

REPORT TO COUNCIL



Date: September 19, 2012

To: City Manager

From: Land Use Management, Community Sustainability (BD)

Application: DP12-0059 / DVP12-0124

Owner: 4G Developments Ltd. Inc. No.
BC0926540

Address: 2473 Pandosy Street

Applicant: Robert Gaspari

Subject: Development Permit & Development Variance Permit

Existing OCP Designation: MRL - Multiple Unit Residential (Low Density)

Existing Zones: RM3- Low Density Multiple Housing

1.0 Recommendation

THAT final adoption of Zone Amending Bylaw No. 10733 be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP12-0059 for Lot 1, District Lot 14, ODYD Plan EPP23030, located on Pandosy Street, Kelowna, BC, 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 the site Tree Protection Plan 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, as determined by a professional landscaper;

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;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP12-0124, for Lot 1, District Lot 14, ODYD Plan EPP23030, located on Pandosy Street, Kelowna, BC;

AND FURTHER THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 13.9.6(f) Development Regulations (RM3 - Low Density Multiple Housing):

To vary the required rear yard from 7.5m permitted to 3.5m proposed.

2.0 Purpose

To consider a Development Permit for the form and character of a proposed six unit multiple housing development and a variance to the rear yard set back to accommodate the proposed 3-plex building.

3.0 Land Use Management

The subject property was recently consolidated as a requirement of the rezoning application. This Development Permit proposes to construct a second building containing three dwelling units in addition to the existing three-plex. As the existing building is newly constructed, no changes to the exterior form and character are proposed.

The proposed site development is one of the first in the area to rezone and build a low density, multi-residential building. The subject property is located along a major transportation corridor, and is on a prominent corner location on Pandosy, therefore underscoring the importance of urban design. This neighborhood area is characterized by older single family dwellings typically with mature landscaping. Recognizing that the site has access constraints, all vehicular traffic is accessed via Francis Avenue at the far east side of the site.

Ideally, any development would interface with Pandosy Street and be designed and site programmed comprehensively. Unfortunately, given the phased approach and lot consolidation occurring after phase one was completed, this has substantially influenced the site design. This has resulted in form and character considerations that are a departure from the OCP guidelines for the existing building as it is not orientated to the street frontage, there is a wooden fence that limits pedestrian and streetscape activity, and no direct pedestrian access to each of the dwelling units with the exception of access from the drive isle.

However, the proposed three-plex building enhances the consolidated site by:

- incorporating a pedestrian interface on Francis Avenue
- using additional gables to mitigate the building massing
- retaining existing mature vegetation
- incorporating limited grassed areas, and
- complimenting the existing building form already established

For these reasons, Staff acknowledge that modest changes to the site plan have improved the overall functionality and aesthetics of this multi-family corner lot, and appreciate that design inspiration for this type of housing is not established in the immediate area and this may be the first of many projects to transition this neighborhood to realize the highest land use potential.

4.0 Proposal

4.1 Site Context

The subject property is located on the south east corner of Pandosy Street and Francis Avenue in the KLO/Pandosy sector of Kelowna. The surrounding properties are zoned as follows:

Orientation	Zoning	Land Use
North	RU6 - Two Dwelling Housing	Single Family Dwelling
East	RU6 - Two Dwelling Housing	Single Family Dwelling
South	RU6 - Two Dwelling Housing	Single Family Dwelling
West	RU1- Large Lot Housing	Single Family Dwelling

4.2 Subject Property Map : 2473 Pandosy Street



4.2 Project Description

Background

A requirement of the rezoning was that the applicant/owner pay all outstanding fines and tickets relating to this site. Although this was completed, the applicant/owner proceeded to start construction of the foundation prior to the required approvals being in place. Accordingly, a stop work order has been issued and additional fines have been levied.

Proposal

The proposal shows two separate buildings, each with three 2 bedroom units. The existing building is a simple rectangle with taupe horizontal siding, white window and trim, and a shallow gabled roof. Some detail with cedar shakes are incorporated in the upper floor of the west and south face. A full height wooden fence screens the building from the street. Each unit has individual patio areas to be utilized as the private outdoor space.

A new building is proposed for the corner of Francis Avenue and Pandosy Street with the same massing and similar footprint as the existing building, with some additional architectural features. Gables are proposed for the front (Francis Ave.) and rear elevations of the upper roofline. A mixture of hardi-shingles and horizontal siding is proposed to clad the building and trellis roofing features are proposed for all doorways. All three 2 bedroom units will face Francis Avenue to ensure pedestrian linkages to the street. Private outdoor space is provided with patios at the rear of the building. Parking is achieved with angle parking on the east side of the yard utilizing a one way drive isle through to the laneway to the south of the site. Bicycle parking is supplied alongside the parking.

A variance is sought for the rear yard setback. This yard was considered a side yard at the time that the existing building was constructed, however the consolidation of the two properties redefines the rear yard and a variance from 7.5m required to 3.5m is required.

