
**CITY OF KELOWNA
MEMORANDUM**

DATE: October 21, 2007
TO: City Manager
FROM: Planning & Development Services Department
SUBJECT:

APPLICATION NO. Z07-0010 **APPLICANT:** Runnalls Denby & Associates
AT: 2850 Gosnell Road **OWNER:** Emily Doyle

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM THE RU1 - LARGE LOT HOUSING ZONE TO THE RU2 - MEDIUM LOT HOUSING IN ORDER TO FACILITATE A TWO-LOT SUBDIVISION..

EXISTING ZONE: RU1 – LARGE LOT HOUSING ZONE

PROPOSED ZONE: RU2 – MEDIUM LOT HOUSING ZONE

REPORT PREPARED BY: NELSON WIGHT

1.0 RECOMMENDATION

THAT Rezoning Application No. Z07-0010 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, District Lot 135, O.D.Y.D., Plan 17194, located on Gosnell 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 has applied to subdivide the subject property to create two new lots. Accompanying that application is a rezoning application, which accommodates a smaller lot size in order to achieve the desired lot yield. The RU2 – Medium Lot Housing zone would allow for one principal dwelling on each of the proposed lots.

3.0 ADVISORY PLANNING COMMISSION

This application was reviewed by the Advisory Planning Commission at the meeting of March 14, 2007 and the following recommendation was passed:

THAT the Advisory Planning Commission support Rezoning Application No. Z07 0010, for 2850 Gosnell Road, Lot 3, District Lot 135, O.D.Y.D., Plan 17194,, by HRunnalls Denby & Associates, to rezone from the RU1 – Large Lot Housing zone to eht RU2 – Medium Lot Housing in order to facilitate a two-lot single family subdivision.

4.0 BACKGROUND

This project contemplates the redevelopment of an existing lot, both through this rezoning application and an accompanying subdivision application. The one existing house is to be relocated onto the proposed southerly lot. Although there is sufficient area on the parent parcel to subdivide within the RU1 zone, there is inadequate lot width.

The Applicant has supplied conceptual drawings to show a possible design for single family housing on the newly created lots, as well as pictures of the existing home, which is to be relocated to Proposed Lot B (see attachments).

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

Proposed Lot A		
CRITERIA	PROPOSAL	RU2 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	788 m ²	400 m ²
Lot Width	15.23 m	13.0 m
Lot Depth	42 m	30.0 m

Proposed Lot B		
CRITERIA	PROPOSAL	RU2 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	530.6 m ²	400 m ²
Lot Width	13.8 m	13.0 m
Lot Depth	39 m	30.0 m

4.1 **Site Context**

The subject property is located on Gosnell Road, which is north of Kelowna Secondary School, near the intersection of Gordon Drive and Raymer Road. The north arm of Fascieux Creek defines the westerly boundary of the subject property. In general, the surrounding properties are developed for single- and two-family housing. More specifically, the adjacent land uses are as follows:

North- RU1 – Large Lot Housing
 East RU1 – Large Lot Housing
 South RU1 – Large Lot Housing
 West RU1 – Large Lot Housing

4.2 **Existing Development Potential**

The purpose is to provide a zone for single detached housing, and compatible secondary uses, on larger serviced urban lots.

4.3 **Current Development Policy**

4.3.1 **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.

4.3.2 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.

Section 8.1.34 - 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

5.1 Environment Manager

The proposed relocation of existing house onto Lot B meets the City of Kelowna Official Community Plan criteria for Riparian Management Area creek setbacks for the North Arm of Fascieux Creek. The 10-metre Riparian Management Area setback is measured from the top of bank of the North Arm of Fascieux Creek. The 10 metre Riparian Management Area setback affects both proposed lots (A and B).

The removal or placement of soil, removal of trees, or the construction of any permanent structures within the 10-metre Riparian Management Area of the North Arm of Fascieux Creek is prohibited.

The boundaries of the 10.0-metre Riparian Management Area (and any protected covenant/sensitive areas) must be isolated from the construction zone with an orange snow fence or other similar type temporary fencing to delineate the management area.

Implementation of erosion & sediment control measures to prevent the transportation of displaced soil matter into the North Arm of Fascieux Creek may be necessary. Failure to take all reasonable measures to prevent the deposit of construction debris or displaced soil matter into the North Arm of Fascieux Creek is an offence under the Federal Fisheries Act.

5.2 Inspections Services

No principal building shall be located closer than 50 ft. (15.24 m) from the natural boundary of the creek and shall have an elevation difference of 5 ft.(1.52 m) from the high water mark.

