
CITY OF KELOWNA

MEMORANDUM

Date: June 13, 2001
File No.: **DP01-10,022 & DVP01-10,023**
(3060-20/3090-20)

To: City Manager

From: Current Planning Manager

SUBJECT:

APPLICATION NO. DP01-10,022 / DVP01-10,023 OWNER: TOWER RANCH HOLDING CORPORATION

AT: 975 RUTLAND ROAD NORTH APPLICANT: SERKO PROPERTIES LTD. / LARRY SERKO

PURPOSE: TO OBTAIN A DEVELOPMENT PERMIT FOR A MULTI-FAMILY DEVELOPMENT CONSISTING OF FOUR DETACHED SINGLE-FAMILY UNITS AND TO VARY THE MAXIMUM HEIGHT REQUIREMENTS FROM 2 1/2 TO 3 STOREYS AT THE REAR OF THE BUILDING AND THE REAR YARD SETBACK FROM 7.5M TO 4.5M.

EXISTING ZONE: RM1 – FOUR-PLEX HOUSING

REPORT PREPARED BY: SHELLEY GAMBACORT / KIRSTEN G. BEHLER

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATIONS

THAT Council authorize the issuance of Development Permit No. 01-10,022; Serko Property Services (Larry Serko), Lot 17, Section 26, Township 26, ODYD, Plan KAP65904, located on Rutland Road North, Kelowna, B.C, subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general 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 professional landscaper;

AND THAT the applicant be required to complete the above-noted conditions within 180 days of Council approval of the development permit application in order for the permit to be issued;

AND THAT Council authorize the issuance of a Development Variance Permit No. 01-10,023; ; Serko Property Services (Larry Serko), Lot 17, Section 26, Township 26, ODYD, Plan KAP65904, located on Rutland Road North, Kelowna, B.C.:

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

13.7.5. (c) Maximum height: A variance for the maximum height of the building from 2 ½ storeys to 3 storeys.

13.7.5 (f) Minimum site rear yard: A variance for the minimum site rear yard from 7.5 m for a 2 or 2 ½ storey portion of a building to 4.5 m.

2.0 SUMMARY

The applicant is requesting a Development Permit in order to allow for the construction of a multi-family development, consisting of four (4) detached single-family units at the southeast corner of Rutland and McCurdy Road. In order facilitate this development, the applicant requires a variance of the maximum height requirement for the south elevation of the buildings only and a variance of the rear yard setback along the lane.

3.0 BACKGROUND

3.1 The Proposal

The development permit request is for four single detached housing units on one lot. Three of the units are 148.7 m² in area and the unit adjacent to Rutland Road North is 151.6 m² in area. All units face McCurdy Road with access off the lane. Each unit contains three bedrooms and two bathrooms on the upper floor; kitchen/nook, family room, living room, dining room and a powder room on the main floor and a two-car garage and basement area on the ground floor.

The exterior finish proposed for the units consists of clay coloured vinyl siding for the lower walls with upper walls of painted shingles or stucco in either a light olive green or ivory colour. The fascia, belly bands, pickets, guardrails and garage doors will be painted a dark olive green with the doors in a “black watch green”. Antique black asphalt shingles are proposed for the roof. A low level rock retaining wall (0.6 m in height) is proposed for the perimeter of the property along the Rutland and McCurdy Road frontages. Four Honey Locust trees, 60 mm in diameter, are proposed along the McCurdy Road frontage and a row of 1.0 - 1.2 m high emerald cedars will be planted along the south property line. Around each unit, pockets of landscaping with dwarf evergreens and ornamental grasses are proposed. The balance of the property that is not paved will be sodded.

