

REPORT TO COUNCIL



Date: April 21, 2020

To: Council

From: City Manager

Department: Development Planning (JB)

Application: DP19-0152 & DVP19-0153

Owner: 1138742 B.C. Ltd, Inc. No.
1138742

Address: 728 Valley Rd

Applicant: Kent Macpherson

Subject: Development Permit and Development Variance Permit

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

Existing Zone: CD27- Valley Land Subdivision

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP19-0152 for Lot D, Section 29, Township 26 Osoyoos Division Yale District Plan EPP75038 located at 728 Valley Rd, 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;

AND THAT a reciprocal access easement be registered on the subject property and 726 Valley Rd to allow for vehicular access;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0153 for Lot D, Section 29, Township 26 Osoyoos Division Yale District Plan EPP75038 located at 728 Valley Rd, Kelowna, BC;

AND THAT variances to the following section of Zoning Bylaw No. 8000 be granted:

Section 1.6(c): CD27 – Valley Land Subdivision Development Regulations

To vary the maximum height as permitted in the RM5- Medium Density Multiple Housing zone from the lesser of 18.0m or 4.5 storeys permitted to 26.5m or 7 storeys proposed.

Section 1.6(e): CD27 – Valley Land Subdivision Development Regulations

To vary the side yard setback from 7.0m to 0.0m for a portion of the south property line for the property located at 726 Valley Rd.

Section 1.6(f): CD27 – Valley Land Subdivision Development Regulations

To vary the rear yard setback from 9.0m permitted to 7.0m proposed for a portion of the north property line, and from 9.0m to 0.0m for a portion of the north property line.

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 dated April 7, 2020

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 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 issue a development permit and development variance permit for the form and character of multiple dwelling housing on the subject property and variances to building height and setbacks.

3.0 Development Planning

Development Planning staff are supportive of the proposed Development Permit and associated variances. The proposal meets the objectives of the Official Community Plan (OCP), relevant Development Permit form and character guidelines, and the Master Development Permit (DP16-0173) which dictates the site layout and associated landscape design. Form and character OCP policy alignment includes:

- Step back upper floors to reduce visual impact
- Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing, including:
 - Wall projections and indentations, windows and siding treatments as well as varied material textures should be utilized to create visual interest and to articulate building facades
- Ensure developments are sensitive to and compatible with the massing of the established and/or future streetscape
- Utilize landscaping treatments to further soften the mass of building form (e.g. strategic placement of trees, shades and vines, trellis and arbours, along with surface materials such as pavers)

- Provide generous outdoor spaces, including rooftops, balconies, patios and courtyards
- Design varied and interesting public open space to promote social interaction, ensure continuity of pedestrian movement through the site and accommodate a range of uses and activities year-round

The Vineyard Suites by Sussex Retirement Living proposes a seven storey 100-unit residential building. The proposal is complimentary to the adjacent property to the north at 726 Valley Rd called Vineyards Lodge, a memory care facility. The building received Council approval in 2017 and is currently under construction. Vehicular access will be protected through a shared access agreement with 726 Valley Rd. The building is seven storeys in height, with portions of the building being between two and three storeys. The Vineyard Suites is a retirement living facility targeting residents who may wish to have close proximity to Vineyards Lodge because of services or relations to residents.

Staff is supportive of the proposed variances. The proposed reduction in setbacks is to allow for the development of the pedestrian link between the two buildings, while the requested height variance allows the applicant to meet higher density targets that are easily accommodated on this site.

4.0 Proposal

4.1 Background

In 2016 Council approved a Master Site Development Permit (OCP16-0010, Z16-0046 & DP16-0173) which established the overall development layout and common landscape design features of the entire Valley Lands project. The proposed independent senior's facility is the final building to be considered by Council in the Valley Lands Master Plan.

