

REPORT TO COUNCIL



Date: April 17, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TA)

Application: DP17-0150 & DVP17-0151 **Owner:** 1018545 BC LTD Inc. No. BC1018545 (AJH Developments)

Address: 2825 Richter Street **Applicant:** Kevin Johnson (Bear Land Development Services)

Subject: Development Permit & Development Variance Permit Applications

Existing OCP Designation: MRL – Multiple Unit Residential (Low Density)

Existing Zone: RU6 – Two Dwelling Housing

Proposed Zone: RM2 – Low Density Row Housing

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11479 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP17-0150 and DVP17-0151 for Lot 10 District Lot 135 ODYD Plan 22856, located at 2825 Richter Street, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

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

Section 13.8.6(e): RM2 – Low Density Row Housing Development Regulations

To vary the required minimum side yard setbacks to a garage from 6.0 m required, to 1.5 m (west) and to 4.0 m (east) proposed.

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

2.0 Purpose

To consider the form and character of a row housing development with a variance to the side yard setbacks for the accessory building from 6.0 m required to 1.5 m (west) and to 4.0 (east).

3.0 Community Planning

Community Planning Staff support the Development Permit and Development Variance Permit for the proposed four-unit row housing development as it is in general accordance with the Official Community Plan (OCP) Design Guidelines for the South Pandosy Revitalization Area (see Section 5.0 in the Report from Community Planning). Each unit is ground oriented with well-defined entrances from Richter Street and Coopland Crescent. Strong architectural elements are used to create visual interest while adding to the diverse nature of urban design in the developing South Pandosy Urban Centre. Large ground floor windows are used to activate the interaction between public and private, and brick is a predominant building material. The style of design and colours selected is appropriate to the character of the development.



OCP Policy 5.22.6 (Sensitive Infill) is achieved by keeping the height of the proposed development at 2 stories with rooftop access for amenity space, providing a sensitive transition from the existing single family dwelling to the east. The applicant has proposed three bedroom units, and the property is located in close proximity to parks and schools, which aligns with OCP Policy 5.22.13 (Family Housing).

The applicant is seeking one variance for each side yard setbacks of the four stall garage. The required side yard setback is 6.0 m, and the applicant is requesting a 1.5 m setback on the west side of the garage, and a 4.0 m setback on the east side. Staff recommends support for this variance as the applicant is efficiently using a narrow, low density residential lot which has been designated for multi-residential development, and it is anticipated to have minimal impact on the adjacent property. Additionally, the reduced side yard from the west property line along the sidewalk helps to maintain the street-oriented design of the development by matching the required setback of the townhouse building.

In fulfilment of Council Policy No. 367, the applicant completed public notification and consultation with property owners within 50 metres of the subject property at the time of rezoning.

4.0 Proposal

4.1 Background

The applicant applied for rezoning of the subject property in May 2017, and received second and third readings in October 2017. The applicant has met the engineering requirements of the Schedule “A” associated with the rezoning in order to receive final adoption of the Rezoning Bylaw No. 11479.

4.2 Project Description

The applicant has proposed 4-unit row housing with ground oriented entrances facing both Richter Street and Coopland Crescent. Eight required parking stalls are provided in a pass-through detached garage with 4 stalls within the garage and 4 stalls between the buildings. Amenity space for each unit is provided in the form of roof-top terraces on each unit, as well as common outdoor amenity space on top of the garage. Two variances are requested to vary the required side yard setback for the detached garage from 6.0m required (west) to 4.5m proposed, and from 6.0m required (east) to 1.5m proposed.

4.3 Site Context

The subject property is located at the northeast corner of Richter Street and Coopland Crescent, and falls within the City’s South Pandosy Urban Centre. The area is characterized primarily by single family dwellings, with Raymer Elementary School directly to the west across Richter Street. The property is less than a 300m (5 minute) walk to Pandosy Street and its many amenities.

The adjoining parcel to the east of the subject parcel contains a single family dwelling and detached garage with a carriage house above in the rear yard.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Future Land Use
North	RU6 – Two Dwelling Housing	MRL – Multiple Unit Residential (Low Density)
East	RU6 – Two Dwelling Housing	MRL – Multiple Unit Residential (Low Density)
South	RU6 – Two Dwelling Housing	MRL – Multiple Unit Residential (Low Density)
West	P2 – Education and Minor Institutional	EDINST – Education / Institutional

Subject Property Map: 2825 Richter Street



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM ₂ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Floor Area Ratio	0.8	0.76
Max. Height	9.5m or 2.5 storeys	7.9m
Min. Front Yard	1.5m	1.5m
Min. Side Yard (east)	4.0m	4.0m
Min. Side Yard (east)(garage)	6.0m	4.0m ●
Min. Side Yard (west)	1.5m	2.4m
Min. Side Yard (west)(garage)	6.0m	1.5m ●
Min. Rear Yard	7.5m	12.5m
Min. Rear Yard (garage)	1.5m	1.5m
Other Regulations		
Min. Vehicle Parking	8 stalls	8 stalls
Private Open Space	100m ²	144m ²
● Indicates requested variances to the side yard setbacks for the detached garage from 6.0m required to 4.0m (east) and 1.5m (west) proposed.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ 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.

Housing Mix.² Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

Family Housing.³ Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, workshop space, larger units, safe design, and neighborhood characteristics (e.g.: location and amenities).

