

# REPORT TO COUNCIL



**Date:** July 16<sup>th</sup> 2018

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (AC)

**Application:** Z18-0021

**Owner:** Albert Wisestock

**Address:** 414 & 420 Cedar Ave

**Applicant:** New Town Services –  
Jesse Alexander

**Subject:** Rezoning Application

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: C4 – Urban Central Commercial

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## 1.0 Recommendation

THAT Rezoning Application No. Z18-0021 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2 & 3, District Lot 14, ODYD, Plan 4743, located at 414 & 420 Cedar Ave, Kelowna, BC from the RU1 – Large Lot Housing zone to the C4 – Urban Centre Commercial 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 Attachment "A" attached to the Report from the Community Planning Department dated July 16<sup>th</sup>, 2018;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the final lot consolidation with the closure and sale of the adjacent laneway to the applicant.

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

## 2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the C4 – Urban Centre Commercial zone to facilitate the construction of a mixed-use commercial and residential tower development.

### **3.0 Community Planning**

Staff are supportive of the rezoning application. The walkscore of the subject property is 82 indicating this site is very walkable and the OCP encourages this type of mixed land uses. There are commercial shops, services, employment, transit, and cultural amenities all within a 5-minute walking radius. The City's plans over the next decade to develop Cedar Ave Park, located to the west of the subject property along the waterfront, will help to support the density and further improve the livability of the neighbourhood.

The scale and density of this proposed development does not trigger a Traffic Impact Assessment (TIA). Overall, the proposed development is consistent with the City's goal for increasing urban centre living and providing a mix of land uses with ground floor commercial at the lower levels and residential units above. The proposal exceeds the existing height policy for the area of a maximum of seven storeys. Within an upcoming Development Variance Permit, Staff will provide an assessment on the appropriateness of towers in South Pandosy and the contextual fit of the proposal to the surrounding urban centre.

As a condition of final reading, the applicant will need to consolidate the two lots plus the area of Newsome lane.

### **4.0 Proposal**

#### **4.1 Project Description**

Each subject property currently contains a single family dwelling. The applicant is seeking to rezone the subject properties to C4, Urban Centre Commercial and to undertake a Development Permit to facilitate the construction of 34 units of multi-residential within a 15 storey low-rise tower. The Cedar Avenue and Newsom Lane frontages host retail and café uses at grade along with the principal residential entrance. The second level of commercial fronts Cedar Avenue and will offer additional commercial or office uses. Structured parking, waste management, and utility services are accessed from the back lane. Development parking is consistent with the Zoning Bylaw requirements and is fully enclosed within an above-ground parkade. The owner is in the process to acquire roughly 7.5m of Newsom Lane from the City of Kelowna and either lease or grant a long term easement over the land to ensure the existing public parking is maintained.

The applicant has applied for a Development Variance Permit to increase the height from 7 storeys maximum to 15 storeys. This is the only variance Staff is tracking at this time.

Should Council support the Rezoning bylaw, 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.

