
CITY OF KELOWNA

MEMORANDUM

Date: June 17, 2002
File No.: Z02-1017

To: City Manager

From: Planning and Development Services Department

Subject:

APPLICATION NO. Z01-1017 OWNER: JOHN, JEANNE and JAMES
PETALS

AT: 2402 HARVARD ROAD APPLICANT: JIM PETALS

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM THE A1 –
AGRICULTURE 1 ZONE TO THE A1s – AGRICULTURE 1 WITH
SECONDARY SUITE ZONE TO PERMIT THE CONSTRUCTION
OF A SECONDARY SUITE IN AN ACCESSORY BUILDING

EXISTING ZONE: A1 – AGRICULTURE 1

PROPOSED ZONE: A1s – AGRICULTURE 1 WITH SECONDARY SUITE

REPORT PREPARED BY: KIRSTEN G. BEHLER

1.0 RECOMMENDATION

THAT Rezoning Application No. Z02-1017 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, Section 33, Township 29, ODYD, Plan 38411, located on Harvard Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the A1s – Agriculture 1 with Secondary Suite zone be considered by Council;

AND THAT the zone amending bylaw be forward to a Public Hearing for further consideration.

2.0 SUMMARY

The applicant seeks to rezone the subject property from the A1 – Agriculture 1 zone to the A1s – Agriculture 1 with Secondary Suite zone in order to be permitted the construction of a secondary suite in an accessory building.

3.0 BACKGROUND

3.1 The Proposal

The subject property is located in Southeast Kelowna, east of Sallows Road, on the north side of Harvard Road. A single family home is presently located on the property. The applicant would like to construct an accessory building at the rear of the lot,

designed to contain a secondary suite for the son of the family. The two-bedroom suite would be constructed to a size of maximum 90m².

The suite would be located at the northern end of the lot, approximately 70.0m from the principal dwelling. The site is large, and there is ample of room for parking. Due to the size of the subject property and adjacent properties, as well as the fact that the property has a substantive tree cover, the suite is not expected to have a visual impact on the area's rural setting.

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

CRITERIA	PROPOSAL	A1s ZONE REQUIREMENTS
Lot Area (m ²)	1.2ha ❶	2.0 ha
Lot Width (m)	66.8m	40.0m
Site Coverage (%)	2.6%	10%
Total Floor Area (m ²) - House - Secondary suite	226m ² 90m ²	90.0m ² or 75% of the principal dwelling, whichever is less
Storeys (#)	1 storey house and accessory building	9.5m for principal dwelling, 13.0m for accessory building
Setbacks (m)		
- Front	50m	6.0m
- Rear	4.5m	3.0m for accessory buildings
- Side - West - East	26m house 69m proposed suite 30m house 27m proposed suite	3.0m 3.0m
Parking Spaces	3 min.	3

Notes:

- ❶ The lot was created prior to the adoption of Zoning Bylaw Nb. 8000. According to section 1.8.4 of the said bylaw, undersized lots can be rezoned to permit a secondary suite, provided they meet all other requirements of the bylaw and were in existence prior to the bylaw, which is the case with the subject property.

