

---

**CITY OF KELOWNA**

**MEMORANDUM**

---

**Date:** June 2, 2003

**File No.:** DP03-0027/DVP03-0028

**To:** City Manager

**From:** Planning and Corporate Services Department

**Subject:**

APPLICATION NO. DP03-0027/DVP03-0028      OWNER: HILLCREST  
OKANAGAN  
PROJECTS INC.  
AT: 3101 COUNTRY CLUB DRIVE      APPLICANT: POINTE OF VEI W  
MARKETING BC LTD

**PURPOSE:** TO OBTAIN A DEVELOPMENT PERMIT FOR 118 UNITS OF  
APARTMENT HOUSING.

TO VARY THE PARKING REQUIREMENT TO ALLOW 152 PARKING  
SPACES WHERE 174 PARKING SPACES ARE REQUIRED.

TO VARY THE SIDEYARD SETBACK REQUIREMENTS OF 7.5  
METRES TO ALLOW A CORNER OF THE BUILDING TO HAVE A  
SETBACK OF 7.0 METRES.

TO VARY THE REARYARD SETBACK REQUIREMENTS OF 9.0  
METRES TO ALLOW A CORNER OF THE BUILDING TO HAVE A  
SETBACK OF 8.23 METRES.

TO ALLOW BALCONIES TO PROJECT 1.2 METRES INTO THE  
REQUIRED FRONT YARD WHERE A PROJECTION OF 0.6 METRES IS  
PERMITTED.

**EXISTING ZONE:** CD6 – COMPREHENSIVE RESIDENTIAL GOLF RESORT

**REPORT PREPARED BY:** KEIKO NITTEL

---

**SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS**

---

**1.0 RECOMMENDATION**

AND THAT Council authorize the issuance of Development Permit No. DP03-0027, located on Country Club Drive, Lot 4 and an undivided 1/3 share in Lot 2, Section 14 & 15, Township 23, ODYD, Plan KAP54660, Kelowna, B.C. subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";
4. 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 professional landscaper;
5. The applicant be required to release the existing R3 zoning covenant and register the RM5 – Medium Density Multi-Family zoning designation as outlined in Zoning Bylaw 8000 as a covenant on title.

AND THAT Council authorize the issuance of Development Variance Permit No. DVP03-0028, located on Country Club Drive, Lot 4 and an undivided 1/3 share in Lot 2, Section 14 & 15, Township 23, ODYD, Plan KAP54660, Kelowna, B.C.;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 13.11.5(f) – RM5- Medium Density Multiple Housing

A variance to allow the northeast corner of the Building 2000 projects 0.77 metres into the required 9.0 m rear yard.

A variance to allow the southwest corner of Building 2000 to project 0.5 metres in to the required 7.5 m side yard.

Section 6.4.2 – Projections Into Yards

A variance to allow the patios/balconeys at the north west corner of the building project 1.2 metres into the required 6.0 metre front yard where a projection of only 0.6 metres is permitted.

Section 8.1 – Parking & Loading – Table 1: Parking Schedule

A variance to allow 152 parking spaces (135 tenant and 17 visitor parking spaces) where 174 parking spaces (157 tenant and 17 visitor) are required.

AND FURTHER THAT the applicant be required to complete the above-noted conditions within 180 days of Council approval of the development permit application in order for the permit to be issued.

## 2.0 SUMMARY

The applicant is proposing to construct 118 units of apartment housing located in two four-storey buildings (59 units each). Parking for the tenants will be provided on-site in an underground parkade consisting of 135 parking stalls. An additional 17 visitor surface parking spaces will be provide in the courtyard as well as an outdoor swimming pool and hot tub. A Development Variance Permit is required in order to address building siting issues and the allow a deficiency in the parking requirement.

The zoning on the subject property is established by way of a covenant registered on title. The zoning currently registered on title is the R3 – Low Density Multi-family zoning as outlined in the previous Zoning Bylaw. As a requirement of the development permit, the applicant will be required to release the existing R3 zoning covenant and register the RM5 – Medium Density Multi-Family zoning designation as outlined in Zoning Bylaw 8000 as a covenant on title. This change is consistent with both the CD6- Comprehensive Residential Golf Course zone regulations and the approved Area Structure Plan for Quail Ridge.

