
CITY OF KELOWNA
MEMORANDUM

DATE: May 18, 2007
TO: City Manager
FROM: Planning and Development Services Department

APPLICATION NO.: DVP07-0085/DP07-0084
OWNER: Keith Garvin

AT: 1025 Laurier Ave. **APPLICANT:** Keith Garvin

PURPOSE: TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO ALLOW A SECONDARY SUITE AREA OF 57.5 M² OR 46% OF THE PRINCIPAL BUILDING, WHERE THE MAXIMUM ALLOWABLE FLOOR AREA IS THE LESSER OF 90 M² OR 40 % OF THE PRINCIPAL BUILDING

EXISTING ZONE: RU6 – TWO DWELLING HOUSING

REPORT PREPARED BY: ALEC WARRENDER

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Permit No. DP07-0084 for Lot 3, District Lot 138, ODYD, Plan 2832, located on 1025 Laurier Avenue, Kelowna, B.C. subject to the following:

1. The exterior design and finish of the building to be constructed in general accordance with Schedule "A";
2. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "B" & "C";

AND THAT the applicant be required to complete the above-noted conditions within 180 days of Council approval of the development permit application in order for the permit to be issued.

THAT Council authorize the issuance of Development Variance Permit No. DVP07-0085 for Lot 3, District Lot 138, ODYD, Plan 2832, located on 1025 Laurier Avenue, Kelowna, B.C. subject to the following:

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 57.5 m² or 46% of the principal building, where the maximum allowable floor area is the lesser of 90 m² or 40 % of the principal building.

2.0 SUMMARY

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

3.0 BACKGROUND

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 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 57.5 m², equalling 46% of the floor area of the building, where the maximum permitted suite size is the lesser of 90.0m² or 40% of the total floor area of principal building.

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	RU6 REQUIREMENTS
Lot Area (m ²)	588m ²	400m ² (min)
Lot Width (m)	15.24m	13.0m(min)
Lot Depth (m)	46.13m	30.0(min)
Site Coverage	46%	50%
Total Floor Area - House - Secondary Suite	126.4 m ² 57.5 m ² / 46%❶	N/A The lesser of 90 m ² or 40% of the total floor area of the principal building
Storey (#)	1.5	2.5(max)
Setbacks (m)- Existing Dwelling		
- Front Yard	6.89m	4.5m
- Side Yard East	2.79m	2.0m
- Side Yard West	5.09m	2.0m
- Rear Yard	16.71m	6.0m
Private Open Space (30m ² /dwelling)	>60m ²	60m ²
Parking Spaces	3	3(min)

Notes:

- ❶ The applicant is applying to vary this regulation in order to allow a secondary suite that exceeds the maximum floor area permitted.

4.0 SITE CONTEXT

The subject property is located west of Gordon Drive between Harvey and Springfield Avenues in the Central City Sector. Much of the immediate neighbourhood is zoned RU6 – Two Dwelling Housing with the exception of the commercial uses along Gordon Drive.

Adjacent zones and uses are:

North - RM4 – Transitional Low Density Housing – Existing Multi Family Dwelling
East - RU6 – Two Dwelling Housing – Existing Single Family Dwelling
South - RU6 – Two Dwelling Housing – Existing Single Family Dwelling
West - RU6 – Two Dwelling Housing – Existing Single Family Dwelling

5.0 LOCATION MAP

Subject Property: 1025 Laurier Avenue.



6.0 EXISTING DEVELOPMENT POTENTIAL

The property is zoned RU6 – Two Dwelling Housing. The purpose of this zone is to provide for development of a maximum of two dwelling units in the form of single detached, duplex, or semi-detached housing with a secondary suite. A second single detached housing unit may be developed provided all the requirements for duplex housing are met. Secondary suites are identified as a secondary use in this zone.

7.0 CURRENT DEVELOPMENT POLICY

7.1 City of Kelowna Strategic Plan (2005)

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 with future urban areas" (Objective 1.1). The proposal is consistent with these objectives and with their accompanying strategies.

8.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments.

8.1 Inspection Services Division

The proposed suite must meet the requirements of BCBC 2006 related to fire separation between units, separate heating system, interconnected smoke alarms and carbon monoxide detectors. Existing mechanical room requires must be fire separated from the suite.

8.2 Works and Utilities Department

8.2.1 Domestic Water and Fire Protection

The existing lot is serviced with a small diameter (13-mm) copper water service, which is substandard. The applicant, at his cost, will arrange for the disconnection of the existing service and the installation of a new larger metered water service.

The water meter must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws.

