

City of Kelowna

Public Hearing

AGENDA



Tuesday, June 1, 2021
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Due to COVID-19 a Public Hearing Agenda will also include Regular Meeting Items
2. Call to Order the Public Hearing - START TIME 6:00 PM - Lakeshore Rd 4346 - LUCT20-0014 (BL12135) Z20-0101 (BL12136) - British Columbia Telephone Company, Inc.No. 1801A

THE CHAIR WILL CALL THE HEARING TO ORDER

The purpose of the Hearing is to hear from the public on matters contained in the various bylaws which, if adopted, will amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

After the close of the Public Hearing, Council will then debate and vote on the proposed bylaws at the Regular Meeting that follows.

Council has been provided with the information, correspondence, petitions or reports that have been received concerning the subject bylaws. This information is available to the public online at Kelowna.ca/council or by request to the Office of the City Clerk.

For those participating this evening, or who have already submitted letters to Council, a reminder that this Hearing is open to the public and all representations to Council form part of the public record. A live audio-video feed is being broadcast and recorded on kelowna.ca.

In accordance with Order of the Provincial Health Officer on Gatherings and Events, applicants and the public are not permitted to attend in person. Participation by applicants and the public will be by electronic means only. Thank you for your co-operation.

Following the close of the Public Hearing, no further information from the applicant or members of the public will be accepted by Council.

3. Individual Bylaw Submissions

- 3.1. START TIME 6:00 PM - Lakeshore Rd 4346 - LUCT20-0014 (BL12135) Z20-0101 (BL12136) - British Columbia Telephone Company, Inc.No. 1801A

7 - 19

To consider an application to proceed with early termination of Land Use Contract

LUC76-1090 and to rezone the subject property.

4. Termination

5. Call to Order the Regular Meeting

6. Bylaws Considered at Public Hearing

6.1. START TIME 6:00 PM - Lakeshore Rd 4346 - BL12135 (LUCT20-0014) - British Columbia Telephone Company, Inc.No. 1801A

20 - 20

Requires a majority of all members of Council (5).

To give Bylaw No. 12135 second and third reading and be adopted in order to proceed with early termination of Land Use Contract LUC76-1090.

6.2. START TIME 6:00 PM - Lakeshore Rd 4346 - BL12136 (Z20-0101) - British Columbia Telephone Company, Inc.No. 1801A

21 - 21

To give Bylaw No. 12136 second and third reading and be adopted in order to rezone the subject property from the RU1 - Large Lot Housing zone to the P4 - Utilities zone.

7. Termination

8. Call to Order the Public Hearing - START TIME 6:00 PM - Multiple Addresses, TA20-0023 (BL12144) - Multiple Owners

The purpose of the Hearing is to hear from the public on matters contained in the various bylaws which, if adopted, will amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

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9. Individual Bylaw Submissions

9.1. START TIME 6:00 PM - Multiple Addresses, TA20-0023 (BL12144) - Multiple Owners

22 - 42

To amend Zoning Bylaw No. 8000 by amending general fencing height regulations, adding Multiple Dwelling Housing use to C9 and home-base business use to C9 and CD-22, amending tall building urban design regulations in C4, C7 and C9, and to correct inconsistencies.

10. Termination

11. Call to Order the Regular Meeting

12. Bylaws Considered at Public Hearing

12.1. START TIME 6:00 PM - Multiple Addresses - BL12144 (TA20-0023) - Multiple Owners

43 - 46

To give Bylaw No. 12144 second and third reading.

13. Termination

14. Call to Order the Public Hearing - START TIME 6:00 PM - Bertram St 1451 1469 - OCP21-0006 (BL12147) Z21-0015 (BL12148) - Provincial Rental Housing Corporation, Inc. No. BC0052129

The purpose of the Hearing is to hear from the public on matters contained in the various bylaws which, if adopted, will amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

After the close of the Public Hearing, Council will then debate and vote on the proposed bylaws at the Regular Meeting that follows.

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15. Individual Bylaw Submissions

15.1. START TIME 6:00 PM - Bertram St 1451 1469 - OCP21-0006 (BL12147) Z21-0015 (BL12148) - Provincial Rental Housing Corporation, Inc.No. BC0052129

47 - 119

To amend the Official Community Plan Future Land Use from MRM – Multiple Unit

Residential (Medium Density) to MXR – Mixed Use (Residential/Commercial) and to rezone the subject properties from the RM5 – Medium Density Multiple Housing zone to the C7r –Central Business Commercial (Residential Rental Tenure Only) zone to facilitate the development of a mixed-use multiple dwelling rental housing project.

16. Termination

17. Call to Order the Regular Meeting

18. Bylaws Considered at Public Hearing

- 18.1. START TIME 6:00 PM - Bertram St 1451 1469 - BL12147 (OCP21-0006) - Provincial Rental Housing Corporation, Inc.No. BC0052129** 120 - 120

Requires a majority of all members of Council (5).

To give Bylaw No. 12147 second and third reading in order to amend the Future Land Use designation for the subject properties from the MRM – Multiple Unit Residential (Medium Density) designation to the MXR – Mixed Use (Residential/Commercial) designation.

- 18.2. START TIME 6:00 PM - Bertram St 1451 1469 - BL12148 (Z21-0015) - Provincial Rental Housing Corporation, Inc.No. BC0052129** 121 - 121

To give Bylaw No. 12148 second and third reading in order to rezone the subject properties from the RM5 – Medium Density Multiple Housing zone to the C7r –Central Business Commercial (Residential Rental Tenure Only) zone.

19. Termination

20. Call to Order the Public Hearing - START TIME 6:45 PM - Royal Ave 416 426 430 - Z19-0068 (BL12194) - Payam and Sanaz Holdings Ltd., Inc. No. 101155120

The purpose of the Hearing is to hear from the public on matters contained in the various bylaws which, if adopted, will amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

After the close of the Public Hearing, Council will then debate and vote on the proposed bylaws at the Regular Meeting that follows.

Council has been provided with the information, correspondence, petitions or reports that have been received concerning the subject bylaws. This information is available to the public online at Kelowna.ca/council or by request to the Office of the City Clerk.

For those participating this evening, or who have already submitted letters to Council, a reminder that this Hearing is open to the public and all representations to Council form part of the public record. A live audio-video feed is being broadcast and recorded on kelowna.ca.

In accordance with Order of the Provincial Health Officer on Gatherings and Events,

applicants and the public are not permitted to attend in person. Participation by applicants and the public will be by electronic means only. Thank you for your co-operation.

Following the close of the Public Hearing, no further information from the applicant or members of the public will be accepted by Council.

21. Individual Bylaw Submissions

- 21.1. START TIME 6:45 PM - Royal Ave 416 426 430 - Z19-0068 (BL12194) - Payam and Sanaz Holdings Ltd., Inc.No. 101155120** 122 - 143

To consider an application to rezone the subject properties from the RU1-Large Lot Housing zone to the HD3r- Health Services Transitional (Residential Rental Tenure Only) zone to facilitate the development of a mixed-use building.

22. Termination

23. Call to Order the Regular Meeting

24. Bylaws Considered at Public Hearing

- 24.1. START TIME 6:45 PM - Royal Ave 416 426 430 - BL12194 (Z19-0068) - Payam and Sanaz Holdings Ltd., Inc.No. 101155120** 144 - 144

To give Bylaw No. 12194 second and third reading in order to rezone the subject properties from the RU1-Large Lot Housing zone to the HD3r- Health Services Transitional (Residential Rental Tenure Only) zone.

25. Termination

26. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Development Planning);
- (b) The applicant has up to 15 minutes to make representation to Council regarding the project.
- (c) The Chair will call for representation from the public participating online as follows:
 - (i) Any person wishing to make representation during the Hearing will have the opportunity to do so.
 - (ii) Speakers have up to 5 minutes to share their remarks.
- (d) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to participants that the Public Hearing on the Bylaw is closed.
- (e) Once the public has had an opportunity to comment, the applicant is given up to 10

minutes to respond to any questions raised.

(f) Questions of staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.

Note: Any applicant or member of the public may use electronic visual aids to assist in their presentation or questions. The participant must be able to share their screen to display the item.

REPORT TO COUNCIL



Date: April 12, 2021

To: Council

From: City Manager

Department: Development Planning

Application: LUCT20-0014 / Z20-0101

Owner: British Columbia Telephone
Company, Inc.No. 1801A

Address: 4346 Lakeshore Road

Applicant: The City of Kelowna

Subject: Land Use Contract Termination and Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: P4 – Utilities

1.0 Recommendation

THAT Land Use Contract Termination Application No. LUCT20-0101 to terminate LUC76-1090 from Lot A District Lot 167 ODYD Plan 27865, located at 4346 Lakeshore Road, Kelowna, B.C., be considered by Council;

AND THAT Rezoning Application No. Z20-0101 to amend the City of Kelowna Zoning Bylaw no. 8000 by changing the zoning classification of Lot A District Lot 167 ODYD Plan 27865, located at 4346 Lakeshore Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the P4 – Utilities zone be considered by Council;

AND THAT the notice sign requirements under Council Policy No. 367 be altered to allow for placement on the City of Kelowna's Boulevard;

AND FURTHER THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

2.0 Purpose

To consider an application to proceed with early termination of Land Use Contract LUC76-1090 and to rezone the subject property.

3.0 Development Planning

Staff are recommending the Land Use Contract (LUC76-1090) be terminated and for the subject property to be rezoned. The underlying zone is RU1 – Large Lot Housing and is not appropriate for the current land use. The current use is utility services as it's being occupied by TELUS Mobility (formerly BC Telephone Company). The Land Use Contract affects one property and allows the subject property to be used as a telephone exchange and not otherwise. The RU1 – Large Lot Housing zone does not allow for the use of utilities or telephone exchange, so Staff are proposing to rezone the subject property to P4 – Utilities zone, as this is the most appropriate zone.

4.0 Proposal

4.1 Background

Land Use Contracts were a tool regularly used in the 1970's before it was eliminated on November 15th, 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th, 2024. Land use contracts will remain in force until that date unless terminated early by the municipality. By June 20th, 2022, local governments must have appropriate zoning regulations in place to replace land use contracts upon their termination. However, LUC terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act.

4.2 Notification

Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land. The municipality must also send an additional letter within 30 days of adoption, informing the owners and providing information about the Board of Variance. Due to the file being Staff initiated, Staff suggest the Council Policy #367 development signage requirements be altered to allow for the development signs to be placed on the City of Kelowna's boulevard, rather than on the subject property.

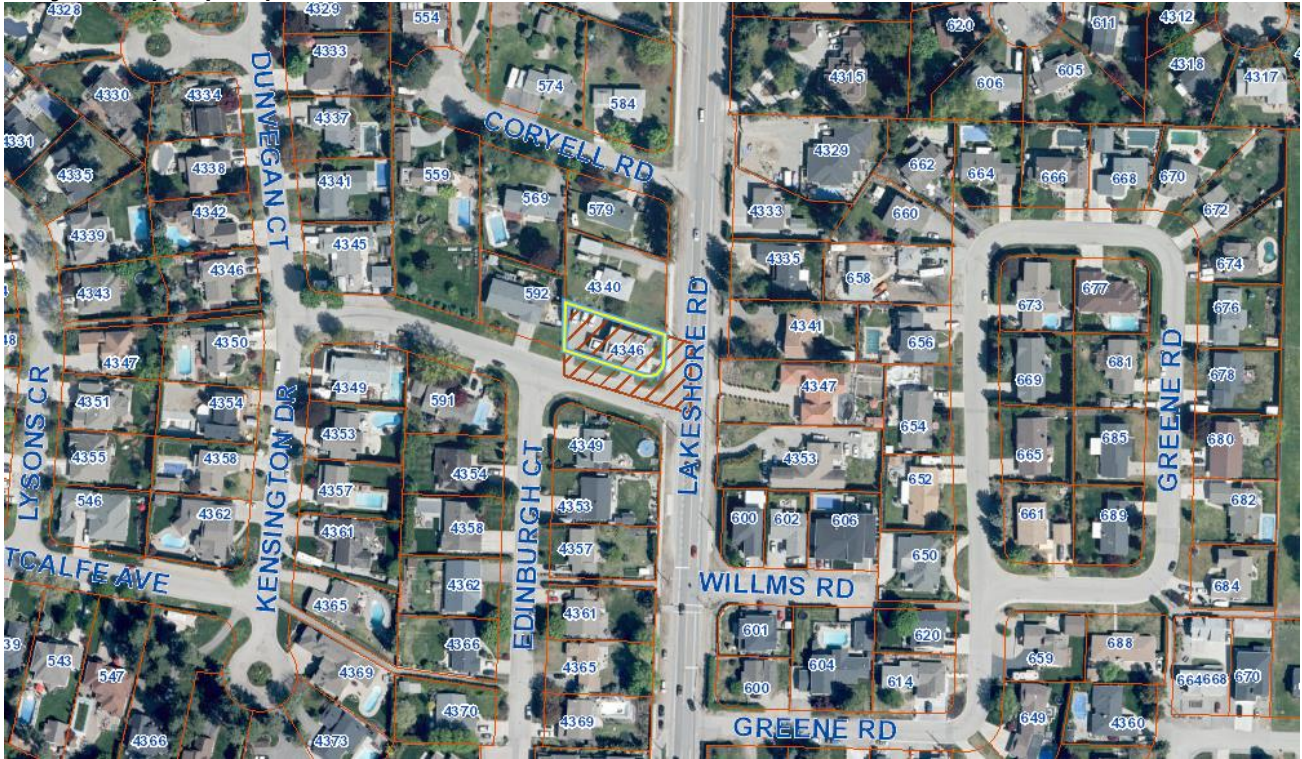
4.3 Site Context

The subject property has a total area of 769m² and is located on the corner of Lakeshore Road and Kensington Drive. The property is designated S2RES – Single/Two Unit Residential and the surrounding area is entirely residential.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single – Family Dwelling
East	RU1 – Large Lot Housing and RU6 – Two Dwelling Housing	Single – Family Dwelling(s)
South	RU1 – Large Lot Housing	Single – Family Dwelling
West	RU1 – Large Lot Housing	Single – Family Dwelling

Subject Property Map: 4346 Lakeshore Road



5.0 Current Development Policies

5.1 Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts

Council Policy No. 282. Includes the following statement:

That the City of Kelowna initiate proceedings to discharge the contracts subject to consultation with affected owners of the land and subject to prior approval by Council with regard to affected contracts.

6.0 Application Chronology

Date of Application Received: December 9th, 2020
Date of Owner Notification: December 18th, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Dean Strachan, Community Planning & Development Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager



LUCT20-0014 / Z20-0101

4346 Lakeshore Road

Rezoning Application and Land Use Contract Termination



Proposal

- ▶ To terminate the Land Use Contract (LUC76-1090) and to rezone the subject properties from RU1 – Large Lot Housing zone to P₄ – Utilities zone.

Development Process

Dec 9, 2020

LUC Termination Initiated by Staff



Dec 18, 2020

Owner Notification Completed



April 12, 2021

Initial Consideration



Public Hearing
Second & Third Readings

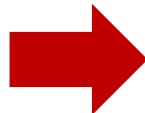


Final Reading



LUC Eliminated (1 year later)

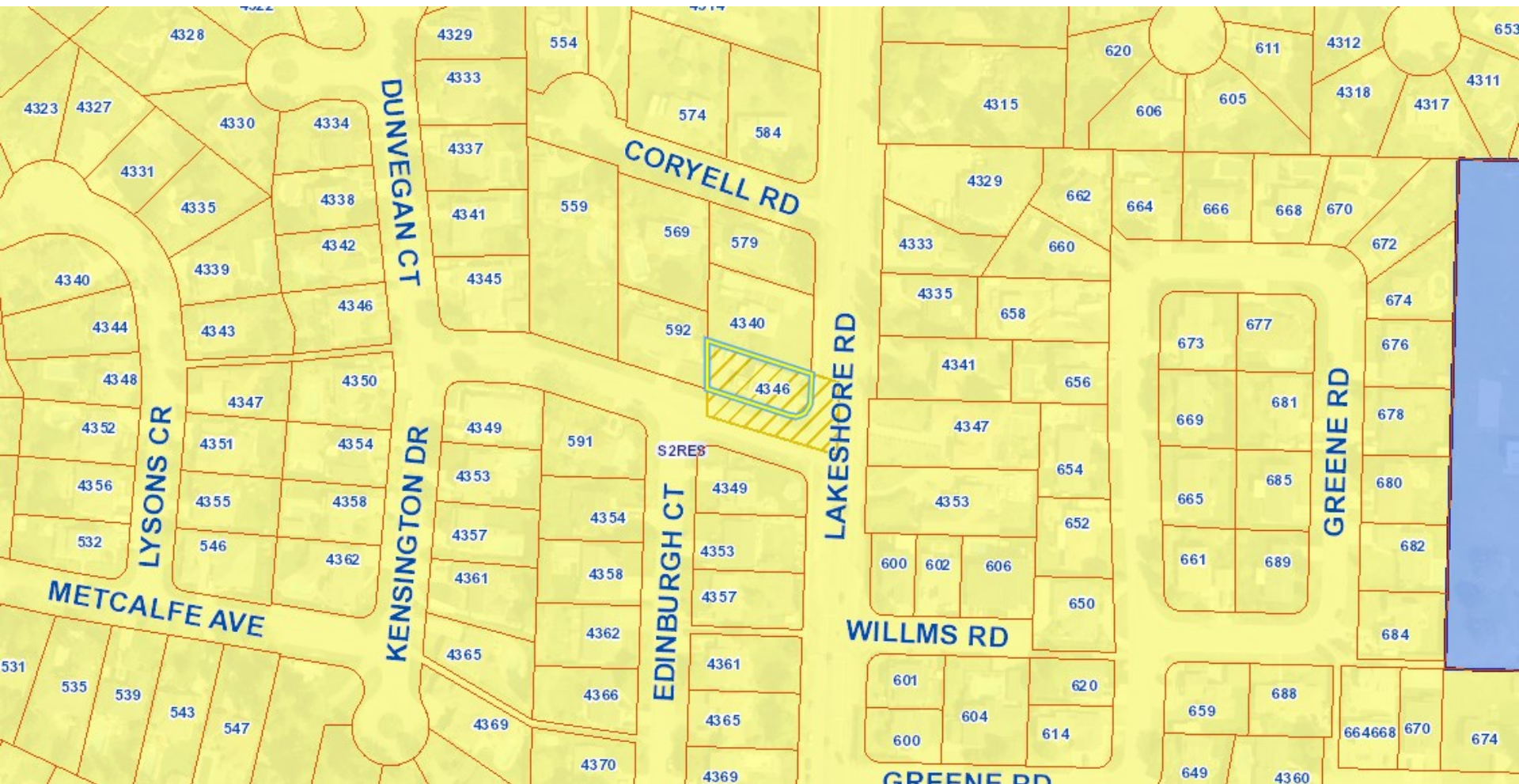
Council
Approvals



Context Map



OCP Future Land Use



Background

- ▶ Land Use Contracts: 1970's tool
- ▶ Allow local governments to grant development rights above and beyond current zoning
- ▶ Exchange for commitments from developers to help infrastructure costs
- ▶ BC Government requires all contracts to be discharged and/or terminated by 2024 and the appropriate zoning in place by 2022.
- ▶ If an applicant initiates a discharge – Staff initiate a termination

Project Details

- ▶ Staff initiated termination of LUC76-1090 for the subject property.
- ▶ The LUC allows them to operate a telephone exchange and nothing else.
- ▶ Staff are proposing to adopt P₄ - Utilities, which allows for the use of utility services.

Public Notification Policy #367

- ▶ Staff sent a letter of Proposed Termination of Land Use Contract to both property owners.
 - ▶ Sent on Dec 18th, 2020
- ▶ One-year grace period from Council consideration before the rezoning comes into effect.

Staff Recommendation

- ▶ Development Planning Staff recommend **support** for the proposed rezoning and land use contract discharge:
 - ▶ P₄ zone is appropriate to support existing use.
 - ▶ Province of BC requires all LUC's to be discharged/terminated.



Conclusion of Staff Remarks

CITY OF KELOWNA
BYLAW NO. 12135
LUCT20-0014

Early Termination of Land Use Contract – LUC76-1090
4346 Lakeshore Road

WHEREAS a land use contract (the "Land Use Contract LUC76-1090) is registered at the Kamloops Land Title Office under the charge number M48087 against lands in the City of Kelowna particularly known and described as Lot A District Lot 167 ODYD Plan 27865 (the "Lands"), located on Lakeshore Road, Kelowna, B.C.;

AND WHEREAS Section 548 of the *Local Government Act* provides that a local government may impose an early termination to land use contracts registered in a Land Title Office that applies to land within the jurisdiction of the local government;

NOW THEREFORE, the Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited for all purposes as "Early Termination of Land Use Contract Bylaw No. 12135";
2. "By-Law No. 4238-77" establishing Land Use Contract LUC76-1090 and all amendments thereto, are hereby repealed and the Land Use Contract is terminated as of the date of adoption; and
3. This bylaw will come into force and effect one year after the adoption date.

Read a first time by the Municipal Council this 12th day of April, 2021.

Considered at a Public Hearing this 11th day of May, 2021.

Read a second and third time by Municipal Council this

Adopted by the Municipal Council this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12136
Z20-0101 – 4346 Lakeshore Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A District Lot 167 ODYD Plan 27865 located at Lakeshore Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the P4 – Utilities zone
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 12th day of April, 2021.

Considered at a Public Hearing on the 11th day of May, 2021.

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: May 10, 2021
To: Council
From: City Manager
Department: Development Planning Department
Subject: TA20-0023

Recommendation

THAT Bylaw No. 12144 be amended at first reading to include the contents of this report;

AND THAT Zoning Bylaw Text Amendment Application TA20-0023 to amend City of Kelowna Zoning Bylaw No. 8000 as indicated in Schedule A and outlined in the Report from the Development Planning Department dated May 10, 2021 be considered by Council;

AND THAT the Zoning Bylaw Text Amendment Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

Purpose

To amend Zoning Bylaw No. 8000 by amending general fencing height regulations, adding Multiple Dwelling Housing use to C9 and home-base business use to C9 and CD-22, amending tall building urban design regulations in C4, C7 and C9, and to correct inconsistencies.

Background & Discussion

On February 2, 2021, Staff requested that Council defer 2nd and 3rd readings to complete additional consultation with stakeholders in the development industry to discuss amendments to the proposed bylaw changes. Staff engaged in those discussions and are proposing the changes outlined in this report.

Proposed Changes

Section 7 Landscaping and Screening

Staff changed the units of measurement from millimetres to meters to have a single standard of metric system used for consistency throughout the zoning bylaw.

Section 14 Commercial Zones

The allowable floor plate size in downtown Kelowna is currently 1221 m² which was an administrative error from 2017. Staff were proposing to reduce the floor plate size to 750 m² for residential, and 850 m² for commercial & hotel use. Following discussion with the development community, it was determined that the industry standards is to allow for a larger floor plate related to office use because of feasibility and the challenges of leasing smaller footprints. Staff have made an adjustment to increase the floor plate size to 930 m² for office use.

The proposed floor plate sizes, together with other important urban design regulations such as tower separation, building height and podium size are integral to establishing appropriate massing and scale of tall buildings and their impact on surrounding streets, parks, open spaces and properties. Tower floor plate size includes all built area within the building, measured from the exterior of the main walls at each floor above the base building, excluding balconies. Slender, point form towers with compact floor plates cast smaller, faster moving shadows, improve access to sky and mountain views, permit better views between buildings and through sites and contribute to a more attractive skyline. To ensure that these regulations do not eliminate the opportunity for larger mid-rise buildings such as the Innovation Centre and Interior Health building on Ellis St., the floor plate size will not apply unless the building exceeds 12 storeys or 40.0 m in height.


The final adjustment is to the setback requirements above the 4 storey or 16.0 m mark. Staff are proposing to establish a consistent 3.0m setback after the 4 storey or 16.0 m mark. This would reduce the existing sideyard setback from 4.0m to 3.0m and was a request from UDI to provide greater flexibility and building layout efficiency. Overall the setback, helps to recess the upper sections of the building from street view creating a less imposing experience and allowing greater levels of sunlight at street level. No setback will be applied to property lines abutting a rear laneways in order for the developers to achieve efficiency on less prominent elevations. The setback regulation will be included in all major mixed-use urban zones: C4, C7 and C9 zones.

Report prepared by:	Jason Issler, Planning Technician II
Reviewed by:	Jocelyn Black, Urban Planning Manager
Reviewed by:	Terry Barton, Development Planning Department Manager
Approved for Inclusion:	Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Schedule A: Summary of Changes

Schedule A – TA20-0023 – Proposed Text Amendments to Bylaw 8000.

No.	Section	Current Wording	Proposed Wording	Reason for Change
1.	Section 7 – Landscaping and Screening, 7.5 Fencing and Retaining Walls, 7.5.3.	No fence constructed at the natural grade in rural residential or residential zones shall exceed 2.0 m in height , except where abutting an agricultural or commercial zone , the maximum height is 2.4 m. Where fences are constructed adjacent to the Front Lot Line or a Flanking Street, the maximum fence height shall be 1.06 m	The maximum height for fences constructed at natural grade in rural residential zones shall not exceed 2.0 m in height , except where abutting an agricultural, industrial or commercial zone, the maximum height is 2.4 m. The maximum height for fences constructed at natural grade on commercial or industrial zoned properties shall not exceed 2.4 m. The maximum height for fences constructed at the natural grade in urban residential or multi-family zones shall not exceed 2.0 m in height , except that it shall not exceed 1.2 m in height within the minimum front yard or flanking street yard setbacks.	To update fence regulations to appropriate standards based on zoning.
<div style="border: 1px solid red; padding: 5px;"> <p style="color: red; font-weight: bold; font-size: 1.2em;">SCHEDULE</p> <p style="text-align: right; font-weight: bold; font-size: 1.2em;">A</p> <p style="color: red; font-size: 0.8em;">This forms part of application # TA20-0023</p> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: left;"> <p style="font-size: 0.7em;">Planner Initials</p> <div style="border: 1px solid black; padding: 2px 5px; display: inline-block;">JI</div> </div> <div style="text-align: center;">  <p style="font-weight: bold; font-size: 1.1em;">City of Kelowna</p> <p style="font-size: 0.6em;">DEVELOPMENT PLANNING</p> </div> </div> </div>				
2.	Section 7 – Landscaping and Screening, 7.6	Notwithstanding paragraph 7.6.1, buffer widths between a	Notwithstanding paragraph 7.6.1, buffer widths between a building	To correct spelling error.

	Minimum Landscape Buffers, 7.6.5.	building or structure and the property line may be reduced to the width of the required yard if the required yard is narrower than the buffer specified in that section, with the exception of level 5 buffering.	or structure and the property line may be reduced to the width of the required yard if the required yard is narrower than the buffer specified in that section, with the exception of level 5 buffering.	
3.	Section 8 – Parking and Loading, 8.5 Off-Street Bicycle Parking, 8.5.6 Long- Term Bicycle Parking Standards (c) ii.	ii. Wall-Mounted bicycle racks located in front of an automobile stall within a parkade will only be counted towards the minimum Long-Term Bicycle Parking if the automobile stall meets the minimum Regular - size vehicle standards.	ii. Wall-Mounted bicycle racks located in front of an automobile stall within a parkade will only be counted towards the minimum Long-Term Bicycle Parking if the automobile stall meets the minimum regular - size vehicle standards.	To Correct spelling error.
4.	Section 11 – Agricultural Zones, 11.1.6 (c) Development Regulations.	(c) For lots 0.4 ha and greater, a residential footprint must be registered on title for any residential development triggered by a Farm Protection Development Permit. The maximum residential footprint is 2,000 m ² . A second residential footprint up to 1,000 m ² may be registered for a mobile home for	(c) For lots 0.4 ha and greater, a residential footprint must be registered on title for any residential development triggered by a Farm Protection Development Permit. The maximum residential footprint is 2,000 m ² . A second residential footprint up to 1,000 m ² may be registered for a mobile	To correct spelling error.