### 3.0 ADVISORY PLANNING COMMISSION

At the April 22, 2003 meeting of the Advisory Planning Commission it was resolved that:

That the Advisory Planning Commission not support Development Permit Application No. DP03-0027, 3101 Country Club Drive, Lot 4, Plan 54660, Sec. 15, Twp. 23, ODYD, by Pointe of View Marketing BC Ltd. (Andrew Wallace), to obtain a Development Permit for 118 apartment units in two four-storey buildings over an underground parking structure;

AND THAT the Advisory Planning Commission supports Development Variance Permit Application No. DVP03-0028, 3101 Country Club Drive, Lot 4, Plan 54660, Sec. 15, Twp. 23, ODYD, by Pointe of View Marketing BC Ltd. (Andrew Wallace), to vary the side yard requirement to allow a portion of the building to have a setback of 7.0 metres where 7.50 metres is required; to vary the rear yard requirement to allow a portion of the building to have a setback of 8.3 metres where 9.0 meters is required; to allow a porch to project 1.2 metres into the required front yard where a projection of 0.60 metres is permitted; to vary the parking requirement to allow 152 parking spaces where 174 parking spaces are required.

With regard to Development Permit Application No. DP03-0027, the Advisory Planning Commission would like the applicant to revisit the design to address the massing of the building, increase the roof articulation and to use clay tiles in place of asphalt shingles.

At May 20, 2003, the Advisory Planning Commission once again reviewed Development Permit Application DP03-0027, based on additional information provided, and the following recommendation was passed:

That the Advisory Planning Commission support Development Permit Application No. DP03-0027, 3101 Country Club Drive, Lot 4, Plan 54660, Sec. 15, Twp. 23, ODYD, by Pointe of View Marketing BC Ltd. (Andrew Wallace) to obtain a Development Permit for 118 apartment units in two four-storey buildings to be built over an underground parking structure

### 4.0 BACKGROUND

#### 4.1 The Proposal

The proposal for “The Pointe at Quail Ridge” consists of 118 units of apartment housing located within 2 four-storey buildings. A total of 103 two bedroom units and 15 one bedroom units are being proposed. Each building (Building 1000 & Building 2000) contains 59 dwelling units. The units have been laid out, and the individual buildings have been organized on the site, to maximize the views of the adjacent golf course or landscaped courtyard. Balconies/patios provide each unit with private outdoor amenity spaces.

Variances are required in order to allow the siting of the buildings as proposed. The southwest corner of Building 2000 projects 0.5 metres into the 7.5m required side yard. In addition, the northeast corner of the same building projects 0.77 metres into the required 9.0m rear yard. At the front of Building 1000, the patios/balconies at the north west corner project 1.2 metres into the required 6.0 metre front yard where a projection of only 0.6 metres is permitted.

The applicant has designed the buildings with architectural elements themed around a Tuscan Hill Town aesthetic, predominant throughout the Quail Ridge Development. The proposed building facades are broken up using a variety of colours and architectural detailing such as open soffits, metal handrails, and ceramic tiling. The exterior finishes consist of stucco in three colours – pale beige, medium beige, and taupe with ivory trim and charcoal accents. Cultured stone veneer is also used to provide further detail to the buildings. In keeping with the roofing style seen throughout Quail Ridge, the proposed roofing material consists of clay tile.

The two L-shaped buildings serve to create a courtyard on the south side of the property. The courtyard provides amenity space for the tenants including an outdoor swimming pool and hot tub. Concrete pathways connect the two buildings as well leading to a trellised sitting area overlooking the golf course. Extensive landscaping is provided throughout the courtyard. In addition, 17 visitor stalls and two circular driveways, leading to the entrance of each building, are located in the courtyard. The dark grey concrete driveways use decorative sawcutts, stamped concrete, and decorative boulder features to visually blend the driveway into the landscaped courtyard. Garbage enclosures are located adjacent to each of the buildings and visitor parking areas.

To create this development many of the existing trees require removal. While it is their intent to retain as many of existing trees as possible, the applicant feels that there is no physical way to replace two trees for every tree to be removed. The removal of 159 existing trees would require the applicant to plant an additional 318 trees under the “two for one” tree replacement guideline. Of the 188 existing trees on site, the applicant is proposing to retain 29-35 trees, and install 92 additional trees as per the proposed landscaping plan.

Tenant parking is provided on-site in an underground parkade consisting of 135 parking stalls. The parking requirement for the proposed development is 174 parking spaces of which 17 are to be designated visitor. The applicant is proposed 135 parking spaces with an additional 17 visitor parking spaces (total 152 spaces). A variance is therefore required in order to allow a deficiency of 22 parking spaces.

