
CITY OF KELOWNA
MEMORANDUM

Date: April 9, 2003
File No.: Z03-0014

To: City Manager

From: Planning and Development Services Department

Subject:

APPLICATION NO. Z03-0014
AT: 942 Nassau Crescent

OWNER: Shelly Gellner
APPLICANT: Shelly Gellner

PURPOSE: TO REZONE THE PROPERTY FROM RU1- LARGE LOT HOUSING TO RU1s- LARGE LOT HOUSING WITH SECONDARY SUITE TO LEGALIZE AN EXISTING SECONDARY SUITE WITHIN A SINGLE DETACHED DWELLING.

EXISTING ZONE: RU1 – LARGE LOT HOUSING

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

REPORT PREPARED BY: KEIKO NITTEL

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Rezoning Application No. Z03-0014 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5, Section 29, Township 26, ODYD, Plan 17492, located on Nassau Crescent, 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 forwarded to a Public Hearing for further consideration.

2.0 SUMMARY

The applicants are seeking to rezone the subject property from the RU1 – Large Lot Housing to the RU1s – Large Lot Housing with Secondary Suite to legalize an existing secondary suite in the basement of a single detached dwelling.

3.0 BACKGROUND

3.1 The Proposal

The applicant is seeking to rezone the subject property from the RU1 – Large Lot Housing to the RU1s – Large Lot Housing with Secondary Suite to legalize an existing secondary suite in the basement of the existing single detached dwelling. An attached carport and a garage, located on the east side of the dwelling, can accommodate two vehicles. The front driveway provides at least two additional parking spaces. There is no lane access to the site. The proposed secondary suite, measuring 67.1 m², includes a bedroom/living room, kitchen, and bathroom. Shared laundry facilities, also located in the basement, are accessible from the suite.

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

CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS
Lot Area (m ²)	1437m ²	550.0 m ²
Lot Width (m)	22.49m	16.5 m
Lot Depth (m)	38.04m	30.0m
Site Coverage (%)		40% (buildings) 50% (with driveway and parking)
Total Floor Area (m ²) -House -Secondary suite	262.90m	N/A The lesser of 90 m ² or 40% of the total floor area of the principal building (0.4 * 193.6 = 77.44 m ²)
Setbacks-House (m)		
-Front	9.29m	4.5 m or 6.0 m from a garage or carport having vehicular entry from the front
-Rear	15.0+m	7.5 m
-East Side	2.49m	2.0 m
-West Side	2.38m	2.0 m
Parking Spaces (Total)	4+ spaces	3 spaces

3.2 Site Context

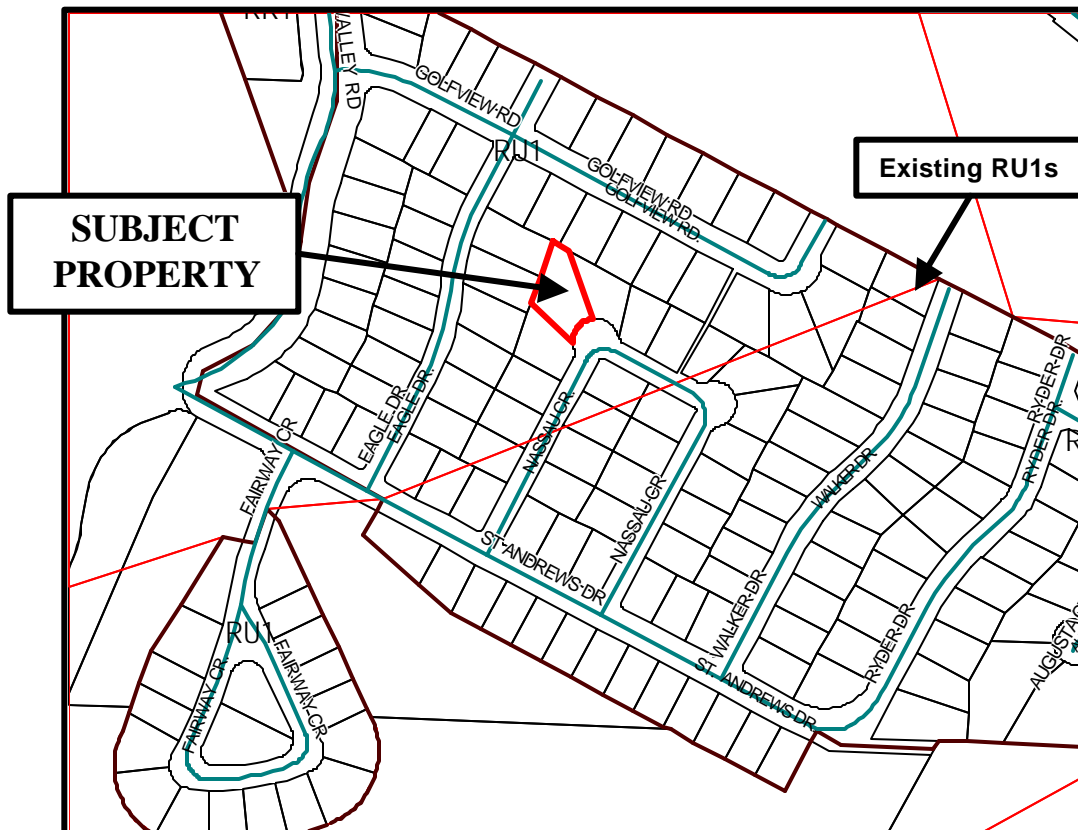
The subject property is located on Nassau Crescent north of St. Andrews Drive. There is one other “s” designations, or applications for the “s” designation, in the adjacent neighbourhood. The existing RU1s zone is at 956 Ryder Drive.

