

# REPORT TO COUNCIL



**Date:** June 14, 2021

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z21-0018 & OCP21-0007      **Owner:** MCMI Developments Ltd.,  
Inc.No. BC1239530

**Address:** 955 Manhattan Drive      **Applicant:** Jim Meiklejohn; Meiklejohn  
Architects

**Subject:** Rezoning & OCP Amendment Application

**Existing OCP Designation:** S2RES – Single / Two Unit Residential

**Proposed OCP Designation:** MRL – Multiple Unit Residential (Low Density)

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

**Proposed Zone:** RM3 – Low Density Multiple Housing

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## 1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP21-0007 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 2 Section 30 Township 26 ODYD Plan 2559, located at 955 Manhattan Drive, Kelowna, BC from the S2RES – Single / Two Unit Residential designation to the MRL – Multiple Unit Residential (Low Density) 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 Community Planning Department dated June 14, 2021;

AND THAT Rezoning Application No. Z21-0018 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2 Section 30 Township 26 ODYD Plan 2559, located at 955

Manhattan Drive, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing 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 June 14, 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 rezone the subject property from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone with accompanying OCP Amendment to change the future land use designation of the lot from the S2RES – Single / Two Unit Residential designation to the MRL – Multiple Unit Residential Low Density Designation.

## **3.0 Development Planning**

Development Planning supports rezoning the property to RM3 – Low Density Multiple Housing, and the accompanying OCP Amendment to change the future land use designation to MRL – Multiple Unit Residential Low Density.

The property, which is currently zoned RU6, is a relatively large lot that cannot be conveniently subdivided. The lot is nearly 2000 m<sup>2</sup>, which is more than twice the size of a regular RU6 lot at 900 m<sup>2</sup>. As such, redeveloping the lot under the existing RU6 zone would represent an under-development of the site. Further, the lot cannot be subdivided into two RU6 lots with two units each since a minimum lot width of 18m is needed to develop two units on an RU6 lot, and the 2-lot subdivision would leave both lots at only 12.7m in width (with each lot capable of accommodating only a single dwelling). Given this is the case, it is acknowledged that a zone over and above the existing RU6 zone would be suitable for the site.

The proposed RM3 zone allows for up to 3 storeys and 10m in height. Since the lot is relatively large, and the northern part of it is up against a laneway and a park—and separated somewhat from neighbouring properties—it is believed that a development in the range of 3 storeys could be sited on the lot and designed in such a way as to be respectful of its neighbours, as well as the neighbouring park, and also fit the context of the surrounding area.

Further, the lot has access to a lane which leads directly to the collector Guy St. Therefore, provided the site were developed in such a way that allowed for primary car access from the lane, the traffic impact on local streets would be minimized.

In addition, though this remains a low-profile neighbourhood, the neighbourhood itself is in relatively close proximity to the downtown urban centre (it being just over 100m from the north boundary of the urban centre) with its associated amenities, employment, entertainment and shopping opportunities. Even closer by, the site has direct access to Jack Brow Park and is a short distance from Rotary Marsh Park, the Rail Trail, Waterfront Park, Sutherland Park, and Knox Mountain Park. Given the site’s proximity to these urban areas and amenities, densification that can remain sensitive to the surrounding neighbourhood would be considered desirable.

## Design

The proposed zone is considered by Staff to be supportable, however the proposed design poses challenges. Specifically, height, siting and setbacks of the proposed Development Permit and associated Development Variance Permit, as currently designed, fail to respond appropriately to neighbouring properties and are out of context with the surrounding area.

The applicant has proved reluctant to this point to change the proposed design to respond to Staff concerns. However, Staff will continue to work with the applicant to revise the proposed design down to one that is more suitable for the site and the area before coming back to Council for formal consideration at development stage.

### 4.0 Proposal

#### 4.1 Project Description

The applicant proposes to rezone the property to RM3 to facilitate a development to consist of the following: a semi-detached unit at the front of the lot facing Manhattan drive, and a 5 storey, 10 unit apartment building at the back of the lot to be accessed from the laneway.

#### 4.2 Site Context

The property is in the Central City Sector just over 100m north of the north boundary of the City Centre Urban Centre. Despite being so close to the downtown, the surrounding neighbourhood is low-profile, consisting mainly of single family homes and semi-detached homes of 1 and 2 storeys in height. The former Tolko Mill site is also directly across the street to the east. The site is adjacent Jack Brow Park and is also in close proximity to Rotary Marsh Park, the Rail Trail, Waterfront Park, Sutherland Park, and Knox Mountain Park.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 – Parks and Open Space	Jack Brow Park
East	I4 – Central Industrial	Vacant
South	RU6 – Two Unit Housing	Single Family Home
West	RU6 – Two Unit Housing	Two Dwelling Housing

**Subject Property Map:** 955 Manhattan Dr.



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Chapter 5: Development Process

*Objective 5.3 Focus development to designated growth areas*

5.2 *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... 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

- See Schedule A

## 7.0 Application Chronology

Date of Application Accepted: February 23, 2021  
Date Public Consultation Completed: April 9, 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