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**CITY OF KELOWNA  
MEMORANDUM**

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**DATE:** August 29, 2008

**TO:** City Manager

**FROM:** Planning & Development Services Department

**APPLICATION NO.** Z08-0066      **OWNERS:** Jacob Anthony Ruschinsky and  
Joanne Couture

**AT:** 480 Killarney Rd      **APPLICANT:** IHS Designs Ltd (Chris Vickery)

**PURPOSE:** TO REZONE THE SUBJECT PROPERTY FROM THE RR3 – RURAL RESIDENTIAL 3 ZONE TO THE RU6 – TWO DWELLING HOUSING ZONE IN ORDER TO ALLOW TWO SINGLE DETACHED DWELLINGS ON THE SUBJECT PROPERTY.

**EXISTING ZONE:** RR3 – RURAL RESIDENTIAL 3

**PROPOSED ZONE:** RU6 – TWO DWELLING HOUSING

**REPORT PREPARED BY:** Carlie Ferguson

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**1.0 RECOMMENDATION**

THAT Rezoning Application No. Z08-0066 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 8 Section 35 Township 26 Osoyoos Division Yale District Plan 18993, located at 480 Killarney Rd, Kelowna BC from the RR3 – Rural Residential 3 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 Works & Utilities and Black Mountain Irrigation District requirements being satisfied.

**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 COMMISSION**

The above noted application was reviewed by the Advisory Planning Commission at the meeting of August 26<sup>th</sup>, 2008 and the following recommendation was passed:

THAT the Advisory Planning Commission support Rezoning Application No. Z08-0066, for 480 Killarney Rd; Lot 8, Plan 18993, Sec. 35, Twp. 26, ODYD, by C Vickery to rezone from the RR3 - Rural Residential 3 zone to the RU6 – Two Dwelling Housing zone to facilitate the construction of a second single detached dwelling.



## 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 located towards the rear of the property. There is also a small shed located along the eastern edge of the property in front of the detached garage. The applicant is proposing to construct a second single detached dwelling on the rear of the lot. Access to the second house would be via a driveway located on the east side of the property to the detached garage. The substantial depth of the property would allow the second dwelling to be located in excess of 17 m 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:

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	1395 m <sup>2</sup>	700 m <sup>2</sup>
Lot Width	27.7 m	18.0 m
Lot Depth	50.3 m	30.0 m
Development Regulations		
Site Coverage (buildings)	23.3 %	40%
Site Coverage (buildings/parking)	37.7 %	50%
Existing Dwelling		
Height	1 ½ storeys/5 m	2 ½ storeys / 9.5 m
Front Yard	9.45 m	4.5 m or 6.0 m to a garage
Side Yard (w)	4.5 m	2.0 m (1 - 1 ½ storey)
Side Yard (e)	7.5 m	2.0 m (1 - 1 ½ storey)
Rear Yard	33 m	6.0 m (1 – 1 ½ storey)
Proposed Dwelling		
Height	1 ½ storeys/4.7 m	2 ½ storeys / 9.5 m
Front Yard	35.1 m	4.5 m or 6.0 m to a garage
Side Yard (w)	6.0 m	2.0 m (1 - 1 ½ storey)
Side Yard (e)	2.0 m	2.0 m (1 - 1 ½ storey)
Separation Between Houses	17.7 m	4.5 m
Other Requirements		
Parking Stalls (#)	greater than 4 spaces	4 spaces
Private Open Space	meets requirements	30 m <sup>2</sup> per dwelling

#### 4.2 Site Context

The subject property is located on Killarney Road between Findlay Road and Stafford Road. The surrounding neighbourhood is a small subdivision located between agricultural lands and is developed as a single family residential area. The zoning of the small subdivision is evenly allocated as RR3 – Rural Residential 3 and RU6 – Two Dwelling Housing. More specifically, the adjacent land uses are as follows:

North	A1 – Agriculture 1 (ALR)
East	RU6 – Two Dwelling Housing
South	RR3 – Rural Residential 3
West	RR3 – Rural Residential 3

#### 4.3 Site Location Map

480 Killarney Rd



#### 4.4 Existing Development Potential

The property is zoned RR3 – Rural Residential 3. The purpose of this zone is to provide for country residential development on smaller lots, and complimentary uses, in areas of high natural amenity and limited urban services.

