

# REPORT TO COUNCIL



**Date:** July 11, 2022  
**To:** Council  
**From:** City Manager  
**Department:** Development Planning

**Application:** TA22-0013 & Z21-0110  
**Address:** 550 Doyle Ave  
**Subject:** Rezoning Application  
**Existing OCP Designation:** UC – Urban Centre  
**Existing Zone:** C7 – Central Business Commercial  
**Proposed Zone:** CD28 – University of British Columbia Downtown Campus

**Owner:** Doyle Street Properties LTD.,  
INC.NO. BC1248370  
1247752 B.C. LTD., INC.NO.  
BC1247752  
1267320 B.C. LTD., INC.NO.  
BC1267320  
**Applicant:** UBC Properties Trust

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## 1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA22-0013 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Development Planning Department dated July 11, 2022, be considered by Council;

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

AND THAT Rezoning Application No. Z21-0110 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of PARCEL A (KK73272) DL 139 ODYD PLAN KAP45917 located at 550 Doyle Ave, Kelowna, BC from the C7 – Central Business Commercial zone to CD28 – University of British Columbia Downtown Campus zone as shown on Map "A" attached to the Report from the Development Planning Department dated July 11, 2022, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

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

## **2.0 Purpose**

To amend the zoning bylaw by adding CD28 – University of British Columbia Downtown Campus zone and to rezone a portion of the subject property from the C7 – Central Business Commercial zone to the proposed CD28 – University of British Columbia Downtown Campus zone to facilitate the orderly development of a university.

## **3.0 Development Planning**

Staff are recommending support for the proposed text amendment and rezoning to the CD28 – University of British Columbia Downtown Campus zone (Attachment “B”) as it will facilitate the development of a comprehensively planned Vertical University Campus. The zone will allow the full range of academic, research, and other supporting land uses essential to a leading-edge university program and campus. This is considered a signature project that will contribute to the diversity and vibrancy of the Downtown Urban Centre and is consistent with policies in the Kelowna 2040 Official Community Plan (OCP) and objectives of Imagine Kelowna.

This would be Kelowna’s tallest building with the highest FAR city-wide. It is deemed an appropriate location downtown and is considered a special project due to the applicant and institutional use, the University of British Columbia. This type of height and density would not normally be supported for private development. As such, the creation of a CD zone was deemed most appropriate to creatively and collaboratively meet the unique project objectives.

Several OCP Pillars are met with this project including:

1. Strengthen Kelowna as the Region’s Economic Hub;
2. Focus Investment in Urban Centres;
3. Prioritize Sustainable Transportation and Shared Mobility.

Several key OCP Objectives and Policies are also met including:

1. Partnerships with Post-Secondary Institutions;
2. Reinforce Downtown as the Urban Centre with the greatest diversity and intensity of uses in the City;
3. Improve energy efficiency and reduce greenhouse gas emissions of new buildings.

Should Council support and adopt the proposed text amendment and rezoning, Staff will bring forward a Development Permit for consideration of the form and character of the proposed LEED Gold Certified building.

## **4.0 Proposal**

### **4.1 Background**

The subject property at 550 Doyle Ave was the previous location of the Kelowna Daily Courier Office, and subsequent to that was used for Emergency Shelter Support Services.

The University of British Columbia Okanagan (UBCO) approached the City of Kelowna several years ago to begin discussions about locating a downtown urban campus on a portion of the subject property. Through discussions with the applicant, a Comprehensive Development Zone has been proposed in order to facilitate the unique development features of the project. The formal application was received on December 23, 2021.

The applicants completed their neighbourhood notification by mailing out notifications within a 100m radius, placing an advertisement in the Kelowna Capital News for 2 consecutive weeks, and hosting a Public Information Session on May 30, 2022.

The City of Kelowna is currently undergoing a transition from Zoning Bylaw No. 8000 to Zoning Bylaw No. 12375. Should Council support the proposed text amendment and rezoning under Bylaw No. 8000, a text amendment will follow at a later date under Bylaw No. 12375. Due to the nature of this transitory period, Staff recommend that engineering requirements are deferred until the Building Permit. This will allow the rezoning to proceed in a timely fashion.

