# DRAFT Development Permit \& Development Variance Permit DP19-0197 / DVP19-0198 

This permit relates to land in the City of Kelowna municipally known as
969 Harvey Avenue
and legally known as
Lot A District Lot 138 Osoyoos Division Yale District Plan 31933 Except Plan 36604
and permits the land to be used for an apartment building as desctibed in Schedule ' $\mathrm{A}^{\prime}$, ' B ', and ' C '.
The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.
Date of Council Decision November $17^{\text {th }} 2020$

Decision By:
Development Permit Area:
Existing Zone:
Future Land Use Designation:

COUNCIL
Comprehensive
RM6r - High Rise Apartment Housing (Residential Rental Tenure Only)
MRH - Multiple Unit Residential (High Density)
This is NOT a Building Permit.
In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

## NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: The Evangel Family Rental Housing Society Inc. No. S16918
Applicant: Paul Schuster (NOvation Architecture)
Planner: AC

## Terry Barton

Community Planning Department Manager
Planning \& Development Services

Date

## 1. SCOPE OF APPROVAL

This Development Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this permit, noted in the Terms and Conditions below.

The issuance of a permit limits the permit holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific variances have been authorized by the Development Permit. No implied variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

## 2. CONDITIONS OF APPROVAL

a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule " A ";
b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule " B ";
c) Landscaping to be provided on the land be in accordance with Schedule "C"; and
d) 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 the variances to the following sections of Zoning Bylaw No. 8ooo be granted, as shown on Schedule "A, B, \& $C^{\prime \prime}$ :

## Section 13.12.6 (b) - RM6r - High Rise Apartment Housing (Residential Rental Tenure Only) - Development Regulations

To vary the maximum site coverage for principal buildings, accessory structures, and parking areas and driveways from $50 \%$ required to $70 \%$ proposed.

Section 13.12 .6 (e) - RM6r - High Rise Apartment Housing (Residential Rental Tenure Only) - Development Regulations

To vary the minimum site side yard from 4.5 m required to 3.6 m proposed for the western property line.
Table 8.3-Required Off-Street Parking Requirements
To vary the minimum parking from 78 stalls required to 52 stalls proposed.
Section 6.1.2 (c) General Development Regulations - Daylight Standards
To vary the inclined angle of $65^{\circ}$ required to $75^{\circ}$ proposed to the horizontal for all points along the western side property line.

This Development Permit and Development Variance Permit is valid for two (2) years from the date of approval, with no opportunity to extend.

## 3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property owner of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:
a) An Irrevocable Letter of Credit OR certified cheque in the amount of $\$ 249,265.00$ (199,412.00 $\times 125 \%$ )

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

## 5. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:
a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

> The PERMIT HOLDER is the CURRENT LAND OWNER. Security shall ONLY be returned to the signatory of the Landscape Agreement or their designates.

CONSULTANTS:

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## DRAWING INDEX:

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ZONING ANALYSIS:


CONTEXT SITE PLAN:


not for construction
ILLUSTRATIONS:





NOVATION



PID: 003-567-257 PLAN KAP31933 LOT A DISTRICT LOT 138 EXCEPT PLAN 36604.










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# OUTLAND DESIGN 

LANDSCAPE ARCHITECTURE

Monday, October 26, 2020
969 Harvey Avenue
Novation Architecture
302-2237 Leckie Rd.
Kelowna, BC VIX 6 Y5
Attn: Brandon Dobroskay, Intern Architect
Via email to: brandon@novationarchitecture.com
Re: 969 Harvey Avenue, Kelowna BC - Preliminary Cost Estimate for Bonding
Dear Brandon:
Please be advised of the following preliminary cost estimate for bonding of the proposed landscape works shown in the 969 Harvey Avenue conceptual landscape plan dated 20.10.26;

- On-site Improvements: 1,659 square meters $(17,857$ square feet $)=\$ 199,412.00$

This preliminary cost estimate is inclusive of trees, shrubs, turf, mulch, topsoil, irrigation, hardscape, bike racks \& site furnishings.

