

REPORT TO COUNCIL



Date: November 7th, 2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (AC)

Application: DP16-0152 & DP16-0192 **Owner:** Acorn Resorts GP Ltd., Inc.
No. BC0888222

Address: 3450 McKinley Beach Dr **Applicant:** GTA Architecture

Subject: Development Permit Applications

Existing OCP Designation: MXT - Mixed Use Tourism

Existing Zone: CD18 - McKinley Beach Comprehensive Resort Development

1.0 Recommendation

THAT Council authorize the issuance of Development Permit DP16-0152 and DP16-0192 for Lot 45, Section 29, Township 23, ODYD, Plan EPP53256, located on 3450 McKinley Beach Dr, Kelowna, BC, subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land to be in general accordance with Schedule "C";
4. That 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 professional landscaper;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permits Applications in order for the permit to be issued.

AND FURTHER THAT the Development Permits be valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To review two Form & Character Development Permits; one permit for 9 semi-detached dwellings and another permit for 64-units within two 5 ½ storey multi-family buildings.

3.0 Community Planning

Council approved the original area structure plan and comprehensive development zone (CD18) in 2004. CD18 included only a few development restrictions while guaranteeing 1300 residential units. Achieving that amount of density on the hillside area is technically challenging and will diverge from some of the City’s Hillside Guidelines. See Section 5.0 to view a sample summary of the hillside design guidelines.

The buildings are oriented with the natural topography (i.e. the greatest horizontal dimension is parallel with, not perpendicular to, the natural contour of the land). Although, the individual buildings do not ‘step back’ with the slope (as per the hillside guidelines), the location of the semi-detached dwellings downslope of the 5 ½ storey multi-family buildings will provide a transitional appearance for the overall site. The choice to limit the multi-family building to a single loaded corridor helps reduce the bulk and massing of the buildings. Further, the applicant has provided a landscape plan and a site restoration plan associated with a three-year maintenance plan that should help to mitigate the disturbed areas. Community Planning is supportive of the Development Permit in order to achieve the approved density in the neighbourhood.

4.0 Proposal

4.1 Project Description

The subject property is currently vacant. The proposal contains a strata road running north-south with the semi-detached units located on the west side of the road or on the downslope portion. The 64-unit multi-family buildings are located upslope and to the east of the strata road. The project proposes a single loaded corridor with all the suites facing the lake. See applicant’s rationale letter for more detail of the proposal.

