# City of Kelowna Public Hearing AGENDA



Tuesday, December 1, 2015 6:00 pm Council Chamber City Hall, 1435 Water Street

**Pages** 

#### 1. Call to Order

#### THE CHAIR WILL CALL THE HEARING TO ORDER:

- 1. (a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend *Kelowna 2030* Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.
- (b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reason-able opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing. This Hearing is open to the public and all representations to Council form part of the public record. A live audio feed may be broadcast and recorded by Castanet.
- (c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after November 17, 2015 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.
- (d) Council debate on the proposed bylaws is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached tonight.
- (e) It must be emphasized that Council will not receive any representation from the applicant or members of the public after conclusion of this Public Hearing.

#### 2. Notification of Meeting

The City Clerk will provide information as to how the Hearing was publicized.

#### 3. Individual Bylaw Submissions

3.1 1295 St. Paul Street, BL11163 (TA15-0014) & BL11162 (Z15-0023) - ML Holdings Inc.

4 - 27

To rezone the subject property to facilitate the development of a four-unit townhouse project on the subject property and to amend the Zoning Bylaw by adding the provision to increase the maximum floor area ratio for development in an Urban Centre to the RM4 zone.

3.2 260 Davie Road, BL11164 (Z15-0047) - Urban Cottage Homes Ltd.

28 - 46

To rezone the subject property to facilitate the development of a second dwelling on the subject parcel.

3.3 125 Dundas Road & 815 Highway 33 W, BL11165 (Z15-0046) - Unico One Developments Ltd.

47 - 83

To rezone the subject properites to the RM5 - Medium Density Multiple Housing zone.

3.4 305 Homer Road, BL11166 (Z15-0049) - Davara Holdings Ltd.

84 - 107

To rezone the subject property to the RM3 - Low Density Multiple Housing zone.

#### 4. Termination

#### 5. Procedure on each Bylaw Submission

- (a) Brief description of the application by City Staff (Land Use Management);
- (b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.
- (c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.
- (d) The Chair will call for representation from the public in attendance as follows:
- (i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.
  - (ii) The Chair will recognize ONLY speakers at the podium.
- (iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.
- (e) Once the public has had an opportunity to comment, the applicant is given an

opportunity to respond to any questions raised. The applicant is requested to keep the response to a total of 10 minutes maximum.

- (f) Questions by staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.
- (g) Final calls for respresentation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. The computer and ELMO document camera at the public podium are available. Please ask staff for assistance prior to your item if required.

# REPORT TO COUNCIL



Date: November 9, 2015

**RIM No.** 1250-30

To: City Manager

From: Community Planning Department (LB)

Application: Z15-0023 / TA15-0014 Owner: ML Holdings Inc., Inc. No.

BC0825079

Address: 1295 St Paul Street Applicant: Edgecombe Builders

**Subject:** Rezoning and Text Amendment Application

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

Existing Zone: RU2 - Medium Lot Housing

Proposed Zone: RM4 - Transitional Low Density Housing

#### 1.0 Recommendation

THAT Rezoning Application No. Z15-0023 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 25, District Lot 139, ODYD, Plan 1303, located at 1295 St Paul Street, Kelowna, BC from the RU2 - Medium Lot Housing zone to the RM4 - Transitional Low Density 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 Attachment "A" attached to the Report from the Community Planning Department dated November 2, 2015;

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 property;

AND THAT Zoning Bylaw Text Amendment Application No. TA15-0014 to amend the City of Kelowna Zoning Bylaw No. 8000, as outlined in the Report from the Community Planning Department dated November 2, 2015, be considered by Council;

AND THAT the Zoning Bylaw Text Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Zoning Bylaw Text Amending Bylaw be considered subsequent to the requirements of the Ministry of Transportation and Infrastructure being completed to their satisfaction.

#### 2.0 Purpose

To rezone the subject property to facilitate the development of a four-unit townhouse project on the subject property and to amend the Zoning Bylaw by adding the provision to increase the maximum floor area ratio for devleopment in an Urban Centre to the RM4 zone.

#### 3.0 Community Planning

Community Planning Staff supports the proposed Rezoning and Text Amendment to facilitate the development of a four-unit townhouse on the subject property. This project will increase the density of the site and create a transition from the higher density mixed use developments to the to the single dwelling housing area.

#### Rezoning

The proposed rezoning is consistent with the property's Future Land Use designation of MRM - Multiple Unit Residential (Medium Density). This designation covers the area extending north and east; however, this is the first property to redevelop. Given the relatively small lot sizes, lot assembly is generally needed to achieve the forms of development and densities envisioned for this area. As a corner lot, the subject property presents an opportunity for urban infill development that is not viable on individual interior lots.

The property's proximity to recreational and retail services, employment opportunities, and transportation options makes it a prime location for additional density. It is directly on the Cawston Avenue multi-use corridor and within walking distance of Downtown Kelowna's many amenities. The proposal exceeds targeted residential intensities identified in the Official Community Plan. With an intensity of nearly 70 units per hectare, the proposed development strongly supports policies regarding creating complete communities and a compact urban form.

#### **Variances**

Although row housing and stacked row housing are permitted forms of development in the RM4 zone, it was created with low rise apartments in mind and the development regulations reflect this. As a row house development on a small urban lot, several of the development regulations are not met and variances are being requested.

Row houses are typically developed under the RM3 zone and Staff are considering the variances in light of development regulations for similar forms of development in other zones. For example, the development has access to grade and individual unit entrances facing St Paul Street and Cawston Avenue, and is considered ground-oriented housing. Several Official Community Plan policies support this form of housing to improve housing options for families. While the RM2 and RM3 zones have development regulations that specifically encourage ground-oriented housing, primarily through reduced front and side yard setbacks, the RM4 zone does not have these same provisions since ground-oriented housing is not characteristic of this zone.

#### **Text Amendments**

The proposed text amendments will support better use of the RM4 zone as a transition between low and medium density developments. The amendments are not site-specific; therefore, they could be used by any property currently zoned RM4 and any that rezone to RM4 in the future.

Parking in garages or carports was not previously included as an option to increase the FAR in the RM4 zone because it anticipates development of a scale that typically precludes individual garages or carports from being used for parking. The RM2 and RM3 zones include garages and carports in the allowance to increase FAR where certain parking screening requirements are met. The amendment meets the intent of the existing provision by discouraging open surface parking.

The RM2, RM3 and RM5 zones allow developments in an Urban Centre to benefit from an increased FAR. The applicant proposes to add a similar provision to the RM4 zone for a total maximum FAR of 1.15 if all conditions are met. Since density cannot be varied, this is intended to encourage multiple unit residential projects to locate in Urban Centres, supporting policies that direct intensification and higher density development to these areas. This facilitates a better transition between the RM3 zone, which has a total maximum FAR of 0.90, and the RM5 zone, which has a maximum FAR of 1.40.

There are currently six properties zoned RM4 within Urban Centres. While these properties would be able to make use of the additional FAR provisions, all of the properties are developed and no changes are anticipated outside of future full site redevelopment.

#### **Public Consultation**

In fulfillment of Council Policy No. 367, the applicant completed public notification and consultation with property owners within 50 m of the subject property. Recognizing the scope of the development, the applicant also held an open house to provide more information and answer questions about the project. The neighbourhood open house was held Wednesday October 7, 2015 from 5:00 pm to 6:00 pm in the Sole building across from the subject property. Five local residents and business owners attended, including a representative from the Kelowna Downtown Knox Mountain Neighbourhood Association. The applicants describe the project background and development details to the open house attendees.

The open house attendees were generally supportive of some development on the site and asked questions regarding specific elements of the project. Some areas of concern included changes to the boulevard and on-street parking, landscaping and the requested variances. At the time of writing, Staff has not been contacted directly with any questions or concerns about the proposed development.

#### 4.0 Proposal

#### 4.1 Project Description

#### Proposed Development

The proposed development consists of a four-unit, three storey townhouse building with attached garages. The intent is to create a building strata allowing the units to be sold individually. Unit sizes range from approximately  $1,700 \, \text{ft}^2 \, (158 \, \text{m}^2)$  to  $1,800 \, \text{ft}^2 \, (167 \, \text{m}^2)$ , plus exterior decks and patio space. The site is in part of the City Centre (Downtown) Urban Centre that quickly changes from high density mixed use developments to an area of single dwelling housing that is designated for medium density residential development.

Secure parking is provided in a row of four attached garages, each of which offers tandem parking for two vehicles. Vehicular access to the garages is from the lane off St Paul Street on the north side of the property. Each unit has an at-grade pedestrian entrance facing either St Paul Street or Cawston Avenue.

As an urban infill townhouse project, this development is a form of housing seldom seen in Downtown Kelowna. The developer expects buyers to be those seeking to live near the amenities and employment in the area.

#### Rezoning

The property is currently zoned RU2 - Medium Lot Housing and the proposed zone is RM4 - Transitional Low Density Housing. The RM4 zone was created to facilitate development that transitions between low and medium density developments. It is the lower density of the two

zones under the MRM - Multiple Unit Residential (Medium Density) Future Land Use designation, the other being RM5 - Medium Density Multiple Housing.

#### **Variances**

The applicant is requesting several variances to facilitate this form of housing on a small urban lot. The variances are noted in the Zoning Analysis Table in Section 4.3 below and include increasing site coverage, reducing setbacks, varying parking ratios, reducing landscape buffers, and reducing visitor bicycle parking.

Should Council choose to support the rezoning and text amendment, the Development Permit and Development Variance Permit will be considered by Council at a later date. The Staff report for that application will include a full discussion of the requested variances as well as the form and character of the development.

#### Text Amendments

A text amendment to the RM4 zone is proposed to add two provisions to the floor area ratio (FAR) regulations. A measure of density, FAR is the total net floor area of all buildings on a property divided by the area of the property. The maximum FAR in the RM4 zone is 0.65 with a provision to increase the FAR by as much as 0.20 for a total of 0.85 if specific requirements to screen parking spaces are met.

The first change is to add that parking spaces within a garage or carport also qualify for the parking screening requirements to increase the FAR by up to 0.20. The second is to allow developments in an Urban Centre to increase the FAR by 0.30. With the proposed text amendments, the total maximum FAR in the RM4 zone will be 1.15 for developments that meet all the requirements for parking spaces and are within an Urban Centre.

#### 4.2 Site Context

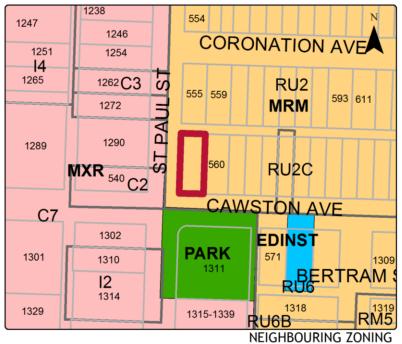
The subject property is located at the northeast corner of the intersection of St Paul Street and Cawston Avenue in the Central City (Downtown) Sector as well as the City Centre (Downtown) Urban Centre. It is designated for medium density multiple unit residential development in the Official Community Plan and is within the Permanent Growth Boundary. The surrounding area is characterized by single dwelling housing to the north and east, and by mixed use commercial and residential development to the south and west.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2 - Medium Lot Housing	Single dwelling housing
East	RU2 - Medium Lot Housing	Single dwelling housing
South	C7 - Central Business Commercial	Non-accessory parking
West	C2 - Neighbourhood Commercial	Offices
West	C7 - Central Business Commercial	Offices, multiple dwelling housing

#### Subject Property Map: 1295 St Paul Street







SUBJECT PROPERTY

#### 4.3 Zoning Analysis Table

Zoning Analysis Table			
CRITERIA	RM4 ZONE REQUIREMENTS	PROPOSAL	
	Existing Lot		
Minimum Lot Area	900 m <sup>2</sup>	577.8 m <sup>2</sup> *	
Minimum Lot Width	30.0 m	15.4 m *	
Minimum Lot Depth	30.0 m	37.6 m *	
	Development Regulations		
Maximum Floor Area Ratio	0.65	1.15 ^	
Maximum Site Coverage (buildings)	50%	70.2% <b>o</b>	
Maximum Site Coverage (buildings, driveways and parking)	60%	72.8% 2	
Maximum Height	13.0 m / 3 storeys	11.0 m	
Minimum Front Yard	4.5 m (two storeys or less) 6.0 m (more than two storeys)	1.0 m <b>⑤</b>	
Minimum Side Yard (east)	2.3 m (two storeys or less) 4.5 m (more than two storeys)	1.5 m <b>4</b>	
Minimum Side Yard (west)	4.5 m	0.8 m <b>⑤</b>	
Minimum Rear Yard	7.5 m (two storeys or less) 9.0 m (more than two storeys)	1.5 m <b>©</b>	
Other Regulations			
Minimum Parking Requirements	7 stalls (4 full, 3 medium)	8 stalls (4 full, 2 medium, 2 compact) •	
Minimum Bicycle Parking	2 Class I 1 Class II	8 Class I (in garages) 0 Class II ©	
Minimum Private Open Space	25 m² per dwelling	28 m² per dwelling (average)	

<sup>\*</sup> No subdivision is being proposed; therefore, the lot does not need to conform to the minimum lot dimensions of the RM4 subdivision regulations.

- Indicates a requested variance to increase the maximum site coverage from 50% permitted to 70.2% proposed.
- **②** Indicates a requested variance to increase the maximum site coverage for buildings, driveways and parking areas from 60% permitted to 72.8% proposed.
- 10 Indicates a requested variance to reduce the minimum front yard from 6.0 permitted to 1.0 m proposed.
- Indicates a requested variance to reduce the minimum side yard from 4.5 m permitted to 1.5 m proposed.
- 9 Indicates a requested variance to reduce the minimum flanking street side yard from 4.5 m permitted to 0.8 m proposed.
- **9** Indicates a requested variance to reduce the minimum rear yard from 7.5 m permitted to 1.5 m proposed.
- Indicates a requested variance to vary the ratio of parking stalls from three medium stalls permitted to two medium and two compact stalls proposed.
- 1 Indicates a requested variance to reduce the minimum Class II bicycle parking spaces from one permitted to zero proposed.

<sup>^</sup> Floor area ratio cannot be varied. The proposed text amendments would increase the maximum floor area ratio to 1.15.

### 5.0 Current Development Policies

#### 5.1 Kelowna Official Community Plan (OCP)

#### **Development Process**

**Complete Communities.** 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.

Compact Urban Form.<sup>2</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.

**Sensitive Infill.**<sup>3</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.

**Ground-Oriented Housing.** <sup>4</sup> 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
  - No concerns with the rezoning.
  - Detailed Building & Permitting comments provided through the Development Permit and Development Variance Permit.
- 6.2 Development Engineering Department
  - See Attachment "A": City of Kelowna Memorandum, dated June 12, 2015.
- 6.3 Fire Department
  - No concerns with the rezoning.
  - Detailed Fire Department comments provided through the Development Permit and Development Variance Permit.

#### 6.4 FortisBC - Electric

• There are primary distribution facilities within the lane adjacent to the subject's north property line and within St Paul Street. 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.

<sup>&</sup>lt;sup>1</sup> City of Kelowna Official Community Plan, Policy 5.2.4 (Development Process Chapter).

<sup>&</sup>lt;sup>2</sup> City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

<sup>&</sup>lt;sup>3</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

<sup>&</sup>lt;sup>4</sup> City of Kelowna Official Community Plan, Policy 5.23.1 (Development Process Chapter).

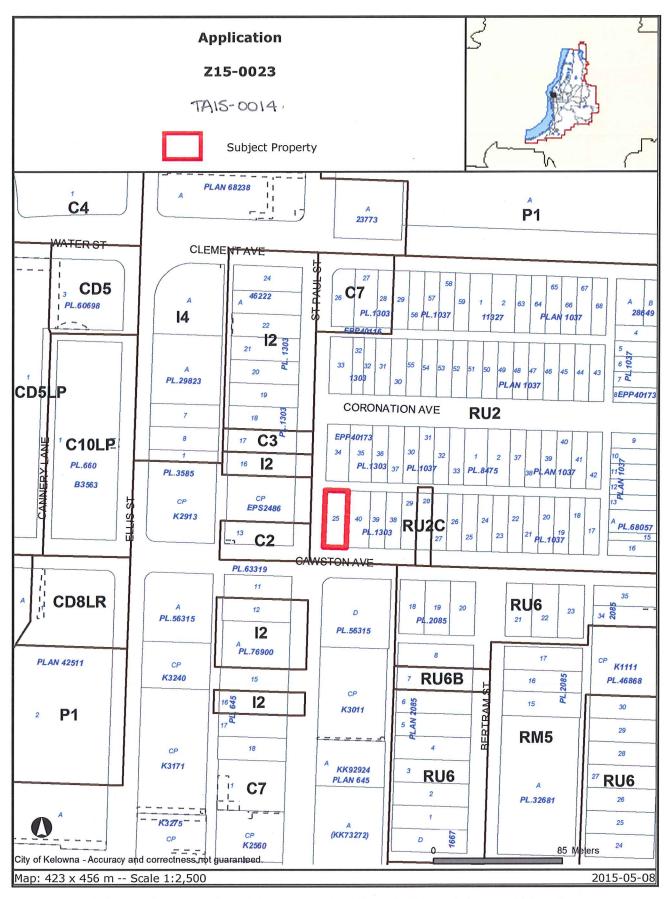
## 7.0 Application Chronology

Date of Application Received: May 8, 2015
Date Public Consultation Completed: October 7, 2015

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

#### Attachments:

Subject Property Map Attachment "A": City of Kelowna Memorandum Conceptual Plans



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.

The City of Kelowna does not guarantee its accuracy. All information should be verified.

