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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** May 31, 2004  
**File No.:** (3060-20) **DP03-0126**

**To:** City Manager

**From:** Planning & Corporate Services Department

**Subject:**

DEVELOPMENT PERMIT APPLICATION OWNER: MAXWELL HOUSE  
NO. DP03-0126 DEVELOPMENTS LTD.  
INC. NO. 56346A

AT: 245 GLENMORE RD. APPLICANT: AS ABOVE

PURPOSE: TO SEEK A DEVELOPMENT PERMIT TO AUTHORIZE  
CONSTRUCTION OF 24 MULTIPLE HOUSING UNITS

EXISTING ZONE: A1 – AGRICULTURE 1

PROPOSED ZONE: RM3 – LOW DENSITY MULTIPLE HOUSING  
P3 – PARKS AND OPEN SPACE

REPORT PREPARED BY: PAUL McVEY

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

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**1.0 RECOMMENDATION**

THAT Final Adoption of Zone Amending Bylaw No. 9176 be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP03-0126 for Lot B, Sec. 4, Twp. 23, O.D.Y.D. Plan 23927, located on Glenmore Road, 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;

AND 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 has made application to rezone the subject property from the existing A1 - Agriculture 1 zone to the proposed RM3 – Low Density Multiple Housing zone and the P3 – Parks and Open Space zone, which was given 2<sup>nd</sup> and 3<sup>rd</sup> readings on March 9<sup>th</sup>, 2004, after a successful Public Hearing held the same night. This associated Development Permit seeks permission for the development of 24 townhouse style multiple housing residential units in 4 buildings with 2 units each and 4 buildings with 4 units each. Now that all of the outstanding issues have been addressed, it is now appropriate for Council to consider the Development Permit application.

### 2.1 Advisory Planning Commission

The above noted application (DP03-0126) was reviewed by the Advisory Planning Commission at the meeting of November 4, 2003 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Development Permit Application No. DP03-0126, 245 Glenmore Road, Lot B, Plan 23927, Sec.4, Twp. 23, ODYD, by Maxwell House Dev. Ltd. (Ken Gulenchyn), to obtain a Development Permit to allow for construction of a 24 unit, low density, multi-family residential development.

## 3.0 BACKGROUND

### 3.1 The Proposal

The subject property is the last remaining undeveloped lot located on the southeast side of Glenmore Road between Crosby Road and Cross Road. The lot to the north east of the property was developed with a church in 1992, while the property to the south west was developed with a church and an associated apartment building in 1994. Brandt's Creek runs along the southwest and northwest property lines. The portion of Brandt's Creek that is adjacent to Glenmore Road is currently piped, and "daylights" part way along the southwest property line.

This application proposes to develop the site with 24 residential units in a townhouse form. The site is designed with 4 buildings containing 2 units each and 4 buildings containing 4 units each. The access from Glenmore Road to the site is located in the approximate centre of the lot. The access driveway runs through the centre of the lot, and is terminated with a "hammerhead" turnaround. There are 5 buildings located on the north side of the access driveway and 3 buildings located to the south. The units located north of the driveway are 1 ½ storeys in height, while the units south of the driveway are 2 storeys in height.

All of the proposed units are 3 bedroom residences. Each of the units have either a carport or a garage attached to the dwelling. As well, there is also 7 surface stalls provided on the access drive aisle. There are a total of 51 parking stalls provided on site.

The landscape plan indicates a substantial amount of landscape plantings around the proposed development. There are also landscaped planting beds with trees proposed for the dwelling units along the north side of the driveway. The area of the site adjacent to Brandt's Creek is further enhanced by the provision of a crushed stone path and the planting of numerous trees. There will be public access along this path in order to provide for future connection with existing pathways along Brandt's Creek. It is anticipated that the portion of Brandt's creek that is currently routed through a pipe, will be restored to an open channel for that area that is located southwest of the access driveway. The residential units located adjacent to the south west property line are at least 14.4 m away from the top of bank of Brandt's Creek. There is an area in the west corner of the lot that is proposed to remain in grass and provide an outdoor amenity space.

