

# Memo



**Date:** June 25, 2010

**To:** City Manager

**From:** Community Sustainability Division

**File No:** Z10-0034

**Applicant:** Richard H. & Debra A. Horner

**At:** 1820 Ivans Ave.

**Owner(s):** Richard H. & Debra A. Horner

**Purpose:** To rezone the subject property from RU2 - Medium Lot Housing zone to the RU2s - Medium Lot Housing with a secondary suite zone to construct a secondary suite within a single family dwelling.

**Existing Zone:** RU2 - Medium Lot Housing zone

**Proposed Zone:** RU2s- Medium Lot Housing with a secondary suite zone

Report Prepared by: Paul McVey

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## 1.0 RECOMMENDATION:

THAT Rezoning Application No. Z10-0034 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 17, Section 32, Township 26, ODYD Plan 42927, located at 1820 Ivans Avenue, Kelowna, BC, from the RU2 - Medium Lot Housing zone to the RU2s Medium 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 a Building Permit be issued for the suite prior to final adoption of the zone;

## 2.0 SUMMARY:

This application is seeking to rezone the subject property from the RU2 - Medium Lot Housing zone to the RU2s Medium Lot Housing with a secondary suite zone to construct a secondary suite within a single family dwelling. This application has been made as the result of an illegal suite investigation.

## 3.0 BACKGROUND:

A Building Permit for the dwelling on the subject property was issued in June 1991. However, a further Building Permit was issued in November 1991 to finish the basement area and add a wet bar area. In 2007, a bylaw investigation determined that an illegal suite exists. This application has been made to legalize the existing basement suite.

The basement area has direct access to the rear yard, adjacent to a deck area for the main floor living area.

Parking for the site is provided via two stalls within the double garage with a third parking stall located in the driveway. There is a concrete sidewalk along the south east side of the dwelling to provide access to the rear yard and the suite entrance.

The proposed application meets the requirements of RU2s- Medium Lot Housing with a secondary suite zone follows:

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	RU2s ZONE REQUIREMENTS (Suite within Principal Dwelling)
Subdivision Regulations		
Lot Area	469 m <sup>2</sup>	400 m <sup>2</sup>
Lot Width	17.1 m	13.0 m
Lot Depth	30.0 m	30.0 m
Development Regulations		
Site Coverage (buildings)	35.5%	40%
Site Coverage (buildings/parking)	43%	50%
Height (existing house)	5.6m / 1½ storeys	2 ½ storeys / 9.5 m
Floor Area of principal dwelling	345.6 m <sup>2</sup>	
Floor Area of Secondary Suite / Size ratios	90.0 m <sup>2</sup> / 26%	In building can't exceed lessor of 90 m <sup>2</sup> or 40%
Front Yard	6.55 m to garage	4.5 m to dwelling 6.0 to garage
Side Yard (north east)	2.13 m	1.5 m (1 - 1 ½ storey)
Side Yard (south west)	2.16 m	1.5 m (1 - 1 ½ storey)
Rear Yard	18.77 m	6.0 m (1 - 1½ storey)
Other Requirements		
Parking Stalls (#)	3 spaces provided	3 spaces
Private Open Space	meets requirements	30m <sup>2</sup> requirement

