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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** February 19, 2004  
**File No.:** Z04-0001/OCP04-0003

**To:** City Manager

**From:** Planning and Corporate Services Department

**Subject:**

**APPLICATION NO.** Z04-0001/  
OCP04-0003

**OWNER:** Tae Bong Yoo

**AT:** 633 Lequime Road

**APPLICANT:** Doug Lane  
Water Street Architecture

**PURPOSE:** TO AMEND THE OFFICIAL COMMUNITY PLAN FUTURE  
LAND USE DESIGNATION FROM MULTIPLE UNIT  
RESIDENTIAL LOW DENSITY TO MULTIPLE UNIT  
RESIDENTIAL MEDIUM DENSITY

TO REZONE THE SUBJECT PROPERTY FROM THE RU1-  
LARGE LOT HOUSING ZONE TO THE RM4-  
TRANSITIONAL LOW DENSITY HOUSING IN ORDER TO  
CONSTRUCT A 3 STOREY, 26 UNIT MULTI –FAMILY  
HOUSING DEVELOPMENT

**EXISTING ZONE:** RU1 – LARGE LOT HOUSING

**PROPOSED ZONE:** RM4 – TRANSITIONAL LOW DENSITY HOUSING

**REPORT PREPARED BY:** RYAN SMITH

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

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**1.0 RECOMMENDATION**

THAT OCP Bylaw Text Amendment No. OCP04-0003 to amend Kelowna Official Community Plan (2000-2020) Bylaw No. 7600 by changing the future land use designation on the subject property from Multiple Unit Residential Low Density to Multiple Unit Residential Medium Density as outlined in the report of the Planning & Corporate Services Department dated February 18, 2004 not be approved by Council;

THAT Rezoning Application No. Z04-0001 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 6, Township 26, ODYD Plan 4912, located on Lequime Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RM4 – Transitional Low Density Housing zone not be approved by Council;

## 2.0 SUMMARY

The applicants are proposing to construct a 26-unit condo/apartment building on the subject property. The applicant is also seeking to rezone the subject property from the RU1- Large Lot Housing zone to the RM4-Transitional Low Density Housing Zone.

## 3.0 ADVISORY PLANNING COMMISSION

At the regular meeting of February 3, 2004 it was resolved:

THAT the Advisory Planning Commission ***not*** support Rezoning Application No. Z04-0001, 633 Lequime Road, Lot 2, Plan 4912, Sec. 6, Twp. 26, ODYD by Water Street Architecture (Doug Lane) to rezone from the RU1-Large Lot Housing zone to the RM4-Transitional Low Density Housing zone in order to allow for a 26 unit, 3 storey apartment building.

*As a result of the Rezoning Application not being supported, there is no recommendation for Development Permit Application DP04-0003.*

The application for and amendment to the Official Community Plan was not submitted by the applicant until after the Advisory Planning Commission meeting therefore was not subject to their consideration.

## 4.0 BACKGROUND

A small single family dwelling currently exists on the subject property.

### 4.1 The Proposal

The applicants are proposing to construct a 26-unit condo/apartment building on the subject property. The applicant is also proposing to rezone the subject property from the RU1- Large Lot Housing zone to the RM4-Transitional Low Density Housing Zone. As the future land use designation for the subject property is Multiple Unit Residential Low Density, the applicant also requires an amendment to the Official Community Plan in order to achieve a future land use designation of Multiple Unit Residential Medium Density.

The majority of the proposed 26-unit building will be 2.5 storeys in height although there are two portions of the building which rise to three storeys in height. The proposed multi-family development will be accessed via a driveway at the easternmost end of the subject property on Lequime Road. The development will accommodate 26 stalls in the parkade under the building and 15 stalls at grade. The applicant is planning to provide 20 two-bedroom suites, 4 three-bedroom suites and 2 one-bedroom suites. The three bedroom suites will all have a lofted area.

The pedestrian entrance to the building will be located in the middle of the Lequime frontage of the proposed development and will be accentuated by a small porte-cochere feature (for pedestrian use only), as well as two landscaped footpaths from Lequime Road.

The applicant has chosen finish the exterior walls of the building with tan colored siding applied in a horizontal pattern. The base of the building will be finished with areas of brick or cultured stone which will extend vertically in several areas as chimney features.

