
**CITY OF KELOWNA
MEMORANDUM**

DATE: February 23, 2007
FILE NO.: OCP06-0023, Z06-0066

TO: CITY MANAGER

FROM: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

APPLICATION NO. OCP06-0023, Z06-0066 **OWNER:** Church of God

AT: 515 Gerstmar Rd. **APPLICANT:** Harvey Benson

PURPOSE: TO AMEND THE OFFICIAL COMMUNITY PLAN FUTURE LAND USE DESIGNATION OF THE PROPERTY FROM THE EDUCATION / INSTITUTIONAL DESIGNATION TO THE LOW DENSITY MULTIPLE DWELLING DESIGNATION.

TO REZONE THE SUBJECT PROPERTY FROM THE P2 - EDUCATION & MINOR INSTITUTIONAL ZONE TO THE RM3 - LOW DENSITY MULTIPLE HOUSING ZONE.

EXISTING ZONE: P2 – EDUCATION & MINOR INSTITUTIONAL ZONE

PROPOSED ZONE: RM3 – LOW DENSITY MULTIPLE HOUSING

REPORT PREPARED BY: DANIELLE NOBLE

1.0 RECOMMENDATION

THAT OCP Bylaw Amendment No. OCP06-0023 to amend Map 19.1 of the Kelowna 2020 - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot 6, Section 22, Township 26, ODYD, Plan 3576 located on Gerstmar Road, Kelowna, B.C., from the Education/Institutional designation to the Low Density Multiple Unit Residential designation be considered by Council;

THAT Rezoning Application No. Z06-0066 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6, Section 22, Township 26, ODYD, Plan 3576 located on Gerstmar Road, Kelowna, B.C. from the P2 – Education and Minor Institutional zone to the RM3- Low Density Housing zone be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP06-0023 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 and Rutland Waterworks District 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 on the subject property;

2.0 SUMMARY

The applicant is proposing to construct 13 units of two storey row housing to be located in a total of two four-plex buildings and one five-plex building. The units are configured on the site along an internal driveway with access to the development provided via Gerstmar Road. The applicant is proposing to seek out a housing agreement to secure one unit as affordable according to City-related policies.

3.0 ADVISORY PLANNING COMMISSION

The above noted applications were reviewed by the Advisory Planning Commission at the meeting of January 16, 2007 and the following recommendations were passed:

THAT the Advisory Planning Commission supports Official Community Plan Application No OCP06-0023, for 515 Gerstmar Road, Lot 6, Plan 3576, Sec 22, Twp 26, ODYD, by H. Benson, to amend the OCP Future Land Use designation from the Education & Minor Institutional designation to Multiple Unit Residential Low Density designation;

AND THAT the Advisory Planning Commission supports Rezoning Application No. Z06-0066 for 515 Gerstmar Road, Lot 6, Plan 3576, Sec 22, Twp 26, ODYD, by H. Benson, to rezone from the P2 – Education and Minor Institutional Zone to the RM3 – Low Density Multiple Housing;

AND FURTHER THAT the Advisory Planning Commission supports Development Permit Application No. DP06-0225 for 515 Gerstmar Road, Lot 6, Plan 3576, Sec 22, Twp 26, ODYD, by H. Benson, to obtain a Development Permit relating to the form and character for 13 units of row housing.

4.0 BACKGROUND

The subject property has been operating as a church use, and is now being proposed as a suitable low-density multi-family development site.

4.1 The Proposal

The applicant is proposing to construct 13 units of two-storey row housing. Access to the site will be provided by means of an internal driveway via Gerstmar Road. Strategic landscaping is proposed to buffer the property and aim to create a sensitive transition into the single family neighborhood.

The proposed exteriors of the buildings are to be finished with earth toned vinyl siding accented by 'cashmere' trim. Roofing is to consist of black asphalt shingles. Stone and cultured brick accents and cedar shakes provide detailing to the building elevations. The proposed layout of each unit is similar, as referenced on the attached sample floor plans.

At the rear of the units, lawn space provides outdoor amenity area for the tenants. Modest landscaping is proposed throughout the development with several grassed areas, planting beds, and trees located throughout the site. The development will be fenced along the perimeter with a 1.5 m black chain link fence. Signage on Gerstmar Road will demark the access to the development. The required parking stalls are provided within individual garages as well as open surface parking spaces within individual driveways. Guest/visitor parking is dispersed in two areas on the property. Bicycle parking will be accommodated within the attached garages as well as one common parking allocation to the rear of the property.

The application meets the requirements of the proposed RM3- Low Density Multiple Housing Zone as follows:

CRITERIA	PROPOSAL	RM3 ZONE REQUIREMENTS
Site Area (m ²)	3930 m ²	900m ²
Site Width (m)	36.58 m	30.0m
Site Depth (m)	107.47m	30.0m
Site Coverage (%)	50%	50% including buildings, driveways, and parking
F.A.R.	0.46	0.5
Height (m)	6.8m	9.5m 4.5m for accessory building
Storeys (#)	2 storeys	2.5 storeys
Setbacks (m)		
- Front (m)	4.5m	4.5m
- Rear (m)	9.6m	7.5m
- Side (m) North	4.6m	4.5m
- Side (m) South	3.0m	3.0m
Private open space	77.87m ² / unit located within required setbacks	25m ² per 3 bedroom dwelling (1500m ²) not to be located within required setback
Separation between principal buildings	8.23m	3.0m
Parking Stalls (#)	13 single garage stalls 13 driveway parking 7 visitor stalls (Total = 33)	13 x 2 spaces (3 bedroom) = 26 1 visitor stall for every 7 units = 7 Total = 33 stalls
Bicycle Stalls (#)	7spaces	7 spaces 0.5 per dwelling unit Class I, 0.1 per dwelling unit Class II

