

# REPORT TO COUNCIL



**Date:** April 8, 2019

**RIM No.** 0920-20

**To:** City Manager

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

**Application:** OCP18-0019 and Z17-0032      **Owner:** Abbott Park Holdings Inc., Inc.  
No. BC1096096

**Address:** 448, 458, & 460 Groves Ave      **Applicant:** Zeidler Architecture

**Subject:** OCP Amendment (minor) and Rezoning Applications

Existing OCP Designation:      MRM- Multiple Unit Residential (Medium Density)

Proposed OCP Designation:      MRH- Multiple Unit Residential (High Density)

Existing Zone:      RU1- Large Lot Housing

Proposed Zone:      RM6- High Rise Apartment Housing

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## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP18-0019 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of lots 6, 7, and 8, District Lot 14, ODYD, Plan 3856 located at 448, 458, & 460 Groves Ave 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;

THAT Rezoning Application No. Z17-0032 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of lots 6, 7, and 8, District Lot 14, ODYD, Plan 3856, located at 448, 458, & 460 Groves Ave, Kelowna, BC from the RU1- Large Lot 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 26, 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 limiting the types of allowable commercial on the subject property;

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

## **2.0 Purpose**

To amend the Official Community Plan to change the Future Land Use designation and to rezone the subject properties to allow for the future development of multiple dwelling housing.

## **3.0 Community Planning**

Community Planning Staff are supportive of the proposed Official Community Plan (OCP) amendment and rezoning application to facilitate the development of a 6 storey, 22-unit apartment housing development with a proposed floor area ratio (FAR) of 1.8. The subject properties are in the heart of the South Pandosy Urban Centre and requires the consolidation of three lots located at 448, 458, & 460 Groves Ave. It is a highly walkable location with a walkscore of 81 (most errands can be accomplished on foot), and a transit score of 38. Bordering the site immediately to the north is an existing laneway and Abbott Park.

The maximum FAR achievable under the RM5- Medium Density Multiple Housing zone, consistent with the subject properties current MRM- Multiple Unit Residential (Medium Density) future land use designation, is 1.4. The project's proposed floor area ratio of 1.8 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 Community Planning 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 residential density within the Urban Centre, especially when the land assembly is significant and allows for comprehensive development.

At the request of Community Planning Staff, the applicant provided a shadow study to show potential impacts of future development on the existing mature trees of Abbott Park. The study did not show any significant impact on the existing trees or use and enjoyment of the park.

On March 14, 2019, Council gave 4<sup>th</sup> reading to the road closure of the laneway, which is to remain as a separately titled lot. The landowner and property owners to the west of the subject site will register an access easement over the laneway to allow for pedestrian access, including stairway access and landscape treatment. A height caveat which limits the future building height to 6 storeys will be implemented as a condition of rezoning. Additionally, a land use restriction covenant will restrict the following commercial uses currently permitted in the RM6 zone: hotel/motel accommodation within a multiple residential unit, household repair service, personal service establishments, and retail stores, convenience. This is to ensure that the maximum height prescribed in the RM6 zone (at 16 stories) will not be utilized in any future development scenarios and commercial uses will be restricted.

As per Council Policy 367, the applicant completed the neighbourhood consultation required for a minor OCP amendment and minor rezoning application.

**4.0 Proposal**

**4.1 Background**

The subject property is currently three separate lots, each containing an existing single-family home.

**4.2 Project Description**

The ‘Abbott Park Residences’ proposes the construction of a 6 storey, 22 unit condo building. A Development Permit and Development Variance Permit application have been submitted with the OCP amendment and rezoning application. Community Planning Staff are tracking multiple variances relating to setbacks and parking.

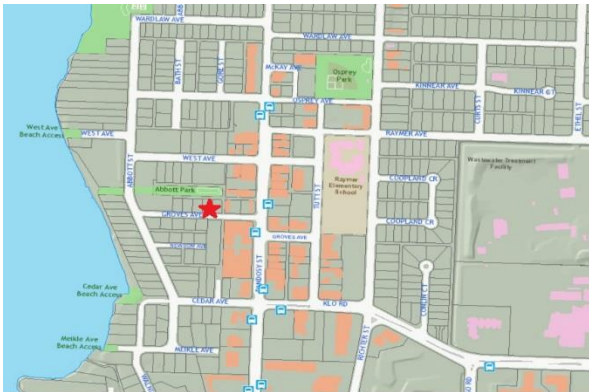
**4.3 Site Context**

The subject property is located within the South Pandosy Urban Centre on Groves Ave. The site is bordered by Abbott Park to the north, commercial to the east, and single family dwelling units to the south and west. Sopa Square is located southeast of the site.

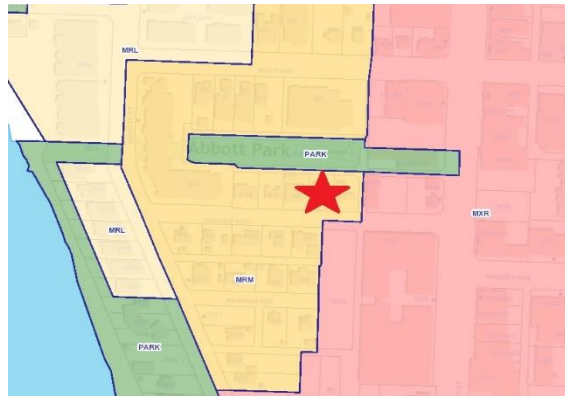
Specifically, adjacent land uses are as follows:

| Orientation | Zoning   | Land Use                             |
|-------------|--|--------------------------------------|
| North       | P3- Parks and Open Space                             | Public Park                          |
| East        | C4- Urban Centre Commercial                          | Health Service                       |
| South       | RU1- Large Lot Housing & C4- Urban Centre Commercial | Single family dwellings & Commercial |
| West        | RM5- Medium Density Multiple Housing                 | Multiple dwelling housing            |

**Context Map:**



**Future Land Use:**



## Subject Property Map: 448, 458, & 460 Groves Ave



### 5.0 Current Development Policies

#### Kelowna Official Community Plan (OCP)

##### Development Process

**Compact Urban Form.**<sup>1</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.

**Neighbourhood Impact.**<sup>2</sup> When considering an OCP Amendment, the City will seek information with respect to the impact on land values related to the likelihood that other properties in the immediate neighbourhood will remain or develop as indicated in the OCP.

##### Ensure appropriate and context sensitive built form.<sup>3</sup>

**South Pandosy.**<sup>4</sup> Generally 4 storeys. Six storeys within C4 or C9 zoned areas. Potential for 8 storeys where an architecturally distinct and significant buildings is placed at a corner, gateway or view terminus location that is significant to the community or where a building is of cultural significance to the community.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.27.9 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.5.1 (Development Process Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.5.1 (Development Process Chapter).

Kelowna Rezoning Bylaw No. 8000

**RM6- High Rise Apartment Housing**

The purpose of this zone is to provide for high density development. Principal uses provide opportunity for high density development such as multiple dwelling housing and supportive housing. Key development regulations include a maximum floor area ratio of 2.0.

**5.0 Application Chronology**

Date of Application Received: March 23, 2017

Date of Amended Plans Received: September 21, 2018

Date Public Consultation Completed: November 24-26, 2018

**Report prepared by:** Jocelyn Black, Planner

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

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

**Attachments:**

Attachment A: Development Engineering Memo

Schedule A: Site Plan

Schedule B: Conceptual Elevations & Renderings