

REPORT TO COUNCIL



Date: Nov. 29, 2017

RIM No. 0940-00

To: City Manager

From: Community Planning Department (RR)

Application: DP16-0188 & DVP16-0189 **Owner:** Midwest Ventures Ltd

Address: 1665 and 1697 Innovation Dr **Applicant:** Midwest Ventures Ltd

Subject: Development Permit and Development Variance Permit - 1665 Innovation

Existing OCP Designation: IND - Industrial

Proposed OCP Designation: COMM - Commercial

Existing Zone: CD15 - Comprehensive Development

Proposed Zone: C9 - Tourism Commercial

1.0 Recommendation

THAT final adoption of OCP Amendment Bylaw BL11296 and Rezoning Bylaw BL11297 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP16-0188 for Lot 13 Section 14 Township 23 ODYD Plan KAP82802 and Lot 14 Section 13 Township 23 ODYD Plan KAP82802 except Plan EPP23036, located at 1665 and 1697 Innovation Dr, Kelowna, BC), located at 1665 Innovation Drive, 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. DVP16-0189 for Lot 13 Section 14 Township 23 ODYD Plan KAP82802 and Lot 14 Section 13 Township 23 ODYD Plan KAP82802 except Plan EPP23036, located at 1665 and 1697 Innovation Dr, Kelowna, BC), located at 1665 Innovation Drive, Kelowna, BC;

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

Section [14.9.5 (b)]: [C9 Tourist Commercial Development Regulations]

To vary the required maximum height from the lessor of 22.0 m or 6 storeys to the lessor of 23.5 m or 6 storeys.

AND THAT variances to the following section of Signage Bylaw No. 8235 be granted:

Section [6.1]: [C9 Tourist Commercial Signage Regulations]

To vary the maximum number of Awning, Fascia, Canopy, Under canopy/awning signs from 2 per business to 5 per business

AND THAT Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated November 29, 2016;

AND 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;

AND THAT prior to the Issuance of the Development Permit, that the subdivision consolidating Lots 13 and 14 be completed;

AND THAT prior to the Issuance of the Development Permit, a covenant be registered on the neighbouring property dedicating parking subject to 8.1.10 (a) of the City of Kelowna Zoning Bylaw No. 8000;

AND FURTHER THAT this Development Variance 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 a proposed 6 storey hotel and associated landscaping and parking, and to vary the maximum height and number of on-building signs.

3.0 Community Planning

Community Planning staff support the application for the Development Permit and the Development Variance Permit.

The variances are minor variances. The 1.5 m increase in building height does not increase the overall storey count, but allows additional roof detail. The height of the building will not be out of character with the 6 storey building to the north. The increase to the number of signs is a consequence of the building having 3 road facings, requiring some additional signage.

The site layout is appropriate for the intended use. The building will front onto Innovation Drive, with parking on the interior of the site. The proposed landscaping treatment will screen parking and service areas of the site appropriately.

