

Memo

DATE: June 25, 2010
TO: City Manager
FROM: Community Sustainability Division



APPLICATION: OCP10-0006 / Z10-0031 **OWNER:** Jasvinder & Navjot Kandola
656752 B.C. LTD., Inc. No. 656752
AT: 1045,1053, 1069 Laurier Avenue **APPLICANT:** GTA Tomporowski

PURPOSE: To amend the Official Community Plan (OCP) for the property located at 1069 Laurier Avenue from Commercial to Multiple Unit Residential - Low Density;

To rezone the subject properties from RU6 - Two Dwelling Housing to RM3 - Low Density Multiple Housing to accommodate 12 units within three separate 4-plex developments;

EXISTING OCP DESIGNATION: Multiple Unit Residential - Low Density & Commercial
PROPOSED OCP DESIGNATION: Multiple Unit Residential - Low Density

EXISTING ZONE: RU6 - Two Dwelling Housing
PROPOSED ZONE: RM3 - Low Density Multiple Housing

REPORT PREPARED BY: Alec Warrender

1.0 RECOMMENDATION

THAT OCP Bylaw Amendment No. OCP10-0006 to amend Map 19.1 of the *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of the east ½ of Lot 10, D.L. 138, ODYD, Plan 578 located at 1069 Laurier Avenue from the Commercial designation to the Multiple Unit Residential - Low Density designation, as shown on Map "A" attached to the report of the Land Use Management Department, dated June 25, 2010, be considered by Council;

THAT Council considers the APC public process to be appropriate consultation for the purpose of Section 879 of the *Local Government Act*, as outlined in the report of the Land Use Management Department dated June 25, 2010;

THAT Rezoning Application No. Z10-0031 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of the east ½ of Lot 11 shown on Plan B4050; D.L. 138, ODYD, Plan 578 located at 1045 Laurier Avenue, the west ½ of Lot 10, D.L. 138, ODYD, Plan 578 located at 1053 Laurier Avenue and the east ½ of Lot 10, D.L. 138, ODYD, Plan 578 located at 1069 Laurier Avenue, Kelowna, B.C. from RU6 - Two Dwelling Housing Zone to the RM3 - Low Density Multiple Housing Zone be considered by Council;

THAT the OCP Bylaw Amendment No. OCP10-0006 bylaw and the zone amending bylaw be forwarded to a Public Hearing for further consideration;

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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;

THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the registration of a plan of subdivision to consolidate the properties into one title.

2.0 SUMMARY

This application seeks to amend the OCP for the property located at 1069 Laurier Avenue from Commercial to Multiple Unit Residential - Low Density and to rezone the subject properties from RU6 - Two Dwelling Housing to RM3 - Low Density Multiple Housing in order to permit a total of three separate four-plex developments. A Development Variance Permit has been requested in order to vary the site coverage from 50% permitted to 66% proposed, a Development Permit has also been submitted in order to address the form and character of the proposed development.

3.0 ADVISORY PLANNING COMMISSION

At a meeting held on May 25th, 2010 the APC passed the following motion:

THAT the Advisory Planning Commission support Official Community Plan Amendment Application No. OCP10,0006, for GTA Arch. G. Tomporowski (NN & J Kandola); 1045, 1053 and 10689 Laurier Avenue, to amend the Official Community Plan from Commercial zone to Multiple Unit Residential - Low Density zone.

THAT the Advisory Planning Commission support Rezoning Application No. Z10-0031, for GTA Arch. G. Tomporowski (NN & J Kandola); 1045, 1053 and 10689 Laurier Avenue, to rezone from RU6 - Two Dwelling Housing zone to RM3 - Low Density Multiple Housing zone.

Anecdotal Comment

The Advisory Planning Commission noted that overall, this is a well thought-out development proposal to this transitioning area, and the permeable parking/paving is a credible solution to the site coverage. Parking accessed via the rear is also supported.