SCHEDULE A

This forms part of application

TA20-0023



City of
Kelowna
DEVELOPMENT PLANNING

Planner
Initials

JL

Revised Date: 2020-11-17

		immediate family where permitted.	home for immediate family where permitted.	
5.	Section 14 – Commercial Zones, 14.4 C4 – Urban Centre Commercial, 14.4.5 Development Regulations.	N/A	<p>(h) For Mid-Rise and High-Rise structures:</p> <p>i. Any portion of a building above 16.0 m or 4 storeys (whichever is lesser) in height must setback a minimum of 3.0 m from all sides, except when abutting a laneway.</p> <p>ii. For structures taller than 40.0m or 12 storeys (whichever is lesser) in height, the floor plate above the 16.0 m or 4 storeys (whichever is lesser) cannot exceed:</p> <p>(a) 750 m² for residential use.</p> <p>(b) 850 m² for hotel use.</p>	<p>To bring buildings over 16.0m or 4 storeys in height to the same standard across all Zonings.</p> <p>To limit the floor plate size to encourage taller and slender developments to reduce overall massing.</p>

SCHEDULE

A

This forms part of application

TA20-0023

Planner Initials

Jl

City of Kelowna

DEVELOPMENT PLANNING

			(c) 930 m ² for office use.	
6.	Section 14 – Commercial Zones, 14.7 C7 – Central Business Commercial, 14.7.5 Development Regulations.	<p>(h) For any building above 16.0m in height:</p> <p>i. Any portion of a building above 16.0 m in height must be a minimum of 3.0 m. from any property line abutting a street.</p> <p>ii. Any portion of a building above 16.0 m in height must be a minimum of 4.0 m from any property line abutting another property.</p> <p>iii. A building floor plate cannot exceed 1,221 m².</p>	<p>(h) For Mid-Rise and High-Rise structures:</p> <p>i. Any portion of a building above 16.0 m or 4 storeys (whichever is lesser) in height must setback a minimum of 3.0 m from all sides, except when abutting a laneway.</p> <p>ii. For structures taller than 40.0m or 12 storeys (whichever is lesser) in height, the floor plate above the 16.0 m or 4 storeys (whichever is lesser) cannot exceed:</p> <p>(a) 750 m² for residential use.</p> <p>(b) 850 m² for hotel use</p>	<p>To bring buildings over 16.0m or 4 storeys in height to the same standard across all Zonings.</p> <p>To limit the floor plate size to encourage taller and slender developments to reduce overall massing.</p>

SCHEDULE

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TA20-0023



City of
Kelowna
DEVELOPMENT PLANNING

Planner
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JL

			(c) 930 m ² for office use.	
7.	Section 14 – Commercial Zones, 14.7 C7 – Central Business Commercial, 14.7.5 Development Regulations, Setback Table.	*Figure 1 below	*Delete	Remove table from zoning bylaw. Table no longer required as greater detail provided on floor plate sizes provided within zoning.
8.	Section 14 – Commercial Zones, 14.9 C9 – Tourist Commercial, 14.9.2 Principal Uses.	N/A	(l) multiple dwelling housing	To add multiple dwelling housing as a permitted principal use within the C9 Zoning.
9.	Section 14 – Commercial Zones, 14.9 C9 – Tourist Commercial, 14.9.3 Secondary Uses.	N/A	(m) home based businesses, minor	To allow home based businesses, minor as a permitted secondary use within residential units.
10.	Section 14 – Commercial Zones, 14.9 C9 – Tourist Commercial, 14.9.5 Development Regulations	N/A	<p>(f) For Mid-Rise and High-Rise structures:</p> <p>i. Any portion of a building above 16.0 m or 4 storeys (whichever is lesser) in height must setback a minimum of 3.0 m from all sides, except when abutting a laneway.</p> <p>iii. For structures taller than 40.0m or 12 storeys</p>	<p>To bring buildings over 16.0m in height to the same standard as Urban Centre Zonings.</p> <p>To limit the floor plate size to encourage taller and slender developments to reduce overall massing.</p>

SCHEDULE

A

This forms part of application


TA20-0023



City of
Kelowna
DEVELOPMENT PLANNING

Planner
Initials

JL

<div data-bbox="212 224 743 467" style="border: 1px solid red; padding: 5px;"> <p>SCHEDULE A</p> <p>This forms part of application # TA20-0023</p> <div style="display: flex; justify-content: space-between; align-items: center;"> <div> Planner Initials JI </div> <div style="text-align: center;">  City of Kelowna <small>DEVELOPMENT PLANNING</small> </div> </div> </div>			<p>(whichever is lesser) in height, the floor plate above the 16.0 m or 4 storeys (whichever is lesser) cannot exceed:</p> <p>(a) 750 m² for residential use.</p> <p>(b) 850 m² for hotel use</p> <p>(c) 930 m² for office use.</p>	
11.	Section 16- Public and Institutional Zones, 16.2 P2 – Education and Minor Institutional, 16.2.6 (d) Other Regulations.	For lots less than 1,000 m ² in area, a health services, minor use shall not generate more than six (6) clients to the site from which the business is being operated at any given time.	For lots greater than 1,000 m ² in area, a health services, minor use shall not generate more than six (6) clients to the site from which the business is being operated at any given time.	Error within zoning bylaw. Was intended to apply to lots greater than 1000 m ² .
12.	Section 18 – Schedule B – Comprehensive Development Zones CD14-CD27, CD22 – Central Green Comprehensive Development Zone, Schedule 7 – CD 22 Sub-Areas A & B Zoning, 7.3 Secondary Uses.	(k) offices (l) participant recreation services, indoor (m) personal service establishments (n) private clubs (o) public libraries and cultural exhibits	(k) home based businesses, minor (l) offices (m) participant recreation services, indoor (n) personal service establishments (o) private clubs (p) public libraries and cultural exhibits (q) religious assemblies	To permit the use of home based businesses, minor in sub areas A & B in portion of CD22.

		<p>(p) religious assemblies</p> <p>(q) retail stores, convenience</p> <p>(r) retail stores, general</p> <p>(s) short-term rental accommodation, subject to section 9.17 of this Bylaw</p> <p>(t) spectator entertainment establishments</p> <p>(u) used goods stores</p> <p>(v) utility services, minor impact</p>	<p>(r) retail stores, convenience</p> <p>(s) retail stores, general</p> <p>(t) short-term rental accommodation, subject to section 9.17 of this Bylaw</p> <p>(u) spectator entertainment establishments</p> <p>(v) used goods stores</p> <p>(w) utility services, minor impact</p>	
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*Figure 1

Setback Table

Height	Front and Flanking Yard Setback	Side Yard Setbacks	Floorplate
0.0 to 16.0 m	0.0 m	0.0 m	No restriction
16.0 m and above	3.0 m	4.0 m	1,221 m ²

SCHEDULE

A

This forms part of application

TA20-0023

Planner Initials

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City of Kelowna

DEVELOPMENT PLANNING



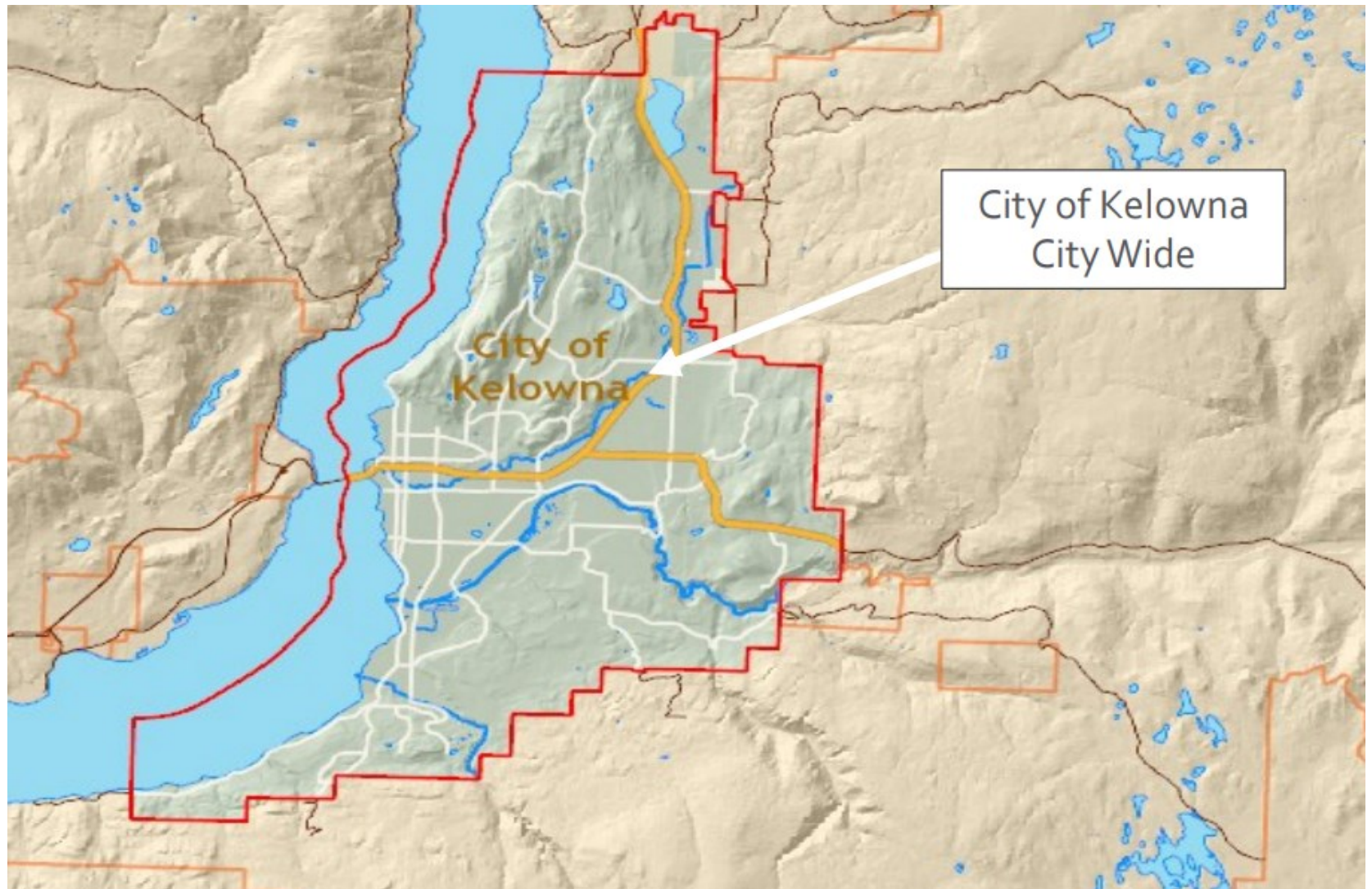
TA20-0023 Zoning Bylaw No. 8000 Amendments



Purpose

- ▶ To consider a Text Amendment application that proposes to amend general fencing height regulations, add Home Based Business, Minor & Multiple Dwelling Housing use to C9 zone and add Home Based Business, Minor to CD-22, and to amend tall building development regulations in C4, C7 and C9.

Context Map



Section 7: Landscaping and Screening

- ▶ Increase fence heights from 1.06 m to 1.2 m along front yards and flanking streets in Urban Residential and Multi-family zonings.
- ▶ Increase fence height in Rural Residential zonings to 2.0 m.

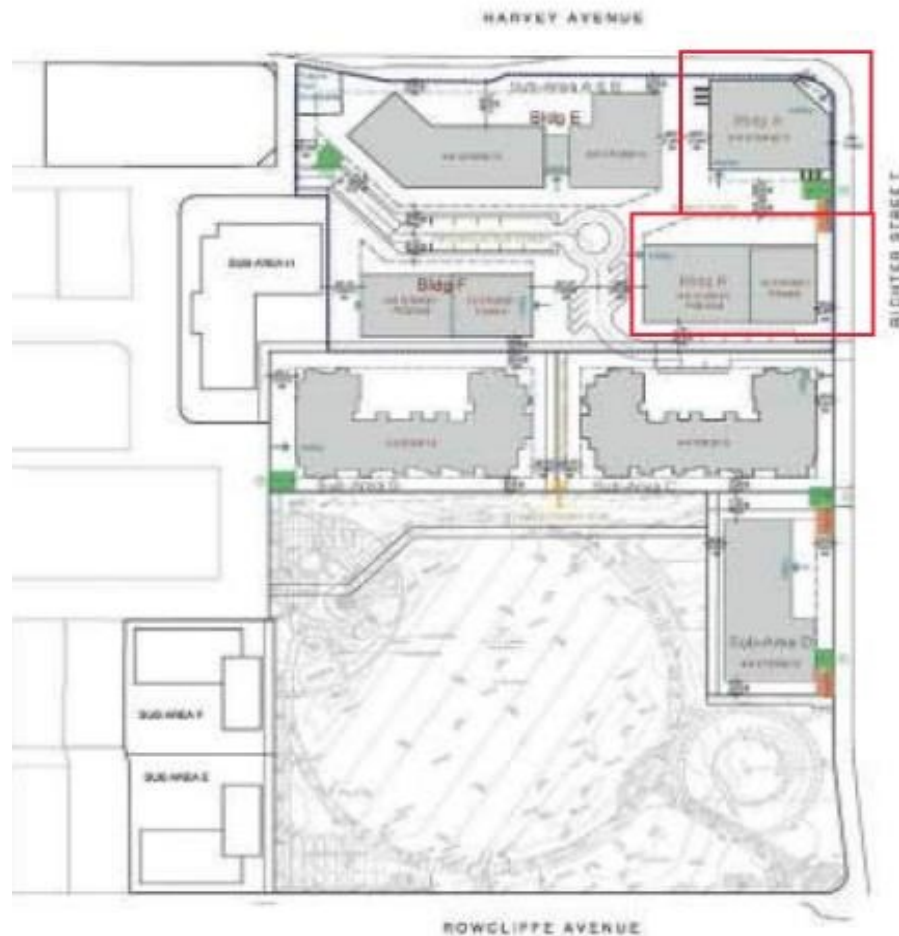


C9 – Tourist Commercial

- ▶ Add the use of Multiple Dwelling Housing into the C9 zoning as a principle use.
- ▶ Add the use of Home Based Business, Minor as a secondary use within the C9 Zoning.

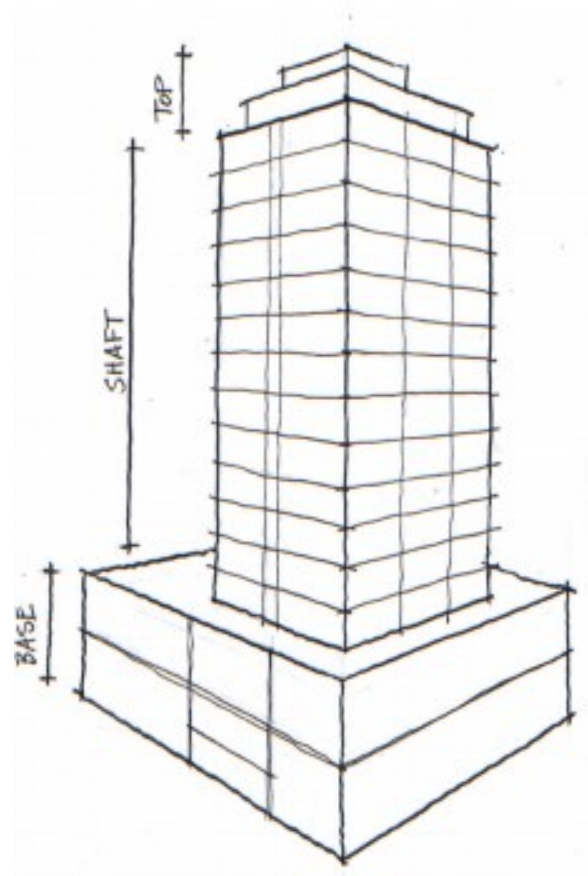
CD22 – Home Based Business

- Add the use of Home Based Business, Minor as a secondary use to Sub Areas A & B in the CD 22 Zoning (Central Green).



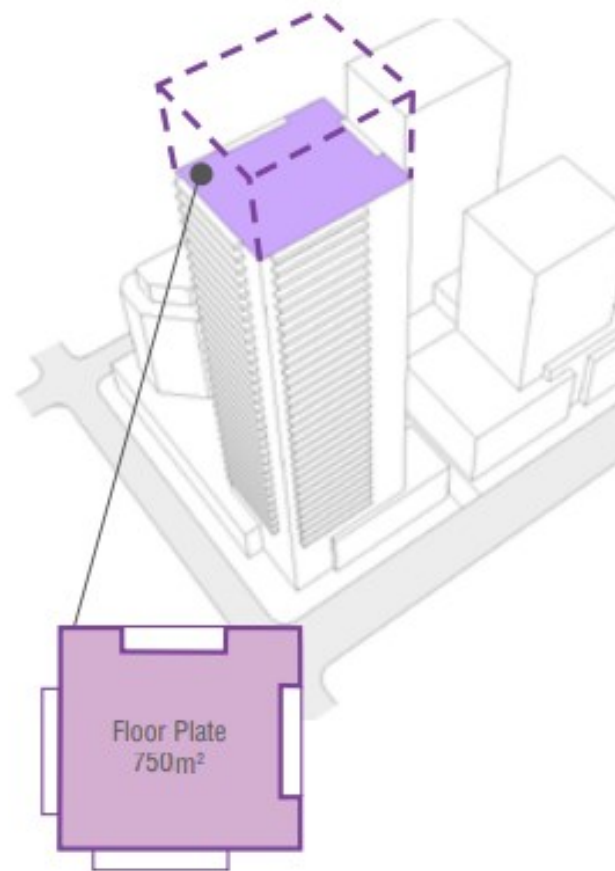
Large Structures Setbacks

- ▶ Add 3 m setback requirement after 16m, or 4 storeys, in C4 and C9 Zoning.
- ▶ Reduce minimum setback of 4 m from property line to 3 m after 16 m or 4 storeys.



Large Structure Floor Plates

- ▶ For buildings exceeding 12 storeys in height, after 16 m or 4 storeys, floorplate sizes will be limited to 750 m² for residential uses, 850 m² for hotel use and 930 m² for commercial uses.



Supporting Policies

Large Structure Setbacks

- ▶ Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing by stepping back upper floors to reduce visual impact.

Reduced floor plate sizes

- ▶ Promote interesting, pedestrian friendly streetscape design and pedestrian linkages

Supporting Policies

Addition of Home Based Business Use

- ▶ Assign priority to supporting the retention, enhancement and expansion of existing businesses and the attraction of new businesses and investment identified as bringing sustainable prosperity to Kelowna

Staff Recommendation

- ▶ Staff are recommending support for the proposed Text Amendments to sections 7, 8, 11, 14, 16, and 18 of Zoning Bylaw No. 8000.



Conclusion of Staff Remarks

CITY OF KELOWNA

BYLAW NO. 12144

TA20-0023 – Amendment to Sections 7, 8, 11, 14, 16 and 18

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT **Section 7 – Landscaping and Screening, 7.5 Fencing and Retaining Walls, 7.5.3** be amended by:

a) Deleting the following:

"No **fence** constructed at the **natural grade** in rural residential or **residential zones** shall exceed 2.0 m in **height**, except where **abutting** an agricultural or commercial **zone**, the maximum **height** is 2.4 m. Where fences are constructed adjacent to the Front Lot Line or a Flanking Street, the maximum fence height shall be 1.06 m"

And replacing it with:

"The maximum **height** for fences constructed at **natural grade** in rural residential zones shall not exceed 2.0 m in **height**, except where **abutting** an agricultural, industrial or commercial zone, the maximum **height** is 2.4 m. The maximum **height** for fences constructed at **natural grade** on commercial or industrial zoned properties shall not exceed 2.4 m. The maximum **height** for fences constructed at the **natural grade** in urban residential or multi-family zones shall not exceed 2.0 m in **height**, except that it shall not exceed 1.2 m in **height** within the minimum **front yard** or **flanking street** yard setbacks."

2. AND THAT **Section 7 – Landscaping and Screening, 7.6 Minimum Landscape Buffers, 7.6.5** be amended by:

b) Deleting the following:

"Notwithstanding paragraph 7.6.1, buffer widths between a building or structure and the property line may be reduced to the width of the required yard if the required yard is narrower than the buffer specified in that section, with the exception of level 5 buffering."

And replacing it with:

"Notwithstanding paragraph **7.6.1**, buffer widths between a building or structure and the property line may be reduced to the width of the required yard if the required yard is narrower than the buffer specified in that section, with the exception of level 5 buffering."

3. AND THAT **Section 8 – Parking and Loading, 8.5 Off-Street Bicycle Parking, 8.5.6 Long Term Bicycle Parking Standards(c) ii** be amended by:

c) Deleting the following:

"Wall-Mounted bicycle racks located in front of an automobile stall within a parkade will only be counted towards the minimum Long-Term Bicycle Parking if the automobile stall meets the minimum Regulated - size vehicle standards."

And replacing it with:

"Wall-Mounted bicycle racks located in front of an automobile stall within a parkade will only be counted towards the minimum **Long-Term Bicycle Parking** if the automobile stall meets the minimum regular - size vehicle standards."

4. AND THAT **Section 11 – Agricultural Zones, 11.1.6(c) Development Regulations** be amended by:

Deleting the following:

"(c) For **lots** 0.4 ha and greater, a **residential footprint** must be registered on title for any residential development triggered by a Farm Protection Development Permit. The maximum **residential footprint** is 2,000 m². A second residential footprint up to 1,000 m² may be registered for a **mobile home** for **immediate family** where permitted."

And replacing it with:

"(c) For **lots** 0.4 ha and greater, a **residential footprint** must be registered on title for any residential development triggered by a Farm Protection Development Permit. The maximum **residential footprint** is 2,000 m². A second residential footprint up to 1,000 m² may be registered for a **mobile home** for **immediate family** where permitted."

5. AND THAT **Section 14 – Commercial Zones, 14.4 C4 – Urban Centre Commercial, 14.4.5 Development Regulations** be amended by adding the following in its appropriate location:

"(h) For Mid-Rise and High-Rise structures:

- i. Any portion of a building above 16.0 m or **4 storeys** (whichever is lesser) in **height** must setback a minimum of 3.0 m from all sides, except when abutting a laneway.
- ii. For structures taller than 40.0 m or **12 storeys** (whichever is lesser) in **height**, the floor plate above the 16.0 m or **4 storeys** (whichever is lesser) cannot exceed:
 - (a) 750m² for residential use.
 - (b) 850 m² for **hotel** use.
 - (c) 930m² for office use."

6. AND THAT **Section 14 – Commercial Zones, 14.7 C7 – Central Business Commercial, 14.7.5 Development Regulations** be amended by:

Deleting the following:

"(h) For any building above 16.0m in height:

- i. Any portion of a building above 16.0 m in height must be a minimum of 3.0 m. from any property line abutting a street.
- ii. Any portion of a building above 16.0 m in height must be a minimum of 4.0 m from any **property line** abutting another **property**.
- iii. A building floor plate cannot exceed 1,221 m²."

And replacing it with:

"(h) For Mid-Rise and High-Rise structures:

- i. Any portion of a building above 16.0 m or **4 storeys** (whichever is lesser) in **height** must setback a minimum of 3.0 m from all sides, except when abutting a laneway.

- ii. For structures taller than 40.0 m or 12 **storeys** (whichever is lesser) in **height**, the floor plate above the 16.0 m or 4 **storeys** (whichever is lesser) cannot exceed:

- (a) 750m² for residential use.
- (b) 850 m² for **hotel** use.
- (c) 930m² for office use."

- 7. AND THAT **Section 14 – Commercial Zones, 14.7 C7 – Centre Business Commercial, 14.7.5 Development Regulations** be amended by deleting the following:

"Setback Table

Height	Front and Flanking Yard Setback	Side Yard Setbacks	Floorplate
0.0 to 16.0 m	0.0 m	0.0 m	No restriction
16.0 m and above	3.0 m	4.0 m	1,221 m ²

- 8. AND THAT **Section 14 – Commercial Zones, 14.9 C9 – Tourist Commercial, 14.9.2 Principal Uses** be amended by adding in its appropriate location:

"(l) **multiple dwelling housing**"

- 9. AND THAT **Section 14 – Commercial Zones, 14.9 C9 – Tourist Commercial, 14.9.3 Secondary Uses** be amended by adding in its appropriate location:

"(m) **home based businesses, minor**"

- 10. AND THAT **Section 14 – Commercial Zones, 14.9 C9 – Tourist Commercial, 14.9.5 Development Regulations** be amended by adding in its appropriate location:

"(f) For Mid-Rise and High-Rise structures:

- i. Any portion of a building above 16.0 m or 4 **storeys** (whichever is lesser) in **height** must setback a minimum of 3.0 m from all sides, except when abutting a laneway.
- ii. For structures taller than 40.0 m or 12 **storeys** (whichever is lesser) in **height**, the floor plate above the 16.0 m or 4 **storeys** (whichever is lesser) cannot exceed:
 - (a) 750m² for residential use.
 - (b) 850 m² for **hotel** use.
 - (c) 930m² for office use."

- 11. AND THAT **Section 16 – Public and Institutional Zones, 16.2 P2 – Education and Minor Institutional, 16.2.6(d) Other Regulations** be amended by:

Deleting the following:

"For lots less than 1,000 m² in area, a **health services, minor** use shall not generate more than six (6) clients to the site from which the business is being operated at any given time."

And replacing it with:

"For lots greater than 1,000 m² in area, a **health services, minor** use shall not generate more than six (6) clients to the site from which the business is being operated at any given time."

12. AND THAT **Section 18 – Schedule B – Comprehensive Development Zones, CD14–CD27, CD22 – Central Green Comprehensive Development Zone, Schedule 7 – CD22 Sub-Areas A & B Zoning, 7.3 Secondary Uses** be amended by adding in its appropriate location:

“(w) home based businesses, minor”

13. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 18th day of January, 2021.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: May 17, 2021

To: Council

From: City Manager

Department: Development Planning

Application: OCP21-0006, Z21-0015 **Owner:** Provincial Rental Housing Corporation, Inc.No. BC0052129

Address: 1451 & 1469 Bertram Street **Applicant:** S2 Architecture & BC Housing

Subject: Official Community Plan Amendment and Rezoning Applications

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

Proposed OCP Designation: MXR – Mixed Use (Residential/Commercial)

Existing Zone: RM5 – Medium Density Multiple Housing

Proposed Zone: C7r – Central Business Commercial (Residential Rental Tenure Only)

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP21-0006 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 3 Block E District Lot 139 ODYD Plan 2345 and Lot A District Lot 139 ODYD Plan 15900 located at 1451 and 1469 Bertram Street, Kelowna, BC from the MRM – Multiple Unit Residential (Medium Density) designation to the MXR – Mixed Use (Residential/Commercial) designation, be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the *Purpose* of Section 475 of the *Local Government Act*, as outlined in the Report from the Development Planning Department dated May 17, 2021;

AND THAT Rezoning Application No. Z21-0015 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3 Block E District Lot 139 ODYD Plan 2345 and Lot A District Lot 139 ODYD Plan 15900, located at 1451 and 1469 Bertram Street, Kelowna, BC from the RM5 – Medium

Density Multiple Housing zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated May 17, 2021;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property.

2.0 Purpose

To amend the Official Community Plan Future Land Use from MRM – Multiple Unit Residential (Medium Density) to MXR – Mixed Use (Residential/Commercial) and to rezone the subject properties from the RM5 – Medium Density Multiple Housing zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone to facilitate the development of a mixed-use multiple dwelling rental housing project.

3.0 Development Planning

Staff are supportive of the proposed Official Community Plan (OCP) amendment and rezoning applications to facilitate the development of the mixed-use rental project at this site. The parcels are within the Downtown Urban Centre and amending the OCP future land use to MXR – Mixed Use (Residential/Commercial) is supportable by staff as the parcels are in central location close to Bernard Avenue. This is shown through the subject properties walkscore of 96 – Walker's Paradise (daily errands do not require a vehicle). The density increase at this location is supportable due to the proximity of commercial services (which includes grocery, pharmacy and restaurants), employment, transit, parks, downtown cultural amenities and entertainment, all within walking distance of the site.

The OCP amendment allows the project to be developed within the C7 -Central Business Commercial zone and the commercial component of the zone will be fulfilled through the provision of a daycare fronting onto Bertram Street. At-grade townhouses are provided along a portion of the Bertram Street frontage and on the north façade to establish a sensitive transition to the existing low-rise multi-family residential developments located to the north and south of the site.

The Ministry of Transportation and Infrastructure (MOTI) was circulated on the applications and have determined that a Traffic Impact Assessment (TIA) was not required for the project as the minimum threshold of 100 trips/ hour is not generated. Should Council support the amending Bylaws, MOTI sign-off of the bylaw would be required prior to final adoption. Lot consolidation and an 0.80 m rear lane dedication will be provided through a Technical Subdivision application and is required to be registered on title prior to adoption of the associated Bylaws.

Staff have reviewed the applications, and it may move forward without affecting either the City's Financial Plan or Waste Management Plan.

4.0 Proposal

4.1 Background

From inception of the project proposal, BC Housing has engaged in conversation with both staff and the greater community and the feedback received formed the final application submission. The applicant created a webpage on the BC Housing website: <https://letstalkhousingbc.ca/kelowna-bertram> to allow public access to the information at anytime. The webpage provides a number of informational documents which describe the project and the vision along with the evolution of the proposal (refer to Attachment 'C').

4.2 Project Description

The proposal consists of two parcels that will be consolidated into a single property. The south parcel is currently vacant, and the north parcel has a single-family dwelling which would be demolished to facilitate the development. The proposal is for a 20-storey building, which includes a 3-storey parking podium with a 17-storey residential tower above. The tower includes 162 rental units and the podium proposes a daycare along with 14 town homes to screen the parkade behind.

Affordable rental units within the downtown core are much needed. The development proposes affordable non-market and market rental housing, accessible housing and daycare services. The project is intended to benefit local medium and low-income seniors, couples, individuals and families who are facing challenges meeting their housing and childcare needs.

The project proposes a floor area ratio (FAR) of 3.34 while the C7 zone allows for a maximum FAR of 9.0. The C7 zone – Downtown Building Heights Map, indicates a maximum building height of 12 storeys and 37 m. The project proposes one variance to the building height to allow for 20 storeys and 63 m. All parking requirements, site coverage and setbacks meet the zoning bylaw regulations.

Should Council support the OCP amendment and Rezoning Bylaws, staff would bring forward a form and character development permit along with the associated variance. The project would be reviewed against the OCP design guidelines, the Zoning Bylaw and other applicable policies.

