

# REPORT TO COUNCIL



**Date:** March 22, 2021

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z20-0094

**Owner:** Great A & A Properties Ltd.,  
Inc.No. BCo888141

**Address:** 1220 and 1230 Pacific Avenue

**Applicant:** Jamela Van Steinburg; VLS  
Developments

**Subject:** Rezoning Application

**Existing OCP Designation:** MXR – Mixed Use Residential / Commercial

**Existing Zone:** RU6 – Two Dwelling Housing

**Proposed Zone:** C4 – Urban Centre Commercial

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## 1.0 Recommendation

THAT Rezoning Application No. Z20-0094 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 2 and 3 Section 19 Township 26 ODYD Plan 6634, located at 1220 and 1230 Pacific Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the C4 – Urban Centre Commercial zone, be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), waive the Public Hearing for the Rezoning Bylaw;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Development Planning Department dated March 22, 2021;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property.

## 2.0 Purpose

To rezone the subject property from the RU6 – Two Dwelling Housing zone to the C<sub>4</sub> – Urban Centre Commercial zone to facilitate the development of a 5 storey apartment building, and to waive the Public Hearing.

## 3.0 Development Planning

Development Planning supports the proposal to rezone the property C<sub>4</sub> – Urban Centre Commercial to facilitate the development of a 5 storey apartment building.

The property is in the Capri-Landmark Urban Centre one block south of Capri Mall. This is an area of the city where existing infrastructure and current policy supports substantial infill development in line with the C<sub>4</sub> zone. The property is less than a 5 minute walk from Capri Mall, with a large offering of commercial and employment opportunities. Also, the property is a very short walk from the arterial Gordon Dr., considered to be a major transit corridor. The property also has excellent access to active transportation infrastructure as it has good access to the city's bike network, and is a short distance from the Ethel St. Active Transportation Corridor. Accordingly, the property has a future land use designation of MXR – Mixed Use Residential / Commercial which does support the proposed C<sub>4</sub> zone. To reinforce this, the Capri-Landmark Urban Centre Plan also supports a mix of uses in this area, and is thus also supportive of the C<sub>4</sub> zone.

With respect to land use, the C<sub>4</sub> zone does permit commercial uses; however, the development being proposed is strictly residential. Further to this point, the C<sub>4</sub> zone requires commercial uses at grade for property on a collector or arterial road. In this case, the property in question is on a local road and the surrounding neighbourhood is mainly residential. As such, residential use at grade is permitted under the zone and considered to be acceptable in this context.

## 4.0 Proposal

### 4.1 Project Description

The applicant proposes to rezone the property to C<sub>4</sub> – Urban Centre Commercial to facilitate the development of a 5 storey apartment building.

The C<sub>4</sub> zone does permit commercial uses; however, the development being proposed is strictly residential. The reason for pursuing the C<sub>4</sub> zone is mainly the added density permitted and reduced parking requirements associated with the zone, thought to be appropriate for the city's urban centres.

### 4.2 Site Context

The property is in the Central City Sector in the Capri-Landmark Urban Centre a block south of Capri Mall. The nearest major intersection is Gordon Dr. and Sutherland Ave. Gordon Dr. is considered to be a major transit corridor and Sutherland Ave. supports a bus route. The site also has very good access to the city's active transportation network.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM5 – Medium Density Multiple Housing	Multiple Dwelling Housing
East	RM5 – Medium Density Multiple Housing	Multiple Dwelling Housing
South	RU6 – Two Dwelling Housing	Vacant
West	RU6 – Two Dwelling Housing	Single Dwelling Housing



*Policy .2 Compact Urban Form.* 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 per ha located within a 400m 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.

## 5.2 Capri-Landmark Urban Centre Plan

### Section 5: Community Structure

*Land Use & Housing:* Future Land Use Map (p. 54)

### Section 6: Area Specific Policy Direction

#### *Sub-Area 4: Five Bridges*

*Vision:* Areas adjacent to the Capri-Centre Mall will provide a mid-rise transition from the high density redevelopment of the Capri-Centre Mall, buffering nearby townhouse and low-rise development in the area.

## 6.0 **Technical Comments**

### 6.1 Development Engineering Department

- See Schedule A

## 7.0 **Application Chronology**

Date of Application Received: November 3, 2020

Date Public Consultation Completed: March 1, 2021

**Report prepared by:** A.D. Thibeault, Planner II

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

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

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

### **Attachments:**

Schedule A: Development Engineering Memo

Attachment A: Applicant Rationale

Attachment B: Conceptual Drawing Package