CITY OF KELOWNA
MEMORANDUM

DATE: July 30, 2008
FILE NO.: Z07-0095
TO: City Manager
FROM: Planning & Development Services Department

APPLICATION NO. Z07-0095   APPLICANT: AMDI Investments Inc

AT: 2176 Wilkinson St   OWNER: AMDI Investments Inc

PURPOSE: TO REZONE FROM THE RU2 – MEDIUM LOT HOUSING ZONE TO THE RU2s – MEDIUM LOT HOUSING WITH SECONDARY SUITE ZONE, IN ORDER TO ESTABLISH A SECONDARY SUITE WITHIN AN EXISTING SINGLE DETACHED DWELLING

EXISTING ZONE: RU2 – MEDIUM LOT HOUSING ZONE

PROPOSED ZONE: RU2s – MEDIUM LOT HOUSING WITH SECONDARY SUITE ZONE

REPORT PREPARED BY: CARLIE FERGUSON

1.0 RECOMMENDATION

THAT Rezoning Application No. Z07-0095 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, Section 19, Township 26, O.D.Y.D, Plan 35197, located on Wilkinson St, Kelowna, B.C. from the RU2 – Medium Lot Housing zone to the RU2s – Medium 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 THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Variance Permit on the subject property and subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction;

2.0 SUMMARY

This rezoning application seeks to rezone from RU2 – Medium Lot Housing to RU2s – Medium Lot Housing with Secondary Suite zone to allow for a secondary suite within an existing single detached dwelling on the subject property.

3.0 BACKGROUND

3.1 The Proposal

There is an existing single family dwelling with an existing secondary suite on the subject property. This application is intended to legalize the secondary suite that already exists within the principal building. As nearly the entire lower level of the existing dwelling unit is considered to be part of the 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 will be required to allow a secondary suite that is 90.0m² and proposes to be 42% of floor area of the building in size, where the maximum permitted suite size is 90.0m² or 40% of

the total floor area of principal building, whichever is less. As mentioned, the secondary suite consists of nearly the entire lower level of the existing house including two bedrooms, a bathroom, living room, dining room, kitchen, and laundry room. There is a storage room located on the lower level of the house that is accessed from the outside that is considered to be part of the principal residence. The principal unit also includes an entry way, living/dining room, kitchen, bathroom, and two bedrooms. There are four parking spaces in total, one parking space is provided within a single vehicle carport and three parking spaces are provided within a three car garage. 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 RU2s – Large Lot Housing with Secondary Suite zone:

CRITERIA	PROPOSAL	RU2s ZONE REQUIREMENTS
Lot Area (m²)	713.0m²	400.0 m²
Lot Width (m)	15.0m	13.0 m
Lot Depth (m)	47.0m	30.0m
Site Coverage (%)	27% 50%	40% (buildings) 50% (with driveway and parking)
Total Floor Area (m²) -House -Secondary suite	211m² 89.6 m² or 42% [A]	N/A The lesser of 90 m² or 40% of the total floor area of the principal building
Setbacks-House (m) -Front	 7.54m	 4.5 m or 6.0 m from a garage or carport having vehicular entry from the front
-Rear	23.93m	7.5 m
-Side (North)	5.51m	2.3 m (2 to 2 1/2 storey)
-Side (South)	1.74m [B]	2.3 m (2 to 2 1/2 storey)
Parking Spaces (Total)	4	3
Private Open Space	74 m²	30 m² of private open space per dwelling

[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 suite area of 90 m² or 42% of the total floor area of the principal building where the maximum is 90 m² or 40% of the total floor area of the principal building.

[B] This an existing non-conforming setback.

3.2 Site Context

The subject property is located on the west side of Wilkinson St, immediately east of Stillingfleet Park. The surrounding properties are developed for single and two-family housing. More specifically, the adjacent land uses are as follows:

    North   RU2 – Medium Lot Housing

    East   RU2 – Medium Lot Housing

    South   RU2 – Medium Lot Housing

    West   P3 – Parks and Open Space

3.3   Site Location Map   2176 Wilkinson St

3.4   Existing Development Potential

The property is zoned RU2 – Medium Lot Housing. The purpose of this zone is to provide a zone for single detached housing, and compatible secondary uses, on medium sized serviced urban lots. Secondary suites are allowed on lots with RU2s – Medium Lot Housing with Secondary Suite zoning.

3.5   Current Development Policy

   3.5.1   City of Kelowna Strategic Plan (2004)

      Objectives of the Strategic Plan is 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.

   3.5.2   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).

