

REPORT TO COUNCIL



Date: 4/26/2016

RIM No. 1250-30

To: City Manager

From: Community Planning Department (AC)

Application: DP15-0221, DVP15-0222, &
Z15-0049

Owner: Davara Holdings Ltd., Inc.
No. BC0797640

Address: 305 Homer Rd

Applicant: Davara Holdings Ltd. (Dave
Sargent)

Subject: Rezoning Applications

Existing 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 Final Adoption of Zoning Amending Bylaw No. 11166 be considered by Council;

AND THAT Council authorize the issuance of Development Permit DP15-0221 for Lot 1, Section 27, Township 26, ODYD, Plan 18004, located at 305 Homer Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land to be in general accordance with Schedule "C";
4. That 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 professional landscaper;

AND THAT Council authorize the issuance of Development Variance Permit DVP15-0222 for Lot 1, Section 27, Township 26, ODYD, Plan 18004, located at 305 Homer Road, Kelowna, BC;

AND THAT the variances to the following sections of Zoning Bylaw No. 8000 be granted in accordance with the drawings attached to DP15-0221:

Section 13.9.6(b) Development Regulations

To vary the site coverage of buildings, driveways, and parking areas when permeable drive surfaces and parking are provided from 65% to 76.4%.

Section 8.1.9(c) Off-Street Vehicle Parking - Location

To vary the minimum side yard parking setback from a 1.5m to 0.3m.

Section 6.4.1 Projections Into Yards

To vary the maximum permitted projections into a required yard from 0.6m to 1.3m.

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit/Development Variance Permit Applications in order for the permit to be issued;

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

2.0 Purpose

To review the form and character of a 9 unit townhouse development and to consider three variances.

3.0 Community Planning

Staff supports the proposed Development Permit and Development Variance Permit. The Official Community Plan (OCP) identifies the area as MRL (Low Density Multiple Residential). The proposed rental housing project meets many of the goals of the OCP. Adding additional density within close proximity to Ben Lee Park, the multi-use corridor on Houghton, the Rutland urban centre, and schools (Heritage Christian School, Studio 9, & BC Online School) achieves many of the sensitive infill goals outlined in the OCP.

Rental housing, especially 3-bedroom units are in great demand. According to CMHC at the end of 2014 the vacancy rate for 3-bedroom townhouses / apartment units in the Rutland zone was 0%¹. The 2015 data in the Rutland zone was not available or not statistically reliable¹. However, the 2015 vacancy rate for 3-bedroom townhouses / apartment units within the Kelowna Core Area CMA (Census Metropolitan Area) was 0%¹.

The current proposal needs three variances. The first variance is to the overall site coverage. The proposal meets the building site coverage but needs a variance to the overall allowable site coverage which includes driveways and parking areas. The second variance is a parking setback variance for 50% of the stalls. The third variance is an increase to the allowable projection limit. See Figure 1 (on page 3) for visual examples of the proposed variances.

The applicant is proposing permeable pavement for the parking stalls to mitigate the site variance and parking setback variances. Permeable pavement would have been considered along the driveway but the material would not stand up over time to the weight of garbage trucks. The third variance expanding the projection limit is a minor variance and was only necessary when the City requested a corner rounding road dedication.

¹ CMHC Rental Market Report Kelowna CMA - Fall 2015

Figure 1: Variances



In fulfillment of Council Policy No. 367 respecting public consultation, the applicant notified all of the neighbours within a 50 metre radius. The applicant further attended a Rutland Residents Association meeting on Thursday, September 24th 2015 to discuss the project.

4.0 Proposal

4.1 Project Description

The proposal for the site is a new 9 unit (3-bedroom) rental row-housing development. The proposed building is 2 stories with parking located in the rear and ground-oriented accesses facing the multi-use corridor on Houghton Road. The applicant chose to design a two story building to conform to the surrounding building heights. During Staff's Advisory Design Team meeting, direction was given to the applicant to increase the vertical elements along the Houghton Road facade to break up the massing and increase the visual appeal. The original design was:

Figure 2: Original Design



FRONT ELEVATION - NORTH - FACING HOUGHTON ROAD

Figure 3: Current Design



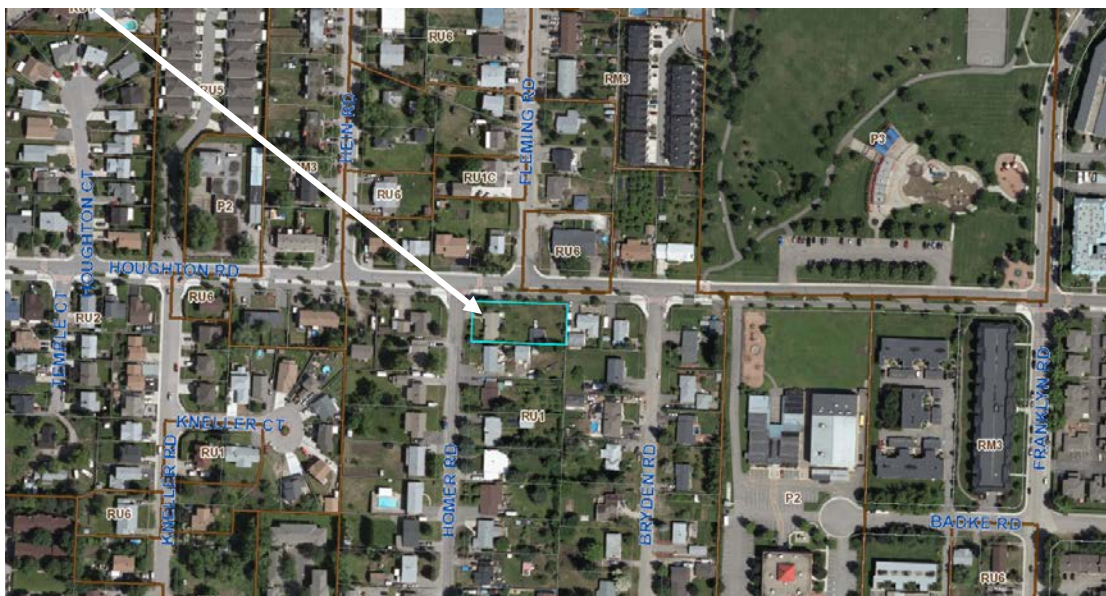
The finish materials include white acrylic stucco with cement board cladding, fiberglass shingles, white vinyl windows, and aluminum picket railings along the Houghton Road frontage. Screening material includes landscape features and wood privacy fencing. The patios on Houghton Road will include timber trellis and adequate landscape features to create an appropriate transition from the private realm to the public realm.

