

REPORT TO COUNCIL



Date: May 24, 2012

To: City Manager

From: Land Use Management, Community Sustainability (BD)

Application: Z12-0034

Owner: Shawn Gregory & Christina Marie Smith

Address: 1563 Large Avenue

Applicant: Shawn & Christina Smith

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. Z12-0034 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5, Section 13, Township 26, ODYD Plan KAP74112, located on Large Avenue, 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 the 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 THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of Black Mountain Irrigation District 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 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 located within the Permanent Growth Boundary with limited urban amenities. The area has seen much rezoning activity to allow suites within single family

dwelling. 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 one bedroom suite is located on the lower floor in the rear of the single family dwelling on the subject property. Private outdoor space is provided with a ground level patio and shared lawn space. A walkway is provided from the parking stall in the driveway to the suite entrance.

4.2 Site Context

The subject property is located on the south side of Large Avenue in the Black Mountain area of Kelowna. The surrounding properties in all directions are zoned RU1- Large Lot Housing.

4.3 Subject Property Map: 1563 Large Avenue



4.4 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	555 m ²
Lot Width	16.5 m	15.3 m
Lot Depth	30 m	29.9 - 31.5 m

Development Regulations		
Floor Area Ratio	May not exceed the lesser of 90 m ² or 40%	Principal dwelling: 278.71 m ² Secondary suite: 74 m ² 27 %
Height	2 ½ storeys / 9.5 m	5.48 m
Front Yard	4.5 m / 6.0 m to a garage	4.55 m
Side Yard (east)	2.0 m (1 - 1 ½ storey)	2.05 m
Side Yard (west)	2.0 m (1 - 1 ½ storey)	2.25 m
Rear Yard	6.0 m	8.9 m
Other Regulations		
Minimum Parking Requirements	3 stalls	2 stalls in the garage & 1 on driveway
Private Open Space	30 m ²	Provide in rear yard and under the deck.

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.

6.0 Technical Comments

6.1 Building and 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

¹ Official community plan Objective 5.2 Community Sustainability

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

BCBC 06, so provide size of ducts and fire separation details at time of Building Permit Applications.

5) The Building Code only allows for a secondary suite to be 40% of the main residence to a maximum of 90 sq. meters. *The suite complies with this requirement.*

6) Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

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

Domestic Water: The subject property is located within the Black Mountain Irrigation District (BMID). All charges and fees must be paid directly to BMID.

Parking: All the parking requirements appear to be satisfied by the ineffective but approved stacking method.

6.3 Bylaw Services

Bylaw Services has an open Service Request regarding an illegal suite at this location. File #219409 - Larry Mushta.

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: April 27, 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

