

# Memo



**Date:** October 28, 2010

**To:** City Manager

**From:** Land Use Management, Community Sustainability

**Application:** Z10-0084

**Owner:** Pargat & Jagjeet Bhandher

**Address:** 447 Sumac Road East

**Applicant:** Pargat & Jagjeet Bhandher

**Subject:** Rezoning Application

**Existing OCP Designation:** Single/ Two Unit Residential

**Existing Zone:** RU1 - Large Lot Housing

**Proposed Zone:** RU1s - Large Lot Housing with a Secondary Suite

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## 1.0 Recommendation

THAT Rezoning Application No. Z10-0084 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 49, Section 26, Township 26, ODYD Plan KAP51596, located on Sumac Road East, 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 the suite be eligible for a final occupancy 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;

AND THAT final adoption of Zone Amending Bylaw be considered subsequent to the requirements of the Black Mountain Irrigation District be completed to their satisfaction.

## 2.0 Purpose

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 Land Use Management

This rezoning application is in direct response to a bylaw investigation. Although staff support the legalization of the suite and the subsequent addition to the rental stock, we do not endorse constructing a suite prior to seeking proper authorization.

The proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area. 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. The subject property is in close proximity to parks, schools, transit and recreational opportunities. Properties zoned RU6 exist in the immediate area where secondary suites are permitted.

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

#### 4.0 Proposal

##### 4.1 Project Description

This rezoning application seeks to legalize an existing secondary suite within a single family dwelling. The modest two bedroom suite is accessed on the east side of the building directly from the allocated parking stall in the driveway. Private open space is provided on a patio under an upper balcony. No changes to the landscape are proposed for this site.

##### 4.2 Site Context

The subject property is located on the south side of Sumac Road East in Rutland. The surrounding properties are all zoned:

<u>Direction</u>	<u>Zone</u>
North	RU1- Large Lot Housing
West	RU6 - Two dwelling Housing
East	RU1 - Large Lot Housing
South	RU1 - Large Lot Housing

##### 4.3 Subject Map: 447 Sumac Road East



#### 4.4 Zoning Analysis

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	586 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width	18.6 m	16.5 m
Lot Depth	31.02 m	30.0 m
Development Regulations		
Site Coverage (buildings)	27 %	40%
Site Coverage (buildings/parking)	38 %	50%
Height (existing house)	2 storey / 5.6 m	2 ½ storeys / 9.5 m
Floor Area of principal dwelling	273 m <sup>2</sup>	
Floor Area of Secondary Suite / Size ratios	68.7 m <sup>2</sup> / 25%	In building can't exceed lessor or 90 m <sup>2</sup> or 40%
Front Yard	6.4 m	4.5 m
Side Yard (west)	2.4 m	2.3 m (2 - 2 ½ storey)
Side Yard (east)	2.6 m	2.3 m (2 - 2 ½ storey)
Rear Yard	10.1 m	7.5 m
Other Requirements		
Parking Stalls (#)	3 spaces	3 spaces
Private Open Space	meets requirements	No requirement

#### 5.0 Current Development Policies

##### Kelowna 2020 - Official Community Plan

##### 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;

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

**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

### 6.1 Building & Permitting Department

1) \$2500 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.

### 6.2 Development Engineering Department

*Sanitary Sewer:* The subject property is connected to the Municipal wastewater collection system.

*Domestic Water:* The subject property is located within the Black Mountain Irrigation District (BMID). All charges and fees must be paid directly to BMID.

*Miscellaneous:* Parking is provided on site by the not so effective but acceptable stacking method.

### 6.3 Bylaw Services

Bylaw Services has an open Service Request enforcing an illegal suite at this location. Service Request #173737 - BEO Tracey Krenn.

### 6.4 Fire Department

Requirements of section 9.10.9.14, Secondary Residential Suites, of the BCBC 2006 are to be met. Smoke Alarms as per section 9.10.19 of the BCBC are required.

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

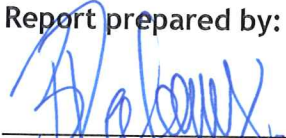
<sup>3</sup> Official Community Plan, Policy #8 - 1.47

- 6.5 Interior Health Authority- N/A
- 6.6 Irrigation District - N/A - see Development Engineering comments
- 6.7 School District No. 23 - N/A

**7.0 Application Chronology**

Date of Application Received: October 04, 2010

**Report prepared by:**

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Birte Decloux, Urban Land Use Planner

