
CITY OF KELOWNA

MEMORANDUM

Date: June 14, 2002

File No.: Z02-1005

To: City Manager

From: Planning and Development Services Department

Subject:

APPLICATION NO. Z02-1005

OWNER: DAVID AND GERTRUDE
DEGROOT

AT: 3933 BLUEBIRD ROAD

APPLICANT: ROBERT EDWARDS

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM THE RU1 – LARGE
LOT HOUSING ZONE TO THE RU1s – LARGE LOT HOUSING WITH
SECONDARY SUITE ZONE

EXISTING ZONE: RU1 – LARGE LOT HOUSING

PROPOSED ZONE: RU1S – LARGE LOT HOUSING WITH SECONDARY SUITE

REPORT PREPARED BY: KIRSTEN G. BEHLER

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Rezoning Application No. Z02-1005 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 1, Township 25, ODYD, Plan 30506, located on Bluebird Road, Kelowna, BC, from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone be considered by Council;

THAT Bylaw No. 8840 be amended at first reading to replace the words RU6 – Two Dwelling Housing zone with the words RU1s – Large Lot Housing with Secondary Suite zone;

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

AND THAT final adoption of the zone amending bylaw be considered subject to the applicant amending the flooding/save harmless covenant registered on title of the subject property, in order to incorporate current setback requirements.

2.0 SUMMARY

In April 2002, the applicant made application for the rezoning of the subject property to RU6 – Two Dwelling Housing in order to be permitted the construction of a second dwelling. To address concerns voiced by his neighbours, he has since amended the proposal and is now

asking Council support a rezoning of the property to RU1s – Large Lot Housing with Secondary Suite to construct a suite in a building addition.

3.0 BACKGROUND

3.1 The Proposal

The subject property is located in the North Mission, on the east side of Bluebird Road, abutting Mission Creek. The property is currently zoned RU1 – Large Lot Housing, and a single detached home exists on the lot. In April 2002, the applicant asked for Council's support for the rezoning of the property to the RU6 - Two Dwelling Housing zone to be permitted a second house on the lot. To address some of the neighbours' concerns about building a second house in front of the existing house, the applicant has amended the proposal and now wishes to construct a secondary suite in an addition to the existing house.

The suite would be located in a building addition at the front of the principal dwelling. The size of the suite would be a maximum of 90m², thereby meeting the size requirement for secondary suites as specified in the City of Kelowna Zoning Bylaw No. 8000. The existing landscaping in front of the house will largely remain, other than some shrubs that may have to be removed for construction.

The initial application to rezone the property to the RU6 – Two Dwelling Housing zone triggered variances to legalize non-conforming lot width and a rear yard setback. Rezoning to permit a secondary suite are exempt from certain provisions in the bylaw, and the variances are no longer required.

The application meets the requirements of the proposed RU1 – Large Lot Housing with Secondary Suite zone as follows:

CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
Lot Area (m ²)	1811m ²	550m ²
Lot Width (m)	5.1m ❶	16.5m
Lot Depth (m)	86.7m	30.0m
Site Coverage (%)	18.5% 34.5%	40% for buildings 50% with parking and driveways
Storeys (#)	2 storeys existing house	2 ½ storeys (9.5m max.)
Setbacks (m)		
- Front	26.4m	4.5m
- Rear	4.5m ❷	7.5m
- West Side	3.14m (two-storey portion of existing house)	2.0m for 1 or 1 ½ storey portion
- East Side	4.15m (existing house and addition)	2.3m for 2 or 2 ½ storey portion
Parking Spaces	3 min.	3

Notes:

- ❶ The lot width is non-conforming. Section 1.8.4 of Bylaw No. 8000 permits the rezoning of undersized lots to allow for secondary suites.
- ❷ The rear yard setback of the existing house is non-conforming. The addition would be located on the opposite side of the house and therefore would not increase the non-conformity.

