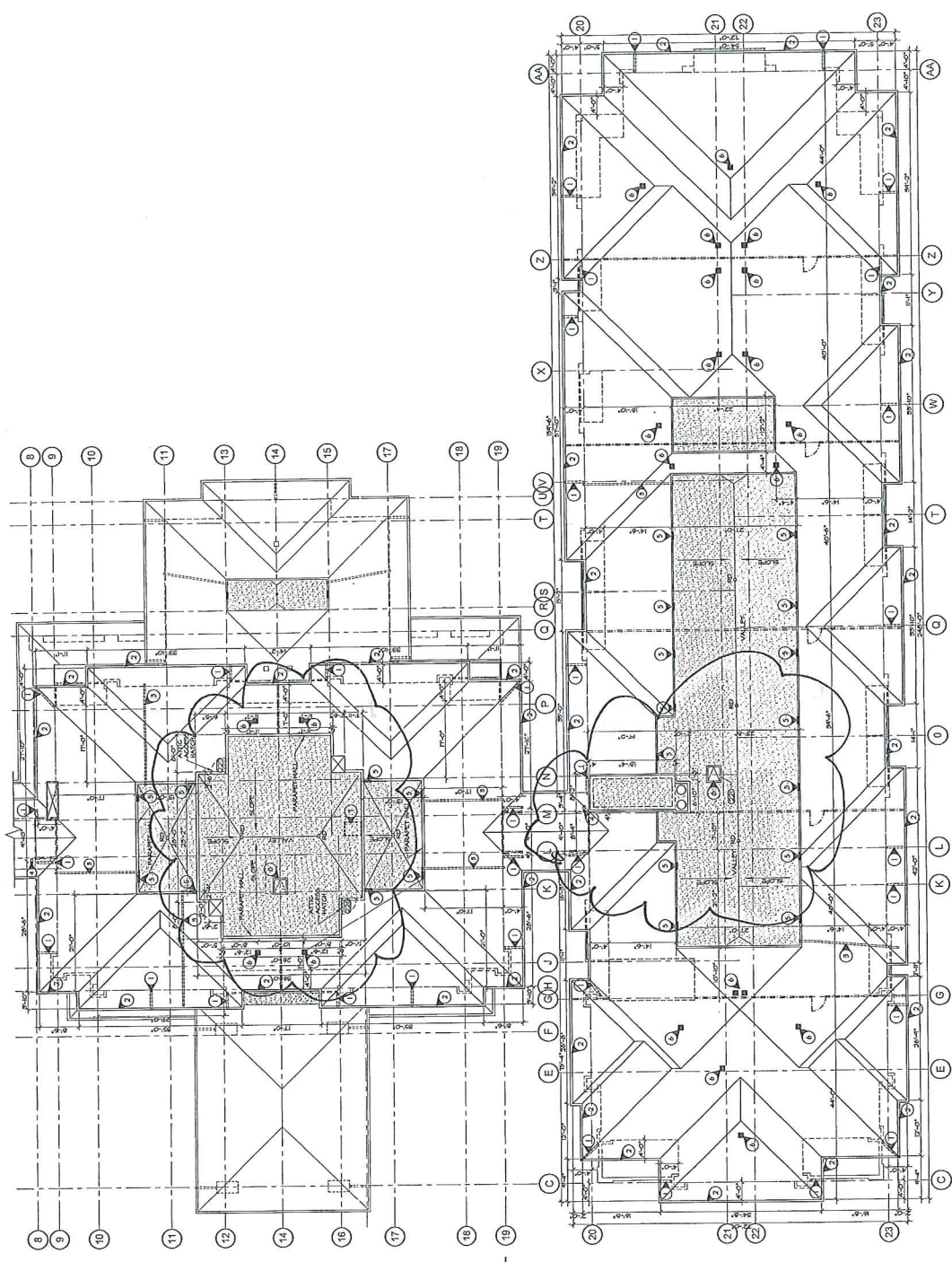
LEGAL DESCRIPTION
 LOT #1 DISTRICT LOT 137 O.D.Y.D.
 KAP 87374

CIVIC ADDRESS
 1277 GORDON DRIVE

CAWSTON AVENUE

NEW FIRE HYDRANT
 SEE CIVIL DRAWINGS
 20' WIDE CW 40'
 TURNING RADIUS
 FIRE LANE ACCESS

SITE PLAN
 SCALE: 1" = 20'-0"

