
**CITY OF KELOWNA
MEMORANDUM**

DATE: April 16, 2009

TO: City Manager

FROM: Community Sustainability Division

APPLICATION NO. Z09-0022

APPLICANT: Gordon Hammond

AT: 1861 High Road

OWNER(S): Gordon and Susan Hammond

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM RU1 – LARGE LOT HOUSING ZONE TO RU1(S) – LARGE LOT HOUSING WITH SECONDARY SUITE ZONE TO LEGALIZE A SECONDARY SUITE LOCATED WITHIN THE SINGLE FAMILY DWELLING.

EXISTING ZONE: RU1 – LARGE LOT HOUSING

PROPOSED ZONE RU1(s) – LARGE LOT HOUSING WITH SECONDARY SUITE

REPORT PREPARED BY: Greg Sauer

1.0 RECOMMENDATION

THAT Rezoning Application No. Z09-0022 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 29, Township 26, ODYD, Plan KAP84163, located at 1861 High Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU1(s) – 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

This rezoning application seeks to rezone the subject property from the RU1 – Large Lot Housing zone to the RU1(s) – Large Lot Housing with Secondary Suite zone to legalize an existing suite within a single family dwelling.

3.0 BACKGROUND

The subject property is one lot of a two lot subdivision that was executed in 2007. Access to this corner lot is provided by Lowland Street. The suite is an existing illegal suite that was investigated by Bylaw Services in January 2009.

3.1 The Proposal

The existing suite is located in the basement of a single family dwelling. The suite is accessed at grade from the rear of the home and the parking provided on site exceeds requirements.



The proposal conforms to the regulations of the RU1(s) Large Lot Housing with Secondary Suite zone in Zoning Bylaw No.8000 as follows:

CRITERIA	PROPOSAL	RU1(s) ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	1075m ²	550m ²
Lot Width	24.2m	17m
Lot Depth	37.6m	30.0m
Development Regulations		
Site Coverage	37%	40% (50% incl. driveways/parking)
Height (existing house)	2 storeys / 7.9m	2 ½ storeys / 9.5m
Front Yard	5.5m	4.5m / 6.0m to a garage
Side Yard (West)	2.0m (*)	2.3m
Side Yard (East flanking street)	9.2m	4.5m
Rear Yard	18.6m	7.5m
Suite Floor Area	66.5m ² (716 ft ²) (20%)	90m ² (968ft ²) (40%)
Other Regulations		
Parking Stalls (#)	4 spaces	3 spaces
Private Open Space	>30m ² /dwelling	30m ² per unit

(*) Existing non-conforming side yard as approved by S07-0005

3.2 Site Context

The surrounding area has been developed as a single family neighbourhood. The property is bounded and accessed by two relatively high volume roadways (High Road and Glenmore Drive). A restrictive covenant has been registered which restricts vehicular access from this parcel to High Road which necessitates access via Lowland Street on the east property edge. A 6.0m wide easement was registered against the southern portion of 1861 High Road (the subject property) at the time of subdivision to ensure that the adjacent parcel (1853 High Road) would also access their property from Lowland Street.

Specifically, adjacent land uses are as follows:

North	RU1 – Large Lot Housing (Single Family Neighbourhood)
East	RU1 – Large Lot Housing (Single Family Neighbourhood)
South	RU1 – Large Lot Housing (Single Family Neighbourhood)
West	RU1 – Large Lot Housing (Single Family Neighbourhood)

3.3 Site Location Map:

Subject Property: 1861 High Road



4.0 CURRENT DEVELOPMENT POLICY

4.1 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.

5.0 TECHNICAL COMMENTS

5.1 Development Engineering

See Attached

5.2 Building and Permitting

Building permit required for proposed suite, to meet requirements of BCBC 2006.


5.3 Fire Department

Requirements of Section 9.36, Secondary Suites, of the BCBC 2006 are to be met. Fire separations per BCBC 2006. The address for the suite and main house is to be visible from the street.

6.0 **LAND USE MANAGEMENT DEPARTMENT COMMENTS**

Although the Land Use Management Department does not condone illegal suites, staff are supportive of owners who engage in the process of legalizing suites and bringing them up to code standards.