Each unit on the second storey will have a small patio area which will be accented with a pergola feature which overhangs the edge of the patio. The patio areas at grade will all be covered by eyebrow roof features.

The proposed development will be buffered from Lakeshore Road and the abutting residential properties by a liberal landscape plan which is attached to this report.

The application meets the requirements of the RM4 – Transitional Low-Density Housing zone as follows:

| CRITERIA  | PROPOSAL               | RM4 ZONE REQUIREMENTS                       |
|---|------------------------|---|
| Lot Area (m <sup>2</sup> )                            | 3753m <sup>2</sup>     | 900m <sup>2</sup>                           |
| Lot Area (m <sup>2</sup> ) after dedications          | 3303m <sup>2</sup>     | 900m <sup>2</sup>                           |
| Lot Depth (m)   | 111m                   | 30.0m                                       |
| Lot Width (m)   | 31.6m                  | 30.0m                                       |
| Area of Buildings at Grade                            | 1439m <sup>2</sup>     |   |
| Area of Pavement, Accessory Buildings, etc...         | 447m <sup>2</sup>      |   |
| Site Coverage (%) (Buildings)                         | 43.5%                  | 50%   |
| Site Coverage (%) (Buildings and paved areas)         | 57%                    | 60%   |
| Net Floor Area (m <sup>2</sup> )                      | 2753m <sup>2</sup>     |   |
| Floor Area Ratio (FAR)                                | 0.77                   | 0.65 + 0.12 bonus for parking<br>0.77 Total |
| Parking Spaces  | 41                     | 41  |
| Bicycle Parking                                       | 13 Class1<br>3 Class 2 | 13 Class1<br>3 Class 2                      |
| Storeys (#)   | 3                      | 3   |
| <b>Setbacks (m)</b>                                   |                        |   |
| - Front   | 11.0m                  | 6.0m  |
| - Rear  | 20.7m                  | 7.5m  |
| - Side (n)  | 7.5m                   | 2.3m  |
| - Side (s)  | 4.5m                   | 2.3m  |
| Drive Aisle Width                                     | 7m                     | 7m  |
| Refuse Bins (Setback from abutting residential areas) | 3m                     | 3m  |

