

# Memo



**Date:** January 7, 2010

**To:** City Manager

**From:** Community Sustainability Division

**File No:** Z09-0075

**Applicant:** Cody and Andrea Klassen

**At:** 1299 Nishi Court

**Owner:** Cody and Andrea Klassen

**Purpose:** To rezone the subject property from RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs Large Lot Housing (Hillside Area) with a secondary suite zone to construct a secondary suite within a single family dwelling.

**Existing Zone:** RU1h - Large Lot Housing (Hillside area) zone

**Proposed Zone:** RU1hs- Large Lot Housing(Hillside area) with a secondary suite zone

Report Prepared by: Birte Decloux

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## 1.0 RECOMMENDATION:

THAT Rezoning Application No. Z09-0075 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 24, Section 13, Township 26, ODYD, Plan KAP87484, located at Nishi Court, Kelowna, BC, from the RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs Large Lot Housing (Hillside Area) with a secondary suite zone be considered by Council;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT a building permit for the suite be applied for prior to final adoption of the zone;

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

## 2.0 SUMMARY:

This application is seeking to rezone the subject property from the RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs Large Lot Housing (Hillside Area) with a secondary suite zone to construct a secondary suite within a single family dwelling.

## 3.0 BACKGROUND:

The applicant is seeking to rezone the site prior to building a single family dwelling to allow the construction of a secondary suite as a mortgage helper. The two bedroom suite will have a very functional open layout. The access to the suite is proposed from the rear of the building utilizing a walkway that originates at the suite parking area. Private open space would be provided under a covered deck.

The proposed application meets the requirements of RU1hs- Large Lot Housing (Hillside area) with a secondary suite zone follows:

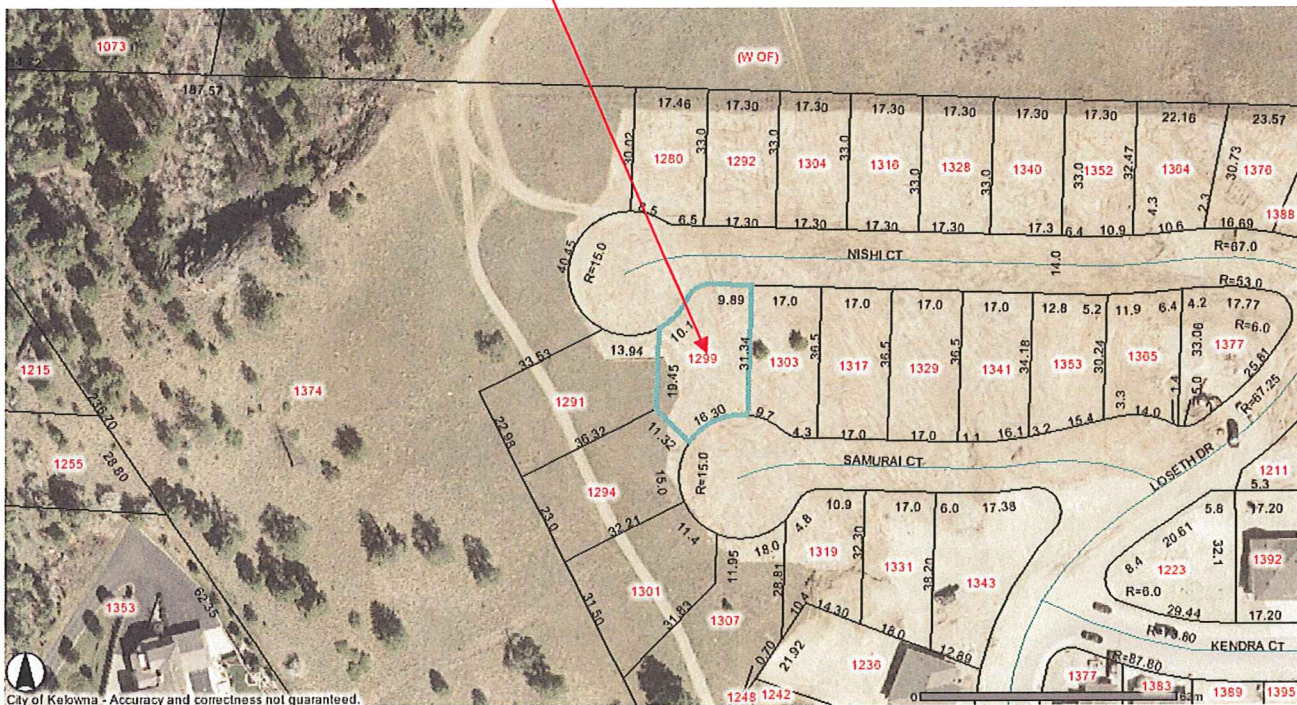
<b>Zoning Bylaw No. 8000</b>		
<b>CRITERIA</b>	<b>PROPOSAL</b>	<b>RU1hs ZONE REQUIREMENTS (Suite within Principal Dwelling)</b>
<b>Subdivision Regulations</b>		
Lot Area	682 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width	19.99 m	16.5 m
Lot Depth	31.34 m	30.0 m
<b>Development Regulations</b>		
Site Coverage (buildings)	28 %	40%
Site Coverage (buildings/parking)	39.5 %	50%
Height	1.5 storeys / 5.6 m	2 ½ storeys / 9.5 m
Floor Area of principal dwelling	251 m <sup>2</sup>	
Floor Area of Secondary Suite / Size ratios	85.09 m <sup>2</sup> / 34%	In building can't exceed lessor or 90 m <sup>2</sup> or 40%
Front Yard	4.36 m	3 m except it is 6.0 m to a garage or carport
Side Yard (east)	2.0 m	2.0 m (1 - 1 ½ storey)
Side Yard (west)	2.0 m	2.0 m (1 - 1 ½ storey)
Rear Yard	7.5 m	Double fronting therefore 3 m except it is 6.0 m to a garage or carport
<b>Other Requirements</b>		
Parking Stalls (#)	3 spaces	3 spaces
Private Open Space	38 m <sup>2</sup>	30m <sup>2</sup> requirement

