

# REPORT TO COUNCIL



**Date:** June 12, 2017

**RIM No.** 1250-30

**To:** City Manager

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

**Application:** Z17-0014

**Owner:** Nadeem Hussain

**Address:** 300 & 310 Dougall Road

**Applicant:** New Town Services Inc.

**Subject:** Rezoning Application

Existing OCP Designation: MXR – Mixed Use (Residential/ Commercial)

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: C4 – Urban Centre Commercial

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## 1.0 Recommendation

THAT Rezoning Application No. Z17-0014 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 20 Section 26 Township 26 ODYD Plan 5494 and Lot 21 Section 26 Township 26 ODYD Plan 5494, located at 300 Dougall Road and 310 Dougall Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the C4 – Urban Centre Commercial zone, 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 March 28, 2017;

AND THAT Council directs Staff as part of the Development Engineering Memorandum requirements to provide an enhanced boulevard treatment along Dougall Road and McIntosh Road to match existing enhancements recently provided along both road frontages. This shall include: decorative sidewalk treatment (including coloured concrete & coloured brick, boulevard planters, benches, and light standards) as set out in Schedule “B”;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to approval of the Ministry of Transportation and Infrastructure;

AND 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 properties.

## 2.0 Purpose

To rezone the subject property to facilitate the development of the proposed 5-storey mixed use building on the subject property.

## 3.0 Community Planning

Community Planning Staff supports the proposed rezoning application to the C<sub>4</sub> – Urban Centre Commercial zone in order to accommodate the mixed use development on the subject properties. The proposed land use is consistent with the Official Community Plan (OCP) Future Land Use designation of MXR – Mixed Use (Residential/ Commercial). The ground oriented commercial units along both streets are a key component in achieving a retail street in the Rutland Town Centre.

The proposal consists of two parcels, which will be consolidated. They are located in the Rutland area at the intersection of Dougall Road and McIntosh Road. Adding density at this location will be supported by the nearby parks, schools, transit, bike routes and proximity to the Plaza 33 shopping area. The future extension of the Active Transportation Bike Network will be located directly in front of the subject site along McIntosh. Road dedications will be taken to accommodate its future development. The proposed project will help contribute to fulfilling the City's policy of 'Complete Communities' by increasing the residential density of the property and neighbourhood and complementary to several other multi-family buildings in the area. The project is also consistent with several other OCP Urban Infill policies including 'Compact Urban Form' and 'Sensitive Infill'.



Figure 1 – View at the intersection of McIntosh Rd and Dougall Rd.

In fulfillment of Council Policy No. 367, the applicant completed public notification and consultation with property owners within 50 m of the subject property.

## 4.0 Proposal

### 4.1 Project Description

The proposed development will consist of five commercial units which front onto both Dougall Road and McIntosh Road, 17 condo units above the commercial and 6 townhouse units. The unit breakdown comprises of 15 two-bedroom units, 1 one-bedroom unit and 1 bachelor unit. The 6 town homes are two-bedroom units. The unit sizes range from 470 sq ft – 1190 sq ft.



The commercial bays range in size from 260 sq ft – 620 sq ft.

The Zoning Bylaw Regulations for parking stall requirements have been met with the provision of 31 parking stalls. With the proximity to the bike routes, the amount of bicycle stalls provided exceeds the amount of bike stalls required.

*Figure 2 – View from west lane towards the parkade entry and the courtyard above.*

### Rezoning

The two parcels are currently zoned RU<sub>1</sub> – Large Lot Housing and the proposed zone is C<sub>4</sub> – Urban Centre Commercial. The proposed development fits within the MXR – Mixed Use (Residential/Commercial) Future Land Use Designation and is consistent with the existing multi-residential in the area which provide similar densities.

The current proposal has one variance to the Zoning Bylaw Regulations to vary the maximum height from 15 m or 4 storeys to 15.5 m and 5 storeys proposed. Should Council support the Rezoning Application, the requested variance will come before Council at a later date.