4.0 Proposal

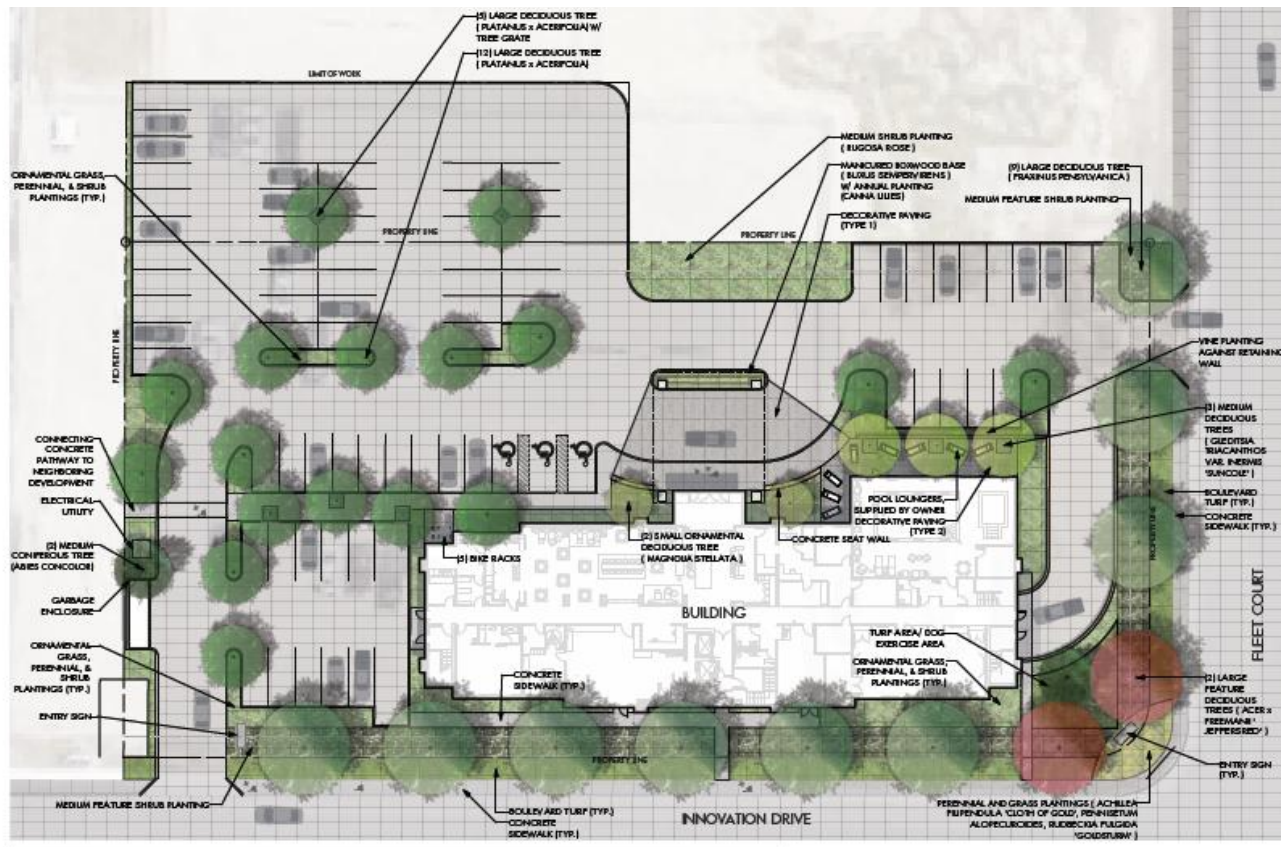
4.1 Project Description



The applicants have proposed a 6 storey hotel with associated parking and landscaping. The hotel is currently intended to be constructed for the Hampton Inn and Suites, and adheres to the brand design and colour standards.

The site layout is appropriate for the neighbourhood. The building masses onto Innovation Dr, with the parking lot on the inside of the lot. As the remaining properties develop, the parking lot will be screened by buildings from all sides.

The proposed landscaping is suitable for the development and the neighbourhood expectations. Boulevard trees will screen the bulk of the frontage, and the proposal has sufficient parking lot shade trees.



Overall, the proposed design, site layout and landscaping meet the majority of City Design Guidelines for the Comprehensive Development Permit Area.

4.2 Variances

The applicants have requested two variances to City Bylaws.

The first variance is a 1.5 m variance to the maximum height of the building. The zone allows for the construction of a 6 storey building 22.0m in height. The applicant's design is for a 6 storey building measuring 23.5 m in height.

The applicant has indicated that the 1.5 m increase in height will allow the building to include a prominent roof feature.

Staff have no concerns with the proposed variance. The extra 1.5 m in height does not block any views of neighbouring properties and will not loom over private residential space. The proposed roof feature enhances the design and is preferable to plain box design.

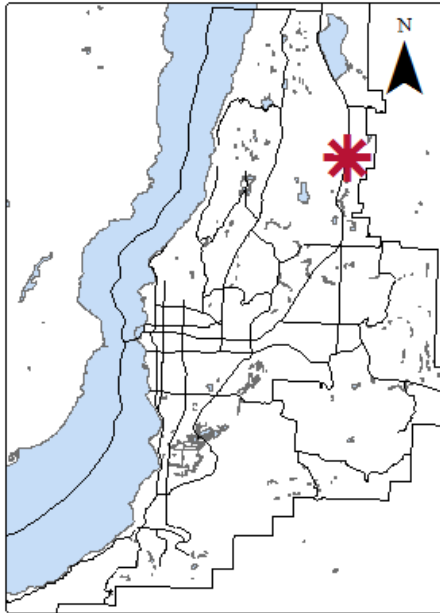
The second variance is to the total number of signs on the project. The Sign Bylaw allows the installation of two fascia signs on the building. The applicant has proposed 5 signs. The applicant has indicated that because the building faces two roads and fronts the internal parking lot, that additional signs are needed for all-side identification.

While the applicant has requested additional signage, the proposed design is well under the maximum sign area. The bylaw would allow up to 122.5 m² of on building signage, while the applicant has proposed only 45.1 m². Despite the increase in numbers of signage, the overall area is well below what is permitted by bylaw, so staff have no objections to the proposed variance.