### 3.1 Site Context

The subject property is located on the north side of Nishi Court in the Black Mountain sector. More specifically, the adjacent land uses are as follows:

North	RU1h	Large Lot Housing (Hillside area)
South	RU1h	Large Lot Housing (Hillside area)
East	RU1h	Large Lot Housing (Hillside area)
West	RU1h	Large Lot Housing (Hillside area)

### 3.2 Site Location: 1299 Nishi Court



## 5.0 CURRENT DEVELOPMENT POLICY

The RU1hs - Large Lot Housing (Hillside Area) with Secondary Suite zone is being proposed for this property. The purpose of this zone is to provide for single detached housing as a principal use, and compatible secondary uses.

### 5.1 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.

## 6.0 TECHNICAL COMMENTS

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

### 6.1 Development Engineering

*Domestic Water* The subject property is located within the Black Mountain Irrigation District (BMID). All charges and fees must be paid directly to BMID.

### 6.2 Fire Department

Requirements of Section 9.36, Secondary Suites, of the BCBC 2006 are to be met. Fire separations as per BCBC 2006. Visible address is required. Additional fire hydrant may be required as per the City of Kelowna Subdivision Bylaw #7900. A confirmation of the existing fire hydrant is required. *Black Mountain Irrigation District supplies the water*

*and maintain the fire hydrants in this area. Their comments made no mention of concerns.*

**6.3 Building and Permitting branch**

Building permit application #39512 is in process, will be issued as a single family dwelling. Separate building permit required for proposed suite, to conform to BCBC 2006.

**7.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS**

This proposal allows for a more efficient use of the subject property and helps to diversify the housing supply in the area. The Land Use Management Department notes that policies within the Official Community Plan support the sensitive integration into existing neighbourhoods, where services are already in place and densification can easily be accommodated. Minimal impact (if any) is anticipated on abutting properties, as parking requirements and private open space provisions can easily be achieved on-site.

Staff commends the applicant for considering the suite implications prior to full construction of the dwelling.

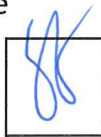
Submitted by:



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Danielle Noble  
Manager, Urban Land Use

