

REPORT TO COUNCIL



Date: April 19, 2021

To: Council

From: City Manager

Department: Development Planning

Application: Z21-0002

Owner: 0965634 B.C. LTD., INC. No.
0965634

Address: 417 Cedar Avenue

Applicant: Lime Architecture Inc./
Edgemont Builders Group

Subject: Rezoning Application

Existing OCP Designation: MXR – Mixed Use (Residential/Commercial)

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: C4 – Urban Centre Commercial

1.0 Recommendation

THAT Rezoning Application No. Z21-0002 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2 District Lot 14 ODYD District Plan 4135 located at 417 Cedar Avenue, Kelowna, BC from the RU1 – Large Lot Housing zone to the C4 – Urban Central Commercial zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

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 April 19, 2021;

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 consider an application to rezone the subject property from the RU1 – Large Lot Housing zone to the C4 – Urban Centre Commercial zone to facilitate the development of mixed-use multiple dwelling housing.

3.0 Development Planning

Staff are supportive of the proposed rezoning application to facilitate the development of a mixed-use multiple dwelling housing project located at 417 Cedar Avenue. The site has an Official Community Plan (OCP) future land use designation of MXR – Mixed Use (Residential/ Commercial). Rezoning the property to the C4 – Urban Centre Commercial zone aligns with the OCP direction for the area.

The subject development site is located within the Pandosy Urban Centre. It is situated mid-block on Cedar Avenue between Pandosy Street and Abbott Street. The parcel has a Walk Score of 71 – Very Walkable meaning that most errands can be accomplished on foot and a Bike Score is 93 -Biker's Paradise as the site provides easy access to the Abbott Street active transportation corridor and the KLO and Richter Street bike lanes. The development is in proximity to many nearby amenities including Okanagan Lake, parks, restaurants and shopping opportunities in the immediate area.

To fulfill Council Policy No. 367 for Zoning Major applications, the applicant hosted an on-line (Zoom) Public Open House along with circulating project information to all properties within 50 m of the subject site. The on-line open house took place on Monday, March 15 from 5 pm to 6:30 pm. The applicant submitted a list of attendees along with a summary of the discussion around the proposed rezoning of the subject property.

4.0 Proposal

4.1 Background

In 2004, the Cedar Avenue Land Use Review was completed by Staff and endorsed by Council. The purpose of the land use review was to identify if OCP amendments would be required in order to facilitate redevelopment that would aide in creating a vibrant mixed-use neighbourhood along Cedar Avenue. The recommendations for properties fronting onto Cedar Avenue included:

- 1) Properties fronting onto Cedar Avenue to provide ground floor commercial with residential units above. This was due to the street being in a key location for providing connections between the waterfront and existing parks and road access points.
- 2) Creation of a rear access lane to service and strengthen the mixed-use commercial objective by eliminating driveway access from the front of the parcel.

The outcome of the report saw the Cedar Ave corridor redesignated as MXR – Mixed Use (Residential/Commercial) in the Official Community Plan (OCP) to achieve the objectives outlined within the study area. The intent was to provide an affordable alternative location (off Pandosy St) for small independent retailers similar to those located along Tutt Avenue.

The report foresaw redevelopment to the highest and best use of the land occurring within a 10-year period. In the 15+ years since the changes to the OCP, redevelopment in this area has not occurred. This may be in part due to a factor the report alluded to - that if some property owners refuse to sell or cooperate, it would make assemblage of a large enough parcel for a viable development difficult to achieve.

4.2 Project Description

The applicant is proposing to construct a 6-storey 17-unit condo building on the subject property. This includes one live-work unit at grade to provide a commercial element onto Cedar Avenue. Site access is taken from Cedar Avenue as there is no rear lane access available due to the mid-block location of the site.

Development Constraints

- 1) *Single mid-block parcel.* To date, redevelopment has not occurred along the Cedar Avenue corridor. Land assembly of two or more parcels is generally required in order to provide the land base

necessary for a mixed-use project as articulated in the minimum lot size regulations within the C₄ zone. Based on direction from Staff, the applicant and owners have exhausted their efforts in trying to achieve a larger development parcel envisioned in the OCP. This has proven unsuccessful and resulted in the single parcel proposal.

- 2) *No rear lane site access.* Vehicle access to the site must come from Cedar Avenue due to the parcel not having a rear laneway. The intent of the Cedar Avenue Plan was for a rear lane to provide both the residential and commercial site access with the goal of eliminating driveways along the Cedar Avenue frontage. This in-turn would allow for an increased commercial presence at the street level to add vibrancy to the pedestrian realm.
- 3) *Limited commercial frontage.* The above noted constraints have influenced the amount of commercial frontage provided. The existing parcel has a width of 18.27 m fronting onto Cedar Avenue. The proposed development divides this frontage into three sections of approximately 6.0 m each. The three sections provide: 1) a two-way parkade entry, 2) the residential foyer and 3) the commercial component (live/work unit).