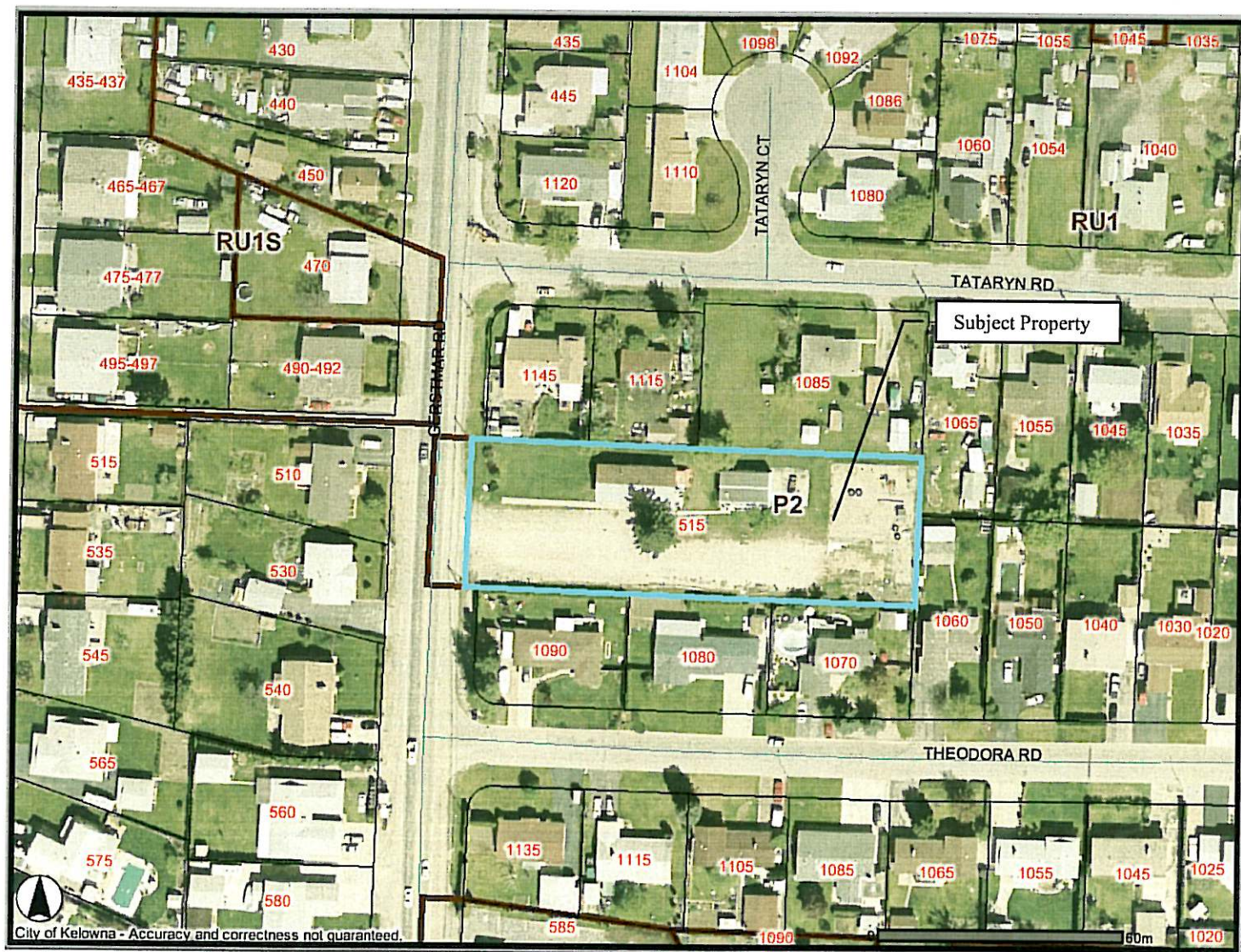
4.2 Site Context

The subject property is located on Gerstmar Road, situated between Tataryn and Theodora roads.

Adjacent zones and uses are:

- North - RU1 - Large Lot Housing
- East - RU1 - Large Lot Housing
- South - RU1 - Large Lot Housing
- West - RU1 and RU6 - Large Lot Housing and Two Dwelling Housing

Site Location Map



4.3 Development Potential

The purpose of the RM3 – Low Density Multiple Housing zone is to provide a zone for low density multiple housing on urban services.

4.4 Current Development Policy

4.4.1 City of Kelowna Strategic Plan

One of the 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.

4.4.2 Kelowna Official Community Plan

The proposal deviates from the future land use designation of Education/Major Institutional in the Official Community Plan future land use designation. 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 Generalized Future Land Use Map (in this case, a different density profile) in those cases where:

- 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);
- Appropriately designated sites can be proven to be functionally unsuitable for the proposed housing;
- Supporting infrastructure is sufficient to accommodate the proposed development (or the developer is prepared to upgrade the necessary infrastructure);
- The proposed densities do not exceed the densities provided for on Map 19.1 by more than one increment (e.g. medium density multiple units might be entertained where low-density has been provided for, and low-density multiple units might be entertained where single/two unit residential densities have been provided for);
- The project can be sensitively integrated into the surrounding neighborhood, 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 neighborhood);
- Approval of the project will not destabilize the surrounding neighborhood or threaten viability of existing neighborhood facilities (e.g. schools, commercial operations etc.).

5.0 TECHNICAL COMMENTS

5.1 Rutland Waterworks District

Rutland Waterworks District will supply water to this proposed development. Specific waterworks upgrades are required to accommodate an approved development and will be identified once an acceptable plan is completed.

5.2 Fire Department

Fire department access, fire flows and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw. Engineered fire flows should determine hydrant requirements. Note: If road access is over 90M and dead ends, a fire truck turnaround is needed.

5.3 Inspections Department

Identify handicap parking stall(s), no floor plan layouts for preliminary code check on units. Site layout appears ok otherwise.

5.4 Ministry of Transportation

The Ministry of Transportation has no objections.

5.5 Interior Health

Subject to sanitary sewer connection.

5.6 Works and Utilities

The Works & utilities Department comments and requirements regarding this application to rezone from P2 (Education and minor institutional) to RM-3 (Low density multi) are as follows:

1. Subdivision

- a) Gerstmar Road to be established 10.0 m. from existing mean centreline by legal survey plan registered in the Land Title Office.
- b) Provide easements as may be required.

2. Geotechnical Study.

We recommend that a comprehensive geotechnical study be undertaken over the entire site. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zoning. As well, the study should address drainage patterns including the identification of ground water and the presence of any surface springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays,

3. Domestic water and fire protection.

This development is within the service area of the Rutland Waterworks District (RWD). The developer is required to make satisfactory arrangements with the RWD for these items. All charges for service connection and upgrading costs are to be paid directly to the RWD. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with current requirements.

A water meter is mandatory as well as a sewer credit meter to measure all the irrigation water. Water meters must be housed in an above-ground, heated, accessible and secure building, either as part of the main site buildings or in a separate building. Remote readers units are also mandatory on all meters.

4. Sanitary Sewer.

- a) The subject properties are located within Specified Area # 22 A and there are only three services, an additional 3 services will be required.
- b) The developer must cash commute the specified area charges in accordance with the current policy 304. The cash commute amount is \$7,897.52 per Single Family Equivalent (SFE).the RM3 zone has 0.7 SFE. The total Specified Area # 22 A fee is $13 \times 0.7 \times \$7,897.52 = \underline{\$71,867.43}$ prior to March 31, 2007.
- c) The existing serviced at the property line is 100 mm. in diameter, should the service require to be upgraded it will be at the cost of the applicant in addition to the specified Area charges.

5. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual, is a requirement of this application. The drainage study should indicate the size and location of the detention pond(s) and provide for a

positive outflow to the existing municipal storm drainage system. This plan can become part of the geotechnical study to identify possible ground recharge/detention areas.

6. Power and Telecommunication Services.

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

7. Road improvements.

a) Gerstmar Road.

The applicant is responsible to upgrade Gerstmar Road to a paved urban collector (SS-R5) standard. The construction consists of curb, gutter and sidewalk, fillet paving, storm drainage works, removal and/or relocation of utilities as may be required, etc. The estimated cost for this work, for bonding purpose, would be \$24,000.00, inclusive of a bonding contingency (Utility poles relocation not included).

8. Street lights.

Street lights must be installed on all fronting roads as determined by the Manager of Electrical Utilities.

9. Engineering.

Design, construction, supervision and inspection of all off-site civil works and site servicing must be performed by a consulting civil Engineer and all such work is subject to the approval of the city engineer.

10. DCC Credits.

None of the required improvements qualify for DCC credit consideration, as these upgradings are not identified in the current DCC schedules.

11. Bonding and Levies Summary.

a) Performance Bonding

Gerstmar Road frontage upgrading	\$ 24,000.00
----------------------------------	---------------------

b) Levies

Specified Area # 22A charge	\$ 71,867.43
-----------------------------	---------------------

6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department is generally supportive of the proposed change in future land use designation and rezoning. The proposal is consistent with many of the policies of the Official Community Plan. Notably, the site is located in an area otherwise surrounded by low density single/two unit residential development.

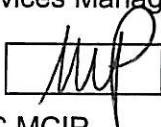
Uniquely, the shape of the site presents some distinct challenges with respect to any potential redevelopment as single/two unit housing. Given the awkward configuration, it is limited to

lending itself to a single use such as a church or a low density strata residential project. It may be possible to develop a bareland strata RU5 project and thereby conform to the prominent future land use designation in the general area, but unfortunately would only yield a few units.

There is provision in the OCP (Policy 8.1.31) to consider support for a change in designation to a higher density where a project fulfills a need for affordable housing. This project may meet those guidelines as well as provide a sensitive height profile that would be similar to adjoining housing. Additionally, the OCP (Policies 5.1.9 and 5.1.10) also supports the potential for an appropriate infill density increase in new and existing urban areas. Given that the height differential between this proposal and adjacent residential houses is minimal, this is considered compatible infill development. Notably, the applicant has indicated that a housing agreement will be sought to secure one unit as an affordable housing unit.


