

Memo



Date: March 17, 2011

To: City Manager

From: Land Use Management, Community Sustainability (PMc)

Application: Z10-0102

Owner: Kulwinder Singh Dhami &
Mandeep Kaur Dhami

Address: 1451 Montenegro Dr.

Applicant: Kulwinder Singh Dhami

Subject: Rezoning Application

Existing OCP Designation: Single / Two Unit Residential

Existing Zone: RU1h - Large Lot Housing (Hillside Area)

Proposed Zone: RU1hs - Large Lot Housing (Hillside Area) with Secondary Suite

1.0 Recommendation

THAT Rezoning Application No. Z10-0102 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 20, Section 13, Township 26, O.D.Y.D., Plan KAP84278, located on Montenegro Drive, Kelowna, BC from the RU1h - Large Lot Housing (Hillside Area) zone to the RU1hs - Large Lot Housing (Hillside Area) 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;

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

2.0 Purpose

This application is seeking to rezone the subject property from the RU1h- Large Lot Housing (Hillside Area) zone to the RU1hs - Large Lot Housing (Hillside Area) with a secondary suite zone in order to legalize an existing secondary suite located within the basement of the 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.

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. The subject property is in close proximity to parks, schools, transit and recreational opportunities. Minimal impact 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

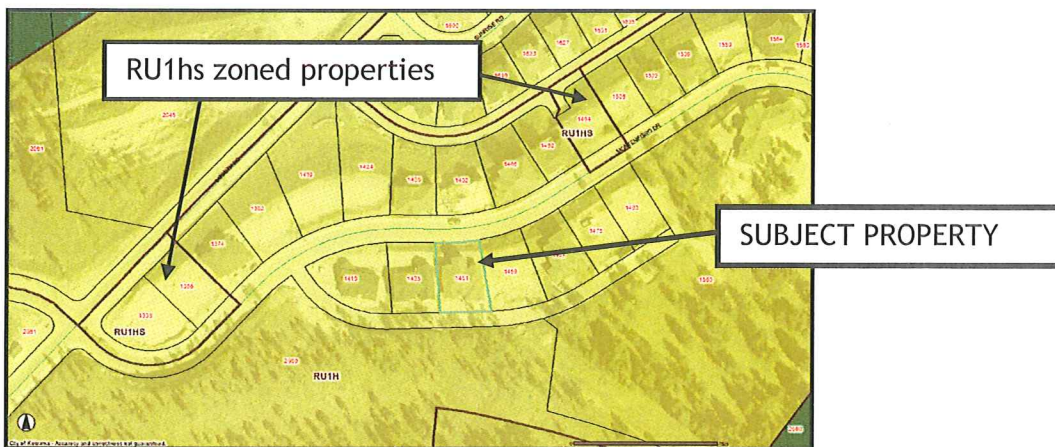
The dwelling located on the subject property was constructed in 2008. In December 2010, there was a bylaw investigation that determined the existence of an unauthorized secondary suite in the basement of the dwelling.

The existing one bedroom suite has an entrance located on the west east side of the basement of the dwelling. The entrance is connected to the lane by a walkway. The access to the upper level dwelling unit is through the main entrance facing the street. The existing dwelling incorporates a three vehicle garage, which provides adequate off-street parking. There is additional parking available on the driveway. Outdoor private space is available on the property.

4.2 Site Context

The subject property is located on the south side of Montenegro Drive, located in the Belgo/Black Mountain sector of Kelowna. The surrounding properties in all directions are zoned RU1h - Large Lot housing (Hillside Area). The property is accessed by a private easement driveway. There are other RU1hs zoned properties located within the block.

