

Development Permit DP21-0074

ATTACHMENT A

This forms part of application
DP21-0074

Planner Initials **LK**

City of Kelowna
DEVELOPMENT PLANNING



This permit relates to land in the City of Kelowna municipally known as

470 Fleming Road

and legally known as

Lot C Section 27 Township 26 ODYD Plan KAP79327

and permits the land to be used for the following development:

Row Housing

USE as per Zoning Bylaw

Multiple Dwelling Housing

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Council Decision January 24, 2022

Decision By: COUNCIL

Development Permit Area: Core Area

Existing Zone: RM4 – Transitional Low Density Housing

Future Land Use Designation: C-NHD – Core Area Neighbourhood

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: 1306876 BC Ltd., Inc. No. BC1306876

Applicant: New Town Architecture & Engineering

Terry Barton
Community Planning Department Manager
Planning & Development Services

Date

1. SCOPE OF APPROVAL

This Development Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this permit, noted in the Terms and Conditions below.

The issuance of a permit limits the permit holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific variances have been authorized by the Development Permit. No implied variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

2. CONDITIONS OF APPROVAL

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- c) Landscaping to be provided on the land be in accordance with Schedule "C"; and
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect.
- e) Lot consolidation of 470 and 500 Fleming Road must be registered and a new land title submitted prior to issuance of the Development Permit.

This Development Permit is valid for two (2) years from the date of approval, with no opportunity to extend.

3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property own of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

- a) An Irrevocable Letter of Credit in the amount of **\$118,542.00**
- b) A certified cheque in the amount of **\$118,542.00**

4. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or their designates.**

FLEMING TOWNHOMES

REVISED FOR DP JULY 9, 2021



ARCHITECTURAL

NEW TOWN ARCHITECTURE & ENGINEERING
200-1464 ST. PAUL STREET
KELOWNA, BC V1Y 2E6
e: roman@newtownservices.net t: (250) 860-8185

LANDSCAPE

ECORA STUDIO
579 LAWRENCE AVENUE
KELOWNA, BC V1Y 6L8
e: keith.pinkoski@ecora.ca t: (250) 469-9757

CIVIL

NEW TOWN ARCHITECTURE & ENGINEERING
200-1464 ST. PAUL STREET
KELOWNA, BC V1Y 2E6
e: jacob@newtownservices.net t: (250) 860-8185

DRAWING LIST

A000 COVER PAGE
A100 ZONING / BYLAW REVIEW & SURVEY
A101 RENDERS
A102 RENDERS
A200 SITE PLAN
A301 LEVEL 1 FLOOR PLAN
A302 LEVEL 2 FLOOR PLAN
A303 LEVEL 3 FLOOR PLAN
A304 ROOF PLAN
A400 MATERIALS
A401 ELEVATIONS
A500 SECTIONS

DRAWING LIST

LDP-1 SITE PLAN
LDP-2 WATER CONSERVATION / IRRIGATION PLAN
LDP-3 DETAILS

ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA.

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This drawing must not be scaled.
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NEW TOWN
ARCHITECTURE & ENGINEERING
CIVIL ENGINEERING
www.newtownservices.net

Scale



Revisions

NO.	DATE	DESCRIPTION
1	210828	ISSUED FOR DP
2	210710	REVISED FOR DP
3	211110	REVISED FOR DP

project title

FLEMING TOWNHOMES

project address

**470 FLEMING ROAD,
KELOWNA, BC**

project no. **4130**

drawing title

COVER PAGE

designed **JR** / **JK**

drawn **JR** / **JK**

checked **JR** / **JK**

drawing no. **RY**

A000

print date 11/18/21 1:22:31 PM

ALL CONTRACTORS ARE REQUIRED TO PERFORM THEIR WORK AND SUPPLY THEIR PRODUCTS IN COMPLIANCE WITH ALL BUILDING CODES AND LAWS OF THE PROVINCE OF BRITISH COLUMBIA.

