
CITY OF KELOWNA

MEMORANDUM

Date: July 14, 2006

File No.: DVP06-0051

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. DVP06-0051

OWNER: Alfred Kuschat

AT: 610 Bell Road

APPLICANT: (as above)

PURPOSE: TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW A SECONDARY SUITE AREA OF 91 M² OR 42% OF THE PRINCIPAL BUILDING, WHERE THE MAXIMUM ALLOWABLE FLOOR AREA IS THE LESSER OF 90 M² OR 40 % OF THE PRINCIPAL BUILDING.

EXISTING ZONE: RU1 – LARGE LOT HOUSING

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

REPORT PREPARED BY: NELSON WIGHT

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. DVP06-0051 for Lot B, Sec 23, Twp 26, ODYD, Plan 15597, located on Bell Road, Kelowna, B.C., subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A";

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted:

Section 9.5.4 Secondary Suites – Maximum Floor Area

To obtain a Development Variance Permit to allow a secondary suite area of 91 m² or 42% of the principal building, where the maximum allowable floor area is the lesser of 90 m² or 40 % of the principal building.

2.0 ADVISORY PLANNING COMMISSION

Pursuant to *Advisory Planning Commission Bylaw No. 8456* Section 3.4 (c), the requirements for review by the Advisory Planning Commission have been waived by the Director of Planning and Development Services in this case because the application is minor in nature and confirmation from affected neighbours supporting the variance has been received (see petition in support of this application, which is attached to this report).

3.0 SUMMARY

This application seeks to allow a slightly larger floor area for a secondary suite in a principal building than that allowed under Section 9.5.4 of the Zoning Bylaw.

4.0 BACKGROUND

4.1 The Proposal

The applicant is proposing to construct a secondary suite within the basement of the existing single detached dwelling. As the applicant is proposing to convert the entire basement level for use as a secondary suite, the size of the suite does not comply with the zoning bylaw requirements. Prior to obtaining a building permit for the suite, a Development Variance Permit is required to allow a secondary suite that is 90.8 m², equalling 42% of floor area of the building, where only the maximum permitted suite size is 90.0m² or 40% of the total floor area of principal building, whichever is less. The secondary suite consists of the entire basement level of the existing house. Two bedrooms, a bathroom, living room, kitchen, laundry room, and storage room are proposed. The applicant is also proposing to expand the upper level of the house by filling in the existing covered deck (principle unit) for use as a rec room. The principle unit also includes a living room, kitchen/dining room, bathroom, and three bedrooms. One parking space is to be provided within a single vehicle carport with one tandem space. A third parking space is to be located adjacent to the driveway. The minimum required 3 parking spaces have therefore been provided.

The table below shows this application's compliance/non-compliance with the requirements of the proposed RU1s – Large Lot Housing with Secondary Suite zone:

CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS
Lot Area (m ²)	850.0m ²	550.0 m ²
Lot Width (m)	20.0m	16.5 m
Lot Depth (m)	41.0m	30.0m
Site Coverage (%)	17% 23%	40% (buildings) 50% (with driveway and parking)
Total Floor Area (m ²) -House -Secondary suite	215m ² (230.9) 90.8 m ² or 42% ^A	N/A The lesser of 90 m ² or 40% of the total floor area of the principal building
Setbacks-House (m)		
-Front	9.3m	4.5 m or 6.0 m from a garage or carport having vehicular entry from the front
-Rear	13.86m	7.5 m
-Side	9.18m	4.5 m flanking street
-Side	3.74m	2.3 m
Parking Spaces (Total)	3	3

^A The Applicant has applied for a Development Variance Permit to address the conflict with the maximum floor area provisions for secondary suites, to allow a ± 91 m² suite area where the maximum is 90 m².