Subject Property Map



The proposed application meets the requirements of RU1hs- Large Lot Housing (Hillside Area) with a secondary suite zone as follows:

Zoning Analysis Table		
CRITERIA	PROPOSAL	RU1hs ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	894 m ²	550 m ²
Lot Width	26.3m	15 m with lane access
Lot Depth	37.3m	30.0 m
Development Regulations		
Site Coverage (buildings)	34%	40%
Site Coverage (buildings and parking)	38%	50%
Height	2 storeys	2 ½ storeys (9.5m)
Floor area principal dwelling	373.3 m ²	
Floor Area of Secondary Suite / Size ratios	75.2 m ² / 20%	In building can't exceed lessor or 90 m ² or 40%
Front Yard Montenegro Drive	13.2	3.0m or 6.0m to back of curb
Side Yard (east)	2.35	2.3 m (2 - 2 ½ storey)
Side Yard (west)	2.35	2.3 m (2 - 2 ½ storey)
Front Yard (lane)	5.01 to P/L 6.4m to back of curb	3.0m or 6.0m to back of curb
Other Regulations		
Minimum Parking Requirements	3 stalls in garage Potential 3 stalls on driveway	3 spaces required
Private Open Space	Meets requirements	30m ² per dwelling

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Housing Policies:

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.

6.0 Technical Comments

¹ Official Community Plan, Policy #8-1.30

² Official Community Plan, Policy #8-1.44

³ Official Community Plan, Policy #8-1.47

6.0 Technical Comments

6.1 Building & Permitting Department

1. Building permit required.
2. Full building code review to be completed at time of building permit application.
3. Development Cost Charge applicable.

6.2 Development Engineering Department

Development Engineering comments and requirements regarding this application to rezone from RU1h to RU1hs are as follows:

1. Subdivision

Provide easements as required

2. Sanitary Sewer.

The subject property is serviced by the Municipal wastewater collection system. There are no additional charges for a suite within an existing dwelling.

3. Domestic Water.

The subject property is located within the Black Mountain Irrigation District (BMID). All charges and fees must be paid directly to BMID.

This application does not trigger any servicing requirements.

6.3 Bylaw Services

Bylaw Services currently has an open Service Request dealing with the illegal suite at this location. File #183975 - BEO Len Ingvarsson.

6.4 Fire Department

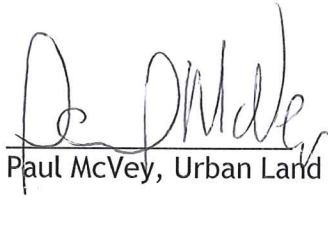
Requirements of section 9.10.9.14, Secondary Residential Suites, of the BCBC 2006 are to be met. Smoke Alarms as per section 9.10.19 of the BCBC are required.

7.0 Application Chronology

Date of Application Received: December 20, 2010

Date photos Received: January 4, 2011

Report prepared by:



Paul McVey, Urban Land Use Planner

Reviewed by:



Danielle Noble Manager, Urban Land Use Management

Approved for Inclusion:

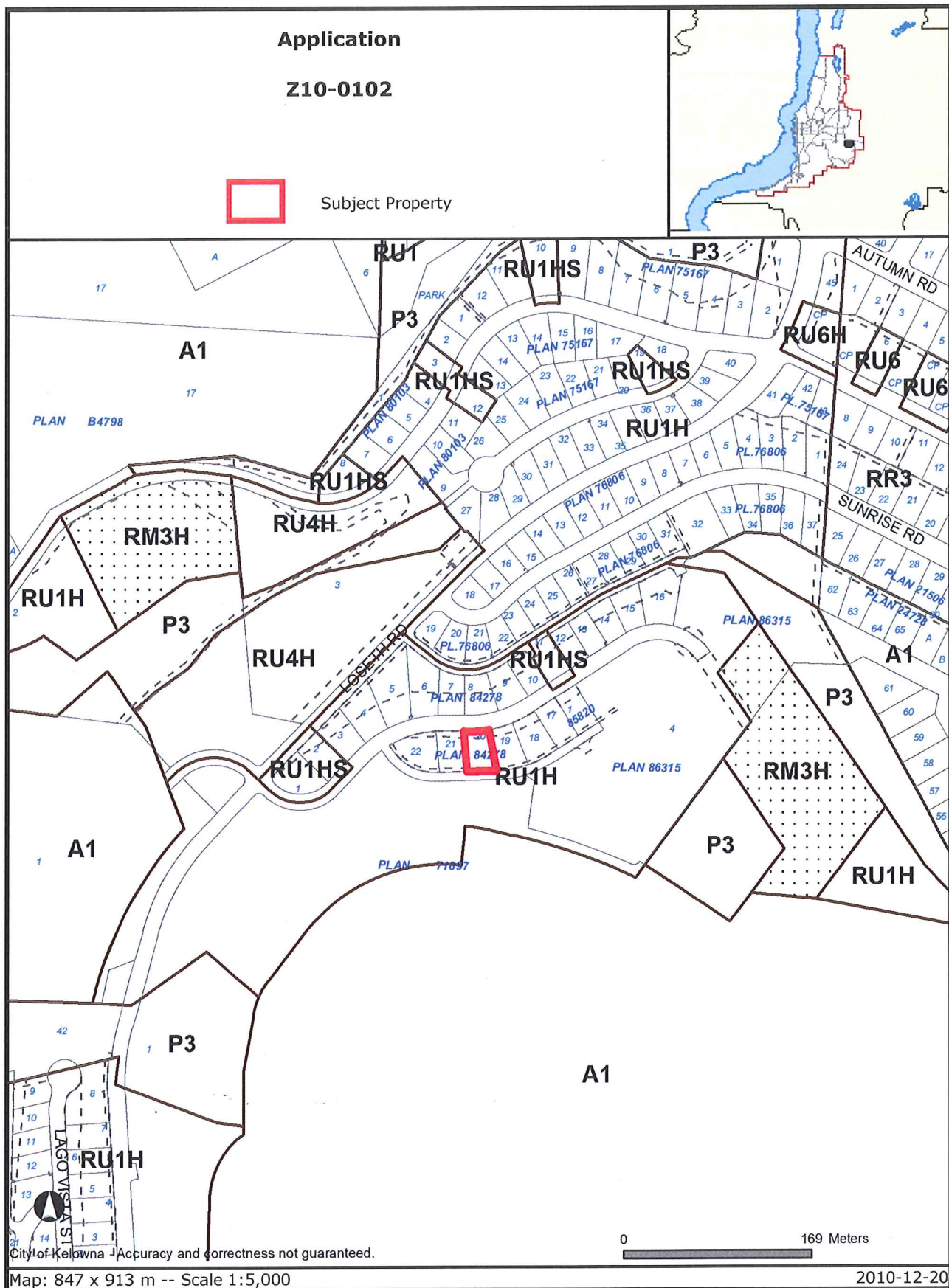


Shelley Gambacort, Director, Land Use Management

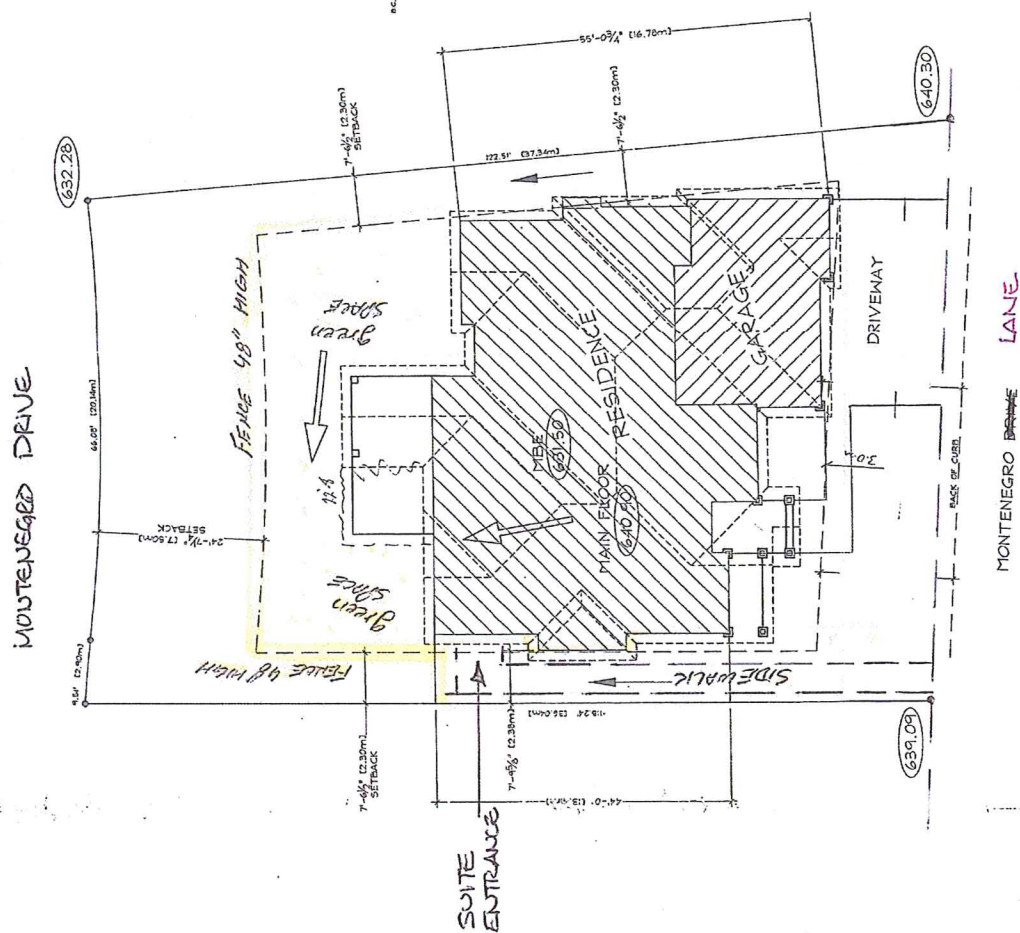
Attachments:

Location Map
Site Plan
Main floor plan
Basement plan
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.



DESIGN CRITERIA:

1. SITE AREA = 1.54M SQ. FEET (43.50 METERS)
 BUILDING AREA = RESIDENCE (BUNGALOW AREA INCL. GARAGE) 2,911 SQ. FEET (264.50 METERS)
 2. SITE COVERAGE = 14.4%
 3. PHASE CODE CLASSIFICATION = GROUP C SINGLE FAMILY OCCUPANCY

THE PANDA CODE CLASSIFICATION - GROUP C SINGLE FAMILY OCCUPANCY

REVIEWED BY CITY OF KILGORE INSPECTIONS SERVICES
FORWARD PART OF BUILDING PERMIT # 367-02 THESE
INSPECTIONS SHALL REMAIN ON FILE AVAILABLE TO CITY BUILDING
DEPT. BY JOEEL R. HANCOCK B.T.H. P.

SITE INFORMATION:

...
ZIGZAG, RUIN
SETBACKS,
REAR = 7.5m (24'-7 1/2")
FRONT = 6.0m (19'-6 1/4")
SIDE = 2.0m (6'-6 3/4")
FROM BACK OF CURB

2 860.75%

Exerc

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"Dhami Residence"

2010-01-01 11:11:11

TGM
 Drafting & Design
 102 - 1505 Evergreen Court
 Kelowna, BC
 V2Y 1T5
 250-860-7759

Of created with pdf-escape pro (http://www.pdf-escape.com)

- * 4" STANDARD STUDS - THIS FLOOR
- * 5'-8" HIGH INTERIOR & EXTERIOR DOORS
- * ENGINEERED BRIDGEJOIST SUPPLIER TO COVER SPANS AND BEAM LOCATIONS. NOTIFY CONTRACTOR IF ANY ADDITIONAL OR ALTERNATE JOIST POINTS ARE REQUIRED FOR CONNECTION COVERS.
- * COVER JOIST LOCATION ON MTE
- * COVER ALL FILLWORK AND INTERIOR DESIGN FEATURES BOTH SIDES

