

# Memo



**Date:** April 13, 2011  
**To:** City Manager  
**From:** Land Use Management, Community Sustainability (BD)  
**Application:** Z11-0010                      **Owner:** Dwayne and Gayle Forster  
**Address:** 914 Kennedy Street              **Applicant:** Axel Hilmer  
**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. Z11-0010 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 1, Section 29, Township 26, ODYD Plan 15423, located on Kennedy Street, 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 a building permit for the suite be applied for 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

To rezoning the subject property from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone to facilitate the construction of a secondary suite in an accessory building.

## 3.0 Land Use Management

The applicant is seeking to rezone the subject property to allow the construction of a secondary suite within an accessory building. The site is located on a corner which would allow the retention of the existing home facing Kennedy Street and allow the secondary suite to face Tronson Drive. Although the proposal will create a greater density on the site than generally found in this neighbourhood, it retains the rhythm of the street. The site has the opportunity to function effectively with two dwellings given the site configuration.

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.

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**

The original application submitted was to rezone the subject property from the RU1- Large Lot Housing to the RU6 - Two Dwelling Housing to construct a second single family dwelling. In order to facilitate a full second dwelling, a variance was sought to relax the rear yard set back. The Advisory Planning Commission (APC) did not support the application in their review and noted that the proposal is not sensitive integration of new housing in an established neighbourhood.

Given the response of the APC and the residents' concerns that were vocalized, the applicant redesigned the proposal and revised the application to seek a rezoning to the RU1s-Large Lot Housing with a Secondary Suite. An attractive accessory building design was submitted that does not trigger any variances. It is noteworthy that the rear yard set back to the west neighbour has been increased and that the owner intends to reside in the new suite.

##### **4.2 Project Description**

The subject property is located on a corner lot with frontage on both Kennedy Street and Tronson Drive making this site a good candidate for infill development. The applicant has scaled back their proposal to a compact one and half storey accessory building which contains two bedrooms on the upper floor and garage and great room living area on the ground floor. The required parking is easily achieved on the site and plenty of outdoor private space is available on this large sized lot.

A colour board and landscape details will be submitted for the processing of the Development Permit.

##### **4.3 Site Context**

The subject property is on the corner of Kennedy Street and Tronson Drive in the Glenmore/Clifton/Dilworth sector of Kelowna. The site is in close proximity to Glenmore Elementary school, transit routes, and neighbourhood convenience shopping. The adjacent land uses in all directions are RU1 - Large Lot Housing.

4.4 Subject Property: 914 Kennedy Street



4.5 Zoning analysis

The proposed application meets the requirements of RU1s - Large Lot Housing with Secondary Suite zone as follows:

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS (for Secondary Suite in Accessory Building)
Subdivision Regulations		
Lot Area	846 m <sup>2</sup>	800 m <sup>2</sup>
Lot Width (street frontage)	21.34 m	18.0 m
Lot Depth	39.53 m	30.0 m
Development Regulations		
Site Coverage (buildings)	21%	40%
Site Coverage (buildings/parking)	29%	50%
Existing Dwelling		
Height	1.5 storeys / 4.2 m	2 ½ storeys / 9.5 m
Front Yard	8.53 m	4.5 m
Side Yard (S)	5.9 m	4.5m for flanking street
Side Yard (N)	2.7 m	2.0 m (1 - 1 ½ storey)
Rear Yard	17.17 m	6.0 m (1 - 1 ½ storey)

Proposed Accessory Building		
Height	1.5 storeys/4.05 m	1 ½ storeys / 4.5 m
Front Yard	22.7 m	4.5 m
Rear Yard	2.92 m	1.5 m
Side Yard (S)	6.1 m	4.5m for flanking street
Side Yard (N)	6.1 m	2.3 m (2 - 2 ½ storey)
Floor Area Ratio	Principal dwelling 247m <sup>2</sup> Secondary Suite 88.6m <sup>2</sup> 36%	May not exceed lessor of 90 m <sup>2</sup> or 75%
Separation (Distance Between Houses)	4.5 m	4.5 m
Other Requirements		
Parking Stalls (#)	4 spaces	3 spaces
Private Open Space	meets requirements	30 m <sup>2</sup> of private open space per dwelling

## 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) 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 Fire Department**

No objections.

