
CITY OF KELOWNA
MEMORANDUM

Date: December 5, 2005

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. OCP05-0011
Z05-0037
DP05-0084

OWNER: Aberdeen Holdings Ltd.

AT: 1102 Cameron Avenue
1091 Guisachan Road

APPLICANT: Water Street Architecture

PURPOSE: TO AMEND OFFICIAL COMMUNITY PLAN FUTURE LAND USE DESIGNATION FROM MULTIPLE UNIT - RESIDENTIAL LOW DENSITY TO MULTIPLE UNIT RESIDENTIAL – MEDIUM DENSITY FOR PORTION OF THE SUBJECT PROPERTIES;

TO REZONE FROM THE RM3 - LOW DENSITY MULTIPLE HOUSING ZONE TO THE RM5 - MEDIUM DENSITY MULTIPLE HOUSING ZONE AND THE P3 – PARKS AND OPEN SPACE ZONE, IN ORDER TO ALLOW FOR A PROPOSED APARTMENT STYLE MULTIPLE UNIT HOUSING DEVELOPMENT AND AN ADDITION TO THE EXISTING GUISACHAN HERITAGE PARK;

EXISTING ZONE: RM3 – LOW DENISTY MULTIPLE HOUSING

PROPOSED ZONE: RM5 – MEDIUM DENISTY MULTIPLE HOUSING
P3 – PARKS AND OPEN SPACE

EXISTING FLU DESIGNATION: MULTIPLE UNIT RESIDENTIAL – LOW DENSITY
MAJOR PARK/OPEN SPACE

PROPOSED FLU DESIGNATION: MULTIPLE UNIT RESIDENTIAL – MEDIUM
DENISTY
MAJOR PARK/OPEN SPACE

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT OCP Bylaw Amendment No. OCP05-0011 to amend Map 19.1 of the Kelowna Official Community Plan (2000 - 2020) Bylaw No. 7600 by changing the Future Land Use designation on parts of Lot 19, District Lot 136, ODYD Plan 38928 and Lot 18, District Lot 136, ODYD Plan 38928, located on Cameron Avenue and Guisachan Road, Kelowna, B.C., from the Multiple Unit Residential – Low Density designation to the Multiple Unit Residential - Medium Density designation, as shown on Map “A” attached to the report of Planning & Corporate Services Department, dated December 5, 2005, be considered by Council;

THAT Rezoning Application No. Z05-0037 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 19, District Lot 136, ODYD Plan 38928 and Lot 18, District Lot 136, ODYD Plan 38928, located on Cameron Avenue and Guisachan Road, Kelowna, B.C. from the RM3 – Low Density Multiple Housing zone to the RM5 – Medium Density Multiple Housing zone and P3 – Parks and Open Space zone as shown on Map "B" attached to the report of Planning & Corporate Services Department, dated December 5th, 2005 be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP05-0011 and 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;

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 in conjunction with Council's consideration of a Development Variance Permit on the subject property;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the applicant entering into a Housing Agreement with the City of Kelowna designating 10% of the development for affordable housing.

2.0 SUMMARY

The applicant is seeking to amend the Official Community Plan Future Land Use designation for a portion of the subject properties from Multiple Unit Residential – Low Density to Multiple Unit Residential – Medium Density and rezone the subject properties from the RM3 – Low Density Multiple Housing zone to the RM5 - Medium Density Multiple Housing zone and the P3 – Parks and Open Space zone, in order to allow for a proposed apartment style multiple unit housing development and the expansion of an adjacent park. In addition to the above mentioned land-use related applications the applicant is seeking to obtain a Development Permit to allow for a 206 unit apartment development and a development variance permit to address a height variance and setback variance.

3.0 COMMUNITY HERITAGE COMMISSION

At the regular meeting of June 7, 2005 it was resolved:

THAT the Community Heritage Commission support Rezoning Application No. Z05-0037 / OCP05-0011 and DP05-0084 – Guisachan Rd and Cameron Ave – Application to rezone a property adjacent to a Municipal Heritage Site for medium density multiple unit residential use. The Commission further suggests that the arborist's assessment of the avenue of cedars be reexamined and that the City and the applicant explore the potential for partnership when landscaping the common boundary.