The above noted constraints provide significant design challenges for the applicant. The resulting proposal is a creative infill that while reducing the amount of commercial presence along Cedar Avenue, delivers valuable residential density in the area. Should the proposal move forward, variances would be required for: commercial frontage, site coverage, building height, and setbacks (adjacent to existing residential). These will be reviewed in greater detail as part of the Development Permit and associated variance application that would come before Council for consideration at a future date.

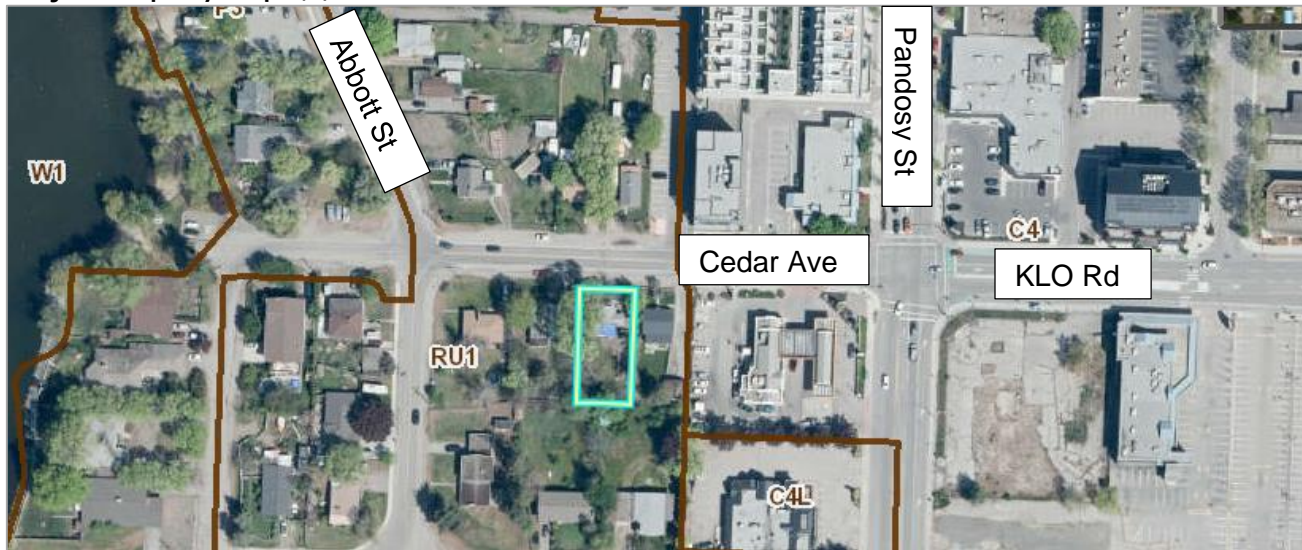
4.3 Site Context

The subject property is located within the Pandosy Urban Centre on the south side of Cedar Avenue between Pandosy Street and Abbott Street. The site is ½ block east of the Okanagan Lake Cedar Avenue Beach Access.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU ₁ – Large Lot housing C ₄ – Urban Centre Commercial	Single Family Residential Financial Institution
East	RU ₁ – Large Lot housing C ₄ – Urban Centre Commercial	Single Family Residential Gas Station
South	RU ₁ – Large Lot housing	Single Family Residential
West	RU ₁ – Large Lot housing P ₃ – Parks and Open Space	Single Family Residential Paddle Centre / Future Waterfront Park

Subject Property Map: 417 Cedar Avenue



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 4: Future Land Use

Mixed Use (Residential / Commercial) (MXR)

Developments that provide for commercial floor space on the ground floor or above, with additional potential for residential units above the ground floor. For Urban Centres other than the City Centre, building densities should decrease as the distance from the core of the Urban Centre increases. Other relevant policies include Policy 5.5.1 Building Height and Chapter 17 – Urban Centre definition. Maximum density at the centre of the core would be consistent with zoning as follows: City Centre – C7 zone; Rutland – C7 zone; Pandosy – C4 zone; Midtown – C6 zone; Capri/Landmark – C4 zone.

Chapter 5: Development Process

Objective 5.2 Develop Sustainability.

Complete Communities. Support the development of complete communities with a minimum intensity of approximately 35 - 40 people and/or jobs per hectare to support basic transit service – a bus every 30 minutes.

Objective 5.3 Focus development to designated growth areas.

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 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.

6.0 Technical Comments

6.1 Development Engineering Department

Refer to Schedule 'A' dated February 1, 2021.

7.0 Application Chronology

Date of Application Accepted: January 14, 2021

Date Public Consultation Completed: March 15, 2021

Report prepared by: Lydia Korolchuk, Planner Specialist

Reviewed by: Jocelyn Black, Urban Planning & Development Policy Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Conceptual Drawing Package

Attachment B: Applicant's rationale letter