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**CITY OF KELOWNA  
MEMORANDUM**

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**DATE:** September 25, 2008

**TO:** City Manager

**FROM:** Planning & Development Services Department

**APPLICATION NO.** Z08-0054

**APPLICANT:** Ramen Lata Ahuja

**AT:** 200 Ponto Rd

**OWNERS:** Ramen Lata Ahuja

**PURPOSE:** TO REZONE THE SUBJECT PROPERTY FROM THE RU1 – LARGE LOT HOUSING TO THE RM1 – FOUR DWELLING HOUSING IN ORDER TO ALLOW FOR THE CONSTRUCTION OF A FOURPLEX.

**EXISTING ZONE:** RU1 – LARGE LOT HOUSING

**PROPOSED ZONE:** RM1 – FOUR DWELLING HOUSING

**REPORT PREPARED BY:** Carlie Ferguson

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### **1.0 RECOMMENDATION**

THAT Rezoning Application No. Z08-0054 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 20, Section 26, Township 26, O.D.Y.D., Plan 4414, located at 200 Ponto Road, Kelowna BC from the RU1 – Large Lot Housing zone to the RM1 – Four 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 Works & Utilities Department and Rutland Waterworks being completed to their satisfaction;

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit on the subject property;

### **2.0 SUMMARY**

The applicant is requesting approval to rezone the subject property from RU1 – Large Lot Housing to RM1 – Four Dwelling Housing in order to allow for the construction of a fourplex.

### **3.0 ADVISORY PLANNING COMMISSION**

The above noted application was reviewed by the Advisory Planning Commission at the meeting of August 12<sup>th</sup>, 2008 and the following recommendation was passed:

THAT the Advisory Planning Commission support Rezoning Application No. Z08-0054, for 200 Ponto Road, Lot 20, Plan 4414, Sec. 26, Twp. 26, ODYD by R. Ahuja, to rezone the subject property from the RU1 – Large Lot housing zone to the RM1 – Four Dwelling Housing zone to allow for the construction of a fourplex.

#### 4.0 BACKGROUND

##### 4.1 The Proposal

There is an existing residential building on the subject property. The applicant proposes to remove the existing house and construct a fourplex. Prior to issuance of a building permit for construction of the proposed fourplex dwelling a Development Permit addressing form and character must be issued.

The table below shows this application's compliance with the requirements of the RM1 zone.

<b>Zoning Bylaw No. 8000</b>		
<b>CRITERIA</b>	<b>PROPOSAL</b>	<b>RM1 ZONE REQUIREMENTS</b>
<b>Subdivision Regulations</b>		
Lot Area	717 m <sup>2</sup>	700 m <sup>2</sup>
Lot Width	20.9 m	20 m
Lot Depth	34.3 m	30 m
<b>Development Regulations</b>		
Site Coverage (buildings)	28%	40%
Site Coverage (buildings/parking)	49%	50%
Floor Area Ratio (FAR)	0.58	0.6
Total Floor Area of Building	417 m <sup>2</sup>	430 m <sup>2</sup>
Height	9.45m	9.5 m
Number of Storeys	2.5	2.5
Front Yard	4.5 m	4.5 m
Side Yard (e)	4.2 m	2.5 m (2 ½ storey)
Side Yard (w)	4.2 m	2.5 m (2 ½ storey)
Rear Yard	11.1 m	7.5 m
<b>Other Requirements</b>		
Parking Stalls (#)	6	6 (1.5 per 2 bedroom unit)
Private Open Space	496 m <sup>2</sup>	25 m <sup>2</sup> per dwelling

