
CITY OF KELOWNA

MEMORANDUM

Date: May 7, 2001

File No.: Z01-1018

To: City Manager

From: Planning and Development Services Department

Subject:

APPLICATION NO. Z01-1018

OWNER: TRACY ARNOLD

AT: 300 DUNDAS ROAD

APPLICANT: TRACY ARNOLD

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM THE RU1 – LARGE LOT HOUSING ZONE TO THE RU1s – LARGE LOT HOUSING WITH SECONDARY SUITE ZONE TO LEGALIZE AN EXISTING BASEMENT SUITE

EXISTING ZONE: RU1 – LARGE LOT HOUSING

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

REPORT PREPARED BY: KIRSTEN G. BEHLER

1.0 RECOMMENDATION

THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 16, Section 22, Township 26, ODYD, Plan 20473, located on Dundas Road S., 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.

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 basement suite.

3.0 BACKGROUND

3.1 The Proposal

The subject property is located on Dundas Road in Rutland, approximately two blocks south of Highway 33. 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 Dundas Road. The main dwelling, containing three-bedrooms, is located on the ground floor of the house.

The suite is located in the basement of the house. In addition to two bedrooms, the suite includes an open living room/kitchen area and one bathroom. The mechanical room, which serves both units, is also located within the suite. The current configuration of the suite includes a small storage room, located next to the staircase leading to the ground floor. To ensure that the suite is meeting maximum size requirements, the applicant will construct additional walls and a second door, thereby locating the storage room outside of the suite.

Access to the suite is given through a door located at ground level at the front of the house. The door leads to the shared laundry-room, from where a staircase leads to the suite.

Off-street parking is provided in a one-car carport and in the driveway area. The driveway provides sufficient room for two cars; however, the two spaces for the main dwelling are configured in tandem.

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)	728 m ²	550m ²
Lot Width (m)	21.3m	16.5m
Lot Depth (m)	35.1m	30.0m
Site Coverage (%)	18.2% 25.6%	40% (building and carport) 50% (with driveway)
Total Floor Area (m ²) - Existing house - Secondary suite	200.6m ² 78.5m ² , 39% of the principal building	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	9.1m	6.0m
- Rear	18.4	7.5m
- Side		
- North	2.6m	2.0m
- South	2.9m	2.0m
Parking Spaces	3	3 spaces minimum

3.2 Site Context

The subject property is located in Rutland, south of Highway 33, on the west side of Dundas Road. The subject property is zoned for RU1– Large Lot Housing. The

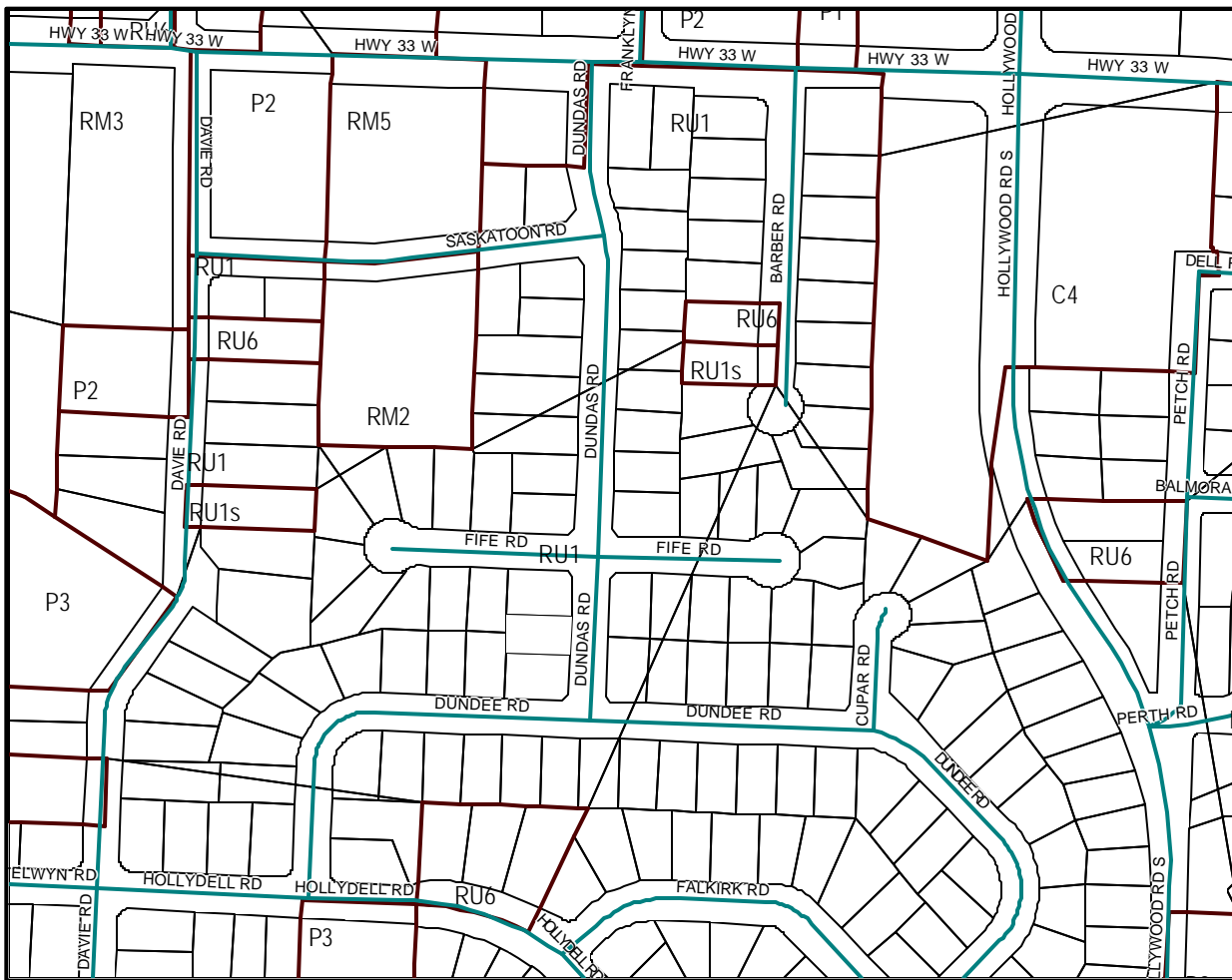
surrounding neighbourhood is predominantly zoned RU1 – Large Lot Housing. Several RU1s – Large Lot Housing with Secondary Suite and RU6 – Two-Dwelling Housing zoned lots are located on Barber, Davie and Hollydell Roads. Higher densities can be found two blocks north of the subject property, along Highway 33, where several multiple family developments are located on RM3 – Low Density Multiple Housing and RM5 – Medium Density Multiple Housing lots.

