
CITY OF KELOWNA

MEMORANDUM

Date: October 14, 2004
File No.: (3360-20) **Z04-0063**

To: City Manager

From: Planning & Corporate Services Department

Subject:

APPLICATION NO. Z04-0063

OWNER: GAZELLE ENTERPRISES
INC. / GREEN PROJECTS
LTD

AT: 570 SARSONS ROAD /
4388 LAKESHORE ROAD

APPLICANT: GAZELLE ENTERPRISES
INC. & GREEN PROJECTS
LTD. / MR. G. GAUCHER

PURPOSE: TO REZONE LOTS 1 & 2, PLAN 75687 FROM THE EXISTING
"RU1- LARGE LOT HOUSING" ZONE TO THE PROPOSED
"RM3-LOW DENSITY MULTIPLE HOUSING" ZONE TO PERMIT
THE DEVELOPMENT OF A LOW-DENSITY RESIDENTIAL
DEVELOPMENT COMPRISED OF 28 SEMI-DETACHED UNITS
IN 14 BUILDINGS, AND 152 APARTMENT UNITS IN 3 - 3
STOREY BUILDINGS

EXISTING ZONE: RU1 – LARGE LOT HOUSING

PROPOSED ZONE: RM3 – LOW DENSITY MULTIPLE HOUSING

REPORT PREPARED BY: PAUL McVEY

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Rezoning Application No. Z04-0063 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 1 & 2, DL 167, O.D.Y.D., Plan KAP75687, located on Lakeshore Road and Sarsons Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple 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 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 applicant had applied in 2002 to develop the subject properties with a mixed-use commercial and multiple unit residential development on the two properties located at the northwest corner of Lakeshore Road and Sarsons Road. As the subject properties are designated "Multiple Unit Residential – Low Density" in the Official Community Plan, that proposal required an Official Community Plan amendment to change the future land use designation of the eastern section of the subject properties from "Multiple Unit Residential – Low Density" to "Commercial". That application was defeated by Council on August 9, 2004.

There has now been a new application submitted to rezone the two subject properties to the RM3 – Low Density Multiple Housing zone to permit the development of the site with a total of 28 semi-detached units in 14 buildings, and a total of 152 apartment units in 3 buildings for a total of 180 residential units. As the proposed apartment buildings are designed with a 3 storey building height and the RM3 zone has a maximum building height of 2 ½ storeys, there has been a Development Variance Permit application submitted in conjunction with the application to rezone and for Development Permit.

2.1 Advisory Planning Commission

The above noted application (Z04-0063) was reviewed by the Advisory Planning Commission at the meeting of September 21, 2004 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z04-0063, for 4388 Lakeshore Road and 570 Sarsons Road, Lots 1 & 2, DL 167, O.D.Y.D., Plan KAP75687 by Gazelle Enterprises Inc. (Grant Gaucher), to rezone the subject properties from the existing RU1 – large Lot Housing zone to the RM3 – Low Density Multiple Housing zone to permit the development of the site with a total of 180 residential units – 28 in 14 semi-detached residential buildings, and 152 residential units in 3 – 3 storey apartment buildings;

3.0 BACKGROUND

3.1 The Proposal

The subject properties are located at the northwest corner of the intersection of Lakeshore Road and Sarsons Road, a location that falls within the North Mission / Crawford Sector Plan area. The proposed development site has had a technical subdivision to realign the property lines to create a separate lot for the existing single unit dwelling located on Sarsons Road, and to create 2 lots for the previous mixed-use development proposal.

The applicant has submitted a new application to rezone the entire development site to the RM3 – Low Density Multiple Housing in order to develop the site with 28 semi-detached units in 14 buildings, and 152 apartment units in 3 – 3 storey apartment buildings, for a total unit yield of 180 residential dwelling units. The anticipated unit yield is; 47 – 1 bedroom units, 95 – 2 bedroom units, and 38 – 3 bedroom units. The semi-detached units are designed as 2 storey, 3 bedroom units, with a double garage for each unit attached to the main building level. The upper storey has deck areas provided for the master bedroom. The exterior of the proposed building is designed to be finished with a with a cultured stone material on the main level, and with a blend of “light tan” coloured horizontal hardi-plank and “medium tan” coloured stucco finishes. The semi-detached units are to be situated along the north and west sides of the development site to provide a transition element between the proposed apartment buildings and the existing single unit residential building located on the adjacent properties.

