

Memo



Date: October 30/09

To: City Manager

From: Community Sustainability Division

File No: Z09-0055 **Applicant:** Arnaldo & Norberta Magsajo

At: 1294 Black Mountain Cr. **Owner:** Arnaldo & Norberta Magsajo

Purpose: TO REZONE FROM THE RU1 - LARGE LOT HOUSING ZONE TO THE RU1(s) LARGE LOT HOUSING WITH SECONDARY SUITE ZONE TO ALLOW A BASEMENT SUITE IN A NEW DWELLING

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU1(s) - Large Lot Housing with Secondary Suite

Report Prepared by: Luke Turri

1.0 RECOMMENDATION:

THAT Rezoning Application No. Z09-0055 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 18, Township 27, ODYD, Plan KAP82430, located at 1294 Black Mountain Crescent, Kelowna, B.C. from the 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.

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Black Mountain Irrigation District being completed to their satisfaction.

2.0 SUMMARY:

This application seeks to rezone from the RU1 - Large Lot Housing zone to the RU1(s) - Large Lot Housing with Secondary Suite zone to construct a suite within a new dwelling.

3.0 BACKGROUND:

A single family dwelling is currently under construction on the subject property. The owners wish to create a secondary suite within the basement of this new dwelling which requires an application to rezone the property to the RU1(s) zone. Should the rezoning application be approved by Council, the existing Building Permit would be amended to include the plans for the suite.

The proposed two-bedroom suite would be accessed through a separate entrance at the rear of the property. The property can provide adequate private outdoor space and required parking for both units.

The application meets the requirements of Zoning Bylaw No. 8000 as follows:

CRITERIA	PROPOSAL	RU1(s) ZONE REQUIREMENTS (Suite within Principal Dwelling)
Existing Lot		
Lot Area	651m ²	550m ²
Lot Width	20.0m	17.0m
Lot Depth	33.3m	30.0m
Development Regulations		
Site Coverage (buildings)	33%	40%
Site Coverage (buildings/parking)	40%	50%
Height (existing house)	2 storeys / 7.9m	Lesser of 2 ½ storeys / 9.5m
Floor Area of principal dwelling	263m ²	-
Floor Area of Secondary Suite / Size ratios	89m ² / 34%	Cannot exceed the lesser of 90m ² or 40% of principal dwelling
Front Yard	6.0m	4.5m / 6.0m to a garage
Side Yard (north)	4.5m	4.5m (flanking street)
Side Yard (south)	2.56m	2.3m (2 - 2½ storey)
Rear Yard	7.65m	7.5m
Other Requirements		
Parking Stalls (#)	4 spaces	3 spaces
Private Open Space	Meets requirements	30m ² required per dwelling

4.2 Site Context

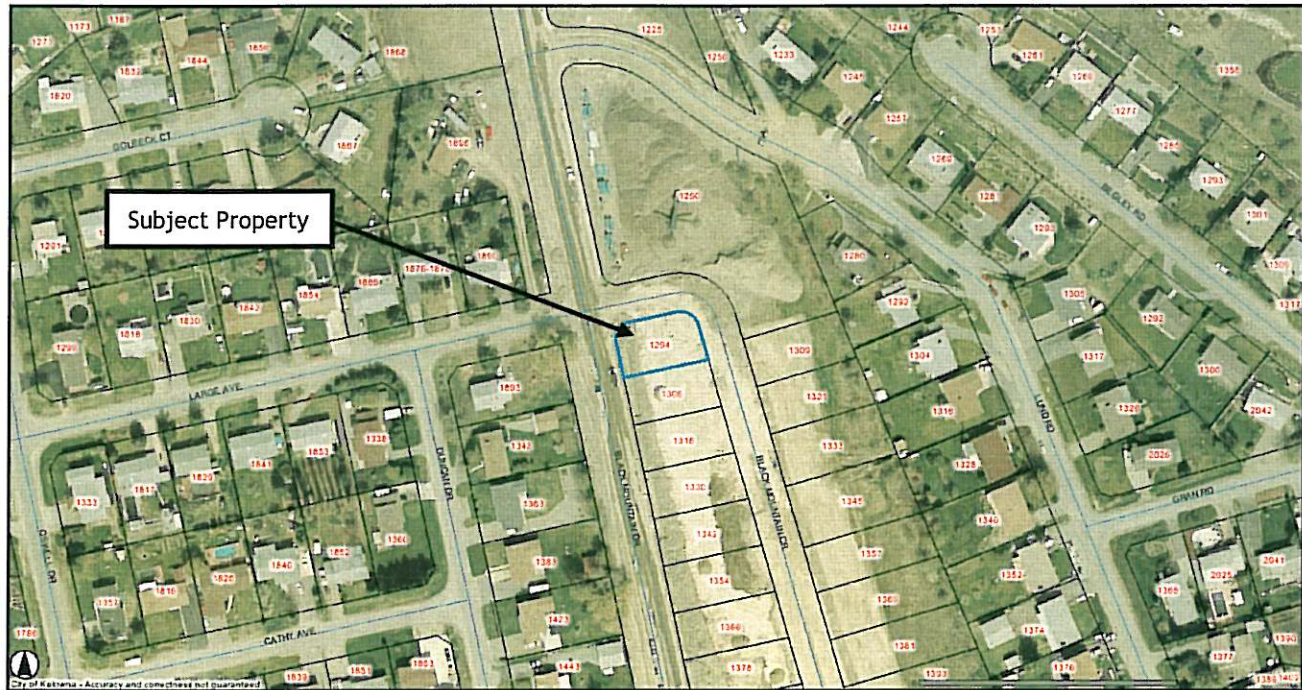
The subject property is located in the original phase of the Black Mountain Residential/Golf community, within an area dominated by single family housing.

