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**CITY OF KELOWNA**  
**MEMORANDUM**

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**DATE:** February 13, 2008  
**TO:** City Manager  
**FROM:** Planning and Development Services Department

**APPLICATION NO.** Z07-0078                      **OWNER:** Kane #2 Resources Ltd.  
**AT:** 280 McIntosh Road                      **APPLICANT:** Protech Consultants Ltd.

**PURPOSE:** TO OBTAIN A ZONE AMENDMENT AND A DEVELOPMENT PERMIT  
TO ALLOW FOR THE CONSTRUCTION OF A 4-STOREY 52-UNIT  
MULTI-UNIT RESIDENTIAL DEVELOPMENT

**EXISTING ZONE:** RU6 - TWO DWELLING HOUSING  
**PROPOSED ZONE:** RM5 – MEDIUM DENSITY MULTIPLE HOUSING

**REPORT PREPARED BY:** Corine (Cory) Gain, MCIP, CPT

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**1.0    RECOMMENDATION**

THAT Rezoning Application No. Z07-0078 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 Section 26 Township 26 Osoyoos Division Yale District Plan 6518, located at 280 McIntosh Road, 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 and Fire Departments being complete to their satisfaction;

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of Development Permit DP07-0221 on the subject property.

**2.0    SUMMARY**

The applicant is proposing to construct a 52-unit, 4-storey multi-family residential building on the subject properties that complies with the proposed RM-5 zoning designation.

**3.0    ADVISORY PLANNING COMMISSION**

At the regular meeting of March 11, 2008 it was resolved:

THAT the Advisory Planning Commission supports Rezoning Application No. Z07-0078, for 280 McIntosh Road, Lot 1, Plan 6518, Twp. 26, Sec. 26, ODYD, by Protech Consultants (G. Maddock), to rezone from RU6 - Two Dwelling Housing zone to RM5 - Medium Density Multiple Housing to allow construction of a 4-storey 52-unit multi family residential development;

THAT the Advisory Planning Commission supports Development Permit Application No. DP07-0221, for 280 McIntosh Road/Lot 1, Plan 6518, Twp. 26, Sec. 26, ODYD, by Protech Consultants (G. Maddock), to obtain a Development Permit to allow the construction of a 4-storey 52 unit apartment building containing 12 1-bedroom units & 40 2-bedroom units.

#### 4.0 BACKGROUND

The property under application is located on the northeast corner of Asher and McIntosh Roads in the Rutland Urban Centre area. The .37 ha RU6 zoned property is currently occupied by a single-family dwelling. The Official Community Plan designation of the properties is MRM – Multiple Unit Residential – Medium Density. This designation supports the rezoning request. No variances are required to facilitate the requested zoning change.

#### 4.1 The Proposal

The proposed building is consistent with the general character of the residential developments proposed in the surrounding neighbourhood. It is expected that the proposed project will be a positive addition to the community, compatible in function with other residential developments and the nearby commercial and recreational opportunities.

The subject property is flat and allows for construction of an underground parking structure below the building. The proposed parking structure to the 4-storey, 52-unit multi-family residential building will be accessed by way of the existing lane that runs parallel to McIntosh Road on the north side of the property. Four floors of residential units will be constructed over the underground parkade. The proposed building would consist of 42 two-bedroom units ranging in size from 80 m<sup>2</sup> (693 ft<sup>2</sup>) to 114 m<sup>2</sup> (1229 ft<sup>2</sup>) and ten 64 m<sup>2</sup> (693 ft<sup>2</sup>) one-bedroom units. The permitted maximum floor area ratio (FAR) in the RM5 zone is 1.3 with parking provided totally beneath the building. A portion of the parking requirement has been provided at grade; the resulting maximum FAR for this development is 1.265. The applicant has redesigned the proposed development to meet the FAR/density provisions of the RM5 zone. The proposed building footprint of 1355.8 m<sup>2</sup> yields a building site coverage of 36.2% and a total site coverage of 47.8% including buildings, patios and driveways. Both of these proposed site coverages are within the maximum allowable under the Zoning Bylaw. The re-design of the proposed development provides additional private outdoor amenity space to future residents.

The zoning bylaw parking requirement for a total of 76 vehicle parking stalls; 26 Class I and 6 Class II bicycle parking spaces are satisfied by the proposal. A total of thirteen parking spaces at grade accessed from the rear lane.

The colour board provided with the application respects the Planning and Development Services Department preference for timeless earth tones colours typical of the Okanagan landscape.

A thorough review of the zoning bylaw requirements has confirmed that the proposed development satisfies applicable provisions. Extensive information regarding both the interior and exterior of the building are attached to this report for your reference.

The application meets the requirements of the RM5 Medium Density Housing zone as follows with the variance as noted:

CRITERIA	PROPOSAL	RM5 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	3,747 m <sup>2</sup> / .37 ha.	1400 m <sup>2</sup>
Site Width (m) (Post road dedication)	49.64 m	30 m
Site Depth (m) (Post road dedication)	75.49 m	35 m
Site Coverage (%)	36.2% (47.8% Total)	50% (60% including buildings, driveways and parking areas)
F.A.R.	1.265	$1.1 + (63/76 \times .2) = 1.265$
Height (m)	14 m	16.5 m
Storeys (#)	4 storeys	4 storeys
Setbacks (m)		
- Front/McIntosh (South)	6.0 m	6.0 m
- Flanking Street/Asher (West)	7.5 m	6.0 m
- Side (East)	7.5 m	7.5 m
- Rear (North)	9.0 m	9.0m or 7.5m where this is a rear lane
Private Open Space	Private Decks 592 m <sup>2</sup> Ground Level 594 m <sup>2</sup> Meeting Room 15 m <sup>2</sup> <b>Total: 1201 m<sup>2</sup></b>	10 units x 15m <sup>2</sup> 42 units x 25m <sup>2</sup> <b>TOTAL: 1200 m<sup>2</sup></b>
Parking Stalls (#)	76 spaces	10 units x 1.25 spaces per unit 42 units x 1.5 spaces per unit <b>Total Required: 76 spaces</b>
Bicycle Stalls (#)	36 spaces	Class I: 0.5/dwelling (26 spaces) Class II: 0.1 per unit (6 spaces) <b>Total Required: 32 spaces</b>
Length of continuous building frontage	33 m	Maximum 40 m for a 4 storey building

