

REPORT TO COUNCIL



Date: July 31, 2018

RIM No. 0940-00

To: City Manager

From: Community Planning Department (TA)

Application: DP16-0295 DVP16-0296 **Owner:** TMI Properties Ltd

Address: 1297 Findlay Road **Applicant:** Radec Group Inc.

Subject: Development Permit and Development Variance Permit

Existing OCP Designation: MRL – Multiple Unit Residential (Low Density)

Existing Zone: RM₃ – Low Density Multiple Housing

1.0 Recommendation

THAT Rezoning Bylaw No. 11430 be amended at third reading to revise the legal description of the subject properties from Lot A Section 35 Township 26 ODYD Plan 18811, located at 1297 Findlay Road, Kelowna, BC, and Lot B Section 35 Township 26 ODYD Plan 18811, located at 1287 Findlay Road, Kelowna, BC to Lot 1, Section 35, Township 26, ODYD, Plan EPP69228, located at 1297 Findlay Road;

AND THAT final adoption of Rezoning Bylaw No. 11430 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP16-0295 for Lot 1, Section 35, Township 26, ODYD, Plan EPP69228, located at 1297 Findlay Road, 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 variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A":

Section 8.9.1(c): Parking and Loading – Off Street Vehicle Parking Location

To vary the required rear yard setback for off-street parking from 1.5m required to 0.0m proposed;

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 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 multi-family townhome development with a variance to allow required visitor parking in the rear yard setback (1.5m required, 0.0m proposed).

3.0 Community Planning

Community Planning supports the proposed Development Permit and Development Variance Permit for the subject property as it is in general accordance with the Official Community Plan (OCP) Comprehensive Design Guidelines for Multi-Family; and 20 three-bedroom townhomes will contribute housing stock to the "missing middle" providing a more attainable alternative than owning a Single Family Dwelling.

The proposed form and character meets the majority of the City's Urban Design Guidelines. In terms of context, the applicant has provided specific architectural detailing along the sides of the building in the form of ground level entries in order to keep with the envisioned architectural character of the neighbourhood. The exterior materials proposed include horizontal and vertical vinyl siding which are not considered quality materials, however, the use of architectural projections and indentations provides for some visual interest on the main facades.

Minimum private open space for each individual unit is achieved on a porch and a balcony which is accessed from a pedestrian pathway that is separated from vehicles by the buildings, therefore contributing to a safer pedestrian environment. This pathway extends along the rear of the property where benches are provided to create public outdoor space. Fencing and landscaping has been used to ensure privacy from adjacent properties and proper buffering to Chichester Wetland Park at the rear.

Parking is achieved in two stall garages, some organized in tandem and some in double format. Six stalls of visitor parking are provided, two of which encroach on the rear yard setback and a variance is requested (1.5m required, 0.0m proposed). Due to the location of the rear yard along Chichester Wetland Park, this variance will have negligible impact on neighbours, and fencing has been provided to delineate private and park space.

4.0 Proposal

4.1 Background

The subject property was recently consolidated to achieve this proposed development, and it previously had two single family dwellings on it. A road dedication of 5.0m was required as a function of the rezoning for the eventual widening of Findlay Road. The public hearing for the rezoning was held on July 11, 2017, and final adoption is considered in conjunction with this Development Permit application.

4.2 Project Description

The proposed multi-family development features 20 three-bedroom townhomes organized in 4 buildings. The required parking is achieved through a blend of 2 stall tandem garages and double garages on end units. There are 6 visitor stalls proposed, two of which are located within the rear yard setback and require a variance (1.5m required, 0.0m proposed). Minimum private outdoor space is provided on porches and balconies, and public outdoor space is provided between the buildings and at the rear of the site, including

two benches which face the park. The landscape plan meets the minimum bylaw requirements and includes low fencing around the property for privacy.

