
CITY OF KELOWNA

MEMORANDUM

Date: May 4, 2006

File No.: Z06-0020

To: City Manager

From: Planning & Corporate Services Department

Subject:

APPLICATION NO. Z06-0020

OWNER: Steve Giesbrecht
James Paterson

AT: 180 and 200 Pearson Road

APPLICANT: Steve Giesbrecht

PURPOSE: TO REZONE THE SUBJECT PROPERTIES FROM THE RU1 – LARGE LOT HOUSING ZONE TO THE RU6 – TWO DWELLING HOUSING ZONE

EXISTING ZONE: RU1 – LARGE LOT HOUSING

PROPOSED ZONE: RU6 – TWO DWELLING HOUSING

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Rezoning Application No. Z06-0020 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 26, Township 26, ODYD Plan 19641 and Lot 3, Section 26, Township 26, ODYD Plan 19641, located on Pearson Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone be considered by Council;

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

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit on the subject property;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the approval of a lot line adjustment between Lots 2 and 3 by the Approving Officer;

AND THAT the owner be responsible for all legal and Land Title Office fees and charges resulting from the subdivision (lot line adjustment) associated with this application;

2.0 SUMMARY

The applicant is seeking to rezone the subject properties from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone. The proposed rezoning would allow the applicant to add an additional single family dwelling to each of the duplex sized lots. Each of the additional dwelling units will require a development permit for form and character. In order to provide a drive-aisle of adequate width on the Proposed Lot A, the applicant has committed to providing a minor lot line adjustment.

3.0 ADVISORY PLANNING COMMISSION

At the regular meeting of April 25th, 2006 it was resolved:

THAT the Advisory Planning Commission supports Rezoning Application No Z06-0020, for 180 & 200 Pearson Road, Lots 2 & 3, Plan 19641, Sec. 26, Twp. 26, ODYD, by S. Giesbrecht, to rezone the subject properties from the RU1 – Large Lot Housing zone to the RU6 – Two dwelling Housing zone in order to accommodate the addition of one new single family dwelling on each property for a total of 2 dwelling units on each property.

4.0 BACKGROUND

One single family dwelling exists on each of the subject properties.