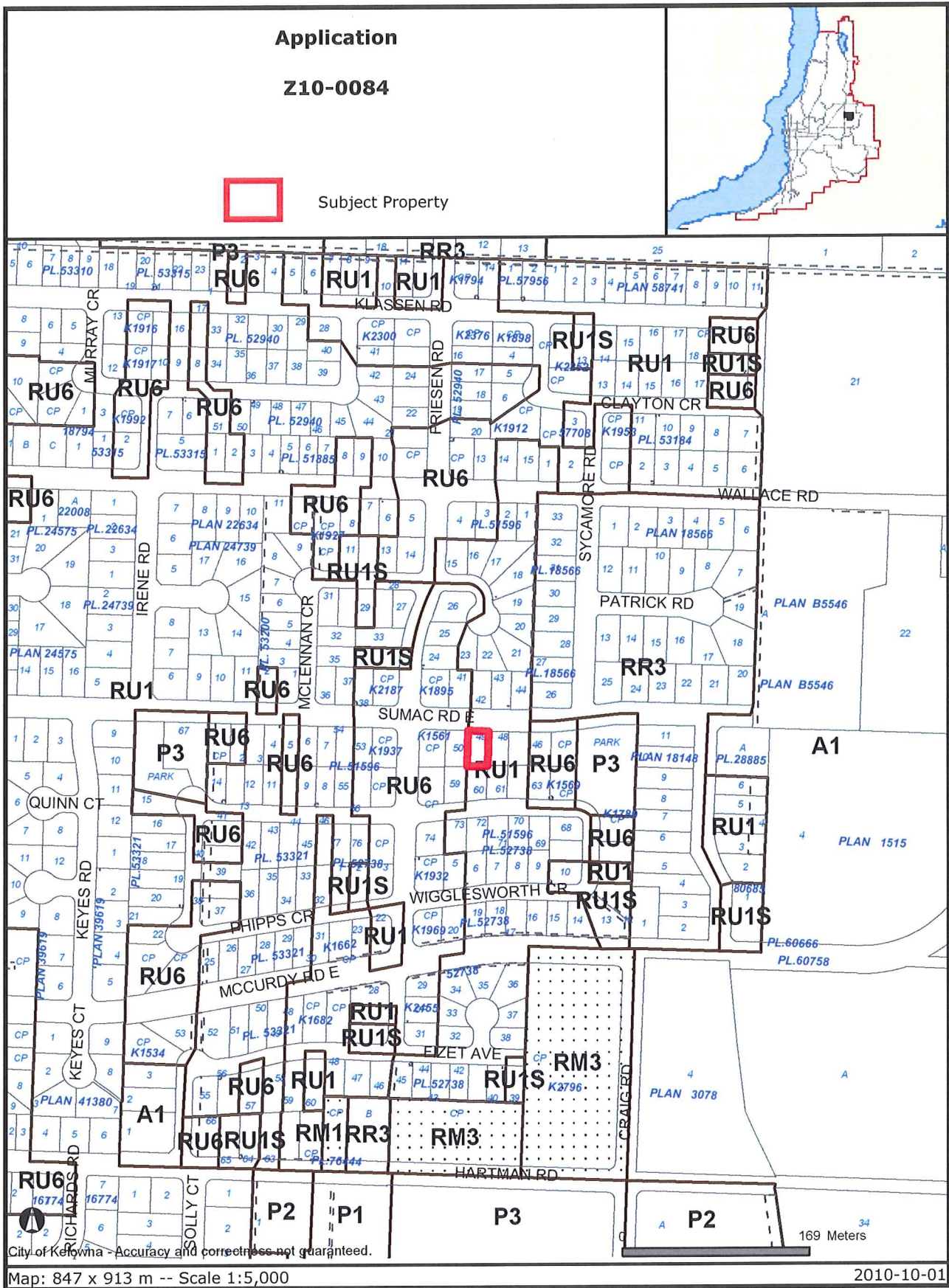
**Approved for Inclusion:**



Shelley Gambacort, Director, Land Use Management

**Attachments:**

- Site Plan
- Floor Plans
- Landscape Plan - N/A
- Context/Site Photos
- Sustainability Checklist -N/A
- Summary of Technical Comments-N/A

