

REPORT TO COUNCIL



Date: October 25, 2011
To: City Manager
From: Land Use Management, Community Sustainability (AW)
Application: DP11-0063 **Owner:** Davara Holdings Ltd.
Address: 120 Leathead Rd **Applicant:** Davara Holdings Ltd.
Subject: Development Permit
Existing OCP Designation: Commercial
Existing Zone: C2 - Neighbourhood Commercial
Proposed Zone: C4 - Urban Centre Commercial

1.0 Recommendation

THAT Final Adoption of Housing Agreement Bylaw No. 10574 be considered by Council;

THAT Final Adoption of Zone Amending Bylaw No. 10579 be considered by Council;

THAT Council authorize the issuance of Development Permit No. DP11-0063 for Lot 1 Section 26 Township 26 ODYD Plan KAP64894, located on 120 Leathead Rd, Kelowna, 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 condition No. 4 within 180 days of Council approval of the Development Permit application in order for the permit to be issued.

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2.0 Purpose

To consider a Development Permit for a mixed use building consisting of 600 m² (6500 ft²) commercial space on the ground floor and 8 purpose-built rental apartments above.

3.0 Land Use Management

The proposed massing and finishing materials create an aesthetically pleasing development in an underdeveloped part of town. The form and character and scale of the project is appropriate to the context. Staff have worked with the applicant to introduce more significant private open space for the residential units to improve livability. While positive modifications have occurred the proposal does not include private balconies for the residences and the open space at grade is publicly accessible and just meets the minimum open space requirement. In addition, a portion of the private open space is located under a transmission line with the remainder located along Leathead Road. However, it is important to note that in addition to improving the at grade private open space the applicant has introduced 'Juliet' balconies to help to create brighter and airier units. The siting of the building helps to animate both street frontages and creates a pedestrian friendly environment. The quality of finishing materials helps to establish good precedent and will help lead to higher quality developments within the area.

Redevelopment of the subject property is an important priority and will be a welcomed addition to the Rutland Urban Centre. An attractive development at this strategic location will help to anchor the corner and has the potential to catalyze reinvestment in the area.

4.0 Proposal

4.1 Project Description

A two-storey mixed use building is proposed for the site, to include approximately 600 m² (6500 ft²) of commercial space on the ground floor (conceptually demised into 5 tenant spaces) and 8 purpose-built rental apartment suites above on the second floor. The apartments include a mix of unit types including bachelor, 1 bedroom, 1 bedroom + den, and 2 bedroom configurations, and suite areas range from 447 to 1079 ft².

Pedestrian access is proposed facing all street frontages, as the commercial tenant spaces each have principal access achieved from their external storefronts. Secondary access and fire exists are located to the rear of the commercial tenant spaces and open into a common building corridor. This corridor, provides access to the residential units above. Vehicle access and parking is achieved via the laneway extending from Montgomery Road, with surface parking provided generally on the eastern half of the site.

The proposed development compares with the Zoning Bylaw No. 8000 requirements for the C4 - Urban Centre Commercial zone as follows:

Criteria	Required / Max / Min	Proposed
Floor area ratio	1.3 for mixed-use development	0.67
Site coverage	75%	37.4 %
Height	Lesser of 15.0 m or 4 storeys	7.7 m and 2 storeys
Front yard (Rutland Rd)	0.0 m	2.1 m
Side yard (Leathead Rd)	0.0 m for flanking street	2.4 m
Side yard (south)	0.0 m; where the site abuts an RU1, RU2, RU3 or RU4 zone, the greater of 4.5m or half the height of the building	7.2 m where abutting RU1; 9.3 m where abutting the laneway

Rear yard (Montgomery Rd)	0.0 m; 6.0 m where abutting a residential zone	24.5 m
Residential access	Access to grade separate from commercial uses	Complies; Commercial tenants have at-grade access separate from residential apartments
Private open space	6 m ² per bachelor dwelling; 10 m ² per 1 bedroom dwelling; 15 m ² per dwelling with more than 1 bedroom TOTAL = 91 m ²	112 m ²
Ground floor uses	Functional commercial space on the first floor must occupy a minimum of 90% of all street frontages OR a minimum of 75% on secondary street frontages provided 100% of the principal frontage has a functional commercial space	Complies
Bicycle parking	Class I: 5.2 = 6 spaces Class II: 4.4 = 5 spaces	Class I: 6 spaces Class II: 6 spaces
Parking spaces	19 spaces	20 spaces
Parking setbacks	2.0 m from front lot line; 1.5 m from side and rear lot lines	Complies.
Loading spaces	1/1900 m ² GFA = 1	1 space

4.2 Site Context

The subject property is located at the far northern edge of the Rutland Urban Centre and has frontage on Rutland Road, Leathead Road, and Montgomery Road.



Land uses in the surrounding neighbourhood are predominantly residential, with single detached dwellings surrounding, apartments and institutional uses present to the north, and apartments present on Briarwood Road to the south. Specifically, the adjacent zones and land uses are:

Direction	Zone	Land Use
North	RM4 - Transitional Low Density Housing	Sun Pointe Village retirement apartments
South	RU1 - Large Lot Housing	Single detached dwellings
East	RU1 - Large Lot Housing	Single detached dwellings
West	RU1 - Large Lot Housing	Single detached dwellings

5.0 Current Development Policies

5.1 Urban Design Development Permit Areas (Chapter 14) - Revitalization Design Guidelines

Objectives

- Use appropriate architectural features and detailing of buildings and landscapes to define area character;
- Convey a strong sense of authenticity through high quality urban design that is distinctive of Kelowna;
- Enhance the urban centre’s main street character in a manner consistent with the area’s character;
- Provide for a scale and massing of buildings that promotes an enjoyable living, pedestrian, working, shopping and service experience;
- Encourage an appropriate mix of uses and housing types and sizes;
- Design and facilitate beautiful public open spaces that encourage year-round enjoyment;
- Create open, architecturally-pleasing and accessible building facades to the street; and
- Improve existing streets and sidewalks to promote alternative transportation.

