

# Memo



**Date:** May 27, 2010  
**To:** City Manager  
**From:** Community Sustainability Division  
**File No:** Z10-0017                      **Applicant:** Jim Andrews  
**At:** 1361 Mountain Avenue              **Owner:** Dorothy M. Marshall

**Purpose:** To rezone the subject property from RU1 - Large Lot Housing zone to the RU1s Large Lot Housing with Secondary Suite zone to allow for the creation of a secondary suite.

**Existing Zone:** RU1 - Large Lot Housing zone

**Proposed Zone:** RU1s- Large Lot Housing with a Secondary Suite zone

Report Prepared by: Paul McVey

---

## 1.0 RECOMMENDATION:

THAT Rezoning Application No. Z10-0017 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 1, Section 30, Township 26, ODYD, Plan KAP63287, located at Mountain Avenue, 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 final adoption of the zone amending bylaw be considered subsequent to the requirements of Development Engineering Department being completed to their satisfaction;

## 2.0 SUMMARY:

This application is to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1s Large Lot Housing with a secondary suite zone in order to allow for the development of a secondary suite in anticipation of subdivision.

## 3.0 BACKGROUND:

The applicant wishes to rezone the subject property to the RU1s - Large Lot Housing with Secondary Suite zone in order that the property could be developed with a secondary suite in the future following subdivision approval. There are no plans for the proposed suite development at this time.

The applicant proposes to subdivide the property into two lots by creating a second lot in the landscaped area located to the east of the existing dwelling.

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

<b>Zoning Bylaw No. 8000</b>		
<b>CRITERIA</b>	<b>PROPOSAL</b>	<b>RU1s ZONE REQUIREMENTS (Suite within Principal Dwelling)</b>
Existing Lot		
Lot area	2,776 m <sup>2</sup>	550 m <sup>2</sup>
Lot width	75.03 m	16.5 m
Lot depth	37 m	30.0 m
Proposed lot (to the east)		
Lot Area	925 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width	25 m	16.5 m
Lot Depth	37 m	30.0 m
Remainder lot (with existing dwelling)		
Lot Area	1,851 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width	50.02 m	16.5 m
Lot Depth	37 m	30.0 m

