

# REPORT TO COUNCIL



**Date:** July 24, 2017

**RIM No.** 0940-00

**To:** City Manager

**From:** Community Planning Department (LK)

**Application:** DP17-0082

**Owner:** 1017476 B.C. LTD., INC. No.  
BC1017476

**Address:** 1730 Richter Street

**Applicant:** Meiklejohn Architects Inc.

**Subject:** Development Permit

**Existing OCP Designation:** MRM – Multiple Unit Residential (Medium Density)

**Existing Zone:** CD22 – Central Green Comprehensive District

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP17-0082 for Lot 1 District Lot 139 ODYD Plan KAP92715, located at 1730 Richter St, 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 May 7, 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 the form and character of the proposed 80-unit 5-storey multiple dwelling housing project on the subject property (Central Green).

## 3.0 Community Planning

Community Planning Staff are supportive of the proposed 80-unit multiple dwelling housing project on the subject parcel. The application is consistent with the objectives of the Official Community Plan (OCP) Urban Design Guidelines and the design is appropriate for the context of the site within the Central Green Master Site Development Permit. The proposal also meets the OCP's Urban Infill Objectives and it meets all of the Zoning Bylaw Regulations within the CD22 – Central Green Comprehensive Development Zone.

The property is within the Permanent Growth Boundary and is located in the City Centre Urban Centre. The proposed building is situated in the middle of the Central Green development site with the three previously approved buildings to the south. The density should be well supported by the City's efforts to build Rowcliffe Park (to the south) and the close proximity of the shops and services of the downtown.

## 4.0 Proposal

### 4.1 Background

Council approved a Text Amendment to the CD22 – Central Green Comprehensive Development Zone in September 2015. Included in the amendment was a reduction to the building height from 20-storeys down to a 12-storey maximum along Harvey Avenue. In doing so, the developer has pulled some of the massing towards the centre of the site by adding two proposed 5-storey buildings 'F' & 'B' along with an access road through the site.

On December 14, 2015, Council approved the Central Green Master Site Development Permit. Since that time, Development Permits have been approved for three strata developed buildings on the Central Green site (Buildings C, D & G) as indicated in Figure 1, which also indicates the current project site (notated by the blue outline). The City is also proceeding with the building of Rowcliffe Park; the first phase of construction was approved in the 2017 Capital Plan.

### 4.2 Project Description

The proposed development is for the form and character of the first of four rental apartment buildings to be developed within the Central Green site. The subject five storey, 80-unit building will have 20 two-bedroom units, 35 one-bedroom units, 5 bachelor suites and 20 micro-suites. Each unit has a balcony to meet the private amenity space requirements. The building is interior to the site and will not directly front onto Richter Street or Harvey Avenue.

