
**CITY OF KELOWNA
MEMORANDUM**

DATE: February 4, 2008
FILE NO.: Z07-0100
TO: City Manager
FROM: Planning & Development Services Department
SUBJECT:

APPLICATION NO. Z07-0100 **APPLICANT:** Grant Maddock
AT: 1320 & 1340 Guisachan Rd. **OWNER:** AMDI Investments. Inc. &
Isaac/Helen Unrau

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

EXISTING ZONE: RU1 – LARGE LOT HOUSING ZONE

PROPOSED ZONE: RU2 – MEDIUM LOT HOUSING ZONE

REPORT PREPARED BY: DANIELLE NOBLE

1.0 RECOMMENDATION

THAT Rezoning Application No. Z07-0100 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, DL 136, ODYD, Plan 10742 & That Part of Lot 3, Shown on Plan B5120, DL 136, ODYD, Plan 2158, Except Plan KAP84631, located on Guisachan Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone

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.

2.0 SUMMARY

The Applicant has applied to rezone the subject properties to the RU2 – Medium Lot Housing zone in anticipation of subdivision to create seven new lots.

3.0 ADVISORY PLANNING COMMISSION

This application was reviewed by the Advisory Planning Commission at the meeting of December 18, 2007 and the following recommendation was passed:

THAT the Advisory Planning Commission support Rezoning Application No. Z07-0100, for 1320 & 1340 Guisachan Road, Lot 1, DL 136, ODYD, Plan 10742 & That Part of Lot 3, Shown on Plan B5120, DL 136, ODYD, Plan 2158, Except Plan KAP84631, by Protech Consultants Ltd. (G. Maddock), to rezone the subject properties from RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone in order to facilitate a seven (7) lot subdivision.



4.0 BACKGROUND

This project contemplates the redevelopment of the two subject properties, both through this rezoning application and an accompanying subdivision application. A future phase of rezoning and subdivision will be sought once the third property is secured through property acquisition, and will allow the second phase of subdivision.

The Applicant has supplied a proposed subdivision plan indicating the layout and configuration of the new lots to be accessed from Wilkinson St.

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

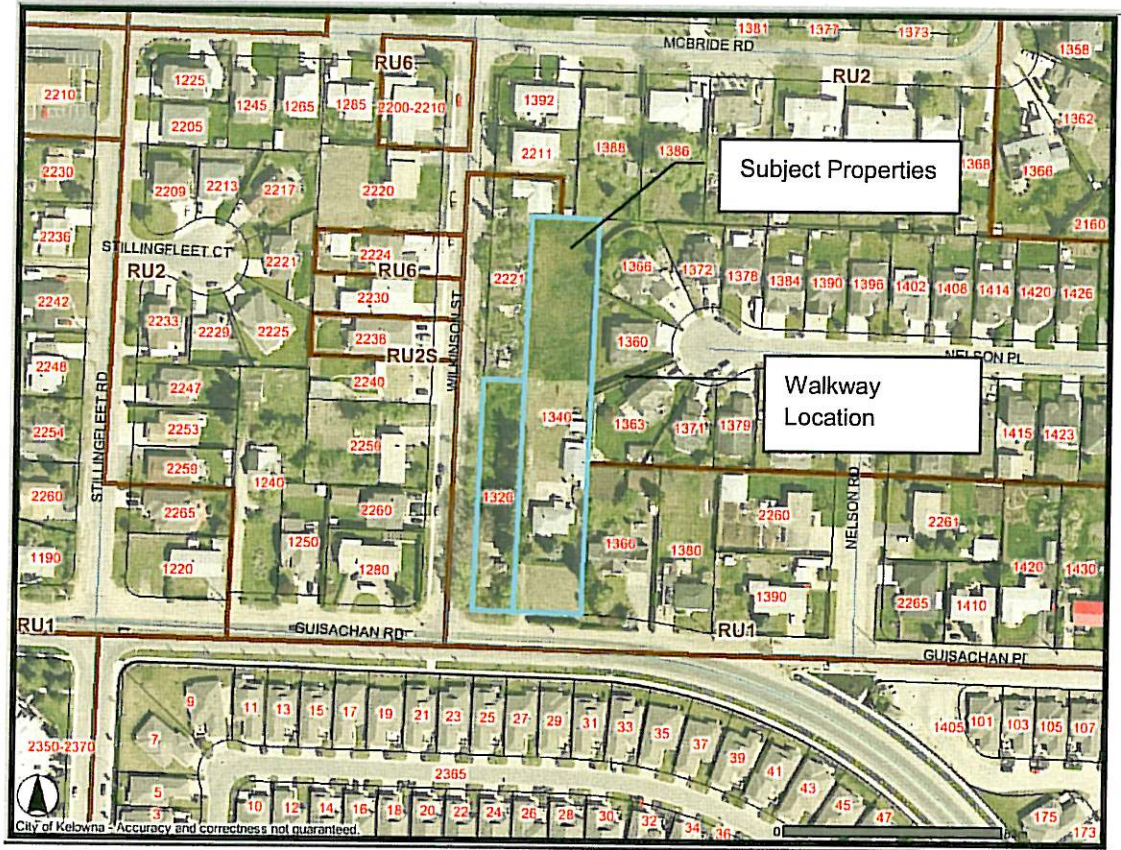
CRITERIA	PROPOSAL	RU2 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	>562 m ²	400 m ²
Lot Width	13.68 m	13 m / 15 m for corner lot
Lot Depth	>41 m	30.0 m

