

# Memo



**Date:** March 30, 2010

**To:** City Manager

**From:** Community Sustainability Division

**File No:** Z10-0014

**Applicant:** Robert Zhen Hong Luo

**At:** 471 Fizet Avenue

**Owner(s):** Zhen Hong Luo  
Min He

**Purpose:** To rezone the subject property from RU1 - Large Lot Housing zone to the RU1s Large Lot Housing with Secondary Suite zone to legalize a secondary suite within a single family dwelling.

**Existing Zone:** RU1 - Large Lot Housing zone

**Proposed Zone:** RU1s- Large Lot Housing with a Secondary Suite zone

Report Prepared by: Birte Decloux

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## 1.0 RECOMMENDATION:

THAT Rezoning Application No. Z10-0014 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 39, Section 26, Township 26, ODYD, Plan KAP52738, located at Fizet Avenue, Kelowna, BC, from the RU1 - Large Lot Housing zone to the RU1s Large 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;

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 RU1 - Large Lot Housing zone to the RU1s Large Lot Housing with a secondary suite zone to legalize a secondary suite within a single family dwelling.

## 3.0 BACKGROUND:

The applicant is seeking to rezone the site to legalize an existing secondary suite. An illegal suite investigation was conducted by Bylaw Services in October 2009, however, ownership of the property changed early 2010 and the suite is currently vacant.

A handwritten signature in the bottom right corner of the page.

The two bedroom suite has a 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 and accessed through sliding glass doors.

The proposed application meets the requirements of RU1s- Large Lot Housing with a secondary suite zone follows:

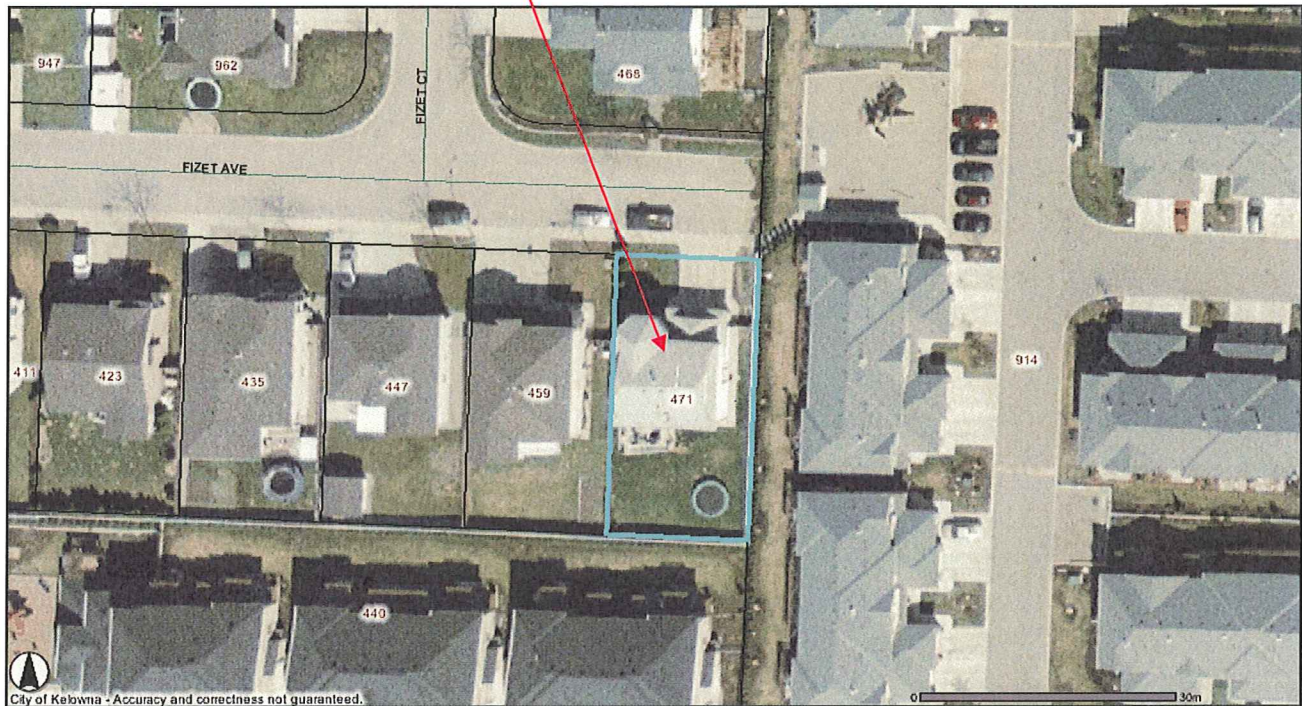
<b>Zoning Bylaw No. 8000</b>		
<b>CRITERIA</b>	<b>PROPOSAL</b>	<b>RU1s ZONE REQUIREMENTS (Suite within Principal Dwelling)</b>
<b>Subdivision Regulations</b>		
Lot Area	553 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width	16.8 m	16.5 m
Lot Depth	33 m	30.0 m
<b>Development Regulations</b>		
Site Coverage (buildings)	25 %	40%
Site Coverage (buildings/parking)	34.2 %	50%
Height (existing house)	2 storeys	2 ½ storeys / 9.5 m
Floor Area of principal dwelling	282 m <sup>2</sup>	
Floor Area of Secondary Suite / Size ratios	65 m <sup>2</sup> / 23%	In building can't exceed lessor of 90 m <sup>2</sup> or 40%
Front Yard	7.65 m	4.5 m
Side Yard (east)	2.3 m	4.5 m for flanking street
Side Yard (west)	2.35 m	2.0 m (1 - 1 ½ storey)
Rear Yard	14.5 m	7.5 m / 1.5 m for accessory buildings
<b>Other Requirements</b>		
Parking Stalls (#)	3 spaces	3 spaces
Private Open Space	meets requirements	30m <sup>2</sup> requirement

