

REPORT TO COUNCIL



Date: May 18, 2012
To: City Manager
From: Land Use Management, Community Sustainability (BD)
Application: Z12-0025 **Owner:** David Alan & Monica Laura Haiworonsky
Address: 4155 McClain Road **Applicant:** David Haiworonsky
Subject: Rezoning Application
Existing OCP Designation: Resource Protection Area
Existing Zone: RR1 - Rural Residential 1
Proposed Zone: RR1s - Rural Residential 1 with Secondary Suite

1.0 Recommendation

THAT Rezoning Application No. Z12-0025 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 2 and 3, Township 26, ODYD Plan KAP91355, located on 4155 McClain Road, Kelowna, BC from the RR1 - Rural Residential 1 zone to the RR1s - Rural Residential 1 with Secondary Suite zone be, considered by Council;

AND THAT the 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 Development Engineering (Interior Health) being completed to their satisfaction.

2.0 Purpose

This application is seeking to rezone the subject property from the RR1 - Rural Residential 1 zone to the RR1s - Rural Residential 1 with Secondary Suite zone to construct a secondary suite within a single family dwelling.

3.0 Land Use Management

A significant amount of residential development exists in rural and semi-rural areas within Kelowna. The subject property is located outside of the permanent growth boundary in a very isolated area. All services and amenities are only attainable with the use of a vehicle. However, as the suite is being constructed within an existing single family dwelling and can

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easily achieve parking and open space requirements, Staff recommend support for the application.

4.0 Proposal

4.1 Project Description

A new single family dwelling was constructed on the subject property in the fall of 2011. The space above the garage was left empty with the intension of creating a suite in this location once Council has considered the rezoning request. The use of the suite is intended for family visitors and it is not expected to be a rental unit.

The one bedroom secondary suite is accessed through a stairwell at the rear of the building. The site plans indicates that ample private outdoor open space is provided for the suite. Parking is located within a single car garage and an additional tandem space in front of the garage for the suite use.

4.2 Site Context

The subject property is located on the south side of McClain Road in South East Kelowna. It is an area of large rural properties. The surrounding properties are zoned as follows:

| Orientation | Zoning | Land Use |
|-------------|--|--|
| North | A1 - Agriculture 1 A1s - Agriculture 1 with secondary suite | Rural residential dwellings some with secondary suite in mobile home |
| East | RM7 - Mobile Home Park | Mobile Home Park |
| South | RR1 - Rural Residential 1 | Rural residential dwellings |
| West | A1 - Agriculture 1 | Rural residential dwellings |

4.3 Subject Property Map: 4155 McClain Road



4.4 Zoning Analysis Table

The application meets the requirements of RR1s - Rural Residential with Secondary Suite as follows:

| Zoning Bylaw No. 8000 | | |
|---------------------------|--|--|
| CRITERIA | PROPOSAL | RR1S ZONE REQUIREMENTS |
| Subdivision Regulations | | |
| Lot Area | 10,001 m ² | 8000 m ² |
| Lot Width | 70.4m | 40 m |
| Lot Depth | 113.24 - 174 m | 30 m |
| Development Regulations | | |
| Site Coverage (buildings) | 0.27 % | 10% |
| Height | 8.81m to peak | Lessor of 2 ½ storeys / 9.5 m |
| Floor Area Ratio | May not exceed the lessor of 90 m ² or 40% | Principal dwelling: 270 m ² Secondary suite: 69 m ² 25 % |
| Front Yard | Exceeds 6.0 m | 6.0 m |
| Side Yard (e) | 39m | 3.0 m except 4.5m from a flanking street |
| Side Yard (w) | 6.77m | 3.0 m except 4.5m from a flanking street |
| Rear Yard | 10.15 m | 10 m |
| Other Requirements | | |
| Parking Stalls (#) | 2 spaces in a double garage for the principal dwelling plus 1 in a single car garage for the suite. Tandem spaces are also available | 3 spaces |
| Private Open Space | meets requirements with balcony and ground level area | 30 m ² of private open space per dwelling |

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

The subject property has a future land use designation of Resource Protection Area.

