
CITY OF KELOWNA

MEMORANDUM

DATE: MAY 14, 2007
TO: CITY MANAGER
FROM: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

APPLICATION NO. HAP07-0001

OWNER: Bigwood, Steve
APPLICANT: Chataway, Peter

AT: 359 Burne Avenue

PURPOSE: TO CONVERT THE EXISTING ACCESSORY BUILDING INTO A SECONDARY SUITE

TO VARY THE WESTERN SIDE YARD SETBACK FOR THE ACCESSORY BUILDING WITH SUITE FROM 2.0M REQUIRED TO 1.2M PROPOSED

EXISTING ZONE: RU1 – LARGE LOT HOUSING

PROPOSED ZONE: RU1S – LARGE LOT HOUSING WITH SECONDARY SUITE

REPORT PREPARED BY: RYAN SMITH

1.0 RECOMMENDATION

THAT Final Adoption of Zone Amending Bylaw No. 9774 be considered by Council;

THAT Council authorize the issuance of Heritage Alteration Permit No. HAP07-0001; for Lot 2, District Lot 14, ODYD Plan 3514, located on Burne Avenue, 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";
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B".

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 6.5 – Accessory Development: 6.5.8(b)

Vary the western side yard setback for the accessory building with suite from 2.0m required to 1.2m proposed.

AND THAT the existing accessory building containing a studio cannot be converted to a suite in the future.

2.0 SUMMARY

The applicants have applied for a rezoning from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with secondary suite zone to allow for a secondary suite in an existing accessory building.

The applicant has also applied for a Heritage Alteration Permit to address a side yard setback deficiency. The required side yard setback for an accessory building with secondary suite is 2.0m whereas the existing building sits 1.2m from the property line.

3.0 COMMUNITY HERITAGE COMMISSION

At the regular meeting of March 1st, 2007 it was resolved:

THAT the Community Heritage Commission supports Application #HAP07-0001 for Lot 2, District Lot 14, ODYD Plan 3514 located on Burne Avenue, Kelowna, BC, from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary suite zone subject to the front steps and railings being relocated to correspond with alignment of the relocated door;

The Community Heritage Commission also noted that they would not support any residential use in the existing studio in the future.

4.0 LOCATION

See attached map.

5.0 ZONING ANALYSIS

The application compares to the RU1s – Large Lot Housing with Secondary Suite zone requirements as follows:

CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS
Lot Area (m ²)	640 m ²	550m ²
Lot Depth (m)	37.1m	30m
Lot Width (m)	17.27m	16.5m
Area of Buildings at Grade	209m ²	
Floor Area of Existing Dwelling	151m ²	
Floor Area of Proposed Suite	66.47m ²	90m ²
Site Coverage (%)(Buildings)	33%	40%
Parking Spaces	3	3
Private Open Space (m ²)	83.6m ²	30m ²
Storeys (#) (accessory)	1.5	1.5
Setbacks(m)(Accessory)		
- Front	9.6m	5.0m
- Rear	1.5m	1.5m
- Side (W)	1.2m ^①	2.0m
- Side (E)	9.34m	2.0m

①Note: The applicant is seeking to vary the western side yard setback for the accessory building with suite from 2.0m required to 1.2m proposed.

6.0 CURRENT DEVELOPMENT POLICY

The subject property is designated as Single / Two Unit Residential in the Official Community Plan and as such the provision of a suite in an accessory building would be in compliance and could be supported. The subject property is also within the Abbott Street Heritage Conservation Area and subject to the Official Community Plan Heritage guidelines although this specific property is not on the Heritage Register.

7.0 TECHNICAL COMMENTS

This application was circulated to various city departments and technical agencies and the following feedback was received:

7.1 Works and Utilities

7.1.1 Domestic Water and Fire Protection

The existing house is provided with a 19mm-water service that may continue to be used to supply the main residence and the proposed suite. Metered water from the main residence must be extended to supply the suite.

7.1.2 Sanitary Sewer

The existing house is provided with a single 100mm-diameter sanitary sewer service that should be used to service the main residence and the proposed suite.

7.1.3 Site Related Issues

- (a) The requested variance to reduce the side yard setback from the required 2.0m to 1.2m, does not compromise Works and Utilities servicing requirements.
- (b) On-site parking modules must meet bylaw requirements.
- (c) Relocate the front yard picket fence from back of curb, to the property line.

7.1.4 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.

7.2 Fire Department

Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw. Fire Department access is never from a back or side lane, it is always from the main street. Fire fighter access from the front or street side of the property to the back building(s)/property line is not to be impeded at anytime. The addresses for both residences are to be visible from the street. If a fence is ever constructed between the dwellings a six foot wide gate is required. Any gate is to open with out special knowledge.

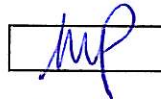
8.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The OCP does support the concept of a suite in an accessory building, subject to the Heritage Guidelines. The Community Heritage Commission did support the addition of the 2 car garage and "bonus room" in 2002. Given that this change is internal and would not affect the outside of the building, other than the creation of a ground floor window on the east side of the garage for the new bedroom. It is recommended that this Heritage Alteration Permit application, including the variance be supported.



Shelley Gambacort
Current Planning Supervisor

Approved for inclusion:



Mary Pynenburg, MRAIC MCIP
Director of Planning & Development Services

MP/SG/rs
Attach

