

# 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

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## 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

### **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 <sup>2</sup>	550 m <sup>2</sup>
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 <sup>2</sup> 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 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.

#### Development Permit Objectives:<sup>4</sup>

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.

<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

<sup>4</sup> 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](mailto: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

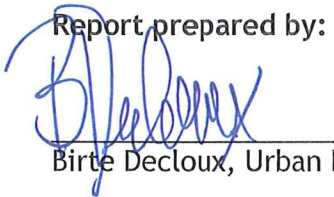
Bylaw complaint no. 18217 (2010-10-21) of 2 counts of illegal suites, one in basement and one above the garage.

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:



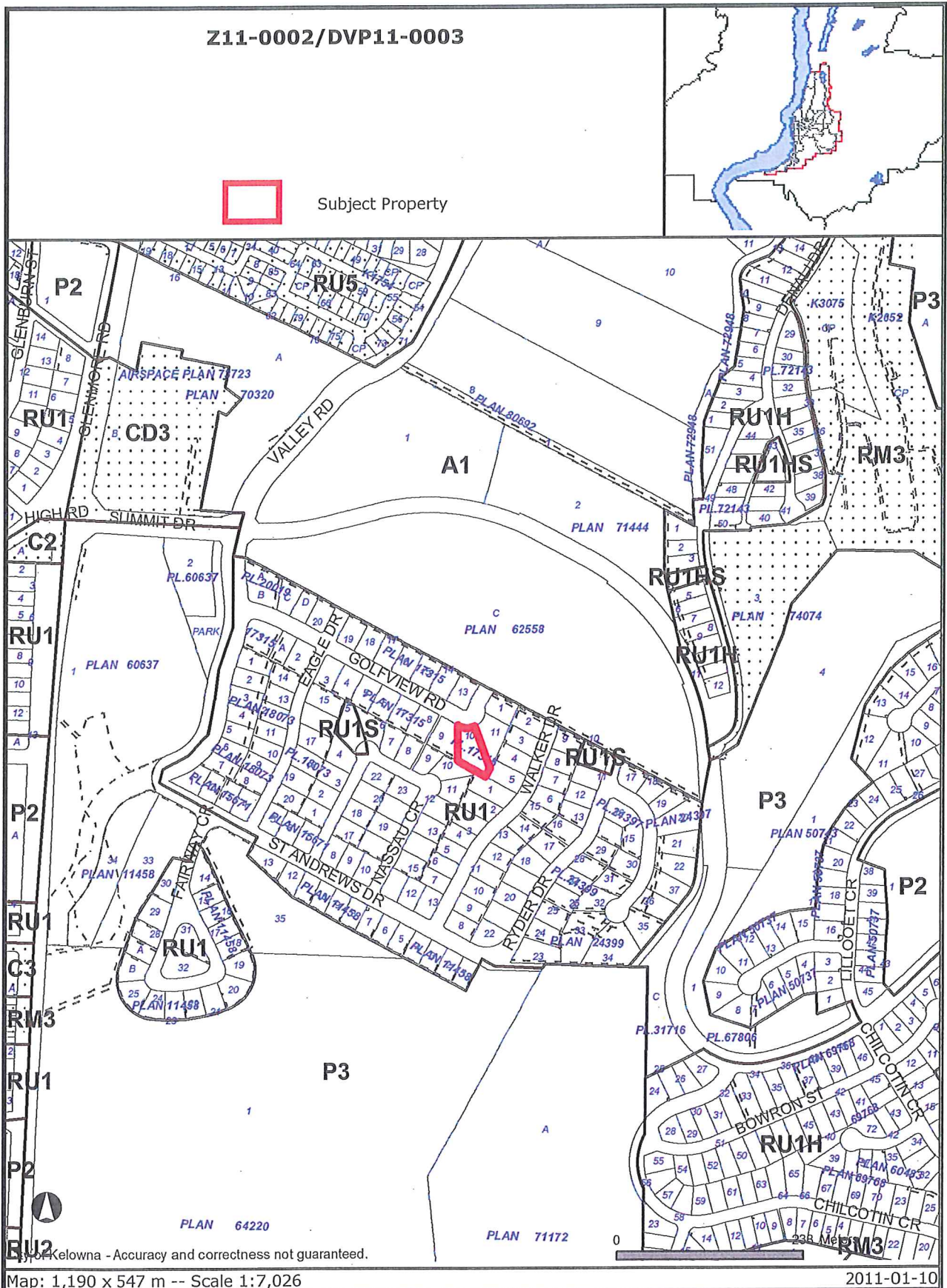
Shelley Gambacort, Director, Land Use Management

Attachments:

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

*Faint handwritten notes:*  
MS 2011-01-25  
MS 2011-01-25





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.

