

# City of Kelowna Public Hearing AGENDA



Tuesday, June 14, 2016  
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 reason-able 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 31, 2016 (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**

#### **3.1 731 Royal Pine Drive, Z16-0013 - Richard & Jennifer Sutton**

4 - 21

To rezone the subject property from RU1 - Large Lot Housing to RU1c - Large Lot Housing with Carriage House in order to allow for development of a carriage house.

#### **3.2 2420 Abbott Street, Z16-0014 - Stephani Buckal**

22 - 35

To rezone the subject property from RU1 - Large Lot Housing to RU6 - Two Dwelling Housing to facilitate the construction of a second dwelling on the subject parcel.

### **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:** May 30, 2016.

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (PMc)

**Application:** Z16-0013      **Owner:** Richard A. & Jennifer-Lyn A. Sutton

**Address:** 731 Royal Pine Dr.      **Applicant:** Mario Emond/Center Construction

**Subject:** Rezoning Application

**Existing OCP Designation:** Single Two Unit Residential (S2RES)

**Existing Zone:** RU1 - Large Lot Housing

**Proposed Zone:** RU1c - Large Lot Housing with Carriage House

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## 1.0 Recommendation

THAT Rezoning Application No. Z16-0013 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 25, Sec. 30, Twp. 26, O.D.Y.D. Plan 40293, located at 731 Royal Pine Dr., Kelowna, BC from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Variance Permit for the subject property.

## 2.0 Purpose

To rezone the subject property to allow for development of a carriage house.

## 3.0 Community Planning

Community Planning Staff supports the proposed rezoning application to allow for the development of a carriage house on the subject property. The S2RES - Single/Two Unit Residential OCP Land Use Designation permits the proposed RU1c - Large Lot Housing with Carriage House zone. Currently there are a number of legal secondary suites located on nearby adjacent parcels, although there are currently no carriage houses in the area. The proposed carriage house use is consistent with the OCP policy for Sensitive Infill and Compact Urban Form.



Council Policy No. 367 with respect to public consultation was undertaken by the applicant. All adjacent neighbours within a 50m radius were provided with a circulation package in regards to the development.

The applicant has reduced the size of the proposed carriage house to a 1 bedroom unit. This has reduced the overall footprint of the building, as well as reducing the overall length of the carriage house. The revised landscape plan also notes additional plantings along the northwest property line.

#### **4.0 Proposal**

##### **4.1 Background**

The subject property was registered in 1988 and developed with single unit dwelling in 1989. In 1993 a swimming pool was added to the property. There had been a number of retaining walls constructed in the rear yard to create a level area for the pool, as well as a level area to the rear of the dwelling. In 2013, there was a major renovation to the kitchen.

##### **4.2 Project Description**

The applicant is proposing to replace the existing pool house, located behind the existing dwelling and adjacent to the pool, with a new structure that will have a carriage house developed on the upper level, and a mechanical room on the lower level to service the adjacent pool. As part of the redevelopment plan, the applicant is proposing to repair or replace the existing retaining walls as several of the existing walls are showing signs of cracking and failure.

Application for a Development Variance Permit has been made to address retaining walls that are greater in height than the maximum permitted wall height of 1.2m.

The proposed carriage house is designed as a single storey unit to be constructed on the level area adjacent to the swimming pool, created by a retaining wall. The southwest end of the carriage house is designed to be constructed on top of the mechanical room for the pool area, created by the exposed foundation and retaining wall at this location. Owing to this configuration, the measured height of the carriage house is 5.92m. which is greater than the maximum 4.8m height permitted. There has also been application made for a form and character Development Permit for the carriage house.

As part of the proposed site redevelopment, the applicant is also proposing to improve the landscaping of the property by cleaning up the existing landscaped areas, and introducing new plantings to the northwest and southeast property lines adjacent to the pool areas.

As noted in the attached notification letter, the owners are not intending to rent out the unit, but wish to use the carriage house as a guest house for friends and family.

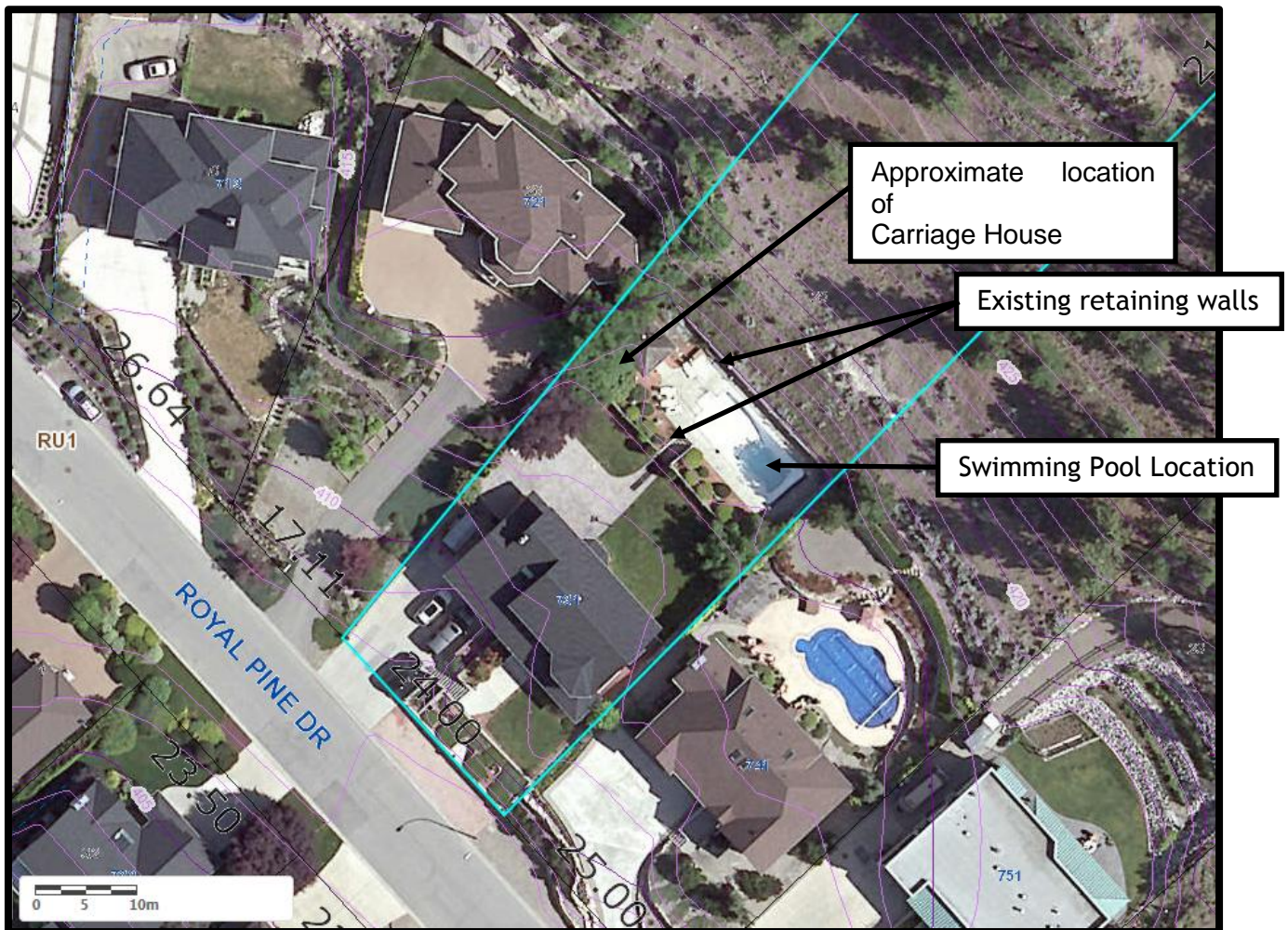
#### 4.3 Site Context

The subject property is located on the north side of Royal Pine Dr. The subject property has a gently sloped area adjacent to the road, and several level areas created by retaining walls. The remainder of the lot is steeply sloped up to Knox Mountain Park.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	P3 - Parks and Open Space	Knox Mountain Park
South East	RU1 - Large Lot Housing	Single Unit Housing
South West	RU1 - Large Lot Housing	Single Unit Housing
North West	RU1 - Large Lot Housing	Single Unit Housing

Subject Property Map: 731 Royal Pine Dr.