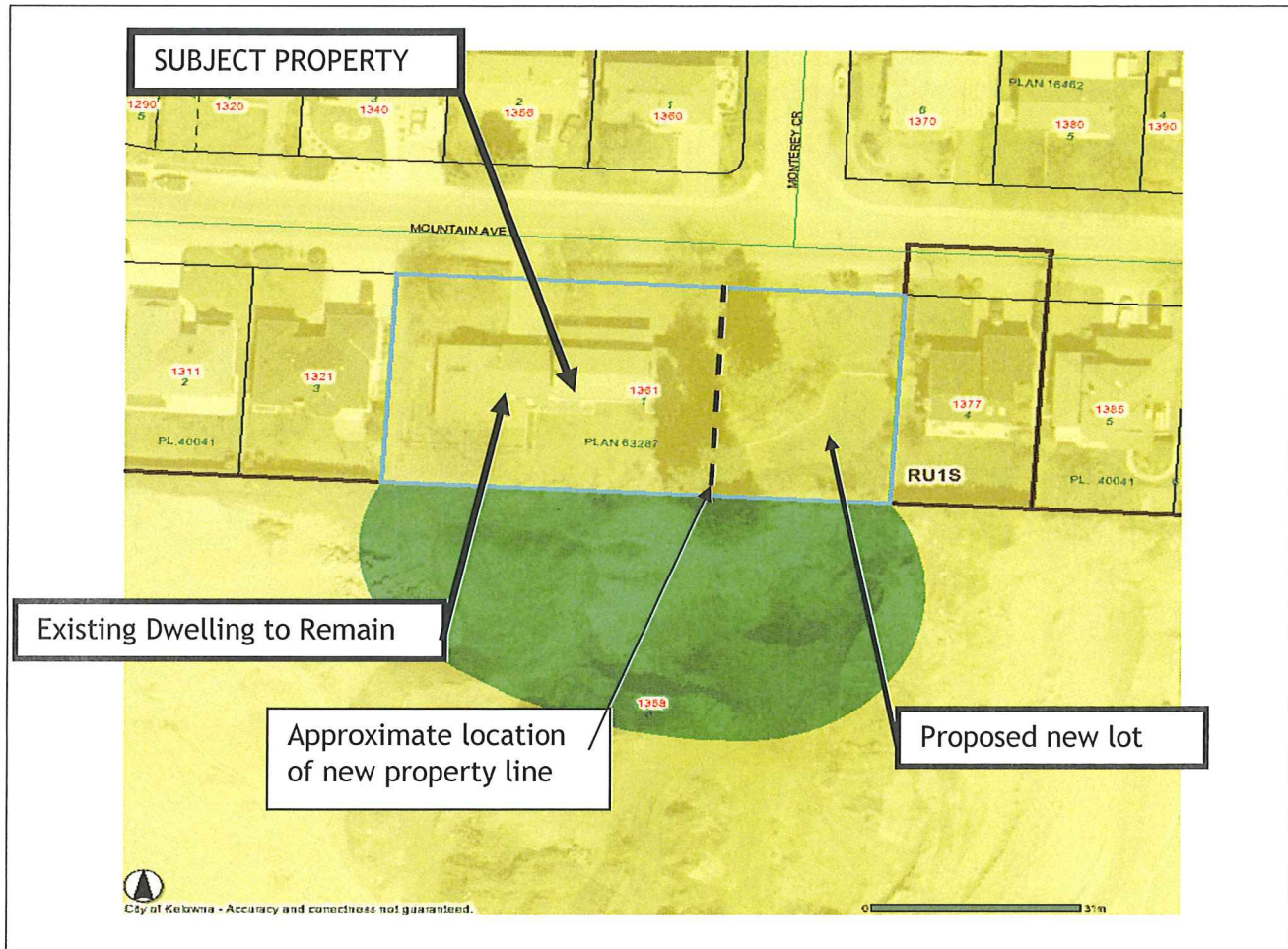
### 3.1 Site Context

The subject property is located on the south side of Mountain Avenue, east of Kelview Street. More specifically, the adjacent land uses are as follows:

North	RU1	Large Lot Housing
South	RU5	Bareland Strata Housing
East	RU1s	Large Lot Housing with Secondary Suite
West	RU1	Large Lot Housing

Site Location:

1361 Mountain Avenue



## 5.0 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.

### 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 & Permitting Branch

East elevation spatial separation should be reviewed to ensure that distance to property line will still permit the existing unprotected openings to remain as is.



6.2 Bylaw Services

No Concerns

6.3 Development Engineering

As attached

6.4 Fire Department

No Concerns

6.5 Telus

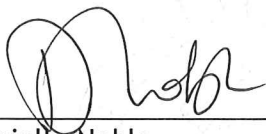
Telus will provide underground facilities to this development. Developer will be required to supply and install conduit as per Telus policy.

**7.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS**

An existing RU1s property is located immediately east of the subject property. This comparatively large parcel has topographic constraints but is suitable to create an additional infill lot. The rezoning of the parcel prior to subdivision will allow secondary suites for both lots in the future.

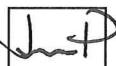
This proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area. The proposed lot configuration meets the lot size requirements of the RU1s zone.


Any development that creates a secondary suite with new construction will require a Development Permit that will be evaluated at a Staff level to ensure development of that site complies with zoning bylaw requirements as well as the development guidelines of the Official Community Plan.