#### 4.2 Site Context

Adjacent zones and uses are, to the:

- North - RU1 – Large Lot Housing
- East - RM3 – Low Density Multiple Housing
- South - RM3 – Low Density Multiple Housing
- West - RU1 – Large Lot Housing and RU6 – Two Dwelling Housing

#### 4.3 Site Location Map (See attachments)

Subject Property: 280 McIntosh Road

#### 4.4 Current Development Policy

##### 2.4.1 Official Community Plan (OCP)

8.1.36 **Apartment and Townhouses** states: "Encourage 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."

8.1.40 **Housing Variety** states: "Encourage the development of a variety of housing forms to ensure that the housing supply meets the needs of Kelowna's diverse population and satisfies a range of lifestyle choices."

8.1.43 **Integration** states: "Encourage the sensitive integration of different housing forms in the various sectors of the City, in support of neighbourhood diversity and healthy communities."

5.0 TECHNICAL COMMENTS (See Attachment 'J')

6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department is satisfied that the applicant has given due consideration to the Development Permit Form and Character guidelines for multi-unit residential development with respect to the subject application. The proposed zoning respects the Official Community Plan designation.

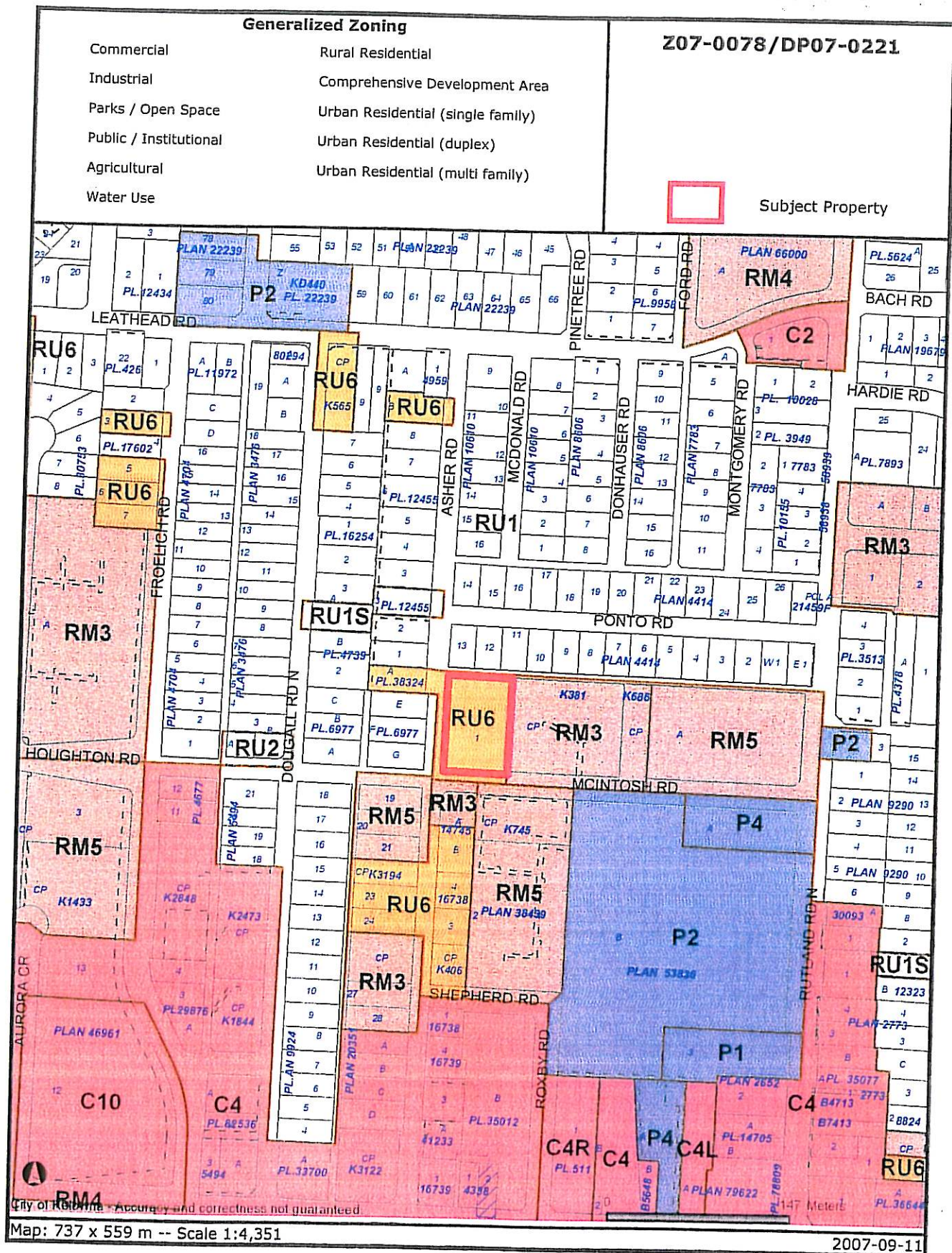
  
Shelley Gambacort  
Current Planning Supervisor

SG/cg

**ATTACHMENTS:**

- A - Location Map with Generalized Zoning
- B - Future Land Use Map
- C - Orthophoto (2006)
- D - Artist's Rendering and Colour Board
- E - Entrance Detail
- F - Parking Plan (Drawing P1)
- G - Site/Main Floor Plan (Drawing P2)
- H - Elevations (Drawing P5)
- I - Landscape Plan (Drawing L.1 of 1)
- J - Development Application File Circulation Report (Technical Comments)

