

REPORT TO COUNCIL



Date: July 12, 2022

To: Council

From: City Manager

Department: Development Planning

Application: DP21-0098 / DVP21-0099

Owner: Linguo Zhang

Address: 2590 Richter Street

Applicant: Calgreen Homes

Subject: Development Permit and Development Variance Permit Application

Existing OCP Designation: C-NHD – Core Area Neighbourhood

Existing Zone: RM₃ – Low Density Multiple Housing

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 12282 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP21-0098 for Lot 28 District Lot 14 ODYD Plan 3249, located at 2590 Richter Street, 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 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 landscaping, as determined by a Registered Landscape Architect;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0099 for Lot 28 District Lot 14 ODYD Plan 3249, located at 1290 Richter Street, Kelowna, BC;

AND THAT variances to the following section of the Zoning Bylaw No. 8000 be granted:

Section 8.2.2 – Off-Street Parking Regulations – Parking Setbacks:

To vary the required side yard and rear yard parking setback from 1.5 m required to 0.0 m proposed.

Section 13.9.6(f) – RM₃ – Low Density Multiple Housing Development Regulations:

To vary the rear yard setback from 7.5 m required to 5.08 m proposed.

AND FURTHER THAT this Development Permit and Development Variance Permit are 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 a new 5-unit multi-family development and to issue a Development Variance Permit to vary the rear yard setback and the required rear yard and side yard parking setbacks.

3.0 Development Planning

Staff support the proposed development and the associated variances to the rear yard setback and parking setbacks due to the proposal's consistency with the Official Community Plan's (OCP) Urban Design Guidelines. The subject property has the Future Land Use Designation of Core Area Neighbourhood, and the proposed five plex has been designed in a sensitive manner and provides a gentle increase in density along Richter Street. The form and character of the proposed building is strong and meets the majority of the Form & Character Development Permit Guidelines.

The proposal includes two variances: one to the rear yard setback and the second to on-site parking setbacks. Staff believe the building has been designed to be sensitive to the neighbourhood, and the building has been oriented towards Richter St. This serves to provide vehicle access from the north laneway, which limits the impact to the neighbouring properties. The balcony and windows have been oriented towards the fronting street and laneway. A 3.0 m landscape buffer including several shade trees are proposed adjacent to the property line. The parking setback variances is off the laneway, and the applicant has included a screen from the neighbouring property. Allowing parking directly accessed from the lane, has created an opportunity to include additional private open space and landscaping in the rear of the property. Overall, Staff are supportive of the proposed Development Permit and Development Variance Permit, and believe it is a sensitive increase in density along a Transit Supportive Corridor.

4.0 Proposal

4.1 Project Description

The Development Permit and Development Variance Permit Applications propose five new residential dwelling units. The five units will be contained within the same building. Two of the units will have direct ground-oriented access to Richter Street. The other three units will be accessed through a walkway. The proposed units are 8.92m in height and will all have rooftop patios, which will allow them to meet the required private open space. The proposal includes several materials including dark grey and white stucco, wood textured metal board, concrete and cultured stone. The applicant has submitted a Landscape Plan (Schedule C), which shows four large maple trees on the south and west property lines, which will help with privacy and buffering. The plan also includes shrubs, hedges, perennials, and grasses throughout the site.

