

Memo



Date: November 27, 2009

To: City Manager

From: Community Sustainability Division

File No: Z09-0053 **Applicant:** Alex & Cecilia Piercey

At: 3458 Scott Road **Owner:** Alex & Cecilia Piercey

Purpose: TO REZONE FROM THE RU1 - LARGE LOT HOUSING ZONE TO THE RU1(s) - LARGE LOT HOUSING WITH SECONDARY SUITE ZONE TO LEGALIZE THE EXISTING SECONDARY SUITE.

Existing Zone: RU1 - Large Lot Housing

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

Report Prepared by: Alec Warrender

1.0 RECOMMENDATION:

THAT Rezoning Application No. Z09-0053 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 24, D.L. 134, ODYD, Plan 3886, located at 3458 Scott Road, 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;

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 Development Engineering and Building and Permitting Department 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 legalize the existing secondary suite.

3.0 BACKGROUND:

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

CRITERIA	PROPOSAL	RU1(s) ZONE REQUIREMENTS (Suite within Principal Dwelling)
Subdivision Regulations		
Lot Width	15 m ①	16.5 m
Lot Depth	30 m	30.0 m
Development Regulations		

Site Coverage (buildings)	22%	40%
Site Coverage (buildings/parking)	34%	50%
Height (existing house)	7.6m	9.5 m
Area of principal dwelling	192m ²	-
Area of Secondary Suite	56.5 m ² / 30%	90 m ² or 40% of principal dwelling
Front Yard	10.6m	4.5 m
Side Yard (N)	4.5 m	2.0 m (1 - 1 ½ storey)
Side Yard (S)	2.1 m	2.0 m (1 - 1 ½ storey)
Rear Yard	9 m	7.5 m
Other Requirements		
Parking Stalls (#)	3 spaces	3 spaces
Private Open Space	Meets Requirements	30m ² required per dwelling
<p>❶ Existing non-conforming.</p>		

3.1 Site Location Map

3458 Scott Road



3.2 Site Context

The adjacent zones and uses are:

<i>Direction</i>	<i>Zoning Designation</i>	<i>Land Use</i>
North	RU1 - Large Lot Housing	Residential
East	RU1 - Large Lot Housing	Residential
South	RU1 - Large Lot Housing	Residential
West	RU1 - Large Lot Housing	Residential

4.0 **CURRENT POLICY & REGULATION:**

The property is proposed to be zoned RU1(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 following objectives form the justification for designating intensive residential development permit areas in the Kelowna Official Community Plan. The objectives have been incorporated in the design guidelines for new secondary suites and two dwelling housing.

- All new development should respect the scale and general character of the houses and the landscape of the neighbourhood in which it is built.
- All new development should be sensitive to the privacy of adjacent neighbours and the privacy of individual dwelling units on a lot.
- The design of all new development should be derived from the existing building, in the case of an addition to a building and the addition of a new single detached building on a lot, or from surrounding buildings, in the case of new construction.
- All new development should contribute to the creation of pedestrian-oriented streets which in turn helps connect public spaces and fosters social interaction.
- All new development should promote safety and security of persons and property within the urban environment.
- The design of new development is encouraged to be accessible for persons with physical disabilities.

5.0 **TECHNICAL COMMENTS:**

5.1 Building & Permitting

Existing basement suite requires building permit, proposal to be upgraded to requirements of BCBC 2006.

5.2 Development Engineering Branch

See Attached.

5.3 Fire Department

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

5.4 Bylaw Services

City Bylaws has an open file regarding an illegal suite at this location.

6.0 LAND USE MANAGEMENT DEPARTMENT:

Policies within the Official Community Plan support the sensitive integration of infill in established neighbourhoods where services are in place and densification can be accommodated. The legalization of the suite will ensure safety and compliance to the various bylaws and BC Building code.

