
CITY OF KELOWNA
MEMORANDUM

Date: July 14, 2006

To: City Manager

From: Planning and Development Services Department

Subject:

APPLICATION NO. Z05-0082

OWNER: Bogdan Snarski
Benedicte Lee

AT: 1886 Ambrosi Road

APPLICANT: Canwest Design and Drafting
Ltd.

PURPOSE: TO REZONE THE SUBJECT PROPERTIES FROM RU1- LARGE LOT HOUSING TO C5- TRANSITION COMMERCIAL IN ORDER TO ALLOW A PROPOSED TWO STORY MIXED USE COMMERCIAL/RESIDENTIAL DEVELOPMENT

EXISTING ZONE: RU1-LARGE LOT HOUSING

PROPOSED ZONE: C5-TRANSITION COMMERCIAL

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Rezoning Application No. Z05-0082 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 10, Block 1, District Lot 129, ODYD Plan 5109, located on Ambrosi Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the C5 – Transition Commercial 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 in conjunction with Council's consideration of 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.

2.0 SUMMARY

The applicant is proposing to rezone the subject property from RU1 – Large Lot Housing to C5- Transition Commercial for a mixed use commercial/residential development. A development permit is also associated with this rezoning for the form and character of

the proposed three-storey building and a development variance permit for parking stall size, building height and building setbacks.

3.0 ADVISORY PLANNING COMMISSION

At the regular meeting of May 23, 2006 it was resolved:

THAT the Advisory Planning Commission supports Rezoning Application No Z05-0082, for 1886 Ambrosi Road, Lot 10, Plan 5109, Sec. 20, Twp. 26, ODYD, by Canwest Design (John Schlosser), to rezone from the RU1-Large Lot Housing zone to the C5-Transition Commercial zone to allow for a 3 storey mixed use development;

*AND THAT the Advisory Planning Commission **not** support Development Permit Application No. DP05-0235 for 1886 Ambrosi Road, Lot 10, Plan 5109, Sec. 20, Twp. 26, ODYD, by Canwest Design (John Schlosser), to obtain a Development Permit for the form and character of a 3 storey, 464 m² mixed use development as the APC would like the applicant to improve the design so that the potential development would fit in with the established pattern on the street;*

*AND FURTHER THAT the Advisory Planning Commission **not** support Development Variance Permit No. DVP06-0063 for 1886 Ambrosi Road, Lot 10, Plan 5109, Sec. 20, Twp. 26, ODYD, by Canwest Design (John Schlosser), to obtain a Development Variance Permit to vary the maximum projection into the northern side yard setback for a stairway from the 0.6 m required to 1.0 m to vary building height from 2.5 storeys to 3.*

Note: Staff have made the applicant aware of APC's concerns about form and character as well as the proposed variances. Staff is continuing to work with the applicant in hopes of resolving these issues prior to Council consideration of a development permit and development variance permit.

4.0 PROPOSAL

The applicant is proposing to rezone the subject property (1886 Ambrosi Street) from the RU1 – Large Lot Housing zone to the C5- Transition Commercial zone for a mixed use commercial/residential development. The applicant has also applied for a development permit for the form and character of the proposed building. The building would house office space and secured parking at grade. The second floor would be split between additional commercial floor area (mezzanine) and two residential suites. The residential suites will also have access to third floor area as well as landscaped terrace areas which will serve as private open space.

The design of the proposed building is modern in character with a large metal roof and stucco siding. The landscape plan appears very basic and lacks details including the species of vegetation and type of screening along the northern property line.

The applicants are proposing to provide 10 parking stalls for the development accessed from the lanes at the rear and southern side of the property.

The applicant is seeking several variances in conjunction with this development application. The applicant is proposing to vary the maximum projection into a side yard

setback from 0.6m permitted to 1.21m proposed (northern side yard); the height of the building from 2.5 storeys permitted to 3 storeys proposed; the requirement to provide a loading space; and the length of a parking stall abutting a lane from 7.2m required to 4.5m and 6.0m proposed.

