

# REPORT TO COUNCIL



**Date:** January 28, 2019

**RIM No.** 0940-00

**To:** City Manager

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

**Application:** DP17-0288

**Owner:** Miroslavka Gataric

**Address:** 1371 Bernard Avenue

**Applicant:** Miroslavka Gataric

**Subject:** Development Permit

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

Existing Zone: RM<sub>3</sub> – Low Density Multiple Housing

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## 1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11591 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP17-0288 for Lot 7 District Lot 137 Osoyoos Division Yale District Plan 7936, located at 1371 Bernard Avenue, 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 FURTHER THAT this Development Permit is 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 multiple dwelling housing project in the RM<sub>3</sub>- Low Density Multiple Housing zone.

### **3.0 Community Planning**

Community Planning Staff support the Development Permit application. The proposed ground-oriented design achieves the following form and character objectives from the City's Official Community Plan (OCP) Comprehensive Design Guidelines:

- Equal emphasis has been given to both the Bernard Avenue and Lakeview Avenue frontages, with respect to building massing, materials, details, and landscaping.
- Facades are articulated by means of indentations and projections of elements
- Parking areas are located internal to the building and accessed from the lane

The subject property is 924 m<sup>2</sup> in area and there is approximately a 3.5 metre grade change from east to west across the property, which has presented a challenge for development. Due to this grade change across the property, some on-site retaining will be required to facilitate this development.

The project meets the requirements of the Zoning Bylaw and there are no variances being requested.

### **4.0 Proposal**

#### **4.1 Background**

The applicant submitted a Rezoning and Development Permit application in November 2017. The Rezoning application received second and third readings on May 1, 2018. The applicant has met the engineering requirements associated with the rezoning in order to receive final adoption of the Rezoning Bylaw No. 11591.

There is existing single dwelling housing on the subject property, which would be demolished to facilitate this development.

#### **4.2 Project Description**

The proposed development features four three-bedroom units in row house form. One dwelling has a main entrance on Bernard Avenue, and the remaining three dwellings are primarily accessed off Lakeview Street. The main exterior materials include dark brown and white acrylic stucco and fibre cement board (imitation cedar siding and shingles).

Each unit has a partially sunken patio, fronting on Lakeview Avenue, as well as a rooftop patio, which exceeds the Zoning Bylaw requirements for private open space. The eight required parking stalls would be met through double wide garages located below each unit. All vehicular access for the development is proposed to come from the lane that fronts this development on the south property line.

**Image 1** – Artist Rendering of the proposed Bernard Avenue frontage



4.3 Site Context

The subject property is located at the corner of Bernard Avenue and Lakeview Street in the Central City Sector. It has an area of 924 m<sup>2</sup> and is located within the Permanent Growth Boundary. Transit stops are located nearby on Bernard Avenue and Lawrence Avenue and the Walk Score is 70 (Very Walkable – most errands can be accomplished on foot). It is in relatively close proximity to commercial areas on Gordon Drive and Burtch Road.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Ru6 – Two Dwelling Housing	Two Dwelling Housing
East	Ru6 – Two Dwelling Housing	Single Dwelling Housing
South	P2 – Education and Minor Institutional	Child Care Centre, Major
West	Ru6 – Two Dwelling Housing	Two Dwelling Housing

**Subject Property Map: 1371 Bernard Avenue**



**4.4 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	RM <sub>3</sub> ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Floor Area Ratio	0.8	0.59
Maximum Building Site Coverage (with bonus for Private Open Space)	50 %	29 %
Maximum Site Coverage of Buildings, Driveways, and Parking Areas	60%	59 %
Maximum Height	10.0 m / 3 storeys	< 10.0 m / 3 storeys
Minimum Front Yard (north)	1.5 m	4.5 m
Minimum Flanking Side Yard (east)	4.5 m	4.5 m
Minimum Side Yard (west)	4.0 m	7.75 m
Minimum Rear Yard from a public lane (south)	3.0 m	7.5 m
Other Regulations		
Minimum Parking Requirements	2 stalls x 4 units = 8 stalls	8 stalls
Private Open Space	25 m <sup>2</sup> x 4 units = 100 m <sup>2</sup>	> 100 m <sup>2</sup>
Minimum Two-way Drive Aisle Width Serving 90 Degree Parking	7.0 m	7.0 m

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

## Chapter 5 - Development Process

### Objective 5.3 Focus development to designated growth areas

**Policy .2 - Compact Urban Form.** 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.

### Objective 5.22 Ensure context sensitive housing development

**Policy .6 Sensitive Infill.** 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.

**Policy .7 Healthy Communities.** Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

**Policy .13 Family Housing.** 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 neighbourhood characteristics (e.g.: location and amenities).

### Objective 5.23 Address the needs of families with children through the provision of appropriate family-oriented housing

**Policy .1 Ground-Oriented Housing.** 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. High density residential projects in the Downtown area are encouraged to include a ground-oriented housing component, especially where such can be provided on non-arterial and non-collector streets.

## 6.0 Technical Comments

### 6.1 Development Engineering Department

All the offsite infrastructure and services upgrades were addressed in the Rezoning Engineering Report under file Z17-0116.

## 7.0 Application Chronology

Date of Application Received:	November 27, 2017
Date Public Consultation Completed:	March 14, 2018
Date of Initial Consideration:	April 9, 2018
Date of Public Hearing:	May 1, 2018

**Report prepared by:** Kimberly Brunet, Planner  
**Reviewed by:** Terry Barton, Urban Planning Manager  
**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

**Attachments:**

Draft Development Permit No. DP17-0288  
Comprehensive Development Permit Guidelines Checklist  
Schedule A - Site Plan  
Schedule B - Elevations and Material Board  
Schedule C - Landscape and Hydrozone Plan