**7.0 Application Chronology**

Date of Application Received: February 7, 2011

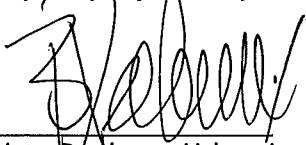
**Advisory Planning Commission:**

The above noted application was reviewed by the Advisory Planning Commission at the meeting on March 15, 2011 and the following recommendations were passed:

THAT the Advisory Planning Commission NOT support Rezoning Application No. Z11-0010, for 914 Kennedy Street to rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone to construct a second single family dwelling.

Anecdotal comments: The proposal is not sensitive integration of new housing into an existing neighbourhood.

**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:**

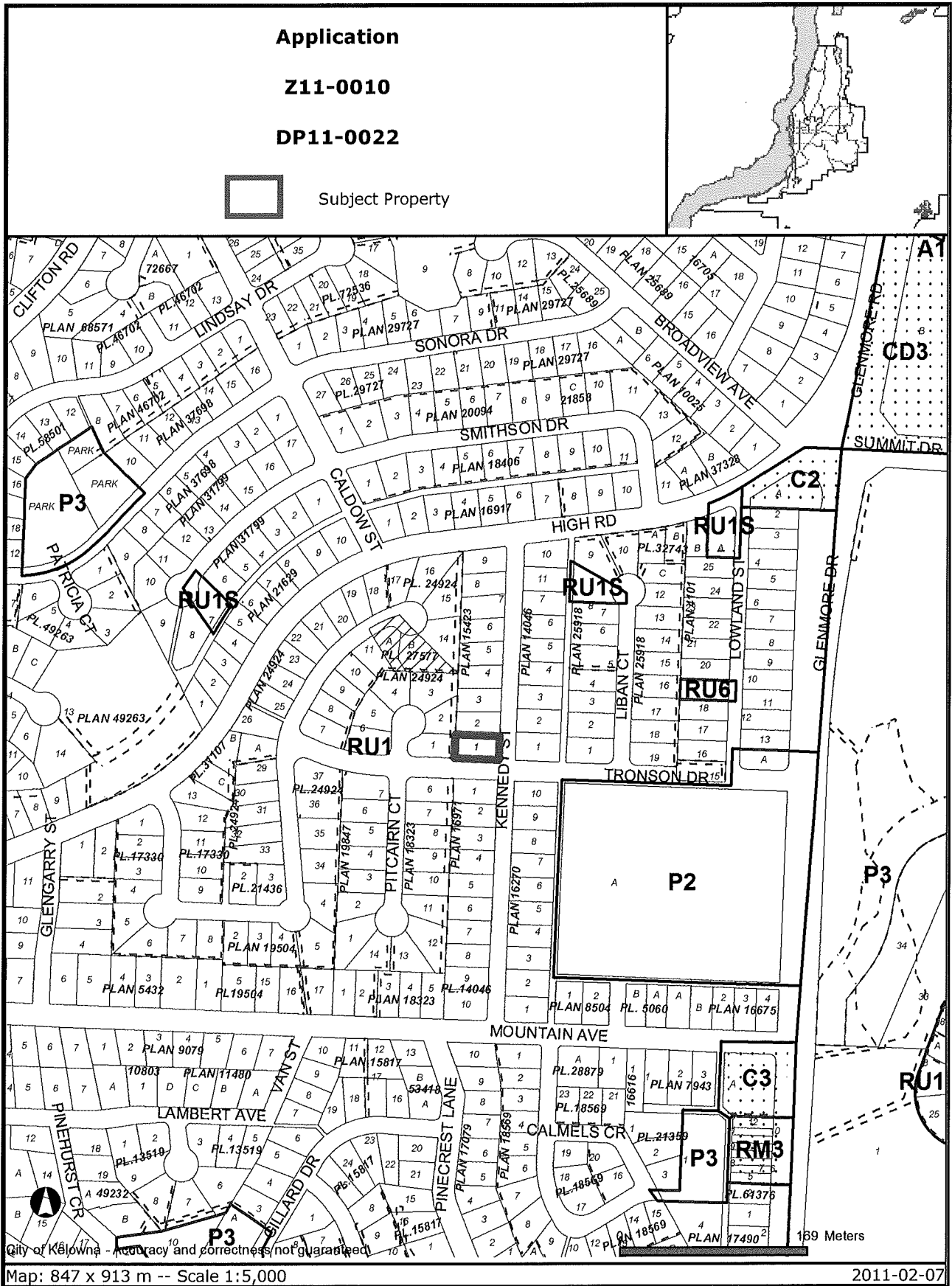
Subject property Map

Site Plan

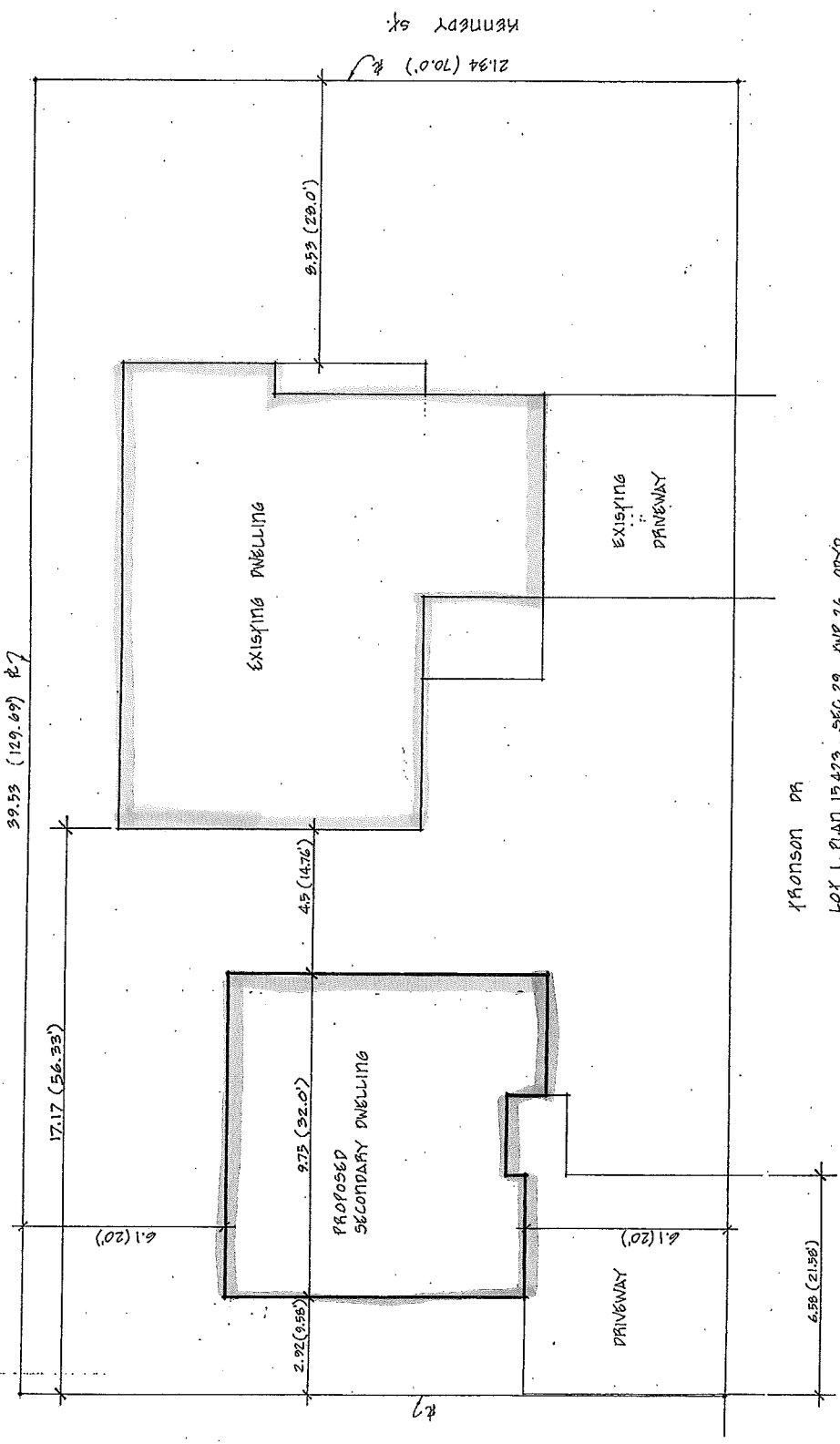
Proposed accessory building floor plans

Proposed accessory building elevation drawings

Photos of existing dwelling



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.



