

REPORT TO COUNCIL



Date: October 18th 2021

To: Council

From: City Manager

Department: Development Planning Department

Application: DP21-0163

Owner: Sole Cawston Developments Ltd., Inc. No. BC1270856

Address: 604 Cawston Avenue

Applicant: Kevin Edgecombe

Subject: Development Permit

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

Zone: C7 – Central Business Commercial

1.0 Recommendation

THAT OCP Amendment Bylaw No. 12267 (OCP21-0020) and Rezoning Bylaw No. 12268 (Z21-0069) and be amended at third reading to revise the legal description of the subject properties from:

- Lot 23, District Lot 139, ODYD, Plan 1037, located at 604 Cawston Avenue, Kelowna, BC
- Lot 22, District Lot 139, ODYD, Plan 1037, located at 608 Cawston Avenue, Kelowna, BC
- Lot 21, District Lot 139, ODYD, Plan 1037, located at 612 Cawston Avenue, Kelowna, BC
- Lot A, District Lot 139, ODYD, Plan EPP49686, located at 626 Cawston Avenue, Kelowna, BC

To:

- Lot 1, District Lot 139, ODYD, Plan EPP114593, located at 604 Cawston Avenue, Kelowna, BC

AND THAT final adoption of OCP Amendment Bylaw No. 12267 (OCP21-0020) and Rezoning Bylaw No. 12268 (Z21-0069) be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP21-0163 for Lot 1, District Lot 139, ODYD, Plan EPP114593, located at 604 Cawston Avenue, Kelowna, BC, subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";

3. Landscaping to be provided on the land to be in general accordance with Schedule "C";
4. That the applicant be required to post with the City, a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit application in order for the permit to be issued;

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

2.0 Purpose

To issue the Form & Character Development Permit of a proposed 6 storey residential apartment building with a commercial third floor proposed to be occupied by a school.

3.0 Development Planning

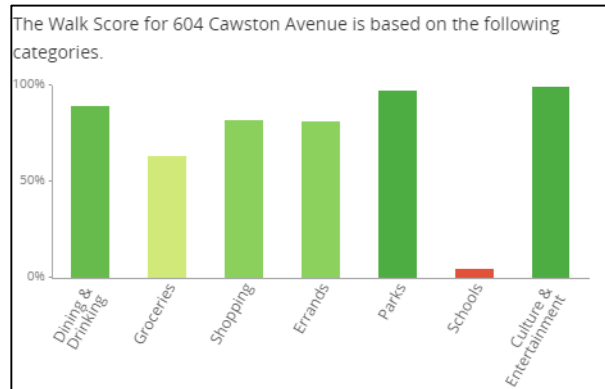
The applicant has worked with City staff to refine several site issues including servicing, lane access, building design, and bicycle parking. Originally, the applicant had two variances (one to loading and one to bicycle parking) and both of those are now in compliance with zoning bylaw regulations. As result, there is no Development Variance Permit necessary and Council is considering the form and character Development Permit. The building's form and character and proposed materials are generally aligned with OCP guidelines and Staff are recommending support for the Development Permit.

Staff generally recommends all six storey buildings either "protrude the first floors from the rest of the building or setback the upper floors" and that buildings are setback at the upper floors when abutting lower scale buildings. The applicant has discussed these design principals with Staff and the resulting design meets a number of key design objectives. These key objectives are:

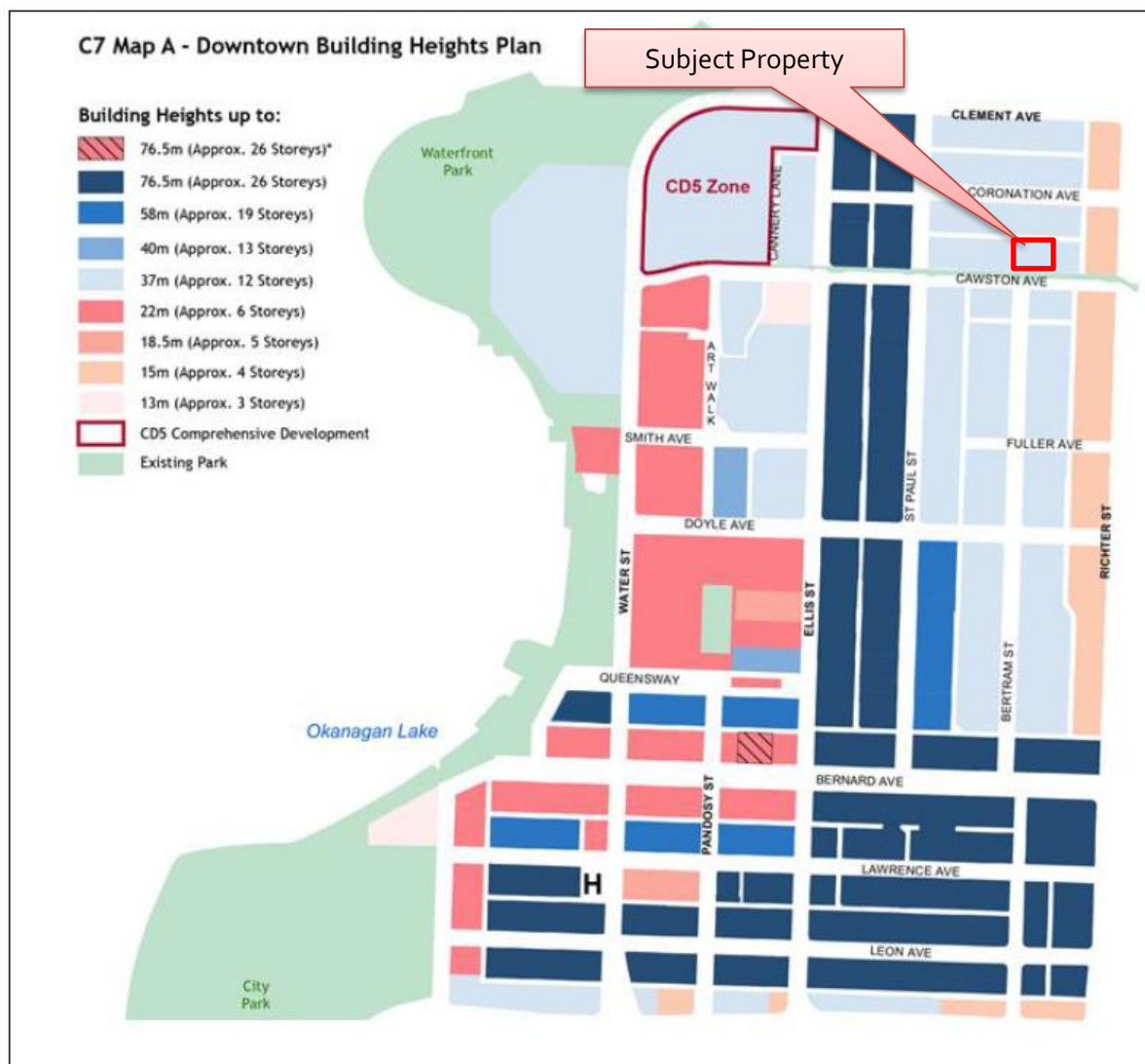
1. Ground-oriented units facing the street which hide the parkade;
2. Parking access from the rear lane;
3. Rear lane dedication;
4. Building setbacks from the street after the first two floor resulting in the protrusion of the first floors from the rest of the building;
5. Provision of a school on the third floor, increasing livability and amenities within the downtown core; and
6. Rooftop amenity space including seating / lounging areas, garden plots, and children play structures enhancing the liveability and quality of the project.

The sites proximity to the downtown and an active transportation corridor will facilitate residents' utilization of alternative transportation, which means increasing the desired transportation modal splits and objectives identified in various city plans (Master Transportation Plan, Official Community Plan, and Pedestrian and Bicycle Master Plan). The BikeScore for the site is 97 indicating this site is a "Biker's Paradise". The building's concept includes a mix of private outdoor spaces and a community roof-top amenity space with gardening spaces that allows a variety of outdoor options for the occupants of the building.

As the property is located downtown, the site is within walking distance of a wide range of amenities and destinations including: retail, dining opportunities, employment opportunities, cultural facilities, and recreational facilities. The lot has a walkscore of 75, and is considered to be a “Very Walkable”, where “most errands can be accomplished on foot”. The lower walkscore, despite being in the downtown is due to the low school proximity portion. This proposal is proposing a school on the third floor which will help one of the lacking key downtown amenities.



With respect to height, the C7 zone allows for variable heights as governed by the C7 Map A – Downtown Building Heights Plan. The site in question straddles two distinct areas in the C7 Map A, as part of the site sits east of the laneway west of Richter Street, and part of the site sits west of this laneway. See diagram below:



4.0 Proposal

4.1 Project Description

The intended Development Permit proposal includes 49 total dwelling units (4 ground-oriented townhouses plus 45 apartment units), and a proposed school facility located on the third level.

The proposal includes enough parking for the school facility, all the residents, and full visitor parking requirements. There are no variances proposed.

