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**CITY OF KELOWNA  
MEMORANDUM**

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**Date:** August 19, 2004  
**File No.:** Z04-0032  
**To:** City Manager  
**From:** Planning & Corporate Services Department  
**Subject:**

**APPLICATION NO.** Z04-0032      **OWNER:** Gerry Toye  
**AT:** 595 Ziprick Road      **APPLICANT:** Gerry Toye

**PURPOSE:** REZONE THE SUBJECT PROPERTY FROM RU1 – LARGE LOT HOUSING ZONE TO RU2 – MEDIUM LOT HOUSING ZONE TO FACILITATE A SUBDIVISION THAT WOULD CREATE TWO NEW LOTS FROM THE ONE EXISTING LOT.

**EXISTING ZONE:** RU1 – LARGE LOT HOUSING ZONE

**PROPOSED ZONE:** RU2 – MEDIUM LOT HOUSING ZONE

**REPORT PREPARED BY:** NELSON WIGHT

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**SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS**

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**1.0 RECOMMENDATION**

THAT Rezoning Application No. Z04-0032 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot C, Sec. 22, Twp. 26, ODYD, Plan 27790 located on Ziprick Road, Kelowna, B.C. from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone be considered by Council;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration.

**2.0 SUMMARY**

The Applicant is proposing to rezone the subject property from RU1 – Large Lot Housing zone to RU2 – Medium Lot Housing zone to facilitate a subdivision that would create two new lots from the one existing lot.

**3.0 ADVISORY PLANNING COMMISSION**

This application was reviewed by the Advisory Planning Commission (APC) at the meeting of June 22, 2004 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z04-0032, for 595 Ziprick Road, Lot C Plan 27790 Sec. 22 Twp 26 ODYD to rezone from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone in order to construct an additional single family dwelling unit on the subject property.

#### 4.0 BACKGROUND

##### 4.1 The Proposal

The application meets the requirements of the RU2 – Medium Lot Housing zone as follows:

CRITERIA	PROPOSAL	RU2 ZONE REQUIREMENTS
Site Area	Proposed lot 1: 636 m <sup>2</sup> Proposed lot 2: 457 m <sup>2</sup> Existing lot: 1,093 m <sup>2</sup>	min. 400 m <sup>2</sup>
Lot Width	Proposed lot 1: 21 m Proposed lot 2: 15 m	min. 13.0 m min. 15.0 m (corner)
Lot Depth	Proposed lot 1: 30 m Proposed lot 2: 30 m	min. 30.0 m
Height	Existing house – 1 storey	max. 2 ½ storeys 9.5 m
<b>SETBACKS</b>		
Front	6.9 m	4.5 m, or 6.0 m for garage or carport having vehicular entry from the front
Side (east)	1.5	1.5 m < 1 ½ storey 1.8 m > 1 ½ storey
Side (Ziprick)	7.5	6.0 m
Rear	7.0	6.0 m < 1 ½ storey 7.5 m > 1 ½ storey

