

**City of Kelowna
Regular Council Meeting
AGENDA**



Tuesday, August 13, 2013
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

2. Prayer

A Prayer will be offered by Councillor Given.

3. Bylaws Considered at Public Hearing

- 3.1 Bylaw No. 10867 (OCP13-0014) - 1150 & 1200 Steel Road, No. 21 Great Projects Ltd. 1 - 2

To give Bylaw No. 10867 second and third readings.

- 3.2 Bylaw No. 10868 (Z13-0023) - 1150 & 1200 Steel Road, No. 21 Great Projects Ltd. 3 - 4

To give Bylaw No. 10868 second and third readings.

- 3.3 Bylaw No. 10872 (Z13-0022) - 1369 & 1375 Bertram Street, John Bauer, Irvin and Linda Cordes 5 - 5

To give Bylaw No. 10872 second and third readings.

4. Notification of Meeting

The City Clerk will provide information as to how the following items on the Agenda were publicized.

5. Development Permit and Development Variance Permit Reports

City Clerk to state for the record any correspondence received. Mayor to invite anyone in the public gallery who deems themselves affected by the required variance(s) to come forward.

- 5.1 Development Variance Permit Application No. DVP13-0112 - 381 Okaview Road, Don Bouwman 6 - 16

To consider a request by the applicant to reduce the minimum rear yard setback from 3.0m permitted to 1.5m proposed in order to facilitate the development of

an accessory building at the rear of the subject property.

5.2 Development Variance Permit Application No. DVP13-0078 - 515 Francis Avenue, Justin Gaspari

17 - 31

To vary the size of the required parking spaces to facilitate an additional 1 bedroom unit within the development.

6. Reminders

7. Termination

CITY OF KELOWNA

BYLAW NO. 10867

Official Community Plan Amendment No. OCP13 - 0014 No. 21 Great Projects Ltd. 1150 and 1200 Steele Road

A bylaw to amend the "*Kelowna 2030* - Official Community Plan Bylaw No. 10500".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* - Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of a portion of Lot A, District Lot 579, SDYD, Plan EPP9618 Except Plans EPP9638, EPP15721, EPP18670, EPP20408 and EPP22118, located at 1150 Steele Road, Kelowna, B.C., and Lot 1, District Lot 579, SDYD, Plan EPP20408, located at 1200 Steele Road from the Multiple Unit Residential - Low Density, Single / Two Unit Residential, Major Park & Open Space, Educational / Institutional, Commercial designation to the Multiple Unit Residential - Low Density, Single / Two Unit Residential, Major Park & Open Space, Educational / Institutional, Commercial designation as shown on Map "A";
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of July, 2013.

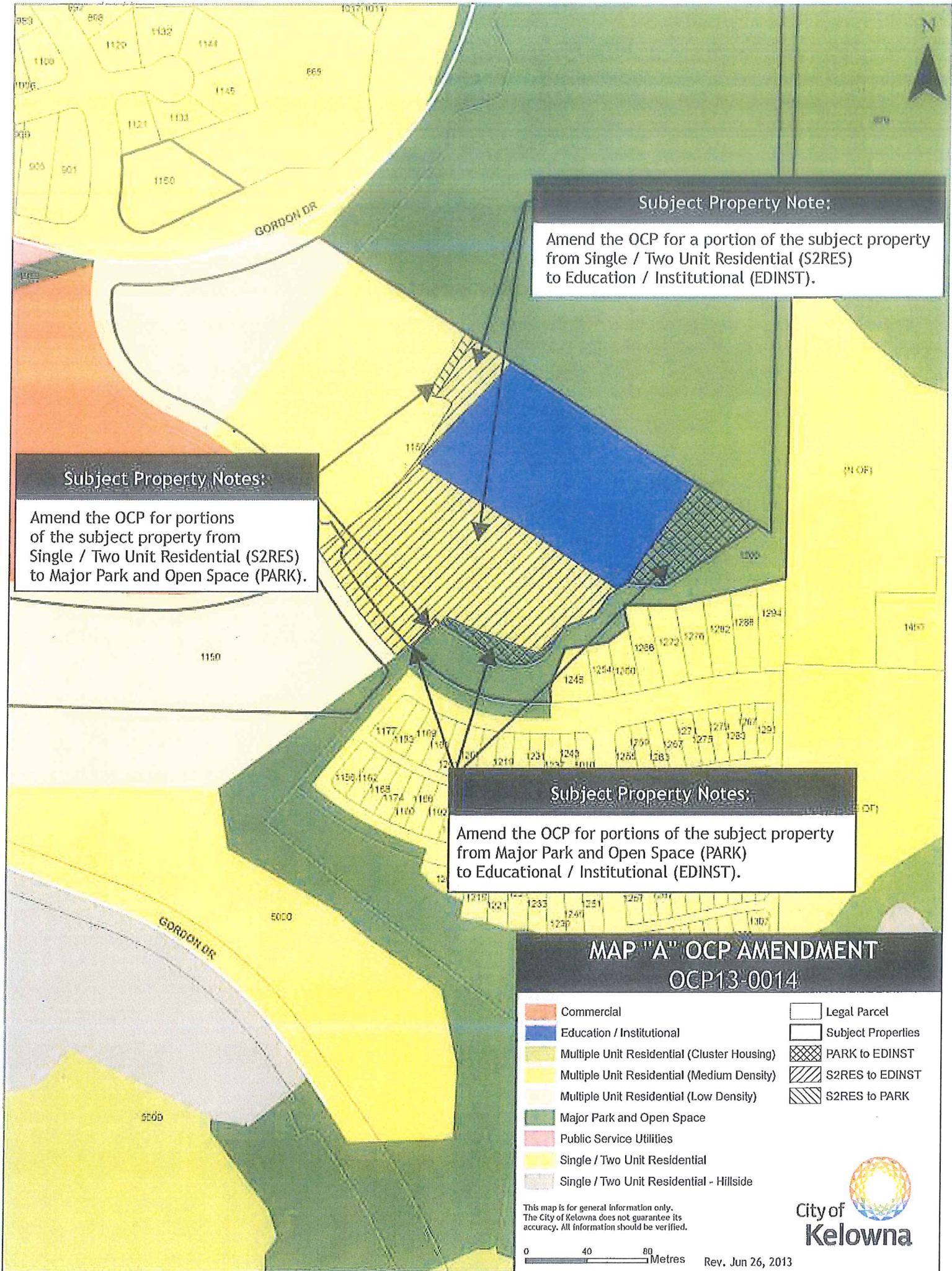
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA
BYLAW NO. 10868
Z13-0023 - No. 21 Great Projects Ltd.
1150 and 1200 Steele Road

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of a portion of Lot A, District Lot 579, SDYD, Plan EPP9618 Except Plans EPP9638, EPP15721, EPP18670, EPP20408 and EPP22118 located at 1150 Steele Road, Kelowna, B.C., and Lot 1, District Lot 579, SDYD, Plan EPP20408, located at 1200 Steele Road from the A1 - Agriculture 1, RU1 - Large Lot Housing, RU1H - Large Lot Housing Hillside, P3 - Parks & Open Space zone to the A1 - Agriculture 1, RU1 - Large Lot Housing, RU1H - Large Lot Housing Hillside, P2 - Educational & Minor Institutional, P3 - Parks & Open Space zone as shown on Map "B".
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of July, 2013.

