

Memo



Date: August 11, 2010

To: City Manager

From: Community Sustainability Division

File No: Z10-0056

Applicant: David Erikson

At: 1353 Flemish Street

Owner(s): David Erikson, Alexander Norman,
and Susan Ames

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. Z10-0056 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 52, District Lot 137, ODYD, Plan 15035, located at Flemish Street, 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.

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 applicant is seeking to legalize a suite in response to a bylaw complaint. The suite was in place when the subject property was recently purchased by the applicant. Access to the one bedroom suite is through the rear of the site. Private outdoor space is provided in a covered patio. Parking regulations are met with the use of the single car garage and two stalls provided on the driveway.

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

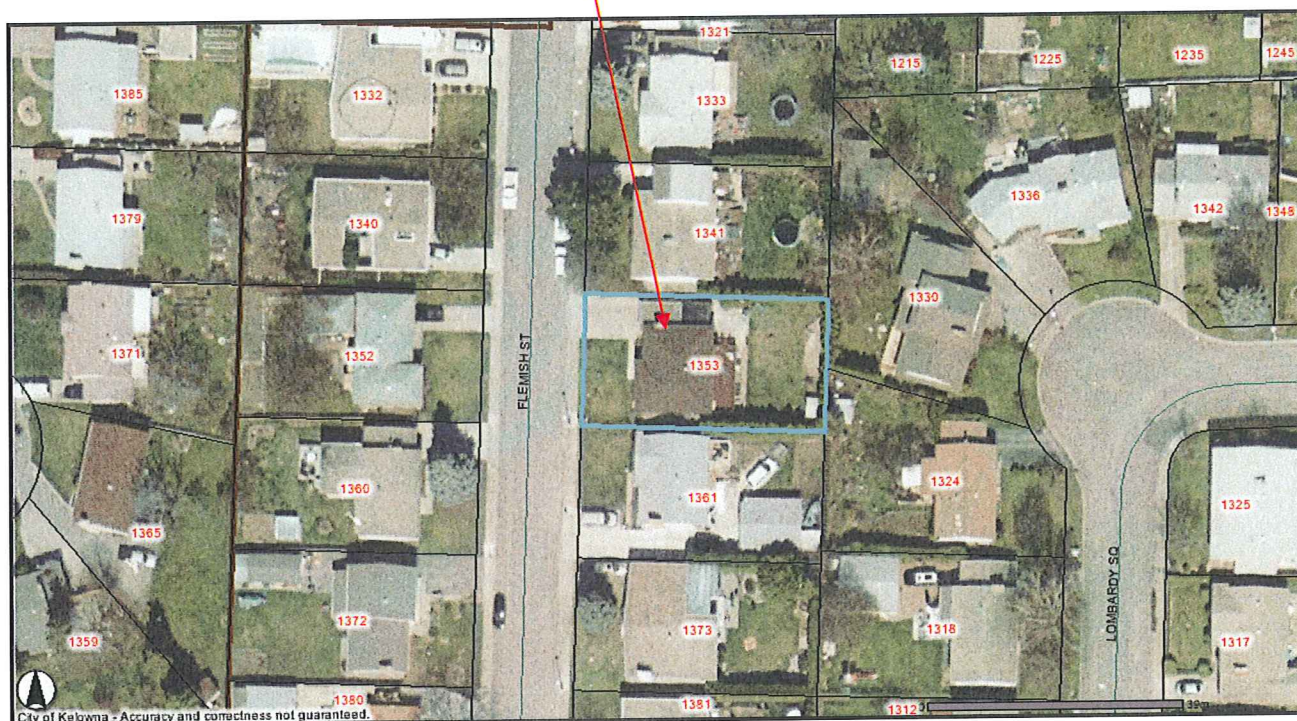
Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS (Suite within Principal Dwelling)
Subdivision Regulations		
Lot Area	725m ²	550 m ²
Lot Width	19.81m	16.5 m
Lot Depth	36.58m	30.0 m
Development Regulations		
Site Coverage (buildings)	16 %	40%
Site Coverage (buildings/parking)	20 %	50%
Height (existing house)	4.3 m / 1 storeys	2 ½ storeys / 9.5 m
Floor Area of principal dwelling	230 m ²	
Floor Area of Secondary Suite / Size ratios	87.7 m ² / 38%	In principal dwelling: may not exceed lessor of 90 m ² or 40%
Front Yard	5.0 m	4.5 m
Side Yard (north)	2.4 m	2.0 m (1 - 1 ½ storey)
Side Yard (south)	2.0 m	2.0 m (1 - 1 ½ storey)
Rear Yard	18 m	7.5 m
Other Requirements		
Parking Stalls (#)	3 spaces	3 spaces
Private Open Space	meets requirements	30m ² requirement