4.2 Site Context

The subject parcels are located within the Rutland Urban Centre adjacent Highway 33. The subject property is designated as Multiple Unit Residential - Medium Density (MRM) in the OCP and the lot is within the Permanent Growth Boundary. Specifically, the adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM3 - Low Density Multiple Housing P2 - Education and Minor Institutional	Residential Institutional
East	RM5 - Multiple Unit Residential (Medium Density) RM3 - Low Density Multiple Housing RU1 - Large Lot Housing	Residential
South	RU1 - Large Lot Housing	Residential
West	RM5 - Multiple Unit Residential (Medium Density) RU1 - Large Lot Housing	Residential

Subject Property Map: 305 Homer Road



4.3 Zoning Analysis

Zoning Analysis Table		
CRITERIA	PROPOSAL	REQUIREMENTS
		RM3
Development Regulations		
Height	7 m / 2 stories	Max 0 m / 3 stories
Building Setbacks		
Front Yard (west)	1.5 m	Min 1.5 m
Side Yard (north)	1.5 m	Min 1.5 m
Side Yard (south)	11.0 m	Min 4.0 m
Rear Yard (east)	7.5 m	Min 7.5 m
Site Coverage	37.0 %	Max 40 %
Site coverage of buildings, parking, & driveways	76.4 % ❶	Max 60 % or 65% when permeable drive surfaces and parking are provided
FAR	0.7	Max 0.75
Other Regulations		
Minimum Parking Requirements	20 stalls	Min 18 stalls
Setbacks for parking		
Front Yard (west)	3.0 m	Min 3.0 m
Side Yard (north)	20 m	Min 3.0 m
Side Yard (south)	0.3 m ❷	Min 1.5 m
Rear Yard (east)	8.1 m	Min 1.5 m
Roof Eave projection into north setback	1.3 m ❸	Max 0.6m
Minimum Bicycle Parking	Class 1: 5 Class 2: 1	Min Class 1: 5 Min Class 2: 1
❶ Site coverage variance requested; ❷ Parking setback reduction on southern side yard; ❸ Increase the roof eave projection limit;		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.² 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.

² City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

Sensitive Infill.³ 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.

Affordable Housing.³ Support the creation of affordable and safe rental, non-market and/or special needs housing.

Residential Land Use Policies.⁴ Address the needs of families with children through the provision of appropriate family oriented housing.

- **Policy 1 Ground-Oriented Housing.** 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.

6.0 Technical Comments

6.1 Building & Permitting Department

- a) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)
- b) A Building Code analysis is required for the structure at time of building permit applications.
- c) A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- d) 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 at time of permit application.

6.2 Development Engineering

- See attached Memo dated October 28th 2015

6.3 Fire Department

- a) Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template available online at Kelowna.ca
- b) Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900. A minimum of 150litres/sec is required. Should a hydrant be required on this property it shall be deemed private and shall be operational prior to the start of construction.
- c) Fire Department access is to be met as per BCBC 3.2.5.6
- d) There shall be one address for this complex with unit numbers assigned to each townhouse. A visible address must be posted as per City of Kelowna By-Laws
- e) Dumpster/refuse container must be 3 meters from structures or if inside the parking garage, it shall be enclosed within a rated room

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

³ City of Kelowna Official Community Plan, Objective 10.3, Chapter 10 (Social Sustainability).

⁴ City of Kelowna Official Community Plan, Objective 5.23, Chapter 5 (Development Process).

6.4 FortisBC Inc - Electric

- There are primary distribution facilities along Hwy 33 and south of the subject along Dundas Road. 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.
- Otherwise, FortisBC Inc. (Electric) has no concerns with this circulation.
- In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.

6.5 Ministry of Transportation

- Preliminary Approval is granted for the rezoning for one year pursuant to Section 52(3)(a) of the Transportation Act.

7.0 Application Chronology

Date of Application Received: September 21st 2015
Date of Public consultation: September 24th 2015

Report prepared by:

Adam Cseke, Planner

Reviewed by:



Terry Barton, Urban Planning Manager

Approved by:



Ryan Smith, Community Planning Manager

Attachments:

Subject Property Map

Development Engineering Comments dated October 28th 2015 (Attachment 'A')

Applicant's rationale

Draft DP15-0221 & DVP15-0222