
CITY OF KELOWNA

MEMORANDUM

Date: April 25, 2002
File No.: Z01-1065

To: City Manager

From: Planning and Development Services Department

Subject:

APPLICATION NO. Z01-1065

OWNER: BILL HARASIN

AT: 235 LANGFORD ROAD

APPLICANT: BILL HARASIN

PURPOSE: 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

EXISTING ZONE: RU1 – LARGE LOT HOUSING

PROPOSED ZONE: RU1s – LARGE LOT HOUSING WITH SECONDARY SUITE

REPORT PREPARED BY: KIRSTEN G. BEHLER

1.0 RECOMMENDATION

THAT Rezoning Application No. Z01-1065 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 26, Section 26, Twp. 26, ODYD, Plan 15377, located on Langford Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU1s – Large 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;

AND THAT the applicant be required to connect the subject property to the sanitary sewer prior to adoption of the zone amending bylaw.

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 in order to be permitted 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 in Rutland, north of Highway 33 and east of Rutland Road North, at the east side of Langford Road.

The suite is located in the basement of the existing house. It contains two bedrooms, a living room, a kitchen, as well as a bath and a laundry room. The main access to the suite is through a door located in the attached carport. The basement also contains a furnace room for the whole house.

Parking on the site is provided in the attached single carport, as well as in a double car garage located south of the house.

The property has been serviced by a septic system, however, the City of Kelowna will construct a sanitary sewer extension at Langford Road in the summer of 2002. The applicant will be required to connect to the sanitary sewer prior to receiving final approval of the rezoning application.

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)	930m ²	550m ²
Lot Width (m)	18.4m	17.0m
Lot Depth (m)	40.5m	30.0m
Site Coverage (%)	21% 39%	40% for the house, 50% with parking and driveway
Total Floor Area (m ²) - Existing house - Secondary suite	214m ² 75m ²	90m ² or 40% of the principal building
Storeys (#)	1 ½ storeys	2 ½ storeys
Setbacks (m)		
- Front	7.4m	4.5m for house 6.0m for garage or carport
- Rear	1.9m	7.5m
- Side		
- West	7.5m	4.5m
- East	6.4m	2.3m
Parking Spaces	4	3

