

# Memo



**Date:** December 16, 2010

**To:** City Manager

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

**Application:** Z10-0098

**Owners:** Mary J. Bell & Jennifer L. Bell

**Address:** 900 Hickory Road

**Applicant:** Mary J. Bell

**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

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## 1.0 Recommendation

THAT Rezoning Application No. Z10-0083 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 51, Section 22, Township 26, O.D.Y.D., Plan 25984, located on Hickory Road, 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 THAT a building permit for the suite be applied for prior to final adoption of the zone.

## 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 in order to legalize an existing secondary suite located within the basement of the single family dwelling located on the subject property.

## 3.0 Land Use Management

This 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. There are properties in the immediate area that are zoned the RU6 - Two Dwelling Housing zone which permit secondary suites. 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 Background/ Project Description

The dwelling located on the subject property was constructed in 1979. In September 2010, there was a bylaw investigation that determined the existence of an unauthorized secondary suite in the basement of the dwelling.

This application is seeking to legalize the existing two bedroom suite. The entrance to the suite is located on the south east side of the basement of the dwelling, accessed through the existing open carport. The access to the upper level dwelling unit is through the main entrance facing the street. There is adequate off-street parking available in the carport and on the paved driveway. Outdoor private space is available on the property.

##### 4.2 Site Context

The subject property is located on the east side of Hickory Road. The surrounding properties are all zoned RU1 - Large Lot housing and RU6 - Two Dwelling Housing.

##### 4.3 Site Location Map

900 Hickory Road



##### 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	897 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width	20.73 m	16.5 m
Lot Depth	41.15 m	30.0 m
Development Regulations		
Site Coverage (buildings)	14.5%	40%
Site Coverage (buildings/parking)	23%	50%
Building height	1½ Storey / 5m	2 ½ storey/9.5 m
Floor area principal dwelling	220.3 m <sup>2</sup>	
Floor area of Secondary Suite / Ratio	88m <sup>2</sup> / 40%	In principal dwelling: may not exceed lessor of 90 m <sup>2</sup> or 40%
Front Yard	8.0 m	6.0 m to garage or carport
Side Yard (north west)	2.26 m	2.3 m (2 - 2½ storey)
Side Yard (south east)	3.5 m	2.3 m (2 - 2½ storey)
Rear Yard	24 m	7.5 m
Other Regulations		
Minimum Parking Requirements	3 stalls provided	3 stalls required
Private Open Space	Meets requirements	30 m <sup>2</sup> per unit required

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

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.

<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

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- 1) \$2,500.00 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) A fire rated exit stairwell is required from the suite to the exterior, including fire rated doors that open into the stairwell and a fire rating on the bottom of the stairs. Please provide these details on the building permit drawing sets.
- 6) Full Plan check for Building Code related issues will be done at time of Building Permit applications.

### 6.2 Development Engineering Department

Development Engineering Services comments and requirements regarding this application to rezone from RU1 to RU1s are as follows:

1. Subdivision  
Provide easements as required
2. Sanitary Sewer.  
The subject property is connected to the Municipal wastewater collection system.
3. Domestic Water.  
The subject property is located within the Rutland Waterworks District (RWD). All charges and fees must be paid directly to RWD.
4. Miscellaneous.  
Parking is provided on site

6.3 Bylaw Services

Bylaw Services has an open Service Request #177960, about an illegal suite at this location. Complaint was put in on September 3, 2009 and remains open to this day.

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.

6.5 Telus

No Comment

6.6 Terasen Utilities Services

No Comment

7.0 Application Chronology

Date of Application Received: November 15, 2010

Report prepared by:

  
Paul McVey, Urban Land Use Planner

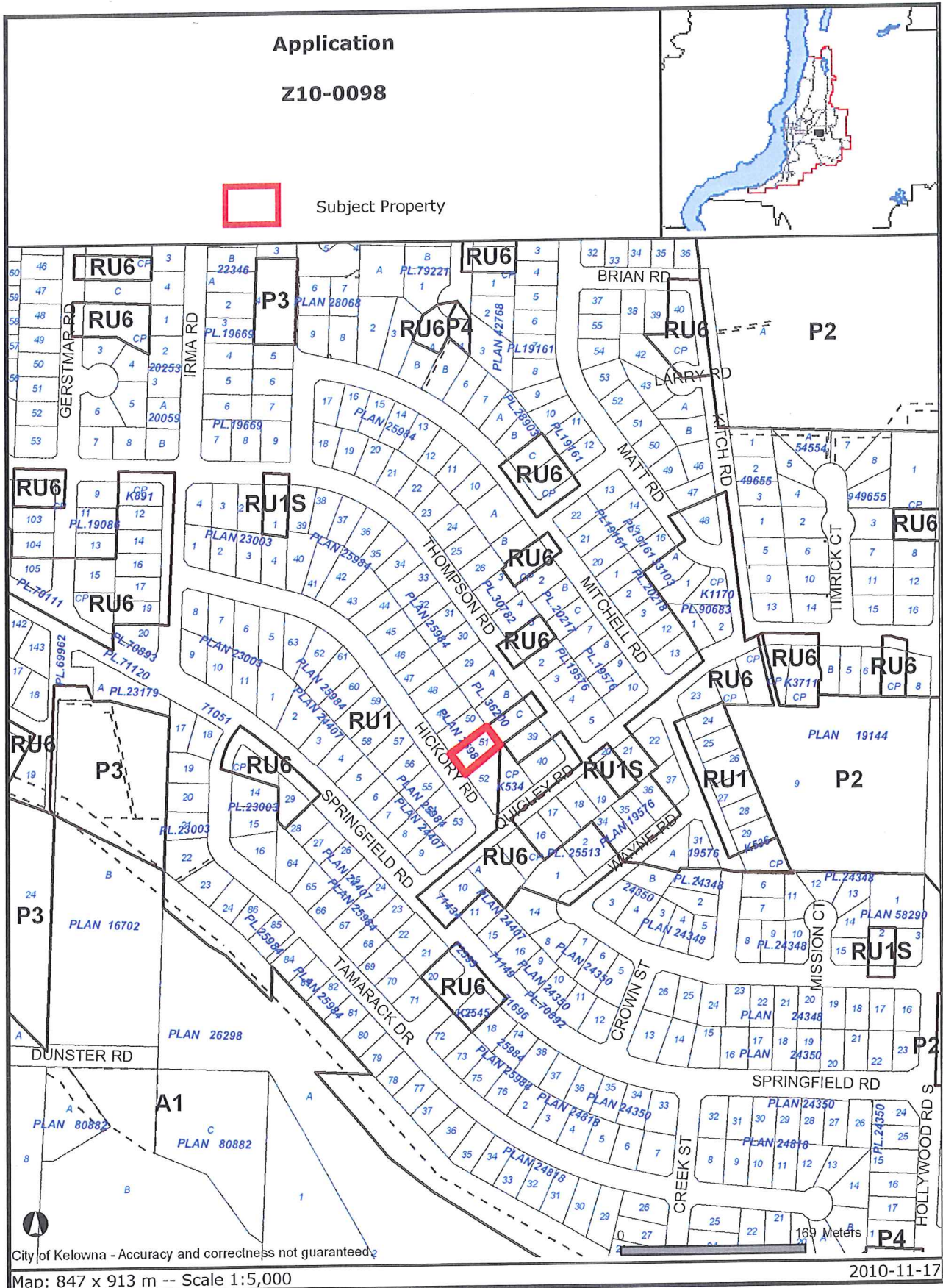
Reviewed by:  Danielle Noble Manager, Urban Land Use Management

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



Attachments:

- Site Plan
- Upper floor plan
- Lower floor plan
- Context/Site Photos



City of Kelowna - Accuracy and correctness not guaranteed

2010-11-17

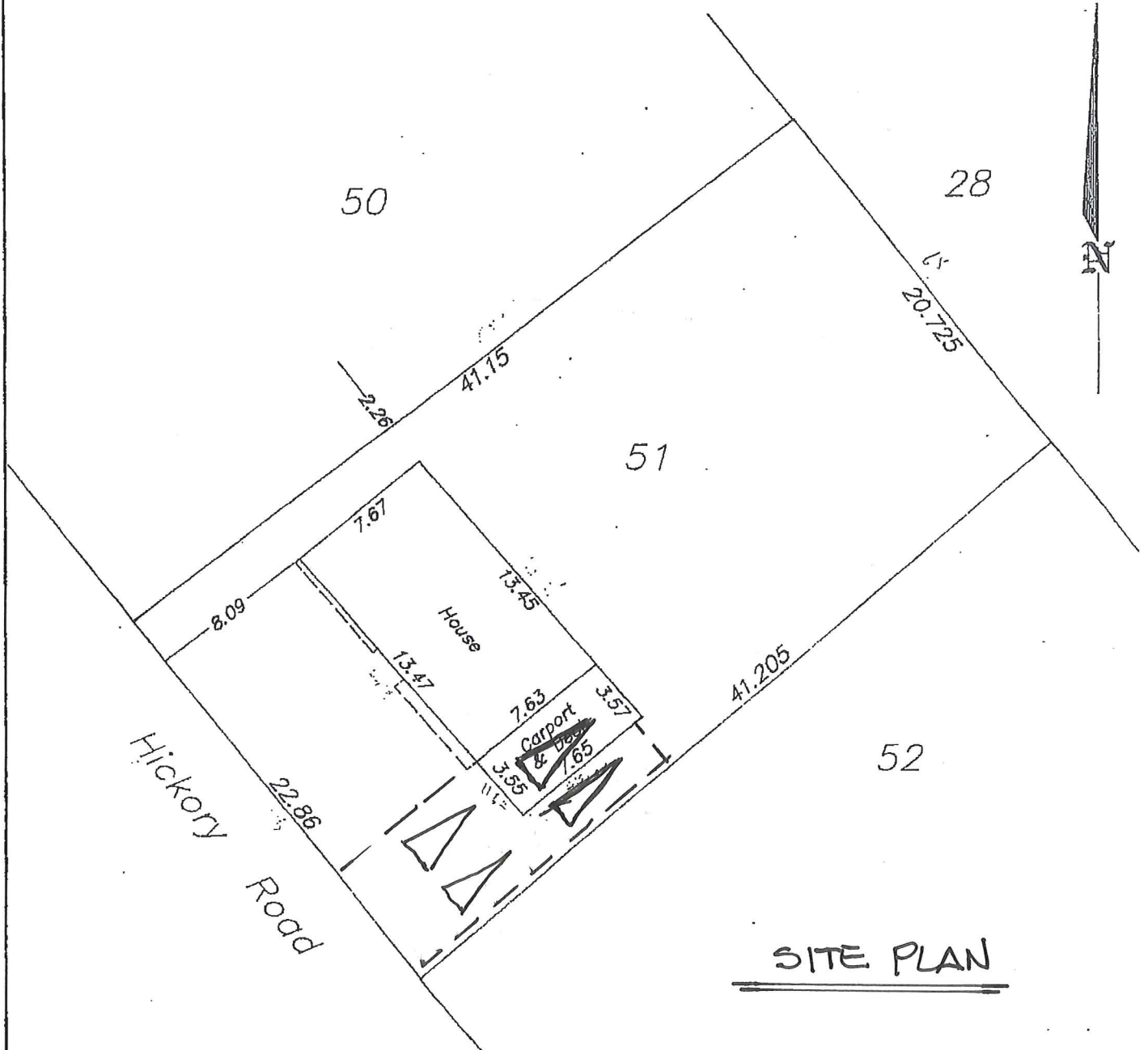
Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

# BUILDING LOCATION CERTIFICATE

This is to state that on the 25<sup>th</sup> day of July, 19 91, a survey was performed under my superintendence, on the property described as follows:

900 - Hickory Road Lot 51, Sec.22, Tp.26, ODYD, Plan 25984.

The building(s) erected on the said property is (are) wholly within the boundaries thereof, and does (do) not encroach on adjoining properties. The accompanying sketch shows within acceptable tolerances the size of the building and property, and their relative positions. This sketch is not to be used for the establishment of property boundaries.