The proposed development meets the requirements of the RM1- Four-plex housing zone as following:

CRITERIA	PROPOSAL	RM1 ZONE
Site Area (m ²)	1,320.00	800
Site Coverage (bldgs./bldgs., driveways & parking areas) %	25/49.7	40/50
Max. FAR	0.45	0.6
Max. Height (lessor of m or storeys)	9.1 or 3 ^①	9.5 or 2 ½
Setbacks (m)		
- Front (Rutland Rd.)	4.5	4.5
- Rear	4.5 ^②	7.5
- North Side (McCurdy Rd.)	4.5	4.5
- South Side	10.4	2.5
Landscape Buffers (m)		
- Front (Rutland Rd.)	Retaining wall and 4.5m min. landscaping	Level 2, 3m min.
- Rear	Retaining wall and 4.5m sod	Level 3: vegetative buffer or fence, 3m
- North Side (McCurdy Rd.)	Retaining wall and 3m landscaping	Level 3: vegetative buffer or fence, 3m
- South Side	Cedar hedge	Level 3: vegetative buffer or fence, 3m
Parking Stalls (#)	8	8

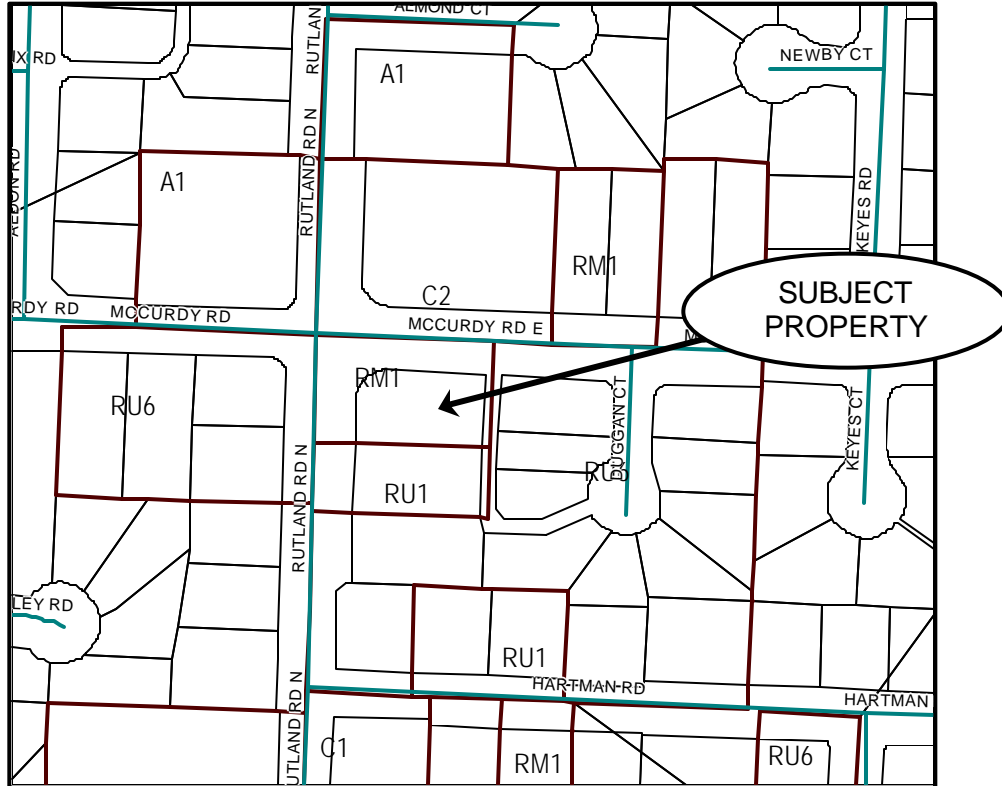
Notes:

- ① This proposed height variance is required for the south elevation of the buildings only and is required in order to facilitate the garage access at ground level. The height of the rear of the building is 9.1m and therefore below the allowed maximum height of the zone. All other elevations (north, west and east) meet the bylaw requirement for height and measure 7.6 m or 2 ½ storeys.
- ② The proposed development is oriented toward McCurdy Road, thereby orienting all units to the street, which is desirable from an urban design perspective. However, Bylaw No. 8000 defines the narrower frontage of a corner lot to be the front lot line, and the rear yard setback is measured from the lane at the east side of the property, therefore making a variance necessary.

3.2 Site Context

The subject property is located in Rutland, on the southeast corner of the intersection Rutland Road North and McCurdy Road East. The area is predominantly zoned for single and semi-detached housing. However, especially the area along McCurdy Road is in transition, with the several lots being zoned for commercial and multiple family residential uses.

