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**CITY OF KELOWNA  
MEMORANDUM**

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**DATE:** May 25, 2009  
**TO:** City Manager  
**FROM:** Community Sustainability Division

**APPLICATION NO.** Z08-0014                      **APPLICANT:** Elizabeth & Armogan Odiyar

**AT:** 380 Taylor Road                              **OWNER:** Elizabeth & Armogan Odiyar

**PURPOSE:** TO REZONE FROM THE RU1 - LARGE LOT HOUSING ZONE TO THE  
RU6 - TWO DWELLING ZONE IN ORDER TO CONSTRUCT A  
SECOND SINGLE-DETACHED DWELLING ON THE SUBJECT  
PROPERTY.

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

**PROPOSED ZONE** RU6 – TWO DWELLING HOUSING

**REPORT PREPARED BY:** BIRTE DECLOUX

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**1.0 RECOMMENDATION**

THAT Rezoning Application No. Z08-0014 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, Section 22, Township 26, O.D.Y.D., Plan 30079, 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 Development Engineering Department, being completed to their satisfaction;

**2.0 SUMMARY**

This application seeks to rezone from 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 on the site. The applicant is anticipating a future subdivision of the subject property.

**3.0 ADVISORY PLANNING COMMISSION**

At a meeting held on March 25, 2008, the Advisory Planning Commission passed the follow motion:

THAT the Advisory Planning Commission support Rezoning Application No. Z08-0014, for 380 Taylor Road, Lot B, Plan 30079, Sec. 22, Twp. 26, ODYD by Amogan and Elizabeth Odiyar to rezone the subject property from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone in order to allow for the relocation of a second single-detached dwelling onto the subject property.



#### 4.0 BACKGROUND

The applicants initially proposed to move an existing second home to the site from a neighbouring property. Currently, they seek to rezone the subject property with the intent of building a second home on the northwest corner of the site. In the future, they are considering a subdivision of the property however, are not prepared to do so at this time. The existing structure would have to be demolished or moved to create two lots. At 1,525 m<sup>2</sup>, the site meets the subdivision requirements of the RU6 zone. The anticipated new building could be retained.

The table below shows this application's compliance with the Zoning Bylaw No. 8000 requirements of the RU6 zone.

CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
<b>Subdivision Regulations</b>		
Lot Area	1,526 m <sup>2</sup>	700 m <sup>2</sup> for two principal dwellings
Lot Width	44.5 m	18.0 m for two principal dwellings
Lot Depth	37 m	30.0 m
<b>Development Regulations</b>		
<b>Existing House</b>		
Front Yard	9.05 m	4.5 m or 6.0 m to a garage
Side Yard (north)	19.71 m	2.0 m (1 or 1 ½ storey portion)
Side Yard (south)	5.9 m (to house) 0 m (to garage) <sup>A</sup>	2.0 m to house 1.0 m to garage
Rear Yard (west)	13.54 m	6.0 m (1 or 1 ½ storey)
<b>Proposed House</b>		
Front Yard	23.16 m	4.5 m or 6.0 m to a garage
Side Yard (north)	2.0 m	2.0 m (1 or 1 ½ storey portion)
Side Yard (south)	31.8 m	2.0 m
Rear Yard (west)	6.0 m	6.0 m (1 or 1 ½ storey)
<b>Other requirements</b>		
Separation Distance Between Houses	10.5 m	4.5 m

<sup>A</sup> The drawings show the garage encroaching within the required setback. The applicant will be required to confirm the location of this structure, and whether it is legally sited or not.

#### 4.1 Site Context

The subject property is located on the west side of Taylor Road, in the Rutland Sector of Kelowna. More specifically, the adjacent land uses are as follows:

North RU6 – Two Dwelling Housing

East RU1 – Large Lot Housing

South RU1 – Large Lot Housing

West RU1 – Large Lot Housing

#### 4.2 Site Location: 380 Taylor Road



### 5.0 **CURRENT DEVELOPMENT POLICY**

The property is proposed to be zoned RU6 – Two Dwelling Housing. The purpose of this zone is to provide for single detached housing as a principal use, and compatible secondary uses.

#### 5.1 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.

*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**


The application has been submitted to various technical agencies and City departments, and the following relevant comments have been submitted:


- 6.1 Development Engineering  
See attached comments.
- 6.2 Building and Permitting  
No Comment
- 6.3 Fire Department  
Logical addressing is required.

