

# REPORT TO COUNCIL



**Date:** January 17, 2012

**To:** City Manager

**From:** Land Use Management, Community Sustainability (JM)

**Application:** DP11-0101

**Owner:** 0911176 B.C. LTD

**Address:** 1170 Brant Avenue

**Applicant:** Architecturally Distinct  
Solutions (Matt Johnston)

**Subject:** Development Permit

**Existing OCP Designations:** PARK - Major Park and Open Space  
S2RES - Single / Two Unit Residential

**Proposed OCP Designations:** MRL - Multiple Unit Residential (Low Density)  
PARK - Major Park and Open Space

**Existing Zone:** RU1 - Large Lot Housing

**Proposed Zones:** RM3 - Low Density Multiple Housing  
P3 - Parks and Open Space

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## 1.0 Recommendation

THAT Final Adoption of Official Community Plan Amending Bylaw No. 10604 be considered by Council;

THAT Final Adoption of Zoning Amending Bylaw No. 10605 be considered by Council;

THAT Final Adoption of Housing Agreement Bylaw No. 10601 be considered by Council;

THAT Council authorize the issuance of Development Permit No. DP11-0101 for Lot 3, Section 30, Township 24, ODYD, Plan 10537, located at 1170 Brant Avenue, Kelowna B.C., subject to the following:

- 1) The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
- 2) The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
- 3) Landscaping and irrigation to be provided on the land be in general accordance with Schedule "C";
- 4) The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping and irrigation, as determined by a Landscape Architect.

AND THAT the applicant be required to complete the above-noted condition No. 4 within 180 days of Council approval of the Development Permit application in order for the permit to be issued.

## **2.0 Purpose**

To consider the form and character of a proposed 18 unit townhouse development on the subject property.

## **3.0 Land Use Management**

Land Use Management staff support the form and character of the proposed development, as it is generally consistent with the guidelines of the Comprehensive Development Permit, as outlined in the Official Community Plan (OCP).

The buildings are staggered on the site in accordance with the topography in order to minimize significant cuts or fills. This also serves to break up the massing of the buildings. All of the proposed 18 units display a distinctive “butterfly” roof form, which is typically associated with a modern design aesthetic; however, this has been moderated by the use of more “traditional” materials, such as cultured stone, natural wood trellises and accents, and mix of horizontal and board and batten siding that complements the hillside palette against which it is situated.

Recognizing the target market of families, the development also includes substantial private green space for each unit, ranging in area from approximately 280 square feet to 1,400 square feet. Other landscaping on the site includes a mix of shrubs, coniferous trees, and large and small deciduous trees placed strategically to preserve the privacy of future residents and adjacent property owners. This landscaping has been designed in accordance with the City’s recently adopted Water Regulation Bylaw, which establishes a high standard for sustainable water use for landscaped areas.

As further measures to protect the sensitive hillside terrain and related ecosystems, the applicant has registered no-disturb area covenants over environmentally sensitive areas, and covenants to protect steep hillsides from further development activity. Finally, a density covenant has been registered on title that limits the maximum number of dwelling units on the parcel to 18. The applicant has also entered into a Housing Agreement in which they are providing 4 units of affordable housing, in accordance with City standards and policies.

## **4.0 Proposal**

### **4.1 Project Description**

The subject property is situated between the industrialized area at the north end of Gordon Drive and the adjacent residential neighbourhood to the east. Access onto the site will be the private drive at the end of Brant Avenue.

The proposed development is comprised of five buildings containing a total of 18 townhouse units. Two buildings are located on the west side of the internal road, facing downslope and overlooking the existing industrial area, with the remaining three buildings located upslope of the road on the east side of the parcel. It is proposed that 4 of these units be designated as affordable in accordance with City of Kelowna standards through a housing agreement.

The development features three different building types: a one-storey walk-out (2 storeys on downslope side, one storey on upslope side), a two-storey walk-up (3 storeys on downslope side, 2 storeys on upslope side), and a simple two-storey building. Of the proposed units, there will be

12 three bedroom townhomes, and 6 two bedroom townhomes. Each unit is provided a directly accessible private yard space. Parking and bicycle parking will be located in the garages and carports provided to each dwelling unit. This form of residential development is seen primarily to provide accommodation to families. Units range in area from 766 square foot 2-bedroom units, to 1,576 square foot 3-bedroom units.

On two sides, the townhouse units are surrounded by established residential neighbourhoods. However, the subject property is at a lower grade than surrounding parcels, which reduces the impact of the development on the privacy of adjacent lots. The development also features significant natural area protection for the riparian area around Brandt's Creek. There are also two areas of the parcel protected to ensure slope stability.

The applicant is required to obtain a Natural Environment and Hazardous Conditions Development Permit for the project, which will be executed at a staff level.