### 3.1 Site Context

The subject property is located on the south side of Fizet Avenue, Rutland. More specifically, the adjacent land uses are as follows:

North	RU1	Large Lot Housing
South	RM3	Low Density Multiple Housing
East	RM3	Low Density Multiple Housing
West	RU1	Large Lot Housing

### 3.2 Site Location: 471 Fizet Avenue



## 5.0 CURRENT DEVELOPMENT POLICY

The RU1s - Large Lot Housing 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

The subject property is connected to the Municipal wastewater collection system. The subject property is located within the Black Mountain Irrigation District (BMID). All charges and fees must be paid directly to BMID. Parking is provided on site.

6.2 Fire Department

Requirements of Section 9.36, Secondary Suites, of the BCBC 2006 are to be met. Fire separations are required between the suite and the main home as per BCBC 2006.

6.3 Building & Permitting Branch

Building permit required. All British Columbia Building Code requirements must be adhered to.

6.4 Bylaw Services

An illegal suite investigation is open against the property (this investigation file pertained to the previous owner, but remains open.)


**7.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS**

This proposal allows for 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. Notably within the neighbourhood there are numerous properties with the secondary suite designation that are already well established.



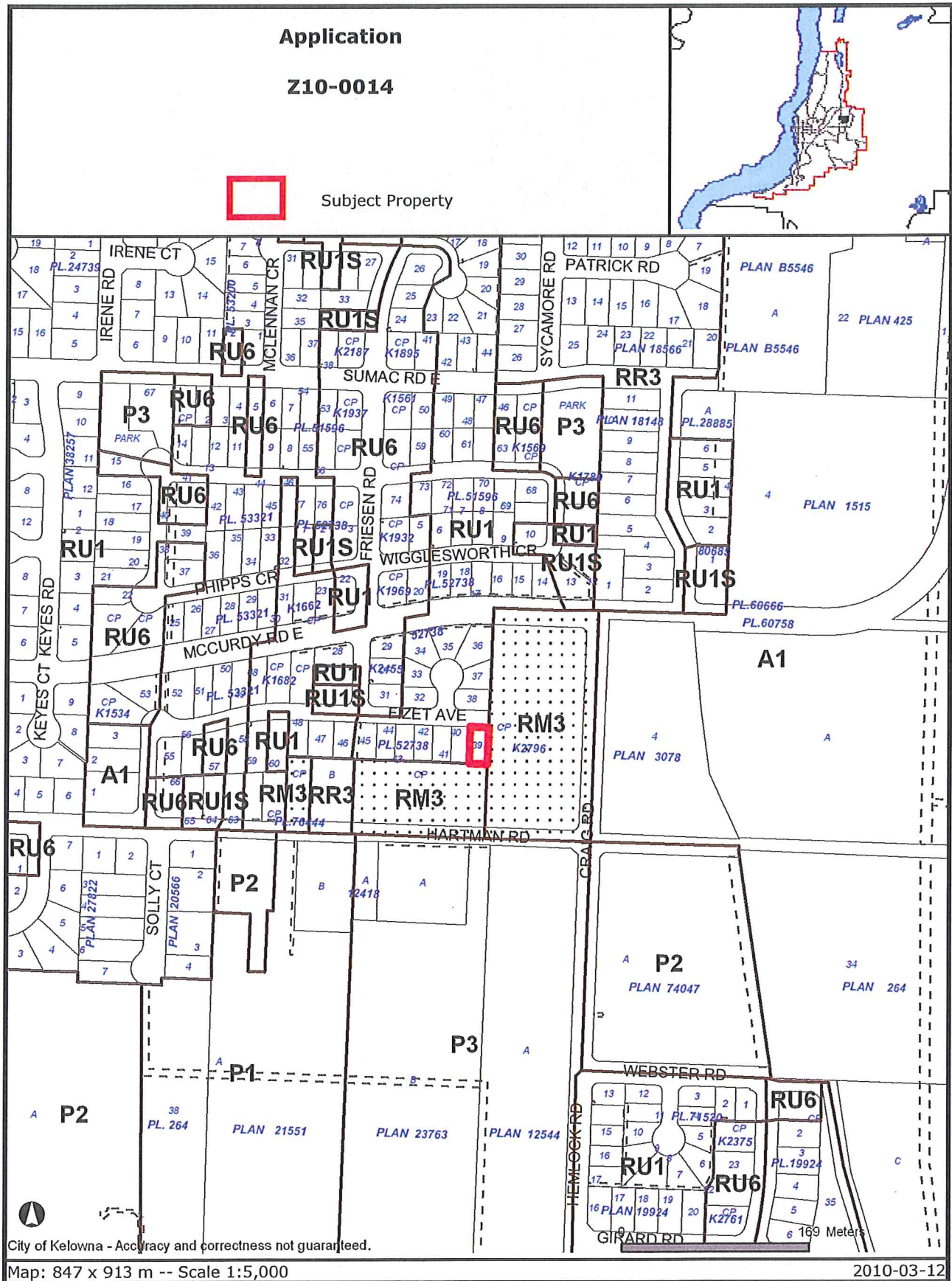
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Danielle Noble  
Manager, Urban Land Use

