
CITY OF KELOWNA

MEMORANDUM

Date: September 12, 2005

File No.: Z05-0055

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. Z05-0055

AT: 375 Taylor Road

OWNER: Odiyar, Armogan & Elizabeth

APPLICANT: as above

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM THE RU1- LARGE LOT HOUSING ZONE TO THE RU6 – TWO DWELLING HOUSING ZONE.

EXISTING ZONE: RU1 – LARGE LOT HOUSING

PROPOSED ZONE: RU6 – TWO DWELLING HOUSING

REPORT PREPARED BY: KEIKO NITTEL

1.0 RECOMMENDATIONS

THAT Rezoning Application No. Z05-0055 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 22, Township 26, ODYD, Plan 31372 located on Taylor Road, Kelowna, B.C. 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 THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of Rutland Water Works being completed to their satisfaction;

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Variance Permit on the subject property.

2.0 SUMMARY

The applicant is seeking to rezone the subject property to the RU6- Two Dwelling Housing zone to allow for the addition of a second single detached dwelling on the subject property. A development variance permit approval is also being requested to allow a rear yard setback of 2.4 m where 6.0 m is required.

3.0 ADVISORY PLANNING COMMISSION

The above noted application was reviewed by the Advisory Planning Commission at the meeting of August 16, 2005 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z05-0055, for 375 Taylor Road, Lot A, Plan 31372, Sec. 22, Twp. 26, ODYD, by A & E Odiyar, to rezone from the RU1- Large Lot Housing zone to the RU6-Two Dwelling Housing zone in order to allow for the construction of a second single detached dwelling;

4.0 BACKGROUND

4.1 The Proposal

The applicant is proposing to construct a second house at the rear of the subject property. The subject property fronts onto Taylor Road with Elwyn Road running along the north side of the property. The applicant is proposing to locate a new house behind the existing house and facing onto Elwyn Road. The property's side yard, facing Elwyn Road, would thus effectively act as the proposed new house's front yard. The east side of the lot, the legal rear yard of the property, would function as the side yard of the new house. The applicant is therefore proposing a setback in this location of 2.4 m where 6.0 m rear yard setback is required. The applicant has proposed to position the house such that the south side yard setback to the proposed new house is 6.0 m as it would act as its the rear yard.

The proposed one and a half storey house would comprise a double car garage, living/dining room, kitchen, three bedrooms, and two bathrooms on the main floor. A family room, bathroom, potential bedroom, and craft/laundry room would be located in the basement. In addition to the proposed garage, two parking spaces would be provided in the driveway access off of Elwyn Road. The existing house currently has parking provided in a detached garage and driveway accessed off of Taylor Road. The development therefore meets the parking requirement of 4 on-site parking spaces. The existing detached garage would require removal. In addition, only one driveway per frontage would be permitted. The proposed extension of the existing driveway onto Taylor Road, as shown on the landscape plan, would therefore not be permitted. In addition, the existing and proposed locations of the driveways would require approval of the Works & Utilities Department to ensure that there is no conflict with the intersection.

At this time, the applicant has only provided concept plans of the proposed house. Prior to the review of the development permit, further information including detailed drawings of all elevations, indicating proposed colours and materials, would be required. The applicant would be required to ensure that the proposed new building is consistent in design and that

the materials and colours coordinates with the existing house prior to review of the development permit. The applicant would also at that time be required to indicate how they intend on improving the façade of the existing building (e.g. paint unfinished trim). The concept plans for the new house indicate that exterior treatments are to be decided at a later date. This level of detail is a requirement of the development permit. The applicant will therefore be required to provide this information and address Staff's concerns prior to issuance of the development permit.

A significant amount of landscaping currently exists on site. The applicant intends on maintaining as much as the mature plantings as possible. Existing landscaping comprises of grass as well as several trees and planting beds located throughout the site. Privacy fencing would be required along the internal property lines to maintain the privacy of the neighbours.

The application meets the requirements of the RU6 – Two Dwelling Housing zone as follows:

CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
Lot Area (m ²)	1180m ²	700m ²
Lot Width	26.70m	18.0m
Lot Depth	44.60m	30.0m
Storeys (#)	1.5	2.5
Site Coverage Bldgs	26%	40%
Site Coverage Bldgs & Prkg	36%	50%
Height of Proposed Dwelling	6.7m	9.5m
Setbacks (Existing Dwelling)		
Front Yard	8.5m	4.5m
Side Yard	3.0m	2.3m
Side Yard	8.6m	2.3m
Rear Yard	26.0m	5.0m
Setbacks (Proposed 2nd Dwelling)		
Separation	9.0m	4.5m
Side Yard	6.0m	2.3m
Side Yard	6.0m	4.5m to building/6.0 to garage
Rear Yard	2.4m*	6.0m
Parking Spaces	4+	4

* variance required.

