

REPORT TO COUNCIL



Date: October 27th 2020

To: Council

From: City Manager

Department: Development Planning

Application: DP20-0061/DVP20-0062 **Owner:** Ryan Peak ULC, Inc. No. A0066628

Address: 1450,1430,1420 Cara Glen Court **Applicant:** Dan Greenhalgh – Kerkhoff Construction

Subject: Development Permit and Development Variance Permit

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

Existing Zone: RM₄ – Transitional Low Density Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP20-0061 for Lot 4, Section 31, Township 26, ODYD, Plan EPP100150; Lot 5, Section 31, Township 26, ODYD, Plan EPP100150; and, Lot 6, Section 31, Township 26, ODYD, Plan EPP100150, located at 1450,1430,1420 Cara Glen Court 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. DVP20-0062 for Lot 4, Section 31, Township 26, ODYD, Plan EPP100150; Lot 5, Section 31, Township 26, ODYD, Plan EPP100150; and, Lot 6, Section 31, Township 26, ODYD, Plan EPP100150, located at 1450,1430,1420 Cara Glen Court Kelowna, BC;

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

Section 13.10.6: RM4 – Transitional Low Density – Development Regulations

- (c) To vary the maximum height from the lesser of 13.0m or 3 storeys permitted to the lesser of 19m or 5 storeys proposed;
- (d) To vary the minimum front yard setback from 6.0m permitted to 3.0m proposed;
- (e) To vary the minimum side yard setback from 2.3m permitted to 0.0m proposed.

Section 13.10.7(b): RM4 – Transitional Low Density – Other Regulations

To vary the continuous building frontage from 40.0m required to 62.0m proposed.

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

2.0 Purpose

To consider a Development Variance Permit to vary several sections of the Zoning Bylaw related to building width, height, and set-backs; and to consider a Development Permit to approve the form and character of four apartment buildings with a total of 238 dwelling units.

3.0 Development Planning

Development Planning staff support the proposed Development Variance Permit application to allow for several variances to the City's Zoning Bylaw related to building width, height, and setbacks. Development Planning staff also support the Development Permit related to the form and character of four apartment buildings. If approved the proposal would create 4 apartment buildings on 3 lots intended to provide a total of 238 rental housing units. Each of the buildings are similar in form and character and are meant to be developed comprehensively with each other and share amenity space. The proposed buildings are compliant with Zoning Bylaw regulations related to parking and floor area ratio but require several variances to achieve the proposed design and desired number of dwelling units. The proposed buildings substantially conform to the City's Urban Design Development Permit Area Guidelines.



Figure 1 - Building Rendering Looking North

4.0 Proposal

4.1 Background

The subject site is the location of a recent six lot subdivision application at 510-550 Clifton Road near the intersection of Cara Glen Way and Clifton Road. The subdivision has recently completed and now the applicants are proposing to build four apartment buildings on three of the new lots. The subject site consists of three lots that front a newly dedicated road named 'Cara Glenn Court' and back on to Knox Mountain Park. During the subdivision process a portion of the site was voluntarily transferred to the City which is intended to expand Knox Mountain Park and a new trail was developed that connects the site with the park and the surrounding neighborhood.

4.2 Project Description



Figure 2 Building Rendering Looking West Near Clifton Road

The proposal includes 4 apartment buildings on 3 lots intended to provide rental housing. If approved the proposal would allow for a total of 238 rental units which include sixteen 3 bedroom units, and approximately one hundred 2 bedroom units.

Each of the buildings are similar in form and character and are meant to be developed comprehensively with each other and share amenity space. The buildings include different architectural details, such as extended balconies, overhangs, and decorative brackets, to create variation between each building. All of the buildings are proposed to be 5 storeys in height above an underground parkade. The site slopes from front to back (East to West), the buildings are 4 storeys at the rear and 5 storeys in the front with the 5th storey stepped-back and reduced in width to reduce the visual massing of the top storey and create visual interest. The site also slopes gradually from side to side (North to South) the majority of the parkade structure is underground except near the southern corner of each building the parkade is partially exposed but is screened by a robust landscape plan that includes a landscape berm, trees and shrubs.