6.0 Technical Comments

6.1 Building & Permitting Department

- 1) Development Cost Charges (DCC's) to be paid prior to issuance of any BP.
- 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 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) A fire rated exit stairwell is required from the suite to the exterior c/w fire rated doors that open into the stairwell and a fire rating on the bottom of the stairs.

6) The Building Code only allows for a secondary suite to be 40% of the main residence to a maximum of 90 sq. meters.

7) Full Plan check for Building Code related issues will be done at time of BP.

6.2 Development Engineering Department

See attached.

6.3 Bylaw Services

No concerns.

6.4 Fire Department

Requirements of section 9.10.9.14 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.

6.5 Interior Health Authority

Confirmed that new septic system was created to serve a single family dwelling and one bedroom suite for total of 5 bedrooms. Letter of certification not yet received by IHA, and recommend that final adoption be contingent of receipt of a Letter of Certification to IHA and City of Kelowna.

7.0 Application Chronology

Date of Application Received: April 10, 2012

Application Refinement and Required Correspondence received: May 15, 2012

Report prepared by:

Birte Decloux, Land Use Planner

Reviewed by:



Danielle Noble Manager, Urban Land Use

Approved for Inclusion:

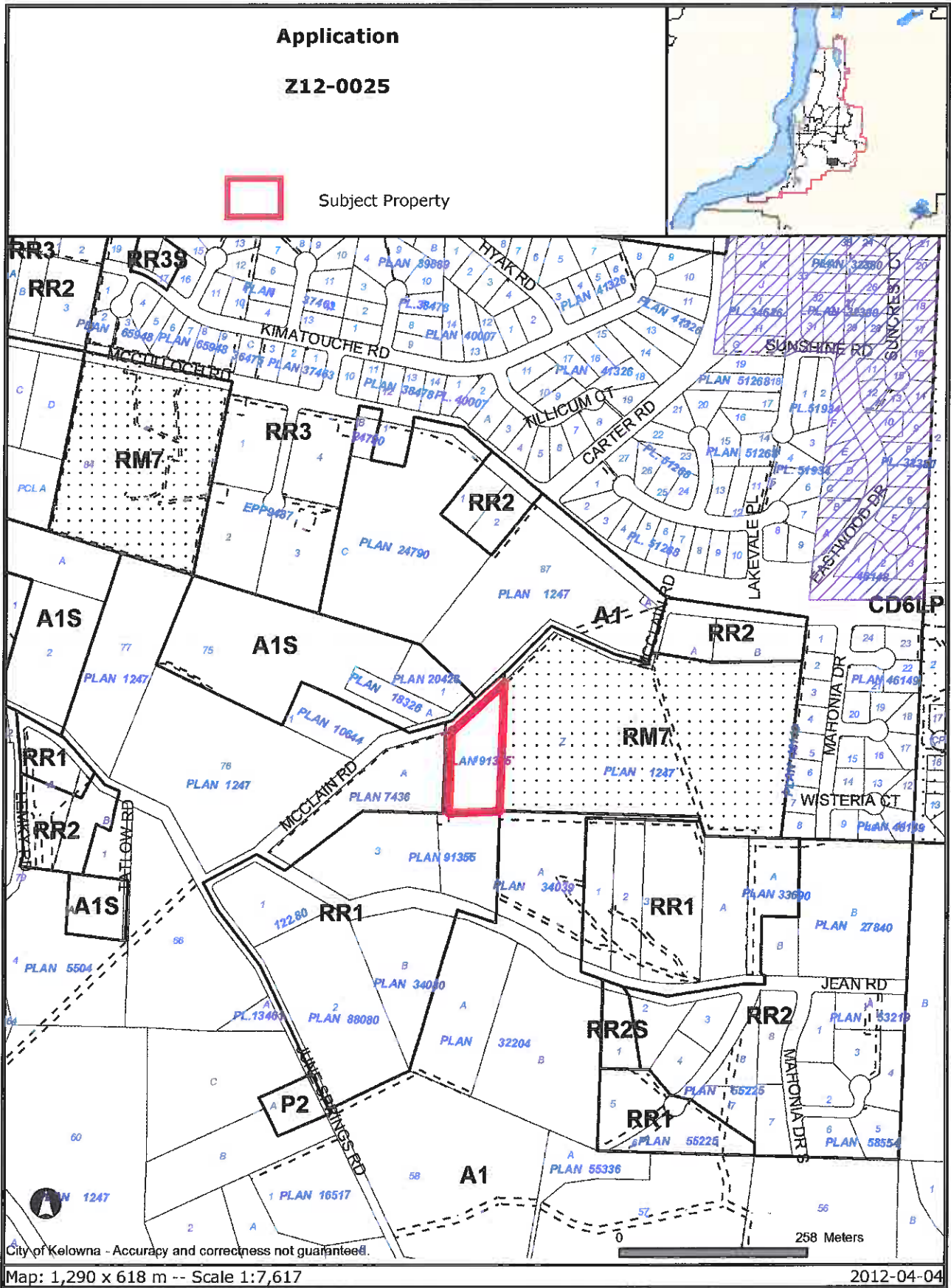
Shelley Gambacort, Director, Land Use Management

