

# Memo



**Date:** July 21, 2010

**To:** City Manager

**From:** Community Sustainability Division

**File No:** Z10-0062

**Applicant:** G. & R. Bains

**At:** 1494 Montenegro Drive

**Owner(s):** Gursewak & Ramandeep Bains

**Purpose:** To rezone the subject property from the RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs Large Lot Housing (Hillside Area) with a secondary suite zone to construct a secondary suite within a single family dwelling.

**Existing Zone:** RU1h - Large Lot Housing (Hillside Area) zone

**Proposed Zone:** RU1hs- Large Lot Housing (Hillside Area) with a secondary suite zone

Report Prepared by: Birte Decloux

---

## 1.0 RECOMMENDATION:

THAT Rezoning Application No. Z10-0062 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 11, Section 13, Township 26 ODYD Plan KAP84278 located at Montenegro Drive, Kelowna, BC, from the RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs - Large Lot Housing (Hillside Area) 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 RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs - Large Lot Housing (Hillside Area) with a secondary suite zone to construct a secondary suite within a single family dwelling.

## 3.0 BACKGROUND:

The construction of a single family dwelling is currently underway on the subject property. The proposed two bedroom suite is eventually intended for family, however will be rented in the interim. Private open space is achieved under the upper deck on the lower portion of the site.

The proposed application meets the requirements of RU1hs- Large Lot Housing (Hillside Area) with a secondary suite zone follows:

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	RU1hs ZONE REQUIREMENTS (Suite within Principal Dwelling)
Subdivision Regulations		
Lot Area	779 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width	24 m	16.5 m
Lot Depth	36 m	30.0 m
Development Regulations		
Site Coverage (buildings)	26 %	40%
Site Coverage (buildings/parking)	37 %	50%
Height (existing house)	6.4m / 2 storeys	2 ½ storeys / 9.5 m
Floor Area of principal dwelling	399 m <sup>2</sup>	
Floor Area of Secondary Suite / Size ratios	87.51 m <sup>2</sup> / 22%	In principal dwelling: may not exceed lessor of 90 m <sup>2</sup> or 40%
Front Yard	3 m	3 m
Side Yard (north)	2.3 m	2.3 m (2 - 2 ½ storey)
Side Yard (south)	2.5 m	2.3 m (2 - 2 ½ storey)
Rear Yard	9.38m	7.5 m
Other Requirements		
Parking Stalls (#)	3 spaces	3 spaces
Private Open Space	meets requirements	30m <sup>2</sup> requirement