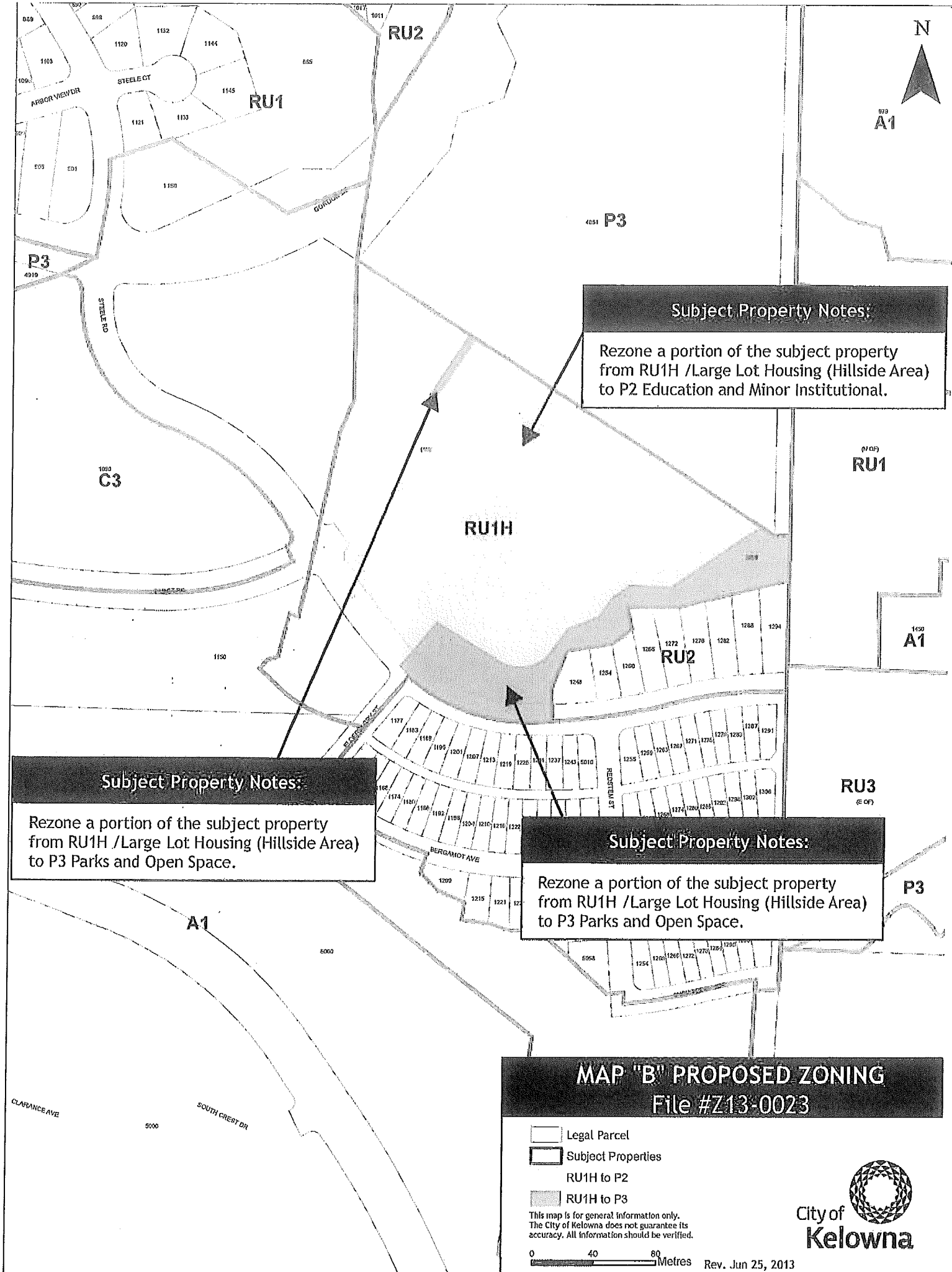
Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



Subject Property Notes:

Rezone a portion of the subject property from RU1H /Large Lot Housing (Hillside Area) to P2 Education and Minor Institutional.

Subject Property Notes:

Rezone a portion of the subject property from RU1H /Large Lot Housing (Hillside Area) to P3 Parks and Open Space.

Subject Property Notes:

Rezone a portion of the subject property from RU1H /Large Lot Housing (Hillside Area) to P3 Parks and Open Space.

MAP "B" PROPOSED ZONING
File #Z13-0023

- Legal Parcel
- Subject Properties
- RU1H to P2
- RU1H to P3

This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

0 40 80 Metres

Rev. Jun 25, 2013



CITY OF KELOWNA
BYLAW NO. 10872
Z13-0022 - John Bauer, Irvin and Linda Cordes
1369 and 1375 Bertram Street

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 13, District Lot 139, ODYD, Plan 2271, located at 1369 Bertram Street, Kelowna, B.C., and Lot 14, District Lot 139, ODYD, Plan 2271, located at 1375 Bertram Street, Kelowna, B.C., from the RU6 - Two Dwelling Housing zone to the RM5 - Medium Density Multiple Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 29th day of July, 2013.

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: July 15, 2013

RIM No. 0940-50

To: City Manager

From: Land Use Management, Community Sustainability (JM)

Application: DVP13-0112 **Owner:** Alan Dadswell,
Marguerite Alston

Address: 381 Okaview Road **Applicant:** Don Bouwman

Subject: [Title]

Existing OCP Designation: S2RES - Single / Two Unit Residential

Existing Zone: RR1 - Rural Residential 1

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0112, for Lot B, Section 23, Township 28, SDYD, Plan KAP47783, located on 381 Okaview Road, Kelowna, BC;

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

Section 12.1.6(e): Development Regulations

To vary the minimum rear yard setback from 3.0m permitted to 1.5m proposed.

AND FURTHER THAT, prior to issuance, the applicant be required to provide evidence to the satisfaction of the Development Engineering Manager that the proposed driveway meets the 3.0m minimum standard width.

2.0 Purpose

To consider a request by the applicant to reduce the minimum rear yard setback from 3.0m permitted to 1.5m proposed in order to facilitate the development of an accessory building at the rear of the subject property.

3.0 Urban Planning

Urban Planning staff are supportive of the proposed variance to the Zoning Bylaw to accommodate the development of an accessory building on the subject property. In the context of the Development Variance Permit (DVP13-0069) that was recently approved by Council, the requested variance is very minor in nature, and is not expected to result in any negative impacts

on adjoining properties. The requested 1.5m setback is also consistent with the standards applicable to surrounding development under Land Use Contract 77-1002.

4.0 Proposal

4.1 Background

On July 2, 2013, Council considered a similar Development Variance Permit application (DVP13-0069) for the subject property to facilitate the construction of the same accessory building. In this application, which was approved by Council, the applicant requested two variances: a reduction in the minimum side yard setback from 3.0m permitted to 1.5m proposed, and an increase in the overall site coverage from 10% permitted to 21.3% proposed.