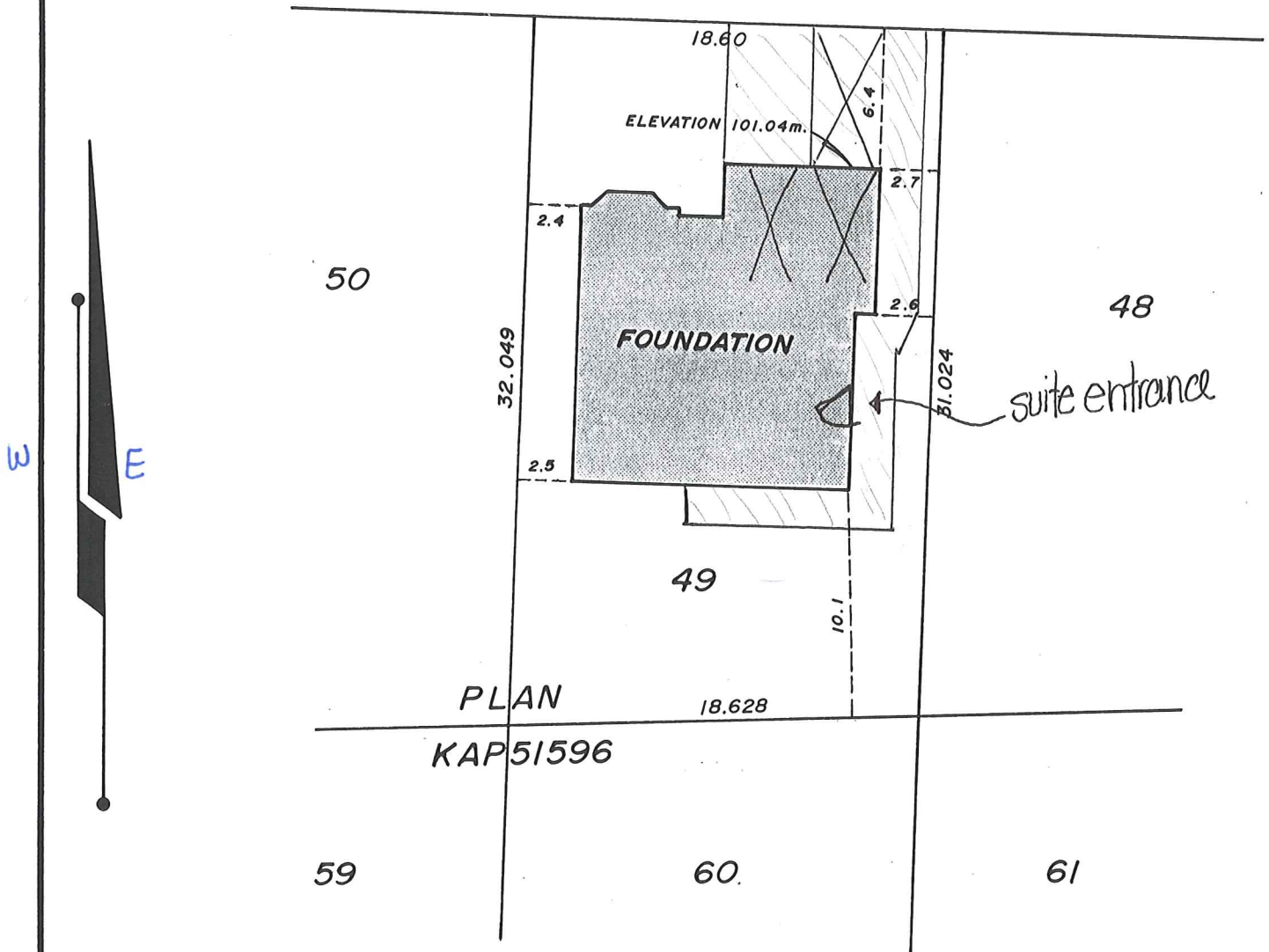


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

# B. C. LAND SURVEYORS' CERTIFICATE OF LOCATION

ON LOT 49 PLAN KAP51596, SEC. 26, TP 26, O.D.Y.D.

ASSUMED ELEVATION  
TOP OF CURB 100.00m.  
--- SUMAC --- ROAD --- EAST ---



JAGMOHAN KALSI

LOT DIMENSIONS ARE FROM REGISTERED RECORDS.  
THIS PLAN PREPARED FOR MUNICIPAL AND/OR MORTGAGE  
PURPOSES ONLY AND IS NOT TO BE USED FOR THE  
ESTABLISHMENT OF PROPERTY BOUNDARIES.

SCALE: 1:300 ALL DISTANCES ARE IN METRES.

CERTIFIED CORRECT MAY 31st, 1995.