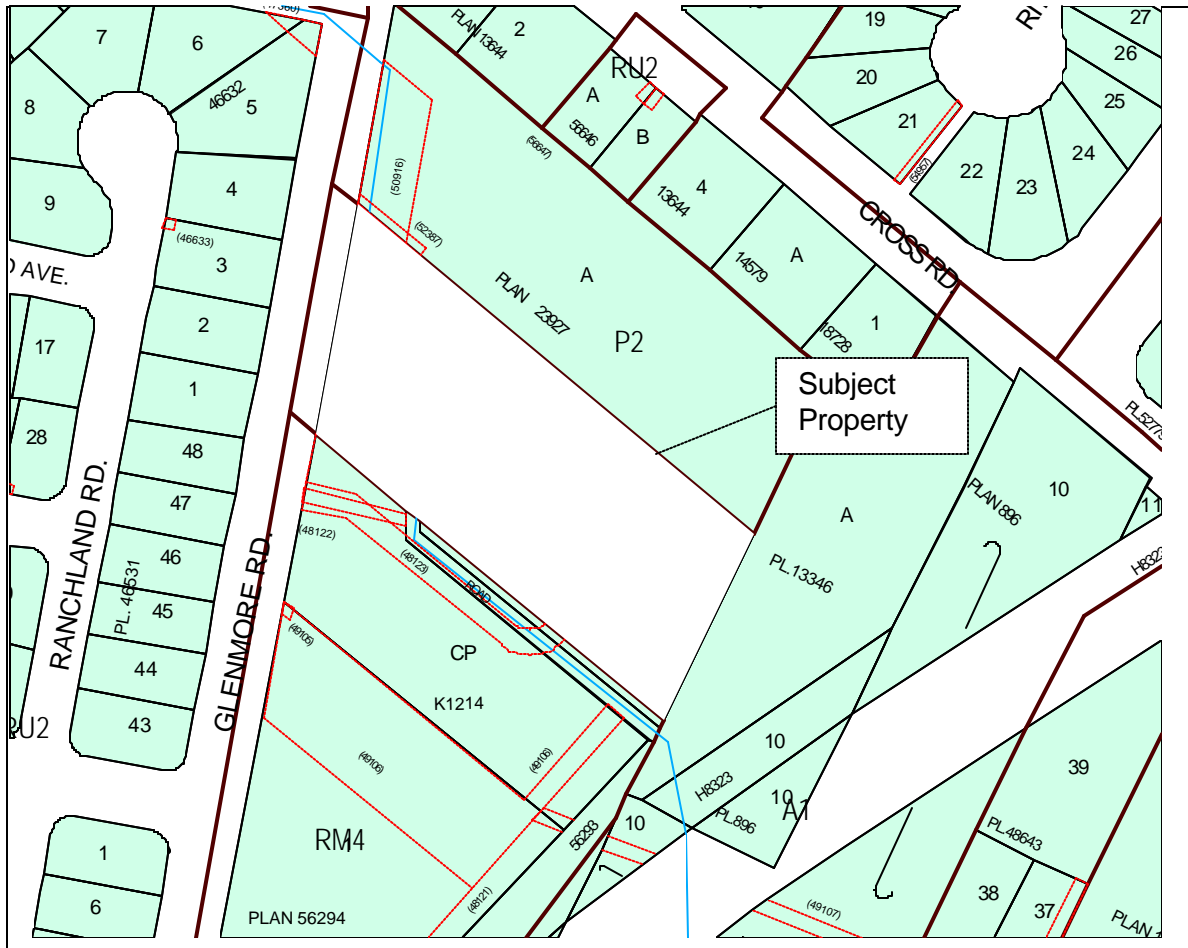
The exteriors of the proposed building are designed to be finished with horizontal siding and wood shake siding in the gable ends facing the internal drive aisle. The columns supporting the carports and the roof areas over the entry doors are designed to have stone finishes at the base. The walls are proposed to be finished with a "medium tan" colour for the horizontal siding and a darker "khaki" colour for the shingled areas. The door and window trim, as well as the eave and gutters are proposed to be painted white. The roof is proposed to be finished with a sculpted asphalt shingle product that has multi-coloured flecks that incorporates the wall colours.

