

# REPORT TO COUNCIL



**Date:** June 12, 2017

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (MS)

**Application:** Z17-0025 & TA17-0009

**Owner:** Stanley J. Tessmer

**Address:** 2673 Gore St.

**Applicant:** Worman Resources Inc.

**Subject:** Rezoning and Text Amendment Application

Existing OCP Designation: MRM – Multiple Unit Residential (Medium Density)

Existing Zone: RU6 – Two Dwelling Housing

Proposed Zone: RM5 –Medium Density Multiple Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z17-0025 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of *Lot 11, District Lot 14, ODYD, Plan 7927*, located at 2673 Gore St, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM5 –Medium Density Multiple Housing zone, be considered by Council;

THAT Zoning Bylaw Text Amendment Application No. TA17-0009 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated May 29<sup>th</sup> 2017 and on Schedule "A", be considered by Council;

AND THAT the Zone Amending Bylaw & the Text Amendment Bylaw be forwarded to a Public Hearing for further consideration.

AND THAT final adoption of the Zone Amending Bylaw & the Text Amendment Bylaw be subsequent to the following:

To the outstanding conditions identified in Schedule "B" associated with the report from the Community Planning Department dated May 29<sup>th</sup>, 2017.

AND FURTHER THAT, subsequent to fourth reading of the above bylaw, a Development Permit and Development Variance Permit will be required as outlined in the report from the Community Planning Department dated May 29<sup>th</sup>, 2017.

## 2.0 Purpose

To consider a rezoning application on the subject property from the RU6 – Two Dwelling Housing zone to the RM5 - Medium Density Multiple Housing zone and to consider a Text Amendment to change the definition of Multiple Dwelling Housing from five units or greater to three units or greater.

## 3.0 Community Planning

Staff support the rezoning and text amendment bylaws. The proposal would achieve a medium density multi-family residential project on an existing infill lot in the South Pandosy Town Centre. The applicant has provided a solution that meets the density objective of the Official Community Plan (OCP) Multiple Residential Medium Density (MRM) designation without the requirement of lot consolidation. The project meets the Floor Area Ratio (FAR) target for the zone with a unit count lower than normally expected.

Location is a key consideration with this application. Of particular note, the property lies within the South Pandosy Urban Centre, and has commercial uses to the east and south of the property. A smaller apartment building form fits well within the context of the neighbourhood and has potential urban design benefits over larger more traditional style apartment forms.

The proposal reflects several objectives of the Official Community Plan (OCP) for the South Pandosy Urban Centre, including:

- **South Pandosy<sup>1</sup>.** Build to generally 4 storeys.
- **South Pandosy Urban Design<sup>2</sup>.** Encourage urban design that differentiates this a “grander” or more “stately” image than other residential areas which will enhance the desired character of the corridor.

Additionally, the proposal provides a residential form with three bedrooms, large in square footage (each unit size above 2000 sf), suitable for families, near services, parks and transit, that would provide a housing option not common in the City. It addresses several objectives of the OCP, notably:

- **Housing Mix<sup>3</sup>.** Support a greater mix of housing unit size, form and tenure in new multi-unit residential.
- **Family Housing<sup>4</sup>.** Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, larger units, safe design, and neighbourhood characteristics (e.g. location and amenities).
- **Ground-Oriented Housing<sup>5</sup>.** Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets, especially where such can be provided on non-arterial and non-collector streets.
- **Adaptable Housing<sup>6</sup>.** Encourage the use of adaptable design to increase flexibility of housing.

In addition to the zoning amendment, the proposed text amendment changes the definition of Multiple Dwelling Housing from five units or greater to three units or greater. This change will align the City's Zoning Bylaw with the OCP and the Subdivision & Servicing Bylaw. The goal is to have a consistent definition in all three major development bylaws in which single and two-unit residential housing is clearly differentiated from multiple unit housing at three units and above.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.5.1 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.20.2 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.22.11 (Development Process Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.22.13 (Development Process Chapter).

<sup>5</sup> City of Kelowna Official Community Plan, Policy 5.23.1 (Development Process Chapter).

<sup>6</sup> City of Kelowna Official Community Plan, Policy 5.22.10 (Development Process Chapter).

