

REPORT TO COUNCIL



Date: July 30, 2019

RIM No. 0940-00 & 0940-50

To: Council

From: City Manager

Application: DP19-0009 / DVP19-0010

Owner: Bharosa Developments Ltd.
Inc. No. BC1177705

Address: 615 Rutland Rd

Applicant: Kevin Edgecombe

Subject: Development Permit & Development Variance Permit Application

OCP Designation: MXR – Mixed Use (Residential/Commercial)

Zoning: C4 – Urban Centre Commercial

1.0 Recommendation

THAT OCP Amendment Bylaw No. 11815 (OCP19-0001) and Rezoning Bylaw No. 11819 (Z19-0039) be amended at Third Reading to reflect the updated legal description from:

- Lot 25, Section 26, Township 26, ODYD, Plan 19679 except Plan 41879, located at 140 Bach, Kelowna, BC from the S2RES (Single Two Unit Residential) designation to the MXR – Mixed Use (Residential/Commercial) designation;
- Lot 26, Section 26, Township 26, ODYD, Plan 19679 except Plan 41879, located at 615 Rutland Rd N, Kelowna, BC from the MRL – Multiple Residential (Low Density) designation to the MXR – Mixed Use (Residential/Commercial) designation; and
- Lot A, Section 26, Township 26, ODYD, Plan 5624 except Plan 41879, located at 625 Rutland Rd N, Kelowna, BC from the MRL – Multiple Residential (Low Density) designation to the MXR – Mixed Use (Residential/Commercial) designation.

to:

- Lot 1, Section 26, Township 26, ODYD, Plan EPP90266 at 615 Rutland Rd, Kelowna, BC.

AND THAT final adoption of Text Amendment Bylaw No. 11821 (TA19-0002), OCP Amending Bylaw No. 11815 (OCP19-0001) & Rezoning Bylaw No. 11819 (Z19-0039) be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP19-0009 for Lot 1, Section 26, Township 26, ODYD, Plan EPP90266 at 615 Rutland Rd, 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 Council authorize the issuance of Development Variance Permit DVP19-0010 for Lot 1, Section 26, Township 26, ODYD, Plan EPP90266 at 615 Rutland Rd, Kelowna, BC;

AND THAT the variances to the following sections of Zoning Bylaw No. 8000 be granted, as shown on Schedule "A, B, & C":

Section 14.4.5 (c) C4 Urban Centre Commercial Development Regulations

To vary the maximum height from 4 storeys 5 storeys.

Table 8.1 Parking Schedule

To vary the minimum parking requirements from 83 stalls to 81 stalls;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and Development Variance Permit applications in order for the permits to be issued;

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 review the Form & Character Development Permit of a proposed five storey mixed-use building, and to consider two variances to increase the building height by one storey and to reduce the required parking by two stalls.

3.0 Community Planning

3.1 Development Permit

Staff are recommending support for the proposed Development Permit due to the proposal's consistency with the Official Community Plan's (OCP) urban design guidelines. The applicant has worked with City staff to refine the site issues including servicing, access, and building design. The building form, character, and massing are consistent with the OCP design guideline objectives. The driveway accesses and the parking layout has been redesigned a number of times to maximize the number of vehicle stalls provided. The developer creatively designed the second access on Bach Road in keeping with the design guidelines of maximizing either ground oriented residential units or commercial frontage. By including the pass-through drive access and an underground parkade, the development was able to achieve consistency with the design guidelines and the city's parking intentions while developing within a five storey envelope.

The front façade along Rutland Road provides an attractive commercial façade with brick and board formed concrete material. The residential façade contains faux wood metal siding mixed with fiber cement board panels. The building contains a communal amenity space above the commercial retail unit with an outdoor patio.

3.2 Development Variance Permit

There are two variances proposed:

1. A variance to increase the permitted height by 1 storey (from 4 to 5 storeys);
 - a. Staff have supported many height variances to 5 and 6 storeys in the C₄ zone and feel that these structures are appropriate when located within an urban centre and/or along a major arterial road such as Rutland Road. Council also directed Staff through the 2012 Housing Strategy to allow for 5 and 6 storey structures within Urban Centres but Staff have not yet been able to amend to bylaw. The variance request is restricted to the number of storeys as the absolute height of the building at 14.8 m fits within zoning regulations.
2. A variance to reduce the parking stalls by two stalls (from 83 to 81 stalls);
 - a. Staff consider this a minor variance as it is only two stalls and the site is located adjacent to an urban centre, commercial services, and a school. Further, the site is located on a major arterial / transit route and is well situated to adopt alternate transportation options in lieu of a minor reduction in vehicle parking.