Guidelines

Relationship to the Street (Objective 2.0)

- Ensure streetwall height is proportional (0.75:1 maximum) to the width of the street as measured from building face to building face. Any development that exceeds this height must utilize a podium and step back above the streetwall;
- Provide for public movement, street furniture, and building access zones to be incorporated into sidewalks adjacent to development;
- Design buildings to occupy 100% of a property’s frontage along streets, eliminating elements that disrupt the streetwall such as off-street parking, dead spaces, empty lots, or driveways;
- Coordinate building setbacks with adjacent sidewalks to increase the space for public use (i.e., utilize a building setback or building indentation as a patio space or seating area, incorporate corner rounding into the public realm with specialized paving treatment and street furniture);

- Provide a high quality public realm consistent with the character of urban development (i.e. incorporate focal points/plazas, pedestrian pathways, parks and open space, enhanced streetscapes, and landscaping).

6.0 Application Chronology

Date Application Received April 14, 2011

Advisory Planning Commission May 10, 2011

The proposal was reviewed by the Advisory Planning Commission and it was resolved:

THAT the Advisory Planning Commission support Development Permit Application No. DP11-0063, for 120 Leathead Road, to consider a Development Permit for the form and character of the proposed 2 storey mixed use building.

The following supplemental comments were noted by the Commission:

The Advisory Planning Commission supported the Rezoning and Development Permit Application because the Applicant is prepared to enter into a Housing Agreement to secure the rental housing in perpetuity (cannot be stratified and sold) and is prepared to enter into a perpetual covenant with respect to the development statistics on site being ultimately less than what the C4 zone would allow. The Advisory Planning Commission would like the Applicant to re-examine the project to ensure a more residential feel given the upstairs tenants and residential neighbourhood context. Re-designed landscaping on site and a more genuine attempt at providing private open space should help with the residential feel of the project.

Report prepared by:



Alec Warrender, Land Use Planner

Reviewed by:



Danielle Noble, Manager, Urban Land Use Branch

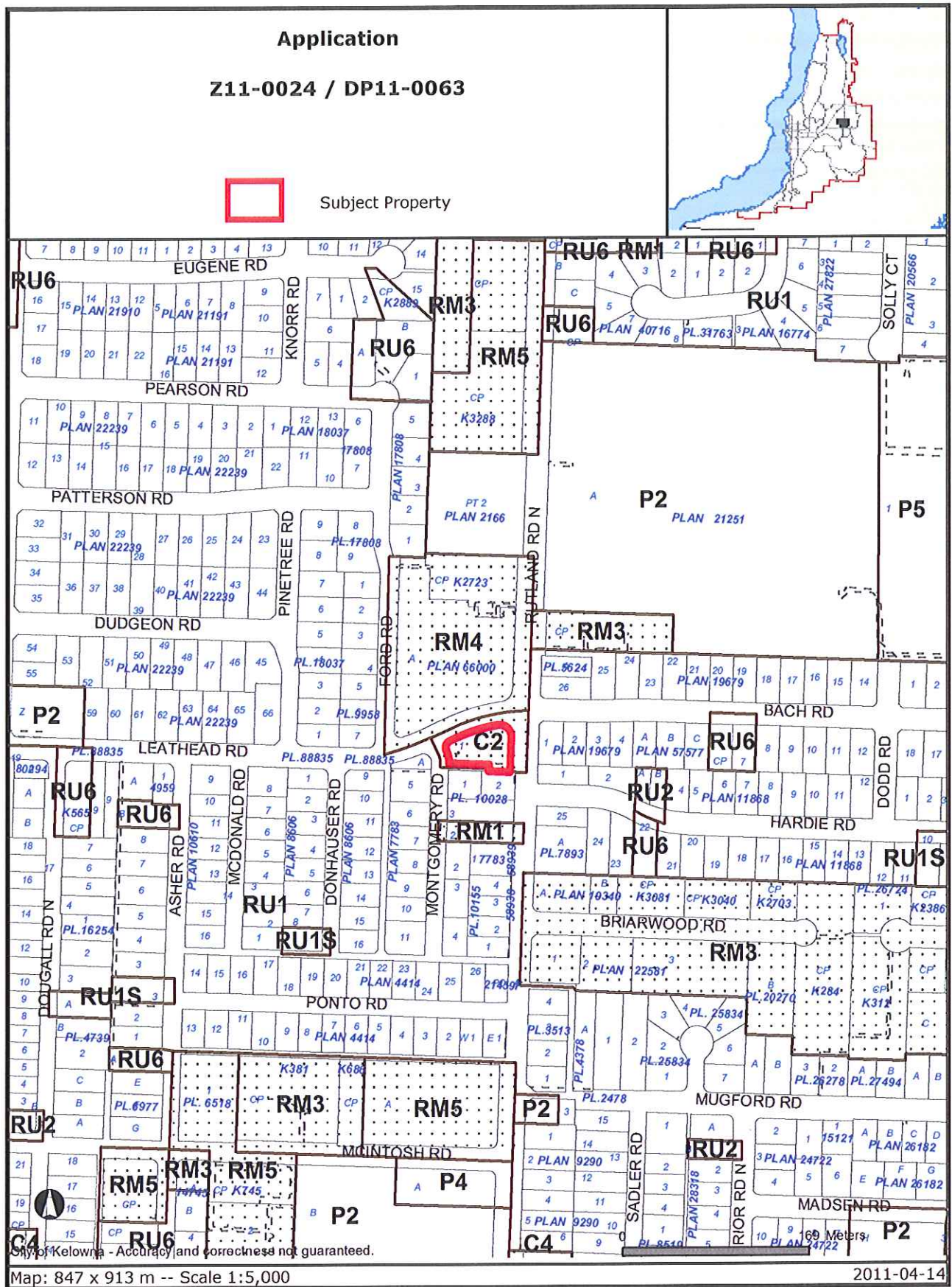
Approved for inclusion:



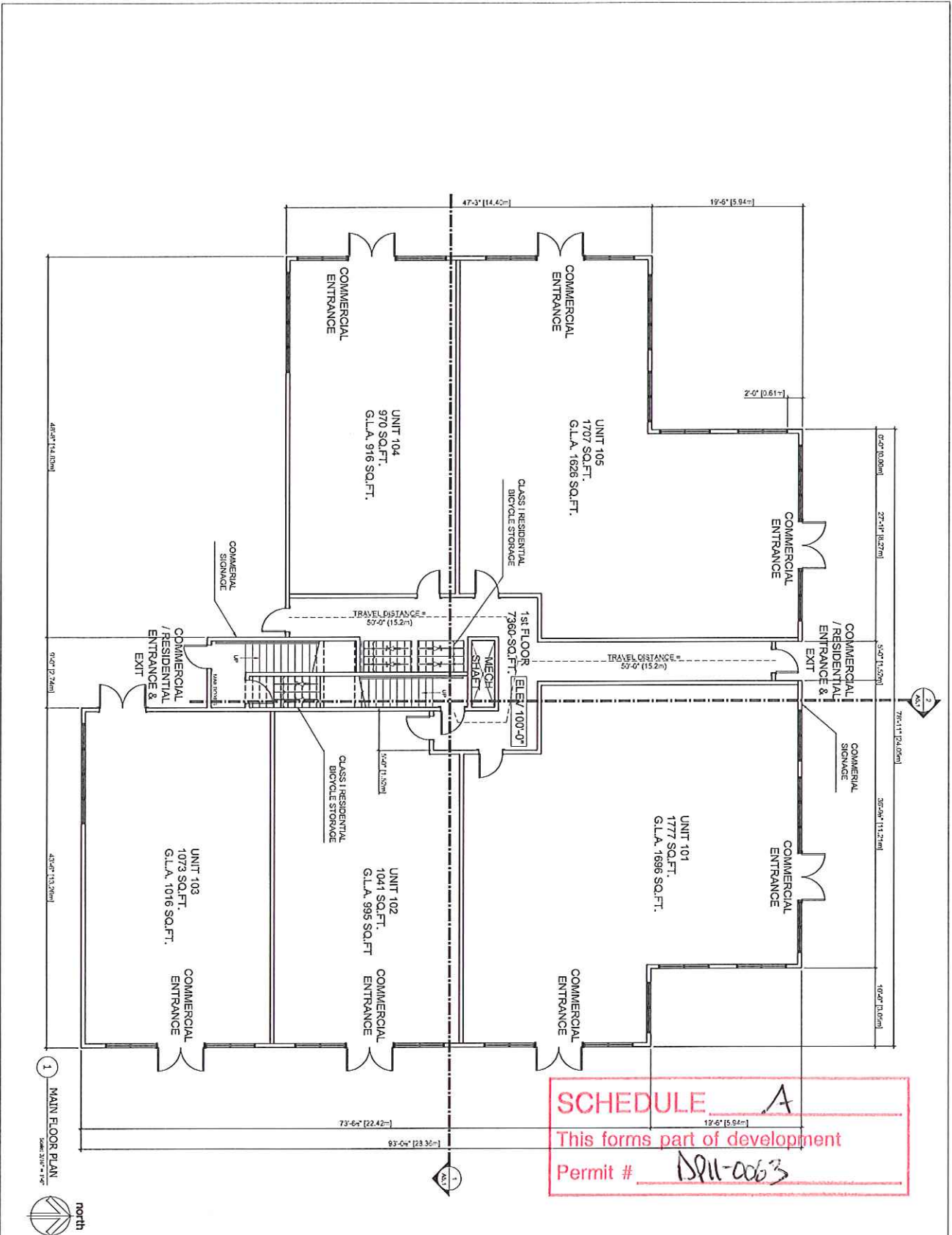
Shelley Gambacort, Director, Land Use Management Dept.

Attachments:

Subject property and zoning map
Site plan
Floor plans
Elevations
Conceptual renderings
Landscape plan



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.



1 MAIN FLOOR PLAN
Scale: 3/16" = 1'-0"



DATE: 02/11/2011
DRAWN BY: JAC
CHECKED BY: JAC
PROJECT NO: A2.1

MAIN FLOOR PLAN

Client: Thompson's Architects Ltd.
324-1189 Springfield, BC
Kelowna, British Columbia
Phone: 250-860-4156
Fax: 250-860-4156
Email: info@thompsons.ca