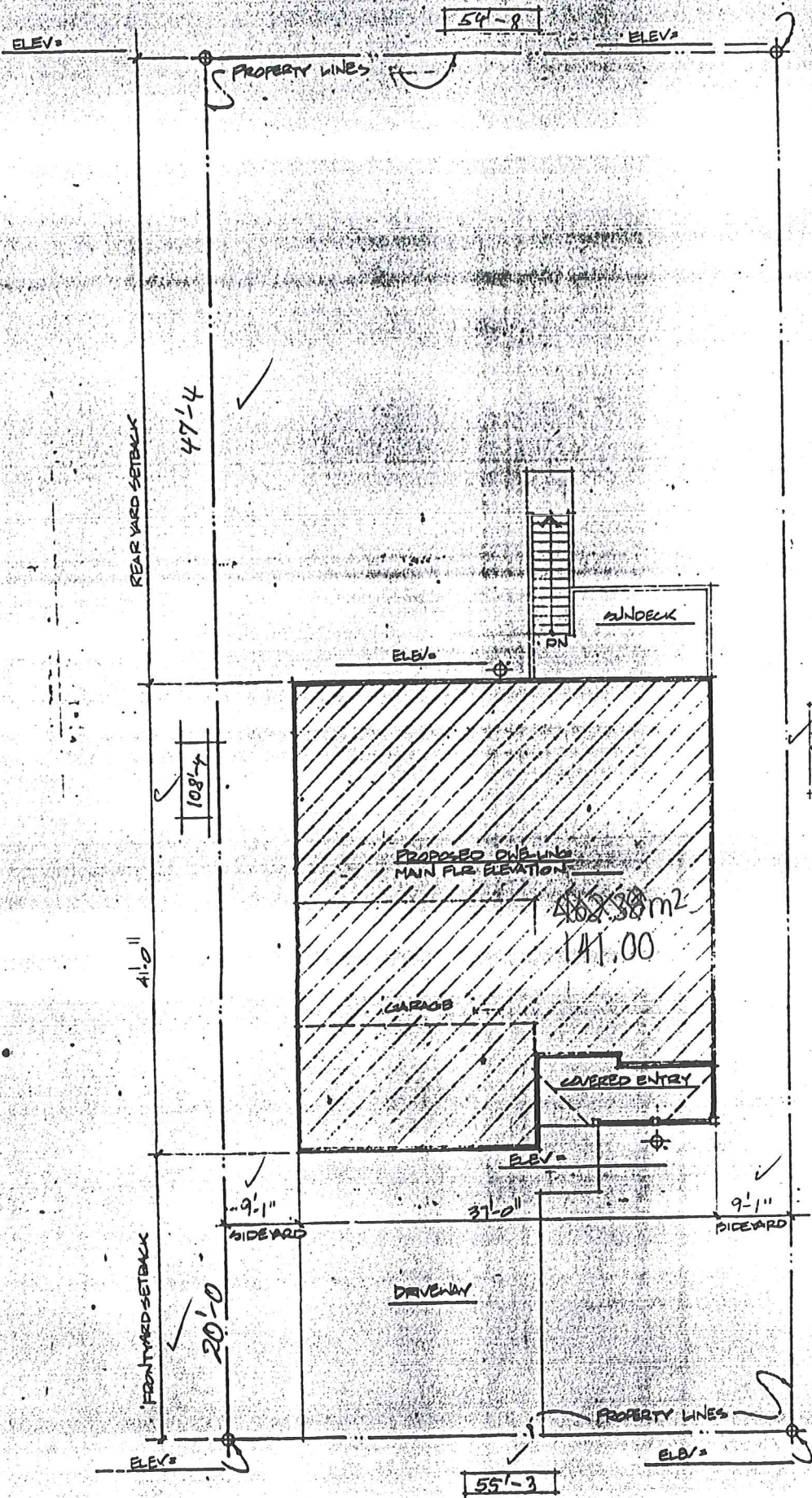
Approved for inclusion: 

Shelley Gambacort  
Director, Land Use Management

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- Attachments:**  
Subject Property Map  
Site Plan  
Suite Floor Plans  
Photo  
Elevation drawings



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.

