

REPORT TO COUNCIL



Date: August 29th, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (AC)

Application: DVP17-0104

Owner: Acorn Resorts GP Ltd., Inc. No.
BCo888222

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 Variance Permit DVP17-0104 for Lot B, Section 29, Township 23, ODYD, Plan EPP67208, located on 3450 McKinley Beach Dr, Kelowna, BC,

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

Schedule 'B' Comprehensive Development Zones – CD18 – 1.3(g) [Development Regulations]

To vary the required maximum Type 'A' unit size of 150 m² not floor area to 217 m².

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 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 consider a variance for 2 units within the 64 unit building to exceed the maximum unit size by 67 square metres.

3.0 Community Planning

Council approved the original Development Permit (DP16-0192) on November 7th 2017. During that review, Staff and the applicant did not realize the top penthouse units were over the maximum allowable unit size. This variance is proposed to allow for those two units. The original purpose for limiting unit size was to keep the use of the residential units as more of a vacation health resort with limited scale in development. This vision of the McKinley area does not apply anymore. As a result, Staff feel the condo unit size restriction could be seen as obsolete. Regardless, of the internal unit sizes, Staff review multi-family projects based on

the overall size, site coverage, massing, height, etc. in order to determine their impact. Lastly, the variance is minor and only applies to two units. Therefore, Staff are recommending this variance be granted.

Staff and the overall McKinley developers have discussed amending the zone including eliminating the maximum condo unit size. While Staff agree this rule should be relaxed, there are other development regulations Staff have been discussing with the developer which have included items like: minimum setbacks, maximum site coverage, and parking standards.

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 includes a single loaded corridor with all the suites facing the lake.

Figure 1.0: Site Plan

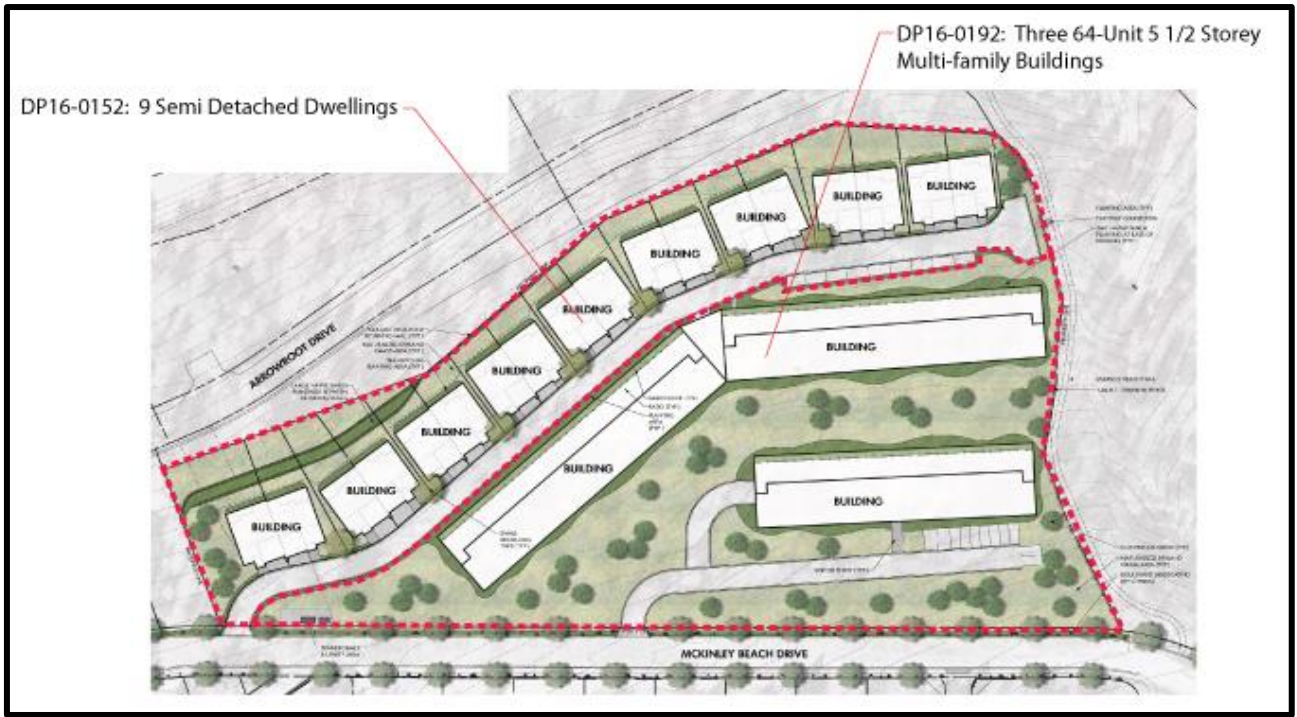


Figure 2.0: Colour Rendering



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



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 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

No comment

6.2 Development Engineering Department

No comment

6.3 Fire Department

No Comment

6.4 Glenmore-Ellison Irrigation District (GEID)

No Comment

7.0 Application Chronology

Date of Application:

April 27th 2016

Report prepared by:

Adam Cseke, Planner Specialist

Reviewed by:

Terry Barton, Urban Planning Manager

Approved for:

Ryan Smith, Community Planning Department Manager

Attachments:

DVPP17-0104

Sample Images of DP16-0192