4.3 Site Context

The subject property is located in Rutland in an area where redevelopment is supported. It is on the east side of Findlay Road, north of McCurdy Rd, and backing onto Chichester Wetland Park. It is within walking distance to Bus Route Number 10, and receives a walk score of 37, meaning it is a car dependent neighbourhood.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM3 – Low Density Multiple Housing	Multi-family Housing
East	P3 – Parks & Open Space	Chichester Wetland Park
South	RU1 – Large Lot Housing	Single Family Dwelling
West	I1 – Business Industrial	Industrial

Subject Property Map: 1297 Findlay Rd



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM ₃ ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	900 m ²	3480 m ²
Lot Width	30.0 m	45.6 m
Lot Depth	30.0 m	75.4 m
Development Regulations		
Floor Area Ratio	0.8	.79
Site Coverage (Buildings)	40%	40%
Site Coverage (Buildings, Driveways, and Parking)	60%	59.7%
Height	10.0 m / 3 storeys	9.0 m / 3 storeys
Front Yard	1.5 m	1.5 m
Side Yard (south)	4.0 m	4.0 m
Side Yard (north)	4.0 m	4.0 m
Rear Yard	7.5 m	7.5 m
Other Regulations		
Minimum Parking Requirements	40 stalls	40 stalls plus 6 visitor stalls
Private Open Space	25 m ² per unit (500m ²)	>25 m ² per unit (522m ²)
Setback to Parking (rear)	1.5 m	0.0 m ❶
❶ Indicates a requested variance to reduce the rear yard setback to parking from 1.5m required to 0.0m proposed.		

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?		✓	
Are materials in keeping with the character of the region?	✓		
Are colours used common in the region's natural landscape?	✓		
Does the design provide for a transition between the indoors and outdoors?	✓		
Context			
Does the proposal maintain the established or envisioned architectural character of the neighbourhood?	✓		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Does interim development consider neighbouring properties designated for more intensive development?			✓
Are façade treatments facing residential areas attractive and context sensitive?	✓		
Are architectural elements aligned from one building to the next?	✓		
For exterior changes, is the original character of the building respected and enhanced?			✓
Is the design unique without visually dominating neighbouring buildings?		✓	
For developments with multiple buildings, is there a sense of architectural unity and cohesiveness?	✓		
Relationship to the Street			
Do buildings create the desired streetscape rhythm?	✓		
Are parkade entrances located at grade?			✓
For buildings with multiple street frontages, is equal emphasis given to each frontage?			✓
Massing and Height			
Does the design mitigate the actual and perceived mass of buildings?	✓		
Does the height consider shading and view impacts for neighbouring properties and transition to less intensive areas?	✓		
Human Scale			
Are architectural elements scaled for pedestrians?	✓		
Are façades articulated with indentations and projections?	✓		
Are top, middle and bottom building elements distinguished?	✓		
Do proposed buildings have an identifiable base, middle and top?	✓		
Are building facades designed with a balance of vertical and horizontal proportions?	✓		
Are horizontal glazed areas divided into vertically proportioned windows separated by mullions or building structures?	✓		
Does the design incorporate roof overhangs and the use of awnings, louvers, canopies and other window screening techniques?		✓	
Is the visual impact of enclosed elevator shafts reduced through architectural treatments?			✓
Exterior Elevations and Materials			
Are buildings finished with materials that are natural, local, durable and appropriate to the character of the development?		✓	
Are entrances visually prominent, accessible and recognizable?	✓		
Are higher quality materials continued around building corners or edges that are visible to the public?		✓	

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are a variety of materials used to create contrast, enhance the pedestrian environment and reduce the apparent mass of a building?		✓	
Are elements other than colour used as the dominant feature of a building?	✓		
Public and Private Open Space			
Does public open space promote interaction and movement through the site?	✓		✓
Are public and private open spaces oriented to take advantage of and protect from the elements?		✓	
Is there an appropriate transition between public and private open spaces?	✓		
Are amenities such as benches, garbage receptacles, bicycle stands and community notice boards included on site?	✓		
Site Access			
Is the safe and convenient movement of pedestrians prioritized?	✓		
Are alternative and active modes of transportation supported through the site design?		✓	
Are identifiable and well-lit pathways provided to front entrances?	✓		
Do paved surfaces provide visual interest?	✓		
Is parking located behind or inside buildings, or below grade?	✓		
Are large expanses of parking separated by landscaping or buildings?			✓
Are vehicle and service accesses from lower order roads or lanes?			✓
Do vehicle and service accesses have minimal impact on the streetscape and public views?			✓
Is visible and secure bicycle parking provided in new parking structures and parking lots?		✓	
Environmental Design and Green Building			
Does the proposal consider solar gain and exposure?		✓	
Are green walls or shade trees incorporated in the design?		✓	
Does the site layout minimize stormwater runoff?		✓	
Are sustainable construction methods and materials used in the project?		✓	
Are green building strategies incorporated into the design?		✓	
Decks, Balconies, Rooftops and Common Outdoor Amenity Space			
Are decks, balconies or common outdoor amenity spaces provided?	✓		
Does hard and soft landscaping enhance the usability of decks, balconies and outdoor amenity spaces?	✓		

