

REPORT TO COUNCIL



Date: December 5, 2017

RIM No. 0940-00

To: City Manager

From: Community Planning Department (LK)

Application: DP17-0068 & DVP17-0069 **Owner:** Summerwood Retirement Resort Holding Corporation, INC. No. BC1090350

Address: 1360 KLO Road **Applicant:** Kent-Macpherson

Subject: Development Permit & Development Variance Permit Applications

Existing OCP Designation: S2RES – Single Two /Unit Residential & EDINST – Educational/ Major Institutional

Proposed OCP Designation: MRM – Multiple Unit Residential (Medium Density) & PARK – Major Park/Open Space (Public)

Existing Zone: RU1 – Large Lot Housing & P2 – Education and Minor Institutional

Proposed Zone: RM5 – Medium Density Multiple Housing & P3 – Parks and Open Space

1.0 Recommendation

THAT final adoption of OCP Bylaw No. 11433 and Rezoning Bylaw No. 11434 be considered by Council;
AND THAT Council authorizes the issuance of Development Permit No. DP17-0068 for Lot A District Lot 131 ODYD Plan EPP76548, located at 1360 KLO 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 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 authorizes the issuance of Development Variance Permit No. DVP17-0069 for Lot A District Lot 131 ODYD Plan EPP76548, located at 1360 KLO Road, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 13.11.6(c): RM5– Medium Density Multiple Housing Development Regulations

To vary the required maximum height from 4.5 storeys permitted to 5 storeys proposed;

Section 13.11.6(e): RM5– Medium Density Multiple Housing Development Regulations

To vary the required minimum side yard for portions of a building in excess of 2.5 storeys from 7.0 m permitted to 4.5 m proposed.

AND THAT Council's consideration of this Development Permit and Development Variance Permit be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated (insert date);

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and Development Variance Permit Applications in order for the permits to be issued;

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 two variances to facilitate the development of supportive housing on the subject property.

3.0 Community Planning

Community Planning staff supports the proposed 154 self-contained units for a supportive housing project on the subject 1.70 ha (4.2 ac) parcel. The application meets the Official Community Plan (OCP) Urban Design Guidelines and the design is appropriate for the context of the site. The neighbourhood has existing multi-residential developments, with the most recent currently under construction at 1459 KLO Road (DP16-0124) and 3090 Burtch Road (DP15-0294). The proposal also meets OCP objective of providing a core housing need to allow seniors to age in place and it meets all but two of the Zoning Bylaw Regulations for RM5 – Medium Density Multiple Housing.

In exchange for allowing the density associated with the supportive housing project, the applicant will be protecting a significant environmental feature at the rear of the property (a remnant woodland and creek channel) by rezoning a portion of the property to P3 -Parks and Open Space and further protecting the area with a covenant.

The property is within the Permanent Growth Boundary in the South Pandosy/ KLO sector of Kelowna on KLO Road between Gordon Drive and Benvoulin Road. To the east of the property are the offices for RDCO and the Okanagan Regional Library.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant and all neighbours within a 50m radius of the subject parcel.

4.0 Proposal

4.1 Project Description

The developer’s proposal of supportive housing includes 154 self-contained dwelling units which vary in size from a bachelor suite (under 500 square feet) up to 2-bedroom + den units (approx. 1300 square feet). Most units have balconies which provide a private outdoor amenity space, along with a common kitchen, dining area, and many lifestyle amenities provided on site. Some of the amenities included are: a theatre, a chapel, a fitness room and salon. The development provides multiple rooms focused towards occupants varied interests including a dance hall, sports lounge, wood workshop, crafts room, cards/games room and a library & computer room.

The site provides 137 parking stalls, with 48 stalls in the underground parkade, 76 at-grade stalls (23 within a carport and 53 at-grade open air stalls). The parkade also provides a storage room dedicated to scooters and residents bike storage. There are also an additional 16 Class II bike racks located near the main entry for visitors to the site.

Variations

The proposed development would require two variations. The first variation is to increase the maximum building height by half a storey from 4.5 storeys to 5 storeys. The increase of half a storey applies to the central portion of the building only. This area is well setback from the side property lines and is separated from the adjacent parcels to the rear by the natural area behind the proposed building.



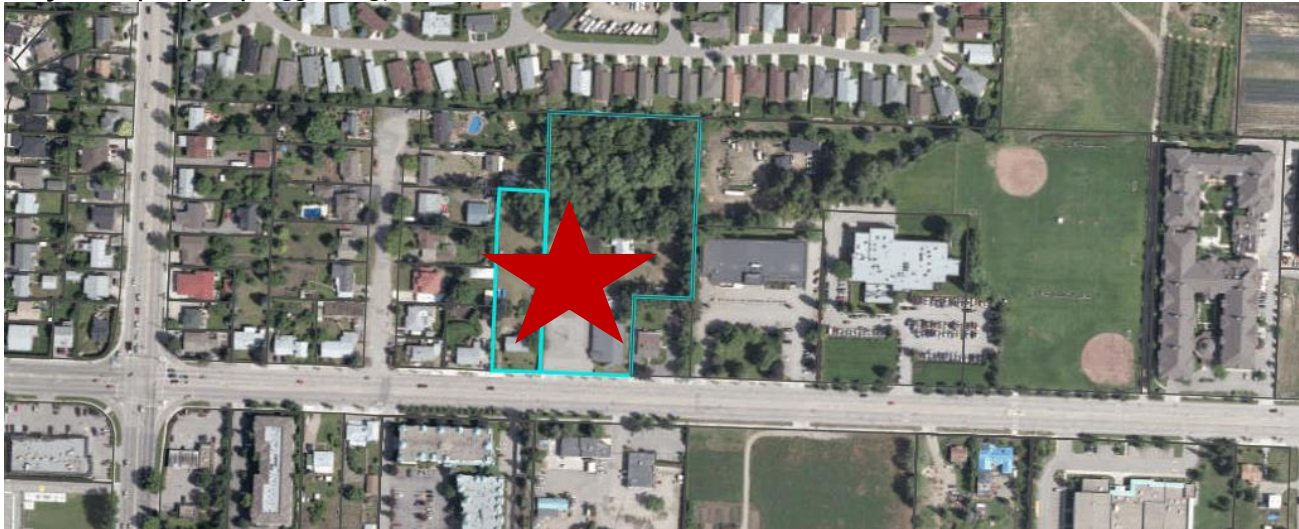
Figure 1 – The red arrows indicate the extent of the requested height variance from 4.5 storeys to 5 storeys for the central portion of the building

