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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** December 3, 2007  
**File No.:** Z07-0090  
**To:** City Manager  
**From:** Planning & Development Services Department  
**Subject:**

**APPLICATION NO.** Z07-0090      **OWNER:** David Konfederak  
**AT:** 435 Taylor Rd.      **APPLICANT:** Ed Konfederak

**PURPOSE:** TO REZONE THE SUBJECT PROPERTY FROM RU1 – LARGE LOT HOUSING ZONE TO RU2(S) – MEDIUM LOT HOUSING (WITH SECONDARY SUITE) ZONE IN ORDER TO ALLOW A 2 LOT SUBDIVISION TO ACCOMMODATE SINGLE DETACHED DWELLINGS WITH SECONDARY SUITES ON EACH LOT.

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

**PROPOSED ZONE:** RU2(S) – MEDIUM LOT HOUSING (WITH SECONDARY SUITE)

**REPORT PREPARED BY:** DANIELLE NOBLE

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**1.0 RECOMMENDATION**

THAT Rezoning Application No. Z07-0090 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Sec. 22. Twp 26, ODYD, Plan 17343, ODYD, located on Taylor Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU2s – Medium Lot Housing (with Secondary Suite) zone be considered by Council;

AND THAT Rezoning Application No. Z07-0090 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 and Rutland Waterworks being completed to their satisfaction;

**2.0 SUMMARY**

The Applicant is proposing to rezone the subject property to allow for a two lot subdivision to facilitate new construction of single detached houses with secondary suites on each lot. The existing home is to be demolished to allow the subdivision to be executed.

**3.0 ADVISORY PLANNING COMMISSION**

The above noted application was reviewed by the Advisory Planning Commission at the meeting of November 20, 2007 and the following recommendation was passed:

THAT the Advisory Planning Commission support Rezoning Application No. Z07-0090, for 435 Taylor Road, Lot 1, Plan 17343, Twp. 26, Sec. 22, ODYD by E. Konfederak, to rezone from the existing RU1-Large Lot Housing zone to the RU2(s)-Medium Lot Housing with Secondary Suite zone to facilitate a 2 lot subdivision.

#### 4.0 BACKGROUND

##### 4.1 The Proposal

The Applicant is proposing to rezone the subject property to RU2(s) with the vision of subdivision into 2 lots. Ample lot area is provided on each lot for the RU1 zone, but lot width requires the RU2(s) designation. The 's' designation is sought to accommodate secondary suites within each of the proposed single family dwellings on each lot, to gain additional mortgage supplemental income.

The application meets the requirements of the RU2(s) – Medium Lot Housing (with secondary suite) zone as follows:

CRITERIA	PROPOSAL	RU2(s) ZONE REQUIREMENTS
Site Area	691.4 m <sup>2</sup> , 693.5 m <sup>2</sup>	400 m <sup>2</sup>
Lot Width	15.5 m, 12.45 m	13.0 m
Lot Depth	44.6 m, 41.6 m	30.0 m
Site Coverage (buildings)	19%	40%
Height	2 storeys	2 ½ storeys / 9.5 m
<b>SETBACKS</b>		
Front	7.62 m	6.0 m (garage entry from front)
Side	1.52 m	1.5 m < 1 ½ storey 1.8 m > 1 ½ storey
Side (east)	3.97 m	2.0 m < 1 ½ storey 2.3 m > 1 ½ storey
Rear	>7.5 m	6.0 m < 1 ½ storey 7.5 m > 1 ½ storey
<b>OTHER REQUIREMENTS</b>		
Parking	3 spaces	3 spaces

