

REPORT TO COUNCIL DEVELOPMENT PERMIT & DEVELOPMENT VARIANCE PERMIT



Date: November 28, 2023
To: Council
From: City Manager
Address: 1885 High Road, 810 Glenmore Drive, and Adjacent Portion of Road
File No.: DP21-0132 / DVP21-0133
Zone: MF3r – Apartment Housing Rental Only

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 12522 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP21-0132 and Development Variance Permit No. DVP21-0133 for Lot A Section 29 Township 26 ODYD Plan KAP58828, Lot 2 Section 29 Township 26 ODYD Plan 4101 and THAT PART OF ROAD DEDICATED ON PLAN 896 SECTION 29 TOWNSHIP 26 ODYD, SHOWN AS ROAD TO BE CLOSED ON PLAN EPP128151 located at, and adjacent to, 1885 High Road and 810 Glenmore Drive, 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 to 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 Council authorizes the variances to the following sections of Zoning Bylaw No. 12375 be granted:

Table 7.2: MF3 – Tree & Landscaping Planting Requirements

To vary the minimum growing medium area from 75% soil based landscaping required to 65% soil based landscaping proposed.

Section 7.2.3(a): Site Layout, Landscaping Standards

To vary a driveway within a landscape area from being permitted to cross the landscape area to being permitted to reduce a portion of the landscape area on the southern property line.

Section 13.5: MF3 – Development Regulations

To vary the minimum building setback from 3.0m required to 0.6m proposed.

AND THAT lot consolidation be completed prior to the issuance of the Development Permit and Development Variance Permit;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit and Development Variance Permit Applications 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 apartment housing and a Development Variance Permit to vary the building setback, minimum growing medium area and the location of a driveway within landscape area regulation.

3.0 Development Planning

Staff support the proposed Development Permit for the form and character of apartment housing. The proposed project generally aligns with Official Community Plan (OCP) Form and Character Design Guidelines for Low & Mid-Rise Residential Development. Key guidelines that are met include:

- Providing a lobby and main entrance that are clearly visible from the fronting street;
- Setting the building back 3.0m to allow a semi-private entrance to individual units at ground-level;
- Onsite surface parking is located behind the building, away from public view and screened with landscaping;
- A range of high-quality materials and designs that feature wood textured siding, brick and a mixture of stucco and metal panels;
- High-quality outdoor amenity space including a landscaped amenity deck on the roof of the building.

Materials that are proposed include wood textured siding, light grey siding, light grey stucco, brick, and deep grey metal panels. Common amenity spaces include an outdoor picnic area, an outdoor turf amenity space and a large rooftop amenity space. Two publicly accessible Modo car share vehicles will be accommodated at the rear surface parking lot.

A variance is being proposed to the minimum growing medium area from 75% required to 65% proposed. The property is flanked by two streets (Glenmore Drive and Lowland Street) and has a rear laneway that runs through the property. This has created a unique situation where landscape areas are required on all four sides of the subject property. This has led to additional paved areas being required to be placed within the landscape area, and less soil-based landscaping being able to be achieved. To help the long-term survival of the proposed trees, a continuous laterally connected trench of growing medium has been included on all sides and soil cells have also been provided under all paved areas that cross the landscape area. The Landscape Architect has provided an additional rationale letter (Attachment C), which further enforces that there should be no impact to the survival of the trees.

A variance is being proposed to allow the driveway to reduce a portion of the required landscape area on the southern property line. The subject property includes a portion of City land that has been purchased by the owner. A condition of the purchase of this land is to close the portion of the southern laneway that accesses Glenmore Drive and to provide a Statutory Right of Way (SRW) through the property. The SRW will grant the bordering properties access to the front of their properties from Lowland Street. The closure of this laneway onto Glenmore Drive, helps complete the City's goal of closing direct access onto Major Arterial roads. The Zoning Bylaw allows driveways to cross landscape areas, but it does not allow driveways to traverse over a long portion of the property. Given the unique shape of the property, and the requirement for an SRW to be located through the site, Staff support the proposed variance.

