

# Memo



**Date:** April 7, 2011

**To:** City Manager

**From:** Land Use Management, Community Sustainability (BD)

**Application:** Z11-0022

**Owner:** Daniel S. Lobsinger

**Address:** 2142 Stillingfleet Rd

**Applicant:** Daniel S. Lobsinger

**Subject:** Rezoning Application

**Existing OCP Designation:** Single/Two Family Residential

**Existing Zone:** RU1 - Large Lot Housing zone

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

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## 1.0 Recommendation

THAT Rezoning Application No. Z11-0022 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot B, Section 19, Township 26, ODYD Plan KAP51792, located on Stillingfleet Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing zone with 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 zone with Secondary Suite zone to legalize a secondary suite within 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.

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. Properties zoned RU6 exist in the immediate area where secondary suites are permitted.

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

A simple two bedroom dwelling unit is contained within the basement of the existing home. It is accessed by a common entrance to the home. Parking is easily achieved with the existing driveway and garage off the Stillingfleet frontage and another double garage off the McBride Road frontage.

##### 4.2 Site Context

The subject property is located on the west side of Stillingfleet Road in Central City Sector of Kelowna. The surrounding properties are zoned as follows:

<u>Direction</u>	<u>Zone</u>
North	RU6 - Two Dwelling Housing
West	RU1 - Large Lot Housing
East	P3 - Parks and Open Space
South	P2- Education and Minor Institutional

##### 4.3 Subject Property Map: 2142 Stillingfleet Road





#### 4.4 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	RU1(s) ZONE REQUIREMENTS (Suite within Principal Dwelling)
Subdivision Regulations		
Lot Area	815 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width	28 m	17 m for corner lot
Lot Depth	29.42 m ①	30.0 m
Development Regulations		
Site Coverage (buildings)	25%	40%
Site Coverage (buildings/parking)	32%	50%
Height (existing house)	1 storey / 4 m	2 ½ storeys / 9.5 m
Floor Area of principal dwelling	222.96 m <sup>2</sup>	
Floor Area of Secondary Suite / Size ratios	87.89 m <sup>2</sup> / 39.4%	In building can't exceed lessor or 90 m <sup>2</sup> of 40%
Front Yard	7.5 m	6.0 m to a garage
Side Yard (East)	7.0 m	4.5 m for flanking street or use below
Side Yard (West)	12.267 m	2.0 m (1 - 1 ½ storey)
Rear Yard	4.89 m	7.5 m / 1.5 m for accessory buildings
Other Requirements		
Parking Stalls (#)	4 spaces	3 spaces
Private Open Space	meets requirements	30m <sup>2</sup> required per dwelling

① Existing non-conforming lot



## **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 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 door, rated walls and rated ceilings are required between the main dwelling and suite. 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**

See attached.

### **6.3 Bylaw Services**

Bylaw Services has an open Service Request, #171994, for an illegal suite at this location. The officer assigned to the file is Ken Black.

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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



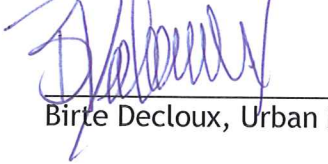
6.4 Fire Department

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. Confirm bedroom windows meet the requirements of BCBC.

7.0 Application Chronology

Date of Application Received: March 25, 2011

Report prepared by:



Birte Decloux, Urban Land Use Planner

Reviewed by:



Danielle Noble Manager, Urban Land Use Management

Approved for Inclusion:



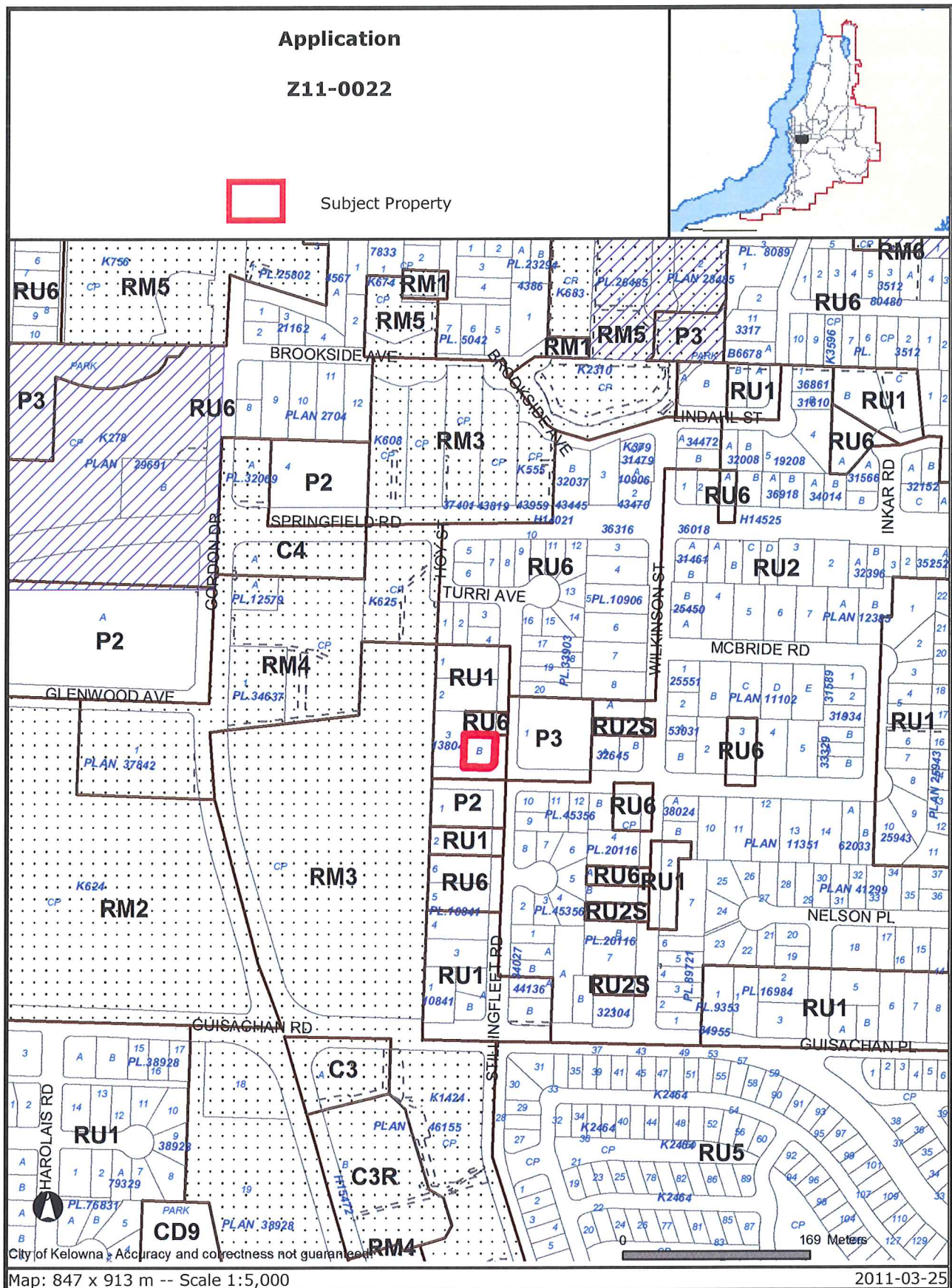
Shelley Gambacort, Director, Land Use Management

Attachments:

Site Plan  
Floor Plans  
Context/Site Photos  
Development Engineering comments





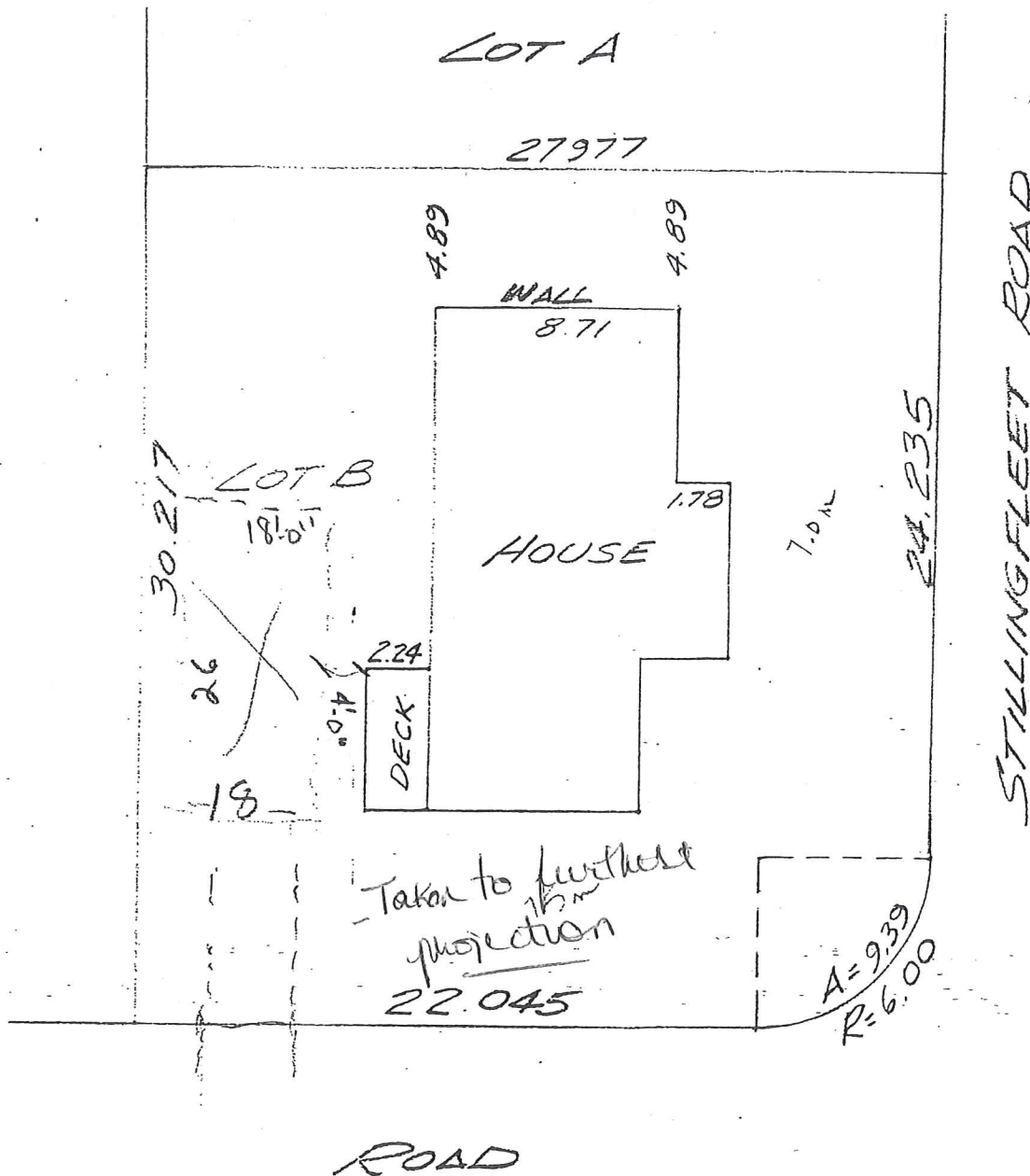


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.



Maurice Skuba 763-5661

PLAN SHOWING BUILDING ON LOT B  
OF PLAN OF SUBDIVISION OF LOT 4,  
PLAN 13804, SEC 19 T.P. 26 O.D.Y.D.  
Scale: 1:250 METRES.



CITY FILE 590-39  
J. 10491  
SKUBA.

