

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

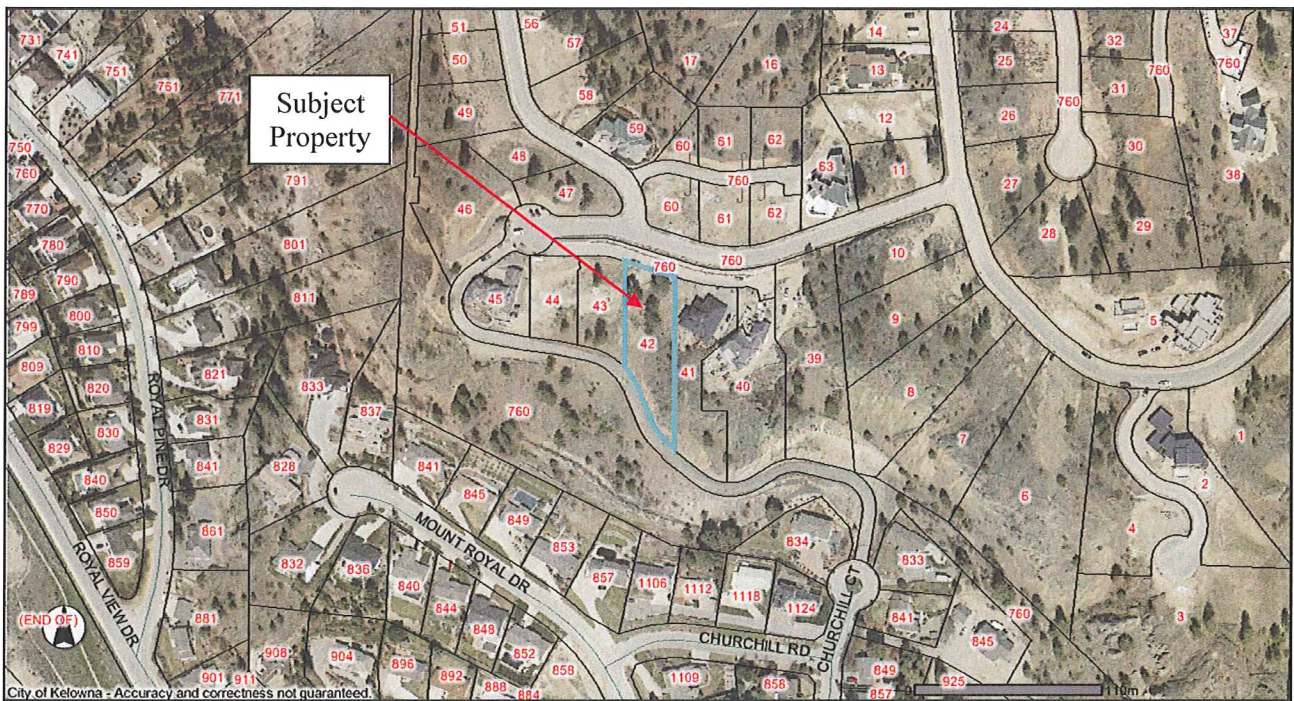
second kitchen to be established. Should the owner wish to legalize a secondary suite in the future, building modifications would be necessary, but the covenant would be able to be discharged.

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:

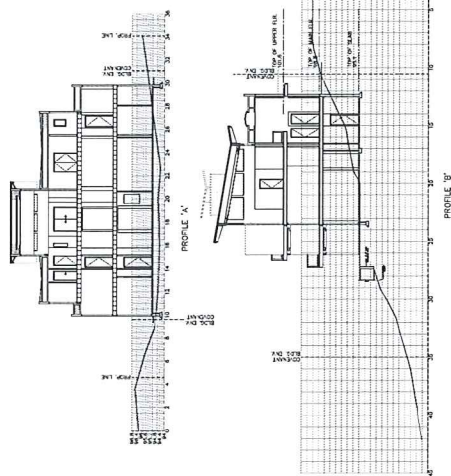
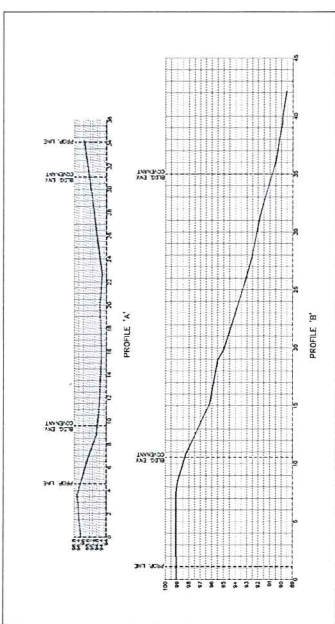
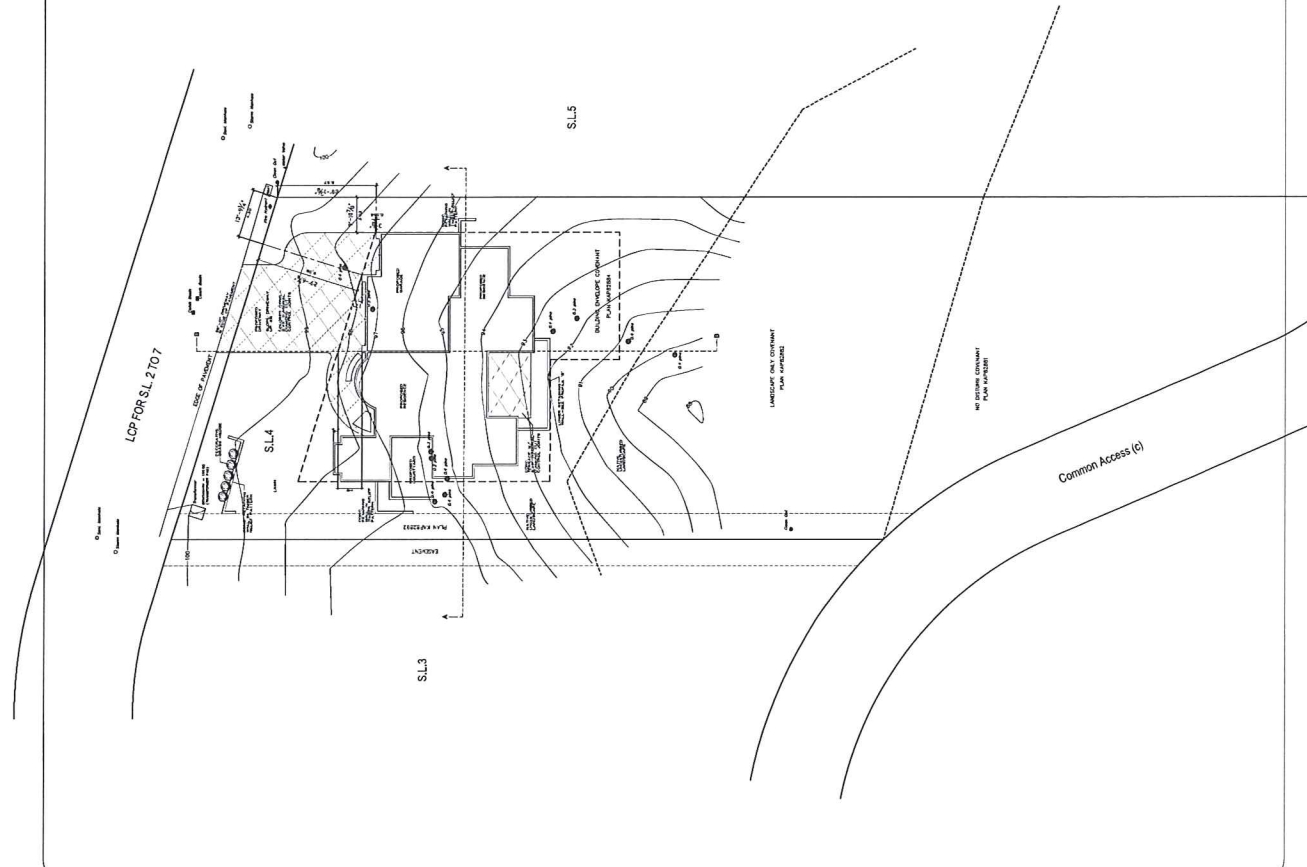

