
CITY OF KELOWNA

MEMORANDUM

Date: March 30, 2004
File No.: Z04-0017

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO: Z04-0017 OWNERS: Edgar Fenwick & Corneil Therrien

AT: 5570 Lakeshore Road APPLICANT: Edgar Fenwick & Corneil Therrien

PURPOSE: TO REZONE THE PROPERTY FROM A1-AGRICULTURAL 1 TO
A1s- AGRICULTURAL 1 WITH SECONDARY SUITE TO ALLOW
FOR A SECONDARY SUITE WITHIN AN ACCESSORY
BUILDING

EXISTING ZONE: A1- AGRICULTURAL 1

PROPOSED ZONE: A1s- AGRICULTURAL 1 WITH SECONDARY SUITE

REPORT PREPARED BY: MARK KOCH

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Rezoning Application No. Z04-0017 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, Sec. 15, Twp. 28, SDYD, Plan KAP59239, located on Lakeshore Road, Kelowna, B.C. from the A1- Agricultural 1 zone to the A1s- Agricultural 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 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.

3.0 BACKGROUND

3.1 The Proposal

The proposed secondary suite is situated on a 1.56ha (3.9ac) subject property, located on Lakeshore Road near Rimrock Road within the Southwest Mission Sector area of the City. The proposed secondary suite will be located to the northeast of the existing house

and consists of a living/dining room, one kitchen, one bathroom, and one bedroom. The suite meets the regulations outlined in the Zoning Bylaw. There is also sufficient parking on the subject property.

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)	15603m ² ❶	40000 m ²
Lot Width (m)	235.00m	40.00m
Site Coverage	Approx 5%	10%
Total Floor Area (m ²) --Secondary suite	89.18m ²	90m ²
Height (Accessory)	8m	13.0m
Setbacks-Suite (m)		
-Front	15m	6.0m
-Rear	17.5m	10.0m
- Side (East)	50m	3.0m
- Side (West)	120m	3.0m
Proximity of Accessory Building to Principal Building	50.0m	5.0m
Parking Spaces (Total)	3 + spaces	3 spaces

❶ Existing non-conforming lot size.

