

# REPORT TO COUNCIL



**Date:** May 16, 2022

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** Z21-0109

**Owner:** JABS CONSTRUCTION LTD.,  
INC.NO. BC0060327

**Address:** 2165 Benvoulin Ct

**Applicant:** Traine Construction and  
Development

**Subject:** Rezoning Application

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

**Existing Zone:** A1 – Agriculture 1

**Proposed Zone:** RM5 – Medium Density Multiple Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z21-0109 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of LOT A DISTRICT LOT 128 OSOYOOS DIVISION YALE DISTRICT PLAN KAP89861, located at 2165 Benvoulin Ct, Kelowna, BC from the A1 – Agriculture 1 zone to the RM5 – Medium Density Multiple Housing zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw 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 May 16, 2022;

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

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

## 2.0 Purpose

To rezone the subject property the A1 – Agriculture 1 zone to the RM5 – Medium Density Multiple Housing zone to facilitate a multiple dwelling housing development.

### 3.0 Development Planning

Development Planning recommends support for the Rezoning application. The application proposes a zoning change from the A1 – Agriculture 1 zone to the RM5 – Medium Density Multiple Housing zone, which is consistent with Urban Centre Policies in the Official Community Plan. The proposed development will benefit from the central and convenient location of the subject property in close access to many nearby shops, services and amenities in the Midtown Urban Centre. Further, as part of this rezoning application, Mayer Rd would be connected from Benvoulin Rd to Benvoulin Ct, helping to achieve a valuable road connection in the area.

Although the application does not pursue the Residential Rental Only Tenure subzone, the applicant has indicated it is their intention to operate as a rental community, with no plans for stratification. This would align with key directions from the framework of the Healthy Housing Strategy, as well as the broad objectives in the Official Community Plan to support the creation of affordable and safe rental, non-market housing.

### 4.0 Proposal

#### 4.1 Background

The subject property is approximately 3.31 acres. A plant nursery used to operate on the property. It closed around the time Benvoulin Rd was relocated from the east side of the property, to the south, in approximately 2006. It has been vacant since that time.

#### 4.2 Project Description

This application proposes two five-storey wood frame buildings, comprised of 187 residential units. The units include a diverse mix of studio, 1 bedroom, 2 bedroom and 3 bedroom units. A combination of surface and underground parking is proposed.