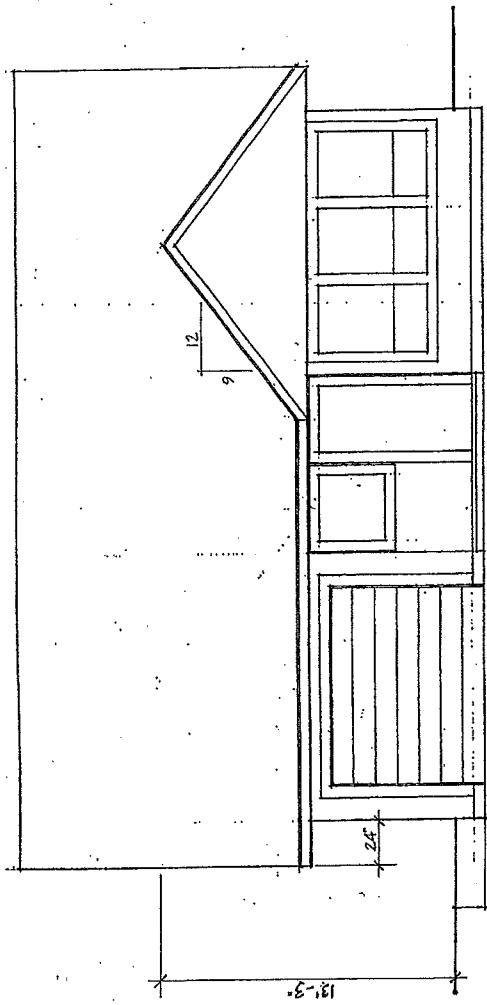
KENNEDY ST.

FRONSON DR  
 LOT 1, PLAN 15 429, SEC. 29, TWP 26, 07YD  
 SITE PLAN - 1/8" = 1'-0"

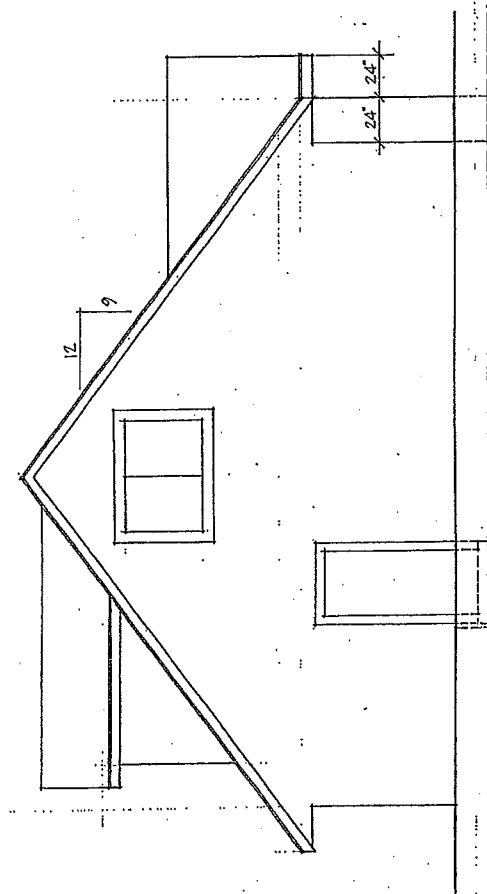
**REVISED PLANS**  
 APR 12 2011  
 CITY OF KELOWNA  
 Land Use Management

<b>hilmer house plans</b> Ph 860-7526 204-1823 Harvey Ave Kelowna	<b>Project:</b>	SITE PLAN	Scale : 1/8" = 1'-0" Date : MAR '11 Draw by : ALL	REVISED: APRIL '11	NOTE: All dimensions to be checked on job by builder.	Sheet 1 of 3 Plan A-11-02
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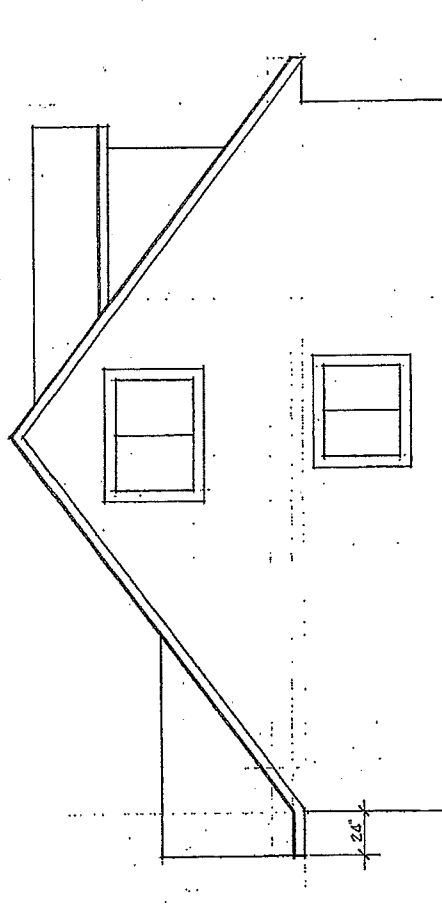




