

# Memo



**Date:** February 10, 2011  
**To:** City Manager  
**From:** Land Use Management, Community Sustainability (BD)  
**Application:** Z11-0005 **Owner:** Kevin Lavigne & Amanda Telfer  
**Address:** 1483 Ayre Avenue **Applicant:** Kevin Lavigne  
**Subject:** Rezoning Application

Existing OCP Designation: Single / Two Family Residential

Existing Zone: RU1- Large Lot Housing zone

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

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## 1.0 Recommendation

THAT Rezoning Application No. Z11-0005 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 7, Section 30, Township 26 ODYD Plan 11261, located on Ayre Avenue, 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 Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT the suite be eligible for final occupancy prior to final adoption of the zone;

AND THAT final adoption of Zone Amending Bylaw be considered subsequent to the requirements of the Development Engineering Branch being 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.

A handwritten signature in black ink, located at the bottom right of the page.

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. 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

The current owner purchased this property in 2009. At that time the suite existed in the basement of the residence. The suite has not been rented since June 2010 and is currently vacant. The applicant would like to ensure the suite meets the Zoning Bylaw regulations and BC building code prior to renting the unit.

The two bedroom suite is accessed from the rear of the dwelling. Parking is achieved on the wide driveway and ample private open space is available in the rear yard.

##### 4.2 Site Context

The subject property is located on the south side of Ayre Avenue in the Glenmore/Clifton/Dilworth sector of Kelowna. The surrounding properties in all directions are zoned RU1 - Large Lot housing. Other RU1s zoned properties are located within 2 blocks of the subject property.

##### 4.3 Subject Property Map: 1483 Ayre Avenue



## 4.5 Zoning Analysis

The proposed application meets the requirements of RU1s- Large Lot Housing with a secondary suite zone as follows:

| <b>Zoning Bylaw No. 8000</b>                |  |   |
|---|--|---|
| <b>CRITERIA</b>                             | <b>PROPOSAL</b>                            | <b>RU1(s) ZONE REQUIREMENTS (Suite within Principal Dwelling)</b> |
| <b>Subdivision Regulations</b>              |  |   |
| Lot Area                                    | 844 m <sup>2</sup>                         | 550 m <sup>2</sup>  |
| Lot Width                                   | 25.3 m                                     | 16.5 m  |
| Lot Depth                                   | 33.5 m                                     | 30.0 m  |
| <b>Development Regulations</b>              |  |   |
| Site Coverage (buildings)                   | 23 %                                       | 40%   |
| Site Coverage (buildings/parking)           | 31 %                                       | 50%   |
| Height (existing house)                     | 4.2m / 1.5 storey                          | 2 ½ storeys / 9.5 m   |
| Floor Area of principal dwelling            | 205m <sup>2</sup>                          |   |
| Floor Area of Secondary Suite / Size ratios | 77.9m <sup>2</sup> / 38%                   | In building can't exceed lessor or 90 m <sup>2</sup> or 40%       |
| Front Yard                                  | 6.5 m                                      | 4.5 m / 6.0 m to a garage   |
| Side Yard (west)                            | 2.8 m                                      | 2.0 m (1 - 1 ½ storey)  |
| Side Yard (east)                            | 5.5 m                                      | 2.0 m (1 - 1 ½ storey)  |
| Rear Yard                                   | 14 m                                       | 7.5 m / 1.5 m for accessory buildings                             |
| <b>Other Requirements</b>                   |  |   |
| Parking Stalls (#)                          | 3 spaces (1 in garage, 2 on wide driveway) | 3 spaces  |
| Private Open Space                          | meets requirements                         | 30m <sup>2</sup> per dwelling                                     |

## 5.0 Current Development Policies

### Kelowna 2020 - Official Community Plan

#### Housing Policies:

**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<sup>2</sup> 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) A fire rated exit door is required at either the top of the stairwell or the bottom of the stairwell to separate the suite from the main residence. 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

Domestic Water and Fire Protection: This property is currently serviced with a 19mm-diameter copper water service. The service will be adequate for this application. One metered water service will supply both the main residence and the suite.

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<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

Sanitary Sewer: Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. An inspection chamber (IC) must be installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost.

The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade. For estimate inquiry's please contact John Filipenko, by email [jfilipenko@kelowna.ca](mailto:jfilipenko@kelowna.ca) or phone 250-469-8581.

Development Permit and Site Related Issues: On-site parking modules must meet bylaw requirements. Indicate on the Site Plan the designated parking space for the proposed suite.

Electric Power and Telecommunication Services: It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.