4.0 ADVISORY PLANNING COMMISSION

At the regular meeting of June 21, 2005 it was resolved:

That the Advisory Planning Commission **defer** consideration of Official Community Plan Application No. OCP05-0011 & Rezoning Application No. Z05-0037, for 1102 Cameron Avenue; 1091 Guisachan Road, Lots 18 & 19, Plan 39828, Sec. 18, Twp. 26, ODYD, by Water Street Architecture (Doug Lane), to amend the OCP Future Land Use designation from Multiple Unit - Low Density to Multiple Unit Residential – Medium Density; and to rezone from the RM3-Low Density Multiple Housing zone to the RM5 – Medium Density Multiple Housing zone in order to allow for a proposed 214 unit multiple family apartment development, until the plans are revised to reflect the resolution of the Parks Department requirements.

As a result of the Advisory Planning Commission deferring the OCP amendment and Rezoning application, there is no recommendation for Development Permit Application DP04-0084.

At the regular meeting of August 16, 2005 it was resolved:

That the Advisory Planning Commission does NOT support Application OCP05-0011, to amend the OCP Future Land Use designation from Multiple Unit - Low Density to Multiple Unit Residential – Medium Density.

Concerns noted by the APC included:

- Traffic flow concerns and parking amount concerns.
- Too much density is proposed, could this development not be done in the RM3 or RM4 zone?
- Buildings are too large and bulky.
- How can traffic along the tree lane be restricted?
- Agreement between applicant and city for park acquisition and density.

Note: In order to address some of the concerns noted above the applicant has increased the number of parking stalls on-site, stepped the building back above the

third storey and eliminated any access to the site which would impact the heritage lane which will become parkland.

5.0 THE PROPOSAL

The applicant is seeking to create multi-family apartment development on the subject properties. The development will consist of 206 units in three “L” shaped four storey buildings. The buildings on either corner of the property (Gordon/Guisachan and Gordon/Cameron) will be oriented to provide large common amenity areas abutting these two corners of the property.

The proposed development is contemporary in style. The long facades are articulated with the use of projecting bay window features and balconies and the roofline is broken with the use of cross gable features above the protruding sections of the bay windows. The exterior of the buildings will be finished with horizontal hardi-plank siding with cultured stone accents on the columns and chimneys and vinyl trim in contrasting tones. The roofs will be finished with dark asphalt shingles.

The proposed units will measure between 75m² and 116m² in size. The applicant is proposing to provide the following unit breakdown:

- 2 Bedroom Units: 158
- 1 Bedroom Units: 45
- Guest Bedroom Units: 3

The applicant has also indicated a commitment to designate 10% of the units for affordable housing protected by a housing agreement and an additional 5% for special needs housing (wheelchair accessible). The wheelchair accessible units will not be protected by a housing agreement at the recommendation of staff.

The applicant is also seeking to incorporate a free-standing amenity building onto the western side of the site which would measure 238m² in area. The placement of this building will require a variance from the required side yard setback.

Access to the development is proposed from a driveway on Cameron Avenue and gated fire egress will also be available to Guisachan Road. The parking for the proposed development will be spread between spaces provided at grade and underground spaces but each building will have a parkade located half below grade.

The proposed landscape plan includes a network of pedestrian pathways linking the large landscaped garden areas on either corner of the development to an internal network of pathways ultimately linking the development to the Guisachan Heritage Gardens. In addition, the applicant has agreed to sell the tree lined lane on the northwest side of the property as well as a buffer along the southwest side of the property to the City of Kelowna.

The application meets the requirements of the RM5 – Medium Density Multiple Housing zone as follows:

CRITERIA	PROPOSAL	RM5 ZONE REQUIREMENTS
Gross Lot Area (m ²) *Note: All calculations based on gross lot area.	25,819m ²	1400m ²
Net Lot Area(m ²) (excluding park dedication)	20,730m ²	1400m ²
Lot Depth (m)	234m (approx.)	35.0m

Lot Width (m)	91m (approx.)	30.0m
Area of Buildings at Grade	4333m ²	n/a
Area of Pavement, Accessory Buildings, etc...	4036m ²	n/a
Site Coverage (%) (Buildings)	29.38%	40%
Site Coverage (%) (Buildings and parking)	44.9%	60%
Net Floor Area (m ²)	21,195.5m ²	n/a
Floor Area Ratio (FAR)	1.03	1.1 (+ Bonus for underground parking and housing agreement if required)
Parking Spaces	Surface: 58 Underground: 247 Total: 305	2 Bedroom (158 units) x 1.5 1 Bedroom (45 units) x 1.25 Total: 294 Stalls
Bicycle Parking	Class 1: 107 Class 2: 22	Class 1: 107 Required Class 2: 22 Required
Storeys (#)	4.5 ^①	4
Setbacks(m)		
- Front (Guisachan)	6.1m	6.0m
- Rear (Cameron)	9.1m	9.0m
- West Side	7.62m	7.5m
- East Side	7.62m	7.5m
- Amenity Building (Western Side Yard)	2.0m ^②	4.5m
Private Open Space	6,000m ² (approx.)	5110m ²
Drive Aisle Width	7.0m	7.0m
Refuse Bins (Setback from abutting residential areas)	Located on the interior of the site with adequate setbacks	3.0m from any abutting residential zone
Land proposed for addition to Park	0.508Ha	N/A
Affordable Housing units to be protected by Housing Agreement	21 (10%)	N/A
Special Needs Compatible Units (Wheelchair accessible)	10 Units	N/A