Attachments:

Site Plan

Elevations & Suite floor plan

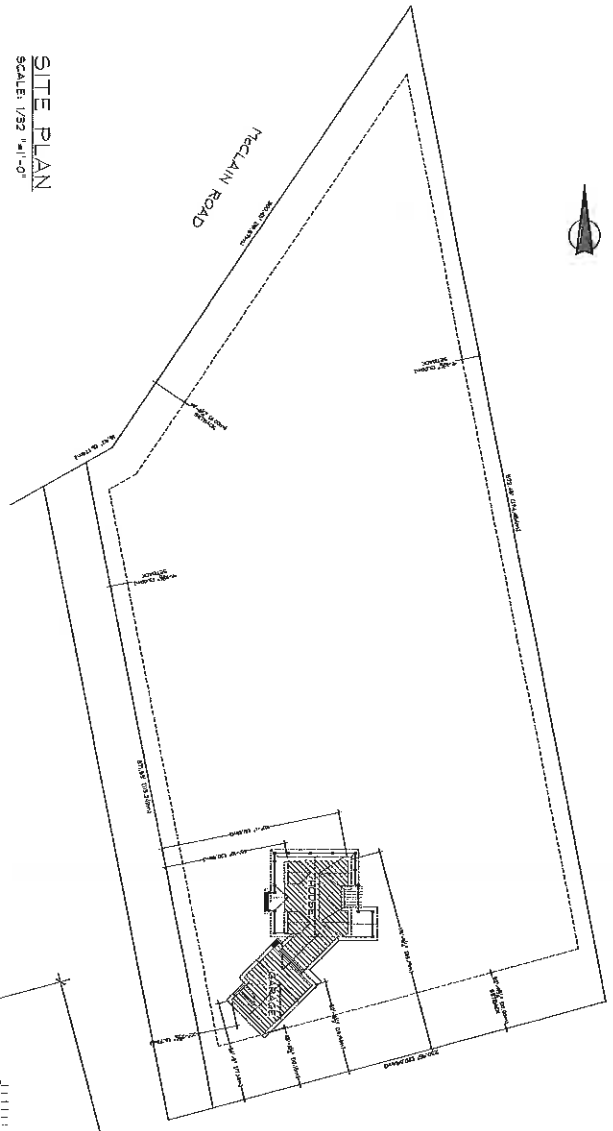
Context/Site Photos & Technical comments



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.



