

REPORT TO COUNCIL



Date: January 12, 2021

To: Council

From: City Manager

Department: Development Planning Department

Application: DP19-0218 / DVP18-0029

Owner: Evergreen Lands Ltd, Inc. No. BC0382754 (Ken Webster)

Address: 1193 St. Paul Street

Applicant: Meiklejohn Architects Inc, (Jim Meiklejohn)

Subject: Development Permit and Development Variance Permit

Existing OCP Designation: COMM - Commercial

Existing Zone: C7 – Central Business Commercial

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 12080 (Z18-0011), be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP19-0218 for Lot 1, District Lot 139, ODYD, Plan EPP54107 located at 1193 St. Paul 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. That a 3.0 metre no build restrictive covenant be registered on the adjacent parcel to ensure necessary fire separation and proposed openings to the building envelope.

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP18-0029 for Lot 1, District Lot 139, ODYD, Plan EPP54107 located at 1193 St. Paul Street, Kelowna, BC;

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

Section 14.7.5 (h) – C7 – Central Business Commercial - Development Regulations

To vary the maximum height before a 3.0 metre setback is required from any property line abutting a street from 16.0 metres to 18.0 metres.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and Development Variance Permit Application for the permits to be issued;

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

2.0 Purpose

To consider the form and character Development Permit of a proposed five storey hotel with one variance to increase the maximum building height before a setback is required.

3.0 Development Planning

3.1 Development Permit

Staff are recommending support for the proposed Development Permit due to the proposal's consistency with the Official Community Plan's (OCP) design guidelines. The building form, character, and massing fit the OCP guidelines. The building materials used are stucco, white colour brick veneer, and corrugated metal siding. The project should complement the land uses and building forms of the recent developments along the Clement Avenue corridor as a gateway into the Downtown.



Fig. 1.1: Artistic Rendering from the corner of Clement Avenue & St. Paul St.

3.2 Development Variance Permit

There is one variance to maximum building height before a 3.0 metre setback is required. The applicant is requesting a variance to increase this height limit from 16.0 metres to 18.0 metres. Staff are recommending support for this variance as the intention of the regulation is to have a maximum podium height with tower projects in order to ensure enough sunlight on adjacent sidewalks and to ensure pedestrian / human scaled developments. In this case, the total height of the building is five storeys and the building is designed at a pedestrian and human-scale mainly due to the active hotel units through the building's upper floors.

3.3 Parking

Since this application was submitted prior to the new parking regulations taking effect in November of 2019, the applicant qualifies for being grandfathered into the old parking regulations and will be providing 37 parking stalls. The applicant submitted the following statements to staff regarding future parking management:

“We have been in communication with the City of Kelowna’s Parking Services specifically regarding parking related to our proposed development at 1193 St Paul. We believe downtown user transportation patterns are demanding less parking per hotel suite over time. However, if there is ever a need for additional parking, we have made arrangements with Parking Services to allocate overflow hotel parking within nearby and available City parking lots including the library parkade if necessary. Further, both we and Parking Services believe there are complimentary synergies with parking facilities as the peak demand for hotel users tends to be at night when the demand from other parking sources is typically low.”

4.0 Proposal

4.1 Project Description

The development proposal is for 88 hotel units with 37 parking stalls, 10 bicycle parking stalls, a Floor Area Ratio of 2.04, and 18.0 metres in height with five total storeys. Staff are tracking one variance related height as the C7 zone has a maximum 16.0 metres podium height before a setback is required.

4.2 Site Context

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P1 – Major Institutional	Kelowna Police Services Building (RCMP)
East	P1 – Major Institutional	Kelowna Police Services Building (RCMP)
South	C7 – Central Business Commercial	Apartment Condos
West	I4 – Central Industrial	Train Station Pub and Liquor Store

Subject Property Map: 1193 St. Paul Street



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C7 ZONE REQUIREMENTS	PROPOSAL
Unit Calculation		
Hotel Units	n/a	88
Development Regulations		
Max. Floor Area Ratio	9.0	2.04
Max. Height	22.0 m	18.0 m / 5 storeys
Max. Podium Height before a 3.0 metre setback is required	16.0 m	18.0 m ①
Min. Front Yard	0.0 m	0.0 m
Min. Flanking Side Yard	0.0 m	0.0 m
Min. Side Yard	0.0 m	0.0 m
Min. Rear Yard	0.0 m	0.0 m
Other Regulations		
Min. Parking Requirements	37	37
Min. Bicycle Parking	Class 1: 5 bikes Class 2: 5 bikes	Class 1: 5 bikes Class 2: 5 bikes
Min. Private Open Space	n/a	n/a
Min. Loading Space	0	0
① Indicates a requested variance to increase building height before a 3 metre setback is required.		

5.0 **Current Development Policies**5.1 Kelowna Official Community Plan (OCP)**Chapter 1: Introduction**

Contain urban growth. Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Chapter 4: Future Land Use

Mixed Use. Integration of residential uses into commercial developments as mixed-use projects is encouraged in Urban Centres, provided that the ground floor use remains commercial.

OCP Land Use Designation Massing and Height.

- Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing, including:
- Architectural elements (e.g. balconies, bay windows, cantilevered floors, cupolas, dormers);
- Visually-interesting rooflines (e.g. variations in cornice lines and roof slopes);
- Step back upper floors to reduce visual impact;
- Detailing that creates a rhythm and visual interest along the line of the building;
- Wall projections and indentations, windows and siding treatments as well as varied material textures should be utilized to create visual interest and to articulate building facades;
- Building frontages that vary architectural treatment in regular intervals in order to maintain diverse and aesthetically appealing streets.

Chapter 5: Development Process

Compact Urban Form. (Policy 5.2.3) Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Ensure appropriate and context sensitive built form (OCP Objective 5.5).

Building Height. In determining appropriate building height, the City will take into account such factors as:

- Contextual fit into the surrounding neighbourhood;
- Shadowing of the public realm;
- View impacts;
- Overlook and privacy impact on neighbouring buildings;
- Impacts on the overall skyline;
- Impacts on adjacent or nearby heritage structures;

Chapter 14: OCP Urban Design Guidelines

Amenities, ancillary Services and Utilities.

- Locate loading, garbage, storage, utilities and other ancillary services away from public view. All such areas shall be screened and designed as an integral part of the building to minimize impact;
- Create attractive rear alley facades with high quality materials on buildings facing residential areas (e.g. rear building entrances, windows, balconies, plazas, and plantings).

6.o Application Chronology

Date of Application Received:	Jan 23 rd 2018
Date Public Consultation Completed:	Feb 21 st 2020
Date of First Reading:	Aug 24 th 2020
Date Public Hearing:	Sept 15 th 2020

Report prepared by: Adam Cseke, Planner Specialist
Reviewed and Approved by: Jocelyn Black, Urban Planning Manager
Terry Barton, Development Planning Department Manager
Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Draft Development Permit