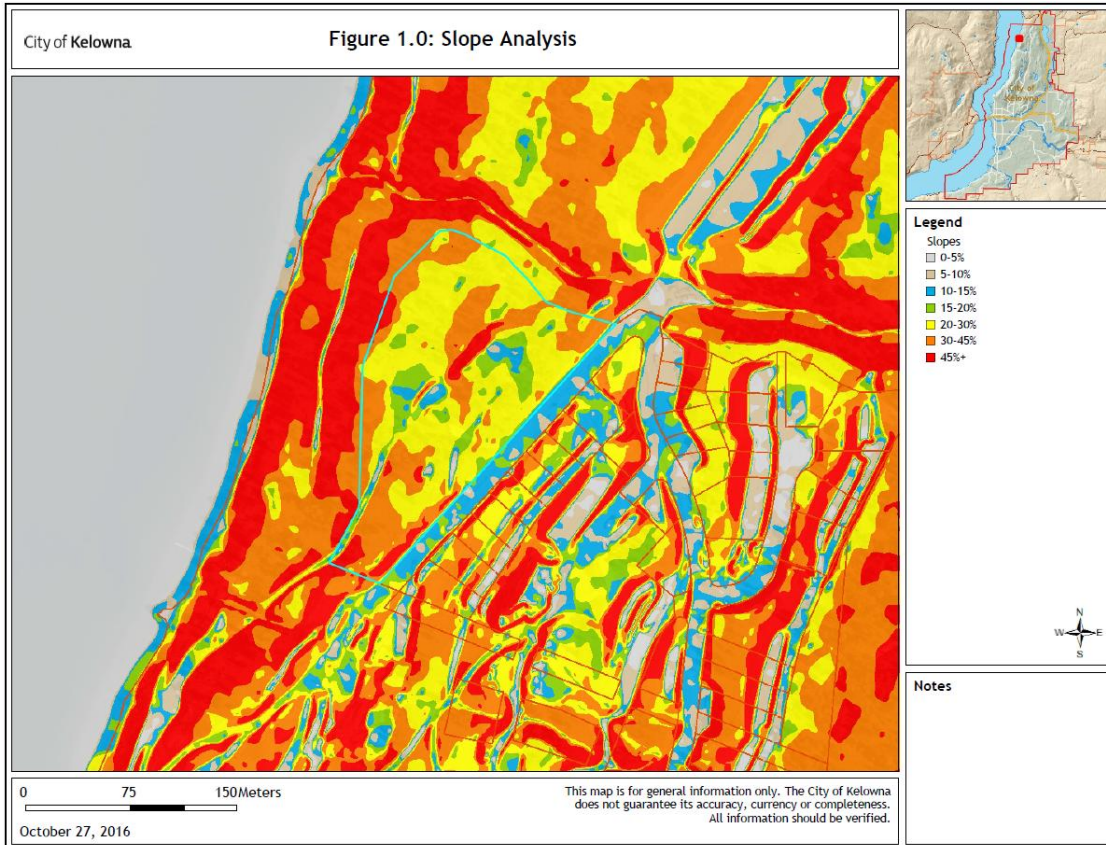


Figure 2.0: Site Plan

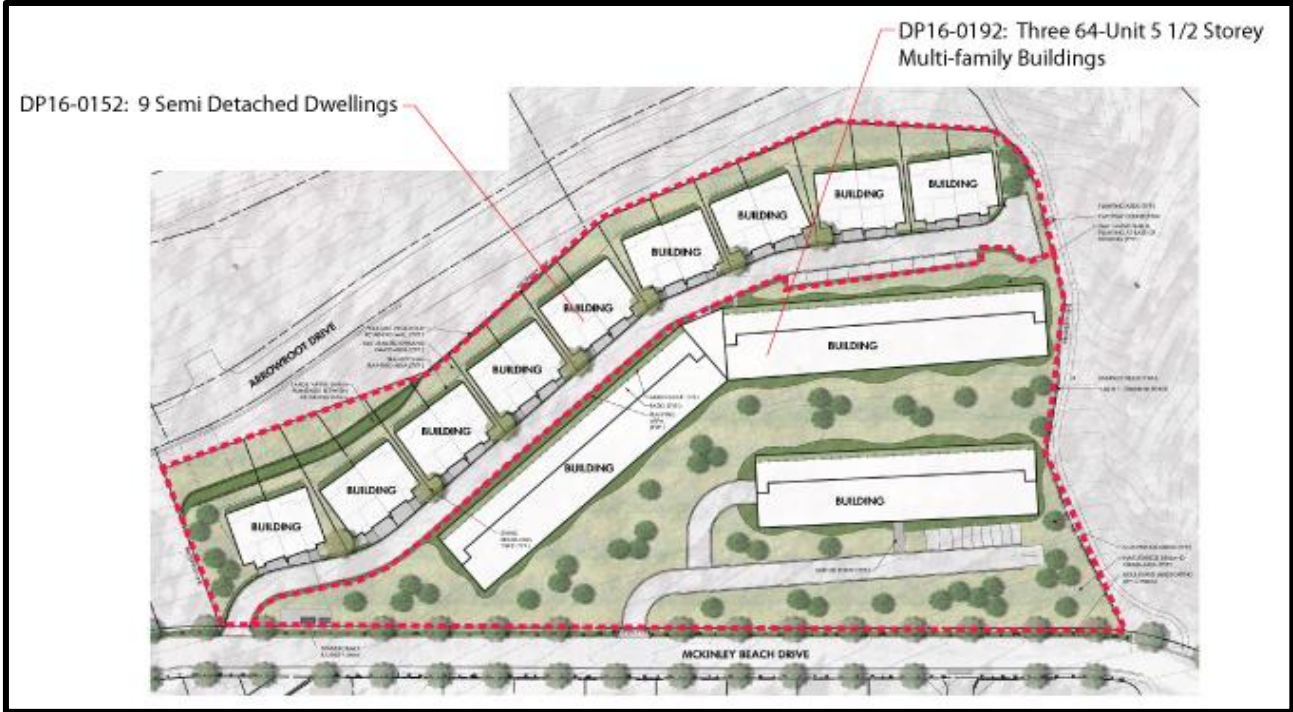


Figure 3.0: Colour Rendering



4.2 Site Context

The site is located within the McKinley Beach neighbourhood. The subject property is designated MXT (Mixed Use Tourism) and the lot is within the Permanent Growth Boundary. Specifically, the adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	CD18 - McKinley Beach Comprehensive Resort Development	Residential
East	CD18 - McKinley Beach Comprehensive Resort Development	Residential
South	CD18 - McKinley Beach Comprehensive Resort Development	Residential
West	CD18 - McKinley Beach Comprehensive Resort Development	Residential

