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**-CITY OF KELOWNA  
MEMORANDUM**

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**DATE:** June 28 2007  
**File No:** Z07-0023  
**TO:** City Manager  
**FROM:** Planning & Development Services Department  
**Subject:**

**APPLICATION NO.** Z07-0023      **APPLICANTS:** Ed & Tina Schnellert  
**AT:** 170 Hardie Road      **OWNERS:** Ed Schnellert  
Christina Schnellert

**PURPOSE:** TO REZONE THE SUBJECT PROPERTY FROM THE RU1 - LARGE LOT HOUSING ZONE TO THE RU2 - MEDIUM LOT HOUSING ZONE IN ORDER TO ALLOW FOR A TWO-LOT SUBDIVISION.

**EXISTING ZONE:** RU1 - LARGE LOT HOUSING

**PROPOSED ZONE** RU2 - MEDIUM LOT HOUSING

**REPORT PREPARED BY:** NELSON WIGHT

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**1.0 RECOMMENDATION**

THAT Rezoning Application No. Z07-0023 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, Section 26, Township 26, ODYD, Plan 11868 on Hardie Rd, Kelowna, B.C. from 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;

**2.0 SUMMARY**

This rezoning application seeks to rezone the subject property from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone to allow for a two-lot single-family subdivision.

**3.0 ADVISORY PLANNING COMMISSION**

The above-noted application was reviewed by the Advisory Planning Commission at the meeting of April 24, 2007 and the following recommendation was passed:

THAT the Advisory Planning Commission support Rezoning Application No. Z07 0023, for 170 Hardie Road, Lot 3, Plan 11868, Sec. 26, Twp. 26, ODYD, by E & T Schnellert, to rezone from RU1-Large Lot Housing zone to RU2-Medium Lot Housing zone to create an additional lot for a single family dwelling.

**4.0 BACKGROUND**

**4.1 The Proposal**

There is an existing single-family dwelling and a small accessory building on the subject property. In order to achieve a two-lot subdivision of the property, a rezoning application is required, because the proposed lots do not meet the RU1 - Large Lot Housing regulations with respect to area and width.

Vehicle access to the property is from Hardie Road, as there is no rear lane.

The proposed subdivision would result in 494 m<sup>2</sup> parcel to contain existing development, with a second 400 m<sup>2</sup> parcel on the west side of the property (see attached site plan). There are no drawings of the proposed dwelling provided at this time.

The table below shows this application's compliance with the requirements of the RU2 zone.

CRITERIA	PROPOSAL		RU2 ZONE REQUIREMENTS
Subdivision Regulations			
	Lot A	Lot B	
Lot Area	400 m <sup>2</sup>	494 m <sup>2</sup>	400 m <sup>2</sup>
Lot Width	13.9 m	13.6 m	13 m
Lot Depth	30 m	35 m	30.0 m
Development Regulations			
	Lot A (no details on housing at this time)	Lot B (existing dwelling)	
Site Coverage (buildings)		20%	40%
Site Coverage (buildings/parking)		25%	50%
Height		1-storey	2 ½ storeys / 9.5 m
Front Yard (Hardie Road)		7.4 m	4.5 m or 6.0 m to a garage
Side Yard (east)		3.0 m	2.0 m (1 or 1 ½ storey portion) 2.3 m (2-storey portion)
Side Yard (west)		2.6 m	2.0 m (1 or 1 ½ storey portion) 2.3 m (portion)2-storey
Rear Yard		15.0 m	6.0 m (1 or 1 ½ storey portion) 7.5 m (2 or 2 ½ storey portion)
Other requirements			
Parking Stalls (#)		2	2 spaces
Private Open Space		meets requirement	30 m <sup>2</sup> of private open space per dwelling

#### 4.2 Site Context

The subject property is located on the north side of Hardie Road, just east of the intersection of Rutland Road and Hardie Road. The surrounding area has been developed primarily as a single- and two-family neighbourhood, except that there is some higher density residential development northwest of the site, across Rutland Road from Rutland Senior and Rutland Middle Schools. More specifically, the adjacent land uses are as follows:

North-	RU1 – Large Lot Housing
East	RU1 – Large Lot Housing
South	RU6 – Two Dwelling Housing

West RU1 – Large Lot Housing

#### 4.3

#### **Existing Development Potential**

The property is zoned RU2 – Medium Lot Housing. The purpose is to provide a zone for single detached housing, and compatible secondary uses, on medium sized serviced urban lots. Principal uses are “single dwelling housing”, with secondary uses such as bed and breakfast homes, minor care centres and minor group homes, as well as home based businesses.