**C.W. GEHUE & ASSOCIATES**

1995

B.C. LAND SURVEYORS  
201-1470 ST. PAUL STREET  
KELOWNA, B.C. TEL. (604) 763-5711



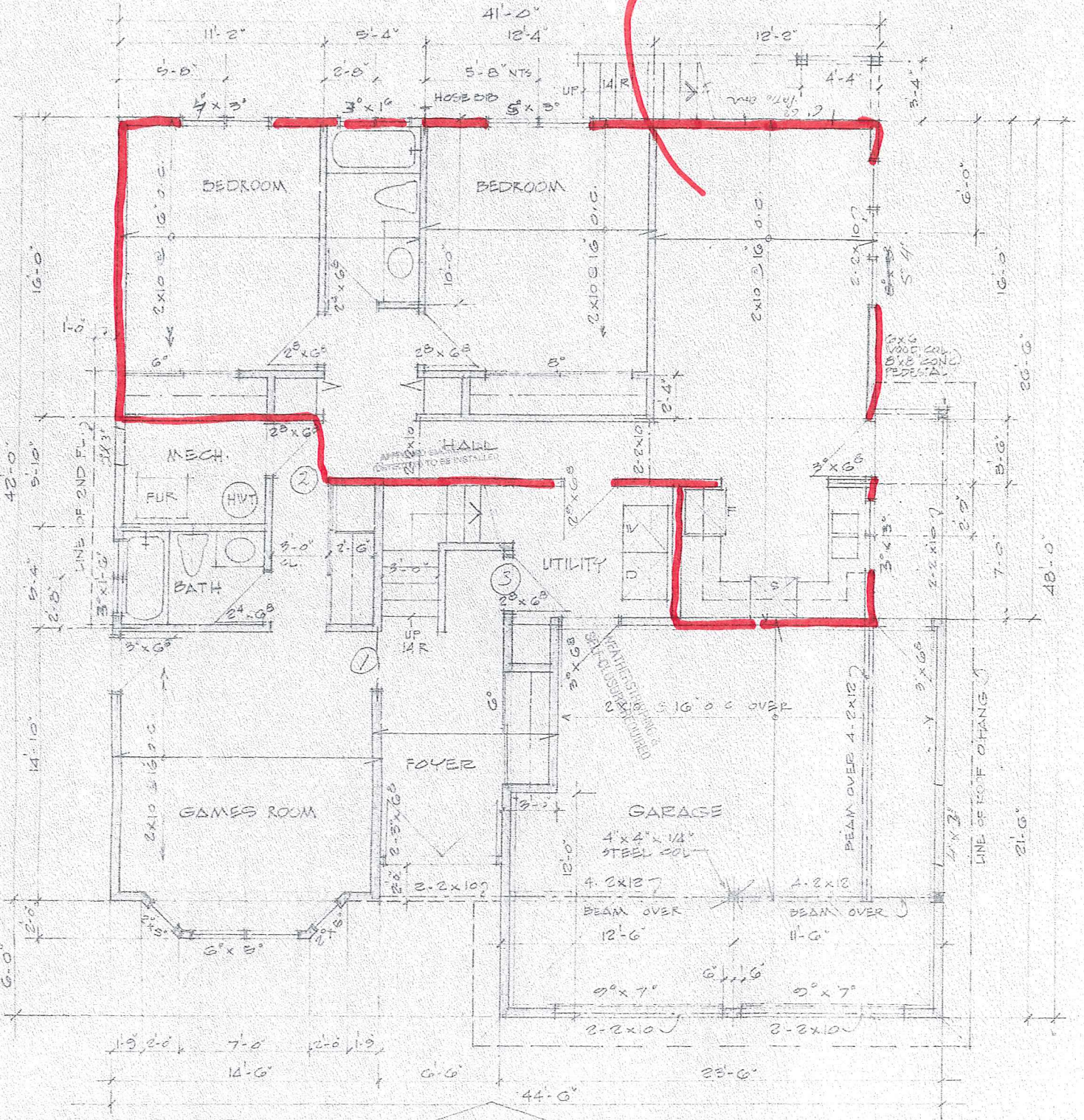
THIS DOCUMENT NOT VALID UNLESS  
ORIGINALLY SIGNED AND SEALED.

B.C.L.S.

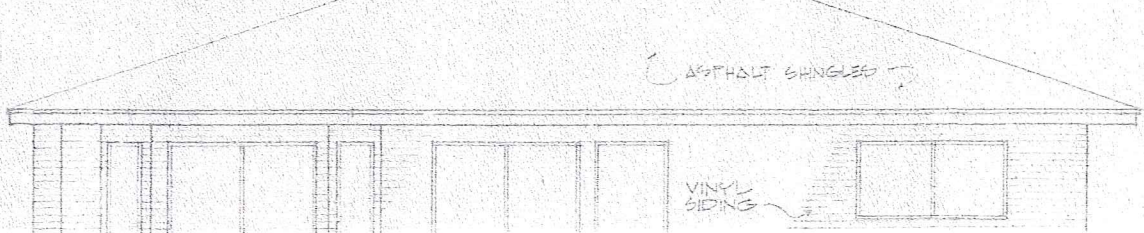
# MAIN FLOOR

Site size: 7400' or 68.7m<sup>2</sup>

BSMT AREA



MAIN FLOOR PLAN  
SCALE: 1/4" = 1'-0"

