

REPORT TO COUNCIL



Date: September 26th 2022

To: Council

From: City Manager

Department: Community Planning

Application: DP21-0183 **Owner:** Westcorp on the Lake Inc.,
Inc.No. A75763

Address: 3773-3795 Lakeshore Road **Applicant:** Westcorp Development
Management Inc.

Subject: Development Permit

Existing OCP Designation: VC – Village Centre and NAT – Natural Areas

Existing Zone: CD24 – Comprehensive Development Zone / P3 – Parks and Open
Space

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP21-0183 for Lot 1, DL 134, ODYD, Plan EPP41204 Except Plan EPP112300, located at 3773-3795 Lakeshore Road, 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 this Development 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 for the form and character of a comprehensive multi-family development comprising a mix of townhouses, commercial space, one high-rise building and two mid-rise buildings.

3.0 Development Planning

Staff support the proposed Development Permit Application for the form and character of a comprehensive multi-family development comprising of a mix of uses and housing forms. The proposal aligns with the Official Community Planning (OCP) policy to target growth along transit supportive corridors and promote more housing diversity. The proposal is also consistent with OCP policies related to the Cook-Truswell area/village center. The proposed building height and site layout maximize views of the lake and allow for opportunities for at grade commercial which further contributes to a lively pedestrian-oriented environment with large amenity common areas above the proposed parkade structure.

4.0 Proposal

4.1 Background

In 2013 a Comprehensive Development zone (CD24 zone) for the subject property was approved to provide for the integrated design of a comprehensive mixed-use development which included tourist commercial and residential uses. In 2020 Council approved a Development Permit for phase 1 of the project to allow three and ½ storey townhouses with a total of 200 dwelling units on the east end of the site. In 2021 the owner applied to update/revise the existing comprehensive development zone with the most significant change being a proposed increase in building height from 11 storeys to 17 storeys.

Most recently a Natural Environment Development Permit has been issued by staff related to the park and restoration works along Wilson Creek. At present, a Development Permit application is under consideration for the form and character of the proposed 2nd phase of development on the subject site. If approved staff expect the owners to apply for at least one additional development permit for the 3rd and final phase of development before construction on the site is complete which will include a future day-care building and additional mid-rise and high-rise residential buildings.

4.2 Project Description

The proposed development design comprises of 439 dwellings comprising of one 17 storey high-rise building, two 10 storey mid-rise buildings, and ground-oriented townhouses. The buildings are proposed to include a variety of rental housing types ranging from one- and two-bedroom apartment units and two-bedroom townhomes. Development on the property is guided by a Master Development Agreement to ensure the site develops in accordance with the concept plans provided at time of rezoning.

The architecture of the development is intended to prioritize a simple and timeless expression, where form and proportion are highly considered, and realized through a muted and natural material palette. The design features large balconies and a terracing concept with the largest building setback from Lakeshore Road concentrating the highest density near the center of the site. The scale and proportions of the buildings have been crafted through a sensitive approach to balcony articulation. The residential towers are strategically placed to preserve view corridors through the site and offer residents views of the surrounding valley and lake. The entire development is focused inward onto a large, common rooftop amenity greenspace and landscaped garden and pool area intended to provide both passive and active spaces for social interaction of residents.

The proposal includes a new commercial node along Lakeshore Road, improved accessibility to Wilson Creek Linear Park, and substantial urban plazas and landscaping. The site is located along a transportation

supported corridor and forms linkages for other alternative transportation opportunities to connect future residents to the nearby schools as well as commercial and recreation areas.

The project provides for a variety of rental suite types ranging from single bedroom apartments to town homes intended to serve a diverse demographic as the City's population grows. A detailed checklist on how the proposal meets the applicable Official Community Plan Development Permit guidelines is attached to this report as Attachment B and detailed architectural renderings of the project are attached to this report as Attachment C.

The proposed Master Development Agreement has been reviewed by staff and the City Solicitor. Staff are recommending council authorize staff to proceed with entering into the Master Development Agreement. The applicant for Zoning Bylaw Text Amendment Bylaw No. 12366 has satisfied all other conditions of adoption and staff are recommending the bylaw be adopted.

The Master Development Agreement will be attached by legal agreement to the title of the property to ensure that the requirements are binding and enforceable in the long term. With the adoption of the City's new Zoning Bylaw; the updated CD zone will be replaced by the key development regulations have been incorporated into the new zone applied to the property.



Figure 1. Architectural Rendering

4.3 Site Context

The surrounding area is characterized by medium density multiple family development near Lakeshore Road and Cook Road, and existing single-family neighborhoods to the East and South of the property.

In the context of the 2040 Official Community Plan the subject property is within the Permanent Growth Boundary and Core Area of the City and is specifically designated to be part of the Cook/Truswell Village Centre. A portion of the site is directly adjacent to Wilson Creek and is designated as NAT – Natural Area in the OCP.