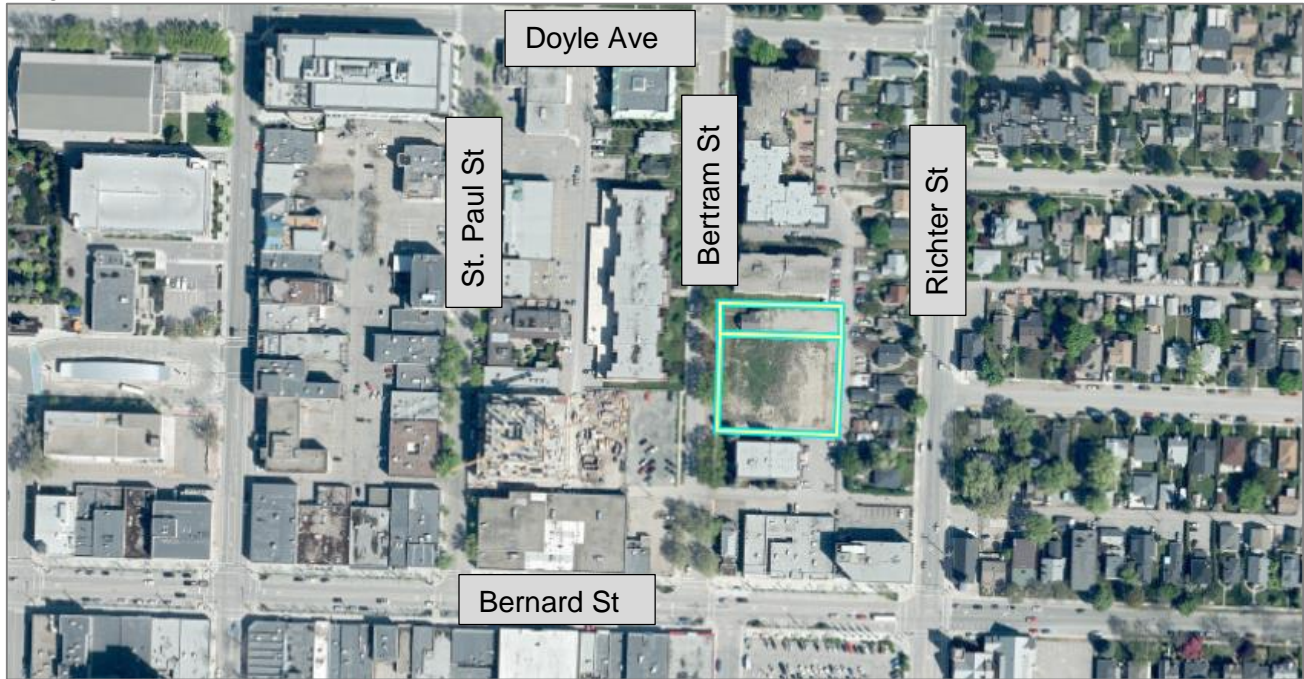
4.3 Site Context

The subject properties are located in the Downtown Urban Centre on Bertram Street, a ½ block north of Bernard Avenue. The two lots have a combined area of 4,131 m² area and are within an area with a number of urban amenities and employment opportunities. The properties are within the permanent growth boundary and are connected to city services.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM5 – Medium Density Multiple Housing	Multi-Family Residential
East	RU6 – Two Dwelling Housing	Single Family Dwellings
South	RM5 – Medium Density Multiple Housing, C7 – Central Business Commercial	Multi-Family Residential, Commercial
West	RU6 – Two Dwelling Housing, RM5 – Medium Density Multiple Housing	Vacant Lot (Tower proposal), Multi-Family Residential

Subject Property Map: 1451 & 1469 Bertram Street



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goals for a Sustainable Future:

Contain Urban Growth – Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Chapter 5: Development Process

Objective 5.1 Ensure new development is consistent with OCP goals

Policy .1 Vision and Goals. Staff will evaluate all development applications in the context of the community's vision and goals as expressed in Chapter 1.

Objective 5.3 Focus Development to designated growth areas.

Policy .2 Compact Urban Form. 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.

Objective 5.9 Support the creation of affordable and safe rental, non-market and/or special needs housing.

6.0 Technical Comments

6.1 Development Engineering Department

Refer to Schedule 'A' dated February 22, 2021.

6.2 Ministry of Transportation and Infrastructure (MOTI)

The Ministry has reviewed the referral documents submitted as part of this application and can advise that we have no objection or further comments on this application. Please forward the bylaw for Ministry signature after it has achieved 3rd reading.

7.0 Application Chronology

Date of Application Accepted: February 16, 2021

Date Public Consultation Report Submitted: April 29, 2021

Report prepared by: Lydia Korolchuk, Planner Specialist

Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Conceptual Drawing Package

Attachment B: Project Rationale

Attachment C: Applicant Public Consultation Documentation



CITY OF KELOWNA
MEMORANDUM

Date: February 22, 2021
File No.: Z21-0015
To: Community Planning (LK)
From: Development Engineering Manager (JK)
Subject: 1451-1469 Bertram St. RM5 to C7/C7r

The Development Engineering Department has the following comments and requirements associated with this Rezoning application to rezone the subject properties from RM5 to C7/C7r Central Business Commercial/ Central Business Commercial (Residential Rental Tenure only)

The Development Engineering Technologist for this project is Ryan O'Sullivan

1. General

a) The following are requirements as laid out in this Engineering Memo for this rezoning application for a 20-storey residential tower.

- i. Frontage Improvements on Bertram Street
- ii. Laneway Improvements and dedication
- iii. Water service upgrade
- iv. Sanitary service upgrade
- v. Sanitary down stream analysis from the development to the Raymer Road Treatment Plant
- vi. Landscape requirements on Bertram St.
- vii. A Site Preparation Security Agreement needs to be completed and signed.

b) Provide easements as may be required.

c) The proposed development may require the installation of centralized mail delivery equipment. Please contact Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC, V1Y 2K0, to obtain further information and to determine suitable location(s) within the development.

d) The proposed development triggers a traffic impact assessment. The applicant's transportation engineer shall contact the City's Development Engineering group to determine the terms of reference for the study. Recommendations from the Traffic Impact Analysis (TIA) will become requirements of the building permit release.

e) The proposed development is subject to the review and requirements from the Ministry of Transportation (MOT) Infrastructure Branch. Requirements from the Ministry will become requirements of the building permit release.



2. Domestic Water and Fire Protection

- f. Provide an adequately sized domestic water and fire protection system. The water system must be capable of supplying domestic and fire flow demands for the project in accordance with the Subdivision, Development & Servicing Bylaw. Provide water calculations for this property to confirm this. Ensure every building site is located at an elevation that ensures water pressure is within the bylaw pressure limits.
- g. Our records indicate that these properties are currently serviced with three Services 100mm, 38mm and a 19mm Water service. The applicant's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted for this development. The applicant will arrange for the removal and disconnection of the existing services and the installation of one new service at the applicant's cost.
- h. The property is located within the City of Kelowna service area. Only one service will be permitted to the site. The applicant, at his cost, will arrange for the removal of the existing services and the installation of one new larger metered water service.
- i. An approved backflow protection device must also be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.
- j. A water meter is mandatory for this development and must be installed inside a building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at their cost.

3. Sanitary Sewer

- k. Our records indicate that these properties are currently serviced with two 100mm-diameter and a 150mm sanitary sewer service. The applicant's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted for this development. The applicant will arrange for the removal and disconnection of the existing services and the installation of one new service at the applicant's cost.

4. Storm Drainage

- a. The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and recommendations for onsite drainage containment and disposal systems.
- b. On site storm drainage systems for the site will be reviewed and approved by Engineering when a site servicing design is submitted.
- c. There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

**5. Road Improvements**

- a. Bertram St. is urbanized but the existing curb and sidewalk are in a deteriorated state. The existing driveways and letdowns will need to be removed and replaced with barrier curb and gutter and sidewalk. The upgrades to Bertram St. that are required are curb, gutter, boulevard, driveway letdown and sidewalk removal and reconstruction, as well as the re-location or adjustment of any existing utility appurtenances if required to accommodate the upgrading construction.
- b. Bertram St. in other sections will possibly be required to be upgraded for pedestrian and Bicycle movements.
- c. The laneways fronting this development have already been upgraded to an asphalt standard therefore, the only upgrades that are required is the pavement widening and a storm drainage system.
- d. Existing Street tree must be protected.

6. Road Dedication and Subdivision Requirements

- a. By Registered plan to provide the following
 - i. Dedicate 0.8m width along the North-South full lane frontage
 - ii. Grant statutory rights-of-way if required for utility services

7. Electric Power and Telecommunication Services

- a. All proposed service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost
- b. Re-locate existing utilities, where necessary

8. Design and Construction

- a. Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b. Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c. Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d. A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e. Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs

**9. Other Engineering Comments**

- a. Provide all necessary Statutory Rights-of-Way for any utility corridors as required.
- b. If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager

10. Development Permit and Site Related Issues

- a. Provide all necessary Statutory Rights-of-Way for any utility corridors as required.
- b. If any road dedication affects lands encumbered by a Utility right-of-way (such as Fortis, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.
- c. Access to the development will be from the lane only.

11. Geotechnical Study

- (a) Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision. The Geotechnical reports must be submitted to the Development Services Department for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval:
 - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - ii. Site suitability for development.
 - iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
 - iv. Any special requirements for construction of roads, utilities and building structures.
 - v. Recommendations for items that should be included in a Restrictive Covenant.
 - vi. Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
 - vii. Any items required in other sections of this document.

Additional geotechnical survey may be necessary for building foundations, etc

12. Servicing Agreements for Works and Services

- a. A Servicing Agreement is required for all offsite works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900.

The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.

- b. Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

13. Bonding and Levy Summary

- a. Service Agreement Bonding

To be Determined

James Kay

James Kay, P. Eng.
Development Engineering Manager

RO

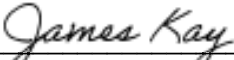
SCHEDULE		A
This forms part of application		
# Z21-0015 OCP21-0006		
Planner Initials	LK	 City of Kelowna DEVELOPMENT PLANNING

CITY OF KELOWNA

MEMORANDUM

Date: February 22, 2021
File No.: OCP21-0006
To: Urban Planning Management (LK)
From: Development Engineering Manager (JK)
Subject: 1451-1469 Bertram St. MRM to MXR

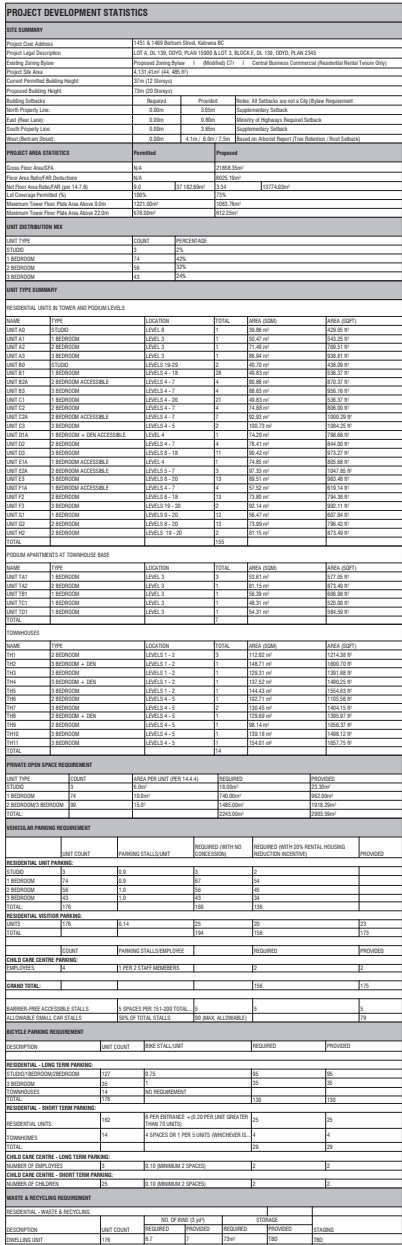
The Development Engineering Branch has no comments and requirements associated with this proposed Official Community Plan Amendment to change the Future Land Use from MRM Multiple Unit Residential (Medium Density) to MXR Mixed Use (Residential/ Commercial) are addressed in the Development Engineering Memos Z21-0015.



James Kay, P.Eng.
Development Engineering Manager

<h2 style="margin: 0;">SCHEDULE</h2>		A
<div style="text-align: center;">This forms part of application # Z21-0015 OCP21-0006</div>		
Planner Initials	<div style="border: 1px solid black; display: inline-block; padding: 2px 10px;">LK</div>	<div style="display: flex; align-items: center; justify-content: flex-end;"><div style="text-align: center;"><div style="font-size: 0.8em;">City of</div><div style="font-weight: bold; font-size: 1.2em;">Kelowna</div><div style="font-size: 0.6em;">DEVELOPMENT PLANNING</div></div></div>

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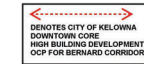
ARBORIST:
M2 LANDSCAPE ARCHITECTURE
#220, 26 LORNE MEWS
NEW WESTMINSTER, BC, V3M 3L7
PHONE: 604.553.0044
CONTACT: MEREDITH MITCHELL
office@m2la.com


DP0.0



City of Kelowna
DEVELOPMENT PLANNING

The addition of housing options in the downtown core is indicative of the City's projected population and residential growth rate.



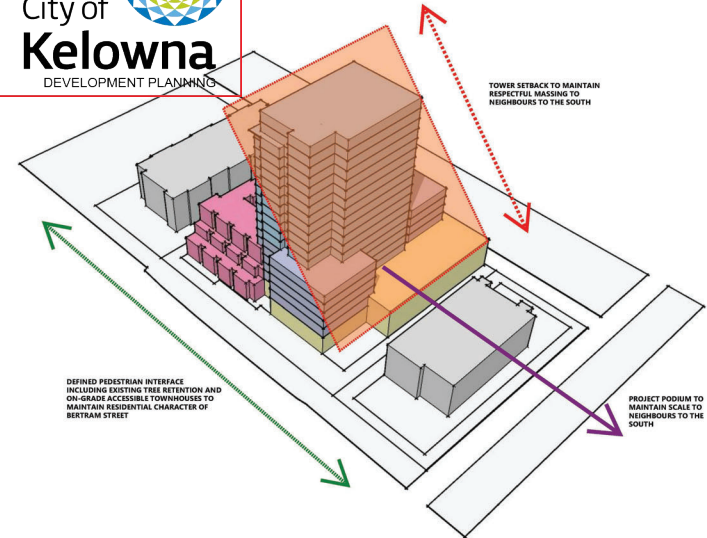
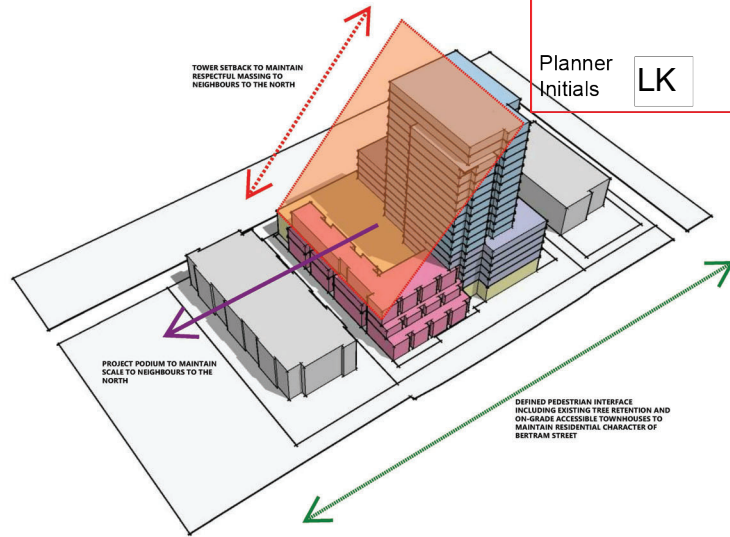

 DENOTES CITY OF KELOWNA
 DOWNTOWN CORE
 HIGH BUILDING DEVELOPMENT
 OCP FOR BERNARD CORRIDOR

DP0.3

A

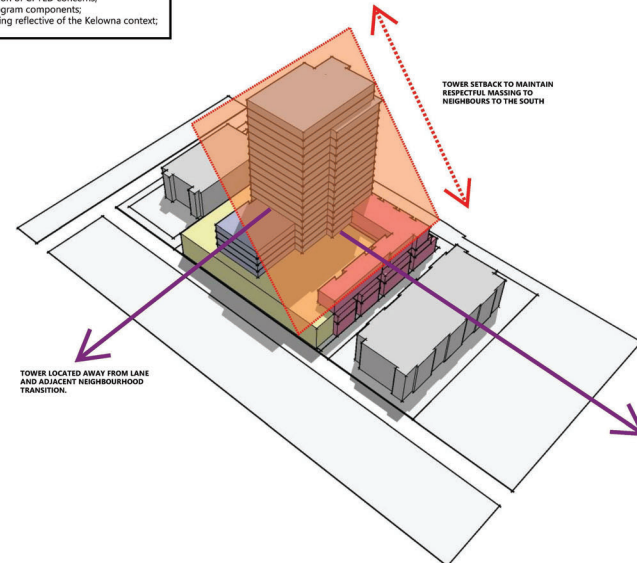
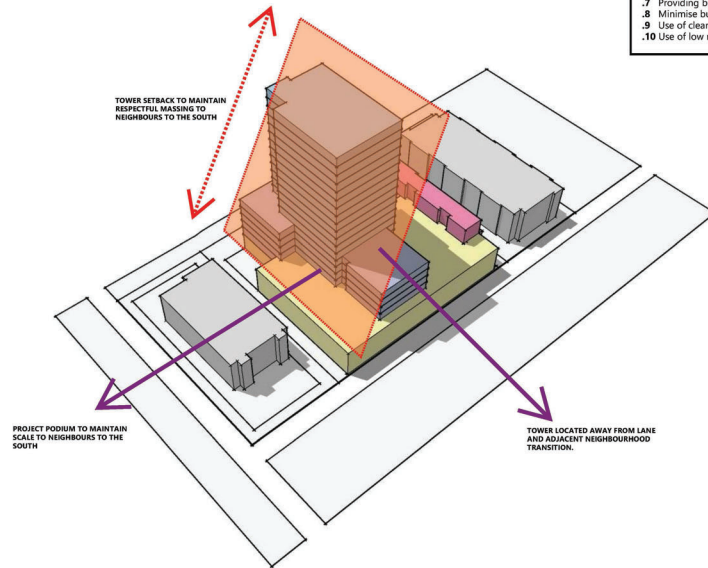


Planner
Initials



**MASSING DIAGRAM LOOKING NORTH EAST
from BERTRAM STREET**

1. Provide pedestrian scale and tactility by using residential exterior materials;
2. Providing on grade access to define public, semi private, and private spaces;
3. Providing on grade uses to enhance security via "eyes on the street";
4. Use appropriate scale of building elements to further enhance the residential uses;
5. Provide meaningful height transition via townhouses, building base, podium, and tower;
6. Create visual continuity with neighbouring buildings with base building transition;
7. Providing building articulation to enhance massing and detail diversity;
8. Minimise building logs (specifically at grade) for mitigation of CPED concerns;
9. Use of clear and distinct signage to identify building program components;
10. Use of low maintenance and high quality building cladding reflective of the Kelowna context;



**MASSING DIAGRAM LOOKING NORTH EAST
from LANE**



MASSING CONCEPT

BC HOUSING - BERTRAM STREET AFFORDABLE HOUSING PROJECT
1451 & 1469 BERTRAM ST, KELOWNA, BC
BC HOUSING

is drawing supercedes previous known. Do not scale these wings.

ISSUED FOR	DATE
BCH REVIEW	2020-12-18
DP SUBMISSION	2020-02-08

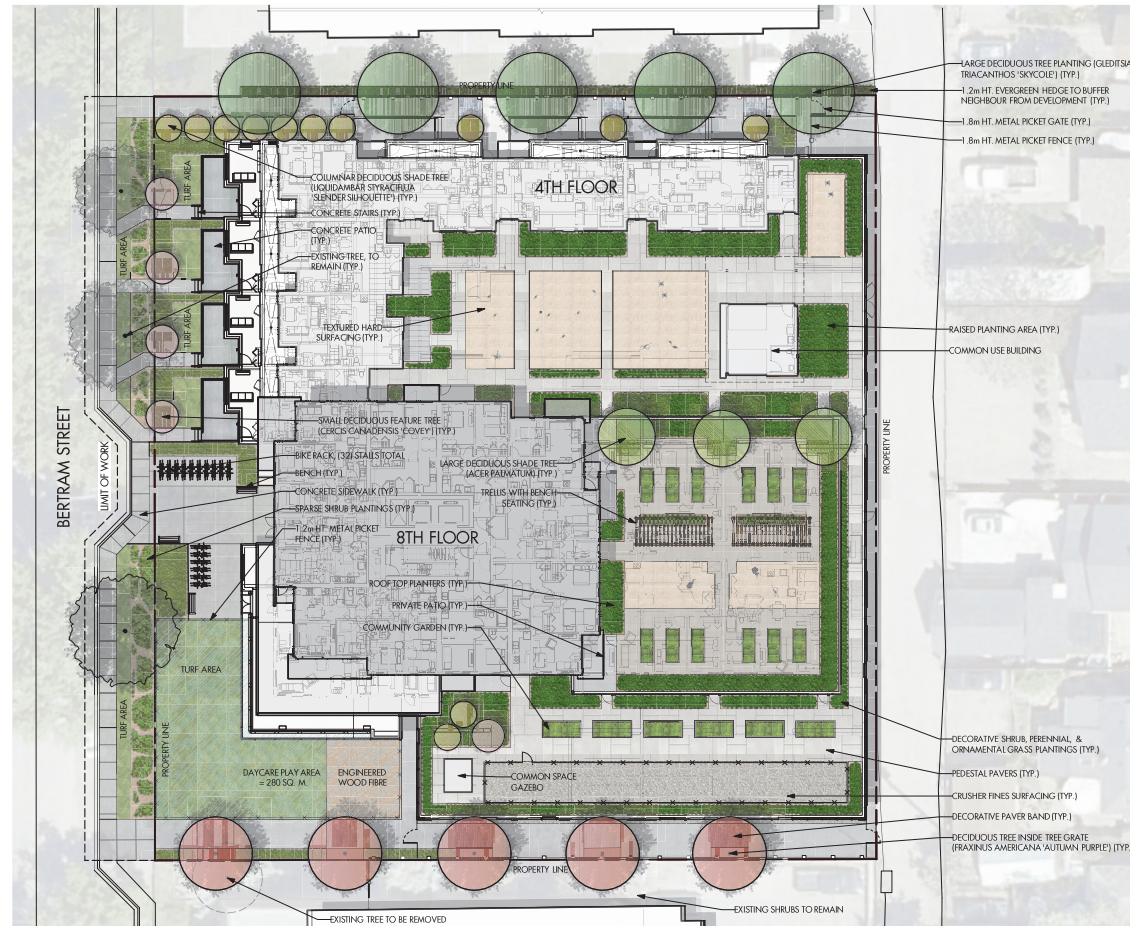
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DATE	2/4/2021 1:10:01 PM
OWN BY	M.D./J.H.
CHECKED BY	S.J.H.

LEADING NO.

DP0.4

Planner
Initials

LK

City of
Kelowna
DEVELOPMENT PLANNINGOUTLAND DESIGN
LANDSCAPE ARCHITECTURE303-590 KLO Road
Kelowna, BC V1Y 7S2
T (250) 868-9270
www.outlanddesign.ca

NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED C.L.N.A. STANDARDS.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIED UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 75mm WOOD MULCH. DO NOT PLACE WOOD MULCH UNDERNEATH TREE AND SHRUB BEDS.
4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.
5. TURF AREAS FROM SOD SHALL BE NO. 1 GRADE GROWN FROM CERTIFIED SEED OF IMPROVED CULTIVARS REGISTERED FOR SALE IN B.C. AND SHALL BE TOLERANT OF DROUGHT CONDITIONS. A MINIMUM OF 150mm DEPTH OF GROWING MEDIUM IS REQUIRED BENEATH TURF AREAS. TURF AREAS SHALL MEET EXISTING GRADES AND HARD SURFACES FLUSH.
6. SITE GRADING AND DRAINAGE WILL ENSURE THAT ALL STRUCTURES HAVE POSITIVE DRAINAGE AND THAT NO WATER OR LOOSE IMPEDIMENTS WILL BE DISCHARGED FROM THE LOT ONTO ADJACENT PUBLIC, COMMON OR PRIVATE PROPERTIES.
7. ALL BOULEVARD OFF-SITE IMPROVEMENTS TO BE IN CONFORMANCE WITH CITY OF KELOWNA SUBDIVISION AND DEVELOPMENT SERVING BYLAW 7900.

PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE/SPACING & REMARKS
TREES			
ACER PALMATUM	JAPANESE MAPLE	5	6cm CAL.
CERCIS CANADENSIS 'COVEY'	LAVENDER TWIST REDBUD	5	6cm CAL.
FRAXINUS AMERICANA 'AUTUMN PURPLE'	AUTUMN PURPLE ASH	5	6cm CAL.
LIQUIDAMBAR SYRIACIFOLIA 'SLENDER SILHOUETTE'	SLENDER SILHOUETTE SWEETGUM	12	6cm CAL.
TILIA CORDATA 'GREEN SPIRE'	GREEN SPIRE LINDEN	3	6cm CAL.
SHRUBS			
Berberis 'THUNBERG' 'MONOMBI'	CHERRY BOMB BARBERRY	35	#02 CONT. / 1.2M O.C. SPACING
BURLES 'GREEN MOUNTAIN'	GREEN MOUNTAIN BOXWOOD	35	#02 CONT. / 1.2M O.C. SPACING
CORNUS SANGUINEA 'MIDWINTER FIRE'	MIDWINTER FIRE DOGWOOD	23	#02 CONT. / 1.5M O.C. SPACING
EUCONYMIUS ALATUS 'SELECT'	FIRE BALL BURNING BUSH	35	#02 CONT. / 1.2M O.C. SPACING
JUNIPERUS 'EXIMIO'	EXIMIO JUNIPER	13	#02 CONT. / 2.0M O.C. SPACING
PINUS SYLVESTRIS 'GLAUCANANA'	DWARF BLUE SCOTCH PINE	16	#02 CONT. / 1.8M O.C. SPACING
ROSA MELWOODAE	ROYAL BONICA ROSE	25	#02 CONT. / 1.2M O.C. SPACING
PERENNIALS & ORNAMENTAL GRASSES			
AQUILEGIA VULGARIS 'BLACK BARLOW'	BLACK BARLOW COLUMBINE	60	#01 CONT. / 0.6M O.C. SPACING
CAULANAGROSIS ACUTIFOLIA 'KARL FOERSTER'	KARL FOERSTER FEATHER REED GRASS	39	#01 CONT. / 0.75M O.C. SPACING
DICENTRA SPECTABILIS	PINK BLEEDING HEART	22	#01 CONT. / 0.9M O.C. SPACING
HEPETA X PAULSINI 'WALKER'S LOW'	WALKER'S LOW CATPANT	15	#01 CONT. / 1.2M O.C. SPACING
PACHYSANDRA TERMINALIS	JAPANESE SPURGE	39	#01 CONT. / 0.75M O.C. SPACING
PAUSTIMA CANBYI	CLIFF GREEN	39	#01 CONT. / 0.75M O.C. SPACING
POLYNESTUM ACROICURIOIDES	FOUNTAIN GRASS	15	#01 CONT. / 1.2M O.C. SPACING
RUDBECKIA FLORIDA 'GOLDSTURM'	GOLDSTURM CONEFLOWER	39	#01 CONT. / 0.75M O.C. SPACING
SEDUM SPECTABILE 'AUTUMN FIRE'	AUTUMN FIRE STONECROP	60	#01 CONT. / 0.6M O.C. SPACING
VINES			
LONICERA HECROTITI 'GOLDPLUME'	GOLDPLUME HONEYBUCKLE	22	#01 CONT. / SPACING PER PLANS
PARTICOCASSUS QUINQUEFOLIA	VIRGINIA CREEPER	22	#01 CONT. / SPACING PER PLANS



PROJECT TITLE

BERTRAM BC HOUSING
1451 & 1469 BERTRAM STREET

Kelowna, BC

DRAWING TITLE

CONCEPTUAL
LANDSCAPE PLAN

SHEET NO. / REVISION

1	20.12.10	Review
2	21.02.02	Development Permit
3		
4		

PROJECT NO. 10007

DESIGN BY TB

DRAWN BY JK

CHECKED BY TB

DATE: FEB. 3, 2021

SCALE: 1/200

PAGE SIZE: 24x36

SHEET



DRAWING NUMBER

L1/2ISSUED FOR REVIEW ONLY
This drawing is the property of Outland Design
Landscape Architecture Limited and shall not be reproduced, copied, or
reused without permission.

This forms part of application

Z21-0015 OCP21-0006

Planner
Initials

LK

City of
Kelowna
DEVELOPMENT PLANNING

BERTRAM STREET AFFORDABLE HOUSING PROJECT

1451 - 1469 BETRAM STREET KELOWNA, BC

PROJECT PLANNING REPORT | DESIGN RATIONALE |
TRAFFIC AND SUSTAINABILITY EXECUTIVE SUMMARIES

REZONING AND DEVELOPMENT PERMIT APPLICATION: FEBRUARY 8TH, 2021



Leadership in Affordable Rental Housing for Downtown Kelowna

BC Housing - 1451 and 1469 Bertram Street

Introduction

BC Housing's redevelopment initiative for 1451 and 1469 Bertram Street responds to the urgent need for **affordable non-market rental housing, affordable market rental housing, accessible housing and daycare services** in Kelowna's downtown. This redevelopment will benefit local medium and low-income seniors, couples, individuals and families who face significant challenges in meeting their housing and childcare needs.

The construction of 162 new apartments and 14 new townhomes in the City Centre will contribute to a more compact and sustainable urban form for Kelowna. The redevelopment will allow for more efficient use of existing municipal services and infrastructure and will replace aging municipal infrastructure along Bertram Street with new infrastructure, built to today's environmentally progressive standards. The redevelopment will voluntarily meet the BC Step Code 3 standard for energy efficiency and future residents will benefit from multi-modal transportation options and incentives.

Kelowna's downtown will benefit from the vitality future residents will bring to the area and from the diversity of housing options provided. Special attention is paid to building an *inclusive* community, integrating and connecting families, seniors and youth. Housing will support aging in place and the unique needs of people with disabilities, including the provision for dedicated wheelchair accessible housing. 11% of the units in the project are wheelchair accessible which is twice the minimum 5% BC Housing requirement. An on-site daycare will support local families by providing childcare options close to work and home.

The proposed form and character of the redevelopment delicately balance the importance of remaining sensitive to the existing residential character of the neighbourhood, while creating a proposal that is compatible with the area's future development context. Overall massing, height transitions, compatible setbacks, façade articulation and other architectural details have been carefully considered to ensure the new development "fits" with and enhances the neighbourhood context, both today and in the future. Integration of these design details reflect an on-going public involvement process that has proactively anticipated neighbourhood concerns and has integrated feedback received directly from neighbours. Significant consultation milestones included BC Housing's outreach on the initial redevelopment concepts and then outreach on the draft development application. Special attention has been paid through the engagement process to working directly with adjacent neighbours along shared property lines.