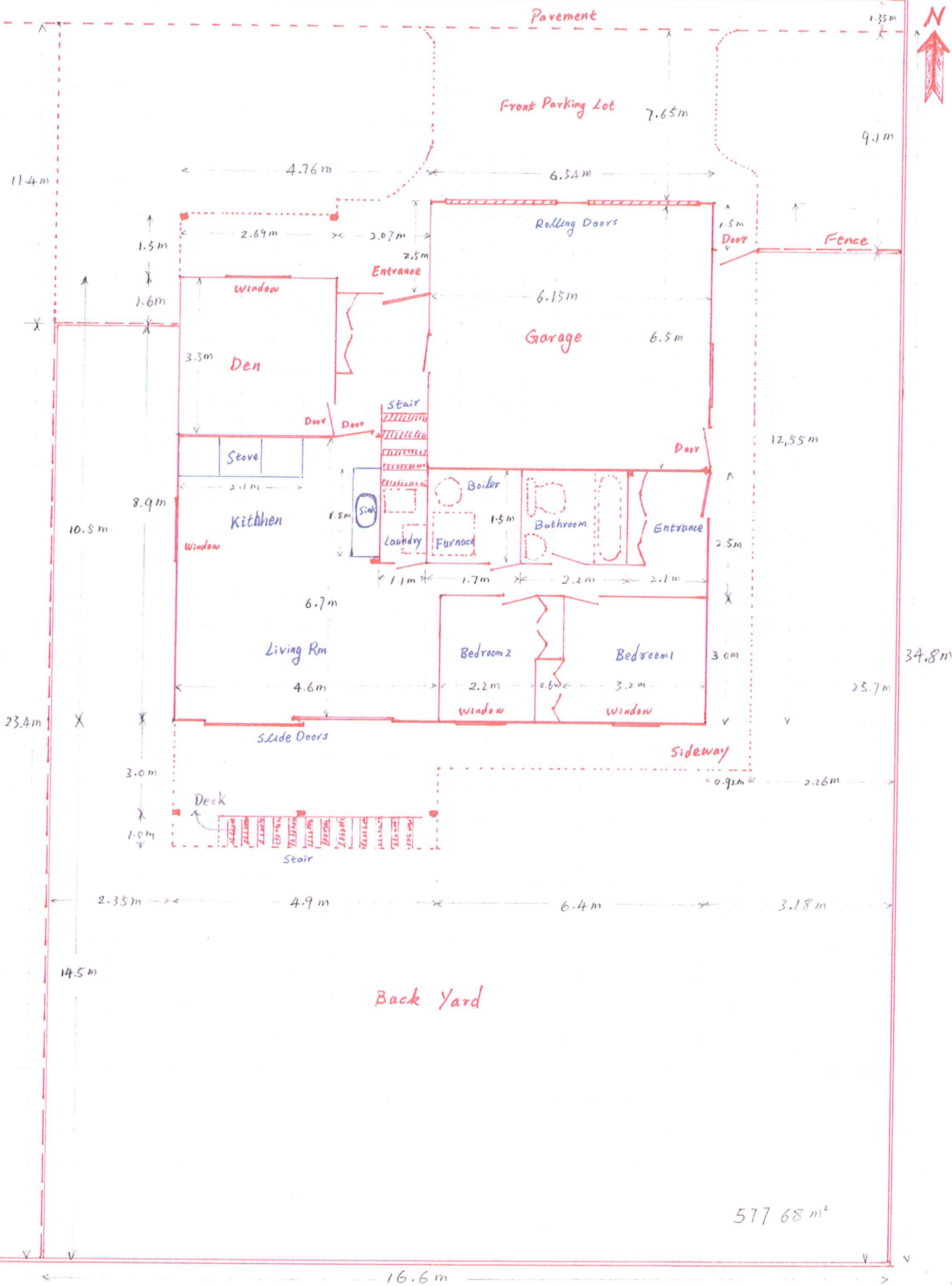


Lot Area = 553m<sup>2</sup> = 5952.66  
 Lot Coverage  
 Actual 1517.14

STREET = FIZET AVÉ.



Fizet Ave.