3.1 Site Context

The subject property is located on the east side of Flemish Street, in Glenmore. More specifically, the adjacent land uses are as follows:

North	RU1	Large Lot Housing
South	RU1	Large Lot Housing
East	RU1	Large Lot Housing
West	RU1	Large Lot Housing

3.2 Site Location: 1353 Flemish Street



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 Polices:

Infrastructure Availability¹. Give preference to supporting new housing in areas where required services already exist or can be provided most economically and efficiently;

Integration². Encourage the sensitive integration of different housing forms in the various sectors of the City, in support of neighbourhood diversity and healthy communities;

Secondary Suites³. 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.

¹ Official Community Plan, Policy #8-1.30

² Official Community Plan, Policy #8-1.44

³ 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 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) Fire rated common corridor is required for exiting of both the suite and main dwelling complete with fire rated doors that have a self closing devices and seals (the existing shared entrance is not allowed as shown).
- 6) The mechanical room walls are required to be fire rated and have a self closing, weather striped, fire rated door assembly.
- 7) Full Plan check for Building Code related issues will be done at time of Building Permit applications.


6.4 Bylaw Services

Bylaw Services has an illegal suite file on this property which was generated on March 4, 2010. The Service Request remains open to date.


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 close to the City centre, within immediate proximity to shopping, transit and recreation opportunities. The City encourages the sensitive integration of secondary suites within existing neighbourhoods where amenities are provided. This application meets these goals.

The proposed suite meets all the RU1s - Large Lot Housing with secondary suite requirements, as parking regulations and private open space provisions can easily be achieved on-site.

For: 

 Danielle Noble
 Manager, Urban Land Use

Approved for inclusion: 
 Shelley Gambacort
 Director, Land Use Management



Attachments:

Subject Property Map

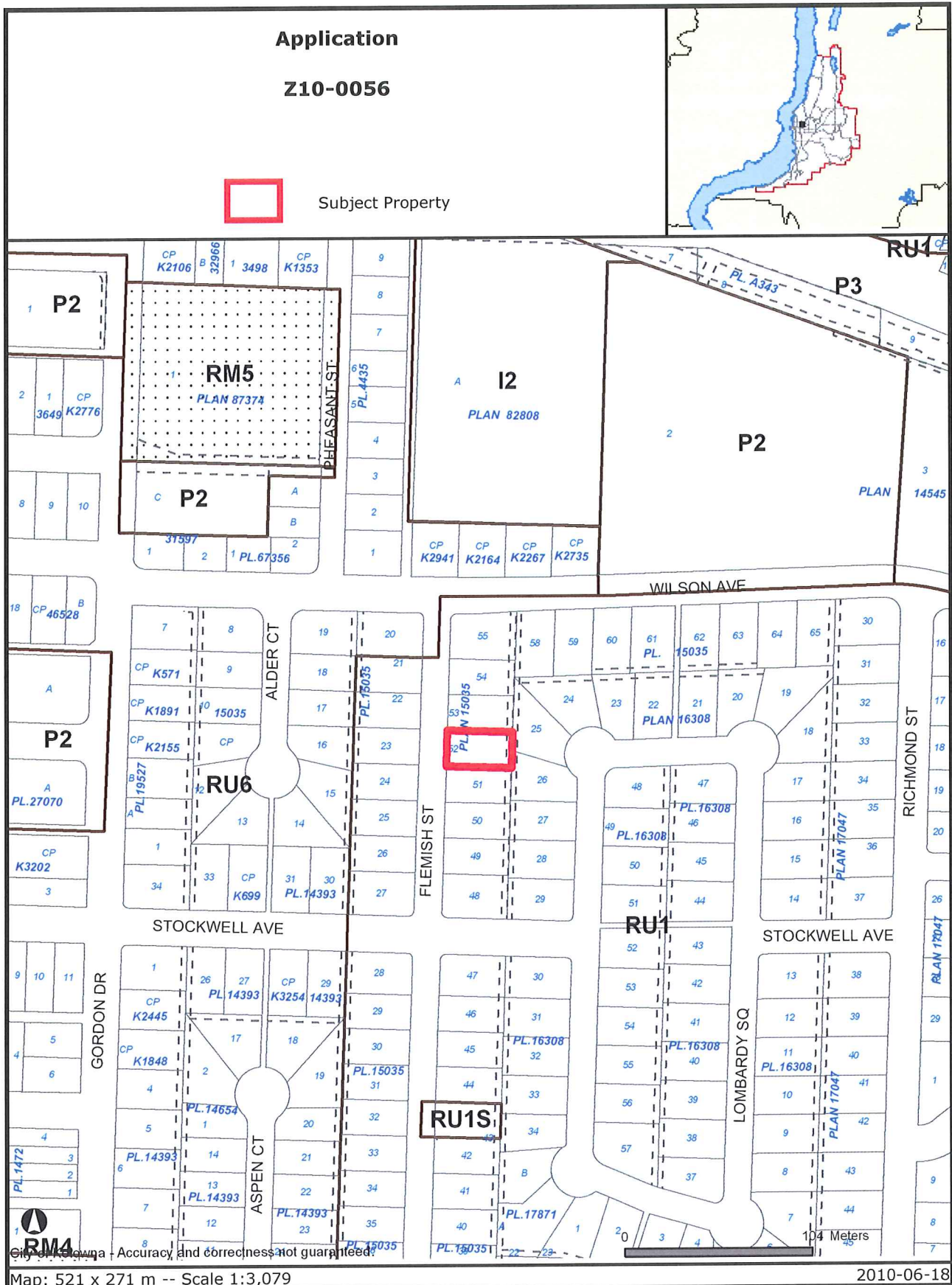
Site Plan

Suite Floor Plans

Photo

Date Application Accepted from applicant: June 21, 2010