Subsequent to issuance of both the Development Variance Permit (DVP) and the Building Permit, Development Services staff conducted an initial inspection of the foundation of the accessory building. During this inspection, they discovered that the foundation was not built in a manner consistent with the DVP. Specifically, the building foundation was set 1.5m from the rear property line where the Zoning Bylaw requires a minimum of 3.0m.

This siting issue was not identified by the applicant at any point during the previous DVP process. In order to resolve the issue, an additional DVP application has been triggered.

4.2 Project Description

The applicant is seeking to develop a large garage structure at the rear of the subject property in order to accommodate a recreational vehicle (RV) and one or more classic cars. There is an existing two car garage attached to the principal dwelling. To access this new garage the existing driveway at the front yard will be continued through the side yard to the rear of the property.

The proposed garage is approximately 151.4m² in area and contains two bays: one bay with a 3.0m ceiling to accommodate up to two standard vehicles in tandem, and one bay with a 4.9m ceiling to accommodate the recreational vehicle. The structure is one storey with a height of 5.3m.

The applicant has canvassed surrounding land owners within a 50m radius of the subject property. All but three (3) have signed in support of the project. The remaining three were either not available or vacant. In addition, the three properties that were not able to sign in favour of the proposal are well below the grade of the subject property and the project is not visible from their lots.

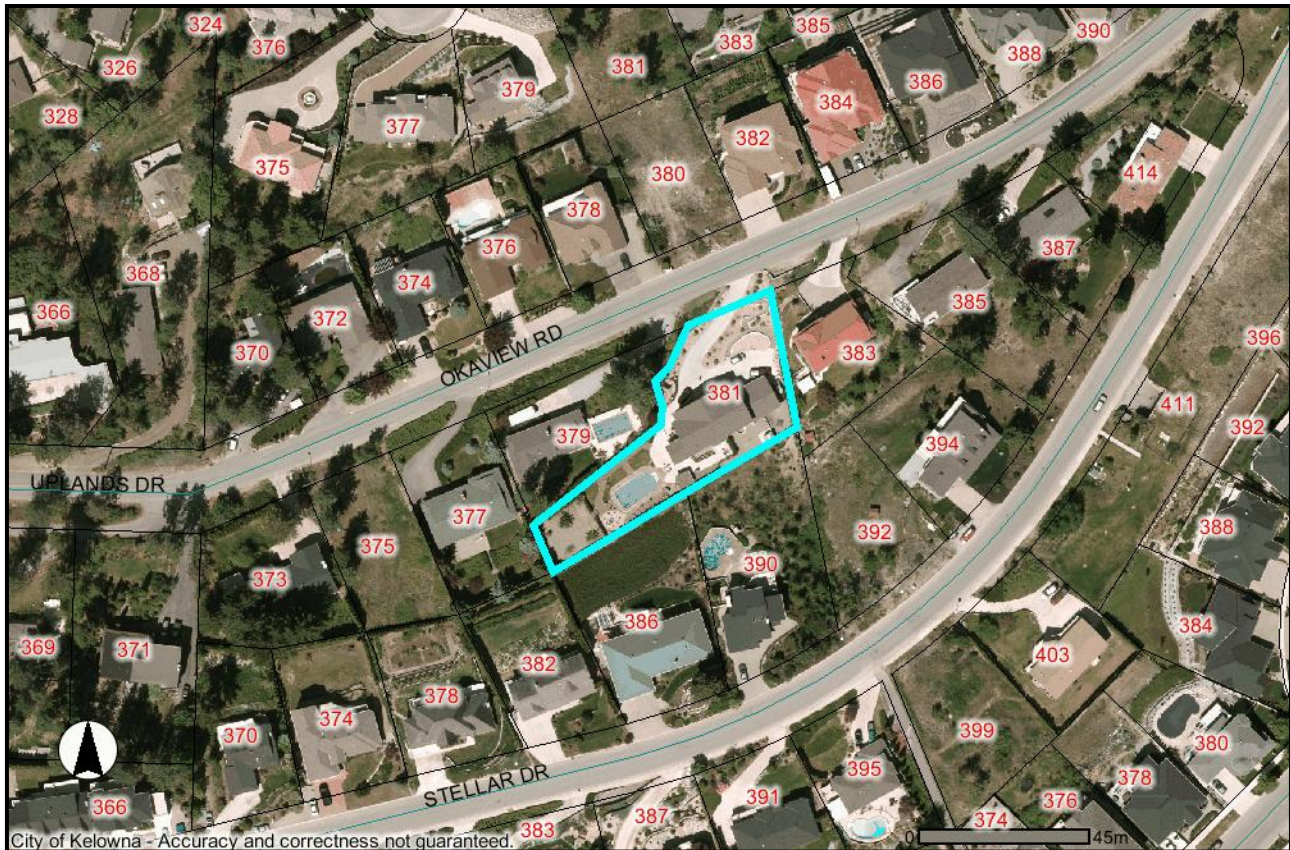
4.3 Site Context

The subject property is situated on the south side of Okaview Road, approximately 185m west of its intersection with Stellar Drive. The lot is 1,936m² in area and is zoned RR1 - Rural Residential 1 in the Zoning Bylaw, but is subject to a Land Use Contract (LUC#77-1002).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR2 - Rural Residential 2	Large lot, rural residential housing
East	RR1 - Rural Residential 1, RR2 - Rural Residential 2	Large lot, rural residential housing
South	RR1 - Rural Residential 1, RU1 - Large Lot Housing	Large lot, rural residential housing
West	RR2 - Rural Residential 2	Large lot, rural residential housing

Subject Property Map: 381 Okaview Road



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RR1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	8,000 m ²	1,936 m ²
Lot Width	40 m	variable
Lot Depth	30 m	36.55 m
Development Regulations		
Height (accessory bldgs)	6.0 m	5.37 m
Front Yard	6.0 m	exceeds
Side Yard (west)	3.0 m	1.5 m *
Side Yard (east)	3.0 m	exceeds
Rear Yard (accessory bldgs)	3.0 m	1.5 m ^①
Site Coverage	10%	21.3% *
Other Regulations		
Minimum Parking Requirements	2	5
^① Indicates a requested variance to the minimum rear yard setback from 3.0m required to 1.5m proposed. * Variance previously approved under Development Variance Permit No. DVP13-0069.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

The subject property is designated S2RES - Single / Two Unit Residential in the Official Community Plan.

6.0 Technical Comments

6.1 Building & Permitting Department

- 1) Building Permits to be revised

6.2 Development Engineering Department

See Memorandum, dated July 11, 2013.

