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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** June 28, 2004  
**File No.:** (3360-20) Z04-0029 & DP04-0049  
**To:** CITY MANAGER  
**From:** PLANNING AND CORPORATE SERVICES DEPARTMENT  
**Subject:**

**APPLICATION NO.** Z04-0029                      **APPLICANT:** Thomas Gaffney Architect Inc.  
DP04-0049

**AT:** 285 Glenmore Road              **OWNERS:** Robert Bartz  
301 Glenmore Road                      City of Kelowna

**PURPOSE:** TO REZONE THE PROPERTY FROM A1 – AGRICULTURE 1 ZONE TO  
RM3 – LOW DENSITY MULTIPLE HOUSING ZONE  
TO OBTAIN A DEVELOPMENT PERMIT TO ALLOW FOR THE  
CONSTRUCTION OF 42 UNITS OF ROW HOUSING

**EXISTING ZONE:** A1 – AGRICULTURE 1 ZONE

**PROPOSED ZONE:** RM3 – LOW DENSITY MULTIPLE HOUSING ZONE

**REPORT PREPARED BY:** NELSON WIGHT

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

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**1.0 RECOMMENDATION**

THAT Rezoning Application No. Z04-0029 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Sec. 4 Twp. 23 O.D.Y.D. Plan 18662 except Plan KAP48643 and That Part of Lot 9 Blk. 6 Sec. 4 Twp. 23 O.D.Y.D. Plan 896 except Plans 13346, 13644, 14579, and 23927 shown as Parcel 3 on Plan H8323, located at 285 and 301 Glenmore Road, Kelowna, B.C. from A1 – Agriculture 1 zone to RM3 – Low Density Multiple Housing zone be considered by Council;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit on the subject property.

**2.0 SUMMARY**

The Applicant is seeking to rezone the subject property from the existing A1 – Agriculture 1 Zone to RM3 – Low Density Multiple Housing zone. The proposed development consists of fifteen 2 ½ - storey buildings accommodating 42 row housing units in total. The subject property is located adjacent to the future Glenmore Bypass, but having access off of Glenpark Drive.

### **3.0 ADVISORY PLANNING COMMISSION**

THAT the Advisory Planning Commission supports Rezoning Application No. Z04-0029 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Sec. 4 Twp. 23 O.D.Y.D. Plan 18662 except Plan KAP48643 and That Part of Lot 9 Blk. 6 Sec. 4 Twp. 23 O.D.Y.D. Plan 896 except Plans 13346, 13644, 14579, and 23927 shown as Parcel 3 on Plan H8323, located at 285 and 301 Glenmore Road, Kelowna, B.C. from A1 – Agriculture 1 zone to RM3 – Low Density Multiple Housing zone in order to allow for a proposed 42-unit townhouse development.

### **4.0 BACKGROUND**

#### **4.1 The Proposal**

The subject property consists of two parcels, totaling approximately 15,000 m<sup>2</sup> (3.7 acres), which are to be consolidated. The Applicant is proposing a row housing complex comprised of 15 separate buildings accommodating 42 units in total. There is to be a mix of 2-bedroom and 3-bedroom units. A looping internal road would provide vehicular access to each of the units, connecting with Glenpark Drive at the northeast corner of the site.

There is a small triangular parcel adjacent to the future Glenmore Bypass that is currently owned by the City. The Applicant has entered into an agreement to purchase this land from the City, at which time the lots will be consolidated. Subdivision approval will be required prior to final adoption of a possible bylaw to amend the zoning on this parcel.

Parking is to be accommodated within attached garages, and some surface parking. Some of these surface parking spaces will incorporate “grass-crete” as a surface material to facilitate greater absorption of storm water on site.

A continuous landscaping buffer is proposed along all property lines, leaving a single entry point for vehicular, bicycle, and pedestrian access in the northeast corner of the site. Along Glenmore road, there is to be a 2.0 m high sound attenuation fence, comprising a series of three 8-foot wide stucco-finished panels in between columns. On the opposite side of the site abutting Glenpark Road, the Applicant proposes using a series of similar column structures framing vertically-oriented wrought-iron panels. Within the site itself, there are two principal semi-public landscape features: (a) a landscaped berm separating building #13 and buildings #14 and #15; and (b) a rose arbor/ pergola structure around the mailbox and visitor parking area.

