

# Memo



Date: September 8, 2010

To: City Manager

From: Community Sustainability Division

File No: Z10-0073

Applicant: Richard Visscher

At: 726 Denali Drive

Owner(s): Sharla Marie Visscher

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

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

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

Report Prepared by: Birte Decloux

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## 1.0 RECOMMENDATION:

THAT Rezoning Application No. Z10-0073 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 4, Section 28, Township 26 ODYD Plan KAP72643 located at 726 Denali Drive, Kelowna, BC, from the RU1h - Large Lot Housing (Hillside) zone to the RU1hs - Large Lot Housing (Hillside) 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 discharge of the restrictive covenant relating to the use of the 'summer kitchen';

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Glenmore 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:

In 2006 a single family dwelling was constructed on the subject property with a covenant permitting a second kitchen as part of the household. The owner is now seeking to create a modest secondary suite utilizing the kitchen.

A walkway from the allocated parking stall leads to the suite access at the rear of the dwelling.

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

<b>Zoning Bylaw No. 8000</b>		
<b>CRITERIA</b>	<b>PROPOSAL</b>	<b>RU1hs ZONE REQUIREMENTS (Suite within Principal Dwelling)</b>
<b>Subdivision Regulations</b>		
Lot Area	908 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width	17.31 m	16.5 m
Lot Depth	46.90 m	30.0 m
<b>Development Regulations</b>		
Site Coverage (buildings)	20.9 %	40%
Site Coverage (buildings/parking)	37.04 %	50%
Height (existing house)	7.025 m / 1 storeys	2 ½ storeys / 9.5 m
Floor Area of principal dwelling	420.11m <sup>2</sup>	
Floor Area of Secondary Suite / Size ratios	69.12m <sup>2</sup> / 17 %	In principal dwelling: may not exceed lessor of 90 m <sup>2</sup> or 40%
Front Yard	6.6 m	6 m
Side Yard (north)	2.1m	2.0m (1 - 1 ½ storey)
Side Yard (south)	2.1m	2.0m (1 - 1 ½ storey)
Rear Yard	7.9 m	7.5 m
<b>Other Requirements</b>		
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 west side of Denali Drive, on Dilworth 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	RM3	Low Density Multiple Housing
West	A1	Agriculture 1

### 3.2 Site Location: 726 Denali Drive



## 4.0 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 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.

## 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

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

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 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) Exit door is to open on a vertical hinge (sliding doors are not acceptable as the primary exit)
- 6) Full Plan check for Building Code related issues will be done at time of Building Permit applications.

5.4 Bylaw Services

No concerns.

**6.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS**

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 (if any) is anticipated on abutting properties, as parking requirements and private open space provisions are achieved on-site.



Danielle Noble  
Manager, Urban Land Use

Approved for inclusion:

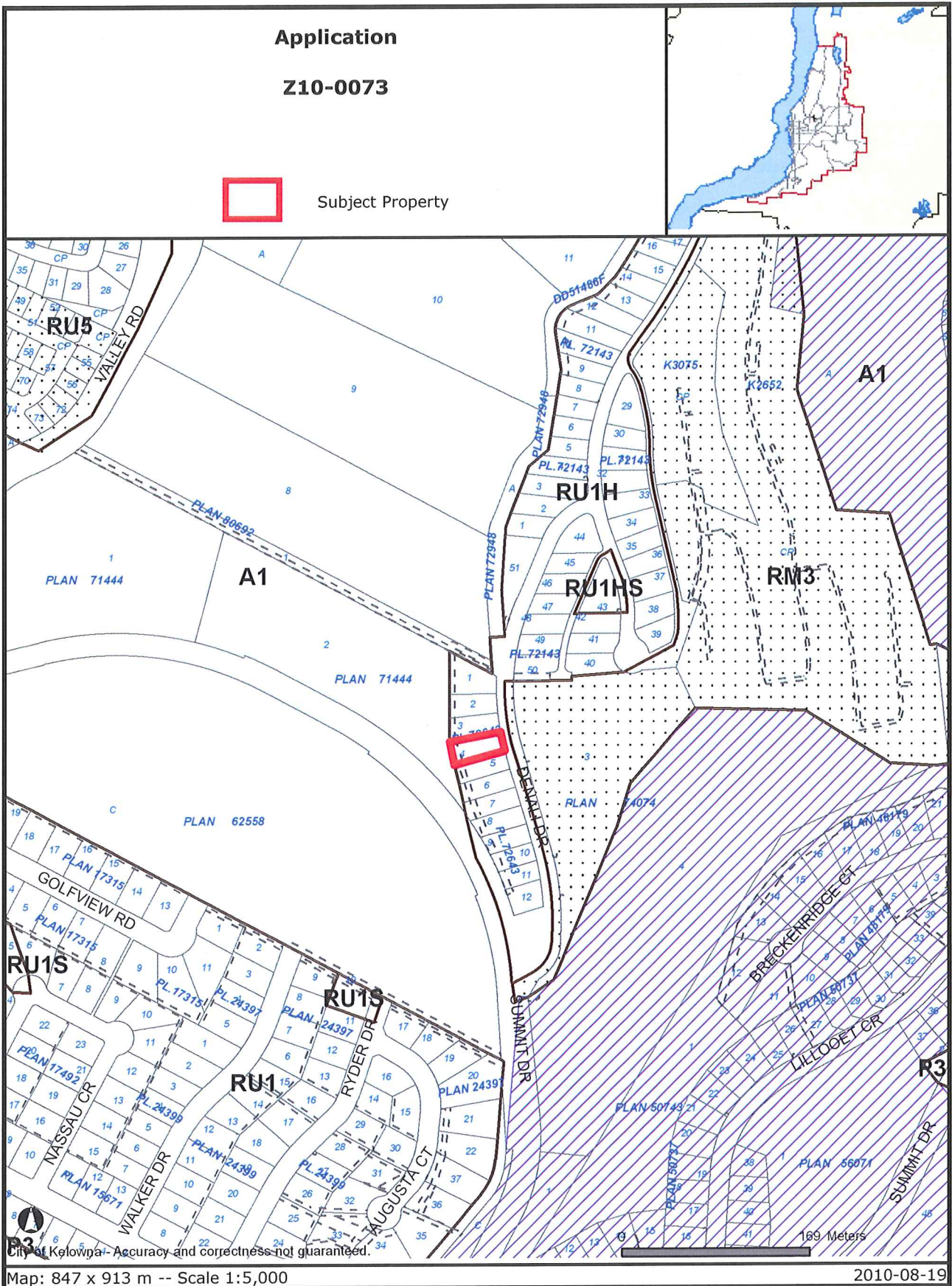


Shelley Gambacort  
Director, Land Use Management

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

Date Application Accepted from applicant: August 19, 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.



CONTRACTOR IS RESPONSIBLE TO CHECK AND CONFIRM ALL DIMENSIONS AND ELEVATIONS ON DRAWINGS.