SITE PLAN
SCALE: 1/32" = 1'-0"

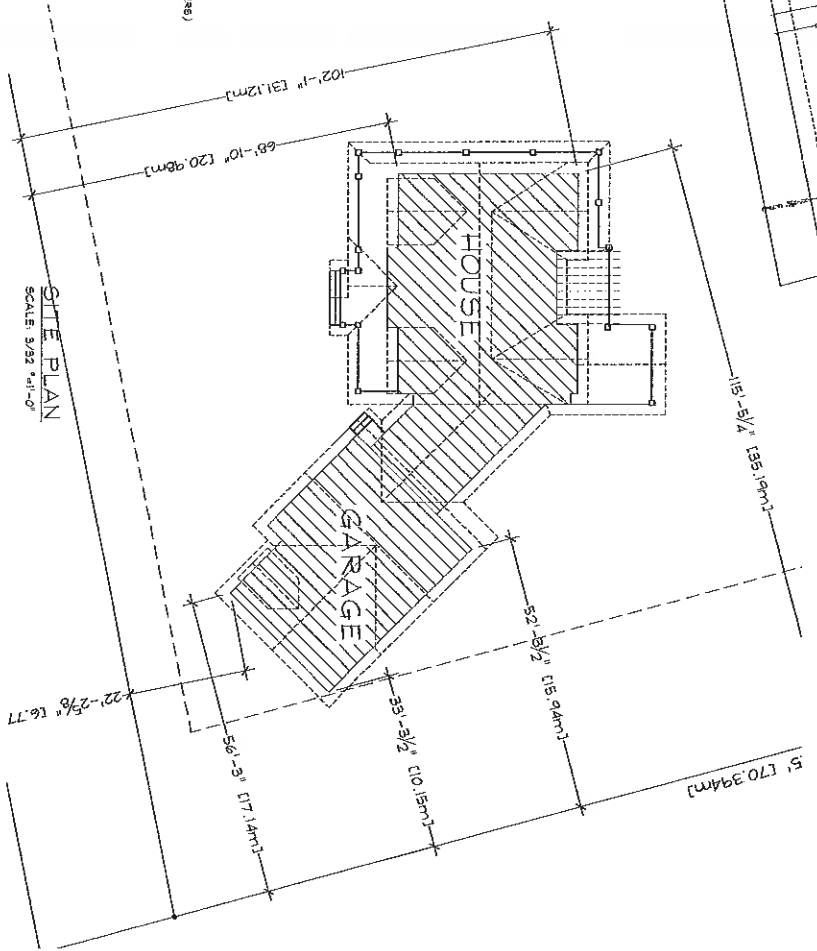


SITE INFORMATION:

ZONING: R1
SETBACKS:
FRONT - 10.0m (32'-6 11/16")
SIDE - 3.0m (9'-10 3/8")

DESIGN CRITERIA:

AREAS:
SITE AREA - 107 456 SQ FEET (10,000 SQ. METERS)
BUILDING AREA - RESIDENCE (INCL. GAR.) 2,100 SQ. FEET (270 SQ. METERS)
TOTAL SITE COVERAGE - 0.27%
B.C. BUILDING CODE CLASSIFICATION - GROUP C SINGLE FAMILY OCCUPANCY PART 8 CODE REVIEW