You will be required to submit a performance bond to the City of Kelowna in the amount of $125 \%$ of the preliminary cost estimate. Please do not hesitate to contact me with any questions about the landscape plan.

Best regards,


Fiona Barton, MBCSLA, CSLA
as per
Outland Design Landscape Architecture


303-590 KLO Road, Kelowna, BC, VIY 7S2P 250.868.9270
outlanddesign.ca


## ©

CONCEPTUAL LANDSCAPE PLAN


L $1 / 2$


OUTLAND DESIGN LANDSCAPE ARCHITECTURE $303-590$ Klo Rood
Kelowna BC VIY 7 S2 Kelomo, BCVVYY Y 2 2
$T 12501888.9270$

## $\overbrace{}^{N}$

## 969 HARVEY AVENUE

Kabomo, BC

WATER CONSERVATION \& IRRIGATION PLAN


# Evangel Family Rental Housing Society 

\#100-969 Harvey Avenue Kelowna, BC V1Y 8M8

October 16, 2020


City of Kelowna
1435 Water Street
Kelowna, BC, V1Y 1J4

Dear Mr. Cseke,

The Evangel Family Rental Housing Society has provided affordable rental housing opportunities to the Kelowna Community for 46 years. It is our desire to expand that service by developing an additional 46 units of affordable family units at our current Evangel Family Manor site located at 969 Harvey Ave.

The project is providing 52 stalls of resident and visitor parking for the 46 units. The project is seeking a variance in the required parking ratio per unit. We understand that it is in the City's interest to ensure that the parking is managed over time so that the impacts of the loss of provision of parking relative to the bylaw are mitigated and that parking availability is commensurate to the demand. The building currently on site has an excess of parking in proportion to the units in the building. It is anticipated that the additional parking for the new building will be managed accordingly between the two buildings. Together, the existing parking and new parking provided will represent a parking ratio of 1.5 stall per unit.

The EFRHS proposed to manage the parking long term using the same parking management system that has proven effective for $45+$ years of property management. Below is an outline of the parking management plan that EFRHS employs to mitigate any parking deficiencies.

Kind regards,


Kevin Draper
Administrator

## 1. BACKGROUND/EXPERIENCE

Evangel Group of Societies has been managing affordable rental housing for 46 years. The latest ambition to serve the demand for 3-bedroom family-focused is supported by the City of Kelowna's efforts to combat homeless and provide affordable housing rental and ownership opportunities in the community. Recently developed transportation infrastructure, experienced parking management and a decreased demand for parking in affordable rentals form the base of assumptions that we believe support the request for a parking variance at 969 Harvey Avenue.

Kelowna's Healthy Housing Strategy (HHS), adopted in 2018, identifies key directions and actions that benefit the provision of healthy housing. One direction given is to improve housing affordability and reduce barriers for affordable housing. Parking costs are one of the greatest barriers to the provision of affordable housing. The report indicates that "by setting minimum parking requirements, the City is driving up housing costs and disincentivizing sustainable modes of transportation." A key policy direction provided in the HHS is to reduce parking requirements for infill and affordable housing and Appendix E-VI provides specific direction to identify opportunities for off-street parking reductions and/or parking elimination.

EFRHS is supporting the City of Kelowna's strategy by encouraging the use of transportation and community infrastructure to avoid downloading the cost of parking onto the tenants of affordable housing developments. The affordability of the units is mandated and guaranteed by CMHC financing for the life of the mortgage ( 50 years). Maintaining affordability presents a budget constraint for parking provision but also an opportunity for the City of Kelowna to support affordability through the implementation of parking reductions identified in the housing strategy.

## 2. TRANSPORTATION AMENITIES PROVIDED

## Provision of Long and Short-Term Bicycle Parking

The project is designed to allow tenants to store their bicycles in 22 protected spaces in the parking garage, 14 surface level bike parking spaces outside the building, and 82 spaces in secured courtyard areas outside. The provision of bicycle storage space is intended to increase sustainability by providing an alternative to motor vehicle use and decrease traffic density.

