



ADVISORY PLANNING COMMISSION REPORT

To: Advisory Planning Commission Members

Date: December 16, 2020

From: Hailey Rilkoff, Planner II

File No: Z 20-05

Subject: **Z 20-05, Zoning Amendment Application, 2485 Hayman Road**

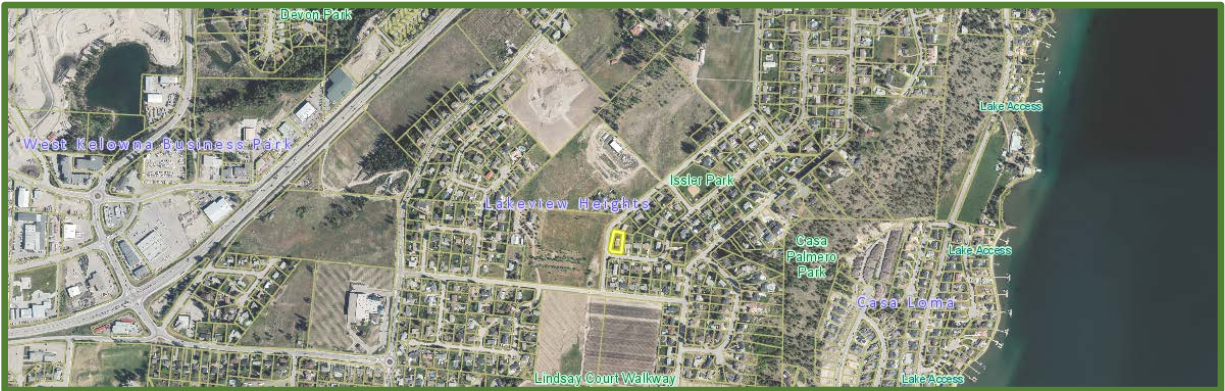
BACKGROUND

This application proposes to amend the zoning designation of a portion of the the subject property from the R1 – Single Detached Residential Zone to the RC3 – Single Detached Compact Residential Zone to support a future subdivision. The applicant is proposing to create one additional residential lot within the RC3 Zone, which could be developed with a Single Detached Dwelling. If the rezoning is successful, the applicant could apply for subdivision.

PROPERTY DETAILS			
Address		2485 Hayman Road	
PID		006-793-339	
Folio		36414409.156	
Lot Size		0.35 Acres (1,416.4 m ²)	
Owner	1254449 B.C. Ltd	Agent	Lorn Humenuik
Current Zoning	R1 – Single Detached Residential	Proposed Zoning	R1 – Single Detached Residential & RC3 – Single Detached Compact Residential
Current OCP	SFR – Single Family Residential	Proposed OCP	-
Current Use	Residential	Proposed Use	Residential
Development Permit Areas		None	
Hazards		N/A	
Agricultural Land Reserve		Adjacent to ALR (across Hayman Road)	

ADJACENT ZONING & LAND USES		
North	^	R1 - Single Detached Residential
East	>	R1 - Single Detached Residential
West	<	A1 – Agricultural (ALR)
South	v	R1 - Single Detached Residential

NEIGHBOURHOOD MAP



PROPERTY MAP



DISCUSSION

Subject Property

The subject property is 0.35 acres (~1,400 ft²), located on the corner of Hayman and Crestview Road. The subject property is located in the Lakeview Heights neighbourhood and is zoned R1 - Single Detached Residential. The property is currently developed with a single detached dwelling. The subject property is located nearby agricultural properties (ALR parcel across Hayman Road) and is surrounded by residential and agricultural land uses.

Proposal

The applicant is proposing to rezone a portion of the subject property to the RC3 – Single Detached Compact Residential Zone to facilitate a 2 lot subdivision. The new proposed parcel would have the RC3 zoning, while the remainder parcel, with the existing home, would retain the R1 zoning. The applicant has submitted a proposed plan of subdivision (Attachment 2) which shows the proposed new and remainder lot area and dimensions. This proposed plan is subject to an additional subdivision process.

