

Memo



Date: May 21, 2010

To: City Manager

From: Community Sustainability Division

File No: Z10-0036

Applicant: RC Alliance Ltd.

At: 4224 Hobson Rd

Owner: Jeffrey David Kohn

Purpose: To rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone in order to create a secondary suite within an expanded, existing accessory building.

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU1s - Large Lot Housing with Secondary Suite

Report Prepared by: Andrew Browne

1.0 RECOMMENDATION

THAT Rezoning Application No. Z10-0036 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 District Lot 167 ODYD Plan 30147, located at 4224 Hobson Rd, Kelowna, B.C. from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite 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 Development Engineering Branch and Environment & Land Use Branch being completed to their satisfaction;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to receipt of a Building Permit application for the secondary suite;

2.0 SUMMARY

The applicant proposes to rezone the subject property to the RU1s - Large Lot Housing with Secondary Suite zone from the RU1 - Large Lot Housing zone in order to create a secondary suite within an expanded, existing accessory building.

3.0 SITE CONTEXT

The subject property is located in the North Mission - Crawford sector in a predominantly residential area. Specifically, the adjacent zones and land uses are:

| | | |
|-------|---------------------------|------------------------------------|
| North | W2 - Intensive Water Use | Okanagan Lake |
| South | RU1 - Large Lot Housing | Residence |
| East | P3 - Parks and Open Space | Central Okanagan Small Boat Assoc. |
| West | RU1 - Large Lot Housing | Residence |

gv



4.0 THE PROPOSAL

The application seeks to rezone the subject property in order to permit a secondary suite. The proposed rezoning compares with the Zoning Bylaw No. 8000 requirements for the RU1s - Large Lot Housing with Secondary Suite zone as follows:

| Criteria | Proposed | RU1s Zone Requirement |
|---|----------------------|---|
| Site Coverage (buildings) | ~ 16.1% | 40% |
| Site Coverage (buildings + driveways + parking) | ~ 33.3% | 50% |
| Front Yard (Hobson Rd) | ~ 28 m | 9.0 m |
| Side Yard (affected) | 2.7 m | 2.0 m (1½ storey accessory building) |
| Side Yard (other) | ~ 5 m | 2.0 m (1½ storey accessory building) |
| Rear Yard (Okanagan Lake) | ~ 26 m | 15 m from natural boundary |
| Accessory Building Site Coverage | 116 m ² * | Lesser of 90 m ² or 14% of lot area |
| Accessory Building Height | 4.5 m | 4.5 m |
| Separation Between Dwellings | 15.77 m | 4.5 m |
| Secondary Suite Size | 90 m ² | Lesser of 90 m ² or 75% of principal dwelling floor area |
| Secondary Suite Location | Front yard * | Rear yard |

| | | |
|--|------------------------------------|----------|
| Parking | 3 stall garage plus large driveway | 3 stalls |
| <p>* A Development Variance Permit application will proceed to Council separately for (1) the proposed size of the accessory building and (2) the proposed location of the secondary suite. Note, however, that final adoption is not conditional on the DVP as the secondary suite land use is not strictly related to these requested variances (i.e. it is possible to establish a secondary suite in a manner that would not require a variance, such as within the principal dwelling).</p> | | |

5.0 TECHNICAL COMMENTS

Find attached.

6.0 POLICY AND REGULATION

Kelowna 2020 - Official Community Plan

The subject property is designated as Single/Two Unit Residential for future land use.

Housing Policies:

Infrastructure Availability. Give preference to supporting new housing in areas where required services already exist or can be provided most economically and efficiently.

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

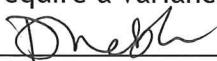
Secondary Suites. Encourage, under the conditions stipulated in the Zoning Bylaw, the creation of secondary suites.

7.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

The proposed rezoning is consistent with the Official Community Plan future land use designation for the subject property, and the City encourages the sensitive integration of secondary suites within existing neighbourhoods.

Parking and private open space can easily be accommodated on-site. A Development Permit for the form and character of the secondary suite in the accessory building will be processed at a staff level, and a Development Variance Permit for the size of proposed accessory building (>90m²) and the location of secondary suite (front yard) will proceed to Council separately.

Staff emphasizes that the final adoption of this rezoning is not contingent on the DVP being successful because the secondary suite land use is not strictly related to the variances requested (i.e. it is possible to establish a secondary suite on the subject property in a manner that would not require a variance, such as within the principal dwelling).



