

Memo



Date: November 26, 2009

To: City Manager

From: Community Sustainability Division

File No: Z09-0056 **Applicant:** Mark & Julie Krehel

At: 4664 Fuller Road **Owners:** Mark & Julie Krehel

Purpose: To rezone the subject property from the "RU1 - Large Lot Housing" Zone to the "RU1s - Large Lot Housing with Secondary Suite" Zone to legalize an existing suite located within the dwelling

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU1s - Large Lot Housing with Secondary Suite

OCP Designation: Single/Two unit residential

Report Prepared by: Paul McVey

1.0 RECOMMENDATION

THAT Rezoning Application No. Z09-0037 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 25, Twp. 28, S.D.Y.D., Plan 18018, located at 4664 Fuller Road, Kelowna, B.C. from the from the RU1- Large Lot Housing zone to the RU1s - 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 application seeks to rezone from the RU1- Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone in order legalize an existing suite located within the existing single family dwelling located on the subject property.

3.0 THE PROPOSAL

There is an existing single family dwelling on the subject property which was constructed on the property in 1969. In 1979, there was a building permit issued to authorize an addition for a recreation room, where the un-authorized suite has been located.

The current owners purchased the property in June 2009. In October 2009, application was made for a building permit for major renovation of the dwelling, which also included work on the suite portion. It was determined that the work on the suite could not be authorized until the non-conforming zoning was corrected, therefore the owners wish to rezone the property in order to legalize the existing suite.

The proposed application meets the requirements of RU1s Large Lot Housing with a Secondary Suite zone as follows:

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS (Suite within Principal Dwelling)
Subdivision Regulations		
Lot Area	3,181 m ²	550 m ²
Lot Width	32 m	16.5 m unless 15 m when access to rear lane; 17 m for corner lot
Lot Depth	96 m	30.0 m
Development Regulations		
Site Coverage (buildings)	12.4%	40%
Site Coverage (buildings/parking)	21.5 %	50%
Height (existing house)	1 storey	2 ½ storeys / 9.5 m
Floor Area of principal dwelling	260 m ²	
Floor Area of Secondary Suite / Size ratios	86.98 m ² / 33%	Lessor of 90 m ² or 40%
Front Yard	45 m	4.5 m
Side Yard (n)	3.0 m	2.0 m (1- 1 ½ storey)
Side Yard (s)	3.0 m	2.0 m (1- 1 ½ storey)
Rear Yard	55 m	7.5 m
Other Requirements		
Parking Stalls (#)	4 spaces available	3 spaces
Private Open Space	1,500m ² available	30m ² per dwelling

