
**CITY OF KELOWNA
MEMORANDUM**

Date: June 16, 2006
File No.: Z05-0077

To: CITY MANAGER

From: PLANNING AND DEVELOPMENT DEPARTMENT

Subject:

APPLICATION NO. Z05-0077
AT: 3416 Scott Road

OWNER: Maclean Homes
APPLICANT: New Town Architecture

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM THE A1 – AGRICULTURAL 1 TO RM3- LOW DENSITY MULTIPLE HOUSING ZONE.

EXISTING ZONE: A1 – AGRICULTURAL 1

PROPOSED ZONE: RM3 – LOW DENSITY MULTIPLE HOUSING

REPORT PREPARED BY: KEIKO NITTEL

1.0 RECOMMENDATION

THAT Rezoning Application No. Z05-0077 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4, Section 7, Township 26, ODYD, Plan 3886, located on Scott Road, Kelowna, B.C. from the A1 – Agriculture 1 zones 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 subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction;

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 FURTHER THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Variance Permit on the subject property.

2.0 SUMMARY

The applicant is proposing to rezone the subject property to the RM3 – Low Density Multiple Housing zone to allow for the construction of 26 units of row housing.

3.0 ADVISORY PLANNING COMMISSION

The above-noted applications were reviewed by the Advisory Planning Commission at the meeting of May 23, 2006 and the following recommendations were passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z05-0077, for 3416 Scott Road, Lot 4, Plan 3886, Sec. 12 Twp. 25, ODYD, by New Town Planning (Pat McCusker), to rezone from the A1-Agriculture 1 zone to the RM3-Low Density Multiple Housing zone for a multiple dwelling housing development;

4.0 BACKGROUND

The subject property is located at the end of both Patsy and Scott Roads. Dedications and/or a road reserve to both roads, as well as the lane running between them, will be required as a condition of the rezoning application. The required road dedications include the corner rounding at Scott Road as well as the extension of the existing lane to connect with Patsy Road. The applicant will also be required to construct a paved hammerhead at the end of Patsy Road, providing a temporary turnaround until such time that the adjacent property also redevelops. At that time, development of a full cul-de-sac will be required. The applicant will therefore be required to register a road reserve for the land required for the future cul-de-sac at this time. The above listed road dedication/reserve requirements, including the future cul-de-sac, have been incorporated into the design of the proposed development.

4.1 The Proposal

The main access onto the site will be via Scott Road with an additional gated emergency access provided from Patsy Road. A variance is being requested to allow the reduction of the internal roads to 6.0 m where 7.0 m is required. A total of 52 tandem parking spaces are provided with the individual garages (2 spaces per 3 bedroom unit). An additional 6 visitor parking spaces are provided on the site with an additional 5 temporary spaces to be provided within the proposed road reserve. Visitor bicycle spaces are provided with long term bicycle storage to be provided within the garage space.

The applicant is also proposing a site coverage of 28% (buildings)/45% (buildings, parking, driveways) where 40%(buildings)/50% (buildings, driveways, and parking) is permitted. The applicant is also proposing to use decorative pavers for the road and driveways and “grasscrete” for the emergency access and visitor parking spaces.

The proposed development consists of a total of five buildings containing a total of 26 units. Three of the proposed buildings contain 6 units each with an additional two buildings each containing 4 units. The main level of each unit will comprise a garage with two storeys of living space located directly above. The second storey of each unit will comprise a living/dining room, kitchen, office area, and half-bathroom. Three bedrooms and two bathrooms are to be located on the third storey. In order to mitigate the appearance of the over-height building, the south side yard will be sloped up 0.6m from the property line to the buildings.

The proposed building design is contemporary modern. The applicant has used a variety of window types, cantilevers, and different building materials and colours to provide visual interest to the building. The proposed building materials include hardi-plank siding in varying shades of brown with black metal window frames, fascia boards, and deck railings. The large roof overhangs, cantilevers, and a varying roofline provide further visual interest to the building. Large private decks on the second levels provide private open space for each unit.

