

REPORT TO COUNCIL



Date: April 29, 2019

RIM No. 0940-00

To: City Manager

From: Community Planning Department (AF)

Application: DP19-0061

Owner: Orchard Park Shopping Centre
Holdings Inc. No. A59814

Address: 2271 Harvey Ave

Applicant: Meiklejohn Architects

Subject: Development Permit Application

Existing OCP Designation: MXR – Mixed Use (Residential / Commercial)

Existing Zone: C6 - Regional Commercial

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP19-0061 for Lot 1 District Lot 127 ODYD, Plan KAP53260, Except Plans KAP56123 and EPP3467 and Lot 1 District Lots 127 and 4646 ODYD Plan KAP47934, located at 2271 Harvey Avenue, Kelowna, BC subject to the following:

1. The dimensions and siting of the building renovation to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building renovation 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 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 issuance of a Development Permit for the Form and Character of exterior renovations to the north wing of Orchard Park Mall.

3.0 Community Planning

Staff recommend support for the Development Permit proposing to renovate the north wing of the existing Orchard Park Mall located at 2271 Harvey Avenue. The proposed building renovation and parking expansion meets the Official Community Plan (OCP) guidelines for form and character for urban design through building articulation, landscaping and surface parking lot standards.

The applicant has proposed to remove and decommission the existing north eastern vehicle access off of Dilworth Drive and replace it with additional parking and a landscaped boulevard. This change should help the operations of Dilworth Dr and Hwy 97 intersection. The proposed reconfigured surface parking lot meets the City's parking standards by incorporating pedestrian connectivity, landscaped islands and the provision of universally accessible stalls.

There are no variance requests for this proposal as it is consistent with the City of Kelowna Zoning Bylaw.

4.0 Proposal

4.1 Background

The Orchard Park Mall originally opened in Kelowna in the early 1970's and has been around for close to 50 years. The existing commercial retail unit (C.R.U.) located in the north wing of the mall was recently occupied by the former Sears store which filed for bankruptcy in 2017. The proposed building renovation is a result of an evolving retail industry and has been proposed to help the existing mall adapt to such changes.

4.2 Project Description

The proposed changes to the mall involve a partial demolition of the existing north wing of the building, subsequent reduction in floor area and expansion and reconfiguration of the adjacent parking lot located between the north wing entrance and Dilworth Dr. The existing north wing of the mall comprises approximately 80,000 square feet of total floor area and the applicants have proposed a 38,000 square foot reduction, resulting in a total of 42,000 square feet of floor area. The proposed building reduction which will decrease the existing north wing by almost half of its floor area is proposed to facilitate 2 new commercial retail units for a total of 3. The overall footprint of the mall will decrease from 853,094 square feet to 827,756 square feet.

