

City of Kelowna Public Hearing AGENDA



Tuesday, June 4, 2013
6:00 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

THE CHAIR WILL CALL THE HEARING TO ORDER:

1. (a) The purpose of this Hearing is to consider certain bylaws which, if adopted, shall amend *Kelowna 2030* - Official Community Plan Bylaw No. 10500 and Zoning Bylaw No. 8000.

(b) All persons who believe that their interest in property is affected by the proposed bylaws shall be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the bylaws that are the subject of this hearing. This Hearing is open to the public and all representations to Council form part of the public record. A live audio feed may be broadcast and recorded by Castanet.

(c) All information, correspondence, petitions or reports that have been received concerning the subject bylaws have been made available to the public. The correspondence and petitions received after May 21, 2013 (date of notification) are available for inspection during the course of this hearing and are located on the information table in the foyer of the Council Chamber.

(d) Council debate on the proposed bylaws is scheduled to take place during the Regular Council meeting after the conclusion of this Hearing. It should be noted, however, that for some items a final decision may not be able to be reached tonight.

(e) It must be emphasized that Council will not receive any representation from the

applicant or members of the public after conclusion of this Public Hearing.

2. Notification of Meeting

The City Clerk will provide information as to how the Hearing was publicized.

3. Individual Bylaw Submissions

3.1 Rezoning Application No. Z12-0064 - 275 Petch Road, Parminder & Kulwant Hans and Gurdev & Kamalpreet Gill

4 - 20

To rezone the subject property from the RU1 - Large Lot Housing Zone to the RU6 - Two Dwelling Zone to allow the construction of a second single family dwelling.

4. Termination

5. Procedure on each Bylaw Submission

(a) Brief description of the application by City Staff (Land Use Management);

(b) The Chair will request that the City Clerk indicate all information, correspondence, petitions or reports received for the record.

(c) The applicant is requested to make representation to Council regarding the project and is encouraged to limit their presentation to 15 minutes.

(d) The Chair will call for representation from the public in attendance as follows:

(i) The microphone at the public podium has been provided for any person(s) wishing to make representation at the Hearing.

(ii) The Chair will recognize ONLY speakers at the podium.

(iii) Speakers are encouraged to limit their remarks to 5 minutes, however, if they have additional information they may address Council again after all other members of the public have been heard a first time.

(e) Once the public has had an opportunity to comment, the applicant is given an opportunity to respond to any questions raised. The applicant is requested to keep

the response to a total of 10 minutes maximum.

(f) Questions by staff by members of Council must be asked before the Public Hearing is closed and not during debate of the bylaw at the Regular Meeting, unless for clarification.

(g) Final calls for representation (ask three times). Unless Council directs that the Public Hearing on the bylaw in question be held open, the Chair shall state to the gallery that the Public Hearing on the Bylaw is closed.

Note: Any applicant or member of the public may use visual aids (e.g. photographs, sketches, slideshows, etc.) to assist in their presentation or questions. The computer and ELMO document camera at the public podium are available. Please ask staff for assistance prior to your item if required.

REPORT TO COUNCIL



Date: April 24, 2013

RIM No. 1250-30

To: City Manager

From: Land Use Management, Community Sustainability (BD)

Application: Z12-0064
Owners: Parminder Hans, Kulwant Hans, Gurdev Gill, Kamalpreet Gill

Address: 275 Petch Road
Applicant: Gurdev (Dave) Gill

Subject: Rezoning Application

Existing OCP Designation: Single/Two Residential
Existing Zone: RU1 - Large Lot Housing
Proposed Zone: RU6 - Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z12-0064 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 40, Section 23, Township 26, ODYD Plan 18008 located on 275 Petch Road, 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 FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch and the Rutland Water Works being completed to their satisfaction.

2.0 Purpose

To rezone the subject property from the RU1 - Large Lot Housing Zone to the RU6 - Two Dwelling Zone to allow the construction of a second single family dwelling.

3.0 Land Use Management

The development proposal is situated in a low density neighbourhood characterized by uniform housing types. The proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area. By constructing a second dwelling on this long frontage, this side of the street will mirror the opposite street side rhythm and is expected to be sensitive infill.

