

REPORT TO COUNCIL



Date: January 17, 2022

To: Council

From: City Manager

Department: Development Planning

Application: Z21-0078

Owner: 1283684 B.C. LTD., INC.NO.
BC1283684

Address: 615 Francis Avenue

Applicant: Paul Hecht

Subject: Rezoning Application

Existing OCP Designation: C-NHD – Core Area Neighbourhood

Existing Zone: RM₃ – Low Density Multiple Housing

Proposed Zone: RM_{3r} – Low Density Multiple Housing (Residential Rental Tenure Only)

1.0 Recommendation

THAT Rezoning Application No. Z21-0078 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 15 District Lot 14 ODYD Plan 1141, located at 615 Francis Avenue, Kelowna, BC from the RM₃ – Low Density Multiple Housing zone to the RM_{3r} – Low Density Multiple Housing (Residential Rental Tenure Only) zone, be considered by Council;

AND THAT Council, in accordance with Local Government Act s. 464(2), not hold a Public Hearing for the Rezoning Bylaw;

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

2.0 Purpose

To rezone the subject property to facilitate the development of multiple dwelling housing with the Residential Rental Tenure Only subzone.

3.0 Development Planning

Development Planning Staff recommend support of the Rezoning application to amend the zoning of the parcel from the RM₃ – Low Density Multiple Housing zone to the RM_{3r} – Low Density Multiple Housing (Residential Rental Tenure Only) zone. Adding the 'r' subzone ensures the dwelling units are utilized for

market rental in perpetuity. The proposed development will add diversity to the typology of rental units available within the Lower Mission area. The development site is centrally located with easy access to both the City Centre and South Pandosy Urban Centres. The property is also within walking distance of the Kelowna General Hospital, the lakefront, parks and other nearby services and amenities.

4.0 Proposal

4.1 Background

Council supported rezoning the subject property from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone in 2018. Initial Consideration was held on July 16, with the Public Hearing, 2nd and 3rd readings following on July 31 of that year. Council adopted the Rezoning Bylaw on May 12, 2020. On the same evening, Council also considered the Development Permit and associated variances. The proposal was ultimately defeated by Council after lengthy discussion around the overall massing of the development.

In January of 2021, the applicant submitted a Development Permit application proposing a multiple dwelling housing project that contained six units and would also have required multiple variances. As the current Development Permit application was much more aggressive than the previous defeated proposal, Staff challenged the application to amend the design in relation to the massing and variances. After a lengthy process and multiple revisions, the applicant submitted the current design which meets all of the RM3 development regulations.

The applicant had indicated the intention for the development to be utilized as rental units. The 'r' subzone designation could be applied for at any time since the property is currently zoned for multi-family development. Staff urged the applicant to bring forward the rezoning of the property prior to Council consideration of the form and character Development Permit.

4.2 Project Description

The proposed multiple dwelling housing building is comprised of three units. One unit faces Francis Avenue and provides a ground-oriented prominent entry facing the street. A sidewalk extends along the west side property line from Francis Avenue to the rear lane. This provides the access to the remaining two units. All site parking is accessed from the rear lane.

4.3 Site Context

The subject property is located mid-block on Francis Avenue between Pandosy and Richter Streets.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Single and Two Dwelling Housing
East	RU6 – Two Dwelling Housing	Single Dwelling Housing
South	RU6 – Two Dwelling Housing	Single Dwelling Housing
West	RU6 – Two Dwelling Housing	Single Dwelling Housing

Subject Property Map: 615 Francis Avenue



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 5.3. Design residential infill to be sensitive to neighbourhood context.

Policy 5.3.1. Ground Oriented Infill.

Encourage gentle densification in the form of ground-oriented residential uses such as house-plexes, townhouses and narrow lot housing to approximately 2 storeys, maintaining residential uses and setbacks that reflect the existing development pattern. Consider opportunities for greater height and massing at block ends and along Active Transportation Corridors as outlined in Figure 5.3.

Policy 5.3.2. Transition from Transit Supportive Corridors.

Provide a transition area allowing for 3-4 storeys in height, as outlined in Figure 5.3, serving as a transition from the medium density development along the Transit Supportive Corridors and lower density residential areas in the Core Area. Encourage ground-oriented residential such as stacked townhouses and bungalow courts with setbacks that respect adjacent lower density residential areas. Discourage commercial uses in the transition zone.

Objective 5.11. Increase the diversity of housing forms and tenure to create an inclusive, affordable and complete Core Area

Policy 5.11.1. Diverse Housing Forms.

Ensure a diverse mix of low and medium density housing forms in the Core Area that support a variety of households, income levels and life stages.

Policy 5.11.2. Diverse Housing Tenures.

Encourage a range of rental and ownership tenures that support a variety of households, income levels and life stages. Promote underrepresented forms of tenure, including but not limited to co-housing, fee-simple row housing, co-ops, and rent-to-own.

6.0 Application Chronology

Date of Application Accepted: January 13, 2021
Date Public Consultation Completed: December 14, 2021
Date Amended Application Received: November 10, 2021

Report prepared by: Lydia Korolchuk, Planner Specialist

Reviewed by: Jocelyn Black, Urban Planning Manager

Reviewed by: Terry Barton, Development Planning Department Manager

Attachments:

Schedule A: Development Engineering Memo

Attachment A: Conceptual Drawing Package

Attachment B: Applicant's Letter of Rationale