Andrew Browne, Land Use Planner

Reviewed by:  Danielle Noble, Manager, Urban Land Use

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

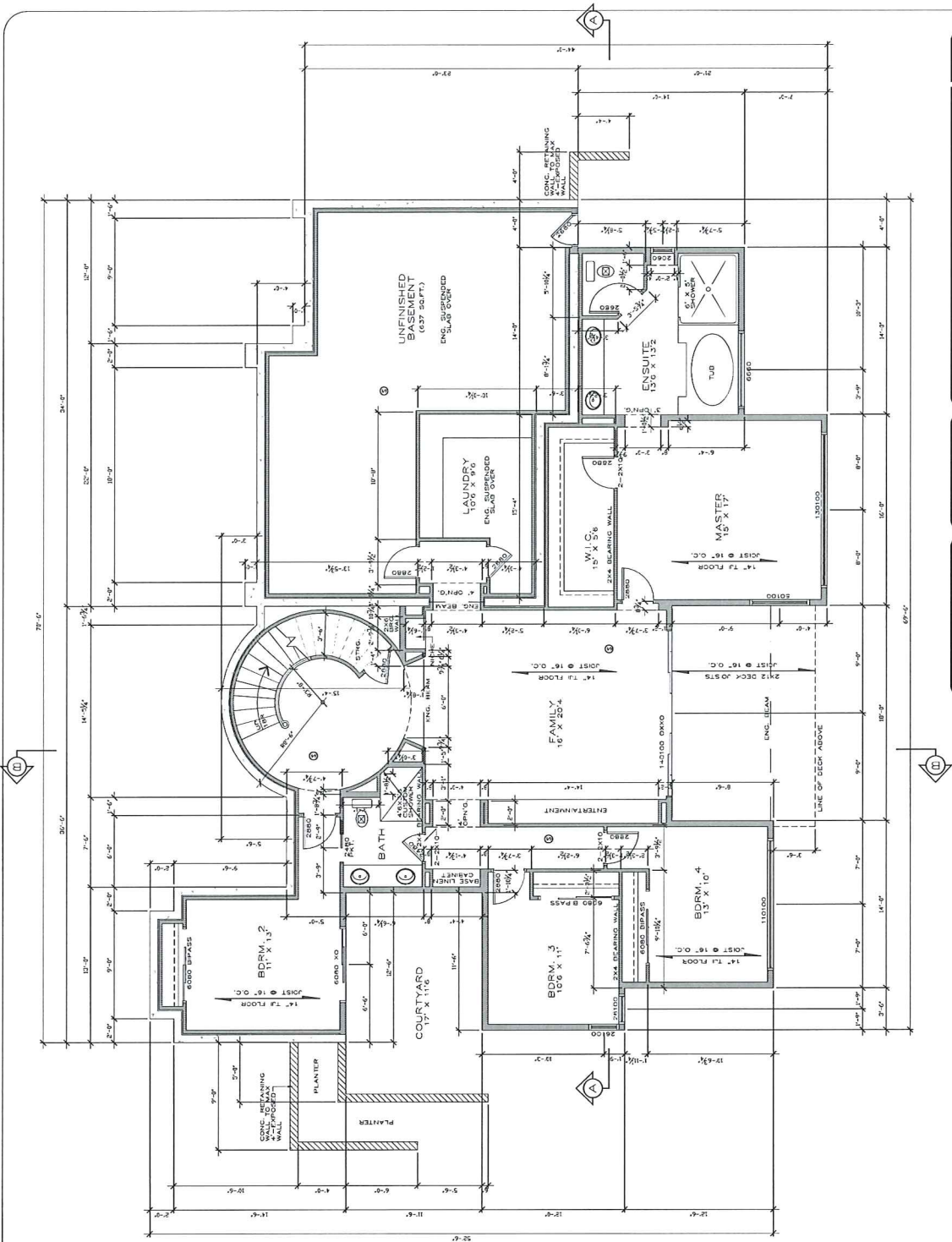
- Attachments:**
- Subject property map
 - Site plan
 - Floor plans (3 pages)
 - Elevations (2 pages)

Handwritten notes and stamps at the bottom of the page, including a circular official seal.



DESIGN CRITERIA
 APPROX. LOT AREA = 10,000 SQ. FT. (248.81 M²)
 LOT AREA = 10,000 SQ. FT. (248.81 M²)
 MAX. BUILDING AREA = 10,000 SQ. FT. (248.81 M²)
 MAX. COVERING = 10.0%
 SEE DRAWING FOR DETAILED NOTES AND CONDITIONS
 SEE APPROVALS
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: [Date]
 LEGAL ADDRESS: [Address]
 TAX MAP: [Map No.]

