

# 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

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 <sup>2</sup>	8000 m <sup>2</sup>
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 <sup>2</sup> or 40%	Principal dwelling: 270 m <sup>2</sup> Secondary suite: 69 m <sup>2</sup> 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 <sup>2</sup> 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:

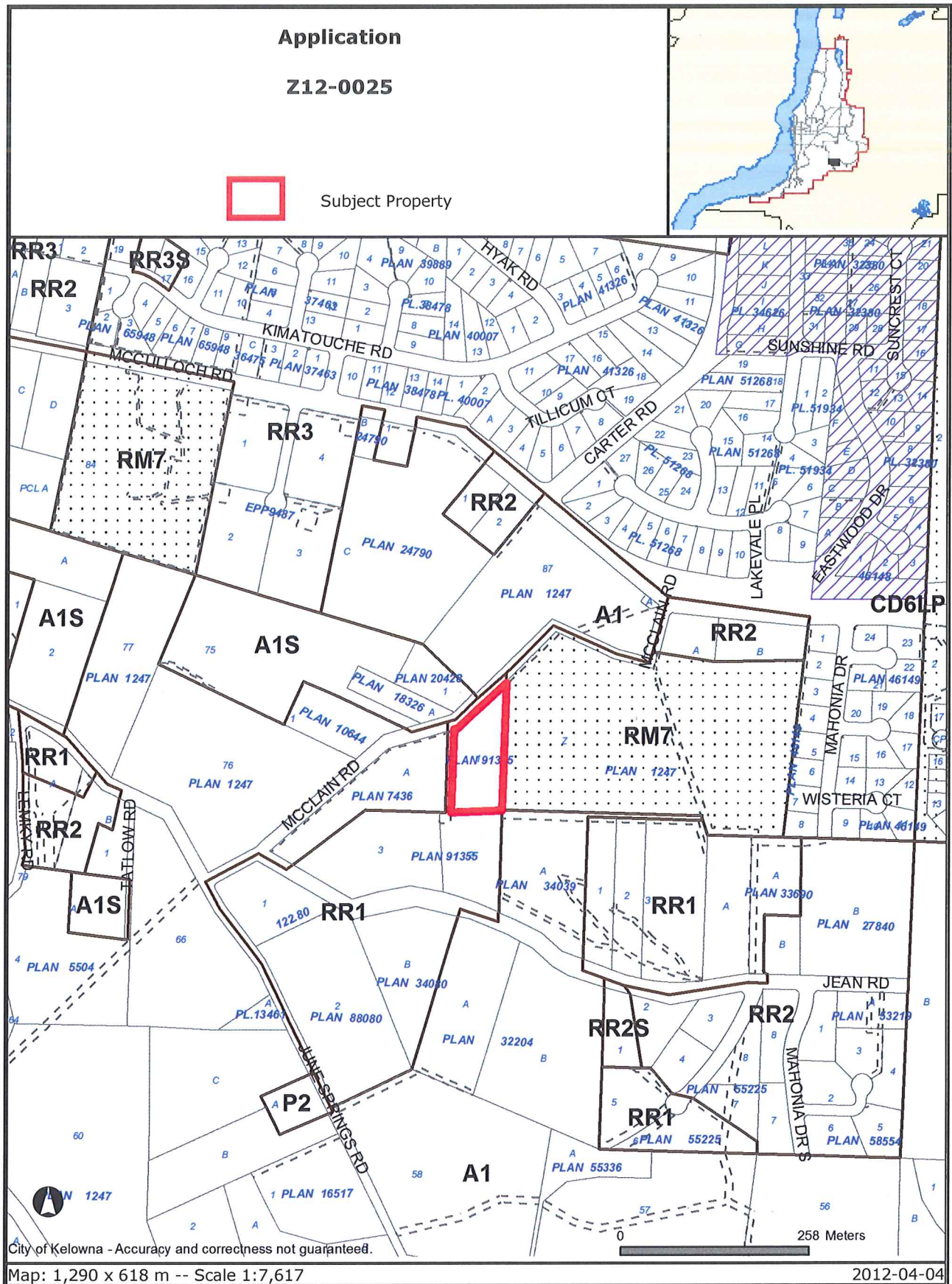
Shelley Gambacort, Director, Land Use Management

Attachments:

Site Plan

Elevations & Suite floor plan

Context/Site Photos & Technical comments



City of Kelowna - Accuracy and correctness not guaranteed.

