
CITY OF KELOWNA

MEMORANDUM

Date: June 21, 2004
File No.: Z04-0038

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. Z04-0038
AT: 3588 Spiers Road

OWNER: Dawn & Darryl Cairney
APPLICANT: Dawn & Darryl Cairney

PURPOSE: TO REZONE THE PROPERTY FROM RR3- RURAL RESIDENTIAL 3 TO RR3S- RURAL RESIDENTIAL 3 WITH SECONDARY SUITE TO ALLOW SECONDARY SUITE WITHIN AN ACCESSORY BUILDING.

EXISTING ZONE: RR3- RURAL RESIDENTIAL 3

PROPOSED ZONE: RR3s- RURAL RESIDENTIAL 3 WITH SECONDARY SUITE

REPORT PREPARED BY: KEIKO NITTEL

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Rezoning Application No. Z04-0038 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 8, Township 26, ODYD, Plan 11176, located on Spiers Road, Kelowna, B.C. from the RR3- Rural Residential 3 to RR3s – Rural Residential 3 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 RR3- Rural Residential 3 to RR3s – Rural Residential 3 with Secondary Suite to allow a secondary suite within an accessory building.

3.0 BACKGROUND

3.1 The Proposal

The applicants are seeking to rezone the subject property from the RR3- Rural Residential 3 to RR3s – Rural Residential 3 with Secondary Suite to allow for the construction of a secondary suite within an accessory building at the rear of the property. A driveway along the south property line will provide access to the accessory building including a carport providing parking for a single vehicle. The total on-site parking exceeds the requirement of three parking spaces.

The proposed secondary suite, measuring includes a living room, dining room, kitchen, bedroom, den, laundry room, and bathroom. A porch is also located on the south elevation of the building adjacent to the main entrance to the suite. As the property is large, significant yard space is available for each unit.

The application meets the requirements of the proposed RR3s- Rural Residential 3 with Secondary Suite zone as follows:

CRITERIA	PROPOSAL	RR3s ZONE REQUIREMENTS
Lot Area (m ²)	1620m ² (existing non-conforming lot)	10,000 m ²
Lot Width (m)	24.38m ²	18.0 m
Lot Depth (m)	66.72m ²	30.0m
Site Coverage (%)	13.0%	30%
Total Floor Area (m ²) -House -Secondary suite	120m ² 89.74m ²	N/A The lesser of 90 m² or 75% of the total floor area of the principal building
Height	3.6m	4.5m
Setbacks-Accessory Building (m)		
-Separation	25.0m+	5.0 m
-Rear	2.4m	1.5 m
-North Side	2.4m	2.0 m
-South Side	11.6m	2.0 m
Parking Spaces (Total)	4+spaces	3 spaces

3.2 Site Context

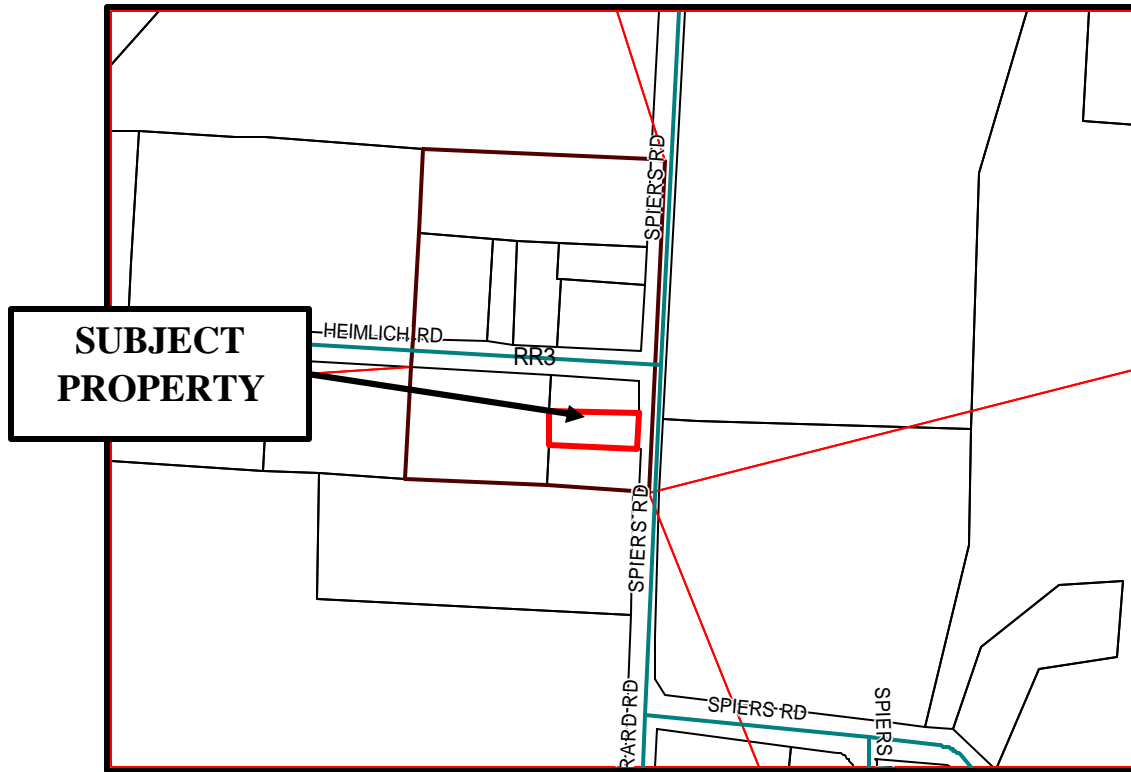
The subject property is located on Spiers Road south of Heimlich Road.