The proposed buildings substantially conform to the City's Urban Design Development Permit Area Guidelines. Specifically, architectural elements are aligned from one building to the next, the façades are articulated with indentations and projections, and landscaping is proposed which complements and softens the building's architectural features.

The proposed buildings are compliant with Zoning Bylaw regulations related to parking and floor area ratio, but require several variances to achieve the proposed design and desired number of dwelling units. Specifically, variances to the following section of the Zoning Bylaw are proposed:

1. **Section 13.10.7 (b) to vary the continuous building frontage from 40.0m 62.0m.** The RM4 zone limits building width as it's meant to be a transitional zone to provide for a transition between low and medium density development. There is an existing townhouse development to the south and single detached house to the north of the site. The adjacent properties are accessed from different streets and are separated from the site by a 4.5m wide statutory right of way for utilities to the south and a 5.0m SRW for public trail access to the north. The proposed building width is not expected to create any impacts on any adjacent properties as the site is developing as one comprehensive development.
2. **Section 13.10.6 (c) to vary the maximum height from the lesser of 13.0m or 3 storeys to the lesser of 19m or 5 storeys.** The RM4 zone limits building height to allow for low-rise apartment buildings that are sensitive to existing low and medium density development. The proposal to allow for 5 storeys is significant in the context of the Official Community Plan that encourages a 4 storey maximum for suburban and rural areas. Staff are supportive of the variance as the sloping topography of the site will mitigate the impact of the increased height and the unique site conditions provide an opportunity for increased height in this location. Specifically, the site backs on to a large slope connected to Knox Mt. Park area therefore the additional building height and width will not obstruct existing lake or valley views. The buildings are located on the north side of the existing townhouse development adjacent to the site therefore very limited shading impact is anticipated. Furthermore, the newly constructed road 'Cara Glen Court' is lower than the existing properties along Clifton Road.
3. **Section 13.10.6 (d) to vary the minimum front yard from 6.0m to 3.0m.** A variance to the front set-back is required only for the parkade of each building. The southern corner of each parkade is exposed as the side slopes gradually from side to side. The variance is required for the parkade structure only. The first storey of each building is setback a minimum of 7.5m to provide room for outdoor amenity space and landscaping.
4. **Section 13.10.6 (e) to vary the minimum side yard from 2.3m to 0.0m.** A zero lot line setback along the side of each building is requested only to accommodate the proposed garbage/recycling areas in each parade as they are proposed to be connected to each other. The variance is for the garbage/recycling area only. Each building storey is set-back a minimum of 6.0m from each internal side property line. On the southern property-line a variance is not required as the entire building including the parkade is set-back 6.0m from the most southern side property line. On the northern property-line shared with existing single detached house a variance is not required as the entire building including the parkade is set-back 5.0m from the most northern side property line.

