

# REPORT TO COUNCIL DEVELOPMENT PERMIT & DEVELOPMENT VARIANCE PERMIT



**Date:** February 11, 2025  
**To:** Council  
**From:** City Manager  
**Address:** 667 & 681 Wardlaw Ave  
**File No.:** DP24-0136 DVP24-0230  
**Zone:** UC5r – Pandosy Urban Centre Rental Only

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## 1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP24-0136 for the subject properties;

- a) Lot 1 District Lot 14 ODYD Plan 3769, located at 681 Wardlaw Ave, Kelowna, BC; and
- b) Lot 2 District Lot 14 ODYD Plan 3769, located at 667 Wardlaw 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;
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;
6. The applicant be required to complete a technical subdivision consolidating the two subject lots.

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP24-0230 for the subject properties;

AND THAT variances to the following sections of Zoning Bylaw No. 12375 be granted:

**Section 14.11 - Commercial and Urban Centre Zone Development Regulations, UC5:**

To vary the required minimum building setback from 3.0 metres permitted to 0.0 metres proposed.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Variance Permit Application 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 rental apartment housing and a Development Variance Permit to vary the upper floor stepback.

## 3.0 Development Planning

Staff support the proposed Development Permit for the form and character of an apartment building. The proposal conforms with several objectives within the Official Community Plan (OCP) Form and Character Design Guidelines for Low & Mid-Rise Residential Development. Key guidelines that are met include:

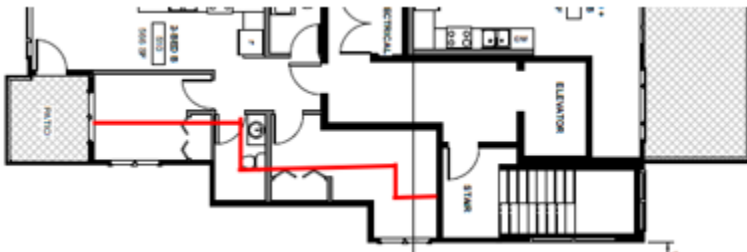
- On corner sites, orient building facades and entries to both fronting streets;
- Locate off-street parking and other 'back-of-house' uses (such as loading, garbage collection, utilities, and parking access) away from public view; and
- Design attractive, engaging, and functional on-site open spaces with high quality, durable, and contemporary materials, colors, lighting, furniture, and signage.

Vehicle access is provided from a laneway which runs parallel to Wardlaw Avenue with two separate entrances leading to at-grade parking. Common amenity space has been provided in two separate areas; first is an indoor amenity room on the second level of the building, as well as an outdoor area on the fifth floor which includes a seating area with views of Osprey Park to the south.

The project contains 45 purpose-built rentals in a variety of unit sizes from studios to three-bedroom units.

### Stepback Variance

A variance is proposed to the 3.0 m stepback that is required above the second floor along Richter Street. The intent of this rule is to reduce the overall massing of the building towards the pedestrian realm. The massing is not anticipated to be significant as the residential units, where the stepback is required, have an increased setback then the stairwell and mechanical room, which reduces the overall massing.



## Parking

There are 45 total dwelling units for the development with 25 proposed parking spaces. One parking space is for a MODO car-share and six other parking spaces are for visitor parking as required by the Zoning Bylaw. This leaves 18 parking spaces for 45 dwelling units at a ratio of 0.4 spaces per dwelling unit. In order to achieve this parking rate, the applicant is utilizing the following parking reductions: rental only sub-zone (9 stalls), on-site car-share (5 stalls), additional long term bicycle parking (5 stalls), and finally the applicant is paying 2 cash-in-lieu of parking stalls as identified with Bylaw 8125 (Payment in lieu of Parking Bylaw). Staff are comfortable with recommending a low parking ratio due to several factors including:

1. The site's limited dimensions and site area making it difficult and inefficient to build parking at the bylaw rate while developing the OCP's 6 storey density and height objectives along Transit Supportive Corridors. Designing a functional parking layout was challenged by significant road dedications along Richter Street and Wardlaw Avenue. The proposed development has maximized the ground floor as much as possible for parking.
2. The site's location within a 5 minute walk to frequent transit routes.
3. The site's location within a 5 minute walk to numerous job opportunities. Utilizing Model City there is an estimated 2,000 jobs with a 400 metres radius (5 minute walk) of the site and this does not include the Okanagan College.
4. The site's location within 800 metre (10 minute walk) to Okanagan College providing convenient rental housing opportunities for students and staff and same 10 minute walk to Kelowna General Hospital.
5. The proposed development providing additional bicycle infrastructure and car-share on-site to support Kelowna's mode split goals.
6. The Pandosy Urban Centre has on-street parking management. Specifically, Wardlaw Avenue has a 2 hour on-street parking time restriction which should limit any potential parking spillover to the surrounding streets.