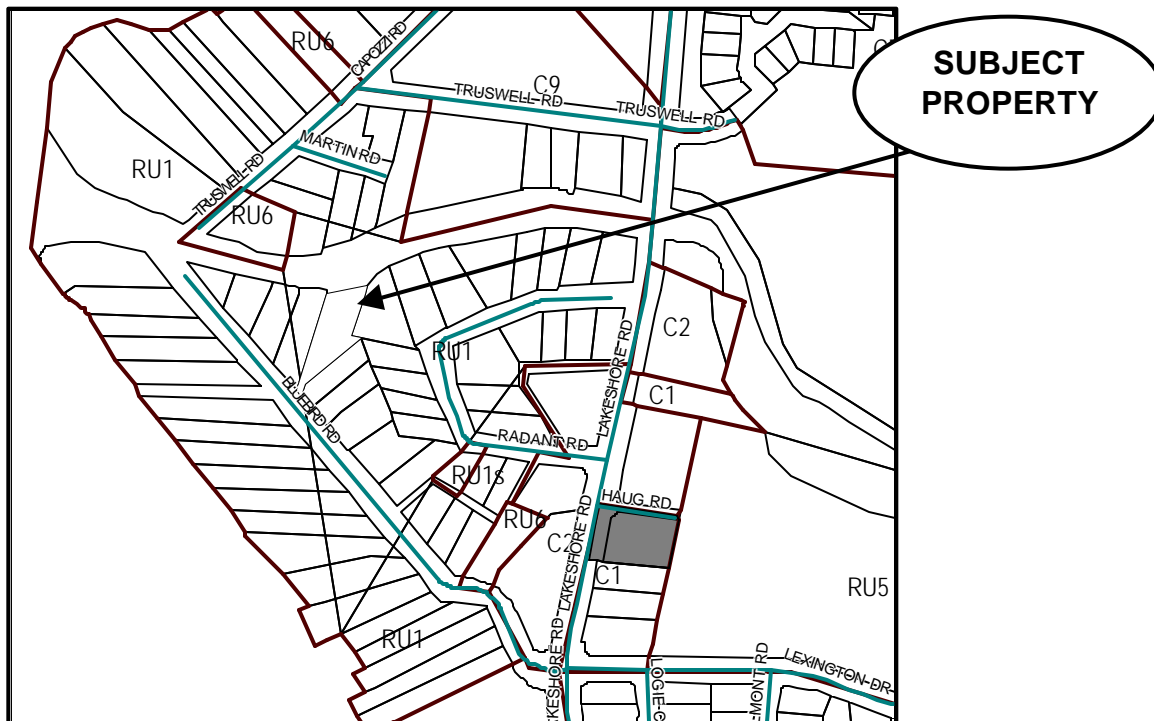
3.2 Site Context

The subject property is located in the North Mission. The area is predominantly a single family residential neighbourhood. Several lots in the vicinity of the subject property are zoned to permit a secondary suite or a second dwelling. The City of Kelowna has received no complaints for illegal suites in the vicinity of the subject property.

Adjacent zones and uses are, to the:

- North - RU1 - Large Lot Housing – single family dwellings
- East - RU1 - Large Lot Housing – single family dwelling
- South - RU1 - Large Lot Housing – single family dwelling
- West - RU1 - Large Lot Housing – single family dwelling

Site Location Map



3.3 Existing Development Potential

The property is zoned RU1 – Large Lot Housing. The purpose of this zone is to provide for single detached housing as a principal use, and compatible secondary uses, such as bed and breakfast homes, minor care centres and group homes, as well as home based businesses. Secondary suites are allowed on lots with RU1s – Large Lot Housing with Secondary Suite zoning.

3.4 Current Development Policy

3.4.1 Kelowna Official Community Plan

The property is designated as Single/Two Family Residential in the Official Community Plan. The Single/Two Family Residential designation covers single detached homes for occupancy by one family, single detached homes with a secondary suite, semi-detached buildings used for two dwelling units, and complementary uses. The application is therefore consistent with this designation.

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 North Mission / Crawford Sector Plan (1997)

At the time the North Mission / Crawford Sector Plan was written, the City of Kelowna committed to reviewing its position on secondary suites, leading to current policies on secondary suites in the Official Community Plan. The North Mission / Crawford Sector Plan states that the City of Kelowna would maintain and enhance the stability and liveability of existing neighbourhoods by ensuring that intensification in the form of infill and conversions is consistent with the neighbourhood structure and character. Secondary suites maintain the single-family character of existing neighbourhoods and are therefore an acceptable form of intensification. In addition, the plan refers to the City of Kelowna’s housing objective to provide for a diversity of housing which addresses the full spectrum of life cycles and income levels. Secondary suites meet this objective by providing a form of rental housing or living space for family members of all ages.