Shelley Gambacort
Acting Development Services Manager

Approved for inclusion



Mary Pynenburg, MRAIC MCIP
Director of Planning & Development Services

SG/DN
Attach.

ATTACHMENTS

- **Location of subject property**
- **Site plan**
- **Elevations**
- **Landscaping Plan**
- **Sample Floor Plans**
- **Letter of Rationale by Applicant**
- **Color Board**

November 6, 2006

Re: Existing P2 Church Property
515 Gerstmar Rd
Kelowna BC

To Whom It May Concern:

This information is made available to explain my reasons for making an offer to purchase this property and apply for low-density zoning.

Although the OCP designation does not officially include R3 medium density, it does include multi-family RU6 Duplex zoning. If this property had its 360' depth along a street it could accommodate six duplexes or 12 units, but because of its narrow frontage cannot have more than two duplexes. By just using the frontage it renders 2/3 of an acre useless for development.

I think that good stewardship of this property is to create a strata condominium R3 zoning, which keeps it in the single-family designation with private ownership in a townhouse style.

The individual units would be full basement, approximately 1600 square feet and would be in great demand in our community.

I am prepared to provide one low-cost dwelling out of the 13 units, and that could be increased to two low-cost units if we could have a slight ratio variance and go to a total of 14 units.

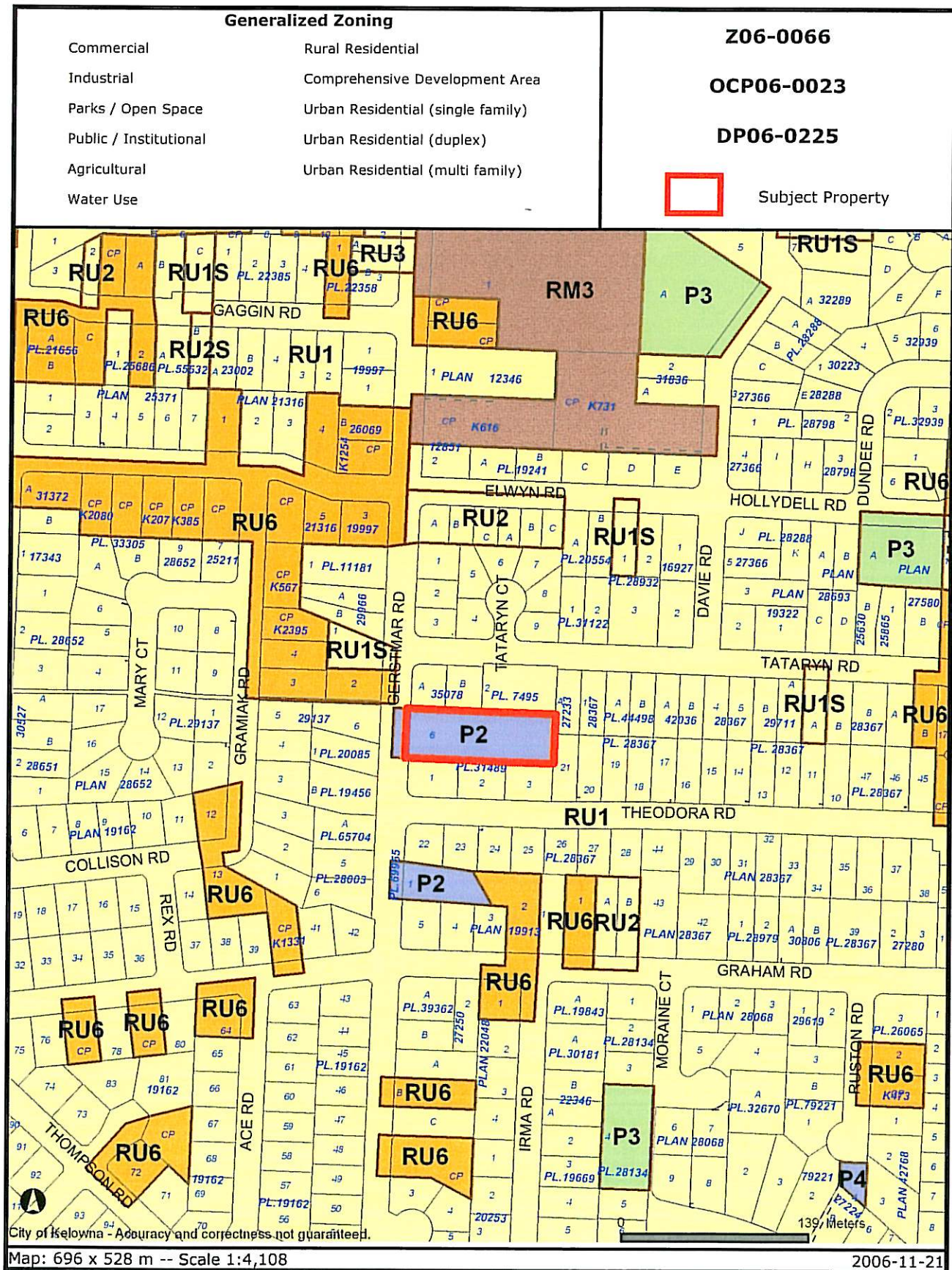
I have talked to the 10 neighbours who are adjacent to this property, and they are all in favour of our proposal. In fact, two of them had family that would want to purchase and live there.

Should you require any additional information, I am available at the number below.

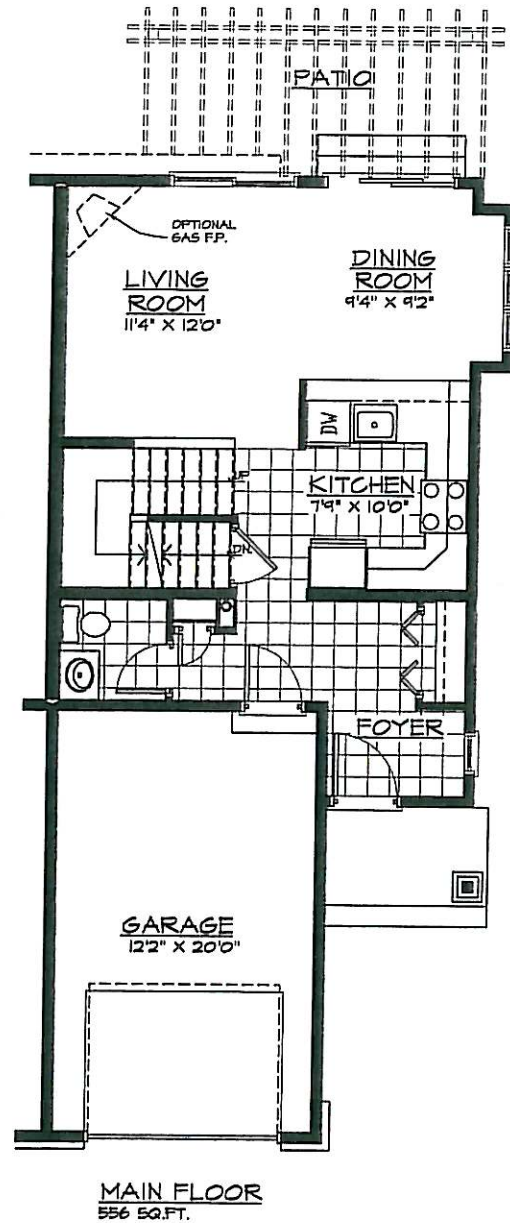
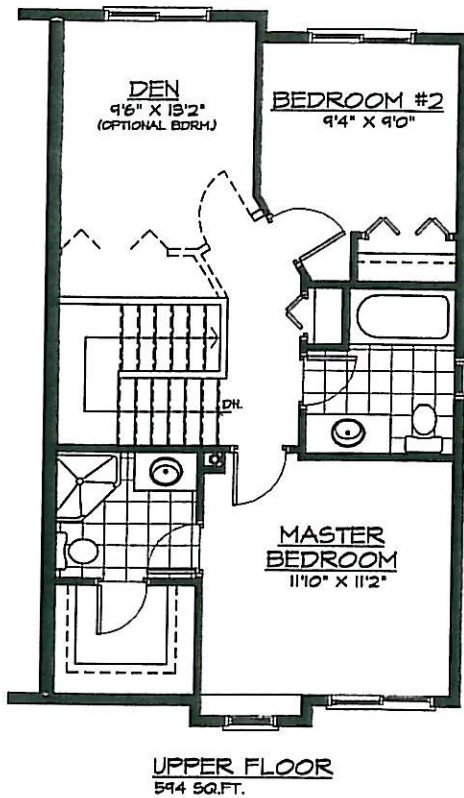
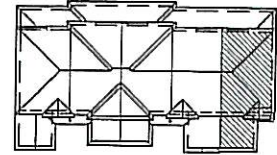
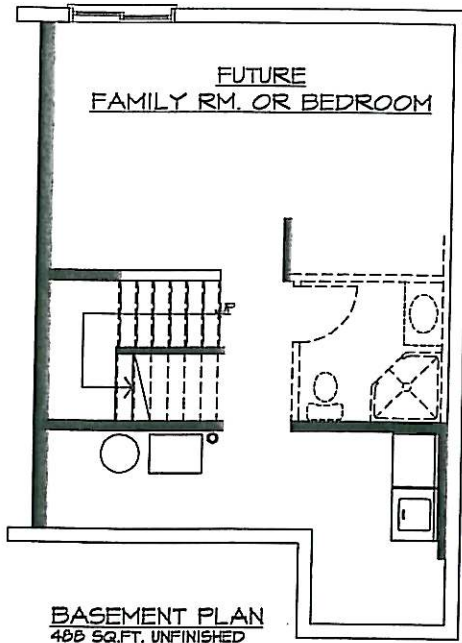
Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Harvey Benson', with a stylized, flowing script.

