
CITY OF KELOWNA
MEMORANDUM

DATE: APRIL 7, 2008
TO: CITY MANAGER
FROM: PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
APPLICATION NO. Z08-0023 **OWNER:** Gurjit & Amritpal Purewal
AT: 423 McLennan Cr. **APPLICANT:** Jarnail Gioraya
PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM THE RU1 – LARGE LOT HOUSING ZONE TO THE RU1S – LARGE LOT HOUSING WITH SECONDARY SUITE ZONE TO ALLOW FOR THE LEGALIZATION OF A BASEMENT SUITE.
EXISTING ZONE: RU1 – LARGE LOT HOUSING ZONE
PROPOSED ZONE: RU1S – LARGE LOT HOUSING ZONE WITH SECONDARY SUITE
REPORT PREPARED BY: DANIELLE NOBLE

1.0 **RECOMMENDATION**

THAT Rezoning Application No. Z08-0023 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 29, Sec. 26, Twp 26, ODYD, Plan KAP51596, located on McLennan 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**

The applicant is proposing to rezone the subject property from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone in order to accommodate the legalization of a basement suite. The two storey house accommodates the principal residence on the main floor and a portion of the lower floor, while the remaining portion is allocated for the secondary suite. Total habitable area will measure 54m² in size and will contain two bedrooms, a living room, kitchen, one bathroom and laundry room. Three parking spaces are allocated on the driveway and garage.



The application compares to the requirements of the proposed RU1S – Large Lot Housing with Secondary Suite zone as follows:

CRITERIA	PROPOSAL	RU1S ZONE REQUIREMENTS
Lot Area (m ²)	570m ²	550m ²
Lot Width (m)	16.5m	16.5m
Lot Depth (m)	34.5m	30.0m
Site Coverage (%)	36%	40%
Total Floor Area (m ²)		
-House	260m ²	90m ²
-Secondary suite	54m ²	
Setbacks-Carriage House (m)		
-Front	6.05m	4.5m
-Rear	10.83m	7.5m
-Side(n)	2.3m	2.3m
-Side(s)	2.3m	2.3m
Parking Spaces (Total)	3	3

