

REPORT TO COUNCIL DEVELOPMENT PERMIT & DEVELOPMENT VARIANCE PERMIT



Date: February 11, 2025
To: Council
From: City Manager
Address: 1881 Barlee Rd
File No.: DP24-0101 DVP24-0162
Zone: UC3r – Midtown Urban Centre Rental Only

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP24-0101 for LOT 1 DISTRICT LOT 129 OSOYOOS DIVISION YALE DISTRICT PLAN EPP141068, located at 1881 Barlee 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;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP24-0162 for LOT 1 DISTRICT LOT 129 OSOYOOS DIVISION YALE DISTRICT PLAN EPP141068, located at 1881 Barlee Rd, Kelowna, BC;

AND THAT a variance to the following section of Zoning Bylaw No. 12375 be granted as shown on Schedule "B":

Section 14.11: Commercial and Urban Centre Zone Development Regulations

To vary the minimum building setback from the front yard 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 rental apartment housing and to issue a Development Variance Permit to vary the required minimum building setback from the front yard.

3.0 Development Planning

Staff recommend support for the Development Permit and Development Variance Permit applications. The proposal generally conforms with Official Community Plan (OCP) Form and Character Design Guidelines for Low & Mid-Rise Residential Mixed-Use Development and will facilitate the development of a purpose built rental apartment in the Midtown Urban Centre. Key OCP guidelines that are met include:

- Off-street parking and 'back of house' uses away from public view;
- Orienting the primary building facade and entry to the fronting street; and
- Incorporating a range of architectural features and details into building facades to create visual interest, and breaking up the building with an integrated, consistent range of materials and colours that provide variety.

The proposal is a six storey rental apartment housing development, with 160 residential units. The project is located within the Orchard Park Transit Oriented Area (TOA), and as such there is no minimum required parking (other than accessible parking). The applicant has provided 102 parking stalls on site, which includes 24 surface stalls in the rear of the property, and the remainder of stalls are in an enclosed parkade that is partially below grade. Both vehicular parking areas are accessed by a drive aisle on the north side of the property. To satisfy amenity space requirements, each residential unit has a private balcony and common amenity spaces include a lounge and fitness room. Materials that are used include fibre cement cladding (board and panel) and wood apparent metal cladding.

Variance

This application includes a variance to the minimum building setback for the front (Barlee Rd) elevation. A setback is the horizontal recessing of the building façade measured from the face of the building wall above a specified storey. For properties located within an urban centre, a setback can occur on any floor above the second storey. This proposal does not meet this regulation, however the façades are articulated with complementary materials and colours, the rooflines varied and balconies are included to help provide visual interest on these elevations and to meet OCP Design Guidelines.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is in the Midtown Urban Centre and located within the Orchard Park TOA. It is 1.03 acres in size and currently vacant. The surrounding area is in transition and currently contains apartment housing, single detached housing and various commercial uses. Barlee Park, Orchard Plaza, and Orchard Park Shopping Centre are all in close proximity.

5.0 Zoning Bylaw Regulations Summary

| AREA & UNIT STATISTICS | |
|------------------------------|------------------------|
| Gross Lot Area | 4,176.9 m ² |
| Total Number of Units | 160 |
| Studio | 17 |
| 1-bed | 111 |
| 2-bed | 32 |

| DEVELOPMENT REGULATIONS | | |
|---|----------------------------|--|
| CRITERIA | UC _{3r} ZONE | PROPOSAL |
| Total Maximum Floor Area Ratio | 2.8 | 2.25 |
| Base FAR | 2.5 | n/a |
| Bonus FAR | 0.3 (rental) | n/a |
| Max. Site Coverage (buildings) | 85 % | 49.7 % |
| Max. Site Coverage (buildings, parking, driveways) | 90 % | 82.0 % |
| Max. Height | 22.0 m / 6 storeys | 21.96 m / 6 storeys |
| Setbacks | | |
| Min. Front Yard (west – Barlee Rd) | 3.0 m | 3.0 m |
| Min. Side Yard (north) | 3.0 m | 6.3 m |
| Min. Side Yard (south) | 3.0 m | 4.0 m |
| Min. Rear Yard (east) | 3.0 m | 3.0 m |
| Upper Floor Setbacks (Portions of building above 16.0m in height) | | |
| Min. Fronting Street (west – Barlee Rd) | 3.0 m | 3.0 m |
| Min. Side Yard (north) | 4.0 m | 6.3 m |
| Min. Side Yard (south) | 4.0 m | 4.0 m |
| Min. Rear Yard (east) | 4.0 m | 4.0 m |
| Building Stepbacks | | |
| Min. Front Yard (west – Barlee Rd) | 3.0 m | 0.0 m ❶ |
| Amenity Space | | |
| Total Required Amenity Space | 1,692 m² | 1,845.52 m² |
| Common | 640 m ² | 654 m ² |
| Private | 1,052 m ² | 1,191.52 m ² |
| Landscaping | | |
| Min. Number of Trees | 20 trees | 23 trees |
| Min. Large Trees | 10 trees | 11 trees |
| ❶ Indicates a requested variance to minimum building setback from 3.0 m required to 0.0 m proposed | | |

| PARKING REGULATIONS | | |
|--|--|---|
| CRITERIA | UC3r ZONE REQUIREMENTS | PROPOSAL |
| Total Required Vehicle Parking | 3 Accessible Parking Spaces (1 of which must be Van Accessible) ** [see note] | 102 stalls (including 3 Accessible Parking Spaces (1 of which is Van Accessible)) |
| Ratio of Regular to Small Stalls | Min. 50% Regular Max. 50% Small | 70 % Regular 30 % Small |
| Bicycle Stalls Short-Term | 6 stalls | 6 stalls |
| Bicycle Stalls Long-Term | 120 stalls | 208 stalls |
| Bike Wash & Repair | Required | Provided |
| ** The Subject property is located within the Orchard Park TOA and is exempt from minimum parking requirements | | |

6.o Application Chronology

Application Accepted: June 5, 2024
 Neighbour Notification Received: September 12, 2024
 Adoption of Zone Amending Bylaw: November 4, 2024

Report prepared by: Kimberly Brunet, Planner Specialist
Reviewed by: Dean Strachan, Development Planning Manager, South
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 and Development Variance Permit DP24-0101 DVP24-0162
 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.