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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** January 5, 2001  
**File No.:** Z00-1060

**To:** City Manager

**From:** Planning and Development Services Department

**Subject:**

APPLICATION NO. Z00-1060

OWNER: BARBARA LARSON

AT: 4195 WALLACE HILL RD.

APPLICANT: BARBARA LARSON AND  
KAMEL ABOUGOUSH

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM THE A1 – AGRICULTURE 1 ZONE TO A1s – AGRICULTURE 1 WITH SECONDARY SUITE ZONE TO ACCOMMODATE A SECONDARY SUITE IN A BUILDING ADDITION CURRENTLY UNDER CONSTRUCTION

EXISTING ZONE: A1 – AGRICULTURE 1

PROPOSED ZONE: A1s – AGRICULTURE 1 WITH SECONDARY SUITE

REPORT PREPARED BY: KIRSTEN G. BEHLER

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1.0 RECOMMENDATION

THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot B, Sec. 3, Twp. 26, O.D.Y.D., Plan 12667, located at 4195 Wallace Hill Road, Kelowna, B.C., from the A1- Agriculture 1 zone to the A1s – Agriculture 1 with Secondary Suite zone;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Variance Permit on the subject property.

2.0 SUMMARY

The applicants seek rezoning of his property from the A1 – Agriculture 1 zone to the A1s – Agriculture 1 with Secondary Suite zone to allow for the construction of a second kitchen in a building addition. The addition to the main house is currently under construction. The second kitchen would convert the building addition into a self-contained suite, which would be occupied by the applicants' mother.

### 3.0 BACKGROUND

#### 3.1 The Proposal

The subject property is located in Southeast Kelowna at the northwest corner of the intersection Wallace Hill Road and Mathews Road. The property is currently zoned for A1 – Agriculture 1 use. The applicants wish to rezone the property to A1s – Agriculture 1 with Secondary Suite use, in order to accommodate a secondary suite in a building addition.

The secondary suite would be located in the building addition that is currently under construction. The suite would be physically connected to the main house with a breezeway, a bathroom, and a tack room. The suite itself would contain an open living/kitchen area, a den with en-suite three-piece bathroom, a Master Bedroom with three-piece en-suite bathroom and a laundry room. Access to the suite is through the laundry room at the west side of the building, and an additional door exists between the breezeway and the proposed suite. The building addition includes an unfinished basement, which will be used for storage only. Access to the basement is via an exterior staircase.

The applicants received a building permit for the addition to the main house in December 2000 and have begun construction. This permit does not allow for the construction of the kitchen. The applicants are aware that, should the rezoning be approved, they will have to apply for a second building permit allowing the construction of the kitchen.

The application meets the requirements of the A1s – Agriculture 1 with Secondary Suite zone as follows:

CRITERIA	PROPOSAL	A1s ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	2.42 ha	2.0 ha min.
Lot Width (m)	153m	40.0m min.
Site Coverage (%)	1.1%	10%
Total Floor Area (m <sup>2</sup> )		
- existing house	134m <sup>2</sup>	N/A
- secondary suite	109m <sup>2</sup> ❶	90m <sup>2</sup>
Storeys (#)	1 ½	2 ½ or 9.5m
Setbacks (m)		
- Front	31m	6.0m
- Rear	99m	10.0m
- West Side	4.6m	4.0m
- East Side	128m	3.0m
Parking Stalls (#)	4	3 min., 4 max.