4.0 THE PROPOSAL

The purpose of this application is to rezone the subject properties from RU6 - Two Dwelling Housing to RM3 - Low Density Multiple Housing and to amend the Official Community Plan (OCP) for the property located at 1069 Laurier Avenue from Commercial to Multiple Unit Residential - Low Density in order to accommodate the development of three separate 4-plex developments. Although three separate four unit developments are proposed, the properties will be consolidated into one lot.

At present the subject properties are not served by a rear lane, and as such the applicant has proposed a private drive aisle to access the rear of the development and to screen the

parking behind the buildings. In order to accommodate the drive aisle and to screen the parking from the street the applicant is proposing to vary the site coverage from 50% permitted to 66% proposed. In order to help offset the site coverage variance, permeable pavers will be used for the parking area. The proposed colours and materials consist of two different stuccos, stone veneer and stained wood facia. A number of trees are proposed along the street frontage while a few trees will be located within the parking area.

The application compares to the requirements of Zoning Bylaw No. 8000 as follows:

CRITERIA	PROPOSAL	RM3 REQUIREMENTS
Site Area (m ²)	2848 m ²	900 m ²
Site Width (m)	68.6 m	30.0 m
Site Depth (m)	41.5 m	30.0 m
Development Regulations		
Floor Area Ratio (FAR)	0.5	0.5
Height (m)	6.9 m	9.5 m
Storeys (#)	2 storeys	2.5 storeys
Site Coverage (Building)	28%	40%
Site Coverage (Building, parking, driveway)	66% ¹	50%
Setbacks (m)		
- Front	4.5 m	4.5 m
- Rear	15.4 m	7.5 m
- Side (east)	4.5 m	4.5 m
- Side (west)	4.5 m	4.5 m
Private open space	350 m ²	300 m ²
Separation between principal buildings		
Separation between principal buildings	4.5 m	3.0 m
Parking Stalls (#)	24 stalls	24 stalls
Bicycle Parking	Class I - 12 spaces (In Unit) Class II - 2 spaces	Class I - 6 spaces Class II - 2 spaces

¹ Vary the site coverage from 50% permitted to 66% proposed

4.1 Site Context

The surrounding area has been developed with a variety of uses. The adjacent land uses are as follows:

Direction	Zoning Designation	Land Use
North	C9 - Tourist Commercial RU6 - Two Dwelling Housing	Commercial Residential
West	C9 - Tourist Commercial	Vacant lot
South	RU6 - Two Dwelling Housing	Residential
East	RU6 - Two Dwelling Housing	Residential

4.2 SUBJECT PROPERTY MAP:

1045,1053, 1069 Laurier Avenue



5.0 CURRENT DEVELOPMENT POLICY

Staff recommends that the APC public process should be considered appropriate consultation for the purpose of Section 879 of the *Local Government Act*, and that the process is sufficiently early and does not need to be further ongoing in this case. Furthermore, additional consultation with the Regional District of Central Okanagan is not required in this case.

Staff have reviewed this application and it may move forward without affecting either the City’s financial plan or waste management plan.

5.1 Official Community Plan - Housing Chapter 8

5.1.1 Housing Policies¹

Infrastructure Availability (8.30). Give preference to supporting new housing in areas where required services already exist or can be provided most economically and efficiently;

Land Utilization within Single Detached Areas (8.35). Work towards achieving more efficient use of land within developed single-detached neighbourhoods by encouraging rezoning, subdivision and building permit applications that would allow for smaller lot sizes, secondary

¹ Official Community Plan, Pages 8-6 – 8-7

suites, minor boarding facilities, minor group homes, duplexes etc. that are sensitively integrated into a neighbourhood;

Ground-Oriented Housing (8.38). Encourage the development of ground-oriented multiple unit housing as an affordable housing choice for the rental or ownership markets, including families with children, in those areas where Map 19.1 indicates necessary densities as being appropriate. Ground oriented housing is defined as housing where each dwelling unit has direct access to the unit and private open space at grade level;

Housing Variety (8.40). 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;

Integration (8.44). Encourage the sensitive integration of different housing forms in the various sectors of the City, in support of neighbourhood diversity and healthy communities;

5.1.2 Objectives for Multiple Unit Residential Development²

- 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.
- All development should contribute to a sense of community identity and sense of place (integration of development within larger community, belonging).
- 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).