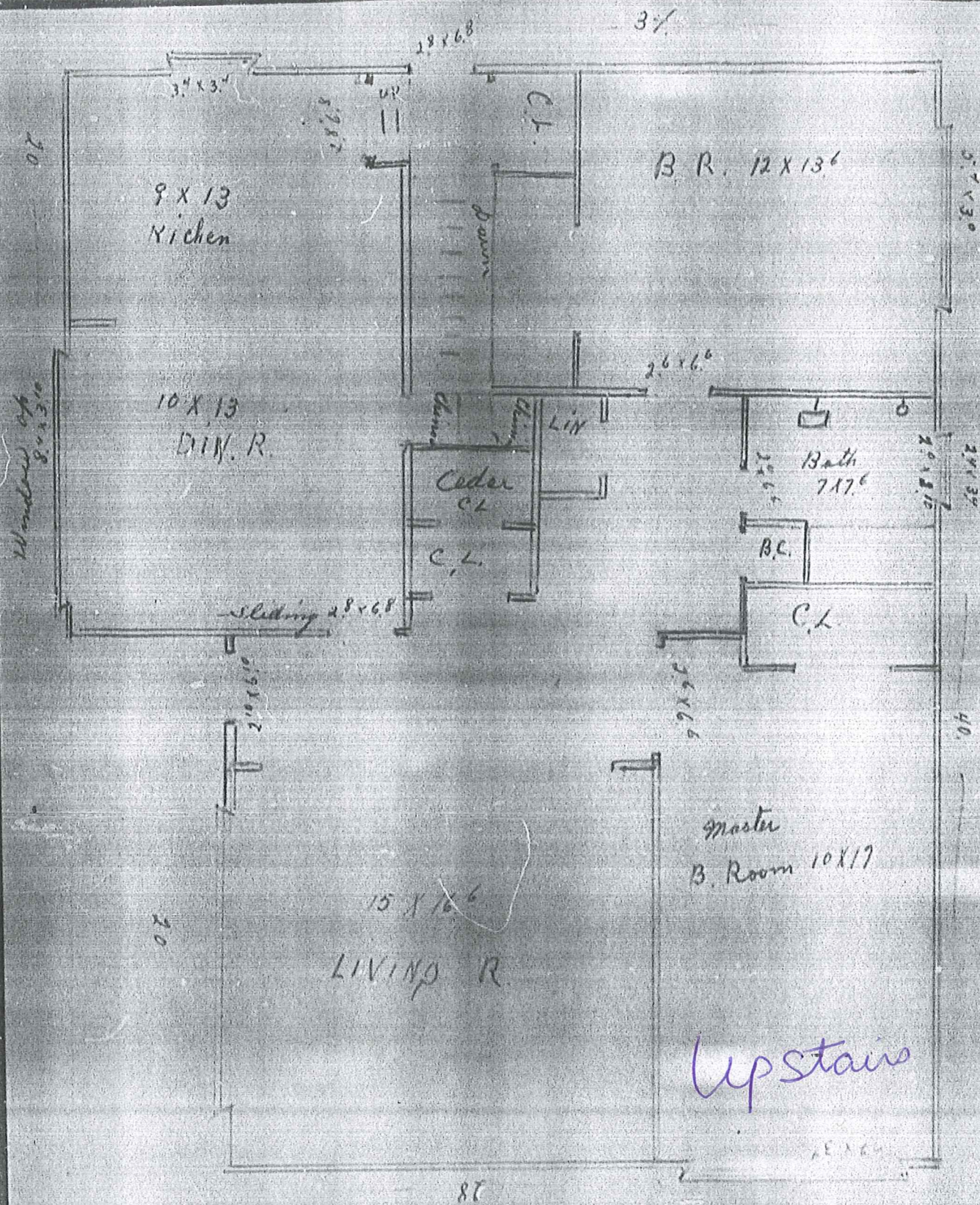
CERTIFIED CORRECT,  
THIS 22ND DAY OF OCT, 1999

Ernie H. Davies  
B.C.L.S.