**House @ 471 Fizet Ave., Kelowna, BC V1X 7P8**



**Front View (Building)**



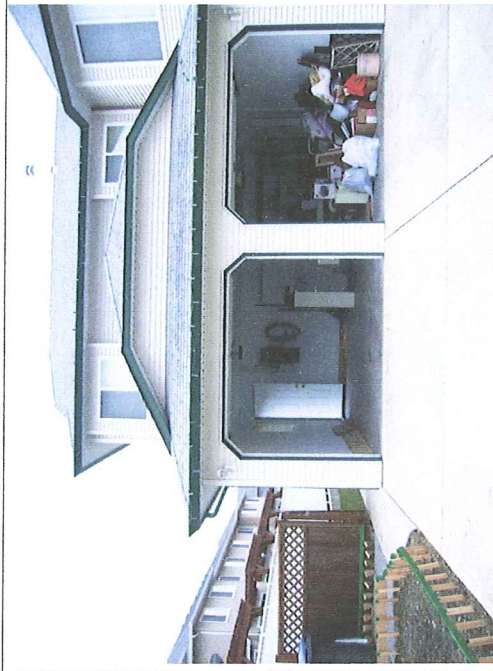
**Left Fence Door**



**Left Entrance**



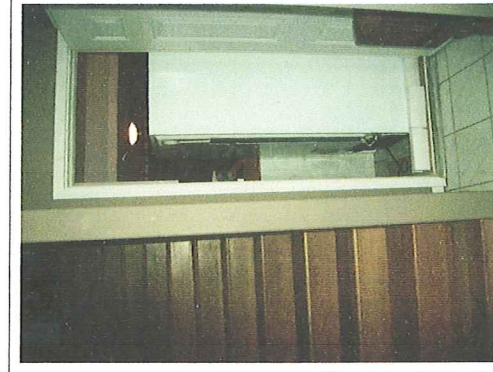
**Basement Entrance and Garage Side Door**



**Garage**



**Front Entrance**





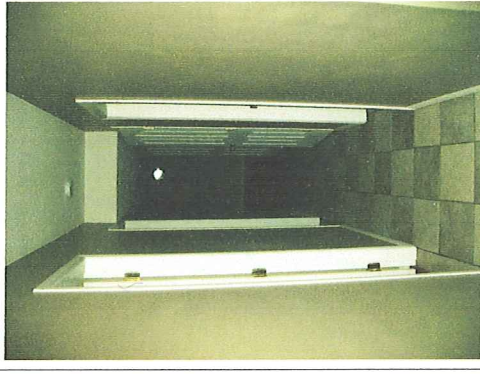

