

# REPORT TO COUNCIL



**Date:** November 7, 2016  
**RIM No.** 0940-00  
**To:** City Manager  
**From:** Community Planning Department (LK)

**Application:** DP16-0124      **Owner:** Kane #3 Resources Ltd., Inc.  
No. BC1024155

**Address:** 1459 - 1469 KLO Road      **Applicant:** Highstreet Ventures Inc.

**Subject:** Development Permit

**Existing OCP Designation:** MRM - Multi Unit Residential (Medium Density)

**Existing Zone:** RM5 - Medium Density Multiple Housing

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP16-0124 for Lot A District Lot 131 ODYD Plan KAP86112, located at 1459 - 1469 KLO 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 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.

## 2.0 Purpose

To consider the form and character of the proposed 280-unit multiple dwelling housing project on the subject parcel.

### 3.0 Community Planning

Community Planning Staff supports the proposed 280-unit multi-residential development on the subject parcel. The application meets all of the Zoning Bylaw regulations and the Official Community Plan (OCP) Future Land Use designation of MRM - Multiple Unit Residential (Medium Density). The proposal also meets many of the OCP's urban infill objectives.

The parcel is located a few blocks east of the South Pandosy Urban Centre. Adding additional density at this location is supported by the nearby parks, transit and active transportation bike lane. The project is adjacent to the Immaculata Regional High School and within walking distance of both Okanagan College and KLO Middle School. The development will be entirely rental housing and will qualify for the rental housing tax exemption program. Data from the CMHC's fall 2015 Rental Market Report indicates that:

- Kelowna's apartment vacancy rate declined to 0.7% in October 2015 compared to 1.0% in October 2014.
- Kelowna's apartment availability rate declined to 0.9% in October 2015 compared to 1.7% in October 2014.
- Kelowna's townhouse vacancy rate remains almost unchanged at 1.1% in October 2015 compared to 1.0% in 2014.
- The vacancy rate for two-bedroom townhouse units was 1.0 % where there were almost no vacancies for one-bedroom units.
- Two-bedroom units make up approximately three quarters of the overall townhouse rental stock and over three quarters of townhouse rental units are over 20 years old.

Therefore, the increase in the number of rental units will benefit the Kelowna rental housing market. Specifically, this project proposes to add:

- 75 - one-bedroom apartment units
- 165 - two-bedroom apartment units
- 20 - one-bedroom townhouse units
- 20 - three-bedroom townhouse units

### 4.0 Proposal

#### 4.1 Background

In 2007, Council approved an OCP Amendment from MRL - Multiple Unit Residential (Low Density) to MRM - Multiple Unit Residential (Medium Density) and Rezoning from A1 - Agricultural to RM5 - Medium Density Multiple Housing for the subject property. Council also approved DP05-0172 to allow the development of four 4-storey buildings consisting of 224 units. Due to a downturn in the housing market, the development permit expired. The parcel currently contains a single family dwelling which will be demolished under the current proposal.

#### 4.2 Project Description

##### Building Configuration

The proposed development will see the construction of 280 purposed built rental units. The proposal consists of six buildings, which are divided into three 4-storey apartment buildings, two 3-storey stacked townhouses and a community amenity building.

The apartment buildings consist of 80-units each (25 - one-bedroom and 55 - two-bedroom units). Each building has one level of underground parking which provides 60 parking stalls and 66 bike storage units. The townhouses are divided into two buildings each consisting of twenty units. The main floor has 10 one-bedroom units. The two-storey 3-bedroom units are stacked above. All units have private amenity space in the form of balconies and additional public amenity area is provided throughout the site.

The apartment buildings are located along the east property line as the building heights are similar to that of the existing Immaculata High School. The tallest proposed building is 13.86 m, which is well under the 18.0 m maximum allowed within the RM5 zone. The townhouse buildings are situated along the west property line to provide a transitional height to the adjacent parcel which was approved in 2015 for the development of lower density modular single family homes.



