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# CITY OF KELOWNA

## MEMORANDUM

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**Date:** May 1, 2009  
**To:** City Manager  
**From:** Community Sustainability Division

**APPLICATION NO.** Z09-0007/OCP09-0001      **OWNER:** 0720229 BC Ltd.

**ADDRESS:** 245 Briarwood Road      **APPLICANT:** Troika Developments Inc.

**PURPOSE:** TO AMEND THE OCP FUTURE LAND USE DESIGNATION OF THE SUBJECT PROPERTY FROM MULTIPLE UNIT RESIDENTIAL (LOW DENSITY) TO MULTIPLE UNIT RESIDENTIAL (MEDIUM DENSITY).

TO REZONE THE SUBJECT PROPERTIES FROM THE RM3 – LOW DENSITY MULTIPLE HOUSING ZONE TO THE RM5 – MEDIUM DENSITY MULTIPLE HOUSING ZONE.

**EXISTING OCP DESIGNATION:** Multiple Unit Residential (Low Density)

**PROPOSED OCP DESIGNATION:** Multiple Unit Residential (Medium Density)

**EXISTING ZONE:** RM3 – Low Density Multiple Housing

**PROPOSED ZONE:** RM5 – Medium Density Multiple Housing

**REPORT PREPARED BY:** Luke Turri

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### 1.0 RECOMMENDATION

THAT OCP Bylaw Amendment No. OCP09-0001 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 26, Township 26, ODYD, Plan 20270, located at 245 Briarwood Road, Kelowna, BC, 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 the Community Sustainability Division, dated May 1, 2009, be considered by Council;

AND THAT Rezoning Application No. Z09-0007 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, Section 26, Township 26, ODYD, Plan 20270, located at 245 Briarwood Road, Kelowna, BC, from the RM3 – Low Density Multiple Housing zone to the RM5 – Medium Density Multiple Housing zone be considered by Council;

AND THAT Council forward Bylaw No. 10200 authorizing a Housing Agreement between the City of Kelowna and 0720229 BC LTD (Troika Developments), which requires the owners to designate 8 *affordable rental dwelling units* on Lot 3, Section 26, ODYD, Plan 22581, located at 215 Briarwood Road, Kelowna, B.C., for reading consideration.

AND THAT Council considers the Advisory Planning Commission public process to be appropriate consultation for the purpose of Section 879 of the Local Government Act, as outlined in the report of the Land Use Management Department dated May 1, 2009;

AND THAT the OCP Bylaw Amendment No. OCP09-0001 and the 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 & Development Variance Permit on the subject property.

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of Rutland Water Works and the Development Engineering Branch being completed to their satisfaction.

## **2.0 SUMMARY**

The applicant is proposing a 67-unit rental apartment project, with a one storey parkade below grade. The application requires both an OCP amendment from Multiple Unit Residential (Low Density) to Multiple Unit Residential (Medium Density), as well as a zoning amendment from RM3 – Low Density Multiple Housing to RM5 – Medium Density Multiple Housing.

Should the land use be supported, the proposal also seeks a Development Permit to approve the form and character of the 67-unit project. In order to develop the site as planned, the applicant has requested a Development Variance Permit to relax the Zoning Bylaw requirements for parking and private open space, be considered at a later date.

## **3.0 ADVISORY PLANNING COMMISSION**

The above noted application was reviewed by the Advisory Planning Commission at the meeting on March 3, 2009 and the following recommendations were passed:

THAT the Advisory Planning Commission support Official Community Plan Bylaw Amendment Application No. OCP09-0001, for 245 Briarwood Road, Lot B, Plan 20270, Sec. 26, Twp. 26, ODYD by Troika Developments Inc. (0720229 BC Ltd.), to amend the Official Community Plan future land use designation of the subject property from "Multiple Unit Residential (Low Density)" to "Multiple Unit Residential (Medium Density)".

THAT the Advisory Planning Commission support Rezoning Application No. Z09-0007, for 245 Briarwood Road, Lot B, Plan 20270, Sec. 26, Twp. 26, ODYD by Troika Developments Inc. (0720229 BC Ltd.), to rezone the subject property from the RM3 – Low Density Multiple Housing zone to the RM5 – Medium Density Multiple Housing zone.

## **4.0 BACKGROUND**

An 11-unit apartment building currently exists on the subject property, with a large amount of open space to the south to accommodate the former septic system.

### **4.1 The Proposal**

A 67-unit apartment project, with parkade below grade, is proposed on the subject property. Of the 67 units, 7 are to be bachelor units, 26 are to be one-bedroom units, and 34 are to be two-bedroom units. The applicant's goal is to offer more affordable rental housing in the area.

As the project includes an amendment to the Official Community Plan, the applicant has committed to providing affordable rental units on an adjacent rental building which they also own, and will be secured through a modified Housing Agreement with the City.

The project is contemporary in design, with four storey wood frame construction including private balconies for each unit. The flat roof design includes a mix of vinyl siding, corrugated metal

cladding and painted concrete, with black metal window and balcony trims. The main entrance would be provided along Briarwood near the northwest corner of the site, adjacent to the parking garage drive aisle. The variances requested include both the required private open space and parking requirements as shown in the zoning table below.

The application compares with the requirements of the RM5 – Medium Density Multiple Housing zone (with identified variances) as shown in the following table.