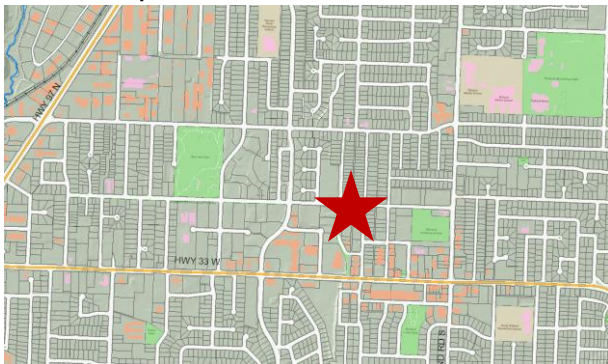
### 4.2 Site Context

The subject properties are located at the Southwest corner of the Dougall Road and McIntosh Road intersection. The parcels are currently bordered by single family development on all sides, with multi developments further south along Dougall Road and across the rear lane. The entire area is designated as MXR – Mixed Use (Residential/Commercial) and development in this direction is beginning to occur. The properties are within the Rutland Urban Centre and the Permanent Growth Boundary.

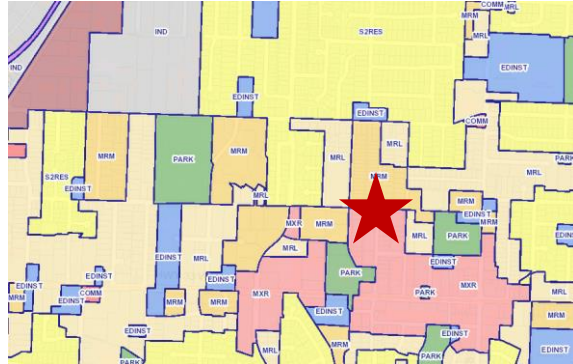
Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU <sub>2</sub> – Medium Lot Housing	Single Dwelling Housing
East	RU <sub>1</sub> – Large Lot Housing	Single Dwelling Housing
South	RU <sub>1</sub> – Large Lot Housing	Single Dwelling Housing
West	C <sub>4</sub> – Urban Centre Commercial	Single Dwelling Housing