The applicants have applied to rezone the subject property from RR3 to RU6.

The proposed RU6 – Two Dwelling Housing zone allows for two principal dwelling units, where the lot meets certain area and width requirements.



## **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 proposal is consistent with the future land use designation of Single/Two Unit Residential in the Official Community Plan.

*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.

*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 Works & Utilities**

See attached.

### **6.2 Fire Department**

An unobstructed and easily distinguishable firefighter access of 1100 mm, from the street to the back of the property line and to the secondary suite main entrance is required. If a fence is ever constructed between the dwellings an 1100 mm, clear width, gate is required. Any gate is to open with out special knowledge. The addresses for all residences are to be visible from the street. Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw.

### **6.3 Black Mountain Irrigation District**

Arrangements need to be made with BMID for the application of and payment for connection services and domestic water meters as well as for the payment of capital charges applicable for all new development.

### **6.4 Inspections Services**

No comment.

## 7.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT 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.

Surrounding properties in the same subdivision have similarly been rezoned to RU6 – Two Dwelling Housing, although these properties have actually been developed with duplex housing as opposed to two separate dwellings. A second dwelling on this site would introduce a slightly different character into this neighbourhood. In addition, the proposed second dwelling is to be located at the rear of the property which would be closer to farm operations to the north. The Planning Department is supportive of this proposal and has confirmed with the applicant that appropriate landscaping buffers will be provided for the adjacent residential properties as well as with the northern adjacent farm operation which is within the ALR.

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.



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Danielle Noble  
Current Planning Supervisor

### ATTACHMENTS

Location of subject property  
Site Plan/Landscape Plan/Elevations  
Floorplans  
Colour Photos of Existing Dwelling  
Works & Utilities Comments

