

REPORT TO COUNCIL



Date: March 2, 2020

To: Council

From: City Manager

Department: Development Planning Department (AC)

Application: OCP19-0009 & Z19-0119

Owner: The Evangel Family Rental Housing Society Inc. No.S16918

Address: 969 Harvey Avenue

Applicant: Paul Schuster (NOvation Architecture)

Subject: Rezoning and OCP Amendment Applications

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

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

Existing Zone: RM5 – Medium Density Multiple Housing

Proposed Zone: RM6r – High Rise Apartment Housing (Residential Rental Tenure Only)

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP19-009 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot A District Lot 138 Osoyoos Division Yale District Plan 31933 Except Plan 36604, located at 969 Harvey Avenue, 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 Council considers the Public Information Session public process to be appropriate consultation for the *Purpose* of Section 879 of the *Local Government Act*, as outlined in the Report from the Development Planning Department dated March 2nd, 2020;

THAT Rezoning Application No. Z19-0119 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 138 Osoyoos Division Yale District Plan 31933 Except Plan 36604, located at 969 Harvey Avenue, Kelowna, BC from the RM5 – Multiple Unit Residential (Medium Density) zone to the RM6r – High Rise Apartment Housing (Residential Rental Tenure Only), be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw and Rezoning Bylaws 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 as set out in Schedule "A" attached to the Report from the Development Planning Department dated February 24th, 2020;

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 restricting covenant to a maximum of six and a half (6.5) storeys on the subject property.

AND FURTHER THAT final adoption of Official Community Plan Map Amending Bylaw and the Rezoning Bylaw, be considered in conjunction with Council's consideration of a Development Permit and a Development Variance Permit for the subject property.

2.0 Purpose

To consider an OCP Amendment application to change the future land use from MRM designation to MRH designation. To consider a Rezoning application to rezone the subject property from RM5 zone to RM6r (rental only) zone to facilitate a proposed six and a half storey multi-family building.

3.0 Development Planning

The subject property is located between the downtown Urban Centre and the Capri-Landmark Urban Centre along Harvey Avenue. The subject property is within close proximity to downtown and is well served by nearby amenities including parks, restaurants, shops and transit along the Highway 97 corridor. The property is also close to the Ethel Street Active Transportation corridor providing good cycling connectivity to various core destinations. The properties' Walk Score is 76 (Very Walkable – most errands can be accomplished on foot).

The applicant is requesting an Official Community Plan Amendment to MRH – Multiple Unit Residential (High Density) and rezoning to RM6r – High Rise Apartment Housing (Rental Only) in order to facilitate the construction of a six-storey apartment building. In consideration of the subject property's urban context with surrounding developments such as Cambridge House, Murano, Dorchester, and Central Green, Staff are supportive of the proposed Official Community Plan Amendment to MRH – Multiple Unit Residential (High Density) and rezoning to RM6r – High Rise Apartment Housing (Rental only) to facilitate the construction of a six and a half storey apartment building. Staff are supportive of achieving significant density in close proximity to downtown and along a major transit route. The proposal will also create a significant number of rental 3-bedroom units to the affordable housing stock, an important objective in catering to families and households with children.

The reason for the rental only sub-zone is to utilize the new parking bonuses within the updated parking regulations. The new parking bylaw was set up to utilize sub-zones to take advantage of reduced parking. Housing agreements / covenants are time limited (10 years) and if the parking is reduced based upon a rental land use, the City wanted to ensure the rental housing was more permanent than a housing agreement.

Staff have reviewed this application and it may proceed without affecting either the City's Financial Plan or Waste Management Plan.

4.0 Proposal

4.1 Project Description

The applicant is proposing the construction of a new six and a half storey multi-family residential infill building located along Hwy 97 North (Harvey Avenue). This project is an addition to an existing three-storey multi-family building. The current building has a large amount of green space along in the front yard along Harvey Avenue. The proposed building will be built in this green space connecting to the existing dwelling,

creating an enclosed courtyard between the two buildings. In order to maximize the allowable units, they are proposing to rezone to RM6r (rental only). The RM6 zone allows for six and a half storeys. In addition to the rezoning, the applicant is applying for an OCP Amendment from MRM to MRH. The proposed site entrance would be from the back laneway along the south end of the property. The building will be L-shaped to connect to the existing building on each end creating a square shape with a central shared courtyard.