Project: 120 LEATHEAD Rd
Kelowna, BC
N2N 0W6/K1P0D0-17

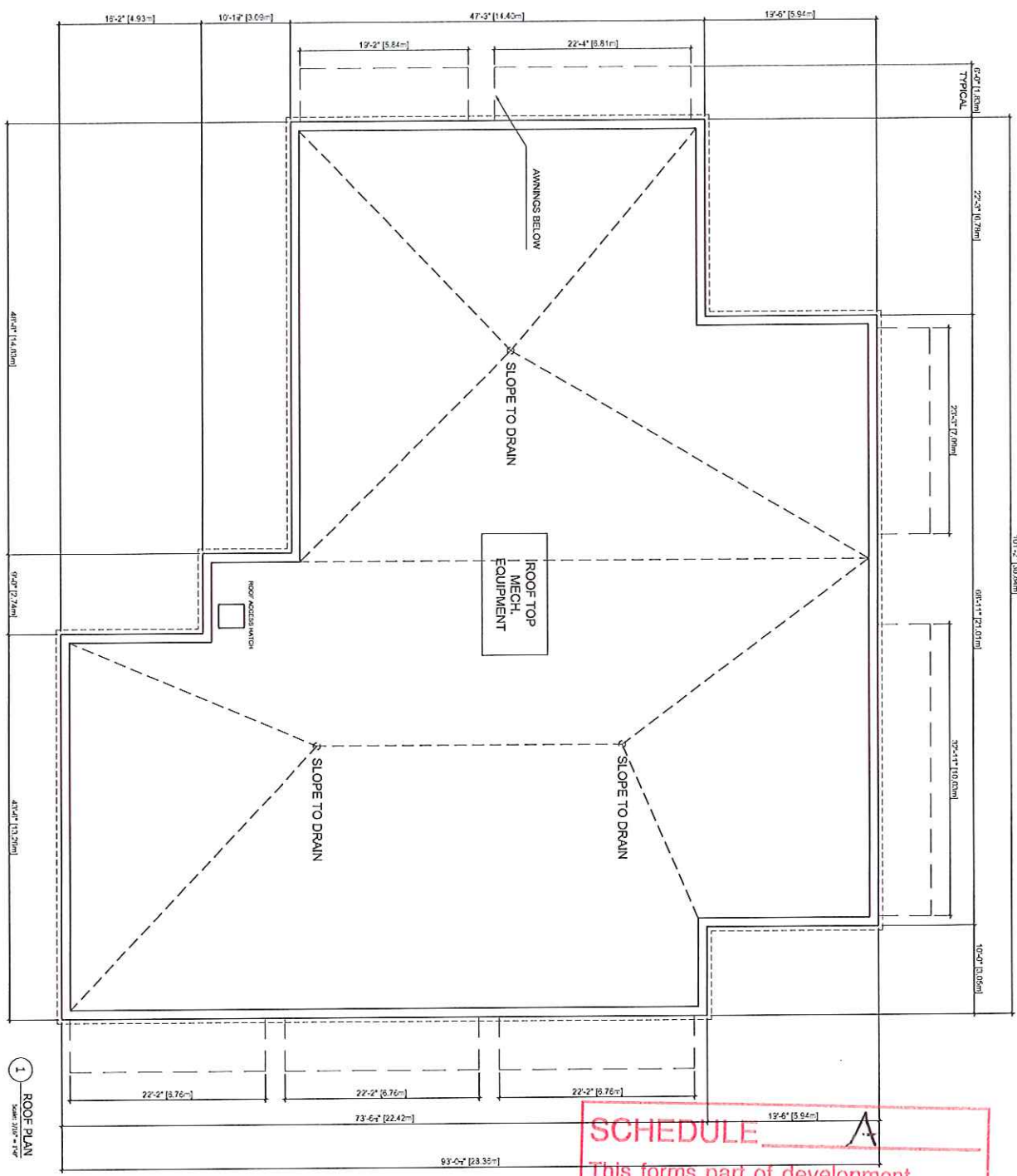
gta

SCHEDULE A
This forms part of development
Permit # D11-0063

NO.	REVISION	DATE	BY	CHKD BY
1	ISSUE FOR PERMIT			
2	REVISED PERMIT			
3	REVISED PERMIT			
4	REVISED PERMIT			
5	REVISED PERMIT			

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- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC MECHANICAL CODE.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC GAS CODE.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC WASTE MANAGEMENT ACT AND REGULATIONS.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC ENVIRONMENTAL ACT AND REGULATIONS.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC OCCUPATIONAL SAFETY AND HEALTH ACT AND REGULATIONS.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC LABOR RELATIONS ACT AND REGULATIONS.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC TRADE DISPUTE ACT AND REGULATIONS.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC TRADE UNION ACT AND REGULATIONS.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC TRADE ASSOCIATION ACT AND REGULATIONS.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC TRADE COMMISSION ACT AND REGULATIONS.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC TRADE COUNCIL ACT AND REGULATIONS.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC TRADE BOARD ACT AND REGULATIONS.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC TRADE JUDICIAL BOARD ACT AND REGULATIONS.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC TRADE DISPUTE BOARD ACT AND REGULATIONS.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC TRADE UNION DISPUTE BOARD ACT AND REGULATIONS.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC TRADE ASSOCIATION DISPUTE BOARD ACT AND REGULATIONS.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC TRADE COUNCIL DISPUTE BOARD ACT AND REGULATIONS.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC TRADE BOARD DISPUTE BOARD ACT AND REGULATIONS.
- ALL WORK SHALL BE IN ACCORDANCE WITH THE BC TRADE JUDICIAL BOARD DISPUTE BOARD ACT AND REGULATIONS.



SCHEDULE A
 This forms part of development
 Permit # DR11-0063

1 ROOF PLAN
 Scale: 3/16" = 1'-0"



PROJECT NO.	DATE
PROJECT NAME	DATE
PROJECT ADDRESS	DATE
PROJECT CITY	DATE
PROJECT STATE	DATE
PROJECT ZIP	DATE
PROJECT PHONE	DATE
PROJECT FAX	DATE
PROJECT EMAIL	DATE
PROJECT WEBSITE	DATE
PROJECT SOCIAL MEDIA	DATE
PROJECT OTHER	DATE

