

REPORT TO COUNCIL



Date: July 30, 2019

RIM No. 0940-00

To: Council

From: Development Planning Department (JR)

Application: DP19-0031 / DVP19-0032

Owner: Gurpreet Pannu

Address: 1049 Clement Avenue

Applicant: New Town Architecture and Engineering INC.

Subject: Development Permit and Development Variance Permit

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

Existing Zone: RU6 – Two Dwelling Housing

Proposed Zone: RM₄ – Transitional Low Density Housing

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11814 (Z19-0045) be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP19-0031 for Lot 3, District Lot 138 and of section 30 Township 26 ODYD, Plan 3763, located at 1049 Clement Ave, 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 the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permit to be issued;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0032 for Lot 3, District Lot 138 and of section 30 Township 26 ODYD, Plan 3763, located at 1049 Clement Ave, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted in accordance with Schedule "D":

Section 8.1.9(c): Off-Street Vehicle Parking

To vary the required minimum side yard setback of parking from 1.5 m permitted to 0.36 m proposed.

Section 8.1.11(b): Off-Street Vehicle Parking

To vary the required parking stall size ratio of 50% full size vehicle parking and 50% medium size vehicle parking to 20% full size vehicle parking and 80% medium size vehicle parking.

Section 13.10.6(b): RM4 – Transitional Low Density Housing Development Regulations

To vary maximum site coverage of buildings, parking, and driveways from 60% to 67.4%.

AND FURTHER THAT this Development Permit and Development Variance 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 proposed 8-unit townhouse and to vary the minimum side yard for parking, parking stall size ratio, and site coverage on the subject property.

3.0 Development Planning

Development Planning Staff recommend support for the Development Permit and the associated variances as the proposal is in general accordance with the relevant Development Permit guidelines of the Official Community Plan (OCP). Some of these include:

- Provide for a scale and massing of buildings that promotes a safe, enjoyable living, pedestrian and working experience;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character;
- Provide outdoor spaces, including rooftops, balconies, patios and courtyards;
- Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing, including:
 - Architectural elements (e.g. balconies, bay windows, cantilevered floors, cupolas, dormers);
 - Step back upper floors to reduce visual impact;
 - Detailing that creates a rhythm and visual interest along the line of the building;
 - Wall projections and indentations, windows and siding treatments as well as varied material textures should be utilized to create visual interest and to articulate building facades.

Development Planning Staff recommend support of the following three variances:

1. Side yard setback of parking from 1.5 m to 0.36 m.

To achieve the required parking on the narrow site, the applicant is requesting a variance to allow for the side yard setback for parking to be 0.36 m rather than the 1.5 m required for seven out of the 10 stalls. To mitigate this variance, the applicant is proposing a 2 m high solid screen fence with vining plants to prevent any light trespass from vehicles onto the neighbouring properties. Medium sized deciduous trees will also be planted along the sides of the parking as an added visual and noise buffer.

2. Parking stall size ratio from 50% full-sized and 50% medium-sized to 20% full-sized and 80% medium-sized.

Staff support the variance for the parking stall ratio as the property is just outside of the City Centre with many nearby amenities and employment options. It is located south of the Okanagan Rail Trail, which provides good cycling and pedestrian connectivity, and transit service is available in the area. With one-bedroom units, the development is targeting single people or couples without children, who may drive smaller and/or fewer vehicles, reducing the need for full-sized parking stalls. The total number of required parking stalls is being provided.

3. Site coverage of buildings, parking and driveways from 60% permitted to 67.4%.

Due to the high water table an underground parking structure is not feasible; therefore, surface stalls are being proposed, which increase the site coverage. To mitigate this the applicant has proposed to use unit pavers rather than asphalt for the parking stalls to improve infiltration. The building site coverage is 46%, under the maximum of 50%.

4.0 Proposal

4.1 Background

Council gave third reading to the rezoning bylaw to rezone the property from RU6 – Two Dwelling Housing to RM4 – Transitional Low Density Housing on May 21, 2019. Although apartment buildings would typically be found in the MRM – Multiple Unit Residential (Medium Density) Future Land Use designation, the townhouse form is permitted in the RM4 zone and is appropriate in this context on a single lot. With 8 units on a relatively small lot, the unit density exceeds what would typically be found for a townhouse project.

4.2 Project Description

The applicant is proposing an 8-unit townhouse building on the property. The proposed townhouses will be 3 storeys in height and will be ground-oriented facing Clement Ave. All the parking is to be located at the rear of the property as the proposed townhouses will have access to the rear lane.