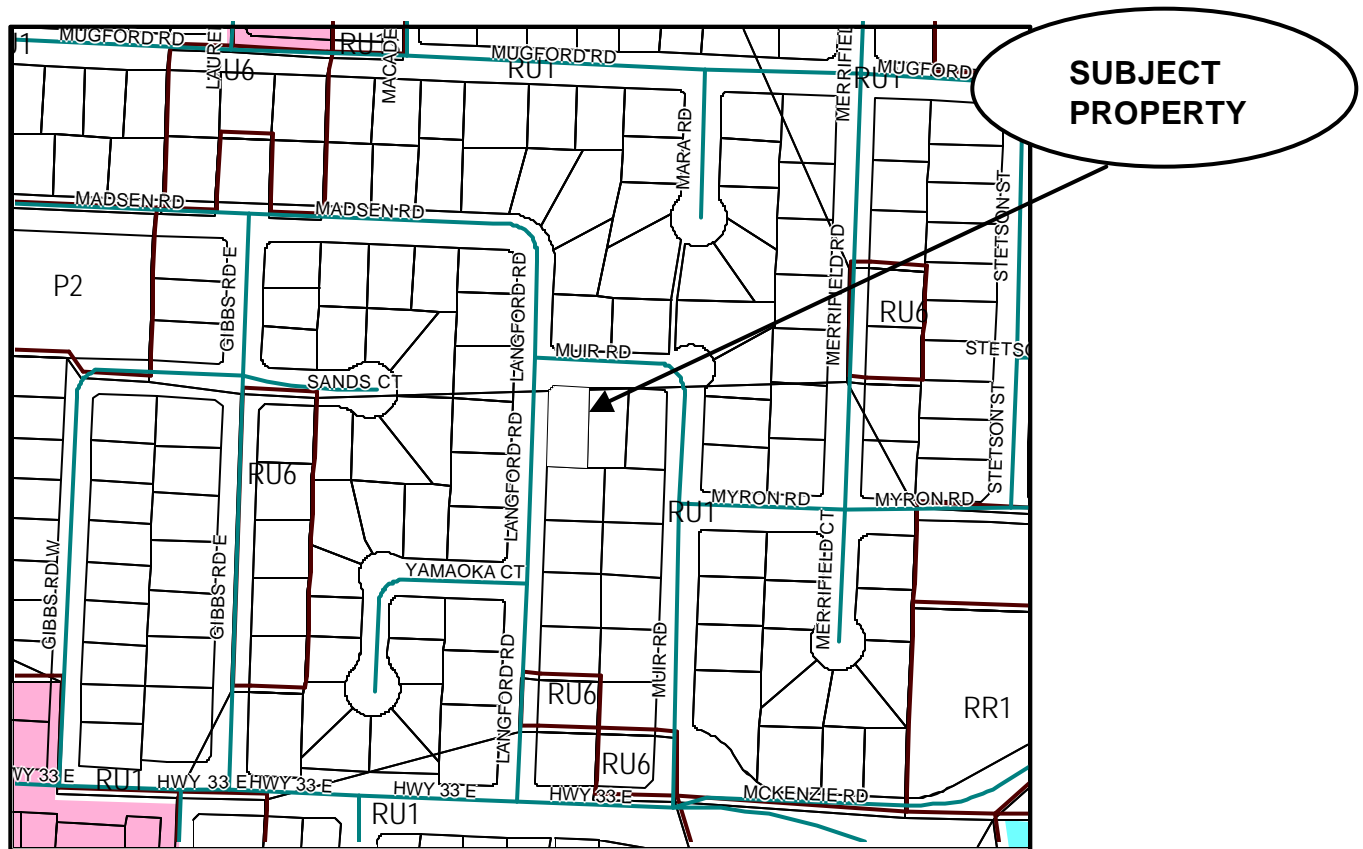
3.2 Site Context

The subject property is located in Rutland. It is currently zoned RU1 – Large Lot Housing. The neighbourhood is predominantly zoned RU1, with several lots zoned for two dwelling housing. Other than these RU6 properties, no properties in the vicinity of the subject property are currently zoned to allow a secondary suite. In the past six years, the City of Kelowna has received eight complaints regarding illegal suites for five properties in this area, including three complaints for the subject property.

Adjacent zones and uses are, to the:

- North - RU1 – Large Lot Housing: Single-Detached Dwelling
- East - RU1 - Large Lot Housing: Single-Detached Dwelling
- South - RU1 - Large Lot Housing: Single-Detached Dwelling
- West - RU1 - Large Lot Housing: Single-Detached 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, on large sized serviced urban lots. 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 (1994 to 2013)

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. The application is therefore consistent with this designation.

In addition, the Official Community Plan encourages the creation of secondary suites, provided that they meet the requirements of the zoning bylaw.

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)

In the Rutland Sector Plan, the City of Kelowna committed to continuing to move toward a more compact urban form. Intensification through secondary suites meets this objective, while at the same time helping maintain the single family character of the area.

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 Service Department

- The door at the bottom of the stair separating the suites shall have a 20 min. rating;
- The storage room under the stairs shall be finished with 5/8” gypsum board to provide required rating;
- The furnace room shall be separated from the bedroom with 5/8” gypsum board. The door shall be changed to a swing type door complete with weather stripping.
- A carbon monoxide detector shall be installed in the furnace room;
- Interconnected photoelectric type smoke alarms shall be installed in each suite;
- The T&P valve on the hot water tank shall have to be dropped to within 1” of the floor;
- C-vent shall have 2” clearance to combustibles or changed to a B-vent;
- B-vent shall be properly fire stopped at the floor joists;
- The heating system shall be separate. The duct into the suite shall be disconnected and wall and ceiling shall be repaired.

4.2 Rutland Waterworks

The Capital Charge for this additional legal suite is \$200 and is owing to the district prior to permit approval. No additional servicing is required. Providing the owner is satisfied with the existing service capacity there will be no requirement for an upgrade.

4.3 Utilicorp Networks Canada

UNC will provide underground electrical service.

4.4 Works & Utilities

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.

The subject property is not currently serviced by the municipal sanitary sewer collection system. The municipal sewer extension is scheduled to be constructed on Langford Road in the summer of 2002, and subsequently the applicant will be required to connect to the municipal sewer.

4. Access and parking.

Parking provided on site.

4.5 Bylaw Enforcement Officer

Open investigation file No. 98-5065 (BLEO Szalla). Registered owner issued MTI - paid \$200.00 Nov 2001 - still under investigation.

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 RU1 – Large Lot Housing zone to the RU1s – Large 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 the OCP policy on Secondary Suites.

The existing basement suite meets the size requirements for secondary suites and will be upgraded to meet the building code and fire regulations. The corner lot provides sufficient parking for both the main dwelling and the suite. Following construction of the municipal sewer on Langford Road this summer, the applicant will be required to connect the subject property to the sewer system.

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.:** Z01-1065
2. **APPLICATION TYPE:** Rezoning
3. **OWNER:** W.G. Harasin
· **ADDRESS** 235 Langford Road
· **CITY** Kelowna, BC
· **POSTAL CODE** V1X 2T7
4. **APPLICANT/CONTACT PERSON:** As above / Bill Harasin
· **ADDRESS**
· **CITY**
· **POSTAL CODE**
· **TELEPHONE/FAX NO.:** 765-7024 / --
5. **APPLICATION PROGRESS:**
 Date of Application: December 6, 2002
 Date Application Complete:
 Servicing Agreement Forwarded to Applicant: N/A
 Servicing Agreement Concluded: N/A
 Staff Report to Council: April 29, 2002
6. **LEGAL DESCRIPTION:** Lot 26, Section 26, Twp. 26, ODYD, Plan 15377
7. **SITE LOCATION:** Rutland, north of Highway 33, east Rutland Road North
8. **CIVIC ADDRESS:** 235 Langford Road
Kelowna, BC
V1X 2T7
9. **AREA OF SUBJECT PROPERTY:** 930m²
10. **AREA OF PROPOSED REZONING:** 930m²
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 of a secondary suite in the basement of house
14. **MIN. OF TRANS./HIGHWAYS FILES NO.:** N/A
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 plans
- Elevation