**7.0 LAND USE MANAGEMENT COMMENTS**

The Land Use Management Department notes that policies within the Official Community Plan support the sensitive integration of infill into existing neighbourhoods where services are already in place and densification can easily be accommodated. The proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area.

Should the applicants be successful, this project will be further scrutinized through a Development Permit to address the form and character of the proposal.

*for*   
Danielle Noble  
Urban Land Use Manager

Approved for Issuance 

Shelley Gambacort  
Director of Land Use Management

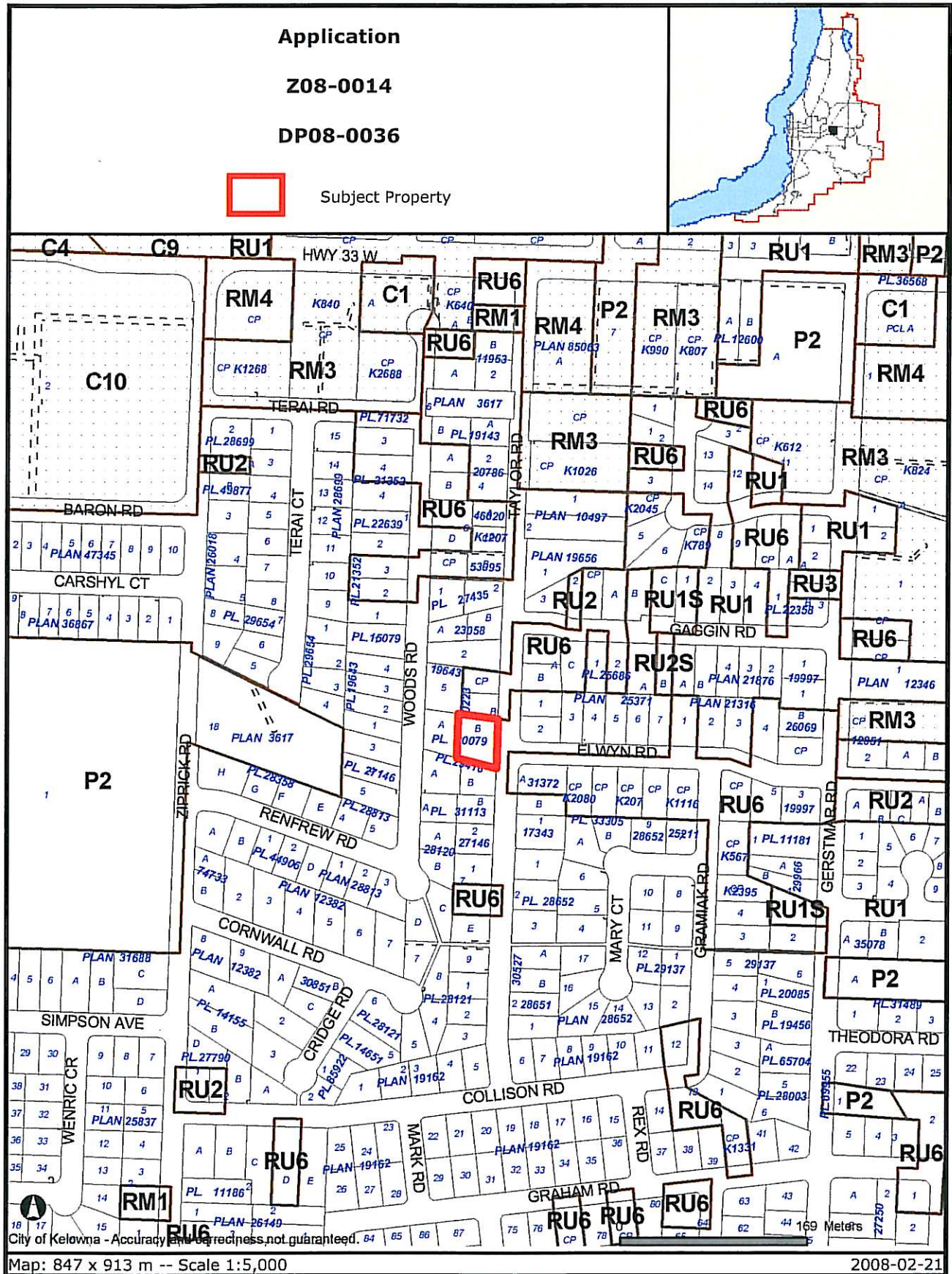
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**ATTACHMENTS**