ROOF PLAN

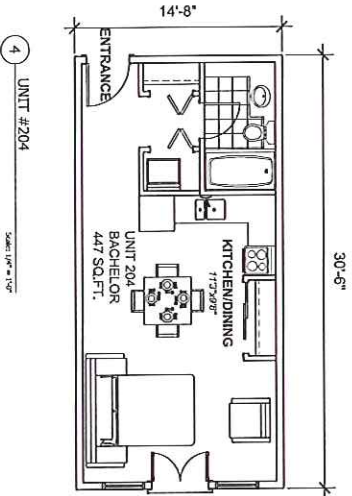
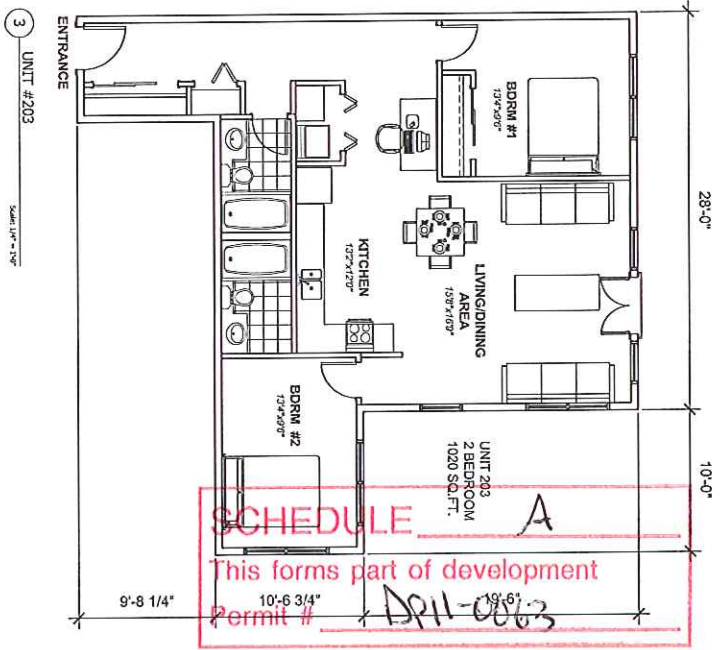
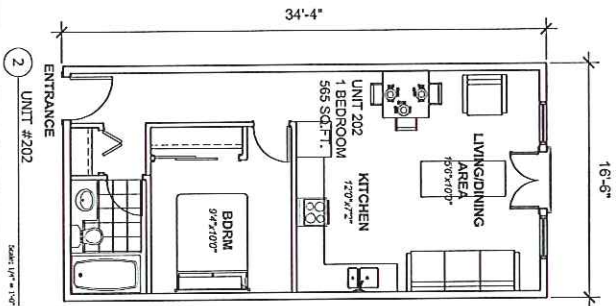
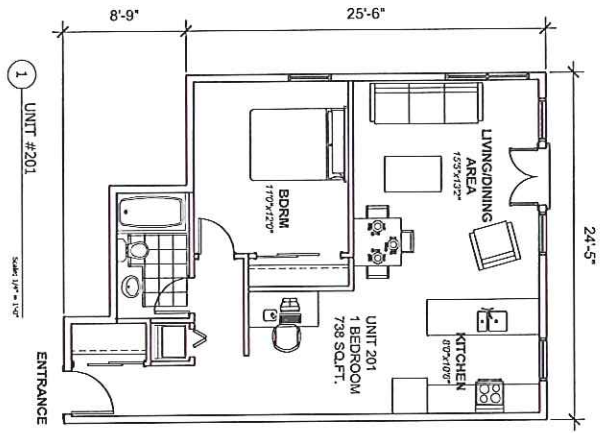
gta
 Gerry Tempowski Architect Ltd.
 243-1889 Springfield Rd
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120 LEATHHEAD RD
 220 DAWKINS DR
 KALOWNA, BC

NO.	DATE	DESCRIPTION
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2	2011-08-15	ISSUED FOR PERMIT
3	2011-08-15	ISSUED FOR PERMIT
4	2011-08-15	ISSUED FOR PERMIT
5	2011-08-15	ISSUED FOR PERMIT
6	2011-08-15	ISSUED FOR PERMIT
7	2011-08-15	ISSUED FOR PERMIT
8	2011-08-15	ISSUED FOR PERMIT
9	2011-08-15	ISSUED FOR PERMIT
10	2011-08-15	ISSUED FOR PERMIT

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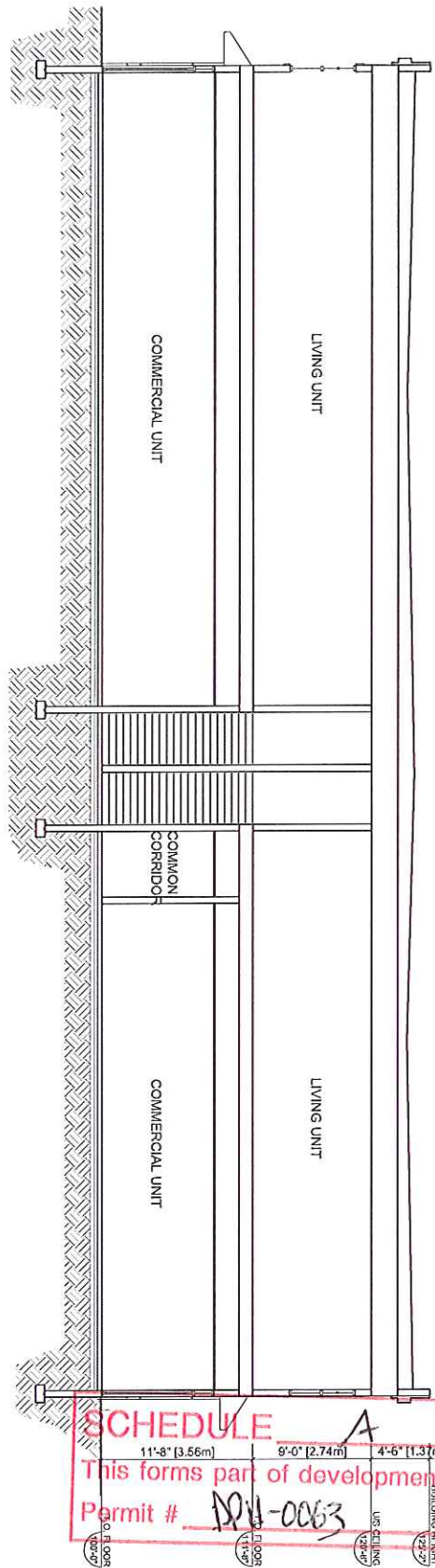


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email: gta@gtaplanet.ca

132 LEATHERS
P.O. BOX 10000
Kelowna, BC
V1Y 8H6

PROJECT NO.	UNIT PLANS
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SCALE	1/4" = 1'-0"
FILE NO.	A3.1
DATE	FEB 11, 2011



