
CITY OF KELOWNA
MEMORANDUM

Date: February 2, 2004
File No.: (3360-20) **Z03-0055**

To: City Manager

From: Planning & Corporate Services Department

Subject:

APPLICATION NO. Z03-0055

OWNER: MAXWELL HOUSE
DEVELOPMENTS LTD.
INC. NO. 56346A

AT: 245 GLENMORE RD.

APPLICANT: AS ABOVE

PURPOSE: TO REZONE THE SUBJECT PROPERTY TO THE RM3 – LOW
DENSITY MULTIPLE HOUSING ZONE AND THE P3 – PARKS
AND OPEN SPACE ZONE IN ORDER TO PERMIT THE
DEVELOPMENT OF 24 MULTIPLE HOUSING UNITS

EXISTING ZONE: A1 – AGRICULTURE 1

PROPOSED ZONE: RM3 – LOW DENSITY MULTIPLE HOUSING
P3 – PARKS AND OPEN SPACE

REPORT PREPARED BY: PAUL McVEY

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Rezoning Application No. Z03-0055 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, Sec. 4, Twp. 23, O.D.Y.D. Plan 23927, located on Glenmore Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the RM3 – Low Density Multiple Housing and P3 – Parks and Open Space zones as shown on Map "A" attached to the report of Planning & Development Services Department dated February 2, 2004 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 on the subject property;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the issuance of Preliminary Layout Review Letter by the Approving Officer;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Parks Department and 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 applicant wishes to rezone the subject property from the existing A1- Agriculture 1 zone to the proposed RM3 – Low Density Multiple Housing zone and the P3 – Parks and Open Space zone in order to permit the development of 24 townhouse style multiple housing residential units in 4 buildings with 2 units each and 4 buildings with 4 units each.

2.1 Advisory Planning Commission

The above noted application (Z03-0055) was reviewed by the Advisory Planning Commission at the meeting of November 4, 2003 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z03-0055, 245 Glenmore Road, Lot B, Plan 23927, Sec. 4, Twp. 23, ODYD, by Maxwell House Dev. Ltd. (Ken Gulenchyn), to rezone from the A1-Agriculture 1 zone to the RM3-Low Density Multiple Housing zone in order to allow for a multi unit residential development;

3.0 BACKGROUND

3.1 The Proposal

The subject property is the last remaining undeveloped lot located on the southeast side of Glenmore Road between Crosby Road and Cross Road. The lot to the north east of the property was developed with a church in 1992, while the property to the south west was developed with a church and an associated apartment building in 1994. Brandt's Creek runs along the southwest and northwest property lines. The portion of Brandt's Creek that is adjacent to Glenmore Road is currently piped, and "daylights" part way along the southwest property line.

This application proposes to develop the site with 24 residential units in a townhouse form. The site is designed with 4 buildings containing 2 units each and 4 buildings containing 4 units each. The access from Glenmore Road to the site is located in the approximate centre of the lot. The access driveway runs through the centre of the lot, and is terminated with a "hammerhead" turnaround. There are 5 buildings located on the north side of the access driveway and 3 buildings located to the south. The units located north of the driveway are 1 ½ storeys in height, while the units south of the driveway are 2 storeys in height.

All of the proposed units are 3 bedroom residences. Each of the units have either a carport or a garage attached to the dwelling. As well, there is also 7 surface stalls provided on the access drive aisle. There are a total of 51 parking stalls provided on site.

The landscape plan indicates a substantial amount of landscape plantings around the proposed development. There are also landscaped planting beds with trees proposed for the dwelling units along the north side of the driveway. The area of the site adjacent to Brandt's Creek is further enhanced by the provision of a crushed stone path and the planting of numerous trees. There will be public access along this path in order to provide for future connection with existing pathways along Brandt's Creek. It is anticipated that the portion of Brandt's creek that is currently routed through a pipe, will be restored to an open channel for that area that is located southwest of the access driveway. The residential units located adjacent to the south west property line are at least 14.4 m away from the top of bank of Brandt's Creek. There is an area in the west corner of the lot that is proposed to remain in grass and provide an outdoor amenity space.