The subject property is located within the Permanent Growth Boundary and on the boundary of the Rutland Urban Centre with amenities such as parks, schools, transit and recreational opportunities are within the immediate area. Minimal impact is anticipated on abutting

properties, as parking requirements and private open space provisions are easily achieved on-site.

Should the land use be supported by Council, a Development Permit executed at a staff level will be required to evaluate the compatibility of the existing dwelling and the established neighbourhood context.

4.0 Proposal

4.1 Project Description

The applicant is seeking to rezone the subject property to allow the construction of a second dwelling. The plan shows that the current garage will be demolished. The property is located on a corner which typically is ideal for infill housing, however the existing dwelling fronts the flanking street. The building is a typical bi-level constructed in the 1970's and is similar to other dwellings in the immediate area.

There are many examples of RU6 - Two dwelling housing in the immediate area, and the subject property is large enough to accommodate the additional infill development.

The proposal shows a second dwelling located on the south of the property also facing Petch Road. The new dwelling is similar in massing and shape as the existing dwelling but incorporates more design details and a combination of finishing materials.

4.2 Site Context

The subject property is located in Rutland, north of Hollywood road on the edge of the Rutland Urban centre with close proximity to amenities and transit. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single Family Dwelling
East	RU6 - Two Dwelling Housing	Duplex housing
South	RU1 - Large Lot Housing	Single Family Dwelling
West	RU1 - Large Lot Housing	Single Family Dwelling

4.3 Subject Property Map: 275 Petch Road



4.3 Zoning Analysis

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

Zoning Analysis Table		
CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS (for two principal dwellings)
Subdivision Regulations		
Lot Area	1,018 m ²	700 m ²
Lot Width	18.28 m	18.0 m
Lot Depth	48.46 - 51.6 m	30.0 m
Development Regulations		
Site Coverage (buildings)	25%	40%
Site Coverage (buildings/parking)	33%	50%
Existing Dwelling		
Height	2 storeys/ 6.7 m	2 ½ storeys / 9.5 m
Front Yard	11 m	4.5 m
Side Yard (w)	6.65 m	4.5 m from a flanking street unless there is a garage accessed from the flanking street, it is 6.0m
Side Yard (e)	3.48 m	2.3 m (2 - 2 ½ storey)
Separation (Distance between Houses)	4.6 m	4.5m
Proposed Dwelling		
Height	2 storeys / 6.79 m	2 ½ storeys / 9.5 m
Side Yard (w)	6.73 m	4.5 m from a flanking street unless there is a garage accessed from the flanking street, it is 6.0m
Side Yard (e)	2.3 m	2.3 m (2 - 2 ½ storey)
Rear yard	10.7 m	7.5m
Other Requirements		
Parking Stalls (#)	2 spaces off the flanking street for the existed dwelling 2 in the garage for the proposed dwelling Total: 4	2 spaces for each principal Total 4
Private Open Space	meets requirements	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 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 are to be paid prior to building permit being issued.
2. Spatial separation between buildings is to be reviewed at time of building permit.
3. Full building code review to be completed at time of building permit.

6.2 Development Engineering Department

Requirements attached.

6.3 Fire Department

No concerns - additional address is required for the new home.

7.0 Application Chronology

Date of Application Received: September 20, 2012
 Application Refinement: April 24, 2013

Report prepared by:

 Birte Decloux, Land Use Planner

Reviewed by:



Danielle Noble, Manager, Urban Land Use

Approved for Inclusion:



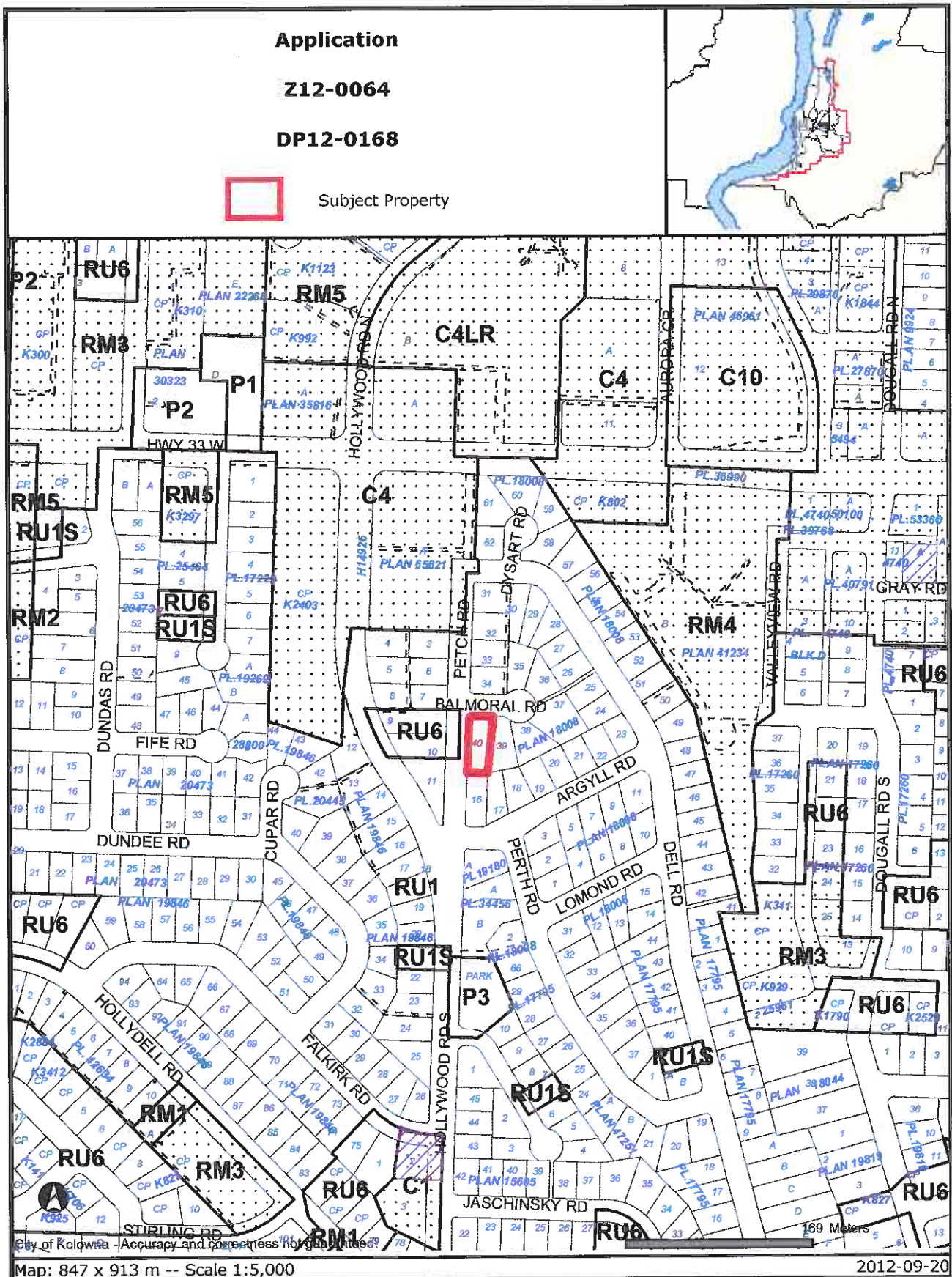
Doug Gilchrist, Acting General Manager,
 Community Sustainability

¹ Official community plan Objective 5.2 Community Sustainability

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

Attachments:

Site Plan
Conceptual Elevations
Landscape Plan
Colour Rendering
Context/Site Photos
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.