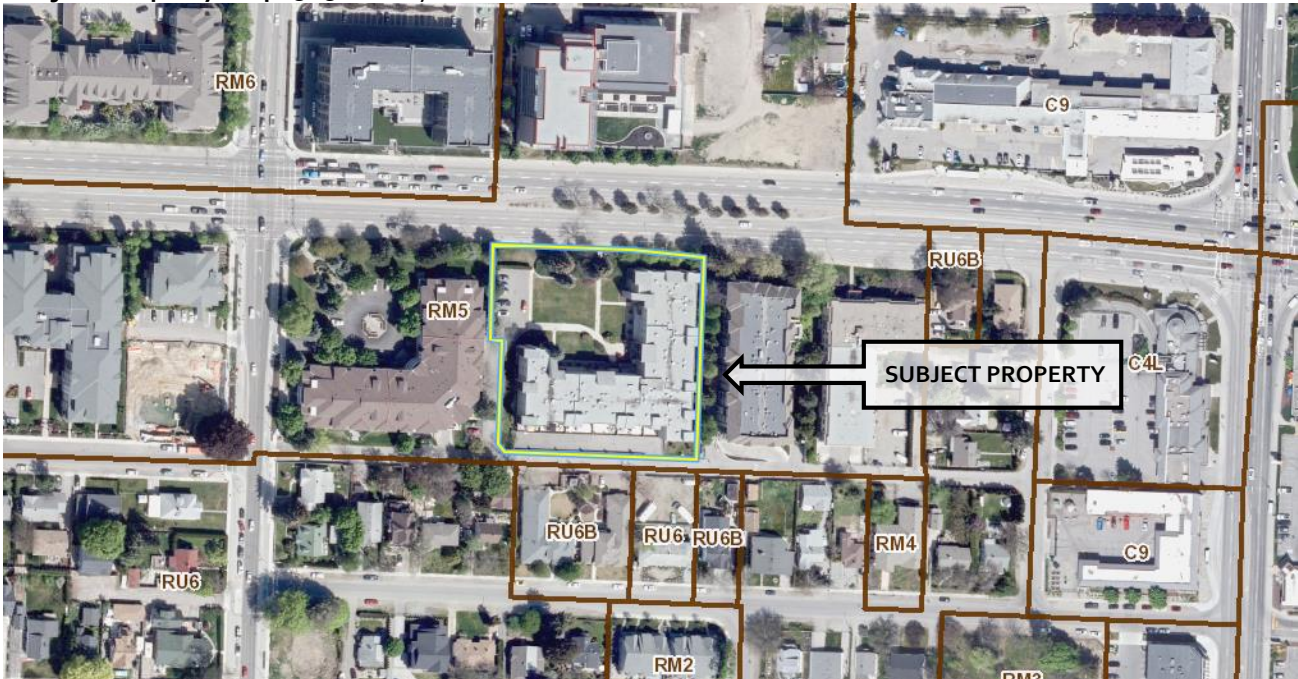
Staff are currently tracking four variances proposed for the initial application. The four variances are for side yard setback, daylight provisions, site coverage, and parking. Should the land use be supported by Council, Staff will bring forth a Council report for the Development Permit detailing the form and character conformance to the design guidelines and a Development Variance Permit Council report with analysis on the proposed variances.

4.2 Site Context

The subject property is located between two urban centres: Capri-Landmark to the East and City Centre to the West. The surrounding area along Harvey Avenue is primarily zoned RM5 and RM6, while the dwellings south are RU6 along Laurier Avenue. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM5 – Medium Density Multiple Housing	Medium Density Residential
East	RM5 – Medium Density Multiple Housing	Medium Density Residential
South	RU6 – Two Dwelling Housing	Low Density Residential
West	RM5 – Medium Density Multiple Housing	Medium Density Residential

Subject Property Map: 969 Harvey Avenue



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	1700m ²	7,218m ²
Min. Lot Width	30.0m	87.0m
Min. Lot Depth	35.0m	85.8m
Development Regulations		
Max. Floor Area Ratio	1.5 (+ 0.18 bonus)	1.68
Max. Site Coverage (buildings, parking, driveways)	3,609m ² (50%)	5,070m ² (70%) ^❶
Max. Height	55m	19.43m
Min. Front Yard	6.0m	6.0m
Min. Side Yard (West)	4.5m	3.6m ^❷
Min. Rear Yard	9.0m	9.1m
Other Regulations		
Min. Parking Requirements	162	143 ^❸
Min. Bicycle Parking	24	32
Min. Private Open Space	720.0m ²	774.3m ²
Min. Loading Space	m ²	m ²
Landscape Buffer (Front)	Level 2 – 3.0m	3.0m
Landscape Buffer (Side)	Level 3 – 3.0m	3.0m
Landscape Buffer (Rear)	Level 3 – 3.0m	3.0m
Daylight Provisions	65%	>65% ^❹
<p>❶ Indicates a requested variance to Section 13.11.6(b) Development Regulations- Site Coverage</p> <p>❷ Indicates a requested variance to Section 13.11.6(e) Development Regulations- Side yard setbacks</p> <p>❸ Indicated a requested variance to Section 8.3.1 Residential Parking Table</p> <p>❹ Indicated a requested variance to Section 6 Daylighting Standards</p>		

5.0 **Current Development Policies**5.1 Kelowna Official Community Plan (OCP)

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

Complete Communities. Support the development of complete communities with a minimum intensity of approximately 35-40 people and/or jobs per hectare to support basic transit service – a bus every 30 minutes. (approx. 114 people / hectare proposed).

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 5.9. Support the creation of affordable and safe rental, non-market and / or special needs housing.

Objective 5.10. Ensure opportunities are available for greater use of active transportation and transit to: improve community health; reduce greenhouse gas emissions; and increase resilience in the face of higher energy prices.

Objective 5.11. Support parking management programs that promote reduced vehicle ownerships, reduced vehicle trips and increased use of active modes of transportation.

Objective 5.18. Ensure efficient land use.

Objective 5.19. Ensure development is compatible with surrounding land uses.

6.0 Technical Comments

6.1 Development Engineering Department

6.1.1 See Attachment 'B', memorandum dated November 20, 2020

6.2 Ministry of Transportation

6.2.1 No objection to proposal.

7.0 Application Chronology

Date of Application Received: September 30, 2019

Date Public Consultation Completed: November 28, 2019

Report prepared by: Adam Cseke, Planning Specialist
Tyler Caswell, Planner I

Reviewed and Approved by: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Development Engineering Memo

Attachment 'B': Conceptual Drawing Package