



COUNCIL REPORT
Development Services
For the May 26, 2020 Council Meeting

DATE: May 20, 2020

TO: Paul Gipps, CAO

FROM: Jayden Riley, Planner II

RE: DP 20-03; Commercial and Multiple Family and Intensive Residential Development Permit; 2411 Apollo Road
Legal: Lot 2 Block 2, DL 486, ODYD, Plan 761
Owner: Elias and Kevin Ferreira
Agent: Fox Architecture Inc.

RECOMMENDED MOTION:

THAT Council authorize the issuance of a Development Permit (DP 20-03) to construct a mixed commercial and residential building consisting of eight (8) residential units and 110 sq. m. of commercial space located at 2411 Apollo Road, subject to conditions outlined in the attached Development Permit; and

THAT if the Development Permit has not been issued within one year from the date of approval, the Permit shall be deemed to have been refused and the file closed.

RATIONALE:

- The proposal provides a mix of residential and commercial uses which reflects the purpose of the Westbank Centre Growth Management Designation by promoting a vibrant, walkable, transit-oriented village that enables people to live, shop, and work and play within the area;
- The proposal is consistent with Commercial and Multiple Family and Intensive Residential Development Permit Guidelines contained in the OCP; and
- The proposal conforms to the principal uses and regulations outlined in Zoning Bylaw No. 0154 for the Urban Centre Commercial Zone (C1).

LEGISLATIVE REQUIREMENTS

Council has the authority under Part 14 (s. 490) of the *Local Government Act* to issue a Development Permit. This Development Permit is specifically for form and character of a mixed commercial and multiple family residential development.

The subject property was rezoned in 2019 from Single Detached Residential (R1) to Urban Centre Commercial (C1). The applicant owns the adjacent property at 2417 Apollo Road; at the time of writing this report, a rezoning and concurrent development permit application to mirror the development has been submitted.

This application is seeking a Commercial and Multiple Family and Intensive Residential Form and Character Development Permit to accommodate the construction of a mixed-use development, consisting of eight (8) 1-bedroom residential units and 110 m² of commercial space. The commercial space and residential units are contained within one (1) building, with commercial space located at grade, fronting Apollo Road, and two (2) storeys above, each including four (4) residential units. The proposal includes a total of eight (8) covered surface parking spaces on the main level with vehicular access from the rear laneway. Also provided is Class I and II bicycle parking spaces for both commercial and residential components. The applicant has chosen to reduce the number of required off-street parking spaces by 3 spaces via cash in lieu and by providing end-point bike lockers and shower facilities. No variances are being proposed with this application.



The subject property is located at 2411 Apollo Road in the Westbank Centre Neighbourhood. It is a flat, vacant parcel with an area of 566 m². Surrounding land uses include:

- North – Institutional and Assembly (P2).
- East – Vacant / Single Detached Residential (R1)
- South – Urban Centre Commercial (C1)
- West – Single Detached Residential (R1)

POLICY AND BYLAW REVIEW

Official Community Plan Bylaw No. 0100

The subject property maintains a Commercial Land Use Designation, which is intended to support a variety of retail, office, and personal service uses, with opportunities for increased density in height and above street residential in Westbank Centre. The purpose of this designation is to meet the needs of residents at strategic locations for employment, shopping, and services. The proposal is aligned with the Commercial designation.

Development Permit Areas:

The proposed development is subject to two (2) of the City's DPAs: 1) Commercial and 2) Multiple Family and Intensive Residential. These DPAs address form and character.

1. The Commercial DPA guidelines seek to improve the form and character of commercial development, improve the streetscape, and consider how the design of new commercial development can support transit and active transportation modes such as walking and cycling. The proposal is found to be in general accordance with these guidelines.
2. Multiple Family and Intensive Residential DPA guidelines ensure that residential development is well designed, appropriately integrated into the community through use of good urban design principles, improves the streetscape by requiring pedestrian scale design, and ensures that all new development contributes positively to the pedestrian experience. The proposal is found to be in general accordance with these guidelines.

Form and Character:

The proposal includes two (2) 55 m² commercial spaces, with a lobby and garage at grade and two storeys of residential units above. Pedestrian access is proposed from both Apollo Road and the rear laneway, with driveway access from the rear laneway.