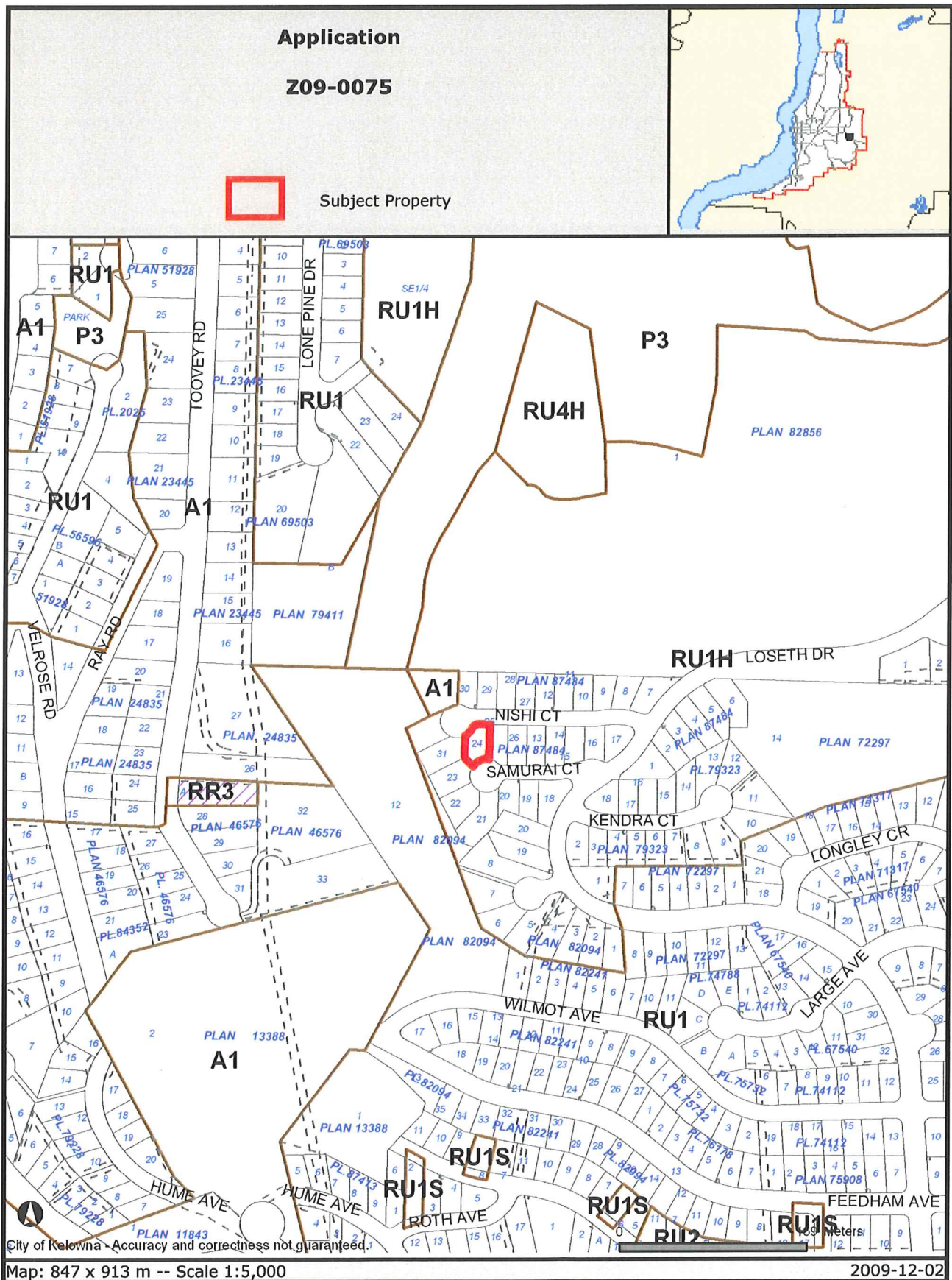
Approved for inclusion:



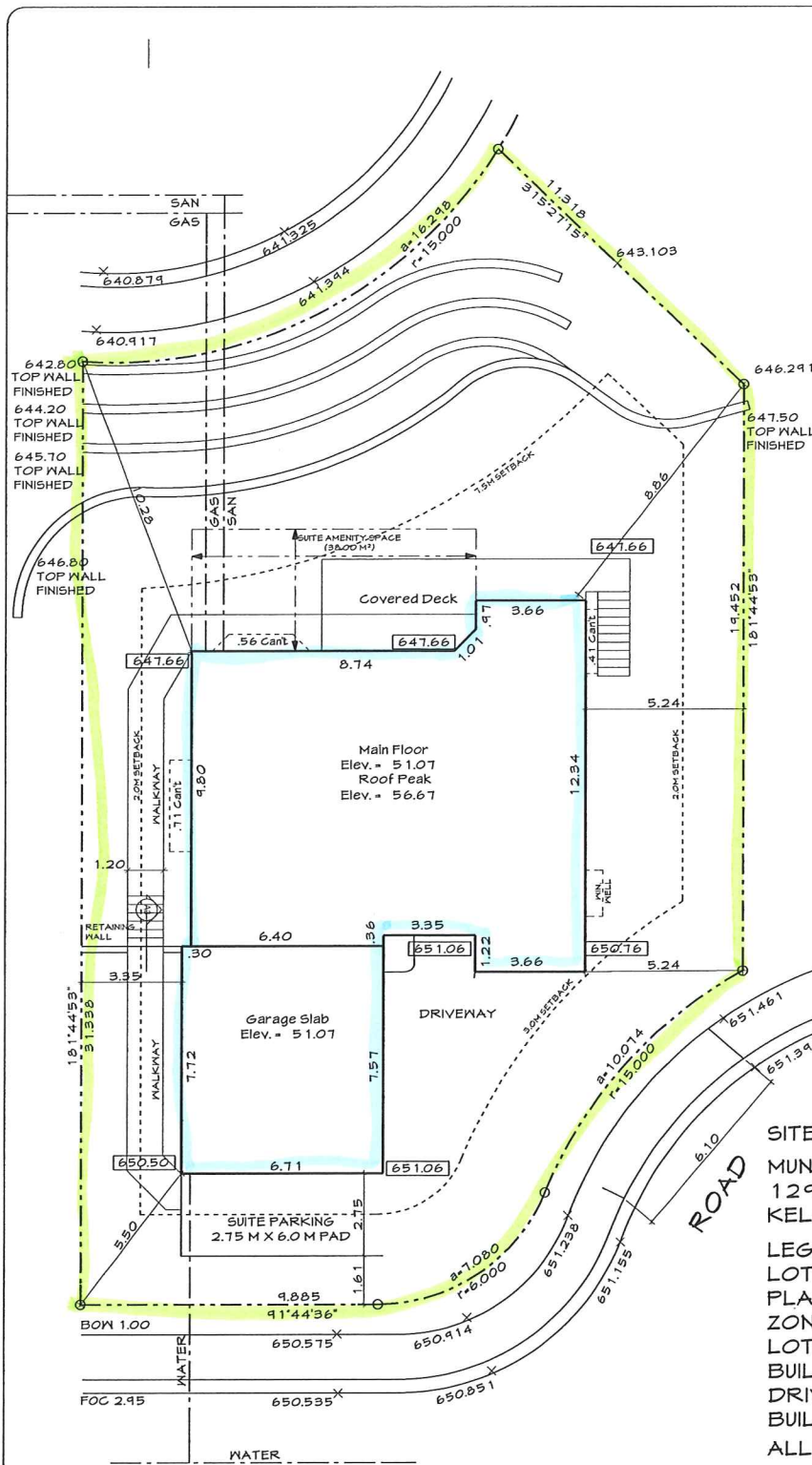
Shelley Gambacort  
Director, Land Use Management

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**Attachments:**  
Subject Property Map  
Site Plan  
Suite Floor Plans



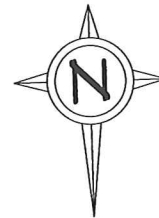
Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.



## SITE PLAN

### BUILDING INFORMATION

5 BEDROOM + 1 DEN  
 TOTAL AREA:  
 2705 SQ. FT.  
 SECONDARY SUITE  
 2 BEDROOM  
 AREA:  
 916 SQ. FT. (85.09 M<sup>2</sup>) = 33.86%  
 OF TOTAL PRINCIPAL AREA  
 GARBAGE  
 INDIVIDUAL GARBAGE CANS  
 TO BE PICKED UP AT STREET  
 PARKING  
 ATTACHED GARAGE  
 (2 STALLS)  
 1 SUITE PARKING PAD



### SITE INFORMATION

MUNICIPAL ADDRESS:  
 1299 NISHI COURT  
 KELOWNA, B.C.