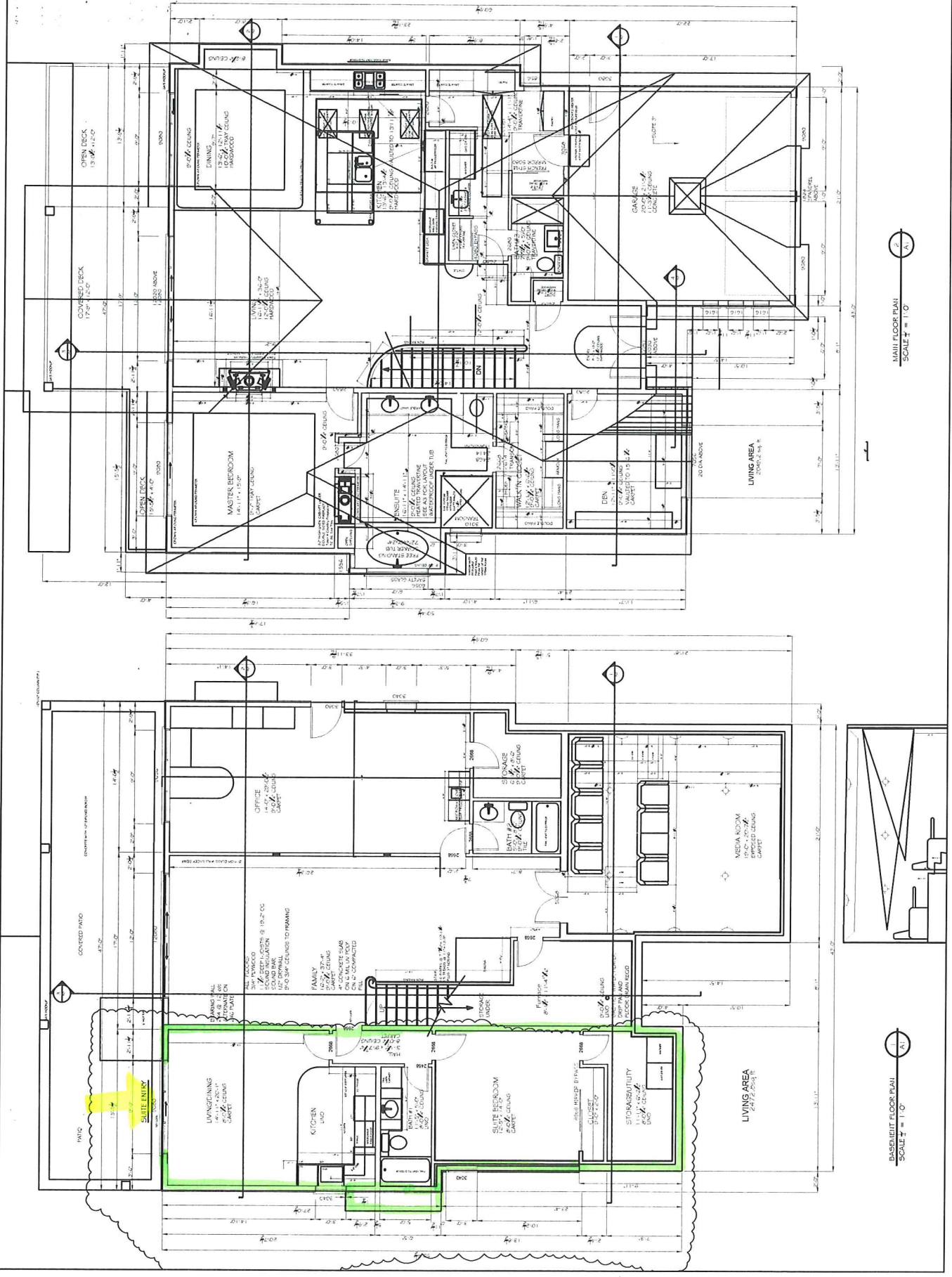
# INTERIORS BY DESIGN

cityjazzel Enterprises Ltd.  
2730 Lower Glenrosa Road  
Westbank, BC, V4T 1L7  
Ph (250) 768-5799  
Cell (250) 469-1451  
Fax (250) 768-5733



PROJECT:  
Shaarla & Richard  
Visscher Res.  
726 DENALI DRIVE  
LOT 4 Plan KAP72643  
KELOWNA V1V 2P5

TITLE: PLANS  
SCALE: ROY  
DATE: NOV 17 06  
DRAWN: ROY  
CHECKED: A1



MAIN FLOOR PLAN  
SCALE: 1/8" = 1'-0"

BASMENT FLOOR PLAN  
SCALE: 1/8" = 1'-0"

CONTRACTOR IS RESPONSIBLE TO CHECK AND CONFIRM ALL DIMENSIONS AND ELEVATIONS ON DRAWINGS.

**INTERIORS BY DESIGN**

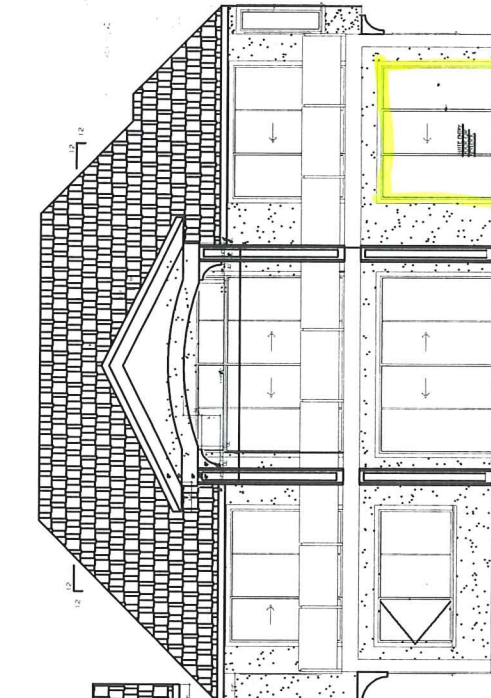
Δ	WINDOWS & FINISHES	JAN 12 07
Δ	REVISED WINDOWS & BATH	JAN 2 07
Δ	REVISED INSULTE	DEC 11 06
Δ	ISSUED FOR CONSTRUCTION	DEC 7 06
Δ	REVISED	NOV 23 06
Δ	REVISED FOR PERMIT	NOV 23 06
NO	REVISIONS	DATE