7.0 Application Chronology

Date of Application Received: July 10, 2013

Report prepared by:

James Moore, Land Use Planner

Reviewed by:

☐

Danielle Noble, Urban Land Use Manager

Approved for Inclusion:

☐

Doug Gilchrist, GM of Community Planning & Real Estate

Attachments:

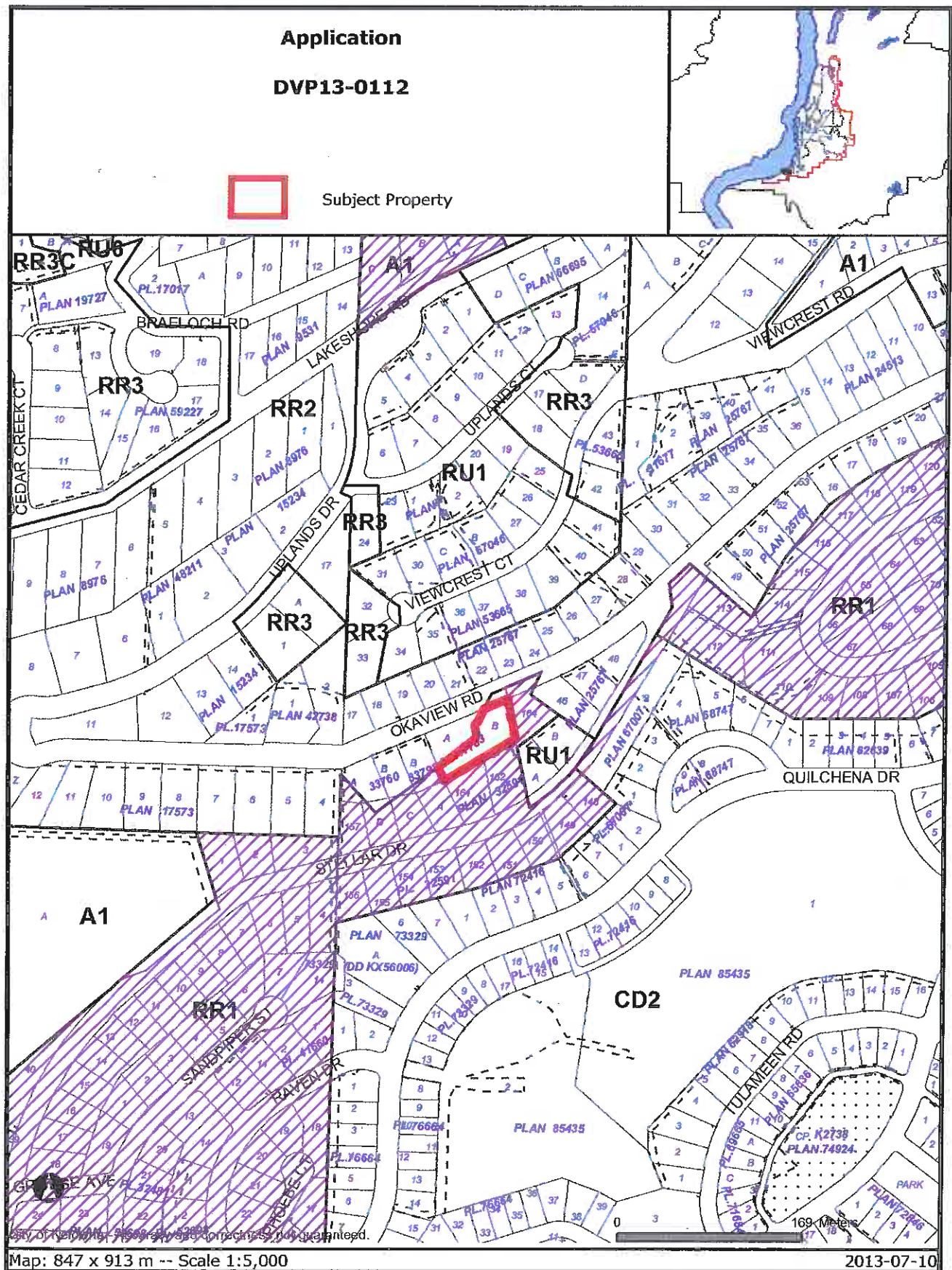
Subject Property Map

Site Plan

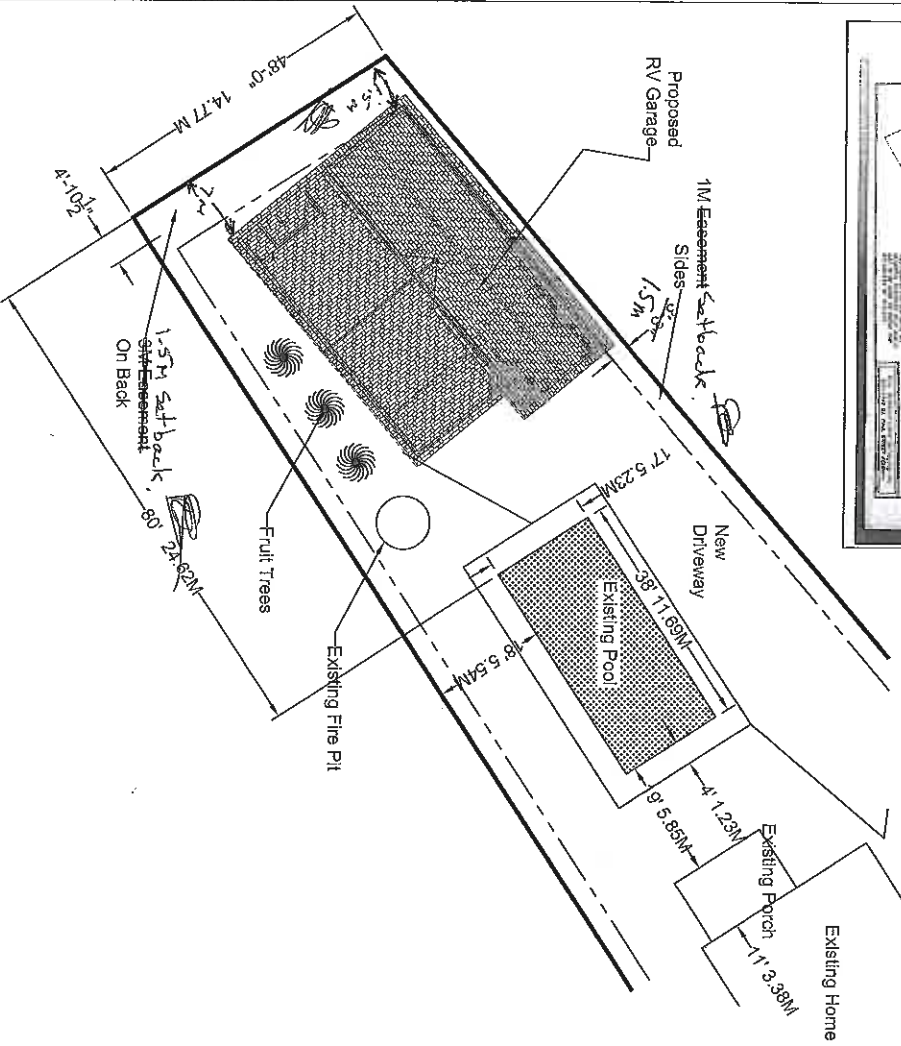
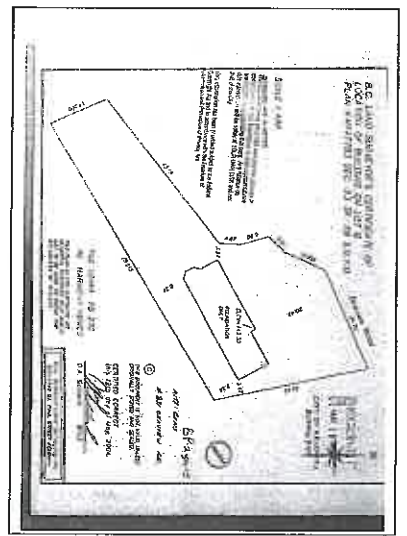
Conceptual Elevations

Development Engineering Memorandum, dated July 11, 2013

DRAFT Development Variance Permit No. DVP13-0112



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.



