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**CITY OF KELOWNA  
MEMORANDUM**

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**Date:** January 6, 2006  
**To:** City Manager  
**From:** Planning & Corporate Services Department  
**Subject:**

**APPLICATION NO.** Z05-0068                      **APPLICANT:** Don Robinson

**AT:** 758 Favell Court.                      **OWNERS:** Don Robinson

**PURPOSE:** TO REZONE THE SUBJECT PROPERTY FROM THE RU1 – LARGE LOT HOUSING ZONE TO THE RU1s – LARGE LOT HOUSING WITH SECONDARY SUITE ZONE.

**EXISTING ZONE:** RU1 – LARGE LOT HOUSING

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

**REPORT PREPARED BY:** NELSON WIGHT

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## **1.0 RECOMMENDATION**

THAT Rezoning Application No. Z05-0068 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, District Lot 358, O.D.Y.D. Plan 28978, located on Favell Court, 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**

This rezoning application seeks to rezone the subject property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite zone allow for the construction of a suite addition to an existing single family residence on the subject property.

## **3.0 BACKGROUND**

### **3.1 The Proposal**

There is an existing, single-storey, 122 m<sup>2</sup> (1,300 ft<sup>2</sup>) house on the subject property. A 50 m<sup>2</sup> (540 ft<sup>2</sup>) secondary suite addition is proposed to be constructed on the north side of the existing house.

The proposed addition includes a carport and enclosed storage area at grade level, with the proposed 50 m<sup>2</sup> (540 ft<sup>2</sup>) suite above. An open stairway on the north side of the proposed addition provides access to this second level suite, which also includes a 17 m<sup>2</sup> (180 ft<sup>2</sup>) deck.

Adequate parking for the existing dwelling is provided within the paved driveway lying between the house and Favell Court. The one required parking stall for the suite would be provided by the carport area below the proposed suite.

The table below shows this application's compliance or non-compliance with the requirements of the RU1s zone:

CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS
Secondary Uses		
Second Kitchen	(no information provided)	second kitchen not permitted in RU1s zone
Subdivision Regulations		
Lot Area	971 m <sup>2</sup> (0.24 ac)	550 m <sup>2</sup>
Lot Width	20.5 m	16.5 m
Lot Depth	35.0 m	30.0 m
Development Regulations		
Site Coverage (buildings)	19%	40%
Site Coverage (buildings/parking)	33%	50%
Height	1 ½-storeys	2 ½ storeys / 9.5 m
Front Yard	12.7 m	4.5 m or 6.0 m to a garage
Side Yard (north)	3.0 m	2.0 m (1 or 1 ½ storey) 2.3 (2 or 2 ½ storey)
Side Yard (south) – house	1.5 m <sup>A</sup>	2.0 m (1 or 1 ½ storey) 2.3 (2 or 2 ½ storey)
Side Yard (south) – shed	1.2 m	1.0 m
Rear Yard (west) – house	8.4 m	7.5 m
Rear-Yard (west) – shed	0.75 m <sup>B</sup>	1.5 m
Other requirements		
Secondary Suite Size	50 m <sup>2</sup> or 29% of principal bldg.	The maximum floor area of a secondary suite shall not exceed the lesser of 90 m <sup>2</sup> or 40% of the total floor area of the principal building.
Parking Stalls (#)	4 spaces	3 spaces
Private Open Space	meets requirements	30 m <sup>2</sup> of private open space per dwelling

<sup>A</sup> The existing dwelling is non-conforming with regard to the required side yard setback.

<sup>B</sup> The existing shed is non-conforming with regard to the required rear yard setback.