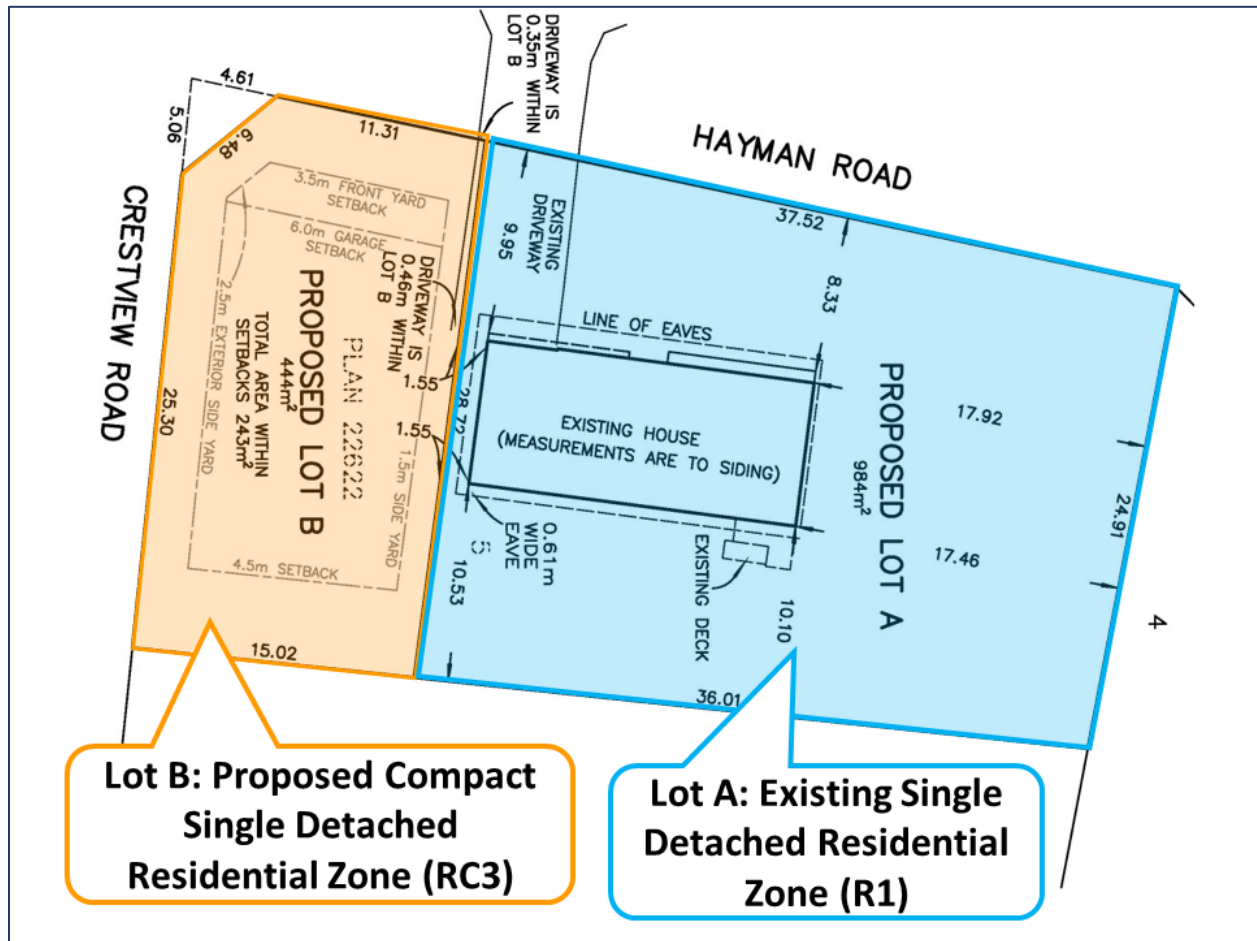


Figure 1 - Proposed Zoning Amendment

Bylaw & Policy Review

Official Community Plan Bylaw No. 0100

The property is within the City's *Neighbourhood Growth Management Designation*. This designation anticipates low and medium density residential areas, ground oriented residential, slower traffic movement, and a system of safe bicycle & pedestrian pathways. The purposes of this designation include:

- Protect & enhance local housing stock & existing neighbourhood character
- Provide opportunities for localized housing diversity at appropriate locations
- Work towards compact, complete communities that reduce vehicle trips, GHG emissions & foster a healthy, involved community

The property is within the City's *SFR – Single Family Residential* future Land Use Designation which permits single detached, duplex and carriage house building forms including compact or clustered housing. The purpose of this designation is to provide traditional single family housing opportunities and encourage more land efficient compact housing forms.

The property does not fall within any of the City's Development Permit Areas and as there is only one additional residential unit proposed a Form & Character Development Permit is not required.