4.2 Project Description

The proposed independent seniors' facility is located on the corner of Summit Dr. and Valley Rd. The site slopes from the north to the south, causing access to the underground parkade to be located at the southwest corner of the site with access off the internal laneway. Given this site condition, Staff worked with the applicant to ensure the interface between the parkade entry and public realm facing Summit Dr was mitigated through high quality landscape treatment and decorative features such a high decorative concrete wall, trellis, and potential graphics/street art.

The main entry to the building is provided off the existing internal road through shared access with the property to the north, 726 Valley Rd, where a memory care and assisted living facility called Vineyards Lodge is currently under construction. Connectivity to Vineyards Lodge is a key component of the proposal, as the two sites share vehicular and pedestrian access as well as outdoor amenity. Pedestrian connectivity is proposed through an enclosed link located at the north east corner of the property. The link exits to a formalized pedestrian pathway that is adjacent to Brandt's Creek on the east property line and connects to an existing sidewalk on Summit Dr. and a new proposed sidewalk extension on the internal access road.

Form and Character

This site is located on a prominent corner of Summit Dr and Valley Rd. Staff worked with the applicant to ensure the building and landscape responded well to the existing site conditions and incorporated elements of urban design into the proposal. Much of the building mass faces the internal road, with a reduction in height from seven storeys to three storeys towards the southern portion of the site facing Summit Dr. The

proposed massing is softened through an architectural style that breaks the building into distinct sections. The podium level is dark brick, and each section above the podium is differentiated through façade articulation of metal panel cladding with a variation in color, differing parapet heights, panel orientation, and differing surface treatments.



Main Entry



Entry to Parkade



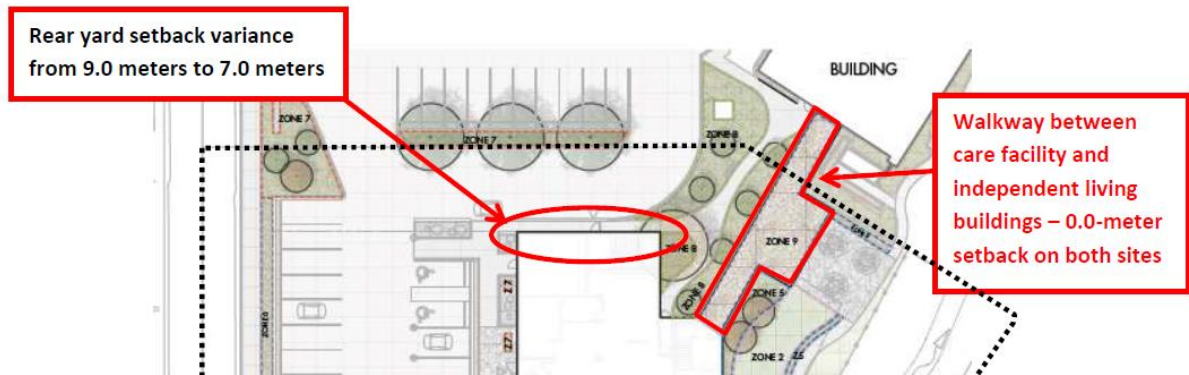
Southeast Perspective

Landscaping

A 15m setback is required to protect Brandt's Creek and the applicant has used this as an opportunity to incorporate recreational walking pathways and outdoor landscaped seating areas including benches, picnic tables and shade trees. The outdoor amenity area has been strategically designed to face south for sun exposure and views of the golf course and Dilworth mountain. The pedestrian link opens directly to a patio feature that will be shared between the subject site and 726 Valley Rd.

Variances

To accommodate the proposed enclosed pedestrian linkage across the north property line, a side yard setback variance is required. The pedestrian linkage will provide easy access for residents between buildings and will also be used to access the outdoor patio amenity.