5.3 Works and Utilities Department

(See attached Works and Utilities Department Report, dated April 18, 2007

6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS

Policies within the Kelowna 2020 Official Community Plan provide support for the proposed project. That is, rezoning the subject property to the RU1 zone would be consistent with the Future Land Use designation of the area.

Staff has no concerns with the proposed rezoning. The requirements detailed in the Works and Utilities Department comments are to be completed prior to final approval of the subdivision.

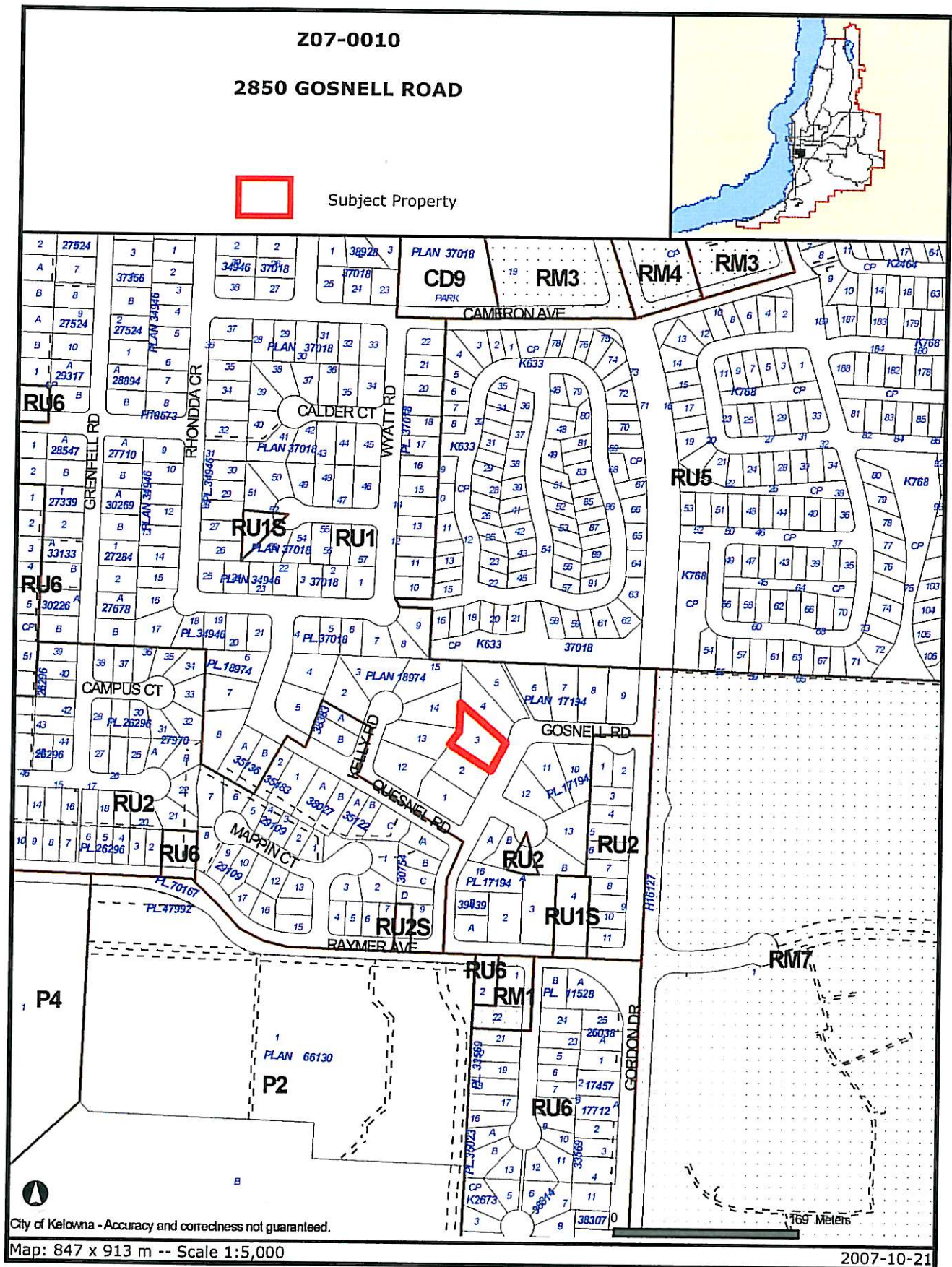
It should be noted that the North Arm of Fascieux Creek runs along the west boundary of the subject property. The required riparian management area (RMA) for this creek is 10 m.

A handwritten signature in black ink, appearing to read 'Shelley Gambacort', is written over a horizontal line.

