

REPORT TO COUNCIL



Date: November 20, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (AC)

Application: Z17-0069, OCP17-0017, & TA17-0011 **Owner:** Sole on KLO Developments Ltd

Address: 1083-1089 KLO Rd **Applicant:** Kevin Edgecombe

Subject: OCP Amendment, Rezoning, and Text Amendment Application

Existing OCP Designation: MRM – Multiple Residential (Medium Density)
Proposed OCP Designation: MXR – Mixed Use (Residential/Commercial)
Existing Zone: RM3 – Low Density Multiple Housing
Proposed Zone: C4 – Urban Centre Commercial

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP17-0017 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 2, District Lot 135, ODYD, Plan 25466 except Plan 38538, located at 1083-1089 KLO Rd, Kelowna, BC from the MRM – Multiple Residential (Medium Density) designation to the MXR – Mixed Use (Residential/Commercial) designation, be considered by Council;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the *Purpose* of Section 879 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated October 20 2017;

THAT Zoning Bylaw Text Amendment Application No. TA17-0011 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the Report from the Community Planning Department dated November 20th 2017 be considered by Council;

AND THAT Rezoning Application No. Z17-0069 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, District Lot 135, ODYD, Plan 25466 except Plan 38538, located at 1083-1089 KLO Rd, Kelowna, BC from the RM3 – Low Density Multiple Housing zone to the C4 – Urban Centre Commercial zone, be considered by Council;

AND THAT the Official Community Plan Map Amendment Bylaw, the Zoning Bylaw Text Amendment Bylaw and the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the OCP Map Amending Bylaw and the Rezoning Bylaw be considered subsequent to the outstanding conditions identified in Attachment "A" associated with the report from the Community Planning Department dated October 20th 2017.

2.0 Purpose

To consider an OCP amendment application from MRM – Multiple Residential (Medium Density) to MXR – Mixed Use (Residential/Commercial) and to consider a rezoning application on the subject property from the RM3 – Low Density Multiple Housing zone to the C4 – Urban Centre Commercial zone and a Text Amendment application to the C4 zone to facilitate the development of a five storey building with four floors of residential and one commercial ground floor unit.

3.0 Community Planning

Staff supports the Rezoning, Official Community Plan (OCP) amendment and the C4 Text Amendment applications. The majority of KLO Road is designated and developed to the Multiple Residential (medium density) other than the properties which are designated as Institutional land uses that function as schools. The development of the southern side of KLO road as medium density multi-family is a positive step which has contributed to the goal of densifying Kelowna's Urban Centres. However, in some situations it would be better to have commercial on the ground floor within urban centres to improve quality of living, to improve access to services & amenities, to improve neighbourhood walkability, and to decrease the dependency on vehicular transportation. In order to allow for commercial land uses to occur on the ground floor, the OCP needs to be amended to permit MXR (Mixed Use – Residential/Commercial) and rezone the property to the C4 zone. Consequently, the OCP amendment and rezoning applications would also add additional residential density to be built on the site. The current OCP designation of MRM and accompanying zone of RM3 would only permit a 3 storey apartment building or 3 storey townhomes as the highest permitted land uses and would not permit any commercial land uses.

There are some issues with access and parking but those will be analyzed in a Development Permit Council Report. The first step is to approve the increase in residential density and permitting commercial land uses on the subject property. The Official Community Plan encourages mixed use (commercial and residential) development to occur in Urban Centres and along arterial roads. Additionally, commercial uses in close proximity to the Okanagan College is seen as a beneficial land use. Therefore, Staff are supporting and encouraging the OCP amendment and the rezoning applications.

