

REPORT TO COUNCIL



Date: April 4, 2016
RIM No. 1250-30
To: City Manager
From: Community Planning Department (TY)

Application: OCP15-0019 Z15-0065 **Owner:** Strandhaus Developments Inc., Inc.No. BC1005533
Address: 990 Guisachan Road **Applicant:** Strandhaus Developments Inc.
Subject: Official Community Plan Amendment & Rezoning Application

Existing OCP Designation: EDINST - Educational/Major Institutional
Proposed OCP Designation: MRL - Multiple Unit Residential (Low Density)
Existing Zone: RU1 - Large Lot Housing
Proposed Zone: RM3 - Low Density Multiple Housing

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP15-0019 to amend Map 4.1 in the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of Lot 1 District Lot 136 ODYD Plan 1470 AND Lot 2 District Lot 136 ODYD Plan 1470, located at 990 Guisachan Road, Kelowna, BC from the EDINST - Educational/Major Institutional designation to the MRL - Multiple Unit Residential (Low Density) designation, be considered by Council;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the *Purpose* of Section 879 of the *Local Government Act*, as outlined in the Report from the Community Planning Department dated April 4, 2016;

AND THAT Rezoning Application No. Z15-0065 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 District Lot 136 ODYD Plan 1470 AND Lot 2 District Lot 136 ODYD Plan 1470, located at 990 Guisachan Road, Kelowna, BC from the RU1 - Large Lot Housing Zone to the RM3 - Low Density Multiple Housing zone, be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated April 4, 2016;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the lot consolidation of the subject properties;

2.0 Purpose

To amend the Official Community Plan to change the OCP Future Land Use designation to MRL and to rezone the subject property to the RM3 zone to facilitate a five unit multi family dwelling on the subject properties.

3.0 Community Planning

Community Planning supports the OCP Amendment and Rezoning Application as the proposed development will see the addition of five multiple family dwelling units to a neighbourhood that is centrally located between three Urban Centres and in close proximity to Guisachan Village Centre.

Subject Property Map: 990 Guisachan Road



3.1 Official Community Plan

The unique location of the subject properties includes a north and west property line that is shared with Interior Health's Cottonwoods Care Facility, the east property line runs along a City of Kelowna owned lane and the south of the property fronts Guisachan Road.

