REPORT TO COUNCIL

City of Kelowna

Date:	March 14, 2012		
To:	City Manager		
From:	Land Use Management, Community Sustainability (BD)		
Application:	Z12-0005	**Owner:**	Lloyd and Yukari Balabanov
Address:	345 Snowsell Street	**Applicant:**	Troy Fehr
Subject:	Rezoning Application		
Existing OCP Designation:	Single/Two Unit Residential		
Existing Zone:	A1 - Agriculture 1		
Proposed Zone:	RU1s - Large Lot Housing with Secondary Suite		

1.0 Recommendation

THAT Rezoning Application No. Z12-0005 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4, Sections 4 and 9, Township 23, ODYD, Plan 22405, located on 345 Snowsell Street, Kelowna, BC from the A1 - Agriculture 1 zone to the RU1s - Large Lot Housing with Secondary Suite zone be, considered by Council.

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT a building permit for the suite be applied for prior to final adoption of the zone.

2.0 Purpose

This application is seeking to rezone the subject property from the from the A1 - Agriculture 1 zone to the RU1s - Large Lot Housing with Secondary Suite zone to legalize a secondary suite within 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 subject property is zoned A1 - Agriculture 1, however it meets the requirements for a non-conforming lot as per Zoning Bylaw section 1.7.1 and thus the regulation of the RU1 - Large lot housing would apply. In an effort to acknowledge the lot size and urban servicing, rezoning the property to RU1s reflects the appropriate development regulations of the property potential.

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. The subject property is located within the Permanent Growth Boundary and limited amenities are available within the immediate area. 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 Project Description

A secondary suite is currently located on the lower floor of the single family dwelling on the subject property. To make the suite confirm to the Zoning bylaw regulations, the owner will be incorporating portions of the suite into the main floor of the dwelling. The resulting suite will be a one bedroom unit with a full kitchen and living room area. Parking is easily achieved on a pad next to the carport. The rear yard will be allocated to the suite as the private outdoor space.

Given that this rezoning application is a result of a bylaw investigation, the suite must be eligible for final occupancy prior to final adoption. This process will ensure that the suite meets the appropriate BC Building code requirements.

4.2 Site Context

The subject property is located on the east side of Snowsell Street North in the Glenmore area of Kelowna. Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 - Agriculture 1 (regulated at RU1)	Single Family Dwelling
East	A1 - Agriculture 1	Glenmore Road North Green Space
South	A1 - Agriculture 1 (regulated at RU1)	Single Family Dwelling
West	A1 - Agriculture 1 P2 - Educational and Minor Institutional	Agricultural site Retirement Home

Subject Property Map: 345 Snowsell Street

4.3 Zoning Analysis Table

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

Zoning Analysis Table		
CRITERIA	**RU1s ZONE REQUIREMENTS**	**PROPOSAL**
Existing Lot/Subdivision Regulations		
Lot Area	550 m^2	905.71 m^2
Lot Width	16.5 m	22.86 m
Lot Depth	30 m	39.62 m
Development Regulations		
Floor Area Ratio Secondary Suite / Principal	May not exceed the lessor of 90 m^2 or 40%	Principal dwelling: 250.1 m^2 Secondary suite: 86.7 m^2 35%
Height	2 ½ storeys / 9.5 m	3.7 m
Front Yard	4.5 m / 6.0 m to a garage	16.06 m
Side Yard (south)	2.0 m (1 - 1 ½ storey)	7.58 m
Side Yard (north)	2.0 m (1 - 1 ½ storey)	2.94 m
Rear Yard	7.5 m	11.74 m
Other Regulations		
Minimum Parking Requirements	3 stalls	1 in carport, 1 tandem stall and 1 next to carport
Private Open Space	30 m^2	exceeds the minimum required

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

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 Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

[1] Official community plan Objective 5.2 Community Sustainability
[2] Official community plan Objective 5.3 Focus development to designated growth areas.

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

Domestic Water and Fire Protection:
This development is within the service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and upgrading costs are to be paid directly to the GEID. (*GEID has confirmed that capital expenditure charge for a secondary suite has already been paid*)

Sanitary Sewer:
Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service complete with inspection chamber (IC). No service upgrades are required for this application.