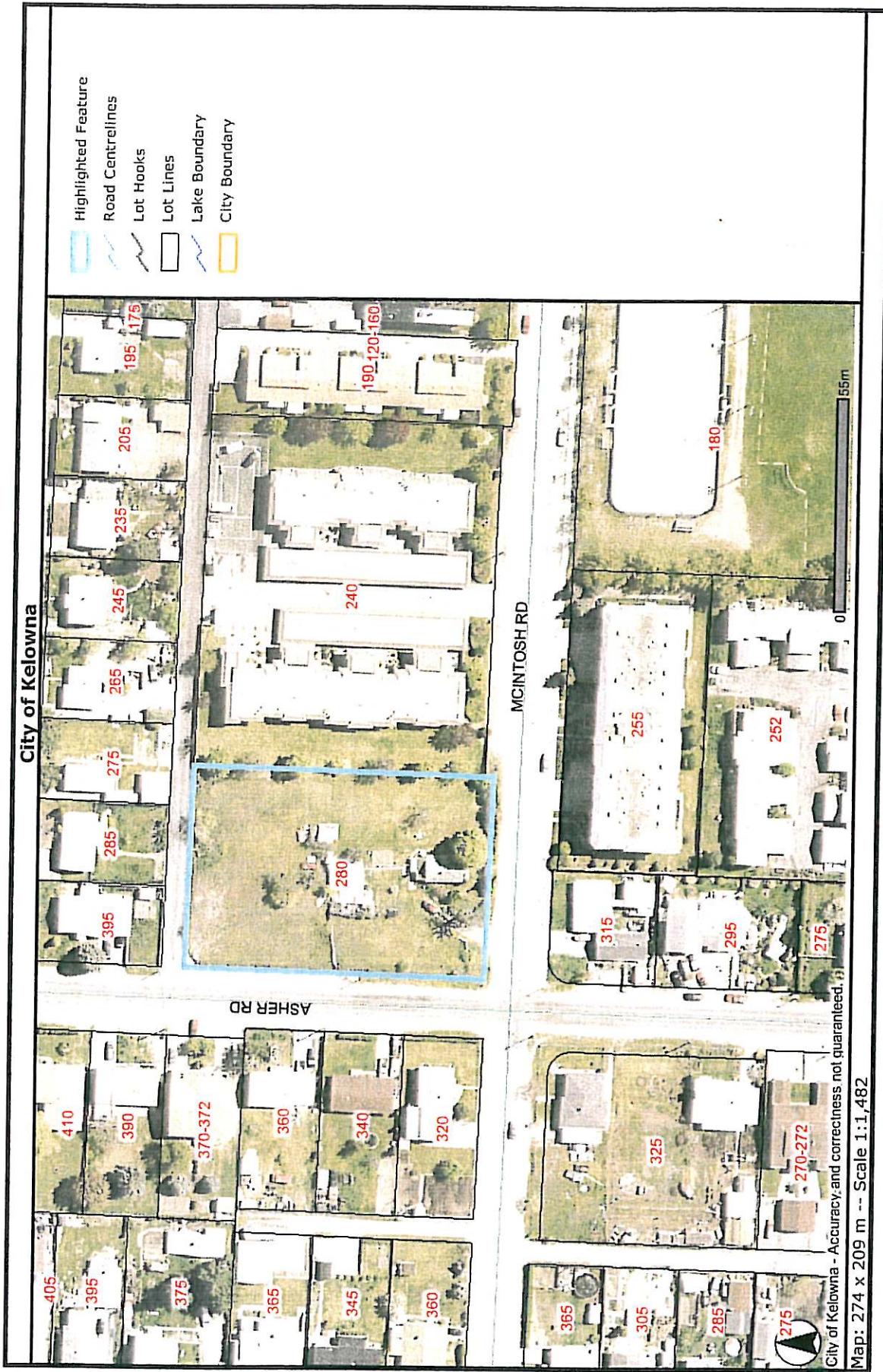






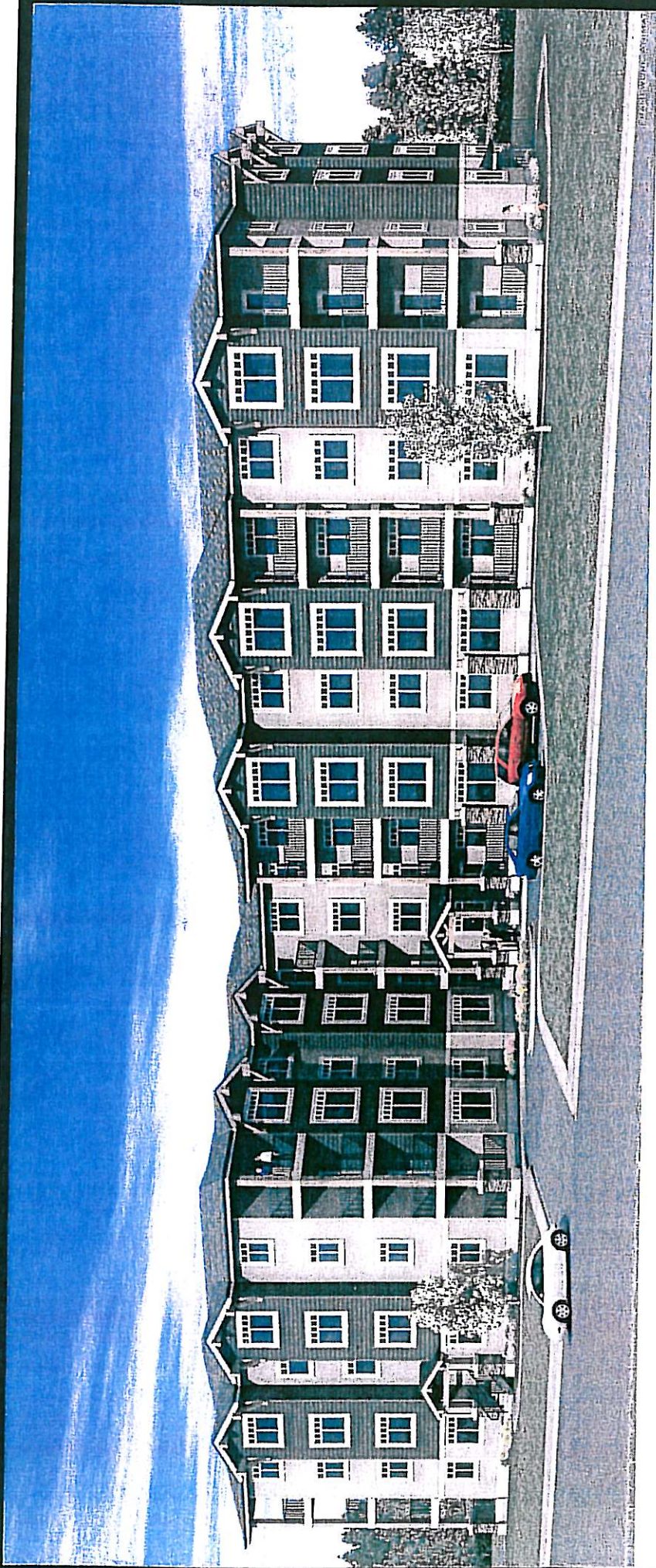






*This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.*





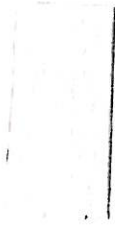
Roof – Weathered Wood



Rock Columns – Cultured Stone



Vinyl Siding – Wicker



Hardi-Plank – Mountain Sage



Trim – Cashmere



Wood Accent



Railings



## McIntosh Properties

Water Street Architecture  
1485 Water Street  
Kelowna BC V1Y 1J7







SITE DATA

IRMS -MULTI FAMILY RESIDENTIAL  
NET SITE AREA 40,322 ft<sup>2</sup> = 3,746 m<sup>2</sup>  
BUILDING AREA 14,595 ft<sup>2</sup> = 1,359.6 m<sup>2</sup>  
SITE COVERAGE 36.2%  
PARKING / DRIVEWAYS 11.5%  
TOTAL SITE COVERAGE 47.5%  
GROSS FLOOR AREA 57,392 ft<sup>2</sup> = 5,331.7 m<sup>2</sup>  
NET FLOOR AREA (total area of units) 51,036 ft<sup>2</sup> = 4741.2 m<sup>2</sup>  
FLOOR AREA RATIO ALLOWED - 1.100  