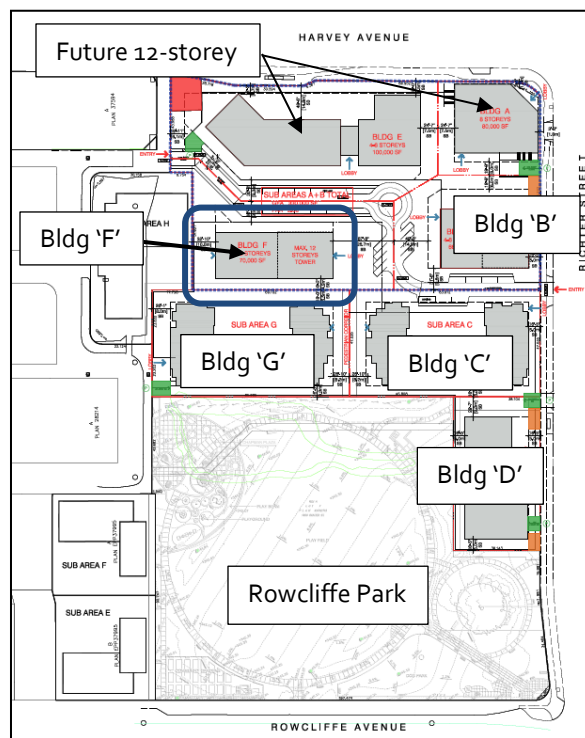
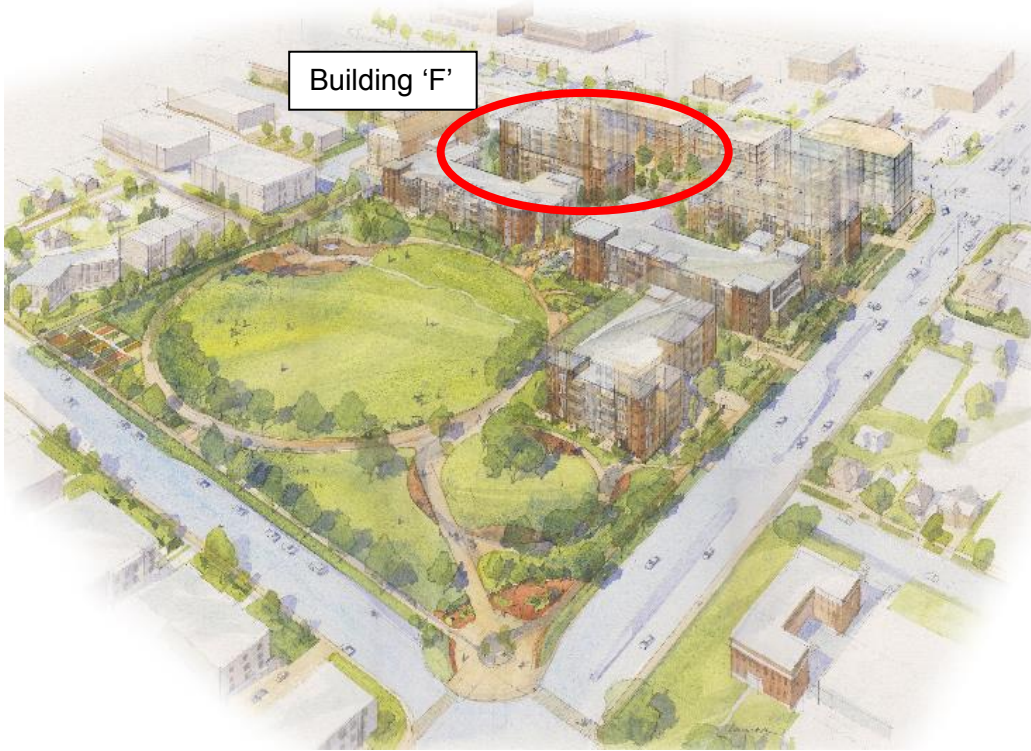
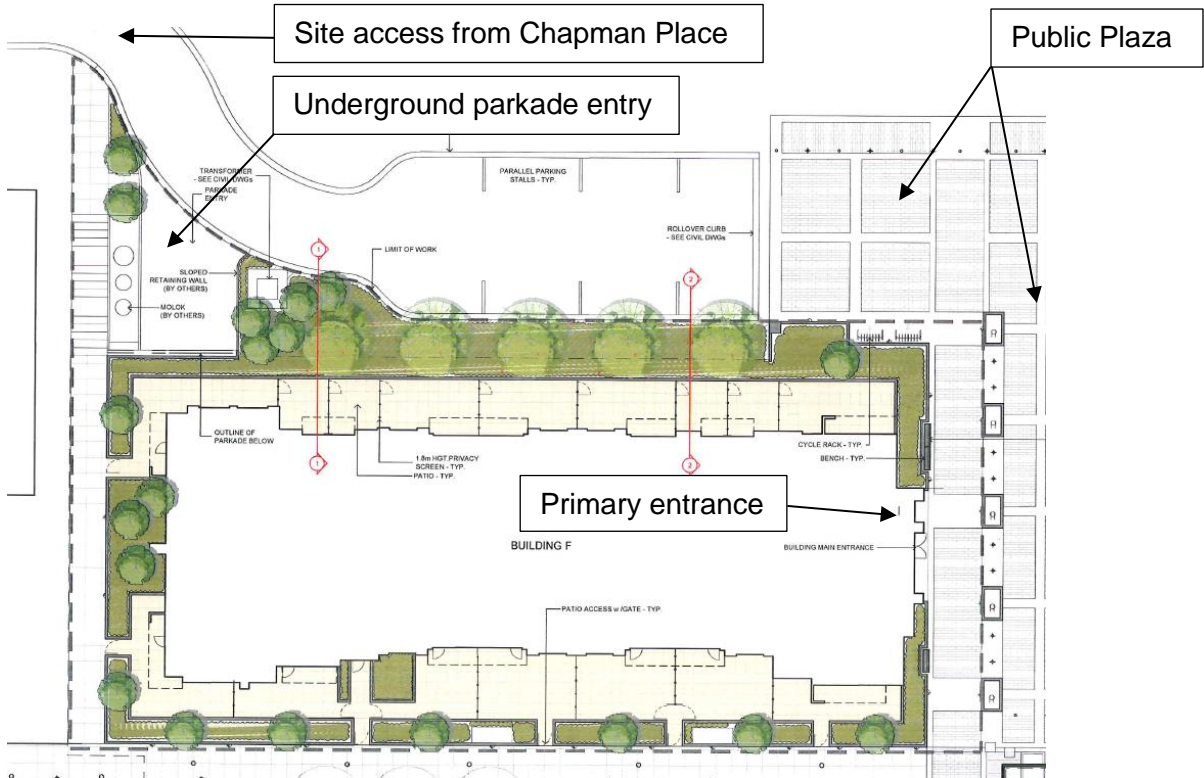