<b>Zoning Bylaw No. 8000</b>		
<b>Criteria</b>	<b>Proposed</b>	<b>RM5 Zone Requirements</b>
<b>Subdivision Regulations</b>		
Site Width	41.76 m	30.0 m
Site Depth	82.3 m	35.0 m
Site Area	3,428 m <sup>2</sup>	1400 m <sup>2</sup>
<b>Development Regulations</b>		
Floor Area Ratio (FAR)	1.31	1.366
Site Coverage (buildings)	40%	40%
Site Coverage (buildings, driveways, and parking)	58%	60%
Height	13.7m and 4 storeys	Lesser of 16.5 m or 4 storeys
Front yard	6.0 m	6.0 m
Side yard (west)	7.5m	7.5m
Side yard (east)	7.5m	7.5m
Rear yard (south)	9.0m	9.0m
<b>Other Regulations</b>		
Private Open Space ①	777.8 m <sup>2</sup>	7.5 m <sup>2</sup> per bachelor unit, 15 m <sup>2</sup> per one-bedroom unit, 25 m <sup>2</sup> per unit above one-bedroom Total = 1293 m <sup>2</sup>
Vehicle Parking ②	80 stalls	1 stall per bachelor unit, 1.25 stalls per one-bedroom unit, 1.5 stalls per two-bedroom unit Total = 91 stalls
Bicycle Parking	48 stalls provided	Class I – 0.5 per dwelling unit Class II – 0.1 per dwelling unit Total = 34 Class I, 7 Class II

① Indicates a required variance to the Zoning Bylaw for Private Open Space.

② Indicates a required variance to the Zoning Bylaw for Vehicle Parking.

4.2 Site Context

The subject property is located off Rutland Road North, between Hardie and Mugford Road. The property is near the northern boundary of the Rutland Town Centre, and in close proximity to Rutland Elementary, Middle and Secondary Schools. Land use and density in the vicinity are varied—generally, higher densities are present to the east, while low densities are present to the north and west. Specifically, the adjacent land uses are as follows:

North	RM3 - Low Density Multiple Housing & RU1 – Large Lot Housing
East	RM3 - Low Density Multiple Housing
South	RU1 – Large Lot Housing
West	RM3 - Low Density Multiple Housing & RU1 – Large Lot Housing

4.3 Site Location Map

Subject Property: 245 Briarwood Road



5.0 **CURRENT DEVELOPMENT POLICIES**

Staff recommends that the APC public process should be considered appropriate consultation for the purpose of Section 879 of the *Local Government Act*, and that the process is sufficiently early and does not need to be further ongoing in this case. Furthermore, additional consultation with the Regional District of Central Okanagan is not required in this case.

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

OCP09-0001

The subject property is designated as Multiple Unit Residential (Low Density) in the OCP and as such the proposed use of this site would not be in compliance. However, the OCP supports the

sensitive infill of increased density in all areas of the City. The OCP also provides for the potential to increase the density where there is an affordable housing component. In this regard, the applicant has agreed to provide eight (8) affordable rental units in an adjacent rental building.

#### 5.1 Kelowna Official Community Plan

The future land use designation for the subject property identified in the Official Community Plan is Multiple unit Residential (Low Density). Though the proposal is not consistent with this designation, Section 8 of the Official Community Plan provides the following policy guidance for applicants requesting rezoning to higher densities than designated on the Future Land Use Map:

*Rezoning to Higher Densities. Consider supporting an OCP amendment and rezoning application for residential densities greater than those provided for on the Generalized Future Land Use Map 19.1 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); and*
- \* Appropriately designated sites can be proven to be functionally unsuitable for the proposed housing; and*
- Supporting infrastructure is sufficient to accommodate the proposed development (or the developer is prepared to upgrade the necessary infrastructure); and*
- 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); and*
- \* 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 (Where the property being proposed for redevelopment is large, consideration may be given to providing greater heights at the centre of the property provided that the new building is sensitively integrated with the surrounding neighbourhood); and*
- \* Approval of the project will not destabilize the surrounding neighbourhood or threaten viability of existing neighbourhood facilities (e.g. schools, commercial operations etc.).*

*\* (See applicant's rationale letter dated April 17/09, attached)*

Arguably, the project meets most of the requirements outlined in the City of Kelowna's Official Community Plan. The OCP also contains the following objectives for context and design for new multiple family developments:

#### Objectives for Multiple Unit Residential Development

- *All development should be an appropriate response to its physical context, or anticipated future context where an area is designated for increased density or land use transition in the OCP.*
- *All development within Urban Centres and Village Centres should contribute to the creation of pedestrian-oriented streets and public spaces (connections, social interaction).*
- *All development should contribute to a sense of community identity and sense of place (integration of development within larger community, belonging, community cohesiveness).*
- *All development should facilitate access by, and minimize conflicts among pedestrian, bicycle, and vehicular modes of transportation (access, mobility).*
- *All development should promote safety and security of persons and property within the urban environment (CPTED).he proposal is consistent with the future land use designation of Multiple Unit Residential (Medium Density) in the Official Community Plan. This designation is designed for apartment and town-home development within the RM4 and RM5 zones.*

## 6.0 TECHNICAL COMMENTS

### 6.1 Development Engineering Branch

See attached.

### 6.2 Fire Department

Engineered fire flows are required to determine if existing hydrants/fire flows are adequate and if additional hydrants/fire flows are required. A letter of conformation from the Water District is needed for your files that the required fire flows for the building can be achieved. Fire protection information not provided. Recommend "hold open" devices for all fire doors. Detailed building code analysis (detail equivalencies, if any) required for proposed building at permit stage; to include exiting, fire protection information, occupancy class, building height, construction type, among other things. A required hydrant is to have 45 meters clear access to the fire department connection.

### 6.3 Irrigation District (Rutland Water District)

RWD acknowledges receipt of a proposal for development. Our engineer, Jody Good of Mould Engineering Kelowna, will be requested to review plans as submitted to determine requirements for fire flows, domestic connection details, Capital Expenditure Charges (CEC) water system upgrades (as required) and an estimate these costs on these initial plans. A \$2000 deposit is required for this initial engineering review. Please note that works will be undertaken upon receipt of payment for the enclosed invoice. For your information any determined CEC will be due to RWD at the building permit stage. Further all bylaws and regulations of RWD must be adhered to for the commitment of water service to this property.

### 6.4 Ministry of Transportation

Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the Transportation Act.

