

REPORT TO COUNCIL DEVELOPMENT PERMIT



Date: December 4, 2023
To: Council
From: City Manager
Address: 439 West Ave
File No.: DP23-0196
Zone: UC5 – Padosy Urban Centre

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP23-0196 for LOT 9 BLOCK 1 DISTRICT LOT 14 ODYD PLAN 4743, located at 439 West 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 this Development Permit is valid for (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 a Child Care Centre, Major.

3.0 Development Planning

Staff support the proposed Development Permit for the form and character of a Child Care Centre, Major. The proposal conforms to the Official Community Plans (OCP) Form and Character Development Permit Guidelines and desire to see Child Care Centres in Urban Centres. Key guidelines that are met include:

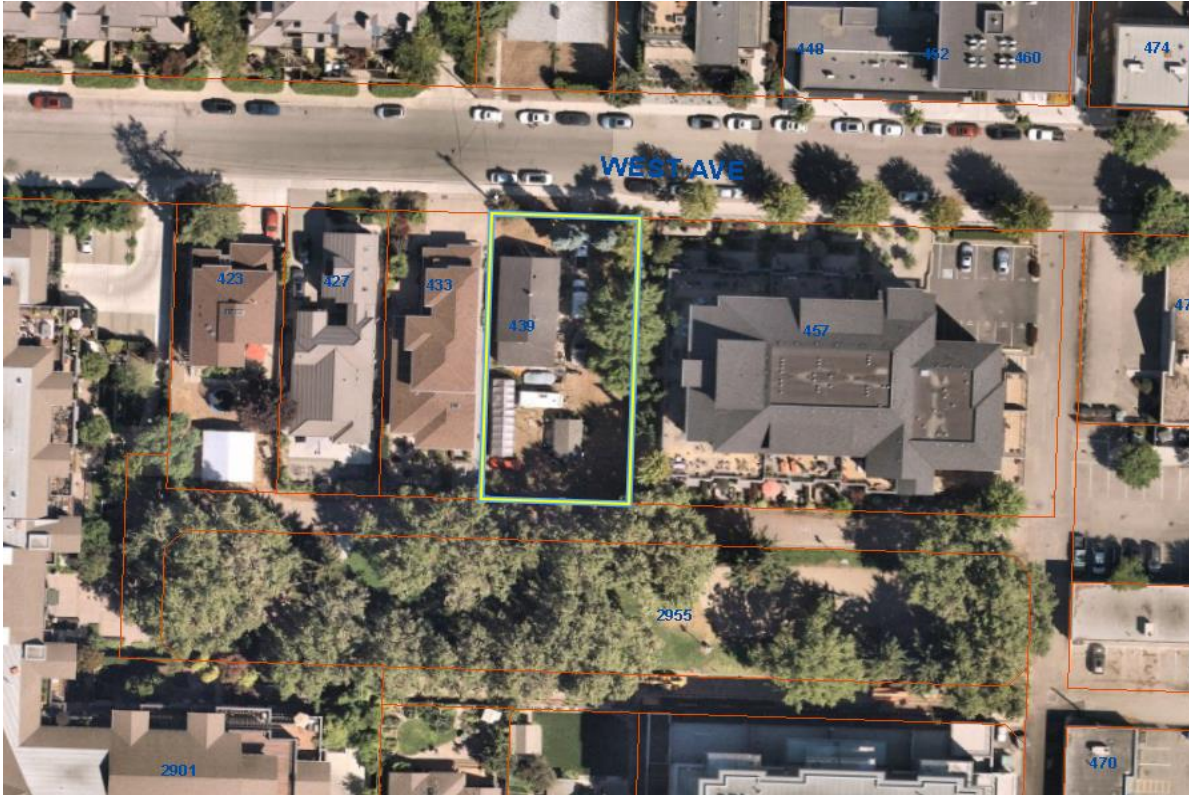
- Incorporating a range of materials and colours.
- Facilitating the development of child care spaces in Urban Centres that are accessible, affordable, and inclusive spaces that meet the needs of the community.
- Developing spaces that foster health, social connections, and an appreciation for the natural environment.
- Encouraging a variety of park interfaces with different land uses to activate and provide character to parks throughout the City.

The project meets all Zoning Bylaw regulations. The site is oriented with the children's play area at the south portion of the property facing Abbott Park with the parking located on the north of the property facing West

Ave. The site layout allows for children and workers at the child care centre to safely access Abbott Park, as the lane is not easily accessible for vehicles as there is no turnaround.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is located mid-block on West Ave between Abbott Street and Pandosy Street within the Pandosy Urban Centre. All the properties to the north, east and west are designated Urban Centre, and the property to the South is designated Park and Open Space. The properties to the north, and east are apartment buildings, and to the west are single dwelling homes. The height map designates this area as six storeys. Although the site allows for greater height and density, Staff are supportive of the proposal as it provides a needed service in our Urban Centres and acts as an appropriate transition to the newer single dwelling houses to the west. Public transit stops are located in close proximity along Pandosy Street.

5.0 Zoning Bylaw Regulations Summary

AREA & UNIT STATISTICS	
Gross Lot Area	1,003.4 m ²
Net Floor Area	313.5 m ²

DEVELOPMENT REGULATIONS		
CRITERIA	UC5 ZONE	PROPOSAL
Total Maximum Floor Area Ratio		
Base FAR	1.8	0.32
Max. Site Coverage (buildings)	85 %	31.2 %
Max. Site Coverage (buildings, parking, driveways)	90 %	66.8 %
Max. Height	22.0 m	3.96 m
Setbacks		
Min. Front Yard (north)	3.0 m	18.95 m
Min. Side Yard (east)	0.0 m	0.01 m
Min. Side Yard (west)	0.0 m	2.01 m
Min. Rear Yard (south)	0.0 m	10.31 m
Landscaping		
Min. Number of Trees	2 trees	2 trees
Min. Large Trees	1 tree	2 trees

PARKING REGULATIONS		
CRITERIA	UC5 ZONE REQUIREMENTS	PROPOSAL
Total Required Vehicle Parking	4 stalls	10 stalls
Ratio of Regular to Small Stalls	Min. 50% Regular Max. 50% Small	60% Regular 40% Small
Min. Loading Stalls	0 stalls	0 stalls
Bicycle Stalls Short-Term	1 stall	2 stalls
Bicycle Stalls Long-Term	1 stall	2 stalls

6.0 Application Chronology

Application Accepted: October 27, 2023

Report prepared by: Alissa Cook, Planner I
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 DP23-0196
 Schedule A: Site Plan & Floor Plans
 Schedule B: Elevations
 Schedule C: Landscape Plan
 Attachment B: OCP Form and Character Development Permit Guidelines
 Attachment C: Applicants Letter of Rationale

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