

Memo



Date: March 17, 2011
To: City Manager
From: Land Use Management, Community Sustainability
Application: Z10-0091 (PMc) **Owner:** D & S Schulz Enterprises Ltd.
Address: 196 Cariboo Road **Applicant:** Siegfried Schulz
Subject: Rezoning Application

Existing OCP Designation: Single / Two Unit Residential

Existing Zone: RR3 - Rural Residential 3

Proposed Zone: RU6 - Two Dwelling Housing
RU1 - Large Lot Housing

1.0 Recommendation

THAT Rezoning Application No. Z10-0091 to amend City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of portions of Lot H, Section 4, Township 23, O.D.Y.D., Plan 20088, located on Cariboo Road, Kelowna, BC, from the RR3 - Rural Residential 3 zone to the RU6 - Two Dwelling Housing and RU1 - Large Lot Housing zones, as shown on Map "A" attached to the report of the Land Use Management Department, dated March 14, 2011, 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 issuance of a Preliminary Layout Review Letter by the Approving Officer;

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Glenmore Ellison Improvement District and the Development Engineering Branch being completed to their satisfaction.

2.0 Purpose

The applicant is seeking to rezone the subject property from the existing RR3 - Rural Residential 3 zone to the proposed RU6 - Two Dwelling Housing and the RU1 - Large Lot Housing zones to facilitate subdivision into two lots. The larger of the two lots is proposed to be zoned RU6 - Two

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3.0 Land Use Management

The proposed rezoning is consistent with the future land use designation of the Official Community Plan. The addition of a semi-detached dwelling to the corner lot will allow each of the residential units to have an individual street frontage and a direct connection to the adjacent street. The proposed site development represents a reasonable form of infill development for the subject property, as the lots in the area are comparatively larger in size. The proposal retains the existing dwelling that is located on the subject property, while also creating new semi-detached dwellings on the newly created lot, which will add two additional units to the neighbourhood, where urban services exist.

The form and character for the semi-detached dwelling will be subject to a Development Permit executed at a staff level, should the land-use be supported by Council.

4.0 Proposal

4.1 Background/ Project Description

The original dwelling located on the subject property was constructed on the site in 1972. The applicant is proposing to subdivide the subject property into two lots. The larger corner lot is proposed to be rezoned to the RU6 - Two Dwelling Housing zone in order to allow for the construction of a new semi-detached building with two residential units. The smaller internal lot is proposed to be rezoned to the RU1 - Large Lot Housing zone, and will be occupied by the existing single unit dwelling, which will be modified by removing the existing garage and relocating the parking on site.

The proposed RU6 zoned lot A is requested to have access from both Cariboo Road and Cross Road. The proposed semi-detached building is oriented on the corner lot in order that each of the dwelling units has a direct access to a road.