#### 5.0 Technical

##### 5.1 **Inspections Department**

Building permit required to renovate porch, exiting house to conform to setbacks of zoning bylaw.

##### 5.2 **Works and Utilities Department**

(See Attached)


#### 6.0 Current Development Policy

##### 6.1.2 **Kelowna 2020 Official Community Plan (OCP)**

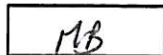
*Future Land Use Designation* - The property is designated Single/Two Unit Residential, pursuant to Map 19.1 of the OCP. The proposed RU2 zone is consistent with that future land use designation.

#### 7.0 STAFF COMMENTS

Policies within the Kelowna 2020 – Official Community Plan provide support for the proposed project. That is, rezoning the subject property to the RU2 zone would be consistent with the Future Land Use designation of the area. However, Section 8.1.34 highlights the importance of “sensitive integration” of new development with the existing neighbourhood. Consequently, it will be vital that the proposed dwelling on the new lot suit this smaller lot size, while also ensuring the architectural style and massing be compatible with the surrounding neighbourhood context.

*for*   
Shelley Gambacort  
Current Planning Supervisor  
NW//nw

Approved for inclusion



*for* David Shipclark  
Acting Director of Planning & Development Services

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#### ATTACHMENTS

Location of subject property  
Air Photo  
Proposed Site Plan  
Proposed Front Elevation and Floor Plans  
Works and Utilities Report