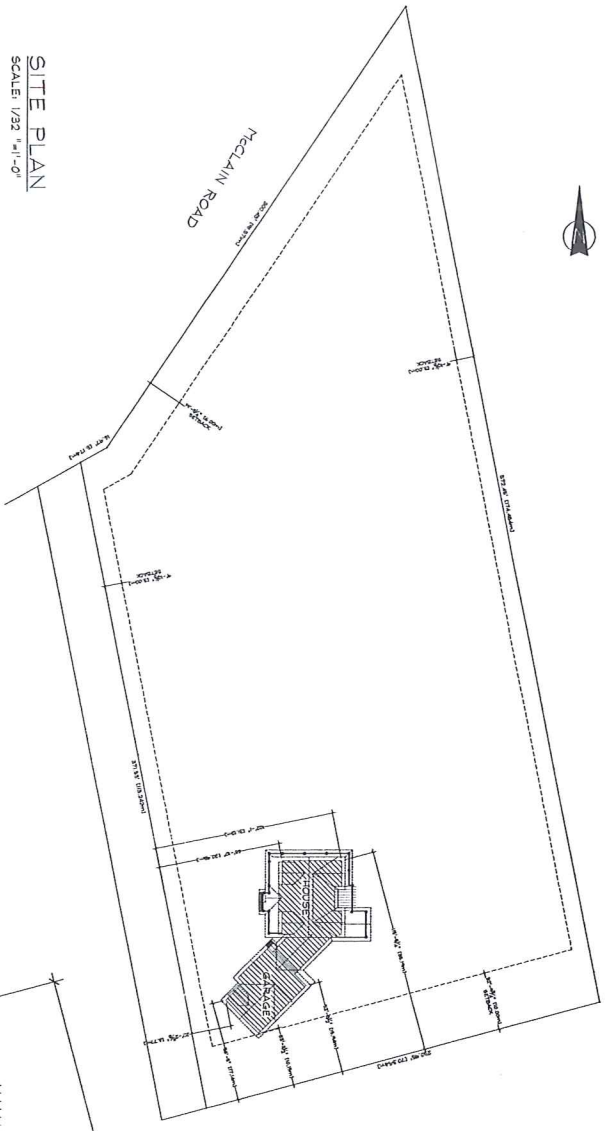
Map: 1,290 x 618 m -- Scale 1:7,617

2012-04-04

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"