#### 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1c ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	550 m <sup>2</sup>	6,462 m <sup>2</sup>
Minimum Lot Width	16.5 m	24.0 m
Minimum Lot Depth	30 m	180 m
Development Regulations		
Maximum Site Coverage (buildings)	40%	7.4%
Maximum Site Coverage (bldg, driveways and parking)	50%	8.2%
Site coverage carriage house	20%	1.2%
Floor area of carriage house	100 m <sup>2</sup>	79.5 m <sup>2</sup>
% carriage house to dwelling	75%	28%
Setback to principal dwelling	3 m	6 m
Carriage House Regulations		
Max. Height	4.8 m	①5.92 m
Min. Side Yard (west)	2.0 m	2.0 m
Min. Side Yard (east)	2.0 m	5.4 m
Min. Rear Yard (no lane)	m	40 m
Height (carriage house shall not be higher than existing primary dwelling unit)	2½ storey extg house	1 storey carriage house
Other Regulations		
Min. Parking Requirements	3 stalls	3 stalls
Min. Private Open Space	30 m <sup>2</sup>	+30 m <sup>2</sup>
Max. height retaining walls	1.2m	②2.3m
Requested Variances		
① Indicates a requested variance to carriage house building height from 4.8m proposed to 5.97m proposed		
② Indicates a requested variance to retaining wall height from 1.2m permitted to 2.3m proposed.		

### 5.0 Current Development Policies

#### 5.1 Kelowna Official Community Plan (OCP)

##### Chapter 5: Development Process

**Compact Urban Form.**<sup>1</sup> 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.

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

**Sensitive Infill.**<sup>2</sup> Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

## 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)
- 2) 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(s):
  - i. At least one door must open with a vertical hinge. (added to revised drawings)
- 3) A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- 4) Structural Engineering is required for retaining walls at time of permit application.
- 5) Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation are being applied to this structure.

### 6.2 Development Engineering Department

See attached Development Engineering memo dated March 16, 2016.

### 6.3 FortisBC Energy Inc. (Gas)

No concerns

### 6.4 FortisBC Inc. (Electric)

There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Royal Pine Drive. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

Otherwise, FBC(E) has no concerns with this circulation.

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.

### 6.5 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- All units shall have a posted address on Royal Pine Dr. for emergency response
- Do not release BP until all life safety concerns are completed.

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<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

## 7.0 Application Chronology

Date of Application Received:	February 19, 2016
Date Public Consultation Completed:	March 15, 2016
Revised Drawings received:	April 19, 2016
Updated Consultation received:	April 26, 2016

**Report prepared by:**

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Paul McVey, Urban Planner

**Reviewed by:**

☐

Terry Barton, Urban Planning Manager

**Approved for Inclusion:**

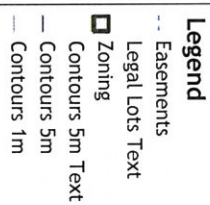
☐

Ryan Smith, Community Planning Department Manager

### **Attachments:**

Subject Property Map  
Site Plan  
Development engineering memo dated March 16, 2016  
Conceptual Elevations  
Landscape Plan  
Context/Site Photos  
Notification letter





## Notes



This map is for general information only. The City of Kelowna does not guarantee its accuracy, currency or completeness. All information should be verified.



ABOVE GRADE WALL	ASSEMBLY CONFORMANCE RATES	DESIGN
<b>(WITHOUT HEAT RECOVERY VENTILATION)</b>		


ABOVE GRADE WALL - ASSEMBLY COMPONENTS (M2)	R1	R2
1 EXTERIOR AIR FILM	0.03	0.17
2 AIRSPACED INSULATED PANEL	0.02	0.11
3 7/16" OSB SHEATHING	0.00	0.00
4 2x6 FRAMING @ 24" O.C. (R2 4.23) BUT	0.40	15.87
5 1/2" AIRSPACED INSULATED PANEL	0.00	0.00
6 1/2" OSB/1/4" GYPSUM WALL BOARD	0.04	0.06
7 1/2" CONCRETE PANEL, PAINT FINISH	0.00	0.00
8 INTERIOR AIR FILM	0.12	0.08
<b>EFFECTIVE R21 VALUE OF ENTIRE ASSEMBLY</b>	<b>0.59</b>	<b>1.58</b>

UNHEATED FLOOR ABOVE FROST LINE	R <sub>SI</sub>	R <sub>SI</sub>
ASSEMBLY COMPONENTS (F2)		
1 INTERIOR AIR FILM	0.12	0.68
2 4" UNFACED SLAB	0.04	0.23
3 3" CONCRETE EXPANDED POLYSTYRENE	1.96	0.114
4 0.5" POLYETHYLENE AIRVAPOUR BARRIER	0.00	0.00
EFFECTIVE R <sub>SI</sub> & U-VALUE OF ENTIRE ASSEMBLY	2.12	12.05
PROVIDED		
REQUIRED	1.06	11.14

## WALL ASSEMBLIES


		CONCRETE FOUNDATION WALL REFER TO STRUCT. FOR THICKNESS
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		<p><b>CONCRETE FOUNDATION WALL.</b> REFER TO SPEC. FOR THICKNESS 1/2" AIR SPACE 2x4 WOOD STUDS @ 16" O.C. NAIL IN-12 BATT INSULATION 6 MIL POLYETHYLENE BARRIER 1/2" G.I.S. BETTER MASON FOR PAINT</p>
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PARTITION ASSEMBLIES	
	<p>3 COAT FRUIT FINISH            1/2" G.W.B. (N.Y. 1" FOR BEARING WALLS)            (PARTIAL RESISTANCE TO WEIR WEARS)            2x4 WOOD STUDS @ 16" O.C.            PARTIAL RESISTANCE            1/2" G.W.B. (N.Y. 1" FOR BEARING WALLS)            3 COAT FRUIT FINISH (N.Y. 1" FOR WEIR WEARS)</p>

**F2**

4" CONC. SLAB  
w/15% REBAR @ 18" E.W.  
3" (95) 1.5% REBAR INSULATION  
EXTERIOR WALL AS PER AIA-30.2 A.14  
6 MIL. POLYETHYLENE AIR BARRIER  
MIN. 6" COMPACTED GRAVEL

	<p>FLOOR JOIST 3.4" x 16" PLYWOOD SHEATHING (GIRTS &amp; SCREWS) 1.5" - 8/16" FLOOR JOISTS 1.5" x 8" BATT INSULATION 3" SCOTTS BATT INSULATION</p>
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**MUNICIPAL ADDRESS**  
731 ROYAL PINE ROAD, KELO

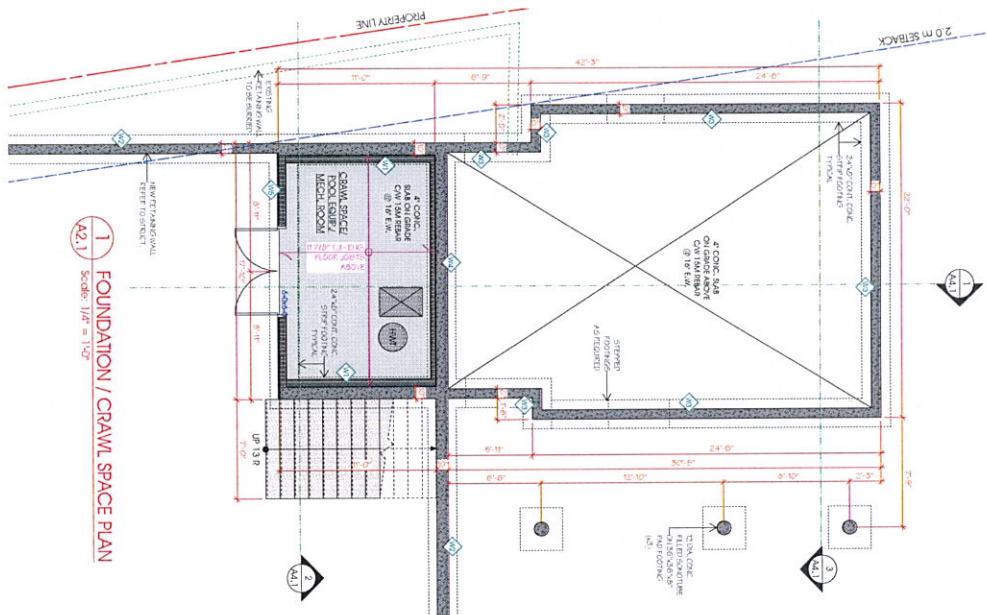


3	STUDY DESIGN	APR 16, 2007
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1	SCOPUS ENTRY	OCT 21, 2006
0	REVISIONS	DATE