6.0 TECHNICAL COMMENTS

6.1 Building & Permitting

1. Potential spatial issues between buildings that may affect the amount of unprotected openings. This may affect the form and character of the buildings from the sides only. The designer to provide spatial calculations at time of building permit application.
2. Architectural drawings for building permit require a code analysis. Also required on the drawings are details on the fire separations between units along with the rating(s) of the man doors at time of building permit application.

6.2 Development Engineering Branch

See Attached.

6.3 Fire Department

Visible addressing for each unit is required from Laurier Ave. No parking signs are to be provided along the access lane

² Official Community Plan, Page 8-13

7.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

Two of the subject properties (1045 and 1053 Laurier) are designated as Multiple Unit Residential (Low Density) (MRL) which supports "buildings containing three or more residential units." The proposed development of fourplexes falls within this designation. The third property, 1069 Laurier, is designated Commercial. However, Staff are supportive of changing the future land use designation from Commercial to Multiple Unit Residential - Low Density, as the future land use designation of Commercial was assigned to support commercial use along Gordon Drive. Revising this to Multiple Unit Residential - Low Density continues to support the overall infill redevelopment of this transitioning area.

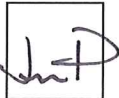
The project introduces a sympathetic height profile that is sensitively integrated into the existing residential neighbourhood. A project of this nature could act as a catalyst for similar projects in the future. The proposed design is sympathetic to an area with a transitioning land use from residential to commercial. As the project is located within the Capri Village Centre there are a number of amenities within walking distance.

The separation of the project into three buildings reduces the massing of the development. The proposed colours and materials are of a high quality and will fit well within the neighbourhood. The proposed development has a modern architectural style that will maintain a strong residential character as this neighbourhood transitions. The private open space will be located on the private decks. In conjunction with the overall form and character of the buildings, the result is a pleasingly residential feel.



Danielle Noble
Manager, Urban Land Use

Approved for inclusion:



Jim Paterson
General Manager, Community Sustainability

Attachments:

Subject Property Map
Site Plan
Elevations
Landscape Plan
Applicant's Letter of Rationale