4.1 Site Context

The subject property is in the Guisachan Road area, at the southeast corner of the intersection of Guisachan Place and Wilkinson Road. In general, the surrounding properties are developed as medium and large lot single family housing, with a strata complex to the south. This area is undergoing a transition to slightly higher densities, primarily through infill projects and strata developments within the vicinity. More specifically, the adjacent land uses are as follows:

North-	RU2 – Medium Lot Housing
East	RU2 – Medium Lot Housing & RU1 – Large Lot Housing
South	RU5 – Bareland Strata Housing
West	RU2 – Medium Lot Housing, RU2(s) – Medium Lot Housing with secondary suite, RU6 – Two Dwelling Housing

4.2 Property Map



5.0 **CURRENT DEVELOPMENT 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 (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;

6.0 TECHNICAL COMMENTS

6.1 Inspections Department

Building permits required for demolition or removal of buildings located on 1320 & 1340 Guishachan Rd.prior to approval of subdivision.

6.2 Fire Department

Hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw.

6.3 Works and Utilities Department

As attached.

7.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

Policies with the Kelowna 2020 Official Community Plan provide support for the proposed project. That is, rezoning the subject property to the RU2 zone would be consistent with the Future Land Use designation of the area. However, Section 8.1.34 highlights the importance of "sensitive integration" of new development with the existing neighbourhood.

Notably, the pedestrian right-of-way dedicated off of Nelson Place previously had been secured with the intention of connecting through to Wilkinson Street. Therefore, it will be a requirement from the Transportation department to dedicate and construct the extension to the existing public pathway from Nelson Place through to Wilkinson Street.

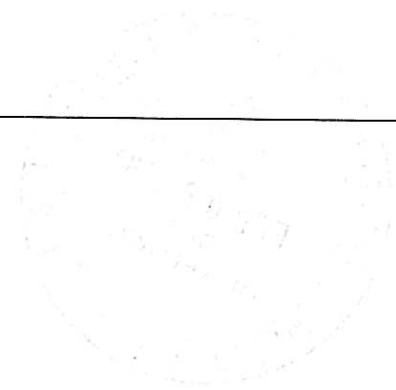
As the second phase of the rezoning and subdivision application is contingent upon securing property acquisition of the third lot, the proposed lot 7 will be subject to a no-build covenant pending the second phase of the subdivision progressing forward.

