

REPORT TO COUNCIL



Date: December 5th 2017

RIM No. 0940-50

To: City Manager

From: Community Planning Department (AC)

Application: DVP17-0236 **Owner:** RG Lot 3 Ltd., Inc.No. 556980

Address: 1232 Ellis Street **Applicant:** ICR Projects Inc. (Leo Mariotto)

Subject: Development Permit & Development Variance Permit

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

Existing Zone: CD5 – Multi-Purpose Facility

1.0 Recommendation

THAT Council authorize the issuance of Development Variance Permit DVP17-0236 for Lot 3, District Lot 139, ODYD, Plan KAP60698, located at 1232 Ellis St, Kelowna, BC;

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

Schedule 'B' – Comprehensive Development Zones (CD5 – Multi-Purpose Facility)
Section 1.8 [Parking and Loading (b)]

From: To vary the parking and loading section from "All uses on Lots 2 and 3 as shown on CD5 Map 1, shall be required to provide parking and loading as required by Part III for C-5 (B/L 4500) uses. See Part III of City of Kelowna Zoning Bylaw, 1976, No. 4500, as it existed on May 4, 1998."

To: All uses on Lots 2 and 3 as shown on CD5 Map 1, shall be required to provide parking and loading as required by Part III for C-5 (B/L 4500) uses. See Part III of City of Kelowna Zoning Bylaw, 1976, No. 4500, as it existed on May 4, 1998, EXCEPT the parking stall size requirements are to be in accordance with the updated current Zoning Bylaw No. 8000 Section 8.1.11.

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To consider a Development Variance Permit for the project known as 'Ellis Parc' in order to vary the parking and loading stall size requirements within the CD5 zone in order for the parking stall size to match the current Zoning Bylaw stall requirements.

3.0 Community Planning

Staff are supportive of the Development Variance Permit as parking spaces should not be wider than necessary. The CD5 zone has not been updated since its creation in 1996. This has led to the parking stall size requirements being wider than the standard parking stall sizes within Zoning Bylaw No. 8000. This variance, if supported, would increase the efficiency of parking stalls within the proposed building parkade and limit potential on-street parking spillover. The original approved design (DP17-0011) provided 100 parking stalls while the CD5 zone required 139 parking stalls. In that proposal, the applicant would need to provide Payment-in-Lieu of parking for 39 stalls. At the current rate of \$22,500 per stall this would total \$877,500. If the proposed variance is approved, the applicant would be able to provide 17 additional stalls within the proposed parkade utilizing standard sized parking stalls. Therefore, out of the 139 parking stalls required the applicant could then provide 117 parking stalls resulting in a 22 parking stall shortfall. At current Payment-in-Lieu parking rates (\$22,500 per stall) this would result in a new total payment of \$495,000.

The applicant has also requested an alternate approval in which 8 stalls worth of Payment-in-Lieu would be eliminated in exchange for the applicant providing two car sharing electric vehicles and an electric charging station. Staff have been working through a policy review for car-sharing incentives and do not want to implement any component of that policy until it has been finalized. As such, staff did not support any trade-offs in-lieu of car-share/electric parking stalls; however, staff do support these amenities in concept and recommend that the applicant install them regardless.

4.0 Proposal

4.1 Background

In September 2016, the applicant, submitted to the City of Kelowna a Parking Text Amendment Application to revise the Parking requirements and Parking Sizes in accordance with the requirements of the C4 and C7 zone of neighbouring properties.

The existing parking requirement in the C4 and C7 zones is 1.0 spaces per dwelling unit. The application was considered by City Council on April 10, 2017 for a proposed text amendment to Table 8.1 Parking Schedule to include the CD5 zone in the same parking category as the C4 and C7 neighbouring properties and it was defeated. The applicant then revised the development permit drawings with parking requirements and parking sizes in accordance with Part III of the City of Kelowna Zoning Bylaw, 1976, No. 4500 as it existed on May 4, 1998. This resulted in the following parking requirements:

- Parking stall required: 139 Stalls
- Parking provided; 100 Stalls
- Proposed parking payment in Lieu as per Kelowna Zoning Bylaw, 1976, No. 4500 Part III section 4(q) as it existed on May 4, 1998: 39 Stalls
- Bicycle parking: NONE required (16 voluntary provided)
- As a comparison, for information, compliance with the Kelowna Zoning Bylaw, 1976, No. 4500 as it existed on May 4, 1998 compared to the current C4 and C7 parking sizes resulted in a **decrease** in parking stalls provided by **17 stalls** and a **reduction of 30** Class I Bicycle parking.