4.4 Zoning Analysis Table

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

Zoning Analysis Table		
CRITERIA	PROPOSAL	RM3 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	1093 m ² (After consolidation of the two sites)	900 m ²
Lot Width	30.48 m	30.0 m
Lot Depth	37.18 m	30.0 m
Development Regulations		
Site Coverage (buildings)	28 %	40%
Site Coverage (buildings/parking)	49.4 %	50%
Height	2 storeys/ 8.48 m	2 ½ storeys / 9.5 m
Front Yard	4.5 m	4.5 m or 6.0 m for a garage
Side Yard (w)	4.5 m (5.2m prior to the road widening)	4.0 m (1 - 1 ½ storey) 4.5 m (2 - 2 ½ storey)
Side Yard (e)	9.43 m	4.0 m (1 - 1 ½ storey) 4.5 m (2 - 2 ½ storey)
Rear yard	3.5 m Ⓣ	7.5m
Distance between principal Buildings	7.11 m	3.0m
Other Requirements		
Floor Area Ratio	0.54	The maximum floor area ratio is 0.5, except it is 0.55 with a housing agreement pursuant to the provisions of Section 6.9
Parking Stalls (#)	2 bedroom units = 6 therefore 6 x 1.5 = 9 space plus 1 visitor parking stall required Total required & provided: 10 stalls	1.25 per 1-bedroom dwelling unit, 1.5 per 2-bedroom dwelling unit 2 per 3-or-more bedroom dwelling unit Of the total required spaces above, 1 parking space shall be designated visitor parking for every 7 dwelling units
Drive Isle	3.65 m one way isle provided	One way aisles shall be 5.5 m wide for 60° parking, 3.6 m wide for 45° parking and 3.5 m wide for parallel parking
Other Requirements		

Parking setbacks	Complies	2.0 m from front lot line; 1.5 m from side and rear lot lines
Bicycle parking	9 spaces provided	Class I: 0.5 per dwelling unit Class II: 0.1 per dwelling unit
Private Open Space	150m ²	15m ² per 1 bedroom dwelling 25m ² per 2 or more bedroom dwellings
Landscape requirements	<ul style="list-style-type: none"> • 1.5m buffer provided on east side yard • 2m high wood fence provided on west side yard & rear yard • Existing mature trees preserved & lawn provided for front yard 	<p>Front yard: 3.0 m landscape buffer</p> <p>Rear & Side yard: 3.0m landscape buffer or Continuous opaque barrier</p>

① A variance is being sought to relax the rear yard set back from 7.5m required to 3.5m proposed.

5.1 Urban Design Development Permit Areas (Chapter 14) - Design Guidelines

Comprehensive Design Guidelines

Authenticity and regional expression

- Incorporate landscaping and building form and character that is distinct to Kelowna and the Central Okanagan and conveys a sense of authenticity;

As this is one of the first upzoning in the area there is no established multi-family form. The guidelines specifically refer to the context of the development and encourage creating a visual continuity and alignment with the neighbouring buildings. The area is predominantly a mixture of wartime and 1970's single family dwellings.

Context

- Emulate desirable form and character of nearby buildings;
Shingle cladding, horizontal siding and peaked gables on the Francis street frontage are intended to mimic features from the classic wartime homes in the area. Split-framed windows are incorporated in the design. The doorways will have wood-look doors with stacked glazing which is typical of dwellings in the area. The site has two large old Maple trees which will be retained and are considered an important feature of proposal.
- Design developments with multiple buildings such that there is a sense of architectural unity or cohesiveness.

Relationship to Street

- Locate buildings to provide an effective street edge while respecting the established, desired streetscape rhythm.

Massing and Height

- Mitigate the actual and perceived bulk of buildings by utilizing appropriate massing, including:

- Architectural elements (e.g. balconies, bay windows, cantilevered floors, cupolas, dormers);
 - Visually-interesting rooflines (e.g. variations in cornice lines and roof slopes);
 - Detailing that creates a rhythm and visual interest along the line of the building;
 - Building frontages that vary architectural treatment in regular intervals in order to maintain diverse and aesthetically appealing streets.
- Ensure developments are sensitive to and compatible with the massing of the established and/or future streetscape;
 - Design developments with multiple, separate buildings such that individual buildings are of different but compatible shapes, masses, and exterior finishes.

Exterior elevations and Materials

- Exterior building materials should be selected for their functional and aesthetic quality, and should exhibit qualities of workmanship, durability, longevity and ease of maintenance;
- Provide visually prominent, accessible, and recognizable entrances through attention to location, details, proportions, materials, and lighting that act to personalize or lend identity to a building;
- Use materials in combination to create contrast, enhance human scale, and reduce the apparent bulk of a building.

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 Permits.

2) Operable bedroom windows required as per the 2006 edition of the British Columbia Building Code (BCBC 06).

3) Full Plan check for Building Code related issues will be done at time of Building Permit applications.

4) This property falls within the mill creek flood plain bylaw area and compliance is required. Minimum building elevations are required to be established prior to the release of the Development Permit.

