

# REPORT TO COUNCIL



**Date:** June 11, 2018

**RIM No.** 0940-00

**To:** City Manager

**From:** Community Planning Department (LK)

**Application:** DP17-0096      **Owner:** Urban Park Townhomes  
Development Ltd., Inc. No.  
BC1119805

**Address:** 500 Fleming Road      **Applicant:** New Town Services

**Subject:** Development Permit

Existing OCP Designation:      MRM – Multiple Unit Residential (Medium Density)

Existing Zone:      RU1 – Large Lot Housing

Proposed Zone:      RM4 – Transitional Low Density Housing

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## 1.0 Recommendation

THAT Rezoning Bylaw No. 11486 be amended at third reading to revise the legal description of the subject properties from Lot 1 Section 27 Township 26 ODYD Plan 10847 except Plan A12943, Lot A Section 27 Township 26 ODYD Plan KAP79327 and Lot B Section 27 Township 26 ODYD Plan KAP79327 to Lot 1 Section 27 Township 26 ODYD Plan EPP77221;

AND THAT final adoption of Rezoning Bylaw No. 11486 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP17-0096 for Lot 1 Section 27 Township 26 ODYD Plan EPP77221, located at 500 Fleming Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in 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 Registered Landscape Architect;

AND THAT Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated June 20, 2017;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

## **2.0 Purpose**

To consider the form and character of a 36-unit townhouse development on the subject property.

## **3.0 Community Planning**

Community Planning Staff supports the proposed 36-unit townhouse development. The application meets the Official Community Plan (OCP) Urban Design Guidelines and the design is appropriate for the area and the context of the site. The proposal also meets many of the OCP's Urban infill objectives and it meets all of the Zoning Bylaw Regulations for the RM4 – Transitional Low Density Housing zone and does not trigger any variances. A key feature of the development is the provision of ground oriented units along both Fleming and Leathead road frontages with entry doors facing onto the street.

## **4.0 Proposal**

### **4.1 Background**

The subject development consisted of three separate properties which have been consolidated into a single parcel. The existing single family dwellings are in varying states of disrepair. These structures would be demolished to accommodate the new development.

### **4.2 Project Description**

The proposed strata development consists of 36 three-storey townhouse units with attached garages. There will be a total of five buildings: 3 eight-unit buildings and 2 six-unit buildings. All units are 3-bedrooms, have private amenity space in the form of balconies and patios and all on-site parking requirements are met. The single site access is provided from Fleming Road at the south end of the development with the private road extending down the middle of the site to provide access to the private garages.



The site is a corner parcel which allows the development to have ground-oriented units facing onto both Leathead and Fleming Roads rather than being oriented to the interior of the site. The buildings have been designed with an earth toned colour

palette that utilizes hardie panels for the exterior finish. Wood grained hardie panels have been added as accents to lend a warmth to the exterior finishing. The large windows and façade articulation present a more visually pleasing streetscape. Each unit has a landscaped patio area with low-height decorative fences to delineate the private space from the public street. The units have prominent entries with walkways leading to the street frontage, which provides a welcoming, human-scaled streetscape.

Pedestrian connectivity is provided within the development with pathways across the site connecting to the streets. The interior buildings have a walkway along the west property line providing a pedestrian connection to Leathead Road. Shared garden and composting areas have been located in both the northwest and southwest corners of the development and garbage and recycling are situated adjacent to the south shared garden area. There are two interior courtyards situated in the centre of the site which provide generous plantings and seating areas for the use of the residents.

