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**CITY OF KELOWNA  
MEMORANDUM**

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**Date:** September 2, 2005  
**File No.:** OCP05-0012/Z05-0045

**To:** CITY MANAGER

**From:** PLANNING AND CORPORATE SERVICES DEPARTMENT

**Subject:**

**APPLICATION NO.** OCP05-0012/Z05-0045

**OWNER:** Ziprick Place BC Ltd. Inc.  
No. 0702706

**AT:** 135 Ziprick Road

**APPLICANT:** Garry Tomporowski  
Architects

**PURPOSE:** TO AMEND TO OFFICIAL COMMUNITY PLAN FROM THE LOW DENSITY MULTIPLE UNIT HOUSING DESIGNATION TO THE MEDIUM DENSITY MULTIPLE UNIT RESIDENTIAL DESIGNATION.

TO REZONE THE SUBJECT PROPERTY FROM THE RM3 – LOW DENSITY MULTIPLE HOUSING ZONE TO THE RM4- TRANSITIONAL LOW DENSITY HOUSING ZONE.

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

**PROPOSED ZONE:** RM4 – TRANSITIONAL LOW DENSITY HOUSING

**REPORT PREPARED BY:** KEIKO NITTEL

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SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

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## **1.0 RECOMMENDATION**

THAT OCP Bylaw Amendment No. OCP05-0012 to amend Map 15.1 of the Kelowna Official Community Plan (1994 - 2013) Bylaw No. 7600 by changing the Future Land Use designation of Lot 1, Plan 50112, Sec. 22, Twp. 26, ODYD located on Ziprick Road, Kelowna, B.C., from the Low Density Multiple Unit Housing designation to the Medium Density Multiple Unit Residential designation be considered by Council;

THAT Rezoning Application No. Z05-0045 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Plan 50112, Sec. 22, Twp. 26, ODYD located on Ziprick Road, Kelowna, B.C. from the RM3- Low Density Multiple Housing zone to the RM4- Transitional Low Density Housing zone be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP05-0001 and zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Ministry of Transportation being completed to their satisfaction;

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

## 2.0 SUMMARY

The applicant is proposing to amend the Official Community Plan Future Land Use designation from the Low Density Multiple Housing to the Medium Density Multiple Housing designation to allow for the rezoning of the property from the RM3- Low Density Multiple Dwelling Housing zone to the RM4 – Transitional Housing zone.

## 3.0 ADVISORY PLANNING COMMISSION

The above-noted applications were reviewed by the Advisory Planning Commission at the meeting of August 2, 2005 and the following recommendations were passed:

THAT the Advisory Planning Commission supports Official Community Plan Application No. OCP05-0012, for 135 Ziprick Road, Lot 1, Plan 50112, Sec. 22, Twp. 26, ODYD, by Garry Tomporowski Architect Ltd. (Garry Tomporowski), to amend the Official Community Plan Future Land Use designation from Multiple Unit Residential – Low Density to Multiple Unit Residential – Medium Density;

AND THAT the Advisory Planning Commission supports Rezoning Application No. Z05-0045, for 135 Ziprick Road, Lot 1, Plan 50112, Sec. 22, Twp. 26, ODYD, by Garry Tomporowski Architect Ltd. (Garry Tomporowski), to rezone from the RM3-Low Density Multiple Housing zone, to the RM4-Transitional Low Density Housing zone;

## 4.0 BACKGROUND

### 4.1 The Proposal

The applicant is proposing to construct a three storey apartment building on the subject property. The proposed L-shaped building will house a total of 43 units of apartment housing. The applicant is proposing to enter into a housing agreement to allow for a density bonus of 0.10 as well as providing the parking below grade for an additional 0.2 bonus. The housing agreement will be entered into at the time of review of the development permit. The applicant intends on selling 5 units to a non-profit organization with the option to sell an additional 5 affordable units.

The applicant has attempted to break up the building façade by using several different types and sizes of windows. Dormers and balconies also serve to provide some visual interest to the building. The building façade is to be finished in horizontal vinyl siding with siding shakes on the dormers. A driveway, off of Ziprick Road will connect to both access to the underground parkade and a circular driveway serving as a turnaround/drop off area in front of the main entrance of the building. Both driveways are to be located side by side in front of the building. A total of 57 parking spaces are provided within an underground parkade. The proposal calls for the areas surrounding the building to be landscaped.

