

# Memo



**Date:** September 21, 2010

**To:** City Manager

**From:** Community Sustainability Division

**File No:** Z10-0066

**Applicant:** Axel Hilmer Planning Consultant

**At:** 1331 Samurai Ct.

**Owner(s):** Parmajit & Kiranjit Gill

**Purpose:** To rezone the subject property from 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

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## 1.0 RECOMMENDATION:

THAT Rezoning Application No. Z10-0066 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 19, Section 13, Township 26, ODYD Plan KAP87484 located at Samurai Court, 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.

## 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:

A single family dwelling on the subject property is under construction. The applicant is proposing to incorporate a two bedroom secondary suite within the main floor of the dwelling. The floor plan of the suite is well thought out with ample windows for natural light and a covered private patio space accessed by glass doors. Required parking is provided with a double garage and two additional tandem stalls on the driveway.

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>RU1s ZONE REQUIREMENTS (Suite within Principal Dwelling)</b>
<b>Subdivision Regulations</b>		
Lot Area	599 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width	17 m	16.5 m
Lot Depth	32.3 m	30.0 m
<b>Development Regulations</b>		
Site Coverage (buildings)	36%	40%
Site Coverage (buildings/parking)	41%	50%
Height (existing house)	1 storeys	2 ½ storeys / 9.5 m
Floor Area of principal dwelling	308 m <sup>2</sup>	
Floor Area of Secondary Suite / Size ratios	86 m <sup>2</sup> / 28 %	In principal dwelling: may not exceed lessor of 90 m <sup>2</sup> or 40%
Front Yard	4.2 m	6 m
Side Yard (west)	2.0 m	2.0m (1 - 1 ½ storey)
Side Yard (east)	2.2 m	2.0m (1 - 1 ½ storey)
Rear Yard	10.4 m	7.5 m
<b>Other Requirements</b>		
Parking Stalls (#)	3 spaces	3 spaces
Private Open Space	meets requirements	30m <sup>2</sup> requirement