#### Notes:

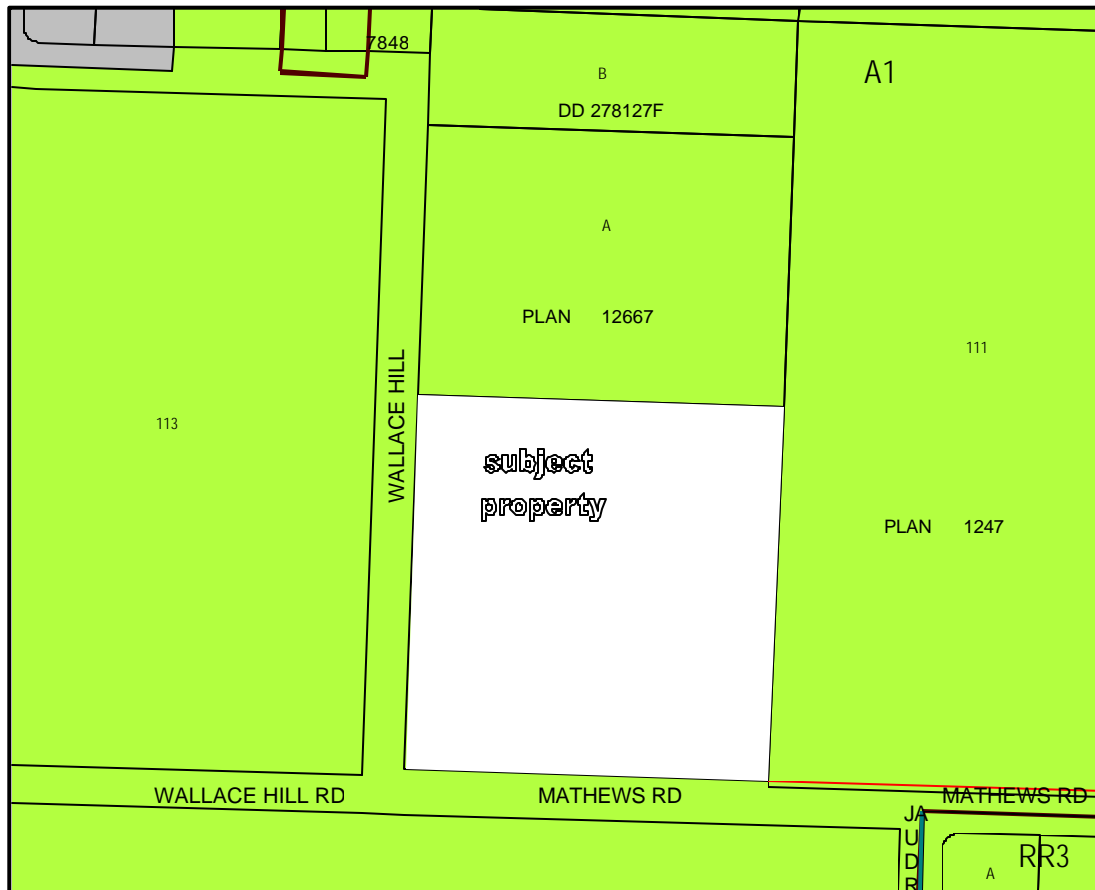
❶ The applicants have applied to vary the size of the suite under Development Variance Permit Application No. DVP00-10,092.

#### 3.2 Site Context

The subject property is located in Southeast Kelowna at the corner of Wallace Hill Road and Mathews Road. The area is predominantly zoned A1 – Agriculture 1, and the majority of lots are used for farming. Southeast of the subject property, at the corner of Jaud Road and Mathews Road, a small single family neighbourhood, zoned Rural Residential 1 and 3, is located. No legal secondary suites exist in the immediate vicinity of the subject property.

Adjacent zones and uses are, to the:

- North - A1 – Agriculture 1 – single family
- East - A1 – Agriculture 1 – farm use
- South - A1 – Agriculture 1 – farm use, 2-3 dwellings
- West - A1 – Agriculture 1 – farm use



### 3.3 Existing Development Potential

The property is currently zoned A1- Agriculture 1. The purpose of this zone is to provide for rural areas and agricultural uses. Single detached housing is allowed as a principal use, and secondary suites are allowed on properties that are rezoned to A1s.

### 3.4 Current Development Policy

#### 3.4.1 Kelowna Official Community Plan

The proposal is consistent with the designation of Rural / Agricultural in the Official Community Plan future land use designation. The Rural / Agricultural designation covers "land within the Agricultural Land Reserve and other rural

farm and non-farm lands where natural physical constraints or lack of services and utilities limit land use intensification" (OCP, Chapter 15).

