

REPORT TO COUNCIL



Date: September 28, 2015
RIM No. 1250-04
To: City Manager
From: Urban Planning, Community Planning & Real Estate

Application: TA15-0003, OCP15-0008
Owner: 1017476 BC LTD
1017482 BC LTD
1017489 BC LTD
1017496 BC LTD

Address: 653 Harvey Ave, 1770 Richter St.,
1800 Richter St., 1755 Chapman Pl.
Applicant: Mission Group Homes

Subject: Text Amendment - Central Green

Existing OCP Designation: MXR - Mixed Use (Residential/Commercial), MRM (Multiple Unit Residential (Medium Density)

Existing Zone: CD22 - Central Green Comprehensive Development Zone

Proposed Zone: CD22 - Central Green Comprehensive Development Zone

1.0 Recommendation

THAT Official Community Plan Bylaw Text Amendment No. OCP15-0008 to amend Kelowna 2030 - Official Community Plan Bylaw No. 10500 as outlined in the Report of the Community Planning Department dated July 13, 2015 be considered by Council.

AND THAT prior to the public hearing, that the Applicant conduct an additional public information session to inform interested stakeholders of the proposed bylaw amendments.

AND THAT Zoning Bylaw Text Amendment No. TA15-0003 to amend City of Kelowna Zoning Bylaw No. 8000 by amending the CD22 Zone as outlined in the Report of the Community Planning Department dated September 28, 2015, be considered by Council.

AND FURTHER THAT prior to adoption, the applicant and property owner enter into a Servicing Brief with the Development Engineering Branch.

2.0 Purpose

To amend the Official Community Plan and Zoning Bylaw by changing the proposed site plan and setback requirements in the CD22 Central Green Comprehensive Development Zone.

3.0 Urban Planning

Urban Planning staff support this application. Staff have worked for almost a year with the proponents in developing a site plan that meets the community objectives for the Central Green site while also being economical to develop.

The proposed amendments allow building massing to be pulled away from the highway and south towards Rowcliffe Park.

The proposed setback amendments will allow the commercial building to be built to the property line at Harvey and Richter, keeping with City urban design principles and avoiding a variance application in the future.

The guiding principal of Central Green was to create a community in the core of Kelowna that would “set a new standard for development within the city and exemplify sustainable planning and building practices in an economically responsible manner.” The concept of a pedestrian walkway running from Harvey to Rowcliffe park through a master planned group of multi-family homes and small scale commercial uses remains central to the new design.

The proposed amendments do not compromise other City goals for the project, including a requirement that buildings be built to a LEED Certified Standard and the entire site, including the park, achieve LEED ND (neighbourhood level) certification.

4.0 Proposal

4.1 Background

The Central Green project is intended to be a large scale mixed use development at the corner of Richter and Harvey. Between 2007 and 2012, the City led a major planning exercise to determine the future land use and form on the site, which ended up including both market rental and affordable housing components.

