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**CITY OF KELOWNA**

**MEMORANDUM**

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**DATE:** October 5, 2007

**FILE NO.:** OCP07-0021 & Z07-0069

**TO:** Advisory Planning Commission

**FROM:** Planning & Development Services Department

**APPLICATION NO.** OCP07-0021 / Z07-0069 **OWNER:** BHUSHAN SINGLA  
RADHA REDDY  
ROSHNI REDDY

**AT:** 360 GERSTMAR ROAD **APPLICANT:** LAVINA GAUCHER

**PURPOSE:** TO SEEK AN OFFICIAL COMMUNITY PLAN AMENDMENT TO  
CHANGE THE FUTURE LAND USE DESIGNATION OF THE  
SUBJECT PROPERTY TO MULTIPLE UNIT RESIDENTIAL – LOW  
DENSITY

TO REZONE THE SUBJECT PROPERTY TO THE RM1 – FOUR  
DWELLING HOUSING ZONE TO ALLOW DEVELOPMENT OF A  
FOUR UNIT DWELLING

**EXISTING ZONE:** RU6 – TWO DWELLING HOUSING  
**EXISTING OCP DESIGNATION:** SINGLE/TWO UNIT RESIDENTIAL

**PROPOSED ZONE:** RM1 – FOUR DWELLING HOUSING  
**PROPOSED OCP DESIGNATION:** MULTIPLE UNIT RESIDENTIAL – LOW DENSITY

**REPORT PREPARED BY:** Alec Warrender

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**1.0 RECCOMENDATION**

THAT OCP Bylaw Amendment No. OCP07-0021 to amend Map 19.1 of the *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot B, Section 22, Twp. 26, ODYD, Plan 26069, located at 360 Gertsmar Road, Kelowna, B.C., from the Single/Two Unit Residential designation to the Multiple Unit Residential - Low Density designation, as shown on Map "A" attached to the report of Planning & Development Services Department, dated October 5, 2007, NOT be approved by Council;

THAT Rezoning Application No. Z07-0069 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, Section 22, Twp. 26, ODYD, Plan 26069, located at 360 Gertsmar Road, Kelowna, B.C. from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling Housing zone NOT be approved by Council;

**2.0 SUMMARY**

The applicant is proposing to develop the subject property with a four unit residential building. To permit this land use, it is necessary to rezone the subject property from the existing RU6 –

Two Dwelling Housing zone to the proposed RM1 – Four Dwelling Housing zone. As the future land use designation of the subject property is “Single / Two Unit Residential”, the proposed zone is not consistent with this designation. The applicant is seeking to amend the future land use designation of this property to the “Multiple Unit Residential – Low Density” to support the proposed rezoning to the RM1 zone. The applicant is not proposing to commit any of the proposed units as “Affordable Housing” as noted in section 8.31 of the City of Kelowna Official Community Plan to support the proposed OCP amendment.

### 3.0 ADVISORY PLANNING COMMISSION

At a meeting held on August 28, 2007, the APC passed the following motions:

THAT the Advisory Planning Commission support Official Community Plan Application No. OCP07-0021 for 360 Gerstmar Road, Lot B, Plan 26069, Sec. 22, Twp. 26, ODYD by L. Gaucher, to amend the OCP Future Land Use from Single/Two Unit Residential to Multi Unit Residential (Low Density) zone to permit the construction a four-plex building.

THAT the Advisory Planning Commission support Rezoning Application No. Z07-0069 for 360 Gerstmar Road, Lot B, Plan 26069, Sec. 22, Twp. 26, ODYD by L. Gaucher, to rezone the subject property from the RU6 – Two Dwelling Housing zone to RM1 – Four Plex Housing zone to permit the construction a four-plex building.

### 4.0 THE PROPOSAL

The proposed site development indicates a total of four, two storey dwelling units arranged along the south property line. There is a paved driveway located adjacent to the north property line to provide access to each of the garage areas located on the ground floor of each of the units. The garages are long enough to provide two stacked parking stalls for each of the units. The remaining area of the ground floor provides space for an entrance foyer and a storage area.

The upper floor of each unit provides space for a master bedroom with ensuite, a smaller bedroom, bathroom, kitchen, and combined living room and dining area.