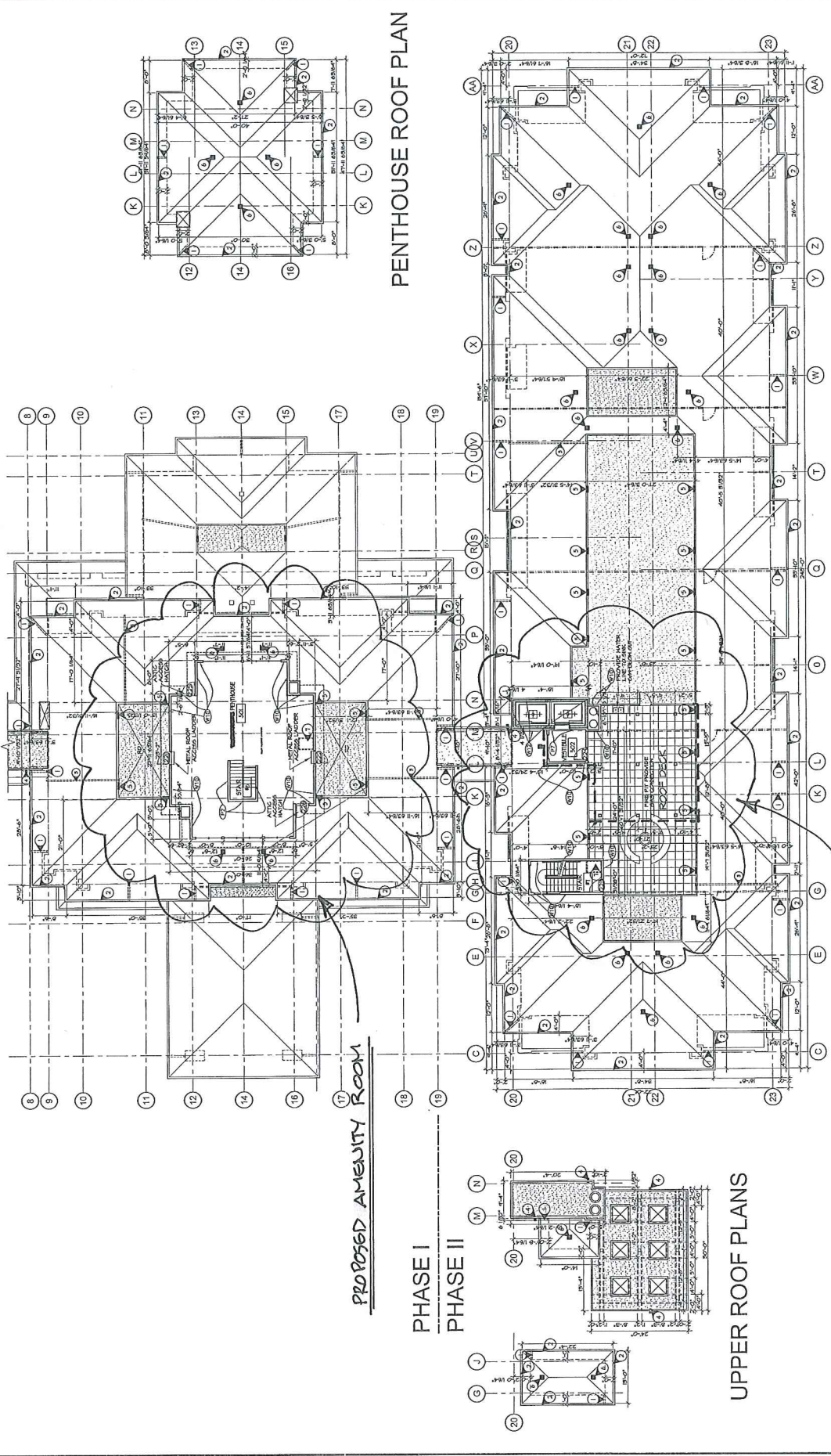


PHASE I
PHASE II

EXISTING

PROJECT: NORTHWOOD BY REGENCY RETIREMENT RESORTS KELOWNA, B.C.	DRAWING TITLE: ROOF PLAN Phase I - Building B Phase II - Building C	DRAWING NO.: SK1
	DRAWN BY: AWA DATE: 25, 2011 PROJECT NO.:	CHECKED BY: DL SCALE: 1/8" = 1'-0"

vector street architecture inc.
 1100 West 10th Avenue, Kelowna, BC
 Doug Lane
 1100 West 10th Avenue, Kelowna, BC
 250.792.2235 • 250.792.4584 • doug@vectorstreet.com