**Context Map**

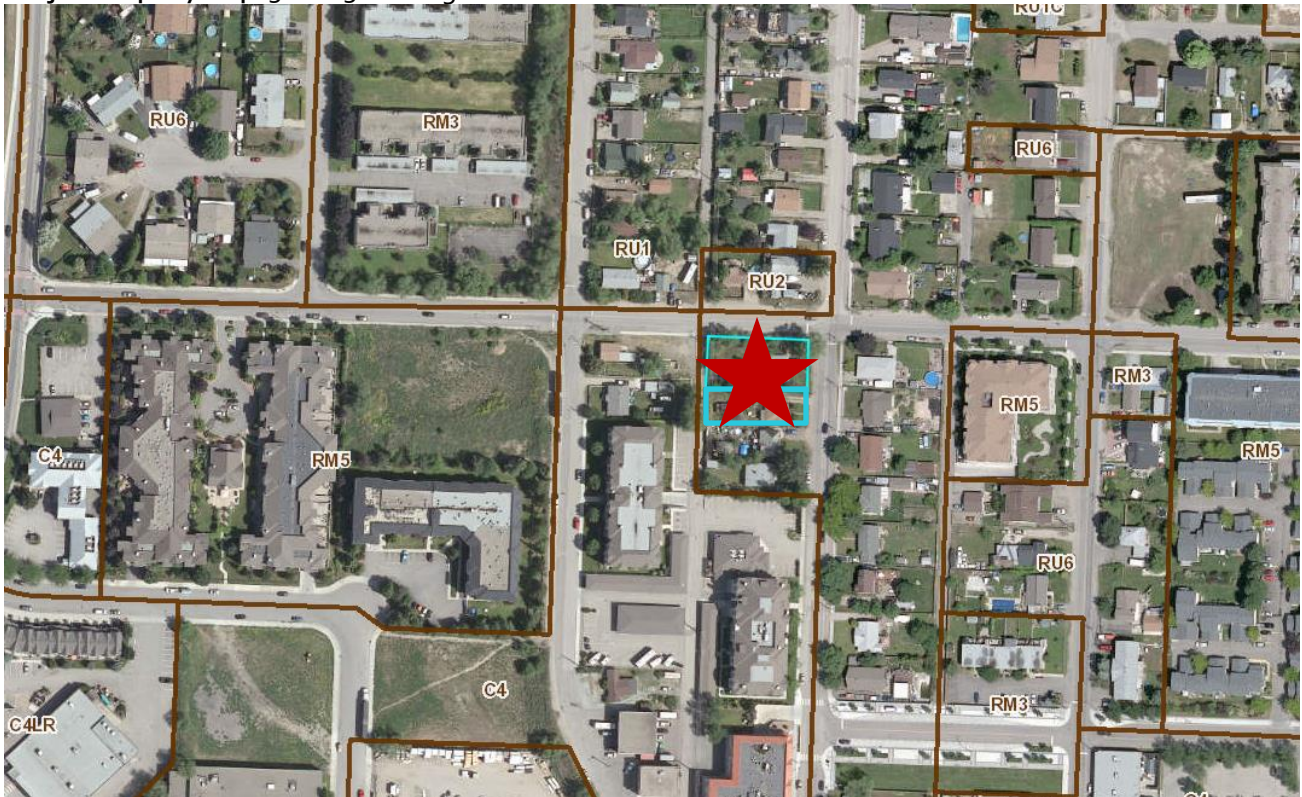


**Future Land Use**





## Subject Property Map: 300 &amp; 310 Dougall Road

4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C4 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	460 m <sup>2</sup>	1667 m <sup>2</sup>
Lot Width	13 m	37.7 m
Lot Depth	30 m	44.3 m
Development Regulations		
Floor Area Ratio	1.47	1.47
Site Coverage	75 %	63 %
Height	15 m or 4 storeys	15.5 m & 5 storeys <sup>①</sup>
Front Yard (Dougall Rd)	0 m	0 m
Flanking Side Yard (McIntosh Rd)	0 m	0 m
Side Yard (south to lane)	0 m	1.3 m
Rear Yard	0 m	5.3 m
Other Regulations		
Minimum Parking Requirements	27 stalls	31 stalls
Bicycle Parking	Class I - 12 Class II - 4	Class I - 20 Class II - 6
Private Open Space	331 m <sup>2</sup>	495 m <sup>2</sup>
<sup>①</sup> Indicates a requested variance to the maximum height from 15 m and 4 storeys to 15.5 m and 5 storeys.		

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Rutland & Downtown Revitalization Tax Exemption.**<sup>1</sup> Provide a revitalization tax exemption for the municipal portion of the annual taxes on improvements for development within the City Centre and Rutland Town Centre as per Revitalization Tax Exemption Bylaw No. 9561.

**Complete Communities.**<sup>2</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. 206 people / hectare proposed).

**Compact Urban Form.**<sup>3</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.

**Streetscaping.**<sup>4</sup> Urban Centre roads should be considered as part of the public space and streetscaped with full amenities (i.e. sidewalks, trees and other planting, furniture, bike facilities, boulevards, etc.).

**Rutland Urban Centre.**<sup>5</sup> Ensure that the urban design for Uptown Rutland clearly differentiates this commercial district from others in the City and interior of BC. This will be pivotal to making the bus exchange area and redevelopment of Rutland a success. To this end, redevelopment should:

- feature special architecture and/or landmarks that draw the interest of passers-by at the northeast and northwest corners of the Highway 33 and Dougall Road intersection as these are important sites that should be used to mark the entranceway to the pedestrian-oriented, commercial core of the TOD.