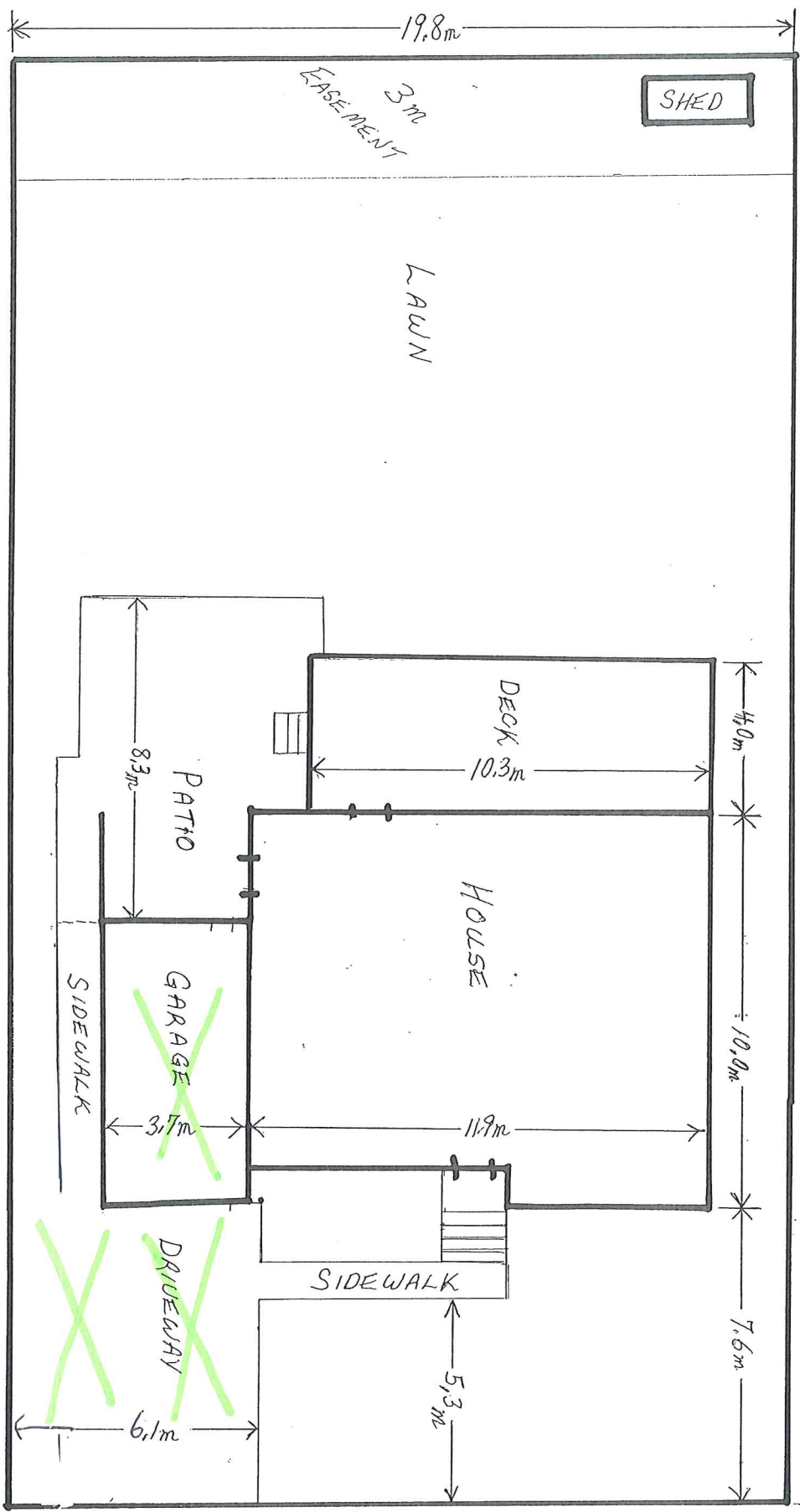
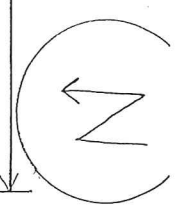
Owners authorization received: August 9, 2010