PLAN OF LOT 40 SEC. 23 TP. 26 **O.D.Y.D. PLAN 18008**

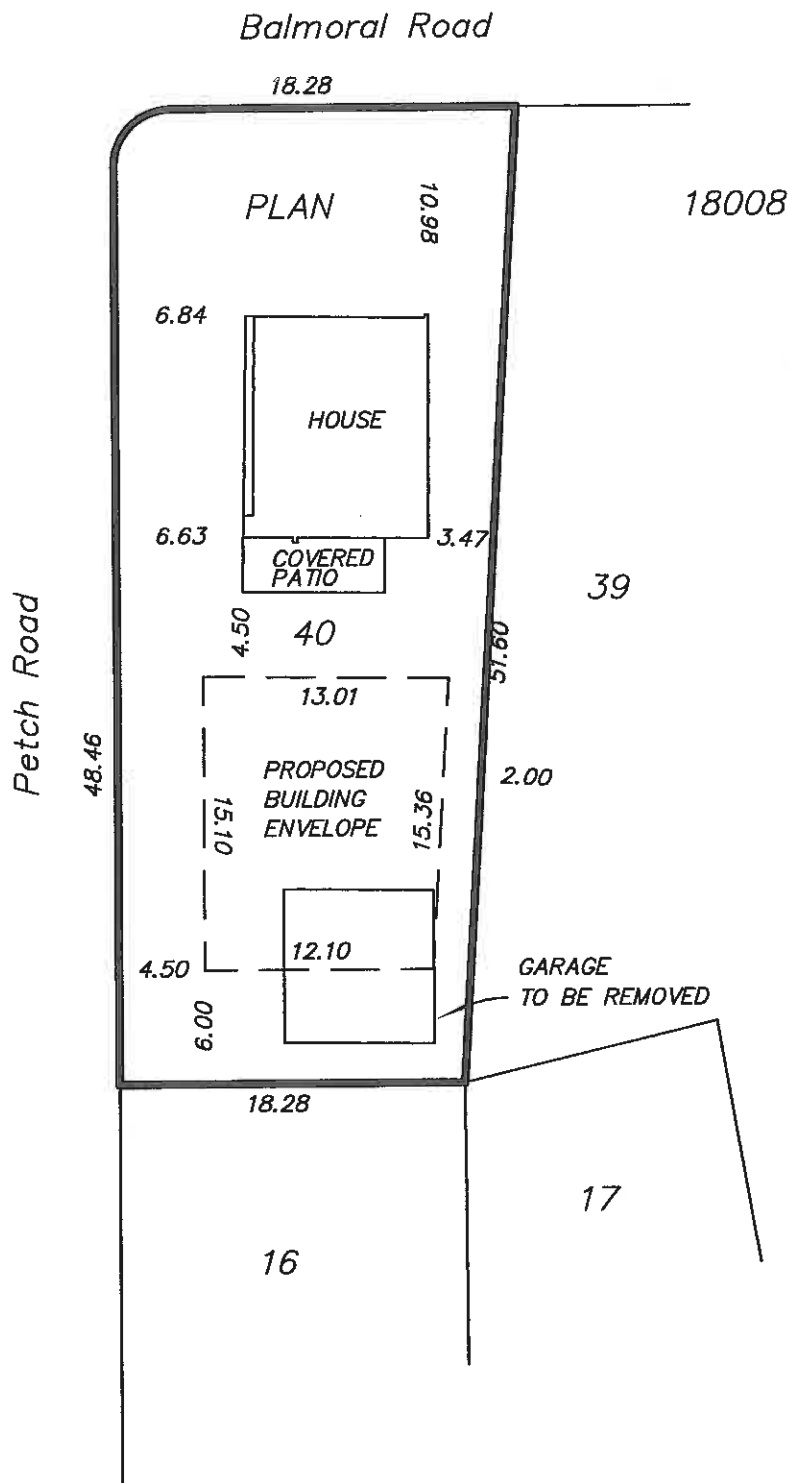
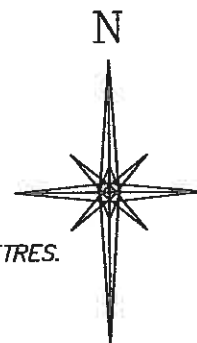
Existing Site

To accompany rezoning application.
 Proposed RU6 zone.

