

Memo



Date: September 22, 2011

To: City Manager

From: Land Use Management, Community Sustainability (PMc)

Application: Z11-0044

Owner: Reynald T Grande &
Jennifer C. Grande

Address: 410 Woods Rd.

Applicant: Reynald T Grande &
Jennifer C. Grande

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. Z11-0044 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 5, Sec. 22, Twp. 26, O.D.Y.D., Plan 27146, located on Woods 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;

AND FURTHER THAT final adoption of Zone Amending Bylaw be considered subsequent to the requirements of Rutland Waterworks District and 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 legalize a secondary suite within the principal dwelling.

3.0 Land Use Management

This rezoning application has been made 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. 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 the suite is contained within the principal dwelling footprint.

4.0 Proposal

4.1 Background and Project Description

The dwelling was constructed on the subject property in 1979, and the carport area filled in and converted to living space in 1988. The applicant has owned the dwelling since 2005.

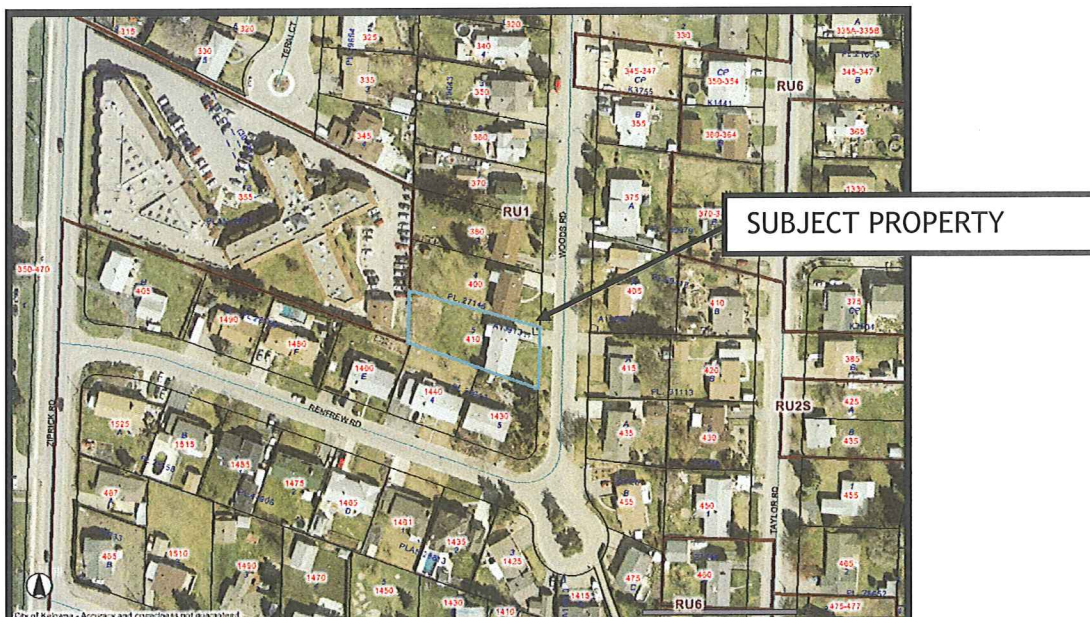
A bylaw investigation in September 2010 has determined the existence of an unauthorized secondary suite in the basement of the dwelling.

This application is seeking to legalize the existing one bedroom suite. The entrance to the suite is located in the front yard adjacent to the driveway. The applicant is proposing two new parking stalls to the rear yard in order to provide off-street parking for 3 vehicles. There is adequate private open space available on the property for both dwelling units.

4.2 Site Context

Location Map

410 Woods Road



The subject property is located on the west side of Woods Road, north of Renfrew Road, within the Rutland sector of Kelowna.

North	-	RU1 - Large Lot Housing - Single Unit Residential
South	-	RU1 - Large Lot Housing - Single Unit Residential
East	-	RU1 - Large Lot Housing - Single Unit Residential
West	-	P2 - Education and Minor Institutional - Seniors Care Home

4.3 Zone 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	1,198 m ²	550 m ²
Lot Width	24.5 m	16.5 m
Lot Depth	54 m	30 m
Development Regulations		
Site Coverage	11.2% Building 32% Buildings & Drwys	40% Buildings 50% Buildings & Drwys
Height	1½ storey	9.5 m / 2½ storey
Floor area principal dwelling	268m ²	N/A
Floor area of Secondary Suite / Ratio	90m ² / 33.5%	In principal dwelling: may not exceed lessor of 90 m ² or 40%
Front Yard	11 m	6.0m 4.5 m to garage
Side Yard (south)	1.83 m (1½ storey) ①	2.0m 1 or 1½ storey 2.0m 2 or 2½ storey
Side Yard (north)	3.2m (2 storey)	2.0m 1 or 1½ storey 2.3m 2 or 2½ storey
Rear Yard	33 m	7.5 m
Other Regulations		
Minimum Parking Requirements	3 stalls provided	3 stalls required
Private Open Space	Meets requirements	30 m ² per unit

NOTES;

- ① Existing Non-conforming setback

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.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.