Zoning Bylaw No. 0154

The proposal meets the minimum subdivisions regulations for both the remainder lot (R1 Zone) and the proposed new lot (RC3 Zone).

Subdivision Regulation	R1 Zone	Remainder Lot	RC3 Zone	Proposed New Lot
Min Parcel Area	550 m ²	984 m ²	325 m ²	444 m ²
Min Usable Parcel Area	330 m ²	984 m ²	195 m ²	444 m ²
Min Parcel Frontage	16.0 m	37.52 m	12.0 m	15.92 m (Hayman) 30.36 m (Crestview)

The RC3 Zone provides for a more compact single detached dwelling development pattern with a smaller parcel area than the R1 Zone. Attachment 3 includes excerpts from the Zoning Bylaw for the R1 and RC3 Zone subdivision and development regulations. This would be the first property in the neighbourhood to rezone to the compact residential zoning.

Technical Review

Functional Servicing Report

The applicant has provided a Functional Servicing Report, prepared by ARDA Consultants Ltd., which does not identify any new servicing concerns. The FSR identifies that both Hayman and Crestview Roads have an urban standard. Cash-in-lieu is proposed for the frontage works to bring Hayman and Crestview roads up to the required Urban Standard which include curb, gutter and a 1.5m paved pedestrian walkway separated from the road.

Referral Comments

Referral comments are being sought from various internal and external agencies in regards to the proposed rezoning. At the time of writing this report, no referral comments have been received and the referral period closes December 18th.

KEY CONSIDERATIONS

In providing recommendations to City staff and Council, the APC may wish to consider the following:

- The proposal aligns with the OCP's future Land Use Designation and Growth Management designation for the subject property.

- This would be the first property in the Lakeview Heights neighbourhood to have the compact residential zoning.
- Should Council give first and second readings to the zoning amendment bylaw, a Public Hearing will be held to provide an opportunity for residents to express any concerns with or anticipated

Specific comments would be appreciated should the APC have any concerns with the proposed [insert application type], so that they may be further investigated or considered prior to staff providing a recommendation to Council as part of consideration of the application.

Respectfully submitted,

Hailey Rilkoff

Hailey Rilkoff
Planner II

Powerpoint: Yes ☒ No ☐

Attachments:

1. Applicant's Rationale
2. Proposed Plan of Subdivision
3. RC3 & R1 Zone Excerpts from the Zoning Bylaw



August 13, 2020

**To: City of West Kelowna
2760 Cameron Road
West Kelowna, BC
V1Z 2T6**

Re: 2485 Hayman Road

Our Development Plans

To whom it may concern:

We purchased this house because we saw the opportunity to enhance the value of this property by developing a legal suite in the basement and creating an additional lot that could accommodate a new home. This corner lot is large enough to support this proposal, and we have had a surveyor prepare a proposed subdivision plan for your review. These improvements will substantially increase the value of the property, which in turn will increase your tax revenue... so hopefully we can all win!

We want to make this older home look like new. The roof was replaced within the last few years, but since we will be adding some new windows and door in the basement and building a new deck for the upper level, we will totally refinish the entire home with fresh acrylic stucco. It will look like a new house! The existing garage will be utilized for the basement suite. We want to develop another single car garage under the enclosed sundeck and have applied for another driveway access.

Attached is the Functional Servicing Report for the re-zoning and subdivision of the new lot. In addition to bringing the new power underground to the property and upgrading the fire hydrant to include three ports, we intend to remove most of the fruit trees on the new lot in the area where a house is to be built. So, at the end of the day instead of one home paying taxes on a property valued around \$650,000 the house with a suite will likely be worth around \$900 to \$950,000. A new home on the new lot could easily be in the range of \$750-850,000, so the total value after redevelopment could be close to triple the current value.

I have had considerable experience doing real estate developments on the Westside and in Peachland. I built the Acorn Homes brand and did more than 20 developments, building over 800 homes and condos. We used to have our office in Acorn Plaza on Carrington Road, a 30,000 square foot office rental building we constructed in 1996.

This little project on Hayman Road is a partnership with Richard Provost and our two companies.