4.0 TECHNICAL COMMENTS

4.1 Fire Department

Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw. Requirements of Section 9.36, Secondary Suites, of the BCBC 2006 are to be met.

4.2 Inspections Department

Building/plumbing & gas site inspections required to check for required upgrades/permits to BCBC 2006 prior to approval for rezoning.

4.3 Works and Utilities Department

The Works & Utilities Department comments and requirements regarding this rezoning application to rezone from RU-2 to RU-2s are as follows:

Our records indicate that this property is serviced with a 100mm-diameter sanitary sewer service that should be adequate for the proposed application. An inspection chamber (IC) and Brooks Box 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) and Brooks Box.**

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The Planning and Development Services Department is generally supportive of the proposed rezoning of the property to the RU2s- Medium Lot Housing with Secondary Suite zone. The Official Community Plan designates the future land use of the subject property as Single / Two Unit Residential. The proposed land use (single unit housing with a secondary suite) is therefore consistent with the future land use designation. As the house was approved for construction prior to June 1, 2004, no direct Development Permit will be required and only a Building Permit to ensure code compliance. As the suite is within the existing house, there will be no negative visual impact on the single-family character of the area and adequate parking is also available on site. A Development Variance Permit will be required to allow the oversized suite.
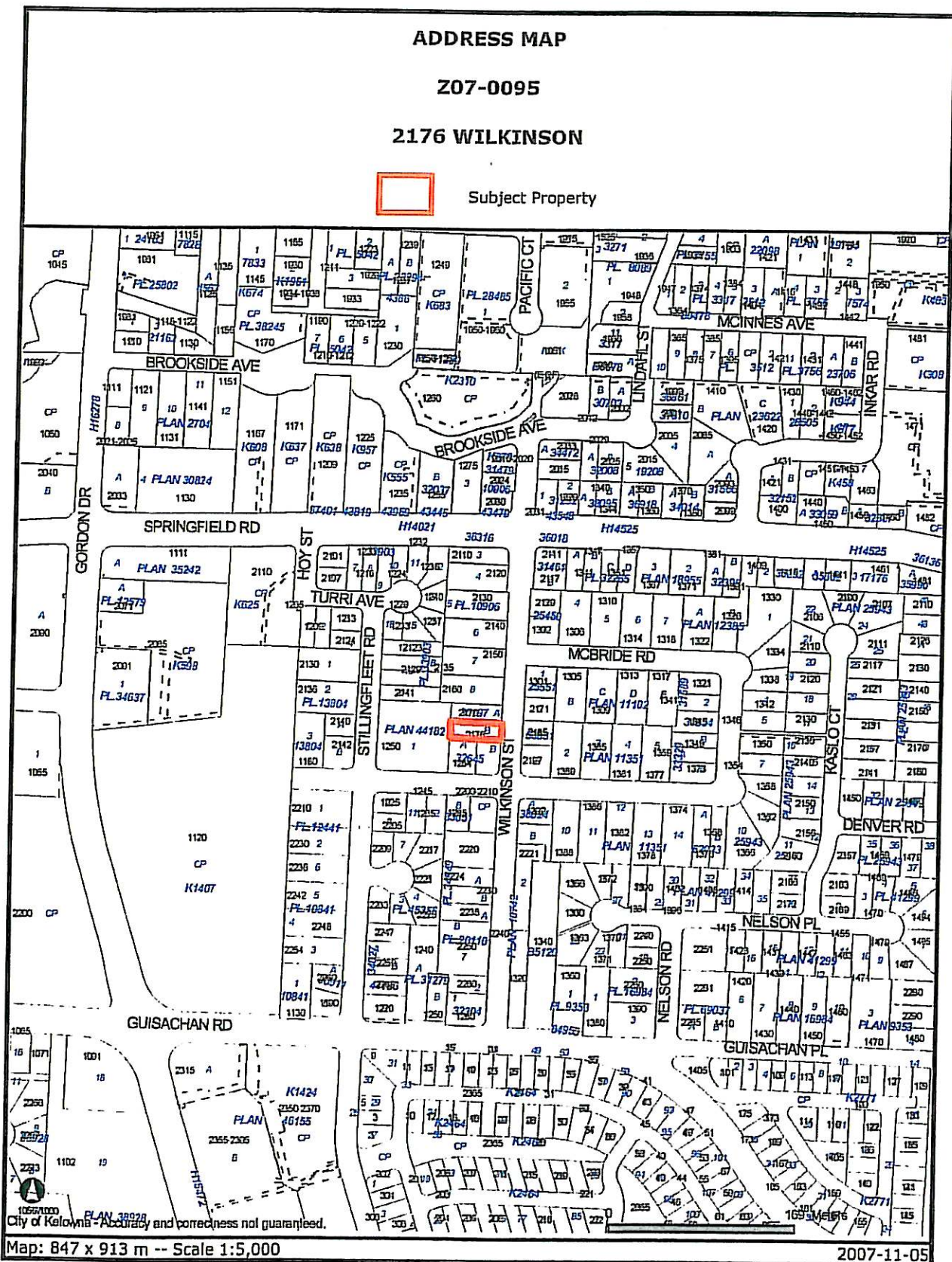
Danielle Noble
Current Planning Supervisor

