



COUNCIL REPORT  
Development Services  
For the March 24, 2020 Council Meeting

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DATE: March 17, 2020

TO: Paul Gipps, CAO

FROM: Chris Oliver, Planner III

RE: DP 19-23; Multiple Residential Development Permit with Variances; 2750 Olalla  
Legal: Lot A, DL 2689 ODYD Plan 28409 Except Part in Plan EPP85670  
Owner: TCD Developments (Lakeview) Ltd., INC.NO. BC1085918  
Agent: Patrick McCusker (PMA Architecture)

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**RECOMMENDED MOTION:**

**THAT** Council authorize the issuance of a Development Permit (DP 19-23) to construct 100 units in two buildings stepping from two to six storeys in height with underground parking located at 2750 Olalla Road, subject to the conditions outlined in the attached Development Permit; and

**THAT** Council authorize a variance to City of West Kelowna Zoning Bylaw No. 0154 in accordance with the attached Site Plans, as follows:

- I. Increase the maximum permitted number of stories for a rooftop access and storage area on Building 2 from 2 stories to 3 stories (CD9 S.4.2);
- II. Reduce the minimum setback distance for sixth floor deck spaces from 32m to 28.8m (CD9 S.4.2);
- III. Increase the maximum permitted height for the first two stories abutting an A1 Zone or ALR from 6.0m to 7.3m (CD9 S.4.6(v));
- IV. Reduce the minimum interior side parcel setback for buildings and structures from the north parcel boundary on Site 4 from 3.0m to 1.5m (CD9 S.4.3); and
- V. Reduce the number of required loading spaces from 5 to 3 (S.4.10.1).

**THAT** issuance of the Development Permit be withheld pending receipt of landscape security for the landscape plan in the amount of \$429,826.25; and

**THAT** if the Development Permit has not been issued within one year from the date of approval, the Permit shall be deemed to have been refused and the file closed.

**RATIONALE:**

- The proposal aligns with the vision for density and building massing established through the CD9 – Olalla Comprehensive Development Zone;
- The proposal is consistent with the Multiple Family and Intensive Residential Development Permit Guidelines contained in the OCP;

- The proposal conforms to the primary uses and regulations outlined in the Zoning Bylaw No. 0154 for the Olalla Comprehensive Development Zone (CD9), with the exception of several variances which are considered to have minimal impact to the site and adjacent properties;
- The proposal is part of the developer's Lakeview Village re-development that envisions a mixed-use neighbourhood centre with a unique character and sense of place;
- Infill development makes more efficient use of community services and reduces development pressures at the urban fringes; and
- The proposed variances are will have negligible impacts to form and character, building separation, or adjacent agricultural uses.

### LEGISLATIVE REQUIREMENTS:

Council has the authority under Part 14 (s. 490) of the *Local Government Act* to issue a development permit. This Development Permit is specifically for the form and character of a multiple family residential development. Section 498 of the *Local Government Act* gives Council the authority to issue a development variance permit that varies, in respect of the land covered in the permit, the provisions of the Zoning Bylaw.

### BACKGROUND:

#### **Proposal**

The subject Development Permit application is for Site 4 of the Olalla CD Zone. The proposal is for two buildings, Bldg. 1 – 52 Units and Bldg. 2 – 48 Units (100 units combined), a shared two-storey underground parkade, greenhouse, amenity room, rooftop garden, sidewalks, pool area and common courtyard area. The proposal includes 185 parking spaces with only the required visitor spaces being located at grade. The two storey underground parkade connects both buildings and is located underneath the proposed pool and grade level amenity space.

#### **Location and Surrounding Uses**

The subject property is located in the Lakeview Heights neighbourhood—adjacent to Lakeview Village Centre (Nester's Market) and across Anders Road from the Lakeview Heights Community Hall / Anders Park (Attachments 1 & 2). The subject property is the former site of the Lakeview Heights Elementary School. The surrounding uses are varied: institutional, multiple residential, agricultural (in the ALR), single detached residential, and commercial (Figure 1).



Figure 1. Subject Property

#### **CD Zone Application (Z 17-11)**

The subject property was rezoned in September of 2018 to a Comprehensive Development Zone that allows for a variety of uses including:

- |                      |                                     |
|----------------------|-------------------------------------|
| • Apartment          | • Fire, Police or Ambulance Service |
| • Care Facility      | • Townhouses                        |
| • Congregate Housing | • Other ancillary uses              |
| • Office             |                                     |

The CD Zone also included a variety of context specific setbacks related to the adjacent single family residential units (south) and agricultural land (east). These regulations drive the sensitive integration of the proposed development. The proposed multiple residential buildings are located on Site 4 of the CD Zone (Figure 2).