The exterior of the proposed units are designed to incorporate horizontal “Hardi-Plank” siding for the bulk of the building exterior. The built out areas are designed to be finished with a shingle style “Hardi-Plank” material. The roof area is designed to be finished with a black coloured asphalt shingle. The bases of the columns located adjacent to the pedestrian doors area finished with a cultured stone material.

The landscape plan submitted indicates a high level of plantings along the Gerstmar Road frontage, as well as substantial plantings along the south and west property lines. The north side of the driveway has a continuous hedge planted along the full length of the driveway. Each of the dwelling units has a patio area located at the rear door of the adjacent unit.

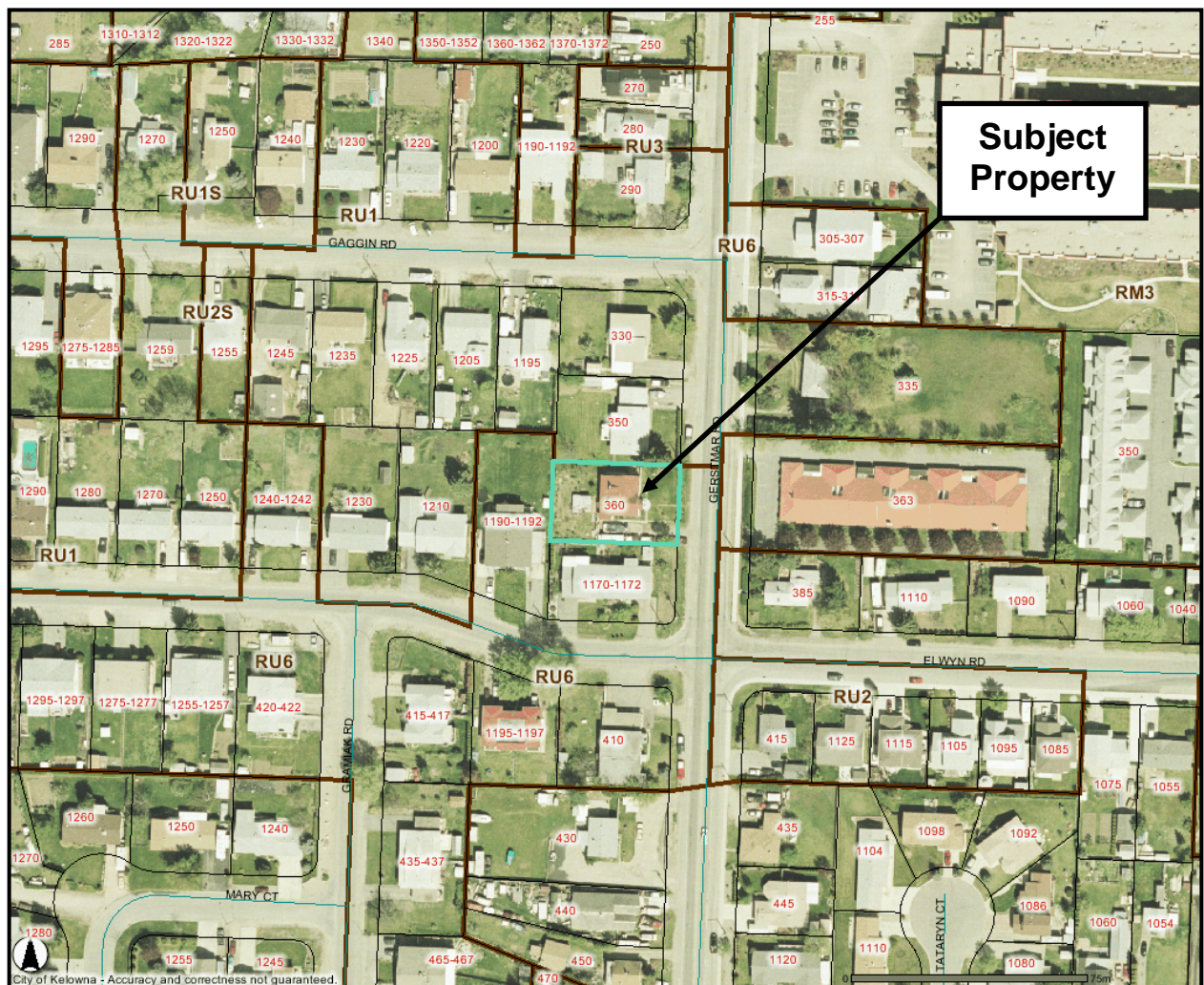
#### 4.1 Site Context

The subject property is located on the west side of Gerstmar Road, between Gaggin Road to the north and Elwyn Road to the south. The site is located in an established neighbourhood of older single unit dwellings on the west side of Gerstmar. There has been some low density multiple unit residential development across Gerstmar Road to the east.