Each of the proposed apartment buildings are designed as 3 storey buildings in a “V” shape configuration with the apex truncated. The associated Development Variance Permit application has been made in conjunction with the Development Permit and Rezoning applications to address the proposed building height of 3 storeys, where the RM3 – Low Density Multiple Housing zone limits the maximum building height to 2 ½ storeys. The intent of the variance in building height for the apartment buildings is to relocate some of the building floor space from the perimeter semi-detached units which are only 2 storeys high where the zone permits a 2 ½ storey building height. The reduction in building height for the perimeter semi-detached units was provided to minimize impact on the existing surrounding single family residential development, while providing a measure of buffering of the existing residential development from the proposed 3 storey apartment buildings.

Council will have an opportunity to review the Development Permit and Development Variance Permit applications at a future date after the public hearing, prior to final adoption of the zone amending bylaw.

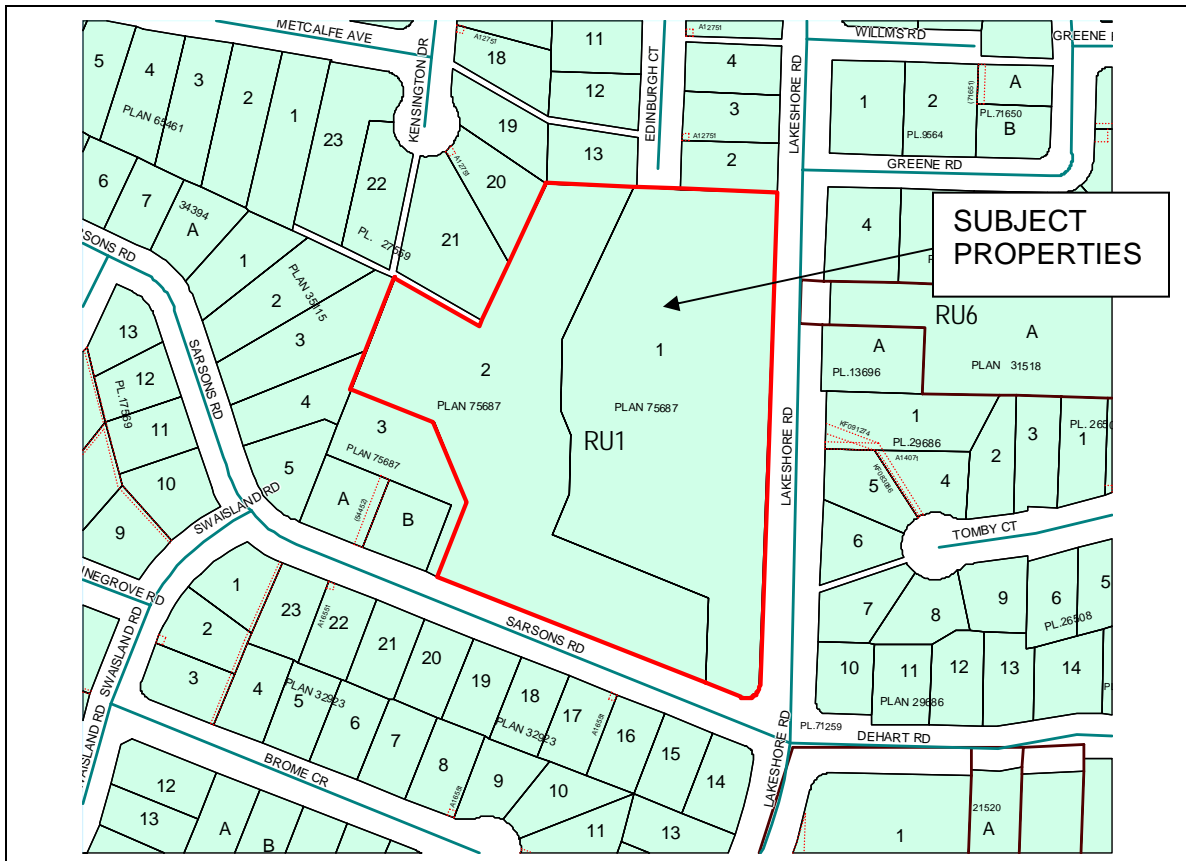
The proposal as compared to the RM3 zone requirements is as follows:

CRITERIA	PROPOSAL	RM3 ZONE REQUIREMENTS
Site Area (m ²)	30,305 m ²	900m ²
Site Width (m)		30m
Site Coverage (%)	40% Buildings 50% Buildings and Pavement	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)	21,118 m ²	21,214 m ² max @ FAR = 0.7
F.A.R.	0.70	FAR = 0.5 + 0.2 parking bonus
Storeys (#)	3 storeys ❶	2½ storeys (9.5m)
Setbacks (m)		
- Front (from Lakeshore Rd.)	4.5 m	The minimum site front yard is 4.5 m, except it is 6.0 m for a garage or carport.
- Rear	7.5 m	The minimum site rear yard is 7.5 m, 4.5 m for common recreation buildings, and 1.5 m for other accessory buildings.
- North Side	4.5 m	The minimum site side yard is 4.0 m for a 1 or 1½ storey portion of a building or an accessory building or structure and 4.5 m for a 2 or 2½ storey portion of a building
- South Side (Sarsons Rd.)	4.5 m	The minimum site side yard is 4.0 m for a 1 or 1½ storey portion of a building or an accessory building or structure and 4.5 m for a 2 or 2½ storey portion of a building, except it is 4.5 m from a flanking street
Parking Stalls (#)	278 stalls required 304 stalls provided	47 - 1 br @ 1.25 stalls = 59 stalls 95 - 2 br @ 1.5 stalls = 143 stalls 38 - 3 br @ 2.0 stalls = 76 stalls

NOTE;

❶ DVP02-0023 has been made to vary the maximum permitted building height of the apartment buildings from the 2 ½ storeys permitted in the RM3 zone to the 3 storey building height proposed.

Subject Property Map



3.2 Site Context

The subject properties were created with the registration of a plan of subdivision in June 2004, which created Lots 1 & 2, Plan 75687 as the proposed development site, and Lot 3, Plan 75687 which is the location of the existing single unit home. The portion of the development site that was the former Lot A Plan 9000 was developed with one single family dwelling, a mobile home, and out buildings, and the former Lot C, Plan 54451 was developed with one single family dwelling and an old barn. The former Lot C was created in 1995, when there were two single family residential lots subdivided off of the parent property. The former Lot 1, Plan 27559 was currently developed with a single family dwelling and an artist's studio. The development site is generally level, and are bounded by Lakeshore Rd. to the east and Sarsons Rd. to the south. The surrounding neighbourhood consists of established single family homes on large lots.

Adjacent zones and uses are, to the:

- North - RU1 – Large Lot Housing/ Single Unit housing
- East - RU1 – Large Lot Housing/ Lakeshore Rd, Single Unit housing
- South - RU1 – Large Lot Housing/ Sarsons Road, Single Unit housing
- West - RU1 – Large Lot Housing/ Single Unit housing

3.3 Proposed Development Potential

The proposed “RM3 – Low Density Multiple Housing” zone allows for the following permitted uses; multiple dwelling housing, congregate housing, group home-major, and boarding or lodging houses as principle permitted uses, and apartment housing, row housing, semi-detached housing, stacked row housing, and permitted accessory buildings and structures as secondary permitted uses.

3.4 Current Development Policy

3.4.1 Kelowna Official Community Plan

This proposal to rezone the subject properties to the “RM3 – Low Density Multiple Housing zone is consistent with the "Multiple Unit Residential - Low Density" future land use designation of the City of Kelowna Official Community Plan.

3.4.2 City of Kelowna Strategic Plan (1992)

The Strategic Plan encourages the development of a more compact urban form by increasing densities through infill and re-development within existing urban areas and to provide for higher densities within future urban area.

3.4.3 North Mission / Crawford Sector Plan

This proposal to rezone the subject properties to the “RM3 – Low Density Multiple Housing zone is consistent with the "Multi - Family Residential (Low Density)" designation of the North Mission / Crawford Sector Plan.