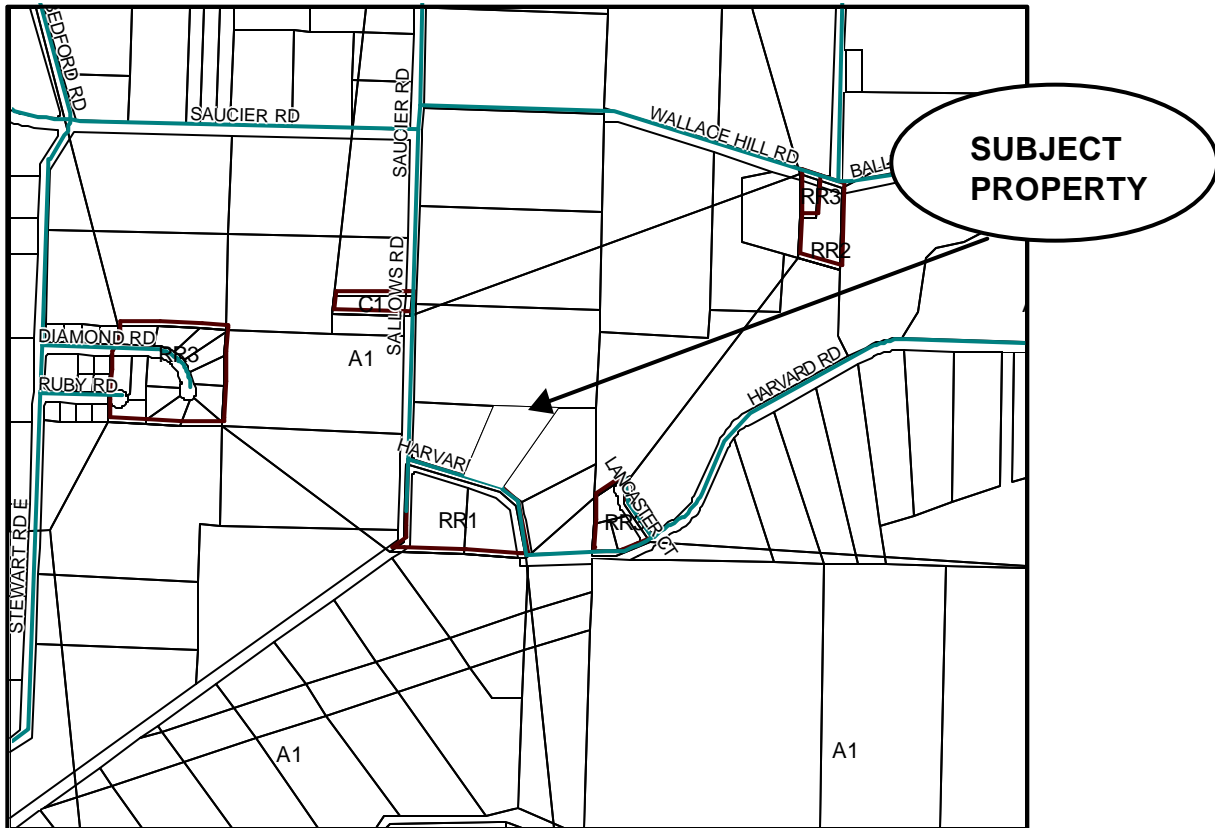
3.2 Site Context

The subject property is located in Southeast Kelowna, east of Sallows Road, on the north side of Harvard Road. It is currently zoned A1 – Agriculture 1. The neighbourhood is predominantly zoned for agricultural uses, with some Rural Residential uses on the south side of Harvard Road. The City of Kelowna has not received any complaints regarding illegal suites in the vicinity of the subject property.

Adjacent zones and uses are, to the:

- North - A1 - Agriculture 1: Farm
- East - A1 - Agriculture 1: Single-Detached Dwelling
- South - A1 - Agriculture 1: Single-Detached Dwelling and Farm Use
- West - A1 - Agriculture 1: Single-Detached Dwelling

3.3 Site Location Map



3.3 Existing Development Potential

The property is zoned A1 – Agriculture 1, a zone intended for rural area and agricultural uses, as well as other complementary uses suitable in an agricultural setting. Secondary suites are allowed on lots with A1s – Agriculture 1 with Secondary Suite zoning.

3.4 Current Development Policy

3.4.1 Kelowna Official Community Plan

The property is designated as Rural/Agricultural in the Official Community Plan. The Rural/Agricultural designation covers rural farm and non-farm lands where natural physical constraints are or lack of services and utilities limit land use intensification.

In addition, the Official Community Plan encourages the creation of secondary suites, provided that they meet the requirements of the zoning bylaw.

3.4.2 City of Kelowna Strategic Plan (1992)

One of the objectives of the Strategic Plan is “to develop a more compact urban form by increasing densities through infill and re-development within existing urban areas and to provide for higher densities within future urban areas” (Objective 1.1). The proposal is consistent with this objective and with its accompanying strategies.

3.4.3. Southeast Kelowna Sector Plan (1994)

The Southeast Kelowna Sector Plan was approved prior to the creation of the City of Kelowna’s policies on Secondary Suites, and the plan does not make reference to such suites.

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 Officer

Septic system is large enough for a single family 3 bedroom home only. The applicant will construct a second field for the suite.

4.2 Southeast Kelowna Irrigation District

The following fees must be paid prior to a water letter being issued for the proposed suite:

▪ Capital Expenditure Charge	\$2,200.00
▪ Application Fee	\$450.00
▪ New Account Fee	<u>\$20.00</u>
Total	\$2,670.00

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no concerns regarding the proposed rezoning of the property from the A1 – Agriculture 1 zone to the A1s – Agriculture 1 with Secondary Suite zone. The proposal is consistent with the OCP future land use designation of Rural / Agricultural and is supported by the OCP policies on secondary suites. The suite would be located at the rear of the large lot and would have no negative visual impact on the rural and agricultural character of the area.

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.:** Z02-1017
2. **APPLICATION TYPE:** Rezoning
3. **OWNER:** John, Jeanne and James Petals
 . **ADDRESS** 2402 Harvard Road
 . **CITY** Kelowna, BC
 . **POSTAL CODE** V1W 4C2
4. **APPLICANT/CONTACT PERSON:** Jim Petals
 . **ADDRESS** As above
 . **CITY**
 . **POSTAL CODE**
 . **TELEPHONE/FAX NO.:** 764-7004
5. **APPLICATION PROGRESS:**
 Date of Application: May 15, 2002
 Date Application Complete:
 Servicing Agreement Forwarded to Applicant: N/A
 Servicing Agreement Concluded: N/A
 Staff Report to Council: June 13, 2002
6. **LEGAL DESCRIPTION:** Lot B, Section 33, Twp. 29, ODYD, Plan 38411
7. **SITE LOCATION:** Southeast Kelowna, east of Sallows Road, on the north side of Harvard Road
8. **CIVIC ADDRESS:** 2402 Harvard Road
Kelowna, BC
9. **AREA OF SUBJECT PROPERTY:** 1.2 ha
10. **AREA OF PROPOSED REZONING:** 1.2 ha
11. **EXISTING ZONE CATEGORY:** A1 - Agriculture 1
12. **PROPOSED ZONE:** A1a - Agriculture 1 with Secondary Suite
13. **PURPOSE OF THE APPLICATION:** To permit the construction of a secondary suite in an accessory building
14. **MIN. OF TRANS./HIGHWAYS FILES NO.:** N/A
 NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY
15. **DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS** N/A

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan
- Floor plan of proposed suite
- Conceptual elevations