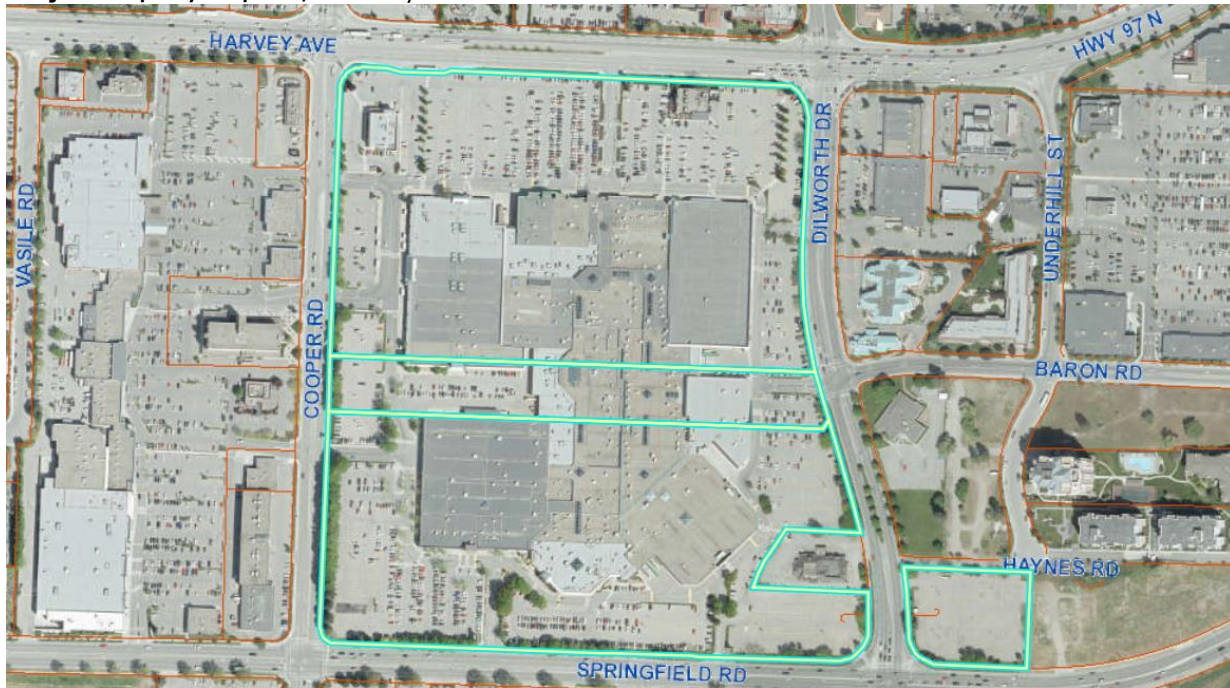
The proposed building renovation will include an expansion and reconfiguration of the existing parking lot situated between the north wing of the mall and Dilworth Drive, resulting in a net increase in the total number of on-site parking stalls by 263. More parking stalls are to be added in combination with simplified road access, landscaping and added pedestrian walkways to improve pedestrian safety and connectivity. The existing north eastern access located off of Dilworth Drive, located approximately 120.0 m south of the Dilworth Dr/Hwy 97 N intersection is to be closed and new landscaping is to be planted within the boulevard to be consistent with the existing landscape treatment.

The proposed parking layout will result in 3 major connection points across the main drive aisle adjacent to the new building entrance. The parking lot has been designed to accommodate a larger number of vehicle stalls with an emphasis on pedestrian safety and connectivity from all stalls to the front building facade. Landscape boulevards will be utilized to delineate and separate parking stalls from drive isles. Two pedestrian spines will connect the reconfigured parking areas to the building frontage facing Dilworth Ave. The main pedestrian access oriented to the central building entrance will include pedestrian table at the north and south ends to delineate pedestrian connection areas across internal drive isles and help to slow traffic.

The proposed building elevations and form and character of the commercial renovation are consistent with the Comprehensive Development Permit Guidelines in the Official Community Plan (OCP) and represent a continuation of the existing Orchard Park Mall aesthetic.

4.3 Site Context

Subject Property Map: 2271 Harvey Ave



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	4 ha	20.4 ha
Lot Width	100.0 m	392.0 m
Lot Depth	50.0 m	482.0 m
Development Regulations		
Site Coverage of Buildings	40 %	37.7 %
Floor Area Ratio (FAR)	0.4 FAR	0.31 FAR
Floor Area Net	+/- 81,536 m ²	+/- 63,304 m ²
Height	15.0 m / 4 storeys	5.5m / 1 storey
Front Yard	4.5 m	+/- 99.33 m
Side Yard (east)	4.5 m	+/- 46.21 m
Side Yard (west)	4.5 m	+/- 60.77 m
Rear Yard	4.5 m	+/- 48.95 m
Other Regulations		
Minimum Parking Requirements	2,736 stalls	3,058 stalls
Bicycle Parking	No change to existing	3 new stalls
Loading Space	42 spaces x 30 m ² = 1,260 m ²	2,274 m ² existing
Drive Isle Width	7.0 m	7.0 m

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Urban Design DP Guidelines

Relationship to the Street.¹ Provide a high quality public realm consistent with the character of urban development (i.e. incorporate focal points/plazas, pedestrian pathways, parks and open space, enhanced streetscapes, and landscaping).

Building Design.² Use architectural elements such as atriums, grand entries and large ground-level.

Building Design.³ Propose pedestrian-scaled architecture along the street through the use of street wall massing, articulation, quality materials and decorative details, textures, colour, lighting, and signage.