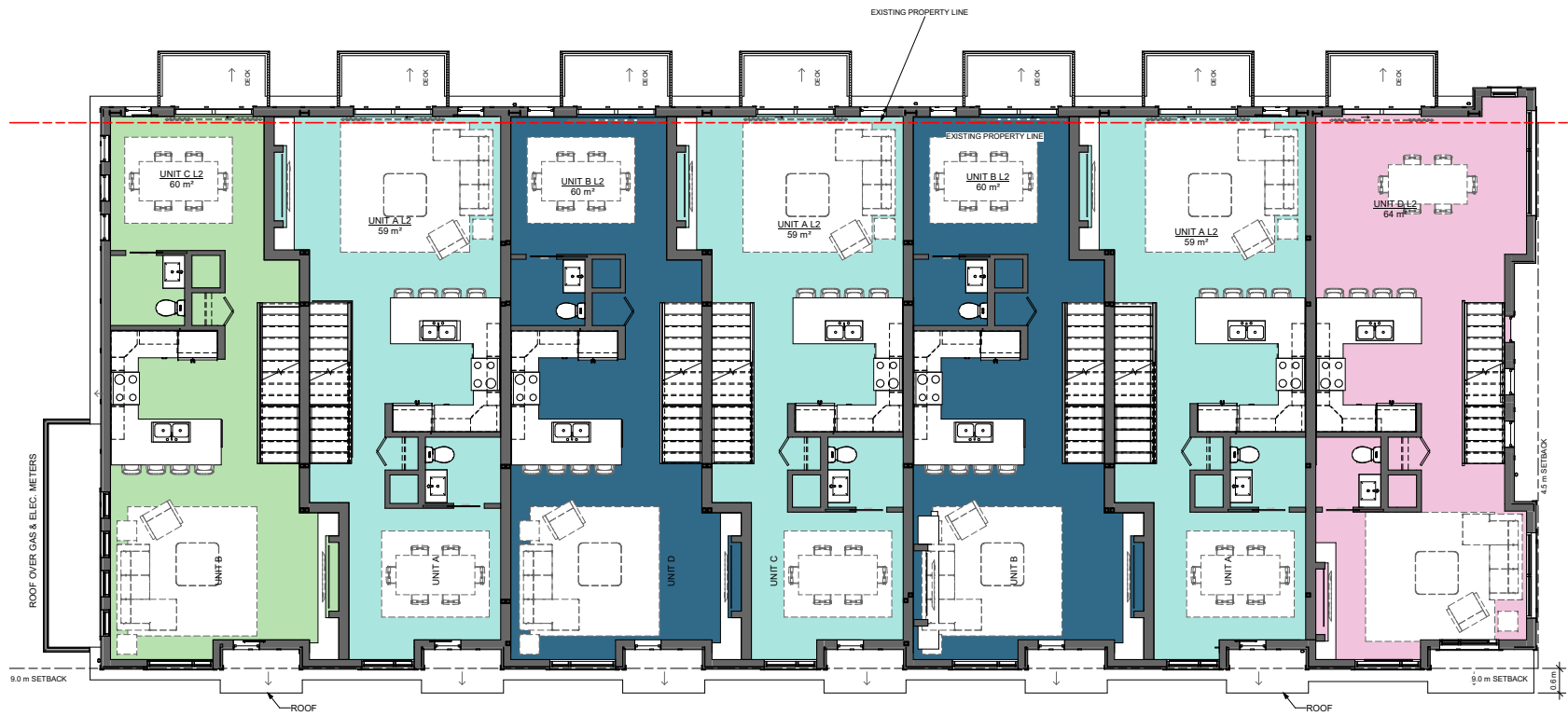
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Revisions

No.	DATE	DESCRIPTION
1	210128	ISSUED FOR DP
2	210716	REVISED FOR DP
3	211119	REVISED FOR DP



1 LEVEL 2
1:50

SCHEDULE A

This forms part of application
DP21-0074

Planner Initials **LK**

City of Kelowna
DEVELOPMENT PLANNING

FOR PERMIT ONLY

project title
FLEMING TOWNHOMES

project address
**470 FLEMING ROAD,
KELOWNA, BC**

project no. **4130**

drawing title
LEVEL 2 FLOOR PLAN

designed	JR	scale	1:50
drawn	JR / JK		
checked	JR / JK		
drawing no.	RY		

A302

11/16/21 1:23:05 PM

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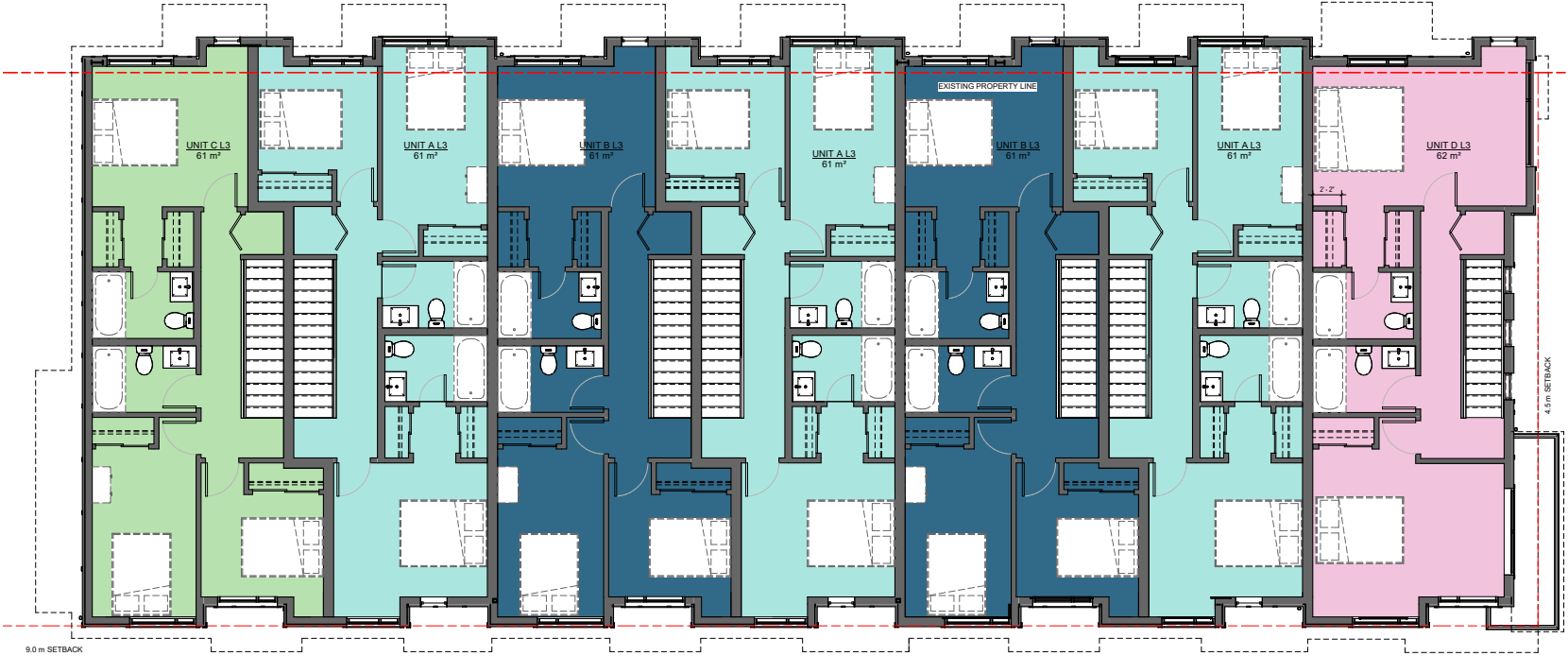