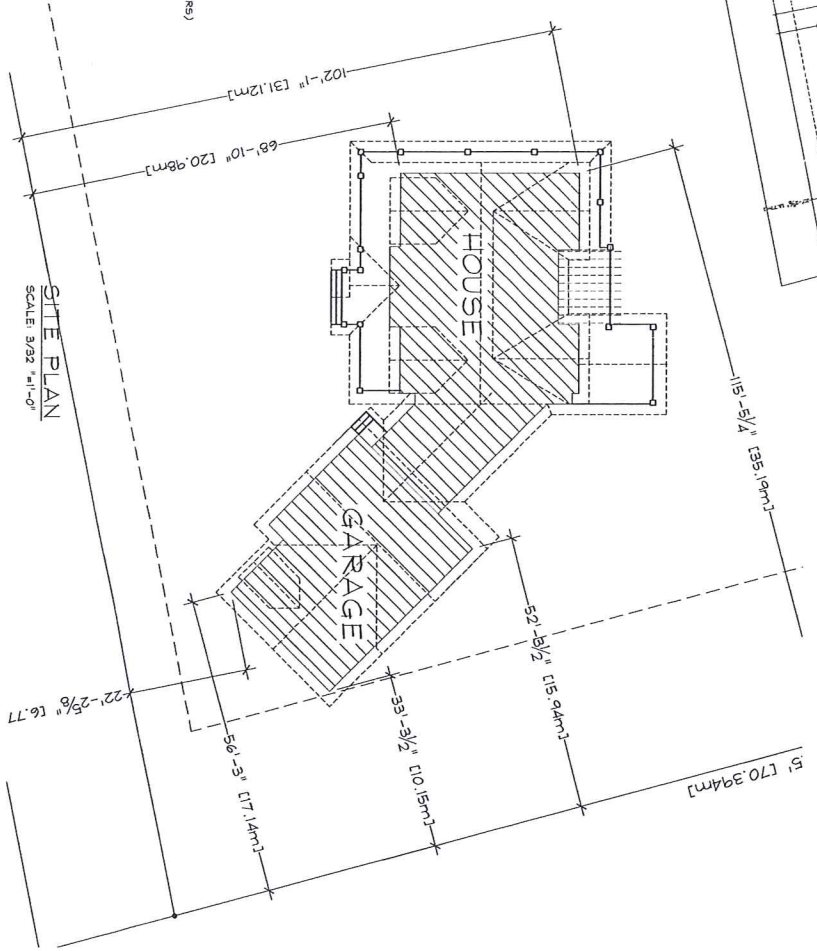
**SITE INFORMATION:**

zoning: RRI  
 series: 450  
 REAR - 10.0m (32'-6 11/16")  
 FRONT - 6.0m (19'-8 1/4")  
 SIDE - 3.0m (9'-10 1/8")

**DESIGN CRITERIA:**

AREAS:  
 SITE AREA - 107,466 SQ. FEET (10,000 SQ. METERS)  
 BUILDING AREA - RESIDENCE (INCL. GAR.) 2,900 SQ. FEET (270 SQ. METERS)  