## Proximity to Active Transportation Options

The location of the Project will provide opportunities for residents to live active, healthy lifestyles by using active transportation methods, such as walking or cycling, to access community amenities and services. As the City becomes more urbanized through increased population density and mixed land-use, walking and cycling have become viable and preferred options for residents living downtown. To meet this demand, the City has invested in a variety of infrastructure for cyclists and pedestrians (refer to City of Kelowna Pedestrian and Bicycle Masterplan). One such example, the Ethel Street Active Transportation Corridor (ATC), is located extremely close to the Harvey Avenue development.

## Car Co-op

Carshare programs, such as a car co-op, provide short term vehicle rentals to members and are designed to provide the same convenience as personal vehicles. MODO is a car share program in the City and is

Phone: (250) 762-6225 Fax: 1 (778) 381-7378 parkhousing@shaw.ca

presented as an example of a potential car sharing opportunity for the project. Currently, there are 8 MODO locations within a walkable distance ( 1.5 km ) of the site.

## 3. PARKING MANAGEMENT

Based on EFRHS's 46 years of experiences managing affordable rental housing we have developed a system to manage parking that has been successful with no issues arising from tenants, service contractors or the municipality. The Evangel Housing Society operates three rental buildings. 969 Harvey Avenue- ‘The Family Manor', 1439 Bertram Street - 'Seniors Housing' and 1319 KLO Road- 'Park Housing'.

At the building on 969 Harvey Avenue the Society charges for parking and the parking is monitored to ensure optimal usage. The tenant spaces are documented and waitlisted in a registry. Parking is monitored on a monthly basis and unused or vacant stalls are offered among the registrants.

The target tenant group for the new development will mirror the current Family Manor whose 3bedrooms house young and single-parent families with one vehicle and often, no vehicle. The parking requirement for 3 -bedroom units is 2 stalls per unit. This project is located between two rental subzones, one providing a $10 \%$ reduction to parking and the other, providing a $20 \%$ reduction. The project has previously advocated to be included in the urban centre subzone, providing a $20 \%$ reduction. This has formed the basis of parking calculations.

The current site has an excess parking of 92 stalls to 64 units plus 5 external stalls. The infill development would provide an additional 52 stalls for a total of 110 units. This represents a parking ratio of 1.35 stalls per unit. The variance would be a reduction of from 1.5 stalls/ unit to 1.35 stalls/unit.

Table 1: Parking Provision Ratio

|  | \# of Units | Stalls Required | Stalls Provided | Ratio |
| :--- | :--- | :--- | :--- | :--- |
| Existing <br> Building | 64 | 87 | 97 | 1.5 |
| New Building | 46 | 78 | 52 | 1.1 |
| Total | 110 | 165 | 149 | 1.35 |

The low demand for parking that exists at the Family Manor is reflected across the buildings managed by Evangel Housing Societies and lends itself as an example to a larger trend low parking demand in affordable rental housing developments.

## 4. DECREASED PARKING DEMANDS FOR AFFORDABLE HOUSING

We have used parking data from our current affordable rental located on site as well as similar affordable rental buildings in Kelowna to project the parking uptake for the new affordable units. The Evangel Family Manor currently has 64 units to 97 stalls. Of this number, 7 stalls have been converted into exit space, a workshop, and bike storage. 10 further stalls are currently vacant.

The Evangel Seniors Citizen Society on Bertram Street has 44 units and only 10 parking stalls. The Society has been managing this deficiency effectively.

Existing affordable housing projects (BC Housing projects of similar scale and location) also provide reasonable estimates of parking demand. We anticipate that the demand for parking by future tenants of the Project will be much lower than the parking requirements, which are based on a typical market development. Several completed studies echo this understanding, including those completed by the City of Kamloops, City of Vancouver, and City of Victoria. The City of Kamloops Affordable Housing Developer Package states that based on parking demand trends, social housing parking requirements are 0.25 spots per unit. ${ }^{1}$

Further, a scan of parking uptake from similar BC Housing affordable housing projects (scale and location) in Kelowna, and other locations in the Interior of BC (Penticton) were carried out to establish parking uptake in affordable housing developments. Tables 2 and 3 below show the differences between the number of units in the development, and the number of stalls in use for local housing projects and from similar projects across the Interior. Of the project examples given, only 39\% of the parking stalls provided are in use. Table 4 provides two examples of parking relaxations granted, in 2018 and 2020 respectively, by municipalities in the interior that were over $50 \%$ reduction from the requirement.