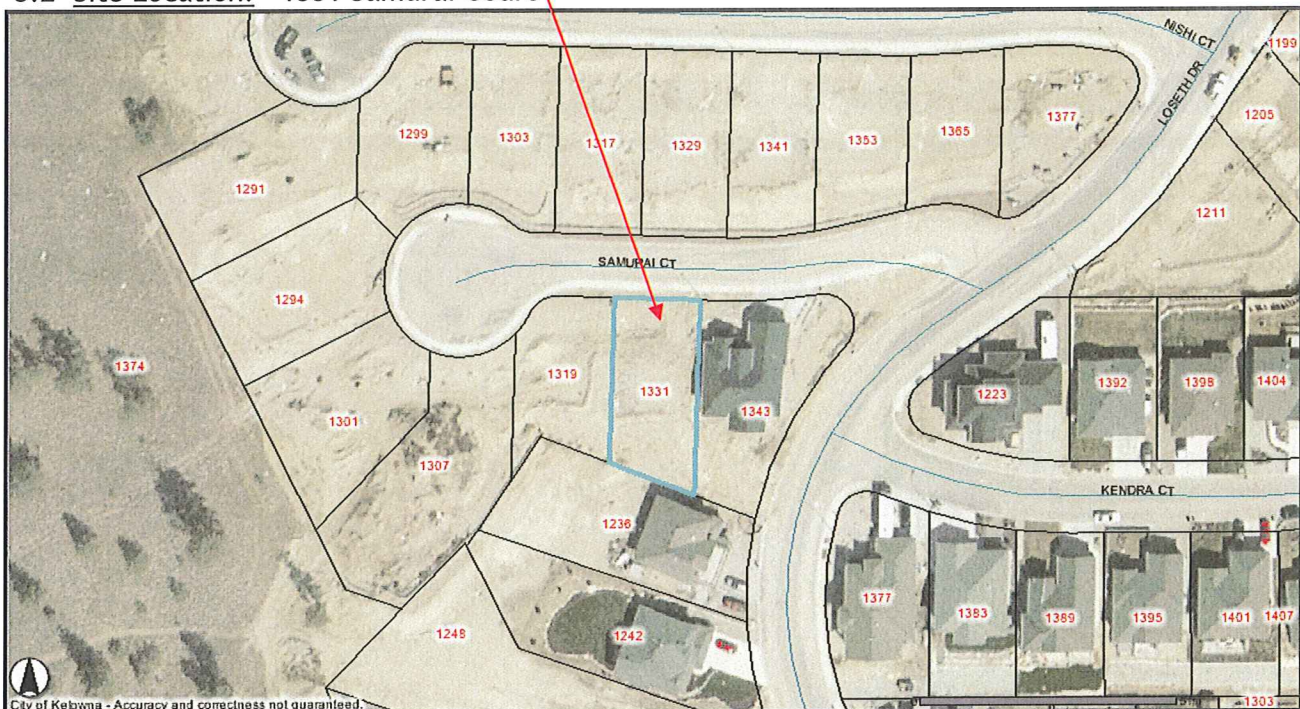
### 3.1 Site Context

The subject property is located on the south side of Samurai Court in the Black Mountain area. 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: 1331 Samurai Court



## 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

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

- **General:** Provide easements as may be required.
- **Sanitary Sewer:** The subject property is connected to the Municipal wastewater collection system. The existing service shall be used to service the proposed suite.
- **Domestic Water:** The subject property is located within the Black Mountain Irrigation District (BMID). All charges and fees must be paid directly to BMID. *The owner has*

*already been invoiced (Invoice No. 10133) and has paid the capital charges, connection fees and meter fees for a single family dwelling, including a suite. No further charges apply and BMID has no objection to the rezoning application.*

- Miscellaneous: This application does not trigger any offsite upgrades.

## 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) Full Plan check for Building Code related issues will be done at time of Building Permit applications.

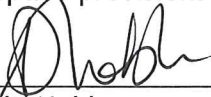
## 5.4 Bylaw Services

No concerns.

## 6.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

The proposed rezoning is consistent with the Official Community Plans future land use designation of the subject property. The site is located within the Black Mountain area 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 are achieved on-site.



Danielle Noble  
Manager, Urban Land Use

Approved for inclusion:



Shelley Gambacort  
Director, Land Use Management

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### Attachments:

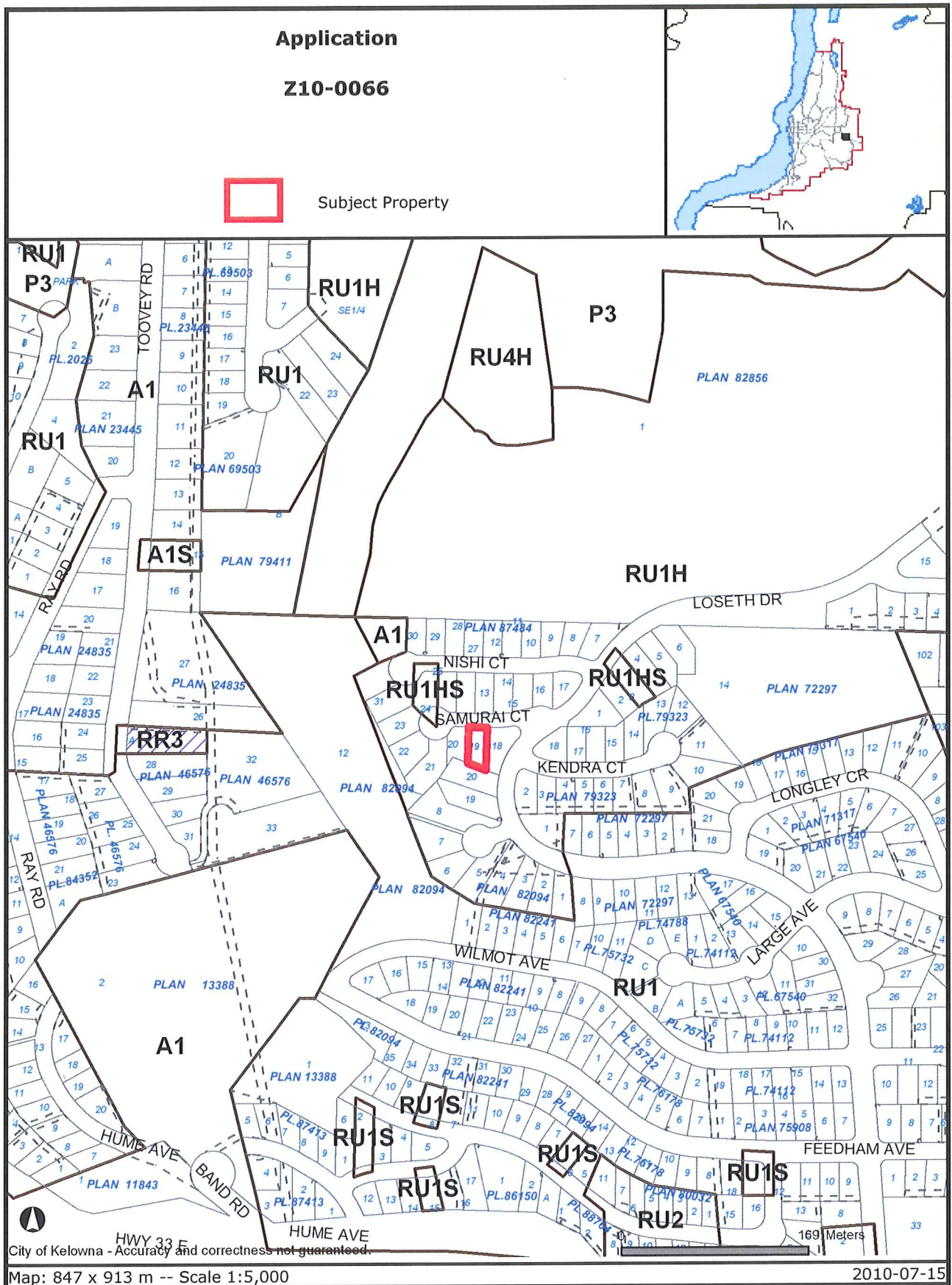
Subject Property Map

Site Plan

Suite Floor Plans

Date Application Accepted from