Danielle Noble  
Manager, Urban Land Use

Approved for inclusion:



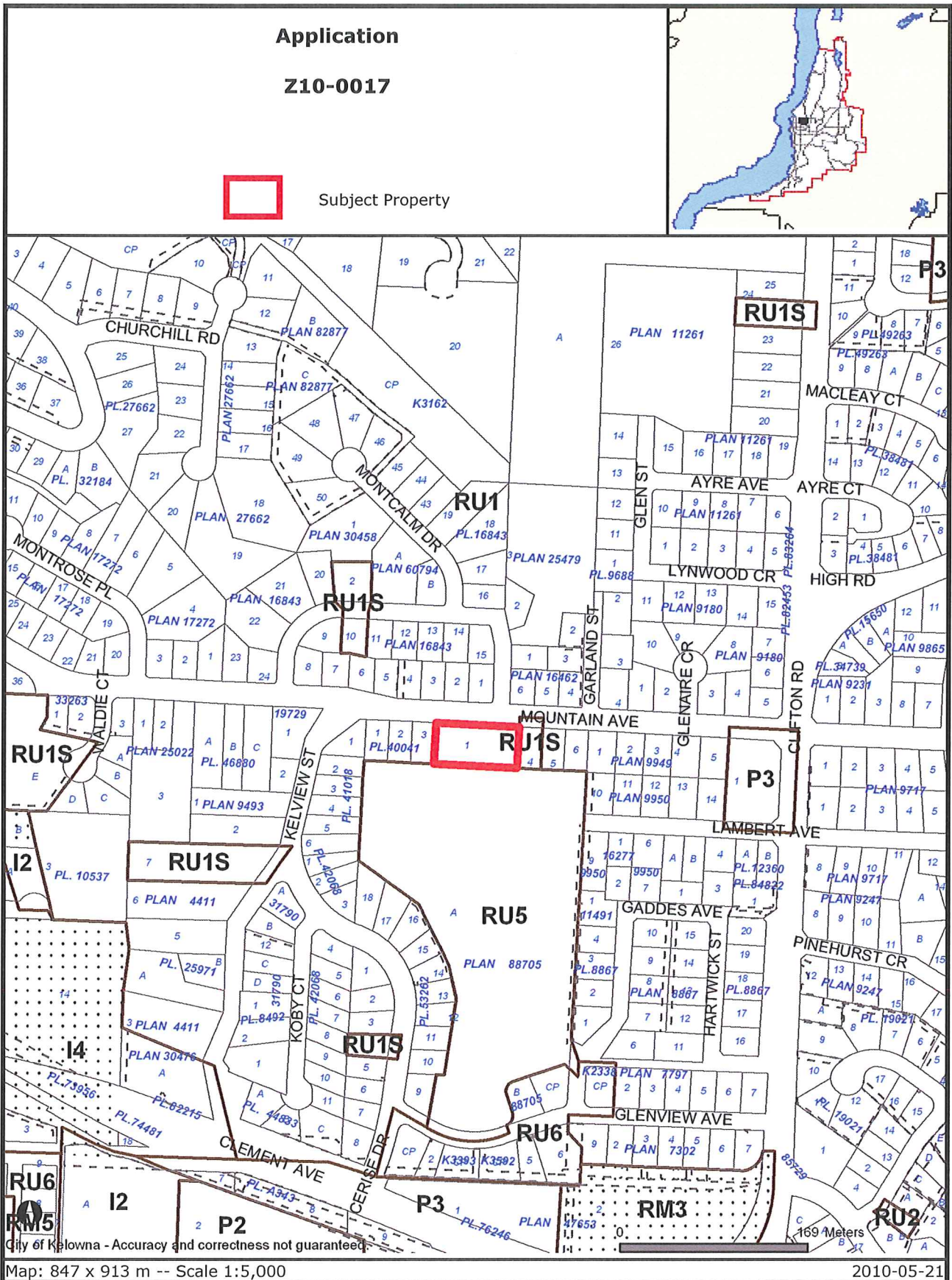
 Shelley Gambacort  
Director, Land Use Management