#### 4.2 Site Context

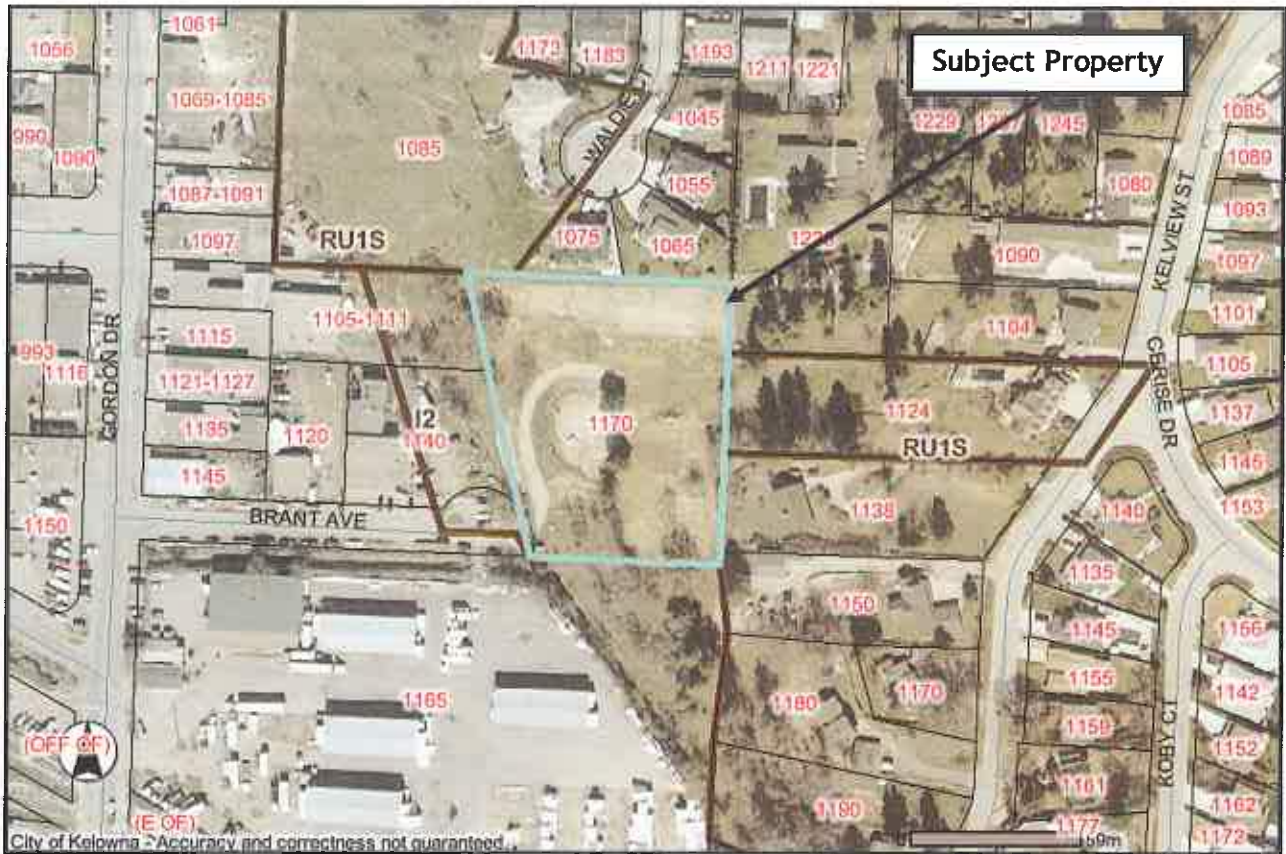
The subject property is situated on a sloped parcel that is adjacent to industrial development to the west, low density residential development to the north and east, and Brandt's Creek to the south.

The parcel is within the Permanent Growth Boundary but is outside of the Core Area and designated Urban and Village Centres, as outlined in Maps 5.1 - 5.3 of the Official Community Plan.

Specifically, adjacent land uses are as follows:

Direction	Zone
North	RU1 - Large Lot Housing / RU1s - Large Lot Housing with Secondary Suite
West	I2 - General Industrial
East	RU1 - Large Lot Housing
South	I4 - Central Industrial

4.3 Subject Property Map: 1170 Brant Avenue



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RM3 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	900m <sup>2</sup>	7,615m <sup>2</sup>
Lot Width	30.0m	Exceeds
Lot Depth	30.0m	Exceeds
Development Regulations		
Floor Area Ratio	0.5	0.26
Height	Lesser of 9.5m or 2 ½ storeys	9.2m and 2 ½ storeys
Front Yard	4.5m	4.5m
Side Yard (south)	4.0m for 1 - 1 ½ storey portion / 4.5m for 2 - 2 ½ storey portion	4.0m for 1 - 1 ½ storey portion / 4.5m for 2 - 2 ½ storey portion
Side Yard (north)	4.0m for 1 - 1 ½ storey portion / 4.5m for 2 - 2 ½ storey portion	4.0m for 1 - 1 ½ storey portion / 4.5m for 2 - 2 ½ storey portion
Rear Yard	7.5m	7.5m
Other Regulations		

Minimum Parking Requirements	33	42
Bicycle Parking	Class I - 9 Class II - 2	Class I - 9 (in garage/carport) Class II - 2
Private Open Space	25.0m <sup>2</sup> per dwelling unit over 1 bedroom	exceeds
Separation Between Buildings	3.0m	3.0m

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Comprehensive Development Permit Objectives:

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;
- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character;
- Promote alternative transportation with enhanced streetscapes and multimodal linkages;
- Protect and restore the urban ecology (i.e. architectural and site consideration with respect to the ecological impact on urban design);
- Moderate urban water demand in the City so that adequate water supply is reserved for agriculture and for natural ecosystem processes.

