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

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**Date:** September 21, 2005  
**To:** City Manager  
**From:** Planning and Corporate Services Department  
**Subject:**

**APPLICATION NO.** OCP05-0002/Z05-0008/**DP05-0011/DVP05-0012**      **OWNER:** Gary Dober  
Pasadena Estates Ltd.

**AT:** 4427, 4431 and 4433 Gordon Drive      **APPLICANT:** John Schlosser  
Canwest Design Group

**PURPOSE:** TO CONSTRUCT A 55 UNIT STACKED ROW-HOUSE STYLE SENIORS DEVELOPMENT ON THE SUBJECT PROPERTIES

VARY THE NORTHERN SIDE YARD SETBACK FROM 4.0M REQUIRED TO 2.5M PROPOSED

VARY THE SOUTHERN SIDE YARD SETBACK FROM 4.0M REQUIRED TO 2.6M FOR UNITS 28,29, 30 AND 33

VARY THE SOUTHERN SIDE YARD SETBACK FROM 4.0M REQUIRED TO 2.18M PROPOSED FOR UNITS 31 AND 32

VARY THE REAR YARD SETBACK FROM 7.5M REQUIRED TO THE 4.5M PROPOSED FOR ALL BUILDINGS ON THE EASTERN SIDE OF THE SUBJECT PROPERTY

VARY THE PARKING FROM THE 73 STALLS REQUIRED TO THE 43 STALLS PROPOSED

VARY THE SETBACK BETWEEN BUILDINGS FROM 3.0M REQUIRED TO 2.0M PROPOSED FOR THE SEPARATION BETWEEN COTTAGES 10 AND 11, COTTAGES 5 AND 6, AND COTTAGES 5 AND 7, COTTAGES 1 AND 5

**EXISTING ZONE:** RU1 – LARGE LOT HOUSING

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

**REPORT PREPARED BY:** RYAN SMITH

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## **1.0 RECOMMENDATION**

THAT Council authorize the issuance of Development Permit No. DP05-0011 for Lot 4, ODYD Plan 8074, Lot 4, DL 358, ODYD Plan 8074, Lot A, DL 358, ODYD Plan 21226 and Lot 1, DL 358, ODYD Plan 9844 located on Gordon Drive, 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 Council authorize the issuance of Development Variance Permit No. DVP05-0012 for Lot 4, DL 358, ODYD Plan 8074, Lot A, DL 358, ODYD Plan 21226 and Lot 1, DL 358, ODYD Plan 9844, located on Gordon Drive, Kelowna, B.C.;

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

### **Section 13.9: RM3 – Low Density Housing: 13.9.6(e):**

Vary the northern side yard setback from the 4.0 m required to the 2.5 m proposed for two buildings (cottages 1-4).

Vary the southern side yard setback from 4.0m required to 2.6m for units 28,29, 30 and 33.

Vary the southern side yard setback from 4.0m required to 2.18m proposed for units 31 and 32.

### **Section 13.9: RM3 – Low Density Housing: 13.9.6(f):**

Vary the rear yard setback from the 7.5 m required to the 4.5 m proposed for all buildings on the eastern side of the subject property.

### **Section 13.9: RM3 – Low Density Housing: 13.9.6(g):**

The applicant is seeking to vary the setback between buildings from 3.0m required to 2.0m proposed for the separation between cottages 10 and 11, cottages 12 and 13 and cottages 7 and 8.

AND THAT Council not authorize the issuance of Development Variance Permit No. DVP05-0012 for Lot 4, DL 358, ODYD Plan 8074, Lot A, DL 358, ODYD Plan 21226 and Lot 1, DL 358, ODYD Plan 9844, located on Gordon Drive, Kelowna, B.C.;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 not be granted:

**Section 8: Parking and Loading: Table 8.1:**

Vary the parking from the 73 stalls required to the 43 stalls proposed.

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 seeking to obtain a Development Permit to allow for a 55 unit, two storey stacked row-housing style development for senior citizens and a development variance permit to address encroachments into the side and rear yard setbacks, setbacks between buildings and to reduce the required parking.