Seal



Revisions

No.	DATE	DESCRIPTION
1	2101/08	ISSUED FOR DP
2	2107/10	REVISED FOR DP
3	2111/19	REVISED FOR DP



FOR PERMIT ONLY

1 LEVEL 3
1:50

SCHEDULE A

This forms part of application
DP21-0074

Planner Initials LK



City of Kelowna
DEVELOPMENT PLANNING

project title
FLEMING TOWNHOMES

project address
**470 FLEMING ROAD,
KELOWNA, BC**

project no. **4130**

drawing title
LEVEL 3 FLOOR PLAN

designed	JR	DATE	1:50
drawn	JR	DATE	JR / JK
checked	JR	DATE	RY
drawing no.	A303		
printed	11/16/21 1:23:10 PM		

SCHEDULE A

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DP21-0074

Planner
Initials **LK**

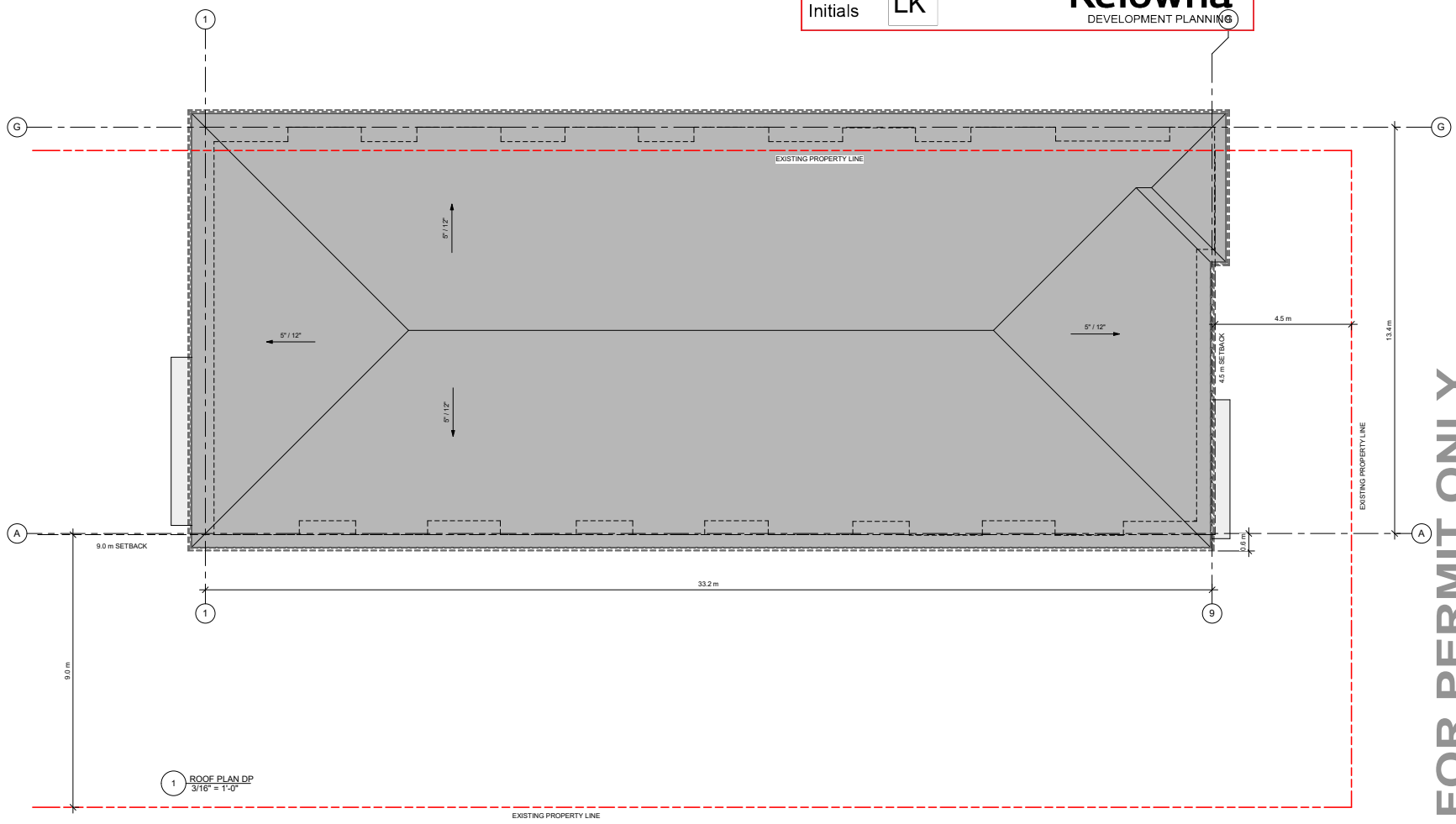


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No.	DATE	DESCRIPTION
1	210128	ISSUED FOR DP
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3	211110	REVISED FOR DP