ADDITIONAL F.A.R. ALLOWED (1/16 PARKING REQUIRED) = .029  
TOTAL F.A.R. ALLOWED - 1.105  
FLOOR AREA RATIO PROVIDED 1.205  
AREA OF UNITS - 51,036 FT.<sup>2</sup>  
SITE AREA - 40,322 FT.<sup>2</sup>  
PARKING REQUIRED - 1 BEDROOM - 10x 1.25 = 12.5 STALLS  
- 2 BEDROOM - 42x 1.5 = 75.3 STALLS  
PARKING PROVIDED = 76 STALLS

PRIVATE OPEN SPACE REQUIRED  
15 M<sup>2</sup> x 10 (1 B.R. UNITS) - 150 M<sup>2</sup>  
25 M<sup>2</sup> x 42 (2 B.R. UNITS) - 1050 M<sup>2</sup>  
(12,917 SQ. FT.) 1200 M<sup>2</sup>  
PRIVATE OPEN SPACE PROVIDED  
PRIVATE DECKS - 6372 FT<sup>2</sup>  
GROUND LEVEL - 6393 FT<sup>2</sup>  
MEETING ROOM - 160 FT<sup>2</sup>  
PRIVATE OPEN SPACE - 12,925 FT<sup>2</sup>

**Doug Lane**  
water street architecture inc.  
1 meadow architectural studios at dublin station  
p. 250.762.2235 f. 250.762.4884 e. wsl@stanwell.ca  
suite 2 1502 water street, kelowna, bc v1y 1t7