Adjacent zones and uses are, to the:

- North - RU1 – Large Lot Housing / SFD
- East - RU6 – Two Dwelling Housing / Duplex dwelling
- South - RU6 – Two Dwelling Housing / Duplex dwelling
- West - RM3 – Low Density Multiple Housing / row house development

#### 4.2 Subject Property Map



#### 4.3 Development Analysis

The proposal as compared to the RM1 zone requirements is as follows:

CRITERIA	PROPOSAL	RM1 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	999.35 m <sup>2</sup>	700 M <sup>2</sup>
Site Width (m)	24.82 m	20.0 M
Site Depth (m)	40.27 m	30.0 M
Site Coverage (%)	31% buildings 50.0 % Bldg & pvmt	40% Buildings 50% Buildings and paved areas
F.A.R.	0.44	FAR = 0.6 Max.
Storeys (#)	2 storeys	2 ½ Storeys or 9.5 m
<b>Setbacks (m)</b>		
Front (Gerstmar Rd.)	6.1 m	4.5 m 6.0 m to garage or carport
Rear	7.6 m	7.5 m for 2 or 2½ storey
North Side	7.26 m to 2 storey	2.3 m for 2 or 2½ storey
South Side	6.02 m to 2 storey	2.3 m for 2 or 2½ storey
<b>Other Regulations</b>		
Private Open Space	117 m <sup>2</sup> provided	25 m <sup>2</sup> per unit
Parking Stalls (#)	8 stalls provided	2 stalls required per dwelling

#### 4.4 Current Development Policy

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

##### 4.4.1 Kelowna Official Community Plan

The Kelowna OCP identifies the subject properties as a "Single / Two Residential" future land use. The proposed use requires a "Multiple Unit Residential – Low Density" designation. Application for an OCP amendment has been made.

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

The City of Kelowna Strategic Plan 2004 describes a vision of what residents hope Kelowna will be like in the future and has identified as one of the themes that overall, residents aspire to live in a community that:

- Embraces the social, cultural and physical well-being of its residents through the delivery of quality services at a reasonable price, the development and maintenance of quality infrastructure and built forms, and meaningful opportunities to be involved in major decision made by the City.

The City of Kelowna Strategic Plan 2004 also states as Goal 3;

"To foster the social and physical well-being of residents and visitors.

#### 5.0 TECHNICAL COMMENTS

##### 5.1 Fire Department

No parking signs needed to insure fire fighter access to back units. Contact FPO before occupancy to position signs.

5.2 Inspections Department  
No Comments.

5.3 Works & Utilities  
See Attached.

6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The proposal appears to be a reasonable form of development for the property. The existing property is a large deep lot. The layout for the proposed four unit building will provide adequate yard area that is still private and usable for the occupants. The applicant anticipates that the proposed dwellings will be offered for sale at the lower end of the market place. The landscape plan provided in support of this application indicates a substantial amount of plantings adjacent to the Gerstmar Road frontage to reduce the impact of the new construction on the existing neighbourhood. The applicant included a petition of support signed by nine neighbours

While there is some multiple unit residential development on the east side of Gerstmar Road there is no such development along the west side. Approval of this project might set a precedent where we could see similar development along this corridor intruding into a lower density single / two unit area.

The applicant has made application for an OCP amendment to change the future land use designation to the “Multiple Unit Residential – Low Density” land use, but has not committed to the provision of a housing agreement to secure any of the units as “affordable housing” as outlined in Section 8.31 of the City of Kelowna Official Community Plan. Staff have been given direction to uphold the policies outlined in the Official Community Plan. Therefore it is recommended that the OCP amendment and zoning applications not be supported unless the project complies with OCP Policy 8.1.31 regarding the inclusion of affordable housing in order to support a one increment increase in designation / density.

