REPORT TO COUNCIL

Date:	March 19, 2018		
RIM No.	1250-30		
To:	City Manager		
From:	Community Planning Department (AC)		
Application:	OCP18-0001 Z18-0003	**Owners:**	1120797 BC Ltd. Inc. No.
Addresses:	1205-1241 Richter Street	**Applicant:**	Leonard Kerkhoff
Subject:	Official Community Plan Amendment and Rezoning Application		
Existing OCP Designation:	MRM – Multiple Unit Residential (Medium Density)		
Proposed OCP Designation:	MRH – Multiple Unit Residential (High Density)		
Existing Zone:	RU6 – Two Dwelling Housing		
Proposed Zone:	RM6 – High Rise Apartment Housing		

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP18-0001 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of each of the following parcels:

1. Lot 8 District Lot 138 ODYD Plan 1039, located at 1241 Richter Street, Kelowna, BC
2. Lot 9 District Lot 138 ODYD Plan 1039, located at 1235 Richter Street, Kelowna, BC
3. Lot 10 District Lot 138 ODYD Plan 1039, located at 1229 Richter Street, Kelowna, BC
4. Lot 11 District Lot 138 ODYD Plan 1039, located at 1223 Richter Street, Kelowna, BC
5. Lot 12 District Lot 138 ODYD Plan 1039, located at 1215 Richter Street, Kelowna, BC
6. Lot 13 District Lot 138 ODYD Plan 1039, located at 1205 Richter Street, Kelowna, BC

from the MRM – Multiple Unit Residential (Medium Density) designation to the MRH – Multiple Unit Residential (High Density) 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 Community Planning Department dated March 12, 2018;

THAT Rezoning Application No. Z18-0003 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of each of the following parcels:

1. Lot 8 District Lot 138 ODYD Plan 1039, located at 1241 Richter Street, Kelowna, BC
2. Lot 9 District Lot 138 ODYD Plan 1039, located at 1235 Richter Street, Kelowna, BC
3. Lot 10 District Lot 138 ODYD Plan 1039, located at 1229 Richter Street, Kelowna, BC
4. Lot 11 District Lot 138 ODYD Plan 1039, located at 1223 Richter Street, Kelowna, BC
5. Lot 12 District Lot 138 ODYD Plan 1039, located at 1215 Richter Street, Kelowna, BC
6. Lot 13 District Lot 138 ODYD Plan 1039, located at 1205 Richter Street, Kelowna, BC

from the RU6 – Two Dwelling Housing zone to the RM6 – High Rise Apartment Housing 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 Official Community Plan Map Amending Bylaw and the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated March 12, 2018;

AND THAT final adoption of the Official Community Plan Map Amending Bylaw and the Rezoning Bylaw be considered subsequent to the registration of a height restriction covenant to a maximum of six (6) storeys and a land use restriction covenant on the subject property;

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

2.0 Purpose

To amend the Official Community Plan to change the future land use designation of the subject properties from MRM – Multiple Unit Residential (Medium Density) to MRH – Multiple Unit Residential (High Density) and to rezone the subject properties from RU6 – Two Dwelling Housing to RM6 – High Rise Apartment Housing to facilitate the construction of an apartment building.

3.0 Community Planning

The subject properties are located on the edge of the 'City Centre' Urban Centre at Clement Ave and Richter St. The subject properties, which will be consolidated, are in close proximity to downtown and are well served by nearby amenities including parks, restaurants, and shops. The properties are also in close proximity to the Cawston Ave multi-use corridor with good cycling connectivity to downtown, the Ethel St multi-use corridor, and Rails-with-Trails. The properties' Walk Score is 86 (Very Walkable – most errands can be accomplished on foot) and the Transit Score is 45 (Some Transit – a few nearby public transportation options). The Clement Ave corridor is an area in transition with the recent construction of the RCMP building and a number of other five and six storey developments in the application stage.

