
**CITY OF KELOWNA
MEMORANDUM**

DATE: December 28, 2006
TO: City Manager
FROM: Planning & Development Services Department
SUBJECT:

APPLICATION NO. Z06-0056 **APPLICANT:** Brian Kokayko
AT: 4523 Gordon Dr. **OWNERS:** Brian Kokayko
 Cheryl Kokayko

PURPOSE: TO REZONE FROM THE RU1 – LARGE LOT HOUSING ZONE TO THE RU1s – LARGE LOT HOUSING WITH SECONDARY SUITE ZONE, IN ORDER TO ESTABLISH A SECONDARY SUITE WITHIN THE PRINCIPAL BUILDING.

EXISTING ZONE: RU1 – LARGE LOT HOUSING

PROPOSED ZONE RU1s – LARGE LOT HOUSING WITH SECONDARY SUITE ZONE

REPORT PREPARED BY: NELSON WIGHT

1.0 RECOMMENDATION

THAT Rezoning Application No. Z06-0056 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 358, O.D.Y.D. Plan 24635, located on Gordon Drive, 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.

AND FURTHER THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit on the subject property.

2.0 HISTORY

June 27th, 2006 – Council defeated a zone amending bylaw that proposed rezoning the subject property from RU1 to RU6. This zoning change would have allowed for a two principal dwellings to be constructed on the property (as a duplex or two single-detached homes), as opposed to the current application, which would allow for one principal and one secondary dwelling unit.

3.0 SUMMARY

This rezoning application seeks to rezone from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite zone to allow for a secondary suite within a principal building, which would replace the existing home on the subject property.

4.0 BACKGROUND

4.1 The Proposal

The Applicant is proposing to demolish the existing home, and construct a 2 ½-storey house, with a secondary suite in the basement. The conceptual drawings, which accompany this application show a three-bedroom principal dwelling unit on the main and upper floors, with a ± 79 m² (850 ft²) secondary suite below. An attached two-car garage is intended to accommodate parking for the principal dwelling unit, with the third required parking space available on the driveway leading to the garage.

The table below shows this application’s compliance with the requirements of the RU1s zone:

CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	1,500 m ² (0.37 ac)	550 m ²
Lot Width	38 m	13.0 m
Lot Depth	39 m	30.0 m
Development Regulations		
Site Coverage (buildings)	<40%	40%
Site Coverage (buildings/parking)	<50%	50%
Height	2 ½ storeys	The maximum height is the lesser of 9.5 m or 2 ½ storeys.
Front Yard	6.0 m	4.5 m or 6.0 m to a garage
Side Yard (east)	20.5 m	2.0 m (1 to 1 ½ storey) 2.3 m (2 to 2 ½ storey)
Side Yard (Gordon Dr.)	4.5 m	4.5 m to flanking street
Rear Yard	22 m	7.5 m
Other requirements		
Floor Area (principal dwelling)	± 150 m ² (1,600 ft ²)	n/a
Floor Area (secondary suite)	79 m ² (850 ft ²) ± 34% of principal building	The lesser of 90 m ² or 40% of the total floor area of the principal building
Parking Stalls (#)	(at least) 3 spaces	3 spaces
Private Open Space	meets requirements	30 m ² of private open space per dwelling

4.2 Site Context

The subject property is on the southeast corner of Raymer Road and Gordon Drive. The surrounding area has been developed primarily as a single-family neighbourhood, and includes Okanagan Mission Secondary School just south of the subject property. 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

4.3 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 larger 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.

5.0

TECHNICAL COMMENTS

5.1 Fire Department

Fire Dept access, fireflows and hydrants as per BC Building Code and City of Kelowna Subdivision Bylaw.

5.2 Inspections Department

Building permit and bond required for demolition of existing house prior to issuance of permit for new home. Suite development to meet requirements of BCBC.

5.3 Works and Utilities Department

The Works & Utilities Department have the following requirements associated with this development application:

5.3.1 Domestic Water and Fire Protection

- (a) The existing lot is serviced with a small diameter (19-mm) PVC water service, which is substandard. Disconnect and provide a new water service to meet current by-law requirements. Service upgrades can be provided by the City at the Owner's cost.