Danielle Noble
Manager, Urban Land Use

Approved for inclusion:

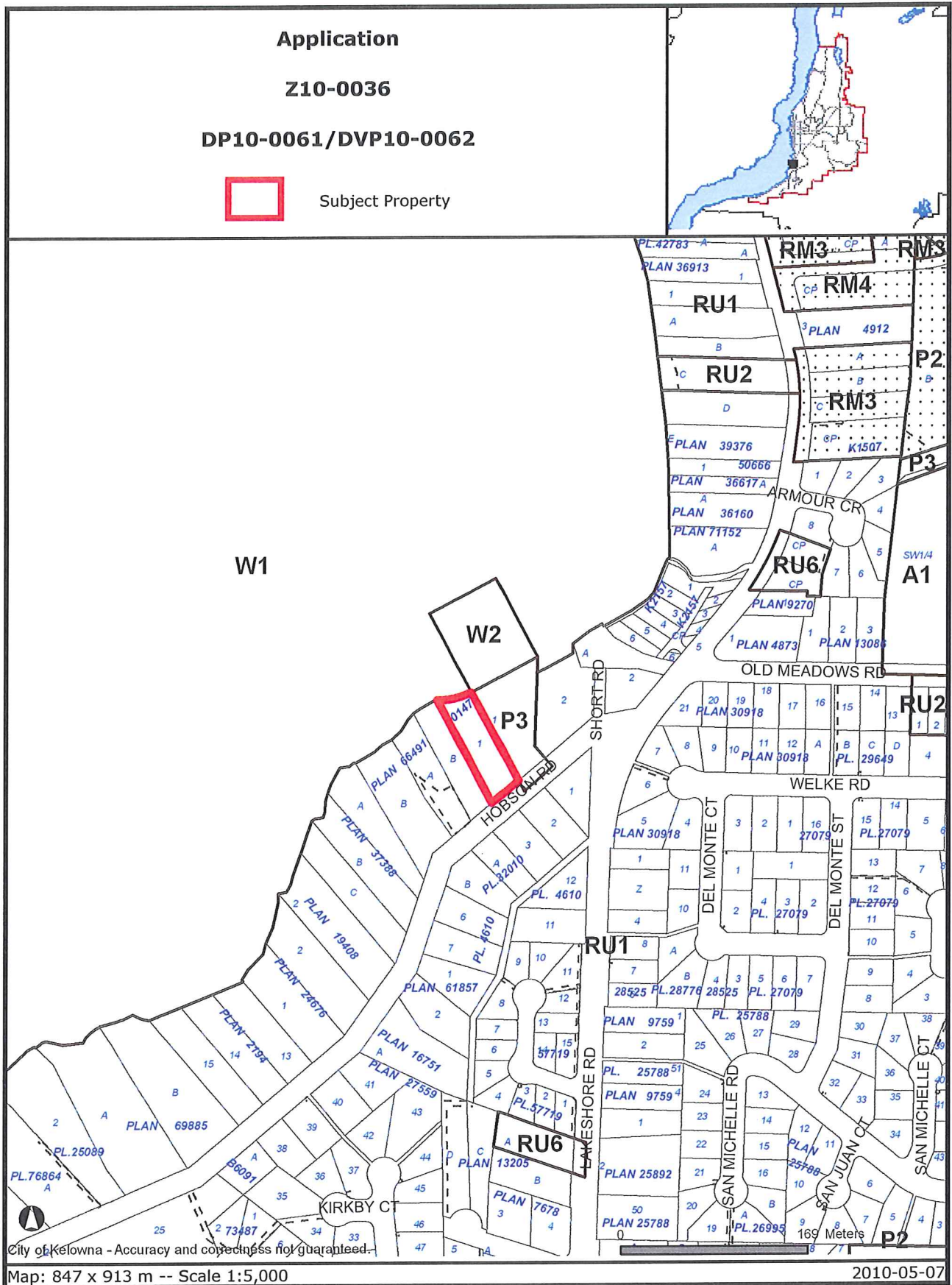
Shelley Gambacort
Director, Land Use Management



Attachments

Subject property and zoning map
Development File Circulation Report & Development Engineering, Environment & Land Use Comments
Drawing package (3 pages)

Date Application Accepted: May 4, 2010



City of Kelowna - Accuracy and correctness not guaranteed.