The application meets the requirements of the proposed RM3- Medium Density Multiple-Family Zone as follows:

CRITERIA	PROPOSAL	RM3 ZONE REQUIREMENTS
Site Area (m ²)	5562m ²	900m ²
Site Width (m)	30.0m	30.0m
Site Depth (m)	43.0 m	30.0m
Site Coverage (%)	28%/45%	40% or 50% including buildings, driveways, and parking
F.A.R.	0.59	0.5 +0.2 (max. parking bonus) = 0.70
Height (m)	9.5m	9.5m
Storeys (#)	3 storeys ¹	2.5 storeys
Setbacks (m)		
- Front (west)	4.5m	4.5m
- Rear (east)	7.5m	7.5m
- Side (north)	4.5m	4.5m
- Side (south)	4.5m	4.5m
Private open space	25m ²	25.0m ² per 3 bedroom dwelling
Separation between principal buildings	3.2m	3.0m
Parking Stalls (#)	58 spaces 26 regular spaces & 26 small car w/in garages 6 visitor spaces (5 temporary spaces)	52 stalls (2 per 3 bedroom dwelling unit), Min 31 standard spaces Max. 21 small car spaces (40%) 4 Visitor spaces
Parking Space Size	3.0 x 11.0 m garage (including tandem standard & small car space) 2.5m x 6.0m	3.0 m x 6.0 m (5.0 m sm.) garage 2.5 m x 6.0m
Parking Setback	4.5m	1.5m from side or rear property line
Driving Aisle	6.0 m ²	7.0m two way driving aisle 5.5 m one way
Bicycle Stalls (#)	26 within garages 3 surfaces	16 (.5 per dwelling unit Class I, 0.1 per dwelling unit Class II)
Garbage Enclosure	3.0m	3.0m from abutting residential zone

1 A variance to allow building to be 3 storeys in height where only 2 ½ storeys are permitted.

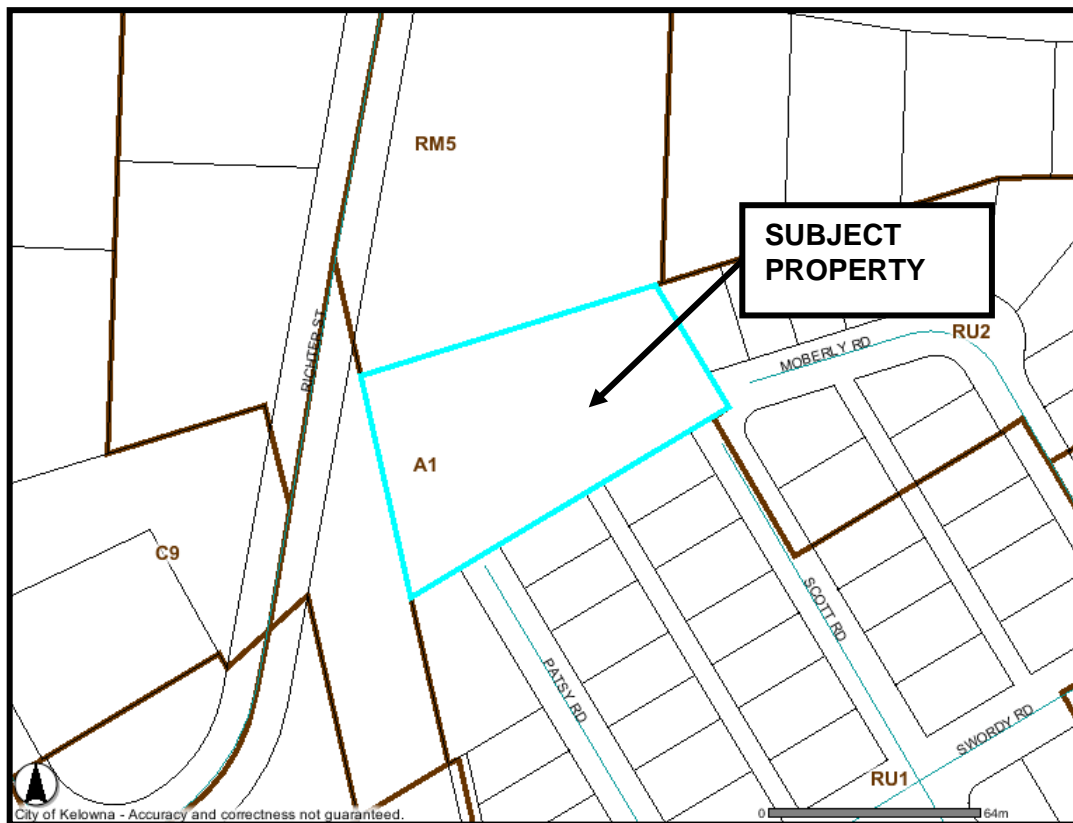
2 A variance to allow driving aisles to be 6.0 m in width where 7.0 m is required.