A variance is proposed to reduce the required setback for portions of the front of the building from 3.0 m to 0.6 m. A portion of the front of the building does meet the required setback. While the required setback is reduced, a setback is still provided, and the façade is well articulated in compliance with OCP Design Guidelines.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is located on the corner of Glenmore Drive, High Road, and Lowland Street. Glenmore Drive is designated as a Transit Supportive Corridor and there are three transit stops located within 200 m of the subject property. The surrounding area has a mix of single dwelling housing, multi-family, commercial and Kelowna Golf & Country Club is located across Glenmore Drive from the property. Golfview Park is located within 200m of the subject property.

5.0 Zoning Bylaw Regulations Summary

AREA & UNIT STATISTICS		
Gross Lot Area		2,656.4 m ²
Total Number of Units		50
Bachelor		12
1-bed		21
2-bed		13
3-bed		4
DEVELOPMENT REGULATIONS		
CRITERIA	MF ₃ ZONE	PROPOSAL
Total Maximum Floor Area Ratio	2.1	1.26
Max. Site Coverage (buildings)	65%	47%
Max. Site Coverage (buildings, parking, driveways)	85%	75%
Max. Height	22.0 m	17.7 m
Stores	6	5

Setbacks		
Min. Front Yard – 1 st Storey (High Road)	2.0 m	2.0 m
Min. Front Yard – 2 nd – 5 th storeys (High Road)	4.5 m	5.99 m
Min. Flanking Side Yard – 1 st Storey (Glenmore Drive)	2.0 m	2.0 m
Min. Flanking Side Yard – 2 nd – 5 th Storey (Glenmore Drive)	4.5 m	4.53 m
Min. Flanking Side Yard – 1 st Storey (Lowland Street)	2.0 m	2.0 m
Min. Flanking Side Yard – 2 nd – 5 th Storey (Lowland Street)	4.5 m	6.85 m
Min. Rear Yard (South)	4.5 m	5.27 m
Step backs		
Min. Fronting Street (High Road)	3.0 m	0.60 m ¹
Amenity Space		
Total Required Amenity Space	830 m²	839.8 m²
Common	200 m ²	370 m ²
Private	n/a	469.8 m ²
Landscaping		
Min. Number of Trees	18 trees	18 trees
Min. Large Trees	9 trees	13 trees
Min. Growing Medium Area	75% soil based landscaping	65% soil-based landscaping ²
¹ Indicates a requested variance to minimum building setback in Section 13.5. ² Indicates a requested variance to the minimum growing medium area in Table 7.2.		
PARKING REGULATIONS		
CRITERIA	MF₃ ZONE REQUIREMENTS	PROPOSAL
Total Required Vehicle Parking	52 stalls	38 stalls
Rental Reduction (10%)	-5	
Bike Parking Incentive	-5	
Car Share Reduction	-10	
Total Resident Parking	32 stalls	32 stalls
Visitor	7 stalls	
Visitor Stall (rental reduction)	-1	6 stalls
Ratio of Regular to Small Stalls	Min. 50% Regular Max. 50% Small	69 % Regular 31 % Small
Min. Loading Stalls	stalls	stalls
Bicycle Stalls Short-Term	10 stalls	10 stalls
Bicycle Stalls Long-Term	69 stalls	70 stalls
Bonus Stalls Provided for Parking Reduction	y	y
Bike Wash & Repair	y	y

6.o Application Chronology

Application Accepted: June 7th, 2021
 Public Information Session: May 18th, 2022
 Public Notification Completed: May 5, 2023
 Adoption of Zone Amending Bylaw: Nov 21, 2023

Report prepared by: Tyler Caswell, Planner II
Reviewed by: Lydia Korolchuk, Acting Planning Supervisor
Reviewed by: Jocelyn Black, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Attachment A: Draft Development Permit DP21-0132 / DVP21-0133

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: Variance Rationale from Landscape Architect

Attachment D: MODO Car Share Agreement

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