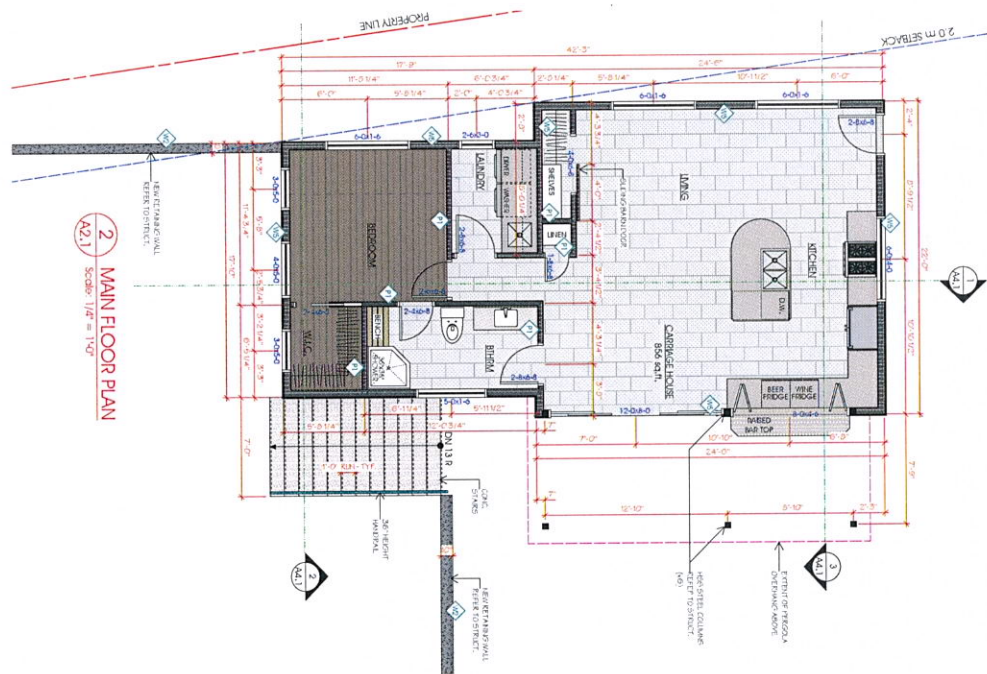


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CLIENT:	BRUNO BRUNO DE SAUD COM
LOCATION:	BRUNO BRUNO DE SAUD COM
DATE:	01/01/2015
BY:	BRUNO BRUNO DE SAUD COM
FOR:	BRUNO BRUNO DE SAUD COM
SCALE:	1:1
SHEET NO.:	1

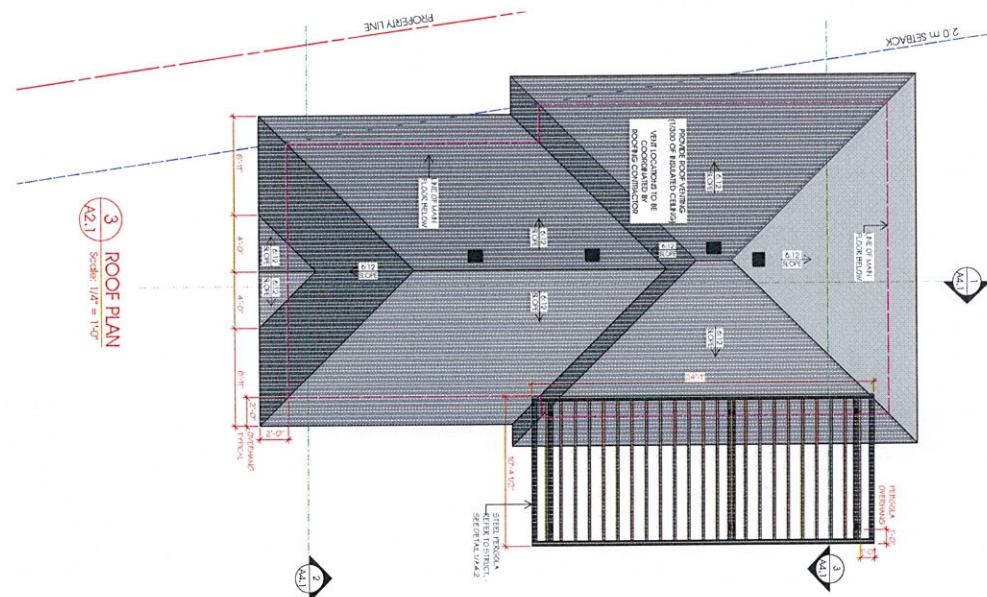




**1 FOUNDATION / CRAWL SPACE PLAN**  
A2.1 Scale: 1/8" = 1'-0"



**2 MAIN FLOOR PLAN**  
A2.1 Scale: 1/8" = 1'-0"



**3 ROOF PLAN**  
A2.1 Scale: 1/8" = 1'-0"

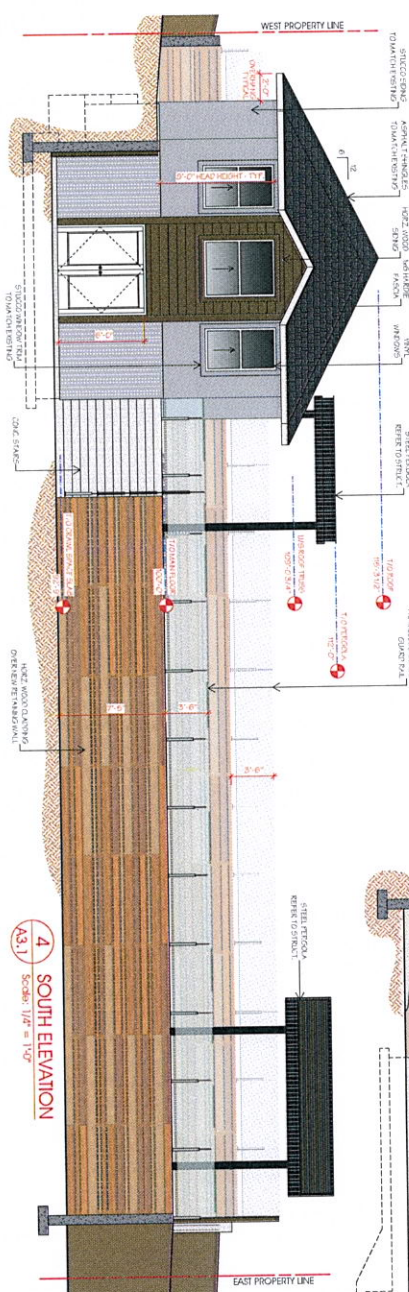
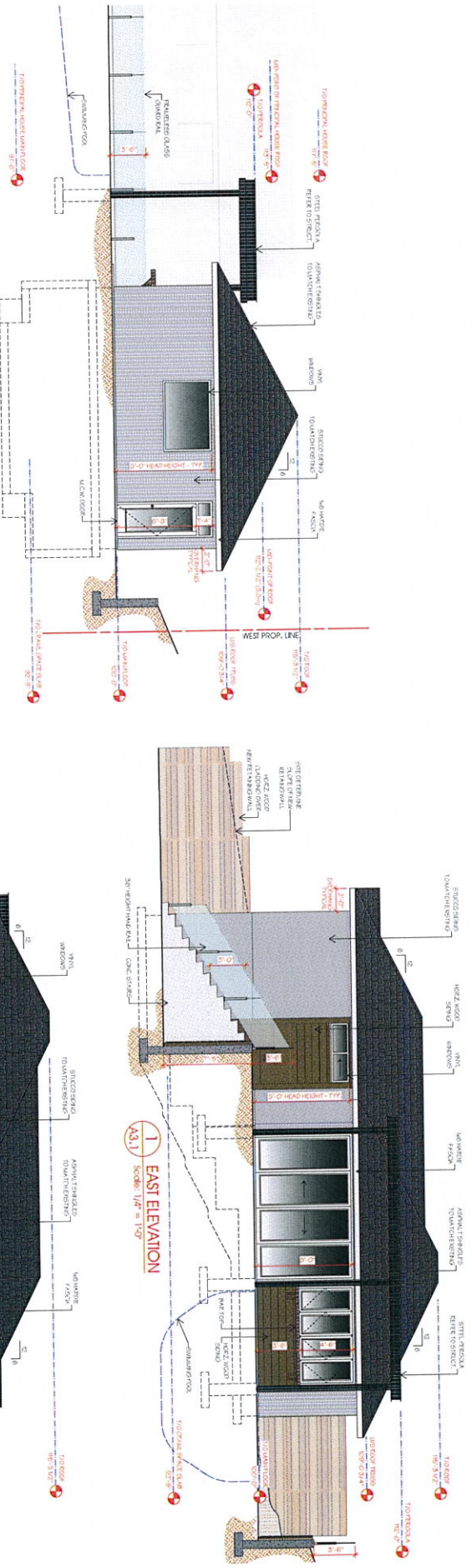
**ERRORS AND OMISSIONS**