Harvey Benson
470-2329



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
The City of Kelowna does not guarantee its accuracy. All information should be verified.



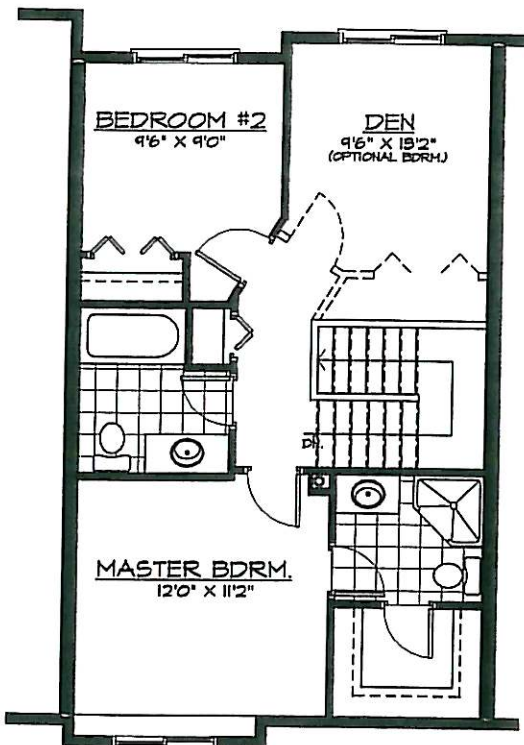
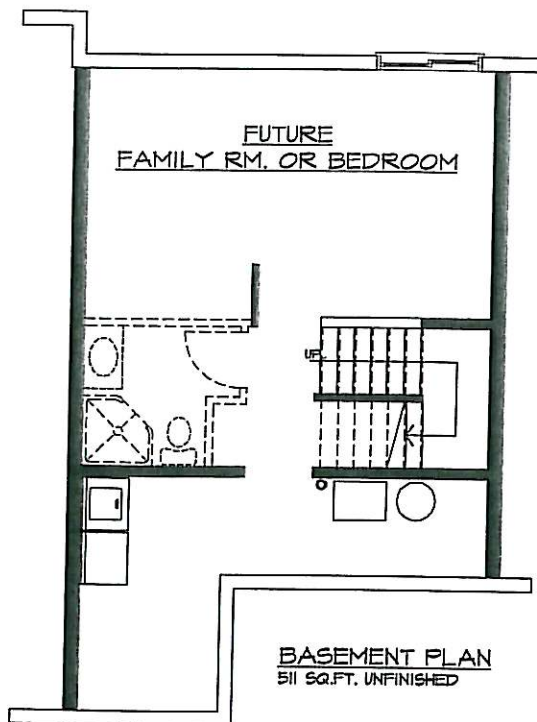
515 GERSTMAR ROAD
KELOWNA, B.C.

'A1' PLAN RIGHT - 5 PLEX

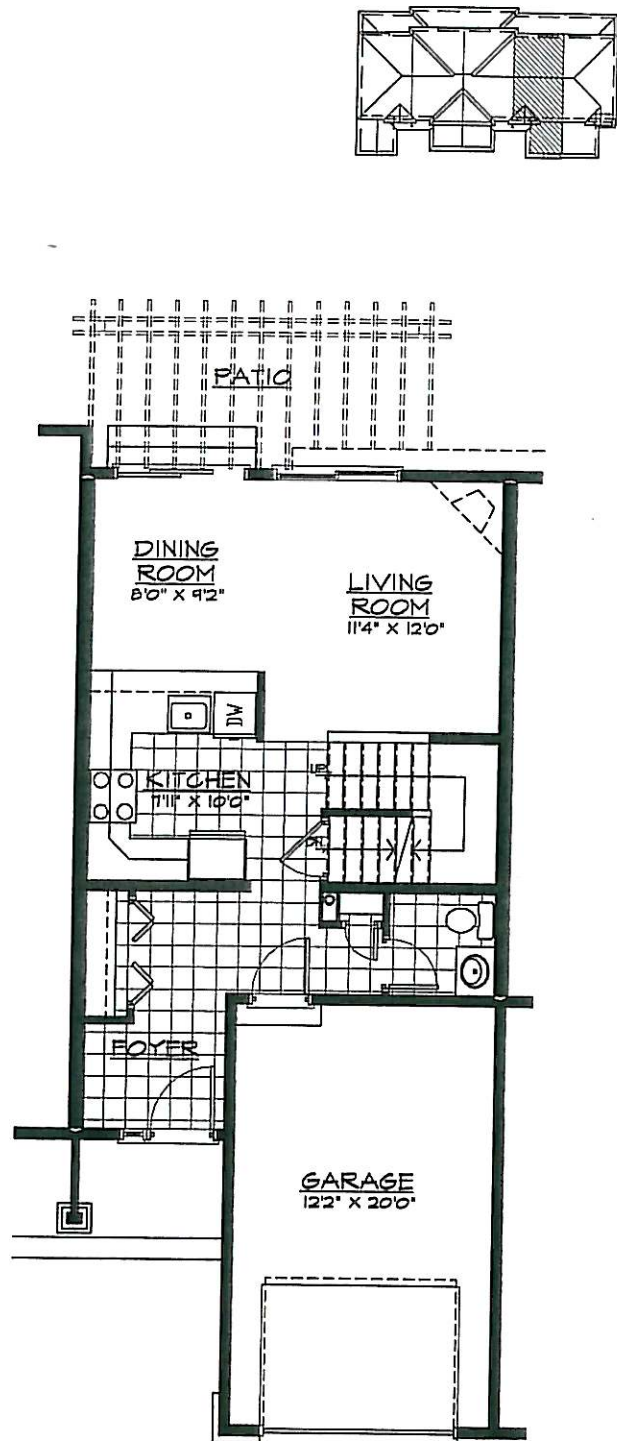
FINISHED AREA 1150 sq.ft.
UNFINISHED AREA 488 sq.ft.
TOTAL AREA 1638 sq.ft.

The Developer reserves the right to make
modifications and changes to plans,
specifications, and features should
they be necessary to maintain the high
standards of these homes.