T. E. Ferguson & Associates  
BRITISH COLUMBIA LAND SURVEYORS  
#216 - 1626 RICHTER ST.  
KELOWNA, B.C. V1Y 2M3

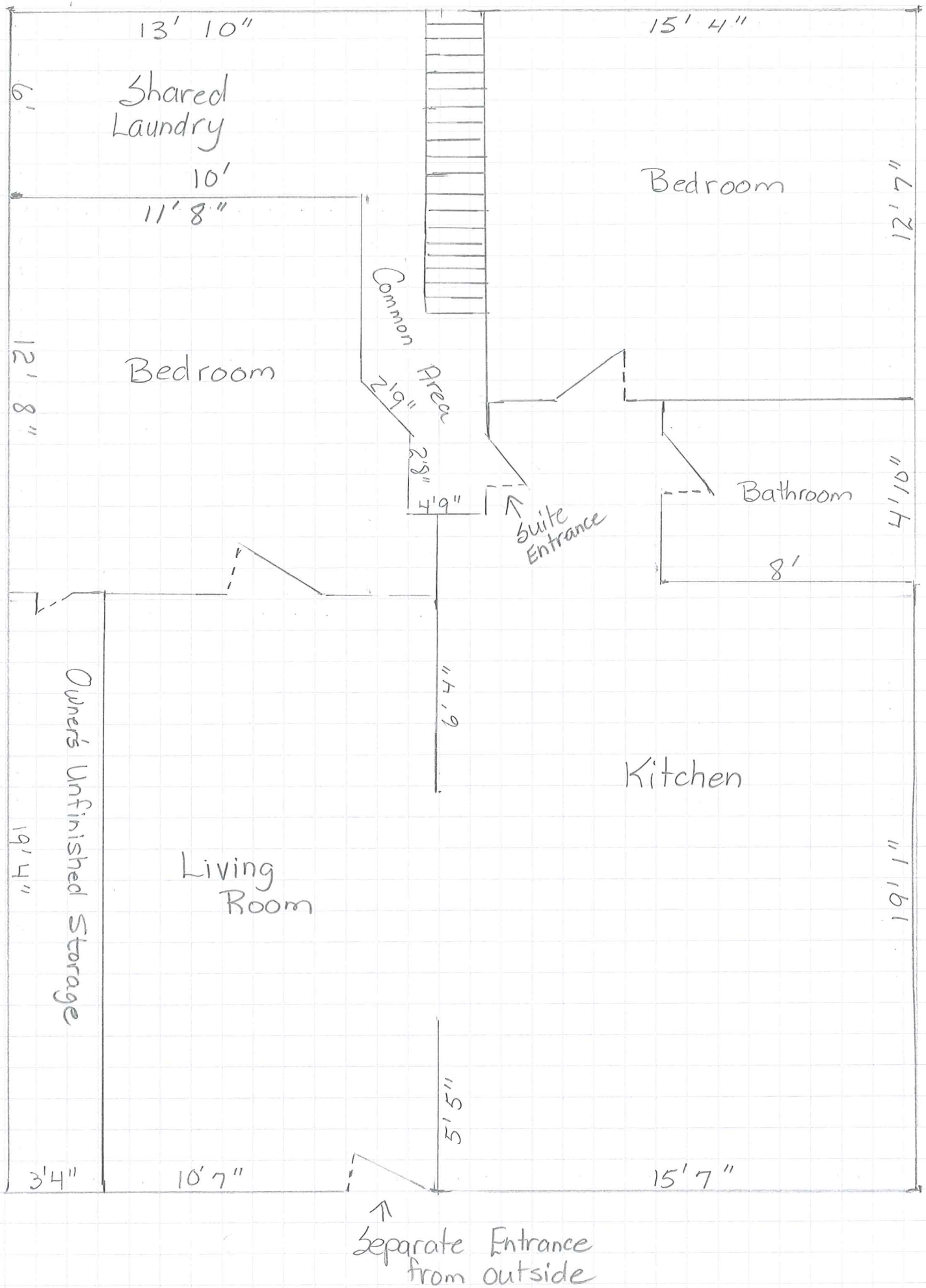
763.3115







# 2142 Stillingfleet Road - Suite layout





















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CITY OF KELOWNA  
MEMORANDUM

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**Date:** April 5, 2011  
**File No.:** Z11-0022

**To:** Land Use Management Department (BD)

**From:** Development Engineering Manager

**Subject:** 2142 Stillingfleet Rd                      Lot B Plan 51792                      Suite in main Dwelling

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

1. 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.

2. 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.

3. Development Permit and Site Related Issues

On-site parking modules must meet bylaw requirements. Indicate on the Site Plan the designated hard surface, off street parking space for the proposed suite.

4. 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.



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Steve Muenz, P. Eng.  
Development Engineering Manager  
JF/jf