BLINNALLS DENBY  
british columbia land surveyor  
2-1470 Water Street  
Kelowna, BC  
V1Y 1J5

# IRVEYOR'S CERTIFICATE

IN 17315,  
SECTION 29, TOWNSHIP 26, O.D.Y.D.

SCALE 1:400 All distances are in metres.



GOLFVIEW ROAD

1.637  $r=22.885$   $\alpha=21.106$

10  
PLAN 17315

11

9

44.924

10.85

18.45

CARPORT

11.62

8.67

HOUSE  
#2055

1.86

15.89

COVERED DECK

9.80

7.23

6.75

55.885

S.R.W. PLAN A17168

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

10  
PLAN 17492

GARAGE

9.17

11.02

11.00

9.17

5  
PLAN 24397

41.177

3.35

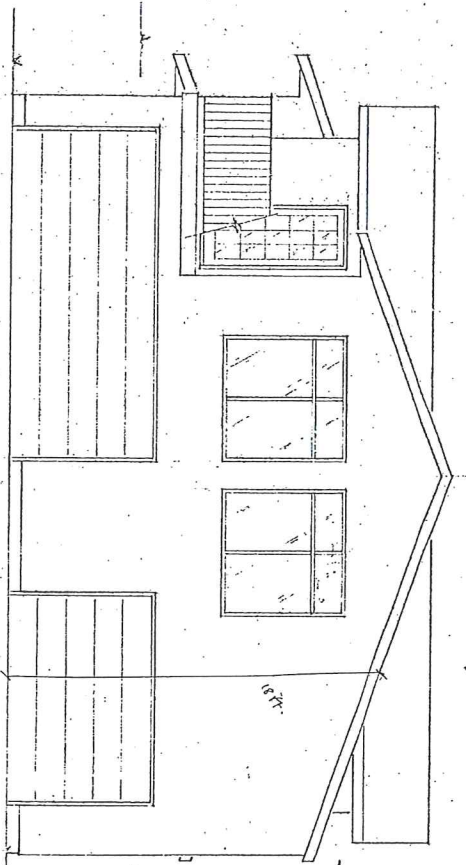
1.70

12.192

PLAN A8309

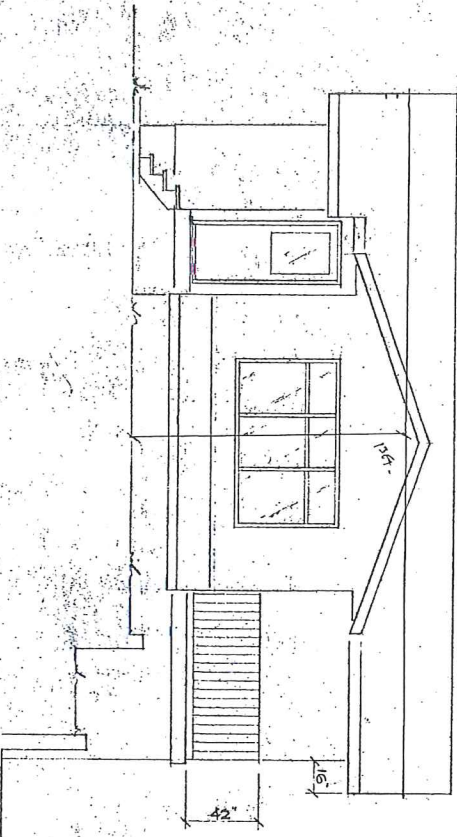
PLAN A8627



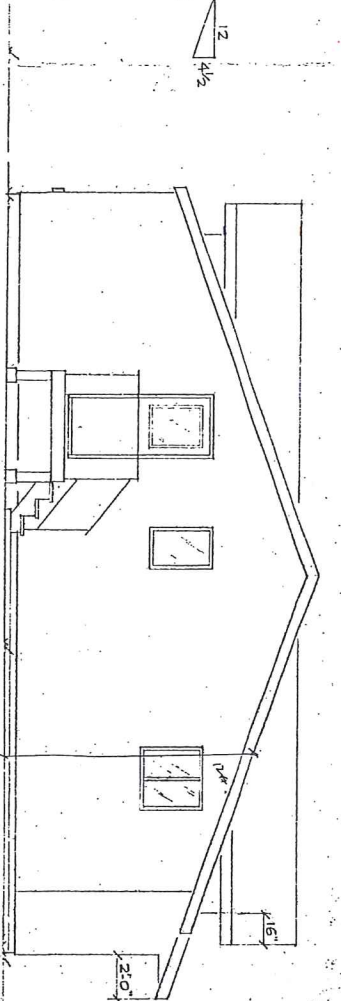


FRONT ELEVATION

*Note:* UNKNOWN BUILDING HEIGHT OF 4.5m. REQUIRED.