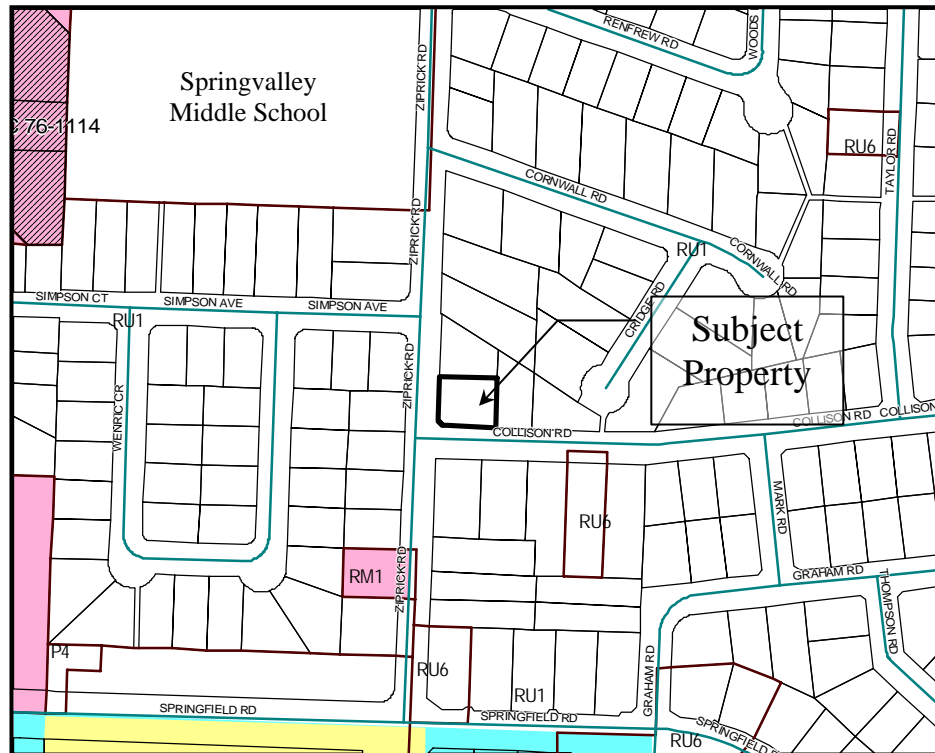
##### 4.2 Site Context

The subject property is located in a predominantly residential area, on the corner of Ziprick Road and Collison Road, one block south of Springvalley Middle School. Adjacent land uses are as follows:

North	RU6 – Two Dwelling Housing zone
East	RU6 – Two Dwelling Housing zone
South	RU6 – Two Dwelling Housing zone
West	RU6 – Two Dwelling Housing zone

## Site Map

Subject Property: 595 Ziprick Road



### 4.3 Development Potential

The purpose of the RU2 – Medium Lot Housing zone is to provide a zone for single detached housing, and compatible secondary uses, on medium sized serviced urban lots.

### 4.4 Current Development Policy

#### 4.4.1 Kelowna Official Community Plan

The Future Land Use designation for this property is for single family and two family residential development. The proposed land use is consistent with this designation.

#### 4.4.2 Section 8.1 – Housing Policies

*Infrastructure Availability* – Give preference to supporting new housing in areas where required services already exist or can be provided most economically and efficiently;

*Land Utilization within Single Detached Areas* – Work towards achieving more efficient use of land within developed single-detached neighbourhoods by encouraging rezoning, subdivision and building permit applications that would allow for smaller lot sizes, secondary suites, minor boarding facilities, minor group homes, duplexes etc. that are sensitively integrated into a neighbourhood;

## 5.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments, and the following relevant comments have been submitted:

- 4.1 Aquilla (now FortisBC)  
Newly created lot requires u/g servicing.
- 4.2 Fire Department  
No concerns.
- 4.3 Inspection Services  
No concerns.
- 4.4 Irrigation District (Rutland Water Works)  
Water can be supplied. A second service is required at the Owner's expense.
- 4.5 Ministry of Transportation  
No objection.
- 4.6 Public Health Inspector  
Subject to sanitary sewer and water.
- 4.7 Shaw Cable  
Owner/developer to supply & install an u/g conduit system.
- 4.8 Telus  
Telus has existing aerial service.
- 4.9 Terasen  
No comments
- 4.10 Works and Utilities Department  
The Works & utilities Department comments and requirements regarding this application to rezone from RU-1 (Large Lot Housing) to RU-2 (Medium Lot Housing) are as follows:
  - 4.10.1 Subdivision  
Refer to file S04-0061
  - 4.10.2 Geotechnical Study  
We recommend that a comprehensive geotechnical study be undertaken over the entire site. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested zoning. As well, the study should address drainage patterns including the identification of ground water and the presence of any springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays.
  - 4.10.3 Domestic Water and Fire Protection  
This development is within the service area of the Rutland Waterworks District (RWW). The developer is required to make satisfactory arrangements with the RWW for these items. All charges for service connection and upgrading costs are to be paid directly to the RWW. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with current requirements.
  - 4.10.4 Sanitary Sewer  
The subject property is located within a sanitary sewer service charge area. The charge is \$7,100.00 per Equivalent Dwelling Unit (EDU). The service area fees payment can be deferred to the time of the subdivision application.

