

Memo



Date: April 15, 2010

To: City Manager

From: Community Sustainability Division

File No: Z10-0019

Applicant: Swaranjit Punia

At: 650 Wayne Road

Owner(s): Swaranjit & Harbant Punia

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. Z10-0019 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 2, Section 22, Township 26, ODYD, Plan KAP58290, located at Wayne 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 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 discharge of the single dwelling restrictive covenant.

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:

Bylaw services has an active file for 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. Motion sensor lighting is provided to ensure the safety of the tenant. Adequate of suite parking is provided on a gravelled area to the west of the single family dwelling.

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	830 m ²	550 m ²
Lot Width	24 m	16.5 m
Lot Depth	34.5 m	30.0 m
Development Regulations		
Site Coverage (buildings)	18 %	40%
Site Coverage (buildings/parking)	24.25 %	50%
Height (existing house)	2 storeys /6.55 m	2 ½ storeys / 9.5 m
Floor Area of principal dwelling	250 m ²	
Floor Area of Secondary Suite / Size ratios	52.5 m ² /21 %	In building can't exceed lessor of 90 m ² or 40%
Front Yard	6.18 m	4.5 m
Side Yard (west)	8.18 m	2.3 m (2 storey)
Side Yard (east)	3.05 m	2.3 m (2 storey)
Rear Yard	16.04 m	7.5 m / 1.5 m for accessory buildings
Other Requirements		
Parking Stalls (#)	3 spaces	3 spaces
Private Open Space	meets requirements	30m ² requirement

3.1 Site Context

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

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

3.2 Site Location: 650 Wayne Road



4.0 CURRENT DEVELOPMENT POLICY

Kelowna 2020 - Official Community Plan

The subject property is designated as Single/Two Unit Residential in the Official Community Plan. Relevant policies are included below.

Housing Polices:

Infrastructure Availability¹. Give preference to supporting new housing in areas where required services already exist or can be provided most economically and efficiently;

Integration². Encourage the sensitive integration of different housing forms in the various sectors of the City, in support of neighbourhood diversity and healthy communities;

Secondary Suites³. Encourage, under the conditions stipulated in the Zoning Bylaw, the creation of secondary suites.

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 Rutland Waterworks District (RWD). All charges and fees must be paid directly to RWD. Parking is provided on site.

¹ Official Community Plan, Policy #8-1.30

² Official Community Plan, Policy #8-1.44

³ Official Community Plan, Policy #8-1.47

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 Bylaw Services

Bylaw Services has an illegal suite file, #158637, which was generated on December 7, 2009 and still remains open to date.

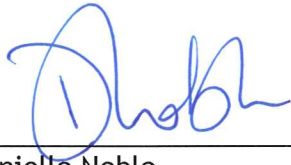
5.4 Building and Permitting Branch

Building permit required. Development cost charges are to be addressed at the time of building permit application.

6.0 **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.

Should Council approve this application a covenant restricting the site to one single family dwelling will need to be discharged. The covenant was implemented when this site was on a septic system, and now the dwelling is connected to the sewer system and the covenant is no longer required.



Danielle Noble
Manager, Urban Land Use

Approved for inclusion:

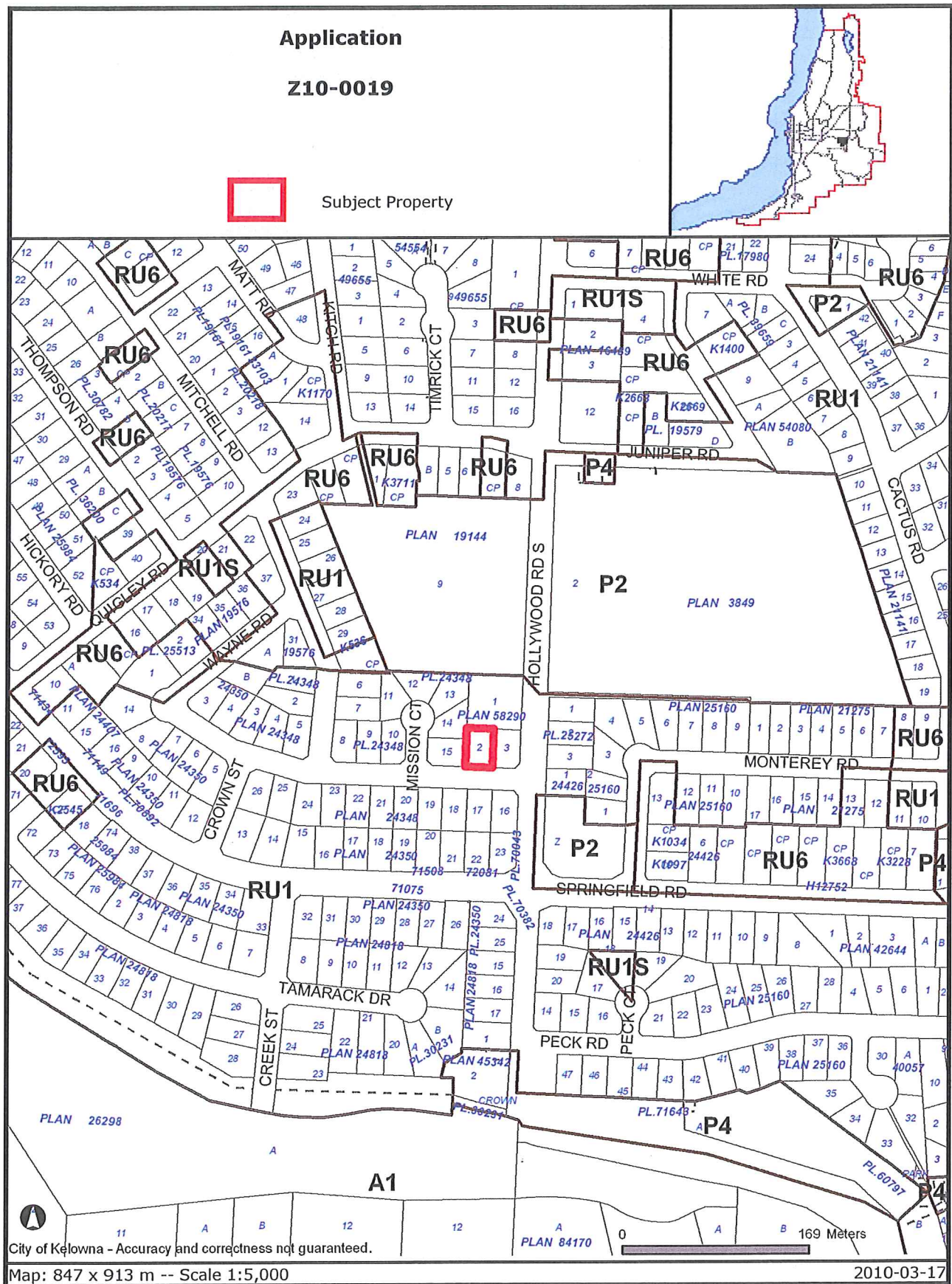


Shelley Gambacort
Director, Land Use Management

Attachments:

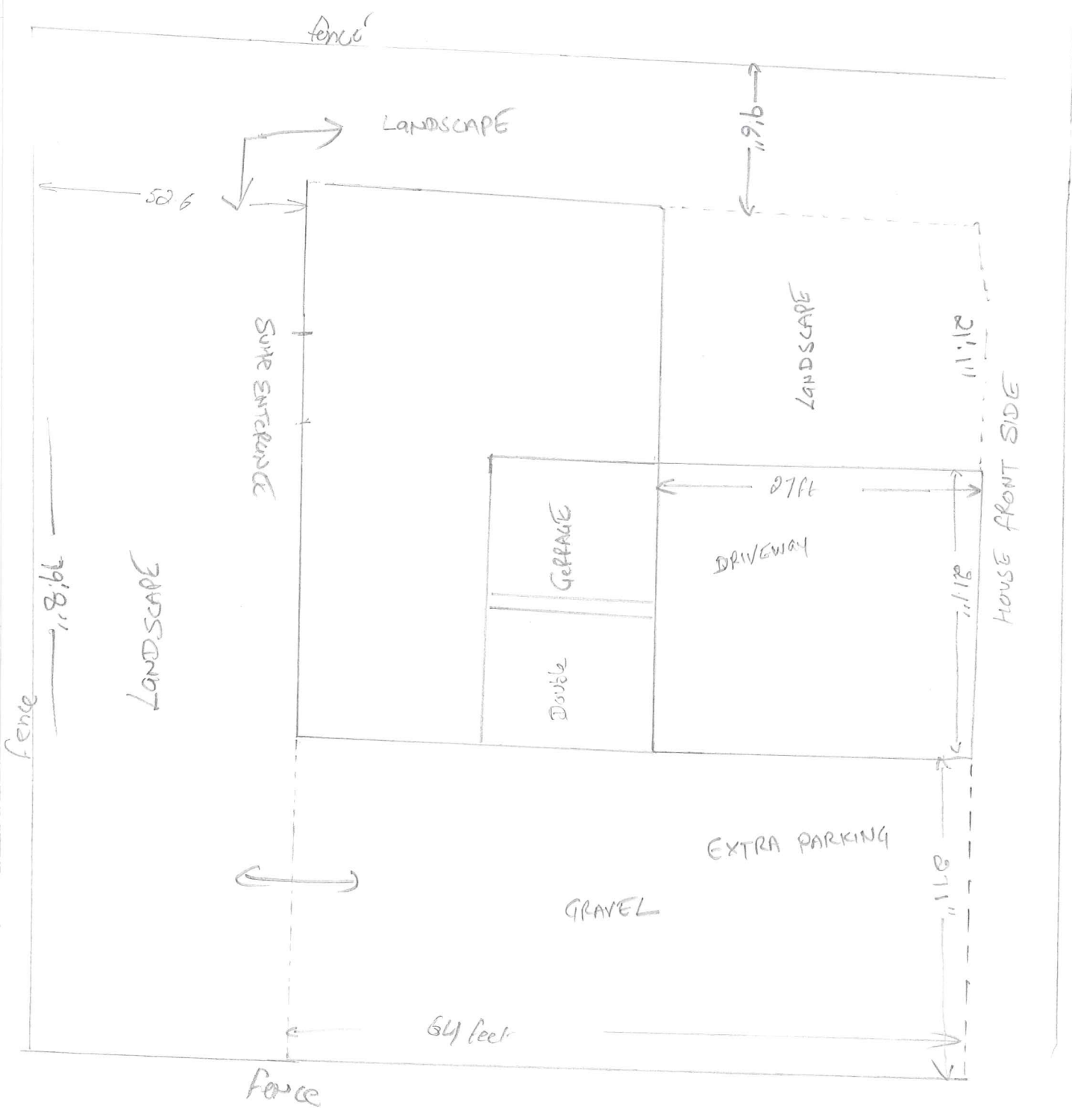
Subject Property Map
Site Plan
Survey Plan
Suite Floor Plan
Building elevation drawings
Photos

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.