The exteriors of the proposed building are designed to be finished with horizontal siding and wood shake siding in the gable ends facing the internal drive aisle. The columns supporting the carports and the roof areas over the entry doors are designed to have stone finishes at the base. The walls are proposed to be finished with a "medium tan" colour for the horizontal siding and a darker "khaki" colour for the shingled areas. The door and window trim, as well as the eave and gutters are proposed to be painted white. The roof is proposed to be finished with a sculpted asphalt shingle product that has multi-coloured flecks that incorporates the wall colours.

The proposal as compared to the RM3 zone requirements is as follows:

CRITERIA	PROPOSAL	RM3 ZONE REQUIREMENTS
Site Area (m ²)	8,516 m ²	900 m ²
Site Width (m)	68.6 m	30 m
Site Coverage (%)	27.3% Buildings only 48.6% buildings and parking areas	The maximum building site coverage is 40%, provided that the maximum site coverage of buildings, driveways, and parking areas is 50%.
Total Floor Area (m ²)	3,883 m ²	4,258 m ² max @ FAR = 0.5
F.A.R.	0.394	FAR = 0.5 max
Storeys (#)	2 storey	2 ½ Stories (9.5 m) max
Setbacks (m)		
- Front	9.49 m	4.5 m (6.0 m from garage or carport)
- Rear	10.15 m	7.5 m
- Northeast Side	6.1 m	4.0 m for 1 or 1 ½ storey building 4.5 m for 2 or 2 ½ storey building
- Southwest Side	4.6 m	4.0 m for 1 or 1 ½ storey building 4.5 m for 2 or 2 ½ storey building
Parking Stalls (#)	51 stalls provided	2 stall per 3 br unit 24 units, 48 stalls required
Private Open Space	1,143 m ² provided	25 m ² per unit = 600 m ² req'd

3.2 Site Context

The subject property is currently occupied by a single unit dwelling, and the property has been used for agricultural uses. The property is located south of the Kelowna Christian Reformed Church and north of the St. David's Presbyterian Church and associated apartment building. The property is generally level, and slopes down from Glenmore

Road towards the future Glenmore By-pass located near the rear of the lot. Brandt's Creek is located along the southwest property line, and is located in a pipe adjacent to the Glenmore Road frontage. There is also a marshy area located at the south corner of the property.

