CITY OF KELOWNA MEMORANDUM

Date:

March 7, 2007

File No.:

Z06-0065

To:

CITY MANAGER

From:

PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

APPLICATION NO. Z06-0065

OWNER:

T248 Enterprises Ltd.

AT:

1379 & 1383 Richter St., 726 Stockwell

APPLICANT: T248 Enterprises Ltd.

Ave.

PURPOSE:

TO REZONE THE SUBJECT PROPERTIES FROM THE RU6 - TWO

DWELLING HOUSING ZONE TO THE RM5 - MEDIUM DENSITY

MULTIPLE HOUSING ZONE.

EXISTING ZONE:

RU6 – TWO DWELLING HOUSING ZONE

PROPOSED ZONE: RM5 - MEDIUM DENSITY MULTIPLE HOUSING

REPORT PREPARED BY: DANIELLE NOBLE

1.0 RECOMMENDATION

THAT Rezoning Application No. Z06-0065 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 22, 23 & 24, District Lot 138, O.D.Y.D. Plan 1315, located on Richter Street and Stockwell Avenue, Kelowna, B.C. from the RU6 - Two Dwelling Housing 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 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 and Development Variance Permit on the subject properties.

2.0 SUMMARY

The subject properties are currently zoned RU6 - Two Dwelling Housing zone with a future land use designation of Multiple Unit Residential - Medium Density. The applicant is proposing to rezone the subject properties to allow for a RM5 - Medium Density Multiple Dwelling Housing development. Lot consolidation is pending land use approvals. Setback, number of storeys, and parking configuration variances are being sought to facilitate the proposed 4 1/2 storey apartment building.

3.0 ADVISORY PLANNING COMMISSION

The rezoning (and related) applications were reviewed by the Advisory Planning Commission at the meeting of December 19, 2006 and the following recommendation was passed:

THAT the Advisory Planning Commission support Zoning Application No. Z06-0065 for 1379 & 1383 Richter Street; 726 Stockwell Avenue, Lots 22, 23 & 24, Plan 1315, Sec. 25, Twp. 25, ODYD, by EF Gooch Architects Inc. to rezone the subject properties from the RU6-Two Dwelling Housing zone to the RM5-Medium Density Multiple Housing zone in order to accommodate a 27 unit apartment building.

4.0 THE PROPOSAL

The applicant is proposing to construct a 27 unit apartment building. Primary site access will be off of the north bound lane with single point ingress for the underground parkade. Additional visitor parking spaces are afforded within the parkade, also accommodating the bicycle parking.

The proposed building aims to blend in with the redevelopment character of similar projects near the downtown centre. The architectural design utilizes a conventionally shaped building proposed to be 4 1/2 storeys in height including a partially below-grade parkade. The development project aims to provide for a convenient and accessible lifestyle, both incorporated through interior design features and close proximity to urban amenities.

The application meets the requirements or requires variances of the proposed RM5- Medium Density Multiple Housing Zone as follows:

CRITERIA	PROPOSAL	RM5 ZONE REQUIREMENTS
Site Area (m²)	2116.17m ²	1,400m ²
Site Width (m)	45.21m	30.0m
Site Depth (m)	37.67m	30.0m
Site Coverage (%)	38%, 48%	40% or 60% including buildings, driveways, and parking
F.A.R.	1.3	1.1 (maximum) + 0.2 (bonus for required parking below habitable space)
Height (m)	15.19m	16.5m
Storeys (#)	4 1/2 storeys*	4 storeys
Setbacks (m)		
- Front (m)	6.0m	6.0m
- North side (m)	3.51m*	7.5m (bldgs in excess of 2 ½ storeys)
- South side (m)	3.07m*	7.5m (bldgs in excess of 2 ½ storeys)
- Rear (m)	7.69m*	9.0m
Private open space	615m²	615 m² (15m² per 1 bedroom dwelling; 25m² per dwelling with more than 1 bedroom)
Parking Space Size	2.5m x 6.0m 3.0m x 6.0m	2.5m x 6.0m 3.0m x 6.0m
Parking Stalls (#)	39 Parking spaces and 5 Visitor stalls (Variance required for parking configuration)	39 Parking spaces and 4 Visitor stalls
Bicycle Stalls (#) * = variance required	27 spaces	14 + 3 = 17 (0.5 per dwelling unit Class I, 0.1 per dwelling unit Class II