1 ROOF PLAN DP
3/16" = 1'-0"

FOR PERMIT ONLY

project title
FLEMING TOWNHOMES

project address
**470 FLEMING ROAD,
KELOWNA, BC**

project no. **4130**

drawing title
ROOF PLAN

designed	JR	scale	3/16" = 1'-0"
drawn	JR / JK		
checked			
drawing no.	RY		

A304

11/16/21 1:23:11 PM



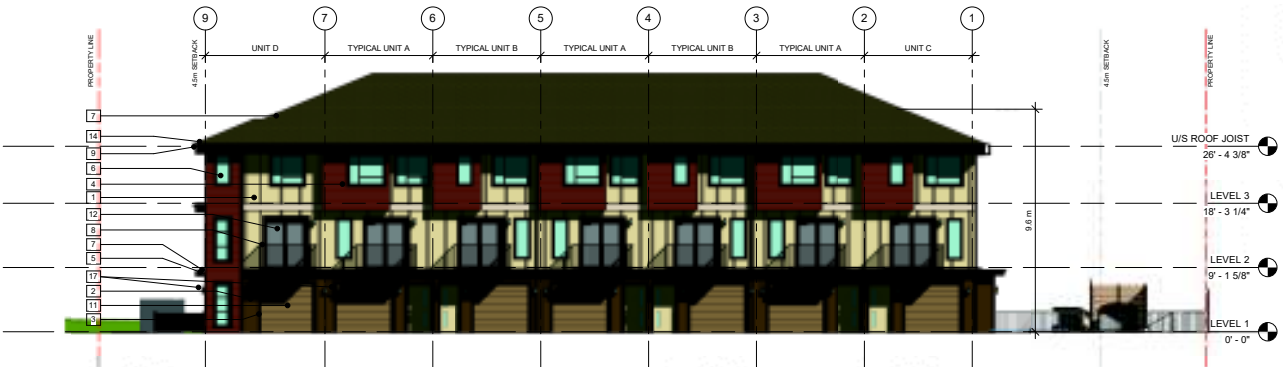
EXTERIOR MATERIAL LEGEND

	HARDIE PANELS - BEIGE COLOUR: NAVALO BEIGE
	HARDIE PANELS - BROWN/GREY HARDIE SOFFIT PANELS COLOUR: TIMBERBARK
	LUX ALUMINUM SIDING - WOOD GRAIN COLOUR: CEDAR
	HARDIE TRIM BOARDS / FASCIA BOARD - BLACK COLOUR: PAINTED BLACK PREFINISHED METAL FLASHING COLOURS: BLACK TO MATCH WINDOWS/DOORS, EXTERIOR RAILINGS & GUTTER/DOWNSPOUT FIBER PANEL TRIM / REVEALS

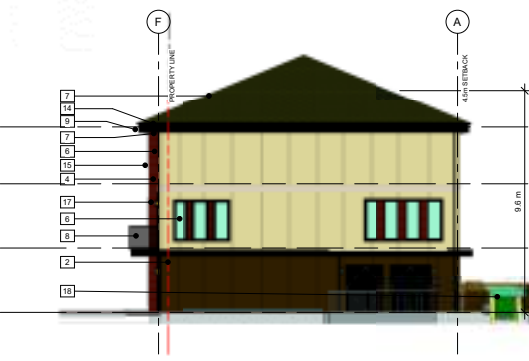
MATERIAL KEYNOTE LEGEND

- HARDIE PANELS - BEIGE
- HARDIE PANELS - BROWN/GREY
- HARDIE TRIM - COLOUR - BLACK
- LUX ALUMINUM SIDING - WOOD GRAIN C/W ALL REQUIRED TRIM
- HARDIE PANELS - COLOUR - BLACK
- VINYL WINDOWS (NAILING FLANGE) - COLOUR BLACK
- ASPHALT SHINGLE ROOF - BROWN
- ALUMINUM GUARDRAIL - BLACK
- HARDIE (FASCIA) TRIM BOARD - COLOUR BLACK
- SOLID PAINTED DOOR - COLOR MATCH HARDIE PANELS GREY/BROWN
- OVERHEAD DOOR - COLOR MATH HARDIE PANELS BEIGE
- GLAZED SLIDING DOOR
- PROVIDE SLEEVE C/W FLASHING SEAL TO ALLOW FOR DOWNSPOUT TO PASS THROUGH. COLOUR - BLACK
- PREFIN SEAMLESS ALUM. GUTTER C/W ALL REQUIRED HARDWARE & LEAF PROTECTION. COLOUR - BLACK
- PREFIN ALUMIN. 3 X 4 DOWNSPOUT C/W BRACKETS, DRAIN EXTENSION CONNECT TO STORM WATER COLLECTION SYSTEM. COLOUR BLACK (REFER TO MECH / CIVIL DWGS)
- PREFINISHED REVEALS, TRIMS, INSIDE/OUTSIDE CORNERS, TRANSITIONS, WINDOWS/DOORS & SOFFIT TO SUIT HARDIE PANELS. COLOUR - BLACK
- EXTERIOR WALL MOUNTED LIGHTING
- PLAYGROUND EQUIPMENT

