

# REPORT TO COUNCIL



**Date:** September 30, 2011  
**To:** City Manager  
**From:** Land Use Management, Community Sustainability (PMc)  
**Application:** Z11-0041 **Owner(s):** Craig Andrew Winnick & Nigel Paul Allan  
**Address:** 865 Paret Rd. **Applicant:** Craig Winnick  
**Subject:** Rezoning Application  
**Existing OCP Designation:** Single/Two Unit Residential  
**Existing Zone(s):** RR1 - Rural Residential 1, RU1 - Large Lot Housing, & A1 - Agriculture 1  
**Proposed Zone(s):** RU1s - Large Lot Housing with Secondary Suite

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## 1.0 Recommendation

THAT Rezoning Application No. Z11-0041 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of a portion of Lot A, D.L. 579, S.D.Y.D., Plan KAP68860, Exp. Plan KAP74689, located on Paret Road, Kelowna, BC from the RR1 - Rural Residential 1, RU1 - Large Lot Housing and A1 - Agriculture 1 zones to the RU1s - Large Lot Housing with secondary suite zone, as shown on Map "A", attached to the report of the Land Use Management Department, dated September 30, 2011, 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 the Zone Amending Bylaw be considered subsequent to the requirements of the Environment and Land Use Branch being completed to their satisfaction.

## 2.0 Purpose

This application is seeking to rezone the subject property from the RR1 - Rural Residential 1, RU1 - Large Lot Housing and A1 - Agriculture 1 zones to the RU1s - Large Lot Housing with a Secondary Suite zone in order to construct a secondary suite within the proposed principal dwelling.

A handwritten signature in black ink, appearing to be a stylized 'R' or similar character.

### 3.0 Land Use Management

The subject property is a steeply sloped remnant parcel located between developed subdivisions. There is a small, level area adjacent to Paret Road that is suitable for construction of a single family dwelling unit. The subject property is currently zoned RR1 - Rural Residential 1, RU1 - Large Lot Housing, and A1 - Agriculture 1, with the zoning boundaries following previous property lines that have disappeared now that the property has been consolidated into one parcel. Staff are recommending that the lot be rezoned to the RU1s - large Lot Housing with Secondary Suite zone to allow the creation of a secondary suite within the dwelling currently under construction, as well as to clean up the zoning boundaries existing on the subject property. The subject property is steeply sloped for a majority of the site, and apart from the building site, has very limited (if any) development potential. This zoning boundary adjustment will have no impact on future development potential, and acknowledges the property has urban services.

The proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area. There are other properties zoned RU1s existing within 300m of the subject property 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 Background

The subject property was created by a plan of subdivision registered in April 2001, which consolidated the two separate properties that existed at the time.

The subject property is currently zoned the RR1 - Rural Residential 1, RU1 - Large Lot Housing and the A1 - Agriculture 1 zones. The multiple zone boundaries on the subject property follow property lines that were existing on the site prior to the lot consolidation.

#### 4.2 Project Description

The applicant has a Building Permit to allow the construction of a 2½ storey dwelling on a small, level portion of the property adjacent to Paret Road. The applicant wishes to develop a modest one bedroom suite in the basement of the proposed dwelling and is seeking to rezone this portion of the subject property to add the "S" designation to permit a legal suite within the dwelling under construction.

The proposed suite is located in the basement of the proposed dwelling. The parking for the principal dwelling is located within a three car garage, while the parking for the suite is provided by two surface parking stalls accessed from the driveway.