 TOTAL SITE COVERAGE - 0.27%

B.C. BUILDING CODE CLASSIFICATION - GROUP C SINGLE FAMILY OCCUPANCY PART 4 CODE REVIEW



*Context +  
Site plan*

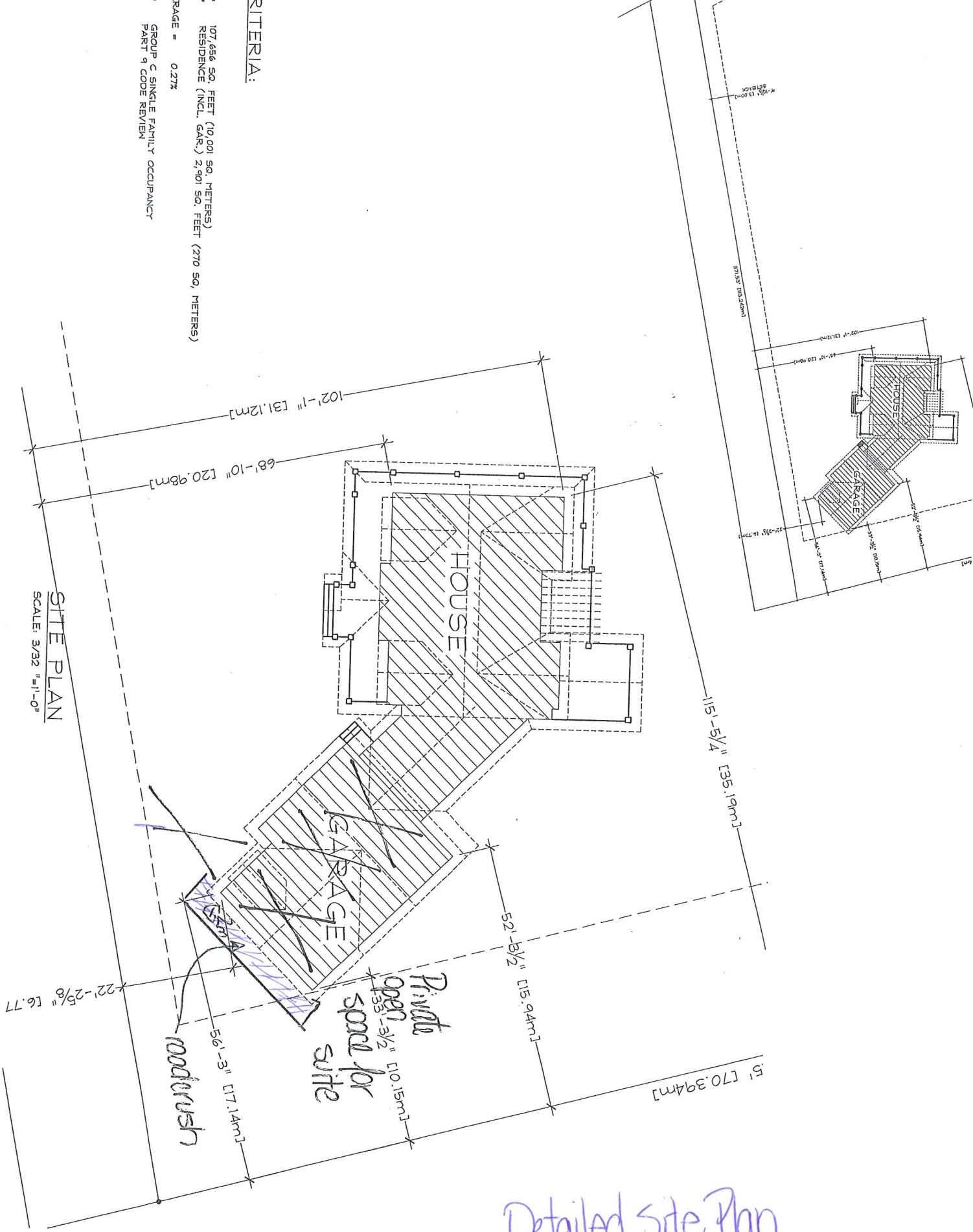
BASEMENT REVISED - NOV 23/10  
 2ND FLOOR GARAGE CEILING WAS 12'-0" NOW 11'-9" - NOV 1/10  
 HOUSE MOVED 6' EAST - OCT 23/10  
 MINOR REVISIONS - OCT 18/10