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.

File: Z10-0036

Application

File: Z10-0036

Type: REZONING - NON APC

File Circulation

| Seq | Out | In | By | Comment |
|-----|------------|------------|---------|---|
| | | | | B.C. Assessment Authority (info only) |
| | 2010-05-07 | 2010-05-07 | | |
| | | | | Building & Permitting |
| | 2010-05-07 | 2010-05-25 | | 1)Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits 2)Operable bedroom windows required as per the 2006 edition of the British Columbia Building Code (BCBC 06). 3)Provide the City of Kelowna Bulletin #88-02 (Secondary Suites Requirements in a single family dwelling) for minimum requirements. The drawings submitted for Building Permit application is to indicate the method of fire separation between the suite and the garage. 4)A minimum Geodetic Elevation of 343.66 is required for all habitable spaces including the parking garage(s) 5)Full Plan check for Building Code related issues will be done at time of Building Permit applications |
| | | | | Bylaw Services |
| | 2010-05-07 | 2010-05-07 | PTURNER | No concerns. |
| | | | | Development Engineering Branch |
| | 2010-05-07 | 2010-05-19 | | See "Documents" Tab. |
| | | | | Environment |
| | 2010-05-07 | 2010-05-18 | | Comments too large for posting in this system. See paper letter in file or PDF in P:/ drive. |
| | | | | Fire Department |
| | 2010-05-07 | 2010-05-11 | GDAFT | Additional address will be required. |
| | | | | FortisBC |
| | 2010-05-07 | 2010-05-25 | | No comment. |
| | | | | Infrastructure Planning |
| | 2010-05-07 | 2010-05-25 | | No comment. |
| | | | | Public Health Inspector |
| | 2010-05-07 | 2010-05-14 | | No Comment. |
| | | | | Real Estate & Building Services Manager |
| | 2010-05-07 | 2010-05-17 | KGENCE | RE&BS Comments for Inclusion in Council Report: Please contact the Manager, Real Estate Services, 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 Real Estate & Building Services Department requires a full-sized copy, together with an 8 ½ x 11 copy, of any survey plans. |
| | | | | Shaw Cable |
| | 2010-05-07 | 2010-05-19 | | No requirements. |
| | | | | Telus |
| | 2010-05-07 | 2010-05-17 | | Telus will provide aerial service. |
| | | | | Terasen Utility Services |
| | 2010-05-07 | 2010-05-19 | | Please be advised that Terasen Gas' facilities will not be adversely affected. Therefore, Terasen Gas has no objection to the proposed rezoning and development applications to add a secondary suite above the garage. |

CITY OF KELOWNA
MEMORANDUM

Date: May 17, 2010
File No.: Z10-0036

To: Land Use Management Department (AB)

From: Development Engineering Manager

Subject: 4224 Hobson road RU1 to RU1s

Development Engineering Services have the following requirements associated with this rezoning Application.

1. Domestic Water and Fire Protection

This property is currently serviced with a 19mm-diameter water service. The service will be adequate for this application. Metered water from the main residence must supply the proposed suite.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 150mm-diameter sanitary sewer service which is adequate for this application.

3. Site Related Issues

Provide on-site parking for the proposed dwelling.

4. Electric 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.

Steve Muenz, P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA
MEMORANDUM

Date: May 14, 2010
File No.: Z010-0036

To: Planner 2 (AB)

From: Environment & Land Use Branch

Subject: Rezoning and DVP Comments (Natural Environment Development Permit Requirements)

LOCATION: 4224 Hobson Road

APPLICANT: RC Alliance Ltd.

LEGAL: Lot 1, Plan 30147

The Environment & Land Use Branch comments and requirements regarding this application are as follows:

a) **General**

| | |
|---|--|
| X | Property is located in a Natural Environment Development Permit Area |
| X | Property is adjacent to Okanagan Lake. The City of Kelowna OCP riparian setback area for Okanagan Lake is 15 meters from the natural boundary. |

Environment & Land Use Branch comments:

Environment & Land Use Branch recommend the following riparian protection and enhancement measures in consideration for allowing increased density on the balance of the subject property (*Policy 7.10.11 of the City of Kelowna Official Community Plan*):