SITE PLAN

**FRITSCH & ASSOCIATES**

Legal & Engineering Survey Consultants

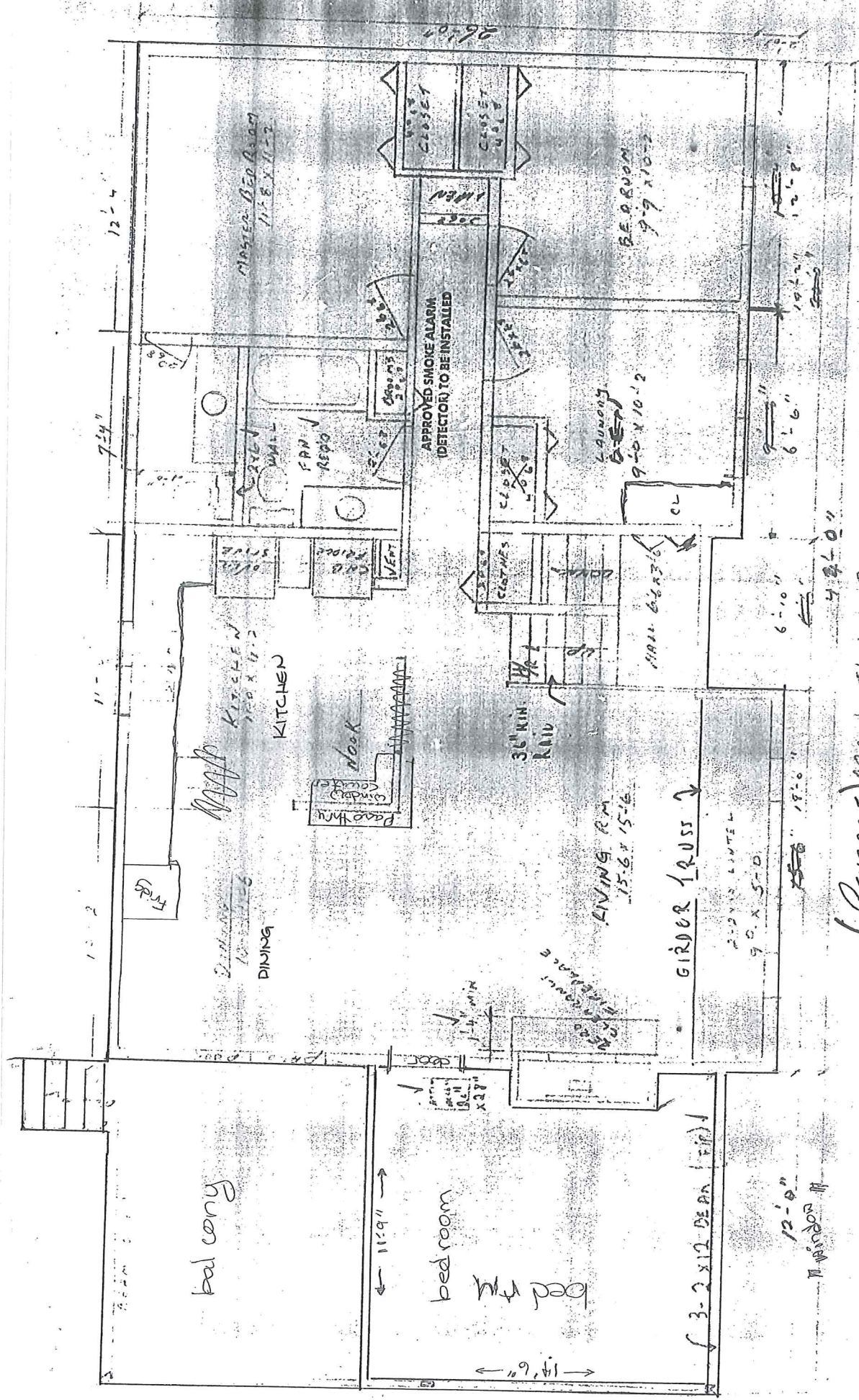
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*[Signature]*  
BRITISH COLUMBIA LAND SURVEYOR

The 25<sup>th</sup> of July, 1991







(REVERSE) MAIN FLOOR PLAN

UPPER FLOOR