#### 4.3 Site Context

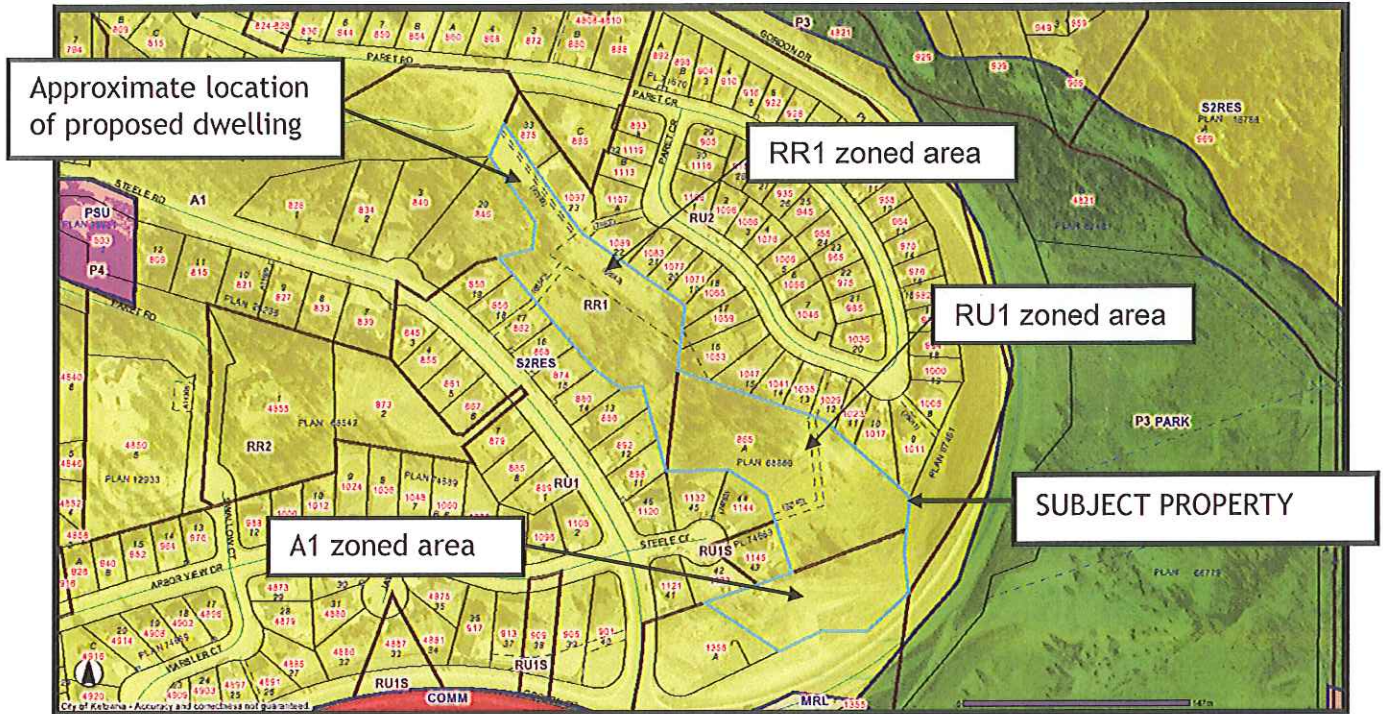
The subject property is located on the south side of Paret Road, west of Paret Crescent in the South Okanagan Mission Sector of Kelowna.

The surrounding properties are zoned as follows:

- North East     RU2 - Medium Lot Housing - Single Unit housing
- South East    P3 - Parks and Open Space / Gordon Drive
- North West    A1 - Agriculture 1
- South West    RU1 - Large Lot Housing - Single Unit Housing
- A1 - Agriculture 1

4.4 Site Location Map

865 Paret Road



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	23,898m <sup>2</sup>	550 m <sup>2</sup> on sewer
Lot Width	22.6 m - 91 m	16.5 m
Lot Depth	388 m	30.0 m
Development Regulations		
Site coverage	0.009% Buildings	40% Buildings 50% Buildings & Drwys
Height	Max. 9.5 m /2½ storey	9.5 m /2½ storey
Floor Area of principal dwelling	373.4 m <sup>2</sup>	N/A
Floor area of Secondary Suite / Ratio	64.8 m <sup>2</sup> /17.3%	In principal dwelling: may not exceed lessor of 90 m <sup>2</sup> or 40%

Front Yard (Paret Rd.)	6.0 m	6.0 m
Side Yard (north east)	8.4 m	2.0m 1 or 1½ storey 2.3m 2 or 2½ storey
Side Yard (south west)	3.0 m	2.0m 1 or 1½ storey 2.3m 2 or 2½ storey
Rear Yard (Gordon Dr.)	350 m	10.0m
<b>Other Regulations</b>		
Minimum Parking Requirements	3 stalls in garage 1 stall at grade	3 stalls required
Private Open Space	Meets requirements	30 m <sup>2</sup> per unit

## 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.

Official Community Plan Policies:

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

**Complete Communities.**<sup>2</sup> 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.**<sup>3</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 Branch

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).

<sup>1</sup> 2030 OCP Chapter 5 Development Process, Policy .3, page 5.2

<sup>2</sup> 2030 OCP Chapter 5 Development Process, Policy .4, page 5.2

<sup>3</sup> 2030 OCP Chapter 5 Development Process, Policy .2, page 5.3

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 Branch

Development Engineering Services have the following requirements associated with this rezoning Application.

### 1. Domestic Water and Fire Protection

This property is currently serviced with a 25mm-diameter copper water service. The service will be adequate for this application. Metered water from the main residence must supply the proposed suite.

### 2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service which is adequate for this application.

### 3. Site Related Issues

Provide on-site parking for the proposed dwelling.

### 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 Environment and Land Use Branch

The Environment & Land Use Branch recommend that the applicant provide a "no build/no disturb" covenant in order to effectively preserve the steep slope areas on the lot. Development Permit Guidelines within the Official Community Plan recommend that development on steep slopes shall be avoided. Steep slopes/Hillsides are defined as lands with a slope angle of 20% or greater for a minimum horizontal distance of 10 metres.