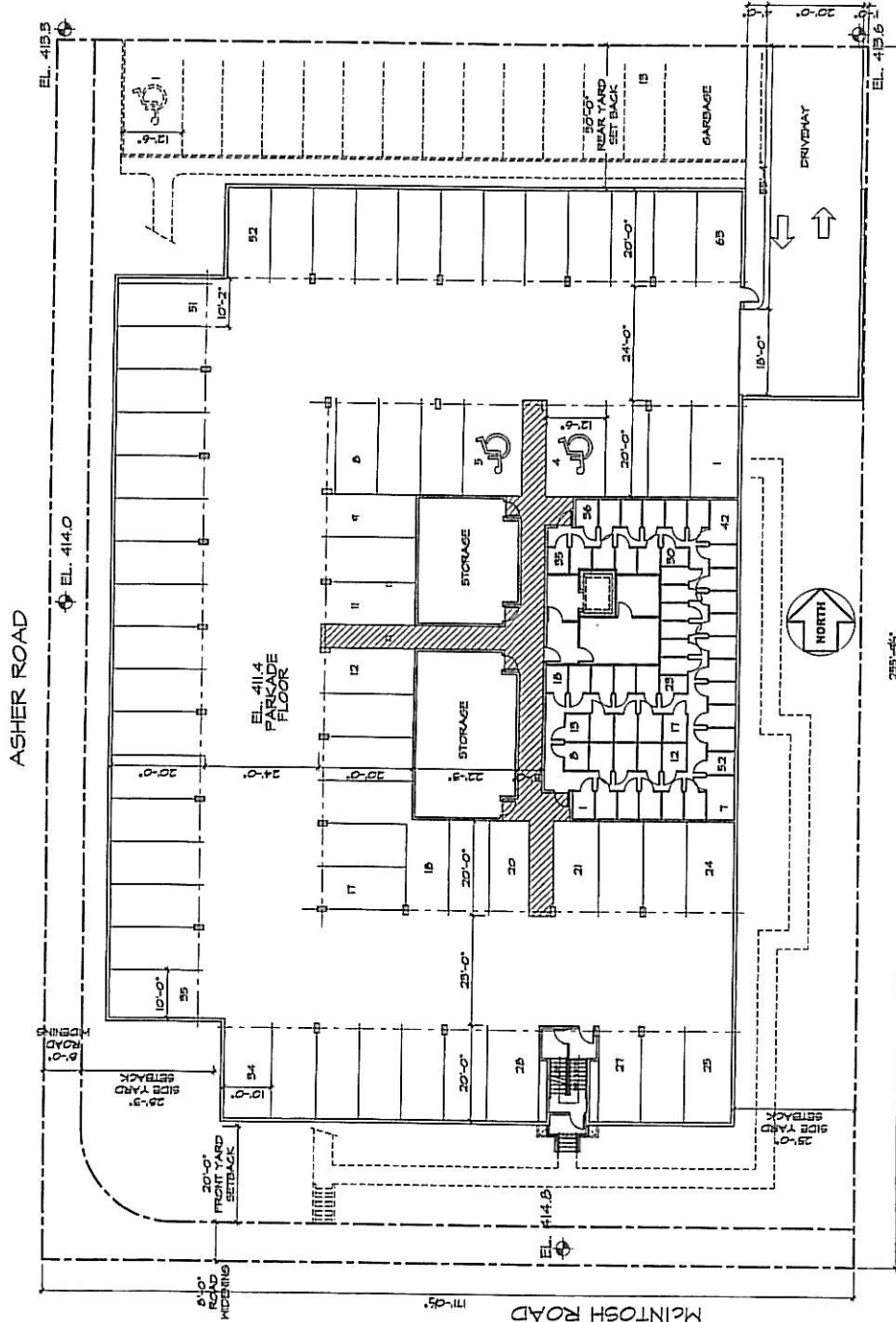
PROJECT:  
**McIntosh Property**

DRAWING TITLE:  
**PARKING PLAN**

DRAWN BY: HQ  
CHECKED BY: DL  
DATE: FEB. 14, 2005  
SCALE: 1/16"=1'-0"  
PROJECT NO.: 2007-XX  
DRAWING NO.:

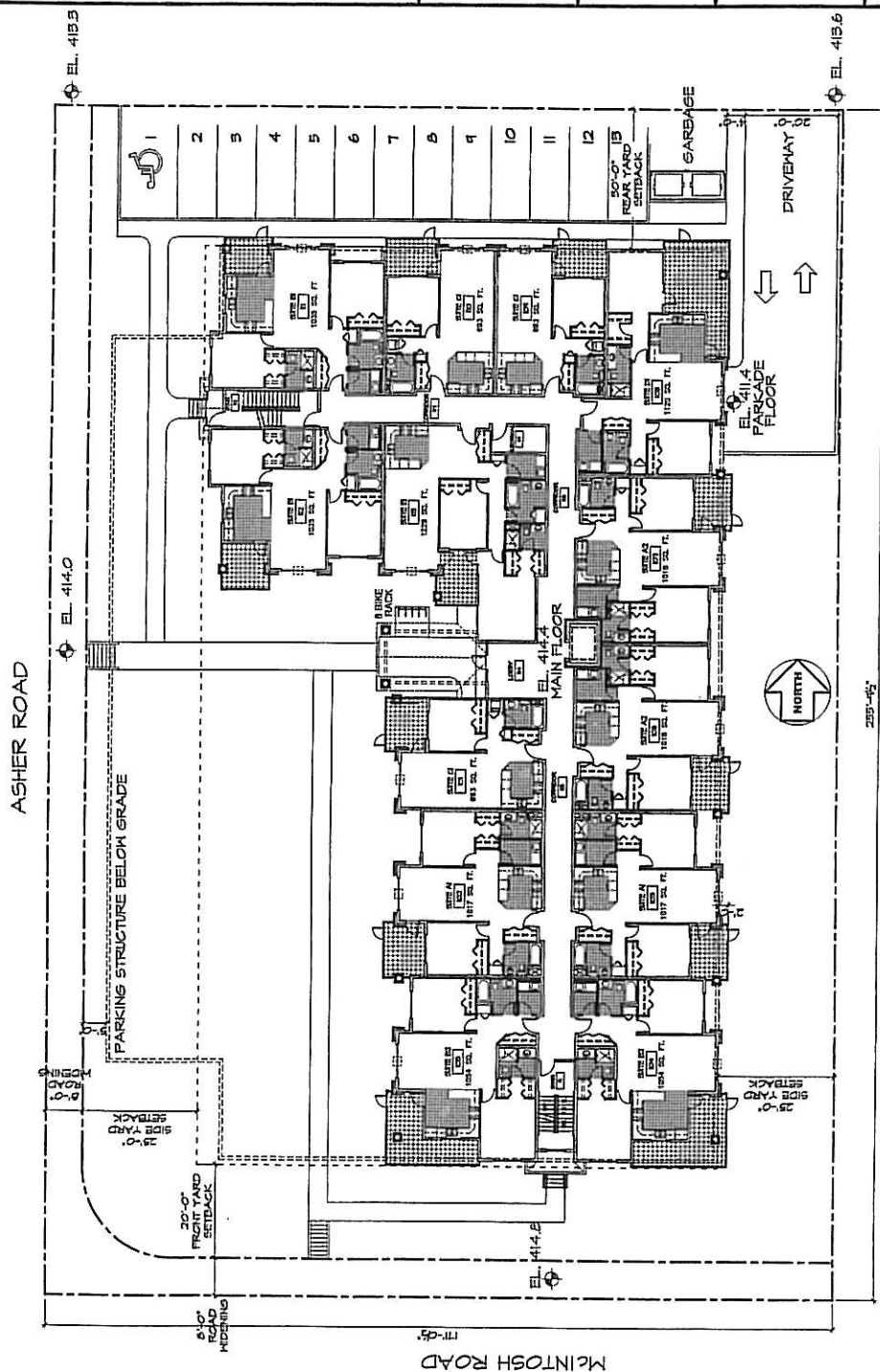
**P1**

PROJECT DATA		MAIN				NO. OF EACH UNIT TYPE				TOTAL AREA OF EACH UNIT TYPE
UNITS	AREA sq.ft.	2'nd	3'rd	4'th						
A1 2BR	1017	2	2	2					8	
A2 2BR	1018	2	2	2					8	
B1 2BR	1035	2	2	2					8	
B2 2BR	1054	2	2	2					8	
C1 1BR	693	3	2	2					10	
C2 2BR	859	0	0	1					2	
E1 2BR	1120	1	1	1					4	
E2 2BR	1229	1	1	1					4	
TOTAL NO. OF UNITS										52
TOTAL AREA OF UNITS										51,036 sq.ft. (4741.2 sq.m.)



BASEMENT PARKING PLAN





**Doug Lane**  
water street architecture inc.  
1 merrett architectural institute of british columbia  
p. 250.762.2235 f. 250.762.4584 a. wsa@shawble.ca  
suite 2 1562 water street, kelowna, bc v1y 1r7

PROJECT:  
McIntosh Property

DRAWING TITLE:  
SITE / MAIN  
FLOOR PLAN

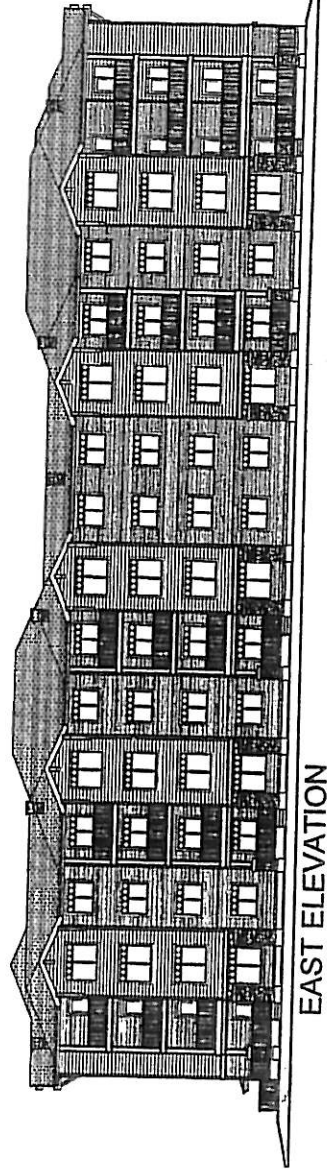
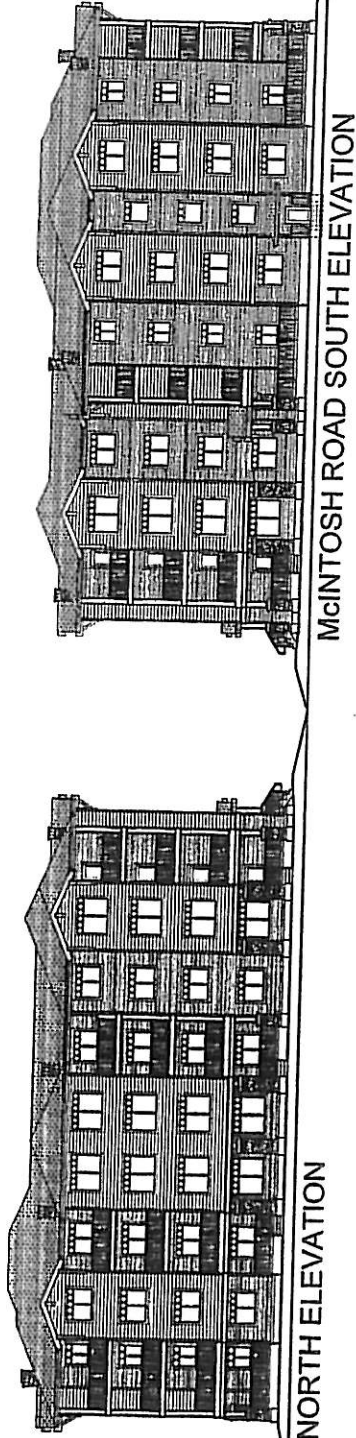
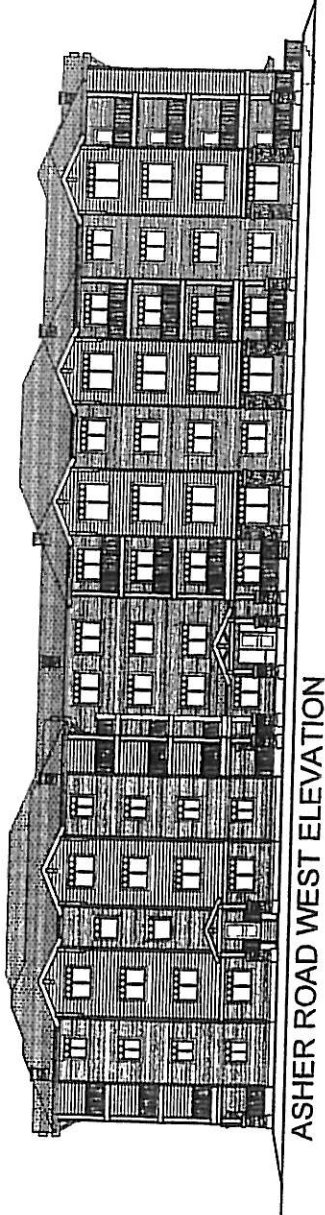
DRAWN BY:	CHECKED BY:
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DL	
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SCALE: 1 IN. = 100 FT.

