
**CITY OF KELOWNA
MEMORANDUM**

Date: December 10, 2007
File No.: Z07-0092
To: City Manager
From: Planning & Development Services Department
Subject:

APPLICATION NO. Z07-0092 **OWNER:** Gloria Yamniuk
AT: 1297 Findlay Rd. **APPLICANT:** Gloria Yamniuk

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM RU1 – LARGE LOT HOUSING ZONE TO RU6 – TWO DWELLING HOUSING ZONE IN ORDER TO ALLOW TWO SINGLE DETACHED DWELLINGS ON THE SUBJECT PROPERTY.

EXISTING ZONE: RU1 – LARGE LOT HOUSING

PROPOSED ZONE: RU6 – TWO DWELLING HOUSING

REPORT PREPARED BY: DANIELLE NOBLE

1.0 RECOMMENDATION

THAT Rezoning Application No. Z07-0092 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Sec. 35, Twp. 26, ODYD, Plan 18811, located on Findlay Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone be considered by Council;

AND THAT Rezoning Application No. Z07-0092 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 and Parks Department being completed to their satisfaction;

2.0 SUMMARY

The Applicant is proposing to rezone the subject property to allow for the addition of a second single detached dwelling at the rear of the subject property.

3.0 ADVISORY PLANNING COMMITTEE

The above noted application was reviewed by the Advisory Planning Commission at the meeting of December 4, 2007 and the following recommendation was passed:

THAT the Advisory Planning Committee supports Rezoning Application No. Z07-0092, located on Findlay Rd., Lot A, Plan 18811, Sec. 34, Twp 26, ODYD, by G. Yamniuk, to rezone from the RU1-Large Lot Housing zone to the RU6-Two Dwelling Housing zone to accommodate a second dwelling on the property.

4.0 BACKGROUND

4.1 The Proposal

A single detached dwelling is currently located at the front of the subject property in addition to a detached garage. The Applicant is proposing to place a one storey modular house at the rear of the lot. Access to the second house would be via a driveway located on the south side of the property. The substantial depth of the property would allow the second dwelling to be located in excess of 15 metres from the front house where a spatial separation of only 4.5 metres is required.

The application meets the requirements of the RU6 – Two Dwelling Housing zone as follows:

CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
Site Area	1,722 m ²	700 m ²
Lot Width	22.9 m	18.0 m
Lot Depth	75.4 m	30.0 m
Site Coverage (buildings)	10.3%	40%
Height	1 storey / 4.04 m	2 ½ storeys / 9.5 m
SETBACKS		
Front	39.6 m	4.5 m
Side (north)	6.5 m	2.0 m < 1 ½ storey 2.3 m > 1 ½ storey
Side (south)	6.0 m	2.0 m < 1 ½ storey 2.3 m > 1 ½ storey
Rear	10.7 m	6.0 m < 1 ½ storey 7.5 m > 1 ½ storey
Separation distance between two houses	25.1 m	4.5 m
OTHER REQUIREMENTS		
Parking	4 spaces	4 spaces