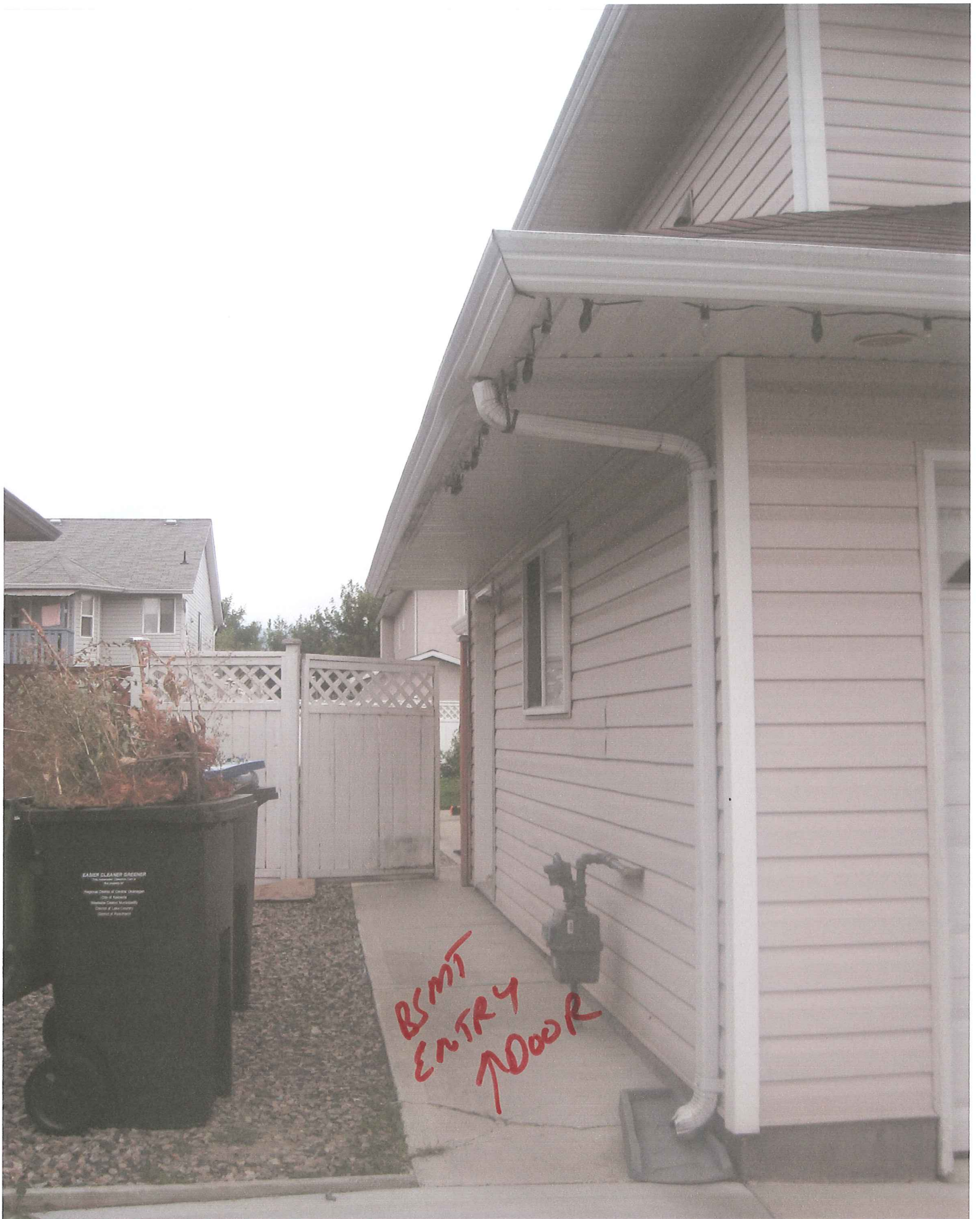






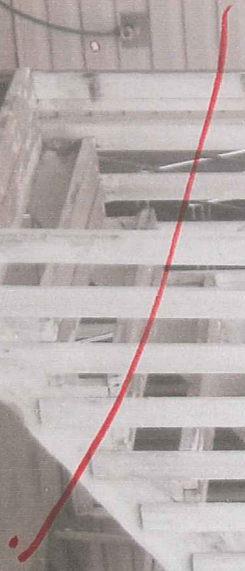
3 CAR SPACE  
OUTSIDE

2 CAR.  
SPACE  
INSIDE



BSMT  
ENTRY  
DOOR

BSM  
Space



BSMT ENTRY  
DOOR

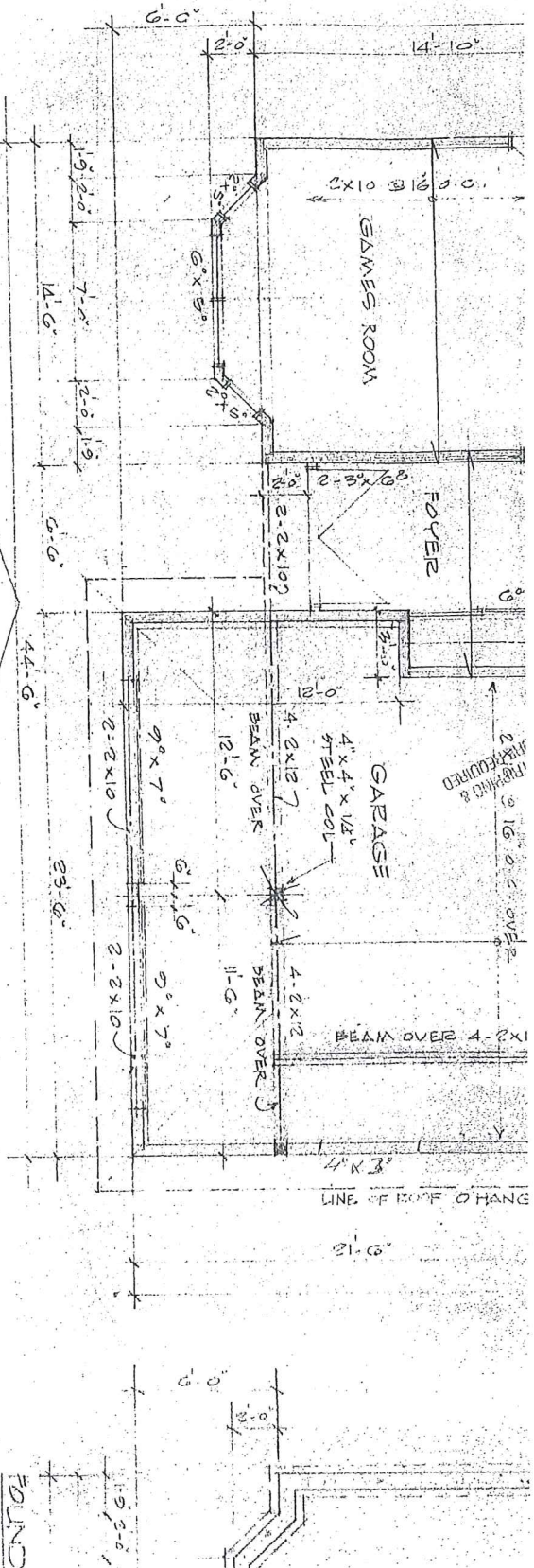


