

REPORT TO COUNCIL



Date: June 19, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TB)

Application: Z16-0083 **Owner:** 0725353 BC Ltd Inc. No. BC0725353

Address: 1287 & 1297 Findlay Road **Applicant:** Patrick McCusker

Subject: Rezoning Application

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 Rezoning Application No. Z16-0083 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 35 Township 26 ODYD Plan 18811, located at 1297 Findlay Road, Kelowna, BC, and Lot B Section 35 Township 26 ODYD Plan 18811, located at 1287 Findlay 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 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 June 19, 2017;

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 row housing.

3.0 Community Planning

Community Planning supports the proposed rezoning from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing to facilitate the development of row housing. The rezoning is consistent with the Official Community Plan Future Land Use Designation of MRL – Multiple Unit Residential (Low Density). The proposed development will feature 20 three-bedroom units which is a type of housing that is currently in demand.

4.0 Proposal

4.1 Background

The subject properties each have a single family dwelling on the property that will be demolished or moved to facilitate this redevelopment.

4.2 Project Description

The proposed rezoning from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing will facilitate the redevelopment of the subject properties to allow for row housing to be constructed. The Official Community Plan Future Land Use Designation is MRL – Multiple Unit Residential (Low Density) which is consistent with this application. The proposal meets the OCP Guideline of Compact Urban Form, by increasing density where infrastructure and services already exist. A 5.0 m road dedication will be required along Findlay Road for the future Hollywood Road extension and the two properties will be consolidated as a function of this rezoning.

The proposed complex will feature 20 three-bedroom units accessed from a common driveway which is a type of housing that is currently in low supply. Each unit has parking for two vehicles either in a tandem or double garage. Visitor parking is provided at grade on the site, and one variance is requested to allow visitor parking in the rear yard setback. Each unit has a ground-oriented entrance off the rear of the units that is accessed from a common walkway, and the end units have an entrance facing the public street.

4.3 Site Context

The subject properties are located in Rutland in an area where redevelopment is supported. They are located within walking distance to Bus Route Number 10, and they back onto Chichester Wetland Park. The properties have a walk score of 37, meaning it is a car dependent neighbourhood.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM3 – Low Density Multiple Housing	Multi-family Housing
East	P3 – Parks & Open Space	Chichester Wetland Park
South	RU1 – Large Lot Housing	Single Family Dwelling
West	I1 – Business Industrial	Industrial

Subject Property Map: 1287 & 1297 Findlay Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM ₃ ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	900 m ²	3480 m ²
Lot Width	30.0 m	45.6 m
Lot Depth	30.0 m	75.4 m
Development Regulations		
Floor Area Ratio	0.8	.79
Site Coverage (Buildings)	40%	40%
Site Coverage (Buildings, Driveways, and Parking)	60%	59.7%
Height	10.0 m / 3 storeys	9.0 m / 3 storeys
Front Yard	1.5 m	1.5 m
Side Yard (south)	4.0 m	4.0 m
Side Yard (north)	4.0 m	4.0 m
Rear Yard	7.5 m	7.5 m
Other Regulations		
Minimum Parking Requirements	40 stalls	40 stalls plus 6 visitor stalls
Private Open Space	25 m ² per unit (500m ²)	>25 m ² per unit (522m ²)
Setback to Parking (rear)	1.5 m	0.0 m ❶
❶ Indicates a requested variance to reduce the rear yard setback to parking from 1.5m required to 0.0m proposed.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ 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.

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.
- A Hoarding permit may be 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 security system that limits access to exiting needs to be addressed in the code analysis by the architect.
- Spatial calculation should be provided for the building face adjacent to the property line.
- 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, additional snow drift on neighbour roofs, excessive noise from mechanical units, vibration damage during foundation preparation work etc.
- Fire resistance ratings are required for units, garages and/or garbage enclosure room(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

- 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.
- 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 Department

Please see attached Schedule "A" dated January 18, 2017.

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. New hydrants on this property shall be operational prior to the start of construction and shall be deemed a private hydrant.
- All buildings shall be addressed off of the street it is accessed from. One main address off of Findlay access for the complex and unit numbers for the strata.
- Fire Department access is to be met as per BCBC 3.2.5. if the road is over 90 metres long, a turn-around facility shall be constructed.
- If this is a gated complex, an approved Fire Department steel lock box acceptable to the fire dept. is required by the fire department entrance and shall be flush mounted
- All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met.
- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met

6.4 FortisBC Electric

- There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Findlay 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, FBC(E) 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: November 16
Date Public Consultation Completed: March 3, 2017
Date of Revised Plans Received: May 30, 2017

Report prepared by: Trisa Brandt, Planner
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Site Plan
Floor Plans
Conceptual Elevations
Landscape Plan
Schedule "A" from Development Engineering dated January 18, 2017