
CITY OF KELOWNA

MEMORANDUM

Date: May 25, 2001

File No.: Z01-1009

To: City Manager

From: Planning and Development Services Department

Subject:

APPLICATION NO. Z01-1009

OWNER: ROBERT J. OHLMANN

AT: 1316 BERNARD AVE.

APPLICANT: ROBERT J. OHLMANN

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM THE RU1 – LARGE LOT HOUSING ZONE TO THE RU1s ZONE – LARGE LOT HOUSING WITH SECONDARY SUITE ZONE TO PERMIT THE CONTINUING USE OF A BASEMENT SUITE

EXISTING ZONE: RU1 – LARGE LOT HOUSING

PROPOSED ZONE: RU1s ZONE – LARGE LOT HOUSING WITH SECONDARY SUITE

REPORT PREPARED BY: KIRSTEN G. BEHLER

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot B, D.L. 137, ODYD, Plan 16595, located on Bernard Avenue, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone;

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 Inspection Services Department being completed to the Department's satisfaction;

AND THAT final adoption of the zoning bylaw be considered subsequent to a review of the existing right-of-way agreement and, if required, the registration of a new right-of-way agreement at the applicant's expense.

2.0 SUMMARY

The applicant seeks to rezone the subject property from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone to permit the continuing use of a secondary suite in the basement of the house.

3.0 BACKGROUND

3.1 The Proposal

The subject property is located at the southern border of South Glenmore, on the north side of Bernard Avenue, east of Richmond Street. The lot is zoned RU1 – Large Lot Housing. The purpose of this zone is to provide for single detached housing and compatible secondary uses on larger serviced urban lots. Secondary suites are allowed on lots with RU1s – Large Lot Housing with Secondary Suite zoning.

The subject property fronts onto Bernard Avenue. The main dwelling is located on the main floor, with the existing secondary suite located at basement level. The entrance to the suite is at ground level, where a door and a staircase lead to the suite and the shared laundry/furnace room. In addition to one bedroom, the suite has a living room, a kitchen and a small bathroom.

Parking for the main dwelling and the suite is provided in a single carport and a wide driveway.

The application meets the requirements of the RU1s – Large Lot Housing with Secondary Suite zone as follows:

CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS
Lot Area (m ²)	732m ²	550m ²
Lot Width (m)	24.0m	16.5m
Lot Depth (m)	30.5m	30.0m
Site Coverage (%)	18.5% 31.5%	40% (building) 50% (with driveway and parking)
Total Floor Area (m ²) - Existing house - Secondary suite	193.2m ² 62.4m ²	N/A 90m ² or 40% of the total floor area of the principal building
Storeys (#)	1 storey	2 ½ storeys / 9.5m
Setbacks (m)		
- Front	7.5m	6.0m
- Rear	10.0m	7.5m
- Side		
- West	5.2m	2.0m
- East	2.9m	2.0m
Parking Spaces	3	3