## Proposal

### 3.1 Project Description

The application is for a multiple dwelling development modelled after the housing type known as the Brownstones. The project includes two, side by side, ground oriented townhouse units facing Gore Street, and two single storey condominium units on the third and fourth floors. Each unit will have private, dedicated access to the ground floor, and private parking accessed from the alley. Each unit has three bedrooms, and private outdoor space. The townhouse units will have personal private patio spaces that provide a transition from public to private space. The upper floor condominium units each have outdoor deck space with landscape features.

The application seeks a solution to infill housing at the multiple dwelling unit density with an existing lot configuration. The design has worked with the zoning bylaw to provide a solution to achieve the desired density on smaller lots without the consolidation of multiple lots. Such consolidation can be challenging to achieve in the urban core and often a barrier to redevelopment. The application has provided a solution to meet the density target through an infill model. To this end, a number of variances are requested to achieve the density on the site.

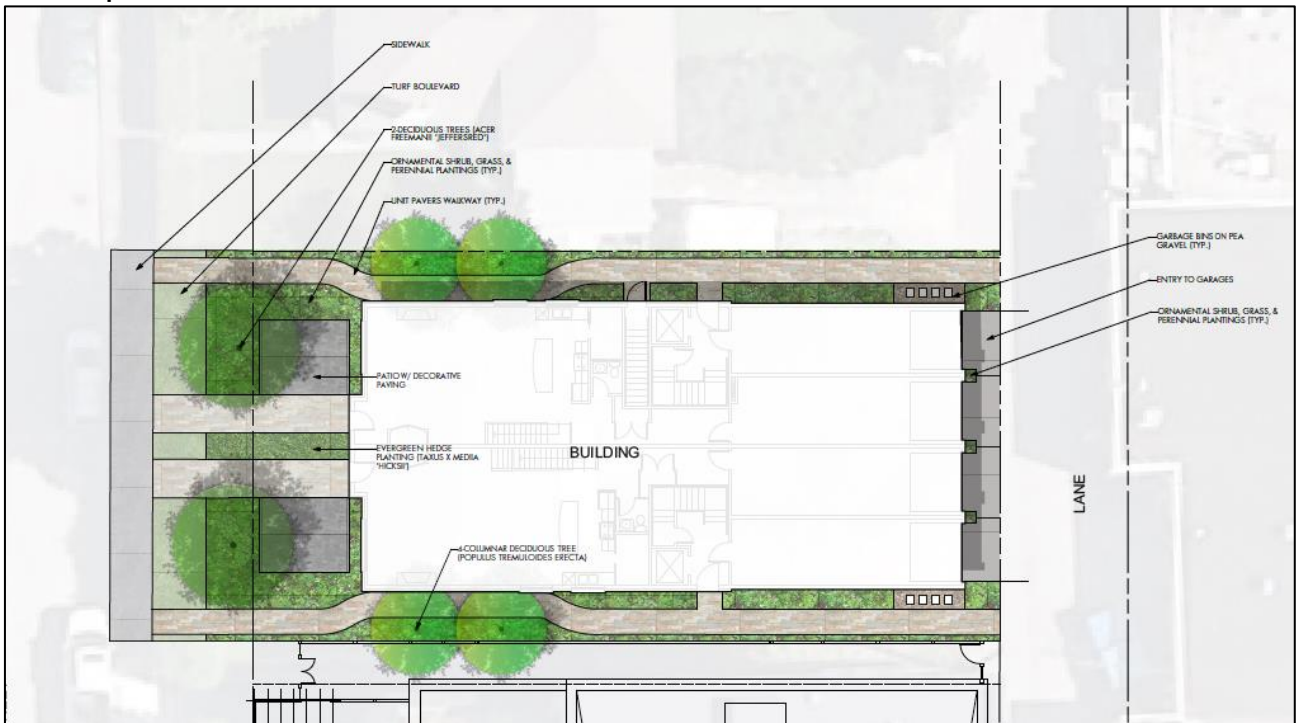
The side yard setbacks are the first variance request. The setback request is consistent with the RM4 zone, at 2.32 metres, with the upper stories at 3.96 metres. The rear yard setback is also a variance request, from 7.0 metres permitted to 1.61 metres proposed. A lane is at the rear of the parking, which provides access to enclosed garages, with living areas above. The rationale notes that the neighbour across the alley is commercial, and the setback and form corresponds with the that of the neighbour. The applicant also notes a rear yard variance would not be required if the parking was open. The request for the relaxation in the side and rear yard landscaping areas and levels are corresponding variances responding to this building form.