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 Works and Utilities Department

The Works & utilities Department has the following comments and requirements associated with this application for the proposed Condominium and Townhouse Area. The existing parcels are zoned RU-1. The road and utility upgrading requirements outlined in this report are provided for information purposes.

1. Domestic Water and Fire Protection

- (a) Domestic water and fire protection for this development can be provided from a watermain on Lakeshore Road and or, alternatively from Sarsons Rd.
- (b) The existing lots are presently serviced from Sarsons Road and Lakeshore Road with water services, which will likely need replacing.
- (c) The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish the required size and preferred location of the new services. Only one service will be permitted for each development site. The applicant, at his cost, will arrange for the removal of existing unused services and the installation of new larger metered water services. The estimated cost of this construction for bonding purposes is \$24,000.00.
- (d) The disconnection of existing water services and the tie-in of new services will be by City forces at the developer's expense.
- (e) Water meters are mandatory for this development and must be installed inside the buildings on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meters 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.
- (f) The boulevard irrigation systems must be integrated with the on-site irrigation system.

2. Sanitary Sewer

- (a) Sanitary sewer services for this development will be provided from a sanitary sewer mains on Sarsons Road and or, alternatively from Lakeshore Road.
- (b) The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size and preferred location of the new services. The existing 150mm diameter service to proposed lot 2 may be utilized if it is of sufficient size and depth. Only one service will be permitted for each development site. The applicant, at his cost, will arrange for the installation of new larger services. The estimated cost of this construction for bonding purposes is \$9,000.00
- (c) Removal and capping of unused existing sanitary services and the tie-in of the new service must be by City crews and will be at the applicant's cost.

3. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for each 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, identify minimum basement elevation (MBE), overland drainage routes, floodplain elevations and setbacks, and provision of a storm drainage service for the lot and /or recommendations for onsite drainage containment and disposal systems. The on-site drainage systems may be connected to the street drainage system with overflow services.

- (b) The subject development must include the design of drainage systems for Lakeshore Road and Sarsons Road fronting each site, including catch basins for curb and gutter construction. The cost of the work was included in the road design calculations.
- (c) Storm drainage systems and overflow service(s) for the sites will be reviewed and approved by Engineering when site servicing designs are submitted.

4. Road Improvements

- (a) 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 and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost for this construction for budget purposes is \$149,100.00. Not included in the estimate are costs for pole relocations and modifications to the existing traffic control signalization system.
- (b) Provide a bus pullout for the bus stop on Lakeshore Road.
- (c) Sarsons Road must be upgraded to a full urban standard (SS-R5) along the full frontage of this proposed development, including curb and gutter, monolithic 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 and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost for this construction for budget purposes is \$109,200.00. Not included in the estimate are costs for pole relocations and modifications to the existing traffic control signalization system.
- (d) Provide Street Sign, Markings and Traffic Control Devices Drawings. The City will install or modify the required signs and traffic control devices at the developer's expense.
- (e) Dedicate, if required, and construct a hammer head / cul-de-sac at the end of Edinburgh Ct The estimated cost for this construction for budget purposes is \$12,000.00
- (f) On-site roads will be designated as private roads.

5. Road Dedication and Subdivision Requirements

By registered plan to provide the following:

- (a) A cross access agreement must be registered for vehicular traffic between proposed lots 1 and 2
- (b) Dedicate sufficient road allowance to accommodate the Edinburgh Court turn-around.
- (c) Grant Statutory Rights Of Way if required for utility services.

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.

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.

7. Street Lighting

Street lighting including underground ducts must be installed on Lakeshore 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 east side of Lakeshore Road, this source must be in underground ducts.

8. Bonding and Levy Summary

(a) Bonding

Service Upgrades	\$ 33,000.00
Lakeshore Road Frontage Improvements	\$149,100.00
Sarsons Road Frontage Improvements	\$109,200.00
Edinburgh Court turn-around	\$ 12,000.00
<u>Total</u>	<u>\$ 303,300.00</u>

NOTE: The bonding amount shown above are comprised of estimated construction costs escalated by 140% to include engineering design and contingency protection and are provided for information purposes only. The owner should engage a consulting civil engineer to provide detailed designs and obtain actual tendered construction costs if he wishes to do so. Bonding for required off-site construction must be provided as a

condition of building permit issuance, and may be in the form of cash or an irrevocable letter of credit, in an approved format.

