

Memo



Date: July 26, 2011

To: City Manager

From: Land Use Management, Community Sustainability (PMc)

Application: Z11-0046

Owner: Helen Van Ruskenveld

Address: 631 Royal Pine Dr.

Applicant: Helen Van Ruskenveld

Subject: Rezoning Application

Existing OCP Designation: Single/Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU1s - Large Lot Housing with Secondary Suite

1.0 Recommendation

THAT Rezoning Application No. Z11-0046 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 30, Sec. 31, Twp. 26, O.D.Y.D., Plan 43005, located on Royal Pine Drive, 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 FortisBC 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 a Secondary Suite zone to authorize the construction a secondary suite within the principal dwelling.

3.0 Land Use Management

This rezoning application is in direct response to a staff investigation. Although Staff support the legalization of the suite and the subsequent addition to the rental stock, it is not endorsed to construct a suite prior to seeking proper authorization.

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The proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area. The subject property is in close proximity to parks, schools, transit and recreational opportunities. Properties zoned RU1s 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, and the suite is contained within the principal dwelling.

4.0 Proposal

4.1 Background and Project Description.

The original dwelling was constructed as a single storey dwelling in 1996. In 2005 there was a major two storey expansion of the dwelling which converted the dwelling into a three storey structure (authorized by DVP05-0115). However, the Building Permit authorizing the construction was not completed and the Building Permit remained open, yet inactive. In 2009, Inspection Services staff commenced an illegal suite investigation of the property.

The site development consists of a three storey dwelling that has a studio unit in the basement, a main living area on the second floor, and four bedrooms located on the third storey. There is a two car garage located on the lowest level with access from the driveway.

The current owner acquired the property in 2010, and has been working with the Building and Permitting Branch to obtain an occupancy permit for this addition. The new owner has also taken out an additional Building Permit to create the basement suite.

The second level is the main living area for the principal dwelling. The main access to the principal dwelling is located in the south west corner, and accessed from a deck area that runs along the west side of the dwelling.

4.2 Site Context

The subject property is located on the north side of royal Pine Drive, east of Royal View Drive, in the Central City sector of Kelowna.

The surrounding properties are zoned as follows:

North P3 - Parks and Open Space - Knox Mountain Park
South RU1 - Large Lot Housing / Single Unit housing
West RU1 - Large Lot Housing / Single Unit housing
East RU1 - Large Lot Housing / Single Unit housing

Subject Property Map



4.3 Zoning Analysis

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

Zoning Analysis Table		
CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	2,217 m ²	550 m ²
Lot Width	18 m	17 m (corner lot)
Lot Depth	91.5 m	30.0 m
Development Regulations		
Site Coverage	9% 21% inc. parking and drwys	40% 50% inc. parking and drwys
Front Yard	16.04 m	4.5m 6.0 m to garage
Rear Yard	60.79 m	7.5 m
Side Yard (west)	5.20 m	2.3 m (2 - 2½ Storey)
Side Yard (east)	2.57 m	2.3 m (2 - 2½ Storey)
Height	3 storey / 11.5m ①	2½ Storey or 9.5 m
Floor Area of principal dwelling (after addition)	356 m ²	

Floor Area of Secondary Suite / Size ratios	76.6 m ² / 21.5%	In building can't exceed lessor of 90 m ² or 40% of total floor area
Other Regulations		
Minimum Parking Requirements	3 stalls Provided	3 stalls required
Private Open Space	Meets requirements	30 m ² required per dwelling

① 3 storey building height authorized by Development Variance Permit DVP05-0115

5.0 Current Development Policies

There are presently no specific policies within the *Kelowna 2030 - Official Community Plan* that directly address the development of secondary suites. The Housing Strategy presently nearing completion is anticipated to provide the necessary policy guidance.

While not addressed directly, the OCP does provide the following General Direction:

Complete Suburbs.¹ Support a mix of uses within Kelowna's suburbs (see Map 5.1 - Urban Core Area), in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 - Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context.

Complete Communities.² Support the development of complete communities with a minimum intensity of approximately 35 - 40 people and/or jobs per hectare to support basic transit service - a bus every 30 minutes.

Compact Urban Form.³ Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

¹ 2030 OCP Chapter 5 Development Process, Policy .3, page 5.2

² 2030 OCP Chapter 5 Development Process, Policy .4, page 5.2

³ 2030 OCP Chapter 5 Development Process, Policy .2, page 5.3

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) 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.

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 adequately serviced with a 100mm-diameter sanitary sewer service.
3. Development Permit and Site Related Issues
On-site parking modules must meet bylaw requirements.
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.

6.3 Bylaw Services

No concerns

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.

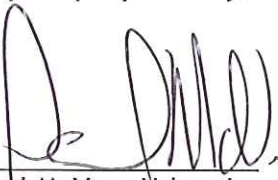
6.5 FortisBC

FortisBC has completed its review of the proposal attached and has no concerns at this time. Please send along any amendments to the proposal for further review and comment by FortisBC.