ATTACHMENTS

Location of subject property
Site plan
Floor plans (2 pages)

ADDRESS MAP

Z07-0095

2176 WILKINSON

Subject Property

Map: 847 x 913 m -- Scale 1:5,000   2007-11-05

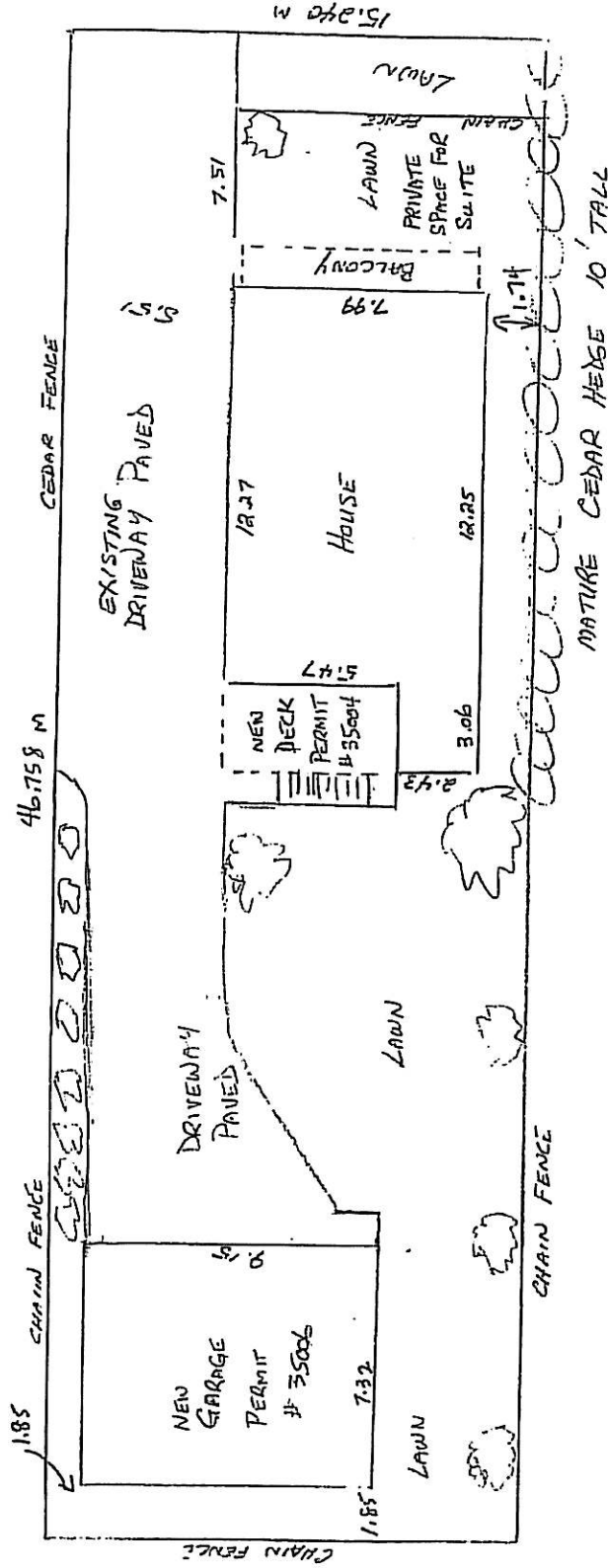City of Kelowna - Accuracy and correctness not guaranteed.

