
CITY OF KELOWNA
MEMORANDUM

Date: September 12, 2005
To: City Manager
From: Planning and Corporate Services Department
Subject:

APPLICATION NO. Z05-0042/DP05-0103 **OWNER:** 0713522 BC Ltd.
AT: 1957 and 1961 Kane Road **APPLICANT:** 0713522 BC Ltd.

PURPOSE: THE APPLICANT IS SEEKING TO REZONE THE SUBJECT PROPERTIES FROM THE A1 – AGRICULTURE 1 ZONE TO THE RM5 – MEDIUM DENSITY MULTIPLE FAMILY ZONE TO ACCOMMODATE A PROPOSED APARTMENT HOUSING DEVELOPMENT

THE APPLICANT IS SEEKING COUNCIL APPROVAL OF A DEVELOPMENT PERMIT FOR THE FORM AND CHARACTER OF A 4 STOREY, 36 UNIT APARTMENT HOUSING DEVELOPMENT

EXISTING ZONE: A1 – AGRICULTURE 1

PROPOSED ZONE: RM5 – MEDIUM DENSITY MULTIPLE HOUSING

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Rezoning Application No. Z05-0042 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 1 and 2, Section 33, Township 26, ODYD Plan 23353, located on Kane Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the RM5 – Medium 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 on the subject property;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the (Inspection Services Department, Medical Health Officer, Works & Utilities Department) being completed to their satisfaction;

2.0 SUMMARY

The applicant is seeking to rezone the subject properties from the A1 – Agriculture 1 zone to the RM5 – Medium Density Multiple Family zone to accommodate an apartment housing development. The applicant is also seeking Council approval of a development permit for the form and character of the proposed four storey, 36 unit apartment housing development.

3.0 ADVISORY PLANNING COMMISSION

At the regular meeting of July 5, 2005 it was resolved:

THAT the Advisory Planning Commission supports Rezoning Application No. Z05-0042, for 1957 & 1961 Kane Road, Lots 1 & 2, Plan 23353, Sec. 33, Twp. 26, ODYD, by 0713522 BC Ltd (Don Gerein), to rezone from the A1-Agriculture 1 zone to the RM5-Medium Density Multiple Housing zone, in order to allow for a 36 unit apartment building;

AND THAT the Advisory Planning Commission supports Development Permit Application No. DP05-0103, for 1957 & 1961 Kane Road, Lots 1 & 2, Plan 23353, Sec. 33, Twp. 26, ODYD, by 0713522 BC Ltd (Don Gerein), to obtain a Development Permit to allow the construction of a 36 unit, 4 storey apartment building.

4.0 BACKGROUND

One single family dwelling exists on each of the subject properties.

4.1 The Proposal

The proposed development will be located on the southeast corner of Kane Road at Drysdale Boulevard. The building will be oriented to and accessed via Drysdale Boulevard. The proposed building will house 3.5 storeys of residential dwelling units on top of a parkade (half-below grade). The third floor units will also have lofted areas giving the building a total height from grade of four storeys. Three small units will also be located in the lofted fourth floor area. These units will all face to the east. The applicant is proposing a mix of one and two bedroom dwelling units (16 one bedroom and 20 two bedroom) and meets the total required parking of 50 stalls.

The applicant is proposing to finish the exterior walls of the building with horizontal vinyl siding and wall shingles with contrasting pre-painted aluminum, soffits, fascia and gutters. The roof will be finished with fiberglass reinforced shingles and a brick veneer will be used on the architectural chimney features.

The applicant has also submitted a typical landscape plan which allows for terraces for the units at grade, fencing on the south and east property lines and a vegetative buffer around the perimeter of the property.

The application meets the requirements of the RM5 – Medium Density Multiple Housing zone as follows:

CRITERIA	PROPOSAL	RM5 ZONE REQUIREMENTS
Lot Area (m ²)	3067m ²	1400m ²
Lot Depth (m)	67.07m	35.0m
Lot Width (m)	40m	30.0m
Area of Buildings at Grade	1,120m ²	n/a
Area of Buildings, paved areas and parking	1,736m ²	n/a
Site Coverage (%) (Buildings)	36.5%	40%
Site Coverage (%) (Buildings and paved areas)	56.8%	60%
Site Coverage (Soft/Hard Landscaped Areas at grade)	43%	n/a
Gross Floor Area (m ²)	5,700m ²	
Floor Area Ratio (FAR)	1.05	1.28 (1.1 base ratio + bonus of 0.17 underground parking)
Parking Spaces (Residential)	16 (1 bed) x 1.25 spaces= 20 stalls 20(2 bed) x 1.5 spaces= 30 stalls Total Stalls Provided: 50	16 (1 bed) x 1.25 spaces= 20 stalls 20(2 bed) x 1.5 spaces= 30 stalls Total Stalls Required: 50
Bicycle Parking	18 stalls	18 stalls
Storeys (#)	4	4
Setbacks(m)(Apartment)		
Front	6.0m	6.0m
Rear	9.1m	9.0m
Side (e)	7.6m	7.5m
Side (w)	7.6m	7.5m
Private Open Space	1,132m ²	740m ²
Drive Aisle Width	7.0m	7.0m
Refuse Bins (Setback from abutting residential areas)	3.0m	3.0m