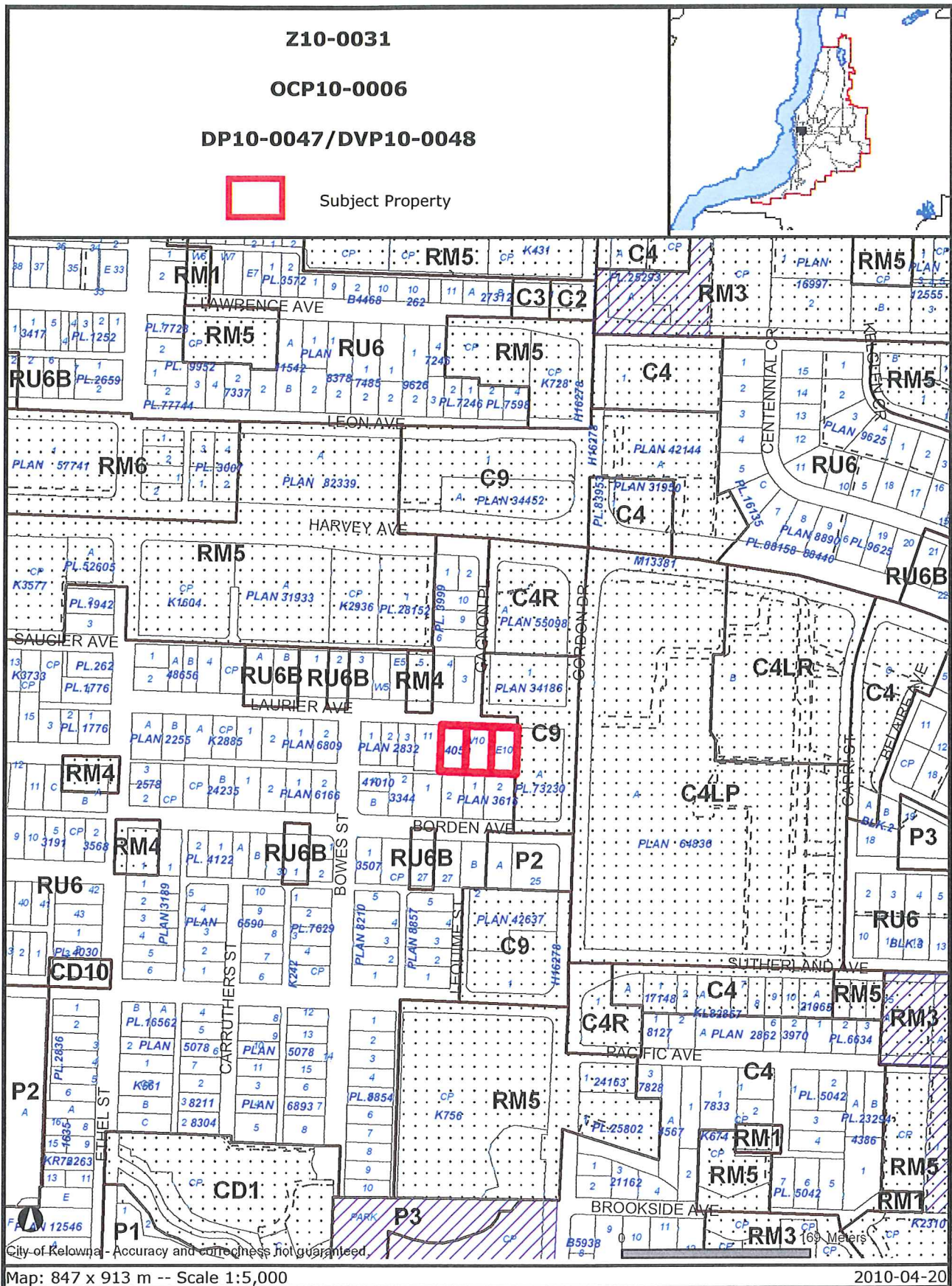
Date Accepted: April 21st, 2010



MAP "A"