#### Comprehensive Development Permit Guidelines:

- Incorporate landscaping and building form and character that is distinct to Kelowna and the Central Okanagan and conveys a sense of authenticity;
- Incorporate forms and images that relate to the region's natural and cultural landscapes (e.g. incorporate winery or orchard inspired trellises or rooflines that reflect those found on barns and older homes located on/around agricultural lands);
- Incorporate materials that relate to the character of the region and the context of the surrounding neighbourhood;
- Use colours found in the region's natural and cultural landscape;
- Provide generous outdoor spaces, including rooftops, balconies, patios and courtyards, to allow residents to benefit from the favourable Okanagan weather;
- Design developments with multiple buildings such that there is a sense of architectural unity or cohesiveness;
- Design developments with multiple, separate buildings such that individual buildings are of different but compatible shapes, masses, and exterior finishes;

- Utilize landscaping treatments to further soften the mass of building form (e.g. strategic placement of trees, shades and vines, trellis and arbours, along with surface materials such as pavers);
- Promote the use of alternative modes of transportation in site design (e.g. prominent bicycle racks for convenience and security, orient building entrances to pedestrian areas);
- Ensure pedestrian circulation is convenient, safe, and clearly identifiable to drivers and pedestrians;
- Incorporate landscaping that:
  - Compliments and softens the architectural features and edges of buildings;
  - Considers the context of surrounding properties where there is a dominant pattern along the street (i.e., provide street trees and landscaping consistent with the established or emerging standards on the street or adjacent neighbourhood);
  - Enhances the pedestrian experience (e.g. aesthetics, relief from weather);
  - Adds texture and three dimensional components to the site (e.g. vegetated canopy);
  - Helps screen parking areas, mechanical functions, and garbage and recycling areas;
  - Respects required sightlines from roadways and enhances public views;
  - Contributes towards a sense of personal safety and security;
  - Retains existing healthy, mature trees and vegetation (including those with special character or historical and cultural significance);
  - Utilizes native plants that are drought tolerant;
  - Defines distinct private outdoor space for all ground-level dwellings.
  - Provide fences and retaining walls with visual interest (e.g. high quality fencing, stone or rock walls) and human scale (e.g. punctuate at regular intervals with vertical elements such as piers or landscaping).

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- 1) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s) for new construction.
- 2) Spatial calculations for unprotected openings and exterior cladding to be defined for between buildings 1&2 and 3&4. Spatial calculations and / or an alternative solution for and second floor windows of one unit directly above a single story unit beside (interior units) to be approved prior to the release of the development permit.
- 3) A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building. Retaining wall(s) to be defined in the development permit to establish changes in grades as well as proper drainage slopes away from the buildings.
- 4) Architectural drawings will require the fire stopping details for offset floor locations to be provided at time of building permit application.
- 5) Full Plan check for Building Code related issues will be done at time of Building Permit applications.

### 6.2 Development Engineering Department

Development Engineering Branch requirements have been satisfied.

### 6.3 Parks and Public Spaces

A future trail is planned to link Brant Avenue with Clement alongside Brandts Creek. Zoning and OCP boundaries should reflect the required creek setbacks. Further actions are not recommended at this time, as key land required for the development of the trail (1165 Brant) is likely to remain unavailable except in the long term.

### 6.4 Transportation Demand Management

The area of Gordon Dr and Clement is currently served by the #7 Glenmore transit route offering 7 day a week service with an average of 16 hour service per day. This route offers peak schedule frequency of 15 minutes and half hour service mid day (weekdays). Currently stops are located on Graham St just south of Clement but consideration could be given to relocating these stops onto Clement in the Gordon Drive area. The Transit Future Plan, the area's recently completed transit master plan, identify Gordon Dr as the location of a new frequent transit (FTN) route set for implementation in the near term (1 to 3 years max). This new FTN line will route via Gordon Dr linking the Capital News Center in the south to downtown. I believe the line will route via Clement Ave or Waddell as it passes through the north end. In implementing this line stops will be included in close proximity to the Gordon Dr and Clement intersection.

It is my feeling that the proposed development on Brant Ave will have strong transit service in the future provided via the new Gordon Dr FTN and the existing #7 Glenmore service. Residents are considered within reasonable access to transit service when within 400 meters of an FTN or regular commuter route. It is worth noting that the development is also in close proximity to a major bicycle corridor as well (Rails with Trails/Cawston Ave pathways) providing direct connection to downtown and the Parkinson Landmark area. Connection from Brant Ave to this facility would be complimented by the addition of on street bike lanes on Gordon Drive's north section.

### 6.5 Fire Department

The access road should not exceed 12% grade. A fire hydrant of 90ltr/sec. is required as per the City of Kelowna Subdivision Bylaw #7900.

### 6.6 Public Health Inspector

This office has no objection to the proposal. As the proposed development will be serviced by existing community drinking water and sewerage systems, we have no objection to this proposal from a servicing perspective.

## 7.0 Application Chronology

Date of Application Received: July 27, 2011

Advisory Planning Commission August 2, 2011

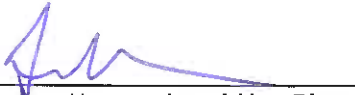
THAT the Advisory Planning Commission supports Development Permit Application No. DP11-0101 for 1170 Brant Avenue for the form and character of the proposed 18 unit development.

