# REPORT TO COUNCIL

Date:

December 20, 2011

To:

City Manager

From:

Land Use Management, Community Sustainability (BD)

Application:

Z11-0080

Owner:

Ivan & Mariya Bilous

City of

Kelowi

Address:

870 Tamarack Drive

Applicant:

Ivan & Mariya Bilous

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. Z11-0080 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 75, Sections 15 and 22, Township 26, ODYD Plan 25984, located on Tamarack Drive, Kelowna, BC from the RU1 - Large Lot Housing Zone to the RU1s - Large Lot Housing with a Secondary Suite Zone, be considered by Council;

AND THAT 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.

#### 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 legitimize a secondary suite in an existing single family dwelling.

#### 3.0 Land Use Management

The applicant seeks to legalize a suite on the subject property and to conform to all City regulations. Although the suite is in place, this application was not been triggered by a bylaw investigation.

The proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area. Staff support the sensitive integration into existing neighbourhoods, where services are already in place and densification can easily be accommodated. Properties zoned RU6- Two Dwelling Housing exist in the immediate neighbourhood. The subject property is in close proximity to parks, schools, transit and recreational opportunities.

## 4.0 Proposal

#### 4.1 Project Description

The suite was in place when the applicant purchased the home in 2008. The owner is now seeking to legalize the suite and ensure it meets the BC Building Code. A pre-application inspection of the dwelling was conducted by the Building and Permitting branch.

The dwelling is a typical bi-level of the area. The one-bedroom suite is located in the lower portion of the dwelling and accessed through a common laundry room. Parking is provided in the existing two car garage and on the driveway. Private open space for the suite is located on the east side of the rear yard adjacent to the suite entrance.

#### 4.2 Zoning Analysis

The proposed application meets the requirements of RU1s- Large Lot Housing with a secondary suite zone as follows:

Zoning Analysis Table		
CRITERIA	RU1s ZONE REQUIREMENTS	PROPOSAL
Ex	kisting Lot/Subdivision Regulation	
Lot Area	550 m <sup>2</sup>	885 m <sup>2</sup>
Lot Width	16.5 m	25.6 m
Lot Depth	30 m	36.71 m
	Development Regulations	
Floor Area Ratio Secondary Suite / Principal	May not exceed the lessor of 90 m <sup>2</sup> or 40%	Suite = 87 m² Principal Dwelling =222.2m² Ratio: 39%
Height	2 ½ storeys / 9.5 m	1.5 storeys / 4.26m
Front Yard	4.5 m / 6.0 m to a garage	7.9 m
Side Yard (east)	2.0 m (1 - 1 ½ storey) 2.3 m (2 - 2 ½ storey)	3.7 m
Side Yard (west)	2.0 m (1 - 1 ½ storey) 2.3 m (2 - 2 ½ storey)	2.4 m
Rear Yard	7.5 m	19.3 m
Site Coverage (buildings)	40%	27 %
Site Coverage (buildings/parking)	50%	40 %
	Other Regulations	
Minimum Parking Requirements	3 stalls	3 car garage
Private Open Space	30 m <sup>2</sup>	Meets requirements

#### 4.3 Site Context

The subject property is located on the north east side of Tamarack Drive in the Rutland sector of Kelowna. The site is immediately adjacent to the Mission Creek Regional park and close to the new Gertsmar park.

Specifically, adjacent properties in all directions are zoned RU1 - Large Lot Housing. Some RU6 - Two dwelling housing zoned sites are located within a block of the subject property.

#### 4.4 Subject Property Map: 870 Tamarack Drive



# 5.0 Current Development Policies

#### 5.1 Kelowna Official Community Plan (OCP)

Policy 5.2.3 Complete Suburbs. 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.

<u>Policy 5.3.2 Compact Urban Form.</u><sup>2</sup> 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 & 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

<sup>&</sup>lt;sup>1</sup> Official community plan Objective 5.2 Community Sustainability

<sup>&</sup>lt;sup>2</sup> Official community plan Objective 5.3 Focus development to designated growth areas.

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. Please provide these details on the building permit drawing sets.
- 6) Full Plan check for Building Code related issues will be done at time of Building Permit applications
- 7) The Laundry room should interconnected and free flowing with the main residence and not access only from the exterior of the structure for the main dwelling. The suite was reconfigured to include the laundry room.
- 6.2 Development Engineering Branch

No concerns other than Rutland Waterworks, who have indicated they have no requirements.