Figure 1 – Buildings 'C', 'D' & 'G' have approved development permits. The current proposal location is indicated by the outlined 'blue' area.

4.3 Central Green Master Site Plan



4.4 Building Layout



The building is laid out with the primary entry facing to the east public plaza area and onto the Central Green internal access road. The underground parkade is located at the opposite end of the main entry and is accessed via Chapman Place, which is west of the subject property. All of the main floor units have private amenity space in the form of at-grade patios. To provide a cohesive transition across the Central Green site, the same plants species and design elements are utilized. This includes the use of brick masonry and interlocking pavers along with cast in place concrete.

4.5 Building Design

The approved buildings currently under construction to the south of the subject project site are designed in a traditional architectural form. The proposed building 'F' design incorporates a modern architectural feel with stronger vertical elements. The building will be clad in a combination of red brick masonry, cast in place concrete, stucco and hardi-plank siding. The use of metal detailing on the awnings and railings lends to the urban aesthetic, while the 'red brick' is a historic reference to the Central School site located across Richter Street. When viewed from along Richter Street, the style of the Central Green development flows from 'traditional' to a more 'modern' style, with the red brick providing a consistent visual tie throughout the entire project site.



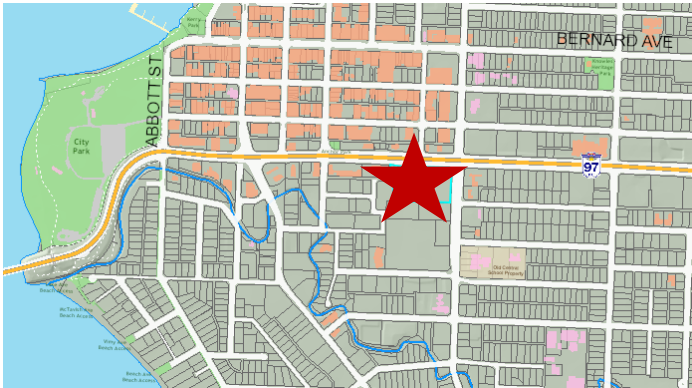
4.6 Site Context

Specifically, adjacent land uses are as follows:

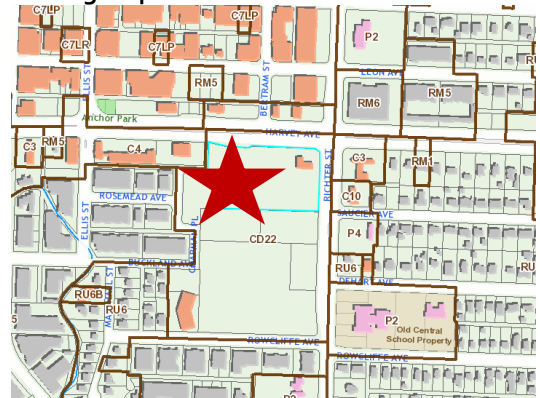
Orientation	Zoning	Land Use
North	C4 – Urban Centre Commercial	Food Primary Establishment, Gas Bar
East	C3 – Community Commercial C10 -Service Commercial	Gas Bar Rapid Drive-Thru Vehicle Service
South	CD22 – Central Green	Multiple Dwelling Housing
West	RM5 – Medium Density Multiple Housing	Multiple Dwelling Housing



Context Map:



Zoning Map:



Subject Property Map: 1730 Richter Street



4.7 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	CD22 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Floor Area Ratio	4.0	0.59
Maximum Site Coverage	50%	33.4%
Maximum Height	72 m	20.5 m
Front Yard (Harvey Ave)	N/A	Interior of site

Side Yard (east – Richter St)	N/A	Interior of site
Side Yard (west)	3.0 m	8.1 m
Rear Yard	3.0 m	4.6 m
<b>Other Regulations</b>		
Minimum Parking Requirements	71 stalls	71 stalls
Bicycle Parking	Class I – 40 stalls required Class II – 8 stalls required	Class I – 100 stalls provided * Class II – 8 stalls provided at-grade
Private Open Space	m <sup>2</sup>	m <sup>2</sup>
* Bicycle stalls are provided within the underground parking area.		

