

REPORT TO COUNCIL



Date: January 24, 2017

RIM No. 0940-00

To: City Manager

From: Community Planning Department (RR)

Application: DP16-0286 **Owner:** Coastal Hollypark Properties Ltd, Inc No. BC1017809

Address: 1580 Hwy 33 West **Applicant:** Coastal Hollypark Properties Ltd, Inc No. BC1017809

Subject: Form and Character Development Permit

Existing OCP Designation: COMM - Commercial

Existing Zone: C9 – Tourism Commercial / C4 – Urban Center Commercial

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP16-0286 for Lot 1, DL 125, ODYD Plan 8791 Except Plans 39705 and KAP79377, located at 1580 Hwy 33 West, 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'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 June 24, 2017;

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 a development for the form and character of a multiple phase hotel project.

3.0 Community Planning

The design and layout of the two proposed hotels represent a significant shift from the applicant's earlier proposal on the subject property. On June 13th, 2016, Council turned down a Development Permit application for two hotels on this property, based on a negative recommendation from staff, as the design contravened OCP Urban Design Guidelines. The applicant has re-designed the project to allay Council concerns.

Overall, the proposed design is more in keeping with the Development Permit Guidelines in the OCP. The stronger street presence of the buildings will enhance the Highway 33 corridor. The stronger treatment of the pedestrian access to the site helps achieve walkability goals. Through a combination of berming and landscape buffering, the visual impact of the surface parking is also reduced. Based on these revisions, Community Planning is now recommending support for the Development Permit.

4.0 Proposal

4.1 Background

In June of 2016, Council considered a Development Application permit for two Marriott branded hotels on the site. At the time, Council made the decision based on the proposal not complying with key OCP Development Permit Guidelines. Specifically, the concern raised was that both hotels were set well back on the property, with large expanses of parking fronting onto both Highways 33 and 97.

Based on Council's decision the applicant redesigned the site plan.

4.2 Project Description

With the new design, the applicant has attempted to strike a new balance in terms of site layout and design, while still achieving similar unit yield, with 120 units in the first phase. The design represents a compromise between the functionality of the hotels and the City objectives.



The proposed site plan would see the hotels located along the Hwy 33 frontage, with parking being located behind and along the Hwy 97 frontage. The Hwy 33 frontage is not as highly trafficked as Hwy 97, with considerably less heavy truck traffic. The applicant believes that it is preferable from a noise and functionality perspective for hotel operations.

The applicant has also proposed a 16 storey residential tower on the site. This would be part of a future phase, and there is no application for the project at this time. The tower would require a major variance from Council. Support for the hotels does not imply future support for the tower, an independent project.

The Development Permit is only for the first phase of the hotel complex. Future development will require approval from Council.

The proposed design complies with all C9 Tourism Commercial zoning requirements, and no variances will be required for the construction of the building. Based on the proposed signage, a variance may be required to allow fascia signs on all sides of the building, but it is anticipated that the new Sign Bylaw will be adopted by the time of construction, obviating the need for a variance.



4.3 Building Design

The proposed hotel design is a simple colour scheme, with multiple shades of grey stucco accented by dark masonry and cedar elements. The colour scheme and design are in keeping with the recently approved Holiday Inn site across the Highway 97.



The south portion of the building, facing the highway, will not have windows. It is intended that the second building tie into the first during the second phase of construction. To avoid the possibility of a blank portion of wall façade, the building will be clad in a variety of panel colours, providing a degree of visual interest during the building phasing.



The site landscaping plan is intended to break up the parking lots through changes in material and installation of landscaping. The central island will be built up higher than the parking lot, breaking the perception of a large parking area. The site layout includes a commercial plaza at the Highway intersection.



4.4 Site Context

The site sits just north of the Midtown Urban Centre, at the intersection of Hwy 97 and Hwy 33, a key intersection. There are multiple hotels nearby, including the Fairfield and the proposed Holiday Inn across Highway 97. There is currently a small motor hotel on the site. The property is just outside the Midtown Urban Center.

Hotel guests will have ready access to commercial services to the south, around Costco, as well as the proposed commercial plaza as part of the Holiday Inn project, slated to begin construction in the spring.

4.5 Differences between Original and New Submissions

Based on the concerns Council raised at the meeting on June 13, 2016, the applicant has made major changes to the proposal. Key changes include:

- Re-orientation of buildings onto Highway 33 frontage
- Re-configuration of parking lot to break up asphalt masses
- Change in colour scheme to better coordinate with other hotels in area

The changes address most of Council’s concerns raised during the June 13th meeting and meet staff requirements for support.

