

REPORT TO COUNCIL



Date: July 16, 2019

RIM No. 0940-00

To: Council

From: City Manager

Application: DP18-0062 & DVP18-0063

Owner: Kelowna Christian Centre Society
Inc. No. S-0017232

Address: 155 Bryden Road

Applicant: New Town Services

Subject: Development Permit and Development Variance Permit

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

Existing Zone: RM5 – Medium Density Multiple Housing

1.0 Recommendation

THAT Official Community Plan Amending Bylaw No. 11638 be amended at third reading to revise the legal description of the subject properties from Lot B Section 27 Township 26 ODYD Plan 38076, Lot 18 Section 27 Township 26 ODYD Plan 11286 Except Plan 39705, and a part of Lot 1 Section 27 Township 26 ODYD Plan KAP55460 to Lot A Section 27 Township 26 ODYD Plan EPP85221.

AND THAT Rezoning Bylaw No. 11639 be amended at third reading to revise the legal description of the subject properties from Lot B Section 27 Township 26 ODYD Plan 38076, Lot 18 Section 27 Township 26 ODYD Plan 11286 Except Plan 39705, and a part of Lot 1 Section 27 Township 26 ODYD Plan KAP55460 to Lot A Section 27 Township 26 ODYD Plan EPP85221.

AND THAT final adoption of Official Community Plan Amending Bylaw No. 11638 and Rezoning Bylaw No. 11639 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0062 and Development Variance Permit No. DVP18-0063 for Lot A Section 27 Township 26 ODYD Plan EPP85221 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:

Section 13.11.6(c): RM5 – Medium Density Multiple Housing, Development Regulations

To vary the maximum height from the lesser of 18.0 m or 4.5 storeys, to 20.2 m and 6 storeys.

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

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 consider the form and character of a multiple dwelling housing development consisting of five apartment buildings with 152 dwelling units total; and to vary the height maximum on three of the five buildings, where the tallest building proposed is 6 storeys and 20.2 m.

3.0 Development Planning

Development Planning supports the Development Permit for the form and character of the proposal as it is in substantial accordance with the Urban Design Guidelines in the Official Community Plan (OCP). The proposal received consideration under both the Comprehensive Development Design Guidelines and the Revitalization Design Guidelines.

With regards to design, the proposed buildings feature a high degree of architectural articulation, both horizontally and vertically, including varied rooflines. Over and above this, the buildings step back as they rise reducing the visual impact of the massing. Also, the lower level units are grade-oriented while stepping down to sidewalks/walkways to allow for privacy. High quality materials and landscaping are used throughout, including fiber cement panels, concrete, aluminum, glass, and decorative paving and low irrigation plantings.

In addition, the site is designed in a pedestrian friendly way, with visible entrances, high connectivity and at a human scale. Related to this, all parking is provided either below grade in a parking garage, or at grade in an area behind the buildings and screened from public view.

The attached Development Permit Guidelines Checklist provides a comprehensive evaluation of the proposed design (Attachment "B").

Variance

A Development Variance Permit is required for height as three of the five proposed buildings are taller than the height maximum of 4.5 storeys or 18.0 m for the RM5 – Medium Density Multiple Housing zone. Specifically, Building B3 is proposed to be 5 storeys and 18.0 m; Building B4 is proposed to be 5 storeys and 17.2 m; and Building B5 is proposed to be 6 storeys and 20.2 m.

Development Planning is supportive of the height variance for the 3 buildings for the following reasons:

Building B5: The tallest building (B5) is on the interior of the lot, separated from all public streets, and faces the Kelowna Christian Centre to the north (the owner and developer of the subject property) creating a transition in height across the site. The west side of Building B5 is adjacent to a property with a single family home, but the west side of the building steps down to transition to this property. Also, the property in question has a Future Land Use designation of Low Density Multiple Unit Residential (MRL), which anticipates future multiple dwelling residential buildings with a maximum height of 3 storeys.

Building B3 & B4: The two 5 storey buildings, at 17.2 m (B4) and 18.0 m (B3), do not exceed the height maximum of 18.0 m for the RM5 zone. In addition, both buildings step down respectfully to the multiple dwelling property to the east, and are set back a full 9 m from the shared property line.

Overall, the buildings will have a variety of heights creating a degree of visual interest across the site.

4.0 Proposal

4.1 Background

At the time of application, the subject properties were zoned either P2 – Education and Minor Institutional or RU1 – Large Lot Housing, and had a Future Land Use designation of either Educational/Major Institutional (EDINST) or Low Density Multiple Unit Residential (MRL). As such, the proposed development required both an Official Community Plan Amendment (to change the Future Land Use designation to Medium Density Multiple Unit Residential (MRM)), and a Rezoning Amendment (to rezone to RM5 – Medium Density Multiple Housing).

Both the Official Community Plan Amendment (OCP18-0007), and the Rezoning Amendment (Z18-0027) were given first reading by Council on July 16, 2018 and forwarded to Public Hearing on July 31, 2018. At the July 31, 2018 regular Council meeting, both files were given second and third reading.