The Text Amendment application is to alter the C4 density bonus. Currently, applications get a 0.84 FAR (Floor Area Ratio) bonus if they provide the following three criteria: property must be within the South Pandosy Urban Centre, a co-op / car sharing program is provided, and all the required parking spaces are located below natural grade. The Text Amendment proposes to alter the language that all required parking spaces are located below natural grade to all the parking provided in a structured form. It is difficult to meet underground parking in the South Pandosy Urban Centre due to the high water table. One of the recommendations that was endorsed as part of Council's Housing Strategy completed in 2012 was to "Provide zoning that would accommodate six-storey wood frame buildings". Due to this development cycle, planning has not yet provided the zoning amendments that would allow 6 storey wood framed buildings without height variances. However, Planning Staff are currently working on RM5 & C4 zone amendments that after some further review should come forward to Council shortly. In the meantime, Staff are supporting this Text Amendment application as a quick fix to the C4 zone to allow for more density as long as the project provides structured parking.

Staff have reviewed this application, and it may move forward without affecting either the City's Financial Plan or Waste Management Plan.

3.1 Public Notification

As per Council Policy 367 regarding public notification, the applicant held a public open house on October 3rd 2017.

4.0 **Proposal**

4.1 Project Description

The purpose of the numerous applications is to construct a 5 storey building with four floors of residential and one ground floor commercial unit. To make this plan viable: two variances are proposed (building height increase & rear yard setback reduction), a cash-in-lieu of more than 50%, and a Text Amendment to the Zoning Bylaw to adjust the FAR (Floor Area Ratio) incentives in the C4 zone.

Staff will provide recommendations on the merits of the variances and the cash-in-lieu within the Development Permit Council Report. Staff have provided recommendations and rationale on the land use applications and on the Text Amendment proposal within Section 3.0 Community Planning.

If Council supports the OCP amendment, rezoning, and Text Amendment bylaws, then the applicant will finalize the design and Staff will update the project description in a Development Permit Council Report.

4.2 Site Context

The subject property is: located in the South Pandosy Urban Centre along KLO road, connected to urban services, and located within the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P2 - Education & Minor Institutional	Okanagan College
East	RM5 – Medium Density Multiple Housing	Residential
South	RM5 – Medium Density Multiple Housing	Residential
West	RM5 – Medium Density Multiple Housing	Residential

Subject Property Map: 1083-1089 KLO Rd



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Compact Urban Form.¹ 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.

Contain urban growth.² Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Mixed Use.³ Integration of residential uses into commercial developments as mixed-use projects is encouraged in Urban Centres, provided that the ground floor use remains commercial.

Building Height.⁴ South Padosy: Generally 4 stories. Six storeys within c4 or c9 zoned areas.

¹ City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

² City of Kelowna Official Community Plan, (Chapter 1 Introduction).

³ City of Kelowna Official Community Plan, (Chapter 4 Future Land Use).

⁴ City of Kelowna Official Community Plan, Policy 5.5.1 (Chapter 5 Development Process).

Residential Land Use Policies.⁵

- Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.
- Ensure context sensitive housing development.

Commercial Land Use Policies.⁶ Encourage Mixed-use commercial development.

Relationship to the Street.⁷ Locate buildings to provide an effective street edge while respecting the established, desired streetscape rhythm;

Relationship to the Street.⁸ Design buildings with multiple street frontages to give equal emphasis to each frontage with respect to building massing, materials, details, and landscaping.

6.0 Technical Comments

6.1 Building & Permitting Department

No comment on rezoning.

6.2 Development Engineering Department

See attached memorandum dated August 17th 2017.

6.3 Fire Department

No comment on rezoning.

7.0 Application Chronology

Date of Application Received:	July 20 th 2017
Date Public Consultation Completed:	Oct 3 rd 2017
Date of Updated Plans Submitted:	Oct 3 rd 2017

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

Attachments:

1. Attachment 'A' Development Engineering Memo dated August 17th 2017
2. Initial Architectural Drawing Package

⁵ City of Kelowna Official Community Plan, Objective 5.22 (Chapter 5 Development Process).

⁶ City of Kelowna Official Community Plan, Objective 5.24 (Chapter 5 Development Process).

⁷ City of Kelowna Official Community Plan, Policy 3.1.1 (Chapter 14 Urban Design Guidelines).

⁸ City of Kelowna Official Community Plan, Policy 3.1.1 (Chapter 14 Urban Design Guidelines).