
CITY OF KELOWNA

MEMORANDUM

Date: November 20, 2001
File No.: Z01-1052 & OCP01-014

To: City Manager

From: Planning & Development Services Department

APPLICATION NO. Z01-1052 & OCP01-014 OWNER: School District No. 23

AT: 1180 Houghton Road APPLICANT: Culos Development (1996)
Inc.

PURPOSE: To rezone the subject property from P2 – Education and Minor Institutional & RU1 – Large Lot Housing to RU5 – Bareland Strata Housing to accommodate the development of a 34 lot Bareland Strata Housing project.
To change the

EXISTING ZONE: P2 – Education and Minor Institutional and RU1 – Large Lot Housing

PROPOSED ZONE: RU5 – Bareland Strata Housing

REPORT PREPARED BY: Josephine Duquette

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Official Community Plan Bylaw Amendment No. OCP01-014 to amend Map 15.1 - **GENERALIZED FUTURE LAND USE** of Schedule "A" of "City of Kelowna Official Community Plan (1994 - 2013) Bylaw No. 7600 by changing the future land use designation of part of Lot A, Section 27 Township 26 ODYD Plan KAP53622 located on Houghton Road, Kelowna, B.C. from "Educational/Major Institutional" to "Single/Two Family Residential" be considered by Council;

AND THAT Rezoning Application No. Z01-1052 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot A, Section 27 Township 26 ODYD Plan KAP53622 and Park shown on Plan 30321, Section 27, Township 26, ODYD, located on Houghton Road and O'Keefe Court, Kelowna, B.C. from the P2 - Education and Minor Institutional and RU1 - Large Lot Housing zones to the RU5-Bareland Strata Housing zone as shown on Map "A" attached to the report of Planning & Development Services Department, dated November 20, 2001, be considered by Council;

AND THAT the Official Community Plan Bylaw Amendment No. OCP01-014 and the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Variance Permit on the subject property;

AND THAT final adoption of the zone amending bylaw be withheld until the owner has executed a Servicing Agreement acceptable to the City of Kelowna.

2.0 SUMMARY

The application is to amend the Official Community Plan and to rezone a portion of the former West Rutland Elementary School property and a small park lot to accommodate a 34 lot bareland strata residential development. The residential development will be located on 1.81 ha (4.47 ac) and the school building will occupy the remaining on 0.4 ha (1.0 ac). The applicant has indicated that the 34 lot bareland strata residential development will be architecturally designed, 1 & 2 Storey single family residences within a Bareland Strata Housing zone. The school building will be retained within the existing P2 - Education and Minor Institutional zone with the intent that the building will continue to operate as a private school.

3.0 ADVISORY PLANNING COMMISSION

The subject application was reviewed by the Advisory Planning Commission at the meeting of October 23, 2001 and the following recommendation was passed:

That the Advisory Planning Commission supports Official Community Plan Application No. OCP01-014 by Culos Development Inc. (Mike Culos), Lot A, Plan 53622, and Plan 30321, Sec. 27, Twp. 26, ODYD, 1180 Houghton Road/(E of) O'Keefe Court, to amend the Future Land Use Designation of the Official Community Plan from the Education Major Institutional to Single/Two Family Residential;

AND That the Advisory Planning Commission supports Rezoning Application No. Z01-1052 by Culos Development Inc. (Mike Culos), Lot A, Plan 53622, and Plan 30321, Sec. 27, Twp. 26, ODYD, 1180 Houghton Road/(E of) O'Keefe Court, to rezone from the existing P2-Education and Minor Institutional and RU1-Large Lot Housing zones to the RU5-Bareland Strata Housing zone to allow for a 34 lot bareland strata development;

4.0 BACKGROUND

4.1 The Proposal

The proposed 34 lot Bareland Strata Housing development will include landscaping and perimeter fencing which will both beautify the site and enhance the privacy and security of neighbouring homeowners and new residents. The applicant has created an entrance feature off Houghton Road consisting of a semi-circular driveway and landscaping. The applicant also proposes to replace the existing chain-link fencing along Houghton Road with a more appealing style of fencing combined with suitable plantings.

CRITERIA	PROPOSAL	RU5 ZONE REQUIREMENTS
Site Area (m ²)	1.8 ha (18,113 m ²)	1.0 ha (10,000 m ²)
Site Width (m)	57.243 m	40.0 m
Bareland Strata Lot width	12.0 m	12.0 m
Bareland Strata Lot depth	21.3 m/23.428 m/27.1 m	25.0 m
Bareland Strata Lot area	362 m ² /399 m ² /330.62 m ²	325 m ²
Site Setbacks (m)		
- Front (Leathead Road)	To be determined	4.5 m
- Front (Houghton Road)	92.285 m	6.0 m
- Flanking Side	NA	3.0 m
Parking Stalls (#)	To be determined	68 resident parking stalls, and 5 visitor parking stalls

Note: The applicant has not indicated the footprint or the elevations for the buildings to be placed on the Bareland Strata Lots.