The application meets the requirements of the proposed RM5- Medium Density Multiple-Family Zone as follows:

CRITERIA	PROPOSAL	RM5 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	10418 m <sup>2</sup>	1400m <sup>2</sup>
Site Width (m)	79.85m	30.0m
Site Depth (m)	134.85m	35.0m
Site Coverage (%)	33%	40% (50% with buildings, driveway, parking)
Total Floor Area (m <sup>2</sup> )	13800m <sup>2</sup>	
F.A.R.	1.13	1.26 (1.1 FAR plus .16 for underground parking)
Height (m)	14.2m	the lesser of 16.5 metres
Storeys (#)	4	4 storeys
Setbacks (m)		
- Front (West)	6.0m	6.0m
- Rear (East)	8.23m <sup>①</sup>	9.0m
- Side (North)	9.0	7.5m
- Side (South)	7.0 <sup>②</sup>	7.5m
Projections into Front Yard	1.22 m projection (4.8 metre setback to projection) <sup>③</sup>	0.60 metres into required front yard setback (5.4 metre setback to projection)
Parking Stalls (#)	135 stalls <sup>④</sup> 17 visitor	174 stalls 17 visitor
Bicycle Stalls (#)	6 <sup>⑤</sup> 12	6 stalls (0.05 per dwelling unit of Class I) 12 stalls (0.10 per dwelling unit of Class II)

**Notes:**

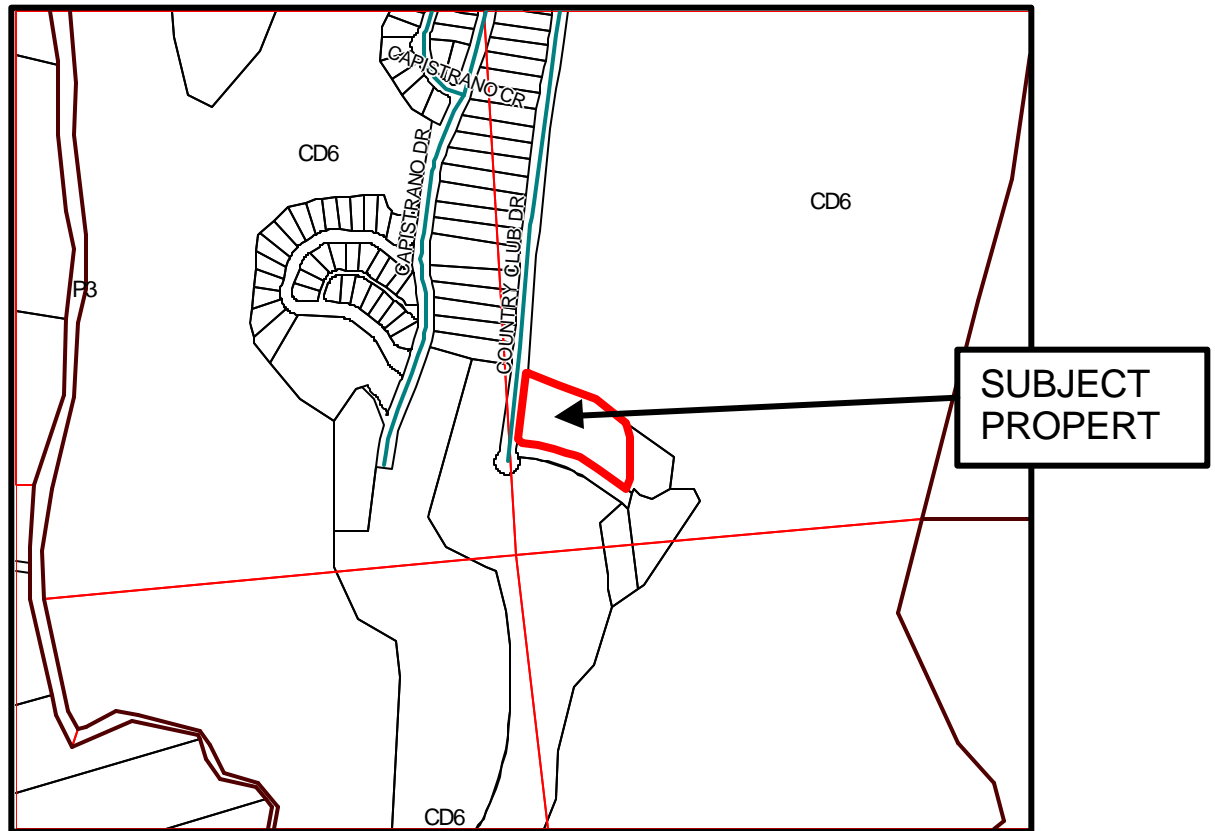
- ① A variance is required to allow the northeast corner of the Building 2000 to project 0.77 metres into the required 9.0m rear yard.
- ② A variance is required to allow the southwest corner of Building 2000 to project 0.5 metres in to the required 7.5 m side yard
- ③ A variance is require to allow the patios/balconeys at the north west corner of the building to project 1.2 metres into the required 6.0 metre front yard where a projection of only 0.6 metres is permitted
- ④ A variance is require to allow 152 parking spaces (135 tenant and 17 visitor parking spaces) where 174 parking spaces (157 tenant and 17 visitor) are required
- ⑤ Bicycle parking spaces not shown on site plan. Applicant, however, has provide additional information indicating that they are to be located in the underground parking area.