Subject Property Map: 3450 McKinley Beach Drive



4.3 Zoning Analysis Table

Zoning Analysis Table - DP16-0152 (Semi-Detached Dwellings)		
CRITERIA	CD18 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Height	29.5 m / 6.5 storeys	1 storey upslope / 3 storeys downslope (<29.5m)
Front Yard Setback	0.0 m	Varies (~ 2.5m)
Side Yards Setback	Min 0.0 m	Varies (~ 1.2m)
Rear Yard Setback	0.0 m	Varies (~ 17m)
Max Gross Floor Area	350 m ² (excluding garage)	Max 293.5 m ²
Max Main Floor Footprint	175 m ² (excluding garage)	Max 127 m ²
Site coverage of buildings	n/a	n/a
Site coverage of buildings, driveways & parking	n/a	n/a
Parking Regulations		
Minimum Parking Requirements	2 spaces per dwelling = 36stalls	36 parking stalls

Zoning Analysis Table - DP16-0192 (Multi-Family Bldgs)		
CRITERIA	CD18 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Height	29.5 m / 6.5 storeys	5.5 storeys (9.0m)
Front Yard Setback	0.0 m	large
Side Yards Setback	0.0 m	South (large) North (Small <5m)
Rear Yard Setback	0.0 m	large
Site coverage of buildings	n/a	n/a
Site coverage of buildings, driveways & parking	n/a	n/a
FAR	n/a	1.14
Parking Regulations		
Minimum Parking Requirements	1 space per dwelling = 64 stalls	96 parking stalls
Minimum Bicycle Parking	Class 1: 0.5/ D.U = 32 stalls Class 2: 0.1 / D.U = 7 stalls	Class 1: 64 stalls Class 2: 7 stalls

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5 - Development Process - Policy 10 - North McKinley:

- Not approve any additional residential uses or densities (beyond existing zoning) for lands in the North McKinley area designated in the OCP for mixed use tourism use.

Chapter 13 - Hazardous Condition DP - General Guidelines:

- Disturbance of steep slopes and hazardous condition areas will be avoided in accordance with City of Kelowna hillside development guidelines.

Chapter 14 - Comprehensive Development Permit Area (Multiple Unit Residential, Commercial, and Industrial Design Guidelines):

OBJECTIVES

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;
- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
- Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character;
- Promote alternative transportation with enhanced streetscapes and multimodal linkages;
- Highlight the significance of community institutional and heritage buildings; and
- Protect and restore the urban ecology (i.e. architectural and site consideration with respect to the ecological impact on urban design).
- Moderate urban water demand in the City so that adequate water supply is reserved for agriculture and for natural ecosystem processes.
- Reduce outdoor water use in new or renovated landscape areas in the City by a target of 30%, when compared to 2007.

Chapter 16 - Intensive Residential (Hillside Design Guidelines):

OBJECTIVES

- Promote development that respects the terrain, vegetation, drainage courses and constraints related to the hillside environment of the site;
- Promote the siting of buildings and designs that are compatible with the steep slope context;
- Minimize visual impact on the hillside through appropriate siting, finishes, materials and colours;
- Preserve the natural, hillside character and avoid scarring;
- Ensure compatibility with existing neighbourhood or streetscape; and
- Promote a high standard of design, construction and landscaping.
- Ensure road design and anticipated use (e.g. parking) provides for a safe environment and ease of on-going maintenance.

POLICIES

- (1.3) Set buildings into the hillside and step up or down the slope to mimic the natural topography;
- (1.4) Avoid placing tall buildings at high points on the site or in highly visible areas;
- (1.9) Ensure any structures, building faces, street or building lighting do not dominate the landscape.
- (2.1) Preserve any slopes greater than 30% as undisturbed unless roads are required to access developments;
- (2.4) Minimize cut and fill excavation to preserve the natural topography of the hillside. Necessary cuts and fills should be balanced to reduce trucking costs;

- (5.3) Stagger siting of buildings and screen with mature vegetation to minimize the “wall effect”;

6.0 Technical Comments

6.1 Building & Permitting Department

The Edge (Semi-Detached)

- 1) Development Cost Charges (DCC’s) are required to be paid prior to issuance of any Building Permits.
- 2) Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- 3) The drawings submitted for Building Permit application are to indicate the method of non-combustible fire separations between the dwellings. No overlapping roof projections would be allowed
- 4) The generic details on the drawings are not code compliant to BCBC 2012 and will require corrections prior to submittal.
- 5) Full Plan check for Building Code related issues will be done at time of Building Permit applications.

