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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** February 12, 2003  
**File No.:** (3360-20) **Z02-1046**

**To:** City Manager

**From:** Planning & Development Services Department

**Subject:**

APPLICATION NO. Z02-1046

OWNER: STARLINE ENTERPRISES  
LTD. (INC NO 296952)

AT: 2260-2270 HAYNES RD

APPLICANT: POINTS WEST  
ARCHITECTURE

PURPOSE: TO REZONE THE SUBJECT PROPERTY TO THE RM6 –  
HIGH RISE APARTMENT HOUSING ZONE TO PERMIT THE  
CONSTRUCTION OF AN APARTMENT HOUSING  
DEVELOPMENT

EXISTING ZONE: A1 – AGRICULTURAL 1

PROPOSED ZONE: RM6 – HIGH RISE APARTMENT HOUSING

REPORT PREPARED BY: PAUL McVEY

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**SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS**

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**1.0 RECOMMENDATION**

THAT Rezoning Application No. Z02-1046 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, DL 142, O.D.Y.D., Plan 15378 Exc. Plan KAP59549, located on Haynes Road, Kelowna, B.C. from the A1 – Agricultural 1 zone to the RM6 – High Rise Apartment Housing zone be considered by Council;

AND THAT 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 Permit and a Development Variance Permit on the subject property;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the registration of a plan of subdivision in the Land Titles Office in Kamloops for the required Haynes Road reconfiguration;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction;

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 applicants wish to rezone the subject property to the RM6 – High Rise Apartment Housing zone in order to develop the site with two 9 storey buildings, each designed to consist of 59 dwelling units, for a total of 118 units. There is a proposed 146 stall parking structure to be located below the proposed buildings, as well as 32 surface parking stalls and an amenity building with a swimming pool and meeting room to be located on top of the parking structure located between the two proposed apartment buildings.

### 2.1 Advisory Planning Commission

The above noted application (Z02-1046) was reviewed by the Advisory Planning Commission at the meeting of November 12, 2002 and the following recommendation was passed:

That the Advisory Planning Commission supports Rezoning Application No. Z02-1046, 2260/2270 Haynes Road, Lot A, Plan 15378, Twp. 26, Sec. 26, ODYD, by Points West Architecture (Wes Friesen), to rezone the subject property from the A1-Agriculture 1 zone to the RM6-Highrise apartment Housing zone in order to permit the development of 118 residential units in two, 9 storey towers;

## 3.0 BACKGROUND

### 3.1 The Proposal

The applicants wish to rezone the subject property from the existing A1 – Agricultural 1 zone to the RM6 – High Rise Apartment Housing zone in order to permit the development of the site with 2 – 9 storey apartment buildings which will create a total of 118 residential units.

The proposed site plan indicates access to the site from Durnin Road to the east, and from the realigned Haynes Road to the west. The site layout is designed as 2 – 59 unit, 9 storey towers that have a 217.4 m<sup>2</sup> amenity building that contains a swimming pool and meeting room.

Each of the towers is designed as a 7,517 m<sup>2</sup> (net) floor area building that is anticipated to consist of 55 – 2 bedroom units on the first 7 floors, and then 3 – 2 bedroom units and 2 – 2 bedroom with den units on the remaining 2 floors. Each of the units has deck areas associated with the dwelling units. The ground floor is designed with a 2 storey high entrance lobby area which faces the north side of the building, and is located adjacent to a drop off area. The deck areas of the end units on the third and fourth storeys are reduced 600 mm in depth at each end of the building to reduce the overall width of the building by 1.2 m. to a total width of 49.17 m. The intent is to reduce the perception of the building mass and width. The deck areas of the end units on the fifth, sixth and seventh storeys are reduced a further 600 mm in depth at each end of the building to further reduce the building mass and width. The eighth and ninth floors are

setback an additional 600m at each end to reduce the overall building width a total of 1.2 m to a width of 46.7 m.

