

# REPORT TO COUNCIL



**Date:** July 27, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z20-0013

**Owner:** 1217799 BC Ltd., Inc.No.  
BC1217799

**Address:** 1144 Pacific Ave

**Applicant:** Jesse Alexander; New Town  
Planning Services

**Subject:** Rezoning Application

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

**Existing Zone:** RU6 – Two Dwelling Housing

**Proposed Zone:** C4 – Urban Centre Commercial

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## 1.0 Recommendation

THAT Rezoning Application No. Z20-0013 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Parcel A (DD KL82857) District Lot 137 ODYD Plan 2862, located at 1144 Pacific Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the C4 – Urban Centre Commercial zone, be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing for the Rezoning Bylaw;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated July 27, 2020;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

## **2.0 Purpose**

To rezone the property from the RU6 – Two Dwelling Housing zone to the C4 – Urban Centre Commercial zone to facilitate the development of a 4 storey mixed use building with both commercial and residential uses, and to waive the Public Hearing.

## **3.0 Development Planning**

Development Planning supports the proposal to rezone the property to C4 – Urban Centre Commercial to facilitate the development of a 4 storey mixed use building with both commercial and residential uses.

The subject property is in the Capri Landmark Urban Centre, and is in an area of the urban centre—just south of Capri Mall—that has been identified as being suitable for mixed use development. Accordingly, the subject property has a future land use designation of MXR – Mixed Use (Residential / Commercial), which does accommodate the proposed C4 zone. To reinforce this, the Capri-Landmark Urban Centre Plan also supports mixed use development in this area and on this lot (Capri-Landmark Urban Centre Plan p. 54, p. 89-90).

In this case, the lot fronts onto Pacific Ave, the south side of which has been designated to remain residential in terms of land use. This being the case, Staff are supportive of commercial uses on the north side of Pacific Ave provided the scale and design of any commercial component is respectful of the residential nature of the neighbourhood. That said, issues of form and character are only to be considered formally at Development Permit stage.

Staff are not tracking any variances at this time.

## **4.0 Proposal**

### **4.1 Project Description**

The applicant proposes to rezone the subject property to C4 – Urban Centre Commercial to facilitate the development of a 4 storey mixed use building with both commercial and residential uses. Specifically, the proposed building would have commercial uses across the first 2 storeys, and residential uses stepped back above. The applicant has worked with Staff to ensure the commercial component of the building is respectful of the residential development along the street and in the neighbourhood. However, questions of form and character will only be addressed formally at Development Permit stage. Staff are not tracking any variances at this time.

### **4.2 Site Context**

The subject lot is in Central City Sector in the Capri Landmark Urban Centre and is one block south of Capri Mall. In addition to the mall, and the commercial space along Highway 97 to the north, the lot is also within walking distance of numerous parks and schools in the area. Accordingly, the lot has a Walkscore of 72, as “most errands can be accomplished on foot”. Though the property is surrounded to the east and west by single detached housing, the future land use in the area is either MXR – Mixed Use (Residential / Commercial) or MRM – Multiple Unit Residential (Medium Density). In addition, there are already numerous apartment housing developments in the neighbourhood, and further development in this direction is now underway (including across the street to the south).

Adjacent land uses are as follows:

| Orientation | Zoning                       | Land Use   |
|-------------|------------------------------|--|
| North       | C4 – Urban Centre Commercial | Mixed Use Development                                |
| East        | RU6 – Two Dwelling Housing   | Single Detached Housing                              |
| South       | RU6 / RM 4 / RM5             | Single Detached Housing / Vacant / Apartment Housing |
| West        | RU6 – Two Dwelling Housing   | Single Detached Housing                              |

**Subject Property Map: 1144 Pacific Ave**



## 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.

#### Chapter 5: Development Process

##### *Objective 5.3 Focus development to designated growth areas*

*Policy .1 Permanent Growth Boundary.* Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of properties outside the PGB for more intensive use only to the extent permitted as per the OCP Future Land Use designations in

place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council's specific amendment of this policy. The PGB may be reviewed as part of the next major OCP update.

## 5.2 Capri-Landmark Urban Centre Plan

### Section 5: Community Structure

*Land Use & Housing:* Future Land Use Map (p. 54)

### Section 6: Area Specific Policy Direction

#### *Sub-Area 4: Five Bridges*

*Vision:* Areas adjacent to the Capri-Centre Mall will provide a mid-rise transition from the high density redevelopment of the Capri-Centre Mall, buffering nearby townhouse and low-rise development in the area.

*Land Use Policies:* 1. Encourage mixed-use development on the south side of Sutherland Avenue from Gordon Drive to Capri Street.

## 6.0 **Technical Comments**

### 6.1 Development Engineering Department

- See Schedule A

## 7.0 **Application Chronology**

Date of Application Received: February 7, 2020

Date Public Consultation Completed: July 10, 2020

**Report prepared by:** Aaron Thibeault, Planner II

**Reviewed by:** James Moore, Acting Development Planning Manager

**Reviewed by:** Terry Barton, Development Planning Department Manager

**Approved for Inclusion:** Ryan Smith, Divisional Director, Planning & Development Services

### **Attachments:**

Schedule A: Development Engineering Memo

Attachment A: Conceptual Drawing Package

Attachment B: Applicant Rationale