

REPORT TO COUNCIL



Date: July 16th, 2018

RIM No. 0940-00

To: City Manager

From: Community Planning Department (AC & JR)

Application: DP17-0061

Owner: Pannu, Gurpreet

Address: 1360 Belaire Avenue

Applicant: New Town Services Inc. (Jesse Alexander)

Subject: Development Permit

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

Existing Zone: RU6 – Two Dwelling Housing

Proposed Zone: RM5 – Medium Density Multiple Housing

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 114,21 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP17-0061 for Lot 34, District Lot 137, ODYD, Plan 10011, located at 1360 Belaire Ave, 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 provide 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;
5. The applicant be required to register on the subject property a section 219 tree protection covenant to ensure preservation of the on-site mature trees as per Schedule "D";
6. The applicant be required to provide a tree protection plan approved by a Certified Arborist to ensure the ongoing protection of the existing mature trees throughout the site construction on the subject property;

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

AND FURTHER THAT this Development 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 Development Permit for a 17-unit, 4-storey apartment building.

3.0 Community Planning

Staff support the proposed Development Permit application for a 17-unit, 4-storey apartment building. The applicant has completed all the rezoning conditions to facilitate the proposed Development Permit. The applicant has proposed a well-designed, 4-storey apartment building with no variances and meets the majority of the OCP design guidelines.

All the units in this building will primarily be rental micro units except for one, that will be a single studio caretaker unit. The property meets the requirements under the RM5 – Medium Density Multiple Housing Zone to provide micro suites. It is within 400m of several bus stops and is within the Capri/Landmark Urban Center.

The design of the building uses materials that have earth tones such as wood textured cement siding, stucco and concrete. The combination of contemporary design and high quality materials result in a warm, aesthetically pleasing building. Large decks are provided along the East and West sides with an additional amenity space, on the East side, in the form of a semi-private landscaped seating area provided at grade.

Parking is located at-grade below the building. The parking area is open air and not enclosed within the building which is unique to more typical condo parking structures. A fully opaque fence will be provided around the property for screening and noise mitigation. Sufficient bike parking will be in the form of outdoor bike racks and a locked room.

The two mature fir trees on the front of the property will be preserved and integrated into the design while the maple tree will be replaced once construction is complete. Tree protection details have been reviewed and are supported by staff. The band of trees at the rear of the property will be replaced with Oak trees as the current, Siberian Elm, trees are in poor condition and should be removed. The Oak trees will serve as a visual buffer from Harvey Avenue while the two trees at the front of the property will enhance the local street interface. As part of this Development Permit Staff are requesting that a Tree Protection Covenant and a Tree Protection Plan be register on title before the permit is issued.

4.0 Proposal

4.1 Project Description

The applicant has applied for a Development Permit application to facilitate a 17-unit multiple residential building located at 1360 Belaire Avenue. The proposal is for 16 rental micro-suites with 1 care-taker unit. The project has 17 parking stalls which meets the minimum parking requirements and the Zoning Bylaw. The project is within 400 metres of a bus stop and is in an urban centre which is the prerequisite to allow micro-suite developments.

4.2 Site Context

The subject property is 931m² in size and is located within the Capri-Landmark Urban Centre.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM5 – Medium Density Multiple Housing	Residential
East	RU6 – Two Dwelling Housing & C ₃ – Community Commercial	Residential & Commercial
South	RU6 – Two Dwelling Housing	Residential
West	Ru6 – Two Dwelling Housing	Residential

Subject Property Map: 1360 Belaire Avenue



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM5 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Floor Area Ratio	1.1 max	0.6
Height	18.0 m / 4.5 storeys	13.4 m / 4 storeys
Front Yard (South)	6.0 m	6.0 m
Side Yard (East)	4.5m below 2.5 storeys 7.0m above 2.5 storeys	4.5m below 2.5 storeys 7.0m above 2.5 storeys
Side Yard (West)	4.5m below 2.5 storeys 7.0m above 2.5 storeys	4.5m below 2.5 storeys 7.0m above 2.5 storeys
Rear Yard (North)	9.0 m	9.0 m
Site Coverage of Buildings	40 %	34 %

