
CITY OF KELOWNA
MEMORANDUM

DATE: September 19, 2007

TO: City Manager

FROM: Planning & Development Services Department

APPLICATION NO. Z07-0054

APPLICANT:

Suki Bhullar

AT: 495 Keithley Road

OWNERS:

Roger Bhullar

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM THE RU1 - LARGE LOT HOUSING ZONE TO THE RU6 - TWO DWELLING HOUSING ZONE IN ORDER TO ALLOW FOR THE CONSTRUCTION OF A SECOND SINGLE-FAMILY DWELLING.

EXISTING ZONE: RU1 – LARGE LOT HOUSING

PROPOSED ZONE RU6 – TWO DWELLING HOUSING

REPORT PREPARED BY: Corine (Cory) Gain, MCIP, CPT

1.0 RECOMMENDATION

THAT Rezoning Application No. Z07-0054 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 11 Section 26 Township 26 Osoyoos Division Yale District Plan 19016 located at 495 Keithley Road, Kelowna, BC from RU1 – Large Lot Housing Zone to RU6 – Two Dwelling Housing be considered by Council;

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 subject to design acceptance of Development Permit DP07-0149 and satisfaction of the requirements of the Works and Utilities Department.

2.0 SUMMARY

This rezoning application seeks to rezone the subject property from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing zone to allow for the construction of a second single family home.

3.0 ADVISORY PLANNING COMMISSION

At the regular meeting of September 11, 2007 it was resolved:

THAT the Advisory Planning Commission supports Rezoning Application No. Z07-0054, for 495 Keithley Road, Lot 11 Plan 19016, by Roger Bhullar, to rezone from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing on the property.

4.0 BACKGROUND

4.1 The Proposal

There is an existing two-storey residential building on the subject property. There currently exist two dwelling units within the house. The applicant's intention is to remove the basement suite from the existing dwelling and to rezone the property in order to allow construction of a second house behind the existing house. The existing basement suite has been vacated and the applicant is pursuing information from the City of Kelowna Building Department as to the requirements to decommission the suite and return the house to a single-family dwelling to facilitate the proposed rezoning and construction of the second single-family dwelling. The applicant's further intention is to strata title the dwellings in due course.

There are currently two driveways to two existing garages at either end of the existing house. The access to the rear of the property to the second single-family dwelling is proposed along the western side lot line. The applicant intends to remove the large garage/workshop addition at the western end of the existing house to accommodate a wider access to the rear of the property and open up the view from the front street along the extended driveway. Two parking spaces for the second dwelling will be provided directly adjacent to the proposed second home at the rear of the property.

The property is surrounded on three sides by an existing mature cedar hedge that will provide privacy to both the new dwelling and the neighbouring properties.

The floor plans submitted show the proposed second house is to have a floor area of 169 m² (1,815 ft²) on each of the basement (slab on grade) and main (upper) floor for a total of approximately 339m² (3,650 ft²). The plans were previously submitted to another local government jurisdiction for a single-family dwelling with a secondary suite. The applicant has been required to reconfigure the original plans to eliminate the secondary suite on the basement level. The applicant is aware that the Planning and Development Services Department will not approve floor plans that indicate any potential for a secondary suite within this proposed dwelling. The basement level floor plans shows the main entry foyer, a den, two bedrooms, a media room, a kitchen, two bathrooms and a laundry room; the kitchen facilities will be eliminated. The Planning Department recommends that the laundry facilities also be removed as laundry facilities are also shown as optional on the main/upper floor plan. Separate accesses from outside to the kitchen and the media rooms will have to be reconfigured so as to eliminate the possibility of creating a secondary suite; including relocation and/or elimination of exterior doors. An internal stairway links the basement with the main floor. The main floor consists of a living room, kitchen/dining room, three bedrooms and two full bathrooms.

The housing form as proposed does not comply with the Objectives and Guidelines contained in Section 8.3 of the OCP, Development Permit Guidelines for Form and Character of Secondary Suite and Two Dwelling Housing Development.

- All new development should respect the scale and general character of the houses and the landscape of the neighbourhood in which it is built;
- The design of all new development should be derived from the existing building, in the case of an addition to a building and the addition of a new single detached building on a lot, or from surrounding buildings, in the case of new construction.
- New housing should be compatible with the massing and scale of the housing in the surrounding area.

The table below shows this application's compliance with the requirements of the RU6 zone.

CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	1,203 m ²	800 m ² for two principal dwellings
Lot Width	28.20 m	20.0 m for two principal dwellings
Lot Depth	42.67 m	30.0 m
Development Regulations		
Site Coverage (buildings)	> 28.4%	40%
Site Coverage (buildings/parking)	> 43.5%	50%
Height (proposed house)	2-storeys/7.2 m	2 ½ storeys / 9.5 m
Front Yard (existing house)	7.93 m	4.5 m or 6.0 m to a garage
Side Yards (proposed house)	6.64 m/6.54 m	2.0 m (1 or 1 ½ storey portion) 2.3 m (2-storey portion)
Rear Yard (proposed house)	7.5 m	7.5 m
Other requirements		
Parking Stalls (#)	6 spaces	4 spaces
Private Open Space	Meets requirements	30 m ² of private open space per dwelling
Separation Distance Between Houses	8.25 m	4.5 m

4.2 Site Context

The subject property is located in Rutland, south of McCurdy Road at 795 Keithley Road, five lots west of Tartan Road. The surrounding area has been developed primarily as a single and two-family neighbourhood. More specifically, the adjacent land uses are as follows:

North	RU1 – Large Lot Housing and RU6 – Two Dwelling Housing
East	RU6 – Two Dwelling Housing
South	RU1 – Large Lot Housing
West	RU1 – Large Lot Housing

4.3 Existing Development Potential

The property is currently zoned RU1 – Large Lot Housing. The purpose of the RU1 designation is to provide a zone for single detached housing and compatible secondary uses on larger serviced urban lots. Principal uses are "single dwelling housing", with secondary uses such as bed and breakfast homes, minor care centres and group homes, as well as home based businesses. The existing secondary suite is non-conforming.

4.4 Current Development Policy

2.4.2 Kelowna 2020 Official Community Plan (OCP)

Future Land Use Designation - The property is designated Single/Two Unit Residential, pursuant to Map 19.1 of the OCP. The proposed RU6 zone is consistent with that future land use designation.

Development Permit Process - This development is subject to the Development Permit Guidelines for Form and Character of Secondary Suite and Two Dwelling Housing Development.

5.0 TECHNICAL COMMENTS

5.1 Fire Department

Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw. Note; Fire Department access is never from a back or side lane, it is always from the main street. Fire fighter access from the front or street side of the property to the back building(s) is not to be impeded at anytime. The address for both residences are to be visible from the street. If a fence is ever constructed between the dwellings a six foot wide gate is required. Any gate is to open with out special knowledge.

5.2 Inspection Services

Remove second kitchen from proposed second dwelling.

5.3 Works & Utilities

See Attachment "G".

6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS


The Official Community Plan designates the subject property as Single/Two Unit Residential. The proposed land use (two principal dwelling units) is consistent with the direction of this policy document. OCP Housing Policies state that the City will work towards achieving more efficient use of land within developed single-detached neighbourhoods by encouraging rezoning, subdivisions and building permit applications that would allow for smaller lot sizes, suites, duplexes, etc. that are sensitively integrated into a neighbourhood. Further the OCP directs the City to encourage the development of a variety of housing forms to ensure that the housing supply meets the needs of Kelowna's diverse population and satisfies a range of life cycle and lifestyle choices.

The rezoning to RU6 – Two Dwelling Housing will legitimize the existing secondary suite within the existing building. However, the applicant has indicated that the existing suite is unoccupied and will be removed to allow for construction of a second single-family dwelling in the rear yard area. If the applicant fails to remove the secondary suite to the satisfaction of the Planning and Development Services Department the construction of the second single-family dwelling will not be permitted.

Should the applicant be successful with the rezoning application, this project will be further scrutinized through Development Permit Application DP07-0149 to address form and character issues and site layout. No variances to zoning bylaw provisions have been identified.