PROJECT NO.: 2007-XX	DRAWING NO.:
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P2



Doug Lane  
water street architecture inc.  
1 member architectural association of british columbia  
p. 250.762.2235 f. 250.762.4584 e. wsa@stnwebz.ca  
suite 2 1552 water street, kelowna, bc v1y 1j7

PROJECT:  
McIntosh Property

DRAWING TITLE:  
ELEVATIONS

DRAWN BY: HQ	CHECKED BY: DL
DATE: AUGUST 13, 2007	SCALE: 1/8"=1'-0"
PROJECT NO.: 2007-XX	DRAWING NO.:

P5





**MacIntosh  
& Asher NE**  
Kelowna, BC

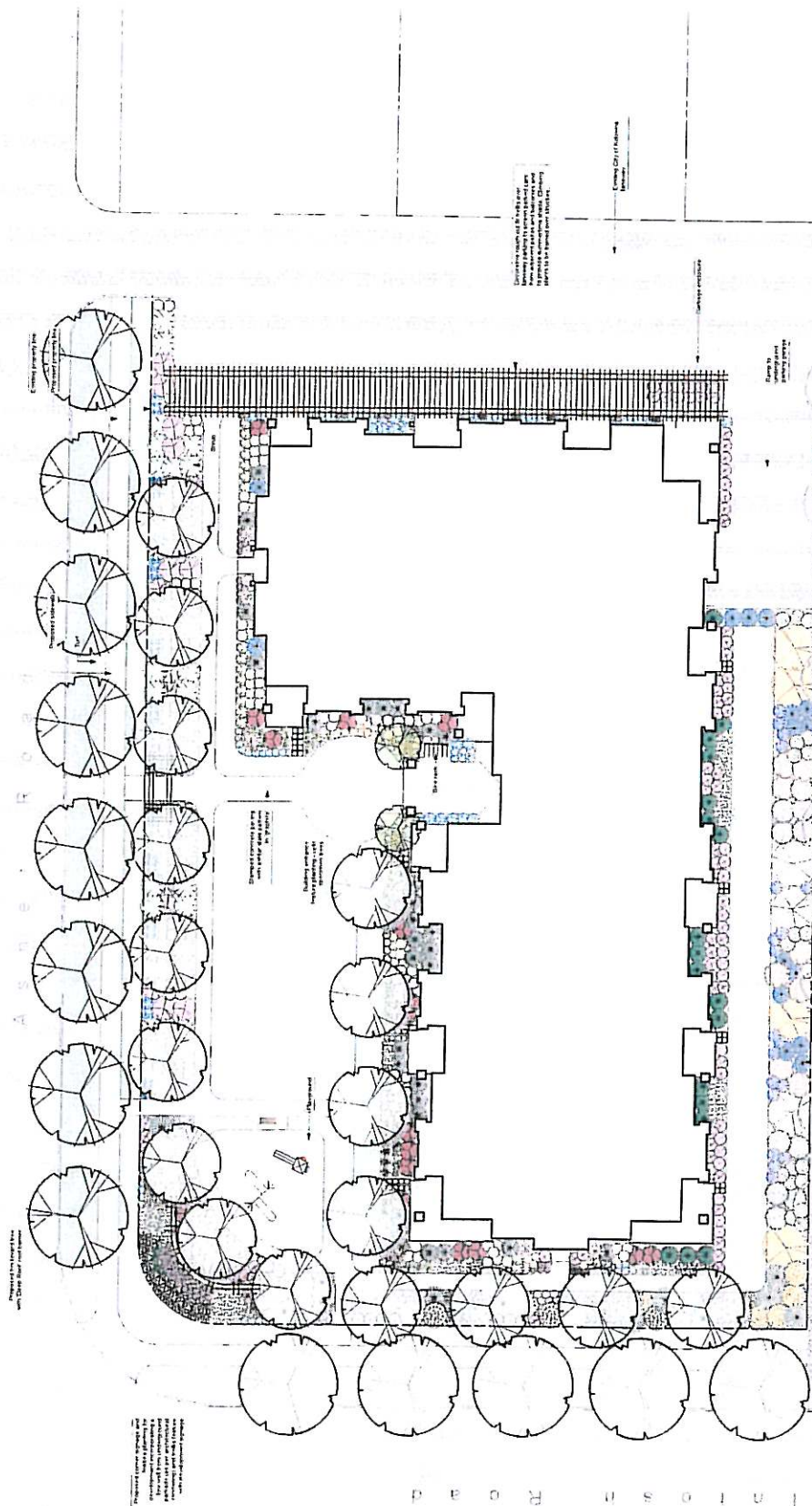
Issue / Revision:	
1	August 13, 07
2	January 18, 08
3	February 13, 08
4	February 25, 08
5	

Project No: 07-052  
Design By: TW  
Drawn By: SP  
Checked By: FC  
Date: Aug 13, 2013  
Scale: 1:150



**Outland Design**  
Landscape Architecture  
205-1889 Spall Road  
Kelowna BC V1Y 4R2  
Tel: (250) 868-9270  
Fax: (250) 868-9279  
[www.outlanddesign.ca](http://www.outlanddesign.ca)

**L.I.O.F.I**  
**Development Permit**  
**Landscape Plan**



# Drawing Notes

[illegible]