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.

SITE PLAN - LOT 52 1353 FLEMISH ST KELOWNA B.C.

36.9m

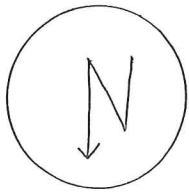


SCALE
1:100
1cm = 1m

REVISED PLANS

AUG 11 2010

CITY OF KELOWNA
Land Use Management



BASEMENT SUITE

1353 FLEMISH ST.

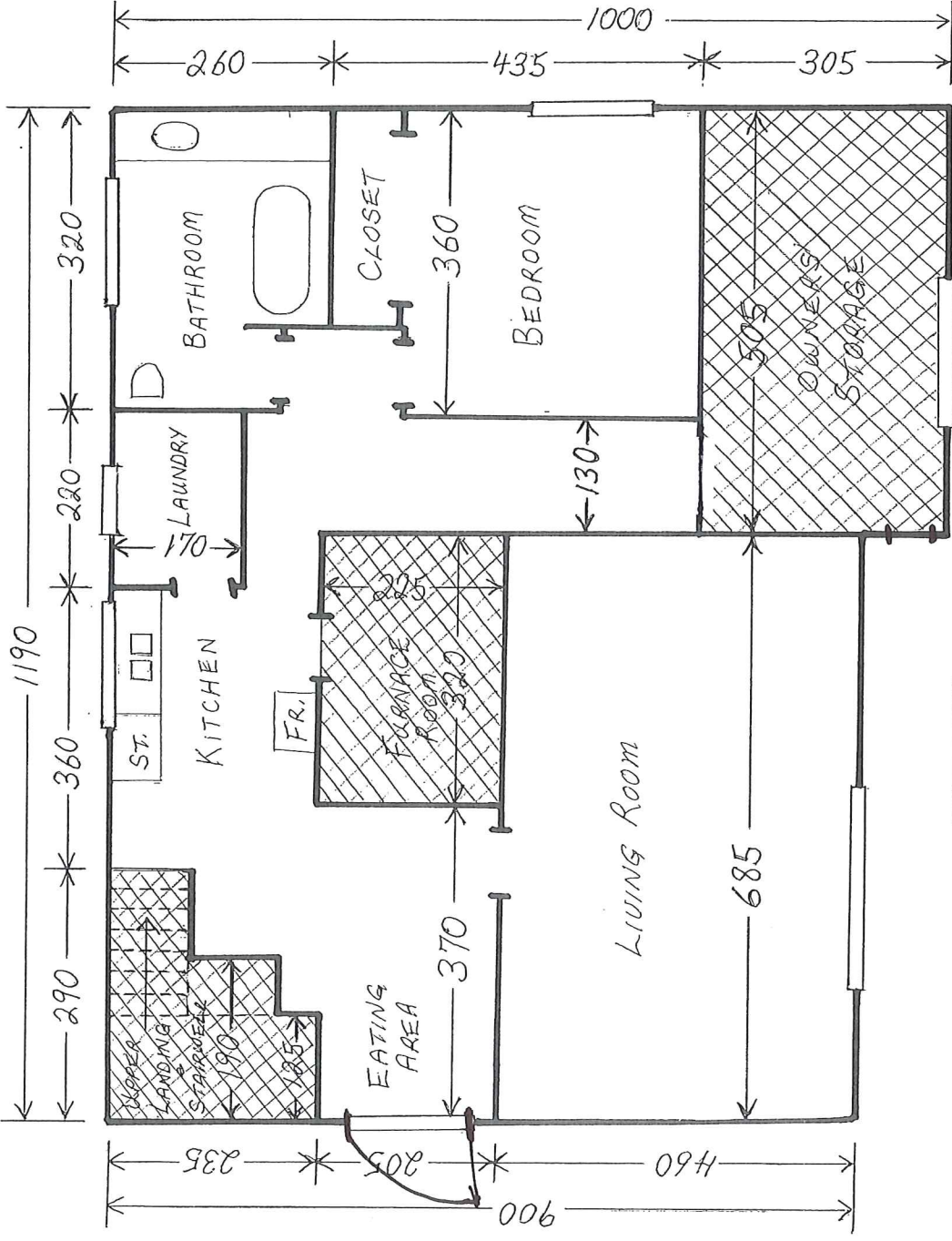
KELOWNA B.C.