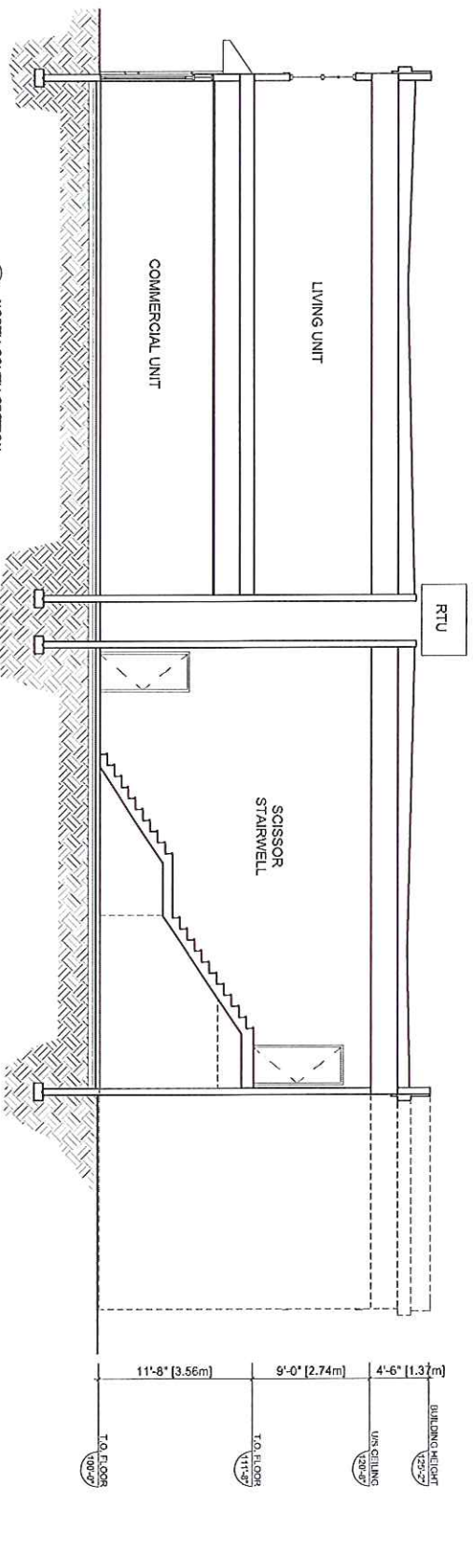
1 EAST-WEST SECTION
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SCHEDULE A
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 Permit # **DP-1-0063**

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- THE ARCHITECT'S RESPONSIBILITY DOES NOT EXTEND TO THE DESIGN OF THE MECHANICAL, ELECTRICAL AND PLUMBING SYSTEMS

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1	ISSUED FOR PERMIT	20/07/2016	GT	1
2	ISSUED FOR PERMIT	20/07/2016	GT	2
3	ISSUED FOR PERMIT	20/07/2016	GT	3



2 NORTH-SOUTH SECTION
SCALE: 1/4"=1'-0"

BUILDING HEIGHT 22'-2"
 VAN CEILING 20'-0"
 T.O. R. DOOR 11'-0"
 T.O. R. DOOR 11'-0"
 T.O. FLOOR 0'-0"
 T.O. FLOOR 0'-0"

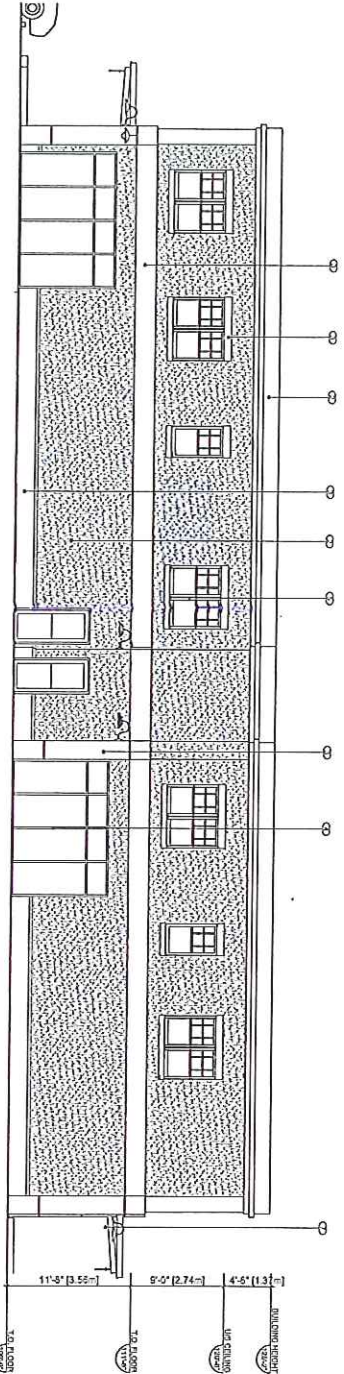
gta

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 243-1189 Springfield Rd
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 email: gta@gtarchitects.com

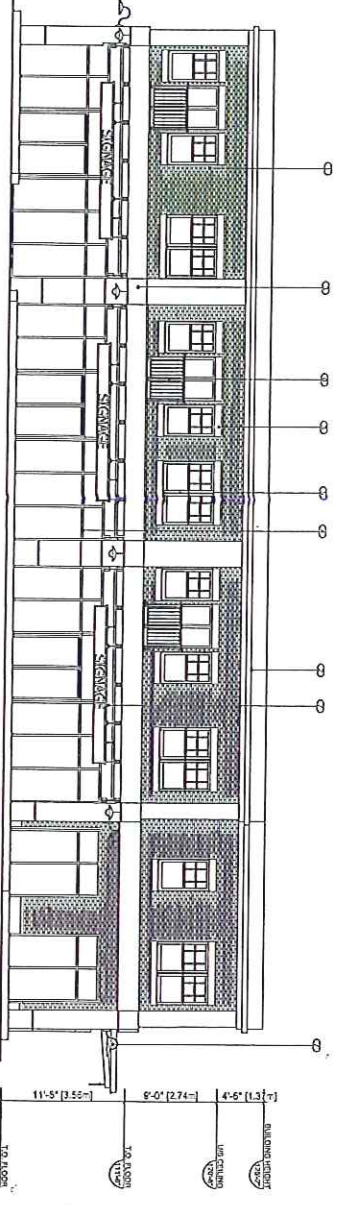
120 LEATHERDRI
 120 LEATHERDRI LTD
 Kelowna, BC

**SCHEMATIC
BUILDING
SECTIONS**

DATE: 2016.07.20
 DRAWN BY: GT
 CHECKED BY: GT
 SCALE: AS SHOWN
 FILE: A5.1
 2016.11.2013



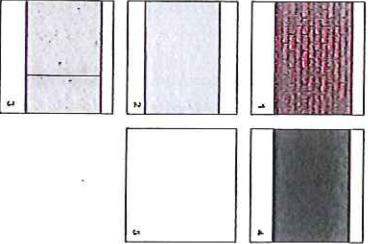
1 SOUTH ELEVATION
Scale 3/16" = 1'-0"