### Building Design

The building designs have a modern feel through the use of flat roofs and angled projections. The project will be constructed to 'Built Green Bronze' standard and will include solar roof panels. The exterior includes three varying colours of fibre cement siding and entrances are defined through the use of stained timber with stone accents. All street facing elevations will have increased detailing with culture stone featured prominently to provide a more appealing streetscape.

### Parking Configuration

The parking requirements of the project are met through the provision of 407 parking stalls. 180 of which are located underground, with the remaining 227 stalls provided at-grade. The amount of underground parking stalls provided has been limited due to the high water table at this location.

While the amount of surface parking is not considered ideal, much thought was taken to limit the visual impact and reduce the 'parking lot' feel that can sometimes occur with developments of this scale. The common amenity building has been located along KLO Road to provide a visual screen into the parcel in conjunction with larger calliper trees provided along the frontage. The development has purposefully not placed fencing along the front or rear of the parcel to avoid

the 'gated community' feel. Through the use of trees and the low scale building the parking will be well screened and the site will appear more inviting.

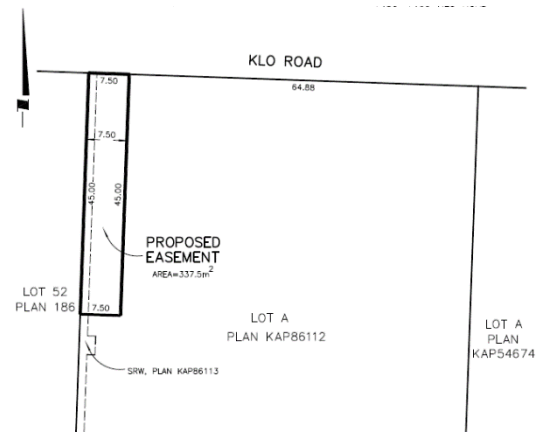
The parking has been broken into smaller groupings through the provision of soft landscaped islands and raised paver crosswalks. The public amenity space aids in lessening the overall visual impact. The applicant has provided extensive public space to increase the community feel of the site. These designated areas appeal to a wide variety of interests. The Community building will provide a gym and a multi-purpose room with an adjacent patio area. The proposal incorporates a fenced dog park, a community garden complete with a garden shed and raised planter beds. There is also a large green space and a beach volleyball court.

The garbage & recycling has been divided into two areas on the site to ensure it is readily accessible to all units. There are two bike storage lockers and bike racks located throughout the parcel. Sidewalks with benches provide connectivity from KLO Road at the front of the site to Bothe Road at the south end of the development.

Due to the proximity to both Fascieux Creek and the irrigation ditch, an environmental management plan is required. A 14.2 m road right of way was dedicated to the City at time of rezoning for the future Bothe Road construction. The required 30m setback to the creek was also addressed at time of the rezoning; therefore, additional takings are not required. An Environmental Development Permit will ensure the protection and enhancement of the creek and its riparian areas and that the construction does not negatively impact the creek or the irrigation ditch.

As part of the Rezoning and Development Permit application approval of the west adjacent parcel located at 1429 KLO Road, a shared driveway access was agreed upon. The intention of this agreement is to reduce the number of access points onto KLO Road.

Currently, the applicant is working with the adjacent parcel owners to register a reciprocal cross-access agreement for the shared driveway. Should the adjacent development not proceed, the applicant is ensuring sufficient driveway access is provided within the subject parcel as indicated in *Figure 1*.



*Figure 1 - Contingency Plan: Alternate site access to be provided entirely within the Subject Property (1459 KLO Road).*

### 4.3 Site Context

The subject property is located on the south side of KLO Road. It is on the west side of Immaculata Regional High School between Gordon Drive and Benvoulin Road. The site is designated MRM- Multiple Unit Residential (Medium Density) and is within the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P1 - Major Institutional, A1 - Agriculture 1	Government Offices, Park/Sportsfield
East	P2 - Education & Minor Institutional	High School
South	A1 - Agriculture 1	Farm
West	RM7 - Mobile Home Park	Single Dwelling House

