



#### 4.0 BACKGROUND:

The existing use of the subject property is a single family dwelling.

#### 4.1 Proposal

The applicant is requesting to rezone the subject property to the RM3 - Low Density Multiple Housing zone, which is consistent with the Official Community Plan Future Land Use Designation for the subject property (Multiple Unit Residential - Low Density). This zoning would facilitate a proposed 13-unit townhome development.

A single L-shaped driveway from Gerstmar Road would give access to each unit. Two parking stalls are provided per unit with individual driveways leading to a single-car garage. The site plan incorporates 13 ground-orientated, semi-detached townhomes, including a four-unit and a five-unit building running perpendicular to Gerstmar Road, with an additional four-unit building orientated parallel to Gerstmar at the rear of the property. Eight units are designated as 3-bedroom and five as 2-bedroom with den. Each dwelling would have a full basement below the main floor.

Should Council give favourable consideration to the zone amendment application, a Development Permit and Development Variance Permit would be presented at a later date. The variance requested is for site coverage inclusive of paved areas (54% where 50% is permitted).

The application meets the requirements of Zoning Bylaw No. 8000 as follows (with variance noted):

Criteria	Proposal	RM3 Zone Requirements
<b>Existing Lot</b>		
Site Area (m <sup>2</sup> )	3539m <sup>2</sup>	900m <sup>2</sup>
Site Width (m)	36.58m	30.0m
Site Depth (m)	96.74m	30.0m
<b>Development Regulations</b>		
Site Coverage (%) [buildings]	27.25%	40%
Site Coverage (%) [including driveways/parking]	54.1% ①	50%
F.A.R.	0.595	0.5 (+ 0.2 for screened parking)= 0.7 FAR
Height (m)	6.477m	9.5m
Storeys (#)	2.0 storeys	2.5 storeys
<b>Required Setbacks</b>		
Front (Gerstmar Rd)	4.57m	4.5m
Rear (east)	7.62m	7.5m
Side (north)	6.65m	4.5m
Side (south)	6.1m	4.5m
<b>Other Regulations</b>		
Private Open Space	40m <sup>2</sup> per unit	$\frac{13 \text{ units} \times 25 \text{ m}^2}{\text{Total: } 325 \text{ m}^2}$
Parking Spaces (#)	26 spaces	$\frac{8 \text{ units} \times 3 \text{ bedroom (2 spaces)}}{5 \text{ units} \times 2 \text{ bedroom (1.5 spaces)}} \\ \text{Total: } 24 \text{ spaces}$
① Indicates a variance to total permitted site coverage from 50% to 54.1% proposed.		

## 4.2 Site Context

The subject property is located in the South Rutland area, west of the Rutland Urban Centre boundary. The surrounding area includes a variety of residential uses.

Specifically, the adjacent zones and uses are as follows:

Orientation	Zoning	Land Use
North	RU6 - Two Dwelling Housing RM3 - Low Density Multiple Housing	Duplex Housing Congregate Housing
East	RM3 - Low Density Multiple Housing	Townhomes
South	RM3 - Low Density Multiple Housing	Townhomes
West	RU1 - Large Lot Housing	Single Family Housing

## 4.3 Site Location Map

Subject property: 335 Gerstmar Road



## 5.0 CURRENT DEVELOPMENT POLICY:

### 5.1 Proposed Zone (RM3 - Low Density Multiple Housing)

The purpose is to provide a zone for low density multiple housing on urban services.

### 5.2 Official Community Plan (OCP)

**Infrastructure Availability.**<sup>1</sup> Give preference to supporting new housing in areas where required services already exist or can be provided most economically and efficiently.

**Density Profile.**<sup>2</sup> Support a land use approach where residential densities increase as proximity to the core of Urban Centres increases, as shown on Future Land Use Map 19.1.

<sup>1</sup> OCP Policy 8.1.30

<sup>2</sup> OCP Policy 8.1.33

**Ground-Oriented Housing.**<sup>3</sup> Encourage the development of ground-oriented multiple unit housing as an affordable housing choice for the rental or ownership markets, including families with children, in those areas where Map 19.1 indicates necessary densities as being appropriate. Ground oriented housing is defined as housing where each dwelling unit has direct access to the unit and private open space at grade level.

**Family Housing.**<sup>4</sup> Encourage family-oriented townhouses or apartment housing, and work to achieve some family housing that conforms to the City’s definitions of affordability (see 8.1.16), especially within, and in proximity to, Urban Centre areas.

**6.0 TECHNICAL COMMENTS:**

**6.1 Development Engineering Branch**

See attached.

**6.2 Fire Department**

No parking signs are to be provide along the 6M access road. The complex requires 150 ltr/sec fire flow as per the City of Kelowna Subdivision Bylaw #7900.


**6.3 Rutland Waterworks District**


See attached.

**7.0 LAND USE MANAGEMENT DEPARTMENT:**

The proposed rezoning from the RU1 - Large Lot Housing zone to the RM3 - Low Density Multiple Housing zone is consistent with the Future Land Use Designation for the property and is appropriate given surrounding development both north and south of the site. Increased density is encouraged in this location, as the subject property is within walking distance to the Rutland Urban Centre and in close proximity to schools and park space. The application would provide attainable, ground-level, family orientated housing in the Rutland area.