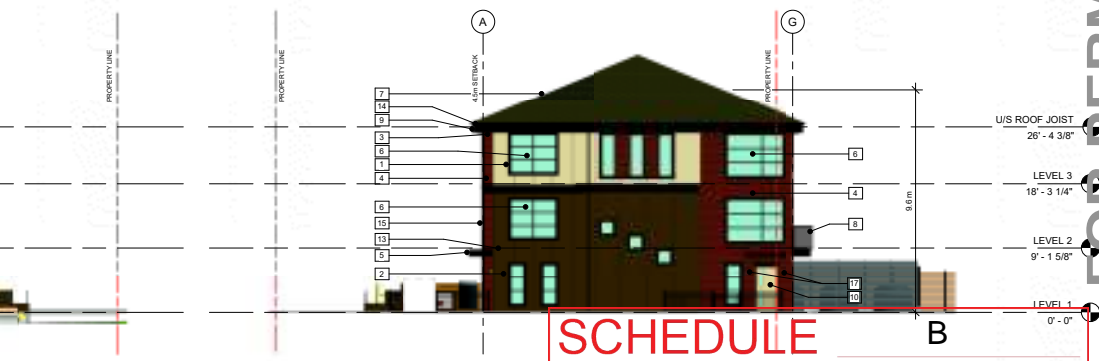
1 SOUTH ELEVATION
1-100



2 NORTH ELEVATION
1-100



3 WEST ELEVATION
1-100



4 EAST ELEVATION
1-100

SCHEDULE B

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DP21-0074

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Revisions

No.	DATE	DESCRIPTION
1	21/01/20	ISSUED FOR DP
2	21/07/20	REVISED FOR DP
3	21/11/19	REVISED FOR DP

project title
FLEMING TOWNHOMES

project address
**470 FLEMING ROAD,
KELOWNA, BC**

project no. **4130**

drawing title
ELEVATIONS

approved: J.R. As indicated

drawn: J.R. / J.K.

checked: R.Y.

drawing no. **A401**

issue date: 11/16/21 1:23:25 PM

Planner Initials **LK**

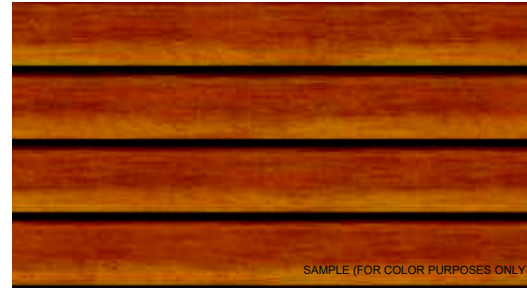
City of **Kelowna**
DEVELOPMENT PLANNING

HARDIE PANEL , COLOR BROWN/GREY #2



SAMPLE (FOR COLOR PURPOSES ONLY)

LUX ALUMINUM SIDING , COLOR WOOD GRAIN #4



SAMPLE (FOR COLOR PURPOSES ONLY)

ASPHALT SHINGLE ROOF , COLOR BROWN #7



SAMPLE (FOR COLOR PURPOSES ONLY)

HARDIE PANEL , COLOR BEIGE #1



SAMPLE (FOR COLOR PURPOSES ONLY)

HARDIE PANEL/TRIM , COLOR BLACK #3 + #5



SAMPLE (FOR COLOR PURPOSES ONLY)

VINYL WINDOWS , COLOR BLACK #6



SCHEDULE B

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DP21-0074

Planner Initials **LK**

City of Kelowna
DEVELOPMENT PLANNING

MOLOK GARBAGE CONTAINERS, EXISTING



BUILDING TO LOOK LIKE + HAVE SAME MATERIALS AS ADJACENT BUILDINGS



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Seal



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1	21/07/21	REVISED FOR DP
2	21/11/19	REVISED FOR DP

FOR PERMIT ONLY

project title

FLEMING TOWNHOMES

project address

470 FLEMING ROAD, KELOWNA, BC

project no.

4130

drawing title

MATERIALS

designed

jr

drawn

jr / JK

checked

RY

drawing no.

A400

print

11/16/21 1:23:12 PM



SOUTH EAST CORNER



SOUTH WEST CORNER

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Seal



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NO.	DATE	DESCRIPTION
1	210128	ISSUED FOR DP
2	210719	REVISED FOR DP
3	211119	REVISED FOR DP

