

Memo



Date: May 6, 2010

To: City Manager

From: Community Sustainability Division

File No: Z09-0067

Applicant: Ken & Cheryl Meyer

At: 1738 Joe Riche Road

Owner: Cheryl L. Meyer

Purpose: To rezone the subject property from the RR3 - Rural Residential 3 to the RR3s - Rural Residential 3 with a secondary suite zone to permit a secondary suite within an accessory building.

Existing Zone: RR3 - Rural Residential 3 zone

Proposed Zone: RR3s - Rural Residential 3 with a secondary suite zone

Report Prepared by: Paul McVey

1.0 RECOMMENDATION:

THAT Rezoning Application No. Z09-0067 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 167, Sec. 18, Twp. 27, ODYD, Plan 24361, located at 1738 Joe Riche Road, Kelowna, BC, from the RR3 - Rural Residential 3 zone to the RR3s - Rural Residential 3 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 RR3 - Rural Residential 3 zone to the RR3s - Rural Residential 3 with a secondary suite zone to allow the conversion of the loft area of an existing accessory building into a secondary suite.

3.0 BACKGROUND:

The applicant recently constructed an accessory building (garage) with a loft area on the subject property. The applicant now wishes to rezone the property to allow conversion of this loft area into a suite within an accessory building.

A large home which was constructed in 1988 occupies the subject property and the accessory building was constructed in 2009. The rezoning of this parcel to allow a secondary suite, is

anticipated to have minimal, if any impact on the neighbourhood as the suite is contained within the existing accessory building.

The proposed application meets the requirements of RR3s- Rural Residential 3 with a secondary suite zone follows:

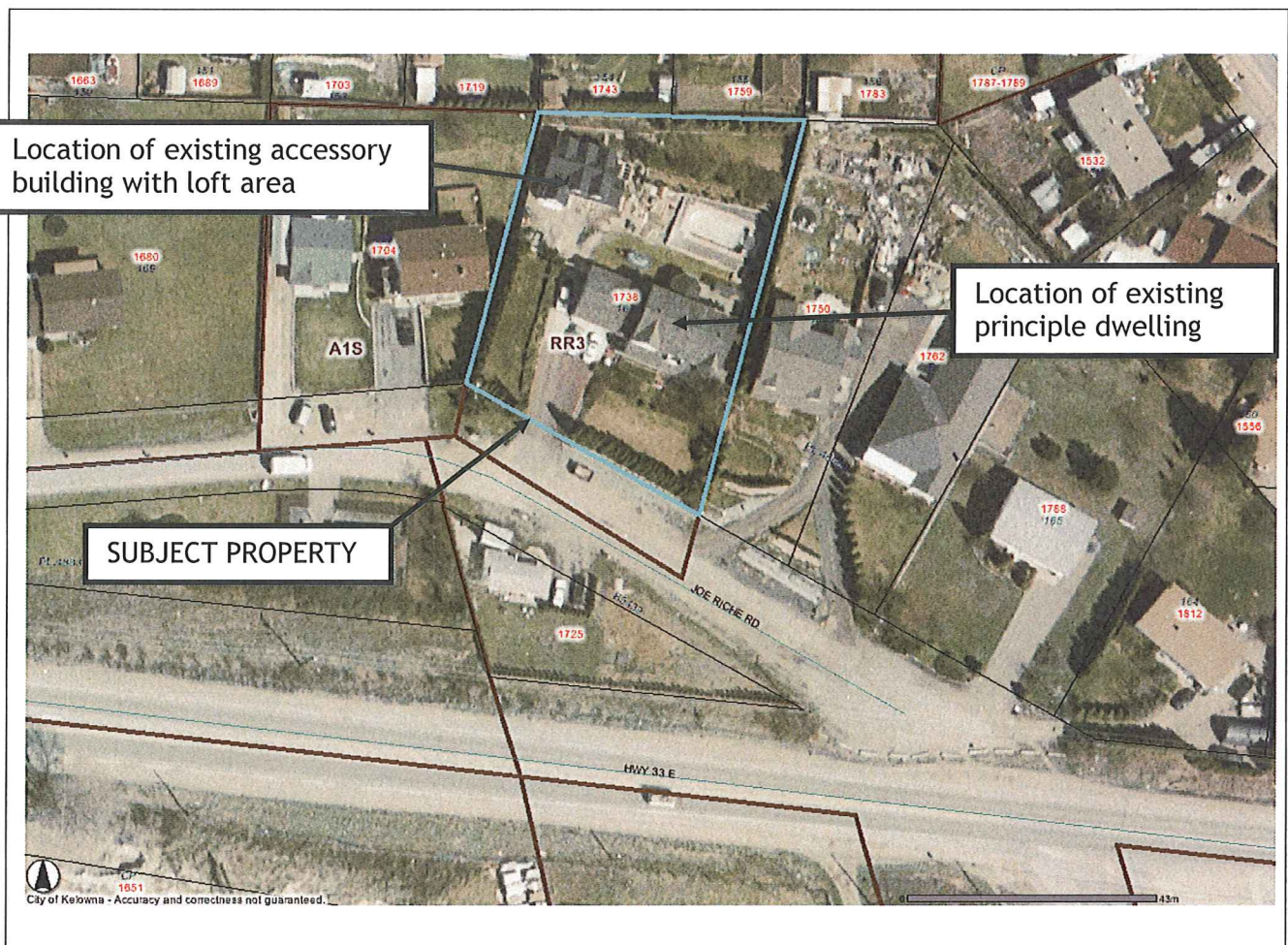
Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	RR3s ZONE REQUIREMENTS (Suite within an Accessory Building)
Subdivision Regulations		
Lot Area	2,604 m ²	1,600 m ² (with sewer)
Lot Width	45 m	18 m
Lot Depth	47 m	30.0 m
Development Regulations		
Site Coverage (buildings)	12 %	30%
Height (existing house)	2 storeys/ 7.6 m	2 ½ storeys / 9.5 m
Floor Area of principal dwelling	209 m ²	
Floor Area of Secondary Suite / Size ratios	61.22 m ² / 21.5 %	In accessory building can't exceed lessor of 90 m ² or 75% of principal dwelling
<u>Principal Dwelling</u>		
Front Yard	18 m	6.0 m
Side Yard (west)	15 m	2.0 m (1 - 1 ½ storey) 2.3 m (2 - 2 ½ storey)
Side Yard (east)	2.5 m	2.0 m (1 - 1 ½ storey) 2.3 m (2 - 2 ½ storey)
Rear Yard	27 m	7.5 m / 1.5 m for accessory buildings
<u>Accessory Building</u>		
Front Yard	33 m	2 x front yard for principle building (6.0m)
Side Yard (west)	2 m	1.0m
Side Yard (east)	26 m	1.0m
Rear Yard	5.4m	1.5m
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 north side of Joe Riche Road, east of Loseth Drive, in the Black Mountain Area. More specifically, the adjacent land uses are as follows:

North	A1	Agriculture 1 - Single Unit Housing
South	A1	Agriculture 1- Fruit Stand
East	A1	Agriculture 1- Single Unit Housing
West	A1s	Agriculture 1 with Suite - Single Unit Housing with suite

3.2 Site Location:



5.0 CURRENT DEVELOPMENT POLICY

The RR3 - Rural Residential 3 with Secondary Suite zone is being proposed for this property. The purpose of this zone is to provide for single dwelling 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 Building and Permitting

Building permit required for proposed suite, to be constructed to requirements of BCBC 2006.

6.2 Bylaw Services

No concerns

6.3 Development Engineering

The Works & utilities Department comments and requirements regarding this application to rezone from RR3 to RR3s are as follows:

1. Subdivision

Provide easements as required

2. Sanitary Sewer.

The property is located within Specified Area # 6 and in accordance with the City of Kelowna current policy, the specified charges for the proposed R1S development of a separate dwelling will have to be cash commuted. The current pay out charge for lot with two dwelling is \$218.91 per SFE for a total of **\$437.82** (Prior to March 31, 2010).

3. Domestic Water.

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

4. Levies Summary.

Sewer specified Area fees # 6

\$437.82

6.4 Fire Department

Requirements of Section 9.36, Secondary Suites, of the BCBC 2006 are to be met. Fire separations as per BCBC 2006. Additional visible address for the suite is required.

6.5 Shaw Cable

Owner/Developer to install an underground conduit system as per Shaw Cable drawings and specifications.

6.6 Telus

Telus will provide underground facilities to this development. Developer will be required to supply and install conduit as per Telus policy.

6.7 Terasen Utility Services

Please be advised that Terasen Gas facilities will not be adversely impacted by the proposal as our distribution pipeline is in the roadway. Therefore, Terasen Gas has no objection to the proposal at the above-noted location.

7.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

The Land Use Management Department notes that policies within the Official Community Plan support the sensitive integration of infill of existing neighbourhoods, where services are already in place and densification can easily be accommodated. This proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area. A separate BP will be required for the suite to ensure compliance with the BC Building Code, and a Development Permit will be executed at a Staff level to evaluate form and character.

Danielle Noble
Manager, Urban Land Use

Approved for inclusion:

Shelley Gambacort
Director, Land Use Management

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

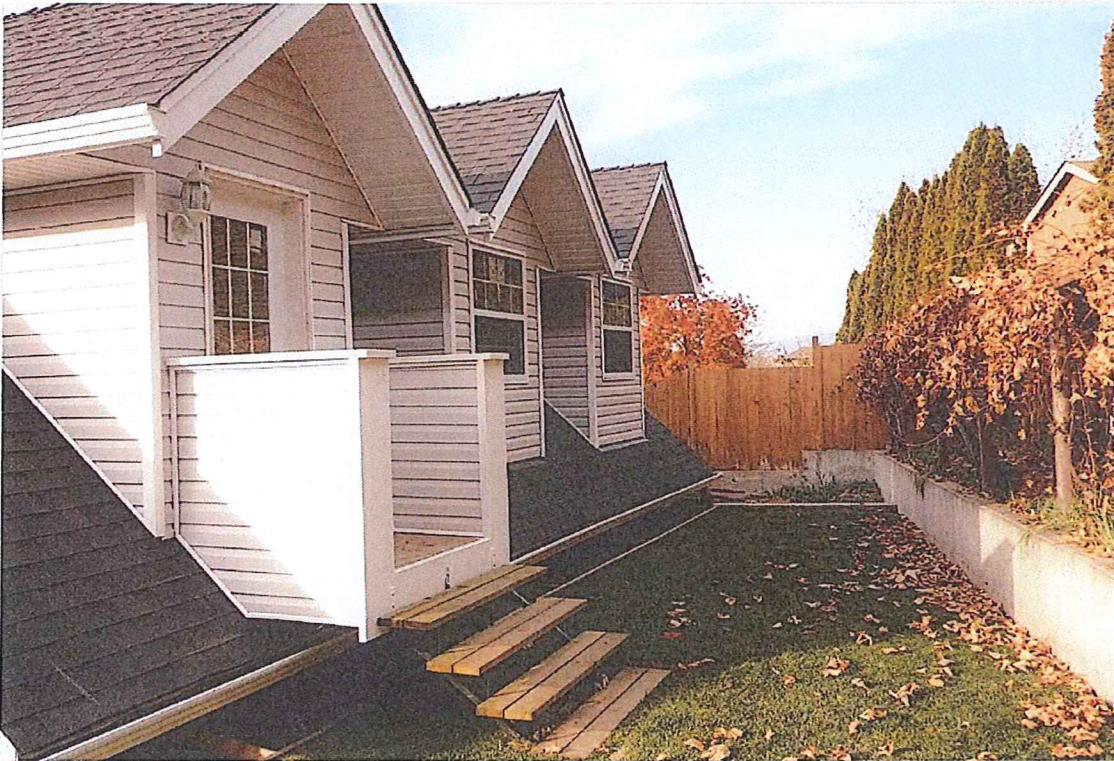
Date Application Accepted: November 12, 2009*

*File was on hold pending receipt of a revised/corrected site plan.

Front Elevation of Accessory building



Rear Elevation of Accessory Building



East Side Elevation of Accessory Building



West Side of Accessory Building



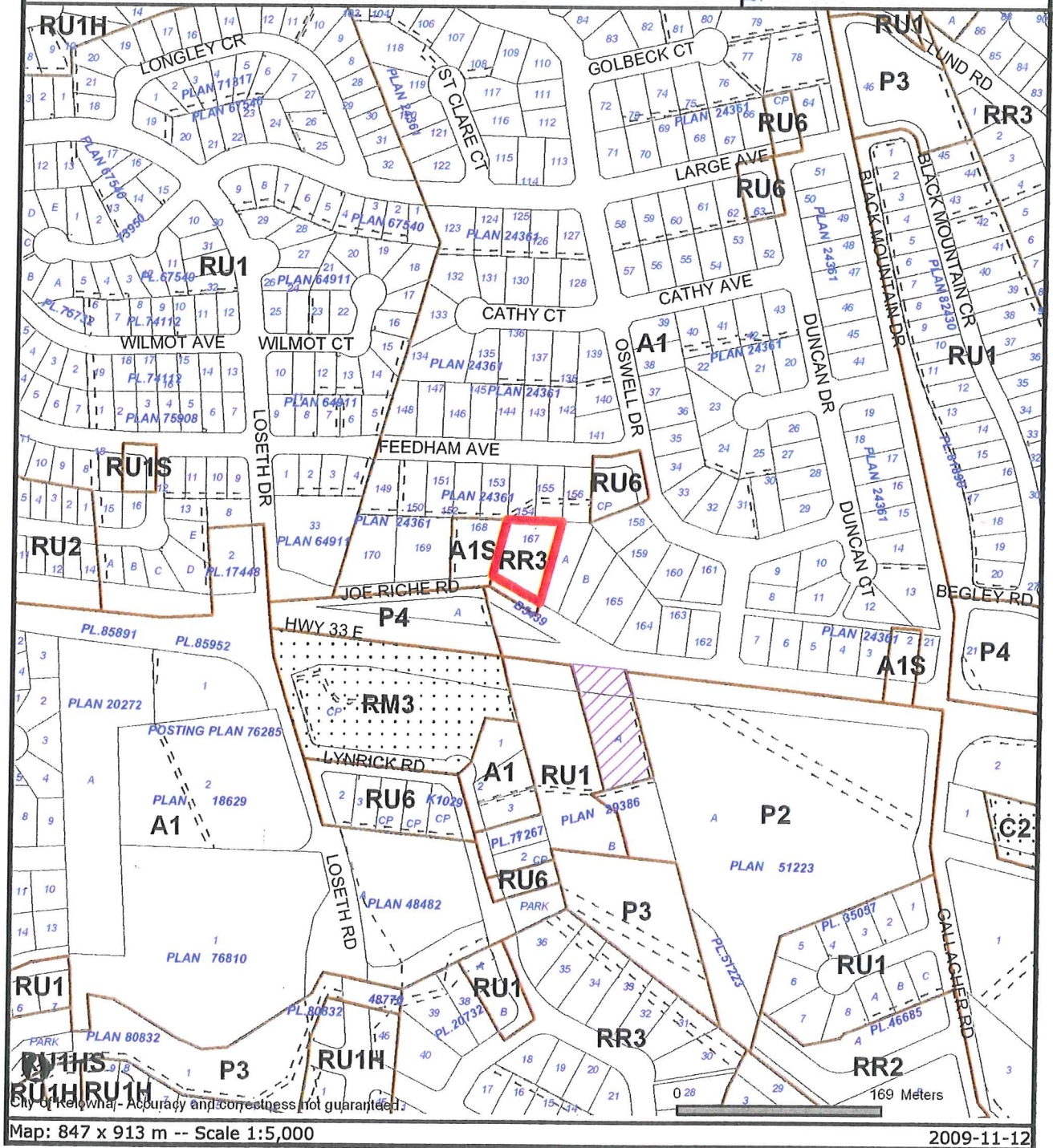
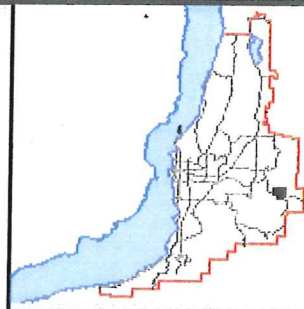
Application

