

REPORT TO COUNCIL



Date: August 9, 2022

To: Council

From: City Manager

Department: Development Planning

Application: DP21-0190 & DVP21-0191 **Owner:** Innascore Developments Inc.,
Inc.No. BC1161787

Address: 640 Wardlaw Ave **Applicant:** Innascore Developments Inc

Subject: Development Permit and Development Variance Permit

Existing OCP Designation: C-NHD – Core Area Neighbourhood

Existing Zone: RM₃ – Low Density Multiple Housing

1.0 Recommendation

THAT Rezoning Bylaw No. 12345 be amended at third reading to revise the legal description of the subject property from Lot 26 District Lot 14 ODYD Plan 3249 to Lot A District Lot 14 ODYD Plan EPP119942;

AND THAT final adoption of Rezoning Bylaw No. 12345 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP21-0190 for Lot A District Lot 14 ODYD Plan EPP119942, located at 640 Wardlaw Ave, 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 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 variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 8.2.3: Parking and Loading

To vary the required minimum 1.5m setback from rear property line.

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

To vary the required minimum side yard from 4.0 m permitted to 2.48 m proposed.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and Development Variance Permit Application in order for the permits to be issued;

AND FURTHER THAT this Development Permit and Development Variance 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 and Development Variance Permit for the form and character of a Multiple Dwelling Housing with variances to the side yard setback and rear yard parking setback.

3.0 Development Planning

Staff are supportive of the Development Permit and associated variances for the form and character of the 9-unit multiple dwelling housing project. 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 worked with the applicant to create a design that provided an interactive streetscape, human scale design and visually prominent and recognizable entrances.

The subject property is located directly north of the Pandosy Urban Centre on Wardlaw Ave between Pandosy Street and Richter Street. Both streets are designated as Transit Supportive Corridors (TSC). As this project is located midblock, the height and massing provides an appropriate transition from the TSC to the adjacent properties.

The location of the site is highly walkable and in close proximity to the Pandosy Urban Centre as well as several parks. The subject property is two blocks East of Kinsmen Park and the Abbott Street Active Transportation Corridor. Additional density in this area is supported by the local amenities including nearby parks, Okanagan Lake, transit, restaurants and shopping opportunities in the area. In recent years, the area has seen much redevelopment which includes a mix of commercial and mixed-use residential buildings.

4.0 Proposal

4.1 Project Description

The applicant is proposing to construct a 3-storey 9-unit condo building on the subject property. The unit mix includes:

- five 1-bedroom and
- four 2-bedroom units.

One ground orientated unit fronts onto Wardlaw Avenue. The remaining eight units are accessed primarily from a shared common entry through the parkade. The main entrance to the building from the street, and for visitors, is located along the West elevation of the apartment. All vehicle access for the site is from the laneway which leads into a covered parking area.

Each unit has a patio, which meets the Zoning Bylaw requirements for private open space. The site provides a dog run, multiple benches and generous landscaping with over a dozen trees planted throughout site to encourage both passive and active recreation.

Form and Character

The building form proposes a flat-roof modern design with articulation and varied material textures to add visual interest. The building uses a variety of material types with a combination of composite hardi-panel, metal panel siding and wood panelling to break up the massing along the front.

Variances

The project proposes two variances. The first is to reduce the side yard setback for a portion of the building along the East property line from the required 4.0m down to 2.48m. The portion projecting into the setback is an exit stairwell and will not have negative impacts as the building itself is outside of the setback.

The second variance is for the parking stalls directly abutting the lane. The parking regulations require parking stalls be located a minimum 1.5m from side and rear property lines to coincide with required landscape buffers. However, landscape buffers are not required between buildings and public laneways, therefore the applicant is proposing parking along the lane. This is common for projects within the City’s urban centres and for industrial sites where buildings are often situated adjacent to the property line.

4.2 Site Context

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 – Two Dwelling Housing	Two Dwelling Housing
East	RM1 – Four Dwelling Housing	Four Dwelling Housing
South	RU6 – Two Dwelling Housing	Single Family Dwelling
West	RM1 – Four Dwelling Housing	Two Dwelling Housing

Subject Property Map: 640 Wardlaw Ave



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM ₃ ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Max. Floor Area Ratio	0.8	0.8
Max. Site Coverage (buildings)	50%	50%
Max. Height	10.m	10.0m
Min. Front Yard	1.5m	1.5m
Min. Side Yard (West)	4.0m	4.0m
Min. Side Yard (East)	4.0m	2.48m
Min. Rear Yard	3.0m	6.0m
Other Regulations		
Min. Parking Requirements	10	10
Min. Bicycle Parking	11	11
Min. Private Open Space	160m ²	184m ²
Parking Rear Yard Setback	1.5	2.0m
<p>● Indicates a requested variance to Zoning Bylaw Section 13.9.6 (e)</p> <p>● Indicates a requested variance to Zoning Bylaw Section 8.2.3</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 5.3.2 Transition from Transit Supportive Corridors	<p>Transition from Transit Supportive Corridors. Provide a transition area allowing for 3- 4 storeys in height, as outlined in Figure 5.3, serving as a transition from the medium density development along the Transit Supportive Corridors and lower density residential areas in the Core Area. Encourage ground-oriented residential such as stacked townhouses and bungalow courts with setbacks that respect adjacent lower density residential areas. Discourage commercial uses in the transition zone.</p> <p><i>This proposal is located midblock between two Transit Supportive Corridors being Pandosy Street and Richter Street. This location is appropriate to transition down to three stories from those higher density corridors.</i></p>	
Policy 5.3.3 Strategic Density	<p>Where a proposed development in Core Area Neighbourhoods is not adjacent to a Transit Supportive Corridor, consider support for stacked rowhousing and low rise apartment and mixed use buildings, under the following circumstances: The project proposal includes an affordable and/or rental housing component</p> <p><i>The proposal includes 10 rental units.</i></p>	

6.0 Application Chronology

Date of Application Accepted: August 4, 2021

Date Public Consultation Completed: March 10, 2022

Report prepared by: Jason Issler, Planner I

Reviewed by: Dean Strachan, Community Planning & Development 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 and Development Variance Permit DP21-0190 DVP21-0191

Schedule A: Site Plan and Floorplan

Schedule B: Building Elevations

Schedule C: Landscape Plan

Attachment B: OCP Form and Character Development Permit Guidelines

Attachment C: Project Renderings

Attachment D: Letter of Rational