The exterior of the proposed building is designed with a number of variations in the plane of the façade in order to provide some relief and articulation to the building facades. The roof line of the proposed building incorporate a large cornice feature with a number of steps to provide additional visual interest to the building form. The cornice design element is repeated at the break between the second and third storeys, the fourth and fifth storeys, and the seventh and eighth storeys. There are also flat arch and keystone features which are repeated on areas of the building façade that are located between the protruding balcony areas. The walls are proposed to be finished with stucco finishes in a base colour of “light taupe” for the upper storeys, and a “medium taupe” for the lower storeys. The upper cornices and flashings are proposed to be painted “dark taupe” for the upper storeys, and a “medium taupe” for the trim and horizontal design elements of the lower storeys. The first 2 storeys also include cultured stone detail finish around the main building entrance and porte-cochere feature, and around the end unit balcony areas. The windows frames and balcony hand rails are proposed to be painted “white”. The phase two building is a mirror image of the first phase building.

The single storey amenity building is designed to be finished with the same materials and detail elements that are proposed for the adjacent apartment buildings.

Council will have an opportunity to review the Development Permit application prior to final adoption of the zone amending bylaw.

The proposal as compared to the RM6 Zone requirements is as follows:

CRITERIA	PROPOSAL	RM6 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	9,234.26 m <sup>2</sup> (net)	1,700 m <sup>2</sup>
Site Width (m)	48.13m	30.0 m
Site Coverage (%)	49.8%	50% max.
Total Floor Area (m <sup>2</sup> )	17,465.2 m <sup>2</sup> (gross) 15,035.0 m <sup>2</sup> (net)	15,328.87 m <sup>2</sup> @ FAR = 1.66
F.A.R.	FAR = 1.628	Base FAR = 1.5 max + 0.2 bonus x 0.80 for u/g parking = 1.66
Storeys (#)	9 storeys (32.9 m)	16.0 storeys (55.0 m)
Setbacks (m)		
- Front (Durnin Rd.)	16.7 m	6.0 m min.
- Front Haynes Rd.)	6.0 m to building	6.0 m min.
- North Side	13.3 m	4.5 m min.
- South Side	7.5 m	4.5 m min.
Parking Stalls (#)	178 stalls provided	110 - 2 br units @ 1.5 = 165 8 - 2 br & den units @ 1.5 = 12 total stalls req'd = 177 stalls
Private Open Space	2623 m <sup>2</sup>	118 units x 18 m <sup>2</sup> = 2124 m <sup>2</sup>
Daylighting Angles (south side)	74° proposed ❶	Max. 65° required

Note; ❶ A Development Variance Permit application will have to be considered to address the proposed Daylighting Angle

