

Memo



Date: April 16, 2010

To: City Manager

From: Community Sustainability Division

File No: Z10-0018

Applicant: Axel Hilmer

At: 729 Renshaw Road

Owner(s): Sarabjit & Kuldeep Buttar

Purpose: To rezone the subject property from 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.

Existing Zone: RU1 - Large Lot Housing zone

Proposed Zone: RU1s- Large Lot Housing with a secondary suite zone

Report Prepared by: Birte Decloux

1.0 RECOMMENDATION:

THAT Rezoning Application No. Z10-0018 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 5, District Lot 143, ODYD, Plan KAP76112, located at Renshaw Road, 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 an occupancy permit is issued 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 application for rezoning was made in response to a bylaw investigation. A large home constructed in 2005 occupies the subject property. There are several examples of properties containing the "s" designation in the immediate vicinity.

The two bedroom suite is compact. It has two accesses, the primary one on the west side of the single family dwelling and another which leads out to the private open space.

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

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS (Suite within Principal Dwelling)
Subdivision Regulations		
Lot Area	580.3 m ²	550 m ²
Lot Width	17.18 m	16.5 m
Lot Depth	33.76 m	30.0 m
Development Regulations		
Site Coverage (buildings)	26 %	40%
Site Coverage (buildings/parking)	46 %	50%
Height (existing house)	2 storeys/ 8 m	2 ½ storeys / 9.5 m
Floor Area of principal dwelling	300 m ²	
Floor Area of Secondary Suite / Size ratios	76 m ² / 25%	In building can't exceed lessor of 90 m ² or 40%
Front Yard	7.0 m	4.5 m
Side Yard (north)	2.33 m	2.3 m (2 storey)
Side Yard (south)	2.34 m	2.3 m (2 storey)
Rear Yard	9.39 m	7.5 m
Other Requirements		
Parking Stalls (#)	4 spaces	3 spaces
Private Open Space	meets requirements	30m ² requirement

3.1 Site Context

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

North	RU1 - Large Lot Housing - Residential
East	RU1 - Large Lot Housing
South	RU1 - Large Lot Housing
West	RU1 - Large Lot Housing

3.2 Site Location: 729 Renshaw Road



4.0 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.

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

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

5.1 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.

5.2 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.

5.3 Building and Permitting

Building permit required. Open building permit BP31023 should be addressed. Development cost charges are to be reviewed at time of building permit application.


5.4 Bylaw Services

Bylaw Services has an open Illegal Suite file, #141655, which was generated on April 14, 2009 and still remains open to date.

6.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

This rezoning application is one of many on a Renshaw Road in direct response to bylaw investigations. Several recent rezoning applications to the "s" designation have been successful within the neighbourhood.

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:

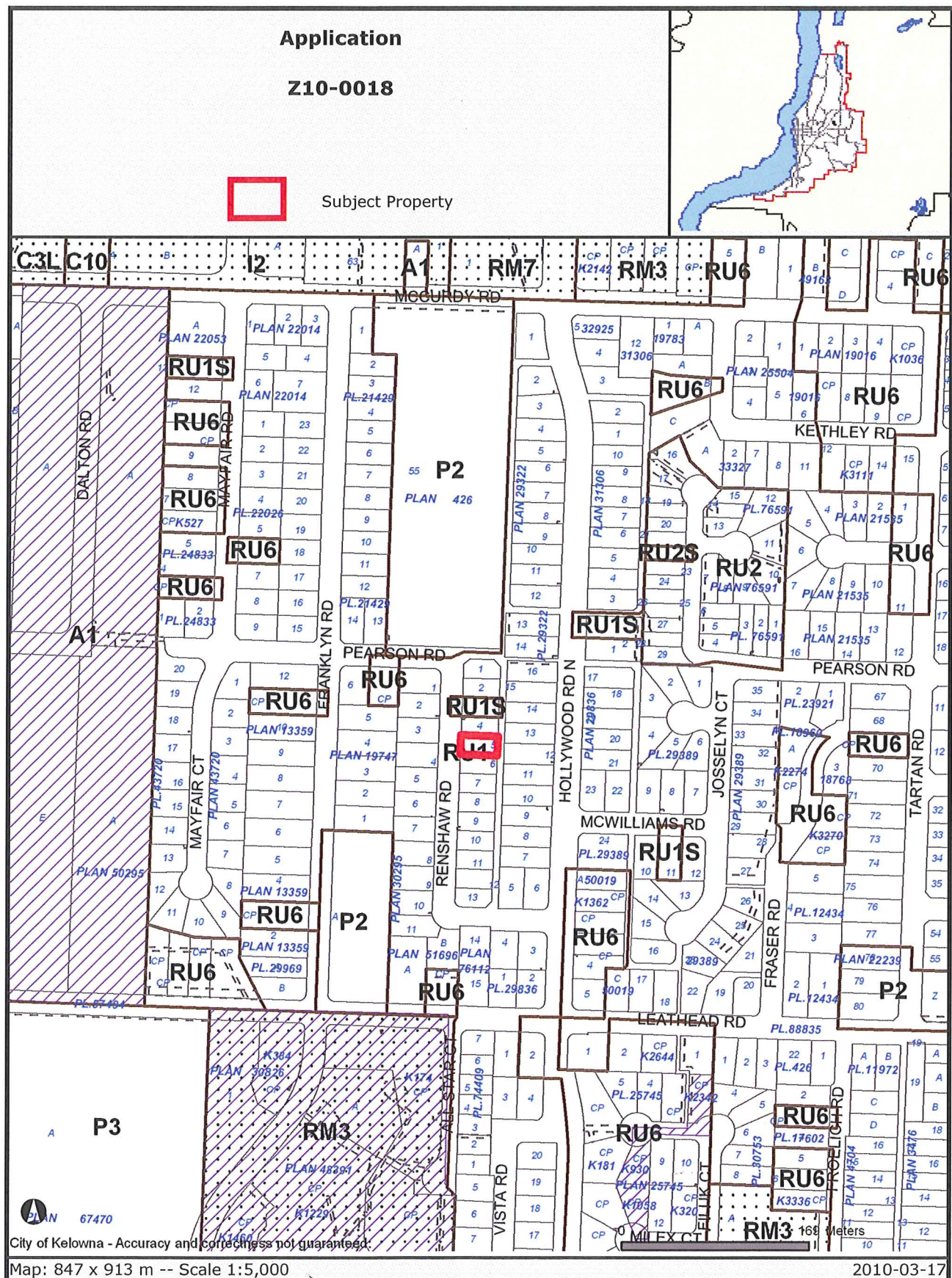


Shelley Gambacort
Director, Land Use Management

Attachments:

Subject Property Map
Site Plan
Suite Floor Plans
Photo

Date Application Accepted
March 17, 2010



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.



FRONT RIGHT ELEV.



FRONT-LEFT ELEV.

B.C. LAND SURVEYOR'S CERTIFICATE

ON LOT 5, PLAN KAP76112,
DISTRICT LOT 143, O.D.Y.D.

SCALE 1:250 All distances are in metres.

CIVIC ADDRESS: 729 RENSHAW ROAD

CLIENT : A1 HOME BUILDERS

FILE No : 11700_SC_5

FB/PG : IN FILE

ELEVATIONS ARE ASSUMED GEODETIC AND ARE
TAKEN FROM CITY OF KELOWNA LOT GRADING PLAN.
ELEVATIONS ARE TO TOP OF FOUNDATION WALL. ✱

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED
AND SEALED.

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NO PERSON MAY COPY OR ALTER THIS CERTIFICATE WITHOUT
PRIOR CONSENT OF RUNNALLS DENBY.

THE DIMENSIONS SHOWN ON THIS CERTIFICATE ARE NOT TO
BE USED TO DEFINE PROPERTY BOUNDARIES.

Certified correct this 26th day of May, 2005.

NEIL R. DENBY

B.C.L.S.

