

REPORT TO COUNCIL



Date: April 25, 2017
RIM No. 0940-50
To: City Manager
From: Community Planning Department (TH)
Application: DVP15-0308 DP15-0307 **Owner:** GDI BC Projects Inc
Address: 990 Guisachan Road **Applicant:** Glencoe Developments
Subject: Development Variance Permit and Development Permit Applications
Existing OCP Designation: MRL – Multiple Unit Residential (Low Density)
Existing Zone: RM₃ – Low Density Multiple Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP15-0307 for Lot A District Lot 136 ODYD Plan EPP64719, located at 990 Guisachan 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 installed on the land 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. DVP15-0308 for Lot A District Lot 136 ODYD Plan EPP64719, located at 990 Guisachan Road, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted as noted on attached Schedule "A":

Section 13.9.6(b): RM₃ – Low Density Multiple Housing Development Regulations

1. To vary the maximum site coverage from 50% permitted to 53% proposed;

Section 13.9.6(e): RM₃ – Low Density Multiple Housing Development Regulations

2. To vary the required minimum side yard setback from 4.0 m required to 0.75 m proposed (west);

3. To vary the required minimum side yard setback from 1.2 m required to 0.9 m proposed (east).

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.

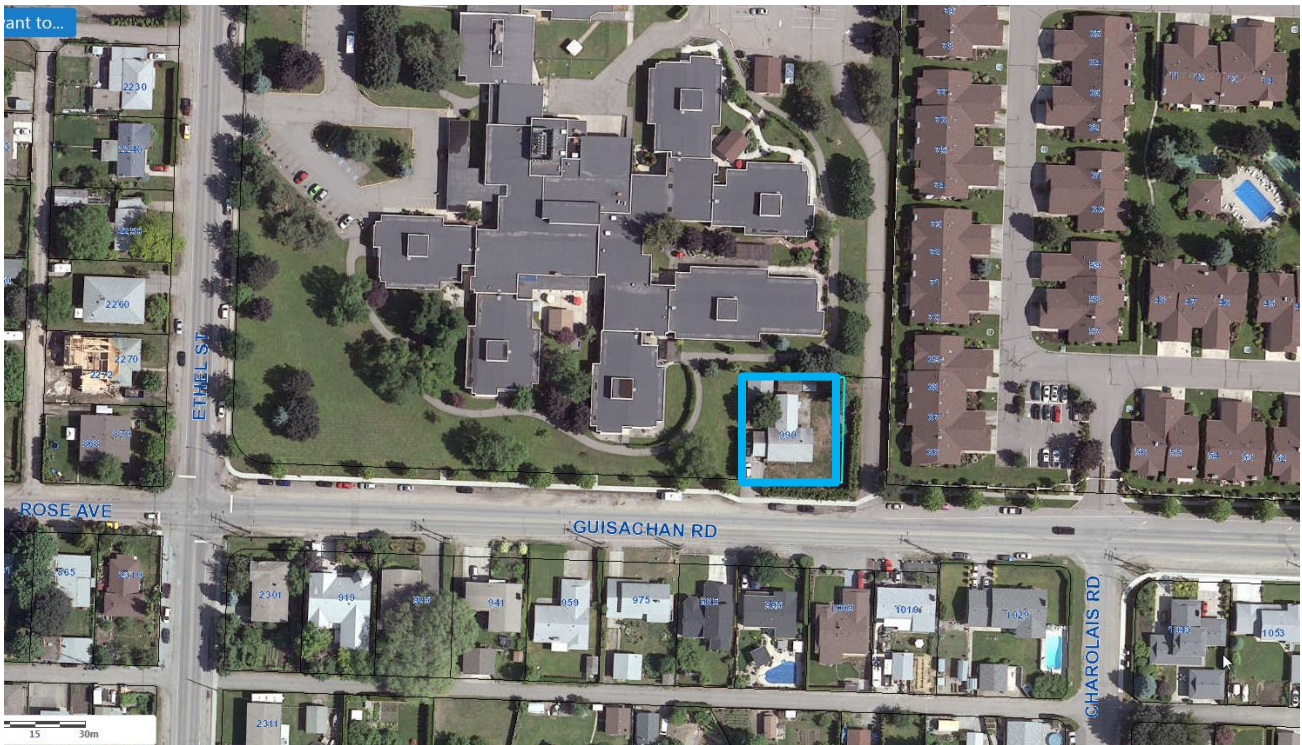
2.0 Purpose

To consider the form and character and variances to the site coverage and side yard setbacks of a multiple unit residential building.

