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**CITY OF KELOWNA  
MEMORANDUM**

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**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

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## **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 90.0m<sup>2</sup> and proposes to be 42% of floor area of the building in size, where the maximum permitted suite size is 90.0m<sup>2</sup> 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 (m <sup>2</sup> )	713.0m <sup>2</sup>	400.0 m <sup>2</sup>
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 (m <sup>2</sup> ) -House -Secondary suite	211m <sup>2</sup> 89.6 m <sup>2</sup> or 42% <sup>A</sup>	N/A The lesser of 90 m <sup>2</sup> 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 <sup>B</sup>	2.3 m (2 to 2 1/2 storey)
Parking Spaces (Total)	4	3
Private Open Space	74 m <sup>2</sup>	30 m <sup>2</sup> of private open space per dwelling

<sup>A</sup> 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 m<sup>2</sup> or 42% of the total floor area of the principal building where the maximum is 90 m<sup>2</sup> or 40% of the total floor area of the principal building.

<sup>B</sup> 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 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

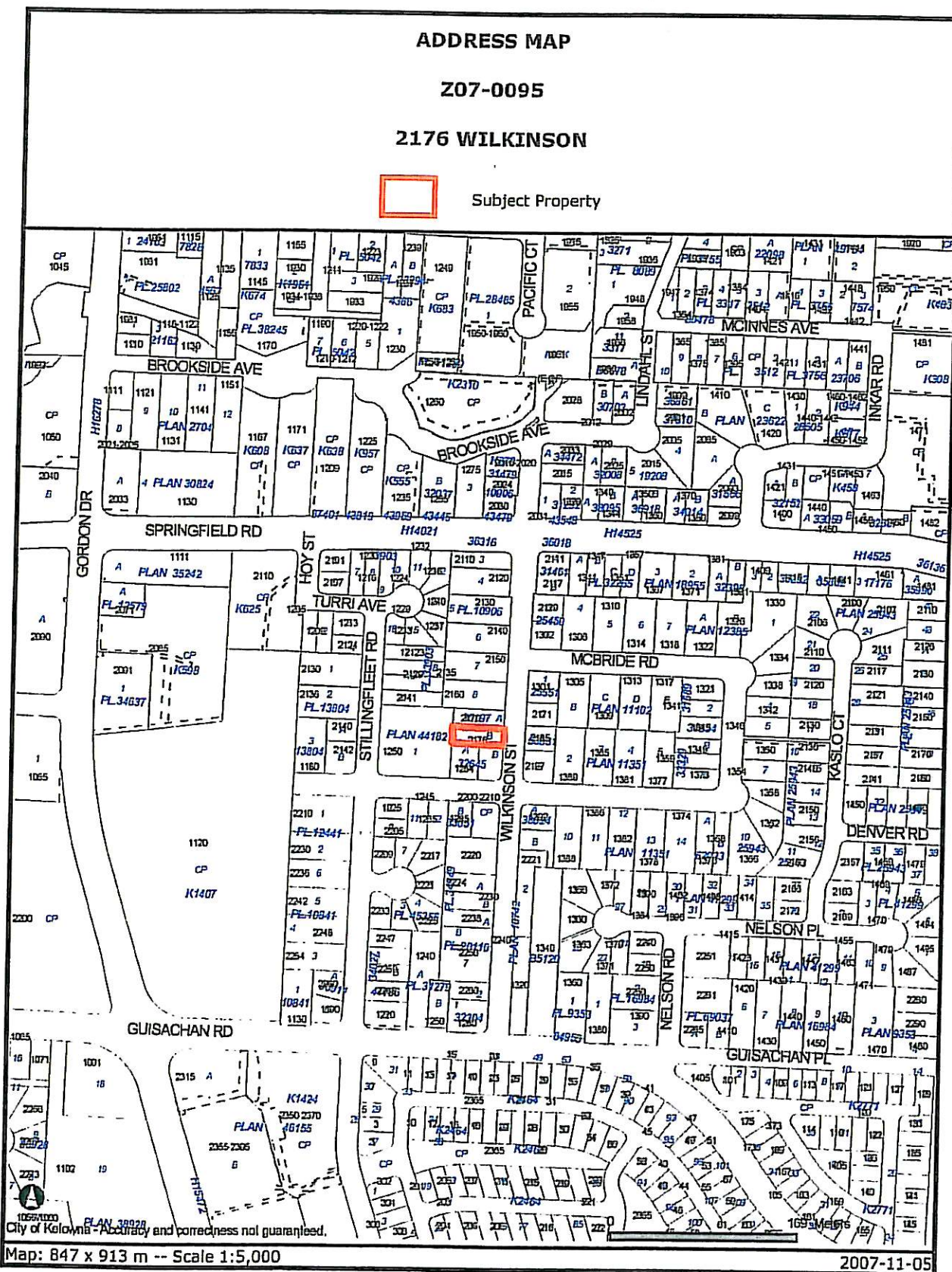
#### ATTACHMENTS

Location of subject property

Site plan

Floor plans (2 pages)



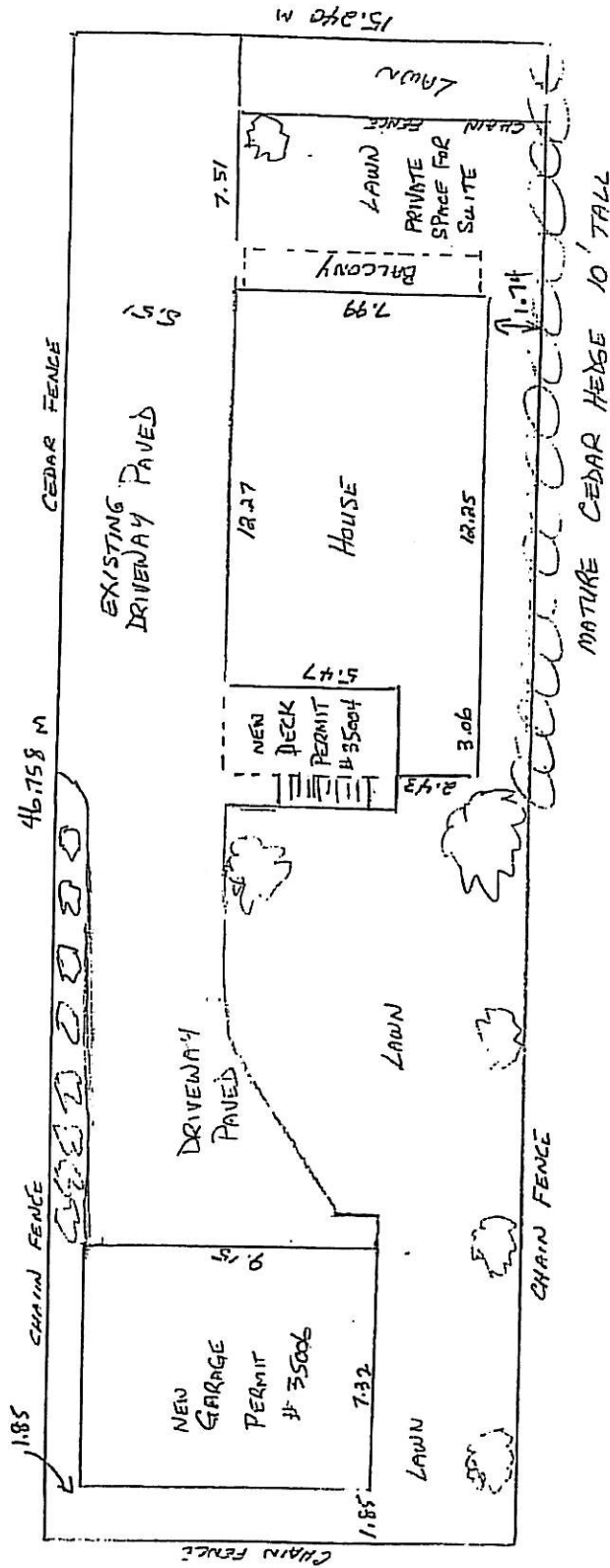
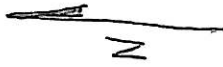


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.

# SITE PLAN

SCALE 1/4" = 4' = 1219 MTRS.