It is notable that the redevelopment will implement key plans and policies established by the City, including realization of the key cornerstones of the *Kelowna's Healthy Housing Strategy* and *Healthy City Strategy* - healthy housing, inclusive communities, healthy neighbourhood design, healthy natural environments, healthy transportation and healthy food systems. BC Housing believes strongly that the Bertram Street redevelopment proposal is respectful of the neighbourhood residents who currently make Bertram Street their home, and that the new development will make a significant and positive difference in people's lives. The proposal will contribute to the health and vibrancy of Bertram Street, Kelowna's downtown and the community as a whole, and will stand out as an initiative that both the City of Kelowna and BC Housing can be proud of.

"There are significant connections between health and where people live, what type of transportation they use, what kinds of food they eat, how much physical activity they get and the social connections they have."

– City of Kelowna, Community for All

Redevelopment Application

The purpose of the BC Housing application for 1451 and 1469 Bertram is to pursue the following bylaw amendments and permits:

- Official Community Plan Future Land Use Amendment from Multiple Unit Residential – Medium Density (MRM) to Mixed Use – Residential/Commercial (MXR)
- Zoning Bylaw Amendment from Medium Density Multiple Housing (RM5) to Central Business Commercial Residential Rental Tenure only (C-7r)
- Development Variance Permit to vary the height of the C-7r zone from 12 to 20 storeys
- Development Permit for the form and character in the City Centre Revitalization Area

Prior to final zoning approval, the application will also include a subdivision application to consolidate the two properties (1451 and 1469 Bertram Street) and to dedicate a 0.6 metre portion of the rear lane.

The application is being pursued to facilitate the development of total of 176 rental housing units and a daycare. 162 apartment units are proposed in a single 17 storey apartment building on a 3 storey parkade. 14 townhomes are also planned to face north and west towards Bertram Street. The total height of the project will be 20 storeys.

Neighbourhood Context

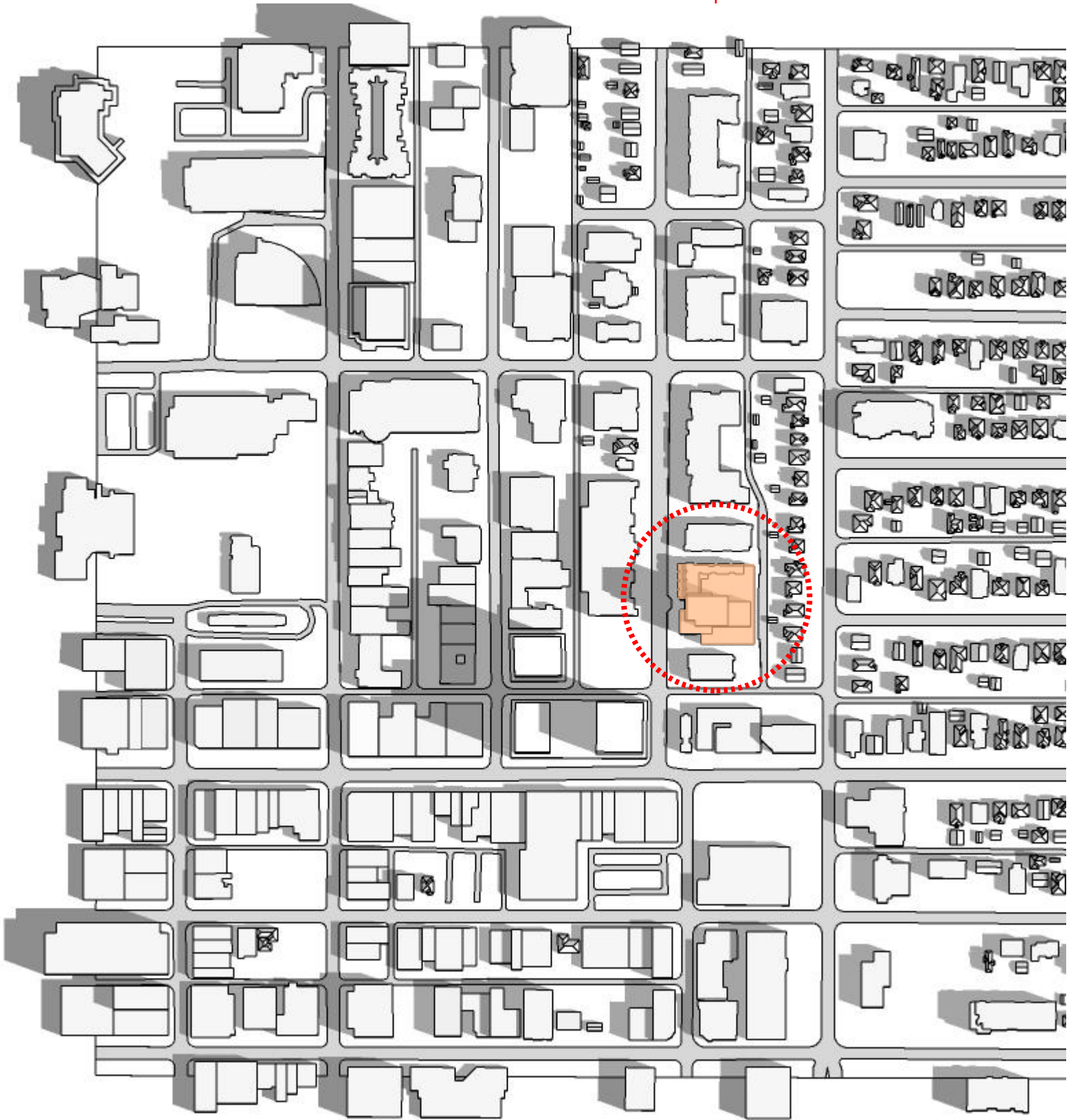
The redevelopment site currently consists of one large property 1451 Bertram and one single family property 1469 Bertram. These two properties will be consolidated to create the combined redevelopment site.

The subject property is bounded by Bertram Street on the west and a lane to the east. The north property line is shared with the Evangel Seniors' Apartments (non-profit rental apartments) and the south property line is shared with the Elkar Apartments (market rental apartments).

Bertram Street is a tree-lined residential street, consisting predominately of three and four storey market and non-market rental apartments, as well as cooperative and market condominiums. A gravel drainage strip runs the length of the property. Where Bertram Street meets Bernard Avenue, the street transitions to low-rise commercial uses fronting on Bernard. The property directly west, across Bertram Street, is vacant and currently is in use as a parking lot. To the east of the subject property, across the lane, immediate uses are single-detached homes. A four storey apartment is located further along Richter Street.

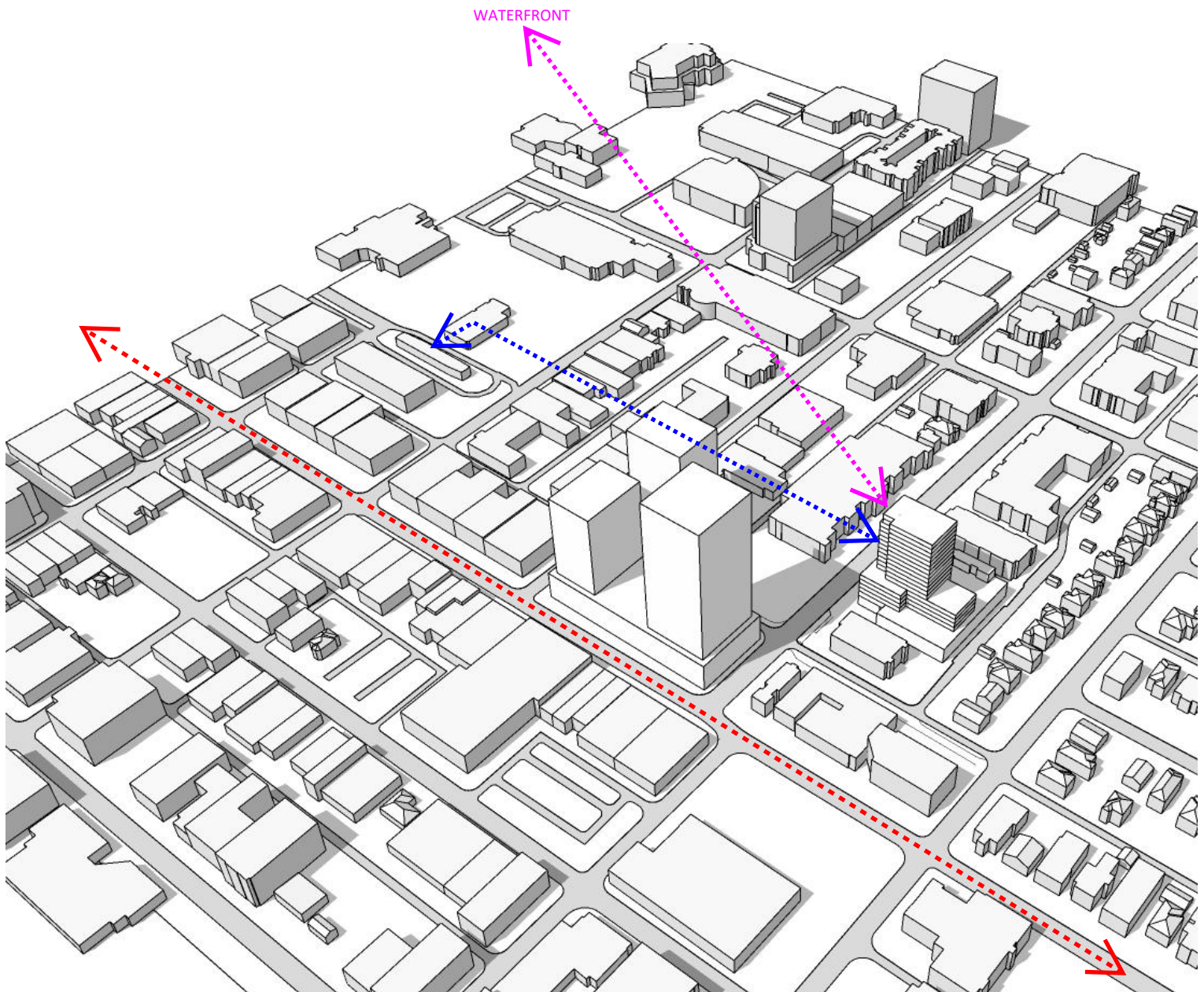
Significant change is underway in the immediate area, including a 34 storey condominium tower planned for the corner of Bernard Avenue and Bertram Street and a 13 storey office building planned for the corner of Bernard and St. Paul Street. Directly west, an application has recently been submitted for a 46 storey apartment. A 26 storey condominium is currently under construction behind that proposal and fronting on St. Paul Street. Planning is also underway nearby on Doyle Avenue for the future UBCO campus high-rise.

PROJECT SITE: 1451 -
1469 BERTRAM STREET



Planning Context

The subject property is located within the City's Permanent Growth Boundary and the City Centre (Downtown) Urban Centre - one of the five Urban Centres planned to accommodate 44% of Kelowna's future growth. This proposal is consistent with *Official Community Plan (OCP)* policies on Compact Urban Form and is located in an appropriate location to increase residential densities. The proposed density and land uses are well supported in Kelowna's downtown by nearby community amenities, public transit and commercial, retail, health and personal services. Increasing residential densities in this walkable, mixed-use urban centre through the low vehicle dependent land use proposed (e.g., non-market rental housing and housing for people with diverse abilities), coupled with BC Housing's voluntary commitment to building to the BC Energy Step Code 3 standard, directly supports the implementation of the City's *Community Climate Action Plan*. The proposed location achieves an exceptional walk-score of 86 and a bicycle score of 95 and provides electric vehicle plug-in and multi-modal incentives including outdoor, parkade and in-suit bicycle parking, as well as a bicycle wash and repair station. Given its location to the immediate shopping, business, recreation facilities, and transit, the site promotes the "15-minute city" approach to urban design, which emphasises the improvement of the quality of life whereby residents' needs can be accessed within a 15 minute window of time by foot, bicycle, or transit. Additionally, BC Housing will also be looking to pursue car-share opportunities as an additional amenity for the residents of this project.



The Landscaping on the podium level includes community gardens to support access to healthy food systems and large boulevard trees are retained along Bertram to achieve Kelowna's tree canopy targets.

The subject property is located within City's *Downtown Plan* Boundary (2012) and is subject to the *C7 Zone Design Guidelines* (2006). The property is located outside the Cultural District, outside the Downtown Heritage Area Boundary and does impede views to Okanagan Lake. Direction to building height is set out in the *Downtown Building Heights Plan*. The plan establishes the majority of Bertram Street for future building heights of 12 storeys, with the exception of properties on Bertram at Bernard, which are set out for a future building height of 26 storeys. OCP direction allows for consideration of height variances from the zoning bylaw "provided the additional height results in the creation of affordable housing or yields other community benefits" (OCP 5.5.1).

Since the approval of the *Downtown Plan* and the *Zone Guidelines*, the City has pursued a more ambitious vision for building height in the immediate area. Redevelopment approvals for adjacent market condominiums have granted variances allowing for a 37% increase in some cases to the height set out by the Downtown Building Heights map. The Mission Group's St. Paul Street redevelopment, directly west of the subject property received approval for a height variance from 19 to 26 storeys. The Mission Group's market condominium project at Bertram and Bernard, located south west of the subject property, received a height variance from 26 to 33 storeys.

Council's approval of BC Housing's proposal to develop non-market rental and market rental apartments and townhomes, housing for diverse abilities and a daycare, including the applicant's request for a variance from 12 to 20 storeys, is consistent with this grouping of tall buildings and the area's evolving development context. The proposal is also consistent with the OCP policy to allow height variances that create affordable housing and other community benefits. The proposal meets all C7r zoning requirements with the exception of the height requirements.

Affordable Rental Housing Needs

The City of Kelowna's *Housing Wheelhouse* is the foundation for defining housing categories in Kelowna. The Wheelhouse concept recognizes that, like other cities, Kelowna's housing stock needs to reflect the diverse socioeconomic and demographic needs of Kelowna's residents and that housing should not focus exclusively on market housing or home ownership. The Bertram Street redevelopment responds to the need for diverse housing in the Wheelhouse categories of "Rental Housing" and "Subsidized Rental Housing". The housing market in Kelowna continues to have a limited supply and a high demand for purpose-build rentals, and there is a significant and growing demand for subsidized rentals.

The City of Kelowna's *Housing Needs Assessment* also identifies a significant gap in family-oriented housing, including three-bedroom rental units and housing for the "missing-middle". The Bertram redevelopment proposes a significantly higher proportion of three-bedroom units than would be otherwise be developed within a market rental or condominium apartment project; and it proposes a number of townhomes suitable to help address the growing demand for walkable, ground-oriented family urban living.

The proposal directly supports the implementation the City's OCP Housing Availability Policy and the City's vision established by the *Healthy Housing Strategy* – i.e., to ensure that "*housing needs of all Kelowna residents are met through affordable, accessible and diverse housing options.*" The proposal also directly supports implementation of the City's *Imagine Kelowna* community vision. *Principle 2 (Smarter)* of that vision is grounded in the goal to "*build healthy neighbourhoods that support a variety of households, income levels and life stages. Everyone in our community should have the ability to find stable and appropriate housing.*"

Daycare Needs

There is a clear and important need for high-quality daycare in the Okanagan as a whole and in the Kelowna’s downtown neighbourhood in particular. As the downtown is redeveloped, it is important that amenities accompany new housing, and that these amenities support downtown as a viable option for families. High-quality daycare keeps children safe and healthy, and helps children develop important social, emotional and communication skills. Daycare also allows parents, and women in particular, access options for employment and economic security.

There are no licensed daycares within approximately 500 metres of the Bertram redevelopment site. A preschool-only centre, which offers 3-hour classes for those three to five years of age is available approximately 500 metres to the north at the Unitarian Church. There are five licensed day cares within 1.5 kilometres; and of the five, there were no vacancies at the time of research (June 2019).

Last year, the Central Okanagan child care assessment (i.e. Community Child Care Planning, 2020), identified an *annual* need in Kelowna for an additional 30 child care spaces for ages 0 to 5 years, and 1103 spaces for those between the ages 6 to 12. The assessment notes the Covid-19 pandemic has likely increased the current need for child care beyond that identified by the assessment.

Need for Housing for Diverse Abilities

The City of Kelowna’s Housing Needs Assessment has identified a significant and going need for housing that incorporate universal and accessible design, and which supports aging in place and people for people with diverse abilities. “As of 2016, one in five Kelowna residents is over the age of 65. By 2040, the number will have increased to one in four. And within the senior demographic, 40% will be over the age of 80. These demographic changes will necessitate changes to housing design as residents may encounter mobility challenges. New housing development, however, is responding to this future demographic shift slowly. Recent updates to the BC Building Code have forced some progress, but even simple, inexpensive design features to promote accessibility are rare in new construction. By incorporating universal and accessible design at the time of construction allows residents to easily and cost-effectively adapt the home without requiring significant renovations.”

The BC Housing proposal will include 5%, a minimum of 10 units, of wheelchair accessible housing. All homes will be designed based on universal design standards, all common areas will be designed to allow universal access and all outdoor areas will meet the City’s Guidelines for Accessibility in Outdoor Areas.

Context-Sensitive Form and Character

The redevelopment is committed to addressing *OCP Multi Unit Design Guidelines, the OCP Revitalization Design Guidelines, the City’s Crime Prevention Through Environmental Design Guidelines (CPTED) and the City’s Guidelines for Accessibility in Outdoor Areas*. The proposed height, massing and site layout promote a context sensitive design to proactively address the needs and interests of neighbouring residents. Figure 1: Neighbourhood Fit, outlines the design features that will ensure a context sensitive redevelopment.

Figure 1: “Neighbourhood Fit”

Appropriate Fit with the Downtown Urban Form and Skyline	The proposed development will add to a grouping of tall buildings (i.e., 26, 34, and 13 storeys) and in the downtown, close to Bernard Avenue but outside of the heritage area, and in a location that does not block lake views. Top floors will step back to add interest with these upper storeys.
---	---

<i>Appropriate Scale in Relation to the Size of the Property</i>	The subject property is a significant size, at 44,397 square feet (4,142 square meters), and can comfortably accommodate a building of this height and massing. The proposed FAR is 3.34 which is well under the 9.0 FAR permitted in the C-7 zone.
<i>Appropriate Land Use Transitions from Residential on Bertram to Commercial on Bernard</i>	The proposal has intentionally located the townhomes at the north end of the property to reinforce the residential nature of the street. The daycare is located towards the Bernard end of the property, which transitions to the commercial uses only Bernard.
<i>Minimal to No Impact of the Parking Podium to the Quality of the Streetscape</i>	Soil and water table conditions dictate an elevated parking podium. Podium height has been kept to a minimum and is well below the 16 metre height restriction at 10.25 metres. The podium façade is well hidden from the Bertram Street view by an active streetscape composed of townhomes and the daycare façade. The north façade is also concealed by townhomes and the west façade will include architectural details to disrupt the massing of the parkade wall. The south façade is broken up by a significant building setback for the daycare component and by architectural detailing of the parkade wall and landscaping between the adjacent properties.
<i>Views are Maximized and Shadow Impacts are Minimized</i>	The proposed development is designed to maximize view corridors and minimize shadow impacts. <ul style="list-style-type: none"> - The tower portion of the proposed development is located toward the centre of the property. - A tower separation distance is achieved from buildings to the south of 20.5 metres and 31.5 metres from the building to the north. - The separation distance of the proposed tower to the nearest tower at 44 metres (i.e., St. Paul Street) exceeds the 30.5 metres guideline for separation between towers. - The tower floorplate remains narrow at 612.25 square metres, well within the maximum allowable area of 676.00 square metres. - Little to no impact on lake views - Fully preserves the 40-degree panoramic view for the future tower on Bertram at Bernard
<i>Effective Height Transitions from Lower to Upper Storeys</i>	The overall height of the building transitions and steps back to reduce the overall impact of the building height. Where the lot line of the subject property abuts the apartment to the north, the proposed buildings facing this lot line are stepped back such that there is less than a one storey height difference between the two buildings. To the south, the proposed building height is lower than the existing apartment. To the east, the transition of scale from the existing single-detached housing is achieved through the lane separation, transitioning to the three storey parkade before stepping back to the seven storey and then 20 storey portions of the apartment.

<i>Residential Building Setbacks Reinforce the Residential Street Character</i>	<p>Setbacks from property lines are designed to reinforce the residential nature of Bertram Street and are similar to properties to the north and south. Although the C-7 zone allows development up to the property line (zero lot line condition), the proposal provides proposed setbacks from a minimum of 4.10 metres up to 7.50 metres (for an average of 5.80 metres along Bertram Street to protect and retain the existing boulevard tree root system.</p> <p>Additionally, 3.650 metre building setbacks on the north and south property lines have been provided to create appropriate separation from neighbours, reinforce the residential nature of the areas, provide light corridors between buildings, and to minimize any CPTED concerns.</p>
<i>Impacts on Neighbours' Privacy are Mitigated</i>	<p>The consultant team has worked with neighbours to ensure landscaping along the north and south property line is designed to encourage privacy for the existing neighbours to the north and to the south. As noted above, the proposal is also designed with residential setbacks of 3.65 metres along shared property lines at ground level despite the zone allowing for a "0" setback.</p>
<i>Interesting and High-Quality Bertram Streetscape Achieved</i>	<p>The Bertram streetscape, from the road centre-line to the building frontage has been designed as a high-quality public and semi-public space. Mature boulevard trees are preserved, new trees are planted, residential building setbacks are maintained and sidewalks, benches, landscaping and bike facilities are carefully designed.</p>
<i>Implements Crime Prevention Through Environmental Design Strategies (CPTED)</i>	<p>The walkout townhomes facing Bertram, include lower and upper storey windows, contributing to "eyes on street" and the overall safety of this area. Landscaping and fencing along the north and south property lines has been designed to allow natural surveillance of these pedestrian walkways. Gates ensure access control where needed and pedestrian level lighting is strategically located to illuminate potential hiding areas or targets for graffiti.</p> <p>Landscaping, fencing, gates, lighting, and other site design features will support other operational safety and security measures to support and reinforce Crime Prevention Through Environmental Design (CPTED). Detailed design of the parkade interior will reflect a complete CPTED review.</p>
<i>Implements Guidelines for Accessibility</i>	<p>Apartment housing will include 10 units of wheelchair accessible housing and all units will be designed based on universal design standards. All common areas will be designed to allow universal access and all outdoor areas will meet the City's <i>Guidelines for Accessibility in Outdoor Areas</i>.</p>

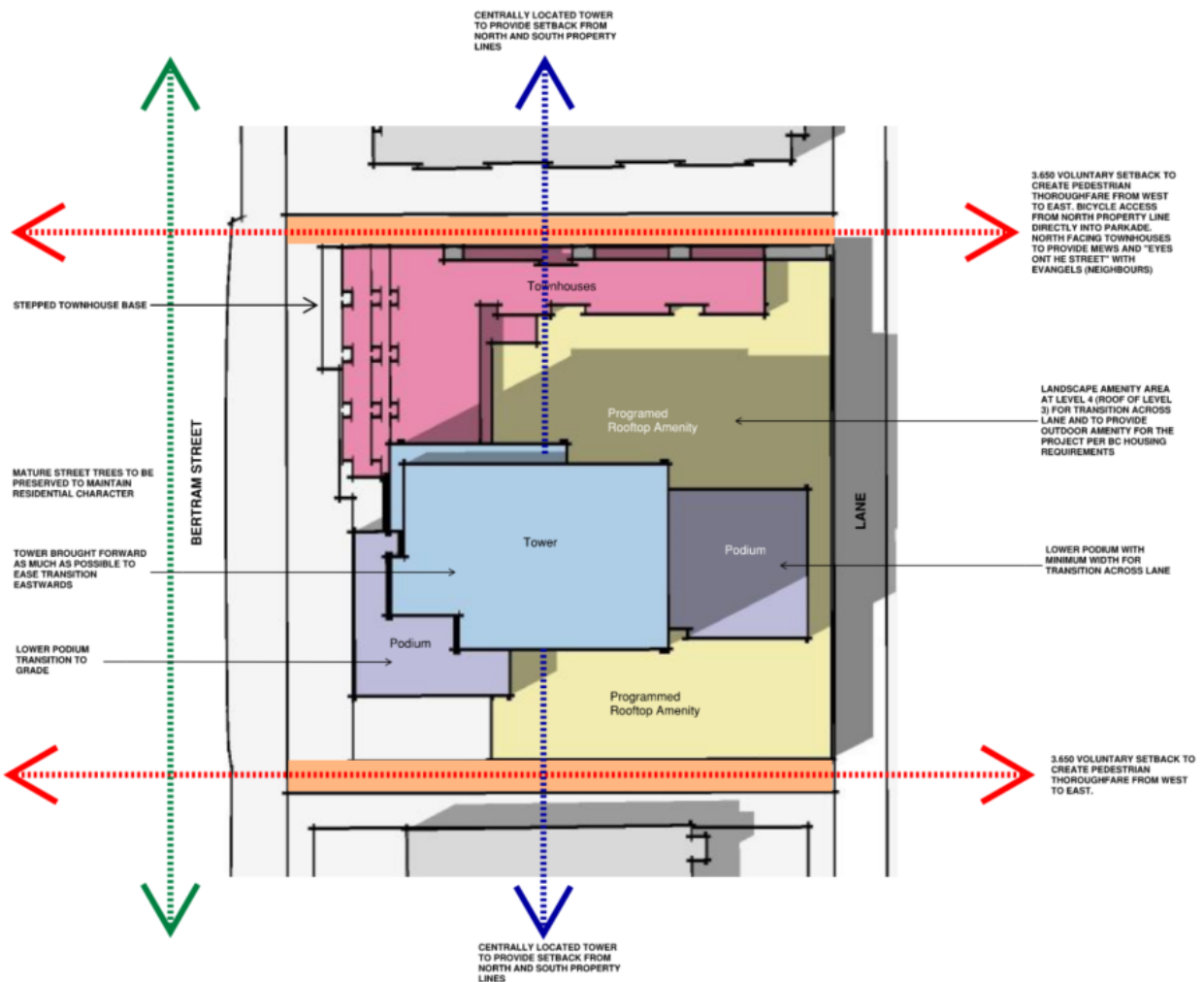
<i>Downtown Heritage is not Impacted</i>	The proposal is outside the downtown heritage area and does not pose any impact on local heritage.
<i>Healthy Food Systems</i>	The top of the parking podium has been designed and irrigated to incorporate a community garden for residents. This activity will promote urban agriculture and residents' interaction thus reinforcing the

Architectural Design Approach

Response to Overall Context and Building Physical Siting

This proposal seeks to integrate new development with existing site conditions and preserve the character amenities of the surrounding areas and promote interesting pedestrian friendly streetscape design and pedestrian linkages. This is achieved as follows:

- Provide pedestrian scale and tactility by using familiar residential exterior materials
- Providing on grade access to define public, semi private, and private spaces;
- Providing on-grade uses to activate and enhance security and well being via “eyes on the street”
- Apply the appropriate scale of building elements to further enhance the residential uses;
- Provide meaningful height transition via townhouses, building base, podium, and tower;
- Create visual continuity with neighbouring buildings with base building transition
- Provide building articulation to enhance massing and detail diversity
- Minimise building jogs (specifically at grade) for CPTED concern mitigation
- Use of clear and distinct signage to identify building program components
- Use of low maintenance and high quality cladding reflective of the downtown Kelowna context.