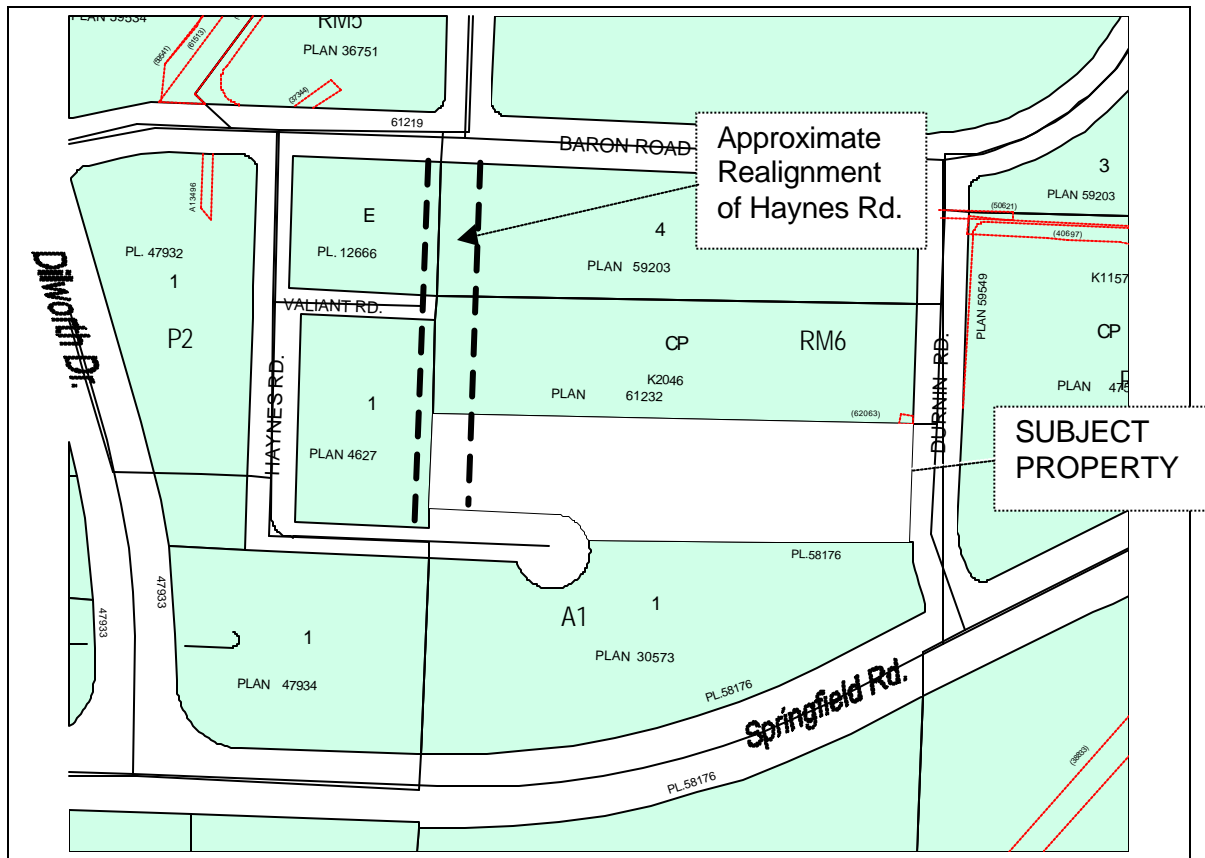
### 3.2 Site Context

The subject property is generally flat and level. There have been two older single family dwellings with suites located on the site.

Adjacent zones and uses are, to the:

- North - RM6 – High Rise Apartment Housing / existing apartment housing uses  
 East - RM5 – Medium Density Multiple Housing / existing apartment housing, Durnin Road  
 South - A1 – Agricultural 1 / vacant lot  
 West - A1 – Agricultural 1 / existing landscape business, realigned Haynes Rd.

## Subject Property Map



### 3.3 Existing Development Potential

The existing zone of A1 - Agricultural 1 allows for agriculture, animal clinics – major (in existence prior to July 1, 1998), aquaculture, greenhouses and plant nurseries, mobile homes, single detached housing, and utility services – minor impact as permitted principal uses. The zone also permits agricultural dwellings – additional, agri-tourism accommodation, animal clinics – major and minor, bed and breakfast homes, care centres major and minor, group homes- minor, home based businesses – minor, major, rural, kennels and stables, and wineries and cideries as permitted secondary uses.

### 3.4 Current Development Policy

#### 3.4.1 Kelowna Official Community Plan

The City of Kelowna Official Community Plan identifies the subject property as part of the Baron Road Mixed Use Development area. The subject property is identified as part of the residential area, and is supported for high density Multi-Family Residential uses

The Official Community Plan also contains the following statements;

#### **Objectives for Multiple Unit 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 within Urban Centres and Village Centres should contribute to the creation of pedestrian-oriented streets and public spaces (connections, social interaction).
- 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).

#### **Guidelines for Multiple Unit Development:**

In issuing conditions relating to a development permit the City will specify how development permit objectives can be satisfied. This should include consideration of the following guidelines, as examples of how to meet the objectives:

##### **Relationship to the Street**

- First storey units should ideally provide ground-level access and outdoor amenity space
- The principle front entranceway should be clearly identified and in scale with the development.

##### **Building Massing**

- Developments with multiple, separate buildings should be designed in such a manner that individual buildings contain different, but compatible shapes, masses, and/or exterior finishes.

- Developments should be sensitive to and compatible with the massing and rhythm of the established streetscape.
- Sub-roofs, dormers, balconies, and bay windows should be encouraged.

**Walls**

- End walls visible from a public street or residential lot should be finished to provide an attractive appearance. Blank or solid walls (without glazing) should not be longer than 5 m. Walls longer than 5 m should incorporate wall detailing that will provide visual interest.

**Crime Prevention**

- Guidelines for Crime Prevention Through Environmental Design Guidelines (CPTED) should be followed.