1 EAST ELEVATION
Scale 3/16" = 1'-0"

SCHEDULE B
This forms part of development
Permit # **DP11-0063**

- MATERIALS AND KEYNOTE LEGEND:**
1. FACE CLAY BRICK
 2. EPPS PIGMENT STUCCO FINISH
 3. PRE-CAST COLOURED WALL BASE
 4. ANTIQUE, POLISHED, UNBLEACHED AND SILL
 5. SYSTEM (BLACK FINISH)
 6. VINYL WINDOWS (WHITE COLOR)
 7. AWNING



**PRELIMINARY
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- SHALL BE CONSIDERED AS DIMENSIONS
- TO THE ARCHITECT.
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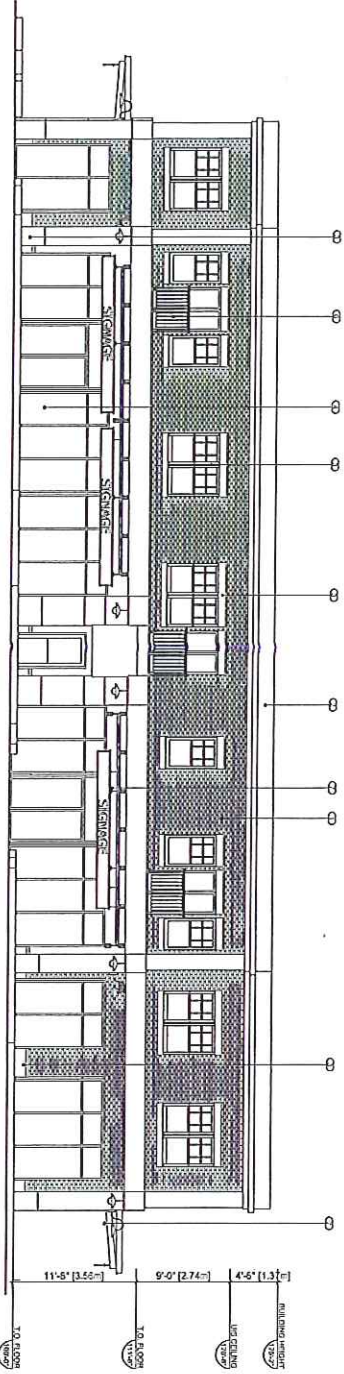
GARY TEMPERAL ARCHITECT LTD.
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PROJECT
120 LEATHERLEAD RD
OXA PARKWAY, KALIDONIA, BC
Kelowna, BC

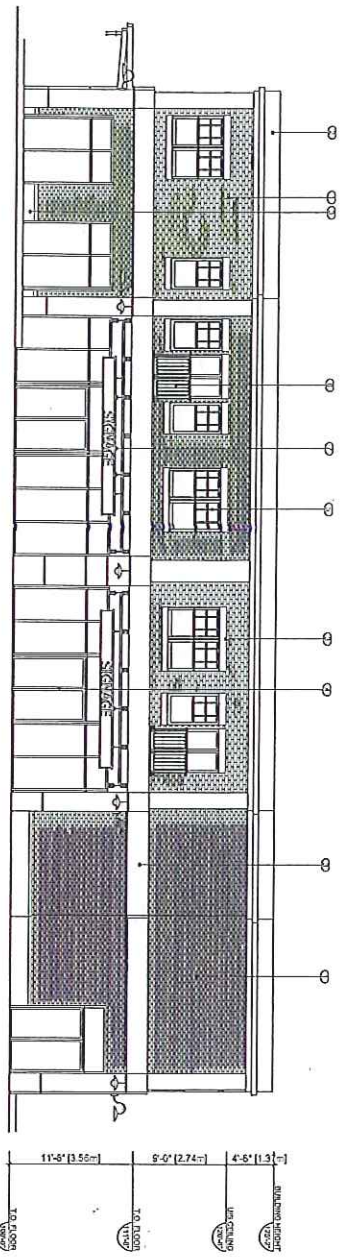
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BUILDING
ELEVATIONS
& SECTION

DATE: FEB 11, 2013
FIELD: A4.2

1 NORTH ELEVATION
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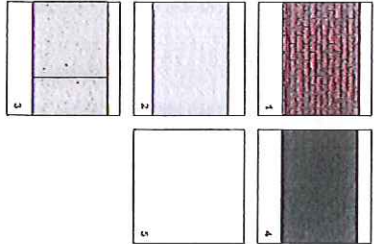


1 WEST ELEVATION
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SCHEDULE B
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Permit # **DP11-0063**

- MATERIALS AND KEYNOTE LEGEND:**
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 2. GIPS FACIUM STUCCO FINISH
 3. PRE-CAST COLOURED WALL BASE GILLS
 4. ALUMINUM STOREFRONT GLASSING SYSTEM (BLACK FINISH)
 5. VINYL WINDOWS (WHITE COLOR)
 6. AWNINGS