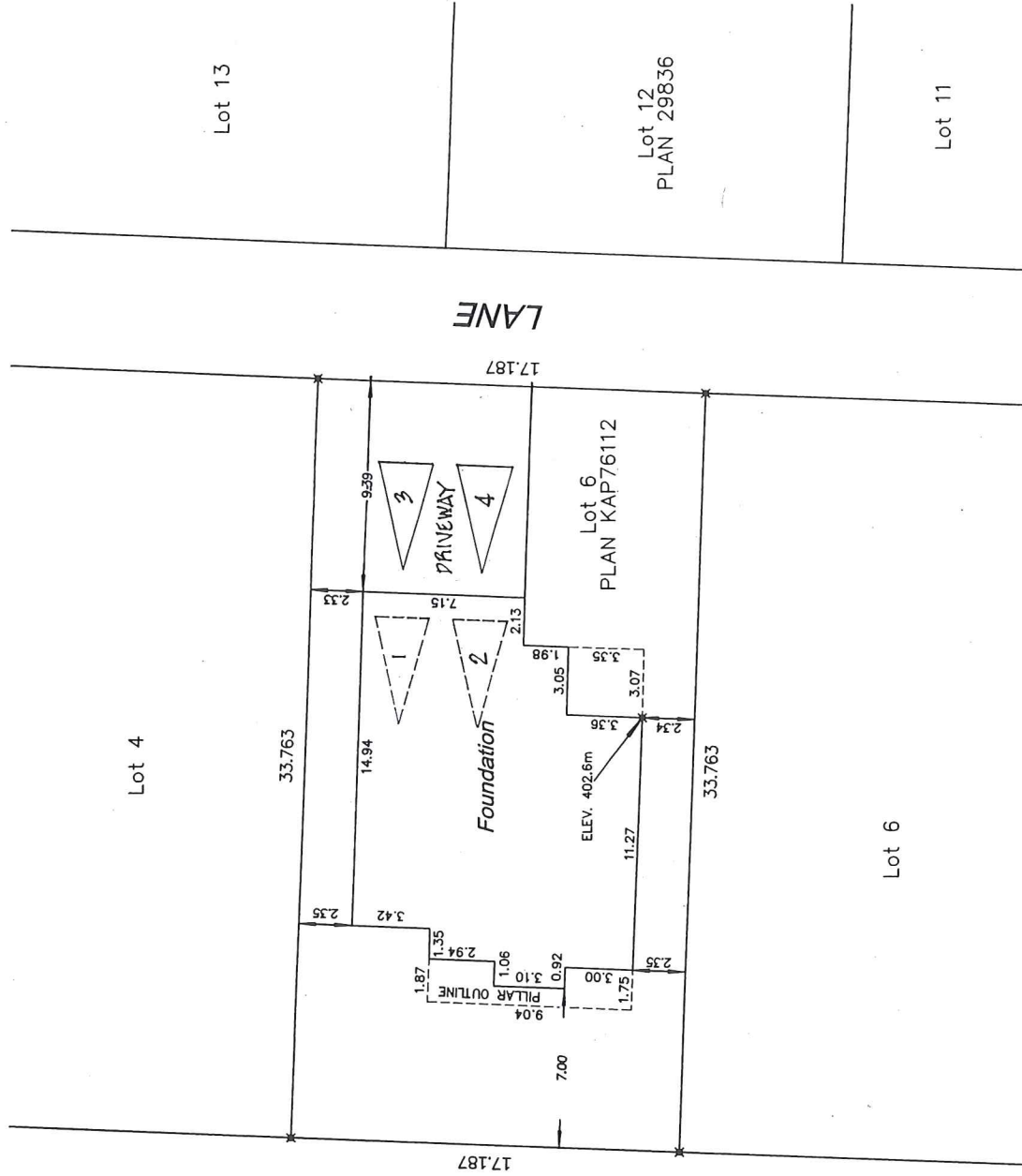
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british columbia land surveyors