5.3.2 Sanitary Sewer

- (a) Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service complete with an inspection chamber (I.C.).
- (b) The existing service can be utilised for this proposed development.
- (c) Abandon and backfill existing septic tanks in accordance with Building Department requirements. Identify the location of the existing tanks and fields.

5.3.3 Electric Power and Telecommunication Services

It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for new services and modifications to the existing services, which would be at the Applicant's cost.

5.3.4 Site Related Issues

- (a) An access to on-site parking areas and driveways will be restricted to Raymer Road.
- (b) The development will be required to contain and dispose of site generated storm water on the site by installing a ground recharge system consisting of perforated pipe bedded in drain rock and rock pits.

5.3.5 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.

- 5.3.6 The following comments are submitted in anticipation of a subdivision application permit:
- (a) Raymer Road will require upgrading to an urban standard along the full frontage of this proposed development including curb and gutter, monolithic sidewalk, piped storm drainage system extension, pavement widening, landscaped boulevard complete with underground irrigation system, relocation or adjustment of existing utility apputenances if required to accommodate the upgrading construction.
 - (b) Revise the existing property line corner rounding to a 6.0 m radius.
 - (c) It is recommended that the future westerly lot be pre-serviced as part of the required frontage upgrades of Raymer Road.
 - (d) We require that the future driveway access edge for the westerly lot be at the furthest possible point from the Gordon Drive intersection (minimum 8.0 m).

5.4 Current Development Policy

5.4.1 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.

5.4.2 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 RU6 zone is consistent with that future land use designation.

Policy 8.1.34 Land Utilization within Single Detached Areas. Work towards achieving more efficient use of land within developed single-detached neighbourhoods by encouraging rezoning, subdivision and building permit applications that would allow for smaller lot sizes, secondary suites, minor boarding facilities, minor group homes, duplexes etc. that are sensitively integrated into a neighbourhood;

Policy 8.1.56 Secondary Suite and Two Dwelling Housing Development Permits. Require secondary suite and two dwelling housing developments permitted by Zoning Bylaw No. 8000 to comply with Development Permit conditions (please refer to Section 8.3 for information on Development Permit conditions).

6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS

The proposal to rezone from the RU1 zone to the RU1s zone has the support of Staff, for similar reasons that the previous application was supported (Z06-0056). OCP policies endorse

a more efficient use of land within developed single-detached neighbourhoods that are sensitively integrated into the neighbourhood. This property has potential to be infilled in a number of ways through rezoning to allow for more than one dwelling unit per lot, in addition to having potential to be subdivided. Given the lot size, a two-lot split is likely the best outcome for subdivision. As for the rezoning, Staff would support either the RU6 zone or the RU1s zone. The siting of the proposed house on the western side of the property is also supported by Staff, since it allows for a possible future subdivision of the lot.

Staff will have an opportunity to address the design details of the proposed development through a possible future development permit application, should the Applicant be successful in this rezoning application. In anticipation of that application, Staff recommends that the Applicant review *Section 8.3 Development Permit Guidelines for Form and Character of Secondary Suite and Two Dwelling Housing Development* of the OCP. Staff considers that the present design is incompatible with several of these guidelines, and should be redesigned.


In response to the conceptual drawings provided, Staff provide the following comments to be considered in selecting a more suitable building for the subject property:

- For liveability and safety the proposed suite should not be too far into the ground (if it must be in the basement). Windows should be above ground level (as opposed to window wells). Entrance to the basement suite should be well-lit and as visible as possible.
- Two-dwelling housing on corner lots should be designed to “face” both streets; i.e.: provide an entrance to one unit from the primary street, with the entrance to the second unit from the flanking street.
- For corner sites with no lane, it is preferable to provide parking in the rear yard, rather than in the front yard or flanking street, with access via a driveway. In this case, access is permitted from Raymer Road only, so a driveway would need to be situated on the east side of the proposed house. Relocating the parking also removes the dominating garage element from the front of the house.
- Alternatively, an attached garage may be allowed, provided that it is designed to minimize its impact on the public realm. It should be less than 50% of the width of the façade, and be recessed a minimum of 2.0 m from the front façade.
- Massing should respect the scale and height of adjacent houses and other houses in the nearby vicinity through sensitive design.
- Entry features and front doors should be the dominant elements facing the street.