*Context +
Site plan*

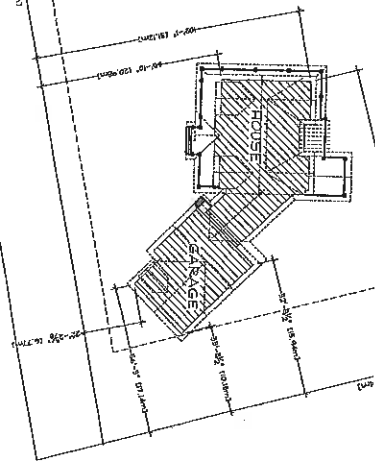
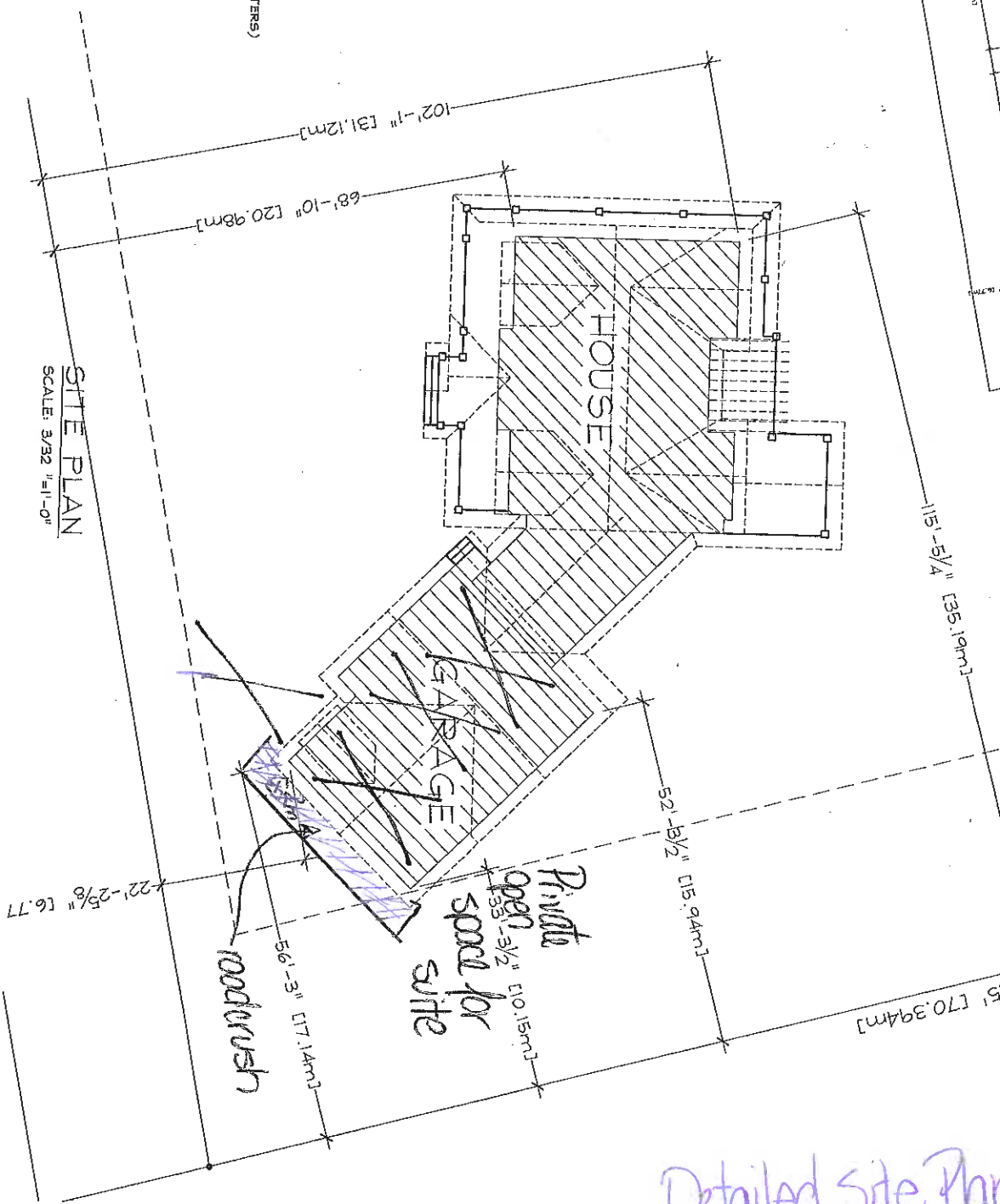
BASEMENT REVISED - NOV 23/10
2ND FLOOR GARAGE CEILING WAS 12'-0" NOW 11'-9" - NOV 1/10
HOUSE MOVED 6' EAST - OCT 25/10
MINOR REVISIONS - OCT 18/10

TGM
Drafting & Design
Tom Masters
Kelowna, BC (250)757-3305
tgm.drafting@shawbiz.ca

| | | |
|-----------|-----------|-----------|
| DATE: | AS NOTED | WORKING |
| OCT 18/10 | OCT 18/10 | |
| SITE PLAN | | A1 |

"Haiworonsky Residence"
LOT 1, PLAN 9150, McCLAIN ROAD, KELOWNA, BC

CRITERIA:
 107,656 SQ. FEET (10,001 SQ. METERS)
 RESIDENCE (INCL. GAR.) 2,901 SQ. FEET (270 SQ. METERS)
 COVERAGE = 0.27%
 GROUP C SINGLE FAMILY OCCUPANCY
 PART 9 CODE REVIEW