^{* =} variance required

3.2 Site Context

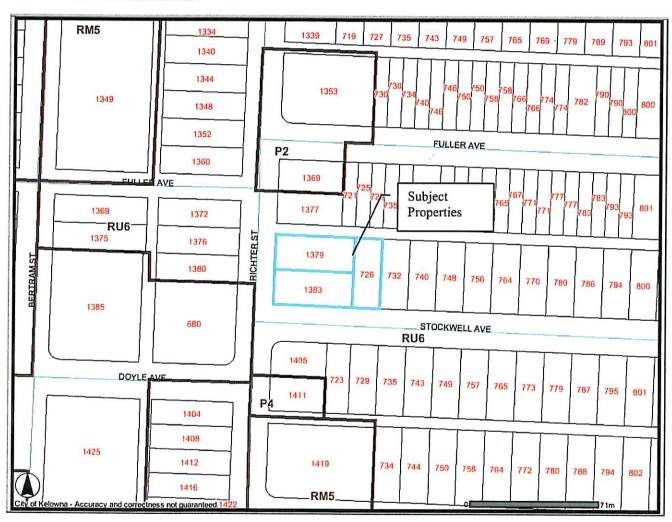
The subject property is located at the corner of Stockwell Avenue and Richter Street. Adjacent zones and uses are:

North - RU6 & P2 - Two Dwelling Housing and Education and Minor Institutional

East - RU6 - Two Dwelling Housing South - RU6 - Two Dwelling Housing

West - RM5 & RU6 - Medium Density Multiple Housing and Two Dwelling Housing

3.3 Site Location Map



3.3 Development Potential

The purpose of the RM5 – Medium Density Multiple Housing zone is to provide a zone primarily for medium density apartments.

3.4 <u>Current Development Policy</u>

3.4.1 City of Kelowna Strategic Plan

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. The plan also encourages redeveloping transitional areas to increase densities for more efficient use of existing land. Also recommended is that the City will emphasize a density of development higher than presently occurring to allow for more efficient use of the land.

3.4.2 Kelowna Official Community Plan

The proposal is consistent with the future land use designation of Multiple Unit Residential – Medium Density in the Official Community Plan. Preference will be given to supporting new housing in areas where required services already exist or can be provided most economically and efficiently. Additionally, policy 8.36 encourages development to contribute to the City's goal of over the 2000-2020 timeframe, having 53% of new residential units be in the form of apartments, townhouses (and cluster housing), or other multiple unit buildings.

However, as proposed the applicant is not proposing to provide affordable, special needs, or rental housing.

With respect to objectives for multiple unit residential development, all projects 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. Design criteria for multiple unit development area as proposed is generally consistent with the guidelines that address landscaping, relationship to the street, building massing, end walls, view corridors, and crime prevention.

4.0 TECHNICAL COMMENTS

4.1 Fire Department

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

4.2 Inspections Department

Additional comments to revised drawings, parkade parking layout to meet requirements of Zoning Bylaw 8000. Exiting from parkade level does not meet requirement of building code. Dead end corridors shown on 2nd,3rd and 4th floors not to code. Majority of prior comments submitted not addressed.

4.3 Parks Department

- 1. The applicant is proposing to vary the rear yard setback of the building and by doing so reduces the amount of general open space for the residents. The Parks Division recommends that the area of open space that is reduced due to the variance is made up for as a rooftop garden/green initiative for the residents with no net loss in open space area.
- 2. The City of Kelowna Boulevard Maintenance By-Law No. 5708-84 requires the residents to 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.

- 3. We encourage the Applicant to consider the planting of street trees along Richter Street and Stockwell Avenue, consistent with the City of Kelowna's Urban Forestry Tree Planting Guide. To further discuss street trees, please contact lan Wilson, Parks Division Urban Forester at (250) 469-8842.
- 4.4 Shaw Cable Owner/developer to install conduit.
- 4.5 Telus
 TELUS will provide underground facilities to this development. Developer will be required to supply and install conduit as per TELUS policy.
- 4.6 Works and Utilities
- 1. Domestic Water and Fire Protection
 - (a) The developer's consulting mechanical engineer will determine the hydraulic and fire flow requirements of the proposed development and establish service and hydrant needs. Decommissioning of three existing small diameter services and the installation of one larger service will be at the applicant's cost. The estimated cost of this work for bonding purposes is \$12,000.00.