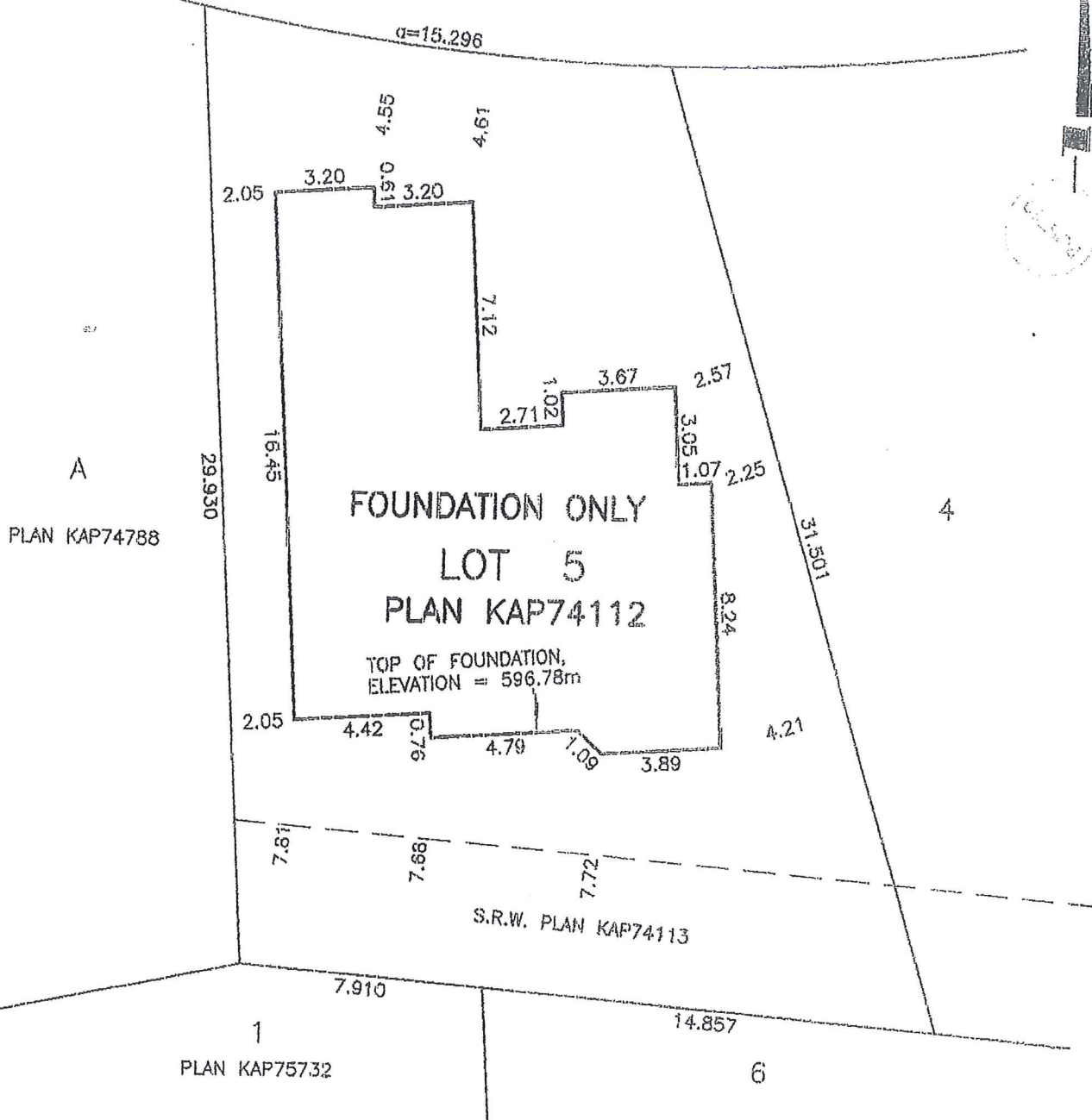
Attachments:

Site Plan
Survey Certificate
Elevation
Context/Site Photos

B.C. LAND SURVEYORS CERTIFICATE OF LOCATION ON LOT 5, PLAN KAP74112, SEC. 13, TP. 26, O.D.Y.D.

1563 LARGE AVENUE

LARGE AVENUE

1563 LARGE Ave
BP# 28925

I HEREBY CERTIFY THAT THE ABOVE
SKETCH SHOWS THE REGISTERED
DIMENSIONS OF THE ABOVE DESCRIBED
PROPERTY AND RELATIVE LOCATION OF
THE BUILDINGS THEREON.

T.E. Ferguson
B.C.L.S., C.L.S.

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY
SIGNED AND SEALED

THIS PLAN IS FOR THE USE OF THE BUILDING INSPECTOR AND/OR MORTGAGEE ONLY
AND IS NOT TO BE USED FOR THE RE-ESTABLISHMENT OF PROPERTY BOUNDARIES.

CLIENT: DREAMSCAPE HOMES

DATE: MARCH 18, 2005

SCALE: 1:200 METRES

FILE: 16374

©T.E. FERGUSON LAND SURVEYING LTD.

T.E. Ferguson Land Surveying Ltd.