LEFT ELEVATION

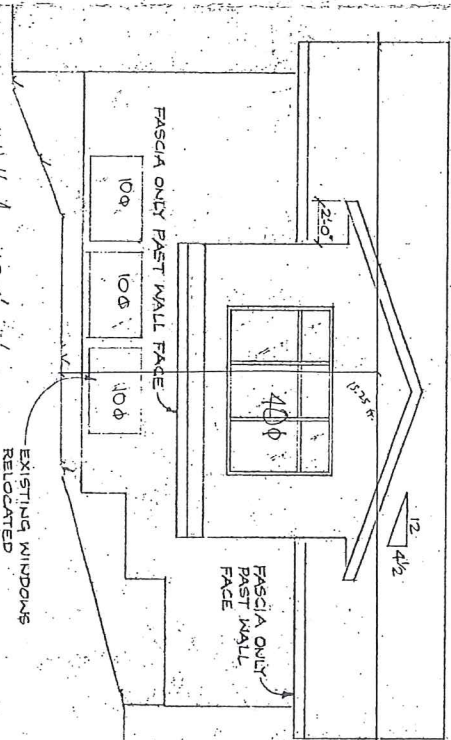


REAR ELEVATION

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



RIGHT ELEVATION

Wall Area: 13.5' x 30' = 405 sq ft  
 UNPERF. DISTANCES TOP: 6.750m<sup>2</sup>  
 6.172'