---

**Attachments:**

- Subject Property Map
- Site Plan
- Development Engineering Requirements

Date Application Accepted: March 17, 2010

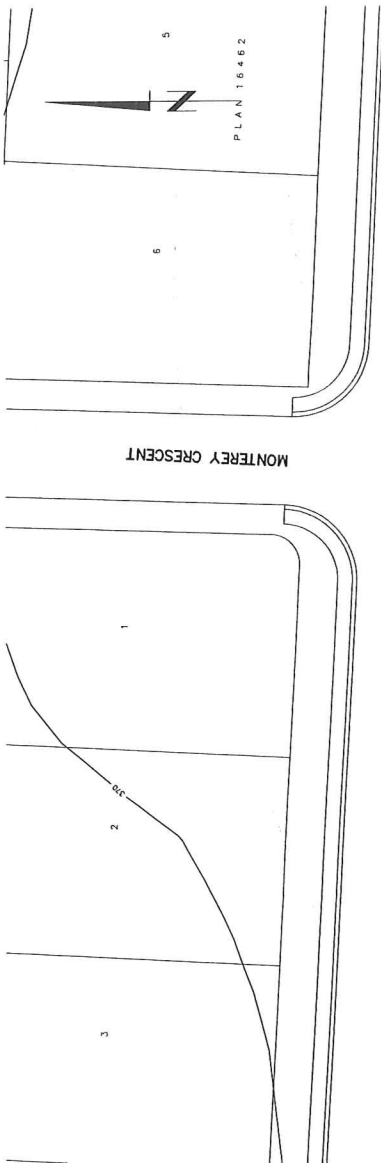


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.





**KEY PLAN**



**REZONING OF LOT 1, PLAN 63287 FROM RU1 TO RU1S**



**LEGAL DESCRIPTION:**  
 PLAN OF SUBDIVISION OF LOT 1 PLAN 63287 O.D.Y.D.

NOTE: CONTOUR INTERVAL = 1m  
 CURRENT ZONING: RU1  
 PROPOSED ZONING: RU1S

**CIO**  
 CIVIL ENGINEERING  
 09171

CITY FILE # \_\_\_\_\_  
**THE CITY OF KELOWNA**  
 ENGINEERING DEPARTMENT  
 LOT 1, PLAN 63287  
 1361 MOUNTAIN AVENUE  
 REZONING PLAN