#### CITY OF KELOWNA

## **MEMORANDUM**

Date:

June 12, 2015

File No.:

Z15-0023

To:

Urban Planning (LB)

From:

**Development Engineering Manager** 

Subject:

1295 St Paul Street

RU1 to RM3

Development Engineering Department have the following comments and requirements associated with this application. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

The Development Engineering Technologist for this project is Sergio Sartori

#### 1. Domestic Water and Fire Protection

- (a) The existing lot is serviced with 19mm diameter water service. The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The estimated cost of this construction for bonding purposes is \$6,000.00
- (b) The applicant, at his cost, will arrange for the removal of the existing service on St Paul Street and the installation of one new larger metered water service.
- (c) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures. The City of Kelowna water meter contractor must salvage existing water meters, prior to building demolition. If water meters are not salvaged, the developer will be invoiced for the meters.

#### Sanitary Sewer

(a) The existing lot is serviced with a 100mm diameter sanitary service. The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size and preferred location of the new service. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of the existing small diameter service and the installation of a new larger service. The estimated cost of this construction for bonding purposes is \$4,000.00

#### 3. Storm Drainage

(a) The developer must engage a consulting civil engineer to provide a storm water management plan for these sites which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.

(b) Only one service will be permitted for this development. The applicant, at his cost, will arrange for the installation of one new overflow service. The estimated cost of this construction for bonding purposes is \$4,000.00

#### 4. Road Improvements

- (a) Cawston Ave fronting this development is complete therefore no further improvements is required.
- (b) St. Paul Street must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk, landscaped boulevard complete with street trees drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost of this construction for bonding purposes is \$21,000.00
- (c) Lane must be upgraded along the full frontage of this proposed development including pavement removal and replacement, catch basin and concrete sidewalk thru the lane. The estimated cost of this construction for bonding purposes is \$5,000.00

#### 5. Subdivision

- (a) Grant Statutory Rights Of Way if required for utility services.
- (b) Dedicate a 6.0m corner rounding at the intersection of Cawston Ave and St Paul St.
- (c) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

#### 6. Electric Power and Telecommunication Services

- a) All proposed distribution and service connections are to be installed underground.
- b) Streetlights must be installed St Paul Street if needed.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

#### 7. Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the city engineering department for review and marked "issued for construction" by the city engineer before construction may begin.

#### 8. <u>Design and Construction</u>

- (a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- (b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- (c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- (d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

#### 10. Servicing Agreements for Works and Services

- (a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- (b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

#### 11. Geotechnical Report

As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

(a) Area ground water characteristics.

(b) Site suitability for development, unstable soils, etc.

- (c) Drill and / or excavate test holes on the site and install pisometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, Identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.

(e) Additional geotechnical survey may be necessary for building foundations,

#### Bonding and Levy Summary 12.

#### **Bonding** (a)

Water service upgrades	\$ 6,000
Sanitary sewer service upgrades	\$ 4,000
Storm overflow services	\$ 4,000
St Paul Street frontage improvements	\$ 21,000
Laneway frontage improvements	\$ 5,000
Total Bonding	\$40,000.00

The bonding amount shown above are comprised of estimated NOTE: construction costs escalated by 140% to include engineering design and contingency protection and are provided for information purposes only. The owner should engage a consulting civil engineer to provide detailed designs and obtain actual tendered construction costs if he wishes to do so. Bonding for required off-site construction must be provided and may be in the form of cash or an irrevocable letter of credit, in an approved format.

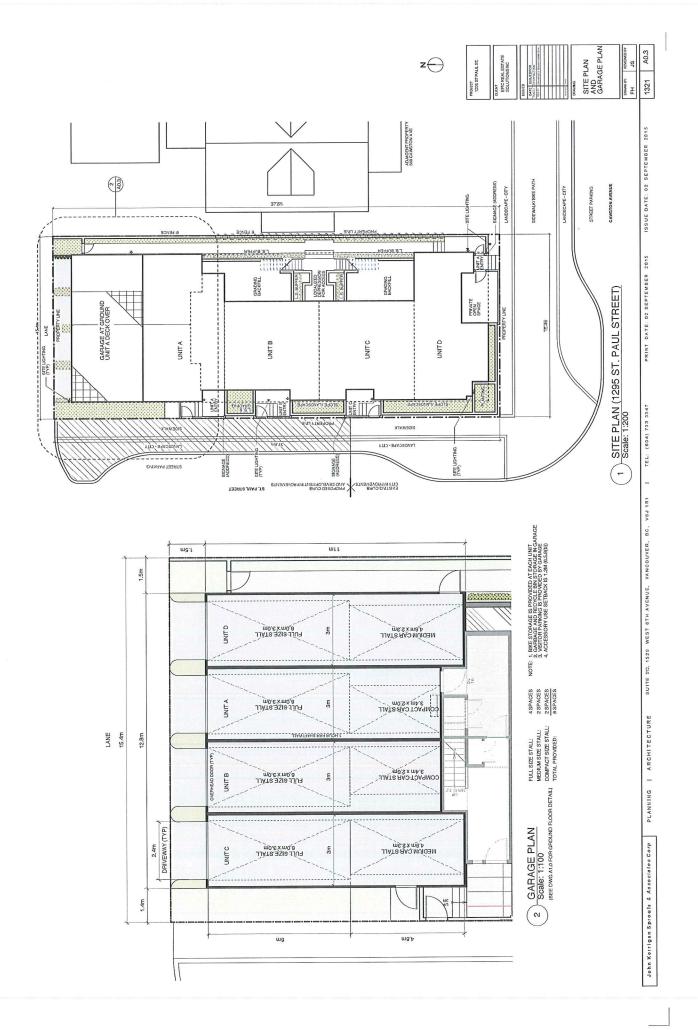
The owner must also enter into a servicing agreement in a form provided by the City.

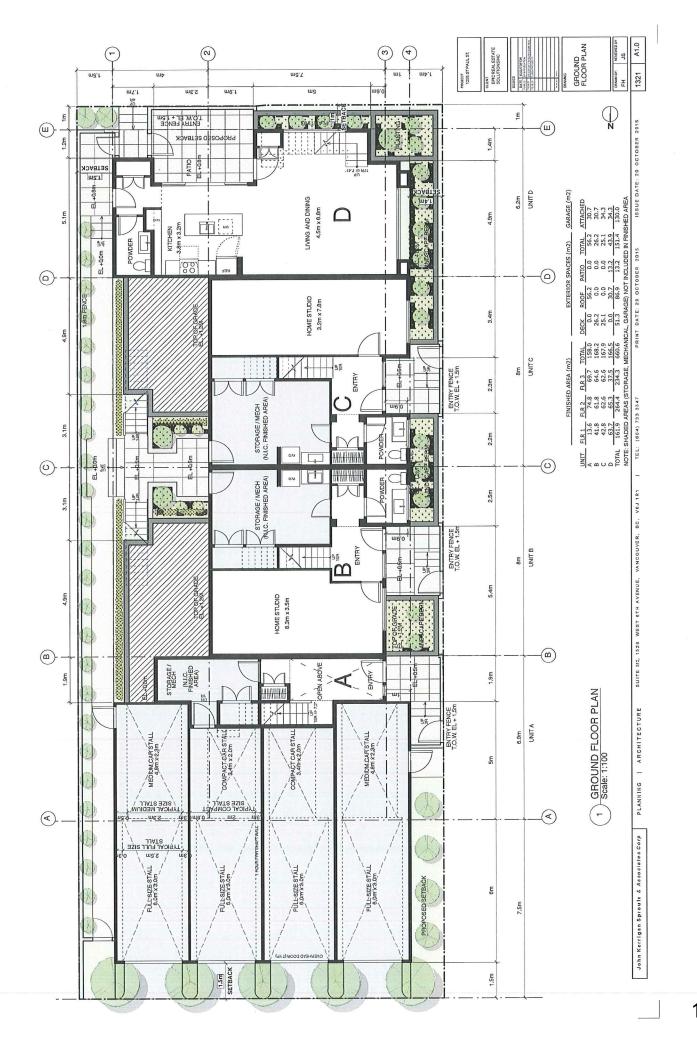
#### Development Permit and Site Related Issues 12.

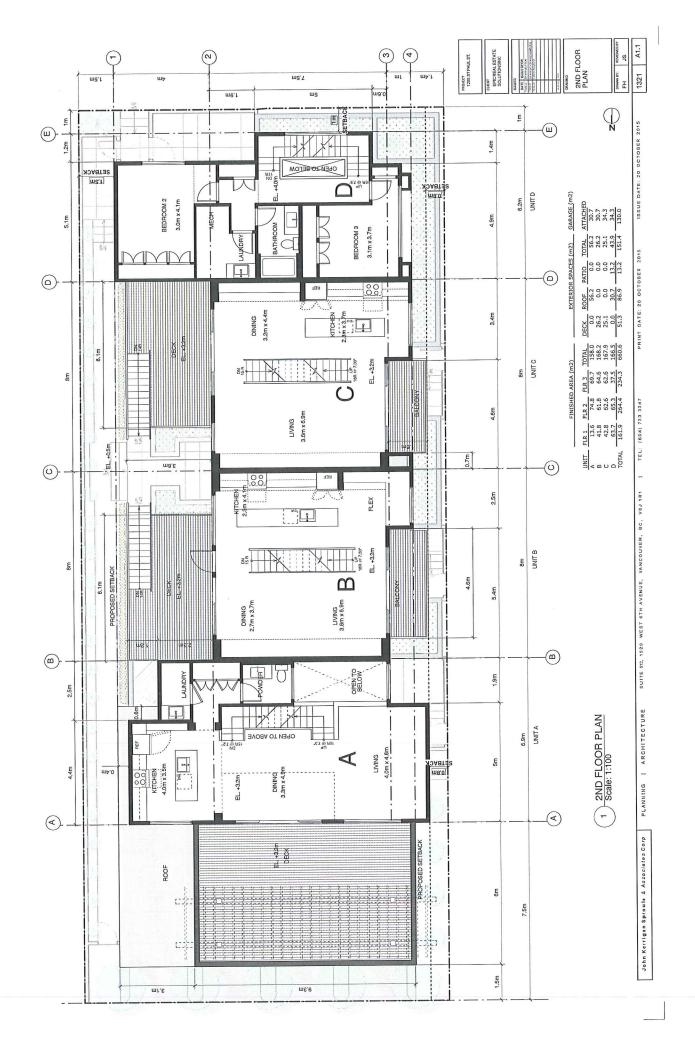
Access and Manoeuvrability

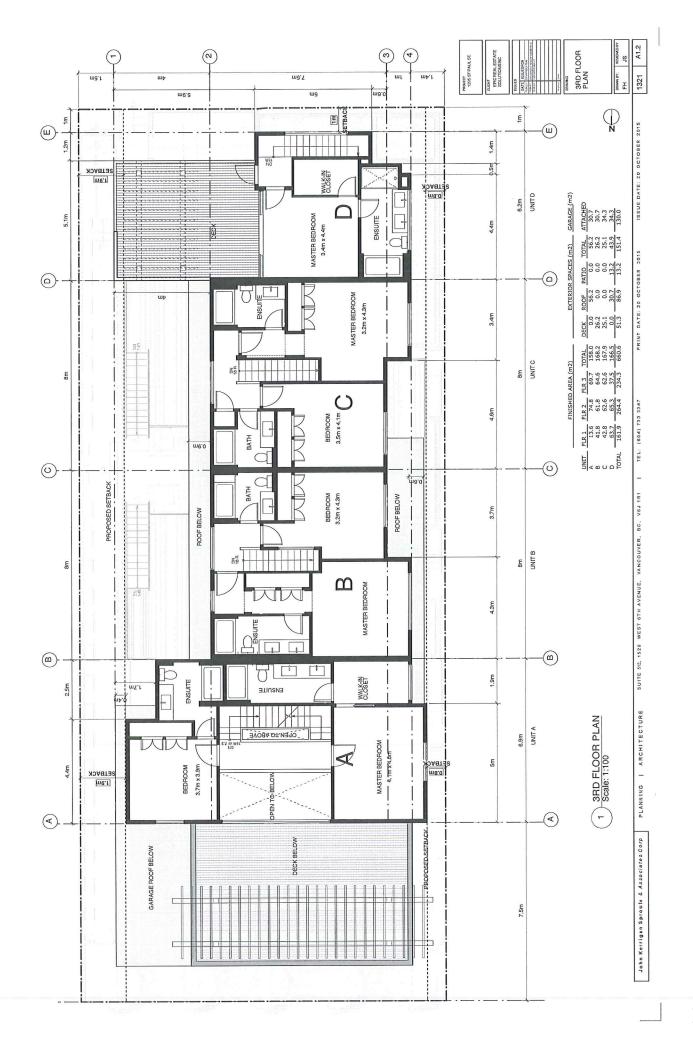
- The access to the site should be from the lane only.
- Indicate on the site, the locations of loading bays as well as the garbage and recycle bins.

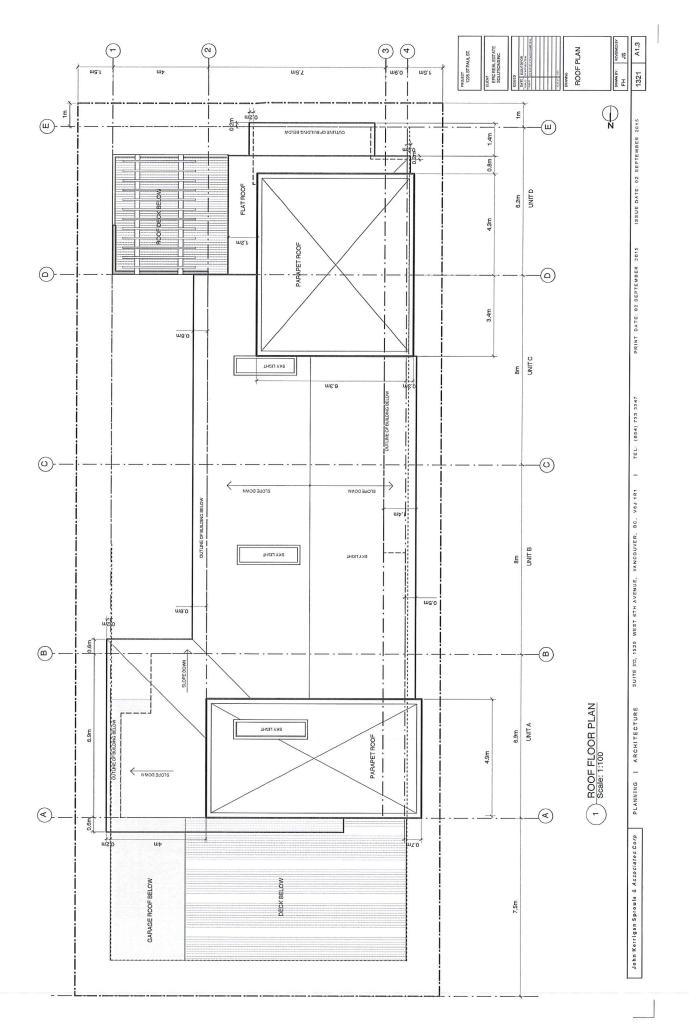
Steve Muenz, R. Eng. Development Engineering Manager

