

# REPORT TO COUNCIL



**Date:** 9/14/2015

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (AC)

**Application:** Z15-0039 **Owner:** Franklin Talbot

**Address:** 2982 Volterra Ct. **Applicant:** Franklin Talbot

**Subject:** Rezoning Application

**Existing OCP Designation:** S2RES - Single / Two Unit Residential

**Existing Zone:** CD-6

**Proposed Zone:** RU1 - Large Lot Housing

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## 1.0 Recommendation

That Rezoning Application No. Z15-0039 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 20, Section 22, Township 23, ODYD, Plan KAP70243, located on 2982 Volterra Court, Kelowna, BC from the CD6 - Comprehensive Residential Golf Resort to RU1 - Large Lot Housing zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

## 2.0 Purpose

To rezone the subject property to allow for a secondary suite.

## 3.0 Community Planning

Staff are supportive of the proposed rezoning to allow a secondary suite on the subject property as it is consistent with the policies and designation of the Official Community Plan (OCP). The Quail Ridge area was developed under a comprehensive development zone (CD6) which attempted to coordinate residential and commercial uses in association with a golf course. The CD-6 zone also applies to Tower Ranch and Gallaghers Canyon. The original purpose of the CD-6 zone was to set up a zone which mimicked the underlying zones (RU1, RM3, RM5, C-2, C-9, P-3) but retained an overall density limit to match the infrastructure capacity (water and sewer). Quail Ridge has been built to capacity with the exception of a six lot subdivision currently being processed and the southernmost knoll (designed MRL and is anticipated to have 110 residential units). The Development Engineering Branch has stated that permitting secondary suites in single family dwellings would not impact the infrastructure capacity within Quail Ridge and Tower Ranch areas.

Council approved a similar rezoning request (from CD-6 to RU1) at 1781 Capistrano Drive (Z14-0018) on August 12<sup>th</sup> 2014. Staff supports any rezoning in the area to the RU1 zone as secondary suites are allowed in every other single family zone in Kelowna and there are no infrastructure challenges limiting them in the Quail Ridge neighbourhood.

In fulfillment of Council Policy No. 367 respecting public notification, the applicant undertook neighbour notification by individually contacting the neighbours as described in the attachments. Staff has received concerned correspondence from neighbours.

#### 4.0 Proposal

##### 4.1 Project Description

The subject property presently contains a single family dwelling and the applicant is applying to be permitted to have a secondary suite. The proposal adheres to all the requirements within the zoning bylaw.

##### 4.2 Site Context

The subject property and all the surrounding properties are zoned CD-6. The subject property is approximately 0.56 acres in area and is located within the permanent growth boundary.

Subject Property Map: 2982 Volterra Court.



## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Compact Urban Form.**<sup>1</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.

**Sensitive Infill.**<sup>2</sup> Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height, and siting.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- 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.
- 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.
- The Building Code only allows for a secondary suite to be 40% of the main residence to a maximum of 90 sq. meters.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

### 6.2 Engineering Department

- See Development Engineering Memo dated August 11<sup>th</sup> 2015.

### 6.3 Bylaw Services

- Officer attended and spoke to the property owner advising of the complaint. The property owner confirms he has a separate suite downstairs with full cooking facilities. Owner was advised that suites are not permitted in the CD-6 zone but he could try to apply for rezoning to allow for the suite. A letter was sent to owner outlining their options (decommissioning or rezoning).

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<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

## 7.0 Application Chronology

Date of Application Received: July 28<sup>th</sup> 2015  
Date of Public Consultation Received: August 11<sup>th</sup> 2015

**Report prepared by:**

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Adam Cseke, Planner 2

**Reviewed by:**  Ryan Smith, Community Planning Manager

### **Attachments:**

Site Plan  
Development Engineering Comments  
Public Notification  
Applicant Drawings