

# REPORT TO COUNCIL



**Date:** April 11, 2022

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** DP21-0119

**Owner:** 1243978 BC LTD., Inc. No.  
BC1243978

**Address:** 1875 Richter St

**Applicant:** Novation Architecture LTD.

**Subject:** Development Permit

**Existing OCP Designation:** C-NHD – Core Area Neighbourhood

**Existing Zone:** RM3r – Low Density Multiple Housing (Residential Rental Tenure Only)

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## 1.0 Recommendation

THAT Rezoning Bylaw No. 12289 be amended at third reading to revise the legal description of the subject property from Lot B District Lot 138 ODYD Plan 4495 to Lot 1 District Lot 138 ODYD Plan EPP117925;

AND THAT final adoption of Rezoning Bylaw No. 12289 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP21-0119 for Lot 1 District Lot 138 ODYD Plan EPP117925, located at 1875 Richter Street, Kelowna, 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 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 issue a Development Permit for the form and character of an 18-unit multiple dwelling rental housing development.

## 3.0 Development Planning

Development Planning Staff supports the Development Permit application for the form and character of the 18-unit apartment project. In general, the proposed development meets several of the Official Community Plan (OCP) Form and Character Development Permit Guidelines including selected building finishes, façade articulation and complimentary landscaping. Staff had several concerns with the original design as it lacked visually prominent and recognizable entrances as well as variation in both materials and building form. The applicant made several design changes leading to the current proposal that Staff are willing to support and the application meets all Zoning Bylaw Regulations (no variances are required).

The subject property is located on a Transit Supportive Corridor where the Official Community Plan is encouraging medium density apartment housing in the 4-6 storey range. Staff feel that though this is a larger parcel, being adjacent to single family homes to the North and South that a sensitive three storey form is appropriate.

The location of the site is highly walkable and in close proximity to the Downtown Urban Centre as well as several parks. The site is near the Sutherland Avenue multi-use corridor making it a safe and quick connection to the Capri-Landmark Urban Centre and Downtown Urban Centre. The site is less than 20m from a transit stop. For all these reasons the site is less reliant on a vehicular mode of transportation given its walkability, cyclist friendly and transit opportunities.

## 4.0 Proposal

### 4.1 Background

The applicant submitted Rezoning and Development Permit applications in May 2021. The rezoning application had Public Hearing and received Third Reading from Council on October 18, 2021. The applicant has met the engineering requirements associated with the Rezoning application in order to receive final adoption of Rezoning Bylaw No. 12289. The property is currently vacant.

### 4.2 Project Description

The proposed development features eighteen rental units in a multiple dwelling housing form. This includes 16 one-bedroom and 2 two-bedroom units. The proposal has a single unit located on the ground floor which is accessed through the common lobby and has been designed as an accessible unit. Vehicle site access is from the laneway which leads into a covered parking area for residents. The building design features a variety of material types including: hardieplank, stucco, masonry veneer and exposed concrete. The mix of materials combined with the colour palette adds visual interest to the design.

Each unit on the second and third floors have a private patio to meet the Zoning Bylaw requirements for private open space. The applicant has taken advantage of two parking bonuses on site. The first is a three-stall reduction for the residential rental tenure only zone (10% parking bonus) and the second reduction is for five stalls (20% reduction up to max of 5 stalls) for providing additional long term bicycle parking. After the two bonuses are applied, the site will offer 18 parking stalls to meet the parking requirements.

4.3 Site Context

The subject property is located mid-block between Sutherland Avenue and Rowcliffe Avenue. It is located south of the Downtown Urban Centre. The property is located within the OCP’s Core Area Neighbourhood designation and is within the City’s Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Single Family Dwelling
East	RU6 – Two Dwelling Housing	Single Family Dwelling
South	RU6 – Two Dwelling Housing	Single Family Dwelling & Duplex Housing
West	P2 – Education and Minor Institutional	Religious Assembly

**Subject Property Map: 1875 Richter St**



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM3r ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Floor Area Ratio	0.75	0.80
Max. Site Coverage (buildings)	50%	49%
Max. Site Coverage (buildings, parking, driveways)	60%	58%
Max. Height	10m	10m
Min. Front Yard	1.5m	4.5m
Min. Side Yard (south)	4.0m	4.0m
Min. Side Yard (north)	4.0m	4.0m
Min. Rear Yard	3.0m	3.0m
Other Regulations		
Min. Parking Requirements	18	18
Min. Bicycle Parking	26	30
Min. Private Open Space	290m <sup>2</sup>	290m <sup>2</sup>

5.0 **Current Development Policies**5.1 Kelowna Official Community Plan (OCP)

<b>Objective 5.3 Design residential infill to be sensitive to neighbourhood context.</b>	
Policy 5.2.2 Low Rise Corridor Development	Encourage low rise apartments and stacked townhouses up to six storeys in height in Core Area Neighbourhoods that front or directly abut Transit Supportive Corridors. Consider lower heights for such projects where adjacent neighbourhoods are not anticipated to experience significant infill and redevelopment. <i>Given the midblock nature of this site low rise apartment housing is appropriate fronting a Transit Supportive Corridor.</i>
Policy 5.2.1 Transit Supportive Corridor Densities	Encourage development that works toward a long term population density of between 50 – 100 people per hectare within 200 metres of each corridor to achieve densities that support improved transit service and local services and amenities. Discourage underdevelopment of properties along Transit Supportive Corridors. <i>The proposal increases density along a Transit Supportive Corridor</i>
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. <i>Proposal includes 18 rental units.</i>

## **6.0 Technical Comments**

### **6.1 Development Engineering Department**

All the offsite infrastructure and service upgrades were addressed in the Rezoning Report under file Z21-0055.

## **7.0 Application Chronology**

Date of Application Accepted: May 26, 2021

Date Public Consultation Completed: Sept 24, 2021

**Report prepared by:** Jason Issler, Planner I

**Reviewed by:** Lydia Korolchuk, 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 DP21-0119

Schedule A – Site Plan and Floor Plans

Schedule B – Elevations and Materials

Schedule C – Landscape Plan

Attachment B: Form and Character Development Permit Guidelines