##### 4.2 Site Context

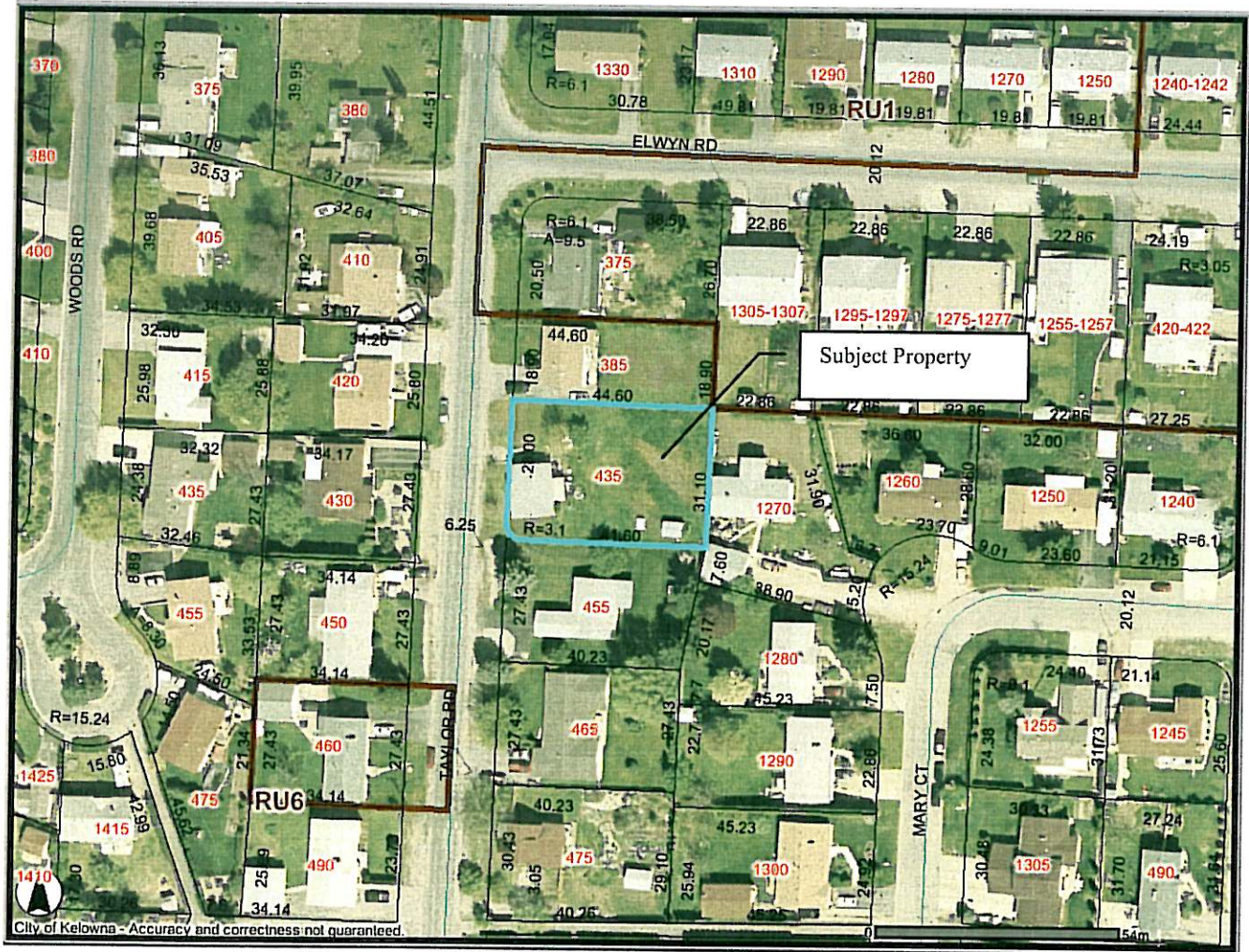
The subject property is located on Taylor Road between Elwyn Road and Collison Road. The surrounding neighbourhood is largely developed as a single- and two-family residential area. More specifically, the adjacent land uses are as follows:

North	RU1 – Large Lot Housing & RU6 – Two Dwelling Housing
East	RU1 – Large Lot Housing

South RU1 – Large Lot Housing  
West RU1 – Large Lot Housing

### 4.3 Site Map

Subject Property: 435 Taylor Rd.



## 5.0 Development Potential

The applicants have applied to rezone the subject property from RU1 to RU2(s). This zone designation would allow one single family dwelling with a secondary suite per lot.

### 5.1 Policy and Regulation

#### 5.1.1 City of Kelowna Strategic Plan (2004)

*Objective #4* – Realize construction of housing forms and prices that meet the needs of Kelowna residents.

*Objective #5* – Achieve accessible, high quality living and working environments.

*Objective #7* – Sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.



5.1.2 Kelowna 2020 – Official Community Plan

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

*Development Permit Process* - This development is subject to the Development Permit Guidelines for Form and Character of Secondary Suite and Two Dwelling Housing Development.

**6.0 TECHNICAL COMMENTS**

6.1 Inspections Department

Demolition permit required for existing building prior to subdivision approval, no other concerns.

6.2 Works and Utilities Department

As attached.

6.3 Rutland Waterworks District

Will require additional service, road crossing. Existing service will be ok to service one of the lots.