## 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 1, 2011

Revised Drawings Received: September 9, 2011

**Report prepared by:**



Paul McVey, Urban Land Use Planner

**Reviewed by:**



Danielle Noble Manager, Urban Land Use Management

**Approved for Inclusion:**



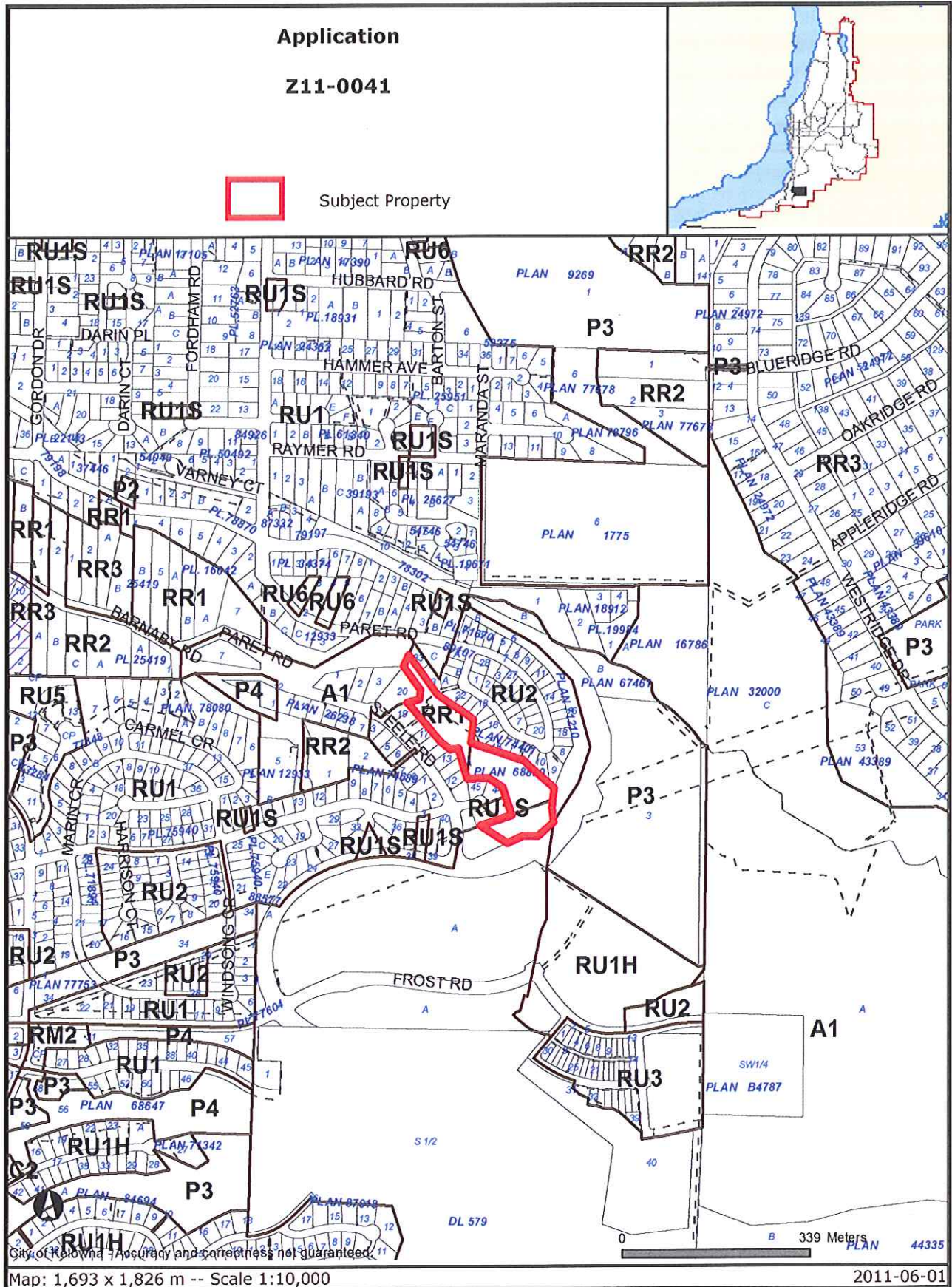
Shelley Gambacort, Director, Land Use Management