Yours truly,


Sherwin Goerlitz
778-922-6750 cel

Richard Provost
250-863-6583

PROPOSED SUBDIVISION PLAN OF LOT 5 DISTRICT LOT 2689 ODYD PLAN 22622

PID: 006-793-339

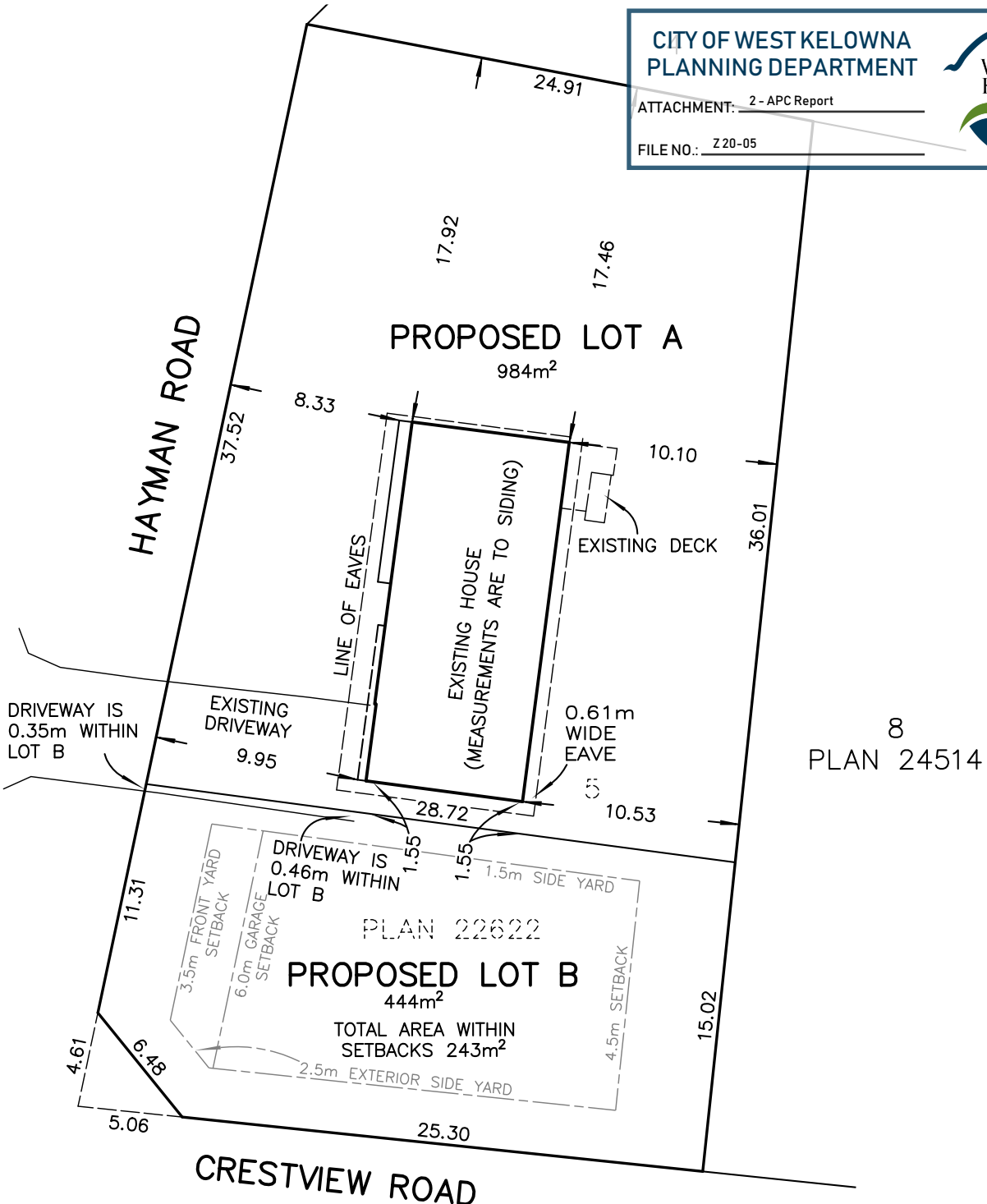
CIVIC ADDRESS: 2485 HAYMAN ROAD,
WEST KELOWNA

CITY OF WEST KELOWNA
PLANNING DEPARTMENT



ATTACHMENT: 2 - APC Report

FILE NO.: Z20-05



PROPERTY LINES ARE APPROXIMATE AND
ARE SUBJECT TO A FULL LEGAL SURVEY

CLIENT: ACORN DEVELOPMENTS

DATE: JUNE 29, 2020

SCALE: 1:300 METRES

FILE: 22223

DRAWN BY: RD

Ferguson Land Surveying & Geomatics Ltd.

