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**CITY OF KELOWNA  
MEMORANDUM**

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**Date:** October 24, 2005  
**To:** City Manager  
**From:** Planning & Corporate Services Department  
**Subject:**

**APPLICATION NO.** DVP05-0183      **APPLICANT:** Tessco Inc.  
(Ross Manning)

<b>AT:</b>	<b>OWNER:</b>
1331 Ellis Street (Lot 5 Plan 645)	Tessco Inc.
1331 Ellis Street (Lot 4 Plan 645)	Tessco Inc.
1341 Ellis Street (Lot 3 Plan 645)	Tessco Inc.
1347 Ellis Street (Lot A Plan 79056)	Tessco Inc.

**PURPOSE:** TO VARY THE SETBACK REQUIREMENT ABOVE 15.0 M FROM 3.0 M TO 0.0 M;  
TO VARY CERTAIN DEVELOPMENT STANDARDS FOR BICYCLE PARKING IN ORDER TO ALLOW FOR VERTICAL BICYCLE STORAGE WITHIN THE BUILDING.

**EXISTING ZONE:** I4 – CENTRAL INDUSTRIAL

**PROPOSED ZONE** C7 CENTRAL BUSINESS COMMERCIAL

**REPORT PREPARED BY:** NELSON WIGHT

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**1.0 RECOMMENDATION**

THAT Council authorize the issuance of Development Variance Permit No. DVP05-0183 for the following lots:

Lot 5, District Lot 139, O.D.Y.D. Plan 645;  
Lot 4, District Lot 139, O.D.Y.D. Plan 645;  
Lot 3, District Lot 139, O.D.Y.D. Plan 645; and  
Lot A, District Lot 139, O.D.Y.D. Plan KAP79056

all located on Ellis Street, Kelowna, B.C.

AND THAT variances to the following sections of the City of Kelowna Zoning Bylaw No. 8000 be granted:

**Section 14.7.5 (e) – C7 – Central Business Commercial Development Regulations**

Vary the requirement that any portion of a building above 15 metres in height be a minimum of 3.0 m. from any property line abutting a street, as shown on C7 - Diagram B attached to this bylaw, such that this portion of the building be 0.0 m from the property line.

**Section 8.4.6 – Bicycle Parking – Development Standards (size, location)**

Vary the requirement that Bicycle parking stalls shall be a minimum of 0.6 m in width and a minimum of 1.8 m in length, shall have a vertical clearance of at least 1.9 m, and shall be situated on a hard surface in order to allow for vertical bicycle storage located on the main floor of the building (see attached “Main Floor Layout”)

**Section 8.4.9 – Bicycle Parking – Development Standards (accessibility, security)**

Vary the requirement that bicycle parking be located in a convenient, well-lit location that is easily located and accessible by visitors and subject to casual surveillance by occupants of the building served by the rack, in order to allow for vertical bicycle storage located at the rear of the building next to the lane (see attached “Parkade Layout”.

## 2.0 SUMMARY

This development variance application seeks to vary certain requirements of Zoning Bylaw No. 8000 that relate to the building envelope and bicycle parking.

## 3.0 BACKGROUND

### 3.1 The Proposal

Construction of a mixed-use, 4 ½-storey apartment building is proposed for the subject property. There are 66 two-bedroom units and 20 one-bedroom units proposed above approximately 383 m<sup>2</sup> (4,122 ft<sup>2</sup>) of commercial space. All of the required parking is to be provided in a below-building parking structure, which is to be 1.0 m below grade.

This application meets the requirements of the C7 – Central Business Commercial zone, as follows:

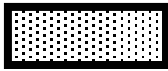
Project details	Site area (after lane widening): 3,623 m <sup>2</sup> (0.895 ac)	
	Footprint: 3,291.7 m <sup>2</sup>	
	Commercial Floor Area: 383 m <sup>2</sup>	
	Residential Floor Area: 9,350.8 m <sup>2</sup>	
	Units: 66 two-bedroom units 20 one-bedroom units 86 total	
CRITERIA	PROPOSAL	C7 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	3,623 m <sup>2</sup> (0.895 ac)	200 m <sup>2</sup>
Lot Width	82.81 m	6.0 m
Lot Depth	44.52 m <sup>2</sup>	30.0 m
Development Regulations		
Floor Area Ratio	2.7	9.0
Height	21.6 m	44.0 m
Setback above 15.0 m	Does not meet requirements <sub>A</sub>	3.0 m setback from street or alley, and 4.0 m setback from adjacent property.
80 degree line above 15.0 m	Meets requirements	Portion of building above 15.0 m must fall within prescribed 80 degree line
Maximum Floor plate above 15.0 m	Meets requirements	Floor plate above 15.0 m cannot exceed 676 m <sup>2</sup>