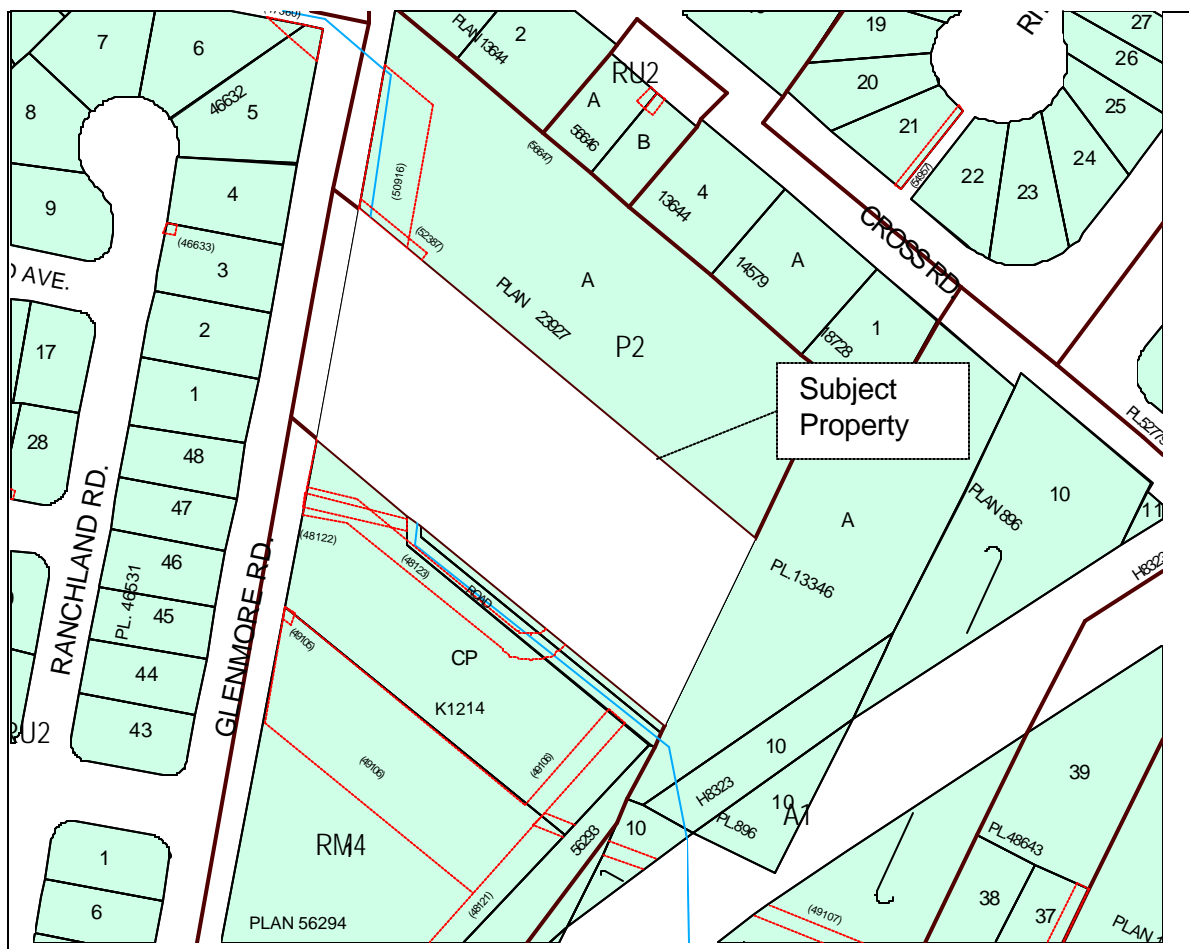
Adjacent zones and uses are, to the:

- | | | |
|-----------|---|--|
| Northwest | - | RU2 – Medium Lot Housing/ Glenmore Dr. SFD |
| Northeast | - | P2 – Education and Minor Institutional/ Church |
| Southwest | - | RM4 – Transitional Low Density Housing/ Apartment building |
| Southeast | - | A1 – Agriculture 1/ Vacant |

3.3 Proposed Development Potential

The proposed zone of RM3 – Low Density Multiple Housing allows for apartment housing, congregate housing, group home – major, row housing, semi-detached housing, and stacked row housing as permitted principal uses. The zone also permits care centres – major, and home based businesses – minor as permitted secondary uses.

SUBJECT PROPERTY MAP



3.4 Current Development Policy

3.4.1 Kelowna Official Community Plan

This proposal is consistent with the Official Community Plan which designates the subject property as Multiple Unit Residential – Low Density future land use.

3.4.2 City of Kelowna Strategic Plan (1992)

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

As well, the City of Kelowna Strategic Plan also encourages the proposed development as follows;

Objective 7.3...

“To ensure that there is a range of housing types and sizes, including socially assisted housing in all major sectors of Kelowna to meet the changing needs of current and future residents.”

3.4.3 Glenmore/Clifton/Dilworth Sector Plan

The subject property is located in the Glenmore/Clifton/Dilworth Sector Plan, and is designated for Multiple Family Residential - low density uses.

