

REPORT TO COUNCIL



Date: February 1, 2012

To: City Manager

From: Land Use Management, Community Sustainability (BD)

Application: Z11-0048

Owner: Jang & Raj Bhatti and
Bakshish Kalyan

Address: 525 O'Keefe Ct.

Applicant: B. Kalyan

Subject: Rezoning Application

Existing OCP Designation: Single/two unit Residential

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU1s - Large Lot Housing with a Secondary Suite

1.0 Recommendation

THAT Rezoning Application No. Z11-0048 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 15, Section 27, Township 26, ODYD Plan 30321, located on O'Keefe Court, Kelowna, BC from the RU1 - Large Lot Housing Zone to the RU1s - Large Lot Housing with a 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 the Black Mountain Irrigation District being completed to their satisfaction.

2.0 Purpose

The applicant seeks to rezone the parcel from the RU1-Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone to legalize an existing suite in a 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.

The proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area. Secondary suites are important for providing increased housing

density and availability at all price points, especially in areas that are generally less dense, or have low vacancy rates. Minimal impact (if any) is anticipated on abutting properties, as the suite is within the single family dwelling footprint and parking requirements and private open space provisions are achieved on-site.

4.0 Proposal

4.1 Project Description

The illegal suite occupies the ground floor of a single family dwelling. The one bedroom unit is accessed through the carport on the north side of the home. A concrete patio area is available immediately east of the entrance for the occupants use. The plan provided notes four parking stalls in the driveway, however there is a garage structure at the back of the site which would require access through the carport, essentially providing only three stalls in total for parking.

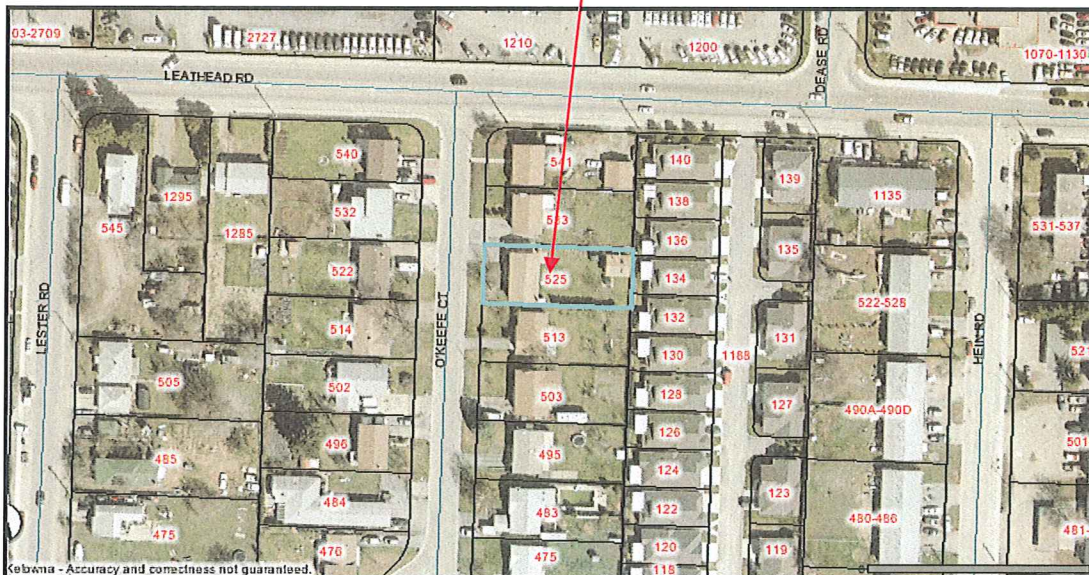
4.2 Site Context

The subject property is located on the east side of O’Keefe Court, in Rutland. The subject property is situated near schools, transit and a commercial and industrial area. More specifically, the adjacent land uses are as follows:

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Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single residential dwelling
East	RU5 - Bareland Strata Housing	Single strata residential dwellings
South	RU1 - Large Lot Housing	Single residential dwelling
West	RU1 - Large Lot Housing	Single residential dwelling

