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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** March 26, 2003  
**File No.:** Z03-0010

**To:** City Manager

**From:** Planning and Development Services Department

**Subject:**

**APPLICATION NO.** Z03-0010  
**AT:** 2337 Abbott Street

**OWNER:** Kevin and Janet Hertz  
**APPLICANT:** Kevin and Janet Hertz

**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

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**SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS**

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**1.0**    RECOMMENDATION

THAT Rezoning Application No. Z03-0010 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4, DL 14, ODYD Plan 3451, located on Abbott Street, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone be considered by Council;

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

**2.0**    SUMMARY

The applicants are seeking 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 in an accessory building.

### 3.0 BACKGROUND

#### 3.1 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 suite in an accessory building. The proposed secondary suite will be located above a two-car garage at the rear of the subject property. The proposed 1.5 storey accessory structure measuring 60.3m<sup>2</sup> will include one bedroom, a living room, bathroom and kitchen. The proposal allows for four parking spaces on the property; two in the garage and two adjacent to the accessory building (one on either side). All will be accessed via the laneway.

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

<b>CRITERIA</b>	<b>PROPOSAL</b>	<b>RU1s ZONE REQUIREMENTS</b>
Lot Area (m <sup>2</sup> )	740m <sup>2</sup>	550.0m <sup>2</sup>
Lot Width (m)	19.81m	15.0m
Lot Depth (m)	33.5m	30.0m
Site Coverage (%)	30.3% 45.4%	40% (buildings) 50% (with driveway and parking)
Total Floor Area (m <sup>2</sup> ) -House -Secondary suite	230m <sup>2</sup> 60.3m <sup>2</sup>	N/A 90.0 m <sup>2</sup>
Height (Accessory)	4.5m	4.5m
Setbacks-Suite (m)		
-Front (From Principal Dwelling)	10m	5.0m
-Rear	1.5m	1.5m
-North Side	4.87m	2.0m
-South Side	3.3m	2.0m
Setbacks-House (m)		
-Front	4.57m	4.5m
-Rear (Between House and Suite)	10.0m	5.0m
-North Side	3.2m	2.3m
-South Side	5.4m	2.3m
Parking Spaces (Total)	4	3

### 3.2 Site Context

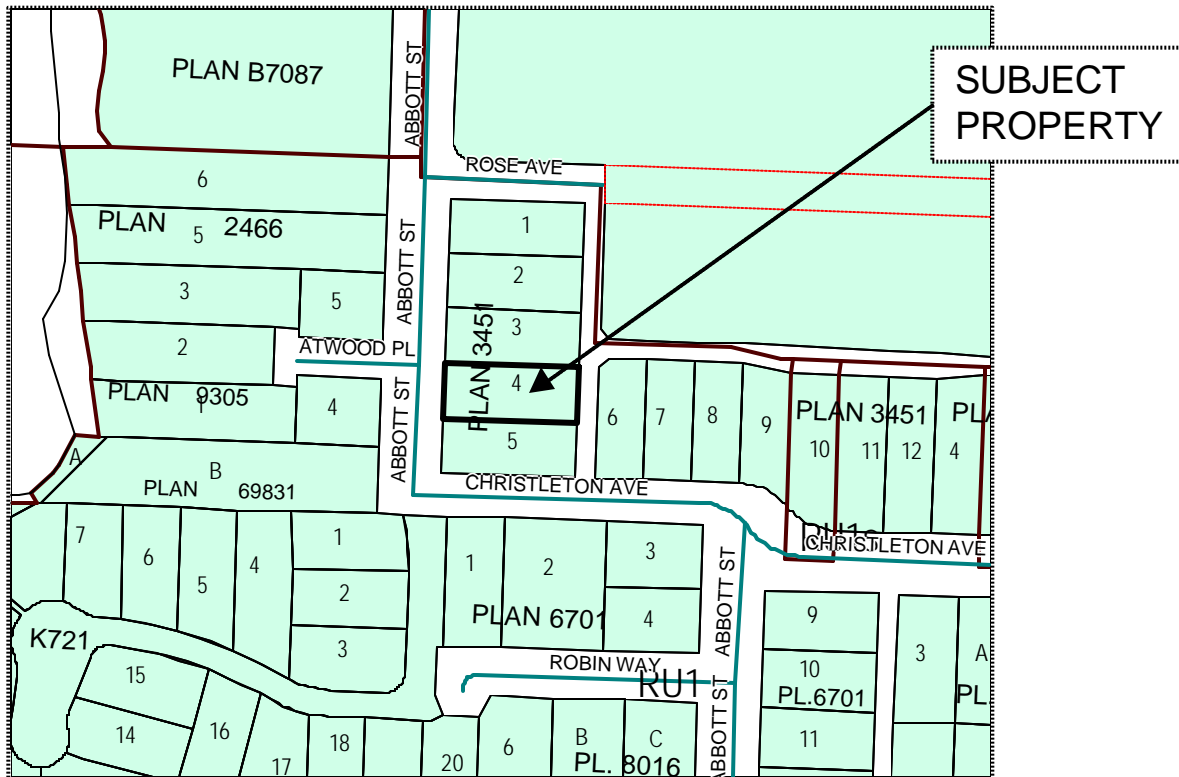
The subject property is located on Abbott Street, east of Atwood Place and one lot north of Abbott's intersection with Christleton Avenue.