^①Note: The applicant will require a variance to the maximum permitted building height from 4 storeys permitted to 4.5 storeys proposed.

^②Note: The amenity building will require a side yard setback variance from the 4.5m setback required to 2.0m proposed.

5.2 Site Context

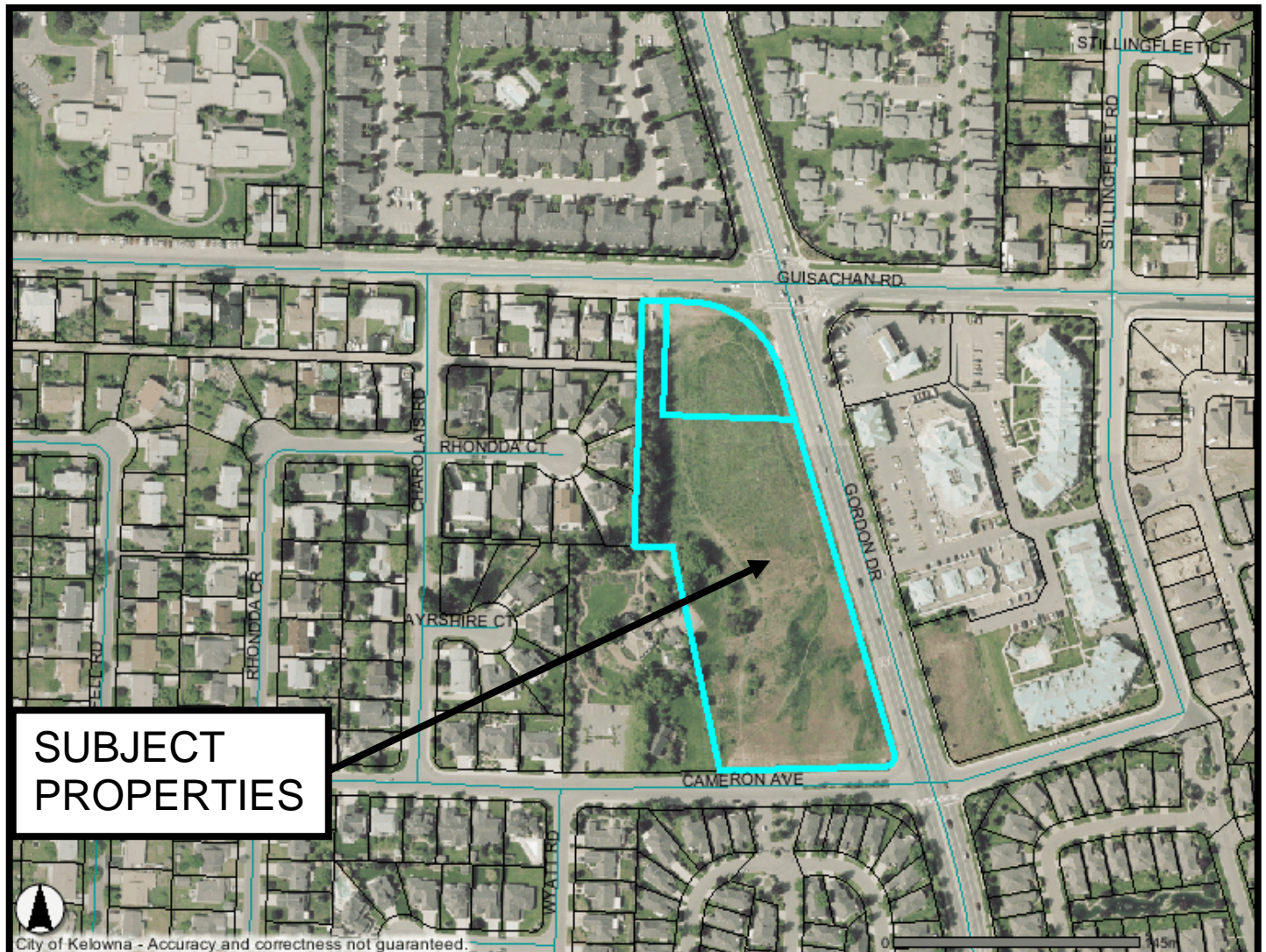
The subject properties are located on the west side of Gordon Drive between Guisachan Road and Cameron Avenue. Guisachan House and heritage gardens are located on the south-west side of the subject property.