4.3 Subject Property Map: 525 O’Keefe Court



4.4 The proposed application meets the requirements of RU1s- Large Lot Housing with a secondary suite zone as follows:

Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	550 m ²	861 m ²
Lot Width	16.5 m	18.29 m
Lot Depth	30 m	47.09 m
Development Regulations		
Floor Area Ratio Secondary Suite / Principal	May not exceed the lesser of 90 m ² or 40%	Suite = 60.5 m ² Principal Dwelling = 193.2m ² Ratio: 31%
Height	2 ½ storeys / 9.5 m	2 storeys / 7m
Front Yard	4.5 m / 6.0 m to a garage	7.62m
Side Yard (south)	2.0 m (1 - 1 ½ storey) 2.3 m (2 - 2 ½ storey)	1.52m ^①
Side Yard (north)	2.0 m (1 - 1 ½ storey) 2.3 m (2 - 2 ½ storey)	1.52m ^①
Rear Yard	7.5 m	30.45m
Site Coverage (buildings)	40%	22 %
Site Coverage (buildings/parking)	50%	33.6 %
Other Regulations		
Minimum Parking Requirements	3 stalls	1 vehicle carport and 2 driveway stalls
Private Open Space	30 m ²	Meets requirements

① Existing non-conforming side yard set backs

5.0 Current Development Policies

Relevant policies are included below

5.1 Kelowna Official Community Plan (OCP)

Policy 5.2.3 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.

Policy 5.3.2 Compact Urban Form.² 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

¹ Official community plan Objective 5.2 Community Sustainability

² Official community plan Objective 5.3 Focus development to designated growth areas.

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).

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

No requirements except for those outlined by the Black Mountain Irrigation District.

6.3 Bylaw Services

Bylaw Services currently is investigating an illegal suite at this location; Service Request 167604.

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 Irrigation District

See attached letter.

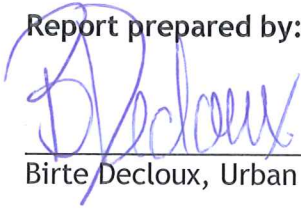
7.0 Application Chronology

Date of Application Received: June 16, 2011

Application Refinement: December 9, 2011

Completion of the Council report was delayed to accommodate the owners travel plans and desire to attend the public hearing.

Report prepared by:



Birte Decloux, Urban Land Use Planner

Reviewed by:



Danielle Noble Manager, Manager, Urban Land Use

Approved for Inclusion:

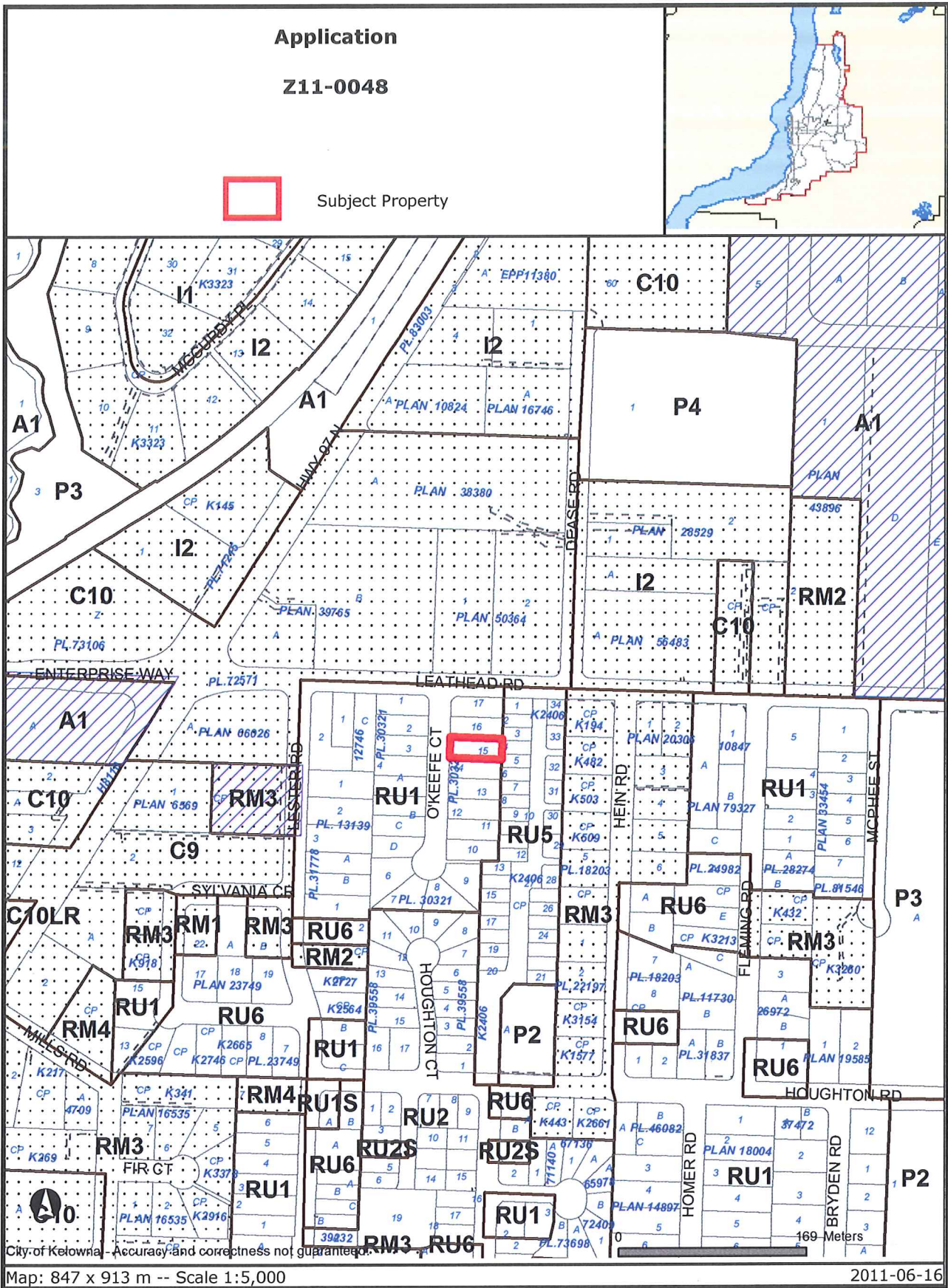


Shelley Gambacort, Director, Land Use Management

Attachments:

Subject Property Map
Site/Landscape Plan
Survey Plan
Suite Floor Plans
Context/Site Photos
Technical comments





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 OF LOCATION
ON LOT 15, PLAN 30321, SEC. 27, TP. 26, O.D.Y.D.**

*Above
after 3 reads*

Lot 16

Plan 30321

47.095

Lot 15

Plan 30321

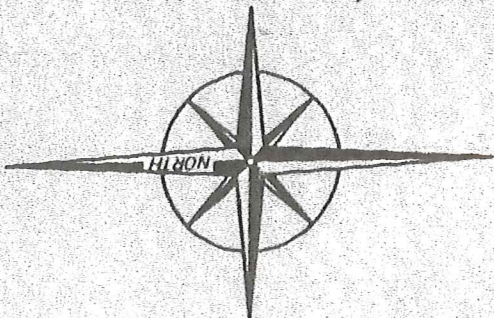
47.095

Lot 14

Plan 30321

O'Keefe Court

Plan KAS240



Nov. 28/06

B. Thind

18.288

332

8.77

Carport

House

#525

1.52

1.52

18.288

19' 0" 61

2.88

6'

6'

Martin J. Russell File: Caval - #200309

SCALE: 1:300 ALL DISTANCES ARE IN METRES.

VAN G. R. P. & COMPANY
land surveyors
 2004 201-1470 ST. PAUL STREET
 KELOWNA, B.C. TEL: (250) - 763-5711

CERTIFIED CORRECT THIS 29th of September, 2004.

[Signature]
 THIS DOCUMENT NOT VALID UNLESS
 ORIGINALY SIGNED AND SEALED. B.C.L.S.

LOT DIMENSIONS ARE FROM REGISTERED RECORDS.
 THIS PLAN PREPARED FOR MUNICIPAL AND/OR MORTG
 PURPOSES ONLY AND IT IS NOT TO BE USED FOR THE
 ESTABLISHMENT OF PROPERTY BOUNDARIES.