Hollywood Rd

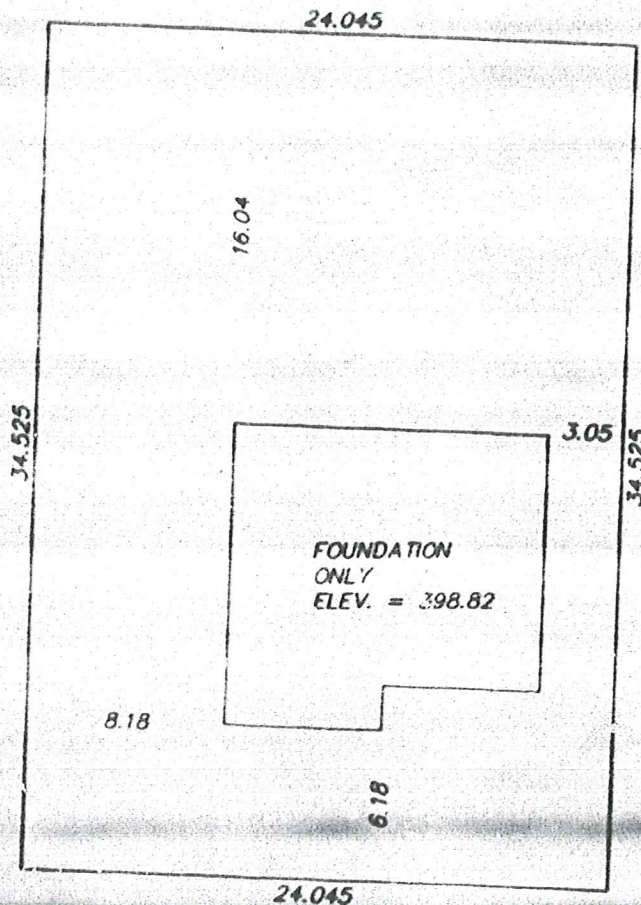
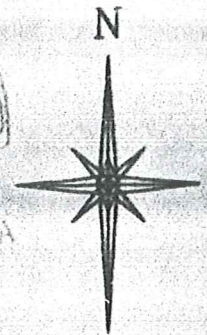


WAYNE Rd

B.C. LAND SURVEYOR'S CERTIFICATE OF
LOCATION OF BUILDING ON LOT 2
PLAN KAP58290 SEC. 22 TP. 26

SCALE 1:300 DISTANCES ARE IN METRES.

RECEIVED
AUG 27 1997
CITY OF KELLOWNA
Building Dept.



WAYNE ROAD

©

THIS DOCUMENT IS NOT VALID UNLESS
ORIGINALLY SIGNED AND SEALED.

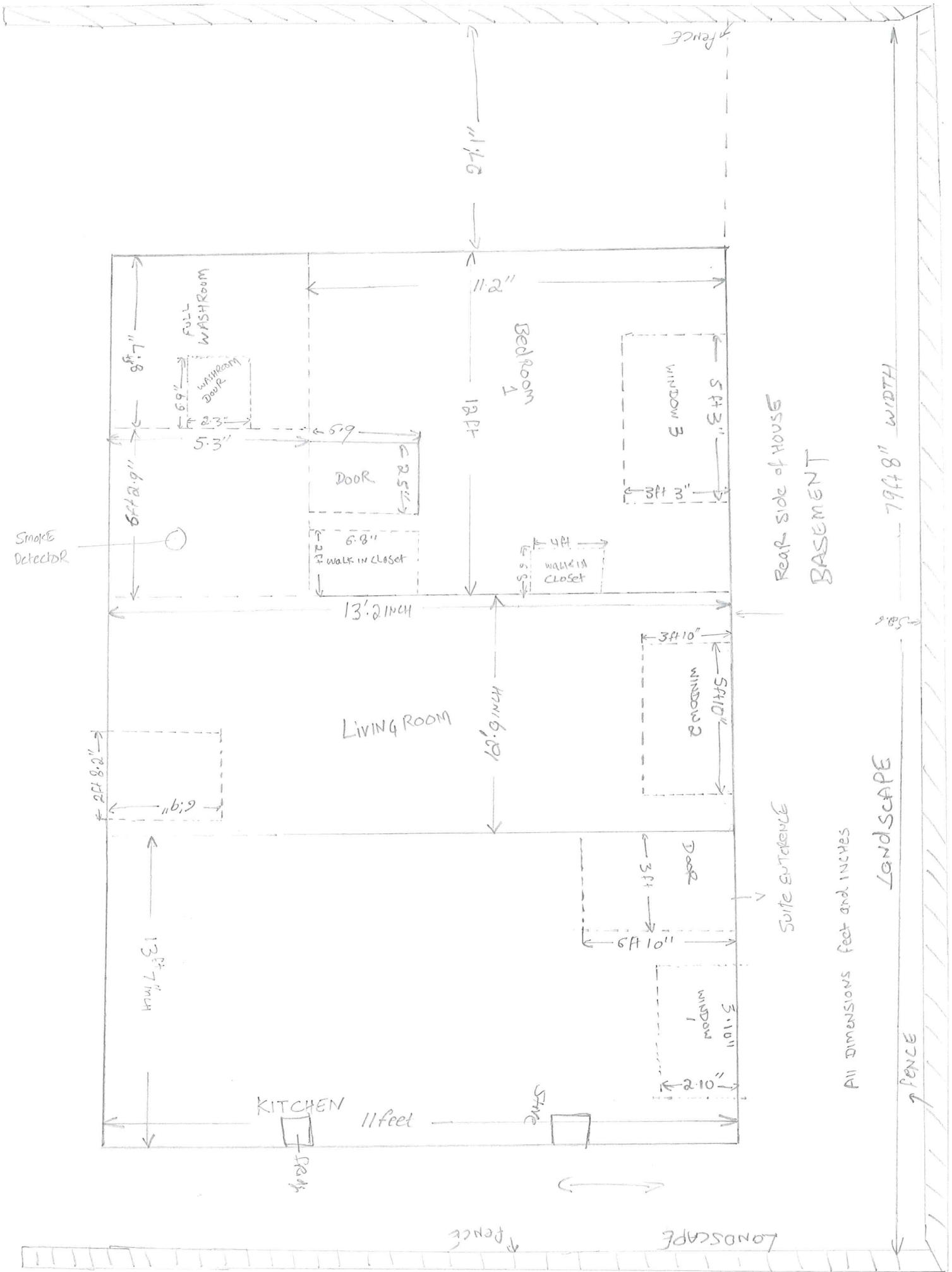
CERTIFIED CORRECT
this 26th day of August, 1997.