#### 4.2 Site Context

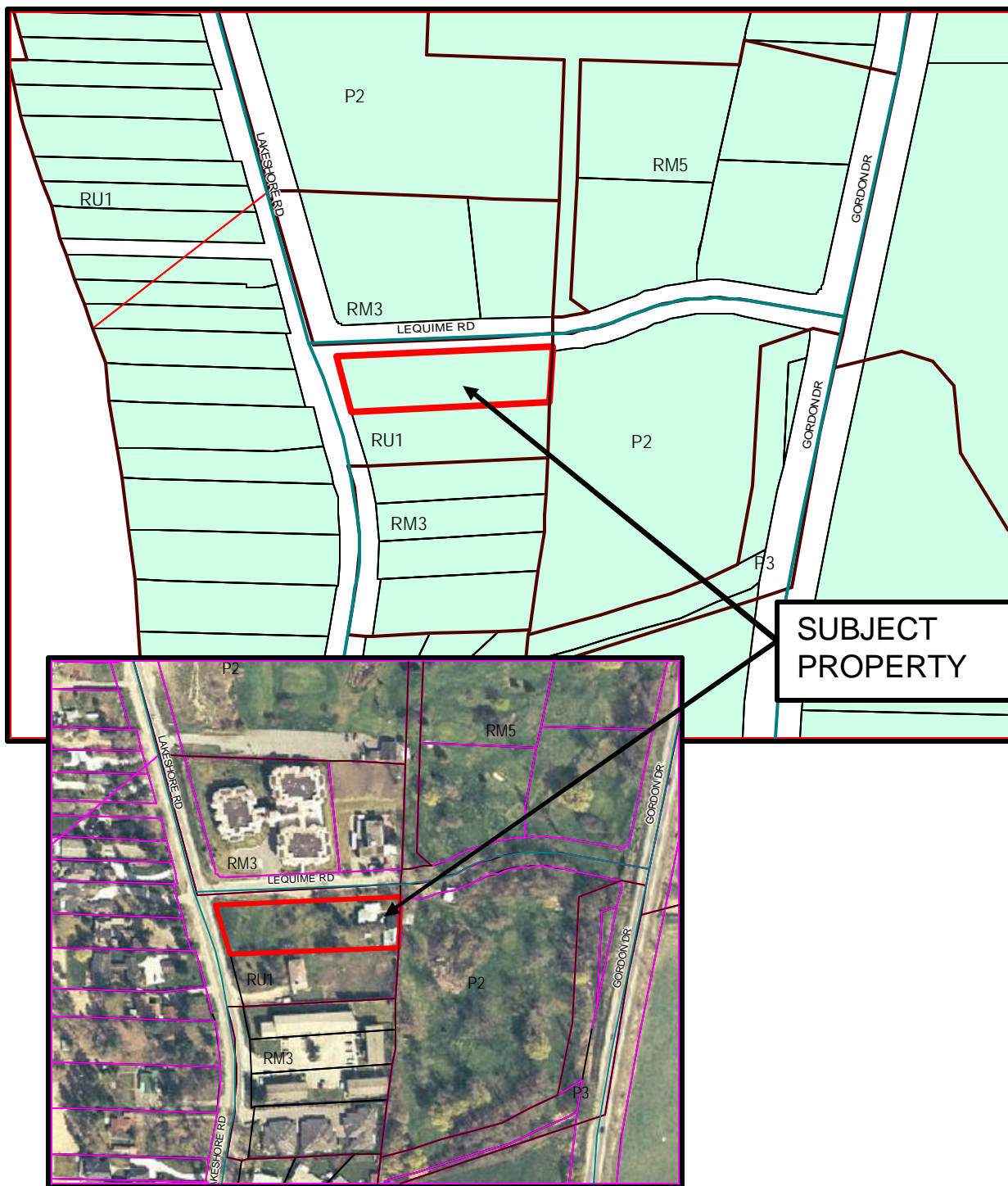
The subject property is located on the southeast corner of Lequime Road at Lakeshore Road. The applicant is proposing access to the site from Lequime Road.

Adjacent zones and uses are:

- North - RM3 – Low Density Multiple Housing (Apartment Building)
- East - P2 – Education and Minor Institutional (Central Okanagan Academy)
- South - RU1 – Large Lot Housing (Single Family Dwelling)
- West - RU1 – Large Lot Housing (Single Family Dwellings)

#### 4.3 Site Location Map

Subject Properties: 633 Lequime Road



#### 4.4 Existing Development Potential

The subject property is currently zone RU1 – Large Lot Housing. The purpose of this zone is to provide for single detached housing, and compatible secondary uses, on larger serviced urban lots.

#### 4.5 Current Development Policy

##### 4.5.1 Kelowna Official Community Plan

The subject properties are designated multi-family low-density in the Kelowna Official Community Plan future land-use designation. The OCP also supports amendments and rezoning to densities greater than those provided for on the general land-use map in cases where:

- Supporting infrastructure is sufficient to accommodate the proposed development;
- Proposed densities do not exceed the densities provided for on map 19.1 by more than one increment;
- Provided the project can be sensitively integrated into the surrounding neighbourhood;
- Contributes to the City's goal of over the 1994-2013 timeframe of having 67% of new residential units to be in the form of apartments, townhouses and multi-unit dwellings;
- Support a land use approach where residential densities increase as proximity to the core of Urban Centres increases, as shown on future land use map 19.1.

##### 4.5.2 Kelowna Strategic Plan (1992)

The City of Kelowna Strategic Plan encourages the development of a more compact urban form by increasing densities through infill and redevelopment within existing urban areas and to provide for increased densities within future urban areas. Also redeveloping transitional areas to increase densities for more efficient use of existing land. Also recommended is that the City will emphasize a density of development higher than presently occurring to allow for more efficient use of the land.

##### 4.5.3 North Mission/Crawford Sector Plan

- Advocates the provision of housing diversity which addresses the full spectrum of life cycles and income;
- Encourages a range of residential and mixed use building types which incorporate both a variety in streetscape and special focus points, thereby creating a backdrop of homes that address the street and that evoke an image of variety, visual depth and interest, while establishing unified neighborhood character.