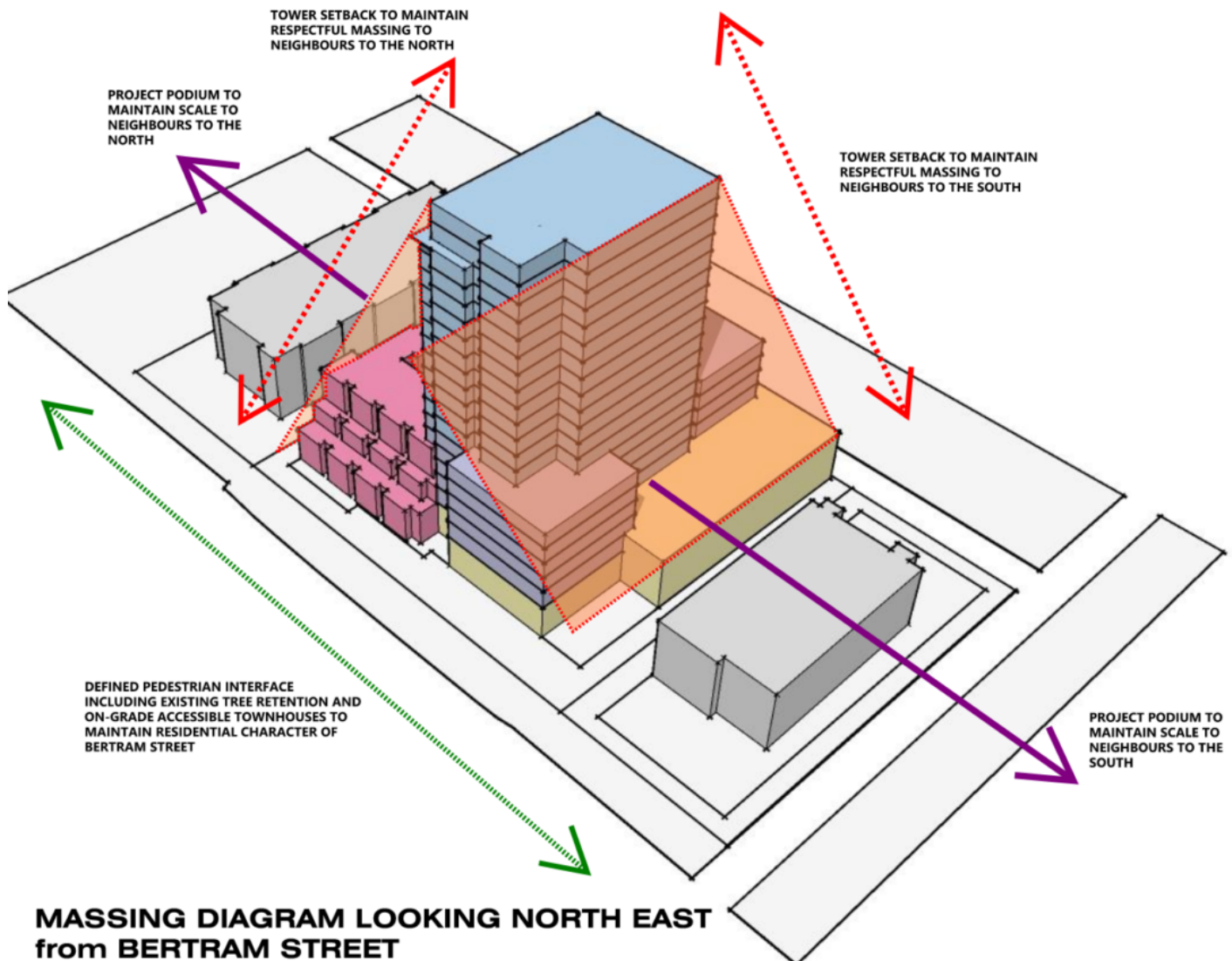


PLAN | BUILDING ARRANGEMENT | CONCEPT & APPROACH

Building Height and Massing

The project has been designed to ensure that the massing maintains the residential scale and context of the existing neighbourhood. Our approach is as follows:

- and the opportunity to provide urban mews.
- On-grade townhouses with opportunities for private garden / patios;
- On grade townhouses facing the North property line to transition towards the established residential area northward;
- Using the townhouses' design to create visual continuity with neighbouring buildings;
- Locating the Daycare to the Southwest corner of the site to provide eclecticism within the streetscape;
- Sensitive design of the parkade to orient vehicles without any light pollution to the neighbours;
- Providing intermediate podiums to “step back” appropriately from the neighbours;
- Providing a defined building base, middle, and top;



Architectural Components and Materials

Architectural components and materials have been included in the design of the project to enhance the design of the project to add a layer of visual interest as follows:

- Designing townhouses / townhouse base to provide rhythm and visual interest for residents and pedestrians alike along Bertram Street;
- Use of projections, building indentations, materials and textures to enhance the project's visual interest and articulation;
- Specification of building materials /cladding that is durable and low maintenance;
- Providing building "elements" to create recognisable and defined massing;
- Prominent and recognizable entrances with residential patios provide meaningful transition from the street to the landscape amenity podium;

Direct Relationship to Street

All townhouse units facing Bertram Street and the north property line will have direct access to grade via the application of integrated stairs and gates to define public, semi public, semi private, and private areas. This approach not only provides residential continuity to the streetscape but most importantly promotes human scale, proportion, and tactility.

The main entry points to the townhouses will also include integrated lights which will be used as a means of wayfinding and to provide animation to the street and mews during the evening hours.



Additional Ancillary Design Approach and CPTED Mitigation

The project has been designed to provide integration into the residential nature of the immediate area and with the focus of servicing the residents of the project and providing a feeling of increasing the neighbourhood approach to design. A major focus for the project is to also create a feeling of a “community within a community”

- Provide security, residential and public safety by defining public, private and private open spaces;
- Provide the residents’ and visitors experience of transition and movement from the Street and Mews to the project in a familiar and safe environment;
- Integration and enhanced programming of resident amenity uses such urban agriculture, children’s play area, outdoor barbeque and picnic areas on the main podium to promote neighbourly interaction;
- Provide safe and well lit bicycle access for the residents of the project;
- Maximise “eyes the street” by ensuring occupied areas at pedestrian level;
- Ensure full accessible design and integrate accessible design to meet and exceed the Zoning and BC Housing Design Guidelines;
- Provide decks, balconies, rooftop and common outdoor amenity space to ensure that all residents have access to the outdoors;
- Provide benches outside the main building entry to further promote residential interaction



PLAN | BUILDING ARRANGEMENT & PROGRAM

Bertram Street Redevelopment

Public Involvement Summary

1451 and 1469
Bertram Street
Kelowna, BC

April 2021

Prepared by: Juliet Anderton Consulting Inc.

ATTACHMENT

C

This forms part of application

Z21-0015 OCP21-0006

Planner
Initials

LK

City of

Kelowna

DEVELOPMENT PLANNING



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EXECUTIVE SUMMARY

The Bertram Street Redevelopment Plan Public Involvement Summary describes the process and outcomes of the public involvement initiative undertaken as part of the BC Housing Management Commission's (BC Housing) planning process for 1451 and 1469 Bertram Street, in Kelowna, British Columbia. The Public Involvement Plan was designed and implemented by Juliet Anderton Consulting Inc. in coordination with BC Housing's Corporate Communications, Operations and Development Services and Asset Strategies Branch.

The public involvement outcomes ultimately contributed to BC Housing's redevelopment proposal prepared by S2 Architecture and submitted to the City of Kelowna (the City) in February 2021. The redevelopment proposal consists of a 20 storey apartment building, including 162 apartment units, 14 townhomes and a children's daycare. The affordable non-market and market housing proposed will create urgently needed independent living rentals for seniors, couples, individual and families, and will include a share of wheelchair accessible units.

Throughout the design process, it was a central goal of BC Housing to redevelop this significant City Centre property to the fullest extent, while still ensuring a complementary and sensitive architectural fit within this evolving neighbourhood. This continues to be an important goal moving forward in that it allows BC Housing to support the community investment they are making in the development of affordable non-market rental housing, through the development of additional market rental units. All 176 apartment and townhome units proposed are necessary to support the overall redevelopment investment model. The redevelopment plan requires Official Community Plan and Zoning Bylaw amendments, a Development Variance Permit to vary building height and a form and character Development Permit.

In the preparation and implementation of the Public Involvement Plan, BC Housing committed to a process that aligned with the Principles and Best Practices of Public Participation outlined by the Office of the Auditor General of British Columbia and that exceeded statutory and municipal requirements and guidelines,



View looking east - West Elevation Bertram Street

EXECUTIVE SUMMARY - CONT.

including City of Kelowna Council Policy 367. The process was designed to provide BC Housing a thorough understanding of the range of community interests, as well as the ability to carefully consider public feedback at each stage of the process, along with other input from City staff, technical agencies and consultant team specialists.

The process began in 2018, with BC Housing's purchase of the property. Comprehensive engagement was initiated with existing on-site tenants to understand their future housing needs and reassure them of BC Housing's support through their transition to alternate housing. Key community engagement efforts, focussed on the immediate neighbourhood, took place in September and October 2020, and in December 2020 and January 2021. The former sought feedback on the early stage redevelopment concepts and the latter on the draft development proposal to the City. Primary stakeholders included the residents and property owners of Bertram Street, those across the property's back lane fronting on Richter Street and nearby business and property owners on Bernard. Special engagement efforts were directed to those neighbours sharing property lines with the BC Housing site; including the owners and managers of Elkar Apartments to the south and the Evangel Housing Society to the north. Stakeholder organizations with neighbourhood or housing specific interests, and those with adjacent development interests, were also part of the consultation efforts, including: the Kelowna Downtown Knox Mountain Neighbourhood Association (KDKM), Downtown

Kelowna Association (DKA), Chamber of Commerce, the Central Okanagan Journey Home Task Force, Carmel Court Housing Cooperative, the UBC redevelopment team for Doyle Avenue, Mission Group, Callahan Construction, and New Town Planning as agent for the owners of 1464-1476 Bertram Street.

Due to COVID-19 risks and restrictions, in-person public open house events and workshops were not possible as part of the engagement efforts. Instead, comprehensive brochures were prepared and direct-mailed to neighbourhood residents and property owners during the two key engagement periods. The project stakeholder organizations were also emailed the brochures for distribution to their membership. The September 2020 brochure, which introduced the project's redevelopment concepts, requested recipients complete a feedback questionnaire and provide general comments. Feedback could also be provided by posting public comments on the BC Housing Let's Talk website or through directed emails to BC Housing's community relations email. The brochures, the questionnaire, as well as two videos highlighting key redevelopment features, were also posted online.

It should also be noted, at opportune times during the consultation efforts, the project team was able to undertake socially distanced in-person meetings with representatives of the adjacent property owners to the north and south. In-person communication through door knocking also took place where feasible with those residents and business owners with a minimum of 50 metres of the site.



Preliminary Design Rendering

EXECUTIVE SUMMARY - CONT.

KEY OUTCOMES AND THEMES

It is estimated the project brochures, questionnaire opportunity and other materials reached approximately 750 people. The BC Housing webpage received 495 independent visits, and local media - including Castanet, Kelowna Now and the Capital News - also publicized the redevelopment proposal, bringing further awareness to the initiative throughout the community.

Through the early stages of the design process, redevelopment concepts considered by the design team explored building heights ranging from 12 to 26 storeys. Concepts based on the lower end of the building height spectrum resulted in a wider building form, with smaller separation distances from adjacent buildings, narrower view corridors between buildings and increased shadow impacts on immediate neighbours. Conversely, the concepts based on the taller building form allowed for greater separation distances from immediate neighbours, wider view corridors and reduced shadow impacts. In addition, the concepts with a taller narrower building form allowed the design team to plan for community gardens and other outdoor social spaces and green spaces on the roof of the podium. These spaces could not be achieved where the footprint of the apartment building encompassed the majority of the parkade rooftop. Early stakeholder consultation with immediate neighbours and the City of Kelowna prioritized greater separation distances from immediate neighbours over concerns with the taller building height, resulting, ultimately, in a proposal for 20 storeys.

The feedback received on the redevelopment concepts presented in the mail out brochures was on the whole very positive and included a number of inquiries from those looking for affordable rental housing. The three strongest themes that came through were:

- the importance of building subsidized rental housing in downtown Kelowna, including larger units for families,
- personal interest in attaining subsidized rental housing, and
- the importance of strong leadership in environmentally sustainable building and landscaping design.

Other more general feedback outcomes are summarized by the following comments:

- it will be important to ensure the affordability of subsidized units over the long term
- supportive housing would not be welcome

- BC Housing's communication and outreach are really appreciated
- the emphasis on family units, townhomes and wheelchair units is important
- the project is well designed with a mix of architectural types
- the building height is too ambitious
- landscaping and screening should be designed to encourage privacy for adjacent residents
- new trees and landscaping should not create maintenance issues for adjacent owners
- measures should be taken to ensure security lighting, vehicle lights and emissions from the parkade do not affect neighbours
- all required parking needs should be accounted for on the site

KEY IMPACTS

From the onset of the planning process, the design team proactively anticipated potential interests of and concerns from neighbours. Building height, shadowing, views, privacy, noise, traffic, parking, boulevard tree protection, personal safety, neighbourhood character and construction impacts were all actively considered in the design process. The form and character of the project proposal ultimately mitigated and minimized these potential impacts. The design team's success in effectively anticipating concerns is believed to have contributed to the limited response from the neighbourhood to BC Housing's requests for input. From the feedback that was received, the design team was able to confirm the current direction of the proposal. Feedback also resulted in the following changes and amendments to the plan:

- A stronger commitment to climate change mitigation, including a commitment to Step Code 3, the inclusion of electric vehicle charging for 25% of parking stalls and the intent to pursue a car share provider.
- The total number of units was reduced from 186 to 176 units to accommodate more three bedroom units for families.
- Landscaping and other design elements along shared property lines were refined to minimize maintenance needs for adjacent owners, manage privacy concerns, reduce impacts of security and vehicle lighting and ensure implementation of CPTED principles.

EXECUTIVE SUMMARY – Public Involvement SUMMARY Table pt.1

Neighbourhood and Interest Based Organizations Consulted

- | | | |
|---|--|---|
| <ul style="list-style-type: none"> • Kelowna Downtown Knox Mountain Neighbourhood Association • Downtown Kelowna Association • Chamber of Commerce • University of British Columbia | <ul style="list-style-type: none"> • Central Okanagan Journey Home Society • Evangel Seniors Housing Society • Elkar Apartments • Carmel Court Housing Cooperative | <ul style="list-style-type: none"> • Callahan Construction • New Town Planning • Mission Group |
|---|--|---|

Consultation and Communication Methods

- | | | |
|--|--|--|
| <ul style="list-style-type: none"> • Neighbourhood Letters 2018-19 • Direct Mail Brochure Sept 2020 • Direct Mail Brochure Dec 2020 • Redevelopment Concepts Questionnaire | <ul style="list-style-type: none"> • BCH Webpage • Let's Talk Housing Online Discussion Forum • Online Video Sept 2020 • Online Video Dec 2020 | <ul style="list-style-type: none"> • In-Person Meetings • Consultant Email and Phone Calls • BCH Community Relations Email • Door Knocking |
|--|--|--|

Quantitative Outcomes

Total Direct Contacts – 742 Individuals (min)	Website Visits – 495 Independent Visits	Media Articles – 4 (as of Feb. 2021)
<ul style="list-style-type: none"> • Sept 2020 Brochure: 700 individuals • Dec 2020 Brochure: 750 individuals • In-Person Meetings: 10 individuals • Direct Email/Phone: 11 organizations • BCH Com. Relations Email: 6 individuals • BCH Let's Talk Housing: 15 individuals 	<ul style="list-style-type: none"> • BCH Website: 495 independent visitors • Questionnaire Responses: 19 individuals 	<ul style="list-style-type: none"> • Castanet (2) • Capital News • Kelowna Now

Neighbourhood-Sensitive Design Features

- | | | |
|--|--|---|
| <ul style="list-style-type: none"> • Mature boulevard tree preservation • Residential scale setbacks reinforce neighbourhood character | <ul style="list-style-type: none"> • Parking podium hidden from Bertram • Apartment centred on site to minimize shadow | <ul style="list-style-type: none"> • Privacy enhanced through building setbacks, step backs, fencing and landscaping • CPTED principles reinforce safety and security |
|--|--|---|

EXECUTIVE SUMMARY – Public Involvement SUMMARY Table pt.2

Key Feedback Outcomes		
<ul style="list-style-type: none"> The importance of building subsidized rental housing in downtown Kelowna, including larger units for families 	<ul style="list-style-type: none"> The importance of strong leadership in environmentally sustainable building and landscaping design 	<ul style="list-style-type: none"> Personal interest in attaining affordable housing
General Feedback Outcomes		
<ul style="list-style-type: none"> It will be important to ensure the affordability of subsidized units over the long term Supportive housing would not be welcome BC Housing's communication and outreach are really appreciated 	<ul style="list-style-type: none"> The emphasis on family units, townhomes and wheelchair units is important The project is well designed with a mix of architectural types The building height is too ambitious All required parking needs should be accounted for on the site 	<ul style="list-style-type: none"> Landscaping and screening should be designed to encourage privacy for adjacent residents. New trees and landscaping should not create maintenance issues for adjacent owners. Measures should be taken to ensure security lighting, vehicle lights and emissions from the parkade do not affect neighbours
Key Changes Made Through Feedback		
<p>A stronger commitment to climate change mitigation, including a commitment to Step Code 3, the inclusion of electric vehicle charging for 25% of parking stalls and the intent to pursue a car share provider.</p>	<p>The total number of units was reduced from 186 to 176 units to accommodate more 3-bedroom units for families.</p>	<p>Landscaping and other design elements along shared property lines were refined to minimize maintenance needs for adjacent owners, manage security and privacy, reduce impacts of vehicle lighting and ensure implementation of CPTED principles.</p>



Preliminary Design Rendering

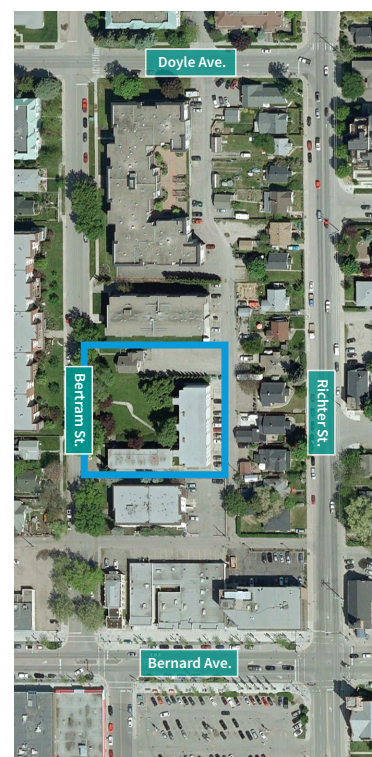
INTRODUCTION

The **Bertram Street Redevelopment Public Involvement Summary** outlines the consultation and communication activities and outcomes undertaken by BC Housing in the preparation of the redevelopment for 1451 and 1469 Bertram Street, Kelowna, BC. The Public Involvement Plan included in eight phases, as outlined in Figure 1. These phases correspond to the overall project planning and approvals timeline outlined in Figure 2. The balance of the document details the intentions of each phase, the methods of communication and consultation and the feedback outcomes.

Figure 1: Public Involvement Plan Phases

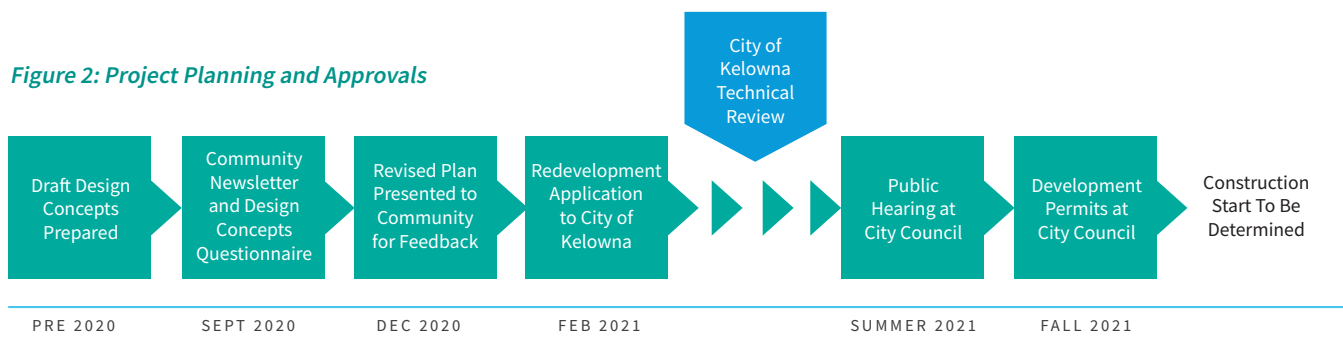
PHASES 1-8	TIMING
PHASE 1: Property Purchase and Tenant Transition	2018
PHASE 2: Demolition and Redevelopment Planning	Spring 2019-2020
PHASE 3: Redevelopment Concepts	Fall 2020
PHASE 4: Development Proposal	Early 2021
PHASE 5: City Council Public Hearing (Rezoning and Official Community Plan Amendment)	Summer 2021
PHASE 6: City Council Public Meeting (Development Permit and Development Variance Permit)	Fall 2021
PHASE 7: Building Permit and Construction	2022
PHASE 8: Occupancy	TBD

Redevelopment Location



APPROVALS - ESTIMATED TIMELINE

Figure 2: Project Planning and Approvals



PHASE 1 – Property Purchase and Tenant Transition, March 2018

In 2018, BC Housing purchased 1451 and 1469 Bertram Street with the intention of redeveloping the properties for affordable rental housing. Phase 1 primary engagement and communication activities were designed to inform neighbours and on-site tenants of the purchase and the high-level intentions for the property, and to connect them with avenues to communicate with BC Housing. Engagement activities focussed on efforts to understand the future housing needs of the on-site tenants. Tenants were reassured that BC Housing would support them through the necessary transition to alternate housing. Engagement and communication methods included:

- **Neighbourhood letters** – inclusive of neighbours within the boundary of Richter St., Bernard Ave., Doyle St. and St. Paul St. (approximately 100 metres and 280 households).
- **Neighbourhood door-knocking and hand delivery of neighbourhood letters** – inclusive of neighbours within the boundary of Richter St., Bernard Ave., Doyle St. and St. Paul St. (approximately 100 metres, and 20 households and 10 commercial neighbours), exclusive of residents in apartment buildings.
- **Phone call/email to stakeholder organizations and immediate neighbours** – including the Evangel Seniors Housing Society, Elkar Apartments, Downtown Kelowna Association, Chamber of Commerce, Kelowna Downtown Knox Mountain Neighbourhood Association, Homelessness Leadership Group and Journey Home Task Force.
- **Tenant introduction letters** – inclusive of all existing tenants of the housing on-site.
- **Tenant door-knocking** – inclusive of all tenants in their units.
- **Tenant group meetings** – inclusive of all interested tenants of the housing on-site.
- **Tenant one-on-one meetings** – inclusive of all tenants interested in support in relocating to alternate rental housing.
- **Tenant individual relocation letters** – inclusive of all tenants of the housing on-site.

TENANT AND PUBLIC FEEDBACK

- Tenant communications were comprehensive and resulted in a year of working with residents to successfully transition to alternate housing.
- Limited neighbourhood and stakeholder feedback was received by the BC Housing Community Relations email. Responses ranged from a request for assurance that housing would not include supportive housing, to indications of general support for affordable rental housing.
- Neighbourhood door-knocking included general gratitude for the information, support for affordable housing and interest in student participation in the environmental leadership components of the building and site design.

PHASE 2 – Demolition and Redevelopment Planning, March 2019

Phase 2 communication activities were focused on notifications associated with the building demolition, boulevard tree protection and on-site geotechnical testing.

- **Neighbourhood letter, demolition** – inclusive of neighbours within the boundary of Richter St., Bernard Ave., Doyle St. and St. Paul St. (approximately 100 metres and 280 households) as well as immediate property owners.
- **Phone call/email to stakeholder organizations and immediate neighbours** – including the Evangel Seniors Housing Society, Elkar Apartments, Downtown Kelowna Association, Chamber of Commerce, Kelowna Downtown Knox Mountain Neighbourhood Association, Homelessness Leadership Group and Journey Home Task Force.
- **Neighbourhood letter, geotechnical testing** – immediate neighbours only.

PUBLIC FEEDBACK

- Limited feedback to the BC Housing Community Relations email; one question regarding hazardous materials abatement procedures during demolition.

PHASE 3 – Redevelopment Concepts, September 2020

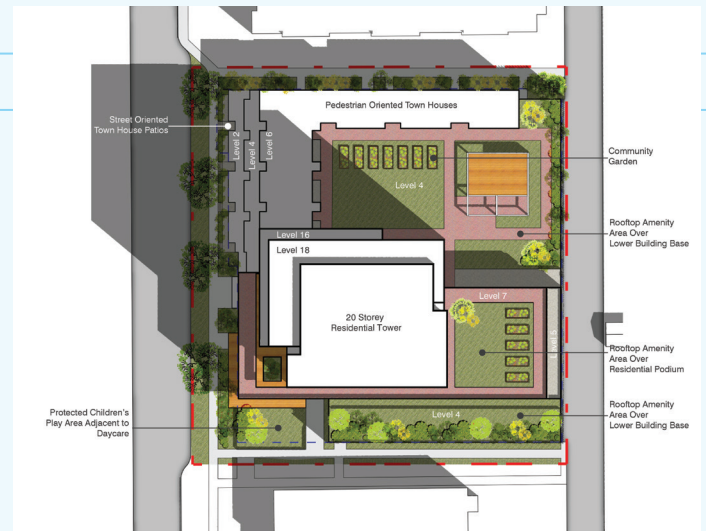
Phase 3 engagement and communication activities began with the comprehensive preparation of materials and engagement tools for a public open house and meetings with adjacent property owners in March of 2020. Due to restrictions associated with Covid-19, these activities were not undertaken and public engagement was put on hold to respect related pressing concerns and priorities of neighbourhood residents. Despite challenges associated with the pandemic, it was important that the opportunity to obtain early feedback from the neighbourhood and other stakeholders remained a high priority. The following engagement tools and communication methods were undertaken with the objective of gaining feedback on the preliminary redevelopment plan and design concepts.

- **Neighbourhood brochure (8 pages)** – the Planning for Redevelopment, September 2020 brochure was direct mailed to approximately 370 households and immediate property owners. The distribution of the brochure was expanded beyond previous mail-outs to reflect the potential impacts of the 20 storey height of the preliminary design concepts presented.
- **Project feedback questionnaire** – on-line link was direct mailed as part of the neighbourhood brochure; questionnaire requested comments on key project decisions and general feedback on redevelopment plans and design concepts.
- **Project features and highlights video** – on-line video highlighting key features of the preliminary redevelopment plan and design concepts.
- **Let's Talk Housing website** – on-line link was direct mailed as part of the neighbourhood brochure and included opportunities to post public comments and receive feedback from BC Housing; <https://letstalkhousingbc.ca/Kelowna>
- **Phone calls/emails to stakeholders and immediate neighbours** – the Evangel Seniors Housing Society, Elkar Apartments, Downtown Kelowna Association, Chamber of Commerce, Kelowna Downtown Knox Mountain Neighbourhood Association, Homelessness Leadership Group and Central Okanagan Journey Home Society were contacted by email and by phone for comments.
- **In-person meetings** – meetings were held with representatives of property owners to the north and south (Evangel Seniors Housing Society and Elkar Apartments).

PUBLIC FEEDBACK

OUTREACH AND OUTCOMES

- In total, it is estimated that the September brochure reached approximately 700 people.
- The project website received 194 independent visitors and 36 visitors downloaded the brochure.
- In person or telephone meetings included approximately 7 individuals providing feedback, either as individuals or on behalf of an organization or property owner.
- The questionnaire was completed by 19 respondents and the Let's Talk Housing feedback line received 2 inquiries. The BC Housing Community Relations email also received 2 emails.



QUESTIONNAIRE HIGHLIGHTS

Despite the broad reach of the neighbourhood brochure, there was limited interest in completing the project questionnaire. Only nineteen people completed the questionnaire out of the 194 website visitors, and the estimated 700 people who received the neighbourhood brochure. Despite the limited response, there was a range of viewpoints expressed. It is difficult to determine if the low response was due to general acceptance of the project ideas, a preoccupation of potential respondents with Covid-19 concerns, or another reason altogether.

In looking at the questionnaires received, highlights from the responses included the following:

- About half (10 of 19) of the respondents live on Bertram
- About a third (6 of 19) were interested in renting the non-market housing
- The vast majority (14 of 18) believed it was important or very important that non-market housing is built in the downtown
- About half (8 of 17) believed it was important or very important that the townhomes be included
- About half (8 of 17) believed the daycare was important or very important
- About half (8 of 18) preferred BCH to continue planning for a narrow and tall building form and just more than half preferred that BCH look again at planning for a lower and wider building form
- Slightly more than half (11 of 19) believed that one parking stall for each unit was about right
- There was strong support for environmental leadership, particularly passive energy design (17 of 18), and Step Code 3 designation (14 of 17)
- There was a broad mix of feedback on the preferred architectural styles and landscaping approach
- Streetscape improvements that ranked the highest were sidewalk lighting, universal design, planting additional trees and protecting existing trees

PUBLIC COMMENTS

The response from the 30 people who elected to actively engage in providing feedback touched on a wide range of themes. Bracketed numbers indicate frequency of each response.

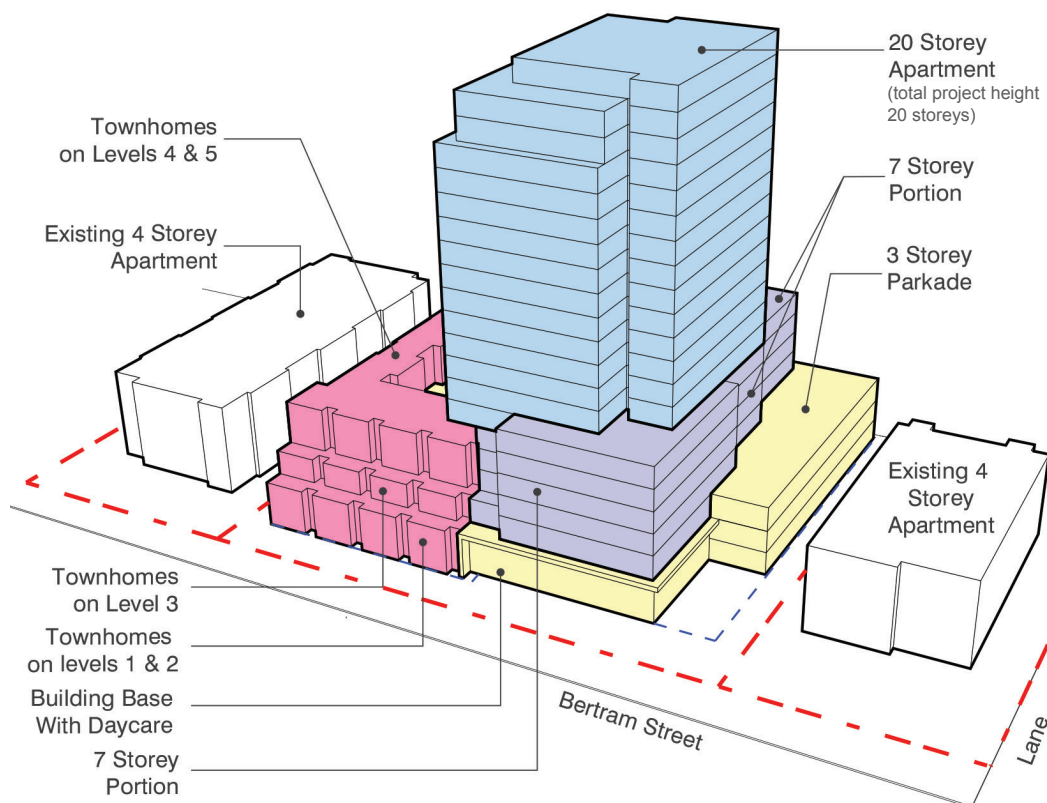
- Personal interest in subsidized rental housing (2)
- Project will support downtown service industry jobs (1)
- Concentrate more on the homeless population (1)
- Rental housing attracts crime, drug use, doesn't help homelessness (1)
- No supportive housing for the homeless here (3)
- The building height is too ambitious (3)
- Would not choose 20 storeys but believe this housing is needed (1)
- Project looks great (2)
- Support for the mix of densities and architectural types (1)
- Townhomes are a wonderful idea (1)
- Downtown is not a place where families want to live (1)
- Support the focus on the daycare and larger units for families (1)
- Having green areas for residents to exercise would be good (1)
- Sustainable green space should be achieved along Bertram through greater building setbacks (1)
- Trees and grass are essential, irrigation will be necessary (1)
- Lack of support for dead, dangerous, unused green space in downtown (1)
- Desire for a restaurant or retail to animate the street (1)
- Support for sustainable property maintenance and upkeep (1)
- No cats/dogs for noise and feces (1)
- Location will save on household transportation costs, reduce emissions, free up downtown parking (1)
- Adequate parking is necessary at this time, design space so it can be repurposed in the future (1)
- Future residents won't take transit (1)
- No bike lane on Bertram if it is going to reduce available parking (2)
- Make sure the parkade does not lead to fumes and light impacts for neighbouring balconies (2)
- Add landscaping for privacy for the neighbours' balconies (2)

FEEDBACK FROM DIRECT NEIGHBOURS

Formal and informal face-to-face meetings were held with representatives of neighbours to the north and south. General feedback from the meetings was supportive of the overall project objectives, including the need for rental housing. There was general support for the cause, including the daycare and the attention to family housing. There was some question of the 20 storeys proposed, however, the feedback expressed was supportive of the design measures incorporated to minimize height impacts.

