
CITY OF KELOWNA

MEMORANDUM

Date: August 14, 2009
To: City Manager
From: Community Sustainability Division
Purpose: TO OBTAIN A DEVELOPMENT PERMIT TO APPROVE THE FORM AND CHARACTER OF A SECOND DWELLING UNIT ON THE SUBJECT PROPERTY
File No.: DP05-0077
Owner(s): OKANAGAN SEASONS RESORT LTD
At: 1490 MAYDEN ROAD
Applicant(s) : OKANAGAN SEASONS RESORT LTD.
(ALLAN MANSON)
Existing Zone: RU1 – LARGE LOT HOUSING
Proposed Zone: RM1 – FOUR DWELLING HOUSING
Report Prepared by: PAUL McVEY

1.0 RECOMMENDATION

THAT Final Adoption of Zone Amending Bylaw No. 9488 be considered by Council;

AND THAT Council authorize the issuance of Development Permit No. DP05-0077 for Lot B, DL125, O.D.Y.D., Plan 17322, located on Mayden Rd., Kelowna, B.C. subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";



4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a professional landscaper;

AND FURTHER THAT the applicant be required to complete the above-noted conditions within 180 days of Council approval of the Development Permit application in order for the permit to be issued.

2.0 SUMMARY

The applicant has applied to rezone the subject property to the RM1 – Four Dwelling Housing zone in order to permit the placement of a second dwelling on the property. That rezoning application is currently at third reading. The outstanding issues of the rezoning have been addressed, therefore Council can consider adoption of the zone amending bylaw.

The Development Permit application is to approve the form and character of the proposed development. The anticipated zoning could accommodate a 4 – unit development project, and therefore multi-unit residential Development Permit guidelines apply.

2.1 Advisory Planning Commission

The above noted application (DP05-0077) was reviewed by the Advisory Planning Commission at the meeting of May 17, 2005 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Development Permit Application No. DP05-0077, for 1490 Maiden Road, Lot B, Plan 17322, Sec. 27, Twp. 26, ODYD, by Okanagan Seasons Resort (Allan Manson), to obtain a Development Permit to allow the placement of a second single dwelling unit on the subject property.

3.1 The Proposal

The applicant was a former owner of the Okanagan Seasons resort located at the corner of Highway 97 and Highway 33.

In 2005, the Ministry of Transportation requested that the house located at the corner of Maiden Road and Highway 33 (1510 Highway 33 W), be removed from that property in order to facilitate a relocation of the drive aisle access to the Okanagan Seasons Resort from Highway 33 as part of a major highway improvement project.

As an interim solution the applicant relocated the dwelling formerly located at 1510 Highway 33 W. to the subject property located at 1490 Maiden Court. The relocated building remains unoccupied pending the outcome of this application.

There is also an existing, occupied single detached dwelling located on the property which is constructed as a single storey dwelling located on top of a basement set partially in the ground, for a total building height of 1½ storeys. The unoccupied dwelling relocated to the subject property is also a single storey building proposed to be located on a basement structure partially set into the ground. At this time, the relocated structure is sitting on temporary supports, while the appropriate permits are secured.

The applicant is proposing to upgrade the exterior finishes of the dwellings to complement each other by way of finishing materials and colour palette. The applicant is also proposing to improve the landscaping on the property with the installation of lawn and shrub beds.

Currently, there has not been any proposal to construct additional dwelling units in the basements of the buildings, although this would be a permitted land use in the zone under application, allowing up to a maximum of four dwelling units on the property. The subject property is sufficiently large to permit additional parking to accommodate 2 basement suites.