**Cityscape Enterprises Ltd.**  
 2780 Lower Glenrosa Road  
 Westbank, BC, V4T 1L7  
 Ph (250) 768-5799  
 Cell (250) 469-1451  
 Fax (250) 768-5733



**Sharla & Richard**  
 Visscher Res.  
 726 DENALI DRIVE  
 LOT 4 Plan KAP72643  
 KELOWNA V1V 2P5

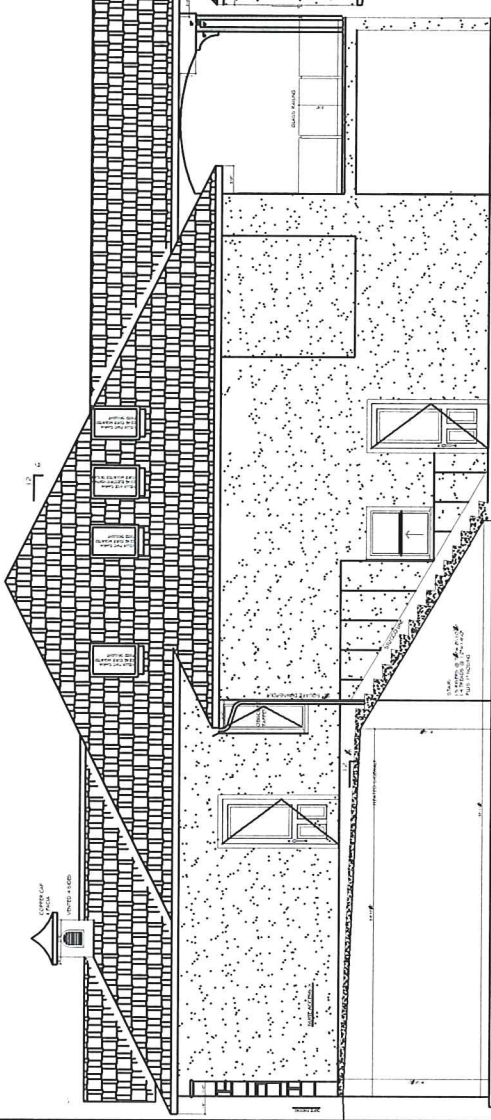
TITLE			
SCALE	PROJECT	DATE	REV
1/8" = 1'-0"	ROV	NOV 17 06	
Elevations		PROJECT NO.	SHEET NO.
			A2



WEST ELEVATION  
 SCALE: 1/8" = 1'-0"

