

Report to Council



Date: August 22, 2012
File: 0600-10
To: City Manager
From: City Clerk
Subject: Adoption of Secondary Suites and Corresponding Bylaws
Report Prepared by: Corinne Boback, Legislative Coordinator

Recommendation:

THAT Bylaw No. 10686 being the City of Kelowna Text Amendment No. TA12-0005 (Secondary Suites and Carriage Houses) be forwarded for adoption consideration;

AND THAT Bylaw No. 10714 being Rezoning Application No. Z12-0035 - Reclassification of Secondary Suites to Carriage Houses be forwarded for adoption consideration;

AND THAT Bylaw No. 10711 being Amendment No. 6 to Animal and Poultry Regulation and Animal Pound Bylaw No. 5421-82 be forwarded for adoption consideration;

AND THAT Bylaw No. 10712 being Amendment No. 12 to Building Bylaw, 1993, No. 7245 be forwarded for adoption consideration;

AND THAT Bylaw No. 10706 Amendment No. 16 to Business Licence and Regulation Bylaw No. 7878 be forwarded for adoption consideration;

AND THAT Bylaw No. 10665 being Amendment No. 1 to Development Application Fees Bylaw No. 10560 be forwarded for adoption consideration;

AND THAT the zoning classifications for the properties listed on Schedule "A" attached to the report from the City Clerk dated August 22, 2012 be amended from the "s" (Secondary Suite) designation to "c" (Carriage House) designation;

AND THAT the zoning classifications for the properties listed on Schedule "B" attached to the report from the City Clerk dated August 22, 2012 be amended to remove the "s" designation from the adopted Bylaws and rescind the necessary readings given to the Bylaws currently at third reading;

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AND FURTHER THAT Council direct staff to begin enforcing compliance to the new secondary suite requirements 30 days after final adoption of Bylaw No. 10686 being City of Kelowna Text Amendment No.TA12-0005 (Secondary Suites and Carriage Houses).

Purpose:

To consider Bylaws for adoption, to amend various Bylaws to remove the “s” designation and to amend various Bylaws from the “s” designation to the “c” designation.

Background:

At a Regular Meeting, Bylaw Nos. 10686 and 10714 received second and third readings by Council on July 24, 2012. These Bylaws altered the method in which secondary suites within single family dwellings are processed by the City by removing the requirement to rezone. At that time the Land Use Management Department provided a rezoning application to ensure all existing properties received the correct designation under the regulations of the new Bylaw. In the interim, additional properties seeking the “s” zone have been adopted or are at third reading and need to be adjusted to ensure that these properties have the appropriate designation.

Schedule “A” attached to hereto lists the rezoning bylaws which was adopted with the “S” (Secondary Suite) designation and which now require a “C” (Carriage House) designation.

Schedule “B” attached hereto shows the applications where the “s” designation must be removed. Those properties which have a current Building Permit will continue to be processed by the Building and Permitting Branch. The applications that do not have a building permit application will be sent correspondence outlining the new secondary suite requirements, which must be initiated through application to the City for a building permit, or business license within 30 days or be subject to Bylaw Enforcement.

Bylaw Nos. 10711, 10712, 10706 and 10665 received first, second and third readings on June 18, 2012.

As the following condition of adoption has been met, the Bylaws can now be adopted:

1. Highways Approval

Submitted by:



S. Fleming, City Clerk

Schedule "A"

Changing the zoning classifications from the "s" (Secondary Suite) designation to "c" (Carriage House)

Bylaw #	Application #	Owner/ Applicant	Address	Zone	Secondary Suite/Carriage House Information	Reading
10744	Z12-0042	Lane & Maegan Merrifield	10-1810 Sheerwater Ct	RR1s toRR1c	construct detached secondary suite on the subject property.	adopted
10747	Z12-0045	Stephen & Donara Krysko	5460 Lakeshore Road	RR1s to RR1c	Construct a new principal dwelling while retaining an existing dwelling that largely complies with the carriage home requirements	adopted

Schedule "B"