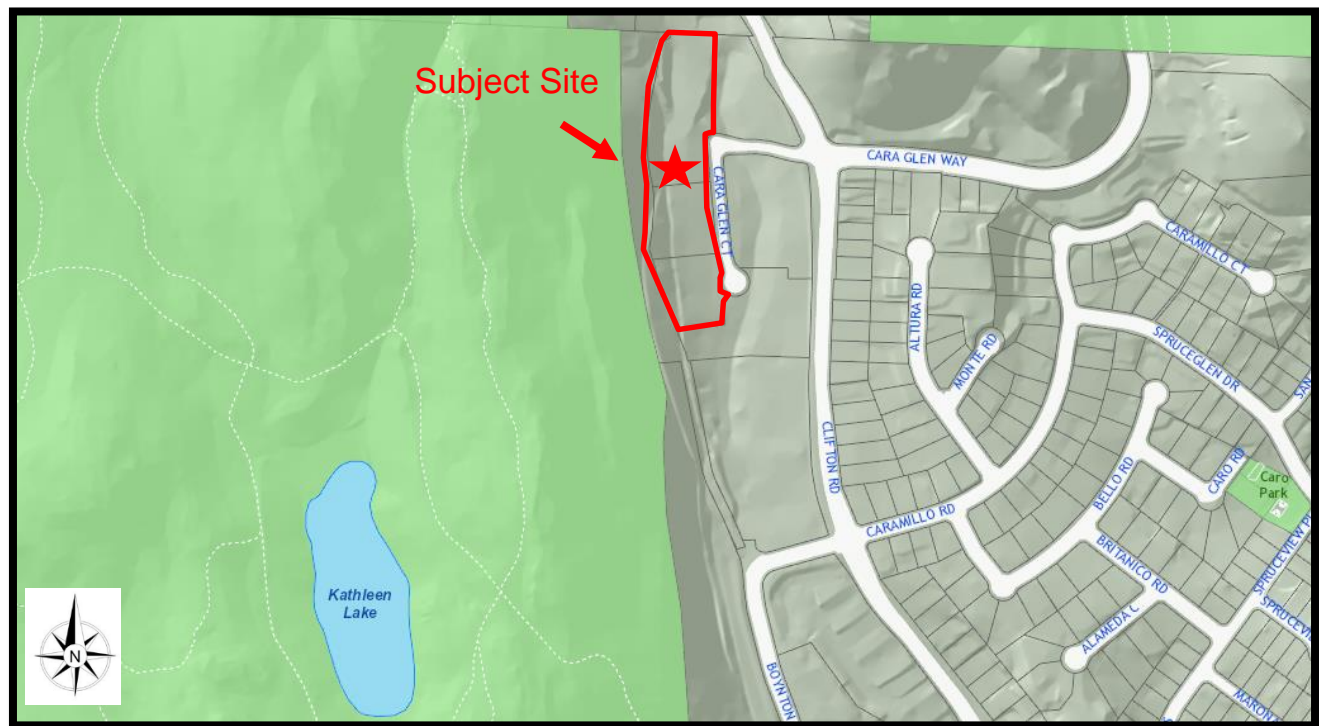
4.3 Site Context

In the context of the Official Community Plan the property is located in the 'Glenmore – Clifton – Dilworth' City Sector and is located within the Permanent Growth Boundary. The property is designated MRM – Multiple Unit Residential (Medium Density) and zoned RM4 – Transitional Low Density Housing. The property is adjacent to Knox Mountain Park to the West, single detached houses to the North and East, and an existing townhouse development to the South.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	S2Res – Single/Two Unit Residential
East	A1 – Agriculture, RU1 – Large Lot Housing, RR3 – Rural Residential	MRL – Multi Unit Residential (Low Density), S2Res – Single/Two Unit Residential
South	RM4 – Transitional Low Density Housing	MRM – Multi Unit Residential (Medium Density)
West	P3 – Parks and Open Space	Park

Subject Property Map:



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.2 Develop Sustainably

Policy 5.2.3 Complete Suburbs. Support a mix of uses within Kelowna's suburbs, in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City, at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context. Building heights in excess of four storeys will not be supported within the suburban areas, unless provided for by zoning existing prior to adoption of OCP Bylaw 10500.

6.0 Technical Comments

6.1 Development Engineering Department

- Development Engineering requirements have been addressed as part of subdivision application (S17-0053)

7.0 Application Chronology

Date of Application Received: December 20th 2019

Date Public Consultation Completed: September 9th 2020

Report prepared by: Alex Kondor, Planner Specialist

Reviewed by: Dean Strachan, Community Planning & Development Manager

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

Attachments:

Attachment A: Draft Development Permit DP20-0061/DVP20-0062

Schedule A – Site Plan

Schedule B – Building Elevations

Schedule C – Landscape Plan