Shelley Gambacort
Current Planning Supervisor

Approved for Inclusion

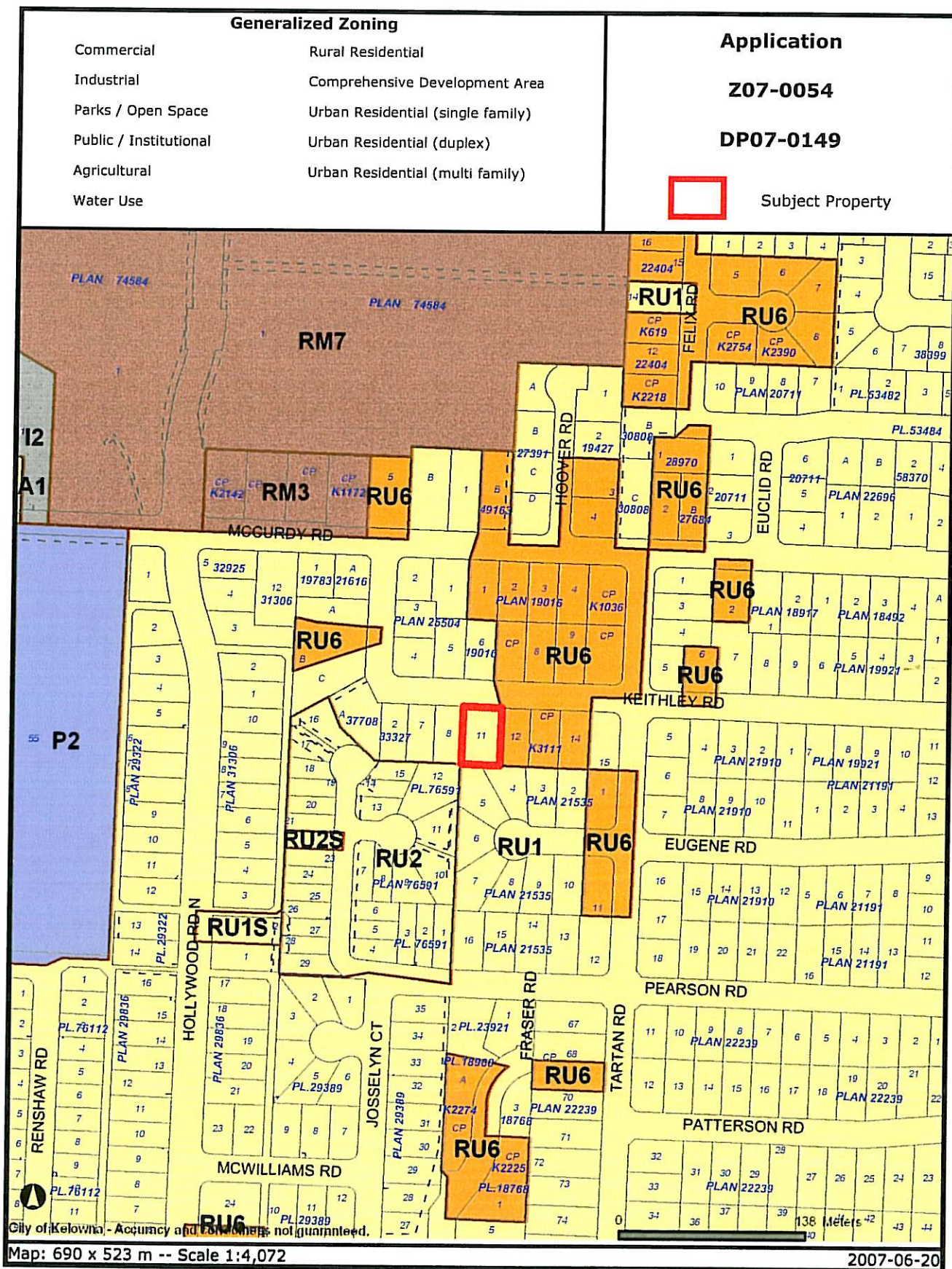


Ron Dickinson
Inspection Services Manager

RD/SG/cg

ATTACHMENTS

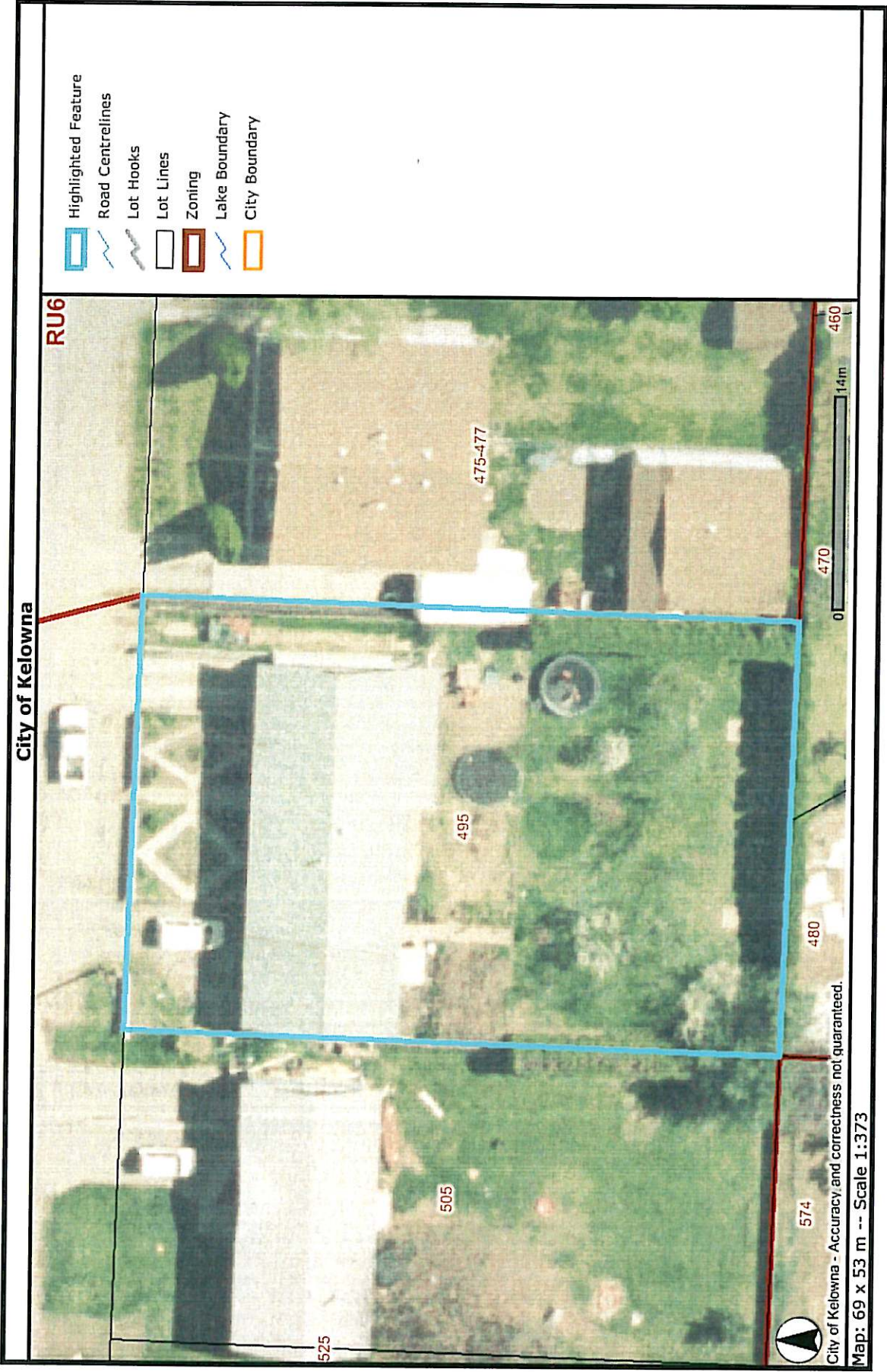
- A - Subject Property Map
- B - Orthophotos of subject property (2 pages)
- C - Proposed Site Plan
- D - Elevations of Proposed Dwelling
- E - Floor Plans of Proposed Dwelling
- F - Photo of Existing Dwelling
- G - Works & Utilities Department Comments (3 pages)



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.