PENTHOUSE ROOF PLAN

PROPOSED AMENITY ROOM


PHASE I

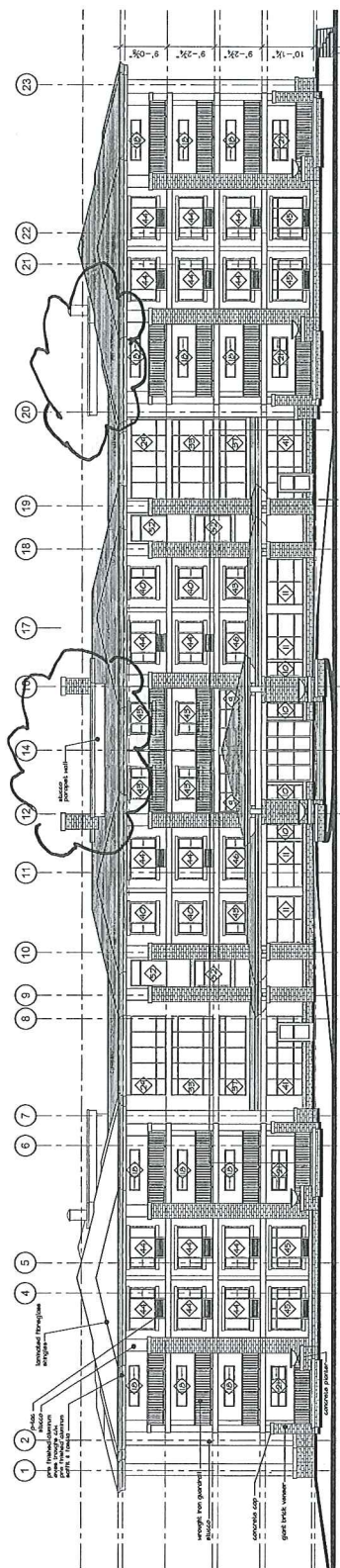
PHASE II

UPPER ROOF PLANS

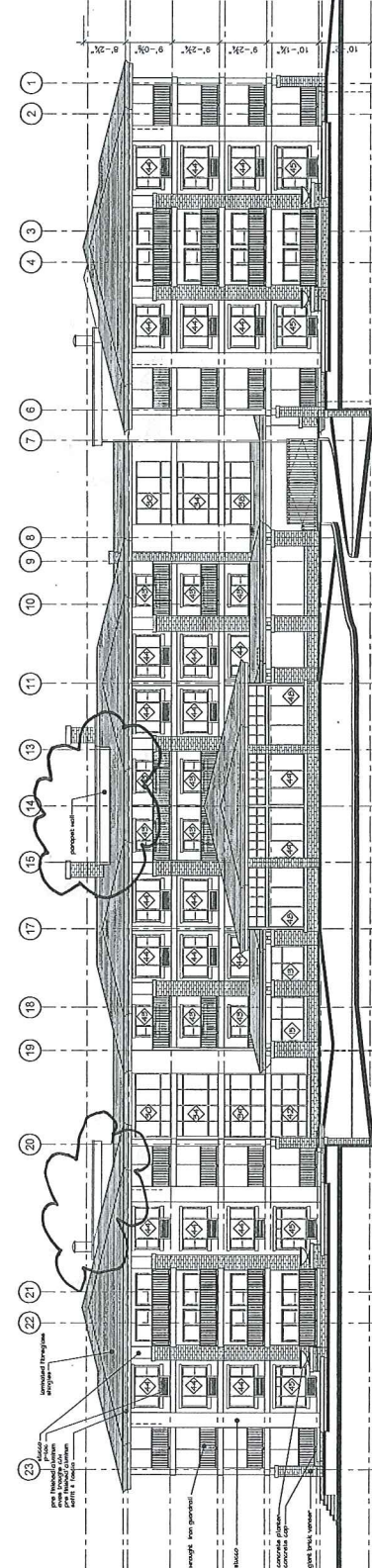
PROPOSED ROOF DECK AREA

PROPOSED ADDITIONAL AMENITY AREAS

 <p>water street architecture inc. 11000 UNIVERSITY AVENUE #1000 RICHMOND, VA 23225 P: 703.762.2225 F: 703.762.4204 www.waterstreetarch.com</p>	<p>PROJECT: NORTHWOOD BY REGENCY RETIREMENT RESORTS KELOWNA, B.C.</p>	<p>DRAWING TITLE: ROOF PLAN Phase I - Building B Phase II - Building C</p>	<p>DRAWN BY: A.J.H.</p> <p>DATE: Aug 25, 2011</p> <p>PROJECT NO.:</p>	<p>CHECKED BY: DL</p> <p>SCALE: NYS</p> <p>DRAWING NO.:</p>
	<p>Doug Lane 1948 Riverdale Ave., Kelowna, BC V1Y 1P7</p>			<p>SK1a</p>