The proposed buildings accommodate between two and four units each, with the three-bedroom units predominating.

The application for the subject properties meets the subdivision regulations for the RM3 – Low Density Multiple Housing zone as follows:

CRITERIA	PROPOSAL	RM3 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	15,000 m <sup>2</sup>	900 m <sup>2</sup>
Site Width (m)	125 m	30.0 m
Site Depth (m)	120 m	30.0 m
Site Coverage (%)	39%  48% including buildings, driveways, parking	40% and 50% including buildings, driveways, and parking
F.A.R.	0.5	0.5 plus density bonus of 0.2 x ratio parking beneath habitable space/required parking spaces up 0.2) $0.2 \times (50/84) = 0.12$ bonus $0.5 + 0.12 = \mathbf{0.62}$
Height (m)	8.5 m	9.5 m
Storeys (#)	2 ½ storeys	2 ½ storeys
Setbacks (m)		
- Front	4.5 m	4.5 m, or 6.0 m from garage or carport
- Rear	7.5 m	9.0m except <b>7.5 metres</b> where there is a rear lane
- Side	4.5 m	4.0 m < 1 ½ storeys 4.5 m for over 1 ½ storeys or to a flanking street
- Side	4.5 m	4.5m up to 2.5 storeys 7.5 m over 2.5 storeys
Between buildings	> 3.0 m	No principal building shall be closer than 3.0 m to another principal building.
Other Requirements		
Private Open Space	> 25 m <sup>2</sup> per unit	25 m <sup>2</sup> of private open space per dwelling with more than 1 bdrm
Parking Stalls (#)	in garage: 50 spaces open: 34 spaces visitor: <u>6 spaces</u> total: 90 spaces	2.0 stalls per 3-or-more bedroom dwelling units 2.0 x 42 units = 84 stalls required
Drive aisle Width	7.0 m	7.0 m
Bicycle Stalls (#)	None shown ❶	0.5 per unit – Class 1 (21 stalls) 0.1 per unit – Class 2 (5 stalls) Total: 26 stalls

❶ The Applicant will be required to indicate where these required bicycle stalls will be located.

#### 4.2 Site Context

The subject property is located within the Glenmore Valley Village Centre DP Area, northeast of Kane Road, in between the future Glenmore Bypass and Glenpark Drive.

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

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The proposal is generally consistent with the future land use designation of Multifamily Residential Low Density in the Official Community Plan. The OCP also outlines development guidelines for multi-dwelling developments as follows:

Multi Dwelling Guidelines

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:

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.

4.5.3 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 Fortis B.C.:

Will provide u/g electrical service.

5.2 Fire Department

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

5.3 Irrigation District – Glenmore Ellison Irrigation District (GEID)

The proposed development is comprised two separate parcels. The present water allocation to Lot 1 Plan 18662 is 2.81 acres of “A” Grade. The other parcel is “road”, and therefore has no water allocation. If the two parcels are to be consolidated, then a request for regrade must be submitted to the GEID Board of Trustees for consideration. Application for regrade does not automatically ensure water allocation will be granted.

The Applicant should contact the GEID regarding their servicing requirements, bylaws and policies.

5.4 Kelowna Regional Transit/Operations Maganer

No comments.

5.5 Parks Manager

Parks finds the landscape plan and planting list acceptable. In an effort to conserve water and to promote native plant species, Parks suggests substituting Emerald Cedar hedging with the drought tolerant Oregon Grapeholly.

5.6 Public Health Inspector

No comments.

5.7 Shaw Cable

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

5.8 Telus

Will provide u/g facilities to this development. Developer will be required to supply and install conduit.

5.9 Terason Utility Service

No comments.

5.10 Works and Utilities Department

The Works & Utilities Department have the following requirements associated with this rezoning application. Any requirements outlined in this report will be a requirement of the issuance of a building permit approval, and are outlined in this report for information only.