The Glenmore/Clifton/Dilworth Sector Plan also includes Multiple Unit Residential Development Permit Guidelines;

- Multiple unit residential development is encouraged to be sensitive to and compatible with the massing and rhythm of the established streetscape,
- The number of access points to multiple unit residential development from arterial or collector roads should be minimized,
- Where a site is to contain several buildings, careful attention should be given to the provision of usable open space, trail linkages between buildings, and other potential development enclaves. Walkways and trails shall be indicated on the site plan,
- Recreation or play areas should be provided within each project and should be sensitive to the needs of all age groups likely to reside within the development

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

Will provide underground electrical service to this development.

4.2 Environmental Manager

We have no comment with regard to zoning provided they provide the setbacks and stream (road) dedication as depicted on the drawing submitted.

The applicant needs to provide a detailed landscape plan for the creek area. The drawings should include site grading, typical stream cross-section, and any proposed retaining (block, concrete, etc.) walls. Bonding should be secured for 125% of the estimated value of the stream channel restoration works. The Parks Department may wish to review the landscape plan and path alignment. Some "day-lighting" of the culverted channel in the south-west corner of the property is required (as depicted on the site plan) and this may require some detailed engineering drawings with stream cross-sections (Drainage to review?).

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 will be required. Hydrant required within 90m of each principal entrance. If a security gate is installed it should be a minimum of 14 feet clear opening complete with a fire dept. lock box installed with an over-ride microswitch inside. Contact F.P.O. for details.

4.4 Inspection Services Department

1. There is a bedroom window opening into the garage. This is not permitted.
2. The underside of the crawl space slab shall be .6 m above the water table and 1.5 m above the creek high water.
3. Ensure that all entrance doors are within 90 m of a hydrant. Onsite hydrant will be required.

4.5 Irrigation District (G.E.I.D.)

The Glenmore-Ellison Improvement District's Engineer, Kerr Wood Leidal, has reviewed the proposed rezoning and development applications from Maxwell House Developments Ltd.

Excerpt of Kerr Wood Leidal letter;

1. Fireflow Availability and Hydrants

The applicant must determine any additional fireflow requirements for this site. Fire hydrants are available at the property immediately north of the site, and approximately 140 m south of the site on the west side of Glenmore Road at Crosby Road. The applicant must confirm whether additional fire hydrants will be required.

2. Property water service and metering

The property will be serviced via a single metered service, with the meter located in an above-ground building at the property line or in the building's mechanical room with access available to GEID. The development is responsible for installing the meter and equipment to GEID standards. Upon approval of the constructed works, GEID will own the metering works.

3. Off-Site waterworks

The property will be serviced from the 300mm diameter watermain on Glenmore Road. GEID forces will connect to the main at the developer's cost.

4. On-Site Waterworks

The on-site waterworks are the responsibility of the property owner. We note that the property owner will be responsible for servicing any on-site hydrants.

5. Connection , Administration, and Inspection Fees

The applicant is responsible for GEID connection , administration and inspection fees for the off-site works. The fees are based on the size of connection required to service the property. The drawings do not contain enough information to provide an estimate of connection, administration, and inspection fees.

6. Capital Expenditure Charges

GEID Bylaw #73 stipulates CEC's payable as follows;
\$2,300.00 per multi-family unit x 24 units = \$55,000.00.

7. Summary of Engineering Submissions and Payables

Submit 2 copies of engineering plans revised in accordance with sections 2 and 3 above for GEID review and approval. Provide the City of Kelowna approved drawings and Interior Health Authority Waterworks Construction Permit.

Connection costs to main in Glenmore Road to be determined

Administration fees to be determined

Engineering inspection fees to be determined

Capital Expenditure Charge - \$55,000.00

4.6 Ministry of Water, Land and Air Protection

The standards for sediment and erosion control outlined in the jointly published BC Environment/Fisheries & Oceans Canada "Land Dev. Guidelines for the Protection of Aquatic Habitat" must be adhered to.