NOTE: All utilities & site work to be done per code and per subdivision requirements



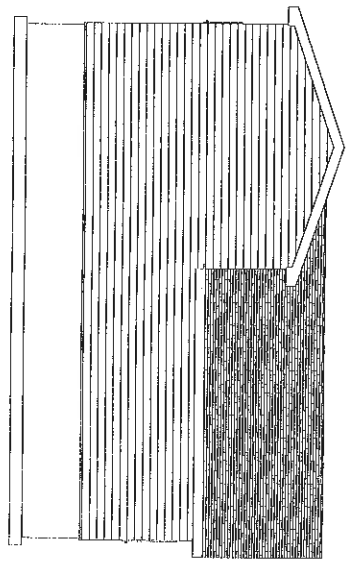
Google Maps View



381 ^{Ka} Oakview Kelowna BC Proposed RV Garage Plot Plan Scale 1"=20'

Note: Paper size 8.5" x 11" if printed on D-22 x 34 scale is 50% of actual scale
©CCP-RIGHT 2023 SDCAD Specialized Design Systems

Plot Plan		Residential Design	
<div> <div>SDS-CAD</div> <div>Specialized Design Systems</div> </div>		<div> <div>SDS-CAD</div> <div>Specialized Design Systems</div> </div>	



REAR ELEVATION

SCALE
1/8"=1'

$$1/8'' = 1'$$

Asphalt Shingles
14' Tall 2 x Walls

14' Tall 2 x Walls

**Horizontal Vinyl Siding
Sides and Back
Stucco and Rock on
the Front**

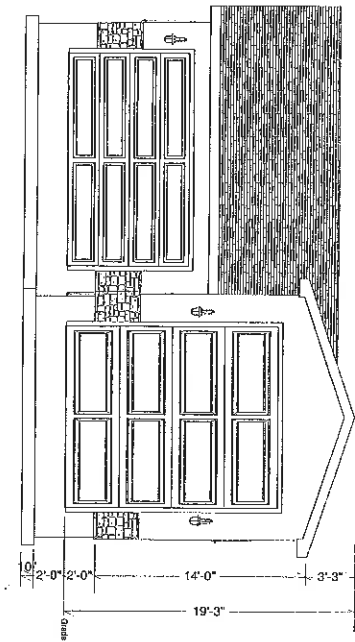
the Front

the Front

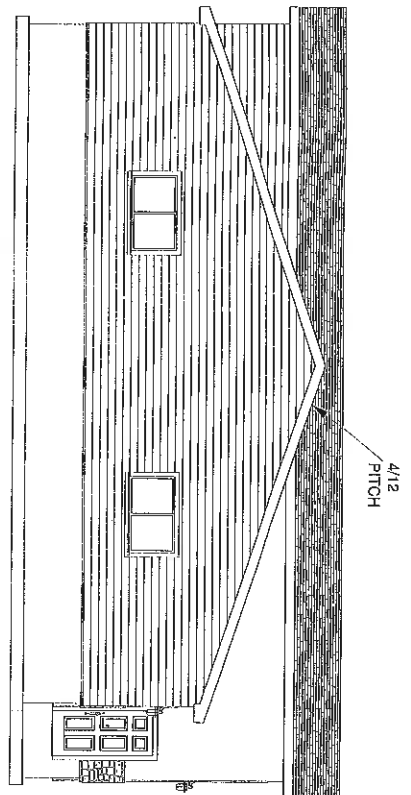
the Front

4/12
PITCH

PITCH

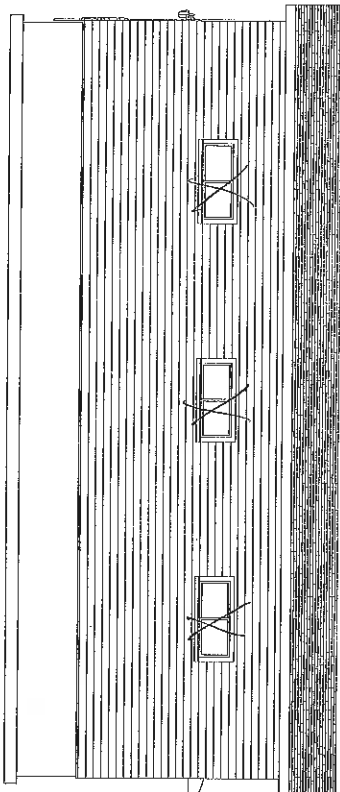


FRONT ELEVATION

4/12
PITCH

✓PITCH

LEFT ELEVATION



RIGHT ELEVATION

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CITY OF KELOWNA
MEMORANDUM

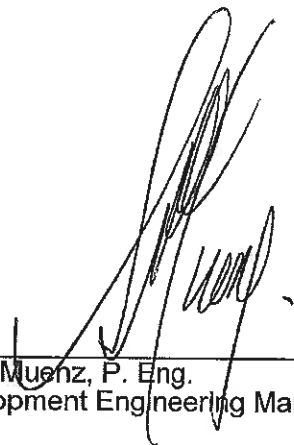
Date: July 11, 2013
File No.: DVP13-0112 / DVP13-0069
To: Land Use Management Department (JM)
From: Development Engineering Manager
Subject: 381 Okaview Rd Lot B Plan 47783 Site Coverage and Setback Variance

Development Engineering Services have the following requirements associated with this Application.

Site Related Issues

Application for a Development Variance Permit to vary the rear yard setback from 3.0m required to 1.5m proposed, does not compromise our servicing requirements.

A portion of the driveway that will access the proposed building currently encroaches onto the neighbors property. A minimum driveway width of 3.0m is required on the subject property.



Steve Muenz, P. Eng.
Development Engineering Manager

jf

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

☐ Development Variance Permit No.: DVP13-0112

EXISTING ZONING DESIGNATION:

RR1- Rural Residential 1

DEVELOPMENT VARIANCE PERMIT:

- To vary the minimum rear yard setback from 3.0m permitted to 1.5m proposed;

ISSUED TO: Alan Dadswell & Marguerite Alston (Applicant Don Bouwman)

LOCATION OF SUBJECT SITE: 381 Okaview Road

	LOT	SECTION	D.L.	TOWNSHIP	DISTRICT	PLAN
LEGAL DESCRIPTION:	B	23		28	SDYD	KAP47783

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 a Development Permit and/or 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 variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 12.1.6 (e) Development Regulations:

To vary the minimum rear yard setback from 3.0m permitted to 1.5m proposed (as per Schedule "A").

AND THAT, prior to issuance, the applicant provide evidence that the proposed driveway meets the 3.0m minimum standard.

2. DEVELOPMENT:

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.

If the Permittee does not commence the development Permitted by this Permit within one year of the date of this Permit, this Permit shall lapse.

This Permit is not transferrable unless specifically Permitted by the Municipality. The authorization to transfer the Permit shall, if deemed acceptable, be granted by Council resolution.