A further result of the enclosed parking building form is a site coverage variance request, to 60.4% from a permitted 50%, including a bonus for additional private open space provided in the plan. The applicant notes that the permitted site coverage including parking and driveways is 65%. A detailed outline of variance requests is provided in the table in Section 4.3 below.

Proposal Rendering: 2673 Gore St.



Landscape Plan: 2673 Gore St.



### 3.2 Site Context

The site is located in the South Pandosy Urban Centre. Specifically, the adjacent land uses are as follows:

| Orientation | Zoning                       | Land Use    |
|-------------|------------------------------|-------------|
| North       | RU6 – Two Dwelling Housing   | Residential |
| East        | C4 – Urban Centre Commercial | Commercial  |
| South       | C4 – Urban Centre Commercial | Commercial  |
| West        | RU6 – Two Dwelling Housing   | Residential |

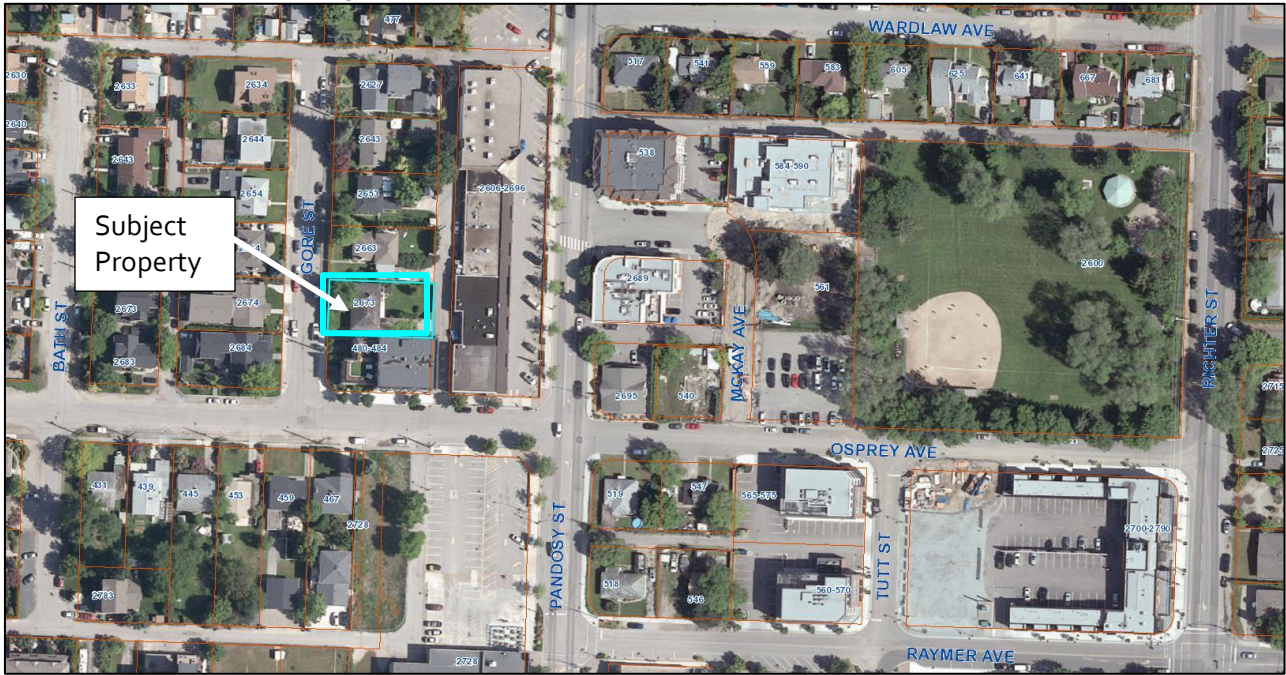
### 3.3 Zoning Analysis Table

The zoning analysis is included in the table below.