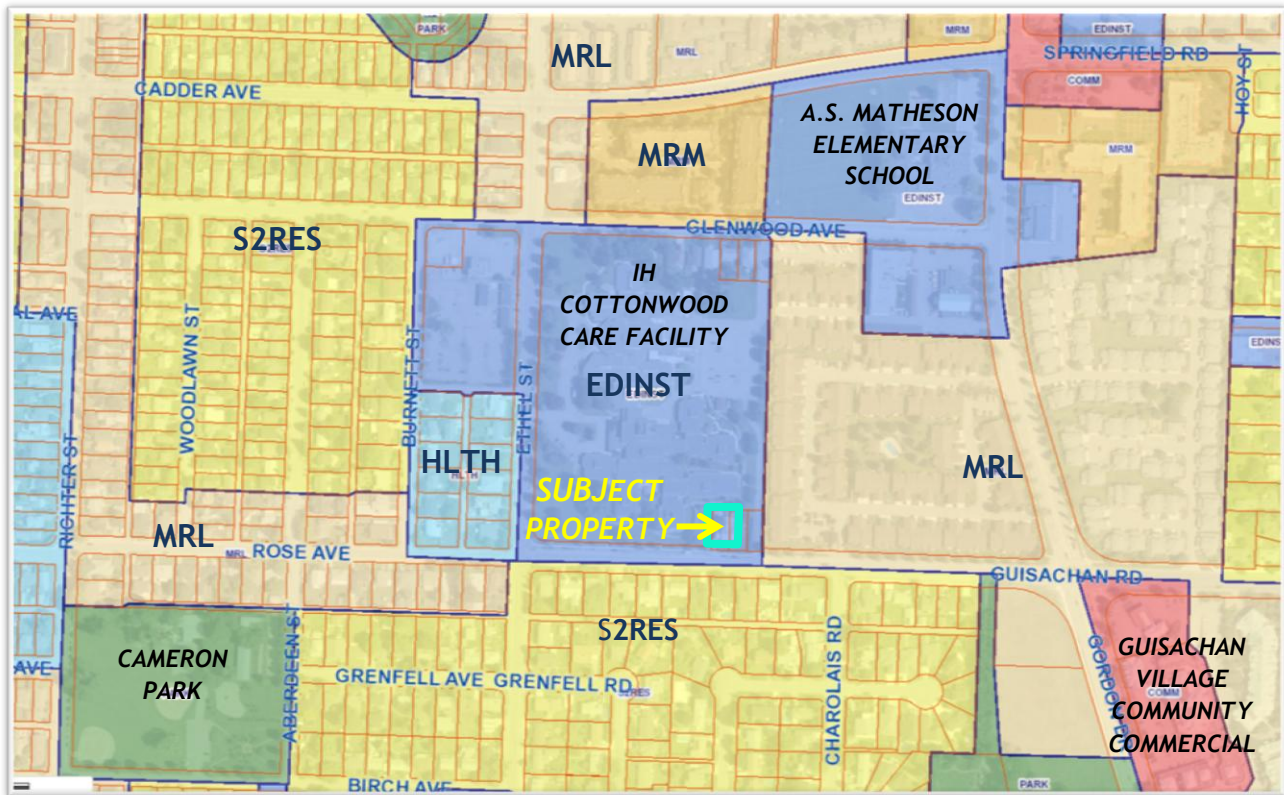
The existing Future Land Use of EDINST Educational/Major Institutional seeks to provide public services to Kelowna such as schools, university, colleges, correctional facilities hospitals, etc. The intent of the institutional land use designation was to provide a future opportunity to Interior Health for the comprehensive expansion and possibly consolidation of their facility (a P2 Zone property).

The previous land owners indicated that they were in contact with Interior Health Authority (IHA), and that IHA was not interested in purchasing the subject parcels.

As the original plan to consolidate the lots with the Interior Health property is reportedly no longer an option being considered by IH; The two subject parcels on their own do not lend themselves well to a stand alone Institutional development due to the total area available for development (appx 998 m² after road dedication). A development fitting the P2 zone of the public or institutional nature would require substantial height and parking variances to fulfil a role in a true educational or major institutional development.

When considering appropriate use of unique parcels such as these, Staff consider the surrounding Future Land Use and regional context. The surrounding neighbourhood represents a number of Future Land Use designations. Residential exists in the form of single/two unit dwellings to the south, and low density multiple family dwellings to the east. Taking the surrounding residential uses and the lot size into consideration, Staff are recommending to Council an OCP amendment to residential, the same designation that exists to the east. The applicant is proposing five townhome dwellings in a manner that meets Kelowna’s OCP goals for achieving density in a sustainable manner.

Figure 1: Future Land Use Map 990 Guisachan



The proposed development would help achieve Kelowna’s Official Community Plan goals of:

- **Growth Projections:**¹ Kelowna’s OCP New Housing Distribution seeks to see 1,150 Multiple Unit homes in the South Pandosy Area by 2030.
 - As of December 2015 City has issued only 180 permits for Multiple Family Dwelling Units in the South Pandosy Area.

¹ City of Kelowna Official Community Plan, Table 3.5 (Growth Projections Chapter).

- **Focusing development to designated growth areas:**² Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns.
 - This property is fully serviced with water, sewer, waste management, snow removal, and adjacent pedestrian boulevards.
 - This will be done by increasing densities within a 400 metre walking distance of transit stops is required to support the level of transit service.³
 - BC Transit - Gordon Dr bus route which runs every 15 minutes during peak times of the day.