3.0 Community Planning

Community Planning supports the Development Permit and Development Variance Permit applications as the proposed development will see the addition of five ground oriented dwelling units in a neighbourhood that is centrally located between three Urban Centres and one Village Centre. The development meets the Official Community Plan, Urban Design Guidelines and the requested variances do not negatively impact adjacent land use. There are also a number of Kelowna's Official Community Plan goals achieved with this proposal, described in detail in sections 4.6 and 5.0 of this report.

Map 1: Subject Property 990 Guisachan



4.0 Proposal

4.1 Background

The subject property currently contains one single family dwelling constructed in the 1960s. The property is surrounded on the north and west property lines by Interior Health Authority (IHA), Cottonwoods Care Centre, zoned P2 – Educational and Minor Institutional. The previous owner was in discussion with IHA to see if IHA had interest in acquiring the subject parcel. IHA was not interested in purchasing the property and the parcel was put up for sale. The current owner wishes to remove the existing dwelling, and construct

a five unit, three storey residential building. The applicant intends to complete a Party Wall agreement subdivision after construction, creating five individual RM3 freehold lots.

4.2 Site Context

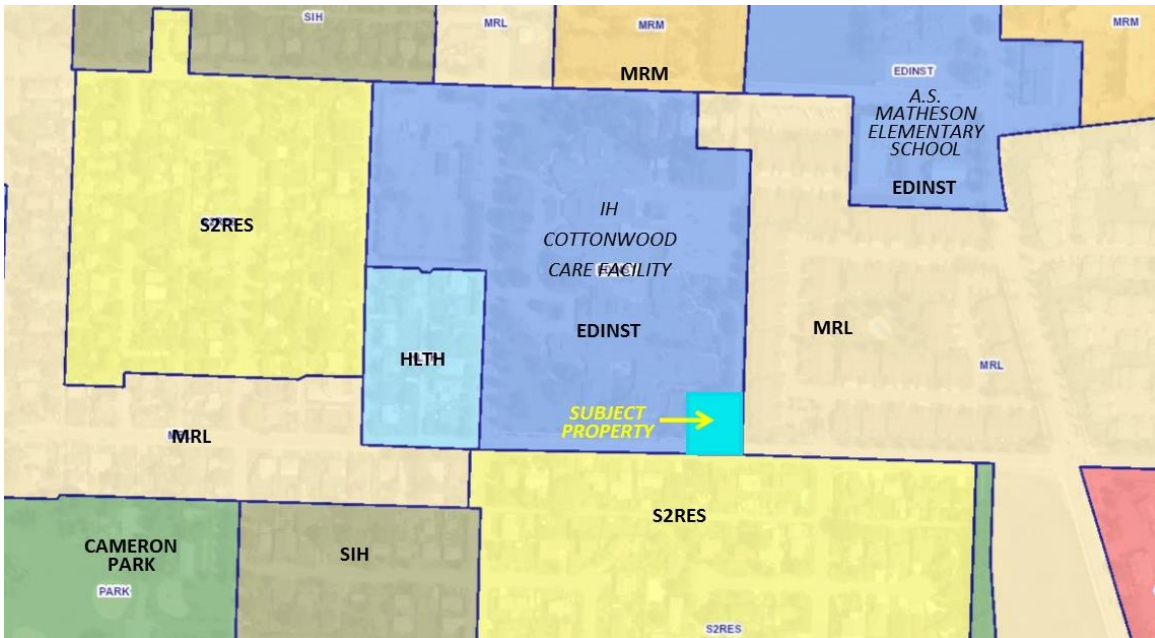
The subject property is located on the north side of Guisachan Road, between Ethel Street and Gordon Drive. The Future Land Use is Multiple Unit Residential (Low Density), with neighbouring uses designated as Educational / Major Institutional and Single/Two Unit Residential. The parcel is zoned RM3 – Low Density Multiple Housing, and is within the Permanent Growth Boundary.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P2	Cottonwoods Care Facility
East	RM2	Gated Community
South	RU1	Single Family Dwellings
West	P2	Cottonwoods Care Facility

The unique location of the subject property includes shared property lines to the north and west with IHA. The east property line runs along a City of Kelowna lane, and the south portion of the property fronts Guisachan Road.