4.2 Site Context

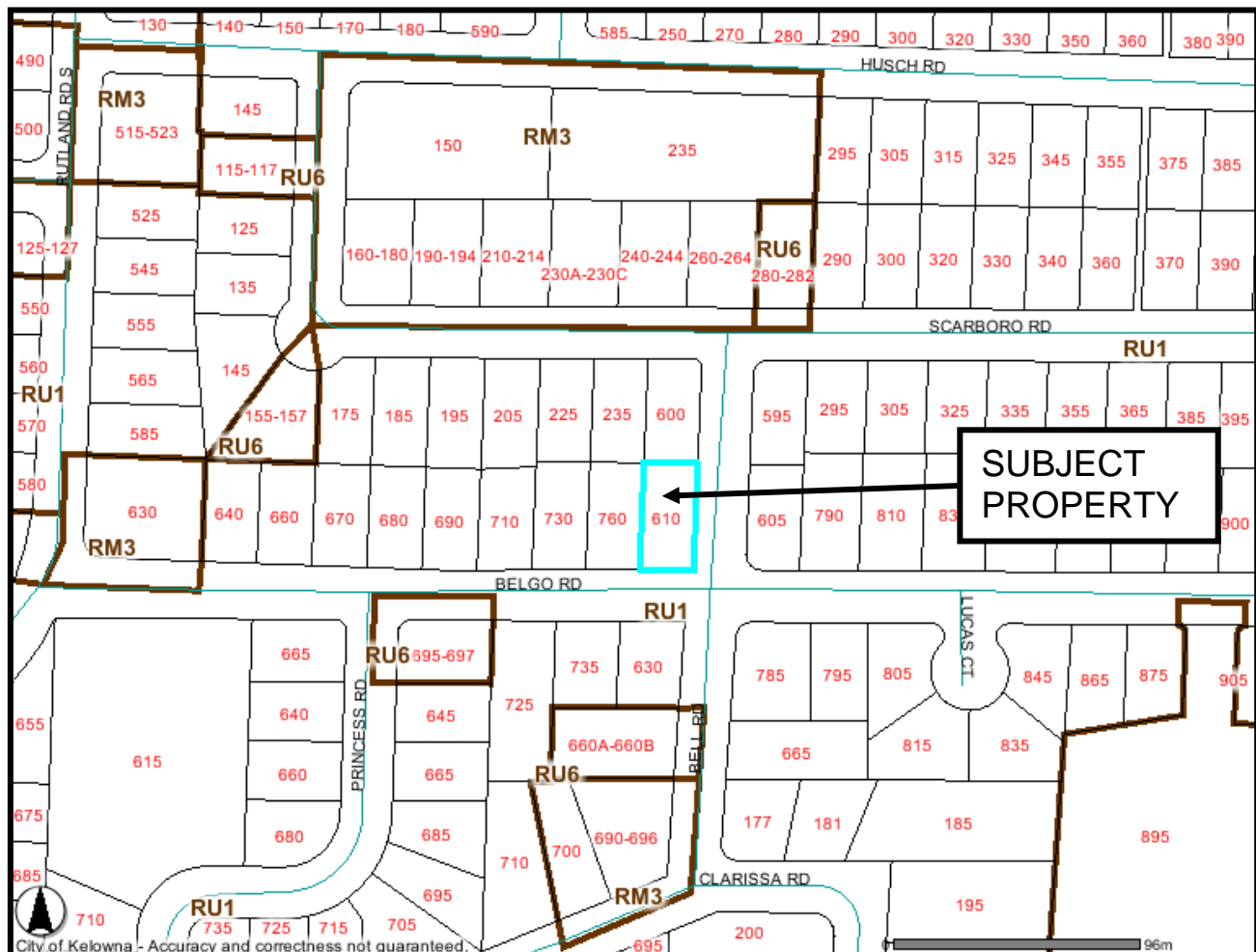
The subject property is located on the northwest corner of Bell and Venus Road.

Adjacent zones and uses are:

- 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: 610 Bell Road



4.3 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.

4.4 Current Development Policy

4.4.1 City of Kelowna Strategic Plan (2004)

Objectives of the Strategic Plan include: to realize construction of housing forms and prices that meet the needs of Kelowna residents; to achieve accessible, high quality living and working environments; to sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.

4.4.2 Kelowna Official Community Plan

The proposal is consistent with the designation of Single/Two Family Residential in the Official Community Plan future land use designation. 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).

5.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments, and the following relevant comments have been submitted:

5.1 Inspection Services Department

If suite is existing it will require a building permit to upgrade it to BCBC 1998 standards, if a new suite it will require a building permit to BCBC 1998 standards. No concern about being oversized by 2%.

5.2 Interior Health

Support is subject to sanitary sewer & city water.

5.3 Works & Utilities

The Works & utilities Department comments and requirements regarding this application to rezone the subject property from RU1 to RU1s are as follows:

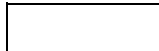
- a) The plan for the proposed rezoning application for a suite does not compromise Works and Utilities as far as servicing is concerned.
- b) Parking is provided on-site. Parking spaces must meet minimum size requirements.

6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

Staff has no concerns with this application, and therefore recommends that it be supported by Council.

Shelley Gambacort
Acting Development Services Manager

Approved for inclusion



Signe K. Bagh, MCIP
Manager, Policy, Research & Strategic Planning
Acting Director Planning and Development Services

NW/nw

Attachments (8 pages):

Location of subject property

Site plan

Elevations (2 pages)

Floor plans (2 pages)

Petition in support of application (2 pages)