Based on the above considerations, the Land Use Management Department is supportive of the rezoning application. Pending Council’s favourable consideration, further discussion on the form and character of the proposed building and the variance being sought would be heard at a later date.

*for:*   
\_\_\_\_\_  
Danielle Noble  
Manager, Urban Land Use

Approved for inclusion:   
Shelley Gambacort  
Director, Land Use Management



<sup>3</sup> OCP Policy 8.1.38  
<sup>4</sup> OCP Policy 8.1.39

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**Attachments:**

Subject Property Map

Site Plan

Elevations (3 pages)

Landscape Plan

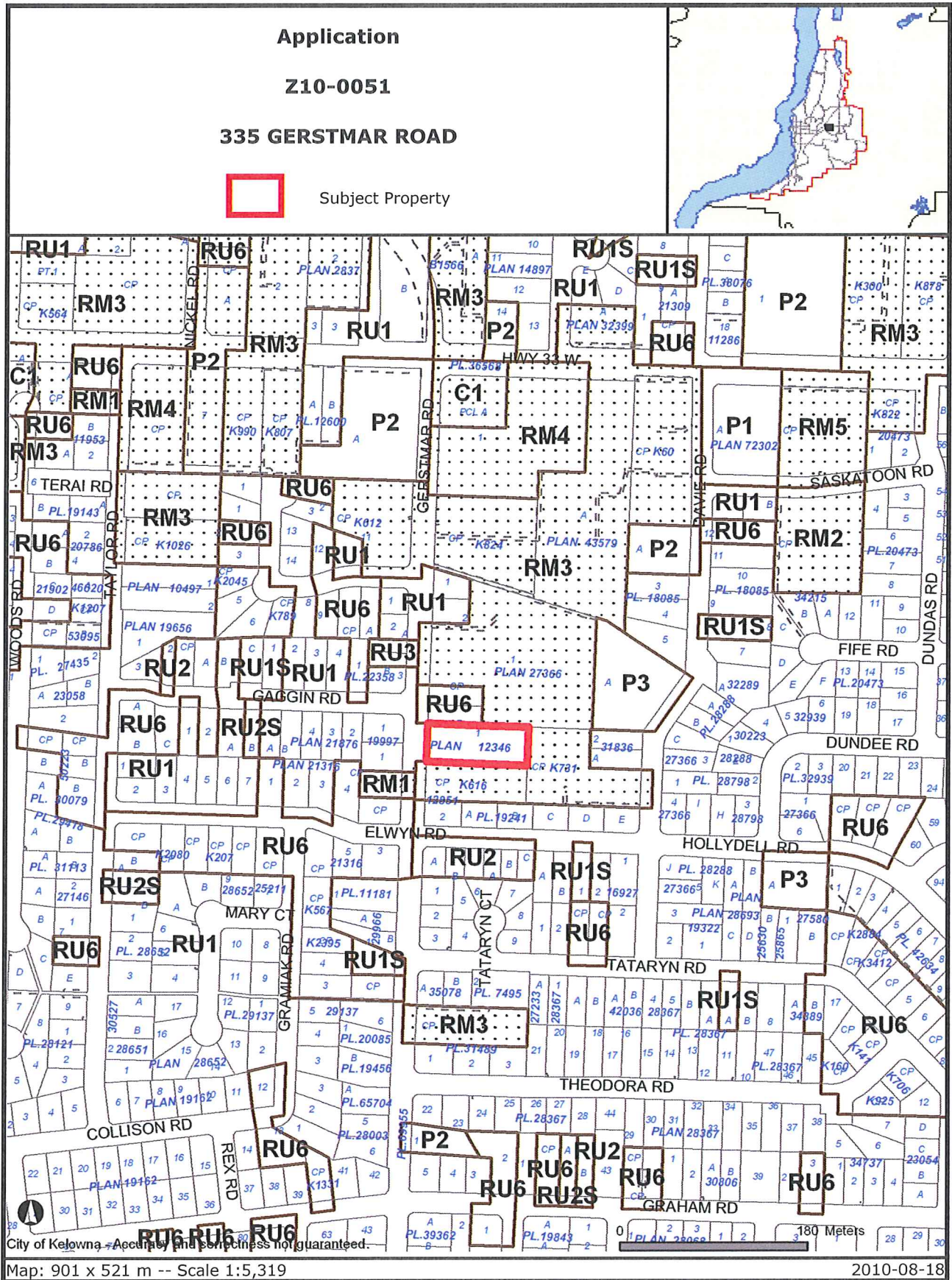
Development Engineering Branch Report

Rutland Waterworks District letter, dated June 7, 2010

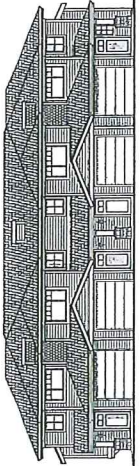
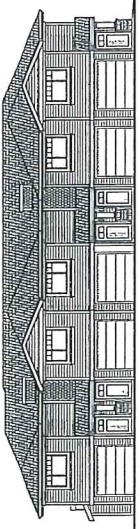
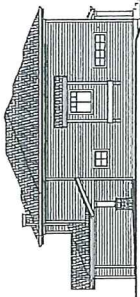
Date application accepted: June 1, 2010