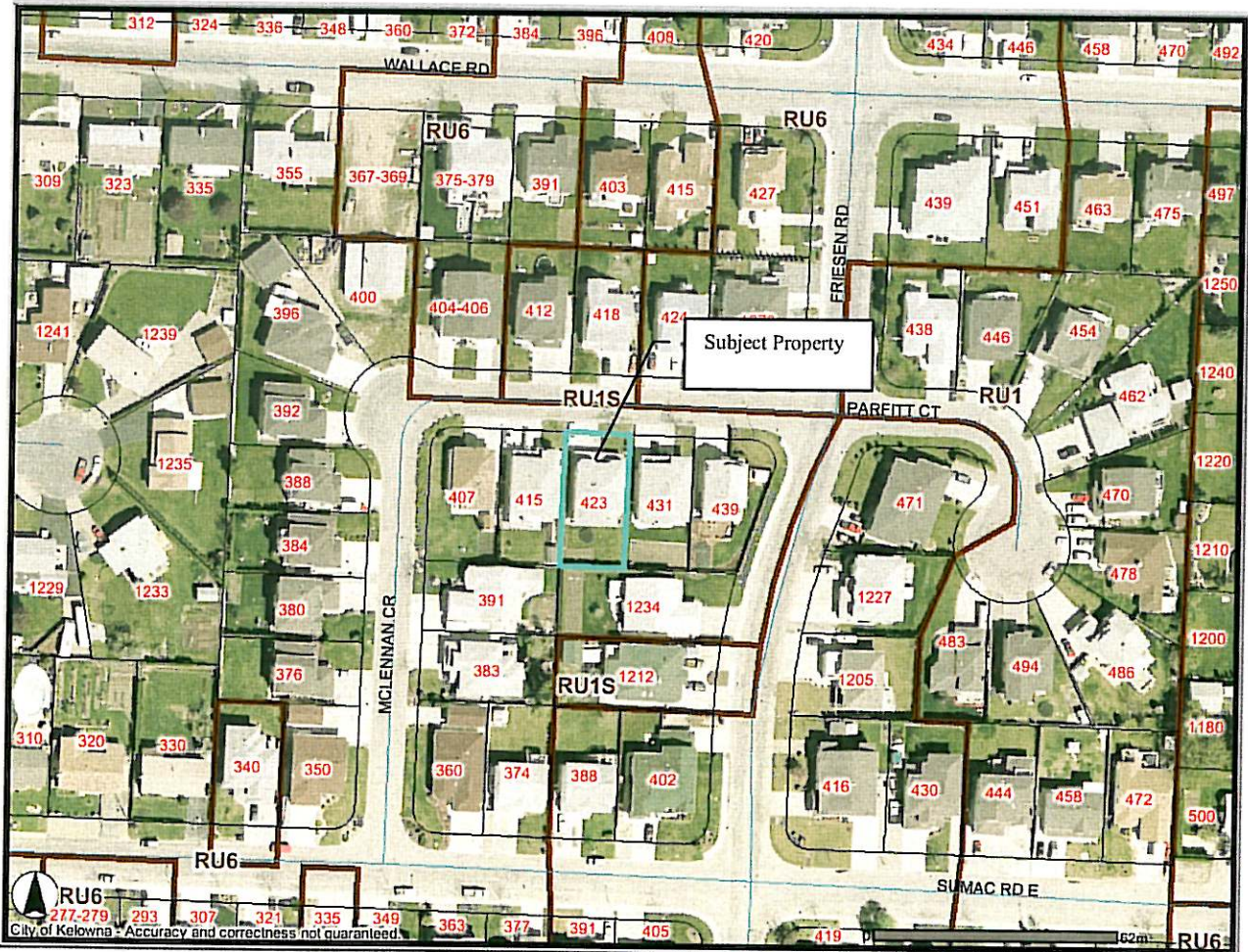
3.0 SITE CONTEXT

The subject property is located on the south side of McLennan Cr., just north of Sumac Road E.

Adjacent zones and uses are:

- North - RU1s – Large Lot Housing with Secondary Suite
- East - RU1 – Large Lot Housing
- South - RU1 – Large Lot Housing
- West - RU1 – Large Lot Housing

4.0 LOCATION MAP



5.0 EXISTING/PROPOSED DEVELOPMENT POTENTIAL

The purpose of the RU1 – Large Lot Housing is to provide a zone for single detached housing, and compatible secondary uses, on larger serviced urban lots.

Secondary suites are a permitted secondary use in the RU1s – Large Lot Housing with Secondary Suite zone provided that a rezoning to the “s” designation is approved by Council.

5.1 Current Development Policy

5.2.1 Kelowna Official Community Plan

The subject property is designated as Single/Two Family Residential on Generalized Future Land Use Map 19.1 which forms part of the Official Community Plan. The proposed land use (single dwelling housing with a secondary suite) is consistent with the direction of this policy document.

3.4.2 Kelowna Strategic Plan

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

4.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments and the following comments were received:

4.1 Black Mountain Irrigation District

Water District requirements have been met.

4.2 Fire Department

Requirements of Section 9.36, Secondary Suites, of the BCBC 2006 are to be met.

4.3 Bylaw Enforcement

We have had 3 complaints as follows:

Unightly Premises - file was generated on April 8, 2003 and concluded on May 18, 2003.

Traffic Bylaw - file was generated on June 12, 2003 and concluded on January 20, 2004.

Illegal Suite - files was generated on January 24, 2008 and remains open to date.

4.4 Inspections Department

Existing basement suite requires a building permit and to be upgraded to requirements of BCBC 2006.

