

Memo



Date: January 6, 2011

To: City Manager

From: Land Use Management, Community Sustainability

Application: Z10-0070 (AB)

Owners: Neil Staerkle & Chantal Staerkle

Address: 42 - 760 Highpointe Dr

Applicants: Neil Staerkle & Chantal Staerkle

Subject: Rezoning Application

Existing OCP Designation: Single/Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU1s - Large Lot Housing with Secondary Suite

1.0 Recommendation

THAT Rezoning Application No. Z10-0070 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of "Strata Lot 4 Section 30 Township 26 ODYD Strata Plan KAS3162 Together With An Interest In the Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form V," located at 42 - 760 Highpointe Dr, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone be considered by Council.

AND THAT the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration.

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered subsequent to the requirements of the Building & Permitting Branch being completed to their satisfaction.

2.0 Purpose

The applicant is seeking to rezone to the RU1s - Large Lot Housing with Secondary Suite zone in order to receive the benefit of a permitted second kitchen.

3.0 Land Use Management

As the application complies with the Official Community Plan, staff recommend support.

4.0 Proposal

4.1 Project Description

The applicants are building a house on this recently subdivided lot and are seeking to provide accommodation to parents on the upper floor, including a second kitchen, which requires a rezoning to the RU1s - Large Lot Housing with Secondary Suite zone. As the building configuration does not facilitate a secondary suite in accordance with building code requirements, a restrictive covenant is sought to restrict the property to only one legal dwelling, while still permitting a

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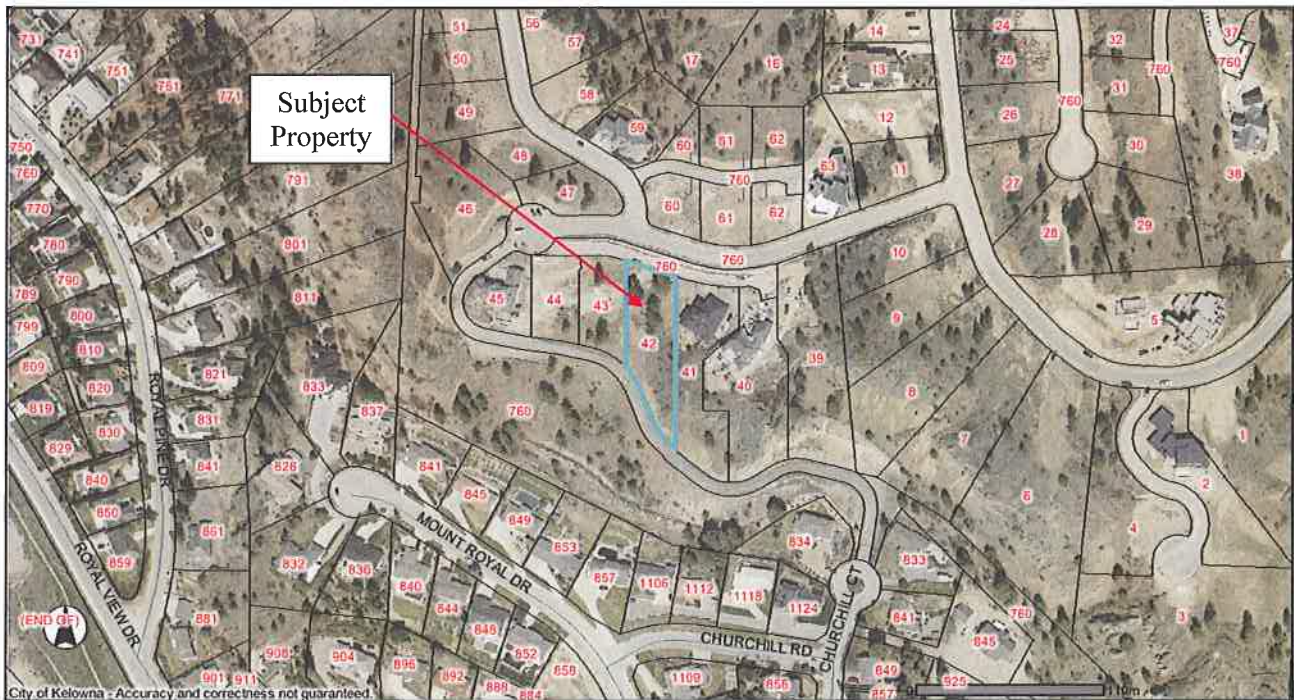
second kitchen to be established. Should the owner wish to legalize a secondary suite in the future, building modifications would be necessary, but the covenant would be able to be discharged.

The application compares with the provisions of Zoning Bylaw No. 8000 as follows:

Criteria	Proposed	RU1s Zone Requirement
Site Coverage	10.4%	40%
Secondary Suite Size	n/a	Lesser of 90 m ² or 40% of the principal dwelling floor area
Parking	3 stalls in garage + parking available on driveway	2 stalls for principal dwelling + 1 stall for potential future secondary suite

4.2 Site Context

The subject property is located in the Highpointe development in the Glenmore - Clifton - Dilworth OCP sector. Land use in the area consists exclusively of residential and related secondary uses. At its southern end, the site elevation is 448 metres, rising to 472 metres at its northern end.



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP) - Chapter 8 - Housing

Secondary Suites. Encourage, under the conditions stipulated in the Zoning Bylaw, the creation of secondary suites.