Subject Property Map: 1459 - 1469 KLO Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM5 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	1400 m <sup>2</sup>	24, 888 m <sup>2</sup>
Lot Width	30.0 m	72.38 m
Lot Depth	35.0 m	346.93 m
Development Regulations		
Maximum Floor Area Ratio	1.1	1.03
Maximum Site Coverage	40%	27.89%
Max Site Coverage (incl. driveway & parking area)	65%	52.39%
Height	18 m or 4.5 storeys	13.86 m (tallest building)
Front Yard (north)	6.0 m	6.0 m (to comm. Bldg.)
Side Yard (east)	7.0 m	7.33 m (to apartment)
Side Yard (west)	7.0 m	7.39 m (to townhouse)
Rear Yard (south)	9.0 m	13.26 m (to apartment) 12.64 m (to townhouse)
Other Regulations		
Minimum Parking Requirements	407 stalls	407 stalls
Bicycle Parking	Class I - 140 spaces Class II - 28 spaces	Class I - 180 spaces Class II - 30 spaces
Private Open Space	6050 m <sup>2</sup>	6094 m <sup>2</sup>

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Compact Urban Form.**<sup>1</sup> Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

**Sensitive Infill.**<sup>2</sup> Encourage new development or redevelopment of existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

**Ground Oriented Housing.**<sup>3</sup> Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).
- 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.
- 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):
  - Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
  - Exit pathways that are above the parking overhead door need to be compliant with the distance to unprotected openings. Either the unit windows must be protected by an alternate solution or the exit path must move away from the building. (all three apartment buildings).
  - Elevator cores must be designed for minimum STC rating, please provide STC ratings for wall assemblies at time of permit application.
  - The building area may exceed 1800 sq. m as per BCBC which may place this building into the group C classification of non-combustible / sprinklered.
  - Man door exits from the basement parkade must have stairs or meet the requirements for a ramp, which may be less than the driveway slope to the building as shown.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. These building may be designed to low due to the high water table of the area.
- 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.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.23.1 (Development Process Chapter).

- 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, door swing direction, handrails on each side of exit stairs, width of exits etc.
- 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.
- Mechanical Ventilation inlet and exhausts vents are defined in these drawings for the enclosed parking storey. The location and noise from these units should be addressed at time of Development Permit.
- 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 at time of permit application.

## 6.2 Development Engineering Department

- Refer to Attachment A dated July 5, 2016.

## 6.3 Long Range Planning

- The project adds much needed rental housing at a time when rental housing vacancy rates are below 1%. More specifically, the inclusion of family-oriented units are especially valuable given the extremely low vacancy rates for three bedroom units in Kelowna and the importance of providing options for young families. It is worth noting that the project as described would be eligible for purpose-built rental housing grants as well as a revitalization tax exemption if the project entered into a purpose-built rental housing agreement.

## 6.4 Fire Department

- Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required.
- Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900. New hydrants on this property shall be operational prior to the start of construction and shall be deemed a private hydrant.
- All buildings shall be addressed off of the street it is accessed from. Access to the town homes shall be off of a roadway and not a lane.
- A visible address must be posted on this street, as per City of Kelowna By-Laws. One main address off of KLO with building or unit numbers is best for response.
- 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.
- Fire Department access is to be met as per BCBC 3.2.5. - will Bothe Rd be finished prior to construction start? Access does not look fire truck/ladder truck accessible.
- Approved Fire Department steel lock box acceptable to the fire dept. is required by the fire dept. entrance and shall be flush mounted.
- All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met.
- Fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard.
- Contact Fire Prevention Branch for fire extinguisher requirements and placement.

- Fire department connection is to be within 45M of a fire hydrant - unobstructed.
- Ensure FD connection is clearly marked and visible from the street.
- Standpipes to be located on intermediate landings.
- Sprinkler zone valves shall be accessible as per fire prevention bylaw - less than 7 feet from floor.
- Dumpster/refuse container must be 3 meters from structures or overhangs or in a rated room in the parking garage.