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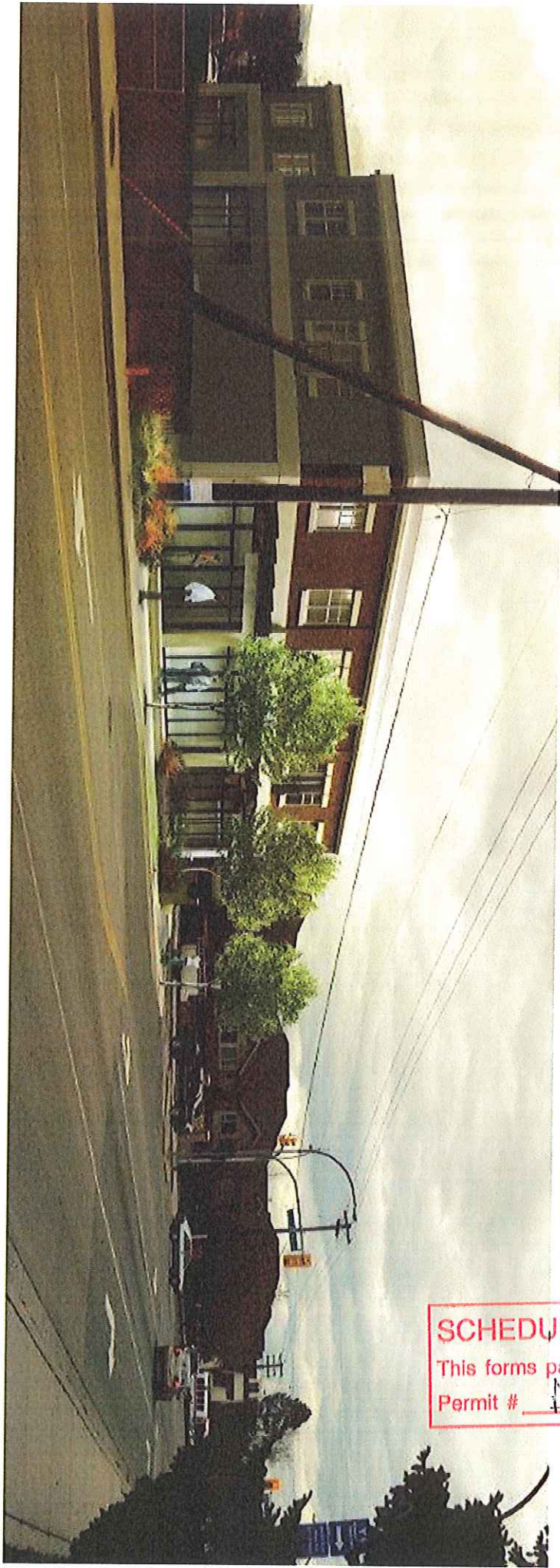
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NO.	DATE	DESCRIPTION	BY	CHKD.
1	2011.02.11	ISSUED FOR PERMIT REVIEW	gta	
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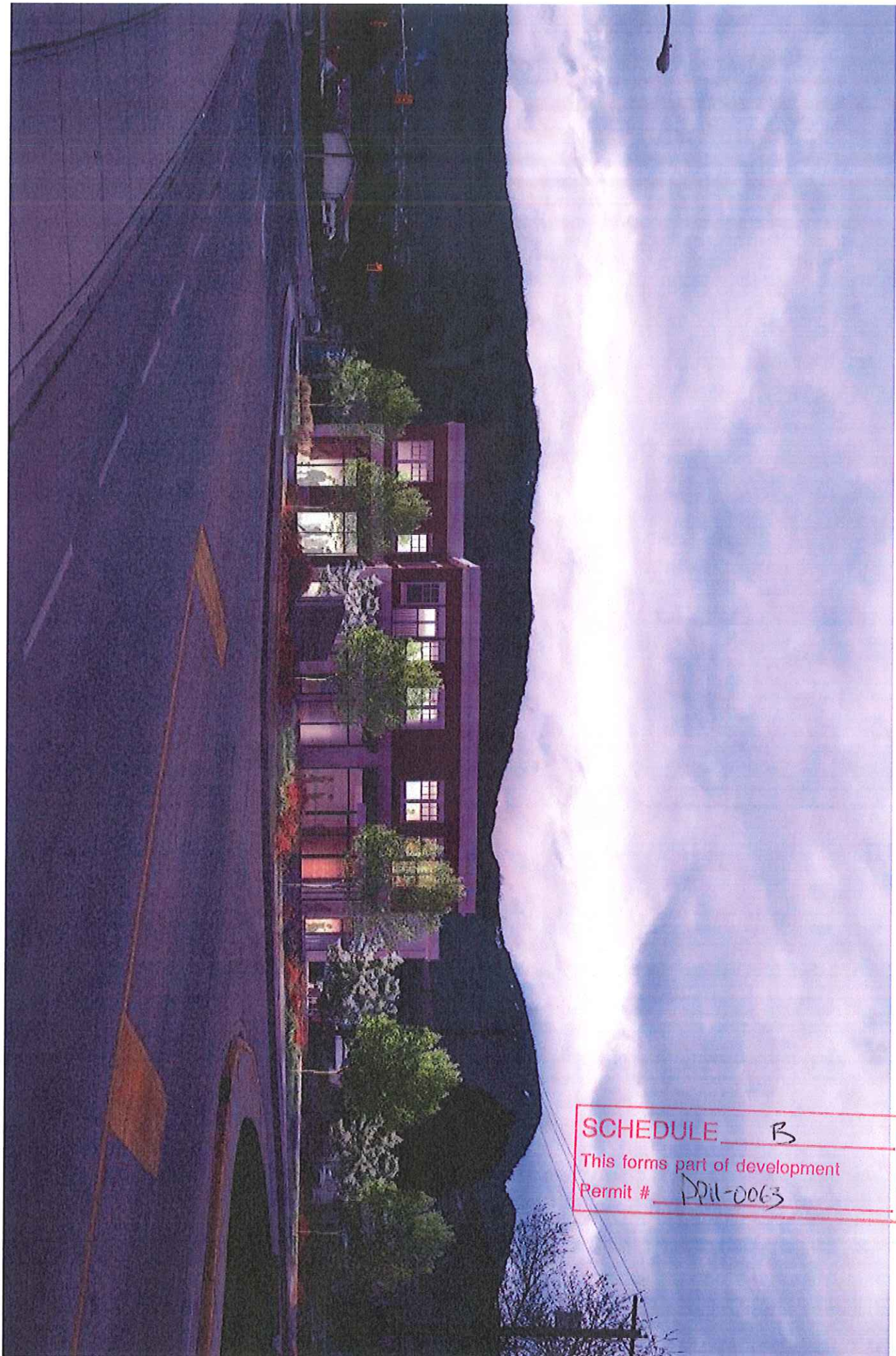
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GARY T. THOMPSON ARCHITECTS LTD.
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LEATHHEAD
120 LEATHHEAD RD
KILLOWNA, BC

BUILDING ELEVATIONS
PROJECT NO. **A4.1**
DATE: FEB 11, 2011



SCHEDULE B
This forms part of development
Permit # DP11-0063



SCHEDULE B
This forms part of development
Permit # DP11-0063



SCHEDULE B
This forms part of development
Permit # DPA-0063