The proposal as compared to the RM1 zone requirements is as follows:

CRITERIA	PROPOSAL	RM1 ZONE REQUIREMENTS
Site Area (m ²)	1,538 m ²	700 m ²
Site Width (m)	40 m	20 m
Site Coverage (%)	12.8% bldgs	40%, 50% with buildings, driveways and parking areas
Total Floor Area (m ²)	393.6 m ² (approx)	
F.A.R.	0.255	0.60 max
Storeys (#)	1 ½ storeys	2 ½ storeys or 9.5 m
Setbacks (m)		
- Front	4.5 m	4.5 m except that it is 6.0 m for garage or car port
- Rear	6.6 m	6.0 m for 1 or 1 ½ storey bldg ht 7.5 m for 2 or 2 ½ storey bldg ht
- South Side	4.0 m	2.0 m for 1 or 1 ½ storey bldg ht 2.3 m for 2 or 2 ½ storey bldg ht
- West Side	6.7 m	2.0 m for 1 or 1 ½ storey bldg ht 2.3 m for 2 or 2 ½ storey bldg ht
Parking Stalls (#)	4 stalls	2 per dwelling = 4 stalls
Private Open Space	300m ² available	25m ² per dwelling = 50 m ²

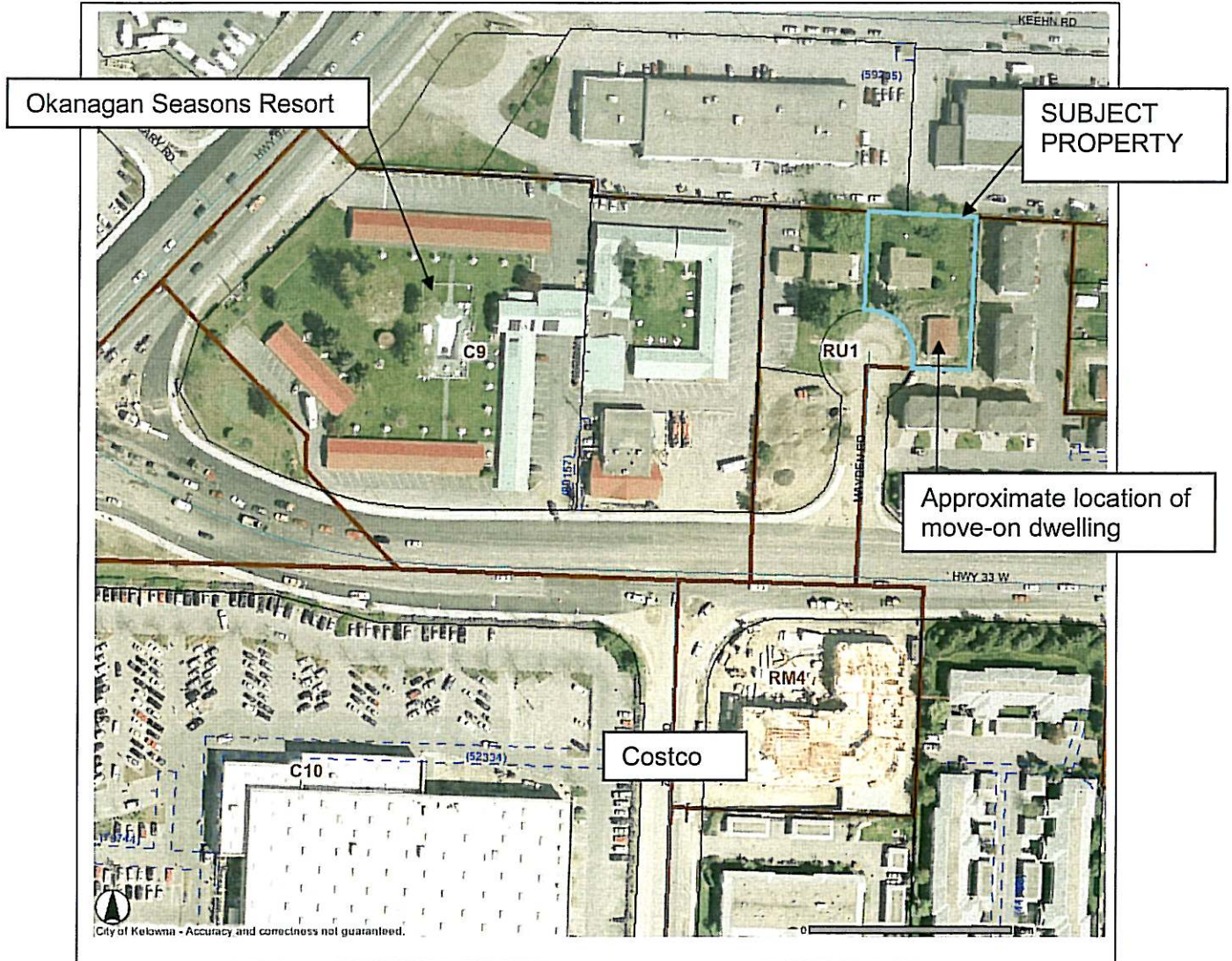
3.2 Site Context

The subject property is generally flat and level, and is located at the north end of Maiden Court. The neighbourhood is comprised of 1960's single dwelling housing units. The lots to the east of the subject property have recently been developed with low density residential townhouse style housing.