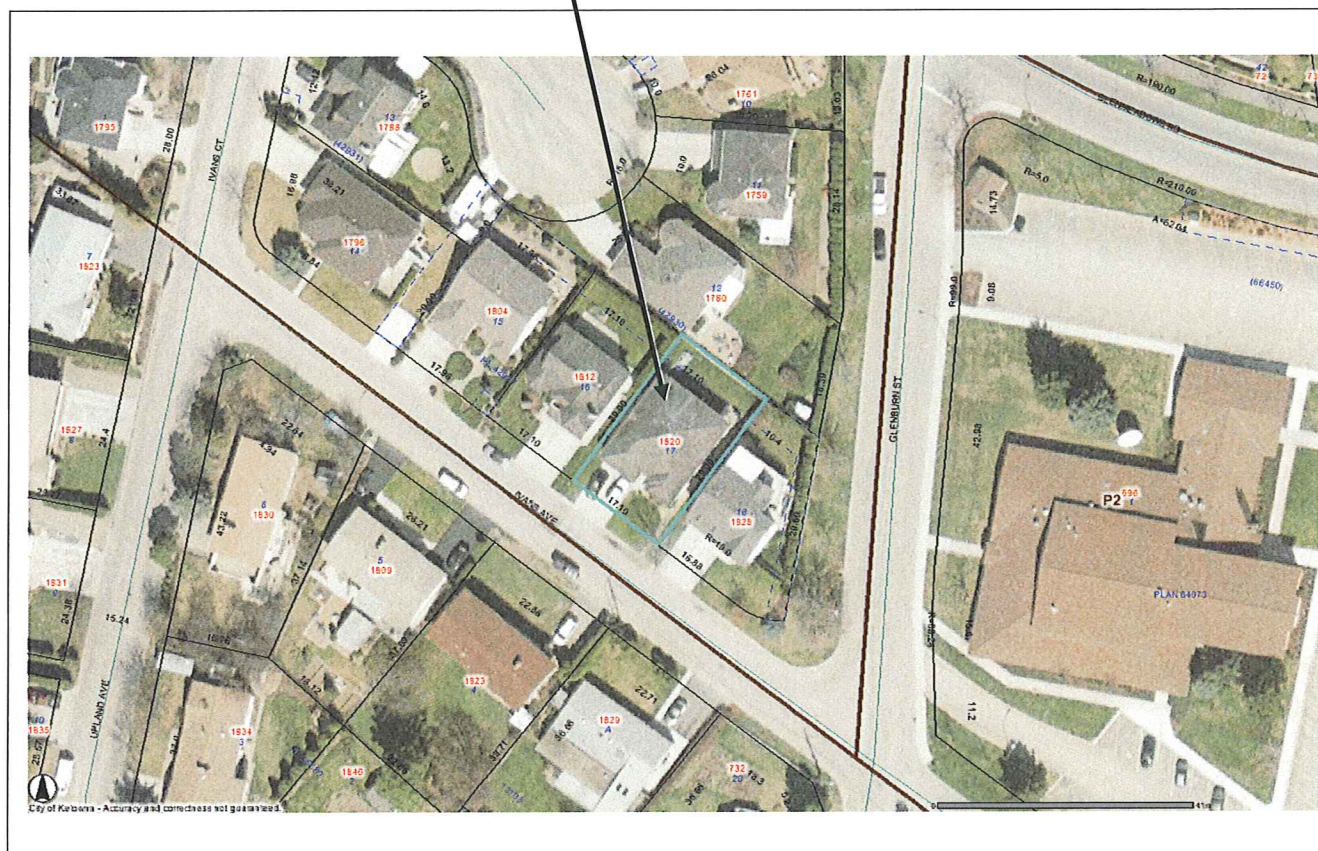
### 3.1 Site Context

The subject property is located on the north east side of Ivans Avenue, in the Glenmore area of Kelowna. More specifically, the adjacent land uses are:

North West	RU2 - Medium Lot Housing zone	- single unit residential
North East	RU2 - Medium Lot Housing zone	- single unit residential
South West	RU1 - Large Lot Housing zone	- single unit residential
South East	RU2 - Medium Lot Housing zone	- single unit residential



### 3.2 Site Location: 1820 Ivans Avenue



## 5.0 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 Policies:

**Infrastructure Availability<sup>1</sup>.** Give preference to supporting new housing in areas where required services already exist or can be provided most economically and efficiently;

**Integration<sup>2</sup>.** Encourage the sensitive integration of different housing forms in the various sectors of the City, in support of neighbourhood diversity and healthy communities;

**Secondary Suites<sup>3</sup>.** Encourage, under the conditions stipulated in the Zoning Bylaw, the creation of secondary suites.

<sup>1</sup> Official Community Plan, Policy #8-1.30

<sup>2</sup> Official Community Plan, Policy #8-1.44

<sup>3</sup> Official Community Plan, Policy #8-1.47

## 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 Development Engineering

See attached.

### 6.2 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.

### 6.3 Bylaw Services

Bylaw Services has an open file on this property for an illegal suite investigation.

### 6.4 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 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.

## 7.0 LAND USE MANAGEMENT DEPARTMENT

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 is anticipated on abutting properties, as parking requirements and private open space provisions can be achieved on-site.

The applicant is required to make application for a Building Permit for the suite conversion and any building code issues will be dealt with at the time of the building permit review.




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Danielle Noble  
Manager, Urban Land Use

Approved for inclusion:



 Shelley Gambacort  
Director, Land Use Management

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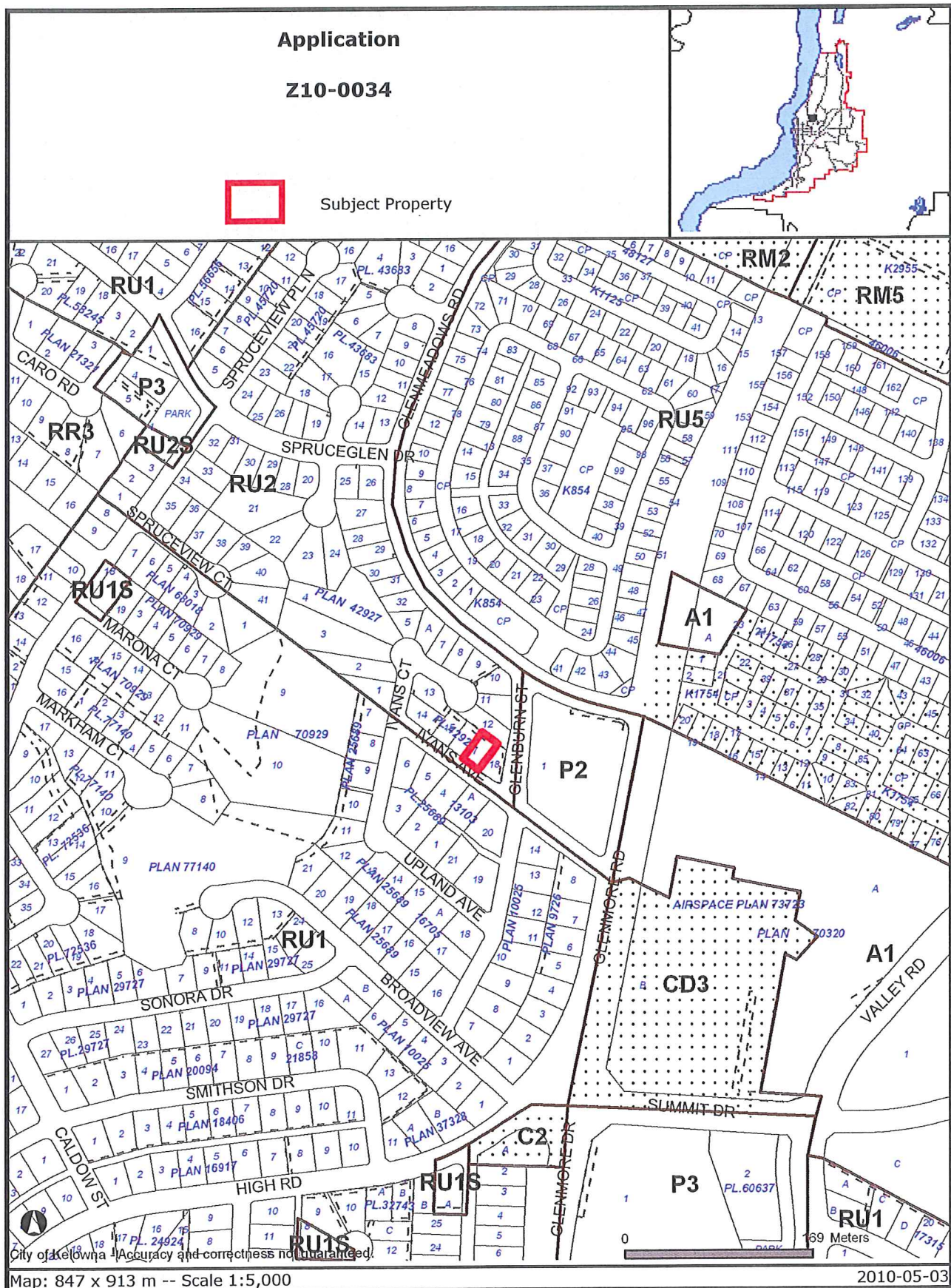
**Attachments:**

Subject Property Map  
Site Plan  
Dwelling Floor Plans  
Suite Floor Plans  
Building Elevations  
Site Photos

Date Application Accepted: April 27, 2010

Suite area information received from applicant: June9, 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.

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CITY OF KELOWNA

MEMORANDUM

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**Date:** May 7, 2010  
**File No.:** Z10-0034  
**To:** Planning & Development Services Department (PMcV)  
**From:** Development Engineering Manager (SM)  
**Subject:** 1820 Ivans Avenue Lot 17 Plan 42927 RU2s

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Development Engineering Services have the following requirements associated with this rezoning application.

1. Domestic Water and Sanitary Sewer

No servicing upgrades are triggered with this application to rezone from RU2 to RU2s.

2. Sanitary Sewer

No servicing upgrades are triggered with this application to rezone from RU2 to RU2s.

3. Site Related Issues

On-site parking modules must meet bylaw requirements.

4. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.

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Steve Muenz, P. Eng.  
Development Engineering Manager  
DC

Rear SETBACK:  
16m 20' MINIMUM  
TO FURTHEST PROJECTION



17.1.

56.10'

4.5m R/W

41.64'

7.10'

42.0'

7.0'

HOUSE

52.0'

95.14'

GARAGE

DRIVEWAY

21.6'

56.10'

Side SETBACK:  
1.5m 5' MINIMUM  
TO FURTHEST PROJECTION

95.14'

2 PARKING STALLS  
IN GARAGE

1 TANDEM PARKING  
STALL IN DRIVEWAY

LEGAL DI

LOT # 17  
PLAN # 420

Side SETBACK:  
1.5m 5' MINIMUM  
TO FURTHEST PROJECTION

Front SETBACK:  
16m 20' MINIMUM  
TO FURTHEST PROJECTION

A-495.

IVANS AVENUE

# SITE PLAN

SCALE: 1" = 20'-0"

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