Drawn	ST
Design	ST
Approved	
Date	JANUARY 2010
Scale	1:500

Legend	Proposed	Utility	Proposed	Utility
Water	Water	Water	Water	Water
Sanitary	Sanitary	Sanitary	Sanitary	Sanitary
Storm	Storm	Storm	Storm	Storm
Electric	Electric	Electric	Electric	Electric
Gas	Gas	Gas	Gas	Gas
Telephone	Telephone	Telephone	Telephone	Telephone
Other	Other	Other	Other	Other
Proposed	Proposed	Proposed	Proposed	Proposed
Design	Design	Design	Design	Design
Existing	Existing	Existing	Existing	Existing
1	1	1	1	1
2	2	2	2	2
3	3	3	3	3
4	4	4	4	4
5	5	5	5	5
6	6	6	6	6
7	7	7	7	7
8	8	8	8	8
9	9	9	9	9
10	10	10	10	10
11	11	11	11	11
12	12	12	12	12
13	13	13	13	13
14	14	14	14	14
15	15	15	15	15
16	16	16	16	16
17	17	17	17	17
18	18	18	18	18
19	19	19	19	19
20	20	20	20	20
21	21	21	21	21
22	22	22	22	22
23	23	23	23	23
24	24	24	24	24
25	25	25	25	25
26	26	26	26	26
27	27	27	27	27
28	28	28	28	28
29	29	29	29	29
30	30	30	30	30
31	31	31	31	31
32	32	32	32	32
33	33	33	33	33
34	34	34	34	34
35	35	35	35	35
36	36	36	36	36
37	37	37	37	37
38	38	38	38	38
39	39	39	39	39
40	40	40	40	40
41	41	41	41	41
42	42	42	42	42
43	43	43	43	43
44	44	44	44	44
45	45	45	45	45
46	46	46	46	46
47	47	47	47	47
48	48	48	48	48
49	49	49	49	49
50	50	50	50	50
51	51	51	51	51
52	52	52	52	52
53	53	53	53	53
54	54	54	54	54
55	55	55	55	55
56	56	56	56	56
57	57	57	57	57
58	58	58	58	58
59	59	59	59	59
60	60	60	60	60
61	61	61	61	61
62	62	62	62	62
63	63	63	63	63
64	64	64	64	64
65	65	65	65	65
66	66	66	66	66
67	67	67	67	67
68	68	68	68	68
69	69	69	69	69
70	70	70	70	70
71	71	71	71	71
72	72	72	72	72
73	73	73	73	73
74	74	74	74	74
75	75	75	75	75
76	76	76	76	76
77	77	77	77	77
78	78	78	78	78
79	79	79	79	79
80	80	80	80	80
81	81	81	81	81
82	82	82	82	82
83	83	83	83	83
84	84	84	84	84
85	85	85	85	85
86	86	86	86	86
87	87	87	87	87
88	88	88	88	88
89	89	89	89	89
90	90	90	90	90
91	91	91	91	91
92	92	92	92	92
93	93	93	93	93
94	94	94	94	94
95	95	95	95	95
96	96	96	96	96
97	97	97	97	97
98	98	98	98	98
99	99	99	99	99
100	100	100	100	100