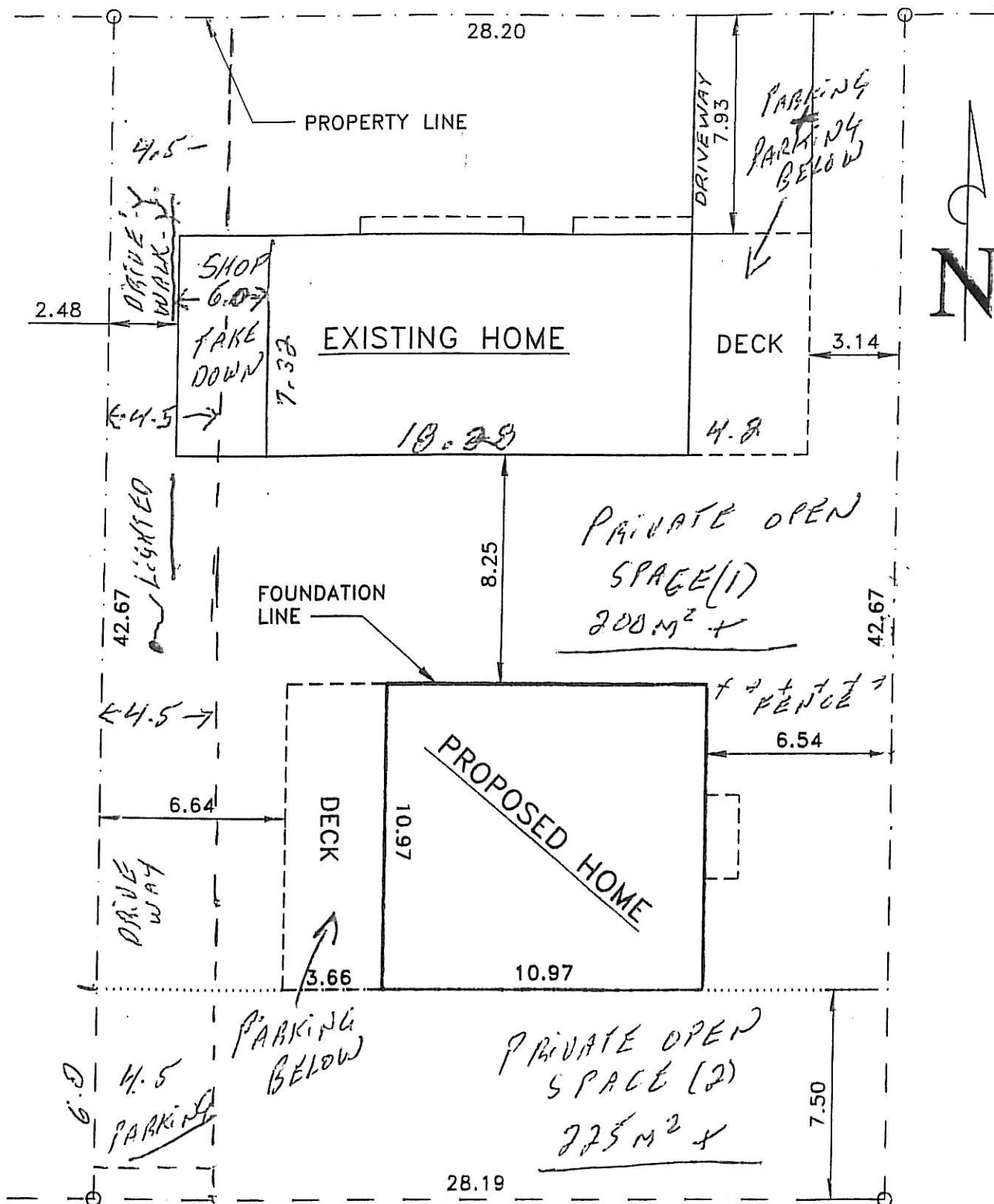


This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



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KEITHLEY ROAD



PLOT PLAN

SCALE= 1:200

LEGAL DESCRIPTION

LOT 11

PLAN 19016

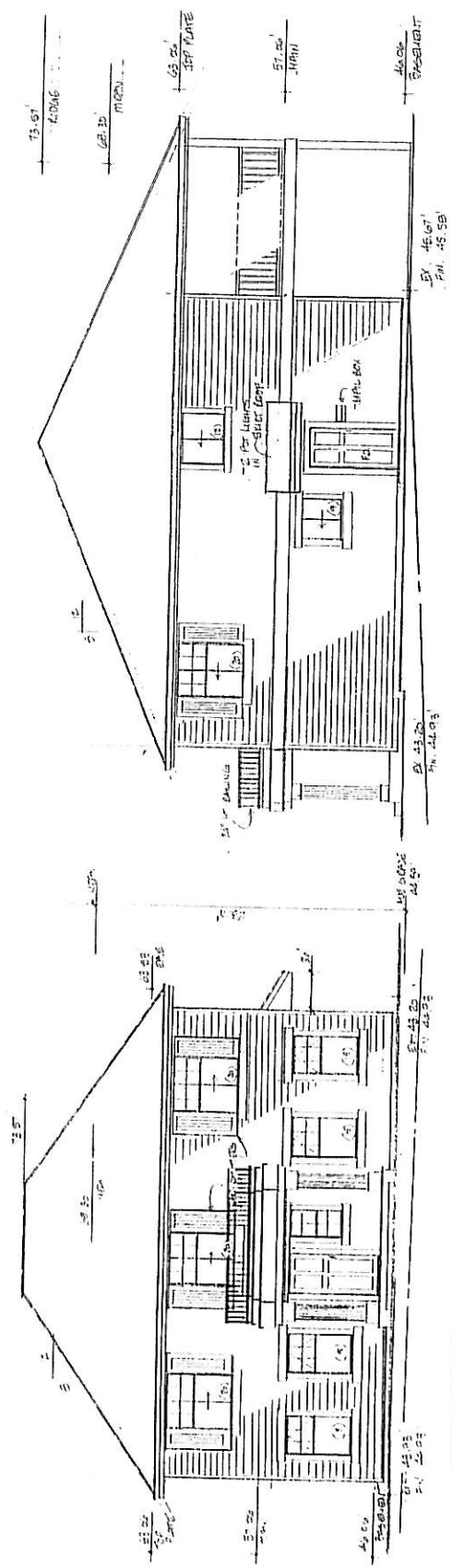
O.D.Y.C.

