
CITY OF KELOWNA

MEMORANDUM

Date: June 22, 2004

File No.: Z04-0015

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. Z04-0015

AT: 850 Kinnear Ct

OWNER: Maurice & Marlene Hitchcock

APPLICANT: Maurice & Marlene Hitchcock

PURPOSE: TO REZONE THE PROPERTY FROM RU2 – MEDIUM LOT HOUSING TO RU2s – MEDIUM LOT HOUSING WITH SECONDARY SUITE TO ALLOW FOR THE CONSTRUCTION OF A SECONDARY SUITE WITHIN AN ACCESSORY BUILDING.

EXISTING ZONE: RU2 – MEDIUM LOT HOUSING

PROPOSED ZONE: RU2s – MEDIUM LOT HOUSING WITH SECONDARY SUITE ZONE

REPORT PREPARED BY: NELSON WIGHT

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Rezoning Application No. Z04-0015 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 52, DL 135, ODYD, Plan 26296 located on Kinnear Ct, Kelowna, B.C. from the RU2 – Medium Lot Housing zone to the RU2s – Medium 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 RU2 – Medium Lot Housing to the RU2s – Medium Lot Housing with Secondary Suite to allow for the construction on a secondary suite within an accessory building.

3.0 BACKGROUND

3.1 The Proposal

The Applicant is seeking to rezone the subject property from the RU2 – Medium Lot Housing to the RU2s – Medium Lot Housing with Secondary Suite to allow for the

construction of a secondary suite within an accessory building, which is to be constructed at the rear of the property. An existing legally non-conforming front driveway leads to a carport at the front of the property, which provides two parking spaces for the principal dwelling. A lane at the rear of the property provides vehicular access to the proposed secondary suite. Two parking spaces are proposed for this secondary dwelling unit: one in an attached carport and one within the side yard setback area. The proposed secondary suite, measuring 86.2 m², includes a living/dining room, kitchen, and bathroom on the main floor. An additional bedroom and bathroom are located above a portion of the main floor within the roofline of the building.

The application meets the requirements of the proposed RU2s – Medium Lot Housing with Secondary Suite zone as follows:

CRITERIA	PROPOSAL	RU2s ZONE REQUIREMENTS
Lot Area (m ²)	808 m ²	400.0 m ²
Lot Width (m)	18.9 m	13.0 m
Lot Depth (m)	39.7 m	30.0m
Site Coverage (%)		40% (buildings) 50% (with driveway and parking)
Total Floor Area (m ²) -House -Secondary suite	193.2 m ² 86.2 m ²	N/A The lesser of 90 m² or 75% of the total floor area of the principal building
Footprint of Accessory Building	86.3 m ²	90m² or 14% of the lot
Height	4.5 m	4.5m
Setbacks-Accessory Building (m)		
-Separation	5.0 m	5.0 m
-Rear	1.5 m	7.5 m
-East Side	4.7 m	1.8 m
-West Side	3.0 m	1.8 m
Parking Spaces (Total)	4 spaces	3 spaces

3.2 Site Context

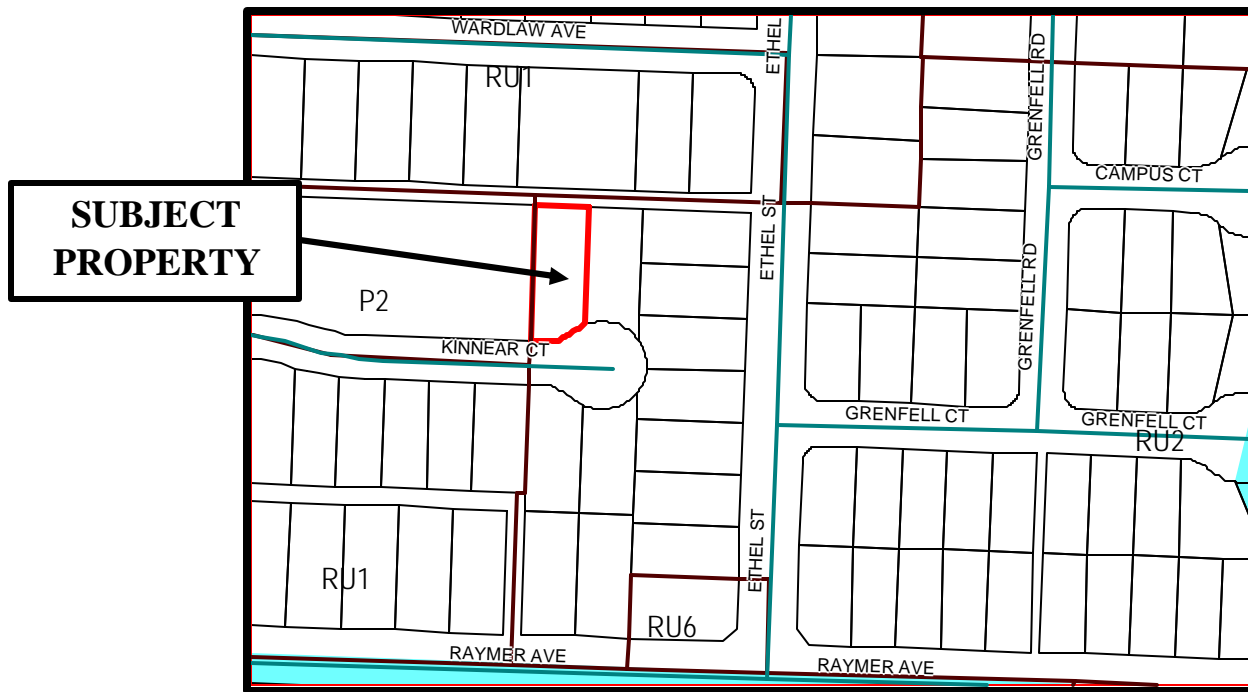
The subject property is located on Kinnear Court. There is mix of RU2 – Medium Lot Housing, RU1 – Large Lot Housing, and RU6 – Two Dwelling Housing in the surrounding neighbourhood. Bethel Church is located immediately west of the subject property.