Productive outcomes were achieved in discussion with neighbours on the preferred fencing and landscaping on both the north and south side of the property. Suggestions were made to increase privacy, and measures were discussed to ensure security lighting, vehicle lights and emissions from the parkade do not affect neighbouring balconies to the south.

PRELIMINARY BUILDING FORM – Sample of Neighbourhood Brochure Material, September 2020



PHASE 4 – Development Proposal, February 2021

The development proposal application submitted to the City of Kelowna includes the following bylaw amendments and permit applications:

- Official Community Plan Future Land Use Amendment from Multiple Unit Residential – Medium Density (MRM) to Mixed Use – Residential/Commercial (MXR)
- Zoning Bylaw Amendment from Medium Density Multiple Housing (RM5) to Central Business Commercial – Residential Rental Tenure only (C-7r)
- Development Variance Permit to vary the height of the C-7r zone from 12 storeys to 20 storeys
- Development Permit for the form and character in the City Centre Revitalization Area

Phase 4 engagement and communication activities continued to be impacted by Covid-19 restrictions affecting in-person gatherings. To meet the intent of City of Kelowna Council Policy 367 (Public Notification and Consultation for Development Applications), engagement activities were adjusted to respect the restrictions. The following required or voluntary engagement tools and communication methods were undertaken with the objective of providing feedback to City Council and refining the form and character of the development proposal. City staff confirmed these methods, in combination with the methods undertaken in previous phases, met the intent of Council Policy 367.

- Let's Talk Housing website update - including a question and answer forum and email to BC Housing's Community Relations
- Neighbourhood mail-out Brochure (eight pages) (See Appendix 3 - Brochure, Proposed Redevelopment Plan, December 2020) – brochure was direct mailed to approximately 370 households and immediate property owners.
- Proposed redevelopment on-line video
- Neighbourhood door-knocking where possible within 50 meters
- Email/phone communication with stakeholder organizations – the Evangel Seniors Housing Society, Elkar Apartments, Downtown Kelowna Association, Chamber of Commerce, Kelowna Downtown Knox Mountain Neighbourhood Association, Homelessness Leadership Group and Central Okanagan Journey Home Society were contacted by email and by phone for comments.
- Continued discussion with neighbours with shared property lines
- Development notice signs posted (on-site) prior to initial consideration by City Council
- Public Involvement Summary to City of Kelowna

PUBLIC FEEDBACK – Outreach and Outcomes

- In total, it is estimate that the December brochure reached approximately 750 people (approximately 50 more people than the September brochure).
- The project website received 300 independent visitors in addition to the 195 visitors during Fall 2020 consultations, and 15 additional people emailed BC Housing or participated in BC Housing’s Let’s Talk webpage.
- In person or telephone meetings included 6 individuals providing feedback, either as individuals or on behalf of an organization or property owner.
- Feedback received indicated support for the project and included a number of questions about how to apply for the units and how the housing would remain affordable of the long term.

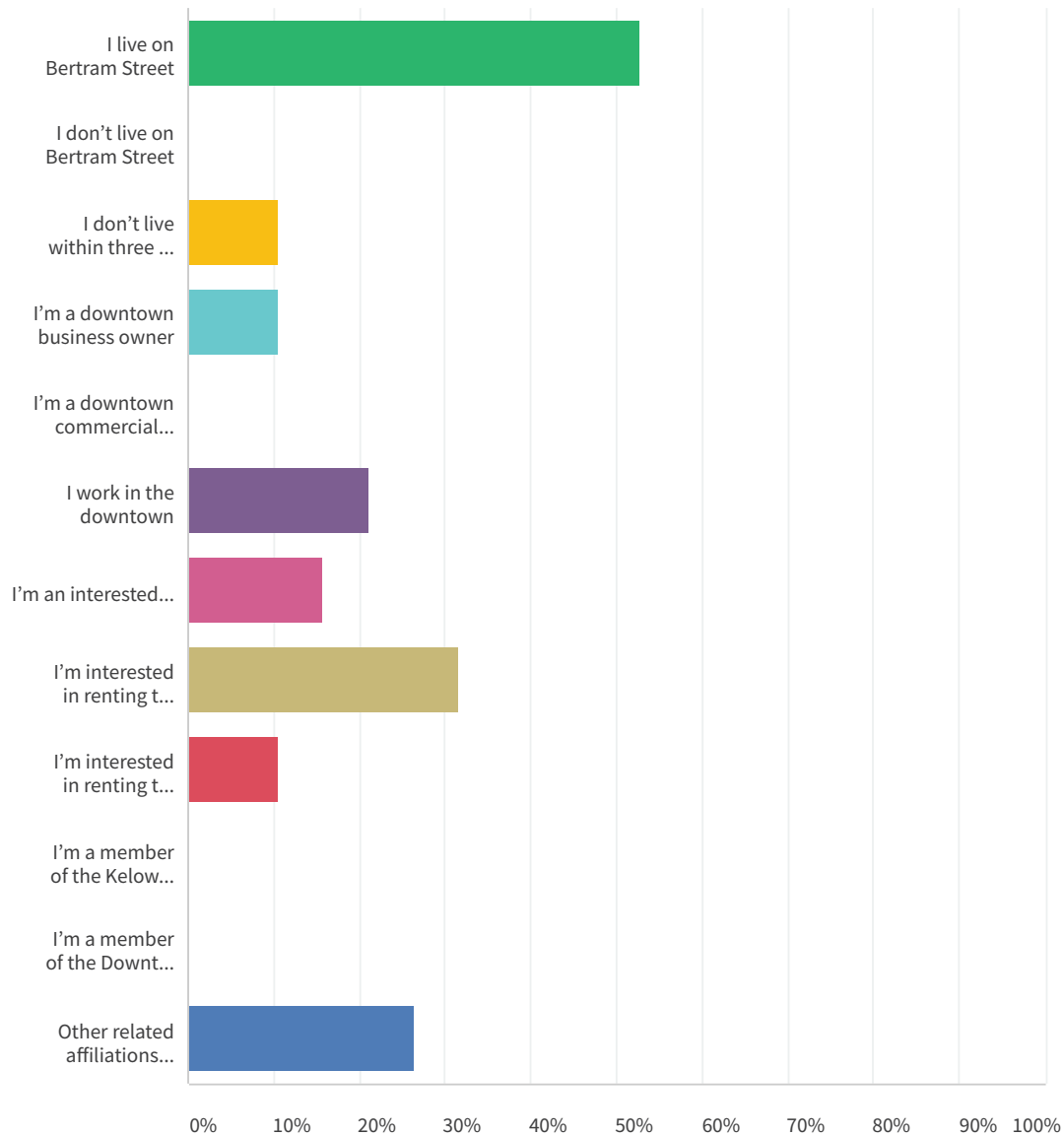
NEXT STEPS

Phases 5 and 6 of the Public Involvement Plan include the Public Hearing and Public Meeting held by City Council. Notification processes are undertaken by the City of Kelowna, with the exception of updates to the on-site development notice sign. Phase 7 - Building Permit and Construction, typically includes a ground-breaking ceremony and neighbourhood notification undertake by BC Housing contractors associated with construction-related disruptions. Phase 8 - Occupancy is expected to include an opening ceremony.

APPENDIX ONE – Redevelopment Questionnaire Outcomes

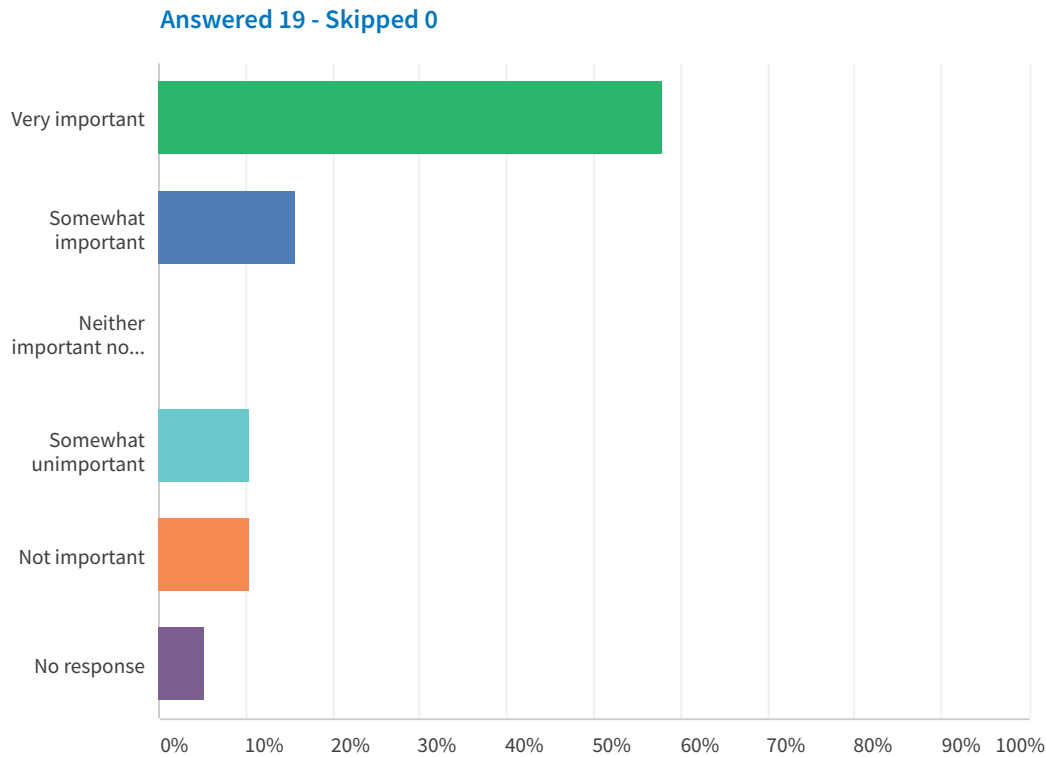
Q1 - What describes your relationship to the Bertram Street redevelopment property?
Check all categories that apply.

Answered 19 - Skipped 0



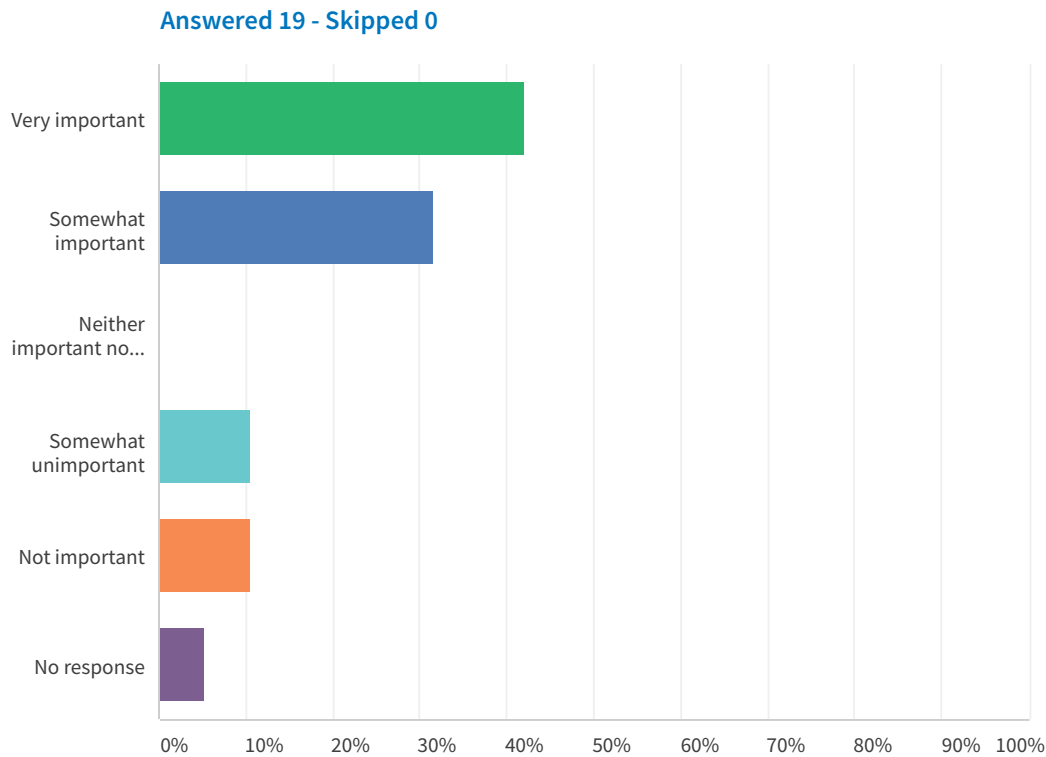
ANSWER CHOICES	RESPONSES	
I live on Bertram Street	52.63	10
I don't live on Bertram Street, but I live within about three blocks of the property	0.00	0
I don't live within three blocks, but I live in downtown Kelowna	10.53%	2
I'm a downtown business owner	10.53%	2
I'm a downtown commercial property owner	0.00%	0
I work in the downtown	21.05%	4
I'm an interested member of Kelowna's broader community	15.79%	3
I'm interested in renting the future non-market housing	31.58%	6
I'm interested in renting the future market housing	10.53%	2
I'm a member of the Kelowna Downtown Knox Mountain Neighbourhood Association	0.00%	0
I'm a member of the Downtown Kelowna Association	0.00%	0
Other related affiliations? (please specify)	26.32%	5
Total Respondents: 19		

Q2 - How important is it that new NON-MARKET RENTAL housing is built in Kelowna's downtown?
Please select one.



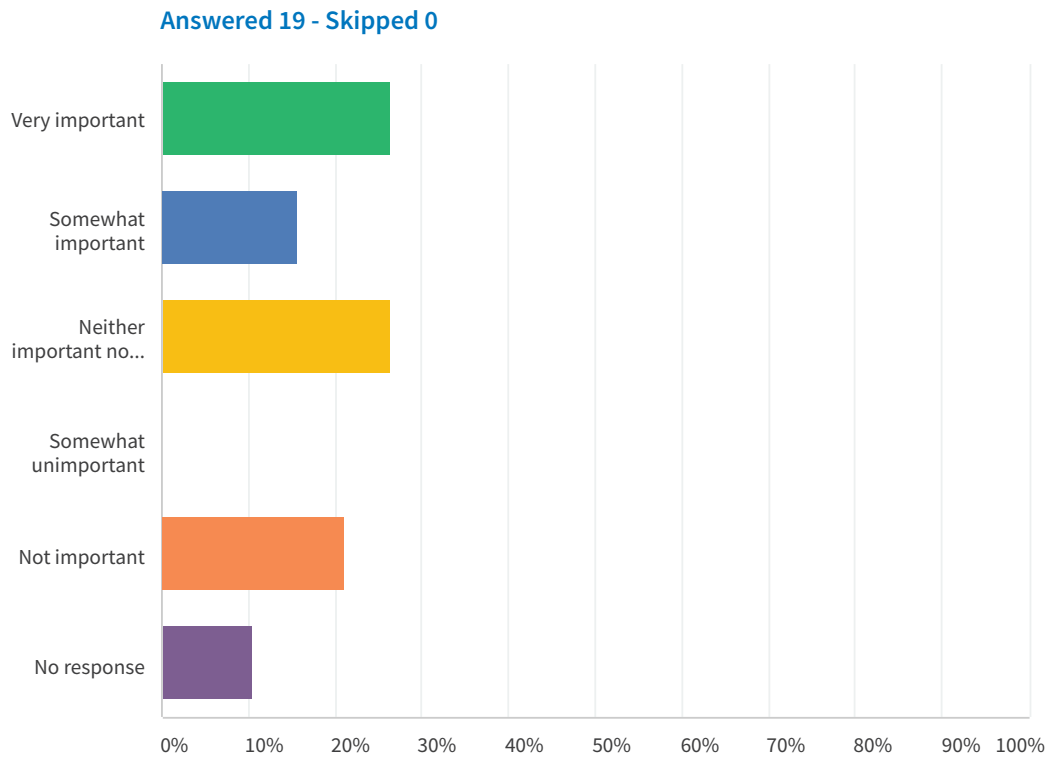
ANSWER CHOICES	RESPONSES	
Very important	57.89%	11
Somewhat important	15.79%	3
Neither important nor unimportant	0.00%	0
Somewhat unimportant	10.53%	2
Not important	10.53%	2
No response	5.26%	1
Total Respondents: 19		

Q3 - How important is it that new MARKET RENTAL housing is built in Kelowna's downtown?
Please select one.



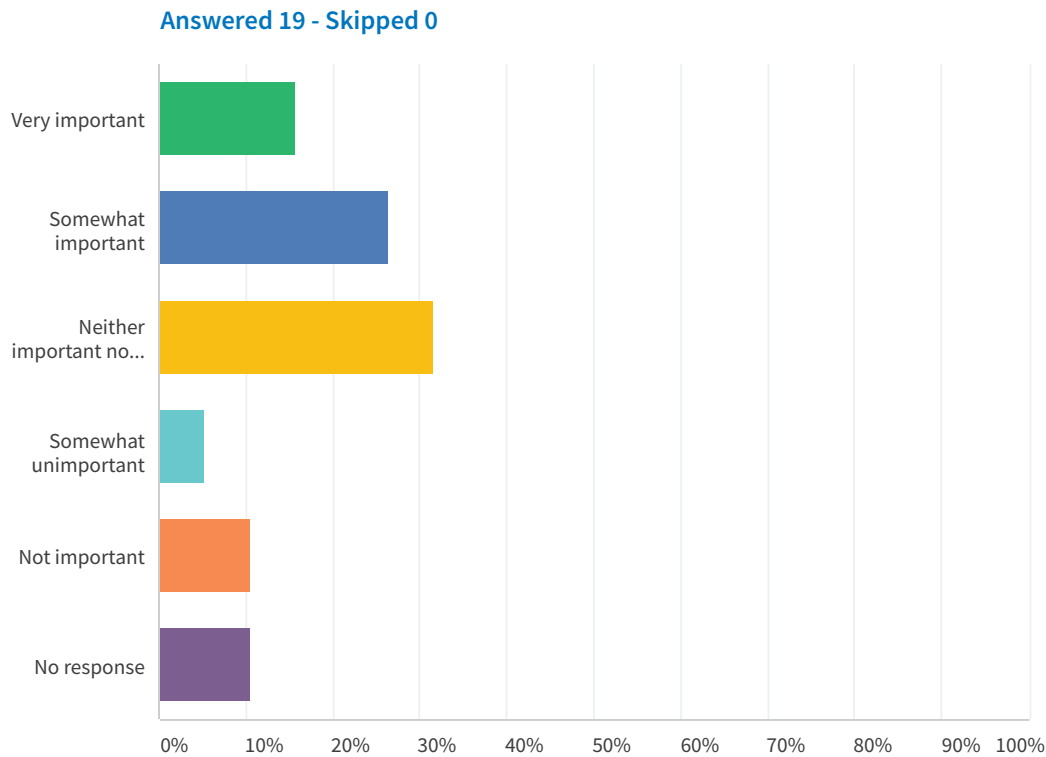
ANSWER CHOICES	RESPONSES	
Very important	42.11%	8
Somewhat important	31.58%	6
Neither important nor unimportant	0.00%	0
Somewhat unimportant	10.53%	2
Not important	10.53%	2
No response	5.26%	1
Total Respondents: 19		

Q4 - The redevelopment is considering including a children's daycare with a play area along Bertram.
How important is this new daycare service in Kelowna's downtown? Please select on.



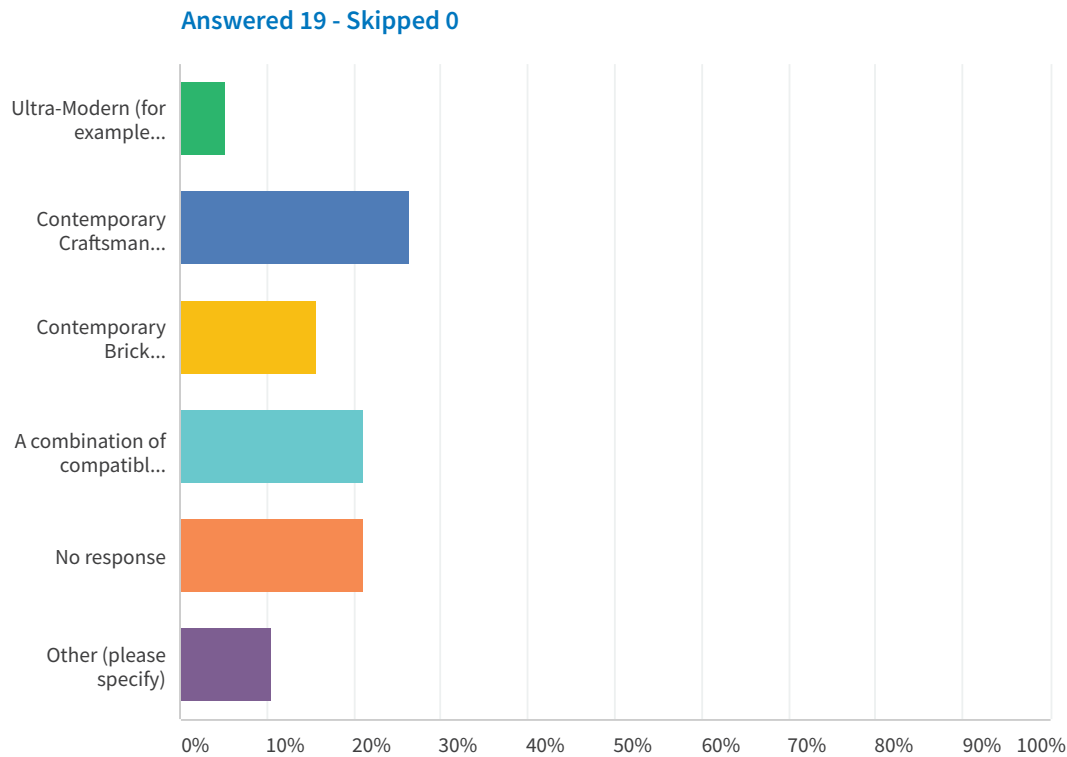
ANSWER CHOICES	RESPONSES	
Very important	26.32%	5
Somewhat important	15.79%	3
Neither important nor unimportant	26.32%	5
Somewhat unimportant	0.00%	0
Not important	21.05%	4
No response	10.53%	2
Total Respondents: 19		

Q5 - The redevelopment is considering 8 family townhomes along Bertram Street and 6 family townhomes facing north. How important is it that these townhomes be included in the redevelopment? Please select one.



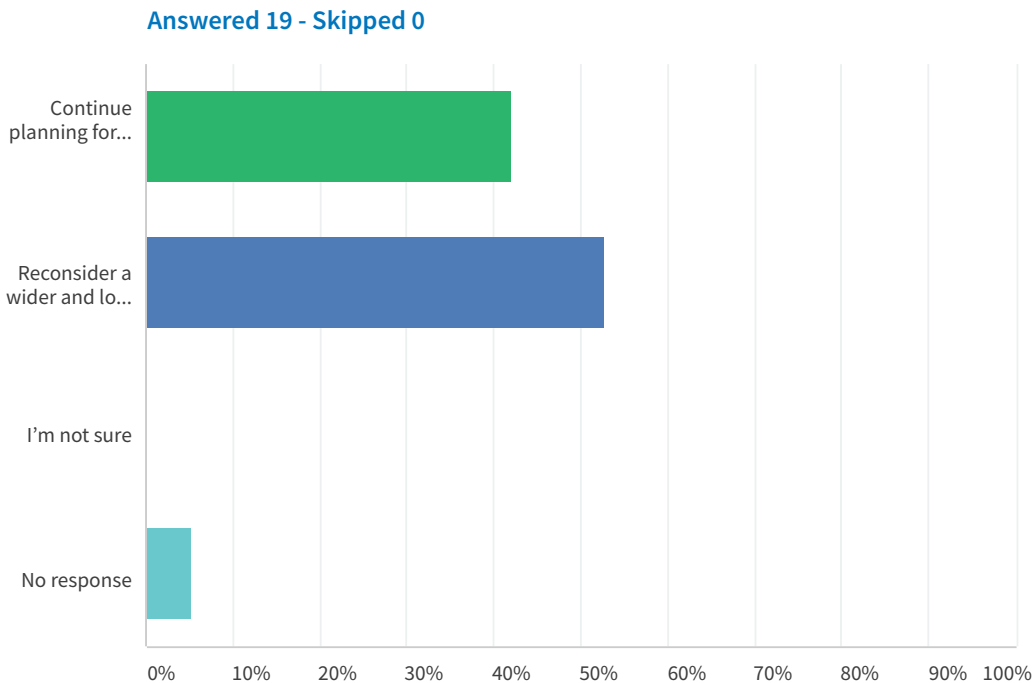
ANSWER CHOICES	RESPONSES	
Very important	26.32%	5
Somewhat important	15.79%	3
Neither important nor unimportant	26.32%	5
Somewhat unimportant	0.00%	0
Not important	21.05%	4
No response	10.53%	2
Total Respondents: 19		

Q6 - The townhomes would be designed to enhance the residential look and feel of the redevelopment.
 What architectural style do you think is most appropriate for the new townhomes? Please select one.



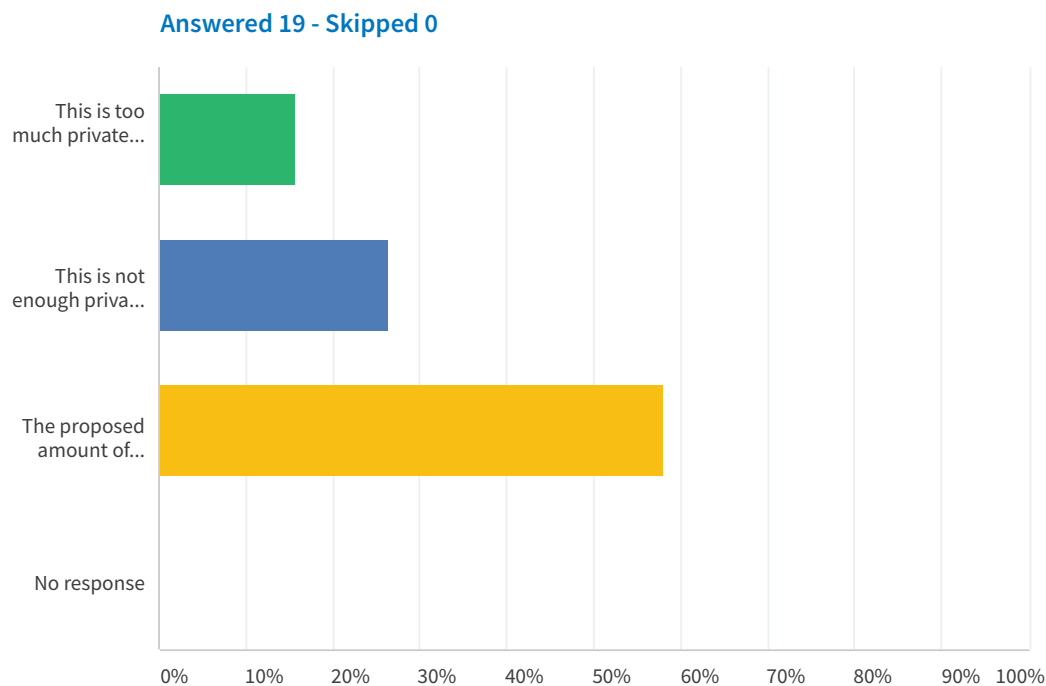
ANSWER CHOICES	RESPONSES	
Ultra-Modern (for example: minimal architectural details, concrete and glass featured)	5.26%	1
Contemporary Craftsman Contemporary Craftsman (for example: pitched rooflines, plank siding, covered front porches)	26.32%	5
Contemporary Brick Brownstone (for example: flat rooflines, brick finishes, walk-up front steps)	15.79%	3
A combination of compatible architectural styles	21.05%	4
No response	21.05%	4
Other (please specify)	10.53%	2
Total Respondents: 19		

Q7 - The redevelopment is planning for a 17-storey apartment building on a 3-storey parkade. The apartment is planned to house approximately 186 units. The tall building form allows separation from immediate neighbours and greenspace at ground level and on the parkade, but the tall building will be visible from a distance. A lower and wider apartment building, closer to immediate neighbours, was also considered by the project team. In your opinion, should BC Housing continue to plan for a tall apartment or reconsider a wider but lower apartment? Please select one.