A Development Variance Permit application is in process for the Bareland Strata Lot depth for Lots 28 to 34.

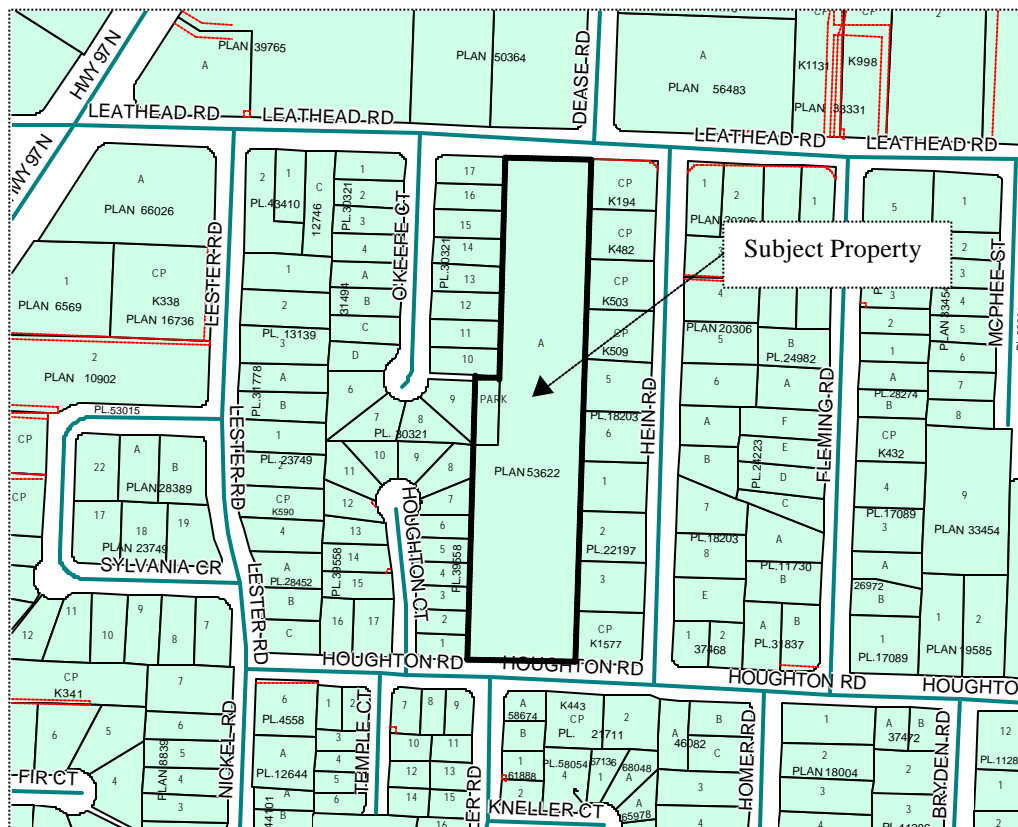
4.2 Site Context

The property is located in the Rutland Sector area of the City of Kelowna. The site is located south of Leathead Road and north of Houghton Road between Hein Road and Houghton Court and O'Keefe Court.

Adjacent zones and uses are, to the:

- North - C10 – Service Commercial and I2 – General Industrial; Automotive related uses
- East - RM3 - Low Density Multiple Housing;
- South - RU2 – Medium Lot Housing, RU6 – Two dwelling Housing and RM3 – Low Density Multiple Housing
- West - RU1 – Large Lot Housing and RU2 – Medium Lot Housing

The site is located on the map below.



4.3 Existing Development Potential

The existing development potential for a majority of the site is public educational, recreational, religious assemblies and related uses, a small portion of the site allows for residential uses.

4.4 Current Development Policy

4.4.1 City of Kelowna Strategic Plan (1992)

The Strategic Plan identifies an objective to develop a more compact urban form by increasing densities through infill and re-development within existing urban areas and to provide for higher densities within future urban areas.

4.4.2 Kelowna Official Community Plan

The Official Community Plan identifies the future land use of the site as Educational/Major Institutional. The Plan encourages the integration of different housing forms to create neighbourhood diversity and the development of a comprehensive supply of new housing to satisfy a range of life cycle and lifestyle choices. The Plan also encourages the development of a more compact urban form, that maximizes the use of existing infrastructure, by increasing densities through infill, conversion, and redevelopment within an existing area and by providing for higher densities within future urban uses.