TITLE	SITE PLAN OF LOT 4, STRATA PLAN KAS3162, SECTION 30, TOWNSHIP 26, O.D.Y.D.		
	DATE	JUNE 5, 2010	
DRAWN BY	RUNNALLS DENBY		
	British Columbia Land Surveyors 1000 Burrard Street Vancouver, BC V6X 1A6 Tel: 604-681-1111 Fax: 604-681-1112		
SCALE	1/16" = 1'-0"	FILE NO.	12829
		REV.	0



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 (OWNER).

- 100 CFM FAN
- 60 CFM FAN
- SMOKE DETECTOR

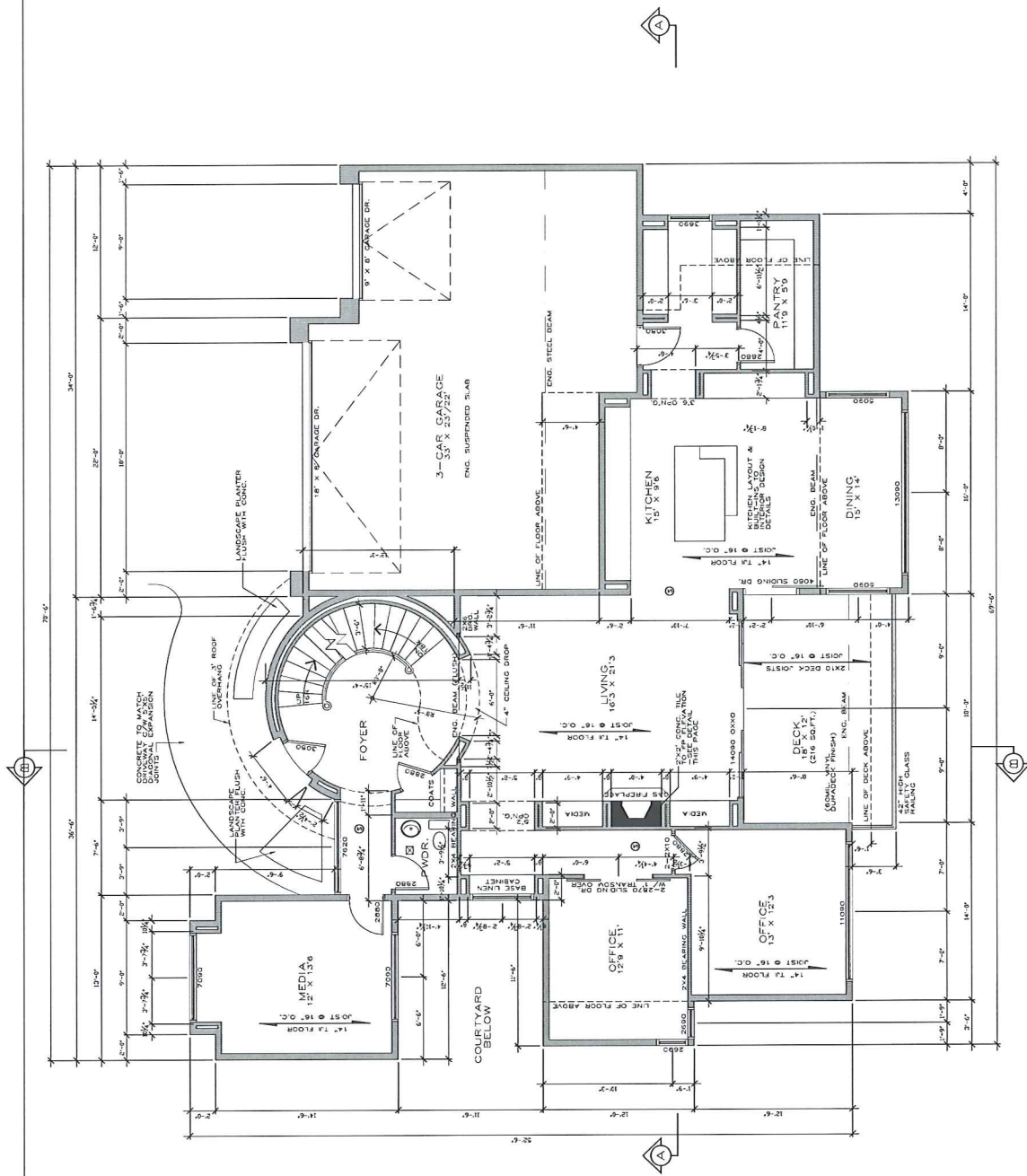
*10'-0 3/4" CEILING HEIGHT—THIS FLOOR ONLY
 *ALL INTERIOR DOORS 8'-0" HIGH
 *CONFIRM ALL BEAM & JOIST SIZES, LOCATIONS, ETC. WITH STRUCTURAL DRAWINGS.