Civic Address:
 275 Petch Road
 Kelowna, BC

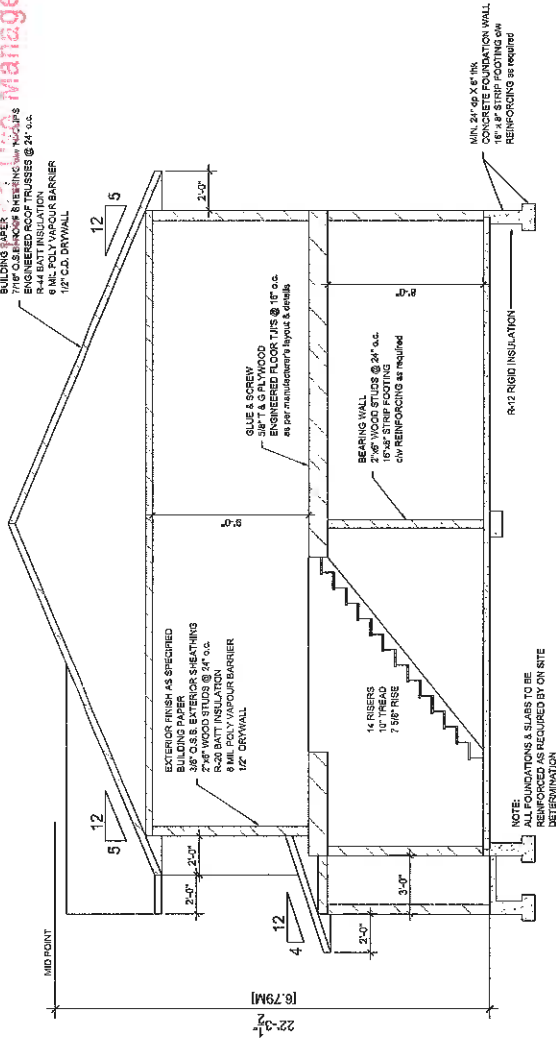
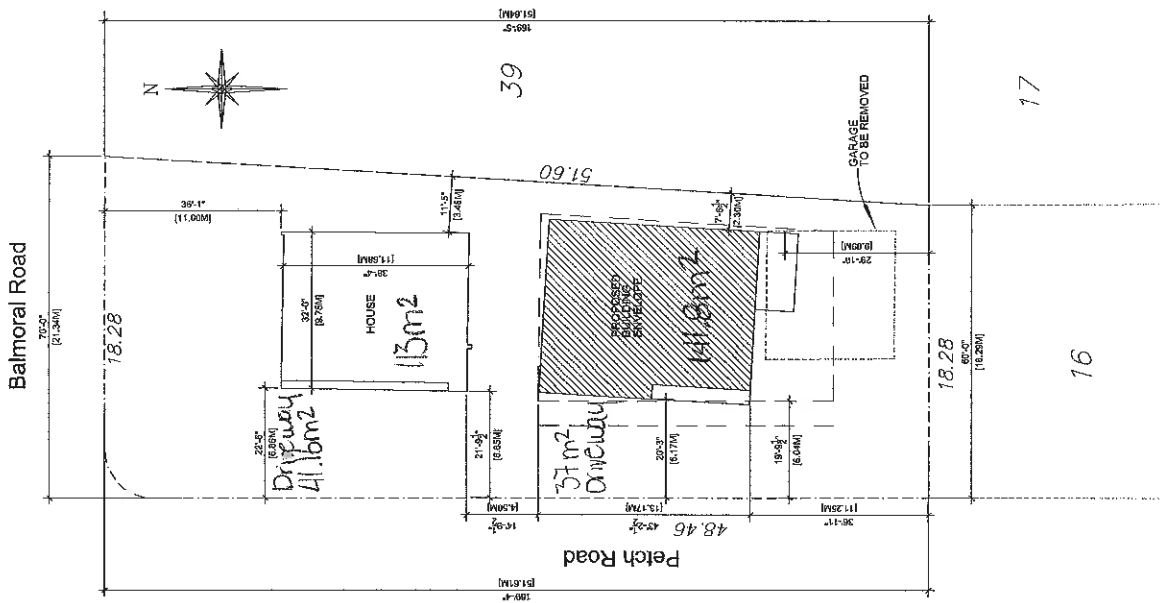
SCALE 1:400

DISTANCES ARE IN METRES.