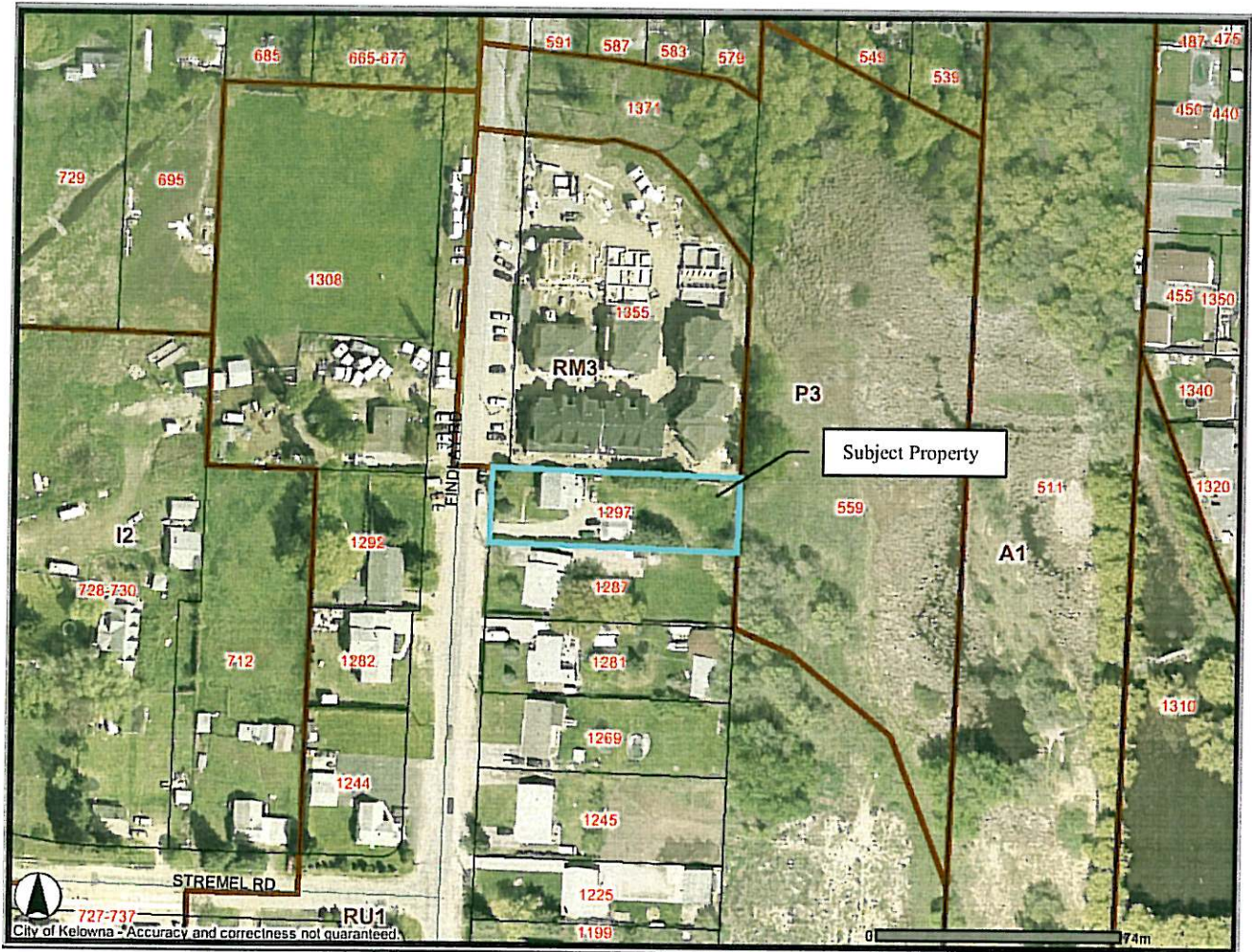
4.2 Site Context

The subject property is located on Findlay Road between Fitzpatrick Road and Stremel Road. The surrounding neighbourhood is an eclectic mix of land uses, although the southerly parcels are largely developed as a single- family residential area. More specifically, the adjacent land uses are as follows:

North	RM3 – Low Density Multiple Housing
East	P3 – Parks & Open Space
South	RU1 – Large Lot Housing
West	RU1 – Large Lot Housing

4.3 Site Map

Subject Property: 1297 Findlay Rd.



5.0 Development Potential

The property is zoned RU1 – Large Lot Housing. The purpose of this zone is to provide for single detached housing as a principal use, and compatible secondary uses.

The applicants have applied to rezone the subject property from RU1 to RU6.

The proposed RU6 – Two Dwelling Housing zone allows for two principal dwelling units, where the lot meets certain area and width requirements. This property meets the 700 m² area and 18.0 m width thresholds for “two dwelling” housing.

5.1 Policy and Regulation

5.1.1 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.

5.1.2 Kelowna 2020 – Official Community Plan

The proposal is consistent with the future land use designation of Single/Two Unit Residential in the Official Community Plan. The Single/Two Unit Residential designation covers single detached homes for occupancy by one family, single detached homes with a secondary suite, semi-detached and detached buildings used for two dwelling units, and complementary uses (OCP, Chapter 15).