**Sensitive Infill.**<sup>6</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.

**Maximize Pedestrian / Cycling Connectivity.**<sup>7</sup> Require that pedestrian and cyclist movement and infrastructure be addressed in the review and approval of all City and private sector developments, including provision of sidewalks and trails and recognition of frequently used connections and informal

pedestrian routes. With new developments, require dedication of on-site walking and cycling paths where necessary to provide links to adjacent parks, schools, transit stops, recreation facilities, employment nodes, cul-de-sacs and large activity areas.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.1.3 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.2.4 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.8.1 (Development Process Chapter).

<sup>5</sup> City of Kelowna Official Community Plan, Policy 5.20.1 (Development Process Chapter).

<sup>6</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

<sup>7</sup> City of Kelowna Official Community Plan, Policy 5.10.1 (Development Process Chapter).

## 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).
- 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.
- Demolition Permit required for any existing structures.
- HPO (Home Protection Office) approval or release is required at time of Building Permit application.
- 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.
- 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 alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit
  - Location, Heights, Colours of mechanical systems and the required screening are to be determined at time of DP
  - Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
  - Handicap Accessibility to the main floor levels to be provided, ramps may be required.
  - Additional man door is required from the parkade to the exterior of the building
  - Access to the roofs are 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. Minimum building elevations are required to be established prior to the release of the Development Permit. If a soil removal or deposit permit is required, this must be provided at time of Development Permit application.
- We strongly recommend that the developer have his professional consultants review and prepare solutions for potential impact of this development on adjacent properties. Any damage to adjacent properties is a civil action which does not involve the city directly. The items of potential damage claims by adjacent properties are items like settlement of foundations (preload), damage to the structure during construction, undermining & underpinning of existing foundation, additional snow drift on neighbour roofs, excessive noise from mechanical units, vibration damage during foundation preparation work etc.
- Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- An exit analysis is required as part of the code analysis at time of building permit application. The exit analysis is to address travel distances within the units and all corridors, number of

required exits per area, door swing direction, handrails on each side of exit stairs, width of exits, spatial calculation for any windows in exit stairs, etc.

- Universal washroom requirements for CRU areas of the building are to be addressed in the building permit application. This will be addressed at time of building permit application. Washroom requirements for the commercial space of base building are to be addressed in the building permit application.
- Mechanical Ventilation inlet and exhausts vents are not clearly defined in these drawings for the enclosed parking storeys. The location and noise from these units should be addressed at time of Development 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 Attachment A.

## 6.3 Fire Department

- Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template at Kelowna.ca.
- Should a hydrant be required on this property it shall be operational prior to the start of construction and shall be deemed a private hydrant.
- This building shall be addressed off of the street it is accessed from (main entrance).
- A fire safety plan as per section 2.8 BCFC is required at occupancy. The fire safety plan and floor plans are to be submitted for approval in AutoCAD Drawing format on a CD.
- Fire Department access is to be met as per BCBC 3.2.5.
- Approved Fire Department steel lock box acceptable to the fire dept. is required by the fire dept. entrance and shall be flush mounted.
- All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met for communications.
- Fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard.
- Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- Fire department connection is to be within 45M of a fire hydrant - unobstructed.
  1. ensure FD connection is clearly marked and visible from the street,
  2. sprinkler zone valves shall be accessible as per fire prevention bylaw (10760),
  3. standpipe connections to be on intermediate landings in stairwell.
  4. dumpster/refuse container must be 3 meters from structures or overhangs or in a rated room in the parking garage,
  5. Upon completion, an owners certificate and copy of NFPA 25 shall be provided for the sprinkler system,
  6. Upon completion, a certificate is required to verify CANULC 561 Compliance.

## **7.0 Application Chronology**

Date of Application Received: February 16, 2017

Date Public Consultation Completed: February 27, 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

Site Plan

Conceptual Elevations

Landscape Plan