### 3.2 Site Context

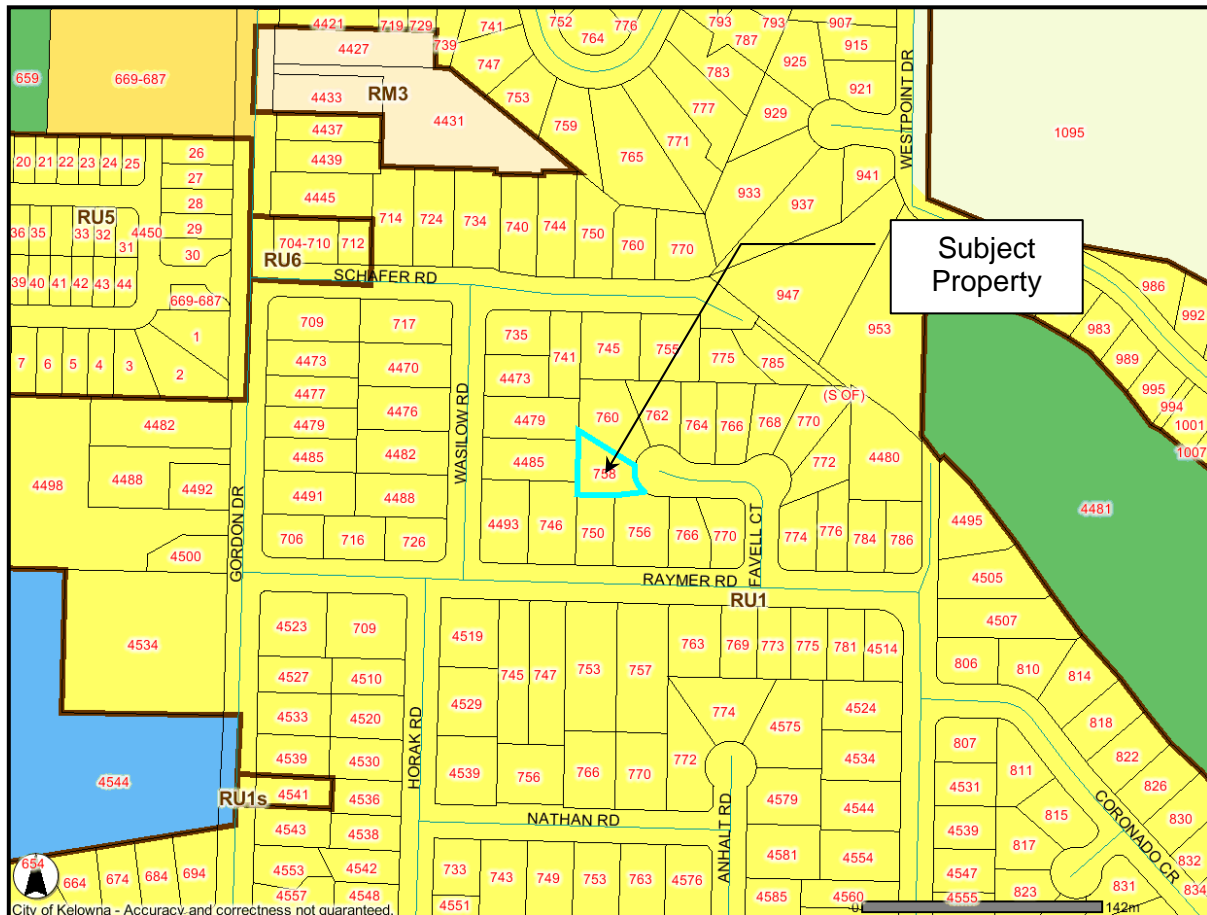
The subject property is located on Favell Court, which runs north from Raymer Road, two blocks east of Gordon Drive. The surrounding area has been developed primarily as a single-

family neighbourhood, with RU1 – Large Lot Housing zone predominating. More specifically, the adjacent land uses are as follows:

North-	RU1 – Large Lot Housing
East	RU1 – Large Lot Housing
South	RU1 – Large Lot Housing
West	RU1 – Large Lot Housing

#### Site Location Map

Subject property: 758 Favell Court



### 3.3 Existing Development Potential

The property is zoned RU1 – Large Lot Housing. The purpose is to provide a zone for single detached housing, and compatible secondary uses, on large sized serviced urban lots. Principal uses are “single dwelling housing”, with secondary uses such as bed and breakfast homes, minor care centres and group homes, as well as home based businesses.

