
**CITY OF KELOWNA
MEMORANDUM**

DATE: August 20, 2008

TO: City Manager

FROM: Planning & Development Services Department

APPLICATION NO. Z08-0056 **APPLICANT:** Jason Moore & Yvette Toews

AT: 5110 Chute Lake Cr **OWNERS:** Jason Moore & Yvette Toews

PURPOSE: TO REZONE FROM THE RR2 – RURAL RESIDENTIAL 2 ZONE TO THE RU1 – LARGE LOT HOUSING ZONE IN ORDER TO SUBDIVIDE INTO TWO LOTS AND BUILD A NEW SINGLE FAMILY DWELLING.

EXISTING ZONE: RR2 – Rural Residential 2 Zone

PROPOSED ZONE: RU1 – Large Lot Housing Zone

REPORT PREPARED BY: Carlie Ferguson

1.0 RECOMMENDATION

THAT Rezoning Application No. Z08-0056 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 12, Section 24, Township 28, Similkameen Division Yale District, Plan 24416, located at 5110 Chute Lake Cr, Kelowna BC from the RR2 – Rural Residential 2 zone to the RU1 – Large Lot 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 Works & Utilities requirements being satisfied.

2.0 SUMMARY

The applicant is requesting approval to rezone the subject property from RR2 – Rural Residential 2 to RU1 – Large Lot Housing in anticipation of a two lot subdivision and construction of a new single family dwelling.

3.0 ADVISORY PLANNING COMMISSION

The above noted application was reviewed by the Advisory Planning Commission at the meeting of July 12, 2008 and the following recommendation was passed:

THAT the Advisory Planning Commission support Rezoning Application No. Z08-0056, for 5110 Chute Lake Road; Lot 12, Plan 24416, Sec. 24, Twp. 28, ODYD, by Y and J Moore to rezone from the RR2 - Rural Residential 2 zone to the RU1 - Large Lot Housing zone to facilitate a 2 lot subdivision.



4.0 BACKGROUND

4.1 The Proposal

This project contemplates the redevelopment of an existing lot, both through this rezoning application and an accompanying subdivision application. The applicant proposes to subdivide the existing lot creating two lots from the one existing lot. There is an existing residential building on the subject property that will remain on one lot and the applicant proposes to construct a new single family dwelling on the proposed second lot. A concurrent subdivision application is being processed which will address the servicing requirements for the proposed development.

The table below shows this application's compliance with the requirements of the RU1 zone.

Zoning Bylaw No. 8000			
CRITERIA	PROPOSAL: Lot A (Existing Dwelling)	PROPOSAL: Lot B (Proposed Dwelling)	RU1 ZONE REQUIREMENTS
Subdivision Regulations			
Lot Area	1026.5 m ²	1118.7 m ²	550 m ²
Lot Width	18.5 m	20.5 m	16.5m
Lot Depth	71.5 m	68.5 m	30 m
Development Regulations			
Site Coverage (buildings)	17.1%	15.5%	40%
Site Coverage (buildings/parking)	27.5%	24.1%	50%
Height	3.6 m	7.6m	9.5 m
Number of Storeys	1.5 storeys	2 storeys	2.5 storeys
Front Yard	12 m	16 m	6.0 m
Side Yard (n)	1.45 m ^A	2.3 m	2.0 m (1- 1.5 storeys) 2.3 m (2 to 2.5 storeys)
Side Yard (s)	2.0 m	2.3 m	2.0 m (1- 1.5 storeys) 2.3 m (2 to 2.5 storeys)
Rear Yard	36.0 m	31.1 m	7.5 m

^A Existing non-conforming setback.