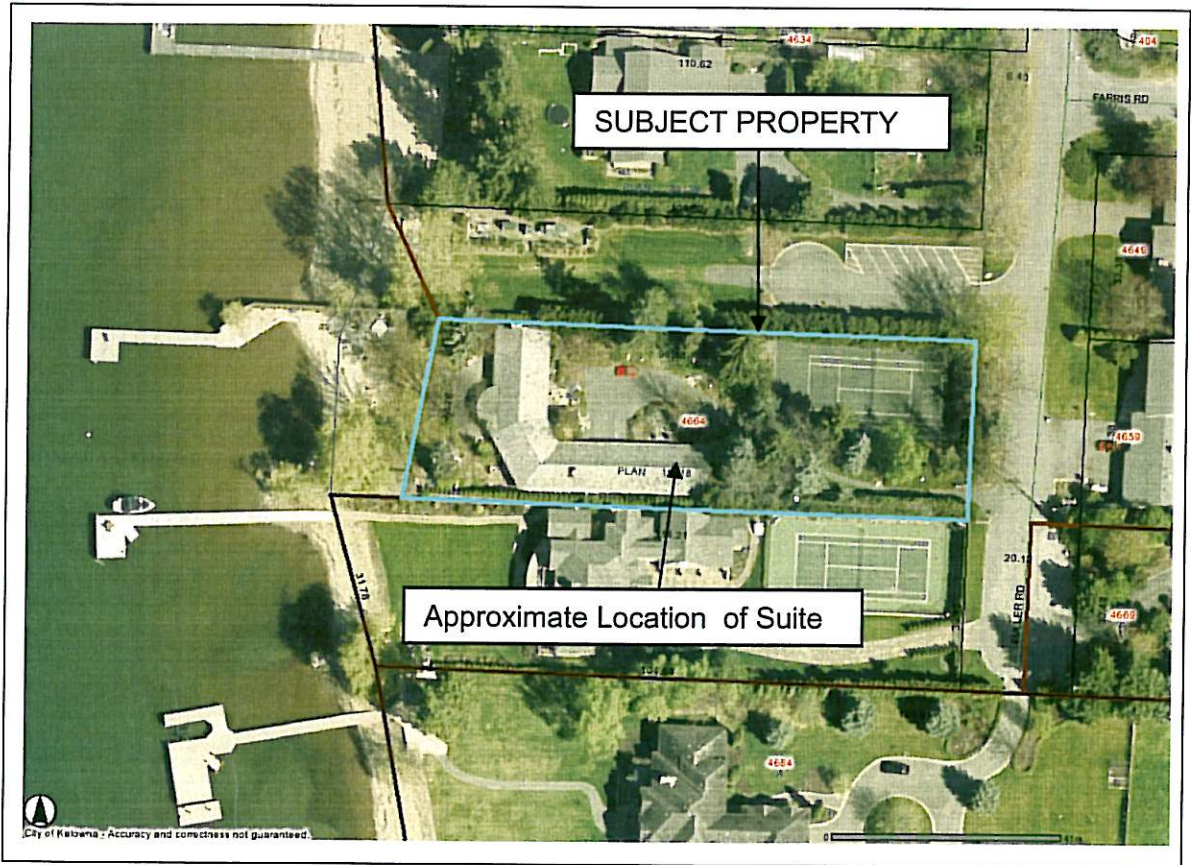
3.1 Site Context

The adjacent zoning and land uses are as follows:

<i>Direction</i>	<i>Zoning Designation</i>	<i>Land Use</i>
North	RU1 - Large Lot Housing	Road-End Park
East	RU1 - Large Lot Housing	Residential
South	RU1 - Large Lot Housing	Residential
West	W1 - Recreational Water Use	Lake

SUBJECT PROPERTY MAP

4664 Fuller Road



4.0 CURRENT DEVELOPMENT POLICY

The property is proposed to be zoned RU1s - Large 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

5.1 Development Engineering

Development Engineering Services have the following requirements associated with this rezoning Application.

1. Domestic Water and Fire Protection

This property is currently serviced with a 19mm-diameter 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 currently serviced with a 100mm-diameter sanitary sewer service which is adequate for this application.

3. Site Related Issues

Provide on-site parking for the proposed dwelling.

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.

5.2 Building and Permitting

Existing guest suite proposal to convert to it legal suite requires building permit upgrade to BCBC 2006.

5.3 Bylaw Services

No comment

5.4 Fire Department

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

5.5 Shaw

No requirements

5.6 Telus


Telus will provide aerial service.

5.7 Terasen Utility Services

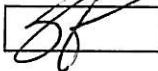
Please be advised that Terasen Gas' facilities will not be adversely impacted by the proposal as our distribution pipeline in the area is located in the roadway. Therefore, Terasen Gas has no objection to the construction of a secondary suite at the above-noted location.

6.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

Policies within the Official Community Plan support the sensitive integration of infill in established neighbourhoods 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.

for: 
Danielle Noble
Urban Land Use Manager

Approved for Inclusion



Shelley Gambacort
Director of Land Use Management

PMc/pmc

ATTACHMENTS

Location map of subject property
Site Plan - Landscape Plan
Building Floor Plans

B.C. LAND SURVEYOR'S CERTIFICATE

ON LOT 2 PLAN 13018 SECTION 25 TOWNSHIP 28
SIMILKAMEEN DIVISION - YALE DISTRICT

D.D. of H.

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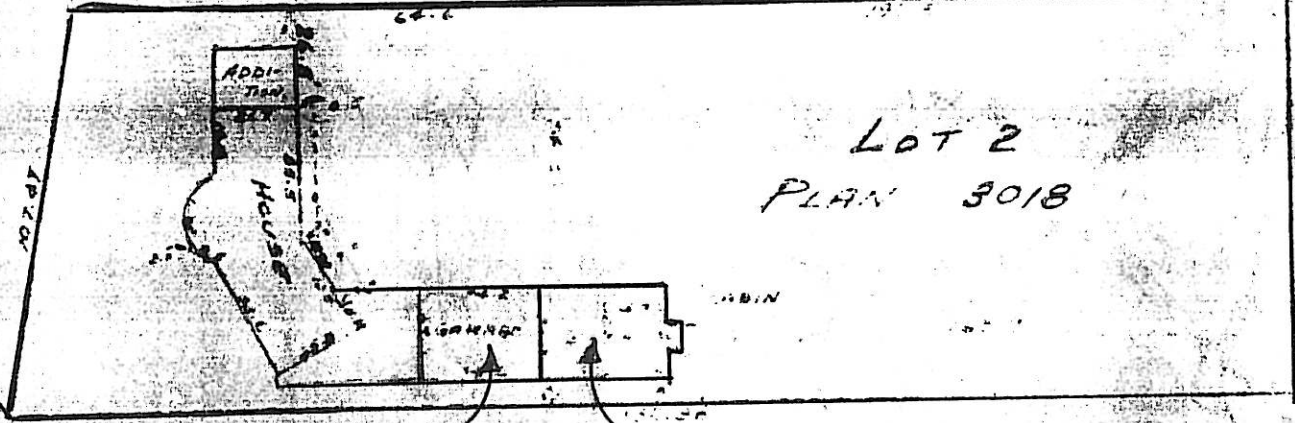
OSWAGAN LANE

Lot 1

ROAD (66')

315.04

Lot 2
PLAN 3018



GARAGE

SUITE

Lot 1
PLAN 2877

SITE PLAN

SCALE 1 inch = 50 feet

ROBT. R. RUNNALLS
B.C. Land Surveyor
142 West Street, Kelowna, B.C.

R. R. Runnalls
- RUNNALLS -