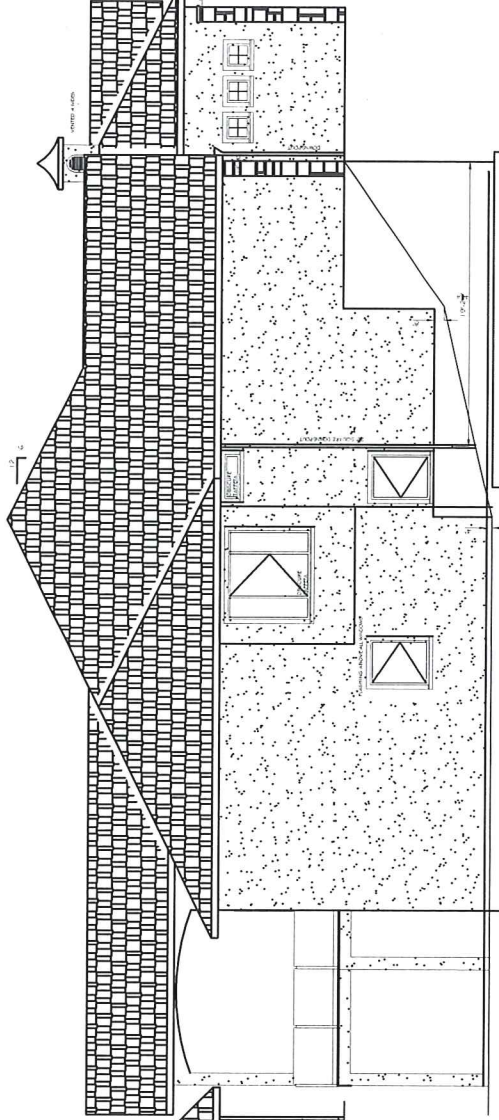
*suite door*

NOTE: ALL WINDOWS TO BE ENERGY STAR LABELED

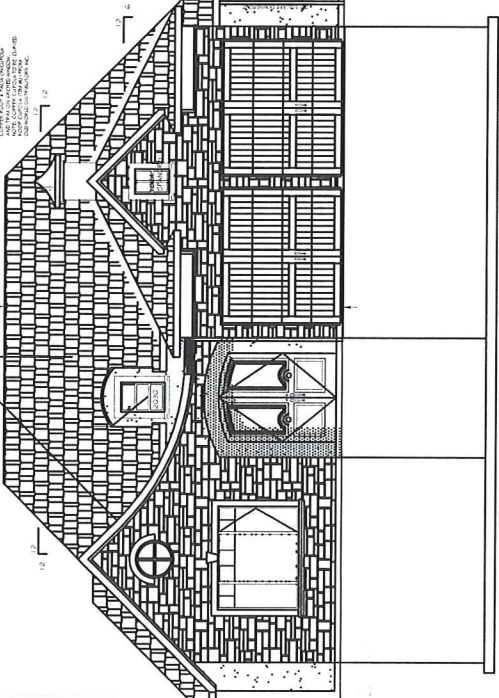


NORTH ELEVATION  
 SCALE: 1/8" = 1'-0"

NOTE: ALL WINDOWS TO BE ENERGY STAR LABELED

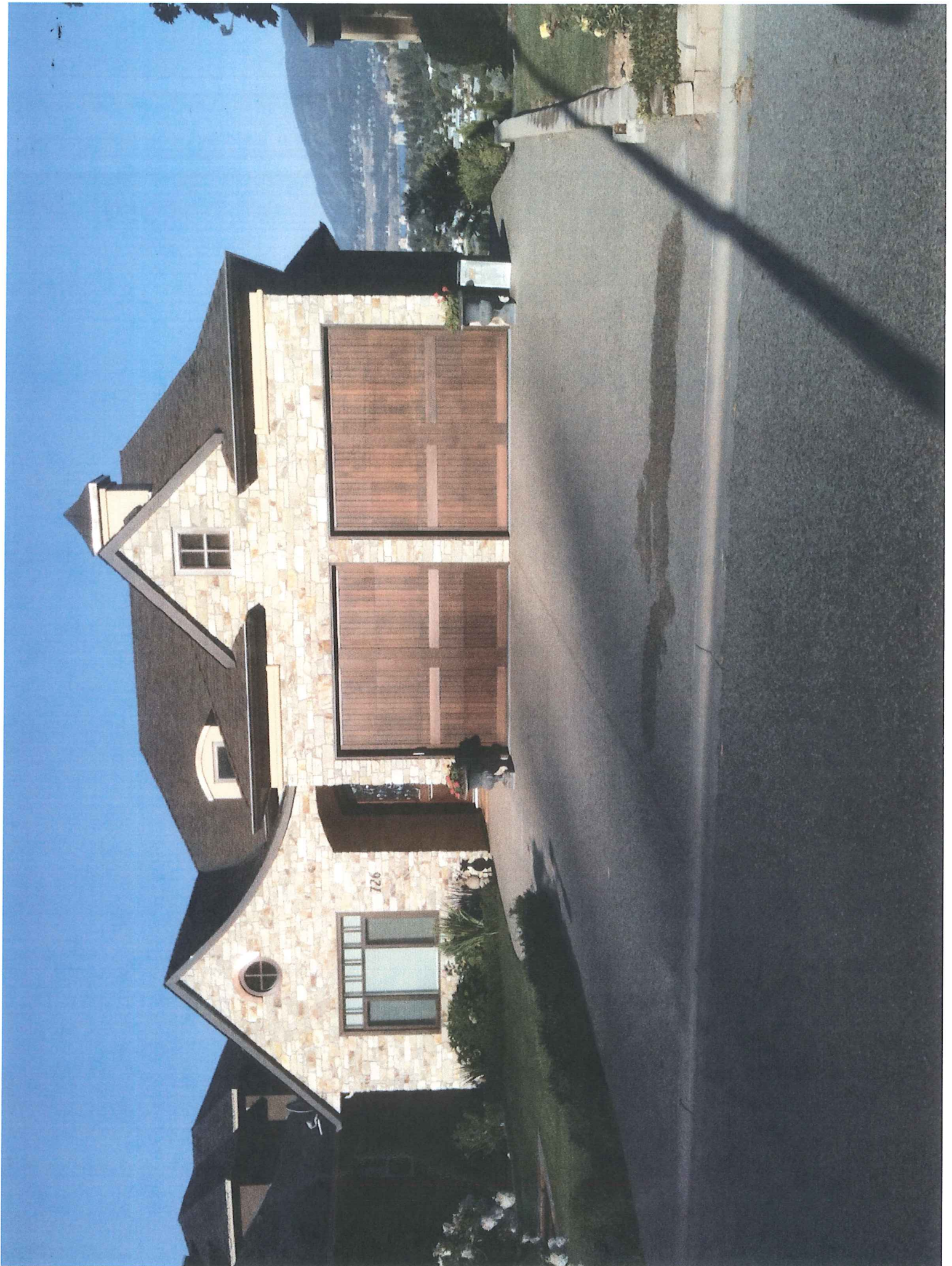


SOUTH ELEVATION  
 SCALE: 1/8" = 1'-0"



