

Memo



Date: February 16, 2011
To: City Manager
From: Land Use Management, Community Sustainability (BD)
Application: Z11-0002 **Owner:** Kenneth D. Chung
Address: 2055 Golfview Rd. **Applicant:** Ken Chung
Subject: Rezoning Application
Existing OCP Designation: Single/Two Family Residential
Existing Zone: RU1 - Large Lot Housing
Proposed Zone: RU1s - Large Lot Housing with Secondary Suite

1.0 Recommendation

THAT Rezoning Application No. Z11-0002 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 10, Section 29, Township 26, ODYD Plan 17315 located on Golfview 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 Zone Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Zone Amending Bylaw be considered in conjunction with Council's consideration of a Development Variance Permit on the subject property.

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

AND THAT bylaw services confirm that only one suite exists on the subject property;

AND THAT final adoption of the 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 Secondary Suite zone to legalize a secondary suite within an accessory building.

3.0 Land Use Management

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

A variance application is being processed concurrently with this rezoning application and will be considered by Council should the rezoning be favorably considered. The location of the accessory building does not meet the requirements of the Zoning Bylaw for a residential use, therefore, a variance is required to legitimize the eastern side yard setback to 1.7m. The building is located in the far corner of the site and is screened from the street by the single family dwelling. As the building has been in place for over 4 years and has been used as a secondary suite for much of that time, no new impact is expected on the surrounding neighbours.

A Development Permit for form and character will be evaluated at a Staff level should the land use be favourably supported.

4.0 Proposal

4.1 Background

A garage was constructed in 2007, in a natural depression on the subject property. It is a 1.5 storey building with habitable space in the upper floor. Since the time that the building was completed a portion of the space on the upper storey was converted to a secondary suite. This rezoning application has triggered the requirement for a variance. A survey certificate provided indicates that the accessory building is sited 1.70 m from the east property line when 2.0 m is required for buildings containing a secondary suite.

4.2 Project Description

The accessory building has a three car garage on the lower floor with an office and bachelor suite above. The modest bachelor suite is accessed from the rear of the building. A small deck leading from the rear yard provides the required private outdoor space. Ample parking is available on the site on either the driveway or in one of the 4 covered parking spaces.

4.3 Site Context

The subject property is on the south side of Golfview Road in Golfview Estates in the Glenmore/Clifton/Dilworth sector of Kelowna. The adjacent land uses in all directions are RU1 - Large Lot Housing.

4.4 Subject Property: 2055 Golfview Road



4.5 Zoning Analysis

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

| Zoning Bylaw No. 8000 | | |
|-----------------------------------|----------------------|--|
| CRITERIA | PROPOSAL | RU1S ZONE REQUIREMENTS (FOR SECONDARY SUITE IN ACCESSORY BUILDING) |
| Subdivision Regulations | | |
| Lot Area | 1,706 m ² | 550 m ² |
| Lot Width | 44 m | 16.5 m |
| Lot Depth | 44.924 - 55.868 m | 30.0 m |
| Development Regulations | | |
| Site Coverage (buildings) | 20% | 40% |
| Site Coverage (buildings/parking) | 41% | 50% |
| Existing Dwelling | | |
| Height | 2 storeys / 9.5 m | Less than 2 ½ storeys / 9.5 m |
| Front Yard | 18.45 m | 6.0 m to a garage |
| Side Yard (e) | 6.75 m | 2.3 m (2 - 2 ½ storey) |
| Side Yard (w) | 10.85 m | 2.3 m (2 - 2 ½ storey) |
| Rear Yard | 21.5 m | 7.5 m |

| Proposed Secondary Suite in an Accessory Building | | |
|---|--------------------|--|
| Height | 4.5 m | 1½ storeys / 4.5 m |
| Front Yard | 41.5 m | 6.0 m to a garage |
| Side Yard (e) | 1.7 m ① | 2.0 m (1 - 1 ½ storey) |
| Side Yard (w) | 3.35 m | 2.0 m (1 - 1 ½ storey) |
| Rear Yard | 5.05 m | 1.5 m |
| Separation (Distance Between Houses) | 8.7 m | 5.0 m |
| Other Requirements | | |
| Suite size ratio | | |
| Parking Stalls (#) | 4 spaces | 3 spaces |
| Private Open Space | meets requirements | 30 m ² of private open space per dwelling |

① to vary the east side yard set back for the accessory building from 2.0m required to 1.7 m proposed.