**Attachments:**

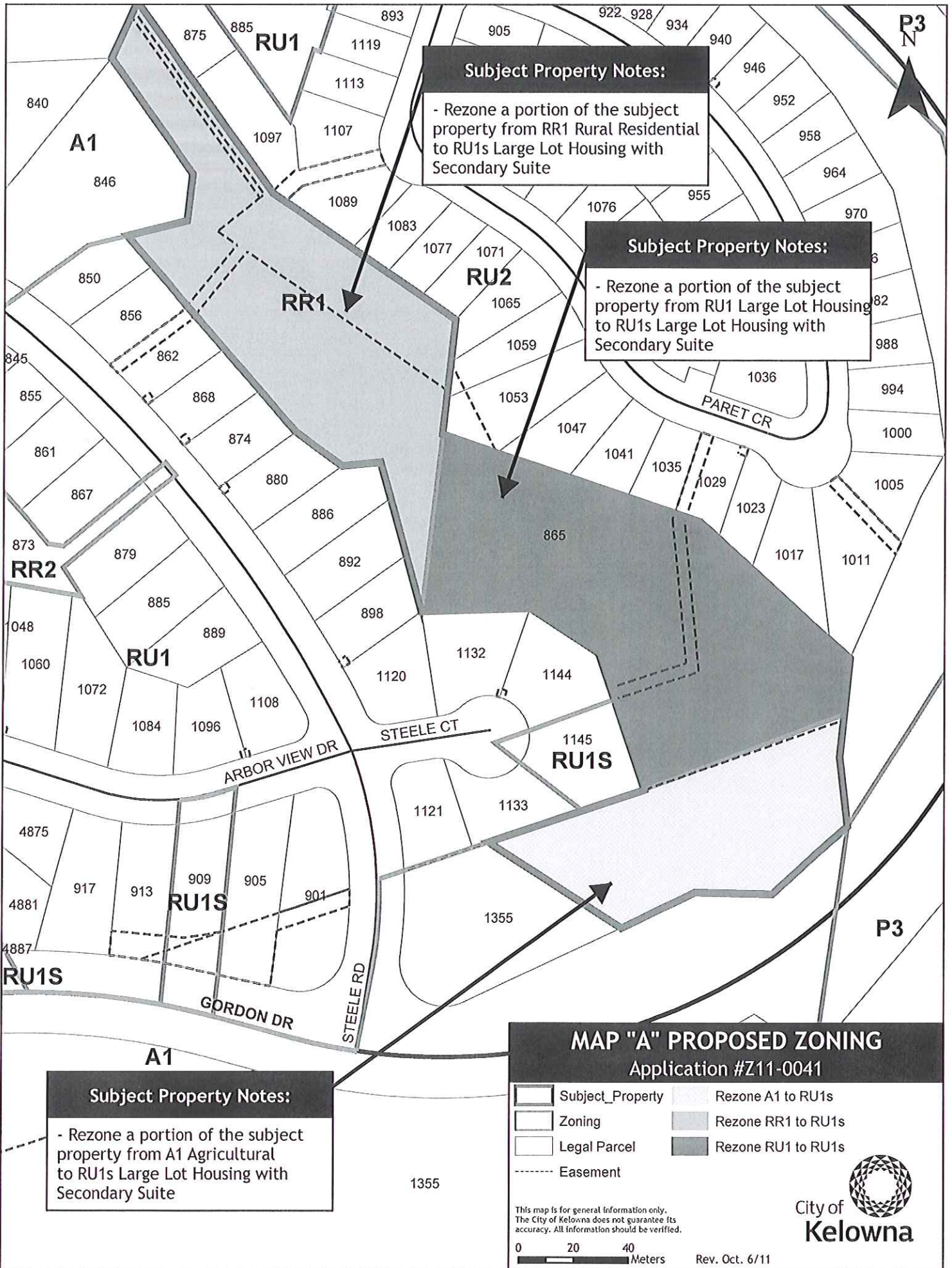
- Subject Property Map
- Map "A"
- Site Plan
- Floor Plans
- Conceptual Building Elevation
- Context Photo

APPROVED FOR INCLUSION  
DATE: 9/14/11  
BY: S. GAMBACORT





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.



**Subject Property Notes:**

- Rezone a portion of the subject property from RR1 Rural Residential to RU1s Large Lot Housing with Secondary Suite

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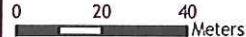
- Rezone a portion of the subject property from A1 Agricultural to RU1s Large Lot Housing with Secondary Suite

**MAP "A" PROPOSED ZONING**

Application #Z11-0041

- Subject\_Property
- Zoning
- Legal Parcel
- Easement
- Rezone A1 to RU1s
- Rezone RR1 to RU1s
- Rezone RU1 to RU1s

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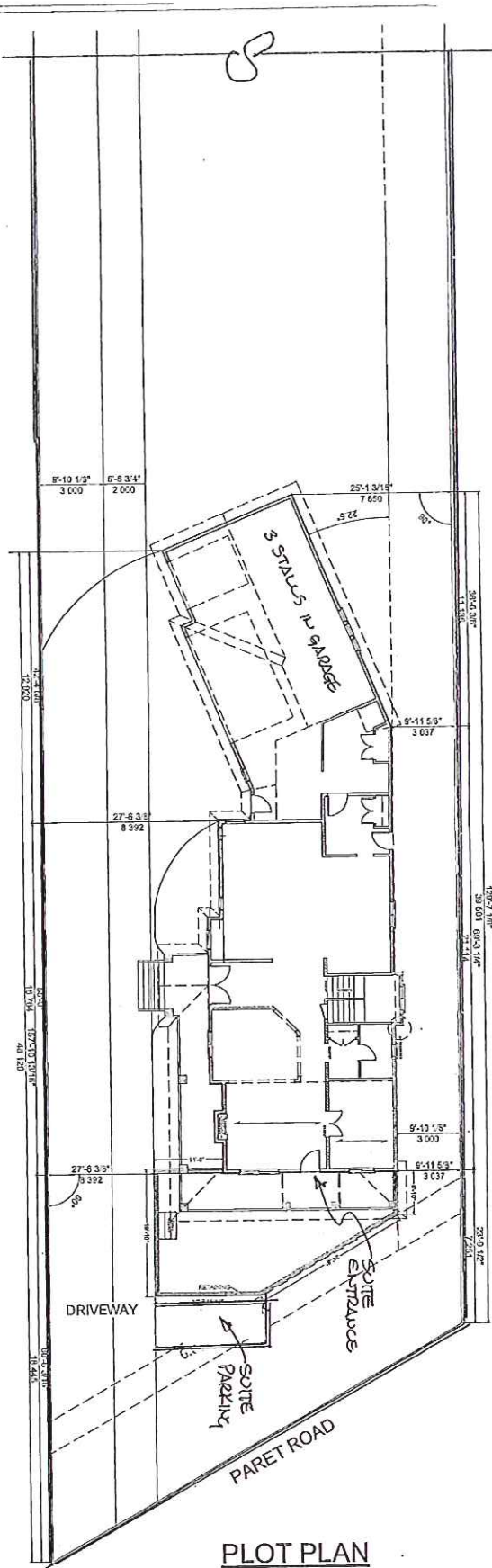