**7.0 PLANNING AND DEVELOPMENT SERVICES COMMENTS**

The Official Community Plan designates the subject property as Single / Two Unit Residential. The proposed land use is consistent with the direction of this policy document. OCP Housing Policies state that the City will work towards achieving more efficient use of land within developed single-detached neighbourhoods by encouraging rezoning, subdivisions and building permit applications that would allow for smaller lot sizes, suites, duplexes etc that are sensitively integrated into a neighbourhood and that the City will encourage the development of a variety of housing forms to ensure that the housing supply meets the needs of Kelowna's diverse population. The proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area.

Due to the consistency of this proposal with the OCP, this lot is a good candidate for this kind of infill development. The development of the proposed second dwelling unit on each lot will be subject to the Secondary Suite and Two Dwelling Housing Development Guidelines set out in the Official Community Plan, and will proceed through a development permit executed at a Staff level.

  
Shelley Gambacort

Current Planning Supervisor

SG/dn

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**ATTACHMENTS**

- Location of subject property
- Site Plan
- Building Elevations

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

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**Date:** November 19, 2007  
**File No.:** S07-0122  
**To:** Planning and Development Officer (DN)  
**From:** Development Engineering Manager  
**Subject:** Subdivision Application – PLR Requirements

<b>LOCATION:</b> 435 Taylor Rd	<b>ZONE</b> see Z07-0090
<b>APPLICANT:</b> Ed Konfederak	
<b>LEGAL:</b> Lot 1, Plan17343, Section 22, Township 26	

**WORKS AND SERVICES REQUIREMENTS**

The City's Works & Utilities Department will handle the Works & Services requirements identified below between time of Preliminary Layout Review (PLR) and application for Subdivision Approval. Arrangements for construction must be made before making application for Approval of a subdivision plan. The Development Engineering Technician for this project is Burnard Burgat.

The following Works & Services are required for this subdivision:

**.1) General**

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

**.2) Geotechnical Report**

A comprehensive Geotechnical Study is required (3 reports), which is to be prepared by a Professional Engineer competent in the field of geotechnical engineering, the study is to address the following:

- a) Overall site suitability for development.
- b) Presence of ground water and/or springs
- c) Presence of fill areas
- d) Presence of swelling clays
- e) Presence of sulfates
- f) Potential site erosion
- g) Provide specific requirements for footings and foundation construction.

- h) Provide specific construction design sections for roads and utilities over and above the City's current construction standards

**.3) Water**

- a) The property is located within the Rutland Waterworks District (RWD) service area.
- b) Arrange for individual lot connections before submission of the subdivision plan; including payment of connection fees (provide copy of receipt).
- c) Remove or relocate any existing service connections encroaching on the proposed lots.
- d) Design drawings must be reviewed by RWD prior to the City issuing the drawings for construction. Confirmation of their review must be provided to the City.

**.4) Sanitary Sewer**

- a) The subject properties are serviced by the Municipal wastewater collection system and is located within specified area #23. The developer will be responsible to pay the sanitary Sewer Specified Area #23 charge for each of the development. The charge is currently set at \$7,500.00 (Until March 31, 2008) per RU2s lot. The total charge is calculated as follows: 2 lots x \$7,500.00 for a total charge of **\$15,000.00**.
- b) Arrange for individual lot connections before submission of the subdivision plan, including payment of connection fees (provide copy of receipt).
- c) A new sanitary service, sized and conveniently located to accommodate the proposed development will be required. All the redundant 100 mm. diameter services must be permanently disconnected. The cost of disconnecting the old services and installing a new service will be determined when an application for the new service is received by the City Inspection Services Department.

**.5) Drainage**

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual, is a requirement of this application. The drainage study should indicate the size and location of the ground recharge system. This plan can become part of the geotechnical study to identify possible ground recharge/detention areas.

**.6) Roads**

- a) Taylor Road must be upgraded to a full urban standard including curb and gutter, sidewalk, piped storm drainage system, fillet pavement, street lights, and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction. The cost of this frontage

upgrade is estimated at **\$24,000.00** and is inclusive of a bonding escalation

**.7) Power and Telecommunication Services and Street Lights**

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.

**.8) 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.

**.9) 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.

**.10) Other Engineering Comments**

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.

- b) The property is located in Sewer/Water Specified Area No 20 and therefore, all parcels to be created will be subject to the debt charges for this service. The applicant must pay-out the outstanding financial obligation for each lot.

#### **.11) Charges and Fees**

- a) Development Cost Charges (DCC's) are payable
- b) None of the Works & Services required are items included in the DCC calculations and therefore not eligible for DCC credits.
- c) The following works and services are applicable for DCC credit considerations:
- d) Fees per the "Development Application Fees Bylaw" include:
- i) Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
  - ii) Engineering and Inspection Fee: 3% of construction value (plus GST). Not required if cash in lieu is accepted.
- e) A hydrant levy charge of \$250.00 per lot (not required if developer installs a fire protection system – mains and hydrants).

