

REPORT TO COUNCIL



Date: Aug 8th, 2022

To: Council

From: City Manager

Department: Development Planning

Application: DP22-0137 **Owner:** The Wedge Enterprises Inc.,
Inc.No. BC1238448

Address: 1659 Water St **Applicant:** Matthew Isabelle

Subject: Development Permit & Development Variance Permit

Existing OCP Designation: UC – Urban Centre

Existing Zone: C7 – Central Business Commercial

1.0 Recommendation

That Council authorizes the issuance of Development Permit No. DP22-0137 for Lot 12 Block 6 District Lot 139 ODYD Plan 462 Except Plan KAP82841, located at 1659 Water 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 the building to be constructed on the land be in accordance with Schedule "B";

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.

Purpose

To issue a Development Permit for the form and character of a two storey commercial development.

2.0 Development Planning

Staff are recommending support for the proposed Development Permit for the commercial development. The proposal generally complies with the Official Community Plan (OCP) Policies with respect to the Downtown Urban Centre by the intensification of an under-utilized small parcel within the Downtown Urban

Centre. The proposal is consistent with Downtown Street Character OCP mapping and is within the maximum Downtown Urban Centre building heights OCP mapping.

The proposal requires two parking stalls based on the amount of commercial gross floor area. The applicant is proposing to provide cash-in-lieu of parking. Staff are recommending support for this project not providing any parking onsite as the commercial format lends itself to a restaurant as the likely tenant. A restaurant would serve the downtown patrons and future residents from adjacent developments well. Further, the scale of cash-in-lieu of parking is small.

The proposal generally conforms to the OCP Form and Character Development Permit Area Design Guidelines for commercial buildings. Key guidelines it meets include:

- Orienting building facades to both fronting streets on corner sites to create active frontages;
- Creating continuous active and transparent retail frontages at grade;

3.0 Proposal

3.1 Background

The owner previously submitted a development application for a six storey office building with commercial at-grade. That proposal had a number of variances:

- Three variances to building setbacks above the 16 metre mark;
- A variance to the minimum percentage of ground floor commercial frontage;
- A variance to reduce the amount of short-term bicycle parking spaces; and
- A variance to reduce the number of parking stalls from 10 stalls to 3 stalls.

The proposal went through a few iterations and ultimately the applicant was proposing to provide three cash-in-lieu parking stalls to the City and arrange for office parking in the downtown parkades. That Development Permit and Development Variance Permit was approved by Council on June 2nd, 2020. Those permits expired on June 2nd, 2022.

3.2 Project Description

Since the original permits have expired, the applicant has re-designed the project and is re-applying for a different development proposal. This proposal is for a 2 storey commercial building totaling 227.6 m² of gross floor area with a rooftop patio. There are no variances proposed with this development proposal. However, there is no on-site parking proposed. The Zoning Bylaw requires two off-street parking stalls. The applicant is committed to providing cash-in-lieu for the two parking stalls in accordance with the Payment in Lieu of Parking Bylaw No. 8125. According to the Payment in Lieu of Parking Bylaw No. 8125 the approximate value of a downtown parking stall is \$33,000 per stall. Thus, the applicant would be providing approximately \$66,000 to the City.

The building's façade consists of horizontal siding with periodic vertical brick features. The ground floor contains overhead doors facing Water Street with the main entrance at the corner of Water Street and Leon Avenue. The ground floor materials are primarily anodized aluminum windows with a metal canopy providing pedestrian weather protection. The roof is designed as a patio with glass railings along the perimeter.

3.3 Site Context

Subject Property Map: 1659 Water St.



3.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	n/a	226.4 m ²
Development Regulations		
Max. Floor Area Ratio	9.0	1.0
Max. Site Coverage (buildings)	100%	80%
Max. Height	76.5 m	11.5 m / 2 storeys
Min. Front Yard	0.0 m	0.15 m
Min. Side Yard (west)	0.0 m	0.15 m
Min. Side Yard (east)	0.0 m	0.0 m
Min. Rear Yard	0.0 m	5.79 m
Other Regulations		
Min. Parking Requirements	2 stalls	0 stalls ●
Min. Bicycle Parking	2 short term bicycle stalls	3 short term bicycle stalls

● Indicates the applicant will provide a payment-in-lieu of providing two parking stalls.

4.0 Current Development Policies

<u>Objective 6.2 Boutique Retail</u>	
Overview	Boutique retail developments are often designed for convenient access by motorists with large areas of surface parking separating building entries from public sidewalks. They present many opportunities for improving design and functionality to become more pedestrian oriented.
Policy 6.2.1 Relationship to the Street	a. Buildings on a corner parcel should orient frontages towards both streets if possible and include distinct architectural features, such as: » Special or decorative canopies; » Bay windows, balconies, turrets, or articulated roof line features; or » A corner entrance. b. Avoid blank walls adjacent to the highway, streets, lanes, walkways, parks, or other amenity spaces.
Policy 6.2.4 Building Articulation, Features, and Material	Create transparent retail frontages with visual access to the interior of retail stores, and avoid the use of: » Materials such as black out advertising panels; » Dark and/or reflective glass

5.0 Application Chronology

Date of Application Received: June 27th, 2022

Report prepared by: Adam Cseke, Planner Specialist
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 DP22-0137

Schedule A: Site Plan and Floor Plans

Schedule B: Elevations

Attachment B: Form and Character Development Permit Guidelines Checklist