Subject Property Map: 615 Rutland Rd



4.0 Proposal

4.1 Project Description

The purpose of the applications is to construct a 5 storey building with five floors of residential and one ground floor commercial unit.

4.2 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C4 ZONE REQUIREMENTS	PROPOSAL
Unit Summary		
1 bedrooms	n/a	50
2 bedrooms	n/a	18
Total	n/a	68 units
Development Regulations		
Height	15.0 m / 4.0 storeys	14.8 m / 5 storeys ❶
Front Yard (south)	0.0 m	0.0 m
Side Yard (east)	4.5 m	4.5 m
Side Yard (west)	0.0 m	0.0 m
Rear Yard (south)	6.0 m	6.0 m
Site coverage of buildings	75 %	51%
FAR	Base Far: 1.3 + Parking within Bldg bonus: 0.18 <u>+ 5 & 6 Storey FAR: 0.2</u> = 1.68	1.57
Parking Regulations		
Minimum Parking Requirements	<u>68 Res + 10 visitor + 5 Comm</u> =83 parking stalls	<u>64 Res + 10 visitor + 7 Comm</u> =81 parking stalls ❷
Minimum Loading Spaces	1 spaces	1 spaces
Ratio of Parking Stalls	Full size: 50% Min Medium Size: 40% Max Small Size: 10% Max	Full size: 80% (61 stalls) Medium Size: 17% (13 stalls) Small Size: 3% (2 stalls)
Minimum Drive Aisle Width	7.0 m	7.0 m
Other Regulations		
Minimum Bicycle Parking Requirements	Class 1: 35bikes Class 2: 9 bikes	Class 1: 37 bikes Class 2: 24 bikes
Private Open Space	770 m ²	800 m ²
❶ A variance to increase the permitted height by 1 storey; ❷ A variance to reduce the number of parking spaces from 83 stalls to 81 stalls;		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Compact Urban Form.¹ 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.

Contain urban growth.² Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Mixed Use.³ Integration of residential uses into commercial developments as mixed-use projects is encouraged in Urban Centres, provided that the ground floor use remains commercial.

Housing Mix.⁴ Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

Building Height⁵:

- **Rutland:** Generally, 4 storeys. Six storeys within C4 or C9 zoned areas. Potential for up to 44 m height (12-14 storeys) in the core of Rutland, as identified in the C7 zone of the Zoning Bylaw.

Objective 5.5: Ensure appropriate and context sensitive built form.

Building Height.⁶ In determining appropriate building height, the City will take into account such factors as:

- Contextual fit into the surrounding neighbourhood;
- Shadowing of the public realm;
- View impacts;
- Overlook and privacy impact on neighbouring buildings;
- Impacts on the overall skyline;
- Impacts on adjacent or nearby heritage structures;

Chapter 14: Urban Design Guidelines Amenities, ancillary Services and Utilities.⁵

- Locate loading, garbage, storage, utilities and other ancillary services away from public view. All such areas shall be screened and designed as an integral part of the building to minimize impact;
- Create attractive rear alley facades with high quality materials on buildings facing residential areas (e.g. rear building entrances, windows, balconies, plazas, and plantings).

Chapter 4: Land Use Designation Massing and Height.³

- Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing, including:
- Architectural elements (e.g. balconies, bay windows, cantilevered floors, cupolas, dormers);

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

² City of Kelowna Official Community Plan, (Chapter 1 Introduction).

³ City of Kelowna Official Community Plan, (Chapter 4 Future Land Use).

⁴ City of Kelowna Official Community Plan, Policy 5.27.11 (Development Process Chapter)

⁵ City of Kelowna Official Community Plan, Policy 5.8.1 (Development Process Chapter)

⁶ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter). 3 City of Kelowna Official Community Plan, Chapter 14 (Urban Design Development Permits Area).

- Visually-interesting rooflines (e.g. variations in cornice lines and roof slopes);
- 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;
- Building frontages that vary architectural treatment in regular intervals in order to maintain diverse and aesthetically appealing streets.

6.0 Technical Comments

6.1 Development Engineering Department

Development Engineering has no comment regarding the form and character of the proposed buildings. For servicing requirements refer to file Z19-0039.

7.0 Application Chronology

Date of Application Received:	January 8 th 2019
Date Public Consultation Completed:	February 26 th 2019
Date First Reading:	April 29 th 2019
Date Public Hearing:	May 21 st 2019

Report prepared by:	Adam Cseke, Planner Specialist
Reviewed by:	Terry Barton, Urban Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

1. DP19-0009 / DVP19-0010