Map 2: Future Land Use Map



4.3 Project Description

The residential building is proposed with two storeys of living space, the third storey portion of each unit are the individual stairwells that access the proposed rooftop patios. Each third storey rooftop patio access (stairwell) is set back 8.5 m from the front of the building and 4.0 m from the west and east sides of the building. The front façade of each dwelling (facing Guisachan Road) provides front door access to each unit, and is dominated by glazing on the first and second storeys. Brick is used to accent the front façade glazing. Each side of the building is brick with minimal glazing accents.

Each dwelling is designed with a two vehicle garage that face the rear of the property which meets an OCP goal of deterring developments with garage doors dominating the streetscape. Private open space is located in the front yard of each unit, providing 19.5 m² per dwelling at grade in each front yard. An additional 15.5 m² is provided on the rooftop of each dwelling. Total private open space per unit is 35 m².

4.4 Zoning Analysis Table

Zoning Bylaw No. 8000 Analysis Table		
CRITERIA	RM ₃ ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	900 m ²	983.2 m ²
Lot Width	30.0 m	30.4 m
Lot Depth	30.0 m	32.3 m
Development Regulations		
Floor Area Ratio	0.75	Shown Below
FAR	0.80	(861 m ²) 0.80
Site Coverage of Buildings	40%	Shown below
Site Coverage Bonus	50%	53 % ❶
Site Coverage of buildings, driveways and parking	60%	Shown Below
Site Coverage of buildings, driveways and parking	65%	65 %
Height	10.0 m or 3 storeys	8.7 m / 3 storeys
Front Yard	1.5 m (front door facing the street)	6.4 m before dedication 3.4 m after dedication
Side Yard (west)	4.0 m	0.75 m ❷
Side Yard (east)	1.2 m	0.9 m ❸
Rear Yard	7.5 m	8.0 m
Other Regulations		
Minimum Parking Requirements	2 spaces per dwelling unit	2 spaces per dwelling unit
Bicycle Parking	n/a	n/a
Private Open Space	25 m ² / unit 28 m ² / unit to qualify for 50% site coverage	19.5 m ² at grade 15.5 m ² on rooftop patio 35 m ² Total / unit
❶ Indicates a requested variance to maximum allowable site coverage of buildings		
❷ & ❸ Indicates a requested variance to the minimum setback of a building from a side property line		

4.5 Variances

The first variance is minor in nature as the applicant is proposing a site coverage that is 3% over the maximum as regulated in Zoning Bylaw No. 8000. The 3% requested additional site coverage equates to 25 m². The increase in site coverage is mitigated with a development design that contains all required parking under habitable area, has private open space area that exceeds the bylaw minimum requirements and uses permeable paving for the internal drive aisle. As such the minimal site coverage variance is supported by Staff.

The second and third variances are to reduce the west side yard setback by 3.25 m, and the east side yard setback by 0.3m. Both of these variances are being supported by Staff as this RM₃ zoned parcel is located directly adjacent on two sides to a P₂ – Educational and Minor Institutional, and the third property line is abutting a City lane. As such, there are no residential land uses that will be directly affected by the reduction in side yard setbacks. There will however be the opportunity for this proposed building to be exposed and visible to the neighbourhood on both the west and east sides of the property. The applicant has included architectural features such as change in materials and windows along the fronting 30% of the side of the building along these property lines to reduce the monotony of a bare wall appearance that would come from a two storey structure with only one exterior finish. The third floor is set back substantially from all exterior walls of the building and has an open air arbor structure over the outdoor patio area providing visual interest.

The west side of the building will be screened with deciduous trees planted on the neighbouring IHA property. The IHA parcel has a large amount of open space directly adjacent to the subject property. The two property owners have an agreement to allow the applicant to plant trees as per Zoning Bylaw No. 8000 as shown on Schedule "C".