8.2.2 Sanitary Sewer

The 100mm-diameter sanitary sewer service should be adequate for the proposed application. An inspection chamber (IC) must be installed on the service at the owner's cost as required by the sewer-use bylaw.

The applicant will be required to sign a Third Party Work Order for the cost of installing the (IC) prior to issuance of a Building Permit.

8.2.3 Development Permit and Site Related Issues

On-site parking areas must meet bylaw requirements.
Direct the roof drains into on-site rock pits.

8.2.4 Electric Power and Telecommunications 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.

9.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

Staff is supportive of secondary suite development, in accordance with the policy direction of the OCP. Were this project requiring construction of a new building to accommodate the secondary suite, Staff would ensure that it met the Bylaw requirements. However, because this is an existing structure on the property, it seems more reasonable to use the Development Variance Permit tool to address the non-conforming suite area.

Consequently, Staff is supportive of this Development Variance Permit application.


Shelley Gambacort
Acting Manager of Development Services

 Approved for inclusion 
Mary Pynenburg, MRAIC MCIP
Director of Planning & Development Services

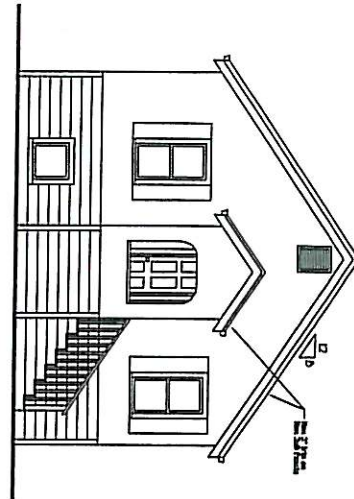
MP/SG/aw

Attachments

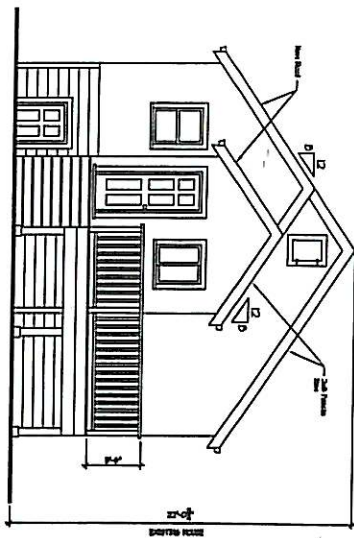
Location of subject property

Air Photo

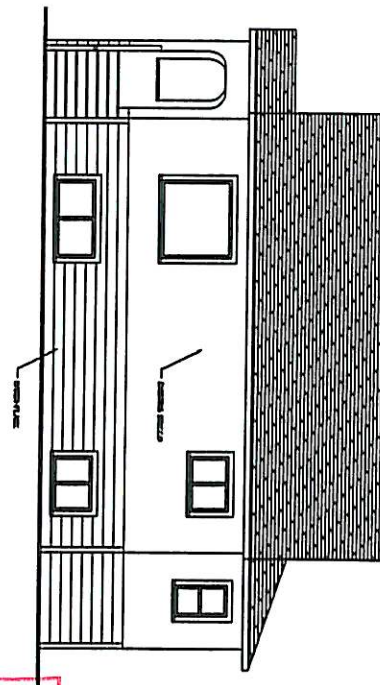
Letters in Support from Neighbours at 1033 & 1019 Wallace Hill Road (2 pages)