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 Bylaw Services

Bylaw Services has an open file #178809 for an illegal suite; received September 15, 2010 and remains open.

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

6.3 Development Engineering Department

1. Subdivision

Provide easements as required

2. Sanitary Sewer.

The subject property is connected to the Municipal wastewater collection system.

3. Domestic Water.

The subject property is located within the Rutland Waterworks District (RWD). All charges and fees must be paid directly to RWD.

4. Miscellaneous.

a) The two proposed parking stalls cannot be accessed with the narrow aisle as proposed. The aisle width is not sufficient to allow a passenger vehicle turning movement. The minimum aisle width in the front of the parking stalls should be 6.0m.

b) This application does not trigger any offsite upgrades.

NOTE:

The parking lot in the rear yard has been reconfigured to provide a full 6.0m wide aisle width in front of the parking stalls to provide sufficient room for vehicle manoeuvring.

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 reviewed the attached referral. There is a registered right of way on the property title in favour of FortisBC in which are located a pad mount transformer and ground wire and possibly other duct work. As there is proposed parking to be located at the rear of the existing house, FortisBC's electrical facility within right of way plan A13913 must be protected from vehicle damage by bollards and possibly other protective measures. These are to be installed at the customer's cost and in conjunction with FortisBC's project group in order for instruction as to the installation to be provided to the civil contractor.

Please ensure the proponents of this application are advised to contact FortisBC's Call Centre at 1-866-436-7847 to set up an Open Item Number to ensure the protective measures are installed and that the electrical requirements for the proposed suite are reviewed and upgraded if required.

6.6 Irrigation District - RWD

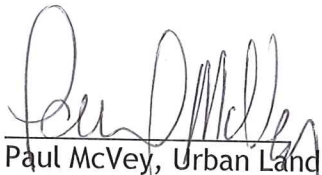
No Objection

7.0 Application Chronology

Date of Application Received: June 6, 2011

Revised parking plan received: September 12, 2011

Report prepared by:



Paul McVey, Urban Land Use Planner

Reviewed by:



Danielle Noble Manager, Urban Land Use Management

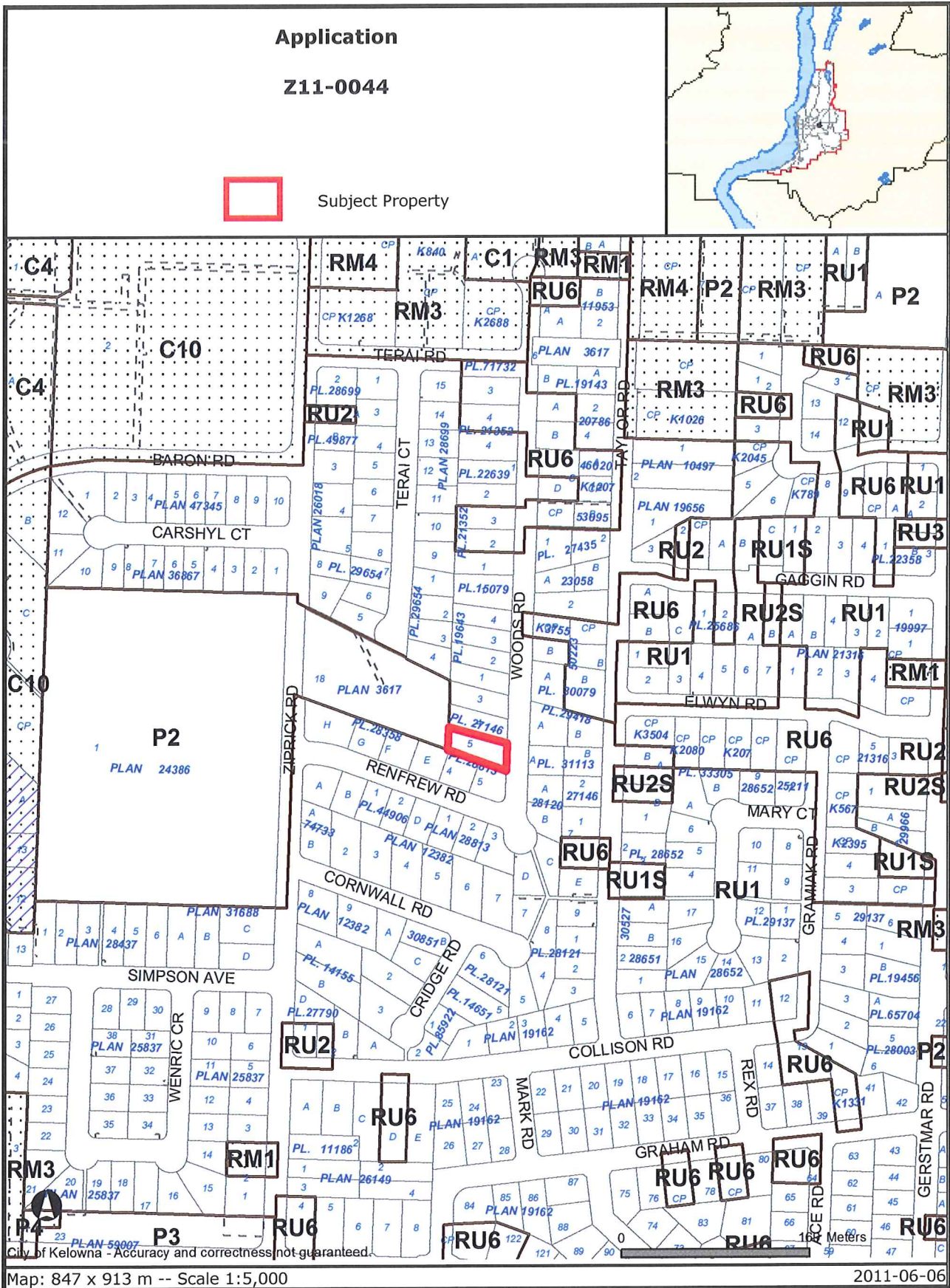
Approved for Inclusion:



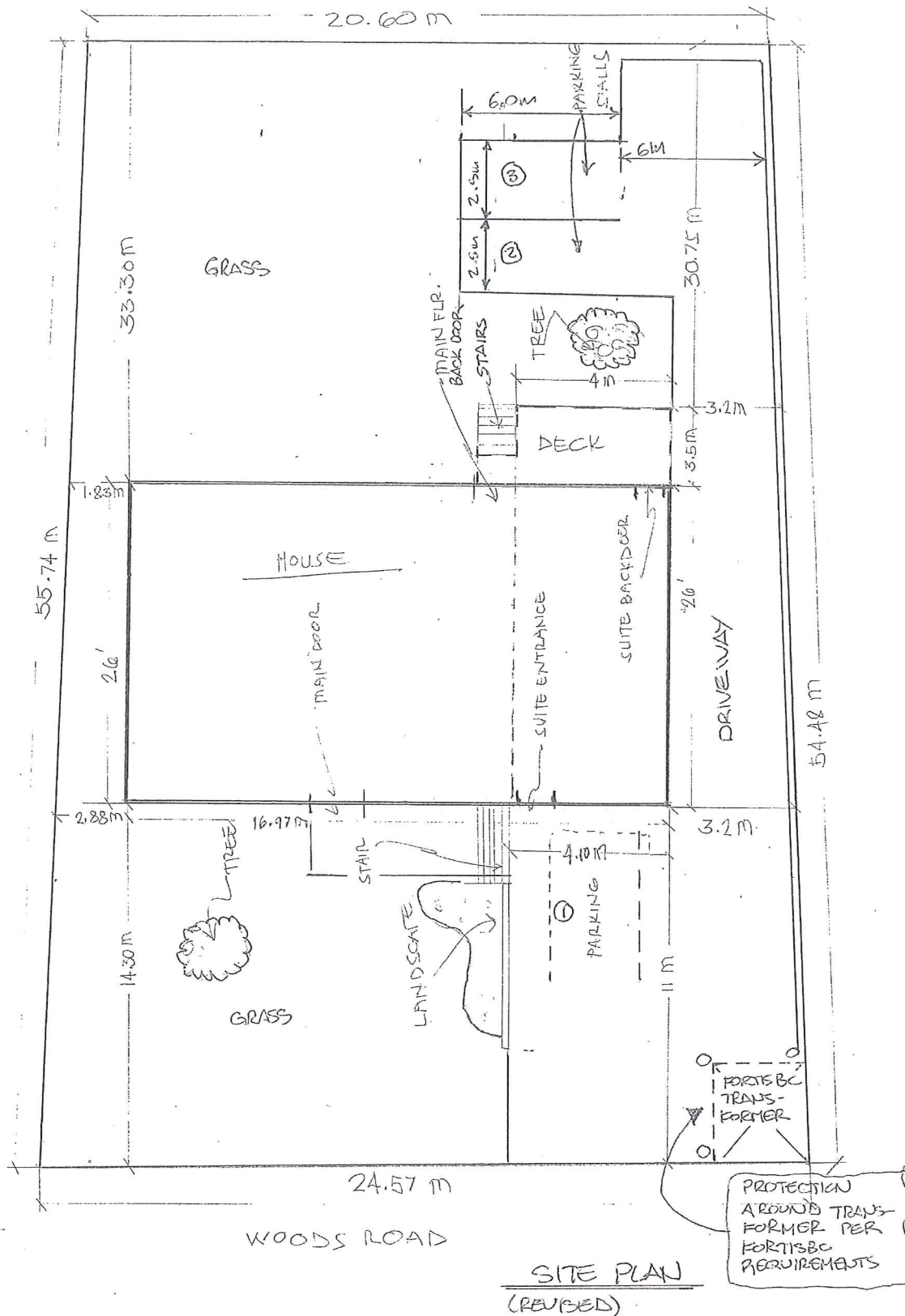
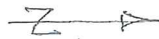
Shelley Gambacort, Director, Land Use Management