4.2 Site Context

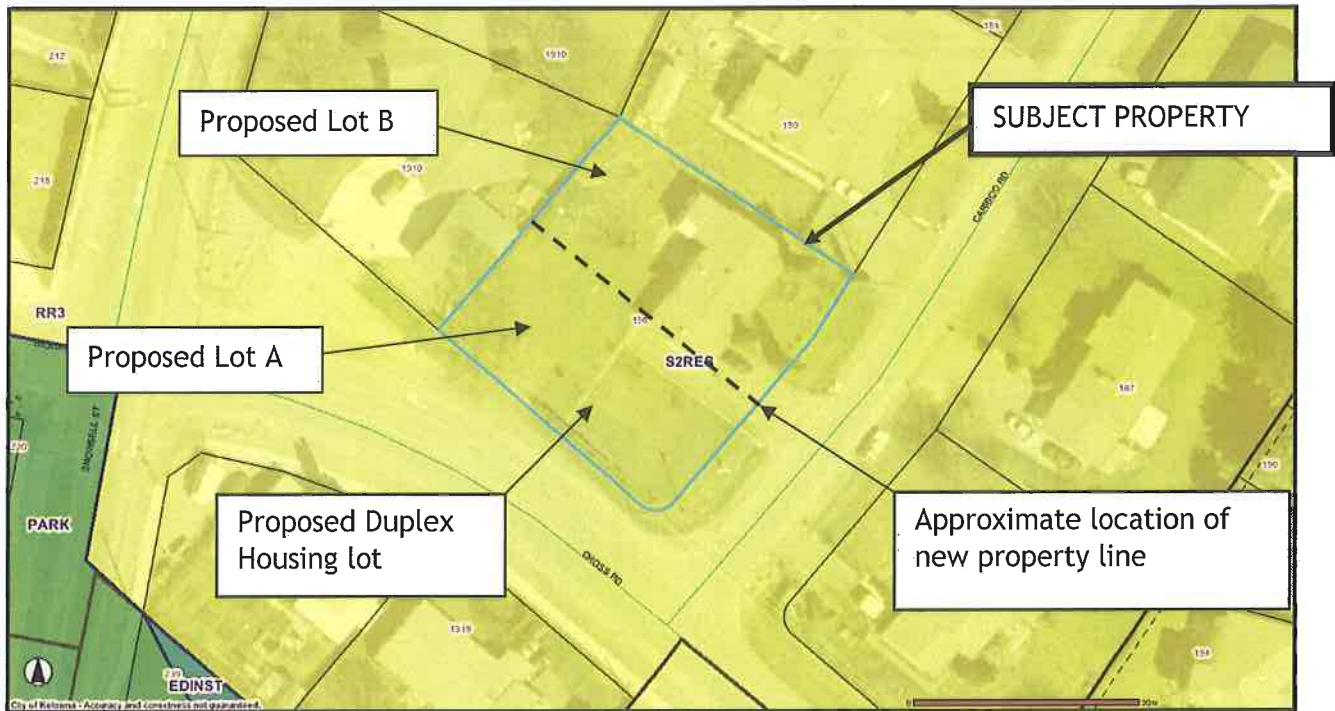
The subject property is located north of the intersection of Cross Road and Cariboo Road. The subject property is located across Cross Road at the northern boundary of the Glenmore Valley village centre.

The adjacent land uses are as follows:

- North West RR3 - Rural Residential 3Large Lot Housing (residential)
- North East RR3 - Rural Residential 3Large Lot Housing (residential)
- South West RR3 - Rural Residential 3Large Lot Housing (residential)
- South East RR3 - Rural Residential 3Large Lot Housing (residential)

Site Location Map

196 Cariboo Road



The proposed application meets the requirements of the RU1 - Large Lot Housing and the RU6 - Two Dwelling Housing zones as follows:

Zoning Analysis Table - Proposed LOT A		
CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	800 m ²	800 m ²
Lot Width	20.9 m	20.0 m
Lot Depth	38.43 m	30.0 m
Development Regulations		
Height	2 storey (6.14m)	2½ Storey or 9.5 m
Front Yard	6.15 m to garage	4.5 m 6.0 m to garage
Side Yard (flanking)	4.5 m to dwelling 6.0 m to garage	4.5 m 6.0 m to garage
Side Yard (north)	2.3 m (2 storey)	2.3 m (2 - 2½ Storey)
Rear Yard	6.0 m (1 - 1½ Storey) 7.5 m (2 - 2½ Storey)	6.0 m (1 - 1½ Storey) 7.5 m (2 - 2½ Storey)
Other Regulations		
Minimum Parking Requirements	4 stalls provided	2 stalls required per unit

Zoning Analysis Table - Proposed LOT B		
CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	685 m ²	550 m ²
Lot Width	20 m	16.5 m
Lot Depth	37 m	30.0 m
Development Regulations		
Height	1½ Storey (4.5 m)	2½ Storey or 9.5 m
Building Envelope		
Front Yard	10.6 m	4.5m 6.0 m to garage
Side Yard (south)	2.0 m	2.0 m (1 - 1½ Storey)
Side Yard (north)	2.98 m	2.0 m (1 - 1½ Storey)
Rear Yard	13.9 m	7.5m
Other Regulations		
Minimum Parking Requirements	2 stalls provided	2 stalls required

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

The subject property is designated as Single/Two Unit Residential in the OCP.

Infrastructure Availability¹. Give preference to supporting new housing in areas where required services already exist or can be provided most economically and efficiently;

Land Utilization within Single Detached Areas². 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;

Integration³. Encourage the sensitive integration of different housing forms in the various sectors of the City, in support of neighbourhood diversity and healthy communities;

6.0 Technical Comments

6.1 Building & Permitting Department

- 1) A building permit is required for the alteration to the existing garage.
- 2) Development Cost Charges (DCC) are to be collected at subdivision stage
- 3) Full Plan Check at time of Building Permit application.

¹ Official Community Plan, Policy #8-1.30

² Official Community Plan, Policy #8-1.35

³ Official Community Plan, Policy #8-1.44

6.2 Development Engineering Department

See attached comments

6.3 Fire Department

No objections

6.4 Irrigation District (G.E.I.D.)

See attached letter

6.5 Shaw Cable

Owner/developer to supply and install an underground conduit system per Shaw cable drawings and specifications

6.6 Terasen Utilities

No comment

7.0 Application Chronology

Date of Application Received: October 27, 2010

Advisory Planning Commission December 7, 2010

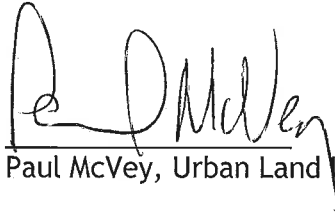
The above noted application was reviewed by the Advisory Planning Commission at the meeting on December 7, 2010 and the following recommendations were passed:

THAT the Advisory Planning Commission support Rezoning Application No. Z10-0091, for 196 Cariboo Road to allow the development of a duplex and subsequent stratification, and to rezone the remainder of the property to the RU1 - Large Lot Housing zone to allow the existing dwelling to remain as a single unit dwelling.

Anecdotal Comment: The Advisory Planning Commission supports the Rezoning Application as it is consistent with the Official Community Plan and has minimal impact on the neighbourhood.

Confirmation of servicing requirements with applicant; March 8, 2011

Report prepared by:



Paul McVey, Urban Land Use Planner

Reviewed by:



Danielle Noble Manager, Urban Land Use Management

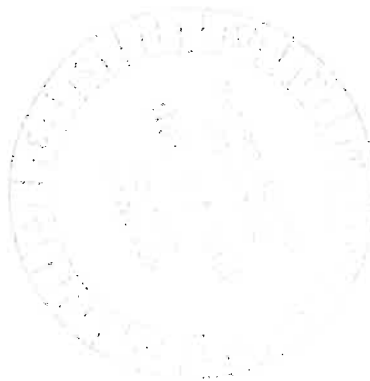
Approved for Inclusion:

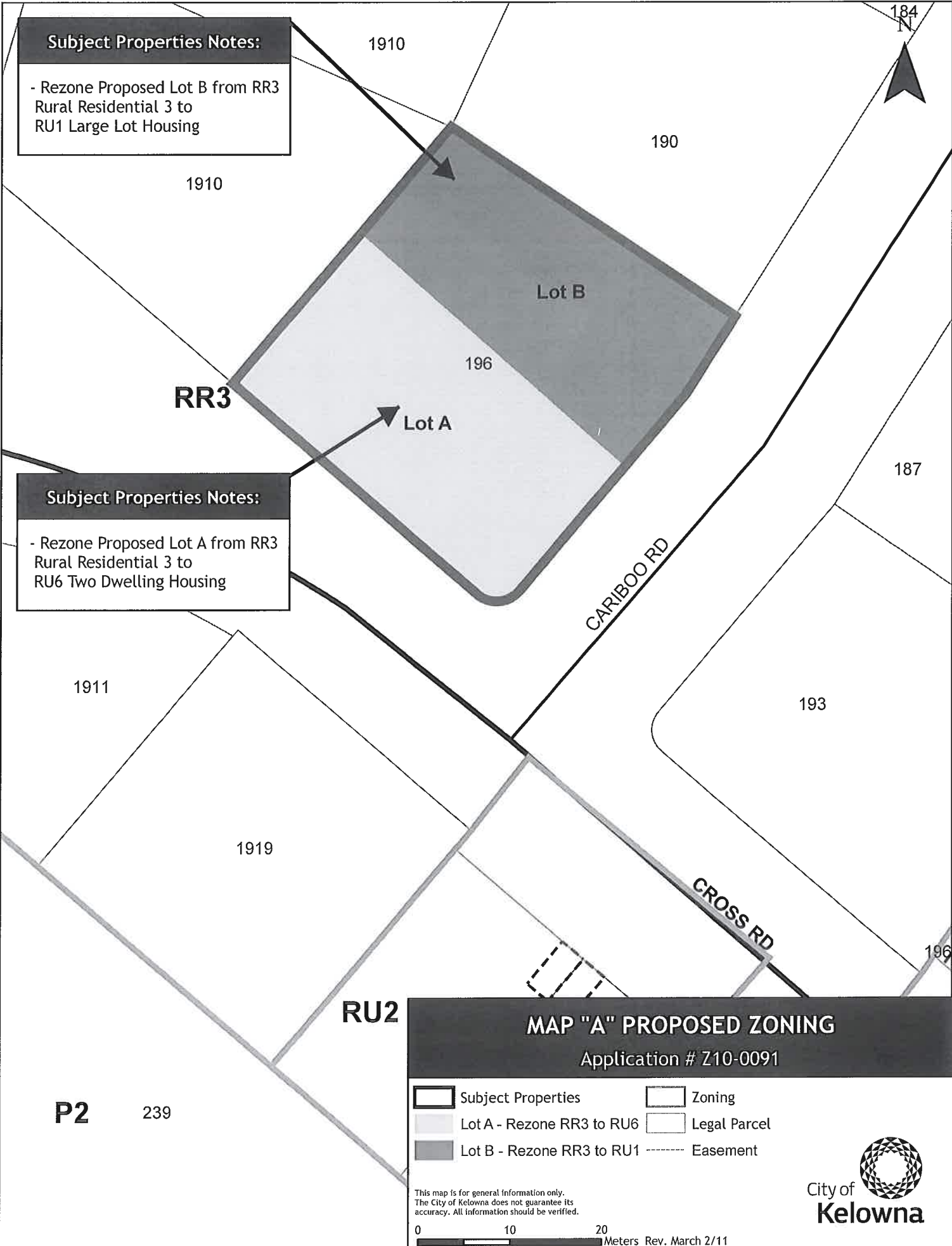


Shelley Gambacort, Director, Land Use Management

Attachments:

Location Map
Map "A"
Proposed Site Plan
Conceptual Building Elevations
Site Photos
Development Engineering Comments
Glenmore Ellison Improvement District Comments

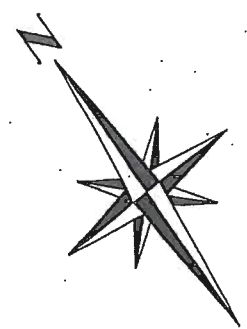
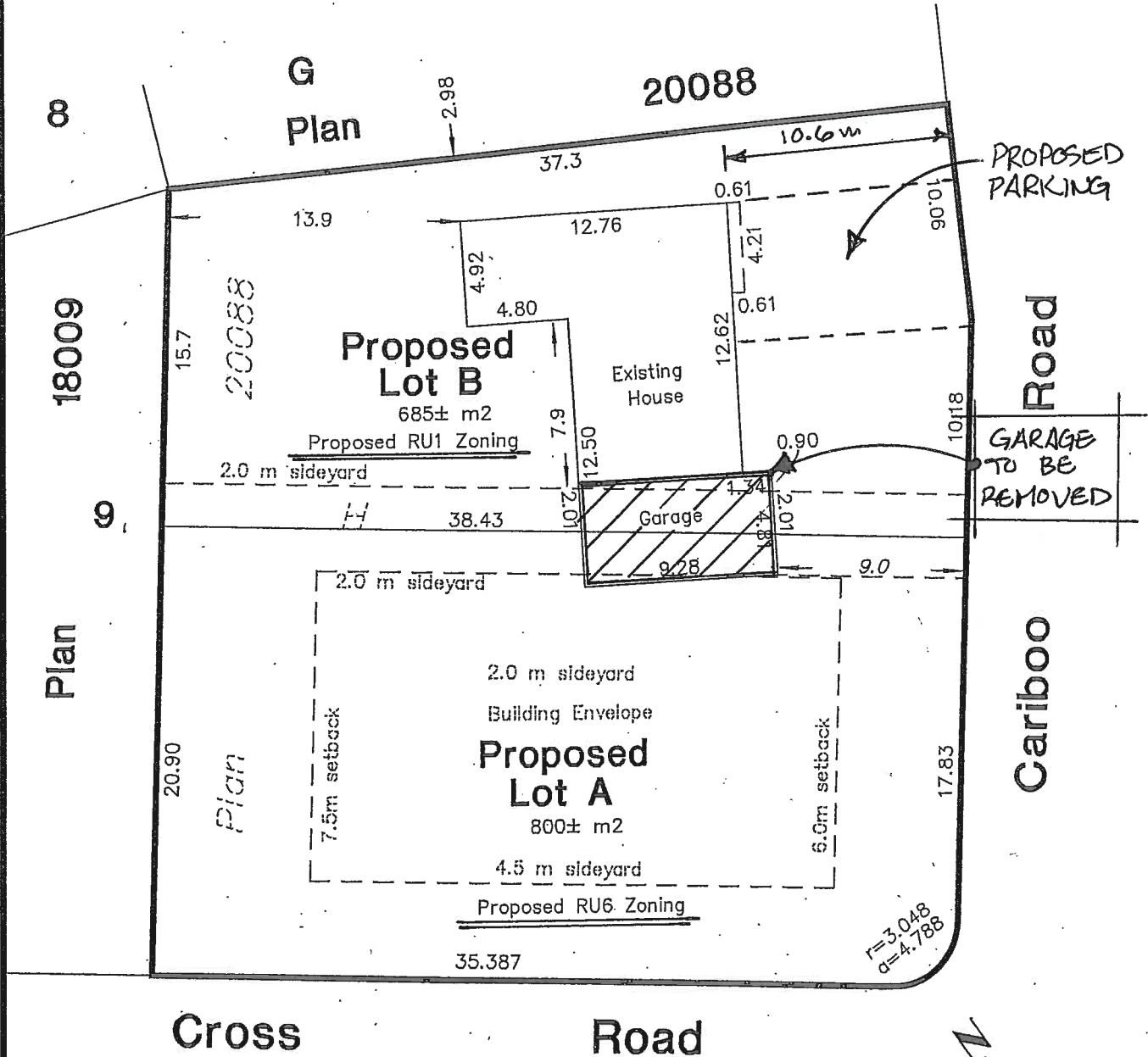


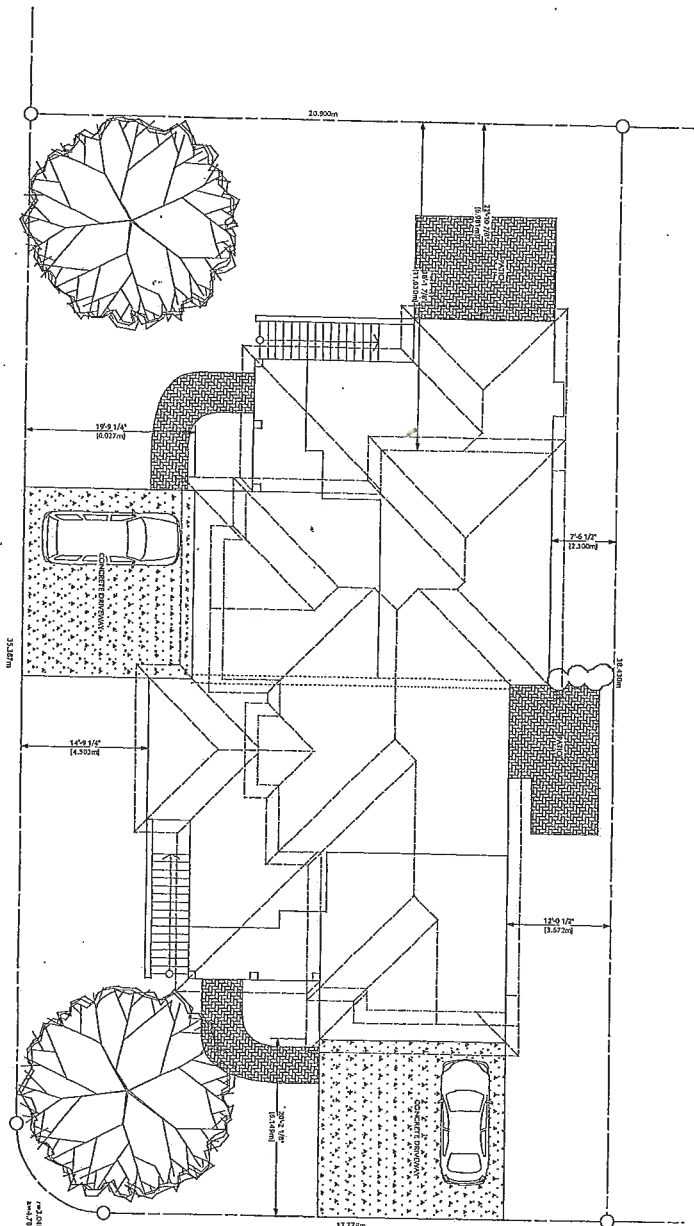


Proposed Plan Of Subdivision Based On RU1 & RU6 Zoning
Lot H, Sec 4, Tp 23, ODYD, Plan 20088.
196 Cariboo Road - Kelowna BC V1V 2E4

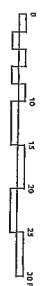


Scale 1:300 Metric





1 SITE PLAN
2008.11.13



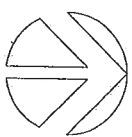
SITE PLAN of Proposed Lot 'A'

CARIBOO ROAD



HBS DESIGN
844 KESWICK AVENUE
V1W 4T5

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PROJECT NORTH

REVISION	DATE	DESCRIPTION

PROJECT	RESIDENTIAL DUPLEX
ADDRESS	196 CARIBOO ROAD KELOWNA, BC
LOT PLAN	LOT H PLAN 20088
DRAWING TITLE	SITE PLAN
DATE	OCTOBER 8, 2010
DRAWING NUMBER	3

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of
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CITY OF KELOWNA
MEMORANDUM

Date: December 13, 2010
File No.: Z10-0091

To: Land Use Management (PM)

From: Development Engineering Manager (SM)

Subject: 196 Cariboo Rd. - Rezoning Application – RR3 to RU6

WORKS AND SERVICES REQUIREMENTS

The City's Development Engineering Branch will handle the Works & Services requirements identified below between time of Preliminary Layout Review (PLR) and application for Subdivision Approval. Arrangements for construction must be made before making application for Final Approval of a subdivision plan.

The Development Engineering Technologist for this project is Derek Corning.

The following Works & Services are required for this rezoning:

.1 General

Provide utility easements as may be required by other providers.

.2 Geotechnical Report

We recommend that a comprehensive geotechnical study be undertaken over the proposed building site. The geotechnical study should be undertaken by a Professional Engineer or a Geoscientist competent in this field. This study should analyse the soil characteristics and suitability for development of the requested subdivision. As well, the study should address drainage patterns including the identification of ground water and the presence of any springs and the suitability of the lands for disposal of site generated storm drainage. In addition this study must describe soil sulphate contents, the presence or absence of swelling clays and the recommendation for foundations and construction over the decommissioned sewage disposal field.

.3 Water

- a) The property is located within the GEID service area. The developer is required to make satisfactory arrangements with the BMID for these items. All charges for service connection, and upgrading costs are to be paid directly to the BMID.

.4 Sanitary Sewer

The lot is adequately serviced with a 100mm sanitary service.

.5 Drainage

The Subdivision, Development and Servicing Bylaw require that each lot be provided with an individual connection; however, the City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydro-geotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.

.6 Roads and Dedication

- a) Cariboo Road fronting this property must be constructed to a full urban local standard complete with curb and gutter, sidewalk, storm drainage system, fillet pavement, and adjustment and, or re-location of existing utility appurtenances if required to accommodate this construction. The estimated cost of this work, for bonding purposes, would be **\$20,800.00**, inclusive of a bonding contingency.
- b) Cross Road fronting these properties must be constructed to a full urban collector standard complete with curb and gutter, sidewalk, storm drainage system, fillet pavement, and adjustment and, or re-location of existing utility appurtenances if required to accommodate this construction. The estimated cost of this work, for bonding purposes, would be **\$16,000.00**, inclusive of a bonding contingency.

.7 Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground.
- b) If the existing area is served by overhead wiring, the service connections may be provided overhead provided that there are no new poles required and service trespasses will not be created. If either of these conditions is not satisfied, then underground service will be required for that lot.
- c) Streetlights must be installed on all roads. Design drawings must be submitted.
- d) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- e) Before making application for approval of your subdivision plan, please make arrangements with FortisBC for the pre-payment of applicable

charges and tender a copy of their receipt with the subdivision application for final approval.

.8 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.

.9 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.

.10 Other Engineering Comments

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as B.C. Gas, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

.11 Charges and Fees

- a) Fees per the "Development Application Fees Bylaw" include:
 - i) Survey Monument, Replacement Fee: \$1,200.00 (HST exempt) – only if disturbed.
 - ii) Engineering and Administration Fee: 3% of construction value if applicant performs works (plus HST).

b) Bonding

Cariboo Road frontage Improvements	\$ 20,800
Cross Road frontage improvements	\$ 16,000

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 **\$18,000.00 (Cariboo) and \$13,900.00 (Cross)**.

Steve Muenz, P.Eng.
Development Engineering Manager
DC



Glenmore-Ellison Improvement District

445 Glenmore Road
Kelowna, BC V1V 1Z6



Phone: 250-763-6506

December 1, 2010

Email: glenmore.ellison@shaw.ca

Website: www.glenmoreellison.com

Fax: 250-763-5688

Land Use Management Dept
City of Kelowna
1435 Water Street
Kelowna, BC V1Y 1J4

Attention: Paul McVey

**Re: File: Z10-0091 & DP10-00143 – Schulz
Subdivision Application S10-0067
Lot H, Plan 20088 – 196 Cariboo Rd.**

Glenmore-Ellison Improvement District (GEID) has completed an initial review of the rezoning and subdivision application of Lot H, Plan 20088 situated at 196 Cariboo Rd. to permit the creation of a one lot subdivision zoned to permit a duplex.

Capital Expenditure Charges (CEC's)

The subject property is located within GEID boundaries. At present, the property is classified with 0.37 acres of "C2" Grade (property between 1/3 acre and 1 acre) with one single family residence. GEID Bylaw #84 (as amended by Bylaw #87) provides a listing of CEC rates for various types of development. All rates are subject to change without notice, and CEC's will be charged as per the Bylaw that governs at the time of payment.

According to the application, the proposed zoning for Lot A will be RU6 therefore CEC's will be charged at an irrigated rate of \$2,304.00 per unit for the newly created Lot A. CEC's are considered to have been paid for Lot B.

Payment of CEC's must be by a stand-alone cheque and cannot be combined with any other charges.

1. Waterworks

The property is currently serviced with a single family service to the property boundary from GEID's water main on the east side of Cariboo Rd. At subdivision, the existing service will be designated to supply the present dwelling on Lot B. Two (2) – 3/4" service connections will be installed by GEID to property line of Lot A to supply water to the duplex. A deposit of \$2,000 for two (2) service installations is required with actual costs billed upon completion of the work. The applicant is responsible for all costs for such work.

2. Metering

Lot B - No meter is required for the existing house at this time.

Lot A – All new residences built since 2004 have required meters. Two meters, one per unit, will be required and charged at the rate in force when application is received for a building permit for the duplex. Meter inspection fees will also be included in charges for the meters.

3. Connection Inspection Fees

At time of building permit application, connection inspection fees will be charged at the rate in force for Lot A in order for GEID forces to inspect the on-site plumbing tie-in.

4. New Account Fees

GEID Bylaw #76 states that all new accounts or transfer of ownership shall pay a fee of \$20.00/unit. A new account fee of \$20.00 is applicable for Lot A.

The current application for Lot A does not indicate whether the duplex will be stratified or not. If the duplex is stratified, an additional \$20.00 new account fee will apply.

5. Other

Subdivision to Lot A and B will result in the properties being classified as C1 grade (land with less than 1/3 acre). Charges for Lot B will be amended to one domestic toll and C1 tax. A new account for Lot A will be set up with a C1 tax only. Two domestic tolls will apply to Lot A after a building permit is issued for that lot.

If the applicant decides to stratify Lot A, the lot will be re-classified from C1 to S1 (strata works owned by GEID) and S1 rates will apply. The S1 rate for 2010 is \$175 per acre or \$35 for 0.19 acre.

6. Summary of Payables (CEC's must be paid by separate cheque at time of subdivision)

CEC's for 2 units, Lot A, zoned RU6	\$2,304.00 ea	\$4,608.00
Deposit for 2 connections for Lot A	\$2,000.00	
<u>New Account Fee for Lot A</u>	<u>20.00</u>	<u>\$2,020.00</u>
Total		\$6,628.00

Payment of the above fees, in two separate cheques, will be required in order for a water letter to be issued to the applicant at time of subdivision. Please note that the above CEC rates are based on the proposed RU6 zoning of Lot A.

If you have any questions on this issue, please contact me at (250) 763-6506.

Sincerely,

GLENMORE-ELLISON IMPROVEMENT DISTRICT



Darren Schlamp, B.Sc.
Operations Manager

cc: Siegfried Schulz (via email: dschulz@shaw.ca)