4.2 Site Context

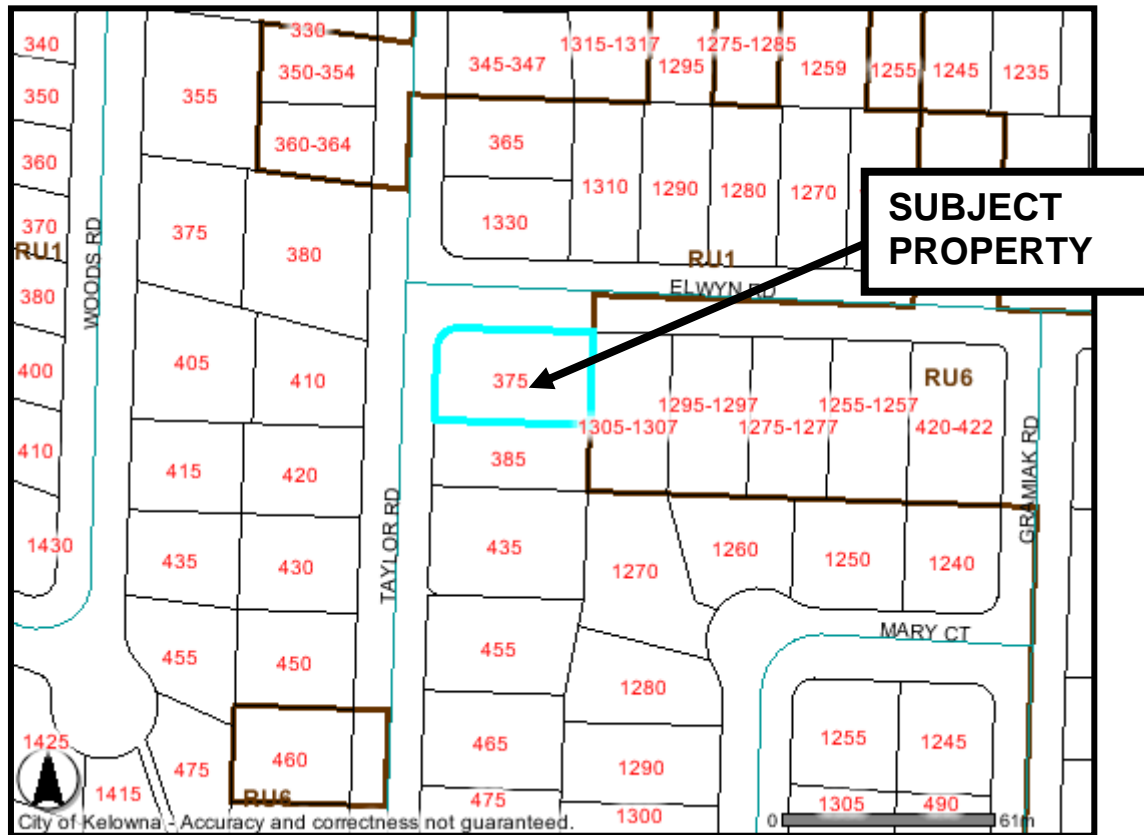
The subject property is located at the corner of Taylor Road and Elwyn Road.

Adjacent zones and uses are:

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

4.3 Site Location Map

Subject Property: 375 Taylor Road



4.4 Current Development Policy

4.4.1 Kelowna Official Community Plan (2000-2020)

The proposal is consistent with the designation of Single/Two Family Residential in the Official Community Plan future land use designation. The Single/Two Family Residential designation covers single detached homes for occupancy by one family, single detached homes with a secondary suite, semi-detached buildings used for two dwelling units, and complementary uses (OCP, Chapter 15).

The proposed building addition is subject to the Secondary Suite and Two Dwelling Housing Development Guidelines set out in the Official Community Plan. The intent of the Development Guidelines is to give consideration to the form, character and landscaping of all secondary new secondary suites and two dwelling forms of housing. The applicant will be required to provide further detailing with regard to the building (provide all elevations, materials, and colours). The applicant must also provide greater consistency/coordination between the existing house and the proposed new house.

