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**-CITY OF KELOWNA  
MEMORANDUM**

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**Date:** August 27, 2008  
**To:** City Manager  
**From:** Planning & Development Services Department  
**APPLICATION NO.** Z07-0063      **APPLICANT:** Roblyn Developments Ltd.  
**AT:** 1000 Graham Rd.      **OWNER:** Robert Anderson  
**PURPOSE:** TO REZONE THE SUBJECT PROPERTY FROM THE RU1 – LARGE LOT HOUSING ZONE TO THE RU6 – TWO DWELLING HOUSING ZONE.  
**EXISTING ZONE:** RU1 – LARGE LOT HOUSING  
**PROPOSED ZONE** RU6 – TWO DWELLING HOUSING ZONE  
**REPORT PREPARED BY:** NELSON WIGHT

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**1.0 RECOMMENDATION**

THAT Rezoning Application No. Z07-0063 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 42, Section 22, Township 26, O.D.Y.D., Plan 28367, located on Graham Road, Kelowna, B.C. from the RU1 – Large Lot Housing 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 the requirements of the Rutland Waterworks Irrigation District being completed to their satisfaction;

AND FURTHER 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**

This applicant has applied for a subdivision to complete a two-lot split, concurrent with this rezoning application. Successful approval of the RU6 zoning would allow for the construction of two single-family homes on each of the proposed new lots.

**3.0 BACKGROUND**

There is an existing dwelling on the property, which will be removed from the site in order for this development to proceed. The site is presently serviced by Rutland Waterworks Irrigation District, and a private sewage disposal system. Vehicle access to the property is from Graham Road, as there is no rear lane.

There are four separate driveways proposed for each of the new dwellings proposed on this site (see attached site plan). The applicant has provided conceptual drawings to illustrate the intended form and character of the proposed dwellings, in addition to sketching possible footprints of the building sites on each of the lots.

The tables below shows this application's compliance with the requirements of the RU6 zone.

PROPOSED LOTS 1 & 2		
CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	915 m <sup>2</sup>	700 m <sup>2</sup> for two principal dwellings
Lot Width	18.78 m	18.0 m for two principal dwellings
Lot Depth	48.73 m	30.0 m

### 3.1 Site Context

The subject property is located in Rutland on Graham Road, approximately two blocks east of Gerstmar Road. The surrounding area has been developed primarily as a single- and two-family neighbourhood. 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

### 3.2 Existing Development Potential

The property is zoned RU1 – Large Lot Housing. The purpose is to provide a zone for single detached housing, and compatible secondary uses, on larger serviced urban lots. Principal uses are “single dwelling housing”, with secondary uses such as bed and breakfast homes, minor care centres and group homes, as well as home based businesses.

### 4.0 TECHNICAL COMMENTS

(See attached)

### 5.0 Current Development Policy

#### 5.1.1 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. The proposed RU6 zone is consistent with that future land use designation.

*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 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 and satisfies a range of life cycle and lifestyle choices.

Given the policy direction noted above, Staff has no concerns with the proposed rezoning application.

Should the applicant be successful in this rezoning application, this project will be further scrutinized through a development permit to address form and character issues and site layout.