#### 4.2 Site Context

The subject property is located on Country Club Drive within the Quail Ridge Development. Adjacent zones and uses are:

North - CD6 – Golf Course  
 East - CD6 – Golf Course  
 South - CD6 – Vacant  
 West - CD6 – Vacant

### Site Location Map



### 4.3 Existing Development Potential

The site is located in the CD6- Comprehensive Golf Resort Zone. The purpose of this zone is to provide for the development of a residential golf resort which includes one or more land use designations as an integrated development unit based on an Area Structure Plan. Density is based on an averaging of all lands within the development. The subject property is designated in the Area Structure Plan for Multi-Family development with a zoning covenant registered on title.

The purpose of existing R3- Low Density Multi-Family from Zoning Bylaw 4500, as registered as a covenant on title, is to designate and preserve areas for the orderly development of low density, multi-family housing, particularly designed for families with children. Principle uses include multi-family residential, senior citizens housing, and two-family residential. Secondary uses are childcare use (max of 8 children), and Minor Home Occupation (Class A).

The applicant will be required as a condition of the Development Permit to release the R3 zoning covenant from the title of the subject property. A new zoning covenant, registering the RM5 – Medium Density Multiple-Family designation as outlined in Zoning Bylaw 8000, will then be registered on the title of the subject property. The purpose of the RM5 zone is to provide a zone primarily for medium density apartments. The principal uses in this zone are apartment housing, congregate housing, group homes (major), and stacked row housing. Secondary uses include care centres (major), and home based businesses (minor).

#### 4.4 Current Development Policy

##### 4.4.1 Kelowna Official Community Plan

The Official Community Plan designation for this property is Comprehensive Residential Golf Resort and the Quail Ridge CDP has been adopted as an appendix to the OCP. In addition, the OCP offers the following guidelines for Multi-Dwelling development:

##### Relationship to the Street

- First storey units should ideally provide ground-level access and outdoor amenity space
- The principle front entranceway should be clearly identified and in scale with the development.

##### Building Massing

- Developments with multiple, separate buildings should be designed in such a manner that individual buildings contain different, but compatible shapes, masses, and/or exterior finishes.
- Developments should be sensitive to and compatible with the massing and rhythm of the established streetscape.
- Sub-roofs, dormers, balconies, and bay windows should be encouraged.

##### Walls

- End walls visible from a public street or residential lot should be finished to provide an attractive appearance. Blank or solid walls (without glazing) should not be longer than 5 m. Walls longer than 5 m should incorporate wall detailing that will provide visual interest.

##### Crime Prevention

- Guidelines for Crime Prevention Through Environmental Design Guidelines (CPTED) should be followed.

##### Amenities

- Appropriate high quality public spaces, which provide links to surrounding areas and open space relief within the development should be encouraged.

##### Parking

- Underground parking is encouraged.

##### 4.4.2 City of Kelowna Strategic Plan (1992)

The proposal is in keeping with the policies of the Strategic Plan, which encourages a range of housing types and densities in new areas and more mixing of land uses.

##### 4.4.3 Quail Ridge Community Concept Development Plan

The Quail Ridge Community Concept Development Plan (CDP) specifies the location as multi-family. The proposed project is generally consistent with the Quail Ridge Community Concept Development Plan. The development follows

the general form and character for the village mixed use and multiple-family buildings as outlined in the CDP.