**3.0 ADVISORY PLANNING COMMISSION**

At the regular meeting of March 1<sup>st</sup>, 2005 it was resolved:

*THAT the Advisory Planning Commission supports Official Community Plan Application No. OCP05-0002 and Rezoning Application No. Z05-0008, for 4427/4431/4433 Gordon Drive, Lot 4, Plan 8074, Lot A, Plan 21226, and Lot 1, Plan 9844, Sec 31, Twp. 29, ODYD, by Canwest Design & Drafting Ltd. (John Schlosser), to amend Official Community Plan Future Land Use designation from Single / Two Unit Residential to Multiple Unit Residential – Low Density; and to rezone from the RU1-Large Lot Housing zone to the RM3-Low Density Multiple Housing zone, in order to allow for a proposed town-home style multiple unit housing development;*

*AND THAT the Advisory Planning Commission supports Development Permit Application No. DP05-0011, for 4427/4431/4433 Gordon Drive, Lot 4, Plan 8074, Lot A, Plan 21226, and Lot 1, Plan 9844, Sec 31, Twp. 29, ODYD, by Canwest Design & Drafting Ltd. (John Schlosser), to obtain a Development Permit to allow for a 55 unit town home style development.*

*AND THAT the Advisory Planning Commission supports Development Variance Permit Application No. DVP05-0012, for 4427/4431/4433 Gordon Drive, Lot 4, Plan 8074, Lot A, Plan 21226, and Lot 1, Plan 9844, Sec 31, Twp. 29, ODYD, by Canwest Design & Drafting Ltd. (John Schlosser), to obtain a Development Variance Permit to vary the northern side yard setback from the 4.0 m required to the 2.5 m proposed for two units; and to vary the rear yard setback from the 7.5 m required to the 4.5 m proposed for all buildings on the eastern side of the subject property.*

*AND FURTHER THAT the Advisory Planning Commission not support Development Variance Permit Application No. DVP05-0012, for 4427/4431/4433 Gordon Drive, Lot 4, Plan 8074, Lot A, Plan 21226, and Lot 1, Plan 9844, Sec 31, Twp. 29, ODYD, by Canwest Design & Drafting Ltd.*

(John Schlosser), to vary the parking from the 73 stalls required to the 41 stalls proposed.

***It was noted by APC members that no study exists that supports the applicant's argument that only 25-30% of the residents will be driving. Also, given that there is no guarantee that a strata council would ensure that the sale of the housing would not go to people under 75 years of age, the APC is not willing to support the parking variance.***

**\*Note:** The applicant has revised the amount of parking proposed from 29 stalls to 43 stalls but has also increased the number of units.

#### 4.0 THE PROPOSAL

The applicant is seeking to create a seniors oriented multi-family development on the subject properties. The development will consist of 55 units in the form of stacked row housing which cluster around a manor house structure to be located at the centre of the development. The manor house and buildings along the north and east sides of the property will measure two storeys in height while all other development will be limited to one storey.

As shown the development is basic and contemporary in style. The proposed units will measure between 60m<sup>2</sup> and 80m<sup>2</sup>. The two storey buildings which face the north and east sides of the property will only appear as one storey to the neighbors due to the grade differential. The exteriors of the buildings will be finished with brick around the base and olive/tan colored stucco above. The proposed roofing material is asphalt shingle. Many of the windows at grade project in a bay window style. The second storey units of all the two storey residential buildings have a balcony which overlooks the centre of the development. The manor house steps back above the first storey and gable windows have been incorporated into the roofline. The finishing materials for the manor house match those proposed for the residential buildings.

All of the parking for the proposed development will be located below grade on the west side of the property and access to the development would be via the manor house. The manor house would function as both a meal area and common area for residents of the development. Pedestrian access to the development will be provided from Gordon Drive from both a stairwell and via the fire lane access. The fire lane access will remain during normal operation of the development due to potential conflicts with the underground parking access/egress.