#### POLICY AND BYLAW REVIEW:

##### **Official Community Plan (OCP) Bylaw No. 0100**

The proposal is consistent with the Official Community Plan Growth Management Designation that identifies the area as the Lakeview Heights Neighbourhood Centre. A key objective of the Neighbourhood Centre designation is to utilize innovative high quality design that integrates with and enhances the existing neighbourhood character. The proposed buildings are consistent with the growth management designation.

The proposed development is subject to a Form and Character Development Permit for General and Multiple Family and Intensive Residential development. In general, the guidelines encourage pedestrian oriented design, safe communities, and visual interest through careful and thoughtful site design, building form and character, and landscaping. The proposal represents a high-quality design that would enhance the character of the area while maximizing the development potential of the site.

##### *Site Design:*

The OCP design guidelines encourage appropriate orientation and relationship of buildings to adjoining uses and for the proposed development to be tailored to the physical character of the existing site. The proposal includes two buildings that increase in height from a shared two-storey podium at the rear, stepping to six stories toward the north (Figure 3).

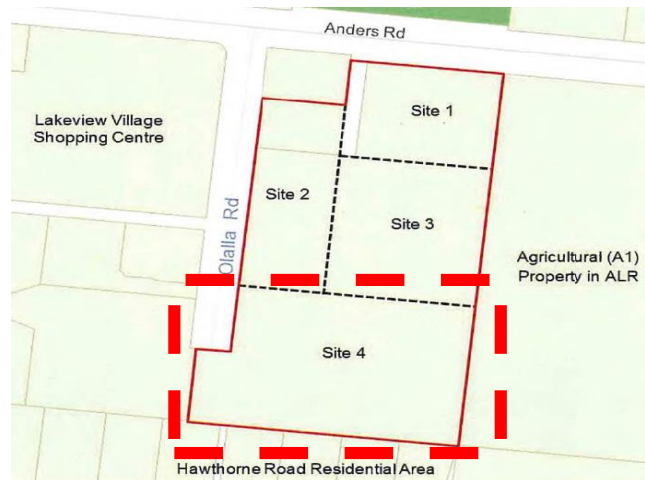


Figure 2. CD Zone



Figure 3. Building 2 Side Elevation

The site plan proposes one main access to the development, off Olalla Road which provides access to some of the surface visitor parking and main underground parking area. In addition to the vehicular access, the applicant has also proposed various pedestrian connections through the site and is well connected to off-site pedestrian connections (Figure 4 and Attachment 3).

*Form & Character:*

The OCP design guidelines encourage a cohesive appearance with surrounding development and emphasizes variation to buildings facades and rooflines to address height and massing, colours and materials, and articulation. The proposal utilizes a simple colour and materials scheme, which complements adjacent Lakeview Village development. The building material and colour scheme are comprised of metal horizontal siding with wood texture, gray composite panel systems, brick, and clear glass railings with black metal posts. (Figures 5-7).

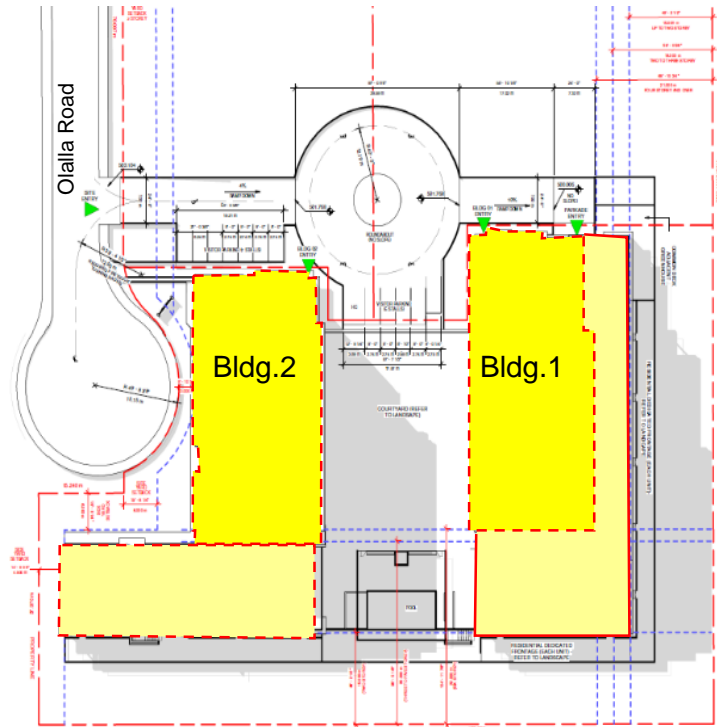


Figure 4. Site Plan



Figure 5. Rendering 1 (From Olalla Road Facing SE)