 If it is determined that upgrades to the existing water distribution system must be made to achieve the required fire flows, additional bonding will be required.
 - (b) 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.
 - (c) The boulevard irrigation system must be integrated with the on-site metered irrigation system.

Sanitary Sewer

- (a) The developer's consulting mechanical engineer will determine the requirements of the proposed development and future expansion and establish the sanitary service requirements.
- (b) Removal and capping of the existing domestic sanitary services and the tie-in of one new larger service will be at the applicant's cost.
 The estimated cost of this work for bonding purposes is \$5,000.00

Storm Drainage

- (a) The subject development must include the design of a piped drainage system for Stockwell Avenue fronting this development, including a catchbasin upgrade. The cost of the work is included in the road design calculations.
- (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 storm water management plan must also include provision of a lot grading plan, minimum basement elevation (MBE), storm water service and/or on-site drainage containment and disposal systems. The on-site drainage system may be connected to the street

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drainage system with an overflow service at the developer's cost, with approval from the City drainage engineer.

The estimated cost of an overflow service for bonding purposes is \$2,000.00

4. Road Improvements

- (a) Richter Street fronting this development is fully urbanized. Frontage improvement requirements include the replacement of damaged sidewalk panels, wheelchair ramp and lane curb access crossing.

 This work will require curb, gutter sidewalk and ramp removal and replacement. The work must be constructed to City of Kelowna Standards.

 The estimated cost of this construction for bonding purposes is \$6,000.00.
- (b) Stockwell Avenue fronting this development must be upgraded to a (SS-R5) standard including concrete curb and gutter, sidewalk realignment, street lighting upgrade, extension of the piped storm drainage system, fillet pavement, landscaping and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction.

 The estimated cost of this construction for bonding purposes is \$43,000.00.
- (c) The lane fronting this development must be upgraded to a paved standard (SS-R2) including a storm drainage system.

 The estimated cost of construction for bonding purposes is \$17,000.00

5. Road Dedication and Subdivision Requirements

- (a) By registered plan provide a corner rounding of 6.0 meter where Richter Street intersects with Stockwell Avenue.
- (b) Dedicate 0.80m widening of the rear lane.
- (c) Lot consolidation
- (d) Grant statutory rights-of-way if required for utility services.

6. <u>Electric Power and Telecommunication Services</u>

The electrical and telecommunication services to the building 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.

7. 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.

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

8. Bonding and Levy Summary

(a) Bondina

Richter Street road frontage improvements	\$ 6,000.00
Stockwell Avenue road frontage improvements	\$ 43,000.00
Lane frontage improvements	\$ 17,000.00
Service upgrades	\$ 19,000.00

Total Bonding

\$ 85,000,00

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.

The owner must also enter into a servicing agreement in a form provided by the City.

9. Latecomer Provisions

- Under the provisions of the Municipal Act, Latecomer provisions are available for a) the following items:
 - i) ii) Storm main construction.
 - Lane upgrade

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.

10. 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.

11. 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. 6% GŠT will be added.

12. Development Permit, Development Variance Permit and Site Related Issues

(a) Move the building access ramp further from Richter Street. Access and egress design modifications 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.

- (b) The development will be required to contain and dispose of site generated storm water on the site by installing a ground recharge systems consisting of drywells and perforated pipe bedded in drain rock.
- (c) The requested building height and setback variances do not compromise Works and Utilities servicing requirements.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department supports the proposed change in land use. The proposed building form is consistent with many relevant development and design policies found in Kelowna's Official Community Plan.

Importantly, the subject properties are situated near the downtown area and supported by existing infrastructure to facilitate the proposed project. Other surrounding land uses are single family in nature, although the future land use designation projects this area to be redeveloped into medium density multiple unit residential. Given that the subject properties are on a corner location, the impact on adjacent properties is lessened and offers a reasonable transition into the adjacent single family character.

The accompanying Development and Development Variance Permits will address the form and character of the building at the time that the zoning requirements have been satisfied.