The proposed landscape plan includes opaque fencing around the perimeter of the site bordered by vegetative buffer. A water feature which incorporates several small ponds and creek like waterways is proposed to run the length of the development and several areas are designated for possible vegetable gardens to be maintained by the tenants. A number of retaining walls will be required on the north side of the property. These walls will be terraced in 1.2m increments in order to create visual interest and conform to the zoning bylaw.

The applicant's are proposing several variances in order to achieve what they feel is an optimum site plan. The applicant is seeking to vary the northern side yard setback from 4.0 m required to 2.5 m proposed for two units and to vary the rear yard setback from the 7.5 m required to the 4.5 m proposed for all buildings on the eastern side of the subject property. In addition the applicant is also proposing to

vary the parking from the 73 stalls required to the 41 stalls proposed. The applicant is also seeking to vary the setback between buildings from 3.0m required to 2.0m proposed for the separation between cottages 10 and 11, cottages 12 and 13 and cottages 7 and 8.

The application meets the requirements of the RM3 – Low Density Multiple Housing zone as follows:

CRITERIA	PROPOSAL	RM3 ZONE REQUIREMENTS
Lot Area (m <sup>2</sup> )	8654m <sup>2</sup>	900m <sup>2</sup>
Lot Depth (m)	182m	30.0m
Lot Width (m)	63m	30.0m
Area of Buildings at Grade	2856.86m <sup>2</sup>	
Area of Pavement, Accessory Buildings, etc...	700m <sup>2</sup>	N/A
Site Coverage (%) (Buildings)	32.88%	40%
Site Coverage (%) (Buildings and parking)	41%	50%
Net Floor Area (m <sup>2</sup> )	3634.5m <sup>2</sup>	
Floor Area Ratio (FAR)	0.48	0.5 + 0.2 (Bonus for underground parking) Total: 0.7
Parking Spaces	43 stalls <sup>❶</sup>	64 stalls (51 one bedroom x 1.25) 6 stalls (4 two bedroom x 1.5) 3 stalls (staff) Total Stalls Required: 73
Bicycle Parking	Class 1: 25 Class 2: 5	Class 1: 25 Class 2: 5
Storeys (#)	2	2.5
<b>Setbacks(m)</b>		
- Front	4.5m 6.0m (to garage)	4.5m 6.0m (to garage/carport)
- Rear (east)	4.5m <sup>❷</sup>	7.5m
- North Side (for 1.5 storey or lesser portions)	2.5m setback for two units on the northern property line <sup>❸</sup>	4.0m (for 1 or 1.5 storey portions of buildings)
- South Side (portions of 1.5 storeys or less)	Units 28,29,30 and 33 are setback 2.6m from the southern property and units 31 and 32 are setback 2.18m from the south property line. <sup>❹</sup>	4.0m
Setback Between Buildings	2m between cottages 10 and 11 <sup>❺</sup>  2m between cottages 12 and 13 <sup>❻</sup>  2m between cottages 7 and 8 <sup>❼</sup>	3.0m Minimum

Private Open Space	25m <sup>2</sup> per unit	25m <sup>2</sup> per unit
Drive Aisle Width	7.5m	7.5m
Refuse Bins (Setback from abutting residential areas)	To be located in parking structure	3.0m from abutting residential.

- ❶Note: The applicant is seeking to vary the parking from 73 stalls required to 43 stalls proposed.
- ❷Note: The applicant is seeking to vary the rear yard setback from 7.5m required to 4.5m proposed for all buildings on the eastern side of the property.
- ❸Note: The applicant is seeking to vary the northern side yard setback from 4.0m required to 2.5m proposed for cottages 1-4.
- ❹Note: The applicant is seeking to vary the southern side yard setback for units 28,29,30 and 22 which have a 2.6m setback and units 31 and 32 which have a 2.18m setback.
- ❺Note: The applicant is seeking to vary the setback between buildings from 3.0m required to 2.0m proposed for the separation between cottages 10 and 11, cottages 12 and 13 and cottages 7 and 8.

