

REPORT TO COUNCIL



Date: March 17, 2020

To: Council

From: City Manager

Department: Development Planning - Urban

Application: DP17-0205 and DVP18-0110 **Owner:** 1219204 B.C. Ltd., INC.NO.
1219204 B.C.

Address: 235 Taylor Rd **Applicant:** Pacific West Architecture

Subject: Development Permit and Development Variance Permit Application

Existing OCP Designation: MRL – Multiple Unit Residential (Low Density)

Existing Zone: RM₃ – Low Density Multiple Housing

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 11648 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP17-0205 for Lot A Section 22 Township 26 ODYD Plan EPP89943, located at 235 Taylor 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 authorizes the issuance of Development Variance Permit No. DVP18-0110 for Lot A Section 22 Township 26 ODYD Plan EPP89943, located at 235 Taylor Rd, Kelowna, BC;

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

Section 13.9.6(f): RM₃ – Low Density Multiple Housing Development Regulations

To vary the required minimum rear yard from 7.5 m required to 6.5 m proposed.

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 permits to be issued;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

A Development Permit for the form and character of a multi-unit residential development with a variance to reduce the required rear yard from 7.5 m to 6.5 m.

3.0 Development Planning

Development Planning is recommending support for the proposed 12-unit townhouse development. The application generally meets the Official Community Plan (OCP) Comprehensive Development Permit Area Urban Design Guidelines as per Attachment B. The proposed townhouse development meets the objective of providing context sensitive housing development and supports sensitive infill and family housing policies.

4.0 Proposal

4.1 Background

At the time of initial consideration of the Rezoning application from RU₁ – Large Lot Housing to RM₃ – Low Density Multiple Housing, the proposed development consisted of an 8-unit townhouse development. Since third reading, the subject property has been sold, and a new development proposal was submitted which, while similar to the initial development concept, has increased the total number of units to 12.

The subject property has a single dwelling which will be demolished in order to facilitate the proposed development.

A road dedication of 2.5 m width along Taylor Road was required as a condition of rezoning. The subsequent subdivision for the road dedication was completed in 2019. The development proposal is utilizing the pre-road dedication property setbacks to achieve the desired site layout, which is permitted by Section 1.8.1 of the Zoning Bylaw when a lot is reduced in size as a result of a taking for public use¹.

4.2 Project Description

The applicant is proposing a multi-unit residential development consisting of 12 units in row house form in two buildings. The development consists of two different three-bedroom unit types. The larger units consist of three-bedrooms, den, patio, private back-yard and a 2-car garage. The smaller units consist of three bedrooms, patio, private backyard and a tandem 2-car garage. The development will be accessed by a shared driveway, two visitor parking spaces and bicycle racks are provided between the two buildings and there is a shared residential garden and garbage/recycling enclosure at the rear of the site.

4.3 Site Layout

The applicants are utilizing a Zoning Bylaw regulation which allows for a reduced front yard (1.5 m) if the development includes ground-oriented housing with a front door facing the street². The proposal also includes a request to vary the required rear yard setback from 7.5 m to 6.5 m. All other zoning regulations are

¹ City of Kelowna Zoning Bylaw, Section 1.8.1

² City of Kelowna Zoning Bylaw, Section 13.9.6(d)

met by the proposed development, and staff do not anticipate this variance to contribute to any negative impacts to the residents or neighbourhood.

4.4 Form and Character

The proposal includes a variety of durable building materials in natural colours to provide visual contrast. The building has adequate horizontal and vertical articulation on the North and West façades, with more minimal articulation along the South, East and interior facing façades. The south façade faces the back of an adjacent townhouse development and the East façade faces the rear yard of the adjacent property.

The end unit of the building facing Taylor Road includes a front door, entryway canopy with supporting columns and additional stonework to create a pedestrian friendly ground-oriented façade. Staff worked with the applicant to enhance the front façade facing Taylor Road as the development's relationship with the street was a primary design objective. Using the feedback provided by planning staff, the applicant made revisions which enhanced the design including additional landscaping trees, more prominent front entryway rooflines and continuing the balcony and mid floor rooflines along the front façade.

Figure 1 – West façade rendering facing Taylor Rd



Staff feel there is adequate private open space in the form of balconies and rear yard patios for each unit, in addition to a shared residential garden area at the rear of the site which reduces the required rear yard landscape buffer by 1.0 m³. Revisions to the landscaping plan were made in order to enhance the landscaping buffers after staff's review by adding additional trees and changing the tree type to a columnar form oak tree along the side yard (south) and replacing the proposed concord grape vines with taller grasses and shrubs along the rear yard. Additionally, the feature tree that is located between the two buildings was changed, based on staff's recommendation, to a Redpointe Maple which is a larger, more prominent species with a higher growth rate.