7.0 ALTERNATE RECOMMENDATION

THAT OCP Bylaw Amendment No. OCP07-0021 to amend Map 19.1 of the *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Strata Lot B, Section 22, Twp. 26, ODYD, Plan 26069, located at 360 Gertsmar Road, Kelowna, B.C., from the Single/Two Unit Residential designation to the Multiple Unit Residential - Low Density designation, as shown on Map “A” attached to the report of Planning & Development Services Department, dated October 5, 2007, be considered by Council;

THAT Rezoning Application No. Z07-0069 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, Section 22, Twp. 26, ODYD, Plan 26069, located at 360 Gertsmar Road, Kelowna, B.C. from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling Housing zone be considered by Council;

THAT the OCP Bylaw Amendment No. OCP07-0021 bylaw and the zone amending bylaw be forwarded to a Public Hearing for further consideration;

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

for   
Shelley Cambacort  
Current Planning Supervisor

DS/SG/aw

Approved for Inclusion

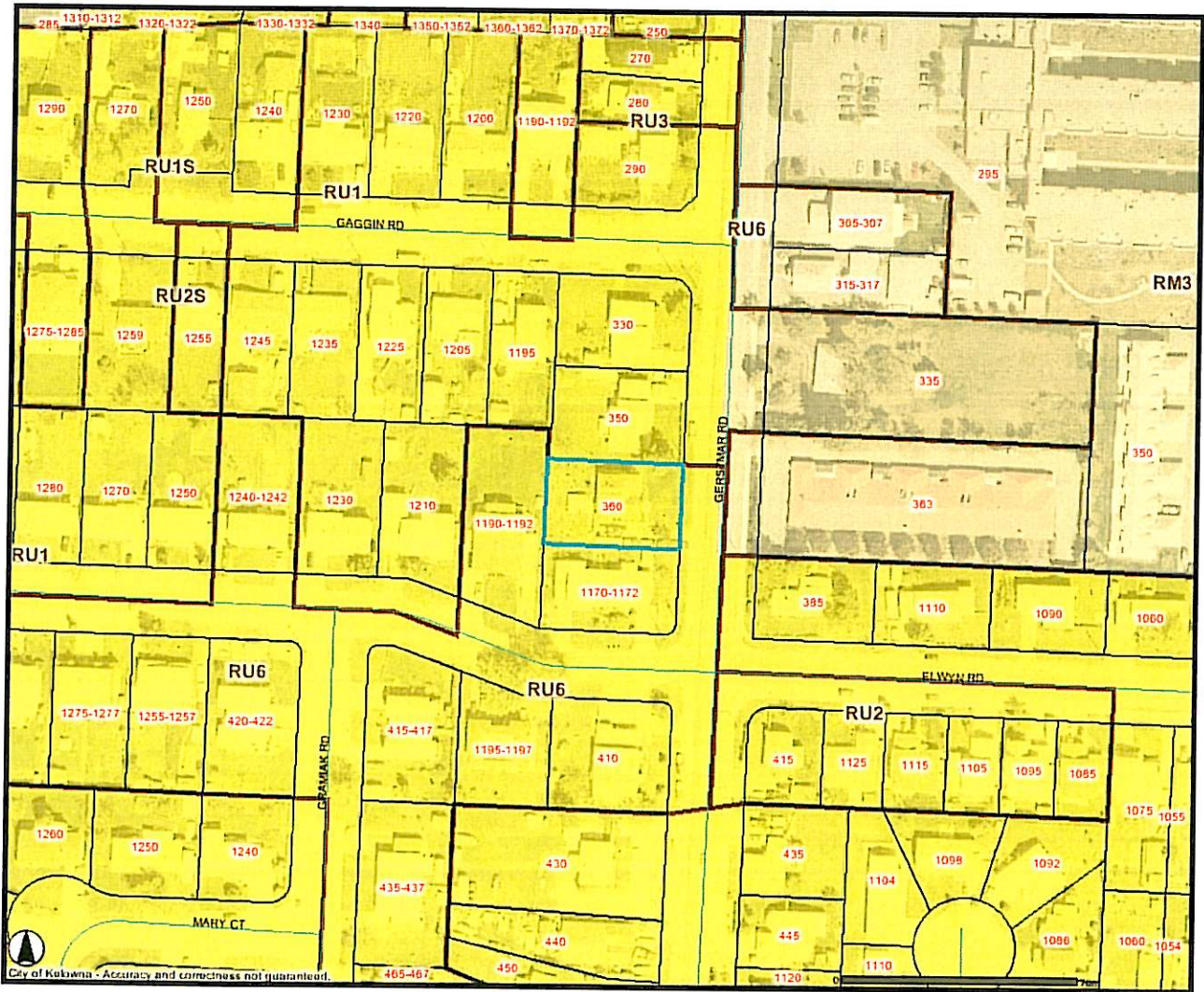


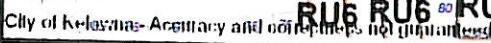
for David L. Shipclark  
Acting Director of Planning & Development Services

Attach.

