
CITY OF KELOWNA

MEMORANDUM

Date: February 18, 2002
File No.: Z01-1070

To: City Manager

From: Planning and Development Services Department

Subject:

APPLICATION NO. Z01-1070 OWNER: IVAN AND NADA VIDOVIC

AT: 278 TEMPLE COURT APPLICANT: IVAN AND NADA VIDOVIC

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM THE RU2 – MEDIUM LOT HOUSING ZONE TO THE RU2s – MEDIUM LOT HOUSING WITH SECONDARY SUITE ZONE TO PERMIT THE CONTINUING USE OF A SUITE ON THE GROUND FLOOR OF THE HOUSE

EXISTING ZONE: RU2 – MEDIUM LOT HOUSING

PROPOSED ZONE: RU2s – MEDIUM LOT HOUSING WITH SECONDARY SUITE

REPORT PREPARED BY: KIRSTEN G. BEHLER

1.0 RECOMMENDATION

THAT Rezoning Application No. Z01-1070 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4, Section 27, Twp. 26, ODYD, Plan 37210, located on Temple Court, Kelowna, B.C. from the RU2 – Medium Lot Housing zone to the RU2s – Medium Lot Housing with Secondary Suite zone be considered by Council;

AND THAT the zone amending bylaw be forward 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 RU2 – Medium Lot Housing zone to the RU2s – Medium Lot Housing with Secondary Suite zone in order to be permitted the continuing use of a secondary suite located on the ground floor of the house.

3.0 BACKGROUND

3.1 The Proposal

The subject property is located in Rutland, north of Highway 33 and south of Houghton Road, on the west side of Temple Court.

The suite is located on the ground floor of the existing two-storey house. In addition to the suite, the ground floor contains a single-car garage, the main entrance, the vestibule and the staircase to the main dwelling on the upper floor.

The approximately 67m² large suite contains one bedroom, a small bathroom, and an open kitchen-living room area. Furthermore, the suite has its own laundry facilities, located in the same room as the furnace and the hot water tank for the entire house. The laundry facilities for the owners, who live in the principal dwelling upstairs, are located in the garage.

Parking on the property is provided in the single-car garage, as well as on the 5.2m wide driveway.

The application meets the requirements of the RU2s – Medium Lot Housing with Secondary Suite zone as follows:

CRITERIA	PROPOSAL	RU2s ZONE REQUIREMENTS
Lot Area (m ²)	483m ²	400m ²
Lot Width (m)	14m	13m
Lot Depth (m)	34.7m	30.0m
Site Coverage (%)	24.3% 34.8%	40% for buildings 50% including driveways and parking
Total Floor Area (m ²) - Existing house - Secondary suite	234.85 m ² 67 m ²	N/A 90m ² or 40% of the principal building, whichever is less
Storeys (#)	2 storeys	2 1/2 storeys/ 9.5m 1.8m m
Setbacks (m)		
- Front	9.8m	6.0m
- Rear	13.4m	7.5m
- Side		
- North	2.4m	1.5m for a one-storey portions of the building
- South	2.1m	1.5m for a one-storey portions of the building
Parking Spaces	3	3

3.2 Site Context

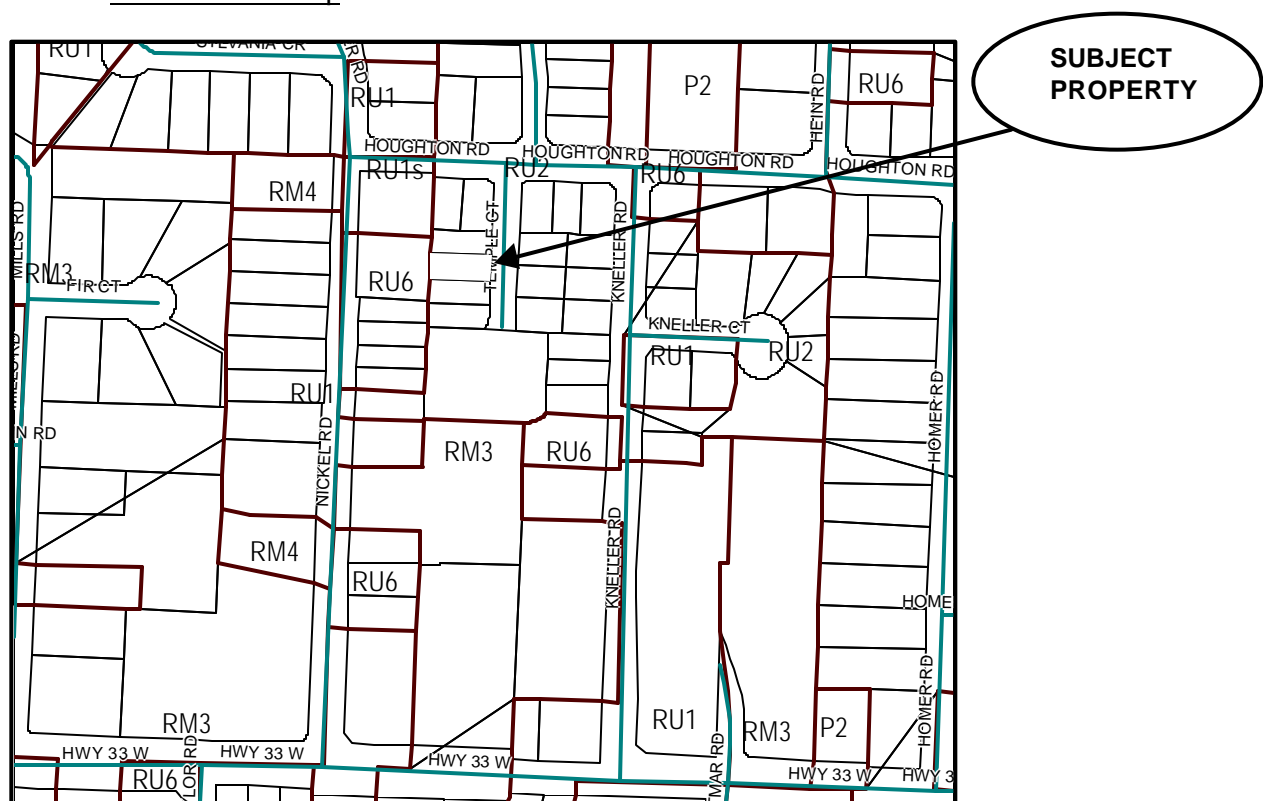
The subject property is located in Rutland. It is currently zoned RU2 – Medium Lot Housing. The surrounding neighbourhood has a mix of residential zones, ranging from RU1 – Large Lot Housing to RM4 – Transitional Low Density Housing. Several properties in the immediate vicinity of the subject property are zoned for secondary suites or two dwellings.