Specifically, the adjacent zones and uses are:

- North** P3 - Parks & Open Space (Neighbourhood Park)
- East** RU1 - Large Lot Housing/ P3 - Parks & Open Space (Neighbourhood Park)
- South** RU1 - Large Lot Housing
- West** RU1 - Large Lot Housing

4.3 Site Location Map

Subject property: 1294 Black Mountain Crescent



5.0 **DEVELOPMENT POTENTIAL/CURRENT POLICY:**

5.1 Existing Zone (RU1 - Large Lot Housing)

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

5.2 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.

Section 8.35 - Land Utilization within Single Detached Areas: Work towards achieving more efficient use of land within developed single-detached neighbourhoods by encouraging rezoning, subdivision and building permit applications that would allow for smaller lot sizes, secondary suites, minor boarding facilities, minor group homes, duplexes etc. that are sensitively integrated into a neighbourhood;

Section 8.47 Secondary Suites: Encourage, under the conditions stipulated in the Zoning Bylaw, the creation of secondary suites;

6.0 **TECHNICAL COMMENTS:**

6.1 Black Mountain Irrigation District (BMID)

Additional capital charges of \$1,080.00 and an additional connection fee of \$100 would apply to the secondary suite. The owner/authorized agent must complete an 'Application for Building' form in order for BMID to release a water certificate to the City of Kelowna.

6.2 Building & Permitting

Existing active building permit #38578 for SFD to be upgraded or separate permit required for proposed suite, to be constructed to BCBC 2006.

6.3 Development Engineering Branch

See attached.

6.4 Fire Department


Requirements of Section 9.36, Secondary Suites, of the BCBC 2006 are to be met. Fire separations as per BCBC 2006 (addressed through Building Permit application).

7.0 LAND USE MANAGEMENT DEPARTMENT:

Policies within the Official Community Plan affirm the sensitive integration of infill in established neighbourhoods where services are already in place and densification can be accommodated.

Although the application conforms to the parking requirements from Zoning Bylaw No. 8000, the three-bedroom home and two-bedroom suite has the potential to cause on-street parking conflicts, especially considering the property is a triple-fronting lot, and the suite is to be accessed from the rear of the dwelling. Staff intends to review this type of conflict as part of an on-going review of secondary suite regulations within the City.

Despite the above noted consideration, the Land Use Management Department recommends support for this application, as it is congruent with current development policy, and would help to diversify the housing supply in the area.