The application meets the requirements of the C5 – Transition Commercial zone as follows:

CRITERIA	PROPOSAL	C5 ZONE REQUIREMENTS
Lot Area (m ²)	777m ²	460m ²
Lot Width (m)	19.80m	13.0m
Lot Depth (m)	39.62m	35.0m
Storeys (#)	3 ^①	2.5
Building Height (m)		
Building Area at Grade	280m ²	280m ²
Site Coverage	40%	40%
Net Floor Area	419.94m ²	
Residential Floor Area Ratio	0.2	0.2
Commercial Floor Area Ratio	0.4	0.4
Building Setbacks		
Front Yard	4.5m	4.5m
Side Yard (n)	1.09m ^②	2.3m
Side Yard (s)	2.3m	2.3m
Rear Yard	6.0m	6.0m
Private Open Space	35m ²	20m ²
Parking Spaces	10 ^③	10
Loading Space	1 ^④	1
Bicycle Parking Spaces	2 X Class 1 4 X Class 2 Total: 6	2 X Class 1 4 X Class 2 Total: 6

①Note: The applicant is proposing to vary the height of the building from 2.5 storeys permitted to 3 storeys proposed.

②Note: The applicant is proposing to vary the maximum projection into a side yard setback from 0.6m permitted to 1.21m proposed (northern side yard)

③Note: The applicant is proposing to vary the minimum length for a parking stall abutting a lane from 7.2m required to 4.53m and 6.0m proposed.

④Note: The applicant is proposing to vary the requirement for 1 commercial loading space.

5.0 SITE CONTEXT

The subject property is located on the west side of Ambrosi Road between Harvey Avenue and Springfield Avenue.

Adjacent zones and uses are:

North - C5 – Transition Commercial – Diving Dynamics
 East - RU1 – Large Lot Housing – Single Family Dwelling
 South - C5 – Transition Commercial - Health Services Type Uses
 West - C10 – Service Commercial – Service Commercial Oriented Uses

6.0 SITE LOCATION MAP

7.2 Kelowna Official Community Plan

The Official Community Plan future land use designation for this area is commercial. The proposal is generally consistent with this future land use designation.

7.3 Kelowna Strategic Plan (1992)

Objective 1.10: Encourage a closer integration of residential, commercial, and employment oriented uses within existing and proposed future urban areas.

Objective 1.13: Provide for an increased diversity of land use in the existing and proposed future urban areas including a range of commercial uses and employment related uses.

7.4 Ambrosi Neighbourhood Plan

The proposed development is consistent with the Ambrosi Neighbourhood Plan which calls for C5- Transition Commercial development of the west side of Ambrosi Road.

8.0 TECHNICAL COMMENTS

8.1 Works and Utilities

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

8.1.1 Domestic Water and Fire Protection

The existing lot is serviced with a small diameter (19-mm) copper water service. Only one service will be permitted for this development. 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. Removal of the 19mm diameter service and the installation of the new service will be at the applicant's cost.

The estimated cost of this work for bonding purposes is \$6,500.00

Tie-ins and disconnections at the existing watermain must be by City forces and at the applicant's cost.

A water meter is mandatory for this development and must be installed inside the new 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. If there is to be landscaping on the site, the developer must also purchase an irrigation sewer credit meter from the City and prepare a meter setter at his cost.

8.1.2 Sanitary Sewer

The existing lot is serviced with a 100mm diameter domestic sanitary sewer services. The applicant, at his cost, will arrange for the capping of the existing services and the installation of one larger (150mm) sanitary sewer service. The estimated cost of this work for bonding purposes is \$6,500.00

Tie-ins to the mains and the capping of existing services must be by City forces and at the applicant's cost.

8.1.4 Storm Drainage

The subject development must include the design of a drainage system for Ambrosi Street in front of the subject lots, including a piped drainage system and catch basins for curb and gutter construction. The cost of the work is included in the road design calculations.

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 lot grading plans, minimum basement elevations (MBE). 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.

8.1.5 Road Improvements

Ambrosi Road fronting this development, must be upgraded to a full urban standard (SS-R5 modified) including curb and gutter, 2.35m sidewalk, pavement widening, landscaped boulevard complete with underground irrigation system, ornamental street lights as required and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction. The estimated cost of this work for bonding purposes is \$12,000.00

The rear lane has been surfaced with asphalt grindings. The lane must be upgraded to a paved commercial standard including the extension of the existing piped storm drainage system for the full frontage of the rear lane.