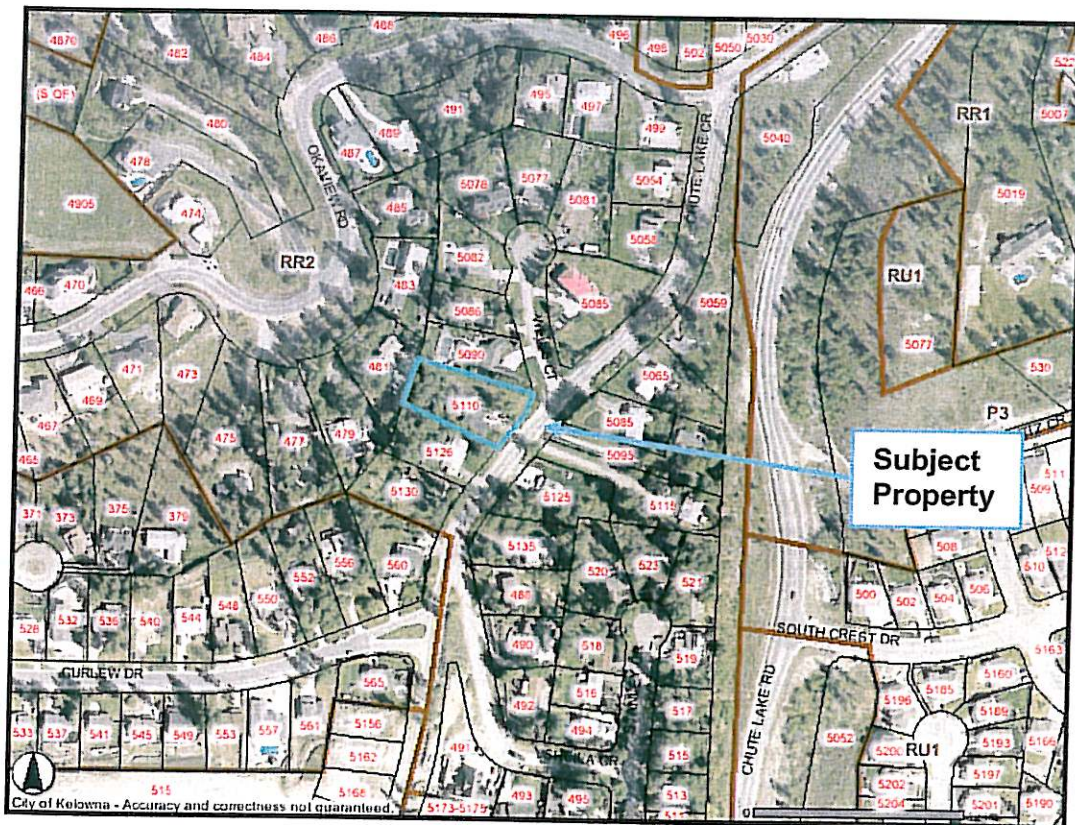
4.2 Site Context

The subject property is located in Southwest Mission at 5110 Chute Lake Crescent. The subject property has a future land use designation of S2RES – Single/Two Unit Residential. The surrounding area has been developed with single family residential development. More specifically, the adjacent land uses are as follows:

North RR2 – Rural Residential 2
 East RR2 – Rural Residential 2
 South RR2 – Rural Residential 2
 West RR2 – Rural Residential 2

4.3 Site Location Map

5110 Chute Lake Cr



4.4 Existing Development Potential

The subject property is currently zoned RR2 – Rural Residential 2. The purpose is to provide a zone for country residential development, and complementary uses, on medium sized lots in areas of high natural amenity and limited urban service.

5.0 **CURRENT DEVELOPMENT POLICY**

5.1 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.

5.2 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 Works & Utilities

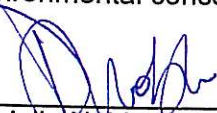
See attached.

6.2 Environment Division

Environment Division staff recommend that further information should be requested that will demonstrate how the potential groundwater flow and natural slopes will be maintained to ensure that the proposed subdivision takes place in a safe and sustainable manner. These requirements will be dealt with through the subdivision process.

7.0 **PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS**

Policies within the Kelowna 2020 Official Community Plan provide support for the proposed development proposal. That is, rezoning the subject property to the RU1 zone would be consistent with the future land use designation of the area. However, section 8.1.34 of the OCP highlights the importance of "sensitive integration" of new development within the existing neighbourhood. The applicant has provided conceptual drawings showing a single-family housing design and landscape plan that would represent a sensitive integration with the existing neighbourhood and achieve the required setback requirements. The subject property and other properties along Chute Lake Crescent now have sanitary sewer connections, enabling this neighbourhood with sewer servicing to pursue infill development. A concurrent subdivision application is being processed which will address the servicing requirements and environmental concerns for the proposed development.