There are four (4) residential units on each upper residential storey (i.e. storeys 2 and 3), with a common corridor and stairwell to the lobby and main residential and commercial entrance, as well as to the garage and laneway exit. Each unit contains outdoor deck space with glass rails. The proposed building materials include woodgrain siding and white stucco with black fascia accents, black doors, and dark grey concrete modular units featured on the west and east façades (*Figure 4*). The westerly façade is designed to the zero lot line in order to accommodate a mirrored development (*Figure 3*) on the adjacent property, 2417 Apollo Rd., subject to applicable development approvals. The easterly façade is stepped back from the property line and has articulated massing, decks, windows and planters that consider street interface and potential development of the adjacent corner parcel at 3654 Old Okanagan Hwy.

A landscape plan was submitted with the application that includes deciduous shade and feature trees, decorative grasses and shrubs, concrete seating with woods slats, bike rack, and decorative pavers (*Attachment 5*). A landscape security in the amount of \$13,640.63 will be a condition of development permit issuance.

The proposed design elements align with the City's DPA design guidelines by providing a pedestrian friendly streetscape with well detailed façades and design features, and colours that reflect the natural environment of West Kelowna. The proposal also maximizes the number corner units and exterior access to facilitate natural ventilation and daylight access while at the same time providing a strong interactive connection to the street.

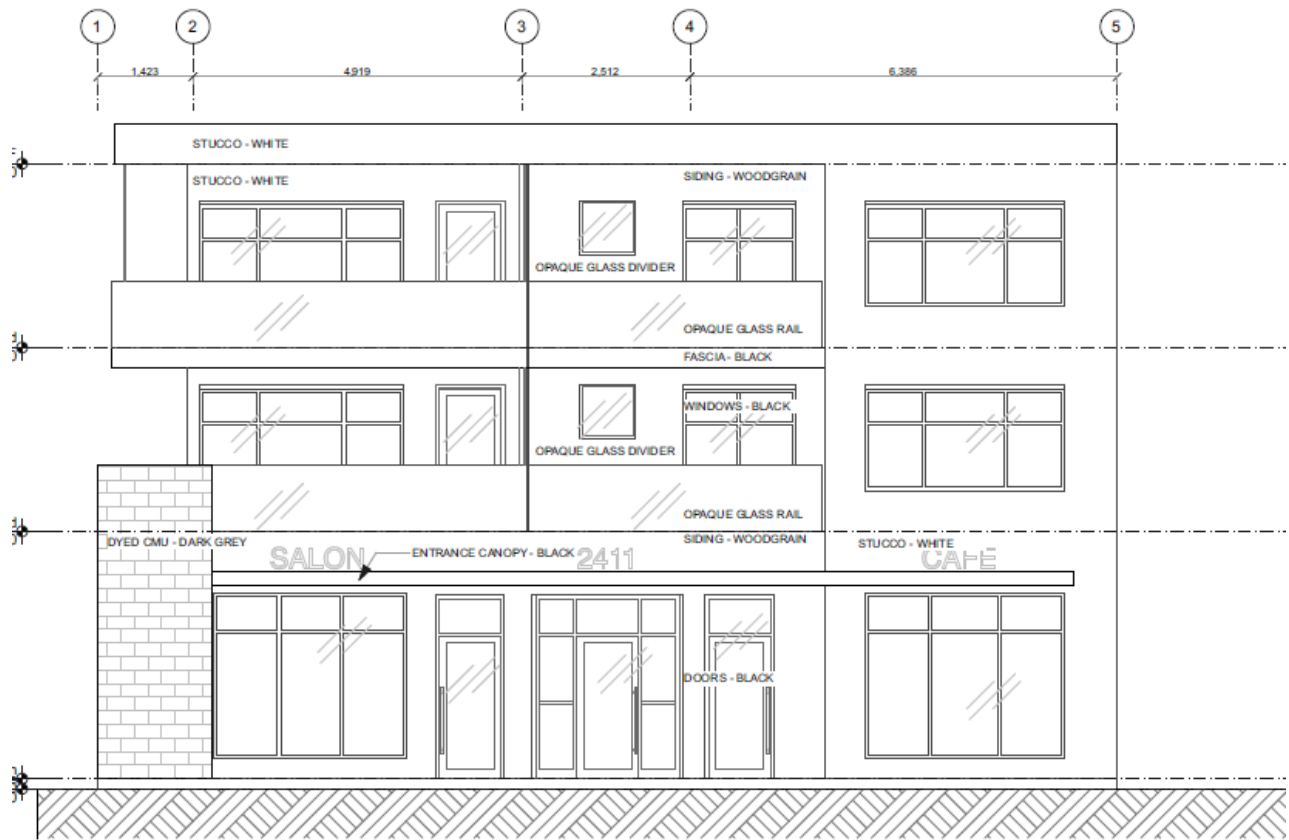


Figure 4: Building Details



Figure 5: North Elevations (Apollo Rd.)