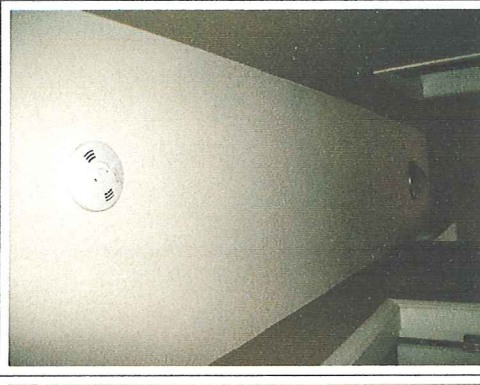


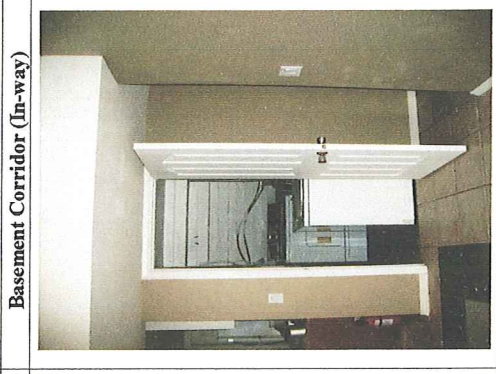


**Stair to Upstairs and Side Door to Basement**



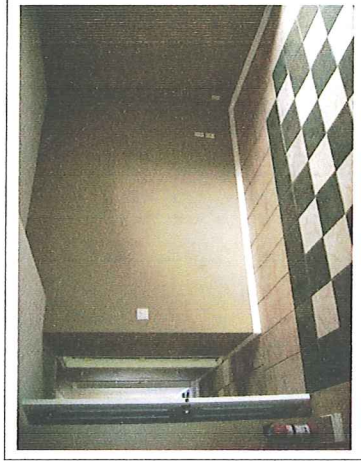
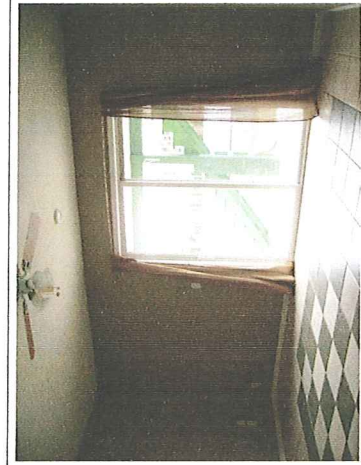
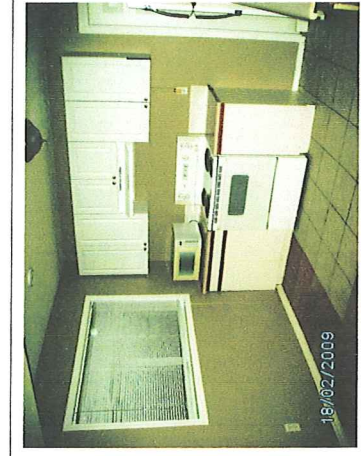
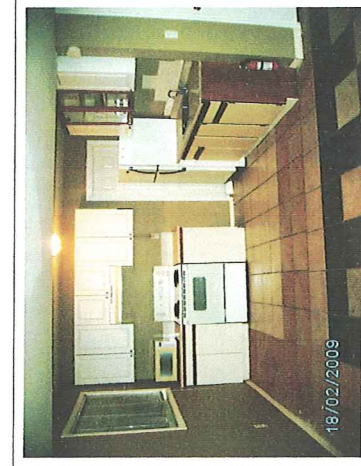

