

# Memo



**Date:** April 8, 2010

**To:** City Manager

**From:** Community Sustainability Division

**File No:** Z10-0009

**Applicant:** Ray Bhatti

**At:** 287 Kneller Road

**Owner(s):** Jang Bhatti & Raj Bhatti

**Purpose:** To rezone the subject property from RU2 - Medium Lot Housing zone to the RU2s Medium Lot Housing with a secondary suite zone to legalize a secondary suite within a single family dwelling.

**Existing Zone:** RU2 - Medium Lot Housing zone

**Proposed Zone:** RU2s- Medium Lot Housing with a Secondary Suite zone

Report Prepared by: Birte Decloux

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## 1.0 RECOMMENDATION:

THAT Rezoning Application No. Z10-0009 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 1, Section 26 and 27, Township 26, ODYD, Plan KAP61888, located at Kneller Road, Kelowna, BC, from the RU2 - Medium Lot Housing zone to the RU2s Medium 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 RU2 - Medium Lot Housing zone to the RU2s Medium Lot Housing with a secondary suite zone to legalize a secondary suite within a single family dwelling.

## 3.0 BACKGROUND:

Bylaw services are investigating the subject property for an illegal secondary suite. The existing one bedroom suite is modest in size with a very open floor plan. Private open space is achieved at the entrance to the suite under the deck of the principal dwelling. Limited lighting is provided to ensure the safety of the tenant.

A handwritten signature in blue ink, located at the bottom right of the page.

The proposed application meets the requirements of RU2s- Medium Lot Housing with a Secondary Suite zone follows:

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	RU2(s) ZONE REQUIREMENTS (FOR SECONDARY SUITE)
Subdivision Regulations		
Lot Area	555 m <sup>2</sup>	400 m <sup>2</sup>
Lot Width	19.8 m	13 m
Lot Depth	28.4 m ①	30 m
Development Regulations		
Site Coverage (buildings)	20.5 %	40 %
Site Coverage (buildings/parking)	30.8%	50 %
Height	8.05 m / 2 storey	9.5m or 2 ½ storeys
Front Yard	6.41 m	4.5 m or 6.0 m to a garage
Side Yard (north)	4.9 m	1.8 for 2 - 2 ½ storey
Side Yard (south)	3.92 m	1.8 for 2 - 2 ½ storey
Rear Yard	8.76 m	7.5 m (2 - 2 ½ storey)
Floor area	Suite: 50.6 m <sup>2</sup> / 24% House: 210 m <sup>2</sup>	Lessor of 90 m <sup>2</sup> or 40% of total floor area of principal building
Other Requirements		
Parking Stalls (#)	3 spaces	3 spaces
Private Open Space	meets requirements	30 m <sup>2</sup> of private open space per dwelling

① Existing non-conforming lot depth.

### 3.1 Site Context

The subject property is located on the east side of Kneller Road in Rutland. More specifically, the adjacent land uses are as follows:

North	RU2	Medium Lot Housing
South	RU2	Medium Lot Housing
East	RU2	Medium Lot Housing
West	RU2	Medium Lot Housing



### 3.2 Site Location: 287 Kneller Road



## 5.0 CURRENT DEVELOPMENT POLICY

The RU2s - 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 located within the Black Mountain Irrigation District (BMID). All charges and fees must be paid directly to BMID.

The subject property is connected to the Municipal wastewater collection system. Parking is provided on site.

### 6.2 Building and Permitting Branch

Building permit required. Development cost charges are to be reviewed at time of building permit.

### 6.3 Fire Department

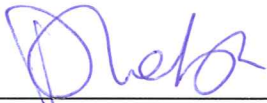
Requirements of Section 9.36, Secondary Suites, of the BCBC 2006 are to be met. Fire separations are required between the suite and the main home as per BCBC 2006.

### 6.4 Bylaw Services

Bylaw Services has an open Service Request for an illegal suite at this location. File was generated on January 26, 2010, and remains open to this date.