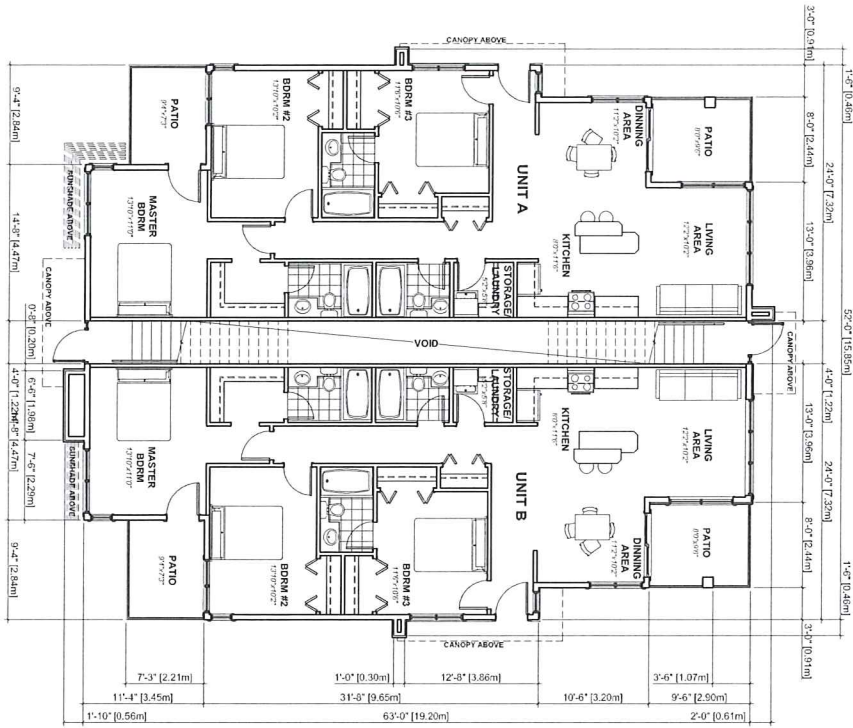


Subject Property to have Future Land Use designation changed from "COMMERCIAL" to "MUTIPLE UNIT RESIDENTIAL – LOW DENSITY"

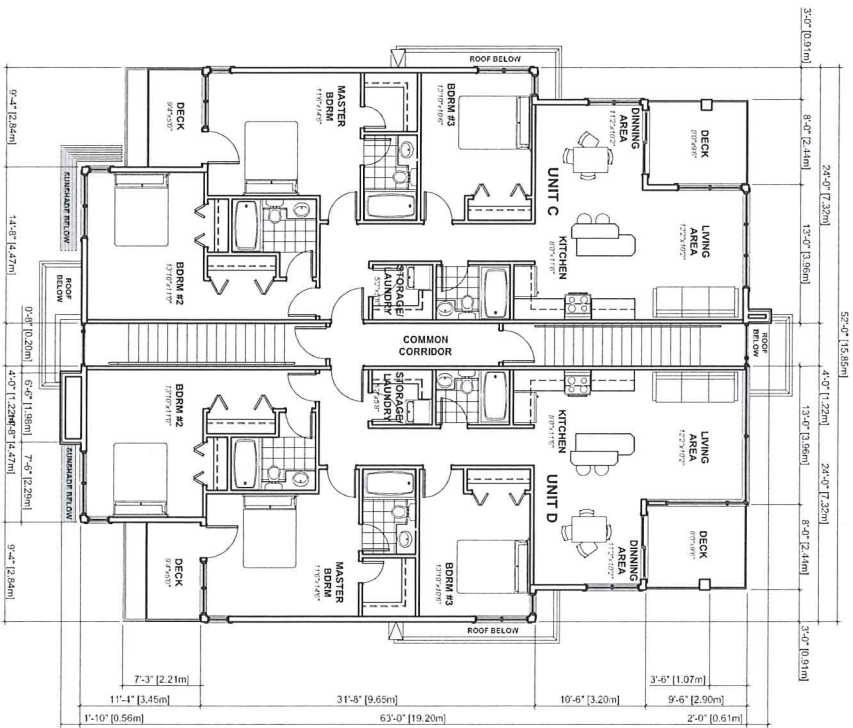


City of Kelowna - Accuracy and correctness not guaranteed

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.



1 MAIN FLOOR PLAN - TYPICAL BLDG A, B, & C
SCALE: 3/8"=1'-0"



2 2ND FLOOR PLAN - TYPICAL BLDG A, B, & C
SCALE: 3/8"=1'-0"



DATE	DESCRIPTION
30 APR 2010	AS NOTED
30 APR 2010	FILE A10-D

A2.0

FLOOR PLANS

1 LAUNIER AVE.
4 FLEXES
KELOWNA, BC



Gentry Temporelli Architects Ltd.