This rezoning is consistent with Official Community Plan policies which encourage a more compact urban form that maximizes the use of existing infrastructure, by increasing densities through development, conversion, and re-development within existing areas.



Danielle Noble
Manager, Urban Land Use

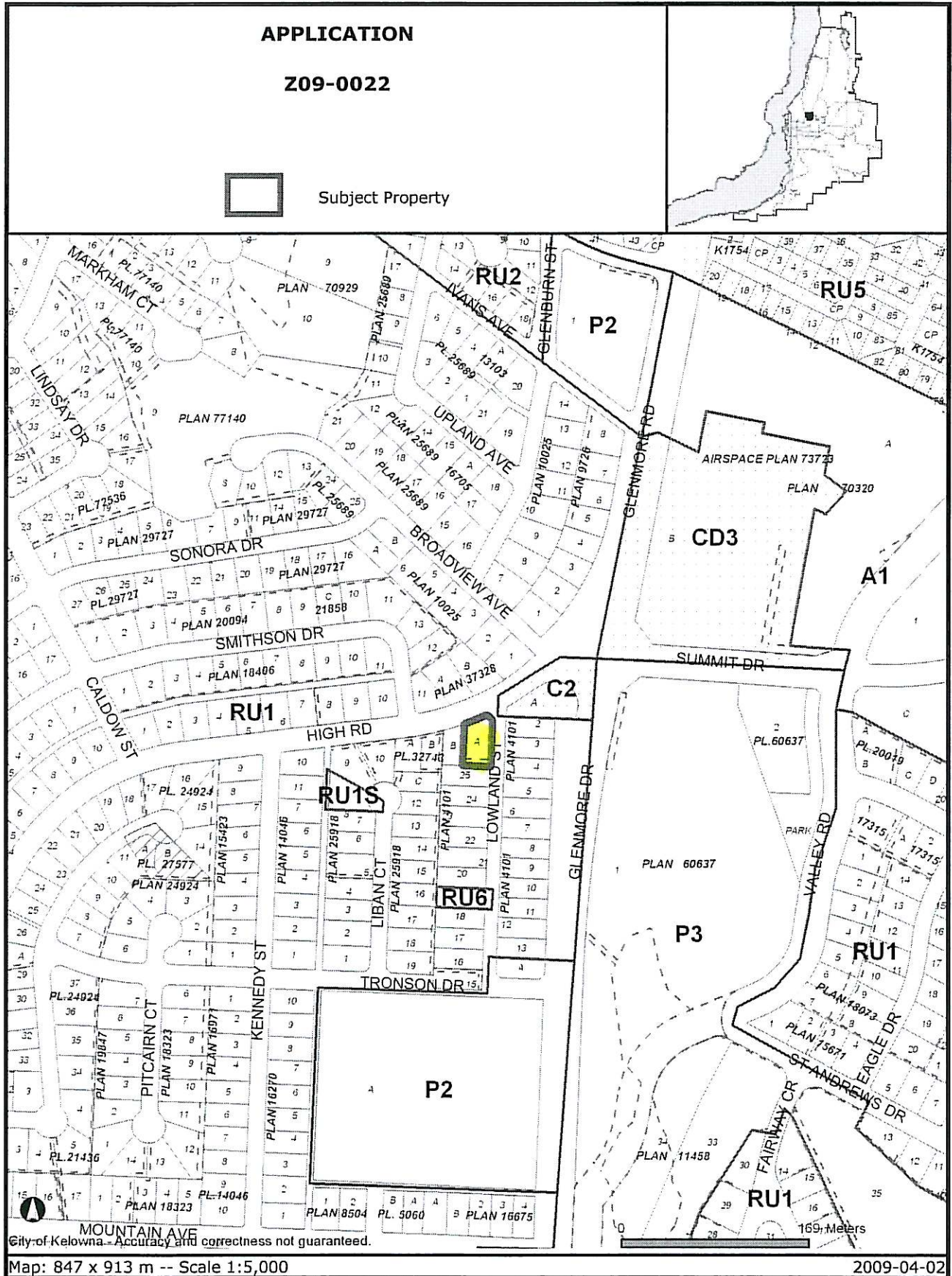
for
Approved for inclusion
Shelley Gambacort
Director, Land Use Management