### 6.3 Bylaw Services

Bylaw Services has attended to this location twice as follows:

Service Request #035011 - generated on May 18, 2002; abandoned vehicle. File has been concluded. (*Previous owner*)

Service Request #170125 - generated on June 4, 2010; illegal suite investigation. File remains open to date.

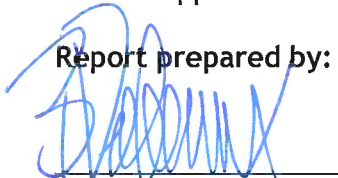
### 6.4 Fire Department

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. Additional address for the suite is required.

### 7.0 Application Chronology

Date of Application Received: January 25, 2011

Report prepared by:



Birte Decloux, Urban Land Use Planner

Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management

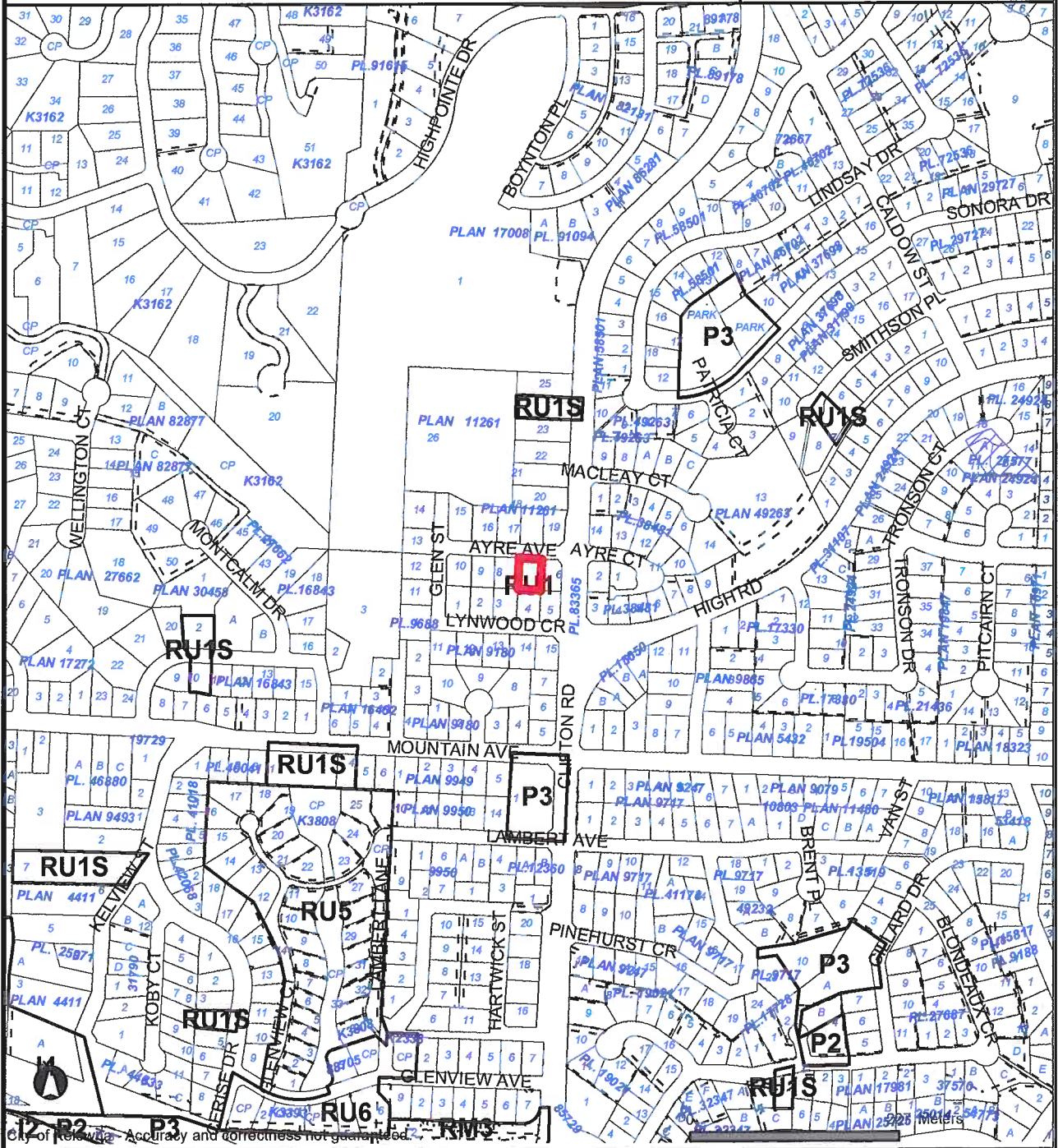
#### Attachments:

Subject Property Map  
Site/Landscape Plan  
Original home plans  
Suite Floor Plan  
Context/Site Photo

Z11-0005



Subject Property

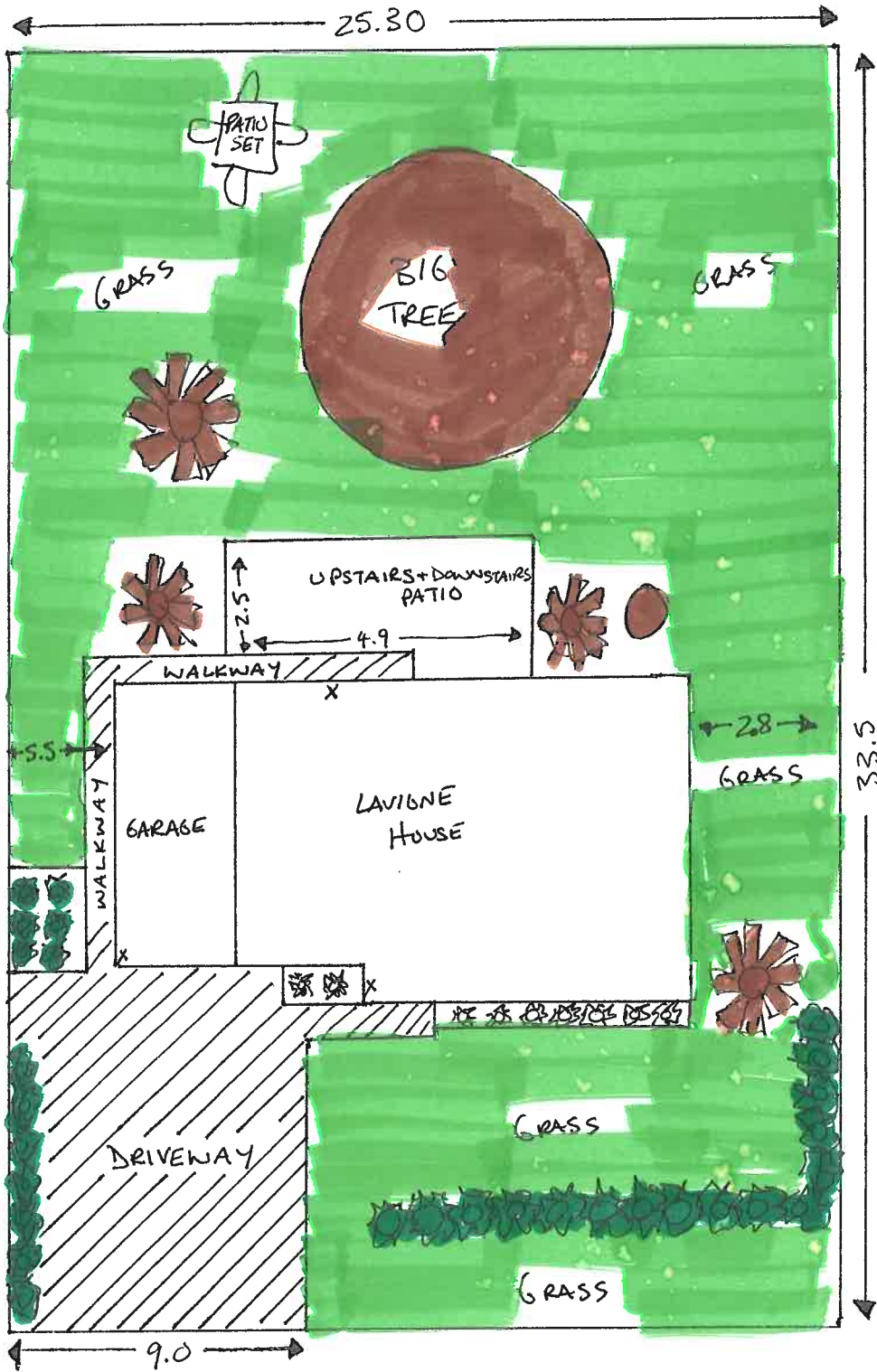
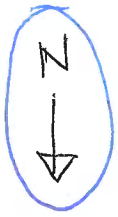


