

REPORT TO COUNCIL



Date: February 20, 2018

RIM No. 0940-00

To: City Manager

From: Community Planning Department (KB)

Application: DP18-0003 / DVP18-0004 **Owner:** Watermark Developments Ltd.,
Inc.No. BO0642787

Address: 655 Academy Way **Applicant:** Meiklejohn Architects

Subject: Development Permit and Development Variance Permit Application

Existing OCP Designation: MRM – Multiple Unit Residential (Medium Density)

Existing Zone: RM4 – Transitional Low Density Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP18-0003 for Lot 5 Section 3 Township 23 Osoyoos Division Yale District Plan EPP53793, located at 655 Academy Way, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in 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 Registered Landscape Architect;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

AND THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0004 for Lot 5 Section 3 Township 23 Osoyoos Division Yale District Plan EPP53793, located at 655 Academy Way, Kelowna, BC;

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

Section 13.10.6(c): RM4 – Transitional Low Density Housing Development Regulations

To vary the required maximum height from 13.0 m or 3 storeys (permitted) to 13.0 m or 3 ½ storeys (proposed).

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To consider the form and character of a 3 ½ storey apartment building on Academy Way known as 'U Seven' and to consider a Development Variance Permit to vary the maximum height from 3 storeys (permitted) to 3 ½ storeys (proposed).

3.0 Community Planning

Staff are recommending support for the Development Permit and Development Variance Permit application due to the proposal's consistency with the Official Community Plan's (OCP) design guidelines and the vision of the University Village Master Plan. Staff would have preferred more architectural variability in the project as it closely resembles "U Six", however it still remains within acceptable range for form and character for apartment buildings.

3.1 Form and Character

The key design features are:

1. 'U Seven' emulates the desirable form and character of nearby buildings by designing a sense of architectural cohesiveness along Academy Way with the 'U' building design theme.
2. The orientation of the building respects the University Village Master Plan concept, with the long articulated building form following the site contours and the short building façade facing Academy Way. There is an entrance to the building along Academy Way, which, together with landscaping, helps to create a defined street edge and promote a pedestrian-friendly streetscape.
3. The University Village Master Plan states all multiple family residential and mixed-use buildings should contain understructure (beneath habitable or commercial space) parking¹. 'U Seven' meets this guideline by providing an enclosed parkade that accommodates 44 vehicles. The parking structure is screened from view by proposing a comprehensive landscape plan on the downslope side of the parkade. Further, the parkade entrance is located to avoid pedestrian-vehicle conflicts.

3.2 Variations

Staff would not be supportive of a variance to absolute height as it would increase the building profile on this prominent hillside. However, staff note that the application is under the absolute maximum height permitted under Zoning Bylaw No. 8000 (13.0 m permitted, 13.0 m proposed), and the variance is for the number of storeys (3 storeys permitted, 3 ½ storeys proposed), which results from positioning the building on the sloped subject property.

¹ Part 2 University Master Plan (October 2009) – Watermark

The applicant explored ways to eliminate the need for the variance, but they do not feel the options maintain design integrity or financial viability. Consideration was given by the applicant to the following alternatives:

- Lowering the parkade further into the ground to eliminate the first half storey: however this would cause the homes facing north to become sunken into the ground due to the site slope. In addition, redesigning the parkade to accommodate a stepped building would create a single-loaded parking layout.
- Stepping the top floor back to create a 2 ½ storey condition on the south elevation: this would result in a loss in units, adds building complexity and substantial cost.
- Manipulating the grade in front of the building to reduce the exposed building face: this would result in a series of substantial retaining walls which would detract from the overall building and landscape design.

3.3 Neighbourhood Notification

The applicant has confirmed the completion of public notification in accordance with Council Policy No. 367.

4.0 **Proposal**

4.1 Background

The subject property is located within the University Village Neighbourhood, a comprehensive planned community under the University Village Master Plan (October 2009). Nearby buildings include 'U6', 'U5B', 'U5A', 'U3B' and 'U3A'.

4.2 Project Description

The 'U Seven' project is a 57 unit development. The three storey wood frame building is located on the north side of the subject property, perpendicular to Academy Way. The proposed driveway will be located directly off Academy Way. The access connects to a 47 stall surface parking lot and a 44 stall parkade under the 'U Seven' building.

