

REPORT TO COUNCIL



Date: February 20, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TB)

Application: Z16-0052

Owner: Exceling Investments Inc. No.
BC1062096

Address: 2025 Agassiz Road

Applicant: Cristian Anca

Subject: Rezoning Application

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

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RM5 – Medium Density Multiple Housing

1.0 Recommendation

THAT Rezoning Application No. Z16-0052 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, District Lot 129, ODYD, Plan EPP68381, located at 2025 Agassiz Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RM5 – Medium Density Multiple Housing, be considered by Council;

AND THAT the 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 October 24, 2016;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property.

2.0 Purpose

To rezone the subject property to facilitate the development of a multi-family townhome complex.

3.0 Community Planning

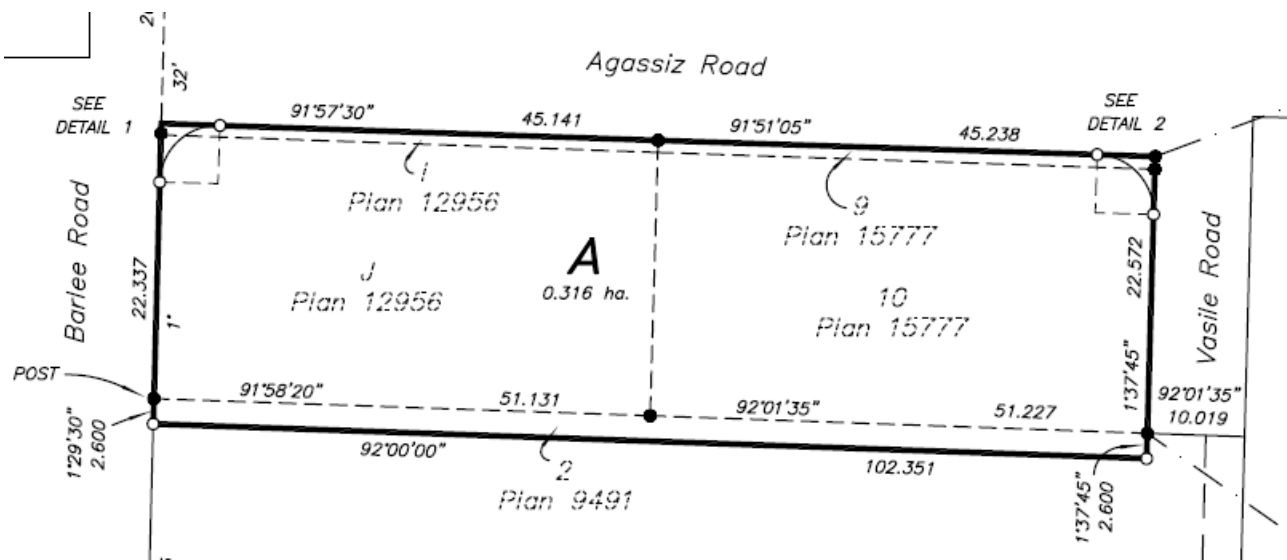
Community Planning Staff are recommending support for the proposed rezoning to facilitate the development of a multi-family townhome complex. The proposal is consistent with the Official Community

Plan (OCP) Future Land Use Designation of Multiple Unit Residential Medium Density (MRM). It is located within the Permanent Growth Boundary and more specifically within the Midtown Urban Centre. It is an appropriate location to increase residential densities as it is well supported by nearby amenities, services and transit. Many of the neighbouring properties have the same zone and developed with similar multi-family densities. The applicant's proposed townhome complex is consistent with the OCP Urban Infill Policies of Compact Urban Form, Sensitive Infill, Family Housing, and Ground Oriented Housing.

4.0 Proposal

4.1 Background

The new lot at 2025 Agassiz Road was achieved through consolidation of 2 residential lots, 2 remnant lots, and some purchased land from the property owner to the south. Through this lot consolidation process, the applicant was able to create a larger parcel to facilitate the development proposal and reduce the initial number of variances proposed.