WINDOW DIMENSIONS

<u>WINDOW</u>	<u>TOTAL</u>	<u>OPENS</u>
KITCHEN	150x66	70x66
LAUNDRY	66x67	66x67
BATHROOM	148x66	68x66
BEDROOM	145x67	67x67
LIVING ROOM	237x52	54x50 + 56x50
EATING AREA	148x72	68x66

CEILING HEIGHT = 220 cm
(BATHROOM 203 cm)

SCALE
1:50
2 CM = 1 M
ALL MEASUREMENTS
IN CENTIMETRES

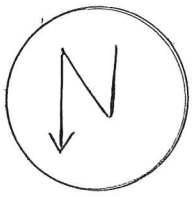


NON-SUITE AREAS

REVISED PLANS

AUG 11 2010

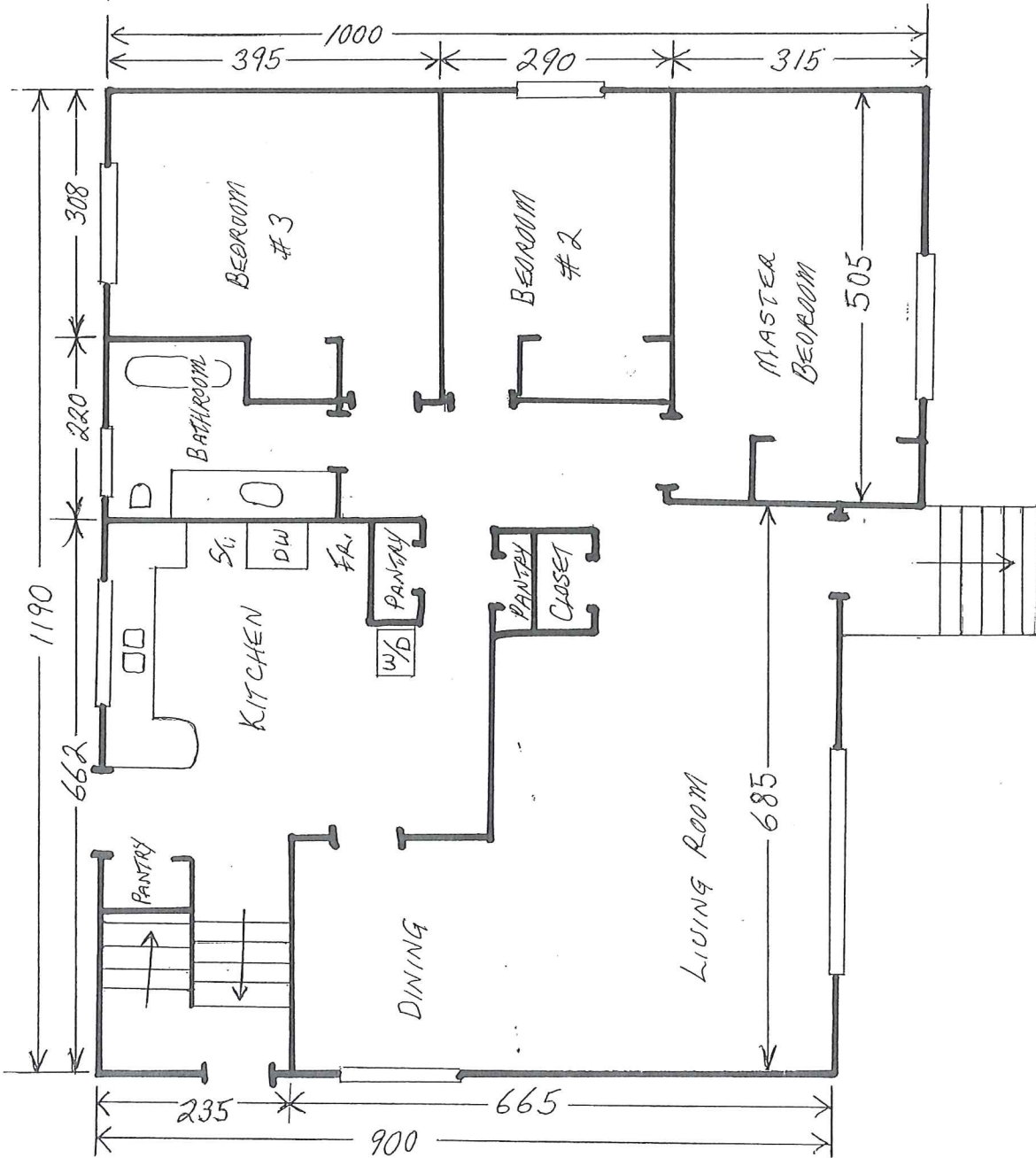
CITY OF KELOWNA
Land Use Management

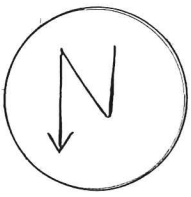


MAIN FLOOR
1353 FLEMISH ST.
KELOWNA B.C.