5.0 Current Development Policy

Kelowna 2020 - Official Community Plan

Housing Polices:

Infrastructure Availability¹. Give preference to supporting new housing in areas where required services already exist or can be provided most economically and efficiently;

Integration². Encourage the sensitive integration of different housing forms in the various sectors of the City, in support of neighbourhood diversity and healthy communities;

Secondary Suites³. Encourage, under the conditions stipulated in the Zoning Bylaw, the creation of secondary suites.

Development Permit Objectives:⁴

All new development should respect the scale and general character of the houses and the landscape of the neighbourhood in which it is built.

All new development should be sensitive to the privacy of adjacent neighbours and the privacy of individual dwelling units on a lot.

¹ Official Community Plan, Policy #8 - 1.30

² Official Community Plan, Policy #8 - 1.44

³ Official Community Plan, Policy #8 - 1.47

⁴ Official Community Plan, Policy #8 - Objectives

The design of all new development should be derived from the existing building, in the case of an addition to a building and the addition of a new single detached building on a lot, or from surrounding buildings, in the case of new construction.

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) Fire rated wall & floor assemblies are required. Please provide these details on the building permit drawing sets.

Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

Development Engineering has the following requirements associated with this rezoning application.

Domestic Water and Fire Protection: The property is located within the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID.

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 Derek Corning, by email dcorning@kelowna.ca or phone, 250-469-8568.

Development Permit and Site Related Issues: On-site parking modules must meet bylaw requirements.

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

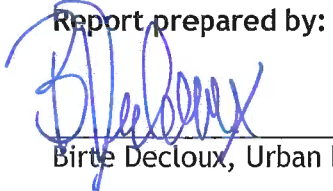
Bylaw complaint no. 18217 (2010-10-21) of 2 counts of illegal suites, one in basement and one above the garage.

Bylaw complaint no. 142183 (2009-04-22) Illegal suite in the garage of this property; currently being rented out.

7.0 Application Chronology

Date of Application Received: January 25, 2011

Report prepared by:



Birte Decloux, Urban Land Use Planner

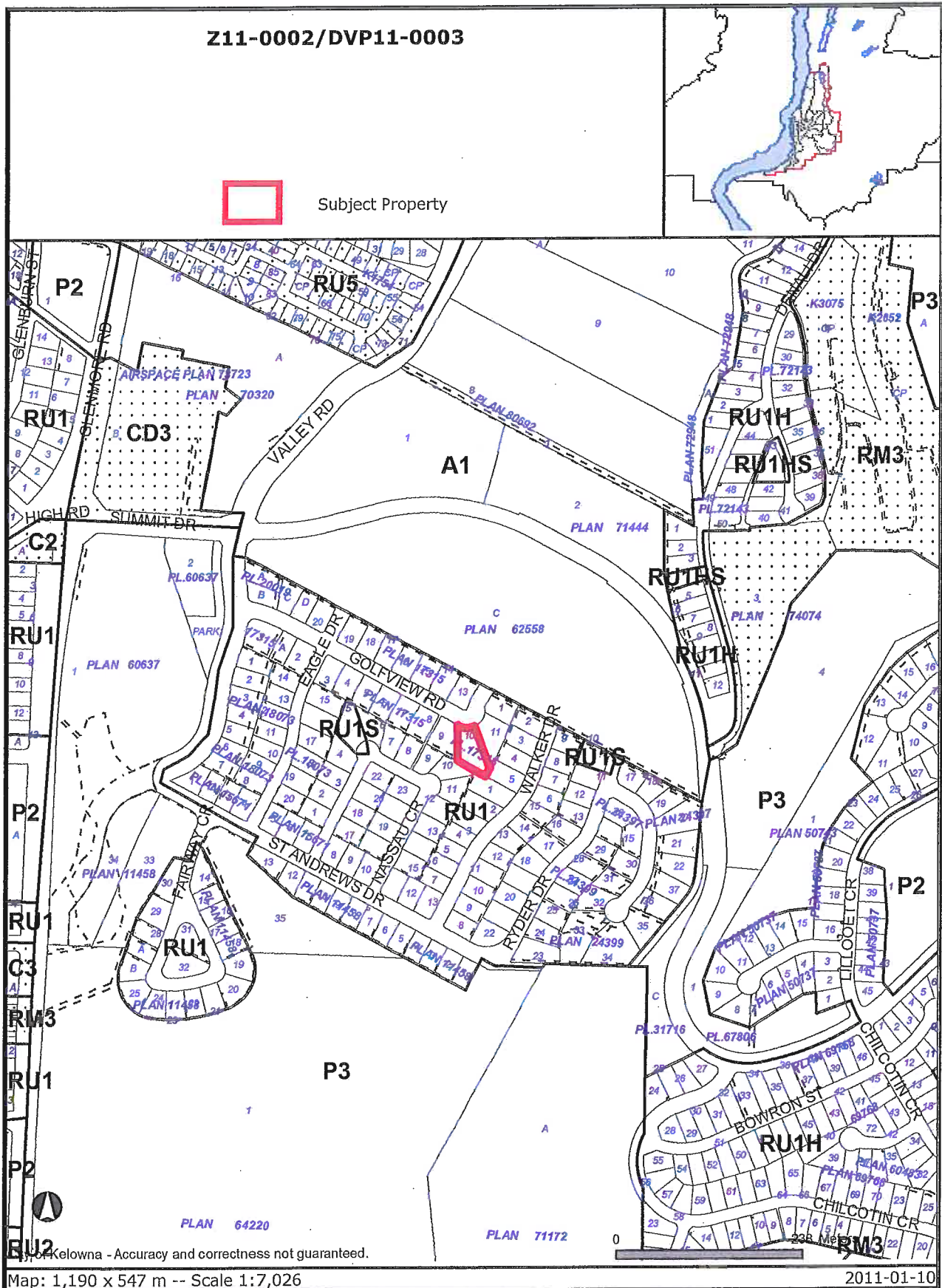
Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management

Attachments:

Site Plan
Accessory Building Conceptual Elevations
Accessory Building Floor Plan
Landscape Plan
Context/Site Photos



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.

RUNNALLS DENBY
british columbia land surveyor
2-1470 Water Street
Kelowna, BC
V1Y 1L5