Adjacent zones and uses are, to the:

- North - C10 – Service Commercial – Service Commercial development
- East - RM3 – Low Density Multiple Housing zone – townhouse development
- South - RM3 – Low Density Multiple Housing zone – townhouse development
- West - RU1 – Large Lot Housing – single dwelling use, parking lot for motel

SUBJECT PROPERTY MAP



3.3 Current Development Policy

3.3.1 Kelowna Official Community Plan

This proposal is consistent with the Official Community Plan which designates the subject property as Multiple Unit Residential – Low Density future land use.

Chapter 8 – Housing of the Official Community Plan also contains the following;

8.44 Integration. Encourage the sensitive integration of different housing forms in the various sectors of the City, in support of neighbourhood diversity and healthy communities;

8.50 Housing in the Urban Corridor: A more varied housing supply and means of increasing affordability should be actively sought for the neighbourhoods surrounding and including the Urban Town Centres and the Highway 97 corridor extending to the north boundary of the City, north, south and east of Highway 97 as it changes to a northerly direction.

4.0 TECHNICAL COMMENTS

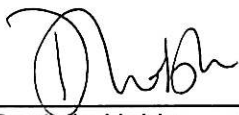
The application has been circulated to various technical agencies and City departments and their comments have been attached to this report.

5.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

The processing of this application had been delayed while the applicant negotiated with Development Engineering Department to arrive at a suitable agreement for method of payment for the Mayden Road frontage improvements.

While the density of development that is proposed (2 units) is less than the maximum permitted by the RM1 – Four Dwelling Housing zone (4 units), it will allow for the flexibility of incorporating two additional dwelling units. The two dwellings are constructed in a similar style due to their vintage, and complement each other. While this is not an ideal build out in accordance with the RM1 – Four Dwelling Housing zone, the adaptive re-use of the existing house is a creative way of promoting sustainable and affordable re-use of existing buildings.

Currently, there is no indication that the applicant proposes to create suites in the basements of the dwellings located on the subject property. There will be opportunity during the building permit application to address the possible basement development of the two dwellings.