APC meeting date: June 22, 2010

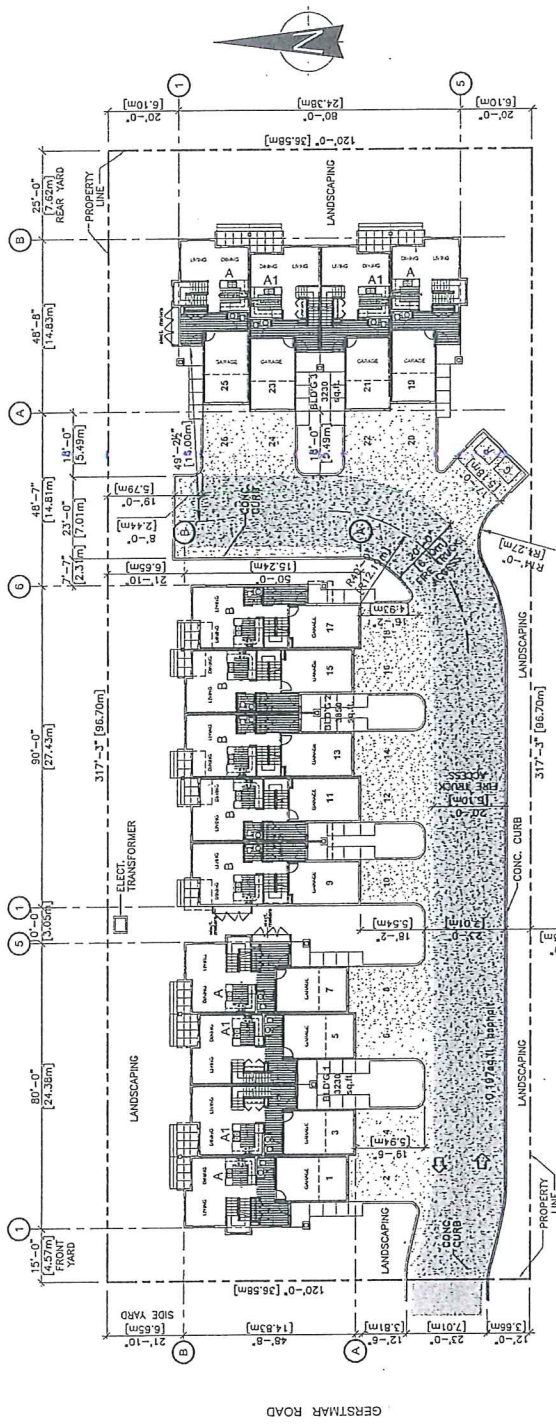
Circulation complete: August 10, 2010



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.



**SOUTH ELEVATION**  
SCALE: 3/32" = 1'-0"



**SITE PLAN**  
SCALE: 1/16" = 1'-0"

**PROJECT DATA**

SITE AREA	38,070 sq.ft. (3,566.7 sq.m.)
BUILDING 1 AREA	3,222 sq.ft.
BUILDING 2 AREA	3,742 sq.ft.
BUILDING 3 AREA	10,276 sq.ft.
TOTAL BUILDING AREA	17,240 sq.ft.

**SITE COVERAGE**

BUILDING SITE COVERAGE	10,376/38,070 = 27.25%
LANDSCAPING SITE COVERAGE	10,337/38,070 = 27.15%
TOTAL SITE COVERAGE	20,713/38,070 = 54.40%

**UNITS**

UNITS	# UNITS	AREA	TOTAL AREA
A - 3 BEDROOM	4	17,892 sq.ft.	71,568 sq.ft.
A1 - 3 BEDROOM	4	17,552 sq.ft.	70,208 sq.ft.
B - 2 BEDROOM + BATH	3	1,024 sq.ft.	3,072 sq.ft.
TOTAL UNITS	11	36,468 sq.ft.	144,848 sq.ft.
TOTAL NET AREA (SQ.FT.)			27,194 sq.ft.

FLOOR AREA RATIO = 22652/38070 = .595  
PARKING PROVIDED = 2/UNIT = 26

**LEGAL DESCRIPTION**  
LOT 1, PLAN 12346

**CIVIC ADDRESS**  
335 GERSTMAR ROAD  
KELOWNNA, B.C.

5			
4			
3			
2	DEVELOPMENT PERMIT	APR. 2010	DATE
1	REVISION NO.		

**water street architecture inc.**  
1100 EASTERN AVENUE SUITE 100  
VICTORIA, B.C. V8M 1Y1

**PROJECT:**  
GERSTMAR ROAD  
TOWNHOMES  
KELOWNNA, B.C.

**DRAWING TITLE:**  
SITE PLAN

**CHECKED BY:**  
DL

**DATE:**  
APRIL 26, 2010

**PROJECT NO.:**  
A1.0

Copyright © 2010 Water Street Architecture Inc. All Rights Reserved. 10/27/10 3:10:27 PM

NOTE:  
 Note: Information is provided by WATER ST. ARCHITECTURE INC. The contractor shall be responsible for an inventory of services, and the use of this drawing is restricted to the project for which it was prepared. The contractor shall perform the work with all applicable codes and standards. The contractor shall be responsible for any and all permits required for this project. The contractor shall be responsible for any and all permits required for this project. The contractor shall be responsible for any and all permits required for this project.

