

REPORT TO COUNCIL



Date: February 20, 2018

RIM No. 0940-00

To: City Manager

From: Community Planning Department (KB)

Application: DVP18-0002 **Owner:** Watermark Developments Ltd.,
Inc. No. BCo642787

Address: 695 Academy Way **Applicant:** Mission Group Homes Ltd.

Subject: 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 Variance Permit No. DVP18-0002 for Lot 4 Section 3 Township 23 Osoyoos Division Yale District Plan EPP53793, located at 695 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 vary the maximum height from 3 storeys (permitted) to 3 ½ storeys (proposed) for a multi-family apartment building project.

3.0 Community Planning

Community Planning Staff are in support of the Development Variance Permit application. The Development Permit for form and character for "U Six" was approved by Council on December 11, 2017. Upon building permit submission and reviewing more detailed drawings, it was determined that the amount of exposed lower floor on the south (down slope) elevation was not able to be considered in conformance with the zone. It was determined that a height variance would be required.

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, added 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.

Staff would not be supportive of a variance to absolute height as it would increase the building profile on this prominent hillside property. 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.

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 'U5B', 'U5A', 'U3B' and 'U3A'.

The Development Permit for form and character for 'U Six' was considered by Council on December 11, 2017. Upon building permit submission and reviewing more detailed drawings, it was determined that the amount of exposed lower floor on the south elevation was not able to be considered three storeys and that a variance would be required.

4.2 Project Description

The 'U Six' 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 would be located directly off Academy Way. The access connects to a 47 stall surface parking lot and a 44 stall parkade under the 'U Six' building. The front entrance and entry to the parkade are located at grade. There are 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 1: The Façade of “U Six” 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.



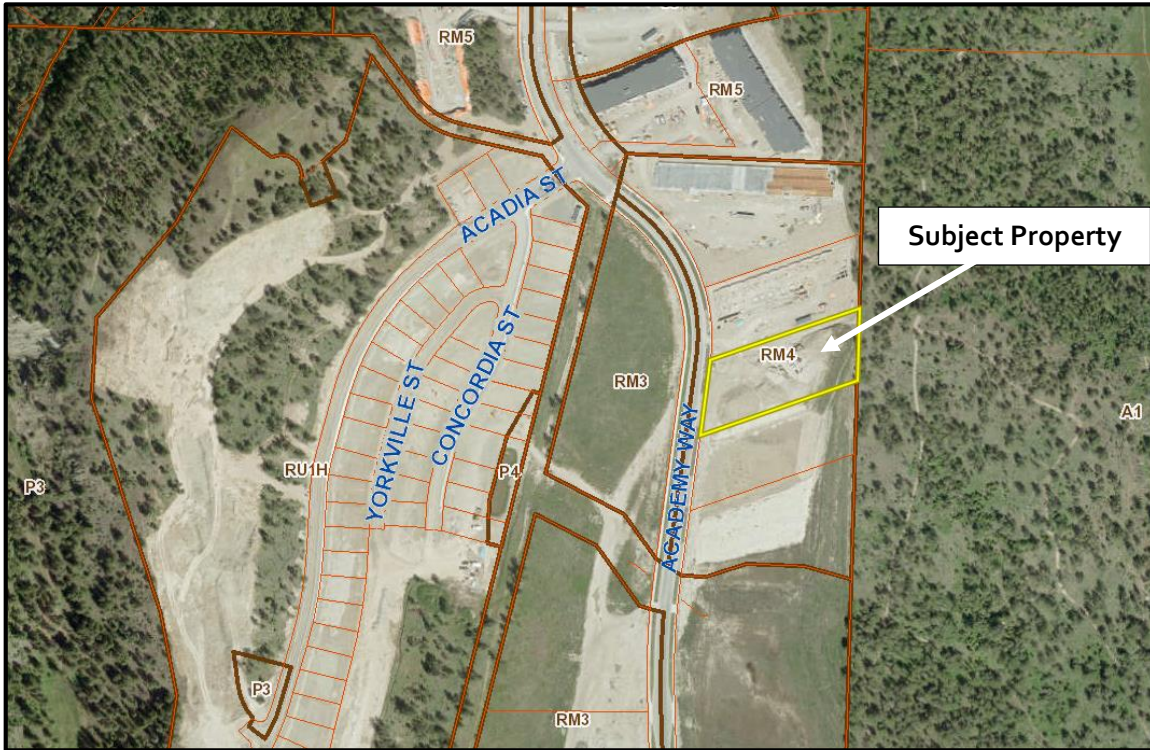
4.3 Site Context

The 'U6' development project is located on the east side of Academy Way, in close proximity to the University of British Columbia Okanagan 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 ('U5B')
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: 695 Academy Way



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM4 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Site Coverage (buildings)	50 %	28.6 %
Site Coverage (buildings, driveways and parking)	60 %	49.9 %
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 Technical Comments

Not applicable

6.0 Application Chronology

Date of Application Received: January 5, 2018

Date Public Consultation Completed: January 23, 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 Variance Permit No. DVP18-0002

Applicant's Letter of Rationale

Attachment "A" - Building Elevations and Renderings