Site Related Issues:
Provide on-site parking for the proposed dwelling.

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

#213338 - zoning, illegal suite; generated November 24, 2011 and remains open to this date.

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: February 10, 2012

Report prepared by:

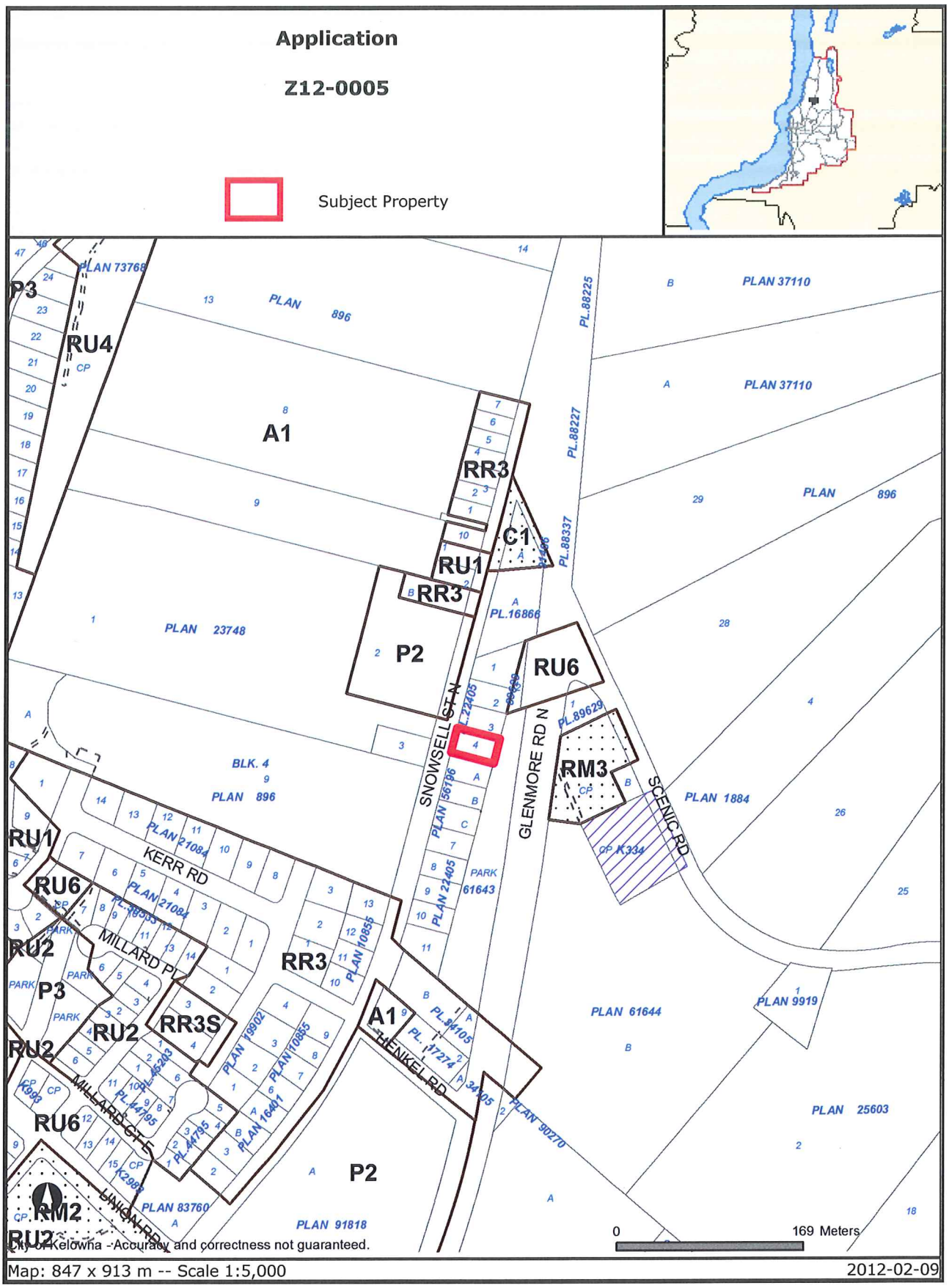
Birte Decloux, Urban Land Use Planner

Reviewed by: Danielle Noble Manager, Manager, Urban Land Use

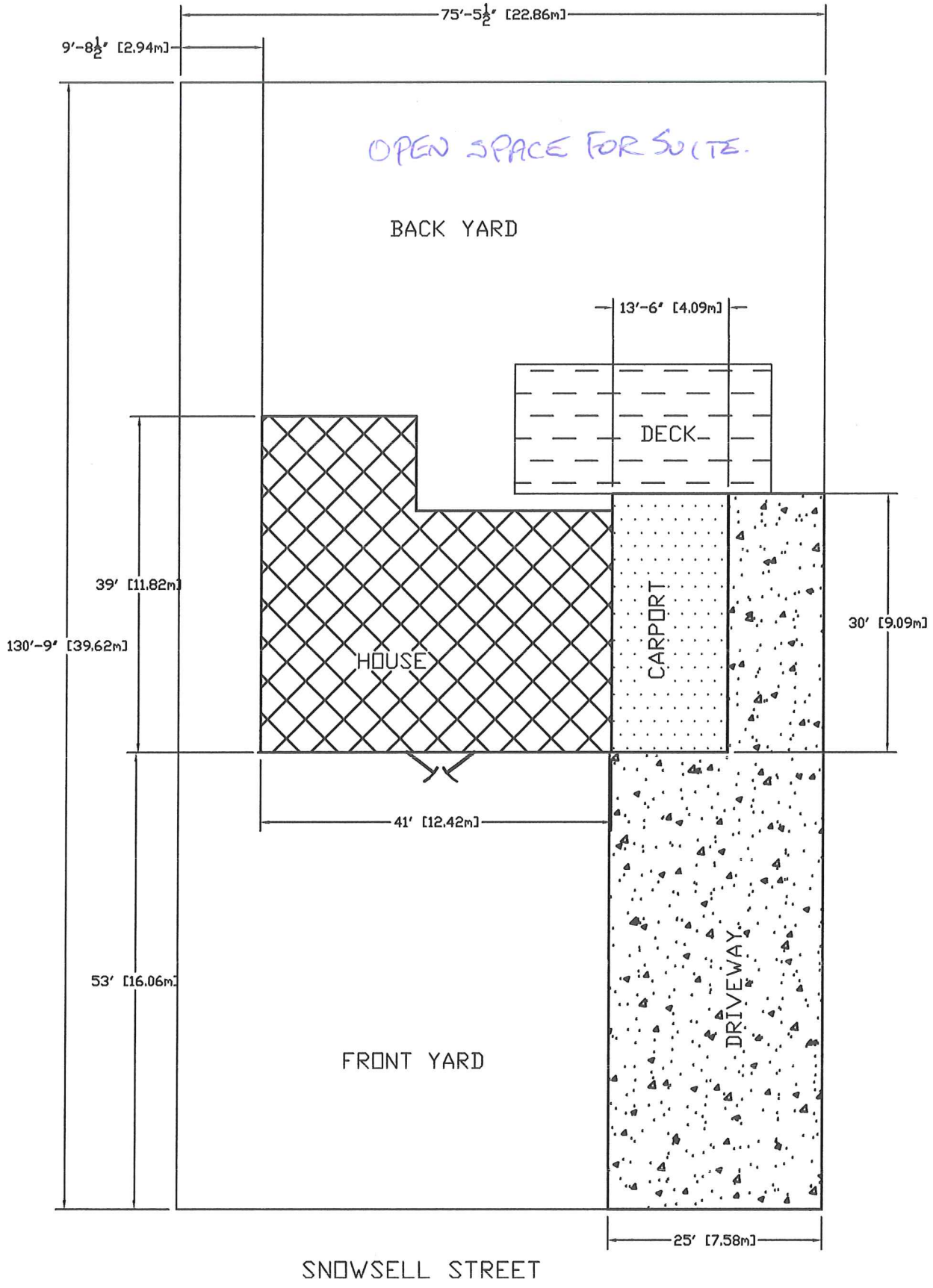
Approved for Inclusion: Shelley Gambacort, Director, Land Use Management

Attachments:

Site/Landscape Plan
Suite Floor Plan
Main Floor Plan
Context/Site Photos

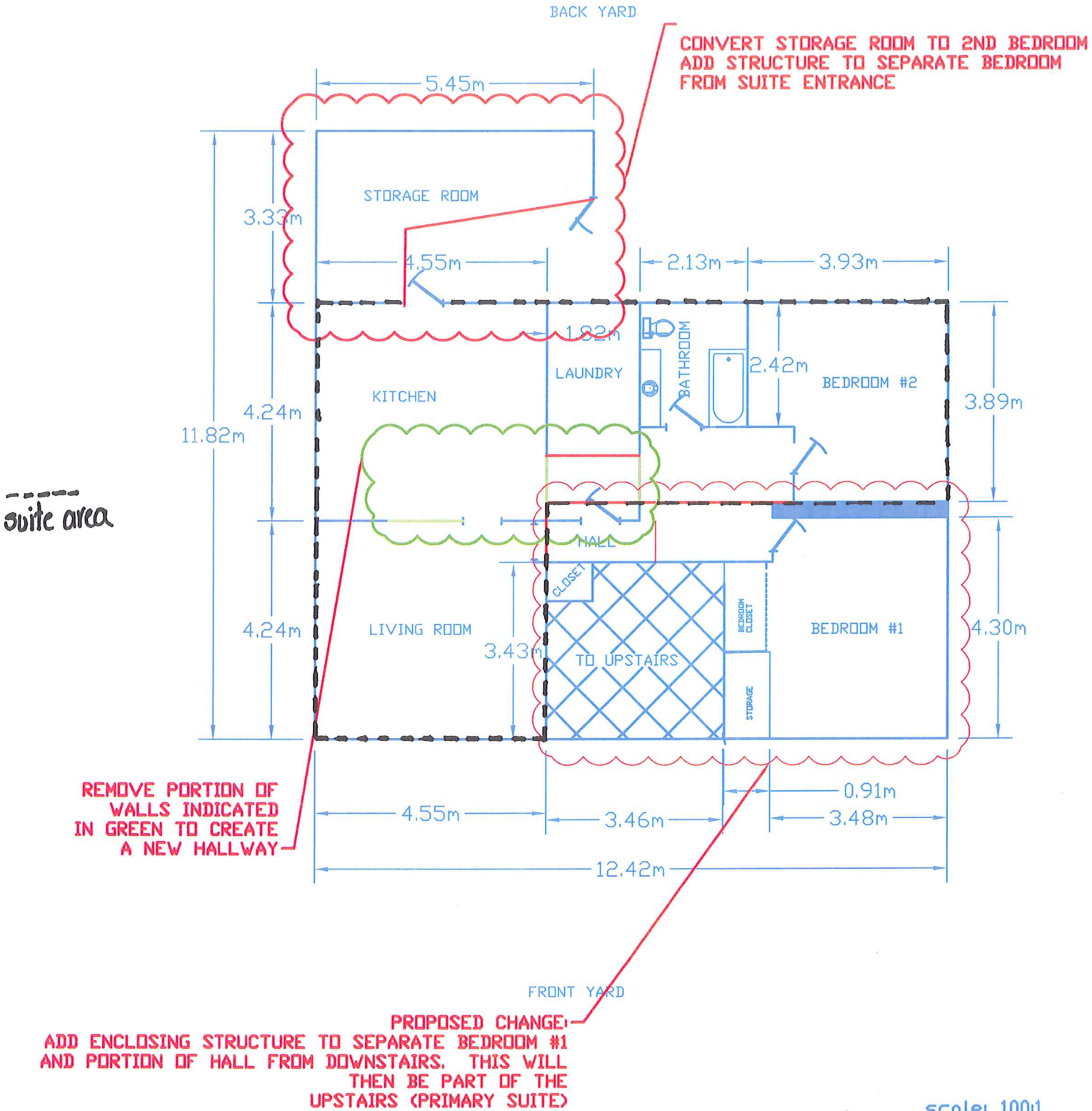


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



345 NORTH SNOWSELL - OUTSIDE
FEB 4, 2012