4.2 Site Context

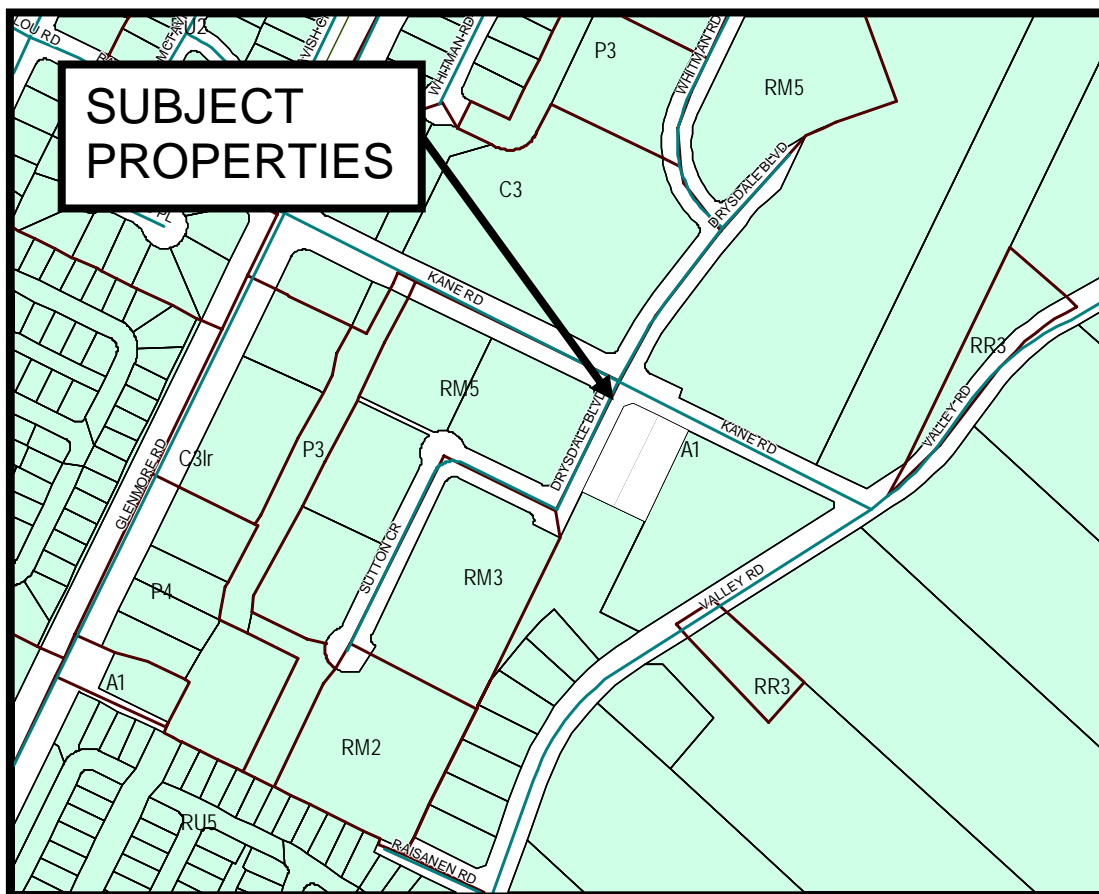
The subject properties are located on the southeast corner of Kane Road at Drysdale Boulevard.

Adjacent zones and uses are:

- North - A1 – Agriculture 1 – Single Family Dwelling
- East - A1 – Agriculture 1 – Single Family Dwelling
- South - A1 – Agriculture 1 – Single Family Dwelling
- West - RM5 – Medium Density Multiple Housing – Apartment Development

4.3 Site Location Map

Subject Properties: 1957 and 1961 Kane Road



4.4 Existing and Proposed Development Potential

The subject property is currently zoned A1 – Agriculture 1. The purpose of this zone is to provide for rural areas and agricultural uses as well as other complementary uses suitable in an agricultural setting. A maximum of one single dwelling house is permitted. The applicant is seeking to rezone the property to the RM5 – Medium Density Multiple Housing zone. The purpose of this zone is to provide primarily for medium density apartments.

