



COUNCIL REPORT

To: Paul Gipps, CAO

Date: October 13, 2020

From: Jayden Riley, Planner II

File No: DP 20-11

Subject: **DP 20-11; Commercial, Multiple Family and Intensive Residential Development Permit; 2417 Apollo Rd**

RECOMMENDATION

THAT Council authorize the issuance of a Development Permit (DP 20-11) to support a mixed commercial and residential building consisting of eight (8) residential units and 110 sq. m. of commercial space, located at 2417 Apollo Road, subject to conditions outlined in the attached Development Permit (*Attachment 1*), including submission of a landscape security in the amount of \$7,656.25.

STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity (Strategic Plan Priorities 2020-2022)

BACKGROUND

This application is requesting a commercial and multiple family and intensive residential development permit to support a mixed-use development, consisting of a three (3) storey building with 110 sq. m. of ground-level commercial space and two (2) storeys of residential above, each with four (4) units. This is a mirrored concept of a recently approved development permit (DP 20-03) for the adjacent property, 2411 Apollo Road (*Attachment 2, Figure 2*). This development permit application has been submitted concurrently with a rezoning application (File Z 20-02); therefore, consideration of this application is subject to rezoning approval.

PROPERTY DETAILS			
Address	2417 Apollo Road		
PID	012-083-992		
Folio	36412444.000		
Lot Size	566 sq. m.		
Owner	Elias and Kevin Ferreira	Agent	Randi Fox, Fox Architecture

Current Zoning	Single Detached Residential (R1)	Proposed Zoning	Urban Centre Commercial (C1)
Current OCP	Commercial	Proposed OCP	N/A
Current Use	Single Family Dwelling	Proposed Use	Mixes Use
Development Permit Areas	Commercial; Multiple Family and Intensive Residential		
Hazards	No		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES

North	^	Institutional and Assembly (P2)
East	>	Urban Centre Commercial (C1)
West	<	Urban Centre Commercial (C1)
South	v	Urban Centre Commercial (C1)

NEIGHBOURHOOD MAP



PROPERTY MAP



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 specific to form and character of a proposed mixed commercial and multiple family residential development.

DISCUSSION

Proposal

This application is seeking a Commercial, 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. The proposal also includes Class I and II bicycle parking spaces for the 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.



Figure 1: subject property



Figure 2: mirrored development concept

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 (2) 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 the second and third storeys, with a common corridor and stairwell to the lobby and main residential and commercial entrance, as well as 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 façade (*Attachment 2, Figure 3*). The east façade is designed to the zero lot line and intended to abut and mirror the development on the adjacent property, 2411 Apollo Rd (*Figure 2*). The west façade is stepped back from the property line and has articulated massing, decks, windows and planters that consider the adjacent property.

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 3*). A landscape security in the amount of \$7,656.25 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.