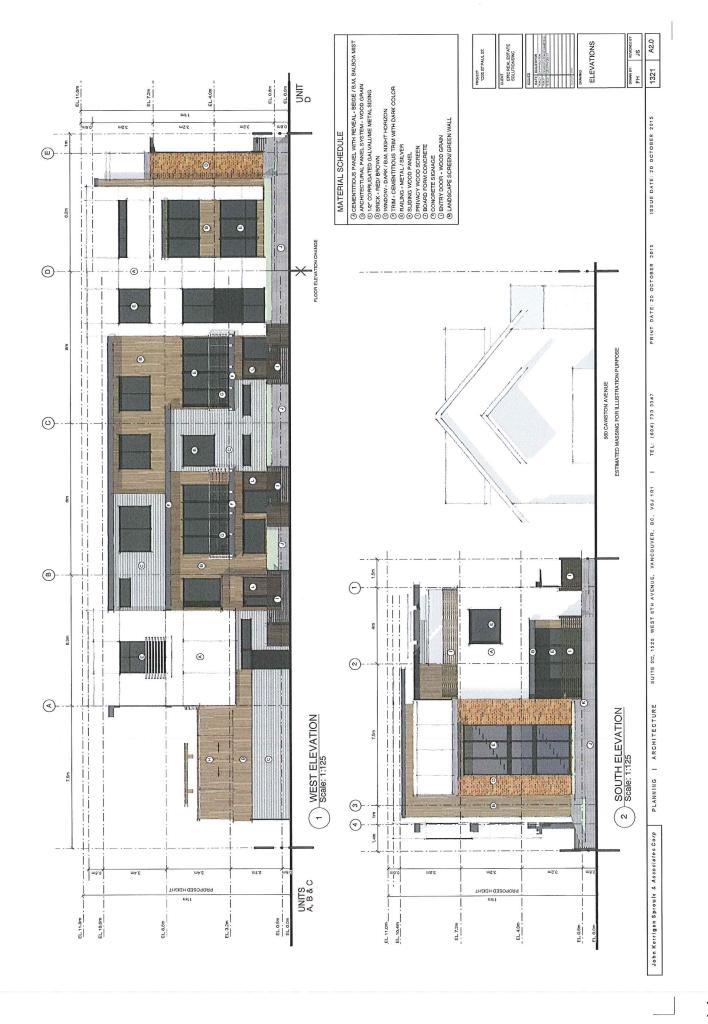


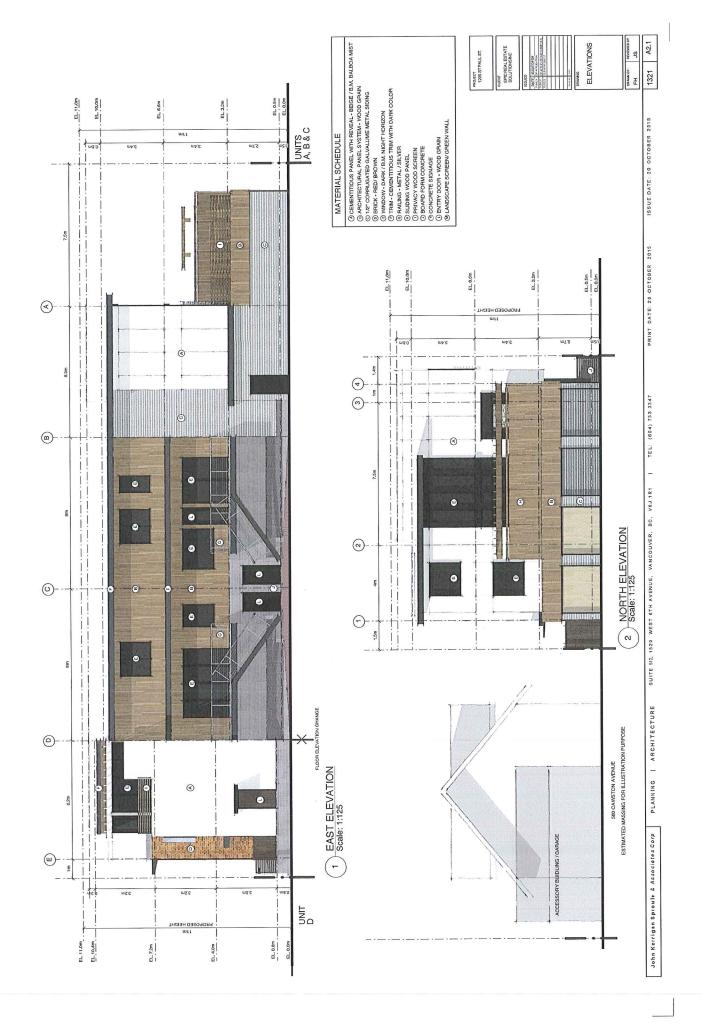






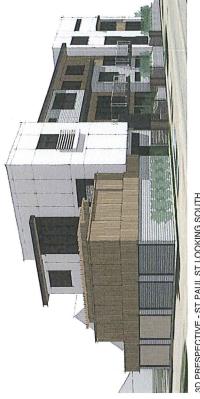












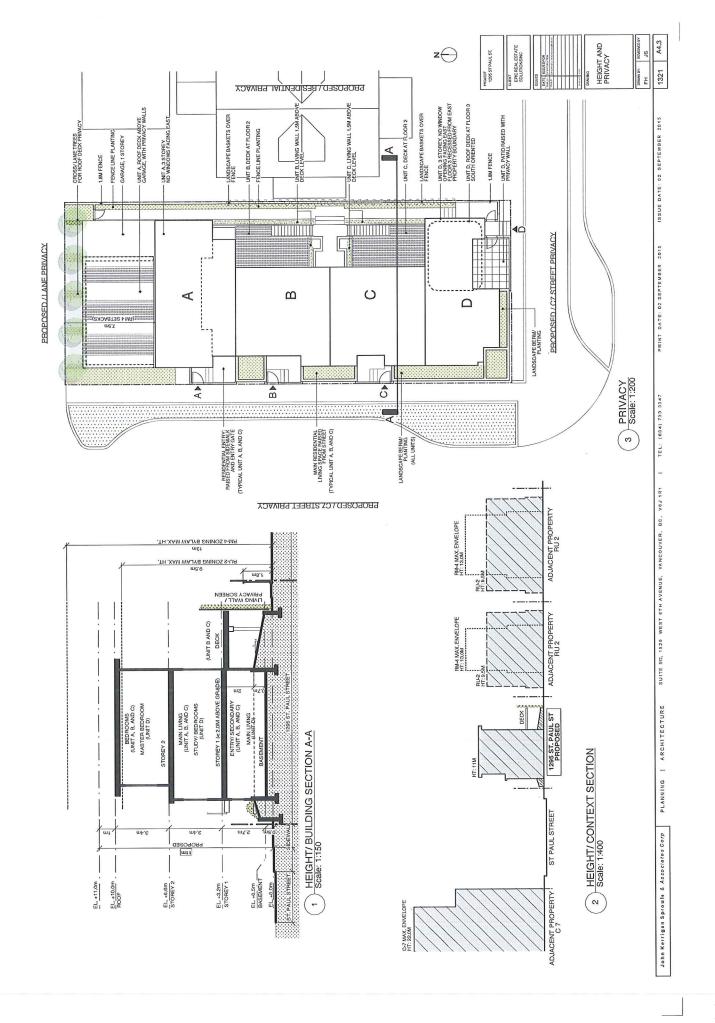


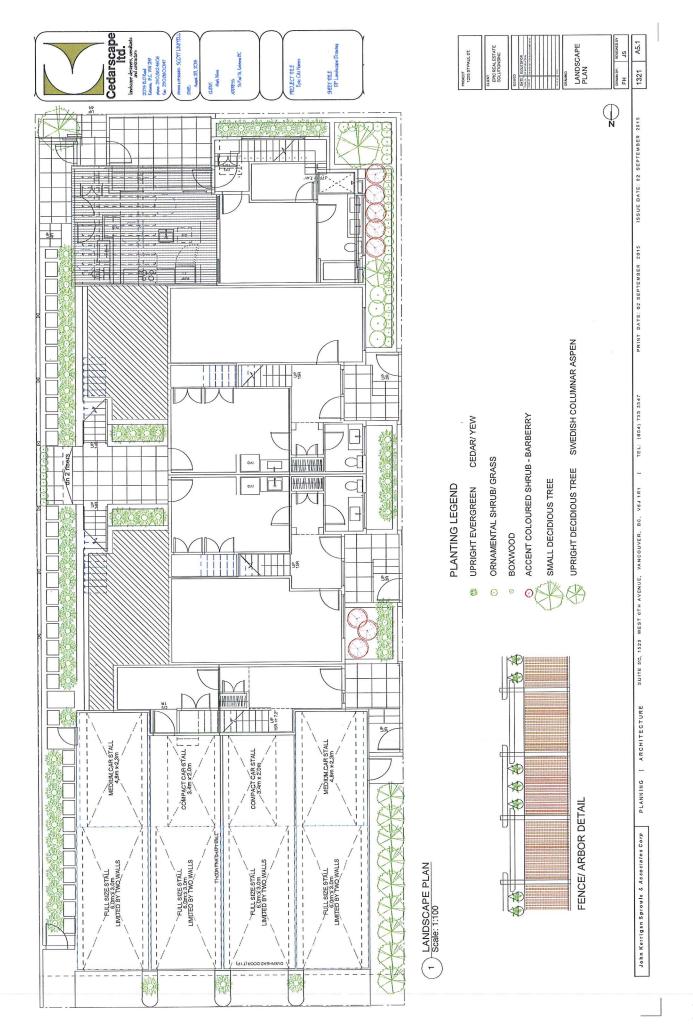
3D PRESPECTIVE - ST PAUL ST LOOKING SOUTH

TEL: (604) 733 3347 SUITE 512, 1529 WEST 6TH AVENUE, VANCOUVER, BC, V6J 1R1 PLANNING | ARCHITECTURE

ISSUE DATE: 02 SEPTEMBER 2015

PRINT DATE: 02 SEPTEMBER 2015





# REPORT TO COUNCIL



Date: November 09, 2015

**RIM No.** 1250-30

To: City Manager

From: Community Planning Department (LK)

Application: Z15-0047 Owner: Urban Cottage Homes Ltd.,

Inc. 1009440

Address: 260 Davie Road Applicant: Novation Design Studio

**Subject:** Rezoning Application

Existing OCP Designation: MRL - Multiple Unit Residential (Low Density)

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU6 - Two Dwelling Housing

#### 1.0 Recommendation

THAT Rezoning Application No. Z15-0047 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4 Section 22 Township 26 ODYD Plan 18085, located at 260 Davie Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

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

#### 2.0 Purpose

To rezone the subject property to facilitate the development of a second dwelling on the subject parcel.

#### 3.0 Community Planning

Community Planning Staff supports the proposed rezoning application to allow the construction of a second dwelling on the subject property. The MRL - Multiple Unit Residential (Low Density) land use designation within the OCP Future Land Use map permits the proposed RU6 - Two Dwelling Housing zone. Currently the adjacent parcels contain a mix of single family and multi-residential dwellings. The proposed two dwelling housing use is consistent with the Official Community Plan (OCP) Future Land Use designation policy objectives for Sensitive Infill and Compact Urban Form.

#### OCP Intensive Residential Guidelines:

- Design projects to reflect the character of the neighbourhood and the principal building through similar architectural and landscaping themes (i.e. respecting building setbacks, height massing, scale, articulated rooflines, building materials, etc.)
- Design and finish buildings to complement and enhance the principal dwelling (upgrades to the principal dwelling would be required to achieve visual consistency).
- Retain existing, healthy, mature trees and vegetation both on site and adjacent to the street.
- Minimize the amount of impervious paved surfaces (i.e. shared driveways between two dwellings).

Council Policy No. 367 with respect to public consultation was undertaken by the applicant. All adjacent neighbours within a 50m radius were provided with a circulation package in regards to the proposed development.

#### 4.0 Proposal

#### 4.1 Project Description

The subject parcel has an existing 1½ storey single detached dwelling which was constructed in 1970. The single car attached garage will be removed to allow for shared driveway access for both dwellings. A new single car garage with side entry will be added to the front of the existing dwelling. This will provide articulation to the front elevation and utilize a portion of the large front yard area while maintaining the required front yard setback area. The exterior façade will be updated to match the proposed second dwelling.

The new single detached dwelling has been designed and sited on the parcel to meet all Zoning Bylaw requirements and many OCP guidelines. The new dwelling is a single storey rancher with a building height and roof slope very similar to the existing house. The proposed dwelling will fit into the context of the subject parcel and the neighbourhood.

By having a shared driveway access along the north side of the parcel the impervious paved surfaces are minimized, the existing mature trees on the south side of the parcel will be retained, and the amount of front yard landscaping is maximized helps to create an attractive streetscape along Davie Road.

#### 4.2 Site Context

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single Family Dwelling
	P2 - Education and Minor Institutional	Religious Assembly/ Community Hall
East	RU1 - Large Lot Housing	Single Family Dwelling
South	RU1 - Large Lot Housing	Single Family Dwelling
South	P3 - Parks and Open Space	Davie Park
West	RM3 - Low Density Multiple Housing	Multi-Family Row housing

Subject Property Map: 260 Davie Road



## 4.3 Zoning Analysis Table

Zoning Analysis Table				
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL		
Exi	Existing Lot/Subdivision Regulations			
Minimum Lot Area	700 m <sup>2</sup>	1391 m <sup>2</sup>		
Minimum Lot Width	18 m	23.48 m		
Minimum Lot Depth	30 m	59.44 m		
	Development Regulations			
Maximum Site Coverage (buildings)	40%	25.2%		
Maximum Site Coverage (buildings, driveways and parking)	50%	50%		
Maximum Height (lessor of)	9.5 m or 2 ½ stories	4.56 m		
Minimum Front Yard	4.5 m	4.5 m to garage addition		
Minimum Side Yard (south)	2.0 m	2.3 m		
Minimum Side Yard (north)	2.0 m	2.28 m		
Minimum Rear Yard	6.0 m	6.0 m		
Minimum Distance Between Dwellings	4.5 m	14.8 m		
Other Regulations				
Minimum Parking Requirements	2 stalls / dwelling	2 stalls / dwelling		
Minimum Private Open Space	30 m <sup>2</sup>	30 m <sup>2</sup>		

#### 5.0 Current Development Policies

## 5.1 Kelowna Official Community Plan (OCP)

#### **DEVELOPMENT PERMIT GUIDELINES**

#### Intensive Residential - Carriage House / Two Dwelling Housing

Consideration has been given to the following guidelines as identified in Section 14.C. of the City of Kelowna Official Community Plan relating to Intensive Residential - Carriage House / Two Dwelling Housing Development Permit Areas:

INTENSIVE RESIDENTIAL - CARRIAGE HOUSE / TWO DWELLING HOUSING		NO	N/A
General Considerations			
Does the dwelling complement the character of the neighbourhood and the principal dwelling?	<b>✓</b>		
Is private outdoor space maximized for each dwelling unit?	<b>✓</b>		
Does lighting placement ensure safety and reduce light pollution?			✓
Are parking spaces and garages located in the rear yard?	<b>✓</b>		
Are impermeable surfaces minimized?			✓
Do all street facing elevations have a high quality of design?	✓		
Are entrances a dominant feature visible from the street or lane?	✓		
Does the design consider the scale and placement of windows on building faces, projections and dormers?	<b>✓</b>		
Is utility and mechanical equipment screened from view?			✓
Do windows and outdoor areas respect the privacy of adjacent properties?	<b>✓</b>		
Does the building location minimize shadowing on the private open space of adjacent properties?	✓		
Does fencing or landscaping screen views of private open space on adjacent properties?	<b>✓</b>		
Is fencing material in keeping with that of abutting properties?			<b>✓</b>
Are existing healthy mature trees and vegetation being retained?	<b>✓</b>		
Does the front yard landscaping use drought tolerant native plants?			✓
Two Dwelling Housing and Carriage Houses			
Does the design create a "lanescape" with a main entrance, massing towards the lane and landscaping?			<b>✓</b>
Do all street facing elevations have an equal level and quality of design?	<b>✓</b>		
Does the exterior design and finish complement the principal dwelling?	✓		
Do the roofline, windows and façades incorporate variation to establish individual character?	✓		

INTENSIVE RESIDENTIAL - CARRIAGE HOUSE / TWO DWELLING HOUSING	YES	NO	N/A
Does the massing next to private open space of adjacent properties reduce the sense of scale?	<b>✓</b>		

#### **Development Process**

Compact Urban Form.<sup>1</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.

**Sensitive Infill.**<sup>2</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.

#### 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 Permits.
  - Full Plan check for Building Code related issues will be done at time of Building Permit applications.
- 6.2 Development Engineering Department
  - See attached Schedule A
- 6.3 Fortis BC Energy Inc. Gas
  - The gas service line may need to be altered to accommodate the garage addition.
- 6.4 Fire Department
  - Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
  - All units shall have a posted address on Davie Road for emergency response.

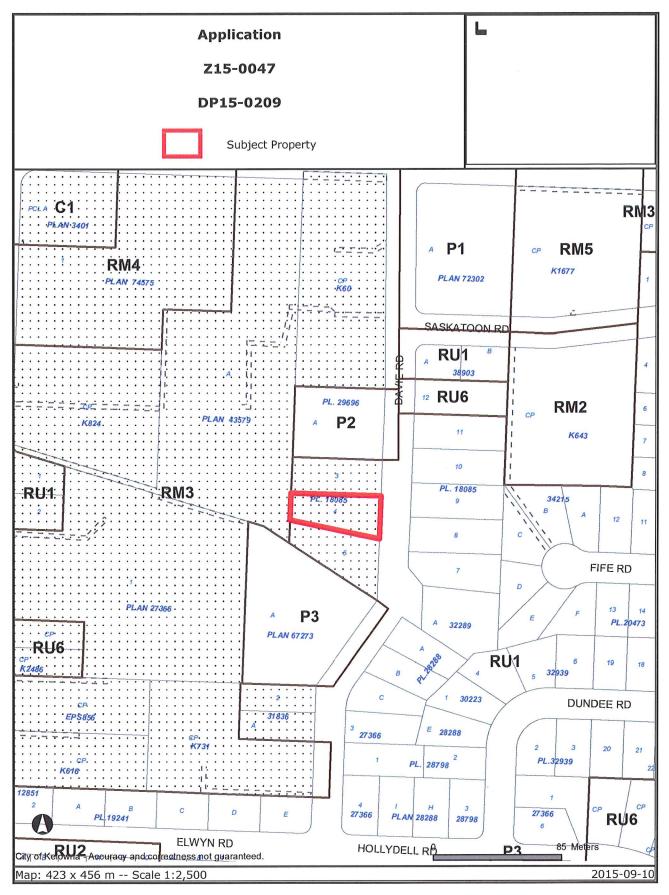
#### 7.0 Application Chronology

Date of Application Received: September 10, 2015
Date Public Consultation Completed: October 7, 2014

<sup>&</sup>lt;sup>1</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>&</sup>lt;sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

Report prepared by:	
Lydia Korolchuk, Planner	-
Reviewed by:	Terry Barton, Urban Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager
Attachments: Subject Property Map Site Plan/Landscape Plan Conceptual Elevations Development Engineering Me	mo



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.

The City of Kelowna does not guarantee its accuracy. All information should be verified.

#### CITY OF KELOWNA

## **MEMORANDUM**

Date:

October 13, 2015

File No.:

Z15-0047

To:

Community Planning (LK)

From:

**Development Engineering Manager** 

Subject:

260 Davie Road

RU1 to RU6

The Development Engineering Department has the following comments and requirements associated with this rezoning application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Sergio Sartori

#### 1. Domestic Water and Fire Protection

- a) This development is within the service area of the Rutland Waterworks District (RWD). The developer is required to make satisfactory arrangements with the RWD for these items. All charges for service connection and upgrading costs are to be paid directly to the RWD. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with current Bylaws and policies requirements.
- b) A water meter is mandatory as well as a sewer credit meter to measure all the irrigation water. Water meters must be housed in an above-ground, heated, accessible and secure building, either as part of the main site buildings or in a separate building. Remote readers units are also mandatory on all meters.

#### 2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service complete with inspection chamber (IC) which is adequate for this application.

#### 3. Road Improvements

- (a) Davie Road must be upgraded to a full urban standard including a sidewalk curb and gutter, piped storm drainage system, fillet pavement, street lights, boulevard landscaping, etc. and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be \$15,186.00not including utility service cost
- b) Only the service upgrades must be completed at this time. The City wishes to defer the upgrades to Davie Road fronting this development. Therefore, cash-in-lieu of immediate construction is required and the City will initiate the work later, on its own construction schedule.

Davie Road

Cost Item \$4,604.00 Drainage Curb &Gutter \$2,865.00 Sidewalk \$3,581.00 Street Lighting \$ 967.00 Landscape Boulevard \$ 537.00 Road Fillet \$2,632.00 **Total** \$15,186.00

#### 4. Development Permit and Site Related Issues

Direct the roof drains into on-site rock pits.

#### 5. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.

Steve Muenz, P. Eng.