5.10.1 General

Onsite works are not reviewed by Works and Utilities as they are under the Building Code.

Consolidation of the properties is required.

There is a possibility of a high water table or surcharging of storm drains during major storm events, non-basement homes may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.

5.10.2 Domestic Water and Fire Protection

The property is located within the GEID water service area. Our records indicate that an existing 100mm service connection exists on Glen Park Drive.

Provide adequate Fire Hydrant coverage to the satisfaction of the Fire Prevention Officer (John Sharhon).

5.10.3 Sanitary Sewer

Our records indicate that an existing 150mm service connection exists on Glen Park Drive.

5.10.4 Drainage & Lot Grading

Our records indicate that an existing 300mm service connection exists on Glen Park Drive.

Provide the following drawings:

- i) A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
  - ii) A detailed Stormwater Management Plan for this subdivision;
- and,

iii) An Erosion and Sediment Control Plan. These plans may be combined on one drawing.

Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.

Grade the future Glenmore Bypass frontage to the future road grades. Consider future grades for any fencing proposed and show this on the Lot Grading Plan

#### 5.10.5 Roads

On **Glen Park Drive** provide sidewalk and landscaped boulevards, complete with underground irrigation fronting the site.

On the **Future Glenmore Bypass**, the development is responsible for works and services for ½ the road fronting the site. The City wishes to defer this construction which is premature at this time. Therefore, cash-in-lieu of immediate construction is required and the City will initiate the work later, on its own construction schedule.

**Driveway access** is not permitted onto the Future Glenmore Bypass. A restrictive covenant in favour of the City of Kelowna, registrable under Section 219 of the Land Title Act, must be granted to the effect that vehicular access is not permitted from this property. The covenant must be registered as a priority charge.

If the driveway access is to be gated, a turn-around acceptable to the city is required that allows an SU-9 (garbage truck) type vehicle to turn around without backing out if denied access..

#### 5.10.6 Power and Telecommunication Services and Street Lights

All proposed distribution and service connections are to be installed underground.

Street lights must be installed on Glen Park Drive if required.

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..

#### 5.10.7 Design and Construction

Design, construction supervision and inspection of all off-site civil works 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.

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.

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).

A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs..

#### 5.10.8 Servicing Agreements for Works and Services



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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.

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.

5.10.9 Other Engineering Comments

Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.

If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager

5.10.10 Charges and Fees

Development Cost Charges (DCC's) are payable

None of the Works & Services required items are included in the DCC calculations and therefore not eligible for DCC credits.

Fees per the "Development Application Fees Bylaw" include:

- Engineering and Inspection Fee: 3% of construction value of the offsite works (plus GST).

The Cash-in-lieu amount for construction of the ½ road frontage of Glenmore Bypass is \$91,0000

There was a fronting Latecomer for previous works on Glen Park Drive (storm drainage, sanitary sewer and some roadworks). However, our records indicate that this Latecomer Agreement expired on August 15, 2002. Therefore there are no further charges related to these works.

## 6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The subject property is designated as a potential low density multi-dwelling area in the Official Community Plan. The proposal for the RM3 – Low Density Multiple Housing, therefore, generally conforms to the Official Community Plan.

Staff considers the row housing complex proposed for this site to be well-designed. The objectives of the OCP detailed above are largely met, and there are no apparent conflicts with the Bylaw requirements. Consequently, Staff supports this rezoning application.

The following elements of the design, however, may need to be addressed in further detail prior to issuance of a development permit:

Pedestrian and Bicycle Links:

Pedestrian and bicycle access should be provided to the future extension of Glenmore Road and to Glen Park Drive on the southwest corner of the property. Although there is some indication that these connections exist, Staff recommends a more defined pathway and opening

be established to facilitate these connections. Furthermore, there may be additional opportunities to provide these links to adjacent lands as well.

Lighting:

Lighting should be provided in and around the visitor parking and drive aisle areas.

Landscaping:

In an effort to conserve water and to promote native plant species, Parks suggests substituting Emerald Cedar hedging with the drought tolerant Oregon Grapeholly.