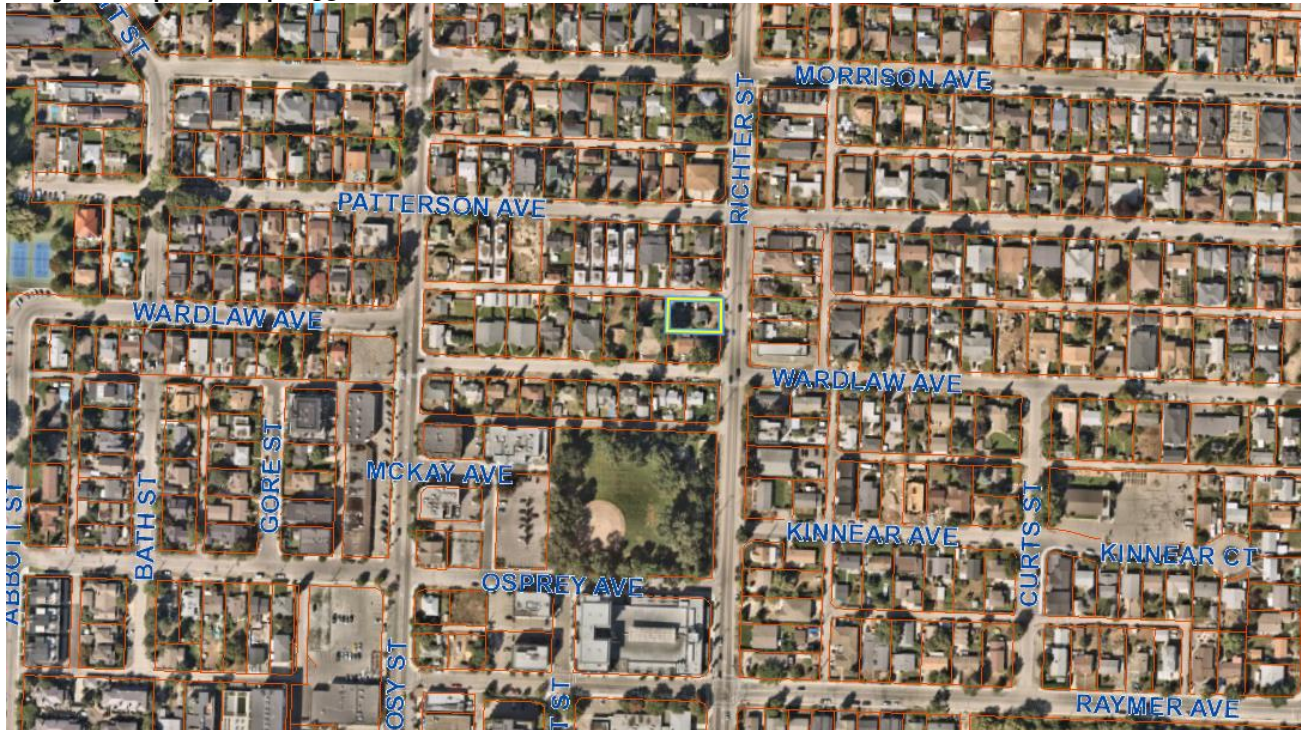
4.2 Site Context

The subject property is located in the Central City OCP Sector, and the surrounding area is primarily zoned RU6 – Two Dwelling Housing and RM1 – Four Dwelling Housing. The surrounding area also has the Future Land Use Designation of C-NHD – Core Area Neighbourhood.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Single-Family Dwellings(s)
East	RU6 – Two Dwelling Housing	Single-Family Dwelling
South	RU6 – Two Dwelling Housing	Semi-Detached Housing
West	RM1 – Four Dwelling Housing	Fourplex Housing

Subject Property Map: 2590 Richter Street



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM3 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	900m ²	749m ²
Min. Lot Width	21.34m	30.0m
Min. Lot Depth	35.1m	30.0m
Development Regulations		
Max. Floor Area Ratio	0.8	0.796
Max. Site Coverage (buildings)	50%	43%
Max. Site Coverage (buildings, parking, driveways)	65%	64%
Max. Height	10.0m	8.92m
Min. Front Yard	1.5m	3.78m
Min. Side Yard (south)	4.0m	4.0m
Min. Side Yard (north)	1.2m	2.69m
Min. Rear Yard	7.5m	5.08m ❶

Other Regulations		
Min. Parking Requirements	10	10
Min. Bicycle Parking	4	5
Min. Parking Setback – Side Yard	1.5m	0.0m ^①
Min. Parking Setback – Rear Yard	1.5m	0.0m ^②
<p>① Indicates a requested variance to Section 13.9.6f – RM3 – Low Density Multiple Housing Development Regulations</p> <p>② Indicates a requested variance to Section 8.2.2 – Off-Street Parking Regulations</p>		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 5.3 Design residential infill to be sensitive to neighbourhood context.	
Policy 5.3.1 Ground Oriented Infill	Encourage gentle densification in the form of ground-oriented residential uses such as house-plexes, townhouses, and narrow lot housing to approximately 2 storeys, maintaining residential uses and setbacks that reflect the existing development pattern. Consider opportunities for greater height and massing at block ends and along Active Transportation Corridors.
	<i>The proposal includes ground-oriented housing along Richter Street and is a subtle and gentle increase in densification.</i>

6.0 Application Chronology

Date of Application Accepted: April 28, 2021

Date Public Consultation Completed: July 12, 2021

Report prepared by: Tyler Caswell, Planner

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 DP21-0098 / DVP21-0099

Schedule A: Site Plan

Schedule B: Elevation Drawings

Schedule C: Landscape Plan

Attachment B: Form & Character Development Permit Guidelines (Townhouses + Apartment)