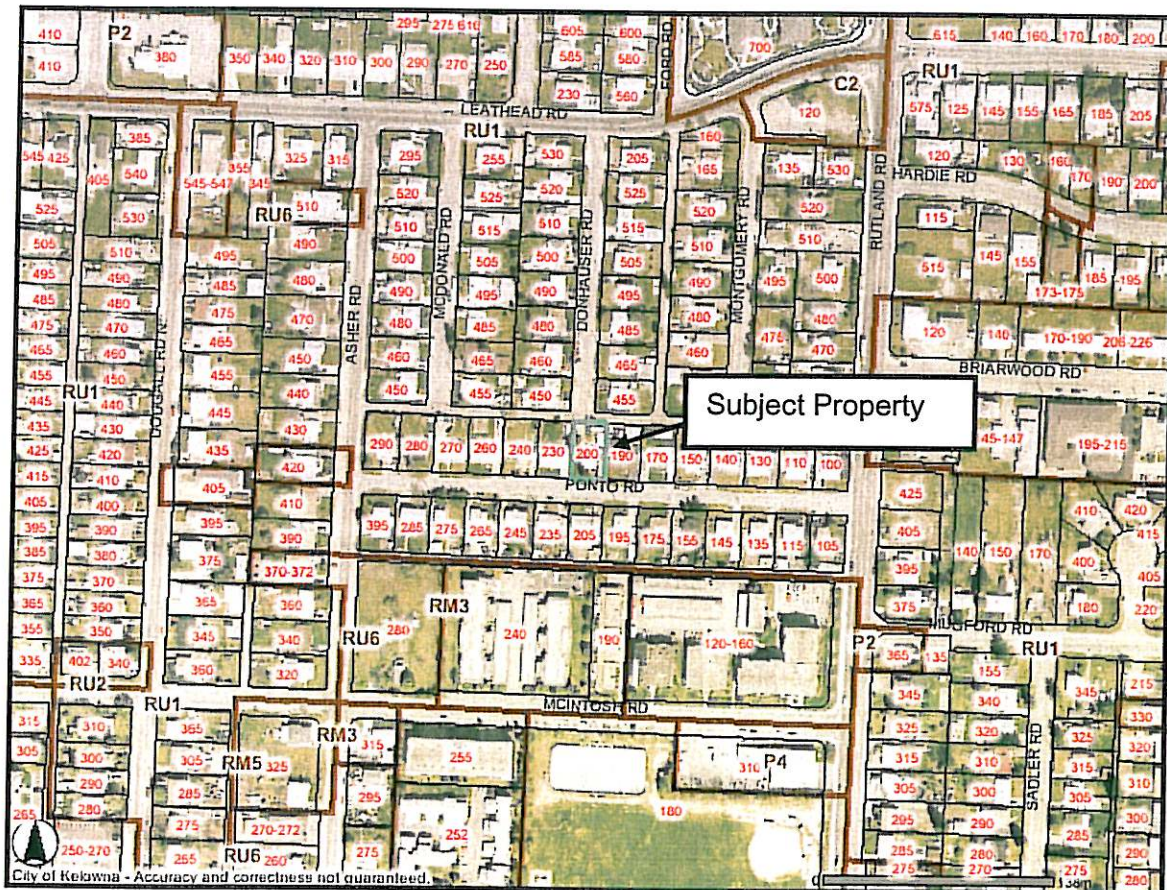
##### 4.2 Site Context

The subject property is located in Rutland at 200 Ponto Road just west of Rutland Rd N. The subject property is located within the Rutland Urban Centre. The subject property has rear lane access. The surrounding area has been developed with a mix of single family and two family residential. 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

#### 4.3 Site Location Map

200 Ponto Road



#### 5.0 EXISTING DEVELOPMENT POTENTIAL

The subject property is currently 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. The proposed zoning is RM1 – Four dwelling housing. The purpose is to provide a zone for the development of a maximum of four dwelling units in the form of single detached, semi-detached, duplex, three-plex or four-plex housing on urban services.

#### 6.0 CURRENT DEVELOPMENT POLICY

##### 6.1 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.

6.2 Kelowna 2020 Official Community Plan (OCP)

The Future Land Use Designation for the subject property is MRL - Multiple Unit Residential (Low Density), pursuant to Map 19.1 of the OCP. The proposed RM1 zone is consistent with that future land use designation. Objectives for Multiple Family Residential:

- All development should be an appropriate response to its physical context, or anticipated future context where an area is designated for increased density or land use transition in the OCP.
- All development should contribute to a sense of community identity and sense of place (integration of development within larger community, belonging).
- All development should facilitate access by, and minimize conflicts among pedestrian, bicycle, and vehicular modes of transportation (access, mobility).