6.2 Development Engineering Department

Requirements were satisfied with rezoning (Z12-0048)

7.0 Application Chronology

Date of Application Received: May 31, 2012
Public Hearing for Rezoning: September 4, 2012

Report prepared by:

Birte Decloux, Urban Land Use Planner

Reviewed by:



Danielle Noble, Manager of Urban Land Use Management

Approved for Inclusion:



Shelley Gambacort, Director of Land Use Management

Attachments:

Site Plan

Elevations (Proposed & Existing)

Colour Board

Landscape Plan

Pictures of existing building

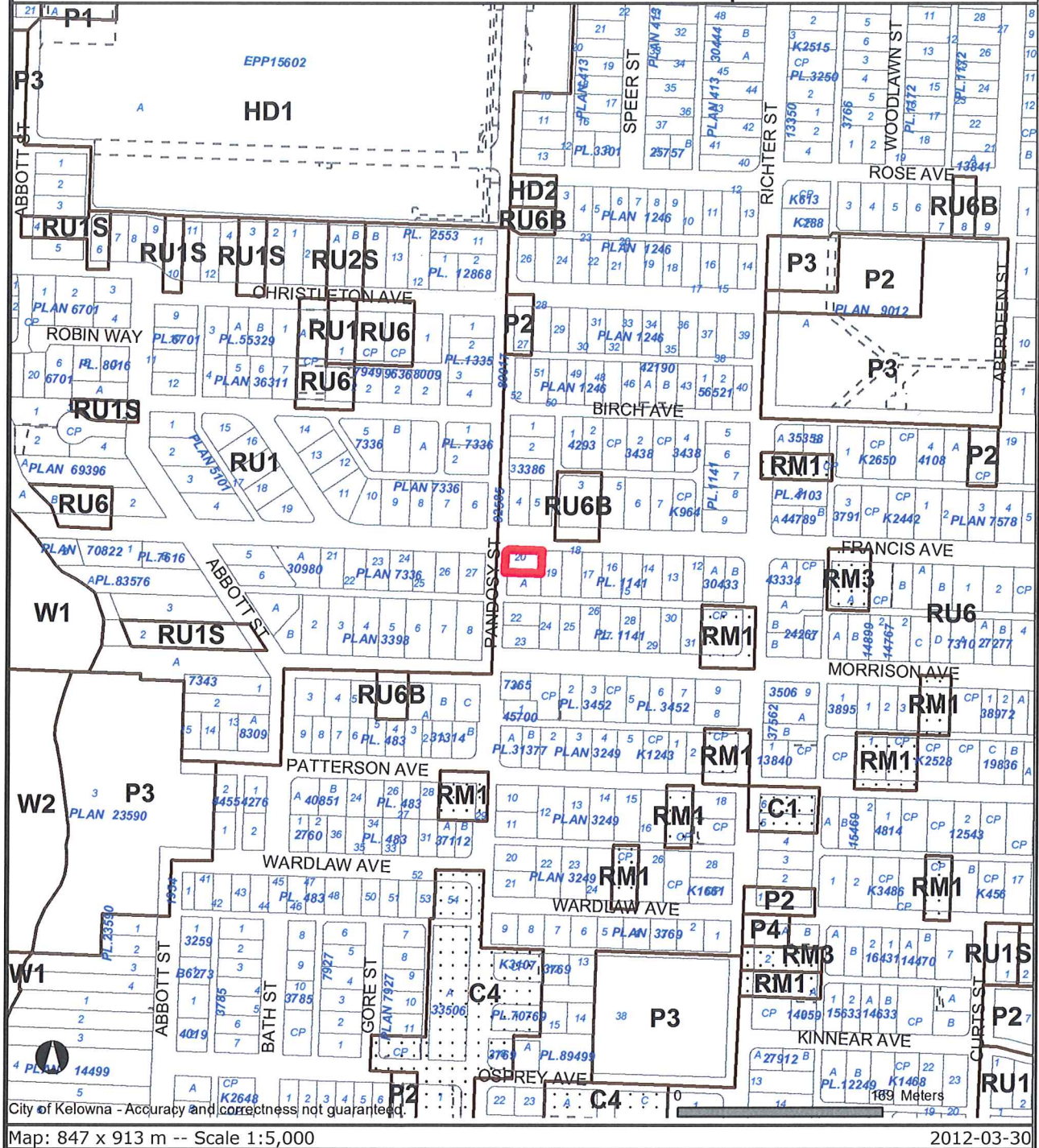
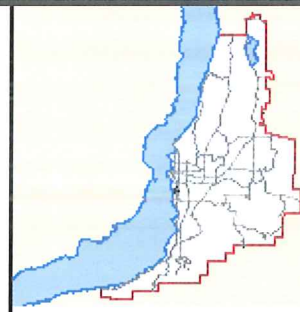
Application