#### 4.1 Site Context

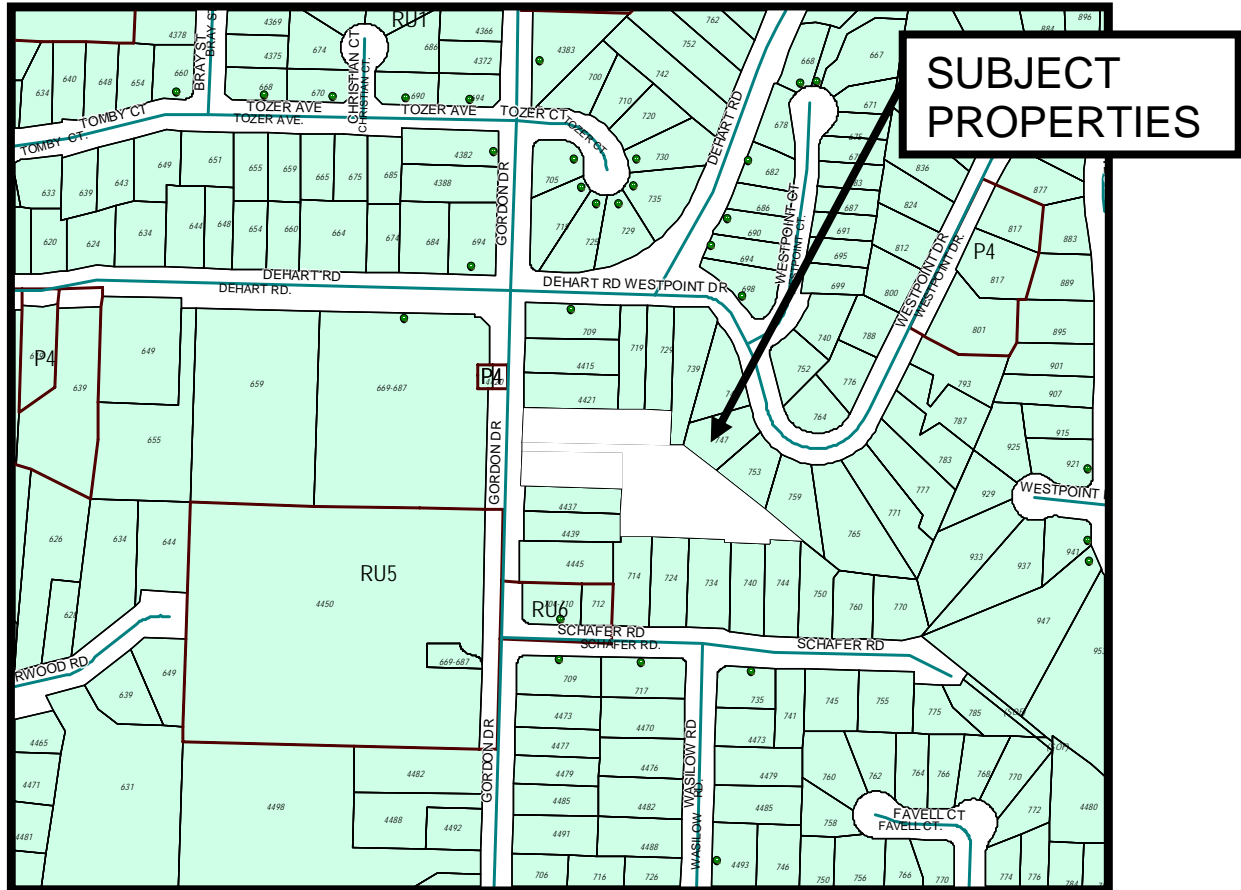
The subject properties are located on the east side of Gordon Drive just South of Dehart Road.