BAXTER DESIGN (250) 862-9662



UPPER FLOOR
544 SQ.FT.



MAIN FLOOR
518 SQ.FT.

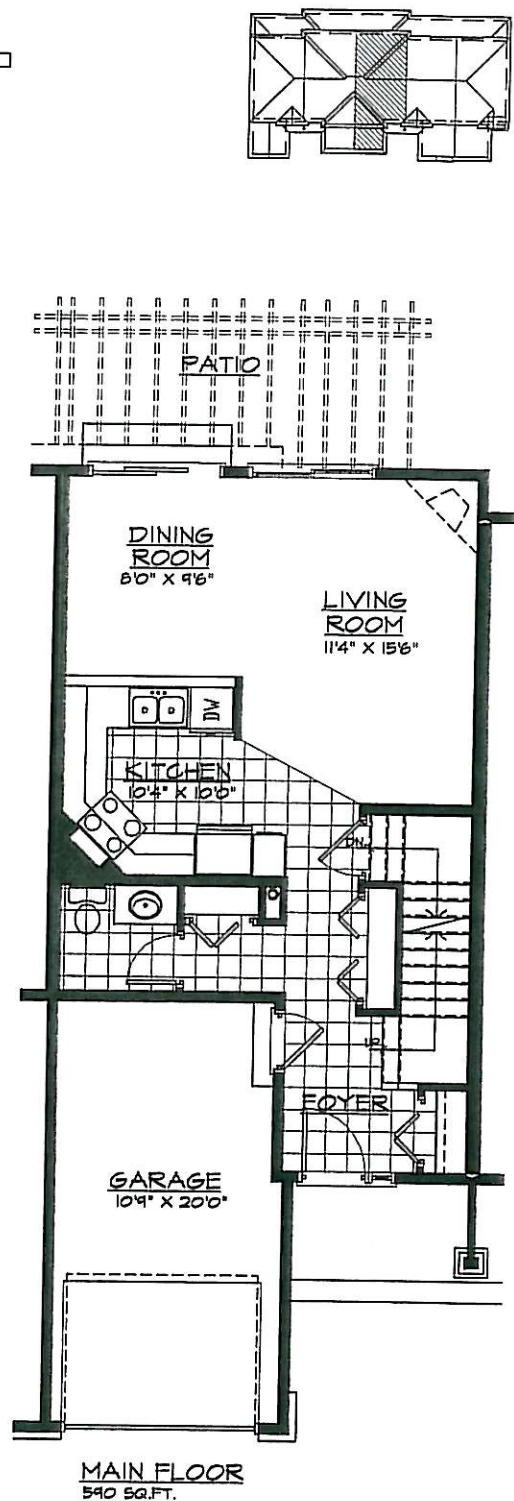
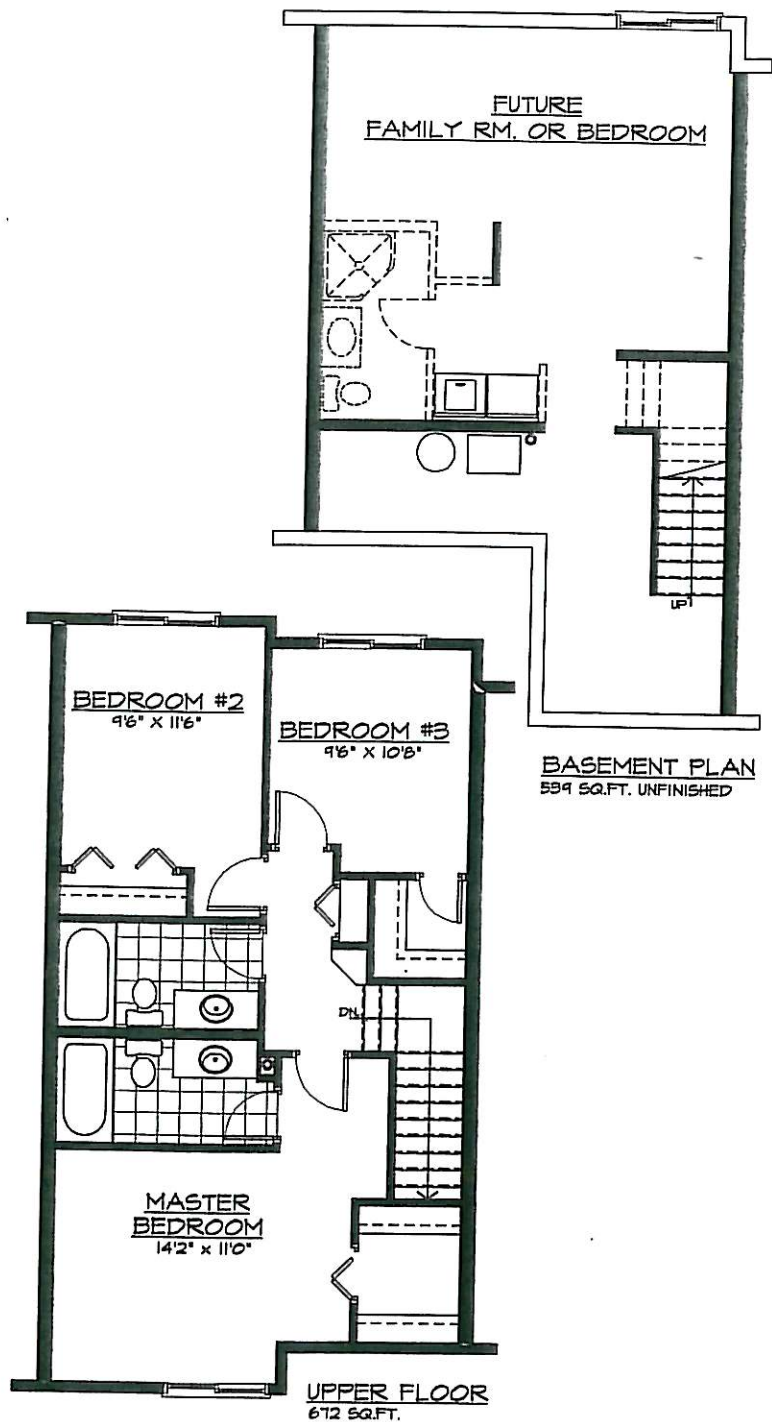
'A2' INTERIOR PLAN RIGHT - 5 PLEX

515 GERSTMAR ROAD
KELOWNA, B.C.

FINISHED AREA 1172 sq.ft.
UNFINISHED AREA 511 sq.ft.
TOTAL AREA 1683 sq.ft.

The Developer reserves the right to make modifications and changes to plans, specifications, and features should they be necessary to maintain the high standards of these homes.