In the past five years, the City has received 17 complaints regarding illegal suites for nine properties in this area, including one complaint for the subject property.

Adjacent zones and uses are, to the:

- North - RU2 - Medium Lot Housing: Single-Detached Dwelling
- East - RU2 - Medium Lot Housing: Single-Detached Dwelling
- South - RU2 - Medium Lot Housing: Single-Detached Dwelling
- West - RU6 – Two Dwelling Housing: Semi-Detached Dwellings

3.3 Site Location Map



3.3 Existing Development Potential

The property is zoned RU2 – Medium Lot Housing. The purpose of this zone is to provide for single detached housing as a principal use, and compatible secondary uses, on medium sized serviced urban lots. Secondary suites are allowed on lots with RU2s – Medium 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

The Rutland Sector Plan designates the future land use of the property as Single/Two Family Residential. The Urban Form Policies of the plan furthermore specify the intent to move towards a more compact urban form. This can be achieved through secondary suites and other measures that sensitively increase densities.

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. Works and Utilities Department

1. General

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

2. Domestic Water and Fire Protection

This property is currently within the service area of Black Mountain Irrigation District (BMID). All charges for service connection and upgrading costs are to be paid directly to BMID.

3. Sanitary Sewer

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

4. Access and Parking

There is sufficient parking provided on site.

4.2. Inspection Service Department

Building code and parking requirements must be met. An inspection was conducted of the property, and the applicant is aware of the upgrades that will have to be completed to meet the standards for secondary suites. The parking provided on the lot is sufficient.

4.3 Bylaw Enforcement Officer

An open file regarding the existing secondary suite exists (File #01-3391, Bylaw Enforcement Officer Szalla).

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no concerns regarding the proposed rezoning of the property from the RU2 – Medium Lot Housing zone to the RU2s – Medium Lot Housing with Secondary Suite zone. 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 Rutland Sector Plan. The suite is located in the existing single-detached dwelling and is not expected to have a negative impact on the single family character of the neighbourhood.

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.: | Z01-1070 |
| 2. APPLICATION TYPE: | Rezoning |
| 3. OWNER: | Ivan and Nada Vidovic |
| . ADDRESS | 278 Temple Court |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1X 7A3 |
| 4. APPLICANT/CONTACT PERSON: | As above / Ivan Vidovic |
| . ADDRESS | |
| . CITY | |
| . POSTAL CODE | |
| . TELEPHONE/FAX NO.: | 868-4945 / -- |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | January 17, 2002 |
| Date Application Complete: | |
| Servicing Agreement Forwarded to Applicant: | N/A |
| Servicing Agreement Concluded: | N/A |
| Staff Report to Council: | February 18, 2002 |
| 6. LEGAL DESCRIPTION: | Lot 4, Section 27, Twp. 26, ODYD, Plan 37210 |
| 7. SITE LOCATION: | Rutland, north of Highway 33, south of Houghton Rd., on the west side of Temple Court |
| 8. CIVIC ADDRESS: | 278 Temple Court
Kelowna, BC
V1X 7A3 |
| 9. AREA OF SUBJECT PROPERTY: | 483m" |
| 10. AREA OF PROPOSED REZONING: | 483m" |
| 11. EXISTING ZONE CATEGORY: | RU2 - Medium Lot Housing |
| 12. PROPOSED ZONE: | RU2a - Medium Lot Housing with Secondary Suite |
| 13. PURPOSE OF THE APPLICATION: | To permit the continuing use of a secondary suite on the ground floor of the house |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.: | 2-81-19621 |
| 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 and remainder of house
- Photos of existing house