4.4.3 Rutland Sector Plan

The future land use of the site is identified as Educational/Major Institutional. The plan provides for a balanced range of housing options and lifestyle choices and to create sensitive transitions between differing uses and densities.

5.0 TECHNICAL COMMENTS

5.1 Black Mountain Irrigation District Comments

The above properties are within the Black Mountain Irrigation District boundaries and are currently serviced by the same. We have no objection to the proposed subdivision, subject to the following:

- 1 A capital cost charge of \$1,200.00 on each lot. (33 new lots are proposed = \$39,600.00).
- 2 A 200 mm watermain is required through the property, tied into Houghton Road and Leathead Road with appropriate hydrant coverage through the development. The watermain is to be designed to meet with Black Mountain Irrigation District approval and at the developer's expense.
- 3 A connection fee of \$300.00 per unit is required and is payable at the building permit.

5.2 Fire Department Comments

Fire Department access and hydrants are required as per the BC Building Code and City of Kelowna Subdivision, Development & Servicing Bylaw 7900. The proposed gated entry is required to supply 14 foot access openings on each side and have a fire department lock box installed complete with a gate over-ride switch inside. The developer is required to contact the Fire Prevention Officer for the preferred location(s) of new hydrant(s).

5.3 Works & Utilities Department Comments

The Works & utilities Department comments and requirements regarding this application to rezone the subject properties to RU5 (Bareland Strata Housing) are as follows:

1. Subdivision.

- a) Consolidate the parcels and create new parcels
- b) Provide easements as may be required.

2. Geotechnical Study.

A comprehensive Geotechnical Study is required, which is to be prepared by a Professional Engineer competent in the field of geotechnical engineering, The study is to address the following:

- Overall site suitability for development.
- Presence of ground water and/or springs.
- Presence of fill areas.
- Presence of swelling clays.
- Presence of sulfates.
- Potential site erosion.
- Provide specific requirements for footings and foundation construction.
- Provide specific construction design sections for roads and utilities over and above the City's current construction standards

3. Domestic water and fire protection.

- a) This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for these items. All charges for service connection, and upgrading costs are to be paid directly to the BMID.
- b) Any existing service that will become redundant will have to be decommissioned at the watermain at the developer's cost.

4. Sanitary Sewer.

- a) The subject property is currently serviced by the municipal sanitary sewer collection system. There are three options to service the subject property.
 - (i) One possible connection point consists of tying into the Houghton Road Specified Area # 8.sanitary sewer trunk main. Should the development proceed prior to the issuance of 2002 tax notices, the development will be subject to the Spec. Area Fees. 2002 is the last year for the repayment of Spec. Area #8 debt. The fees are approximately \$80.00 per unit. It appears improbable to service the entire development by gravity toward Houghton Road.
 - (ii) The natural gradient of the property falls towards Leathead Road and there is a sanitary sewer trunk main recently installed on Leathead Road. A connection to the Leathead road trunk will be subject to the Sewer service Area #22 fees of \$6,800.00 (2001) per units. The fees are adjusted from time to time therefore this application will be subject to the fees applicable at the time of the payment.
 - (iii) A combination of (i) and (ii) above could be negotiated and the fees applicable would be determined based on the number of units serviced by each main.

- b) All the existing sanitary sewer services that become redundant will have to be decommissioned at the developer's cost.

5. 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. This plan can become part of the geotechnical study to identify possible ground recharge/detention areas.

6. Power and Telecommunication Services.

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

7. Road improvements.

a) Leathead Road.

The existing curb drop in the front of the old day care building must be removed and a new access for emergency only must be constructed. The estimated cost of this work, for bonding purpose, would be \$14,000.00, inclusive of a bonding contingency.

b) Houghton Road.

The north half of Houghton Road fronting the subject property is required to be upgraded to a full urban standard complete with curb, gutter, sidewalk, street lighting, asphalt fillet, storm drainage extension, landscaped boulevard and the relocation and/or removal of utilities as may be required. The estimated cost of this work, for bonding purposes, would be \$48,400.00, inclusive of a bonding contingency.

8. Street lights.

Street lights must be installed on all fronting roads as per bylaw requirements. Design drawings to include level of illumination plan

9. Engineering.

Design, construction, supervision and inspection of all off-site civil works and site servicing must be performed by a consulting civil Engineer and all such work is subject to the approval of the city Engineer.

10. Bonding and Levies Summary.

a) Performance Bonding

Houghton Road upgrading	\$ 48,400.00
Leathead curb drop relocation	\$ 14,000.00
Removal of existing sanitary service	\$ 2,000.00
Total performance bonding	<u>\$ 64,000.00</u>

b) Levies

Sewer connection Area fees
(To be determined based on connection option)

5.4 Canada Post Corporation

The proposed development will be served by a door to door delivery method, there is no requirement by the developer to install a centralized mail delivery system.