In addition, the Official Community Plan encourages secondary suites as a form of rental or affordable housing and as an effective tool to increase densities in existing neighbourhoods without major impacts on the form and character of the neighbourhood (Section 4.6.18).

#### 3.4.2 City of Kelowna Strategic Plan (1992)

The Strategic Plan includes the objective of reducing the use of agricultural land for urban purposes (City of Kelowna Strategic Plan, Section 1). The proposal does not result in a significant reduction of agricultural land and is therefore consistent with the Strategic Plan. Furthermore, the subject property is not actively used for agricultural purposes.

#### 3.4.3 Southeast Kelowna Sector Plan

The Southeast Kelowna Sector Plan was completed prior to the drafting of the City's policies on Secondary Suites and thus makes no reference to secondary suites.

#### 3.4.4. Agriculture Plan (1998)

The application is generally consistent with the Agriculture Plan which supports the principle of secondary suites in rural / agricultural areas as per Land Reserve Commission Policy #770/98. This policy allows "one suite per parcel, substantially within the existing footprint of an existing or proposed single family dwelling provided it is clearly secondary to the dwelling" (Agriculture Plan, Page 74).

### 4.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments, and the following relevant comments have been submitted:

#### 4.1. Public Health Inspector

The public health inspector noted that the upgrade to the septic system on the property is complete.

#### 4.2. Inspections Department

The Inspections Department had concerns regarding a secondary building already located on the property. Old records indicate that this building is a cottage. However, the building does not include a kitchen, has no running water and is also not connected to the septic system. The building is used for storage of hay and tools. Following clarification regarding this issue, the Inspections Department had no further concerns.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no concerns regarding the proposed rezoning of the property from A1 – Agriculture 1 to A1s – Agriculture 1 with Secondary Suite. The application is consistent with the future land use designation of the Official Community Plan and is also generally consistent with the Agriculture plan. Except for the size of the suite, the proposal meets the requirements of the proposed A1s zone. The applicant has submitted a Development Variance Permit to vary the size of the proposed suite from a maximum of 90m” to 109m”. The DVP will be presented to Council concurrently with final adoption of the rezoning application.

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Andrew Bruce  
Current Planning Manager

Approved for inclusion ☐

R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Planning & Development Services

/kgb  
Attach.

**FACT SHEET**

1. **APPLICATION NO.:** Z00-1060
2. **APPLICATION TYPE:** Rezoning
3. **OWNER:** Barbara Larson  
· **ADDRESS** 4195 Wallace Hill Rd.  
· **CITY** Kelowna, BC  
· **POSTAL CODE** V1W 4B6
4. **APPLICANT/CONTACT PERSON:** Doug Lane  
· **ADDRESS** 1485 Water St.  
· **CITY** Kelowna, BC  
· **POSTAL CODE** V1Y 1J6  
· **TELEPHONE/FAX NO.:** (250) 762-2235  
(250) 762-4584
5. **APPLICATION PROGRESS:**  
    **Date of Application:** December 8, 2000  
    **Date Application Complete:** December 8, 2000  
    **Servicing Agreement Forwarded to Applicant:** N/A  
    **Servicing Agreement Concluded:** N/A  
    **Staff Report to Council:** January 5, 2001
6. **LEGAL DESCRIPTION:** Lot B, Plan 12667, Sec. 3, Twp. 26, District 26 ODYD
7. **SITE LOCATION:** Southeast Kelowna, at the corner of Wallace Hill Rd. and Mathews Rd.
8. **CIVIC ADDRESS:** 4195 Wallace Hill Rd.  
Kelowna, BC  
V1W 4B6
9. **AREA OF SUBJECT PROPERTY:** 2.42 ha
10. **AREA OF PROPOSED REZONING:** 2.42 ha
11. **EXISTING ZONE CATEGORY:** A1 – Agriculture 1
12. **PROPOSED ZONE:** A1s – Agriculture 1 with Secondary Suite
13. **PURPOSE OF THE APPLICATION:** To accommodate a secondary suite in a building addition currently under construction

**ATTACHMENTS**

**(not attached to the electronic version of the report)**

- Location of subject property
- Site plan
- Floor plan
- West elevation