The proposal as compared to the RM3 zone requirements is as follows:

CRITERIA	PROPOSAL	RM3 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	8,516 m <sup>2</sup>	900 m <sup>2</sup>
Site Width (m)	68.6 m	30 m
Site Coverage (%)	27.3% Buildings only 48.6% buildings and parking areas	The maximum building site coverage is 40%, provided that the maximum site coverage of buildings, driveways, and parking areas is 50%.
Total Floor Area (m <sup>2</sup> )	3,883 m <sup>2</sup>	4,258 m <sup>2</sup> max @ FAR = 0.5
F.A.R.	0.394	FAR = 0.5 max
Storeys (#)	2 storey	2 ½ Stories (9.5 m) max
Setbacks (m)		
- Front	9.49 m	4.5 m (6.0 m from garage or carport)
- Rear	10.15 m	7.5 m
- Northeast Side	6.1 m	4.0 m for 1 or 1 ½ storey building 4.5 m for 2 or 2 ½ storey building
- Southwest Side	4.6 m	4.0 m for 1 or 1 ½ storey building 4.5 m for 2 or 2 ½ storey building
Parking Stalls (#)	51 stalls provided	2 stall per 3 br unit 24 units, 48 stalls required
Private Open Space	1,143 m <sup>2</sup> provided	25 m <sup>2</sup> per unit = 600 m <sup>2</sup> req'd

### 3.2 Site Context

#### SUBJECT PROPERTY MAP



The subject property is currently occupied by a single unit dwelling, and the property has been used for agricultural uses. The property is located south of the Kelowna Christian Reformed Church and north of the St. David's Presbyterian Church and associated apartment building. The property is generally level, and slopes down from Glenmore Road towards the future Glenmore By-pass located near the rear of the lot. Brandt's Creek is located along the southwest property line, and is located in a pipe adjacent to the Glenmore Road frontage. There is also a marshy area located at the south corner of the property.

Adjacent zones and uses are, to the:

Northwest	-	RU2 – Medium Lot Housing/ Glenmore Dr. SFD
Northeast	-	P2 – Education and Minor Institutional/ Church
Southwest	-	RM4 – Transitional Low Density Housing/ Apartment building
Southeast	-	A1 – Agriculture 1/ Vacant

### 3.3 Current Development Policy

#### 3.3.1 Kelowna Official Community Plan

This proposal is consistent with the Official Community Plan which designates the subject property as Multiple Unit Residential – Low Density future land use.

The Official Community Plan also contains the following statements;

##### **Objectives for Multiple Unit Residential Development**

- All development should be an appropriate response to its physical context, or anticipated future context where an area is designated for increased density or land use transition in the OCP.
- All development within Urban Centres and Village Centres should contribute to the creation of pedestrian-oriented streets and public spaces (connections, social interaction).
- All development should contribute to a sense of community identity and sense of place (integration of development within larger community, belonging, community cohesiveness).
- All development should facilitate access by, and minimize conflicts among pedestrian, bicycle, and vehicular modes of transportation (access, mobility).
- All development should promote safety and security of persons and property within the urban environment (CPTED).

##### **Guidelines for Multiple Unit Development**

In issuing conditions relating to a development permit the City will specify how development permit objectives can be satisfied. This should include consideration of the following guidelines, as examples of how to meet the objectives:

##### **Landscaping**

Landscaping should:

- provide noise buffering
- complement building's architectural features
- enhance the edges of buildings
- retain required sight distances (from roadways)
- contribute to a sense of personal safety and security
- facilitate access, enjoyment and social activities for all authorized users
- provide equal access for mobility-challenged individuals
- incorporate native plants where practical
- preclude species that are hosts to the codling moth.

### **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.
- There should be no more than a one storey height gain between adjacent uses within 5.0 m of the side property line where the adjacent land has not be designated on the Future Land Use Map for equal or higher density redevelopment in the OCP. Where the adjacent land has been designated for equal or higher density redevelopment the height gain or stepping back guidelines are not applicable.
- 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.

### **Views**

- View corridors should, wherever possible, be preserved.
- All buildings and structures on lots along the Okanagan Lake foreshore should be sited so as to minimize any obstruction of lake views from established abutting development.
- Buildings along the lakefront should not be taller than those permitted further inland such that lakefront views are not obscured. Special circumstances may suggest relaxation of this policy to allow for a landmark development that is in the public's interest.