Development Engineering Manager

SS

# GENERAL NOTES:

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- DRAWING INDEX:

CONSULTANTS:

ARCHTECTI RAL NOvator Design 13.04s 101-1816 Discort Dare Sute 520 resisent B.C. VIY 971 TB., (250) 718-130 FAX, (251) 500-4000



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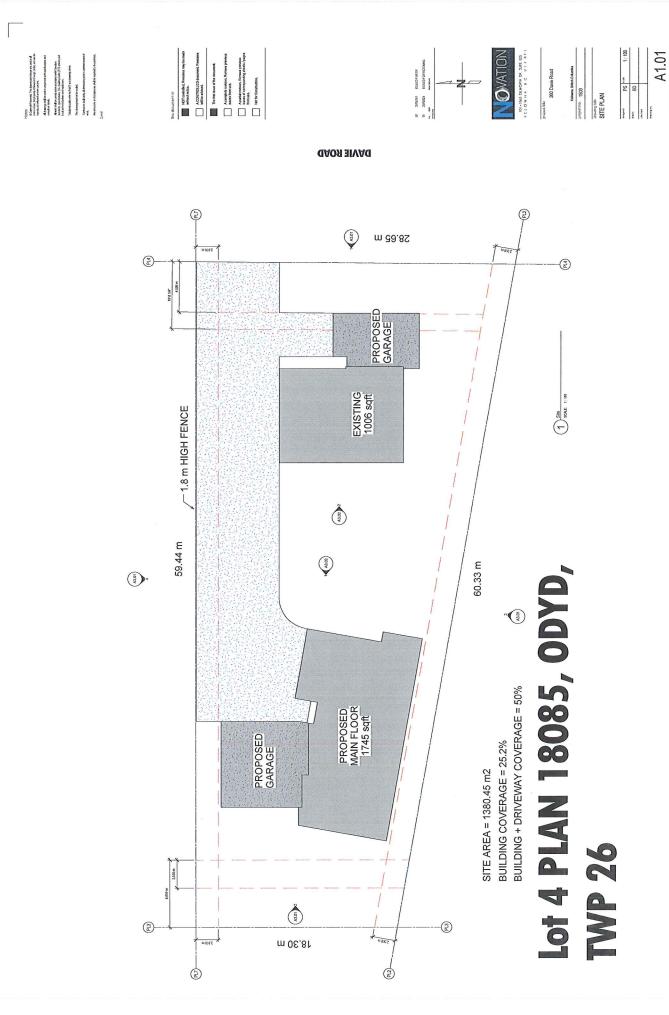
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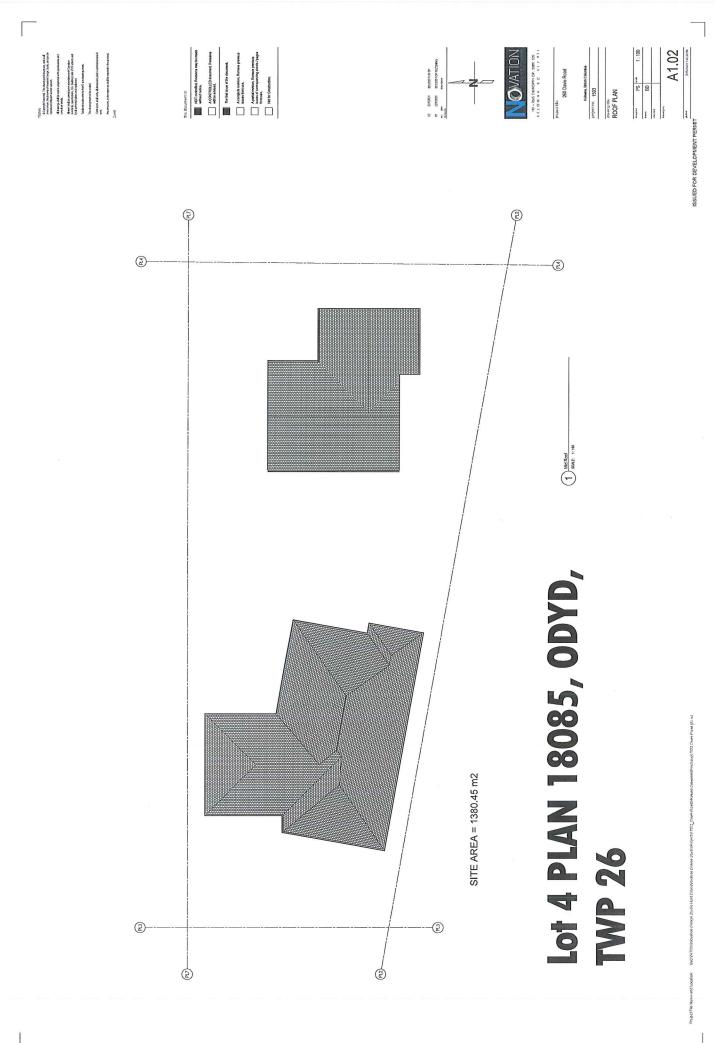
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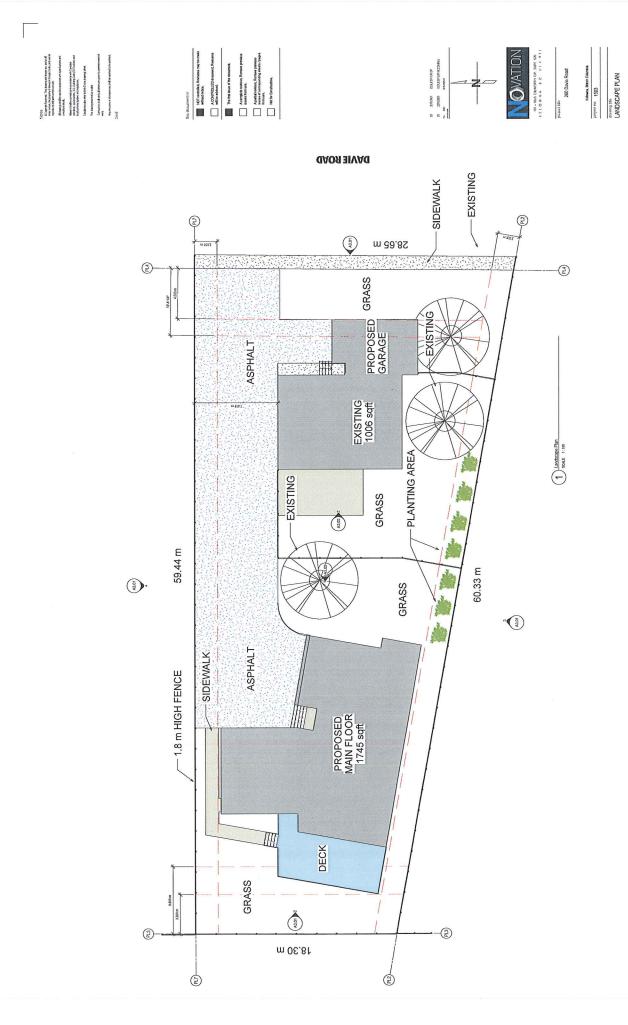


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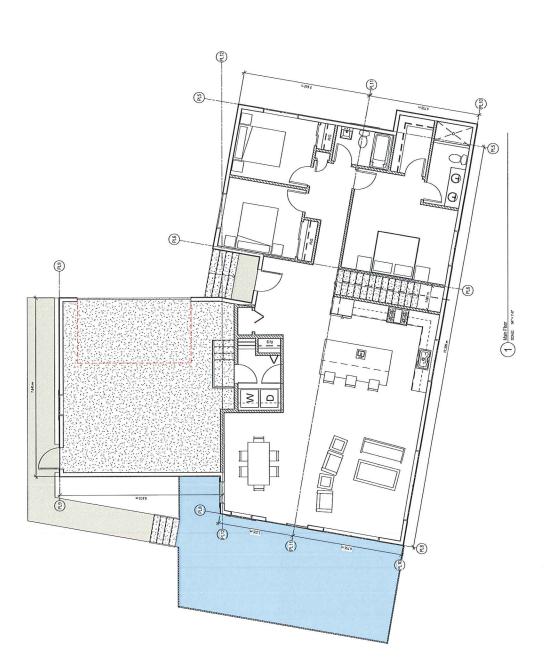


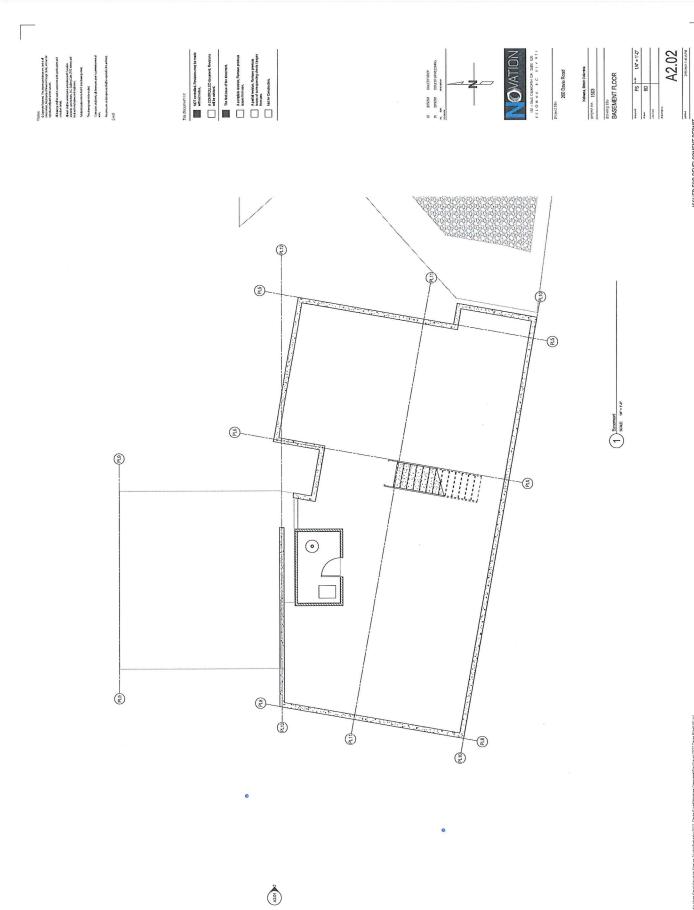


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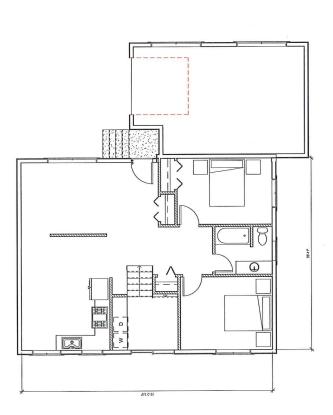






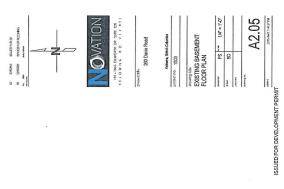


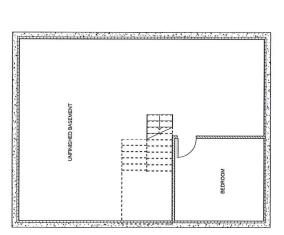
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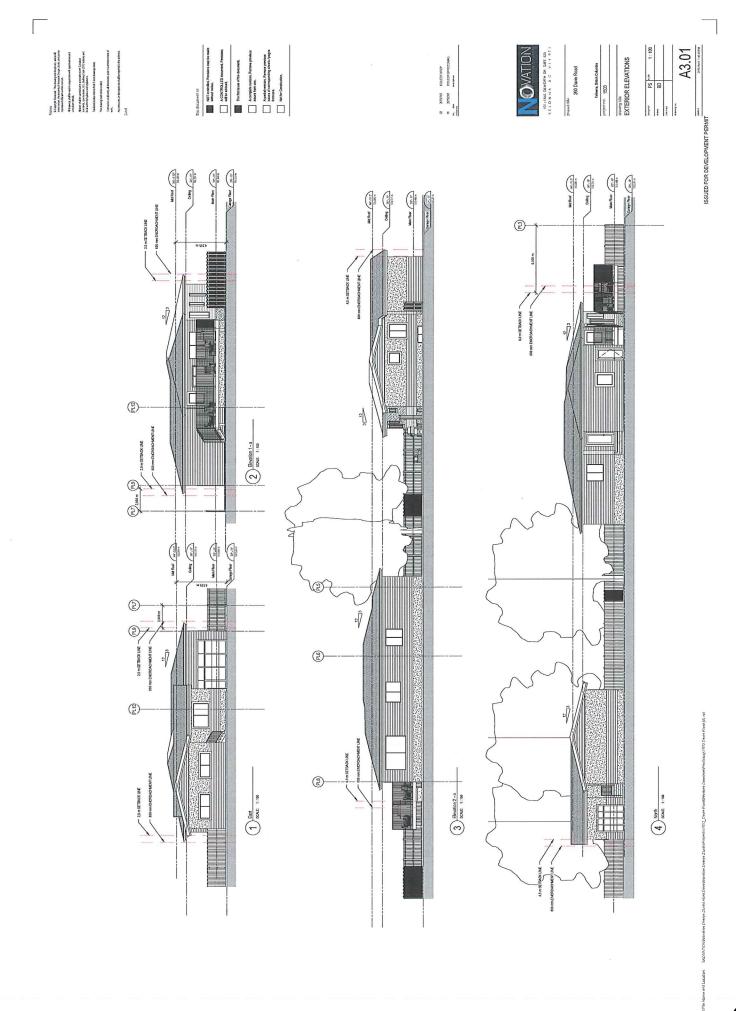


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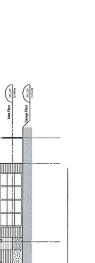






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# REPORT TO COUNCIL



Date: 11/16/2015

RIM No. 1250-30

To: City Manager

From: Community Planning Department (AC)

Unico One Developments Application: Z15-0046 Owner: Ltd., Inc.No. BC0990537

125 Dundas Rd

BlueGreen Architecture Address: **Applicant:** 

(Wendy Rempel) 815 Hwy 33 W

Subject: Rezoning Applications

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. Z15-0046 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification from the RU1 - Large Lot Housing zone to the RM5 - Medium Density Multiple Housing zone, be considered by Council on the following parcels:

- Lot A, Section 22, Township 26, ODYD, Plan 19344 Except Plan 39372, located at 815 Hwy 33 W.
- Lot B, Section 22, Township 26, ODYD, Plan 19344 Except Plan 39372, located at 125 Dundas Rd.

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 following:

1. To the outstanding conditions identified in Attachment "A" associated with the report from the Community Planning Department dated November 16<sup>th</sup> 2015.

#### 2.0 **Purpose**

To rezone the subject properties to the RM5 - Medium Density Multiple Housing zone.

# 3.0 Community Planning

Staff supports the proposed rezoning application. The Official Community Plan (OCP) identifies the area as MRM (Medium Density Multiple Residential). A rezoning to the RM5 zone and the initial proposal for student housing on this site meets many of the goals of the OCP. Adding additional density within an urban centre increases the viability of nearby commercial uses and walkability within the neighbourhood. Students or residents are only 300 metres (or a four minute walk) from 31 shops and services in the Rutland Town Centre. Further, additional density in this area is well supported by existing parks and outdoor amenities within close proximity that students or residents could utilize. Ben Lee Park is located 2 blocks north and has many amenities that a student population would likely utilize.

This proposed development works particularly well for students as the #8 UBCO - OC Bus Line stops on Highway 33 immediately adjacent to this site. Transit time to UBCO from this site is approximately 16 minutes door to door and transit time to Okanagan College its is approximately 28 minutes door to door. Overall, the residential land use allowed in the RM5 zone fit well on this site.

A large number of variances are currently proposed. These variances are necessary for the applicant to meet their density objectives on a relatively small site. One problem is, the applicant wants to achieve their maximum FAR identified in the zone but any plan respecting the appropriate setbacks, height, and parking requirements would not achieve the maximum FAR. As a result, the applicant is making an argument that the type of anticipated occupants (students) warrant the type of variances proposed. The applicant has been repeatedly informed that Staff cannot recommend support for a parking variance (regardless of the car-share mitigation proposal) when the subject property falls within a cash-in-lieu area. Further, in order for Staff to consider a recommendation of support (regarding the variances) the applicant has been informed that cash-in-lieu for the parking shortfall as well as a car-share program would be necessary to mitigate the shortfall. However, Staff will provide further details on the merits of the variances and details of the development proposal within the Development Permit and Development Variance Permit report should Council choose to adopt the zoning on the site.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant notified all of the neighbours within a 50 metre radius.

# 4.0 Proposal

# 4.1 Project Description

The current proposal for the site is a new 23 unit student housing development. The type of dwelling unit varies between 3 and 5 bedrooms. The building is 4 ½ stories, with the top floor incorporated into a dormer, and partial under-cover parking at grade. Architecturally, the development is a mix between traditional materials (brick, siding, and stucco) and a modern colour palette and textures. The applicant's facade treatment includes green colour highlights with three dimensional facade articulations to develop shadow and depth in these elevations as well as to provide visual interest.

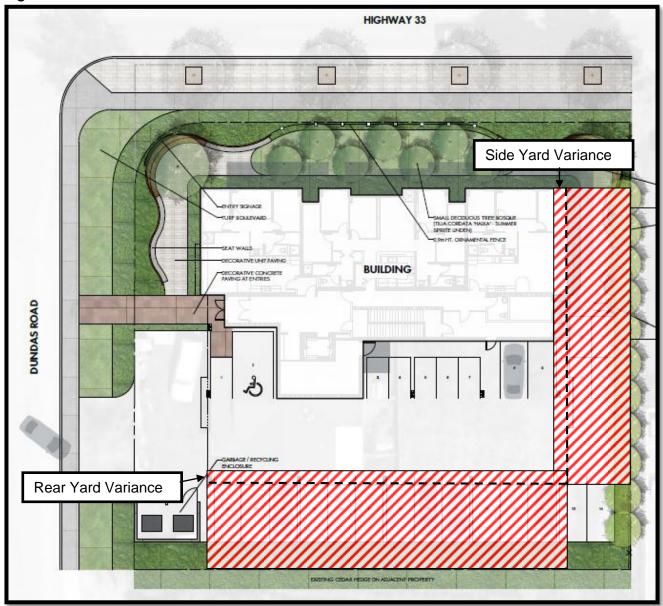
# 4.2 Variances

The current proposal needs seven variances.