712.6 SQ MTRS.



LOT B  
PLAN 35197

SECTION 19  
TOWNSHIP 26 CITY 4

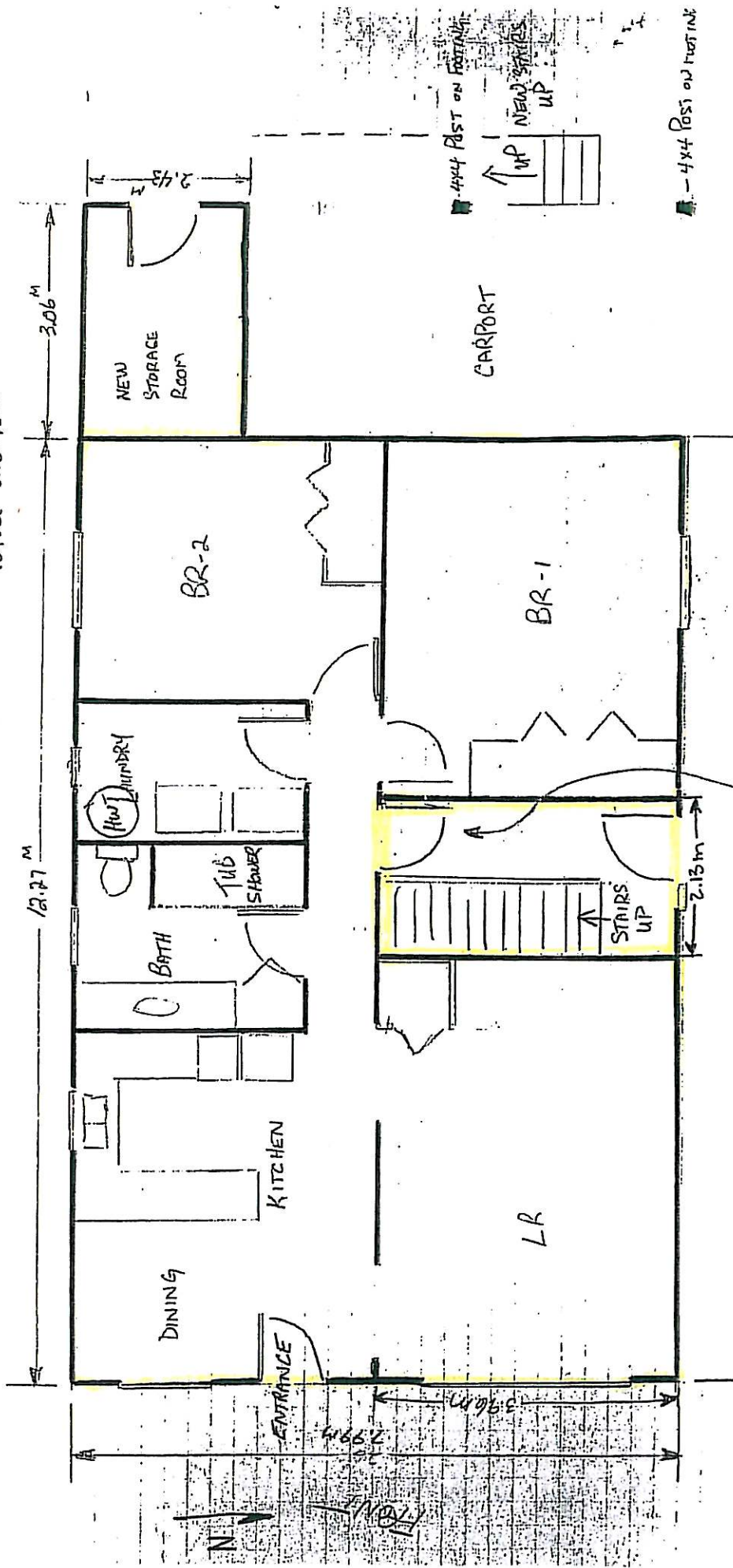


EXISTING  
SUITE/GROUND FLOOR  
REAR KITCHEN AREA / BREAKFAST

Total Living Area:

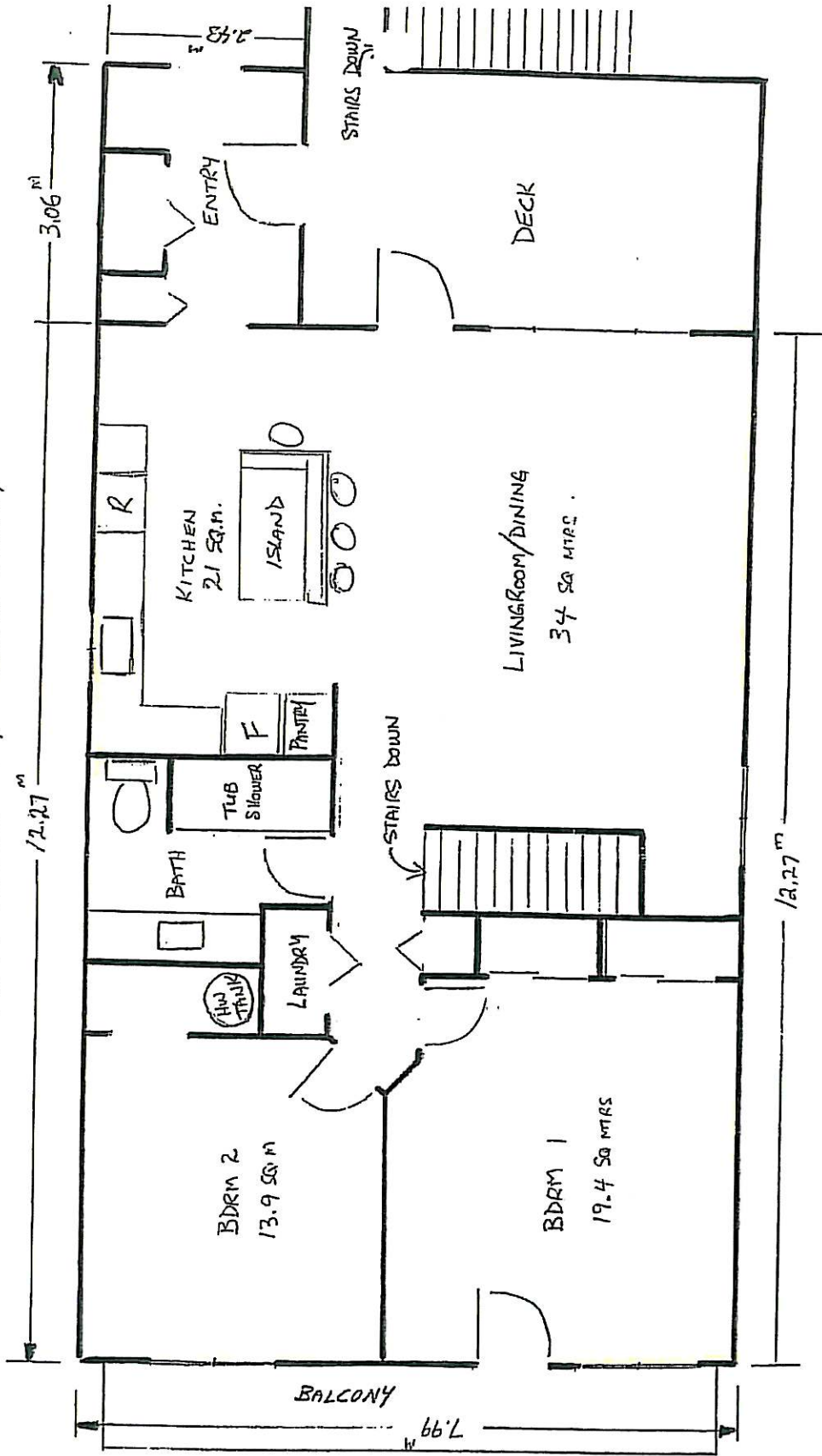
Principle = 121.35m<sup>2</sup>

Secondary suite = 89.61m<sup>2</sup> (92% of total living area)  
Total = 210.96m<sup>2</sup>



NOTE: TO BE WALLED UP ON APPROVAL OF R.U.-S

# MAIN RESIDENCE / SECOND STORY



SCALE 1/4" = 1' = .304801 MTRS.

Principle Residence Floor Area = 121.35m<sup>2</sup>  
(shown in yellow)

Secondary Suite Floor Area = 89.61m<sup>2</sup> (42% of total living area - )  
(shown in green)

Total = 210.96m<sup>2</sup>