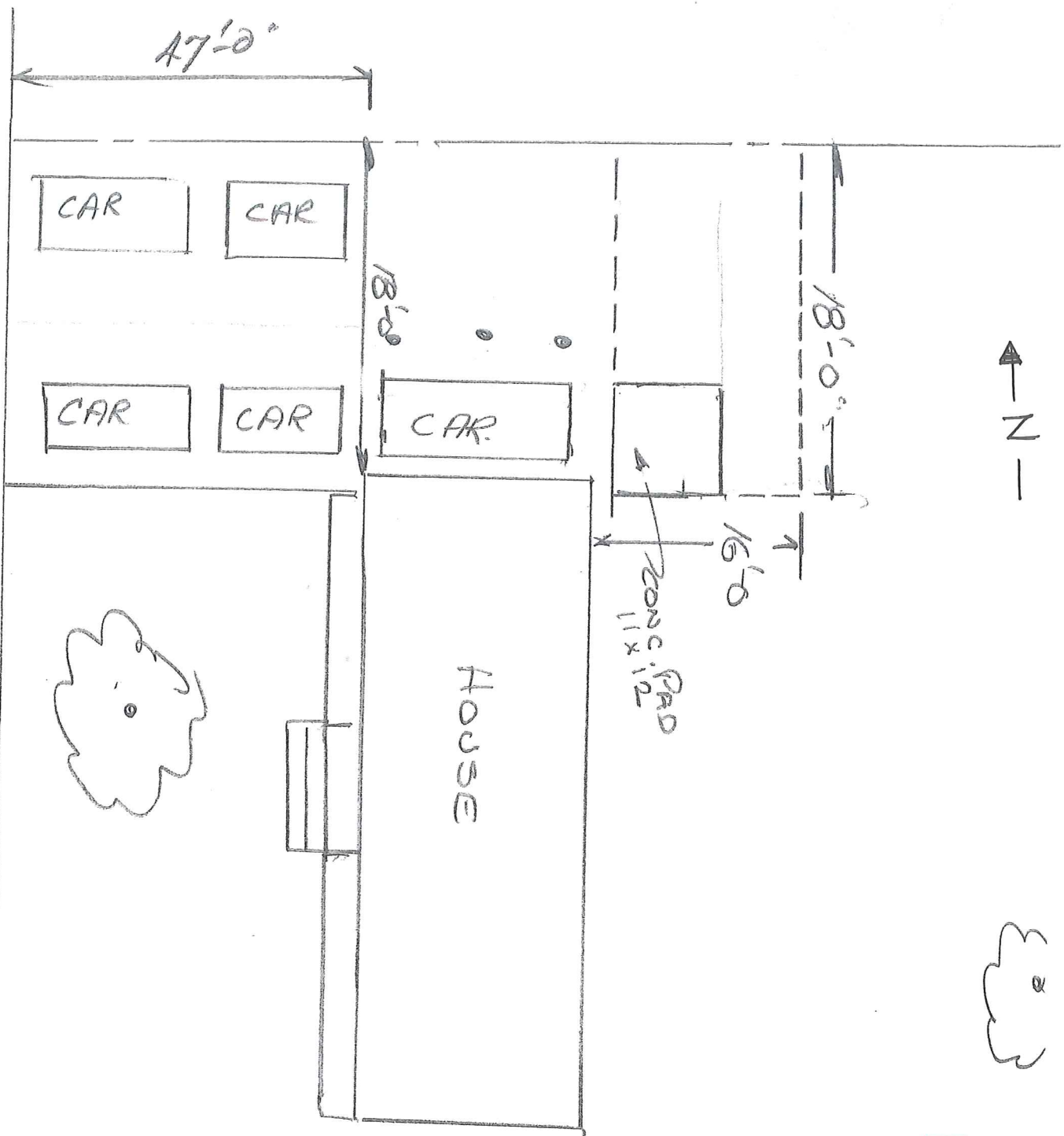
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REVISED PLANS

