

Memo



Date: June 16/10

To: City Manager

From: Community Sustainability Division

File No: Z08-0040

Applicant: Adrienna & Cornie Fehr

At: 125 Robson Road

Owner: Adrienna Fehr

Purpose: TO REZONE FROM THE RU1 - LARGE LOT HOUSING ZONE TO THE RU1(s) - LARGE LOT HOUSING WITH SECONDARY SUITE ZONE TO ALLOW THE EXISTING DWELLING TO BE CONSIDERED A SECONDARY SUITE IN CONJUNCTION WITH A NEW PRINCIPAL DWELLING ON THE SUBJECT PROPERTY

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU1(s) - Large Lot Housing with Secondary Suite

Future Land Use: Multiple Unit Residential - Low Density

Report Prepared by: Luke Turri

1.0 RECOMMENDATION:

THAT Rezoning Application No. Z08-0040 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5, Section 23, Township 26, ODYD, Plan 10372, located at 125 Robson Road, Kelowna, B.C. from the from the RU1 - Large Lot Housing zone to the RU1(s) - 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 being completed to their satisfaction.

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Rutland Waterworks District being completed to their satisfaction.

AND THAT final adoption of the zone amending bylaw be considered subject to the consideration of a Development Variance Permit for the siting and location of both the new principal dwelling and the suite within an accessory building.

2.0 SUMMARY:

This application seeks to rezone from the RU1 zone to the RU1(s) zone to designate the existing dwelling as a secondary suite in an accessory building while constructing a new principal dwelling on the subject property.

3.0 BACKGROUND:

The applicant's original proposal contemplated an attached addition to the existing dwelling on the property comprising of two additional dwellings, for a total of three dwelling units. This required a rezoning to the RM1 - Four Dwelling housing zone.

The Advisory Planning Commission reviewed this original proposal through the RM1 - Four Dwelling Housing zone and was unresponsive. Concerns were raised regarding the proposal's perceived negative impact on future redevelopment in the area, and the quality and sensitivity of the design in the context of the surrounding neighbourhood. Since that time, multiple versions of the proposal were presented in on-going discussion with staff, the applicant, and the building designer. Significant time lapsed in working towards creating a project which was to be more congruent with Official Community Plan objectives and design principles.

In accordance with input from the APC and staff, the application has been scaled down to the proposed RU1(s) zone, in which a new, detached principal dwelling would be constructed in the rear yard, to the east of the existing home. The change reflects a series of discussions with staff concerning an appropriate response to design issues and the overall site context. The existing dwelling would become an accessory building with a secondary suite. Both homes would face Robson Road, which would create the appearance of two single detached dwellings.

This application contemplates two variances to Zoning Bylaw No. 8000 relating to building siting, as well as a Development Permit to assess the form and character of a two-dwelling housing development.

The application conforms to Zoning Bylaw No. 8000 (with noted variances) as follows:

CRITERIA	PROPOSAL	RU1(s) ZONE REQUIREMENTS
Existing Lot		
Lot Area	813 m ²	550 m ²
Lot Width	21.34 m	17.0 m
Lot Depth	38.10 m	30.0 m
Development Regulations		
Site Coverage (buildings)	30%	40%
Site Coverage (buildings, parking and driveways)	37%	50%
Height	2 storeys / 6.25 m	2.5 storeys / 9.5 m
Floor Area of principal dwelling	132 m ²	-
Floor Area of Secondary Suite / Size ratios	89 m ² / 67%	Cannot exceed the lesser of 90 m ² or 75%
Front Yard	7.62 m	4.5 m
Side Yard (north)	6.0m	4.5 m (6.0 m for garage)
Side Yard (south)	2.3 m	2.3 m
Rear Yard	2.3 m ^①	7.5 m (2/2.5 storeys)
Other Regulations		
Minimum Parking Requirements	3 spaces	3 spaces
<i>Siting of accessory building containing a secondary suite</i>	<i>Between principal building and front yard^②</i>	<i>Between principal building and rear yard</i>
<p>① The applicant is requesting a variance for minimum rear yard setback.</p> <p>② The applicant is requesting a variance the siting of the secondary suite.</p>		

