REPORT TO COUNCIL DEVELOPMENT PERMIT

Date: May 12, 2025

To: Council

From: City Manager

Address: 1239 Pacific Avenue

File No.: DP25-0012

Zone: UC2r – Capri-Landmark Urban Centre Rental Only

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP25-0012 for Lot 1 District Lot 137 ODYD PLAN EPP113649, located at 1239 Pacific Avenue, 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 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 6-storey apartment buildings. The proposed project aligns with the Official Community Plan (OCP) Form and Character Development Permit Area Design Guidelines for Low & Mid-Rise Residential Development. Key guidelines that are met include:

- Orienting the primary building façade and entry to the fronting street to create street edge definition;
- Integrating off-street parking underground and using ground-oriented uses to ensure it is hidden from public view;



- Expressing a unified architectural concept between both buildings, that incorporates variation in façade treatments including providing patios and balconies, stepping back upper storeys, and using a variety of accent materials; and
- Providing shared rooftop amenity spaces to be accessible to residents.

The proposed development is in the form of two apartment structures, oriented in an "L" shape on a raised parkade podium. Buildings 1 and 2 have lobby entrances and ground-oriented townhome units with direct access to the fronting streets, Pacific Avenue and Pasnak Street. Pedestrian access to the podium is accessible from Pacific Avenue. The podium is landscaped in the form of a plaza with passive park space, community garden area and planting beds.

The buildings have high quality exterior materials such as grey and black hardie panel, white vertical hardie planks, teak-wood architectural panels, brick veneer, vinyl windows and frosted glass, and black railings. The stacked building massing on the 2nd and 5th storeys provides direct lines of sight from windows and balconies, activating the street and internal plaza. Rooftop amenities are provided which include community gardens, lounge area and shade elements, outdoor barbecues and a dining area.

The underground parkade is screened by ground-oriented units fronting Pasnak Street, and vehicle access to the parkade and podium is from the rear lane. The applicant has signed a Car Share Agreement with Modo which requires them to provide a car share vehicle and designate the parking stall for the exclusive use of Modo. The Modo stall is conveniently located at the surface parking on the podium, along with other accessible and visitor stalls.

4.0 Subject Property & Background

4.1 Subject Property Map



The subject property is located on Pacific Avenue between the intersections of Gordon Avenue and Burtch Road, within the Capri-Landmark Urban Centre. The surrounding neighbourhood includes a mix of

apartment housing and single detached dwellings. The property is in close proximity to Pacific Court Park and Millbridge Park.

5.0 Zoning Bylaw Regulations Summary

AREA & UNIT STATISTICS			
Gross Lot Area	5,466.27 m²		
Undevelopable Land (road dedication)	218.88 m²		
Total Number of Units	208		
Bachelor	12		
1-bed	98		
2-bed	91		
3-bed	7		

DEVELOPMENT REGULATIONS			
CRITERIA	UC2 ZONE	PROPOSAL	
Total Maximum Floor Area Ratio	2.35 FAR	2.32 FAR	
Base FAR	1.8	1.8	
Public Amenity & Streetscape Bonus FAR	0.25	0.25	
Rental Housing Bonus	0.3	0.3	
Max. Site Coverage (buildings)	85 %	83.8 %	
Max. Site Coverage (buildings, structures, impermeable surfaces)	90 %	90.0 %	
Max. Height	6 storeys/ 22.0 m	6 storeys / 21.8 m	
Setbacks			
Min. Front Yard (West)	2.0 M	2.0 M	
Min. Flanking Yard (North)	2.0 M	2.0 M	
Min. Side Yard (South)	o.o m	o.86 m	
Min. Rear Yard (East)	o.o m	o.36 m	
Setbacks above 16.0 m			
Min. Front Yard (West)	4.0 m	>4.0 m	
Min. Flanking Yard (North)	3.0 m	>3.0 m	
Min. Side Yard (South)	3.0 m	>3.0 m	
Min. Rear Yard (East)	4.0 m	>4.0 m	
Stepbacks			
Min. Fronting Street (West)	3.0 m	3.0 m	
Min. Flanking Street (North)	3.0 m	3.0 m	
Amenity Space			
Total Required Amenity Space	2,539 m²	3,419.5 m²	
Common	832 m²	1,456.5 m²	
Private	1,707 m²	1,963 m²	
Landscaping			
Min. Number of Trees	15 trees	15 trees	
Min. Large Trees	8 trees	8 trees	

PARKING REGULATIONS			
CRITERIA	UC2 ZONE REQUIREMENTS	PROPOSAL	
Total Required Vehicle Parking	175 stalls	165 stalls **	

Rental Reduction (20%)	-39	
Car Share Reduction	-5	1
Visitor Stall Reduction (20%)	-6	
Total Residential	152	135
Total Visitor	23	29
Ratio of Regular to Small Stalls	Min. 50% Regular	50.3% Regular
	Max. 50% Small	49.7% Small
Bicycle Stalls Short-Term	24 stalls	24 stalls
Bicycle Stalls Long-Term	158 stalls	158 stalls
Bike Wash & Repair	Υ	Υ

^{**} Payment in Lieu of Parking is being provided for ten (10) stalls at a total amount of \$388,500.00

6.0 Application Chronology

Application Accepted: January 8, 2025
Neighbour Notification Received: February 6, 2025
Adoption of Zone Amending Bylaw: April 7, 2025

Report prepared by: Sara Skabowski, 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 Sustainability &

Development Services

Attachments:

Attachment A: Draft Development Permit DP25-0012

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: Modo Car Share Agreement Attachment D: Applicant Rationale Letter

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