- Location of subject property
  - Site Plan
  - Photo of existing house
  - Technical comments
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*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.*



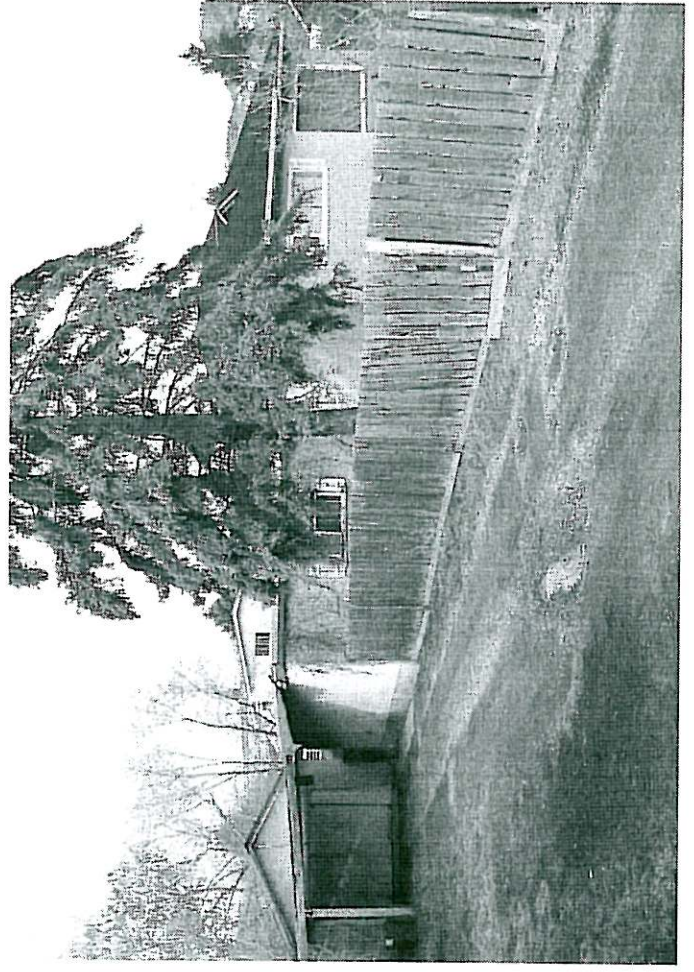
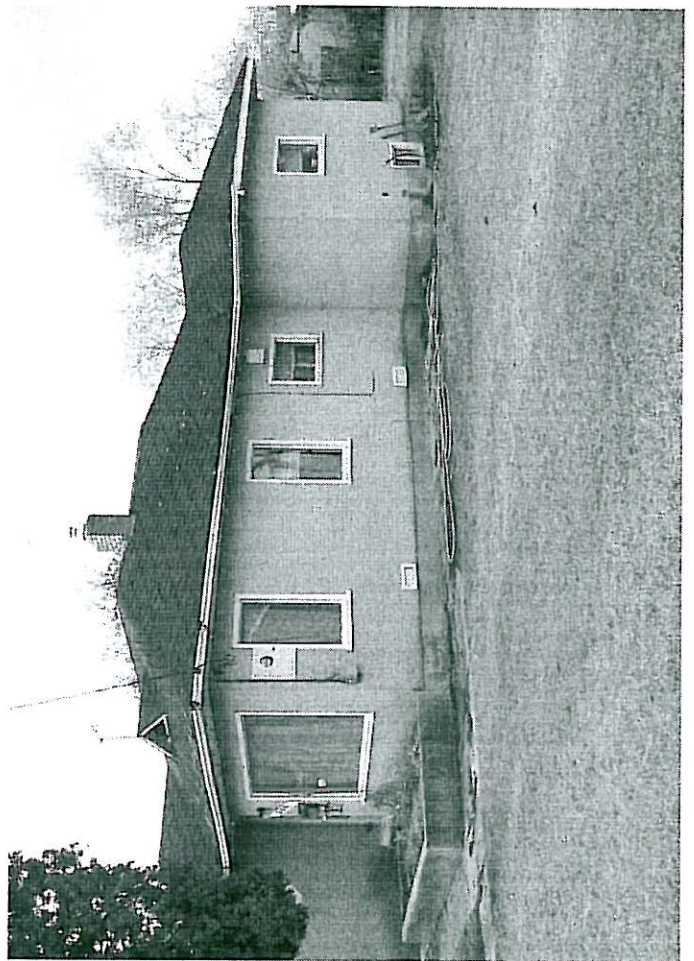
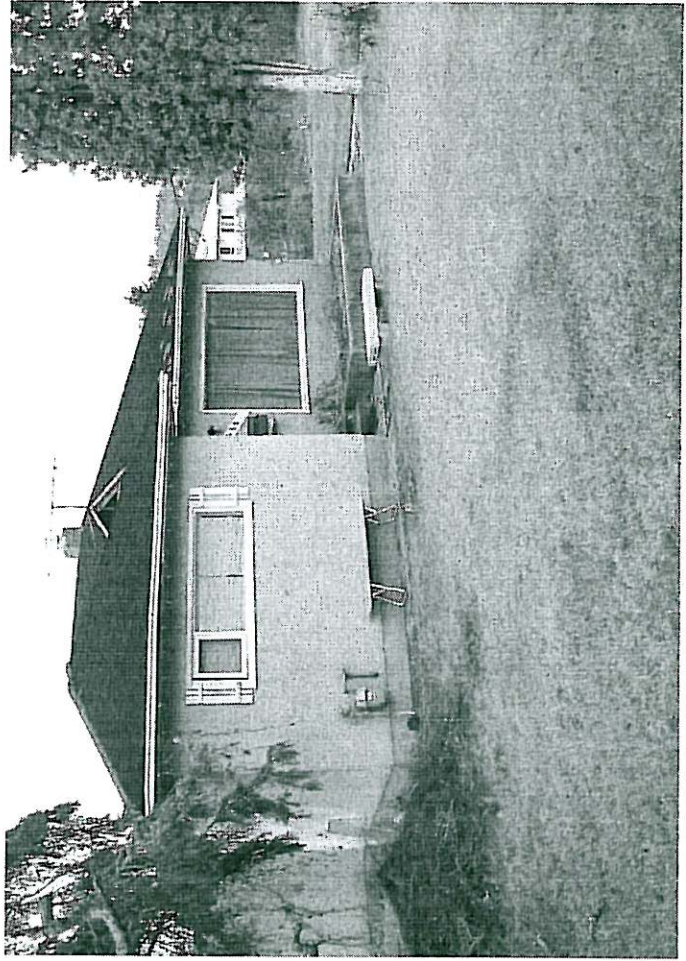




