

# REPORT TO COUNCIL



**Date:** February 7, 2022

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** TA21-0017      **Owner:** ASI Central GP INC., INC.NO. A0117887

**Address:** 155, 165, 175-179 & 179 Rutland Road N      **Applicant:** Arlington Street Investments Inc.

**Subject:** Text Amendment Application

**Existing OCP Designation:** UC – Urban Centres

**Existing Zone:** C4 – Urban Centre Commercial

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## 1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA21-0017 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Development Planning Department dated February 7, 2022 for Lot 2 Section 26 Township 26 ODYD Plan 11269 Except Plan 37956, The North ½ of Lot 2 Section 26 Township 26 ODYD Plan 2478 Except Plans B7413 and 37956, That Part of the North ½ of Lot 2 Shown on Plan B7413; Section 26 Township 26 ODYD Plan 2478 Except Plan 37956 and Lot 1 Section 26 Township 26 ODYD Plan 2773 Except: (1) Part Outlined Red on Plan B5413 (2) Plan 8824 (3) Plan 37956 located at 155, 165, 175-179 and 179 Rutland Rd N be considered by Council;

AND THAT the Zoning Bylaw Text Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

## 2.0 Purpose

To amend the Zoning Bylaw with a Site-Specific Text Amendment to allow a maximum density of 2.35 FAR and a maximum height of 8 storeys and 32.0 m for the subject properties.

## 3.0 Development Planning

Staff supports the Text Amendment application to allow a height of 8 storeys and 32.0 m and a maximum density of 2.35 FAR for the subject properties. The proposal is consistent with many policies in the 2040 Official Community Plan (OCP) and the Urban Centres Roadmap. The increase in density at this location is supported by local amenities such as parks, schools, transit, shopping and recreational opportunities in the immediate area.

#### **4.0 Proposal**

##### **4.1 Background**

The subject properties are located on the east side of Rutland Road to the north of Hwy 33E (directly north of the Starbucks). The site is designated as UC – Urban Centre as it is within the Rutland Urban Centre. The project site is located within walking distance of the Shepherd Road transit exchange and near multiple bus stops situated on both Rutland Rd and Hwy 33E and Rutland Road is designated as a Retail Street within the 2040 Official Community Plan.

The proposal consists of four parcels which are zoned C<sub>4</sub> – Urban Centre Commercial. Under the current development regulations, the project would be able to achieve a maximum FAR of 2.08 though meeting bonusing provisions. The C<sub>4</sub> – Urban Centre Commercial development regulations have a base FAR of 1.3 without bonuses and a maximum height of 4 storeys or 15.0 m within the Rutland Urban Centre.

##### **4.2 Project Description**

The applicant is proposing a 98-unit purpose-built rental apartment building in the heart of the Rutland Urban Centre. The multiple properties for this development will be consolidated to a single parcel. The OCP has policy direction for greater heights and densities than what is currently available in the base zoning regulations of C<sub>4</sub>. The OCP provides even greater emphasis when the proposal contains a significant benefit such as affordable, supportive and/or rental housing component that further advances Urban Centre housing objectives. The applicant is proposing a Site-Specific Text Amendment in order to achieve a FAR of 2.35 and a maximum height of 8 storeys and 32.0 m for this site. This density is similar to developments in the same zone in South Pandosy as there is a specific density bonus in that neighbourhood.

As noted, the maximum density that is currently achievable within the Rutland Urban Centre is 2.08 under c<sub>4</sub>. The redevelopment of the site provides at-grade commercial units along Rutland Road. This, along with zero lot lines side setbacks, will help elevate the quality of the urban streetscape experience. Redevelopment of this Retail Street is a long-term goal which is more readily achievable by allowing increased height and density at key locations. As further redevelopment occurs, more pedestrian and cycling infrastructure will be provided as upgrades to Rutland Road.