BC AND CANADA LAND SURVEYORS 404-1630 PANDOSY STREET, KELOWNA, BC
PHONE: (250) 763-3115 FAX: (250) 763-0321

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THIS PLAN SHOWS REGISTERED CHARGES ON
TITLE THAT ARE DEFINED BY SURVEY PLAN OR
DESCRIPTION. UNREGISTERED INTERESTS HAVE
NOT BEEN INCLUDED OR CONSIDERED.

THIS PLAN IS FOR THE SOLE USE OF THE
CLIENT ONLY AND IS NOT TO BE USED FOR
THE RE-ESTABLISHMENT OF PROPERTY
BOUNDARIES.

10.3. COMPACT SINGLE DETACHED RESIDENTIAL ZONE (RC3)Bylaw No.
154.36**.1 Purpose**

To accommodate single detached residential use on parcels of land that are 325 m² and larger.

.2 Principal Uses, Buildings and Structures

- (a) Single detached dwelling

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
(b) Care facility, minor
(c) Home based business, major
(d) Secondary suite on parcels 550 m² (5,920.2 ft²) or greater

Bylaw No.
154.50**.4 Site Specific Uses, Buildings and Structures - *Reserved*****.5 Regulations Table**

SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	325 m ² (3,498.3 ft ²)
(b)	Minimum usable parcel area	195 m ² (2,099.0 ft ²)
(c)	Minimum parcel frontage	12.0 m (39.4 ft)
DEVELOPMENT REGULATIONS		
(d)	Maximum density:	
.1	Single detached dwelling	1 per parcel
.2	Secondary suite	1 per parcel
(e)	Maximum parcel coverage	40%
(f)	Maximum building height:	9.0 m (29.5 ft) to a maximum of 3 storeys except it is 5.0 m (16.4 ft) for accessory buildings and structures
SITING REGULATIONS		
(g)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary or private access easement, whichever is closer	3.5 m (11.5 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the front
.2	Rear parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft)
.3	Interior side parcel boundary	1.5 m (4.9 ft)

Bylaw No.
154.50

.4	Exterior side parcel boundary or private access easement, whichever is closer	2.5 m (8.2 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the exterior side
.5	Parcels in another zone	4.5 m (14.8 ft)
.6	A1 Zone or ALR	15.0 m (49.2 ft) except it is 9.0 (24.6ft) if a level 1 buffer is provided.

.6 Other Regulations

- (a) Without limiting the application of the height regulation in Section 10.3.5(f), the height of any single building wall, measured from the lowest elevation of grade at the foot of the wall to the lower surface of the eave, or to the top of the wall in the case of a building without eaves, shall not exceed the lesser of 3 storeys or 9 m (29.5 ft).

(b) **Siting Regulations for Approved Subdivisions**

- .1 the regulations requiring a minimum distance between garages or carports having vehicular entry from parcel boundaries or private access easements, that is greater than the minimum distance required for other buildings and structures, and
- .2 the regulations requiring that the siting of a building or structure be determined in relation to the location of a private access easement, if it is closer to the building or structure than the relevant parcel boundary,

shall not apply to any parcel created by subdivision deposited in the Land Title Office before March 13, 2014 provided that the building permit authorizing the construction of the building or structure is issued before March 13, 2019.

Bylaw No.
154.06

10.4. SINGLE DETACHED RESIDENTIAL ZONE (R1)Bylaw No.
154.36**.1 Purpose**

To accommodate low density single detached residential use on parcels of land that are 550 m² and larger.

.2 Principal Uses, Buildings and Structures

- (a) Single detached dwelling

.3 Secondary Uses, Buildings and Structures

- (a) Accessory uses, buildings and structures
 (b) Bed and breakfast
 (c) Care facility, minor
 (d) Carriage house
 (e) Home based business, major
 (f) Secondary suite

.4 Site Specific Uses, Buildings and Structures

- (a) On Lot 1, Plan 44004, DL 581 ODYD, Except Plans KAP48178 & KAP53981: vineyard and one single detached/caretakers residence.