City of Kelowna - Accuracy and correctness not guaranteed

Map: 1,135 x 522 m -- Scale 1:6,703

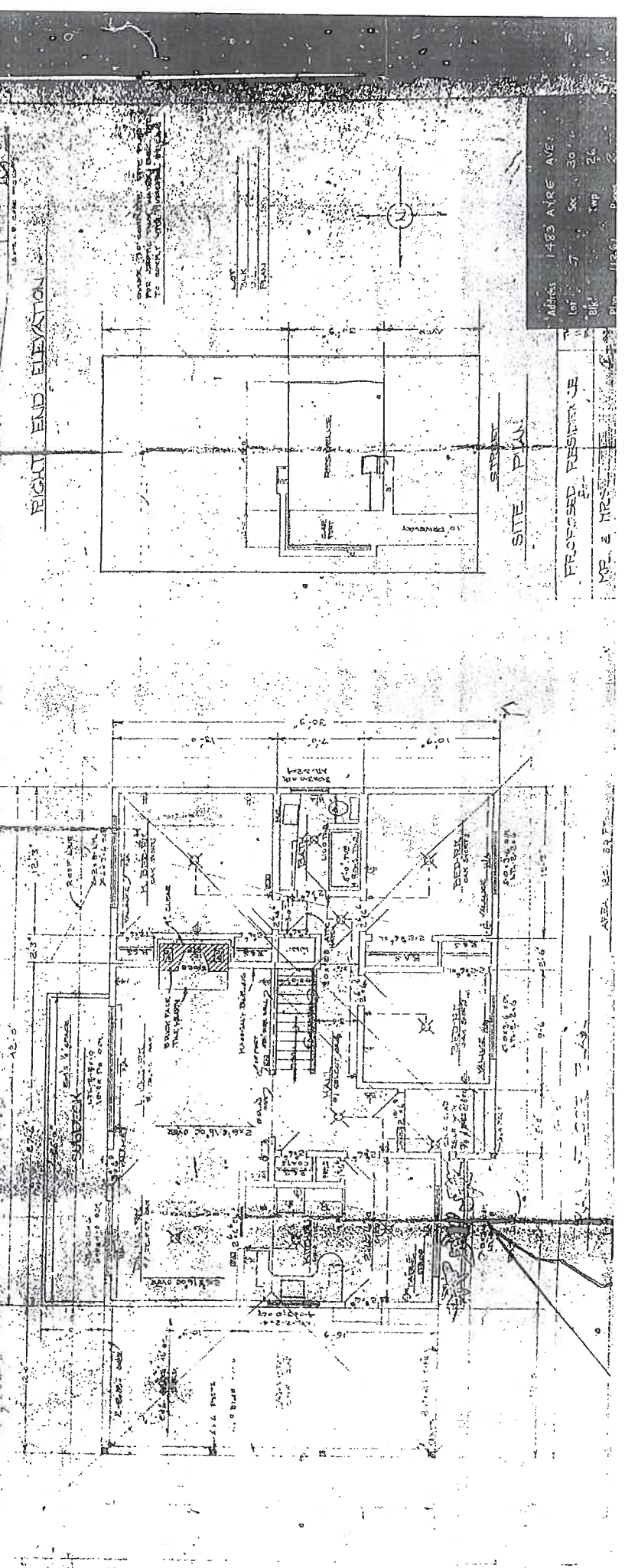
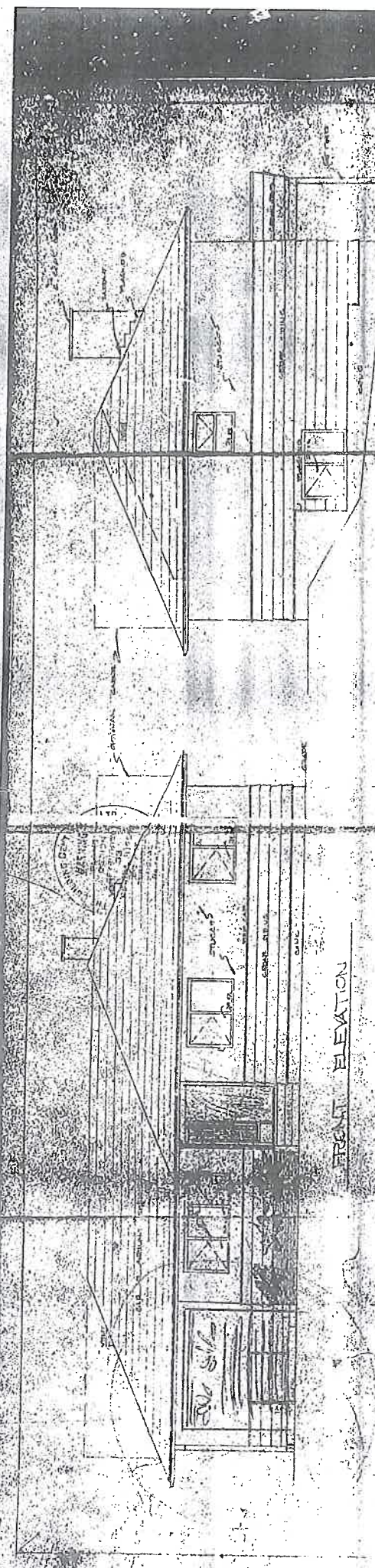
2011-01-21

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.