CARRIED

**Anecdotal Comment:**

The majority of the Advisory Planning Commission supported this application and noted that this development is a good addition to the neighbourhood and provides a greatly needed affordable housing component. However, it was noted by a member that this proposal is a deviation from the newly endorsed OCP and introduces a housing density that departs from what the land use designation anticipates.

**Report prepared by:**



James Moore, Land Use Planner

**Reviewed by:**



Danielle Noble Manager, Manager, Urban Land Use

**Approved for Inclusion:**



Shelley Gambacort, Director, Land Use Management

**Attachments:**

- Site Plan
- Building Elevations
- Landscape Plan
- Irrigation Plan



**PROPERTY DESCRIPTION**  
 CMC 11701 Southwood, Raleigh, NC  
 ZONING: R4S  
 ZONING CALCULATIONS: City of Raleigh (Low Density Multiple Housing)  
**CURRENT:** City of Raleigh (R4S Zoning (Low Density Multiple Housing))  
**PROPOSED REZONING:** City of Raleigh (R4S Zoning (Low Density Multiple Housing))

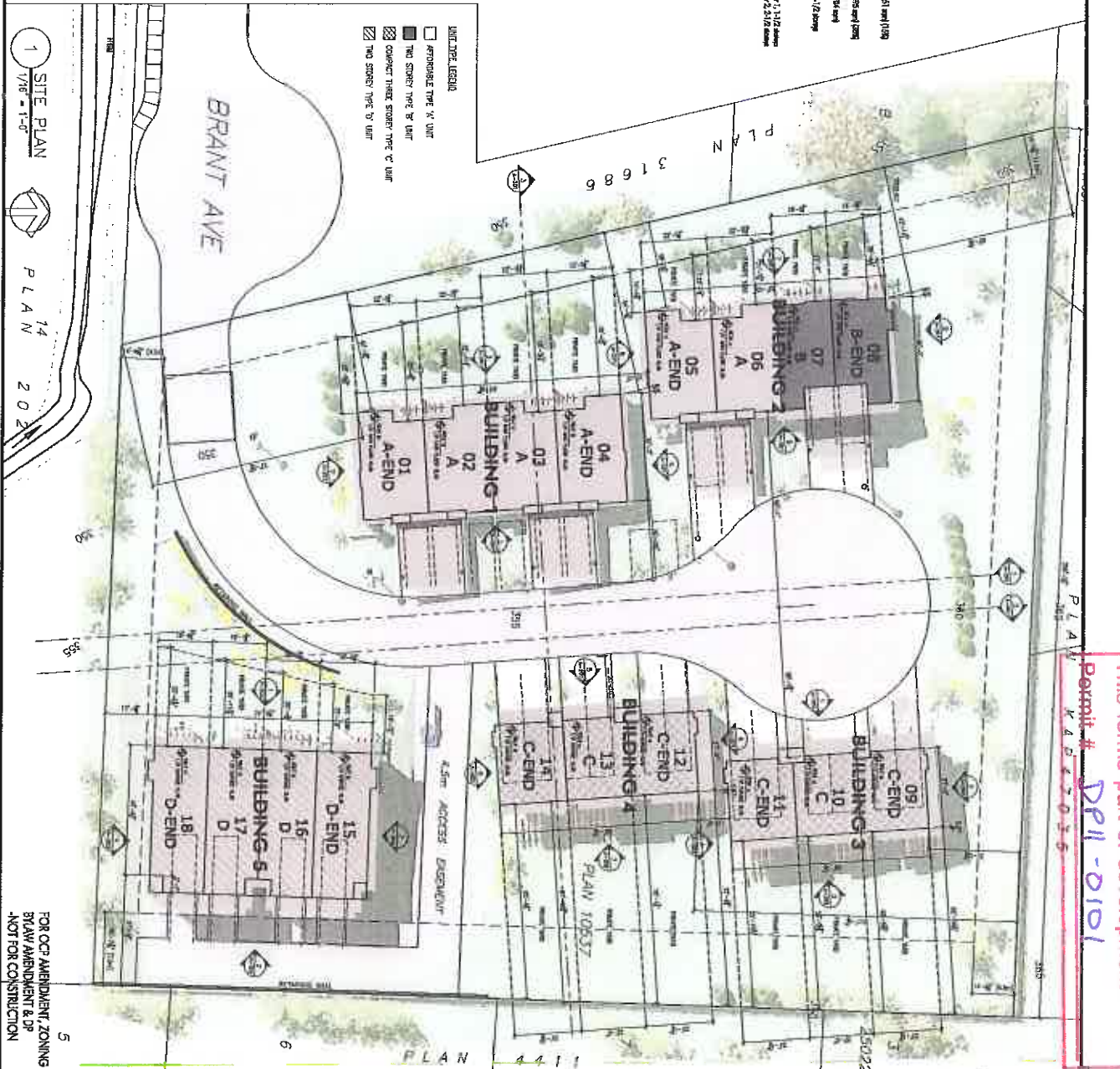
**SITE INFORMATION:**  
 Proposed: 3,125 sq. ft. (0.072 acre) (180)  
 Existing: 3,125 sq. ft. (0.072 acre) (180)  
 Total Site Coverage: 3,125 sq. ft. (0.072 acre) (180)  
 Net Building Area: 21,554 sq. ft. (0.492 acre) (180)  
 Net Building Area: 21,554 sq. ft. (0.492 acre) (180)  
 Net Building Area: 21,554 sq. ft. (0.492 acre) (180)