Site Coverage of Buildings, Driveways, & Parking	65 %	62 %
Parking Regulations		
Minimum Parking Requirements	1 per bachelor unit = 17 stalls	17 stalls
Ratio of Parking Stalls	Full size: 50 % min Medium size: 40 % max Small size: 10 % max	Full size: 71% (12 stalls) Medium size: 17 % (4 stalls) Small size: 6% (1 stall)
Minimum Drive Aisle Width	7.0m	7.0m
Setback (Parking)	1.5m	1.5m or greater
Parking Stall Size	0.2 m when abutting an obstruction (e.g. column or wall)	0.2m
	Measured to edge of column	Measure to edge of column
Other Regulations		
Bicycle Parking	Class 1: 9 bikes Class 2: 2 bikes	Class 1: 10 bikes Class 2: 6 bikes
Private Open Space	127.5 m ²	134.8 m ²
Landscape Buffer	3.0 m	6.0 m (Front) 1.5m (Side & Rear)

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Permit Guidelines

Comprehensive Development Permit Area

Consideration has been given to the following guidelines as identified in Section 14.A. of the City of Kelowna Official Community Plan relating to Comprehensive Development Permit Areas:

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Authenticity and Regional Expression			
Do landscaping and building form convey a character that is distinct to Kelowna and the Central Okanagan?	x		
Are materials in keeping with the character of the region?	x		
Are colours used common in the region's natural landscape?	x		
Does the design provide for a transition between the indoors and outdoors?	x		
Context			
Does the proposal maintain the established or envisioned architectural character of the neighbourhood?		x	
Does interim development consider neighbouring properties designated for more intensive development?	x		
Are façade treatments facing residential areas attractive and context sensitive?	x		
Are architectural elements aligned from one building to the next?			x
Is the design unique without visually dominating neighbouring buildings?		x	

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
For developments with multiple buildings, is there a sense of architectural unity and cohesiveness?			x
Relationship to the Street			
Do buildings create the desired streetscape rhythm?		x	
Are parkade entrances located at grade?	x		
For buildings with multiple street frontages, is equal emphasis given to each frontage?			x
Massing and Height			
Does the design mitigate the actual and perceived mass of buildings?	x		
Does the height consider shading and view impacts for neighbouring properties and transition to less intensive areas?	x		
Human Scale			
Are architectural elements scaled for pedestrians?	x		
Are façades articulated with indentations and projections?	x		
Are top, middle and bottom building elements distinguished?	x		
Do proposed buildings have an identifiable base, middle and top?	x		
Are building facades designed with a balance of vertical and horizontal proportions?	x		
Are horizontal glazed areas divided into vertically proportioned windows separated by mullions or building structures?	x		
Does the design incorporate roof overhangs and the use of awnings, louvers, canopies and other window screening techniques?		x	
Is the visual impact of enclosed elevator shafts reduced through architectural treatments?	x		
Exterior Elevations and Materials			
Are buildings finished with materials that are natural, local, durable and appropriate to the character of the development?	x		
Are entrances visually prominent, accessible and recognizable?	x		
Are higher quality materials continued around building corners or edges that are visible to the public?	x		
Are a variety of materials used to create contrast, enhance the pedestrian environment and reduce the apparent mass of a building?	x		
Are elements other than colour used as the dominant feature of a building?	x		
Public and Private Open Space			
Does public open space promote interaction and movement through the site?	x		
Are public and private open spaces oriented to take advantage of and protect from the elements?	x		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Is there an appropriate transition between public and private open spaces?	x		
Are amenities such as benches, garbage receptacles, bicycle stands and community notice boards included on site?	x		
Site Access			
Is the safe and convenient movement of pedestrians prioritized?	x		
Are alternative and active modes of transportation supported through the site design?	x		
Are identifiable and well-lit pathways provided to front entrances?	x		
Do paved surfaces provide visual interest?	x		
Is parking located behind or inside buildings, or below grade?	x		
Are large expanses of parking separated by landscaping or buildings?			x
Are vehicle and service accesses from lower order roads or lanes?	x		
Do vehicle and service accesses have minimal impact on the streetscape and public views?		x	
Is visible and secure bicycle parking provided in new parking structures and parking lots?	x		
Environmental Design and Green Building			
Does the proposal consider solar gain and exposure?	x		
Are green walls or shade trees incorporated in the design?	x		
Does the site layout minimize stormwater runoff?	x		
Are sustainable construction methods and materials used in the project?	x		
Are green building strategies incorporated into the design?		x	
Decks, Balconies, Rooftops and Common Outdoor Amenity Space			
Are decks, balconies or common outdoor amenity spaces provided?	x		
Does hard and soft landscaping enhance the usability of decks, balconies and outdoor amenity spaces?	x		
Are large flat expanses of roof enhanced with texture, colour or landscaping where they are visible from above or adjacent properties?	x		
Amenities, Ancillary Services and Utilities			
Are loading, garage, storage, utility and other ancillary services located away from public view?		x	
Are vents, mechanical rooms / equipment and elevator penthouses integrated with the roof or screened with finishes compatible with the building's design?	x		
Landscape Development and Irrigation Water Conservation			