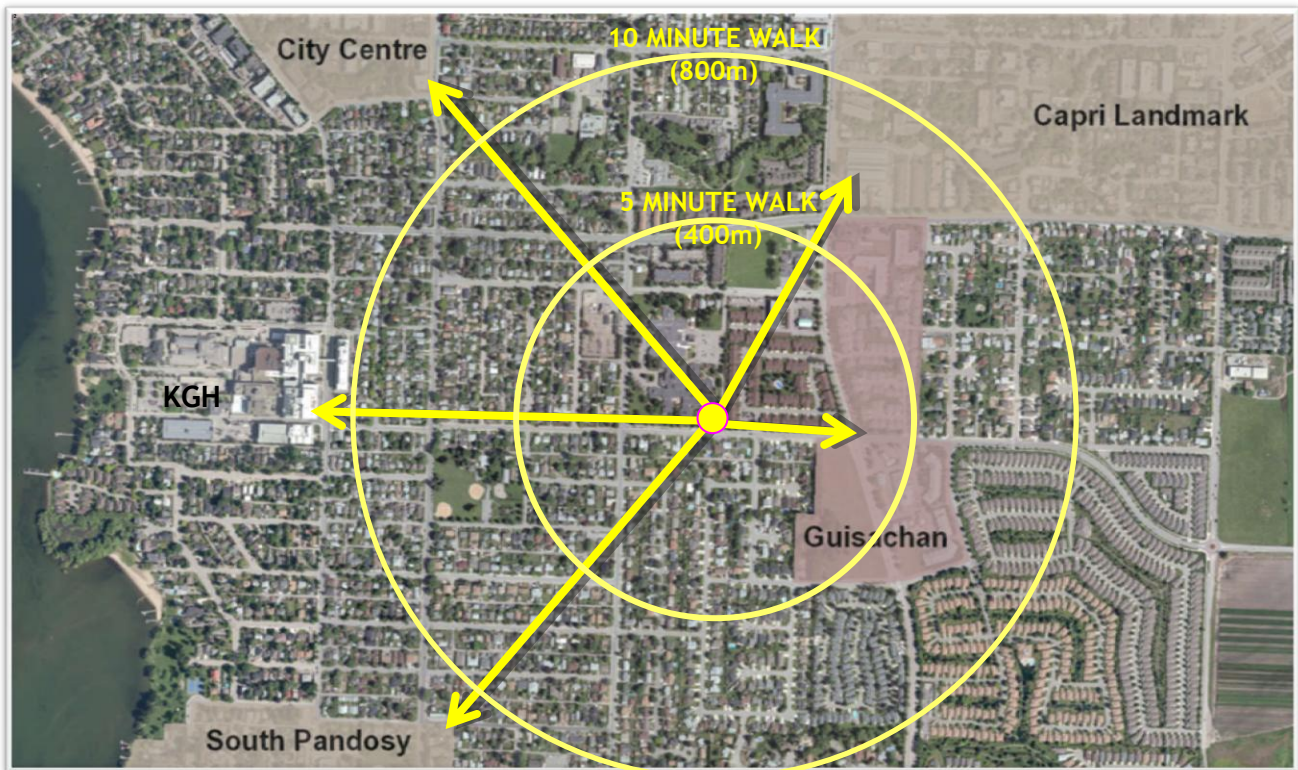
The trend of reducing house sizes is one that Staff supports in the City Core. This development allows for 172 m² living space with 35 m² of private open space on only 189 m² of land.

3.2 Rezoning

The applicant is proposing a development that would create a five unit, three storey multiple unit building. The proposed design is shown in the attached conceptual architectural plans. Achieving 5 units on the two subject properties currently zoned RU1- Large Lot Housing fulfills several City policy objectives. The subject properties are located within 400 m of a village centre (Guisachan) which has a wide range of C3 - Community Commercial amenity opportunities.

There is potential for a live/work/play opportunity on the subject property as the property is situated central (appx 900 m) to City Centre, Capri Landmark and South Pandosy Urban Centres as well as Kelowna General Hospital.

Figure 2: Proximity to Services 990 Guisachan



² City of Kelowna Official Community Plan, Objective 5.3.1 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Objective 5.3.2 (Development Process Chapter).

3.3 Public Notification

As per Council Policy 367, the applicant completed Public Notification & Consultation in the form of neighbourhood circulation within 50 m of the subject properties and a Public Information Session.