PROPOSED CHANGES TO CONVERT TO SECONDARY SUITE



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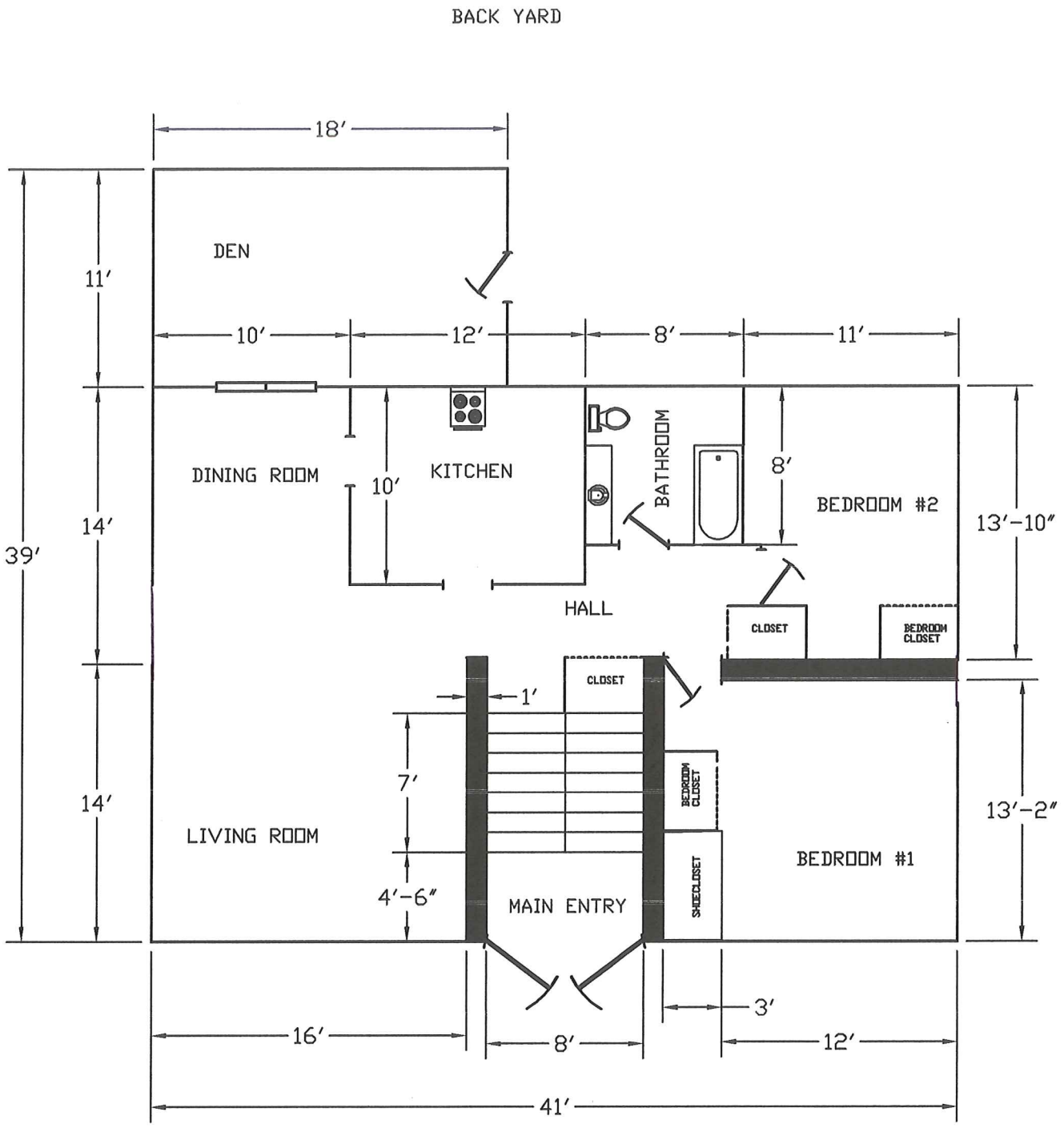
LOWER FLOOR

345 NORTH SNOWSELL - LOWER
FEB 4, 2012



FRONT YARD

MAIN FLOOR

345 NORTH SNOWSELL - UPPER
FEB 4, 2012