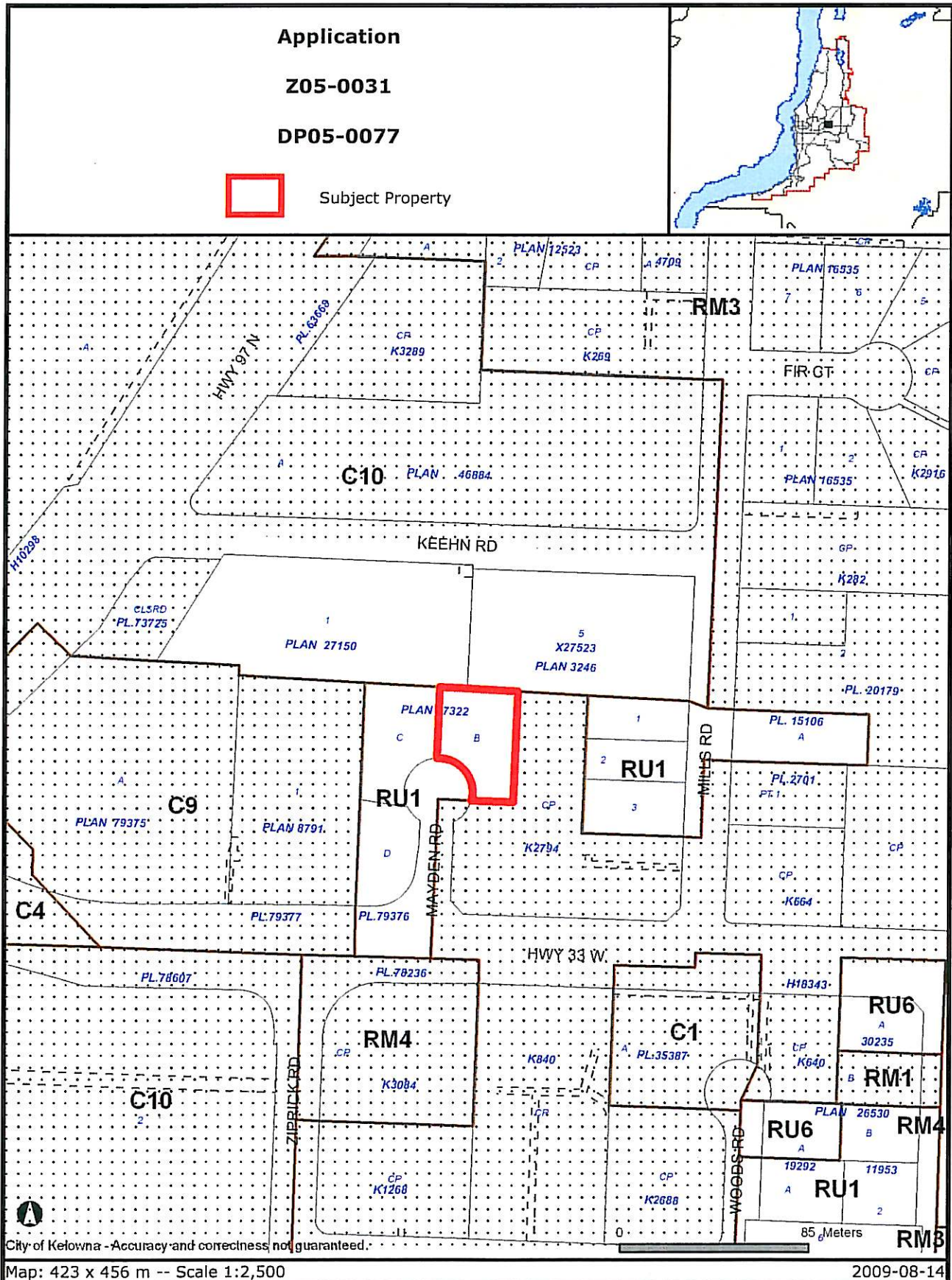
Danielle Noble
Urban Land Use Manager

Approved for inclusion



Shelley Gambacort
Director of Land Use Management

PMc/pmc
Attach.



