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**CITY OF KELOWNA  
MEMORANDUM**

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**DATE:** October 23, 2007  
**File No:** Z07-0029  
**TO:** City Manager  
**FROM:** Planning & Development Services Department  
**SUBJECT:**

**APPLICATION NO.** Z07-0029      **APPLICANT:** Kevin & Cynthia Patterson  
**AT:** 530 Ziprick Road      **OWNERS:** Kevin Patterson  
Cynthia Patterson

**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:** NELSON WIGHT

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**1.0 RECOMMENDATION**

THAT Rezoning Application NO. Z07-0029 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot C, Section 22, Township 26, ODYD, Plan 31688 on Ziprick Rd, Kelowna, B.C. from 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 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 in conjunction with Council's consideration of a Development Variance Permit on the subject property;

**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**

The above-noted application was reviewed by the Advisory Planning Commission at the meeting of April 11, 2007 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z07-0029 for 530 Ziprick Road, Lot C, Plan 316, Sec. 22, Twp. 26, ODYD, for K & C Patterson, 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.

## 4.0 BACKGROUND

### 4.1 The Proposal

There is an existing single-storey single-family home on the subject property. The Applicant is proposing to rezone the property in order to construct a second house north of the existing house.

Vehicle access to the property is from Ziprick Road, and there are plans to add two new driveways to accommodate this new development.

Floor plans provided by the Applicant show that the proposed second house is to have a floor area of 85 m<sup>2</sup> (911 ft<sup>2</sup>) on the main floor, 100 m<sup>2</sup> (1,084 ft<sup>2</sup>) on the second floor, and 85 m<sup>2</sup> (911 ft<sup>2</sup>) of unfinished basement area, for a combined finished living area of 185 m<sup>2</sup> (1,995 ft<sup>2</sup>). The main floor is to contain a single-car garage, and the main living space. The second level floor plans show three bedrooms and two bathrooms.

The table below shows this application's compliance with the requirements of the RU6 zone. Any non-compliance with Zoning Bylaw No. 8000 is detailed at the end of the table:

CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
<b>Subdivision Regulations</b>		
Lot Area	1,619 m <sup>2</sup> (0.4 ac)	700 m <sup>2</sup> for two principal dwellings
Lot Width	33 m	18.0 m for two principal dwellings
Lot Depth	50 m	30.0 m
<b>Development Regulations</b>		
Site Coverage (buildings)	18%	40%
Site Coverage (buildings/parking)	31%	50%
Height (proposed house)	2 ½ storeys / 7.8 m	2 ½ storeys / 9.5 m
Front Yard (Ziprick Road)	7.6 m	4.5 m or 6.0 m to a garage
Side Yard (north)	1.5 m <sup>A</sup>	2.0 m (1 or 1 ½ storey portion) 2.3 m (2-storey portion)
Side Yard (south)	1.7 m <sup>B</sup>	2.0 m
Rear Yard (west)	22 m	6.0 m (1 or 1 ½ storey portion) 7.5 m (2 or 2 ½ storey portion)
<b>Other requirements</b>		
Parking Stalls (#)	4 spaces	4 spaces
Private Open Space	meets requirements	30 m <sup>2</sup> of private open space per dwelling



CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
Separation Distance Between Houses	3.5 m <sup>c</sup>	4.5 m

<sup>A</sup> The applicants are proposing to vary this side yard setback requirement.

<sup>B</sup> The existing home is legally non-conforming to this side yard setback requirement.

<sup>C</sup> The applicants are proposing to vary this requirement to allow 3.5 m separation distance between the new and existing houses, instead of the required 4.5 m.

## 4.2 Site Context

The subject property is located west of Ziprick Road, immediately south of the Spring Valley Elementary and Junior High School. The surrounding area has been developed primarily as a single- and two-family neighbourhood. More specifically, the adjacent land uses are as follows:

North-	P2 - Education and Minor Institutional
	RU1 – Large Lot Housing
East	RU1 – Large Lot Housing
South	RU1 – Large Lot Housing
West	RU1 – Large Lot Housing

## 4.3 Existing Development Potential

The property is zoned RU1 – Large Lot Housing. The purpose 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.

## 5.0 Technical

### 5.1 Fire Department

Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw. 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 Inspections Department

Provide spatial separation calculations and code analysis for north and south elevations of proposed dwelling.