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

Dover Design Co.
 205418 Bickland Ave.
 Kelowna, BC V1Y8K4
 info@doverdesignco.ca

PRODUCT TITLE LOT 4—HIGHPOINTE
SHEET TITLE BASEMENT PLAN
DATE 11-15-10
REV JAN-5-2010
SHEET NO. A.3

BASEMENT PLAN

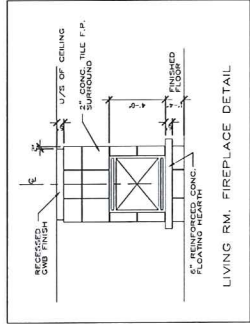


MAIN FLU.
UPPER FLOOR:
TOTAL:

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
*CONFRY ALL BEAMS & WIRE SIZES, LOCATIONS, ETC.
*WITH STRUCTURAL DRAWINGS.



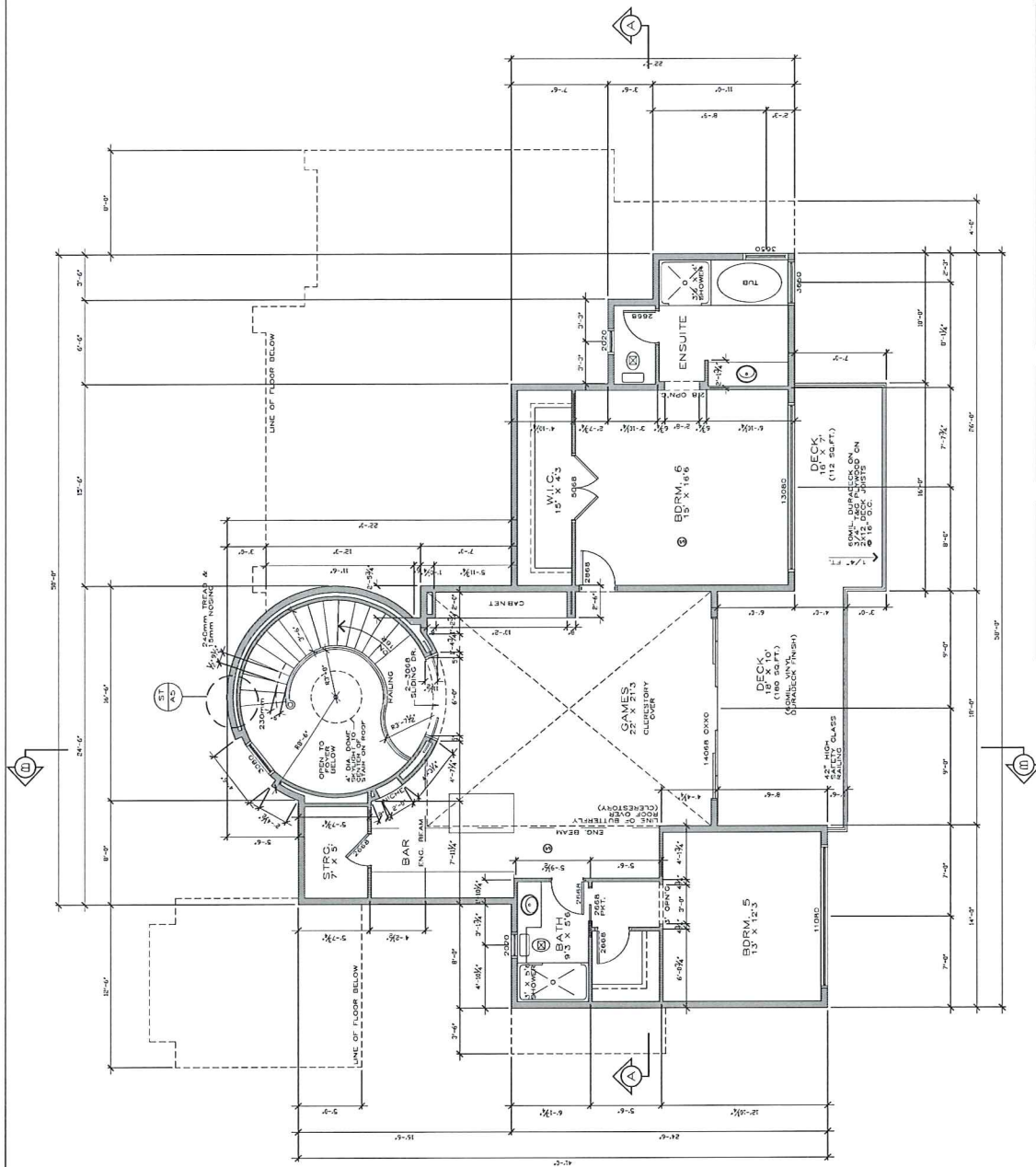
SCALE
1/4" = 1'-0"
DATE: 5-2010
SHEET NO. A4