6.0 Technical Comments

Building & Permitting Branch. No concerns except that a Section 219 restrictive covenant is required restricting use to only one dwelling, not a secondary suite, and that the 2nd kitchen is for use in one dwelling only. Secondary suite would require building changes as per current BCBC. Covenant wording is as approved by Building & Permitting Branch and Land Use Management Department.

Development Engineering Branch. This application does not trigger any municipal service upgrades and does not compromise servicing requirements.

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.

FortisBC. No comments.

Shaw Cable. No comments.

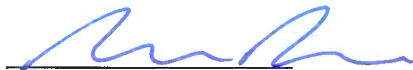
Telus. No comments.

Terasen. No comments.


7.0 Application Chronology

Date of Application Received	August 10, 2010
Advisory Planning Commission	n/a
On Hold	August 2010
Direction Regarding Covenant	December 2010

Report prepared by:



Andrew Browne, Land Use Planner

Reviewed by:  Danielle Noble, Manager, Urban Land Use

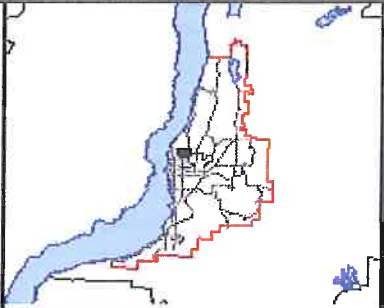
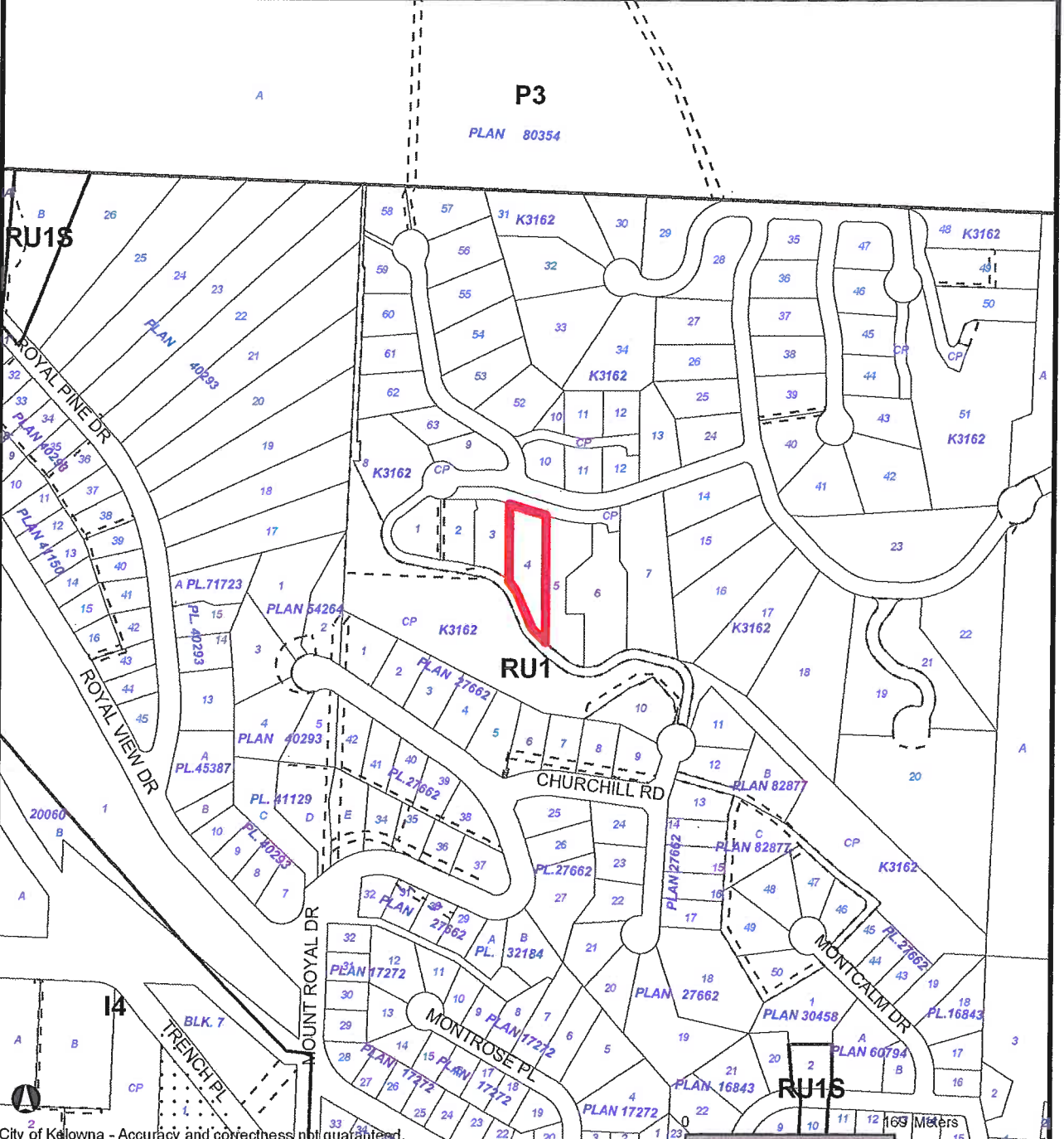
Approved for Inclusion:  Shelley Gambacort, Director, Land Use Management

Attachments:
Subject property map
Site plan
Floor plans (3 pages)
Elevations (2 pages)