The application meets the requirements of the proposed RM4- Transitional Low Density Housing Zone as follows:

CRITERIA	PROPOSAL	RM4 ZONE REQUIREMENTS
Lot Area (m <sup>2</sup> )	4428 m <sup>2</sup>	900.0 m <sup>2</sup>
Lot Width (m)	59.23 m	30.0 m
Lot Depth	64.29 m	30.0 m
Floor Area Ratio (F.A.R.)	0.94	0.65 or 0.75 for housing agreement, plus maximum of 0.2 for parking below habitable space $0.75 + 0.20 = 0.95$
Site Coverage (buildings)	42.89%	50%
Site Coverage (buildings/parking)	55.0% (approx)	60%
Height	12.49 m	13.0 m / 3 storeys
<b>Setbacks (m)</b>		
- Front	6.0 m	6.0 m
- Rear	7.0m*	9.0 m except 7.5 m to rear lane
- Side	4.5 m	4.5 m < 2 ½ storeys
- Side	4.6* m	15.0 m from a Highway 33 outside of an urban town centre

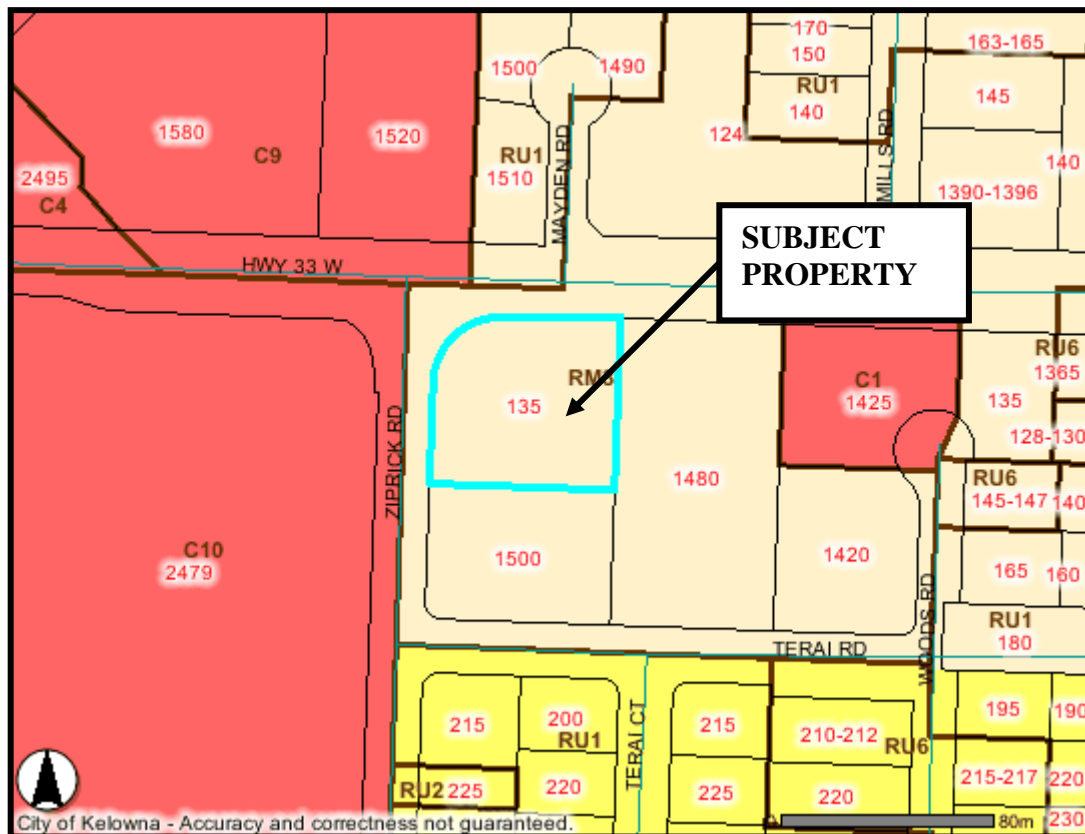
<b>Other requirements</b>		
Parking Stalls (#)	69	1.00 per bachelor (6 units) = 6 1.25 per 1 bedroom unit (6 units)= 7.5 spaces 1.50 per 2 bedroom unit (36 units) = 54 Total = 68 spaces Visitor spaces = $48/7 = 6.9$ spaces
Driving Aisle	7.0 m	7.0 m for two way aisle
Bicycle Stalls (#)	24 parkade5 spaces to be provided adjacent to front door*	Class I: 0.5 per dwelling = 24 Class II: 0.1 per dwelling = 4.8 Total = 24/5
Open Space	965 m <sup>2</sup>	7.5 m <sup>2</sup> per bachelor dwelling, 15 m <sup>2</sup> per one bedroom dwelling, and 25 m <sup>2</sup> per dwelling above one bedroom (855 m <sup>2</sup> required)

### 3.2 Site Context

The subject property is located on the south east corner of Hwy 33 and Ziprick Road. Adjacent zones and uses are:

- North - RU1 – Large Lot Housing/RM3 – Low Density Multiple Housing
- East - RM3 – Low Density Multiple Housing
- South - RM3 – Low Density Multiple Housing
- West - C10 – Service Commercial

#### Site Location Map



### 3.3 Proposed Development Potential

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).