for Shelley Gambacort  
Planning and Development Services  
NW//nw

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**ATTACHMENTS (5 pages)**

Location of subject property

Air Photo

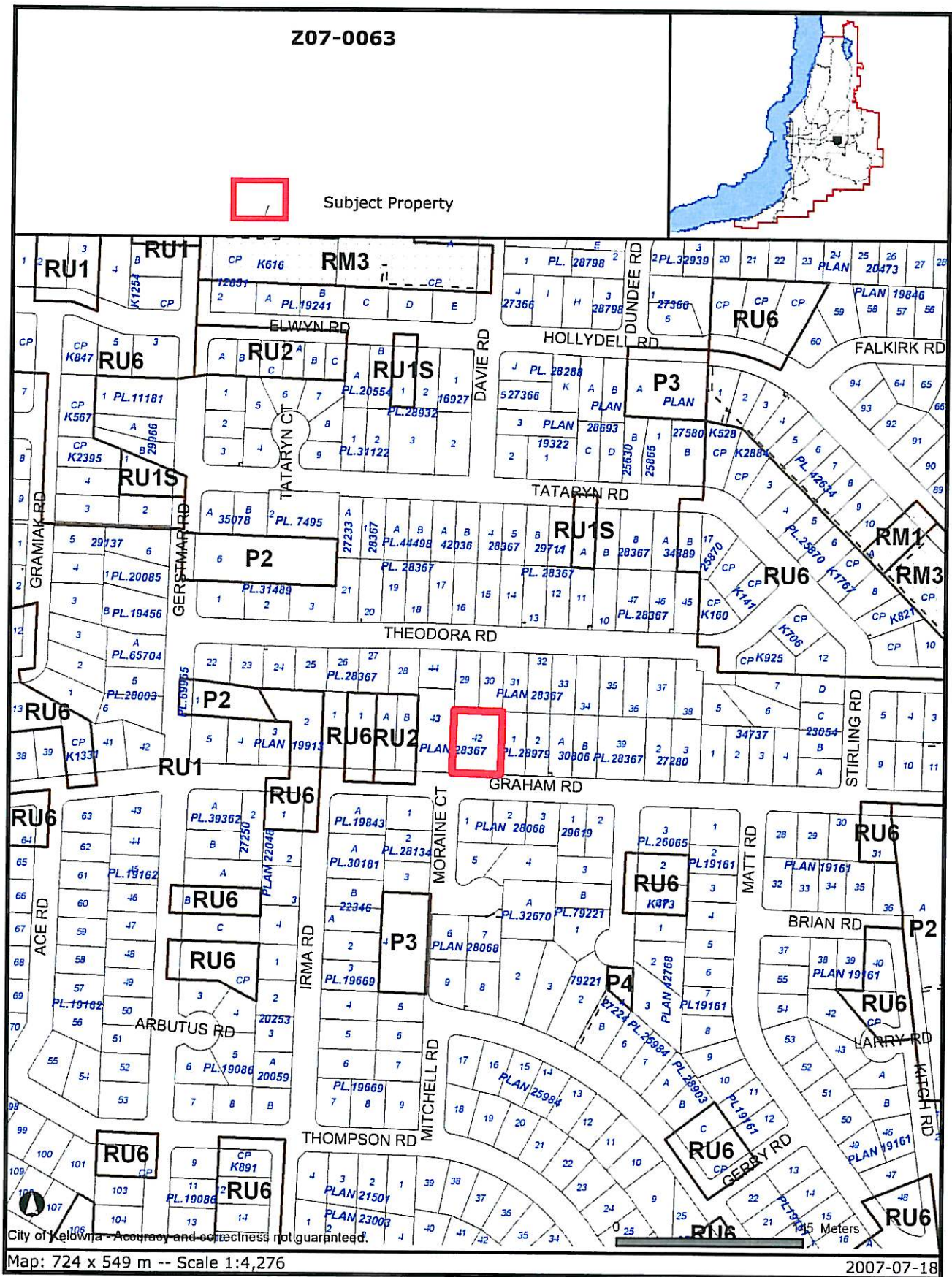
Proposed Site Plan

Conceptual Front Elevation and Floor Plan

Technical Comments

Works and Utilities Report





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.