DP12-0059

DVP12-0124



Subject Property



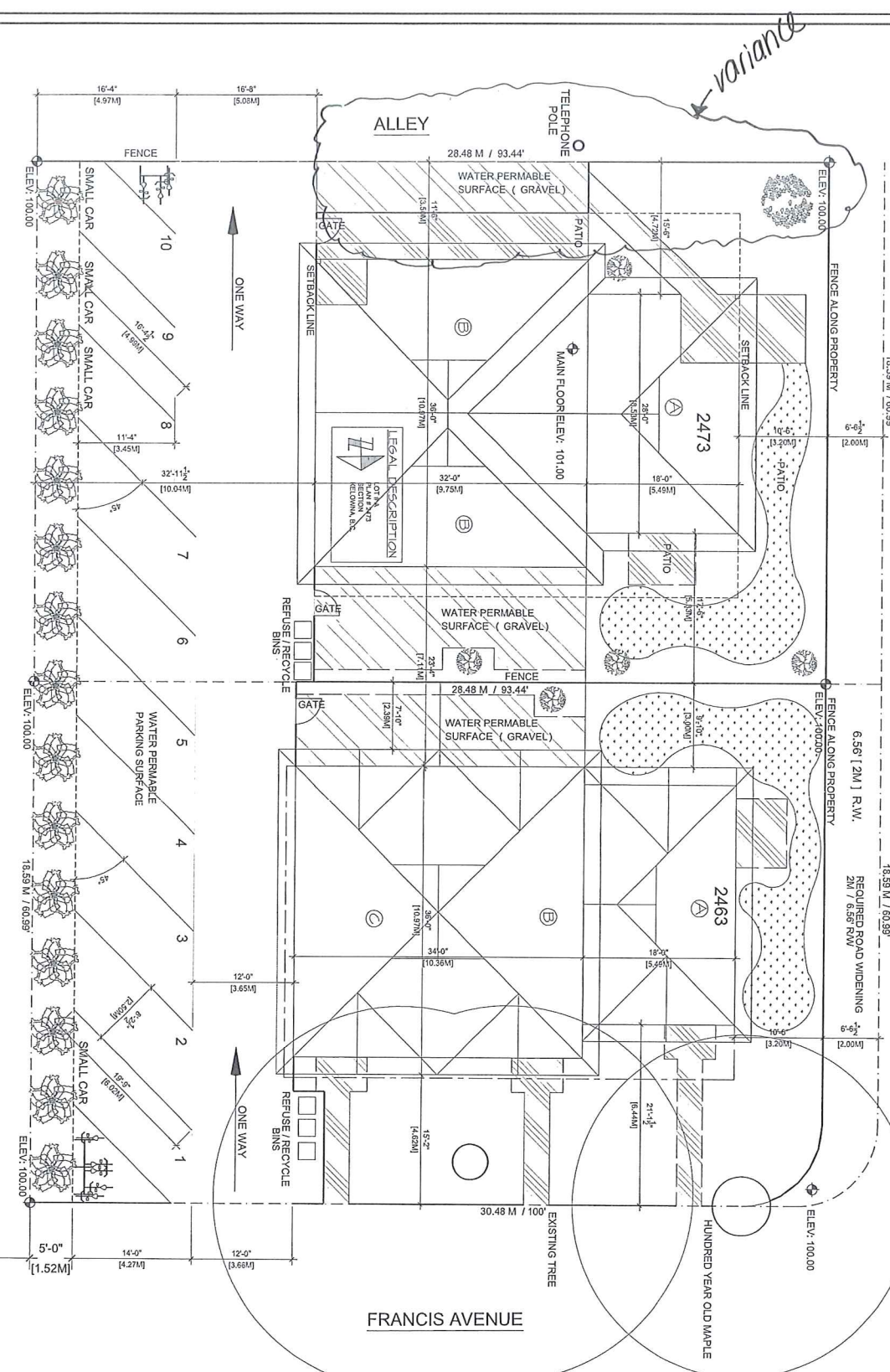
City of Kelowna - Accuracy and correctness not guaranteed.

Map: 847 x 913 m -- Scale 1:5,000

2012-03-30

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.

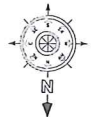
SITE PLAN



PANDOSY STREET

FRANCIS AVENUE

SCHEDULE A&C
 This forms part of development
 Permit # DP*12-0059/DWP12-024



DATE	DESCRIPTION

HOLDEN'S DESIGN
 2403 / 2407 PANDOSY STREET
 KELLOWNA, B.C.
 KELLOWNA, B.C.

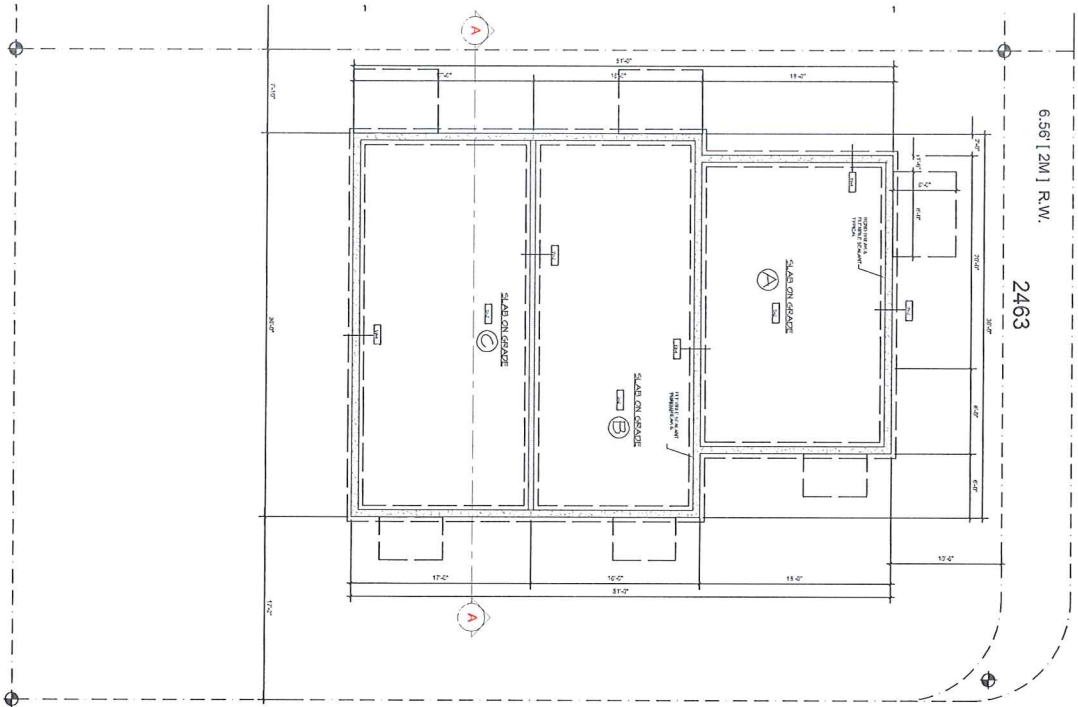
PROJECT: 2403 / 2407 PANDOSY STREET
 SHEET: COMBINED SITE PLAN

