

REPORT TO COUNCIL



Date: June 13, 2016

RIM No. 0940-00

To: City Manager

From: Community Planning Department (RR)

Application: DP16-0069 **Owner:** Coastal Hollypark Properties Ltd, Inc No. BC1017809

Address: 1580 Hwy 33 West **Applicant:** GTA Architecture Ltd

Subject: Form and Character Development Permit

Existing OCP Designation: COMM - Commercial

Existing Zone: C9 - Tourist Commercial

1.0 Recommendation

THAT Council NOT authorize the issuance of Development Permit No. DP16-0069 for Lot 1, DL 125, ODYD Plan 8791 Except Plans 39705 and KAP79377 located at 1580 Hwy 33, Kelowna, BC.

2.0 Purpose

To consider a Staff recommendation to NOT issue a Development Permit for the form and character of a 6 storey 85 room and a 6 storey 115 room hotel on a shared site.

3.0 Community Planning

The proposed development complies with the existing C9 zoning requirements, including height, area, setbacks and parking. However, the proposed design does not meet major aspects of the City's Form and Character Development Permit Guidelines. Therefore, Community Planning does not support the proposed application.

The City of Kelowna has consistently attempted to raise the quality of urban design along the Highway corridors, moving away from the so-called "sea of parking" fronting Highways 33 and 97. A recently considered hotel project across the highway, for example, lined the highway frontage with commercial buildings to act as a screen for the parking lot.

The Comprehensive Form and Character Urban Design Guidelines emphasize the importance of establishing an attractive, sustainable and human scaled pedestrian realm. Among the guidelines are requirements that where possible, parking be located to the rear of buildings, internal to the building, or below grade. Large expanses of parking, especially with a south facing aspect, create

an atmosphere that is inherently hostile to pedestrians and can potentially produce an excessive heat island effect¹.

The land dedicated to surface parking represents an opportunity cost for additional commercial development and density on the site. The vast surface parking lot represents an underutilized of urban land that could be developed with street fronting commercial buildings or amenities, rather than dedicated to cars.

The proposed hotel buildings themselves are adequate structures, with some visual interest created by varying shades of stucco and rooflines. The site layout, with the 203 stall parking lot opening directly onto the highway, would continue to repeat the auto-centric layouts that have characterized Kelowna's highway corridor for so long.

The applicant has attempted to allay the site layout concerns through landscaping provisions, with 100 deciduous trees proposed to act as screening and break up the visual impact of the parking lot. No information has been given about quantity and quality of soil to give any assurance of the survivability of the proposed landscaping in the parking areas.

City staff have been discussing the project with the applicant since late 2014. At every discussion, staff have recommended that the applicant consider alternative configurations avoiding large expanses of exposed parking along the Highway 33 and 97 frontages. The applicant has indicated that the national hotel chain is unwilling to consider the highway fronting configuration, forcing the applicants hand in applying for the proposed layout.

The proposed site is at one of the busiest intersections in the City, which is expected to only get busier. Such a prominent location needs to be developed with as high a quality of development as is feasible, hewing to City design guidelines. If the hotel chain is unwilling to consider an alternative configuration, the proposed parcel may not be suitable for their intended use. It is the opinion of Community Planning staff that the parking forward design proposed by the applicant does not achieve these goals, and is not suitable for such a prominent location.