**TGM**  
 Drafting & Design  
 Tom Masters  
 Kelowna, BC (250)575-3305  
 tgm.drafting@shawbiz.ca

SCALE	AS NOTED	SHEET NO.
DATE	OCT 1/10	<b>A1</b>
<b>SITE PLAN</b>		

**"Haiworonsky Residence"**  
 LOT 1, PLAN 91339, 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"

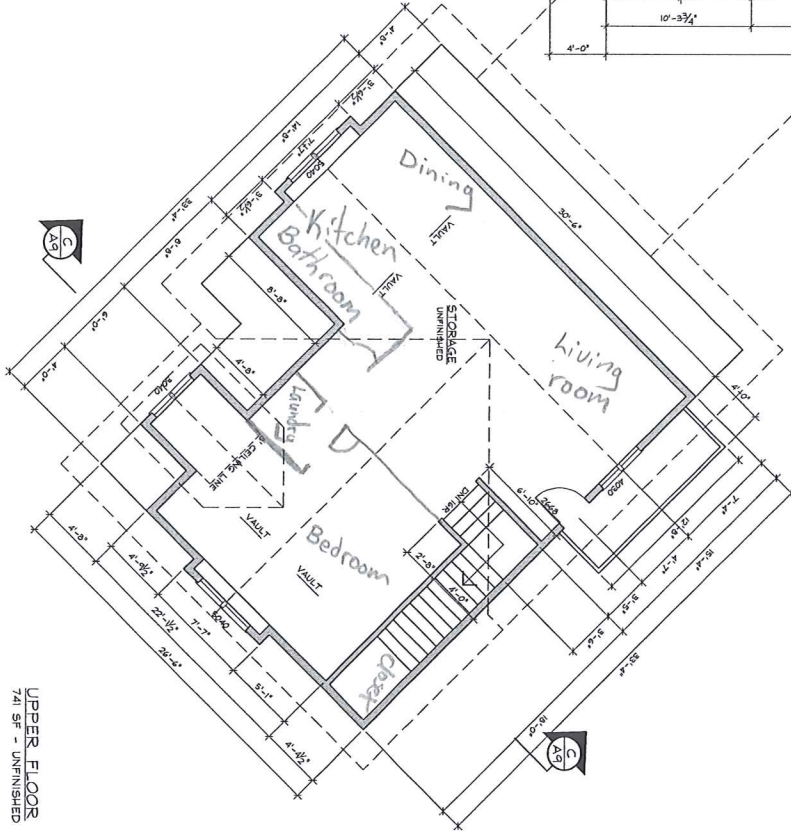
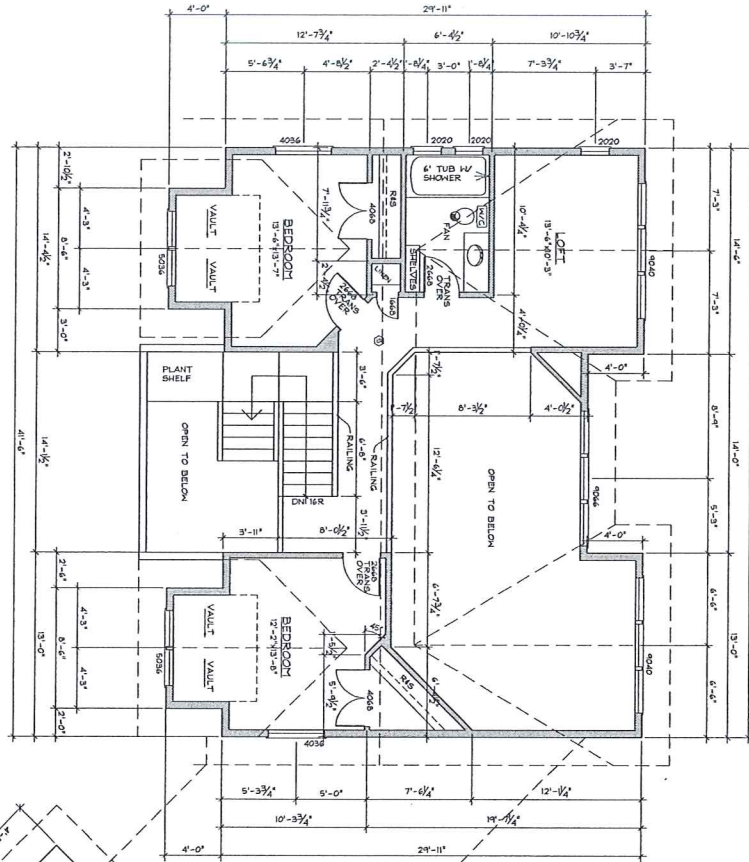
Detailed Site Plan

