

# REPORT TO COUNCIL



**Date:** January 21, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning - Urban

**Application:** DP18-0120, DVP18-0121      **Owner:** 1918951 Alberta Ltd., Inc. No.  
2019189519

**Address:** 365-367 Hein Road      **Applicant:** New Town Services – Jesse Alexander

**Subject:** Development and Development Variance Permit Application

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## 1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11737 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP18-0120 for Strata Lots 1 & 2 Section 27 TWP 26 ODYD Strata Plan KAS2718 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V, located at 365-367 Hein Road, 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" or certified cheque in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT Council authorizes the issuance of a Development Variance Permit No. DVP18-0121 for Strata Lots 1 & 2 Section 27 TWP 26 ODYD Strata Plan KAS2718 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on Form V, located at 365-367 Hein Road, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

**Section 13.11.6(b): RM5 – Medium Density Multiple Housing Development Regulations**

To vary the maximum site coverage from 40% permitted to 47.3% proposed.

**Table 8.3.1 Required Off-Street Parking Requirements - Residential Parking**

To vary the number of parking spaces from 30 required to 28 proposed.

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 are 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 an apartment building and to vary site coverage and the number of required parking spaces.

## 3.0 Development Planning

Development Planning Staff support the proposal and requested variances to allow for the development of a 24-unit, 4.5 storey apartment building on the subject property. The application is consistent with many of the City's Urban Design Guidelines as indicated in Attachment B.

### 3.1 Form and Character

As per Image 1 below, the applicant is proposing a 4.5 storey apartment building to be built in a modern architectural style. The proposed building includes a flat roof, articulated balconies and patios, and horizontal and vertical architectural elements. Proposed materials are consistent with the modern architecture and include cement, clear glazing, metal panels, brick veneer, and tile. Materials are mainly neutral in tone, with dark blue used as an accent colour.

The proposed apartment is an example of infill development that is consistent with building forms supported by the future land use designation of MRM – Medium Density Multiple Unit Residential. Upper floors that are stepped back and trees around the perimeter of the site help to mitigate interim impacts of higher density development on neighbouring properties. Additionally, the proposed landscape plan is in alignment with Official Community Plan (OCP) guidelines and includes raised planter beds as well as a variety of ornamental grasses, shrubs, and perennials. The landscape plan also incorporates benches, pathways, and Molok containers to be used for garbage and recycling.

**Image 1** – Conceptual rendering of the proposed development



3.2 Variances

The applicant is requesting two variances. First, the applicant is requesting to vary the maximum site coverage from 40% permitted to 47.3% proposed. To mitigate this variance, unit pavers are proposed on the northwest portion of the property and planting areas are proposed on top of the parkade. Second, the applicant is requesting to vary the number of parking spaces from 30 required to 28 proposed. The applicant has provided extra Class I bike parking in secure indoor locations to reduce the impact of this variance. The subject property is near the Rutland Urban Centre and has a Bike Score of 71 – Very Bikeable.

4.0 **Proposal**

4.1 Background

Initial consideration for the rezoning associated with this application took place on January 21, 2019, where the application received First Reading. The Public Hearing, Second, and Third Readings took place on February 12, 2019. Council Policy No. 367 with respect to public consultation was undertaken by the applicant and documentation was provided to Planning Staff.

4.2 Project Description

The proposal is for a 24-unit apartment building. The proposed building includes four studio units, 16 one-bedroom units, and four two-bedroom units. Access to the proposed below-grade parking is from Hein Road on the west side of the property. Adequate private open space is to be provided through balconies and outdoor areas.

4.3 Site Context

The subject property is located on Hein Road just north of the Hein Road / Houghton Road intersection in the Rutland City Sector. The subject property is approximately two blocks west of the Rutland Urban Centre. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Dwelling Housing
East	RU1 – Large Lot Housing and RU1c – Large Lot Housing with Carriage House	Single Dwelling Housing and Single Dwelling Housing with Carriage House
South	RU1 – Large Lot Housing	Single Dwelling Housing
West	RM3 – Low Density Multiple Housing	Multiple Dwelling Housing

Subject Property Map: 365-367 Hein Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM5 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	1400.0 m <sup>2</sup>	1391.0 m <sup>2</sup>
Min. Lot Width	30.0 m	29.6 m
Min. Lot Depth	35.0 m	47.0 m
Development Regulations		
Max. Floor Area Ratio	1.17	1.11
Max. Site Coverage (buildings)	40%	47.34% <sup>❶</sup>
Max. Site Coverage (buildings, parking, driveways)	65%	65%
Max. Height	18.0 m / 4.5 storeys	14.5 m / 4.5 storeys
Min. Front Yard	6.0 m	6.0 m
Min. Side Yard (south)	4.5 m up to 2.5 storeys / 7.0 m for over 2.5 storeys	4.5 m up to 2.5 storeys / 7.0 m for over 2.5 storeys
Min. Side Yard (north)	4.5 m up to 2.5 storeys / 7.0 m for over 2.5 storeys	4.5 m up to 2.5 storeys / 7.0 m for over 2.5 storeys
Min. Rear Yard	9.0 m	9.0 m
Other Regulations		
Min. Parking Requirements	30	28 <sup>❷</sup>
Min. Bicycle Parking	12 Class I / 3 Class II	28 Class I / 4 Class II
Min. Private Open Space	360 m <sup>2</sup>	407.8 m <sup>2</sup>
<sup>❶</sup> Indicates a requested variance to site coverage. <sup>❷</sup> Indicates a requested variance to the number of required parking spaces.		

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 per ha 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.

Chapter 14: Urban Design Development Permit Areas

*Comprehensive Development Permit Area Objectives*

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;

- Incorporate architectural features and detailing of buildings and landscapes that define an area's character; and
- Promote alternative transportation with enhanced streetscapes and multimodal linkages.

#### **6.o Application Chronology**

Date of Application Received: May 22, 2018  
Date Public Consultation Completed: October 16, 2018  
First Reading: January 21, 2019  
Public Hearing, Second and Third Reading: February 12, 2019

**Report prepared by:** Arlene Janousek, Planner

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

**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

#### **Attachments:**

Attachment A: Draft Development Permit DP18-0120 and Development Variance Permit No. DVP18-0121

Attachment B: Comprehensive Urban Design Guidelines Checklist

Conceptual Renderings

Schedule A,B,C