
CITY OF KELOWNA
MEMORANDUM

Date: February 17, 2004
File No.: (3360-20) **Z03-0072**

To: City Manager

From: Planning & Corporate Services Department

Subject:

APPLICATION NO. Z03-0072 OWNER: OKANAGAN SIKH TEMPLE
AND CULTURAL SOCIETY

AT: 1145, 1125 RUTLAND ROAD N. APPLICANT: TED J. THOMAS & ASSOC.

PURPOSE: TO REZONE THE SUBJECT PROPERTIES TO PERMIT THE
CONSTRUCTION OF A NEW SIKH TEMPLE

EXISTING ZONE: RU1 – LARGE LOT HOUSING

PROPOSED ZONE: P2 – EDUCATION AND MINOR INSTITUTIONAL

REPORT PREPARED BY: PAUL McVEY

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Rezoning Application No. Z03-0072 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots A & B, Sec. 26, Twp. 26, O.D.Y.D., Plan 32402, located on Rutland Road North, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the P2 – Education and Minor Institutional 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 subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction;

AND FURTHER 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 subject properties were under application to rezone to the P2 - Education and Minor Institutional zone in 1998. However, that application was never adopted.

This current application seeks to rezone the subject property from the existing RU1 – Large Lot Housing zone to the P2 - Education and Minor Institutional zone in order to permit the construction of a new, 773 m² (net) temple facility for the Okanagan Sikh Temple and Cultural Society. The temple will be operated in conjunction with the existing facility located on the adjacent lot immediately south of the subject properties.

2.1 Advisory Planning Commission

The above noted application (Z03-0072) was reviewed by the Advisory Planning Commission at the meeting of January 19th, 2004 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z03-0072, 1125 & 1145 Rutland Road N, Lots A & B, Plan 32402, Sec. 26, Twp. 26, ODYD, by Ted J. Thomas & Associates Ltd. (Ted Thomas), to rezone from the RU1 – Large Lot Housing zone to the P2 – Education & Minor Institutional zone in order to allow for the construction of a new Temple on the subject property.

3.0 BACKGROUND

3.1 The Proposal

This application proposes to rezone the subject properties from the existing RU1 – Large Lot Housing zone to the proposed P2 - Education and Minor Institutional zone in order to permit the construction of a new 773 m² (net) Sikh Temple facility for the Okanagan Sikh Temple and Cultural Society. The society currently operates the existing temple facility on the lot immediately south of the subject property, which is currently zoned P2 - Education and Minor Institutional. The application for the subject properties will rezone the site to the same P2 - Education and Minor Institutional zone as the existing temple property. The society intends to consolidate the properties and to utilize the existing building as a auxiliary facility in conjunction with the new temple facility.

The subject properties are generally vacant. There are mature cedar hedges planted along the adjoining property lines, so that the site is well buffered from the adjacent residential uses. The subject properties and the existing temple property appear as though they are one site, although the subject properties are not developed beyond the existing single family dwelling located on lot A, and the garage building located on lot B.

The existing dwelling located on Lot A and the existing garage building on lot B will be removed as part of the site development for the proposed new Sikh Temple development.

The existing Sikh Temple building was constructed in 1981 on the lot to the south of the subject properties. This lot originally was occupied by a single family dwelling which was constructed in 1971 when the area was not part of the City. It is anticipated that the existing dwelling and temple building will be retained for operation in conjunction with the proposed new temple facility.

There had been an application to rezone the subject properties to the P2 - Education and Minor Institutional made in 1998. That application had proceeded to a successful public hearing on May 18, 1999. However, that application had several extensions and the servicing agreement had never been finalized. That application had been closed.

A comparison of the proposal with the requirements of the P2 – Education and Minor Institutional zone is as follows:

CRITERIA	PROPOSAL	P2 ZONE REQUIREMENTS
Site Area (m ²) Subject prop. Entire prop.	4,910 m ² 10,802 m ²	660 m ² min.
Site Width (m)	23 m 92.4 m (aft. Consol.)	18 m min.
Site Coverage (%)	11.5% Buildings only 48% Bldg & Pvmt	40% for Buildings max 60 % for Bldgs, Dwys, Prkg max
Total Floor Area (m ²) gross Net	2,375 m ² 929 m ²	10,802 m ² @ FAR = 1.0
F.A.R.	0.08	FAR = 1.0 max
Storeys (#)	9.5 m (2 storeys)	13.5 m or 3 storeys max.
Setbacks (m)		
- Front	48.2 m	6.0 m min.
- Rear	13.3 m	7.5 m min.
- South Side	1.5 m *	4.5 m min.
- North Side (flanking)	19.9 m	6.0 m min.
Parking Stalls (#)	137 stalls provided	1 stall per 5 seats
Bicycle Stalls (#)	Class II – 2 racks req.	Class I 1 per 25 employees Class II 5 per bldg entrance