SITE PLAN
 SCALE: 3/32" = 1'-0"

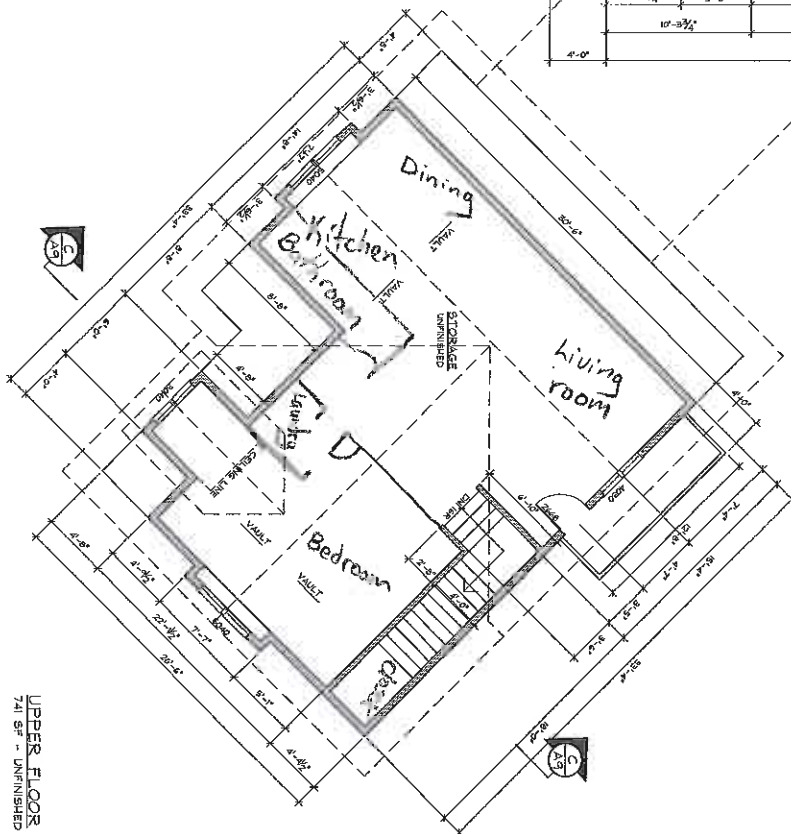
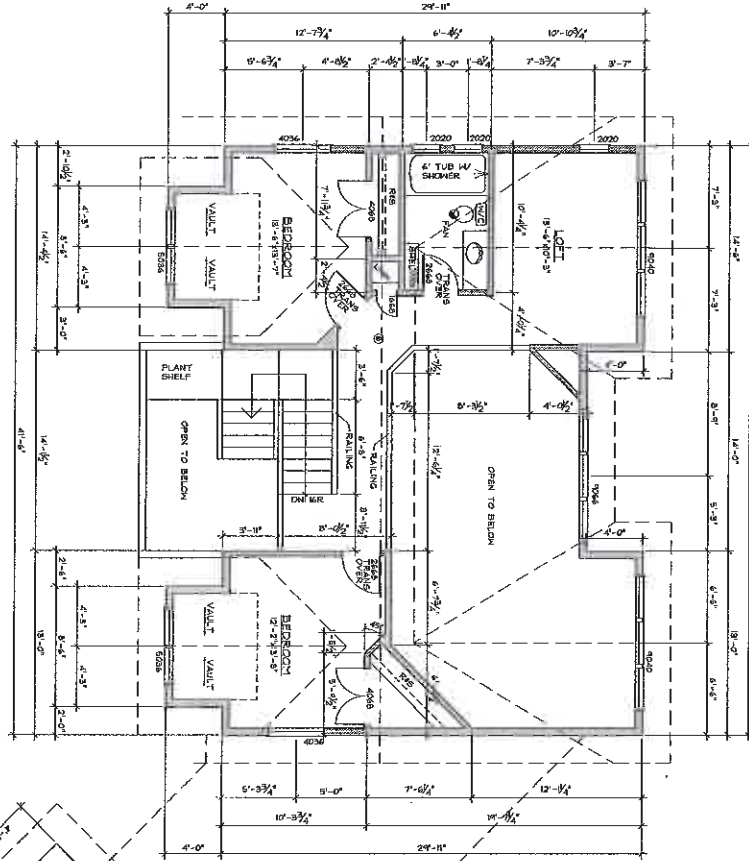
Detailed Site Plan