### 3.4 Current Development Policy

#### 3.4.1 City of Kelowna Strategic Plan (2004)

objectives of the Strategic Plan includes the construction of housing forms and prices that meet the needs of Kelowna residents; the achievement of accessible, high quality living and working environments; and the sensitive integration of new development with heritage resources and existing urban, agricultural and rural areas.

### 3.4.2 Official Community Plan (OCP)

The future land use designation of the subject property is Low Density Multiple Housing. The proposed designation of Medium Density Multiple Housing is therefore not consistent with the Official Community Plan. The OCP identifies and outlines that there may be some opportunities for considering support of an OCP amendment and rezoning application for residential densities greater than those provided for in the OCP. The OCP states that such an opportunity may exist where the proposed densities do not exceed the densities provided for by more than one increment (e.g. medium density multiple units might be entertained where the future land use is identified as low density multiple unit residential). Elements of the proposed building design are, however, consistent with the Multiple Dwelling Housing Guidelines as listed in the OCP. Examples of elements of the building design that are consistent with the design guidelines are as follows:

#### 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

- 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.

#### Parking

- Underground parking is encouraged.

The OCP also encourages the further development of affordable housing within the City. The OCP establishes affordability benchmarks for both owned and rented affordable dwelling units. Affordable Ownership is based on the income level at which a household would be capable of entering the Kelowna ownership market. This is equivalent to the "starter home" price and is derived based on the purchase ability at the median income level for all two or more person households from the most recent Census, assuming 30 % of gross household income expenditure for shelter. The starter home price will be updated annually between Census years using the B.C. Consumer Price Index (CPI), be published annually by the City and be given for a non-strata-titled home, a strata-titled home and a mobile /manufactured home. Affordable Rental is based on the average rents for Kelowna from the annual Canada Mortgage and Housing Corporation (CMHC) Rental Market Report. Income for an affordable rental will be based on the annual gross income at which 30% will be equal to the affordable rent. Staff has reviewed this application, and it may move forward without affecting either the City's financial plan or waste management plan.

#### 4.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Kelowna 2020 – Official Community Plan (OCP) identifies and outlines that there may be some opportunities for considering support of an OCP amendment and rezoning application for residential densities greater than those provided for in the OCP. The OCP states that such an opportunity may exist where the proposed densities do not exceed the densities provided for by more than one increment (e.g. medium density multiple units might be entertained where the future land use is identified as low density multiple unit residential). The proposed development, however, is consistent with this policy.

The OCP also identifies an opportunity to amend the future land use designation where a project can be sensitively integrated into the surrounding neighbourhood, with no more than a one-storey height gain between the proposed development and the height permitted within land uses assigned to adjacent parcels. Where the property being proposed for redevelopment is large, consideration may be given to providing greater heights at the centre of the property provided that the new building is sensitively integrated with the surrounding neighbourhood. The proposed three storey building is to be constructed adjacent to existing RM3 – Low Density Multiple Housing zoned properties where the maximum height permitted is 2 ½ stories.

The proposed building design and site layout will be reviewed with the associated development and development variance permits. Prior to this review, Staff encourages the applicant to reconsider the proposed site layout of the development. While Staff acknowledged that the applicant was required to revisit the proposed site layout due to the requirements of the Ministry of Transportation, Staff do not feel this to be justification for a compromise to the design of the project. In particular, Staff has strong concerns with connectivity of the building to the streetscape. The proposed site layout presents large paved driveway areas in front of the building facing along both Ziprick Road and Highway 33. In addition, the proposed design compromises the pedestrian linkages to the streets as well as compromises the quality and quantity of open space on the site. The applicant will be required to submit revised elevations showing the relocation of the garage entrance to the front elevation as well as submit a revised Landscape Plan prior to the review of the development permit.

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Andrew Bruce  
Development Services Manager

Approved for inclusion

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

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Attach.

**ATTACHMENTS**

**Location of Subject Property**

**Site plan**

**Floor Plans**

**Elevations**

**Letter from Applicant**