SCHUSTER HOME DESIGN SHALL NOT BE RESPONSIBLE FOR ANY WARRANTIES FROM THE STRUCTURAL DRAWINGS AND SPECIFICATIONS OR ADJUSTMENTS REQUIRED RESULTING FROM CONSTRUCTION. THE OWNER SHALL BE RESPONSIBLE FOR THE DESIGN OF THE STRUCTURE AND THE SOLE RESPONSIBILITY OF THE OWNER ON CONSTRUCTION.

SCHUSTER HOME DESIGN WANTS EVERY EFFORT TO PROVIDE COMPLETE AND ACCURATE CONSTRUCTION DRAWINGS. HOWEVER, WE ASSUME NO LIABILITY FOR ANY ERRORS OR OMISSIONS WHICH MAY AFFECT CONSTRUCTION. THE CONTRACTOR SHALL MAKE SURE THAT ALL CONSTRUCTION BEFORE CONSTRUCTION OF THE STRUCTURE IS IN ACCORDANCE WITH THE CITY OF TAMPA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY CORRECTIONS OF THE CONSTRUCTION. SHOULD ANY DISCREPANCIES BE FOUND ON THESE PLANS, PLEASE ADVISE OUR OFFICE SO WE CAN MAKE THE NECESSARY CORRECTIONS.

COPYRIGHT 2016		PROJECT TITLE		SHEET NO.	
SCHUSTER HOME DESIGN		729 E. 1 <sup>ST</sup> AVENUE, SUITE 100		A2.1	
SCHUSTER HOME DESIGN		729 E. 1 <sup>ST</sup> AVENUE, SUITE 100		A2.1	
SCHUSTER HOME DESIGN		729 E. 1 <sup>ST</sup> AVENUE, SUITE 100		A2.1	
SCHUSTER HOME DESIGN		729 E. 1 <sup>ST</sup> AVENUE, SUITE 100		A2.1	
SCHUSTER HOME DESIGN		729 E. 1 <sup>ST</sup> AVENUE, SUITE 100		A2.1	
SCHUSTER HOME DESIGN		729 E. 1 <sup>ST</sup> AVENUE, SUITE 100		A2.1	
SCHUSTER HOME DESIGN		729 E. 1 <sup>ST</sup> AVENUE, SUITE 100		A2.1	
SCHUSTER HOME DESIGN		729 E. 1 <sup>ST</sup> AVENUE, SUITE 100		A2.1	
SCHUSTER HOME DESIGN		729 E. 1 <sup>ST</sup> AVENUE, SUITE 100		A2.1	





DATE	DESCRIPTION	DATE	DESCRIPTION
10/1/2016	1. INITIAL DESIGN	10/1/2016	1. INITIAL DESIGN
10/1/2016	2. REVISED DESIGN	10/1/2016	2. REVISED DESIGN
10/1/2016	3. REVISED DESIGN	10/1/2016	3. REVISED DESIGN
10/1/2016	4. REVISED DESIGN	10/1/2016	4. REVISED DESIGN
10/1/2016	5. REVISED DESIGN	10/1/2016	5. REVISED DESIGN
10/1/2016	6. REVISED DESIGN	10/1/2016	6. REVISED DESIGN
10/1/2016	7. REVISED DESIGN	10/1/2016	7. REVISED DESIGN
10/1/2016	8. REVISED DESIGN	10/1/2016	8. REVISED DESIGN
10/1/2016	9. REVISED DESIGN	10/1/2016	9. REVISED DESIGN
10/1/2016	10. REVISED DESIGN	10/1/2016	10. REVISED DESIGN

**CONTRACT 2016**

**STANDARD REQUIREMENTS**

1. DESIGN AND CONSTRUCTION OF THE PROJECT SHALL BE THE RESPONSIBILITY OF THE OWNER OR CONTRACTOR.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT.

3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INSURANCE COVERAGE.

4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY MATERIALS AND LABOR.

5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES.

6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EROSION CONTROL MEASURES.

7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY TRAFFIC CONTROL MEASURES.

8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY NOISE CONTROL MEASURES.

9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY AIR QUALITY CONTROL MEASURES.

10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY WEATHER CONTROL MEASURES.

**SCHUSTER HOME DESIGN**

72107 ALPINE BLVD  
FELLSBURG, NC 28738

**PROJECT TIME**

START DATE: 10/1/2016  
END DATE: 10/31/2016

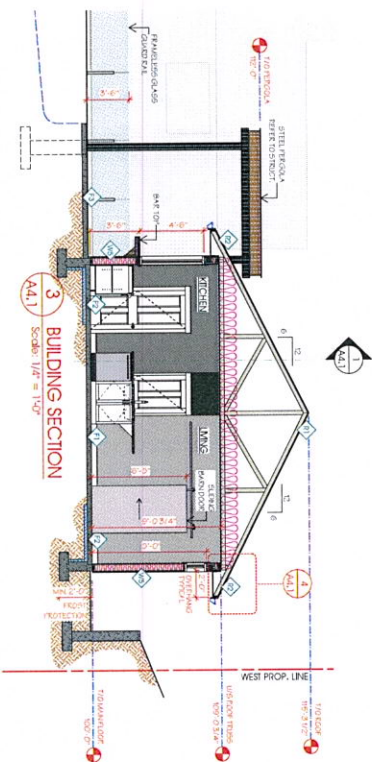
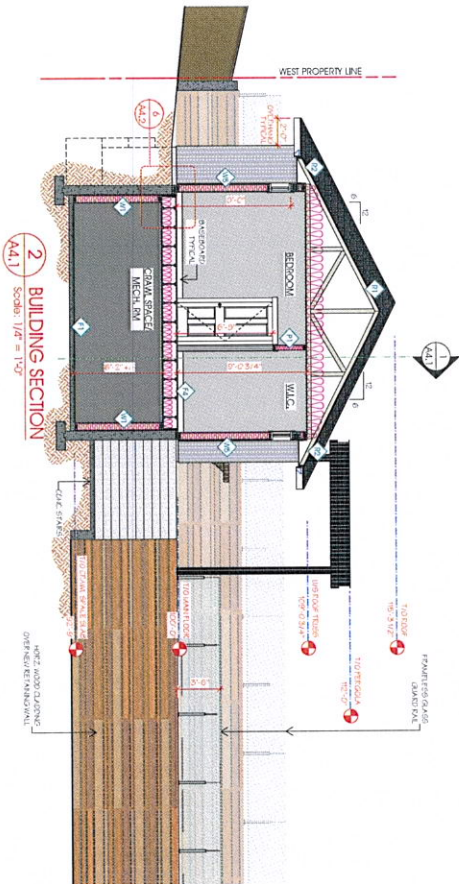
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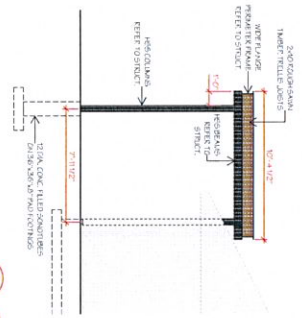
AS SHOWN  
1/4" = 1'-0"