4.2 Site Context

The subject property is located at the ends of both Moberly and Patsy Roads. Adjacent zones and uses are:

- North - RM5 – Medium Density Multiple Housing
- East - RU2 – Medium Lot Housing
- South - RU1 – Large Lot Housing
- West - A1- Agricultural 1, P4 – Public Utilities

Site Location Map



4.3 Existing Development Potential

The property is zoned A1 –Agricultural 1. The purpose is to provide a zone for rural areas and agricultural uses as well as other complementary uses suitable in an agricultural setting. Principle use in the A1 zone include agriculture, animal clinics, major where in existence prior to July 1st, 1998, aquaculture, greenhouses and plant nurseries, intensive agriculture, mobile homes, single detached housing, utility services, minor impact. Secondary uses in the A1 zone include agricultural dwellings, additional, agri-tourist accommodation, animal clinics, major, animal clinics, minor, bed and breakfast homes, care centres, intermediate, forestry, group homes, minor, home based businesses, major, home based businesses, minor, home based businesses, rural, kennels and stables, wineries and cideries, second kitchens, and secondary suites (A1s only).

4.4 Current Development Policy

4.4.1 City of Kelowna Strategic Plan (2004)

Objectives of the Strategic Plan include the construction of housing forms and prices that meet the needs of Kelowna residents; the achievement of accessible, high quality living and working environments; and the sensitive integration of new development with heritage resources and existing urban, agricultural and rural areas.

4.4.2 Official Community Plan (OCP)

The future land use designation of the subject property is Low Density Multiple Housing. The proposed designation of RM3 is therefore consistent with the Official Community Plan. Several elements of the proposed building design are consistent with the Multiple Dwelling Housing Guidelines as listed in the OCP. Examples of elements of the building design that are consistent with the design guidelines are as follows:

Relationship to the Street

- First storey units should ideally provide ground-level access and outdoor amenity space
- The principle front entranceway should be clearly identified and in scale with the development.

Building Massing

- Sub-roofs, dormers, balconies, and bay windows should be encouraged.

Walls

- End walls visible from a public street or residential lot should be finished to provide an attractive appearance. Blank or solid walls (without glazing) should not be longer than 5 m. Walls longer than 5 m should incorporate wall detailing that will provide visual interest.

Crime Prevention

- Guidelines for Crime Prevention Through Environmental Design Guidelines (CPTED) should be followed.

Parking

- Underground parking is encouraged.

5.0 TECHNICAL COMMENTS

5.1 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.

5.2 FortisBC

Fortis will supply underground power.

5.3 Inspections Department

The site is located within 1 and 2 hundred year flood construction level and therefore the project needs to be designed with a minimum elevation of slab at 343.66.

5.4 Interior Health

No comment.

5.5 Parks Manager

To prevent future noise complaints with the future adjacent City parking lot, we recommend that the Applicant install a sound attenuation wall along the property line and provide adequate landscape screening.