#### 4.2 Project Description

This text amendment and rezoning application proposes to rezone a portion of the subject property from C7 – Central Business Commercial to the proposed CD28 – University of British Columbia Downtown Campus Zone as shown on attached Map “A”. The creation of the CD28 zone (Attachment “B”) will facilitate the orderly development of a successful downtown university campus in the form of a prominent tower with underground parking (Attachment “C”). The project includes academic spaces, student housing, a medical clinic, a café, and a public/private amenity space at grade. This building form allows the University to develop in a vertical campus as opposed to a typical sprawling horizontal campus. The CD28 zone is based on the current C7 zone, with consideration for the following development regulations to accommodate this signature project:

1. Permitted principal and secondary uses
2. Relaxed height restrictions
3. Increased FAR
4. Increased maximum floor plate
5. Decreased parking requirements
6. Street level activation

#### Development Regulations:

1. To facilitate the development of the project, the current uses in the C7 zone were reviewed for relevance and only the required principal and secondary uses were included in the proposed CD28 zone along with Educational Services. Some of the uses were included to allow for the evolution of uses including Child Care Centre Major and Liquor Primary, which are not proposed at this time.
2. A significant change from the development regulations in the C7 zone compared to the CD28 zone is the relaxed height restrictions. The proposed CD28 zone has a height maximum of 46 storeys or 160.0m. The current maximum height in the C7 zone is 12 storeys or 37.0 m, and the OCP Height Map outlines a height of 26 storeys. The additional height allows for substantial student rental housing to support the Educational Services of the University. It aligns with OCP Policy 4.4.2 by locating the City’s tallest buildings in the centre of the Downtown Core. Specific OCP Design Guidelines review of the Development Permit including height will be presented to Council at a later date.
3. The proposed project has an FAR of 13.58, and therefore the proposed CD28 zone has an FAR of 14.0 to allow for minor changes as the Development Permit is reviewed. The increased FAR is in conjunction with the increased height to facilitate a well-designed and substantial contribution to the Educational Services provided by the University. Compared to the C7 zone this represents an increase in FAR of 5.0.
4. To accommodate the increased FAR as well as the proposed Educational Services, an increased floor plate maximum of 1104.1 m<sup>2</sup> is proposed for most of the tower (L12-L46). The lower levels have floor

plates ranging from 1195.1 m<sup>2</sup> to 2303.6 m<sup>2</sup>. The C7 zone permits a maximum floor plate of 950 m<sup>2</sup> for office use, and 750 m<sup>2</sup> for residential. The proposed larger floor plate is deemed acceptable due to the unique features of the proposed development.

5. The CD28 zone has been customized for the principal uses of apartment housing and Educational Services, and therefore a reduction in parking requirements is proposed for the zone. The proposed parking rates are 0.2 space per studio, 0.3 spaces per 1-bedroom, and 0.5 spaces per 2-bedroom. The reduced parking is supported by the parking analysis provided by the applicant. To support the reduced vehicular parking, the applicant has provided long term bicycle storage at the rate of 1 space per bedroom for a total of 603 long term bicycle spaces. This aligns with the OCP Pillar of prioritizing sustainable transportation.
6. Consideration has been given to the public/private interface along both street frontages of St Paul St and Doyle Ave. A regulation requiring 80% of Doyle Ave and 75% of St Paul St to be active commercial, cultural, educational, or civic space has been included to promote beneficial interaction between public and private space at grade.

#### Rezoning:

The applicant is proposing to rezone a portion of the subject property to the CD28 zone. The zone has been created such that it will be applied to this property only and any changes in the future would require Council consideration of amendments to the CD28 zone.

The subject property is in close proximity to active transportation options and transit. It is a suitable location for increased residential and economic density, while providing a diverse form of housing tenure in the form of student housing long term rentals. Off-site improvements will include a modified redesign of both St Paul St and Doyle Ave to enhance pedestrian movements and enjoyment. The development of an educational institution in this location is representative of equity planning by creating opportunities for future learning regardless of age, class, gender, or background.