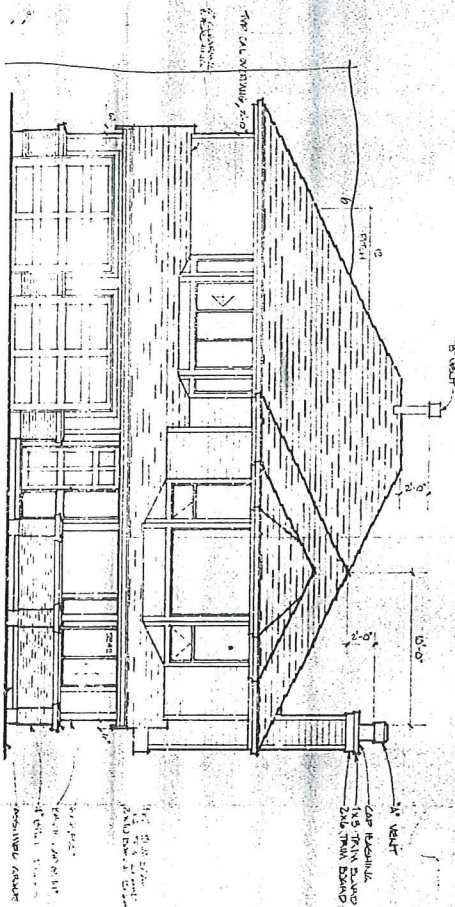

D.A. Goddard BCLS

FILE 97-9709 FB 203
RE: MATHAROO CONSTR.

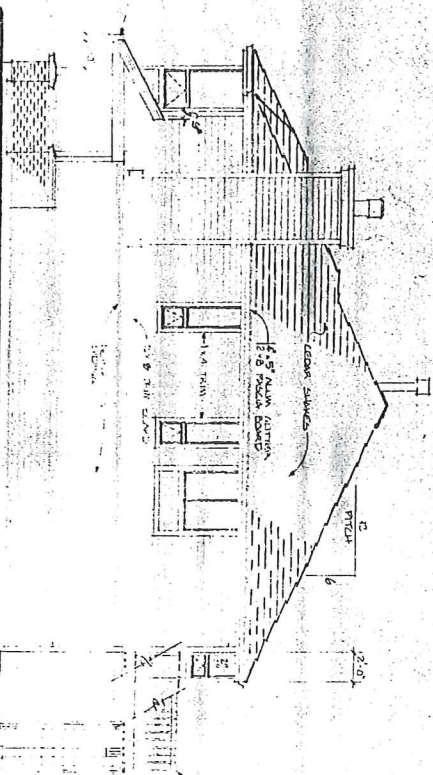
THIS PLAN IS FOR MORTGAGE OR
MUNICIPAL PURPOSES ONLY AND IS
NOT TO BE USED TO DEFINE THE
BOUNDARIES OF THIS LOT.

