

REPORT TO COUNCIL



Date: June 28, 2016

RIM No. 0940-00

To: City Manager

From: Community Planning Department (RR)

Application: DP16-0001 / DVP16-0002 **Owner:** Kelowna Hwy 97/33 Holdings Ltd., Inc. No.BC1003626

Address: 2486 Highway 97 N **Applicant:** Calnitsky Architecture

Subject: Development Permit and Development Variance Permit

Existing OCP Designation: COMM - Commercial

Existing Zone: C9 - Tourist Commercial

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP16-0001 for Lot 1 DL 125 ODYD Plan 18724 Except Plans KAP78413 and KAP80632 located at 2486 Hwy 97 North, 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 Council authorizes the issuance of Development Variance Permit No. DVP16-0002 for Lot 1 DL 125 ODYD Plan 18724 Except Plans KAP78413 and KAP80632 located at 2486 Hwy 97 North, Kelowna, BC;

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

Section 14.9.5 (c)

To vary the required minimum front yard setback from 6.0 m to 3.0 m as shown on the attached Schedule "A"

Section 14.9.5 (d)

To vary the required minimum front yard setback from 4.5 m to 2.25 m along the southern property line as shown on the attached Schedule "A"

Section 14.9.5 (d)

To vary the required minimum front yard setback from 3.0 m to 0.00 m along the northern property line as shown on the attached Schedule "A"

Section 8.1.2

To vary the required minimum number of parking spaces from 206 as prescribed by Table 8.1 to 184.

AND FURTHER 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.

2.0 Purpose

To consider a Development Permit and a Development Variance Permit for the construction of a Six storey Hotel and commercial units.

3.0 Community Planning

The design of the hotel and commercial units largely complies with the Urban Design Guidelines in the Official Community Plan and Community Planning is recommending support for the four (4) variances and the overall proposed hotel development.

The proponent has laid out the site such that the highway frontage is lined with commercial retail or service units. This provides an active frontage along Highway 97 helping to improve the character and urban form, over where parking traditionally dominates the frontage. This configuration screens most of the surface parking from the highway, and is a step towards enhancing the form of development along the Highway 97 corridor.

The site design proposes to break up the surface parking and reduce heat island effects associated with large expanses of asphalt and hard surfaced area. In addition to screening the parking with commercial buildings, the applicant has integrated bioswales and landscaping into the parking lot. The applicant has also included electric charging stations in the parking lot.

As part of the development approvals process, the applicant has applied to re-zone the property to C4 - Urban Commercial to open up a larger list of commercial tenants. If Council chooses to adopt the zoning at a later date, the variances the applicant has requested to the front and side yard setbacks will no longer be required, as the proposed development complies with the C4 - Urban Commercial zone.

4.0 Proposal

4.1 Project Description

The applicant has proposed a 6 storey hotel, up to 8 one storey commercial units, and associated parking and landscaping.



Figure 1.0 - Proposed Site Layout

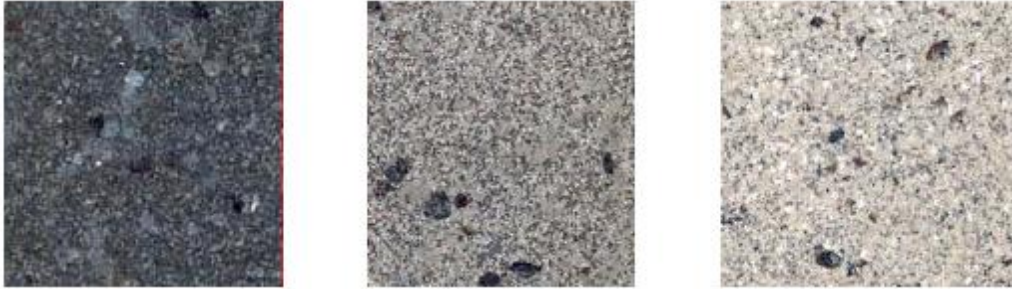
The highway frontage will be lined with single storey retail and restaurant units creating an attractive streetscape and hiding the surface parking located behind.



The commercial units will front onto the Highway, with entrances on both the highway and parking lot sides of the buildings. The units will be clad in stone insulation panelling and wooden accent elements.

The proposed hotel is a 6 storey structure with an offset *porte-cochere*. The applicants have proposed cladding the building in a rigid foam exterior material intended to mimic granite, that is in keeping of character with the national brand. The majority of the bulding will be clad in light coloured faux granite. Windows will be framed with a darker material, and the building frame around the porte-cochere will be a dark colour. The cladding material will be an upgrade from the stucco or concrete traditionally applied on highway hotels.





4.2 Site Layout

The front of the site, facing onto Highway 97, will have buildings built to within 3.0 m, the minimum distance the Ministry of Transportation will allow. This will have the effect of screening much of the parking from the travelling public, and minimizing the aesthetic impact of the surface parking lot.