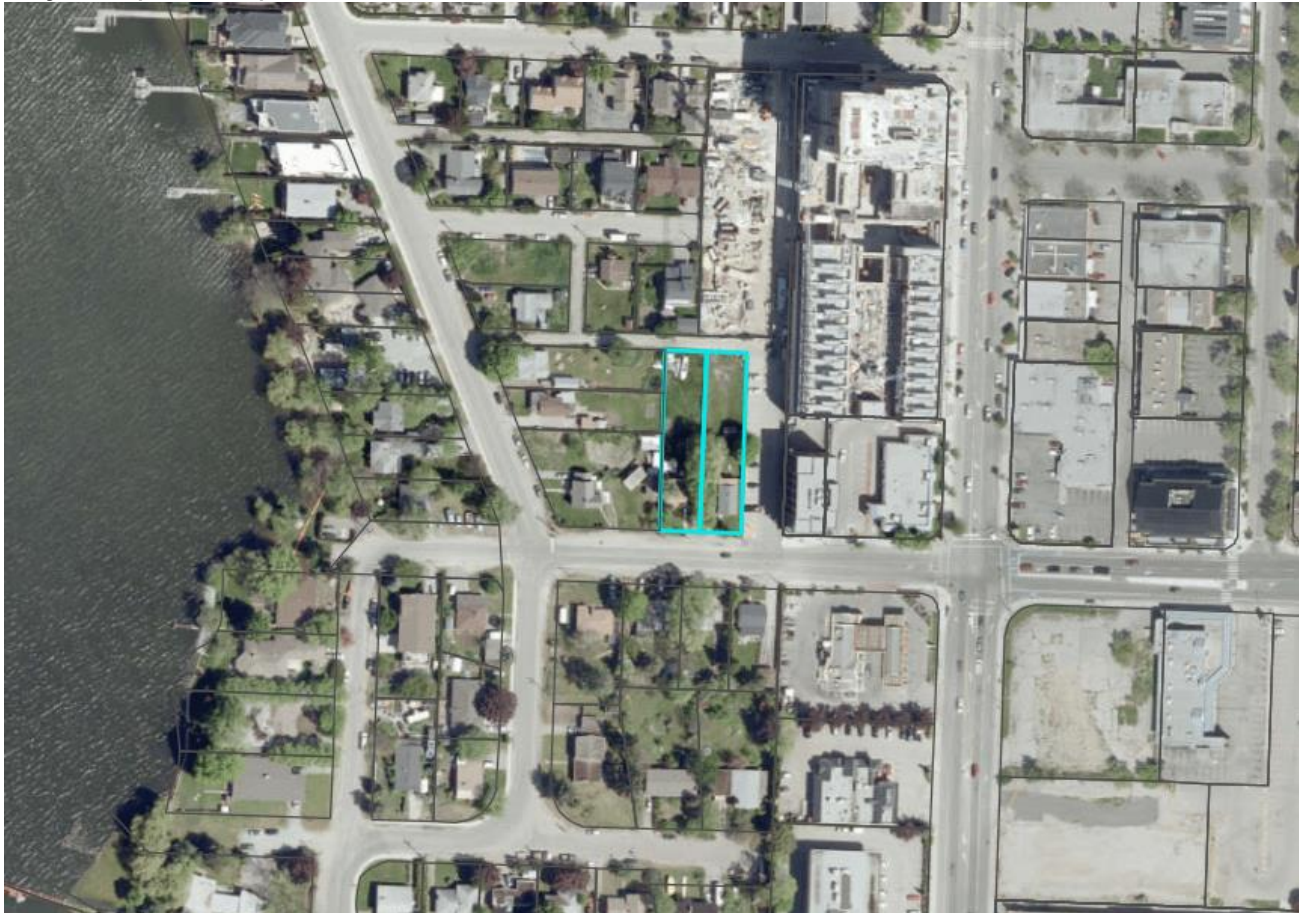
#### **4.2 Site Context**

The subject property is located in the South Pandosy Urban Centre. The two lots have a combined area of 2,023 m<sup>2</sup> in a neighbourhood with a high density of urban amenities and employment. 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	C <sub>4</sub> – Urban Centre Commercial RU <sub>1</sub> – Large Lot Housing	Commercial Residential
East	C <sub>4</sub> – Urban Centre Commercial	Commercial
South	RU <sub>1</sub> – Large Lot Housing	Residential
West	RU <sub>1</sub> – Large Lot Housing	Residential

**Subject Properties Map: 414 & 420 Cedar Ave**



**5.0 Current Development Policies**

**5.1 Kelowna Official Community Plan (OCP)**

**Goals for A Sustainable Future**

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

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<sup>1</sup> Goal 1. (Introduction Chapter 1).

## Development Process

Compact Urban Form.<sup>3</sup> 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.

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.<sup>4</sup>

### 7.0 Technical Comments

#### 7.1 Building & Permitting Department

No comment on the rezoning application.

#### 7.2 Development Engineering Department

See Attachment 'A', memorandum dated March 7, 2018

#### 7.3 Fire Department

No Comment on the rezoning application.

### 8.0 Application Chronology

Date of Application Received: February 27<sup>th</sup> 2018

Date Public Consultation Completed: June 28<sup>th</sup> 2018

**Report Prepared by:** Adam Cseke, Planner Specialist

**Reviewed by:** Terry Barton, Urban Planning Department Manager

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

#### **Attachments:**

Attachment 'A' Development Engineering Memo March 7, 2018

Attachment 'B' Applicant Rationale

Attachment 'C' Initial Drawings of proposed 'Jenga' Tower

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<sup>2</sup> Policy 5.2.4 (Development Process Chapter 5).

<sup>3</sup> Policy 5.3.2 (Development Process Chapter 5).

<sup>4</sup> Objective 5.10 (Development Process Chapter 5).