4.5 Current Development Policy

4.5.1 Kelowna Official Community Plan

Map 19.1 of Kelowna's Official Community Plan designates the subject properties as Multiple Unit Residential – medium density. The proposed rezoning and development permit plan are consistent with this designation.

The Official Community Plan contains the following objectives for context and design for new multiple family developments:

Objectives for Multiple Unit Residential Development

- All development should be an appropriate response to its physical context, or anticipated future context where an area is designated for increased density or land use transition in the OCP.
- All development within Urban Centres and Village Centres should contribute to the creation of pedestrian-oriented streets and public spaces (connections, social interaction).
- All development should contribute to a sense of community identity and sense of place (integration of development within larger community, belonging, community cohesiveness).
- All development should facilitate access by, and minimize conflicts among pedestrian, bicycle, and vehicular modes of transportation (access, mobility).
- All development should promote safety and security of persons and property within the urban environment (CPTED).

Guidelines for Multiple Unit Development

The application addresses the guidelines for Multiple Unit Development as follows:

Landscaping

- enhances public views
- provides noise buffering

- complement building's architectural features
- enhance the edges of buildings
- screen parking areas from view (with vegetation, berms, low walls, fences etc.)
- creates shade
- creates design interest
- contribute to a sense of personal safety and security
- facilitate access, enjoyment and social activities for all authorized users

Relationship to the Street

- First storey units provide ground-level access and some outdoor amenity space is provided.
- The principle front entranceway is clearly identified with a porte-cochere feature.
- Porches/balconies are provided.

Building Massing

- Development is not generally compatible with the massing and rhythm of the established streetscape; however, it is expected that the surrounding single family neighbourhood will undergo some re-development with compatible forms of development.
- Variation between architectural bays within each façade are provided.

Walls

- End walls visible from a public street or residential lots are finished to provide an attractive appearance.

Ancillary Services/Utilities

- Refuse bins are located in an enclosure adjacent to the lane and will be screened from view.
- Utility service connections will be screened from view or be located so as to minimize visual intrusion.

Amenities

- Limited useable amenity space is available for the use of residents.

Access

- Vehicle access and on-site circulation minimize interference with pedestrian movement.

Parking

- Underground parking is provided and handicapped parking is easily accessible.

4.5.2 Kelowna Strategic Plan (2005)

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. In addition it is recommended that the City will emphasize a density of development higher than presently occurring to allow for more efficient use of the land.

3.5.3 Crime Prevention Through Environmental Design

Natural Surveillance

- dumpsters should not create blind spots or hiding areas;
- lighting should be even to avoid casting shadows where people can hide; using numerous low wattage lights accomplishes this better than a few high wattage lights;
- loading areas should not create hiding places;
- all four facades of a building should have windows;
- the lower branches of existing trees should be kept at least ten feet (3 metres) off the ground;
- exterior of buildings should be well-lit;
- wherever it is appropriate, a mix of uses should be encouraged to increase natural surveillance at different times of the day; placement of residential uses above commercial is a good example of this;
- elevators and stairwells should be clearly visible from windows and doors;
- shrubbery should be no more than three feet (one metre) high for clear visibility;
- stairwells should be well-lit and open to view; not behind solid walls.

Territorial Reinforcement

- property boundaries, where possible, should be marked with hedges, low fences or gates;
- private and semi-private areas should be easily distinguishable from public areas;

- all public and semi-private areas should be well-maintained to convey pride and ownership, which discourage negative activity;

Natural Access Control

- Public paths should be clearly marked;
- signs should direct patrons to parking and entrances;
- there should be no easy access to the roof;
- entrances to dwellings within a commercial building should be separate from the commercial entrance to enable distinction of residential visitors from those frequenting businesses;
- rear access to shops should be provided from rear parking lots.

5.0 TECHNICAL COMMENTS

5.1 Fire Department

Fire department access and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw. Engineered fire flows should determine hydrant requirements.

5.2 Inspection Services

- a) Does the principal entrance meet the requirements of 3.2.5.5. and 3.2.5.6.
- b) Provide fire flow calculations and available flow rates and sealed Civil drawings for BP application.
- c) Fire Dept connection to be within 45m of hydrant - 3.2.5.16.
- d) Review Protection of Exit Facilities under 3.2.3.12.
- e) Will the parking garage be treated as a separate bldg under 3.2.1.2 - note fire stopping issues.
- f) Separate sign permits required.

