

REPORT TO COUNCIL DEVELOPMENT PERMIT



Date: July 22, 2024
To: Council
From: City Manager
Address: 815 – 865 Clement Ave
File No.: DP23-0008
Zone: MF3r – Apartment Housing Rental Only

1.0 Recommendation

THAT Rezoning Bylaw No. 12629 be amended at third reading to revise the legal description of the subject properties from:

- a. Lot 14 Section 30 Township 26 ODYD Plan 1277;
- b. Lot 15 Section 30 Township 26 ODYD Plan 1277;
- c. Lot 16 Section 30 Township 26 ODYD Plan 1277;
- d. Lot 17 Section 30 Township 26 ODYD Plan 1277;
- e. Lot 18 District Lot 138 ODYD Plan 1277;
- f. Lot 19 Section 30 Township 26 ODYD Plan 1277;
- g. Lot 20 Section 30 Township 26 ODYD Plan 1277;
- h. Lot 21 District Lot 138 ODYD Plan 1277;
- i. Lot 22 District Lot 138 ODYD Plan 1277; and
- j. Lot 23 District Lot 138 ODYD Plan 1277;

to Lot A Section 30 Township 26 ODYD Plan EPP124219;

AND THAT final adoption of Rezoning Bylaw No. 12629 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP23-0008 for Lot A Section 30 Township 26 ODYD Plan EPP124219, located at 815 – 865 Clement Ave, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land in accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land 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;

5. The applicant be required to make a payment into the Public Amenity & Streetscape Capital Reserve Fund as established by Bylaw No. 12386 in accordance with Table 6.8.a in Zoning Bylaw No. 12375;

AND THAT the applicant be required to enter into a Car-Share Agreement for a minimum of two years from the date of Building Occupancy as set out in Attachment "D" attached to the Report from the Development Planning Department dated July 22;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

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 rental apartment housing.

3.0 Development Planning

Staff support the proposed Development Permit for the form and character of two rental apartment buildings. The proposal generally conforms to the Official Community Plan (OCP) Form and Character Design Guidelines for Low & Mid-Rise Development. Key guidelines that are met include:

- Avoiding blank, windowless walls along streets and other public open spaces;
- Locating off-street parking and other 'back-of-house' uses such as loading, garbage collection, utilities and vehicle access away from public view;
- Expressing a unified architectural concept that incorporates variation in façade treatments and incorporating a range of architectural features and details; and
- Limiting the length of residential building facades and breaking up large sites with a mid-block connection.

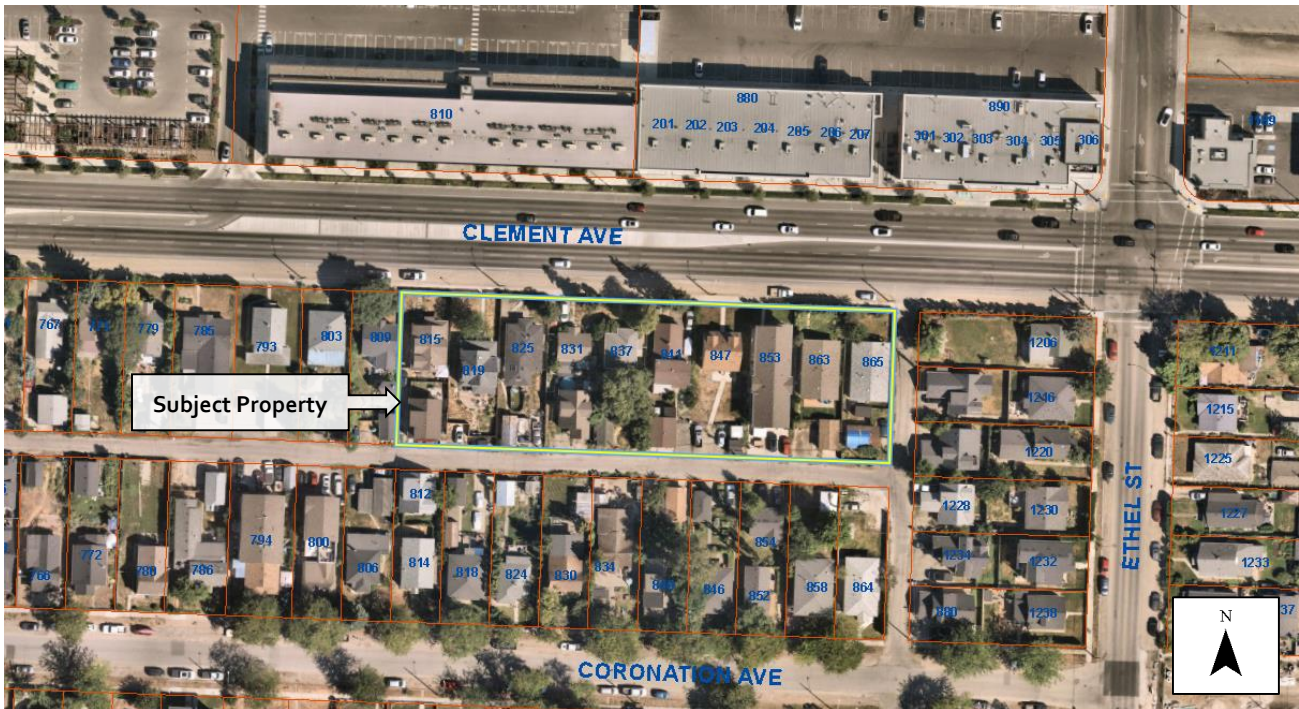
In order to reduce the scale and massing of the buildings, the applicant amended their original design which included a single 115 m long building, and instead separated the proposal into two separate buildings with a shared underground parkade. This complies with OCP Design Guidelines which encourages breaking up the perceived mass of buildings and limiting the length of building facades. A mid-block connection between the two buildings enhances pedestrian permeability.

