

REPORT TO COUNCIL



Date: September 18, 2017

RIM No. 0940-00

To: City Manager

From: Community Planning Department (LG)

Application: DP17-0166

Owner: Pandosy Street Developments Ltd.

Address: 2175 Pandosy Street

Applicant: Alana Marrington/Garry Tomporowski

Subject: Amended Housing Agreement and Development Permit Application

Existing OCP Designation: HLTH – Health District

Existing Zone: HD2 – Hospital and Health Support Services

1.0 Recommendation

THAT Council receives, for information, the Report from the Community Planning Department dated September 18, 2017 with respect to amendments to Housing Agreement Bylaw No. 10624 for the property located at 2175 Pandosy Street, formerly known as 2149, 2159, 2169, 2179 and 2189 Pandosy Street;

AND THAT Council gives reading consideration to Bylaw No. 11474, being Amendment No. 1 to Housing Agreement Bylaw No. 10624 authorizing an amendment to the Housing Agreement between the City of Kelowna and Pandosy Street Developments Ltd., which requires the owners to designate three dwelling units in an Extended Medical Treatment Facility as affordable rental housing for Lot A, District Lot 14, ODYD, Plan EPP27000, located at 2175 Pandosy Street, Kelowna, BC.;

AND THAT Council authorize the issuance of Development Permit No. DP17-0166 for the property legally known as Lot A, District Lot 14, ODYD, Plan EPP27000, located at 2175 Pandosy Street, Kelowna, BC., subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";

4. Prior to issuance of the Building Permit, the requirements of the Development Engineering Branch must be satisfied;
5. 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 professional landscaper;

AND FURTHER THAT this Development Permit is valid for one (1) year from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To amend an existing housing agreement, and to consider a development permit application, on the subject property.

3.0 Community Planning

Staff supports the proposed development of an Extended Medical Treatment Facility on the subject property. This development was previously considered and approved by City Council in June 2015, but the owner was unable to begin construction within the required two-year timeframe due to personal reasons and extremely high water levels that occurred this past spring. They were, however, able to prepare the site by removing all existing buildings and landscaping that do not form part of the proposed development.

At this time, the owner would also like to amend the associated *Affordable Rental Housing Agreement* that was adopted in June 2015. The *Agreement* states that three units in the facility will be designated as affordable rental housing units and must not be sold. The amendment is simply to clarify sections where it is not clear that the *Agreement* applies to three units, and to update the land it pertains to. The five legal parcels listed in the *Agreement* have since been consolidated into one parcel.

The location of this type of facility will complement the Kelowna General Hospital and provide additional services for patients outside of the hospital environment. The facility will include a residential portion and a medical portion. In the residential portion, 41 units (varying from studios to 2-bedrooms) will be provided for a mix of short and long term stays, and permanent residents. The medical portion will include doctor's offices, clinics, pharmacy, medical/health retail store, and café. This facility will offer an alternative to motels, hotels, and bed & breakfasts where medical services are not available.

The intended users of this facility will be a mix of:

- Permanent residents who benefit from the location of the building and the services provided;
- Patients and/or family members who have to travel into Kelowna to receive medical care or those who wish to stay in close proximity to the hospital; and
- Local patients who use the medical services or visit doctors who are located on site.

No variances are required for this proposed development, and all conditions were satisfied in 2015, including a Traffic Impact Study, an Affordable Rental Housing Agreement, a purchase/sale agreement for the lane, and consolidation of the properties.

Proposal

3.1 Background

A development permit for the Extended Medical Treatment Facility was considered by Council on June 29, 2015 and was approved for two years with no opportunity to extend. The owners began preparing the site this past spring but could not move forward with construction due to high water levels related to flooding.

Because construction had not begun, the development permit expired. The proponents applied for a new development permit on June 28, 2017.

3.2 Project Description

The proposed development is an extended medical treatment facility. The 6590m² facility will be 4 storeys high and will include permanent residential units, short and long term residential units, medical offices, clinics, pharmacy, medical / health retail store, and cafe.

The residential portion will consist of nine 1-bedroom units, 28 2-bedroom units, two 1-bedroom + den units, and 2 studio units. Each unit will be self-contained with full kitchens, washrooms, living and sleeping areas. All have private open space in the form of terrace or balcony, and the units are located on all four floors.

Approximately 2625m² of the building area will be allocated to the commercial uses which are located on the first and second floors. The first floor cafe opens up to a very large terrace on the south end of the building which is accessible from the street. Another large terrace is located on the east end of the building and is accessible from the entrance atrium. All parking is located in an underground parkade accessed from the rear lane.

The building has been designed to sustain the residential character of the surrounding area. Exterior materials include Hardy siding, brick veneer, sidewall shingles, and stucco. An extensive landscaping plan shows 27 trees planted around the site perimeter, 15 species of shrubs, as well as flowers, grasses, decorative paving, shade structures, benches, movable seating, and way-finding signage.