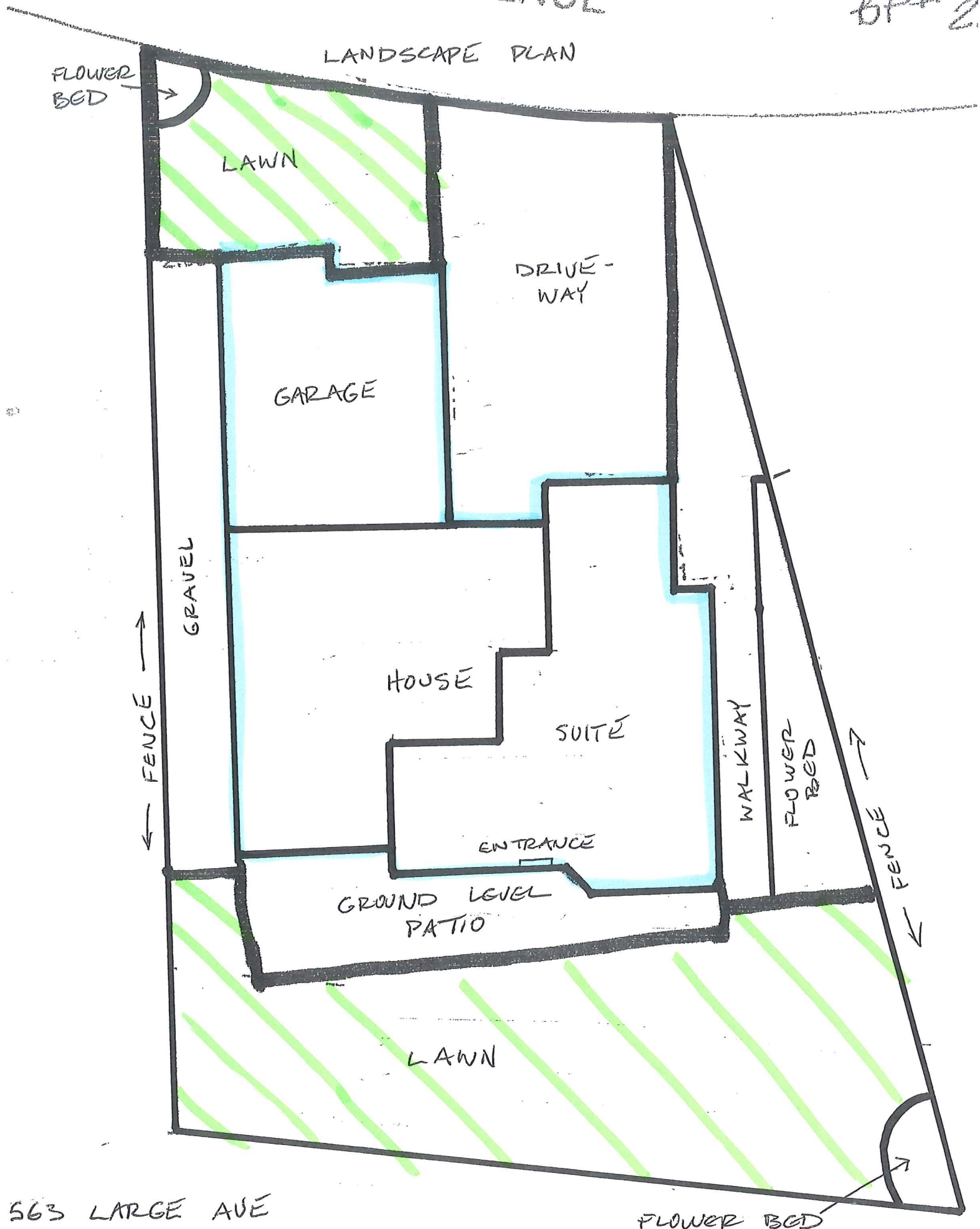
B.C. AND CANADA LAND SURVEYORS
216-1626 RICHTER STREET, KELOWNA, B.C.
TELEPHONE: (250) 763-3115