4.7 Parks Manager

As part of the initial agreement with the Developer, Parks agreed to relax the park dedication from 10 meters to 7.5 meters back from the top of bank of the creek to accommodate the buildings. In exchange the Developer agreed to landscape the park to the Parks Division's standards that includes a gravel walkway, trees and shrubs, and irrigation. The Developer also agreed to 'day light' the buried section of creek and remediate it back to a standard provided by the Environment Division.

The current plan does not show any Park dedication. A 7.5 meter wide linear park needs to be dedicated as road right-of-way to the City for the future continuation of Brant's Creek Linear Park as outlined in the OCP.

In addition, there are no drawings showing the 'day lighting' of the creek. The Developer needs to show a detail design of the reinstated creek.

NOTE:

There will be an application for subdivision of the dedication for the "day lighting" of the creek required prior to the final adoption of the zone amending bylaw and consideration of the Development Permit by Council.

4.8 Shaw Cable

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

4.9 Telus

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

4.10 Terasen Utility Services

pending

4.11 Works and Utilities Department

The City's Works & Utilities Department will handle the Works & Services requirements identified below. The Development Engineering Technician for this project is Kelly Hanson.

The following Works & Services are required for this subdivision:

1) Water

- a) The property is located within the Glenmore Ellison Improvement District service area. The developer is required to make satisfactory arrangements, for any improvements, connections and charges, with the Improvement District.
- b) Provide an adequately sized domestic water and fire protection system. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. The minimum fire flow requirement for the RM3 zone (apartment & row housing) is 150 litres/second. Provide confirmation that the water system is capable of supplying the required fire flow.
- c) Provide Fire Underwriter Survey (FUS) calculations, based on the proposed construction of the buildings, to confirm that the FUS fire flow demand is equivalent to or less than the available system capacity.
- d) A water meter and sewer credit meter is mandatory. The City Plumbing Regulation Bylaw describes the requirements for installation of these meters.

2) Sanitary Sewers

- a) The property is located in Sewer/Water Specified Area No 1.
- b) Provide an adequately sized sanitary sewer system complete with a connection.
- c) Sanitary sewer is not available at the property but is located within the future Glenmore bypass road at the rear of the adjacent lot. An extension of the sewer to the property is required.
- d) Abandon and backfill existing septic tanks in accordance with Building Department requirements. Identify, on the Lot Grading Plan, the location of the existing tanks and fields.

3) Drainage

- a) Provide an adequately sized drainage system complete with an individual lot connection.
- b) Provide the following drawings:
 - i) A detailed Lot Grading Plan (indicate on the Lot Grading Plan any areas that have greater than 1.0 m of fill);
 - ii) A detailed Stormwater Management Plan for this subdivision; and,
 - iii) An Erosion and Sediment Control Plan.
- c) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- d) Where ditches are provided they must be adequately lined and protected for the design flows.
- e) Environmental Division and Parks Department may have additional requirements for the Brandt's Creek Corridor.
- f) Where there is a possibility of a high water table or surcharging of storm drains during major storm events, non-basement homes may be required. This must be determined by the design engineer and detailed on the Lot Grading Plan.

4) Roads

- a) The development is responsible for the urbanization of Glenmore Road fronting the subject property (69m). However, the road is in transition over the next few years until the future Glenmore bypass is built. Therefore, cash-in-lieu of immediate construction is required and the City will initiate the work later, on its own construction schedule. The cash-in-lieu amount is \$39,000.
- b) At this time, the Glenmore Road boulevard is to be landscaped complete with underground irrigation.
- c) Re-locate existing poles and utilities, where necessary.

5) Power and Telecommunication Services and Street Lights

- a) The property is located within a Village Centre, therefore all proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground.
- b) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.

6) Design and Construction

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

- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

7) Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

8) Other Engineering Comments

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.

9) Charges and Fees

- a) Development Cost Charges (DCC's) are payable
- b) None of the Works & Services required are items included in the DCC calculations and therefore not eligible for DCC credits.
- c) Fees per the "Development Application Fees Bylaw" include:
 - i) Engineering and Inspection Fee: 3% of construction value (plus GST). Not applicable on cash-in-lieu items.