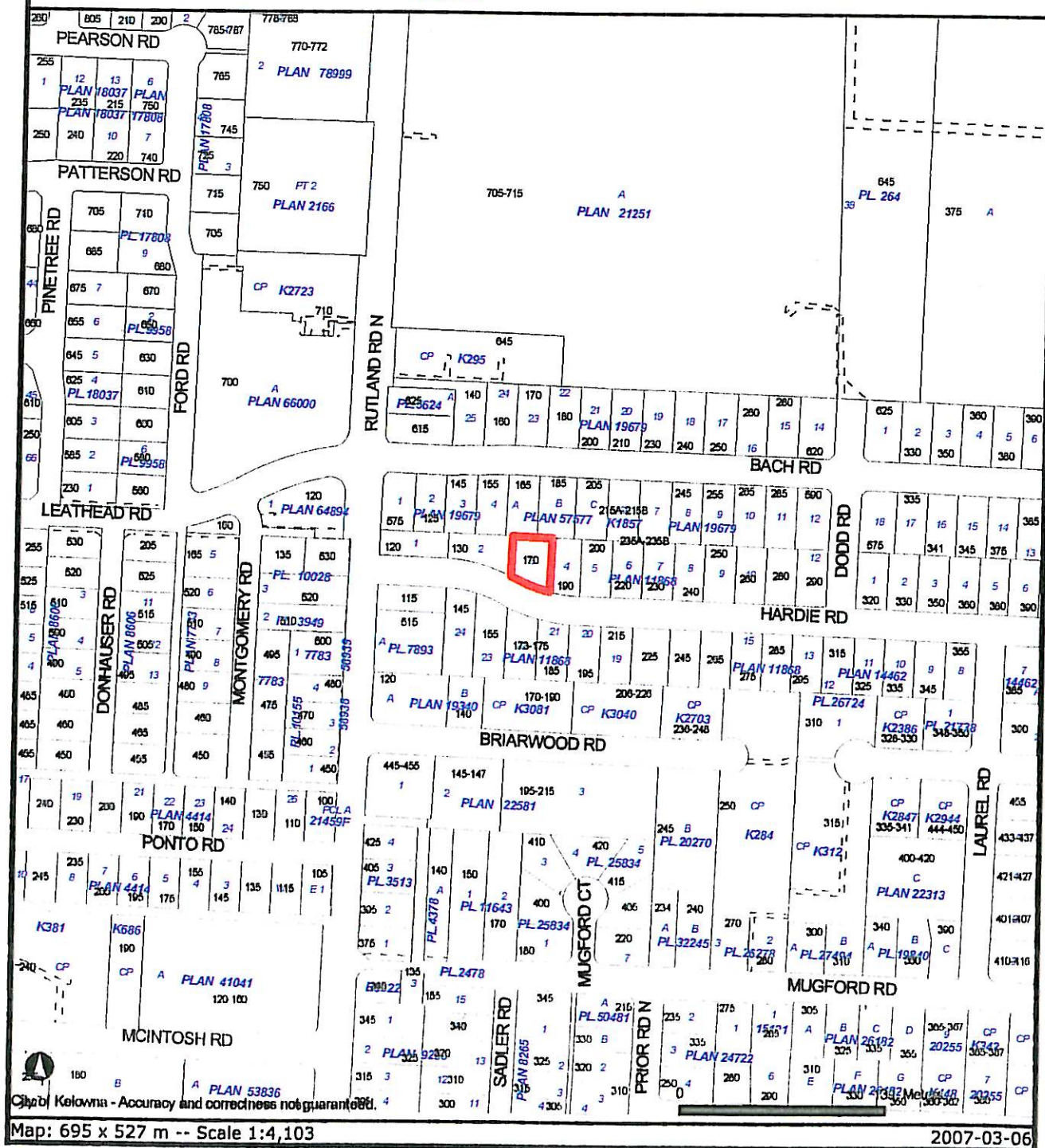
## Application

Z07-0023

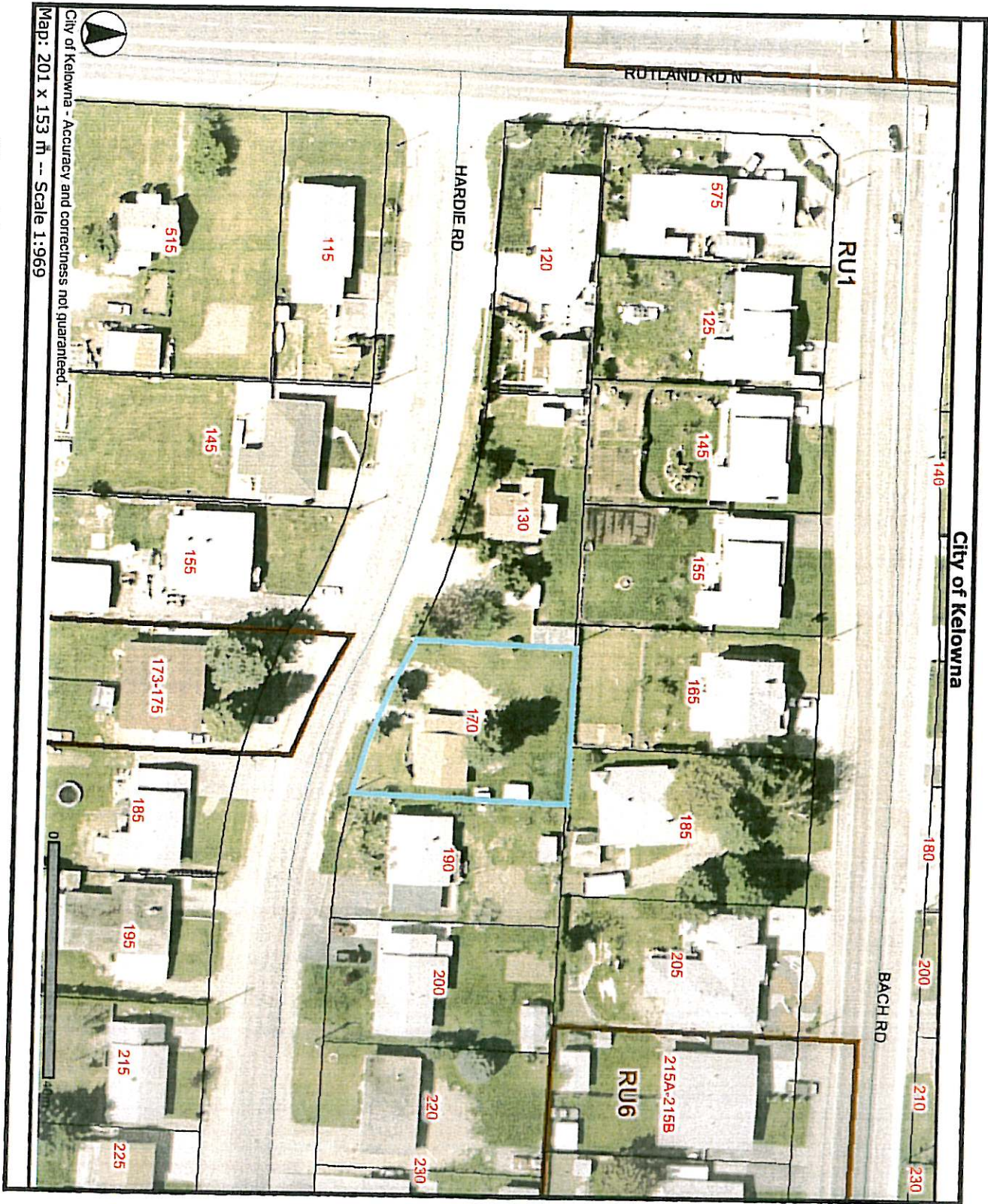
S07-0035



Subject Property



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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APPLICATION NO: ZOT-0023