FAX: (250) 763-0321

LARGE AVENUE

10000 L
BP# 2

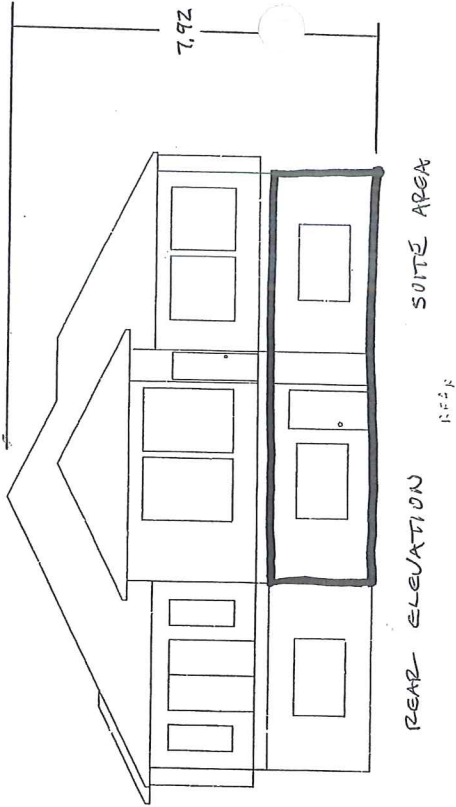
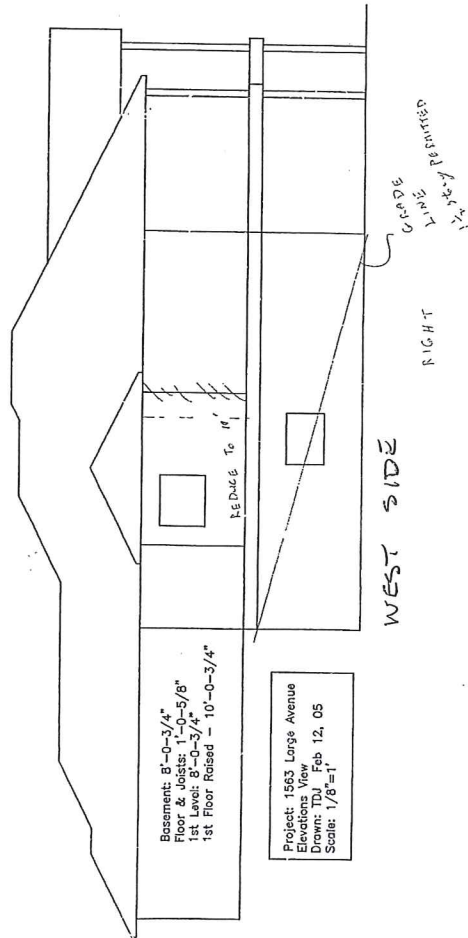
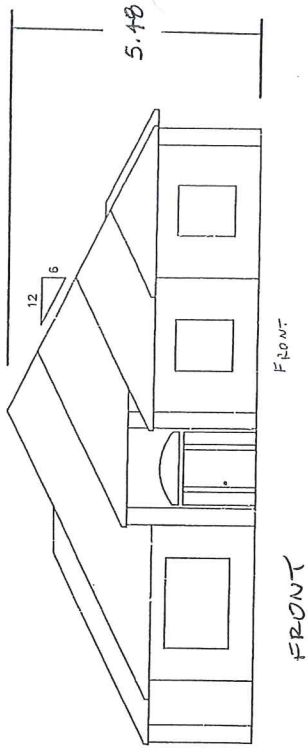
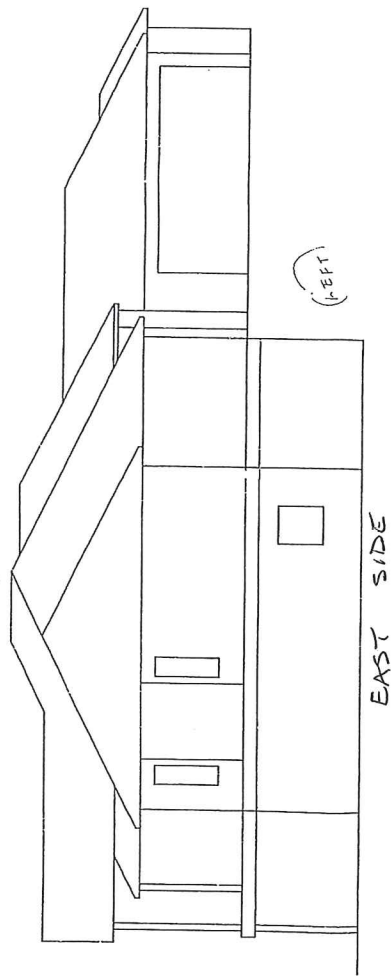
LANDSCAPE PLAN



563 LARGE AVE

FLOWER BED

ELEVATIONS



1563 LARGE AVE
KELOWNA BC

Project: 1563 Large Avenue
Elevations View
Drawn: TDJ Feb 12, 05
Scale: 1/8"=1'

1563 LARGE AVE



FRONT YARD



EAST SIDE - ACCESS TO SUITE



FRONT OF HOUSE - PARKING
DOUBLE GARAGE AND DRIVEWAY



BACK YARD - OPEN SPACE