THIS Permit IS NOT A BUILDING Permit.

3 PERFORMANCE SECURITY: Not applicable.

4. APPLICANT'S AGREEMENT:

I hereby declare that all the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to save harmless and effectually indemnify the Municipality against:

- (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 Planning & Development Services.

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

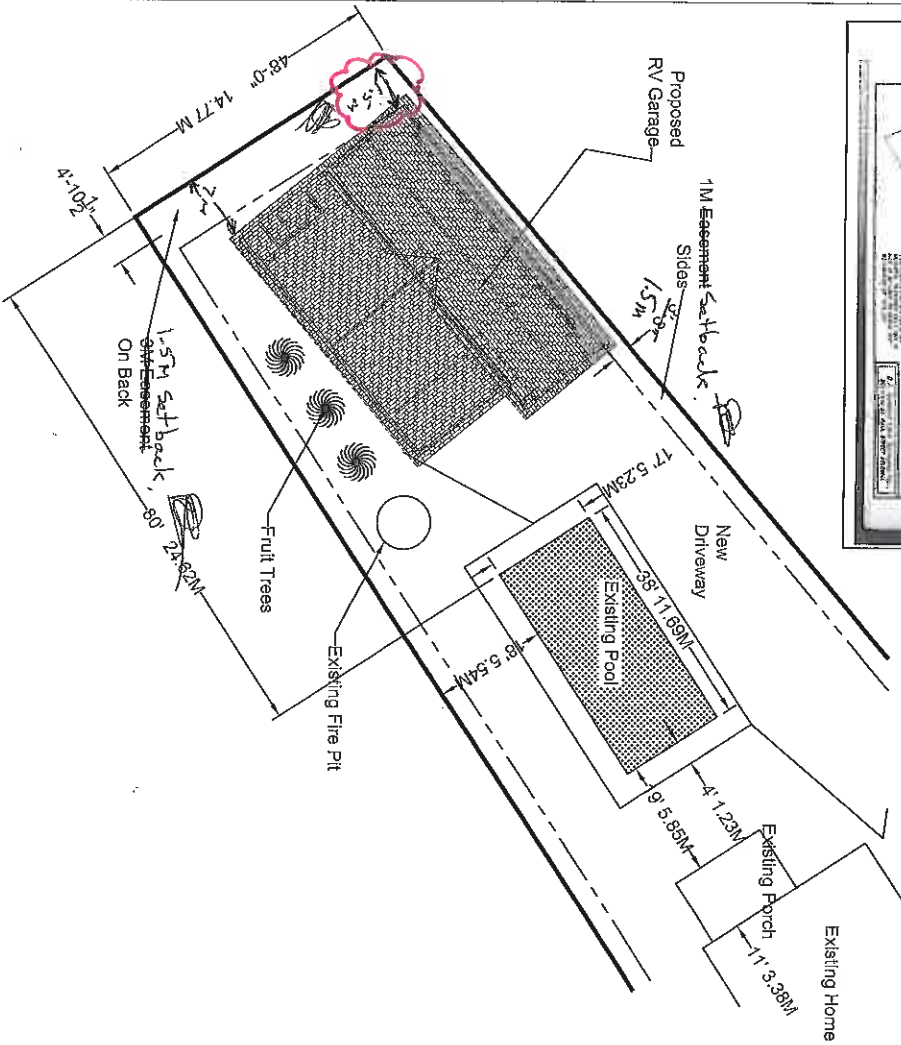
Telephone No.

6. APPROVALS:

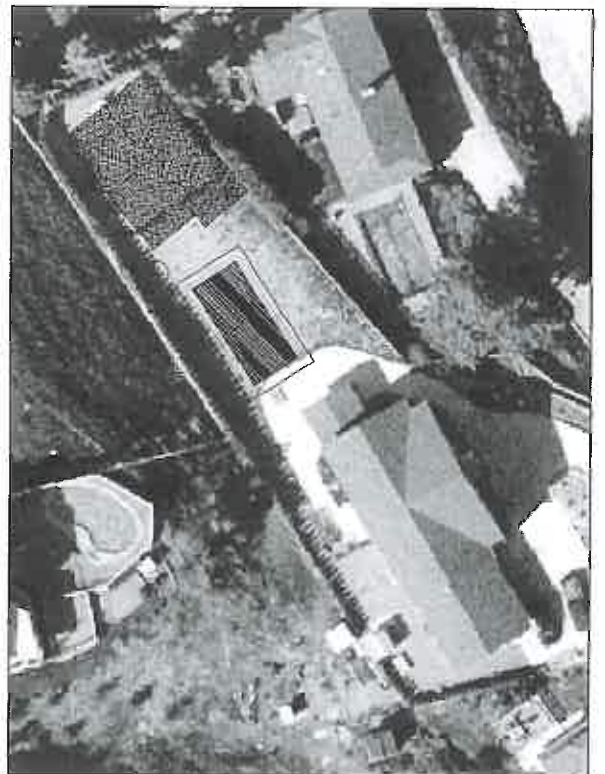
DEVELOPMENT VARIANCE PERMIT AUTHORIZED BY THE COUNCIL ON THE ____ DAY OF JULY, 2013.

ISSUED BY THE GENERAL MANAGER OF COMMUNITY PLANNING AND REAL ESTATE OF THE CITY OF KELOWNA THE ____ DAY OF JULY, 2013.

Doug Gilchrist,
General Manager, Community Planning & Real Estate



NOTE: All utilities & site work to be done per code and per subdivision requirements



Google Maps View



381 Oakview^{Ka} Kelowna BC Proposed RV Garage Plot Plan Scale 1"=20'

Note: Paper size B1 - 11 x 17" Printed on 11 x 22 x 34 inch in 2X of sheet scale
©COPYRIGHT 2008 SDS-CAD Specialized Design Systems

SCHEDULE

A

This forms part of development
Permit # DV13-0112

Residential Design

SDS-CAD
Specialized Design Systems



Plot Plan

DATE	
BY	
CHECKED	
DATE	
REVISION	
NO.	
DATE	

REPORT TO COUNCIL



Date: July 11, 2013

RIM No. 0940-50

To: City Manager

From: Land Use Management, Community Sustainability (BD)

Application: DVP13-0078 **Owner:** 4G Developments Ltd. Inc.
No. BC0926540

Address: 515 Francis Avenue **Applicant:** Justin Gaspari

Subject: [Title]

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

Existing Zone: RM3- Low Density Multiple Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Variance Permit No. DVP13-0078, for Lot 1, District Lot 14, ODYD, plan EPP 23030 Except Strata Plan ESP1084 located on 515 Francis Avenue, Kelowna, BC;

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:
Section 8.1.11 (b): Parking Size and Ratio

To vary the required number of full size stalls from 6 spaces to 5 spaces proposed and increase the number of compact stalls from 1 permitted to 2 proposed (as per Schedule A).

AND FURTHER THAT prior to issuance, the applicant provide a sample disclosure statement of how parking stall assignments will be managed through individual rental tenant agreements.

2.0 Purpose

To vary the size of the required parking spaces to facilitate an additional 1 bedroom unit within the development.

