

Memo



Date: October 14, 2009

To: City Manager

From: Community Sustainability Division

File No: Z09-0046

Owner: Giovanni & Sandra Gasparetto

At: 1050 Graham Road

Applicant: Giovanni & Sandra Gasparetto

Purpose: To rezone the subject property from the RU2 - Medium Lot Housing zone to the RU2(s)- Medium Lot Housing with a secondary suite zone to legalize an existing suite within a single family dwelling.

Existing Zone: RU2 - Medium Lot Housing

Proposed Zone: RU2(s)- Medium Lot Housing with a secondary suite

Report Prepared by: Birte Decloux

1.0 RECOMMENDATION:

THAT Rezoning Application No. Z09-0046 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot A, Section 22, Township 26, ODYD, Plan KAP55044, located at Graham Road, Kelowna, BC, from the RU2 - Medium Lot Housing zone to the RU2(s)- Medium Lot Housing with a 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 seeking to rezone the subject property from the RU2- Medium Lot Housing zone to the RU2(s)- Medium Lot Housing with a secondary suite zone to legalize an existing suite within a single family dwelling.

3.0 BACKGROUND:

There is an existing single family dwelling on the subject property which has been under bylaw investigation for an illegal suite that is currently unrented.

The suite on the lower level of the building consists of one bedroom and a kitchen/ dining / living room area. The entrance to the suite is through the carport. Outdoor open space is provided in the form of a covered patio at the rear of the building. Appropriate parking for both units has been allocated.

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The proposed application meets the requirements of RU2(s) - Medium Lot Housing with a secondary suite zone follows:

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	RU2(s) ZONE REQUIREMENTS (FOR SECONDARY SUITE)
Subdivision Regulations		
Lot Area	963 m ²	400 m ²
Lot Width	16.3 m	13 m
Lot Depth	59.08 m	30 m
Development Regulations		
Site Coverage (buildings)	8.8 %	40 %
Site Coverage (buildings/parking)	18 %	50 %
Building Foot Print	84 m ²	
Suite size / % of Principal dwelling	67.3m ² / 37%	Lessor of 40% of principal dwelling or 90 m ²
Height	6.4m / 2 storey	9.5m or 2 ½ storeys
Front Yard	6.4 m	4.5 m or 6.0 m to a garage
Side Yard (w)	1.92 m	1.8 for 2 storeys
Side Yard (east)	1.92 m	1.8 for 2 storeys
Rear Yard	43 m	7.5 m (2 storeys)
Other Requirements		
Parking Stalls (#)	3 spaces	3 spaces
Private Open Space	meets requirements	30 m ² of private open space per dwelling

3.1 Site Context

The subject property is located on the north side of Graham road, in Rutland. More specifically, the adjacent land uses are as follows:

North	RU1	Large Lot Housing
East	RU2	Medium Lot Housing
South	RU1	Large Lot Housing
West	RU6	Two Dwelling Housing

3.2 Site Location: 1050 Graham Road



4.0 CURRENT DEVELOPMENT POLICY

The property is proposed to be zoned RU2(s) - Medium Lot Housing with Secondary Suite. The purpose of this zone is to provide for single detached housing as a principal use, and compatible secondary uses.

4.1 Kelowna 2020 - Official Community Plan

The proposal is consistent with the future land use designation of Single/Two Unit Residential in the Official Community Plan. The Single/Two Unit Residential designation covers single detached homes for occupancy by one family, single detached homes with a secondary suite, semi-detached and detached buildings used for two dwelling units, and complementary uses.

5.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments, and the following relevant comments have been submitted:

5.1 Development Engineering

This application does not trigger any servicing requirements.

5.2 Building and Permitting

Building permit required for proposed suite, to be constructed to requirements of BCBC 2006. Window located between front entry and suite kitchen to be fire rated.

5.3 Fire Department

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

5.4 Bylaw Services

City Bylaws received a complaint on March 31, 2009, Service Request #140724. Bylaw Enforcement Officer Krenn was assigned to the file. File was concluded on July 5, 2009, with the following comments:

"As per upstairs tenant - landlord has no plan to rent suite at this time. Suite currently unoccupied. Inspection by building inspector. No further action required.

6.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

Policies within the Official Community Plan support the sensitive integration of infill in established neighbourhoods and where services are already in place and densification can easily be accommodated. The proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area. Similar secondary suites have been established in the immediate neighbourhood. The legalization of the suite will ensure safety and compliance to the bylaw and BC Building code, as the owner intends to occupy the suite in the future.