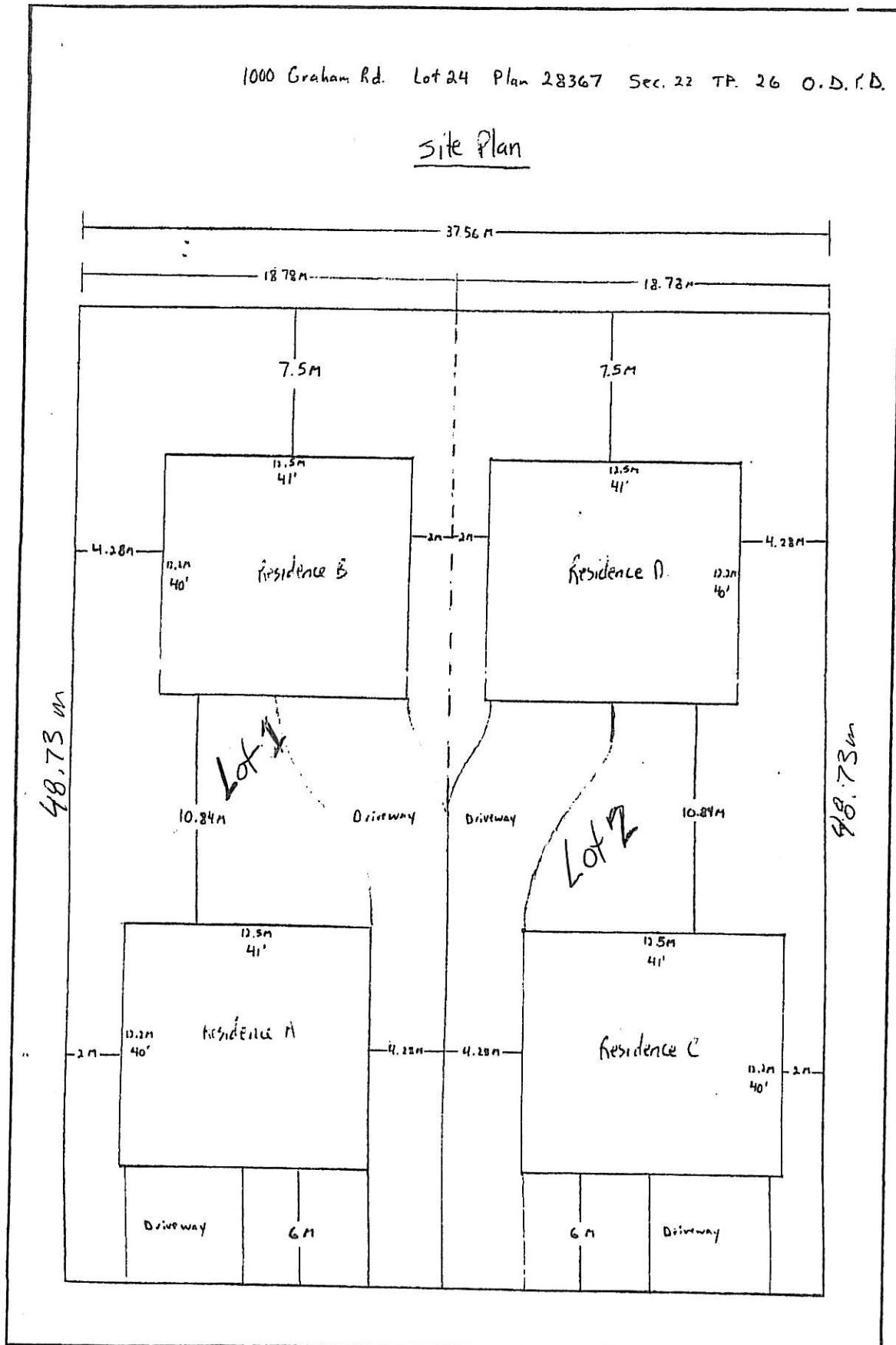




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## Location Map - Page 1

1000 Graham Rd. Lot 24 Plan 28367 Sec. 22 TP. 26 O.D.T.D.

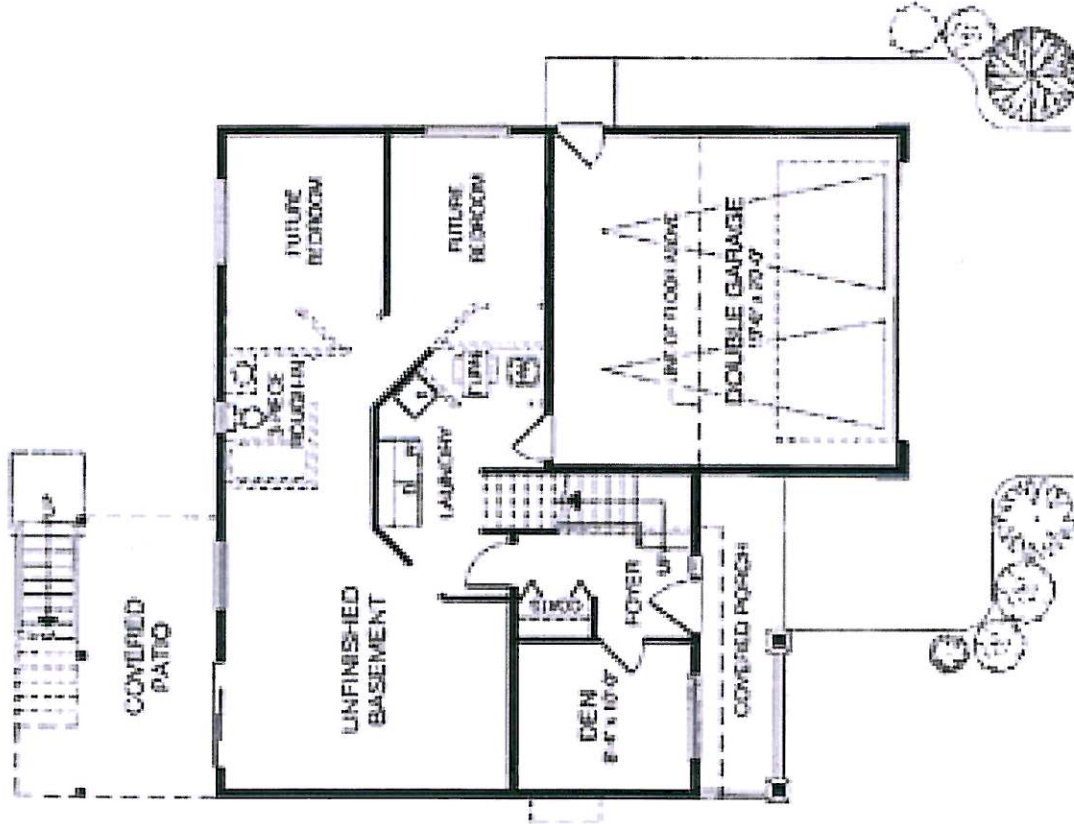
Site Plan



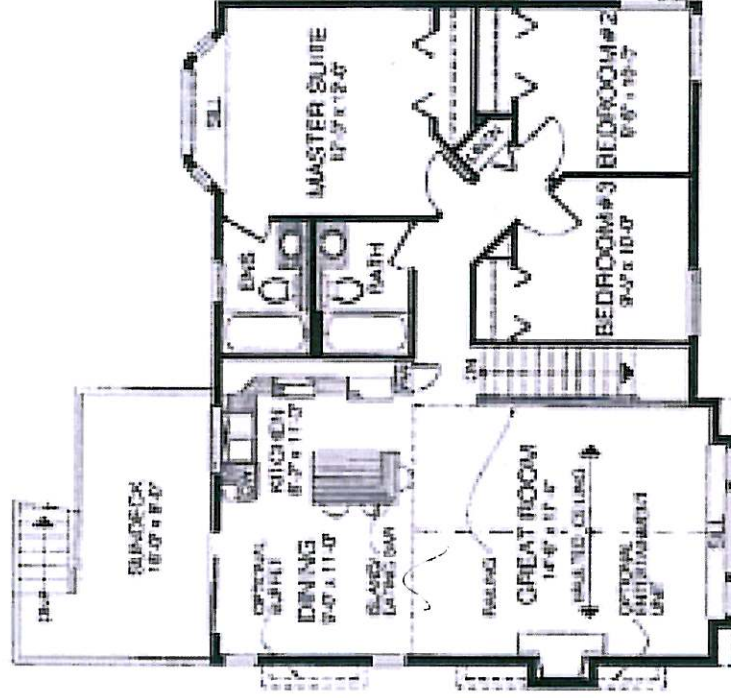


1000 CANADIAN ROAD (SIMILAR TO)





**BASEMENT FLOOR PLAN**



**MAIN FLOOR PLAN**  
1099 SQ. FT. (102.1 M<sup>2</sup>)



ALL DESIGNS, PLANS AND  
RENDERINGS © COPYRIGHT  
JENISH HOUSE DESIGN LIMITED

WIDTH - 38'-6" (11.7M)  
DEPTH - 40'-0" (12.2M)