#### 4.3 Site Context

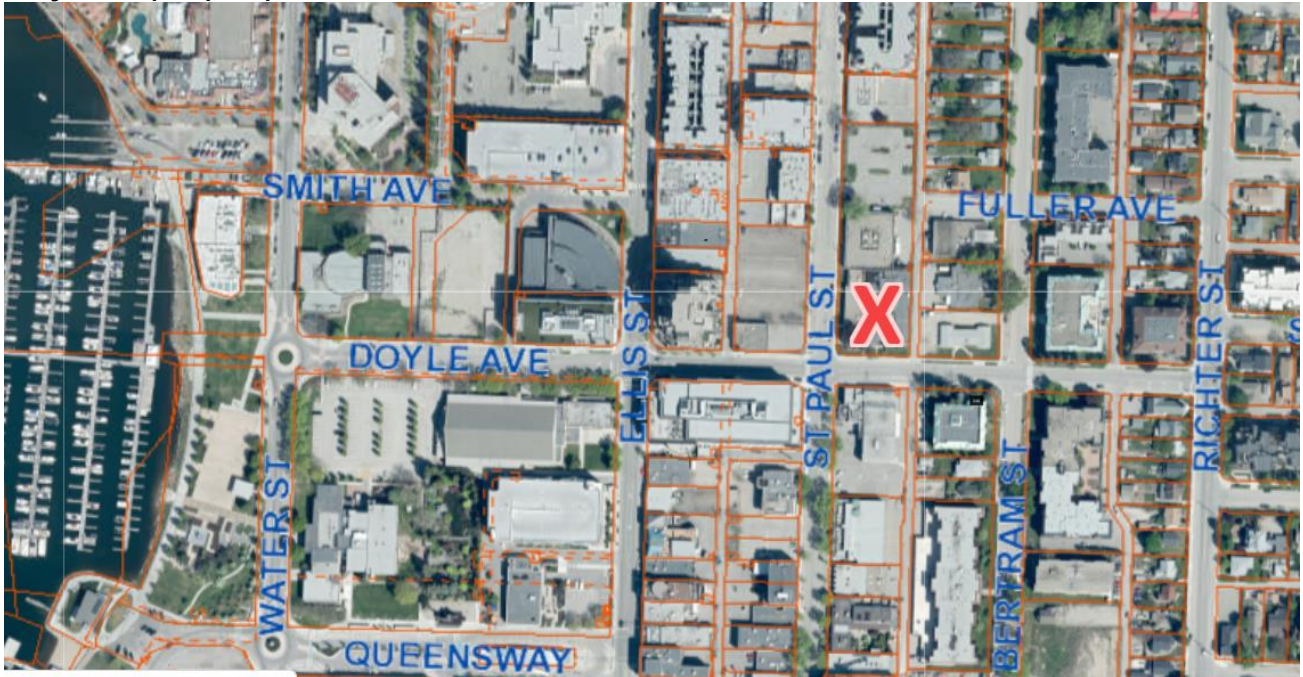
The subject property is located on the NE corner of St Paul St. and Doyle Ave. There are several other large projects currently considered for this area including a mixed-use tower on the SE corner, and a mixed-use project on the NW corner. Interior Health's main offices are located on the SW corner. All these projects align with the OCP Future Land Use of Urban Centre, and several OCP Objectives to increase residential density and commercial vibrancy in the Downtown Urban Centre.

The subject property is approximately 200 m from the nearest Transit Supported Corridor on Richter St and is approximately 250 m from the Queensway Transit Exchange. There is easy access to the Cawston Ave Recreational Corridor and the Ethel St Active Transportation Lanes. Parks in the neighbourhood include City Park, Stuart Park, Kasugai Gardens, and Martin Park.

Specifically, adjacent land uses are as follows (please note that under Bylaw No. 12375, some properties will be rezoned to UC1 – Downtown Urban Centre):

Orientation	Zoning	Land Use
North	Mixed-Use	C7 (to UC1)
East	SD23 & Royal Canadian Legion	P2
South	Under Redevelopment Consideration	C4 (to UC1)
West	Under Redevelopment Consideration	C7 (to UC1)

**Subject Property Map:**



**5.0 Current Development Policies**

**5.1 Kelowna 2040 Official Community Plan (OCP)**

<b>The Big Picture: 10 Pillars to Realize our Vision</b>	
1.	Focus Investment in Urban Centres
2.	Target Growth Along Transit Corridors
3.	Strengthen Kelowna as the Region’s Economic Hub
4.	Promote More Housing Diversity
5.	Prioritize Sustainable Transportation and Shared Mobility
6.	Protect and Restore our Environment
7.	Stop Planning New Suburban Neighbourhoods
8.	Take Action on Climate
9.	Protect and Restore our Environment
10.	Protect Agriculture

<b>Objective 4.1 Strengthen the Urban Centres as Kelowna’s primary hubs of activity.</b>	
Policy 4.1.2 Urban Centre Hierarchy	Focus the greatest intensity of uses and scale of development Downtown in recognition of its role as the largest <a href="#">Urban Centre</a> . <i>This project site is centrally located within the Downtown Urban Centre and represents the greatest intensity of uses of any development thus far in the Downtown Core.</i>
Policy 4.1.5 Partnerships with	Consider creative partnerships to attract post-secondary institutions to <a href="#">Urban Centres</a> and to promote economic and cultural growth in those neighbourhoods.