DATE: 2011-08-11
 DRAWN BY: A1
 CHECKED BY: Rev 2

05-11

PANDOSY STREET

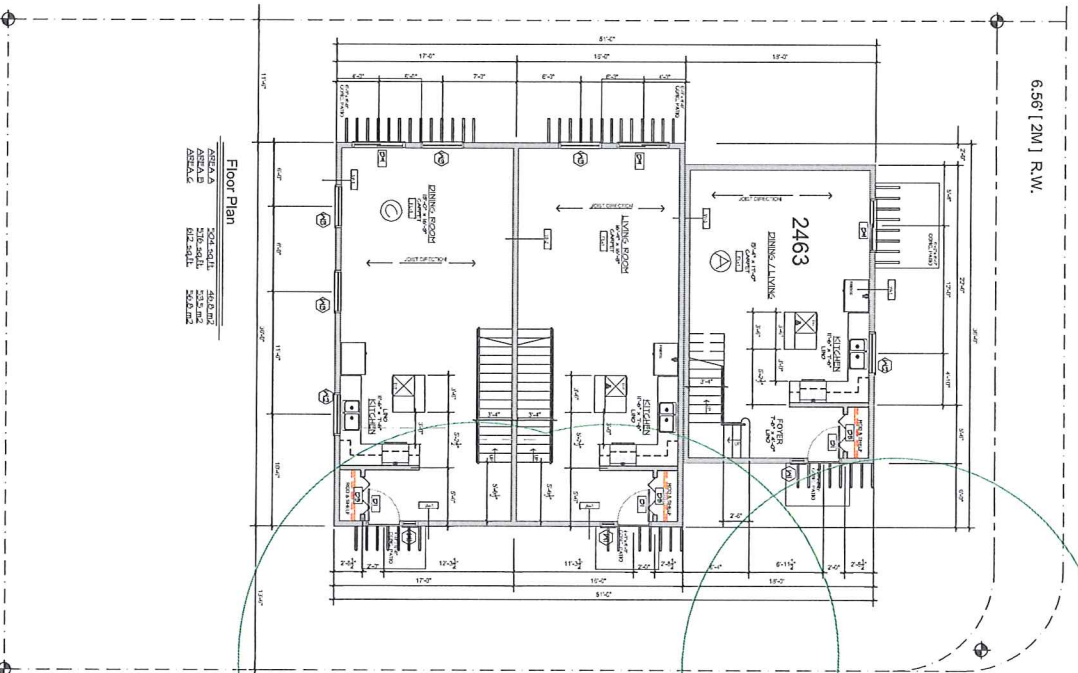
6.56' [2M] R.W.
2463



FOUNDATION PLAN

PANDOSY STREET

6.56' [2M] R.W.