Application
Z10-0070

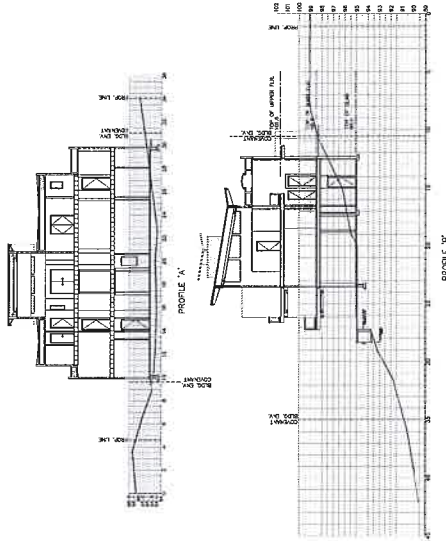
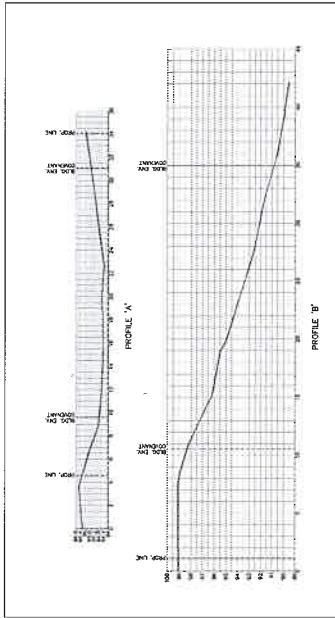
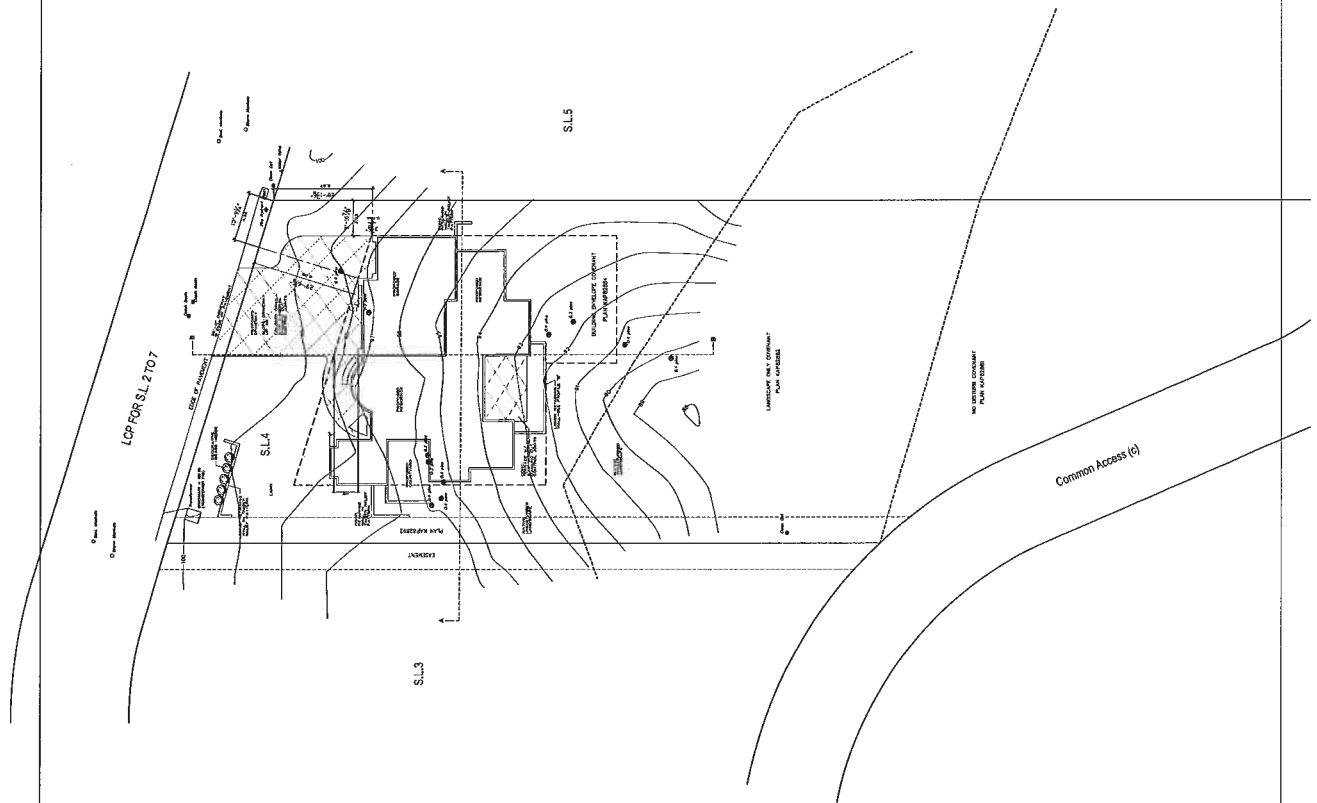


Subject Property

City of Kelowna - Accuracy and correctness not guaranteed.
 Map: 847 x 913 m -- Scale 1:5,000 2010-08-10

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.