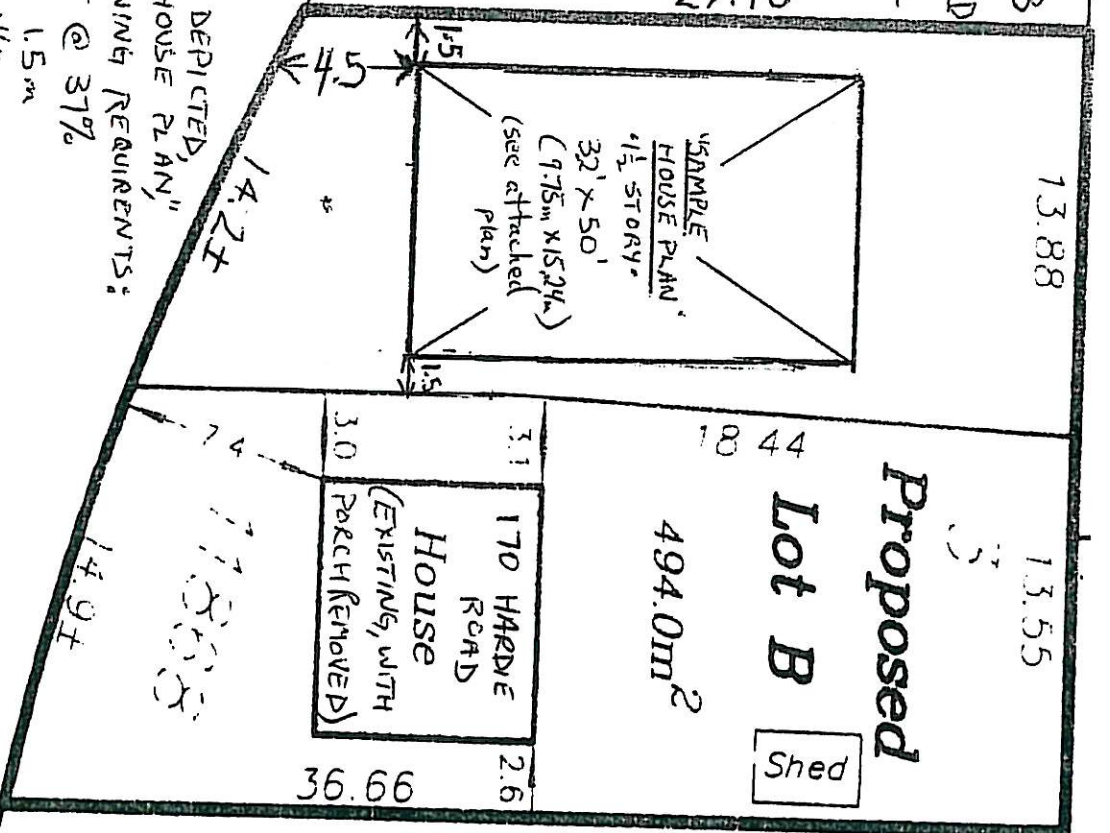
AT: 170 HARDIE ROAD

ED & CHRISTINE SCHNELLETT

JUNE 29, 2007

(CONTACT US AT 764-1255)