**SHEET NO.**

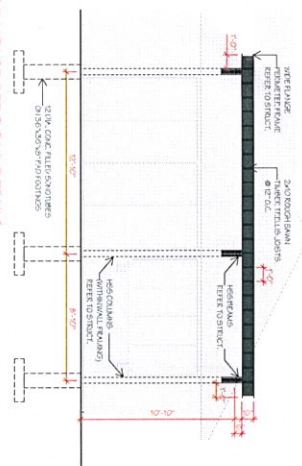
A3.1



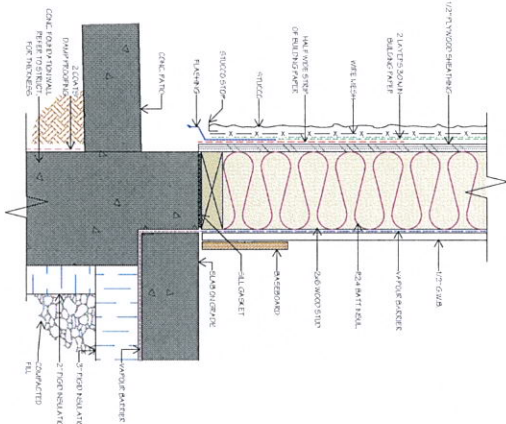
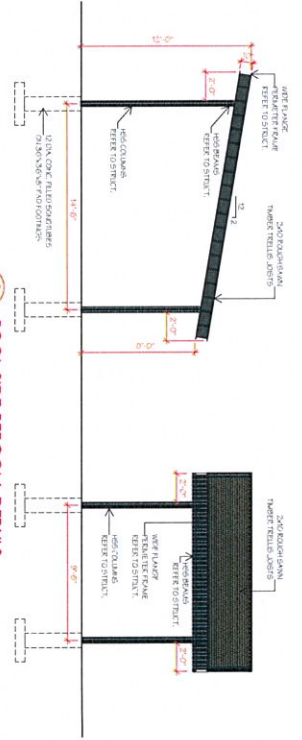
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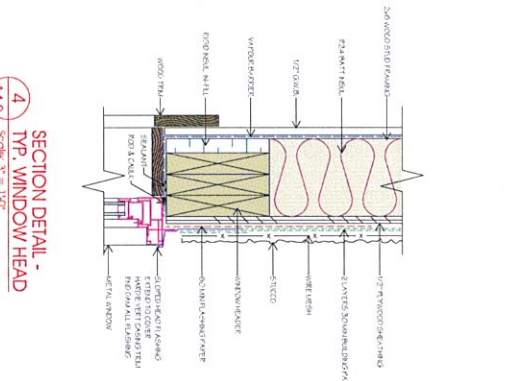
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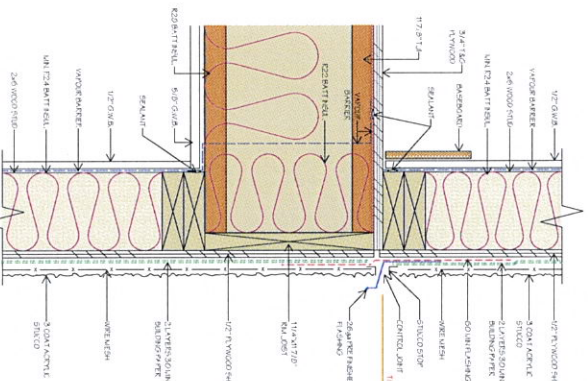
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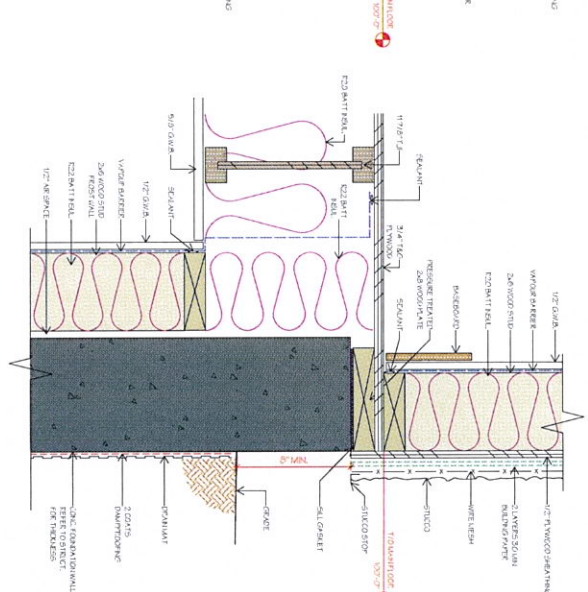
3 SLAB ON GRADE @ EXTERIOR  
Scale: 3/8" = 1'-0"



4 TYP. WINDOW HEAD  
Scale: 3/8" = 1'-0"



5 FLOOR INTERSECTION  
Scale: 3/8" = 1'-0"



6 FOUNDATION WALL @ EXTERIOR  
Scale: 3/8" = 1'-0"

<p><b>ERRORS AND OMISSIONS</b></p> <p>SCHUSTER HOME DESIGN SHALL NOT BE RESPONSIBLE FOR ANY VARIANCES FROM THE STRUCTURAL DRAWINGS AND SPECIFICATIONS, OR ADJUSTMENTS REQUIRED RESULTING FROM CONDITIONS ENCOUNTERED AT THE JOB SITE, AND IS THE SOLE RESPONSIBILITY OF THE OWNER OR CONTRACTOR.</p> <p>SCHUSTER HOME DESIGN MAKES EVERY EFFORT TO PROVIDE COMPLETE AND ACCURATE CONSTRUCTION DRAWINGS. HOWEVER, WE ASSUME NO LIABILITY FOR ANY ERRORS OR OMISSIONS. THE USER OF THESE DRAWINGS SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND DETAILS BEFORE COMMENCING WITH THEIR PORTION OF THE CONSTRUCTION. SHOULD ANY DISCREPANCIES BE FOUND ON THESE PLANS, PLEASE ADVISE OUR OFFICE SO WE CAN MAKE THE NECESSARY CORRECTIONS.</p>		<p><b>PROJECT TITLE:</b> CARRIAGE HOUSE PERGOLA</p> <p><b>SCALE:</b> 3/8" = 1'-0"</p> <p><b>SHEET TITLE:</b> PERGOLA DETAILS</p> <p><b>SHEET NO.:</b> A4.2</p>	
<p><b>DATE:</b> 06.17.2016</p> <p><b>BY:</b> [Signature]</p> <p><b>CHECKED BY:</b> [Signature]</p> <p><b>APPROVED BY:</b> [Signature]</p>		<p><b>DATE:</b> 06.17.2016</p> <p><b>BY:</b> [Signature]</p> <p><b>CHECKED BY:</b> [Signature]</p> <p><b>APPROVED BY:</b> [Signature]</p>	
<p><b>NO REVISIONS</b></p>		<p><b>NO REVISIONS</b></p>	



April 26, 2016.

Re: Update @731 Royal Pine Drive-Rezoning and Development Permit

Dear Neighbour,

This letter is to inform you of our development application at 731 Royal Pine Drive. Our development proposal is to rezone the property from its current designation of RU1 (large lot housing) to RU1c (large lot housing with carriage house)

As you can see from the pictures below, we desperately need to construct a new retaining wall. The existing retaining walls were never properly engineered, using a 4 foot wall and then a couple rows of unfilled concrete blocks. The result is unsightly, unsafe and at this point, barely functional.