## 7.0 LAND USE MANAGEMENT DEPARTMENT

The subject property is located in good proximity to urban amenities, schools, transit and recreational facilities, making it a strong candidate for rental housing accommodation. The neighbourhood is comprised of predominantly older townhouse and row house developments that currently provide quite affordable housing within the Rutland area.

The OCP does provide the opportunity to consider the potential re-designation of lands to a higher density (OCP Policy 8.1.31) where a portion of the proposed units are for affordable housing guaranteed through a housing agreement and subject to mitigation of other impacts as noted within the policy section above. The applicant has provided a written summary of justification for these factors which is attached to this report. The OCP currently identifies some Multiple Unit Residential (Low Density) in the surrounding area, including Mugford Court, Laurel Road, and Stadler Road.

The proposal would provide approximately 67 units of rental accommodation, which is a large increase in the current supply. While it is recognized that the provision of rental accommodation is of critical need, those rental units will not be as affordable as the existing 11 units. It is important to balance the need for new rental housing units with the need for very affordable rental housing units. New developments seeking an increase in density while removing existing affordable units, must be analyzed in this manner.

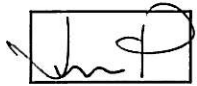
Through a formalized Housing Agreement, the applicant has committed to providing eight affordable rental units (4-one bedroom, 4-two bedroom) in the adjacent rental building to the west, which shares the same owner as the subject property. While this proposed housing agreement is not congruent with the recently adopted Council Policy (#345) regarding increased density from OCP amendments, the application was in-stream prior to the date of initial adoption of the policy. In addition, as the project is rental and not market-based, it creates a challenging scenario in attempting to provide affordable units while still maintaining a viable project. Staff feel that securing

units in the adjacent building is a creative solution which serves the objective of providing units on-site, while allowing the project to retain its feasibility.

Although there is concern that a project of this scale may de-stabilize the surrounding neighbourhood and place undue redevelopment pressure on nearby properties, the need for adequate rental units continues to be an issue, and the location of this proposal has many merits. It is on this premise that the Land Use Management Department is forwarding the application to Council with a positive recommendation.

Staff continue to work with the applicant in addressing form & character comments and design recommendations. Should Council look favourably upon the OCP Amendment and Zoning Amendment applications, the Development Permit and Development Variance Permit applications would be presented to Council at a later date.

  
F/ Shelley Gambacort  
Director, Land Use Management

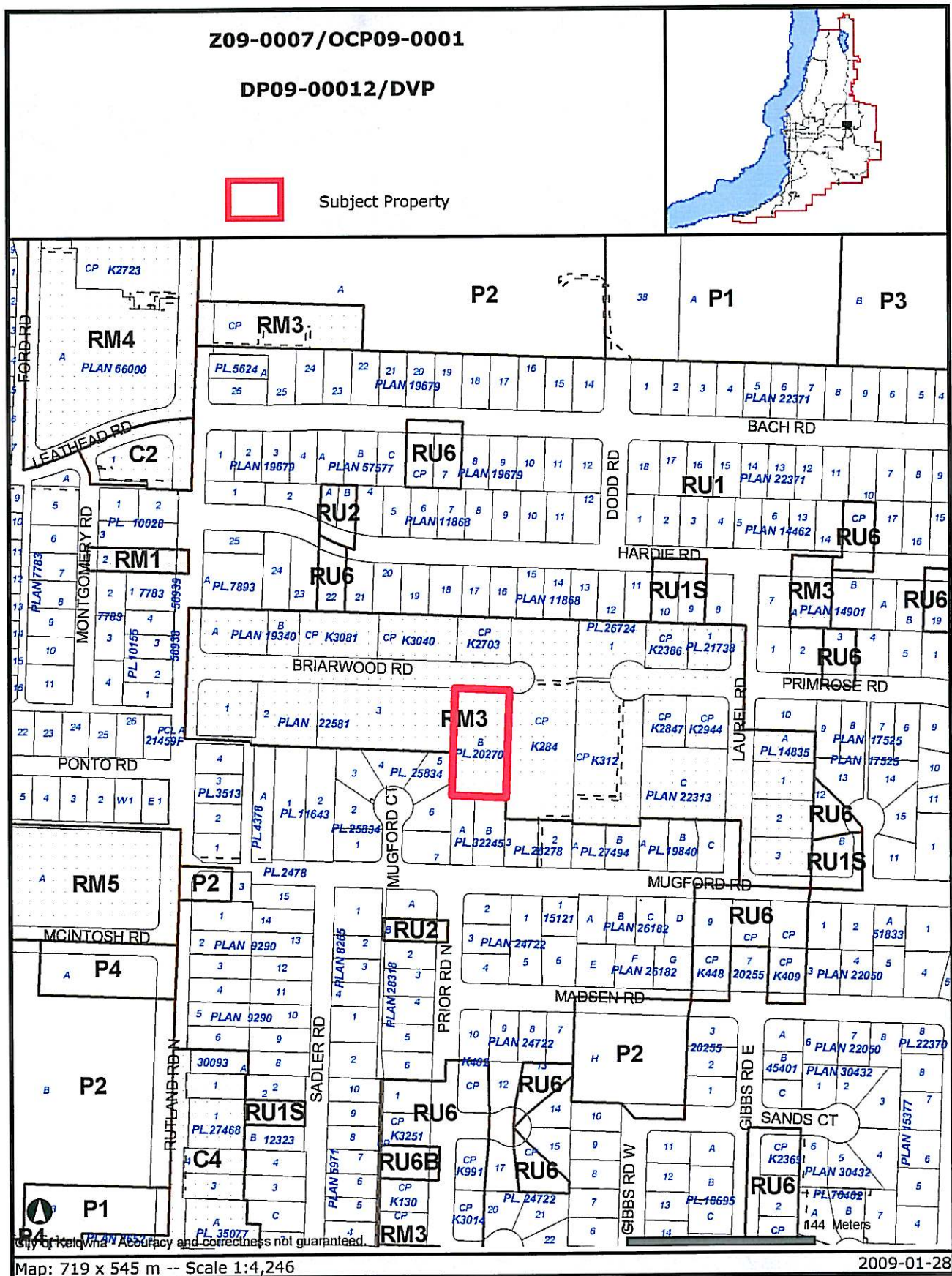
Approved for inclusion   
Jim Paterson  
General Manager, Community Sustainability