Rev. Oct. 6/11





SITE PLAN



PLOT PLAN



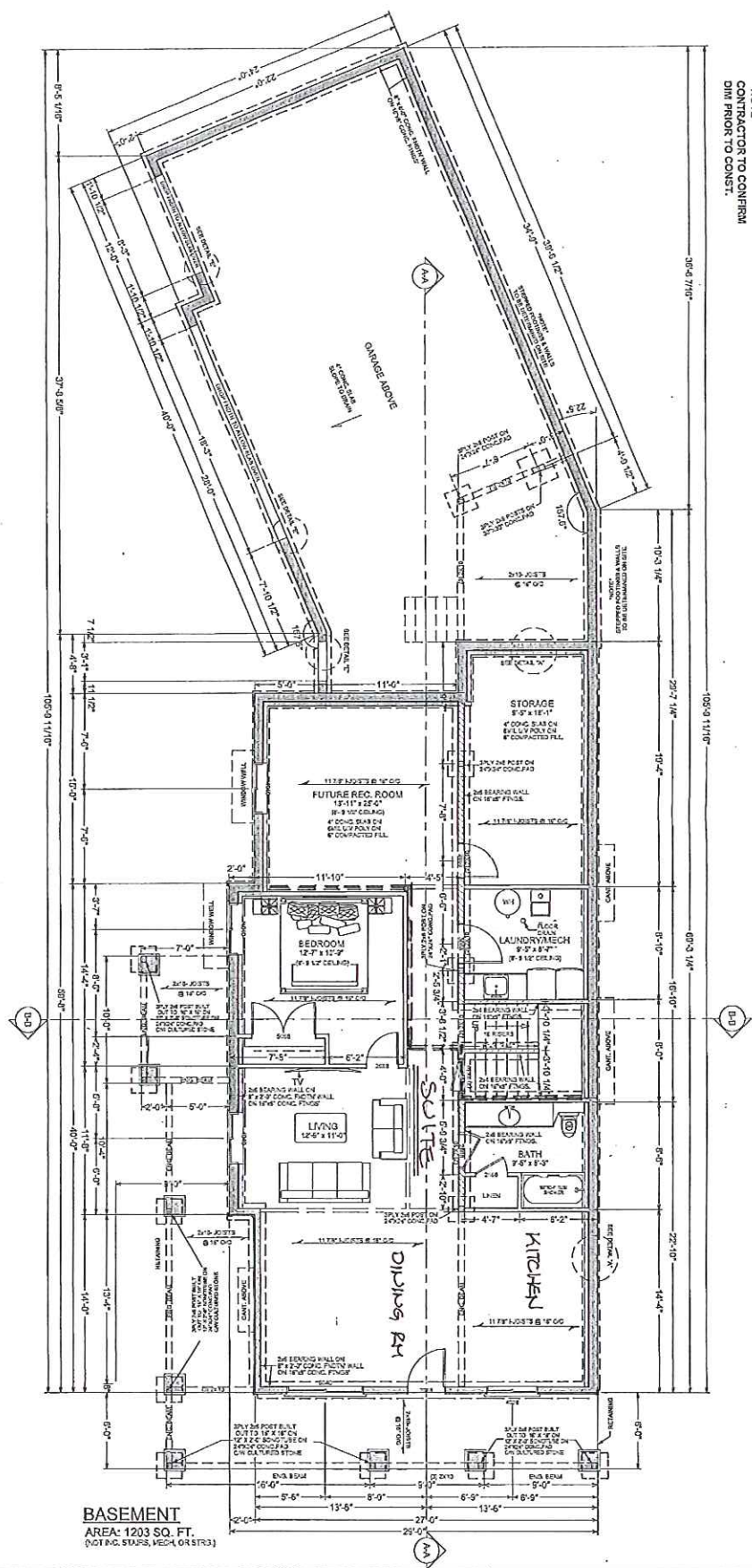
1964 Dayton Street  
Kelowna BC V1Y 7W6  
Bus: (250) 717-3415  
Cell: (250) 258-7819  
e-mail: mullinsdrafting@shaw.ca

PROPOSED PROJECT FOR  
WINNICK, CRAIG RESIDENCE

SCALE: 1/8" = 1'  
DATE: SEPT 01-2011

SHEET NUM  
**71**

NOTE  
 CONTRACTOR TO CONFIRM  
 DIM PRIOR TO CONST.