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

6.0 TECHNICAL COMMENTS

6.1 Parks Comments

1. To prevent private/public encroachment, the applicant will be required to delineate the rear private property line adjacent to the future parkland/open space parcel with a minimum 1.2 metre high (4 foot) high black vinyl chain link fence with black powder coated posts, rails and hardware located 150 millimetres (6 inches) within the private property.
2. The new chain link fence should tie into the existing chain link fence on the adjacent multifamily residential property to the north.
3. The adjacent future parkland shall not be disturbed during the building process. No unauthorized tree cutting, no damage to natural vegetation, no material and/or construction storage and/or no equipment parking. The future parkland shall be kept in a natural, undisturbed condition.

5.2 Black Mountain Irrigation District

BMID has certified that arrangements have been made to satisfy district requirements.

6.2 Works and Utilities Department


As attached.

7.0 PLANNING AND DEVELOPMENT SERVICES 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 and that the City will encourage the development of a variety of housing forms to ensure that the housing supply meets the needs of Kelowna's diverse population. The proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area.

Due to the consistency of this proposal with the OCP, this lot is a good candidate for this kind of infill development. That is, a traditional subdivision of this parcel is problematic due to a lack of road frontage. Allowing a second dwelling on the property would allow a more efficient use of the lot, in a manner that appears to be sensitive to the surrounding neighbourhood.

The development of the proposed second dwelling unit is subject to the Secondary Suite and Two Dwelling Housing Development Guidelines set out in the Official Community Plan, and will proceed through a development permit executed at a Staff level.


Shelley Gambacort

Current Planning Supervisor

SG/dn

ATTACHMENTS

- Location of subject property
- Site Plan
- Building Elevations and Floorplans
- Landscape Plan

CITY OF KELOWNA

MEMORANDUM

Date: November 8, 2007
File No.: Z07-0092
To: Planning & Development Services Department (DN)
From: Development Engineer Manager (SM)
Subject: 1297 Findlay Road – Lot A, Plan 18811, Sec. 34, twp. 26

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

1. Subdivision

A.) Provide easements as required

B.) Dedicate approximately 5.0m along the Findlay frontage to provide an ultimate 30.0m road right of way.

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,

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 Specified Area # 20 and is serviced to the property line. The cash commuting amount is \$6,239.70 (until March 31, 2008) per Equivalent Dwelling Unit (EDU). For the requested RU6 the EDU is 0.7 per dwelling which amounts to \$ 8735.58(\$6,239.7 x 2 x 0.7). The cash commuting amount is payable prior to the approval of this application.

5. Drainage

A storm drain oversizing along Findlay Road is required, the City of Kelowna will contribute to the oversizing cost, the amount of contribution will be determined prior to construction.

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.

7. Road Improvements

The applicant is responsible to upgrade the Findlay Road frontage. Findlay Road will ultimately be the extension of Hollywood Road and has been recognised as a major future arterial link. The subject property is required to be upgraded to a full urban standard complete with curb, gutter, sidewalk, street lighting, asphalt fillet, storm drainage, landscaped boulevard and the relocation and/or removal of utilities as may be required. The estimated cost for this work, for bonding purpose, would be **\$18,900.00**, inclusive of a bonding contingency. The construction can be deferred and the City will initiate the work later at its own construction schedule at a cost of **\$16,400.00**.

8. 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.