## 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.



Danielle Noble  
Manager, Urban Land Use

Approved for inclusion:



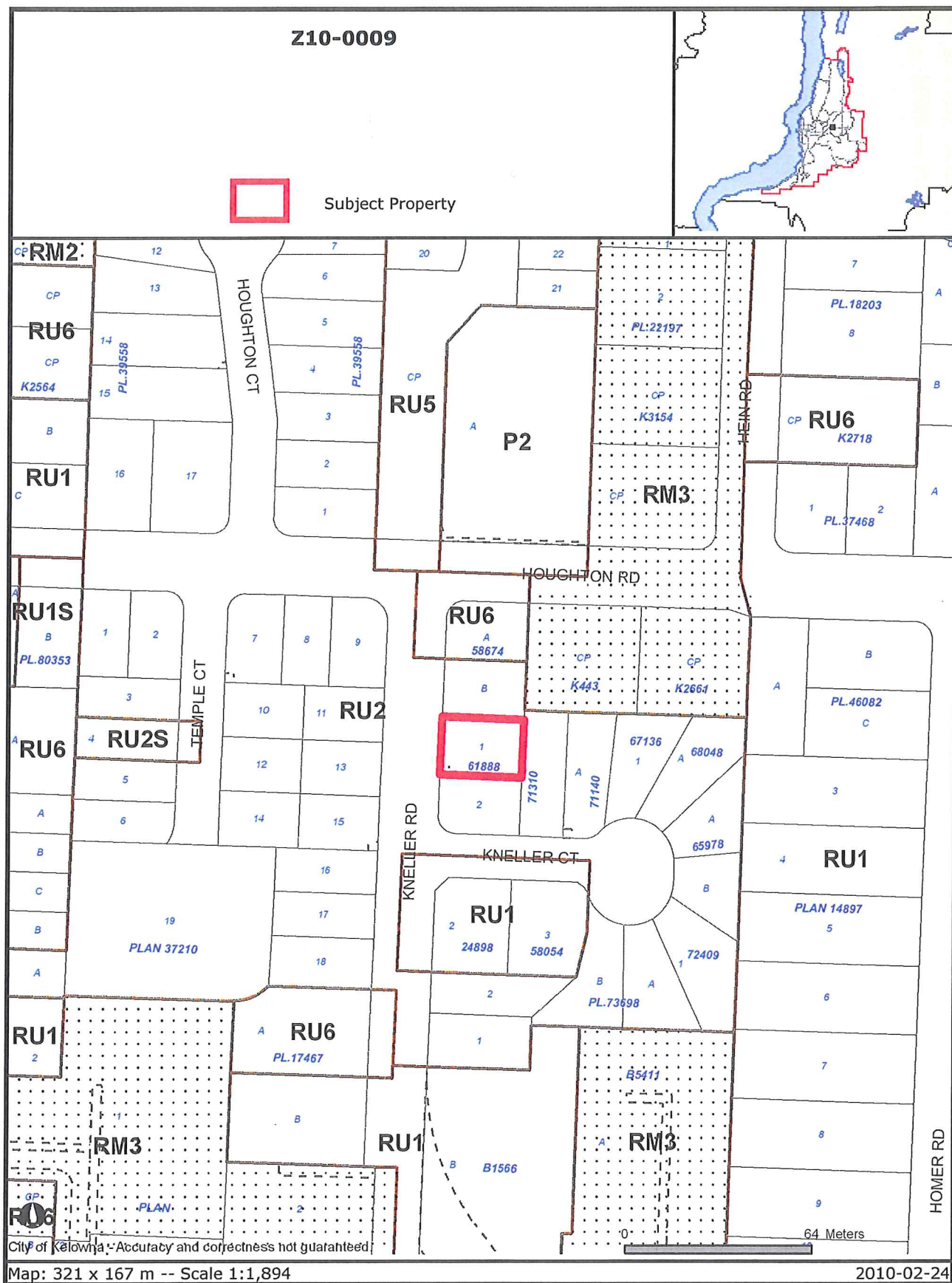
Shelley Gambacort  
Director, Land Use Management

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#### Attachments:

Subject Property Map  
Site Plan  
Suite Floor Plans  
Photo



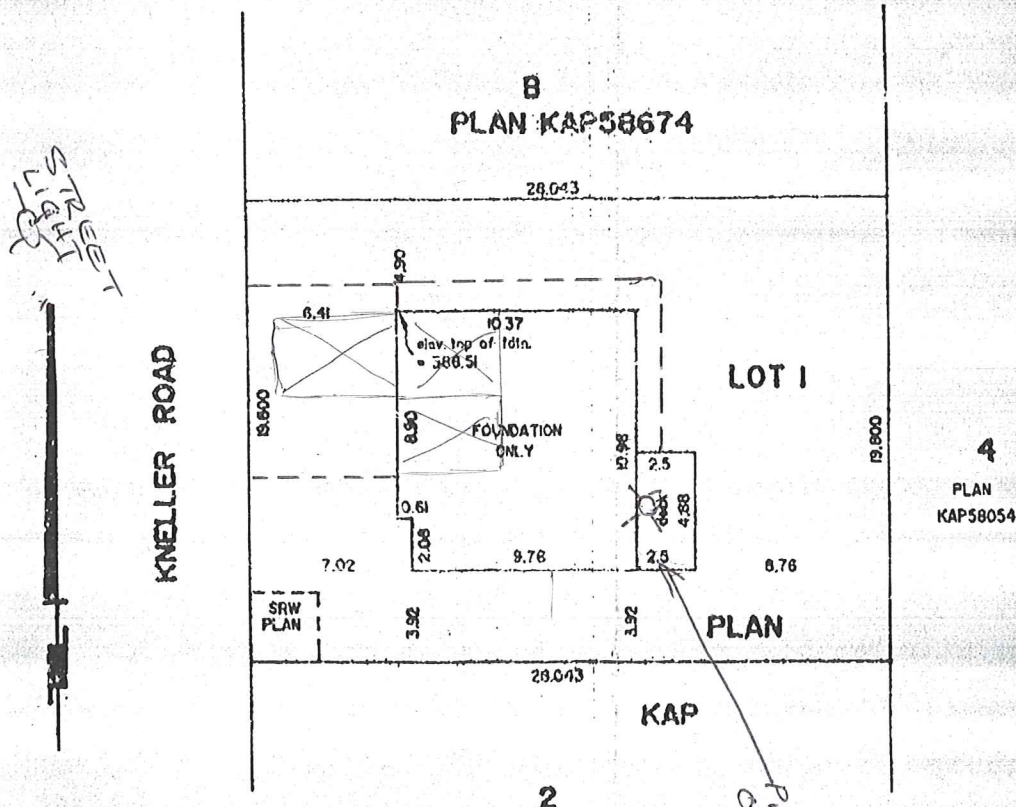


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.



# B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION ON LOT 1, PLAN KAP , SEC. 27, TP. 26, O.D.Y.D.

(BEING PART OF LOT 4, PLAN KAP58054)

 287 KNELLER ROAD  
287


## RECEIVED

 MAY 11 1998  
CITY OF KELOWNA  
Building Dept

 I HEREBY CERTIFY THAT THE ABOVE SKETCH  
SHOWS THE REGISTERED DIMENSIONS OF THE  
ABOVE DESCRIBED PROPERTY AND THE RELATIVE  
LOCATION OF THE BUILDINGS THEREON.

MAY 11 1998

1998

  
T.E. Ferguson  
B.C.L.S., C.L.S.

 THIS DOCUMENT IS NOT VALID UNLESS  
ORIGINALLY SIGNED AND SEALED

 THIS PLAN IS FOR THE USE OF THE BUILDING  
INSPECTOR AND/OR MORTGAGEE ONLY AND  
IS NOT TO BE USED FOR RE-ESTABLISHMENT  
OF PROPERTY BOUNDARIES

**T.E. Ferguson Land Surveying Ltd.**

 B.C. AND CANADA LAND SURVEYORS  
216-1628 RICHTER STREET, KELOWNA, B.C.  
TELEPHONE: (250) 763-3115  
FAX: (250) 763-0321

