

# REPORT TO COUNCIL



**Date:** 4/18/2016

**RIM No.** 0940-40

**To:** City Manager

**From:** Community Planning Department (AC)

**Application:** DP15-0294      **Owner:** MKS Resources Inc., Inc. No. BC0309808

**Address:** 3090 Burtch Rd      **Applicant:** Steve Shoranick

**Subject:** Development Permit Application

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

**Existing Zone:** RM4 - Transitional Low Density Housing

---

## 1.0 Recommendation

THAT Council authorize the issuance of Development Permit DP15-0294 for Lot B, District Lot 131, ODYD, Plan KAP80073, located on 3090 Burtch Rd, Kelowna, BC, subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land to be in general accordance with Schedule "C";
4. That 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 professional landscaper;

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 permit to be issued;

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

## 2.0 Purpose

To review the form and character Development Permit for a new 3 storey 48 unit residential development with underground parking.

### 3.0 Community Planning

Staff supports the proposed Development Permit and Development Variance Permit as the proposed development is consistent with the Official Community Plan (OCP) urban design guidelines and the existing RM4 zoning. The Official Community Plan (OCP) identifies the area as MRM (Medium Density Multiple Residential).

The 3 storey massing fits sensitively within the neighbourhood as the proposed development is similar in size and scale to the surrounding buildings. The 'L' shape building design presents a minimized elevation to the 3 storey westerly neighbour. The northern elevation is set back far enough away from the neighbouring two storey residential block as to maintain visual privacy and to prevent any over-shading on the existing development.

The design includes a flat roof with variegated parapet heights and balcony roofs to modulate the massing, break up long continuous surfaces and provide visual complexity without rendering the elevation too cluttered. The flat roof design is different from the neighbouring buildings which incorporate sloping roofs, however, a diversity of design can provide visual interest from the streetscape.

Vehicular access for this property is from an internal private laneway only which avoids direct access from KLO Road or Burtch Road. The existing private laneway does have access to both KLO Road and Burtch Road. However, the L-shaped design of the building does not create the desired streetscape rhythm along KLO Road (as described in the Development Permit Design Guidelines) because of the minor surface parking lot facing KLO Road. However, the neighbouring multifamily building added parking between their entire building width and KLO Road. The proposed development only has a portion of the property with surface parking facing KLO Road and the design meets the guidelines along the entire Burtch Road frontage / streetscape. Further, the applicant mitigated this design concern by adding a double row of trees on the landscaping plan (well over the minimum landscape requirement) and by berming /sloping finished grade to hide the parkade wall from the street view.

Council Policy No. 367 respecting public consultation does not apply to Development Permits.

### 4.0 Proposal

#### 4.1 Project Description

The building is a 48 unit, 3 storey residential development with an underground parking facilities. The project includes 15 one bedroom and 33 two bedroom apartment units. The development incorporates resident amenities such as indoor common activity room, outdoor roof deck/patio and private balconies for most apartments. Vehicular access into the project is limited to the private laneway.

#### 4.2 Site Context

The subject parcel is located within the Lower Mission area and is designated as Multiple Unit Residential - Medium Density (MRM) in the OCP and zone RM4 - Transitional Low Density Housing. The lot is within the Permanent Growth Boundary and the adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM4 - Transitional Low Density Multiple Housing A1- Agriculture	Residential Agriculture
East	RU3 - Small Lot Housing	Residential

South	RU1 - Large Lot Housing P2 - Education and Minor Institutional A1- Agriculture	Residential Institutional Agriculture
West	RM4 - Transitional Low Density Multiple Housing	Residential

**Subject Property Map: 3090 Burtch Rd**



#### 4.3 Zoning Analysis

Zoning Analysis Table		
CRITERIA	PROPOSAL	REQUIREMENTS
		RM4
Development Regulations		
Height	12.45m / 3 stories	13 m / 3 stories
Front Yard (south)	6.0 m	6.0 m
Side Yard (west)	4.8 m	4.5 m
Side Yard (east)	4.5 m	4.5 m
Rear Yard (north)	9.0 m	9.0 m
Site Coverage	48.3 %	50 %
Site coverage of buildings, parking, & driveways	60 %	60 %