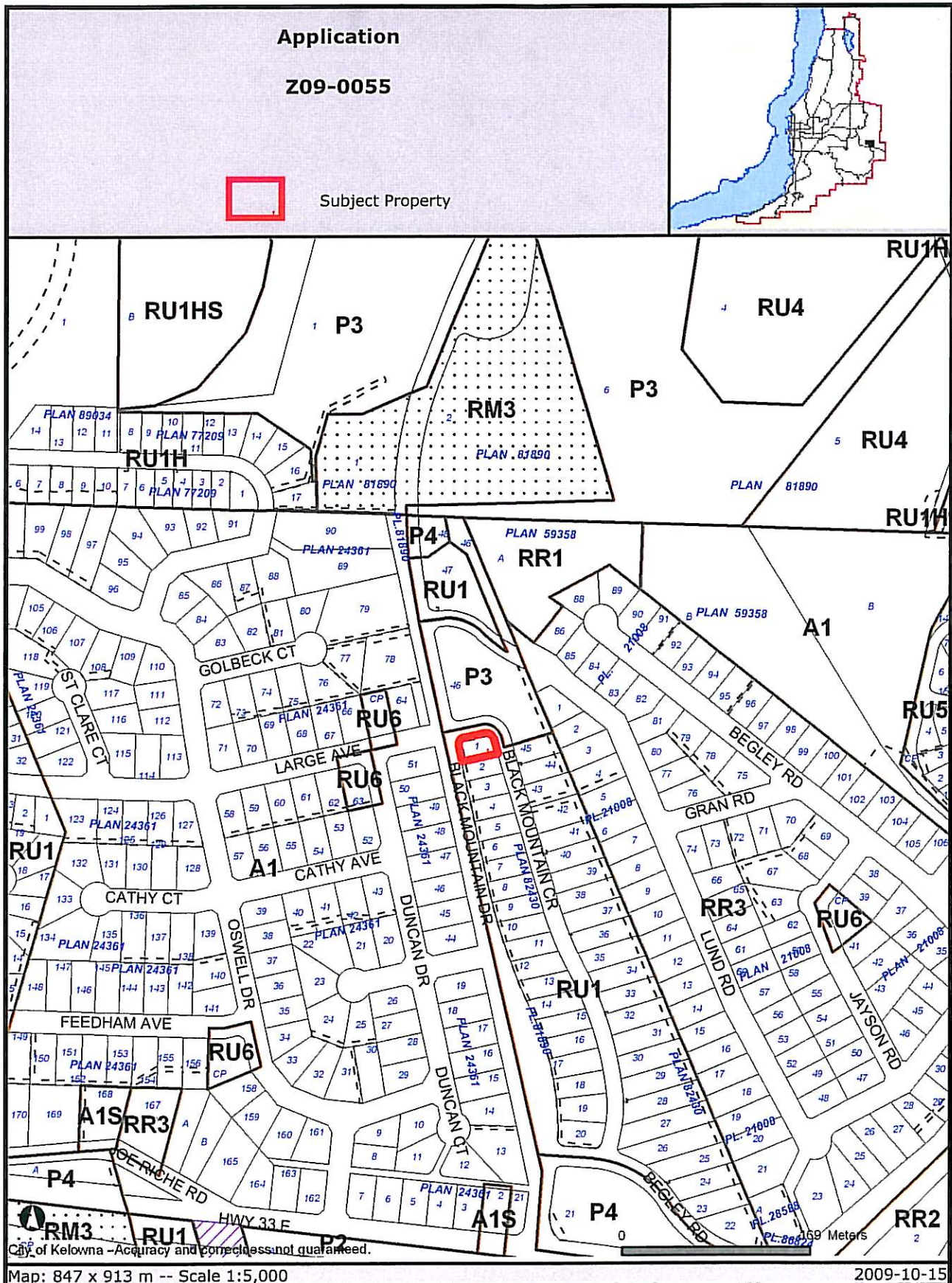
Danielle Noble
Manager, Urban Land Use

Approved for inclusion: 

Shelley Gambacort
Director, Land Use Management

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- Attachments:**
 Subject Property Map
 Site Plan
 Floor Plans/Elevations
 Development Engineering Branch Comments