## 7.0 Application Chronology

Date of Application Received: May 9, 2016  
Date of ADT Meeting: May 25, 2016  
Amended Plans Received: July 27, 2016

### Report prepared by:

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Lydia Korolchuk, Planner

**Reviewed by:** Terry Barton, Urban Planning Manager

**Reviewed by:** Ryan Smith, Community Planning Department Manager

### Attachments:

Attachment A: Development Engineering Memorandum  
Schedule A: Site Plan  
Schedule B: Conceptual Elevations  
Schedule C: Landscape Plan



## DEVELOPMENT PERMIT GUIDELINES

### Comprehensive Development Permit Area

Consideration has been given to the following guidelines as identified in Section 14.A. of the City of Kelowna Official Community Plan relating to Comprehensive Development Permit Areas:

COMPREHENSIVE DEVELOPMENT PERMIT AREA	YES	NO	N/A
<b>Authenticity and Regional Expression</b>			
Do landscaping and building form convey a character that is distinct to Kelowna and the Central Okanagan?	✓		
Are materials in keeping with the character of the region?	✓		
Are colours used common in the region's natural landscape?	✓		
Does the design provide for a transition between the indoors and outdoors?	✓		
<b>Context</b>			
Does the proposal maintain the established or envisioned architectural character of the neighbourhood?	✓		
Does interim development consider neighbouring properties designated for more intensive development?	✓		
Are façade treatments facing residential areas attractive and context sensitive?	✓		
Are architectural elements aligned from one building to the next?	✓		
For exterior changes, is the original character of the building respected and enhanced?			✓
Is the design unique without visually dominating neighbouring buildings?	✓		
For developments with multiple buildings, is there a sense of architectural unity and cohesiveness?	✓		
<b>Relationship to the Street</b>			
Do buildings create the desired streetscape rhythm?	✓		
Are parkade entrances located at grade?			
For buildings with multiple street frontages, is equal emphasis given to each frontage?		✓	
<b>Massing and Height</b>			
Does the design mitigate the actual and perceived mass of buildings?	✓		
Does the height consider shading and view impacts for neighbouring properties and transition to less intensive areas?	✓		
<b>Human Scale</b>			
Are architectural elements scaled for pedestrians?	✓		
Are façades articulated with indentations and projections?	✓		

<b>COMPREHENSIVE DEVELOPMENT PERMIT AREA</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
Do proposed buildings have an identifiable base, middle and top?	✓		
Are building facades designed with a balance of vertical and horizontal proportions?	✓		
Are horizontal glazed areas divided into vertically proportioned windows separated by mullions or building structures?	✓		
Does the design incorporate roof overhangs and the use of awnings, louvers, canopies and other window screening techniques?	✓		
Is the visual impact of enclosed elevator shafts reduced through architectural treatments?	✓		
<b>Exterior Elevations and Materials</b>			
Are buildings finished with materials that are natural, local, durable and appropriate to the character of the development?	✓		
Are entrances visually prominent, accessible and recognizable?	✓		
Are higher quality materials continued around building corners or edges that are visible to the public?	✓		
Are a variety of materials used to create contrast, enhance the pedestrian environment and reduce the apparent mass of a building?	✓		
Are elements other than colour used as the dominant feature of a building?	✓		
<b>Public and Private Open Space</b>			
Does public open space promote interaction and movement through the site?	✓		
Are public and private open spaces oriented to take advantage of and protect from the elements?	✓		
Is there an appropriate transition between public and private open spaces?	✓		
Are amenities such as benches, garbage receptacles, bicycle stands and community notice boards included on site?	✓		
<b>Site Access</b>			
Is the safe and convenient movement of pedestrians prioritized?	✓		
Are alternative and active modes of transportation supported through the site design?	✓		
Are identifiable and well-lit pathways provided to front entrances?	✓		
Do paved surfaces provide visual interest?	✓		
Is parking located behind or inside buildings, or below grade?	✓		
Are large expanses of parking separated by landscaping or buildings?		✓	
Are vehicle and service accesses from lower order roads or lanes?			✓
Do vehicle and service accesses have minimal impact on the streetscape and public views?	✓		