Notes;

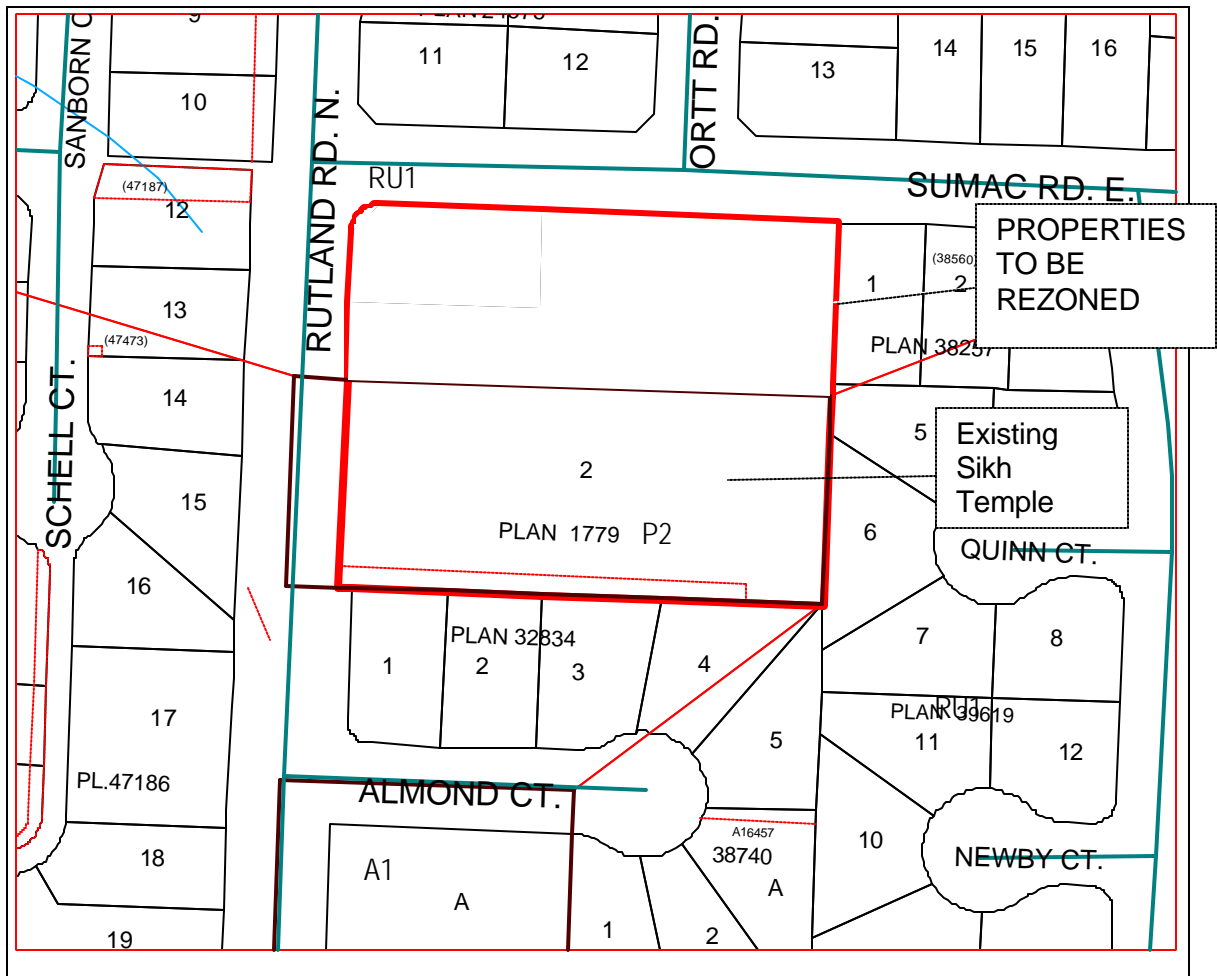
- * Setback is to existing dwelling located on 1101 Rutland Road North property. This house will remain

The parking requirements are based on an equivalent seating capacity of approximately 245 persons for the existing temple and approximately 440 persons for the new proposed temple for a total of 685 persons. At the required parking of 1 stall per 5 seats, the required parking calculates to 137 stalls.