BACK WAY

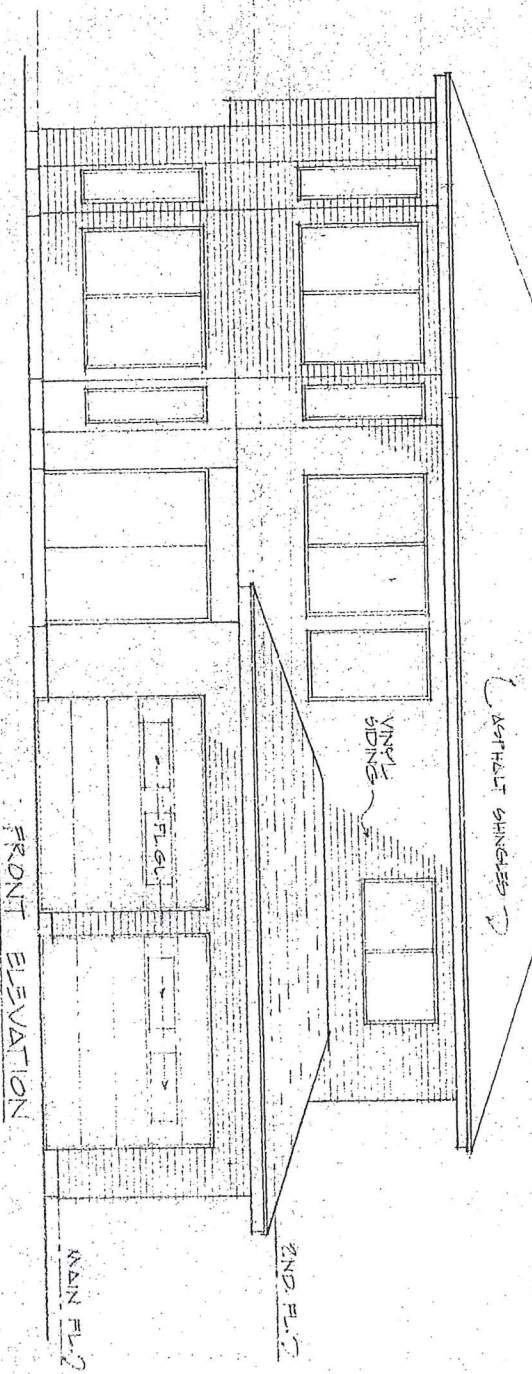




10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

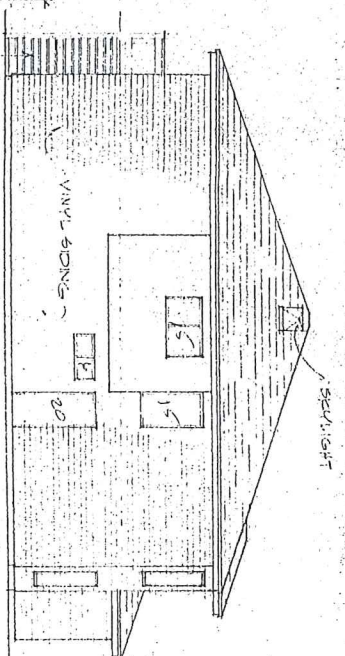


MAIN FLOOR PLAN  
SCALE: 1/4" = 1'-0"



