

MEMORANDUM

REPORT PREPARED BY: KEIKO NITTEL

THAT Zoning Bylaw Text Amendment No. TA03-0002 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in the report of the Planning & Development Services Department dated March 25, 2003, be considered by Council;

THAT Rezoning Application No. ZO3-0008 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, DL 359, ODYD, Plan 16356, located on Saucier Road, Kelowna, B.C. from the A1- Agricultural 1 zone to the A1s- Agricultural with Secondary Suite zone be considered by Council;

THAT Zoning Bylaw Text Amendment No. TA03-0002 and the zone amending bylaw be forwarded to a Public Hearing for further consideration;

2.0 SUMMARY

The applicant is seeking to rezone the subject property from the A1s – Agricultural 1 zone to A1s – Agricultural 1 with Secondary Suite to permit a secondary suite within an accessory building. The applicant would like to use a mobile home as the secondary suite. As this is not permitted under the current provisions of Zoning Bylaw No.8000, the applicant is seeking a text amendment to allow a mobile home to be considered a secondary suite within an accessory building on properties that are not in the ALR and are zoned A1s- Agricultural 1 with Secondary Suite.

3.0 BACKGROUND

3.1 The Proposal

The applicant is seeking to rezone the subject property from the A1 – Agricultural 1 zone to A1s – Agricultural 1 with Secondary Suite to permit a secondary suite in an accessory building. The applicant would like to use a mobile home as the secondary suite. As this is not permit under the provisions of the current Zoning Bylaw, the applicant is seeking a text amendment to allow a mobile home to be considered a secondary suite within an accessory building in the A1s- Agricultural 1 with Secondary Suite zoning, provided that the property is not located in the Agricultural Land Reserve (ALR). The mobile home would be considered an accessory building with a secondary suite. It will therefore be required to meet the Zoning Bylaw regulations for secondary suites within accessory buildings including the requirement that it include an attached garage or carport.

The subject property is a 0.81 ha lot with A1 zoning. The subject property and the adjacent lot to the south are surrounded by but are not part of the Agricultural Land Reserve. There is a single detached house, a detached garage, a kennel, a barn, and a hen house on the subject property. The proposed secondary suite will comprise of a single wide mobile home with an attached carport. The mobile home is 4.4 metres in height and 82.6 m² in area. The mobile home contains a living room, kitchen, bathroom, and two bedrooms. The mobile home therefore meets both the size and setback requirements for secondary suite within accessory buildings as outlined in the Zoning Bylaw. Driveway access to the secondary suite will be provided off of Saucier Road. There is sufficient parking on the subject property.

The change to the zoning regulations are summarized as follows:

Amend the following section:

Section 9.5.1. Secondary suites, when permitted, are to be located only in a converted single detached housing or an accessory building. . A mobile home may be considered a secondary suite within an accessory building only in an A1s - Agricultural 1 with Secondary Suite zone provided it is not in the Agricultural Land Reserve (ALR). No structural alterations or additions shall be undertaken that alters the existing low density residential character and form of the neighbourhood.

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

CRITERIA	PROPOSAL	A1s ZONE REQUIREMENTS
Lot Area (m ²)	8095 m ² ❶	40000 m ²
Lot Width (m)	80.8 m	40.00m
Lot Depth (m)	100 m	n/a
Total Floor Area (m ²)	82.5m ² (72.8m ² suite)	90m ²
-- --Secondary suite		
Height (Accessory)	4.42m	4.5m
Setbacks-Suite (m)		
-Front	9.1m	6.0m
-Rear	39.6m	10.0m
- Side (North)	67.0m	3.0m
- Side (South)	6.1m	3.0m
Proximity of Accessory Building to Principal Building	67.0m	5.0m
Parking Spaces (Total)	10 + spaces	3 spaces

❶ Existing non-conforming lot size.

