

REPORT TO COUNCIL



Date: January 24, 2022

To: Council

From: City Manager

Department: Development Planning

Application: DP21-0074

Owner: 1306876 BC Ltd., Inc. No.
BC1306876

Address: 470 Fleming Road

Applicant: New Town Architecture &
Engineering

Subject: Development Permit

Existing OCP Designation: C-NHD - Core Area Neighbourhood

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RM4 – Transitional Low Density Housing

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 12273 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP21-0074 for Lot C Section 27 Township 26 ODYD Plan KAP79327, located at 470 Fleming Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. 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 Registered Landscape Architect;

AND THAT Council's consideration of this Development Permit 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 January 24, 2022;

AND THAT lot consolidation of 470 and 500 Fleming Road be registered;

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 permits to be issued;

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

2.0 Purpose

To consider the form and character of Multiple Dwelling Housing on the subject property.

3.0 Development Planning

Development Planning Staff are supportive of the form and character development permit for the proposed 7-unit townhouse development. The application meets the Official Community Plan (OCP) Development Permit Design Guidelines including:

- The end unit facing the street is a custom street-oriented unit with primary entry directly accessible from the fronting street;
- Reflect the positive attributes of adjacent housing while integrating new higher density forms of housing as envisioned in the OCP; and
- Design all units to have easy access to useable private or semi-private outdoor amenity space.

The proposal also meets many of the OCP's Core Area infill objectives and it meets all of the Zoning Bylaw Regulations for the RM₄ – Transitional Low Density Housing zone and does not trigger any variances.

4.0 Proposal

4.1 Background

The first phase of the project had a Public Hearing and received 2nd & 3rd readings from Council in October of 2017. The development permit was approved by Council in June 2018. The development is now fully constructed and occupied providing 36 rental townhouses to the area.

The subject proposal will become the second phase to the existing townhouse development north of the subject site (500 Fleming Road). 470 Fleming Road will be consolidated with 500 Fleming Road to become one parcel.

Public Hearing, 2nd & 3rd readings of the Rezoning Bylaw occurred on October 5, 2021.

4.2 Project Description

The proposed development consists of one building containing 7 units (1 two-bedroom and 6 three-bedroom units). Each unit has private amenity space in the form of balconies and at-grade patios. All on-site parking requirements have been met and site access is via 500 Fleming Road. Should this proposal be supported by Council, the property would be consolidated with 500 Fleming Road to create one titled lot with 43 townhomes (7 proposed, 36 existing).

The building has been designed with an earth-toned colour palette that utilizes hardie panels for the exterior finish to match the first phase. Wood grained hardie panels have been added as accents to lend a warmth to the exterior finishing. The large windows and façade articulation present a more visually pleasing streetscape. Each unit has a landscaped patio area with low-height decorative fences to delineate the private space from the public street. The units have prominent entries with walkways leading to the street frontage, which provides a welcoming, human-scaled streetscape. A ground-oriented entry has been provided for the

unit that fronts onto Fleming Road. This serves to provide a consistent streetscape for the townhouse development and to enhance the pedestrian realm.

Based on feedback from Council, the applicant has modified the project proposal to include the addition of a children’s play-area at the southeast corner of the site and have enlarged all garages/parking stalls. While the applicant did meet the Zoning Bylaw regulations for parking stall minimum dimensions, the applicant has increased stalls widths from 3.1 m to 3.4 m wide to better accommodate tenants’ vehicles.

4.3 Site Context

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM4 –Transitional Low-Density Housing	Multiple Dwelling Housing
East	RU1 – Large Lot Housing	Single Dwelling Housing
South	RU1 – Large Lot Housing RU6 – Two Dwelling Housing	Single & Duplex Housing
West	RM3 –Low Density Multiple Housing	Multiple Dwelling Housing

Subject Property Map: 470 Fleming Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM4 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Floor Area Ratio	0.84	0.77
Max. Site Coverage (buildings)	50%	40.5%
Max. Site Coverage (buildings, parking, driveways)	60%	43%
Max. Height	13.0 m or 3 storeys	9.6 m and 3 storeys
Min. Front Yard	6.0 m	N/A
Min. Side Yard (east)	4.5 m	4.5 m

Min. Side Yard (west)	4.5 m	4.5 m
Min. Rear Yard	9.0 m	9.0 m
Other Regulations		
Min. Parking Requirements	14 stalls	15 stalls
Min. Bicycle Parking	4 short term	4 short term
Min. Private Open Space	175 m ²	203 m ²

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: The Core Area

Objective 5.3. Design residential infill to be sensitive to neighbourhood context.	
Policy 5.3.1. Ground Oriented Infill	<p>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.</p> <p><i>While this is currently a separate property, it will be consolidated with 500 Fleming Rd. which is situated at the intersection of Fleming Rd and Leathead Rd. to form part of the larger existing townhouse site.</i></p>
Policy 5.3.3. Strategic Density	<p>Where a proposed development in Core Area Neighbourhoods is not adjacent to a Transit Supportive Corridor, consider support for stacked rowhousing and low rise apartment and mixed use buildings, under the following circumstances:</p> <ul style="list-style-type: none"> • The property, at the time a rezoning or development permit application is made, has an area of 1 hectare or greater; and • The project proposal illustrates that the larger buildings will be able to sensitively transition their height and massing towards adjacent Core Area Neighbourhoods, with the first priority being a transition to ground-oriented multi-unit housing within the project; and • The project proposal includes a public park component; and • The project proposal includes an affordable and/or rental housing component; and • The project does not exceed a FAR of approximately 1.2 over the entire site. <p><i>The townhouse development provides a ground-oriented unit fronting onto Fleming Rd and the rear yards of the townhouses serve to provide a large setback to the adjacent Single Family Dwelling.</i></p>
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	<p>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.</p> <p><i>The area is pre-dominantly older single family dwelling. The existing dwelling will be demolished to facilitate the development of 7 townhouse units.</i></p>
Policy 5.11.2. Diverse Housing Tenures	<p>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.</p> <p><i>The townhouse development is a rental project.</i></p>

Policy 5.11.3. Family Friendly Housing	Incorporate ground-oriented units in the design of multi-family developments to support family-friendly housing types. Ensure that multi-family developments include a variety of unit sizes, encouraging 10 per cent of units to be three or more bedrooms. <i>Six of the seven proposed units provide 3-bedrooms, with one 2-bedroom unit (fronting onto Fleming Rd). The site was redesigned to incorporate a children's play area on-site.</i>
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6.o Application Chronology

Date of Application Accepted: March 30, 2021
 Date Public Consultation Completed: November 22, 2021
 Date of Rezoning Public Hearing: October 5, 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:

- Attachment A: Draft Development Permit DP21-0074
- Schedule A: Site plan and Floor plans
- Schedule B: Elevations and Finish Schedule
- Schedule C: Landscape Plan
- Attachment B: Applicants Project Rationale Letter