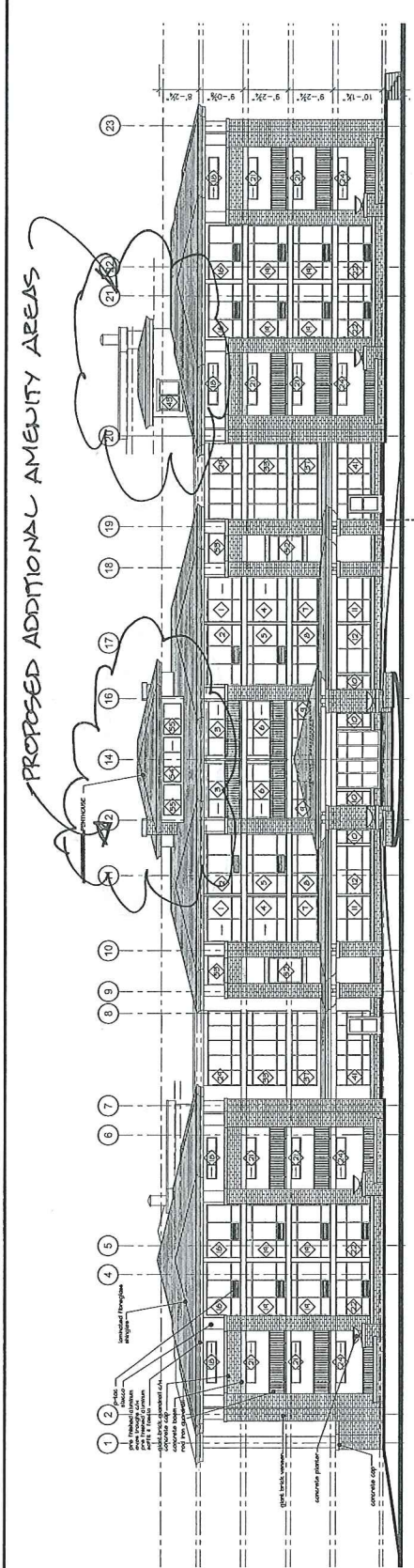
PHASE I | PHASE II
 BUILDINGS A, B & C: WEST ELEVATION, PHASE I & II (GORDON DRIVE)
 scale: nts



PHASE II | PHASE I
 BUILDINGS C, B & A: EAST ELEVATION, PHASE I & II (PHEASANT ST)
 scale: nts

EXISTING

 Water Street Architecture Inc. 1461 Riverchase Ave., Kennesaw, GA 30144 770-426-2325 • Fax: 770-426-2444 • www.waterstreetarch.com	PROJECT: NORTHWOOD RETIREMENT RESORTS KELOWNA, B.C.	DRAWING TITLE: WEST ELEVATION & EAST ELEVATION Phase I & II Buildings A, B & C	DRAWN BY: J.A.V. DATE: May 25, 2021 PROJECT NO.:	CHECKED BY: SCALE: NTS DRAWING NO.:
	SK2			

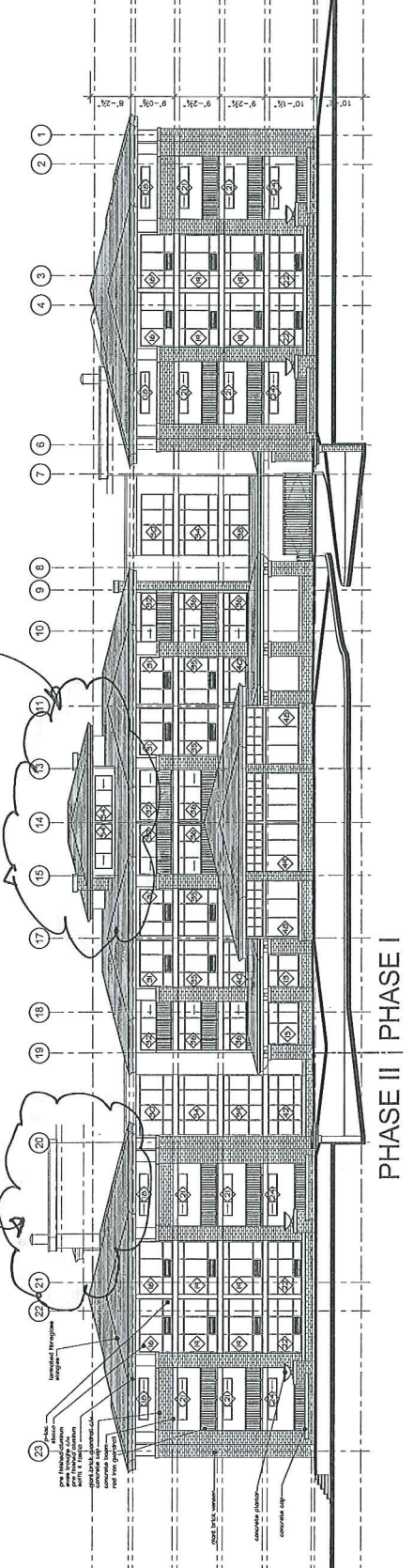


PHASE I | PHASE II

BUILDINGS A, B & C: WEST ELEVATION, PHASE I & II (GORDON DRIVE)