Figure 6. Rendering 2 (From Walking Path Facing NW)



Figure 7. Renderings 3 & 4 (Bldg. 2 View Facing NW and SW)

Emphasis was placed on building facades facing the Olalla Road streetscape, through articulation along the façade, use of a variety of materials, softening of the corner of Building 2 through the use of decks, varying window sizes, etc. The internal form and character of the site exhibits the same details as the streetscape façades through the use of similar materials and architectural details. The form and character of the proposed buildings achieves many of the specific OCP Design Guidelines and overall achieves a high-level of building design that meets or in some cases exceeds the design quality expected for multiple residential development in West Kelowna. Refer to Attachment 8 for architectural elevations, renderings, and colour and materials schedule.

#### *Landscape Plan:*

The landscape plan includes a mix of trees, shrubs, ornamental grasses, groundcovers, and perennials (Figure 8 and Attachment 4). The plan includes construction of a pathway intended to provide site circulation for residents to common amenities and off-site pedestrian connections (Olalla and Hawthorne). The plan meets all applicable OCP Objectives and the landscaping will create a significant sense of place for residents. Refer to Attachment 9 for the full Landscape Plan.

The total landscape security is \$429,826.25 (\$343,861.00 X 125%). Prior to the issuance of the Permit, it is recommended that the security be required to be submitted to ensure the installation of the identified landscape plantings and hardscaping.





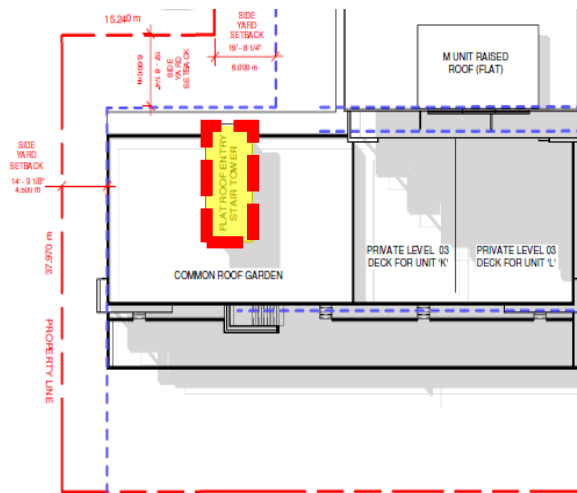


Figure 9. Storey Variance

2. Reduce the minimum setback distance for sixth floor deck spaces from 32m to 28.8m (CD9 S.4.2).

As part of the unit specific design refinement, the applicant has requested that additional deck space be permitted for the 6<sup>th</sup> Floor units facing Okanagan Lake. The request is that the deck spaces be extended to match the deck spaces on the other floors of the development (Floors 4 & 5). The applicant has proposed that the railings (guards) associated with the all of the deck spaces be glass and it is anticipated that with the 28.8m setback from the property line, the overall impact would be minimal.

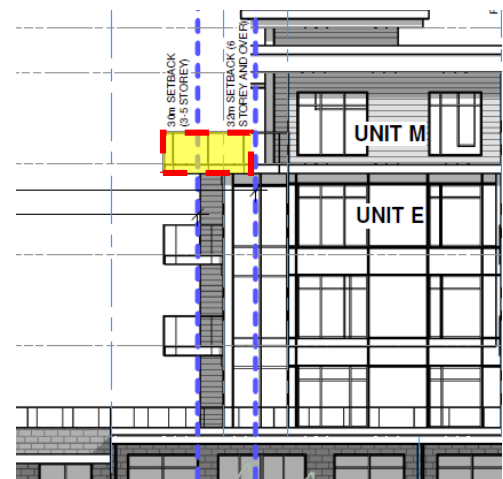
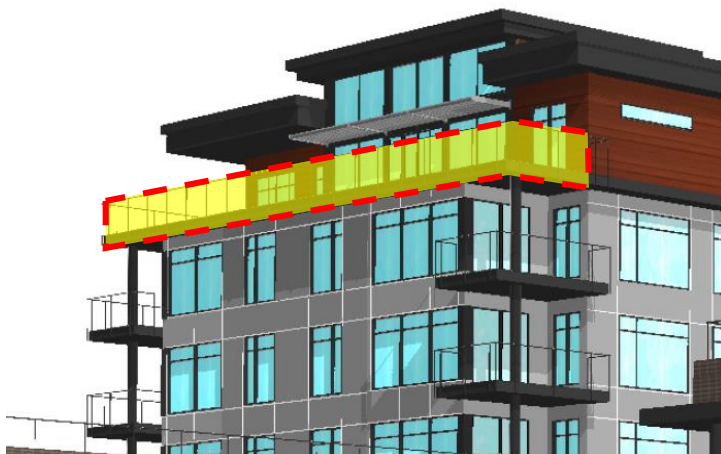