Z09-0067

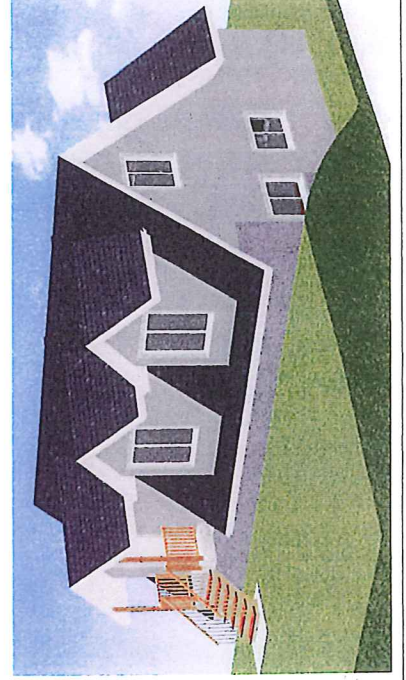
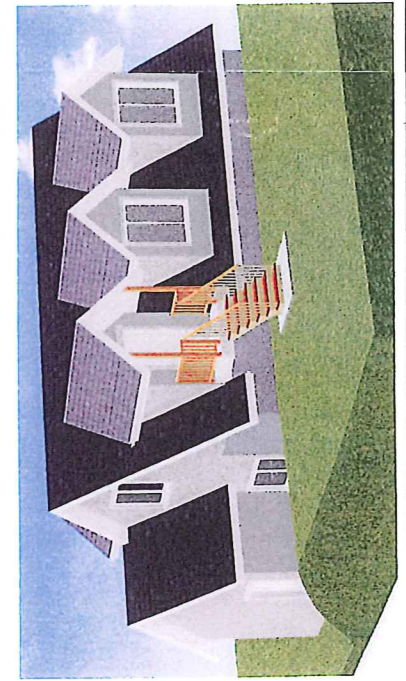
DP09-0149



Subject Property



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.



**Drawings for reference only and
not to be used for construction**

Weninger
COMMUNICATIONS & DESIGN INC.

Unit# 103-200
Dougal Road North, Kelowna, BC V1X 3K5
Tel: (250) 765-6898 Fax: (250) 765-6078