6.3 Fire Department (Note: requirements noted below will be dealt with through the building Permit)

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: Revised Plans Received:

October 25, 2011 December 19, 2011

Report prepared by:

Birte Decloux, Land Use Planner

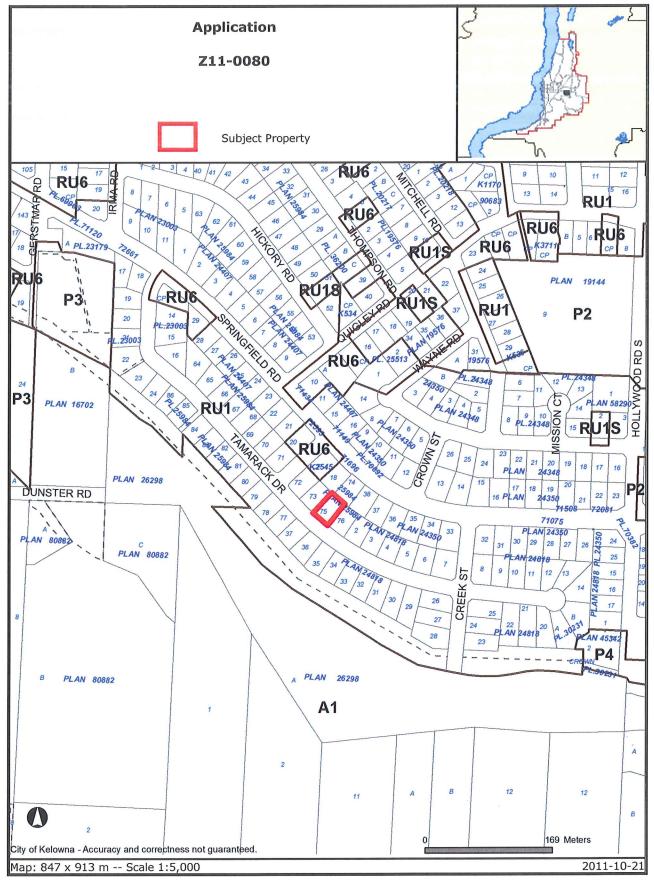
Approved for Inclusion:

The

Todd Cashin, Manager, Environmental Land Use Management

Attachments:

Site/ Landscape Plan Floor Plan Context/Site Photo

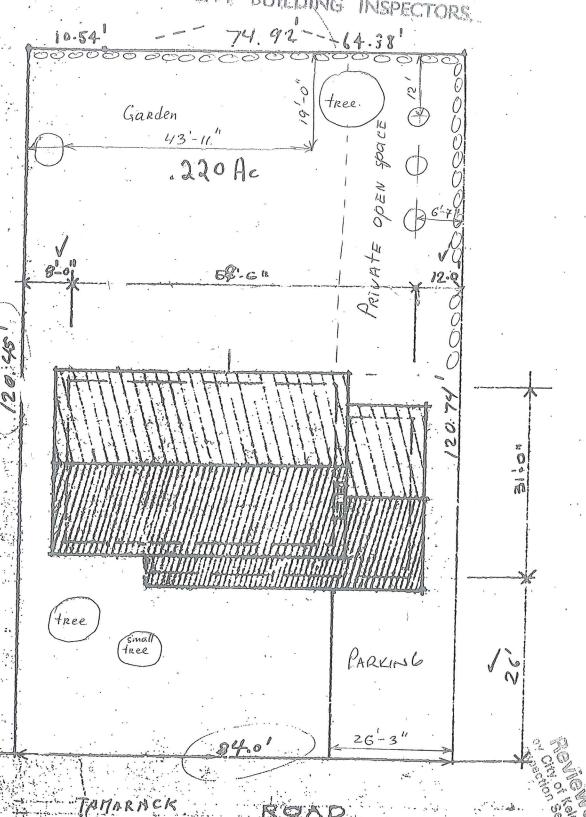


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.

The City of Kelowna does not guarantee its accuracy. All information should be verified.

# APPROVED

FORMING PART OF BUILDING PERMIT # 13004 THESE DRAWINGS SHALL REMAIN ON SITE AVAILABLE TO CITY BUILDING INSPECTORS



TAN EN SA CITY OF KELOWNA-Land Use Management DEC 1.9 2011

Suite floor plan.

Main Floor-plan



# Address 870 Tamarack Dr Kelowna, BC V1X 1E3