**RESIDENTIAL UNIT CALCULATIONS:**

Unit Type	Count	Total Area (sq. ft.)
1-Bedroom	2	2,222
2-Bedroom	1	1,254
3-Bedroom	1	2,280
4-Bedroom	1	2,280
5-Bedroom	1	2,280
6-Bedroom	1	2,280
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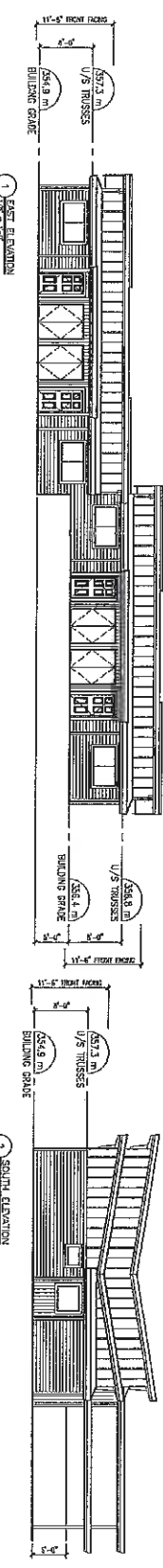
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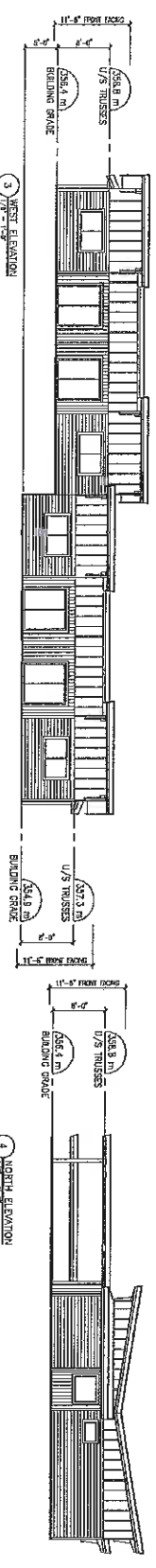
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 This forms part of development  
 Permit # DP11-0101  
 K A D E K O S S