applicant: July 15, 2010

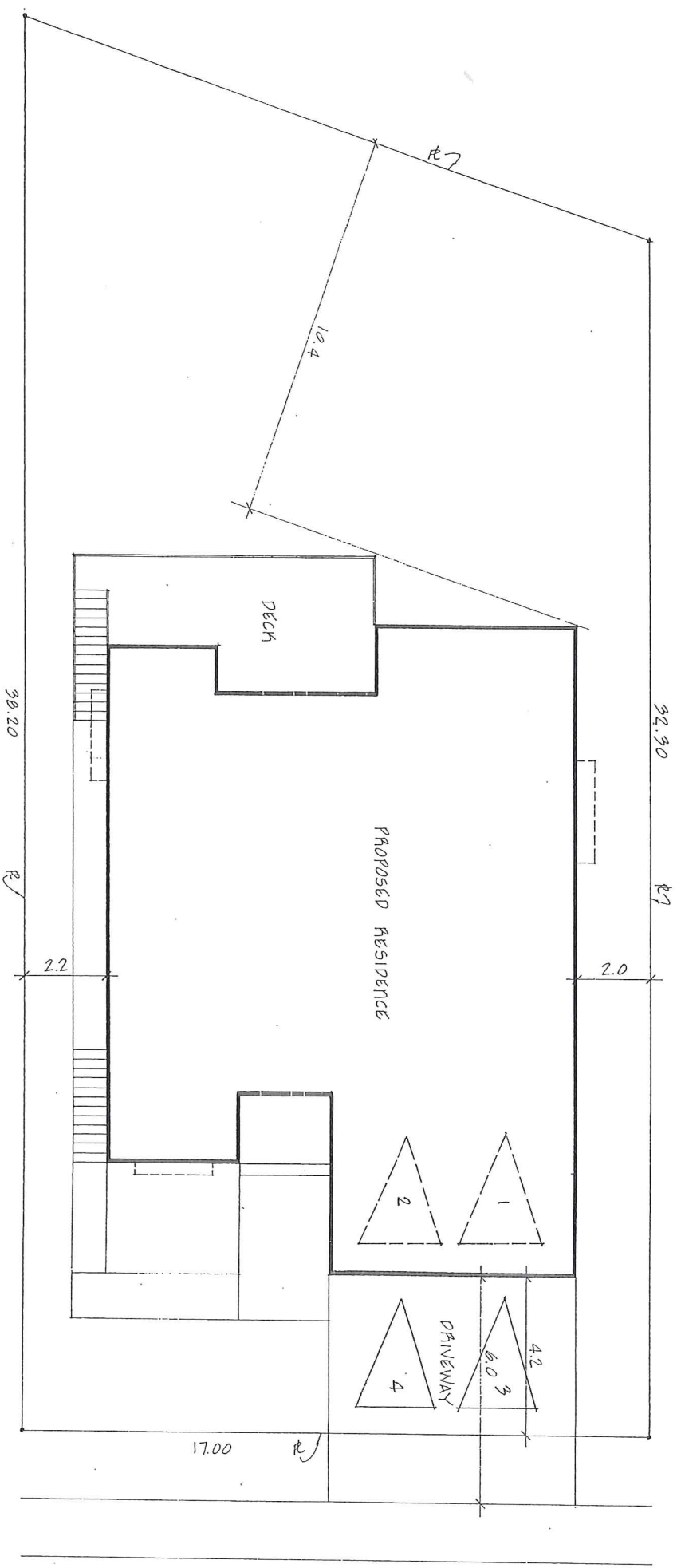




Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.