Shelley Gambacort
Current Planning Supervisor
NW/nw

ATTACHMENTS

Location of subject property
Sketch Plan of Proposed Subdivision
Photos of Existing Home to be Relocated
Concept Elevation Drawing of New House
Works and Utilities Department Memo, dated April 18, 2007



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.

Existing House to be relocated
onto Proposed Lot B

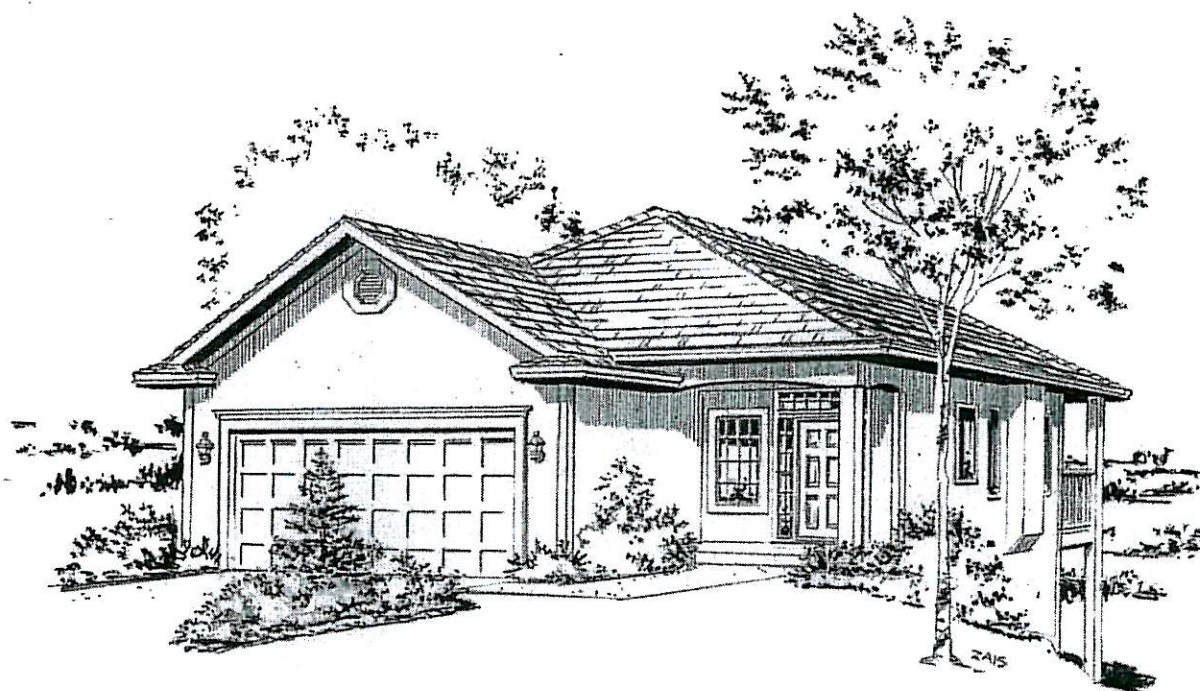


EMILY DOYLE

207-0010

DAVID SIMON

PICTURES & CONCEPT OF NEW HOUSE



The Sierra

Equally perfect for empty nesters and executives alike: this adorable home offers convenient main-floor living and is suitable for a narrow lot. Nine-foot ceilings in the entry, great room, den and nook, decorative planter shelf, and built-in niches etc all give this home a bright and open feeling. The gourmet kitchen offers an eating bar, large pantry, loads of cabinetry, lots of windows, and French doors to a covered patio. The main floor also features a den/office or formal dining room and an exciting master bedroom with a roomy ensuite. The bright basement level has potential for development of up to 2 bedrooms, a bathroom and a recreation room for almost twice the living space.

CITY OF KELOWNA
MEMORANDUM

Date: April 18, 2007
File No.: S07-0012 Z07-0010
To: Planning and Development Officer (NW)
From: Development Engineering Manager
Subject: Subdivision Application – PLR Requirements

POSTED

LOCATION:	2850 Gosnell Road	Existing Zone RU1	Proposed Zone RU2
APPLICANT:	Runnalls Denby		
LEGAL:	Lot 3 Plan 17194 D.L. 135. ODYD.		

WORKS AND SERVICES REQUIREMENTS

The City's Works & Utilities Department will handle the Works & Services requirements identified below between time of Preliminary Layout Review (PLR) and application for Subdivision Approval. Arrangements for construction must be made before making application for Final Approval of a subdivision plan.