Continuous horizontal dimension above 15.0 m	Meets requirements	Portion of building above 15.0 m cannot exceed continuous external horizontal dimension of 26.0
Diagonal dimension above 15.0 m	Meets requirements	Floor plate above 15.0 m cannot exceed diagonal dimension of 39.0 m
Front Yard	0.3 m	0.0 m
Side Yard (south)	1.8 m	0.0 m
Side Yard (north)	0.0 m	0.0 m
Rear Yard	0.63 m	0.0 m
Other Regulations		
Minimum Parking Requirements	91	<u>Residential:</u> 1 per dwelling unit <u>Commercial:</u> 1.3 per 100m <sup>2</sup> GFA <b>Total required: 91 spaces</b>
Bicycle Parking	Does not meet requirements <sup>B</sup>	<u>Residential</u> Class I: 0.5/unit = 43 Class II: 0.1/unit = 9 <u>Commercial</u> Class I: 0.2/100 m <sup>2</sup> = 1 Class II: 0.6/100 m <sup>2</sup> = 3
Private Open Space	1,298.8 m <sup>2</sup> of open space provided, according to site calculations by Applicant	10 m <sup>2</sup> per one-dwelling bedroom; 15 m <sup>2</sup> per two-bedroom dwelling, 15 m <sup>2</sup> x 66 units = <b>990 m<sup>2</sup></b> 10 m <sup>2</sup> x 20 = <b>200 m<sup>2</sup></b>
Loading	1 loading stall width: 3.5 m, area: 28.3 m <sup>2</sup> , overhead clearance: unlimited	1 per 1,900 m <sup>2</sup> GFA min. 3.0 m width, 28 m <sup>2</sup> area, 4.0 m overhead clearance.

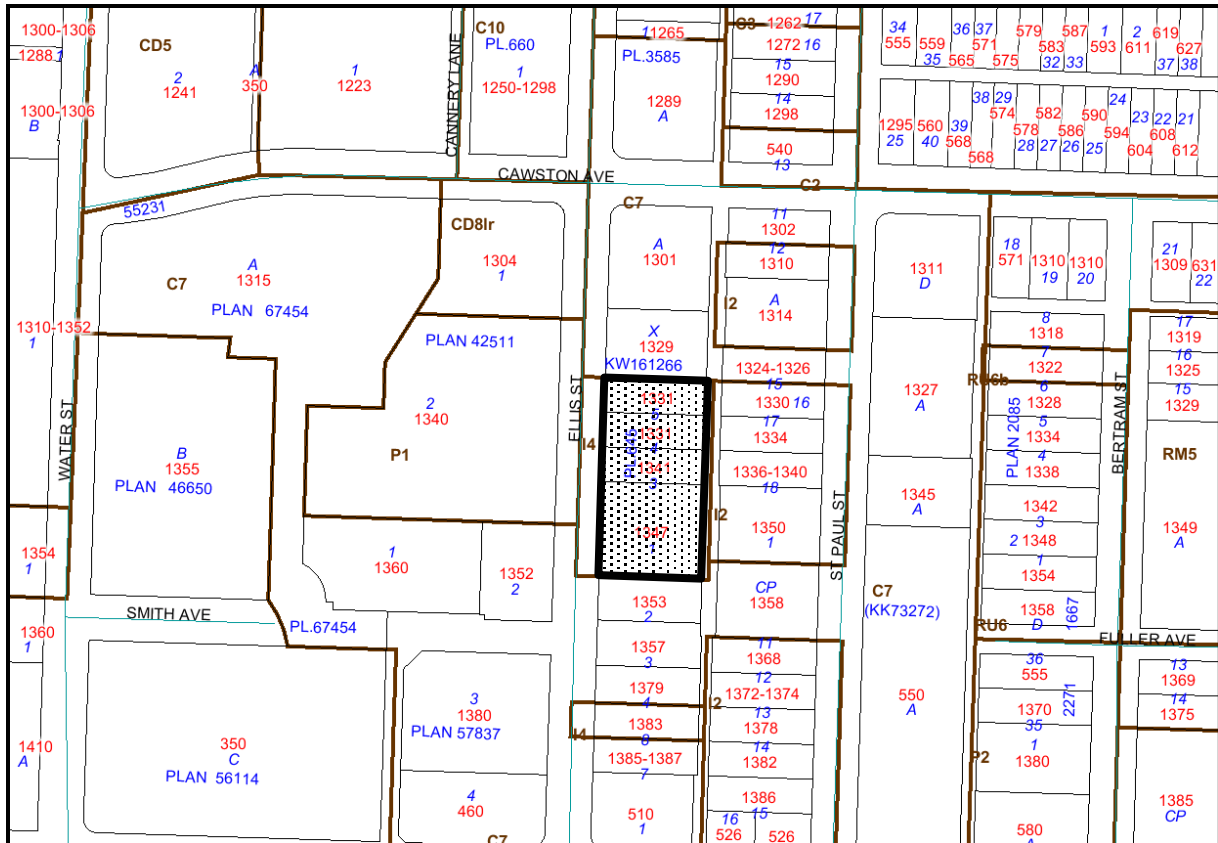
<sup>A</sup> The Applicant has applied to vary this requirement for a 3.0 m setback above 15.0 m – DVP05-0183.