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Are large flat expanses of roof enhanced with texture, colour or landscaping where they are visible from above or adjacent properties?			✓
Amenities, Ancillary Services and Utilities			
Are loading, garage, storage, utility and other ancillary services located away from public view?			✓
Are vents, mechanical rooms / equipment and elevator penthouses integrated with the roof or screened with finishes compatible with the building's design?			✓
Landscape Development and Irrigation Water Conservation			
Does landscaping:	-	-	-
<ul style="list-style-type: none"> Compliment and soften the building's architectural features and mitigate undesirable elements? 	✓		
<ul style="list-style-type: none"> Maintain the dominant pattern of landscaping along the street and surrounding properties? 	✓		
<ul style="list-style-type: none"> Enhance the pedestrian environment and the sense of personal safety? 	✓		
<ul style="list-style-type: none"> Screen parking areas, mechanical functions, and garbage and recycling areas? 			✓
<ul style="list-style-type: none"> Respect required sightlines from roadways and enhance public views? 	✓		
<ul style="list-style-type: none"> Retain existing healthy mature trees and vegetation? 		✓	
<ul style="list-style-type: none"> Use native plants that are drought tolerant? 	✓		
<ul style="list-style-type: none"> Define distinct private outdoor space for all ground-level dwellings? 			✓
Do any fences and retaining walls create visual interest and enhance the pedestrian environment?	✓		
Do parking lots have one shade tree per four parking stalls?			✓
Does the Landscape Architect's Landscape Water Conservation Report:	-	-	-
<ul style="list-style-type: none"> Meet the requirements for Landscape Water Budget calculations for the landscaped area? 			✓
<ul style="list-style-type: none"> Indicate how the development complies with or varies from the Landscape Water Conservation Guidelines? 			✓
<i>Landscape Water Conservation Guidelines</i>			
Are plants grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas?			✓
Does at least 25% of the total landscaped area require no irrigation / watering?			✓
Does at least 25% of the total landscaped area require low water use?			✓
Does at most 50% of the total landscaped area require medium or high water use?			✓
Is mulch cover provided for shrubs and groundcover to reduce soil evaporation?		✓	

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Do water features such as pools and fountains use recirculated water systems?			✓
Do landscape installation standards meet the requirements of the BC Landscape Standard and / or the Master Municipal Construction Document?			✓
Are the required written declarations signed by a qualified Landscape Architect?	✓		
<i>Irrigation System Guidelines</i>			
Is the Irrigation Plan prepared by a Qualified Professional?			✓
Are irrigation circuits grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas consistent with the landscaping plan?			✓
Is drip or low volume irrigation used?			✓
Are the required written declarations signed by a qualified Certified Irrigation Designer?			✓
Crime prevention			
Are CPTED practices as related to landscaping, siting, form and exterior design included in the design?	✓		
Are building materials vandalism resistant?	✓		
Universal Accessible Design			
Is access for persons with disabilities integrated into the overall site plan and clearly visible from the principal entrance?			✓
Are the site layout, services and amenities easy to understand and navigate?			✓
Lakeside Development			
Are lakeside open spaces provided or enhanced?			✓
Are lake views protected?			✓
Does lakeside development act as a transition between the lake and inland development?			✓
Signs			
Do signs contribute to the overall quality and character of the development?			✓
Is signage design consistent with the appearance and scale of the building?			✓
Are signs located and scaled to be easily read by pedestrians?			✓
For culturally significant buildings, is the signage inspired by historical influences?			✓
Lighting			
Does lighting enhance public safety?			✓
Is "light trespass" onto adjacent residential areas minimized?			✓

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
Does lighting consider the effect on the façade, neighbouring buildings and open spaces?			✓
Is suitably scaled pedestrian lighting provided?			✓
Does exterior street lighting follow the International Dark Sky Model to limit light pollution?			✓

6.0 Technical Comments

All technical comments were provided under rezoning application Z16-0083.

7.0 Application Chronology

Date of Application Received: December 2, 2016
 Date Public Consultation Completed: March 3, 2017
 Date of Revised Plans Received: May 30, 2017
 Date of Public Hearing: July 11, 2017
 Date all Requirements Met: June 8, 2018

Report prepared by: Trisa Brandt, 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 DP16-0295 and DVP16-0296
 Schedule "A": Siting and Dimensions
 Schedule "B": Elevations and Materials
 Schedule "C": Landscape Plan