This will be corrected so that it is safe, is aesthetically pleasing without losing too much green space, but requires a height variance for the wall.

As luck would have it, the liner of the pool collapsed and the old pool boiler finally quit working last season. Between equipment and labour for the pool and retaining wall we thought it was a good idea to bring the whole backyard up to current standards.

The old pool house had a change area, 3 piece bathroom and equipment area. We want to construct a brand new pool house. This is a downsize from what we proposed initially. The previous plan was a 1074 sq.ft pool house that would have required a size variance. At 856 sq.ft., no size variance will be required. A height variance will be required, but it's only 4 feet higher than the current pool house and many, many feet lower than the existing building and trees adjacent to it.

We truly wish the City had a RU1 (ph-pool house) designation as carriage house often has the connotation of rental associated with it, but we will not be renting the pool house. As most of you know, we host family and friends and it'll be so nice to have the extra space and a bit more privacy.

If you have any questions or concerns, please contact either Rich or Jenn @ 250.869.2655 or email [Jennifer.sutton@apexgcs.ca](mailto:Jennifer.sutton@apexgcs.ca) or [Richard.sutton@apexgcs.ca](mailto:Richard.sutton@apexgcs.ca)

If you are in support of our application, it would be appreciated if you could call or email us with confirmation. If you have any questions or concerns, please don't hesitate to contact us.

Thank you for your consideration,

*Rich Sutton*









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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** March 16, 2016  
**File No.:** Z16-0013

**To:** Land Use Management Department (PMcV)

**From:** Development Engineering Manager

**Subject:** 731 Royal Pine Drive Lot 25 Plan 40293 RU1C Carriage House

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Development Engineering has the following requirements associated with this application.

1. Domestic Water and Sanitary Sewer

This property is currently serviced with a 19mm-diameter water service. The service will be adequate for this application. One metered water service will supply both the main residence and the suite.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service complete with inspection chamber (IC). No service upgrades are required for this application.

3. 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.

4. Access and Parking Requirements

The proposed parking module location for the Carriage House must meet bylaw requirements.

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















# REPORT TO COUNCIL



**Date:** May 30, 2016

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (LK)

**Application:** Z16-0014 **Owner:** Stephani Bruckal

**Address:** 2420 Abbott Street **Applicant:** Myles Bruckal

**Subject:** Rezoning Application

**Existing OCP Designation:** S2RES - Single / Two unit Residential

**Existing Zone:** RU1 - Large Lot housing

**Proposed Zone:** RU6 - Two Dwelling Housing

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## 1.0 Recommendation

THAT Rezoning Application No. Z16-0014 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 14 ODYD Plan KAP69396 except Plan KAP73098, located at 2420 Abbott Street, Kelowna, BC from RU1 - Large Lot Housing zone to RU6 - Two Dwelling Housing zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule 'A' attached to the Report from the Community Planning Department dated March 16, 2016.

## 2.0 Purpose

To rezone the subject property to facilitate the construction of a second dwelling on the subject parcel.

## 3.0 Community Planning

Community Planning Staff supports the proposed rezoning application to allow the construction of a second dwelling on the subject parcel. The S2RES - Single /Two Unit Residential land use designation permits the proposed RU6 - Two Dwelling Housing zone. Currently the adjacent parcels in the neighbourhood contain a mix of single family and two unit residential dwellings. The proposed two dwelling housing use is consistent with the Official Community Plan (OCP) policy for Sensitive Infill. The modest increase in density is well supported by the local parks,

bike ways and transit within the neighbourhood and should not create any land use conflicts in the area.

The project fulfills the following OCP Urban Design Guidelines<sup>1</sup>:

- Design projects to reflect the character of the neighbourhood and the principal building through similar architectural and landscaping themes (i.e. respecting building setbacks, height massing, scale, articulated rooflines, building materials, etc.)
- Design and finish buildings to complement and enhance the principal dwelling (upgrades to the principal dwelling may be required to achieve visual consistency).
- Retain existing, healthy, mature trees and vegetation both on site and adjacent to the street.
- Minimize the amount of impervious paved surfaces (i.e. shared driveways between two dwellings).

## 4.0 Proposal

### 4.1 Project Description

The subject parcel has an existing 2½ storey single detached dwelling which was constructed in 2004. The parcel backs onto the Maude Roxby Wetlands and is in close proximity to Kinsmen Park and Okanagan Lake.

Should the rezoning application be successful, the applicant is planning to build a new single detached dwelling to be located at the front of the parcel facing Abbott Street. This is appropriate due to the large lot size of the property. A direct Development Permit will be required for the dwelling to ensure conformity with the Intensive Residential Urban Design Guidelines and Zoning Development Regulations, including providing adequate on-site parking. The development will fit within the context of the neighbourhood as many of the parcels on the west side of Abbott Street currently have a second dwelling or a carriage house.

By having a shared driveway access along the north side of the parcel, the impervious paved surfaces are minimized, most of the existing mature trees can be retained and a single access point onto Abbott Street.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant. All adjacent neighbours within a 50m radius were provided with a circulation package in regards to the development.

### 4.2 Site Context

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single Family Dwellings
East	RU1 - Large Lot Housing	Single Family Dwellings
South	RU1 - Large Lot Housing RU6 - Two Dwelling Housing	Single Family Dwelling Duplex Dwelling
West	RU1 - Large Lot Housing	Park - Waterfront Walkway



### 4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	700 m <sup>2</sup>	2266.28 m <sup>2</sup>
Minimum Lot Width	18 m	23.62 m
Minimum Lot Depth	30 m	95.5 m
Development Regulations		
Maximum Site Coverage (buildings)	40%	34.9% approx.
Maximum Site Coverage (buildings, driveways and parking)	50%	49% approx.
Maximum Height	2 ½ storeys	2 storeys
Minimum Front Yard	4.5 m	4.5 m
Minimum Side Yard (south)	2.3 m	2.3 m
Minimum Side Yard (north)	2.3 m	7.21 m
Minimum Rear Yard	7.5 m	N/A
Other Regulations		
Minimum Parking Requirements	4 stalls	4 stalls
Minimum Private Open Space	30 m <sup>2</sup> / dwelling	60 m <sup>2</sup> min.

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Chapter 5: Development Process

**Compact Urban Form.**<sup>2</sup> 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.

**Permanent Growth Boundary.**<sup>3</sup> Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of property outside the Permanent Growth Boundary for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council's specific amendment of this policy. The Permanent Growth Boundary may be reviewed as part of the next major OCP update.

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.3.1 (Development Process Chapter).

**Sensitive Infill.**<sup>4</sup> Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

## 6.0 Technical Comments

### 6.1 Development Engineering Department

- Refer to Attachment 'A'

### 6.2 FortisBC Energy Inc - Gas

- Please be advised FortisBC Gas has reviewed the above mentioned referral and the gas service line will be impacted. It will need to be altered, or abandoned/renewed to accommodate development proposal.

### 6.3 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- Fire flows of 60 L/sec is required for a single family dwelling - location of hydrants should meet the subdivision bylaw.
- All units shall have a posted address for emergency response.
- The property shall maintain appropriate access to the existing dwelling.
- If a fence is ever constructed between the dwellings, a gate with a clear width of 1100 mm is required.

## 7.0 Application Chronology

Date of Application Received: February 29, 2016  
Date Public Consultation Completed: May 10, 2016

**Report prepared by:**

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Lydia Korolchuk, Planner

**Reviewed by:**

☐

Terry Barton, Urban Planning Manager

**Approved for Inclusion:**

☐

Ryan Smith, Community Planning Department Manager

**Attachments:**

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<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.21.6 (Development Process Chapter).

Site Plan  
Floor Plans  
Conceptual Elevations  
Attachment 'A': Development Engineering Memorandum



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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** March 16, 2016  
**File No.:** Z16-0014

**To:** Community Planning (LK)

**From:** Development Engineering Manager(SM)

**Subject:** 2420 Abbott Street

RU1 to RU6

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The Development Engineering Department has the following comments and requirements associated with this rezoning application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Sergio Sartori

**1. Domestic Water and Fire Protection**

This property is currently serviced with a 19mm-diameter copper water service. Two 19mm water services are required to meet current by-law requirements. An additional 19mm service 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 upgrades. For estimate inquiry's please contact Sergio Sartori, by email [ssartori@kelowna.ca](mailto:ssartori@kelowna.ca) or phone, 250-469-8589.