4.4.2 City of Kelowna Strategic Plan (2004)

Objectives of the Strategic Plan is include: to realize construction of housing forms and prices that meet the needs of Kelowna residents; to achieve accessible, high quality living and working environments; to sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.

5.0 TECHNICAL COMMENTS

5.1 Fortis

No response.

5.2 Fire Department

Fire Dept access, fire flows, and hydrants as per BC Building Code and City of Kelowna Subdivision Bylaw.

5.3 Inspection Services Department

No concerns.

5.4 Interior Health

No comment.

5.5 Parks Department

Residents will be responsible to weed, water and mow the boulevards adjacent to their properties. They will also be responsible for maintaining the boulevard in a reasonably tidy condition, free and clear of garbage, litter or debris. All plant material (trees, shrubs, ground covers and sod) used in the boulevard to be reviewed and approved by Parks Staff.

5.6 RCMP

No comment.

5.7 Rutland Water Works

Prior to issuance of the building permit, the applicant will be required to meet the hook-up requirements of RWW.

5.8 School District 23

No response.

5.9 Shaw Cable

Owner/developer to supply/install a conduit system to Shaw Cable standards & specifications.

5.10 Telus

No response.

5.11 Terasen

No comment.

5.12 Works & Utilities

The Works & utilities Department comments and requirements regarding this application to rezone from RU-1 to RU-6 are as follows:

1. Subdivision

Provide easement as required

2. Geotechnical Study.

We recommend that a comprehensive geotechnical study be undertaken over the entire 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,

3. Domestic water and fire protection.

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

A second service is required in order to meet current policies. The developer is required to make satisfactory arrangements with the RWD for these items. All charges for service connection, and upgrading costs are to be paid directly to the RWD. 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 Specified Area # 22d and is serviced to the property line. The cash commuting amount is \$7,931.14 per Equivalent Dwelling Unit (EDU). For the requested RU6 the EDU is 0.7 per dwelling which amounts to **\$11,103.60** (\$7,931.14 x 2 x 0.7). The cash commuting amount is payable prior to the approval of this application.

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.

a) Elwyn Road is designated an urban class 2 local road. Upgrade the road frontage to an urban standard in accordance with City standard SS-R14, existing dedication, 9.1m. road). The cost of the frontage upgrading is estimated at **\$20,600.00** and is inclusive of a bonding escalation.

b) Taylor Road is designated an urban class 2 local road. Construct the road frontage to an urban standard in accordance with City standard SS-R4

(existing dedication, 9.1m. road). The cost of the frontage upgrading is estimated at **\$14,700.00** 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.

8. Bonding and Levies Summary.

a) Performance Bonding

Elwyn Road upgrading	\$ 20,600.00
Taylor Road upgrading	<u>\$ 14, 700.00</u>
Total Bonding	<u>\$ 35,300.00</u>

b) Levies

Sanitary sewer area #22d charge	<u>\$11,103.60</u>
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The City of Kelowna may consider cash contribution in the amount of **\$30,600** for the frontage works and defer the construction until the road network in the area is upgraded at some time in the future.

6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The proposal to rezone the subject property from the RU1- Large Lot Housing zone to the RU6- Two Dwelling Home is consistent with the OCP future land use designation of Single/Two Family Residential use and with OCP policies on Secondary Suites. Staff is supportive of the proposed variance to allow a rear yard setback of 2.4 m where 6.0 m is required as the rear yard functions as the side yard of the new house. In addition, the applicant has selected a building design that is sensitive to the neighbours in that it is only 1.5 storeys in height (one storey on a basement) and there are a very limited number of windows on the north elevation of the building. The applicant has also submitted a letter of support from the adjacent property owner.

Staff notes that the form and character of the development is to be dealt with under a Direct Development Permit. Prior to the review of the development permit, the applicant will be required to submit copies of all elevations of the building indicating the proposed materials as well as submit a colour board. The applicant would thus be required to address the issue of how the existing and proposed new house would be coordinated prior to issuance of a development permit (in particular with regards to colours and materials). At that time, the applicant would also have to indicate how the façade of the existing house is to be upgraded to match the proposed new house.

Andrew Bruce
Manager of Development Services

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning & Corporate Services
Approved for inclusion

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Attach.

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan
- Landscape Plan
- Floor plans
- Elevations