

# REPORT TO COUNCIL



**Date:** October 19, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** DP19-0026

**Owner:** Emil Anderson Construction Co. Ltd., Inc.No. 172775

**Address:** 907 Ethel Street

**Applicant:** Lime Architecture Inc. (Matt Johnston)

**Subject:** Development Permit Application

**Existing OCP Designation:** IND – Industrial

**Existing Zone:** I<sub>4</sub> – Central Industrial

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP19-0026 for Lot A Section 30 Township 26 ODYD Plan 18927, located at 907 Ethel Street, 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 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

To consider a Development Permit for the form and character of a 4-storey mixed use building containing both industrial and residential uses on the subject lot.

### 3.0 Development Planning

Development Planning supports the Development Permit for the proposed 4-storey mixed use building on the subject lot.

The lot is in an industrial area in the City's north end and in an area that would not trigger a development permit for industrial development alone. In this case, a development permit is required due to the inclusion of multiple dwelling housing (apartments) with the development.

The proposed building contains industrial uses on the first 3 storeys and apartments on the 4<sup>th</sup> (top) storey. Normally considered to be conflicting land uses, industrial and residential uses are not often incorporated in the same building, and the building-type would represent a first for Kelowna.

Efforts were made to ensure the industrial and residential uses would co-exist harmoniously and with minimal potential for conflict. For instance, the safe passage of all forms of transportation was considered, and attention paid to ensure workers, residents, clients and visitors could access the building safely by foot, on bike, or by vehicle. On the whole, the development substantially meets the Comprehensive Development Permit Guidelines.

### 4.0 Proposal

#### 4.1 Background

On February 26, 2019 Council gave 2<sup>nd</sup> and 3<sup>rd</sup> Reading to a Text Amendment bylaw (TA18-0010) proposing to allow multiple dwelling housing on the lot, which is zoned I<sub>4</sub> – Central Industrial. As a condition of final adoption of the rezoning, it was stipulated that it be considered in conjunction with a development variance permit, as a variance on height was originally proposed. The specifics of the development have now been changed and the original proposal for a height variance has been eliminated. The current proposal contains no variances. As a result, Staff brought forth a proposal to Council to waive the requirement that would see final adoption of the Text Amendment considered in conjunction with a development variance permit. This proposal was supported by Council and the Text Amendment to allow multiple dwelling housing on the lot was granted final adoption on September 28, 2020.

#### 4.2 Project Description

The applicant seeks to build a 4-storey mixed use building containing both industrial and residential uses on the subject lot. Specifically, the first 3 storeys are to be industrial while the 4<sup>th</sup> (top) storey is to be residential stepped back on all four sides, and to contain 10 apartment units.

#### 4.3 Site Context

The lot is in the Central City Sector in the north end industrial area. The lot is surrounded on all sides by industrial development, except the east, where we find a hillside that is part of Knox Mountain Park.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I <sub>4</sub> – Central Industrial	General Industrial
East	P <sub>3</sub> – Parks and Open Space	Park
South	I <sub>4</sub> – Central Industrial	Warehouse Sales
West	I <sub>4</sub> – Central Industrial	General Industrial

Subject Property Map: 907 Ethel St.



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	I <sub>4</sub> ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	1,300m <sup>2</sup>	15,620m <sup>2</sup>
Min. Lot Width	40m	186m
Min. Lot Depth	30m	93m
Development Regulations		
Max. Floor Area Ratio	3.0	0.4
Max. Height	18.0m	16.0m
Min. Front Yard	0.0m	11.8m
Min. Side Yard (east)	0.0m	6.0m
Min. Side Yard (west)	0.0m	>20m
Min. Rear Yard	0.0m	>20m
Other Regulations		

Min. Parking Requirements	86	86
Min. Bicycle Parking	10	10
Min. Loading Space	2	4

**5.0 Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

Chapter 14: Urban Design DP Guidelines

A. Comprehensive Development Permit Area (Multiple Unit Residential, Commercial, and Industrial Design Guidelines)

Justification: Rapid growth, infill redevelopment pressures, and increasing design expectations from residents require that Comprehensive Design Guidelines with respect to site layout, building form and character, and landscaping will apply to commercial, industrial, multiple family and mixed use development.

Objectives:

- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;
- Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
- Promote alternative transportation with enhanced streetscapes and multimodal linkages;

**6.0 Application Chronology**

Date of Application Received: September 8, 2020

Date Public Consultation Completed: N/A

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

**Reviewed by:** Jocelyn Black, Urban Planning Manager

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

**Attachments:**

Attachment A: Draft Development Permit DP19-0026

Schedule A: Site Plan

Schedule B: Elevations & Materials and Color Board

Schedule C: Landscape Plan & Landscape Estimate

Attachment B: Applicant’s Rationale