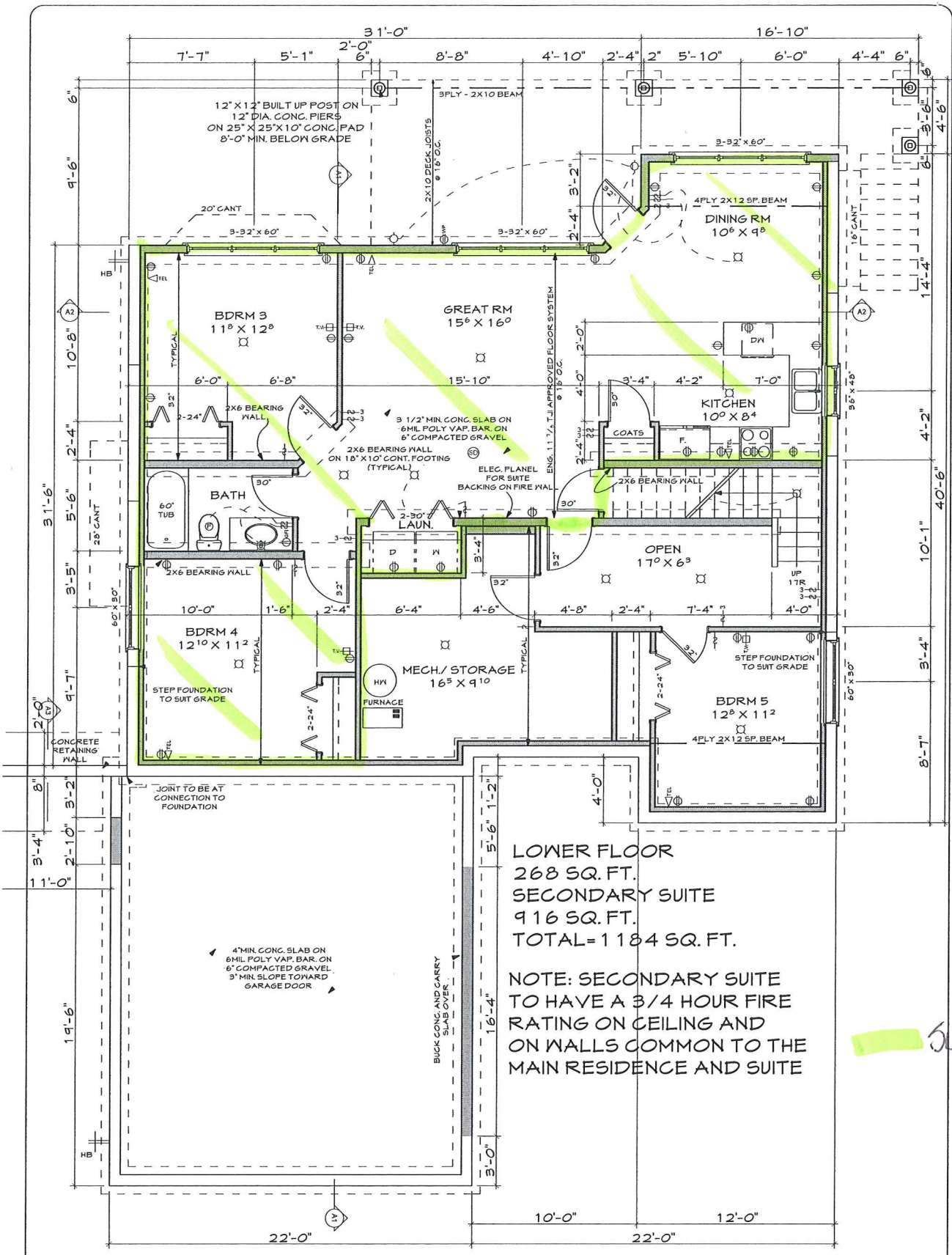
### LEGAL DESCRIPTION:

LOT: 24  
 PLAN: KAP87484  
 ZONING: RU1H  
 LOT AREA = 681.1 M<sup>2</sup>  
 BUILDING AREA = 189.74 M<sup>2</sup>  
 DRIVEWAY = 80.20 M<sup>2</sup> = 11.7% OF LOT  
 BUILDING = 27.85% OF LOT  
 ALL GRADES EXISTING U.N.O.

#### GENERAL NOTES:

- DO NOT SCALE DRAWINGS.
- ALL CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH CURRENT BUILDING CODE.
- THE BUILDER SHALL REPORT ANY ERRORS OR DISCREPANCIES TO THE DESIGNER PRIOR TO START OF CONSTRUCTION.

PROJECT: <b>Klassen Residence</b>	DWG. TITLE: <b>Site Plan</b>	SCALE: <b>1:150</b>	SHEET NO.: <b>1</b>	<b>Marcel Designs</b> ARCHITECTURAL DESIGN OFFICE: 403.282.2203 CELL: 403.880.6065 EMAIL: adobrin@telus.net
		DATE: <b>NOV. 23, 09</b>		