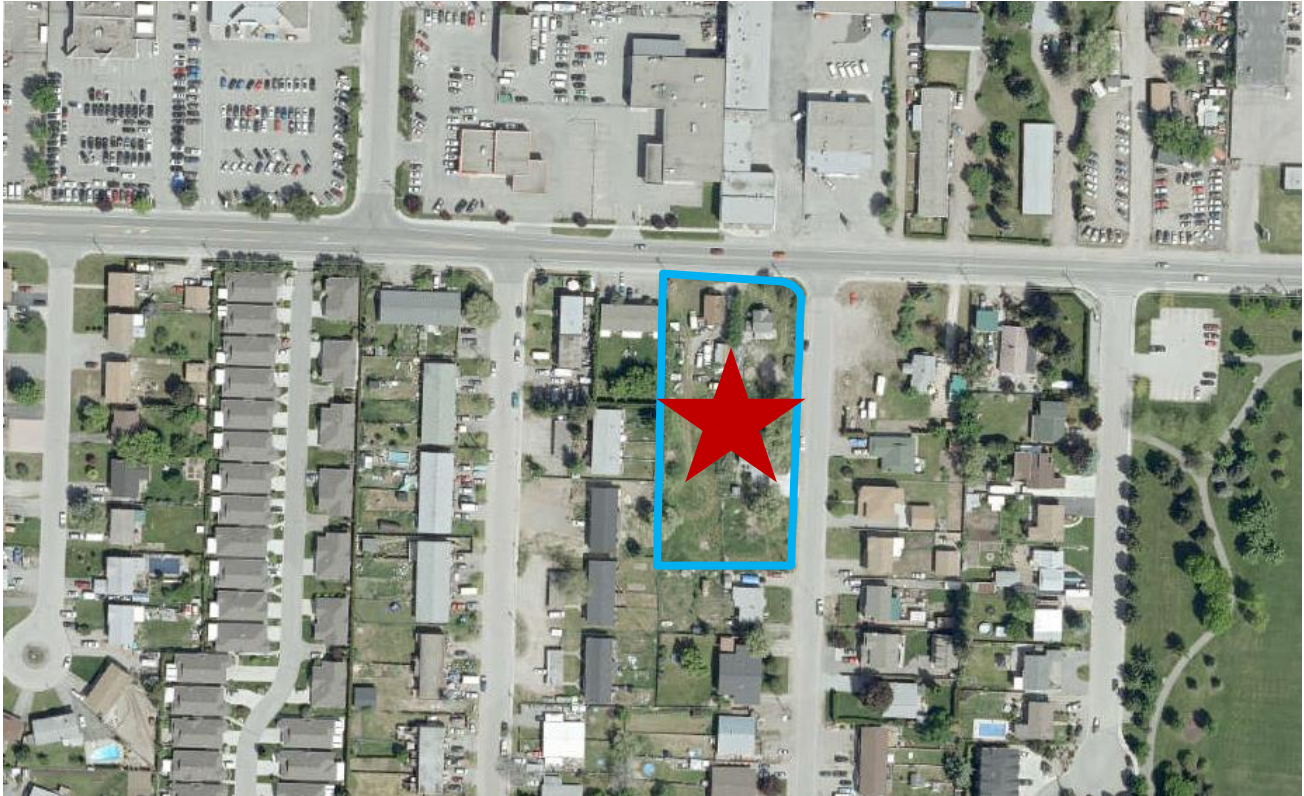
4.3 Site Context

The property is located within the Permanent Growth Boundary in the Rutland neighbourhood at the intersection of Leathead and Fleming Roads. Ben Lee Park is located one block east of the subject parcel.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I2 – General Industrial C10 – Service Commercial	Automotive Repairs Commercial Uses
East	RU1 – Large Lot Housing	Single Dwelling Housing
South	RU1 – Large Lot Housing RU6 – Two Dwelling Housing	Single & Duplex Housing
West	RM3 – Low Density Multiple Housing	Multiple Dwelling Housing