- 1) Side yard setback reduction requested (from 7.0m to 5.2m);
- 2) Rear yard setback reduction requested (from 9.0m to 7.1m);
- 3) Site coverage reduction requested (from 40% to 43.05%);
- 4) Eleven (11) parking stall reduction requested and 8 stalls paid by cash-in-lieu;
- 5) Requested an increase in the proportion of small vehicle size stalls (from 10% to 37%);

- 6) Class 1 bicycle parking location variance requested (from the bicycle parking must be located at building grade or within one storey of building grade to the third storey);
- 7) Private open space reduction requested (from 575m<sup>2</sup> to 356.2m<sup>2</sup>).

Figure 1: Setback Variance



# 4.3 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:

Z15-0046- Page 4

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

# Subject Property Map:



# 4.4 Zoning Analysis

Zoning Analysis Table				
CRITERIA	PROPOSAL	REQUIREMENTS		
	11(01 05/12	RM5		
Development Regulations				
Height	18m / 4.5 stories	16.5 m / 4.5 stories		
Front Yard (north)	6.0 m	6.0 m		
Side Yard (west)	9.1 m	4.5 m		
Side Yard (east)	5.2 m <b>o</b>	7.0 m		
Rear Yard (south)	7.71 m <b>⊚</b>	9.0 m		
Site Coverage	43.05 % €	40 %		

Zoning Analysis Table				
CRITERIA	PROPOSAL	REQUIREMENTS		
CRITERIA	TROTOSAL	RM5		
Site coverage of buildings, parking, & driveways	62.62 %	65 %		
FAR	1.25	1.1 plus 0.2 bonuses = 1.3 max FAR		
Other Regulations				
Minimum Parking Requirements	27 🛭	46 stalls		
	(Based on 27 parking stalls)	(Based on 27 parking stalls)		
Portion of Parking Stall	Full size = 15 stalls	Min Full size: 50% = 14 stalls		
Size	Medium size = 2 stalls	Max Medium size: 40% = 11 stalls		
	Small size = 10 stalls <b>⊙</b>	Max Small size: 40% = 3 stalls		
Minimum Bicycle Parking	Class 1: 14 <b>6</b>	Class 1: 12		
	Class 2: 5	Class 2: 3		
Private Open Space	15. 5m² per unit = 356.2 m² provided <b>ଡ</b>	25 m² per unit = 575 m² minimum		

- Side yard setback reduction requested;
- Rear yard setback reduction requested;
- Site coverage reduction requested;
- Eleven (11) parking stall reduction requested and 8 stalls paid by cash-in-lieu;
- Requested an increase in the proportion of small vehicle size stalls from 10% to 37%;
- 6 Class 1 bicycle parking location variance requested;
- Private open space reduction requested.

# 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.

**Sensitive Infill.**<sup>2</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.

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

# 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)

<sup>&</sup>lt;sup>1</sup> City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

<sup>&</sup>lt;sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

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

- b) 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.
- c) 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.
- d) 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):
  - Door swings and gate swings for proper means of exiting are required along with a hard path of to the street for exiting from the exit stairwells
  - Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
- e) A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- f) 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 neighboring roofs, excessive noise from mechanical units, vibration damage during foundation preparation work etc.
- g) Fire resistance ratings are required for storage, janitor 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.
- h) 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, number of required exits per area, door swing direction, handrails on each side of exit stairs, width of exits etc.
- i) 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.
- j) 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 19<sup>th</sup> 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 Subdivsion 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) A visible address must be posted as per City of Kelowna By-Laws
- e) Sprinkler drawings are to be submitted to the Fire Dept. for review when available
- f) 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
- g) Approved Fire Department steel lock box or key tube acceptable to the fire dept. is required by the fire dept. entrance.
- h) All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met.
- i) Fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard.
- j) Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- k) Fire department connection is to be within 45M of a fire hydrant- unobstructed.
- l) Ensure FD connection is clearly marked and visible from the street
- m) Dumpster/refuse container must be 3 meters from structures or if inside the parking garage, it shall be enclosed within a rated room
- n) Do not issue BP unless all life safety issues are confirmed

# 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.

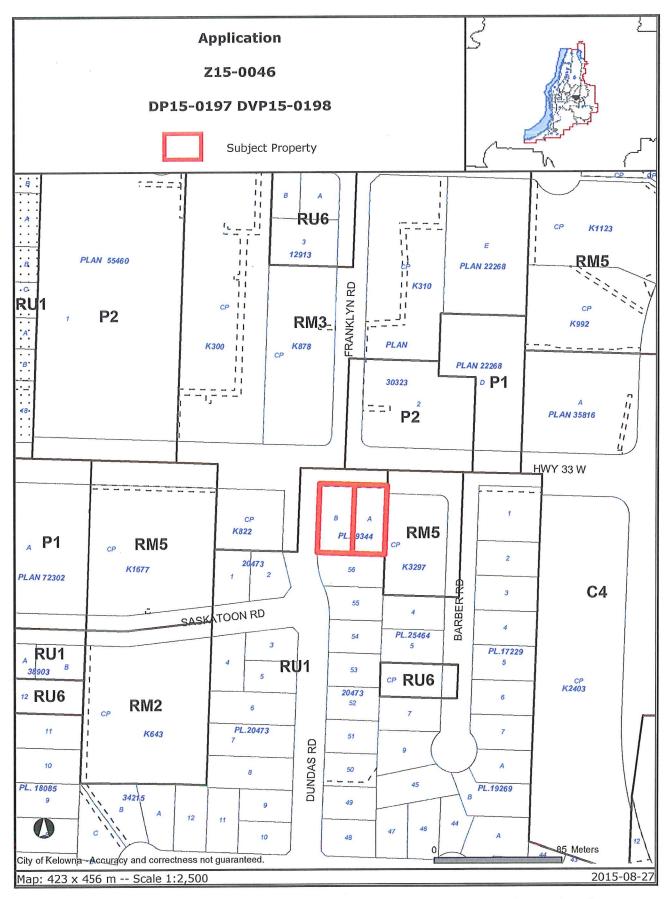
# 6.5 Ministry of Transportation

- Preliminary Approval is granted for the rezoning for one year pursuant to Section 52(3)(a) of the Transportation Act, subject to the following conditions:
- No direct access to any portion of the subject lots via Highway 33 be maintained, provision of alternate access served via Dundas Road.
- Physical removal of the existing drop curb/driveway letdown along subject properties frontage on Highway 33 to include restoration of highway curb/gutter/sidewalk and drainage works to Ministry satisfaction.
- Dedication of lands for Provincial Arterial Highway 15 metres measured at a right angle from mean centreline of Highway 33, along entire frontage of subject properties.

# 7.0 Application Chronology

Date of Application Received: August 27<sup>th</sup> 2015
Date of Public consultation: August 24<sup>th</sup> 2015

Report prepared by:	
Adam Cseke, Planner	_
Reviewed by: Approved by:	Terry Barton, Urban Planning Manager  Ryan Smith, Community Planning Manager
Attachments: Subject Property Map Development Engineering C Applicant's rationale Public Notification summar Application Package	omments dated October 19 <sup>th</sup> 2015 (Attachment 'A')



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

# CITY OF KELOWNA

# MEMORANDUM

Date:

October 19, 2015

File No.:

Z15-0046

To:

Community Planning (AC)

From:

**Development Engineering Manager** 

Subject:

125 Dundas Rd & 815 Hwy 33 W

RU1 to RM5

This forms part of development

215-0046

Development Engineering Department have the following comments and requirements associated with this application. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

The Development Engineering Technologist for this project is Sergio Sartori

### 1. Domestic Water and Fire Protection

- (a) This development is within the service area of the Rutland Waterworks District (RWD). The developer is required to make satisfactory arrangements with the RWD for these items. All charges for service connection and upgrading costs are to be paid directly to the RWD. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with current requirements.
- A water meter is mandatory as well as a sewer credit meter to measure all the (b) irrigation water. Water meters must be housed in an above-ground, heated, accessible and secure building, either as part of the main site buildings or in a separate building. Remote readers units are also mandatory on all meters.

#### 2. Sanitary Sewer

(a) The existing lots are serviced with 150mm diameter sanitary service. The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size and preferred location of the service. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of one of the existing services. The estimated cost of this construction for bonding purposes is \$4,000.00

#### 3. Storm Drainage

- (b) The developer must engage a consulting civil engineer to provide a storm water management plan for these sites which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.
- (b) Only one service will be permitted for this development. The applicant, at his cost, will arrange for the installation of one new overflow service. The new

service should tie in to the main on Dundas Rd. The estimated cost of this construction for bonding purposes is \$5,000.00

# 4. Road Improvements

(a) Dundas Street must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, separate sidewalk, corner bulb, landscaped boulevard complete with street trees, drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost of this construction for bonding purposes is \$23,000.00

(a) Hwy 33 W will require removal of the driveway letdowns and separate sidewalk from the removed letdown to Dundas Road. The 2 trees located within the dedicated road area are to remain. A tree covenant will be required for proper care of the trees during construction. In addition a hard surfaced boulevard complete with street trees, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The

estimated cost of this construction for bonding purposes is \$10,000.00

# 5. Transportation

a) These Development Engineering comments/requirements and are subject to the review and requirements from the Ministry of Transportation (MOT) Infrastructure Branch.

# 6. Road Dedication and Subdivision

- (a) Lot consolidation is required.
- (b) Grant Statutory Rights Of Way if required for utility services.
- (c) Dedicate ~5.26m width along the full frontage of Hwy 33 West complete with a 6.0 m corner rounding at the intersection of Dundas Rd and Hwy 33 W.
- (d) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

# 7. Electric Power and Telecommunication Services

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground as the subject properties are within the "Rutland Urban Centre".
- b) Streetlights must be installed on Dundas Rd if needed.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

This forms part of development
Permit # 215-0046

# 8. Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the city engineering department for review and marked "issued for construction" by the city engineer before construction may begin.

# 9. Design and Construction

- (a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- (b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- (c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- (d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

# 10. <u>Servicing Agreements for Works and Services</u>

- (a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- (b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

## 11. Geotechnical Report

As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

(a) Area ground water characteristics.

(b) Site suitability for development, unstable soils, etc.

(c) Drill and / or excavate test holes on the site and install pisometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content,

This forms part of development
Permit # 215-0046

- Identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- (e) Additional geotechnical survey may be necessary for building foundations, etc.

# 12. Bonding and Levy Summary

# (a) Bonding

Water service upgrades	N/A
Sanitary sewer service upgrades	\$ 4,000
Storm overflow services	\$ 5,000
Dundas Rd frontage improvements	\$ 23,000
Hwy 33 W frontage improvements	\$ 10,000
Total Bonding	\$41,000.00

NOTE: The bonding amount shown above are comprised of estimated construction costs escalated by 140% to include engineering design and contingency protection and are provided for information purposes only. The owner should engage a consulting civil engineer to provide detailed designs and obtain actual tendered construction costs if he wishes to do so. Bonding for required off-site construction must be provided and may be in the form of cash or an irrevocable letter of credit, in an approved format.

The owner must also enter into a servicing agreement in a form provided by the Citv.

# 12. Development Permit and Site Related Issues

Access and Manoeuvrability

(i) Access to the site will be permitted from Dundas Rd.

(ii) Indicate on the site, the locations of loading bays as well as the garbage and recycle bins.

Trees fronting Hwy 33

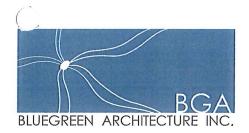
(iii) A tree covenant will be required for proper care of the trees during construction.

Steve Muenz, P. Hng.

Development Engineering Manager

SCHEDULE Attachment A'
This forms part of development
Permit # 215-0046

SS



# THE VARSITY Student Residence DESIGN RATIONALE

August 20, 2015 - Development Permit Application

## ARCHITECTURAL PROJECT PLANNING

The VARSITY is a new student housing development on the Southeast corner of Highway 33W and Dundas Road located within the Rutland Urban Centre. Based on the proposed RM-5 zoning, the building is 4½ stories, with the top floor incorporated into a dormer architecture, and partial under-cover parking at grade.

The primary planning considerations for the development were to create a project that responds to sensitively to the nearby neighbours, develops a massing that is in keeping with the adjacent RM5 (Mulit-family) developments in the area, and to craft an architectural vocabulary that continues to revitalize the immediate and greater Rutland area where it is located.

Additionally, the rationale behind the development of a student residence in this location is multi-faceted:

Proximity to BC Transit - both to UBCO and Okanagan College

The #8 UBCO – OC Bus Line traveling to UBCO stops on Highway 33, on the development's side of the highway, just 5 meters from the northeast property line. Directly across Highway 33, is the bus stop for the #8 Bus line going directly to Okanagan College. Transit time to UBCO from our building is estimated at 16 minutes door to door, and to Okanagan College 28 minutes door to door. During peak hours, these buses stop at this stop every 15 minutes.

Proximity to Merchant and Retail Services

At the corner of Highway 33 W and Hollywood Road S, which Google Maps shows is a 300 meter, or a four-minute walk from the development, are 31 Shops and Services, which Students want, and would patronize (list attached)

Parks and Outdoor Activities

Directly across Highway 33W, from our building, and 2 blocks north up Franklyn Road, is Ben Lee Park. Ben Lee Park provides the amenities that university aged students are looking for. The park has a basketball court, a multi-purpose (netted) court, a skateboard park, as well as running and hiking trails. At 7.3 hectares, there is ample room for exercising, running, or quiet time and studying, at Ben Lee Park.

Architecturally, the development is a marriage of traditional materials (brick, siding and stucco) with a palette of colors that creates a modern mix of colors and textures that give the building strong architectural interest. As a

Kevin Ryan | Architect AIBC - MA (Hons) - DA - LEED AP

Wendy Rempel | Architect AIBC - M.Arch - B.Arch

student residence, there is an additional need of creating an architectural vocaulary with a modern flair, which is created with the green punches of color.

The highest profile elevations are the Highway 33 Elevation (North) and the Dundas Elevation (West). Significant attention has been given to creating architecture that has both material and textural interest as well as 3-dimensional façades for further development of shadow and depth in these elevations. The building sits within the required setbacks per the zoning bylaw for RM-5. The east elevation matches, in general, the architecture on the west elevation that faces the multi-family development to the east. A variance is being sought for the east setback to 5.8 m in lieu of the 7m required). To be sensitive and maintain significant architectural interest to the adjacent neighbor, part of the request for the variance in this case is to allow for a continuation of the 3-dimensional architecture that appears on the North and West façades. The South elevation is consistent in color and texture palette in order to, again, create interest facing the neighbor to the south, although currently there is a very tall cedar hedge on the north edge of the adjacent property that creates a significant privacy buffer. A variance is being sought for the south setback from 9m to 7.68m. This is in part to continue some 3-dimensional interest as well as to accommodate the parking for the project (below). The setback reduction still maintains a significant separation from the adjacent property.

There is a private open space requirement of 25 square metres / unit for the RM5 zone for units exceeding 1 bedroom. This development proposal incorporates 23 units in excess of 1 bedroom equaling a total of 575 sm. required P.O.S. area. There are two variances being sought in order to address the issue of the Private Open Space requirement. First, based on the use (student housing), the POS component was addressed in common spaces rather than individual spaces. In order to create reasonably-sized internal common/social spaces, the building needed to expand to slightly (Building area allowable: 40%; Actual: 43.05%). The project incorporates a fitness room, a yoga room, a quiet study room and a student lounge and games room with an exterior deck creating significant internally-focused social and active spaces for students.

Second, in order to compensate for a 5.25m road dedication loss to the property along Highway 33, the development seeks a variance to the stipulation that Private Open Space cannot be part of a required setback(s). The north and east setbacks have been calculated into the POS area. And due to the variance request, there has been significant attention given to landscaping, as well as the social and interactive needs of the students. The project has developed a beautiful green space that not only achieves the appealing, inviting environment that makes this space very useable by students, but creates and enhances the streetscape appeal for the general public. Due to the very close proximity of the adjacent bus stop, the landscape concept additionally maintains a definition between the public and private realms in order to maintain security and privacy for the occupants while creating a park-like setting within.

The project also seeks two variances to the parking requirement which have been outlined by the developer in a letter dated August 13, 2015 (attached) wherein is outlined the rationale for the reduction, and proposed solution to address actual student and City requirements.

Further to the attachment, it is important to note that the above-noted transit, merchant and amenity features so accessible to the development's location, strongly suggest that the students living there will not need cars. It is expected to attract student residents that either cannot afford, or choose not to own and operate a car. Accordingly, we would request that this be considered in our parking requirements and proposed variance.

# **List of Merchants:**

McDonalds

Tim Horton's

Wendy's

Shoppers Drug Mart - with a Post Office

Rexall Drugstore

Panago Pizza

Starbucks

TacoTime

IGA Supermarket

Liquor Depot

Wings Tap and Grill

Sushi Zen Restaurant

Zabb Thai Restaurant

Pizza Factory

Specialty Bakery

Johnny's Meats and Deli

Old Town Farmers Market

New Empress Chinese Restaurant

Insurance – Autoplan

Dollar Store

H+R Block Taxes

Hollywood Shoes

Purple Sea Horse Pet Store

Rutland Optical

Brayd's Hair Salon and Tanning Spa

First Choice Hair Cutters

Nails + Spa

Central Spa and Nails

Esso Gas Station - Car Wash

Curves – Women's Fitness

Quantum Video Games Store

Two blocks further east on Highway 33, there is a Dairy Queen, KFC, and another grouping of services and merchants.