4.0 Proposal

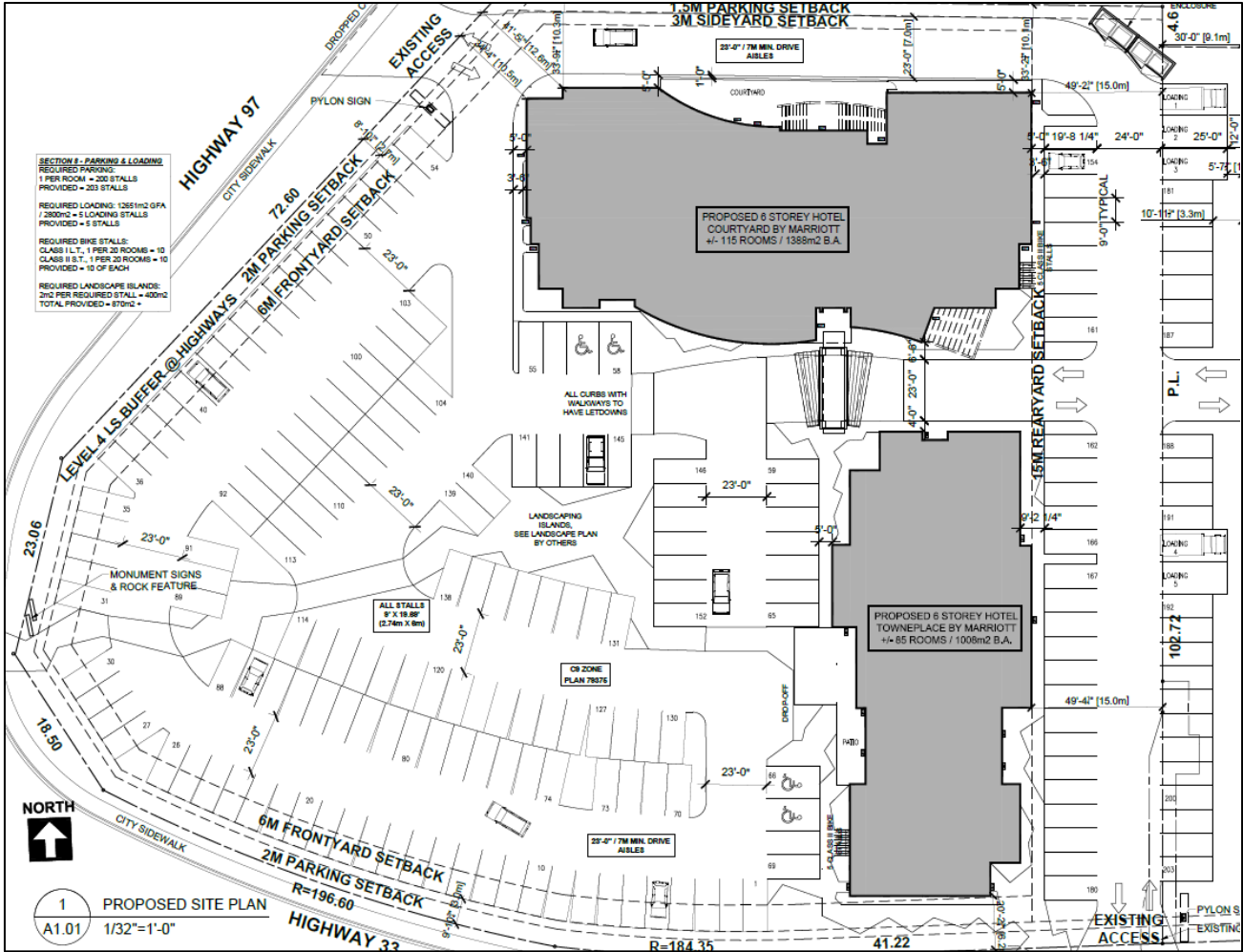
4.1 Background

The subject property is currently used for a small one storey motel, the Okanagan Seasons Motel. The site is accessed from Highway 97, Highway 33, and through an adjacent property from Mayden Road. City staff have worked with interested developers for a number of years on potential site designs, and have consistently requested that any proposed development have some highway aspect, and not have extensive parking off of both highway frontages.

4.2 Project Description

The applicant has proposed 2 six storey Marriott branded hotels. The two hotels, with a total floor area of 2396 m² of floorplate, would sit on the north-east corner of the site. The highway aspects of the site would be used for surface parking.

¹ Heat island effects: Pavement, particularly dark-coloured asphalt, absorbs and stores solar radiation, which increases ambient temperatures. As a result, urban areas are 2 to 8 degrees F hotter in the summer, which increases energy demand, smog and human discomfort. (Akbari et al, 1992)



The major feature of the site would be two six storey hotels with differing designs. There are no other structures proposed on the site.



Both structures will be clad in differing shades of stucco with brick accents on lower floors.





4.3 Landscaping

The applicants have proposed landscaping and site design features in an attempt to mitigate the visual impact of the extensive parking lot. The degree of landscaping exceeds minimum City zoning requirements, which call for 1 tree per 4 parking stalls. Rather than the required 50 trees, the applicants have proposed 100 trees. No additional heat island, environmental considerations or impermeable surface mitigation measures have been proposed. As well, no parking management techniques have been included to reduce the need for vehicle use and promote other forms of active transportation.





4.4 Site Context

The site sits just north of the Midtown Urban Centre, at the intersection of Hwy 97 and Hwy 33, a key intersection. There are multiple hotels nearby, including the Fairfield and the proposed Holiday Inn across Highway 97.