"Haiworonskv Residence"

BASEMENT REVISED - N
 2nd FLOOR GARAGE CEIL
 HOUSE MOVED 6' EAST -
 MINOR REVISIONS - OCT

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UPPER FLOOR
687 SF



UPPER FLOOR
741 SF - UNFINISHED

- 7" STANDARD STUDS - THIS FLOOR
- 5/8" x 1/2" LAMINATED INTERIOR & EXTERIOR DOORS
- BRAND AND BEAM LOCATIONS NOT TO CONFLICT
- CONSTRUCTION CONTRACTOR TO VERIFY ALL DIMENSIONS AND LOCATIONS
- VERIFY ALL DIMENSIONS AND INTERIOR DESIGN FEATURES WITH OWNER.

NOTE:
COORDINATE WITH OWNER
FOR ALL DIMENSIONS AND LOCATIONS

Suite Floor Plan

"Haiworonsky Residence"

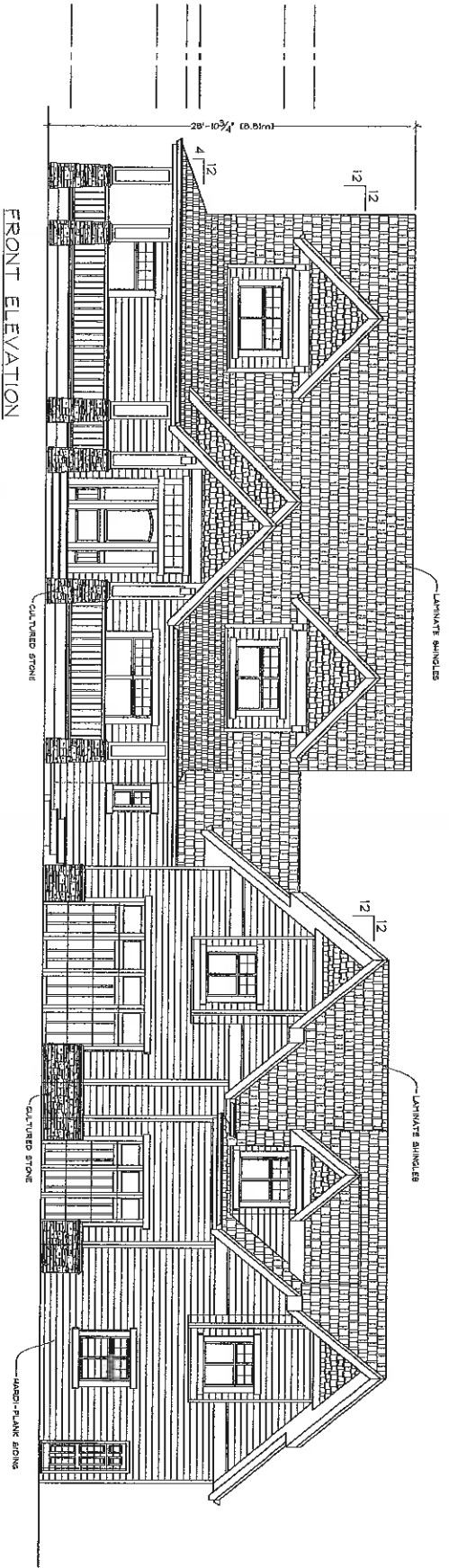
LOT 1, PLAN #199, MCCLAIN ROAD, KELOWNA, BC