Adjacent zones and uses are:

- North - RM2 – Low Density Row Housing
- East - C3 – Community Commercial – Guisachan Village Mall
- South - RU5 – Bareland Strata Housing – Single Family Dwellings
- West - RU1 – Large Lot Housing – Single Family Dwellings

5.3 Site Location Map

Subject Properties: 1102 Cameron Avenue and 1091 Guisachan Road



5.3 Existing and Proposed Development Potential

The subject properties are currently zoned RM3 – Low Density Multiple Housing. This zone provides for low density multiple housing on urban services.

The applicant is seeking to rezone the properties majority of the subject properties to the RM5 – Medium Density Multiple Housing zone. This zone provides for medium density apartments.

5.4 Current Development Policy

5.4.1 Kelowna Official Community Plan

The OCP designates the future land use of the subject properties as Low Density Multiple Unit Residential and Major Park / Open Space and as being within an Urban Village Centre. The Major Park / Open Space designation of a portion of the site is intended to communicate the Parks Department desire to acquire a portion of the site as an addition to the Guisachan Heritage Park. The proposed medium density multiple unit residential use is not consistent with the current OCP land use designation; however, the applicant's proposal to set aside and zone parkland on the western side of the property is consistent with the OCP.

Staff have reviewed this application, and it may move forward without affecting either the City's financial plan or waste management plan.

OCP05-0011 / Z05-0037

The proposal generally satisfies the requirements outlined in OCP Policy 8.1.31 which states that the City will consider supporting an OCP amendment and rezoning application for residential densities greater than those provided for in the OCP where:

- Supporting infrastructure is sufficient to accommodate the proposed development (or the developer is prepared to upgrade the necessary infrastructure). *Applicant has offered to bear the cost of traffic signal at the Gordon/Cameron Intersection;*
- 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 low density had been provided for ...) *Existing site is designated for low density – multiple family and proposed density is one increment higher – medium density – multiple family;*
- Approval of the project will not destabilize the surrounding neighbourhood or threaten viability of existing neighbourhood facilities (e.g. schools, commercial operations etc.). *The surrounding neighbourhood is nearing build out;*

- A portion of the proposed units are available for affordable, special needs or rental housing identified to be in short supply (guaranteed through a Housing Agreement). *The applicant will designate 10% of the project for affordable housing protected by a housing agreement;*
- Appropriately designated sites can be proven to be functionally unsuitable for the proposed housing. *The applicant has argued that this village centre location is more appropriate for this type of housing than other sites outside of this area.*

In addition, the proposal has been amended to acknowledge the OCP park designation. The applicant has come to an understanding with the Parks and Leisure Services Department with regard to the size of the area to be acquired by the City for the expansion of Guisachan Heritage Gardens. The proposed park area will encompass the existing row of trees on the north western side of the property and will also include and expansion of the gardens on the southwest side of the subject property.

- The 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. *As currently designed, the four storey building steps back above the third storey to mitigate the height gain to abutting single family developments.*

DP05-0084

The proposed development is subject to the Development Permit Guidelines for Form and Character of Urban Centre 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:

- Vehicle access and on-site circulation minimizes interference with pedestrian movement;
- Residential units have 'ground' access;
- Open space areas are visible from most of the units;
- Pedestrian access and pathways are clearly marked;
- 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. However, the landscape plan is not properly labelled, which leaves things open to interpretation when implementing. Consideration should be given to including coniferous landscaping around the perimeter of the property to add colour and screening in the winter months;
- The buildings incorporate sloped roofs, balconies, bay windows, dormers and the architectural variations between architectural bays.

- Well landscaped open space areas have been provided, however, the quality of these areas could be vastly improved if the southerly and northerly buildings were reoriented to face the street and the open space areas were placed towards the interior of the lot (as is proposed with the middle building). Placing the building between Gordon Drive and the open space areas would reduce noise and fumes around the open space areas. Placing the open space areas towards the interior of the lot and closer to the adjacent park space would allow these areas to complement each other and enhance their use.
- Stepping the building back above the second and/or third storey in order to reduce the bulk of the structures and provide additional visual interest.

