

# REPORT TO COUNCIL



**Date:** May 17, 2021

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** OCP21-0006, Z21-0015      **Owner:** Provincial Rental Housing Corporation, Inc.No. BC0052129

**Address:** 1451 & 1469 Bertram Street      **Applicant:** S2 Architecture & BC Housing

**Subject:** Official Community Plan Amendment and Rezoning Applications

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

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

**Existing Zone:** RM5 – Medium Density Multiple Housing

**Proposed Zone:** C7r – Central Business Commercial (Residential Rental Tenure Only)

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## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP21-0006 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 3 Block E District Lot 139 ODYD Plan 2345 and Lot A District Lot 139 ODYD Plan 15900 located at 1451 and 1469 Bertram Street, Kelowna, BC from the MRM – Multiple Unit Residential (Medium Density) designation to the MXR – Mixed Use (Residential/Commercial) designation, be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the *Purpose* of Section 475 of the *Local Government Act*, as outlined in the Report from the Development Planning Department dated May 17, 2021;

AND THAT Rezoning Application No. Z21-0015 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3 Block E District Lot 139 ODYD Plan 2345 and Lot A District Lot 139 ODYD Plan 15900, located at 1451 and 1469 Bertram Street, Kelowna, BC from the RM5 – Medium

Density Multiple Housing zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) 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 May 17, 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 amend the Official Community Plan Future Land Use from MRM – Multiple Unit Residential (Medium Density) to MXR – Mixed Use (Residential/Commercial) and to rezone the subject properties from the RM5 – Medium Density Multiple Housing zone to the C7r – Central Business Commercial (Residential Rental Tenure Only) zone to facilitate the development of a mixed-use multiple dwelling rental housing project.

## **3.0 Development Planning**

Staff are supportive of the proposed Official Community Plan (OCP) amendment and rezoning applications to facilitate the development of the mixed-use rental project at this site. The parcels are within the Downtown Urban Centre and amending the OCP future land use to MXR – Mixed Use (Residential/Commercial) is supportable by staff as the parcels are in central location close to Bernard Avenue. This is shown through the subject properties walkscore of 96 – Walker's Paradise (daily errands do not require a vehicle). The density increase at this location is supportable due to the proximity of commercial services (which includes grocery, pharmacy and restaurants), employment, transit, parks, downtown cultural amenities and entertainment, all within walking distance of the site.

The OCP amendment allows the project to be developed within the C7 -Central Business Commercial zone and the commercial component of the zone will be fulfilled through the provision of a daycare fronting onto Bertram Street. At-grade townhouses are provided along a portion of the Bertram Street frontage and on the north façade to establish a sensitive transition to the existing low-rise multi-family residential developments located to the north and south of the site.

The Ministry of Transportation and Infrastructure (MOTI) was circulated on the applications and have determined that a Traffic Impact Assessment (TIA) was not required for the project as the minimum threshold of 100 trips/ hour is not generated. Should Council support the amending Bylaws, MOTI sign-off of the bylaw would be required prior to final adoption. Lot consolidation and an 0.80 m rear lane dedication will be provided through a Technical Subdivision application and is required to be registered on title prior to adoption of the associated Bylaws.

Staff have reviewed the applications, and it may move forward without affecting either the City's Financial Plan or Waste Management Plan.

## **4.0 Proposal**

### **4.1 Background**

From inception of the project proposal, BC Housing has engaged in conversation with both staff and the greater community and the feedback received formed the final application submission. The applicant created a webpage on the BC Housing website: <https://letstalkhousingbc.ca/kelowna-bertram> to allow public access to the information at anytime. The webpage provides a number of informational documents which describe the project and the vision along with the evolution of the proposal (refer to Attachment 'C').

#### 4.2 Project Description

The proposal consists of two parcels that will be consolidated into a single property. The south parcel is currently vacant, and the north parcel has a single-family dwelling which would be demolished to facilitate the development. The proposal is for a 20-storey building, which includes a 3-storey parking podium with a 17-storey residential tower above. The tower includes 162 rental units and the podium proposes a daycare along with 14 town homes to screen the parkade behind.

Affordable rental units within the downtown core are much needed. The development proposes affordable non-market and market rental housing, accessible housing and daycare services. The project is intended to benefit local medium and low-income seniors, couples, individuals and families who are facing challenges meeting their housing and childcare needs.

The project proposes a floor area ratio (FAR) of 3.34 while the C7 zone allows for a maximum FAR of 9.0. The C7 zone – Downtown Building Heights Map, indicates a maximum building height of 12 storeys and 37 m. The project proposes one variance to the building height to allow for 20 storeys and 63 m. All parking requirements, site coverage and setbacks meet the zoning bylaw regulations.

Should Council support the OCP amendment and Rezoning Bylaws, staff would bring forward a form and character development permit along with the associated variance. The project would be reviewed against the OCP design guidelines, the Zoning Bylaw and other applicable policies.