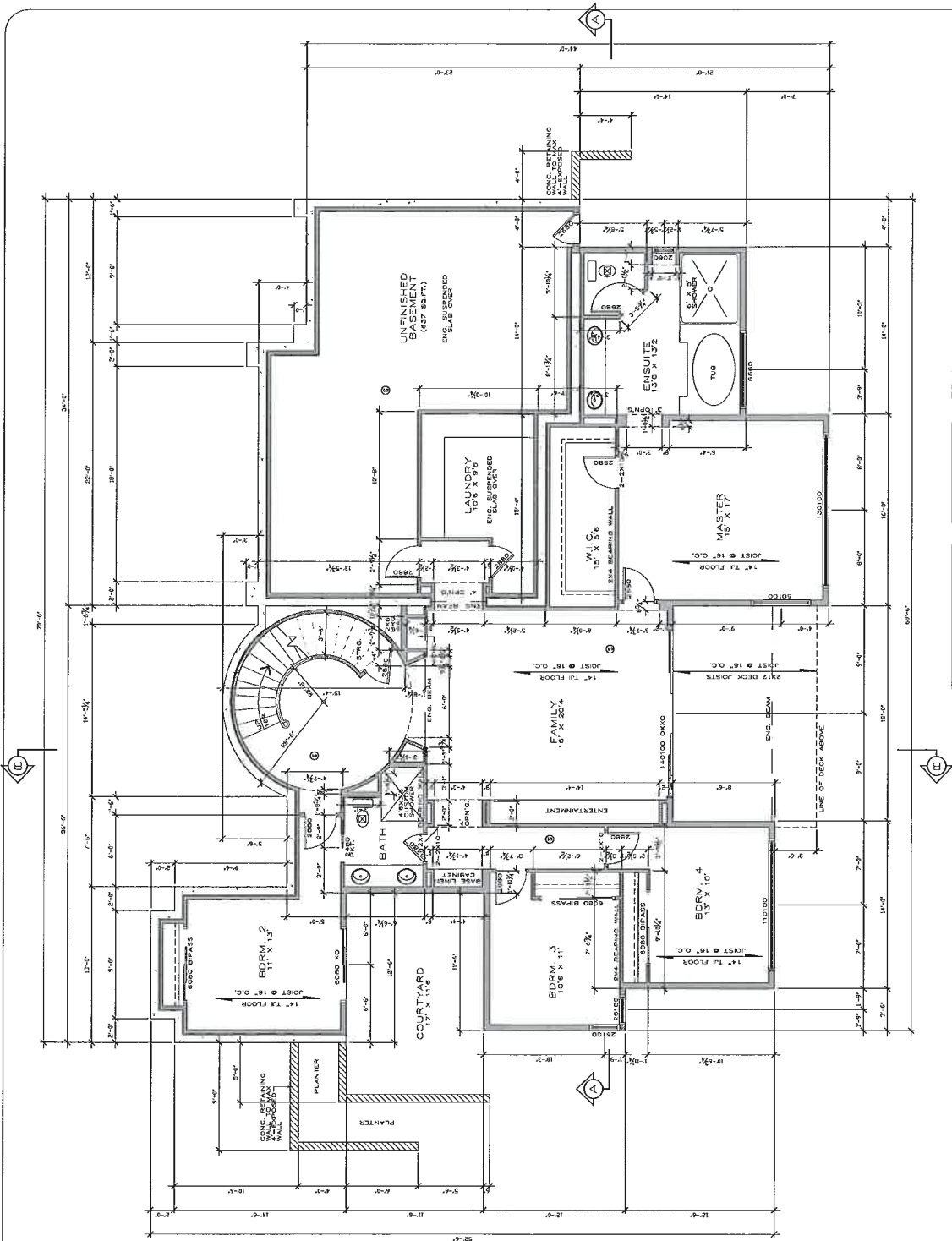
DESIGN CONSULTANT:
 MANULIFE-EMPLOYERS GROUP ASSOCIATED, INC.
 1000 BAYVIEW AVENUE, SUITE 1000
 SCARBOROUGH, ONTARIO M1V 5K4
 TEL: (416) 291-1000
 FAX: (416) 291-1001
 WWW: WWW.MANULIFE-EMPLOYERS.COM



DATE	1/16" = 1'-0"
DATE	JUNE 5, 2010
PROJECT	12829 BASE.DWG
SCALE	1:250
DESIGNER	CARL SCHOLL DESIGN
DATE	12829
REV	0

SITE PLAN OF LOT 4, STRATA PLAN KAS3162,
 SECTION 30, TOWNSHIP 26, O.D.Y.D.

OWNER:
 RUNNALLS DENBY
 British Columbia Land Surveyors
 1000 BAYVIEW AVENUE, SUITE 1000
 SCARBOROUGH, ONTARIO M1V 5K4
 TEL: (416) 291-1000
 FAX: (416) 291-1001
 WWW: WWW.RUNNALLSDENBY.COM



TOTAL LIVING:	
BASEMENT:	2103 SQ.FT.
MAIN FLOOR:	1944 SQ.FT.
UPPER FLOOR:	1583 SQ.FT.
TOTAL:	5630 SQ.FT.
GARAGE:	797 SQ.FT.

NOTE:
 WINDOW OPENINGS TO BE CONFIRMED WITH WINDOW MANUFACTURER AND CLIENT (OWNED).

- 100 CFM FAN
- 60 CFM FAN
- STAINLESS STEEL
- DETECTOR

*10'-0" 3/4" CEILING HEIGHT—THIS FLOOR ONLY
 *ALL INTERIOR DOORS 8'-0" HIGH
 CONFIRM ALL BEAM & JOIST SIZES, LOCATIONS, ETC. WITH STRUCTURAL DRAWINGS.