The building design includes a tiered building façade that emphasizes the pedestrian scale relationship at the street level. The main lobby entrance to the school and the residential units is further setback from the townhouse units creating a layered setting which articulates the facade and softens the building mass. The fourth storey is further setback than the three storeys below it to improve the architectural variability and interaction with the street. The rooftop amenity spaces are setback further to provide privacy for the residents and further reduce the perceived scale and massing from the street level.

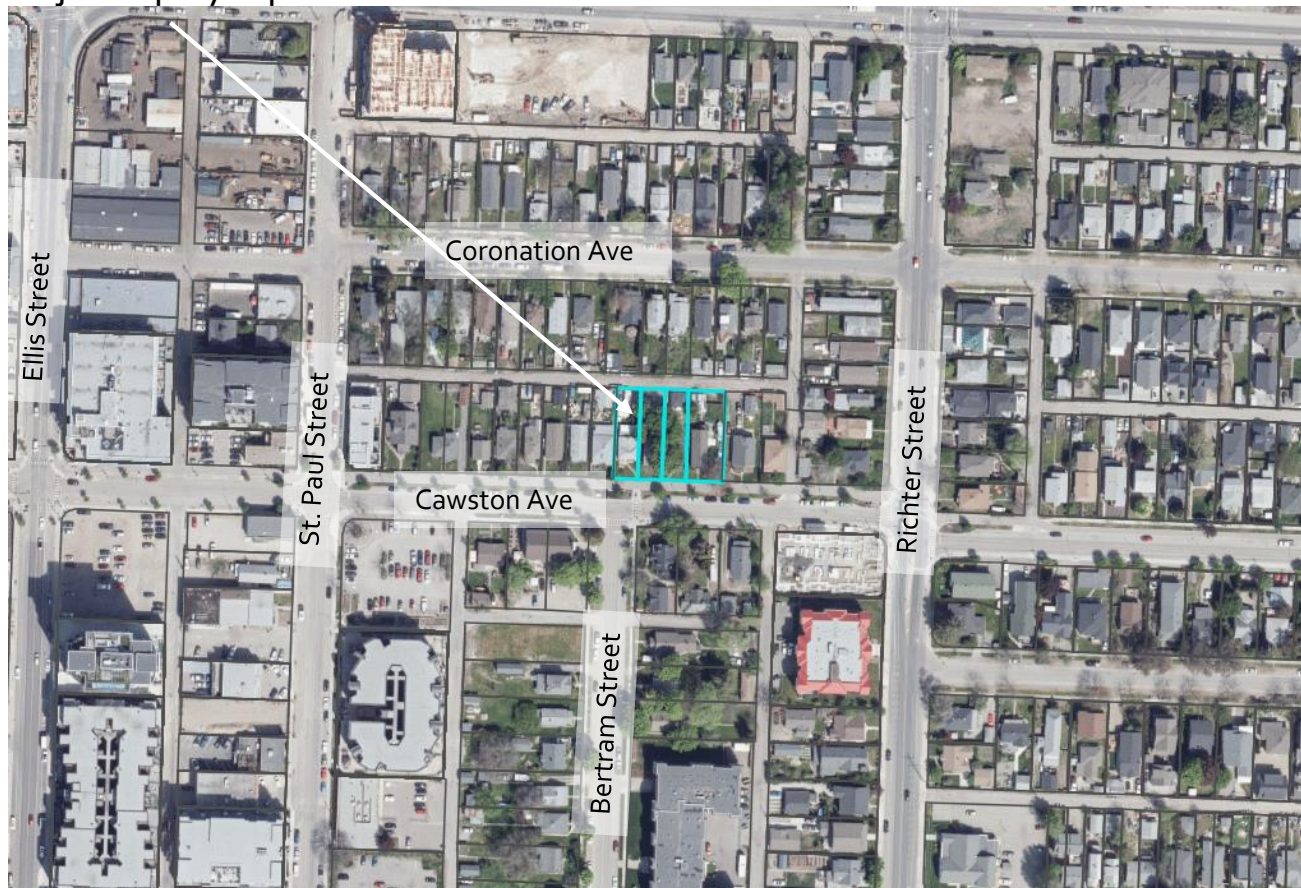
The development proposal includes a modern building design style mixed with energy efficacy components. The modern design includes punch windows and a mix of materials including dark grey stucco on the upper floors, white stucco on the townhouses, brick around the perimeter of the building and along the third storey school floor, black guardrails, black window trim, and stained wood accent features along the townhouse level