PROJECT TITLE: LOT 4—HIGHPOONTE
SHEET TITLE: MAIN FLOOR PLAN

Dover Design Co.
230419 Burnside Ave.
250.211.4145
info@doverdesignco.ca

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Kelowna, BC 765-7800

MAIN FLOOR PLAN

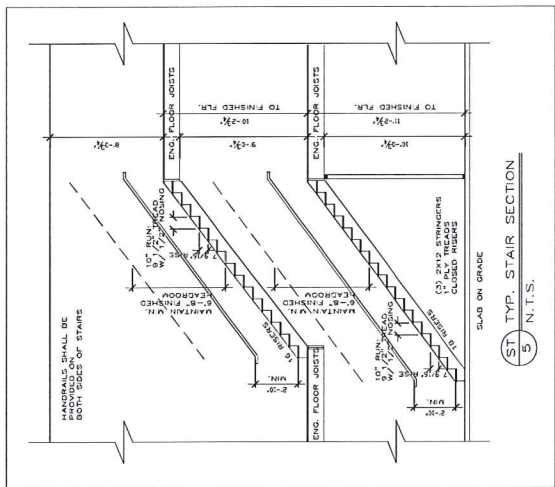


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NOTE:
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- 100 CFM FAN
- 60 CFM FAN
- SMOKE DETECTOR

*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.



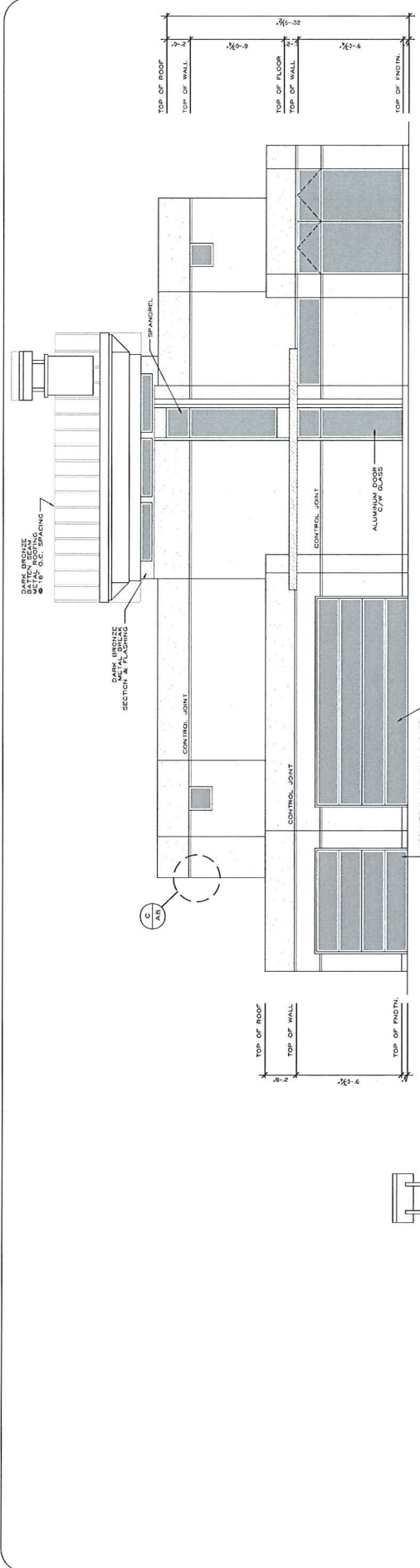
ST TYP. STAIR SECTION
 N.T.S.