BAXTER DESIGN (250) 862-9662



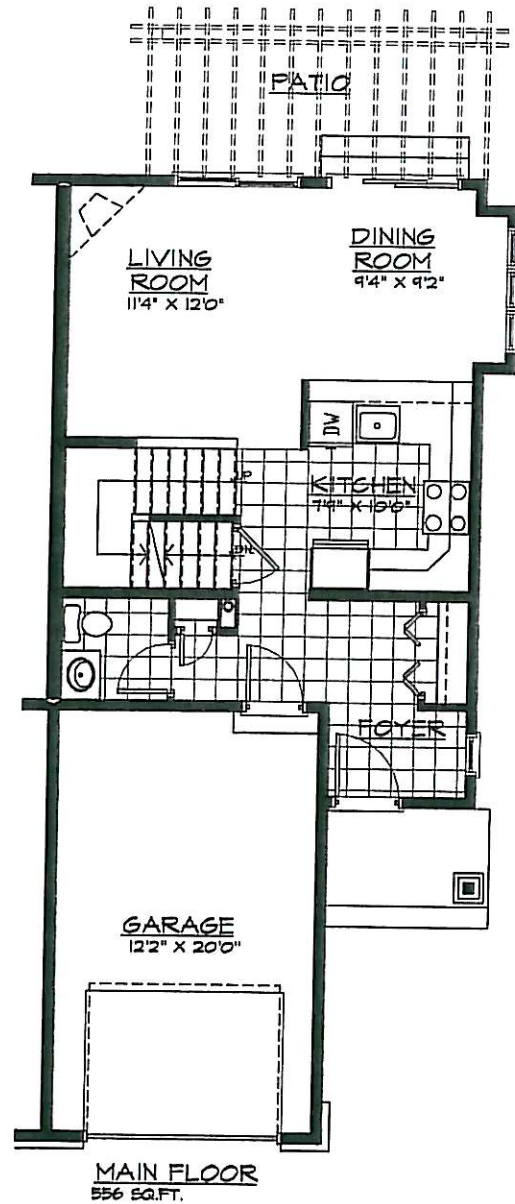
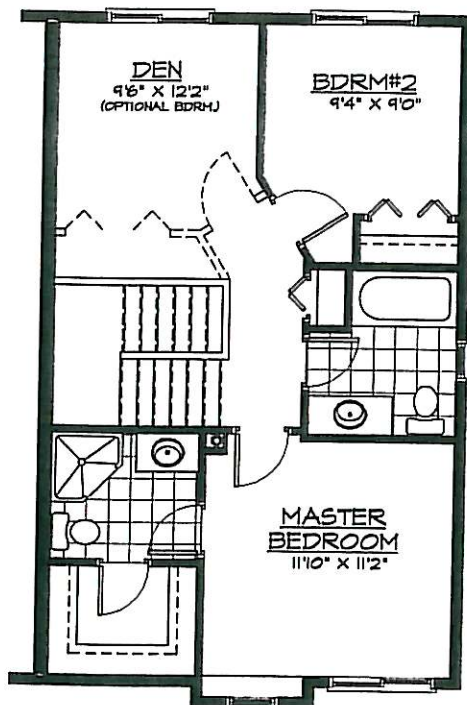
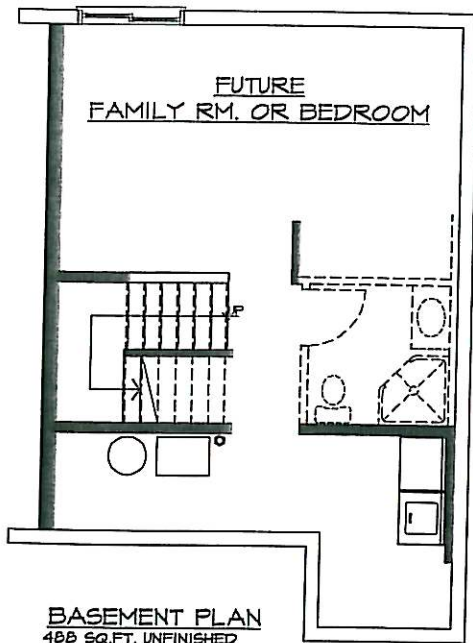
'C' PLAN RIGHT - 5 PLEX

515 GERSTMAR ROAD
KELOWNA, B.C.

FINISHED AREA 1262 sq.ft.
UNFINISHED AREA 539 sq.ft.
TOTAL AREA 1801 sq.ft.

The Developer reserves the right to make modifications and changes to plans, specifications, and features should they be necessary to maintain the high standards of these homes.

BAXTER DESIGN (250) 862-9662



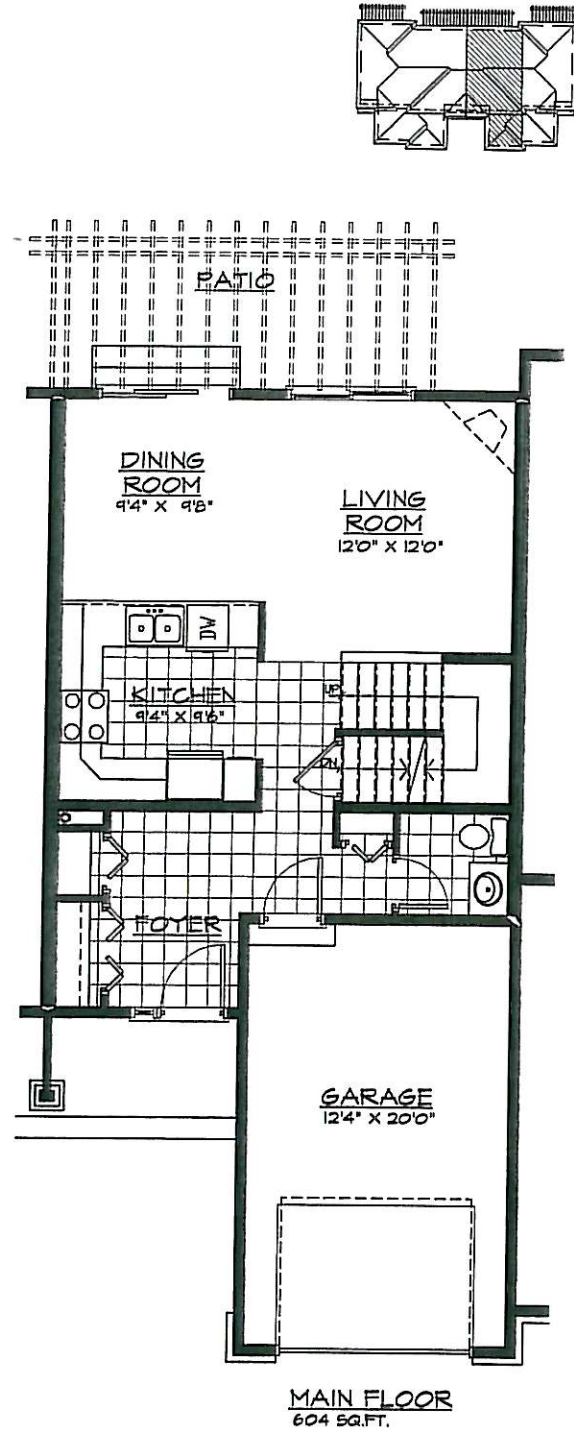
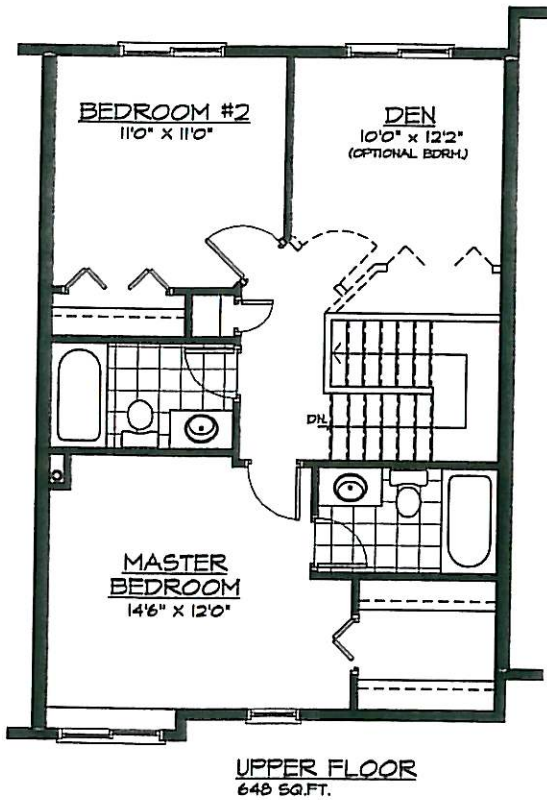
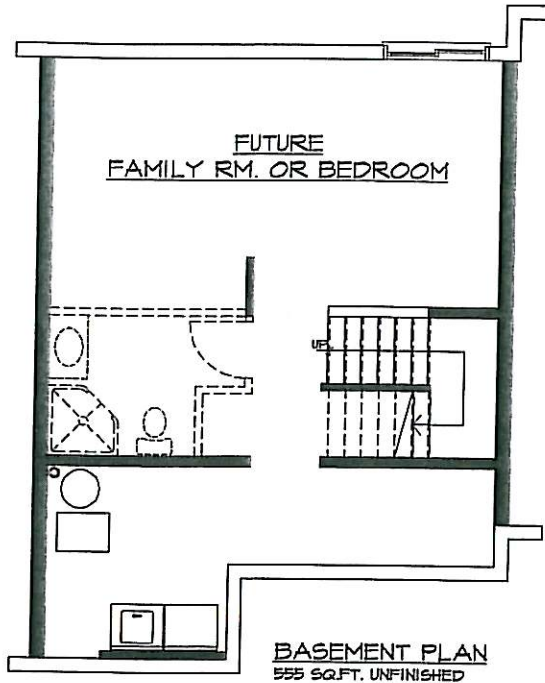
'A' PLAN RIGHT - 4 PLEX

515 GERSTMAR ROAD
KELOWNA, B.C.

FINISHED AREA 1140 sq.ft.
UNFINISHED AREA 488 sq.ft.
TOTAL AREA 1628 sq.ft.