ATTACHMENTS

Subject Property Map
Site Plan
Floor Plan (suite only)
Elevations (photos)
Landscape Plan
Development Engineering Department Comments

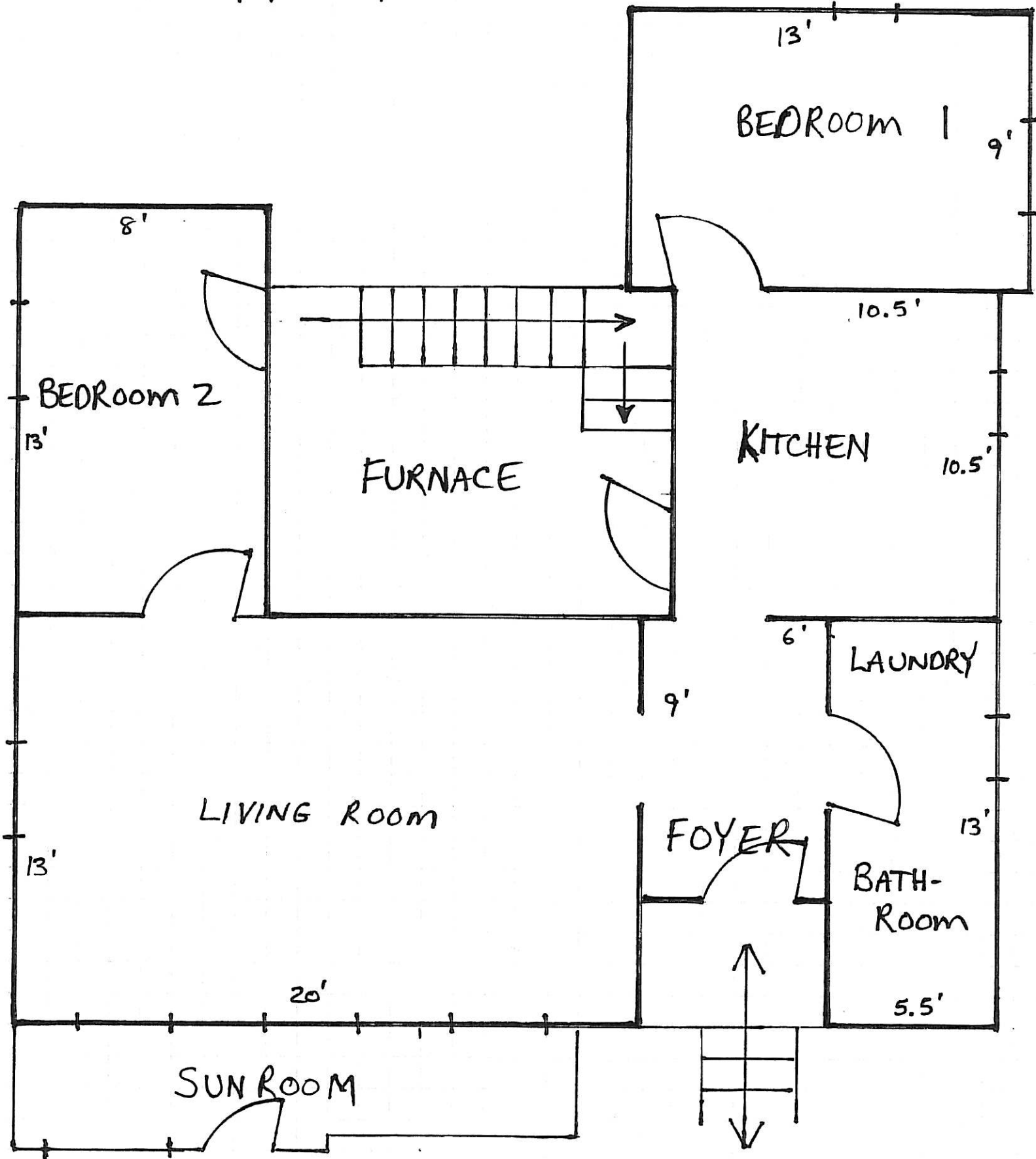


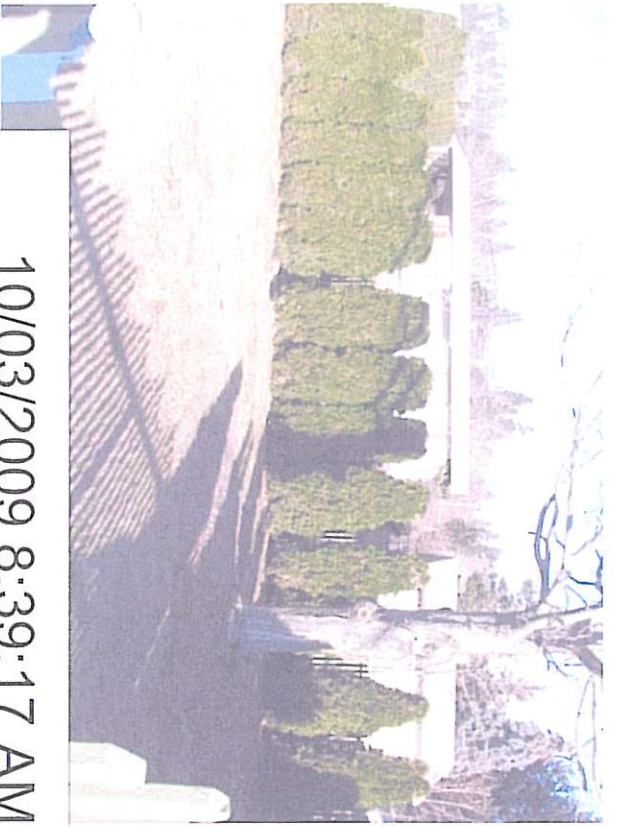


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

BASEMENT LEVEL - 1861 HIGH ROAD

SCALE - $\frac{1}{4}$ " = 1 square = 1 foot





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EAST



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EAST



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WEST



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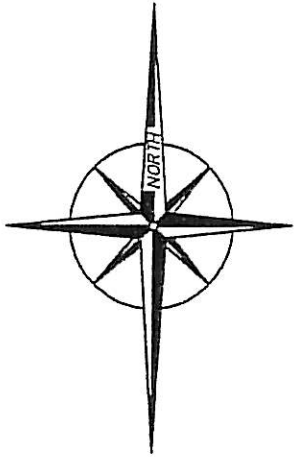
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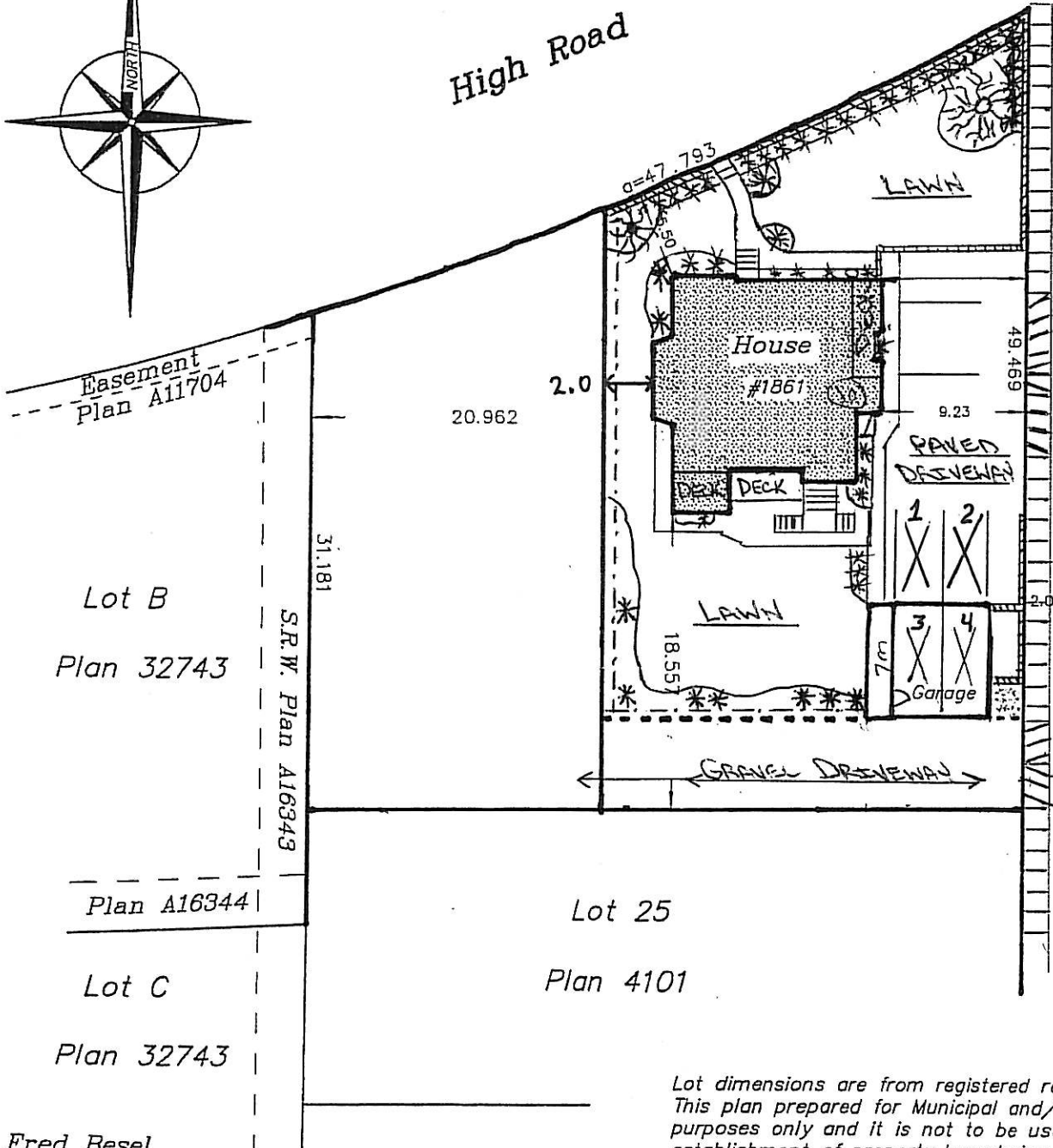
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REAR