LOT GRADE = 0.0 OR FLAT

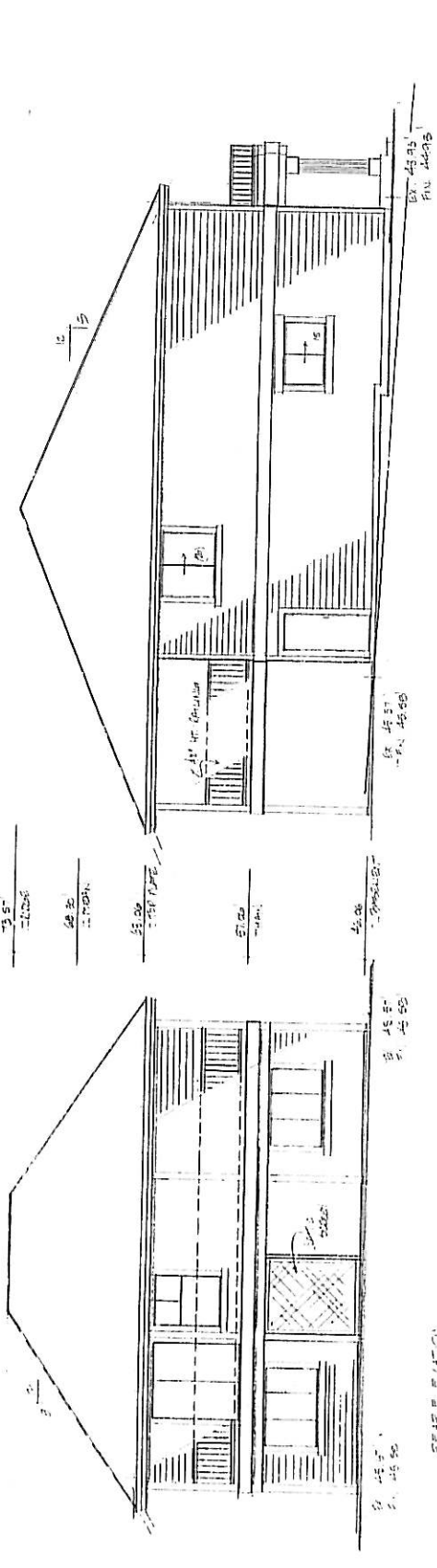
Revised	By	Date

R. Campbell Designs
1008 LINCOLN AVE. PT. COO. 942-8828

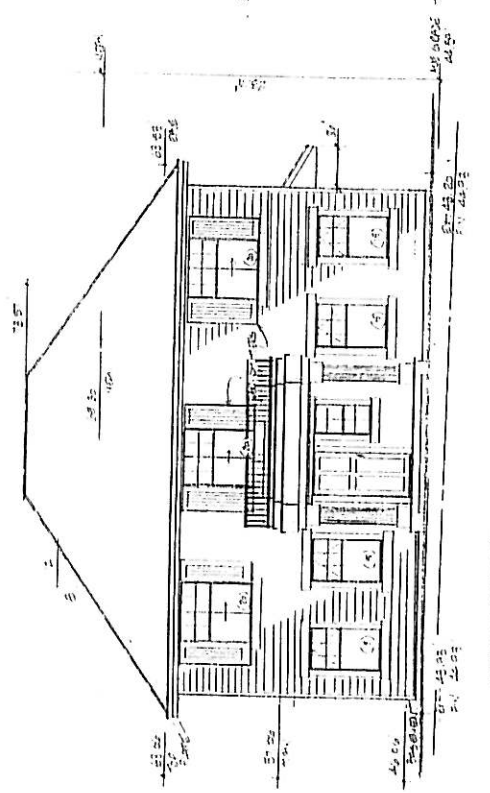
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Sheet	3 of 3