- Circulated information to neighbours January 20, 2016.
 - No written correspondence was submitted to the City of Kelowna
- Held Public Information Session February 26, 2016 at 2250 Abbott Street. Approximately 7 people attended, 4 of whom lived in the neighbourhood.
Comments included:
 - (2) Interest in buildings up to 10 m in height
 - Interest in buildings up to 16.5 m in height
 - (2) Interested in buildings up to 22 m in height
 - (5) Agreement that the RM3 zone is an appropriate transition on this unique site
 - (5) A 3 Bedroom residential unit is needed in the area

4.0 **Proposal**

4.1 Background

The two subject properties share the same address and currently have one 1960s single family dwelling constructed across the two lots. The property is surrounded on the north and west sides by Interior Health Authority Cottonwoods Care Centre, a lane to the care centre exists to the east. The previous owner made efforts to contact Interior Health to inquire about possible interest from IH to purchase the property for IH future development, as the consolidation with the existing cottonwoods facility would best align with the FLU EDNST. This was unsuccessful and the property was put up for sale. The current owner wishes to remove the existing dwelling, consolidate the lots and construct a five dwelling, three storey building. The applicant wishes to complete a Party Wall agreement subdivision after construction, creating five RM3 freehold lots.

4.2 Project Description

The building will consist of two storeys of living space, the third storey portion of the building is five individual stairwells that access five individual rooftop patios. The third storey rooftop patio access (stairwell) is set back 8.5 m from the front of the building. On each side of the building the third storey portion of the rooftop access is set back 4.0 m. After construction, the applicant is proposing to subdivide each dwelling parcel under the RM3 Zone requirements.

4.3 Bonus Options in the RM3 Zone

Zoning Bylaw No. 8000 as directed in Kelowna’s OCP incorporates incentives in the form of increase in site coverage or FAR for innovative use of amenity areas and permeable paving. This development application utilizes a number of the bonus options in the RM3 zone.

- FAR maximum is 0.75
 - If a development has at least 75% of on-site parking under habitable area, FAR increases by 0.05.
 - ✓ All parking is provided in attached garages, this development FAR is 0.80 maximum.
- Site coverage maximum for all buildings is 40%
 - If a development has private open space provided in the form of a deck, patio, balcony or rooftop patio which exceeds the bylaw requirement by 10%, the site coverage may increase to 50%
 - The minimum private open space for this development is 25 m². A 10% = 27.5 m².
 - ✓ Each dwelling unit is provided a total of 35 m² of private open space, this development may utilize a maximum of 50% of the site for buildings.
- site coverage maximum for all buildings, driveways & parking areas is 60%
 - If drive surfaces and parking are in the form of permeable surfaces, site coverage may be increased to 65%
 - ✓ All driveway area on the development is an engineered permeable paving system, this development may utilize 65% of the site for buildings and driveways.

4.4 Variance

The proposed application triggers three variances as identified in the Zoning Analysis Table in this report. The RM3 zone allows for a maximum site coverage of 50% for buildings, the proposed building covers 52% of the site. The second and third variance requests are due to the building extending into the required side yard setbacks. The building is oriented with a large front yard setback however the applicant is seeking a variance to the minimum setback for both the west and east side yards. The minimum distance on the west side of the property is 4.0 m, the building is proposed at a 0.75 m setback. The minimum distance on the east side of the property is 1.2 m, the building is proposed at a 0.9 m setback. Should Council support the OCP and Rezoning application, a Development Permit and Development Variance Permit application will come before Council for consideration.