Attachments:

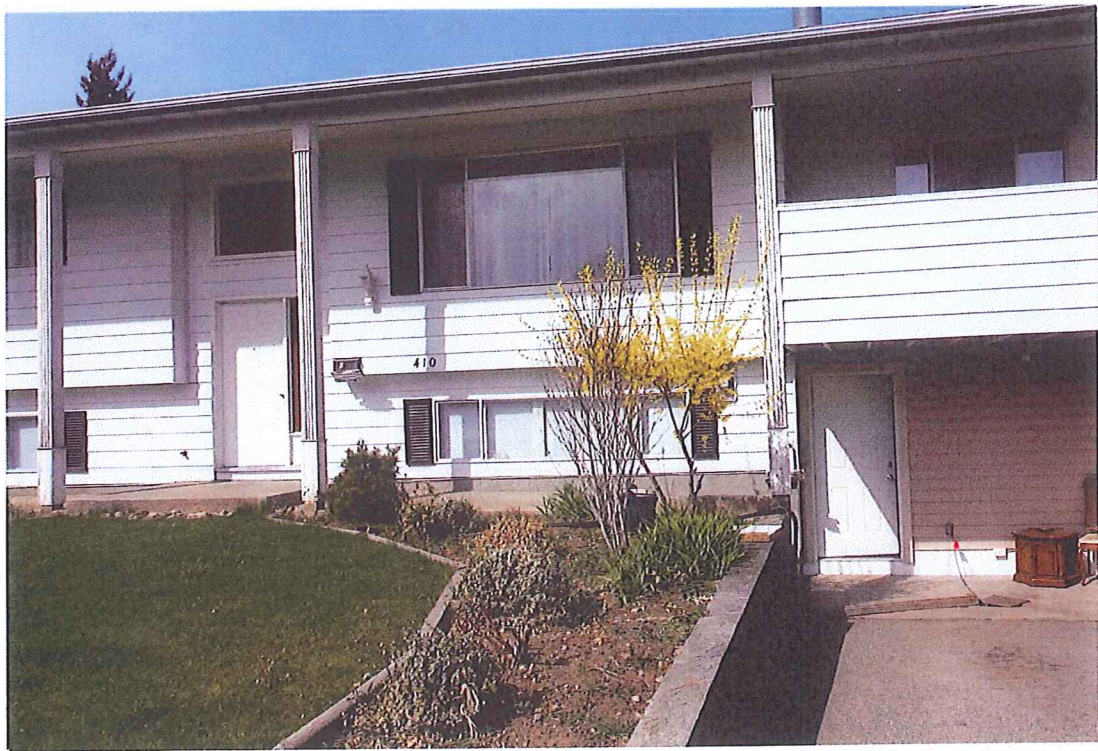
Subject Property map
Site Plan
Floor Plans
Context/Site Photos



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.



SITE PLAN
(REVISED)



FRONT YARD



REAR YARD