Division	MUNICIPAL
Ref. No.	Z-101
0	
1	10.01.27 ST FOR REZONING APPLICATION
2	10.01.27 ST FOR REZONING APPLICATION
3	10.01.27 ST FOR REZONING APPLICATION
4	10.01.27 ST FOR REZONING APPLICATION
5	10.01.27 ST FOR REZONING APPLICATION
6	10.01.27 ST FOR REZONING APPLICATION
7	10.01.27 ST FOR REZONING APPLICATION
8	10.01.27 ST FOR REZONING APPLICATION
9	10.01.27 ST FOR REZONING APPLICATION
10	10.01.27 ST FOR REZONING APPLICATION
11	10.01.27 ST FOR REZONING APPLICATION
12	10.01.27 ST FOR REZONING APPLICATION
13	10.01.27 ST FOR REZONING APPLICATION
14	10.01.27 ST FOR REZONING APPLICATION
15	10.01.27 ST FOR REZONING APPLICATION
16	10.01.27 ST FOR REZONING APPLICATION
17	10.01.27 ST FOR REZONING APPLICATION
18	10.01.27 ST FOR REZONING APPLICATION
19	10.01.27 ST FOR REZONING APPLICATION
20	10.01.27 ST FOR REZONING APPLICATION
21	10.01.27 ST FOR REZONING APPLICATION
22	10.01.27 ST FOR REZONING APPLICATION
23	10.01.27 ST FOR REZONING APPLICATION
24	10.01.27 ST FOR REZONING APPLICATION
25	10.01.27 ST FOR REZONING APPLICATION
26	10.01.27 ST FOR REZONING APPLICATION
27	10.01.27 ST FOR REZONING APPLICATION
28	10.01.27 ST FOR REZONING APPLICATION
29	10.01.27 ST FOR REZONING APPLICATION
30	10.01.27 ST FOR REZONING APPLICATION
31	10.01.27 ST FOR REZONING APPLICATION
32	10.01.27 ST FOR REZONING APPLICATION
33	10.01.27 ST FOR REZONING APPLICATION
34	10.01.27 ST FOR REZONING APPLICATION
35	10.01.27 ST FOR REZONING APPLICATION
36	10.01.27 ST FOR REZONING APPLICATION
37	10.01.27 ST FOR REZONING APPLICATION
38	10.01.27 ST FOR REZONING APPLICATION
39	10.01.27 ST FOR REZONING APPLICATION
40	10.01.27 ST FOR REZONING APPLICATION
41	10.01.27 ST FOR REZONING APPLICATION
42	10.01.27 ST FOR REZONING APPLICATION
43	10.01.27 ST FOR REZONING APPLICATION
44	10.01.27 ST FOR REZONING APPLICATION
45	10.01.27 ST FOR REZONING APPLICATION
46	10.01.27 ST FOR REZONING APPLICATION
47	10.01.27 ST FOR REZONING APPLICATION
48	10.01.27 ST FOR REZONING APPLICATION
49	10.01.27 ST FOR REZONING APPLICATION
50	10.01.27 ST FOR REZONING APPLICATION
51	10.01.27 ST FOR REZONING APPLICATION
52	10.01.27 ST FOR REZONING APPLICATION
53	10.01.27 ST FOR REZONING APPLICATION
54	10.01.27 ST FOR REZONING APPLICATION
55	10.01.27 ST FOR REZONING APPLICATION
56	10.01.27 ST FOR REZONING APPLICATION
57	10.01.27 ST FOR REZONING APPLICATION
58	10.01.27 ST FOR REZONING APPLICATION
59	10.01.27 ST FOR REZONING APPLICATION
60	10.01.27 ST FOR REZONING APPLICATION
61	10.01.27 ST FOR REZONING APPLICATION
62	10.01.27 ST FOR REZONING APPLICATION
63	10.01.27 ST FOR REZONING APPLICATION
64	10.01.27 ST FOR REZONING APPLICATION
65	10.01.27 ST FOR REZONING APPLICATION
66	10.01.27 ST FOR REZONING APPLICATION
67	10.01.27 ST FOR REZONING APPLICATION
68	10.01.27 ST FOR REZONING APPLICATION
69	10.01.27 ST FOR REZONING APPLICATION
70	10.01.27 ST FOR REZONING APPLICATION
71	10.01.27 ST FOR REZONING APPLICATION
72	10.01.27 ST FOR REZONING APPLICATION
73	10.01.27 ST FOR REZONING APPLICATION
74	10.01.27 ST FOR REZONING APPLICATION
75	10.01.27 ST FOR REZONING APPLICATION
76	10.01.27 ST FOR REZONING APPLICATION
77	10.01.27 ST FOR REZONING APPLICATION
78	10.01.27 ST FOR REZONING APPLICATION
79	10.01.27 ST FOR REZONING APPLICATION
80	10.01.27 ST FOR REZONING APPLICATION
81	10.01.27 ST FOR REZONING APPLICATION
82	10.01.27 ST FOR REZONING APPLICATION
83	10.01.27 ST FOR REZONING APPLICATION
84	10.01.27 ST FOR REZONING APPLICATION
85	10.01.27 ST FOR REZONING APPLICATION
86	10.01.27 ST FOR REZONING APPLICATION
87	10.01.27 ST FOR REZONING APPLICATION
88	10.01.27 ST FOR REZONING APPLICATION
89	10.01.27 ST FOR REZONING APPLICATION
90	10.01.27 ST FOR REZONING APPLICATION
91	10.01.27 ST FOR REZONING APPLICATION
92	10.01.27 ST FOR REZONING APPLICATION
93	10.01.27 ST FOR REZONING APPLICATION
94	10.01.27 ST FOR REZONING APPLICATION
95	10.01.27 ST FOR REZONING APPLICATION
96	10.01.27 ST FOR REZONING APPLICATION
97	10.01.27 ST FOR REZONING APPLICATION
98	10.01.27 ST FOR REZONING APPLICATION
99	10.01.27 ST FOR REZONING APPLICATION
100	10.01.27 ST FOR REZONING APPLICATION