**7.0 TECHNICAL COMMENTS**

The application has been submitted to various technical agencies and City departments, and the following relevant comments have been submitted:

7.1 Works & Utilities

As attached.

7.2 Inspections Department

Building Permit drawings to provide spatial calculations for compliance with BCBC 2006 for between Carport and 4 Plex. ie (greater setback required or greater fire resistance rating required)

Building Permit drawings to include fire separation details, soffit protection details and STC ratings for common wall and roof assemblies.

Ensure windows between units to be a minimum of 1.2 meters to comply with BCBC 2006.

7.3 Fire Department

A four plex complex requires at least a 90litre/sec fire flow at the hydrant per the City of Kelowna subdivision bylaw. Confirmation required from RWW that required flows are met. Hydrant should be within 90 meters of the furthest main entrance.

An unobstructed and easily distinguishable firefighter access path, 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 without 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.

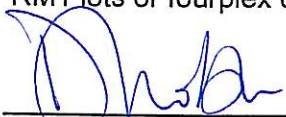
**7.4 Rutland Waterwoks**

Mould Engineering has examined water supply considerations and fire flow requirements for this rezoning and development application. Water servicing to the property is not a problem however fire protection is and it will require a fire hydrant to be installed. Capital Expenditure Charges (CEC's) are applicable to both developments as are Engineering Costs and Servicing costs.

**8.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS**

This area is within the Rutland Urban Centre and is envisaged to be a Multiple Unit Residential (Low Density) area in the OCP. Therefore, the subject property would be suitable for the RM1 – Four Dwelling Housing zone and the proposed fourplex. The project is logical in that it maximizes the building frontage facing Ponto Avenue, while concealing the on-site parking behind the building. Therefore, the access to the site will now be off of the rear lane rather than Ponto Rd which is an improvement to the site access and feasibility of accommodating 4 dwelling units.

There are currently other properties in this area under application seeking to upzone from the RU1 – Large Lot Housing zone to the RM1 – Four Dwelling Housing zone in order to accommodate fourplex developments. If all applications are approved there will be a total of 3 RM1 lots or fourplex developments on Ponto Rd.



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Danielle Noble  
Current Planning Supervisor

DN/cf

**ATTACHMENTS**

Subject Property Map  
Elevations  
Site Plan & Summary Sheet  
Works & Utilities Comments

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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** July 10, 2008  
**File No.:** Z08-0054  
**To:** Planning & Development Services Department (CF)  
**From:** Development Engineer Manager (SM)  
**Subject:** 200 Ponto Rd. – LOT 20, PLAN 4414, Sec. 26, twp. 26. ODYD

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The Works & utilities Department comments and requirements regarding this application to rezone from RU-6 to RM1 are as follows:

1. Subdivision

- a) Provide easements as may be required.

2. Geotechnical Study.

A comprehensive Geotechnical Study is required, which is to be prepared by a Professional Engineer competent in the field of geotechnical engineering, the study is to address the following:

- Overall site suitability for development.
- Presence of ground water and/or springs.
- Presence of fill areas.
- Presence of swelling clays.
- Presence of sulphates.
- Potential site erosion.
- Provide specific requirements for footings and foundation construction.
- Provide specific construction design sections for roads and utilities over and above the City's current construction standards

3. Domestic water and fire protection.

This development is within the service area of the Rutland Waterworks District (RWD). The developer is required to make satisfactory arrangements with the RWD for these items. All charges for service connection, and upgrading costs are to be paid directly to the RWD. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with current Bylaws and policies requirements.