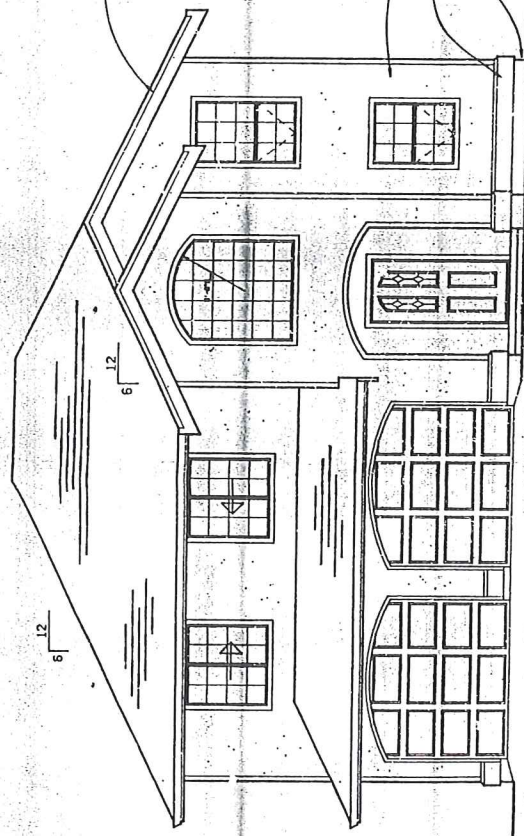
SCALE: 1:250 METRES

FILE: 13661

CLIENT: TONY DELAUNIER CONSTRUCTION

Bp.13515





FRONT ELEVATION

2x10 BARGE BOARD  
1x4 TRIM BOARD

CONT. ALUM FASCIA  