BASEMENT LEVEL

**BASEMENT**  
 AREA: 1203 SQ. FT.  
 (NOT INC. STAIRS, MECH. OR STRS.)

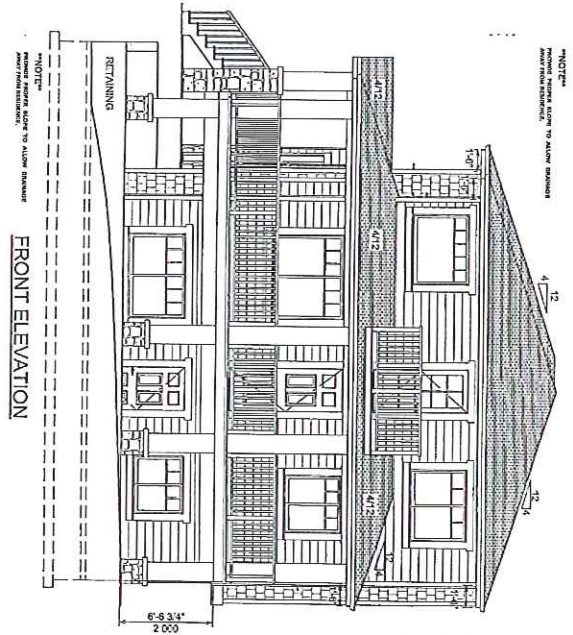


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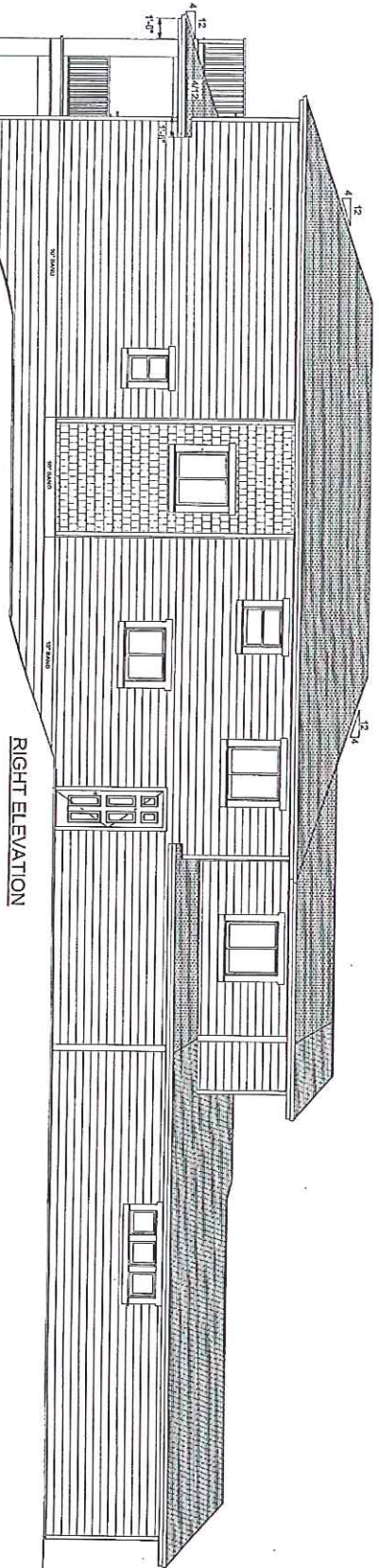
PROPOSED PROJECT FOR  
**WINNICK, CRAIG RESIDENCE**