A watermeter is mandatory as well as a sewer credit meter to measure all the irrigation water. Watermeters must be housed in an above-ground, heated, accessible and secure building, either as part of the main site buildings or in a separate building. Remote readers units are also mandatory on all meters.

4. Sanitary Sewer.

The existing 100mm. sanitary sewer service may be adequate to serve the proposed development. Should a new service be required, the installation of the new service and the decommissioning of the existing will be at the applicant cost.

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 a fourplex is 0.7 SFE per unit for a total of 2.8 SFE. The charge for this development is **\$8754.80**  $([2.8-1.0] \times \$4,863.78 \text{ prior to March 31, 2009})$ .

5. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual, is a requirement of this application. The drainage study should indicate the size and location of the detention facility and provide for a positive outflow to the existing municipal storm drainage system. This plan can become part of the geotechnical study to identify possible ground recharge/detention areas.

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.

Ponto Road must be upgraded to a full urban standard including a sidewalk curb and gutter, storm drainage works, 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 **\$13,300.00** and is inclusive of a bonding escalation.

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. DCC Credits.

None of the required improvements qualify for DCC credit consideration, as these upgrades are not identified in the current DCC schedules.

12. Bonding and Levies Summary.

a) Performance Bonding

Ponto Road frontage upgrade	<b><u>\$13,300.00</u></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 **\$11,400.00**.

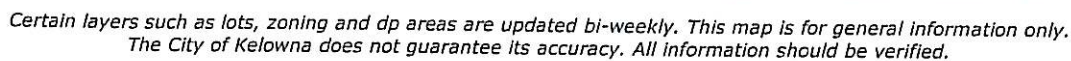
b) levies

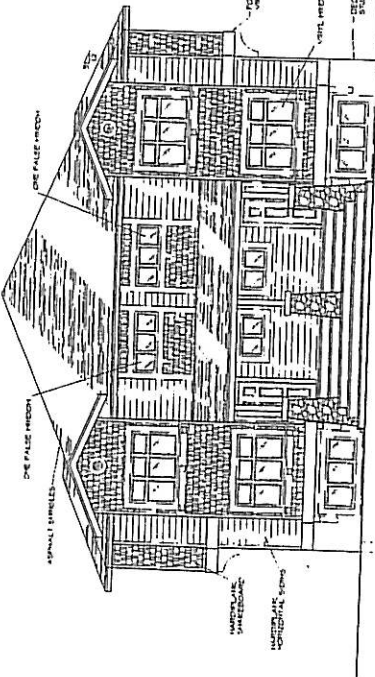
Specified Area #20 charges (fourplex)	<b><u>\$ 8,754.80</u></b>
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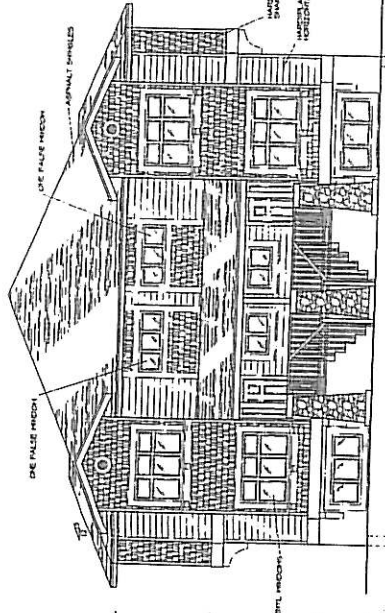
Steve Muenz, P.Eng.  
Development Engineering Manager  
DC