4.5 Works and Utilities Department

This application does not compromise Works and Utilities as far as servicing is concerned.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

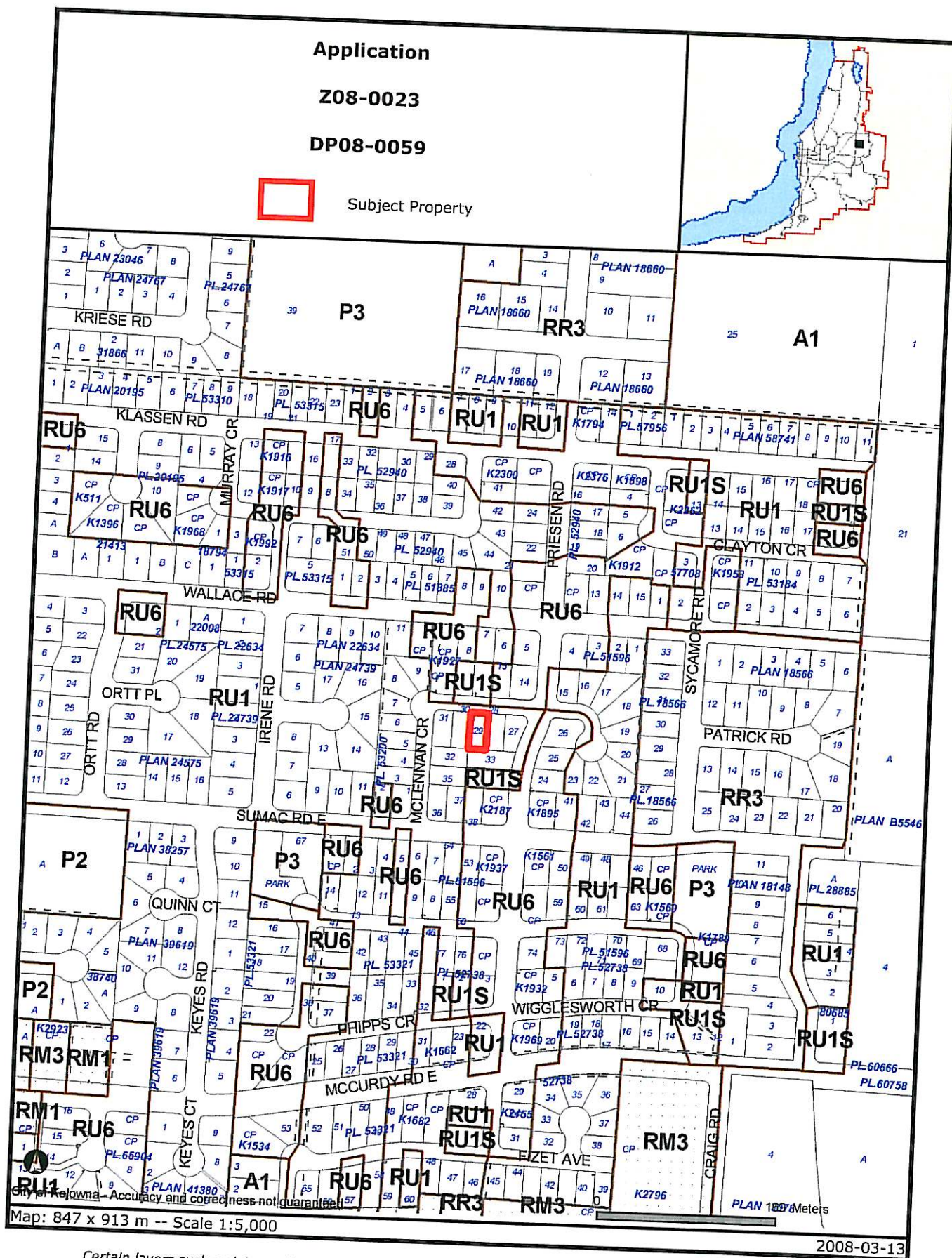
The Planning and Development Services Department notes that policies within the OCP support the sensitive integration of infill of existing neighbourhoods and where services are already in place and densification can easily be accommodated. This upzoning to the 's' designation is similar to those properties within the immediate neighbourhood that have the 's' designation and where a precedent has already been well established.

There has been concern noted about the use of the suite already for this dwelling through Bylaw enforcement action. This application seeks to legalize the suite so that it will not have to be decommissioned.


Shelley Gambacort
Current Planning Supervisor

Attachments

- Site Map
- Site Plan
- Lower Floor Plan
- Subject Property Photos



423 MCLENNAN CRESCENT

BACK SIDE OF THE HOUSE



Rear 12.19 m

423 MCLENNAN CRESCENT



KAP 51596