

REPORT TO COUNCIL



Date: November 21st, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (MS)

Application: DP17-0064 & DVP17-0065 **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: RM5 –Medium Density Multiple Housing

1.0 Recommendation

THAT final adoption of Rezoning Text Amendment Bylaw No. 11426 be considered by Council;

AND THAT final adoption of Rezoning Bylaw no. 11427 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP17-0064 for *Lot 11, District Lot 14, ODYD, Plan 7927*, located at 2673 Gore St, Kelowna, BC, 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 form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

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 THAT Council authorizes the issuance of Development Variance Permit No. DVP17-0065 for *Lot 11, District Lot 14, ODYD, Plan 7927*, located at 2673 Gore St, Kelowna, BC, Kelowna, BC;

AND THAT variances to the following section[s] of Zoning Bylaw No. 8000 be granted:

Section 13.11.6(b): Site Coverage

- To vary the required site coverage from 40% to 60.4% proposed.

Section 13.11.6(e): Side Yard Setbacks

- To vary the required side yard setback (north and south) for:
- Portions of the building not over 2 ½ stories, from 4.5m to 2.32m; and
- Portions of the livable area of the building over 2 ½ stories, from 7.0m to 3.96m; and
- Portions of the stairwell and elevator shaft areas of the building over 2 ½ stories from 7.0m to 2.32m.

Section 13.11.6(f): Rear Yard Setback

To vary the required rear yard setback from 7.0m to 1.61m proposed.

AND THAT Council's consideration of this Development Permit/ Development Variance Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated November 21, 2017;

AND FURTHER THAT this Development Permit / Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To consider a form and character of a 4 unit stacked townhouse project in the RM5 zone and to consider variances for site coverage, as well as side and rear yard variances.

3.0 Community Planning

Staff support the development permit and associated variances. The proposed stacked townhouse form fits well within the context of the neighbourhood. The proposed townhouse units are oriented out towards the street as well as towards the back laneway each with individual ground floor accesses. A more traditional multi-family building form would likely have units facing the neighbouring properties and so despite the side yard setback variance request, this approach should provide a benefit to the adjacent properties in terms of privacy and minimizing visual impact.

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

- **South Pandosy**¹. Build to generally 4 storeys.
- **South Pandosy Urban Design**². 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.

The application meets the Comprehensive Development Permit Guidelines³ through its effective street edge, open spaces that take advantage of sunlight, public and private transition, recognizable entrances and durable materials. The front yard patios provide a smooth transition to the street, with landscaping that softens the building form and a low rail fence treatment that defines the public from the private realm. Balconies, canopies, window treatments and articulated rooflines provide variation to the building mass. The top two stories are set back which lightens the sense of mass. The material textures are varied, and there is pedestrian movement around the site and through to the laneway. In addition, the parking is accessed from the rear and is internal to the building.

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

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

³ City of Kelowna Official Community Plan, Chapter 14. Comprehensive Development Permit Area Guidelines

The proposed project requires variances for site coverage and setbacks, however, the form of the building achieves many of the OCP's design guidelines objectives such as: extensive open spaces, ground oriented units with identifiable front entries, as well as the variation in both materials and building form. Articulation through window detailing, roof definition and cornice treatments further refine the character of the building and reflect a high quality of design.

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.

Proposal Rendering: 2673 Gore St.



3.2 Variances

Section 13.11.6(b): Site Coverage. *To vary the required site coverage from 40% to 60.4% proposed.*

The site coverage variance is in keeping with many recently approved RM5 developments (see chart below for examples). Staff are currently reviewing the RM5 zone and will likely be recommending an increase in allowable site coverage.

Sample of recently approved projects with Site Coverage variances				
	Zone	Site Coverage allowed	Site Coverage Varied	Approved
1883 Water St (Magala Pl)	RM5	40%	80%	January 2017
1545 Bedford Ave	RM5	40%	69.7%	October 2016
925 Leon Ave (Cambridge House)	RM6	50%	83.4%	June 2016
1295 St. Paul	RM4	50%	71.3%	March 2016
125 Dundas Rd	RM5	40%	40.3%	February 2016
1525 Dickson Ave (The Flats)	RM5	40%	66.3%	April 2015