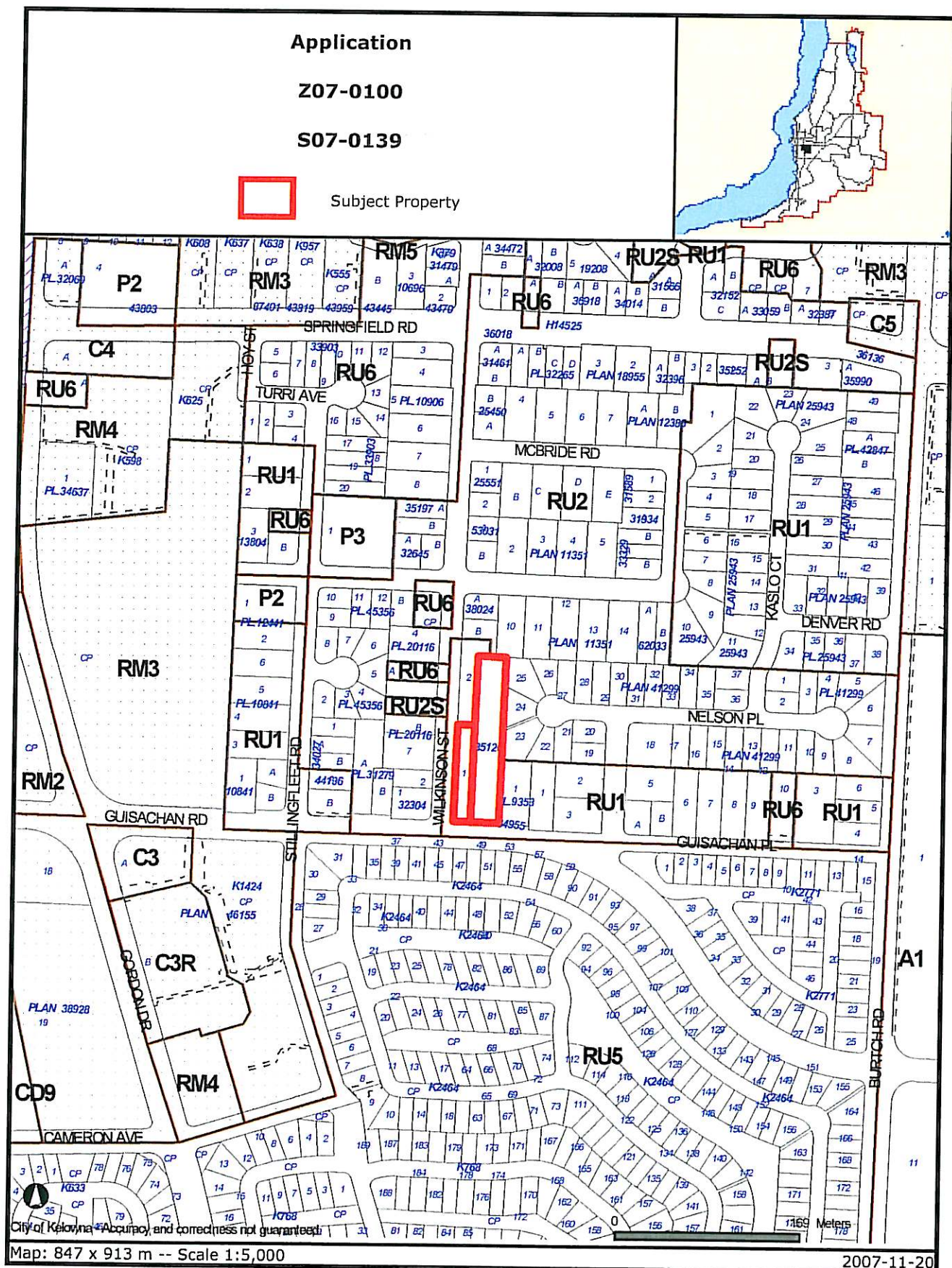


Shelley Gambacort
Current Planning Supervisor
SG/dn

ATTACHMENTS

Location of subject property
Sketch Plan of Proposed Subdivision





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.

CITY OF KELOWNA

MEMORANDUM

Date: February 4, 2008
File No.: S07-0139
To: Planning and Development Officer (DN)
From: Development Engineering Manager (SM)
Subject: Subdivision Application – PLR Requirements

LOCATION: 1320, 1340 Guisachan Rd. Existing Zone RU1 Proposed Zone RU2
APPLICANT: Protech Consultants LTD
LEGAL: Lot 1 Plan 10742 DL.136 ODYD, and that part of Lot 3,
Shown on Plan B5120 DL.136 ODYD, Plan 2158 except KAP84631

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 Technologist for this project is John Filipenko. AScT

The following Works & Services are required for this subdivision:

.1 General

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

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) Site suitability for development.
- (ii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (iii) Any special requirements for construction of utilities and building structures.
- (iv) Recommendations for items that should be included in a Restrictive Covenant.
- (v) Any items required in other sections of this document.
- (vi) Recommendations for roof drains and perimeter drains.

.3 Water

- a) The property is located within the City of Kelowna service area.
- b) Arrange for individual lot connections before submission of the subdivision plan, including payment of reconnection fees (provide copy of receipt).
- c) Our records indicate that there are two existing 19mm diameter copper water services that may be utilized for two of the proposed lots. One of the curb stops must be relocated to the required property line offset.

.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) Our records indicate that there are two existing 100mm diameter sanitary services that may be utilized for two of the proposed lots. The applicant is responsible to install Inspection Chambers on the existing services at his cost.
- c) 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 hydro-geotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.
- b) Provide a detailed Lot Grading Plan. Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.

.6 Roads

- a) Wilkinson Street fronting these properties must be constructed to a Class 1 Collector standard (SS-R5) including curb, gutter and 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. Service trench cuts across Wilkinson Street will also require asphalt removal and re-pavement for the full frontage of the created lots. The estimated cost of this work, for bonding purposes, is **\$70,000.00**, inclusive of a bonding contingency.
- b) Guisachan Road fronting these properties must be constructed to a full urban standard complete with curb, gutter, separate sidewalk, storm drainage system, fillet pavement, street lights, and adjustment and, or re-location of existing utility appurtenances if required to accommodate this construction.
The estimated cost of this work, for bonding purposes, is **\$30,000.00**, inclusive of a bonding contingency.
- c) Walkway. The existing public walkway from Nelson Pl. shall be extended to reach Wilkinson Street. Dedicate and construct the walkway to the City's Walkway Standard (SS-R28) complete with storm drainage, and a walkway gate at the Wilkinson Street end.
The estimated cost of this work, for bonding purposes, is **\$10,000.00**, inclusive of a bonding contingency.
- d) A 6.0m radius corner rounding dedication is required at the corner of Guisachan Road and Wilkinson Street.

.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 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 Other Engineering Comments

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as B.C. Gas, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

.11 Charges and Fees

- a) 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).
 - iv) Engineering and Administration Fee: 3% of construction value (plus GST).

- b) Bonding

Wilkinson Street frontage Improvements	\$70,000.00
Guisachan Road frontage Improvements	\$30,000.00
Walkway construction	\$10,000.00
Lot Servicing	\$30,000.00

Total bonding amount **\$ 140,000.00**

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