August 13th, 2015

Ryan Smith, BA, RPP, MCIP Department Manager, Community Planning City of Kelowna 1435 Water Street, Kelowna, BC V1Y 1J4

Re: Student Housing Parking Review

<u>Development:</u> 125 Dundas Road and 815 Highway 33 W Proposed 23 Unit Rental Apartment Building

RM5 Zoning Calls for 46 parking Spaces (2 x Unit) Current proposal provides for 27 Parking Spaces Current Shortfall is 19 Parking Spaces

Dear Ryan,

I wanted to present you with some research and facts from similar student housing facilities located here in Kelowna, to corroborate my proposal to you in regards to our parking space requirements.

We had discussed the dedication of an OGO car share vehicle on site to provide extra transportation in lieu of fewer cars from tenants. In speaking with Christian Brandt, the Managing Director of OGO, he advised me that in it's first full year of placement at Academy Hill, they signed up 10 new members ( users ) for their ( single ) OGO car share vehicle and they had 5-6 occasional users of that car that were already OGO members. He suggests that this number of users is low, compared to his other locations. Academy Hill is comprised of 15 one bedroom and den units and 63 two bedroom and den units...78 units in total. Assuming that the 'dens' are occupied by students as sleeping areas, total residency at Academy Hill could be about 215 people. This is more than double our expected occupancy. If only 10 people out of 200+ tenants sign up for car share membership, I believe that we should consider placement of one OGO car share vehicle at our development.

Of particular interest is the additional feedback from Christian Brandt, regarding inquiries for the OGO car share program from the Rutland area. He indicates that he has comparatively more interest from Rutland than from any other un-serviced area in greater Kelowna. He feels that there would be substantial membership sign-ups coming from the community at large, over and above the tenants in our building. In short, the benefit of placing an OGO car share vehicle at our development would become a community benefit.

In a Vancouver Sun Newspaper article, which ran on November  $29^{th}$ , 2014, entitled "Vancouver Swaps parking requirement for car shares", the writer referred to a recent metro Vancouver study, which showed that "...one car share vehicle takes up to 11 cars off the road." The writer went on to report that "parking supply in strata apartments is 18 to 35 percent oversupplied across the region, with the highest vacancies near transit hubs."

I believe these stats are particularly relevant in our situation, due to a number of factors:

- 1. Transit Access The #8 UBCO OC Bus Line (going both directions) stops on Highway 33, beside, and directly across, from our proposed building. Transit time to UBCO from our building is estimated at 16 minutes door to door, and to Okanagan College 28 minutes door to door. During peak hours, these buses stop here every 15 minutes.
- 2. Access to Services and Amenities Within a 2 block (5 minute) stroll from our building are 31 retail and service businesses that students require. They include:

Tim Hortons
McDonalds
Wendy's
TacoTime Cantina
Wings Tap and grill
Panago Pizza
Sushi Zen
IGA Supermarket
2 x Drug Stores
Walk-in Medical Clinic
3 x Personal Care and Hair Styling Shops
Liquor Store

With transit access, and shops and services this close to our building, the students we attract will likely not own cars. We feel that car ownership, and therefore parking requirements, at our building, will be considerably lower than other apartment buildings, which cater to a wider rental market, especially those buildings located away from main transit arteries.

We would like to address our shortfall of 19 parking spaces with the following proposal:

- A) Install, at our cost, one OGO car share vehicle, for a minimum 2 year commitment period.
- B) Consider that the OGO car share reduces parking (cars) by 11 spaces

C) Submit a one-time payment to the City of Kelowna in the amount of 60,000 to mitigate the remaining 8 space shortfall ( $8 \times 7500$ )

Attached are a copy of the Vancouver Sun article, and confirmation from OGO on their membership numbers, for your consideration.

Best Regards,

David Hallonquist Unico One Developments Ltd. 101 – 1865 Dilworth Drive, Suite #351, Kelowna, BC V1Y 9T1 August 24th, 2015

Ryan Smith, Adam Cseke Community Planning City of Kelowna 1435 Water Street, Kelowna, BC V1Y 1J4

Re: VARSITY Student Residence Neighborhood Consultation

<u>Development:</u> 125 Dundas Road and 815 Highway 33 W Proposed 23 Unit Rental Apartment Building

Dear Ryan, Adam,

I have conducted the neighbourhood consultation, for the above-mentioned development, as required under policy 367. I attach the original, signed copies, of the comment sheets, from each resident that I consulted with. The comment sheet allows each resident to show their approval rating from a scale of 1 – 5, with 5 being the best approval rating, and 1 being the rating for the least approval.

# We received:

5's - 8

4's - 6

3's - 2

2's - 0

1's - 1

There is only one address within the 50 meter radius that I could not make contact with: 155 Dundas Road. The owner is away traveling. I determined this from the owners brother, Rick Schneider, who owns 145 Dundas Road, and who is also partowner of 155 Dundas Road. As Rick gave us a "5", and he suggested his brother would as well, I have no problem with not having this comment.

Regards,

David Hallonquist

Unico One Developments Ltd.



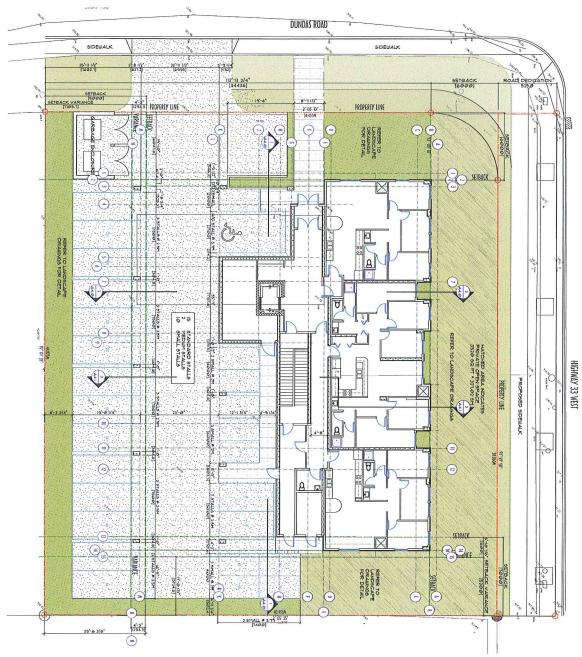


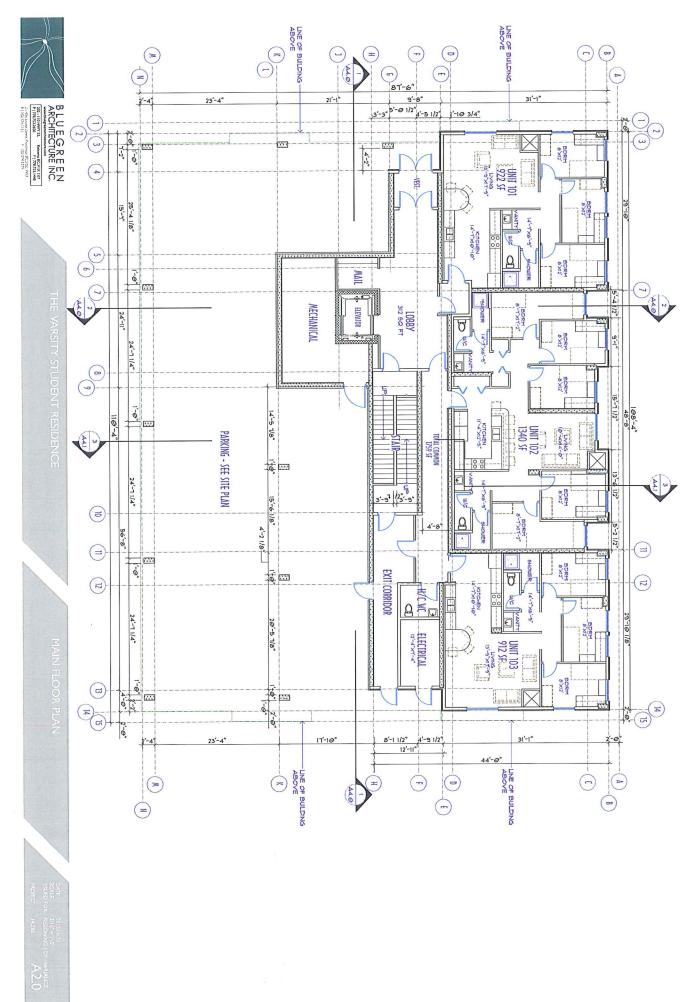
# THE VARSITY STUDENT RESIDENCE DEVELOPMENT