**SCHEDULE A**  
 This forms part of development  
 Permit # PR11-0101



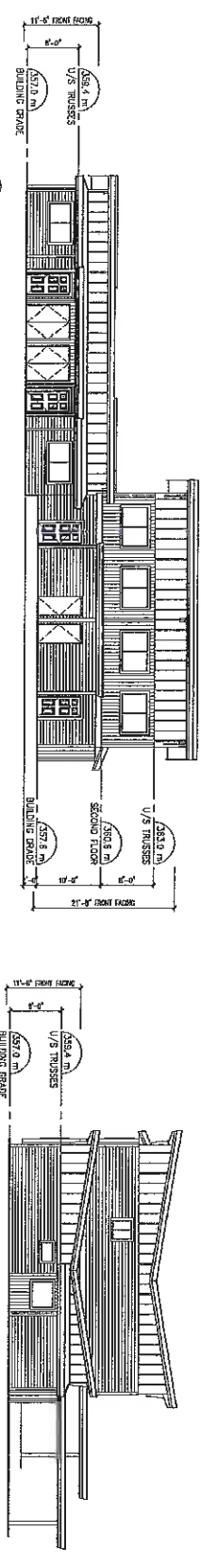
1 EAST ELEVATION

2 SOUTH ELEVATION



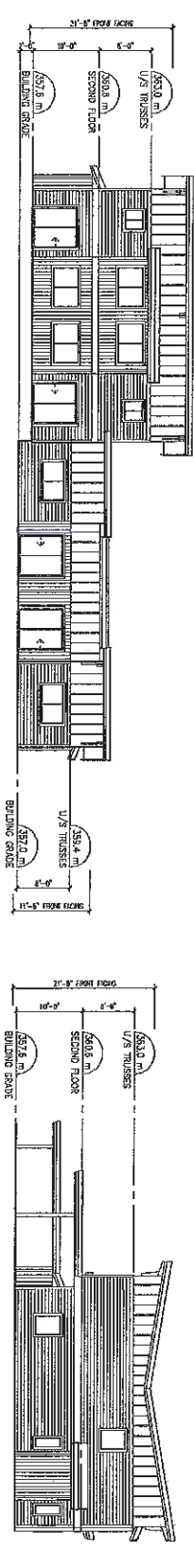
3 WEST ELEVATION

4 NORTH ELEVATION



5 EAST ELEVATION

6 SOUTH ELEVATION



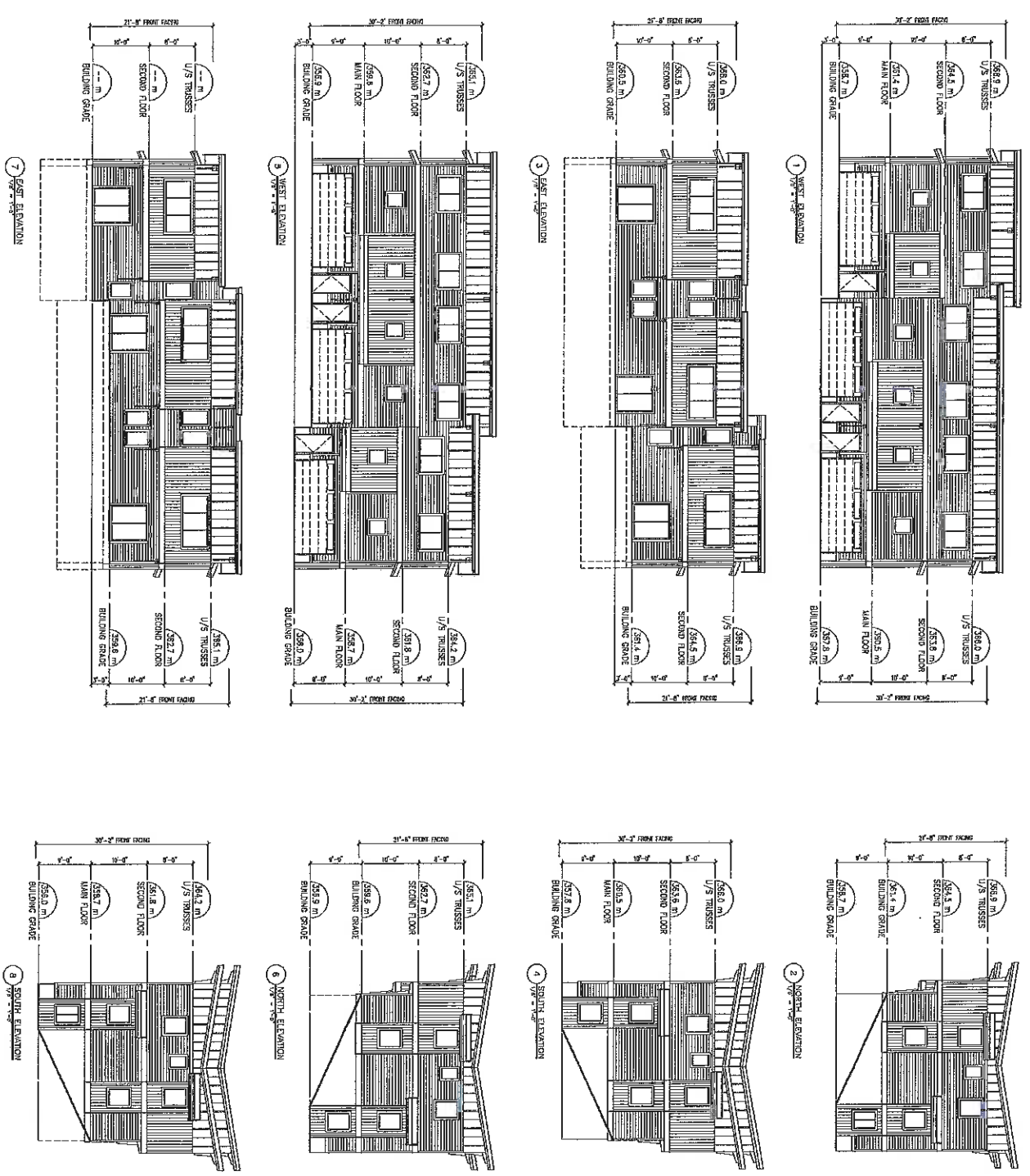
7 WEST ELEVATION

8 NORTH ELEVATION

FOR OCC. AMENDMENT, ZONING  
 BYLAW AMENDMENT & DP  
 NOT FOR CONSTRUCTION

 <b>DISTINCT SOLUTIONS INC.</b> 4840-250-08700, 481-551-681-532 230-57200 Ave 2, Mississauga, ON L4V 1W7	PROJECT 1112 BRYANTVALE BAYVIEW/416	Creation Date 10/09/11	Job Number 111027	Drawn By -	Revision Number, Date and Description - -	I, the undersigned, hereby certify that the above information is true and correct to the best of my knowledge and belief, and that I am a duly qualified professional engineer in the Province of Ontario. I understand that any false information provided in this document may constitute an offence under the provisions of the Professional Engineers Act, R.S.O. 1990, c. 19, and I agree to be bound by the provisions of the Act and the regulations made thereunder. I agree to indemnify and hold harmless the undersigned from and against all claims, damages, losses and expenses, including legal fees and costs, that may be incurred by the undersigned in connection with the preparation, execution or use of this document.
	DRAWING TITLE BUILDING 1 & 2 ALTERNATION	Plot Date 3 Jun 11	Drawing Number A-201	REV. #. -		