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Does landscaping:	-	-	-
• Compliment and soften the building's architectural features and mitigate undesirable elements?	x		
• Maintain the dominant pattern of landscaping along the street and surrounding properties?	x		
• Enhance the pedestrian environment and the sense of personal safety?	x		
• Screen parking areas, mechanical functions, and garbage and recycling areas?	x		
• Respect required sightlines from roadways and enhance public views?	x		
• Retain existing healthy mature trees and vegetation?	x		
• Use native plants that are drought tolerant?	x		
• Define distinct private outdoor space for all ground-level dwellings?	x		
Do any fences and retaining walls create visual interest and enhance the pedestrian environment?	x		
Do parking lots have one shade tree per four parking stalls?			x
Crime prevention			
Are CPTED practices as related to landscaping, siting, form and exterior design included in the design?			x
Are building materials vandalism resistant?		x	
Universal Accessible Design			
Is access for persons with disabilities integrated into the overall site plan and clearly visible from the principal entrance?	x		
Are the site layout, services and amenities easy to understand and navigate?	x		
Signs			
Do signs contribute to the overall quality and character of the development?			x
Is signage design consistent with the appearance and scale of the building?			x
Are signs located and scaled to be easily read by pedestrians?			x
For culturally significant buildings, is the signage inspired by historical influences?			x
Lighting			
Does lighting enhance public safety?	x		
Is "light trespass" onto adjacent residential areas minimized?	x		
Does lighting consider the effect on the façade, neighbouring buildings and open spaces?	x		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Is suitably scaled pedestrian lighting provided?	x		
Does exterior street lighting follow the International Dark Sky Model to limit light pollution?	unknown		

6.o 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) Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s) / area(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
- 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, Colors of mechanical systems and the required screening are to be determined at time of DP
 - 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
 - f. Access to the roofs are required per NFPA and guard rails may be required and should be reflected in the plans if required
- 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) This property falls within a defined flood plain area and compliance is required to Mill Creek Bylaw No. 10248 or alternative approval from the subdivision approving officer as per section 5.3 of the bylaw is required prior to issuance of any building permits
- 8) 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.

- 9) 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.
- 10) An exit analysis is required as part of the code analysis at time of building permit application. The exit analysis is to address travel distances within the units and all corridors, number of required exits per area, door swing direction, handrails on each side of exit stairs, width of exits, spatial calculation for any windows in exit stairs, etc.
- 11) 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

See attached memorandum dated April 13, 2017

6.3 Fire Department

- 1) Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template at Kelowna.ca
 - a. Should a hydrant be required on this property it shall be operational prior to the start of construction and shall be deemed a private hydrant
- 2) A fire safety plan as per section 2.8 BCFC is required at occupancy. The fire safety plan and floor plans are to be submitted for approval in AutoCAD Drawing format on a CD.
- 3) Fire Department access is to be met as per BCBC 3.2.5.

6.4 FortisBC Inc - Electric

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Belaire Road. Based on the plans submitted, it is unclear whether adequate space has been provided to accommodate the transformation required to service the proposed development. It is recommended that FBC(E) be contacted as soon as possible to determine servicing and land rights requirements for the proposed design. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

7.0 Application Chronology

Date of Application Received:	March 9 th , 2017
Date Public Consultation Completed:	April 6 th , 2017
Tree Covenant Completion:	Draft Completed

Report prepared by: Adam Cseke, Planner Specialist & Jenna Ratzlaff, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

DRAFT Development Permit

Attachment 'A' – Development Engineering memo dated April 13th 2017

Schedule 'A' – Applicant's Rational & Plans

Schedule 'B' – Elevations

Schedule 'C' – Landscape Plan

Schedule 'D' – Trees to be Protected