3.0 Land Use Management

The subject property was recently rezoned to allow the construction of a new 6 two-bedroom unit development. The applicant discovered that there was demand for one-bedroom units and adjusted their plans to convert a two-bedroom up/down unit to 2 one-bedroom units. The resulting development is configured with 5 two-bedroom units and 2 one-bedroom units. The

floor area ratio, height and building foot print are not being altered, therefore the change is easily accomplished with the exception of parking.

This application seeks to vary the number of full size parking stalls from 6 required to 5 proposed and increase the number of compact size stalls permitted from 1 to 2. The stall size change allows the required parking to be achieved on site. The Development Engineering department considers the change acceptable with the provision of a disclosure statement indicating how the parking stalls would be allocated.

As per Council Policy 367, the applicant consulted the immediate neighbourhood, and obtained support from 50% of the neighbours within the prescribed 50m radius. Given that the required number of parking spaces meets the Zoning Bylaw 8000 and the applicant commits to assign parking stalls based on tenant requirements, Staff are supportive of this variance.

3.0 Proposal

3.1 Project Description

The redevelopment of the subject property to allow a 6 unit multi-residential rental development was approved in October 2012. The applicant has decided to reconfigure the project and provide 7 units in the form of 5 two bedroom units and 2 one bedroom units. Given this change, the Zoning Bylaw 8000 requires one additional parking stall.

The applicant initially sought a variance to reduce the number of parking stalls, however with the new graduated parking space sizes, it was discovered that the required number of spaces could be achieved if the stall sizes are varied. This application seeks to vary the number of full size parking stalls from 6 required to 5 proposed and increase the number of compact size stalls permitted from 1 to 2. The stall size change allows the required parking to be achieved on site.

There is concern that tenants with a large vehicle might be allocated to a compact space within the rental building. As there are 7 units in the building, the applicant can ensure that a large or medium stall is provided to each rental unit where needed based on vehicle ownership. The parking spaces will be numbered and allocated to each unit as part of the rental agreement.

3.2 Site Context

The subject properties are 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

3.3 Subject Property Map: 515 Francis Avenue



3.3 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 ①	7.5m
Distance between principal Buildings	7.11 m	3.0m

Other Requirements		
Floor Area Ratio	0.60	The maximum floor area ratio is 0.75
Number of Parking Spaces	5 @ 2 bedroom units = 7.5 2 @ 1 bedroom units = 2.5 plus 1 visitor parking stall Total required & provided: 11 Spaces	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
Size of parking spaces	5 Full size, 4 medium, 2 compact provided ❶	50% full size (6.0m X 2.5m) 40% medium (4.8m x 2.3m) 10% compact (3.4m x 2.0m) 6 full, 4 medium and 1 compact required
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	7 spaces provided	Class I: 0.5 per dwelling unit Class II: 0.1 per dwelling unit
Private Open Space	180 m ² plus balconies	15m ² per 1 bedroom dwelling 25m ² per 2 or more bedroom dwellings 155m ² required
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 	Front yard: 3.0 m landscape buffer Rear & Side yard: 3.0m landscape buffer or Continuous opaque barrier

❶ A variance relax the rear yard set back from 7.5m required to 3.5m proposed was granted by Council in October 2011.

❶ A variance is sought to allow a reduction in the full size spaces from 6 spaces to 5 spaces and increase the allowable compact spaces from 1 to 2 proposed.

4.0 Current Development Policies

4.1 Zoning Bylaw 8000 Parking Regulations - Section 8.1.11 - Size and Ratio

a) Size

	Length	Width
a) Full Size Vehicle Parking space	6.0m	2.5m
b) Medium Size Vehicle Parking Space	4.8m	2.3m
c) Compact Vehicle/Motorcycle Parking Space	3.4m	2.0m

b) Ratio

Parking Stall Type Ratio By Use:	Full Size Vehicle Parking Stalls	Medium Size Vehicle Parking Stalls	Compact Car/ Motorcycle Parking Stalls
Multi-family Residential	50% Minimum	40% Maximum	10% Maximum

5.0 Technical Comments

5.1 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) 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(s):
 - a. The access to the new second floor unit would be required to be fire rated. This includes a rating due to the proximity to the property line as well as the middle unit. A non combustibile fire separation maybe required to be incorporated into the design.
 - b. The new egress stairway will affect the egress from the lower unit bedroom windows, so an alternative solution would be required from a code consultant to deal with the windows or renovation to the lower unit may be required.
 - c. A structural engineer will be required at time of building permit application for the construction of the new structure and connection to existing building.
 - d. The new foundations will be required to be solely on the one property and not allowed to cross the property line.
- 3) Full Plan check for Building Code related issues will be done at time of Building Permit applications.

5.2 Development Engineering Department

Development Engineering comments and requirements regarding this development permit application are as follows:

The Development Variance Permit to vary the amount of required parking from 11 stalls to 10 stalls is acceptable provided the developer add language in the disclosure statement as to the parking variance and how this is accommodated. The statement should indicate

that 11 parking stalls are required but 10 stalls are provided. *Further, providing 11 stalls and varying the size of the stalls does not cause concern.*

6.0 Application Chronology

Date of Application Received: May 23, 2013
Application refinement: July 8, 2013

Report prepared by:

Birte Decloux, Land Use Planner

Reviewed by:

☐

Danielle Noble, Manager, Urban Land Use

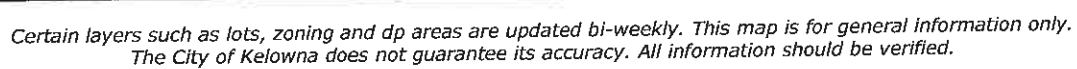
Approved for Inclusion:

☐

Doug Gilchrist, Divisional Director, Community Planning
and Real Estate

Attachments:

Site Plan - Schedule "A"
Elevations
Floor Plans
Context/Site Photos
Letter of Rationale



Permit # DVP13-0078



2473 PANDOSY STREET
BIRMINGHAM, AL 35215
143 PANDOSY STREET
MONTANA, MT
2453 PANDOSY STREET
BIRMINGHAM, AL 35215
143 PANDOSY STREET
MONTANA, MT

REVISED PLANS

JUN 25 2013

CITY OF KELOWNA
Land Use Management

[illegible]