4.2 Project Description

The applicant is proposing two options for the City of Kelowna to consider. Option 1 is to vary the CD5 zone to allow for the standard sized parking stalls identified with Section 8 of the current Zoning Bylaw No. 8000.

Option 2 asks for the same thing in terms of the parking stall size but is also requesting a reduction in the amount of Payment-in-Lieu of Parking. The request is to reduce the amount of Payment-in-Lieu by 8 stalls in exchange for the applicant providing two car sharing electric vehicles and an electric charging station.

OPTION ONE:

That the City of Kelowna consider a variance to DP17-0011 to revise the parking size requirements to be in accordance with Bylaw 8000 Section 8 Parking and Loading section 8.1.11 to 8.1.14 inclusive that would result in the following calculations:

- Parking stalls required in Kelowna Zoning Bylaw, 1976, No. 4500 Part III section as it existed on May 4, 1998: **139 Stalls**
- Parking provided; **117 Stalls**
- Proposed parking payment in Lieu as per Kelowna Zoning Bylaw, 1976, No. 4500 Part III section 4(q) as it existed on May 4, 1998: **22 Stalls**.
- Cities in the recent past have reduce the number of vehicle parking space requirements by introducing bicycle parking spaces and in some cases have further reduced vehicle parking requirement for Bicycle parking provided in addition to current bylaw requirements. Provision of bicycle parking in accordance with Bylaw 8000 section 8.4 would result in required **46 Bicycle** class I parking space versus **Zero** requirement in Kelowna Zoning Bylaw, 1976, No. 4500 Part III section as it existed on May 4, 1998.

OPTION TWO:

With the aim to promote car sharing as an environmental responsible alternative to personal vehicle ownership some Cities have or are considering revising their parking requirements to reduce vehicle parking requirements by 4 stalls for every car share parking spots. This environmental responsible alternative is also recognized by LEED that provides additional credits for this alternative. Should this alternative be considered, two car sharing electric vehicles and an electric charging stations can be provided as part of this development. Parking calculations under Option Two could result in the following:

- Parking stalls required in Kelowna Zoning Bylaw, 1976, No. 4500 Part III section as it existed on May 4, 1998: 139 Stalls
- Parking provided; 117 Stalls + 8 stalls for Car Sharing = 125
- Proposed parking payment in Lieu as per Kelowna Zoning Bylaw, 1976, No. 4500 Part III section 4(q) as it existed on May 4, 1998: 14 Stalls.
- Class I Bicycle parking = 46 stalls

4.3 Site Context

The site is located at the north end of the Downtown Urban Centre directly adjacent to Prospera Place. Specifically, the adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C4 – Urban Centre Commercial	Vacant
East	I4 – Central Industrial	Industrial
South	C10 – Service Commercial	Commercial
West	CD5lp – Multi-Purpose Facility (Liquor Primary)	Prospera Place Arena

Subject Property Map: 1232 Ellis St.



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 5.11. Support parking management programs that promote reduced vehicle ownerships, reduced vehicle trips, and increased use of active modes of transportation.

Parking Relaxations.¹ Consider parking requirement relaxations, in areas that are not part of a cash-in-lieu program, where an approved TDM strategy indicates a lower use of vehicles and the City is satisfied that parking relaxations would not create parking spill-over problems on adjoining neighbourhood streets. Parking relaxations will not be considered in hillside areas (as defined on Map 4.1 - Future Land Use)..

Preferred Parking.² Encourage preferred (e.g. close to entrances) or dedicated parking stalls for electric vehicles, share cars and / or hybrid vehicles and small vehicles for all developments.

Multi-Unit Residential Parking.³ Encourage developers / landlords to unbundle parking price from the multi- family housing or rental price.

¹ City of Kelowna Official Community Plan, Policy 5.11.1 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.11.3 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.11.4 (Development Process Chapter).

Objective 5.19. Ensure efficient land use.

Re-development of Parking Lots.⁴ Encourage that excess parking areas be used for infill commercial, residential and mixed use buildings.

6.0 Technical Comments

6.1 Building & Permitting Department

- None

6.2 Development Engineering Department

- The request to vary the CD5 zone parking stall and drive aisle sizes to conform with sizes identified in the current zoning bylaw 8000 section 8 parking and loading section does not compromise any municipal services.

6.3 Fire Department

- None.

7.0 Application Chronology

Date of Application Received: Oct 31st 2017

Date Public Consultation Completed: November 15th 2017

Prepared by: Adam Cseke, Urban Planning
Reviewed by: Terry Barton, Urban Planning Manager
Reviewed by: Ryan Smith, Community Planning Department Manager

Attachments:

Applicant's Project Rationale
DVP17-0236

⁴ City of Kelowna Official Community Plan, Policy 5.18.1 (Development Process Chapter).