**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.

**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.
- HPO (Home Protection Office) approval or release is required at time of Building Permit application.
- 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.
- Fire Department access to site, turn a rounds requirement for equipment, travel distance from the truck access to the front doors of the units and private hydrant locations if required are too be verified with Kelowna Fire Department. The Fire truck is required to be able to drive up to access the front door within a range of 3 meters to 15 meters on an unobstructed hard surface path.
- 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.
- 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):

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

- Any alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit.
  - Location, Heights, Colors of mechanical systems and the required screening are to be determined at time of DP.
  - Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
  - Handicap Accessibility to the main floor levels to be provided, ramps may be required.
  - Hard surfaced paths leading from the egress stairwells to a safe area are to be clearly defined as part of the DP.
  - Access to the roofs are required per NFPA and guard rails may be required and should be reflected in the plans if required.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. Minimum building elevations are required to be established prior to the release of the Development Permit. If a soil removal or deposit permit is required, this must be provided at time of Development Permit application.
  - This property falls within a defined flood plain area and compliance is required to Mill Creek Bylaw No. 10248 or alternative approval from the subdivision approving officer as per section 5.3 of the bylaw is required prior to issuance of any building permits.
  - 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, undermining & underpinning of existing foundation, additional snow drift on neighbour roofs, excessive noise from mechanical units, vibration damage during foundation preparation work, water infiltration systems, 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.
  - 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 and all corridors, 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.
  - 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 complex at time of permit application.

## 6.2 Development Engineering Department

Refer to Attachment 'A'.

### 6.3 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 - 150 L/Sec required.
- This building shall be addressed off of the street it is accessed from - it does not appear that this building is accessed off of Richter Street.
- 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. The main entrance does not appear to be within 3-15 metres from the closest access route.
- 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 for 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 4.5M of a fire hydrant - unobstructed.
  - ensure FD connection is clearly marked and visible from the street.
  - sprinkler zone valves shall be accessible as per fire prevention bylaw (10760) - no higher than 7 feet.
  - dumpster/refuse container must be 3 meters from structures or overhangs or in a rated room in the parking garage.
  - Upon completion, an owners certificate and copy of NFPA 25 shall be provided for the sprinkler system.
  - Upon completion, a certificate is required to verify CANULC 561 Compliance.

### 6.4 Fortis BC – Electric

- There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Richter Street and within the lane adjacent the subject's west property line. It is recommended that FBC(E) be contacted as soon as possible to determine servicing and land rights requirements for the proposed design.
- The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.
- It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.



6.5 Fortis BC - Gas

- Please be advised FortisBC Gas has reviewed the above mentioned referral and we have no concerns with the development proposal, we will require a Statutory Right of Way be granted along the West and South property line to install a gas main for all 4 buildings (B,C,F,G) within Central Green.

6.6 Ministry of Transportation

- The Ministry has reviewed the details provided along with the City of Kelowna and Ministry of Transportation and Infrastructure Agreement and associated "Central Green Matrix" of November 4, 2011.
- Subsequent to our review, we note that the unit number threshold for the 2015 off-site highway improvements has been reached and the following works are triggered:
  - a. Construct EB right-turn lane from Highway 97N to Richter Street.
  - b. Remove crosswalk from east side of Highway 97 at Ellis Street.
- All works are to be designed and constructed to the criteria noted on the "Central Green Matrix" to the Ministry's satisfaction.

7.0 **Application Chronology**

Date of Application Received: April 12, 2017

Report prepared by: Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Reviewed by: Ryan Smith, Community Planning Department Manager

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

**Attachments:**

Attachment A: Development Engineering Memorandum

Attachment B: Draft Development Permit DP17-0082

Schedule A: Site Plan

Schedule B: Conceptual Elevations

Schedule C: Landscape Plan