Submitted by:



Danielle Noble
Manager, Urban Land Use

Approved for inclusion:

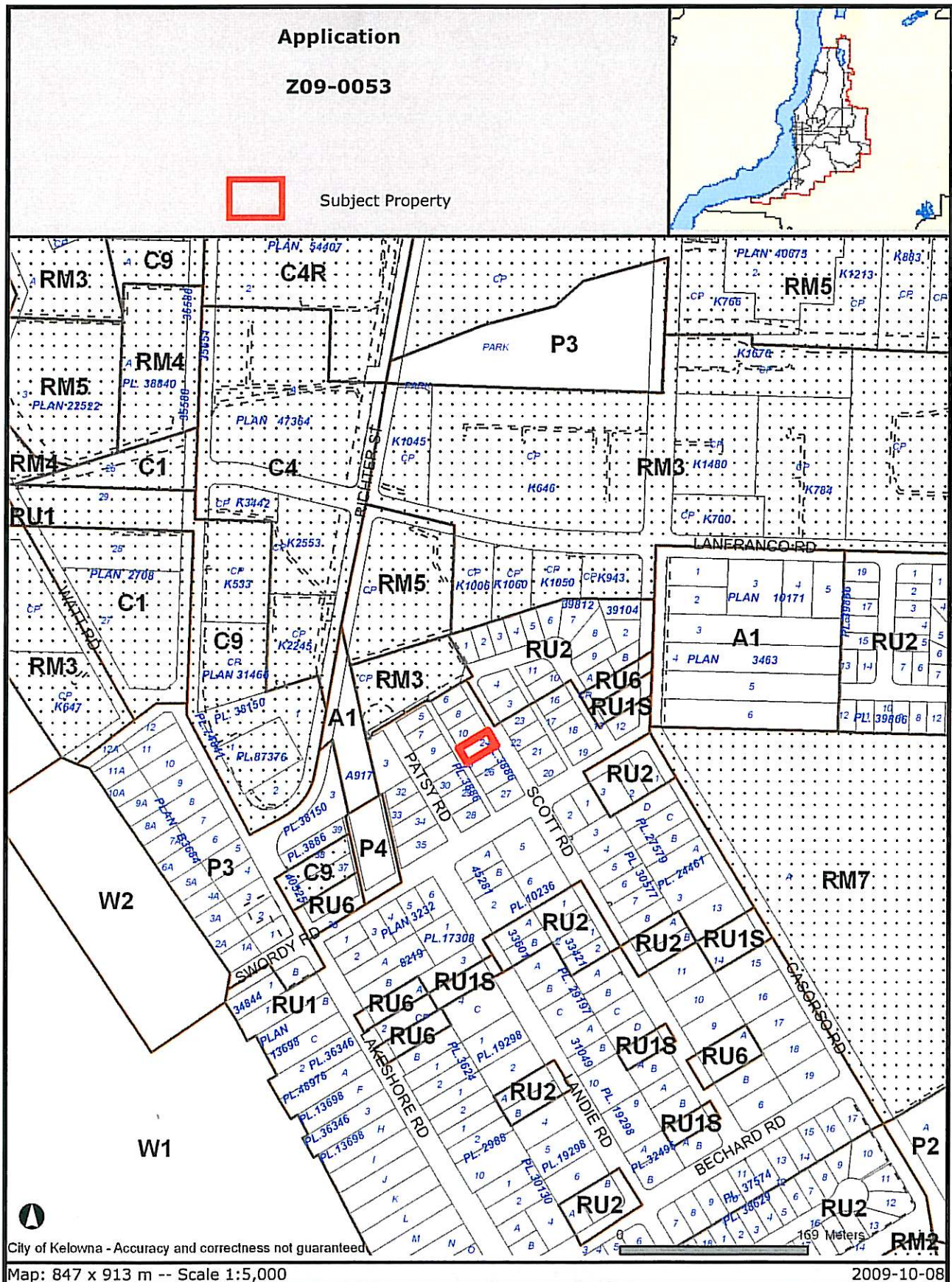


Shelley Gambacort
Director, Land Use Management

Attachments:

- Subject Property Map
- Site Plan
- Floor Plans
- Elevations
- Landscape Plan
- 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.