Zoning Analysis Table		
CRITERIA	PROPOSAL	REQUIREMENTS
		RM4
FAR	0.84	0.85
Other Regulations		
Minimum Total Parking	78 stalls	69 stalls
Minimum Visitor Parking	10 stalls	7 stalls
Minimum Bicycle Parking	Class 1: 29 Class 2: 5	Class 1: 25 Class 2: 5
Private Open Space	1050 m <sup>2</sup>	1050 m <sup>2</sup>

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Compact Urban Form.**<sup>1</sup> 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.

**Sensitive Infill.**<sup>2</sup> Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height, and siting.

**Housing.**<sup>3</sup> Kelowna 2030 includes policy direction that promotes higher density housing development in general, especially as infill or redevelopment in core areas. Approximately 57% of all new housing would be in the form of apartments and townhouses in support of compact urban form and complete communities objectives, as well as reduced servicing costs. Kelowna 2030 also includes policy direction in support of affordable and safe rental housing, non-market and/or special needs housing.

**Ground-Oriented Housing.**<sup>4</sup> Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets. High density residential projects in the Downtown area are encouraged to include a ground-oriented housing component, especially where such can be provided on non-arterial and non-collector streets.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- a) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Housing, Chapter 2.1 (Regional Context).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.23.1 (Development Process Chapter).

- b) 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.
- c) 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):
  - Any security system that limits access to exiting needs to be addressed in the code analysis by the architect. An application for an alternative solution will be required if the security system is not prescriptive to code.
  - Maximum compartment areas (BCBC 3.3.5.2), corridor widths and minimum door widths must be defined in the code analysis as part of the building classification.
  - Fire Department must be able to access the front doors at a distance between 3.0 meters and 15.0 meters. Please identify the distance on the drawings.
  - Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.
  - A vestibule is required on the south exit stairs into the parkade or a door is required to the exterior.
- d) A Geotechnical report is required to address the location of high water table, sub soil conditions and site drainage at time of building permit application.
- e) Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
- f) 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, multiple parking areas, number of required exits per area, accessibility etc.
- g) 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.
- h) 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 are being applied to this structure.

## 6.2 Development Engineering

- See attached Memo dated January 13<sup>th</sup> 2016

## 6.3 Fire Department

- a) Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template available online at Kelowna.ca .
- b) Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900. Should a hydrant be required on this property it shall be deemed private and shall be operational prior to the start of construction.

- c) A visible address must be posted as per City of Kelowna By-Laws at main entrance which appears to be from K.L.O Rd
- d) Sprinkler drawings are to be submitted to the Fire Dept. for review when available
- e) 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
- f) Fire Department access is to be met as per BCBC 3.2.5. -
- g) Approved Fire Department steel lock box or key tube acceptable to the fire dept. is required by the fire dept. entrance.
- h) All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met.
- i) Fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard.
- j) Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- k) Ensure FD connection is clearly marked and visible from the street
- l) Dumpster/refuse container must be 3 meters from structures and overhangs. This drawing shows the dumpsters against the building
- m) Do not issue BP unless all life safety issues are confirmed overhangs.

## 7.0 Application Chronology

Date of Application Received: November 11<sup>th</sup> 2015  
Date of Public Consultation<sup>1</sup>: n/a

<sup>1</sup>There are no public consultation / notification requirements for a Development Permit.

### Report prepared by:

---

Adam Cseke, Planner

Reviewed by: ☐ Terry Barton, Urban Planning Manager

Approved by: ☐ Ryan Smith, Community Planning Manager

### Attachments:

Development Engineering Comments dated January 13<sup>th</sup> 2016

Applicant's rationale

Draft Development Permit

- Schedule 'A'
  - Site Plan
  - Floor Plan
- Schedule 'B'
  - Elevations
  - Colour Board
- Schedule 'C'
  - Landscaping