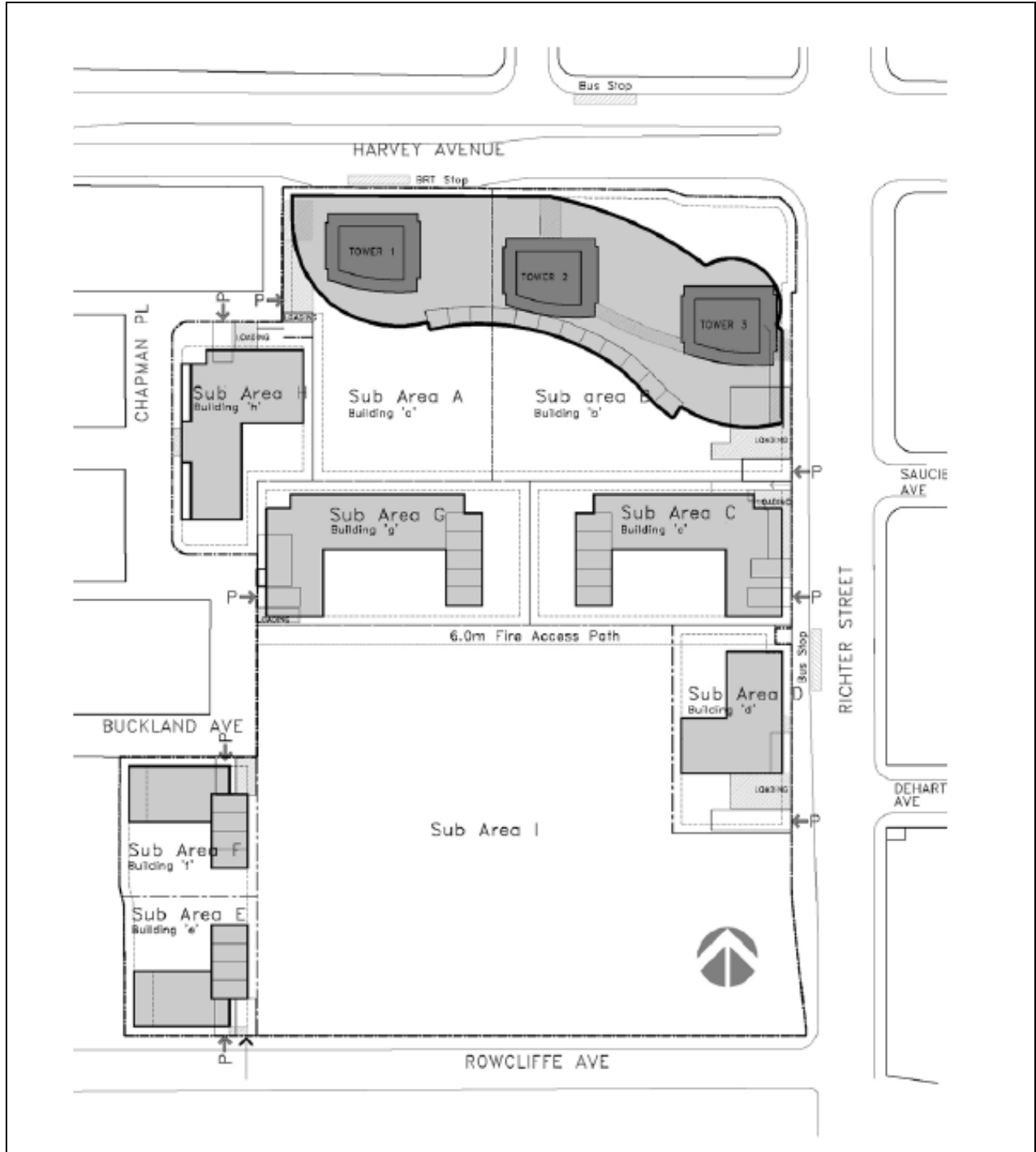
Council has already approved the two affordable housing projects on the Central Green site. One of these projects is currently under construction and one has recently received a development permit. These projects will achieve the City’s affordable housing goals for the site well ahead of schedule.

The balance of the site was purchased by Al Stober Construction, whom, in conjunction with Mission Group Homes, have worked with City staff to develop a proposal for a combination of market rental housing and market strata units.