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**ATTACHMENTS**

- Subject Property Map
- Map "A" – Proposed OCP Amendment
- Site Plan/Elevations/Perspective Renderings (4 pages)
- Development Engineering Branch Requirements (3 pages)
- Rezoning to Higher Density Rationale Regarding OCP Policy 8.31 - Troika Developments (3 pages)

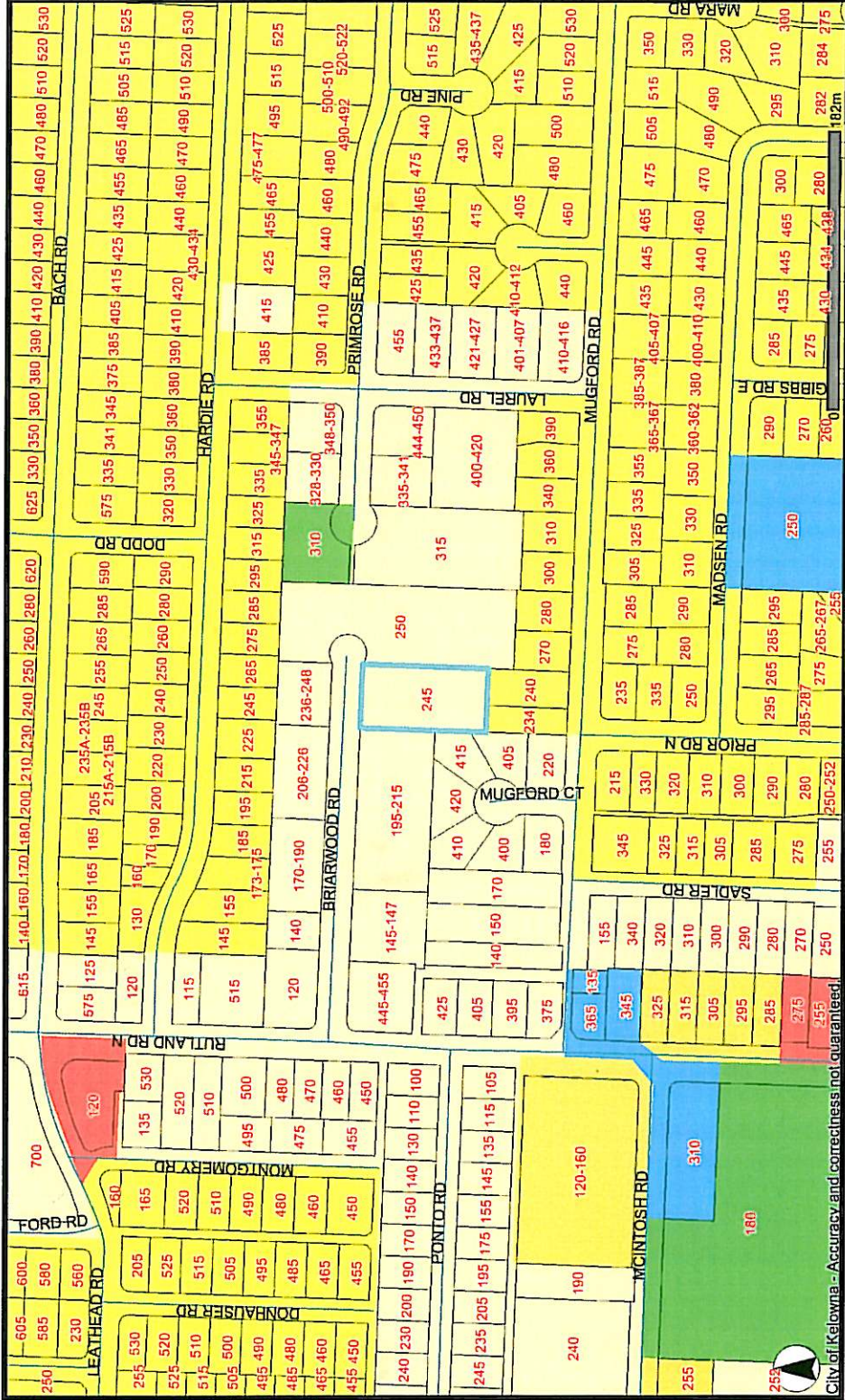




Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
 The City of Kelowna does not guarantee its accuracy. All information should be verified.



# MAP "A" - OCP09-0001 - 245 Briarwood Road



- 52RES - Single/Two Unit Residential
- MRC - Multiple Unit Residential - Cluster Housing
- MRL - Multiple Unit Residential - Low Density
- MRM - Multiple Unit Residential - Medium Density
- MRH - Multiple Unit Residential - High Density
- COMM - Commercial
- EDINST - Educational/Major Institutional
- PSU - Public Services/Utilities
- IND - Industrial
- PARK - Major Park/Open Space (public or private)

Portion of Subject Properties to have Future Land Use designation changed from "MULTIPLE UNIT RESIDENTIAL (LOW DENSITY)" to "MULTIPLE UNIT RESIDENTIAL (MEDIUM DENSITY)"