- Location Map
- Site Plan & Elevations
- Photograph
- Works & Utilities - Comments

# MAP "A"

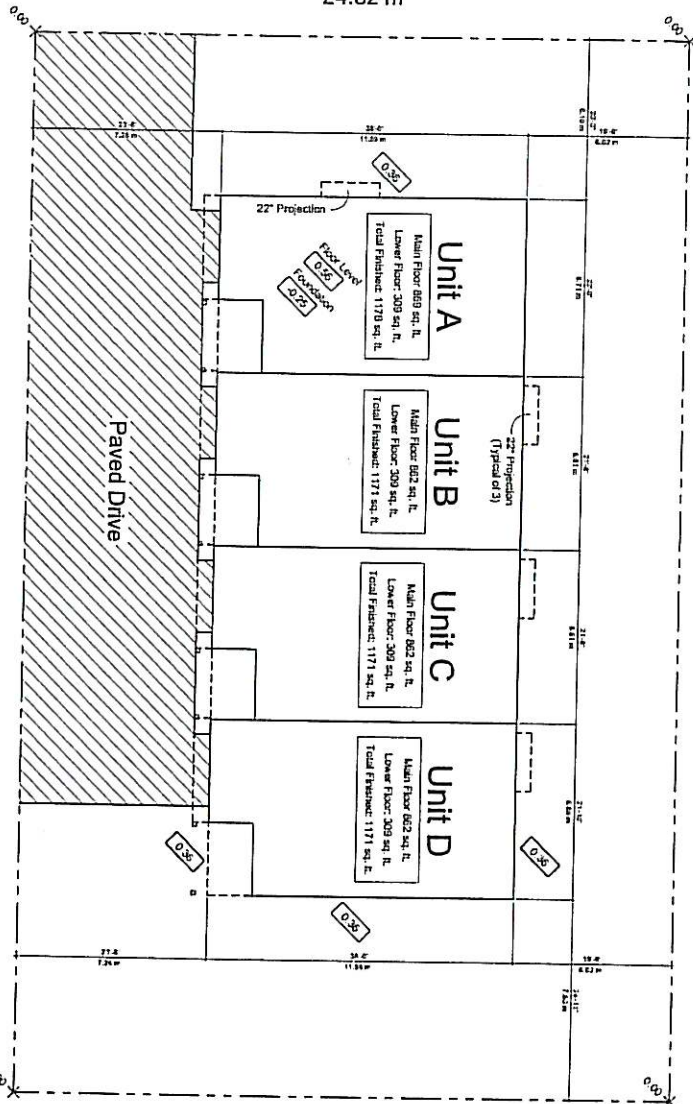




*Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.*

# Gerstmar Road

81'-5"  
24.82 m



132'-1"  
40.30 m

81'-11"  
24.98 m

North


## SITE PLAN

SCALE: 1"=18'-0"

### Site Calculations

LOT AREA	999.35 M <sup>2</sup>
STRUCTURE GROSS FLOOR AREA	611.02 M <sup>2</sup>
NET FLOOR AREA	435.96 M <sup>2</sup>
ENCLOSED PKG. PROVIDED	8
TYPE	TANDEN
SUMMARY LOT COVERAGE	50%
FLOOR AREA RATIO	0.44
PRIVATE OPEN SPACE	117.97 M <sup>2</sup>

### Development Permit Plans

Tony Giroux	tel: 250-492-5638 email: wesplan@telus.net
Bhaskaran Singa (Lavinia Gaudier)	May 22, 2007
360 Gerstmar Rd, Kelowna, BC	Lot B Section 22 Twp 6 District ODD
 <b>Wesplan Building Design Inc.</b> 102 Ellis Street, Port Huron, B.C. V2A 4L5 Canada Telephone (250) 493-0942 Fax (250) 493-7526	

Plan No.