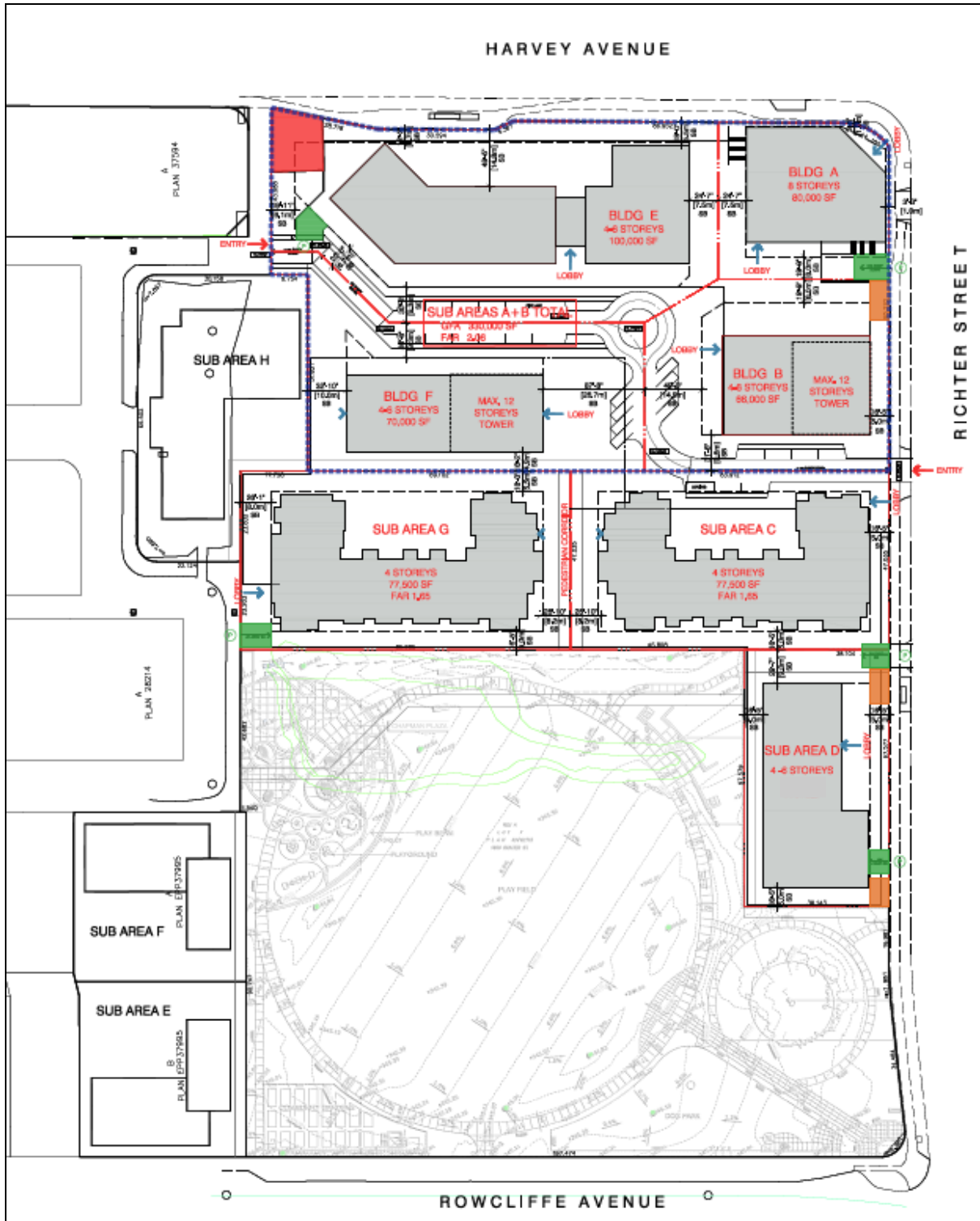
4.2 Zoning Bylaw Amendment

The CD22 zone is highly prescriptive in terms of building form and layout and lays out maximum densities and FARs on different portions of the site. The applicants have developed a plan which sees density pulled away from Harvey and closer to Rowcliffe Park.

The applicants have proposed to amend the Site Plan in the Zoning Bylaw, moving from the initial series of towers along Harvey to a plan which pulls some building massing to the center of the site. The developer would also build a low speed private road through the site, to improve access to internal buildings and commercial retail units.



Current Site Plan



Proposed Site Plan

Overall, the proposed densities are lower than the initial CD22 zone. The initial CD22 zone envisioned three 15 to 20 storey towers along Harvey Avenue. The new layout would see two towers further away from Harvey, surrounded by 4 to 6 storey buildings.

Sub Area AB (Bldgs A, B, E + F)	Current Zoning	Proposed
FAR (Combined)	3.3 / 4.5	4.0
Building Height	3 - 20 storeys	3-20 storeys
Sub Area C	Current Zoning	Proposed
FAR (Combined)	1.55	2.0
Building Height	4 storeys	4 storeys
Sub Area G	Current Zoning	Proposed
FAR (Combined)	1.6	2.0
Building Height	4 storeys	4 storeys
Sub Area D	Current Zoning	Proposed
FAR (Combined)	1.51	2.0
Building Height	4 storeys	4 storeys

In addition to amending the site Floor Area Ratios, the amendments would also remove net floor area restrictions. These restrictions are redundant with the FAR requirements and serve only to add a layer of complexity. FAR would remain the tool to control site density.

The Bylaw Amendments include minor amendments to the required setbacks along Richter Avenue for commercial uses, allowing commercial uses to be built to the property line. There are also additional amendments slightly reducing the minimum distance between Buildings C & G, from 24.0 m to 14.0 m. Additional setback amendments will allow small gaps in the parking structure to accommodate the access roads.

The Bylaw amendments also allow "Financial Services" in the commercial portion of the site, to accommodate a potential bank tenant in the office building. Staff feel that Financial Services are an appropriate use within the office building at the northeast corner of the site.

The bylaw amendments also remove numerical standards from the Development Permit Guidelines attached to the CD22 Zone. These numerical standards contradict or do not match new standards in the zone itself and can be removed without compromising development objectives.

The Bylaw amendments are intended to meet the major objectives of the Central Green plan while also producing a financial feasible and marketable design.