Adjacent zones and uses are:

- North - RU1 – Large Lot Housing - Single Family Dwelling
- East - RU1 – Large Lot Housing - Single Family Dwelling
- South - RU1 – Large Lot Housing - Single Family Dwelling
- West - RU5 – Bareland Strata Housing – under development

#### 4.2 Site Location Map

Subject Properties: 4427, 4431 and 4433 Gordon Drive



#### 4.3 Existing and Proposed Development Potential

The subject properties are currently zoned RU1 – Large Lot Housing. The purpose of this zone is to provide for single detached housing, and compatible secondary uses, on larger serviced urban lots.

The applicant is seeking to rezone the properties to the RM3 – Low Density Multiple Housing zone. This zone provides for low density multiple housing on urban services.

#### 4.4 Current Development Policy

##### 4.4.1 Kelowna Official Community Plan

The proposed development is subject to the Development Permit Guidelines for Form and Character of Multiple Unit Development, as set out in the OCP. The objective of the Guidelines is to ensure that the form and character of new development is consistent with principles of good urban design, as well as other goals and policies outlined in the OCP. The following features of the proposed development are generally consistent with the Guidelines:

- Residential units with 'ground' level access are present. Pick up and drop-off access at grade is available. Pedestrian ramp to from Gordon Drive to development maintains a grade of 1:16 (7.5% slope) which will allow for wheelchair accessibility.
- Open space areas are visible from most of the units.
- It appears that the proposed landscaping would enhance public views and the edges of the subject property and the proposed buildings, provides colour and creates shade and design interest. Consideration should be given to including coniferous landscaping around the perimeter of the property to add colour and screening in the winter months.
- The applicant has provided a small entry feature to denote pedestrian access from Gordon Drive. Public benches are also provided as an amenity area in the front yard.
- The applicant has created some visual interest on the Gordon Drive frontage with varied rooflines and projecting porch features.
- The proposed development would be located in an area that would not obstruct view corridors.
- Secure parking located below grade will be provided.
- The plans have been revised in order to allow only one access to Gordon Drive. This access will serve both the underground parkade and pick-up/drop-off area at grade.
- Access from the residential units to the amenity building is not covered. Elderly persons may have trouble accessing the amenity building during inclement weather conditions.

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

The City of Kelowna Strategic Plan encourages the development of a more compact urban form by increasing densities through infill and redevelopment within existing urban areas and to provide for increased densities within future urban areas. Also redeveloping transitional areas to increase densities for more efficient use of existing land. Also recommended is that the City will emphasize a density of development higher than presently occurring to allow for more efficient use of the land.



#### 4.4.3 Crime Prevention Through Environmental Design

##### a) Natural Surveillance

- dumpsters should not create blind spots or hiding areas;
- lighting should be even to avoid casting shadows where people can hide; using numerous low wattage lights accomplishes this better than a few high wattage lights;
- loading areas should not create hiding places;
- all four facades of a building should have windows;
- the lower branches of existing trees should be kept at least ten feet (3 metres) off the ground;
- exterior of buildings should be well-lit;
- wherever it is appropriate, a mix of uses should be encouraged to increase natural surveillance at different times of the day; placement of residential uses above commercial is a good example of this;
- 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;
- stairwells should be well-lit and open to view; not behind solid walls.

##### b) Territorial Reinforcement

- property boundaries, where possible, should be marked with hedges, low fences or gates;
- private and semi-private areas should be easily distinguishable from public areas;
- all public and semi-private areas should be well-maintained to convey pride and ownership, which discourage negative activity;

##### c) Natural Access Control

- Public paths should be clearly marked;
- signs should direct patrons to parking and entrances;
- there should be no easy access to the roof;
- entrances to dwellings within a commercial building should be separate from the commercial entrance to enable distinction of residential visitors from those frequenting businesses;
- rear access to shops should be provided from rear parking lots.

#### 5.0 TECHNICAL COMMENTS

##### 5.1 Inspection Services Department

- a) Under the architects act a project of this size will require the involvement of a registered architect.

b) Ensure turnaround for the fire dept meets code for turn radius and slope.

c) Designer to review spatial separations between buildings.

d) Will the underground parking structure be considered a "separate" building?