SCALE

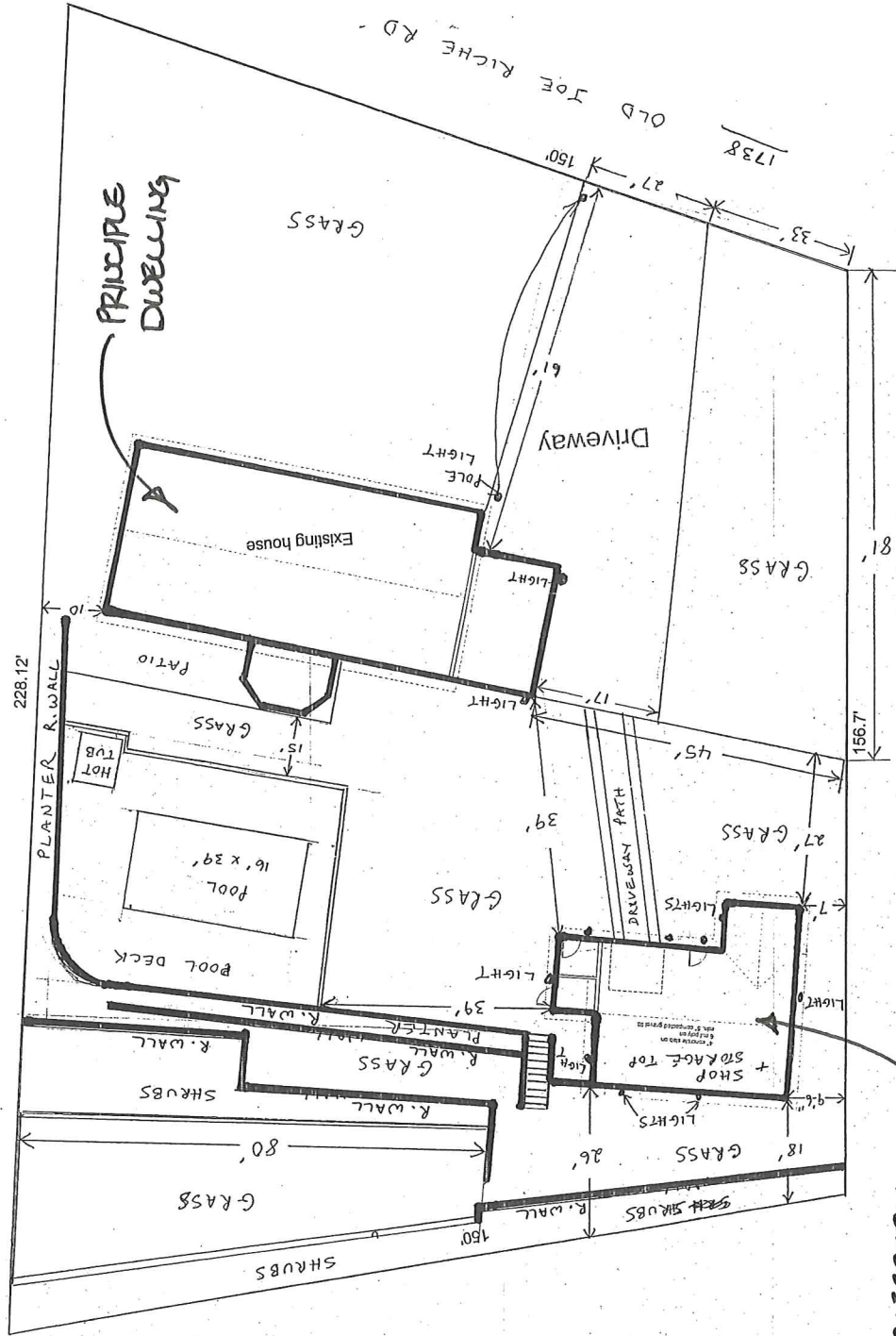
DRAWN BY
Matti Hildahl

DATE
JULY 2005

SHEET NO
1

PROJECT TITLE
Meyer Plan

SHEET TITLE
Presentation Views



SITE PLAN

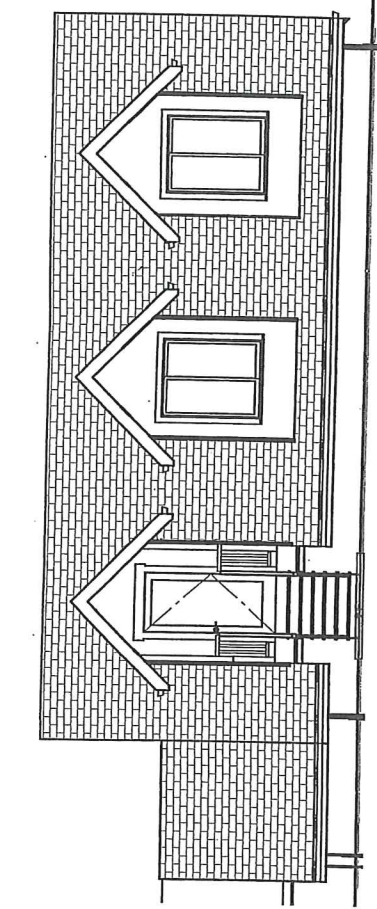
ACCESSORY BUILDING

PROJECT TITLE	KEN MEYER
DRAWN BY	Ken Meyer
DATE	December 2009
SHEET NO	1

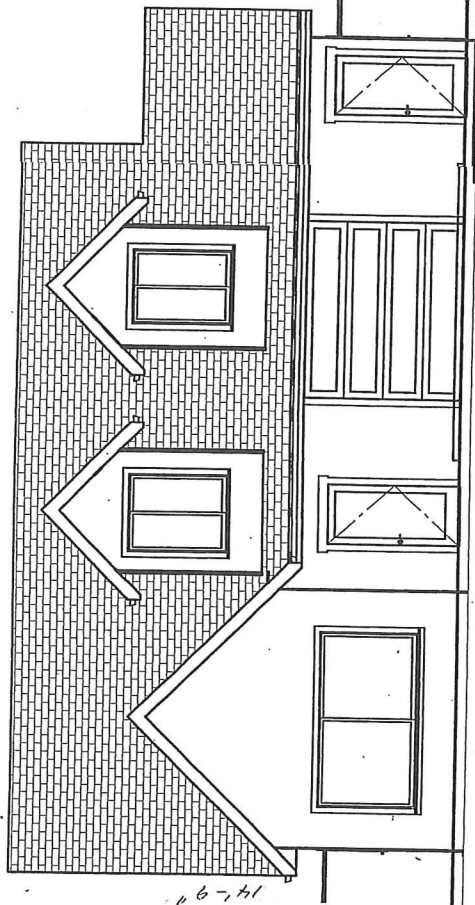
SCALE
1"=20'

Unit# 103-200
Dougal Road North, Kelowna, BC V1X 3K5
Tel: (250) 765-6898 Fax: (250) 765-6078