## 5.0 TECHNICAL COMMENTS

The application was circulated to various internal departments and technical agencies and the following comments were received:

### 5.1 Inspection Services

No concerns.

### 5.2 Parks Department

The landscape plan and planting list is acceptable to Parks. All entry feature signs for the proposed development to be located on private property and not on City Boulevard. Shrub beds required plastic edge beside all areas abutting a city sidewalk or city land to prevent migration of mulch. All plant material (trees, shrubs, ground covers and sod) used in boulevard to be reviewed by City Parks. All trees in grass boulevard to use root shield barriers, min. 18 inch depth beside concrete infrastructure. Boulevard maintenance (irrigation/shrubs, ground cover, sod and seeded areas) is the responsibility of the owner/occupant. Boulevard tree maintenance is the responsibility of the 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. The irrigation system should be designed to prevent over spraying on non-landscaped area i.e. sidewalks, parking lots, roadways etc...

### 5.3 Shaw Cable

Owner/Developer to supply and install an underground conduit system per Shaw Cable drawings and specifications.

### 5.4 Telus

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

### 5.5 Public Health Inspector

Supported subject to water and sewer.

### 5.6 Works and Utilities

The Works & Utilities Department has the following comments and requirements associated with this rezoning and development application for the proposed Low Density Residential Development. The road and utility upgrading requirements outlined in this report are provided for information purposes.

#### 5.6.1 Domestic Water and Fire Protection

Domestic water and fire protection for this development can be provided from a watermain on Lakeshore Road and or, alternatively from Lequime Road.

The developer's consulting mechanical engineer will determine the domestic and fire flow requirements of this proposed building and establish the required size and preferred location of the new service. Decommissioning of the existing small diameter service and the installation of the new service will be at the applicant's cost.

The estimated cost of this work for bonding purposes is \$8,000.00

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 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.

The boulevard irrigation system must be integrated with the on-site Irrigation system.

The subject lot is included into Water Specified Area Number 1.

#### 5.6.2 Sanitary Sewer

A sanitary sewer service for this development will be provided from a sanitary sewer main on Lakeshore Road or alternatively from a main on Lequime Rd. The subject parcel will be required to pay Latecomer charges before receiving a sanitary service from Lequime road.

Sanitary sewer service for the site will be reviewed and approved by Engineering when a site servicing design is submitted. Service changes shall be at the developer's cost.

Decommissioning of the existing small diameter service and the installation of the new service will be at the applicant's cost.

The estimated cost of this work for bonding purposes is \$5,000.00

The subject lot is included into Sanitary Sewer Specified Area Number 17.

### 5.6.3 Storm Drainage

The developer must engage a consulting civil engineer to provide a storm water management plan for this site which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of a lot grading plan, minimum basement elevation (MBE), storm water service and/or on-site drainage containment and disposal systems. The on-site drainage system may be connected to the street drainage system with an overflow service at the developer's cost, with approval from the City drainage engineer.

The subject development must include the design of a drainage system for Lakeshore Road in front of the subject lot, including a piped drainage system and catch basins for curb and gutter construction. The cost of the work was included in the road design calculations.

It must be understood that the storm drainage systems in this vicinity are relatively shallow as drainage is influenced by the level of Okanagan Lake. Storm drainage systems are inundated in water at times of high lake levels.

Storm drainage systems and overflow service for the site will be reviewed and approved by Engineering when a site servicing design is submitted.

The estimated cost of the overflow service for bonding purposes is \$4,000.00

### 5.6.4 Road Improvements

Lakeshore Road must be upgraded to a full urban standard along the full frontage of this proposed development, including curb and gutter, separate sidewalk, storm drainage system including catch basins, manholes / dry-wells and pavement widening. Also required is a landscaped boulevard complete with underground irrigation system, street lighting required and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost of this construction for bonding purposes is \$34,000.00 (not including the cost of relocating or adjusting of utility poles and other appurtenances)

Only the separate sidewalk and pole relocation must to be completed at this time. A one-time cash payment will be required for the future urban upgrading which will be performed by the city at the city's schedule, using the collected funds



Lequime Road must be upgraded to a modified urban standard (SS-R5) along the full frontage of this proposed development, including monolithic sidewalk, curb and gutter including catch basins, manholes and pavement widening. Also required is a landscaped boulevard complete with underground irrigation system, street lighting required and re-location or adjustment of utility appurtenances (existing hydrant) if required to accommodate the upgrading construction. The estimated cost of this construction for bonding purposes is \$50,000.00 (not including the cost of removing, relocating or adjusting of utility poles and other appurtenances)

#### 5.6.5 Road Dedication and Subdivision Requirements

By registered plan to provide the following:

Grant statutory rights of way if required for utility services.