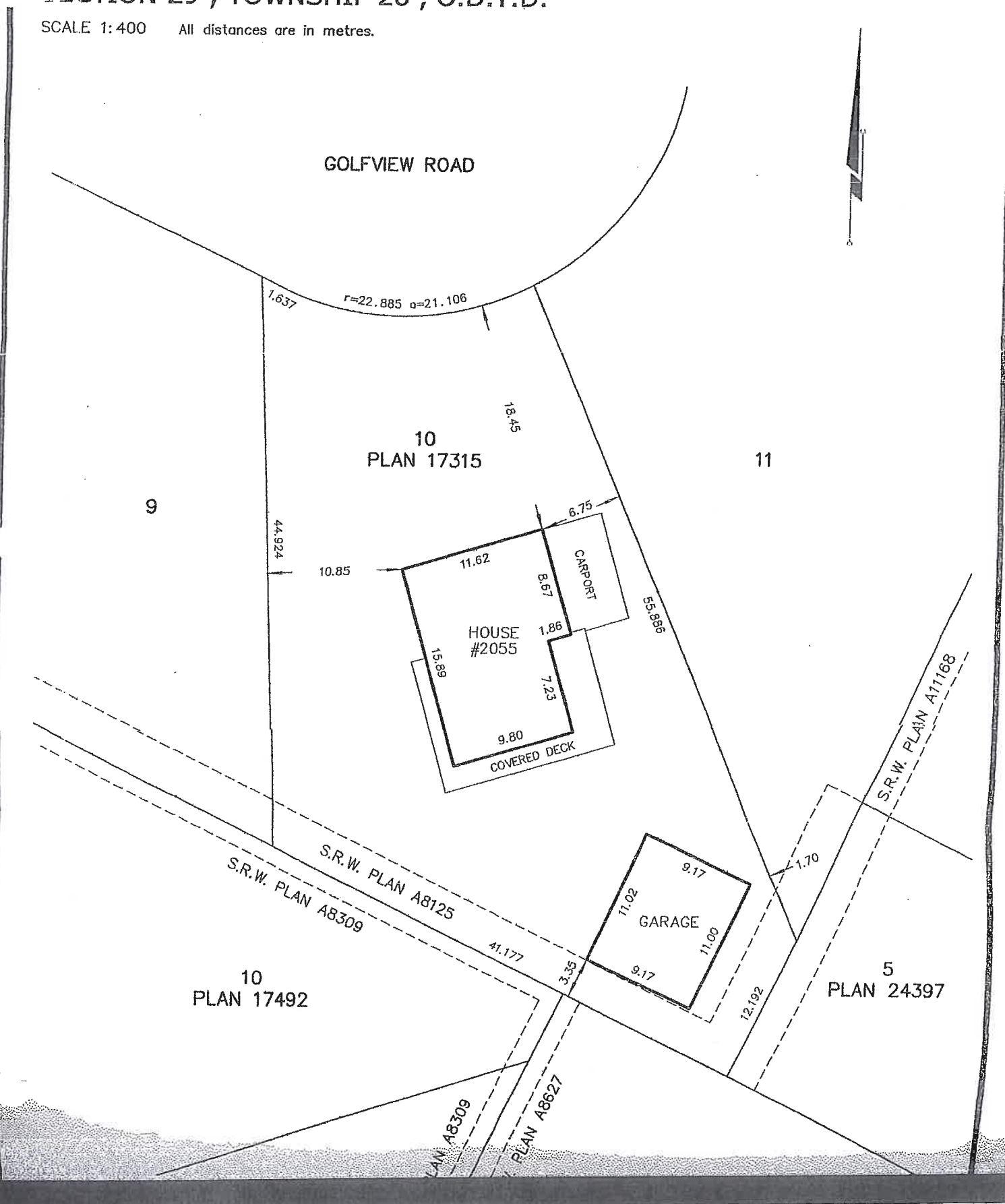
IRVEYOR'S CERTIFICATE

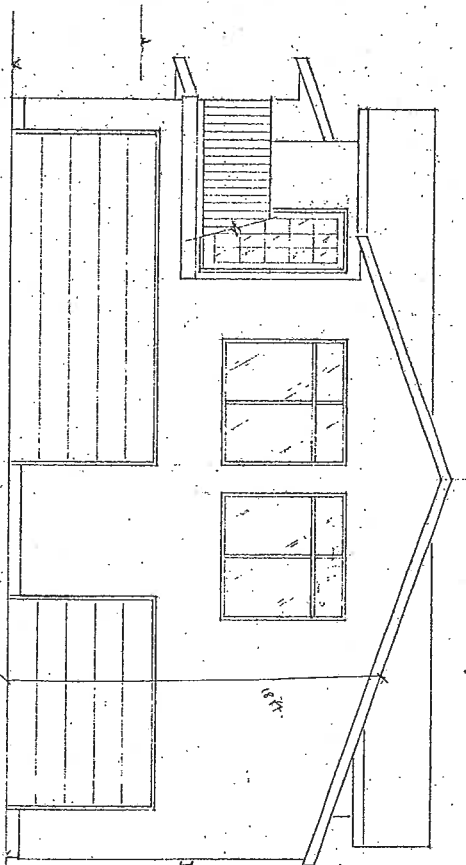
IN 17315,
SECTION 25, TOWNSHIP 26, O.D.Y.D.