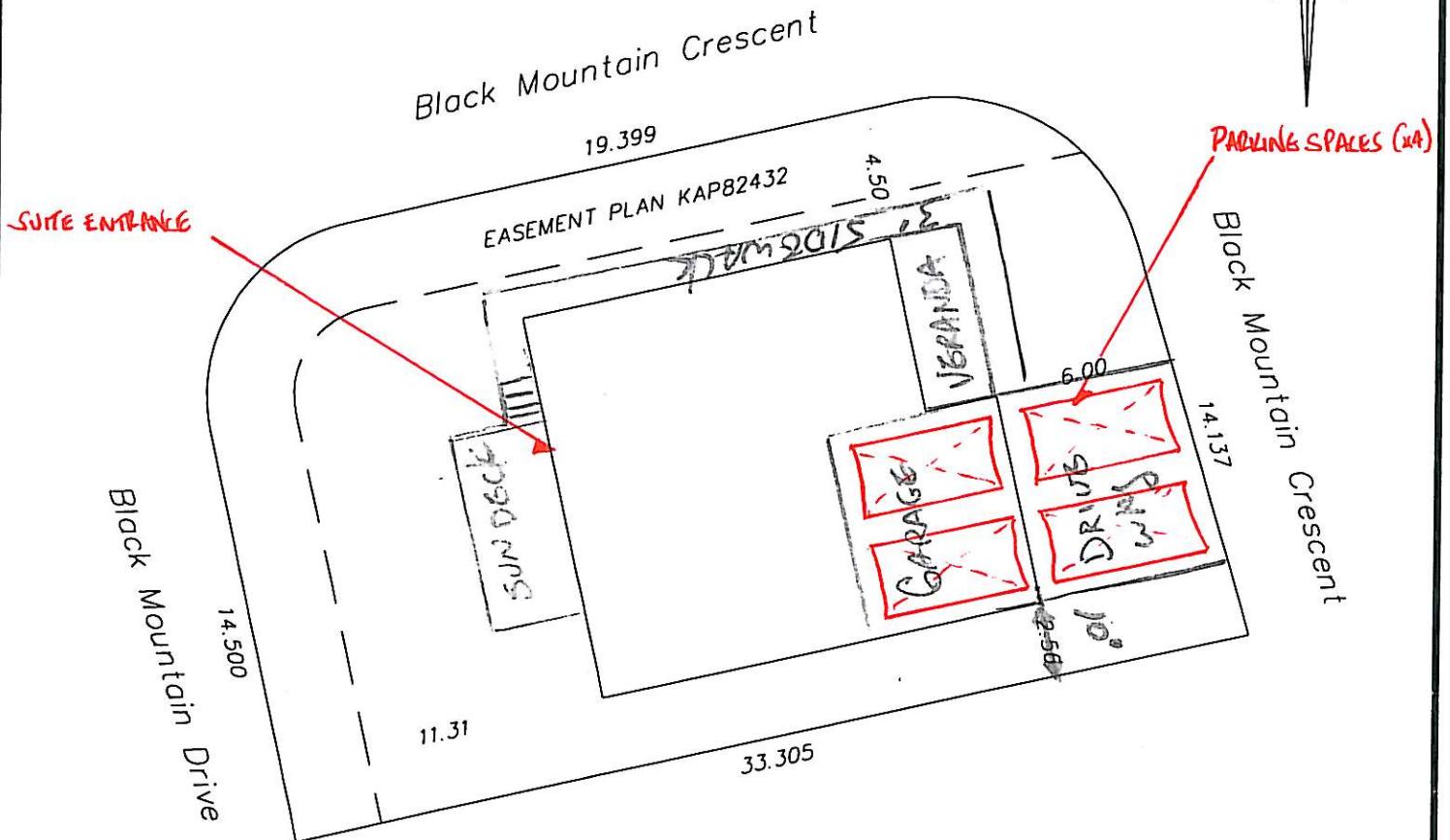
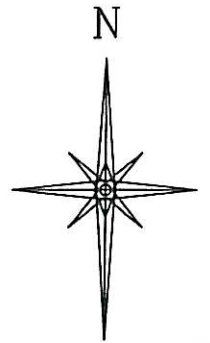
Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
The City of Kelowna does not guarantee its accuracy. All information should be verified.

PROPOSED LOCATION OF BUILDING ON LOT 1 PLAN KAP82430 SEC. 18 TP. 27 O.D.Y.D.

SCALE 1:250

DISTANCES ARE IN METRES.

