

# Memo



**Date:** April 27, 2011

**To:** City Manager

**From:** Land Use Management, Community Sustainability (BD)

**Application:** Z11-0018

**Owner:** Gwynne Johnson

**Address:** 1500 Friesen Road

**Applicant:** Gwynne Johnson

**Subject:** Rezoning Application

**Existing OCP Designation:** Single/Two Family Residential

**Existing Zone:** RR3 - Rural Residential 3

**Proposed Zone:** RU6 -Two Dwelling Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z11-0018 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 14, Section 35, Township 26, ODYD Plan 18660, located on Friesen Road, Kelowna, BC from the RR3 - Rural Residential 3 zone to the RU6 -Two Dwelling Housing zone, be considered by Council;

AND THAT Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of Zone Amending Bylaw be considered subsequent to the discharge of the restrictive covenant;

AND THAT final adoption of Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction.

## 2.0 Purpose

To rezone the subject property from the RR3 - Rural Residential 3 zone to the RU6 - Two Dwelling Housing zone to construct a duplex.

## 3.0 Land Use Management

The applicant is seeking to rezone to allow for the construction of a new duplex. The proposed building will create a greater density on the site than generally found in this neighbourhood and would appear to stray from the existing rhythm of the street. Given that this area had sewer installed in 2005, it is reasonable to expect that neighbouring sites will see redevelopment and possible increased densities in the near future. The plan seeks to maximize the corner lot by facing each side of the duplex on a separate street frontage.

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The proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area. Policies within the Official Community Plan support the sensitive integration into existing neighbourhoods, where services are already in place and densification can easily be accommodated. As the immediate surrounding area is rural in nature with modest older homes on large lots, the proposal does not reflect the current neighbourhood pattern that is well established. However given the urban amenities in the area and the close proximity to similar duplexes on corner lots further south along Friesen Road, this application may be the first to upgrade the housing stock in the immediate neighbourhood. The applicant is re-developing the site comprehensively rather than adding housing units to the parcel in a piecemeal fashion and this will result in a more thoughtful and aesthetically pleasing duplex site.

A Development Permit for form and character will be evaluated at a Staff level should the land use be favourably supported.

## 4.0 Proposal

### 4.1 Project Description

The applicant is seeking to demolish the small existing building on the site and replace it with a duplex. Each 3 bedroom duplex unit is proposed to be 202 m<sup>2</sup> (2,175 sq. ft) in size. Each has ample indoor parking in a two car garage. The required private outdoor space is easily achieved on this large lot. Basic landscaping is proposed for the site which includes a number of trees.

### 4.2 Site Context

The subject property is the on the corner of Friesen Road and Edith Gay Road in Rutland. The site is in close proximity to Edith Gay Park and transit routes along Rutland Road. The adjacent land uses in all directions are RR3 - Rural Residential 3.

### 3.3 Subject Property: 1500 Friesen Road



### 3.4 Zoning analysis

The proposed application meets the requirements of RU6- Two Dwelling Housing zone as follows:

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS (FOR A DUPLEX)
Subdivision Regulations		
Lot Area	1016 m <sup>2</sup>	800 m <sup>2</sup>
Lot Width (street frontage)	26.91 m	20.0 m
Lot Depth	37.19 m	30.0 m
Development Regulations		
Site Coverage (buildings)	30 %	40%
Site Coverage (buildings/parking)	40 %	50%
Proposed Duplex		
Height	2 storeys / 8 m	2 ½ storeys / 9.5 m
Front Yard	7.92 m	4.5 m or 6.0 m to a garage
Side Yard (east)	2.31 m	2.3 m (2 - 2 ½ storey)
Side Yard (west)	5.56 m	2.3 m (2 - 2 ½ storey) or 4.5 m for a flanking street
Rear Yard	7.56 m	7.5 m (2 - 2 ½ storey)
Other Requirements		
Parking Stalls (#)	4 spaces	4 spaces
Private Open Space	meets requirements	30 m <sup>2</sup> of private open space per dwelling

### 5.0 Current Development Policies

#### Kelowna 2020 - Official Community Plan

Housing Policies:

**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;

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

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

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

**Development Permit Objectives:**<sup>4</sup>

All new development should respect the scale and general character of the houses and the landscape of the neighbourhood in which it is built.

All new development should be sensitive to the privacy of adjacent neighbours and the privacy of individual dwelling units on a lot.

The design of all new development should be derived from the existing building, in the case of an addition to a building and the addition of a new single detached building on a lot, or from surrounding buildings, in the case of new construction.

## **6.0 Technical Comments**

### **6.1 Building & Permitting Department**

1) Demolition Permit required for the existing structure.

2) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.

3) Full Plan check for Building Code related issues will be done at time of Building Permit applications.

### **6.2 Development Engineering Department**

See Attached.

### **6.3 Fire Department**

There should be two addresses visible from the main road.

## **7.0 Application Chronology**

Date of Application Received: March 14, 2011

Advisory Planning Commission April 12, 2011

The above noted application was reviewed by the Advisory Planning Commission at the meeting on April 12, 2011 and the following recommendations were passed:

THAT the Advisory Planning Commission support Rezoning Application No. Z11-0018, for 1500 Friesen Road, to rezone the subject property from the RR3 - Rural Residential 3 to the RU6 - Two Dwelling Housing zone to facilitate the construct of a duplex.

### **Anecdotal Comment:**

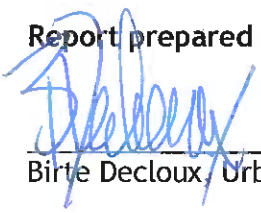
The Advisory Planning Commission did support the Application and commends the Applicant on the quality of the design and its sensitive integration.

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

<sup>4</sup> Official Community Plan, Policy #8 - Objectives

**Report prepared by:**

  
Birte Decloux, Urban Land Use Planner

**Reviewed by:**



Danielle Noble Manager, Urban Land Use Management

**Approved for Inclusion:**



Shelley Gambacort, Director, Land Use Management

**Attachments:**

Subject Property Map

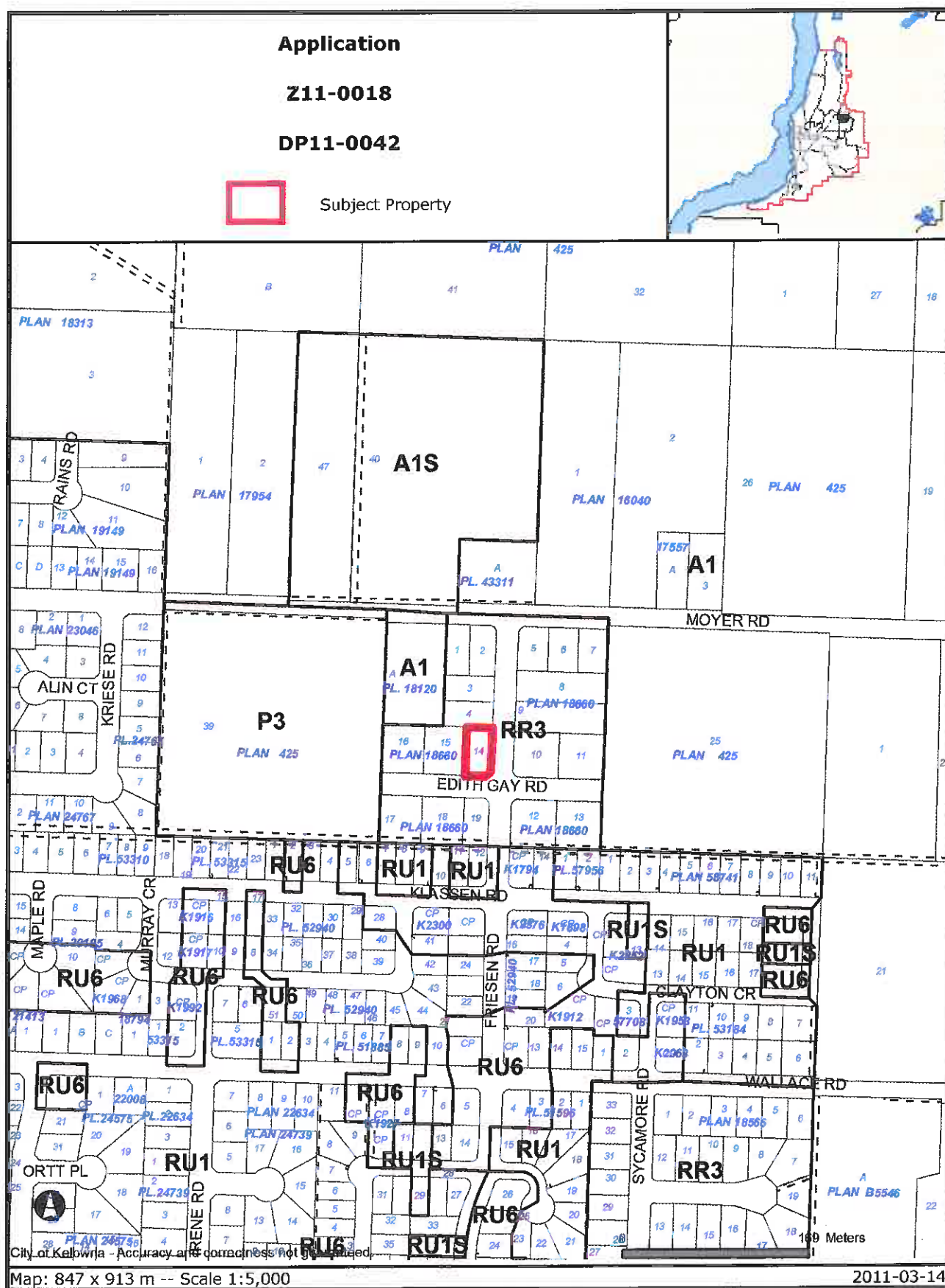
Site Plan

Conceptual Elevations

Landscape Plan

Context/Site Photos

Development Engineering Comments

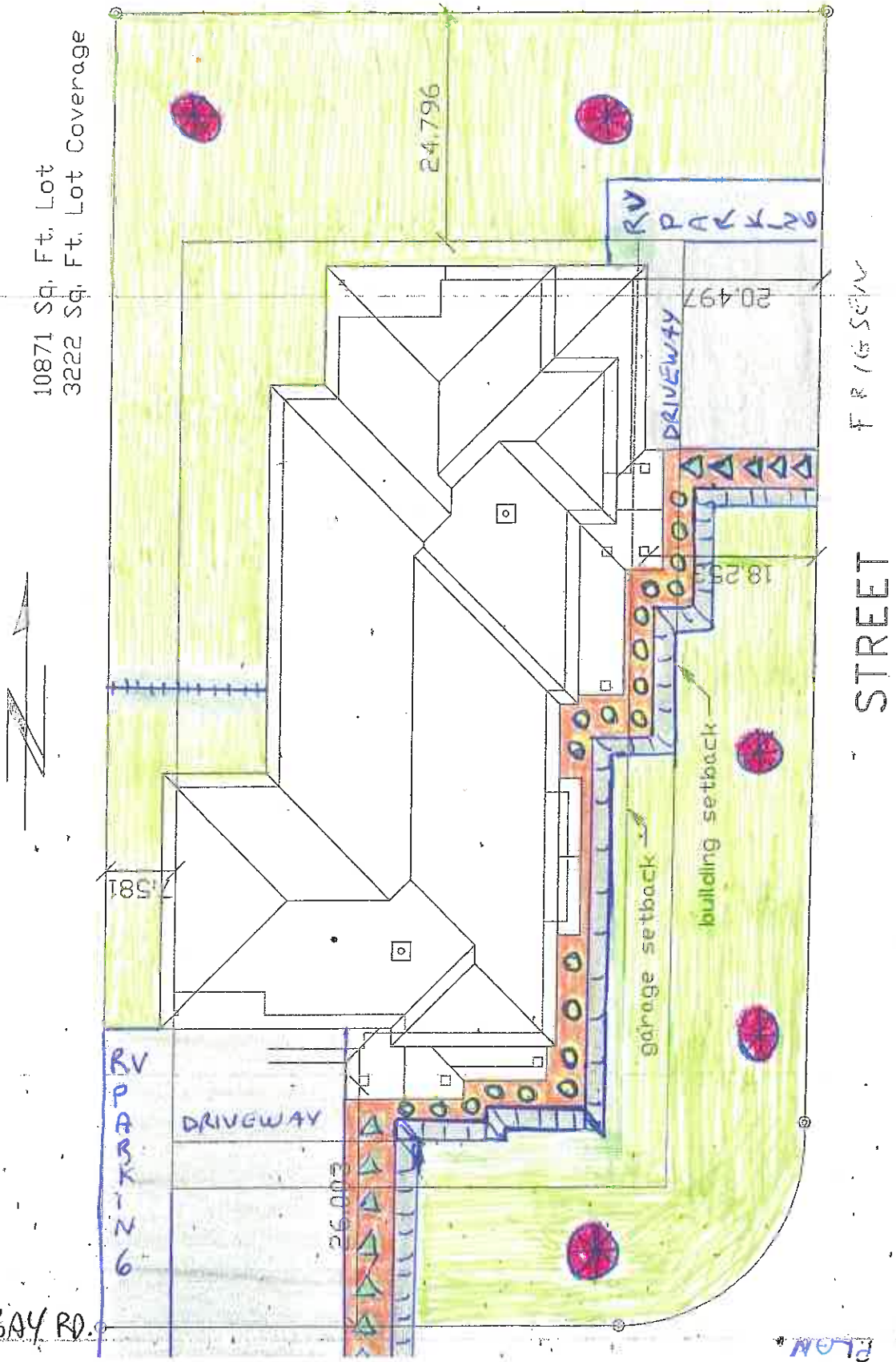


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.



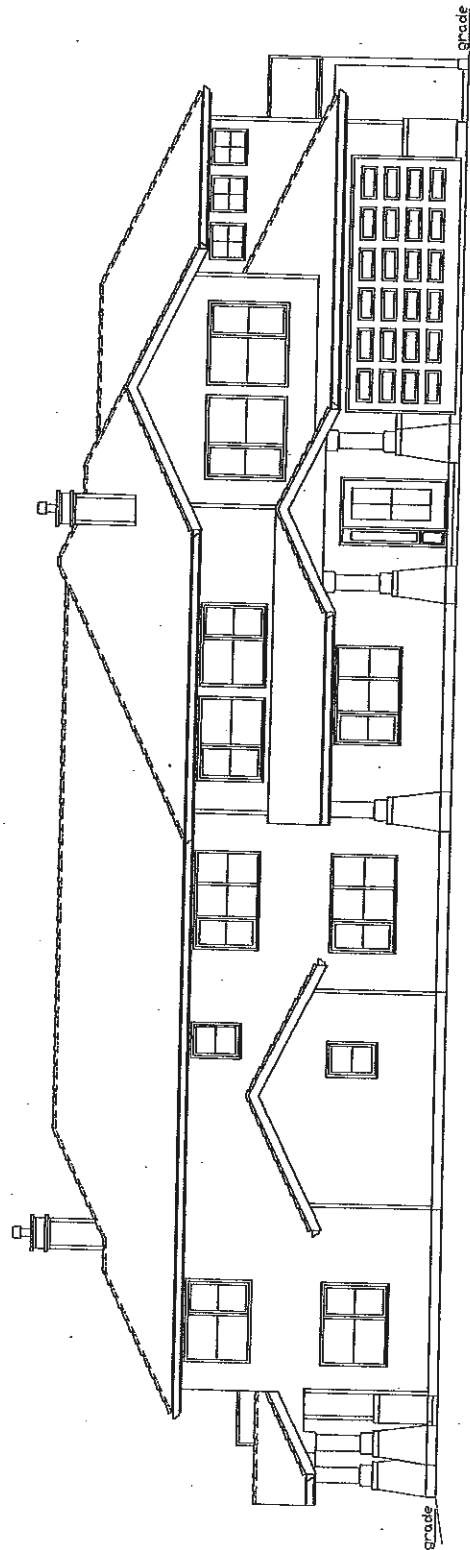
EDITED 604 RD.

LANDSCAPE PLAN



FRIESEN RD

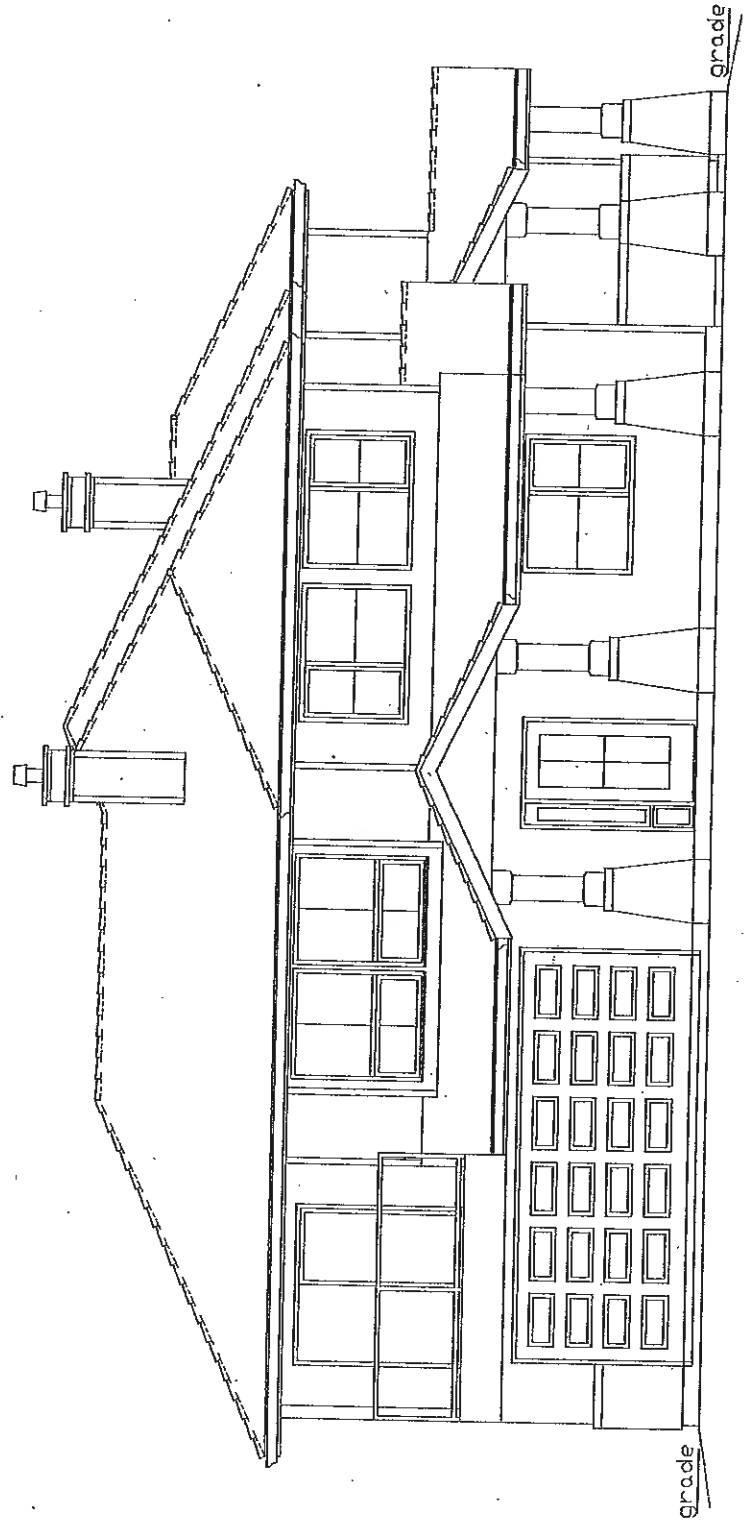
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FRIESEN - EAST FACING



(2)



EDITH GAY - SOUTH FACING

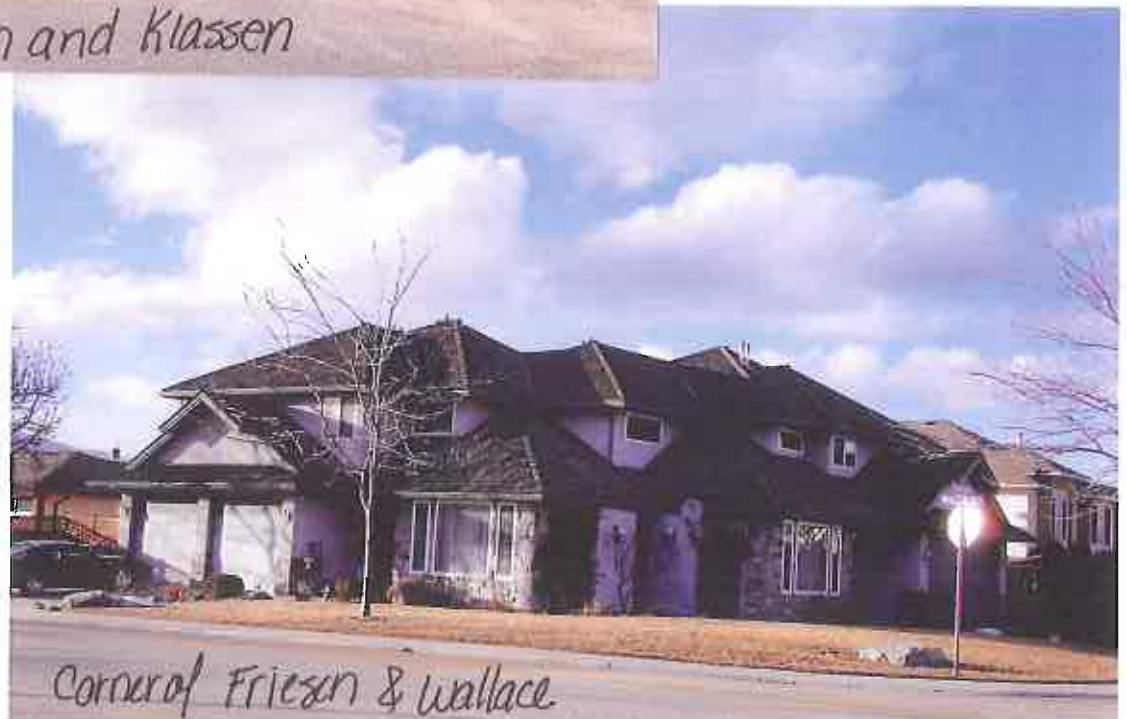
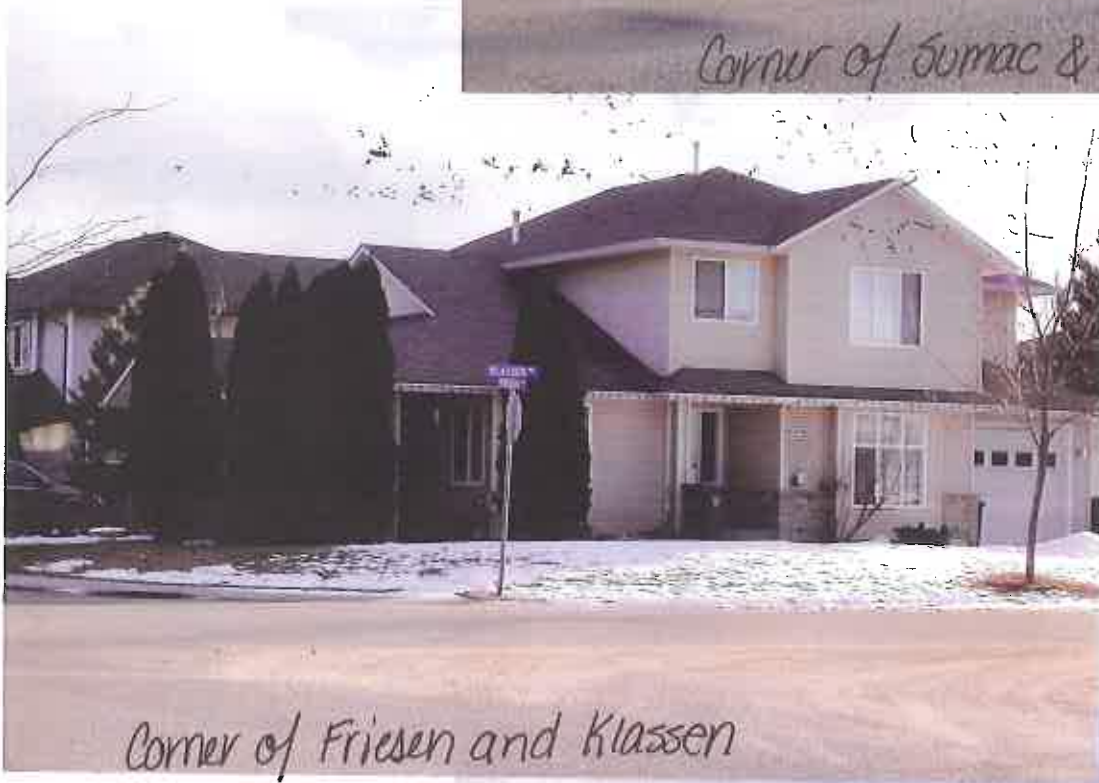


NORTH



SOUTH

Examples  
of duplex's  
on Friesen Road.



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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** March 31, 2011  
**File No.:** Z11-0018  
**To:** Planning & Development Services Department (BD)  
**From:** Development Engineer Manager (SM)  
**Subject:** 1500 Friesen Road, Lot 14, plan 18660, Section 35 Township 26, ODYD.

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The Development Engineering comments and requirements regarding this application to rezone the subject property from RU1 to RU6 are as follows:

1. General

- a) Provide easement as may be required.

2. Geotechnical Study.

A comprehensive Geotechnical Study is required (3 reports), which is to be prepared by a Professional Engineer competent in the field of geotechnical engineering, the study is to address the following:

- a) Overall site suitability for development.
- b) Presence of ground water and/or springs.
- c) Presence of fill areas.
- d) Presence of swelling clays.
- e) Presence of sulfates.
- f) Potential site erosion.
- g) Provide specific requirements for footings and foundation construction.
- h) Provide specific construction design sections for roads and utilities over and above the City's current construction standards

3. Domestic water and fire protection.

This development is within the service area of the Black Mountain Irrigation District (BMID). 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. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with current requirements for the proposed development.



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. The installation of a second service at the cost of the owner will be required to meet current policy.

4. Sanitary Sewer.

- a) The subject property is serviced by the Municipal wastewater collection system and is located within specified area (LAS) #20.
- b) The developer will be responsible to pay the sanitary Sewer Specified Area #22F charge for each of the proposed units. The charge is currently set at \$4,267.50 (Until April 30, 2011) per Single Family Equivalent (SFE). The SFE is calculated as follows: 1.4 units (duplex) less 1 unit cash commuted on March 03 2005= 0.4 SFE. The total charge is **\$1,707.00**.
- c) Should a new sanitary service, sized to accommodate the proposed development be required, the redundant 100 mm. diameter service must permanently disconnected. The cost of disconnecting the old services and installing a new service will be determined when an application for the new service is received by the City Inspection Services Department

5. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual, is a requirement of this application. The drainage study should indicate the size and location of the ground recharge system.

6. 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.

7. Road improvements.

a) Friesen Road

The applicant is responsible for the frontage upgrade of Friesen Road to a paved urban standard (SS-R3). The construction consists of curb, gutter, sidewalk, fillet paving, storm drainage works with pipe, manhole, catch basin, removal and/or relocation of utilities as may be required, etc. The estimated cost for this work, for bonding purpose, would be **\$35,000.00**, inclusive of a bonding contingency (Utility poles relocation not included).

b) Edith Gay Road

The applicant is responsible for the frontage upgrade of Edith Gay Road to a paved urban standard (SS-R3). The construction consists of curb, gutter, sidewalk, fillet paving, storm drainage works with pipe, manhole, catch basin, removal and/or relocation of utilities as may be required, etc. The estimated cost for this work, for bonding purpose, would be **\$20,900.00**, inclusive of a bonding contingency (Utility poles relocation not included).

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 offsite 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 Terasen, 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



11. DCC Credits.

None of the required improvements qualify for DCC credit consideration, as these upgradings are not identified in the current DCC schedules.

12. Bonding and Levies Summary.

## a) Performance Bonding

Friesen Road frontage upgrading	\$ 35,000.00
Edith Gray Road frontage upgrading	<u>\$ 20,900.00</u>
Total Bonding	<u><b>\$ 55, 900.00</b></u>

## b) levies

Specified Area #20 charges	<b>\$ 1,707.00</b>
Inspection & Administration fee (incl. HST)	<b>\$ 1,386.33</b>

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 **\$39,500.00** (\$24,900 +\$14,600). The storm drainage is computed at a 50% contribution and the Inspection & Administration fee would not be applicable.

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Steve Muenz, P.Eng.  
Development Engineering Manager

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