The Developer reserves the right to make
modifications and changes to plans,
specifications, and features should
they be necessary to maintain the high
standards of these homes.

BAXTER DESIGN (250) 862-9662



'B' PLAN RIGHT - 4 PLEX

515 GERSTMAR ROAD
KELOWNA, B.C.

FINISHED AREA 1252 sq.ft.
UNFINISHED AREA 555 sq.ft.
TOTAL AREA 1807 sq.ft.

The Developer reserves the right to make modifications and changes to plans, specifications, and features should they be necessary to maintain the high standards of these homes.

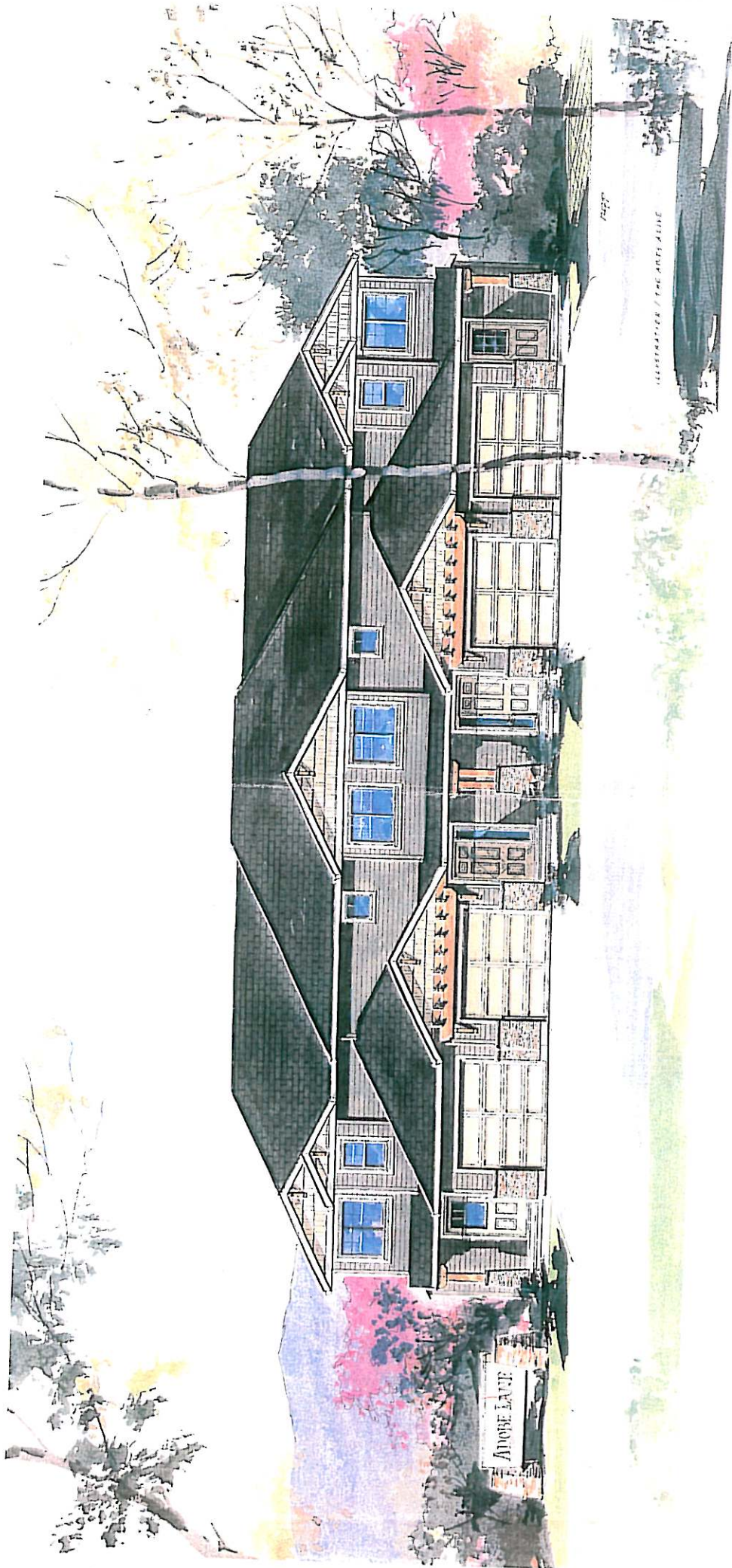
BAXTER DESIGN (250) 862-9662

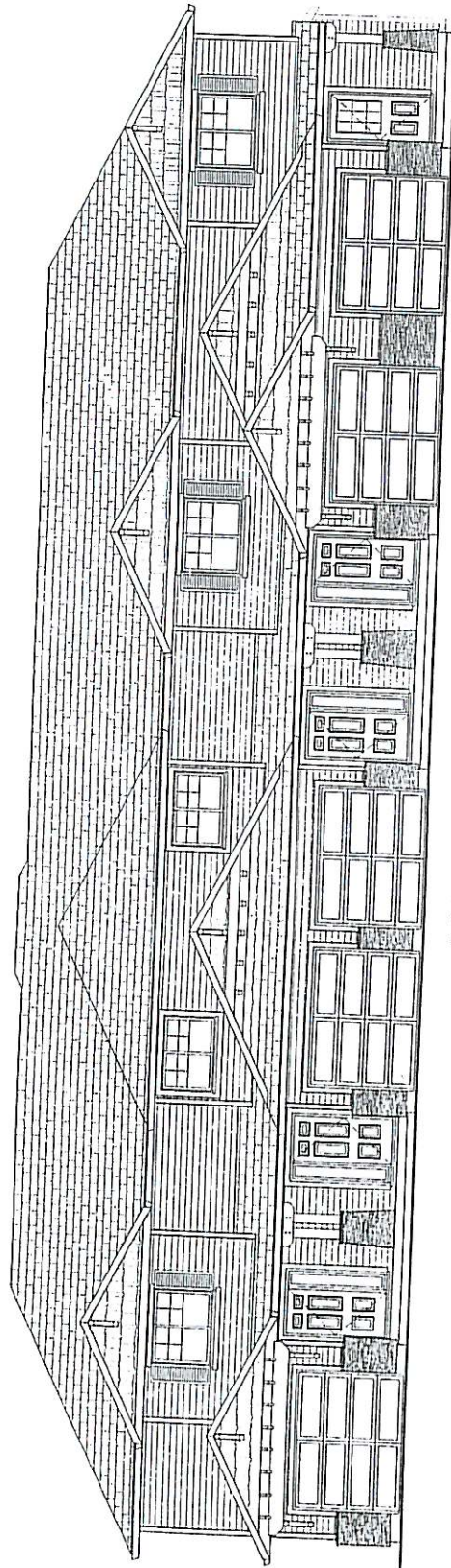
Site plan for the proposed development. The plan shows three 'PROPOSED 4 PLEX' buildings, a 'COMMON AREA', 'LANDSCAPE GUEST PARKING', 'BICYCLE PARKING 7 STALLS MIN.', 'GARBAGE & RECYCLING BINS', and a '5' BLACK PLASTIC COATED CHAIN LINK FENCE'. Dimensions for building footprints, setbacks, and parking areas are provided. A 'PROBABLE ROAD WIDENING' is indicated at the bottom. The plan is oriented with 'GERSTHAR ROAD' at the top.