Danielle Noble
Current Planning Supervisor

ATTACHMENTS

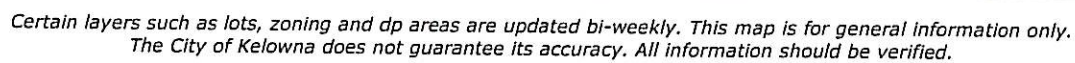
Subject Property Map

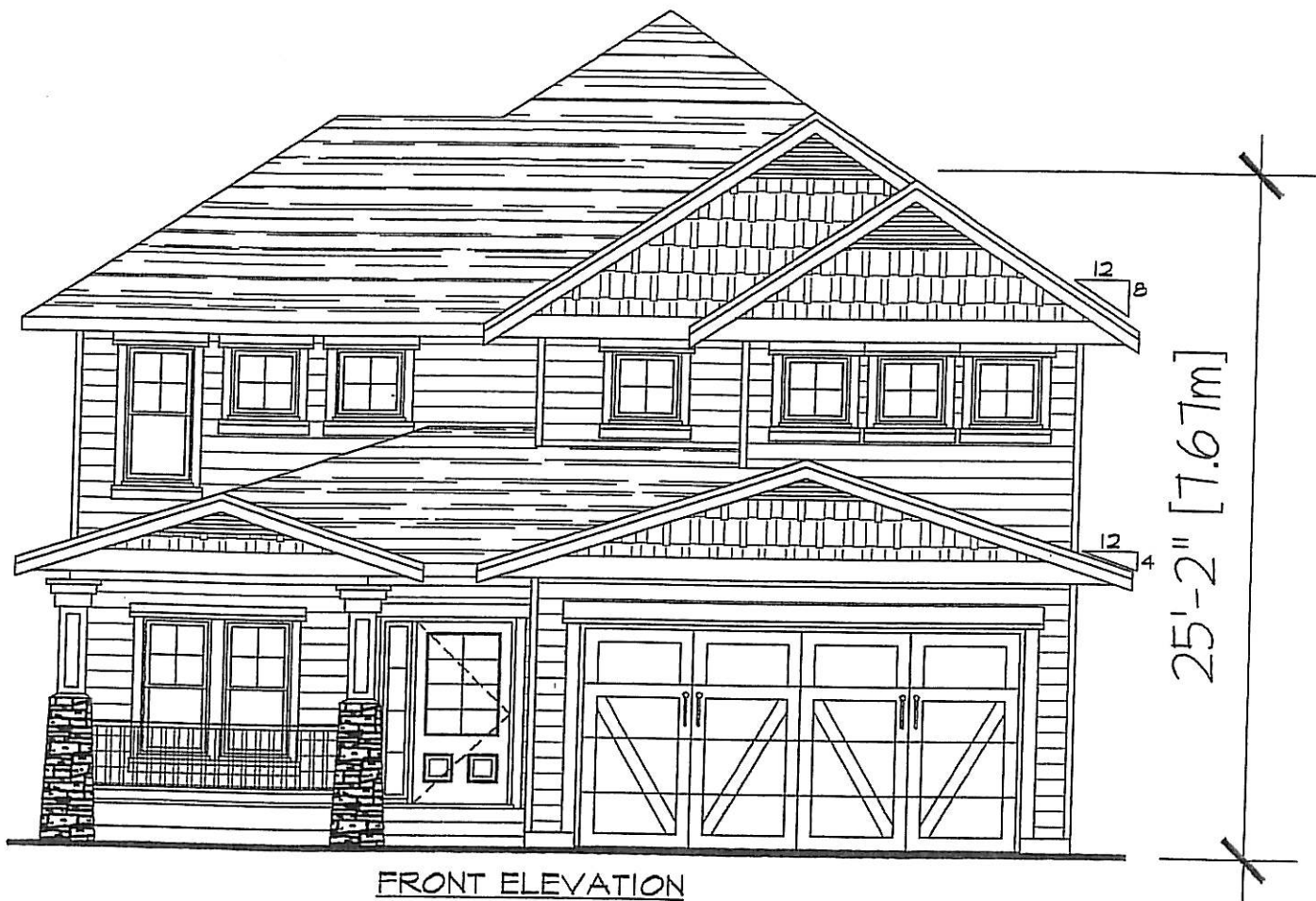
Site Plan

Conceptual elevations

Works & Utilities Comments







FRONT ELEVATION

PROPOSED RESIDENCE OF:
MR. MOORE & MS. TOEWS

CITY OF KELOWNA
MEMORANDUM

Date: July 4, 2008
File No.: Z08-0056, S08-0057
To: Planning and Development Officer (CF)
From: Development Engineering Manager
Subject: Subdivision Application – PLR Requirements

LOCATION: 5110 Chute Lake Cres.	ZONE RR2 to RU1
APPLICANT: Jason Moore	
LEGAL: Lot 12 Plan 24416	

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 Approval of a subdivision plan. The Development Engineering Technician for this project is Sergio Sartori.

The following Works & Services are required for this subdivision:

.1) General

- a) This proposed subdivision may require the installation of centralized mail delivery equipment. Please contact Rick Ould, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC V1Y 2K0 to obtain further information and to determine suitable location(s) within the development.

.2) Geotechnical Report

- a) A geotechnical report may be required by the Inspection Services Department.

.3) Water

- a) The property is located within the City of Kelowna water service area.
- b) Arrange for individual lot connections before submission of the subdivision plan; including payment of connection fees (provide copy of receipt). The existing 19mm water service provides service to the existing house. A new water service must be provided for the proposed lot.

.4) Sanitary Sewer

- a) The property is serviced with a 100mm sanitary service.
- b) Arrange for the installation of a new 100mm service connection before submission of the subdivision plan; including payment of fees (provide copy of receipt). The new sanitary service can be provided by City forces at the applicant's cost.
- c) The property is located in Sewer Connection Area No. 28 (Okaview). The sewer charge for this property is currently **\$22,000.00** per lot.

.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 (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill).

.6) Roads

- a) Chute Lake Crescent must be upgraded to a full urban standard including curb and gutter, separate 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.