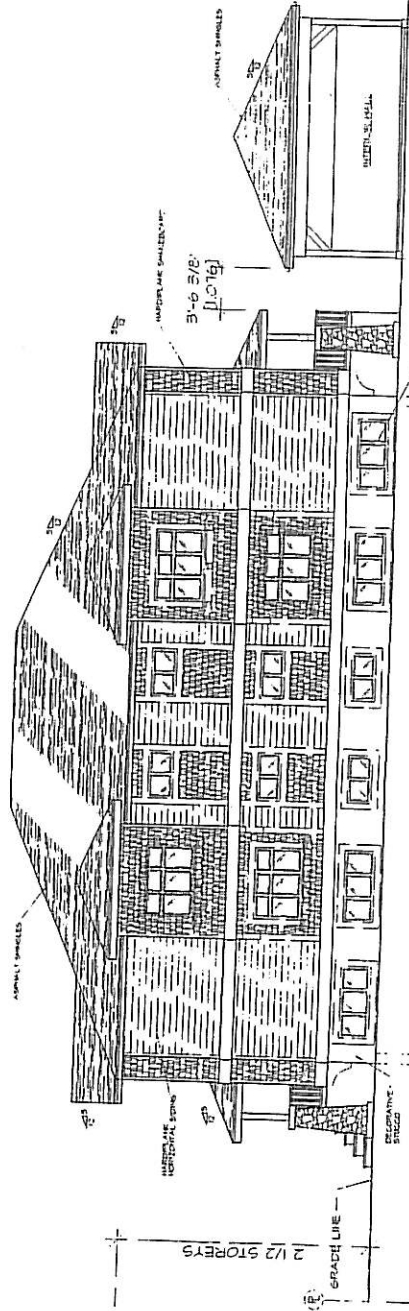




TYPICAL FRONT ELEVATION



TYPICAL REAR ELEVATION

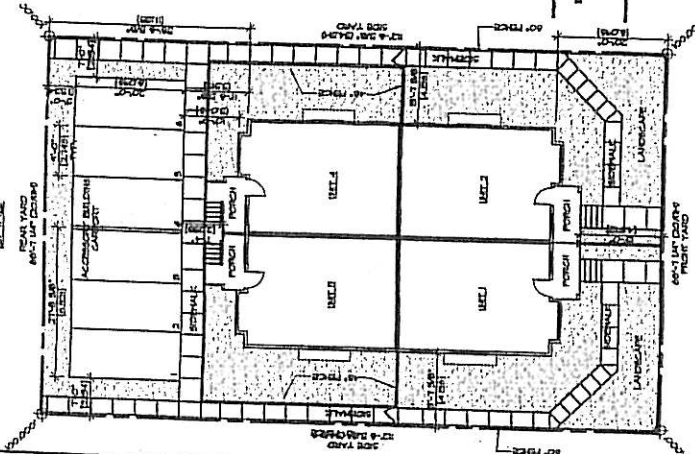


TYPICAL SIDE ELEVATION

G. B. EMBLETON & ASSOCIATES LTD.	
PROJECT NO.	213
DATE	10/1/58
BY	J. B. EMBLETON
CHECKED BY	J. B. EMBLETON
APPROVED BY	J. B. EMBLETON
SCALE	1/4" = 1'-0"
NOTES	1. SEE DETAIL FOR ROOF TRUSSES AND RAFTERS. 2. SEE DETAIL FOR FLOOR JOISTS AND BEAMS. 3. SEE DETAIL FOR WALLS AND FOUNDATIONS. 4. SEE DETAIL FOR ROOFING AND SINGLES. 5. SEE DETAIL FOR WINDOWS AND DOORS. 6. SEE DETAIL FOR PORCHES AND PATIOS. 7. SEE DETAIL FOR STAIRS AND LATHING. 8. SEE DETAIL FOR PLUMBING AND ELECTRICITY. 9. SEE DETAIL FOR HEATING AND COOLING. 10. SEE DETAIL FOR FINISHES AND MATERIALS.