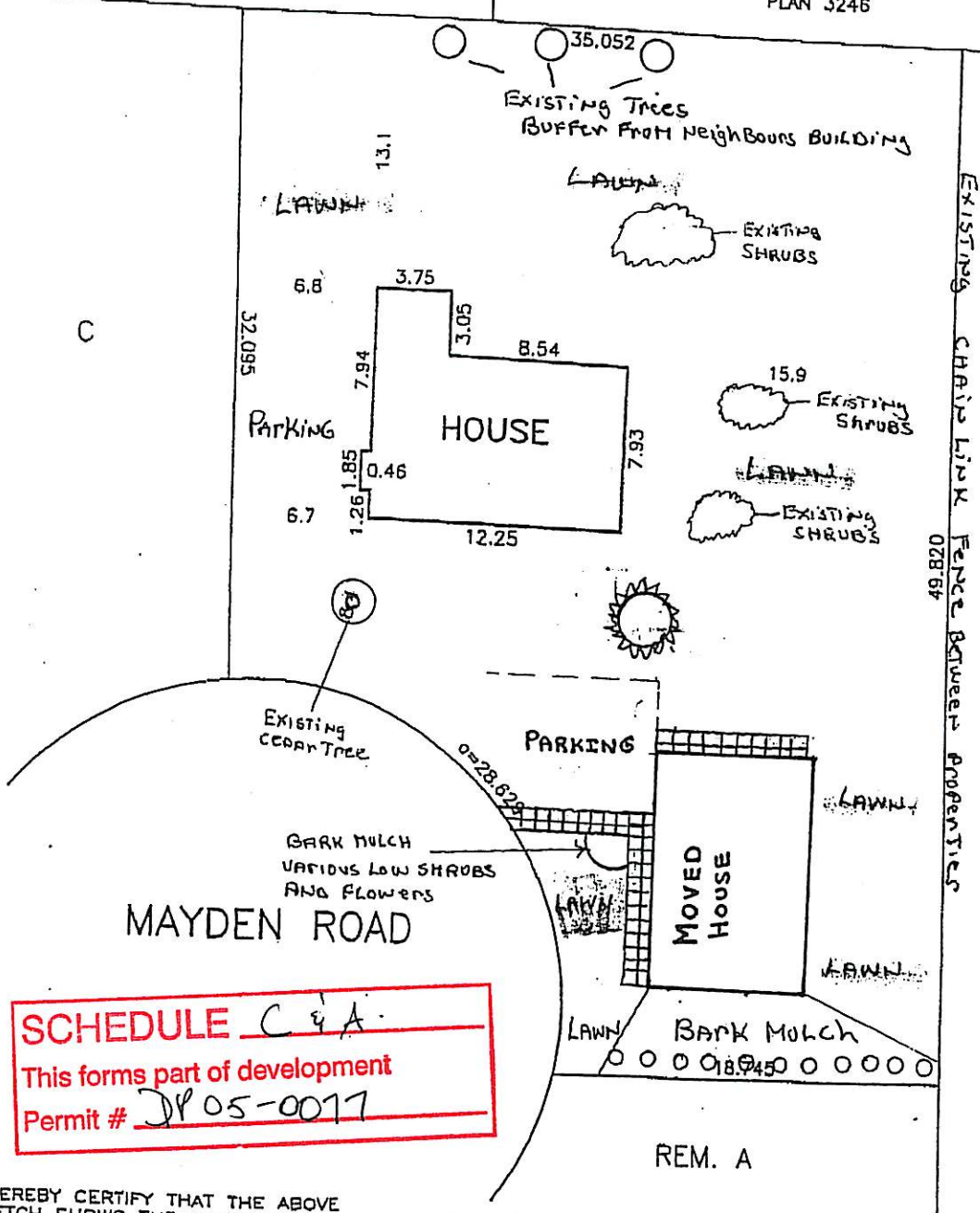
Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

B.C. LAND SURVEYORS CERTIFICATE OF LOCATION ON LOT B, PLAN 17322, DISTRICT LOT 125, O.D.Y.D.

1490 MAYDEN ROAD

1
PLAN 27150

5
PLAN 3246



SCHEDULE C & A
 This forms part of development
 Permit # DP05-0017

I HEREBY CERTIFY THAT THE ABOVE SKETCH SHOWS THE REGISTERED DIMENSIONS OF THE ABOVE DESCRIBED PROPERTY AND RELATIVE LOCATION OF THE BUILDINGS THEREON.

THIS PLAN IS FOR THE USE OF THE BUILDING INSPECTOR AND/OR MORTGAGEE ONLY AND IS NOT TO BE USED FOR THE RE-ESTABLISHMENT OF PROPERTY BOUNDARIES.

CLIENT: FILE # 42253.2		T.E. Ferguson Land Surveying Ltd. B.C. AND CANADA LAND SURVEYORS 216-1826 RICHTER STREET, KELOWNA, B.C. TELEPHONE: (250) 763-3115 FAX: (250) 763-0321
DATE:	JANUARY 6, 2004	
SCALE:	1:300 METRES	
FILE:	15908	
©T.E. FERGUSON LAND SURVEYING LTD.		