1	AVM 1710	Look to SEE ALL REVISED
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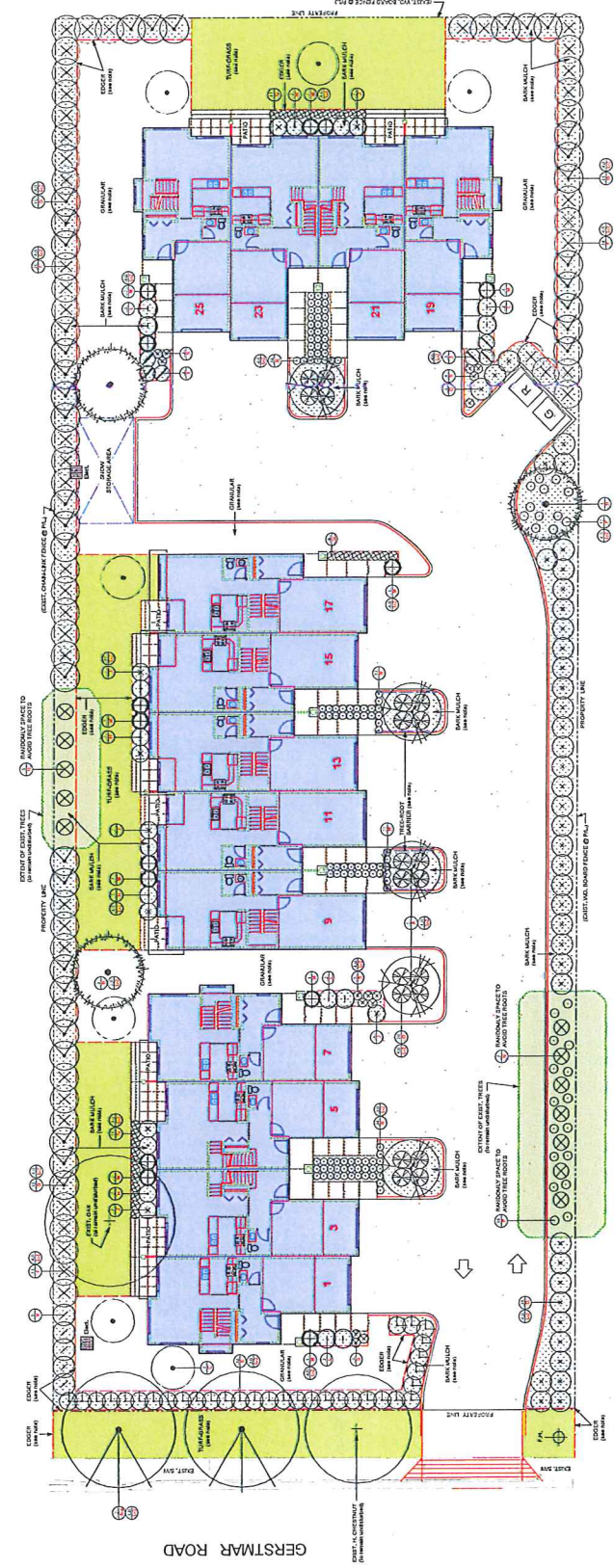
Design firm:  
**SUSTAINABLE**  
 2802-24th, Street  
 Vero Beach, FL 32987  
 Phone: 386.247.4177  
 Email: sus@sustainablefla.com