\*Note: The applicant has considered these comments and will address any outstanding issues at building permit stage. Applicant has consulted with Fire Department in order to design fire access which meets City standards.

## 5.2 Works and Utilities Department

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

### 5.2.1 Domestic Water and Fire Protection

Domestic water and fire protection for this development can be provided from a watermain on Gordon Drive.

The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish the required size of the new service and the proposed locations of new hydrants. The disconnection and removal of the existing small diameter water services and the tie-ins to the existing watermain will be by City forces at the developer's expense.

The estimated cost of this work for bonding purposes is \$14,000.00

If it is determined that upgrades to the existing water distribution system are required to achieve fire flows (150 litres per second), then additional bonding will be required.

A water meter is mandatory for this development and must be installed inside a building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost.

The boulevard irrigation system must be integrated with the on-site irrigation system.

The subject lot is included into Water Specified Area Number 1.

#### 5.2.2 Sanitary Sewer

A sanitary sewer service for this development will be provided from a sanitary sewer main on Gordon Drive.

Sanitary sewer service for the site will be reviewed and approved by Engineering when a site servicing design is submitted. Service changes shall be at the developer's cost.

The existing 150mm diameter service to existing Lot A can be utilised if it is of sufficient size and depth.

Decommissioning of existing small diameter services and the installation of a new service, if required, will be at the applicant's cost.

The estimated cost of this work for bonding purposes is \$8,000.00

The subject lot is included into Sanitary Sewer Specified Area Number 17.

#### 5.2.3 Storm Drainage

The developer must engage a consulting civil engineer to provide a storm water management plan for this site which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of a lot grading plan, minimum basement elevation (MBE), storm water service and/or on-site drainage containment and disposal systems. The on-site drainage system may be connected to the street drainage system with an overflow service at the developer's cost, with approval from the City drainage engineer.

Storm drainage systems and overflow service for the site will be reviewed and approved by Engineering when a site servicing design is submitted.

The estimated cost of the overflow service for bonding purposes is \$6,000.00

It will be necessary to construct some storm drainage facilities (catch-basins etc.) on Gordon Drive fronting the proposed development. The cost of this construction is included in the roads item.

#### 5.2.4 Road Improvements

Gordon Drive must be upgraded to a full urban standard along the full frontage of this proposed development (see prelim. design prepared by Earth Tech), including curb and gutter, separate sidewalk, storm drainage system including catch basins, manholes/dry-wells, pavement widening, landscaped boulevard complete with underground irrigation system, street lights as required and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction.

The developer will be required to reimburse the City for the cost of work on this section of Gordon Drive. The amount of this cash-in-lieu payment is \$31,288.00.

#### 5.2.5 Road Dedication and Subdivision Requirements

By registered plan to provide the following:

Provide a highway allowance widening of Gordon Drive. (see prelim. design prepared by Earth Tech) This widening is to be accomplished by dedication.

Grant Statutory Rights Of Way if required for utility services.

#### 5.2.6 Electric Power and Telecommunication Services

The electrical and telecommunication services to the buildings must be installed in an underground duct system, and the buildings must be connected by underground services. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services which would be at the applicant's cost.

#### 5.2.7 Street Lighting

Street lighting including underground ducts must be installed on all roads fronting on the proposed development. The cost of this requirement is included in the roads upgrading item.

#### 5.2.8 Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the City Engineering Department for

review and marked “issued for construction” by the City Engineer before construction may begin.

#### 5.2.9 Development Cost Charge Reduction Consideration

If development cost charges are applicable to this public development, the proposed construction on Gordon Dr. is eligible to receive a DCC credit for a portion of the pavement widening. The amount of the DCC credit will be determined when the design engineer has submitted construction tender costs. DCC credit cannot exceed the actual DCC assessed by the City, nor shall it exceed the actual cost of construction as is substantiated by the actual construction cost.