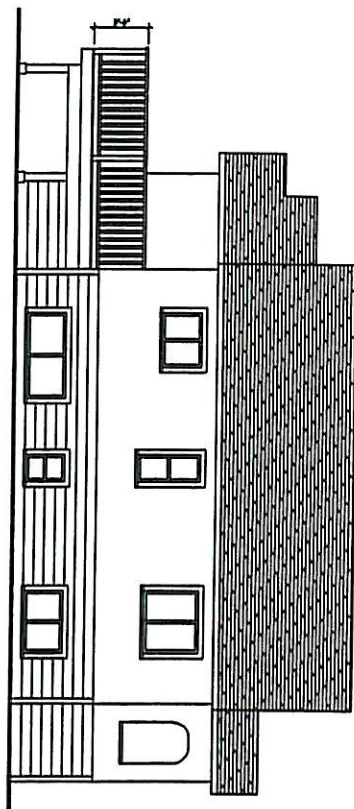
FRONT ELEVATION



REAR ELEVATION



RIGHT ELEVATION



LEFT ELEVATION

SCHEDULE A

This forms part of development

Permit # DP07-0085 / DP07-0084

Date _____

Signature _____

NOTES:
CONSTRUCTION TO LARSEN ALL
PERIODS FROM TO CONSTRUCTION

TEAROE design

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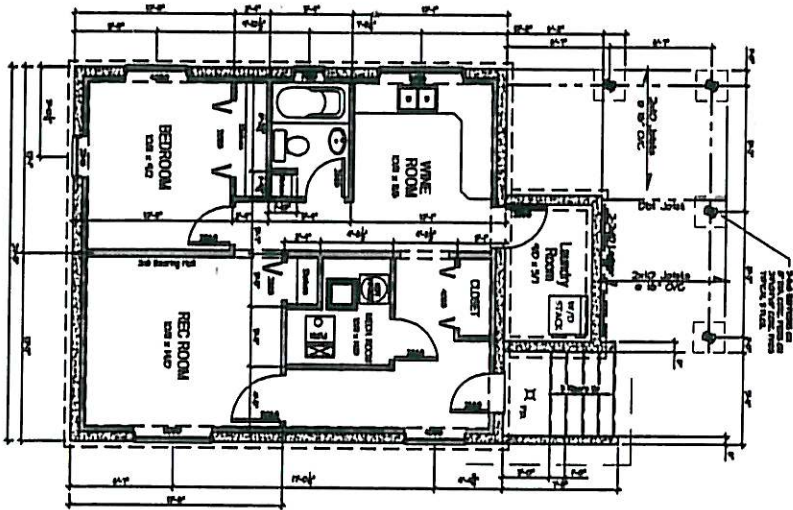
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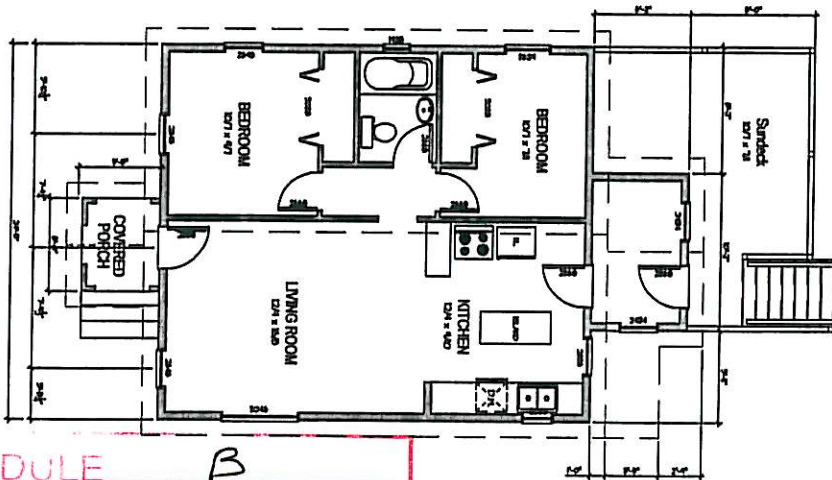
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1 of 3



**PROPOSED
BASEMENT PLAN**
641 SQ. FT. (515 SQ. METERS)



**EXISTING
MAIN FLOOR PLAN**
710 SQ. FT. (654 SQ. METERS)

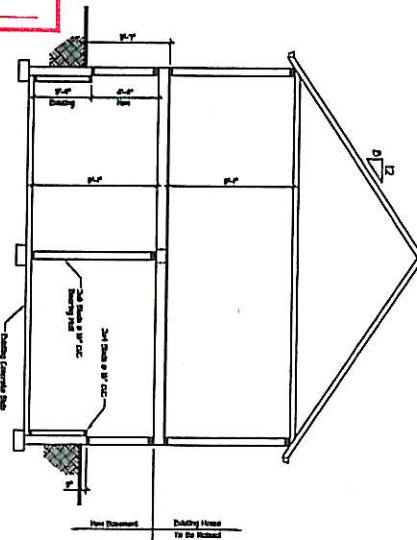
SCHEDULE B

This forms part of development

Permit # DUP07-0085 / DP07-0084

Date _____

Signature _____



Wall Section

NOTES:
1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE CITY OF KALISPELL, IDAHO, DEPARTMENT OF PUBLIC WORKS, DIVISION OF PERMITS AND INSPECTION.
2. THE PERMITTEE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSPECTIONS.
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TEAR SHEET

