

# REPORT TO COUNCIL DEVELOPMENT PERMIT



**Date:** April 8, 2024  
**To:** Council  
**From:** City Manager  
**Address:** 1181-1191 Bernard Ave  
**File No.:** DP22-0202  
**Zone:** MF3 – Apartment Housing

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## **1.0 Recommendation**

THAT final adoption of Rezoning Bylaw No. 12572 be considered by Council;

THAT Council authorizes the issuance of Development Permit No. DP22-0202 for Lot 1 District Lot 137 ODYD Plan 16997, located at 1181-1191 Bernard 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 Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Development Planning Department dated March 25, 2024;

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**

Development Planning recommends support for the Development Permit to facilitate a 53 unit apartment building. The proposal is consistent with key form and character design guidelines in the 2040 Official Community Plan (OCP) and Core Area Neighbourhood, including:

- Incorporate a range of architectural features and details into building facades to create visual interest, especially when approached by pedestrians;
- Ensure buildings contribute positively to the neighbourhood context and provide a sensitive transition in scale to existing and future buildings, parks, and open spaces; and

- Locating off-street parking, garbage collection, utilities, and parking access from public view, with primarily underground parking.

This proposal is for a five-storey apartment building containing 53 units. The development fronts Bernard Avenue with a single access. Required parking is met through underground parking with some parking located at grade. Common and private open space requirements are met on-site through a tenant multi-use space on the fifth floor and a seating area with benches at grade. Each unit has either an at grade patio area or balcony for private use. The primary building finish includes red brick and a variety of hardie panel colours.

#### 4.0 Subject Property & Background

##### 4.1 Subject Property Map



The subject property is located between Gordon Dr and Richmond St, on the south side of Bernard Ave. The surrounding area is predominantly apartment housing with a variety of forms which range from a 16 storey tower, apartment housing, and townhomes. Bernard Ave is a Transit Supportive Corridor with direct access to transit.

#### 5.0 Zoning Bylaw Regulations Summary

AREA & UNIT STATISTICS	
Gross Lot Area	3,321 m <sup>2</sup>
<b>Total Number of Units</b>	<b>53</b>
Bachelor	3
1-bed	13
2-bed	37

<b>DEVELOPMENT REGULATIONS</b>		
<b>CRITERIA</b>	<b>MF<sub>3</sub> ZONE</b>	<b>PROPOSAL</b>
<b>Total Maximum Floor Area Ratio</b>		
Base FAR	1.8	0.85
Max. Site Coverage (buildings)	65%	28.4%
Max. Site Coverage (buildings, parking, driveways)	85%	69.5%
Max. Height	22 m & 6 Storeys	18.6 m & 5 Storeys
<b>Setbacks</b>		
Min. Front Yard (North)	2 m	6 m
Min. Side Yard (West)	3 m	6 m
Min. Side Yard (East)	3 m	19.9 m
Min. Rear Yard (South)	4.5 m	16.3 m
<b>Step backs</b>		
Min. Fronting Street (North)	3 m	3 m
<b>Amenity Space</b>		
<b>Total Required Amenity Space</b>	<b>1,142.5 m<sup>2</sup></b>	<b>1,650 m<sup>2</sup></b>
Common	212 m <sup>2</sup>	985 m <sup>2</sup>
Private		667 m <sup>2</sup>
<b>Landscaping</b>		
Min. Number of Trees	14 trees	17 trees
Min. Large Trees	7 trees	15 trees

<b>PARKING REGULATIONS</b>		
<b>CRITERIA</b>	<b>MF<sub>3</sub> ZONE REQUIREMENTS</b>	<b>PROPOSAL</b>
<b>Total Required Vehicle Parking</b>	<b>64 stalls</b>	<b>72 stalls</b>
Residential	56.4 stalls	65 stalls
Visitor	7.4 stalls	7 stalls
Ratio of Regular to Small Stalls	Min. 50% Regular Max. 50% Small	78% Regular 22% Small
Bicycle Stalls Short-Term	6 stalls	8 stalls
Bicycle Stalls Long-Term	40 stalls	40 stalls
Bike Wash & Repair	Y	Y

## 6.o Application Chronology

Application Accepted: October 17, 2022  
Public Information Session: August 30, 2023  
Neighbourhood Notification Summary Received: August 15, 2023

**Report prepared by:** Jason Issler, Planner I  
**Reviewed by:** Jocelyn Black, Urban Planning Manager  
**Reviewed by:** Nola Kilmartin, Development Planning Department Manager  
**Approved for Inclusion:** Ryan Smith, Divisional Director, Planning & Development Services

### Attachments:

Attachment A: Draft Development Permit DP22-0202

Schedule A: Site Plan & Floor Plans

Schedule B: Elevations & Sections

Schedule C: Landscape Plan

Attachment B: Project Rendering

Attachment C: OCP Form and Character Development Permit Guidelines

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