APR 24 2013

CITY OF KELOWNA
INGLES - an elected
SUPERVISOR
JOHN BERNARDSON
SOCIETIES



CROSS SECTION
14° = 15°

Municipal Address:
PLAN OF LOT 40 SEC. 23 TP. 26
Q.D.Y.D. PLAN 18008

Civic Address:
275 Petch Road
Kelowna, BC

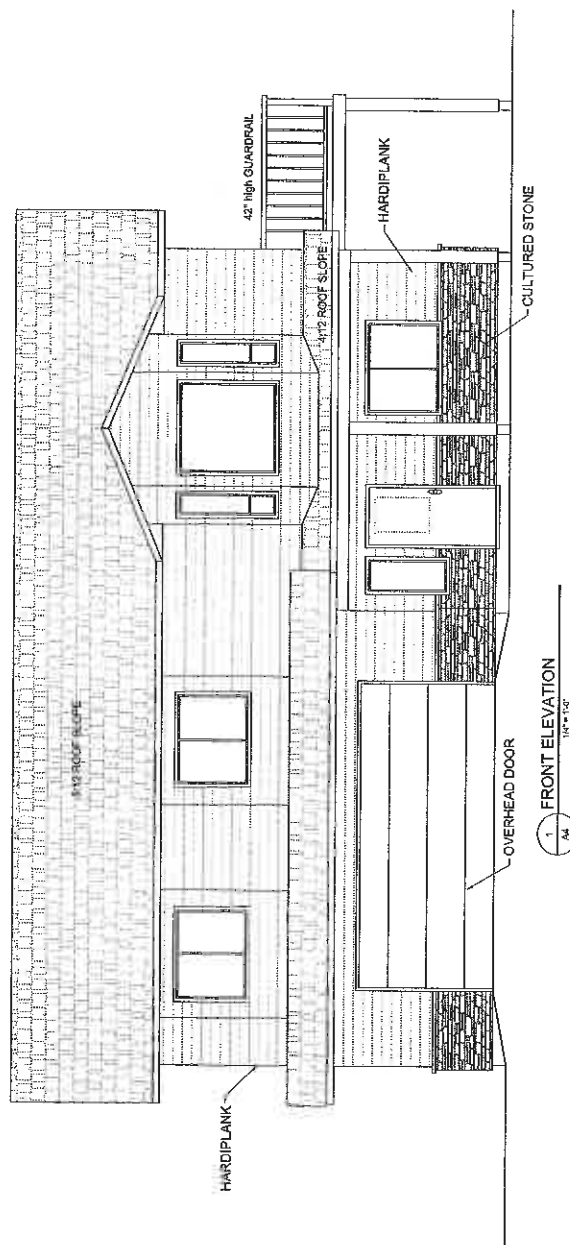
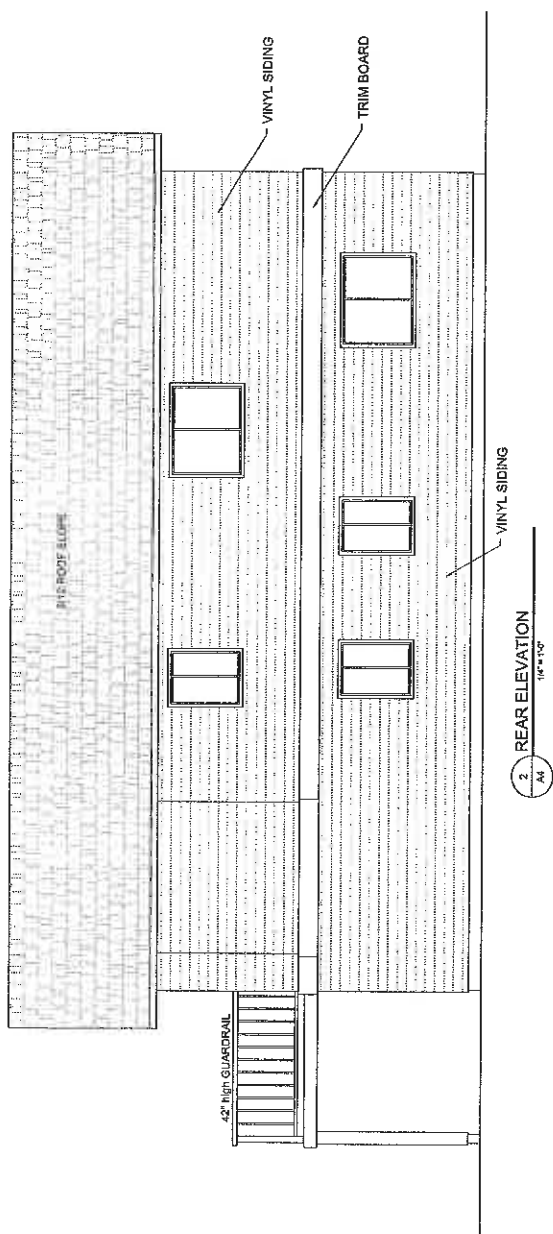
Site Area	10,930 sq. ft. / 1.015 M2
Existing Building	1,200 sq.ft. / 111.48 M2
Proposed Building	1,475 sq. ft. / 137.0 M2
Site Coverage	10,930 / 2,675 = 24.4 %