SCALE 1:400 All distances are in metres.



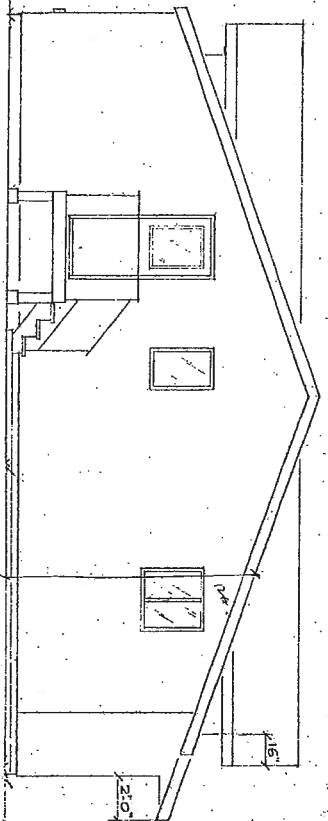
GOLFVIEW ROAD





FRONT ELEVATION

NOTE: UNKNOWN BUILDING HEIGHT OF 45M. REQUIRED.



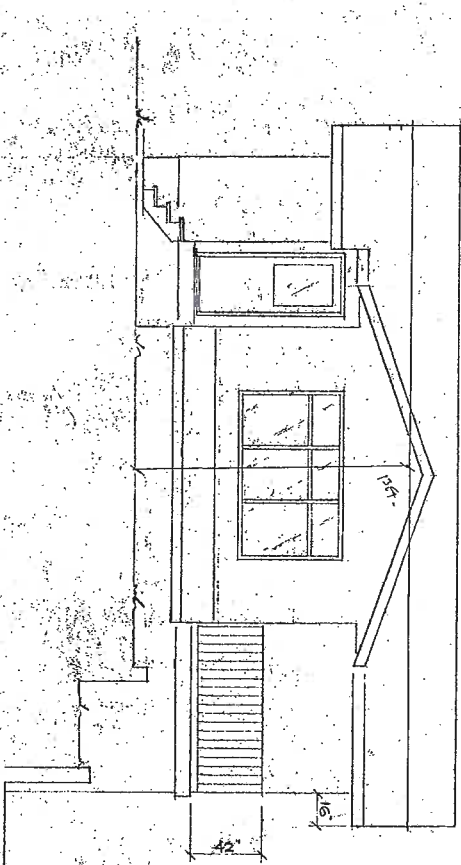
REAR ELEVATION

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

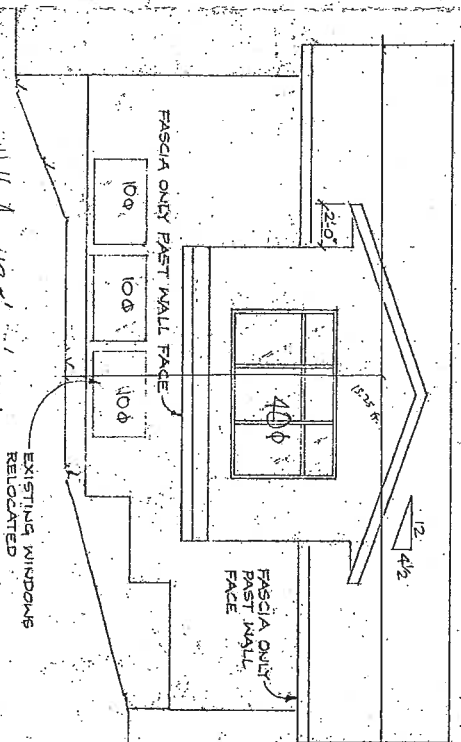
NOTE:
 REUSE PORTIONS OF THE EXISTING GARAGE THAT MEET THE SPECS. SHOWN ON THESE DRAWINGS. UPGRADE AREAS THAT DO NOT CURRENTLY MEET THE REQUIRED STANDARDS SHOWN HERE.