Project Title:  
**GERSTMAR RD. TOWNHOMES**  
 VEROBNA, FL

Sheet Title:  
**PLANTING PLAN**

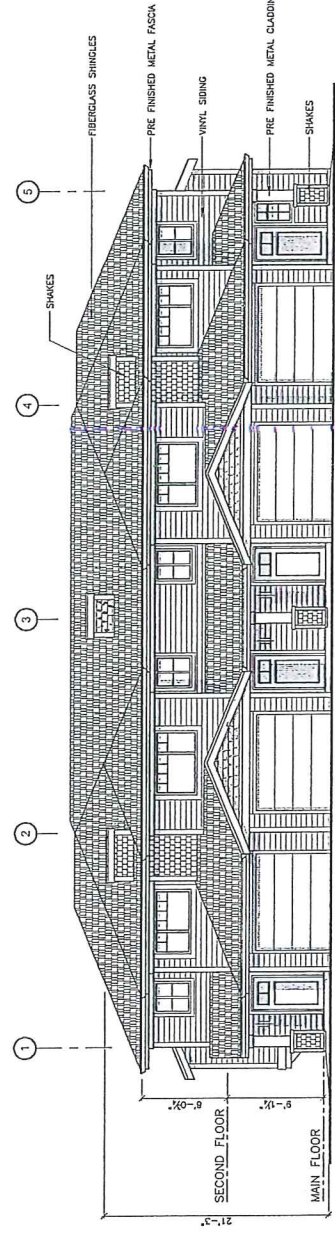
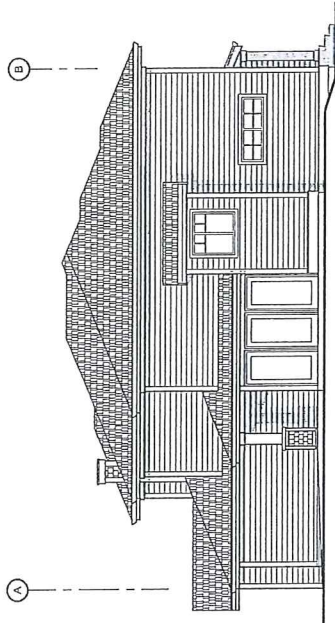
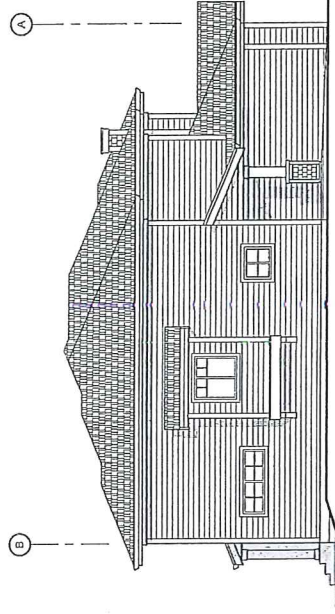
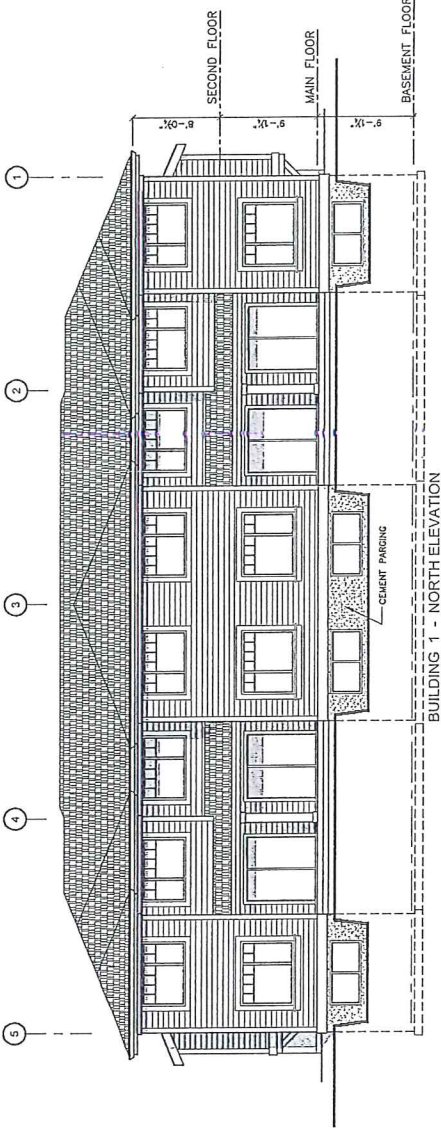
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 DATE: 04/12/2016  
 SCALE: 1/8" = 1'-0"  
 DRAWN/CHECKED: o.a.k.



NOTE: Plants with circled numbers are in 'Screen Plant' category.