FOR PERMIT ONLY

project title

FLEMING TOWNHOMES

project address

**470 FLEMING ROAD,
KELOWNA, BC**

project no. **4130**

drawing title

RENDERS

designed **JR** / **JK**

drawn **JR** / **JK**

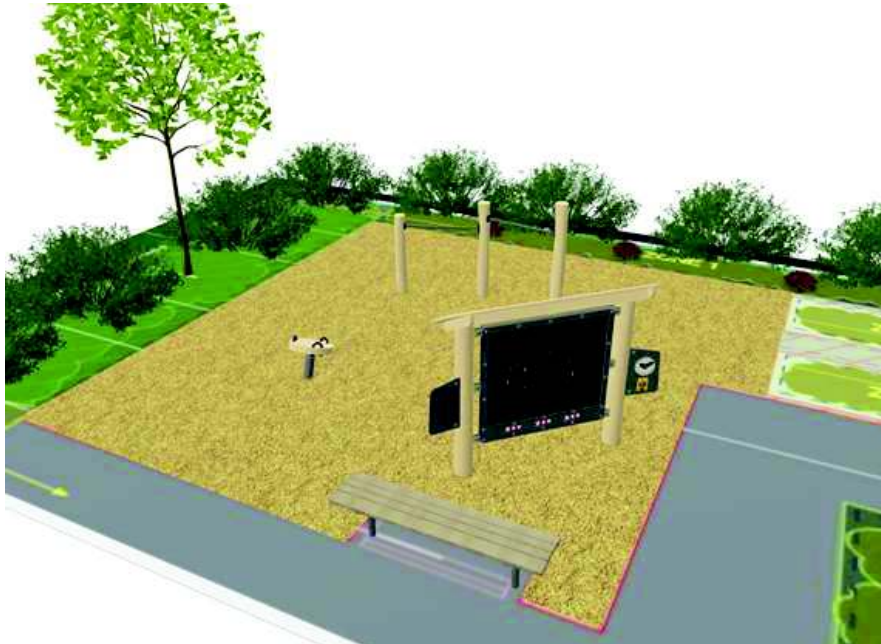
checked **JR** / **JK**

drawing no. **A101**

date 11/16/21 1:22:31 PM



SOUTH EAST CORNER - CLOSE UP



PLAYGROUND - IMAGE PROVIDED BY ECORA/OUTLAND DESIGN

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3	211119	REVISED FOR DP

FOR PERMIT ONLY

project title
FLEMING TOWNHOMES

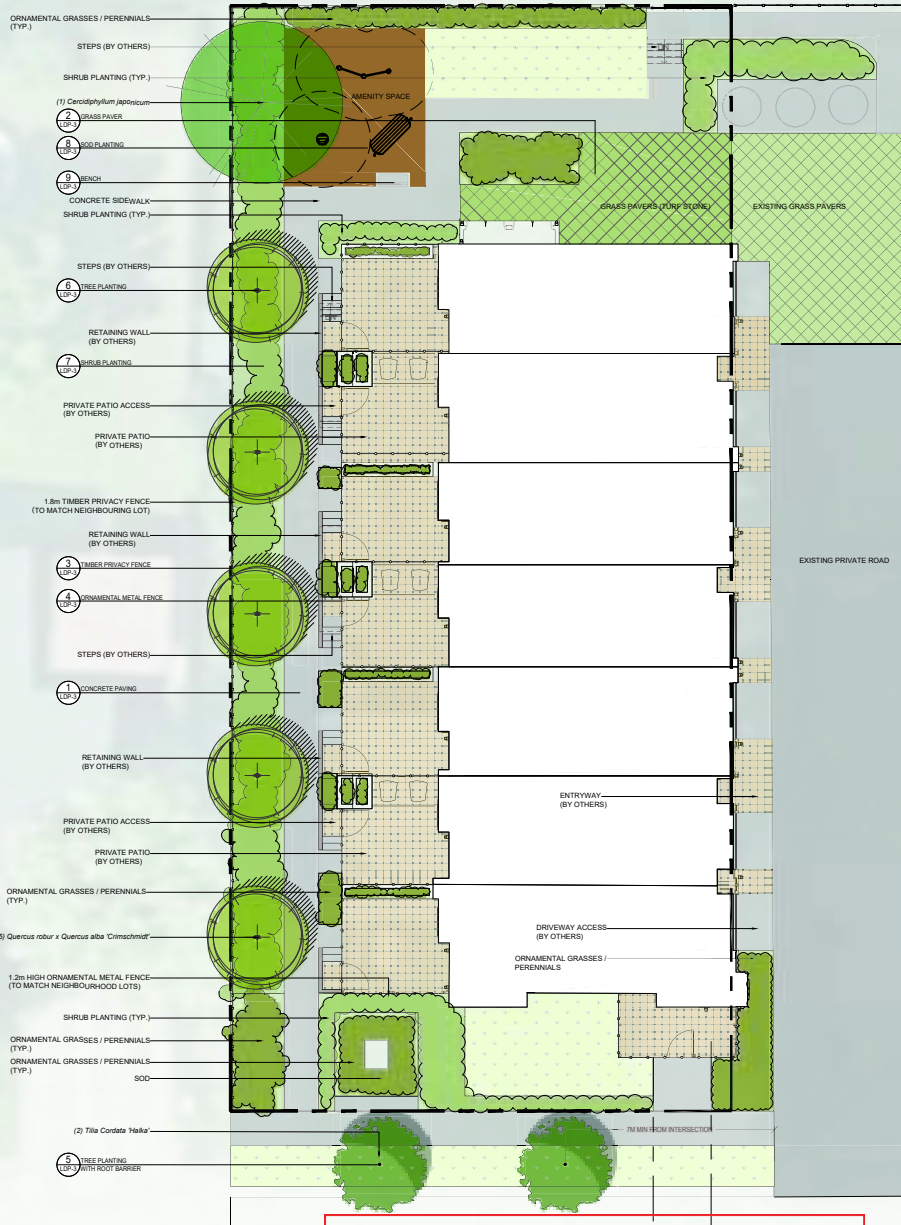
project address
**470 FLEMING ROAD,
KELOWNA, BC**
project no. **4130**

drawing title
RENDERS

designed **JR** / **AK**
drawn **JR** / **JK**
checked **RY**
drawing no.