4.3 Official Community Plan Amendment

The Official Community Plan includes similar prescriptive language to the Zoning Bylaw. Within the Future Land Use Section under the requirements for Multiple Unit Residential (Medium Density), there is a stipulation that:

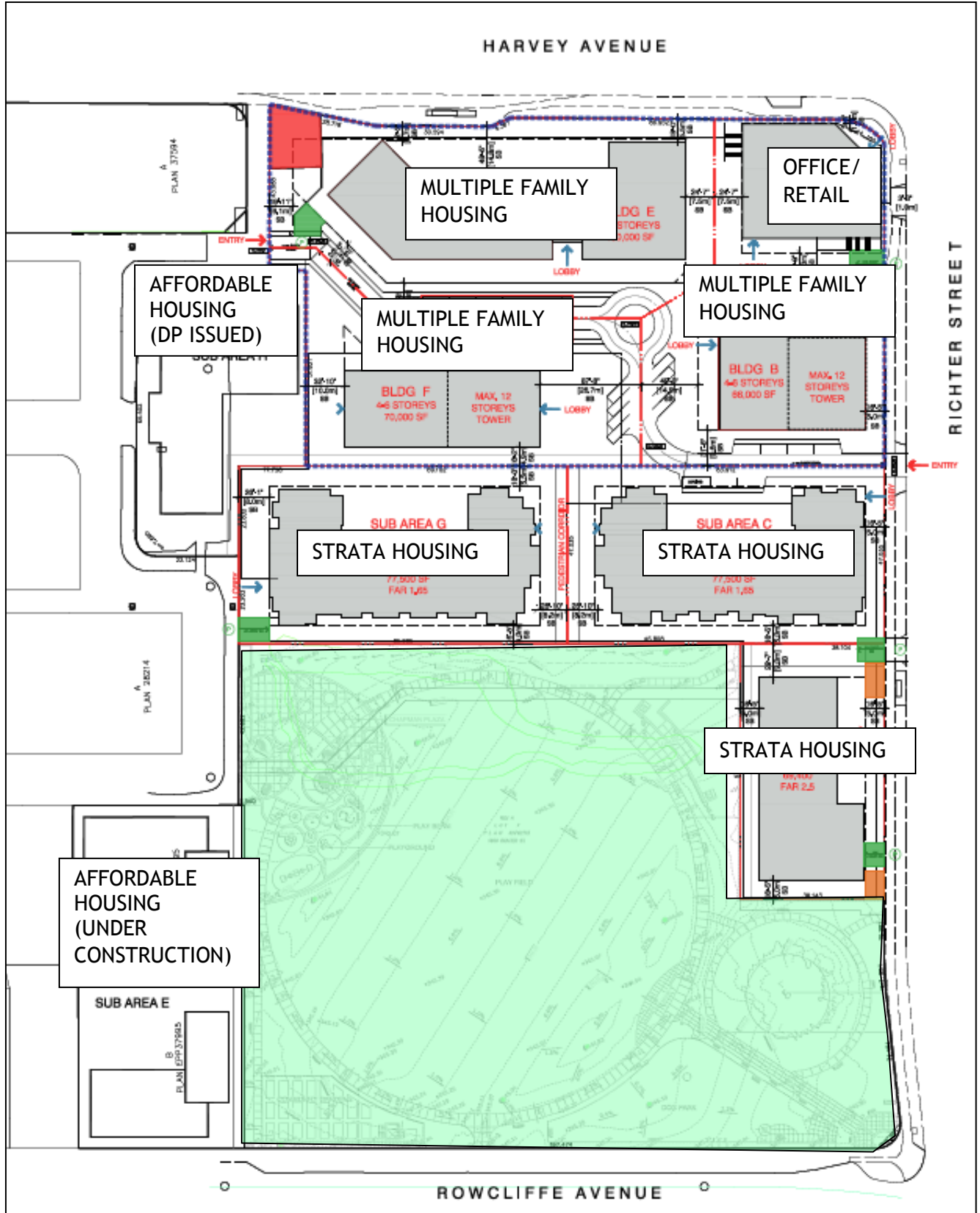
This designation provides potential for increased density specific to four (4) buildings that meet the RM5 Zone height regulations as per the Central Green CD 22 Zone. The maximum of Floor Area Ratio (FAR) for sub-area D is 1.5; for sub-areas C & G it is 1.6 and for sub-area H it is 1.7.

Staff recommend that this stipulation be deleted in its entirety, and that site density be addressed through the Zoning Bylaw. The clause is unnecessary.