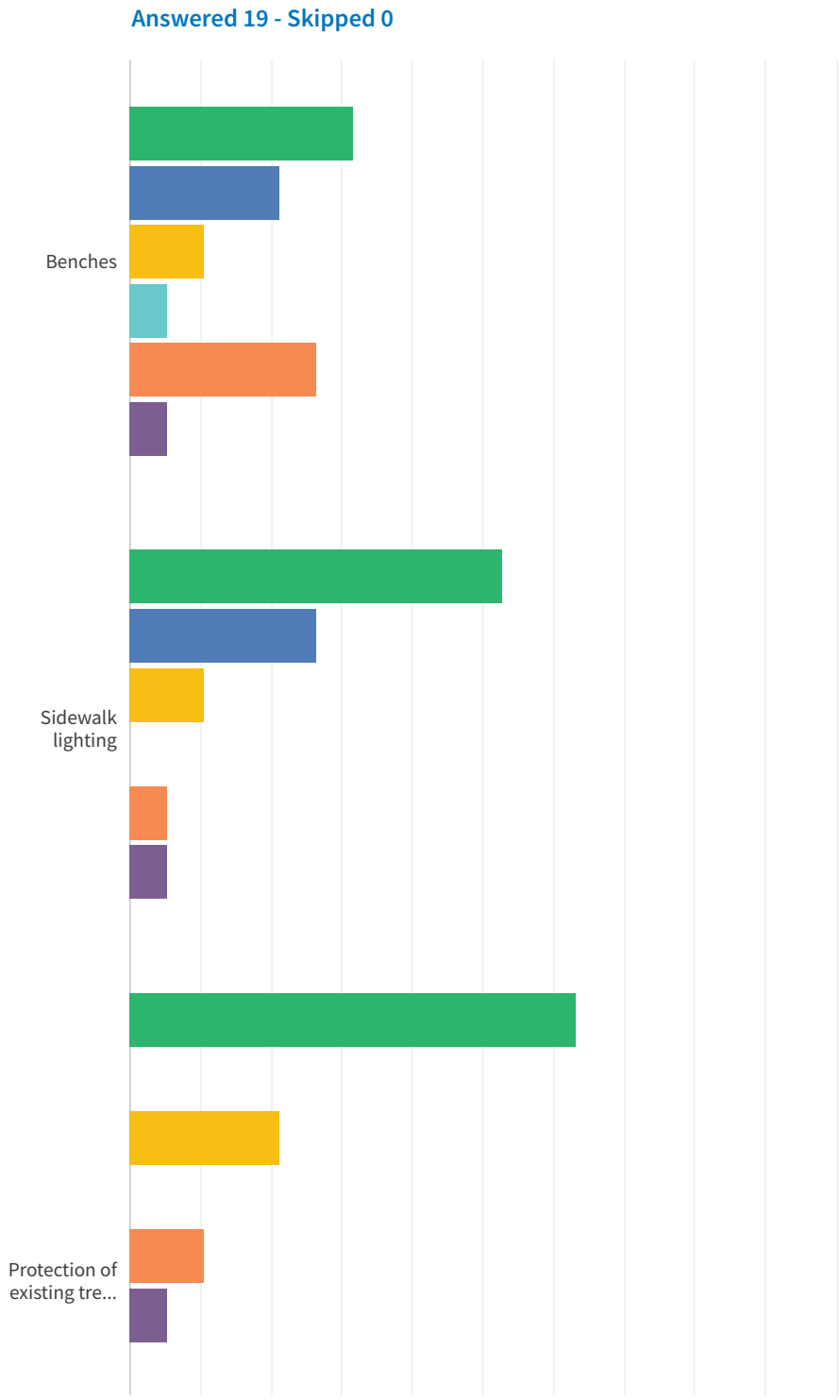
ANSWER CHOICES	RESPONSES	
Continue planning for a narrow and tall apartment	42.11%	8
Reconsider a wider and lower apartment	52.63%	10
I'm not sure	0.00%	0
No response	5.26%	1
Total Respondents: 19		

Q8 - TA 3-storey parkade is planned behind the townhomes and daycare. Because of the walkable downtown location and the proximity to transit, future residents of the redevelopment will be encouraged to use transit and other active transportation options. Close to one vehicle parking spot will be available for every housing unit. Please choose the response that best describes your opinion on this parking plan.

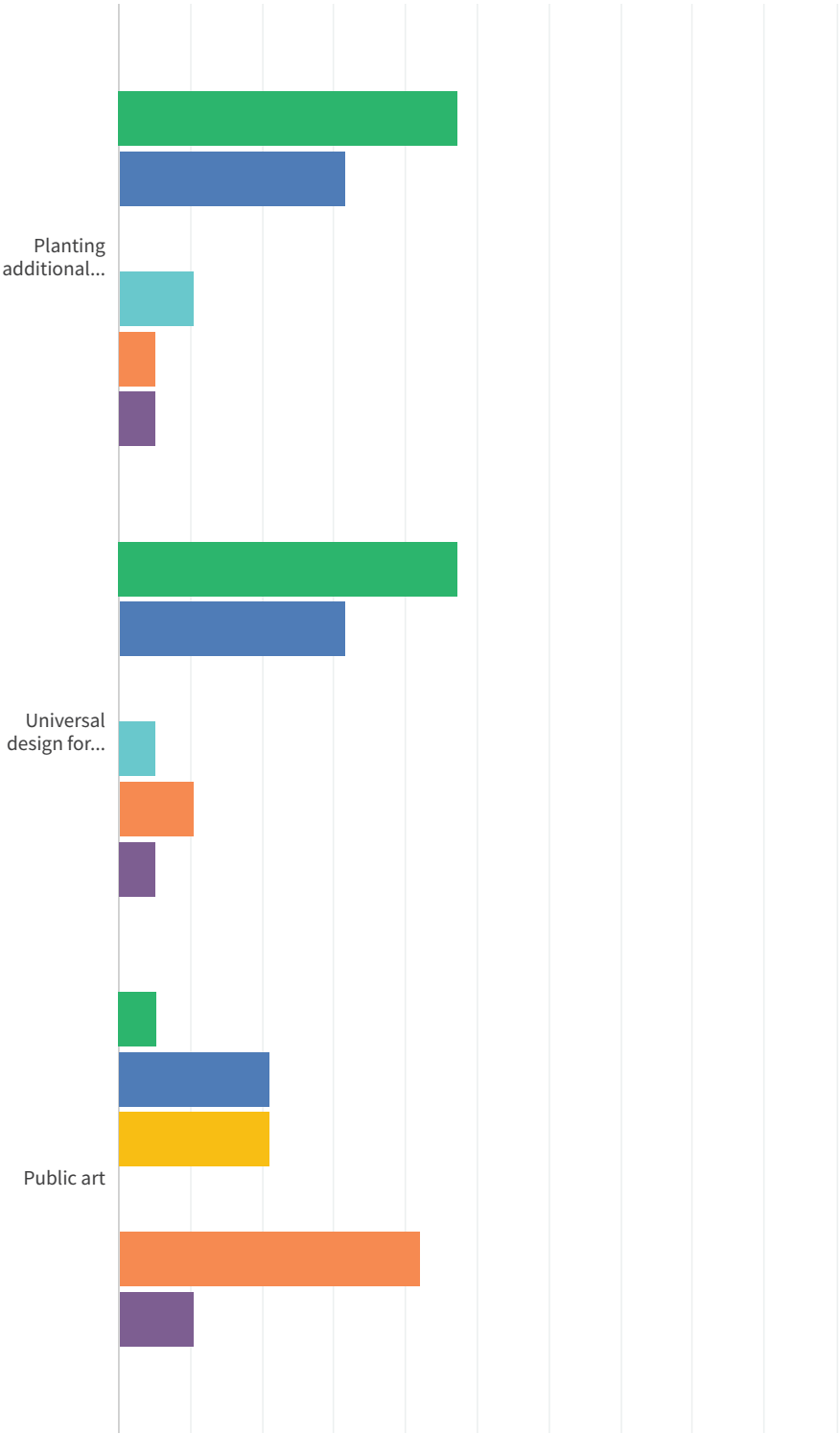


ANSWER CHOICES	RESPONSES	
This is too much private vehicle parking	15.79%	3
This is not enough private vehicle parking	26.32%	5
The proposed amount of vehicle parking is sufficient	57.89%	11
No response	0.00%	0
Total Respondents: 19		

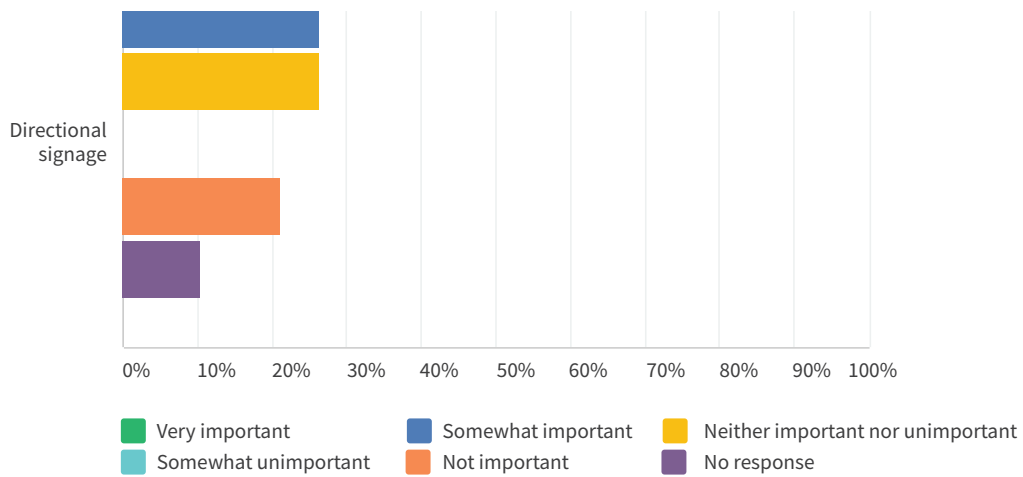
Q9 - The redevelopment will upgrade the sidewalk and public space along the Bertram Street section of the property and create a new bicycle lane. How important is it that project team also include the following additional features along Bertram Street?



Cont.



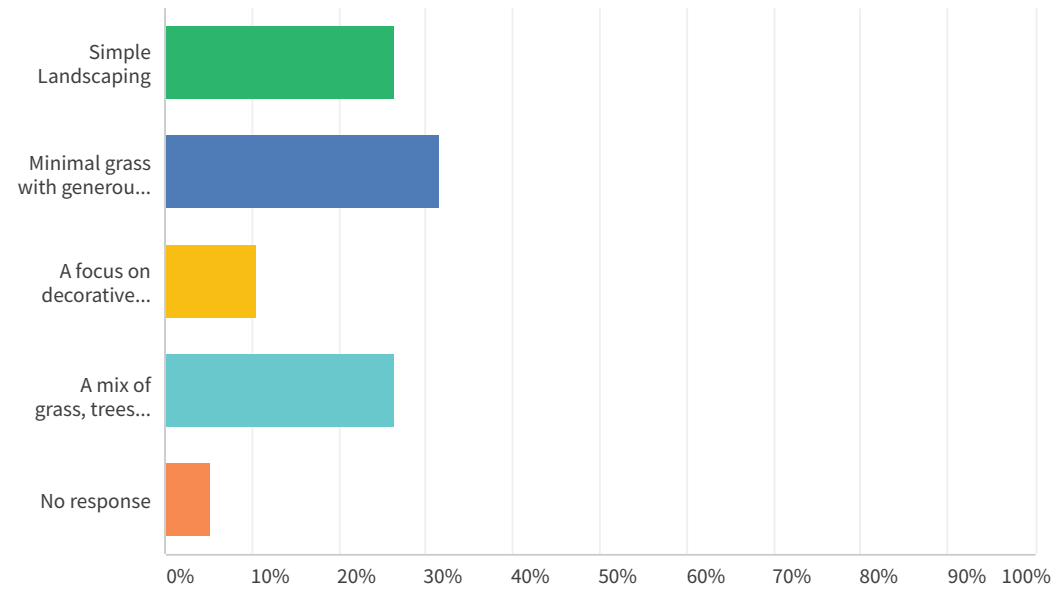
Cont.



ANSWER CHOICES	VERY IMPORTANT	SOMEWHAT IMPORTANT	NEITHER IMPORTANT NOR UNIMPORTANT	SOMEWHAT UNIMPORTANT	NOT IMPORTANT	NO RESPONSE	TOTAL
Benches	31.58% 6	21.05% 4	10.53% 2	5.26% 1	26.32% 5	5.26% 1	19
Sidewalk lighting	52.63% 10	26.32% 5	10.53% 2	0.00% 0	5.26% 1	5.26% 1	19
Pottection of existing trees along Bertram	63.16% 12	0.00% 0	21.05% 4	0.00% 0	10.53% 2	5.26% 1	19
Planting additional trees along Bertram	47.37% 9	31.58% 6	0.00% 0	10.53% 2	5.26% 1	5.26% 1	19
Universal design for mobility, visually or hearing impaired	47.37% 9	31.58% 6	0.00% 0	5.26% 1	10.53% 2	5.26% 1	19
Public art	5.26% 1	21.05% 4	21.05% 4	0.00% 0	42.11% 8	10.53% 2	19
Directional signage	15.79% 3	26.32% 5	26.32% 5	0.00% 0	21.05% 4	10.53% 2	19

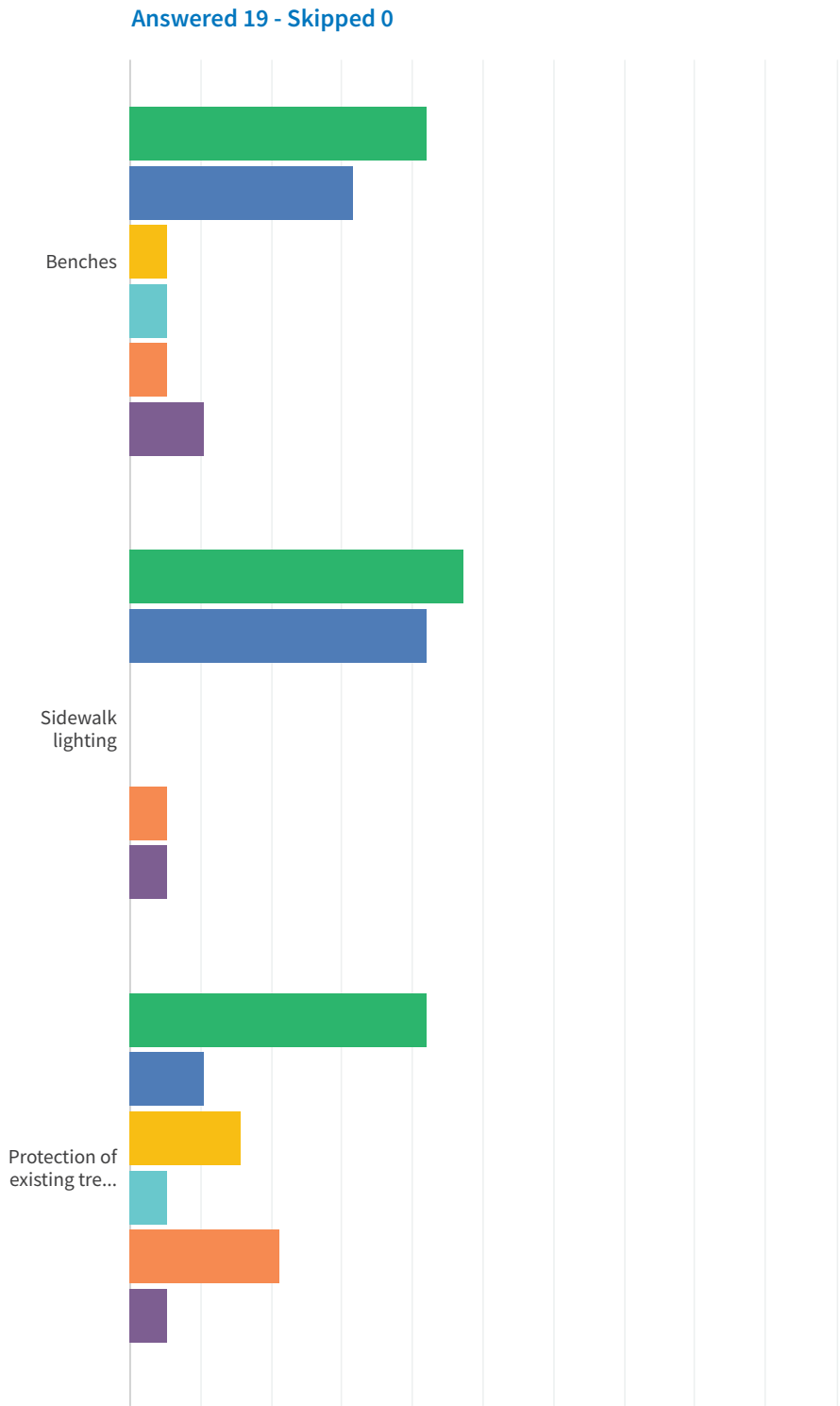
Q10 - BC Housing will redesign the landscaping between the townhomes, the daycare, and Bertram Street. Please choose the response that best describes how you think this area should be landscaped?

Answered 19 - Skipped 0

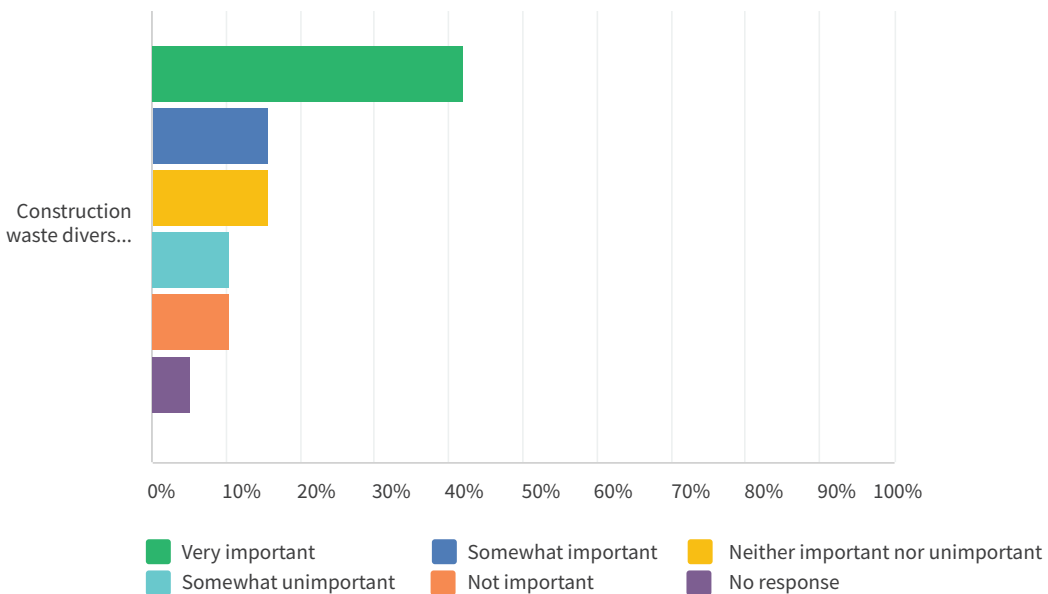


ANSWER CHOICES	RESPONSES	
Simple landscaping, with mostly grass and trees	26.32%	5
Minimal grass with generous plantings of shrubs and trees	31.58%	6
A focus on decorative pavers and limited plantings	10.53%	2
A mix of grass, trees and decorative pavers	26.32%	5
No response	5.26%	1
Total Respondents: 19		

Q11 - BC Housing is planning a leadership role in mitigating climate change through a number of project features.
How important is it that BC Housing pursue the following?



Cont.



ANSWER CHOICES	VERY IMPORTANT	SOMEWHAT IMPORTANT	NEITHER IMPORTANT NOR UNIMPORTANT	SOMEWHAT UNIMPORTANT	NOT IMPORTANT	NO RESPONSE	TOTAL
Implementation of BC Energy Step Code 3 (i.e., construction standards to encourage environmental sustainability)	42.11% 8	21.05% 6	10.53% 1	5.26% 1	26.32% 1	5.26% 2	19
Passive energy design (i.e., building design that uses the sun's energy to minimize energy consumption)	47.37% 9	42.11% 8	0.00% 0	0.00% 0	5.26% 1	5.26% 1	19
Xeriscaping (i.e., landscaping requiring little or no irrigation)	42.11% 8	10.53% 2	15.79% 3	5.26% 1	21.05% 4	5.26% 1	19
Construction waste diversion from landfill of 60%	42.11% 8	15.79% 3	15.79% 3	10.53% 2	10.53% 2	5.26% 1	19

Q12 - Please provide any additional related comments.

What do you like most and, or, least, about the design ideas presented for the redevelopment?

Answered 19 - Skipped 0

SEE PAGE 6 OF THIS DOCUMENT FOR COMMENT SUMMARY



OCP21-0006 & Z21-0015 1451 & 1469 Bertram St

OCP Amendment & Rezoning Applications



Proposal

- ▶ To amend the OCP Future Land Use and rezone the subject properties to facilitate the development of a mixed-use rental housing project.

Development Process

Feb 16, 2021

Development Application Accepted

Staff Review & Circulation

Apr 29, 2021

Public Consultation

May 17, 2021

Initial Consideration

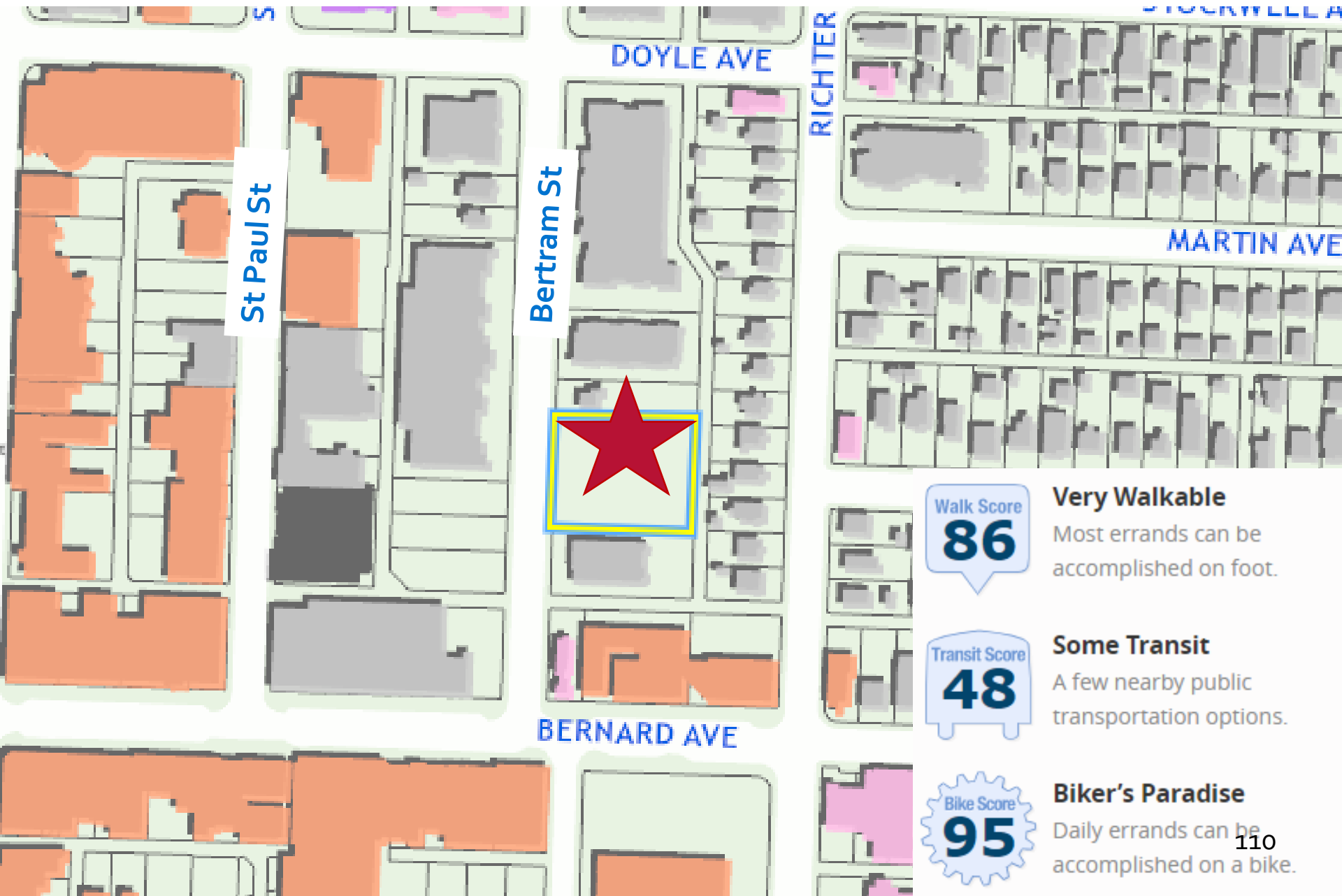
Public Hearing
Second & Third Readings

Final Reading and DP & Variances

Building Permit

Council
Approvals

Context Map



Walk Score
86

Very Walkable
Most errands can be accomplished on foot.

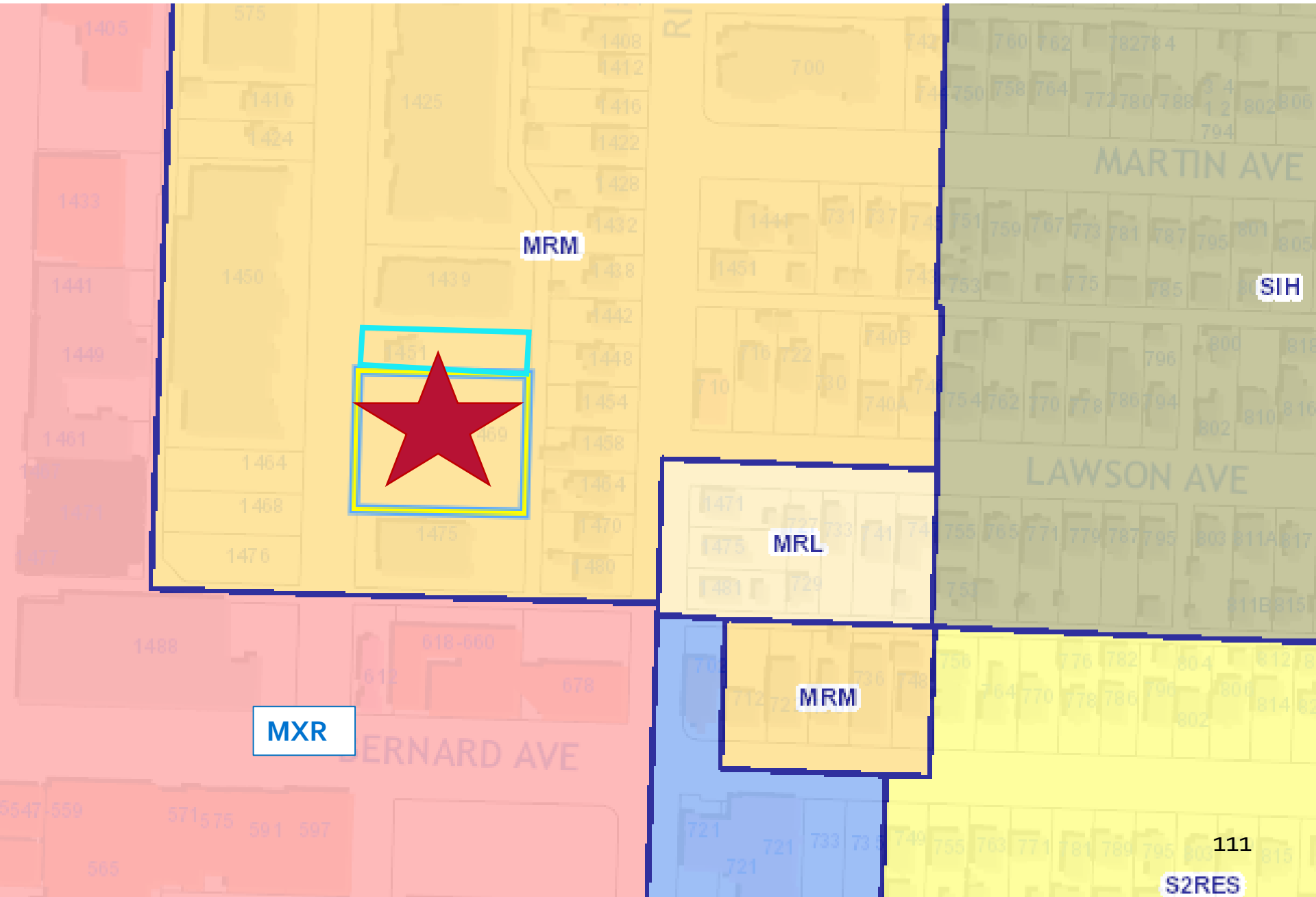
Transit Score
48

Some Transit
A few nearby public transportation options.