242-1188, Courtenay Rd
V1Y 5S2, Kelowna, BC
Tel: 250/793-6266
www.gta.ca

DEVELOPMENT PERMIT & ZONING DRAWINGS NOT FOR CONSTRUCTION

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- REVIEW ALL DIMENSIONS AND NUMBER OF SHEETS.
- REVISIONS AND AMENDMENTS ARE NOT PERMITTED WITHOUT THE ARCHITECT'S PERMISSION.
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CITY OF KELOWNA
MEMORANDUM

Date: June 14, 2010
File No.: Z10-0031,
To: Land Use Management (AW)
From: Development Engineering Manager
Subject: Proposed -Three 4 unit Multi Residential Complexes
Lots W10, E10 PL 578, PL B4050 – 1045, 1053, 1069 Laurier Ave

The Works & utilities Department comments and requirements regarding these applications and to rezone from RU6 to RM3 are as follows:

1. Domestic Water and Fire Protection

- (a) The existing 150mm-diameter water distribution and fire protection system fronting this proposed development is not sufficient to support the proposed development.
- (b) Replace the existing watermain on Laurier Avenue with a 200mm diameter from the existing reducer, west of the hydrant near Gordon Drive, to the westerly property boundary of this development and install a hydrant assembly at this location. The estimated cost of this work for bonding purposes is \$34,800.00
- (c) The proposed development site is serviced with three 13mm diameter water services. The developer must engage a consulting mechanical engineer to determine the domestic and fire flow requirements of this development. Only one water service is permitted. Decommissioning and removal of unused water services will be at the applicant's cost. The estimated cost of this work 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) City of Kelowna water will be used for on-site irrigation and within the fronting road boulevards. After the site is connected to City of Kelowna sanitary sewer, a "irrigation sewer credit meter" must also be purchased from the City and installed on the irrigation branch line. This development will have to be billed for sewer-use as a commercial account. (Sewer-use charge by metered consumption).

2. Sanitary Sewer

- (a) The proposed development site is serviced with three 100mm-diameter sanitary services. The developer's consulting mechanical engineer will determine the requirements of this development.
- (b) Only one sanitary service is permitted and all unused services must be removed by City forces at the applicant's cost. A larger sanitary sewer service will likely be

required, and can be provided at the owner's cost. The estimated cost of this work for bonding purposes is \$7,000.00.

3. Storm Drainage

- (a) 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 drainage study should indicate the size and location of detention and treatment facilities.
- (b) Provide a lot grading plan identifying the minimum basement elevation (MBE), on-site drainage containment and disposal systems Storm drainage systems for the site will be reviewed and approved by Engineering when a site servicing design is submitted.

4. Road Improvements

- (a) Laurier Avenue fronting this development must be upgraded to a full urban standard (SS-R7) modified to include a barrier curb and gutter complete with monolithic sidewalk, landscaped boulevard, fillet pavement, storm drainage system from the center of Gagnon Place to the west end of the subject property and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction
- (b) The estimated cost of the road frontage improvements for bonding purposes is \$48,100.00, which includes a bonding escalation.

5. 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 is required.

6. Electric Power and Telecommunication Services

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

Ornamental street lighting including underground ducts has been installed on the road fronting on the proposed development. It may be necessary to relocate or adjust the light standard. The cost of this requirement will be at the applicant's cost.

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. Geotechnical Report

As a requirement of this application and building permit approval the applicant must provide a comprehensive geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics, including water sources on the site.
- (b) Site suitability for development; i.e. unstable soils, foundation requirements etc.
- (c) Drill and/or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse 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.
- (e) Additional geotechnical survey may be necessary for building foundations, etc.

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. Bonding and Levy Summary

Bonding

Watermain upgrade	\$ 34,800.00
Road frontage improvements	\$ 48,100.00
Service upgrades	\$ 12,000.00
Total Bonding	<u>\$ 94,900.00</u>

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 4th reading of the zone amending bylaw, 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.

12. Development Permit and Site Related Issues

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

- (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.

13. Latecomer Protection

Under provisions of the City of Kelowna Subdivision Development & Servicing Bylaw No. 7900, the owner is eligible to apply for latecomer protection for the following:

- (a) Laurier Ave watermain upgrades
- (b) Laurier Ave Storm sewer Main

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, not including design. 5% GST will be added.

Steve Muenz, P. Eng.
Development Engineering Manager
DC