Floor Plan

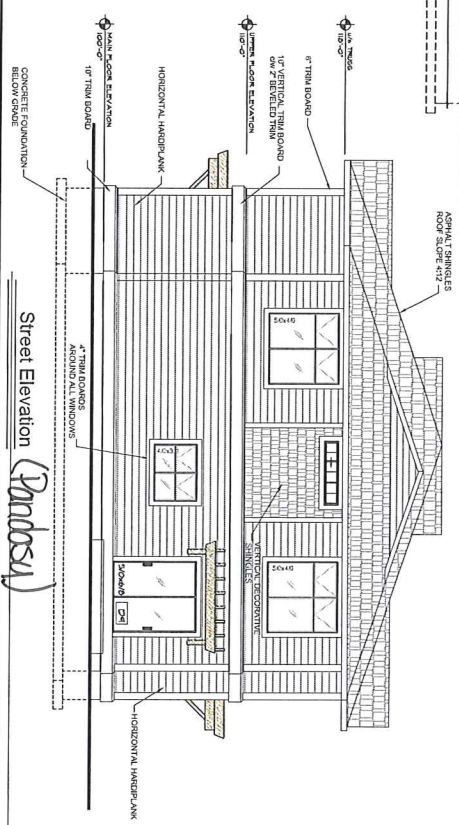
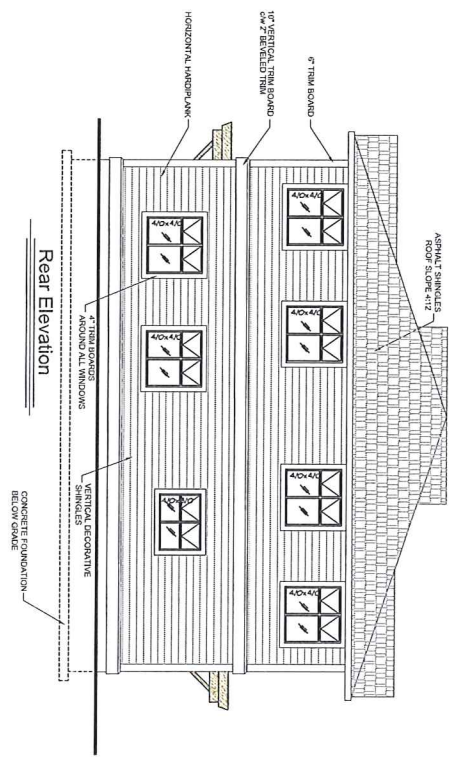
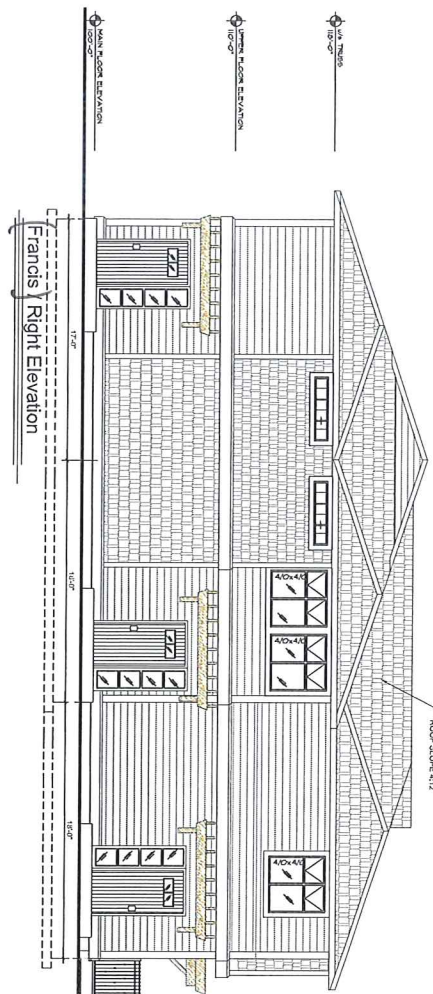
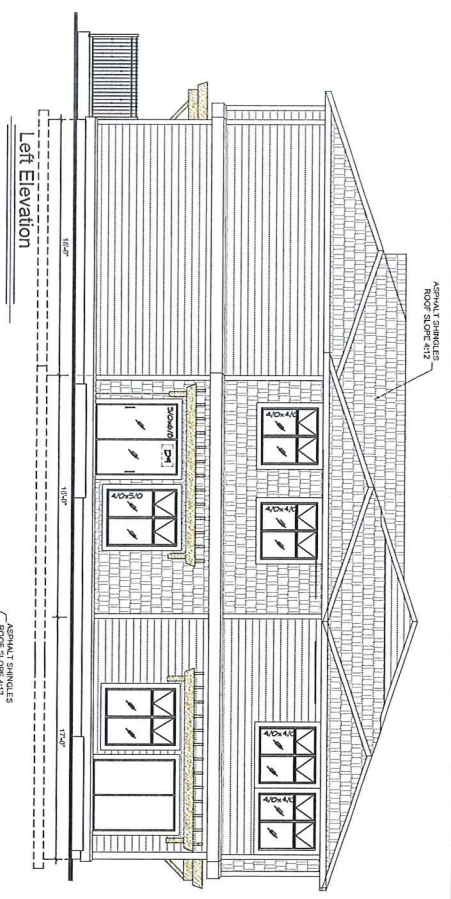
ASBESTOS	SOIL	SOIL	SOIL
ASBESTOS	SOIL	SOIL	SOIL
ASBESTOS	SOIL	SOIL	SOIL
ASBESTOS	SOIL	SOIL	SOIL

MAIN FLOOR PLAN

FRANCIS AVENUE

<p>O'BRIEN & GERE ENGINEERS & DESIGNERS INC. 1000 WEST 10TH AVENUE VANCOUVER, BC V6H 2G6 TEL: 604-681-1111 WWW.OBRIENANDGERE.COM</p>		<p>PROJECT: 2463 PANDOSY STREET KELOWNA, BC</p>
<p>DATE: 08-11</p>		<p>SCALE: AS SHOWN</p>
<p>DESIGNER: [Name]</p>		<p>REVISION: [Number]</p>
<p>DATE: 08-11</p>		<p>SCALE: AS SHOWN</p>
<p>DESIGNER: [Name]</p>		<p>REVISION: [Number]</p>

Proposed Building
corner of Pandosy & Francis



DATE	REV	BY	DESCRIPTION
11/27/24	A4	HL	REVISED PER COMMENTS
11/27/24	A3	HL	REVISED PER COMMENTS
11/27/24	A2	HL	REVISED PER COMMENTS
11/27/24	A1	HL	REVISED PER COMMENTS
11/27/24	01	HL	ISSUED FOR PERMIT