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

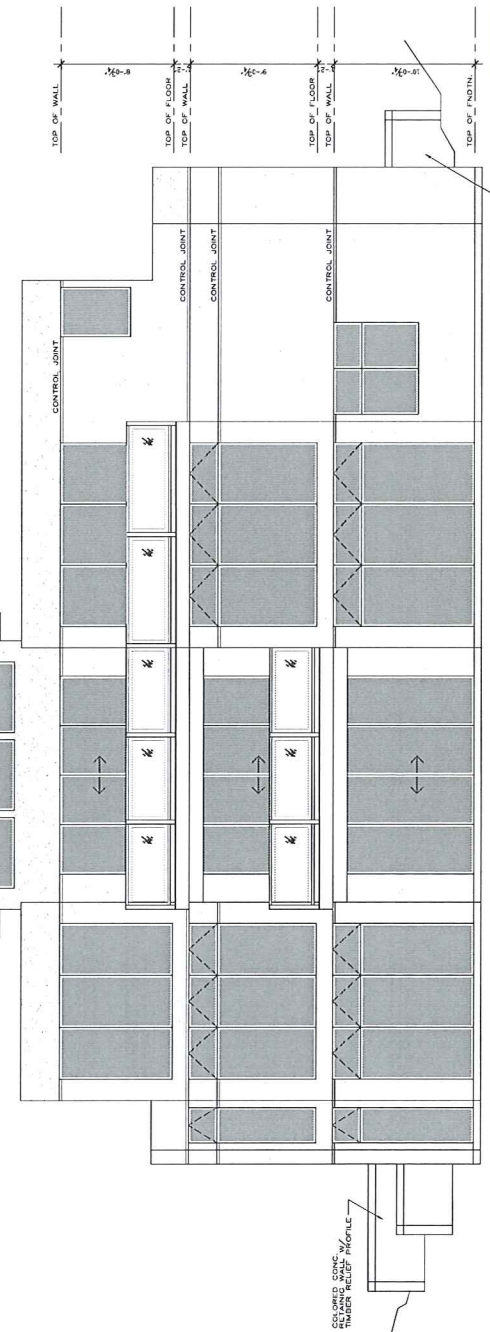
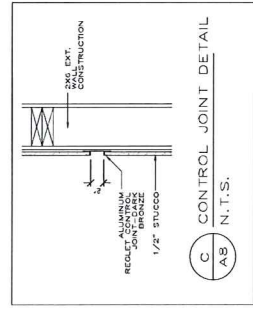
Bower Design Co.
 25519 Buxfield Ave,
 Kelowna, BC V1Y8A4
 karl@bowedesign.co