#### 4.4.4 Crime Prevention Through Environmental Design (1999)

The City of Kelowna Crime Prevention Through Environmental Design guidelines include the following suggestions for Multiple Unit Residential Developments;

##### Natural Surveillance

- building entrances and exterior doors should be clearly visible from the street or by neighbours;
- all four facades of a building should have windows;
- visitor parking should be designated;
- parking areas should be visible from windows and doors;
- parking areas and pedestrian walkways should be well-lit;
- dumpsters should not create blind spots or hiding areas;
- elevators and stairwells should be clearly visible from windows and doors;
- buildings should be sited so that the windows and doors of one unit are visible from another;

##### Territorial Reinforcement

- property lines should be defined by landscaping or fencing which does not create a visual barrier;
- building entrances should create a strong sense of identity and presence on the street with the use of architectural elements, lighting and /or landscaping;
- balconies should be large enough to provide a useable activity area for residents, thereby increasing influence over the adjacent neighbourhood;

##### Natural Access Control

- balcony railings should never be a solid opaque material;
- entrances into parking lots should be defined by landscaping, or architectural design;
- access to the building should be limited to no more than two points.

##### Target Hardening

- cylinder dead bolt locks should be installed on all exterior doors;

## 5.0 TECHNICAL COMMENTS

### 5.1 Aquila

Aquila will provide underground electrical service.

### 5.2 Terasen Utility Services

Customer must apply for gas.

### 5.3 Fire Department



Fire department access and hydrants as per the BC Building Code and City of Kelowna Subdivision By-law.

5.4 Inspections

No concerns

5.5 Shaw Cable

Owner/contractor to supply/install conduit system as per Shaw Cable drawings & specifications.

5.6 Telus

Developer will be required to provide underground conduit to Telus Specifications as designed by Telus.

5.7 Works & Utility

The Development Variance for setback reductions does not compromise Works & Utilities requirements. The Works & Utilities Department comments and requirements regarding this application are as follows:

5.7.1 Subdivision

- a) Provide easements as may be required.

5.7.2 Geotechnical Study.

We recommend that a comprehensive geotechnical study be undertaken over the entire site. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zoning. As well, the study should address drainage patterns including the identification of ground water and the presence of any surface springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays.

5.7.3 Domestic water and fire protection.

- a) The subject property is within the service area of the Glenmore & Ellison Improvement District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection, and upgrading costs are to be paid directly to the GEID.
- b) A watermeter is mandatory as well as a sewer credit meter to measure all the irrigation water. Watermeters 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.

5.7.4 Sanitary Sewer.

The subject property is currently serviced by the municipal sanitary sewer collection system. All the charges for service connection are to be paid directly to the City at the time of the request for a new connection.

5.7.5 Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual, is a requirement of this application.

5.7.6 Power and Telecommunication Services.

The services to and fronting this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

5.7.7 Accesses.

The frontage of the property is urbanized to a level consistent with the current Development and Servicing Bylaw. The proposed development requires the construction of a new driveway at the northerly end of the subject property on Country Club Drive. The estimated cost for this work, for bonding purpose, would be \$5,200.00, inclusive of a bonding contingency.

5.7.8 Street lights.

Streetlights must be installed on all fronting roads as determined by the Manager of Electrical Utilities.

5.7.9 Engineering.

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.

5.7.10 Bonding and Levies Summary.

a) Performance Bonding

Country Club Drive access	\$ 5,200.00
---------------------------	-------------

b) Levies

At the time of building permit and services permit application

5.8 Glenmore and Ellison Improvement District

5.8.1 Engineering Plans

The present plans are conceptual only; full site servicing plans and metering detail must be submitted for review.

5.8.2 Fireflow Availability and Hydrants

Fireflow is available from the 300mm watermain bordering the west and south boundaries of the proposed development property. Fireflow calculations and requirements must be submitted. Offsite water system improvements may be required.

5.8.3 Property Water Service and Metering

The proposed development will require an above ground meter chamber at the property line constructed to GEID standards.

5.8.4 Connection, Administration and Inspection Fees

Depending on servicing arrangements and any required off site works, connection, administration and inspection fees may apply.

5.8.5 Capital Expenditure Charges

Based on GEID By-law #73, Schedule A, a charge of \$1,300 per unit applies for a total CEC of \$153, 400 for 118 units.

5.8.6 Summary of Engineering Submissions and Payables

Submit two (2) copies of engineered servicing plans for GEID review and approval. Additional requirements may be identified when engineering plans are submitted.  
Submit fireflow calculations.

Submit \$153, 400 for Capital Expenditure Charges.

