
**CITY OF KELOWNA
MEMORANDUM**

Date: July 5, 2006
To: City Manager
From: Planning & Corporate Services Department
Subject:

APPLICATION NO. DP06-0039 **APPLICANT:** Doug Clark

AT: 2480 Richter Street. **OWNER:** Rose Enterprises Ltd.
2490 Richter Street

PURPOSE: TO OBTAIN A DEVELOPMENT PERMIT TO ALLOW FOR THE
CONSTRUCTION OF A FOUR-PLEX

EXISTING ZONE: P4 - UTILITIES

PROPOSED ZONE RM1 – FOUR DWELLING HOUSING

REPORT PREPARED BY: NELSON WIGHT

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Permit No. DP06-0039 for Parcel A (KV157498) District Lot 14, O.D.Y.D. Plan 5291 and Lot 33 District Lot 14, O.D.Y.D., Plan 1141, located on Richter Street, Kelowna, B.C. subject to the following conditions:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. The landscaping be in general accordance with Schedule "C";
4. The Applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;
5. Registration of PLAN OF SUBDIVISION OF LOT 33, PLAN 1141 D.L. 14 O.D.Y.D. AND PARCEL A (KV157498) OF PLAN 5291 D.L. 14 O.D.Y.D, which consolidates the two parent parcels, and provides corner rounding (our file: S06-0075).

AND FURTHER THAT the applicant be required to complete the above-noted conditions within 180 days of Council approval of the development permit application in order for the permit to be issued.

2.0 SUMMARY

This application is requesting approval to allow for the construction of a four-plex on the subject properties.

3.0 ADVISORY PLANNING COMMISSION

At a meeting held on April 25, 2006, the APC passed the following motion:

THAT the Advisory Planning Commission supports Official Community Plan Amendment No. OCP06-0039, for 2480 & 2490 Richter Street, Lot A, Plan 5291 & Lot 33, Plan 1141, Sec. 13, Twp. 25, ODYD, by Rose Enterprises. Ltd. (Doug Clark), to amend the Official Community Plan Future Land Use from Single/Two Unit Residential to Multiple Unit Residential (Low Density);

AND THAT the Advisory Planning Commission supports Rezoning Application No Z06-0012, for 2480 & 2490 Richter Street, Lot A, Plan 5291 & Lot 33, Plan 1141, Sec. 13, Twp. 25, ODYD, by Rose Enterprises. Ltd. (Doug Clark), to rezone from the P4-Utilities zone to the RM1-Four Plex Housing zone in order to allow for construction of a 4-plex;

AND FURTHER THAT the Advisory Planning Commission **not** support Development Permit Application No. DP06-0039, for 2480 & 2490 Richter Street, Lot A, Plan 5291 & Lot 33, Plan 1141, Sec. 13, Twp. 25, ODYD, by Rose Enterprises. Ltd. (Doug Clark), to allow for the construction of a 4-plex for the following reasons:

- Concerned that the site and building floor plans were poorly laid out;
- It was felt the mass of the buildings was too great;
- Better pedestrian orientation is required as the design does not provide animation with the street, and
- Improved open space should be provided as the plans do not show direct access from units to usable outdoor areas.

4.0 BACKGROUND

4.1 The Proposal

The Applicant is proposing to consolidate the two existing parcels, and construct a 2-storey, 924 m² (9,951 ft²) fourplex (each unit: ± 180 m² or ± 2,000 ft²).

Finishing materials include a mix of vinyl and Hardiplank siding. The table below lists the proposed colours and materials (see attached “Exterior Colour”):

Walls	Horizontal vinyl siding: Sandlewood by Kaycan or equivalent Cultured Stone Facing: “Mist” Drystack LedgeStone or equivalent. Hardiplank Shake Board
Trim	Corners / Window Casings: linen white vinyl mouldings by Kaycan or equivalent. White prefinished window frames
Roofing	Laminated Asphalt Shingles: Weatherwood Ultra Shadow

The table below shows this application’s compliance with the requirements of the RM1 zone:

Project details	Site area:	1,238 m ² (0.3 ac)
	New Bldg. Footprint:	495 m ²
	New Floor Area (gross):	924 m ²
	New Floor Area (net):	742.4 m ²
	Number of Units	4 units
CRITERIA	PROPOSAL	RM1 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	1,238 m ² (0.3 ac)	800 m ² (corner lot)
Lot Width	27.5 m	20.0 m (corner lot)
Lot Depth	37 m	30.0 m