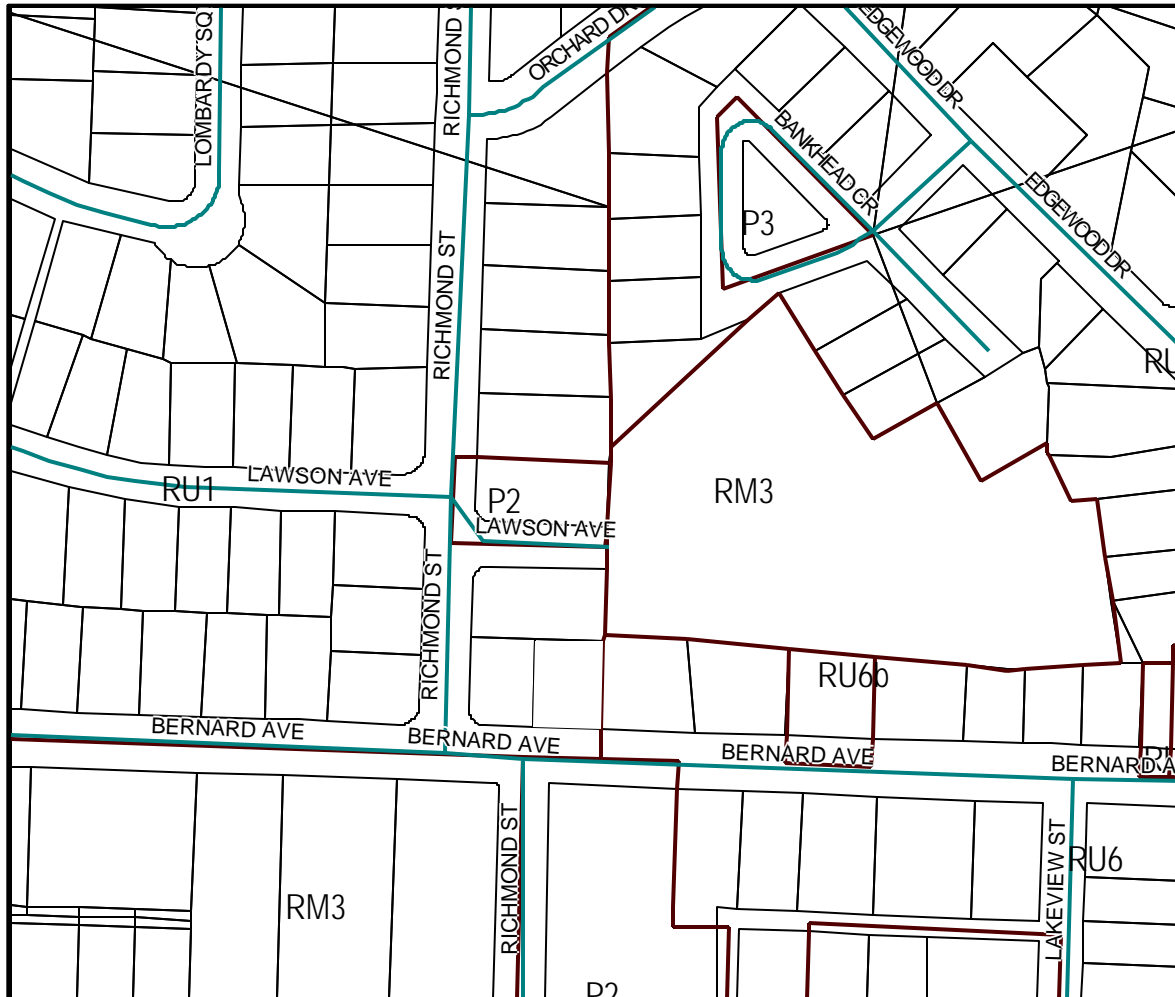
3.2 Site Context

The subject property is located in South Glenmore, on the north side of Bernard Avenue, east of Richmond Street. The area has a mix of multiple family, single family and two family housing zones. Numerous lots east and northeast of the property are zoned RU6 – Two Dwelling Housing. In the past four years, the City of Kelowna received eleven complaints about illegal suites for a total of nine properties in the area.

Adjacent zones and uses are, to the:

- North - RU1 - Large lot housing – single family dwelling and
RM3 – Low density multiple housing - apartments
- East - RU1 - Large lot housing – single family dwelling
- South - P2 – Education and Minor Institutional – First Baptist Church
- West - RU1 - Large lot housing – single family dwelling

3.3 Site Location Map



3.3 Existing Development Potential

The property is zoned RU1 – Large Lot Housing. The purpose of this zone is to provide for single detached housing as a principal use, and compatible secondary uses, such as bed and breakfast homes, minor care centres and group homes, as well as home based businesses.

Secondary suites are allowed on lots with RU1s – Large Lot Housing with Secondary Suite zoning.

3.4 Current Development Policy

3.4.1 Kelowna Official Community Plan

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).

In addition, the Official Community Plan encourages secondary suites as a form of rental or affordable housing and as an effective tool to increase densities in existing neighbourhoods without major impacts on the form and character of the neighbourhood (Section 4.6.18).

3.4.2 City of Kelowna Strategic Plan (1992)

One of the objectives of the Strategic Plan is “to develop a more compact urban form by increasing densities through infill and re-development within existing urban areas and to provide for higher densities within future urban areas” (Objective 1.1). The proposal is consistent with this objective and with its accompanying strategies.