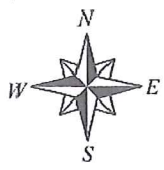
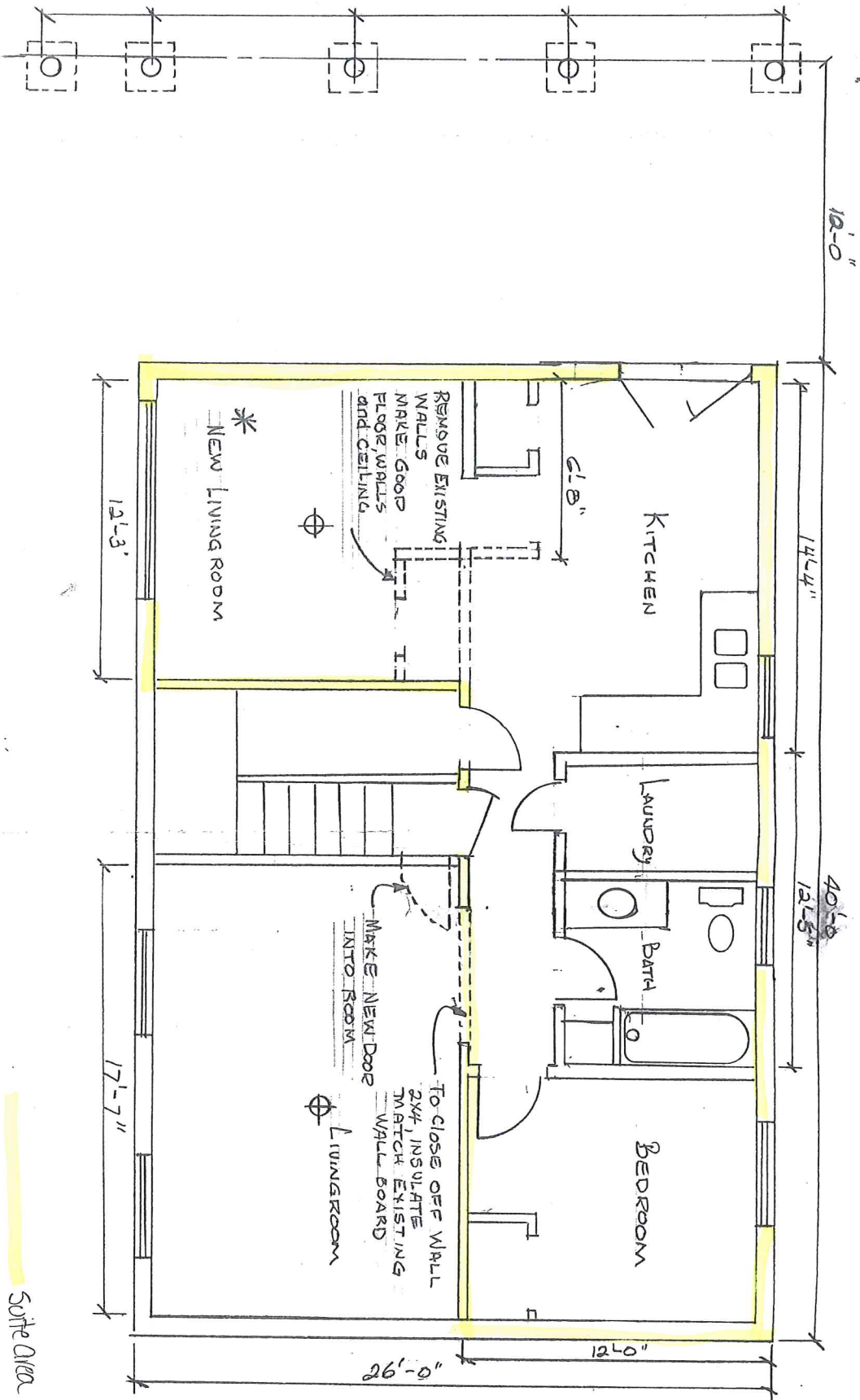
DEC 09 2011

CITY OF KELOWNA
Land Use Management



PARKING PLAN
PRIVATE OUTDOOR SPACE

BAKHSHISH SINDA KATYA
525 O'KEEFE CRT
LOT 15 PLAN 3032
SEC. 27 TP 260D



REVISED PLANS

DEC 09 2011

CITY OF KELOWNA
Land Use Management

BASEMENT PLAN

BAKHSHI SINGH KARYAN
585 O'KEEFE CRT
LOT 15, PLAN 30321 SEC. 27 T12S 001





Office: (250) 765-5169
Fax: (250) 765-0277
www.bmid.ca

BMID File No. 2011.01

July 4, 2011

FILE COPY

City of Kelowna
Planning and Development Services Department
1435 Water Street
Kelowna, BC V1Y 1J4

Attention: Birte Decloux

RE: **City File No. Z11-0048**
Lot 15, Plan 30321 – 525 O'Keefe Court
Water Service Requirements

Your request for comments dated June 16/11 was received at our office on June 30, 2011. This letter sets out our requirements for water supply related to the legalization of a secondary suite in the basement of the existing house physically located at 525 O'Keefe Court, Lot 15, Plan 30321.

CONNECTION & METER FEES:

As per Bylaw No. 667, the Connection fee for a legal suite is **\$100.00**. A meter assembly is also required for the home and is to be installed by Corix Utilities. The cost for a meter based on an installation to a newly constructed dwelling is **\$383.55**. Additional meter fees may apply due to plumbing configuration.

CAPITAL CHARGES:

As per bylaw No. 678, the capital expenditure charge for the proposed suite is **\$1,080.00**. This money is to fund water source development and larger supply mains as defined in the BMID Capital Plan.

If the applicant agrees to the above conditions **they must come in to our office to complete a *BMID Application for Building* form and pay the applicable charges.** Once these requirements have been met, we will issue a water certificate to the City of Kelowna.

Please review this information and call us if you have questions. Additional information on the development process can be found at our website at www.bmid.ca.

Yours truly,
Black Mountain Irrigation District

R. Hrasko, P.Eng.
Administrator

Cc: Bakshish Kalyan – 525 O'Keefe Rd, Kelowna, BC V1X 6B1