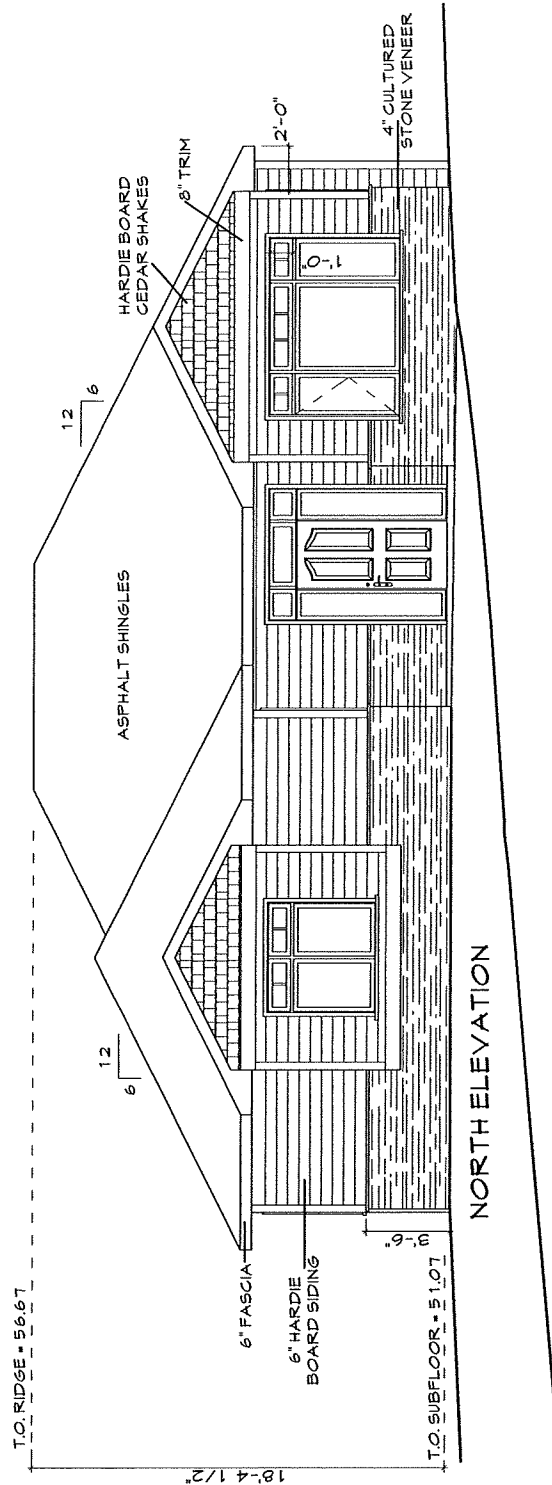


LOWER FLOOR  
 268 SQ. FT.  
 SECONDARY SUITE  
 916 SQ. FT.  
 TOTAL = 1184 SQ. FT.

NOTE: SECONDARY SUITE  
 TO HAVE A 3/4 HOUR FIRE  
 RATING ON CEILING AND  
 ON WALLS COMMON TO THE  
 MAIN RESIDENCE AND SUITE

*Suite area*

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PROJECT: <b>Klassen Residence</b>	DWG. TITLE: <b>Lower Floor</b>	SCALE: <b>3/16" = 1'-0"</b>	SHEET NO.: <b>7</b>
		DATE: <b>NOV. 23, 09</b>	<b>Marcel Designs</b> ARCHITECTURAL DESIGN OFFICE: 403.282.2203 CELL: 403.880.6065 EMAIL: adobr@netelus.net