- b) Verify that physical driveway access will satisfy City requirements for all lots. For steeper lots (15% and greater), show driveways on the lot grading plan with grades or profiles. Where lots are serviced by onsite sewage disposal systems, show limits of cut and fill lines.
- c) Re-locate existing poles and utilities, where necessary.

.7) Power and Telecommunication Services and Street Lights

- a) 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.
- b) (FOR S.F. AND LOT SPLITS): 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 are not satisfied, then underground service will be required for that lot.
- c) Remove aerial trespass(es)

.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. **(If the water and sanitary service connection is done by the City there is no need for a Servicing Agreement)**
- 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 Terasen, 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.
- c) The City wishes to defer the construction of upgrading of Chute Lake Crescent which is premature at this time. Therefore, cash-in-lieu of immediate construction is required and the City will initiate the work later, on its own construction schedule. The cash-in-lieu amount is determined as follows:

Item	Cost
Storm Sewer	\$ 4,813.00
Curb & Gutter	\$ 2,647.00
Sidewalk	\$ 3,850.00
Road Paving	\$ 4,331.00
Street Lighting	\$1,299.00
Total	\$ 16,940.00

- d) The property is located in Sewer Connection Area No 28) and therefore, all parcels to be created will be subject to the debt charges for this service. The applicant must pay **\$22,000.00** for each lot totalling **\$44,000.00**.

.11) Charges and Fees

- a) Development Cost Charges (DCC's) are payable
- b) Fees per the "Development Application Fees Bylaw" include:
- i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
 - ii) Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
 - iii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - iv) Engineering and Inspection Fee: 3% of construction value (plus GST).
- c) A hydrant levy charge of \$250.00. (not required if developer installs a fire protection system – mains and hydrants).
- d) Water Extended Service Area Latecomers (ESA's):

ESA#	Frontender	Component	To	Rate/unit \$
9	Kettle Valley	Reservoir (Adams)	Sept. 27/08	\$1,253.00

Steve Muenz, P.Eng.
Development Engineering Manager