Site Location Map



Adjacent zones and uses are as follows:

- North: McCurdy Road & C2 – Neighbourhood Commercial zone: currently undeveloped
- East: RU6 – Two Dwelling Housing zone: single family dwelling and undeveloped lots
- South: RU1 – Large Lot Housing zone: single family dwelling
- West: Rutland Road North & RU6 – Two Dwelling Housing zone: existing residential development

3.3 Current Development Policy

3.3.1 City of Kelowna Strategic Plan (1992)

The proposed development is in keeping with the objectives of the Strategic Plan, which encourages innovative approaches to infill and redevelopment that preserve important characteristics of local neighbourhoods. The proposal meets this objective by essentially offering four single-detached units, which are compatible with the single-family character of the neighbourhood, while reaching multiple family densities.

3.3.2 Kelowna Official Community Plan (1995 –2013)

The proposed use is in keeping with the existing OCP future land use designation of Multiple Family Residential – Low Density. The proposed development is fully in keeping with the general multiple family residential development permit guidelines. The proposed development includes sub-roofs and balconies to break up the massing of the building, as encouraged in the OCP. In addition, the development provides ground access to all units, together with clearly identifiable

entranceways. Maximum daylighting is provided by designing four detached units on the site.

3.3.3 Rutland Sector Plan and Multiple Family Design Guidelines

The Sector Plan designation for the subject property is single/two family residential. It should be noted that in 1996 an application was made to amend the Official Community Plan to allow for the multi-family low density designation. Sector Plans are not amended to reflect the change in OCP designations.

The Multiple Family Design Guidelines state that the residential built form within the Rutland Sector should be based on traditional town models with higher densities. Buildings should be oriented towards the street and have highly articulated facades and usable open spaces. The proposed development essentially meets these objectives and is consistent with many of the guidelines on building placement and form and character. Most importantly, the development maximizes the building face fronting onto McCurdy Road. The detached nature of this multi-family development constitutes a new building type that provides harmony and is in line with the single-family character of the surrounding neighbourhood.

4.0 TECHNICAL COMMENTS

The proposal was circulated to various agencies, and the following relevant comments have been received:

4.1 Works & Utilities

4.1.1. Road improvements

The boulevard fronting the subject property must be upgraded to include irrigated grass and approved trees prior to the issuance of an occupancy permit.

4.1.2. Domestic Water and Fire protection

- a) The property is serviced by the Black Mountain Irrigation District (BMID) and as such, all servicing arrangements are to be made with the District.
- b) A water meter is mandatory for this development and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation Bylaws.

4.1.3. Drainage

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual, is a requirement of this application.

4.1.4. Sanitary Sewer

The property is currently serviced by the municipal sewer collection system. All the connection fees for this property were collected at the time of the subdivision.

All requirements of the Works & Utilities Department will have to be addressed at Building Permit stage.

4.2 BC Gas

Gas is available in area. A main extension will be required.

4.3 Fire Department

Fire department access and hydrants as per the BC Building Code and City of Kelowna Subdivision By-law. Engineered fire flows should determine hydrant requirements. Contact FPO for any new hydrant locations.

4.4 Black Mountain Irrigation District

This property is currently provided with a single 19 mm water service. The irrigation district has no objections to the proposed development subject to:

4.4.1. A capital cost charge of \$200.00 per unit - \$800.00

4.4.2. A connection fee of \$300.00 per unit - \$1200.00

4.4.3. Water servicing shall be by way of a 38 mm from the watermain to service two units. This will be divided at property line into two 19 mm services with independent shut offs to each.

4.4.4. Fire protection is adequate to this lot.

4.5 Parks Manager

4.5.1. The following applies for all city boulevard (blvds.) areas to be landscape and is standard information required on a landscape plan:

A. Planting plan to include a proper plant materials list:

- i) Latin name
- ii) common name
- iii) size at planting
- iv) plant symbol key
- v) indicate existing trees

B. Plant material specifications are as follows:

- i) Deciduous Tree - caliper @300mm above rootball (min. 60mm)
- ii) Deciduous Shrub - spread (min. 450mm)
- iii) Coniferous Tree - height (min. 2.5m)
- iv) Coniferous Shrub - spread (min. 450mm)
- v) Seed/Sod Mix according to location and proposed activity use.