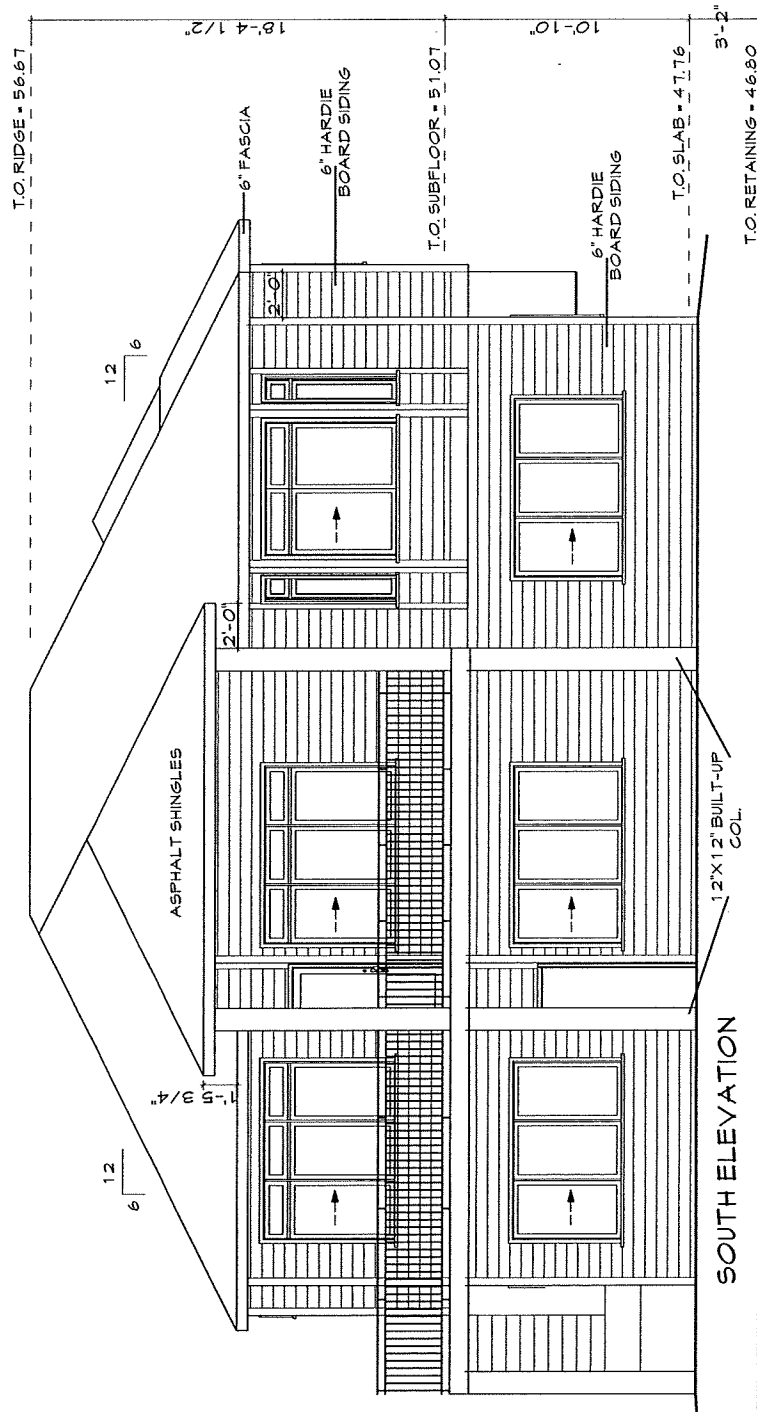


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PROJECT: <b>Klassen Residence</b>	DWG. TITLE: <b>North Elevation</b>	SCALE: <b>3/16" = 1'-0"</b> DATE: <b>NOV. 23, 09</b>	SHEET NO.: <b>2</b>	<b>Marcel Designs</b> ARCHITECTURAL DESIGN OFFICE: 403.282.2203 CELL: 403.880.6065 EMAIL: adobrinetelus.net
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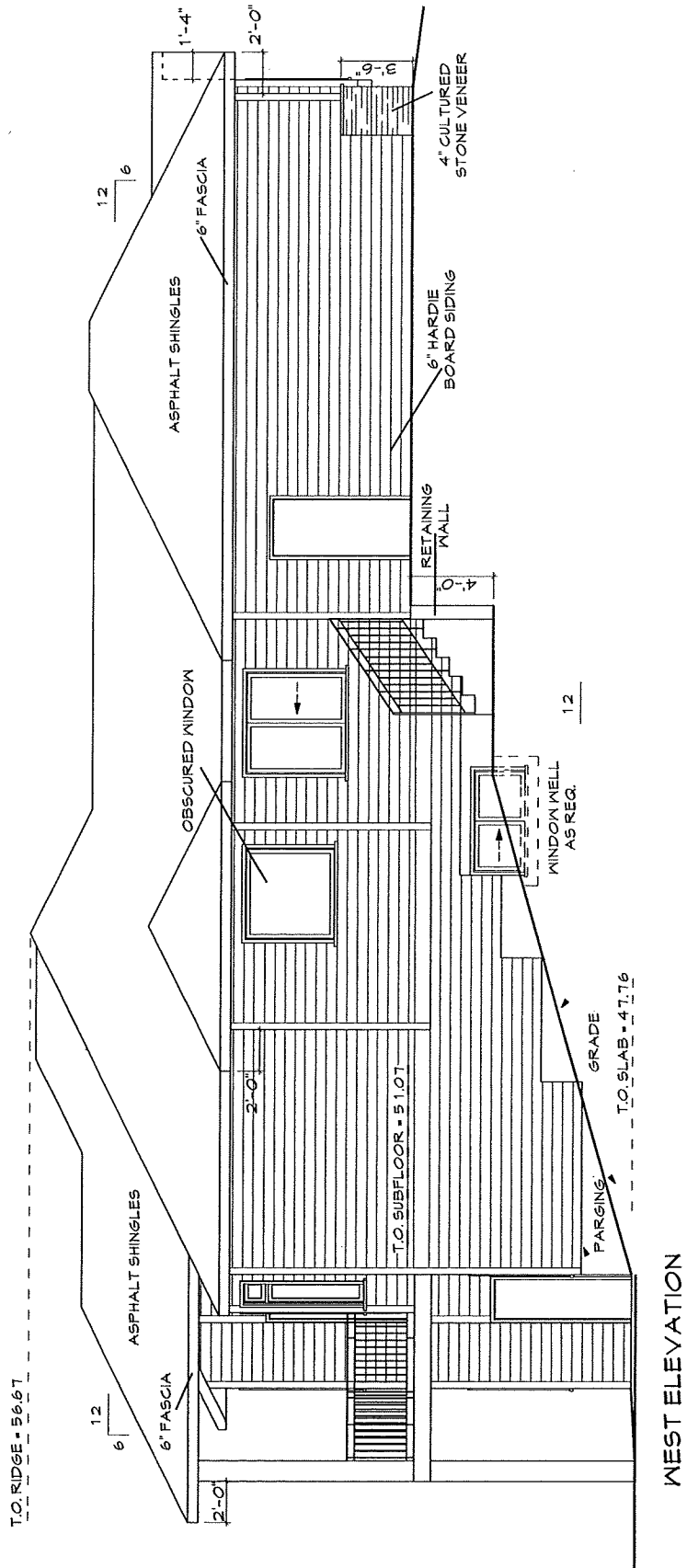
PROJECT:  
**Klassen  
 Residence**