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380 Taylor Rd



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CITY OF KELOWNA

MEMORANDUM

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**Date:** March 25, 2008  
**File No.:** Z08-0014  
**To:** Planning & Development Services Department (NW)  
**From:** Development Engineer Manager (SM)  
**Subject:** 380 Taylor Rd. – Lot B, Plan 30079, Sec. 22, Twp. 26, YALE

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

1. Subdivision

Provide easements as required

2. Geotechnical Study.

We recommend that a comprehensive geotechnical study be undertaken over the proposed building 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 and the recommendation for construction over the decommissioned sewage disposal field.

3. Domestic water and fire protection.

This development is within the service area of the Rutland Waterworks District (RWWD). A second service is required in order to meet current policies. The developer is required to make satisfactory arrangements with the RWWD for these items. All charges for service connection and upgrading costs are to be paid directly to the RWWD. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with current requirements. A second service is required to meet current policy for Duplex properties.

4. Sanitary Sewer.

The property is currently serviced by the municipal wastewater collection system and is located within spec area #1. An inspection chamber (IC), must be installed on the service at the owner's cost as required by the sewer-use bylaw.

**The applicant will be required to sign a Third Party Work Order for the cost of installing the (IC) prior to issuance of a Building Permit.**



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.

Taylor Road must be upgraded to a full urban standard including a sidewalk curb and gutter, 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 **\$31,900.00** 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. 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. Bonding and Levies Summary.

Performance Bonding

Taylor Road frontage upgrade	<b><u>\$31,900.00</u></b>
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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 **\$27,700.00**.

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Steve Muenz, P.Eng.  
Development Engineering Manager

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