"Haiworonsky 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

- 9" STANDARD STUDS - THIS FLOOR
- 6'-0" HIGH INTERIOR & EXTERIOR DOORS
- FINISHES AND MATERIALS TO BE DETERMINED BY THE CONTRACTOR IN ANY ADDITIONAL OR ALTERNATE CONSTRUCTION. COMPENSATED THROUGH THE CONTRACT.
- OWNER AT ALL TIMES TO BE RESPONSIBLE FOR INTERIOR DESIGN FEATURES WITH OWNER.

NOTE:  
COORDINATE WITH OWNER  
ON ALL FINISHES AND MATERIALS  
AND SCHEDULES

Suite Floor Plan

"Haiworonsky Residence"

LOT 1, PLAN 81359, MCLEAN ROAD, KELOWNA, BC

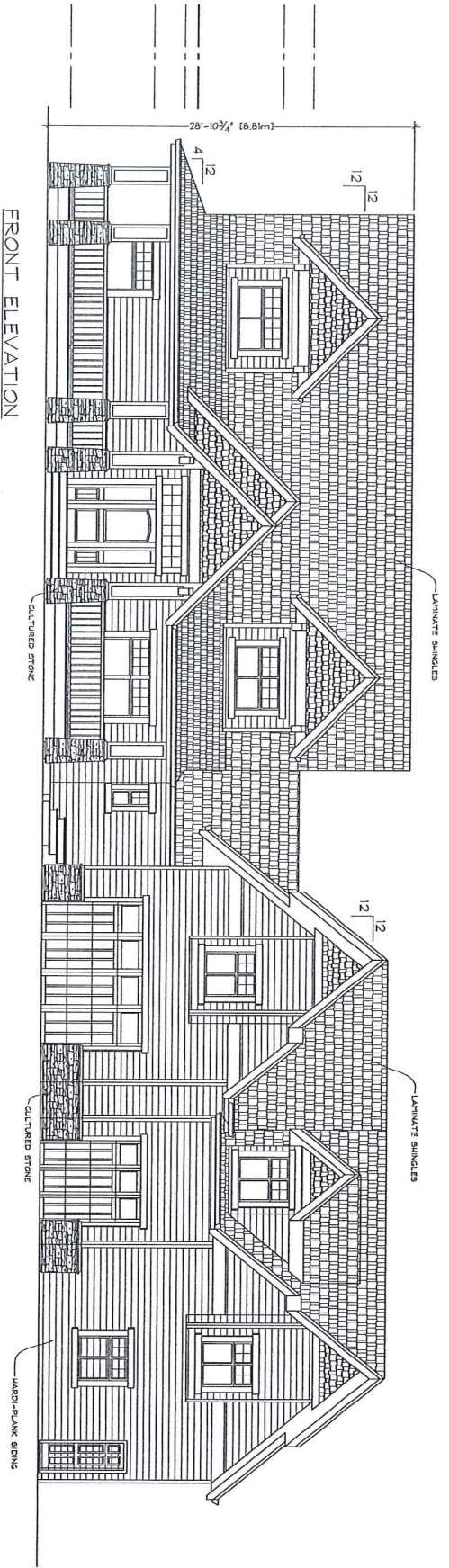
MINOR REVISIONS - OCT 18/10

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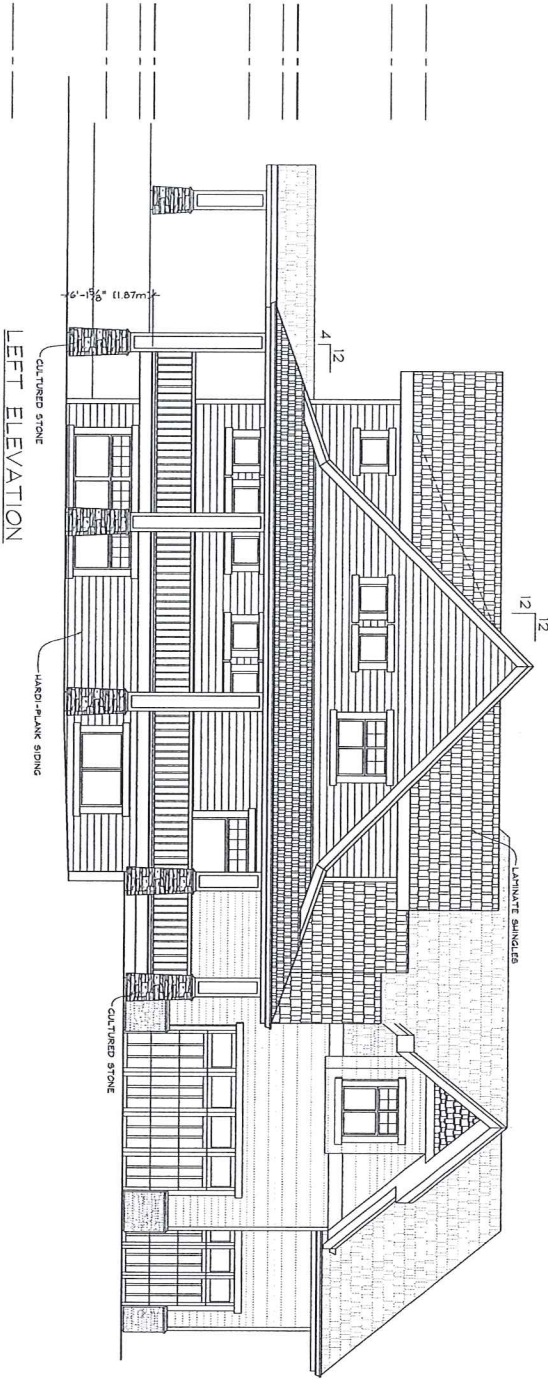
SCALE:	1/4"=1'-0"	SHEET NO:	A5
DATE:	OCT 1/10	PROJECT:	



FRONT ELEVATION



LEFT ELEVATION



"Haiworonsky Residence"

LOT 1 PLAN 81359, McCLAIN ROAD, KELOWNA, BC

MINOR REVISIONS - OCT 18/10

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SCALE	1/4"=1'-0"	SHEET NO
DATE	OCT 1/10	<b>A7</b>
ELEVATIONS		







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**CITY OF KELOWNA**  
**MEMORANDUM**

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**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

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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.

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Steve Muenz, P. Eng.  
Development Engineering Manager

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