Danielle Noble
Manager, Urban Land Use

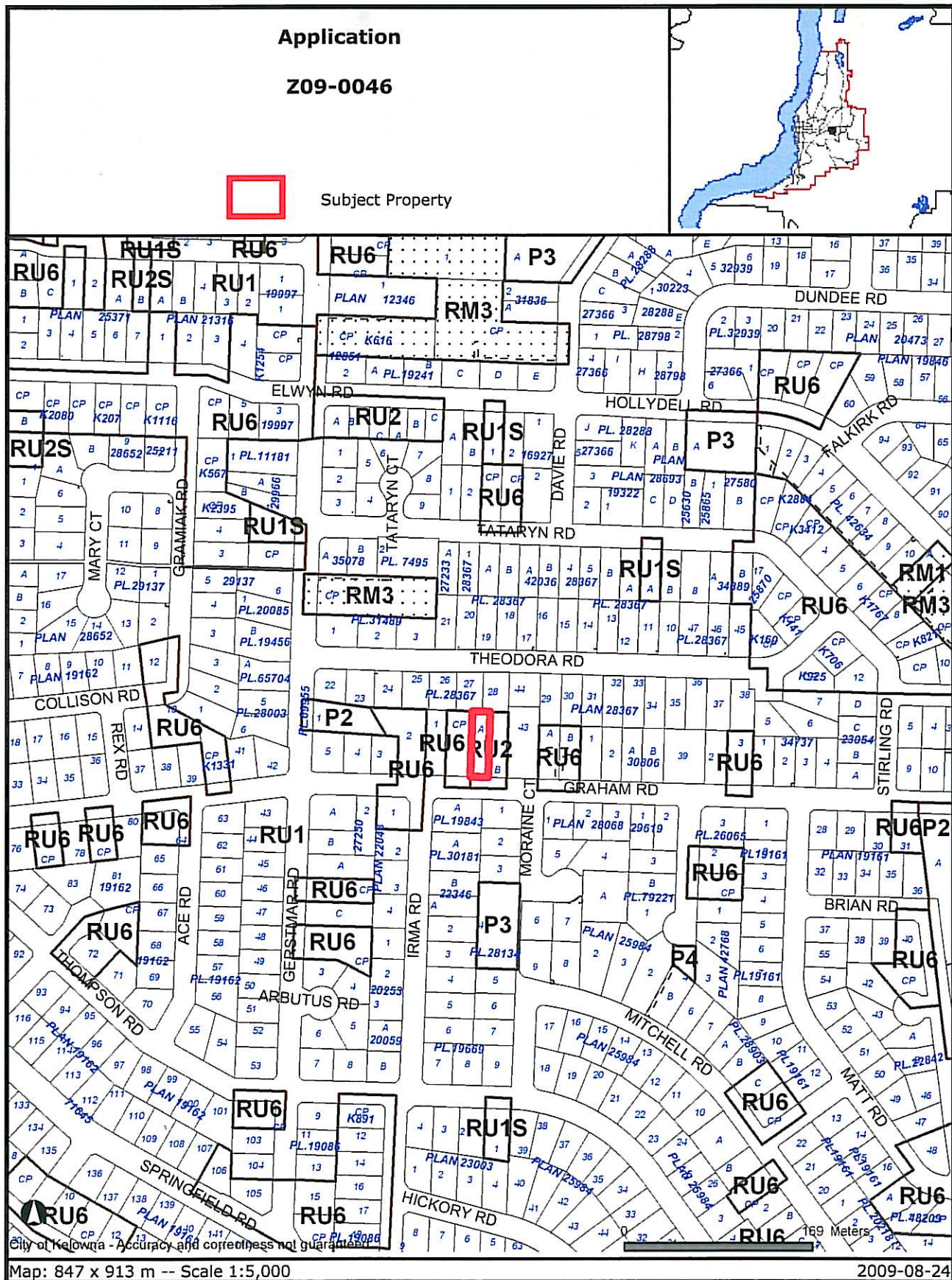
Approved for inclusion:



Shelley Gambacort
Director, Land Use Management

Attachments:

Subject Property Map
Site Plan
Floor Plans
Photographs
Landscape Drawings
Development Engineering 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.

LOT 28, PL. 28367, O.D.Y.D.
#1045 THEODORA RD.

LOT "CP", PL. 19913, O.D.V.D.
#1060-1062 GRAHAM RD.

LOT E, PL. 55044, O.D.Y.D.
#1040 GRAHAM RD.

LOT A, PL. 55044, O.D.V.D.
#1050 GRAHAM RD.