GUTTER

STUCCO

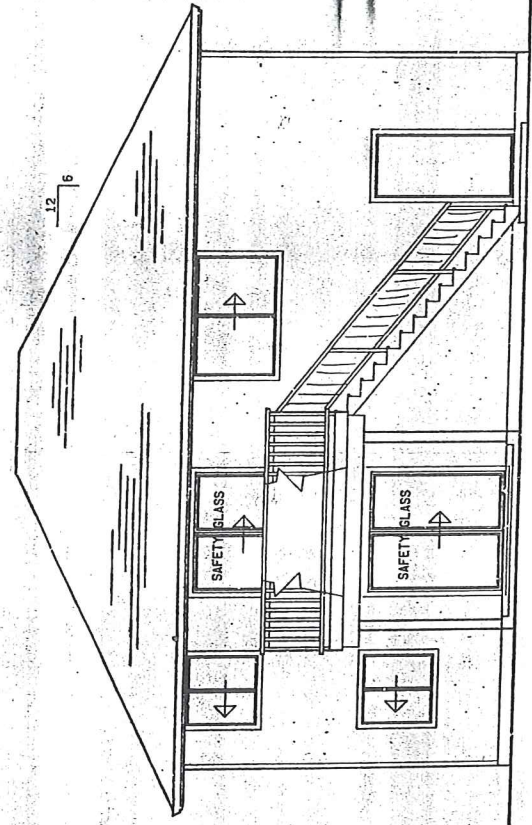
2x10 TRIM BRD

8" CONC CLEAR

ASSUMED GRADE

VENT FOR  
GAS FIREPLACE

4" CONC PATIO  
TO OWNERS SPECS



REAR ELEVATION

SAFETY GLASS