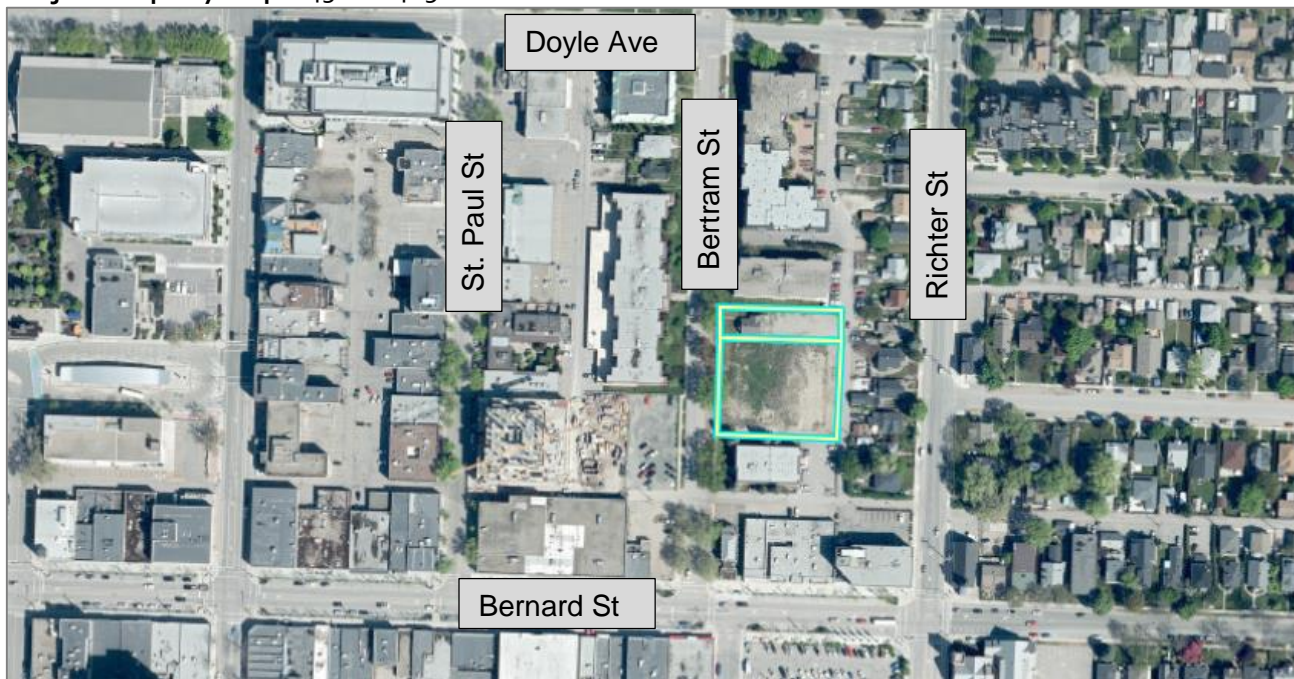
#### 4.3 Site Context

The subject properties are located in the Downtown Urban Centre on Bertram Street, a ½ block north of Bernard Avenue. The two lots have a combined area of 4,131 m<sup>2</sup> area and are within an area with a number of urban amenities and employment opportunities. The properties are within the permanent growth boundary and are connected to city services.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM5 – Medium Density Multiple Housing	Multi-Family Residential
East	RU6 – Two Dwelling Housing	Single Family Dwellings
South	RM5 – Medium Density Multiple Housing, C7 – Central Business Commercial	Multi-Family Residential, Commercial
West	RU6 – Two Dwelling Housing, RM5 – Medium Density Multiple Housing	Vacant Lot (Tower proposal), Multi-Family Residential

**Subject Property Map: 1451 & 1469 Bertram Street**



**5.0 Current Development Policies**

**5.1 Kelowna Official Community Plan (OCP)**

Chapter 1: Introduction

*Goals for a Sustainable Future:*

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

Chapter 5: Development Process

*Objective 5.1 Ensure new development is consistent with OCP goals*

*Policy .1 Vision and Goals.* Staff will evaluate all development applications in the context of the community's vision and goals as expressed in Chapter 1.

*Objective 5.3 Focus Development to designated growth areas.*

*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 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.

*Objective 5.9 Support the creation of affordable and safe rental, non-market and/or special needs housing.*

## **6.0 Technical Comments**

### **6.1 Development Engineering Department**

Refer to Schedule 'A' dated February 22, 2021.

### **6.2 Ministry of Transportation and Infrastructure (MOTI)**

The Ministry has reviewed the referral documents submitted as part of this application and can advise that we have no objection or further comments on this application. Please forward the bylaw for Ministry signature after it has achieved 3rd reading.

## **7.0 Application Chronology**

Date of Application Accepted: February 16, 2021

Date Public Consultation Report Submitted: April 29, 2021

**Report prepared by:** Lydia Korolchuk, Planner Specialist

**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: Conceptual Drawing Package

Attachment B: Project Rationale

Attachment C: Applicant Public Consultation Documentation