MINOR REVISIONS - OCT 18/10

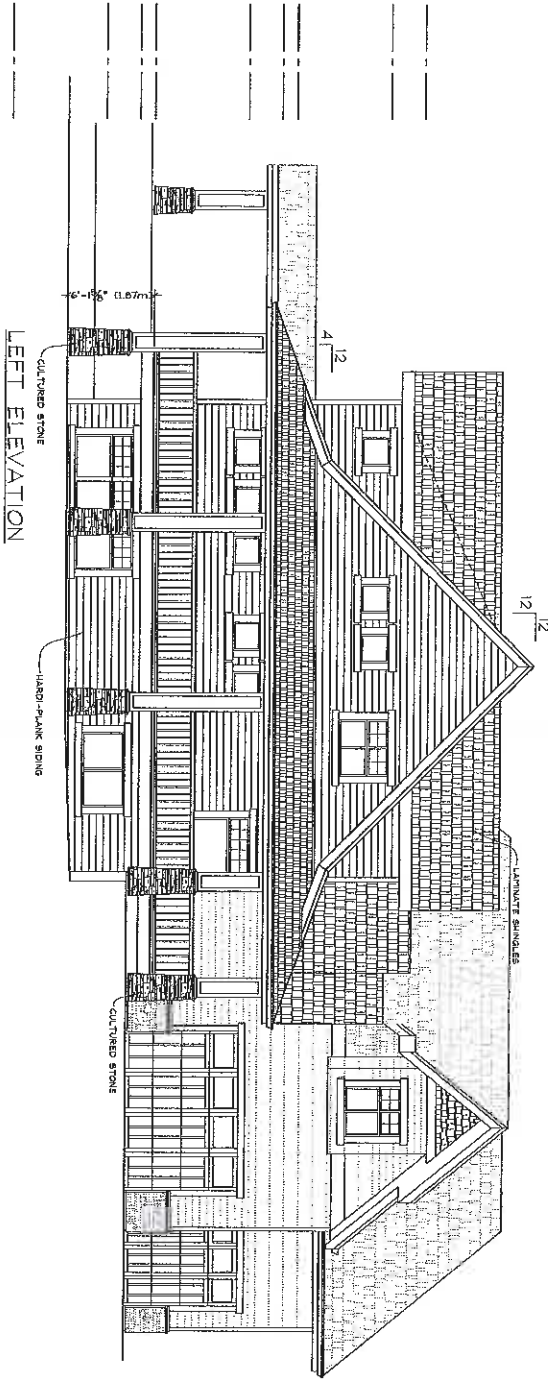
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tgm.drafting@shaw.ca

| | | | |
|-------------|--------------|---------|-----------|
| SCALE | 1/4" = 1'-0" | DRAWING | A5 |
| DATE | OCT 1/10 | FLOOR | |
| UPPER FLOOR | | | |

FRONT ELEVATION



LEFT ELEVATION



"Haiworonsky Residence"

LOT 1, PLAIN BASIN, MACLAIN ROAD, KELOWNA, BC

MINOR REVISIONS - OCT 18/10

| | | |
|--|---------------------|------------------|
| <p>TGM Drafting & Design Tom Masters Kelowna, BC (250)775-2305 tgm.drafting@shaw.ca</p> | SCALE: 1/4" = 1'-0" | SHEET NO. |
| | DATE: OCT 1/10 | <p>A7</p> |
| | ELEVATIONS | |







CITY OF KELOWNA
MEMORANDUM

Date: April 11, 2012
File No.: Z12-0025

To: Land Use Management Department (PM)

From: Development Engineering Manager

Subject: 4155 McClain Road

RR1 to RR1s

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

1. Domestic Water and Fire Protection

This development is within the service area of the Southeast Kelowna Irrigation District (SEKID). The developer is required to make satisfactory arrangements with the SEKID for these items. All charges for service connection and upgrading costs are to be paid directly to the SEKID.

2. Sanitary Sewer

Sanitary sewage is to be handled by an on-site sewage disposal system subject to approval of the Provincial Public Health Officer. Please contact the Public Health Officer.

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.

Steve Muenz, P. Eng.
Development Engineering Manager

SS