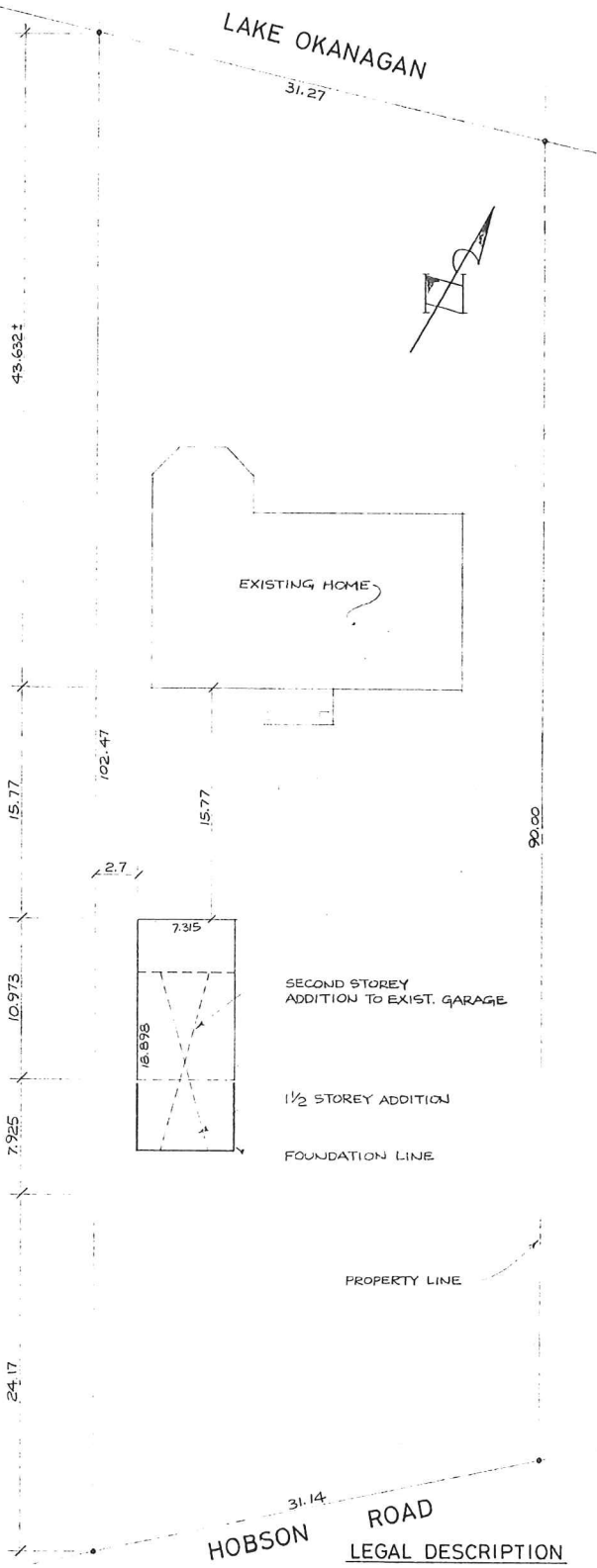
1. It is recommended that the applicant provide a draft no build/no disturb Section 219 Restrictive Covenant to be registered under the Land Title Act against the title of the subject property to effectively preserve the Riparian Management Area. The Riparian Management/No Disturb Covenant area is all the land within the property measured 15 meters upland of the Natural Boundary of Okanagan Lake.
2. It is recommended that 50% of the Riparian Management Area (the area closest to the lake) should undergo riparian restoration/enhancement. The Riparian Management Area is the strip of land measured 15 meters upland of the Natural Boundary of Okanagan Lake. The Riparian enhancement plan will include removal of all turf and planting of a mixture of native trees, shrubs and grasses. Planting densities should be 1 meter spacing from center for shrubs and 3 meter spacing from center for trees. The riparian restoration plan must be signed off by a Registered Professional Biologist.

