# REPORT TO COUNCIL



Date: August 24<sup>th</sup>, 2020

To: Council

From: City Manager

**Department:** Development Planning Department

**Application:** Z20-0046 **Owner:** Okanagan Opportunity GP Inc.

**Address:** 599 Clement Avenue **Applicant:** Okanagan Opportunity GP Inc.

**Subject:** Rezoning Application

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

**Existing Zone:** RM6 – High Rise Apartment Housing

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

#### 1.0 Recommendation

THAT Rezoning Application No. Z20-0046 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 139, ODYD, Plan EPP82176, located at 599 Clement Avenue, Kelowna, BC from the RM6 – High Rise Apartment Housing zone to the RM6r – High Rise Apartment Housing (Residential Rental Tenure Only), be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT Council waives the requirement for a car-share program to be provided on-site as identified in Development Variance Permit DVP17-0248.

## 2.0 Purpose

To consider a Rezoning application to rezone the subject property from the RM6 - High Rise Apartment Housing zone to the RM6r - High Rise Apartment Housing (Residential Rental Tenure Only) zone.

#### 3.0 Development Planning

This rezoning application is in response to failed discussions between the developer and the City of Kelowna regarding the Car Share agreement related to the existing Development Permit and Development Variance Permit. At the February 12<sup>th</sup>, 2019 Council meeting, Council approved this 58 rental unit building with a parking variance to reduce the number of stalls by 20 stalls. The applicant had the option to pay cash-in-lieu

of parking but instead committed to 4 car-share vehicles in which Council agreed. The car-share operator does not wish to provide that many vehicles. The proposed sub-zone would bring the parking requirements in alignment with the City of Kelowna's current revised parking regulations adopted at the end of November 2019. This would no longer require the car share as part of the project.

The project is currently under construction and the intent of this revision is to be processed while construction continues. The project is not seeking any changes from the approved Development Permit & Building Permit and the parking counts and bicycle parking revisions are entirely within the parking level of the building.

The applicant has provided a table (see attachments) to provide a summary of the parking requirements and the number of stalls required. The Zoning Bylaw has a reduced level of parking for rental projects due to the efficiencies gained by operating the parking lot as a shared facility for all residents rather than the ownership of stalls associated with stratified condos.

To help ensure this issue is not repeated in future developments that consider a Car-Share to reduce the levels of parking, staff will require a letter of commitment from the Car-Share operator to be included in the Development Permit application prior to final approval.

Staff are recommending support for this application as the sub-zone would protect this property as a rental project in perpetuity. Further, this project meets the City's new parking regulations for rental only projects.

## 4.0 Proposal

# 4.1 Project Description

The proposing is under construction for a six-storey, 58-unit purpose built rental apartment building.

## 4.2 Site Context

The subject property is located in the 'City Centre' Urban Centre on the south side of Clement Ave. The lot has an area of 3,096m² and is located in a neighbourhood with a mix of residential, commercial, and institutional uses. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P1 – Major Institutional	RCMP Building
East	RU2 – Medium Lot Housing	Residential
South	RU2 – Medium Lot Housing	Residential
West	C7 – Central Business Commercial	Residential



# 5.0 Current Development Policies

# 5.1 <u>Kelowna Official Community Plan (OCP)</u>

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.

#### 6.0 Technical Comments

None

## 7.0 Application Chronology

Date of Application Received: June 5<sup>th</sup>, 2020 Date Public Consultation Completed: June 19<sup>th</sup>, 2020

**Report prepared by:** Adam Cseke, Planning Specialist

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

**Approved by:** Ryan Smith, Divisional Director, Planning and Development Services

Attachments:

Schedule A: Development Engineering Memo

Attachment 'B': Applicant Package