Development Regulations		
Floor Area Ratio	0.6	0.6
Site Coverage (buildings)	40%	40%
Site Coverage (buildings/parking)	50%	50%
Height (proposed house)	2 storeys / < 9.5 m	2 ½ storeys / 9.5 m
Front Yard (Morrison Ave.)	4.9 m	4.5 m or 6.0 m to a garage
Side Yard (Richter Street)	4.6 m	4.5 m or 6.0 m to garage
Side Yard (west)	2.7 m	2.0 m (1 or 1 ½ storey portion) 2.3 m (2 or 2 ½ storey portion)
Rear Yard (lane)	7.6 m	6.0 m (1 or 1 ½ storey portion) 7.5 m (2 or 2 ½ storey portion)
Other requirements		
Parking Stalls (#)	8 spaces	2 per 3-bdrm unit 2 stalls x 4 units = 8 spaces
Bicycle Parking	Class 1 provided within garage area 1 Class II space to be provided onsite.	Class I: 0.5 per dwelling unit Class II: 0.1 per dwelling unit
Landscaping	meets requirements	Front – Level 2 buffer ^A Rear – Level 3 buffer ^B West – Level 3 buffer East – Level 3 buffer
Private Open Space	meets requirements	25 m ² of private open space per dwelling

^A **Level 2:** a minimum 3.0 m landscape buffer is required to separate uses from adjacent properties and will consist of a vegetative buffer where no continuous opaque barrier is required;

^B **Level 3:** a minimum 3.0 m landscape buffer is required to separate uses from adjacent properties and will consist of a vegetative buffer or a continuous opaque barrier;

4.2 Site Context

The subject property is located on the northwest corner of Richter Street and Morrison Avenue. The surrounding area has been developed primarily as a single-family neighbourhood. More specifically, the adjacent land uses are as follows:

North-	RU6 – Two Dwelling Housing zone
East	RU6 – Two Dwelling Housing zone
South	RU6 – Two Dwelling Housing zone

West RU6 – Two Dwelling Housing zone

Site Location Map

Subject property: 2480 & 2490 Richter Street



4.3 Existing Development Potential

The property is zoned P4 - Utilities. The purpose is to provide a zone for private and public utilities.

5.0 TECHNICAL COMMENTS

Fire Department

Visible addresses for all unit to be posted on Morrison Avenue.

Inspections Department

Spatial separation calculations required prior to DP approval for two storey portion at the centre of building which divides the units and garages...

Parks Department

The owner will be responsible to weed, water and mow the boulevards adjacent to the property. The owner will also be responsible for maintaining the boulevard in a reasonably tidy condition, free and clear of garbage, litter or debris.

Works and Utilities Department

The Works & Utilities Department have the following requirements associated with this development application. The road and utility upgrading requirements outlined in this report will be a requirement of the issuance of a building permit or subdivision approval, and are outlined in this report for information only.

Domestic Water and Fire Protection

- (a) The existing water distribution and fire protection system in this vicinity is sufficient to support the proposed development.
- (b) This development site is serviced with a small diameter copper water service which is substandard. Removal of any existing water service and the installation of a new service will be at the applicant's cost
- (c) The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The estimated cost for bonding purposes is **\$5,000.00**
- (d) A water meter is mandatory for this development and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost.
- (e) Landscaped boulevards, complete with underground irrigation systems, must be integrated with the on-site irrigation system

Sanitary Sewer

- (a) The existing sanitary sewer system in the rear lane is sufficient to support the proposed development.
- (b) We have no record of sanitary sewer services to the existing lots. The applicant will be responsible for the cost of providing a service to this development site. The estimated cost of this construction for bonding purposes is \$3,000.00

Storm Drainage

- (a) There is no storm drainage main in Richter Street fronting this development. It will be necessary for the developer to construct a storm pipe in Richter Street for the full frontage of property. The estimated cost of this storm main construction for bonding purposes is included in the road improvement bonding amount.
- (b) The development will be required to contain and dispose of site generated storm water on the site by installing a ground recharge system consisting of drywells and perforated pipe bedded in drain rock.
- (c) Provide a lot grading plan identifying the minimum basement elevation (MBE), on-site drainage containment and disposal systems.

Road Improvements

- (a) Richter Street fronting this development must be upgraded to a collector class 1 standard (SS-R6) including concrete curb and gutter, sidewalk, piped storm drainage system, fillet pavement, underground irrigation system, and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction.