REVIEWED BY CITY OF KELLOWNA INSPECTIONS SERVICES
 DRAWING LIST OF EXISTING SERIAL # 23155 THESE DRAWINGS SHALL REMAIN CURRENT AND AVAILABLE TO CITY BUILDING DEPT. DATE 11/2/2007 PLAN CHECKER

* ROOF VENT JACKS TO PROVIDE VENTING AS REQUIRED BY CODE (SEE SOFFIT VENTS W/A ON RIGHT ELEVATION)



LEFT ELEVATION



RIGHT ELEVATION

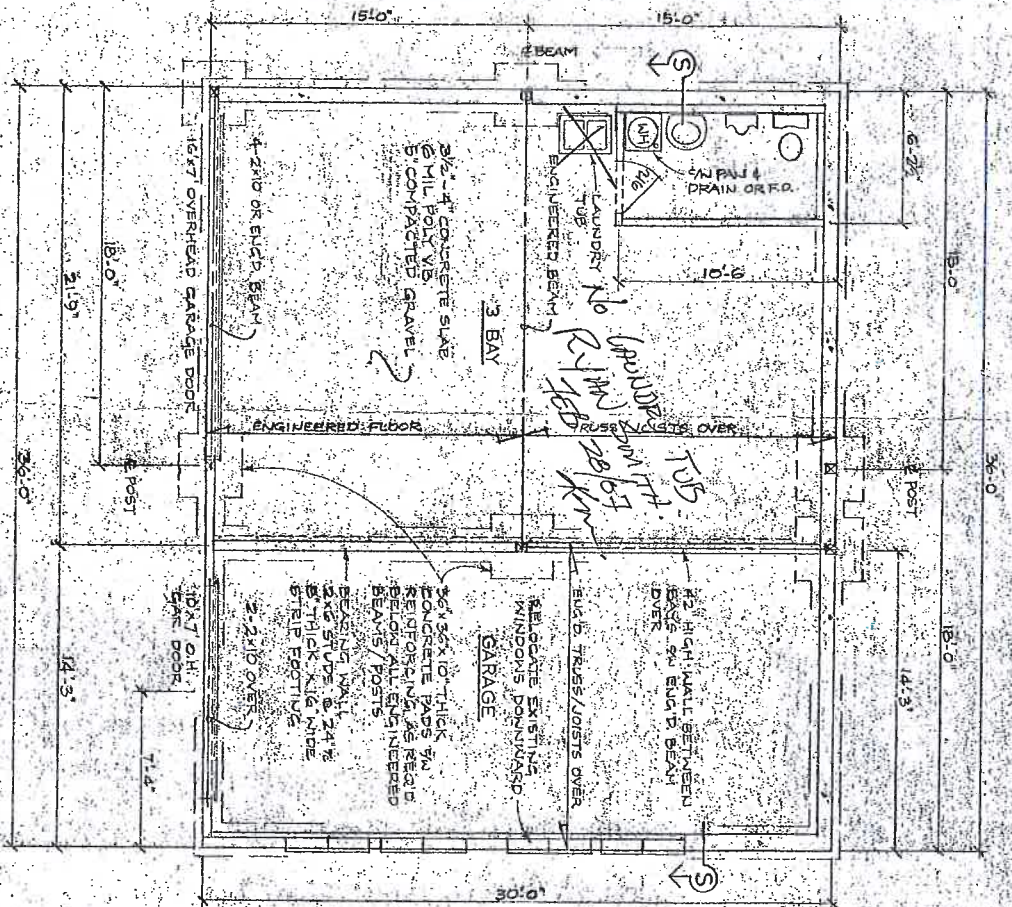
WALL AREA: 13.5' x 30' = 405 sq ft
 UNHEATED CEILING: 70 sq ft
 6' 7 1/2'

RECEIVED
 DEC 06 2006
 CITY OF KELLOWNA
 Building Dept.

Dues Paid 10/20/06
 by R. S.