The overall site planning for 'U Seven' is consistent with the pedestrian circulation patterns established in the neighbourhood. The site has a public trail at the rear of the property and has a direct connection to the main pedestrian pathway along Academy Way. This trail connectivity provides connections to both University of British Columbia Okanagan (UBCO) Campus to the north and to future projects to the south.

An area of steep slopes on the eastern portion of the subject property is not suitable for development and will be protected through a no-disturbance agreement.

4.3 Character & Materials

The architectural form and character of the buildings is designed in a "campus modern" style and reflects similar architectural styles along the east side of Academy Way. The 'U Seven' building has a complementary form, image and colour to the previous approved 'U6', 'U5B', 'U5A' and additional buildings along Academy Way.

The brick and Hardie exterior is reflective of recent 'U6' and 'U5' buildings. As the building is built into the hill, the north side of the building has ground oriented units



Figure 1: 'U Seven' Rendering of the Main Entrance

at grade. The south side, where the variance is requested from 3 to 3 ½ storeys, has raised planters and landscaping along the front facade which helps to add visual interest to the building and help to soften the building mass.

Figure 2: The Façade of “U Seven” as viewed from Academy Way. The north elevation is three storeys. The scope of the variance on the south elevation, where the front entrance and parkade entrance are located, is 3 ½ storeys.



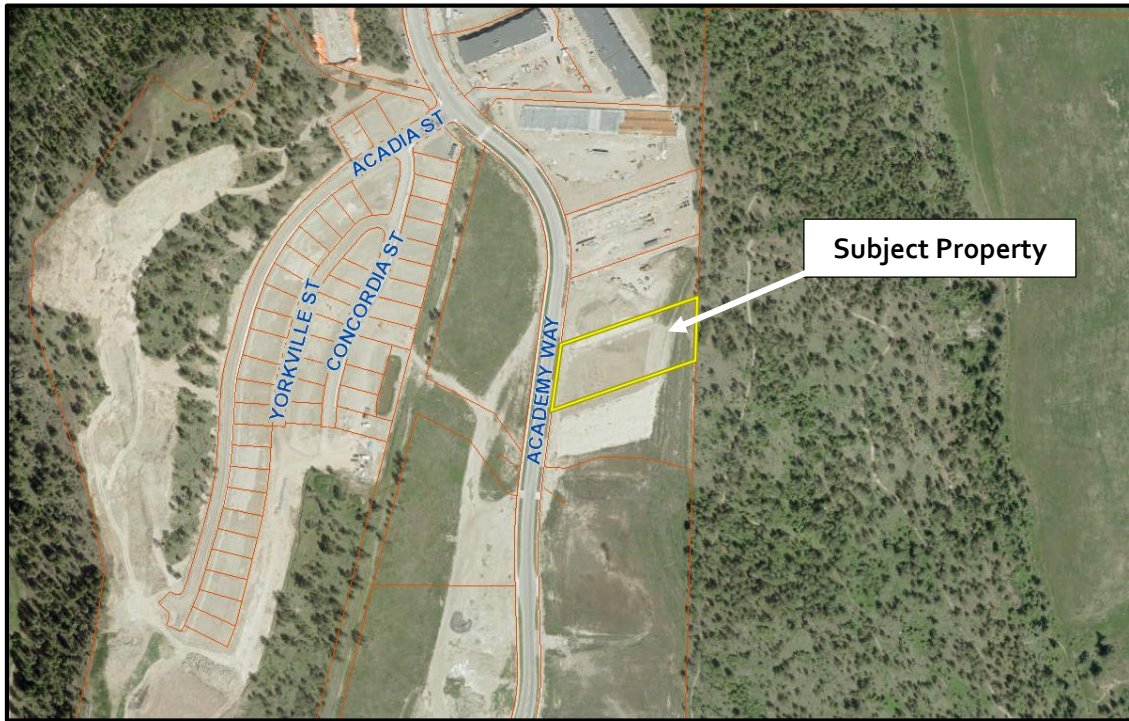
4.4 Site Context

The ‘U Seven’ development project is located on the east side of Academy Way, near the UBCO Campus. The property has a Future Land Use Designation of MRM – Multiple Unit Residential (Medium Density) in the Official Community Plan and it is located within the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM ₄ – Transitional Low Density Housing	Multiple Dwelling Housing (‘U6’)
East	A ₁ – Agriculture 1	Park & Potential S ₂ RES
South	RM ₄ – Transitional Low Density Housing	Vacant
West	RM ₃ – Low Density Multiple Housing	Vacant