### 3.4 Current Development Policy

#### 3.4.1 City of Kelowna Strategic Plan (2004)

*Objective #4* – Realize construction of housing forms and prices that meet the needs of Kelowna residents.

*Objective #5* – Achieve accessible, high quality living and working environments.

*Objective #7* – Sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.

3.4.2 Kelowna 2020 Official Community Plan (OCP)

*Future Land Use Designation* - The property is designated Single/Two Unit Residential, pursuant to Map 19.1 of the OCP. The proposed RU1s zone is consistent with that future land use designation.

*Development Permit Process* - This development is subject to the Development Permit Guidelines for Form and Character of Secondary Suite and Two Dwelling Housing Development.

**4.0 TECHNICAL COMMENTS**

Fire Department

No comments.

Inspection Services

No comments.

Works and Utilities

Domestic water and fire protection

This property is currently serviced with a 19mm-diameter PVC water service. The Inspection Services Department must determine if the existing service is of sufficient size to provide adequate water for the existing dwelling and the suite in the proposed building addition. A larger service, if required, can be provided by the City at the owner's cost. Should the existing meter be installed in a pit, the meter shall be removed and relocated within the existing dwelling.

Sanitary Sewer

Our records indicate that this property is serviced with a 100mm-diameter sanitary sewer service that should be adequate for the proposed application. An inspection chamber (IC) is in place and no further upgrades are required.

Development Permit and Site Related Issues

The subject property fronts a Cul-De-Sac turnaround and therefore it is imperative that adequate on-site parking is provided.

Direct the roof drains into on-site rock pits. This will help dissipate the roof drain water and prevent additional concentrated flows onto the fronting road.

Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost

**5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS**

The OCP designates the future land use of the subject property as Single / Two Unit Residential. The proposed land use (single unit residential and secondary suite) is consistent with the direction of this policy document. OCP Housing Policies state that the City will work towards achieving more efficient use of land within developed single-detached neighbourhoods by encouraging rezoning, subdivisions and building permit applications that would allow for smaller lot sizes, suites, duplexes etc that are sensitively integrated into a neighbourhood, and that the City will encourage the development of a variety of housing forms to ensure that the

housing supply meets the needs of Kelowna's diverse population and satisfies a range of life cycle and lifestyle choices.

Development of the proposed suite is subject to the Secondary Suite and Two Dwelling Housing Development Guidelines set out in the Official Community Plan. The intent of the Development Guidelines is to give consideration to the form, character and landscaping of all new secondary suites and two dwelling forms of housing. In its initial review of these elements, Staff makes the following observations and recommendations:

- (a) Floor plans of the existing home are required to ensure that there is only one kitchen in the existing home, and that there is only one secondary suite proposed for this property;
- (b) Concern regarding conformity with the B.C. Building Code, in particular with fire separation requirements between suite addition and existing house (e.g.: may need to remove openings on south wall of upper level – Applicant should consult with a City if Kelowna Plan Checker);
- (c) Will require that the form, shape and material of various elements (e.g.: roofs, window, door, trim, siding etc.) be similar to the form and character, style and material of the existing dwelling;
- (d) The landscaping plan submitted requires further detail regarding surface treatments, existing vegetation, fencing, etc.

Staff recommends that this rezoning application be supported, because it represents a sensitive infill project, consistent with the policies contained within the OCP.

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Andrew Bruce  
Manager of Development Services

Approved for inclusion

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

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#### ATTACHMENTS

Location of subject property  
Site Plan (surveyor's certificate)  
Floor Plans  
Elevations