1 SITE PLAN
A1 1/16" = 1'-0"

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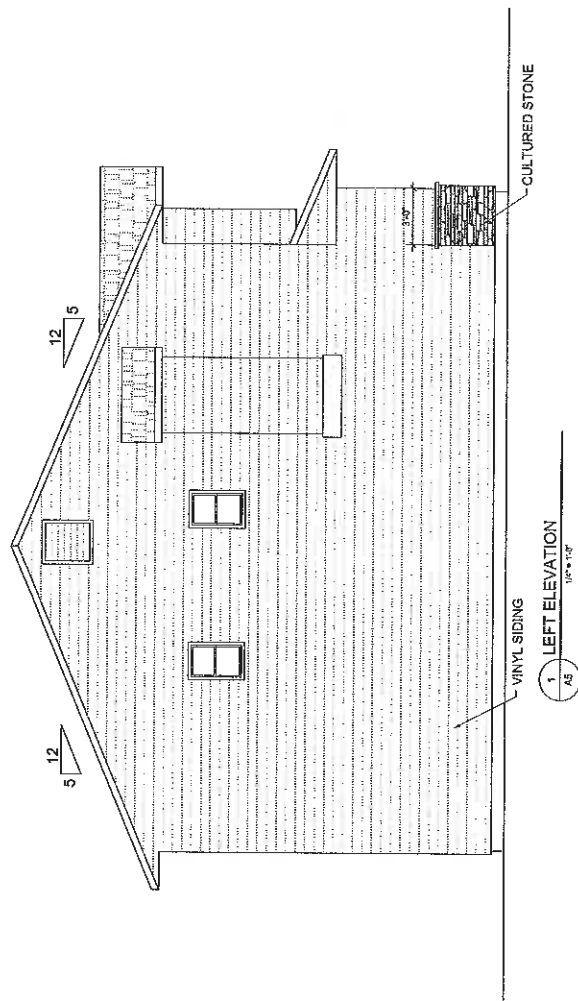
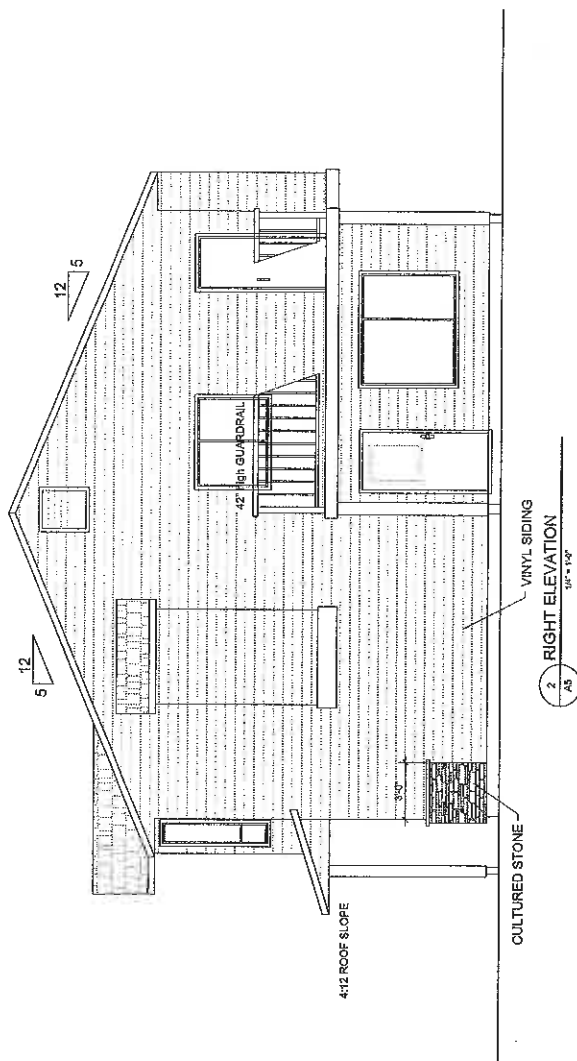
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CITY OF KELOWNA
Land Use Management