Ground-Oriented Housing.⁴ Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets.

Sensitive Infill.⁵ Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height, and siting.

Revitalization Development Permit Area.⁶

Consideration has been given to the following guidelines as identified in Section 14.B. of the City of Kelowna Official Community Plan relating to Revitalization Development Permit Areas:

REVITALIZATION DEVELOPMENT PERMIT AREA	YES	NO	N/A
Relationship to the Neighbourhood and Street			
Does the proposal maintain the established or envisioned architectural character of the neighbourhood?	✓		
Do developments adjacent to non-revitalization areas create an appropriate transition?	✓		
Are spaces for pedestrian friendly amenities, such as street furniture, included on site?		✓	
Is the ratio of streetwall height to street width less than 0.75:1?	✓		

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).
² City of Kelowna Official Community Plan, Policy 5.22.11 (Development Process Chapter).
³ City of Kelowna Official Community Plan, Policy 5.22.13 (Development Process Chapter).
⁴ City of Kelowna Official Community Plan, Policy 5.23.1 (Development Process Chapter).
⁵ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).
⁶ City of Kelowna Official Community Plan Design Guidelines, Chapter 14.B.

REVITALIZATION DEVELOPMENT PERMIT AREA	YES	NO	N/A
Does the building frontage occupy the entire length of the street, without drive aisles or other dead zones?	✓		
Building Design			
Are architectural elements aligned from one building to the next?			✓
Are the effects of shadowing on public areas mitigated?			✓
Are doors or windows incorporated into at least 75% of street frontage?	✓		
Do proposed buildings have an identifiable base, middle and top?	✓		
Are windows, entrances, balconies and other building elements oriented towards surrounding points of interest and activity?	✓		
Are architectural elements such as atriums, grand entries and large ground-level windows used to reveal active interior spaces?	✓		
Are buildings designed with individual entrances leading to streets and pathways rather than with mall style entrances and internal connections?	✓		
For multiple unit residential projects, is ground level access for first storey units provided?	✓		
Are buildings finished with materials that are natural, local, durable and appropriate to the character of the development?	✓		
Are prohibited materials such as vinyl siding, reflective or non-vision glass, plastic, unpainted or unstained wood, and concrete block not used in the design?	✓		
Are stucco and stucco-like finishes omitted as a principal exterior wall material?		✓	
Are vents, mechanical rooms/equipment and elevator penthouses integrated with the roof or screened with finishes compatible with the building's design?	✓		
View Corridors			
Are existing views preserved and enhanced?	✓		
Vehicular Access and Parking			
Are at-grade and above-grade parking levels concealed with façade treatments?			✓
Are garage doors integrated into the overall building design?	✓		
Are pedestrian entrances more prominent features than garage doors and vehicle entrances?	✓		
Is surface parking located to the rear of the building or interior of the block?	✓		
Are truck loading zones and waste storage areas screened from public view?			✓
Do parking lots have one shade tree per four parking stalls?			✓
Are pedestrian connections provided within and between parking lots?			✓
Are driving, parking, pedestrian and cycling areas distinguished through changes in colour or pattern of paving materials?			✓

REVITALIZATION DEVELOPMENT PERMIT AREA	YES	NO	N/A
Signage			
Is signage design consistent with the appearance and scale of the building?			✓
Are corporate logos on signs complimentary to the overall building character?			✓
Is signage lighting minimized?			✓
Public Art			
Is public art incorporated into the project?			✓
Tower Design (Building Greater than Six Stories)			
Do towers enhance views to and through the skyline?			✓
Are tower forms and the upper portions of buildings at once cohesive yet distinct from the overall design?			✓
Does the building design emphasize height rather than width?			✓
Does building design take into account micro-climates, shading and wind tunneling effects?			✓
Are new developments integrated into the established urban pattern through siting and building design?			✓
Are large flat expanses of roof enhanced with texture, colour or landscaping where they are visible from above or adjacent properties?			✓
Do elements such as gazebos, trellises, and pergolas provide visual interest and enhance usability of rooftop spaces?			✓
Are balconies recessed a minimum depth of 1 m within the adjoining building face?			✓
Are podiums designed to provide an animated pedestrian environment?			✓
Downtown Considerations			
Does the proposal maintain and extend the traditional block pattern?			✓
Is the street façade articulated in a vertical rhythm that is consistent with the traditional street pattern?			✓
Are windows set back from the building face and do they include headers and sills?			✓
Are windows at street level kept low for displays of retail goods and for high visibility into interior spaces?			✓
Is the height of upper floor windows at least 1.5 times their width?			✓
Are building materials and colours consistent with other prominent Downtown buildings, preferably brick or cut stone?			✓
Is signage appropriate to the neighborhood and not internally lit or neon?			✓

6.o Application Chronology

Date of Application Received: May 19, 2017
Date Public Consultation Completed: August 23, 2017

Report prepared by: Trisa Atwood, Planner II

Reviewed by: Terry Barton, Urban Planning Manager

Approved for inclusion by: Ryan Smith, Community Planning Department Manager

Attachments:

Draft Development Permit & Development Variance Permit DP17-0150 DVP17-0151
Schedule "A": Dimensions and Siting
Schedule "B": Exterior Design and Finish
Schedule "C": Landscape Plan