3.3 Site Context

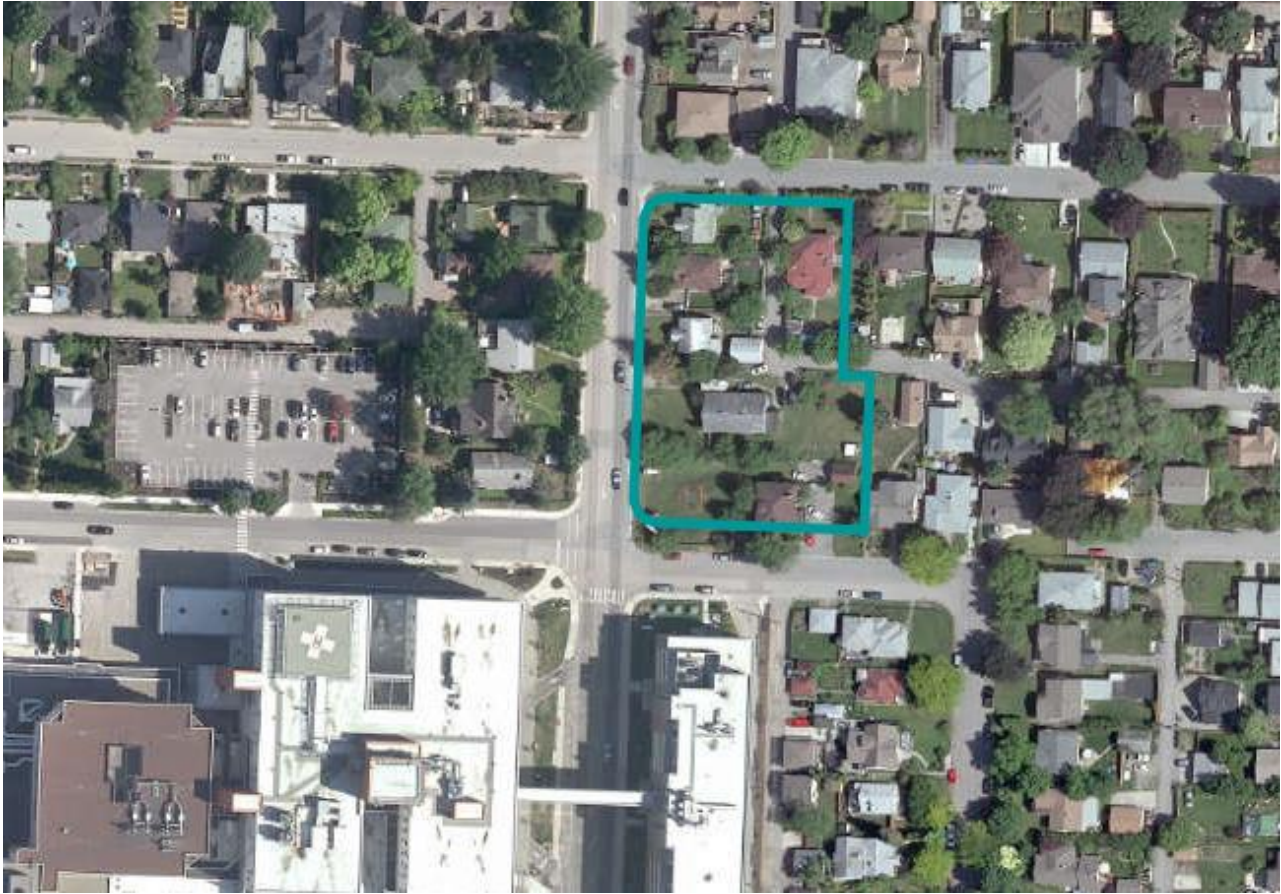
The subject site is located on the east side of Pandosy Street between Glenwood Avenue and Royal Avenue. The site is located within the Central City sector and is within the Comprehensive and Character Development Permit Areas.

The site is located across the street (to the northeast) from the Kelowna General Hospital.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 - Two Dwelling Housing	MRL - Multiple Unit Residential (Low Density) S2RES - Single / Two Unit Residential
East	RU6 - Two Dwelling Housing	S2RES - Single / Two Unit Residential
South	RU6 - Two Dwelling Housing HD1 - Kelowna General Hospital	HLTH - Health District EDINST - Education / Institutional
West	RU1 - Large Lot Housing	HLTH - Health District S2RES - Single / Two Unit Residential

Subject Property Map:



3-4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	HD2 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	900m ²	5051m ²
Lot Width	30m	95.26m
Lot Depth	30m	62.09m
Development Regulations		
Floor Area Ratio	1.4	1.31
Height	16.5m	16.34m
Front Yard	4.5m	4.57m
Side Yard (south)	4.5m (up to 12m), 6.0m (above 12m)	4.78m (<6.00m)
Side Yard (north)	4.5m (up to 12m), 6.0m (above 12m)	4.59m (<6.00m)
Rear Yard	6.0m (3.0m adjacent to lane)	6.12m (3.03m)
Other Regulations		
Minimum Parking Requirements	93 stalls	93 stalls
Bicycle Parking	Class 1 - 23 stalls Class 2 - 5 stalls	Class 1 - 28 stalls Class 2 - 16 stalls
Private Open Space	7.5m ² - 25m ² per unit	25m ² per unit
Loading Spaces	0	2

4.0 Current Development Policies

4.1 Kelowna Official Community Plan (OCP)

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 4.1.

Healthy Communities.² Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

Embracing Diversity.³ Increase understanding of various forms of housing needs and styles toward increasing acceptance of housing meeting the needs of diverse populations by encouraging applicants to undertake early and on-going consultation relating to their project, including provision of support material where appropriate.

Housing Mix.⁴ Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

Health Care Facilities.⁵ Support the extension of services and appropriate building expansions of the Kelowna General Hospital and other health care facilities, as provided for on the Generalized Future Land Use Map 4.1. The form and character of future expansions should be compatible with the surrounding neighbourhood context.

5.0 Technical Comments

5.1 Building & Permitting Department

- 1) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).
- 2) 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.
- 3) 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.
- 4) Geotechnical and Structural peer review(s) may be required prior to issuance of any Building permits. Requirements to be established at time of Building Permit application.
- 5) HPO (Home Protection Office) approval or release is required at time of Building Permit application.
- 6) 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):

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

² City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.22.8 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.22.11 (Development Process Chapter).

⁵ City of Kelowna Official Community Plan, Policy 5.32.10 (Development Process Chapter).

- a. Any alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit.
- b. The firewall appears not to be continuous to the parking slab and should be addressed as part of the code analysis
- c. The interior exit stairwell (grid C4) does not appear to meet minimum Building Code and this may require a redesign.
- d. Location, Heights, Colours of mechanical systems and the required screening are to be determined at time of DP
- e. Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
- f. Handicap Accessibility to the main floor levels to be provided, ramps may be required. The access ramps appear to be too long for the percentage of grade shown
- g. Hard surfaced paths leading from the egress stairwells to a safe area are to be clearly defined as part of the DP

5.2 Development Engineering Department

See attached Memorandum dated August 10, 2017.

5.3 Fire Department

- a. Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template at Kelowna.ca.
- b. 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 as well as a fire pre-plan as per bylaw 10760.
- c. Approved Fire Department steel lock box acceptable to the fire dept. is required by the fire dept. entrance and shall be flush mounted.
- d. All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met for communications.
- e. The fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard if the building has sprinklers.
- f. Sprinkler zone valves shall be accessible as per fire prevention bylaw (10760) - less than 7 feet in height.
- g. Standpipe connections to be on intermediate landings in stairwell. Where a standpipe system is to be installed in a building under construction, the system shall be installed progressively and shall not be more than one floor below the highest forms, staging, and similar combustible elements at all times.
- h. Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- i. Fire department connection is to be within 4.5M of a fire hydrant - unobstructed.
- j. Ensure FD connection is clearly marked and visible from the street.
- k. Upon completion an owners certificate and copy of NFPA 25 shall be provided for the sprinkler system.

- l. Upon completion, a certificate is required to verify CANULC 561 Compliance.
- m. Dumpster/refuse container must be 3 meters from structures or overhangs or in a rated room in a parkade.
- n. The building shall be addressed off of the road it is accessed from - the main entrance - with assigned unit numbers.

5.4 Fortis (Electric)

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Pandosy Street and Royal Avenue. Based on the plans submitted, it is unclear whether adequate space has been provided to accommodate the transformation required to service the proposed development. 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.

5.5 Fortis (Gas)

No concerns.

5.6 Infrastructure Planning

No comments.

5.7 Shaw

The developer is required to install 1x3' (75mm) DB2 (white) duct to nearest point of connection.

5.8 Telus

No concerns.

6.0 Application Chronology

Date of 1 st Development Permit Application Received:	June 13, 2012
Date 1 st Development Permit Approved:	June 29, 2015
Date 1 st Development Permit Expired:	June 29, 2017
Date Current Application Received:	June 28, 2017
Date Current Application Deemed Complete:	July 18, 2017
Date of Council Consideration:	September 18, 2017

Report prepared by:

Lindsey Ganczar, Community Planning Supervisor

Reviewed and Approved for Inclusion by:

Ryan Smith, Community Planning Department Manager

Attachments:

Schedule A – Development Engineering Memo
 Proposed Site Plan
 Proposed Building Plans
 Proposed Landscape Plans