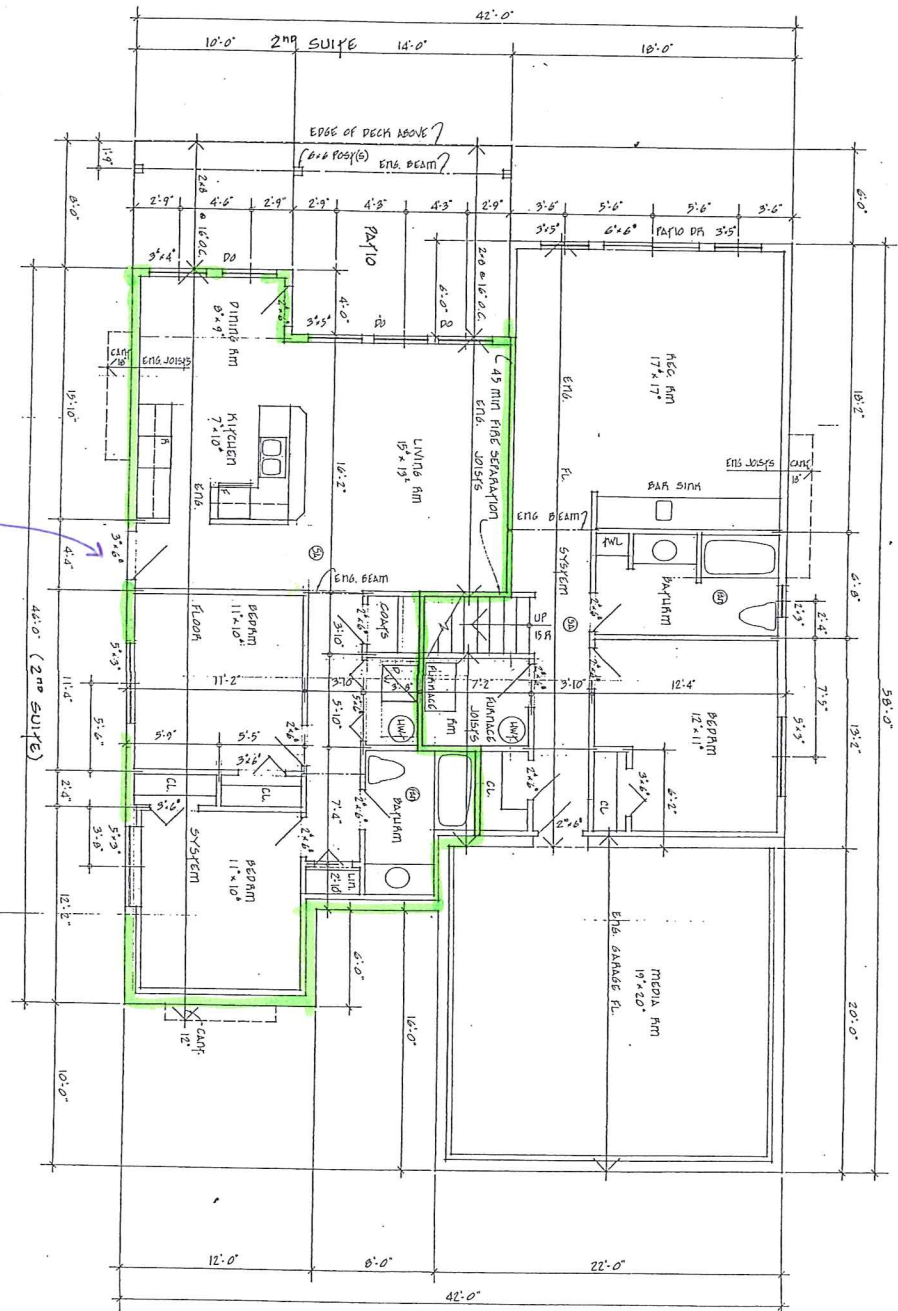
LOT AREA - 599 m<sup>2</sup>, BULD AREA - 217 m<sup>2</sup>, SITE COVERAGE - 36%