The Development Engineering Technician for this project is John Filipenko. ASCT

The following Works & Services are required for this subdivision:

.1 General

- a) The flood setback for any building is 10 meters from the natural boundary of Fascieux Creek.
- b) A drainage right-of way (4.5m minimum width) must be secured parallel to the creek's top of bank. The exact location of the right of way in relation to the creek channel must be reviewed by the Drainage Division
- c) Where there is a possibility of a high water table or surcharging of storm drains during major storm events; non-basement homes may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.

.2 Geotechnical Report

- a) Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.**

The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. (Fascieux Creek). Identify any monitoring required.
- (ii) Site suitability for development.
- (iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (iv) Any special requirements for construction of utilities and building structures.
- (v) Top of bank assessment and location including recommendations for property line locations, building setbacks, and ground water disposal locations.
- (vi) Recommendations for items that should be included in a Restrictive Covenant.
- (vii) Any special requirements that the proposed subdivision should undertake so that it will not impact the bank(s). The report must consider erosion and structural requirements.
- (viii) Any items required in other sections of this document.
- (ix) Recommendations for erosion and sedimentation controls for water and wind.
- (x) Recommendations for roof drains and perimeter drains.
- (xi) These lots will be influenced by Fascieux Creek and non-basement homes may be required. The Geotechnical report must identify a possible restriction.

.3 Water

- a) The property is located within the City of Kelowna service area.
- b) The existing 19mm diameter copper water service may be utilised for the existing dwelling on proposed Lot B. Should the existing meter be in a pit it shall be removed and the meter relocated within the building.
- c) A new water service for proposed Lot A can be provided from a main on Gosnell Road, by the City at the applicant's cost.
- d) Arrange for individual lot connections before submission of the subdivision plan, including payment of reconnection fees (provide copy of receipt).

.4 Sanitary Sewer

- a) Arrange for individual lot connections before submission of the subdivision plan; including payment of connection fees (provide copy of receipt).
- b) The sanitary sewer service to the existing dwelling can be retained for Proposed Lot B.
- c) A new sanitary service for proposed Lot A can be provided from a main on Gosnell Road, by the City, at the applicant's cost.
- d) Abandon and backfill existing septic tanks in accordance with Building Department requirements. Identify, on the Lot Grading Plan, the location of the existing tanks and fields.

.5 Drainage

- a) The Subdivision, Development and Servicing Bylaw require that each lot be provided with an individual connection; however, the City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). A direct connection to the creek will not be permitted. The Lot Grading Plan must show the design and location of these systems for each lot.
- b) Provide a detailed Lot Grading Plan.
 - i) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
 - ii) Identify clearly on a contour map, or lot-grading plan, the top of bank(s). Not all areas have a clear top of bank; and therefore, field reconnaissance by City staff and the applicant may be needed to verify a suitable location for property lines.

.6 Roads

- a) Gosnell Road fronting this property must be constructed to a full local residential standard (SS-R3) including curb, gutter and sidewalk, piped storm drainage system including drywell and catchbasin, fillet pavement, street lights, and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction.
- b) The construction of the full urban upgrade of Gosnell Road will be deferred. A one-time cash payment shall be collected from the developer to pay for the future urban upgrade.

.7 Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground.
- b) If the existing area is served by overhead wiring, the service connections may be provided overhead provided that there are no new poles required and service trespasses will not be created. If either of these conditions is not satisfied, then underground service will be required for that lot.
- c) Streetlights must be installed on all roads. Design drawings must be submitted.
- d) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- e) Before making application for approval of your subdivision plan, please make arrangements with FortisBC for the pre-payment of applicable charges and tender a copy of their receipt with the subdivision application for final approval.

.8 Rezoning and Site Related Issues

- a) The environmental ramifications of new structures and the relocation of the existing house, landscape features including retaining walls, location of onsite storm disposal systems, protection of existing mature trees and building setbacks from Fascieux Creek, must be considered. Development Engineering will defer comment on those issues to the City Environment Manager.
- (a) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or relocating the existing dwelling.
- (b) The minimum front-yard and side-yard setbacks must meet RU2 zoning requirements.

.9 Other Engineering Comments

- b) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- (c) The City wishes to defer the construction of the full urban upgrade of Gosnell Road fronting this development. Therefore, cash-in-lieu of immediate construction is required and the City will initiate the work later, on its own construction schedule

.10 Charges and Fees

- a) Development Cost Charges (DCC's) are payable
- b) Fees per the "Development Application Fees Bylaw" include:
 - i) Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
 - ii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - iii) A hydrant levy charge of \$250.00 per lot (not required if developer installs a fire protection system – mains and hydrants).\

- c) Levies

Gosnell Road Frontage improvements	
One-time cash payment for future urban upgrading.	\$16,406.00

Steve Muenz, P.Eng.
Development Engineering Manager
JF/