**PERSPECTIVE FROM NORTH WEST**  
SCALE: NTS



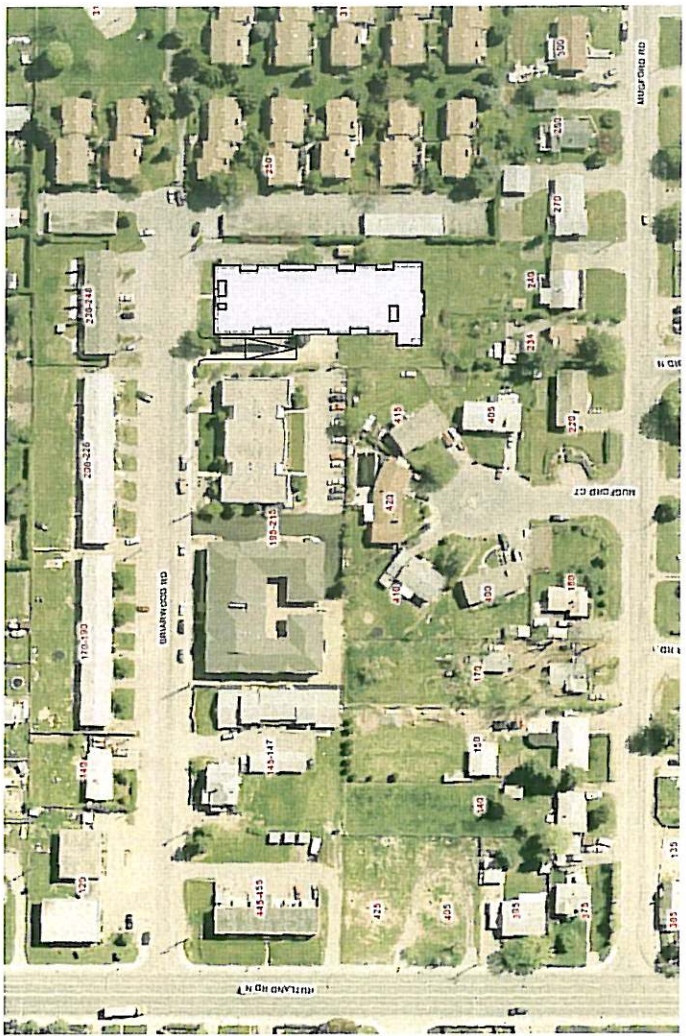
**PERSPECTIVE FROM SOUTH WEST**  
SCALE: NTS



**VIEW FROM COURTYARD**  
SCALE: NTS



**PHOTOMONTAGE - VIEW FROM STREET, SHOWING ADJACENT BUILDINGS**  
SCALE: NTS



**ORTHO PHOTO**  
SCALE 1:750



Architectural rendering is for informational purposes only. It is not a contract document. The actual construction may vary from the rendering. The rendering is not to be used for any other purpose without the written consent of the architect.

NOT FOR CONSTRUCTION

REVISIONS

PROJECT

2. SINGLE PHASE DEVELOPMENT  
1. SINGLE PHASE DEVELOPMENT FRAME

**BRIARWOOD**  
245 BRIARWOOD ROAD  
KELOWNA, B.C. V1X-2G4

**NEW TOWN**  
ARCHITECTURAL  
1 1 N. E.

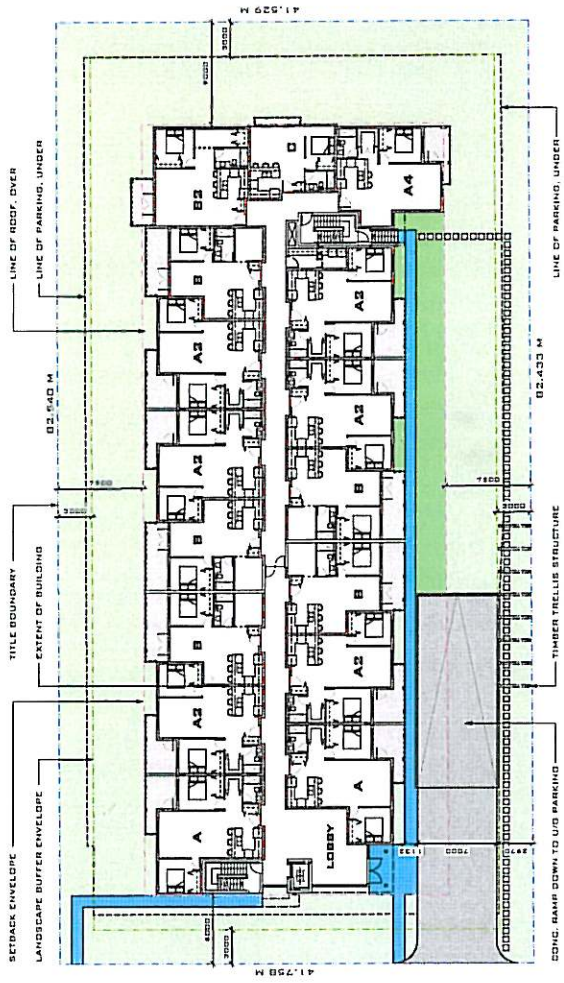
1000 Kingsway Street Kelowna, B.C. V1Y 7Y7  
604-860-4410 • Fax: 604-860-4411  
www.newtownarchitectural.com

PROJECT NO.	2102
SHEET TITLE	PERSP, PHOTO
PROJECT DATE	20-10-2018
DESIGNER	NTS
CHECKED	NTS
SCALE	AS SHOWN
PROJECT NO.	2102
PROJECT NAME	BRIARWOOD
SCALE	A5.0
PROJECT DATE	20-10-2018