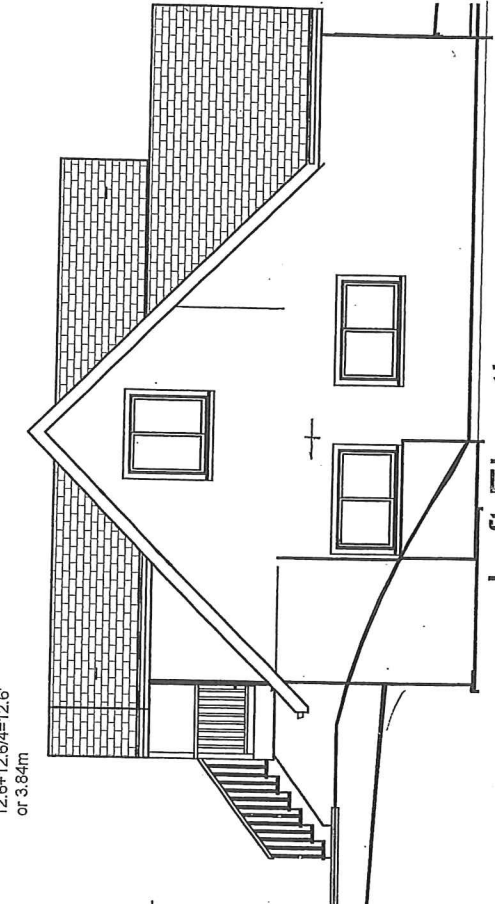


Rear Elevation

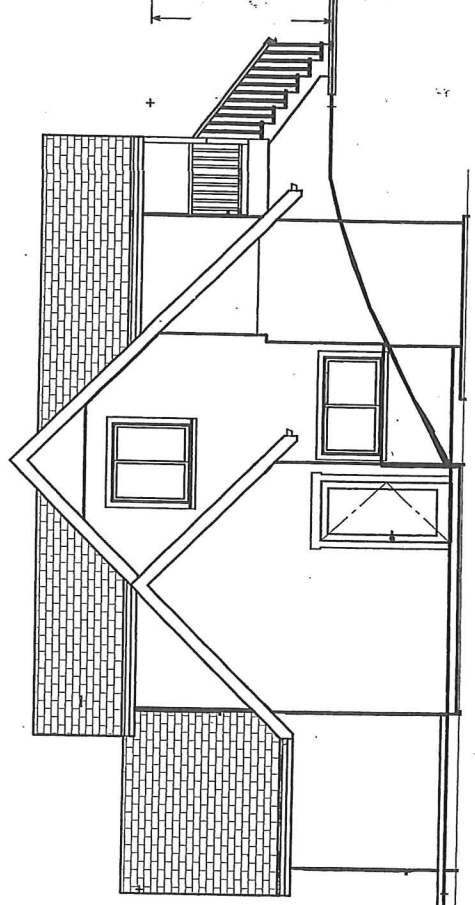


Front Elevation

Height Calculation
 front 16'
 rear 9.25"
 left 16'+9.25/2=
 12.6'
 right = 12.6'
 Total=16'+9.25=
 12.6'+12.6/4=12.6'
 or 3.84m



Left Elevation



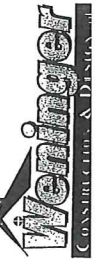
Right Elevation

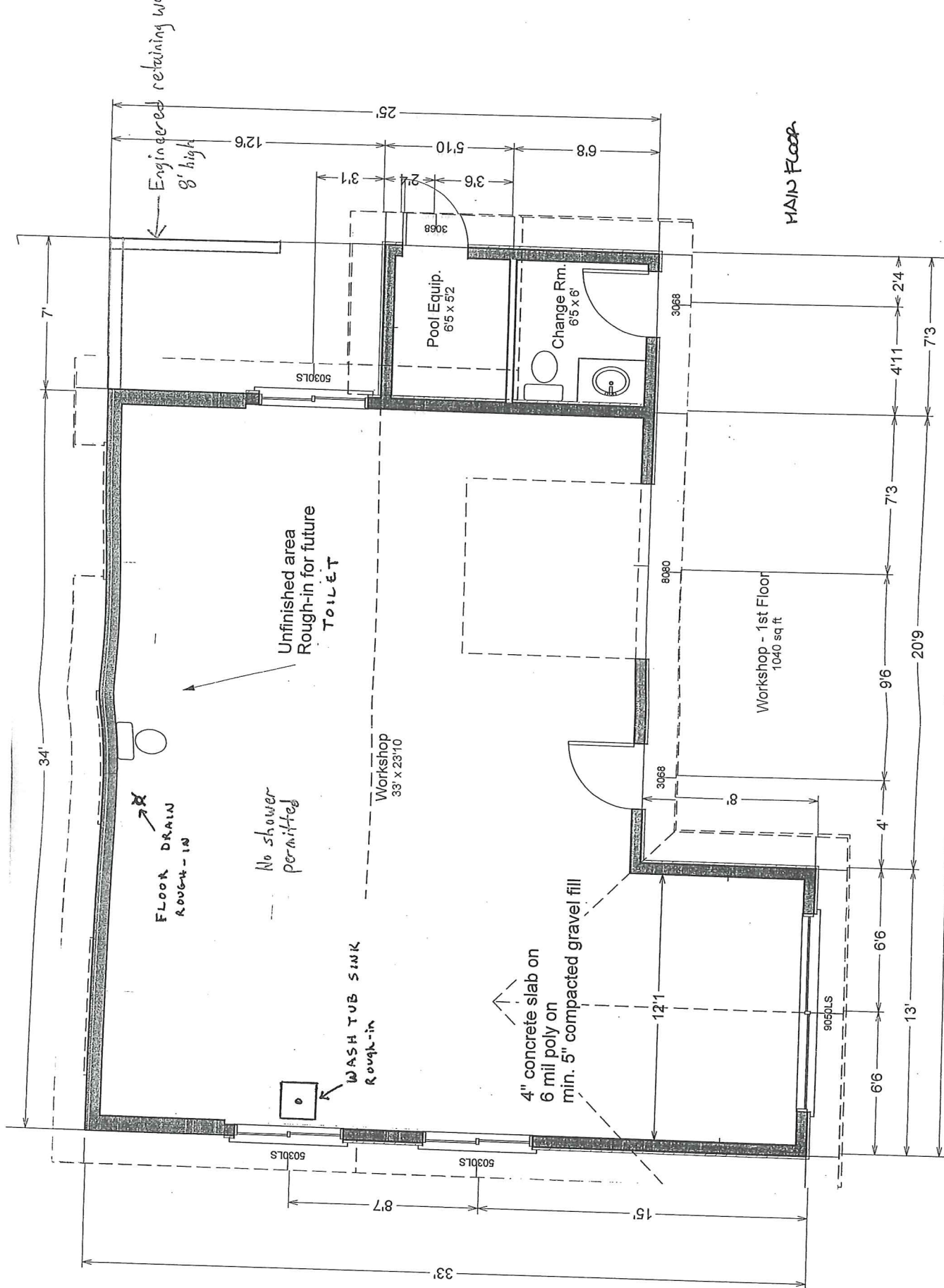
PROJECT TITLE
 Meyer Plan
 SHEET NO.
 Elevations