#### **.12) Bonding and Levies Summary**

##### **a) Performance Bonding**

Taylor Road frontage upgrade **\$ 24,000.00**  
 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, the cost would be reduced to **\$20,800.00**

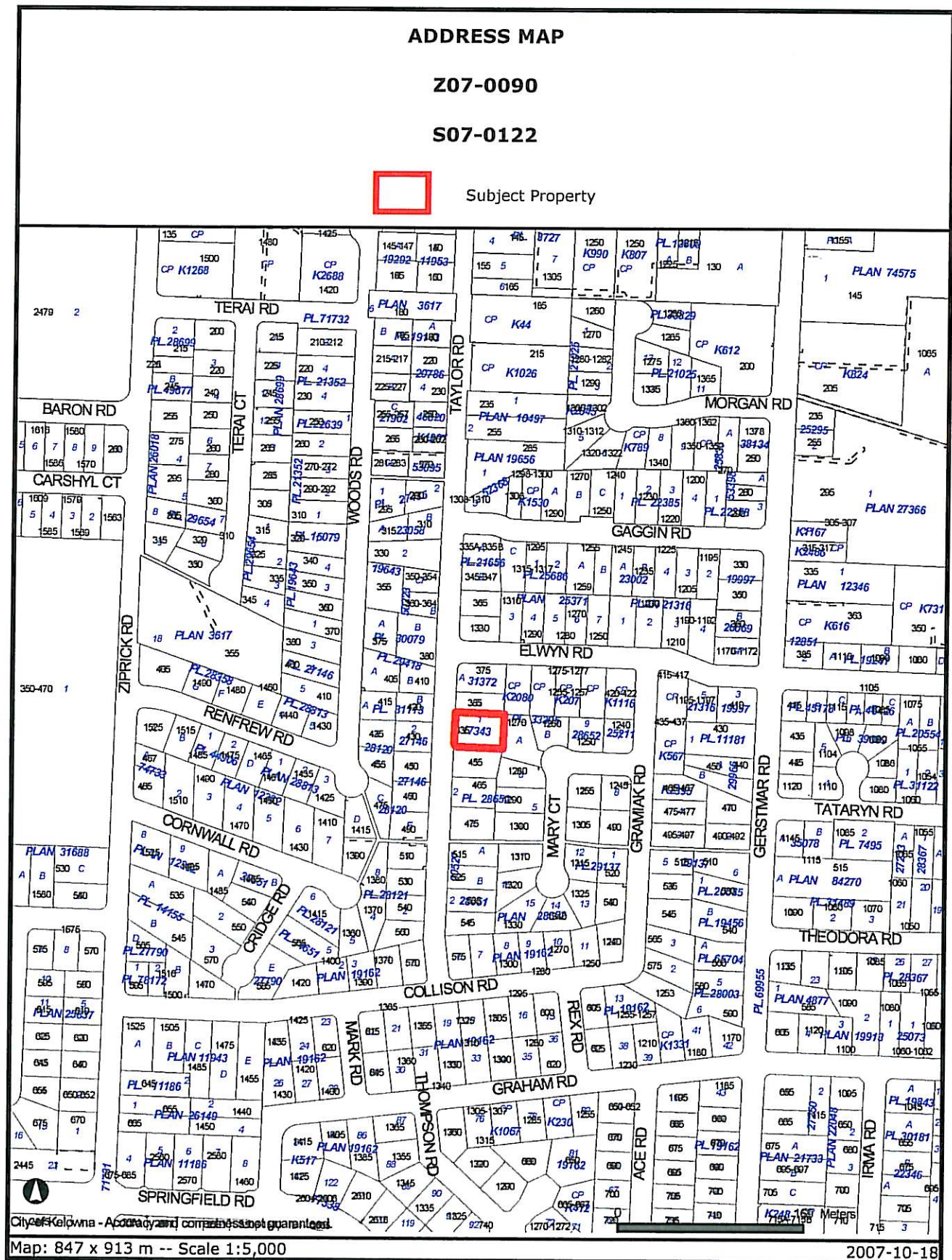
##### **b) Levies**

Specified Area #23 charge for the proposed dwelling and suite **\$ 15,000.00**

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Steve Muenz, P.Eng.  
 Development Engineering Manager  
 DC/BB

