

REPORT TO COUNCIL DEVELOPMENT PERMIT



Date: August 14, 2023
To: Council
From: City Manager
Address: 540 Dougall Rd N
File No.: DP23-0028
Zone: UC4r – Rutland Urban Centre Rental Only

1.0 Recommendation

THAT Rezoning Bylaw No. 12530 be amended at third reading to revise the legal description of the subject properties from Lot A Section 26 Township 26 ODYD Plan 17758, Lot B Section 26 Township 26 ODYD Plan 17758, Lot 19 Section 26 Township 26 ODYD Plan 3476 Except Plan A12943, and Lot A Section 26 Township 26 ODYD Plan KAP80294 to Lot 1 Section 26 Township 26 ODYD Plan EPP128625;

AND THAT final adoption of Rezoning Bylaw No. 12530 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP23-0028 for Lot 1 Section 26 Township 26 ODYD Plan EPP128625, located at 540 Dougall Rd N, 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 amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;
5. The applicant be required to make payment into the Public Amenity & Streetscape Capital Reserve Fund as established by Bylaw No. 12386 in accordance with Table 6.8.a in Zoning Bylaw No. 12375;

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.

2.0 Purpose

To issue a Development Permit for the form and character of apartment housing.

3.0 Development Planning

Staff support the proposed Development Permit for the form and character of a 124-unit apartment housing development. The proposal generally conforms to the Official Community Plan (OCP) Form and Character Development Permit Design Guidelines for Low & Mid-Rise Residential Development. Key guidelines that are met include:

- On corner sites, orienting building facades to both fronting streets to create street edge definition and activity and avoiding blank walls at-grade;
- Locating off-street parking, garbage collection, utilities, and parking access away from public view, with primarily underground parking;
- Incorporating a range of architectural features and details into building facades to create visual interest, and breaking up the building with an integrated, consistent range of materials and colours that provide variety;
- Providing ground-oriented units with individual entrances to the fronting street with semi-private entry zones to allow for entryways and patios.

Common amenity spaces include an outdoor patio area at-grade, a fifth floor deck, and a rooftop amenity deck including barbecues, firepits, play areas, and outdoor dining area.

The building is stepped down to five storeys to the south in order to meet the Zoning Bylaw regulations for upper floor setbacks and to provide a more sensitive transition to the adjacent residential lot.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is located at the intersection of Leathead Rd and Dougall Rd N at the northern boundary of the Rutland Urban Centre. The properties to the north are designated Core Area Neighbourhood and are used for religious assembly. Properties to the east, west, and south are designated as Urban Centre. There are public transit stops within 100 m of the subject property on Leathead Road.

5.0 Zoning Bylaw Regulations Summary

AREA & UNIT STATISTICS	
Gross Lot Area	2970 m ²
Total Number of Units	124
Bachelor	11
1-bed	90
2-bed	23

DEVELOPMENT REGULATIONS		
CRITERIA	UC _{4r} ZONE	PROPOSAL
Total Maximum Floor Area Ratio	2.4	2.35
Base FAR	1.6	1.6
Bonus FAR	0.8	0.75
Max. Site Coverage (buildings)	85%	50.4%
Max. Site Coverage (buildings, parking, driveways)	90%	82.2%
Max. Height	6 storeys & 26.0 m	6 storeys & 21.4 m
Base Height	4 storeys & 18.0 m	4 storeys & 18.0 m
Bonus Height	2 storeys & 8.0 m	2 storeys & 3.4 m
Setbacks		
Min. Front Yard (north)	3.0 m	3.0 m
Min. Flanking Side Yard (east)	3.0 m	3.0 m
Min. Side Yard (west)	0.0 m	~ 4.76 m
Min. Rear Yard (south)	0.0 m	~1.48 m
Upper Floor Setbacks (above 16.0 m in height)		
Min. Front Yard (north)	3.0 m	3.0 m
Min. Flanking Side Yard (east)	3.0 m	3.0 m
Min. Side Yard (west)	n/a	n/a
Min. Rear Yard (south)	4.0 m	4.0 m
Amenity Space		
Total Required Amenity Space	2007.5 m²	2018.16 m²
Common	496 m ²	1315.39 m ²
Private		702.77 m ²
Landscaping		
Min. Number of Trees	12 trees	17 trees
Min. Large Trees	6 trees	6 trees

PARKING REGULATIONS		
CRITERIA	UC _{4r} ZONE REQUIREMENTS	PROPOSAL
Total Required Vehicle Parking	104 stalls	104 stalls*
Residential	112.8	
Visitor	17.36	
"r" Subzone Reduction	-26.032	
Ratio of Regular to Small Stalls	Min. 50% Regular Max. 50% Small	54.6% Regular 45.4% Small
Bicycle Stalls Short-Term	6 stalls	12 stalls

Bicycle Stalls Long-Term	93 stalls	93 stalls
Bonus Stalls Provided for Parking Reduction	n	n
Bike Wash & Repair	y	y
*A cash-in-lieu payment is being made for 5 parking stalls.		

6.o Application Chronology

Application Accepted: February 15, 2023
 Adoption of Zone Amending Bylaw: August 14, 2023

Report prepared by: Mark Tanner, Planner II
Reviewed by: Jocelyn Black, 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 DP23-0028
 - Schedule A: Site Plan & Floor Plans
 - Schedule B: Elevations & Sections
 - Schedule C: Landscape Plan
- Attachment B: OCP Form and Character Development Permit Guidelines
- Attachment C: Renderings

For additional information, please visit our Current Developments online at www.kelowna.ca/currentdevelopments.