Pavement widening is required for the lane adjacent to this development.

The estimated cost of this lane construction for bonding purposes is \$10,000.00.

Contribute a sum of \$1,384.00 per equivalent development unit as this development's assessed share for future extension of Agassiz Road. From Kent Road through to Vasile Rd. as required in the Ambrosi Area Plan.

8.1.6 Road Dedication and Subdivision Requirements

By registered plan to provide the following:

Dedicate 2.44-m road widening of Ambrosi Road fronting this development.

Dedicate a 0.75m widening of the rear lane fronting on this development.

Dedicate a 3.0m x 3.0m Lane - property line corner truncation .

8.1.7 Electric Power and Telecommunication Services

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

8.1.8 Street Lighting

Street lighting including underground ducts must be installed on all roads fronting on the proposed development. The cost of this requirement is included in the roads upgrading item.

8.1.9 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.

8.1.10 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:

Area ground water characteristics, including water sources on the site and overland surface drainage courses traversing across or influencing this property.

Site suitability for development; unstable soils, etc.

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.

List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.

8.1.11 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.

8.1.12 Bonding and Levy Summary

Bonding

Ambrosi Road frontage upgrading	\$12,000.00
Service upgrades	\$13,000.00
Lane improvements	\$10,000.00
Total	\$35,000.00

NOTE: The bonding amounts 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 subdivision approval or 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 4th reading of the zone amending bylaw or issuance of a building permit.

Levies

Ambrosi Area Plan Assessment:

3.25 EDU @ \$1,384.00 = \$4,498.00 (951-10 -x-x-DF899)

Amount to be confirmed prior to issuance of a building permit.

NOTE: If the applicant elects to secure the levies by an irrevocable letter of credit rather than cash, a \$50.00 non-refundable processing fee must be paid to the City upon provision of the letter of credit.

8.1.13 Development Permit and Site Related Issues

The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures.

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.

8.1.14 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 construction costs, (\$1,123.50) 7% GST has been added.

8.2 Inspection Services

Must conform to BC Building Code. Full analysis at Building Permit stage. It appears that an architect will have to stamp the plans prior to Council consideration of a Development Permit.

8.3 Public Health, RCMP, School District #23, Terasen

No comment.

8.4 Telus

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

8.5 Shaw Cable

Owner/developer to install and u/g conduit system

8.6 Ministry of Transportation

No objections or concerns regarding this application to rezone from RU1 to C-5.

3.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department is generally supportive of the proposed rezoning to the C5 – Transition Commercial zone and also the proposed mixed use concept for the site. The proposal is consistent with the Official Community Plan and with the strategic plan and is a type of development (mixed-use) that staff encourage in all of Kelowna's Urban Centres.

Staff does have concerns with the form and character of this development proposal. In the opinion of staff, the proposed project fails to complement the existing building forms in the Ambrosi area. Specifically, the project differs from the buildings in the vicinity by virtue of the strict symmetry of the east elevation. This symmetry gives the building a formality that isn't characteristic of the other buildings on the street and sets it apart from its context. Moreover, the monolithic massing is a concern. The visual prominence of the roof heightens the perception of mass. In the end, the building lacks a sense of human scale that would make it a good fit along the street. Staff recommends that the applicant pursue some design amendment prior to proceeding to Council with this application. At the very minimum staff suggest that the application consider the following recommendations prior to forwarding a Development Permit application for Council consideration:

- Reducing the symmetry of the east elevation, possibly by giving each of the dwelling units facing Ambrosi Rd. its own expression within the overall building mass;
- Adding more detail, i.e., mullions, to the ground-level windows facing Ambrosi Rd. to add visual interest and human scale to the street elevation;
- That the extensive roof area facing Ambrosi Rd. be given more visual interest through the addition of dormers.

Shelley Gambacort
Acting Manager of Development Services

Approved for inclusion

Signe Bagh
Acting Director of Planning & Development Services

SB/SG/rs
Attach

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan
- Floor plans
- Elevations