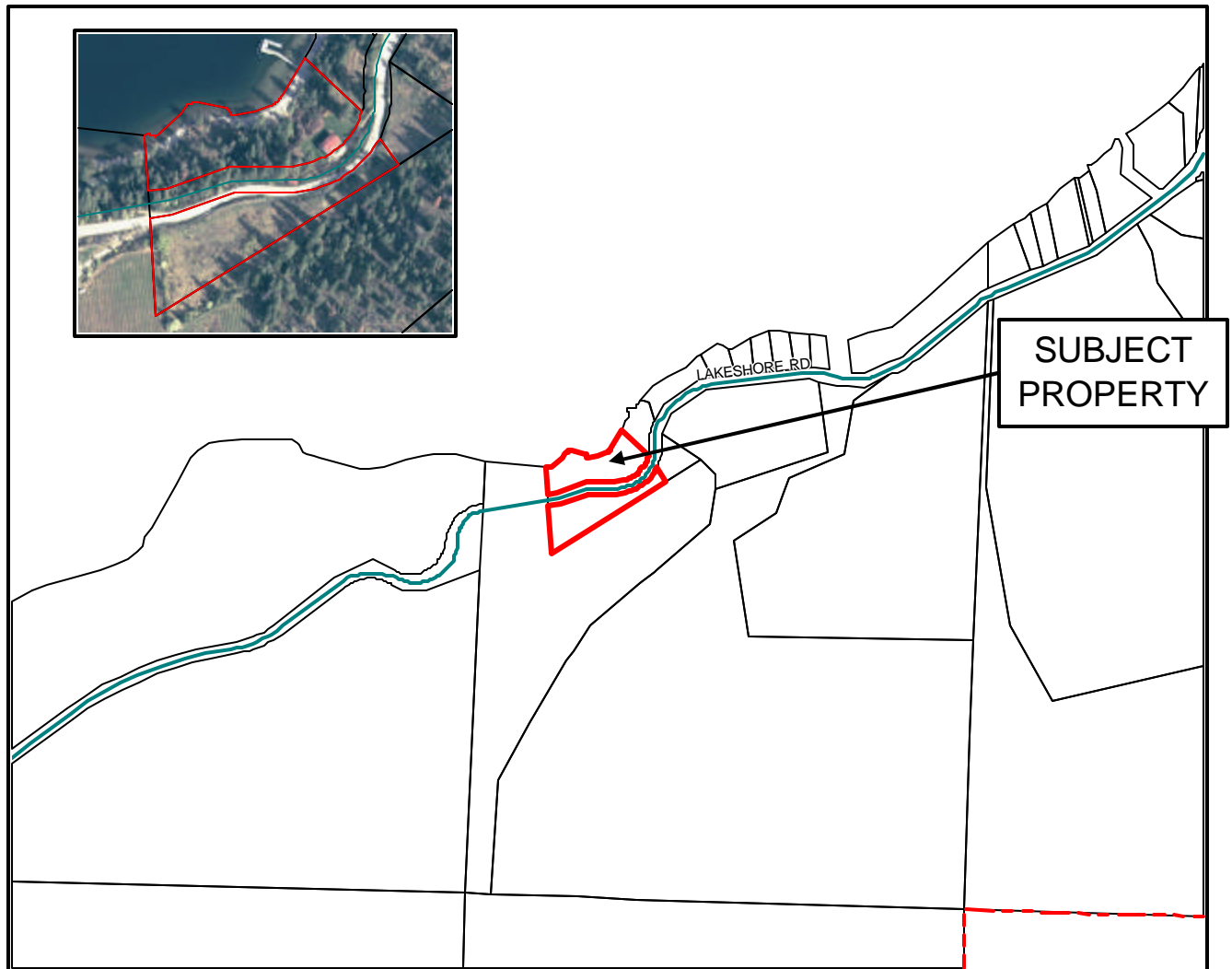
3.2 Site Context

The subject property is located on Lakeshore Road.

Adjacent zones and uses are:

North - W1–Recreational Water Use (Okanagan Lake)
 East - A1–Agricultural 1
 South - A1–Agricultural 1
 West - A1–Agricultural 1

Site Location Map



3.3 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 Southwest Okanagan Mission Sector Plan (1993)

The Southwest Okanagan Mission 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 Aquila

No requirement.

4.2 Fire Department

No comment

4.3 Interior Health

Approved in principal subject to septic approval.

4.4 Works & Utilities

No Comment.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate 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 proposed development 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. The applicant will be required to revise the building permit to include the secondary suite. In addition, the applicant will be required to ensure that the appropriate permits from Interior Health (septic) and South East Kelowna Irrigation District (water) are obtained prior to proceeding with construction.

Andrew Bruce
Development Services Manager

Approved for inclusion

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

AB/MK/mk

Attach.

FACT SHEET

1. **APPLICATION NO.:** Z04-0017
2. **APPLICATION TYPE:** Rezoning
3. **OWNER:** Edgar Fenwick & Corneil Therrien
 . **ADDRESS** 5570 Lakeshore Road
 . **CITY** Kelowna, BC
 . **POSTAL CODE** V1W 4J4
4. **APPLICANT/CONTACT PERSON:** Edgar Fenwick & Corneil Therrien
 . **ADDRESS** 5570 Lakeshore Road
 . **CITY** Kelowna, BC
 . **POSTAL CODE** V1W 4J4
 . **TELEPHONE/FAX NO.:** 250-317-2845
5. **APPLICATION PROGRESS:**
 Date of Application: March 13, 2004
 Date Application Complete: March 13, 2004
 Servicing Agreement Forwarded to Applicant: N/A
 Servicing Agreement Concluded: N/A
 Staff Report to Council: March 30, 2004
6. **LEGAL DESCRIPTION:** Lot B, Sec. 15, Twp. 28, SDYD, Plan KAP59239
7. **SITE LOCATION:** The subject property is located on Lakeshore Road.
8. **CIVIC ADDRESS:** 5570 Lakeshore Road, Kelowna, BC
9. **AREA OF SUBJECT PROPERTY:** 15592m²
10. **AREA OF PROPOSED REZONING:** m²
11. **EXISTING ZONE CATEGORY:** A1 – Agricultural 1
12. **PROPOSED ZONE:** A1s – Agricultural 1 with Secondary Suite
13. **PURPOSE OF THE APPLICATION:** TO REZONE THE PROPERTY FROM A1 – AGRICULTURAL 1 TO A1s- AGRICULTURAL 1 WITH SECONDARY SUITE TO ALLOW FOR A SECONDARY SUITE WITHIN 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 plans
- Elevations