If successful in this rezoning application, Staff will continue to work through the design issues with the Applicant to achieve a suitable project for this site.



Shelley Gambacort
Acting Development Services Manager

Approved for inclusion 

Mary Pynenburg, MRAIC MCIP
Director of Planning & Development Services
NW/nw

ATTACHMENTS (7 pages)

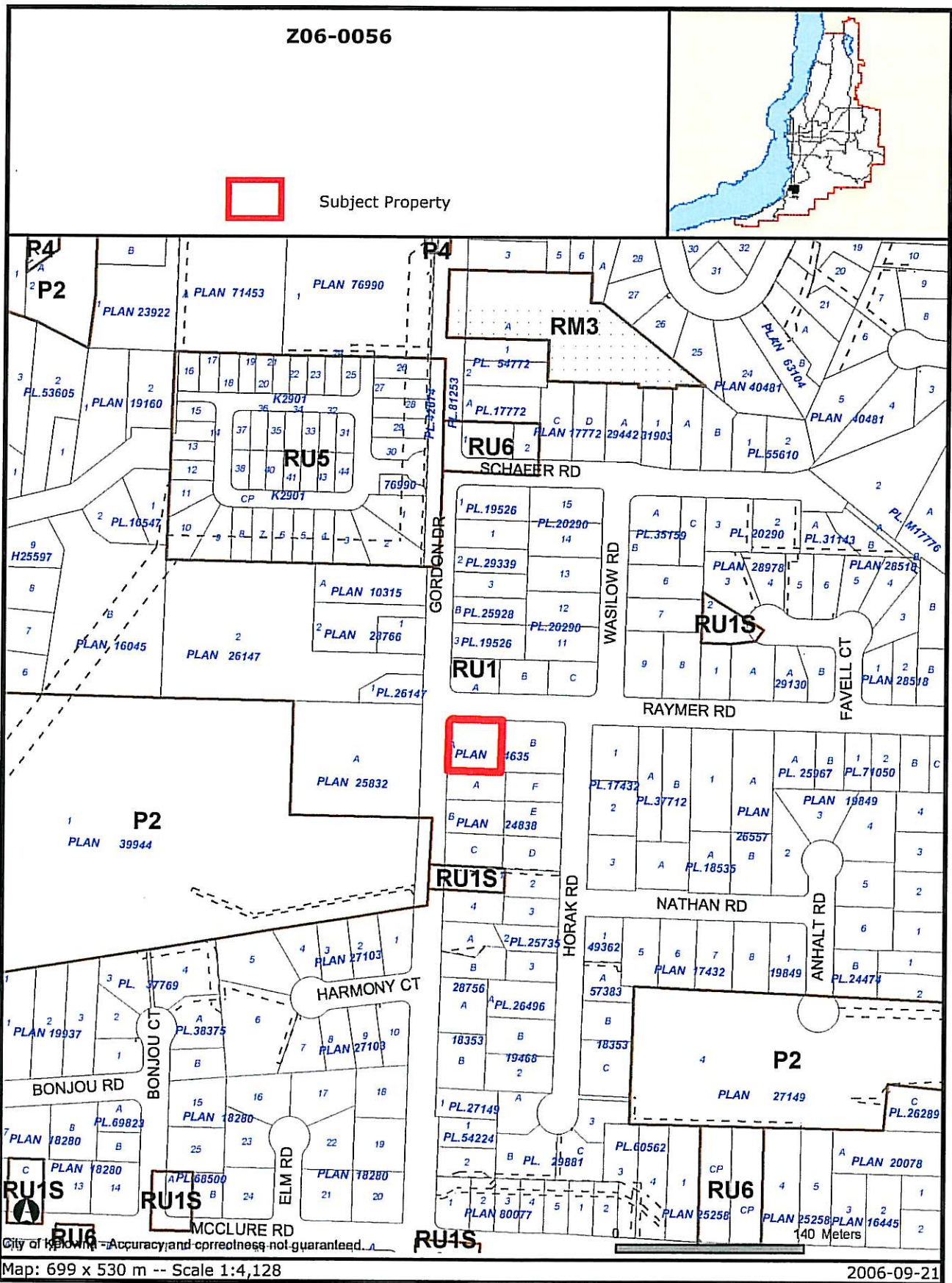
Location of subject property

Site Plan

Floor Plans (3 pages)