Post-Secondary Institutions	<i>The City has creatively worked with University of British Columbia on the creation of the CD28 Comprehensive Development Zone to encourage the location within the Downtown Urban Centre.</i>
<b>Objective 4.4 Reinforce Downtown as the Urban Centre with the greatest diversity and intensity of uses in the City.</b>	
Policy 4.4.2 Downtown Skyline	<p>Support development Downtown that is generally consistent with <a href="#">Map 4.1</a> to accomplish the following:</p> <ul style="list-style-type: none"> <li>• Tapering of heights from taller buildings in the centre of Downtown to lower buildings towards Okanagan Lake and adjacent <a href="#">Core Area</a> Neighbourhoods;</li> <li>• Preservation of the existing form and character of historic Bernard Avenue and other heritage sites;</li> <li>• Consistency with the objectives of the <i>Civic Precinct Plan</i>; and</li> <li>• The development of taller buildings that incorporate distinct architectural features in strategic locations near Okanagan Lake</li> </ul> <p><i>While this project represents a departure from the height map in the 2040 Official Community Plan, it aligns with Policy 4.4.2 by proposing the City's tallest building in the centre of the Downtown Core.</i></p>
Policy 4.4.3 Taller Downtown Buildings	<p>With due consideration of the objectives of Policy 4.4.2, consider support for development that is higher than the heights outlined in <a href="#">Map 4.1</a> 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 <a href="#">Urban Centre</a> housing objectives;</li> <li>• A significant public amenity that supports the fostering of more inclusive and socially connected <a href="#">Urban Centres</a>, such as parks, public spaces, schools, post-secondary institutions or childcare facilities;</li> <li>• Offsite considerations, including enhanced streetscapes, provision of <a href="#">Active Transportation Corridors</a>, tree canopy protection and enhancement, or <a href="#">green infrastructure</a> 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> <p><i>Due consideration for the additional height is supported through the proposed benefits to Kelowna citizens including a significant public amenity, off-site considerations, and extraordinary architectural design.</i></p>
<b>Objective 4.12 Increase the diversity of housing types and tenures to create inclusive, affordable and complete Urban Centres.</b>	
Policy 4.12.1 Diverse Housing Forms	<p>Ensure a diverse mix of <a href="#">medium density</a> and <a href="#">high density</a> housing forms that support a variety of households, income levels and life stages.</p> <p><i>The project supports student rental housing in a compact tower form, which is a diverse type of housing compared to some other areas of the City.</i></p>
<b>Objective 4.15 Make Urban Centres safe and enjoyable for walking, biking, transit and shared mobility.</b>	
	Design streets and sidewalks to promote safety and comfort of pedestrians through enhanced public realm treatments, such as curb extensions, median

Policy Walkable Centres	4.15.6 Urban	refuge islands, street tree planting, adequate clear space for pedestrians, street furniture, curb-side parking and <a href="#">parkettes</a> . <i>Off-site road improvement requirements for the subject property are for a modified SS-R5 with enhanced public realm elements such as adequate tree planting, street furniture, and curb side parking.</i>
<b>Objective 9.1 Incorporate equity into planning decisions and resource allocation in our community.</b>		
Policy in Decisions	9.11 Equity Planning	Incorporate an <a href="#">equity</a> lens into land-use planning decisions and resource allocation in our community. <i>Equity refers to fair distribution of opportunities, power, and resources to meet the needs of all people, regardless of age, ability, gender, culture, or background. A university development provides opportunities for further education to all people.</i>
<b>Objective 12.4 Improve energy efficiency and reduce greenhouse gas emissions of new buildings.</b>		
Policy Energy Design	12.4.2 Efficient	Encourage the use of passive design to reduce energy demand as described in <a href="#">Chapter 18: Form and Character Development Permit Area</a> . <i>The building is proposed to be constructed to a LEED Gold certification level.</i>

5.2 Imagine Kelowna

- 5.2.1 Grow vibrant urban centres and limit sprawl.
- 5.2.2 Build a fair and equitable community.
- 5.2.3 Take action in the face of climate change.
- 5.2.4 Create great public spaces.
- 5.2.5 Support innovation.
- 5.2.6 Protect land, water, and air.

6.o **Application Chronology**

Date of Application Accepted: December 23, 2021  
 Date Public Consultation Completed: May 30, 2022

**Report prepared by:** Trisa Atwood, 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:**

- Attachment A: Map “A” Portion of Subject Property
- Attachment B: Proposed CD28 – University of British Columbia Downtown Campus Zone
- Attachment C: Proposed Site Plan and Rendering
- Attachment D: Public Consultation Summary