| Zoning Analysis Table   |   |  |
|---|---|--|
| CRITERIA  | RM5 ZONE REQUIREMENTS   | PROPOSAL   |
| Development Regulations   |   |  |
| Floor Area Ratio*   | 1.3   | 1.3  |
| Height  | 18m / 4.5 storeys   | 14.33m / 4.0 storeys                                       |
| Front Yard**  | 2½ storeys = 1.5m<br>Over 2½ storeys = 6.0m                                       | 2½ storeys = 4.5m<br>Over 2½ storeys = 10.7m               |
| Side Yard (south)   | 4.5m / 7.0m   | 2.32m / 3.96m ❶  |
| Side Yard (north)   | 4.5m / 7.0m   | 2.32m / 3.96m ❶  |
| Rear Yard   | 7.0m  | 1.61m ❶  |
| Site Coverage (w/ bonus for POS)  | 50% w/ POS  | 60.4% ❶  |
| Site Coverage incl. driveways and parking   | 65%   | 63.47%   |
| Other Regulations   |   |  |
| Minimum Parking Requirements  | 2 stalls x 4 units = 8  | 8  |
| Bicycle Parking   | Class I@ .5/unit x 4 units = 2<br>Class II@ .1/unit x 4 units = 1                 | 2<br>1   |
| Landscape Buffers   | Front 3m<br>Side (south) 3m**<br>Side (north) 3m**<br>Rear 3m**                   | 4.5m<br>2.32m ❶<br>2.32m ❶<br>1.61 ❶                       |
| Landscape Levels  | 2<br>3<br>3<br>3  | 2<br>3<br>3<br>1 ❶   |
| Private Open Space (POS)  | 25m <sup>2</sup> / unit x 4 units = 100m <sup>2</sup> (min 25m <sup>2</sup> each) | 181m <sup>2</sup> (min 30m <sup>2</sup> each w/ POS bonus) |
| *Including bonuses for covered parking and urban centre<br>**Or opaque fencing.<br>❶ Indicates a requested variance as noted. |   |  |