Form and Character

The proposal focuses largely on the interface with Clement Avenue with direct interaction between the street and the main building with street-level front entrances. Given the location and proximity to the more commercial and industrial area to the north, materials were selected accordingly to give the building a more industrial feel. Board formed concrete (ceraclad), windows accented by thick black metal architectural frames and corrugated metal panel inserts are all examples of these industrial architectural features.

Each unit consists of three floors with kitchen, dining, and living space on the first floor, master with ensuite on the second floor and bonus space and exterior sun deck on the third floor.

Variances

The applicant is requesting three variances, as follows.

1. Reduce the parking side yard setback from 1.5 m to 0.36 m. The applicant is requesting a side yard setback for parking as the property is slightly too narrow to facilitate a doubleloaded parking configuration with full 1.5 m side setbacks for the parking area. This applies to 7 of the 10 provided stalls.
2. Reduce the parking stall size ratio from 50% full-sized and 50% medium-sized to 20% full-sized and 80% medium-sized. The applicant is proposing 8 units that are one-bedroom homes where they are targeting single people or couples without children which are expected to drive smaller and/or fewer vehicles.
3. Increase the site coverage of buildings, parking and driveways from 60% permitted to 67.4%. Although the site coverage of the building alone is within the RM4 allowance (46% proposed, 50% permitted), the combined site coverage of the building/parking/driveways is above the 60% due to the parking being provided as surface stalls rather than as a parkade under the building. With the water table height in this area being quite high, a parkade structure below the building was deemed to be unfeasible without triggering a height variance.

4.3 Site Context

The property is located along Clement Ave and the single family home currently located on the property will be removed to allow for the proposed development to occur. The subject property is designated MRM – Multiple Unit Residential (Medium Density), is located just outside of the Central City sector and is quite close to the Rail Trail. The area consists of existing single family homes on the south side of Clement Avenue and industrial properties on the north side of Clement Avenue.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I4 – Central Industrial	IND - Industrial
East	RU6 - Two Dwelling Housing	MRM – Multiple Unit Residential (Medium Density)
South	RU6 - Two Dwelling Housing	MRM – Multiple Unit Residential (Medium Density)
West	RU6 - Two Dwelling Housing	MRM – Multiple Unit Residential (Medium Density)

Subject Property Map: 1049 Clement Avenue



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM4 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	900 m ²	699 m ²
Min. Lot Width	30 m	18.6 m
Min. Lot Depth	30 m	37.6 m
Development Regulations		
Max. Floor Area Ratio	0.8	0.8
Max. Site Coverage (buildings)	50%	46%
Max. Site Coverage (buildings, parking, driveways)	60%	67.4% ^①
Max. Height	3 storeys / 13 m	3 storeys / 9.3 m
Min. Front Yard	4.5 m (6.0m over 2 storeys)	4.5 m (6.0 m)
Min. Side Yard (East)	2.3 m (4.5m over 2 storeys)	2.44 m (5.0 m)
Min. Side Yard (West)	2.3 m (4.5m over 2 storeys)	2.44 m (5.0 m)
Min. Rear Yard	7.5 m (9.0m over 2 storeys)	15.3 m
Other Regulations		
Min. Parking Requirements	10	10
Setbacks to Parking (m):		
Front	N/A	N/A
Side (East)	1.5 m	0.36 m ^②
Side (West)	1.5 m	0.39 m ^②
Rear	7.0 m	7.0 m
Min. Bicycle Parking	N/A	2 bike racks (4 parking spaces) inside the building
Min. Private Open Space	120 m ²	264.6 m ²
^① Indicates a requested variance to site coverage of buildings, parking, and driveways from 60% to 67.4% ^② Indicates a request variance to side yard setback of parking from 1.5m to 0.36m		

5.0 **Current Development Policies**5.1 Kelowna Official Community Plan (OCP)Chapter 5: Development Process

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.

Chapter 14: Urban Design Development Permit Areas*A. Comprehensive Development Permit Area**Objectives*

- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;

- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character;

6.o Application Chronology

Date of Application Received: December 21, 2018

Date Public Consultation Completed: April 1, 2019

Report prepared by: Jenna Ratzlaff, Planner

Reviewed by: Laura Bentley, Urban Planning & Development Policy Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: OCP Comprehensive Design Guidelines

Attachment B: Draft Development Permit and Development Variance Permit: DP19-0031 & DVP19-0032

Attachment C: Project Renderings