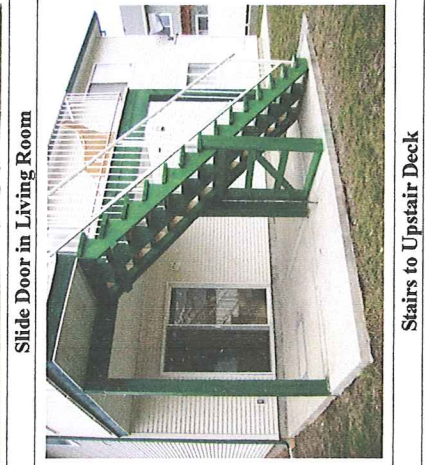
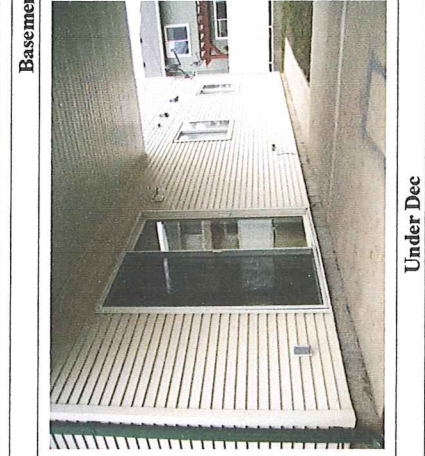

**Left Side Rear View of Entrance to Basement**



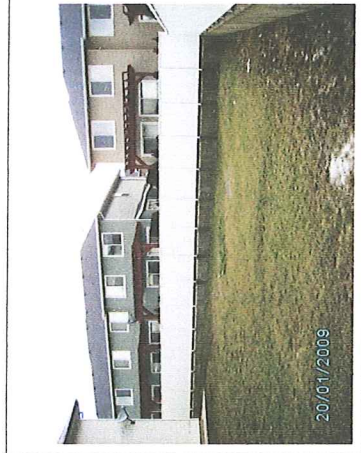
**Basement Bed Rooms, Bath Room, Laundry Room and Furnace & Boiler Room**

				
				
<p><b>Basement Door</b></p>	<p><b>Furnace and Boiler</b></p>	<p><b>Basement Corridor (In-way)</b></p>	<p><b>Basement Corridor (Out-way)</b></p>	<p><b>Basement Smoke Detector</b></p>
<p><b>Bathroom</b></p>	<p><b>Furnace and Boiler</b></p>	<p><b>Laundry Room</b></p>	<p><b>Bedroom #1</b></p>	<p><b>Bedroom #2</b></p>

**Basement Kitchen, Living Room, Deck and Yard**

			
<p><b>Living Room</b></p> 	<p><b>Slide Door in Living Room</b></p> 	<p><b>Basement Kitchen</b></p> 	<p><b>Basement Kitchen</b></p> 
<p><b>Rear View (Building)</b></p>	<p><b>Stairs to Upstair Deck</b></p>	<p><b>Under Dec</b></p>	<p><b>Right Side Rear View of Building</b></p>