BACK YARD OUTDOOR SPACE
for upper unit

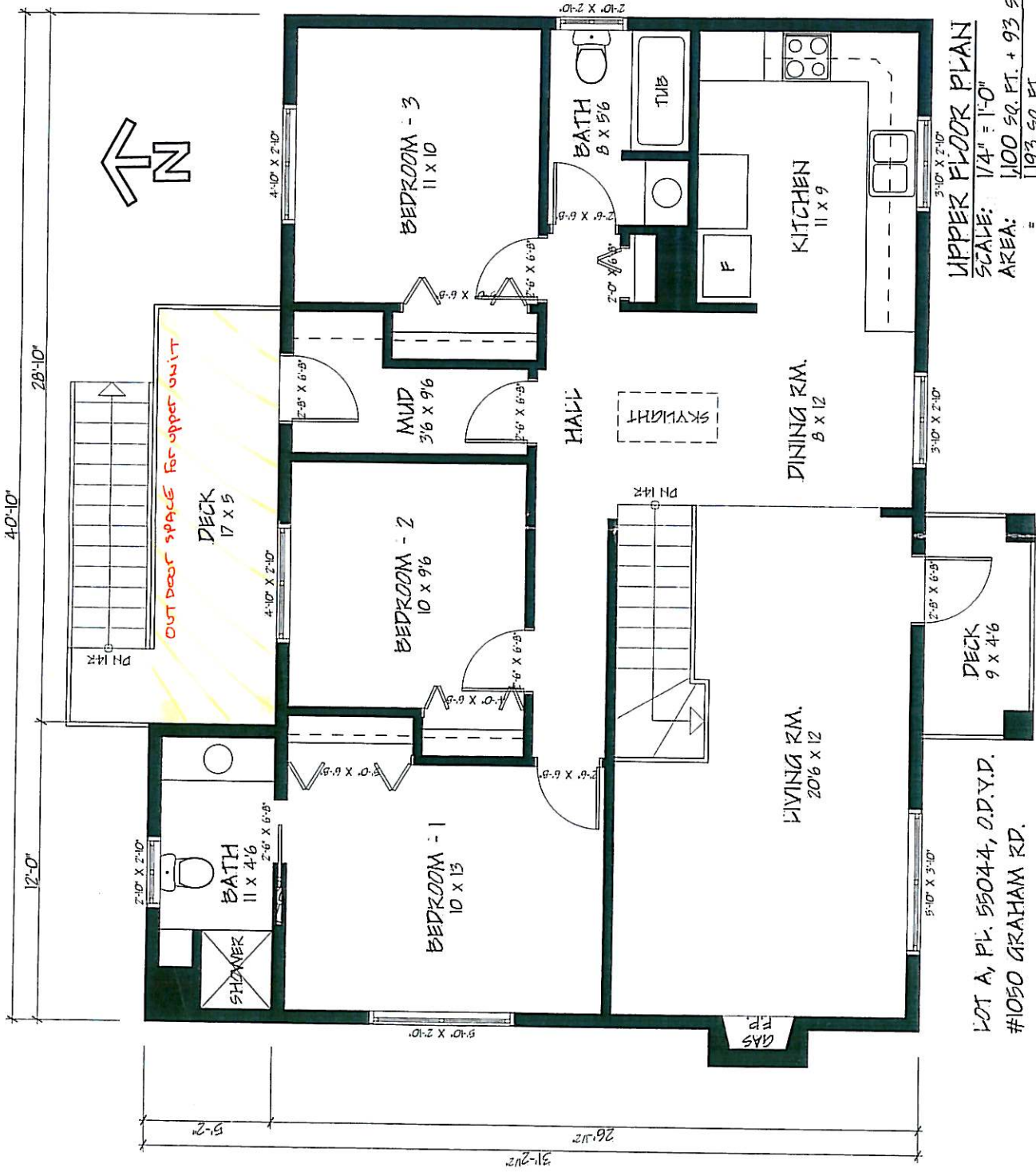
DIMENSIONS ARE APPROXIMATE!

SITE PLAN
SCALE: 1/16" = 1'-0"

GRAHAM RD.



SCALE: $1/4" = 1'-0"$
AREA: $\frac{662 \text{ SQ. FT.} + 62 \text{ SQ. FT. MECH}}{724 \text{ SQ. FT.}}$



UPPER FLOOR PLAN

SCALE: 1/4" = 1'-0"

AREA: 1100 SQ. FT. + 93 SQ. FT. DOWN
= 1193 SQ. FT.

LOT A, PL. 55044, O.P.Y.D.
#1050 GRAHAM RD.



