Memo

City of Kelowna

Date: June 10, 2010

To: City Manager

From: Community Sustainability Division

File No: Z10-0039 **Applicant:** Axel Hilmer Planning Consultant

At: 721 Renshaw Rd. **Owner(s):** Hardeep and Jarnail Goraya

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. Z10-0039 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 6, 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 be issued for the suite prior to final adoption of the zone;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the discharge of the restrictive covenant;

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 2006 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 is accessed on the south side of the dwelling and parking is available at the rear of the site off the alley.

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 m^2	550 m^2
Lot Width	15 m	15 m when access to rear lane
Lot Depth	30 m	30.0 m
Development Regulations		
Site Coverage (buildings)	38.3 %	40%
Site Coverage (buildings/parking)	62 % ①	50%
Height (existing house)	2 storeys	2 ½ storeys / 9.5 m
Floor Area of principal dwelling	403 m^2	
Floor Area of Secondary Suite / Size ratios	89 m^2 /22 %	Suite within building may not exceed the lessor of 90 m^2 or 40%
Front Yard	4.5 m	4.5 m
Side Yard (north)	2.3 m	2.3 m (2 - 2.5 storey)
Side Yard (south)	2.3 m	2.3 m (2 - 2.5 storey)
Rear Yard	7.5 m	7.5 m
Other Requirements		
Parking Stalls (#)	3 spaces	3 spaces
Private Open Space	meets requirements	30m^2 requirement

① Existing non-conforming hard surfaces. At the time of the Building Permit, only the SFD and driveway slab were approved.

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 in all directions are RU1 - Large Lot Housing - Residential.

3.2 Site Location: 721 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

Sanitary Sewer

The subject property is serviced by the Municipal wastewater collection system. There are no additional charges for a suite within an existing dwelling.

Domestic Water

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 Bylaw Services

Bylaw Services has an open Service Request for an illegal suite at this location. File was generated on April 14, 2010 and assigned to BEO Black.

5.4 Building and Permitting Branch

1) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits

2) Operable bedroom windows required as per the 2006 edition of the British Columbia Building Code (BCBC 06).

3) Provide the City of Kelowna Bulletin #88-02 (Secondary Suites Requirements in a single family dwelling) for minimum requirements. The drawings submitted for Building Permit application is to indicate the detailed method of fire separation between the suite and the main dwelling.

4) Range hood above the stove and the washroom to vent separately to the exterior of the building. The size of the penetration for this duct thru a fire separation is restricted by BCBC 06, so provide size of ducts and fire separation details at time of Building Permit Applications

5) Full Plan check for Building Code related issues will be done at time of Building Permit applications

