



ATTACHMENT A

This forms part of application
OCP18-0018 Z18-0094



Planner
Initials

BC

City of
Kelowna
COMMUNITY PLANNING

March 26, 2018

City of Kelowna
Planning Department
1435 Water Street
Kelowna, BC

RE: OCP Amendment / Rezoning at 2089 Byrns Road

Dear Planning Department:

This application seeks to rezone the property at 2089 Byrns Road to the RU6 – Two Dwelling Housing zone to allow a second home to be moved to the property. Although the property is located outside of the Permanent Growth Boundary and the future land use is “Resource Protection”, we ask you to consider the following reasons to support and send the application to Council for their consideration:

- Infill density in the immediate area
- Unique situation
- Rescue of a home
- Good quality affordable rental housing
- Neighbourhood support

In 2013 the property at 2049 Byrns Road sought to change the future land use designation to MRL (Multiple residential low density). The land had all the attributes for this designation, however, it was felt to be too intensive for the area given the proximity of active agriculture land and being outside of the Permanent Growth Boundary. A compromise was found, and Planning staff supported the change to the S/2RES (single two unit residential) and the associated RU6-Two Dwelling Housing zone was approved by Council. The file number associated with this change is OCP13-0012/Z13-0019.

The neighbourhood is unique given that it consists of 11 residential properties surrounded on all sides by agricultural land within the Agricultural Land Reserve. Interestingly, the neighbourhood is across from the Benvoulin Heritage Church which was constructed here in 1892 and the church was expected to be the center of the Benvoulin townsite. It is suspected that the subject property and its neighbours to the east (with 3-digit plan numbers) were created at that time as part of the town center.

If the application to rezone the land is successful, the house (below) will be placed directly behind the existing home on the parcel. This “new” home was purchased because the interior

had been recently renovated, its structural integrity and how it is similar in character to the existing dwelling. The benefits to bring the home to the site are:

- the mature vegetation can be retained,
- no additional driveway access needed, and
- no changes to the front home or how the property presents to the street are required.

To move the home onto the site, access to the property has been secured through 2430 Benvoulin Road. The house is in storage awaiting its fate.



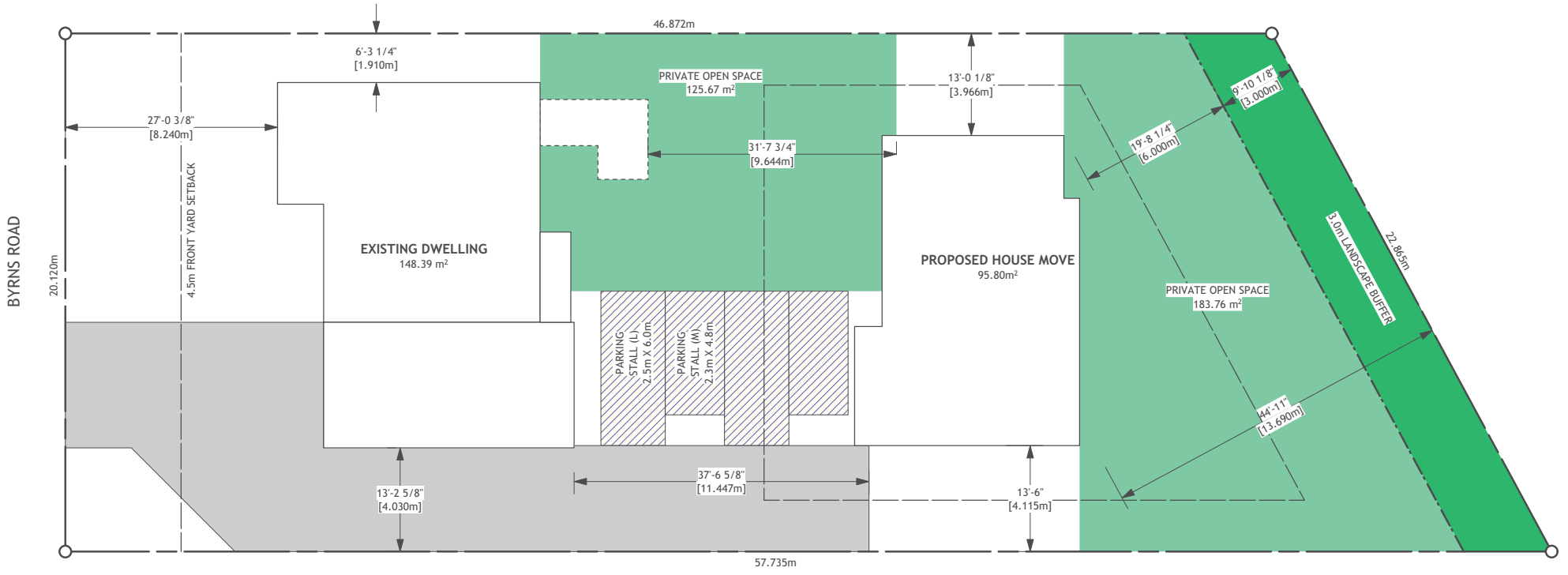
In this case, it is believed that the infill is affordable. The cost of construction is limited to a foundation, associated water and sewer accesses, and moving the building to the site. The existing house is currently being rented and the land owner (who is renting elsewhere) plans to move in to the second home. Given the age of the homes, it will be difficult to strata title them for individual sale and it is expect that at least one home will continue as a rental dwelling.

