

Memo



Date: September 2, 2011
To: City Manager
From: Land Use Management, Community Sustainability (JM)
Application: Z11-0059 **Owner:** Fred & Shelley Schmidt
Address: 1455 Collison Road **Applicant:** C. Gavel Homes & Consulting (Clint Gavel)
Subject: Rezoning Application
Existing OCP Designation: Single / Two Unit Residential
Existing Zone: RU1 - Large Lot Housing
Proposed Zone: RU6 - Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z11-0059 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot E, Section 22, Township 26, ODYD, Plan 11943, located on 1455 Collison Road, Kelowna, BC from the RU1 - Large Lot Housing 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 a Development Permit for the form and character of the second dwelling be applied for prior to final adoption of the zone;

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

2.0 Purpose

To consider a proposal to change the zoning category of the subject property from RU1 to RU6 in order to allow the development of a second single detached house on the parcel.

3.0 Land Use Management

Land Use Management is generally supportive of the proposed development. The proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area. There are already several examples of two dwelling housing development in the vicinity, including the abutting property to the west. Further, given the size of the subject property the

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addition of a single detached dwelling and the proposed siting that replaces the existing accessory building, it is anticipated to have minimal impact on abutting properties.

4.0 Proposal

4.1 Background

In 2007, the applicants received a permit to relocate a dwelling from 537 Martin Avenue to the subject property. In conjunction with this, the applicant was required to obtain a demolition permit to decommission the existing dwelling on the parcel to the status of an accessory building. This accessory building is proposed to be completely demolished as part of this proposal.

The subject property is situated within a Natural Environment Development Permit Area for the protection of groundwater resources. The applicant will be required to address this issue at the Building Permit stage, where they may qualify for an exemption. The proposed development is also subject to a development permit for the form and character of the second dwelling unit, which will be addressed, should the land use be supported by Council.

4.2 Project Description

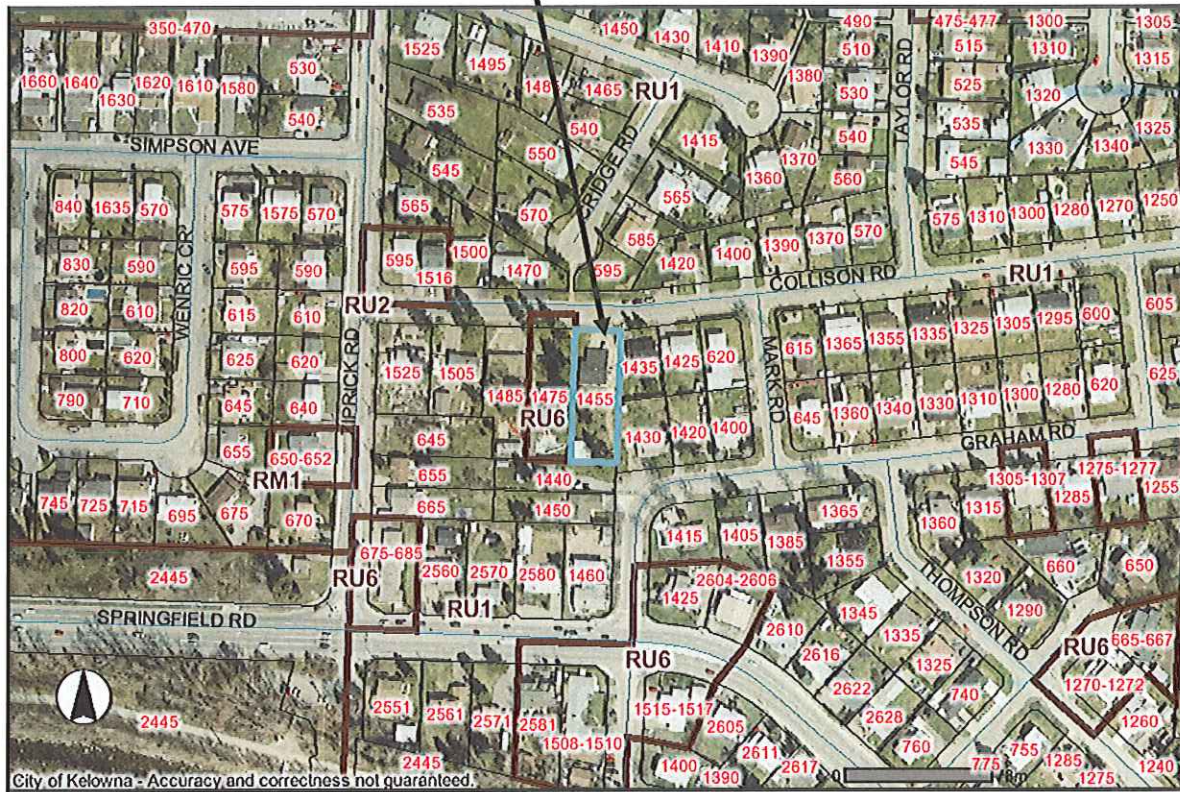
The subject property presently contains a principal single detached home towards the front of the parcel, and several accessory structures at the rear of the parcel. The applicant proposes to remove the structures at the rear of the parcel in order to replace them with a new single detached home. In total, it is proposed that the parcel contain one single detached home towards the front (existing) and a second single detached home towards the rear (proposed).

Access for the second home is provided via a driveway along the east property line that branches off of the driveway access for the existing dwelling. Each dwelling contains a carport capable of accommodating the off-street parking required. The proposal meets all required zoning bylaw standards and provides ample private open space for each single detached dwelling unit.

4.3 Site Context

The subject property is located on the south side of Collison Road approximately 100m east of its intersection with Ziprick Road. The surrounding area is characterized by low density single dwelling housing predominantly zoned RU1, with some examples of RU6 and RU1s zoning in the vicinity.

4.4 Subject Property Map: 1455 Collison Road



4.5 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	1729m ²	700m ²
Lot Width	24.4m	18.0m
Lot Depth	70.7m	30.0m
Development Regulations		
Site Coverage	34.3%	50% including parking areas
Height	3.84m / 1 storey	9.5m / 2 ½ storeys
Building Separation	28.7m	4.5m
Front Yard	12.1m	6.0m
Side Yard (east)	6.05m	3.0m
Side Yard (west)	2.05m	2.0m
Rear Yard	6.05m	6.0m
Other Regulations		
Minimum Parking Requirements	2	2
Private Open Space	exceeds	30m ² per dwelling

5.0 Current Development Policies

Kelowna 2030 - Official Community Plan

No supporting policy information is available in *2030 Kelowna Official Community Plan*. Housing policy documentation is expected to be reviewed by Council shortly.

Policy 5.2.3 Complete Suburbs.¹ Support a mix of uses within Kelowna's suburbs (see Map 5.1 - Urban Core Area), in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 - Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context.

Policy 5.3.2 Compact Urban Form.² Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

6.0 Technical Comments

6.1 Building & Permitting Department

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

6.2 Development Engineering Department

See attached Memorandum, dated August 15, 2011.

6.3 Fire Department

An unobstructed and easily distinguishable firefighter access path, of 1100 mm, from the street to the back of the property line as well to the secondary detached home main entrance is required. If a fence is ever constructed between the dwellings an 1100 mm, clear width, gate is required. Any gate is to open with out special knowledge. The addresses for both residences are to be visible from Collison Rd.

¹ Official community plan Objective 5.2 Community Sustainability

² Official community plan Objective 5.3 Focus development to designated growth areas.

6.4 School District No. 23

No comment.

6.5 Shaw Cable

Owner/developer to supply/install underground conduit system.

6.6 Fortis BC

No objections.

7.0 Application Chronology

Date of Application Received: July 12, 2011

Advisory Planning Commission August 2, 2011

The above noted application was reviewed by the Advisory Planning Commission at the meeting on August 2, 2011 and the following recommendations were passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z11-0059 for 1455 Collison Road to rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone in order to construct a second single-family dwelling.

Anecdotal Comment:

The Advisory Planning Commission supported the rezoning application because it's consistent with the zoning of the immediate adjacent property; however, the Advisory Planning Commission encourages the property owner to deal with the concerns raised by the property owner adjacent to their property with respect to property maintenance.

Report prepared by:



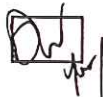
James Moore, Land Use Planner

Reviewed by:



Danielle Noble Manager, Urban Land Use Management

Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management



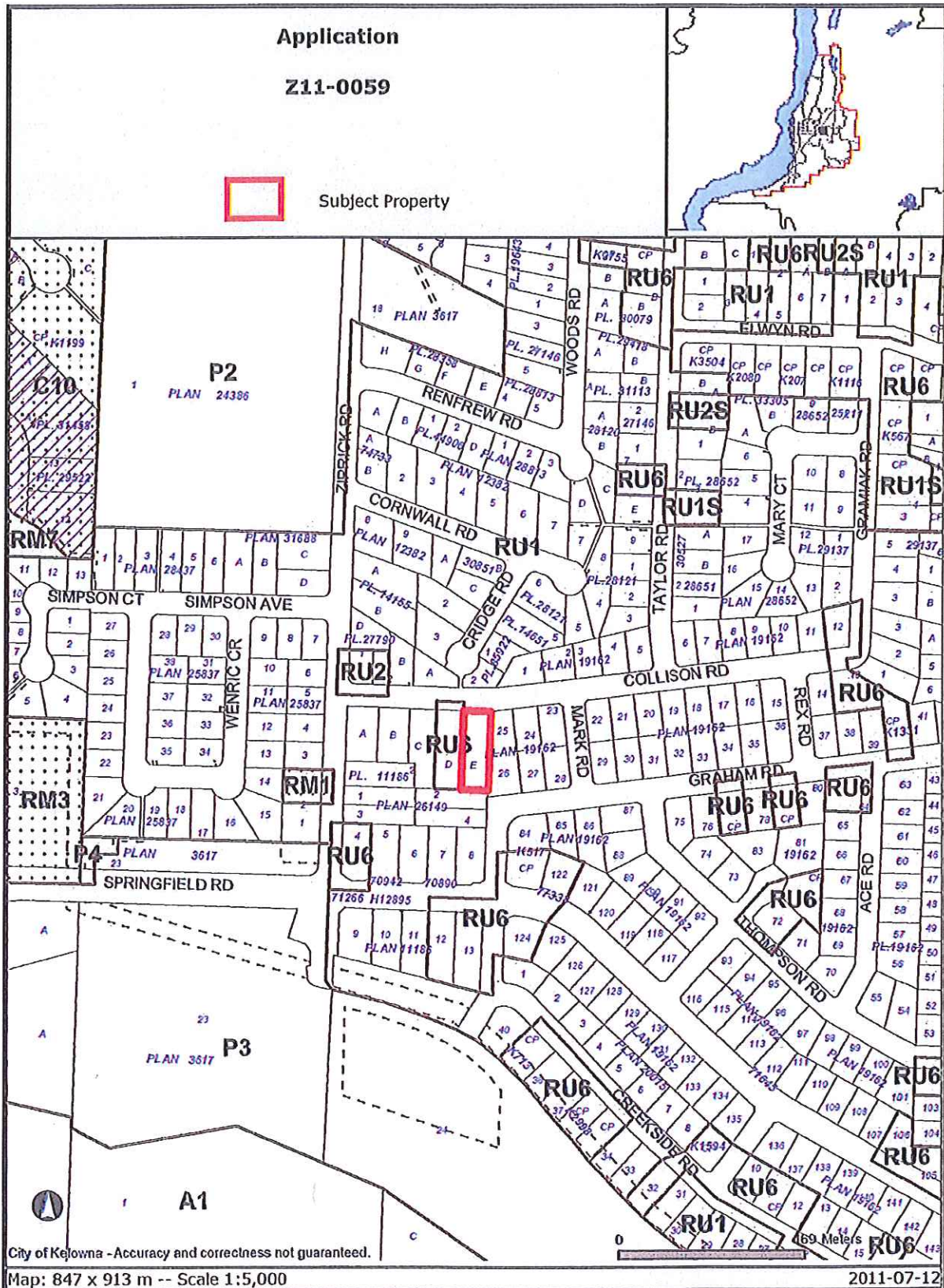
Attachments:

Subject Property Map

Site Plan

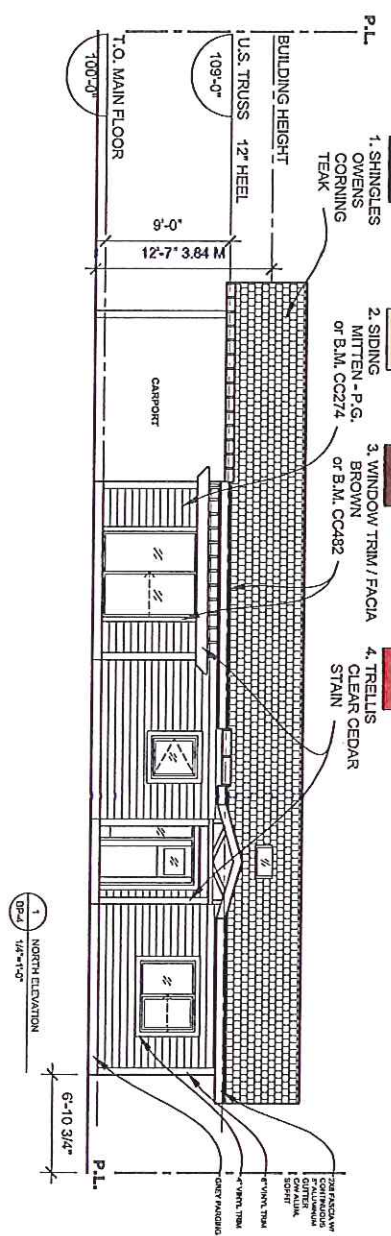
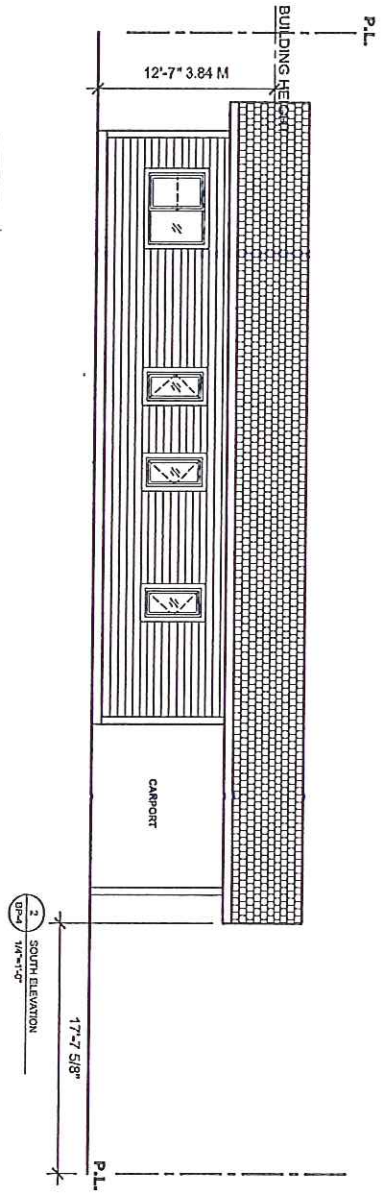
Conceptual Elevations

City of Kelowna Memorandum, dated August 15, 2011



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.

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SCHUBERT ARCHITECTS
 1455
 COLLISON RD.
 KILLWICK, NC

C. Gerald Holmes & Consulting
 300007 Winham Road
 Killwicks, NC 27509
 919.486.4707
 cgholmes@schubert.com

SCALE: AS SHOWN
 DRAWN: CG
 DATE: JAN 30, 2011

BP-4

NO.	DATE	DESCRIPTION
1	1/30/11	ISSUED FOR PERMIT

CITY OF KELOWNA

MEMORANDUM

Date: August 15, 2011
File No.: Z11-0059
To: Planning & Development Services Department (JM)
From: Development Engineer Manager (SM)
Subject: 1455 Collison Road – Lot E, Plan 11943, Sec. 22, Twp. 26, ODYD

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

1. Subdivision

Provide easements as may be required

2. Geotechnical Study.

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 zoning. 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 construction over the decommissioned sewage disposal field should it encroach on the proposed second building envelope

3. Domestic water and fire protection.

This development is within the service area of the Rutland Waterworks District (RWWD). A second service is required in order to meet current policies. The developer is required to make satisfactory arrangements with the RWWD for these items. All charges for service connection and upgrading costs are to be paid directly to the RWWD. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with current requirements. A second service is required to meet current policy for Duplex properties.

4. Sanitary Sewer.

- a) The property is located within Specified Area # 23 and in accordance with the City of Kelowna current policy, the specified charges for the proposed RU6 development will have to be cash commuted. The current pay out charge for an RU6 lot with two separate dwelling is \$7,340.00 per SFE (Single Family Equivalent). The payout amount for this application is 2.0 SFE less the 1.0 SFE paid in 2008 for a total of \$7,340.00 (valid until March 31, 2012).

- b) The existing 100 mm. service is adequate and meets current regulations for the requested zone.

5. Power and Telecommunication Services.

It is recommended that all the services to the subject property be installed underground. The services to the existing dwelling may remain overhead as long as there is no trespass on any portion of potentially created strata lots. The service to the new dwelling must be installed underground. It is the developer's responsibility to make a servicing application with the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works within the public right of way.

6. Road improvements.

Collison Road must be upgraded to a full urban standard including a sidewalk curb and gutter, piped storm drainage system, fillet pavement, street lights, and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction. The cost of this frontage upgrade is estimated at \$18,400.00 and is inclusive of a bonding escalation.

7. Engineering.

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.

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. Bonding and Levies Summary.

a) Performance Bonding

Collison Road frontage upgrade	<u>\$18,400.00</u>
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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 **\$13,300.00**.

b) levies

Specified Area charges	<u>\$7,340.00</u> (valid until March 31, 2012)
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Steve Muenz, P.Eng.
Development Engineering Manager