LEGAL DESCRIPTION:  
 LOT-19  
 PLAN-KAR 07404



**Project:**

entrance



BASEMENT  
1644 #  
2nd SUITE - 928 #

Scale : 1/8" = 1'-0"  
Date : JULY '10  
Dw by : A.L.

NOTE: All dimensions to be checked on job by builder.

Sheet: 2 of 4  
Plan: P-10-05



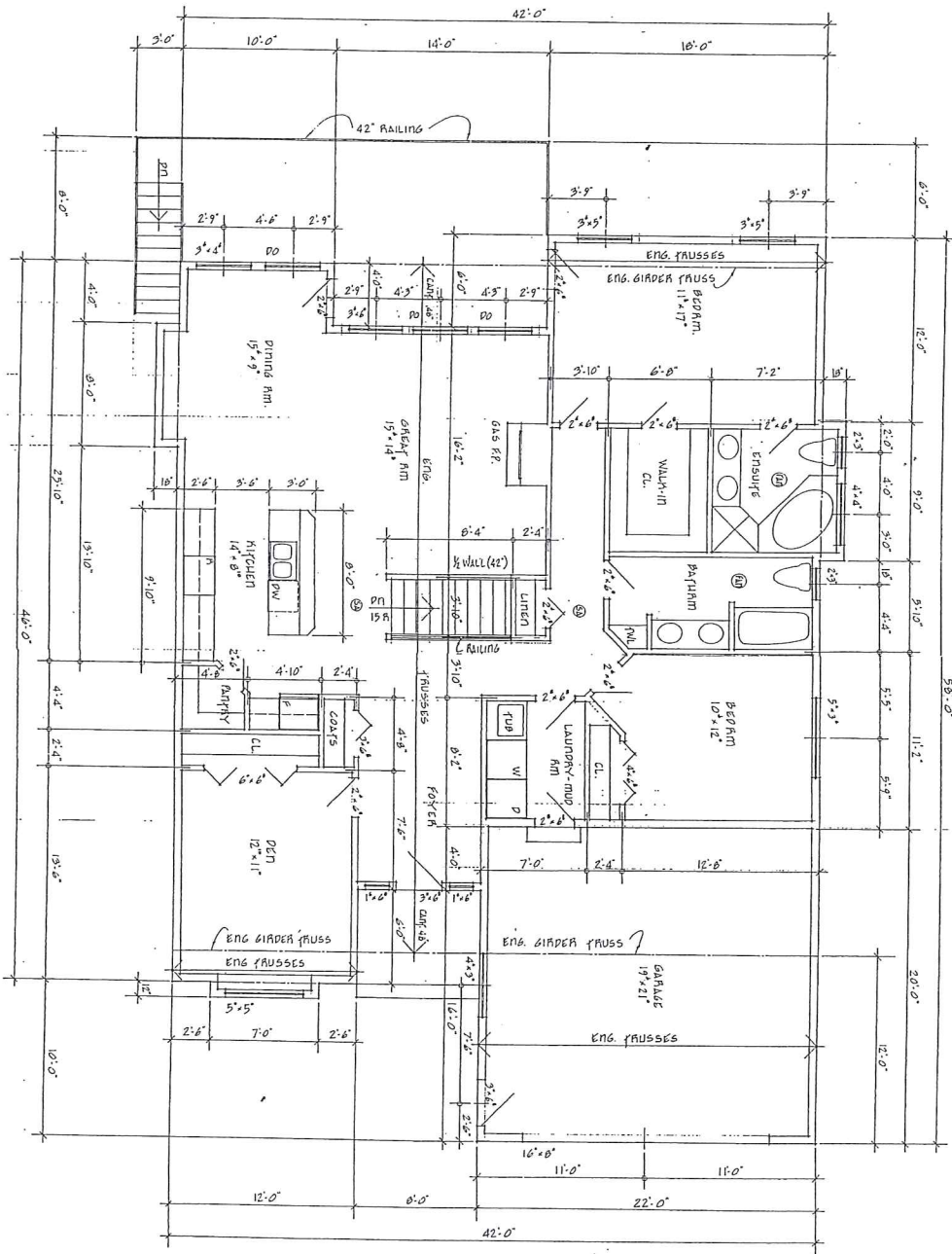
**Project:**

MAIN FL  
1676 #

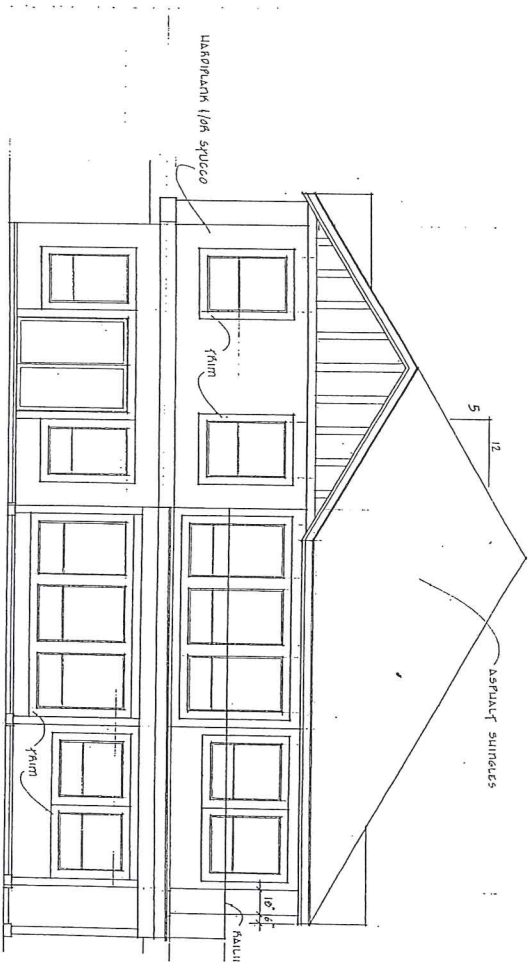
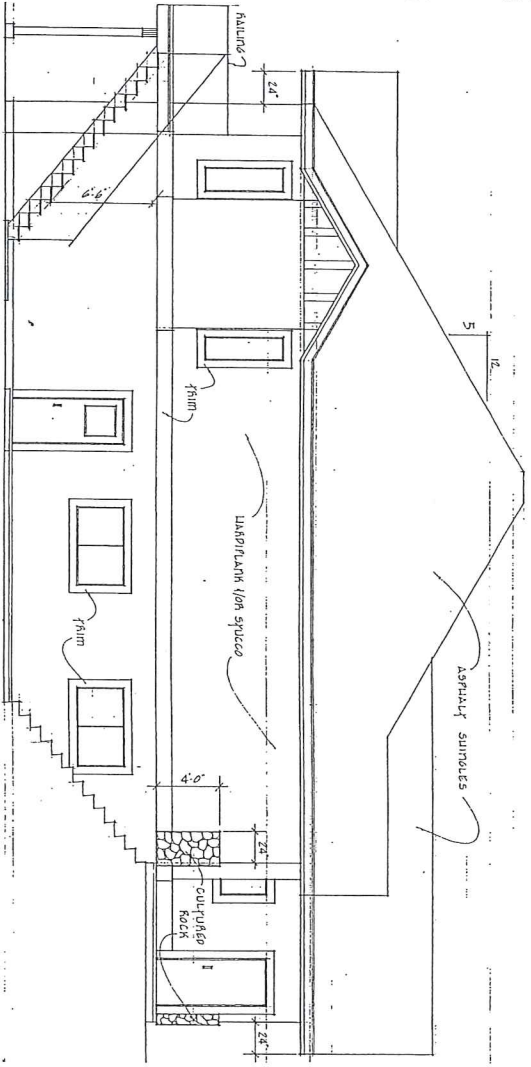
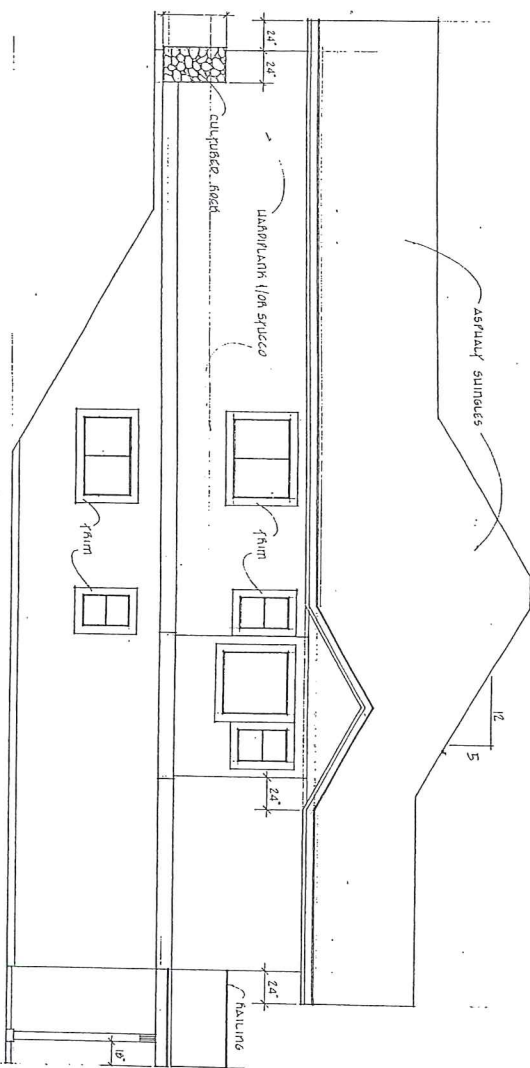