6 LAND USE MANAGEMENT DEPARTMENT COMMENTS

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

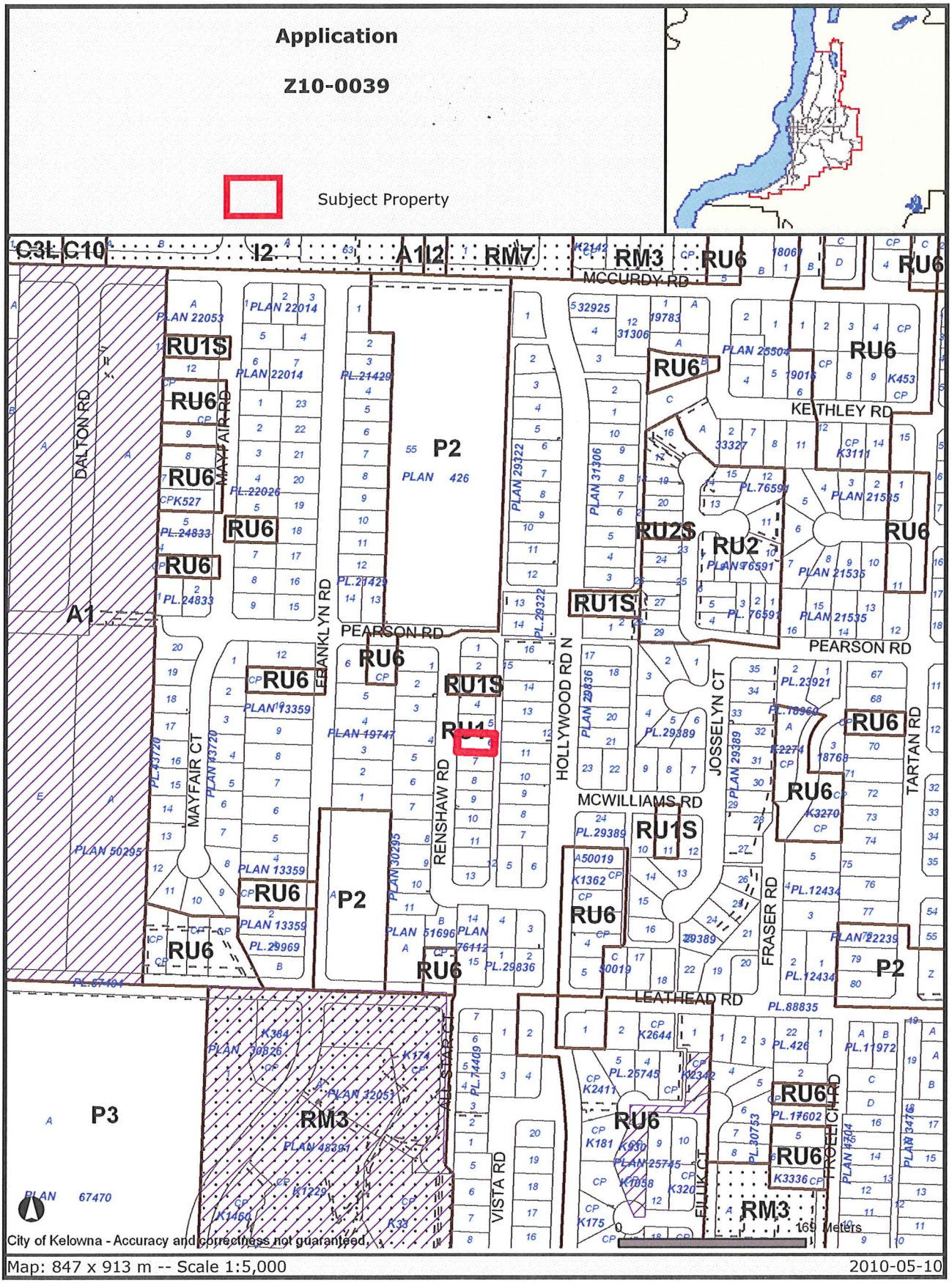
The proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area. The Land Use Management Department notes that policies within the Official Community Plan support the sensitive integration into existing