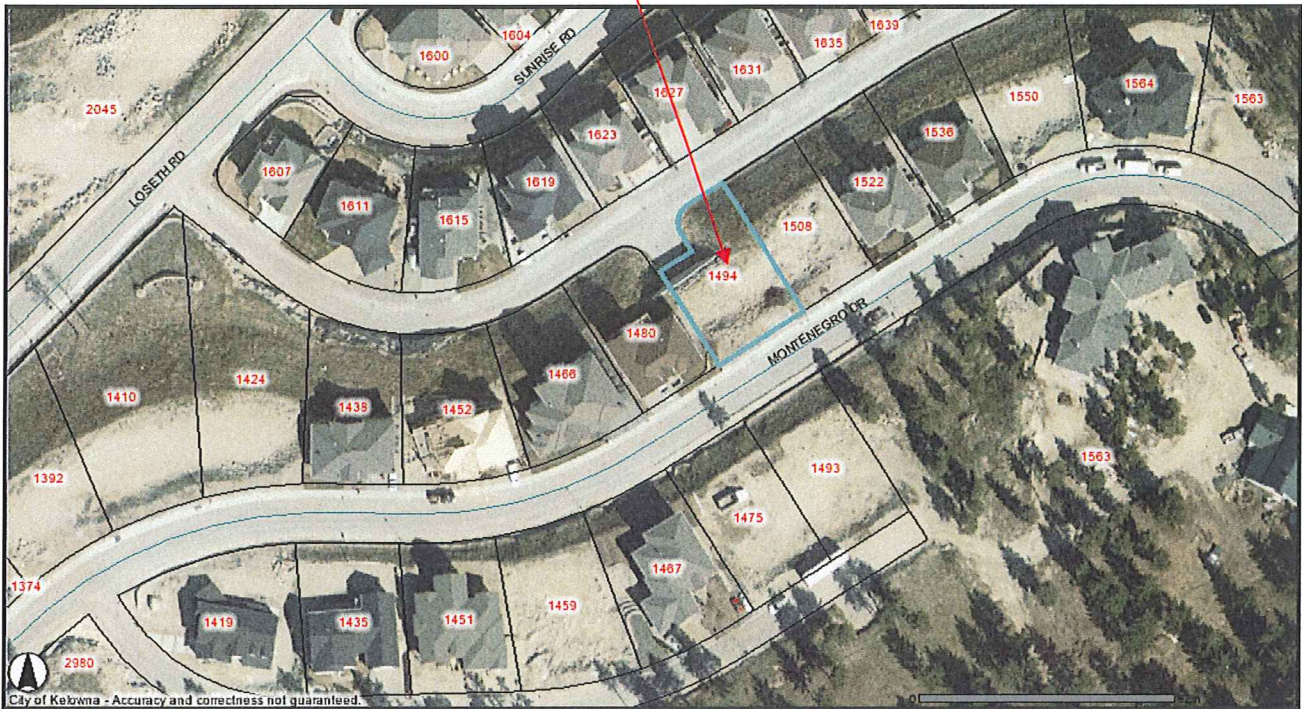
### 3.1 Site Context

The subject property is located on the north side of Montenegro Drive, in Black Mountain. More specifically, the adjacent land uses are as follows:

North	RU1h Large Lot Housing (Hillside Area)
South	RU1h Large Lot Housing (Hillside Area)
East	RU1h Large Lot Housing (Hillside Area)
West	RU1h Large Lot Housing (Hillside Area)



### 3.2 Site Location: 1494 Montenegro Drive



## 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.

**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.

## 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.

<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

**6.2 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 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 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.

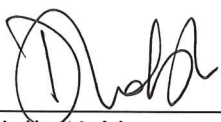
**6.4 Bylaw Services**

No concerns.

**7.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS**

The proposed rezoning is consistent with the Official Community Plans future land use designation of the subject property. The site is located within the Bell Mountain development where many secondary suites have been constructed. The City encourages the sensitive integration of secondary suites within existing neighbourhoods where amenities are provided.

Minimal impact (if any) is anticipated on abutting properties, as parking requirements and private open space provisions can easily be achieved on-site.



Danielle Noble  
Manager, Urban Land Use

Approved for inclusion:

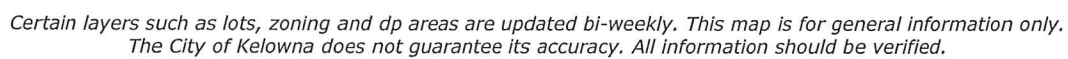


Shelley Gambacort  
Director, Land Use Management

**Attachments:**  
Subject Property Map  
Site Plan  
Suite Floor Plans  
Photo

Date Application Accepted from applicant: June 29, 2010

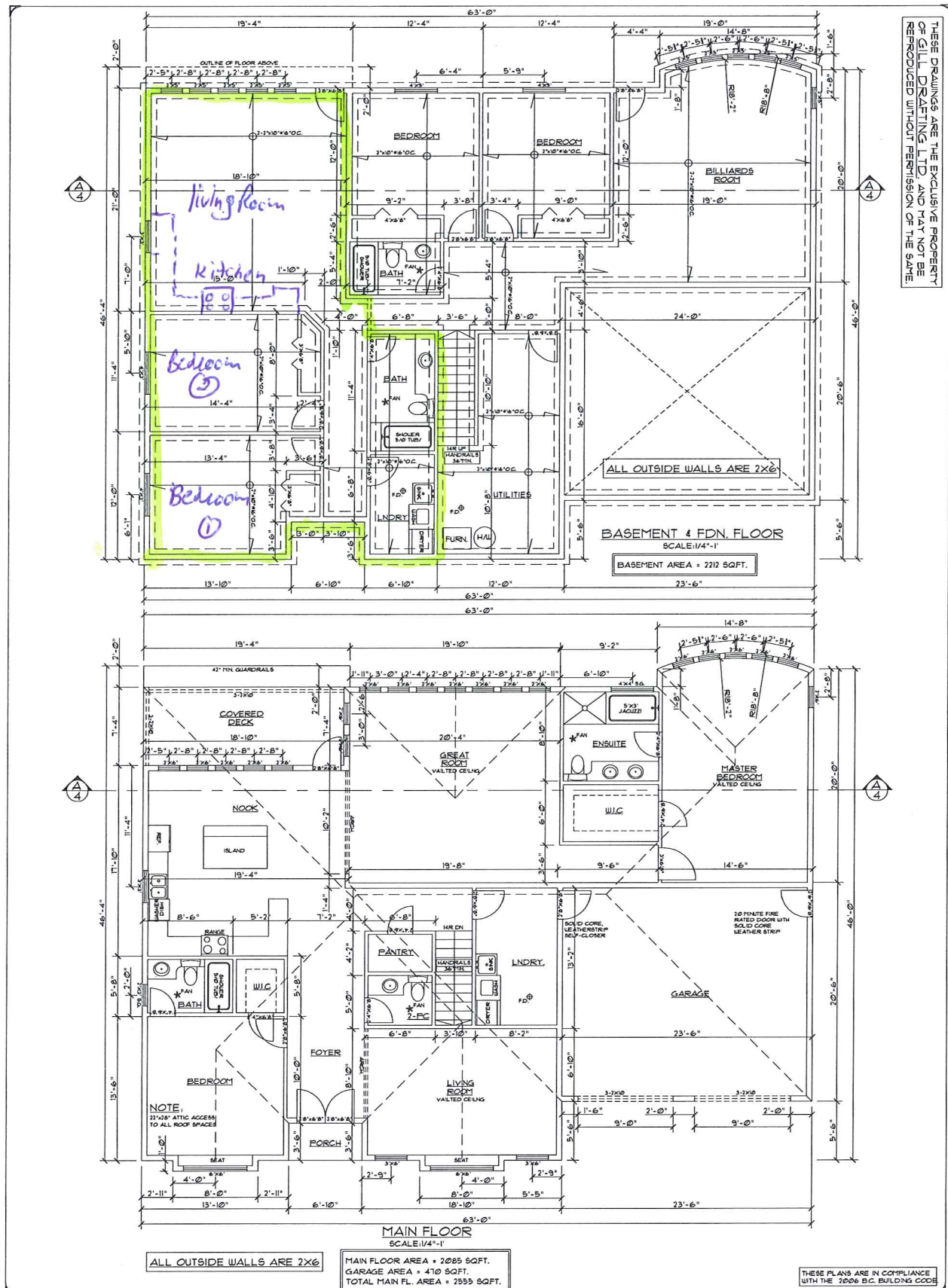






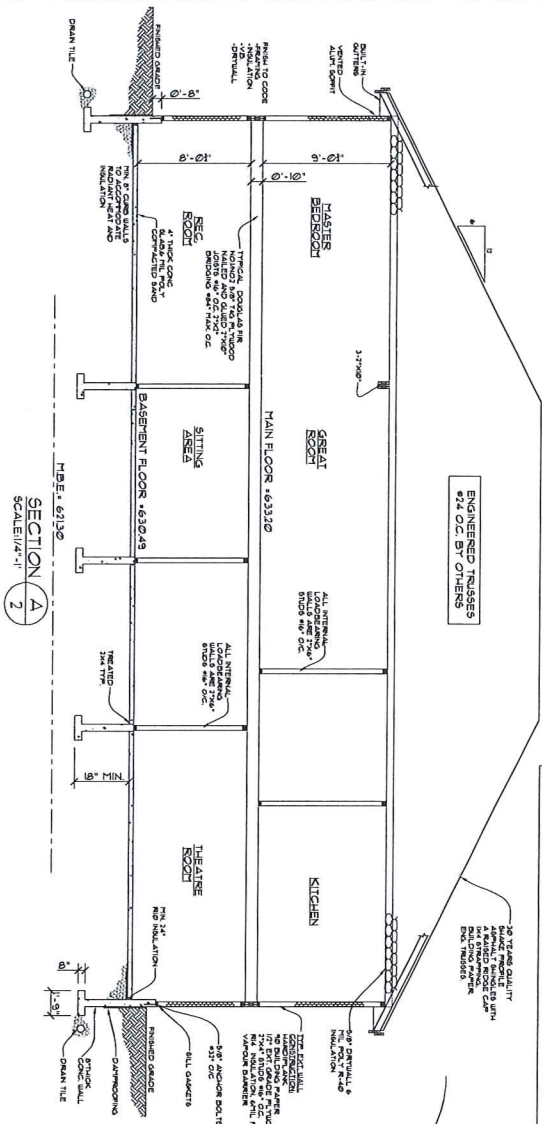


THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF GILL DRAFTING LTD. AND MAY NOT BE REPRODUCED WITHOUT PERMISSION OF THE STATE.



DWN:	JASON	PROJECT NAME:	DESIGNER ADDRESS:		REVISIONS	BY	DRAWING NO.
SCALE:	1/4" = 1'-0"	PROPOSED RESIDENCE FOR MR. GURSEWAK SINGH	GILL DRAFTING LTD. 4848-150 ST. SURREY, B.C. TEL/FAX: (604) 595-8888 E-MAIL: GILLDRAFTING@YANCOO.COM				GD10-2930
DATE:	APR 13/10	LOT #1 @ 1494-MONTENEGRO DR. KELOWNA B.C.					SHEET NO.
CHKD:	JPS						2 OF 5
PHONE:	250-864-6170						

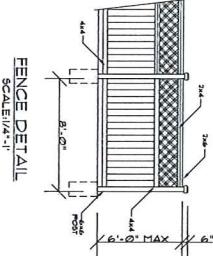