#### 5.2.10 Geotechnical Report

As a requirement of this application or at building permit application, the applicant must provide a comprehensive geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

Area ground water characteristics, including water sources on the site and overland surface drainage courses traversing across or influencing this property.

Site suitability for development; i.e. unstable soils, peat deposits, soil bearing capability, etc. Slope analysis (i.e. 0-10 %, 10-20 %, 20-30% and over 30 %).

Drill and/or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.

List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.

#### 5.2.11 Survey Monuments and Iron Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

#### 5.2.12 Bonding and Levy Summary

##### Bonding

Service upgrades	<u>\$28,000.00</u>
Total Bonding Costs	\$28,000.00

##### Cash-in-Lieu

Gordon Dr. - frontage upgrade	<u>\$31,288.00</u>
Total Cash-in-Lieu	\$31,288.00

NOTE: The bonding amounts shown above are comprised of estimated construction costs escalated by 140% to include engineering design and contingency protection and are provided for information purposes only. The owner should engage a consulting civil engineer to provide detailed designs and obtain actual tendered construction costs if he wishes to do so. Bonding for required off-site construction must be provided as a condition of rezoning and may be in the form of cash or an irrevocable letter of credit, in an approved format.

The owner must also enter into a servicing agreement in a form provided by the City prior to 4th reading of the zone amending bylaw or issuance of a building permit.

The City Development Engineering Section will prepare the servicing agreement for execution by the owner and the City.

Levies Nil

#### 5.2.13 Development Permit and Site Related Issues

A site grading plan, a site servicing plan and a storm drainage plan are a requirement of this application. Site servicing issues and road access will be further reviewed and comments related to site development will be addressed when a detailed site development design or building permit application is received.

The development will be required to contain and dispose of site generated storm water on the site by installing a ground recharge system consisting of drywells and perforated pipe bedded in drain rock.

An SU-9 standard size vehicle must be able to maneuver onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles movements should also be illustrated on the site plan.

Perimeter access must comply with the BC Building Code.

#### 5.2.14 Development Variance Permit

Variance Permit to vary the northern side yard setback from the 4.0m required to the 2.5 m proposed for two units; and to vary the rear yard setback from the 7.5 m required to the 4.5 m proposed for all buildings on the eastern side of the subject property, do not compromise Works and Utilities requirements.

#### 5.2.15 Administration Charge

An administration charge is normally assessed for processing an application and for review and approval of engineering designs and construction inspection. A discussion between department managers should be held to decide if an administration charge is required for this application. An administration charge would be calculated as 3% of the total off-site construction costs, not including design. 7% GST is normally added.

#### 5.3 Environment Manager

Despite the fact this property is not flagged as a Hazardous Condition DP area, the property does contain slopes in excess of 30%. It may be advisable to ensure appropriate geotechnical information is provided with the application for rezoning to properly assess areas of "no-build" or "no-disturb."

#### 5.4 Telus

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

#### 5.5 Shaw Cable

Owner/developer to supply and install an underground conduit system.

#### 5.6 Terasen, RCMP, School District #23, Public Health Inspector, Kelowna Regional Transit

No comment.

#### 5.7 Fortis BC

Will provide underground electrical.

## 6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

In Staff's initial report to Council for the rezoning and Official Community Plan amendment applications several site design/form and character recommendations were noted. Staff had hoped to work with the applicant to address these comments. These comments included:

- Accessibility: Exterior pathways may not be appropriate for a seniors style development where the winter season brings snow and ice.
- Exterior Finish: Colour board that has been provided is relatively plain and does not provide a high degree of visual interest. Staff had suggested that the applicant update the colour board to provide a greater degree of differentiation between the buildings in order to help the residents of the development better identify buildings on-site.
- Exterior Design: Development lacks a clearly identifiable front entrance. Parkade is not identified with signage. Drop-off/pick-up/fire access should be more clearly identified. Staff had also recommended that additional thought be given to the massing of the buildings.
- Parking: Visitor stalls not designated and variance requested to reduce the parking to 56% of the required amount. Given the nature of the development staff had recommended the provision of designated visitor stalls. Despite the nature of the development staff also expressed concerns about the proposed reduction in parking on the property.
- Staff expressed concerns about the size and location of retaining walls.