neighbourhoods, where services are already 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 be achieved on-site.

Danielle Noble
Manager, Urban Land Use

Approved for inclusion:
Shelley Gambacort
Director, Land Use Management

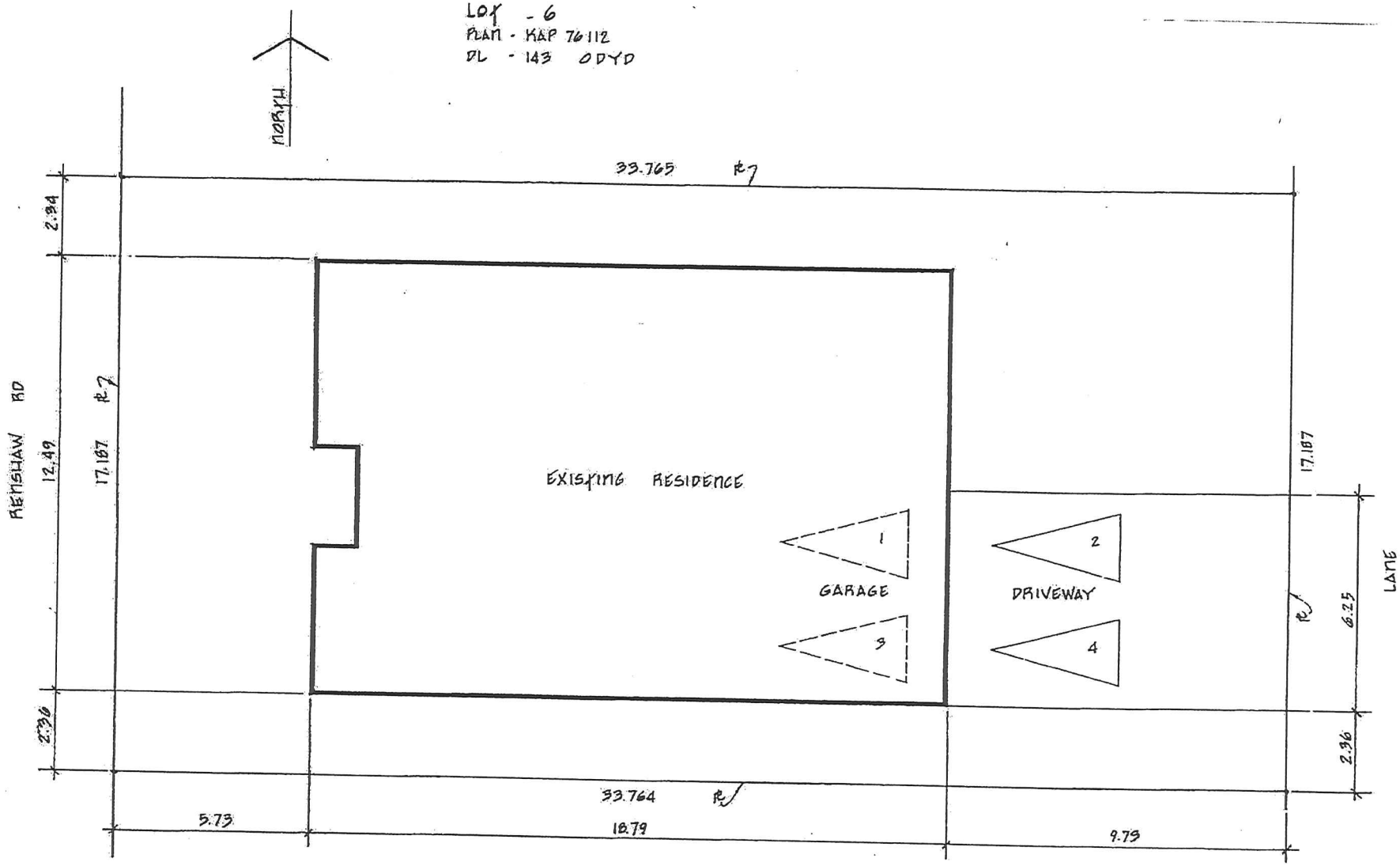
Attachments:
Subject Property Map
Site Plan
Suite Floor Plans
Photo