Shelley Gambacort

Acting Development Services Manager

Approved for inclusion

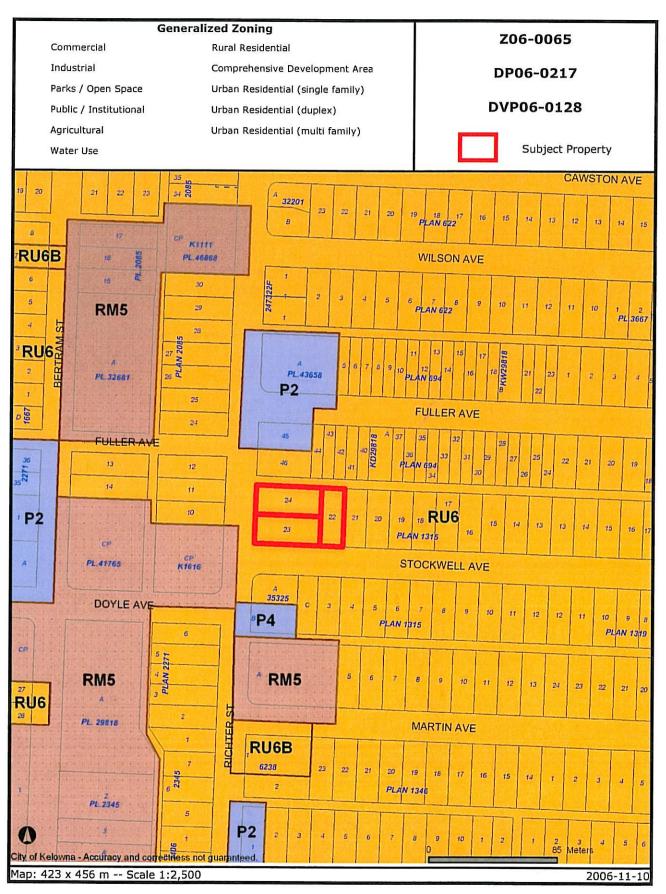
Mary Pynenburg MRAIC, MCIP

Director of Planning & Development Services

SG/DN Attach.

ATTACHMENTS

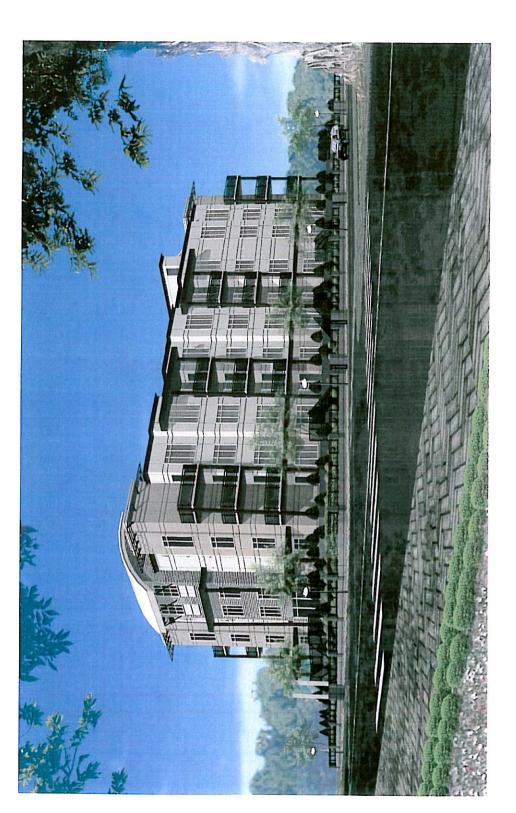
- Location of subject property
- Site plan
- Floor Plans
- Elevations
- Colored Renderings



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.

The City of Kelowna does not guarantee its accuracy. All information should be verified.

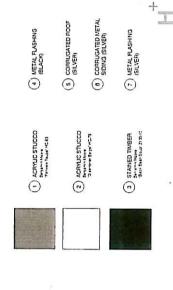




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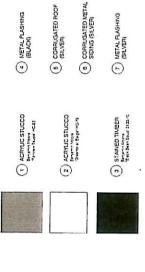
FRONT ELEVATION



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RIGHT ELEVATION



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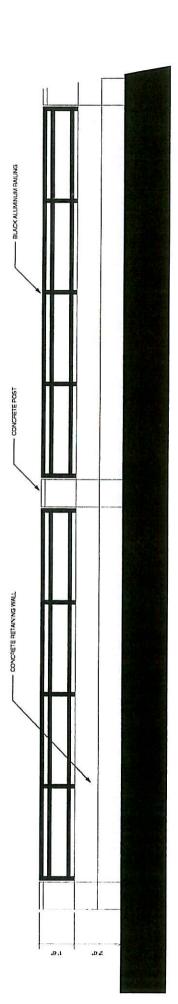
Front Entry Detail

