

# Memo



**Date:** August 10, 2011

**To:** City Manager

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

**Application:** Z11-0052

**Owner:** Tracey-Lynne Pedlar

**Address:** 360 Mugford Road

**Applicant:** Tracey-Lynne Pedlar

**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. Z11-0052 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot B, Section 26, Township 26, ODYD Plan 19840 located on Mugford 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 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 RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone to construct 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. Secondary suites are an important source to provide increased housing density and availability at all price points, especially in areas that are generally less dense, or have low vacancy rates.

A handwritten signature in blue ink, appearing to be the initials "R".

This is an example of sensitive integration into a neighbourhood, given that the proposed secondary suite is within an existing single family dwelling on a large lot that can easily achieve the requirements of the Zoning Bylaw 8000. A number of properties in the immediate area are zoned RU6 and RU1s with existing secondary suites.

#### 4.0 Proposal

##### 4.1 Project Description

A modest two bedroom suite is located in the basement of an existing 1.5 storey single family dwelling. A pathway and lighting is provided to the entrance of the suite which is located on the east side of the dwelling. The principal dwelling is accessed from the west side of the dwelling. Private outdoor space is provided in the ample rear yard. Parking can be achieved with three stalls in the west side yard adjacent to the home. The applicant is aware that parking is not permitted in the required front yard and thus has set the parking into the yard.

##### 4.2 Site Context

The subject property is located on the north side of Mugford Road in Rutland within blocks of transit schools and recreational opportunities. The surrounding properties are zoned as follows:

<u>Direction</u>	<u>Zone</u>
North	RM3 - Low Density Multiple Housing
West	RU1 - Large Lot Housing
East	RU1 - Large Lot Housing
South	RU1 - Large Lot Housing RU6 - Two Dwelling Housing

##### 4.3 Subject Property Map: 360 Mugford 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 <i>Suite within Principal Dwelling</i>
Subdivision Regulations		
Lot Area	901 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width	22.29 m	17 m for corner lot
Lot Depth	40.23 m	30.0 m
Development Regulations		
Site Coverage (buildings)	13.27 %	40%
Site Coverage (buildings/parking)	22.41 %	50%
Height (existing house)	2 storey / 5.6m	2 ½ storeys / 9.5 m
Floor Area of principal dwelling	245.3 m <sup>2</sup>	
Floor Area of Secondary Suite / Size ratios	62.4 m <sup>2</sup> / 25%	In building can't exceed lessor of 90 m <sup>2</sup> or 40%
Front Yard	9.82m	4.5 m / 6.0 m to a garage
Side Yard (east)	2.15m	2.0 m (1 - 1 ½ storey)
Side Yard (west)	22.29m	2.0 m (1 - 1 ½ storey)
Rear Yard	14.36m	7.5 m
Other Requirements		
Parking Stalls (#)	3 spaces	3 spaces
Private Open Space	meets requirements	30m <sup>2</sup> required per dwelling

#### 5.0 Current Development Policies

No supporting policy information is available in *2030 Kelowna Official Community Plan*. Housing policy documentation is expected to be reviewed by Council shortly.

**Policy 5.2.3 Complete Suburbs.**<sup>1</sup> 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,

<sup>1</sup> Official community plan Objective 5.2 Community Sustainability

institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context.

Policy 5.3.2 Compact Urban Form.<sup>2</sup> 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.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

1) 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

*Sanitary Sewer:* The subject property is connected to the Municipal wastewater collection system.

*Domestic Water:* The subject property is located within the Rutland Waterworks District (RWD). All charges and fees must be paid directly to RWD. (RWD has no fee requirements for secondary suites within existing single family dwellings)

### 6.3 Bylaw Services

Bylaw Services has an open Service Request 188318 which was generated on February 21, 2011 for an illegal suite at this location. Service Request remains open to this date.

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<sup>2</sup> Official community plan Objective 5.3 Focus development to designated growth areas.

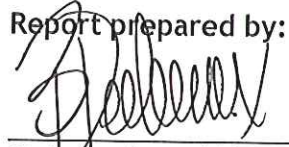
6.4 Fire Department

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.

