
CITY OF KELOWNA
MEMORANDUM

Date: August 21, 2002
File No.: Z02-1032

To: City Manager

From: Planning and Development Services Department

Subject:

APPLICATION NO. Z02-1032

OWNER: Cummings, Robert and
Benigna

AT: 1931 Abbott Street

APPLICANT: Cummings, Robert and
Benigna

PURPOSE: TO REZONE THE PROPERTY FROM RU1-LARGE LOT HOUSING TO
RU1s-LARGE LOT HOUSING WITH SECONDARY SUITE TO ALLOW
FOR THE CONSTRUCTION OF A SECONDARY SUITE IN AN
ACCESSORY BUILDING

EXISTING ZONE: RU1 – LARGE LOT HOUSING

PROPOSED ZONE: RU1s ZONE – LARGE LOT HOUSING WITH SECONDARY SUITE

REPORT PREPARED BY: RYAN SMITH

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of that part Lot 27, Blk. 5 shown on Plan B597; District Lot 14, ODYD, Plan 348, located on Abbott Street, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone;

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

AND THAT final adoption of the zoning bylaw be considered in conjunction with Council's consideration of Major Heritage Alteration Permit HAP02-0008.

2.0 SUMMARY

The applicants seek to rezone the subject property from the RU1 – Large Lot Housing to the RU1s – Large Lot Housing with Secondary Suite to permit a secondary suite on the second story of a proposed accessory building.

3.0 COMMUNITY HERITAGE COMMISSION

The Community Heritage Committee considered the application for a Major Heritage Alteration permit on Aug. 13, 2002 and the following resolution was passed:

THAT the Community Heritage Commission supports Heritage Alteration Permit Application No. HAP02-0008 and Z02-1032 – 1931 Abbott Street subject to:

- All of the proposed parking stalls being provided in the rear yard area as opposed to the front yard area; and
- The design and proportions of the windows in the proposed accessory building matching the design and proportions of the windows in the existing house.

The rezoning application was not part of consideration by the CHC when reviewing HAP02-0008.

4.0 BACKGROUND

4.1 The Proposal

The applicants seek to rezone the subject property from the RU1 – Large Lot Housing to the RU1s – Large Lot Housing with Secondary Suite to allow a secondary suite on the second story of a proposed accessory building. The proposed two-storey accessory structure will include a two-vehicle garage, a bedroom and bathroom (for use by residents of principal dwelling) and washer/dryer on the ground floor. The second floor suite will contain two bedrooms, a bathroom, kitchen, and living/dining areas. A balcony will also be located at the front of the accessory building facing the rear of the primary residence. A second smaller balcony will be located at the rear of the suite on the southernmost corner.

The subject property is located in the Abbott Street Heritage Conservation Area on the eastern side of Abbott Street where it meets Vimy Avenue. At the present time one main house and an accessory building serving as a garage exist on the site. The house is located on the south/central portion of the lot and fronts onto Abbott Street. The small accessory building that serves as a garage sits adjacent to the house on the north/east side of the property. The applicants' plan to demolish the existing accessory garage in order to make room for a new two-story accessory containing a suite and garage as mentioned above.

The application meets the requirements of the proposed RU1s – Large Lot Housing with Secondary Suite zone as follows:

CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS
Lot Area (m ²)	1002.0m ²	550.0m ²
Lot Width (m)	19.59m	17.0m
Lot Depth (m)	55.3m	30.0m
Site Coverage (%)	30% 49%	40% (building) 50% (with driveway and parking)
Total Floor Area (m ²) -House -Secondary suite	160m ² Approx. 80m ²	N/A 90m ² or 75% of the total floor area of the building, whichever is less
Storeys (Accessory)	2 storeys / 6.0m	6.0m
Setbacks-Suite (m)		
-Front	5.9m	4.5m
-Rear	2.3m	1.5m
-West Side	5.3m	2.3m
-East Side	6.0m	2.3m
Setbacks-House (m)		
-Front	22.0m	4.5m
-Rear	16.0m	7.5m
-North Side	3.0m	2.0m
-South Side	1m approx. ¹	2.0m
Proximity of Accessory Building to Principal Building	5.0m	5.0m
Parking Spaces	3	3

Note: Southern Side Yard Setback of existing house does not conform to the required setback of 2.3m; however, the proposal indicates that there will be no changes made to decrease the existing side yard.