100'-00"

100'-00"

90'-0"

7'-2"

HOUSE

15'

DECK

35'

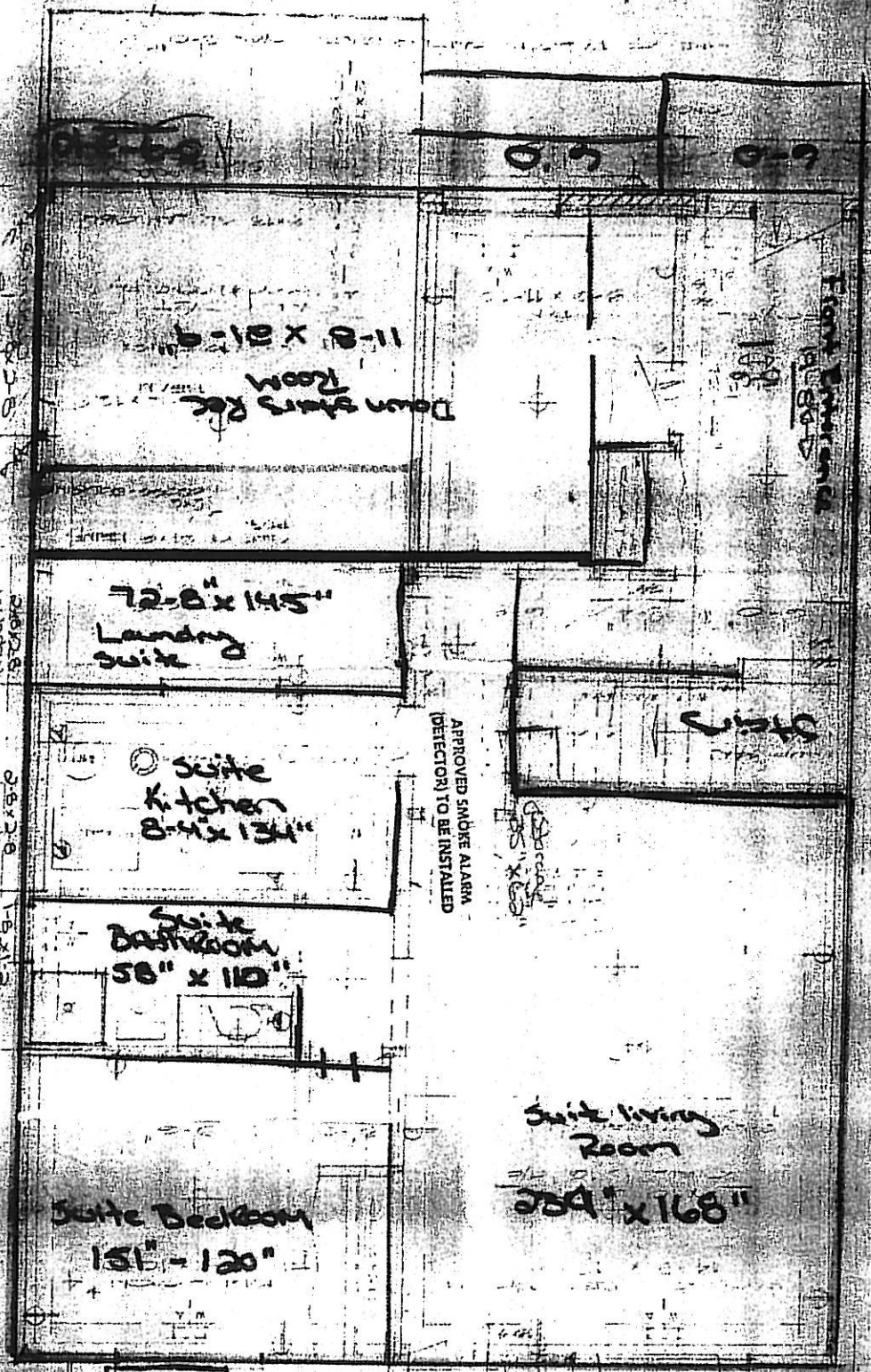
24'-6" x 24'-6"
PARKING

50'-00"