**Context Map: Pandosy Village Centre**

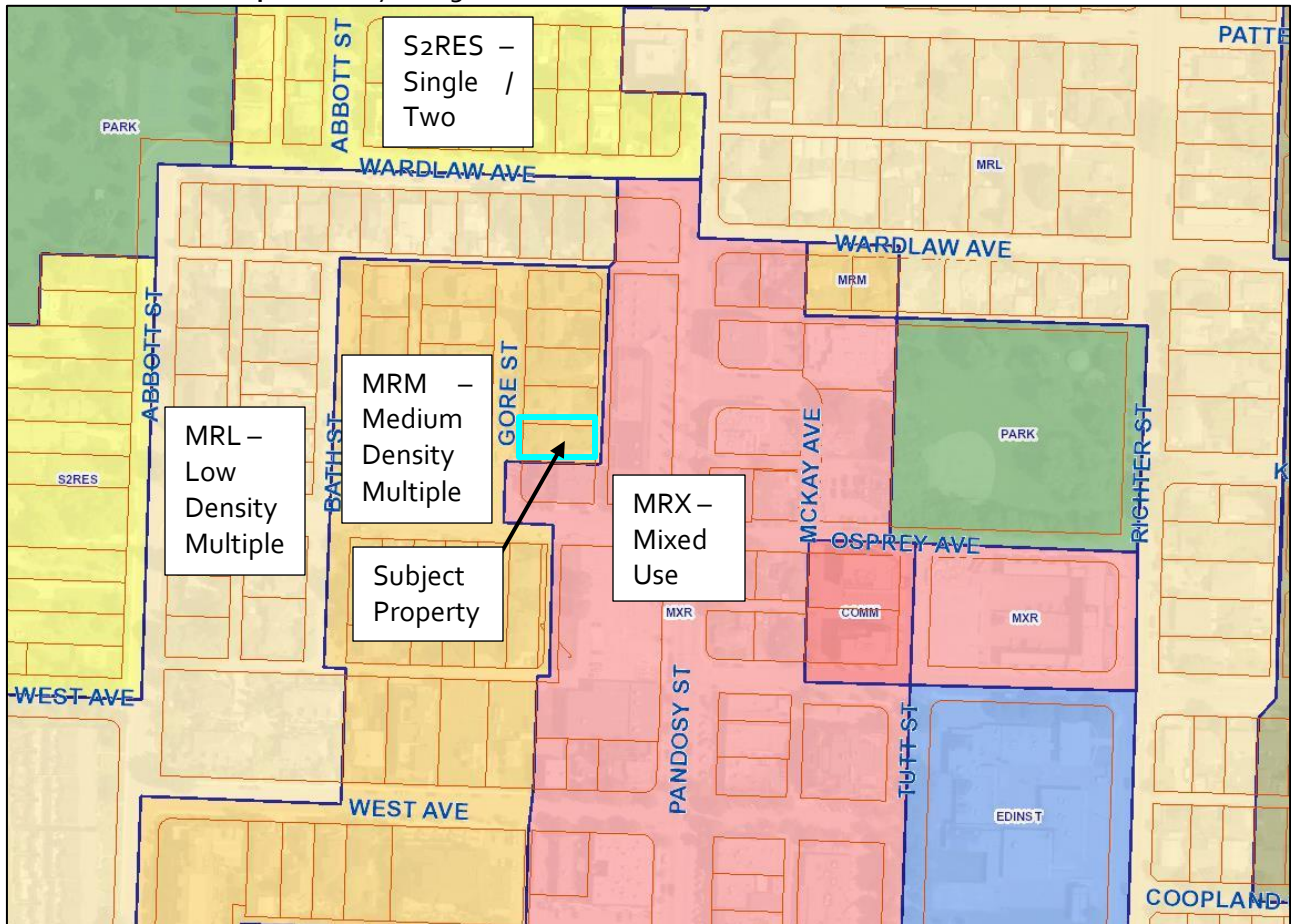


**Subject Property Map: 2673 Gore Street**





Future Land Use Map: Pandosy Village Centre



Urban Centre Map: South Pandosy Urban Centre



#### 4.1 Kelowna Official Community Plan (OCP)

## Development Process

**Compact Urban Form.**<sup>7</sup> Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

**South Pandosy**<sup>8</sup>. Generally 4 storeys. Six storeys within C4 or C9 zoned areas. Potential for 8 storeys where an architecturally distinct and significant buildings is placed at a corner, gateway or view terminus location that is of significance to the community or where a building is of cultural significance to the community.

**South Pandosy Urban Design<sup>9</sup>.** Ensure that the urban design for South Pandosy clearly differentiates this commercial district from others in the City and interior of BC. To this end,

<sup>7</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>8</sup> City of Kelowna Official Community Plan, Policy 5.5.1 (Development Process Chapter).

<sup>9</sup> City of Kelowna Official Community Plan, Policy 5.20.2 (Development Process Chapter).



redevelopment should encourage the development of residential buildings fronting on the Abbott / Watt Road corridor to present a “grander” or more “stately” image than other residential areas which will enhance the desired character of the corridor.

**Adaptable Housing**<sup>10</sup>. Encourage the use of adaptable design to increase flexibility of housing by referring developers to adaptable design guidelines.

**Housing Mix**<sup>11</sup>. Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

**Family Housing**<sup>12</sup>. Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, workshop space, larger units, safe design, and neighborhood characteristics (e.g.: location and amenities).

**Ground-Oriented Housing**<sup>13</sup>. Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets. High density residential projects in the Downtown area are encouraged to include a ground-oriented housing component, especially where such can be provided on non-arterial and non-collector streets.

## 5.0 Technical Comments

### 5.1 Building & Permitting Department

A Building permit is required for the civil works portion of the parking lot. A Civil engineer is required to provide drawings and schedules at time of permit application.

- The floor areas may be required to be redesigned to accommodate a public corridor with two exit stair shafts which would change the building.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. Minimum building elevations are required to be established prior to the release of the Development Permit.

### 5.2 Development Engineering Department

See attached memorandum dated April 25, 2017.

### 5.3 Fire Department

No concerns with text amendment or zoning change.

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<sup>10</sup> City of Kelowna Official Community Plan, Policy 5.22.10 (Development Process Chapter).

<sup>11</sup> City of Kelowna Official Community Plan, Policy 5.22.11 (Development Process Chapter).

<sup>12</sup> City of Kelowna Official Community Plan, Policy 5.22.13 (Development Process Chapter).

<sup>13</sup> City of Kelowna Official Community Plan, Policy 5.23.1 (Development Process Chapter).

## **6.0 Application Chronology**

|  |                             |
|--|-----------------------------|
| Date of Application Received:          | March 15 <sup>th</sup> 2017 |
| Date of Applicant's Public Open House: | April 6, 2017               |
| Date Public Consultation Completed:    | April 16, 2017              |
| Date Circulation Comments Completed:   | April 25, 2017              |

|                                |   |
|--------------------------------|---|
| <b>Report prepared by:</b>     | Melanie Steppuhn, Planner Specialist              |
| <b>Reviewed by:</b>            | Terry Barton, Urban Planning Manager              |
| <b>Approved for Inclusion:</b> | Ryan Smith, Community Planning Department Manager |

### **Attachments:**

Schedule "A" – Text Amendment TA17-0009  
Schedule "B" - Development Engineering Memo dated April 25<sup>th</sup> 2017  
Applicant's Letter of Rationale  
Initial Drawing Package