THESE DRAWINGS ARE THE EXCLUSIVE PROPERTY OF GILL DRAFTING LTD. AND MAY NOT BE REPRODUCED WITHOUT PERMISSION OF THE SAME.



SECTION A  
SCALE: 1/4" = 1'

NOTES:

1. THE FENCE IS TO BE CONSTRUCTED OF TREATED MATERIAL AND SHALL BE 6' HIGH.  
2. THE FENCE SHALL BE SUBSTANTIALLY AS SHOWN.



FENCE DETAIL  
SCALE: 1/4" = 1'

NOTES:

1. THE FENCE IS TO BE CONSTRUCTED OF TREATED MATERIAL AND SHALL BE 6' HIGH.  
2. THE FENCE SHALL BE SUBSTANTIALLY AS SHOWN.  
3. THE FENCE SHALL BE SUBSTANTIALLY AS SHOWN.  
4. THE FENCE SHALL BE SUBSTANTIALLY AS SHOWN.  
5. THE FENCE SHALL BE SUBSTANTIALLY AS SHOWN.  
6. THE FENCE SHALL BE SUBSTANTIALLY AS SHOWN.  
7. THE FENCE SHALL BE SUBSTANTIALLY AS SHOWN.  
8. THE FENCE SHALL BE SUBSTANTIALLY AS SHOWN.  
9. THE FENCE SHALL BE SUBSTANTIALLY AS SHOWN.  
10. THE FENCE SHALL BE SUBSTANTIALLY AS SHOWN.