4.2 Project Description

The applicant has proposed 15 three-bedroom townhomes located in three separate buildings with parking achieved in garages accessed from a common private lane. Each unit has access to a patio at grade, a second floor balcony, and a south-facing roof-top space. The proposal is sensitive to the existing residential character of the neighbourhood and appropriate for the long rectangular configuration of the subject property. The applicant is proposing a building height of three stories rather than the maximum height in the RM5 Zone of four and a half storeys. Articulation along the front façade as well as the patios at grade provide a visually interesting streetscape and integration of public and private space.



Each unit will have main entrances at grade, ample private outdoor space on patios and decks, three bedrooms, and located near schools and amenities.

4.3 Variances Requested

Should Council support the rezoning to RM5 – Medium Density Multiple Housing, Staff will bring forth a Form & Character Development Permit and the associated variances for consideration. Staff have worked extensively with the applicant over the past year to make adjustments to the proposal in order to reduce the number of variances to three. These include a variance on site coverage from 70% maximum allowed to 72% requested; a variance to the east side yard for the third storey portion of the building (access to rooftop patio), and to allow parallel visitor parking in the rear yard setback (see Section 4.5 Zoning Analysis Table for further details).

4.4 Site Context

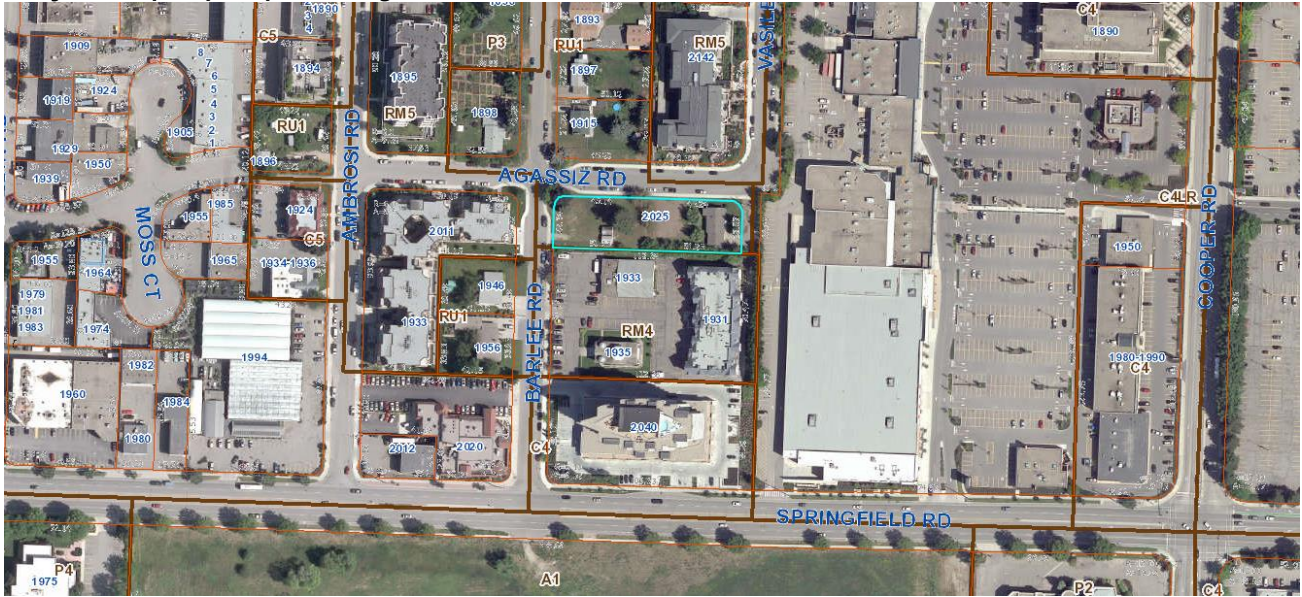
The location falls within the Urban Centre of Midtown, is within the Permanent Growth Boundary and is within walking distance to many amenities including a Community Garden, Mission Creek Park, and Rapid Bus Transit on Highway 97. It fronts onto two streets and a lane, is immediately adjacent to the Ukrainian Greek Orthodox Church, and behind Orchard Plaza Shopping Centre.