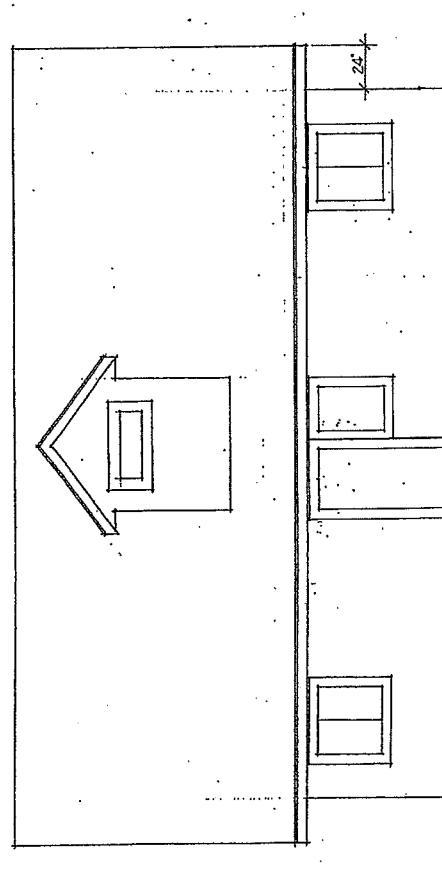
FRONT ELEV.



LEFT ELEV.



RIGHT ELEV.



REAR ELEV.