11. Bonding and Levies Summary.

a) Performance Bonding

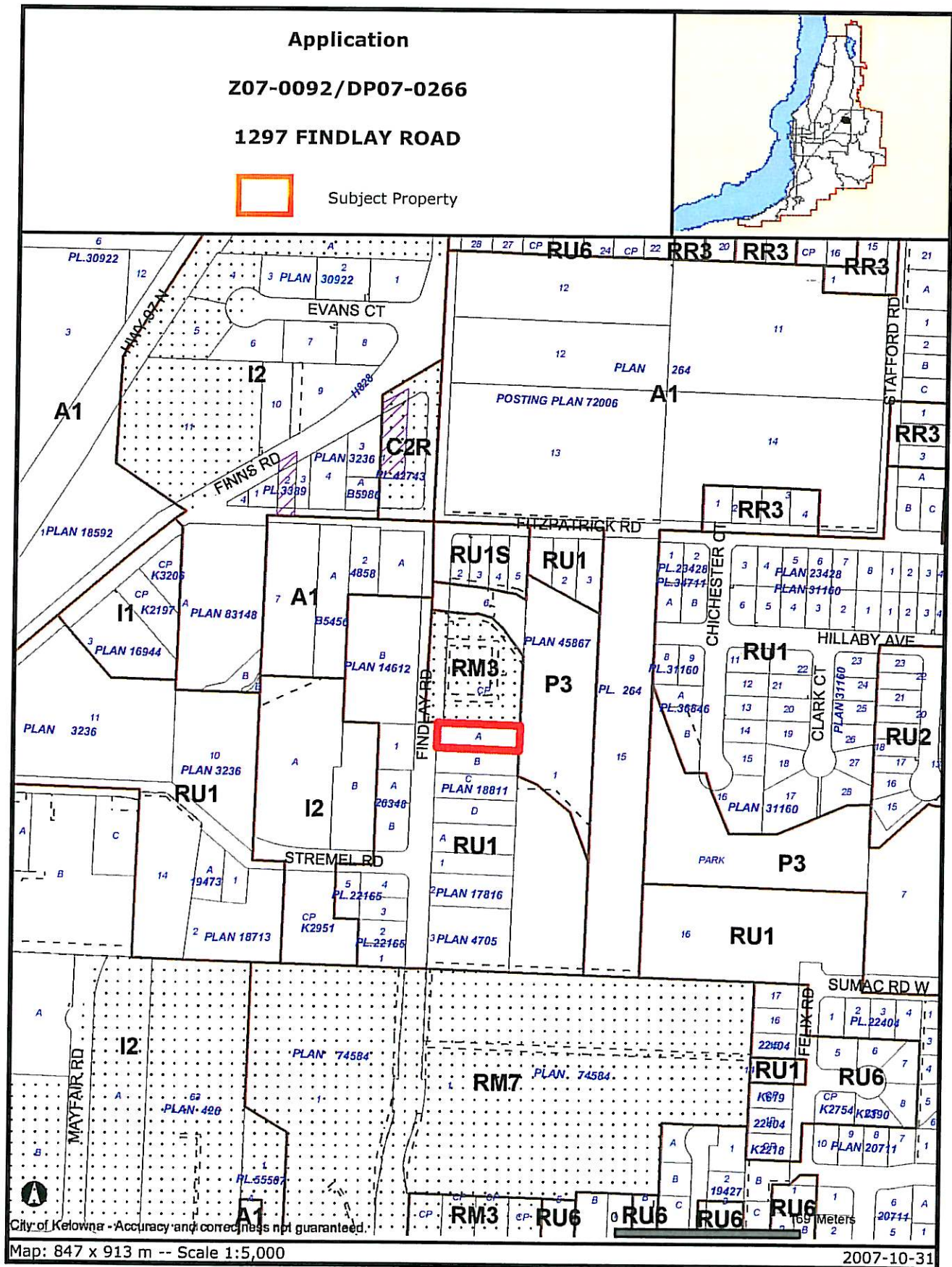
Findlay Road frontage upgrade	<u>\$18,900.00</u>
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Note that the applicant is not required to do the construction. The construction can be deferred and the City will initiate the work later at its own construction schedule

Cash Levy for Frontage upgrade	<u>\$16,400.00</u>
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b) Levies