- The Riparian Restoration Plan shall be designed and submitted to the City of Kelowna as follows:

- ✓ Provide a schematic plan and schematic cross section of proposed landscape plan.
 - ✓ Provide an irrigation plan. Provide a water management strategy that incorporates water conservation measures in the landscape plan (e.g. drip irrigation).
 - ✓ Landscape drawings should show the dimensions and location of footprints for all existing and proposed landscaping relative to the existing and final **site** grades, vehicle areas, property lines, easements, adjacent land uses, building entrances and walkways, exterior lighting, street furniture, hydrants, garbage collection areas, utility poles, and underground utilities;
 - ✓ Drawings are to describe the existing and proposed plant materials (including areas of natural vegetation to be retained) identifying common and scientific plant names, quantity, calliper, rootball size, and height at planting and maturity;
 - ✓ landscape drawings are to include a north arrow and legend that includes the date, metric scale, revision box, and plant materials list;
3. Provide a Cost Estimate for Site Restoration and Landscaping in accordance with the Plans submitted from a qualified professional for the purpose of determining Mitigation Performance Security as per City of Kelowna Bylaw No. 8140 and *Local Government Act* Section 925(2)(b). The applicant is required to post with the City a Performance Security deposit in the amount of 125% of the estimate to implement any required mitigation works and perform site monitoring requirements as outlined in the Development Permit. The intent is to ensure compliance with the original Environmental Impact Assessment, Landscape Plan and all terms and conditions of all related Development Permit(s).

Corey Davis, Environmental Technician 2
Environment & Land Use Branch
City of Kelowna
Ph: 250-469-8984

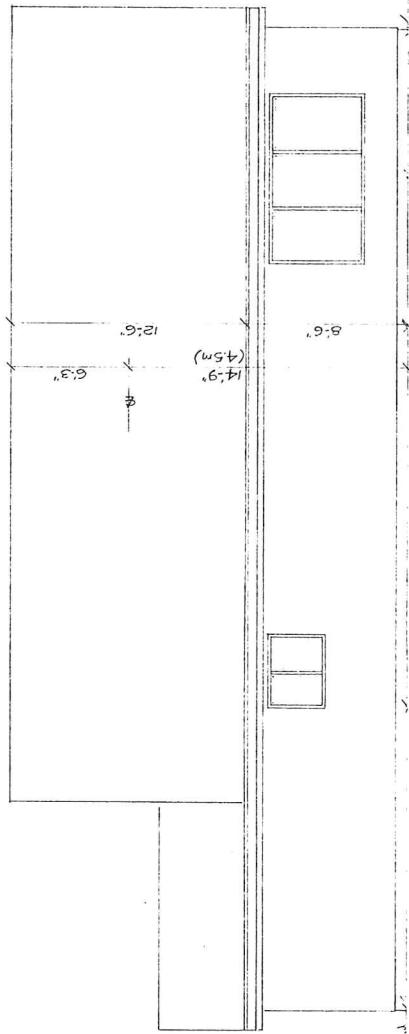
P:\Planning\General\Environment\3060 - Development Permits\3060-20 - Permits Individual\2010\Z010-0036 4224 Hobson Rd.doc



LEGAL DESCRIPTION
 LOT 1
 PLAN 30147
 D.L. 167
 O.D.Y.D.

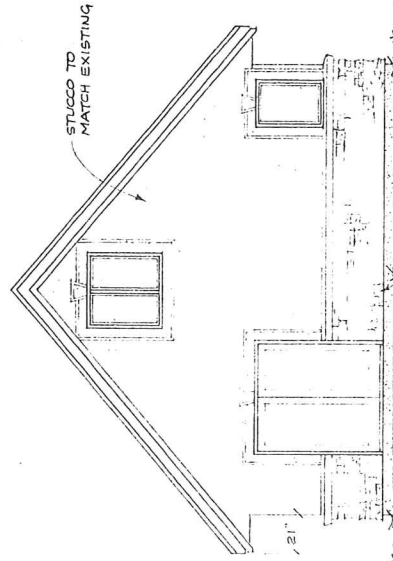
PLOT PLAN
 SCALE = 1:200 (METRIC)

T-SQUARE SERVICES
 244-439-2424
 244-439-2424
 Kelowna, B.C. V1Y 5T7 783.8769
 DATE: APRIL, 2010
 JOB NO.