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Land Use Management

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Existing Dwelling



15th Road



CITY OF KELOWNA
MEMORANDUM

Date: October 22, 2012
File No.: Z12-0064
To: Planning & Development Services Department (BD)
From: Development Engineer Manager (SM)
Subject: 275 Petch Road, Lot 40, plan 18008, Section 23 Township 26, ODYD.

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.

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 Rutland Waterworks (RWD). The developer is required to make satisfactory arrangements with the RWD for these items. A second water service is required to meet the current City of Kelowna Bylaws and regulations. The second service must be paid or installed prior to the adoption of the zoning amending Bylaw; provide a copy of the receipt.

4. Sanitary Sewer.

The subject property is currently serviced by the Municipal Wastewater collection system. The existing 100 mm. service is adequate for the proposed development.

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 and recommendations for the footing drain. The site drainage management plan must indicate the minimum basement elevation for the new proposed dwelling.

6. Power and Telecommunication Services.

It is recommended that the service to the existing property be converted to underground in order to avoid any trespasses. 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) Petch Road

The applicant is responsible for the frontage upgrade of Petch Road to a paved urban standard. The construction consists of curb, gutter, 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 **\$28,800.00**, inclusive of a bonding contingency (Utility poles relocation not included).

b) Balmoral Road

The applicant is responsible for the frontage upgrade of Balmoral Road to a paved urban standard. The construction consists of curb, gutter, 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 **\$12,500.00**, 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. Bonding and Levies Summary.

a) Performance Bonding

Petch Road frontage upgrading	\$ 28,800.00
Balmoral Road frontage upgrading	<u>\$ 12,500.00</u>
Total frontage upgrades	<u>\$ 41,300.00</u>

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 **\$35,900.00** and the Administration & Inspection fee would not apply

b) levies

Administration and Inspection fee	<u>\$1,108.80</u> (\$990.00 +HST)
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Steve Muenz, P.Eng.
Development Engineering Manager

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CITY OF KELOWNA
MEMORANDUM

Date: October 22, 2012
File No.: DP12-0168
To: Planning & Development Services Department (BD)
From: Development Engineer Manager (SM)
Subject: 275 Petch Road, Lot 40, plan 18008, Section 23 Township 26, ODYD.

The Development Engineering comments and requirements regarding this development permit application are as follows:

1. General

All the requirements identified in the Development Engineering Report under file Z12-0064 must be satisfied prior to the issuance of this Development Permit.



Steve Muenz, P.Eng.
Development Engineering Manager

BB



Rutland
WATERWORKS DISTRICT

106 – 200 Dougall Road North
Kelowna, BC V1X 3K5
www.rutlandwaterworks.com

p: (250) 765-5211
f: (250) 765-7765
e: info@rutlandwaterworks.com

October 30, 2012

Gurdev Gill
3647 Bemrose Rd
Kelowna BC V1W 4G8

RE: Lot 40, Plan 18008 – 275 Petch Rd (Zoning)
File # Z12-0064 DP12-0168, RWD File 12/05

In response to City of Kelowna request for comment the following is a summary of Rutland Waterworks District requirements:

1. Capital Expenditure Charges for one additional SFD	\$2,700.00
2. Estimate for new connection	<u>6,500.00</u>
Total Fees Payable	<u>\$9,200.00</u>

Fees for new connection to service additional SFD are an estimate only, should there be additional works required developer shall be responsible for costs. Further, should the works be completed for less than the estimate same will be refunded to developer upon completion of the development.

Capital Expenditure Charges are due at building permit stage.

Upon receipt of these fees a water certificate will be issued.

Should you have any questions or require further information, please contact the undersigned.

Sincerely,


Pete Preston
General Manager

c. City of Kelowna (Planning Department)