Subject Property Map:



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	CD24 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Floor Area Ratio	The maximum net floor area is 90,990 m ²	Total net floor area for DP 33,427 m ²
Max. Site Coverage (buildings)	40%	35%
Max. Site Coverage (buildings, parking, driveways)	50%	46%
Max. Height	The maximum height of buildings shall be the lesser of 60 metres or 17 storeys, not including rooftop mechanical penthouse, antenna or other ancillary structures. In the Community Interface Area of CD24, the maximum height of buildings shall be the lesser of 11.5 metres or 3.5 storeys	60 m and 17 storeys

<p>Min. Front Yard</p>	<p>West Side / Lakeshore Road Frontage – 0.0 metres for 50% of the frontage and 3.0 metres for 50% of the frontage for any buildings or structures under 10 metres in height. 3.0 metres for any portion of buildings or structures above 10 metres in height. Notwithstanding this provision, architectural features that are less than 25% of the building face width may encroach into the 3.0 metre setback requirement, to a maximum of 1.5 metres.</p>	<p>3.0 m</p>
<p>Min. Side Yard (south)</p>	<p>South Side – 3.0 metres from the boundary of the Wilson Creek green space for any buildings and structures less than 15 metres in height. Buildings, excluding balconies, cornices and architectural features, above 15 metres in height will require an additional 1.5 metre setback for a total of 4.5 metre setback from the boundary of the Wilson Creek Green Space</p>	<p>15 m+</p>
<p>Min. Side Yard (north)</p>	<p>North Side – 7.5 metres for all buildings and structures up to 11.5 metres in height, 15 metres for any buildings and structures, excluding balconies, cornices and architectural features, greater than 11.5 metres, with the exception of the townhome buildings located in the Community Interface Area.</p>	<p>15 m</p>
<p>Min. Rear Yard</p>	<p>7.5m</p>	<p>7.5 m</p>
<p>Other Regulations</p>		
<p>Min. Parking Requirements</p>	<p>849 spaces</p>	<p>1135 spaces</p>

Short-Term Min. Bicycle Parking	6 per entrance, plus for buildings with greater than 70 units: 1 space for every additional 5 units Bicycle parking can be provided anywhere in the parkade necessary to be easily accessible to users.	6 per entrance, plus for buildings with greater than 70 units: 1 space for every additional 5 units (75 spaces)
Long-Term Bike Parking	770 spaces	880 spaces
Min. Private Open Space	A minimum area of 7.5 m ² of private open space shall be provided per bachelor dwelling, apartment hotel unit, or congregate housing bedroom; 15 m ² of private open space shall be provided per 1 bedroom dwelling, and 25 m ² of private open space shall be provided per dwelling with more than 1 bedroom, except for hotel where no minimum private open space is required. Private communal outdoor amenity space is included for the purposes of this calculation. (7,615sqm required)21,984 m ²	21,984 m ²

5.0 Current Development Policies

The Big Picture: 10 Pillars to Realize our Vision	
Target growth along transit corridors	Investing in more transit service makes it a more attractive option, but for it to be truly effective, there needs to be more people living, working and shopping nearby. With this in mind, the Official Community Plan focuses growth in the five Urban Centres and along major transit corridors that connect them with a goal of putting more people and more jobs within easy walking distance of reliable, direct transit service.
Promote more housing diversity	One of Imagine Kelowna's goals is to build healthier neighbourhoods that support a variety of households, incomes, and life stages. Having the housing that Kelowna citizens need is critical to achieving this goal. The Official Community Plan signals a wider variety of housing types and

	<p>not just single-family homes or small apartments. This housing is focused in areas where residents have easier access to jobs, amenities, transit, and active transportation routes. In addition, this Official Community Plan supports more rental housing options.</p>
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Objective 5.1. Encourage Village Centres as Kelowna’s secondary hubs of activity.

<p>Policy 5.1.4 Cook Truswell Village Centre</p>	<p>Policy 5.1.4. Cook Truswell Village Centre. Continue to support the evolution of the Cook Truswell Village Centre into a mixed use tourist commercial destination by supporting development that contributes to the following vision for the area:</p> <ul style="list-style-type: none"> • A mix of tourist accommodation, with supporting residential and commercial development; • Buildings that are generally up to six storeys in height, with opportunities for taller buildings being explored with additional considerations such as: <ul style="list-style-type: none"> ○ Building design that maximizes views of the lake; ○ Uses at grade, such as retail commercial or restaurants to contribute to a lively pedestrian-oriented tourist environment; ○ Significant publicly accessible parks, plazas and other public realm improvements; ○ Enhancement of the public’s access and enjoyment of the waterfront at Okanagan Lake; and ○ Protection, restoration and dedication of Okanagan Lake foreshore and other riparian areas. • Orientation of buildings towards Truswell Road, creating a small retail street; • Increased transportation connectivity from Lakeshore Road to Okanagan Lake and surrounding neighbourhoods to the east. <p><i>The proposal is consistent with OCP Policy 5.1.4 as the proposed building height and site layout maximizes views of the lake and allows opportunities for at grade commercial which further contributes to a lively pedestrian-oriented tourist environment with large amenity space areas on top of the proposed parkade structure.</i></p>
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Objective 5.1. Encourage Village Centres as Kelowna’s secondary hubs of activity.

<p>Policy 5.2.1. Transit Supportive Corridor Densities</p>	<p>Encourage development that works toward a long-term population density of between 50 – 100 people per hectare within 200 metres of each corridor to achieve densities that support improved transit service and local services and amenities. Discourage underdevelopment of properties along Transit Supportive Corridors.</p> <p><i>The complete build out of the proposed development will result in approximately 1,100 dwelling units located within the subject which is equivalent to a site density of 157 people per hectare which will contribute to a future density that achieve</i></p>
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	<i>densities that support improved transit service and local services and amenities.</i>
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6.o Application Chronology

Date of Application Received: January 31st 2021

Date Public Consultation Completed: September 4th 2021

Report prepared by: Alex Kondor, Planner Specialist

Reviewed by: Dean Strachan, Community Planning & Development Manager

Reviewed by: Terry Barton, Development Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A – Draft Development Permit DP21-0183

Schedule A: Site Plan

Schedule B: Design Plans

Schedule C: Landscape Plan

Attachment B – OCP Form and Character Development Permit Guidelines

Attachment C – Architectural Renderings