DATE: 1/21/15
 DRAWN BY: JKH
 CHECKED BY: JKH
 SHEET NO: A3

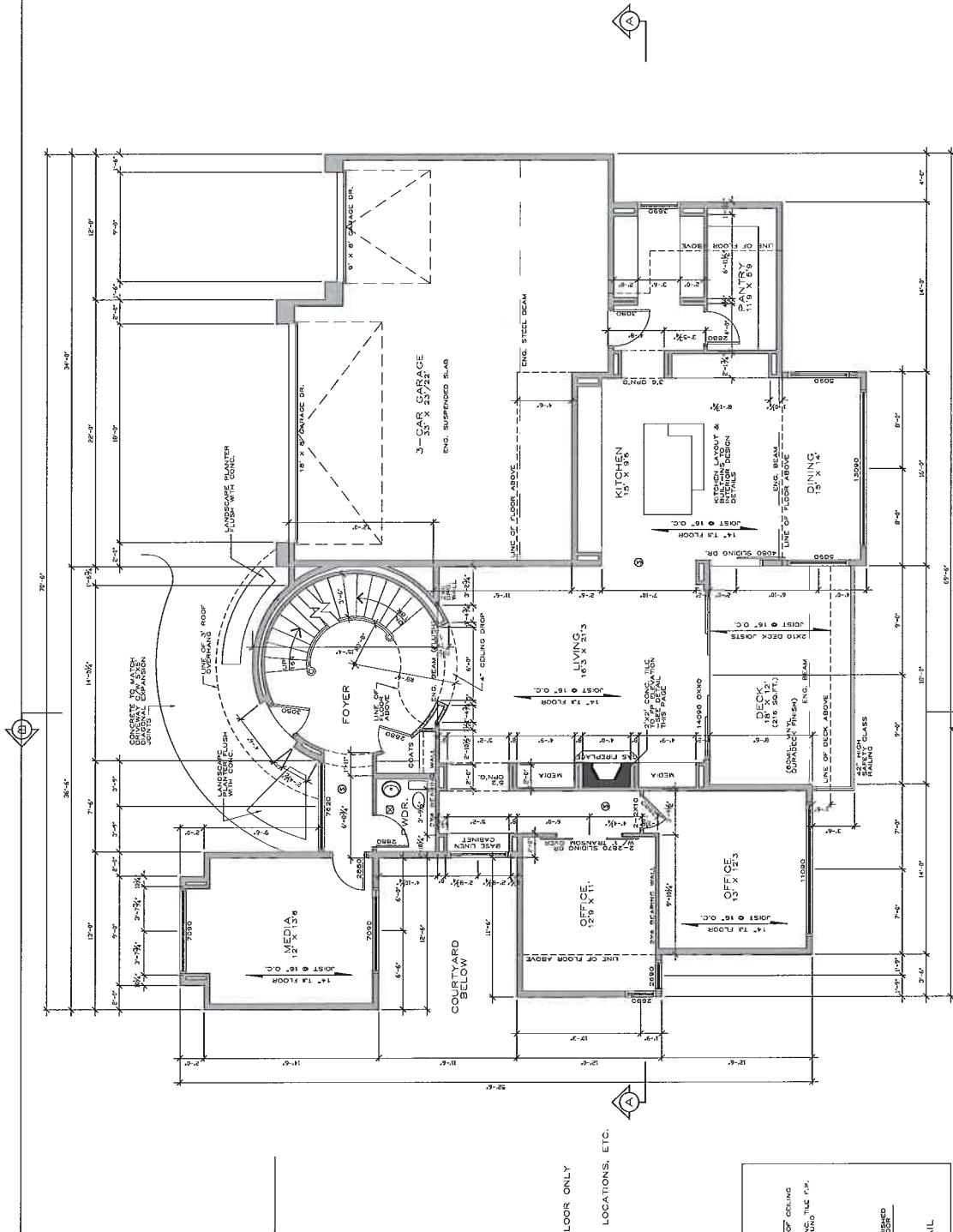
LOT 4—HIGH-POINTE

BASEMENT PLAN

Dover Design Co.
 200415 Burnside Ave.
 Kelowna, BC V1Y8B4
 Tel: 250-860-8888
 Email: info@doverdesignco.ca

Carl Scholl Design Inc.
 1424 Water Street,
 Kelowna, BC 763-7800

BASEMENT PLAN



MAIN FLOOR
UPPER FLOOR:

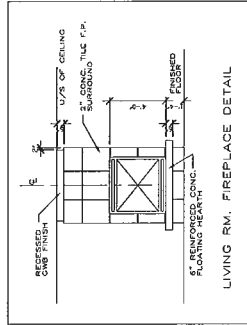
TOTAL:

NOTE:
WINDOW OPENINGS TO BE CO-ORDINATED AND SPECIFIED BY WINDOW MANUFACTURER AND CLIENT (OWNER).

- 100 CFM FAN
- 60 CFM FAN
- SMOKE DETECTOR

*9'-0" 3/4" CEILING HEIGHT—THIS FLOOR ONLY
*ALL INTERIOR DOORS 8'-0" HIGH

CONFIRM ALL BEAM & JOIST SIZES, LOCATIONS, ETC. WITH STRUCTURAL DRAWINGS.