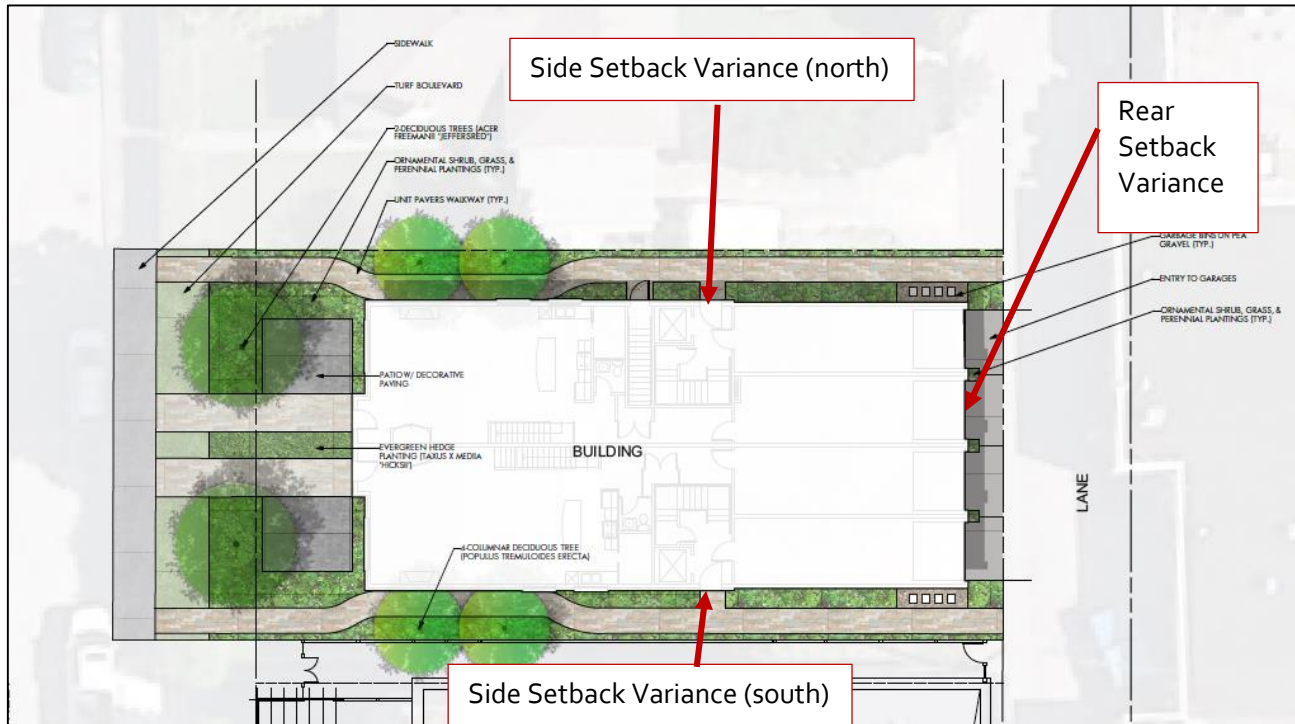
Section 13.11.6(e): Side Yard Setbacks. *To vary the required side yard setback (north and south):*

For portions of the building not over 2 ½ stories, from 4.5m to 2.32m proposed; for the livable areas of the building over 2 ½ stories, from 7.0m required to 3.96m proposed; and for the stairwell and elevator shaft areas of the building over 2 ½ stories, from 7.0m required to 2.32m proposed.

The applicant is proposing to reduce the side yard setback on the first 2 ½ storeys to be consistent with the single family zoning setbacks (2.3m). The building design's third and fourth levels provide greater setbacks at 3.96m for the livable areas with the exception of the stairwell and elevator shaft areas which remain at 2.32m for only a small portion of the side yard (approximately 4.0m length on northern elevation and approximately 6.5m length on the southern elevation). Staff agree with the applicant that the setbacks for this stack townhouse project could be reduced based on the subject property's location in an Urban Centre and the orientation of the units facing out towards the street and towards the laneway and not towards the neighbouring properties. Due to the project meeting most of the City's Urban Design Guidelines and the OCP encouraging innovative infill density, Staff are willing to recommend support for this side yard setback variance in order to analyze the acceptability of this type of housing product.

Section 13.11.6(f): Rear Yard Setback. *To vary the required rear yard setback from 7.0m to 1.61m proposed.* The rear yard setback was reduced to accommodate structured parking and for the developer to achieve the desired density (FAR). The City's mixed-used use zones (C4 & C7) have no setbacks to rear yards adjacent to laneways while the City's multi-family residential only zones (RM3, RM4, RM5) currently do not have this same provision. Due to the subject property's location within a town centre and adjacency to other commercial buildings, staff are supportive of this variance request.