Date Application Accepted
May 10, 2010

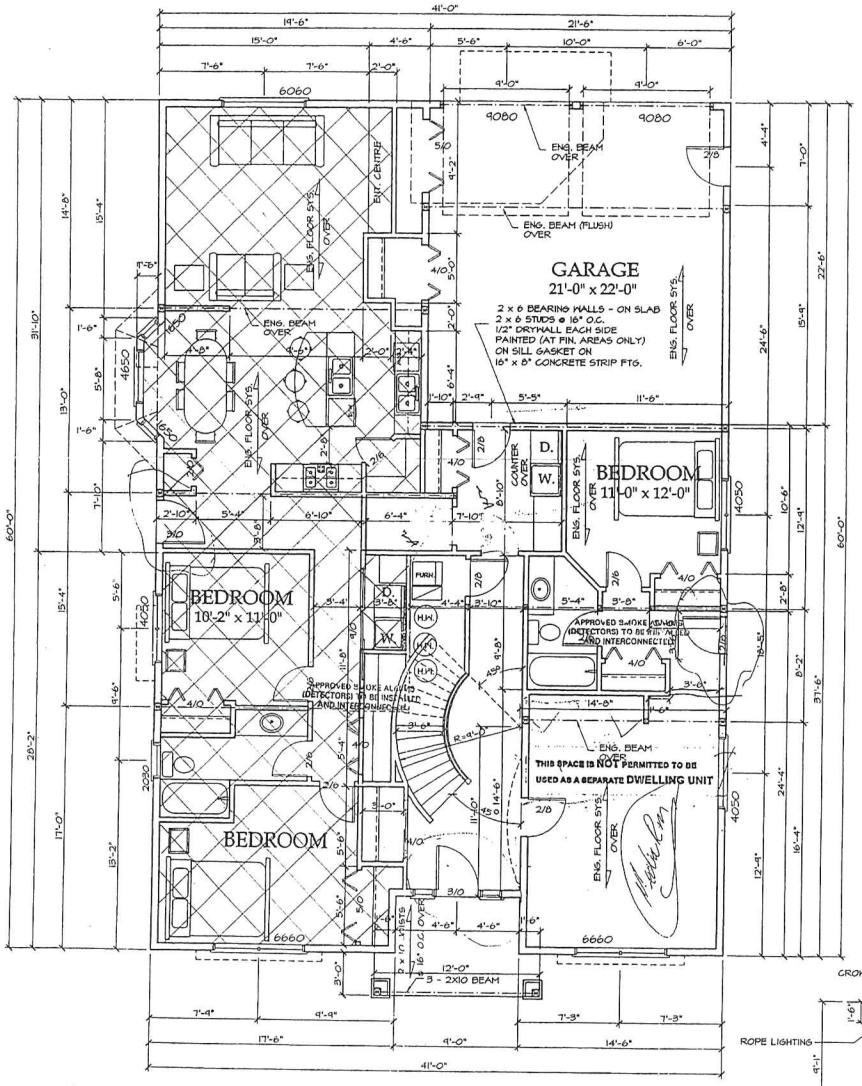


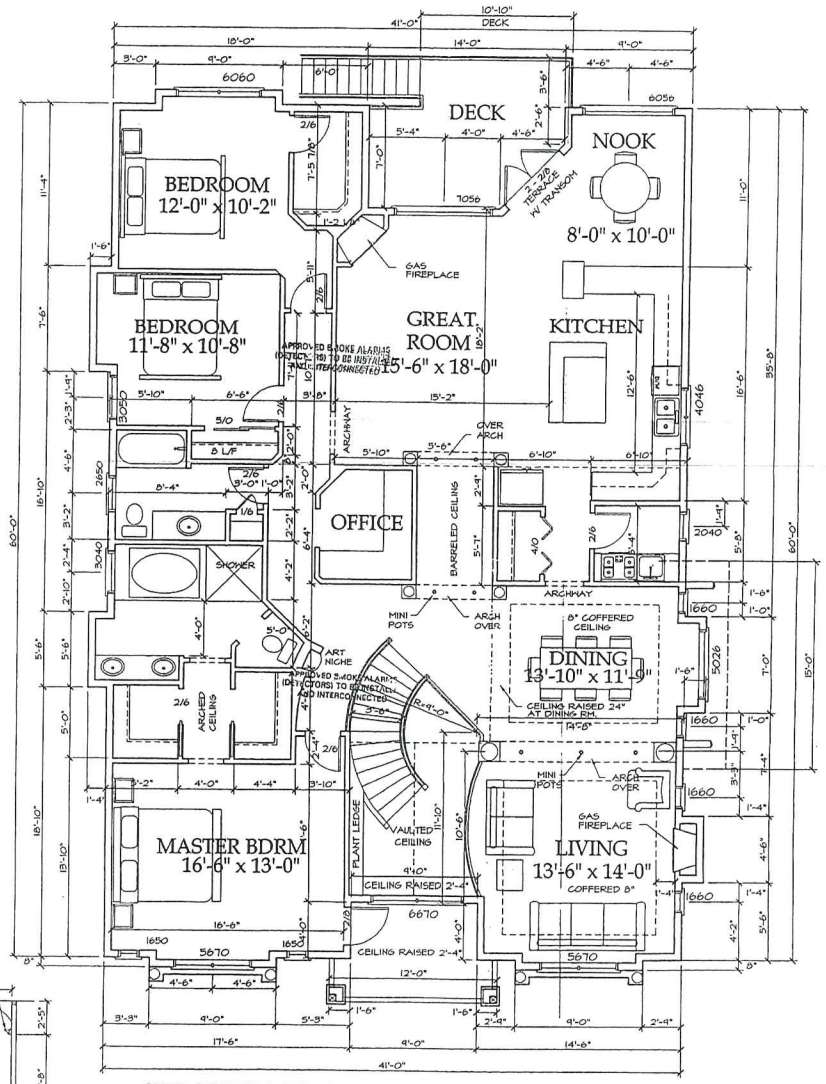
Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

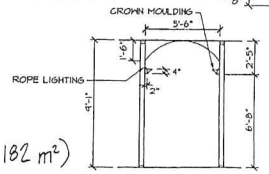
LOT - 6
PLAN - KAP 76112
DL - 143 ODYD



axel hilmer Land Use Planning Consulting Services Ph 860-7526 204-1823 Harvey Ave Kelowna	**Project:** 721 - RENSHAW RD	SITE PLAN	Scale : 1:100 Date : MAR 10 Drw by : AH







DETAIL AT
BARRELED CEILING

LOWER (GROUND) FL - 1958 ft² (182 m²)

-SECONDARY SUITE
- 956 ft² (89 m²)

SITE COVERAGE = 2500 SQ. FT. = 40%
UPPER FLOOR AREA = 2380 SQ. FT. (221 m²)

TOTAL FL. AREA = 4338 ft² (403 m²)

January 5th, 2006

STEWART DESIGN GROUP

Drawn By: [illegible]	Project: Mr. & Mrs. H. Ghuman	3
Scale: 1/4" = 1'-0"	Main Floor & Lower Floor Plan	
Date: Oct 9 '05		

721 RENSHAW RD.

FRONT RIGHT ELEV.

FRONT LEFT ELEV.