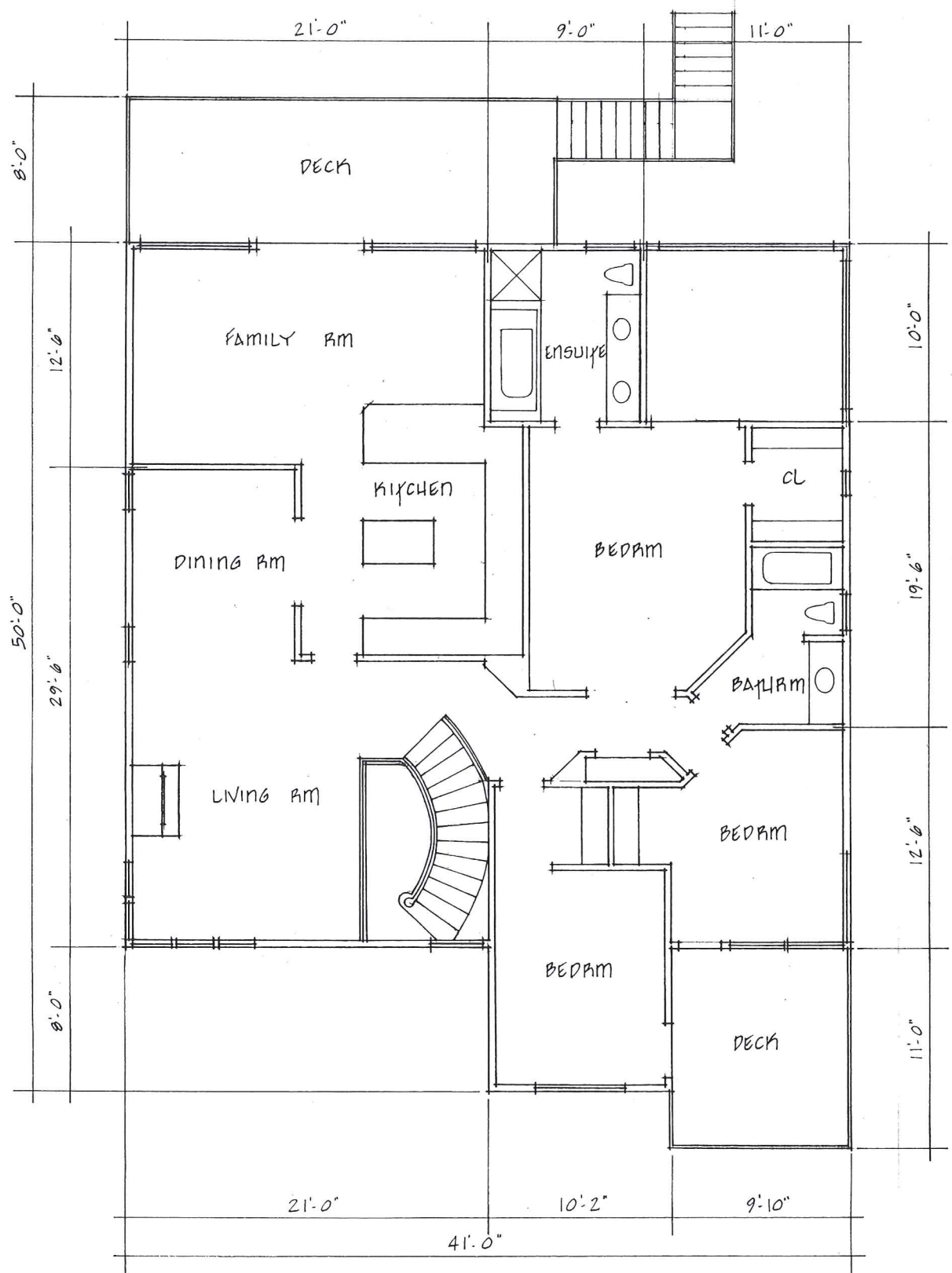
#2-1470 Water Street Phone: (250)763-7322
Kelowna, B.C. Fax: (250)763-4413
V1Y 1J5 Email: denby@telus.net