7.0 Application Chronology

Date of Application Received: June 21, 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:**

Subject Property Map

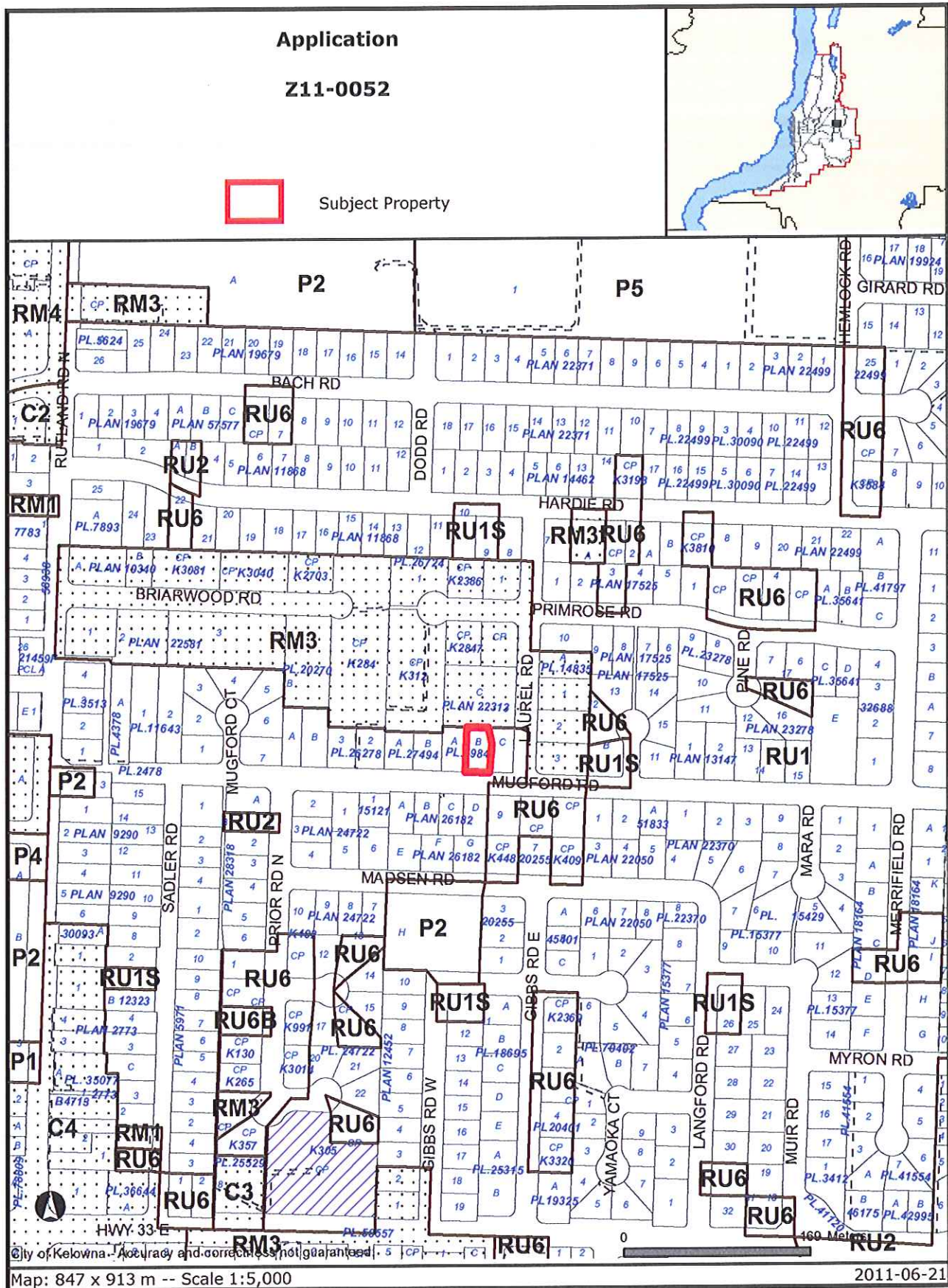
Site Plan

Floor plans

Context/Site Photos

*[Faint handwritten notes]*