A one-time cash payment in lieu of construction is required from the applicant for future construction on Richter Street by the City.

The cash-in-lieu amount is determined to be \$29,800.00, not including utility service costs

- (b) Morrison Avenue fronting this development must be upgraded to an collector class 2 standard (SS-R7) including concrete curb and gutter, storm drainage system (drywell and catch basin), fillet pavement, underground irrigation system, and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction, The estimated cost of construction for bonding purposes is \$14,000.00
- (c) The rear lane must be upgraded to a paved standard for the full frontage of this development (SS-R2) including a storm drainage system (drywell and catch basin). The estimated cost of construction for bonding purposes is \$13,600.00

Road Dedication and Subdivision Requirements

By registered plan to provide the following:

- (a) Grant statutory rights-of-way if required for utility services.
- (b) Lot consolidation
- (c) Provide a 6.0 m corner rounding where Morrison Avenue intersects with Richter Street.

Electric Power and Telecommunication Services

On Richter Street the electrical and telecommunication services to this building as well as the local distribution wiring must be installed in an underground duct system. 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.

Geotechnical Report

As a requirement of this application and / or prior to issue of a building permit, the applicant must provide a modified geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics.
- (b) Site suitability for development; i.e. unstable soils, etc.
- (c) Drill and/or excavate test holes on the site and install pisometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyze soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.

Bonding and Levy Summary

(a)	Bonding	
	Morrison Ave frontage improvements	\$14,000.00
	Lane frontage improvements	\$13,600.00
	Service Upgrades	\$ 8,000.00

	Total Bonding	\$ 35,600.00
(b)	Cash Levy	
	Richter Street Road frontage improvements	\$ 29,800.00

NOTE: The bonding amounts shown above are comprised of estimated construction costs escalated to include engineering design and contingency protection and do not including utility service costs. Bonding for required off-site construction must be provided as a condition of building permit issuance.

Latecomer Provisions

- a) Under the provisions of the Municipal Act, Latecomer provisions are available for the following items:
 - i) Lane paving with storm drainage system.

The consulting engineer is to 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.

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

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 construction costs, not including design. 7% GST will be added.

6.0 Current Development Policy

6.1.1 City of Kelowna Strategic Plan (2004)

Objective #4 – Realize construction of housing forms and prices that meet the needs of Kelowna residents.

Objective #5 – Achieve accessible, high quality living and working environments.

Objective #7 – Sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.

6.1.2 Kelowna 2020 Official Community Plan (OCP)

Future Land Use Designation - The property is designated Single/Two Unit Residential, pursuant to Map 19.1 of the OCP. The proposed RM1 zone is inconsistent with that future land use designation. The Applicant has applied for an OCP amendment application to designate the property to "multiple-unit residential (low density)".

Staff have reviewed this application and it may move forward without affecting either the City's Financial Plan or Waste Management Plan.

Objectives for 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);

7.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS

At this time, Staff also has no concerns with the form of housing proposed, and considers that the proposed development conforms to the development guidelines for residential development, pursuant to Chapter 8 of the OCP.

In particular, Staff considers that the following list of changes to the design addresses the concerns raised with respect to the form and character of the development:

- **MASSING** – The Richter Street elevation, in particular, presents a relatively large building mass. Recent changes to this elevation attempt to disguise this mass using a vertical form (that area of the building extending up to the wide roof dormer). This element of the building will be of a different colour than the rest of the building face, with the intended effect being to break the mass into three different forms.
- **PEDESTRIAN CONNECTIONS** – The revised landscaping plan achieves strong pedestrian connections to both Morrison Ave. and Richter Street;
- **USABLE OPEN SPACE** – (a) For each of the four units, there is a second level balcony at both ends of the unit (north and south); (b) the central courtyard provides $\pm 42 \text{ m}^2$ (452 ft^2) of outdoor space for the interior units, and (c) the east and west sideyards provide additional opportunities for those units that abut these areas.

Shelley Gambacort
Current Planning Supervisor

Approved for inclusion

Signe K. Bagh, MCIP
Manager, Policy, Research & Strategic Planning
Acting Director Planning and Development Services

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ATTACHMENTS (7 pages)

Location of subject property
Site Plan
Floor Plans
Elevations and building section

Annotated Landscape Plan
Exterior Colour Scheme