7.0 Application Chronology

Date of Application Received: June 9, 2011

Report prepared by:


Paul McVey, Urban Land Use Planner

Reviewed by:



Danielle Noble Manager, Urban Land Use Management

Approved for Inclusion:

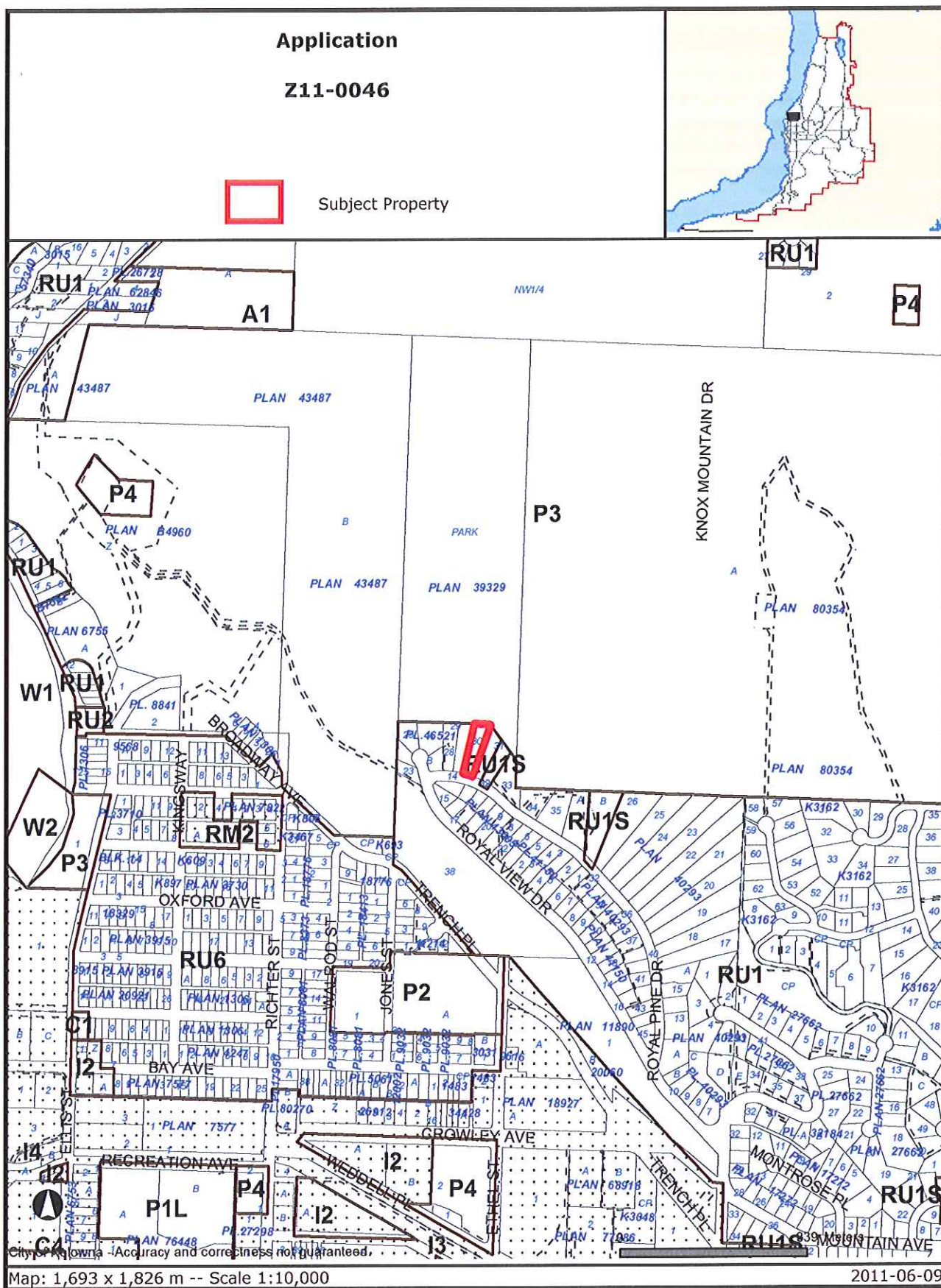


Shelley Gambacort, Director, Land Use Management

Attachments:

Site Plan
Floor Plans
Context/Site Photos



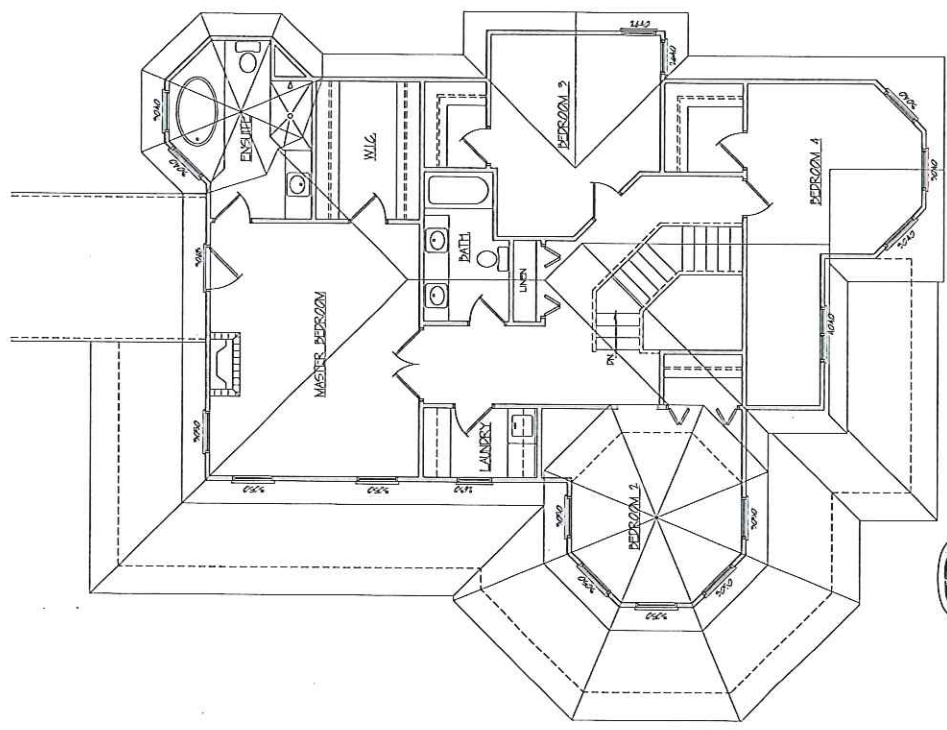


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

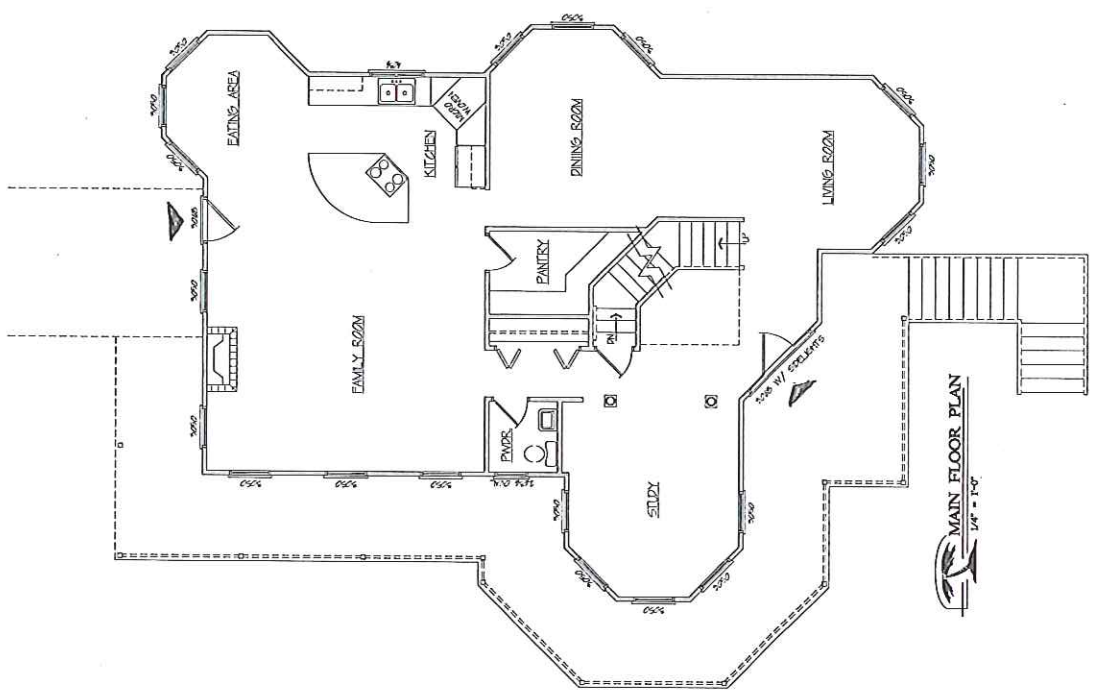
631 ROYAL FINE DRIVE
 MAIN AND UPPER FLOOR PLANS
 SCALE AS NOTED | DRAWING NUMBER: II-13-003 | REVISION:

OASIS DESIGN
 868-2275
 DESIGNED BY: JAMES W. HASDYK
 DATE:

RESIDENCE FOR:
 VAN RUSKENVELD



UPPER FLOOR PLAN
 1/4" = 1'-0"



MAIN FLOOR PLAN
 1/4" = 1'-0"