A102

printed 11/16/21 1:22:32 PM

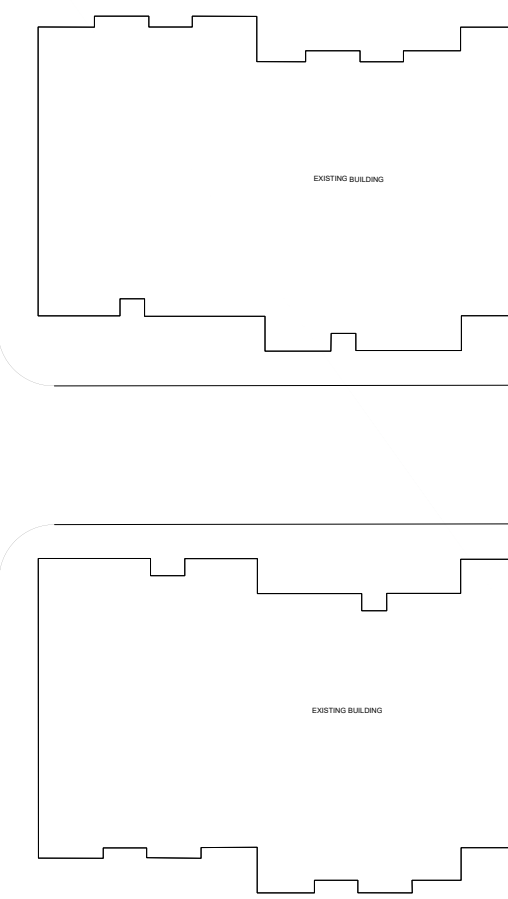


- LEGEND:**
- DECIDUOUS TREES
 - PROPERTY LINE
 - 1.8m HI. TIMBER PRIVACY FENCE
 - 1.2m HI. ORNAMENTAL BLACK FENCE
 - CONCRETE PAVING
 - SAFETY SURFACING
 - PRIVATE PATIO & ENTRYWAYS (BY OTHERS)
 - SOD
 - GRASS PAVERS (TURF STONE)
 - ORNAMENTAL GRASSES / PERENNIALS PLANTING BED
 - SHRUBS / PERENNIALS PLANTING BED
 - BENCH

- GENERAL NOTES:**
1. PLANT MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO MINIMUM STANDARDS ESTABLISHED IN THE CANADIAN LANDSCAPE STANDARDS CURRENT EDITION.
 2. THE LANDSCAPE DESIGN DESIGNATED HEREIN IS CONCEPTUAL BUT REFLECTS THE MINIMUM ACCEPTABLE QUALITY AND SIZE.
 3. PLANT MATERIAL SELECTIONS ARE CONCEPTUAL ONLY. FINAL PLANTING SELECTIONS MAY VARY DEPENDING UPON AVAILABILITY.
 4. ALL PLANTING BEDS SHALL HAVE APPROVED MULCH.
 5. ALL LANDSCAPE AREAS TO BE IRRIGATED WITH AN EFFICIENT AUTOMATIC IRRIGATION SYSTEM.
 6. THIS DRAWING DEPICTS FORM AND CHARACTER AND IS TO BE USED FOR DEVELOPMENT PERMIT SUBMISSION ONLY. IT IS NOT INTENDED FOR USE AS A CONSTRUCTION DOCUMENT.

PLANT LIST

QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	NOTES (Size (H x W x D))
Trees Deciduous					
1	<i>Camptelidium japonicum</i>	Katsura Tree	8cm Cal	B&B	10.0m x 7.0m
5	<i>Quercus robur x Quercus alba 'Crimscindor'</i>	Crimson Spire Oak	8cm Cal	B&B	13m x 4.5m
2	<i>Tilia cordata 'Vielva'</i>	Littoral Linden	8cm Cal	B&B	6.0m x 4.0m
Shrubs					
8	<i>Artemisia vulgaris 'Variegata'</i>	Siberian Aster	#01	Potted	0.6m x 0.9m
8	<i>Berberis thunbergii 'Monrovi'</i>	Barberry	#01	Potted	1.2m x 1.0m
15	<i>Cornus alba 'Saxhal'</i>	Ivory Halo Dogwood	#01	Potted	1.5m x 1.5m
19	<i>Rhus aromatica 'Glo-Low'</i>	Fragrant Sumac	#01	Potted	1.0m x 1.8m
20	<i>Rhus x media 'Hedra'</i>	Hick's Yew	#01	Potted	1.0m x 1.8m
Ornamental Grasses					
18	<i>Scariosagris x acutiflora 'Oversat'</i>	Feather Reed Grass	#01	Potted	0.75m x 1.2m
9	<i>Scariosagris scopulorum 'Sedra'</i>	Tufted Hair Grass	#01	Potted	0.75m x 0.75m
12	<i>Heterostichon sarraceniensis</i>	Blue Cat Grass	#01	Potted	1.0m x 0.9m
11	<i>Miscanthus sinensis 'Yalu Jina'</i>	Maiden Hair Grass	#01	Potted	1.5m x 1.0m
Perennials					
22	<i>Scinnia purpurea 'Magnus'</i>	Magnus Coneflower	#01	Potted	0.6m x 0.6m
9	<i>Eupatorium alatum 'Misty Joe'</i>	Chief Joe Pine Weed	#01	Potted	0.75m x 0.9m
18	<i>Hebe x Sarrasin 'Walker's Low'</i>	Walker's Low Calceolaria	#01	Potted	0.6m x 0.9m
5	<i>Perovskia atrorubra</i>	Russian Sage	#01	Potted	1.2m x 1.2m
24	<i>Rubuskeiske fulgida 'Goldsum'</i>	Goldsum Coneflower	#01	Potted	0.75m x 0.6m

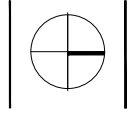


PROJECT:
470 FLEMING RD, KELOWNA, B.C.
CLIENT:
1059067 B.C. LTD.