A height variance is being requested to allow for seven storeys. The building to the north has an approved height variance of 23.4m or six storeys and other building heights on the nearby Conservatory lands range from four to eight storeys. Staff are supportive of the height variance as it fits within the existing context and the proposed building steps down from seven to three storeys at the corner of Summit Dr and Valley Rd which creates a less imposing façade facing the public interface.

4.3 Site Context

The subject site is located in the Glenmore-Clifton-Dilworth Sector, at the corner of Summit Dr. and Valley Rd. Directly north of the site is a 134-unit supportive housing facility which is currently under construction. To the east is active Agricultural land which is adequately buffered by a 15m setback from Brandt's Creek on the subject site and Valley Rd. Kelowna Golf and Country Club is located to the south across Summit Dr. A commercial centre is located to the west of the subject property and offers neighbourhood commercial amenities within close proximity of the proposed development. The broader area has a mix of uses, such as single-family development, institutional uses, parks and agricultural lands.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD27- Valley Land Subdivision	Multiple dwelling housing
East	A1- Agricultural 1	Agriculture
South	P3- Parks and Open Space	Participant recreation services, outdoor
West	CD3/CD3C- Comprehensive Development Three	Apartment housing/ retail stores, general

Subject Property Map:**4.4 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	CD27 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	1400m ²	6460m ²
Min. Lot Width	15.0m	>15m
Min. Lot Depth	35m	>35m
Development Regulations		
Max. Floor Area Ratio	1.35	1.34
Max. Site Coverage (buildings)	40%	33.07%
Max. Site Coverage (buildings, parking, driveways)	65%	54.86%
Max. Height	Lesser of 18.0m or 4.5 storeys	26.5m & 7 storeys ¹
Min. Front Yard	6.0m	7.0m
Min. Side Yard (east)	under 2 ½ storeys- 4.5m over 2 ½ storeys – 7.0 m	15.0m
Min. Side Yard (west)	under 2 ½ storeys- 4.5m over 2 ½ storeys – 7.0 m	9.82m
Min. Side Yard (726 Valley Rd)	7.0m	0.0m ²
Min. Rear Yard	9.0m	7.0m and 0.0m ³
Other Regulations		
Min. Parking Requirements	131 resident stalls 14 visitor stalls	134 resident stalls 16 visitor stalls
Min. Bicycle Parking	Class I- 50 Class II- 10	Class I- 56 Class II- 10

Min. Private Open Space	1 bedroom unit- 15m ² 2 bedroom unit- 25m ²	1835m ²
<p>❶ Indicates a requested variance to building height from 18.0m or 4.5 storeys to 26.5m or 7 storeys.</p> <p>❷ Indicates a requested variance to the minimum side yard setback on the adjacent property 726 Valley Rd from 7.0m to 0.0m for a portion of the side yard.</p> <p>❸ Indicates a requested variance to the minimum rear yard from 9.0m to 7.0m for a portion of the rear yard and 0m for a portion of the rear yard.</p>		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 10: Social Sustainability

Housing Availability:

Support the provision of housing for all members of the community, including those in core housing need or requiring special needs housing (transitional)

Chapter 5: Development Process

Objective 5.5 Ensure appropriate a context sensitive built form

Policy .1 Building Height. In determining building height, the City will take into account such factors as:

- Contextual fit into the surrounding urban fabric
- Impacts on the overall skyline

Objective 5.22 Ensure context sensitive housing development.

Policy .11 Housing Mix. Support a greater mix of housing unit size, form and tenure I new multi-unit residential and mixed-use developments.

5.2 Development Engineering Department

See Schedule A.

6.0 Application Chronology

Date of Application Received: July 2019
Date Public Consultation Completed: November 2019

Report prepared by: Jocelyn Black, Planner Specialist

Reviewed by: James Moore, Urban Planning & Development Policy Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Draft Development and Development Variance Permit DP19-0152 & DVP19-0153

Schedule A: Site Plan

Schedule B: Elevations

Schedule C: Landscape Plan

Attachment B: Applicant Design Rationale and Renderings