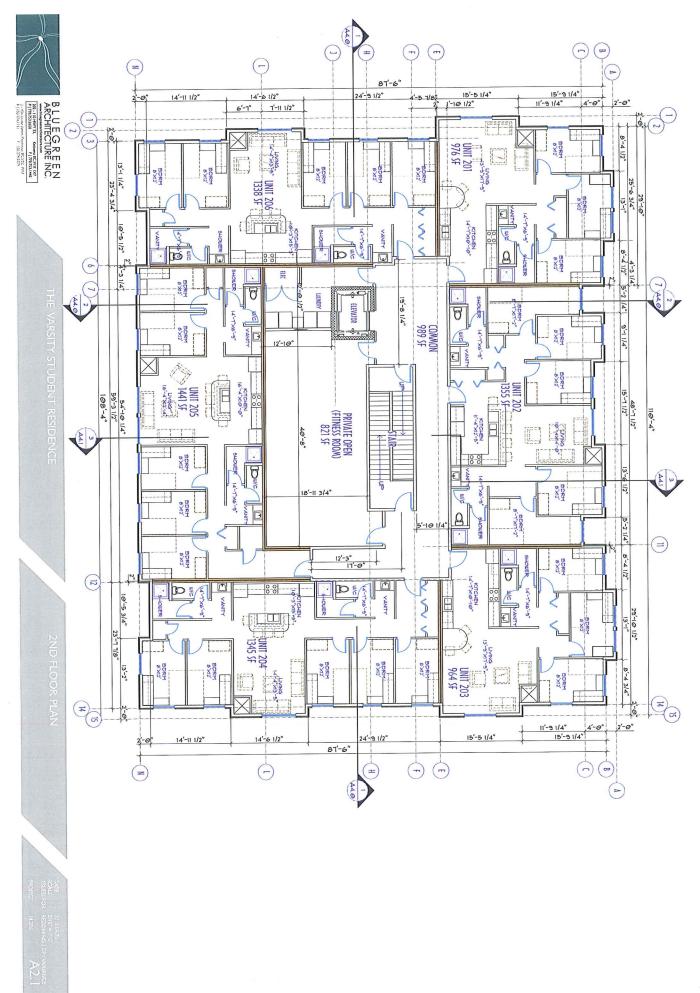


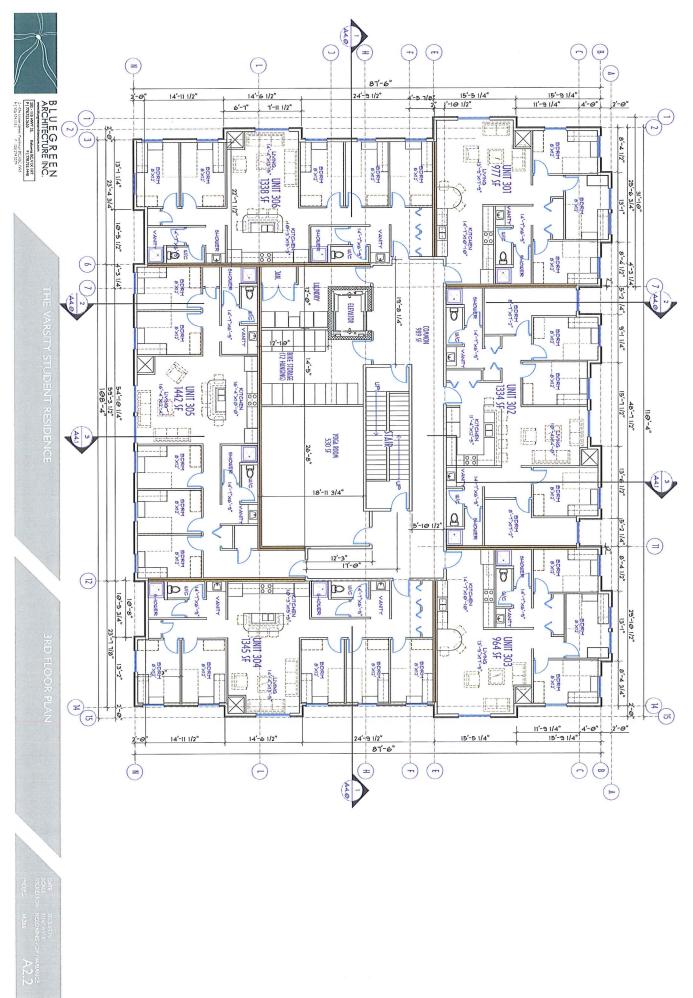


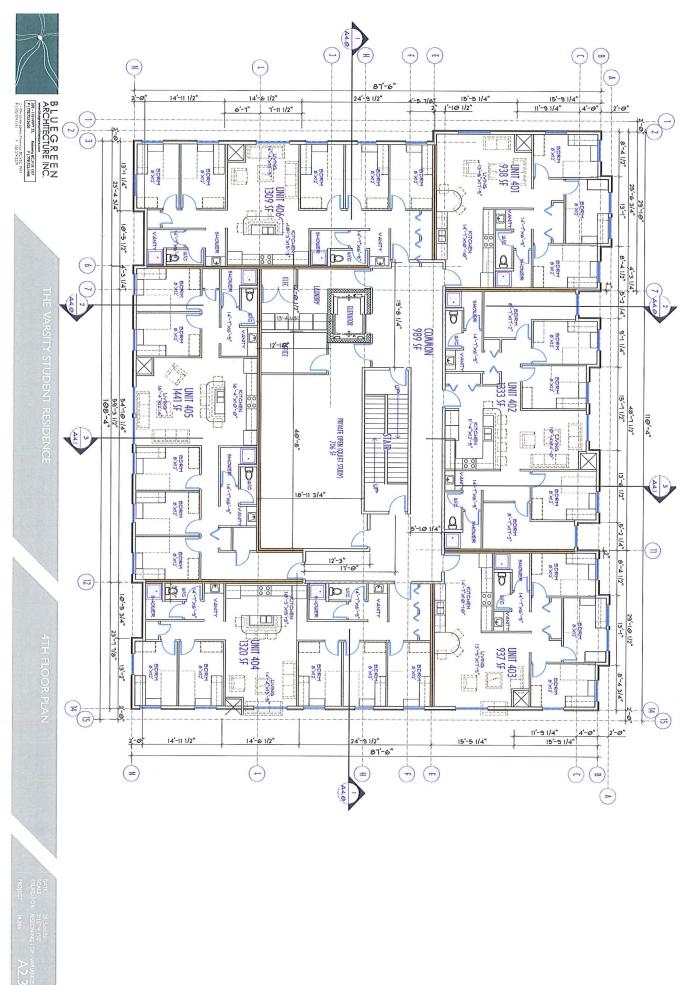


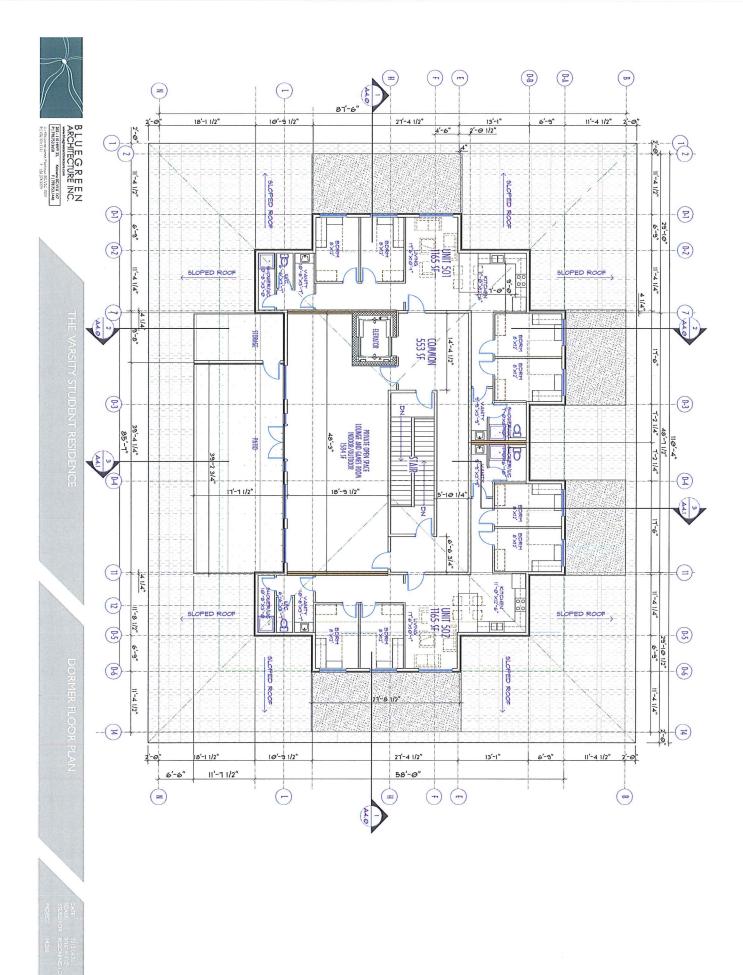


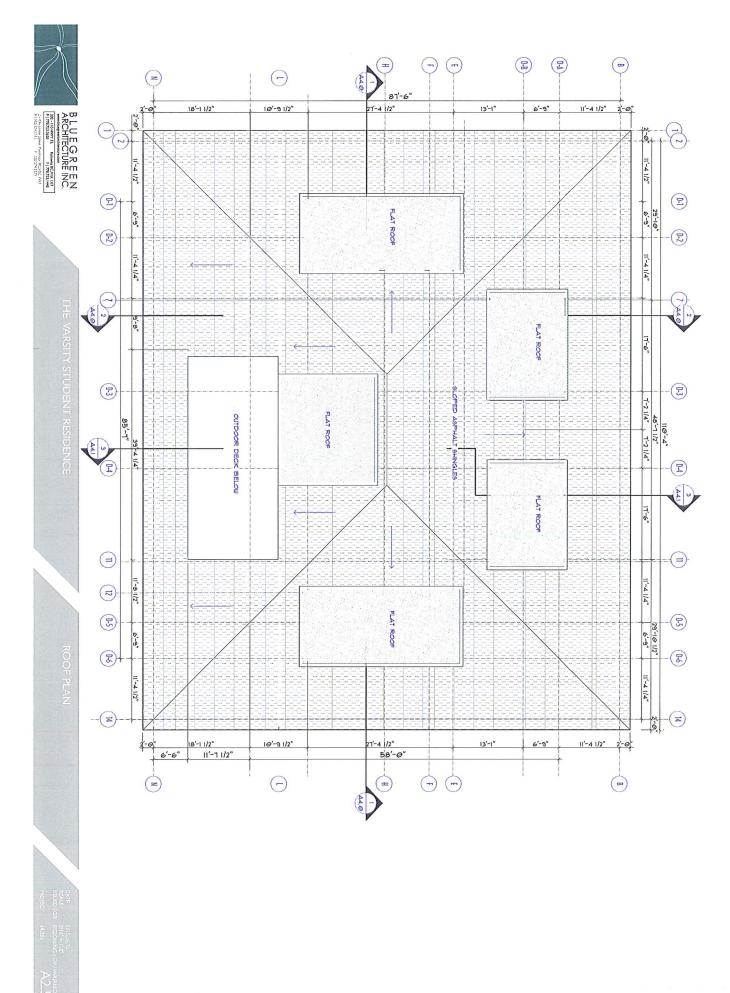
















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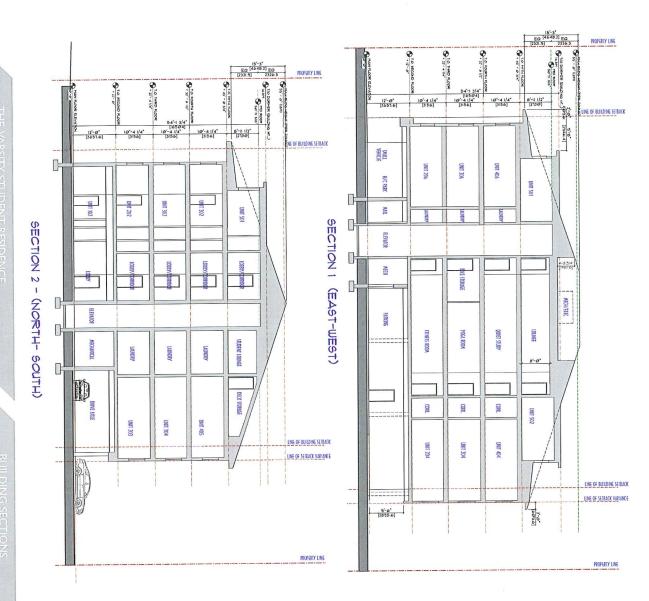


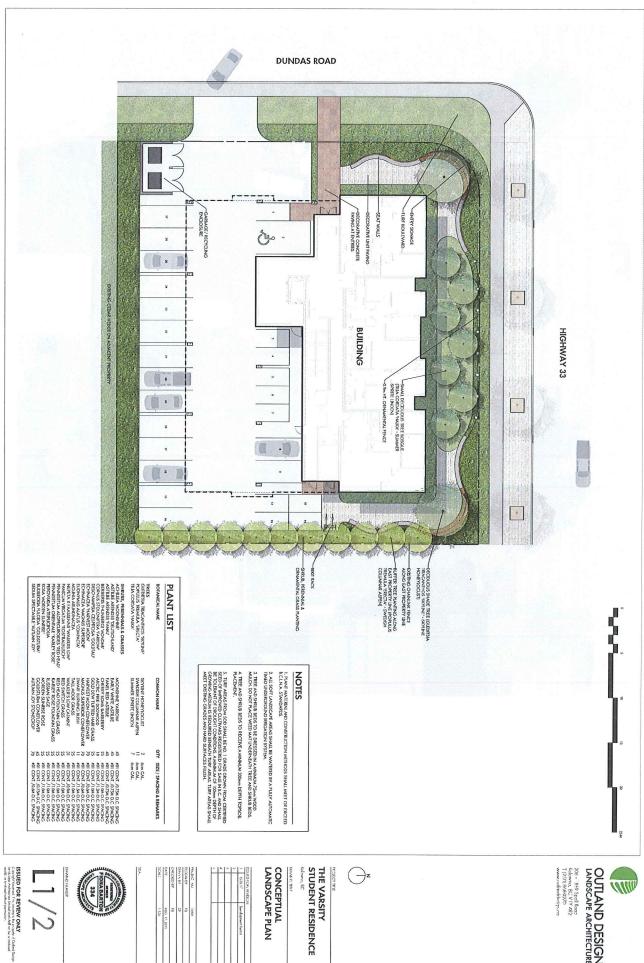
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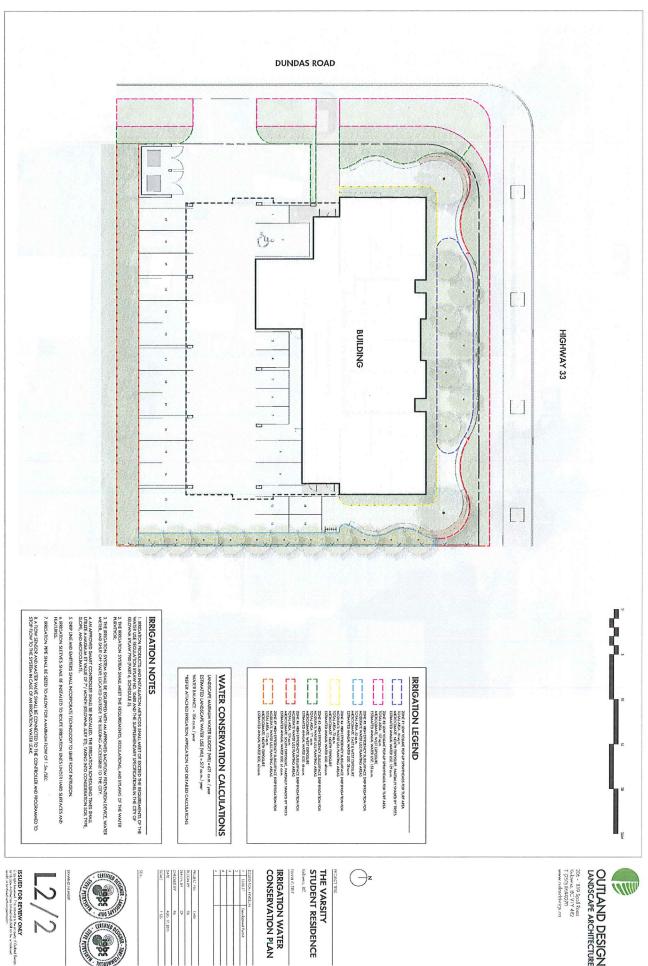












OUTLAND DESIGN LANDSCAPE ARCHITECTURE



August 17, 2015

the VARSITY Student Residence C/o Unico One Developments Ltd. 101-1865 Dilworth Drive Kelowna, BC V1Y 9T1 Attn: David Hallonquist

Re: Proposed Student Residence Development - Preliminary Cost Estimate for Bonding

Dear David:

Please be advised of the following preliminary cost estimate for bonding of the proposed landscape works shown in the VARSITY Student Residence conceptual landscape plan dated 15.08.17;

621 square metres (6,684 square feet) of improvements = \$47,533.50

This preliminary cost estimate is inclusive of trees, shrubs, turf, mulch, topsoil & irrigation.

You will be required to submit a performance bond to the City of Kelowna in the amount of 125% of the preliminary cost estimate. Please do not hesitate to contact me with any questions about the landscape plan.

Best regards,

Fiona Barton, MBCSLA, CSLA

as per

Outland Design Landscape Architecture

206-1889 Spall Road, Kelowna, BC, V1Y 4R2 P 250.868.9270 **outlanddesign.ca** 



Date: August 6<sup>th</sup>, 2015

The Varsity Student Housing Hwy33/Dundas Street Contact: Dave Hallonquist

### **Exterior Finishing:**

### **Preliminary Colours:**

#### Paint:

- Green: herbal wisdom 1964 General paint (Stucco)
- Terracotta: Brandywine 7710, Sherwin-Williams (Stucco)
- Cream: morrisson 1008 General paint (Hardi Board)
- Tan: Stonebriar 7693 Sherwin-Williams (Stucco)
- Dark Trim: Peppercorn 7674, Sherwin-Williams (Hardi or Stucco)

### Brick:

• High desert used brick (Cultured stone)

### Windows:

Dark Gray Metal

#### Metal Fascia:

Gentek Iron Ore

### **Soffits:**

Gentek Iron Ore

# REPORT TO COUNCIL



**Date:** 11/16/2015

**RIM No.** 1250-30

To: City Manager

From: Community Planning Department (AC)

Application: Z15-0049 Owner: Davara Holdings Ltd. (Dave

Sargent)

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 Rezoning Application No. Z15-0049 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 27, Township 26, ODYD, Plan 18004, located at 305 Homer 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 following:

1. To the outstanding conditions identified in Attachment "A" associated with the report from the Community Planning Department dated November 2<sup>nd</sup> 2015.

### 2.0 Purpose

To rezone the subject properties to the RM3 - Low Density Multiple Housing zone.

### 3.0 Community Planning

Staff supports the proposed rezoning application. The Official Community Plan (OCP) identifies the area as MRL (Low Density Multiple Residential). A rezoning to the RM3 zone and the initial proposal for rental housing 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 the Heritage Christian School achieves many of the sensitive infill goals outlined in the OCP.

Rental housing, especially 3-bdroom units are in great demand. According to CMHC at the end of 2014 the vacancy rate for 3-bedroom townhouses in the Rutland zone was 0% compared to 2.9% the year prior.

Overall, the residential land use allowed in the RM3 zone fits well on this site. The current proposal needs four variances. The applicant is proposing permeable pavement for the parking stalls to mitigate the site variance and parking setback variances. Staff will provide further details on the merits of the variances and details of the development proposal within the Development Permit and Development Variance Permit report should Council choose to pass third reading.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant notified all of the neighbours within a 50 metre radius and held a public information meeting on Thursday, September 24<sup>th</sup> 2015. The applicant chose to voluntarily hold the public information meeting as Council Policy No. 367 does not consider this rezoning as 'major' application.

### 4.0 Proposal

### 4.1 Project Description

The current 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 current proposal has four variances:

- 1) Site coverage variance requested;
- 2) Parking setback reduction on southern side yard;
- 3) Increase the roof eave projection limit;
- 4) Reduce the required private open space requirement; identified within the zoning analysis table.

### 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	Residential
	P2 - Education and Minor Institutional	Institutional
East	RM5 - Multiple Unit Residential (Medium Density)	
	RM3 - Low Density Multiple Housing	Residential
	RU1 - Large Lot Housing	
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			
CRITERIA		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 % •	Max 60 % or 65% when permeable drive surfaces and parking are provided			
FAR	0.7	Max 0.75			
Other Regulations					

Zoning Analysis Table				
CRITERIA	PROPOSAL	REQUIREMENTS		
CRITERIA		RM3		
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 <b>⊘</b>	Min 1.5 m		
Rear Yard (east)	8.1 m	Min 1.5 m		
Roof Eave projection into north setback	1.09 m <b>⊚</b>	Max 0.6m		
Minimum Bicycle Parking	Class 1: 5	Min Class 1: 5		
Millindin bicycle Faiking	Class 2: 1	Min Class 2: 1		
Private Open Space	12.5 m² per unit = 112.6 m² provided <b>o</b>	Min 25 m <sup>2</sup> per unit = 225 m <sup>2</sup> minimum		

- Site coverage variance requested;
- 2 Parking setback reduction on southern side yard;
- Increase the roof eave projection limit;
- Reduce the required private open space requirement;

### 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

### **Development Process**

Compact Urban Form.<sup>1</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.

**Sensitive Infill.**<sup>2</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.

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

**Residential Land Use Policies.** 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.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

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

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

#### 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 28<sup>th</sup> 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 Subdivsion 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

### 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.

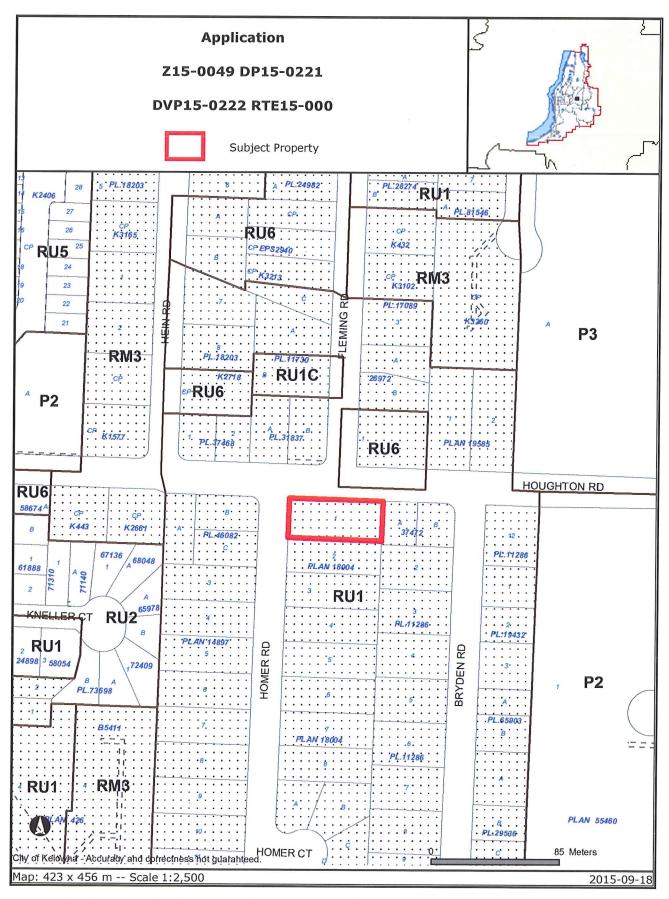
### 7.0 Application Chronology

Date of Application Received: September 21<sup>st</sup> 2015
Date of Public consultation: September 24<sup>th</sup> 2015

Report prepared by:	
Adam Cseke, Planner	
Reviewed by: Approved by:	Terry Barton, Urban Planning Manager Ryan Smith, Community Planning Manager

### Attachments:

Subject Property Map Development Engineering Comments dated October 28<sup>th</sup> 2015 (Attachment 'A') Applicant's rationale Public Notification summary Application Package



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.

The City of Kelowna does not guarantee its accuracy. All information should be verified.

### CITY OF KELOWNA

## **MEMORANDUM**

Date:

October 28, 2015

File No.:

Z15-0049

To:

Community Planning (AC)

From:

**Development Engineering Manager** 

Subject:

305 Homer Rd

RU1 to RM3

Development Engineering Department have the following comments and requirements associated with this application. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

The Development Engineering Technologist for this project is Sergio Sartori

#### 1. Domestic Water and Fire Protection

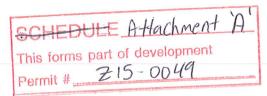
- (a) This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for these items. All charges for service connection and upgrading costs are to be paid directly to the BMID. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with current requirements.
- (b) A water meter is mandatory as well as a sewer credit meter to measure all the irrigation water. Water meters must be housed in an above-ground, heated, accessible and secure building, either as part of the main site buildings or in a separate building. Remote readers units are also mandatory on all meters.

### 2. Sanitary Sewer

(a) The existing lot is serviced with a 100mm diameter sanitary service. The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size and preferred location of the new service. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of the existing small diameter service and the installation of a new larger service if necessary. The new service should tie in to the main on Homer Rd. The estimated cost of this construction for bonding purposes is \$8,000.00

### 3. Storm Drainage

(a) The developer must engage a consulting civil engineer to provide a storm water management plan for these sites which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.



(b) Only one service will be permitted for this development. The applicant, at his cost, will arrange for the installation of one new overflow service. The estimated cost of this construction for bonding purposes is \$5,000.00

### 4. Road Improvements

- (a) Houghton Rd has been be upgraded to an urban standard along the full frontage of this proposed development. The existing driveway letdowns must be removed and replaced with barrier curb & gutter and landscaping boulevard complete with street trees and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost of this construction for bonding purposes is \$8,000.00
- (b) Homer Rd must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, separate sidewalk, landscaped boulevard complete with street trees, drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The estimated cost of this construction for bonding purposes is \$25,000.00

### 6. Subdivision

- (a) Grant Statutory Rights Of Way if required for utility services.
- (b) Dedicate 6.0m corner rounding at the intersection of Homer Rd and Houghton Rd.
- (c) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

### 7. Electric Power and Telecommunication Services

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground.
- b) Streetlights must be installed on Homer Rd if needed.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

#### Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the city engineering department for review and marked "issued for construction" by the city engineer before construction may begin.

This forms part of development Permit # 215-0049

### 9. Design and Construction

- (a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- (b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- (c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- (d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

### 10. Servicing Agreements for Works and Services

- (a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- (b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

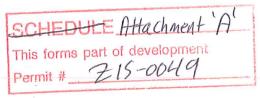
### 11. Geotechnical Report

As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

(a) Area ground water characteristics.

(b) Site suitability for development, unstable soils, etc.

- (c) Drill and / or excavate test holes on the site and install pisometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, Identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.



(e) Additional geotechnical survey may be necessary for building foundations, etc.

### 12. Bonding and Levy Summary

### (a) <u>Bonding</u>

Water service upgrades	BMID
Sanitary sewer service upgrades	\$ 8,000
Storm overflow services	\$ 5,000
Houghton Rd frontage improvements	\$ 8,000
Homer Rd frontage improvements	\$ 25,000
Total Bonding	\$46,000.00

NOTE: The bonding amount shown above are comprised of estimated construction costs escalated by 140% to include engineering design and contingency protection and are provided for information purposes only. The owner should engage a consulting civil engineer to provide detailed designs and obtain actual tendered construction costs if he wishes to do so. Bonding for required off-site construction must be provided and may be in the form of cash or an irrevocable letter of credit, in an approved format.