Vehicle access is provided from the lane which runs along the east property line and the rear of the property. Parking is provided in surface stalls off the lane, a shared underground parkade level, and at-grade parking within each building. Two car share stalls are provided. A loading stall is located along the rear lane.

Significantly more amenity space is provided than the minimum Zoning Bylaw requirements. Common amenity space includes indoor amenity rooms on the ground floor of each building and multiple roof top patios on each building which includes outdoor furniture, games tables, barbecue areas, bocce court, dog run, shade structures, and planter boxes.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is located on Clement Ave between Ethel St and Richter St, one block east of the Downtown Urban Centre. Clement Ave is a Transit Supportive Corridor and transit stops are located within 50 m of the subject property. A mix of light industrial, multi-dwelling residential, and commercial uses are located north of Clement Ave, while the rest of the surrounding neighbourhood primarily consists of single detached dwellings.

5.0 Zoning Bylaw Regulations Summary

AREA & UNIT STATISTICS	
Gross Lot Area	4,577.29 m ²
Undevelopable Land (statutory right-of-way)	135.8 m ²
Total Number of Units	197
Bachelor	36
1-bed	78
2-bed	75
3-bed	8

DEVELOPMENT REGULATIONS		
CRITERIA	MF _{3r} ZONE	PROPOSAL
Total Maximum Floor Area Ratio	2.35	2.35
Base FAR	1.8	1.8
Public Amenity & Streetscape Bonus FAR	0.25	0.25
Rental Bonus FAR	0.3	0.3
Max. Site Coverage (buildings)	65%	56%

Max. Site Coverage (buildings, parking, driveways)	85%	83.75%
Max. Height	22.0 m & 6 storeys	20.49 m & 6 storeys
Base Height	22.0 m & 6 storeys	20.49 m & 6 storeys
Setbacks		
Min. Front Yard (north)	3.0 m	3.0 m
Min. Side Yard (west)	3.0 m	3.0 m
Min. Side Yard (east)	3.0 m	3.0 m
Min. Rear Yard (south)	3.0 m	3.0 m
Stepbacks		
Min. Fronting Street (north)	3.0 m	3.0 m
Amenity Space		
Total Required Amenity Space	2241 m²	3554 m²
Common	788 m ²	2043 m ²
Landscaping		
Min. Number of Trees	12 trees	16 trees
Min. Large Trees	6 trees	6 trees

PARKING REGULATIONS		
CRITERIA	MF3r ZONE REQUIREMENTS	PROPOSAL
Total Required Vehicle Parking	199 stalls	201 stalls
Residential	204.1	
Visitor	27.58	
"r" Subzone Reduction	-23.2	
Car Share Reduction	-10	
Ratio of Regular to Small Stalls	Min. 50% Regular Max. 50% Small	50% Regular 50% Small
Min. Loading Stalls	0 stalls	1 stalls
Bicycle Stalls Short-Term	12 stalls	12 stalls
Bicycle Stalls Long-Term	150 stalls	152 stalls
Bonus Stalls Provided for Parking Reduction		n
Bike Wash & Repair		y

6.0 Application Chronology

Application Accepted: January 20, 2023
 Public Information Session: February 12, 2024
 Neighbour Notification Received: February 13, 2024
 Adoption of Zone Amending Bylaw: July 8, 2024

Report prepared by: Mark Tanner, Planner Specialist
Reviewed by: Jocelyn Black, Urban Planning Manager
Reviewed by: Nola Kilmartin, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning, Climate Action & Development Services

Attachments:

Attachment A: Draft Development Permit DP23-0008
 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: Renderings

Attachment D: Car Share Agreement

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