

# Memo



**Date:** September 15, 2010

**To:** City Manager

**From:** Community Sustainability Division

**File No:** Z10-0069

**Applicant:** DE Pilling and Associates Ltd.  
(Dawn Williams)

**At:** 435 Gerstmar Road

**Owner(s):** Balbir Singh Kang  
Baldev Kaur Kang

**Purpose:** To rezone the subject property from the RU1 - Large Lot Housing zone to RU2s - Medium Lot Housing with a Secondary Suite to facilitate a future two lot subdivision.

**Existing Zone:** RU1 - Large Lot Housing zone

**Proposed Zone:** RU2s - Medium Lot Housing with Secondary Suite

Report Prepared by: Birte Decloux

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## 1.0 RECOMMENDATION:

THAT Rezoning Application No. Z10-0069 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 1, Section 22, Township 26 ODYD Plan 39039 located at Gertsmar Road, Kelowna, BC, from the RU1 - Large Lot Housing zone to the RU2s - Medium 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 Rutland Water Works being completed to their satisfaction.

## 2.0 SUMMARY:

The applicant is planning to subdivide the subject property to create two lots. In order to meet subdivision regulations and to maximize the potential of the site, rezoning of the site to the RU2s - medium lot housing with a secondary suite is being requested.

## 3.0 ADVISORY PLANNING COMMISSION:

The above noted application was reviewed by the Advisory Planning Commission at the meeting on August 31, 2010 and the following recommendation was passed:

THAT the Advisory Planning Commission support Rezoning Application No. Z10-0069 at 435 Gerstmar Road to rezone the subject property to facilitate a two lot subdivision.

## ANECDOTAL COMMENT:

The Advisory Planning Commission supported this rezoning and believed it provided good infill of the property and neighbourhood.

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#### 4.0 PROPOSAL:

In 1996, sanitary sewer system was installed in this area removing the necessity to have a septic field on single family properties and creating an opportunity for infill of the existing housing stock in the neighbourhood.

Should the rezoning application be successful, the client would be able to construct a principal dwelling with a secondary suite on each newly created lot. The existing house would have to be relocated or demolished to achieve the anticipated build-out. No conceptual drawings have been provided at this time indicating a possible house design, however the new buildings would have to conform to the RU2s development regulations.

The proposed application meets the subdivision regulations of the RU2s - Medium Lot Housing with Secondary Suite zone as follows:

Proposed Lot 1		
CRITERIA	PROPOSAL	RU2s ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	418 m <sup>2</sup>	400 m <sup>2</sup>
Lot Width	13.5 m	13.0 m
Lot Depth	31 m	30.0 m

Proposed Lot 2		
CRITERIA	PROPOSAL	RU2s ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	418 m <sup>2</sup>	400 m <sup>2</sup>
Lot Width	13.5 m	13 m
Lot Depth	31 m	30.0m

#### 4.1 Site Context

The subject property is located on Gerstmar Road in Rutland. The surrounding properties are developed for single- and two-family housing. More specifically, the adjacent land uses are as follows:

North-	RU1 - Large Lot Housing RU2 - Medium Lot Housing
East	RU1 - Large Lot Housing
South	RU1 - Large Lot Housing
West	RU1 - Large Lot Housing



## 4.2 Site Location: 435 Gerstmar Road



## 5.0 CURRENT DEVELOPMENT POLICY

### Kelowna 2020 - Official Community Plan

The subject property is designated as Single/Two Unit Residential in the Official Community Plan. Relevant policies are included below.

Housing Polices:

**Infrastructure Availability<sup>1</sup>.** Give preference to supporting new housing in areas where required services already exist or can be provided most economically and efficiently;

**Integration<sup>2</sup>.** 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<sup>3</sup>.** Encourage, under the conditions stipulated in the Zoning Bylaw, the creation of secondary suites.

## 6.0 TECHNICAL COMMENTS

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

### 6.1 Development Engineering

See Attached.

### 6.2 Fire Department

Requirements of Section 9.36, Secondary Suites, of the BCBC 2006 are to be met. Fire separations are required between the suite and the main home as per BCBC 2006.

### 6.3 Building and Permitting Branch

1) Demolition permit required for the existing single family dwelling.

<sup>1</sup> Official Community Plan, Policy #8-1.30

<sup>2</sup> Official Community Plan, Policy #8-1.44

<sup>3</sup> Official Community Plan, Policy #8-1.47

2) Geo-technical Engineer will be required for any new dwelling constructed on the site at time of building permit application.

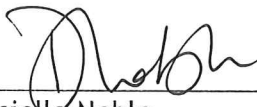
6.4 Bylaw Services

No Comment.

**7.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS**

Policies within the Kelowna 2020 Official Community Plan provide support for the proposed project. That is, rezoning the subject property to the RU2s would be consistent with the Future Land Use designation of the area. The creation of new housing stock that is aimed for entry-market housing meets many social land use objectives.

This RU2 subdivision pattern exists to the north in the neighbourhood and this could be consistent with the streetscape rhythm already established along Elwyn Road. However, the importance of "sensitive integration" of new development with the existing neighbourhood remains paramount for infill projects such as the one being proposed. At its current lot area, the subject property size is consistent with the properties to the south and west, and subdivision to facilitate construction of two new dwellings with secondary suites will introduce a new rhythm and form of development along Gerstmar Road.



Danielle Noble  
Manager, Urban Land Use

Approved for inclusion:



Shelley Gambacort  
Director, Land Use Management

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Attachments:  
Subject Property Map  
Site Plan

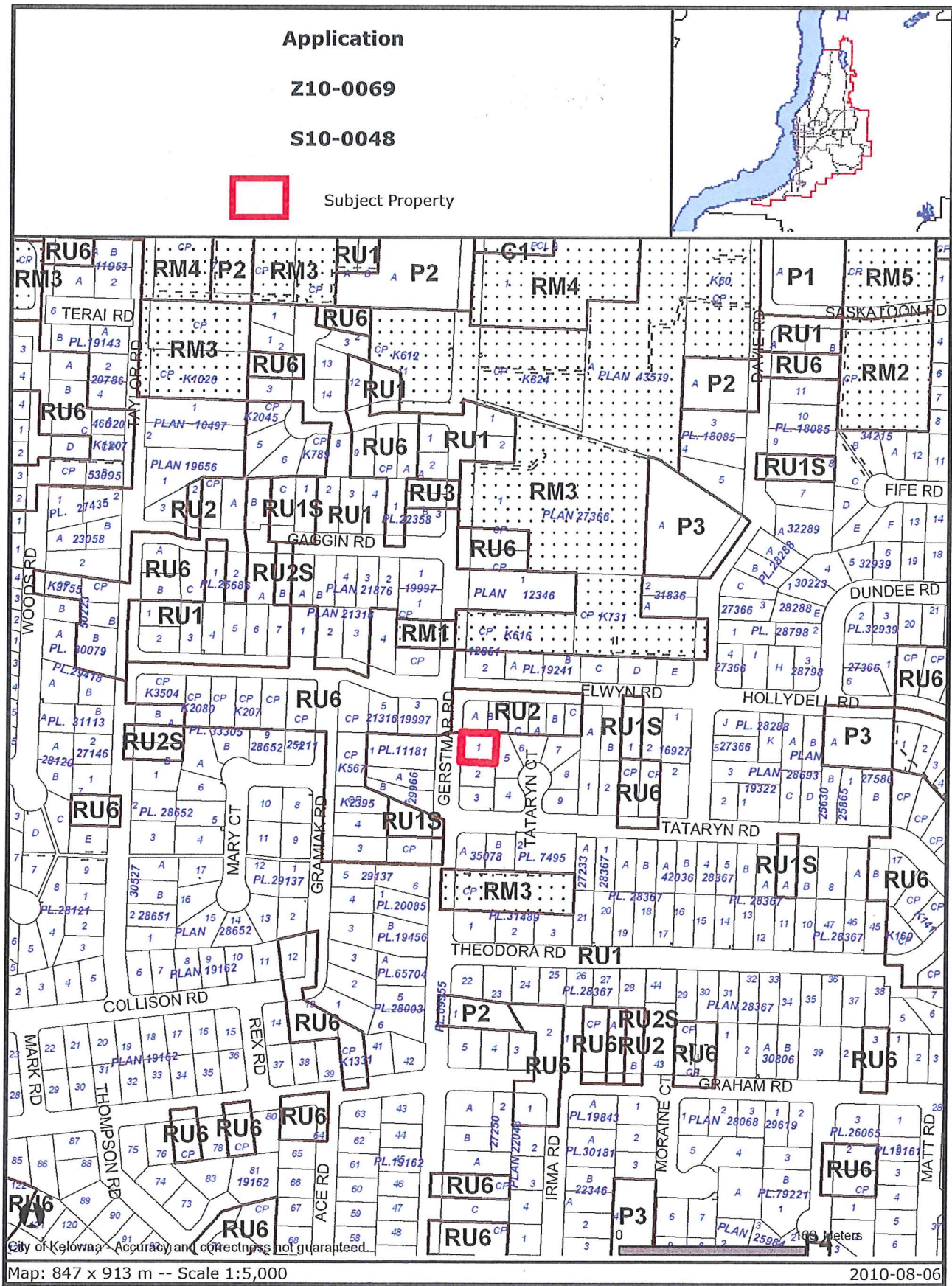
**FILE CHRONOLOGY:**

Date Application Accepted from applicant: August 6, 2010  
Advisory Planning Commission: August 31, 2010

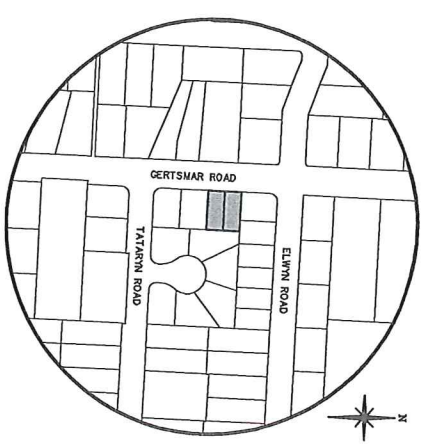
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Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
 The City of Kelowna does not guarantee its accuracy. All information should be verified.



**LEGAL DESCRIPTION**  
 PROPOSED SUBDIVISION OF LOT 1, PLAN 39039,  
 SEC. 22, TP. 26, O.D.V.D.

**ZONING**  
 EXISTING ZONING: RU1  
 PROPOSED ZONING: RU2S  
 LAND USE: MEDIUM LOT HOUSING WITH SECONDARY SUITE  
 LAND AREA: 837m<sup>2</sup>  
 TOTAL NO. OF LOTS: 2

**UTILITIES**  
 POTABLE WATER - RITLAND WATERWORKS DISTRICT  
 NATURAL GAS - TERKSEN  
 TELEPHONE - TELUS  
 ELECTRICITY - FORTIS BC  
 FIRE PROTECTION - CITY OF KELOWNA FIRE PROTECTION  
 FIRE ALARMS - CITY OF KELOWNA  
 SEWAGE DISPOSAL - CITY OF KELOWNA SEWER SYSTEM

**SETBACKS**  
 1 - 1/2 STOREY BUILDING  
 FRONT 4.5m (6.0m GARAGE)  
 REAR 6.0m  
 2 - 2/2 STOREY BUILDING  
 FRONT 4.5m (6.0m GARAGE)  
 REAR 7.5m

**LEGEND:**  
 ■■■■■■ EXISTING ZONE BOUNDARIES  
 - - - - - PROPOSED DEVELOPMENT BOUNDARY

**PACE** CONSULTING ENGINEERING LTD.  
 435 GERTSMAR ROAD  
 BALBIR KANG  
 RE-ZONING/SUBDIVISION PLAN

DATE	SCALE	1:250
APPROVED DATE	SCALE	1:250
DESIGN DATE	SCALE	1:250
DATE	SCALE	1:250

**LEGEND**

3 CAPE	City SANITARY IN (EXISTING OR FUTURE)
CACTUS BASK	Sluic SANITARY IN (PROPOSED)
ELECTRICAL BOX	STUJ STONIA IN (EXISTING OR FUTURE)
HYDRANT	STUJ STONIA IN (PROPOSED)
VALVE	TRANSFORMER
WATER	UTILITY JUNCTION BOX

No.	DATE	BY	REVISION

DATE	SCALE	1:250
APPROVED DATE	SCALE	1:250
DESIGN DATE	SCALE	1:250
DATE	SCALE	1:250