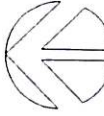






844 ANNANDALE LANE  
KELLOWNA, BC  
V1Y 4V7

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PROJECT NORTH

REVISION DATE DESCRIPTION

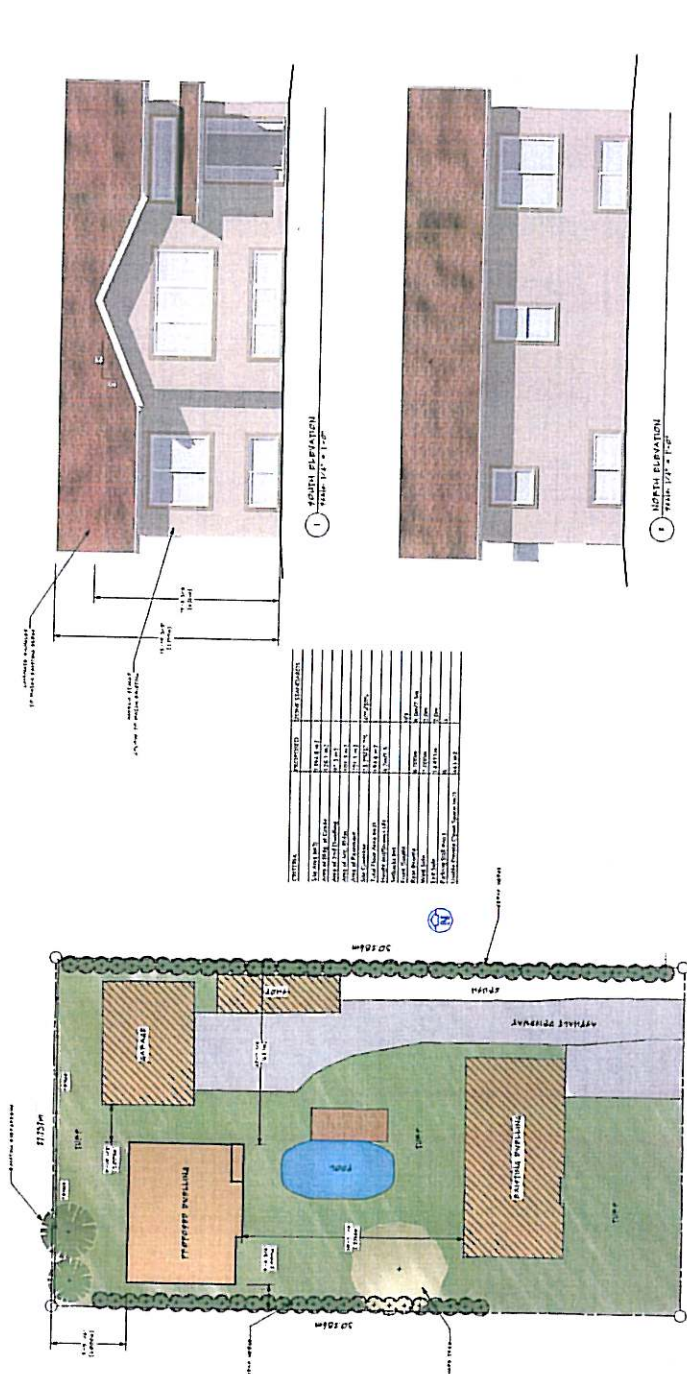
PROJECT

PRIVATE RESIDENCE  
480 HILLARNEY ROAD  
KELOWNA, BC  
LOT 8 PLAN 18093

DATE: JUNE 30, 2008  
DESIGNED BY: J. J. J. J.

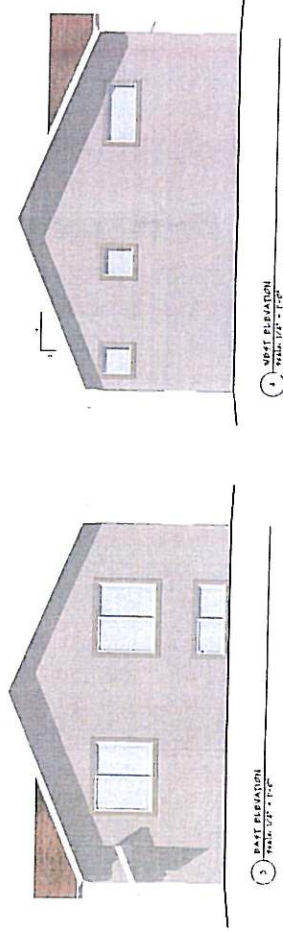
DATE: JUNE 30, 2008  
DESIGNED BY: J. J. J. J.

DATE: JUNE 30, 2008  
DESIGNED BY: J. J. J. J.