<b>COMPREHENSIVE DEVELOPMENT PERMIT AREA</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
Is visible and secure bicycle parking provided in new parking structures and parking lots?	✓		
<b>Environmental Design and Green Building</b>			
Does the proposal consider solar gain and exposure?	✓		
Are green walls or shade trees incorporated in the design?	✓		
Does the site layout minimize stormwater runoff?	✓		
Are sustainable construction methods and materials used in the project?	✓		
Are green building strategies incorporated into the design?	✓		
<b>Decks, Balconies, Rooftops and Common Outdoor Amenity Space</b>			
Are decks, balconies or common outdoor amenity spaces provided?	✓		
Does hard and soft landscaping enhance the usability of decks, balconies and outdoor amenity spaces?	✓		
Are large flat expanses of roof enhanced with texture, colour or landscaping where they are visible from above or adjacent properties?	✓		
<b>Amenities, Ancillary Services and Utilities</b>			
Are loading, garage, storage, utility and other ancillary services located away from public view?	✓		
Are vents, mechanical rooms / equipment and elevator penthouses integrated with the roof or screened with finishes compatible with the building's design?	✓		
<b>Landscape Development and Irrigation Water Conservation</b>			
Does landscaping:	-	-	-
<ul style="list-style-type: none"> <li>Compliment and soften the building's architectural features and mitigate undesirable elements?</li> </ul>	✓		
<ul style="list-style-type: none"> <li>Maintain the dominant pattern of landscaping along the street and surrounding properties?</li> </ul>	✓		
<ul style="list-style-type: none"> <li>Enhance the pedestrian environment and the sense of personal safety?</li> </ul>	✓		
<ul style="list-style-type: none"> <li>Screen parking areas, mechanical functions, and garbage and recycling areas?</li> </ul>	✓		
<ul style="list-style-type: none"> <li>Respect required sightlines from roadways and enhance public views?</li> </ul>	✓		
<ul style="list-style-type: none"> <li>Retain existing healthy mature trees and vegetation?</li> </ul>	✓		
<ul style="list-style-type: none"> <li>Use native plants that are drought tolerant?</li> </ul>	✓		
<ul style="list-style-type: none"> <li>Define distinct private outdoor space for all ground-level dwellings?</li> </ul>	✓		
Do any fences and retaining walls create visual interest and enhance the pedestrian environment?	✓		

<b>COMPREHENSIVE DEVELOPMENT PERMIT AREA</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
Do parking lots have one shade tree per four parking stalls?		✓	
<i>Landscape Water Conservation Guidelines</i>			
Are plants grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas?	✓		
Does at least 25% of the total landscaped area require no irrigation / watering?		✓	
Does at least 25% of the total landscaped area require low water use?		✓	
Does at most 50% of the total landscaped area require medium or high water use?		✓	
Is mulch cover provided for shrubs and groundcover to reduce soil evaporation?	✓		
Do water features such as pools and fountains use recirculated water systems?			✓
Do landscape installation standards meet the requirements of the BC Landscape Standard and / or the Master Municipal Construction Document?	✓		
Are the required written declarations signed by a qualified Landscape Architect?	✓		
<i>Irrigation System Guidelines</i>			
Is the Irrigation Plan prepared by a Qualified Professional?	✓		
Are irrigation circuits grouped into "hydro-zones" of high, medium and low or unirrigated / unwatered areas consistent with the landscaping plan?	✓		
Is drip or low volume irrigation used?	✓		
<b>Crime prevention</b>			
Are CPTED practices as related to landscaping, siting, form and exterior design included in the design?	✓		
Are building materials vandalism resistant?	✓		
<b>Universal Accessible Design</b>			
Is access for persons with disabilities integrated into the overall site plan and clearly visible from the principal entrance?	✓		
Are the site layout, services and amenities easy to understand and navigate?	✓		
<b>Signs</b>			
Do signs contribute to the overall quality and character of the development?	✓		
Is signage design consistent with the appearance and scale of the building?	✓		
Are signs located and scaled to be easily read by pedestrians?	✓		