FRONT ELEVATION



RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION

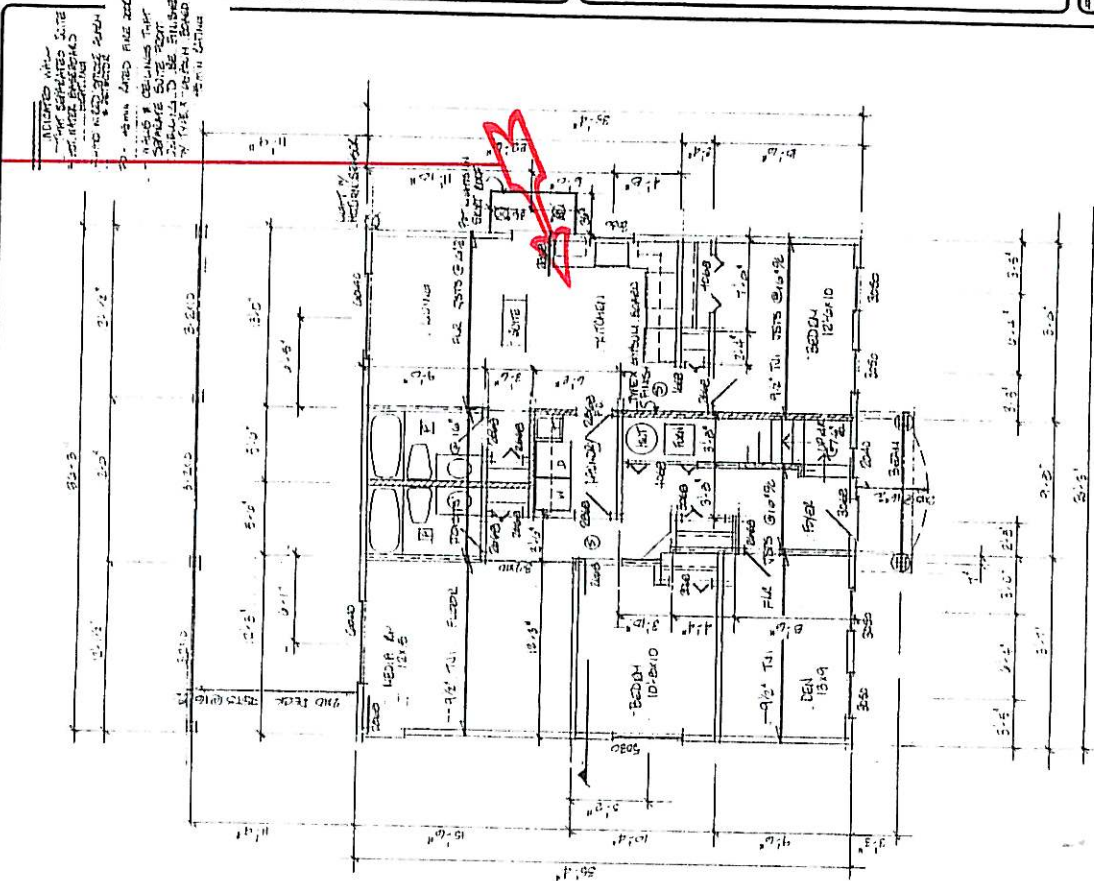
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**This space is NOT permitted to be used
as a separate DWELLING UNIT**