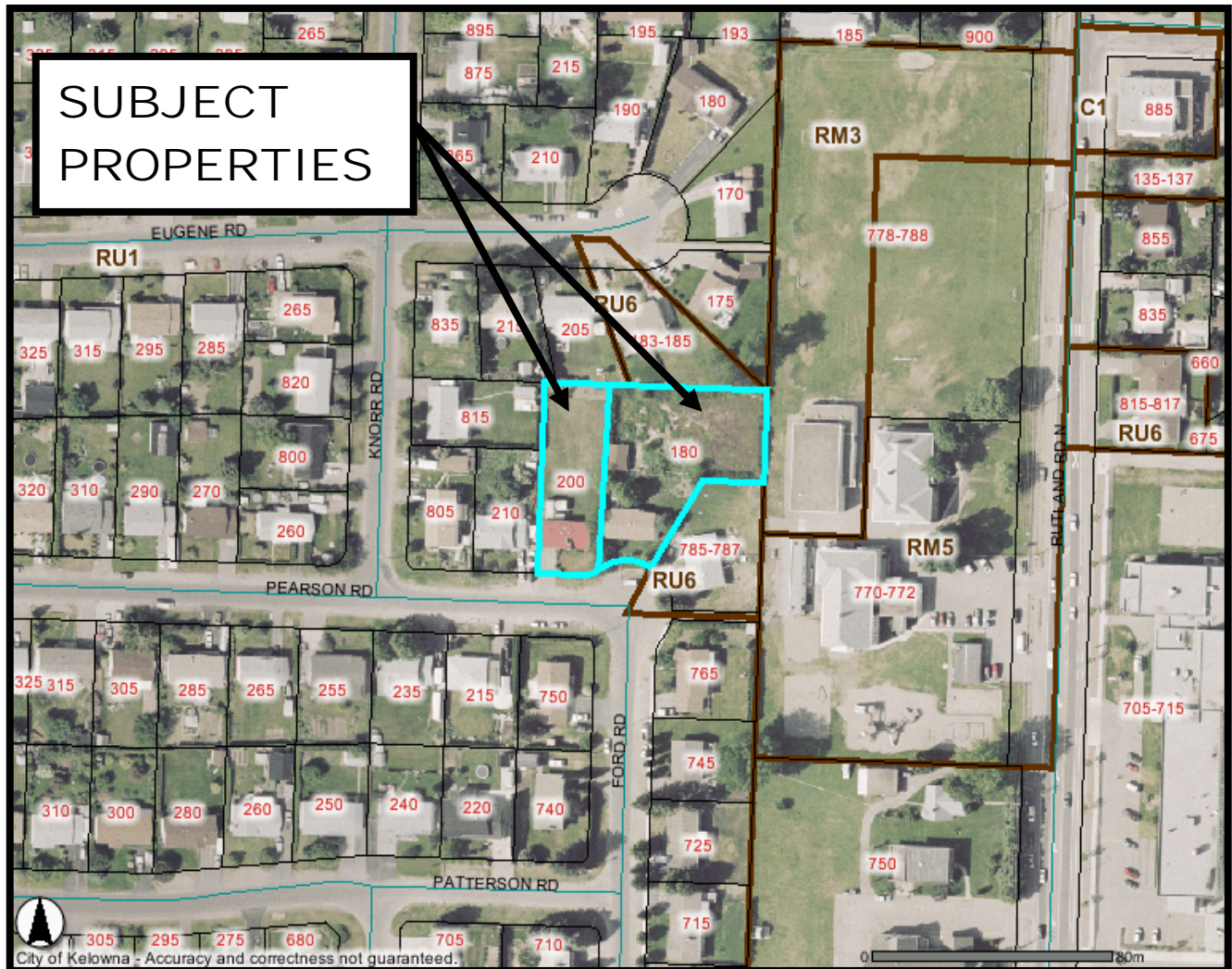
5.0 SITE CONTEXT

Adjacent zoning and existing land uses are to the:

- North - RU1 – Large Lot Housing (SFD)/RU6 – Two Dwelling Housing (SFD)
- East - RM3 – Low Density Multiple Housing/RM5 – Medium Density Multiple Housing
- South - RU1 – Large Lot Housing – SFD
- West - RU1 – Large Lot Housing – SFD

6.0 SITE MAP

Subject Properties: 180 and 200 Pearson Road



7.0 ZONING CHECKLIST

The application meets the requirements of the I2 – General Industrial zone as follows:

CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
Site Area 180 Pearson Road 200 Pearson Road	2212m ² 1243m ²	700m ² 700m ²
Lot Width 180 Pearson Road 200 Pearson Road	18.9m 21.83m	18.0m 18.0m
Lot Depth 180 Pearson Road 200 Pearson Road	57.4m 57.4m	30.0m 30.0m
Site Coverage (existing) 180 Pearson Road 200 Pearson Road	14% 8%	40% 40%
Setbacks (to existing buildings)		
Front 180 Pearson Road 200 Pearson Road	40m (approx.) 9m (approx.)	4.5m (6.0m to a garage or carport)
Side (e) 180 Pearson Road 200 Pearson Road	2.0m 3.47m	2.0m for 1 or 1.5 storey portions of a building and 2.3m for 2 storey portions of a building
Side (w) 180 Pearson Road 200 Pearson Road	30m (approx.) 1.85m	2.0m for 1 or 1.5 storey portions of a building and 2.3m for 2 storey portions of a building
Rear 180 Pearson Road 200 Pearson Road	9.34m 30m (approx.)	6.0m for 1 or 1.5 storey portions of a building and 7.5m for 2 storey portions of a building
Parking 180 Pearson Road 200 Pearson Road	2 2	2 Stalls per dwelling unit

❶Note: The side yard setback for the existing dwelling on 200 Pearson Road is non-conforming. The applicant must apply for a development variance permit to address this non-conforming setback prior to consideration by Council of this rezoning application.

8.0 Current Development Policy

8.1 Existing Development Potential

The subject property is currently zoned RU1 – Large Lot Housing. The purpose of this zone is to provide for single detached housing, and compatible secondary uses, on larger serviced urban lots.

8.2 Kelowna Official Community Plan

Future Land Use Designation

The Official Community Plan designates the future land use of the subject property as single/two family residential. The proposed rezoning is consistent with this land use designation. At the time of development permit the proposed second dwellings will be subject to development permit guidelines contained in Section 8 of Kelowna's Official Community Plan.

9.0 TECHNICAL COMMENTS

This application was circulated to various city departments and external technical agencies and the following comments were received:

9.1 Black Mountain Irrigation District (BMID)

Capital charges at time of building for additional SFD on lots required at time of building for each connection.