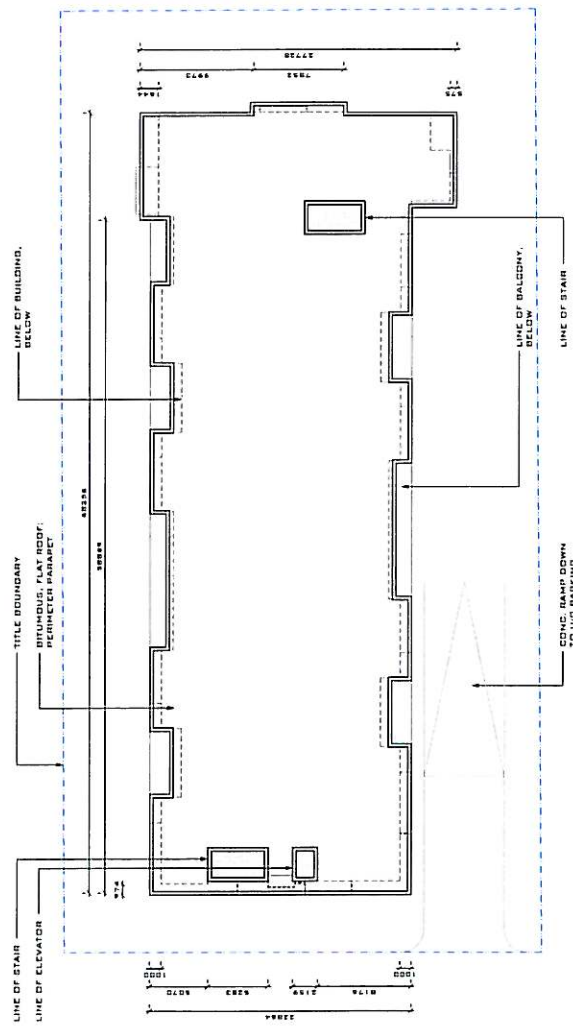
PERSP, PHOTO

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REFER TO LANDSCAPE PLAN FOR DETAILED LANDSCAPE PLAN REQUIREMENTS



**SITE PLAN**



**ROOF PLAN**



**BRIARWOOD**  
245 BRIARWOOD ROAD  
KELOWNA, B.C. V1X-2G4

**NEW TOWN ARCHITECTURAL**  
INC.

NEW TOWN ARCHITECTURAL INC. 111 111  
142 PARKWAY - 100-2488888  
kelowna - bc v1x-2g4  
info@newtownarchitectural.com

PROJECT NO: 112  
SHEET TITLE: SITE PLAN

DATE	BY	PROJECT NO.
2024	SM	112
SCALE	DATE	PROJECT NO.
A1:0	1:20	112

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SCALE CHANGED FROM 1/8" = 1'-0" TO 1/32" = 1'-0"

1. CONSULT REVENUE DEVELOPMENT  
2. CONSULT DEVELOPMENT PERMIT  
3. CONSULT INFORMATION  
4. CONSULT

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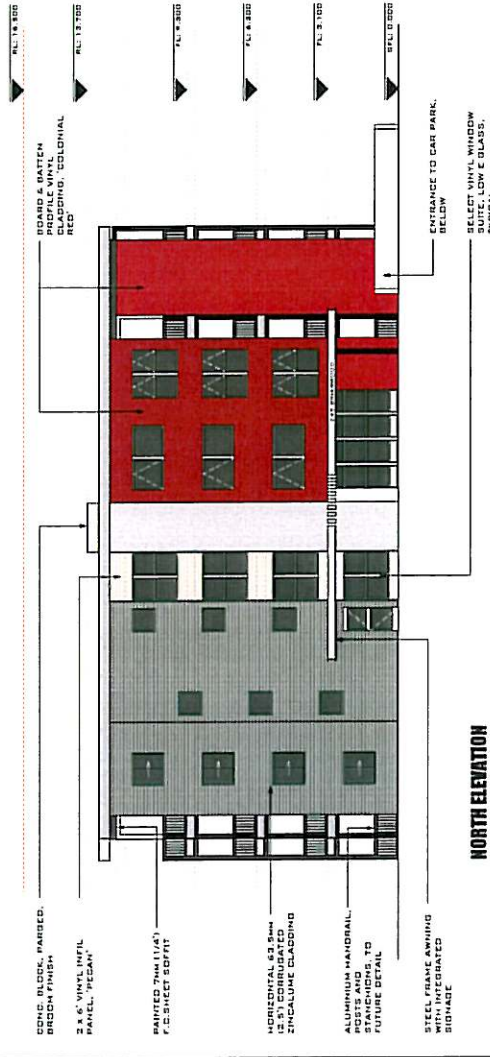
1. EXHIBIT A - DEVELOPMENT  
 2. EXHIBIT B - DEVELOPMENT  
 3. EXHIBIT C - DEVELOPMENT  
 4. EXHIBIT D - DEVELOPMENT

**BRIARWOOD**  
 245 BRIARWOOD ROAD  
 KELOWNA, B.C. V1X-2G4

**NEW TOWN ARCHITECTURAL**  
 1101 11th Street, Kelowna, B.C. V1Y 9P1  
 Tel: 250-860-1111 Fax: 250-860-1112  
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PROJECT No. 112  
 SHEET TITLE: ELEVATIONS  
 SHEET NO. 20-1008

DATE	BY	PROJECT NO.	SCALE
2018	SP	112	A3.0
2018	SP	112	A3.0
2018	SP	112	A3.0
2018	SP	112	A3.0



1. EXHIBIT A - DEVELOPMENT  
 2. EXHIBIT B - DEVELOPMENT  
 3. EXHIBIT C - DEVELOPMENT  
 4. EXHIBIT D - DEVELOPMENT

NOT FOR CONSTRUCTION

1. EXHIBIT A - DEVELOPMENT  
 2. EXHIBIT B - DEVELOPMENT  
 3. EXHIBIT C - DEVELOPMENT  
 4. EXHIBIT D - DEVELOPMENT

**BRIARWOOD**  
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PROJECT No. 112  
 SHEET TITLE: ELEVATIONS  
 SHEET NO. 20-1008