3.2 Site Context

The subject property is located on the southeast corner of Rutland Road North and Sumac Road, in an established area developed for predominately single family residential uses. The adjacent property to the south is developed with the existing Sikh temple and associated parking area. That property also has an existing residences located adjacent to Rutland Road. The subject properties and the existing temple site have dense cedar hedges buffering the site from the adjacent residential properties.

SUBJECT PROPERTY MAP



Adjacent zones and uses are, to the:

- North - RU1 (Large Lot Housing) single family res.
- East - RU1 (Large Lot Housing) single family res.
- South - P2 (Education and Minor Institutional) existing Sikh Temple facility
- West - RU1 Large Lot Housing) Rutland Road North/single family res.

3.3 Proposed Development Potential

The proposed zone of P2 – Education and Minor Institutional permits Care Centre – major, Community Recreation Services, Private Clubs, Private Education Services, Public Education Services, Religious Assemblies, and Utility Services – minor impact as principal permitted uses, and Public Parks and Residential security/operator unit as permitted secondary uses.

3.4 Current Development Policy

3.4.1 Kelowna Official Community Plan

This proposal is consistent with the designation of Single/Two Family Residential and Associated Uses, which includes uses such as local commercial, child care, school, church & park.

3.4.2 City of Kelowna Strategic Plan (1992)

Primary Goal no. 14 of the City of Kelowna Strategic Plan (1992) states; "To recognize and support the multi-cultural diversity of our population;"

3.4.3 Rutland Sector Plan

This proposal is consistent with the designation of Single/Two Family Residential and Associated Uses of the Rutland Sector Plan, which includes those complementary uses such as local commercial, schools, churches, day care facilities, & public parks.

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

No requirements related to zoning.

4.2 Fire Department

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

4.3 Inspection Services Department

1. Lots to be consolidated.
2. Without dimensions, a proper preliminary check can not be done.
3. Are the parking calculations based on the existing hall (both floors) and the new (both floors)?

NOTE: The parking requirements are based on an equivalent seating capacity of approximately 245 persons for the existing temple and approximately 440 persons for the new proposed temple for a total of 685 persons. At the required parking of 1 stall per 5 seats, the required parking calculates to 137 stalls.

4.4 Irrigation District (BMID)

The above properties are within B.M.I.D. boundaries and are currently serviced with domestic water.

We have no objections to the proposed development subject to:

1. A capital cost charge of \$1,000 for the first 100m² and \$4.00 per m² thereafter. 1546m² = \$6784.00

2. A connection fee of \$350 at time of building.
Should this development require a larger water service and the existing removed, this would be at owner's cost.
The fire flow is good for this area @ 3500 usgpm @ 20 psi.
A water meter and backflow prevention device will be required for this building..

4.5 Parks Manager

All entry feature signs for the proposed development to be located on private property and not on City Blvd.

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

BLVD tree maintenance is the responsibility of Parks Division. However, the adjacent owner is responsible for watering and replacement of trees during the establishment period, for at least two years after planting.

4.6 Public Health Inspector

Approval of plans and specifications of food premise required, owner to call 868-7860 Guy Osachoff Public Health Inspector for more information.

4.7 Shaw Cable

Owner/Developer to supply and install an underground conduit system per Shaw Cable drawing and specifications. R. Muss 762-2314

4.8 Telus

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

4.9 Works and Utilities Department

The Works & Utilities Department comments and requirements regarding this application to rezone these properties from RU-1 (Single family residential) to P-2 (Education and minor institutional) are as follows:

1.Subdivision.

- a) Consolidate all the parcels including lot 2 plan 1779.
- b) The detailed design of Rutland Road indicates that additional dedication is not required.
- c) Provide other easements and right of way as 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.
- Slope analysis (i.e. 0-10 %, 10-20 %, 20-30% and over 30 %).
- 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) A single watermeter is mandatory as well as a sewer credit meter to measure all irrigation water. Watermeters must be housed in an above-ground, heated, accessible and secure building, either as part of the main site buildings or in a separate building. Remote readers units are also mandatory on all meters. All the buildings must be serviced from one common service.
- c) The applicant is required to submit a report addressing the available fire flow supply to adequately protect the proposed development in accordance with current fire protection standards.

4. Sanitary Sewer.

The subject properties are located within Specified Area # 20 and services will be provided on or before the end of October 2004. The Specified Area charges payment options will be dealt with at the same time as with all the other properties when the sewer infrastructure installation is completed.

5. Storm drainage.

A comprehensive drainage site management plan and design to comply with the City's Drainage Design and Policy Manual, is a requirement of this application.

