

# REPORT TO COUNCIL DEVELOPMENT PERMIT & DEVELOPMENT VARIANCE PERMIT



**Date:** September 12, 2023  
**To:** Council  
**From:** City Manager  
**Address:** 802 – 812 Saucier Ave  
**File No.:** DP22-0035 & DVP22-0036  
**Zone:** MF3r – Apartment Housing Rental Only

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## 1.0 Recommendation

THAT Rezoning Bylaw No. 12436 be amended at third reading to revise the legal descriptions of the subject properties from:

- LOT 5 BLOCK 1 DL 138 ODYD PLAN 7117, located at 801 Harvey Ave, Kelowna, BC;
- LOT 6 BLOCK 1 DL 138 ODYD PLAN 7117, located at 809 Harvey Ave, Kelowna, BC;
- LOT 7 BLOCK 1 DL 138 ODYD PLAN 7117, located at 819 Harvey Ave, Kelowna, BC;
- LOT 8 BLOCK 1 DL 138 ODYD PLAN 7117, located at 831 Harvey Ave, Kelowna, BC;
- LOT 20 BLOCK 1 DL 138 ODYD PLAN 7117, located at 802 Saucier Ave, Kelowna, BC;
- LOT 19 BLOCK 1 DL 138 ODYD PLAN 7117, located at 812 Saucier Ave, Kelowna, BC;

to:

- LOT A DL 138 ODYD PLAN EPP127793, located at 802-812 Saucier Ave, Kelowna, BC;

AND THAT final adoption of Rezoning Bylaw No. 12436 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP22-0035 and Development Variance Permit No. DVP22-0036 for LOT A DL 138 ODYD PLAN EPP127793, located at 802-812 Saucier 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 amount of 125% of the estimated value of the Landscape Plan, as determined by a Registered Landscape Architect;

AND THAT variances to the following sections of Zoning Bylaw No. 12375 be granted as shown on Schedule "A" and Schedule "B":

### **Section 13.5: MF3, Development Regulations**

To vary the required maximum site coverage of all buildings from 65% required to 66% proposed.

### **Section 13.5: MF3, Development Regulations**

To vary the minimum building setback from front yard on Saucier Ave from 3.0 m required to 2.1 m proposed (at Level 2).

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 for the form and character of rental only apartment housing with variances to site coverage and building step-back.

#### **3.0 Development Planning**

Development Planning Staff recommend support for the Development Permit and associated variances for the proposed 6-storey rental apartment building that double fronts Harvey Ave and Saucier Ave. The project adequately meets the majority of the Official Community Plan Chapter 18 Design Guidelines for Low-Rise Residential. Several of the guidelines that are met well include:

- *2.1.5.f. Use landscaping materials that soften development and enhance the public realm;*
- *2.1.5.a. Express a unified architectural concept that incorporates variation in façade treatments;*
- *2.1.6.b. b. Incorporate a range of architectural features and details into building facades to create visual interest, especially when approached by pedestrians;*
- *4.1.1.l. Incorporate individual entrances to ground floor units accessible from the fronting street (Saucier Ave);*

One guideline that is not met well is:

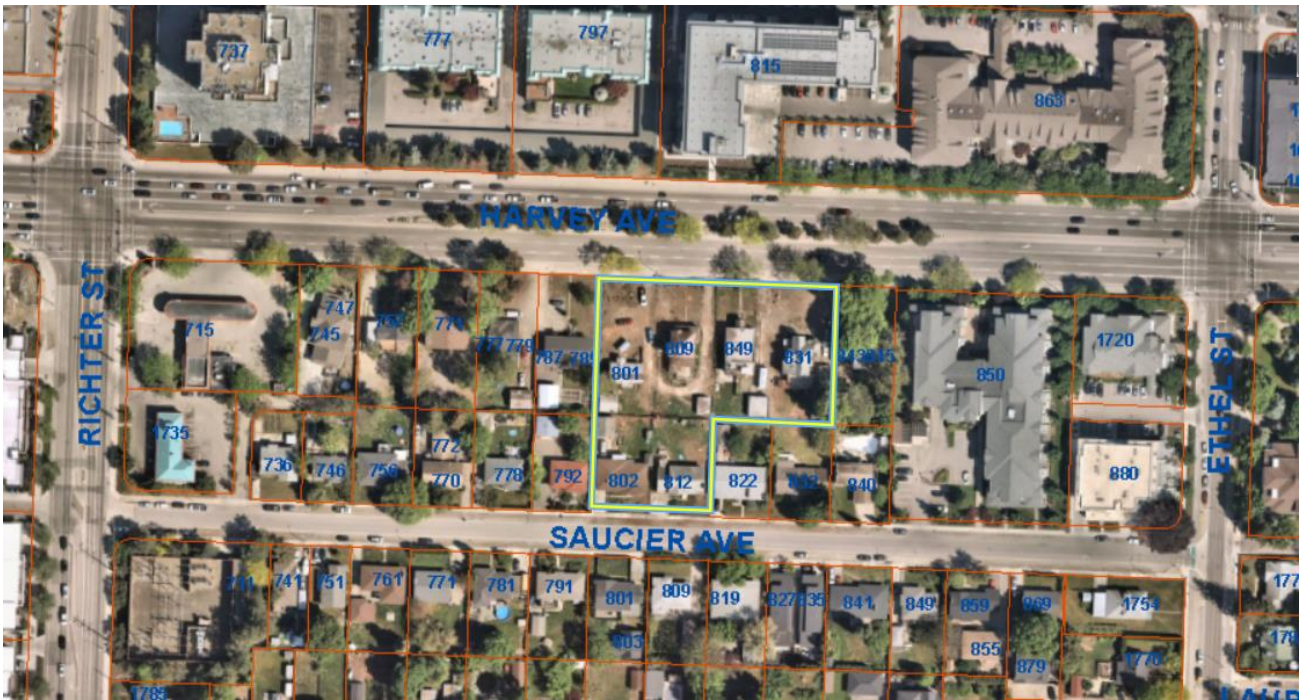
- *2.1.4.d. In general accommodate off-street parking a) underground, b) in a half-storey that does not negatively impact the street frontage, c) in a garage or at-grade parking at the rear of the building, or d) surface parking at the rear.*

