

REPORT TO COUNCIL



Date: June 29, 2012
To: City Manager
From: Land Use Management, Community Sustainability (BD)
Application: Z12-0007 **Owner:** Karen Dianne Connell-Deforest
Address: 483 Poplar Point Drive **Applicant:** Hardie & Karen DeForest
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. Z12-0007 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, District Lot 219, ODYD Plan 8711, located on Poplar Point Drive, Kelowna, BC from the RU1- Large Lot Housing zone to the RU6- Two Dwelling Housing 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 Development Engineering Branch, Building & Permitting branch, and Infrastructure Planning being completed to their satisfaction.

2.0 Purpose

This application is seeking to rezone the subject property from the RU1- Large Lot Housing zone to the RU6 - Two Dwelling Housing zone to construct a duplex dwelling.

3.0 Land Use Management

A duplex is being proposed for the subject property. The lot has both topographical and siting constraints, thereby necessitating an unconventional design to facilitate the proposed duplex. This neighborhood of the City does not have RU6 zoned lots within the immediate area, and this would be the first of this form of housing for Poplar Point. However, this is supported by the OCP designation, and is located within the Permanent Growth Boundary to support infill planning objectives and for more efficient use of the subject property.

Bound by the lake on one side and Knox Mountain park on the other, there is not an established neighbourhood form or rhythm. Should the land use be supported by Council, a Development Permit executed at a staff level will be required for the new construction.

4.0 Proposal

4.1 Project Description

The applicant is seeking to construct a new duplex on the site which has a very unusual configuration and exterior design. The long term intent is to stratify the building and give ownership of one half to their son who has a disability. The dwelling is uniquely designed to function on the site and accommodate accessibility needs. The interior layout and definition of the boundaries between the two units needs modification and will be evaluated through the Development Permit review. The siting of the proposed building meets the regulations of the Zoning Bylaw.

4.2 Site Context

The subject property is located on the east of Poplar Point Drive in the Herbert Heights area of Kelowna. The area is to the north of the downtown center. The surrounding properties are zoned as follows:

Orientation	Zoning	Land Use
North	P3- Parks and Open Spaces	Knox Mountain Park
East	P3- Parks and Open Spaces	Knox Mountain Park
South	RU1- Large Lot Housing	Single Family Dwelling
West	W1 - Recreational Water	Okanagan Lake

4.3 Subject Property Map : 483 Poplar Point Drive



4.4 Zoning Analysis Table

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

Zoning Analysis Table		
CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	889 m ²	700 m ²
Lot Width	49.13 m	18.0 m
Lot Depth	0 - 34.29 m	30.0 m
Development Regulations		
Site Coverage (buildings)	40 %	40%
Site Coverage (buildings/parking)	50 %	50%
Proposed Duplex		
Height	6.2m	2 ½ storeys / 9.5 m
Front Yard	4.9m	4.5 m
Side Yard (n)	3.0 m	2.3 m (2 - 2 ½ storey)
Side Yard (s)	3.4 m	2.3 m (2 - 2 ½ storey)
Rear yard	7.5 m	7.5m
Other Requirements		
Parking Stalls (#)	5 spaces provided	2 spaces per principal dwelling
Private Open Space	Provided on balcony which is accessible	30 m ² of private open space per dwelling

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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

¹ Official community plan Objective 5.2 Community Sustainability

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

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.

Policy 10.3 .1 Housing Availability. ³

Support the provision of housing for all members of the community, including those in core housing need or requiring special needs housing (transitional, age in place, emergency or shelter).

2. Address Housing Needs of All Residents. ⁴

Address housing needs of all residents by working towards an adequate supply of a variety of housing.

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 Permit(s) for new construction

2) A minimum Geodetic Elevation of 343.66 meters is required for all habitable spaces including parking and storage space.

3) A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building. The driveway slope to 2nd floor (level #1) must be defined. The building maybe defined as 4 stories if roof is used as a deck and the building can not be recessed for a basement to the minimum flood plain levels of Okanagan Lake. *Slope is 12% and roof will not be used as a deck.*

4) The heights and design of the retaining wall along the back property line should be determined. Cross sections to be provided for comment. *Client would like to achieve third reading by Council prior to investing in engineering plans.*

5) Structural and Geotechnical engineers will be required at time of building permit application.

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

7) Demolition permits are required for any existing building(s).

6.2 Development Engineering Department

See attached.

6.3 Fire Department

No concerns.

³ Official community plan Objective 10.3 Support the creation of affordable and safe rental, non-market and/or special needs housing.

⁴ Official community plan goals for a sustainable future.

6.4 Infrastructure Planning

Applicant to install a permanent fence 15 cm inside subject property along the park interface to ensure that no disturbance or encroachment occurs on parkland during demolition of existing residence, or construction of new residences, (1.2m high black vinyl coated chain link fence as per the Parkland Acquisition Guidelines.)

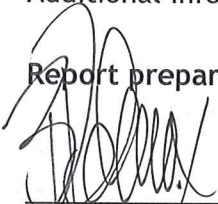
The applicant shall not disturb the adjacent parkland in any way: no placement of debris, fill or construction garbage; no unauthorized tree cutting, no damage to natural vegetation, no material and construction storage, and no equipment staging or parking. The parkland shall be kept in a natural, undisturbed condition

7.0 Application Chronology

Date of Application Received: March 2, 2012

Additional information received: June 25, 2012

Report prepared by:



Brite Decloux, Land Use Planner

Reviewed by:



Danielle Noble Manager, Urban Land Use

Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management

Attachments:

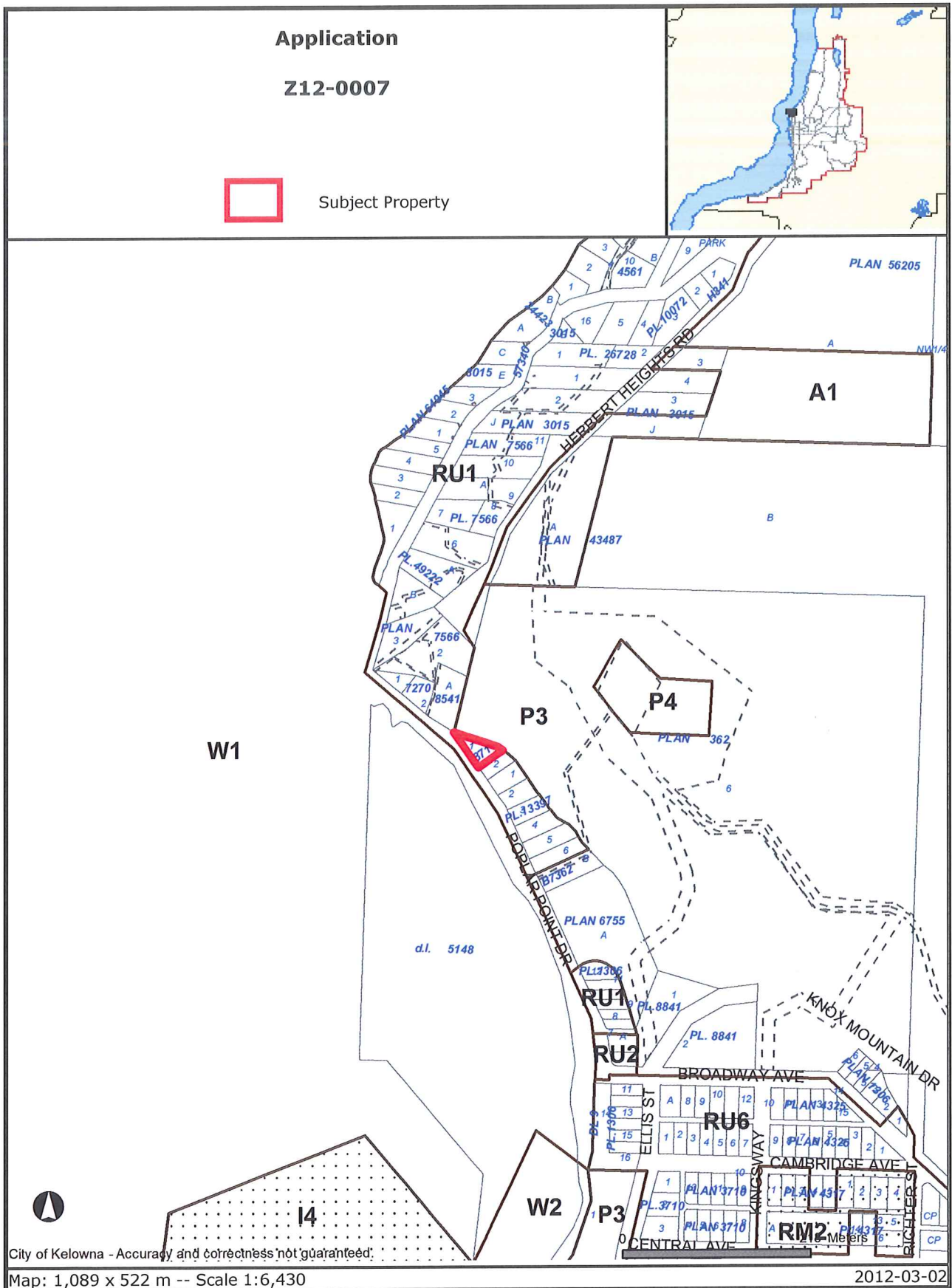
Site Plan

Conceptual Elevations

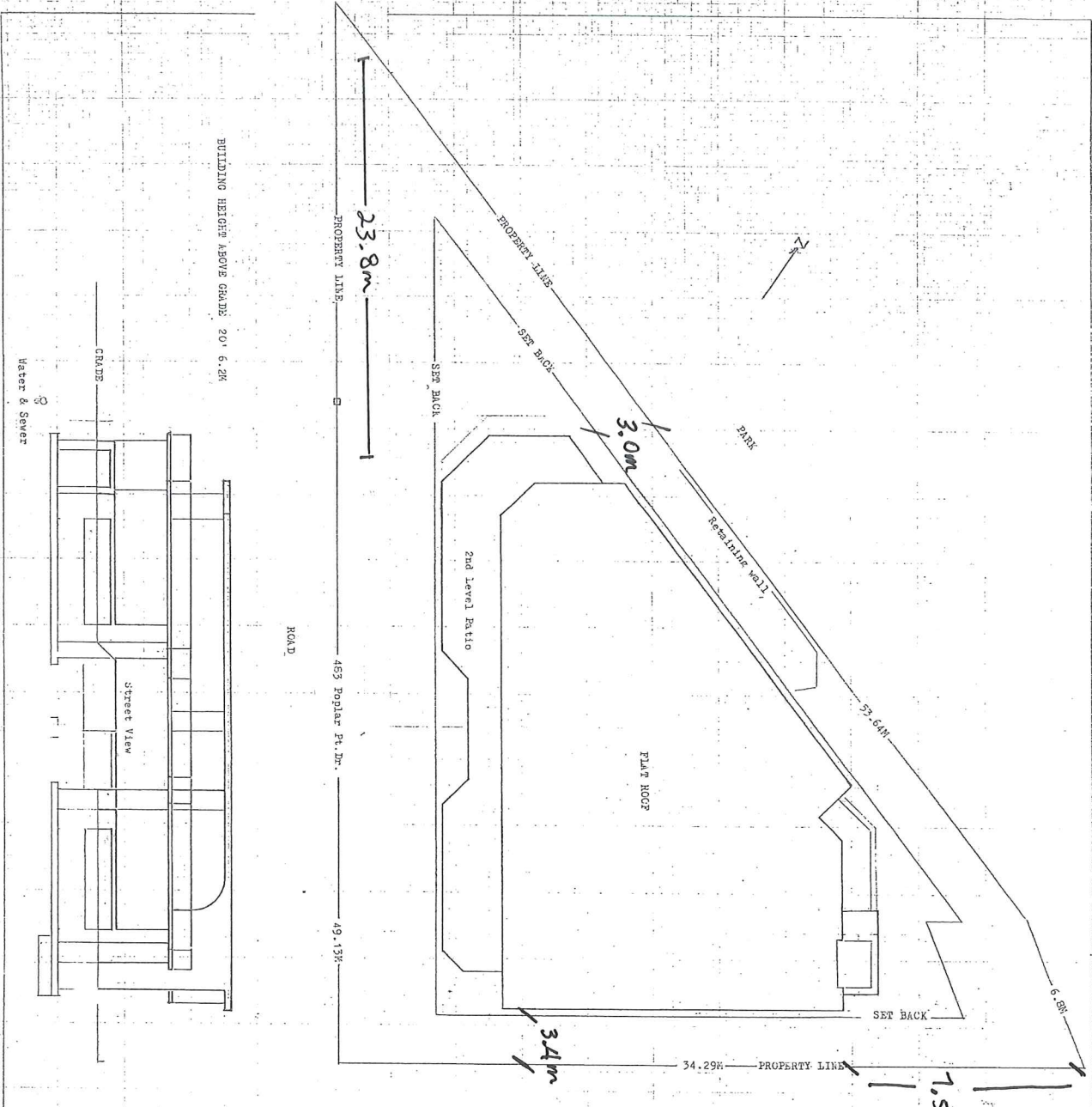
Landscape Plan

Context/Site Photos

Summary of Technical 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.



483 POPLAR PT. DR.

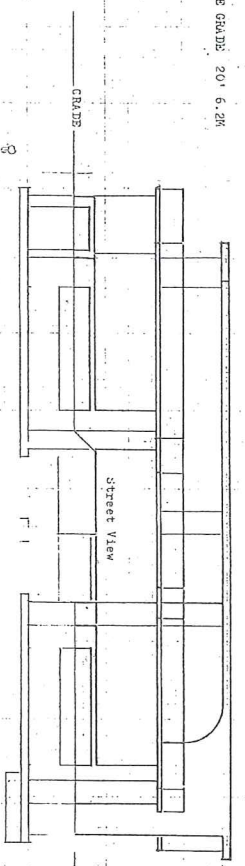
Kelowna, B.C. V1Y 1Z2
 Lot 1 Plan 8711 District Lot 215
 OMD EID Number 009-752-830
 Zoned RU1 Proposed RUS
 Foreshoare
 Area: Lot 9569 sq.ft., 889 sq.ft.,
 .22 acres

Building Footprint
 3800 sq.ft., 353 sq.ft.

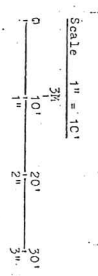
Owner: Karen Connell
 Designed FOR: Karen Connell
 Rob White

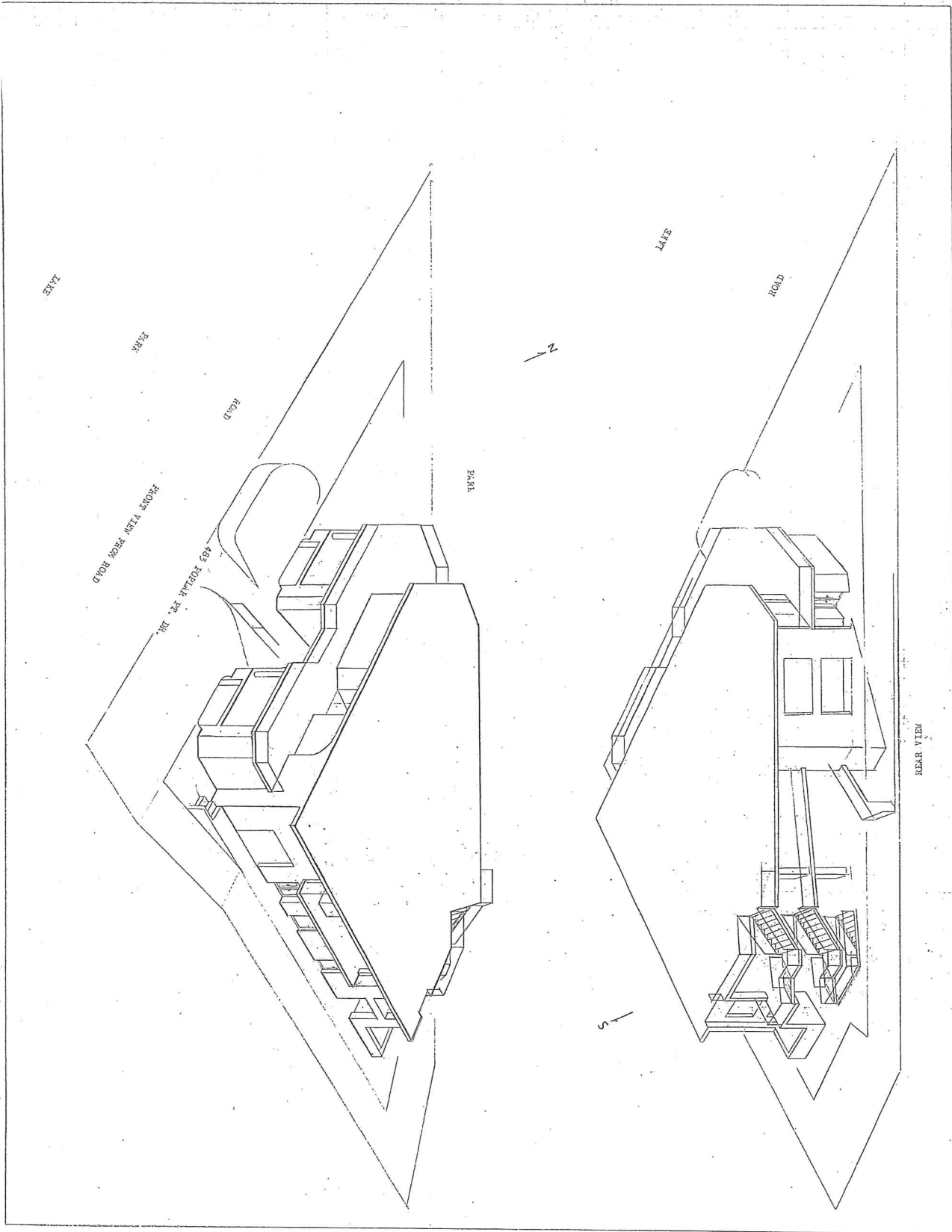
BY: Hardie de Forest
 Builder: Rob White
 Engineers: U.B.C.O. Model
 Drawn By: Fruns Flesher 4/11

BUILDING HEIGHT ABOVE GRADE 20' 6.25"



TOP & FRONT VIEW





CITY OF KELOWNA
MEMORANDUM

Date: June 20, 2012
File No.: Z12-0007
To: Land Use Management Department (BD) Revised Comments
From: Development Engineering Manager
Subject: 483 Poplar Point Drive Lot 1 Plan 8711 RU-6

Development Engineering has the following comments and requirements associated with this application. The utility upgrading requirements outlined in this report will be a requirement of this development.

1. Domestic Water

This property is currently serviced with a 19mm-diameter copper water service. **An additional 19mm-diameter water service will be required and can be provided by the City at the owner's cost. The applicant will be required to sign a Third Party Work Order for the cost of the water service upgrade.** For estimate inquiry's please contact John Filipenko, by email jfilipenko@kelowna.ca or phone, 250-469-8581.

2. Sanitary Sewer

The property is within Specified Area 19 (Poplar Pt). Specified area charges will apply. Our records indicate that this property is serviced with a 100mm-diameter sanitary sewer complete with an inspection chamber. The service will be adequate for this application.

3. Subdivision Requirements

Provide a 4.5m wide right of way if favour of the City across the northerly corner of the subject property. The right of way is required for access to an existing transformer that is on the adjacent City property.

4. Road Works

- (i) Poplar Point Drive must be upgraded to a urban standard along the frontage of this property, including curb and gutter, storm drainage facilities and pavement widening. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be **\$9,672.00** not including utility service costs

5. Bonding and Levy Summary

(a) Cash Levy

(i) Frontage Improvements cash-in-lieu amount **\$9,672.00**(ii) Sewer Specified Area 19
Charge = \$ 912.78 per EDU (valid to March 31 '2013)Residential 2 units x 0.7 = 1.40 EDU
This property has cash commuted 1.0 EDU**Total EDU charge = \$ 912.78 X 0.4 = \$ 365.11**6. Development Permit and Site Related Issues

The proposed zoning will limit this property to two access driveways.


The maximum driveway width is 6.00m

On-site parking modules must meet bylaw requirements.

Provide circulation on-site so that vehicles can leave this property in a forward direction

7. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.



Steve Mueh, P. Eng.
Development Engineering Manager
JF/jf