Subject Property Map: 655 Academy Way



4.5 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM4 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Site Coverage (buildings)	50 %	27.1 %
Site Coverage (buildings, driveways and parking)	60 %	47.4 %
Floor Area Ratio	0.7467	0.6475
Height	13.0 m (3 storeys)	13.0 m (3 ½ storeys) ●
Front Yard (west)	4.5 m for first 2 storeys 6.0 m above 2 nd storey	6.0 m
Side Yard (north)	4.5 m	4.5 m
Side Yard (south)	4.5 m	23.8 m
Rear Yard (east)	9.0 m	27.0 m
Other Regulations		
Minimum Parking Requirements	91 stalls	91 stalls (44 stalls within parkade) (47 stalls at grade)
Bicycle Parking	29 Class I spaces 6 Class II spaces	43 Class I spaces 6 Class II spaces
Private Open Space	1,320 m ²	> 1,320 m ²

● Indicates a requested variance to vary the required maximum height from 13.0 m or 3 storeys (permitted) to 13.0 m or 3 ½ storeys (proposed)

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5 - Development Process	
Policy #	Description
5.2.3	Compact Urban Form. Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.
5.2.5	Integrated Land Use. Integrate land use approaches wherever possible to improve opportunities for biodiversity, ecosystem connectivity, recreation, agriculture and local food production, while reducing conflicts.
5.5.1	For all areas of the City outside the Urban Centres. Buildings heights shall be a maximum of four storeys for residential and six storeys for apartment hotels and hotels. Additional height restrictions may be imposed as a result of airport-related zoning regulations.
5.10.1	Maximize Pedestrian / Cycling Connectivity. Require that pedestrian and cyclist movement and infrastructure be addressed in the review and approval of all City and private sector developments, including provision of sidewalks and trails and recognition of frequently used connections and informal pedestrian routes. With new developments, require dedication of on-site walking and cycling paths where necessary to provide links to adjacent parks, schools, transit stops, recreation facilities, employment nodes, cul-de-sacs and large activity areas.
5.11.4	Multi-Unit Residential Parking. Encourage developers / landlords to unbundle parking price from the multi-family housing or rental price.
5.22.1	Cluster Housing. Require new residential development to be in the form of cluster housing on / or near environmentally sensitive areas and areas of steeper slopes to lessen site disturbance and environmental impact on those areas identified on the Future Land Use Map 4.1 as single-two unit residential hillside. Steeply sloped areas should be retained as natural open space, public or private. The intent of the clustering would be to preserve features identified through the Development Permit process that otherwise might be developed and to maximize open space in order to: <ol style="list-style-type: none"> Protect environmentally sensitive areas of a development site and preserve them on a permanent basis utilizing the most appropriate tools available; Facilitate creative and flexible site design that is sensitive to the land's natural features and adaptive to the natural topography; Decrease or minimize non-point source (i.e. asphalt roofs, driveways and parking) pollution impacts by reducing the amount of impervious surfaces in site development; Promote overall cost savings on infrastructure installation and maintenance; and Provide opportunities for social interaction, walking and hiking in open space areas.

6.0 Technical Comments

6.1 Development Engineering Department

Does not compromise any municipal infrastructure

7.0 Application Chronology

Date of Application Received: December 12, 2017
Date Public Consultation Completed: January 23, 2018
Date of Circulation Comments Closed: January 30, 2018

Report prepared by: Kimberly Brunet, Planner
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Draft Development Permit and Development Variance Permit No. DP18-0003/DVP18-0004
Applicant's Rationale Statements
Attachment "A" – Site Plan
Attachment "B" – Building Elevations, Colour Board and Renderings
Attachment "C" – Landscaping Plan