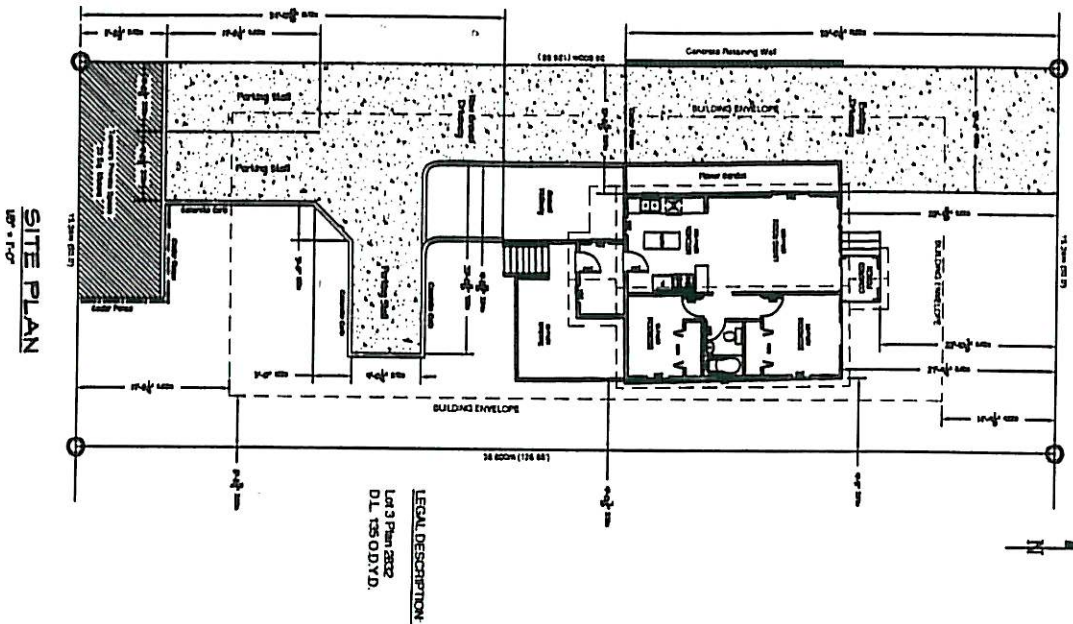
DATE: 10/15/2007
BY: [Signature]
FOR: [Signature]

PROJECT: 1075 LARVER AVE.,
KALISPELL, IDAHO

SCALE: 1/4" = 1'-0"

PAGE: 2 OF 3

1025 LAURIER AVE.



LEGAL DESCRIPTION
Lot 3 Plan 2802
D.L. 105 O.D.Y.D.

SITE PLAN
1/8" = 1'-0"