PROJECT FILE: LOT 4—HIGHPOONTE
 SHEET FILE: UPPER FLOOR PLAN
 SHEET NO: A5

UPPER FLOOR PLAN



FRONT ELEVATION

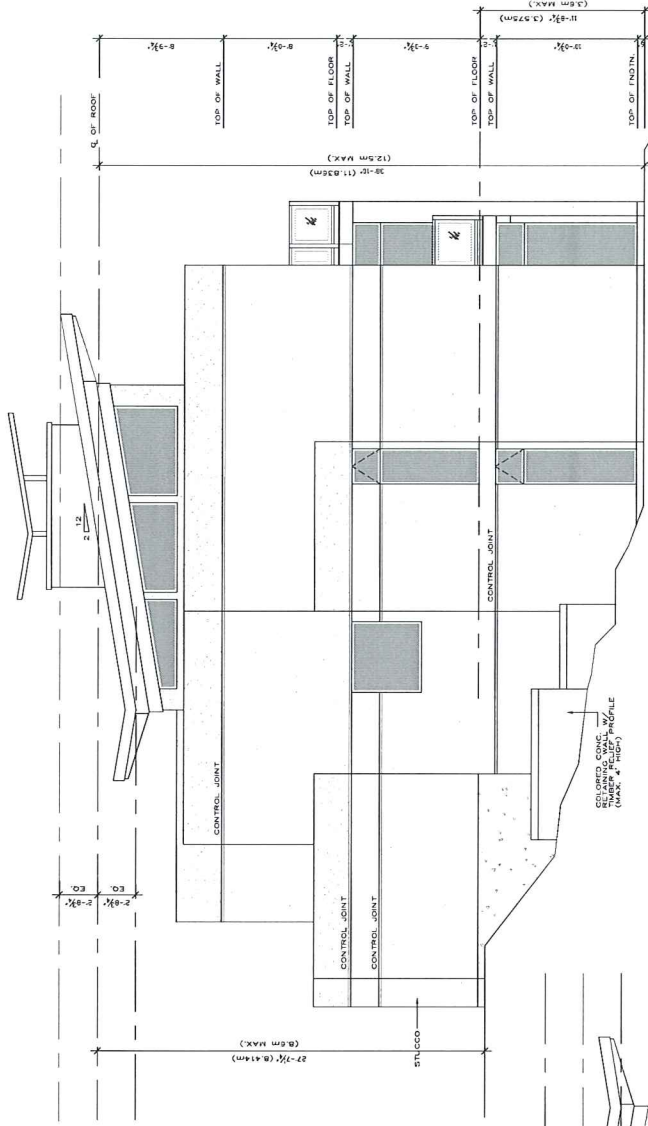


REAR ELEVATION

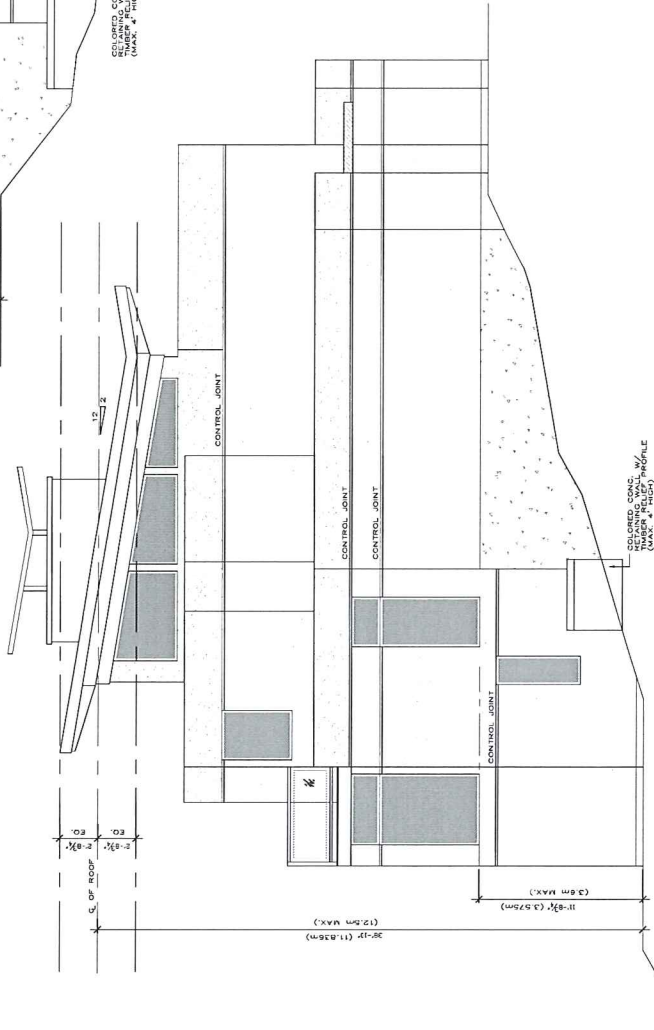
Bower Design Co.
 10505 B. ROAD
 KILGUS, BC V2Y 6A4
 TEL: 250-885-8888
 FAX: 250-885-8889

PROJECT FILE: LOT 4-HIGHPOINT
 SHEET FILE: ELEVATIONS
 SCALE: 1/8" = 1'-0"
 DATE: JAN-20-2010
 SHEET NO: A8

Carl Scholl Design Inc.
 1474 Water Street
 Kelowna, BC 763-7800



RIGHT ELEVATION



LEFT ELEVATION

SCALE
1/4"=1'-0"
A9

PROJECT TITLE
LOT 4-HIGHPOINT
SHEET TITLE
ELEVATIONS

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200410 Blakely Ave.
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