The applicant is requesting an Official Community Plan Amendment to MRH – Multiple Unit Residential (High Density) and rezoning to RM6 – High Rise Apartment Housing in order to facilitate the construction of a six-storey apartment building with a proposed FAR of 1.88. The maximum floor area ratio achievable under the RM5 zone, consistent with the properties' current MRM future land use designation, is 1.4. The project's proposed floor area ratio of 1.88 exceeds the maximum permitted floor area ratio in the RM5 zone. In order to proceed with the proposed development an Official Community Plan Amendment and rezoning are required.

In consideration of the subject properties' urban context staff are supportive of the proposed Official Community Plan Amendment to MRH – Multiple Unit Residential (High Density) and rezoning to RM6 – High Rise Apartment Housing to facilitate the construction of a six-storey apartment building. Staff are

supportive of achieving significant density in close proximity to downtown especially when an entire block is assembled and comprehensively developed. The 2012 Housing Strategy called for zoning bylaw amendments to allow buildings up to 6 storeys in height and the associated density increase in consideration of the building code allowing six storey wood frame buildings. Due to high file volumes, Staff have not been able to bring the necessary text amendments to Council for consideration.

Staff have reviewed this application and it may proceed without affecting either the City's Financial Plan or Waste Management Plan.

To fulfill Council Policy No. 367 for 'OCP Minor' and 'Zoning Major' applications, the applicant held a public information session on January 29, 2018 at the Rotary Centre for the Arts from 6:00pm to 8:00pm. The applicant also completed the neighbourhood notification process by contacting all properties within 50m of the subject properties.

4.0 Proposal

4.1 Project Description

The applicant is proposing the construction of a six-storey, 58-unit rental apartment building (Attachment A). The project's proposed floor area ratio of 1.62 an Official Community Plan Amendment and rezoning to RM6 – High Rise Apartment Housing.

While the floor area ratio is suitable for the project, the maximum height of 55.0m or 16 storeys permitted in the RM6 zone is not. To respect the residential properties in the surrounding neighbourhood, the applicant will register a height restricting covenant to six (6) storeys prior to final adoption of zoning.

Staff are tracking two variances with the applicant's proposal. The first variance is to reduce the building setbacks and the second variance is to increase the site coverage variance. These variances are requested in order to accommodate the above ground parkade structure.

Should Council support the OCP Amendment and Rezoning bylaws, staff will bring forward a detailed report evaluating the design guidelines for the Development Permit and the overall merits of the Development Variance Permit for Council's consideration.

4.2 Site Context

The subject properties are located just outside the 'City Centre' Urban Centre on the south side of Clement Ave. The six lots have a combined area of 2,965m² in a neighbourhood with a mix of residential, industrial, and institutional uses. The properties are connected to urban services and are located within the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P1 – Major Institutional I2 – General Industrial	RCMP Building Vacant Land
East	RU2 – Medium Lot Housing	Residential
South	RU6 – Two Dwelling Housing	Residential
West	RU6 – Two Dwelling Housing	Residential

Subject Properties Map: 1205-1241 Richter Street

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Goals for A Sustainable Future

Contain Urban Growth.[1] Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Development Process

Complete Communities.[2] Support the development of complete communities with a minimum intensity of approximately 35-40 people and/or jobs per hectare to support basic transit service – a bus every 30 minutes. (approx. 114 people / hectare proposed).

Compact Urban Form.[3] 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

[1] Goal 1. (Introduction Chapter 1).
[2] Policy 5.2.4 (Development Process Chapter 5).
[3] Policy 5.3.2 (Development Process Chapter 5).

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.

Ensure opportunities are available for greater use of active transportation and transit to: to improve community health; reduce greenhouse gas emissions; and increase resilience in the face of higher energy prices.[4]

6.0 Technical Comments

6.1 Building & Permitting Department

- Full plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- See Attachment 'A', memorandum dated November 21, 2017.

6.3 Fire Department

- No comments related to zoning.

7.0 Application Chronology

Date of Application Received: January 9, 2018
Date Public Consultation Completed: January 29, 2018

Report prepared by: Adam Cseke, Planner Specialist
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment 'A' – Development Engineering Memorandum dated November 21, 2017
Schedule 'A & B' – Site Plan and Conceptual Renderings

[4] Objective 5.10 (Development Process Chapter 5).