SIGNAGE

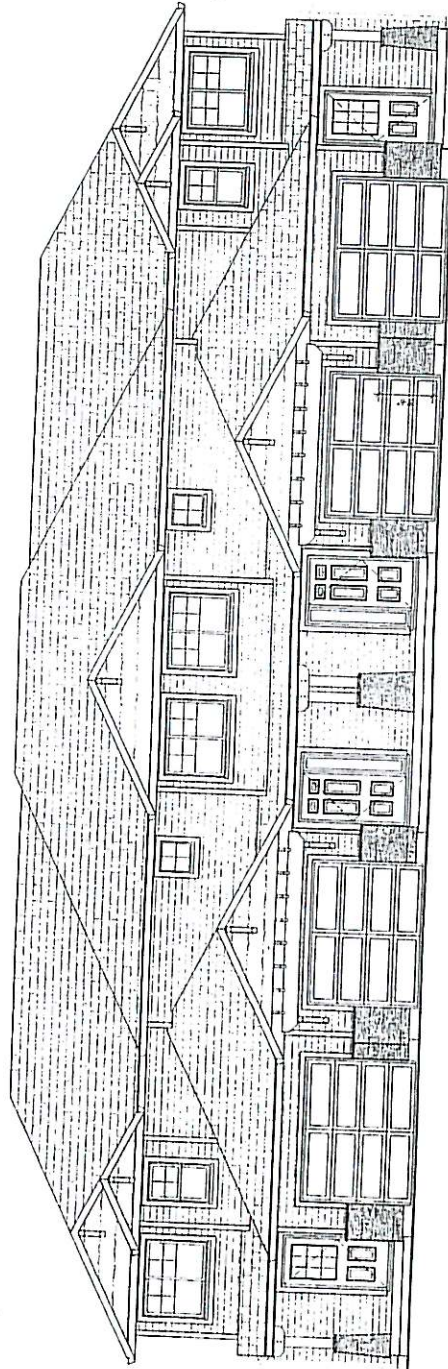
ROBABLE
ROAD
WIDENING -

5' H BLACK
PLASTIC COATED
CHAIN LINK FENCE

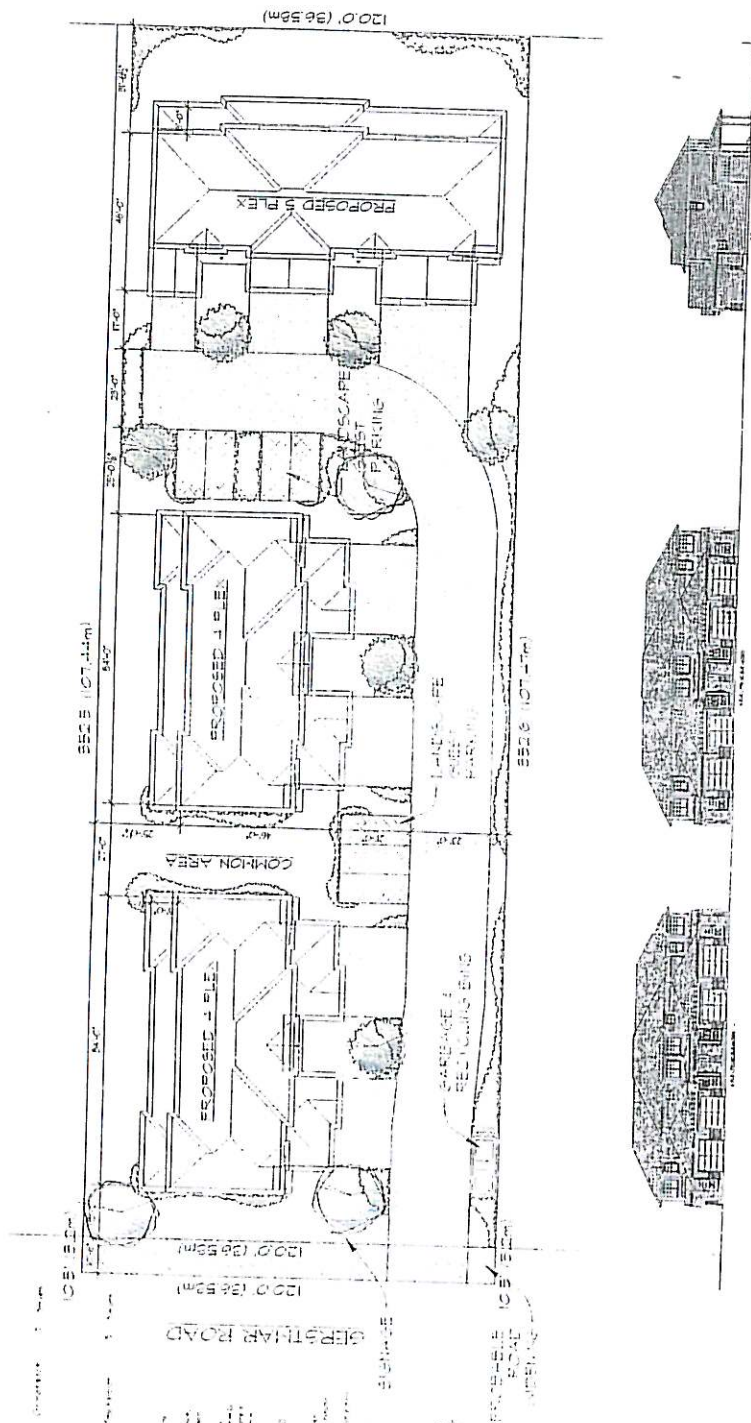




3 PLEX FRONT ELEVATION



4 PLEX FRONT ELEVATION



PROPOSED 13 UNIT
TOWNHOUSE PROJECT
515 GERSTMAR ROAD

[illegible]

Art Knap
LANDSCAPE DESIGN DIVISION
1934 SPENDING ROAD
WILMINGTON, D.C.
VI 27
(202) 462-0825 FAX (800) 864-7972

[illegible]

ADOBE LANE

EASTER DESIGN
1980 K.L.O. Road
MICHIGAN, U.S.A.

PROPOSED 13 UNIT TOWNHOUSE
PROJECT AT 215 GERRARD ROAD
KELOWNIA, B.C.

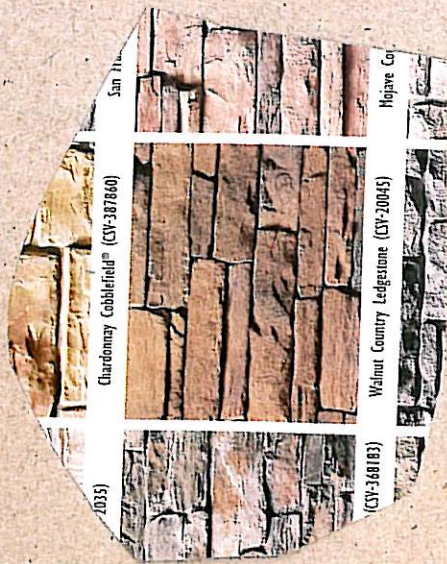
DRAWING SCALE: 1/16" = 1'-0"
DATE: OCT. 16 / 06

REV. DATE(S):	
DRN. BY: S.H.E.	1

2	
---	--

SHINGLE
AREA

ROOF - BLACK
SHINGLES



↑
CULTURED
BRICK.

KHAKI

Pebble
Kaki

SIDING ↑

≡ GENTEK, CASHMERE
CACHEMIRE
563

TRIM (colour)