DRAWN BY
 Jason Koenig
 5/27/2008
 SHEET NO.
 6

SCALE
 3/16"=1'-0"

Unit# 103-200
 Dougal Road North, Kelowna, BC V1X 3K5
 Tel: (250) 765-6898 Fax: (250) 765-6078





Engineered retaining wall
8' high

MAIN FLOOR

Unfinished area
Rough-in for future
TOILET

No shower
permitted

FLOOR DRAIN
Rough-in

WASH TUB SINK
Rough-in

4" concrete slab on
6 mil poly on
min. 5" compacted gravel fill

Workshop
33' x 23'10"

Workshop - 1st Floor
1040 sq ft

Pool Equip.
6'5" x 5'2"

Change Rm.
6'5" x 6'

FUTURE SUITE
 OF EXISTING STORAGE
 AREA ABOVE WORKSHOP
 KEN MEYER
 1738 JOE RICHARD,
 KELOWNA, B.C. V1P1L9
 CELL - 256-317-1621

SCALE: $\frac{1}{4}$ " = 1 FOOT

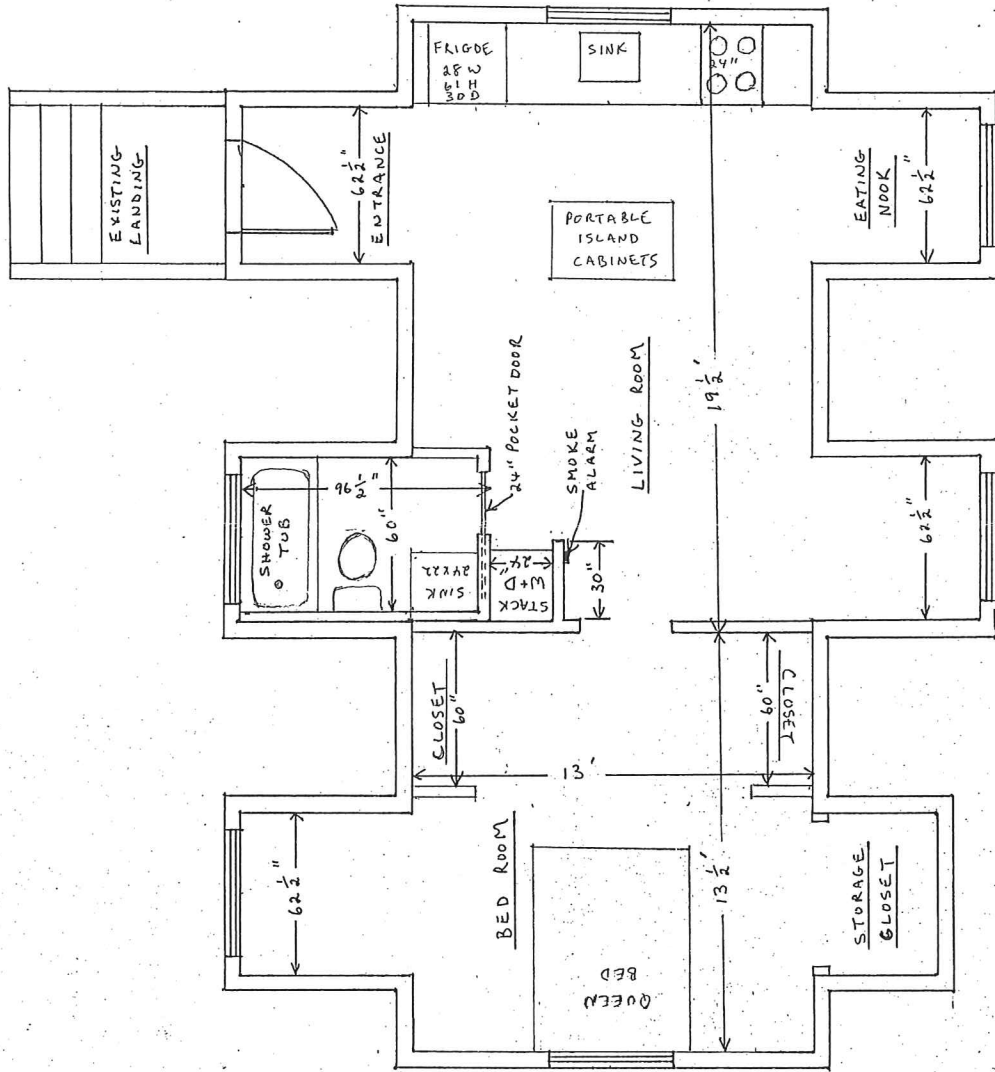
TOTAL SQ. FT. OF SUITE
 659 sq. ft.