The parking lot will be bisected by a paver pathway running between the commercial plaza and the hotel, a mitigation strategy to enhance the walkability of the site.

The design calls for two plazas between the commercial units to allow pedestrian flow between the highway frontage and the interior of the site. These plazas will be dominated by large canopy trees with benches.

4.3 Variances

The applicant has requested four variances to the Zoning Bylaw, including 3 setback variances and a variance to the total required number of parking stalls.

The setback variances will be temporary variances, and will no longer be required once the associated rezoning is complete. They will act as bridges to allow the development to proceed over the summer while the rezoning bylaw works through the approvals process.

The applicant has also applied to vary the total number of parking stalls by about 10%, from the required 206 to 184. The applicant believes that the offsetting nature of the uses will mean that less parking is required, with retail traffic expected to use the parking lot during the day, and the restaurant's busy hours being in the evening when the retail outlets are closed.

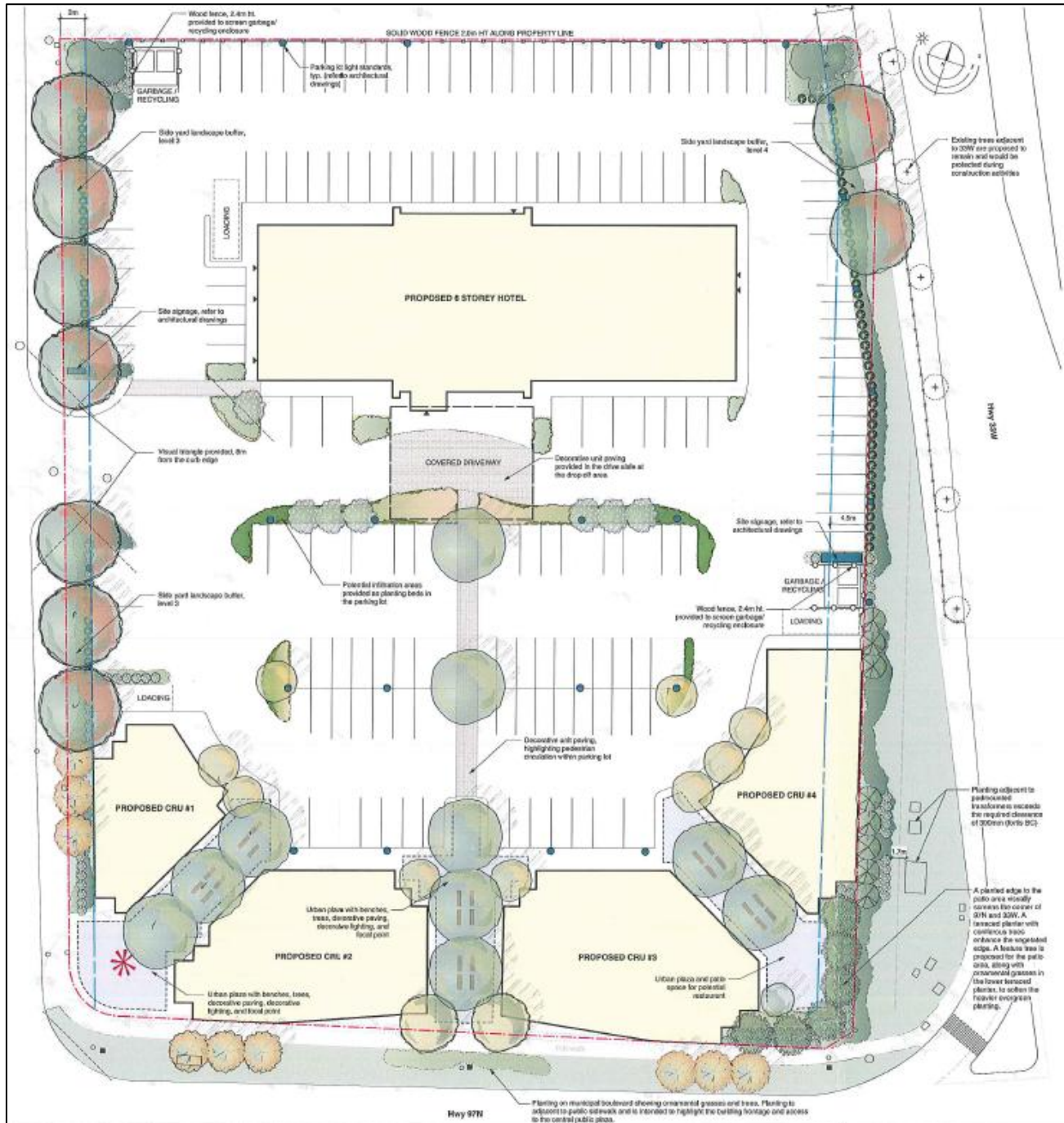
The applicant has further mitigated parking impacts by including an electric car charging station, bioswales, permeable paving where possible and enhanced landscaping along the two urban plazas. With the parking lot sheltered from the east and west by buildings, the heat island effect and aesthetic impacts will also be reduced.