SCALE
1:50

2 CM : 1 M
ALL MEASUREMENTS
IN CENTIMETRES

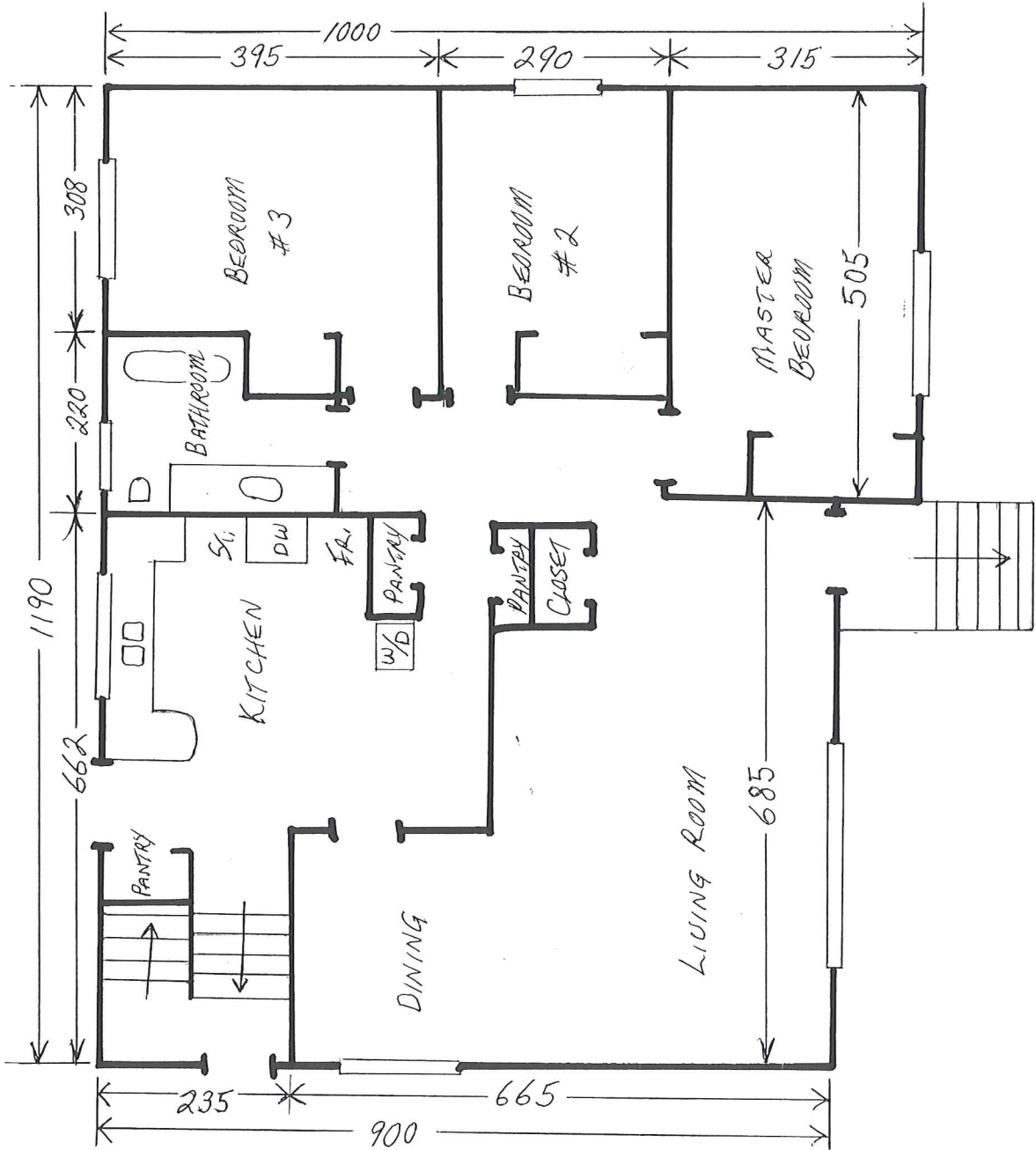




MAIN FLOOR
1353 FLEMISH ST.
KELOWNA B.C.

SCALE
1:50

2CM : 1M
ALL MEASUREMENTS
IN CENTIMETRES



Basement Suite



1353 Flemish Street
Kelowna, BC
V1Y 3R8

Owners:
Dave Erikson and Susan Ames
309-518 Moberly Road
Vancouver, BC
V5Z 4G3
Tel.: 604-454-7406



Plate 1. Front of house.



Plate 2. Back of house. Upstairs deck, downstairs patio, shared backyard.



Plate 3. Basement kitchen.



Plate 4. Basement bedroom.



Plate 5. Basement living room.



Plate 6. Basement bathroom.



Plate 7. Outdoor private patio for basement suite with skylight (entrance door on left).