DATE	BY	PROJECT NO.	SCALE
2018	SP	112	A3.0
2018	SP	112	A3.0
2018	SP	112	A3.0
2018	SP	112	A3.0

NOT FOR CONSTRUCTION

2. FINISH DEVELOPMENT  
 3. FINISH DEVELOPMENT  
 PROJECT

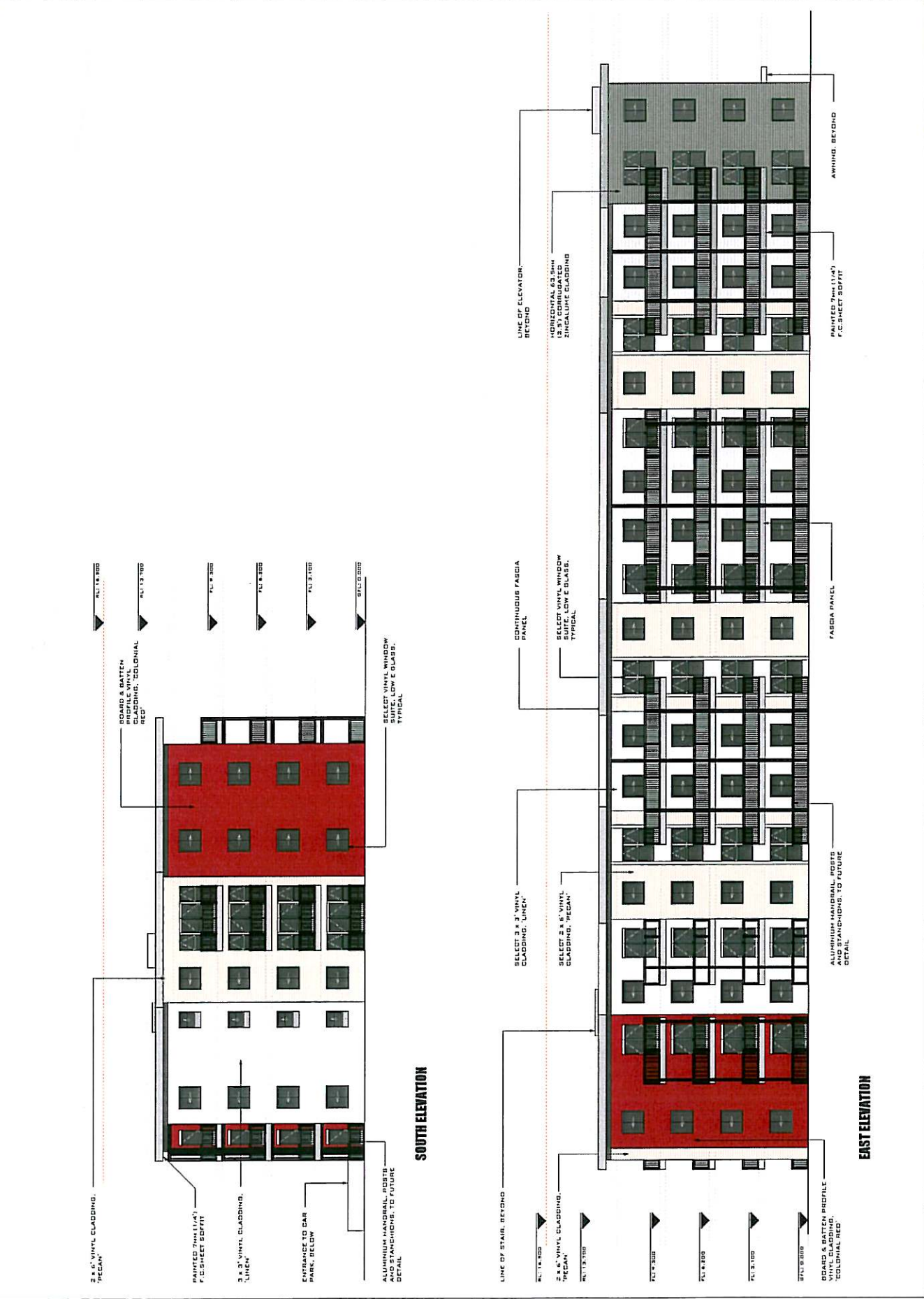
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NEW TOWN ARCHITECTURAL  
 1111 N. C. ST.  
 105 Kenny Street Kelowna, B.C. V1Y 4P1  
 250.868.8891 • www.newtownarchitectural.com

PROJECT No. 2112  
 DATE 2019.04.24  
 SHEET TITLE

ELEVATIONS

DATE 2019.04.24  
 SHEET No. A3.1



2 x 6" VINYL CLADDING, PECAN

PAINTED 7mm (1/4") F.C SHEET SOFFIT

3 x 3" VINYL CLADDING, LINCEN

ENTRANCE TO CAR PARK, BELOW

ALUMINUM HANDRAIL, POSTS AND STANDARDS, TO FUTURE SOCIAL

**SOUTH ELEVATION**

LINE OF STAIR, BEYOND

2 x 6" VINYL CLADDING, PECAN

3 x 3" VINYL CLADDING, LINCEN

3 x 3" VINYL CLADDING, LINCEN

3 x 3" VINYL CLADDING, LINCEN

BOARD & BATTEN PROFILE VINYL CLADDING, COLONIAL RED

**EAST ELEVATION**

CONTINUOUS FASCIA PANEL

SELECT VINYL WINDOW SUITE, LOW E GLASS, TYPICAL

LINE OF ELEVATION, BEYOND

HORIZONTAL 63.5mm (2 1/2") CORRUGATED STEEL CLADDING

PAINTED 7mm (1/4") F.C SHEET SOFFIT

ALUMINUM HANDRAIL, POSTS AND STANDARDS, TO FUTURE SOCIAL

FASCIA PANEL

AWNING, BEYOND

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

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**Date:** March 4, 2009  
**File No.:** Z09-0007  
**To:** Land Use Management Department (LT)  
**From:** Development Engineering Manager (SM)  
**Subject:** 245 Briarwood – Lot B, Plan, 20270, Section 26, Township 26, ODYD

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The Development Engineering requirements and comments pertaining to this application, to rezone the subject property from RM3 to RM5, are as follows:

1. General.

- a) Provide easements and right of ways as 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 sulfates.
- 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.

