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**CITY OF KELOWNA  
MEMORANDUM**

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**DATE:** March 14, 2008

**TO:** City Manager

**FROM:** Planning & Development Services Department

**APPLICATION NO.** Z07-0097

**APPLICANT:** Ingrid Davison Consulting

**AT:** 325 Rutland Road South **OWNER:** Lauren Nielsen

**PURPOSE:** TO REZONE FROM RU1 – LARGE LOT HOUSING ZONE TO RU1(S) – LARGE LOT HOUSING WITH A SECONDARY SUITE ZONE, IN ORDER TO CREATE A SECONDARY SUITE WITHIN AN ACCESSORY BUILDING.

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

**PROPOSED ZONE:** RU1(S) – LARGE LOT HOUSING WITH A SECONDARY SUITE

**REPORT PREPARED BY:** BIRTE DECLOUX

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### **1.0 RECOMMENDATION**

THAT Rezoning Application No. Z07-0097 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 28, SEC. 23, TWP 26, O.D.Y.D., Plan 17102, located on Rutland Road South, Kelowna, B.C. from the RU1 – Large Lot Housing Zone to the RU1(s) – Large Lot Housing with a Secondary Suite Zone be considered by Council;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration.

### **2.0 SUMMARY**

This application seeks to rezone from the RU1 large lot housing zone to RU1(s) large lot housing with a secondary suite zone in order to build a suite within an accessory building.

### **3.0 BACKGROUND**

The rezoning will allow the applicant to build an accessory building on the back of a large corner property. A single family dwelling approximately 135 m<sup>2</sup> in size is located on the property.

Adequate parking is provided within a single car garage and driveway space for the principal residence and a spot off the flanking street for the secondary suite.

The proposal meets the requirements of the RU1(s) Rural Residential with a Secondary Suite zone as follows:

<b>Zoning Bylaw No. 8000</b>		
<b>CRITERIA</b>	<b>PROPOSAL</b>	<b>RU1(S) ZONE REQUIREMENTS</b>
<b>Subdivision Regulations</b>		
Lot Area	987 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width	25.8 m	17 m for corner lot
Lot Depth	38.08 m	30.0 m
<b>Development Regulations</b>		
Site Coverage (buildings)	22.5 %	40%
Site Coverage (buildings/parking)	33 %	50%
<b>Existing Dwelling</b>		
Height	6.8 m	Less than 2 ½ storeys / 9.5 m
Front Yard	8 m	4.5 m or 6.0 m to a garage
Side Yard (s)	3 m	2.0 m (1 - 1 ½ storey) / 2.3 m (2 – 2 ½ storey)
Side Yard (n)	3 m	2.0 m (1 - 1 ½ storey) ) / 2.3 m (2 – 2 ½ storey)
Rear Yard	22 m	7.5 m
<b>Proposed Secondary Suite in an Accessory Building</b>		
Secondary suite size / % of principle dwelling	87m <sup>2</sup> / 64%	75% or principle or 90 m <sup>2</sup> which ever lessor
Height	3.3 m	1 ½ storeys / 4.5 m
Front Yard	25 m	4.5 m or 6.0 m to a garage
Side Yard (n)	6 m	2.0 m (1 - 1 ½ storey)
Side Yard (s)	12 m	2.0 m (1 - 1 ½ storey)
Rear Yard	2 m	1.5m
Separation (Distance Between Houses)	9 m	5.0 m
<b>Other Requirements</b>		
Parking Stalls (#)	3 spaces	3 spaces
Private Open Space	meets requirements	30 m <sup>2</sup> of private open space per dwelling

### 3.1 Site Context

The subject property is located on the east side of Rutland Road South flanking on Dillman Road. More specifically, the adjacent land uses are as follows:

<i>Direction</i>	<i>Zoning Designation</i>	<i>Land Use</i>
North	RU1 – large lot housing	Residential
East	RU1 – large lot housing	Residential
South	RU2 – medium lot housing	Residential
West	RU1 – large lot housing	Residential

### 3.2 Existing Development Potential

Provision of a secondary suite on the subject property falls within the development potential under the proposed zoning designation. It also meets Objective #4 of the City of Kelowna Strategic Plan (2004) – *to realize construction of housing forms and prices that meet the needs of Kelowna residents.*

### 3.3 Site Location Map

Subject Property: 325 Rutland Road



#### 4.0 TECHNICAL COMMENTS

1.1 As Attached

#### 5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

Staff recommends that this rezoning application be supported, as it represents a sensitive infill project, consistent with the policies contained within the OCP. That is, rezoning the subject property to the RU1(s) zone would be consistent with the Future Land Use designation of the area. The proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area.

A Development Permit accompanies this zoning change application to assess the form and character of the proposed suite subject to the Secondary Suite and Two Dwelling Development Guidelines set out in the Official Community Plan that will be executed at the staff level.



Shelley Gambacort  
Current Planning Supervisor  
Bcd

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#### ATTACHMENTS (ensure all appropriate ones are included)

Location of subject property  
Site Plan (existing building location)  
Site Plan (both buildings)  
Photos of existing building  
Technical comments