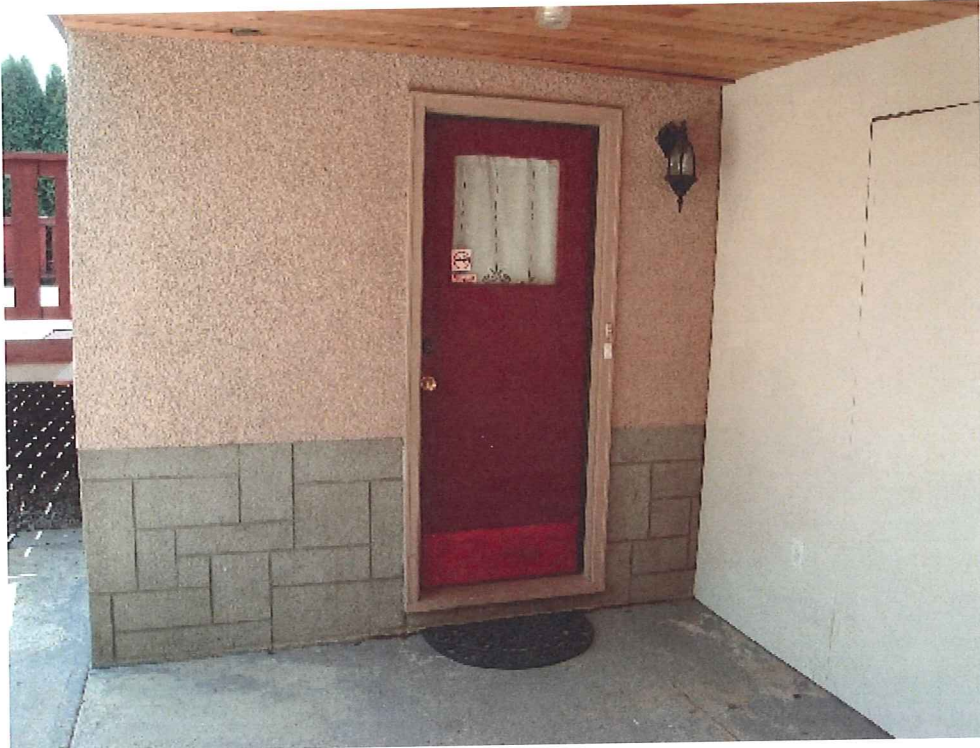


Plate 8. Basement entrance.

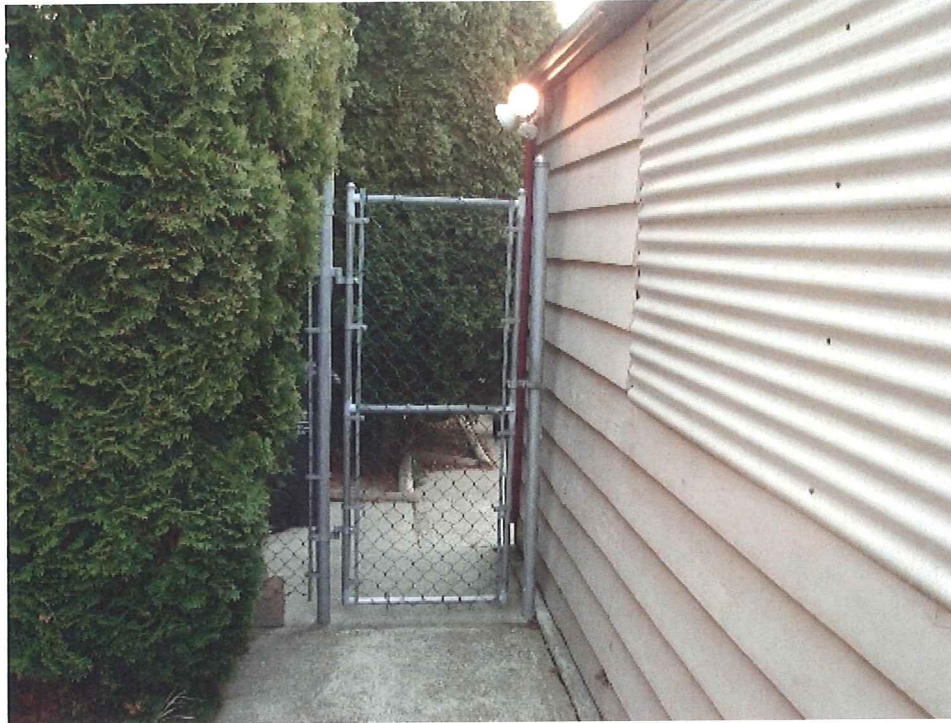


Plate 9. Walkway to back entrance with motion detector light.



Plate 10. Neighboring house to the north.



Plate 11. Neighboring house to the south.

CITY OF KELOWNA
MEMORANDUM

Date: June 28, 2010
File No.: Z10-0056

To: Land Use Management Department (BD)

From: Development Engineering Manager

Subject: 1353 Flemish St Lot 52 Plan 15035 Suite in existing dwelling

Development Engineering has the following requirements associated with this rezoning application.

1. Domestic Water and Fire Protection

This property is currently serviced with a 19mm-diameter copper water service. The service will be adequate for this application. Metered water from the main residence must be extended to supply the proposed accessory building.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. The service will be adequate for this application

3. Development Permit and Site Related Issues

On-site parking modules must meet bylaw requirements.
The designated parking space for the suite shall have a hard, dust free surface complete with a walkway to the main entrance to the suite.

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.

Steve Muenz, P. Eng.
Development Engineering Manager
JF/jf