Dedicate a highway allowance widening of 5.0 m wide along the full frontage of Lakeshore Road

Dedicate a highway allowance widening of 2.4 m wide along the full frontage of Lequime Road to provide a total road width of 20.0 m.

Dedicate a 6.0 m corner rounding at the intersection of Lakeshore Road and Lequime Road.

Grant Statutory Rights Of Way if required for utility services.

#### 5.6.6 Electric Power and Telecommunication Services

The existing overhead electrical and telecommunication distribution wiring on Lakeshore Road fronting this development must be relocated to an approved offset within the proposed boulevard area. The developer may choose to have the wiring installed in an underground duct system, and have the buildings connected by underground services.

The existing overhead electrical and telecommunication distribution wiring on Lequime Road fronting this development must be relocated to an approved offset within the proposed boulevard area. The developer may choose to have the wiring installed in an underground duct system, and have the buildings connected by underground services.

It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services which would be at the applicant's cost.

#### 5.6.7 Street Lighting

Street lighting including underground ducts must be installed on Lakeshore Road and Lequime Road fronting on the proposed development. The cost of this requirement is included in the roads upgrading item. If the electrical source for the street lighting is on the west side of Lakeshore Road, this source must be in underground ducts.

#### 5.6.8 Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the City Engineering Department for review and marked “issued for construction” by the City Engineer before construction may begin.

#### 5.6.9 Geotechnical Report

As a requirement of this application and building permit approval the applicant must provide a comprehensive geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

Area ground water characteristics, including water sources on the site.

Site suitability for development; i.e. unstable soils, foundation requirements etc.

Drill and/or excavate test holes on the site and install pizometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.

List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.

Additional geotechnical survey may be necessary for building foundations, etc.

#### 5.6.10 Survey Monuments and Iron Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat

sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

#### 5.6.11 Development Permit and Site Related Issues

A site grading plan, a site servicing plan and a storm drainage plan are a requirement of this application. Site servicing issues will be reviewed and comments related to site development will be addressed when a detailed site development design or building permit application is received.

Access onto Lequime Road is acceptable as proposed. The entry signs must be designed and installed so as not to cause a sight-line obstruction.

The site plan should illustrate the ability of an SU-9 standard size vehicle to maneuver onto and off the site without requiring a reverse movement onto public roadways.

A bike rack must be provided in accordance with current bylaws and policies.

Perimeter access must comply with the BC Building Code.

#### 5.6.12 Bonding and Levy Summary

##### Bonding

|                                      |             |
|--------------------------------------|-------------|
| Lakeshore Road sidewalk construction | \$ 6,000.00 |
| Lequime Road frontage improvements   | \$50,000.00 |
| Water, sanitary and storm services   | \$17,000.00 |
| Total bonding amount                 | \$73,000.00 |

##### Levies

Lakeshore Rd Frontage improvements

One-time cash payment for future urban upgrading. \$28,000.00

#### 5.6.14 Administration Charge

An administration charge is applicable to this development in the amount of 3% (+ GST) of the total off-site servicing costs. The administration charge will be assessed and must be paid prior to release of any security deposits.

## 6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate Services Department is generally supportive of the form and character of the proposed development. In form, this development is similar to other RM3 style developments that have been built to the north and south; however, staff would like to take this opportunity to point out several areas of concern.

The applicant is seeking to rezone to an RM4 - Transitional Low-Density Housing zone due to the density of the project. The OCP future land use designation for the subject property is Multiple Unit Residential–Low Density. The RM4 - Transitional Low-Density Housing zone corresponds with a Multiple Unit Residential–Medium Density future land-use designation and therefore the applicant was required to apply for an amendment to the Official Community Plan.