Sanitary sewer area # 20 charge (account # 955-40-* -SA20-*)	<u>\$8,735.58</u>
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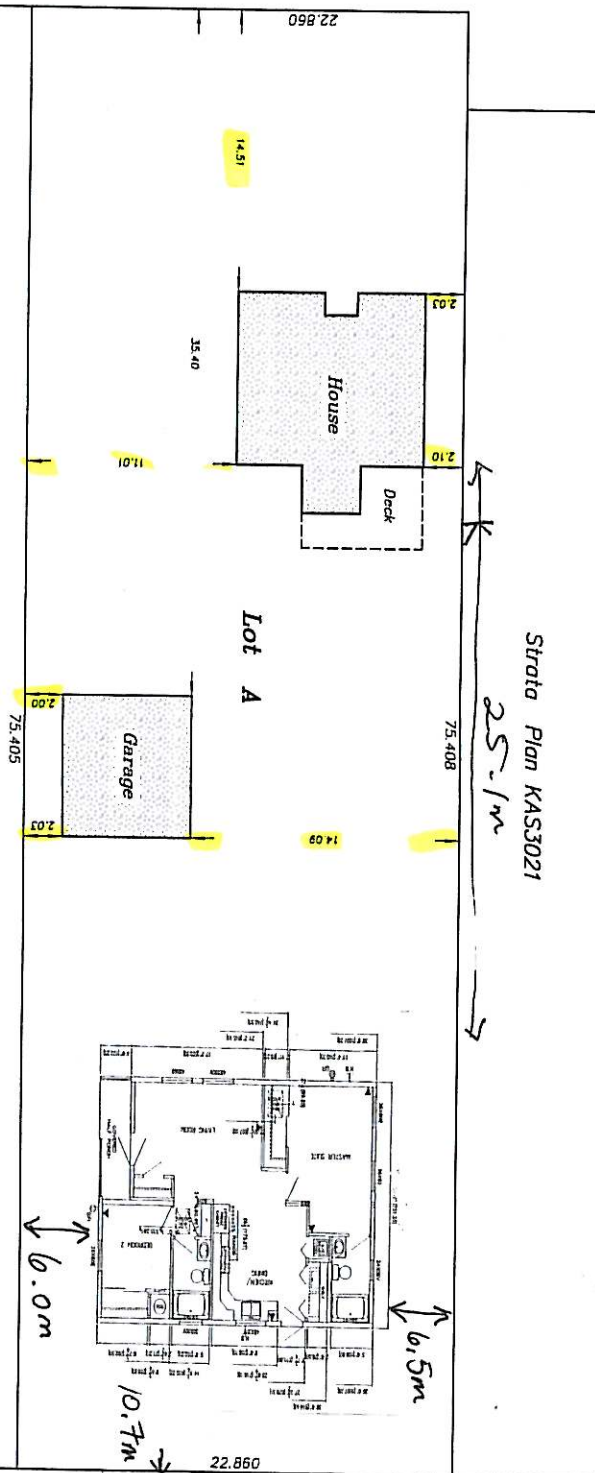


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
The City of Kelowna does not guarantee its accuracy. All information should be verified.

SKETCH PLAN OF LOT A, PLAN 18811, SEC. 35, TP. 26, O.D.Y.D.



Findlay Road



Strata Plan KAS3021

25.1m

Lot A

Lot B Plan 18811

Lot 1

Plan KAP45867

(Right of Way
Plan KAP45868)

Notes:

All distances are in metres and decimals thereof.

This Plan lies within the Central Okanagan Regional District.

September 18th, 2007.