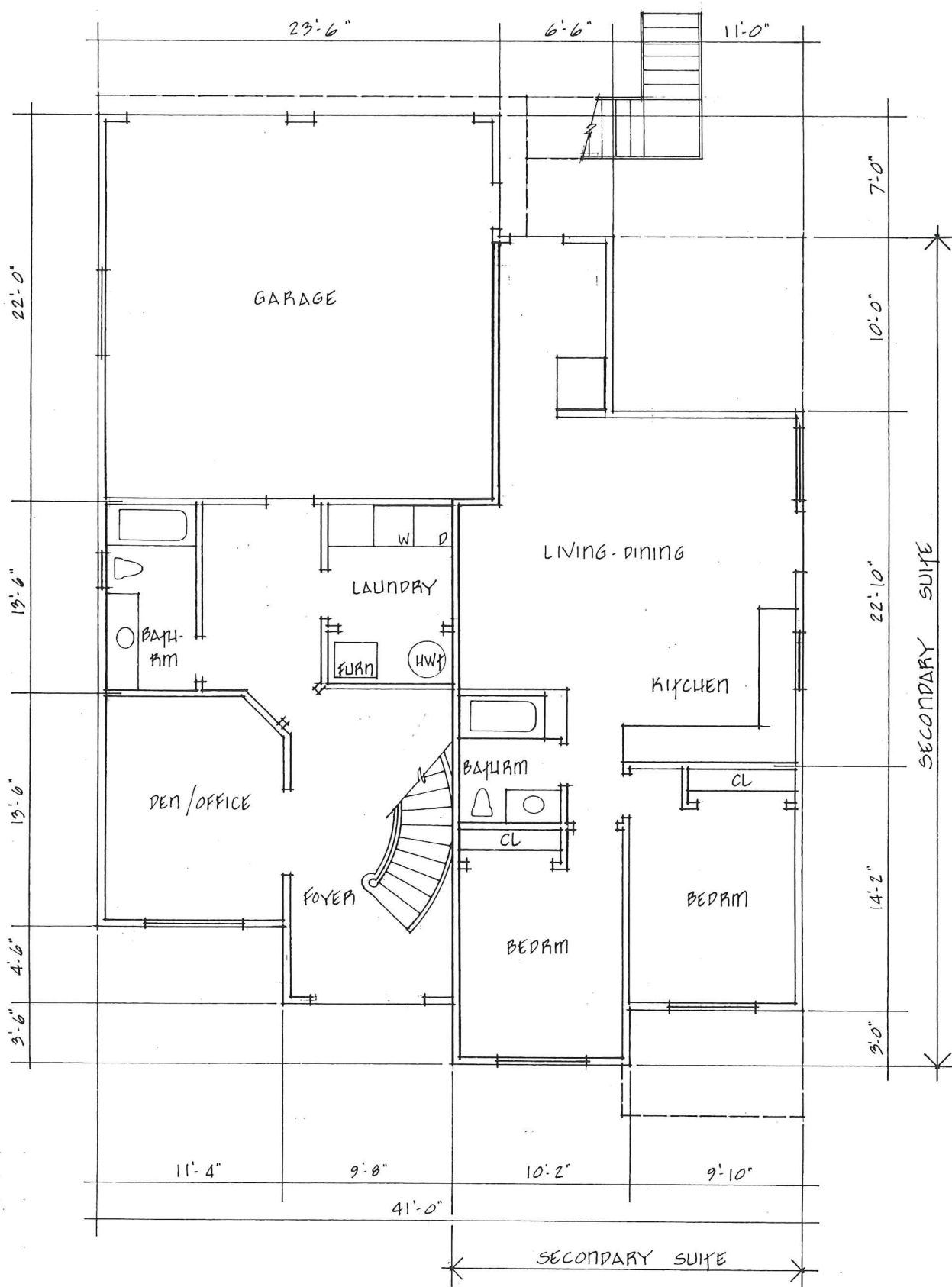
RENSHAW ROAD



SITE PLAN



MAIN FL.



GROUND FL.