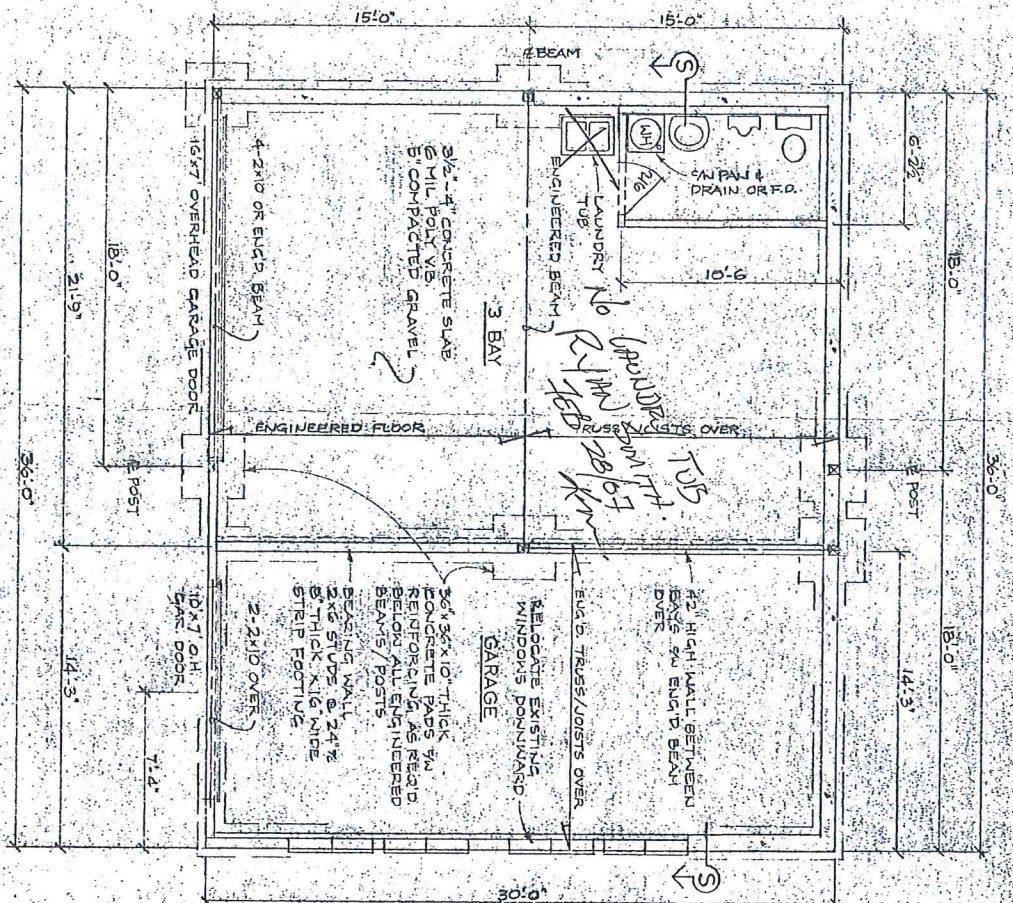
EXISTING WINDOWS RELOCATED

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

REVIEWED BY CITY OF KELLOWNA INSPECTIONS SERVICES  
 FORMING PART OF BUILDING PERMIT # 23155  
 DRAWINGS SHALL REMAIN ON SITE AVAILABLE TO CITY BUILDING DEPT. ONIONS  
 DATE: 11/12/2007 PLAN CHECKER: [Signature]

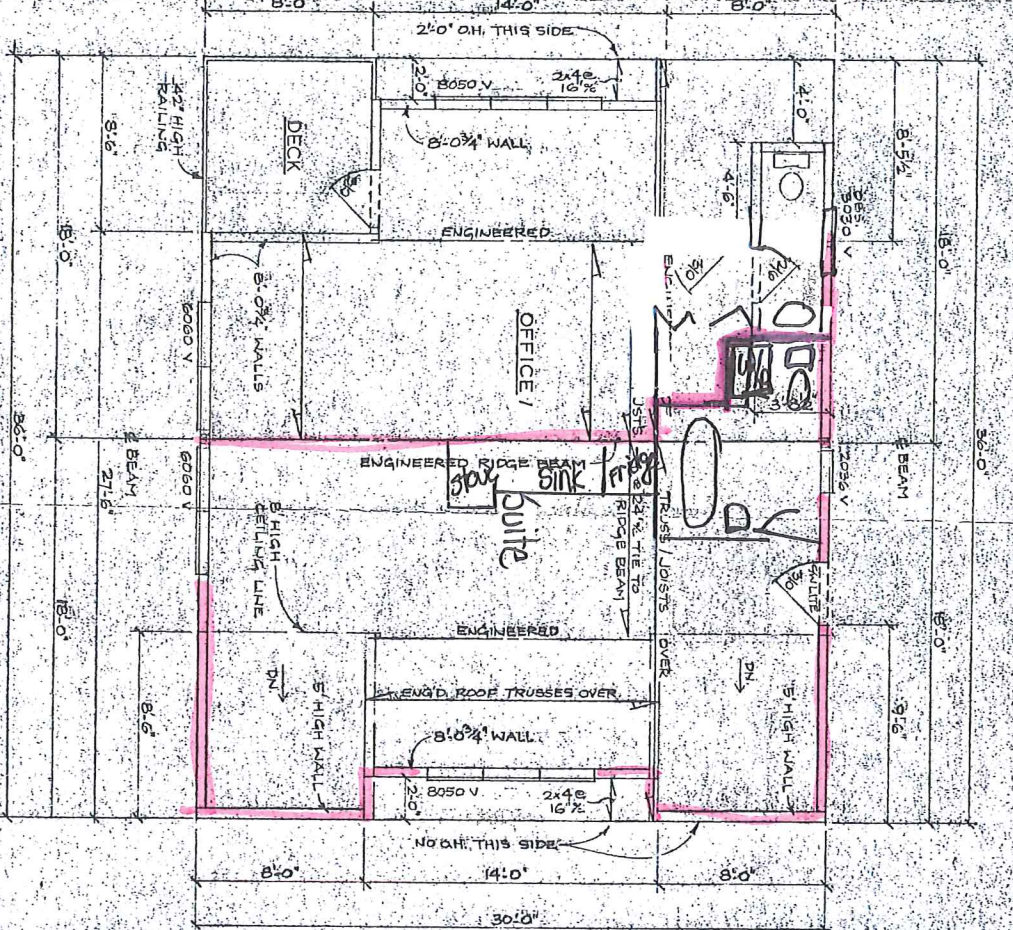
**RECEIVED**

DEC 06 2006  
 CITY OF KELLOWNA  
 Building Dept.  
 Dues Paid  
 by R. S.



**GARAGE FLOOR PLAN**

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



**UPPER FLOOR PLAN**

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

Suite, 540 sq. ft / 50.2m<sup>2</sup>

906 SQ. FT.

WILLIS DENBY  
 Columbia land surveyor  
 470 Water Street  
 Kelowna, BC  
 V1Y 1J5

# IRVEYOR'S CERTIFICATE

IN 17315,  
 SECTION 27, TOWNSHIP 26, O.D.Y.D.