4.2 Project Description

The proposal includes five apartment buildings with heights ranging from 4 to 6 storeys. The project focuses the 4 storey buildings along the Highway 33 West road frontage and transitions to the larger 5 and 6 storey buildings along the east and north property lines. Ground-oriented units are provided at grade, with the buildings stepping back above. Pedestrian pathways between the buildings provide connections through the site.

152 units are proposed across the five buildings, including mainly one- and two-bedroom apartments, with a small number of studio suites. The required open space for the project is provided through private patios as well as a series of grassed areas and rest areas located at grade.

The required residential parking is provided in an underground parkade, with the visitor parking being provided in a surface parking lot located in the center of the buildings. Vehicular access is limited to one entrance point on Bryden Rd.

4.3 Site Context

The property is located adjacent to Highway 33 West, and is on the western edge of the Rutland Urban Centre. The project required the consolidation of a portion of a lot within the Rutland Urban Centre, and 2

lots outside of the Rutland Urban Centre. Approximately 75% of the newly created lot is within the Rutland Urban Centre.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing & P2 – Education and Minor Institutional	Residential & Church
East	RM3 – Low Density Multiple Housing	Residential
South	Hwy 33 / P1 & RM5	Hwy 33 / Church & Apartment Housing
West	RU1 – Large Lot Housing	Residential

Subject Property Map: 155 Bryden Road & 970 Hwy 33 W



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM5 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Site Coverage (buildings)	40%	40%
Site Coverage (buildings, driveways and parking areas)	65%	55%
Floor Area Ratio	1.1 (+.1 for required residential parking underground) = 1.2	1.2 (all required residential parking underground)
Height	18.0m / 4.5 storeys	20.2m / 6 storeys 1

Front Yard	1.5m for lower 2.5 storeys (if ground oriented units); 6m above 2.5 storeys	1.5m for lower 2.5 storeys (ground oriented units); 6m above 2.5 storeys
Side Yard (north)	4.5m for lower 2.5 storeys; 7m above 2.5 storeys	7m for lower 2.5 storeys; 7m+ above 2.5 storeys
Side Yard (south)	1.5m for lower 2.5 storeys (if ground oriented units); 6m above 2.5 storeys	3m+ for lower 2.5 storeys (ground oriented units); 6m above 2.5 storeys
Rear Yard	9m	9m
Other Regulations		
Minimum Parking Requirements	216 Residential stalls 22 Visitor stalls 238 Total stalls	218 Residential stalls 24 Visitor stalls 242 Total stalls
Bicycle Parking	Class I: 76 Class II: 16	Class I: 76 Class II: 24
Private Open Space	3315m ²	3958m ²
Minimum Parking Requirements	216 Residential stalls 22 Visitor stalls 238 Total stalls	218 Residential stalls 24 Visitor stalls 242 Total stalls
Bicycle Parking	Class I: 76 Class II: 16	Class I: 76 Class II: 24
● Indicates a requested variance to the maximum height f		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Urban Design DP Guidelines

- Comprehensive Development Permit Area (Multiple Unit, Residential, Commercial and Industrial Design Guidelines) Objectives:
 - Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
 - Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;
 - Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
 - Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
 - Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
 - Incorporate architectural features and detailing of buildings and landscape that define an area's character;
- Revitalization Development Permit Area Objectives:
 - Use appropriate architectural features and detailing of buildings and landscapes to define area character;
 - Convey a strong sense of authenticity through high quality urban design that is distinctive of Kelowna;
 - Enhance the urban centre's main street character in a manner consistent with the area's character;

- Provide for a scale and massing of buildings that promotes an enjoyable living, pedestrian, working, shopping and service experience;
- Encourage an appropriate mix of uses and housing types and sizes;
- Design and facilitate beautiful public open spaces that encourage year-round enjoyment;
- Create open, architecturally-pleasing and accessible building facades to the street; and
- Improve existing streets and sidewalks to promote alternative transportation.

Objective 5.5: Ensure appropriate and context sensitive built form.

- Policy .1: Building Height. In determining appropriate building height, the City will take into account such factors as:
 - Contextual fit into the surrounding urban fabric
 - Shadowing of the public realm
 - View impacts
 - Overlook and privacy impacts on neighbouring buildings
 - Impacts on the overall skyline
 - Distance between adjacent buildings above 22 m in height
 - Impacts on adjacent or nearby heritage structures
 - Building form and massing to mitigate negative impacts of buildings over 22 m in height

6.o Application Chronology

Date of Application Received: March 20, 2018 (together with OCP18-0007 & Z18-0027)

Date Public Consultation Completed: June 4, 2018 (OCP18-0007 & Z18-0027)

Report prepared by: Aaron Thibeault, Planner II

Reviewed by: Laura Bentley, Urban Planning & Development Policy Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment "A": Draft Development Permit and Development Variance Permit DP18-0062 & DVP18-0063

Attachment "B": Development Permit Guidelines Checklist

Attachment "C": Design Rationale