**REVISED PLANS**

APR 11 2011

CITY OF KELOWNA  
Land Use Management

**hilmer house plans**  
Ph 800-7525 204-1823 Harvey Ave Kelowna

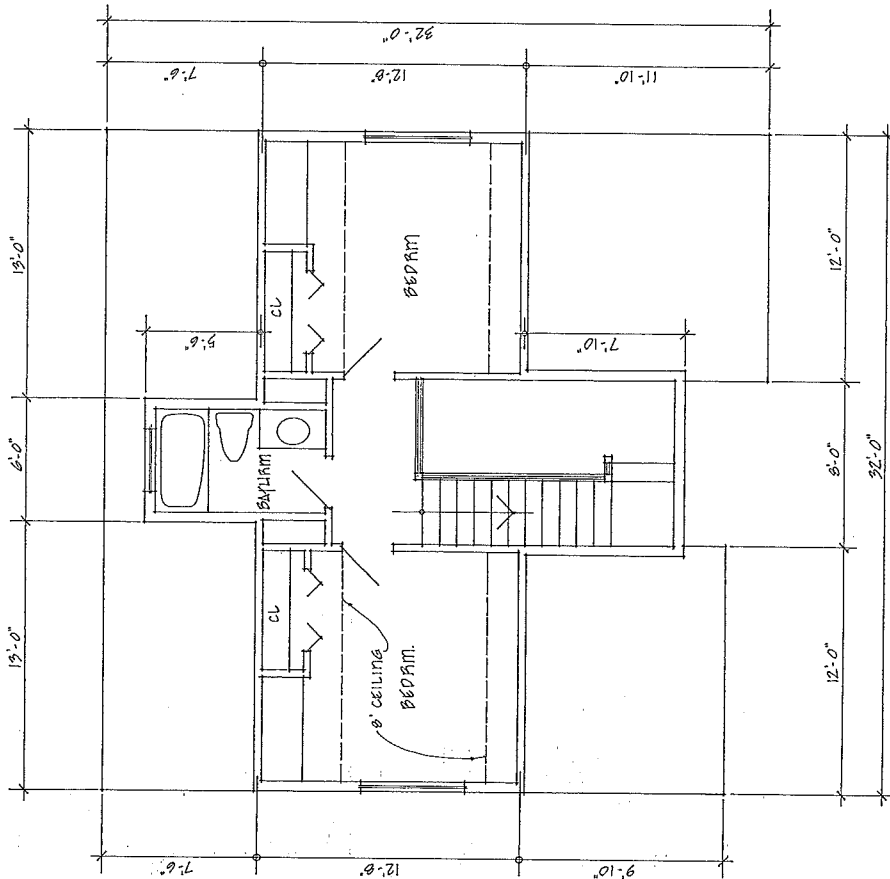
**Project:**

ELEVATIONS

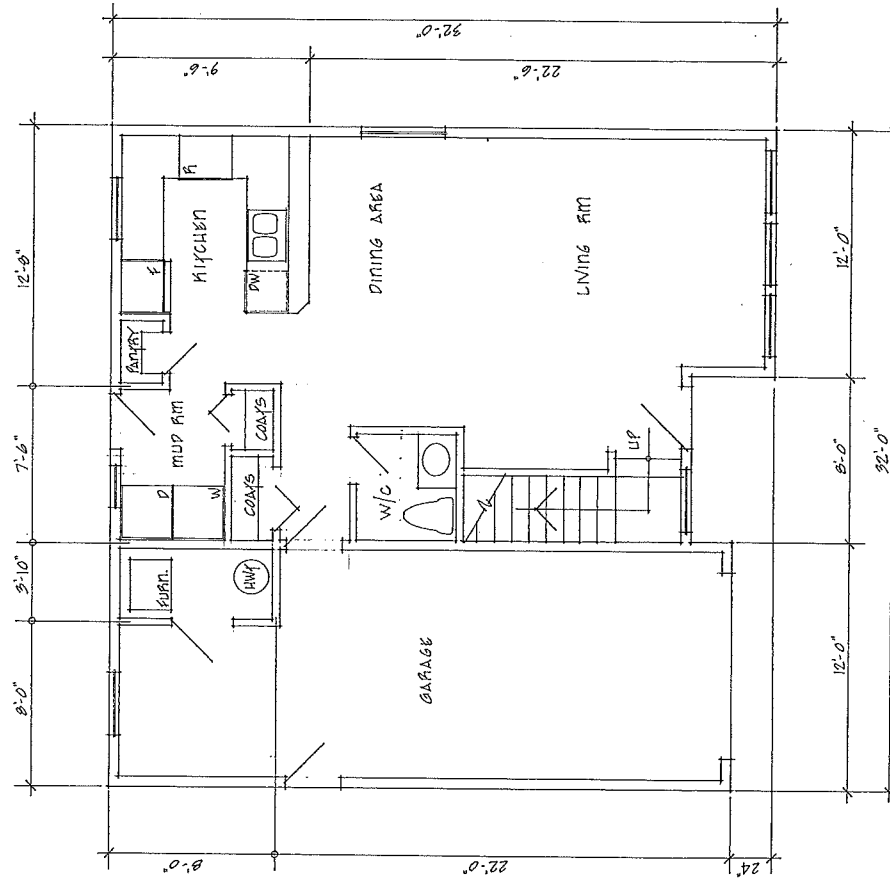
Scale : 1/4" = 1'-0"  
Date : MAR '11  
Drawn By : A.L.L.

NOTE: All dimensions  
to be checked on job  
by builder.

**Sheet:** 3 of 3  
**Plan:** R-11-02



2<sup>ND</sup> FLOOR - 302 #



MAIN FL. - 572 #



Address **924 Kennedy Street**

Address is approximate



Google maps  
Canada

Address **834 Kennedy Street**

Address is approximate





Address **Tronson Drive**

Address is approximate

View from Tronson Drive





Address **Tronson Drive**

Address is approximate

View into Backyard From Tronson Drive



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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** March 25, 2011  
**File No.:** Z11-0010

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

**From:** Development Engineering Manager REVISED COMMENTS

**Subject:** 914 Kennedy St Lot 1 Plan 15423 suite in accessory building RU1s

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Development Engineering has the following comments and requirements associated with this application. The utility upgrading requirements outlined in this report will be a requirement of this development.

1. Domestic Water

This property is currently serviced with a 19mm-diameter copper water service. The service will be adequate for this application. Metered water from the main residence must be extended to supply the proposed suite.

2. Sanitary Sewer

Our records indicate that this property is serviced with a 100mm-diameter sanitary sewer service. An inspection chamber (IC) complete with brooks box must be installed on the service at the owner's cost as required by the sewer-use bylaw.

**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 [ifilipenko@kelowna.ca](mailto:ifilipenko@kelowna.ca) or phone, 250-469-8581.

3. Road Dedication and Subdivision Requirements

By registered plan, dedicate a 6.0m property corner rounding.

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