**2. Sanitary Sewer**

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. An inspection chamber (IC) complete with brooks box must be installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade. For estimate inquiry's please contact Sergio Sartori, by email [ssartori@kelowna.ca](mailto:ssartori@kelowna.ca) or phone, 250-469-8589.

**3. Road Improvements**

(a) Abbott Street must be upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk, drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. 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 **\$12,049.00** not including utility service cost.

(c) Only the service upgrades must be completed at this time. The City wishes to defer the upgrades to Abbott Street fronting this development. Therefore, cash-in-lieu of immediate construction is required and the City will initiate the work later, on its own construction schedule.



Item	Cost
Drainage	\$ 938.00
Curb & Gutter	\$2,905.00
Sidewalk	\$3,631.00
Street Lighting	\$ 980.00
Road Fillet	\$ 3,050.00
Blvd Landscaping	\$ 545.00
<b>Total</b>	<b>\$12,049.00</b>

4. **Development Permit and Site Related Issues**

Direct the roof drains into on-site rock pits or splash pads.

5. **Electric Power and Telecommunication Services**

The electrical and telecommunication services to this building must be installed in an underground duct system, and the building must be connected by an underground service. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

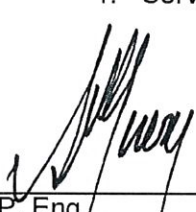
7. **Bonding and Levy Summary**

(a) **Levies**

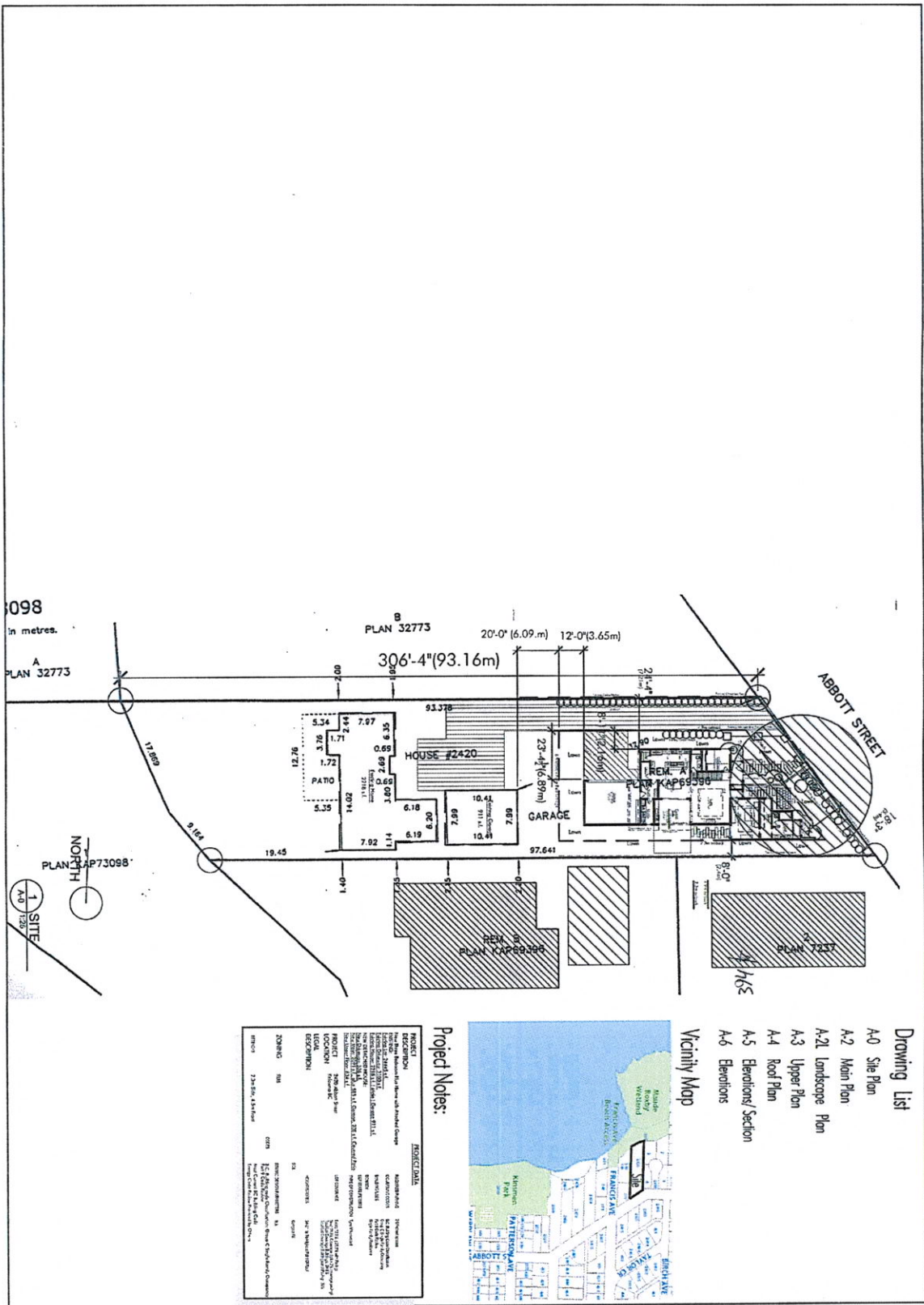
1. Abbott Street frontage improvements **\$12,049.00**

(b) **Bonding**

1. Service upgrades To be determined

  
 Steve Muenz, P. Eng.  
 Development Engineering Manager

SS



A-0

Site Plan

2420 ABBOTT ST, KELOWNA BC  
PROJECT: 10.16  
DATE: 03/04/16  
SCALE: 1/25

KH  
DESIGNS  
CUSTOM  
RESIDENTIAL  
DESIGN  
2118 Alexander Highway, Suite  
101, Kelowna BC  
V1Y 4S5  
250.775.0510