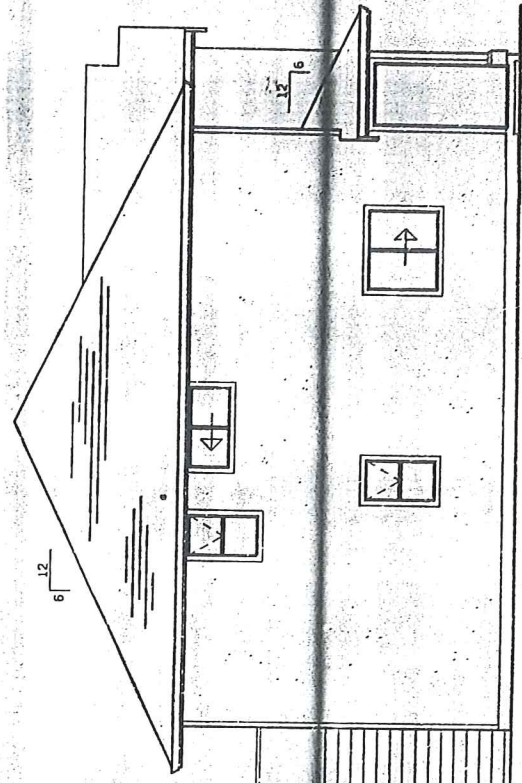
SAFETY GLASS

42" RAILING  
4" MAX. SPACE

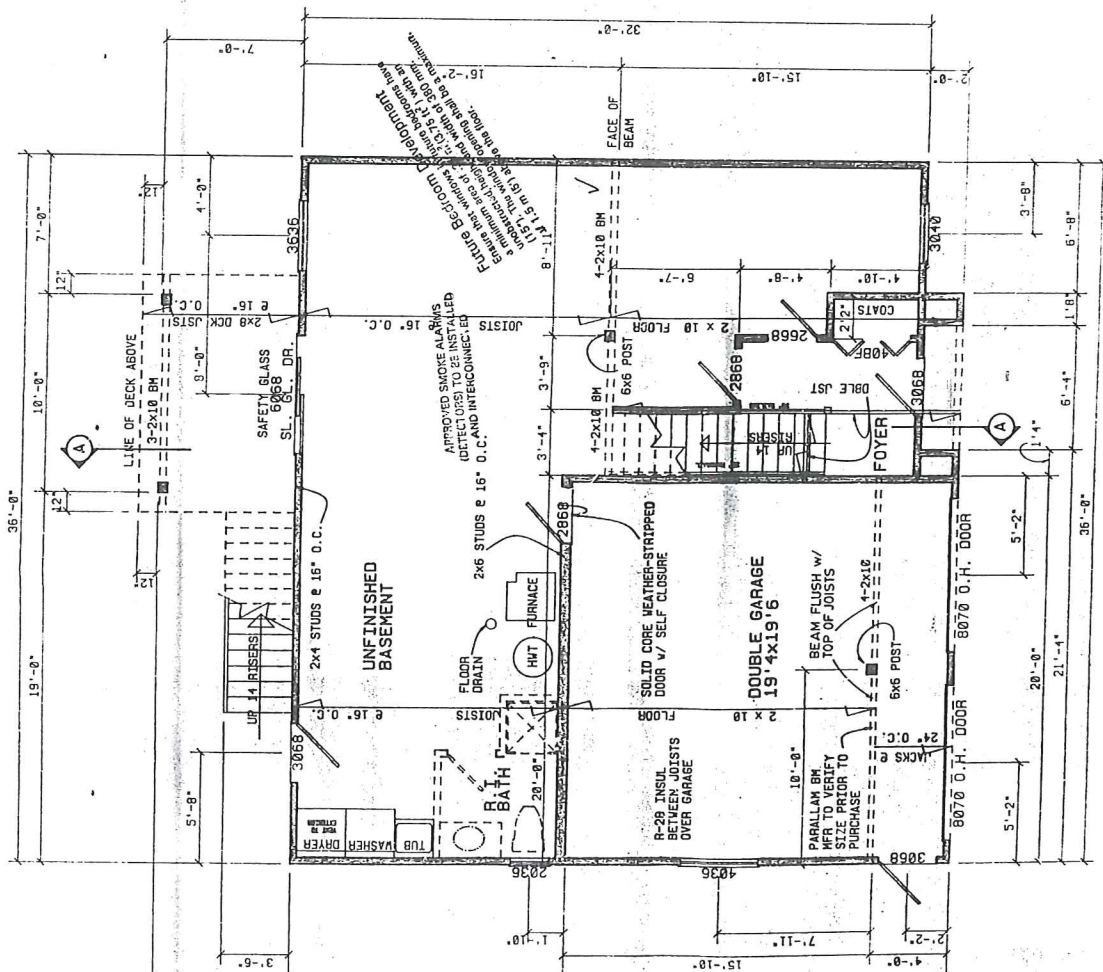
3-2x10

5x6 POST

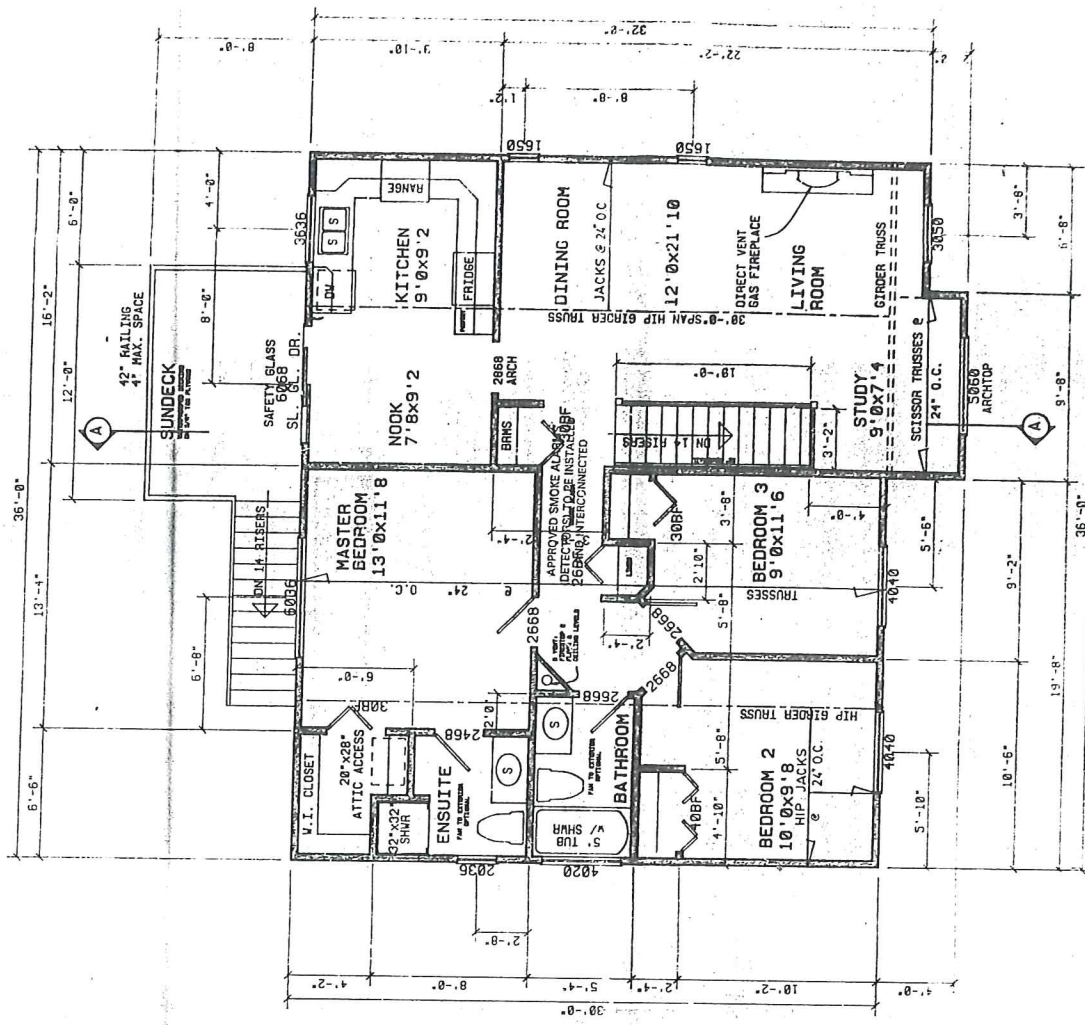
FLASH ALL UNPROTECTED OPENINGS