Unfortunately staff cannot support the proposed rezoning and Official Community Plan amendment applications. Staff are concerned that support of the proposed zoning and density would contradict past positions on these issues relating to adjacent sites. As previously mentioned to the north and south of this property are RM3 density developments and to the west single family homes border the lake. Staff had suggested several options to the applicant in order to achieve a similar project under the RM3 – Low Density Multiple Housing zoning. These suggestions included a housing agreement in order to secure affordable units or seniors housing or the provision of a greater number of stalls under the building to increase the associated density bonus provision. The applicant considered these options but chose not to pursue them upon consultation with the property owner/developer.

The applicant has revised the original plans in order to meet the required setback for the refuse and recycling bins.

## 7.0 ALTERNATE RECOMMENDATION

THAT OCP Bylaw Text Amendment No. OCP04-0003 to amend Kelowna Official Community Plan (2000-2020) Bylaw No. 7600 by changing the future land use designation on the subject property from Multiple Unit Residential Low Density to Multiple Unit Residential Medium Density as outlined in the report of the Planning & Corporate Services Department dated February 18, 2004 be considered by Council;

THAT Rezoning Application No. Z04-0001 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 6, Township 26, ODYD Plan 4912, located on Lequime Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RM4 - Low zone be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP04-0003 and zone amending bylaw be forwarded to a Public Hearing for further consideration;

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Andrew Bruce  
Manager of Development Services

Approved for inclusion

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

RM/AB/rs  
Attach

## FACT SHEET

1. **APPLICATION NO.:** Z04-0001/OCP04-0003
2. **APPLICATION TYPE:** Rezoning and OCP Amendment
3. **OWNER:** Tae Bong Yoo  
· **ADDRESS** 9890-180A Street  
· **CITY** Surrey, BC  
· **POSTAL CODE** V4N 4V5
4. **APPLICANT/CONTACT PERSON:** Water Street Architecture  
· **ADDRESS** #2-1562 Water Street  
· **CITY** Kelowna, BC  
· **POSTAL CODE** V1Y 1J7  
· **TELEPHONE/FAX NO.:** 762-2235
5. **APPLICATION PROGRESS:**  
    **Date of Application:** January 9, 2004  
    **Date Application Complete:** January 27, 2004  
    **Servicing Agreement Forwarded to Applicant:** N/A  
    **Servicing Agreement Concluded:** N/A  
    **Staff Report to APC:** January 28, 2004  
    **Staff Report to Council** February 19, 2003
6. **LEGAL DESCRIPTION:** Lot 2, Section 6, Township 26, ODYD Plan 4912
7. **SITE LOCATION:** The subject property is located on the southe corner of Lequime Road at Lakeshore Road.
8. **CIVIC ADDRESS:** 633 Lequime Road
9. **AREA OF SUBJECT PROPERTY:** 3753m<sup>2</sup>
10. **AREA OF PROPOSED REZONING:** 3753m<sup>2</sup>
11. **EXISTING ZONE CATEGORY:** RU1- Large Lot Housing
12. **PROPOSED ZONE:** RM4 – Transitional Low Density Housing
13. **PURPOSE OF THE APPLICATION:**  
  
TO AMEND THE OFFICIAL COMMUNITY PLAN FUTURE LAND USE DESIGNATION FROM MULTIPLE UNIT RESIDENTIAL LOW DENSITY TO MULTIPLE UNIT RESIDENTIAL MEDIUM DENSITY  
  
TO REZONE THE SUBJECT PROPERTY FROM THE RU1- LARGE LOT HOUSING ZONE TO THE RM4- TRANSITIONAL LOW DENSITY HOUSING IN ORDER TO CONSTRUCT A 3 STOREY, 26 UNIT MULTI –FAMILY HOUSING DEVELOPMENT

14. MIN. OF TRANS./HIGHWAYS FILES NO.: N/A  
NOTE: IF LANDS ARE WITHIN 800 m OF A  
CONTROLLED ACCESS HIGHWAY

**ATTACHMENTS**

**(not attached to the electronic version of the report)**

- Location of subject property
- Site plan
- Floor plans
- Elevations
- Landscaping plan
- Colour Rendering