5.8.7 Development Variance Permit

The requested Development Variance Application for setback reduction does not compromise works and Utilities requirement. The requested Development Variance Application for parking requirement reduction is not encouraged by Works and Utilities. This upscale development, remotely located from alternate modes of transportation, will most probably need all the parking required in accordance with current bylaws and policies. In support of the argument is the proliferation of recreation vehicles, located on a piece of currently vacant land south of Via Centrale, these vehicles presumably owned by the Quail Ridge residents that will be required to be relocated when that portion of the property is developed in the future.

5.9 Parks Department

5.9.1 Temporary fencing should be erected at a minimum drip line distance to protect existing trees.

5.9.2 A tree removal permit will be necessary, obtained from the Environment Division.

5.9.3 The proposed plant list contains all exotic plant and tree species. Please consider using native plant species especially for the conifer evergreens (i.e. Douglas Fir & Ponderosa Pine).

- 5.9.4 The proposed gabio retaining wall will be an eye sore. Please consider dense planting of vines and shrubs throughout the walls. This will soften the visual quality.

6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning & Development Services Department is generally supportive of the proposal. The form and character of the proposed development is compatible with the existing development and meets the general intent of the building scheme of the Quail Ridge Community Development Concept Plan. The scheme proposed in the Concept Plan would have lent more definition to the street. However, the scheme proposed in the application, by creating two buildings that wrap around a central space, is a reasonable compromise. The scheme allows views through the two buildings to the golf course beyond. Moreover, the central space created appears to be well detailed, providing a visual amenity for passersby, making a welcoming gesture to visitors who might be arriving on foot, and lending identity to the development. Overall, the project has a reasonable level of detail and the proposed vocabulary is consistent with the directions outlined in the Concept Plan

The proposed location of the garbage enclosures adjacent to the buildings, in particular that for Building 1000, may be unpleasant for the adjacent lower level tenants. The Department has communicated this concern to the applicant for consideration. The applicant has revised the roofing material from black asphalt shingles to clay tile roofing as is predominant throughout the existing Quail Ridge development. Adequate landscaping is proposed. The landscaping proposed is consistent with the quality of landscaping that exists throughout the multi-family projects within the Quail Ridge Development.

\_\_\_\_\_  
Andrew Bruce  
Development Services Manager

Approved for inclusion ☐

R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Planning & Corporate Services  
KN  
Attach.

**FACT SHEET**

1. **APPLICATION NO.:** DP03-0028/DVP03-0027
2. **APPLICATION TYPE:** Development Permit & Development Variance Permit
3. **OWNER:** Hillcrest Okanagan Projects Inc.  
· **ADDRESS** 200- 1212 1<sup>st</sup> Street SE  
· **CITY** Calgary, AB  
· **POSTAL CODE** T2G 2H8
4. **APPLICANT/CONTACT PERSON:** Pointe of View (Andrew Wallace)  
· **ADDRESS** 200 –01212 1 St. SE  
· **CITY** Calgary, AB  
· **POSTAL CODE** T2G TH8  
· **TELEPHONE/FAX NO.:** (403)571-8415
5. **APPLICATION PROGRESS:**  
Date of Application: March 25, 2003  
Date Application Complete: March 25, 2003  
Servicing Agreement Forwarded to Applicant: n/a  
Servicing Agreement Concluded: n/a  
Staff Report to APC: April 15, 2003  
Staff Report to Council: June 2, 2003
6. **LEGAL DESCRIPTION:** Lot 4 and an undivided 1/3 share in Lot 2, Section 14 & 15, Township 23, ODYD, Plan KAP54660
7. **SITE LOCATION:** on Country Club Drive where it intersects with Via Centrale
8. **CIVIC ADDRESS:** 3101 Country Club Drive
9. **AREA OF SUBJECT PROPERTY:** 10418 m<sup>2</sup>
10. **AREA OF PROPOSED REZONING:** 10418 m<sup>2</sup>
11. **EXISTING ZONE CATEGORY:** CD6 – Comprehensive Residential Golf Resort with R3 zoning covenant (covenant on title to be released)
12. **PROPOSED ZONE:** CD6 – Comprehensive Residential Golf Resort with RM5 (covenant to be registered on title)
13. **PURPOSE OF THE APPLICATION:** To obtain a development permit for 118 units of apartment housing. To seek a development variance for the location of the proposed buildings setback & parking deficiencies.
14. **MIN. OF TRANS./HIGHWAYS FILES NO.:** n/a  
**NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY**
15. **DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS** n/a

**ATTACHMENTS**

**(not attached to the electronic version of the report)**

- Location of subject property
- Site plans
- Floor plans
- Elevations
- Colour Scheme