- a) 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.
- b) A single watermeter is mandatory as well as a sewer credit meter to measure all 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. Both buildings should be serviced from one common service.
- c) The applicant is required to submit a report addressing the available fire flow supply to adequately protect the proposed development in accordance with current fire protection standards.

#### 4. Sanitary Sewer.

- a) The subject property is located within Specified Area # 20 and is connected to the Municipal Wastewater collection system. A 150 mm. service complete with an inspection chamber at the property line has been installed and should be adequate to service the proposed development. Any modification to the service that may be required to accommodate the proposed development will be at the cost of the developer.
- b) The Sanitary sewer specified area charges for the existing 10 units have been cash commuted; therefore an equivalent units credit is available for the proposed development. The specified area charges are: 57 units (67 units less 10 units) x 0.5 factor x \$4,863.78 = **\$138,617.73** (valid until March 31, 2009).

#### 5. Storm drainage.

A comprehensive drainage site management plan and design to comply with the City's Drainage Design and Policy Manual, is a requirement of this application.

#### 6. Road improvements.

Briarwood Road frontage is to be widened and upgraded to a full urban standard which includes the design and construction of type I curb, gutter and monolithic sidewalk (SS-R5 standard), fillet paving, storm drainage works, street lighting, line painting, landscaped boulevard with irrigation and approved trees, and the removal and/or the relocation of utilities as may be required. The estimated cost for this work is **\$35,200.00**, inclusive of a bonding escalation and exclusive of any utilities relocation.

#### 7. Traffic issues.

A minor Traffic Impact Study addressing the effects of the additional traffic generated by the proposed development at the uncontrolled intersection of Briarwood Road and Rutland Road North is a requirement of this application. The applicant is required to discuss the scope and terms of reference for the study with the City of Kelowna traffic and transportation engineering branch.

#### 8. Power and Telecommunication Services.

Briarwood is located within the Rutland Urban Town Centre which requires underground wiring as per current policies. It should be noted that the area is currently serviced with overhead wiring and the utilities companies have previously expressed that it would be preferable to keep the main feeding lines, running parallel with the road, overhead at this time. It is recommended that, based on the adjacent precedent, only the services to this new development be installed underground.

#### 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. 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.

#### 11. 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.

#### 12. Bonding and Levies Summary.

a) Performance Bonding	
Briarwood Road upgrading	<b><u>\$ 32,500.00</u></b>
b) Levies	
Sanitary Spec. Area charges (valid until March 31, 2009).	<b>\$138,617.73</b>
Administration and Inspection fee (incl. GST)	<b><u>\$ 834.60</u></b>
Total Levies	<b><u><u>\$139,452.33</u></u></b>

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 Steve Muenz, P. Eng.  
 Development Engineering Manager





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April 17, 2009

245 Briarwood Road: Rezoning to Higher Density Rational Regarding OCP Policy 8.31

**The project 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 use designations assigned to adjacent parcels (Where the property being proposed for redevelopment is large, consideration may be given to providing greater heights at the centre of the property provided that the new building is sensitively integrated with the surrounding neighbourhood); and**

Proposed height is 13.7 meters approximately 3 meters under the allowable height within the RM5 zone

Adjacent building located at 195 Briarwood Road is 2 ½ stories with an elevated under building parkade which places the proposed building 245 Briarwood less than one full storey above the neighbouring property.

195 Briarwood is approximately 11.9 meters from grade to roof peak, placing the proposed building at 245 Briarwood approximately only 1.8 meters above the current building. As a storey is generally between 3.8 and 4.2 meters the proposed building height is significantly less than a full storey in height above the adjacent property.

Inorder to reduce overall height the proposed project utilizes a flat roof design. Although flat roofs are substantially more expensive it was felt this type of design would help decrease height impacts.

**Approval of the project not destabilize the surrounding neighbourhood or threaten viability of existing neighbourhood facilities (e.g. schools, commercial operations etc.).**

Proposed development is an infill project within a town center which follows the cities identified area for increased densities

Neighboring properties benefit from the increased set back requirements under the RM5 zone. If developed under RM3 guidelines the building would sit 3m closer to the adjacent properties and 1.5m closer to the rear properties. Hence an increased buffer and landscaping area is provided under the RM5 guidelines, allowing neighbouring properties to maintain a sense of privacy.

Increased density will help support local schools, and businesses

Development team met with the Uptown Rutland Business Association to gain project feedback and to ensure their goals were being met for the area

Troika has already begun relocating current residents of 245 Briarwood to adjacent buildings located at 195 and 215 Briarwood. This opportunity will be made available to all current residents to ensure no one is displaced.

A community open house was held in which over 500 letters were sent to the surrounding area to ensure residents were provided a chance to critique and voice project suggestions.

All building parking including visitor is provided in the underground parkade this minimizes on street parking impacts

Proposed project will dramatically increase the affordable rental stock which is in dire need as the vacancy rate currently sits below 1%

Substantial economic stimulus will be provided to the area with the creation of over 150 direct and indirect jobs

In order to retain the optimum privacy for the single family homes to the south, Troika will meet with the landowners and create fencing or landscaping that best suite their privacy needs.

The properties to the south are identified in the OCP as residential low density. Due to this designation it can be assumed that multifamily residential construction will take place on these lots sometime in the future. Furthermore, as these properties are currently surrounded by older multifamily apartment and town home structures, the development of this building will not have an impact on adjacent land values.

This project will not increase development speculation in the area as the requirements of this project to receive staff and council support are unique. Any developer looking to amend the OCP in this area would analyze the requirements of this project before submitting an application. The requirements of future applications to gain support would be similar to those of this project which is very difficult execute and would deter most developers.

The building will have an onsite building manager as well as a resident social coordinator. The role of the social coordinator is to plan community events for the building and the neighbourhood, so that residents have the opportunity to meet each other. This program seeks to create a community and act as crime prevention initiative.