T.E. Ferguson
 B.C.L.S., C.L.S.
 THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED

- CEDAR TREES HEDGING (PYRAMID)
- ▬ PAVING STONES (SANDSTONE)
- ☼ SUNBURST LOCUS

LANDSCAPE PLAN

1510 HWY33 HOUSE To Move To 1490 MADDEN RD SITE



0838517-R1-037-17..jpg

(FRONT)

1510 Hwy 33 west.



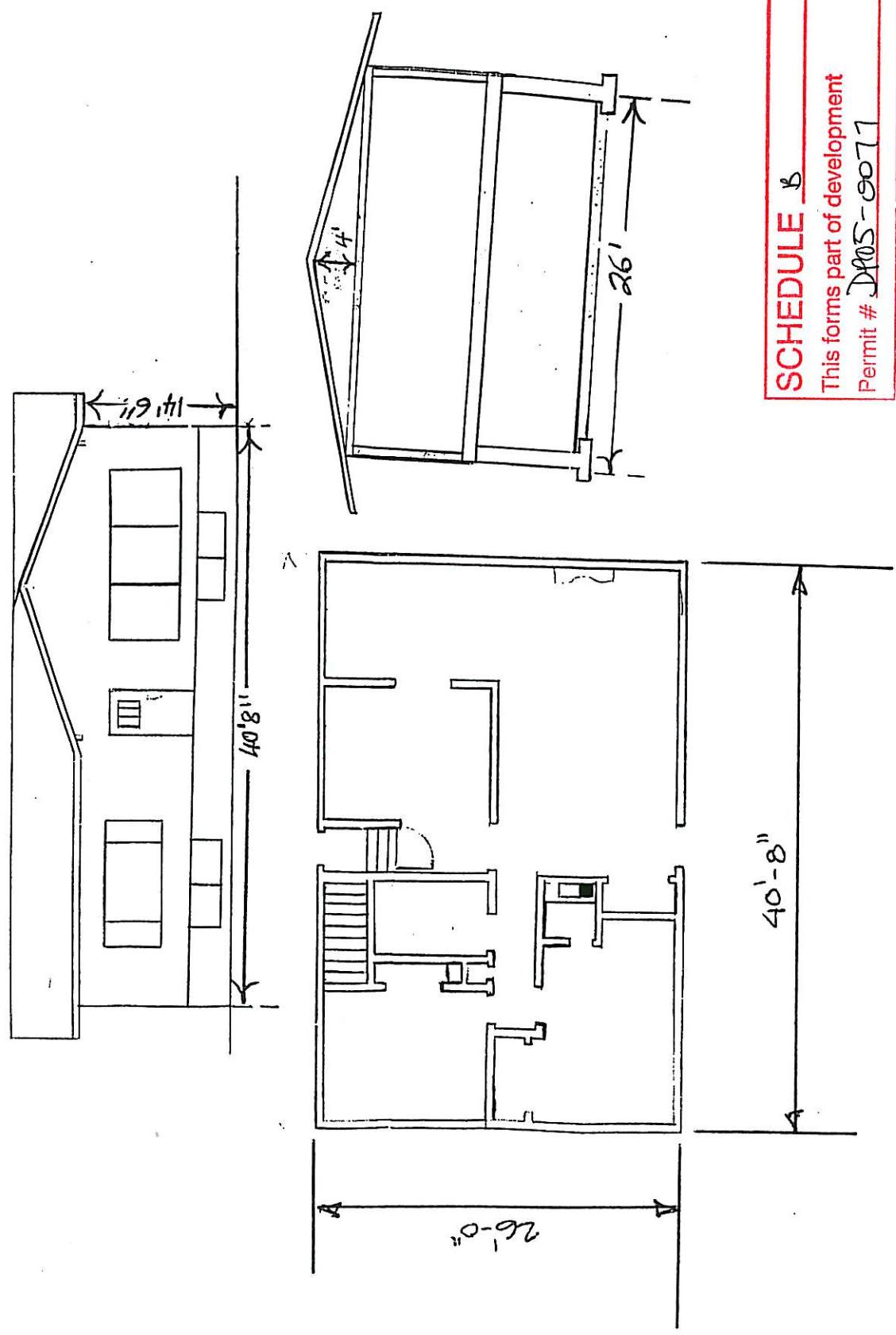
SCHEDULE B
This forms part of development
Permit # D105-0017

EXISTING DWELLING TO REMAIN
AT 1490 MAYDEN ROAD

1470 WADDEN HOUSE.

EXISTING HOUSE ON THE LOT.

FL



SCHEDULE B
 This forms part of development
 Permit # D05-0077

EXISTING HOUSE @ 1490 WADDEN

Dimensions.

