

REPORT TO COUNCIL DEVELOPMENT PERMIT & DEVELOPMENT VARIANCE PERMIT



Date: August 13, 2024
To: Council
From: City Manager
Address: 210 Sadler Rd
File No.: DP23-0228 & DVP24-0052
Zone: UC4r – Rutland Urban Centre Rental Only

1.0 Recommendation

THAT Rezoning Bylaw No. 12627 be amended at third reading to revise the legal description of the subject properties from:

- a) That Part of Lot 3 Lying East of a Line Drawn Parallel To And 155.1 Feet Distant from the Westerly Boundary of Said Lot; Section 26 Township 26 ODYD Plan 2773, located at 200 Sadler Rd, Kelowna BC;
- b) The East ½ of Lot 4 Section 26 Township 26 ODYD Plan 2773 Except Plan 5971, located at 210 Sadler Rd, Kelowna BC; and
- c) Lot B Section 26 Township 26 ODYD Plan 12323, located at 230 Sadler Rd, Kelowna BC;
to lot A Section 26 Township 26 ODYD Plan EPP137037, located at 210 Sadler Rd, Kelowna BC;

AND THAT final adoption of Rezoning Bylaw No. 12627 be considered by Council

AND THAT Council authorizes the issuance of Development Permit No. DP23-0228 and Development Variance Permit No. DVP24-0052 for Lot A Section 26 Township 26 ODYD Plan EPP137037, located at 210 Sadler Rd, 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;
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 variances to the following section of Zoning Bylaw No. 12375 be granted:

Section 14.11: Commercial and Urban Centre Zone Development Regulations
To vary the minimum front yard stepback from 3.0 m required to 0.0 m proposed.

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 minimum front yard building setback from 3.0 m required to 0.0 m proposed.

3.0 Development Planning

Staff support the proposed Development Permit for the form and character of a 115-unit 6-storey apartment housing development. The proposal generally conforms to the Official Community Plan (OCP) Form and Character Development Permit Guidelines for Low & Mid-Rise Residential & Mixed Use Developments. Key guidelines that are met include:

- Orienting building facades and entries to the fronting street and incorporating individual entrances;
- Locating balconies and windows on the front building façade to create an active frontage and 'eyes on the street';
- Screening parking from public view and avoiding off-street surface parking; and
- Articulating the front façade facing the street and utilizing a consistent range of materials and colours that provide variety.

The proposed exterior building materials include a mix of white, light grey and dark grey cement panels with faux wood accents and dark grey brick along the ground floor resulting in a modern looking building with an emphasized ground level. Common amenities include an indoor gym, shared kitchen area / conference room, and an outdoor common area located on top of the parking podium. The exterior common amenity area will include a mix of passive seating (table and chairs, picnic table), barbeque kitchen area, saunas, community garden plots, dog run and play areas. Site landscaping includes a mix of small, medium and large deciduous trees in front of the building with perimeter landscaping around the sides and rear of the building with access pathways, gardens, small trees and complimentary landscaping. All access to the site will be from the fronting street as there is no opportunity for lane access.

Variance

This application includes a variance to the minimum building front yard (Sadler Rd) setback from 3.0 m required to 0.0 m proposed. The project had already been designed and was in-stream when the building setback regulation was introduced to Urban Centre Zones in the Zoning Bylaw (Bylaw No. 12594, adopted January 8, 2024). If the applicant were to redesign the project to meet the new regulations, this would result in additional time, added costs, and potentially delay construction timelines. While meeting the building setback regulation would have resulted in the building scoring slightly higher on scale and massing Form and Character Development Permit Design Guidelines, Development Planning is still supportive of the overall project and achieving a major rental building in the Rutland Urban Centre.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is located mid-block on the west side of Sadler Rd and northeast of the Hwy 33 / Rutland Rd intersection. Public transit stops are located nearby along Hwy 33 to the south and Rutland Rd to the west. The site is located within walking distance to a variety of commercial retail uses largely located adjacent to Highway 33 and Rutland Centennial Park which is located on the west side of Rutland Rd N.

5.0 Zoning Bylaw Regulations Summary

AREA & UNIT STATISTICS	
Total Number of Units	115
Bachelor	11**
1-bed	24
2-bed	69
3-bed	11
** 11 Bachelor units are considered micro-suites as they are less than 29 m ² in total unit area.	

DEVELOPMENT REGULATIONS		
CRITERIA	UC _{4r} ZONE	PROPOSAL
Total Maximum Floor Area Ratio	2.6	2.48

Base FAR	1.8	1.8
Bonus FAR	0.3 (rental designation) 0.5 (public amenity & streetscape)	0.68
Max. Site Coverage (buildings)	85%	68%
Max. Site Coverage (buildings, parking, driveways)	90%	79%
Max. Height	22.0 m / 6 storeys	22.0 m / 6 storeys
Base Height	22.0 m / 6 storeys	22.0 m / 6 storeys
Bonus Height	n/a	n/a
Setbacks		
Min. Front Yard (east)	3.0 m	3.4 m
Min. Side Yard (north)	0.0 m	1.2 m
Min. Side Yard (south)	0.0 m	4.2 m
Min. Rear Yard	0.0 m	4.0 m
Setbacks (above 16.0 m in height)		
Min. Front Yard (east)	3.0 m	3.4 m
Min. Side Yard (north)	4.0 m	4.2 m
Min. Side Yard (south)	4.0 m	4.2 m
Min. Rear Yard	4.0 m	4.0 m
Stepbacks		
Min. Fronting Street (east)	3.0 m	0.0 m ❶
Amenity Space		
Total Required Amenity Space	1,506 m²	1,736.3 m²
Common	460 m ²	481.8 m ²
Private	m ²	1,254.5 m ²
Landscaping		
Min. Number of Trees	6 trees	6 trees
Min. Large Trees	3 trees	3 trees
❶ Indicates a requested variance to the minimum front yard setback from 3.0 m required to 0.0 m proposed.		

PARKING REGULATIONS		
CRITERIA	UC4r ZONE REQUIREMENTS	PROPOSAL
Total Required Vehicle Parking	102 stalls	100 stalls**
Residential	111 stalls	
Visitor	16 stalls	
"r" Subzone Reduction	- 25 stalls	
Ratio of Regular to Small Stalls	Min. 50% Regular Max. 50% Small	52% Regular 48% Small
Bicycle Stalls Short-Term	6 stalls	6 stalls
Bicycle Stalls Long-Term	89 stalls	96 stalls
Bike Wash & Repair	y	y
** 2 stalls cash-in-lieu of parking (102 stalls required, 100 stalls proposed including 2 stalls of cash-in-lieu)		

6.0 Application Chronology

Application Accepted: December 7, 2023
 Neighbour Notification Received: May 28, 2024

Report prepared by: Andrew Ferguson, Planner II
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 DP23-0228 DVP24-0052

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: Applicant's letter of rationale

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