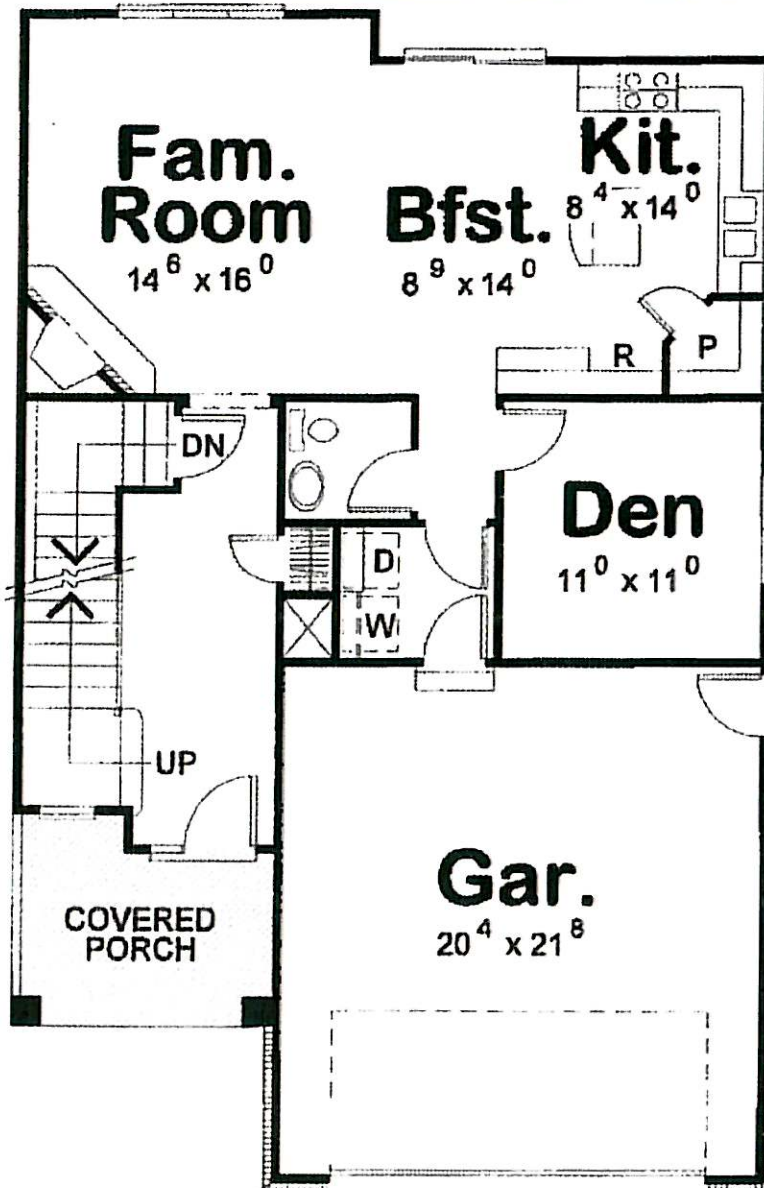
- SKETCH PLAN:
- SAMPLE HOUSE "FOOTPRINT" DEPICTED, AS PER ATTACHED "SAMPLE HOUSE PLAN,"
  - EXCEEDS MINIMUM RUD ZONING REQUIREMENTS:
  - SITE COVERAGE @ 37%
  - SIDE YARDS @ 1.5m
  - BACKYARD 15m X 14m
  - LOT DEPTH IS 30m THROUGH CENTER OF HOUSE.



