

REPORT TO COUNCIL



Date: February 7, 2022

To: Council

From: City Manager

Department: Development Planning

Application: DP21-0139 **Owner:** Forever Destiny Homes Ltd.,
Inc.No. 0903896

Address: 165 Dougall Road South **Applicant:** New Town Architecture and
Engineering Inc.

Subject: Development Permit Application

Existing OCP Designation: UC - Urban Centre

Existing Zone: C4 – Urban Centre Commercial

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP21-0139 for Lot 11 Block B Section 23 Township 26 Osoyoos Division Yale District Plan 4740, located at 165 Dougall Road South, 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;
5. Payment-in-lieu of parking be provided for two (2) stalls according to Schedule "A" of Bylaw No. 8125;

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 and Development Variance 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 a mixed-use building.

3.0 Development Planning

Development Planning recommends support for the Development Permit application. The proposal is for a low-rise mixed-use building, on a currently vacant lot, that meets Urban Design Guidelines within the 2040 Official Community Plan. Key guidelines include orientating entries, windows and balconies to face the fronting street, providing access to the above ground on-site parking from the lane, and 'maximizing eyes on the street' by avoiding blank walls and providing direct lines of sight from windows and balconies to the sidewalk and adjacent public spaces. The building itself is designed in a contemporary aesthetic, with predominant use of brick, architectural concrete, and stucco.

There are road dedication requirements on three frontages (Dougall Road South, Gray Road and the Public Lane), and Development Planning recognizes the additional considerations this has placed on overall site layout opportunities and development of a functional proposal.

Payment in Lieu of Parking

This application requests for payment in lieu of parking stalls (for two stalls). Development Planning viewed it as important for the proposal to provide one parking stall for each dwelling unit, which has been accommodated. As the road dedication requirements made accommodating additional required on-site parking challenging, Development Planning recommends support for this Payment in Lieu of Parking request.

4.0 Proposal

4.1 Background

The subject property is currently vacant and is already zoned C4 – Urban Centre Commercial.

4.2 Project Description

This mixed-used development proposal includes one ground floor commercial unit, approximately 804 ft² in area, and five residential dwelling units above. Five ground floor parking stalls are contained within the building, screened from public view, and accessed from the lane. The second and third storeys contain five multiple dwelling housing units, which each contain two-bedrooms.

Due to the site constraints and dedication requirements, there is little opportunity for at-grade amenity areas, so the application includes rooftop terraces on the second level, for use by the residents, which exceeds minimum bylaw requirements.