The cash-in-lieu amount for Glenmore Road Upgrade s **\$39,000**.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS

The Planning and Corporate Services Department supports the development plan. The proposed development is consistent with the RM3 zone, and is a reasonable form of multiple unit residential development for the subject property.

The applicant has reviewed the proposed building design and finishes, and has revised the endwalls of the proposed building where they face Glenmore Road to improve the design of the proposed buildings. As well, the applicant has proposed to finish each of the buildings with different complementary colour group.

The landscape plan indicates a high level of landscaping around the site, as well as enhancing the level of landscaping along Brandt's Creek. The plan also indicates that the majority of the piped portion of Brandt's Creek will be realigned and returned to an open channel for that portion of the site that is located south west of the proposed driveway. As part of the proposed landscaping adjacent to Brandt's creek, there is also a gravel path proposed to wander along the bank of the creek in order to provide for a pedestrian link from Glenmore Road to provide for a connection to existing pedestrian pathways associated with Brandt's Creek, located in the neighbourhood.

Council will have an opportunity to review the associated Development Permit application prior to the final adoption of the zone amending bylaw, and consider the form and character of the proposed development and the proposed landscaping for the development and the linear park along Brandt's Creek.

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

Andrew Bruce
Manager of Development Services

Approved for inclusion

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

PMc/pmc
Attach.

FACT SHEET

- | | |
|---|--|
| 1. APPLICATION NO.: | Z03-0055 |
| 2. APPLICATION TYPE: | Rezoning |
| 3. OWNER: | Maxwell House Developments Ltd. |
| . ADDRESS | Inc. No. 56346A |
| . CITY | PO Box 1295, Sta. A |
| . POSTAL CODE | Kelowna, BC |
| | V1Y 7V8 |
| 4. APPLICANT/CONTACT PERSON: | Maxwell House Developments Ltd. |
| . ADDRESS | Ken Gulenchyn |
| . CITY | PO Box 1295, Sta. A |
| . POSTAL CODE | Kelowna, BC |
| . TELEPHONE/FAX NO.: | V1Y 7V8 |
| | 717-7262/762-8425 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | October 9, 2003 |
| Date Application Complete: | October 9, 2003 |
| Servicing Agreement Forwarded to Applicant: | December 12, 2003 |
| Servicing Agreement Concluded: | Pending |
| Staff Report to Council: | February 2, 2004 |
| 6. LEGAL DESCRIPTION: | Lot B, Sec. 4, Twp. 23, O.D.Y.D. Plan 23927 |
| 7. SITE LOCATION: | East side of Glenmore Road, South of Cross Road |
| 8. CIVIC ADDRESS: | 245 Glenmore Rd. |
| 9. AREA OF SUBJECT PROPERTY: | 8,516 m ² |
| 10. AREA OF PROPOSED REZONING: | 8,516 m ² |
| 11. EXISTING ZONE CATEGORY: | A1 – Agriculture 1 |
| 12. PROPOSED ZONE: | RM3 – Low Density Multiple Housing
P3 – Parks and Open Space |
| 13. PURPOSE OF THE APPLICATION: | To Rezone The Subject Property To The RM3 – Low Density Multiple Housing Zone And P3 – Parks and Open Space Zone In Order To Permit The Development Of 24 Multiple Housing Units, and
To Seek a Development Permit to Authorize Construction of 24 Multiple Housing Units |

- | | |
|--|---|
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.:
NOTE: IF LANDS ARE WITHIN 800 m OF A
CONTROLLED ACCESS HIGHWAY | N/A |
| 15. DEVELOPMENT PERMIT MAP 6.2
IMPLICATIONS | General Multi-Family; notify GIS of
addition |

Attachments

Subject Property Map

Map "A"

7 pages of site plans, buildings elevations, landscape diagram