Figure 10. Deck Variance

3. Increase the maximum permitted height of the first two stories abutting an A1 Zone or ALR from 6.0m to 7.3m (CD9 S.4.6(v)).

The Olalla CD9 Zone included setbacks from the adjacent agricultural land. As part of the establishment of these setbacks, a specific height of 6.0m was also established. As the building and grading plans for the site were refined, it was determined that a small portion of the building along the ALR setback would be 1.2m over height due to the average grade of Building 1. The proposed variance would have no impact on the adjacent agricultural use and would allow the developer to meet the desired ceiling heights as originally intended during the CD Zone process.

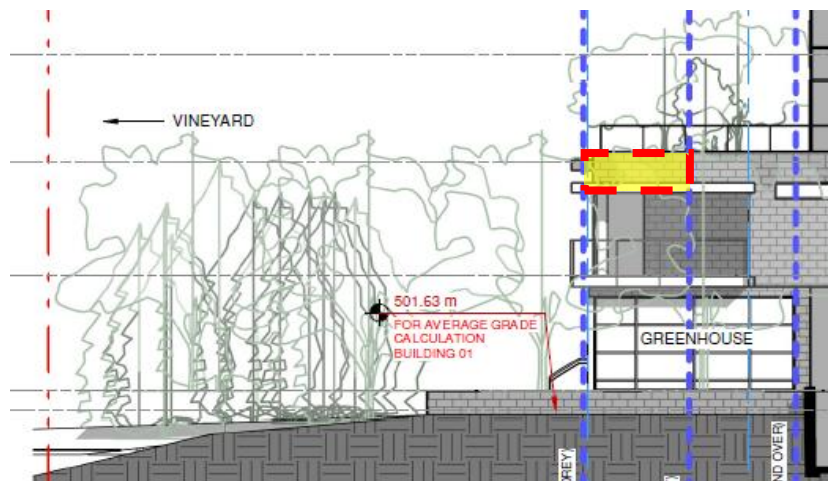


Figure 11. Height Variance

4. Reduce the minimum interior side parcel setback for buildings and structures from the north parcel boundary on Site 2 from 3.0m to 1.5m.

The applicant has applied for a concurrent subdivision with the Development Permit. As part of this subdivision application, the desired parcel line for the subdivision requires a variance from the proposed buildings. There would be no impacts to the proposed building separation from other parcels as the applicant is proposing the main access area to all of the separate sites identified in the CD Zone (and proposed parcels) be to the north of the proposed buildings. As part of future Building Permit processes, the applicant will be required to register various legal documents to maintain access and solidify the proposed access route (SRWs, access easements, etc.).