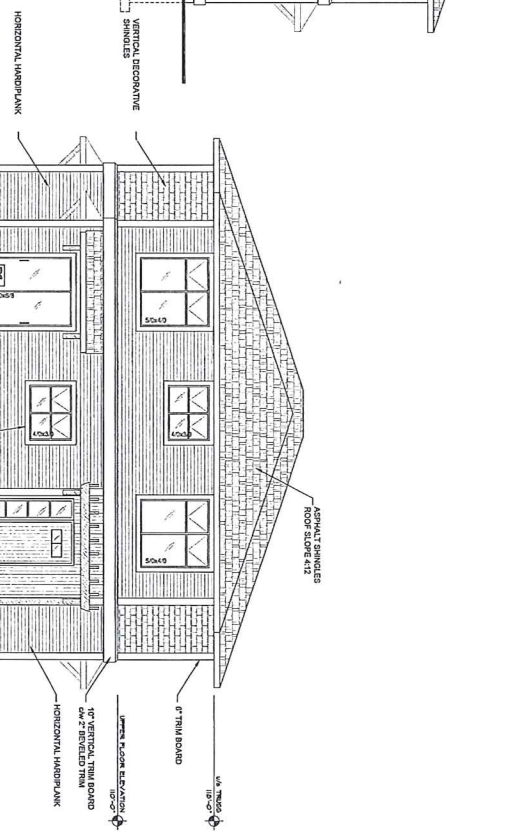
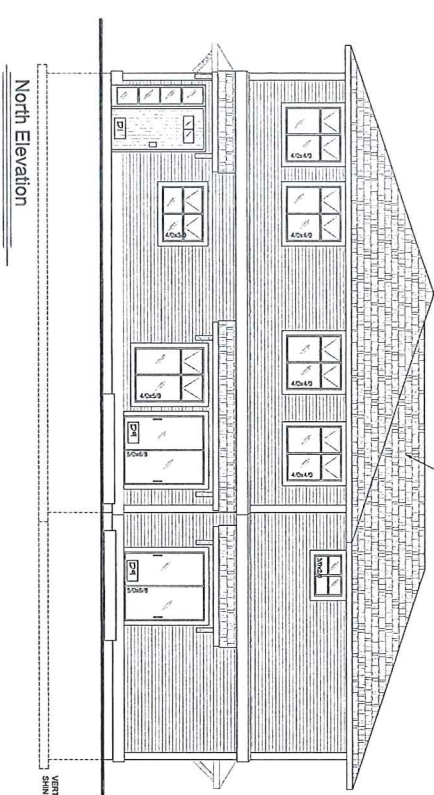
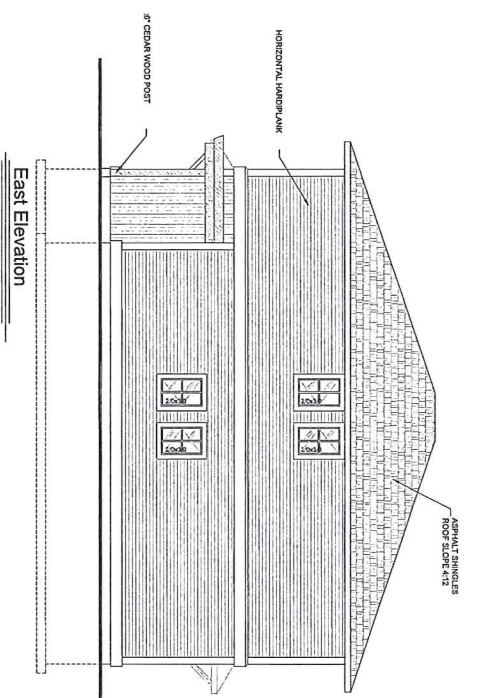
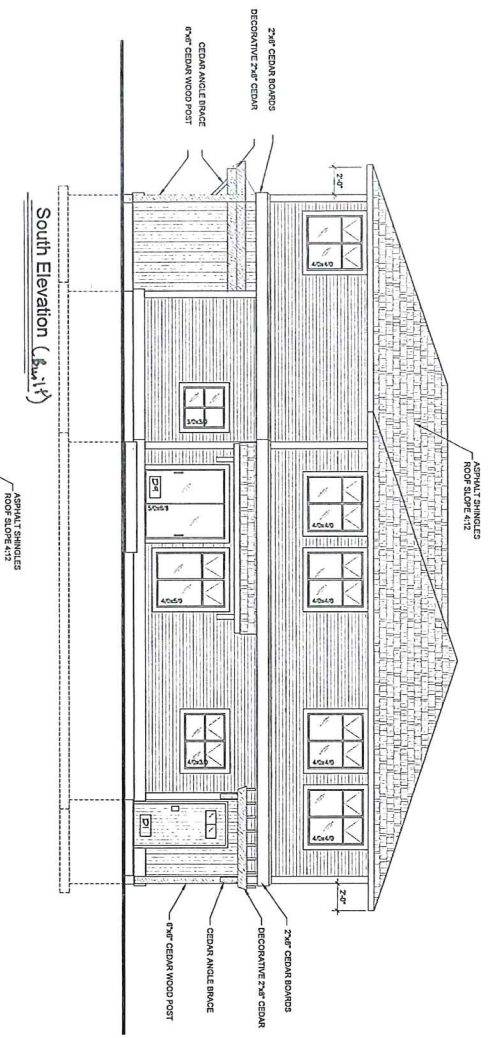
DRAGUTINS & DESIGN
 ARCHITECTS INC.
 1100 W. 10TH AVE.
 VANCOUVER, BC V6H 2G6
 TEL: 604-271-1111
 WWW.DRAGUTINS.COM

2400 PANDOSY STREET
 VANCOUVER, BC
 2400 PANDOSY STREET
 ELEVATIONS

SCALE: 1/8" = 1'-0"
 DATE: 11/27/24
 DRAWN BY: HL
 CHECKED BY: HL
 REVISED BY: HL
 DATE: 11/27/24

SCHEDULE B1/3
 This forms part of development
 Permit # DP2-0059

Existing built Building
(Pandasy and lane)