4.2 Site Context

The subject property is located in the Abbott Street Heritage Conservation Area on the eastern side of Abbott Street where it meets Vimy Avenue. The neighbourhood is zoned predominantly for single family housing. Several lots in the area have been re-zoned from RU1- Large lot housing to RU1s - Large lot housing with secondary suite. These include the two lots on the corners of Abbott St. and Vimy Ave.

Adjacent zones and uses are:

- North - RU1 - Large lot housing – single family dwelling
- East - RU1 - Large lot housing – single family dwelling
- South - RU1 - Large lot housing – single family dwelling
- West - RU1s - Large lot housing with secondary suite– single family dwelling with suite

4.3 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.

4.4 Current Development Policy

3.4.1 Kelowna Official Community Plan

The proposal is consistent with the designation of Single/Two Family Residential in the Official Community Plan future land use designation. 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 (OCP, Chapter 15).

The OCP designates the area in which the subject property is located as the Abbott Street Heritage Conservation Area. The purpose of the Heritage Conservation Area designation is to provide objectives and guidelines for the conservation of the areas' heritage resources and distinct character. One of the objectives of Conservation Areas is to encourage additions that are compatible with the form and character of the existing neighbourhood context.

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 these objectives and with their accompanying strategies.

5.0 TECHNICAL COMMENTS

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

5.1 Inspection Services Department

The Department Of Inspection Services initially identified the area of the proposed suite as exceeding the maximum allowable size of 90m². The applicants have submitted new floor plans of which the calculated area is less than the required 90m².

6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department supports the proposed rezoning of the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite. The proposal is consistent with the OCP future land use designation of Single/Two Family Residential use and with OCP policies on Secondary Suites. Furthermore, the proposal is also in line with Kelowna's Strategic Plan and will help the City Of Kelowna increase densities in urban areas through infill and redevelopment. The applicants have revised their proposed floor plans and have brought the size of the proposed suite inside the maximum allowable floor area of 90m² for secondary suites in accessory buildings.

Andrew Bruce
Current Planning Manager

Approved for inclusion

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

RWS
Attach.

FACT SHEET

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|--|---|
| 1. APPLICATION NO.: | Z02-1032 (Also see HAP02-0008) |
| 2. APPLICATION TYPE: | Rezoning |
| 3. OWNER: | Cummings, Robert and Benigna |
| . ADDRESS | 1931 Abbott Street |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1Y 1B8 |
| 4. APPLICANT/CONTACT PERSON: | Cummings, Robert and Benigna |
| . ADDRESS | 1931 Abbott Street |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1Y 1B8 |
| . TELEPHONE/FAX NO.: | 763-9816 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | July 23, 2002 |
| Date Application Complete: | July 23, 2001 |
| Servicing Agreement Forwarded to Applicant: | N/A |
| Servicing Agreement Concluded: | N/A |
| Staff Report to Council: | August 21, 2002 |
| 6. LEGAL DESCRIPTION: | Part Lot 27, Blk. 5 shown on Plan B597; District Lot 14, ODYD, Plan 348 |
| 7. SITE LOCATION: | Abbott Street Heritage Conservation Area, east side of Abbott Street where it meets Vimy Avenue |
| 8. CIVIC ADDRESS: | 1931 Abbott Street
Kelowna, BC |
| 9. AREA OF SUBJECT PROPERTY: | 1002 m ² |
| 10. AREA OF PROPOSED REZONING: | 1002 m ² |
| 11. EXISTING ZONE CATEGORY: | RU1 – Large Lot Housing |
| 12. PROPOSED ZONE: | RU1s – Large Lot Housing with Secondary Suite |
| 13. PURPOSE OF THE APPLICATION: | To rezone the property to allow the construction of a secondary suite in an accessory building |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.: | 02-081-19998 |
| 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 and main floor plan
- Plan of upper floor with suite
- Elevations
- Cross-section
- Photos of existing house