SCALE 1:400 All distances are in metres.

GOLFVIEW ROAD

11

9

10  
 PLAN 17315

HOUSE  
 #2055

CARPORT

COVERED DECK

GARAGE

5  
 PLAN 24397






S.R.W. PLAN A8309

S.R.W. PLAN A8125

S.R.W. PLAN A11168

PLAN A8309

PLAN A8627

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

$r=22.885$   $a=21.106$

1.637

44.924

10.85

11.62

8.67

1.86

7.23

9.80

15.89

6.75

53.686

1.70

11.02

9.17

11.00

9.17

12.192

7.177

3.06

18.45





Suite Entrance

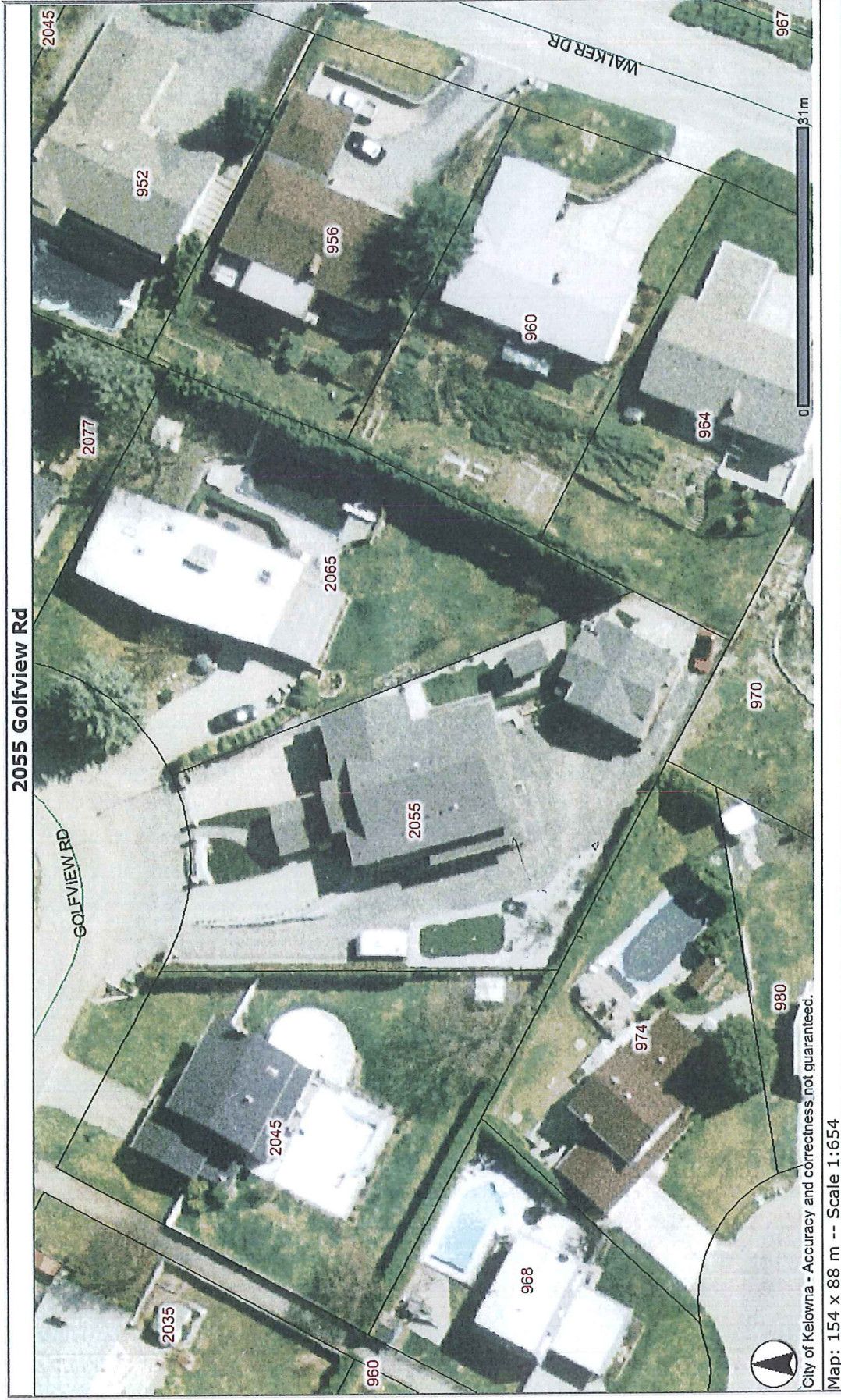


Office entrance









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