SCHEDULE C

This forms part of application
DP21-0074

Planner Initials **LK**



NO.	DATE (MM/DD/YYYY)	REVISION
3	11/04/2021	RE-ISSUED FOR DEVELOPMENT PERMIT
2	07/23/2021	RE-ISSUED FOR DEVELOPMENT PERMIT
1	01/18/2021	RE-ISSUED FOR DEVELOPMENT PERMIT
0	12/23/2020	ISSUED FOR DEVELOPMENT PERMIT

DESIGN: KP
DRAWN: NV / TR
CHKD: FB
DATE: 11/04/2021
SCALE: 1:100

SITE PLAN

LDP-1

Project No. LK-20-840

RE: Proposal for Rezoning and DP for: 470 Fleming Road

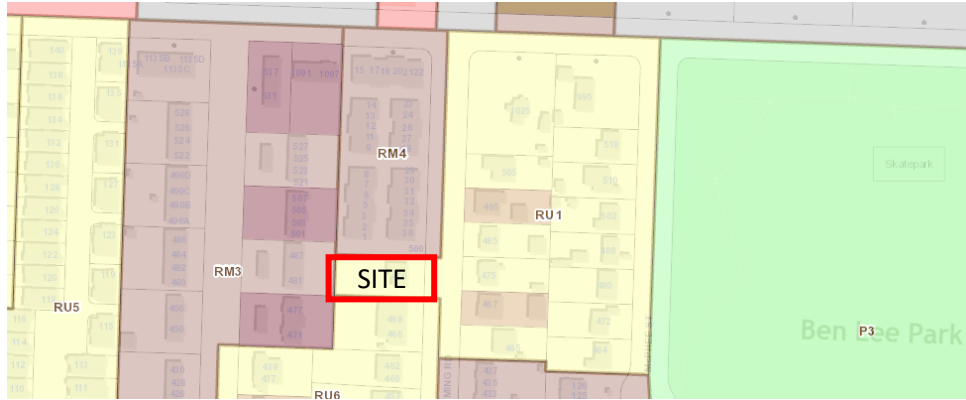
Introduction

This application is for re-zoning and DP to accommodate a 7-unit townhome building located at 470 Fleming Road, Kelowna BC. The subject site is 0.256ac and is located by the corner of Leathead and Fleming Road.



Site Context

The subject site is currently zoned RU1 – Large Lot Housing. This Development Permit application is to facilitate the construction of one townhome building, with seven unit's total. These homes are proposed under the RM4 zone, which is consistent with the OCP. The building is three storeys in height. This proposed townhome development is a continuation of the adjacent development at 500 Fleming Road. The subject property will be consolidated with 500 Fleming Road and incorporated into the existing strata. The proposed townhomes align with the City of Kelowna Official Community Plan's goals for a sustainable future by focusing growth in compact, connected, and mixed-use centres and by creating more variety of housing types for Kelowna residents, particularly in the "missing middle".



Form and Character

This development uses a similar design to the adjacent townhomes. All materials, Hardie panel and aluminum siding, and colors are the same to ensure that the new townhomes match the existing development. The proposed townhome building takes the same unit plans and exterior façade treatment as the 6-unit townhome buildings on the adjacent property and adds a seventh (custom) unit on the elevation facing Fleming Road. A different approach was taken on the seventh unit to ensure it addressed the street on a pedestrian scale. The design emphasizes the corner condition by creating a protruding vertical entrance.

This 7-unit townhome offers six 3-bedroom units and one 2-bedroom unit all with similar types of floor plans. All units provide tandem garage parking on the first level. At-grade entrances face the interior private road except for the unit off Fleming Road which faces the street. Ample outdoor space is provided for each unit at the rear of the property along with an amenity space for all residents to enjoy. Landscaping and outdoor living/recreation are important aspects for this development where each unit has a large patio space with robust landscape screening to ensure privacy as well as sun decks on the second level. Landscape buffer consisting of a 1.8m solid screen fence and various trees/ shrubs will be allocated between the pathway and the Southern boundary to help soften the interface to the existing single-family homes.



Changes Based on Public Feedback

Several items were raised by neighbours as part of the public consultation and public hearing process. The primary concerns were related to residents parking on the street instead of in their garage, and the sidewalk trespass/safety concerns with children playing near Fleming Rd. To address these concerns, the site and building designs were modified in the following ways:

- 1) **Addition of a playground:** A small playground area has been added in the SW corner of the site, away from the road. This will give children a safe place to play and will reduce the recreational overflow conflicts and safety concerns related to children playing on the public sidewalk.
- 2) **Garage width:** The units have been reformatted, and 100% of the stalls within the garages are now full-size stalls. They range in width from 3.1m to 3.4m, which is 0.1 to 0.4m wider than the bylaw size, respectively. This will help encourage residents to park in their garage much more effectively than in the original project to the North, which has narrower garages.

Summary

The proposed development requires no variances, is consistent with the City's goal for increasing density in existing neighborhoods and complies with the Official Community Plan. The applicant kindly requests support from Staff and Council for this housing project.