D.A. GODDARD LAND SURVEYING INC.
200-1449 ST. PAUL STREET KELOWNA



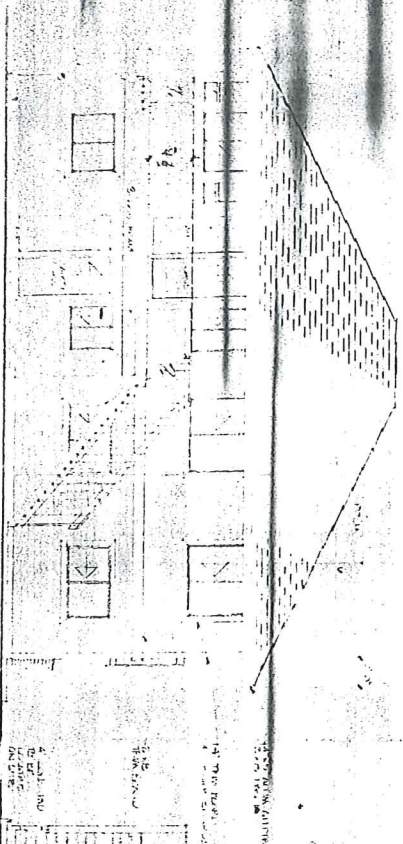


FRONT ELEVATION

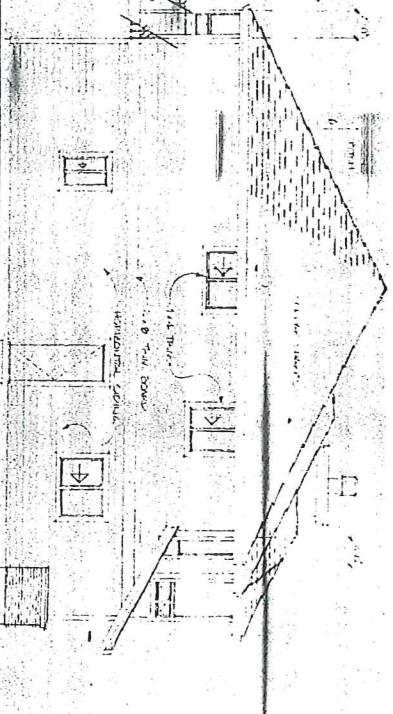


RIGHT ELEVATION

LINE DISTANCE 24'
 TOTAL 120' x 70' = 8400' = 1.25 A.C.
 FRONT 250' x 4'
 DOOR 2' x 6' = 12' = 0.14 A.C.
 WALL 2' x 25' = 50' = 0.67 A.C.
 AREA 1/2' x 1/2' = 1/4' = 0.0025 A.C.
 TOTAL 1.07 A.C.



LEFT ELEVATION



REAR ELEVATION

LINE DISTANCE 24'
 TOTAL 120' x 70' = 8400' = 1.25 A.C.
 FRONT 250' x 4'
 DOOR 2' x 6' = 12' = 0.14 A.C.
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TYNAN DESIGN LTD			
13453 106 AVENUE, SUITE B.C. VAN 2M4			
COOK'S PLAN SERVICE DIVISION (R/SN 31272)			
NORTHWEST DESIGN DIVISION (R/SN 41827)			
CUSTOMER: S.T.S.S.K.			
DESIGN	DATE	BY	DATE
EXAMIN			