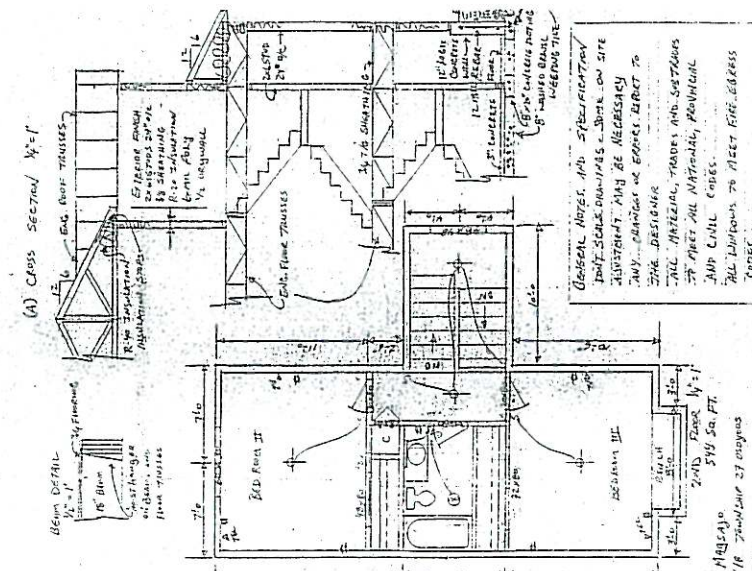
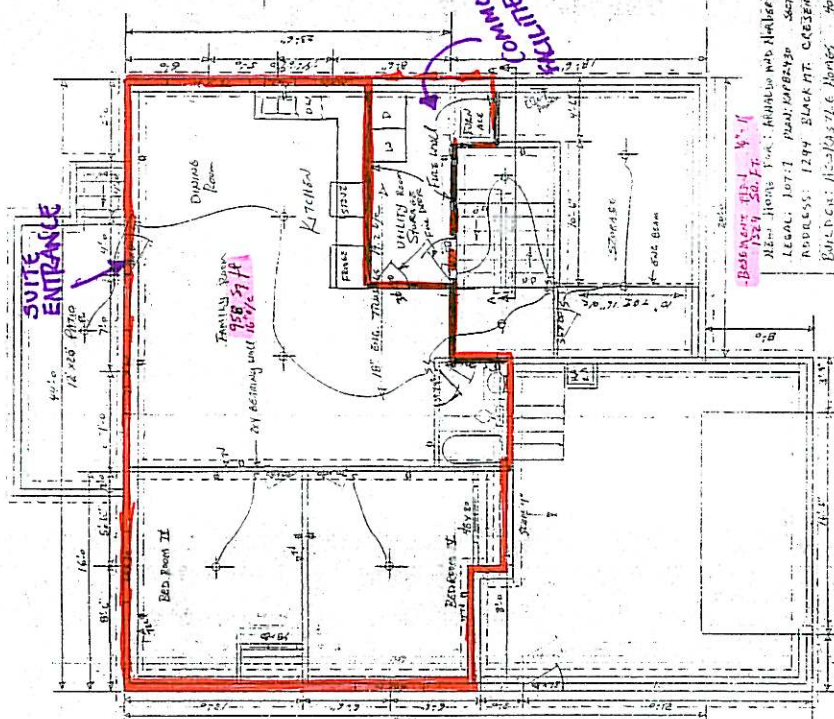
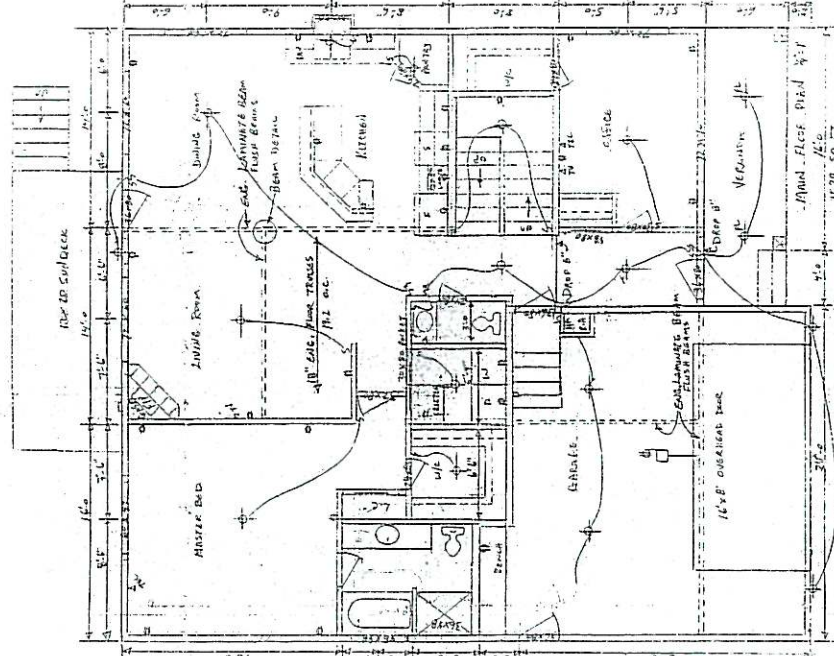
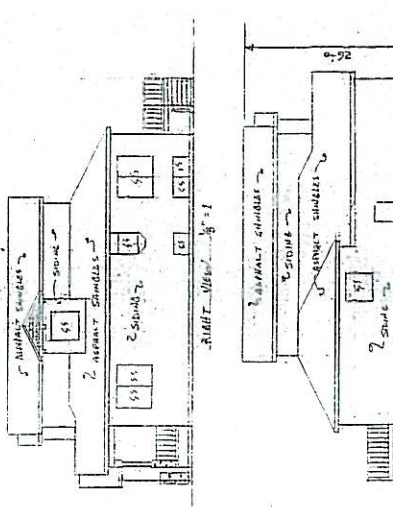
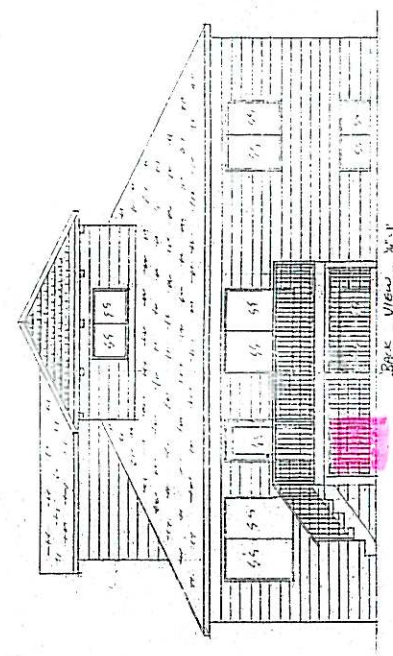
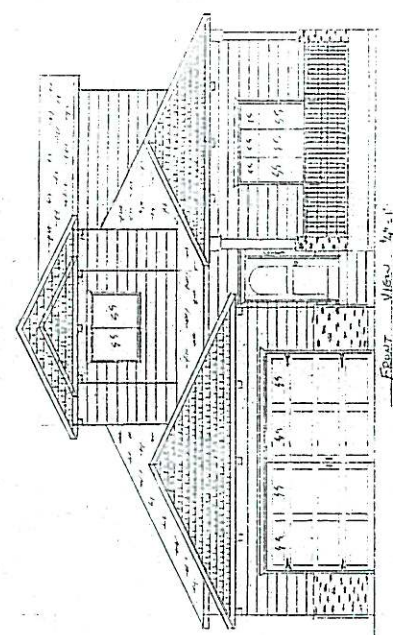
CIVIC ADDRESS:
1294 BLACK MOUNTAIN CRESCENT
KELOWNA, B.C.



