

REPORT TO COUNCIL DEVELOPMENT PERMIT & DEVELOPMENT VARIANCE PERMIT



Date: June 13th, 2023
To: Council
From: City Manager
Address: 1810 Hilltop Crescent
File No.: DP22-0200 & DVP23-0076
Zone: CD18 – McKinley Beach Resort

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP22-0200 and Development Variance Permit DVP23-0076 for Lot 4 Section 28 Township 23 ODYD PLAN EPP76020, located at 1810 Hilltop Crescent, 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 amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;

AND THAT variances to the following section of the Zoning Bylaw No. 12375 be granted:

Section 15.4.5[.3]: CD18 Development Regulations

To vary the minimum amount of habitable space within an exposed storey from 60% required to 0% proposed.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and 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 issue a Development Permit and Development Variance Permit for the form and character of Multiple Dwelling Housing with a variance to the minimum amount of habitable space within any exposed storey.

3.0 Development Planning

Staff are recommending support for both, the Form and Character Development Permit as well as the Development Variance Permit. The proposal consists of a 24-unit, 6 storey multi-family building which

contains a mix of (12) 3-bedroom, 3 storey ground-oriented townhouse units and (12) 3-bedroom, single-level apartments on the upper 3 storeys of the building.

3.1 Form and Character Development Permit

The proposal creates a strong interface on the corner of Hilltown Drive and Hilltop Crescent, through ground-oriented units, landscaping, and distinct architectural treatments for corner prominence. The principal entrance for pedestrians is located on Hilltop Crescent and vehicular entrance from Hilltown Drive to a sunken parkade level. The height and building mass has a well-defined base, middle, and top, allowing for architectural detailing and variation between the townhouse units and apartment units. Exterior building materials include fiber cement panels, white stucco, cedar siding, and black metal clad vinyl windows and glass guard rails. The proposed development provides a human scaled experience along the street by articulating the façade, stepping back the building mass, repeating window patterns, and changes in the roofline. The proposal meets the number of required parking and bicycle parking, as well as amenity space requirements. To the North of the site, an environmentally sensitive area is protected via covenant, where existing mature trees and vegetation will remain on site and be protected during construction.

The proposal generally conforms to the Official Community Plan (OCP) Form and Character Development Permit Guidelines for Low and Mid-Rise Residential Mixed-Use. Key guidelines that are met include:

- 4.1.1.f Set back residential buildings on the ground floor between 3-5 m from the property line to create a semi-private entry or transition zone to individual units and to allow for an elevated front entryway or raised patio;*
- 4.1.2.c Buildings over 40 m in length should incorporate a significant horizontal and vertical break in façade;*
- 4.1.6.e Incorporate distinct architectural treatments for corner sites and highly visible buildings such as varying the roofline, articulating façade, adding pedestrian space, increasing the number and size of windows, and adding awnings or canopies.*

Due to the functionality of the site and the orientation of the building, the following two guidelines cannot be met:

- 2.1.1.f Avoid blank, windowless walls along streets or other public open spaces;*
- 4.1.2.b Residential buildings should have a maximum width of 24 m.*

3.2 Development Variance Permit

Staff are recommending support for the Development Variance Permit to vary the minimum amount of habitable space within any exposed storey from 60% required to 0% proposed. The purpose of this regulation is to ensure a high-quality building elevation interface with the downslope hillside of the McKinley Beach Area, as the McKinley development area permits larger apartment buildings typically associated with parkades. This is to ensure that these larger buildings on the downhill slope side limit blank walls and provide an aesthetically attractive elevation from key public views such as from the lake, sidewalks, roads, playgrounds and other common amenity areas. This proposal includes an exposed parkade on the downhill slope side without including any habitable space, thus triggering the necessity for the variance. In this case, the exposed downslope parkade is interfacing into a gully with mature vegetation that provides effective screening of the parkade wall from key public views. Further, the building is designed to accommodate ground-oriented residential units interfacing with Hilltop Crescent and Hilltown Drive. The parkade exposure begins on the side property lines following the natural topography of the slope away from the street. The proposal includes a number of mitigative measures to soften the portions of parkade wall facing the side property lines which continues the high-quality architectural treatment along the fronting streets. This

includes landscape planting along portions of the exposed wall and includes a landscape retaining wall that adds visual depth to the overall side elevation.



Fig. 1 Exposed parkade storey triggering variance

4.0 Subject Property & Background

4.1 Subject Property Map



5.0 Zoning Bylaw Regulations Summary

UNIT COUNT AND FLOOR AREA	
Gross Lot Area	2,673.6 m ²
Undevelopable Land (riparian, 30% slope, etc.)	697.8 m ²
Total Number of Units	24
3-bed	24
Townhome	12

DEVELOPMENT REGULATIONS		
CRITERIA	CD18 ZONE	PROPOSAL
Total Maximum Floor Area Ratio		
Base FAR	N/A	1.1
Max. Site Coverage (buildings)	N/A	58 %
Max. Site Coverage (buildings, parking, driveways)	N/A	58 %
Max. Height		
Base Height Footnote .3	38.25 m or 9 storeys Any building or structure in area 1 that exceeds 6 storeys then any exposed storey where parking is provided within a building must include 60% of the exposed area as habitable space	22.6 m or 7 storeys ^① 0% of exposed area as habitable space
Setbacks		
Min. Front Yard (South facing Hilltop Crescent)	0.0 m	0.0 m
Min. Rear Yard (West)	0.0 m	0.0 m
Min. Flanking Yard (East facing Hilltown Drive)	0.0 m	6.8 m
Min. Side Yard (North)	0.0 m	0.0 m
Amenity Space		
Total Required Amenity Space	600.00 m ²	681 m ²
Landscaping		
Min. Number of Trees	N/A	4 trees
<p>^① Indicates a requested variance to the minimum amount of habitable space within any exposed storey where parking is provided within the building from 60% required to 0% proposed.</p>		

PARKING REGULATIONS		
CRITERIA	CD18 ZONE REQUIREMENTS	PROPOSAL
Total Required Vehicle Parking		
Residential	48 stalls	48 stalls
Visitor	3 stalls	3 stalls
Ratio of Regular to Small Stalls	Min. 50% Regular Max. 50% Small	50% Regular 50% Small
Bicycle Stalls Short-Term	6 stalls	6 stalls
Bicycle Stalls Long-Term	23 stalls	23 stalls
Bike Wash & Repair	Yes	Yes

6.0 Application Chronology

Application Accepted: October 3, 2022
Neighbour Notification Received: April 21, 2023

Report prepared by: Sara Skabowski, Planner I
Reviewed by: Jocelyn Black, Urban Planning 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 DP22-0200 & DVP23-0076

Schedule A: Site Plan & Floor Plans

Schedule B: Elevations & Sections

Schedule C: Landscape Plan

Attachment B: OCP Form and Character Development Permit Guidelines

Attachment C: Applicant Rationale Letter

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.