EAST ELEVATION  
 SCALE: 1/8" = 1'-0"











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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** September 8, 2010  
**File No.:** Z10-0073

**To:** Land Use Management Department (BD)

**From:** Development Engineering Manager (SM)

**Subject:** 726 Denali Dr. Lot 4 Plan 72643 RU1hto RU1hs

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

1. Domestic Water and Fire Protection

The property is located within the Glenmore Ellison Irrigation District (GEID) service area. Arrange for individual lot connections before submission of the final subdivision plan including payment of all the charges and connection fees (Provide copy of receipts).

2. Sanitary Sewer

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

3. Site Related Issues

Provide on-site parking for the proposed 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.

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Steve Muenz, P. Eng.  
Development Engineering Manager

DC

Date: 16-Aug-2010            TITLE SEARCH PRINT  
Requestor: (PV55061)        KIMMITT WRZESNIEWSKI  
Folio:                        TITLE - LB2523

Time: 16:16:18  
Page 001 of 002

KAMLOOPS                    LAND TITLE OFFICE            TITLE NO: LB2523  
FROM TITLE NO: KW20653

APPLICATION FOR REGISTRATION RECEIVED ON: 08 JANUARY, 2007  
ENTERED: 12 JANUARY, 2007

REGISTERED OWNER IN FEE SIMPLE:  
SHARLA MARIE VISSCHER, INTERIOR DESIGNER  
236 - 1200 CAMERON AVENUE  
KELOWNA, BC  
V1W 4T2

TAXATION AUTHORITY:  
CITY OF KELOWNA  
GLENMORE-ELLISON IMPROVEMENT DISTRICT

DESCRIPTION OF LAND:  
PARCEL IDENTIFIER: 025-578-502  
LOT 4 SECTION 28 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN  
KAP72643

LEGAL NOTATIONS:

ZONING REGULATIONS AND PLAN UNDER THE AERONAUTICS ACT 'CANADA' FILED  
DECEMBER 13TH, 1977 UNDER NOS. M74009 & S23537 - SEE PLAN M13304

CHARGES, LIENS AND INTERESTS:

NATURE OF CHARGE  
CHARGE NUMBER    DATE        TIME

RIGHT OF WAY

18274E            1929-11-14 10:15  
REGISTERED OWNER OF CHARGE:  
GLENMORE IRRIGATION DISTRICT  
18274E  
REMARKS: INTER ALIA

STATUTORY RIGHT OF WAY

KG105771        1993-10-27 10:32  
REGISTERED OWNER OF CHARGE:  
CITY OF KELOWNA  
KG105771  
REMARKS: INTER ALIA  
SEC 214 LTA AS TO ANCILLART RIGHTS

EASEMENT

KM11730        1998-02-05 09:37  
REMARKS: INTER ALIA  
APPURTENANT TO PARCEL A ON PLAN B6651 LOT 17  
BLOCK 22 PLAN 1249

STATUTORY RIGHT OF WAY

KV7269            2003-01-21 12:32  
REGISTERED OWNER OF CHARGE:  
CITY OF KELOWNA

Date: 16-Aug-2010            TITLE SEARCH PRINT  
Requestor: (PV55061)        KIMMITT WRZESNIEWSKI  
Folio:                        TITLE - LB2523

Time: 16:16:18  
Page 002 of 002

          KV7269  
REMARKS: INTER ALIA

STATUTORY BUILDING SCHEME  
KV7272            2003-01-21 12:32  
REMARKS: INTER ALIA

COVENANT  
LB42048           2007-04-17 10:41  
REGISTERED OWNER OF CHARGE:  
CITY OF KELOWNA  
LB42048

MORTGAGE  
LB98768           2007-08-17 10:58  
REGISTERED OWNER OF CHARGE:  
THE TORONTO-DOMINION BANK  
LB98768

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

PENDING APPLICATIONS: NONE

\*\*\* CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN \*\*\*