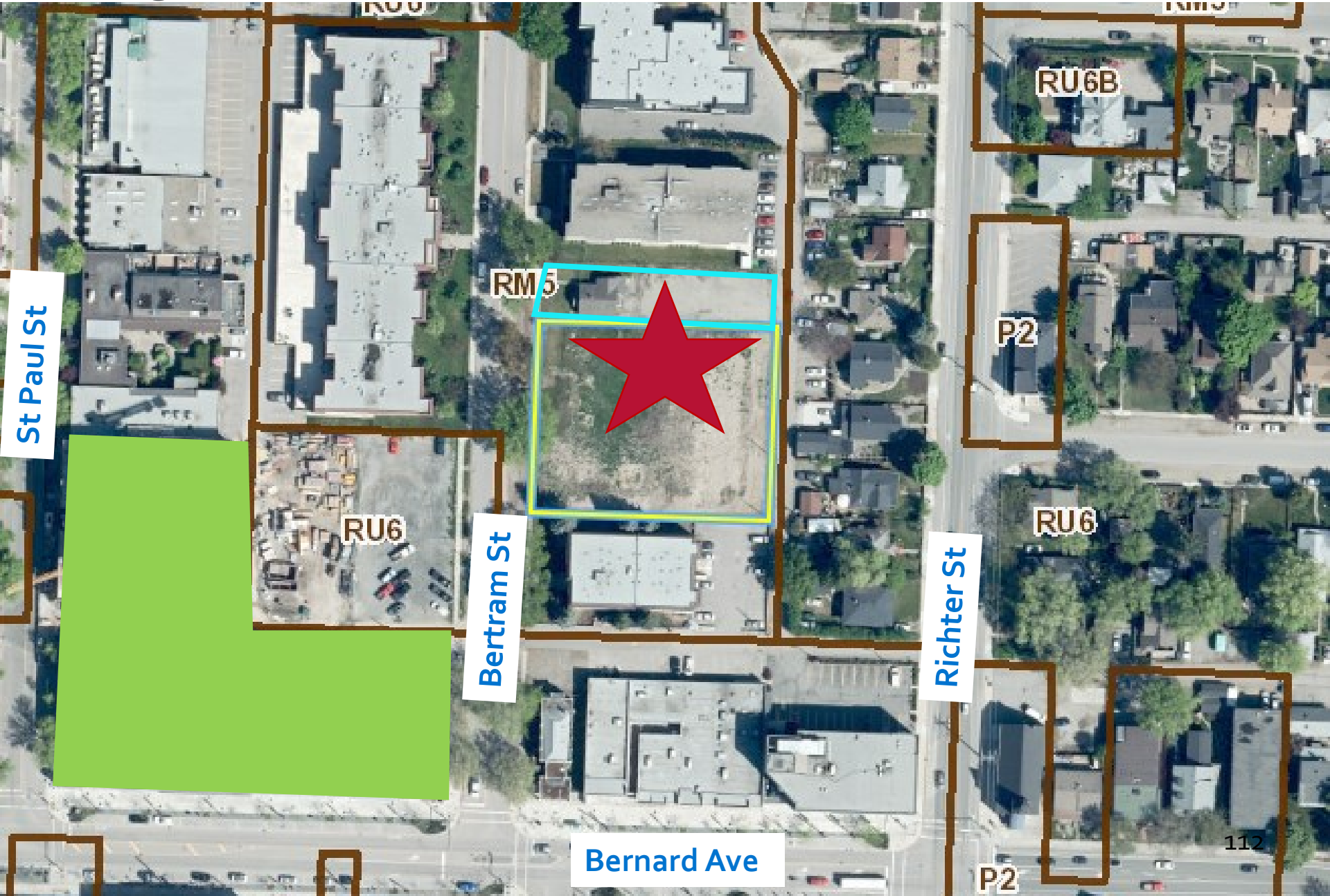
Bike Score
95

Biker's Paradise
Daily errands can be accomplished on a bike.

Future Land Use



Subject Property Map





Project Details

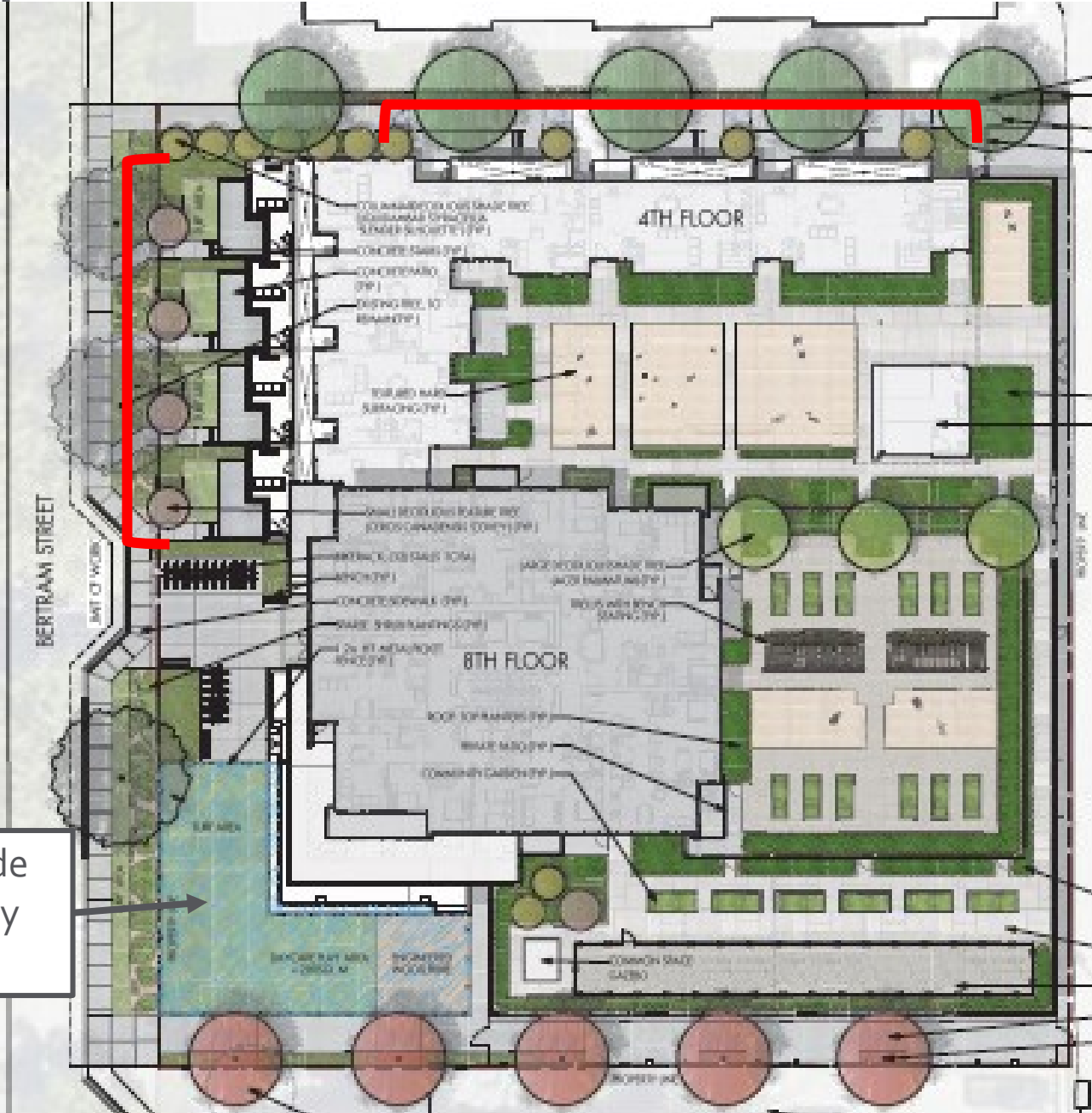
- ▶ Two parcels to be consolidated
- ▶ Mature boulevard trees to be retained.
- ▶ 20-storeys (17-storey residential tower on 3-storey parking podium)
- ▶ 162 residential units
- ▶ Daycare and 14 townhomes to screen parkade along Bertram St and north shared property line.

Conceptual Site Plan



Bertram Street

Rear Lane



Daycare at-grade outdoor amenity area

Development Policy

- ▶ Amendment of Future Land Use to MXR – Mixed Use (Residential/ Commercial)
- ▶ OCP Urban Infill Policies:
 - ▶ Compact Urban Form
 - ▶ Focus growth with compact, connected mixed-use developments in Urban & Village Centres.
 - ▶ Support the creation of affordable and safe rental, non-market and/or special needs housing.

Staff Recommendation

- ▶ **Support** of the proposed OCP amendment and Rezoning Bylaws:
 - ▶ Meets many objectives in the OCP
- ▶ Recommend the bylaws be forwarded to Public Hearing for further consideration.



Conclusion of Staff Remarks



CITY OF KELOWNA

BYLAW NO. 12147

Official Community Plan Amendment No. OCP21-0006 1451 and 1469 Bertram Street

A bylaw to amend the "*Kelowna 2030* – Official Community Plan Bylaw No. 10500".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* – Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of:
 - a) Lot 3 Block E District Lot 139 ODYD Plan 2345; and
 - b) Lot A District Lot 139 ODYD Plan 15900located on Bertram Street, Kelowna, B.C., from the MRM – Multiple Unit Residential (Medium Density) designation to the MXR – Mixed Use (Residential / Commercial) designation.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 17th day of May, 2021.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA
BYLAW NO. 12148
Z21-00015
1451 and 1469 Bertram Street

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of:
 - a) Lot 3 Block E District Lot 139 ODYD Plan 2345; and
 - b) Lot A District Lot 139 ODYD Plan 15900located at Bertram Street, Kelowna, BC from the RM5 – Medium Density Multiple Housing zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 17th day of May, 2021.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: May 17, 2021

To: Council

From: City Manager

Department: Development Planning

Application: Z19-0068

Owner: Payam & Sanaz Holdings Ltd,
Inc.No. 101155120

Address: 416, 426 and 430 Royal Ave

Applicant: Denciti Development Corp.

Subject: Rezoning Application

Existing OCP Designation: Health District (HLTH)

Existing Zone: RU1- Large Lot Housing

Proposed Zone: HD3r- Health Services Transitional (Residential Rental Tenure Only)

1.0 Recommendation

THAT Rezoning Application No. Z19-0068 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 22, 23, and 24 District Lot 14 ODYD Plan 3393 located at 416, 426 and 430 Royal Avenue, Kelowna, BC from the RU1- Large Lot Housing zone to the HD3r- Health Services Transitional (Residential Rental Tenure Only) zone be considered by Council,

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated April 12, 2021;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Heritage Alteration Permit for the subject property.

2.0 Purpose

To consider an application to rezone the subject properties from the RU1-Large Lot Housing zone to the HD3r- Health Services Transitional (Residential Rental Tenure Only) zone to facilitate the development of a mixed-use building.

3.0 Development Planning

Staff are supportive of the proposed rezoning for the subject properties. The proposal will facilitate a mixed-use building primarily comprised of multi-dwelling housing with a component of commercial at the ground-level. The applicant is proposing to use the Residential Rental Tenure Only subzone, which enforces rental only tenancy on the subject property for perpetuity.

The proposal is consistent with the future land use designation of Health District in the Official Community Plan (OCP), which intends to support integrated uses for the Kelowna General Hospital Campus. The HD3-Health Services Transitional zone allows for small-scale health services that are compatible with residential land uses and capable of being in a neighbourhood setting. Additionally, the zone is intended to facilitate development that is transitional in nature from the hospital to the surrounding residential neighbourhood.

The applicant has fulfilled the requirements of Council Policy No. 367 through an initial open house and subsequent meetings with community members.

4.0 Proposal

4.1 Project Description

The site is comprised of three single family lots with existing single-family dwellings. To allow for future development, demolition of the existing homes and lot consolidation will be required. Staff are currently reviewing an accompanying Heritage Alteration Permit (HAP) for the site which consists of multiple-dwelling housing and a modest commercial retail unit. Should Council support the proposed rezoning, the HAP will come forward for Council consideration. Staff have worked diligently with the applicant to ensure the intent of the HD3 zone is met. A section 219 covenant will be implemented as a condition of the HAP that designates a portion of residential units to rental for hospital staff, visitors, or hospital related institutions. This is to ensure that a meaningful connection to the Health District is implemented.

4.2 Site Context

The subject properties are located in the Abbott St Heritage Conservation Area. Single-family homes are located to the north, separated by laneway access. A surface parking lot that serves Kelowna General Hospital is located to the east, and KGH (specifically the emergency room entry) is located across Royal Ave to the south. A single-family dwelling is on the adjacent property to west.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1- Large Lot Housing	Single-family dwelling
East	P1- Major Institutional	Non-accessory parking
South	HD1- Kelowna General Hospital	Hospital
West	RU1- Large Lot Housing	Single-family dwelling

Subject Property Map:



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 4: Health District

Definition

The Health District west of Pandosy Street is a transitional area from the Kelowna General Hospital campus to the surrounding residential neighbourhoods. Any properties west of Pandosy Street that are designated health district are limited to the HD3-Health Services Transitional zone of the Zoning Bylaw. The embedded guidelines are intended to ensure that the design of individual developments is compatible with the overall neighbourhood context, adjacent established and future residential neighbourhoods of this area.

6.0 Technical Comments

6.1 Development Engineering Department

Refer to attached Schedule "A", Development Engineering Department memorandum, dated

7.0 Application Chronology

Date of Application Received: May 27, 2019

Date Public Consultation Completed: August 20, 2019 open house/ongoing

Report prepared by: Jocelyn Black, Urban Planning Manager (formally Planner Specialist)

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Site Plan



CITY OF KELOWNA

MEMORANDUM

Date: May 31, 2019

File No.: Z19-0068

To: Community Planning (JB)

From: Development Engineering Manager (JK)

Subject: 416-430 Royal Ave RU1 to HD2

Development Engineering Department have the following comments and requirements associated with this application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Jason Angus.

.1) General

- a) Where there is a possibility of a high water table or surcharging of storm drains during major storm events, non-basement buildings may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.
- b) Provide easements as may be required.

.2) Road Dedication and Subdivision Requirements

- a) Vehicle access to the development should only be from the laneway.
- b) Lot consolidation is required.

.3) Geotechnical Study.

- (a) Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision. The Geotechnical reports must be submitted to the Development Services Department for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval:
 - i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - ii. Site suitability for development.

- iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- iv. Any special requirements for construction of roads, utilities and building structures.
- v. Recommendations for items that should be included in a Restrictive Covenant.
- vi. Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
- vii. Any items required in other sections of this document.

Additional geotechnical survey may be necessary for building foundations, etc

.4) Water

- a) The property is located within the City of Kelowna service area. The existing lots are serviced with a 13mm diameter water service. Only one service will be permitted to the site or per property. The applicant, at his cost, will arrange for the removal of the existing services and the installation of one new larger metered water service.
- b) The developer's consulting engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The bylaw requirement for commercial zoning is 150l/s and is available at the site. If it is determined that upgrades to any other existing water distribution system must be made to achieve the required fire flows, additional bonding will be required.
- c) An approved backflow protection device must also be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.
- d) A water meter is mandatory for this development and must be installed inside a building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost

.5) Sanitary Sewer

- a) The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal and disconnection of the existing services and the installation of one new larger service.

.6) Drainage

- a) The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems.
- b) Provide a detailed Stormwater Management Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900.
- c) There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

.7) Roads

- a) Royal Ave is designated an 2-lane collector road. Frontage improvements have already been completed for the existing condition. No further upgrades are needed at this time.
- b) The laneway must be upgraded to an laneway standard along the full frontage of this proposed development, including pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- c) Landscaped boulevards, complete with underground irrigation design drawing as per bylaw, is required on Royal Ave.

.8) Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground as the subject properties are within the "City Center Urban Center".
- b) Streetlights must be installed on all roads.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.

.9) Design and Construction

- d) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- e) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.

- f) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- g) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- h) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

.10) Other Engineering Comments

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands, and for public access to Vaughan Ave via the proposed lane.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.
- c) All existing trees in the BLVD are to be protected during the construction of the development. There will be a 3 to 1 ratio if an existing tree is deemed damaged or dying.

.11) Servicing Agreements for Works and Services

- b) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- c) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

.12) Charges and Fees

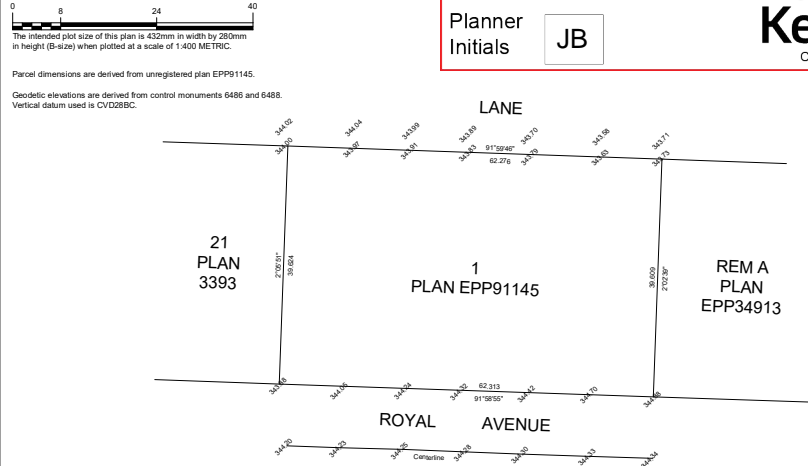
- a) Development Cost Charges (DCC's) are payable
- b) Fees per the "Development Application Fees Bylaw" include:
 - i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
 - ii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - iii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).

A handwritten signature in cursive script that reads "James Kay".

James Kay, P.Eng.
Development Engineering Manager
JA



SITE PLAN SHOWING ELEVATIONS ON LOT 1, DISTRICT LOT 14, ODYD, PLAN EPP91145.



AllTerra Land Surveying Ltd. www.AllTerraSurveying.ca Ph: 250.762.0122 Fax: 318014

SITE & CONTEXT PHOTOS



AERIAL SITE VIEW



AERIAL VIEW NORTH



AERIAL VIEW WEST



AERIAL VIEW EAST

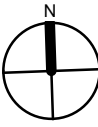
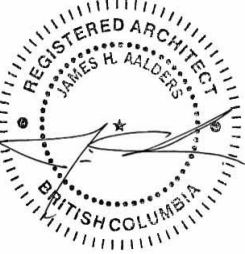


AERIAL VIEW SOUTH

PROJECT STATISTICS

	EXISTING ZONE	TARGETED ZONE REQUIREMENT		PROPOSED / PROVIDED
ZONE	RU1	HD3		HD3
BUILDING HEIGHT	9.5m 2.5 STOREYS	10m 3 STOREYS		10.97m @ MID-SLOPE ROOF
FAR	-	1.0		0.95
COVERAGE	40%	60%		73% INCLUDING PARKING
FRONT YARD	4.5m	4.5m		4.5m
SIDE YARD	2.0m	2.3m		2.31m (East)+7.294m(West)
REAR YARD	7.5m	6m		15.36m
GFA				28826.53sf(m2)
NET FLOOR AREA				25136.29sf(m2)
LOT AREA				26564.06sf(m2)
CIRCULATION & SERVICES				3690.24sf (610m2)
BALCONIES & PATIOS				3418.78sf (193.2m2)
PARKING		STUDIO: 1.0 RATIO 1 BEDROOM: 1.25 RATIO 2 BEDROOM: 1.5 RATIO 0.14 STALL/UNIT (VISIT.) SUB-TOTAL REQUIRED: <u>PARKING INCENTIVE BONUSES:</u> - 10% RENTAL REDUCTION - 5 PER CAR SHARE - 20% (UP TO 5) LONG TERM BIKE TOTAL RESIDENTIAL PARKING REQUIRED: 3.5STALL/ 100m2 CRU CRU (67.6sm) REQUIRED DEVELOPMENT TOTAL REQUIRED: 50% REGULAR 50% SMALL	6 28.75 13.5 5.32 54 -5 -5 -5 39 2 41 21 20	41 SPACES PROVIDED: 17 REGULAR (INCLUDES 2 ACCESSIBLE STALLS) 24 SMALL (INCLUDES 1 CAR SHARE STALL) 41 PROVIDED 17 REGULAR 24 SMALL
BICYCLE PARKING: LONG TERM		1 PER STUDIO/1 BEDROOM 1.5 PER 2 BEDROOM 2 PER 500sm COMMERCIAL TOTAL REQUIRED FOR BONUS	29 13.5 1 44	44
SHORT TERM		6/Residential Entry 2/Commercial Entry TOTAL SHORT TERM REQUIRED	18 2 20	

UNIT TYPE	COUNT	AREA/UNIT
STUDIO	6 UNITS	400 sf
1 BR	23 UNITS	561 sf
2 BR	9 UNITS	841-781 sf
TOTAL	38 UNITS	
HEALTH SERVICES	1 UNIT	728 sf





Z19-0068 416, 426 & 430 Royal Ave

Rezoning Application



Proposal

- ▶ To consider an application to rezone the subject properties from RU1- Large Lot Housing to HD3r- Health Services Transitional (Residential Rental Tenure Only) to facilitate the development of a mixed-use building

Development Process

May 2, 2019

Development Application Submitted



Staff Review & Circulation



Public Notification Received



Initial Consideration



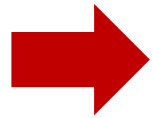
Public Hearing
Second & Third Readings



Final Reading
Heritage Alteration Permit



Building Permit



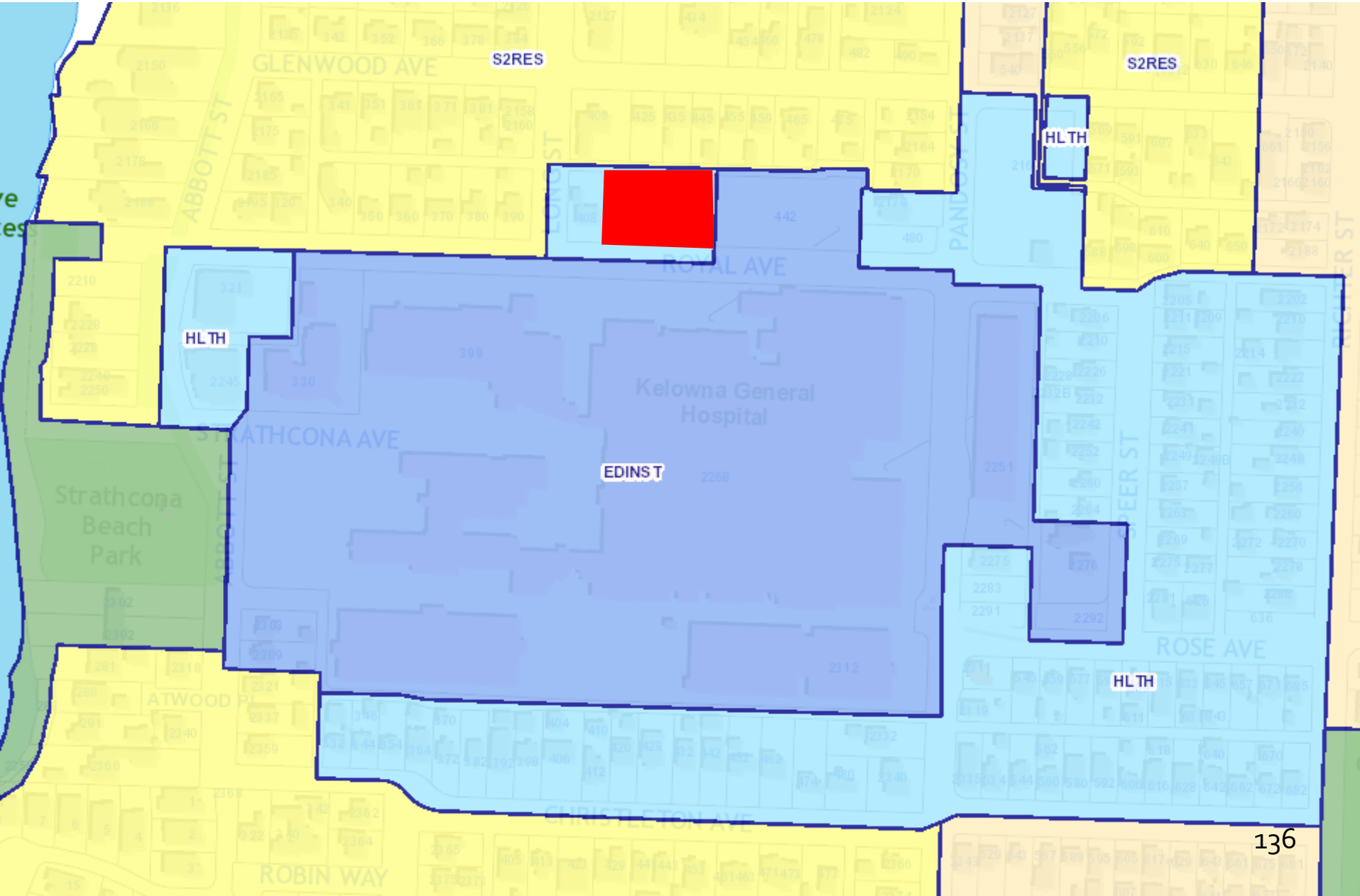
May 17,
2021

Council
Approvals

Context Map



OCP Future Land Use / Zoning



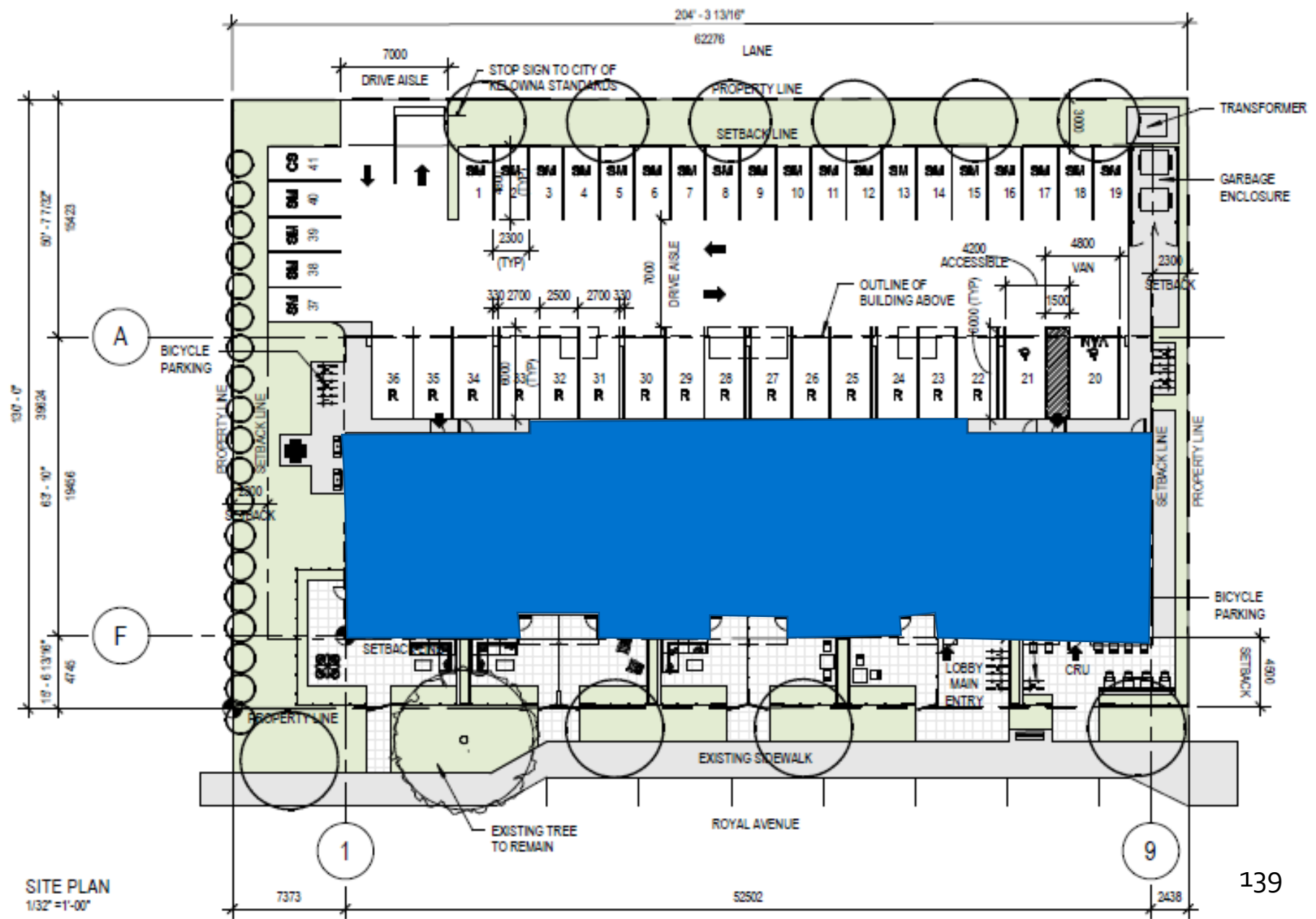
Subject Property Map



Project/technical details

- ▶ Residential rental tenure only subzone
- ▶ A portion of units will be designated for rentals by hospital staff, visitors or hospital related institutions only
- ▶ Mixed-use building with primarily residential and a component of commercial at the ground-level
- ▶ Commercial component must meet uses as per the HD₃ zone

Site Plan



SITE PLAN
1/32" = 1'-0"

Renderings



Development Policy

- ▶ Follows the direction of the Official Community Plan
- ▶ Rental only subzone ensures rental housing and contributes to the goals of the Healthy Housing Strategy

Staff Recommendation

- ▶ Staff recommend **support** of the proposed rezoning
- ▶ Recommend the application be forward to public hearing



Conclusion of Staff Remarks

CITY OF KELOWNA
BYLAW NO. 12194
Z19-0068
416, 426, and 430 Royal Avenue

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of:
 - a) Lot 22, District Lot 14, ODYD, Plan 3393; and
 - b) Lot 23, District Lot 14, ODYD, Plan 3393; and
 - c) Lot 24, District Lot 14, ODYD, Plan 3393located at Royal Avenue, Kelowna, BC from the RU1 – Large Lot Housing zone to the HD3r – Health Services Transitional (Residential Rental Tenure Only) zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 17th day of May, 2021.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk