

REPORT TO COUNCIL



Date: October 26th, 2012
To: City Manager
From: Land Use Management, Community Sustainability (AW)
Application: Z12-0063 **Owner:** Kamalpreet Kaur Gill & Gurdev Singh Gill
Address: 835 Solly Court **Applicant:** Gurdev Gill
Subject: Rezoning Application
Existing OCP Designation: Single / Two Unit Residential
Existing Zone: RU1 - Large Lot Housing
Proposed Zone: RU2 - Medium Lot Housing

1.0 Recommendation

THAT Rezoning Application No. Z12-0063 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, Section 26, Township 26, ODYD, Plan 20566, located on 835 Solly Court, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot 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 the Development Engineering Branch being completed to their satisfaction.

2.0 Purpose

The applicant is proposing to rezone the subject property from RU1 - Large Lot Housing to RU2 - Medium Lot Housing in order to facilitate the subdivision of the existing lot into three lots. A subdivision application has also been submitted and will be reviewed by staff.

3.0 Land Use Management

Land Use Management staff are supportive of the proposed land use, as it complies with the policies and objectives of the Official Community Plan (OCP) which designates the area for Single and Two Dwelling Housing development. It is noted that there are no other similar sized lots in the area, but in the interest of maximizing the use of existing urban lands with appropriate infill development it is recommended that this application be supported.

4.0 Proposal

4.1 Project Description

The applicant is seeking to rezone the subject property from RU1 - Large Lot Housing to RU2 - Medium Lot Housing in order to facilitate the subdivision of the existing lot into three lots. Each lot will meet Zoning Bylaw requirements for lot area, width and depth. These measurements will be confirmed through the subdivision process.

4.2 Site Context

The surrounding area is characterized predominantly by single family residential development in close proximity to the Rutland sports complex.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Low density single dwelling housing
East	P5LP - Municipal District Park	Community Facilities
South	RU1 - Large Lot Housing	Low density single dwelling housing
West	RU1 - Large Lot Housing	Low density single dwelling housing

Subject Property Map: 835 Solly Court



4.3 Zoning Analysis Table

Zoning Analysis Table				
CRITERIA	RU2 ZONE Requirements	PROPOSAL		
		Lot A	Lot B	Lot C
Lot Area	400 m ²	550m ²	550m ²	550m ²
Lot Width	13.0 m	13.06 m	13.06 m	13.06 m
Lot Depth	30.0 m	32 m	32 m	32 m

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ 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.

5.2.4 Complete Communities.² Support the development of complete communities with a minimum intensity of approximately 35 - 40 people and/or jobs per hectare to support basic transit service - a bus every 30 minutes.

6.0 Technical Comments

6.1 Building & Permitting Department

- Demolition permit is required for existing structures
- A geotechnical engineer may be required at time of building permit application.

6.2 Development Engineering Department

See attached.

6.3 Fire Department

No concerns.

6.4 FortisBC Energy (gas)

Upon review of the property referral referencing the above noted matter, FortisBC facilities will not be adversely affected once existing gas service is abandoned and/or altered prior to demolition of the current home. FortisBC, therefore, has no objection to the applications.

6.5 Shaw Cable

Owner/developer to supply and install an underground conduit system per Shaw Cable drawings and specification.

6.6 FortisBC (gas)

Given City of Kelowna bylaws requiring new subdivisions to be serviced by underground facilities, FBC has no land rights concerns at this time. It should be noted that land rights issues may arise from the design process but can be dealt with at that time, prior to construction.

6.7 BMID

See Attached. BMID requirements will be secured as part of the subdivision process.

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

² City of Kelowna Official Community Plan, Policy 5.2.4 (Development Process Chapter).

7.0 Application Chronology

Date of Application Received: September 19, 2012

Report prepared by:



Alec Warrender, Land Use Planner

Reviewed by:



Danielle Noble, Manager, Urban Land Use

Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management

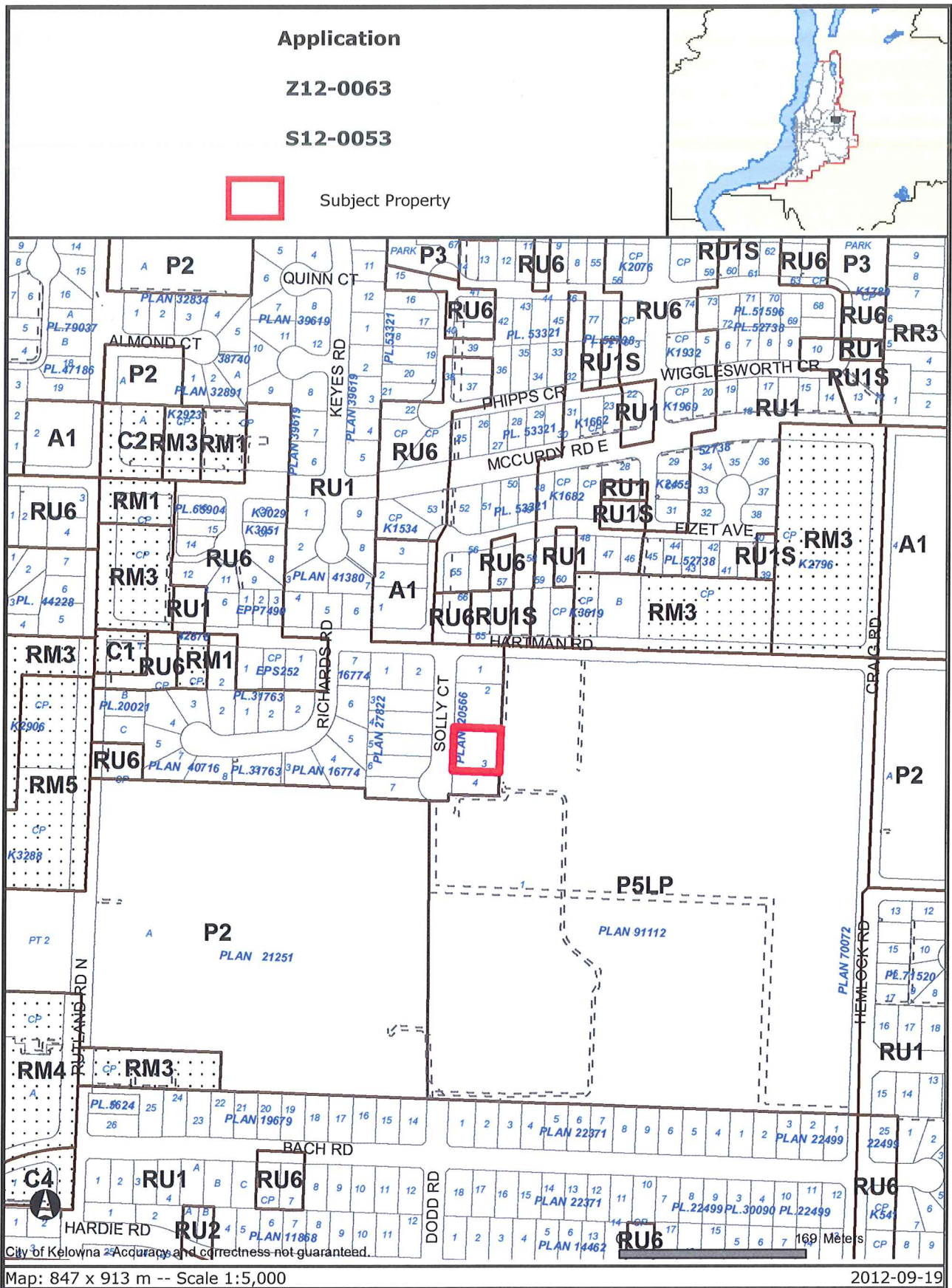
Attachments:

Subject Property Map

Lot Plan

Development Engineering Memorandum

Irrigation District Requirements

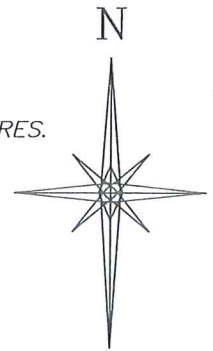


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
 The City of Kelowna does not guarantee its accuracy. All information should be verified.

**PROPOSED SUBDIVISION OF LOT 3
SEC. 26 TP. 26 O.D.Y.D. PLAN 20566**

SCALE 1:400

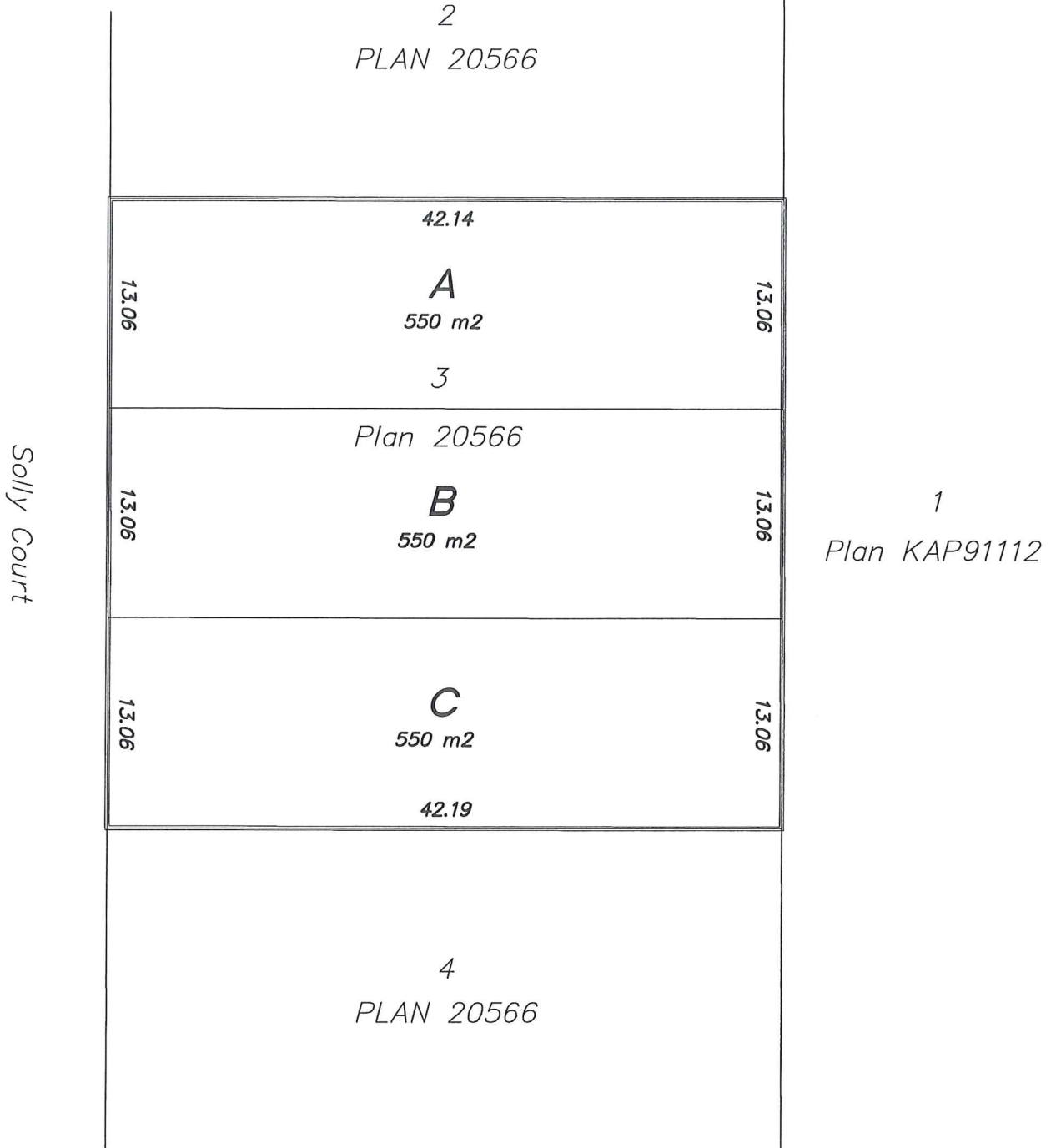
DISTANCES ARE IN METRES.



Proposed RU2 zone.

Civic Address:
835 Solly Court
Kelowna, BC

Existing building to be removed.



FILE 14635

D.A. Goddard Land Surveying Inc.
103-1358 St. Paul Street, Kelowna
Phone (250) 763-3733

CITY OF KELOWNA

MEMORANDUM

Date: October 22, 2012
File No.: Z12-0063
To: Planning & Development Services Department (AW)
From: Development Engineer Manager (SM)
Subject: 835 Solly Court – Lot 3, Plan 20566, Section 26, Township 26, ODYD

Development Engineering comments and requirements regarding this application to rezone from RU1 to RU2 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 three proposed building sites. 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 old decommissioned sewage disposal fields should they encroach on the proposed building envelopes.

3. Domestic water and fire protection.

This development is within the service area of the Black Mountain Irrigation District (BMID). A second service is required in order to meet current policies. 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.

4. Sanitary Sewer.

The property is located within Specified Area # 20 and in accordance with the City of Kelowna current policy, the specified charges for the proposed RU2 development will have to be cash commuted. The current pay out charge for an RU2 lot single detached housing is \$3,782.00 per SFE. The payout amount for this application is 3.0 SFE for a total of **\$11,346.00** (valid until March 31, 2013).

5. Power and Telecommunication Services.

All the services to the proposed lots 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.

Solly Court 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 **\$13,000.00** 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 Development Engineering Branch. 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

Solly Court Road frontage upgrade	<u>\$13,000.00</u>
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b) levies

Specified Area charges	<u>\$11,346.00</u> (valid until March 31, 2013)
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Inspection and Admin. Fee	<u>\$ 336.00</u> (\$300.00 min. +HST)
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Steve Muenz, P.Eng.
Development Engineering Manager

BB



Office: (250) 765-5169
Fax: (250) 765-0277
www.bmid.ca

FILE COPY

BMID File No.: 2012.22

September 27, 2012

City of Kelowna
1435 Water Street
Kelowna, BC
V1Y 1J4

Attention: Alec Warrender

Dear Sirs:

**RE: 835 Solly Court - Water Servicing Requirements
S12-0053 & Z12-0063 – Lot 3, Plan 20566**

Thank you for forwarding to us the information on the proposed 3 lot subdivision. We understand that three (3) lots are proposed to be subdivided from this single lot which is zoned RU-1 (large lot housing). The proposed subdivision is located within our service area. BMID comments are directed to the water service requirements for this subdivision. It is noted that the existing single family dwelling is to be demolished upon approval of the subdivision application.

Figure 1 below shows the present lot location and water services that exist to the lot and the surrounding area. There is a 19mm diameter domestic on Solly Court serving the existing home.

Figure 1 - Present Water Infrastructure



Figure 2 illustrates the existing land use for the property. One single family dwelling exists on the land which is currently zoned RU-1 (large lot housing).

Figure 2 - Existing Land Use



City of Kelowna - Accuracy and correctness not guaranteed.
Photo credit – City of Kelowna aerial mapping

CAPITAL EXPENDITURE CHARGES

The existing 0.41 of an acre lot is classed by BMID as “Grade A” land, meaning that the land has rights to water and uses it. The existing gradation of land allows the property one single family residence. It is noted that the existing building is to be demolished.

With the development of two additional lots, a Capital Expenditure Charge due and owing in accordance with BMID Bylaw No. 678. The applicable CEC charge would be \$3,600 per additional lot for a total CEC payable of **\$7,200**. This amount is due and payable at the time of application to BMID and must be paid prior to the water letter being issued to the City of Kelowna.

LOT SERVICE REQUIREMENTS

The existing lot has a single 19mm diameter service connection that can be used to service one of the three new lots. The existing service location is in the centre of the existing lot, so it will likely service the new middle lot. Two new additional services must be installed for the new lots. The estimated cost is \$2,500 per service.

SUMMARY OF WATER SERVICING REQUIREMENTS

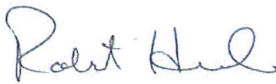
The following requirements will be necessary to provide water service:

- Capital Charges of **\$7,200** would apply for the two additional lots to allow the construction of single family dwelling units on each lot as per the rates set out within the BMID CEC Bylaw 678;
- A single domestic water service (19mm inside diameter size) is required to each lot. The water service and shut-offs must be legally and physically accessible at all times to BMID staff;
- Domestic connections must be installed for each new lot. The cost is estimated to be \$2,500 per connection. The property owner or agent must contact the BMID Works Superintendent, Kevin Burtch, for coordination and installation of the service lines that are to be owned and maintained by BMID;
- Other than the service connections, off-site water main improvements are not required for this 3 lot subdivision;
- Connection fees of \$300 apply for each new connection onto the BMID water utility. The connection fee is **\$300.00**, applicable at the time when a dwelling unit is constructed on any of the lots.
- A water meter is required to be installed within each new residence. The cost for a domestic meter is **\$383.55** for the installation of a 19mm diameter meter. Corix Utilities is contracted to do all meter installations for BMID and have all of the materials to specification. The owner or their agent must contact Corix directly when the plumbing is in and ready for the meter install;
- The recommended budget for the installation of the new services is **\$5,000**. Note that this amount is an estimate only and final billing will be based on actual costs of labour, equipment and materials, etc.
- The total charges owing to BMID at the time of this subdivision will include Capital Expenditure Charges plus installation charges for the services.
- At the time of any residence construction, connection fees and a domestic water meter will be required for each new residence on the new lots. The water meters are to be installed to BMID standards and specifications by Corix Utilities.

City File S12-0053 & Z12-0063
835 Solly Court
September 27, 2012

To obtain a water letter, the owner or owner's agent must come into the BMID office and fill out an Application to Subdivide form and pay the applicable development charges. Once the form is completed and signed and the charges are paid, BMID will issue a Water Letter for submission to the City. Please contact our office if you have any questions related to information provided.

Yours truly,
Black Mountain Irrigation District



Robert Hrasko, P.Eng.
Administrator

cc: Gurdev & Kamalpreet Gill, 171 Surel Ct, Kelowna, BC V1X 7Y3