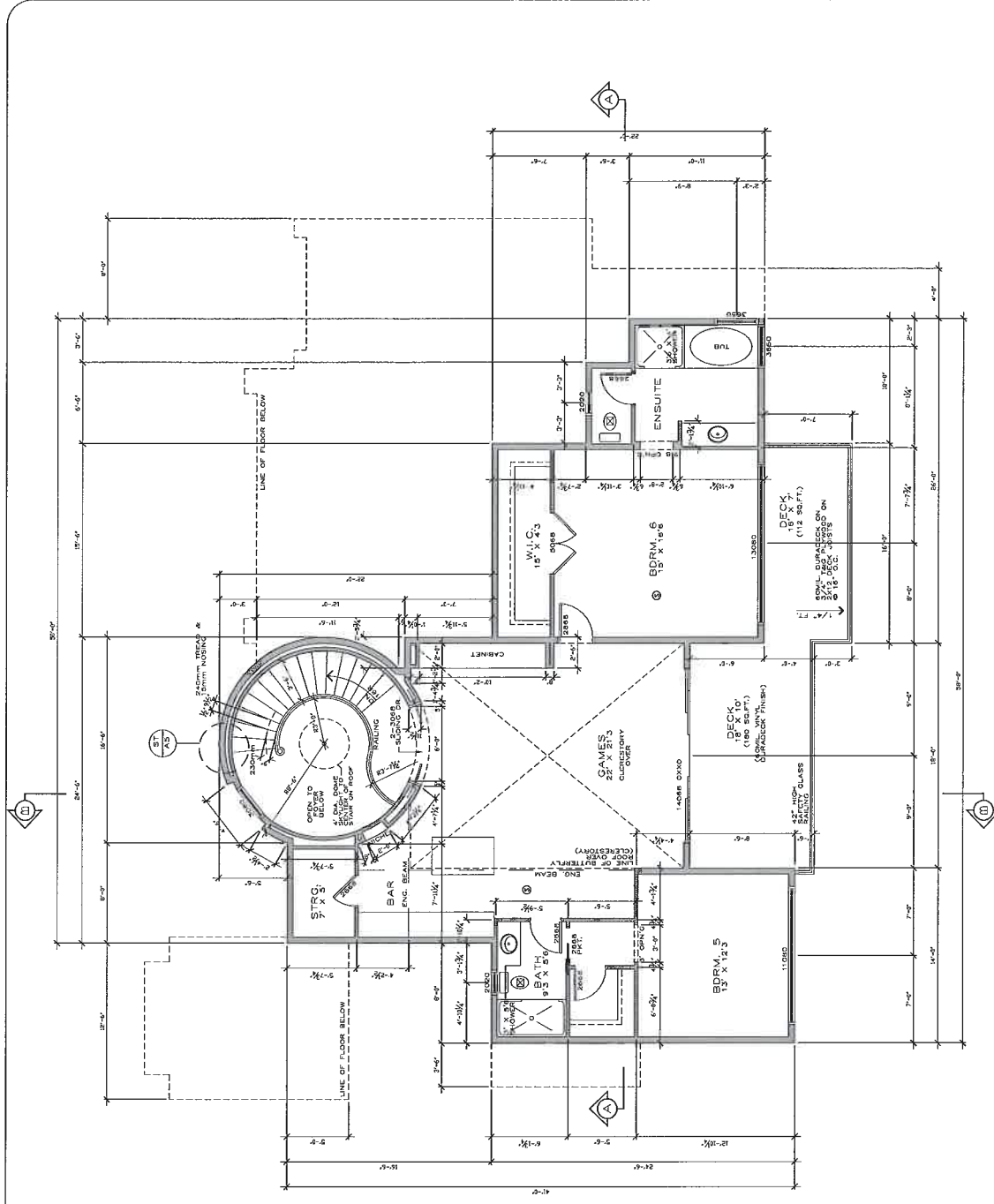
Project Title LOT 4—HIGHPOONTE
Sheet Title MAIN FLOOR PLAN

Owner Design Co.
202-510 Bickford Ave.
Kelowna, BC V1Y 1R4
info@ownerdesignco.ca

Carl Scholl Design Inc.
1474 Water Street,
Kelowna, BC V6J 7R0

DATE: 11-1-07
SCALE: 1/8" = 1'-0"
DRAWN BY: [Signature]
CHECKED BY: [Signature]
PROJECT NO: A4

MAIN FLOOR PLAN

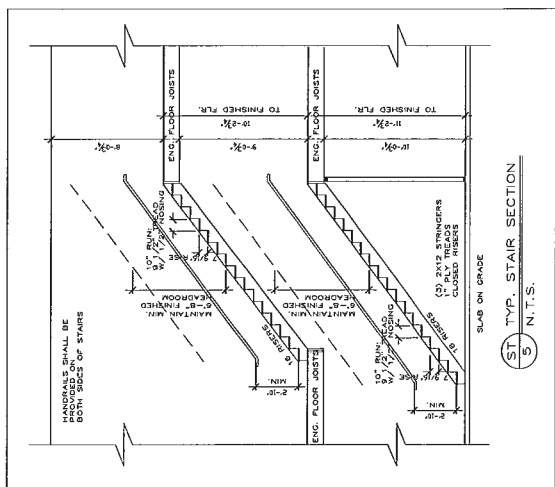


TOTAL LIVING:	2103 SQ.FT.
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MAIN FLOOR:	1583 SQ.FT.
UPPER FLOOR:	5630 SQ.FT.
TOTAL:	797 SQ.FT.
GARAGE:	

NOTE:
 WINDOW OPENINGS TO
 BE CONFIRMED WITH
 WINDOW MANUFACTURER
 AND SILENT CORNER.