Open Space:

It should be determined whether or not the applicant has satisfied the open space requirements of the Zoning Bylaw. The applicant has shown open space areas that are located within the required setback areas and a larger area which is proposed to be bermed. The ability to use these areas may be impacted by the landscape buffer requirements and the slope of the berm. If the purpose of the berm is to provide privacy to neighbouring units, an alternative may be to remove the berm and provide additional landscaping / screening around the outdoor patio areas of each unit.

General Design Elements:

The proposed fencing and landscaping along Glen Park Drive does a good job of connecting the development with the fronting street. To build on this, individual pathways leading from the sidewalk to each unit fronting Glen Park Drive could be provided.

There is a variation of building design and massing, and individual designs incorporate sloped roofs, sub-roofs, bay windows and dormers, all of which help break up the massing. Additional interest could be added through a higher level of architectural detailing and the introduction of colour.

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Andrew Bruce  
Current Planning Manager

Approved for inclusion

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

NW  
Attach.

**FACT SHEET**

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|---|--|
| <b>1. APPLICATION NO.:</b>                  | Z04-0029<br>DP04-0049  |
| <b>2. APPLICATION TYPE:</b>                 | Rezoning, Development Permit   |
| <b>3. OWNER (A):</b>                        | Robert Bartz & Donna Bartz   |
| . ADDRESS                                   | 2821 Quesnel Road  |
| . CITY                                      | Kelowna, B.C.  |
| . POSTAL CODE                               | V1Y 3J8  |
| <b>3. OWNER (B):</b>                        | City of Kelowna  |
| <b>4. APPLICANT/CONTACT PERSON:</b>         | Thomas Gaffney Architect Inc.  |
| . ADDRESS                                   | 740 Anders Road  |
| . CITY                                      | Kelowna, BC  |
| . POSTAL CODE                               | V1Z 1J8  |
| . TELEPHONE/FAX NO.:                        | (250) 769-7628   |
| <b>APPLICATION PROGRESS:</b>                |  |
| Date of Application:                        | May 3 <sup>rd</sup> , 2004   |
| Date Application Complete:                  | May 3 <sup>rd</sup> , 2004   |
| Servicing Agreement Forwarded to Applicant: | n/a  |
| Servicing Agreement Concluded:              | n/a  |
| Staff Report to APC:                        | June 2 <sup>nd</sup> , 2004  |
| Staff Report to Council:                    | n/a  |
| <b>6. LEGAL DESCRIPTION:</b>                | Lot A Sec. 4 Twp. 23 O.D.Y.D. Plan 18662 except Plan KAP48643<br><br>That part of Lot 9 Blk. 6 Sec. 4 Twp. 23 O.D.Y.D. Plan 896 except Plans 13346 14579 and 23927 shown as Parcel 3 on Plan H8323 |
| <b>7. SITE LOCATION:</b>                    | The subject property is located within the Glenmore Valley Village Centre DP Area, northeast of Kane Road, in between the future Glenmore Bypass and Glenpark Drive                                |
| <b>8. CIVIC ADDRESS:</b>                    | 285 Glenmore Road<br>301 Glenmore Road   |

9. **AREA OF SUBJECT PROPERTY:** ±15,000 m<sup>2</sup>
10. **AREA OF PROPOSED REZONING:** ±15,000 m<sup>2</sup>
11. **EXISTING ZONE CATEGORY:** A1 – AGRICULTURE 1
12. **PROPOSED ZONE:** RM3 – LOW DENSITY MULTIPLE HOUSING
13. **PURPOSE OF THE APPLICATION:** TO REZONE THE PROPERTY FROM A1 – AGRICULTURE 1 ZONE TO RM3 – LOW DENSITY MULTIPLE HOUSING ZONE  
TO OBTAIN A DEVELOPMENT PERMIT TO ALLOW FOR THE CONSTRUCTION OF 42 UNITS OF ROW HOUSING
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 Multi-Family Development IMPLICATIONS**

**ATTACHMENTS**

(not attached to the electronic version of the report)

- Location of subject property
- Site plan
- Elevations
- Floor Plan
- Landscaping Plan