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.
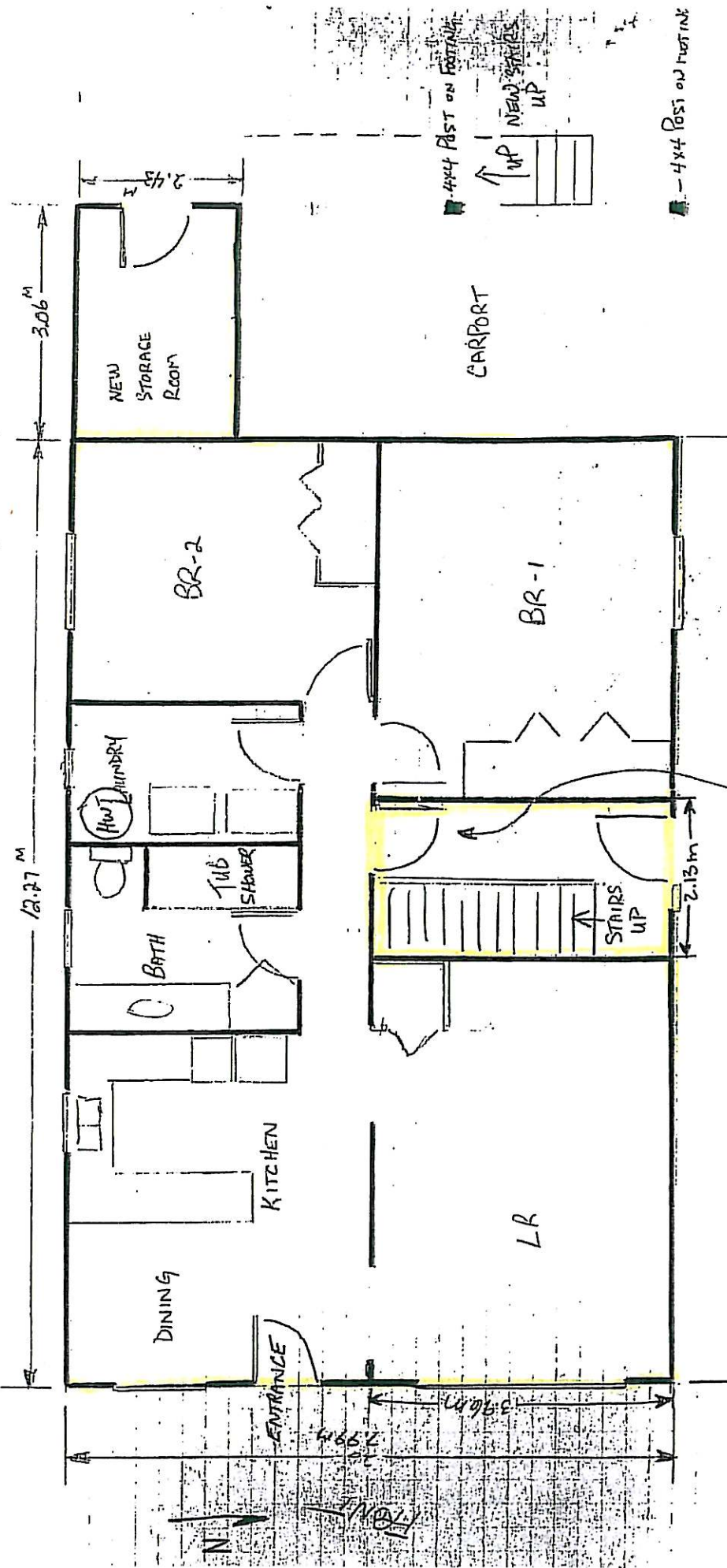
Site Plan

Scale 1/4" = 4' = 1.219 mtrs.

712.6 sq mtrs.