**HOLDEN'S
DRAUGHTING & DESIGN**
187 SANDHURST AVENUE

WILSON, D.C.
Yonkers
Phone: 201-329-0000
Fax: 201-329-0000

PROJECT	H.O.D.	Event Addressed

2483 / 2473 PANDOSY STREET

KELOWNA, B.C.,

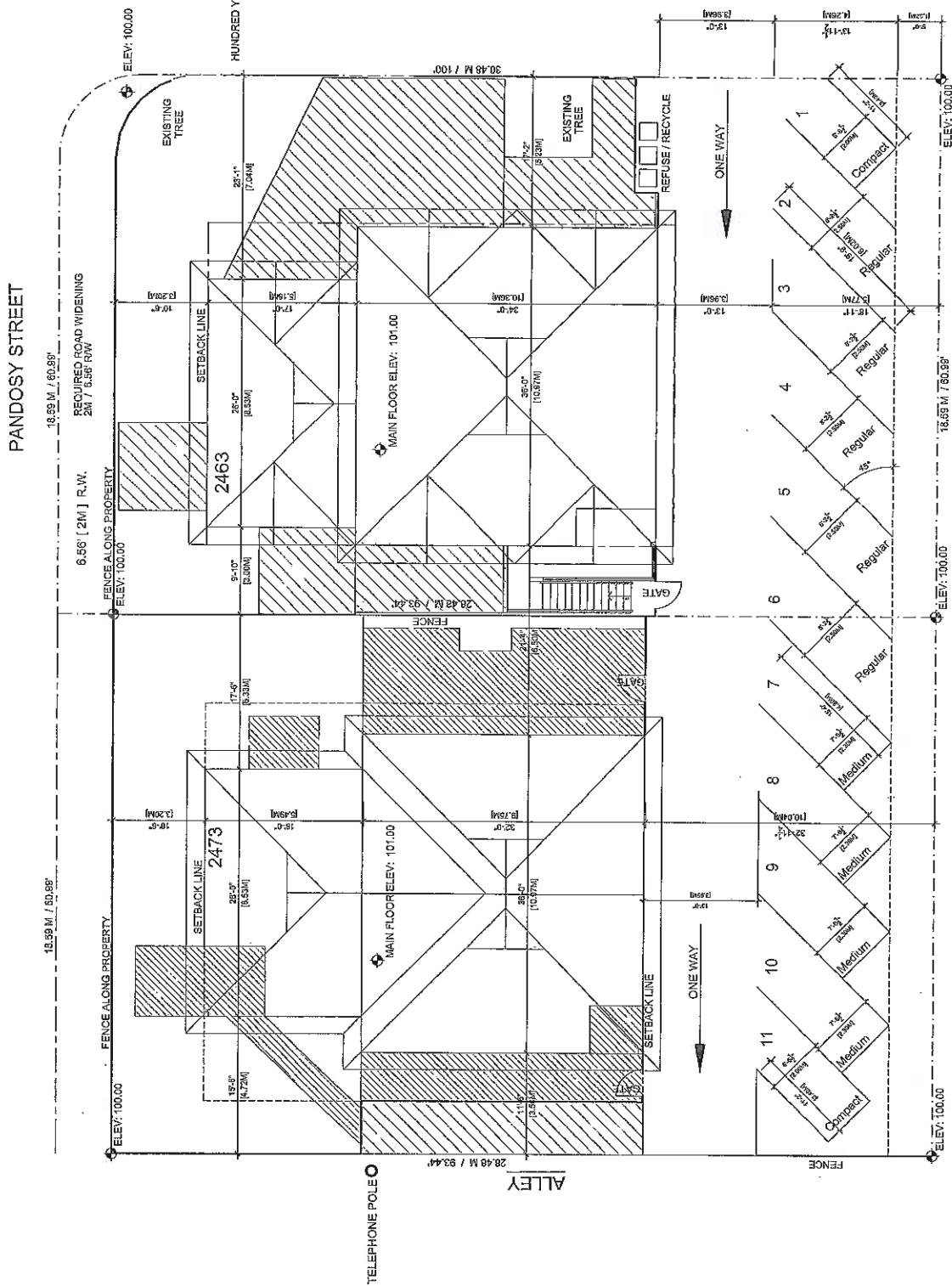
SITE PLAN

GRADING / DRAINAGE

RAH	WEST 100
DEGREES	AD

[illegible]

Rev. 0
08-11



SITE PLAN







515 Francis avenue is not just another development. Ever since this building has been constructed, there has been no lack of an audience. With two separate buildings and 6 unique dwelling units, that each have a distinct concept that make them all well-favoured in this community.

There has been a great deal of people from not only Kelowna, but from cross country, asking to live right here at 515 Francis avenue. The amount of people wanting to be in this area of Kelowna is very high and will be for many years in the future. A newly constructed hospital, a growing collage all very close to the Okanagan Lake and south Pandosy, the demand for more units is growing. Every person wanting to live at 515 Francis after the building has been built and rented, that had to be turned down, was difficult thing to do. With many people calling, emailing and text messaging to find weather or not 515 Francis "was still available". It was disappointing not having units to fulfill the demand. They would leave there name and number with the company hoping a unit opens up at 515 Francis in the future. This showed 4G Developments that there was a simple decision to make and that was to create another unit.

We Found that with this particular project people would not mind smaller units. Having found that we could easily adapt those smaller units into 515 Francis, therefore we are changing what are plans were, in terms of how we are configuring the units. Which also triggers a reduction in parking. With each of the rental agreements, the company has allocated a parking stall to each particular unit, therefore we feel that with having 11 spaces we would have adequate space for all 7 units. We have purposely numbered each stall so that it is more clear to the renter which parking stall would allocated to them.

Understanding one of the issues is that every unit should and has to have outdoor open spaces. Validating, that every unit has outdoor open space. In accordance with the number of square meters required per bedroom, including the new seventh unit.

There are high demands in this area. The zoning has changed some of its rules to support this. To let the F.A.R increase from 0.55 to a staggering 0.75 in RM3. As Developers, we will try to do our best in solidifying those request for the citizens of Kelowna and people that work here. To try and create more homes, because it is not just a rental unit to them, Its a home. Near by work and play. For less use of there cars and better use of the city. This area of Kelowna should have more buildings like 515 Francis.

CITY OF KELOWNA

APPROVED ISSUANCE OF A:

☐ Development Variance Permit No.: DVP13-0078

EXISTING ZONING DESIGNATION: RM3 - Low Density Multiple Housing

DEVELOPMENT VARIANCE PERMIT: Section 8.1.11(b) Parking Size and Ratio

ISSUED TO: 4G Developments Ltd. Inc. (R or J Gaspari)

LOCATION OF SUBJECT SITE: 515 Francis Avenue

	LOT	SECTION	D.L.	TOWNSHIP	DISTRICT	PLAN
LEGAL DESCRIPTION:	1		14		ODYD	EPP23030 except Strata Plan ESP1084

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 a Development Permit and/or 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 variances to the following sections of Zoning Bylaw No. 8000 are granted:

Section 8.1.11 (b): Parking Size and Ratio

To vary the required number of full size stalls from 6 spaces to 5 spaces proposed and increase the number of compact stalls from 1 permitted to 2 proposed (as per Schedule A), subject to the applicant providing a sample disclosure statement and how this will be managed through individual rental tenant agreements.

2. DEVELOPMENT:

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit which shall form a part hereof.

If the Permittee does not commence the development Permitted by this Permit within one year of the date of this Permit, this Permit shall lapse.

This Permit is not transferrable unless specifically Permitted by the Municipality. The authorization to transfer the Permit shall, if deemed acceptable, be granted by Council resolution.

THIS Permit IS NOT A BUILDING Permit.

3 PERFORMANCE SECURITY: Not applicable.

4. APPLICANT'S AGREEMENT:

I hereby declare that all the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to save harmless and effectually indemnify the Municipality against:

- (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 THE COUNCIL ON THE ____ DAY OF AUGUST, 2013.

ISSUED BY THE DIVISIONAL DIRECTOR OF COMMUNITY PLANNING AND REAL ESTATE OF THE CITY OF KELOWNA
ON THE ____ DAY OF AUGUST, 2013.

Doug Gilchrist
Divisional Director, Community Planning & Real Estate