5.4.2 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.

5.4.3 Crime Prevention Through Environmental Design

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.

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;

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.

6.0 TECHNICAL COMMENTS

This application was circulated to various City Departments and technical agencies and the following comments/requirements were received:

6.1 Fire Department

Fire department access and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw. Engineered fire flows should determine hydrant requirements.

6.2 Fortis BC

No response.

6.3 Inspection Services Department

Must conform to BC Building Code. Complete code analysis at Building Permit stage.

6.4 Parks Manager

The Official Community Plan outlines a parkland size requirement for the Applicant's subject property at a minimum of 0.6 hectares. Although the latest proposal of 0.5 hectares of parkland is smaller than the OCP requirement, it nonetheless fulfils 2 important park objectives:

- 1) Public ownership and protection of the cedar trees;
- 2) Adequate expansion of the eastern property line of the existing park.

However, one other important park objective was not addressed in the plan: the provision of an adequate transition space from the proposed roadway, car parking and amenity building to the new park property line. The transition space should provide a landscape buffer to help maintain the quality and character of the park experience.

The Parks Division will accept the proposed parkland, but we further recommend to the Applicant and the Planning Department to continue to refine the site layout plan to adequately address the transition space to the park.

6.5 RCMP, School District No.23, Terasen Utility Services, Public Health Inspector

No comment.

6.6 Shaw Cable

Owner/developer to supply and install underground conduit system.

6.7 Telus

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

6.8 Works and Utilities

The Works & Utilities Department have the following requirements associated with this rezoning application. The road and utility upgrading 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.

6.8.1 Domestic Water and Fire Protection

The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs.

Tie-in of new services, adjustments of hydrants, and disconnects to existing mains will be by City forces at the developer's expense. The estimated cost for bonding purposes is \$22,000.00

A water meter is mandatory for this development and must be installed inside the 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.

Landscaped boulevards, complete with underground irrigation systems, must be integrated with the on-site irrigation system. Boulevard landscaping must be completed for the full frontage of all roads. Adjustments to the irrigation system for credit metering may be made after each phase of development is complete.

6.8.2 Sanitary Sewer

The developer's consulting mechanical engineer will determine the requirements of the proposed development and establish the sanitary service requirements.

Existing lot 19 is serviced with a 200mm-diameter sanitary sewer service from the sanitary sewer system on Cameron Rd, The service should be adequate for the proposed application. Service changes, if required, will be at the developer's cost.

6.8.3 Storm Drainage

It will be necessary for the developer to construct storm drainage facilities to accommodate road drainage on Gordon Drive and Guisachan Road fronting the proposed development. The cost is included in the Road upgrading item.

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 plan must accommodate the requirements to contain a 1 in 5-year storm event within pipes and identify overland drainage routes for a 100-year storm event with consideration for upstream water sources and downstream facility upgrading and / or provision of storm water retention facilities. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), and storm water services for on-site drainage containment and disposal systems.

The on-site drainage system may be connected to the existing overflow service from the storm sewer system on Cameron Rd.

6.8.4 Road Improvements

Gordon Drive

Gordon Drive fronting this development must be upgraded to a full urban standard including curb and gutter, separate sidewalk, storm drainage facilities including catch basins, manholes / drywells, pavement widening, landscaped boulevard complete with underground irrigation system, ornamental street lights as required and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction. The cost for bonding purposes is \$102,000.00

Cameron Road

Cameron Road fronting this development has been upgraded to an urban standard but requires the construction of a monolithic sidewalk and landscaped boulevard complete with underground irrigation system. The

proposed access driveways to Cameron Road will require curb and gutter removal and replacement. Re-locate utility appurtenances if required to accommodate this construction. The cost for bonding purposes is \$28,000.00. The applicant has also requested that a traffic light be installed at this intersection at the expense of the developer. Staff have researched this request and agreed that it is feasible. The cost for bonding purposes is \$150,000.00.

Guisachan Road.

Guisachan Road fronting this development must be upgraded to a full urban standard including concrete curb and gutter, separate sidewalk, storm drainage facilities including catch basins, manholes / drywells, fillet pavement, underground irrigation system, and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction. The cost for bonding purposes is \$47,200.00

6.8.5 Road Dedication and Subdivision Requirements

Works and Utilities recognize that the City Parks and Leisure Services are in discussion with the developer regarding expansion of Guisachan Heritage Park. Access issues to the park site from Guisachan Road must be considered, but Development Engineering will defer comments on this issue to the City Community Development & Real Estate Manager.