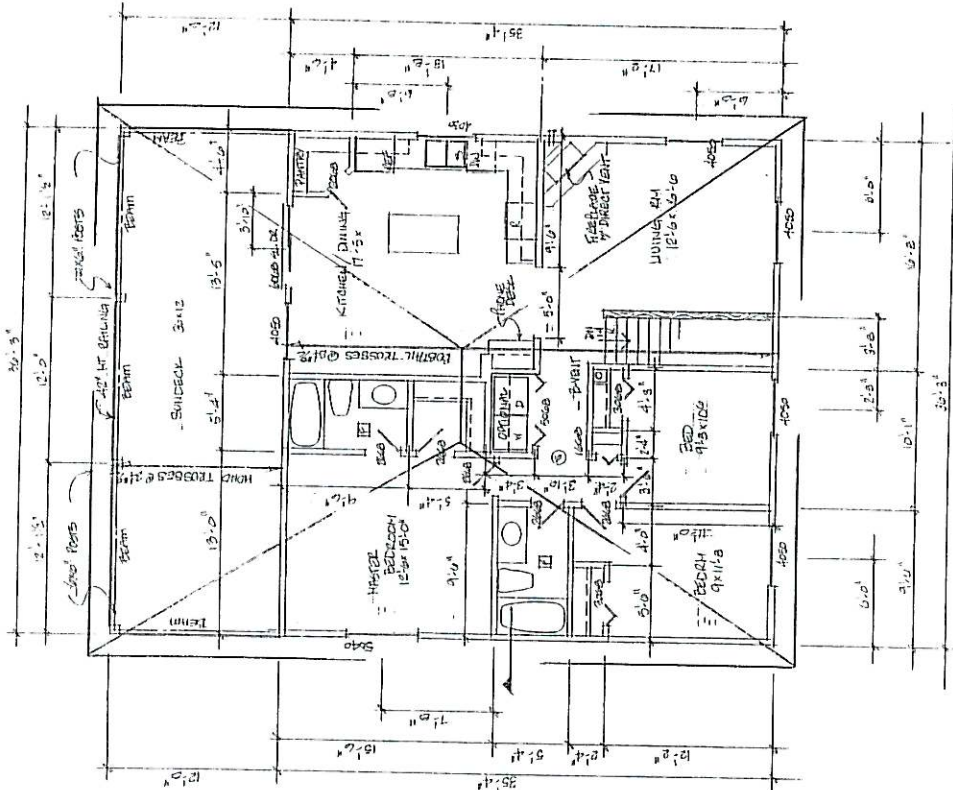
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R. Campbell Designs
1008 LINCOLN AVE. PT. COO. 942-8828

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STAIRS
5'-0" x 8'-0"



MAIN FLOOR PLAN - 1008 LINCOLN AVE.



CITY OF KELOWNA
MEMORANDUM

CITY OF KELOWNA
PLANNING DEPT - RECEIVED

AUG - 1 2007

Date: August 1st 2007

File No.: Z07-0054

To: Planning & Development Services Department (CG)

From: Development Engineer Manager (SM)

Subject: 495 Keithley Road – Lot 11, Plan 19016, Sec. 26, Twp. 26, ODYD

Director _____	Dir. Mgr _____
C. P. Mgr _____	L.R. Mgr _____
S. P. Mgr _____	App. Officer _____

POSTED

The Works & utilities Department comments and requirements regarding this application to rezone from RU-1 to RU-6 are as follows:

1. Subdivision

Provide easements as required

2. Geotechnical Study.

We recommend that a comprehensive geotechnical study be undertaken over the proposed building 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 and the recommendation for construction over the decommissioned sewage disposal field.

3. Domestic water and fire protection.

This development is within the service area of the Black mountain Irrigation District (BMID). A second service is required in order to meet current policies. 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. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with current requirements.

4. Sanitary Sewer.

The subject property is located within the specified area # 20 and has cash commuted the charge of one SFE for the existing dwelling. The charge for a detached duplex is 1.0 SFE per unit for a total of 2.0 SFE. The charge for this development is **\$12,479.40** (2.0 x \$6,239.70 prior to March 31, 2008)

5. 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.

6. Road improvements.

- a) Keithley Road must be upgraded to a full urban standard including a sidewalk curb and gutter, piped storm drainage system, fillet pavement, street lights, and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction. The cost of this frontage upgrade is estimated at \$19,700.00 and is inclusive of a bonding escalation.

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.

8. Design and Construction.

- a) 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. Drawings must conform to City standards and requirements.
- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

9. Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide

adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.

- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

10. Bonding and Levies Summary.

a) Performance Bonding

Wallace road frontage upgrade	\$19,700.00
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Note that the applicant is not required to do the construction. The construction can be deferred and the City will initiate the work later at its own construction schedule, the cost would be reduced to **\$17,100.00**

b) Levies

Specified Are #20 charges	<u>\$12,479.40</u>
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Steve Muenz, P.Eng.
Development Engineering Manager

BB