4.2 Site Context

The subject properties are located on the north side Cawston Avenue within the north-eastern portion of the City Centre Urban Centre. In addition, the lot has direct access to the Cawston Avenue multi-use pathway and is within 400 metres of the Ethel Street multi-use pathway, and thus has excellent access for all forms of active transportation.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2 – Medium Lot Housing	Single Family Housing
East	RU6 – Two Dwelling Housing	Single Family Housing
South	RM5 – Medium Density Multiple Housing	Stacked Row Housing
West	RU2 – Medium Lot Housing	Single Family Housing

Subject Property Map: 604 Cawston Ave**4.3 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	C7 ZONE REQUIREMENTS	PROPOSAL
Unit Calculation - Existing Building		
Studio	n/a	0
1 bedroom	n/a	4
2 bedrooms	n/a	45
3 bedrooms	n/a	0
TOTAL	n/a	49 Units
Commercial Retail Units	n/a	none
Development Regulations		
Max. Floor Area Ratio	9.0	2.54
Max. Site Coverage	n/a	84.5 %
Max. Height	37 m (12 storeys)	23 m (6 storeys)
Min. Front Yard Setback	0.0 m	1.5 m
Min. Front Yard Setback above 4 th storey / 16.0 metre height	3.0 m	3.0 m
Min. Side Yard Setback	0.0 m	1.0 m (west) 0.0 m (east)

Min. Side Yard Setback above 4 th storey / 16.0 metre height	4.0 m	4.0 m
Min. Rear Yard Setback	0.0 m	0.4 m
Other Regulations		
Min. Parking Requirements	4 1-bedroom units x 0.9 = 3.6 45 2-bedroom units x 1.0 = 45 Visitor Stalls 0.14 x 49 = 6.9 Commercial (0.9 stalls / 100 m ² GFA) = 10 stalls Total = 66 stalls	67 stalls provided
Min. Bicycle Parking	40 Long Term 31 Short Term	58 Long Term 31 Short Term
Min. Private Open Space	715 m ²	1,272 m ²
Min. Loading Space	1	1

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Compact Urban Form.¹ 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.

Contain urban growth.² Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Mixed Use.³ Integration of residential uses into commercial developments as mixed-use projects is encouraged in Urban Centres, provided that the ground floor use remains commercial.

Housing Mix.⁴ Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

Town Centre (South Pandosy / Rutland / Capri-Landmark)⁵ A vibrant, amenity-rich area wherein different land uses frequently occur within the same building and almost always occur within a one-block area. Town Centres contain a variety of housing types, the presence of which contributes to social diversity. Town Centres are highly urbanized, pedestrian-friendly environments that draw people for work, shopping, and recreation from a broad community of approximately 25,000 residents living within approximately 2 kilometres. Town Centre cores are located at least 2 kilometres from the core of other Town Centres, a City Centre, or a Highway Centre. Density will decrease as the distance from the core increases.

Building Height⁶:

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

² City of Kelowna Official Community Plan, (Chapter 1 Introduction).

³ City of Kelowna Official Community Plan, (Chapter 4 Future Land Use).

⁴ City of Kelowna Official Community Plan, Policy 5.27.11 (Development Process Chapter)

⁵ City of Kelowna Official Community Plan, Chapter 17 Definitions.

⁶ City of Kelowna Official Community Plan, Policy 5.8.1 (Development Process Chapter)

- **South Pandosy:** Generally 4 storeys. Six storeys within C4 or C9 zoned areas. Potential for 8 storeys where an architecturally distinct and significant buildings is placed at a corner, gateway or view terminus location that is of significance to the community or where a building is of cultural significance to the community.

OCP Objective 5.5: Ensure appropriate and context sensitive built form.

Building Height.⁷ 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 4: OCP Land Use Designation Massing and Height.³

- 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 14: OCP Urban Design Guidelines Amenities, ancillary Services and Utilities.⁵

- 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).

6.0 Technical Comments

6.1 Development Engineering Department

See attached memorandum

⁷ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter). ³ City of Kelowna Official Community Plan, Chapter 14 (Urban Design Development Permits Area).

7.0 Application Chronology

Date of Application Received:	May 1 st , 2021
Date Public Consultation Completed:	July 27 th , 2021
Date of First Reading:	August 23 rd , 2021
Date of Public Hearing:	Sept 21 st , 2021

Report prepared by:	Adam Cseke, Planner Specialist
Reviewed by:	Jocelyn Black, Urban Planning Manager
Approved for Inclusion:	Terry Barton, Development Planning Department Manager

Attachments:

Attachment 'A': Development Engineering Memorandum

Attachment 'B': Development Permit

Schedule 'A': Siting and Dimensions

Schedule 'B': Elevations

Schedule 'C': Landscaping

Attachment 'C': Applicant's Design Rationale Letter

Attachment 'D': Development Application Design Guideline Checklist