Remove the "s" designation

Bylaw #	Application #	Owner/ Applicant	Address	Current Zone	Proposed Zone	Secondary Suite/Carriage House Information	Reading
10722	Z12-0038	Pauly Chua	811 Tamarack Drive	RU1s	RU1	construct secondary suite within a single family dwelling	adopted
10721	Z12-0028	Jens Christensen	909 Mount Royal Drive	RU1s	RU1	single family dwelling containing a single family suite.	adopted
10720	Z12-0033	Harry & Judith Van Asseldonk	570 Brighton Rd	RU1s	RU1	Legalize secondary suite within single family dwelling	adopted
10719	Z12-0034	Shawn and Christina Smith	1563 Large Ave	RU1s	RU1	Legalize secondary suite within single family dwelling	third reading
10716	Z12-0025	David Haiworsky	4155 McClain Rd	RR1s	RR1	construct secondary suite within a single family dwelling	adopted
10715	Z12-0026	Bhushan Singla	678 West Point Ct	RU1s	RU1	construct secondary suite within an accessory building	adopted
10701	Z12-0024	Shamu Knox & Lisa Hawkins	1452 Montenegro Drive	RU1hs	RU1h	legalize secondary suite in basement of single family dwelling	third reading
10694	Z12-0018	Patricia Rust	120 Klassen Rd	RU1s	RU1	Legalize secondary suite within single family dwelling	third reading
10693	Z12-0016	Jaswinder, Bakhsih and Satyawati Bhatti	545 All Star Court	RU1s	RU1	Legalize secondary suite within single family dwelling	third reading
10663	Z12-0004	Brad & Tricia Westen	2496 Loeth Rd	RU1s	RU1	construct secondary suite within new single family dwelling	adopted
10661	Z12-0003	Avtar & Ramandeep Pannu	482 Knowles	RU1s	RU1	Legalize secondary suite within single family dwelling	adopted
10659	Z11-0048	Jang & Bhatti and Bakshish Kalyan	525 O'Keefe Ct	RU1s	RU1	Legalize secondary suite within single family dwelling	third reading
10641	Z11-0084	Mewa & Kulwinder Dosanjh	1135 Schell Ct	RU1s	RU1	Legalize secondary suite within single family dwelling	third reading
10622	Z11-0071	David Mathieson & Nancy Doehring	3990 Hart Rd	A1s	A1	Legalize secondary suite within principle dwelling	third reading
10615	Z11-0068	Ecer Construction Surveys	840 Raymer Ave	RU1s	RU1	Legalize secondary suite within single family dwelling	third reading
10612	Z11-0044	Reynald & Jennifer Grande	410 Woods Rd	RU1s	RU1	Legalize secondary suite within principle dwelling	third reading
10611	Z11-0064	Gyula & Gyongi Schweigert	1340 Chichester Ct	RU1 to RU1s	RU1	construct secondary suite within accessory building	adopted
10592	Z11-0052	Tracey-Lynne Pedlar	360 Mugford Road	RU1s	RU1	construct secondary suite within single family dwelling	third reading
10584	Z11-0046	H. Van Ruskenveld	631 Royal Pine Dr	RU1s	RU1	construct secondary suite within principle dwelling	adopted
10564	Z11-0023	Danny & Susan Girard	4191 Lakeshore Road	RU1s	RU1	legalize secondary suite on ground floor in principle dwelling	third reading
10527	Z11-0022	Daniel Lobsinger	2124 Stillingfleet Road	RU1s	RU1	Legalize secondary suite within a single family dwelling	third reading
10524	Z11-0014	Kelowna Smarthomes Ltd	477 Swan Drive	RU1hs	RU1h	construct a new dwelling complete with a secondary suite	third reading
10511	Z10-0102	Kulwinder and Mandep Dhani	1451 Montenegro Drive	RU1hs	RU1h	legalize secondary suite within basement of single family dwelling	third reading
10470	Z10-0029	Jackie Scherle	1096 Quesnel Road	RU1S	RU1	Legalize secondary suite within a single family dwelling	adopted

Bylaw #	Application #	Owner/ Applicant	Address	Current Zone	Proposed Zone	Secondary Suite/Carriage House Information	Reading
10407	Z10-0055	Singla Bros Holdings	875 Hollywood Rd S	RU1s	RU1 and RU6	subdivide lot, creating 3 RU1s lots, each with one principle dwelling and a secondary suite.	adopted
10382	Z10-0034	Richard & Debra Horner	1820 Ivens Ave	RU2s	RU2	Construct a Secondary suite within a single family dwelling	adopted
10370	Z10-0043	Simon Wiencki	2839 Helmchen Road	RU1s	RU1	Construct a Secondary suite within a single family dwelling	adopted