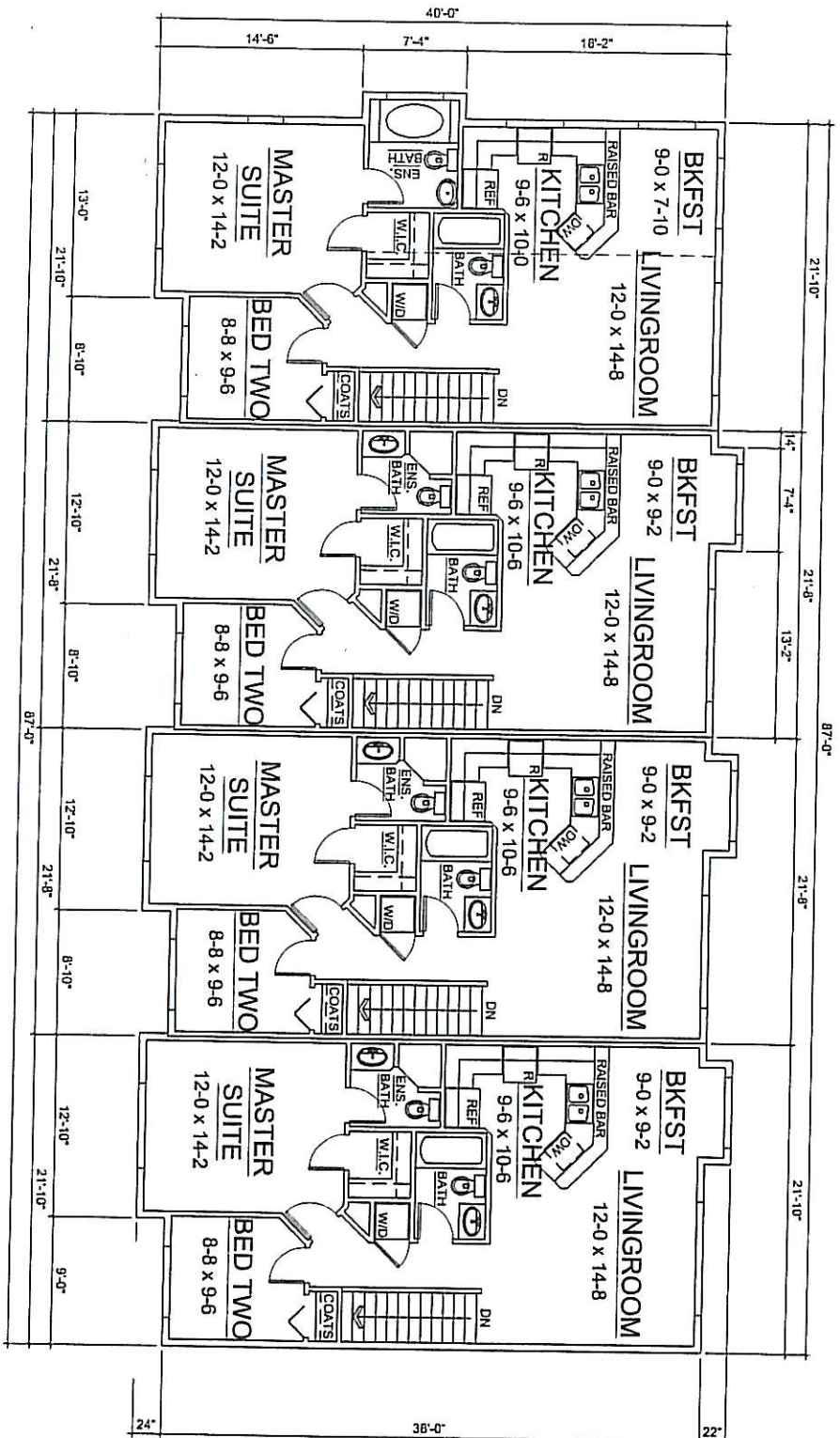
**WP 5127**

Sheet

**A-1**

Site Plan





# MAIN FLOOR PLAN

SCALE: 1/8"=1'-0"

## Development Permit Plans

Tony Giroux tel: 250-492-5638 email: wesplan@telus.net

Bhaskaran Singh (Lavinia Gaucher)