4.4 Landscaping

The site landscaping is intended to screen those areas of the parking lot not screened by building. The south aspect of the property will be lined by red oaks, while large canopy honey locusts will be used for shade in the plazas and walkways.

Planting areas will be designed to act as infiltration swales as part of stormwater management, reducing runoff and providing a more natural drainage solution.

A wooden fence will be constructed along the west property line to screen the hotel from neighbouring uses.



4.5 Site Context

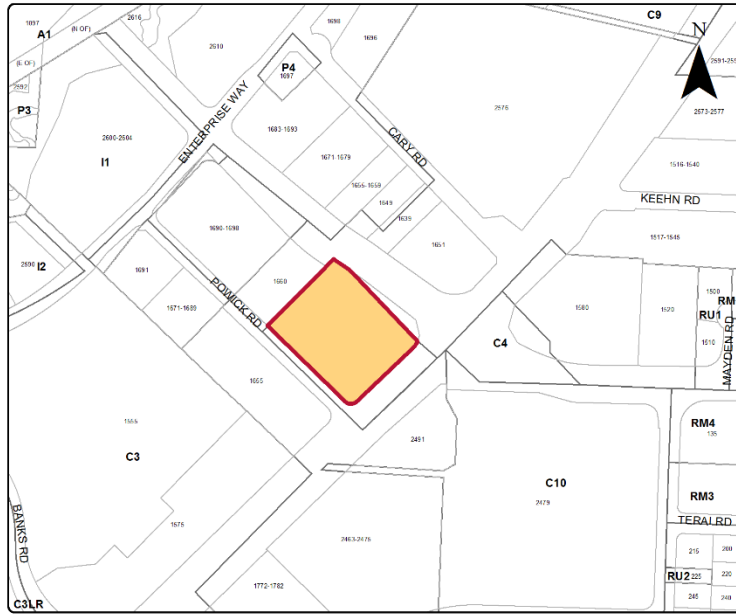
The property is in a heavily urbanized area of the city, at the junction of two major highways. The site is adjacent to another large hotel to the south. The large warehouse retailer Costco is directly across Highway 97. As Highway 33 is extended, it is anticipated that this intersection will grow more and more busy and prominent. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C10 - Service Commercial	Ashley Furniture
East	C10 - Service Commercial	Costco
South	C4 - Urban Centre Commercial	Fairfield Hotel
West	C10 - Service Commercial	Event Rentals Store

Subject Property Map:



CONTEXT



NEIGHBOURING ZONING



SUBJECT PROPERTY

4.6 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C9 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	1800 m ²	9,129 m ²
Minimum Lot Width	30.0 m	97.0 m
Minimum Lot Depth	35.0 m	117.30 m
Development Regulations		
Maximum Floor Area Ratio	1.5	0.89
Maximum Height	6 storeys / 22.0m	6 storeys
Minimum Front Yard	6.0 m	3.0 m ^❶
Minimum Side Yard (south)	4.5 m	2.25 m ^❷
Minimum Side Yard (north)	3.0 m	0.0 m ^❸
Minimum Rear Yard	15.0 m	18.0m
Other Regulations		
Minimum Parking Requirements	206	184 ^❹
Minimum Bicycle Parking	21	22
Minimum Loading Space	3	3
^❶ Front Yard Setback Reduction ^❷ South Side Yard Setback Reduction ^❸ North Side Yard Setback Reduction ^❹ Parking Reduction		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 14: 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;
- Create open, architecturally-pleasing and accessible building facades to the street.

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 may be 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. This includes separations of the parkade into restricted areas if any.
 - 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 Structural peer review may be required at time of building permit application for the 6 storey structure.
- 6) 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. This building may be designed to low, which may affect the form and character of the building.
- 7) 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.

6.2 Development Engineering Department

- See attached Memorandum dated February 23, 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.
- 3) A visible address must be posted as per City of Kelowna By-Laws . As the only access to this site is off of Powick Rd, the buildings should be addressed off of Powick Rd.
- 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 or key tube acceptable to the fire dept. is required by the fire dept. entrance.
- 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
 - a. Ensure FD connection is clearly marked and visible from the street
 - b. Standpipes to be located on intermediate landings.
 - c. Sprinkler zone valves shall be accessible as per fire prevention bylaw.
 - d. Dumpster/refuse container must be 3 meters from structures or overhangs.
 - e. Do not issue BP unless all life safety issues are confirmed.

7.0 Application Chronology

Date of Application Received: January 4th, 2016
Date of Final Drawing Revisions: May 2016

Report prepared by:

Ryan Roycroft, Planner

Reviewed by:

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Terry Barton, Urban Planning Manager

Approved for Inclusion:

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Ryan Smith, Community Planning Department Manager

Attachments:

Site Plan
Conceptual Elevations
Landscape Plan
Draft Development Permit
Engineering Memorandum