SCALE: 1/4" = 1'  
 DATE: SEPT 01-2011

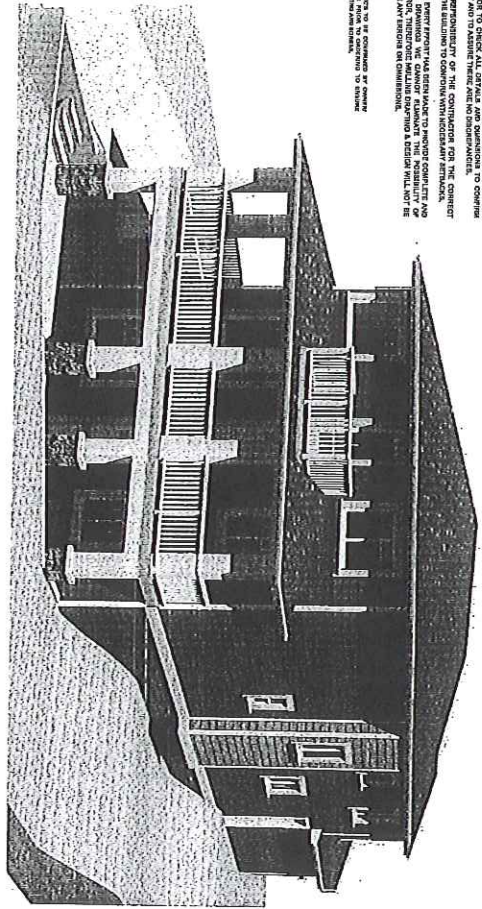
SHEET NUM  
**31**



FRONT ELEVATION



RIGHT ELEVATION



- GENERAL NOTES**
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITION OF THE B.C. BUILDING CODE AND ALL LOCAL LAWS AND BYLAWS.
  2. DESIGN CONSULTATION CONCERNING IT IS THE RESPONSIBILITY OF THE ACCIDENTAL AND TO OBTAIN THESE AND TO OBTAIN THEM.
  3. IT IS THE RESPONSIBILITY OF THE CONTRACTOR FOR THE CORRECT SETTING OF THE BUILDING TO COMPLY WITH NECESSARY ATTACHMENTS.
  4. ACCORDING TO THE B.C. BUILDING CODE TO PROVIDE CORRECT AND HEALTHY HOUSING, VENTILATION AND LIGHTING A DESIGN WILL NOT BE USED FOR ANY ROOMS OR COMPONENTS.
- NOTE** TO BE COMPLETED BY OWNER  
 APPROVED DRAWING TO BE COMPLETED BY OWNER  
 BEFORE COMMENCING WORK.

**REVISED PLANS**  
 SEP 09 2011  
 CITY OF KELOWNA  
 Land Use Management



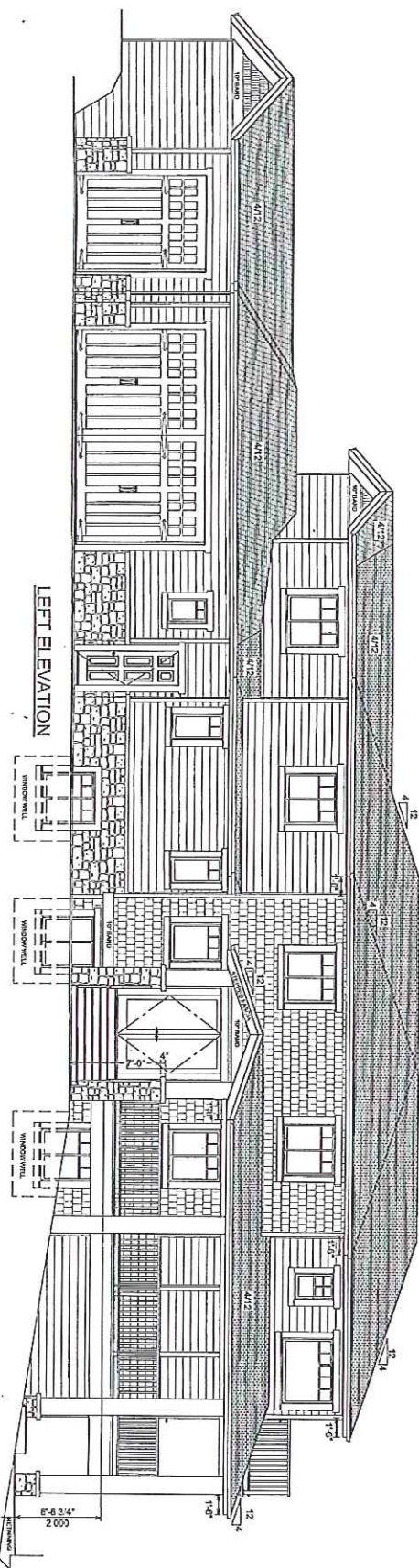
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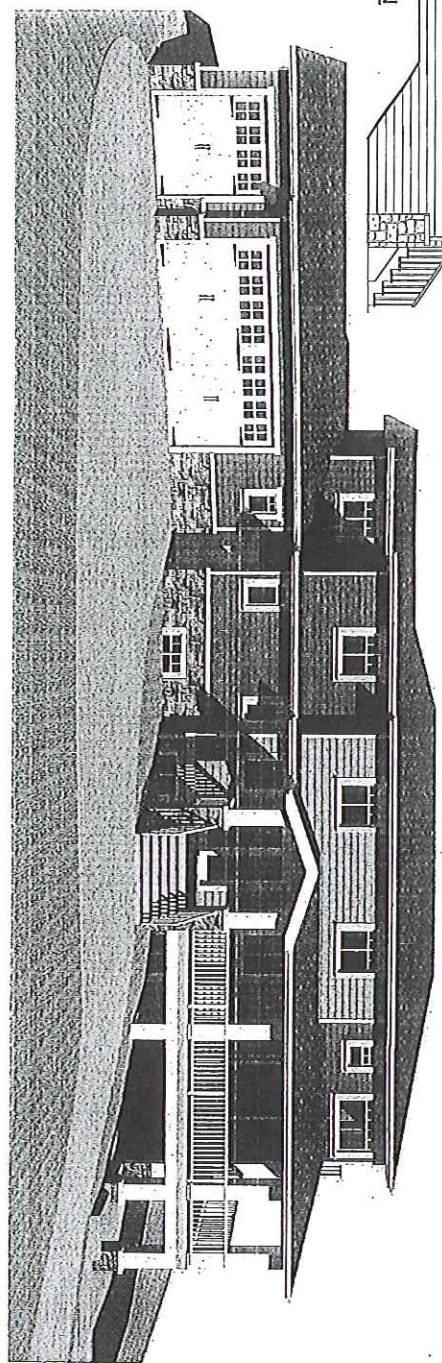
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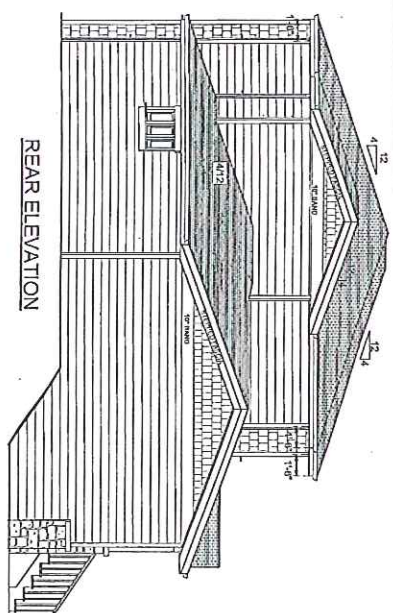
1/7