SCHEDULE B2/3
This forms part of development
Permit # DP12-0059

DATE	BY	REVISION
<p>PAULINE & DESIGN 2073 PANDASY STREET REDFORD, SC 29088</p>		
<p>PROJECT 2403 / 2479 PANDASY STREET REDFORD, SC</p>		
<p>ELEVATIONS 2473 PANDASY STREET</p>		
DATE	BY	REVISION
<p>CONCRETE FOUNDATION BELOW GRADE</p>		
<p>ASPHALT SHINGLES ROOF SLOPE 4:12</p>		
<p>VERTICAL DECORATIVE TRIM 6x6</p>		
<p>HORIZONTAL LAP SIDING</p>		
<p>1x4 TRIM BOARD</p>		
<p>MAIN FLOOR ELEVATION 2x2x4 1/2\"/> </p>		
<p>11\"/> </p>		
<p>12\"/> </p>		
<p>6x6 2\"/> </p>		
<p>4\"/> </p>		
<p>ASPHALT SHINGLES ROOF SLOPE 4:12</p>		
<p>2x4 TRIM BOARD</p>		
<p>1x4 TRIM BOARD</p>		
<p>6x6 CEDAR WOOD POST</p>		
<p>DECORATIVE 2x4 CEDAR</p>		
<p>CEDAR ANGLE BRACE</p>		
<p>6x6 CEDAR WOOD POST</p>		
<p>2x4 CEDAR BOARDS</p>		
<p>ASPHALT SHINGLES ROOF SLOPE 4:12</p>		
<p>VERTICAL DECORATIVE TRIM 6x6</p>		
<p>HORIZONTAL LAP SIDING</p>		
<p>ASPHALT SHINGLES ROOF SLOPE 4:12</p>		
<p>ASPHALT SHINGLES ROOF SLOPE 4:12</p>		
<p>ASPHALT SHINGLES ROOF SLOPE 4:12</p>		

PROJECT:

PROPOSED
RESIDENCE & LEGAL SUITE
2463 PANDOSY STREET
KELOWNA, B.C.

ROOFING:

- ASPHALT SHINGLES
- DOWNSPOUTS/GUTTERS /SOFFITS

OAKRIDGE PRO SERIES-
BROWNWOOD
GENERAL PAINTS
JERICO BROWN



WINDOWS

- TYP. VINYL WINDOWS
-

GIENOW WINDOWS
EGYPTIAN WHITE

Egyptian White

TRIM:

- WINDOW /DOOR TRIM
GABLE FACIA BOARDS

HARDY PLANK
ARCTIC WHITE

RAILING:

- WROUGHT IRON

MATTE BLACK

WALLS:

- HARDY PLANK
- VERTICAL
- HORIZONTAL
- SHAKE

GENTEK VENETIAN RED
MONTEREY TAUPE
GENTEK VENTIAN RED

Monterey Taupe
JH40-20*

Arctic White
JH10-20*

EXTERIOR COLOUR SCHEME

SCHEDULE B3/3

This forms part of development

Permit # 0P12-0059

Birte Decloux

From: Robert Gaspari [rgaspari@shaw.ca]
Sent: Monday, June 18, 2012 12:16 PM
To: Birte Decloux
Subject: Photos from 2473-2463 PANDOSY



South West looking North East





Rear View

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

Development Variance Permit No. : DP12-0059 /DVP12-0124

EXISTING ZONING DESIGNATION:	RM3- Low Density Multiple Housing
WITHIN DEVELOPMENT PERMIT AREA:	N/A

ISSUED TO: 4G Developments Ltd. Inc. No. BC0926540 (Robert Gaspari)
LOCATION OF SUBJECT SITE: 2473 Pandosy Street

	LOT	D.L.	PLAN	SECTION	TOWNSHIP	DISTRICT
LEGAL DESCRIPTION:	1	14	EPP23030			ODYD

SCOPE OF APPROVAL

- This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.
- This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.
- Applicants for Development and Development Variance Permit should be aware that the issuance of a Permit limits the Applicant to be in strict compliance with regulations of the Zoning Bylaw or Subdivision Control Bylaw unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations which are inconsistent with bylaw provisions and which may not have been identified as required Variances by the Applicant or City staff.

1. TERMS AND CONDITIONS:

THAT Council authorized the issuance of Development Permit No. DP12-0059 for Lot 1, District Lot 14, ODYD Plan EPP23030, located on Pandosy Street, Kelowna, BC, subject to the following:

- A. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
- B. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
- C. Landscaping and the site Tree Protection Plan to be provided on the land be in general accordance with Schedule "C";

- (a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality granting to me the said Permit.
- (b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

I further covenant and agree that should I be granted a Development Permit or Development Variance Permit, the Municipality may withhold the granting of any occupancy Permit for the occupancy and/or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Director of Land Use Management.

Should there be any change in ownership or legal description of the property, I undertake to notify the Land Use Management Department immediately to avoid any unnecessary delay in processing the application.

I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.

Signature of Owner/Authorized Agent

Date

Print Name in Bold Letters

Telephone No.

6. APPROVALS:

DEVELOPMENT VARIANCE PERMIT AUTHORIZED BY COUNCIL ON THE ___th DAY OF OCTOBER, 2012.

ISSUED BY THE LAND USE MANAGEMENT DEPT. OF THE CITY OF KELOWNA THE ___TH DAY OF OCTOBER, 2012.

Shelley Gambacort
Director of Land Use Management