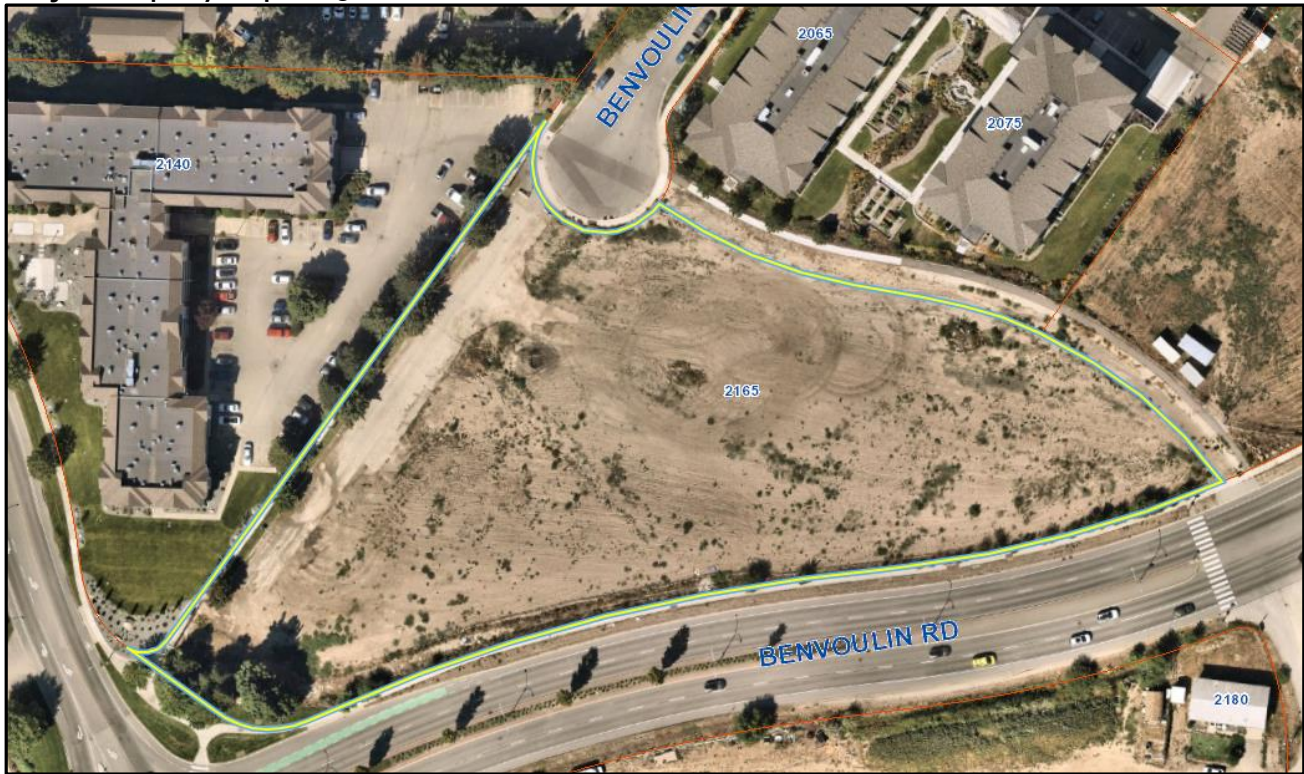
#### 4.3 Site Context

The subject property is located in the Midtown Urban Centre, near the intersection of Benvoulin Rd and Cooper Rd. It has a Walk Score of 58, indicating it is somewhat walkable.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM5 – Medium Density Multiple Housing	Multiple Dwelling Housing
East	RM5 – Medium Density Multiple Housing	Multiple Dwelling Housing
South	A1 – Agriculture 1	Agriculture
West	RM5 – Medium Density Multiple Housing	Multiple Dwelling Housing

**Subject Property Map: 2165 Benvoulin Ct**



**5.0 Current Development Policies**

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

<b>Objective Objective 4.8. Support modest residential development to transition Midtown into a transit-supportive neighbourhood.</b>	
Policy Midtown Residential Development.	4.8.1. Prioritize the development of multi-unit residential uses over employment uses in Midtown to support a greater live work balance.  <i>This application proposes 187 residential units, located within two buildings. The unit mix includes from studio to 3-bedroom units to appeal to a broader base of Kelowna residents</i>
<b>Objective Objective 4.8. Support modest residential development to transition Midtown into a transit-supportive neighbourhood.</b>	
Policy Midtown Urbanization.	4.8.2. To address Midtown's deficiency in the pedestrian environment, poor street connectivity, lack of housing choices and public spaces, support the redevelopment of properties where the proposal demonstrates the following characteristics: <ul style="list-style-type: none"> <li>• Improved street connectivity, particularly east-west connectivity, through the identification of new streets and pathways that break up large blocks;</li> <li>• Improved pedestrian environment;</li> <li>• Identification and dedication of parks and public spaces;</li> <li>• Integration of transit infrastructure, such as transit exchanges for example; and</li> </ul>

	<ul style="list-style-type: none"> <li>Housing mix, with consideration for affordable housing as outlined in the Healthy Housing Strategy.</li> </ul>
	<p><i>Mayer Rd would be extended through to Benvoulin Ct providing additional connectivity to Benvoulin Rd.</i></p>

**6.0 Technical Comments**

6.1 Development Engineering Department

See Schedule A: City of Kelowna Memorandum

**7.0 Application Chronology**

Date of Application Accepted: December 22, 2021  
 Date of Public Information Session: April 14, 2022  
 Date Neighbourhood Notification Confirmed: April 26, 2022

**Report prepared by:** Kimberly Brunet, Planner II  
**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:**

Schedule A: City of Kelowna Memorandum

Attachment A: Draft Site Plan