Adjacent zones and uses are:

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

Site Location Map

Subject Property:



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 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).

3.4.2 Kelowna Official Community Plan

The future land use designation in the Official Community Plan is Multiple Family Residential (low density). The expectation is that the density in this area close to the commercial core of the Rutland Urban Centre would be higher than single or two family residential.

The OCP, however, also supports the use of secondary suites as a method of sensitively integrating high density into neighbourhoods. The proposed suite is not a separate building addition, but use of existing space. Such an expanded use of existing space, as an interim step, seems reasonable given that this area does not currently appear to be close to redeveloping and it may be some time before more intensive land uses in this area become reality.

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. A handrail is required on the entrance stairs (4 risers) to suite.
2. A 3/4 hr. fire separation required between units. See Item # 6 on Bulliten 88-02.
3. Each suite requires a smoke alarm interconnected.
4. Mechanical ventilation shall be installed.
5. A \$300 Sewer development fee shall be paid.
6. A separate heating system required for the suite. All supply and return grills shall be removed and drywalled closed.
7. A rangehood vent required.
8. A bathroom fan required.

4.2 Works and Utilities Department

No comment.

4.3 Interior Health

No objections provided community sewer is available.

4.4 Fire Department

No objections.

4.5 Bylaw Enforcement

No building permit was issued to allow for a secondary kitchen or suite. Illegal Suite File No. 33151-02.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department supports the proposed rezoning of the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite. The proposed suite will be located in the basement of the existing house and accessed via an existing entrance at the rear of the house. There is sufficient on-site parking in the existing carport, garage, and driveway. In addition, the suite is within the existing house therefore will have no negative visual impact on the single-family character of the area.

Andrew Bruce
Current Planning Manager

Approved for inclusion

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

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Attach.

FACT SHEET

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|--|---|
| 1. APPLICATION NO.: | ZO3-0014 |
| 2. APPLICATION TYPE: | Rezoning |
| 3. OWNER: | Shelly Gellner |
| . ADDRESS | 942 Nassau Crescent |
| . CITY | Kelowna |
| . POSTAL CODE | V1Y 4T3 |
| 4. APPLICANT/CONTACT PERSON: | Shelly Gellner |
| . ADDRESS | 942 Nassau Crescent |
| . CITY | Kelowna |
| . POSTAL CODE | V1Y 4T3 |
| . TELEPHONE/FAX NO.: | 762-8802 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | March 27, 2003 |
| Date Application Complete: | March 27, 2003 |
| Servicing Agreement Forwarded to Applicant: | n/a |
| Servicing Agreement Concluded: | n/a |
| Staff Report to Council: | |
| 6. LEGAL DESCRIPTION: | Lot 5, Section 29, Township 26, ODYD, Plan 17492 |
| 7. SITE LOCATION: | The site is located on Nassau Crescent north of St. Andrews Drive |
| 8. CIVIC ADDRESS: | 942 Nassau Crescent |
| 9. AREA OF SUBJECT PROPERTY: | 1437 m ² |
| 10. AREA OF PROPOSED REZONING: | 1437 m ² |
| 11. EXISTING ZONE CATEGORY: | RU1 |
| 12. PROPOSED ZONE: | RU1s |
| 13. PURPOSE OF THE APPLICATION: | To rezone the subject property to legalize an existing secondary suite within a single detached dwelling. |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.: | |
| NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY | n/a |
| 15. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | n/a |

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Photographs of Existing Dwelling
- Site plan
- Floor plans