Site Plan: 2673 Gore St.

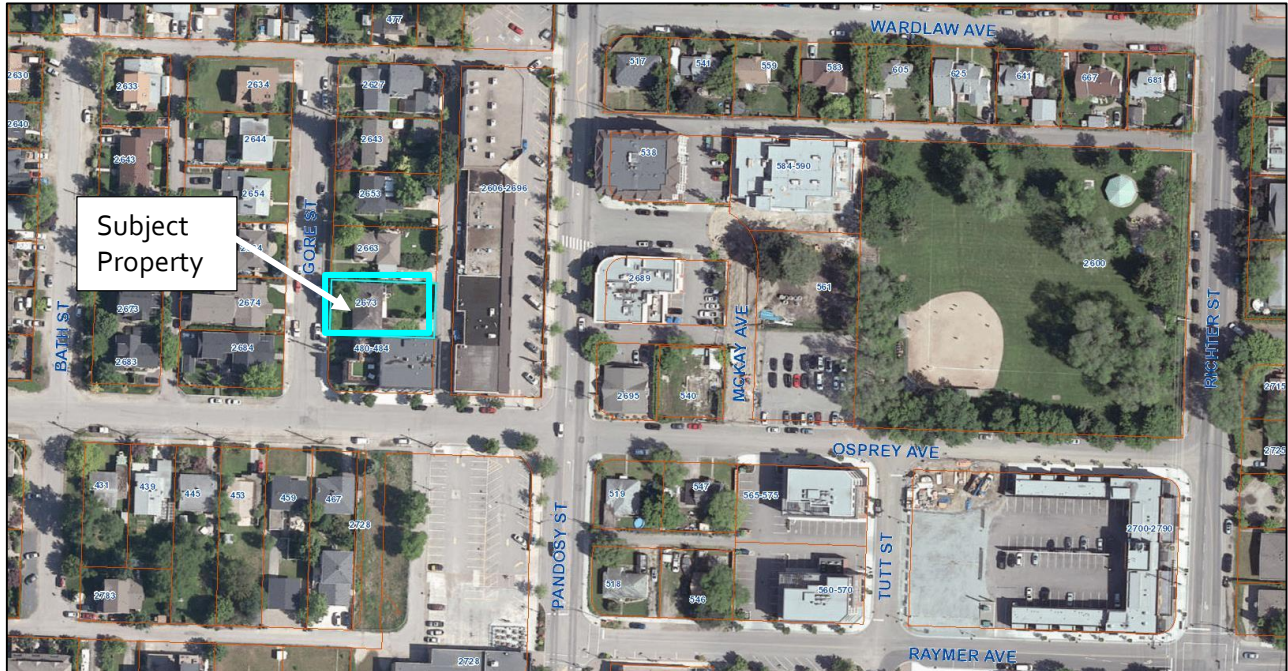


3.3 Site Context

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

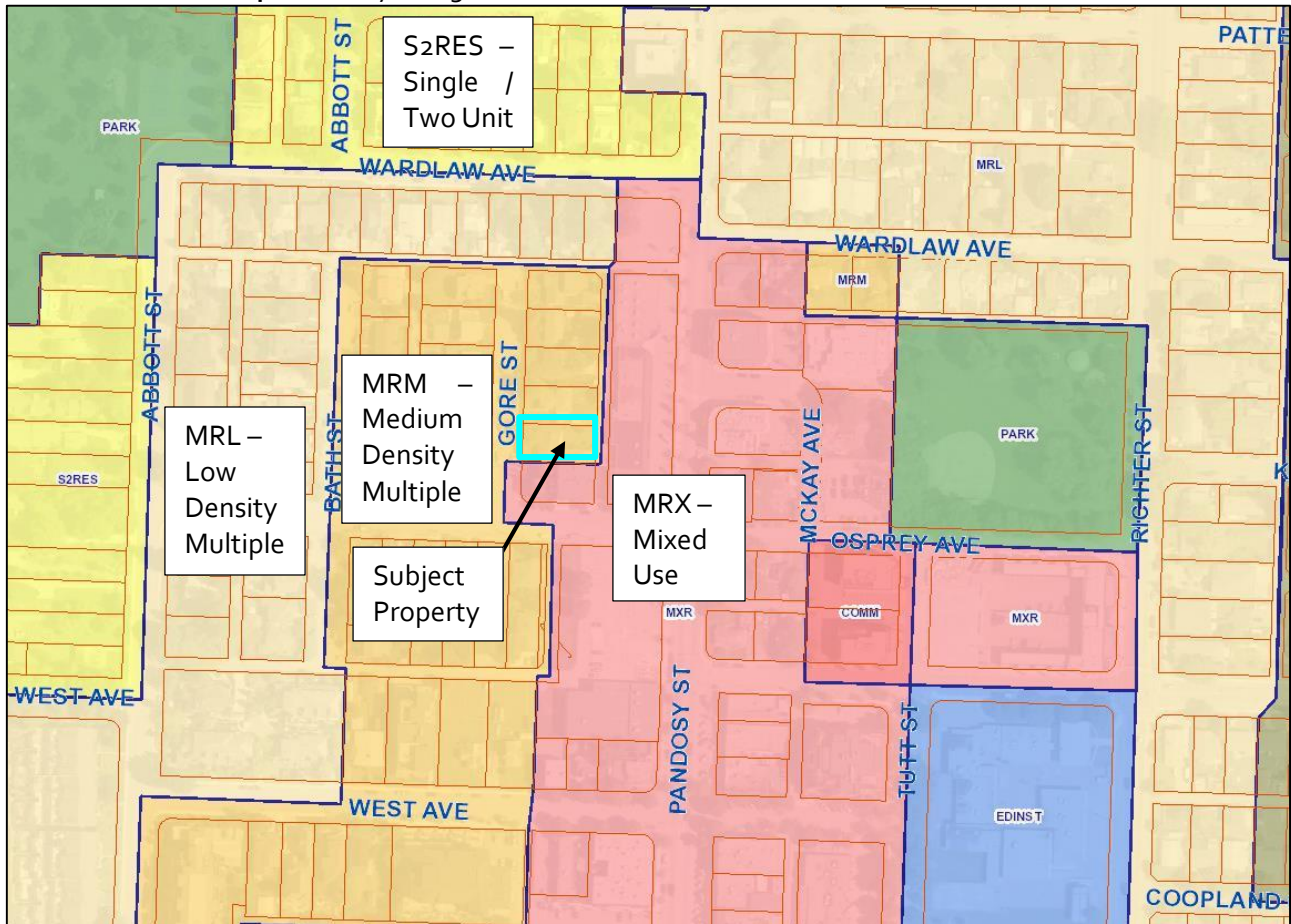
Context Map: Pandosy Village Centre



Subject Property Map: 2673 Gore Street



Future Land Use Map: Pandosy Village Centre



Urban Centre Map: South Pandosy Urban Centre



3.4 Zoning Analysis Table

The zoning analysis is included in the table below.

Zoning Analysis Table		
CRITERIA	RM ₅ 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 Over 2½ storeys = 6.0m	2½ storeys = 4.5m Over 2½ storeys = 10.7m
Side Yard (south)	4.5m / 7.0m	2.32m / 3.96m/2.32m ^❶
Side Yard (north)	4.5m / 7.0m	2.32m / 3.96m/2.32m ^❷
Rear Yard	7.0m	1.61m ^❸
Site Coverage (w/ bonus for POS)	50% w/ POS	60.4% ^❹
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	2
	Class II@ .1/unit x 4 units = 1	1
Private Open Space (POS)	25m ² / unit x 4 units = 100m ² (min 25m ² each)	181m ² (min 30m ² each)
^❶ Variance to reduce the side yard setback (south) ^❷ Variance to reduce the side yard setback (north) ^❸ Variance to reduce the rear yard setback ^❹ Variance to reduce the site coverage		

4.0 Current Development Policies

4.1 Kelowna Official Community Plan (OCP)

Comprehensive Development Permit Area Guidelines

OBJECTIVES

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;
- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
- Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character;
- Promote alternative transportation with enhanced streetscapes and multimodal linkages;
- Highlight the significance of community institutional and heritage buildings; and

- Protect and restore the urban ecology (i.e. architectural and site consideration with respect to the ecological impact on urban design).
- Moderate urban water demand in the City so that adequate water supply is reserved for agriculture and for natural ecosystem processes.
- Reduce outdoor water use in new or renovated landscape areas in the City by a target of 30%, when compared to 2007

5.0 Application Chronology

Date of Application Received:	March 15 th 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
Date of Initial Consideration:	June 12, 2017
Date of Public Hearing:	July 25, 2017

Report prepared by:	Melanie Steppuhn, Planner Specialist
Reviewed by:	Terry Barton, Urban Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Applicant's Letter of Rationale
Draft Development Permit / Development Variance Permit