Table 2: Housing Projects Parking Uptake in the City of Kelowna

|  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: |
|  | Creekside Terrace | 34 | 28 | 82\% |
|  | Reeds Corner | 20 | 6 | 30\% |
|  | Tower Apartments | 124 | 36 | 29\% |
|  |  | 178 | 70 | 39\% |

Table 3: Housing Project Parking Uptake in Other Cities in the Interior

| City | Location | \# of Units | \# of Stalls in Use | $\%$ of Stalls in Use |
| :--- | :--- | :--- | :---: | :--- |
| Kelowna | Okanagan College (KLO Rd) | 36 (41 tenants) | 21 | $\mathbf{5 8 \%}$ |
| Kelowna | Near Bernard Avenue <br> (Downtown Core) | 43 (45 tenants) | 10 | $\mathbf{4 \%}$ |
| Total |  | 79 | 31 | $\underline{\mathbf{3 9 \%}}$ |


| ATTACHMENT |  |  |  |
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| This forms part of application \# DP19-0197 / DVP19-0198 |  |  |  |
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[^0]Table 4: Recently Granted Parking Variances

| City | Location | \# of Units | Stall <br> Required | Stalls Provided | Variance |
| :--- | :--- | :--- | :--- | :--- | :--- |
| Oliver | 5931 Airport Rd. | 46 | 72 | 51 | 21 |
| OK Falls- <br> Regional <br> District of <br> Okanagan <br> Similkameen | 5081 8th Avenue | 26 | 46 | 29 | 17 |

## 5. CONTRIBUTION TO THE COMMUNITY

The provision of safe, quality and affordable housing has direct impacts on individual and community social, psychological and economic health. As stated in the Health Housing Strategy, "when housing costs are affordable, individuals can have access to other factors of well-being including social and recreational opportunities, medical care, education and healthy food." The Harvey Avenue project will provide affordable housing to the community that is well connected, with multiple transit options available, and is guaranteed long-term through the affordable rental housing financing with CMHC. It is for those and the above-stated compelling reasons that the project team is requesting a parking variance of 26 parking stalls for the new building. The total variance request for both buildings is 16 stalls. If the urban parking centre rental subzone reduction of $20 \%$ were used instead of $10 \%$ in the calculations we would have an excess of parking over the 2 buildings by 12 stalls.

| ATTACHMENT A |  |  |
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Our File: 1821

City of Kelowna<br>1435 Water Street<br>Kelowna, BC, V1Y 1J4<br>Attention: Jocelyn Black, Urban Planning and Development Manager<br>Dear Mrs. Black<br>\section*{Re: Development Permit / Development Variance Permit Application for 969 Harvey Avenue}

ATTACHMENT A
This forms part of application
\# DP19-0197 / DVP19-0198

This development proposal will adhere to the requirements of the RM6 zone as described in the City of Kelowna Zoning Bylaw No. 8000.

## Project Description

The proposed project is a six-storey multi-family residential addition located along Hwy 97 N . with predominantly residential surroundings. The existing building is a three-storey multi-family building with a large amount of green space easily accessed from Harvey Avenue. The proposed building will be located in this open space, creating an enclosed and secured courtyard/green space for the tenants of the building.

The current zone is RM5 and we are proposing a rezone to RM6 with a six-storey height limit to maximize the amount of housing we can provide in the project. With the recent RM6 developments across the highway, we believe this rezone is well suited to the area. We are seeking an OCP amendment from MRM to MRH. The property is located between two urban centres and adjacent to other MRH properties. The project meets key objectives of the OCP by providing sensible urban infill housing without requiring infrastructure upgrades. It provides affordable purpose-built rental housing with a mixture of apartment sizes. We see a need for 3 -bedroom units within the city and therefore focus on providing what we can in that unit size. The project is located near public transit as well as the newly constructed Ethel pedestrian corridor, making it a convenient place to live for families with no more than one car.