### 5.3 Works and Utilities Department

(See Attached)

## 6.0 Current Development Policy

### 6.1.1 City of Kelowna Strategic Plan (2004)

*Objective #4* – Realize construction of housing forms and prices that meet the needs of Kelowna residents.

*Objective #5* – Achieve accessible, high quality living and working environments.

*Objective #7* – Sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.

6.1.2 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.

**7.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS**

Staff has no concerns with the proposed rezoning application at this time.

Should the applicants be successful with this rezoning application, this project will be further scrutinized through a Development Permit to address form and character issues, and Development Variance Permit to review those elements that do not conform to the regulations of the RU6 zone.

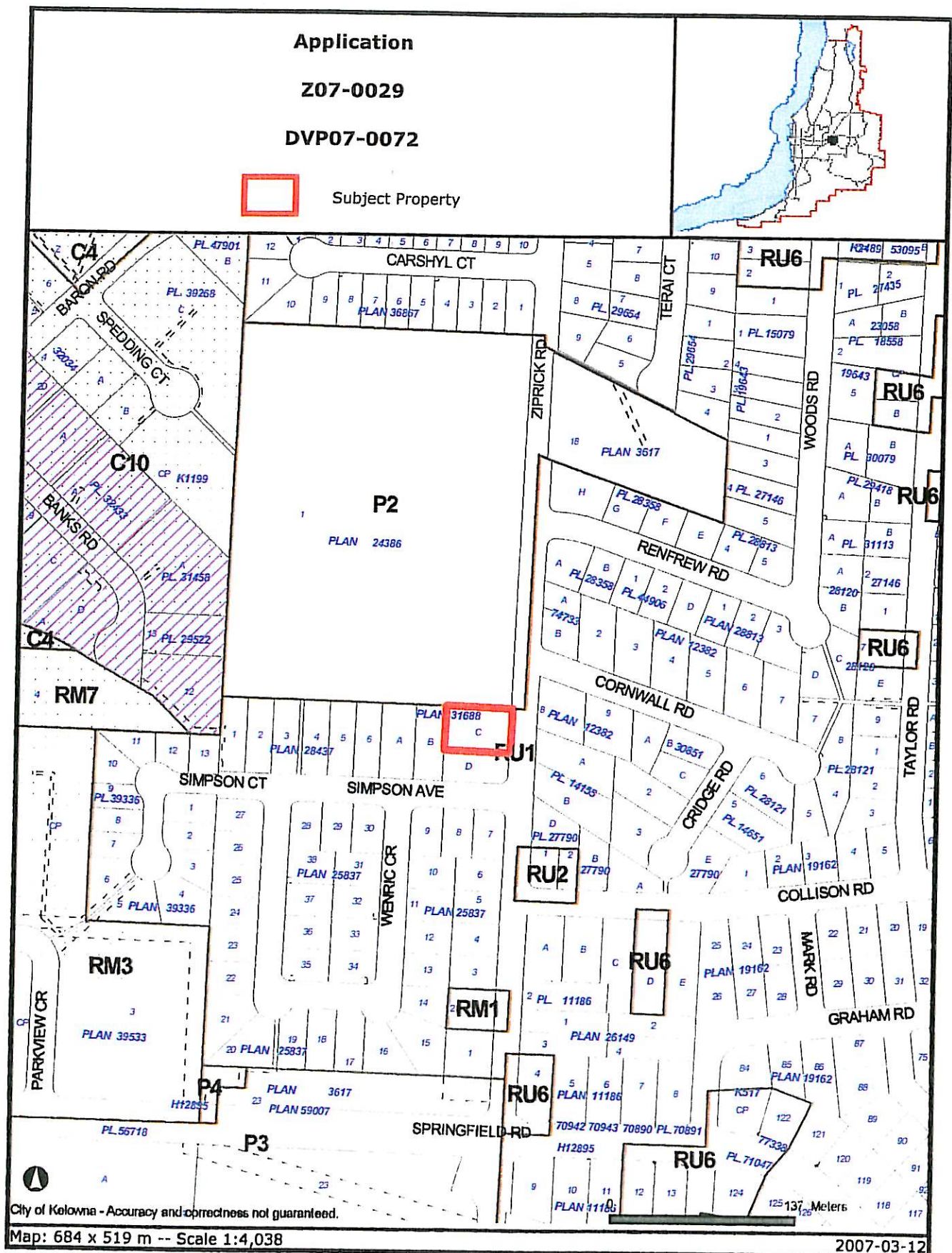
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Shelley Gambacort  
Current Planning Supervisor  
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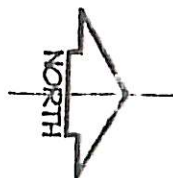
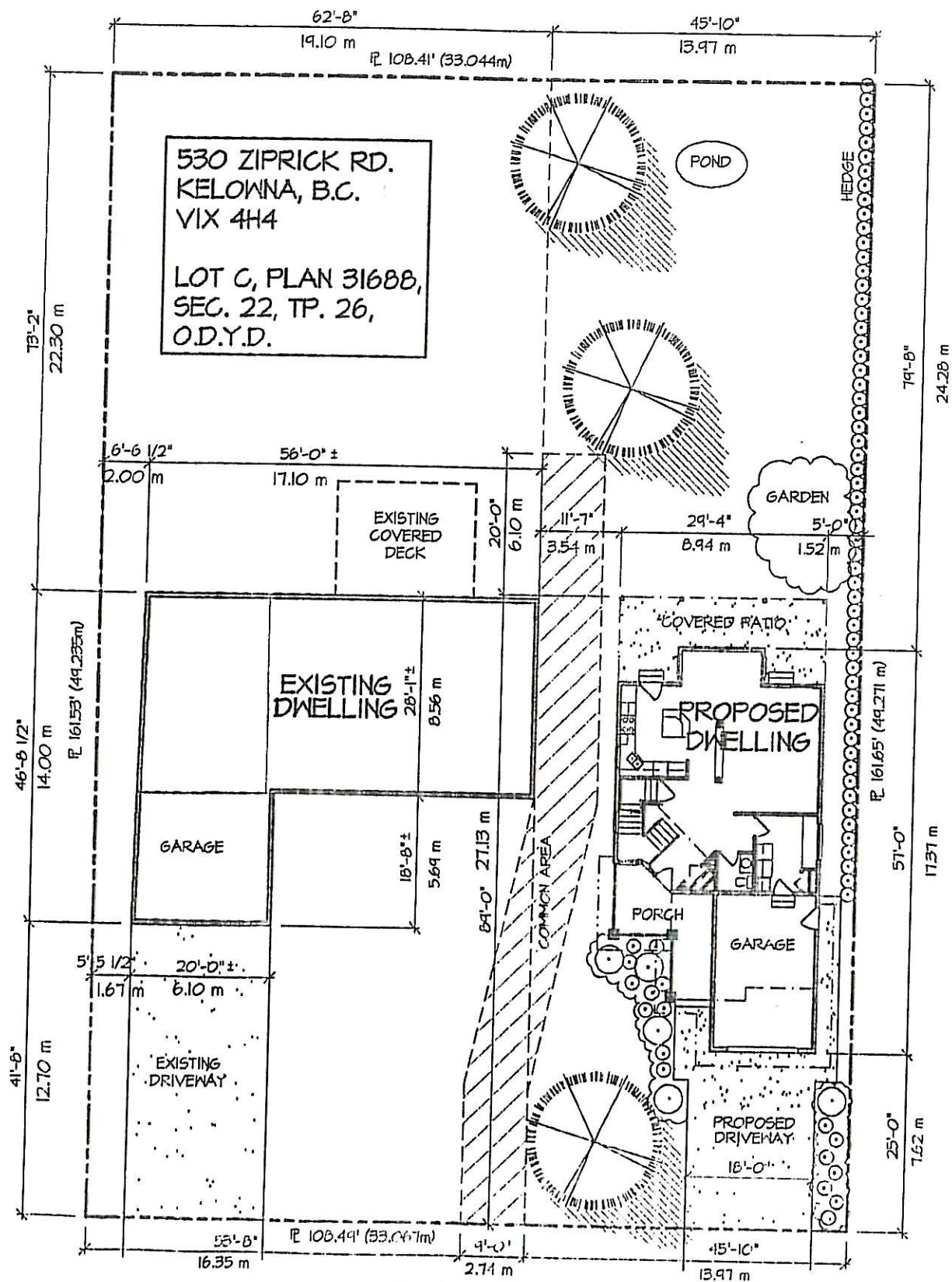
**ATTACHMENTS (9 pages)**