5.5 Parks Division Comments

1 All entry feature signs and landscaping for the proposed development are to be located on private property.

2 The following applies for the boulevard landscape and is standard information required on all landscape plans:

A Plant materials list

- i Latin name
- ii Common name
- iii Size at planting
- iv plant symbol key
- v indicate existing trees to be retained
- vi indicate existing trees to be removed

B Plant material specifications are as follows for:

- i) Deciduous Tree by caliper @ 300 mm measured 60 mm above the root ball.
- ii) Deciduous shrub by spread @ 450 mm min.
- iii) Coniferous tree by height @ 2.5 min.
- iv) Coniferous shrub by spread @ 450 mm min.
- v) Seed/sod mix according to proposed activity use and location.

C All shrub beds abutting a city sidewalk or city land require a plastic edge to prevent migration of mulch.

D Scale of plan and north arrow.

E Planting plans are to include all underground utility locations that affect landscape materials used in the boulevard.

3 All plant material (trees, shrubs, ground covers, seed/sod etc.) proposed for the boulevard to be reviewed by the City of Kelowna Parks Division. All materials specified to meet City standard for size and method of installation.

4 All trees planted within the sidewalk or hard landscaping will require a vault and grate and/or root shield barriers. All trees planted within a grass boulevard will require a root shield barrier beside concrete infrastructure.

5 Boulevard maintenance is responsibility of the owner/occupant.

6 All boulevard tree maintenance is responsibility of Parks Division.

5.6 BC Gas, Telus, and Shaw Cable Comments

Services are available to the proposed development. Contact the utility companies directly for servicing requirements, design standards, and relevant fees.

5.7 Planning & Development Services Department Comments

The proposed rezoning and Official Community Plan amendment to accommodate a residential infill development is consistent with the policies and objectives of the relevant current development planning documents. Also, the proposed future land use designation of single/two family residential and the rezoning to RU5 – Bareland Strata Housing zone provides a transition between the two existing residential developments. The proposed residential development is considered a sensitive infill development and appropriate at this location. The developer should be discouraged from installing gates as a barrier to cycling and pedestrian mobility through the site. The proposed development should be designed to encourage connectivity within the neighbourhood, particularly between the proposed development and the existing housing. This will encourage neighbourhoods to function socially and create a safer community.

R.G. Shaughnessy
Subdivision Approving Officer

Approved for inclusion ☐

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

RGS/JD/jd
Attachments

FACT SHEET

1. **APPLICATION NO.:** Z01-1052 & OCP01-014
2. **APPLICATION TYPE:** Rezoning & OCP amendment
3. **OWNER:** School District #23
Facility Services Department
685 Dease Road
Kelowna, BC V1X 4A4
4. **APPLICANT/CONTACT PERSON:** Culos Development (1996) Inc.
106, 1449 St. Paul Street
Kelowna, Bc V1Y 2E5
763-7806 / 763-7807
5. **APPLICATION PROGRESS:**
Date of Application: October 5, 2001
Date Application Complete: October 5, 2001
Servicing Agreement Forwarded to Applicant:
Servicing Agreement Concluded:
Staff Report to Council:
6. **LEGAL DESCRIPTION:** Lot A, Plan KAP53622 and Lot Park, Plan 30321, of Sec. 27, Twp. 26, ODYD
7. **SITE LOCATION:** South of Leathead Road and north of Houghton Road.
8. **CIVIC ADDRESS:** 1180 Houghton Rd and (E of) O'Keefe Ct
9. **AREA OF SUBJECT PROPERTY:** 2.21 ha (22,105 m²)
10. **AREA OF PROPOSED REZONING:** 1.8 ha (18,113 m²)
11. **EXISTING ZONE CATEGORY:** P2 – Education and Minor Institutional and RU1 – Large Lot Housing
12. **PROPOSED ZONE:** RU5 – Bareland Strata Housing
13. **PURPOSE OF THE APPLICATION:** To rezone the subject property from P2 – Education and Minor Institutional and RU1 – Large Lot Housing to RU5 – Bareland Strata Housing to accommodate the development of a 34 lot Bareland Strata Housing project.
14. **DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS**
 - (a) OCP Bylaw Amendment required Educational/Major Institutional to Single/Two Family Residential

Attachments that are missing from the Electronic Version

Subject Property Map
Proposed Subdivision Layout (Map "A")
Proposed Landscaping Plan (Map "B")
Applicants Rationale for OCP and Zone Amendment