By registered plan to provide the following:

Lot consolidation.

Grant statutory rights of way if required for utility services.

Dedicate 7.6m of public lane along the west property line to provide a link from Guisachan Road to the existing public lane. This widening is to be accomplished by Road Reserve.

6.8.6 Electric Power and Telecommunication Services

The electrical and telecommunication services to this development as well as the local distribution wiring must be installed in an underground duct system, and the building must be connected by an underground service. 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.

6.8.7 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.

6.8.8 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.

6.8.9 Development Cost Charge Reduction Consideration

The proposed construction on Gordon Drive 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 substantiated by the actual construction cost.

6.8.10 Geotechnical Report

As a requirement of this application and building permit approval 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.

Site suitability for development; i.e. unstable soils, foundation requirements etc.

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.

Additional geotechnical survey may be necessary for building foundations, etc.

6.8.11 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.

6.8.12 Bonding and Levy Summary

Bonding

Gordon Dr. Upgrade	\$102,000.00
Cameron Rd. Upgrade	\$28,000.00
Guisachan Road Upgrade	\$47,000.00
Traffic Light (Gordon/Cameron)	\$150,000.00
Service upgrades	\$22,000.00
<hr/>	
Total Bonding	\$349,000.00

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 subdivision approval or building permit issuance, 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.

6.8.13 Site Related Issues

Our comments regarding the site related issues will be provided when a building permit application is made.

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.

6.8.14 Access and Maneuverability

The site plan should illustrate the ability of an SU-9 vehicle to maneuver onto and off-site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles, the site plan should be modified and illustrated accordingly.

The proposed driveway access design for Cameron Road must recognize the location of existing access on the south side of Cameron Road. If a gated entrance is proposed, the entrance area before the gate must allow for a vehicle (who has been denied gate access) to turn around and re-enter

the public street in a forward direction. The area must allow for an "SU-9" vehicle turning radius and the gate must open into the site.

Should traffic conditions dictate, The City of Kelowna wishes to reserve the right to restrict access onto Guisachan Road to right in right out.

Site access and egress designs onto public roads must be submitted for approval by the City Works & Utilities Department. This is required to guarantee that the requirements and the limitations of access and egress required by the City have been addressed to the City's satisfaction.

6.8.15 Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection.

The administration charge is calculated as 3% of the total off-site construction costs, not including design. 7% GST will be added.

7.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate Services Department originally had significant concerns with this development proposal. The applicant had originally proposed an Official Community Plan Amendment and rezoning to increase the density on the property with very little justification for this increase. In addition, the parks and open space designation on the western side of the property was ignored. Since this time, staff and the applicant have collaborated in order to achieve a development which not only meets the objectives of the applicant, but also the objectives and guidelines of the Official Community Plan.

During the development application process, staff has asked the applicant to revisit and address several key issues which would impact the department's recommendation on the proposal. These issues included the recognition of the park designation as shown in OCP Future Land Use Map 19.1 and the provision of justification for rezoning to higher densities as required by Section 8.1.31 of the OCP. In subsequent discussions with Parks and Planning staff, the applicant was able to re-design the site in order to accommodate the parkland designated in the OCP. In addition, the applicant worked with staff in order to fulfill the requirements of OCP Policy 8.1.31. To satisfy this policy the applicants have agreed to enter into a housing agreement which would designate 10% of the developments 206 units as affordable housing. Furthermore, the applicant made minor changes to the buildings in order step the building's down at the ends and worked with the City's Transportation Division to allow for a traffic light at the busy Cameron/Gordon intersection.

At this point staff feel that the applicant has adequately addressed the relevant policy contained in the Official Community Plan and requirements of the Zoning Bylaw. The Planning and Corporate Services Department recommend that the applications for rezoning and Official Community Plan Amendment be supported by Council.

Although staff are generally supportive of the proposed OCP amendment and rezoning applications staff would like to note that the applicant will require a development variance permit for the setback between the amenity building and the western side yard as well as to address an extra half storey in building height triggered by the inability to locate the parkade completely beneath existing grade in this area. Furthermore, the applicant will also be seeking a variance to address the building facades on the northern

and southern buildings which exceeds the maximum length for un-interrupted building facades.

Andrew Bruce
Manager of Development Services



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