<sup>B</sup> The Applicant's proposal is to provide 49 Class 1 bicycle parking for the residential and commercial tenants within the building, which do not conform to the size requirements specified in Zoning Bylaw No. 8000. Section 8.4.6 specifies that bicycle parking stalls shall be a minimum of 0.6 m in width and a minimum of 1.8 m in length, shall have a vertical clearance of at least 1.9 m, and shall be situated on a hard surface.

### 3.2 Site Location Map



Subject properties: 1331, 1331, 1341, 1347 Ellis Street



### 3.3 Site Context

The subject property is located on the east side of Ellis Street, mid-block between Doyle Avenue and Cawston Avenue. This side of Ellis Street marks the eastern extent of the Cultural District. The adjacent land uses are as follows:

North	C7 – Central Business Commercial
East	I2 – General C7 – Central Business Commercial
South	C7 – Central Business Commercial
West	P1 – Major Institutional C7 – Central Business Commercial

### 3.4 Current Development Policy

#### 3.4.1 City of Kelowna Strategic Plan (2004)

- Goal #1 – To maintain, respect, and enhance our natural environment.
- Goal #2 – To foster a strong, stable, and expanding economy.
- Goal #3 – To foster the social and physical well-being of residents and visitors.

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

### **Objectives for Commercial and Residential Development**

- All development should be an appropriate response to its physical context, or anticipated future context where an area is designated for increased density or land use transition in the OCP;
- All development should provide visual interest and human scale;
- All development should contribute to a sense of community identity and sense of place (integration of development within larger community belonging, community cohesiveness);
- All development should facilitate access by, and minimize conflicts among pedestrian, bicycle, and vehicular modes of transportation (access, mobility);
- All development should promote safety and security of persons and property within the urban environment (CPTED);
- All development within Urban Centres and Village Centres should contribute to the creation of pedestrian-oriented streets and public spaces (connections, social interaction).

#### **4.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS**

Setback above 15.0 m – Although the building envelope does not technically conform to this requirement of the Bylaw, it is a comparatively minor conflict. The design guidelines in the OCP address the need for development to be an appropriate response to its physical context, and contribute to a sense of community and a sense of place. With specific reference to the Cultural District Design Charette, it should be noted that the building proposed for this site conforms to the 3-6 storey height limit recommended for the Cultural District. Staff, therefore, is supportive of this variance to the building envelope.

Bicycle Parking – This variance seeks to allow an alternative solution to bicycle parking in the form of vertical bicycle storage racks located within the building. Although the racks do not technically conform to the development standards detailed in Section 8.43.6, they offer a storage solution that works well. Furthermore, the location is more convenient than having a bicycle storage area in the parkade.

Consequently, Staff is also supportive of this variance to the development standards for bicycle parking.

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Andrew Bruce  
Manager of Development Services

Approved for inclusion



R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Planning & Corporate Services

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#### **ATTACHMENTS**

**Location of subject property**  
**Parkade Layout**  
**Main Floor Layout**  
**Plaza Plan**  
**Sections**