**Amenities**

- Appropriate high quality public spaces, which provide links to surrounding areas and open space relief within the development should be encouraged.

**Parking**

- Underground parking is encouraged.

3.4.2 City of Kelowna Strategic Plan (1992)

The proposal is consistent with the Urban Form objectives of the Kelowna Strategic Plan which seeks to “develop a more compact urban form by increasing densities through infill and re-development within existing urban areas...”

3.4.3 Baron Road Outline Plan

The subject property is located within the Baron Road Outline Plan area. The subject property is identified as part of the residential area, and is supported for high density Multi-Family Residential uses.

4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and the following relevant comments have been submitted:

4.1 Aquila Networks Canada

Aquila will provide underground electrical service along realigned Haynes Road

4.2 Fire Department

Fire department access and hydrants as per the BC Building Code and City of Kelowna Subdivision By-law.

Engineered fire flows will be required. Hydrant required within 45m of fire department connection.

4.3 Inspection Services Department

The parkade structure encroaches the front yard setback from Haynes Rd. (the parking structure is proposed to be located entirely below grade)

These building are considered "High Building" and are subject the requirements of Section 3.2.6 of the BCBC

4.4 Ministry of Transportation

No Objections.

4.5 Parks Manager

Detailed landscape plan for boulevards submitted to parks manager for approval prior to implementation. No plant substitutions.

4.6 Public Health Inspector

Commercial pool construction must be approved by Public Health Engineer.

4.7 Shaw Cable

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

4.8 Telus

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

4.9 Works and Utilities Department

Works and Utilities has the following requirements associated with this development application:

1.Subdivision.

- a) The applicant is required to close a portion of Haynes Road and dedicate, by way of land exchange, the new right of way of Underhill Street as per the proposed development plan for the area. The applicant must contact the City Land Agents for the details and terms of the road exchange.
- b) Provide easements as may be required.

2. Geotechnical Study

- a) Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below:
- b) The Geotechnical report must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development.
- (iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (iv) Any special requirements for construction of roads, utilities and building structures.
- (v) Suitability of on-site disposal of storm water, including effects upon adjoining lands.
- (vi) Slope stability, rock fall hazard and slippage including the effects of drainage on the site.
- viii) Recommendations for items that should be included in a Restrictive Covenant.
- ix) Any items required in other sections of this document.
- x) Recommendations for roof drains and perimeter drains.

### 3. Domestic Water and Fire protection.

- a) The proposed development is within the service area of the City of Kelowna. All charges for service connection will be payable at the time of the application for a building permit.
- b) The school district # 23 has completed the design and will be constructing the west half of Underhill Street along with servicing, some of the works, including the watermain, will be subject to a Latecomer to be registered against the subject property. It is recommended that the applicant collaborates with the School District # 23 in order to avoid duplication of services and Latecomer charges.
- c) The applicant is to confirm with the City of Kelowna water division that the supply of domestic water and fire protection is achievable in accordance with the City standards.
- d) 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. The developer or the building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost

### 4. Sanitary Sewer.

- a) The sanitary sewer has recently been installed by the City and a service has been provided at the property line. All charges for service connection will be payable at the time of the application for a building permit.



- b) An application for inclusion in the Specified Area service boundary must be made and an administration levy of \$250.00 is required to incorporate this development into Sewer service area # 1

5. Drainage.

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

6. Road improvements.

Underhill Street.

The east half of Underhill Street must be constructed along the frontage of the property all the way to Baron Road. There is a pending development on the property located to the north of the subject property and it is recommended that the applicant collaborate with all the parties involved in order to avoid duplication of services. Should this project proceed ahead of other project then it would be the responsibility of the applicant to construct the works and then register Latecomers against the benefiting properties.

7. Power and Telecommunication services.

The services to and within this development are to be installed underground. It is the developer's responsibility to make an application to the respective utilities companies. The utility companies are then required to obtain the City's approval before commencing their works.

8. Street Lights

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

9. Engineering.

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

10. Bonding and Levies summary.

a) Bonding (offsite upgrading)

Underhill Street Construction

To be determined

b) Levies.