4.2 Site Context

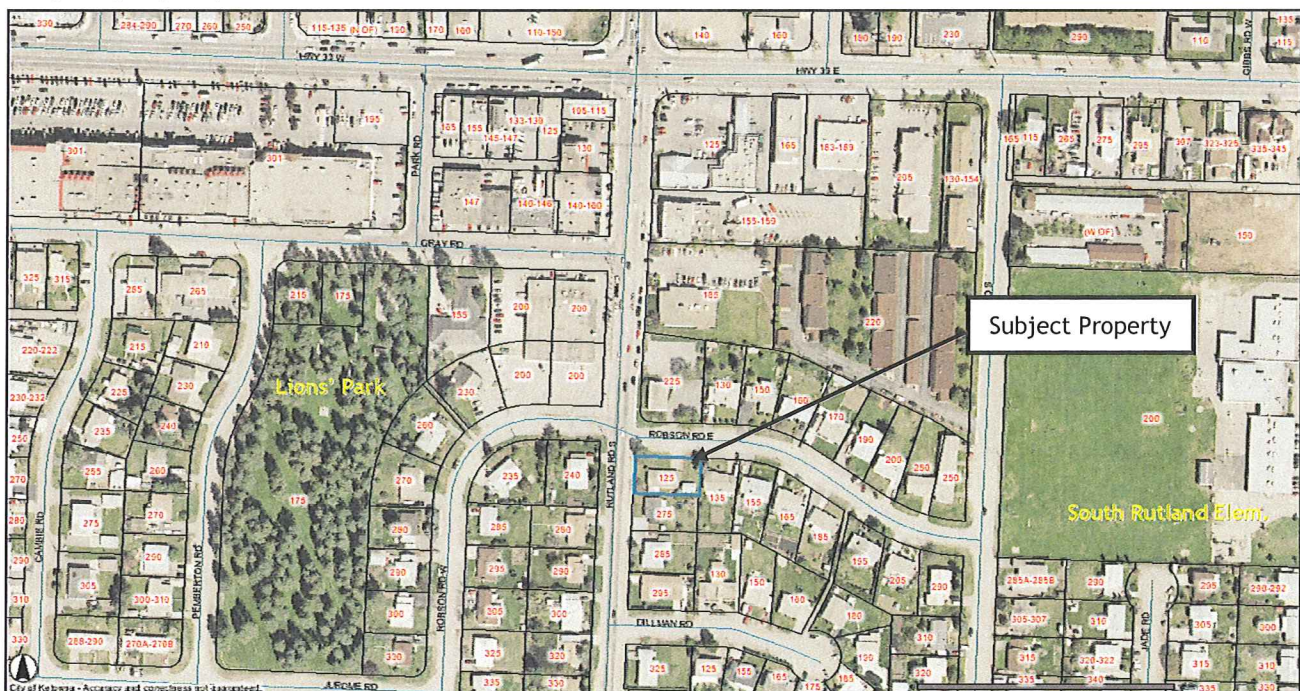
The subject property is located at the southeast corner of Rutland Road and Robson Road East. The site is located with the Rutland Town Centre Development Permit Area, two blocks south of the Rutland Road/Highway 33 intersection. The Future Land Use Designation for the lots fronting Rutland Road is Multiple Unit Residential - Low Density, where re-development for areas with adequate land assembly is anticipated. The area transitions from commercial uses to the north and single family housing to the south.

More specifically, the adjacent land uses are as follows:

- North** C4/C4LP (Health Services/Thrift Store)
- East** RU1 - Large Lot Housing (Single Family Neighbourhood)
- South** RU1 - Large Lot Housing (Single Family Neighbourhood)
- West** RU1 - Large Lot Housing (Single Family Neighbourhood)

4.3 Site Location Map

Subject property: 125 Robson Road East



5.0 CURRENT DEVELOPMENT POLICY:

5.1 Existing Zone (RU1)

The property is currently zoned RU1 - Large Lot Housing. The purpose of this zone is to provide for single detached housing as a principal use, and compatible secondary uses. The RU1(s) would allow a “secondary suite” as a secondary use on the parcel.