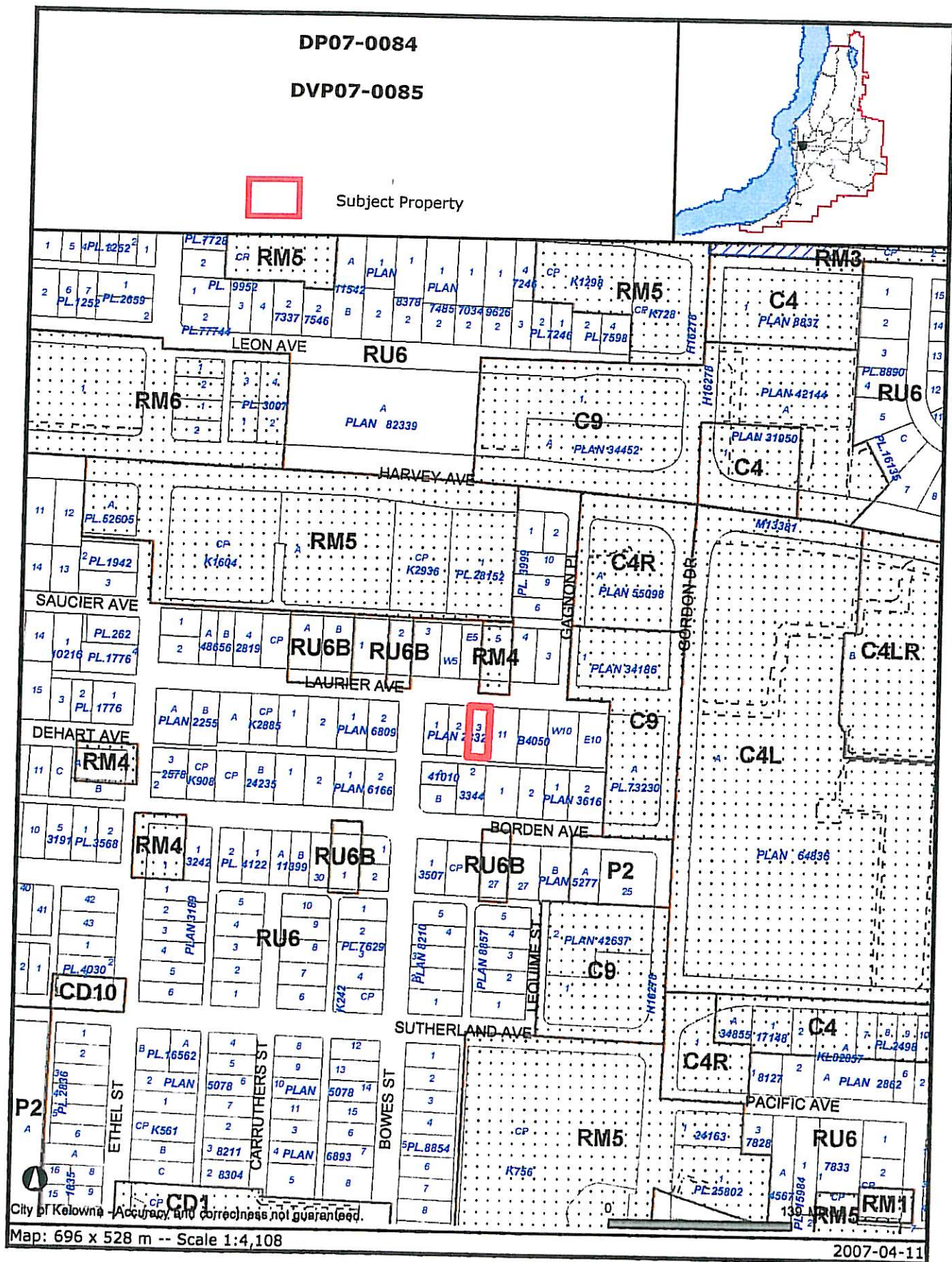
GENERAL NOTE
ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE NATIONAL BUILDING CODE AND ALL APPLICABLE LOCAL CODES AND ORDINANCES.
THESE PLANS HAVE BEEN PREPARED BY THE ARCHITECT AND THE ARCHITECT ASSUMES RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN. THE ARCHITECT DOES NOT WARRANT THAT THE INFORMATION CONTAINED HEREIN IS COMPLETELY ACCURATE OR THAT THE INFORMATION CONTAINED HEREIN WILL BE USED IN ACCORDANCE WITH THE NATIONAL BUILDING CODE AND ALL APPLICABLE LOCAL CODES AND ORDINANCES.
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SCHEDULE C
This forms part of development
Permit # AUP07-0085/DP07-0084
Date _____
Signature _____

NOTES
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NOTES
CONTRACTOR TO CONFIRM ALL DIMENSIONS PRIOR TO CONSTRUCTION

TEAROE design
CARTON HOME PLANS
1025 LAURIER AVE.
KELLOWA, B.C.
V2Y 1K6
TEL: 604-291-1111
FAX: 604-291-1112
SCALE: 1/8" = 1'-0"
DATE: JAN 3, 2007
PAGES: 3 of 3



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.

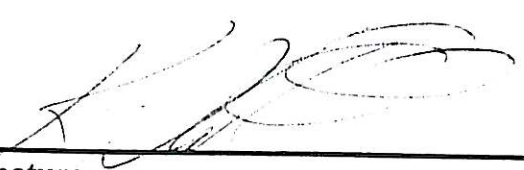
Air Photo – 1025 Laurier Ave.



I, KEITH GARVIN

Of 1033 Laurier Ave. Kelowna, B.C.

do not object to my neighbor Keith Garvin of 1025 Laurier Ave., Kelowna ,
B.C. applying for a Development Variance Permit
To increase the allowable square footage of a secondary site to 45% of the
principal building.



Signature

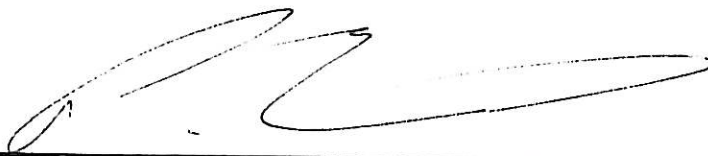
March 20/07

Date

I, Peter Engel

Of 1019 Laurier Ave. Kelowna, B.C.

do not object to my neighbor Keith Garvin of 1025 Laurier Ave., Kelowna ,
B.C. applying for a Development Variance Permit
To increase the allowable square footage of a secondary site to 45% of the
principal building.



Signature

14 Mar 07

Date