Granite (6 storey Multi-family)

- 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) Fire Department access, turn a rounds / hammer heads and private hydrant locations are too verified with Kelowna Fire Department.
- 4) A Structural and code analysis peer review may be required at time of building permit application.
- 5) 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. This property is outside the Fire Department’s minimum 10 minute response time as defined by BCBC which affects fire separations and unprotected openings. These Spatial requirements are to be addressed in the code analysis which may affect the form and character (glazing on rear and side property line).
 - b. The elevator is to access the top floor with direct access to each unit and preferably without access from an exterior passage. Exterior pathways are required and maintained to provide access to a second exit for proper exiting requirements. Please provide how this access to exiting from the upper level will be achieved.
 - c. The elevator appears to be in a dead end corridor.
 - d. Vestibules required between parkade and the exit stairs

- e. The storage lockers in the parkade may define the floor as an F2 Occupancy classification
 - f. Additional doors and/or corridors may be required to meet minimum exiting requirements.
 - g. Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
 - h. Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.
- 6) A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
 - 7) Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s) / area(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
 - 8) 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, spatial calculation for any windows in exit stairs, etc.
 - 9) 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.
 - 10) Mechanical Ventilation inlet and exhausts vents are not clearly defined in these drawings for the enclosed parking storeys. The location and noise from these units should be addressed at time of Development Permit.
 - 11) 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

See Memos (Attachment 'A') dated July 26th 2016 & August 8th 2016.

6.3 Fire Department

The Edge (Semi-Detached)

- 1) Engineered Fire Flow calculations are required to determine Fire Hydrant requirements. All the hydrant(s) shall be operational PRIOR to the start of construction. Should this be a strata community, the hydrants will be deemed private hydrants
- 2) Fire Department access is to be met as per BCBC 3.2.5. Some of the roadways do not appear to have a proper turning radius on corners or a proper turn around facility.
- 3) The houses shall be accessible from the street they are addressed off of - lanes are not considered emergency access routes. If lanes are utilized, they shall be named and meet the requirements of the BCBC for FD access.
- 4) Ensure the length of the cul de sac does not exceed 200 metres as per Bylaw 7900

- 5) Requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met,
- 6) The distance to a firehall for response will likely require the homes to follow the BCBC Division B Part 9 for fire department response times.
- 7) Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- 8) This area has completed extensive wildfire mitigation
- 9) A secondary emergency egress road shall be completed prior to construction
- 10) Do not issue BP unless all life safety issues are confirmed complete.

Granite (Multi-Family Bldgs)

- 11) Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required.
- 12) The multi-family buildings shall be addressed off of the street it is accessed from. A visible address must be posted on this street. as per City of Kelowna By-Laws.
- 13) Sprinkler drawings are to be submitted to the Fire Dept. for review when available.
- 14) 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
- 15) Fire Department access is to be met as per BCBC 3.2.5. - the turnaround facility shall accommodate KFD's largest truck that is 50 ft in length
- 16) Approved Fire Department steel lock box acceptable to the fire dept. is required by the fire dept. entrance and shall be flush mounted
- 17) All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met
- 18) Fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard.
- 19) Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- 20) Fire department connection is to be within 45M of a fire hydrant - unobstructed.
- 21) ensure FD connection is clearly marked and visible from the street
- 22) standpipes to be located on intermediate landings.
- 23) sprinkler zone valves shall be accessible as per fire prevention bylaw
- 24) dumpster/refuse container must be 3 meters from structures or overhangs or in a rated room in the parking garage
- 25) do not issue BP unless all life safety issues are confirmed.

6.4 Glenmore-Ellison Irrigation District (GEID)

- Applicant will need to contact GEID and resolve any issues prior to Building Permit.

7.0 Application Chronology

Date of Application (DP16-0152):

June 15th 2016

Date of Application (DP16-0192):

August 3rd 2016

Report prepared by:

Adam Cseke

Reviewed by:

Terry Barton, Urban Planning Manager

Approved for:

Ryan Smith, Community Planning Department Manager

Attachments:

Development Engineering Memo dated July 26th 2016 (DP16-0152) & August 8th 2016 (DP16-0192)

DP16-0152

DP16-0192