5.2 Official Community Plan

The subject property is designated as Multiple Unit Residential - Low Density. While the addition of the secondary suite designation to the RU1 zone would not require an Official Community Plan amendment, the area is contemplated for future redevelopment, with the objective of creating higher residential densities surrounding the Rutland Urban Centre.

Section 8.35 - 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;

Section 8.47 Secondary Suites: Encourage, under the conditions stipulated in the Zoning Bylaw, the creation of secondary suites;

6.0 TECHNICAL COMMENTS:

6.1 Development Engineering Branch

See attached.

6.2 Fire Department

Logical addressing and all address numbers must be visible from the street. Requirements of Section 9.36, Secondary Suites, of the BCBC 2006 are to be met.

6.3 Rutland Waterworks District

Capital expense charges for secondary suite are \$1900.00. Fees are due upon application for building permit. The current water connection is sufficient for the planned construction; however, should the applicant desire a second service connection, it can be provided at the applicant's cost.

7.0 LAND USE MANAGEMENT DEPARTMENT:

The Land Use Management Department is supportive of this rezoning application. Policies within the Official Community Plan affirm the sensitive integration of infill in established neighbourhoods where services are already in place and densification can easily be accommodated. This proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area.

The surrounding neighbourhood is a transitional area and contains single family housing stock largely developed in the late 1960's. While the property is designated for multi-family development, the owners have made retrofits to the existing dwelling to assist their mobility challenges, and as such, have prevented further options to be explored at this time (such as a full scale re-development of the parcel).

The required Development Variance Permit application for the rear yard setback and the siting of the secondary suite will be presented to Council at a later date. A Development Permit application to assess the form & character of the development has also been applied for, and will be executed at a staff level.



Danielle Noble
Manager, Urban Land Use

Approved for inclusion:



Sgt. Shelley Gambacort
Director, Land Use Management

Attachments:

Subject Property Map

Site Plan

Elevations/Cross-Section

Neighbourhood Future Land Use Designation Map

Development Engineering Branch Comments

Application Date: April 17, 2008

Original application proposed an addition to the existing home through the RM1 zone. Additional documentation was required to complete application. Staff were unsupportive of the original design and encouraged the applicant to pursue alternative options.

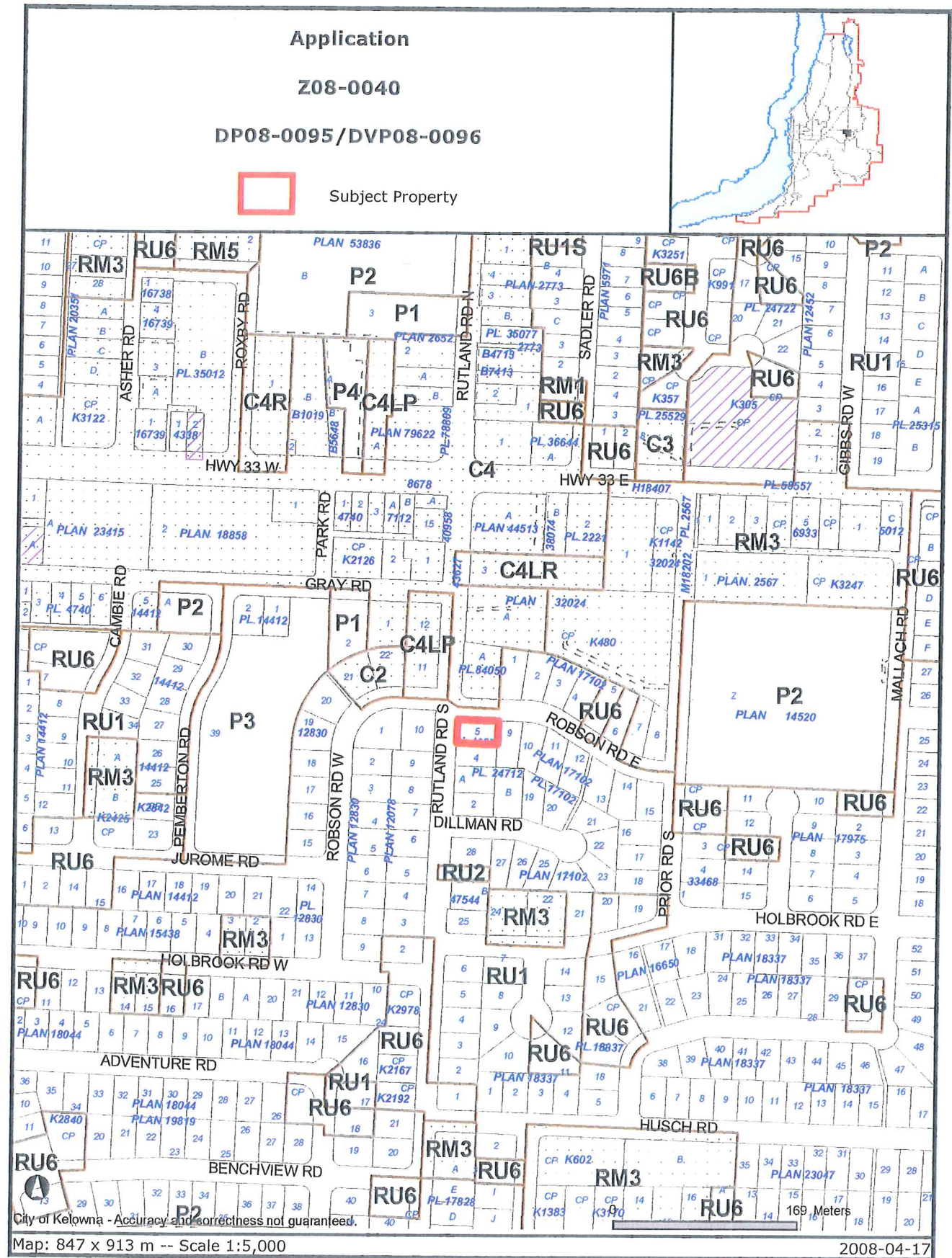
September 2008 - Revised plans submitted to meet submission requirements.

November 2008 - Application presented to APC (non-support).

June 2009 - Options discussed with applicant's designer to utilize the RU1s zone.

November 2009 - Request sent to applicant to meet with staff regarding application (applicant out-of-province). No direction provided.

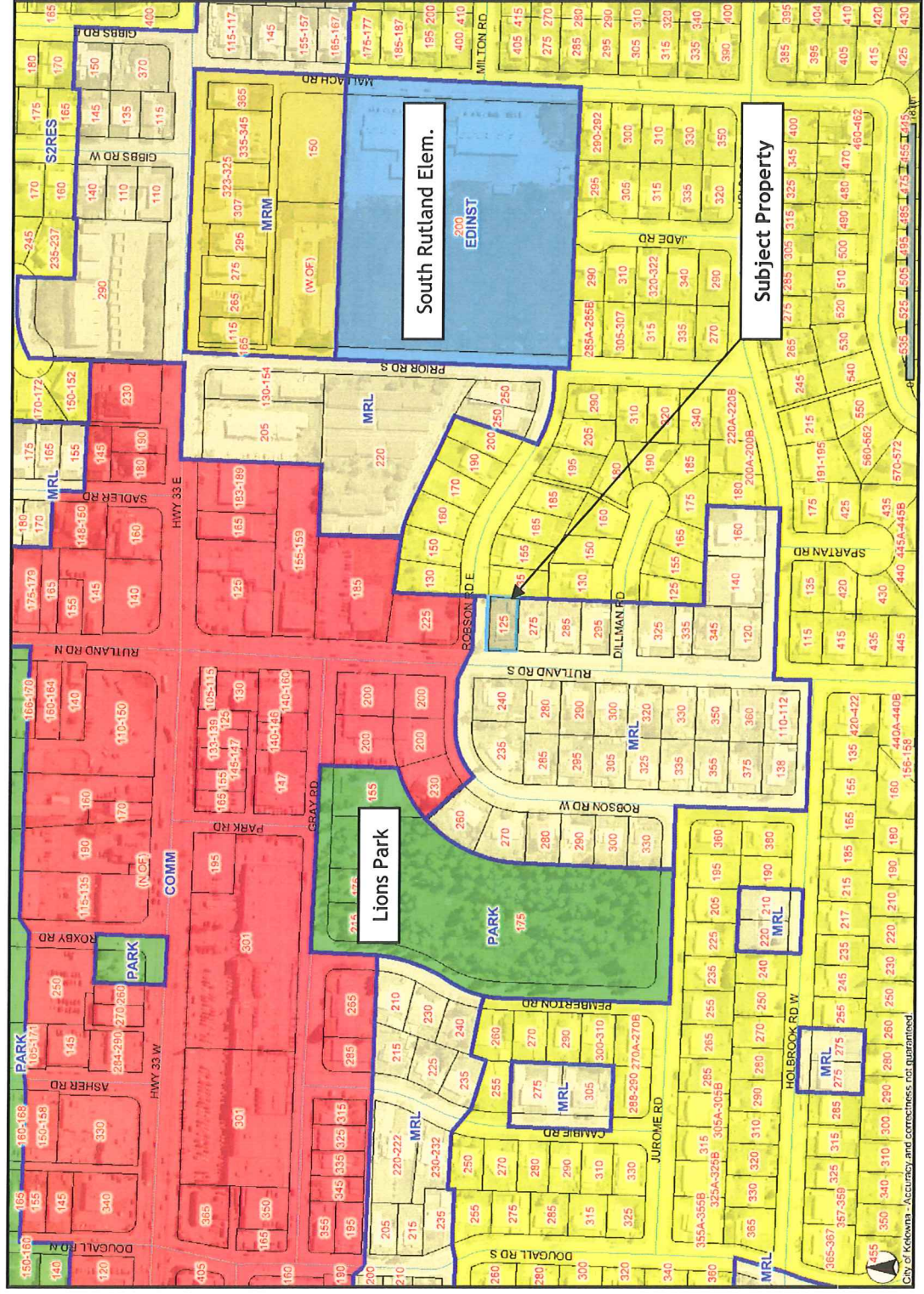
May 2010 - Direction provided through applicant's designer to bring application forward to Council and pursue RU1s zone.



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.

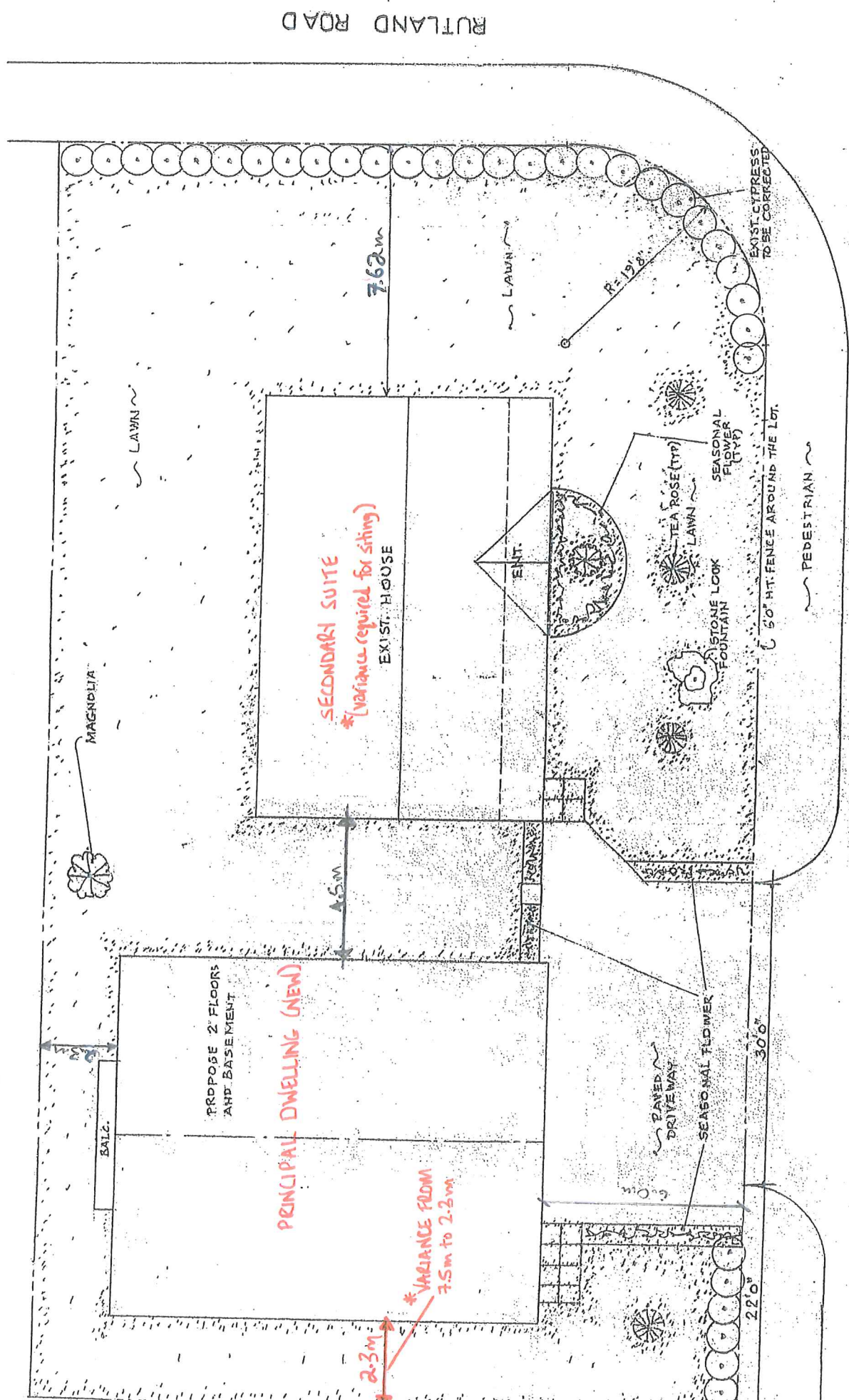
Z08-0040 - 125 Robson Road

OCP Future Land Use Designation Map

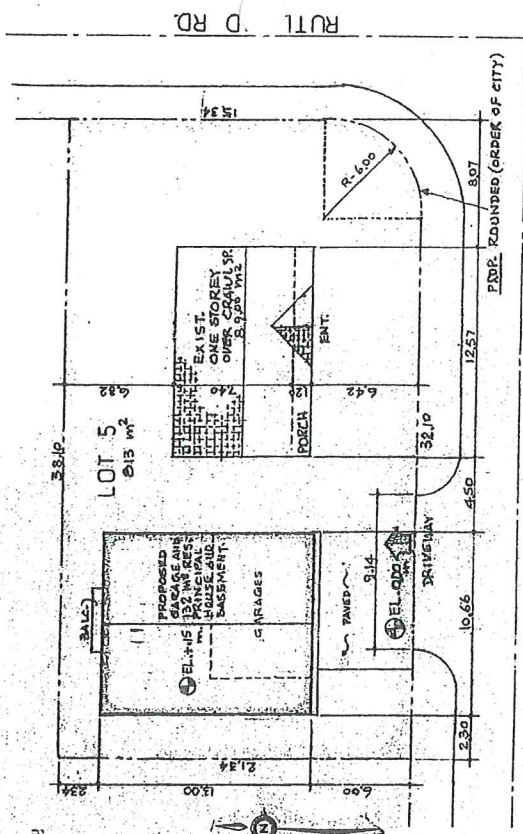
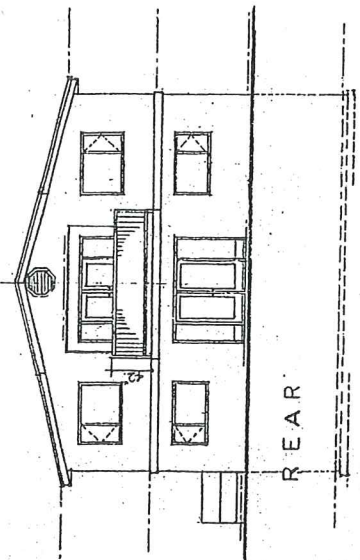
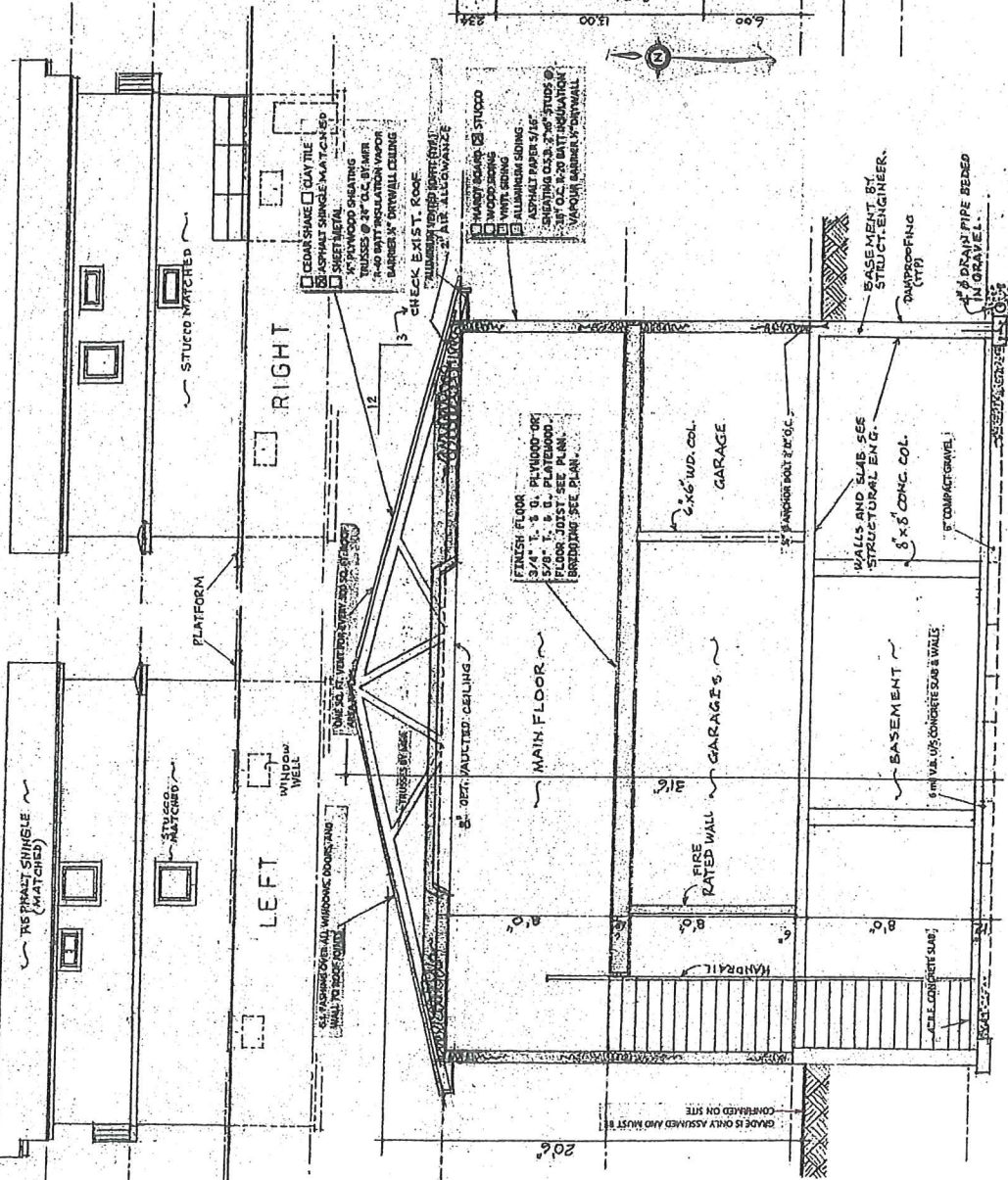
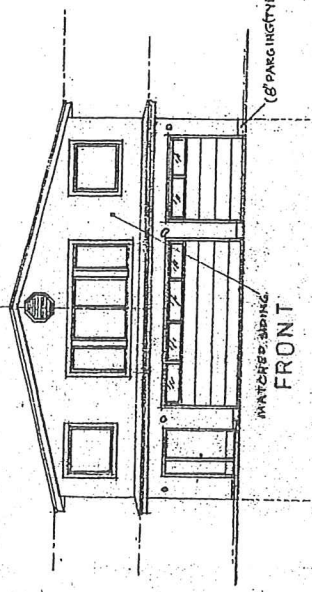
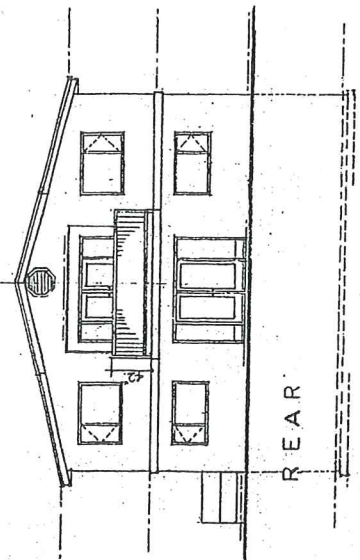


- Legend**
- Selected Features
 - Road Centrelines
 - Lot Hooks
 - Lot Lines
 - Area Structure Plan
 - Future Land Use
 - AGR - Rural/Agricultural
 - SZRES - Single/Two Unit Residential
 - MRC - Multiple Unit Residential - Cluster Housing
 - MRL - Multiple Unit Residential - Low Density
 - MRM - Multiple Unit Residential - Medium Density
 - MRH - Multiple Unit Residential - High Density
 - COMM - Commercial
 - EDINST - Educational/Major Institutional
 - PSU - Public Services/Utilities
 - IND - Industrial
 - PARK - Major Park/Open Space (public or private)
 - REC - Private Recreation
 - FUR - Future Urban Reserve
 - PNR - First Nations Reserve
 - Other
 - Lake Boundary
 - City Boundary

SITE PLAN - 125 ROBSON ROAD EAST



ROBSON ROAD



OWNER: CORNIE FEHR
 DRAWING UNLIMITED
 2, ROBERT B. CA. 13, ARCH.
 2, KATHARINE B. CA. 13, ARCH.
 2, MELBA B. CA. 13, V.P. 137
 2, T. J. B. CA. 13, V.P. 137
 2, T. J. B. CA. 13, V.P. 137
 2, T. J. B. CA. 13, V.P. 137
 2, T. J. B. CA. 13, V.P. 137

LEGAL: LOT 5,
 PLAN 10572,
 SECT. 23, T.S. 26
 O.D.V.P.

VARIOUS POINTS:
 PROPOSED BACKYARD
 TO BECOME SIDEYARD.

125 ROBSON
 SITE PLAN
 1" = 200' M.
 REZONING:
 RUI REQ'D RUI'S

FINISH FLOOR
 8" O.C. PLANKS ON
 2" O.C. JOIST SEE PLAN
 EXTENDING SEE PLAN.

MAIN FLOOR

GARAGES

BASEMENT

6" COMPACT SUB?

6" W.D. CONCRETE SLAB & WALLS

WALLS AND SLAB SEE
 STRUCTURAL ENG.

8" x 8" CONC. COL.

2" x 6" W.D. COL.

GARAGE

BASEMENT BY
 STRUCT. ENGINEER.

RAUPROOFING
 (TYP)

8" DRAIN PIPE BEBED
 IN GRAVE.

10" W. O.V.L.S. @ 24" O.C.

2-10" M. CONT.

STAIRS AREA

GRADE IS ONLY ASSUMED AND MUST BE
 CONFIRMED ON SITE

CITY OF KELOWNA
MEMORANDUM

Date: September 24, 2009
File No.: Z08-0040 Revised Plans 3
To: Planning & Development Services Department (LT)
From: Development Engineer Manager (SM)
Subject: 125 Robson Rd E – Lots 5, PLAN 10372, Sec. 23, twp. 26. ODYD

The Works & utilities Department comments and requirements regarding this application to rezone from RU1 to RU1S are as follows:

1. General

- a) Dedicate a 6.0 m. corner radius at the intersection of Rutland Road and Robson Road by legal plan registered in the Land Title Office.
- b) Provide easements as required.
- c) The Site plan illustrates a 9m wide driveway. Revise to meet bylaw maximum of 6.0m.

2. Domestic water and fire protection.

- a) 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 a connection and upgrades. 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 for the requested development in accordance with current policies and regulations.
- b) 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.

3. Sanitary Sewer.

The existing property is adequately serviced with a 150 mm. diameter service complete with inspection chamber.

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.

Steve Muenz, P.Eng.
Development Engineering Manager
DC