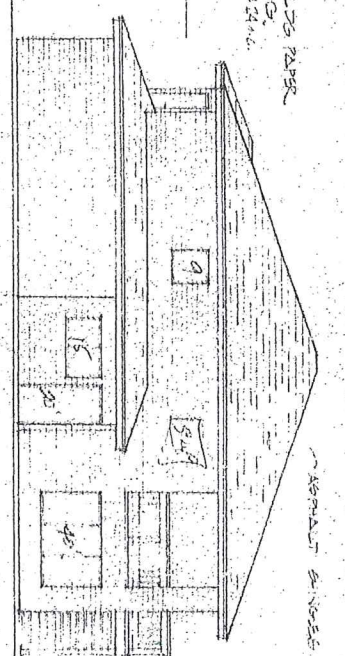
FRONT ELEVATION

END  
SCALE



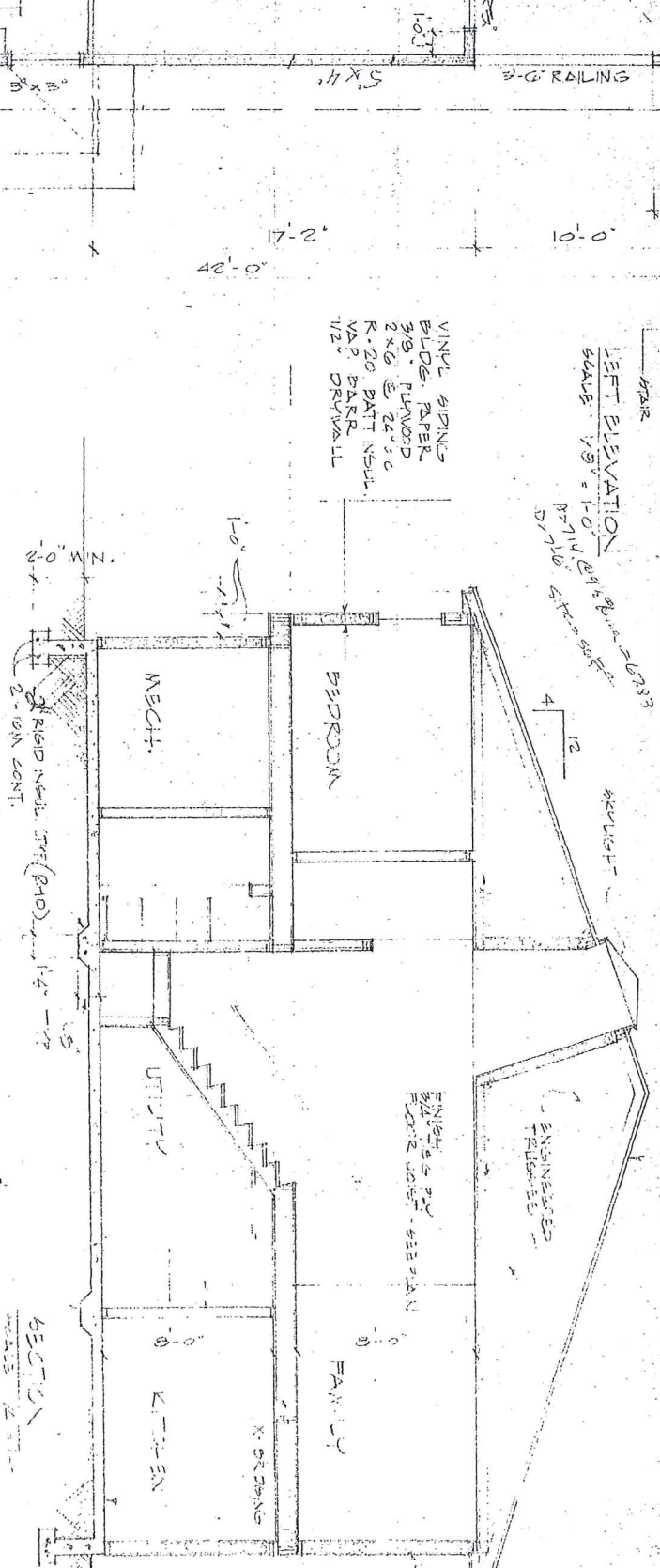
LEFT ELEVATION  
SCALE: 1/8" = 1'-0"

1/2" VINYL SIDING  
2" X 6" @ 24" O.C.  
R-20 BATT INSUL.  
VAP. BARR.  
1/2" DRYWALL



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

1/2" VINYL SIDING  
2" X 6" @ 24" O.C.  
R-20 BATT INSUL.  
VAP. BARR.  
1/2" DRYWALL



SECTION  
SCALE: 1/8" = 1'-0"

NECH.  
BEDROOM  
UTILITY  
KITCHEN  
FAMILY  
BATH



FOUNDATION  
EXTERIOR WALL  
MINIMUM TO THE EXTERIOR WALL

UNDER FLOOR BEAMS  
VALUERS  
REIN. 2" DIA. CONC.