**FAR:**  
TOTAL LOT AREA: 8400 SQFT.  
ACTUABLE FAR: N/A  
**SITE COVERAGE:**  
TOTAL LOT AREA: 8400 SQFT.  
ACTUABLE SITE COVERAGE: 45%  
ACTUABLE SITE COVERAGE: 718 SQFT.  
**ZONING:** R1H1

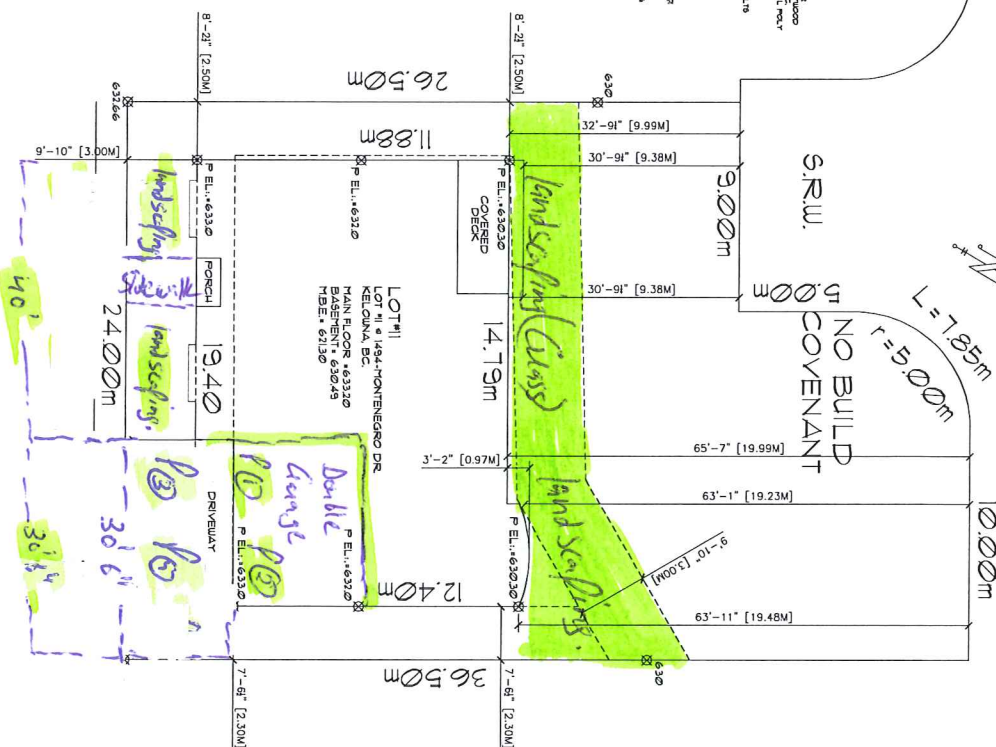
**COPYRIGHT RESERVED**  
THIS PLAN AND DESIGN AND ITS COMPONENTS ARE THE PROPERTY OF GILL DRAFTING LTD. NO PART OF THIS DESIGN OR ANY INFORMATION CONTAINED HEREIN MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF GILL DRAFTING LTD.

REVISION	BY	LEGAL DESCRIPTION	PROJECT NAME
		PROPOSED RESIDENCE FOR MR. GURSEWAK SINGH LOT #11 1494 MONTENEGRO DR KELOUNA B.C.	



DATE	ISSUED	SHEET NO.	DRAWING NO.
1/4/1/00	4 OF 5	GD10-2930	
1/4/1/00			

THESE PLANS ARE IN COMPLIANCE WITH THE 2006 B.C. BUILDING CODE  
GILL DRAFTING LTD.  
1000-1000 ST.  
VANCOUVER, B.C. V6H 1A6  
TEL: (604) 333-6601  
FAX: (604) 333-6601  
WWW.GILLDRAFTING.COM





---

**CITY OF KELOWNA**

**MEMORANDUM**

---

**Date:** July 06, 2010  
**File No.:** Z10-0048  
**To:** Planning & Development Services Department (BD)  
**From:** Development Engineer Manager (SM)  
**Subject:** 1494 Montenegro Drive – Lot 11, Plan KAP84278, Sec. 13, Twp. 26, ODYD

---

Development Engineering Services comments and requirements regarding this application to rezone from RU1H to RU1Hs are as follows:

1. Subdivision  
Provide easements as may be required
2. Sanitary Sewer.  
The subject property is connected to the Municipal wastewater collection system.
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. Miscellaneous.
  - a) Parking is provided on site.
  - b) This application does not trigger any offsite upgrades.

---

Steve Muenz, P.Eng.  
Development Engineering Manager

BB