Building Design.⁴ Finish buildings with exterior building materials that are natural, indigenous, durable and appropriate to the character of the development. Recommended building materials include brick, stone, wood and heavy timber, clear glass, metal, composite cement board, and finish in-situ concrete and modular concrete.

Vehicle Access and Parking.⁵ Incorporate soft and hard landscaping or other visual elements into the design of parking areas (i.e., integrate planting islands at entrances/exits, and to separate double rows of cars). Parking lots should have shade trees planted at 1 tree per 4 parking stalls.

Vehicle Access and Parking.⁶ Design driving, parking, pedestrian, and cycling areas through changes in colour/pattern/materials of the paving.

6.0 Technical Comments

6.1 Building & Permitting Department

- Demolition Permit(s) required for any existing structure(s)
- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).
- HPO (Home Protection Office) approval or release is required at time of Building Permit application.
- 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.
- Distance from the building to the outside garbage collection area is to be reviewed with the Fire Department.
- 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):

¹ City of Kelowna Official Community Plan, Policy 14.2.5 (Urban Design DP Guidelines Chapter).

² City of Kelowna Official Community Plan, Policy 14.4.7 (Urban Design DP Guidelines Chapter).

³ City of Kelowna Official Community Plan, Policy 14.4.8 (Urban Design DP Guidelines Chapter).

⁴ City of Kelowna Official Community Plan, Policy 14.4.13 (Urban Design DP Guidelines Chapter).

⁵ City of Kelowna Official Community Plan, Policy 14.6.6 (Urban Design DP Guidelines Chapter).

⁶ City of Kelowna Official Community Plan, Policy 14.6.7 (Urban Design DP Guidelines Chapter).

- Any alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit.
 - Location, Heights, Colours of mechanical systems and the required screening are to be determined at time of DP
 - Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
 - Handicap Accessibility to the main floor level to be provided, ramps may be required.
 - Protection of exit path required for the glazing / unprotected openings along the lane exits. Hard surfaced paths leading from the egress stairwells to a safe area are to be clearly defined as part of the DP.
 - 2nd floor exiting does not appear to meet minimum code requirements. Redesign of the public corridor may be required at time of building permit application that may affect the form and character if additional doors are required. Roof top patio area may be defined as an A4 Occupancy which will affect exiting (panic hardware may be required, so no exterior lockable doors at this level), the code analysis to address occupant load, direction of door swings, pathway lighting and exit signage.
 - Green roof design will require schedules and design by the building envelope consultant.
 - Mechanical Ventilation inlet and exhausts vents are not clearly defined in these drawings for the enclosed parking storeys and are required. The location and noise from these units should be addressed at time of Development Permit. Any projections of mechanical units should be identified at DP to assure accurate parking space counts.
- 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.
 - 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.
 - 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.
 - 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.
 - Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).
 - 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.

- A Hoarding permit is required and protection of the public from the staging area and the new building area during construction.
- 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 alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit.
 - Location, Heights, Colours of mechanical systems and the required screening are to be determined at time of DP
 - Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
 - Access to the roofs are required per NFPA and guard rails may be required and should be reflected in the plans if required.
- 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.
- 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

- This application does not compromise any City of Kelowna municipal infrastructure.

6.3 Fire Department

- Because of the extreme false alarm issue during past renovations/demolition, please ensure appropriate measures are taken to eliminate this issue.
- Approved Construction fire safety plan required prior to construction and updated as required. Template at Kelowna.ca
- Fire Department access is to be met as per BCBC 3.2.5. and 5.6.1.4 BCFC. - please ensure access changes are continuously updated in construction fire safety plan and communicated with the fire department.
- Ensure the fire safety plan is updated as per BCFC 2.8 required at occupancy. Floor plans to be submitted in AutoCAD Drawing format on a CD as well as a fire preplan as per bylaw 10760.
- Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- Building will comply with Bylaw 10760.

6.4 FortisBC Inc – Electric

- There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Harvey Ave, Dilworth Road and Springfield Road. 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:

January 23, 2019

Report prepared by:

Andrew Ferguson, Planner

Reviewed by:

Terry Barton, Urban Planning Manager

Approved for Inclusion:

Ryan Smith, Community Planning Department Manager

Attachments:

Schedule A: Site Plan

Schedule B: Elevations

Schedule C: Landscape Plan

Development Permit Checklist