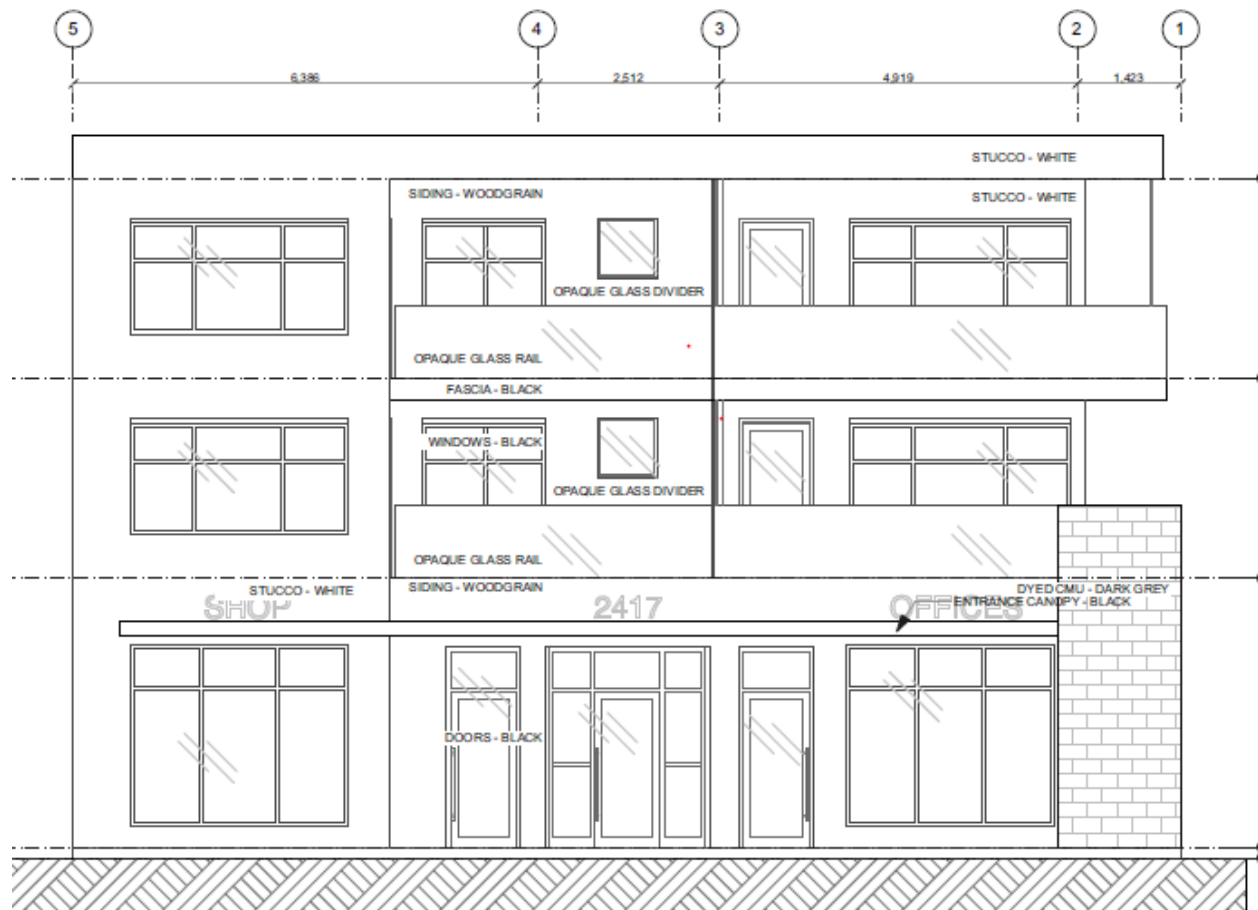


Figure 3: building details



Figure 4: building elevations (from Apollo Road)



Figure 5: building elevations (from south lane)

Zoning Bylaw No. 0154

Consideration of this application is subject to approval of a concurrent rezoning application (File: Z 20-02) that is proposing to rezone the subject property from Single Detached Residential (R1) to Urban Centre Commercial (C1).

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*.

As noted in *Table 1*, the C1 zone permits a zero interior parcel boundary setback; therefore, due to the intention to mirror the development (*Figure 2*), the proposal includes an expansive concrete wall at the interior lot line intended to abut the adjacent building (*Figures 2, 4 and 5, Attachment 2*).

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

Table 1: zoning analysis table

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 2*). The cash in-lieu contribution permits 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.

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.

Off Street Parking Requirements	Required (C1)	Proposed
8 x 1-bedroom units	8	7
Visitor	1	1
110 sq. m. of 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

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, while also providing recommendations on site preparation, foundation design, and drainage. Further details regarding servicing will be reviewed at building permit.

CONCLUSION

Staff recommend that Council approve the development permit based on the following 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).

Alternate Motions:

Alternate Motion 1: Postpone Consideration of Development Permit DP 20-11

THAT Council postpone consideration of Development Permit (DP 20-11).

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.

Alternate Motion 2: Deny the Application

THAT Council deny Development Permit (DP 20-11).

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 BY

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

Attachments:

1. Development Permit (DP 20-11)
2. Architectural Submission (site plan, elevations, renderings)
3. Landscape Plan