LANE



SITE PLAN  
SCALE: 1" = 10'-0"

SITE CALCULATIONS: RM | ZONING

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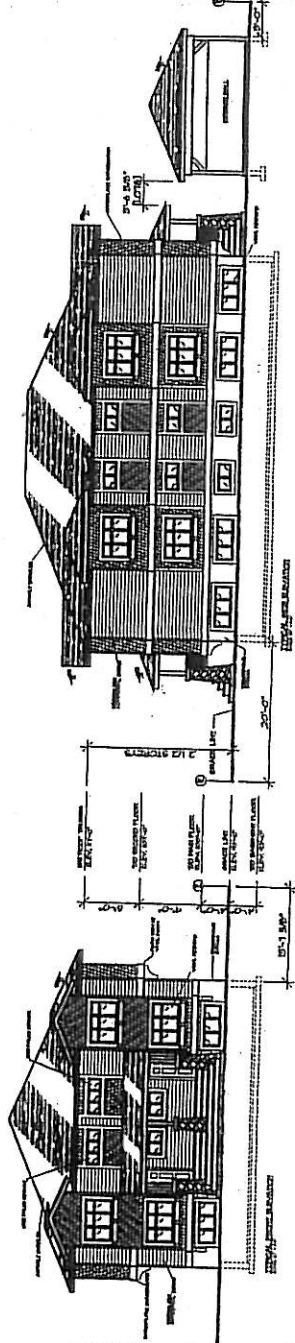
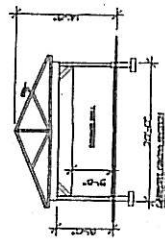
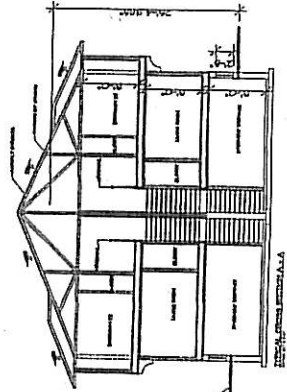
STUDIOS BUILDING  
NORTH - REAR YARD  
SOUTH - FRONT YARD  
EAST - SIDE YARD  
WEST - SIDE YARD

STUDIOS ACCESSORY BUILDING  
NORTH - REAR YARD  
EAST - SIDE YARD  
WEST - SIDE YARD

REINATE GREEN HOUSE  
REAR YARD

PROVED

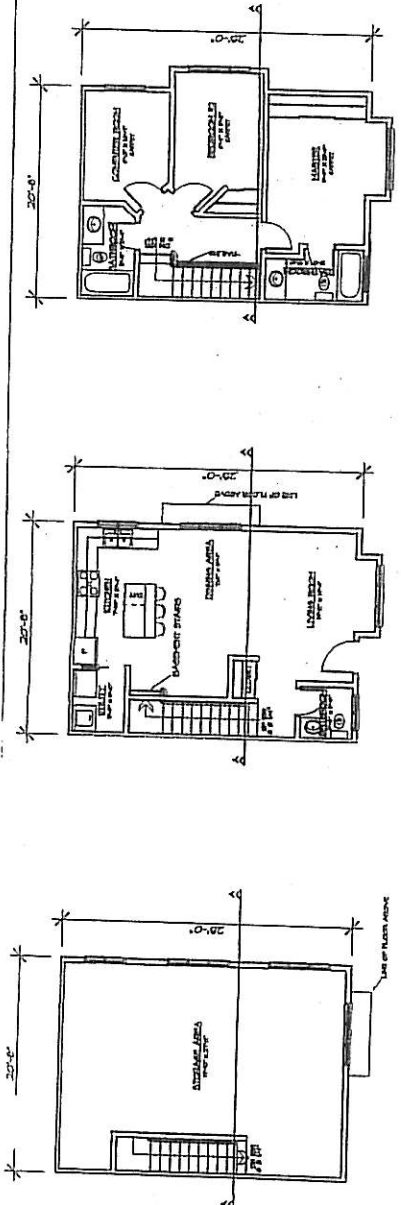
SUBJECT AS PARTIAL  
TOWNHOUSE RESIDENTIAL  
RE-USE  
RE-USE CLASSIFICATION

[illegible]

**DENTAL IDENT. FLOOR**  
1953-54 • 1954-55

**DENY MARFLOE**  
ARTIST • 1988 PRESENT

2201 LINDSEY BLVD  
NORFOLK, VA 23502



**PRELIMINARY FOR  
DISCUSSION ONLY**

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