.5 Regulations Table

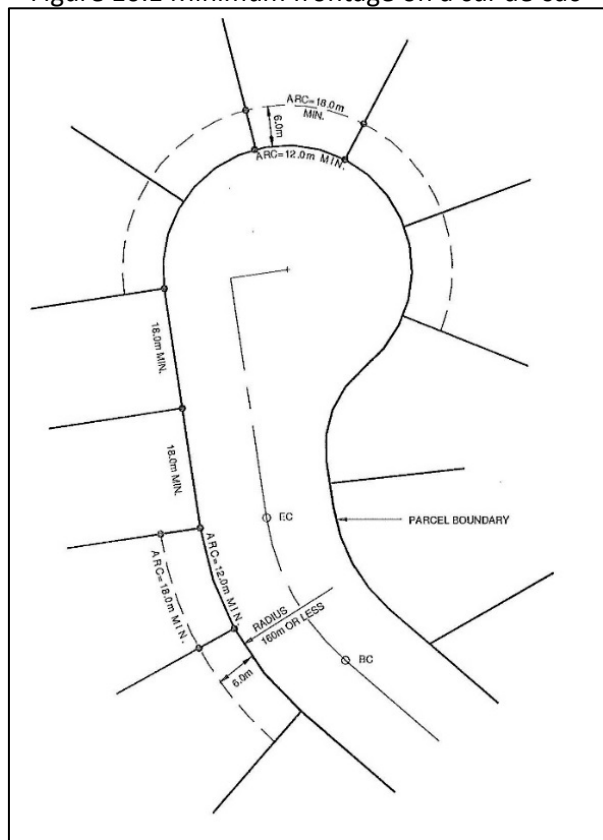
SUBDIVISION REGULATIONS		
(a)	Minimum parcel area	550 m ² (5,920.2 ft ²)
(b)	Minimum usable parcel area	330 m ² (3,552.1 ft ²)
(c)	Minimum parcel frontage	16.0 m (52.5 ft)
DEVELOPMENT REGULATIONS		
(d)	Maximum density:	
.1	Single detached dwelling	1 per parcel
.2	Secondary suite and carriage house	Only 1 secondary suite or only 1 carriage house per parcel
(e)	Maximum parcel coverage	40%
(f)	Maximum building height:	
.1	Single detached dwelling	9.0 m (29.5 ft) to a maximum of 3 storeys
.2	Accessory buildings and structures	5.0 m (16.4 ft)
.3	Carriage house	5.0 m (16.4 ft) to a maximum of 1 storey or 6.5 m (21.3 ft) to a maximum of 1.5 storeys where at least one parking stall is provided in the same building

SITING REGULATIONS		
(g)	Buildings and structures shall be sited at least the distance from the feature indicated in the middle column below, that is indicated in the right-hand column opposite that feature:	
.1	Front parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the front
.2	Rear parcel boundary or private access easement, whichever is closer	3.0 m (9.8 ft)
.3	Interior side parcel boundary	1.5 m (4.9 ft)
.4	Exterior side parcel boundary or private access easement, whichever is closer	4.5 m (14.8 ft) except it is 6.0 m (19.7 ft) for a garage or carport having vehicular entry from the exterior side
.5	A1 Zone or ALR	15.0 m (49.2 ft) except it is 9.0 (24.6ft) if a level 1 buffer is provided.

.6 Other Regulations

- (a) Without limiting the application of the height regulation in Section 10.4.5(f).1, the height of any single building wall, measured from the lowest elevation of grade at the foot of the wall to the lower surface of the eave, or to the top of the wall in the case of a building without eaves, shall not exceed the lesser of 3 storeys or 9 m (29.5 ft).
- (b) Without limiting the application of the height regulation in Section 10.4.5(f).3, the height of any carriage house wall, measured from the lowest elevation of grade at the foot of the wall to the lower surface of the eave, or to the top of the wall in the case of a building without eaves, shall not exceed the lesser of 1.5 storeys and 6.5 m (21.3 ft).
- (c) Despite Section 10.4.5(c), the parcel frontage may be less than 16.0 m (52.5 ft) for parcels on a cul-de-sac provided that the radius of the curvature along the parcel frontage is less than 160 m (524.9 ft) and the arc length along the parcel boundary is at least 12.0 m (39.4 ft) as illustrated in Figure 10.1.

Figure 10.1 Minimum frontage on a cul-de-sac



.7 Siting Regulations for Approving Subdivisions

- (a) The regulations requiring a minimum distance between garages or carports having vehicular entry from parcel boundaries or private access easements, that is greater than the minimum distance required for other buildings and structures, and
- (b) The regulations requiring that the siting of a building or structure be determined in relation to the location of a private access easement, if it is closer to the building or structure than the relevant parcel boundary,

shall not apply to any parcel created by subdivision deposited in the Land Title Office before March 13, 2014 provided that the building permit authorizing the construction of the building or structure is issued before March 13, 2019.