### **Environmental Considerations**

- Projects should be designed to minimize the impacts of climatic conditions such as excessive heat, cold and wind.
- Projects located along arterial roads should be designed to minimize residents' exposure to noise and exhaust emissions.

### **Crime Prevention**

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

### **Access**

Vehicle access and on-site circulation shall minimize interference with pedestrian movement.

#### **3.3.2 City of Kelowna Strategic Plan (1992)**

The proposal is consistent with the urban form objectives of the Kelowna Strategic Plan which encourages “a more compact urban form by increasing densities through infill and re-development within existing urban areas...”

As well, the City of Kelowna Strategic Plan also encourages the proposed development as follows;

Objective 7.3...

"To ensure that there is a range of housing types and sizes, including socially assisted housing in all major sectors of Kelowna to meet the changing needs of current and future residents."

### 3.3.3 Glenmore/Clifton/Dilworth Sector Plan

The subject property is located in the Glenmore/Clifton/Dilworth Sector Plan, and is designated for Multiple Family Residential - low density uses.

The Glenmore/Clifton/Dilworth Sector Plan also includes Multiple Unit Residential Development Permit Guidelines;

- Multiple unit residential development is encouraged to be sensitive to and compatible with the massing and rhythm of the established streetscape,
- The number of access points to multiple unit residential development from arterial or collector roads should be minimized,
- Where a site is to contain several buildings, careful attention should be given to the provision of usable open space, trail linkages between buildings, and other potential development enclaves. Walkways and trails shall be indicated on the site plan,
- Recreation or play areas should be provided within each project and should be sensitive to the needs of all age groups likely to reside within the development

### 3.3.4 Crime Prevention Through Environmental Design

#### **Natural Surveillance**

- building entrances and exterior doors should be clearly visible from the street or by neighbours;
- all doors that open to the outside should be well-lit;
- all four facades of a building should have windows;
- visitor parking should be designated;
- the lower branches of existing trees should be kept at least ten feet (3 metres) off the ground;
- 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;
- shrubbery should be no more than three feet (one metre) high for clear visibility;
- buildings should be sited so that the windows and doors of one unit are visible from another;
- stairwells should be well-lit and open to view; not behind solid walls.

#### **Territorial Reinforcement**

- property lines should be defined by landscaping or fencing which does not create a visual barrier;
- low shrubbery and fencing should allow visibility from the street;

- 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;
- dead end spaces should be blocked by a fence or gate;
- hallways should be well-lit;
- where feasible, no more than four apartments should share the same entrance;
- elevators and stairwells should be centrally located;
- 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;
- where necessary, entrances to parking lots may be monitored by a guard;
- common building entrances should have locks that automatically lock when the door closes;
- common doorways should have windows and be key-controlled by residents;

### **4.0 TECHNICAL COMMENTS**

The application has been circulated to various technical agencies and City departments. Those technical requirements have been addressed as part of the associated Rezoning application (Z03-0055). The following comments relevant to the Development Permit application have been submitted:

#### **4.1 Aquila Networks Canada**

Will provide underground electrical service to this development.

#### **4.2 Fire Department**

Fire department access and hydrants as per the BC Building Code and City of Kelowna Subdivision By-law. Engineered fire flows will be required. Hydrant required within 90m of each principal entrance. If a security gate is installed it should be a minimum of 14 feet clear opening complete with a fire dept. lock box installed with an over-ride microswitch inside. Contact F.P.O. for details.

#### **4.3 Inspection Services Department**

1. There is a bedroom window opening into the garage. This is not permitted.
2. The underside of the crawl space slab shall be .6 m above the water table and 1.5 m above the creek high water.
3. Ensure that all entrance doors are within 90 m of a hydrant. Onsite hydrant will be required.



4.4 Ministry of Water, Land and Air Protection

The standards for sediment and erosion control outlined in the jointly published BC Environment/Fisheries & Oceans Canada "Land Dev. Guidelines for the Protection of Aquatic Habitat" must be adhered to.

4.5 Shaw Cable

Owner/developer to supply and install an underground conduit system as per Shaw Cable drawings & specifications.