### **4.0 Subject Property & Background**

The subject properties are located within the Pandosy Urban Centre and is near a variety of commercial shopping areas, employment options, transit stops, public schools, and parks. Osprey Park is located immediately to the south. The area has seen significant redevelopment with two other apartments constructed on this block of Wardlaw Avenue and an apartment being constructed on the opposite side of Richter Street.

4.1 Subject Property Map



5.0 Zoning Bylaw Regulations Summary

| AREA & UNIT STATISTICS              |                      |
|-------------------------------------|----------------------|
| Gross Lot Area                      | 1,125 m <sup>2</sup> |
| <b>Total Number of Units</b>        | <b>45</b>            |
| Studio                              | 12*                  |
| 1-bed                               | 21                   |
| 2-bed                               | 9                    |
| 3-bed                               | 3                    |
| * 12 Studios units are micro-suites |                      |

| DEVELOPMENT REGULATIONS   |                           |                           |
|---|---------------------------|---------------------------|
| CRITERIA  | UC5r ZONE                 | PROPOSAL                  |
| <b>Total Maximum Floor Area Ratio</b>   | <b>2.35</b>               | <b>2.35</b>               |
| Base FAR  | 1.8                       |                           |
| "r" Rental Subzone Bonus  | 0.3                       |                           |
| Public Amenity Bonus  | 0.25                      |                           |
| Max. Site Coverage (buildings)  | 85%                       | 72%                       |
| Max. Site Coverage (buildings, parking, driveways)  | 90%                       | 89%                       |
| <b>Max. Height</b>  | <b>6 storeys (22.0 m)</b> | <b>5 Storeys (15.9 m)</b> |
| <b>Setbacks</b>   |                           |                           |
| Min. Front Yard (East)  | 0 m                       | 3.2 m                     |
| Min. Flanking Side Yard (North)   | 0 m                       | 0 m                       |
| Min. Side Yard (South)  | 0 m                       | 0.8 m                     |
| Min. Rear Yard (West)   | 0 m                       | 0.2 m                     |
| <b>Step backs</b>   |                           |                           |
| Min. Fronting Street (Richter St)   | 3.0 m                     | 0 m <sup>1</sup>          |
| Min. Flanking Street (Wardlaw Ave)  | 3.0 m                     | 3.0 m                     |
| <b>Amenity Space</b>  |                           |                           |
| <b>Total Required Amenity Space</b>   | <b>462 m<sup>2</sup></b>  | <b>529 m<sup>2</sup></b>  |
| Common  | 180 m <sup>2</sup>        | 180 m <sup>2</sup>        |
| Private   | 282 m <sup>2</sup>        | 349 m <sup>2</sup>        |
| <b>Landscaping</b>  |                           |                           |
| Min. Number of Trees  | 0 trees                   | 2 trees                   |
| <sup>1</sup> Indicates a requested variance to minimum front step back from 3.0 m required to 0 m proposed. |                           |                           |

| PARKING REGULATIONS                         |                                    |                          |
|---|------------------------------------|--------------------------|
| CRITERIA                                    | UC5r ZONE REQUIREMENTS             | PROPOSAL                 |
| <b>Total Required Vehicle Parking</b>       | <b>25 stalls</b>                   | <b>25 stalls</b>         |
| Residential                                 | 41                                 | 19                       |
| Visitor                                     | 6                                  | 6                        |
| Bicycle Bonus Reduction                     | -5                                 |                          |
| "r" Subzone Reduction                       | -9                                 |                          |
| Other Reduction                             | -5 Car Share                       |                          |
| Cash in lieu                                | -2                                 |                          |
| Ratio of Regular to Small Stalls            | Min. 50% Regular<br>Max. 50% Small | 52% Regular<br>48% Small |
| Bicycle Stalls Short-Term                   | 6 stalls                           | 6 stalls                 |
| Bicycle Stalls Long-Term                    | 61 stalls                          | 65 stalls                |
| Bonus Stalls Provided for Parking Reduction | y                                  | y                        |
| Bike Wash & Repair                          | y                                  | y                        |

## 6.o Application Chronology

Application Accepted: July 31, 2024  
Neighbour Notification Received: November 8, 2024

**Report prepared by:** Jason Issler, Planner II  
**Reviewed by:** Adam Cseke, Development 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 DP24-0136 and Development Variance Permit DVP24-0230  
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](http://www.kelowna.ca/currentdevelopments).