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Tower Detail

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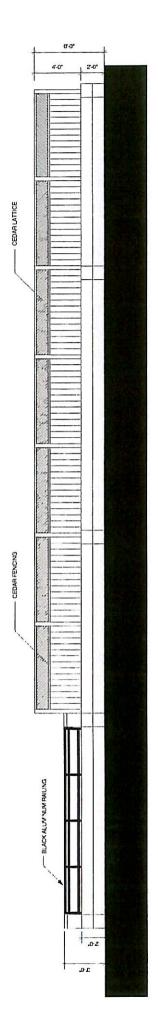


Retaining Wall & Railing

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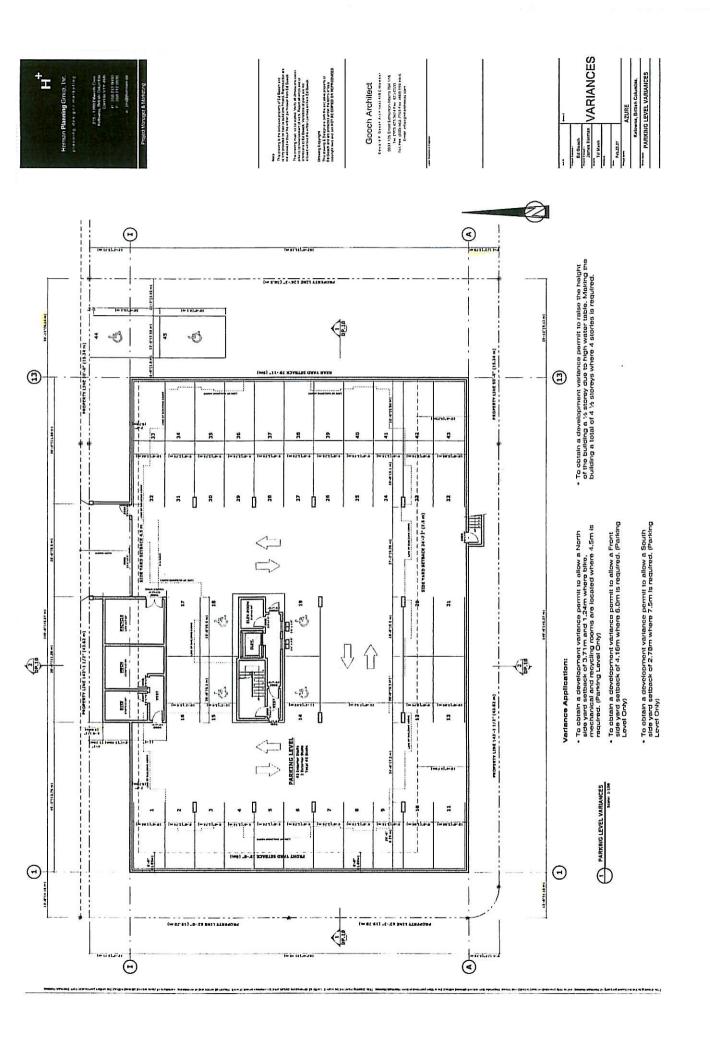
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Rear Retaining Wall

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Print Date: February 21th, 2007

DP drawings

Urban living in Kelowna / AZN/ &

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FAR FROMDED

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Total Sate Area

Provided See Coverage 'Parking'

urban living in Kelowna / AZMM

February 21th, 2007

DP DRAWINGS

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Second Floor 7, 423
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Fourth Floor 7, 423
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December 23rd, 2006

Architectural Drawing List

DP.1-SITE PLAN.

DP.3-PARKING LEVEL FLOOR PLAN. DP.3-MAIN LEVEL FLOOR PLAN.

DP.4-SECOND LEVEL FLOOR PLAN. DP.5-THIRD LEVEL FLOOR PLAN. DP.6-FOURTH LEVEL FLOOR PLAN. DP.7-ROOF PLAN.

OP.5- ELEVATIONS.

DP.9- ELEVATIONS.

DP.10-BULDING SECTIONS.