Application received: November 22, 2007

File: Z07-0097

Application

File: Z07-0097

Type: REZONING - NON APC

File Circulation

Seq	Out	In	By	Comment
				B.C. Assessment Authority (info only)
	2007-11-22	2007-11-22		
				Bylaw Enforcement Officer
	2007-11-22	2007-11-23	PTURNER	No concerns
				Community Development & Real Estate Mgr
	2007-11-22	2007-12-07	SALEXANDER	CD&RE Comments for Inclusion in Council Report -
				Please contact the Land Agent for road dedications over 20 metres in width, land dedications and land transfers to or from the City of Kelowna, road closures and road reserves. Depending on the type of land transaction being contemplated, the processing time can vary from 3 weeks to 3 months. The Land Department requires a full size copy, together with an 8 1/2 x 11 copy, of any survey plans.
				Environment Manager
	2007-11-22	2007-11-23	CDAVIS	No comment
				Fire Department
	2007-11-22	2008-02-07		No Comment
				FortisBC
	2007-11-22	2007-12-10		No response
				Inspections Department
	2007-11-22	2008-02-07		Development requires a building permit
				Irrigation District - RWW
	2007-11-22	2007-12-17		1 new cec charge
				Public Health Inspector
	2007-11-22	2007-12-06		No concerns provide water & sewer available.
				Works & Utilities
	2007-11-22	2007-12-04		see documents tab

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

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**Date:** November 26, 2007  
**File No.:** Z07-0097  
**To:** Development and Planning Officer (BD)  
**From:** Development Engineering Manager (SM)  
**Subject:** 325 Rutland Road, Lot 28, Plan 17102, Section 23, Township 26

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The Works & utilities Department comments and requirements regarding this application to rezone the subject property from RU1 to RU1s are as follows:

- a) The plan for the proposed rezoning application for a suite does not compromise Works and Utilities as far as servicing is concerned.
- b) The parcel is fully serviced in accordance with the current requirements for the requested zone.
- c) It is suggested that the driveway access be relocated to Dillman Road and have a shared access with the proposed suite. This will eliminate the problem of backing on to Rutland Road.

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Steve Muenz, P. Eng.  
Development Engineering Manager

DC



## ADDRESS MAP

Z07-0097

DP07-0277



Subject Property

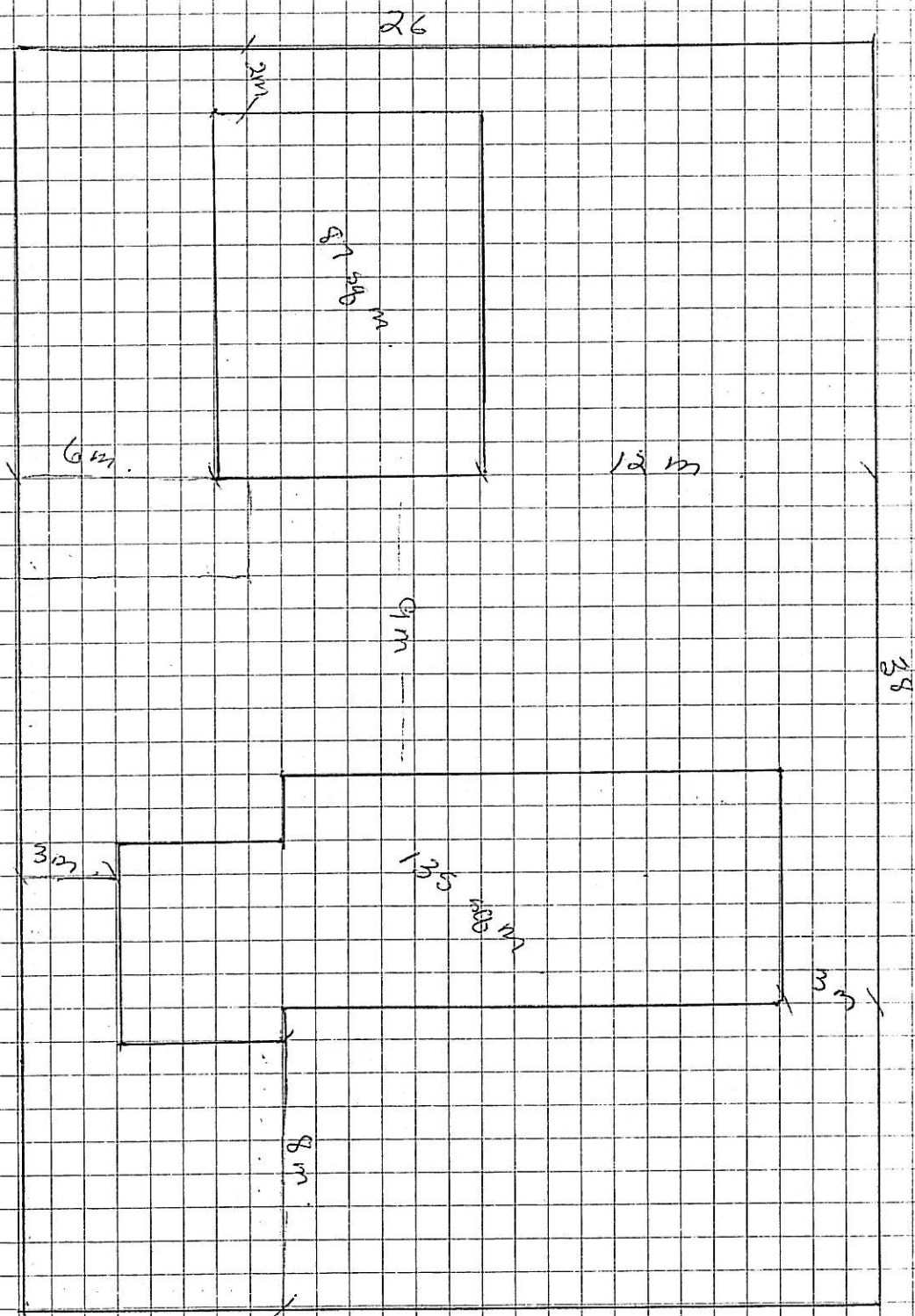


City of Kelowna - Accuracy and completeness not guaranteed.

Map: 847 x 913 m -- Scale 1:5,000

2007-11-22

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.



scale 1 sq = 1 m

