The second variation is to reduce the east side setback for portions of a building over 2 ½ storeys from 7.0 m required to 4.5 m proposed. The project has been designed such that in the future, should the property located at 1390 KLO Road (outlined in blue) become available, the proposed development could extend the building south towards KLO Road. In the meantime, the applicant is requesting a variance to reduce the side setback, for that portion of the property line which is shared with the rear of the 1390 KLO Road property. The area of the variance is indicated in red.



Figure 1 – The area noted in red indicates the requested side setback variance from 7.0 m required to 4.5 m proposed.

Subject Property Map: 1350 & 1370 KLO Road



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM4 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	1400 m ²	17,005 m ²
Lot Width	30 m	87 m
Lot Depth	35 m	+163 m
Development Regulations		
Floor Area Ratio	1.1	0.65
Height	4.5 storeys/ 18 m	5.0 storeys/ 17.5 m ❶
Front Yard	6.0 m	14.97 m
Side Yard (west)	7.0 m	20.40 m
Side Yard (east)	7.0 m	4.75 m ❷
Rear Yard	9.0 m	10.9 m
Other Regulations		
Minimum Parking Requirements	77 stalls	137 stalls
Bicycle Parking	77 bicycle stalls	118 bicycle stalls
Private Open Space	2670 m ²	3947 m ²
❶ Indicates a requested variance to increase the maximum building height from 4.5 storeys to 5 storeys proposed. ❷ Indicates a requested variance to the east side setback from 7.0 m required to 4.75 m proposed.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Environmentally Sensitive Area Linkages. ¹ Ensure that development activity does not compromise the ecological function of environmentally sensitive areas and maintains the integrity of plant and wildlife corridors.

¹ City of Kelowna Official Community Plan, Policy 5.39.2 (Development Process Chapter).

Housing Availability.² Support the provision of housing for all members of the community, including those in core housing need or requiring special needs housing (transitional, age in place, emergency or shelter).

Comprehensive Development Permit Area Objectives.³

- 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.

Technical Comments

5.2 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).
- Demolition Permit required for any existing structures.
- 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.
- 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):
 - Any alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit
 - Location, Heights, Colours 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.
 - 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. If a soil removal or deposit permit is required, this must be requested at time of Development Permit application.
- 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

² City of Kelowna Official Community Plan, Policy 10.3.1 (Social Sustainability Chapter).

³ City of Kelowna Official Community Plan, Objectives 14.2 (Urban Design Development Permit Areas Chapter).

existing foundation, additional snow drift on neighbour roofs, excessive noise from mechanical units, vibration damage during foundation preparation work, water infiltration systems, dewatering, etc.

- 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.
- 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.
- 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.
- 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.

5.3 Development Engineering Department

- Refer to Attachment A.

5.4 Regional District of Central Okanagan

- Regional District staff is supportive of the Applicant's proposal to retain the existing trees and shrubs at the north end of the subject property. The forested area on the subject property has historically and will continue to provide valuable habitat for wildlife and provide a vegetative buffer along the shared property line with the Regional District Parks Services' works yard compound.

5.5 Fire Department

- Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template at Kelowna.ca
- ensure appropriate fire flow as per the subdivision bylaw -150 L/Sec required. Should additional hydrants be required on this property, they shall be deemed private.
- 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 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 45M 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) - less than 7 feet in height.
- Standpipe connections to be on intermediate landings in stairwell.

- 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.

5.6 Interior Health Authority

- This development if approved will provide up to 154 units for independent seniors living. This location is adjacent to a number of amenities that will allow residents to use active transportation as a mean to obtain the recommended 30 minutes/day of physical activity including;
 - Within 400m of a transit stop
 - Within 400m of an open green space
- This development will provide much needed senior housing and addresses one of the ten goals within the OCP to help create a variety of housing options.

5.7 FortisBC Inc.

- There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along KLO Road. Based on the plans previously submitted under DVP17-0069, 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 building design. The applicant is responsible for costs associated with changes to the proposed lots' existing service, if any, as well as the provision of appropriate land rights where required.
- For more information, please refer to FBC(E)'s overhead and underground design requirements:
- FortisBC Overhead Design Requirements: <http://fortisbc.com/ServiceMeterGuide>
- FortisBC Underground Design Specification: <http://www.fortisbc.com/InstallGuide>
- In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). Please have the following information available in order for FBC(E) to set up the file when you call.
 - Electrician's Name and Phone number
 - FortisBC Total Connected Load Form
 - Other technical information relative to electrical servicing

6.o Application Chronology

Date of Application Received: March 21, 2017

Date Public Consultation Completed: April 27, 2017

Report prepared by: Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Development Engineering Memorandum

Schedule A: Site Plan & Floor Plans

Schedule B: Proposed Renderings

Schedule C: Landscape Drawings