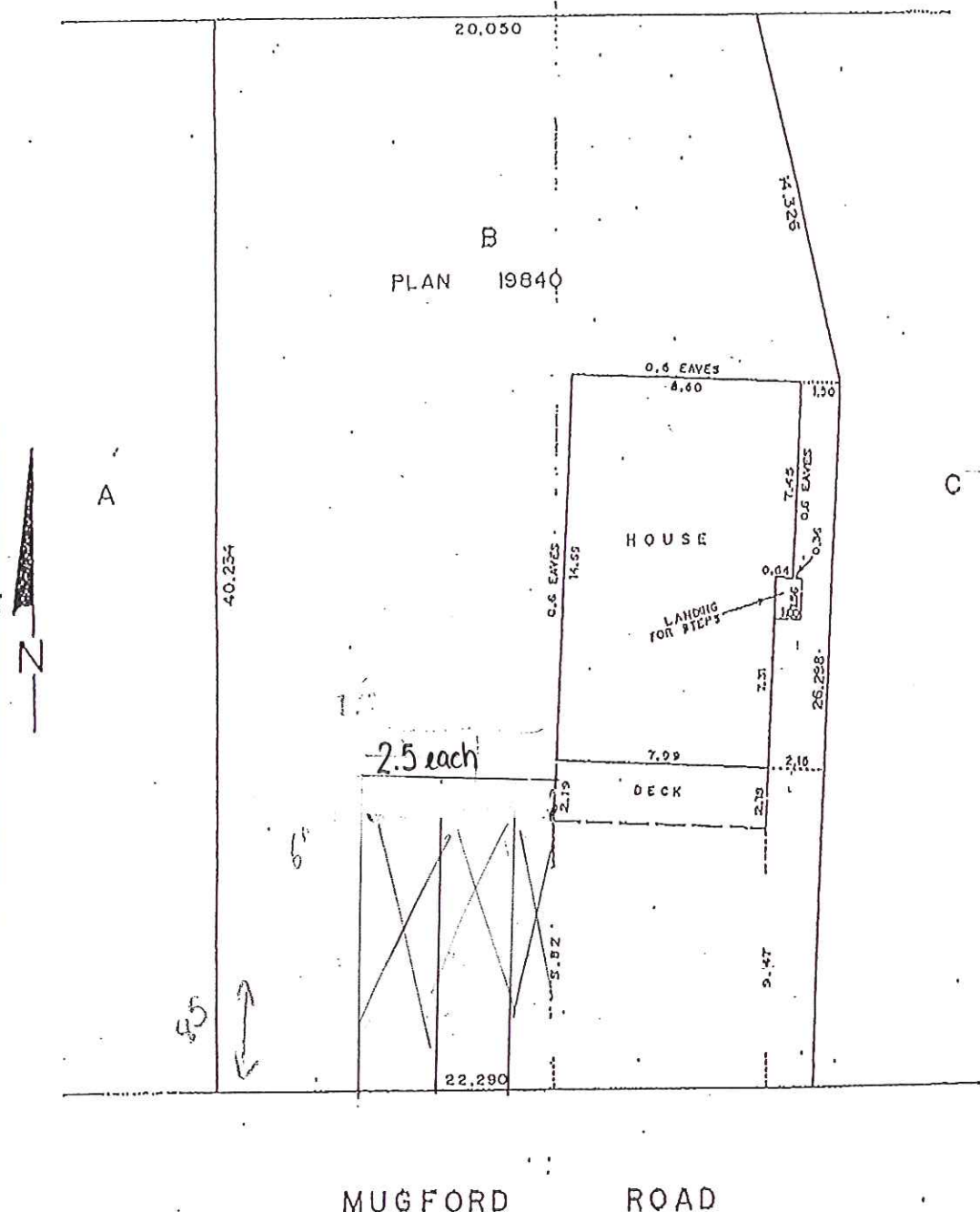
Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.

B. C. LAND SURVEYOR'S CERTIFICATE  
 ON: LOT B, PLAN 19840,  
 SEC. 26, TR 26, OSOYOOS DIVISION YALE DISTRICT  
 SCALE 1:200 (All distances are in Metros.)