ID	Botanical Name	Common Name	Size	Mat. Ht. / Sp. Pr.	Prop. Spacing	Remarks
1	Chrysanthemum 'Peach Sensation'	Heath Sensation Hawthorn	60AL	AS SHOWN	WEG. strong bushier, good form, 12m clear stem ht.	
2	Philadelphus 'Royal Purple'	Royal Purple Shrub	2.4M HT.	AS SHOWN	WEG. strong bushier, good form, 1.5m clear stem ht.	
3	Philadelphus 'Royal Purple'	Royal Purple Shrub	2.4M HT.	AS SHOWN	WEG. strong bushier, good form, 1.5m clear stem ht.	
4	Philadelphus 'Royal Purple'	Royal Purple Shrub	2.4M HT.	AS SHOWN	WEG. strong bushier, good form, 1.5m clear stem ht.	
5	Philadelphus 'Royal Purple'	Royal Purple Shrub	2.4M HT.	AS SHOWN	WEG. strong bushier, good form, 1.5m clear stem ht.	
6	Philadelphus 'Royal Purple'	Royal Purple Shrub	2.4M HT.	AS SHOWN	WEG. strong bushier, good form, 1.5m clear stem ht.	
7	Philadelphus 'Royal Purple'	Royal Purple Shrub	2.4M HT.	AS SHOWN	WEG. strong bushier, good form, 1.5m clear stem ht.	
8	Philadelphus 'Royal Purple'	Royal Purple Shrub	2.4M HT.	AS SHOWN	WEG. strong bushier, good form, 1.5m clear stem ht.	
9	Philadelphus 'Royal Purple'	Royal Purple Shrub	2.4M HT.	AS SHOWN	WEG. strong bushier, good form, 1.5m clear stem ht.	
10	Philadelphus 'Royal Purple'	Royal Purple Shrub	2.4M HT.	AS SHOWN	WEG. strong bushier, good form, 1.5m clear stem ht.	
11	Philadelphus 'Royal Purple'	Royal Purple Shrub	2.4M HT.	AS SHOWN	WEG. strong bushier, good form, 1.5m clear stem ht.	
12	Philadelphus 'Royal Purple'	Royal Purple Shrub	2.4M HT.	AS SHOWN	WEG. strong bushier, good form, 1.5m clear stem ht.	
13	Philadelphus 'Royal Purple'	Royal Purple Shrub	2.4M HT.	AS SHOWN	WEG. strong bushier, good form, 1.5m clear stem ht.	
14	Philadelphus 'Royal Purple'	Royal Purple Shrub	2.4M HT.	AS SHOWN	WEG. strong bushier, good form, 1.5m clear stem ht.	
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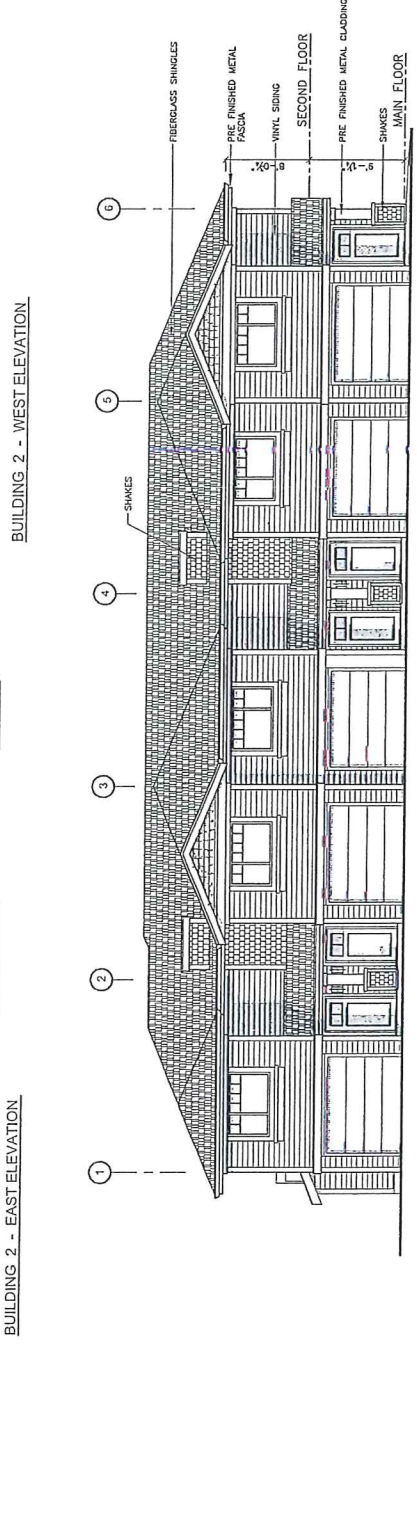
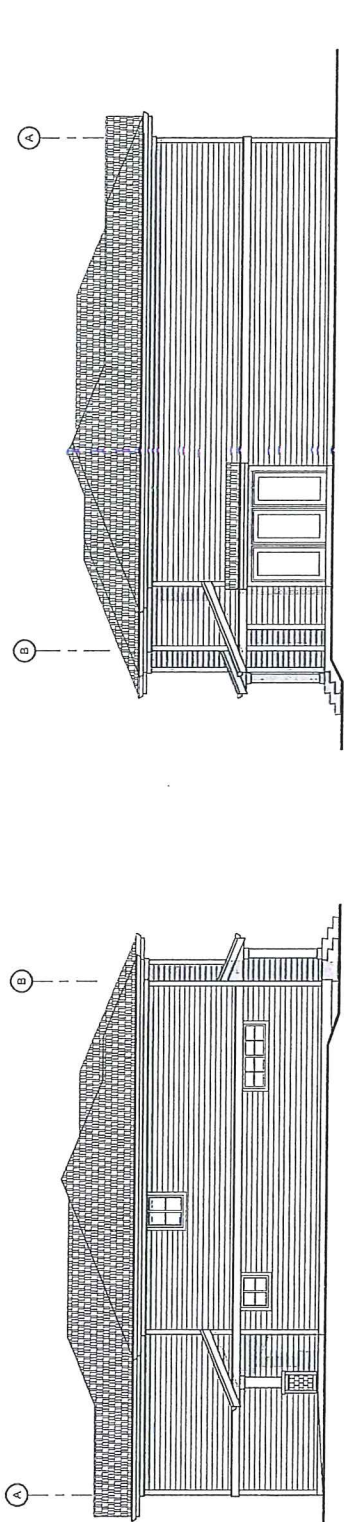
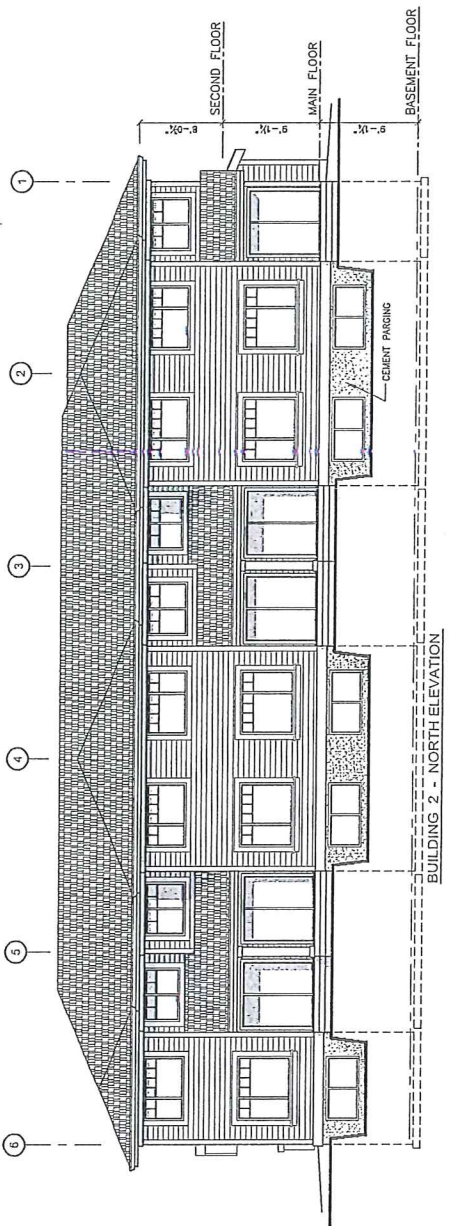
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1	DEVELOPMENT PERMIT	APR. 2010	
No.	REVISION NO.	DATE	