5.6 Shaw Cable

Owner/developer to install an underground conduit system.

5.7 Telus

Telus will provide underground facilities. Developer will be required to supply and install.

5.8 Works & Utilities

The Works & Utilities Department has the following requirements associated with this rezoning and development application. The road and utility upgrading requirements for the property frontages outlined in this report will be a requirement of the issuance of a building permit, but are outlined in this report for information only.

.1 Domestic Water and Fire Protection

- (a) The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish the required size of the new service.
- (b) A water meter is mandatory for this development and must be installed inside a 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.
- (c) Landscaped boulevard, complete with underground irrigation systems, must be integrated with the on-site irrigation system.
- (d) Site servicing issues will be reviewed and comments related to site servicing and hydrant spacing will be addressed when a detailed site plan is received
- (e) Extend and tie-in the 150mm diameter water system on Moberly Road with the water mains on Patsy Road and Scott Road. The new service can be provided from this new main. The estimated cost for bonding purposes is \$36,500.00

.2 Sanitary Sewer

- (a) The developer's consulting mechanical engineer will determine the requirements of the proposed development and establish the sanitary service requirements.
- (b) Our records indicate that the subject property (Lot 4 Plan 3886) has no sanitary service connection.

- (c) A sanitary sewer service for this development can be provided from the sewer system on Moberly Road or alternatively, by extending the sewer mains on either Patsy or Scott Roads. The estimated cost for bonding purposes is \$10,500.00
- (d) Tie-in and adjustment to the existing sewer system will be by City forces at the developer's expense.
- (e) Site servicing issues will be reviewed and comments related to site servicing will be addressed when a detailed site plan is provided.

.3 Storm Drainage

- (a) It will be necessary for the developer to construct storm drainage facilities in all existing and proposed fronting roads as required to provide street drainage. The cost of these works will be included in the road upgrading and road construction items and must be constructed as a condition of subdivision or building permit application.
- (b) 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 plan must accommodate the requirements to contain a 1 in 5-year storm event within pipes and identify overland drainage routes for a 100-year storm event with consideration for upstream water sources and downstream facility upgrading and/or provision of storm water retention facilities. The storm water management plan must also include provision of a lot grading plan, minimum basement elevations (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.
- (c) Extend the existing drainage system from the north east corner of the subject property, parallel to the northerly boundary line, to the existing drainage system on Richter Street. An overflow storm drainage relief service for the proposed development site may be connected to this new main.

The estimated cost for bonding purposes is \$36,000.00. The City will partner with the developer to facilitate the construction of this storm drainage relief system.

.4 Road Improvements

- (a) Dedicate for the future construction of a cul-de-sac at the terminus of Patsy Road. This includes the installation of a barrier curb and gutter, a monolithic sidewalk, a piped storm drainage system, pavement, street lights, and adjustment and/or re-location of existing utility poles and appurtenance to accommodate this construction. The estimated cost for this construction for bonding purposes is \$58,000.00
- (b) Moberly Road, Scott Road intersection must be completed. This will include the installation of a barrier curb and gutter, pavement, driveway letdown, storm drainage system, including catch basins & manholes, underground power and

telecommunication distribution systems, street lighting and landscaped boulevard with underground irrigation system. The cost for bonding purposes is \$29,000.00.

- (c) Dedicate and construct a paved lane complete with a drainage disposal system linking the existing lane abutting this development with Patsy Road. The estimated cost for bonding purposes is \$39,000.00.

.5 Road Dedication and Subdivision Requirements

By registered plan to provide the following:

- (a) Dedicate right-of-way for the future cul-de-sac at the terminus of Patsy Road.
- (b) Dedicate sufficient right-of-way for the construction of the Moberly Road, Scott Road intersection.
- (c) Dedicate a 6.00m lane right-of-way to link the existing lane with Patsy Road.
- (d) Register a 2.50m wide right-of-way widening (Plan 39813) along the easterly property line of lot 4 Plan 3886 for the existing storm drainage main.
- (e) Register a 4.50m wide right-of-way for the watermain between the proposed lane and Moberly Road.
- (f) Grant statutory rights-of-way without cost if required for utility services.