3.4.3 Glenmore / Clifton / Dilworth Sector Plan (1998)

The Glenmore / Clifton / Dilworth Sector Plan encourages “a range of housing types within each neighbourhood which serve to improve the integration of human needs”. Secondary suites meet this objective by being an often more affordable alternative to the single family dwelling, therefore allowing people with lower incomes to live in this area. Furthermore, secondary suites are often a desirable form of housing for seniors who wish to live with their families. Overall, secondary suites encourage diversity in the population of Glenmore and are therefore consistent with the Sector Plan.

4.0 TECHNICAL COMMENTS

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

4.1. Inspection Services Department

This suite requires most of the upgrading listed in Bulletin 88-02.

1. The suite access is through a common area; the furnace and laundry facilities are exposed to the path of exit travel.
2. There is no ceiling fire separation between the units.
3. The bedroom does not have a window.
4. There are no smoke alarms.

5. A proper exit route shall be constructed - the stair must be enclosed and rated; the furnace and laundry shall be in separated rated rooms.

6. The kitchen and bathroom sinks are not vented.

7. A separate heating system is required.

4.2. Works and Utilities

1. Domestic Water and Fire Protection

The existing house is provided with a 19mm-water service that may continue to be used to supply the main residence and the proposed suite. Metered water from the main residence must be extended to supply the suite. Only one water meter will be provided and one utility bill will be issued by the City for water and sewer-use at this address.

2. Sanitary Sewer

- (a) The existing house is provided with a single 100mm-diameter sanitary sewer service that should be used to service the main residence and the proposed suite.
- (b) After Council approval of the zone-amending bylaw, the Utility Billing Department must be notified to add a secondary suite to the sanitary sewer-use charge at this address.
- (c) There is an existing sanitary sewer statutory right-of-way (SROW Plan A2703) traversing across the east boundary of this lot. Assure that there is a SROW agreement registered for this utility SROW.

The review of the agreement and potential registration of a new agreement will be required prior to final adoption of the zone amending bylaw.

3. Survey Monuments and Iron Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration.

4.3 Bylaw Enforcement Officer

An open investigation file regarding the illegal suite exists for this property. The illegal suite had been reported in March 2000 (No. 00-847 – Bylaw Enforcement Officer Mackie).

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no concerns regarding the proposed rezoning of the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite. The proposal is consistent with the OCP future land use designation of Single/Two Family Residential use and with OCP policies on Secondary Suites. It is furthermore consistent with the Glenmore / Clifton / Dilworth Sector Plan objective of encouraging a range of housing types.

The applicant has contacted his neighbours to inform them of the proposed rezoning.

Andrew Bruce
Current Planning Manager

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP
Director of Planning & Development Services

KGB
Attach.

FACT SHEET

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| 1. APPLICATION NO.: | Z01-1009 |
| 2. APPLICATION TYPE: | Rezoning |
| 3. OWNER: | Robert J. Ohlmann |
| . ADDRESS | C/o 3107 Topham Road |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1Z 2J5 |
| 4. APPLICANT/CONTACT PERSON: | Robert Ohlmann / Sherry Ohlmann |
| . ADDRESS | Same as above |
| . CITY | |
| . POSTAL CODE | |
| . TELEPHONE/FAX NO.: | 769-4973 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | February 8, 2001 |
| Date Application Complete: | May 25, 2001 |
| Servicing Agreement Forwarded to Applicant: | N/A |
| Servicing Agreement Concluded: | N/A |
| Staff Report to Council: | May 30, 2001 |
| 6. LEGAL DESCRIPTION: | Lot B, D.L. 137, ODYD, Plan 16595 |
| 7. SITE LOCATION: | South Glenmore, on the north side of Bernard Avenue, east of Richmond Street |
| 8. CIVIC ADDRESS: | 1316 Bernard Avenue
Kelowna, BC |
| 9. AREA OF SUBJECT PROPERTY: | 732 m ² |
| 10. AREA OF PROPOSED REZONING: | 732 m ² |
| 11. EXISTING ZONE CATEGORY: | RU1 – Large Lot Housing |
| 12. PROPOSED ZONE: | RU1s – Large Lot Housing with Secondary Suite |
| 13. PURPOSE OF THE APPLICATION: | To permit the continuing use of a secondary use |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.: | 2-81-19085 |
| NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY | |
| 15. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | N/A |

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan
- Floor plan of suite
- Elevation photos