**Walker Street Architecture Inc.**  
 Doug Lamb  
 1100 West 10th Street, Kelowna, BC V1Y 1Z7  
 P: 250.862.2235 F: 250.862.4584 E: douglamb@walkerstreet.com

PROJECT: **GERSTMAR ROAD TOWNHOMES**  
 KELOWNA, B.C.

DRAWING TITLE: **BUILDING 1 ELEVATIONS**

DRAWN BY:	CHECKED BY:
A-J-H	D-L
DATE:	SCALE:
APRIL 25, 2010	3/16" = 1'-0"
PROJECT NO.:	DRAWING NO.:
	<b>A2.1</b>



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1		REVISION NO.	DATE

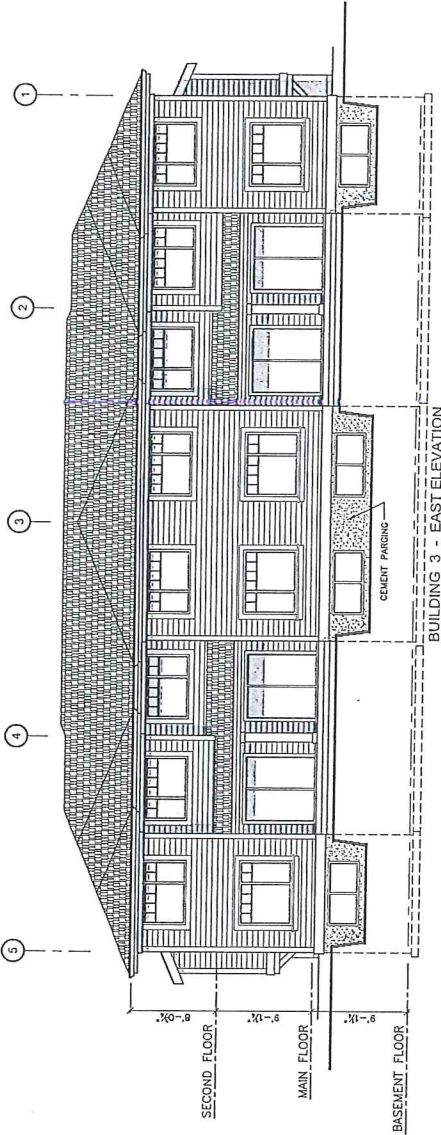

  
 water street architecture inc.
   
 1500 Burrard Ave., Kelowna, BC V1Y 1A7
   
 Tel: 250.860.2334 Fax: 250.860.2334
   
 www.waterstreetarchitecture.com

PROJECT: GERSTMAR ROAD TOWNHOMES  
 KELOWNA, B.C.

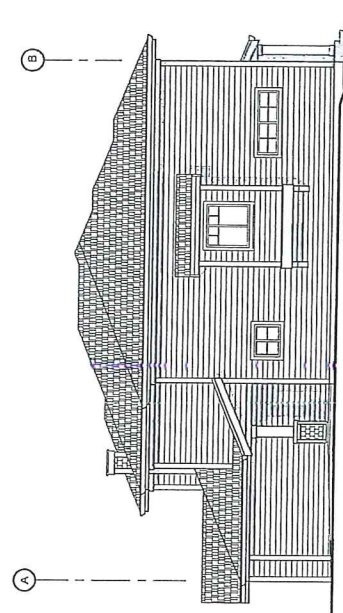
DRAWING TITLE: BUILDING 2 ELEVATIONS

DRAWN BY: A.J.P.  
 CHECKED BY: D.L.  
 DATE: APRIL 20, 2010  
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 PROJECT NO.:  
 DRAWING NO.:

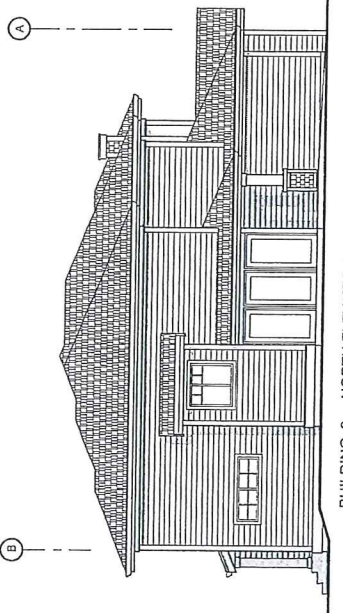
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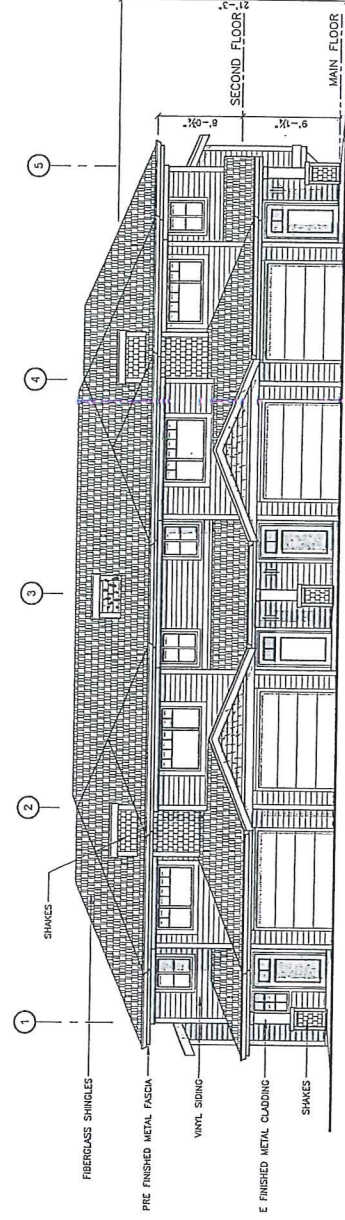
BUILDING 3 - EAST ELEVATION



BUILDING 3 - SOUTH ELEVATION



BUILDING 3 - NORTH ELEVATION



BUILDING 3 - WEST ELEVATION

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1	DEVELOPMENT PERIOD	APR. 2010	DATE
	REVISION NO.		
	NO.		

water street architecture inc.  
 Doug Lane  
 1 250.762.7484  
 4000 Highway 101 West, Kelowna, BC V1Y 1J7

PROJECT:  
**GERSTMAR ROAD  
 TOWNHOMES**  
 KELOWNA, B.C.

DRAWING TITLE:  
**BUILDING 3  
 ELEVATIONS**

DRAWN BY:  
 CHECKED BY:  
 DATE:  
 APRIL 28, 2010  
 SCALE:  
 3/16" = 1'-0"  
 PRODUCT NO.:

**A2.3**

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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** July 8, 2010  
**File No.:** Z10-0051  
**To:** Planning & Development Services Department (LT)  
**From:** Development Engineer Manager (SM)  
**Subject:** 335 Gerstmar Road – LOT 1, PLAN 12346, Sec. 22, twp. 26. ODYD

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The Works & utilities Department comments and requirements regarding this application to rezone from RU-1 to RM3 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. The property is located outside of the Rutland Urban Centre, therefore the overhead wires along the frontage can remain, however, it is suggested that they be converted to underground in order to improve the overall aesthetics of the project.

7. Road improvements.

Gerstmar Road has been partially upgraded with a concrete sidewalk; the upgrade must be completed to a full urban standard including a curb and gutter in the front of the sidewalk, piped storm drainage system (dry pipe section), fillet pavement, street lights, and adjustment and/or re-location of existing utility appurtenances, if required, to accommodate this construction. Removal of the redundant driveway crossing and replacement of any cracked sidewalk panels. The cost of this frontage upgrade is estimated at **\$19,100.00** and is inclusive of a bonding escalation. Note that overhead lines conversion to underground is not included in the estimated cost.

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 upgradings are not identified in the current DCC schedules.

12. Bonding and Levies Summary.

a) Performance Bonding

Gerstmar Road frontage upgrade **\$19,100.00**

b) levies

**N/A**

---

Steve Muenz, P.Eng.  
Development Engineering Manager

BB



**Rutland**  
WATERWORKS DISTRICT

106 – 200 Dougall Road North  
Kelowna, BC V1X 3K5  
www.rutlandwaterworks.com

p: (250) 765-5218  
f: (250) 765-7765  
e: info@rutlandwaterworks.com

June 7, 2010

Protech Consultants Ltd  
#200, 1461 St. Paul Street  
Kelowna BC V1Y 2E4

**RE: Development Proposal at 335 Gerstmar Rd. Plan 12346, Lot 1**  
**RWD File # 10/12 City of Kelowna File # Z10-0051 & DVP 10-0075 & OCP 10-0009**

Rutland Waterworks District acknowledges receipt of a proposal for development at the above noted address, forwarded to us for comment by the City of Kelowna Planning Department.

Our engineer, Jody Good of Mould Engineering in Kelowna, will be requested to review the plans as submitted to determine requirements for fire flows, connection details, Capital Expenditure Charges (CEC's) water system upgrades (if required) and an estimate of these costs based on these initial plans.

A \$2000.00 deposit is required for this initial engineering review. Please note that the review will commence upon receipt of payment for the enclosed invoice.

For your information any determined Capital Expenditure Charges will be due to Rutland Waterworks District at the building permit stage. Any other costs will be due prior to the issuance of a water certificate letter to the City of Kelowna.

Further all bylaws and regulations of Rutland Waterworks District must be adhered to for the commitment of water service to this property.

Sincerely,

Jim Csek, CMA  
Administrator

pc: Mould Engineering  
City of Kelowna Planning Dept.  
Kane # 2 Resources Ltd

Encl (1)