Image 1: West Elevation



Official Community Plan

The proposed five-unit development with front doors facing Guisachan Road would help achieve Kelowna's Official Community Plan goals of:

Growth Projections: Kelowna's OCP New Housing Distribution seeks to see **1,150** Multiple Unit homes in the South Pandosy Area by 2030.

- As of December 2015 City has issued only 180 permits for Multiple Family Dwelling Units in the South Pandosy Area.

Focusing development to designated growth areas: Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns.

- This property is fully serviced with water, sewer, waste management, snow removal, and adjacent pedestrian boulevards.

This will be done by increasing densities within a 400 metre walking distance of transit stops is required to support the level of transit service.

- BC Transit – Gordon Dr bus route which runs every 15 minutes during peak times.

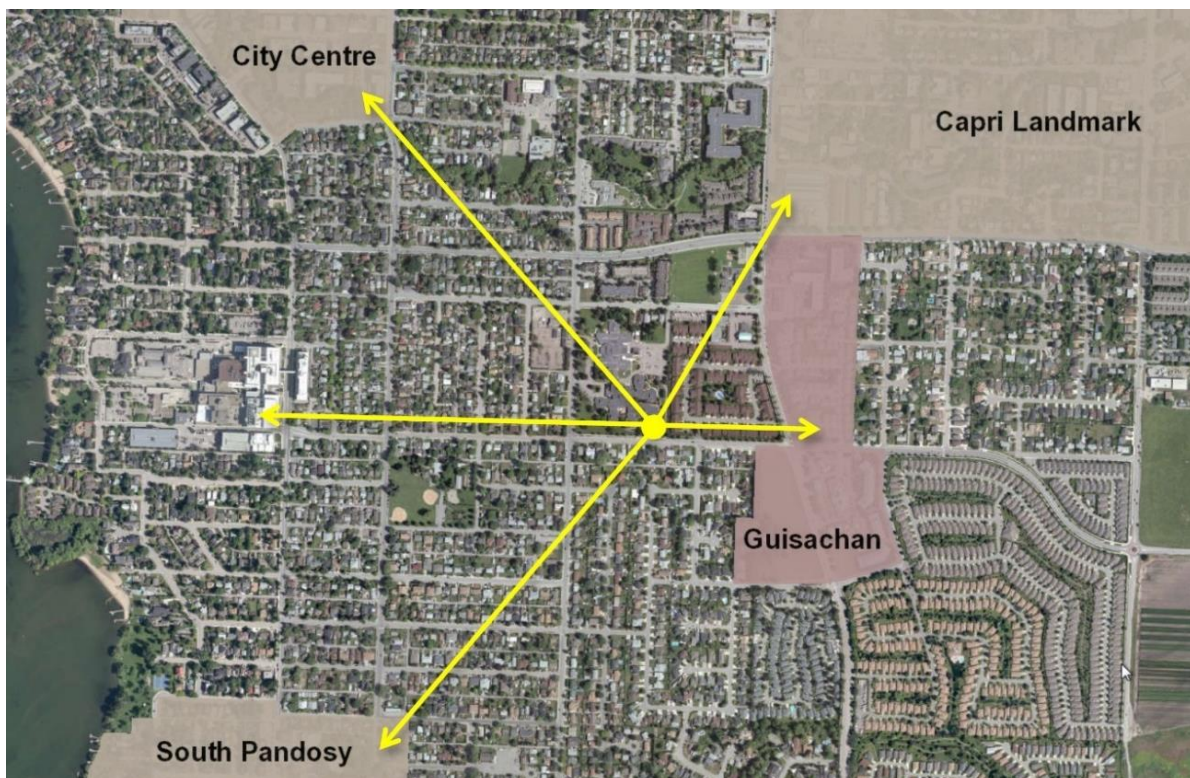
Urban Run-off Impacts: Require the mitigation of urban run-off impacts through the effective use of stormwater detention and treatment facilities prior to discharging to receiving waters.

- An engineered permeable paver for the entire driveway area is proposed.

Further development policies are detailed in Section 6.0 of this report.