**SCHEDULE A**  
 This forms part of development  
 Permit # DP11-0101



FOR OCP AMENDMENT ZONING  
 BYLAW AMENDMENT & DP  
 NOT FOR CONSTRUCTION



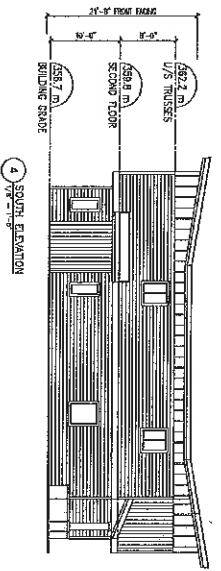
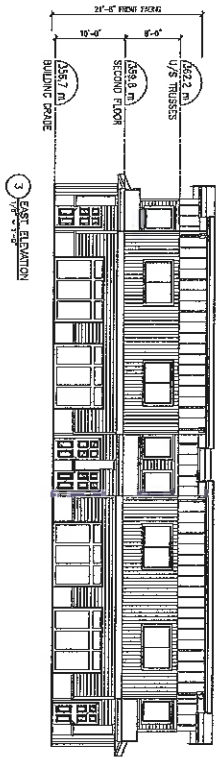
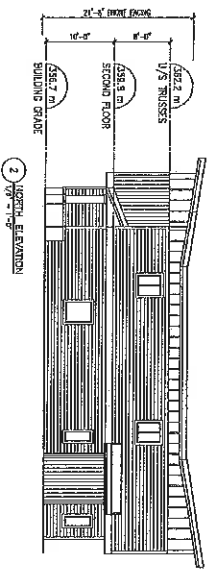
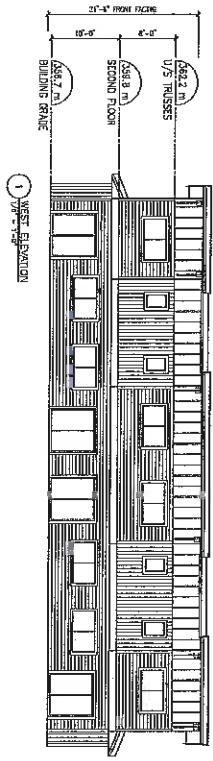
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 DRAWING TITLE: BUILDING 2 & 4 ELEVATIONS  
 Creation Date: 10-04-11  
 Plot Date: 1-04-11

Site Number: 11.07  
 Drawing Number: A-02  
 Drawn By: REV:--

Revision Number, Date and Description

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**SCHEDULE** \_\_\_\_\_  
 This forms part of development  
 Permit # DP11-0161



FOR OCT AMENDMENT, ZONING  
 BY-LAW AMENDMENT & DP  
 -NOT FOR CONSTRUCTION-



**PROJECT**  
 1170 BRANT AVE  
 KESWICK, ON

**DRAWING TITLE**  
 BUILDING ELEVATIONS

**Created Date**  
 10 May 11

**Job Number**  
 H-007

**Drawn By**  
 ---

**Revision Number, Date and Description**

**Plot Date**  
 1-JUL-11

**Drawing Number**  
 A-303

**REV No.**  
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**Scale**  
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**Author**  
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**Checked**  
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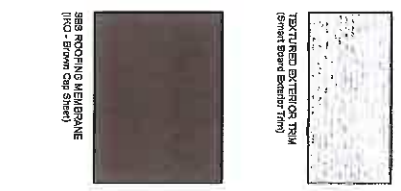
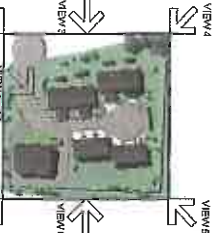
**Approved**  
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**SCHEDULE** B  
 This forms part of development  
 Permit # DP11-2010



FOR OCT AMENDMENT, ZONING  
 BYLAW AMENDMENT & DP  
 NOT FOR CONSTRUCTION



PROJECT	2018-2019
DRAWING TITLE	PERSPECTIVE IMAGES, MATERIALS & COLOURS

Creation Date	27-Mar-11	Job Number	11-007	Drawn By	
Plot Date	14-Jun-11	Drawing Number	A-RAT	REV No.	