4.6 Telus

TELUS will provide underground facilities to this development. Developer will be required to supply and install conduit as per TELUS policy.

4.7 Works and Utilities Department

The City's Works & Utilities Department requirements were dealt with as part of Rezoning application Z03-0055. There were no additional requirements or concerns associated with the Development Permit application.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS

The Planning and Corporate Services Department supports the development plan. The proposed development is consistent with the RM3 zone, and is a reasonable form of multiple unit residential development for the subject property.

The applicant has reviewed the proposed building design and finishes, and has revised the endwalls of the proposed building where they face Glenmore Road to improve the design of the proposed buildings. As well, the applicant has proposed to finish each of the buildings with different complementary colour group, which is consistent with both the OCP and Sector Plan guidelines.

The landscape plan indicates a high level of landscaping around the site, as well as enhancing the level of landscaping along Brandt's Creek. The plan also indicates that the majority of the piped portion of Brandt's Creek will be realigned and returned to an open channel for that portion of the site that is located south west of the proposed driveway. As part of the proposed landscaping adjacent to Brandt's creek, there is also a gravel path proposed to wander along the bank of the creek in order to provide for a pedestrian link from Glenmore Road to provide for a connection to existing pedestrian pathways associated with Brandt's Creek, located in the neighbourhood.

Now that the outstanding issues identified in the Rezoning application have been addressed, it is now appropriate for Council to consider this Development Permit application.

In light of the above, the Planning and Corporate Services Department supports this application, and recommends for positive consideration by Council.

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Andrew Bruce  
Manager of Development Services

Approved for inclusion ☐

R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Planning and Corporate Services

PMc/pmc  
Attach.

**FACT SHEET**

- |   |   |
|---|---|
| 1. APPLICATION NO.:                           | DP03-0126   |
| 2. APPLICATION TYPE:                          | Development Permit  |
| 3. OWNER:                                     | Maxwell House Developments Ltd.   |
| . ADDRESS                                     | Inc. No. 56346A   |
| . CITY/POSTAL CODE                            | PO Box 1295, Sta. A<br>Kelowna, BC V1Y 7V8  |
| 4. APPLICANT/CONTACT PERSON:                  | Maxwell House Developments Ltd.   |
| . ADDRESS                                     | Ken Gulenchyn   |
| . CITY/POSTAL CODE                            | PO Box 1295, Sta. A   |
| . TELEPHONE/FAX NO.:                          | Kelowna, BC V1Y 7V8<br>717-7262/762-8425  |
| 5. APPLICATION PROGRESS:                      |   |
| Date of Application:                          | October 9, 2003   |
| Date Application Complete:                    | October 9, 2003   |
| Servicing Agreement Forwarded to Applicant:   |   |
| Servicing Agreement Concluded:                | May 31, 2004  |
| Staff Report to Council:                      | May 31, 2004  |
| 6. LEGAL DESCRIPTION:                         | Lot B, Sec. 4, Twp. 23, O.D.Y.D. Plan<br>23927  |
| 7. SITE LOCATION:                             | East side of Glenmore Road, South of<br>Cross Road  |
| 8. CIVIC ADDRESS:                             | 245 Glenmore Rd.  |
| 9. AREA OF SUBJECT PROPERTY:                  | 8,516 m <sup>2</sup>  |
| 10. TYPE OF DEVELOPMENT PERMIT AREA:          | General Multiple Unit Residential DPA   |
| 11. EXISTING ZONE CATEGORY:                   | A1 – Agriculture 1  |
| 12. PROPOSED ZONE:                            | RM3 – Low Density Multiple Housing  |
| 12. PURPOSE OF THE APPLICATION:               | To Seek a Development Permit to<br>Authorize Construction of 24 Multiple<br>Housing Units |
| 13. DEVELOPMENT VARIANCE PERMIT<br>VARIANCES: | N/A   |
| 14. VARIANCE UNDER DEVELOPMENT<br>PERMIT:     | N/A   |

**15. DEVELOPMENT PERMIT MAP 6.2  
IMPLICATIONS**

General Multi-Family; notify GIS of  
addition

Attachments

Subject Property Map  
Schedule A, B & C (7 pages)  
1 page of cross section diagram