There is a mix of other property zones in the area including several Single Family, Multi-Family, Public & Institutional, and Commercial.

Specifically, adjacent land uses are as follows:

| Orientation | Zoning | Land Use |
|-------------|-------------|--|
| North | RU1 and RM5 | Single Family and Multi-Family Residential |
| East | C4LR | Commercial Shopping Centre |
| South | RM4 | Church and Multi-Family Residential |
| West | RM5 | Multi-Family Residential |

Subject Property Map: 2025 Agassiz Road



4.5 Zoning Analysis Table

| Zoning Analysis Table | | |
|--|--------------------------------|--------------------------------|
| CRITERIA | RM5 ZONE REQUIREMENTS | PROPOSAL |
| Development Regulations | | |
| Floor Area Ratio | 1.4 | .98 |
| Height | 18.0 m or 4 ½ storeys | 9.14 m |
| Front Yard | 1.5 m | 3.8 m |
| Side Yard (east 2 nd storey portion) | 1.5 m | 2.9 m |
| Side Yard (east 3 rd storey portion) | 6.0 m | 4.9 m ❶ |
| Side Yard (west 2 nd storey portion) | 1.5 m | 6.0 m |
| Side Yard (west 3 rd storey portion) | 6.0 m | 6.0 m |
| Rear Yard | 9.0 m | 10.0 m |
| Other Regulations | | |
| Minimum Parking Requirements | 30 stalls and 3 visitor stalls | 30 stalls and 4 visitor stalls |
| Private Open Space | 24 m ² per unit | m ² |
| Site Coverage (Buildings Only) | 50% | 47.7 |
| Site Coverage including Driveways and Parking | 70% | 72% ❷ |
| Visitor Parking Stall Setback on Rear | 1.5 m | 0.0 m ❸ |
| ❶ Indicates a requested variance to the third storey setback from 6.0m required to 4.9m proposed. ❷ Indicates a requested variance to the maximum site coverage including driveways and parking from 70% allowed to 72% proposed. ❸ Indicates a requested variance to the minimum parking setback on the rear yard from 1.5 m required to 0.0m proposed. | | |

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Permanent Growth Boundary.¹ Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of property outside the Permanent Growth Boundary for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council's specific amendment of this policy. The Permanent Growth Boundary may be reviewed as part of the next major OCP update.

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.

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

Family Housing.⁴ Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, workshop space, larger units, safe design, and neighborhood characteristics (e.g.: location and amenities).

Ground-Oriented Housing.⁵ 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.

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 Permit(s)
- Demolition Permit required for any existing structures
- 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):

¹ City of Kelowna Official Community Plan, Policy 5.2.1 (Development Process Chapter).

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

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

⁴ City of Kelowna Official Community Plan, Policy 5.22.13 (Development Process Chapter)

⁵ City of Kelowna Official Community Plan, Policy 5.23.1 (Development Process Chapter)

- Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
- Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.
- 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

- Please see attached Schedule "A" attached to the Report from Community Planning dated October 24, 2016.

6.3 Fire Department

- Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required.
- Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900. 150 L/Sec is required
- All buildings shall be addressed off of Agassiz Rd.
- Fire Department access is to be met as per BCBC 3.2.5. -
- All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met

6.4 Ministry of Transportation

- Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the Transportation Act. Please forward the bylaw for Ministry signature after 3rd reading.

7.0 Application Chronology

| | |
|-------------------------------------|--------------------|
| Date of Application Received: | May 13, 2016 |
| Date of Revised Plans Received: | September 26, 2016 |
| Date Public Consultation Completed: | October 12, 2016 |
| Date of Consolidation Registered: | January 13, 2017 |

Prepared by: Trisa Brandt, Planner I

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Site Plan
Conceptual Elevations
Landscape Plan
Schedule "A": Memorandum dated October 24, 2016