**Subject Property Map:**



**4.4 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	RM <sub>4</sub> ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	900 m <sup>2</sup>	5329 m <sup>2</sup>
Lot Width	30 m	47.9 m
Lot Depth	30 m	111 m
Development Regulations		
Floor Area Ratio	.85	.83
Site Coverage (buildings)	50%	40%
Site Coverage (buildings, driveways & parking)	60%	60%
Height	13.0 m or 3 storeys	9.45 m & 3 storeys
Front Yard	6.0 m	6.0 m
Side Yard (east)	4.5 m	4.5 m
Side Yard (west)	4.5 m	4.5 m
Rear Yard	9.0 m	9.0 m
Other Regulations		
Minimum Parking Requirements	72 stalls	75 stalls
Private Open Space	900 m <sup>2</sup>	2200 m <sup>2</sup>

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Complete Communities.**<sup>1</sup> Support the development of complete communities with a minimum intensity of approximately 35-40 people and/or jobs per hectare to support basic transit service – a bus every 30 minutes. (approx. 114 people / hectare proposed).

**Compact Urban Form.**<sup>2</sup> Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

**Sensitive Infill.**<sup>3</sup> Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

**Healthy Communities.**<sup>4</sup> Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Demolition Permit required for any existing structures
- A third party work order may be required with the Development Engineering Department for an upgraded water line and sewage connection. These requirements are to be resolved prior to issuance of the Building Permit.
- A Mechanical room independent from the units is required for the water service to enter prior to being piped to the independent units.
- Separate and independent heating systems are required for each unit. These heating units may be required to vent thru the roof depending on distances to windows and air inlets to the building. We recommend that the location of any Air conditioners are to be established at this time due to setback limitations.
- HPO (Home Protection Office) approval or release is required at time of Building Permit application.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. Minimum building elevations are required to be established prior to the

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.2.4 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).

release of the Development Permit. If a soil removal or deposit permit is required, this must be provided at time of Development Permit application.

- Fire Department access to site, turn a rounds requirement for equipment, travel distance from the truck access to the front doors of the units and private hydrant locations if required are too be verified with Kelowna Fire Department. The Fire truck is required to be able to drive up to access the front door(s) within a range of 3 meters to 15 meters on an unobstructed hard surface path.
- A Hoarding permit is required and protection of the public from the staging area and the new building area during construction. Location of the staging area and location of any cranes should be established at time of DP.
- The drawings submitted for Building Permit application are to indicate the method of fire separation between the units.
- Range hood above the stove and the washroom to vent separately to the exterior of the building. The size of the penetration for this duct thru a fire separation is restricted by BCBC 12, so provide size of ducts and fire separation details at time of Building Permit
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this complex at time of permit application

#### 6.2 Development Engineering Department

- Refer to attached memo dated June 20, 2017.

#### 6.3 Fire Department

- Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template available online at Kelowna.ca
- Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900 - 150 L/sec required. Should another hydrant be required on this property it shall be deemed private and shall be operational at the start of construction.
- Fire Department access is to be met as per BCBC 3.2.5.- ensure the hammerhead is large enough to turn around if over 90 metres - maintain access for emergency response.
- All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met.
- One address off of Fleming Rd (Main access) with unit numbers for this complex.
- Dumpster/refuse container must be 3 meters from structures or overhangs.

#### 6.4 Fortis BC - Electric

- There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Fleming and Leathead Roads. Based on the plans submitted, it is unclear whether adequate space has been provided to accommodate the transformation required to service the proposed development. It is recommended that FBC(E) be contacted as soon as possible to determine servicing and land rights requirements for the proposed design. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

6.5 BMID- Irrigation District

- Refer to Attachment B.

7.0 **Application Chronology**

Date of Application Received: May 1, 2017

Date Public Consultation Completed: May 3, 2017

**Report prepared by:** Lydia Korolchuk, Planner

**Reviewed by:** Terry Barton, Urban Planning Manager

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager

**Attachments:**

Attachment A: Development Engineering Memorandum

Attachment B: Draft Development Permit – DP17-0096

Schedule A: Site Plans

Schedule B: Conceptual Elevations, Finish Schedule & Renderings

Schedule C: Landscape Plan