Lot 4  
Plan 11868

Harc

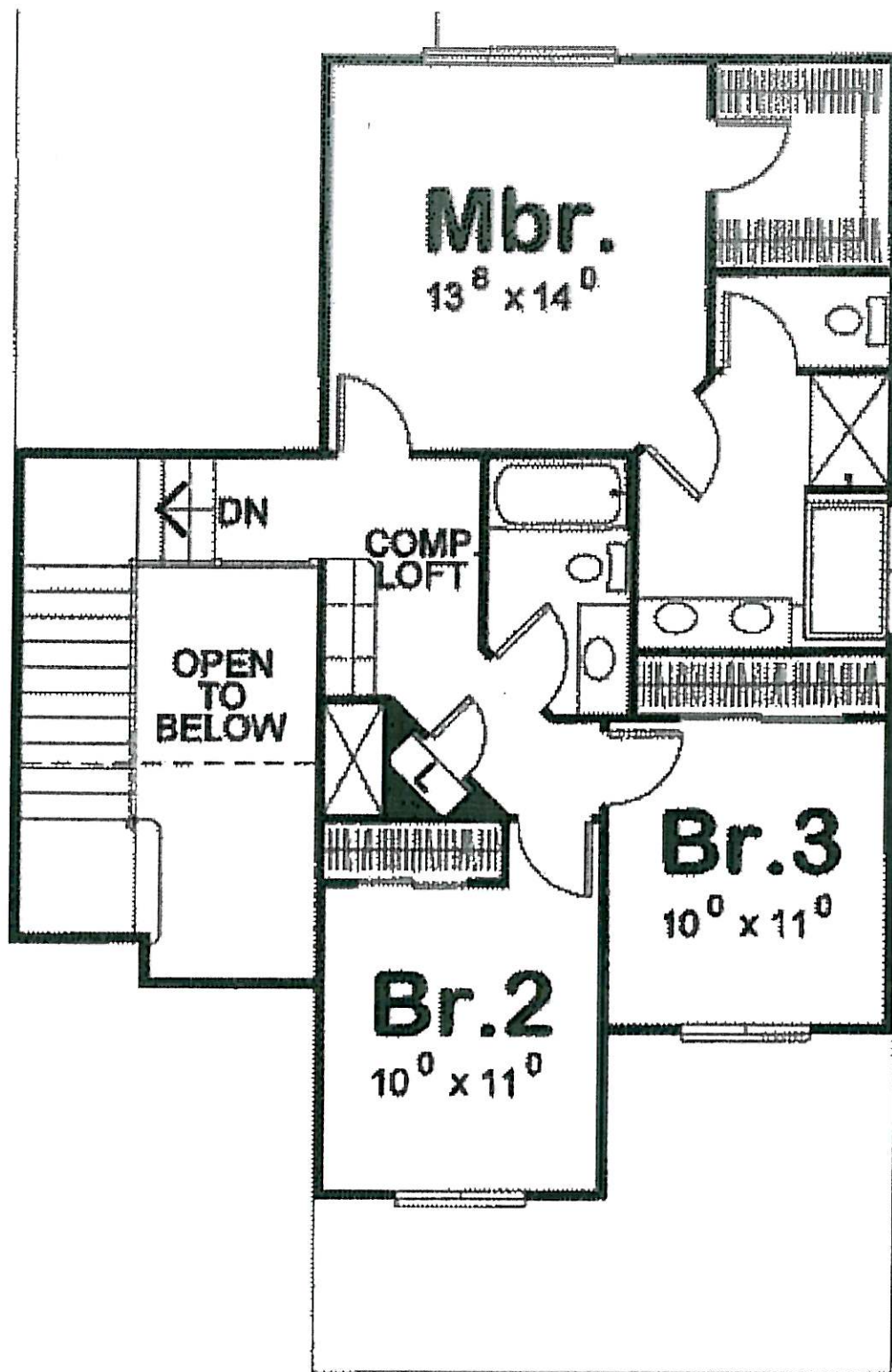
Possible House Plan for 170 Hardie Road Lot



1774

Bedrooms:	3
Bathrooms:	3
Levels:	1
Garage Stalls:	2
Main Floor Area:	945
Upper Floor Area:	829
Garage Area:	459
Porch:	88
Width:	32'
Depth:	50'
Height:	30'
Roof Pitch:	7:12 & 10:12
Walls:	2"x6"
Ceiling Height:	
Main Floor:	9'
Upper Floor:	8'

2<sup>nd</sup> Floor



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CITY OF KELOWNA

MEMORANDUM

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**Date:** April 25, 2007  
**File No.:** Z07-0023  
**To:** Planning & Development Services Department (NW)  
**From:** Development Engineer Manager (SM)  
**Subject:** 170 Hardie Road - Lot 3, plan 11868, Section 26, Township 26, ODYD

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The Works & utilities Department comments and requirements regarding this application to rezone from RU-1 to RU-2 are as follows:

1. Subdivision

a) Refer to our Works and Utilities comments under file S07-0035.

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.

3. Domestic water and fire protection.

This development is within the service area of the Rutland Waterworks District (RWWD). 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.

4. Sanitary Sewer.

The subject property is located within the specified area # 23 and is serviced by the municipal wastewater system. A new service will be required at the time of the subdivision. The cost of the new service will be the applicant's responsibility. Specified area charges will be applicable to a newly created lot

5. 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.

6. Road improvements.

Hardie Road must be upgraded to a full urban standard including curb and gutter, sidewalk, piped storm drainage system, fillet pavement, street lights, adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction. The cost is estimated at **\$19, 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.

9. 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.

10. 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.

8. Bonding and Levies Summary.

a) Performance Bonding

Hardie Road frontage upgrade

\$19,400.00

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

b) Levies

N/A

Specified Area # 20 charges

Deferred to subdivision

Sanitary sewer service

Deferred to subdivision

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Steve Muenz, P.Eng.  
Development Engineering Manager

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