TENANTS  
WILL HAVE  
ALL OF  
BACKYARD  
AREA FOR  
THEMSELVES

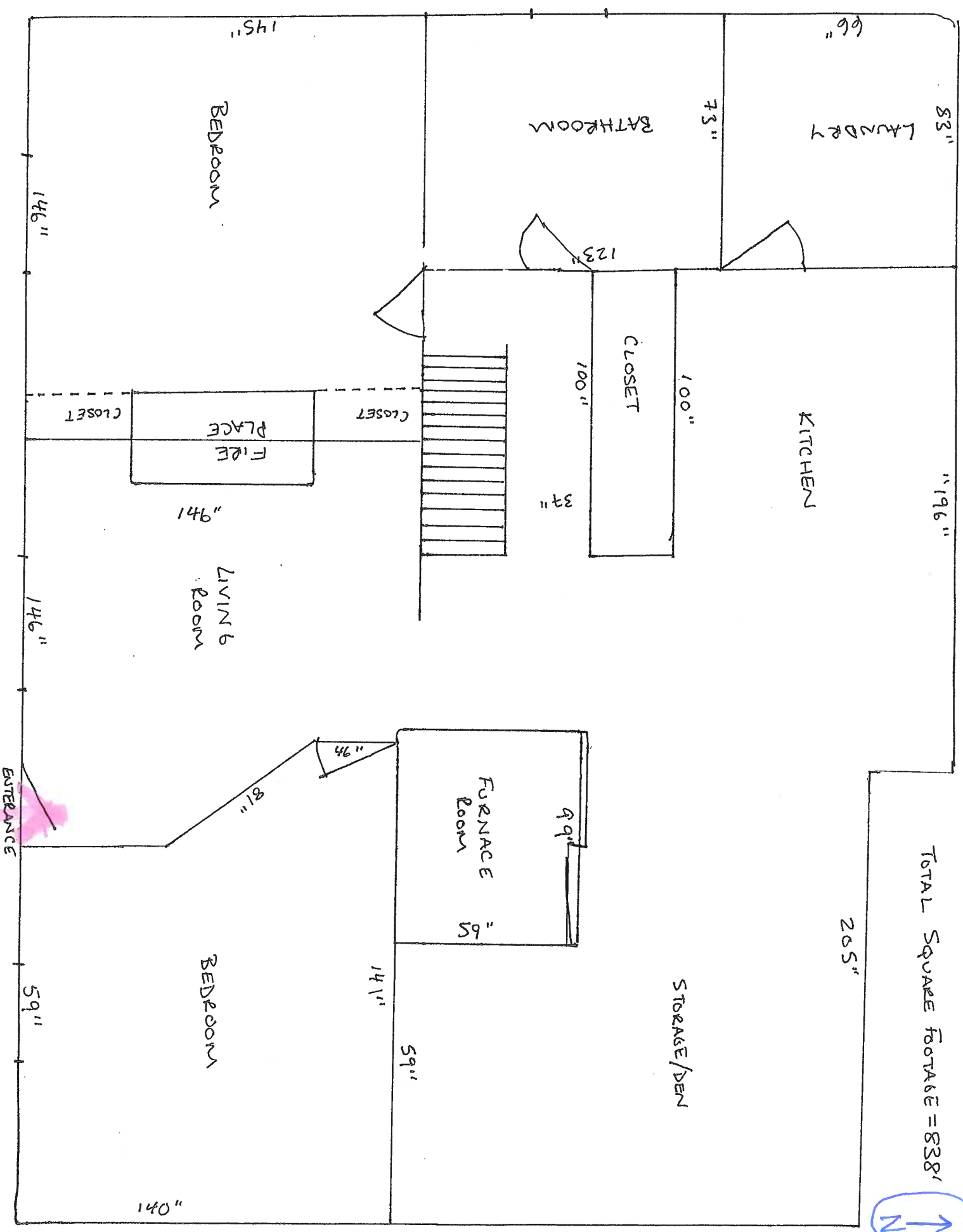
x=outside  
lights



Address 1483 AIRE AVE.  
 Lot 7 Sk 30  
 Blk 76 Trp 26

FRONT ELEVATION  
 RIGHT END ELEVATION  
 SITE PLAN  
 FLOOR PLAN





TOTAL SQUARE FOOTAGE = 838'