CONCRETE  
FOUNDATION

**SITE PLAN**

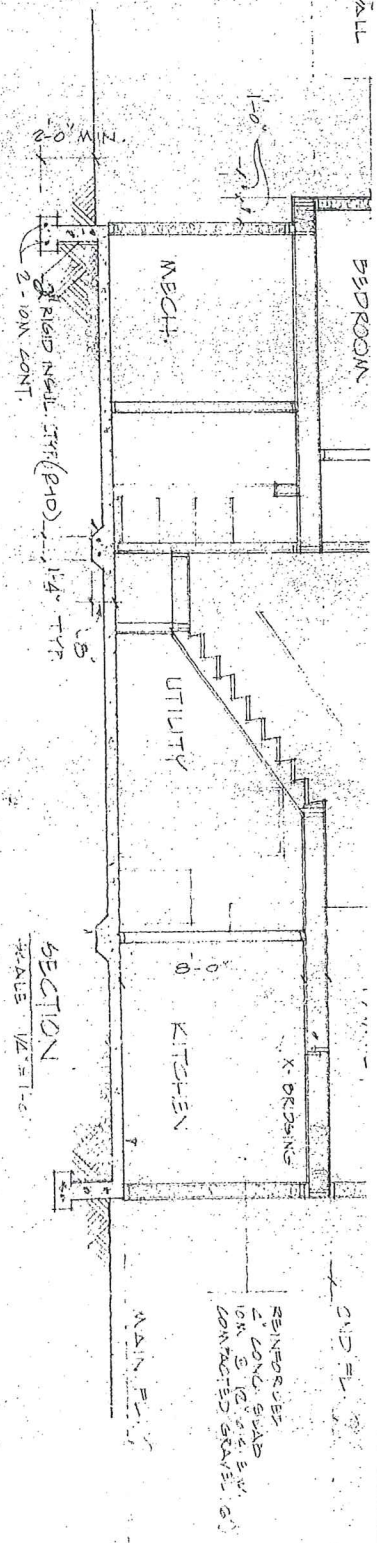
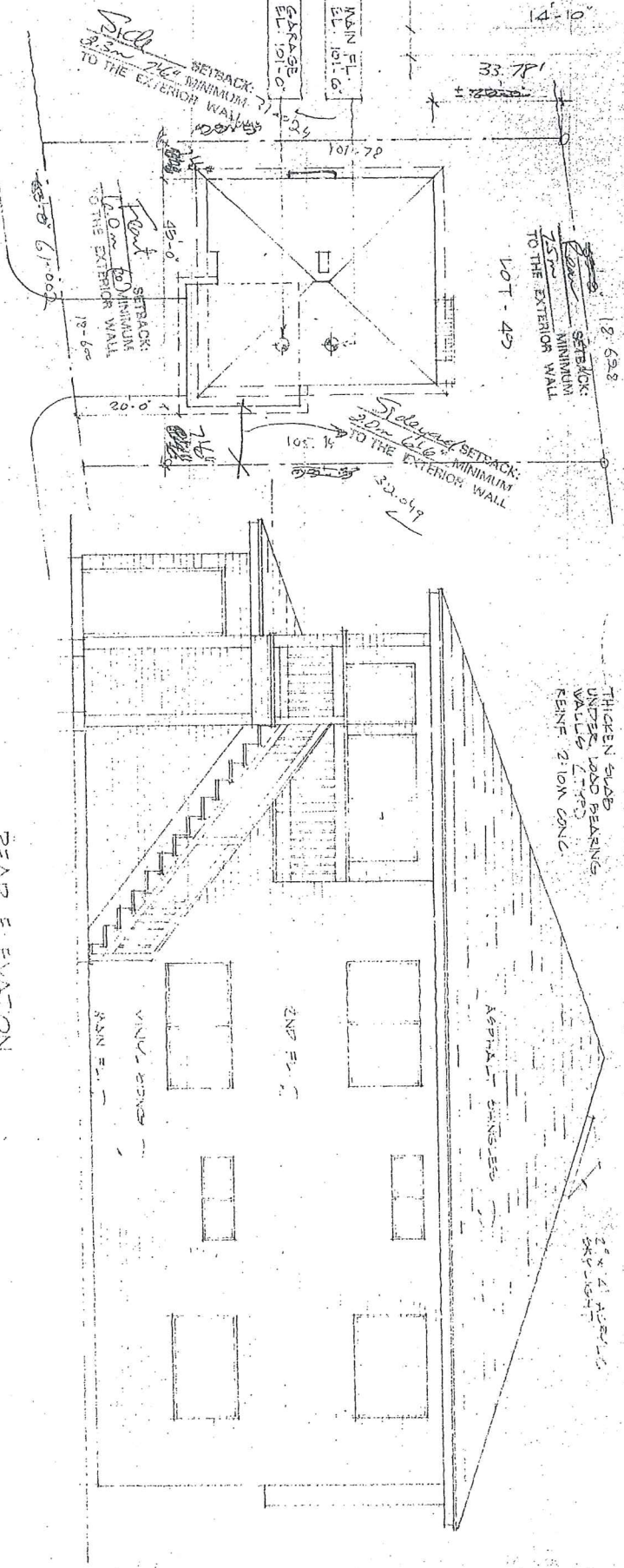
SCALE: 1/16" = 1'-0"  
 LOT - 409, PLAN - S15976

NIGLESWORTH CRES.

ROAD BL. 100'-0"

**REAR ELEVATION**

SCALE: 1/2" = 1'-0"



RESIDENCE	
447 SUNNY ROAD E.	
KELOWNA, B.C.	
OWNER	DESIGN
J.S. KALSI	2 OF 2