**Surrounding Buildings of the House**



Left Side of Back Yard



Rear of Back Yard



Right Side of Back Yard



Front Left Side



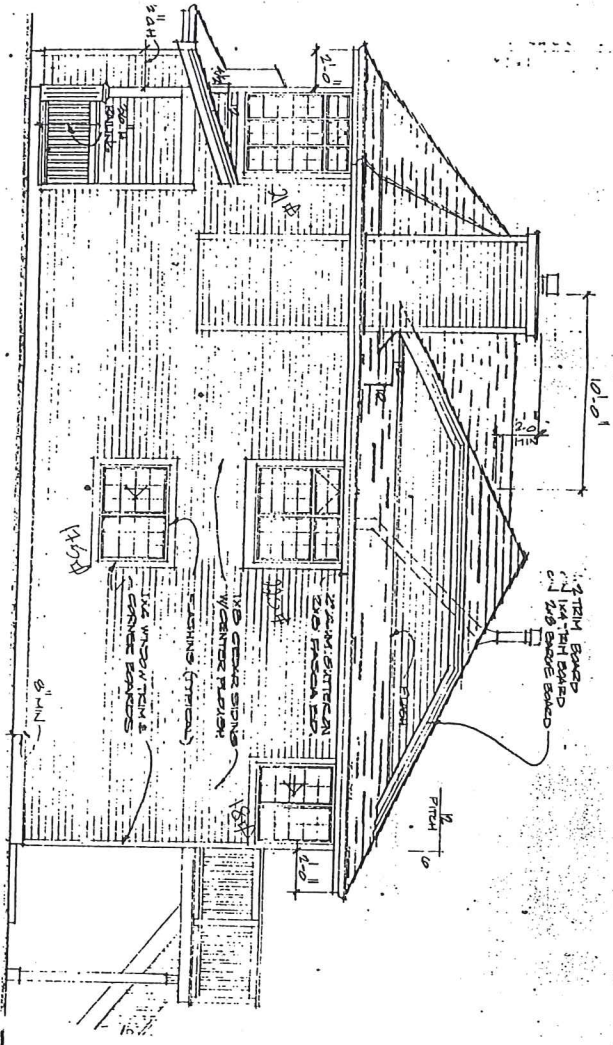
Front Way and Opposite Building





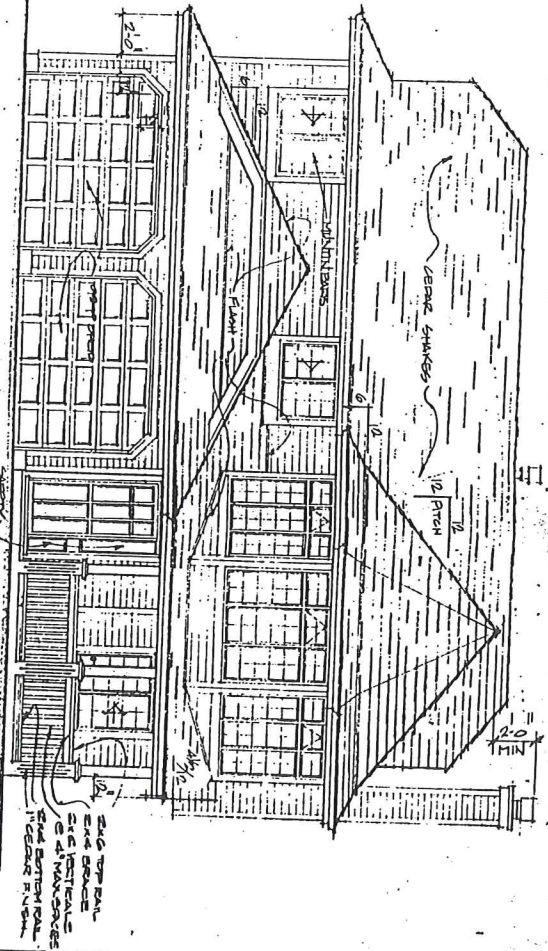
PROJECT B VASH  
 15 PARK RIDGE C  
 45° NW

RIGHT ELEVATION



46' 7 1/2"  
 10' 9 1/2" x 2 1/4"  
 31' 8 1/2"  
 338  
 672' x 158' =  
 019, 971' = 85' 4"

FRONT ELEVATION



Side top rail  
 side panel  
 side bottom rail  
 side bottom panel  
 side bottom rail  
 side bottom panel