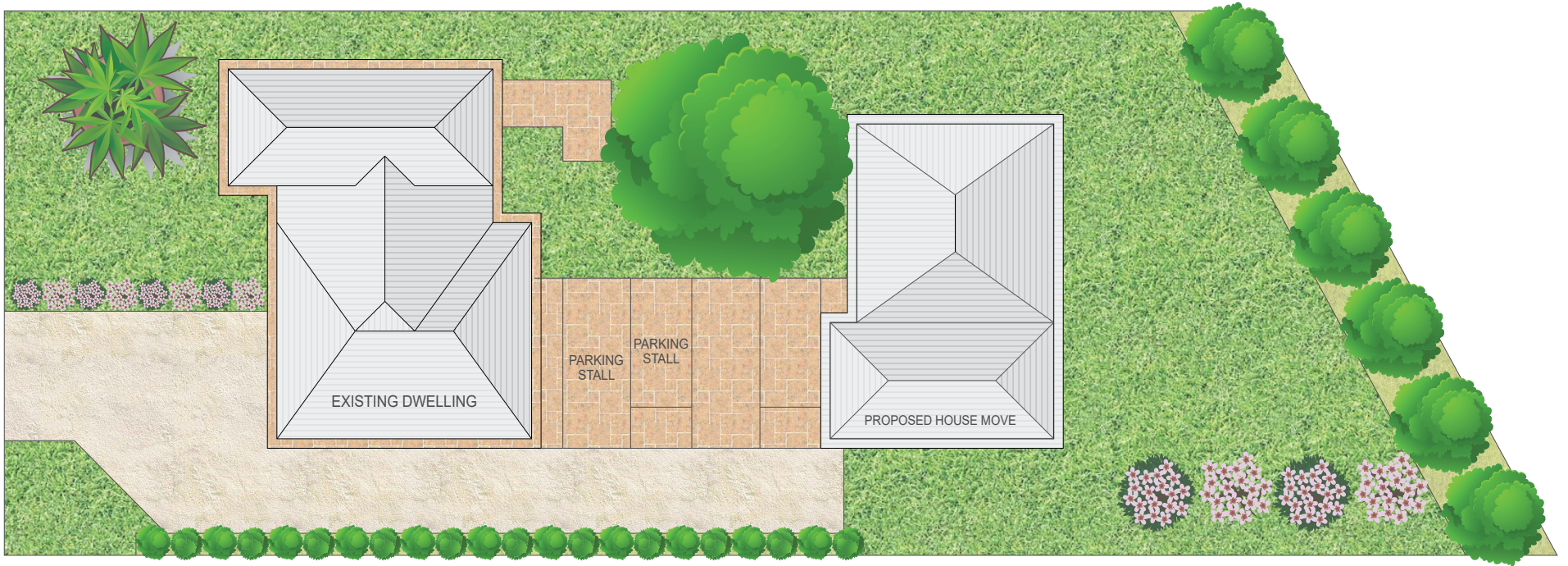
To strengthen the case for a positive Staff recommendation, the landowner conducted a neighbourhood canvass to secure support from the neighbours. The results, site plan and letter supplied are provided as part of the submission. Fifteen immediate neighbours were contacted for a face-to-face visit with thirteen providing signatures of support and two remaining neutral. The properties that abut the subject property all agreed with the project.

We are seeking to rezone the property to allow a “rescue” house to be placed on the site which will provide additional housing stock while keeping the integrity of the neighbourhood intact. Support of the neighbours has been provided as part of the submission package. Now we ask you, Planning Staff and City Council to support this application.

Regards,

Birte Decloux on behalf of M. Maizal Munif





SITE PLAN

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

Date: August 28, 2108
File No.: Z18-0094
To: Community Planning (BC)
From: Development Engineering Manager (JK)
Subject: 2089 Byrns Road A1 to RU6

Development Engineering Department have the following comments and requirements associated with this 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 Jason Angus.

1) General

- i) Where there is a possibility of a high water table or surcharging of storm drains during major storm events, non-basement buildings may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.
- ii) Provide easements as may be required.

2) Geotechnical Study.

- i) Provide a geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision. The Geotechnical reports must be submitted to the Development Services Department for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval:
 - (a) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
 - (b) Site suitability for development.
 - (c) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
 - (d) Any special requirements for construction of roads, utilities and building structures.

- (e) Recommendations for items that should be included in a Restrictive Covenant.
- (f) Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
- (g) Any items required in other sections of this document.
- (h) Additional geotechnical survey may be necessary for building foundations, etc

1) Water

- i) The This property is currently serviced with a 19mm-diameter copper water service. One 50mm water service c/w two curb stops are required to meet current by-law requirements. One new water 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 Jason Angus, by email jangus@kelowna.ca or phone, 250-469-8783
- ii) An approved backflow protection devise must also be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.
- iii) A water meter is mandatory for this development and must be installed inside a building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost

3) Sanitary Sewer

- i) Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service complete with inspection chamber (IC) which is adequate for this application.

4) Roads

- i) Byrns Road is designated an urban arterial road. Frontage improvements required include curb and gutter, separate sidewalk, piped storm drainage system, road works, landscaped boulevard complete with underground irrigation system, street lights, treed middle median and left turn bays. 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 **\$31,895.50** not including utility service cost.

5) Power and Telecommunication Services and Street Lights

- i) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground.
- ii) Streetlights must be installed on all roads.


- iii) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- iv) Remove existing poles and utilities, where necessary. Remove aerial trespass (es).

6) Other Engineering Comments

- i) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands, and for public access to Vaughan Ave via the proposed lane.
- ii) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.
- iii) Direct the roof drains into on-site rock pits.
- iv) A maximum driveway width of 6m is to be designed to.

7) Bonding and Cash-in-lieu Summary

- i) Cash-in-lieu
 - (a) General Requirements
 - 1. Byrns Road Improvements **\$31,895.50**
- ii) Bonding
 - (a) General Requirements
 - 1. Utility Improvements **\$ TBD**



 James Kay, P. Eng.
 Development Engineering Manager

JA