5.3 Parks Manager

- a) Residents will be responsible to weed, water and mow the boulevards adjacent to their properties. They will also be responsible for maintaining the boulevard in a reasonably tidy condition, free and clear of garbage, litter or debris.
- b) All plant material (trees, shrubs, ground covers and sod) used in the boulevard to be reviewed and approved by Parks Staff.
- c) Boulevard tree maintenance will be the responsibility of Parks Division. However, the adjacent owner will be responsible for watering and replacement of trees during the establishment period, for at least one growing season after planting.
- d) All entry feature signs for the proposed development will be located on private property and not on the City's boulevard.

e) In an effort to conserve water, all automated irrigation systems will be designed to minimize over-spraying on non-landscaped areas including City sidewalks, courtyards, parking areas, roadways, etc.

5.4 RCMP, Health Inspector, School District No.23, Terasen

No comments.

5.5 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.

The following Works & Services are required for this subdivision:

- a) Subdivision Requirement
- b) Lot consolidation is required for this development

5.5.1 Dedications

On the Kane Road frontage, provide an additional 3m (approximate) dedication for a roadway allowance of 25m matching the adjacent parcels to the west.

5.5.2 Water

The property is located within the Glenmore Ellison Improvement District service area.

Provide an adequately sized water connection.

5.5.3 Sanitary Sewer

Provide an adequately sized sanitary sewer connection. Only one service is to be provided to the site. Existing Sanitary Sewer service is available on Kane Rd and Drysdale Blvd.

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

5.5.4 Drainage

Provide an adequately sized drainage connection.

Provide a detailed Site Grading Plan including erosion and sedimentation controls required onsite and on Kane Road.

Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.

There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

Storm drainage detention is provided by offsite community detention facilities.

A “storm interceptor” control device is required prior to discharge into the City system (for information on this contact John McKay at 862-3339 local 385).

5.5.6 Roads Improvements

Drysdale Blvd has been upgraded to a full urban standard including curb and gutter, sidewalk and street lights.

Kane Road is designated an urban collector road. Dedicate and construct the road to match the existing road section to the west including curb and gutter, separate sidewalk, piped storm drainage system, road works, landscaped boulevard complete with underground irrigation system, and street lights. Existing overhead wires are to be located underground. Performance Security (bonding) in the amount of \$46,000 is required based on 140% of the construction estimate rounded to the nearest \$1,000. (The estimated cost for the Kane Road frontage is \$33,100). The cost of relocating the overhead wires is not included in this bonding amount as this is a separate utility.

On Kane Road a future asphalt overlay is required for the full road frontage up to the centre line of the road however, the City wishes to complete this work at a later date as part of a larger project; therefore cash in-lieu of construction is required in the amount of \$2,200 for the overlay.

Landscaped boulevard, complete with underground irrigation, is required on Kane Road.

Re-locate existing poles and utilities, where necessary.

Driveway access is not permitted onto Kane Road.

The proposed access to Drysdale Blvd shown, on the site plan drawing prepared by G.B Embleton & Associates dated May 30,2005, is acceptable.

Provide corner rounding or truncation dedication of 6 m radius at Drysdale Blvd and Kane Road.

5.5.7 Geotechnical

A Geotechnical report is required for any road construction.

5.5.8 Power and Telecommunication Services and Street Lights

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.

Street lights must be installed on all roads.

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.

5.5.9 Design and Construction

Design, construction supervision and inspection 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. Drawings must conform to City standards and requirements.

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.

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).

A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.

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.

5.5.10 Servicing Agreements for Works and Services

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.

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.

5.5.11 Charges and Fees

Development Cost Charges (DCC's) are payable

None of the Works & Services required are items included in the DCC calculations and therefore not eligible for DCC credits.

Fees per the "Development Application Fees Bylaw" include:

Engineering and Inspection Fee: 3% of construction value (applicable for works completed by the developer) plus GST. For this application the amount is based on the Kane Road works. The Total fee is \$1,062.51 (993.00 + \$69.51 GST)

5.6 Telus

Will provide underground facilities to development. Developer will supply and install conduit.

5.7 Shaw Cable

Owner/developer to supply and install an underground conduit system.

6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

As previously noted the proposed zoning is consistent with the Future Land Use Designation shown in figure 19.1 of the Official Community Plan. The proposed rezoning to RM5 is also consistent with the zoning immediately to the west that also faces Kane Rd., and in this regard does not compromise the intent of the OCP. Staff have no further land use related concerns at this time and recommend that Council support this rezoning application.

Andrew Bruce
Manager of Development Services

Approved for inclusion

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

RM/AB/rs
Attach.

ATTACHMENTS

(not attached to the electronic version of the report)

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