Location of subject property  
Site Plan / Landscape Plan  
Front Elevation for Proposed House  
Works and Utilities Report (3 pages)





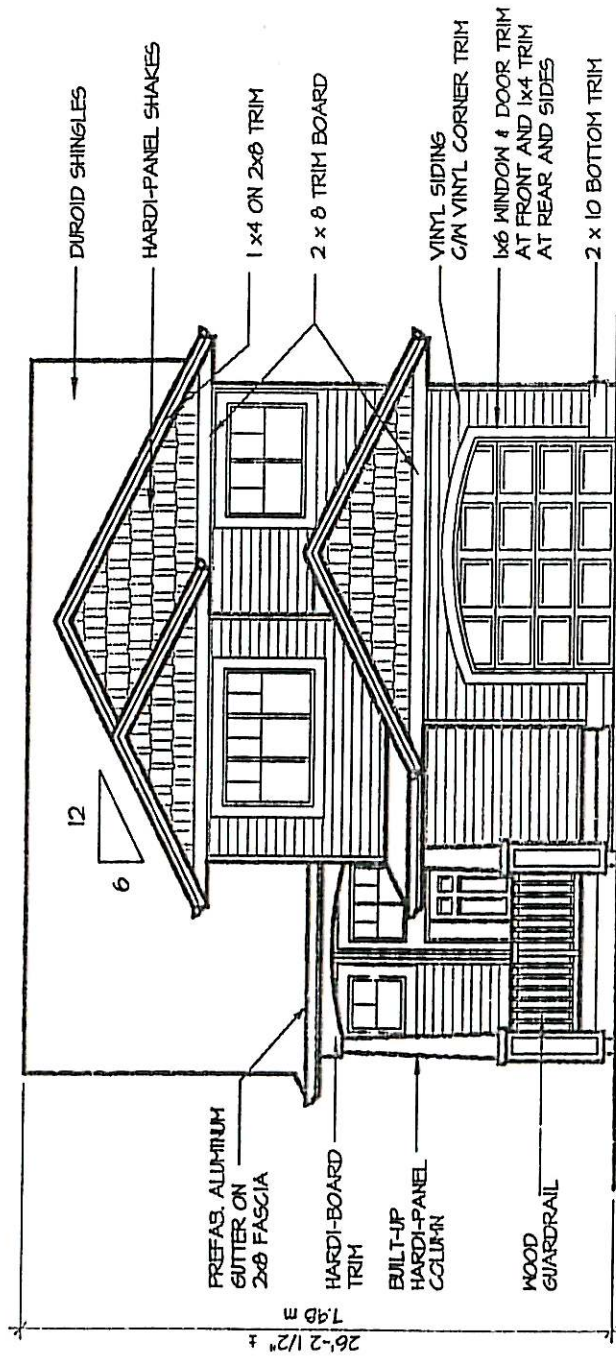
Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.



# ZIPRICK ROAD SITE PLAN

SCALE: 1" = 20'-0"





# FRONT ELEVATION (EAST)

SCALE: 1/8" = 1'-0"

Great Desert  
Grand Desert  
3011 33/145

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CITY OF KELOWNA

MEMORANDUM

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**Date:** April 27, 2007  
**File No.:** Z07-0029  
**To:** Planning & Development Services Department (NW)  
**From:** Development Engineer Manager (SM)  
**Subject:** 530 Ziprick Road – Lot C, Plan 31688, Sec. 22, Twp. 26, ODYD

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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 Rutland Waterworks District (RWWD). A second service is required in order to meet current policies. The developer is required to make satisfactory arrangements with the RWWD for these items. All charges for service connection and upgrading costs are to be paid directly to the RWWD. 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 # 23 and is serviced by the municipal wastewater collection system but has not connected to the service at this point in time. Upon completion of the collection system, the City of Kelowna will mail notices to the owner detailing the costs and the payments options.



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.

Ziprick Road must be upgraded to a full urban standard including a curb and gutter in the front of the existing sidewalk, 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 **\$15,200.00** 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.

9. 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.

10. 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.

8. Bonding and Levies Summary.

a) Performance Bonding

Ziprick Road frontage upgrade	<u><b>\$15,200.00</b></u>
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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

b) Levies	<u>N/A</u>
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Steve Muenz, P.Eng.  
Development Engineering Manager

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