Sanitary sewer area inclusion fee

250.00

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The proposed development is a reasonable form of development for the subject property. The Baron Road Outline Plan, produced in 1995 to facilitate the development of the Real Canadian Super Store identifies the area of the subject property for residential uses. As well, the plan further develops the notion that building heights in the centre of the Outline Plan area can be higher, while the building heights should be reduced closer to the outer perimeter of the study area.

The provision of parking under the building is consistent with OCP Development Permit guidelines, to provide additional open space on the site. However, the site plan does not indicate a notable amount of dedicated outdoor amenity space. Staff continue to work with the applicant to address form and character issues related to the Development Permit.

It has also become apparent through the plan review that the proposed daylight angle to the south property line of 74° does not comply to the zoning bylaw requirement of a maximum of 65°. It will be necessary for the applicant to apply for a Development Variance Permit to address this issue. Staff have supported variances to the daylighting standards for other projects in this area and are not overly concerned with this variance issue. The applicant anticipates making application for a Development Variance Permit to address the issue of the daylight angle prior to final adoption of the zone amending bylaw.

In light of the above, the Planning and Development Services Department supports this a proposal, and recommends for positive consideration by Council.

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Andrew Bruce  
Current Planning Manager

Approved for inclusion

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

PMc/pmc  
Attach.

**FACT SHEET**

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|---|--|
| <b>1. APPLICATION NO.:</b>  | Z02-1046   |
| <b>2. APPLICATION TYPE:</b>   | Rezoning   |
| <b>3. OWNER:</b>  | Starline Enterprises Ltd.<br>(Inc No 296952)   |
| . <b>ADDRESS</b>  | 160 Gardiner Crt.  |
| . <b>CITY</b>   | Penticton, BC  |
| . <b>POSTAL CODE</b>  | V2A 8N6  |
| <b>4. APPLICANT/CONTACT PERSON:</b>                                       | Points West Architecture<br>Wes Friesen  |
| . <b>ADDRESS</b>  | 2653 James St  |
| . <b>CITY</b>   | Abbotsford, BC   |
| . <b>POSTAL CODE</b>  | V2T 3L6  |
| . <b>TELEPHONE/FAX NO.:</b>   | (604)864-8555/(604)864-8505  |
| <b>5. APPLICATION PROGRESS:</b>   |  |
| Date of Application:  | October 16, 2002   |
| Date Application Complete:  | October 17, 2002   |
| Servicing Agreement Forwarded to Applicant:                               | December 16, 2002  |
| Servicing Agreement Concluded:  |  |
| Staff Report to Council:  | February 12, 2003  |
| <b>6. LEGAL DESCRIPTION:</b>  | Lot A, DL 142, O.D.Y.D., Plan 15378<br>Exc. Plan KAP59549  |
| <b>7. SITE LOCATION:</b>  | Between End of Haynes Road and<br>Durnin Road  |
| <b>8. CIVIC ADDRESS:</b>  | 2260-2270 Haynes Rd  |
| <b>9. AREA OF SUBJECT PROPERTY:</b>                                       | 8848 m <sup>2</sup>  |
| <b>10. AREA OF PROPOSED REZONING:</b>                                     | 8848 m <sup>2</sup>  |
| <b>11. EXISTING ZONE CATEGORY:</b>  | A1 – Agricultural 1  |
| <b>12. PROPOSED ZONE:</b>   | RM6 – High Rise Apartment Housing  |
| <b>13. PURPOSE OF THE APPLICATION:</b>                                    | To Rezone The Subject Property To<br>The RM6 – High Rise Apartment<br>Housing Zone To Permit The<br>Construction Of An Apartment<br>Housing Development; |
| <b>14. MIN. OF TRANS./HIGHWAYS FILES NO.:</b>                             | 2-81-20075   |
| <b>NOTE: IF LANDS ARE WITHIN 800 m OF A<br/>CONTROLLED ACCESS HIGHWAY</b> | 2-81-20076   |
| <b>15. DEVELOPMENT PERMIT MAP 6.2<br/>IMPLICATIONS</b>                    | General Multi-Family; notify GIS of<br>addition  |

Attachments

Subject Property Map  
Schedule A, B & C ( 7 pages)  
10 pages of floor plans / diagrams