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 - RU1 - Large lot housing – single family dwelling

### Site Location Map

Subject Property: 2337 Abbott Street



### 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 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).

#### 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.

### 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 Inspection Services Department

No Concerns.

#### 4.2 Works and Utilities Department

The Works & utilities Department has the following comments and requirements associated with this application to rezone from RU-1 to RU1s

##### 1. General

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

##### 2. Domestic water and fire protection

The existing lot is serviced with a small diameter (13-mm) copper water service, which is substandard. Adequate metered water service must be provided to meet current by-law requirements. The applicant will be responsible for the cost to provide this upgrade

### 3. Sanitary Sewer

This property is currently serviced by the municipal sanitary sewer system. The existing 100mm-diameter service will be adequate for the proposed additional suite and may be retained.

### 4. Development Permit and Site Related Issues

We recommend that the proposed rear yard setback be increased to a minimum of 3.00m. This will provide a safer reverse movement into the lane from the proposed garage.

#### 4.2 Interior Health

Subject to sewer and water.

## 5.0 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, Kelowna's Strategic Plan supports the proposal.

The Planning and Development Services Department would also like to note that the bedroom indicated on the proposed floor plan is not functional due to the slope of the roof. Because this is merely a concept plan revisions are not necessary at this time, however, the applicant has been notified and revisions will be made at the Building Permit stage.

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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.  | <b>APPLICATION NO.:</b>   | Z03-0010   |
| 2.  | <b>APPLICATION TYPE:</b>  | Rezoning   |
| 3.  | <b>OWNER:</b>   | Kevin and Janet Hertz  |
|     | . ADDRESS   | 2337 Abbott Street   |
|     | . CITY  | Kelowna, BC  |
|     | . POSTAL CODE   | V1Y 1E4  |
| 4.  | <b>APPLICANT/CONTACT PERSON:</b>                                      | Kevin Hertz  |
|     | . ADDRESS   | 2337 Abbott Street   |
|     | . CITY  | Kelowna, BC  |
|     | . POSTAL CODE   | V1Y 1E4  |
|     | . TELEPHONE/FAX NO.:  | 862-3626   |
| 5.  | <b>APPLICATION PROGRESS:</b>  |  |
|     | Date of Application:  | March 5, 2002  |
|     | Date Application Complete:  | March 5, 2002  |
|     | Servicing Agreement Forwarded to Applicant:                           | N/A  |
|     | Servicing Agreement Concluded:  | N/A  |
|     | Staff Report to Council:  |  |
| 6.  | <b>LEGAL DESCRIPTION:</b>   | Lot 4, DL 14, ODYD Plan 3451   |
| 7.  | <b>SITE LOCATION:</b>   | The subject property is located on Abbott Street, east of Atwood Place and one lot north of Abbott's intersection with Christleton Avenue. |
| 8.  | <b>CIVIC ADDRESS:</b>   | 2337 Abbott Street   |
| 9.  | <b>AREA OF SUBJECT PROPERTY:</b>                                      | 740m <sup>2</sup>  |
| 10. | <b>AREA OF PROPOSED REZONING:</b>                                     | 740m <sup>2</sup>  |
| 11. | <b>EXISTING ZONE CATEGORY:</b>  | RU1 – Large Lot Housing  |
| 12. | <b>PROPOSED ZONE:</b>   | RU1s – Large Lot Housing with Secondary Suite  |
| 13. | <b>PURPOSE OF THE APPLICATION:</b>                                    | Rezone for Secondary Suite   |
| 14. | <b>MIN. OF TRANS./HIGHWAYS FILES NO.:</b>                             | N/A  |
|     | <b>NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY</b> |  |
| 15. | <b>DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS</b>                       | N/A  |

**ATTACHMENTS**

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

- Location of subject property
- Site plan and floor plan
- Elevations