scale: nts

PROPOSED ADDITIONAL AMENITY AREAS



PHASE II | PHASE I

BUILDINGS C, B & A: EAST ELEVATION, PHASE I & II (PLEASANT ST)

scale: nts

PROPOSED

 PROJECT: NORTHWOOD BY REGENCY RETIREMENT RESORTS KELOWNA, B.C.	DRAWING TITLE: WEST ELEVATION EAST ELEVATION Phase I & II Buildings A, B & C	DRAWN BY: A.M.	CHECKED BY: D.L.
	DATE: May 25, 2011 PROJECT NO.:	SCALE: NTS	DRAWING NO.: SK2a

Doug Lane
 Water Street Architecture Inc.
 1465 Bouverie Ave., Kelowna, B.C. V1Y 1A7
 Tel: 250.762.2725 Fax: 250.762.2608
 www.waterstreetarch.com

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

Development Variance Permit No.: DVP11-0094

EXISTING ZONING DESIGNATION:	RM5 - Medium Density Multiple Housing
DEVELOPMENT VARIANCE PERMIT:	A Development Variance Permit to vary the flanking side yard from 4.5m required to 3.2 m proposed

ISSUED TO:	Northwood Retirement Resorts Ltd.
LOCATION OF SUBJECT SITE:	1277 Gordon Dr.

	LOT	DISTRICT LOT	PLAN	SECTION	TOWNSHIP	DISTRICT
LEGAL DESCRIPTION:	1	137	KAP87374	30	26	ODYD

SCOPE OF APPROVAL

- This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.
- This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.
- Applicants for Development and Development Variance Permit should be aware that the issuance of a Permit limits the applicant to be in strict compliance with regulations of the Zoning Bylaw or Subdivision Control Bylaw unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which may not have been identified as required Variances by the applicant or City staff.

1. TERMS AND CONDITIONS:

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

Section 13.11.6(c) Development Regulations:

To vary maximum building height from 16.5m or 4 storeys permitted to 16.5 m or 4½ storeys proposed.

2. The development shall commence by and in accordance with an approved Building Permit within ONE YEAR of the date of the Municipal Council authorization resolution.

3. PERFORMANCE SECURITY:

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permittee and be paid to the Permittee if the security is returned. The condition of the posting of the security is that should the Permittee fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permittee, or should the Permittee carry out the development Permitted by this Permit within the time set out above, the security shall be returned to the Permittee. There is filed accordingly:

- (a) Cash in the amount of \$ N/A .
- (b) A Certified Cheque in the amount of \$ N/A .
- (c) An Irrevocable Letter of Credit in the amount of \$ N/A .

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

4. DEVELOPMENT:

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.

If the Permittee does not commence the development Permitted by this Permit within one year of the date of this Permit, this Permit shall lapse.

This Permit is not transferrable unless specifically Permitted by the Municipality. The authorization to transfer the Permit shall, if deemed acceptable, be granted by Council resolution.

THIS Permit IS NOT A BUILDING Permit.

5. APPLICANT'S AGREEMENT:

I hereby declare that all the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to save harmless and effectually indemnify the Municipality against:

- (a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality granting to me the said Permit.
- (b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

I further covenant and agree that should I be granted a Development Permit or Development Variance Permit, the Municipality may withhold the granting of any occupancy Permit for the occupancy and/or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Director of Land Use Management.

Should there be any change in ownership or legal description of the property, I undertake to notify the Land Use Management Department immediately to avoid any unnecessary delay in processing the application.

I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.

Signature of Owner/Authorized Agent

Date

Print Name in Bold Letters

Telephone No.

5. APPROVALS:

AUTHORIZING RESOLUTION PASSED BY THE MUNICIPAL COUNCIL THE ____ DAY OF JULY, 2011.

ISSUED BY THE DIRECTOR OF LAND USE MANAGEMENT OF THE CITY OF KELOWNA THE ____ DAY OF JULY, 2011.

Shelley Gambacort
Director of Land Use Management