HILLARNEY ROAD

1 SITE PLAN  
Scale 1:50



2 EAST ELEVATION  
Scale 1/8" = 1'-0"

3 WEST ELEVATION  
Scale 1/8" = 1'-0"

4 SOUTH ELEVATION  
Scale 1/8" = 1'-0"

5 NORTH ELEVATION  
Scale 1/8" = 1'-0"



JHS DESIGN  
644 KILBURN LANE  
KILBURN, BC  
V1W 4T5

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PROJECT NORTH

SECTION 1: SOUTH ELEVATION

PROJECT

PRIVATE RESIDENCE  
480 KILLARNEY ROAD  
KELOWNA, BC  
LOT 8 PLAN 18993

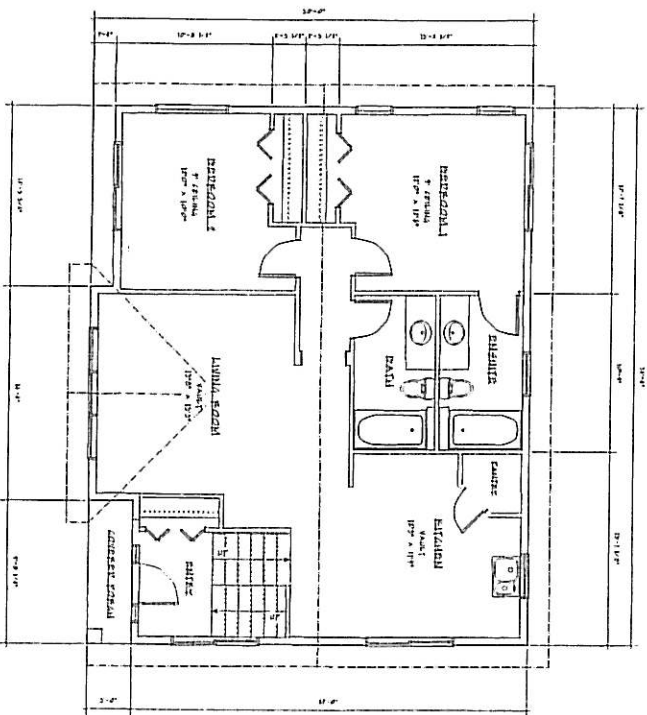
DRAWING TITLE

FLOOR PLANS

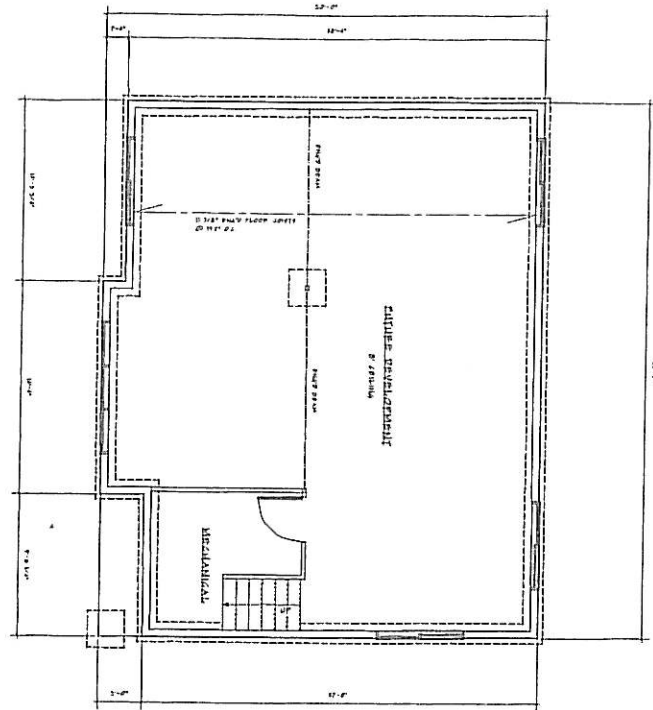
DATE: JUNE 30, 2008

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2  
— OF —  
2



1 MAIN FLOOR PLAN  
Scale 1/8" = 1'-0"



2 BASEMENT PLAN  
Scale 1/8" = 1'-0"





VIEW LOOKING WEST ON KILLARNEY ROAD



480 KILLARNEY ROAD LOOKING NORTH WEST



480 KILLARNEY ROAD LOOKING NORTH EAST

VIEWS FROM KILLARNEY ROAD

480 KILLARNEY ROAD

JULY 23, 2008

1 OF 2

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CITY OF KELOWNA

MEMORANDUM

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**Date:** August 14, 2008  
**File No.:** Z08-0066  
**To:** Planning & Development Services Department (CF)  
**From:** Development Engineer Manager (SM)  
**Subject:** 480 Killarney Road – Lot 8, Plan 18993, Sec. 35, 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 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 the specified area # 20 and has cash commuted the charge of one SFE for the existing dwelling. The charge for the second dwelling is 1.0 SFE. The charge for this development is \$4,863.78 (1.0 x \$4,863.78 prior to March 31, 2009)

5. Power and Telecommunication Services.

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.

6. Road improvements.

- a) Killarney Road must be upgraded to a full urban standard including a sidewalk curb and gutter, 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 **\$16,400.00** 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.

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. Bonding and Levies Summary.

## a) Performance Bonding

Killarney road frontage upgrade	<b>\$16,400.00</b>
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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, the cost would be reduced to **\$14,300.00**

## b) Levies

Specified Are #20 charges	<b><u>\$4,863.78</u></b>
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Steve Muenz, P.Eng.  
Development Engineering Manager

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