C. Shrub beds require plastic edge beside all areas abutting a city sidewalk.

D. Scale of plan and north arrow clearly indicated on plan.

E. All plant materials (trees, shrubs, ground covers and seed/sod) used in BLVD to be reviewed by Parks Division. All materials located in BLVD to meet city standard for size and method of installation.

4.5.2. All mulched areas on private property that abut city lands to use acceptable plastic edge to prevent rock migrating into grass blvd or sidewalks.

4.5.3. All plant material (trees, shrubs, ground covers and seed/sod) used in BLVD to be reviewed by City Parks Division. All materials located in BLVD to meet city standard for size and method of installation.

4.5.4. BLVD maintenance (irrigation, shrubs, ground cover, sod, and seeded areas) is the responsibility of owner/occupant.

4.5.5. All BLVD tree maintenance is responsibility of Parks Division.

4.5.6. Planting plan to include all u/g utility locations in BLVD.

4.6 Telus

Telus will provide underground facilities to this development. Developer will be required to supply and install as per Telus policy.

4.7 Shaw Cable

Owner/contractor to supply/install conduit system as per Shaw Cable drawings & specifications.

5.0 PLANNING COMMENTS

The Planning and Development Services Department has no concerns with the proposed development. The proposal is consistent with the OCP future land use designation and meets the objectives of the Strategic Plan and the Rutland Sector Plan. In addition, it is in line with the Multiple Family Design Guidelines for Rutland. The proposed rear yard variance allows the development to maximize building frontage along McCurdy Road, which is consistent with the area's design guidelines. The height variance for the rear of the buildings does not negatively impact the neighbours.

Andrew Bruce
Current Planning Manager

Approved for inclusion

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

AB/SG/sg

Attachments

FACT SHEET

- | | |
|--|---|
| 1. APPLICATION NO.: | DP01-10,022 & DVP01-10,023 |
| 2. APPLICATION TYPE: | Multi Family Development Permit and height and rear yard variance |
| 3. OWNER:
· ADDRESS
· CITY/ POSTAL CODE | Tower Ranch Holding Corporation
1380 – 777 Dunsmuir Street
Vancouver, BC V7Y 1 K2 |
| 4. APPLICANT/CONTACT PERSON:
· ADDRESS
· CITY
· TELEPHONE/FAX NO.: | Serko Property Services/Larry Serko
655 Tozer Avenue
Kelowna, BC V1W 2A4
763-0332/764-7193 |
| 5. APPLICATION PROGRESS:
Date of Application:
Date Application Complete:
Servicing Agreement Forwarded to Applicant:
Servicing Agreement Concluded:
Staff Report to APC:
Staff Report to Council: | April 11, 2001
N/A
N/A
May 10, 2001
June 13, 2001 |
| 6. LEGAL DESCRIPTION: | Lot 17, Sec. 26, Twp. 26, ODYD, Plan KAP65904 |
| 7. SITE LOCATION: | Southeast corner of Rutland and McCurdy Road |
| 8. CIVIC ADDRESS: | 975 Rutland Road North |
| 9. AREA OF SUBJECT PROPERTY: | 1320 m ² |
| 10. TYPE OF DEVELOPMENT PERMIT AREA: | General Multiple Family |
| 11. EXISTING ZONE CATEGORY: | RM1 – Four Plex Housing zone |
| 12. PURPOSE OF THE APPLICATION: | To obtain a Development Permit for 4 detached single-family units on one lot and to vary the maximum height requirement from 2 ½ storeys to 3 storeys (for south side of buildings only) and to vary the rear yard setback (along lane) from 7.5 m to 4.5 m |
| 13. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | Not Applicable |

Attachments

(Not attached to the electronic copy of the report)

- Location Map
- Site Plan (Schedule A)
- Elevations and Floor Plans for Unit Type A1 (Schedule B)
- Elevations and Floor Plans for Unit Type A4 (Schedule B)
- Section & Street Elevation (Schedule B)
- Colour Schemes 1 and 2 (Schedule B)
- Landscape Plan (Schedule C)