

REPORT TO COUNCIL



Date: July 17, 2018

RIM No. 0940-00

To: City Manager

From: Community Planning Department (AW)

Application: DP18-0117 & DVP18-0118

Owner: Sarancorp Developments Ltd.
& 1126101 B.C. Ltd.

Address: 1975 Union Road

Applicant: Novation Design Studio

Subject: Development Permit and Development Variance Permit

Existing OCP Designation: Commercial

Existing Zone: C5 – Transition Commercial

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP18-0117 for Lot 27 Section 4 Township 23 ODYD Plan KAP51847, located at 1975 Union Road, 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 Council authorize the issuance of Development Variance Permit DVP18-0118 for Lot 27 Section 4 Township 23 ODYD Plan KAP51847, located at 1975 Union Road, Kelowna, BC;

Section 14.5.5 (c) Development Regulations – Height

To vary the height of the building from 2 ½ storeys permitted to 3 storeys proposed.

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

2.0 Purpose

To review the Form & Character of a mixed use development and to consider a height variance from 2 ½ storeys to 3 storeys.

3.0 Community Planning

Community Planning Staff support the Development Permit and associated Development Variance Permit for the proposed development. The form and character is in general accordance with the relevant Development Permit objectives and guidelines as specified in the Official Community Plan (OCP), including variation in both materials and building form. Architectural elements are also used to create visual interest.

The subject property isn't located within a village or urban centre but is at a prominent corner that is designated for a mix of apartment and mixed use development and is across from North Glenmore Elementary school. The proposal requires a height variance from 2 ½ to 3 storeys but the overall height profile falls within the 9.5m bylaw requirement. OCP Policy 5.22.6 (Sensitive Infill) is achieved by keeping the height of the proposed development within the permitted 9.5m maximum. This provides an appropriate transition from Glenmore and Union Road residences to the south and east. Locating the building at the southern end of the property also distances it and provides an appropriate buffer from the ALR lands across Union Road.

To fulfill Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff on June 15, 2018, documenting that neighbours within 50m of the subject properties were notified.

4.0 Proposal

4.1 Background

A car wash had previously been approved (2015) for development on the subject property, the Development Permit has since expired and the property was purchased by the current owner in 2017.

4.2 Project Description

The applicant is proposing to construct a mixed use development with 5 two-storey, three bedroom units on top of the ground floor commercial podium. Required parking will be located at grade with site access coming from Union Road. The exterior materials will be a combination of acrylic stucco, brick cladding and cedar siding. The subject properties' current land use designation of Commercial is consistent with the existing C5 zone which allows for a mixed use project with a maximum height of 9.5m / 2 ½ storeys and the proposal is for a building with a height of 9.5m / 3 storeys.

4.3 Site Context

The subject property is located at the corner of Glenmore and Union Roads near to the North Glenmore elementary School.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Residential
East	RM2 – Low Density Row Housing	Residential
South	RM2 – Low Density Row Housing	Residential
West	RM5 – Medium Density Multiple Housing	Vacant

Subject Property Map: 1975 Union Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C5 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Floor Area Ratio	Commercial: 0.4 Residential: 0.2	Commercial: 0.4 Residential: 0.2
Site Coverage	40%	
Height	9.5 m / 2 ½ storeys	9.5 m / 3 storeys●
Front Yard	4.5m	19.2m
Side Yard (West)	4.5m	4.5m
Side Yard (East)	2.3m	2.4m
Rear Yard	6.0m	7.5m
Other Regulations		
Minimum Parking Requirements	29 stalls	34 stalls
Bicycle Parking	Class I: 5 spaces Class II: 6 spaces	Class I: 5 spaces Class II: 6 spaces
Private Open Space	75m ²	105m ²
Loading Space	1 stall	1 stall
● Vary the height from 2 ½ storeys permitted to 3.0 storeys proposed.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ 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.

Contain Urban Growth.² Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Housing Mix.³ Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

Chapter 4: Land Use Designation Massing and Height.

- Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing, including:
- Architectural elements (e.g. balconies, bay windows, cantilevered floors, cupolas, dormers);
- Visually-interesting rooflines (e.g. variations in cornice lines and roof slopes);
- Step back upper floors to reduce visual impact;
- Detailing that creates a rhythm and visual interest along the line of the building;
- Wall projections and indentations, windows and siding treatments as well as varied material textures should be utilized to create visual interest and to articulate building facades;
- Building frontages that vary architectural treatment in regular intervals in order to maintain diverse and aesthetically appealing streets.

6.0 Technical Comments

6.1 Building & Permitting Department

1. Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).
2. Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
3. HPO (Home Protection Office) approval or release is required at time of Building Permit application.
4. A Hoarding permit is required and protection of the public from the staging area and the new building area during construction. Location of the staging area and location of any cranes should be established at time of DP.
5. A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
 - a. Any alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit.
 - b. Location, Heights, Colours of mechanical systems and the required screening are to be determined at time of DP

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

² City of Kelowna Official Community Plan, Goals for a Sustainable Future, Objective 1 (Chapter 1 Introduction)

³ City of Kelowna Official Community Plan, Policy 5.27.11 (Development Process Chapter)

- c. Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
 - d. Handicap Accessibility to the main floor levels to be provided, ramps may be required.
 - e. Hard surfaced paths leading from the egress stairwells to a safe area are to be clearly defined as part of the DP
- 6. A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. Minimum building elevations are required to be established prior to the release of the Development Permit. If a soil removal or deposit permit is required, this must be provided at time of Development Permit application.
 - 7. We strongly recommend that the developer have his professional consultants review and prepare solutions for potential impact of this development on adjacent properties. Any damage to adjacent properties is a civil action which does not involve the city directly. The items of potential damage claims by adjacent properties are items like settlement of foundations (preload), damage to the structure during construction, undermining & underpinning of existing foundation, additional snow drift on neighbour roofs, excessive noise from mechanical units, vibration damage during foundation preparation work, water infiltration systems, etc.
 - 8. Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
 - 9. Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this complex at time of permit application

6.2 Development Engineering Department

Proposed driveway access must be to City of Kelowna residential standards 6.0m max width and to be placed as far from Glenmore Rd and Union Rd intersection as possible. Union Road frontage is urbanization with curb, and sidewalk. Vehicular access to Union Road will be restricted to right in and right out only by constructing a concrete raised median from the intersection to 10 meters beyond the access driveway.

6.3 Glenmore Ellison Irrigation District

Water Certificate required prior to issuance of Building Permit.

7.0 Application Chronology

Date of Application Received: May 29, 2018

Date Public Consultation Completed: June 15, 2018

Report prepared by: Alec Warrender, Property Officer Specialist

Approved for Inclusion: Terry Barton, Urban Planning Manager

Ryan Smith, Community Planning Department Manager

Attachments:

Technical Requirements

DP18-0117 & DVP18-0118