Revision Number, Date and Description

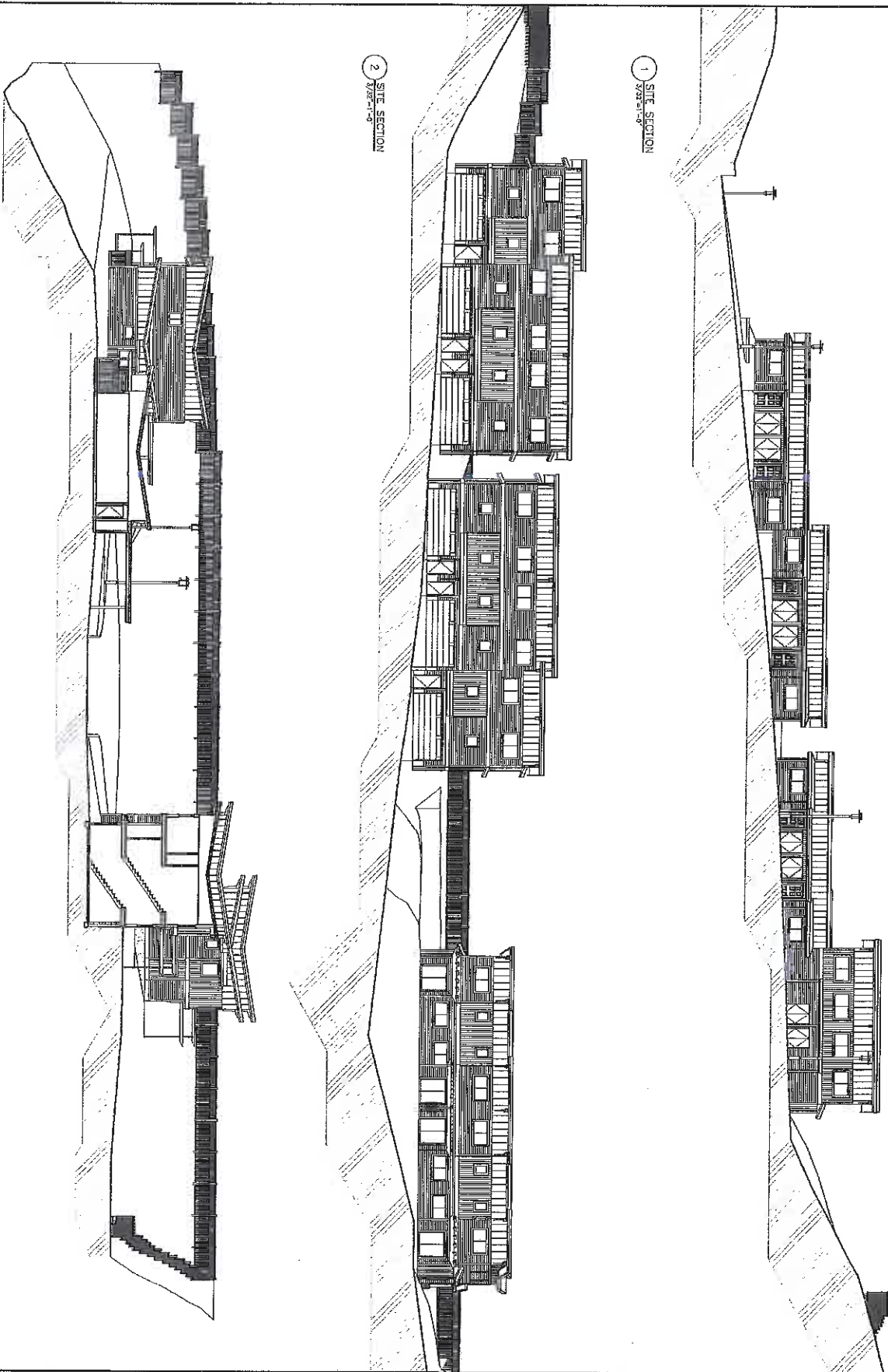
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SCHEDULE B  
 This forms part of development  
 Permit # DP11-20101

1 SITE SECTION  
 1/2500 1:10

2 SITE SECTION  
 1/2500 1:10

3 SITE SECTION  
 1/2500 1:10



FOR OCP AMENDMENT, ZONING  
 BYLAW AMENDMENT & DP  
 NOT FOR CONSTRUCTION


**DISTINCT SOLUTIONS INC.**  
 1170 BRANT AVE  
 MELROSE, BC  
 Phone 250-460-2823 Fax 250-460-2823  
 2504 75th Ave S, Edmonds, WA 98149

Creation Date	Job Number	Drawn By	Revision Number, Date and Description
25-Mar-11	H-007		
Plot Date	Drawing Number	REV#	
1-Jun-11	A-201		

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**SCHEDULE** \_\_\_\_\_

This forms part of development

Permit # D11-0101



**LEGEND**

- 1 Rain Bid 1804-PRS c/w 5' MPR Nozzle
- 2 Rain Bid 1804-PRS c/w 8' MPR Nozzle
- 3 Rain Bid 1804-PRS c/w 10' MPR Nozzle
- 4 Rain Bid 1804-PRS c/w 12' MPR Nozzle
- 5 Rain Bid 1804-PRS c/w 15' MPR Nozzle
- 6 Rain Bid 5004-PL-R c/w MPR-25' Nozzle
- 7 Rain Bid 5004-PL-R c/w MPR-30' Nozzle
- 8 Rain Bid 5004-PL-R c/w MPR-35' Nozzle
- 9 Rain Bid 1804-SAW-P45 c/w MPR 2000 Nozzle
- 10 Rain Bid XCC-100-PRF Control Zone Kit
- 11 Toro T-P-220 Series Valve
- 12 Irrical TC-24-EX c/w Climate Logic Wireless Weather Sensing System, see manufacturers installation guide
- 13 2" Gate Valve
- 14 Dip Area: Install two (2) Rain Bid 2400 Xer-Bug Emitters per plant, and four (4) per tree
- 15 Flush Valve installed at end of poly line
- 16 4" x 4" Sleeving, to be sized twice diameter of pipe
- 17 4" x 4" PVC Main Line
- 18 Class 200 PVC Laterals
- 19 Transition point from PVC to Polyethylene Drip tubing

**INSTALLATION NOTES**

1. Contractor confirm onsite pressure and flow prior to installation.
2. Entry isolation or all onsite valves prior to installation.
3. Pipe isolation and irrigation components are shown for purposes of identification. Contractor to ensure that all landscaped areas receive sufficient water.
4. All spray nozzles are to be set, air unless it is hopcote or spraying at the angle shown. In this case use a variable air nozzle.
5. In instances where water hits hard surfaces, Contractor is to manually adjust set screw to reduce over spray.
6. Contractor to refer to Detail Drawings for specific installation instructions for various components of installation.

		<b>PROJECT</b> <b>BRANT AVENUE DEVELOPMENT</b>	
1. DATE: _____ 2. DATE: _____ 3. DATE: _____ 4. DATE: _____	1. PROJECT NO.: _____ 2. SHEET NO.: _____ 3. TOTAL SHEETS: _____		<b>PROJECT</b> <b>IRRIGATION PLAN</b> <b>IR-01</b>