REAR ELEVATION

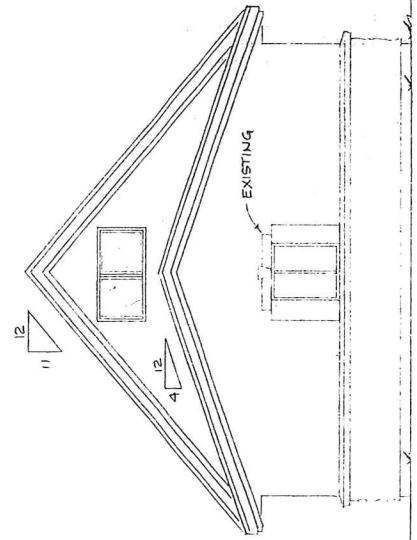
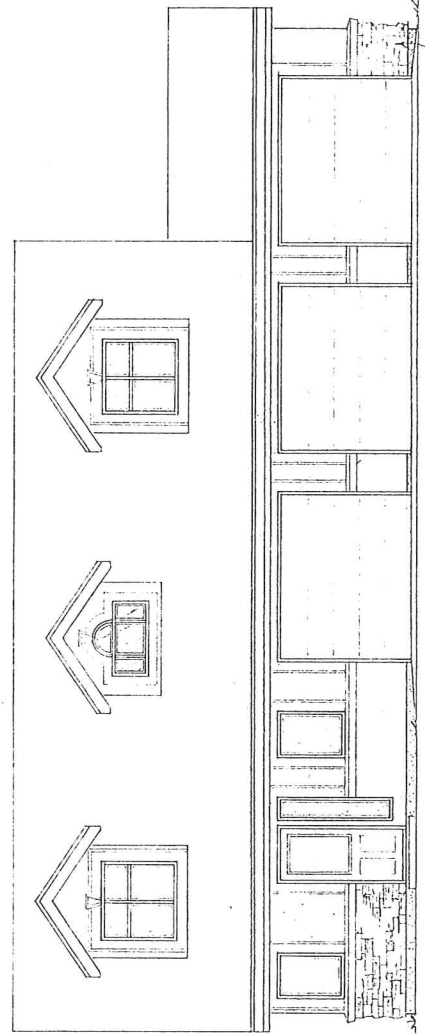
SCALE : 1/4" = 1'-0"

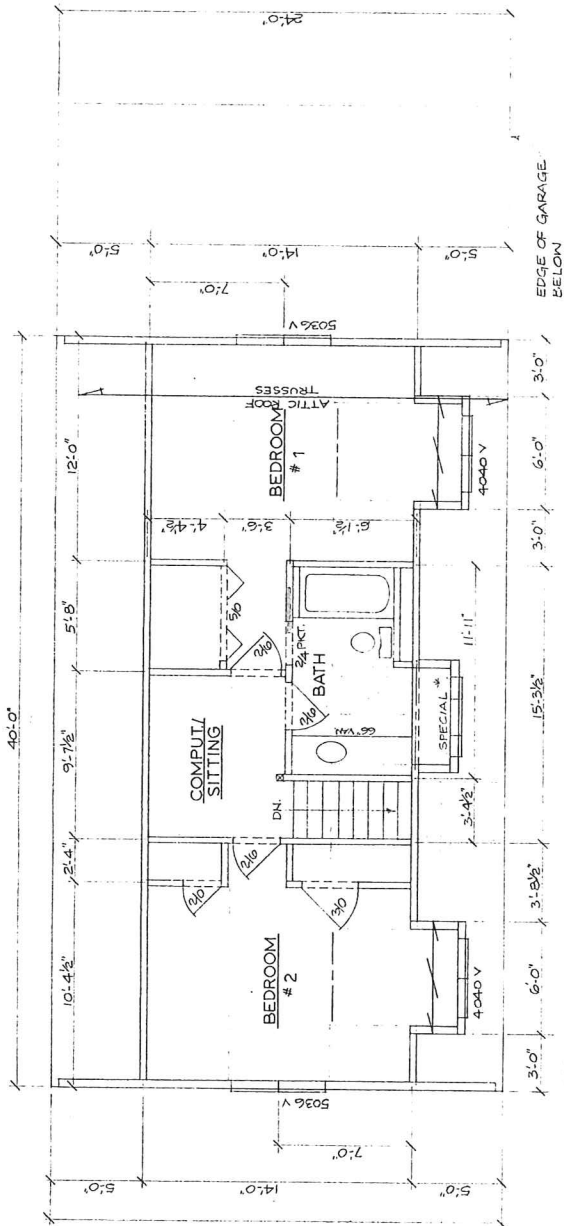


LEFT ELEVATION

MAIN & 2ND FLR. ADDITION

SECOND FLR. ADDITION





SECOND FLOOR PLAN 584 SQ. FT. (54.25 m²)

SCALE: 1/4" = 1'-0"