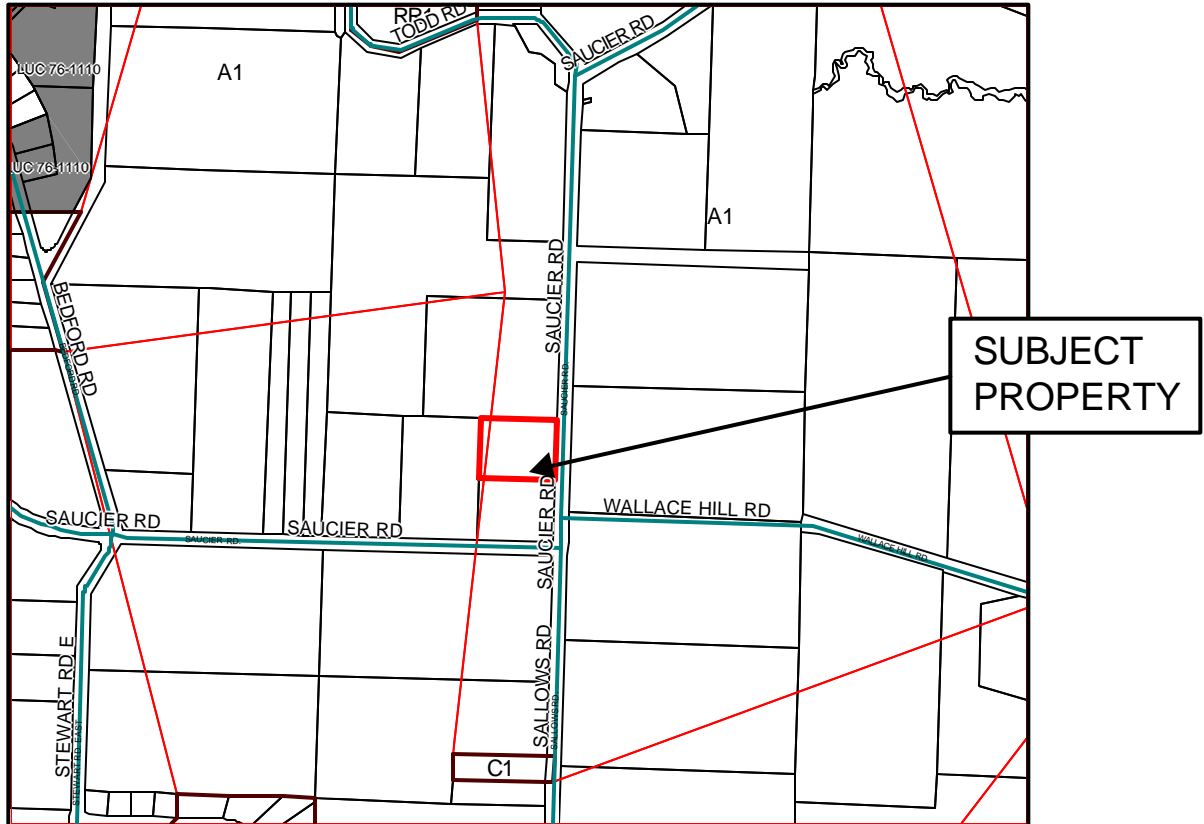
3.2 Site Context

The subject property is located on Saucier Road between Todd Road and Sallows Road. The property is not within the Agricultural Land Reserve.

Adjacent zones and uses are:

North - A1 – Agricultural 1 - ALR
 East - A1 – Agricultural 1 - ALR
 South - A1 – Agricultural 1 – Non-ALR
 West - A1 – Agricultural 1 - ALR

Site Location Map



3.3 Existing Development Potential

The property is zoned A1 – Agricultural 1. The primary uses in this zone include agriculture, animal clinics (major), aquaculture, greenhouses and plant nurseries, intensive agriculture, mobile homes, single detached housing, utility services (minor impact). The secondary uses in this zone include agricultural dwellings (additional), agri-tourist accommodation, animal clinics (major & minor), bed and breakfast homes, care centres (intermediate), forestry, group homes (minor), home based businesses (major, minor, & rural), kennels and stables, wineries and cideries, and second kitchens.

Secondary suites are permitted on lots with A1s – Agricultural 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

4.1 Inspections

No concerns

4.2 Works & Utilities

No comment

4.3 Interior Health

Support is subject to a septic permit being issued.

4.4 Fire Department

No objections

4.5 South East Kelowna Irrigation District

To provide an additional residence on the above property, the following fees must be paid:

1. Capital Expenditure Charge (1@\$2,300)	\$2,300.00
2. Application Fee (1@\$450)	\$ 450.00
3. Service Connection Fee (25mm domestic)	\$ 900.00
4. New Account Fee	\$ 200.00
Total	\$3,670.00

Upon payment of the above fees the district will provide a water letter to the applicant as verification that the district requirements have been met.

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 Department also supports the proposed text amendment to allow a mobile home to be considered a secondary suite within an accessory building in A1s – Agricultural 1 with Secondary Suite zoning provided that the property is not located in the ALR. This text amendment is not intended to change the regulations for the use of single or double wide mobile homes as principal dwellings. A mobile home that is to be used as secondary suite within an accessory building will be required to meet the applicable requirements for secondary suites within accessory buildings as outlined in the Zoning Bylaw. The proposed mobile home meets the requirements for secondary suites within accessory buildings, and sufficient parking is provided on site. The proposal is not expected to have a negative impact on the rural character of the area.

Andrew Bruce
Current Planning Manager

Approved for inclusion

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

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Attach.

FACT SHEET

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| 1. | APPLICATION NO.: | Z03-0008 |
| 2. | APPLICATION TYPE: | Rezoning |
| 3. | OWNER: | Wendy Cunningham |
| | · ADDRESS | 2290 Saucier Road |
| | · CITY | Kelowna, BC |
| | · POSTAL CODE | V1W 4B8 |
| 4. | APPLICANT/CONTACT PERSON: | Wendy Cunningham |
| | · ADDRESS | 2290 Saucier Road |
| | · CITY | Kelowna, BC |
| | · POSTAL CODE | V1W 4B8 |
| | · TELEPHONE/FAX NO.: | 764-1164 |
| 5. | APPLICATION PROGRESS: | |
| | Date of Application: | February 27, 2003 |
| | Date Application Complete: | February 27, 2003 |
| | Servicing Agreement Forwarded to Applicant: | N/A |
| | Servicing Agreement Concluded: | N/A |
| | Staff Report to Council: | |
| 6. | LEGAL DESCRIPTION: | Lot 1, District Lot 359, ODYD, Plan 16356 |
| 7. | SITE LOCATION: | The subject property is located on Saucier Road between Todd Road and Sallows Road. |
| 8. | CIVIC ADDRESS: | 2290 Saucier Road, Kelowna , BC |
| 9. | AREA OF SUBJECT PROPERTY: | 8099 m ² |
| 10. | AREA OF PROPOSED REZONING: | 8099 m ² |
| 11. | EXISTING ZONE CATEGORY: | A1 – Agricultural 1 |
| 12. | PROPOSED ZONE: | A1 – Agricultural 1 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.: | 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
- Aerial Photo of Site
- Floor plans
- Elevations