SCHEDULE B

This forms part of development

Permit # DPOS-0077

15.11.11

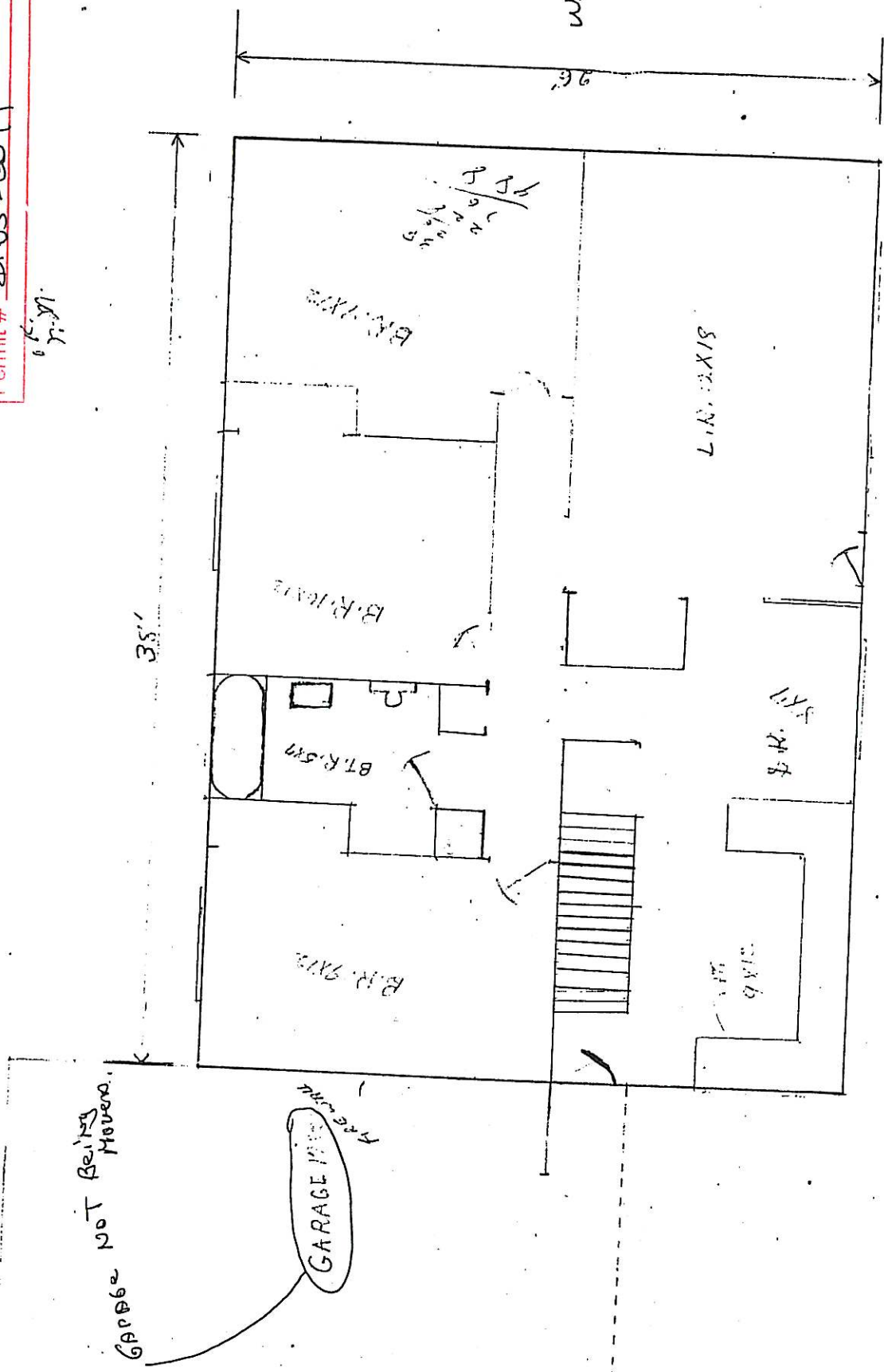
GARAGE NOT BEING MOVED

GARAGE 11' x 12'

35'

36'

Wm Gentry



FLOOR PLAN

HOUSE TO BE MOVED

Inside layout 1510 Hwy 33 West.