After considering the comments from staff with regard to the comments above the applicant has made the following design revisions:

- Entranceway feature has been provided for the pedestrian entrance;
- Additional detailing/amenity areas added to Gordon Drive frontage. Benches and small gathering area added. Additional architectural detail added to elevations included varied rooflines and exterior patios.
- The applicant has provided supporting rational for the proposed parking variance including parking ratios for other similar developments in Kelowna.
- The applicant provided several cross-sections showing the retaining walls and demonstrating their conformance to the Zoning Bylaw.
- Applicant has revised the site plan in order to eliminate one of the two proposed Gordon Drive accesses. Visitor parking has been provided in the parkade.

Staff are of the opinion that the development proposal has progressed to a point which will meet the design guidelines presented in Chapter 8 of the Official Community Plan for Multiple Family Development. Staff commend the applicant for patiently working with the Planning Department on many of the above noted issues, however, staff are still not completely satisfied with the design of the proposal at this point. The Planning Department is of the firm opinion that a development of this nature requires a strong and easily identifiable front entry feature (either for the vehicle access or pedestrian access). While the applicant has provided a small



roofed entrance feature staff feel that it is not large enough in scale. In addition, staff has considered the rational for the parking variance submitted by the applicant; however, do not feel that this is adequate to justify the size of the proposed variance.

Staff is prepared to support the proposed setback variances associated with this proposal, but cannot set a precedent by supporting the proposed parking variance. Staff also recommends that Council direct the applicant to provide a more identifiable entry feature for the development.

Should Council choose to support the proposal as presented, an alternate recommendation has been provided below.

## **7.0 ALTERNATE RECOMMENDATION**

THAT Council authorize the issuance of Development Permit No. DP05-0011 for Lot 4, DL 358, ODYD Plan 8074, Lot A, DL 358, ODYD Plan 21226 and Lot 1, DL 358, ODYD Plan 9844 located on Gordon Drive, 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";
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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 Council authorize the issuance of Development Variance Permit No. DVP05-0012; for Lot 4, DL 358, ODYD Plan 8074, Lot A, DL 358, ODYD Plan 21226 and Lot 1, DL 358, ODYD Plan 9844 , located on Gordon Drive, Kelowna, B.C.;

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

### **Section 13.9: RM3 – Low Density Housing: 13.9.6(e):**

Vary the northern side yard setback from the 4.0 m required to the 2.5 m proposed for two buildings (cottages 1-4).

Vary the southern side yard setback from 4.0m required to 2.6m for units 28,29, 30 and 33.

Vary the southern side yard setback from 4.0m required to 2.18m proposed for units 31 and 32.

**Section 13.9: RM3 – Low Density Housing: 13.9.6(f):**

Vary the rear yard setback from the 7.5 m required to the 4.5 m proposed for all buildings on the eastern side of the subject property.

**Section 13.9: RM3 – Low Density Housing: 13.9.6(g):**

The applicant is seeking to vary the setback between buildings from 3.0m required to 2.0m proposed for the separation between cottages 10 and 11, cottages 12 and 13 and cottages 7 and 8.

AND THAT Council authorize the issuance of Development Variance Permit No. DVP05-0012; for Lot 4, DL 358, ODYD Plan 8074, Lot A, DL 358, ODYD Plan 21226 and Lot 1, DL 358, ODYD Plan 9844, located on Gordon Drive, Kelowna, B.C.;

**Section 8: Parking and Loading: Table 8.1:**

Vary the parking from the 73 stalls required to the 41 stalls proposed.

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.

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Andrew Bruce  
Development Services Manager

Approved for inclusion ☐

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

RM/AB/rs  
Attach.

**ATTACHMENTS**

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

- Location of subject property
- Site plan
- Floor plans
- Elevations
- Landscaping plan
- Colour Rendering