

# REPORT TO COUNCIL



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

**RIM No.** 1250-30

**To:** City Manager

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

**Application:** Z18-0002 **Owner:** Mission Group Holdings Ltd. Inc. No. BC0993483

**Address:** 1471 St. Paul Street **Applicant:** Mission Group – Luke Turri

**Subject:** Rezoning Application

Existing Zone: C4 – Urban Centre Commercial

Proposed Zone: C7 – Central Business Commercial

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## 1.0 Recommendation

THAT Rezoning Application No. Z18-0002 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 139, ODYD, Plan 81417, located at 1471 St. Paul Street, Kelowna, BC from the C4 – Urban Centre Commercial zone to the C7 – Central Business 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 registration of a highway reservation covenant along 0.8m on the lane side of 560 Bernard Ave, 590-592 Bernard Ave, and 594 Bernard Ave;

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 C4 – Urban Centre Commercial zone to the C7 – Central Business Commercial zone to facilitate the construction of a mixed-use commercial and residential tower building.

### **3.0 Community Planning**

Staff are supportive of the rezoning application. Most properties are zoned C7 in the downtown and Staff considered this as an obvious C7 site for redevelopment potential due to its central location and close proximity to Bernard Avenue. The walkscore of the subject property is 98 indicating this site is a 'walker's paradise' and this is exactly where the OCP encourages density to be located. There are commercial shops, services, employment, transit, parks, and cultural amenities all within a 5-minute walking radius.

Usually downtown developments do not have an associated Traffic Impact Assessment (TIA) due to the predominant C7 downtown zoning and the infrastructure capacity and capabilities within the downtown. However, due to scale and magnitude of this development and that the subject property requires a rezoning, a TIA was completed by Bunt & Associates on behalf of the applicant. The TIA is attached to this report and the results do not require any off-site improvements.

The last rezoning condition recommended by Staff is to register a highway reservation covenant along 0.8m on the lane side of 560 Bernard Ave, 590-592 Bernard Ave, and 594 Bernard Ave. The reason for this is to eventually achieve a 7.6m wide rear lane when future development occurs on the remainder of the 'Bernard Block'. This is the appropriate time to add such a condition as the future development phases have the appropriate C7 zone and do not require a rezoning application.

### **4.0 Proposal**

#### **4.1 Project Description**

The subject properties consist of 3 lots that will be consolidated into one parcel for development. The site is currently a surface parking lot and will be the first development in a series the applicant is marketing as the 'Bernard Block'. The applicant also owns the old 'Bargain Bargain Bargain' shop along Bernard Ave although the planning for that site is not part of this application and will occur sometime in the future. The applicant's initial proposal on the St. Paul St. site is to construct 178 residential units within a 25 storey tower with ground floor commercial. The project's proposed floor area ratio of 6.0 is consistent with the Official Community Plan's future land use designation of MXR – Mixed Use (residential / Commercial).

While the floor area ratio is suitable for the project, the maximum height identified within the Downtown Buildings Height Plan and within the C7 zone is 58 m or 19 storeys. The applicant has applied for a Development Variance Permit to increase the height to 75 m & 25 storeys. This is the only variance Staff is tracking at this time.

The required number of parking stalls is 208 and the applicant is proposing to provide that number.

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.

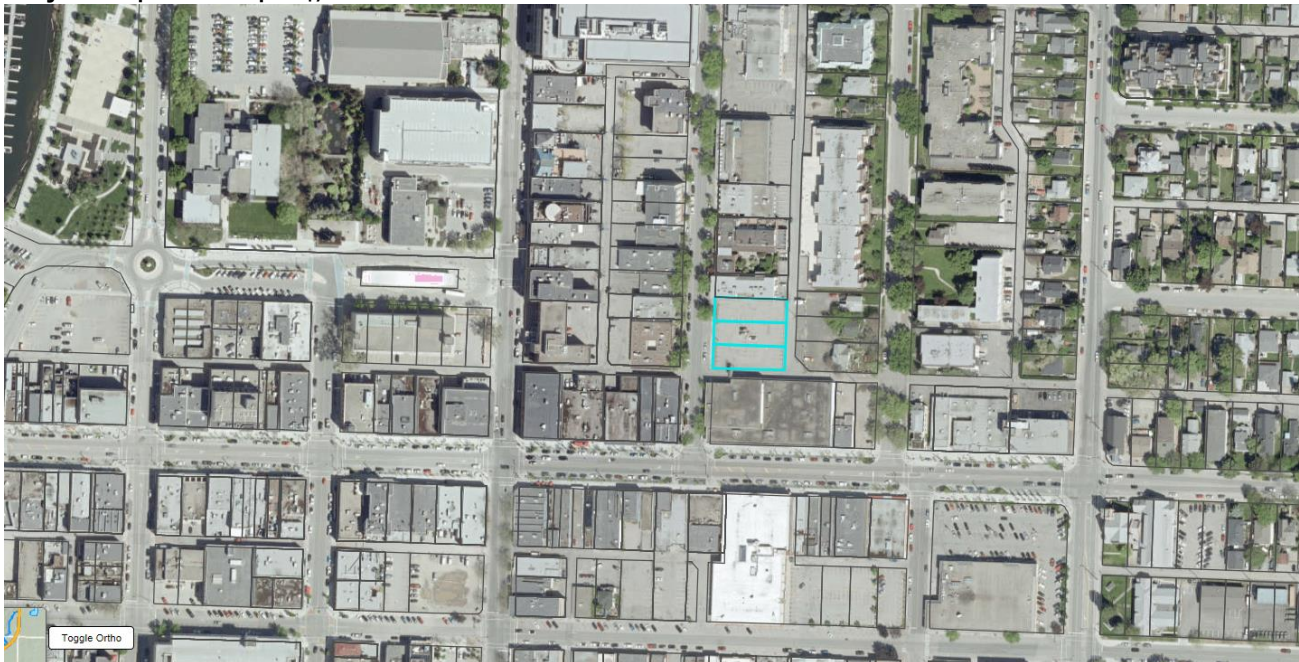
#### **4.2 Site Context**

The subject property is located downtown on north side of Bernard Ave. The three lots have a combined area of 1,956 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	C7 – Central Business Commercial	Commercial & Residential
East	C7 – Central Business Commercial RM5 – Medium Density Multiple Housing	Commercial Residential
South	C7 – Central Business Commercial	Commercial
West	C7 – Central Business Commercial	Commercial

Subject Properties Map: 1471 St. Paul



## 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.

#### 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

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

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

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

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 January 15, 2018

**7.3 Ministry of Transportation & Infrastructure**

Preliminary Approval is granted for the rezoning for one year pursuant to Section 52(3)(a) of the Transportation Act.

**7.4 Fire Department**

No Comment on the rezoning application.

**8.0 Application Chronology**

Date of Application Received:	Jan 9 <sup>th</sup> 2018
Date Public Consultation Completed:	July 3 <sup>rd</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 January 15, 2018
- Attachment 'B' Initial Drawings of proposed 'The Brooklyn' Tower
- Attachment 'C' 1471 St. Paul Street Tower Transportation Impact Assessment

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