Adjacent zones and uses are:

- North - RU1 –Large Lot housing
- East - RU2 - Medium lot housing
- South - RU2 - Medium lot housing
- West - P2 – Education and Minor Institution

Site Location Map

Subject Property:



3.3 Existing Development Potential

The property is zoned RU2 – Medium 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 RU2s – Medium Lot Housing with Secondary Suite zoning.

3.4 Current Development Policy

3.4.1 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).

3.4.2 Kelowna Official Community Plan

The Official Community Plan designates the future land use of the subject property as Single / Two Unit Residential. The proposed land use (single unit dwelling with a secondary suite in an accessory building) is consistent with the direction of this policy document.

The applicant should consider incorporate landscaping / screening that would provide private outdoor living space for the tenants of the secondary suite and a well-lit area between the parking areas and the entrance to each unit

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 objections to the rezoning.

4.2 Works and Utilities Department

The Works & Utilities Department has the following comments and requirements associated with this application to rezone from RU2 to RU2s:

4.2.1 General

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

4.2.2 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 19mm-diameter copper water service should be adequate for the proposed additional carriage house and may be retained. If a larger service is required, it will be provided by the City of Kelowna at the owner's cost. New service costs will include decommissioning existing services.

4.2.3 Sanitary Sewer

This property is currently serviced by the municipal sanitary sewer system. The existing 100mm-diameter service will be adequate for the proposed carriage house and may be retained. An inspection chamber (IC) must be installed on the service at the owner's cost as required by the sewer-use bylaw if one does not exist.

4.2.4 Site Related Issues

Direct the carriage house roof drain splash pads away from the rear lane or into an on-site rock pit. This will help dissipate the roof drain water and prevent additional concentrated flow onto the lane.

4.3 Interior Health

No comment.

4.4 Fire Department

No comment.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department supports the proposed rezoning of the property from RU2 – Medium Lot Housing zone to RU2s – Medium Lot Housing with Secondary Suite zone. The proposal is consistent with both the future land used designation and policies regarding secondary suites outlined in the Official Community Plan. The adjacent property owners have submitted letters in support of the proposed rezoning. The Applicant will not be required to apply for a development permit, as this application was in stream prior to June 1, 2004.

Andrew Bruce
Development Services Manager

Approved for inclusion ☐

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

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Attach.

FACT SHEET

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|-----|---|---|
| 1. | APPLICATION NO.: | Z04-0015 |
| 2. | APPLICATION TYPE: | Rezoning |
| 3. | OWNER: | Marlene & Maurice Hitchcock |
| | · ADDRESS | 850 Kinnear Ct |
| | · CITY | Kelowna, BC |
| | · POSTAL CODE | V1Y 8A9 |
| | · TELEPHONE/FAX NO.: | 762-4690 |
| 4. | APPLICATION PROGRESS: | |
| | Date of Application: | March 10, 2004 |
| | Date Application Complete: | March 10, 2004 |
| | Servicing Agreement Forwarded to Applicant: | n/a |
| | Servicing Agreement Concluded: | n/a |
| | Staff Report to Council: | June 22, 2004 |
| 5. | LEGAL DESCRIPTION: | Lot 52, DL 135, ODYD, Plan 26296 |
| 6. | SITE LOCATION: | The property is located on Kinnear Ct east of Curts Street |
| 7. | CIVIC ADDRESS: | 850 Kinnear Ct |
| 8. | AREA OF SUBJECT PROPERTY: | 808 m ² |
| 9. | AREA OF PROPOSED REZONING: | 808 m ² |
| 10. | EXISTING ZONE CATEGORY: | RU2 – Medium Lot Housing |
| 11. | PROPOSED ZONE: | RU2s – Medium Lot Housing with Secondary Suite |
| 12. | PURPOSE OF THE APPLICATION: | To rezone the subject property to allow for the construction of a secondary suite within an accessory building. |
| 13. | MIN. OF TRANS./HIGHWAYS FILES NO.: | |
| | NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY | n/a |
| 14. | DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | n/a |

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan
- Elevations
- Floor plans
- Letters from Neighbours