N

City Park

Chain Fence 1.85

Chain Fence

46.758 m

Cedar Fence

Existing Driveway Paved

15.5

15.340 m

Lawn 7.51

New Lawn

Balcony 7.99

Private Space For Suite

Chain Fence

1.74

12.27

House

12.25

Mature Cedar Hedge 10' Tall

5.47

New Deck Permit #5504

3.06

2.43

Lawn

Driveway Paved

Lawn

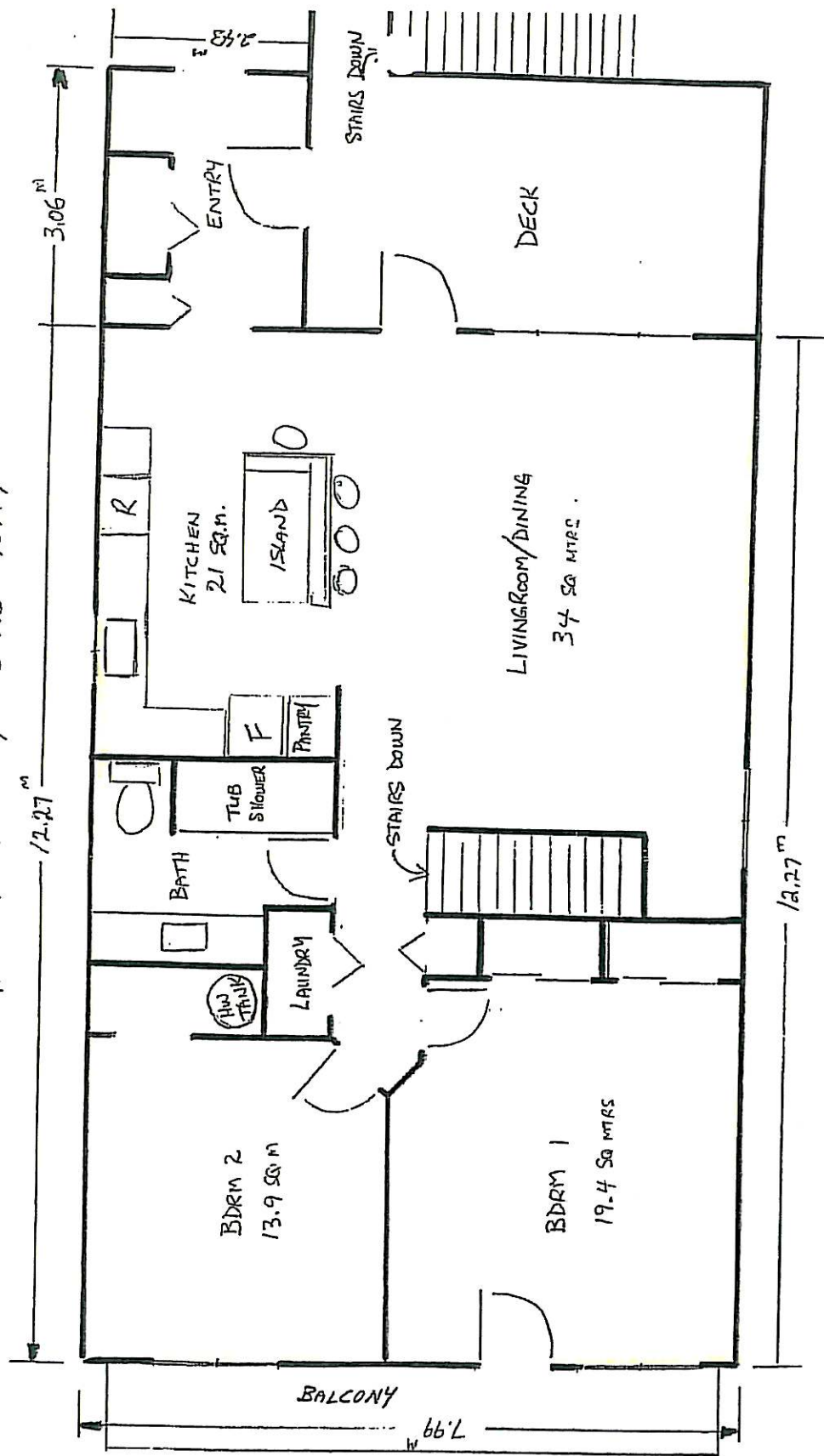New Garage Permit #5506

6.9

7.32

Lawn

1.85

Chain Fence

Lot B
Plan 35197
Section 14
Township 26 Cowichan

EXISTING Suite/Ground Floor.

Total Living Area:
Principle = 121.35m²
Secondary suite = 89.61 m² (42% of Total Living area)
Total = 210.96m²

Rental Kitchen Baker Ladder room

DINING

KITCHEN

LR

BATH

Laundry

BR-2

BR-1

NEW STORAGE ROOM

CARPORT

ENTRANCE

Tub / Shower

HWT

STAIRS UP

NEW STAIRS UP

NOTE: TO BE WALLED UPON APPROVAL OF R.U.S

4x4 POST ON FOOTING
4x4 POST ON FOOTING

12.27 M

3.06 M

2.43 M

2.13 m

2.99 M

FRONT

N

15

MAIN RESIDENCE / SECOND STORY

2.43 m

3.06 m

ENTRY

STAIRS DOWN

DECK

12.27 m

R

KITCHEN
21 SQ.M.

ISLAND

LIVING ROOM/DINING
34 SQ MTRS.

F

PANTRY

TUB SHOWER

BATH

STAIRS DOWN

12.27 m

LAUNDRY

HW TANK

BDRM 2
13.9 SQ M

BDRM 1
19.4 SQ MTRS

BALCONY

7.99 m

N

SCALE ¼" = 1' = .30480 / mtrs.

Principle Residence Floor Area = 121.35 m² (shown in yellow)
note: See both pages

Secondary Suite Floor Area = 89.61 m² (42% of total living area)
(shown in green)

Total = 210.96 m²