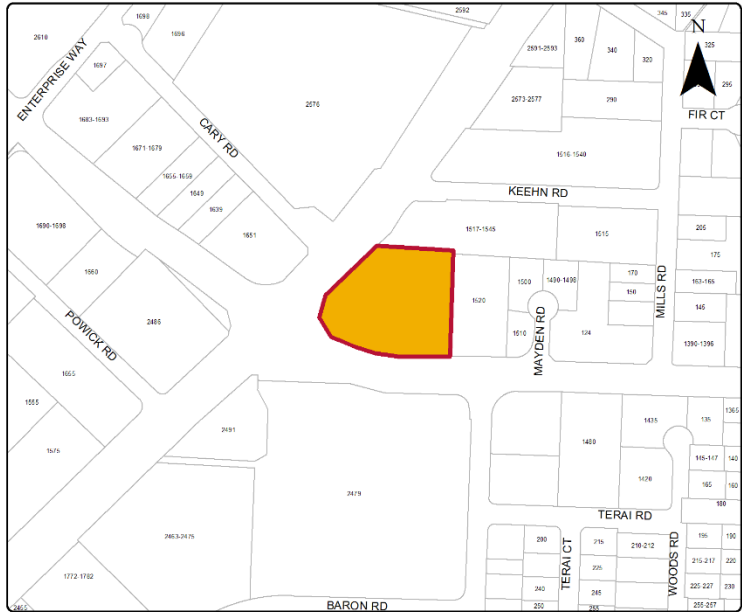
Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C10 - Service Commercial	Auto Service
East	C9 - Tourist Commercial	Motel
South	C10 - Service Commercial	Costco
West	C10 - Service Commercial	Furniture Store

Subject Property Map:



CONTEXT



NEIGHBOURING ZONING



SUBJECT PROPERTY

4.5 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C9 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Maximum Floor Area Ratio	1.5	0.75
Maximum Height	22.0m / 6 storeys	22.0m / 6 storeys
Minimum Front Yard (Hwy 97)	6.0 m	10.5 m
Minimum Side Yard (Hwy 33)	4.5 m	6.2 m
Minimum Side Yard (north)	3.0 m	10.1 m
Minimum Rear Yard	15.0 m	15.0 m
Other Regulations		
Minimum Parking Requirements	200	203
Minimum Bicycle Parking	20	20

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Comprehensive Form and Character Development Permit 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 landscapes that define an area's character;
- Promote alternative transportation with enhanced streetscapes and multimodal linkages;

6.0 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) 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.
- 4) 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 security system that limits access to exiting needs to be addressed in the code analysis by the architect.
 - b. Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.
- 5) A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. This property falls within the Mill Creek flood plain bylaw area and compliance is required. Minimum building elevations are required to be established prior to the release of the Development Permit. This minimum Geodetic elevation is required for all habitable spaces including parking garages. This building may be designed to low, which may affect the form and character of the building.
- 6) 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.
- 7) 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, number of required exits per area, accessibility etc.
- 8) 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.
- 9) 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 structure.

6.2 Development Engineering Department

See attached memorandum dated May 5, 2016.

6.3 Fire Department

1. Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required.
2. 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 operational prior to the start of construction and shall be deemed a private hydrant.

3. A visible address must be posted as per City of Kelowna By-Laws.
4. Sprinkler drawings are to be submitted to the Fire Dept. for review when available.
5. 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
6. Fire Department access is to be met as per BCBC 3.2.5.
7. Approved Fire Department steel lock box acceptable to the fire dept. is required by the fire dept. entrance and shall be flush mounted
8. All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met
9. Fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard.
10. Contact Fire Prevention Branch for fire extinguisher requirements and placement.
11. Fire department connection is to be within 45M of a fire hydrant - unobstructed.

7.0 Application Chronology

Date of Application Received: March 10, 2016

8.0 Alternate Recommendation

THAT Council authorizes the issuance of Development Permit No. DP16-0069 for Lot 1, DL 125, ODYD Plan 8791 Except Plans 39705 and KAP79377 located at 1580 Hwy 33, 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 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;
5. That those portions of the neighbouring property required for parking be consolidated with the subject property, or;

6. That a covenant be registered on the neighbouring property dedicating parking on the property to the new hotel development.

7. That 50% of parking surfaces be paved with unit pavers to promote ground water infiltration and further reduce the aesthetic impact of asphalt.

AND THAT Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department;

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.

Report prepared by:

Ryan Roycroft, Planner

Reviewed by:

Terry Barton, Urban Planning Manager

Approved for Inclusion:

Ryan Smith, Community Planning Department Manager

Attachments:

Draft Development Permit

Comprehensive Development Permit Area Guideline Checklist

Engineering Memorandum

Developer's Rationale