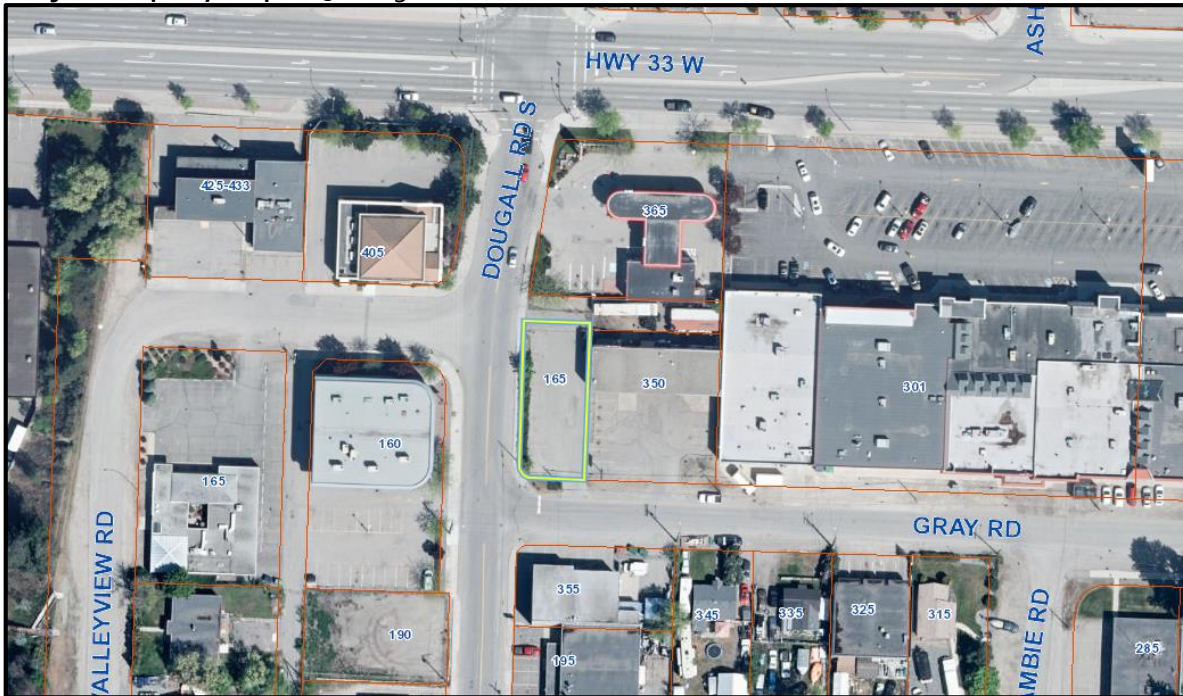
4.3 Site Context

The subject property is located at the corner of Dougall Road South and Gray Road, in the Rutland Urban Centre. It's in close proximity to Rutland Lions Park, Rutland Centennial Park and several schools. The Walkscore is 76, indicating that it is very walkable and most errands can be accomplished on foot.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C ₄ – Urban Centre Commercial	Gas Bar
East	C ₄ – Urban Centre Commercial	Automotive and equipment repair shops
South	C ₄ – Urban Centre Commercial	General Industrial (Glass Store)
West	C ₄ – Urban Centre Commercial	Offices

Subject Property Map: 165 Dougall Road South



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C ₄ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Floor Area Ratio	1.3	1.3
Max. Site Coverage	75 %	73.8 %
Max. Height	15.0 m / 4 storeys	14.0 m / 4 storeys
Min. Front Yard (south)	0.0 m	3.2 m
Min. Flanking Side Yard (Dougall Rd S)	0.0 m	1.15 m
Min. Side Yard (east)	0.0 m	0.15 m
Min. Rear Yard (north lane)	0.0 m	2.15 m
Other Regulations		
Min. Parking and Loading Requirements	7 stalls	5 stalls ●
Min. Bicycle Parking	4 Short term stalls 2 Long term stalls	4 Short term stalls 6 Long term stalls
Min. Private Open Space	75 m ²	323 m ²
● Indicates a request for two off-street parking spaces in accordance with the Payment in Lieu of Parking Bylaw No. 8125		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 4.15. Make Urban Centres safe and enjoyable for walking, biking, transit and shared mobility.	
Policy 4.15.6. Walkable Urban Centres.	Design streets and sidewalks to promote safety and comfort of pedestrians through enhanced public realm treatments, such as curb extensions, median refuge islands, street tree planting, adequate clear space for pedestrians, street furniture, curb-side parking and parkettes.
	<i>Through this application, the fronting portions of Gray Road and Dougall Road South will be upgraded to a full urban standard, with a landscaped and irrigated boulevard.</i>
Objective 4.17. Create urban streets that are attractive to live, work and shop on.	
Policy 4.17.3. Context Sensitive Streets.	Ensure arterial and collector road designs reflect their land use context as walkable urban places that serve as destinations and important public spaces.
	<i>The ground level commercial unit helps promote walkability to the property in the Rutland Urban Centre</i>

Chaper 18 – Form and Character Development Permit Area	
4.1.1 Relationship to the Street	Guideline H. Site and orient buildings so that windows and balconies overlook public streets, parks, walkways, and shared amenity spaces while minimizing views into private residences.
	<i>Balconies and windows of the residential units overlook public streets, with minimal views into any other existing private residences.</i>
4.1.6 Building Articulation, Features & Materials	Guideline C. Use an integrated, consistent range of materials and colors and provide variety by, for example, using accent colors
	<i>The application proposes materials including brick, concrete and stucco, in a way which accents the building design.</i>

6.0 Technical Comments

6.1 Development Engineering Department

See Attachment B: City of Kelowna Memorandum

7.0 Application Chronology

Date of Application Accepted: June 4, 2021

Report prepared by: Kimberly Brunet, 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:

Attachment A: Draft Development Permit No. DP21-0139

Schedule A: Site Plan

Schedule B: Building Elevations and Floorplans

Schedule C: Landscape Plans

Attachment B: City of Kelowna Memorandum