- 100 CFM FAN
- 60 CFM FAN
- SMOKE DETECTOR

*8'-0" 3/4" CEILING HEIGHT—THIS FLOOR ONLY
 *ALL INTERIOR DOORS 6'-8" HIGH
 CONFIRM ALL BEAM & JOIST SIZES, LOCATIONS, ETC.
 WITH STRUCTURAL DRAWINGS.



(S) TYP. STAIR SECTION
 N.T.S.

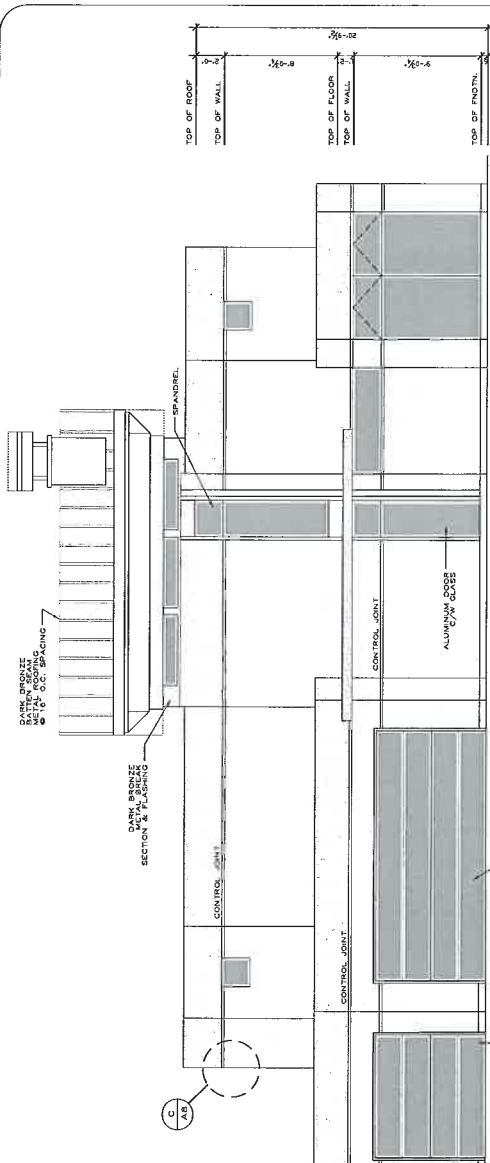
Cartlroll Design Inc.
 1474 Water Street
 Kelowna, BC 765-7800

Bower Design Co.
 28450 Balfour Ave
 Kelowna, BC V1Y8A
 info@bowerdesignco.ca

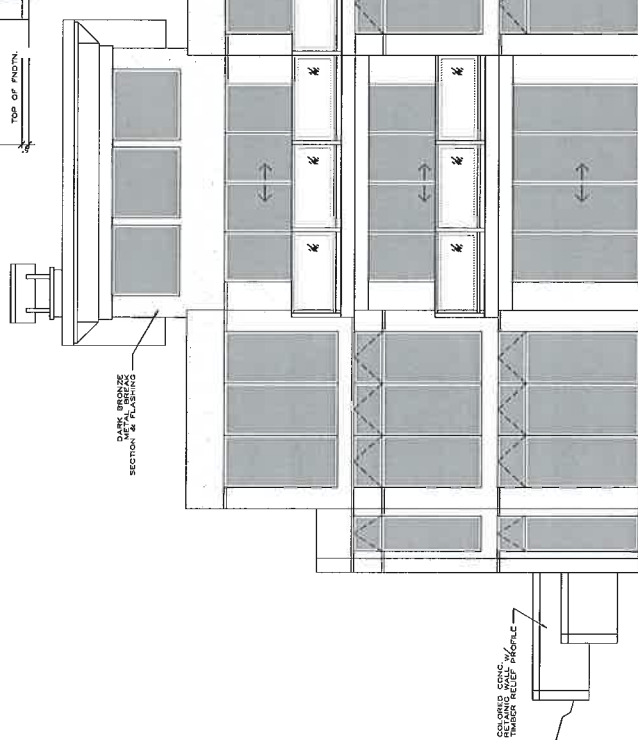
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 SHEET TITLE: UPPER FLOOR PLAN