The subject properties are located within 400 m of a village centre (Guisachan) which has a wide range of C3 – Community Commercial amenity opportunities. There is potential for a live/work/play opportunity on the subject property as the property is situated central (appx 800 m) to City Centre, Capri Landmark and South Pandosy Urban Centres as well as Kelowna General Hospital.

Map 3: Centres Within 12 Minute Walk (900 m)



4.6 Bonus Options in the RM3 Zone

Zoning Bylaw No. 8000 as directed in Kelowna's OCP, incorporates incentives in the form of increase in site coverage or FAR for innovative use of amenity areas and permeable paving. This development application takes advantage of three of the bonus options in the RM3 zone.

- FAR maximum is 0.75
 - If a development has at least 75% of its on-site parking under habitable area, the FAR increases by 0.05.
 - ✓ All parking is provided for in attached garages, this development may have a FAR of a maximum of 0.80.
- Site coverage maximum for all buildings is 40%
 - If a development has private open space provided in the form of a deck, patio, balcony or rooftop patio which exceeds the bylaw requirement by 10%, the site coverage may increase to 50%
 - The minimum private open space for this development is 25 m².
 - ✓ Each dwelling unit is provided a total of 35 m² of private open space, therefore the new maximum site coverage for all buildings is 50%
- Site coverage maximum for all buildings, driveways & parking areas is 60%
 - If drive surfaces and parking are in the form of permeable surfaces, site coverage may be increased to 65%
 - ✓ All driveway area on the development is an engineered permeable paving system, this development may utilize 65% of the site for buildings and driveways.

5.0 **Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ 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

Housing Mix.² Deliver services and infrastructure and create financial structures that will support the aim of having 57% of new housing units in the form of townhouses and apartments.

Ease of Movement.³ Ensure that pedestrians, bicyclists and transit users can move about pleasantly and conveniently and that they are not unduly impeded in their movements by provisions for enhanced automobile mobility.

Ground-Oriented Housing.⁴ 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

¹ City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 7.3.1 (Infrastructure Chapter).

³ City of Kelowna Official Community Plan, Policy 7.7.2 (Infrastructure Chapter).

a family housing choice within the multi-unit rental or ownership markets. High density residential projects in the Downtown area are encouraged to include a ground-oriented housing component, especially where such can be provided on non-arterial and non-collector streets.

Building Height.⁵ In determining appropriate building height, the City will take into account such factors as: Contextual fit into the surrounding urban fabric; Shadowing of the public realm; View impacts; Overlook and privacy impacts on neighbouring buildings; Impacts on the overall skyline;

6.0 Technical Comments

This five-unit multi-family dwelling is not able to be subdivided into five freehold lots until the building is constructed. As such, the entire development will be constructed with five separate water and sewer connections, separate addressing and garbage collection. Once complete, subdivision into five smaller lots will be considered subsequent to a registered Party Wall agreement.

6.1 Building & Permitting Department

- Demolition permits are required for any existing structures
- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)
- 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 Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- 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.

6.2 Development Engineering Department

- All Development Engineering requirements were met as part of rezoning of the subject property, Z15-0065 (BL11211).

7.0 Application Chronology

Date of Application Received: December 12, 2015
Date of Updated Application Received: January 31, 2017
Date Public Consultation Completed: February 26, 2016

⁴ City of Kelowna Official Community Plan, Policy 5.2.1 (Development Process Chapter).

⁵ City of Kelowna Official Community Plan, Policy 5.5.1 (Development Process Chapter).

7.1 Public Notification

As per Council Policy 367, the applicant completed Public Notification & Consultation in the form of neighbourhood circulation within 50 m of the subject properties and a Public Information Session.

- Circulated information to neighbours January 20, 2016.
 - No written correspondence was submitted to the City of Kelowna
- Held Public Information Session February 26, 2016 at 2250 Abbott Street. Approximately 7 people attended, 4 of whom lived in the neighbourhood.

Report prepared by: Tracey Hillis, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

DRAFT Development Permit / Development Variance Permit

Schedule A: Site Plan & Architectural Plans

Schedule B: Architectural Elevations

Schedule C: Landscape Plans