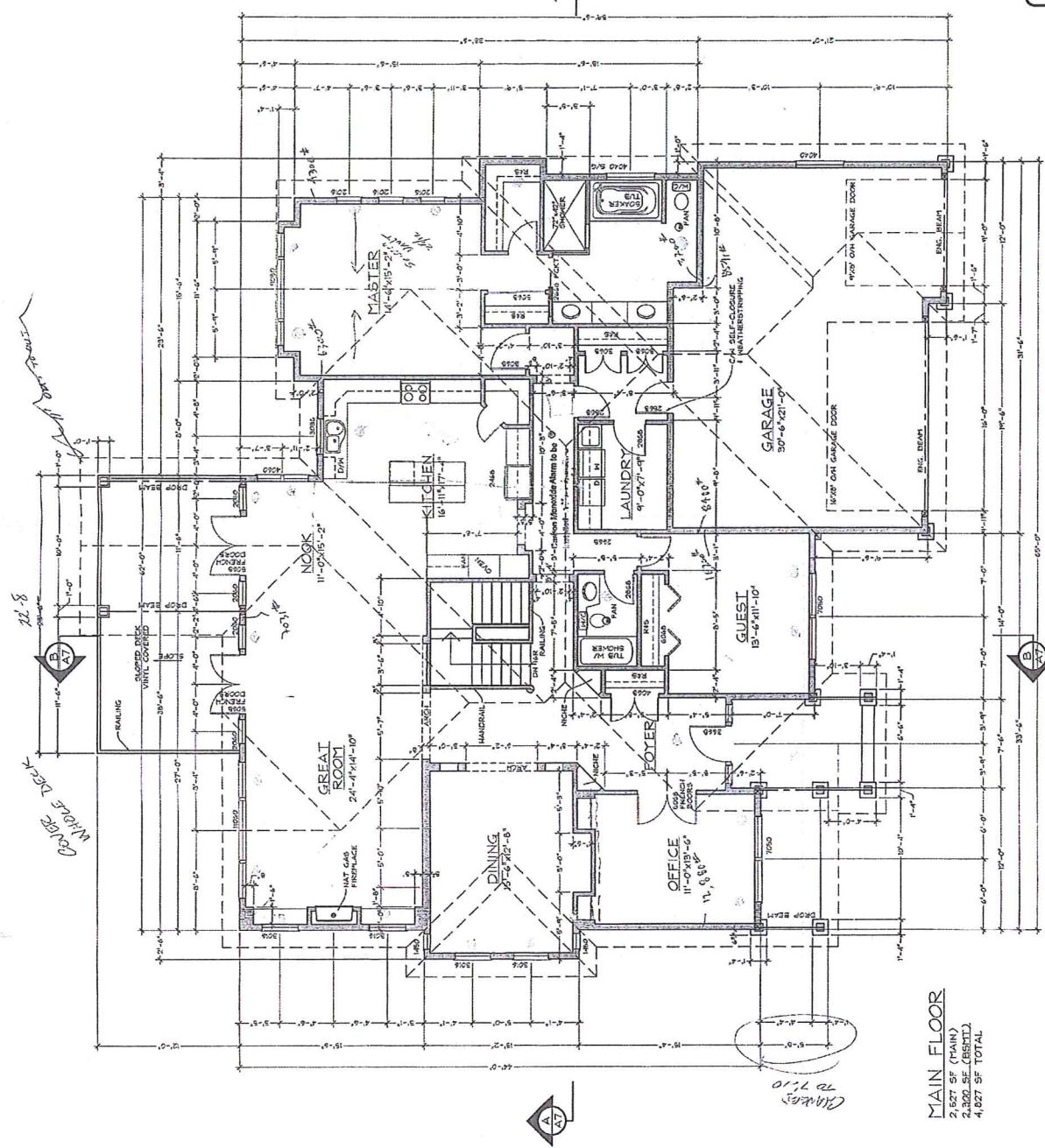
NOTE:
SUSPENDED CONCRETE GARAGE SLAB.
DESIGNED BY STRUCTURAL ENGINEER.
SEE ENG. DRAWINGS FOR DETAILS.

"Dhami Residence"
LOT 20, PLANS 6278, 1-51 L'ORFÈVRE DRIVE

BASEMENT
2,300 SF

SUITE AREA
75m²

317-1335
HARR



MAIN FLOOR
2,527 SF (MAIN)
2,427 SF (TOTAL)
4,954 SF TOTAL

"Dhami Residence"
LOT 75, PLAN 8274, 1461 MONTENEGRO DRIVE

NOTE:
COORDINATE WITH OWNER
AS TO ALL OPENING, WINDOW, AND
DOOR SIZES.

TGM
Drafting & Design
100 - 1905 Shawnee Court
Baltimore, MD 21070

DATE: 10-1-11
BY: JMS
PROJECT: MAIN FLOOR
PLAN: A4