FILE 15066

RE: Newcastle Homes

D.A. Goddard Land Surveying Inc.
103-1358 ST. PAUL STREET KELOWNA



GENERAL NOTES AND SPECIFICATIONS:
 1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
 2. ALL MATERIALS SHALL BE OF THE BEST QUALITY AVAILABLE.
 3. ALL DIMENSIONS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.
 4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE.
 5. THE DESIGNER SHALL NOT BE RESPONSIBLE FOR THE CONSTRUCTION OF THE WORK.

DESIGNER: 1204 BLACK MT. CASCADIA
 ADDRESS: 1204 BLACK MT. CASCADIA
 PHONE: 408-635-2177

CITY OF KELOWNA

MEMORANDUM

Date: October 27, 2009
File No.: Z09-0055
To: Planning & Development Services Department (LT)
From: Development Engineer Manager (SM)
Subject: 1294 Black Mountain Cres. – Lot 1, Plan KAP82430, Sec. 18, Twp. 27, ODYD

Development Engineering comments and requirements regarding this application to rezone from RU1 to RU1s are as follows:

1. Subdivision
Provide easements as may be required
2. Sanitary Sewer.
The subject property is serviced by the Municipal wastewater collection system. There are no additional charges for a suite within an existing dwelling.
3. Domestic Water.
The subject property is located within the Black Mountain Irrigation District (BMID). All charges and fees must be paid directly to BMID.
4. Parking
Parking is provided on site.

This application does not trigger any servicing requirements.

Steve Muenz, P.Eng.
Development Engineering Manager

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