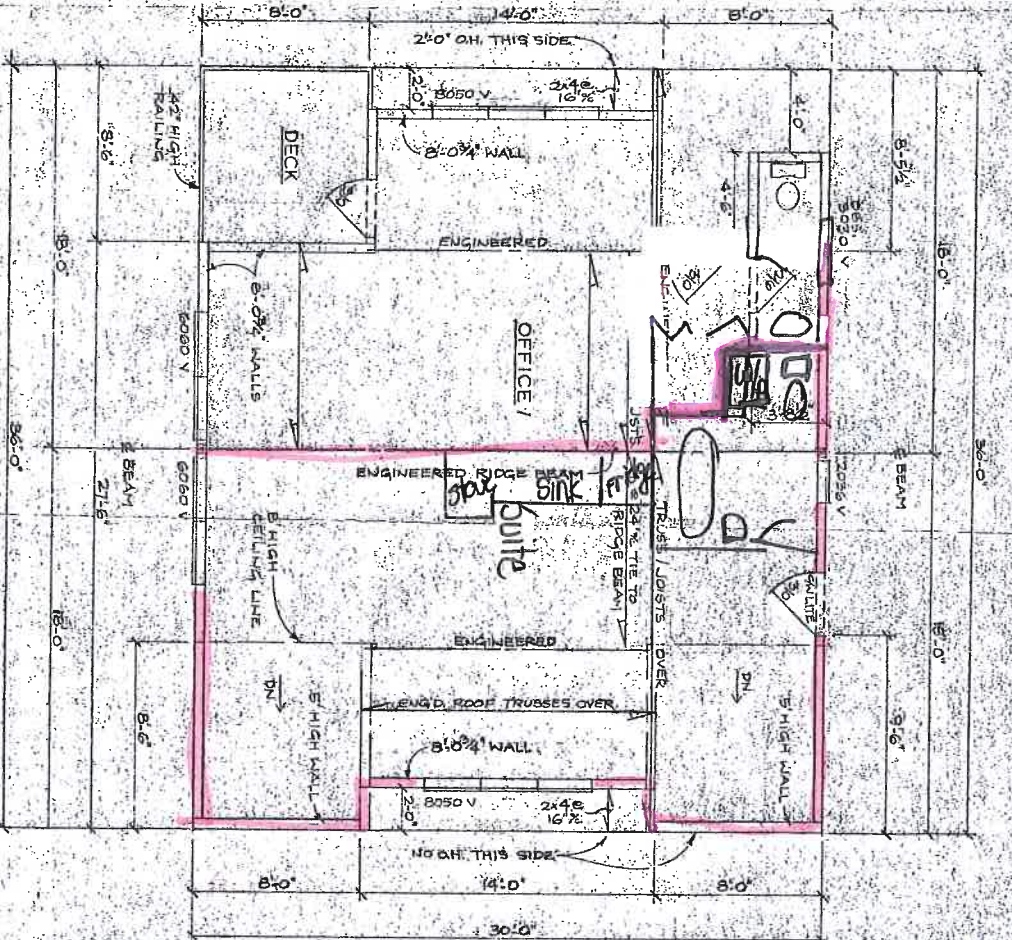
GARAGE FLOOR PLAN

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



UPPER FLOOR PLAN

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



906 SQ. FT.

Suite, 540 sq. ft / 50.2m²

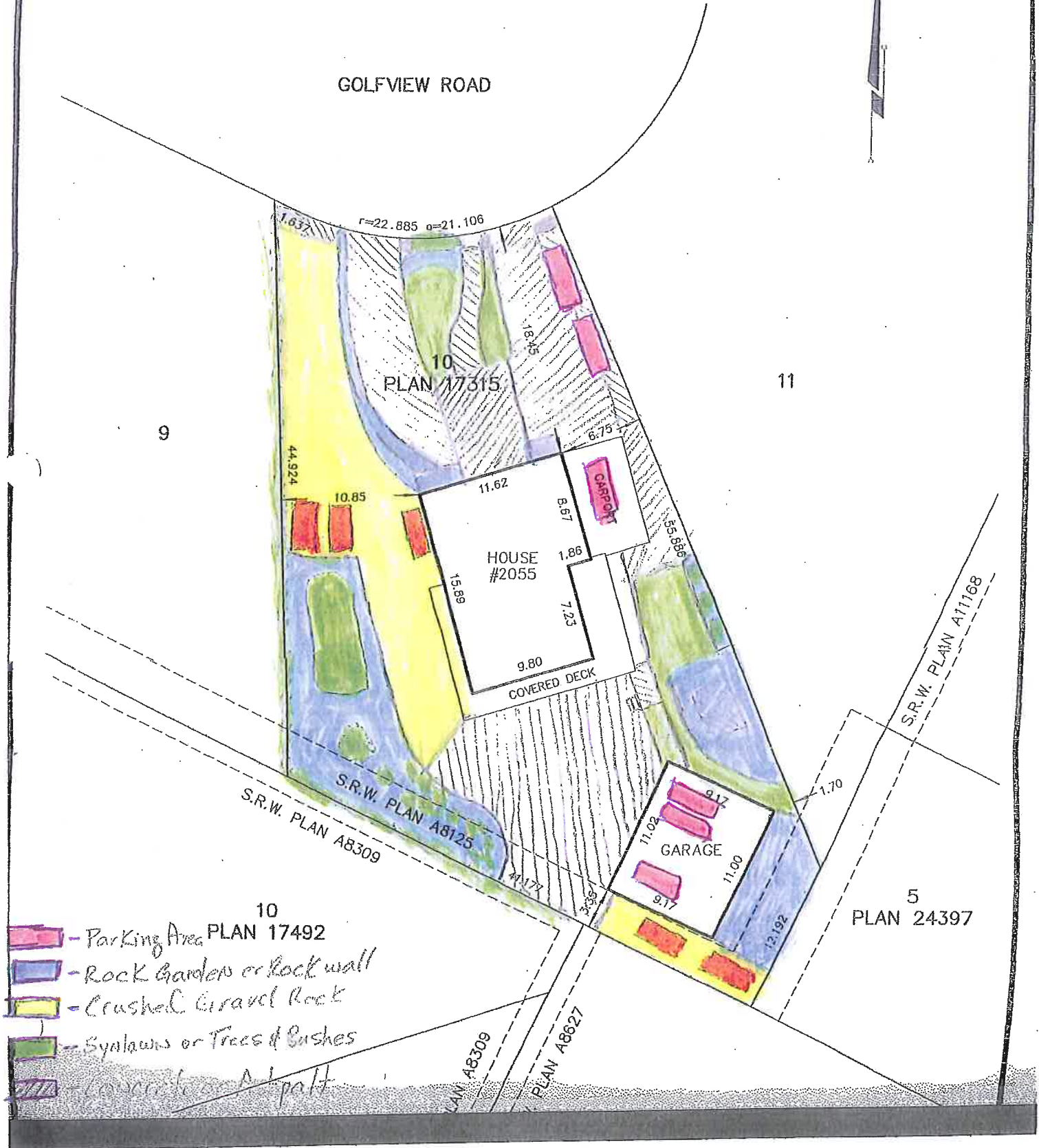
WILLIS DENBY
 Columbia Island Surveyor
 470 Water Street
 Kelowna, BC
 V1Y 1J5






IRVEYOR'S CERTIFICATE

IN 17315,
 TOWNSHIP 26, O.D.Y.D.

SCALE 1:400 All distances are in metres.

GOLFVIEW ROAD



-  - Parking Area PLAN 17492
-  - Rock Gardens or Rock wall
-  - Crushed Gravel Rock
-  - Synclawns or Trees & Bushes
-  - Concrete or Asphalt

10
 PLAN 17492

5
 PLAN 24397

S.R.W. PLAN A8309
 S.R.W. PLAN A8125

S.R.W. PLAN A11168

PLAN A8309
 PLAN A8627





Suite Entrance



Office entrance







This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