4.5 Site Context

The subject properties are located on the north side of Guisachan Road, between Ethel Street and Gordon Drive. The properties have adjacent future land uses of MRL, EDINST on adjacent property lines and S2RES across Guisachan Road. The current Future Land Use of the properties is EDINST, and the current zone is RU1 - Large Lot Housing zone. The parcels are within the Permanent Growth Boundary.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P2	Cottonwoods Care Facility
East	RM2	Gated Community
South	RU1	Single Family Dwelling
West	P2	Cottonwoods Care Facility

4.6 Zoning Analysis Table 990 Guisachan Rd Represented as One Consolidated Lot

Zoning Analysis Table as per Zoning Bylaw No. 8000		
All Calculations are based on Site Area Prior to Road Dedication		
CRITERIA	RM3 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	900 m ²	1,077.7 m ² before dedication 983.2 m ² after dedication
Lot Width	30.0 m	30.4 m
Lot Depth	30.0 m	35.3 m before dedication 32.3 m after dedication
Development Regulations		
Floor Area Ratio (FAR)	0.75	Shown Below
<i>Bonus - min 75% of parking in garage, may increase + 0.05</i>	0.80	861 m ² 0.80
Site Coverage of Buildings	40%	Shown below
<i>Bonus - If private open space exceeds bylaw by 10% may increase by 10%</i>	50%	52 % ❶
Site Coverage of buildings, driveways and parking	60%	Shown Below
<i>Bonus -permeable drive surfaces and parking, may increase + 5%</i>	65%	65 %
Height	10.0 m or 3 storeys	8.7 m / 3 storeys
Front Yard	1.5 m (front door facing the street)	6.4 m before dedication 3.4 m after dedication
Side Yard (west)	4.0 m	0.75 m ❷
Side Yard (east)	1.2 m	0.9 m ❸
Rear Yard	7.5 m	8.0 m
Other Regulations		
Minimum Parking Requirements	2 spaces per dwelling unit	2 spaces per dwelling unit
Bicycle Parking	n/a	n/a
Private Open Space	25 m ² / unit 28 m ² / unit to qualify for 50% site coverage	19.5 m ² at grade 15.5 m ² on rooftop patio 35 m ² Total / unit
❶ Indicates a requested variance to maximum allowable site coverage of buildings		
❷ & ❸ Indicates a requested variance to the minimum setback of a building from a side property line		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.⁴ 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 City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

Housing Mix.⁵ Deliver services and infrastructure and create financial structures that will support the aim of having 57% of new housing units in the form of townhouses and apartments.

Ease of Movement.⁶ Ensure that pedestrians, bicyclists and transit users can move about pleasantly and conveniently and that they are not unduly impeded in their movements by provisions for enhanced automobile mobility.

Ground-Oriented Housing.⁷ Encourage all multiple-unit residential buildings in neighbourhoods with schools and parks to contain ground-oriented units with 2 or more bedrooms so as to provide a family housing choice within the multi-unit rental or ownership markets. High density residential projects in the Downtown area are encouraged to include a ground-oriented housing component, especially where such can be provided on non-arterial and non-collector streets.

Building Height.⁸ In determining appropriate building height, the City will take into account such factors as: Contextual fit into the surrounding urban fabric; Shadowing of the public realm; View impacts; Overlook and privacy impacts on neighbouring buildings; Impacts on the overall skyline;

6.0 Technical Comments

This five-unit multi-family dwelling is not able to be subdivided into five freehold lots until the building is constructed. As such, the entire development will be constructed with five separate water and sewer connections, separate addressing and garbage collection. Once complete, subdivision into five smaller lots will be considered subsequent to a registered Party Wall agreement.

6.1 Building & Permitting Department

- Demolition permits are required for any existing structures
- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)
- Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
- Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
- A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- 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 structure.

6.2 Development Engineering Department

- See attached Schedule "A" City of Kelowna Memorandum dated January 25, 2016.

⁵ City of Kelowna Official Community Plan, Policy 7.3.1 (Infrastructure Chapter).

⁶ City of Kelowna Official Community Plan, Policy 7.7.2 (Infrastructure Chapter).

⁷ City of Kelowna Official Community Plan, Policy 5.2.1 (Development Process Chapter).

⁸ City of Kelowna Official Community Plan, Policy 5.5.1 (Development Process Chapter).

7.0 Application Chronology

Application Received: December 12, 2015
Public Information Session Completed: February 26, 2016

Report prepared by:

Tracey Yuzik, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A" City of Kelowna Memorandum
Conceptual Site Plan
Conceptual Elevations
Conceptual Landscape Plan
Permeable Paving Unit Information