LEFT ELEVATION



REAR ELEVATION



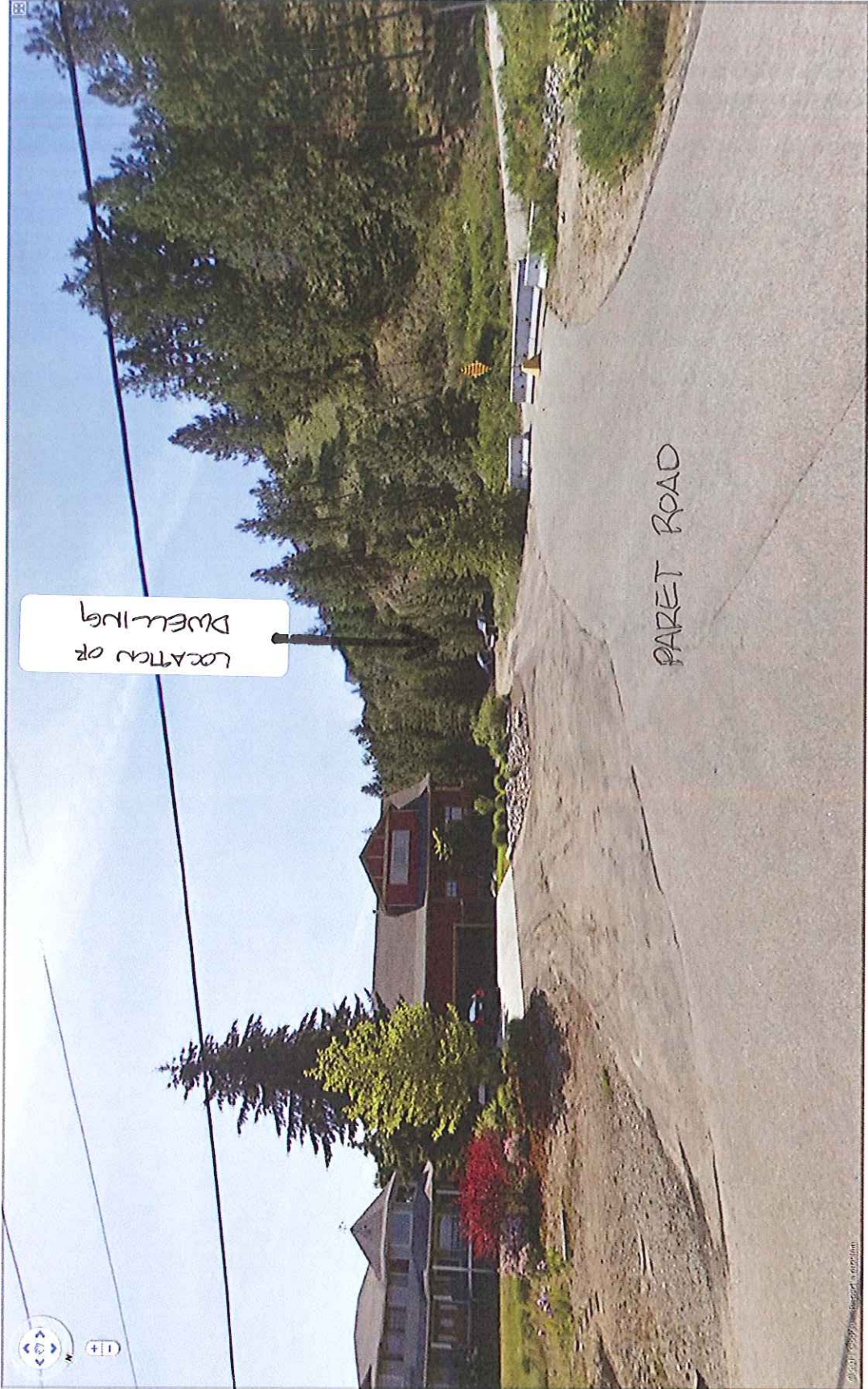
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PROPOSED PROJECT FOR  
 WINNICK, CRAIG RESIDENCE

SCALE: 1/4" = 1'  
 DATE: SEPT 01-2011

SHEET NUMBER

2/7



LOCATION OF DWELLING

PARET ROAD