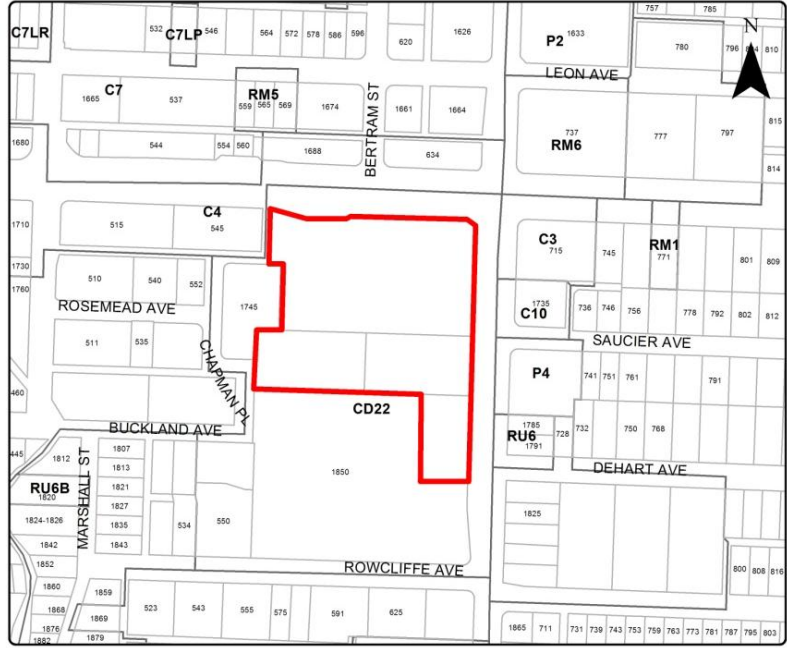
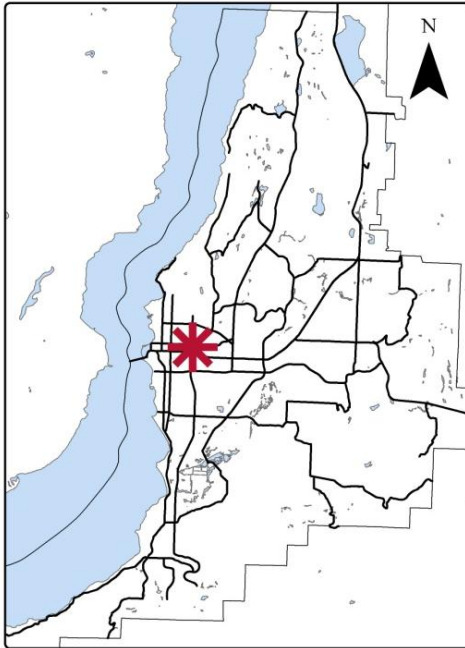
Further amendments remove additional zoning type language from the Central Green Guidelines. These include guidelines about building heights, setbacks, private open space and step-backs. This language will remain in the Zoning portion of the CD22 regulations, but will be removed from the guideline section for ease of implementation.

Major Changes in Site Plan	Rationale
Roadway through site	Low speed roadway enhances site usability, allows safer exit onto Chapman rather than forcing traffic on Richter, supports commercial on site
22 parking stalls on site	Limited parking on site allows better loading/unloading without parking on Harvey or Richter, supports coffee shop in plaza, allows visitor/delivery parking on site
Density moved to middle of site	Pulls residential units away from street noise along Harvey while retaining option for towers on site
Commercial plaza	Small inward facing coffee shop and limited services to serve residents and passers through, reduces size of 'green' in centre of property
Removal of podium	With reduction of size of Harvey fronting buildings, no podium required

Unchanged Elements	
All resident parking underground	Connection to Rowcliffe emphasized
North/South travel line through site emphasized	Mixture of rental, strata and office space
Connectivity across Harvey with pedestrian flyover	15% of site dedicated to affordable housing
LEED Certification for all buildings	LEED ND certification for overall site



Subject Property Map:



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Staff have reviewed this application, and it may move forward without affecting either the City's Financial Plan or Waste Management Plan.

5.2 Kelowna Policy 367 Public Notification & Consultation for Development Applications

The Applicant has conducted an Open House in accordance with the requirements of Policy #367. The Open House was held on August 20, 2015. Approximately 50 people attended.

The Central Green Plan was the result of considerable public process on the part of the City and participating community stakeholders. Because of the magnitude of the level of public engagement during the development of the initial plan, staff are recommending to Council that prior to the public hearing, the applicant conduct an additional on site Public Open House to inform interested stakeholders about the proposed bylaw amendments. Staff will inform stakeholders via e-mail of the time and date of the Open House.

6.0 Technical Comments

6.1 Development Engineering Department

1. See Memo dated June 4, 2015.

7.0 Application Chronology

Date of Application Received: April 13, 2015

Report prepared by:

Ryan Roycroft, Planner

Reviewed by:



Ryan Smith, Department Manager, Community Planning

Attachments:

Bylaw Amendment Table
Memo from Development Engineering
Design Renderings