Figure 6: South Elevation (Rear Lane)

Zoning Bylaw No. 0154

The subject property is zoned Urban Centre Commercial (C1). The property was rezoned from R1 to C1 in 2019 (File: Z 19-04, Zoning Amendment Bylaw No. 0154.75). The C1 Zone permits a range of uses, including apartment, personal service establishment, and retail. The proposal conforms to the principal uses and regulations outlined in the Zoning Bylaw for the C1 Zone, including density, parcel coverage, frontage and setbacks – see *Table 1*.

Zoning Regulations	Required (C1)	Proposed
Min. Parcel Area	400 sq. m.	573 sq. m.
Min. Parcel Frontage	5 m	15.4 m
Max. F.A.R.	2.5	2.33
Max. Lot Coverage	100%	88%
Max. Height	15 m / 4 storeys	10 m / 3 storeys
Min. Front Parcel Setback	4.5 m	4.5 m
Min. Rear Parcel Setback	0.0 m	0.0 m
Min. Interior Parcel Setback	0.0 m	0.0 m

Table 1: Zoning Analysis

As noted in *Table 1*, the C1 zone permits a zero lot line setback; therefore, due to the intention to mirror the development (*Figure 3*), the proposal includes an expansive concrete wall at the interior lot line between the two properties, as demonstrated by *Figures 5 and 6* and *Attachment 4*.

Parking:

As per S.4.12.2(a).2¹ and S 4.12.4(b)1² of the Zoning Bylaw, the applicant is proposing to reduce the number of required off-street parking spaces by paying cash in lieu and providing end point facilities in the form of bike lockers and showers (*Attachment 4*). The cash in-lieu contribution proposed is for a two (2) space reduction, at \$10,000.00 per space, for a total of \$20,000.00. *Table 2* provides a summary of the off-street parking requirements and the proposed reductions.

Off-Street Parking Requirements	Required	Proposed
8 x 1-bedroom	8	7
Visitor	1	1
110 sq. m. commercial (retail)	2	0
Total	11	8* (reduction of 2 spaces by cash in lieu and 1 space by bike lockers and showers)

Table 2: Parking Analysis

¹ S. 4.12.2(a).2 states that cash in lieu of up to 50% of required parking spaces will be accepted for multiple residential and mixed use developments in Westbank Centre.

² S.4.12.4(b).1 states that the required number of parking spaces for multiple residential, mixed use, and commercial buildings may be reduced by a maximum of 1 parking space where showers, lockers and sinks are provided in accordance with Table 4.12.

TECHNICAL REVIEW

The applicant submitted a functional servicing report with the application that confirms existing infrastructure will be able to support this development, subject to upgrades to water servicing, installation of hydrant on Old Okanagan Highway, and installation of a sanitary service. Geotechnical information was also submitted with the application, confirming the site is suitable for the proposed development, also providing recommendations on site preparation, foundation design, and drainage. Further details regarding servicing will be reviewed at building permit.

ALTERNATE MOTIONS:

1. Postpone Consideration of Development Permit DP 20-03

THAT Council postpone consideration of Development Permit (DP 20-03).

Council may wish to postpone the issuance of the Development Permit and require the applicant to redesign components of the proposal in accordance with the City's Official Community Plan Development Permit Guidelines.

2. Deny Consideration of Development Permit DP 20-03

THAT Council deny Development Permit (DP 20-03)

Council may wish to deny the application and have the applicant redesign the proposal in accordance with the City's Official Community Plan Development Permit guidelines. If the proposal was revised, the Development Permit would require further consideration by Council.

REVIEWED AND APPROVD BY:

Brent Magnan, Planning Manager
Mark Koch, Director of Development Services
Tracey Batten, Deputy CAO/Corporate Officer
Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

Attachments:

1. Context Map
2. Subject Property Map
3. DP 20-03 (Draft)
4. Architectural Drawings (Site Plan, Building Plans, Elevations, Renderings)
5. Landscape Plan