**PLAN NO. H 2-3-717**  
TOTAL 1099 SQ. FT. (102.1 M<sup>2</sup>)



File: Z07-0063

## Application

File: Z07-0063

Type: REZONING

### File Circulation

Seq	Out	In	By	Comment
	B.C. Assessment Authority (info only)			
2007-07-20	2007-07-20			
	Community Development & Real Estate Mgr			
2007-07-20	2007-07-31		MBORGUN	Land Comments for Inclusion in Council Report: Please contact the Land Agent for road dedications over 20 metres in width, land dedications and land transfers to or from the City of Kelowna, road closures and road reserves. Depending on the type of land transaction being contemplated, the processing time can vary from 3 weeks to 3 months. The Land Department requires a full size copy, together with an 8 ? x 11 copy, of any survey plans.
	Fire Department			
2007-07-20	2007-08-21		GDAFT	Fire fighter access from the front or street side of the property to the back building(s) is not to be impeded at anytime. The address for all four residences are to be visible from the street. If a fence is ever constructed between the dwellings a six foot wide gate is required. Any gate is to open with out special knowledge.
	FortisBC			
2007-07-20	2007-09-19			no response
	Inspections Department			
2007-07-20	2007-07-30		RREADY	No concerns
	Irrigation District - RWW			
2007-07-20	2008-05-29			CEC to be paid when property develops, old water service has to be abadoned. Condition final adoption of zoning to the satisfaction of RWW serviceing requirements (nw).
	Mgr Policy, Research & Strategic Plannin			
2007-07-20	2007-07-20			no comment
	Ministry of Transportation			
2007-07-20	2007-09-19			no response.
	Park/Leisure Services Dir. (info only)			
2007-07-20	2007-07-20			
	Parks Manager			
2007-07-20	2007-08-07		TBARTON	No comment
	Public Health Inspector			
2007-07-20	2007-08-10			requires sewer
	RCMP			
2007-07-20	2007-08-03			No comment.
	School District No. 23			
2007-07-20	2007-09-19			no response
	Shaw Cable			
2007-07-20	2007-07-27			Owner/developer to supply and install underground conduit system
	Telus			
2007-07-20	2007-08-08			TELUS will provide underground facilities to this development. Developer will be required to supply and install conduit as per TELUS policy.
	Terasen Utility Services			
2007-07-20	2007-09-19			no response.

File: Z07-0063

Seq	Out	In	By	Comment
	Works & Utilities			
	2007-07-20	2007-08-29		
			CITY OF KELOWNA	
			MEMORANDUM	
			Date: August 20, 2007	
			File No.: Z07-0063	
			To: Planning & Development Services Department (NW)	
			From: Development Engineer Manager (SM)	
			Subject: 1000 Graham Road - Lot 24, Plan 28367, Sec. 22, Twp. 26, ODYD	
			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 Rutland Waterworks District (RWWD). A second service is required in order to meet current policies. The developer is required to make satisfactory arrangements with the RWWD for these items. All charges for service connection and upgrading costs are to be paid directly to the RWWD. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with current requirements. A second service is required to meet current policy for Duplex properties.	
			4. Sanitary Sewer.	
			The property is located within Specified Area # 23 and in accordance with the City of Kelowna current policy, the specified charges for the proposed RU6 development will have to be	



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4. Sanitary Sewer.

The property is located within Specified Area # 23 and in accordance with the City of Kelowna current policy, the specified charges for the proposed RU6 development will have to be cash commuted. The current pay out charge for an RU6 lot with two dwelling is \$7,300.00 per SFE for a total of **\$14,600.00**. It should be noted that if the property is subdivided in the future, additional Specified Area # 23 charges will be triggered.

5. 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.

6. Road improvements.

Tataryn 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 **\$24,100.00** 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

Graham Road frontage upgrade	<u><b>\$24,100.00</b></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, the cost would be reduced to **\$20,900.00**.

b) levies

Specified Area charges (1 duplex lot)	<u><b>\$14,600.00</b></u>
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Steve Muenz, P.Eng.  
Development Engineering Manager

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