4.5 Site Context

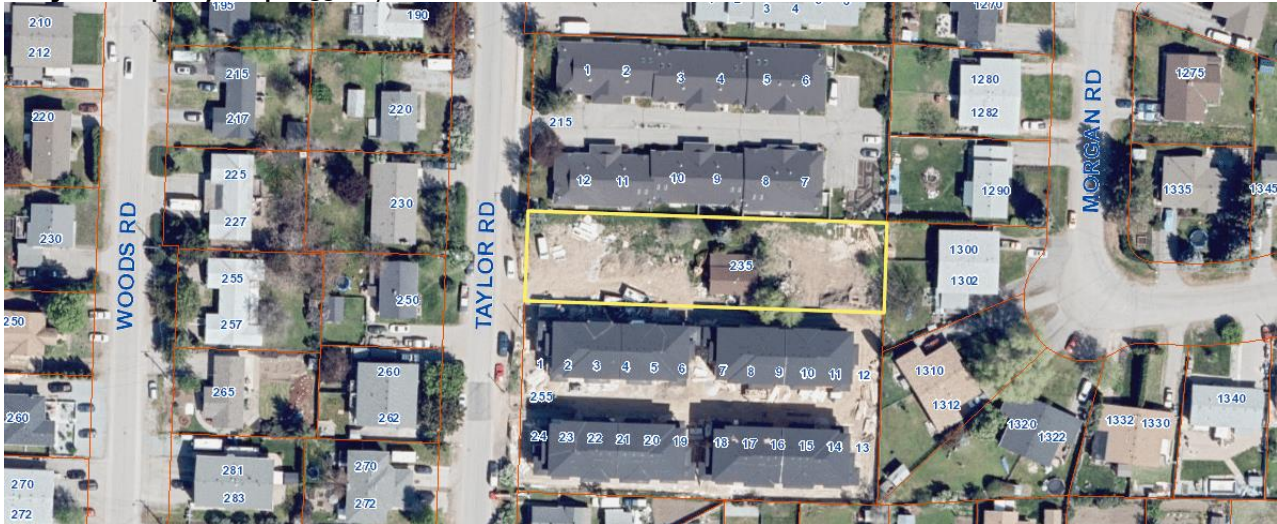
The subject property is located within the Rutland Sector, between Midtown and Rutland Urban Centres. The subject property is within both the Core Area and Permanent Growth Boundary. It is within walking distance to nearby transit, schools, and Mission Creek Greenway for active outdoor activities. The subject property has a Walk Score of 54, which is somewhat walkable, as some errands can be accomplished on foot.

Specifically, adjacent land uses are as follows:

³ City of Kelowna Zoning Bylaw, Section 13.9.6(h)

Orientation	Zoning	Land Use
North	RM ₃ – Low Density Multiple Housing	Multiple-Unit Residential
East	RU ₆ – Two Dwelling Housing	Two Dwelling Housing
South	RM ₃ – Low Density Multiple Housing	Multiple-Unit Residential
West	RU ₁ – Large Lot Housing RU ₆ – Two Dwelling Housing	Single Dwelling Housing

Subject Property Map: 235 Taylor Rd



4.6 Zoning Analysis Table

There is one variance that was tracked with the applicant’s proposal to reduce the required minimum rear yard from 7.5 m to 6.5 m proposed.

Zoning Analysis Table		
CRITERIA	RM ₃ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Floor Area Ratio	0.75 + 0.05 = 0.8	0.8
Max. Site Coverage (buildings)	40%	39.5%
Max. Site Coverage (buildings, parking, driveways)	65% (with permeable surfaces)	65%
Max. Height	10 m or 3 storeys	10m
Min. Front Yard	1.5 m	1.83 m
Min. Side Yard (south)	4.0 m	4.0 m
Min. Side Yard (north)	4.0 m	6.9 m
Min. Rear Yard	7.5 m	6.5 m ●
Other Regulations		
Min. Parking Requirements	2 spaces / 3 Bedroom Unit = 24 1 Visitor space / 7 Dwelling Units = 2	24 parking stalls in garages 2 visitor parking stalls
Min. Bicycle Parking	.5 Long Term / Dwelling = 6 .1 Short Term / Dwelling = 1.2	Long Term bike parking accommodated in garages 2 short term bike parking spaces
Min. Private Open Space	25 m ² / Dwelling = 300 m ²	29.1 m ² / Dwelling
● Indicates a requested variance to reduce the required rear yard.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goals for a Sustainable Future:

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

Address Housing Needs of All Residents. Address housing needs of all residents by working towards an adequate supply of a variety of housing.

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.

Objective 5.13 Increase local food production.

Policy .4 Multi-Residential Shared Garden. Encourage new development to include contiguous space intended for garden space for residents.

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.

Policy .13 Family Housing. Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, workshop space, larger units, safe design, and neighbourhood characteristics (e.g.: location and amenities).

Objective 5.23 Address the needs of families with children through the provision of appropriate family-oriented housing.

Policy .1 Ground Oriented Housing. Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets.

Technical Comments

5.2 Development Engineering Department

Development Engineering has no comment regarding the form and character of the proposed buildings. For servicing requirements refer to file Z17-0088.

5.3 Ministry of Transportation

The Ministry of Transportation signed off on Bylaw 11648 on August 14, 2018, as the property is within 800m of a Provincial highway.

6.o Application Chronology

Date Application Received: September 14, 2017
Date Public Consultation Completed: May 6, 2018
Date of Public Hearing: August 14, 2018
Date Final Revisions Received: January 17, 2020
Date Zoning Conditions Completed: January 23, 2020

Report prepared by: Hailey Rilkoff, Planner I

Reviewed by: James Moore, Acting Urban Planning Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Draft Development Permit & Development Variance Permit DP17-0205/DVP18-0110

Attachment B: Comprehensive Urban Design Guideline Checklist

Attachment C: Applicant's Rationale