9.2 Shaw Cable

Owner/developer to supply and install an underground conduit system.

9.3 Telus

Will provide aerial service.

9.4 Works and Utilities

The Works & utilities Department comments and requirements regarding this application to rezone the subject property from RU1 and RU6 are as follows:

9.4.1 Subdivision

Provide easements as may be required

9.4.2 Geotechnical Study.

A comprehensive Geotechnical Study is required, which is to be prepared by a Professional Engineer competent in the field of geotechnical engineering, the study is to address the following:

Overall site suitability for development.

Presence of ground water and/or springs.

Presence of fill areas.

Presence of swelling clays.

Presence of sulfates.

Potential site erosion.

Provide specific requirements for footings and foundation construction.

Provide specific construction design sections for roads and utilities over and above the City's current construction standards

9.4.3 Domestic Water and Fire Protection.

This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for these items. All charges for service connection and upgrading costs are to be paid directly to the BMID.

According to our record both properties have only a single domestic water service, a second service is required to meet the current servicing standard for duplexes at each properties. All charges for service connection and upgrading costs are to be paid directly to the BMID.

9.4.4 Sanitary Sewer.

a) 180 Pearson

This property is located within the Sanitary Sewer Specified Area #20 and is currently serviced by the municipal wastewater collection system. The owner has not cash commuted the charge for the single dwelling and must pay the charge for both proposed dwellings on the property. The charge is in the amount of \$12,570.10 calculated as follows: the current charge is \$8,978.64 per Equivalent Dwelling Unit (EDU); for a duplex the EDU is 0.7x 2 units for a total cost of \$12,570.10 ($8,978.64 \times 1.4$)

b) 200 Pearson

This property is located within the Sanitary Sewer Specified Area #20 and is currently serviced by the municipal wastewater collection system. The owner has cash commuted the charge for the single dwelling and must pay the additional charge for the second dwelling added to the property. The charge is in the amount of \$6,150.10 calculated as follows: the current charge is \$8,978.64 per Equivalent Dwelling Unit (EDU); for a duplex the EDU is 0.7x 2 units for a total cost of \$12,570.10 ($8,978.64 \times 1.4$) less the previously cash commuted amount of \$6,420.00

9.4.5 Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual, is a requirement of this application.

9.4.6 Power and Telecommunication Services.

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

9.4.7 Road improvements.
Pearson Road.

Pearson Road does not meet the current standard for the requested zone. The frontage of the subject property must be upgraded to the current standard which includes curb, gutter, sidewalk storm drainage, etc... It is recommended that the applicant makes a cash contribution in the amount of \$11,400.00 and defer the construction until Pearson Road is upgraded by the City in the future.

9.4.8 Street lights.
Street lights must be installed on all fronting roads as determined by the Manager of Electrical Utilities.

9.4.9 Engineering.
Design, construction, supervision and inspection of all off-site civil works and site servicing must be performed by a consulting civil Engineer and all such work is subject to the approval of the city engineer.

9.4.10 Bonding and Levies Summary.

a)Performance Bonding	N/A
b)Levies	
Pearson Road construction	\$11,400.00
Sewer specified Area fees for lot 3 (200 Pearson)	\$ 6,150.10
Sewer specified Area fees for lot 2 (180 Pearson)	\$12,570.10
Total Levies	\$30,120.00

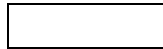
9.5 Inspection Services
Building permit required for removal or relocation of existing buildings and all new buildings.

10.0 PLANNING AND CORPORATE SERVICES COMMENTS

Staff are generally supportive of the proposed rezoning application. The subject properties are relatively large in size and the applicant has shown on the conceptual site plan that second dwellings could be accommodated on both lots. The applicant must apply for a development variance permit to address the existing non-conforming side yard setback for 200 Pearson Road prior to final Council consideration for the rezoning application. Furthermore, the applicant will also be subject to development permits for the form and character of the second dwellings and the overall site layout subsequent to rezoning approval. Staff is concerned with the irregular site

layout and that there seems to be opportunity to orient the buildings, parking and driveways to provide for more cohesive and useable open space. Staff will work with the applicant at the development permit stage to achieve these objectives.

Andrew Bruce
Manager of Development Services



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

RM/AB/rs
Attach.

ATTACHMENTS

(not attached to the electronic version of the report)

- Location Map
- Site Plan
- Building Elevations
- Sample Board