SCOTT RD



EXISTING LOWER LEVEL SUITE AREA

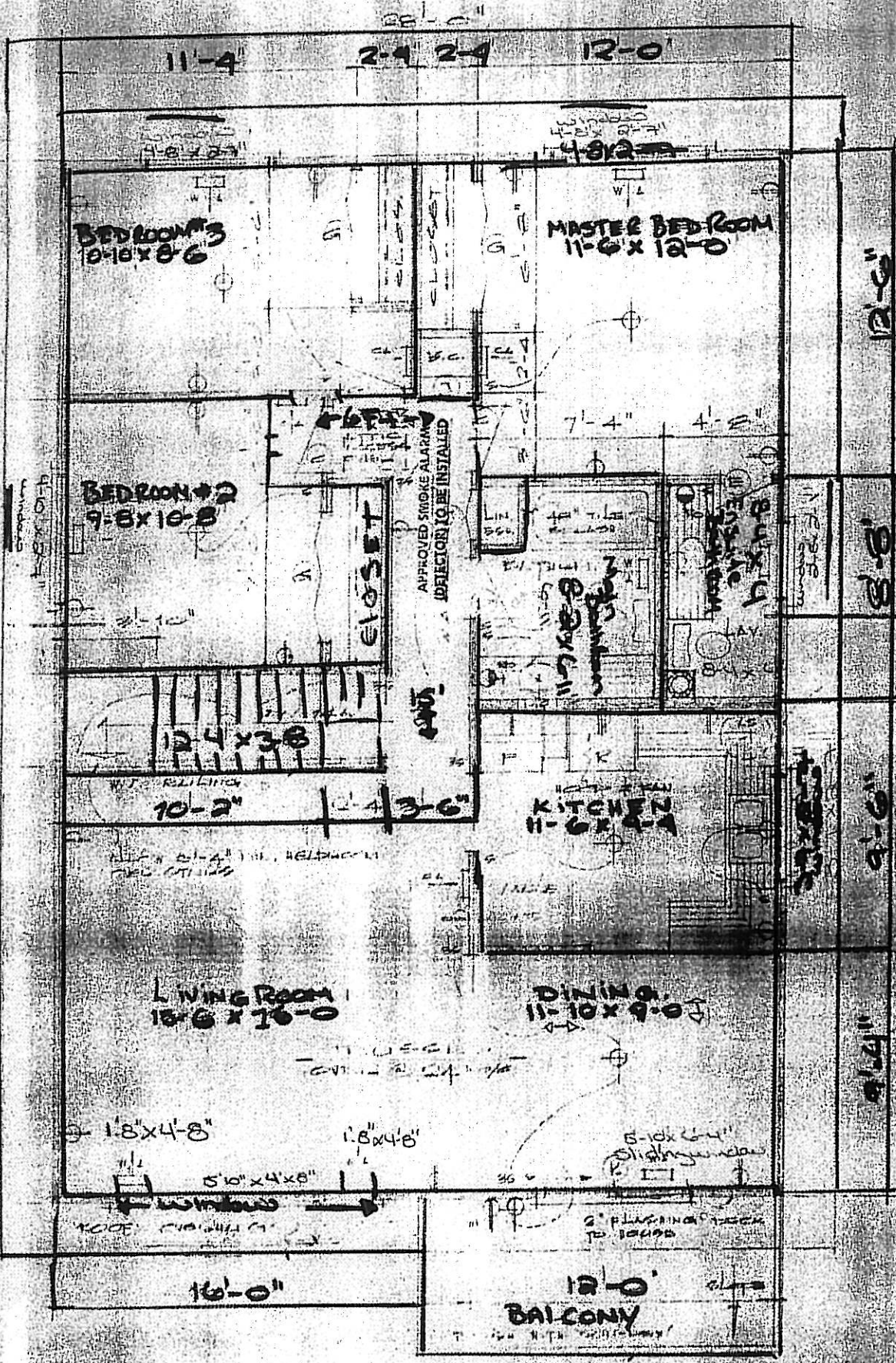


Window 5'-0" x 2'-8"

Window 5'-0" x 3'-8"

Suite 609.5 ft²

3458 7007 RD



MAIN FLOOR

SUBJECT PROPERTY PHOTO ADDENDUM

Borrower: Cecelia SANTISTEBAN	File No.: K0501057	
Property Address: 3458 Scott Road	Case No.:	
City: Kelowna	Prov.: BC	P.C.: V1W 3H3
Lender: CapLink Equiplan Mortgage Investors		



**FRONT VIEW OF
SUBJECT PROPERTY**

Appraised Date: January 19, 2005
Appraised Value: \$ 250,000



**REAR VIEW OF
SUBJECT PROPERTY**



STREET SCENE