4.10.5 Power and Telecommunications Service

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.

4.10.6 Road Improvements

Ziprick Road is designated an urban class 2 arterial road. Dedicate and construct the road in accordance with City standard SS-R12 (existing dedication: 12.3 m road). The cost of the frontage upgrading is estimated at **\$20,800.00** and is inclusive of a bonding escalation.

Collison Road is designated an urban class 2 local road. Dedicate and construct the road in accordance with City standard SS-R4 (existing dedication: 9.1 m road). The cost of the frontage upgrading is estimated at **\$3,100.00** and is inclusive of a bonding escalation.

4.10.7 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.

4.10.8 Bonding and Levies Summary

a) Performance Bonding

Ziprick Road upgrading	\$ 20,800.00
Collison Road upgrading	<u>\$ 3,100.00</u>
Total Bonding	<u><b>\$ 23,800.00</b></u>

b) Levies

Sanitary sewer area connection fee	<u>Deferred to subdivision</u> <u>Under S04-0061</u>
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The City of Kelowna may consider cash contribution in the amount of **\$20,700** for the frontage works and defer the construction until Ziprick Road is upgraded at some time in the future.

**6.0 PLANNING AND DEVELOPMENT SERVICES COMMENTS**

The proposed zoning for the subject parcel is consistent with the future land use designation of the Kelowna Official Community Plan (OCP). Furthermore, the rezoning of this property to facilitate the creation of an additional lot has support within the OCP and the Rutland Sector Plan, and would meet the criteria for the RU2 – Medium Lot Housing zone within the Zoning Bylaw. Consequently, Staff is supportive of this application.

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Bob Shaughnessy  
Subdivision Approving Officer

Approved for inclusion ☐

R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Planning & Corporate Services

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Attach.

**FACT SHEET**

<b>1. APPLICATION NO.:</b>	Z04-0032
<b>2. APPLICATION TYPE:</b>	Rezoning
<b>3. OWNER/APPLICANT:</b>	Gerry Toye
<b>ADDRESS</b>	1748 Keloka Drive
• <b>CITY</b>	Kelowna, BC
• <b>POSTAL CODE</b>	V1Z 2X1
• <b>TELEPHONE/FAX NO.:</b>	(250) 769-7253
<b>5. APPLICATION PROGRESS:</b>	
<b>Date of Application:</b>	May 10, 2004
<b>Date Application Complete:</b>	May 10, 2004
<b>Servicing Agreement Forwarded to</b>	N/A
<b>Servicing Agreement Concluded:</b>	N/A
<b>Staff Report to APC:</b>	June 17, 2004
<b>Staff Report to Council:</b>	August 13, 2004
<b>6. LEGAL DESCRIPTION:</b>	Lot C, Sec. 22 Twp. 26 O.D.Y.D. Plan 27790
<b>7. SITE LOCATION:</b>	The subject property is located on the corner of Ziprick Road and Collison Road, one block south of Springvalley Middle School
<b>8. CIVIC ADDRESS:</b>	595 Ziprick Road
<b>9. AREA OF SUBJECT PROPERTY:</b>	1093 m <sup>2</sup>
<b>10. EXISTING ZONE CATEGORY:</b>	RU1 – Large Lot Housing zone
<b>11. TYPE OF DEVELOPMENT PERMIT AREA:</b>	none
<b>13. PURPOSE OF THE APPLICATION:</b>	REZONE THE SUBJECT PROPERTY FROM RU1 – LARGE LOT HOUSING ZONE TO RU2 – MEDIUM LOT HOUSING ZONE
<b>14. MIN. OF TRANS./HIGHWAYS FILES NO.:</b> <b>NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY</b>	2-81-20761
<b>15. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS</b>	n/a

**ATTACHMENTS**

**(not attached to the electronic version of the report)**

- Location of subject property
- State of Title
- Site Plan