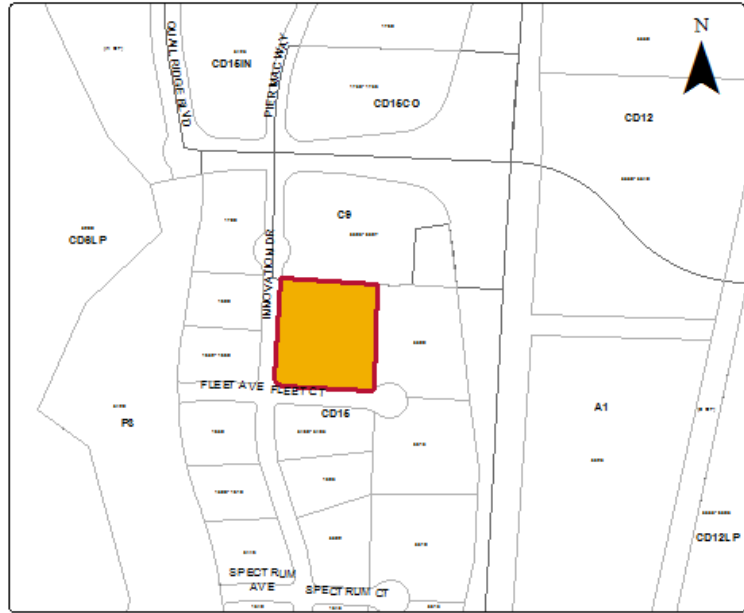
Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C9 - Tourist Commercial	Hotel
East	CD15 - Comprehensive Development	Vacant
South	CD15 - Comprehensive Development	Retail/Warehousing
West	CD15 - Comprehensive Development	Rental Space

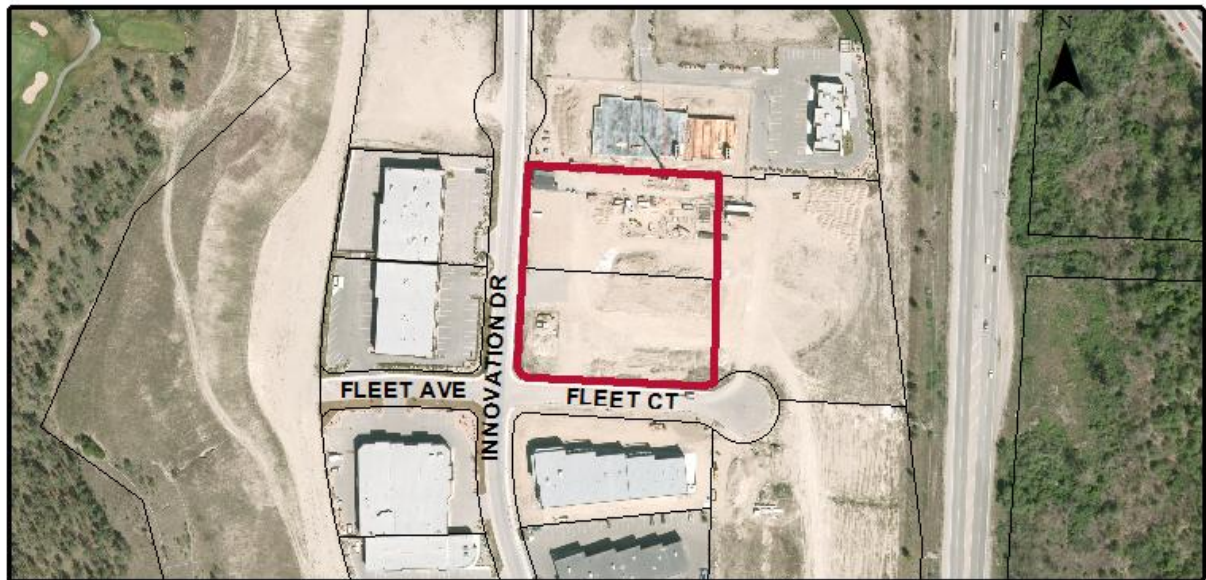
Subject Property Map:



CONTEXT



NEIGHBOURING ZONING



SUBJECT PROPERTY

4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C9 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Floor Area Ratio	1.5	1.2
Height	22.0 m / 6 storeys	23.5 m / 6 storeys●
Front Yard (South)	15.0 m	30.5 m
Side Yard (East)	4.5 m	13.4 m
Side Yard (West)	4.5 m	4.6 m
Rear Yard (North)	15.0 m	30.5 m
Other Regulations		
Minimum Parking Requirements	100	100
Bicycle Parking	5 Class 1 / 5 Class 2	5 Class 1 / 5 Class 2
Awning, Canopy and Fascia Signs	2	5●
● Indicates a requested variance to the maximum height of the building ● indicates a requested variance to the maximum number of on building signs		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Comprehensive Development Permit 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;

6.0 Technical Comments [Indicate if attachments, or N/A beside the items below if not applicable]

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) 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.
 - b. Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.

- 3) A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- 4) 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.
- 5) 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.
- 6) 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.
- 7) Airport approval is required
- 8) 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 attached Memorandum dated See attached Memorandum dated August 11, 2016.

6.3 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. Should a hydrant be required on this property it shall be operational prior to the start of construction and shall be deemed a private hydrant
- This building 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 .
- Sprinkler drawings are to be submitted to the Fire Dept. for review when available.
- 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. -
- 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
- *dumpster/refuse container must be 3 meters from structures or overhangs or in a rated room in the parking garage
- * do not issue BP unless all life safety issues are confirmed

7.0 Application Chronology

Date of Application Received: July 28, 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:

Developer's Letter and Rationale
Development Engineering Memorandum
Draft DP16-0188 and DVP16-0189