RIGHT ELEVATION

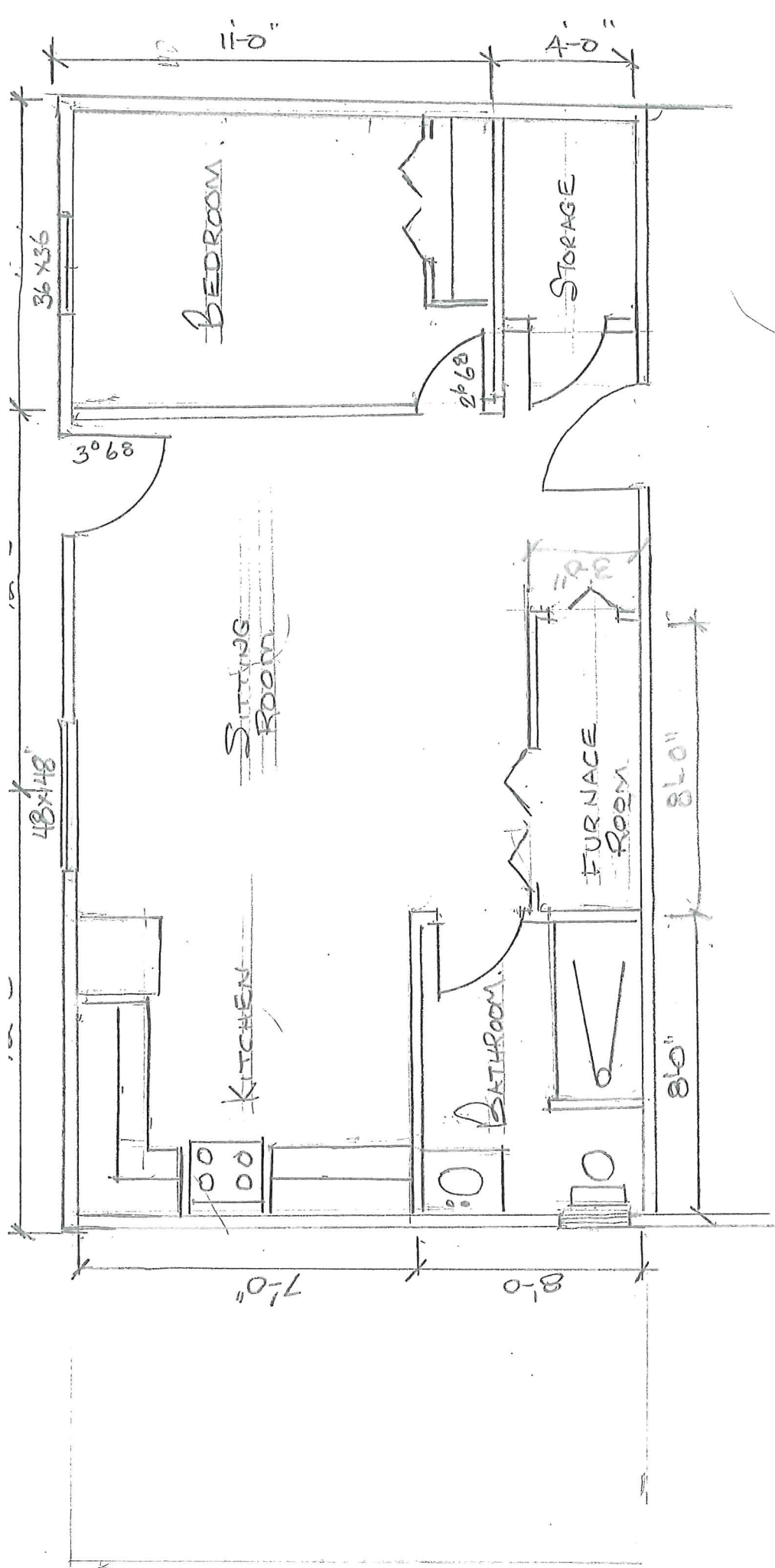


# BASEMENT PLAN



MAIN FLOOR PLAN 1132 SQ. FT.





J.B. BHATTI  
287 KNELLER RD  
LOT 1 PLAN 61888  
KELOWNA

BASEMENT SUITE