**B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION
ON LOT 1, PLAN 17658, SEC. 29, TP. 26, O.D.Y.D.**



High Road



Lowland Street

Lot dimensions are from registered records.
This plan prepared for Municipal and/or mortgage
purposes only and it is not to be used for the
establishment of property boundaries.

Fred Besel

Scale: 1:400 All distances are in metres.

Certified correct this 31st day of August, 2006.

VAN GURP & COMPANY

land surveyors

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2006

201-1470 St. Paul Street



Kelowna, B.C. Tel. (250) 763-5711

This document not valid unless
originally signed and sealed.

B.C.L.S.

File: 15666sc

CITY OF KELOWNA
MEMORANDUM

Date: April 24, 2009
File No.: Z09-0022

To: Planning & Development Services Department (GS)

From: Development Engineering Manager (SM)

Subject: 1861 High Rd. Lot A Plan 84163 Suite in Existing Home

Development Engineering Services have the following requirements associated with these rezoning and Development Permit applications.

1. Domestic Water and Fire Protection

This property is currently serviced with a 19mm-diameter copper water service. The service will be adequate for this application. Metered water from the main residence must be extended to supply the proposed suite.

2. Sanitary Sewer

Our records indicate that this property is adequately serviced with a 100mm-diameter sanitary sewer service complete with inspection chamber.

3. Development Permit and Site Related Issues

On-site parking modules must meet bylaw requirements.

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.

Steve Muenz, P. Eng.
Development Engineering Manager
DC