DWG. TITLE:  
**South  
 Elevation**

SCALE:  
**3/16" = 1'-0"**  
 DATE:  
**NOV. 23, 09**

SHEET NO.:  
**3**

**Marcel Designs**  
 ARCHITECTURAL DESIGN  
 OFFICE: 403.282.2203  
 CELL: 403.880.6065  
 EMAIL: adobrin@telus.net



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PROJECT:

Klassen  
Residence

DWG. TITLE:

West  
Elevation

SCALE:

3/16" = 1'-0"

DATE:

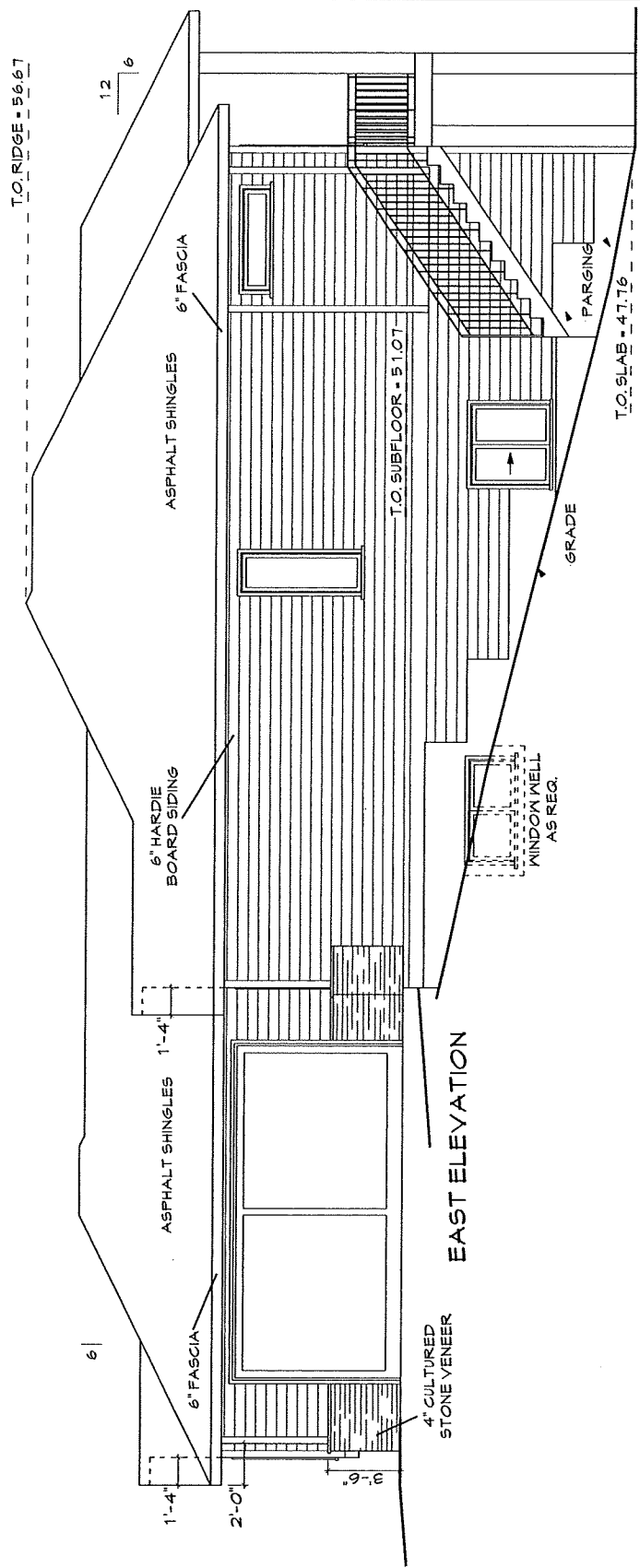
NOV. 23, 09

SHEET NO.:

4

Marcel Designs

ARCHITECTURAL DESIGN  
OFFICE: 403.282.2203  
CELL: 403.880.6065  
EMAIL: adobr@telus.net



GENERAL NOTES:  
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PROJECT: <b>Klassen Residence</b>	DWG. TITLE: <b>East Elevation</b>	SCALE: <b>3/16" = 1'-0"</b> DATE: <b>NOV. 23, 09</b>	SHEET NO.: <b>5</b>	<b>Marcel Designs</b> ARCHITECTURAL DESIGN OFFICE: 403.282.2203 CELL: 403.880.6065 EMAIL: adobrnetelus.net
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