## Design Rationale

Lot access is currently from a back laneway flanking the south side of the property. The proposed building's parkade and visitor parking will utilize this same access. The existing L-shaped building provides us the opportunity to create an enclosed and secured courtyard without compromising the spatial practicality of the project. We have designed a simple shaped footprint that maximizes our unit Continued ...

Design Rationale
count while providing a spacious courtyard between the buildings. The courtyard will be secured by decorative gate access and will provide spaces for kids to play and for parents to sit and visit while watching their kids. The mass of the building is broken by vertical elements to help soften the horizontal frontage along Harvey Avenue. As a six-storey building, we considered stepping the building back on a podium. After discussion with the city about the additional costs and how they would impact our goals on providing affordable housing, as well as the projects location along Harvey, we determined that stepping the building back along Harvey was not as important as it was along the west side of the building at the neighbouring property. Therefore, we decided we would terrace back the fifth and sixth floors of the west side of our building in order to soften the visual impact on the adjacent property.

The material selection further serves to break the uniformity of the frontage, while producing a diverse and visual intriguing elevation. We are proposing exterior materials to include a combination of stucco, PVC siding, and concrete fibre board accents. These materials, along with the corresponding rich colour palette and design style will further add to the visual diversity and provide a sophisticated addition to the existing context.

We are seeking (4) variances:

1. Side Yard Setback - we are proposing a variance of 0.9 m within the west side yard. While the setback is 4.5 m , we are proposing a distance of 3.6 m . We believe that the benefit of gained residential and parking space, as well as ease of access into the parkade, will greatly outweigh to deficit to the adjacent property. Additionally, to help mitigate the visual impact to the adjacent property, we have stepped back our fifth and sixth floors to help the building feel less intrusive, while providing more natural sunlight into the neighboring property.
2. Site Coverage - due to the existing building on the property, as well as the need for parkade access in the proposed building, it is not possible to meet the $50 \%$ site coverage requirements. We are proposing a variance of $20 \%$, resulting in a total site coverage of $70 \%$. We believe that the additional units and exterior courtyard space will greatly benefit the site. While site space will be lost, the usability of the exterior courtyard will increase greatly with the landscape design we are proposing. Additionally, by closing off the courtyard from the public, the tenants can feel much safer and more comfortable using the greenspace provided.
3. Parking - while the parking bylaw requires 2 stalls per 3-bedroom unit, we believe that the demographic we will be accommodating will likely have only 1 car per family. We think that the parking we do provide, when combined with the parking of the existing building, will be more than enough to serve the project. Additionally, we will be providing extra bike parking and storage to encourage tenants to use bikes. Due to the central location of the site and its proximity to the highway, we believe that many of the tenants of this building will be walking, biking, or using public transit regularly. However, we do make sure to provide a minimum of 1 stall per dwelling unit.

Continued ...

Paul M. Schuster - Architect AIBC, CAB, MRAIC, and NCARB Certified
-302-2237 Leckie Rd. •Kelowna, BC•V1X 6Y5 | www.novationarchitecture.com | paul@novationarchitecture.com | (236) 420-4144•
4. Daylighting - we are seeking a variance on the daylighting requirements, which indicate that no part of the building should project beyond the $65^{\circ}$ inline from property line (see A4.02). Due to very limiting site constraints it would involve a significant change to the building to accommodate the daylighting requirements, which would result in a reduction of our unit count. We think the provision of a few additional affordable housing units is worth the trade-off of not meeting the daylighting requirements. However, an effort has been made to step the building back to help mitigate the extent to which we project into the $65^{\circ}$ daylighting requirements.

[^1]Kind Regards,

## Novation Architecture




## Paul M. Schuster, Architect

AIBC, CAB, MRAIC and NCARB Certified
(250) 718-1302
paul@novationarchitecture.com


[^0]:    ${ }^{1}$ Kamloops Affordable Housing Developers Package, City of Kamloops (2016)
    Phone: (250) 762-6225 Fax: 1 (778) 381-7378 parkhousing@shaw.ca

[^1]:    I trust that you will find our application in good order. Please contact our office if you require any further information.