In addition to the RU1s and RU6 lots mentioned above, the property at 400 Hollywood Road South is currently undergoing rezoning to RU1s. The zone amending bylaw received third reading in April 2001. Since 1996, 10 complaints about illegal suites have been made for a total of 9 properties in the area.

Adjacent zones and uses are, to the:

- North - RU1 - Large lot housing – single family dwelling
- East - RU1 - Large lot housing – single family dwellings
- South - RU1 - Large lot housing – single family dwelling
- West - RU1 - Large lot housing – single family dwellings

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 property is designated as Single/Two Family Residential in the Official Community Plan. 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 application is therefore consistent with this designation.

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. Rutland Sector Plan (1997)

The proposal is consistent with the Rutland Sector Plan. Specifically, the proposed suite helps move toward a more compact urban form, which is one of the Urban Form Policies of the plan. In addition, the proposal is consistent with several Housing Policies, such as the policy on supporting secondary suites (4.6.8) and the policy on supporting the continued infill of low density single/two family housing within existing neighbourhoods that are not selected for redevelopment to higher densities (4.6.7).

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

- .1) The ceiling and duct drops shall be fire rated with gypsum board.
- .2) The storage room under the stairs shall be fire rated with gypsum board.
- .3) The furnace room serving the main floor is located within the suite. It shall be fire rated complete with a 20 min. door. The door shall be relocated to open into the corridor not the bedroom. Provide combustion air to the furnace.
- .4) Interconnected smoke alarms are required in each suite. Further, if the fire rating is less than 3/4 hr (5/8" gypsum board), a photoelectric type smoke alarm shall also be installed in each suite and interconnected.
- .5) The window sills are more than 5' above the floor. A built-in step or furniture is recommended to allow easy egress through the windows.
- .6) The kitchen sink is not plumbed correctly.
- .7) Kitchen range requires a hood that vents to the exterior.
- .8) A separate heating system is required for the suite. Close all supply and return air ducts from the suite.

4.2. Bylaw Enforcement Officer

An open investigation file regarding the illegal suite exists for this property. The illegal suite had been reported in October 2000 (No. 00-3428 – Bylaw Enforcement Officer Szalla).

4.3. Works and Utilities Department

.1) General

The proposed rezoning application does not compromise Works and Utilities requirements.

.2) Domestic Water and Fire Protection

This development is within the service area of the Rutland Waterworks District (RWWD). All charges for service connection and upgrading costs are to be paid directly to the RWWD.

.3) Sanitary Sewer

This property is currently serviced by the municipal sanitary sewer system. The existing 100 mm diameter sanitary sewer service is adequate for the requested rezoning application.

.4) Access and parking

There is ample parking provided on site.

4.4. Rutland Water District

The zoning of this property to include a legal suite is subject to a \$400 Capital Cost Charge payable to Rutland Waterworks under Bylaw No. 187.

The owner has been advised of this charge. Payment to RWD should be made prior to final rezoning approval.

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 supported by the policies on secondary suites, infill and a more compact urban form in the Rutland Sector Plan.

The applicant has contacted her 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

1. **APPLICATION NO.:** Z01-1018
2. **APPLICATION TYPE:** Rezoning
3. **OWNER:** Terry (Tracy) Arnold
· **ADDRESS** 43 – 545 Glenmeadows Rd.
· **CITY** Kelowna, BC
· **POSTAL CODE** V1V 1W8
4. **APPLICANT/CONTACT PERSON:** As above
· **ADDRESS**
· **CITY**
· **POSTAL CODE**
· **TELEPHONE/FAX NO.:** 862-2371
5. **APPLICATION PROGRESS:**
 Date of Application: March 12, 2001
 Date Application Complete: March 21, 2001
 Servicing Agreement Forwarded to Applicant: N/A
 Servicing Agreement Concluded: N/A
 Staff Report to Council: May 7, 2001
6. **LEGAL DESCRIPTION:** Lot 16, Sec. 22, Twp. 26, ODYD, Plan 20473
7. **SITE LOCATION:** Rutland, south of Highway 33, on the west side of Dundas Rd.
8. **CIVIC ADDRESS:** 300 Dundas Rd.
Kelowna, BC
9. **AREA OF SUBJECT PROPERTY:** 728m"
10. **AREA OF PROPOSED REZONING:** 728m"
11. **EXISTING ZONE CATEGORY:** RU1 – Large Lot Housing
12. **PROPOSED ZONE:** RU1s – Large Lot Housing with Secondary Suite
13. **PURPOSE OF THE APPLICATION:** To legalize the continuing use of a secondary suite located in the basement of the house
14. **MIN. OF TRANS./HIGHWAYS FILES NO.:** 2-81-19144
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 basement with suite
- Elevations