DATE: 1/4/11
 DRAWN BY: J.M.
 CHECKED BY: J.M.
 SHEET NO: A5

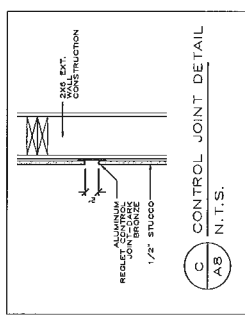
UPPER FLOOR PLAN



FRONT ELEVATION



REAR ELEVATION



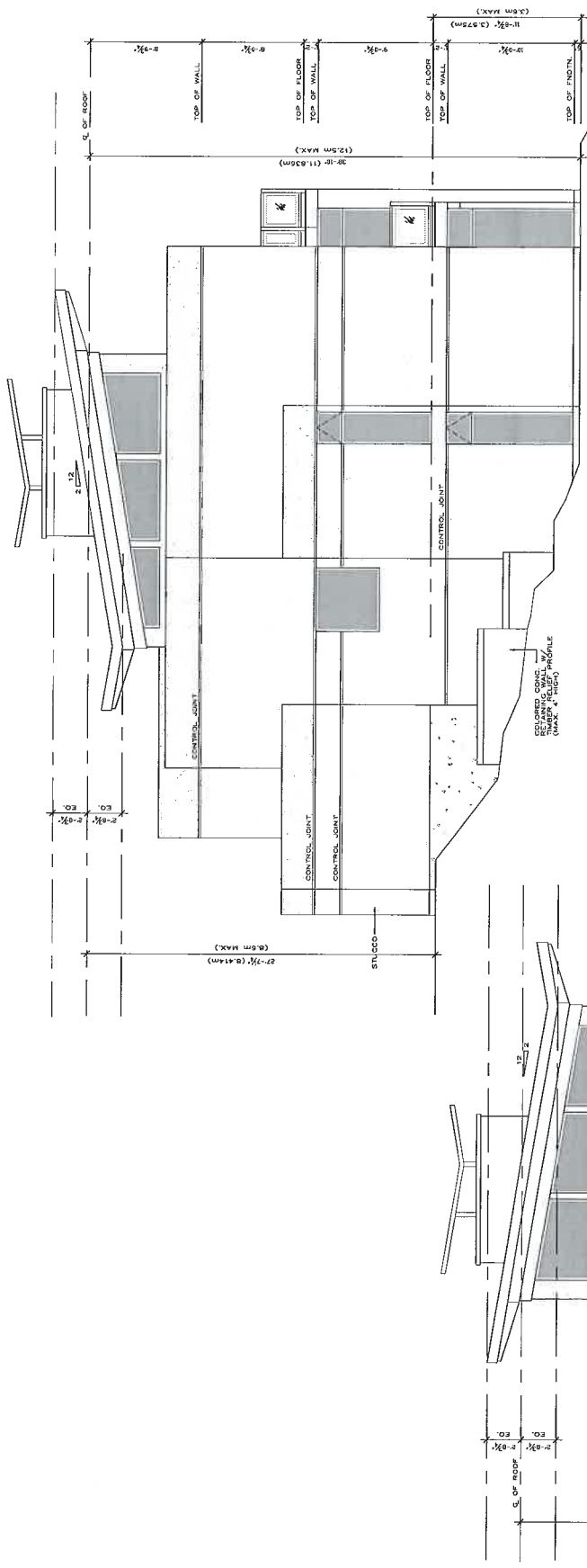
C CONTROL JOINT DETAIL
AS N.T.S.

Baner Design Co.
20406 BUSHMAN AVE.
25310-4185
HIGHWAY 101/10000000000

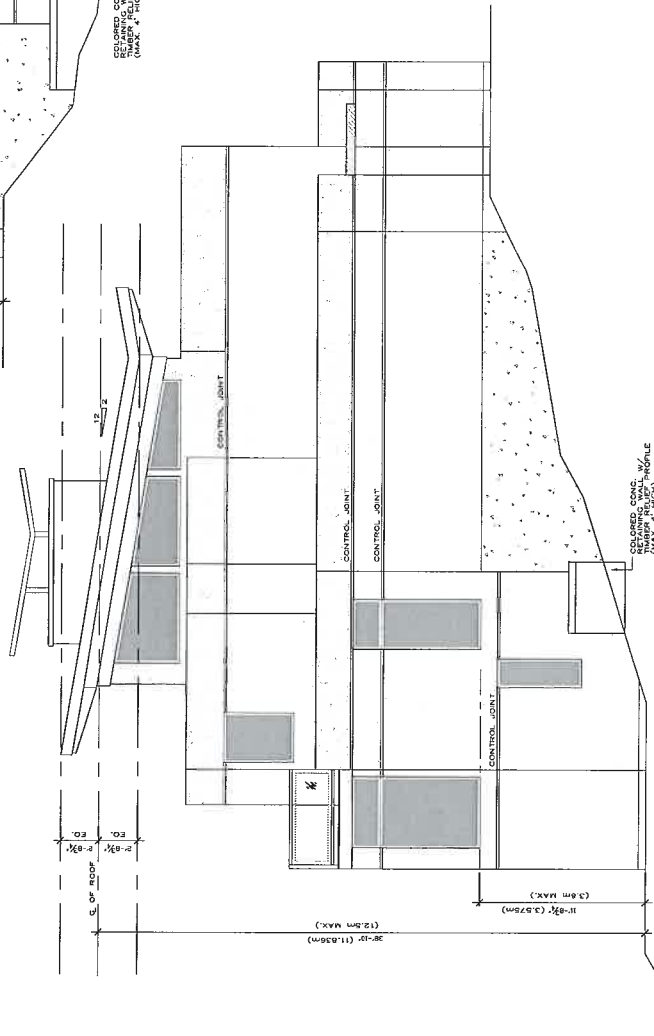
PROJECT FILE: LOT 4-HIGHPOINTE
SHEET NO: ELEVATIONS
SHEET NO: AB

Carl Scholl Design Inc.
1474 Water Street
Kelowna, BC 765-7800

SCALE: 1/4"=1'-0"
DATE: JUN-9-2010



RIGHT ELEVATION



LEFT ELEVATION

Carl Scholl Design Inc. 1474 Water Street, Kelowna, BC V1Y 8U9 765-7800	Project Title LOT 4-HIGHPOINTE	Scale 1/2" = 1'-0"
		Sheet No. A9
Client ELEVATIONS		Sheet No. A9
Designer Bower Design Co. 206-11111 16th Street Kelowna, BC V1Y 8U9 765-7800		