6. Site access.

- a) Rutland road is classified as a divided urban arterial, and in the future will have a median in the centre of the roadway. Works and Utilities does not support the proposed driveway giving direct access to Rutland Road.
- b) The existing building to remain at the south-west corner of the property should be accessed from the internal parking area and eliminate the direct access onto Rutland Road.
- c) The proposed driveway on Sumac Road located at the intersection with Ortt Road is acceptable.

7. Road improvements.

a) Rutland Road.

In conjunction with the sanitary sewer construction, Rutland Road frontage will be upgraded to a full urban standard which includes and construction of curb, gutter and separate sidewalk, fillet paving, storm drainage works, street lighting, line painting, landscaping and the removal and/or the relocation of utilities as may be required. The applicant's contribution for the frontage upgrade work is \$26,200.00. The boulevard irrigation will have to be integrated with the onsite irrigation system

b) Sumac Road.

Sumac Road frontage is to be widened and upgraded to a full urban standard which includes the design and construction of type I curb, gutter and monolithic sidewalk at the same offset as fronting the property to the east, fillet paving, storm drainage works, street lighting, line painting, landscaped boulevard with irrigation and approved trees, and the removal and/or the relocation of utilities as may be required. The estimated cost for this work is \$40,000.00, inclusive of a bonding escalation.

8. 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.

9. Street lights.

Street Lights are to be installed on the fronting roads to the satisfaction of the Manager of Electrical Utilities.

10. Engineering.

Design, construction supervision, inspection and certification 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.

11. DCC considerations.

The applicant will be liable for DCC charges at the time of the application for a building permit.

None of the required improvements qualify for DCC credit consideration.

12. Bonding and Levies Summary.

a) Performance Bonding

Sumac Road upgrading	\$ <u>40,000.00</u>
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b) Levies

Rutland Road frontage upgrading	\$ <u>26,200.00</u>
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5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS

The Planning and Corporate Services Department recognizes that the construction of a new Sikh Temple facility on the subject properties may have the potential to impact the surrounding neighbourhood, as this new facility is larger than the existing facility located on the adjacent property to the south. As well, this current proposal introduces a new driveway access onto Sumac Road East. The neighbourhood is currently developed primarily with single family residential uses. However, the Official Community Plan does recognize that churches play a part in forming the integral uses that form an urban neighbourhood.

The applicant has revised the associated landscape drawing in response to concerns raised by the adjacent neighbours. The applicant has made revisions to the landscape plan by adding some trees to the internal landscape islands within the parking lot, and along the Sumac Road frontage

There will be an opportunity for further review of the site development at the time of Building Permit application, when the final building plans are created and submitted. It will be necessary to ensure that the proposed development conforms with Zoning Bylaw requirements at that time.

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

Andrew Bruce
Manager of Development Services

Approved for inclusion

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

PMc/pmc
Attach.

FACT SHEET

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| 1. APPLICATION NO.: | Z03-0072 |
| 2. APPLICATION TYPE: | Rezoning |
| 3. OWNER: | Okanagan Sikh Temple & Cultural Society |
| . ADDRESS | PO Box 2101 Station R |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1X 4Z6 |
| 4. APPLICANT/CONTACT PERSON: | Mr. Ted Thomas |
| . ADDRESS | Ted J. Thomas & Associates |
| . CITY | #220 – 1715 Dickson Ave. |
| . POSTAL CODE | Kelowna, BC |
| . TELEPHONE/FAX NO.: | V1Y 9G6 |
| 5. APPLICATION PROGRESS: | 763-5220/763-2206 |
| Date of Application: | Dec 16, 2003 |
| Date Application Complete: | Dec 16, 2003 |
| Servicing Agreement Forwarded to Applicant: | N/A |
| Servicing Agreement Concluded: | N/A |
| Staff Report to Council: | February 17, 2004 |
| 6. LEGAL DESCRIPTION: | Lot A & B, Sec. 26, Twp. 26, O.D.Y.D., Plan 32402 |
| 7. SITE LOCATION: | South East corner of Sumac Road East and Rutland Road North |
| 8. CIVIC ADDRESS: | 1145, 1125 Rutland Road North |
| 9. AREA OF SUBJECT PROPERTY: | 4937.3m ² |
| 10. AREA OF PROPOSED REZONING: | 4937.3m ² |
| 11. EXISTING ZONE CATEGORY: | RU1 – Large Lot Housing |
| 12. PROPOSED ZONE: | P2 – Education and Minor Institutional |
| 13. PURPOSE OF THE APPLICATION: | To Rezone The Subject Properties To Permit The Construction Of A New Sikh Temple |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.: | N/A |
| NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY | |
| 15. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | N/A |

Attachments

Subject Property Map

8 pages of site plan, landscape plan, and building elevations / diagrams