Conceptual North Elevation

Letter of Rationale from Applicant

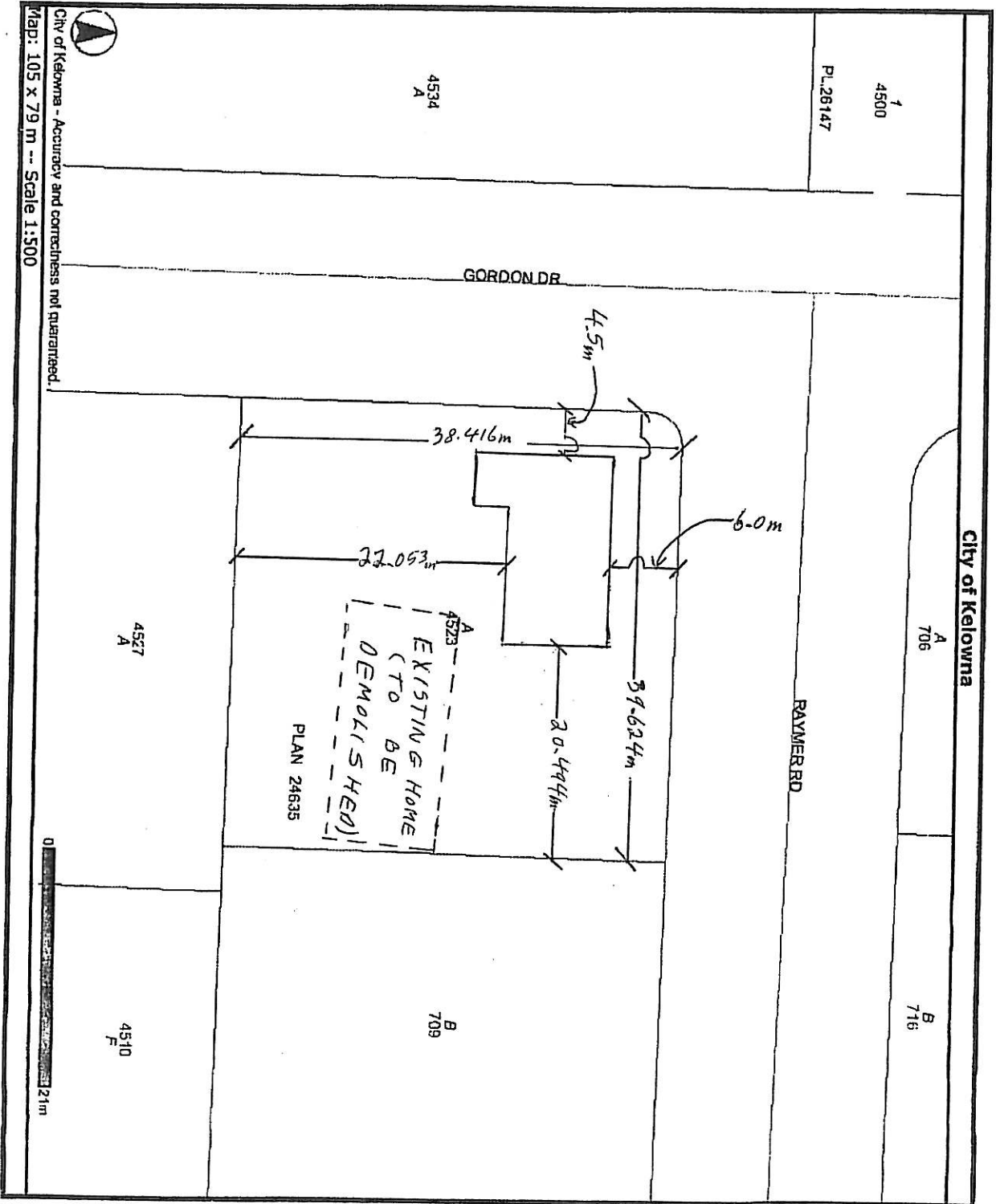


City of Kelowna - Accuracy and correctness not guaranteed.

Map: 699 x 530 m -- Scale 1:4,128

2006-09-21

Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



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