The owner must also enter into a servicing agreement in a form provided by the City prior to or issuance of a building permit.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS

This current application proposes the rezoning of the subject properties to the RM3 – Low Density Multiple Housing zone in order to develop the subject properties with a low density multi-unit residential development comprised of 3 apartment buildings and 14 semi-detached buildings.

The current Future Land Use designation in the Official Community Plan designates the subject properties for Multiple Unit Residential - Low Density. As such, a rezoning to the RM3 – Low Density Multiple Housing zone is consistent with the OCP future land use designation.

The applicant has made a Development Variance Permit application to authorize an increase in building height from 2 ½ storeys to 3 storeys for the 3 apartment buildings proposed that would be located away from the edges of the development site in order that the over all density permitted in the RM3 zone may be achieved, while reducing the building height and massing of the 14 semi-detached buildings located adjacent to the existing single family development in order to minimize the impact of the site development on the existing neighbourhood.

Council will have an opportunity to review the form and character of the proposed development through the associated Development Permit and Development Variance Permit in the future, prior to the final adoption of the zone amending bylaw.

In light of the above, the Planning and Corporate Services Department recommends in support of the rezoning application, and that Council forward it to a Public Hearing for further consideration.

Andrew Bruce
Manager of Development Services

Approved for inclusion

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

PMc/pmc
Attach.

FACT SHEET

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|---|--|
| 1. APPLICATION NO.: | Z04-0063 |
| 2. APPLICATION TYPE: | Rezoning |
| 3a. OWNER: <ul style="list-style-type: none">• ADDRESS• CITY• POSTAL CODE | Gazelle Enterprises Inc. (Inc. 696169)
#200 – 3275 Lakeshore Rd
Kelowna, BC
V1W 3S9 |
| 3b. OWNER: <ul style="list-style-type: none">• ADDRESS• CITY• POSTAL CODE | Green Projects Ltd. (Inc. 695177)
#200 – 3275 Lakeshore Rd
Kelowna, BC
V1W 3S9 |
| 4. APPLICANT/CONTACT PERSON: <ul style="list-style-type: none">• ADDRESS• CITY• POSTAL CODE• TELEPHONE/FAX NO.: | Gazelle Enterprises Inc. & Green
Projects Ltd. / Mr. Grant Gaucher
#200 – 3275 Lakeshore Rd
Kelowna, BC
V1W 3S9
763-4444/763-1000 |
| 5. APPLICATION PROGRESS: <ul style="list-style-type: none">Date of Application:Date Application Complete:Servicing Agreement Forwarded to Applicant:Servicing Agreement Concluded:Staff Report to Council: | August 30, 2004
August 30, 2004
October 13, 2004

October 14, 2004 |
| 6. LEGAL DESCRIPTION: | a) Lot 1, DL 167, O.D.Y.D., Plan
KAP75687
b) Lot 2, DL 167, O.D.Y.D., Plan
KAP75687 |
| 7. SITE LOCATION: | North West Corner of Sarsons Road
and Lakeshore Road |
| 8. CIVIC ADDRESS: | 570 Sarsons Rd.
4388 Lakeshore Rd. |
| 9. AREA OF SUBJECT PROPERTY: | 30,305 m ² |
| 10. AREA OF PROPOSED REZONING: | 30,305 m ² |
| 11. EXISTING ZONE CATEGORY: | RU1 – Large Lot Housing |
| 12. PROPOSED ZONE: | RM3 – Low Density Multiple Housing |

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| 13. PURPOSE OF THE APPLICATION: | To Rezone Lots 1 & 2, Plan 75687 From The Existing "RU1- Large Lot Housing" Zone To The Proposed "RM3-Low Density Multiple Housing" Zone To Permit The Development Of A Low-Density Residential Development Comprised Of 28 Semi-Detached Units In 14 Buildings, And 152 Apartment Units In 3 - 3 Storey Buildings |
| 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

7 pages of site elevations / building elevation diagrams