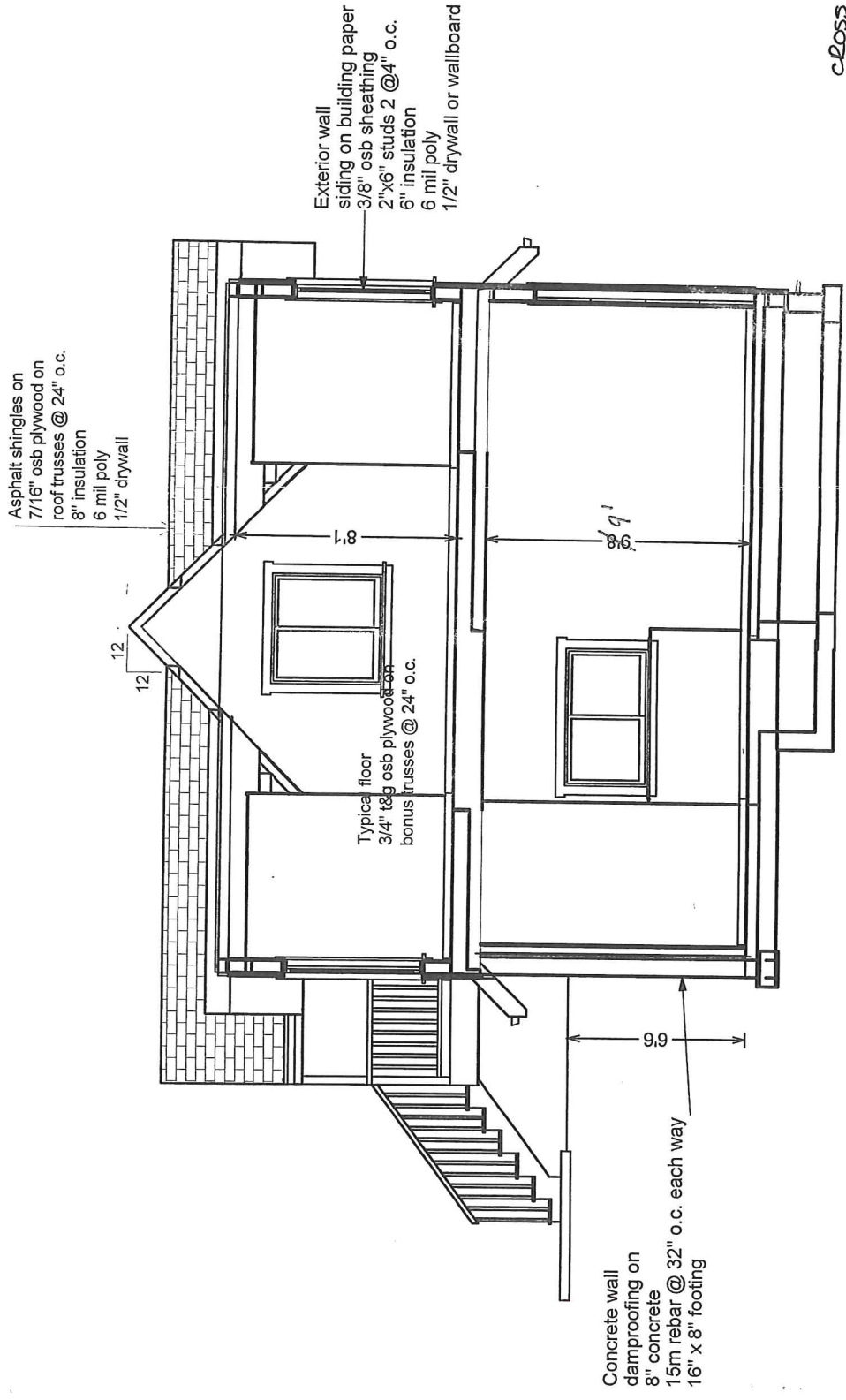
TOTAL SQ. FT. OF SUITE
 WITH CEILING OVER
 6'-5" = 559 sq. ft.

LOT-167
 PLAN-24361



SUITE LAYOUT
 UPPER LEVEL





cross-section

Cross section