May 22, 2007

360 Gertsenar Road, Kelowna, BC

Lot B Section 22 Twp 6 District ODDO



**Wesplan Building Design Inc.**

102 Elm Street, Penticton, B.C. V2A 4L5 Canada  
Telephone (250) 493-0942 Fax (250) 493-7526

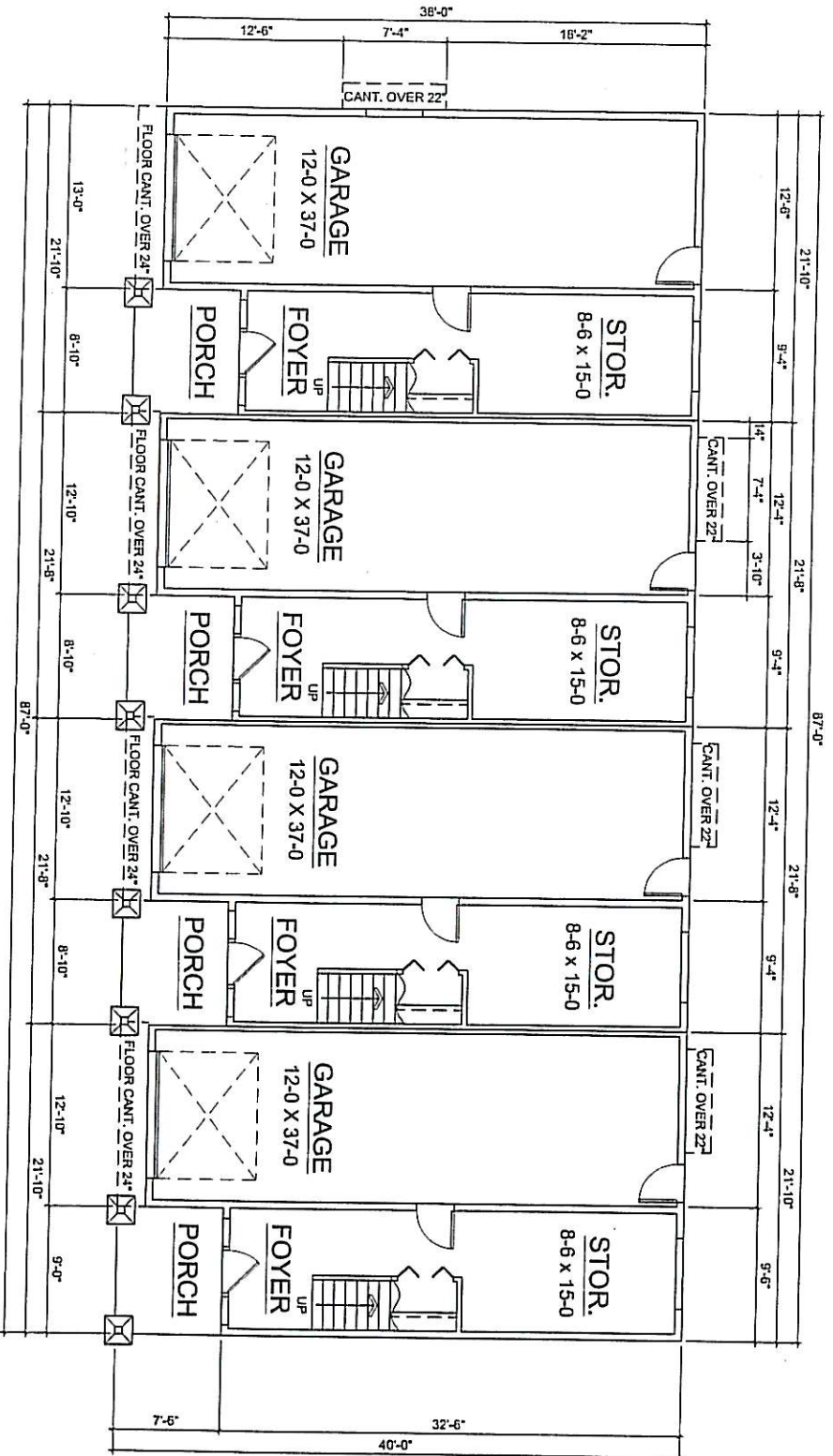
Plan No.