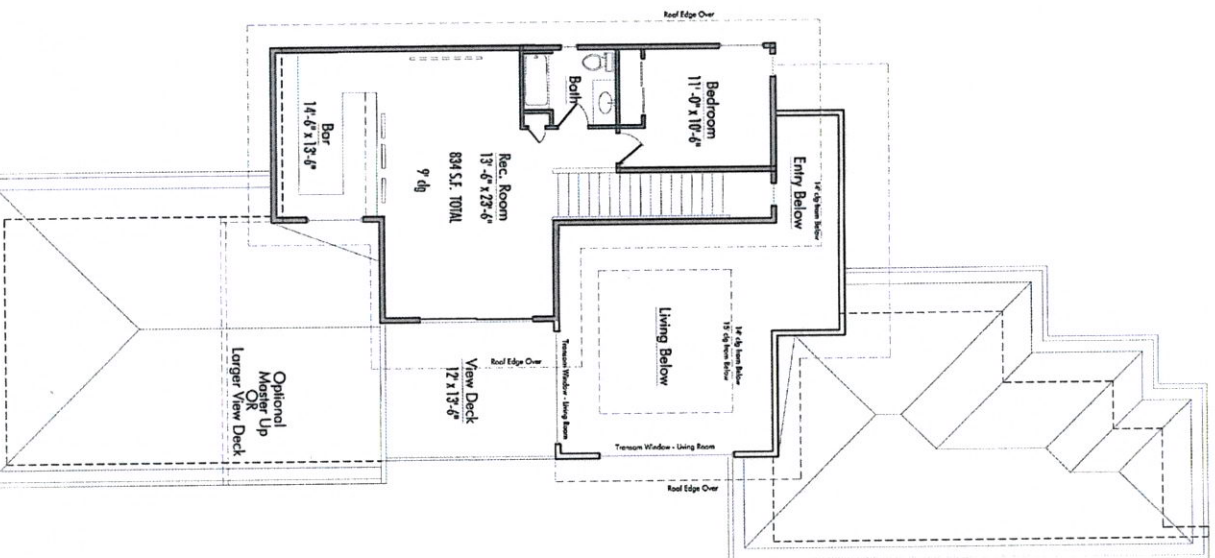




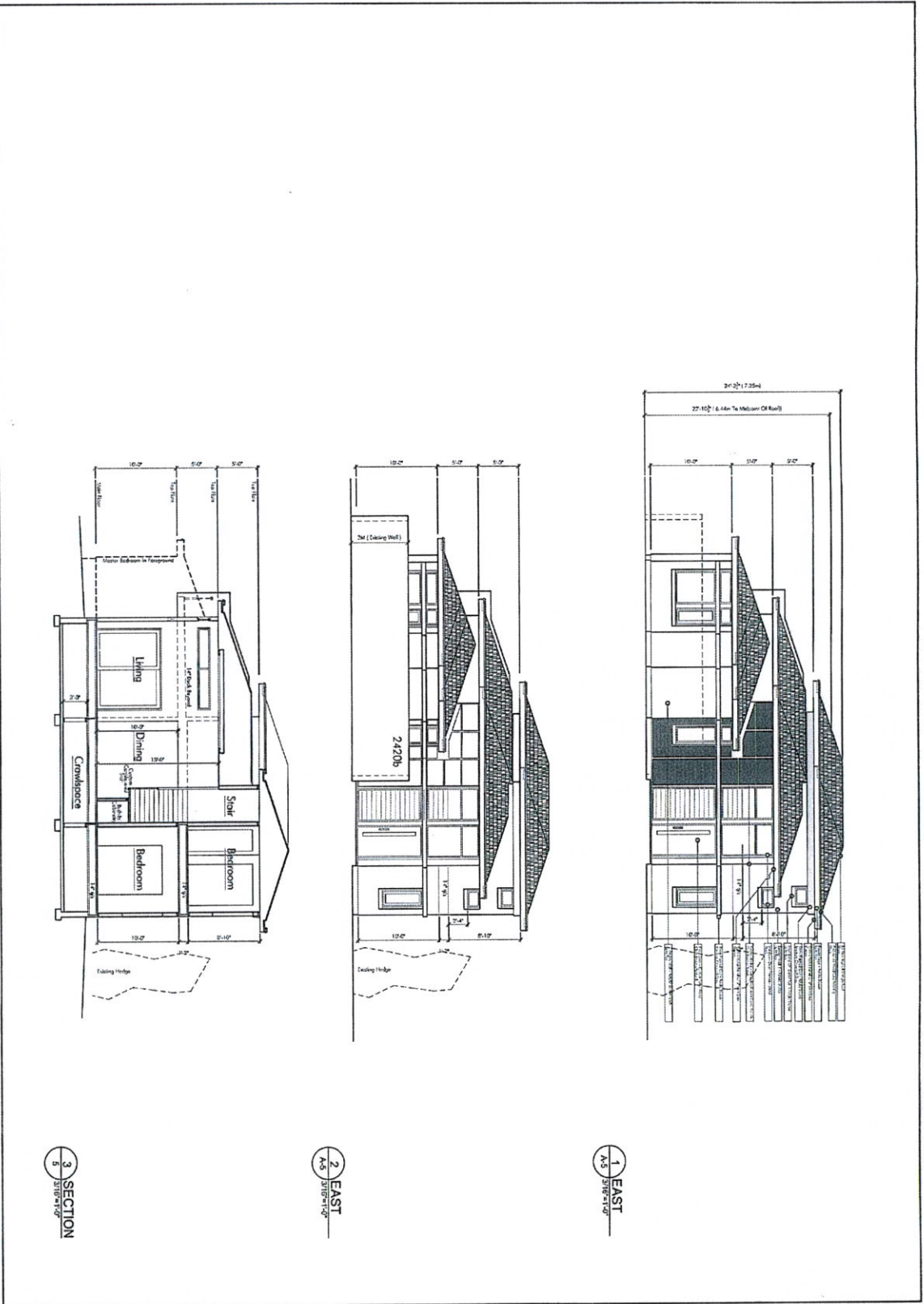


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ISSUE	DATE
Drawing Issued	04/29/16
SCALE:	

23



**11DDFP**



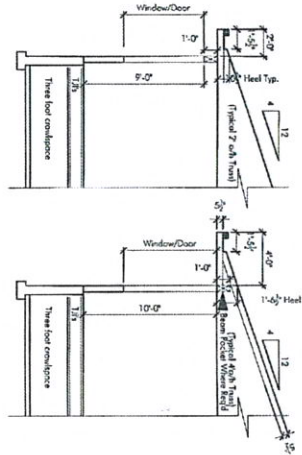
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CUSTOM  
RESIDENTIAL  
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2420 Abbotsford Highway  
V4T 3H5  
250-575-0598

2420  
Abbots St.  
Kelowna BC

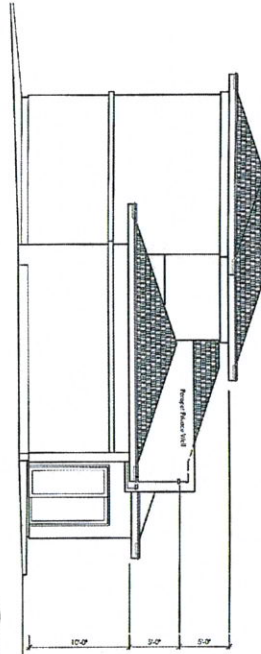
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Elevations/  
Section

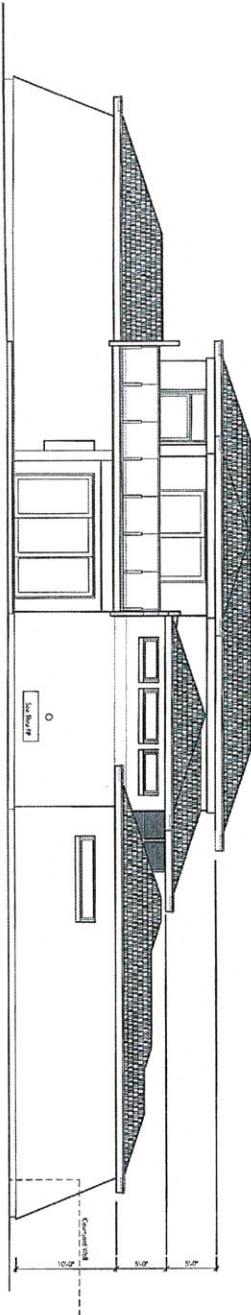
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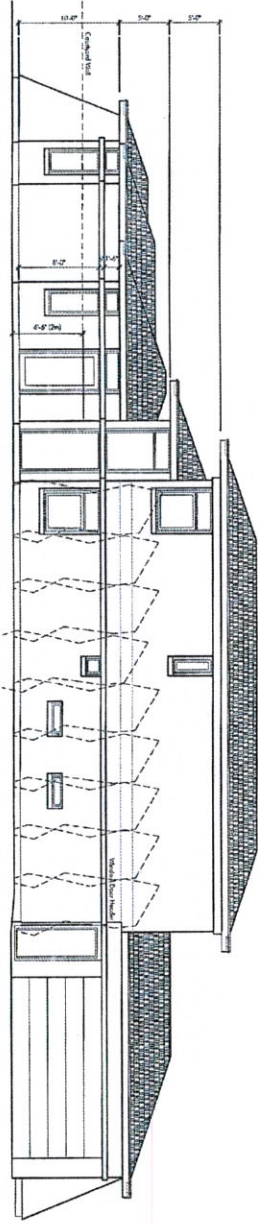
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3 SOUTH  
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4 NORTH  
A-B 3/16"x1'-0"

**KH**  
DESIGNS  
CUSTOM  
RESIDENTIAL  
DESIGN  
2014 Kelowna Kelowna  
V1Y 3A5  
250-575-0590

2420  
Abbott St.  
Kelowna BC

DESIGN BY: KH  
PROJECT: 10-16  
DATE: 05/04/16  
SCALE:

Elevations

A-6