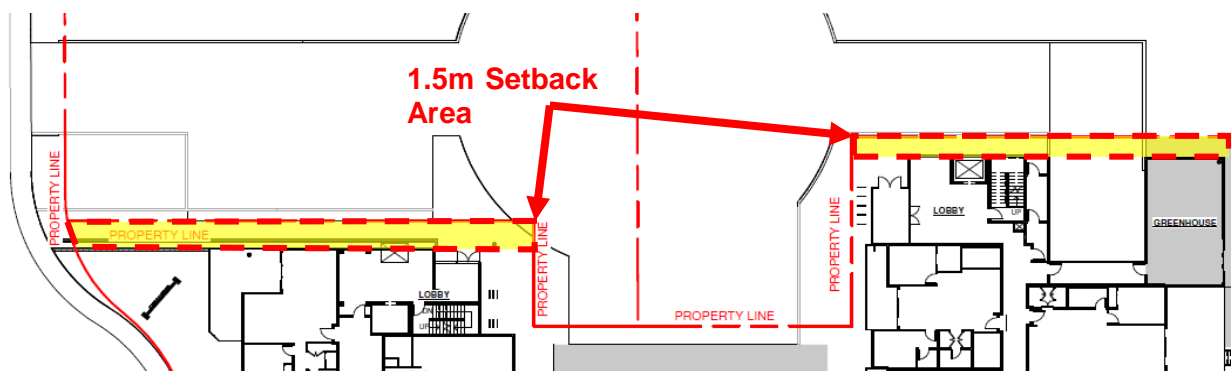


Figure 12. Setback Variance



5. Reduce the number of required loading spaces from 5 to 3 (S.4.10.1).

The applicant is proposing to provide 3 loading spaces, one for each building in the underground parking area and one in the surface parking area. As with other multiple residential projects, the minimum staff have recommended for variances with Loading Spaces is 1 space per building in order to meet the function needs of future residents. Here the applicant is providing 3 spaces which should meet these needs. Staff will be reviewing the Loading Space requirements as part of the review of the Zoning Bylaw.

#### **TECHNICAL REVIEW:**

##### **Infrastructure Improvements**

The following infrastructure improvements and other contributions were identified and required as part of the CD9 Zone process and have either been provided or are still required to accommodate the development project:

1. Developer contribution in the amount of \$150,000 to assist in improvements to Anders Park and the Lakeview Heights Community Hall.
2. Developer contribution in the amount of \$89,000 to contribute to the completion of the roundabout at Anders/Cordova/Boucherie Roads.
3. Land dedication to accommodate improvements on Olalla Road (i.e. cul-de-sac).
4. Construction of a sidewalk on the south side of Anders Road that connects the Lakeview Village shopping centre to the future Boucherie Road roundabout.
5. Statutory right of way to establish a pedestrian connection between the end of Olalla Road and the existing pedestrian connection at Hawthorne Road.
6. Water main upgrades on Anders Road, which include full-width road improvements.

##### **Site Servicing**

A Functional Servicing Report indicates the property can be feasibly serviced and that the existing services in the area are capable of servicing the proposed development.

##### **Geotechnical Investigation**

A sealed Geotechnical Report has been submitted and includes a statement that the proposed development is safe for the intended use.

##### **Covenants**

The proposal is consistent with several covenants registered on the title of the subject property.

CA7083368 – Supplemental design guidelines intended to ensure that the proposed design is generally consistent with what was proposed during the rezoning process.

CA7083367 & CA708337 – Owner must construct a pedestrian pathway within the statutory right of way on the subject property and completed the identified servicing related improvements (including a concrete sidewalk as identified in the covenant). The path has been included in the landscape security.

CA7083364 – Agricultural covenant limiting landscaping species and addressing that the subject property is adjacent farmland, which produces odours, sounds, and sights. The proposal respects the agricultural setback requirements and landscaping species.

### PUBLIC NOTIFICATION:

In accordance with the *Local Government Act* for the proposed Development Variance Permit, letters were sent to all property owners and their tenants (41 notices) within 100 metres of the subject property (Attachment 5). Two Development Application signs has been placed on the subject property in accordance with the Development Applications Procedures Bylaw No. 0260. As of the date of this report, no submissions have been received from the public.

### ALTERNATE MOTIONS:

- 1) **THAT** Council postpone consideration of the issuance of Development Permit with Variances (DP 19-23).

Council may wish to postpone the issuance of the Development Permit and require the applicant to redesign components of the proposal in accordance with the City's Zoning Bylaw or Official Community Plan Development Permit Guidelines.

**OR**

- 2) **THAT** Council deny the issuance of a Development Permit with Variances (DP 19-23).

Council may wish to deny the requested variances and require the applicant to redesign the proposal in accordance with the City's Zoning Bylaw and/or Official Community Plan Development Permit guidelines. If the proposal was revised to avoid the proposed variances, the site plan and proposed building siting would have to be redesigned and the Development Permit would require further consideration of Council.

### REVIEWED AND APPROVED BY:

Brent Magnan, Planning Manager  
Mark Koch, Director of Development Services  
Tracey Batten, Deputy CAO/Corporate Officer  
Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

### Attachments:

1. Subject Property Map
2. Context Map
3. Site Plan, Architectural Plans, Renderings, Elevations
4. Landscape Plan
5. Public Notification Map
6. Draft Development Permit (DP 19-23)