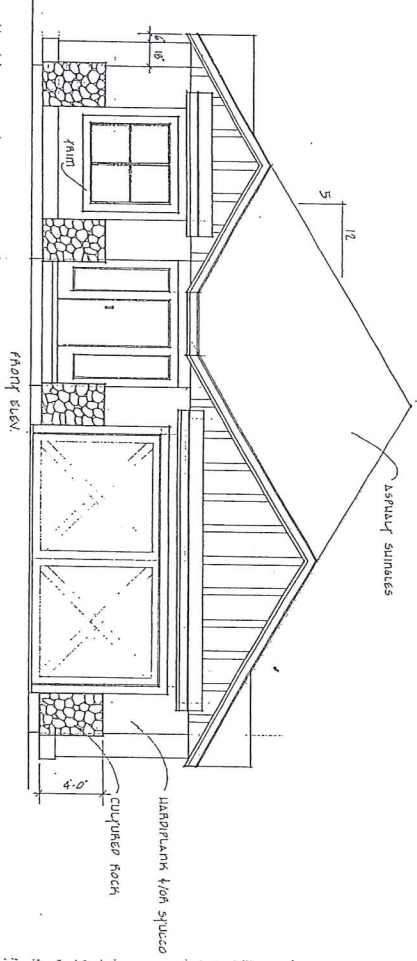
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Date : JULY '10  
Draw by : ALL

NOTE: All dimensions to be checked on job by builder.

Sheet: 3 of 4  
Plan: R-10-05







site entrance

hilmer house plans

Project:

ELEVATIONS

Ph 860-7526 204-1823 Harvey Ave Kelowna

Scale : 1/8" = 1'-0"  
Date : JULY '10  
Dwn by : All

NOTE: All dimensions to be checked on job by builder.

Sheet: 4 of 4  
Plan: R-10-05