FILE 90-164  
 FOR: Simpson & Simpson

PLAN 22313

ENOUGH  
 ROOM  
 FOR  
 A 2 UNIT  
 IF APPROVED



MUGFORD ROAD

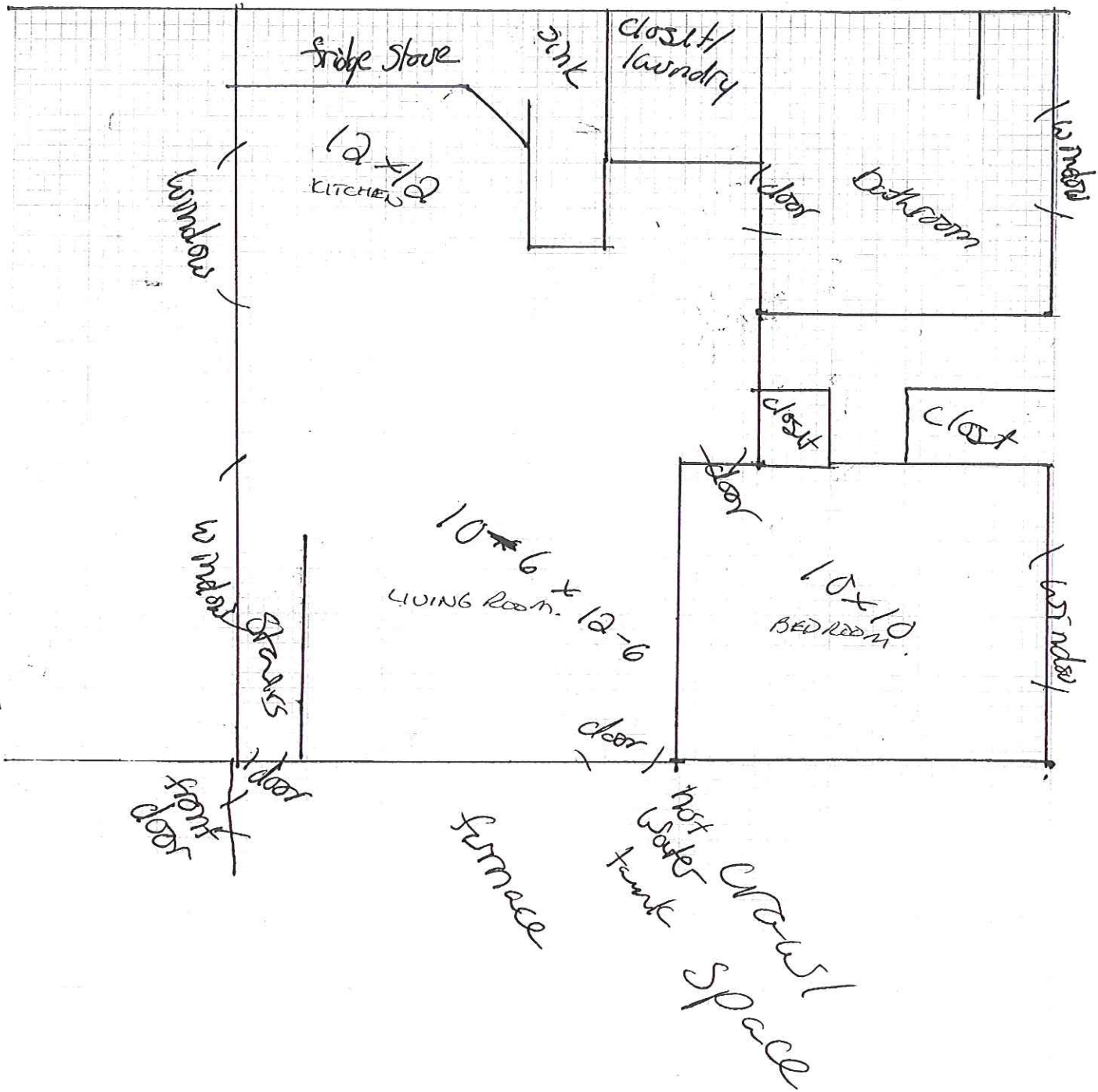
R. R. RUNNALLS & ASSOCIATES,  
 B.C. LAND SURVEYORS  
 NO. 2-1470 WATER ST. KELOWNA, B.C.  
 V1Y-1J5 763-7322

Certified Correct: this 29th. day of June 1990.

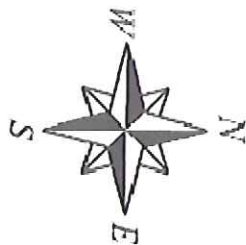
*R. R. Runnalls*

B.C. L.S.

672 1/2 St.



Suite floor plan







Front of Dwelling



east side  
suite entrance



open space



West Side  
principal dwelling entrance