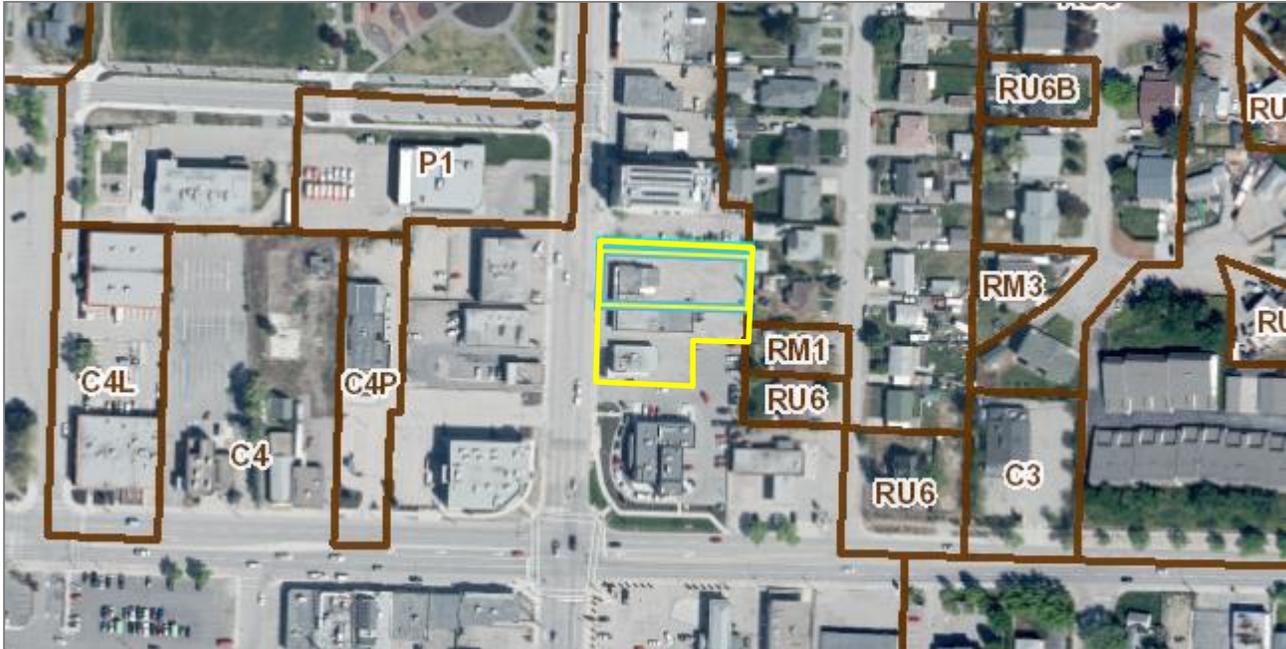
##### **Site Context**

The subject properties are located on the east side of Rutland Road to the north of Hwy 33E. The site is designated as UC – Urban Centre and is within the Rutland Urban Centre. The properties are located within walking distance of the Shepherd Road transit exchange along with bus tops situated on both Rutland Rd and Hwy 33E. Rutland Road is designated as a Retail Street within the 2040 Official Community Plan.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C4 – Urban Centre Commercial	Supportive Housing
East	RU1 – Large Lot Housing	Single Dwelling Housing
South	C4 – Urban Centre Commercial	Retail Businesses
West	C4 – Urban Centre Commercial P1 – Major Institutional	Retail Businesses, Canada Post Depot

**Subject Property Map: 155, 167, 175-179 & 179 Rutland Road**



**5.0 Current Development Policies**

**5.1 Kelowna Official Community Plan (OCP)**

Objective 4.1 Strengthen the Urban Centres as the primary hubs of activity	
Policy 4.1.1. Live/Work Balance.	Direct growth in <a href="#">Urban Centres</a> to achieve densities of 150-250 combined residents and jobs per hectare, with a composition of 2:1 residents to jobs or as outlined in an Urban Centre Plan. Refine these density targets as Urban Centre Plans are developed. <i>Higher density redevelopment has been slow to occur within the Rutland Urban Centre. Supporting additional height and density at key locations will aide with improving the urban form within the Rutland Urban Centre.</i>
Policy 4.1.3. Urban Centres Roadmap.	Continue to use the Urban Centres Roadmap to provide guidance for growth and development in Urban Centres. <i>Refer to 5.2 Urban Centres Roadmap key considerations below.</i>
Policy 4.1.6. High Density Residential Development.	Direct medium and high-density residential development to Urban Centres to provide a greater mix of housing near employment and to maximize use of existing and new infrastructure, services and amenities.

	<i>Supporting more height and density at key locations within the Rutland Urban Centre will be a vehicle for change to help transform the urban centre into an area that delivers a higher quality of life to current and future residents..</i>
Objective 4.7 Focus new development in Rutland strategically to create new high-density business and residential hub to support improved services and amenities.	
Policy 4.7.1 Rutland Building Heights.	<p>Undertake a building heights study as part of an Urban Centre Plan process for the Rutland Urban Centre. Until this process is complete, support development in the Rutland Urban Centre that is generally consistent with the building heights outlined in Map 4.7 to accomplish the following:</p> <ul style="list-style-type: none"> <li>• Focusing taller buildings between Shepherd Road, Dougall Road, Rutland Road and Highway 33 to support the viability of Rutland’s designated high streets, the Rutland Transit Exchange and Rutland Centennial Park;</li> <li>• Directing more modest heights along the Highway 33 and Rutland Road corridors to support transit use and the viability of commercial uses in those two corridors;</li> <li>• Tapering heights down towards surrounding Core Area Neighbourhoods</li> </ul>
	<i>The subject site does not front directly onto the adjacent Transit Supportive Corridors surrounding the property, however, it is located in a transition area.</i>
Policy 4.7.2 Taller Rutland Buildings.	<p>Prior to the development of a neighbourhood plan for the Rutland Urban Centre, and with due consideration of the objectives of Policy 4.7.1, consider support for development that is higher than the heights outlined in Map 4.7, where the proposal contains significant benefit to Kelowna citizens, including some or a combination of the following:</p> <ul style="list-style-type: none"> <li>• An affordable, supportive and/or rental housing component that further advances Urban Centre housing objectives;</li> <li>• A significant public amenity that supports the fostering of more inclusive and socially connected Urban Centres, such as parks, public spaces, schools, post-secondary institutions or childcare facilities;</li> <li>• Offsite considerations, including enhanced streetscapes, provision of Active Transportation Corridors, tree canopy protection and enhancement, or green infrastructure within the road right of way;</li> <li>• Smaller tower floorplates to mitigate the impact on views and shadowing; and/or</li> <li>• Outstanding and extraordinary architectural design.</li> </ul>
	<i>This purpose-built rental project will add approximately 98 additional rental units to the heart of the Rutland Urban Centre. Additional height and density at this key centrally located property will encourage further redevelopment within the area.</i>

5.2 Urban Centres Roadmap

**Type 2 Mid-Sized Projects – Key Considerations (Pg 38):**

Appropriate occupancies: Achieving moderate to high residential densities on sites designated for mixed-use residential will be fundamental to realizing the goal of dense and livable Urban Centres.

Priorities for Early-Stage Urban Centres (Midtown, Capri-Landmark, Rutland):

- Improve urban form of the area by encouraging multi-storey building with strong relationships to the street.
- Ensure sidewalks and street trees are added through frontage improvements.
- Shift Surface parking to the rear of the site.

**6.o Application Chronology**

Date of Application Accepted: October 1, 2021

Date Public Consultation Completed: December 7, 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:**

Schedule A: Text Amendment