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 Works & Utilities

1. General

The proposed rezoning application does not compromise Works and Utilities requirements.

2. Domestic water and fire protection

This development is within the City service area. This property is currently serviced by the municipal water main. The existing metered 19mm-diameter PVC water service may be retained for use by the existing dwelling and proposed addition.

3. Sanitary Sewer

This property is currently serviced by the municipal sanitary sewer system. The existing 100mm-diameter service can be used for the existing and proposed addition.

4.2 Inspection Services

Inspection Services has no concerns. A flooding covenant may be required.

4.3 Ministry of Water, Land and Air Protection

The existing covenant will have to be replaced. The conditions of the new covenant should be consistent with the requirements for development along Mission Creek in the City of Kelowna Draft Floodplain Bylaw.

Consent is hereby given to replace the existing covenant. The new covenant shall specify that buildings or structures on the property in question be not less than fifteen point zero (15.0) metres from the natural boundary of Mission Creek. Furthermore, no area used for habitation or storage of goods damageable by floodwater shall be located in a building such that the underside of the floor system thereof is less than 344.0m Geodetic Survey of Canada datum.

4.4 Environment Divison

Flooding/save harmless covenants are required. MWALP" Flood setback reduction" application for the existing house may be required if specified by the Ministry. The application was circulated to the Ministry, which required no flood setback reduction for the existing house. A Development Permit Waiver has been granted for the addition.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no concerns regarding the proposed rezoning of the subject property from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone. The proposal is consistent with the OCP future land use designation of Single/Two Family Residential use and with OCP policies on Secondary Suites. The application is also consistent with policies on housing and urban form in the North Mission / Crawford Sector Plan.

The proposed suite will have to meet all size and Building Code requirements, which will be ensured at the Building Permit stage. Accommodating the suite in an addition to the existing building, along with the distance of the house to the road, will ensure minimal visual impact of the suite on the single family character of the neighbourhood. The lot provides ample parking and open space for residents of the house and the future suite.

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.:** Z02-1005
2. **APPLICATION TYPE:** Rezoning
3. **OWNER:** David and Gertrude DeGroot
· **ADDRESS** 3933 Bluebird Road
· **CITY** Kelowna, BC
· **POSTAL CODE** VV1W 1X7
4. **APPLICANT/CONTACT PERSON:** Robert Edwards
· **ADDRESS** 228 Lake Avenue
· **CITY** Kelowna, BC
· **POSTAL CODE** V1Y 5W5
· **TELEPHONE/FAX NO.:** 861-5501 / 861-5210
5. **APPLICATION PROGRESS:**
 Date of Application: February 22, 2002
 Date Application Complete: Amendments May 24, 2002
 Servicing Agreement Forwarded to Applicant: N/A
 Servicing Agreement Concluded: N/A
 Staff Report to APC: March 5, 2002 (for original proposal to RU6)
 Staff Report to Council: April 15, 2002 (for RU6)
 June 4, 2002 (for RU1s)
6. **LEGAL DESCRIPTION:** Lot A, Section 1, Twp. 25, ODYD, Plan 30506
7. **SITE LOCATION:** North Mission, on the east side of Bluebird Road, south of Mission Creek
8. **CIVIC ADDRESS:** 3933 Bluebird Road
Kelowna, BC
9. **AREA OF SUBJECT PROPERTY:** 1811m²
10. **AREA OF PROPOSED REZONING:** 1811m²
11. **EXISTING ZONE CATEGORY:** RU1 – Large Lot Housing
12. **PROPOSED ZONE:** RU1s – Large Lot Housing with Secondary Suite zone
13. **PURPOSE OF THE APPLICATION:** To rezone the property to permit the construction of a secondary suite in an addition to the existing house
14. **MIN. OF TRANS./HIGHWAYS FILES NO.:** N/A
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
- Photos of existing house and yard