**WP 5127**

Sheet

**A-4**

Main Floor



# **BASEMENT AND GARAGE PLAN** **SCALE: 1/8"=1'-0"**

## **Development Permit Plans**

Tony Giroux tel: 250-492-5638 email: wesplan@telus.net

Bhushan Singla (Layna Gaucher)

May 22, 2007

360 Gersmar Road, Kelowna, BC

Lot 8 Section 22 Twp 6 District OBYD



**Wesplan Building Design Inc.**

102 Bas Street, Penticton, B.C. V2A 4A5 Canada  
Telephone (250) 493-0942 Fax (250) 493-7526

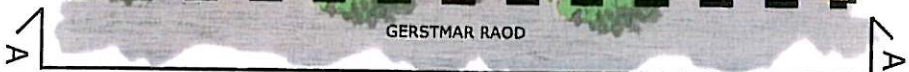
Plan No.

**WP 5127**

Sheet

**A-5**

Basement



LANDSCAPE PLAN

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

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**Date:** September 12, 2007  
**File No.:** Z07-0069  
**To:** Planning & Development Services Department (PMcV)  
**From:** Development Engineer Manager (SM)  
**Subject:** 360 Gerstmar Road – LOT B, PLAN 26069, Sec. 22, twp. 26. ODYD

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The Works & utilities Department comments and requirements regarding this application to rezone from RU-6 to RM1 are as follows:

1. Subdivision

- a) Provide easements as may be required.

2. Geotechnical Study.

A comprehensive Geotechnical Study is required, which is to be prepared by a Professional Engineer competent in the field of geotechnical engineering, the study is to address the following:

- Overall site suitability for development.
- Presence of ground water and/or springs.
- Presence of fill areas.
- Presence of swelling clays.
- Presence of sulphates.
- Potential site erosion.
- Provide specific requirements for footings and foundation construction.
- Provide specific construction design sections for roads and utilities over and above the City's current construction standards

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 Bylaws and policies requirements.

A watermeter is mandatory as well as a sewer credit meter to measure all the irrigation water. Watermeters 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.

The existing 100mm. sanitary sewer service may be adequate to serve the proposed development. Should a new service be required, the installation of the new service and the decommissioning of the existing will be at the applicant cost

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 facility 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.

Gerstmar Road must be upgraded to a full urban standard including a sidewalk curb and gutter, piped storm drainage system, fillet pavement, street lights, and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction. The cost of this frontage upgrade is estimated at **\$18,100.00** and is inclusive of a bonding escalation.

8. 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.

9. Design and Construction.

- a) 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. Drawings must conform to City standards and requirements.
- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must

first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

10. Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

11. DCC Credits.

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

12. Bonding and Levies Summary.

a) Performance Bonding

Tataryn Road frontage upgrade	<u>\$18,100.00</u>
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Note that the applicant is not required to do the construction. The construction can be deferred and the City will initiate the work later at its own construction schedule, the cost would be reduced to **\$15,700.00**.

b) levies

Specified Area charges (1 duplex lot)	<u>N/A</u>
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Steve Muenz, P.Eng.  
Development Engineering Manager

May 24, 2007

ATTN: Planning Department  
City of Kelowna

To whom it may concern:

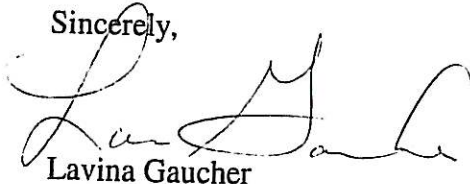
**RE: REZONING AND DEVELOPMENT PROPOSAL @ 360 GERTSMAR ROAD**

I can see by the OCP the City's desire to increase density on Gertsmar Road. The City's work on roads, sewers, the general clean-up of undesirable structures and the addition of new higher density sites in the area; I can and do appreciate this initiative and I am also greatly improving this property and adding something better to the area. I originally looked at this property as a duplex but it became obvious this parcel of land allows for a much better use.

The urbanization of this lot allows for four families to live in a clean, modern space that includes a two-car garage and two bedrooms for young families. We provided adequate storage to encourage a "tidy appearance" and provided a green space for private back yards to relay a sense of "home". We used a stone and hardy plank exterior with modern, yet enduring colors to show a handsome exterior.

The economies of the scale of these units of approximately 1200 square feet allows for an affordable retail price of \$330,000-345,000. and thus is a sound addition to this area of desirability with the change and growth occurring.

Sincerely,



Lavina Gaucher