VAN GURP & COMPANY

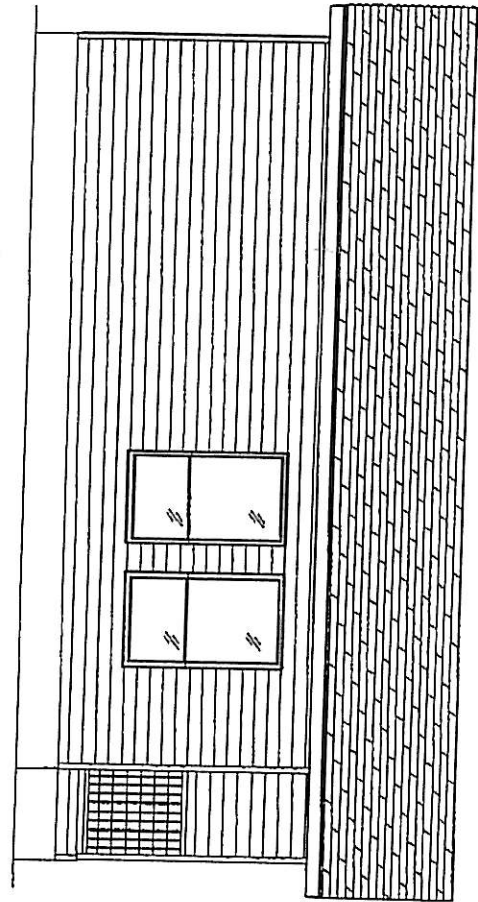
Land Surveyors

201-1470 St. Paul Street
Kelowna, B.C. Tel. (250) 763-5711

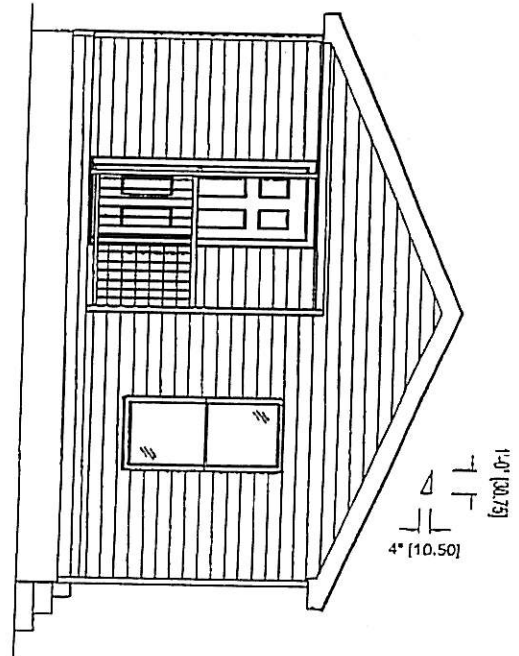
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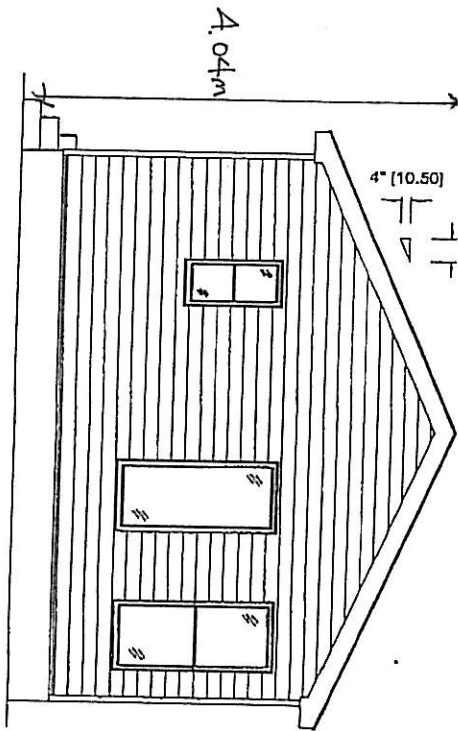
CUSTOM ELEVATION PRINT



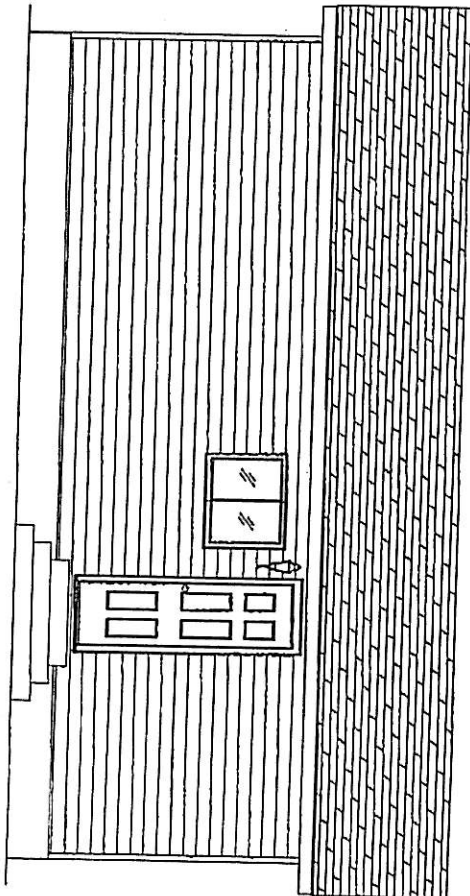
FRONT SIDE ELEVATION



FRONT END ELEVATION



REAR SIDE ELEVATION



REAR END ELEVATION

NOTE: SHOWN OPTIONS ARE NOT INCLUDED IN PRICING

MODULINE PENTECTON
P.O. BOX 190
1175 RAILWAY STREET
PENTECTON, B.C. V2A 6S2
(250) 493-0133

CUSTOMER: *Kevin Yarmouth*
DEALER: *ACECRAFT HOMES*
DATE: *Nov 8 / 2007*

DEALER CHANGE REQUEST
A
B
C

TITLE: **LANDMARK**
DRAWING NO: **23456 A/B**
DRAWN BY: **AWA**
DATE: **12/01/07**