File: Z07-0078

Application

File: Z07-0078

Type: REZONING

File Circulation

Seq	Out	In	By	Comment
				B.C. Assessment Authority (info only)
	2007-09-11	2007-09-11		
				Canada Post
	2007-09-11	2007-12-10		No response.
				Community Development & Real Estate Mgr
	2007-09-11	2007-09-28	SALEXANC	Land Comments for Inclusion in Council Report: Please contact the Land Agent for road dedications over 20 metres in width, land dedications and land transfers to or from the City of Kelowna, road closures and road reserves. Depending on the type of land transaction being contemplated, the processing time can vary from 3 weeks to 3 months. The Land Department requires a full size copy, together with an 8 ? x 11 copy, of any survey plans.
				Fire Department
	2007-09-11	2007-10-19	MNEID	Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw. It appears hydrant water supply may be inadequate. Engineered fire flows required to determine if present hydrant location, number of hydrants, and hydrant volume will be adequate. Code analysis required stating type of occupancy and confirming Section 3.2.5 of the BC Building Code, 2006, are met (detail equivalencies, if any). No response
				FortisBC
	2007-09-11	2007-12-10		
				Inspections Department
	2007-09-11	2007-10-08	RREADY	Confirm fire fighting access as per BCBC 2006 3.2.5. ie: within 15 metres with Fire Dept.
				Irrigation District - RWW
	2007-09-11	2008-02-13		no response.
				Mgr Policy, Research & Strategic Plannin
	2007-09-11	2007-09-25		Comments too extensive for posting here. Please refer to related comments in email dated Sept. 25/07.
				Ministry of Transportation
	2007-09-11	2007-10-04		see file.
				Park/Leisure Services Dir. (info only)
	2007-09-11	2007-09-11		
				Parks Manager
	2007-09-11	2007-09-20	TBARTON	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.
				Public Health Inspector
	2007-09-11	2007-09-24		No comment
				RCMP
	2007-09-11	2007-12-10		No response
				School District No. 23
	2007-09-11	2007-12-10		No response
				Shaw Cable
	2007-09-11	2007-09-18		Owner/Developer to supply and install an underground conduit system per Shaw Cable drawings and specifications.
				Telus
	2007-09-11	2007-10-16		TELUS will provide underground facilities to this development. Developer will be required to supply and install conduit as per TELUS policy.
				Terasen Utility Services
	2007-09-11	2007-12-10		No response.
				Works & Utilities
	2007-09-11	2007-10-23		see comments under document tab



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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** October 16, 2007  
**File No.:** Z07-0078  
**To:** Planning & Development Services Department (CG)  
**From:** Development Engineer Manager (SM)  
**Subject:** 280 McIntosh Road – Lot 1, plan 6518, section 26, Township 26, ODYD

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The Works & utilities Department comments and requirements regarding this application are as follows:

**These are W. & U. initial comments and they may be subject to MOT requirements**

1. Subdivision
  - a) Consolidate the lots.
  - b) Dedicate approximately 2.50 m. along the McIntosh Road frontage to achieve an ultimate 20.0 m. road right of way.
  - c) Dedicate approximately 2.50 m. along the Asher Road frontage to achieve an ultimate 20.0m. road right of way.
  - d) Dedicate a 6.0m. radius at South-West corner of the property for the corner of McIntosh Road and Asher Road.
  - e) Dedicate a 3.0m. truncation at the North-West corner of the property for the corner of the lane and McIntosh Road.
2. Geotechnical Study.

A comprehensive Geotechnical Study is required, which is to be prepared by a Professional Engineer competent in the field of geotechnical engineering, the study is to address the following:

- a) Overall site suitability for development.
- b) Presence of ground water and/or springs.
- c) Presence of fill areas.
- d) Presence of swelling clays.
- e) Presence of sulfates.
- f) Potential site erosion.
- g) Provide specific requirements for footings and foundation construction.
- h) Provide specific construction design sections for roads and utilities over and above the City's current construction standards

3. Domestic water and fire protection.

This development is within the service area of the Rutland Waterworks District (RWD). The developer is required to make satisfactory arrangements with the RWD for these items. All charges for service connection and upgrading costs are to be paid directly to the RWD. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with current requirements for the zone currently applied for under this application.

A watermeter is mandatory as well as a sewer credit meter to measure all the irrigation water. Watermeters must be housed in an above-ground, heated, accessible and secure building, either as part of the main site buildings or in a separate building. Remote readers units are also mandatory on all meters.

4. Sanitary Sewer.

- a) The subject property is serviced by the Municipal wastewater collection system and is located within specified area #1.
- b) A new sanitary service, sized and conveniently located to accommodate the proposed development will be required. The redundant 100 mm. diameter service must permanently be disconnected. The cost of disconnecting the old service and installing a new service will be determined when an application for the new service is received by the City Inspection Services Department.

5. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual, is a requirement of this application. The drainage study should indicate the size and location of the ground recharge system. This plan can become part of the geotechnical study to identify possible ground recharge/detention areas.

6. Power and Telecommunication Services.

The subject property is located within the Rutland Town Centre. The services to this development and adjacent overhead distribution are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

7. Road improvements.

a) McIntosh Road

The applicant is responsible for the upgrade of McIntosh Road to a paved urban collector standard (SS-R5). The construction consists of curb, gutter and sidewalk, fillet paving, storm drainage works, removal and/or relocation of utilities as may be required, etc. The estimated cost for this work, for bonding purpose, would be **\$40,700.00**, inclusive of a bonding contingency (Utility poles relocation not included).



b) Asher Road

The applicant is responsible for the upgrade of Asher Road to a paved urban collector standard (SS-R5). The construction consists of curb, gutter and sidewalk, fillet paving, storm drainage works, removal and/or relocation of utilities as may be required, etc. The estimated cost for this work, for bonding purpose, would be **\$67,400.00**, inclusive of a bonding contingency (Utility poles relocation not included).

c) Lane

The applicant is responsible for the paving of the lane to current City standard complete with storm drainage and relocation of existing utilities if required. The estimated cost for this work, for bonding purpose, would be **\$35,900.00**, inclusive of a bonding contingency (Utility poles relocation not included).

8. Design and Construction.

- a) 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.
- b) 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.
- c) 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).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) 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.

9. Servicing Agreements for Works and Services.

- a) A Servicing Agreement is required for all offsite 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.
- b) 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.

10. Other Engineering Comments.

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.

- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development

11. DCC Credits.

None of the required improvements qualify for DCC credit consideration, as these upgradings are not identified in the current DCC schedules.

12. Bonding and Levies Summary.

a) Performance Bonding

McIntosh Road frontage upgrading	\$ 40,700.00
Asher Road frontage upgrading	\$ 67,400.00
Lane reconstruction	<u>\$ 35,900.00</u>

Total Bonding	<u><b>\$144, 000.00</b></u>
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Steve Muenz, P.Eng.  
Development Engineering Manager

BB