The proposed project is double fronting onto both Harvey Ave and Saucier Ave. Harvey Ave is a vehicle oriented highway that creates noise, dust, and nuisance for residential uses. For that reason, the proposed project focuses the main residential lobby and at-grade townhomes along Saucier Ave. Above grade parking levels along Harvey Ave are considered an inactive use that does not contribute to natural surveillance. However, the parking levels have been wrapped with a visually interesting architectural treatment and the material is continued around the project in key locations to provide a unified architectural concept. Further, the applicants have proposed a double row of trees on-site along Harvey Ave to soften the development and enhance the public realm.

The project requires a variance to site coverage from 65% required to 66% proposed which is determined to have negligible impact on the site or stormwater management. The project requires a second variance to building step-back along Saucier Ave from 3.0 m required to 2.1 m proposed at Level 2. The purpose of the building step-back is to have the upper floors of the building stepped back from the lower floors in order to reduce massing when approaching and interacting with the building at the pedestrian level. Due to the relatively narrow street frontage along Saucier Ave, the reduced step-back is determined to have minimal impact to the public realm in terms of massing or shadows.

## Subject Property & Background

### 3.1 Subject Property Map



The subject property is located along a Transit Supportive Corridor (Harvey Ave), and has easy access to dedicated cycling infrastructure on Ethel St. It is in close proximity to both Downtown and the Capri-Landmark Urban Centre which offer employment options, community services, grocers, and parks and recreation. This is a suitable location for a rental only project.

### 3.2 Background

The subject property is a consolidated property of six single and two dwelling housing lots, and the homes have been demolished in preparation for redevelopment.

### 4.0 Zoning Bylaw Regulations Summary

AREA & UNIT STATISTICS	
Gross Lot Area	5,804 m <sup>2</sup>
<b>Total Number of Units</b>	<b>171</b>
Bachelor	14
1-bed	12
2-bed	128
3-bed	14
Townhome	3

DEVELOPMENT REGULATIONS		
CRITERIA	MF3r ZONE	PROPOSAL
<b>Total Maximum Floor Area Ratio</b>	<b>2.1</b>	<b>2.0</b>
Base FAR	1.8	1.8
"r" Rental Bonus FAR	0.3	0.3
Max. Site Coverage (buildings)	65%	66%❶
Max. Site Coverage (buildings, parking, driveways)	85%	81%
<b>Max. Height</b>	<b>22.0 m / 6 storeys</b>	<b>21.26 / 6 storeys</b>
<b>Setbacks</b>		
Min. Front Yard (Harvey Ave)	4.5 m	6.0 m
Min. Side Yard (east)	3.0 m	4.5 m
Min. Side Yard (west)	3.0 m	4.5 m
Min. Front Yard (Saucier Ave)	3.0 m	4.66 m to building face
<b>Step backs</b>		
Min. Fronting Street (Harvey Ave)	3.0 m	3.8 m
Min. Fronting Street (Saucier Ave)	3.0 m	2.1 m❷
<b>Amenity Space</b>		
<b>Total Required Amenity Space</b>	<b>3,910.0 m<sup>2</sup></b>	<b>1,962.4 m<sup>2</sup></b>
Common	684.0 m <sup>2</sup>	1,962.4 m <sup>2</sup>
<b>Landscaping</b>		
Min. Number of Trees	13 trees	42 trees
Min. Large Trees	7 trees	27 trees
❶ Indicates a requested variance to maximum site coverage of buildings from 65% required to 66% proposed.		
❷ Indicates a requested variance to minimum fronting street (Saucier Ave) step-back from 3.0 m required to 2.1 m proposed (at Level 2).		

PARKING REGULATIONS		
CRITERIA	MF3r ZONE REQUIREMENTS	PROPOSAL
<b>Total Required Vehicle Parking</b>	<b>192 stalls</b>	<b>192 stalls</b>
Residential	189	170
Visitor	24	22
"r" Subzone Reduction	-21	
Ratio of Regular to Small Stalls	Min. 50% Regular Max. 50% Small	56% Regular 44% Small
Bicycle Stalls Short-Term	6 stalls	6 stalls
Bicycle Stalls Long-Term	133 stalls	140 stalls
Bike Wash & Repair	Y	Y

**5.0 Application Chronology**

Application Accepted: February 7, 2022  
 Public Information Session: June 1, 2022  
 3<sup>rd</sup> Reading of Zone Amending Bylaw: November 28, 2022

**Report prepared by:** Trisa Atwood, Planner Specialist  
**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 & Development Variance Permit DP22-0035 & DVP22-0036

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: Applicant Design Rationale

For additional information, please visit our Current Developments online at [www.kelowna.ca/currentdevelopments](http://www.kelowna.ca/currentdevelopments).