The owner must also enter into a servicing agreement in a form provided by the City.

### 13. Development Permit and Site Related Issues

Access and Manoeuvrability

- (i) The preferred access to the site from Homer Rd as proposed is acceptable.
- (ii) Indicate the locations of loading bays as well as the garbage and recycle bins on the composite plan.

Steve Muenz, P. Eng. Development Engineering Manager SS SCHEDULE Attachment 'A'
This forms part of development
Permit # 215-0049

Davara Holdings Ltd #1 911 Borden Ave Kelowna B.C v1y 6a5

City of Kelowna Planning Department

9/10/2015

### RE: Rationale 305 Homer Road Development Proposal

Davara Holdings proposal to develop an infill townhome project along the Houghton Road multi use corridor adheres to the City of Kelowna OCP land use designation, complies with urban design principals, provides ground oriented affordable family housing and follows sustainability initiatives by:

- Selecting a site which conforms to the future land use designation intended for the area and borders the Rutland urban center
- Expanding the City of Kelowna's rental housing options
- Fulfilling the City's goals of promoting infill development along the Houghton multi use corridor
- Contributing to the OCP policy relating to Ground Oriented Housing
- Creating safe family housing within walking distance of parks, schools and amenities
- Conforming to surrounding building heights and massing by remaining below 3 stories
- Siting the building and front doors close to the multi-use corridor to allow for a visual and physical connection between the private and public realm
- Locating all parking to the rear of the site and incorporating landscape buffers to ensure all parking is screened from the multi-use corridor
- Creating enduring, safe solutions through the use of CPTED (Crime Prevention Through Environmental Design) principles
- · Abandoning drive aisle let downs currently crossing the multi-use corridor
- Providing an efficient pedestrian focused site plan by reducing the visual impact of hardscape through the use of differing materials and permeable paving treatments
- Supplying attainable housing that appeals to the greatest need group of young families
- Establishing a high standard of comfort and appearance through function, beauty, and visual interest, including construction materials that project an image of value and durability
- Ensuring superior maintenance and operations to create an obvious sense of care and pride for the space, to promote a sense of pride in ownership for the community



1090 Houghton Rd Kelowna, BC V1X6G8

September 26, 2015

# SEP 28 2014

# CITY OF KELOWNA Development Services Department

Mayor Basran and Councillors, Kelowna City Hall 1435 Water Street Kelowna, BC V1Y 1J4

Subject: Results of the meeting hosted by the Rutland Residents Association RE: Proposed redevelopment at 305 Homer Rd, Kelowna, BC.

Dear Mayor and City Councillors:

This letter is to inform you of the outcome of the presentation on Thursday, Sept 24, 201 by David Sargent of Davara Holdings Ld. The project is to replace the existing home on a single residential lot with 2 story townhomes with individual entrances to each home - no common hallway. The 9 multi-unit homes are designed with the intent to be 3 bedroom rental townhomes.

The 25 people in attendance anxiously anticipated the presentation and the majority were very disappointed in the elongated motel type of building displayed. The appearance of the building appeared to indicate a cheaply constructed box-like structure with very little eye appeal or endearing qualities.

Descriptive terms such as "ugly" and "cheap motel" were heard expressed. In discussion, over multiple concerns by the affected residents were noted as listed below:

- 1 Density 9 Units forced into a confined space would be overwhelming. (Scientists have proven the disastrous effect of such in animal experiments.)
- 2 Parking At 2 vehicles/unit housing, the lot could be overwhelmed, not to mention possible extra vehicles owned by teenaged children and visitors.

3 - Traffic Safety - The proposed vehicular movement (Exit/Entry) will be onto Homer Rd. in close proximity to the multi-purposed walk/bikeway/skateboard path. The frequent vehicle speeders turning the corner onto Homer Rd is already a concern. (We witnessed a near miss of a cyclist today).

4 - Property Values - The potential incidents of conflict ensuing from an over-crowed environment will undermine the "quality of life" that the local residents are entitled to. The affected residents desire a reasonable, normal peace and quiet that other areas of Kelowna experience. The resale of surrounding properties will experience a direct financial hit due to the large number of people (many adults and children) living at close quarters and the potential conflicts that may ensure. The esthetic appearance and serenity in our neighbourhood will be gone forever!

The local residents strongly feel that the city planners should correct their errors of the past (Hein Rd,) and redevelop the large dilapidated lot properties on Nickel Rd. before they undermine any well-established neighbourhood areas.

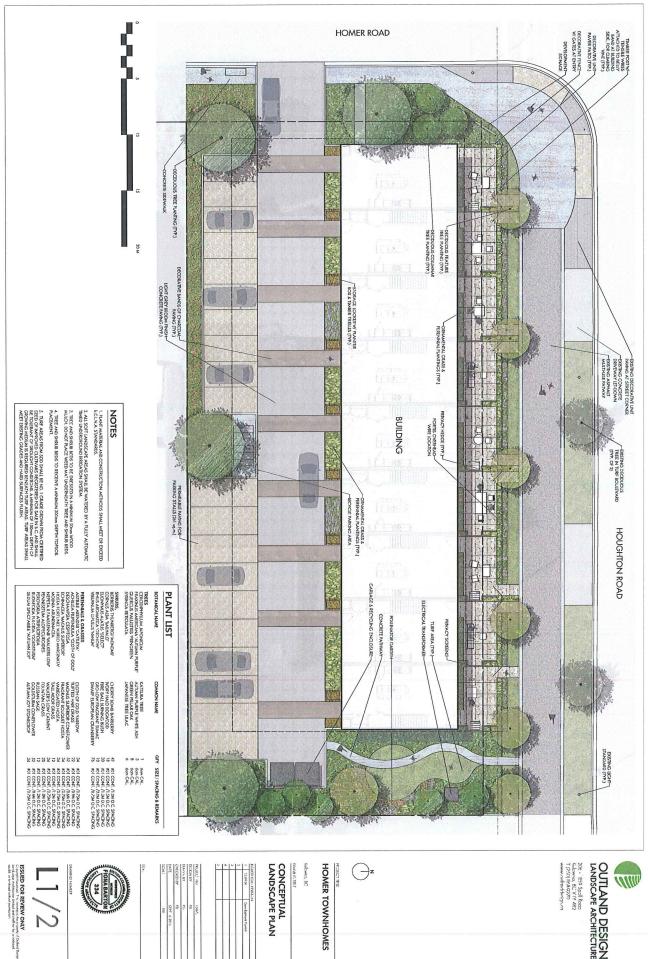
Thank you for your careful attention and fair consideration and support of your local citizenry.

Yours sincerely,

Peter Harshenin

Member of the Rutland Residents' Association

PS: Living almost directly across the street from 305 Homer Rd, our families will be directly affected by this proposed development.

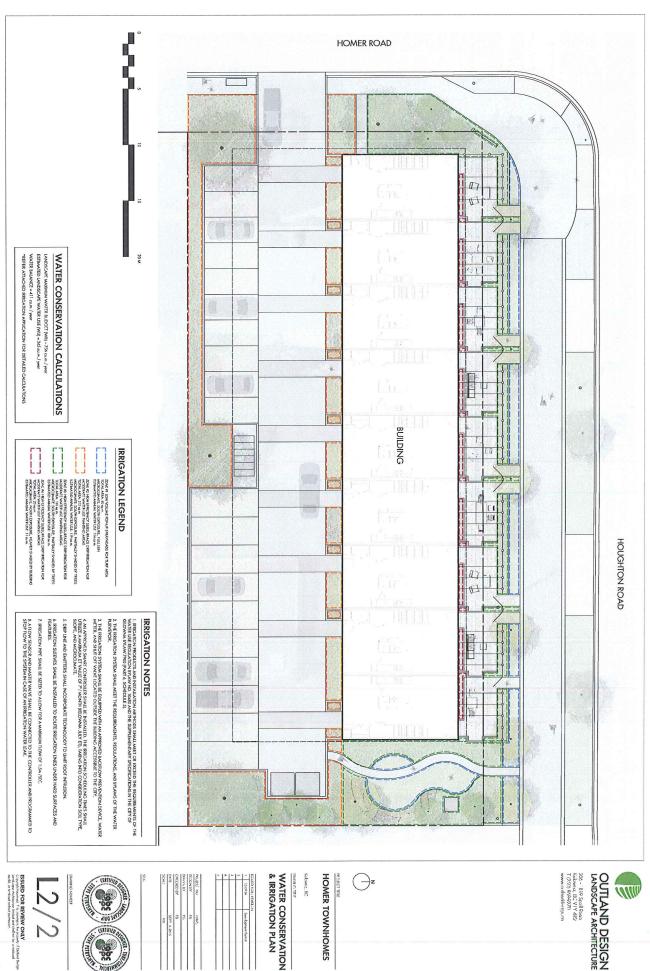


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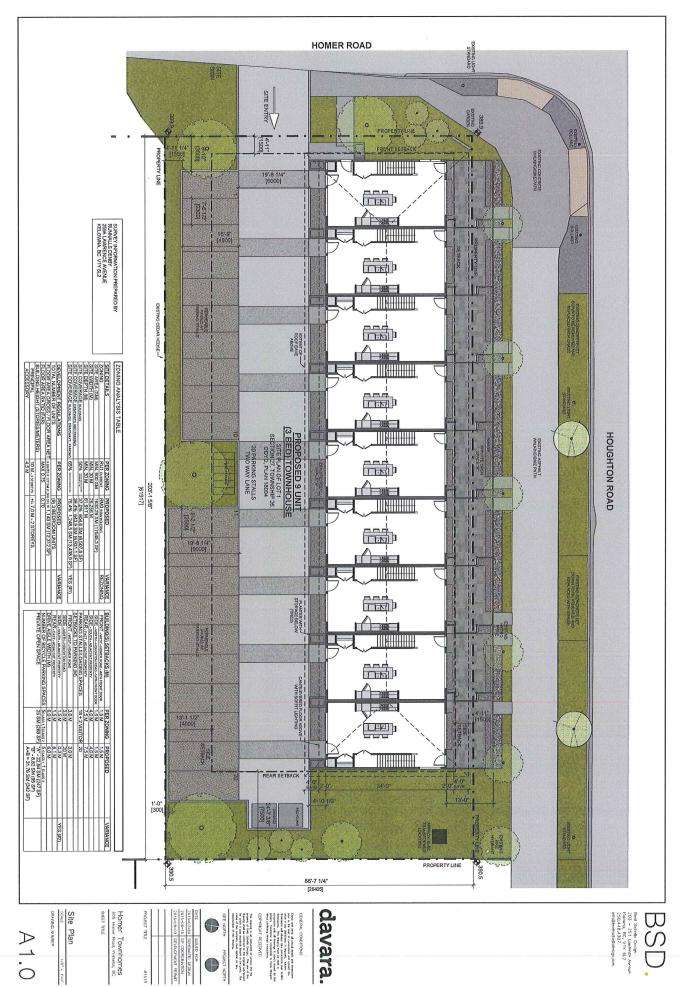


206 - 1859 Spall Road Kelowia, BC VTY 4R2 T (250) 868-9270 www.oullandaheign.ca

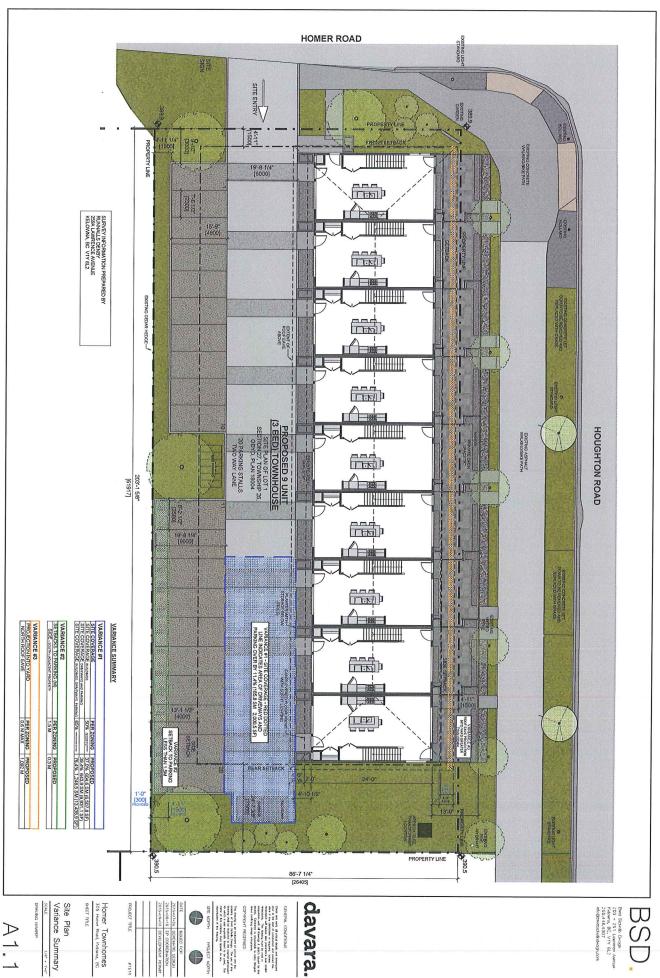




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Britt Sichnilo Dwelgn 203 – 251 Lawrence Avenue Kallwins, BC, V1Y 6L2 250,448,4307 info@briettochellodesign.com BSD



davara.

A1.1

Brett Sichello Design 203 – 251 Laurenco Avenue Kalowna, BC, V1Y 6L2 250,448,4307 info@brettschellndesgn.com BSD



A3.1







Elevations - 3D

SCALE 1/8" - 1'-0"

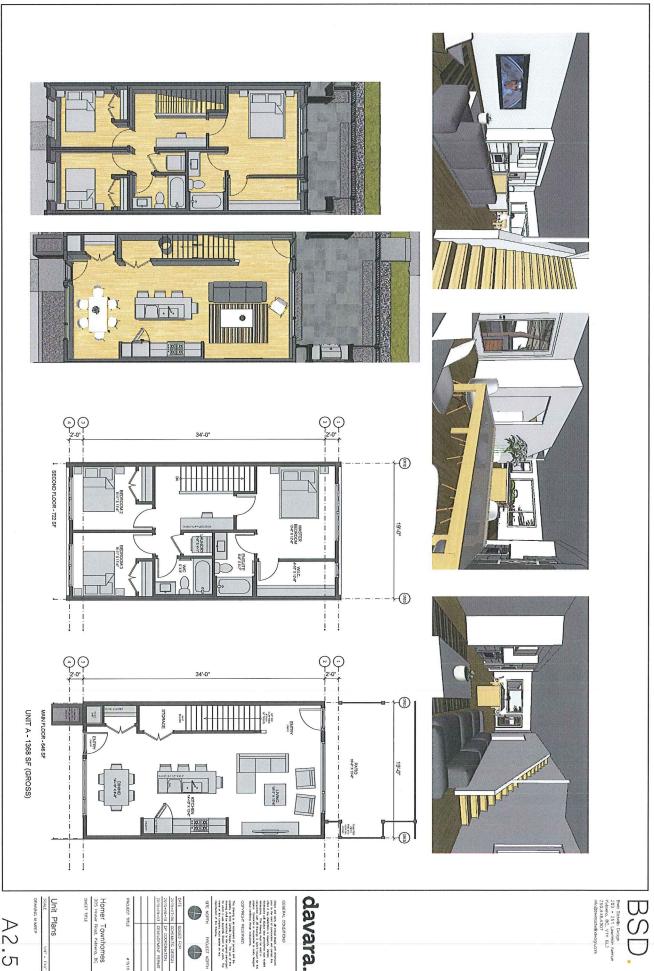
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Homer Townhomes 305 Harrier Road, Pelowno, BC SHEET TITLE

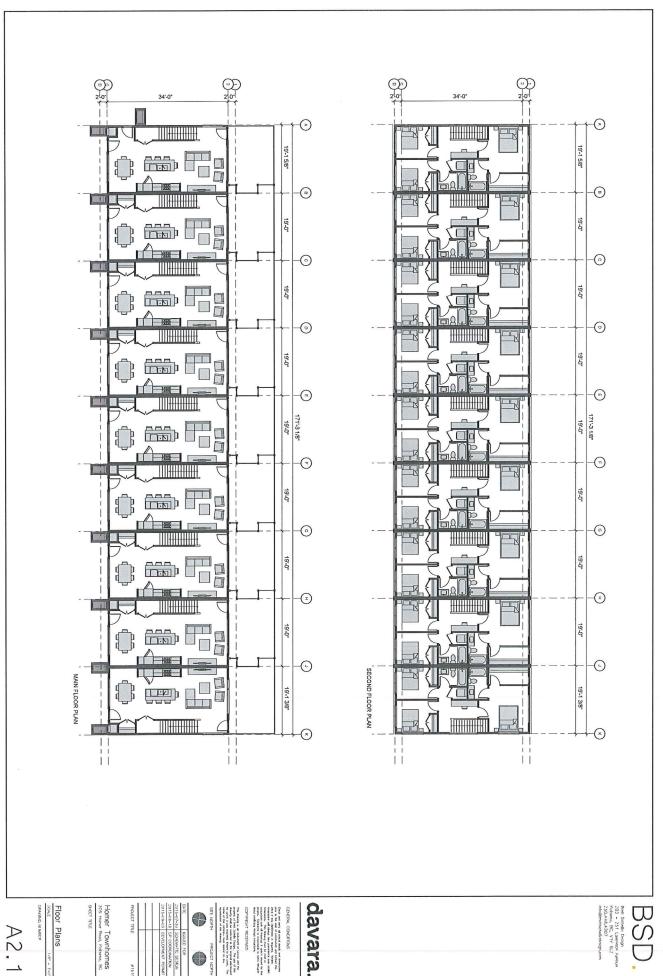
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Homer Townhomes 305 Hamer Road, Pelowna, BC SHEET TITLE

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