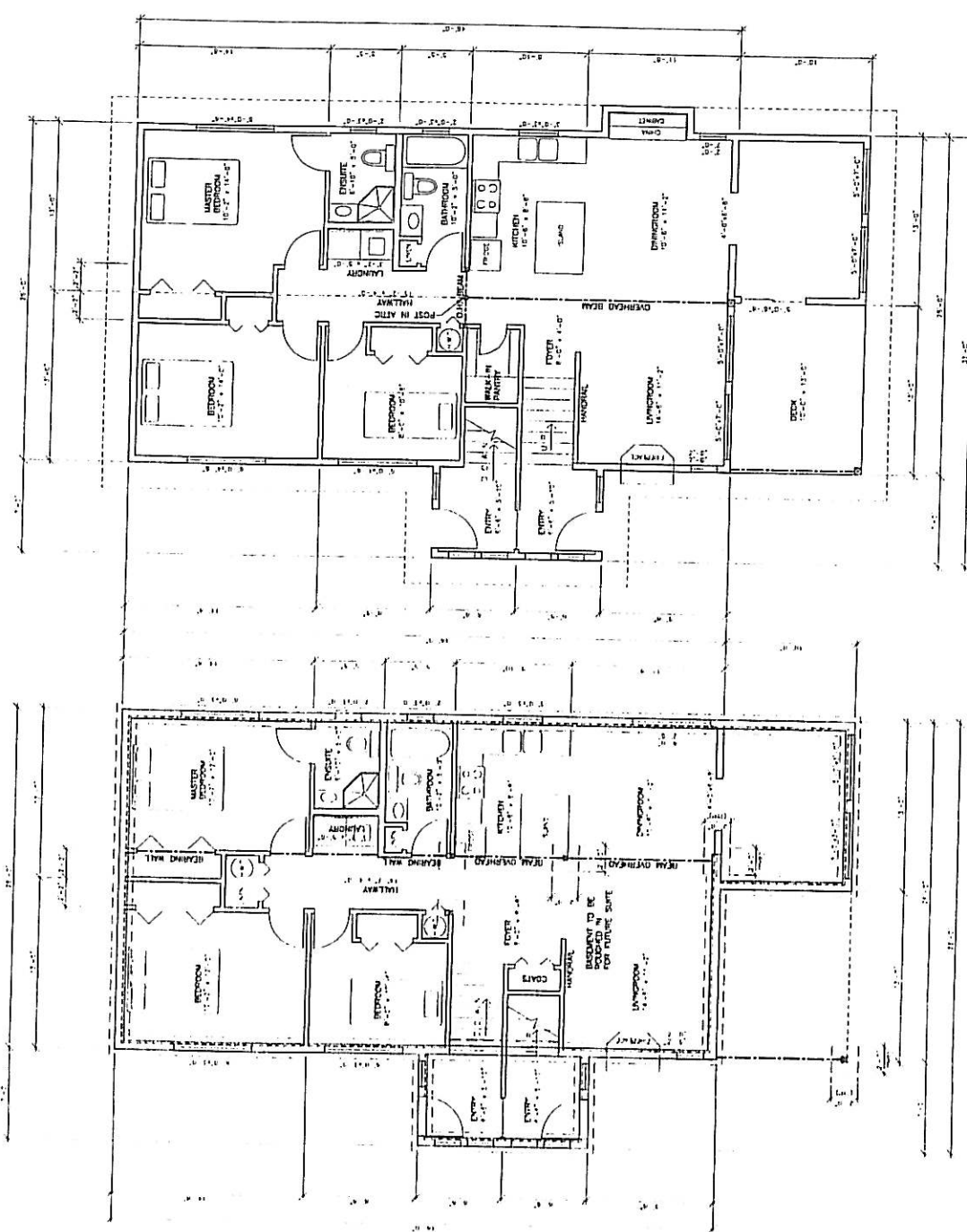




Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.



McLEAN CREEK DRAFTING SERVICES  
5-25 C-B Rm/1 Dickmeyer Pkwy B.C. V0H 1W0 (250) 497-0202

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**MAIN FLOOR PLAN**  
SCALE 1/4" = 1'-0"

FOUNDATION PLAN &  
BASEMENT FLOOR PLAN

The site plan illustrates the layout of a property along Taylor Rd. Key features include:

- LOT AREA 691.6 sq. ft.:** The total area of the site.
- PARKING SPACE:** Designated areas for vehicle parking, located on the left and right sides of the building footprint.
- LANDSCAPING:** Areas designated for landscaping, located between the building footprint and the parking spaces.
- TAYLOR RD.:** The road fronting the property.

The plan also shows the building footprint, which is a large, irregular shape. The parking spaces are defined by dashed lines, and the landscaping areas are indicated by hatched patterns. The road is shown as a solid line with a dashed center line.