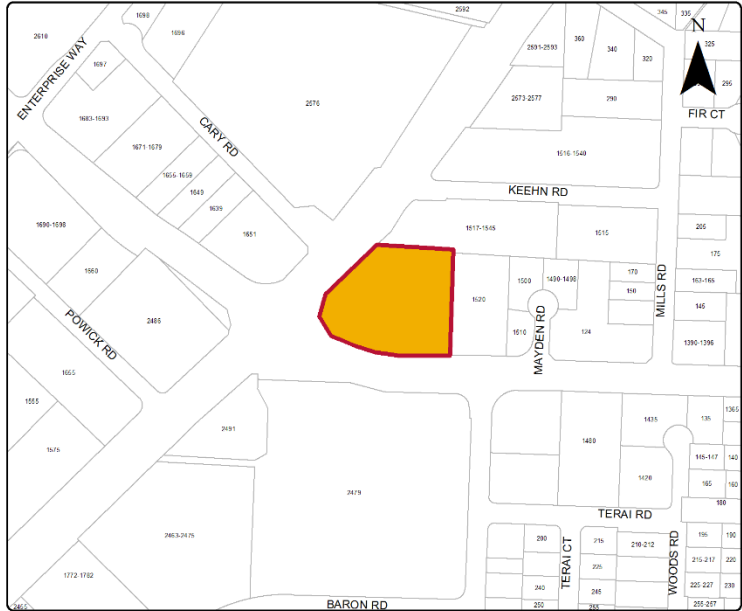
Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C10 – Service Commercial	Auto Service
East	C9 – Tourist Commercial	Motel
South	C10 – Service Commercial	Costco
West	C10 – Service Commercial	Furniture Store

Subject Property Map:



CONTEXT



NEIGHBOURING ZONING



SUBJECT PROPERTY

4.6 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C ₉ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Maximum Floor Area Ratio	1.5	1.44
Maximum Height	22.0m / 6 storeys	20.7 m / 6 storeys
Minimum Front Yard (Hwy 97)	6.0 m	7.1 m
Minimum Side Yard (Hwy 33)	4.5 m	4.6 m
Minimum Side Yard (north)	3.0 m	3.1 m
Minimum Rear Yard	15.0 m	15.1 m
Minimum Parking Requirements		
Minimum Parking Requirements	200 (total project)	210 (total project)
Minimum Bicycle Parking	20 (total project)	32 (total project)

5.0 **Current Development Policies**5.1 Kelowna Official Community Plan (OCP)**Comprehensive Form and Character Development Permit 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;

6.0 **Technical Comments**6.1 Building & Permitting Department

Development Permit drawings do not indicate full extent of interior layouts, exiting, etc, so the following comments may not be complete and additional items may require clarification at time of Building Permit application.

- 1) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)
- 2) Demolition Permit required for any existing structures
- 3) 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.

- 4) A Hoarding permit is required and protection of the public from the staging area and the new building area during construction. Location of the staging area and location of any cranes should be established at time of DP.
- 5) Requirements of the City of Kelowna fire prevention regulations bylaw No. 10760 for buildings 6 stories and greater are to be shown on the building permit drawings. Please add these to the requirements outlined in BCBC 3.2.6 for High Buildings
- 6) Fire Department access, turn a rounds and private hydrant locations are too verified with Kelowna Fire Department. Private fire hydrant requirements should be defined at this time with Kelowna Fire Department if required
- 7) A Structural design and Code Analysis peer review may be required at time of building permit application Development Engineering Department
- 8) 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. 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.
 - b. Handicap Accessibility to the main floor levels to be provided, ramps may be required. Location of H/C parking is required on the drawings.
 - c. Spatial calculation required to property lines
 - d. Glazing to meet minimum provincial standards as outline in the Building Code.
- 9) A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. This property falls within the Mill Creek flood plain bylaw area and compliance is required. Minimum building elevations are required to be established prior to the release of the Development Permit.
- 10) We strongly recommend that the developer have his professional consultants review and prepare solutions for potential impact of this development on adjacent properties. Any damage to adjacent properties is a civil action which does not involve the city directly. The items of potential damage claims by adjacent properties are items like settlement of foundations (preload), damage to the structure during construction, additional snow drift on neighbour roofs, excessive noise from mechanical units, vibration damage during foundation preparation work etc.
- 11) HPO (Home Protection Office) approval or release is required at time of Building Permit application.

6.2 Fire Department

- Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template at Kelowna.ca
- 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
- 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 including those for high buildings and communications
- 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.

Application Chronology

Date of Application Received: November 14, 2016

Report prepared by: Ryan Roycroft, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Doug Gilchrist, Divisional Director, Community Planning & Real Estate

Attachments:

DP16-0286

Engineering Memorandum