.6 Electric Power and Telecommunication Services

The electrical services, power transmission cables and telecommunication systems in the public roads in front of this property must be installed in underground duct systems. The buildings must be 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 all roads fronting on the proposed development as a part of the road upgrading requirements.

.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.

.9 Development Cost Charge Reduction Consideration

None of the required road upgrading or new road construction is eligible to receive a DCC credit.

.10 Latecomer Protection

Under the provisions of the Municipal Act, Latecomer protection is available for the following items:

- (a) Lane construction adjacent to lots 5 Plan 3886
The developer's consulting engineer must prepare and submit the latecomer information. The City will prepare the actual Latecomer Agreement(s) and forward to the owner(s) for signature. The Latecomer Agreements must be submitted for Council's adoption prior to the notice to proceed with the works and / or subdivision approval.

.11 Geotechnical Report

The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (iii) Any special requirements for construction of roads, utilities and building structures.
- (iv) Suitability of on-site disposal of storm water waste, including effects upon adjoining lands in accordance with the Subdivision, Development and Servicing Bylaw, Schedule 4 Sanitary Item 2.18.
- viii) Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.
- ix) Recommendations for items that should be included in a Restrictive Covenant.
- x) Any items required in other sections of this document.
- xi) Recommendations for erosion and sedimentation controls for water and wind.
- xii) Recommendations for roof drains and perimeter drains.

.12 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.

.13 Bonding and Levy Summary

(a) Bonding

Watermain extension	\$ 36,500.00
Sanitary main extension and service	\$ 10,500.00
Storm main extension	\$ 36,000.00
Road Improvements	\$ 126,000.00
Total bonding amount	\$ 209,000.00

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.

(b) Levies

No levies are applicable. Off-site service connection costs will be included in the servicing agreement.

.13 Development Permit and Site Related Issues

(a) A lot-grading plan, erosion and sediment control plan are to be submitted prior to construction and adhered to during the construction of this development.

(b) Access and Manoeuvrability

The site plan should illustrate the ability of an SU-9 standard size vehicle to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles, the site plan should be modified and illustrated accordingly.

Revised site access and egress designs must be submitted for approval by the City Works & Utilities Department. This is required to guarantee that the requirements and the limitations of access and egress required by the City have been addressed to the City's satisfaction.

.14 Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as 3% of the total off-site and frontage road upgrading construction costs, not including design. 7% GST will be added.

6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The proposal to rezone the subject property from the A1 – Agricultural 1 zone to the RM3- Low Density Multiple Housing zone is consistent with the future land use designation of the subject property as outlined in the Official Community Plan (OCP). The proposal to construct row-housing, rather than apartment housing, is also a relatively sensitive transition from the abutting neighbourhoods to the south and east which consist primarily of single-detached dwellings. The form and character of the proposed development will be reviewed at a later date under the associated Development and Development Variance Permits. Staff, however, does note that the proposed development is consistent with many of the guidelines for multiple dwelling units as outlined in the Official Community Plan. The proposed buildings have good architectural detailing including various window types, and several different building materials. The applicant is also proposing high quality of landscaping and of useable open space. In order to help preserve the privacy of the abutting properties and mitigate the impact of the over-height buildings, the applicant is proposing to maintain several of the mature trees along the south property line as well as plant numerous new trees along all property lines. The applicant will also be responsible for ensuring the installation of privacy fencing along the east and south property line abutting the existing RU1 lots.

Shelley Gambacort
Acting Development Services Manager

Approved for
inclusion



Signe Bagh
Acting Director of Planning & Development Services

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ATTACHMENTS

Location of subject property
Site plan
Floor Plans
Elevations
Material Board