Adjacent zones and uses are:

- North - RR3- Rural Residential 3
- East - A1- Agricultural 1- ALR
- South - RR3- Rural Residential 3
- West - RR3- Rural Residential 3

Site Location Map

Subject Property:



3.3 Existing Development Potential

The purpose of the RR3 – Rural Residential 3 is to provide a zone for country residential development on smaller lots, and complementary uses, in areas of high natural amenity and limited urban services. The principal use in this zone is single detached housing. Secondary Uses include bed and breakfast homes, care centres (intermediate), group homes (minor), home based businesses (minor & major), second kitchens, and secondary suites.

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 Agricultural. The proposed land use parent zone of RR3 – Rural Residential 3 is an existing zoning. The rezoning to add the “s” designation to allow a secondary suite is supported.

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, Fire Department, FortisBC
No comment.
- 4.2 Works and Utilities Department
Septic approval required from health officer.
- 4.3 Interior Health
Septic Permit Approved.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The subject property is designated as Rural / Agricultural in the OCP and in the Southeast Kelowna Sector Plan. In addition, the property is not within the Agricultural Land Reserve. As such this proposal to build a secondary suite in an accessory building would be in compliance with the OCP and is supported by Staff.

However, it is noted that this site is served by a septic disposal system and a well for a water source. The water table may be relatively close to the surface in this general area given the swampy conditions along Spiers Road. There is a concern that additional loading on the septic system or an additional septic system could have an impact on the ground water and the water source for this site. The approval of the septic permit by Interior Health however has confirmed that the septic system may not within 100 feet of a water source and that the extra loading on this site will therefore not compromise the ground water or the water source.

Andrew Bruce
Development Services Manager

Approved for inclusion

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

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Attach.

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| 1. | APPLICATION NO.: | ZO4-0038 |
| 2. | APPLICATION TYPE: | Rezoning |
| 3. | OWNER: | Dawn and Darryl Cairney |
| | · ADDRESS | 3588 Spiers Road |
| | · CITY | Kelowna, BC |
| | · POSTAL CODE | V1W 4A8 |
| 4. | APPLICANT/CONTACT PERSON: | Dawn and Darryl Cairney |
| | · ADDRESS | 3588 Spiers Road |
| | · CITY | Kelowna, BC |
| | · POSTAL CODE | V1W 4A8 |
| | · TELEPHONE/FAX NO.: | 861-7743 |
| 5. | APPLICATION PROGRESS: | |
| | Date of Application: | June 3, 2004 |
| | Date Application Complete: | June 3, 2004 |
| | Servicing Agreement Forwarded to Applicant: | n/a |
| | Servicing Agreement Concluded: | n/a |
| | Staff Report to Council: | |
| 6. | LEGAL DESCRIPTION: | Lot 2, Section 8, Township 26, ODYD, Plan 11176 |
| 7. | SITE LOCATION: | The site is located on Spiers Road south of Heimlich Road |
| 8. | CIVIC ADDRESS: | 3588 Spiers Road |
| 9. | AREA OF SUBJECT PROPERTY: | 1620m ² |
| 10. | AREA OF PROPOSED REZONING: | 1620m ² |
| 11. | EXISTING ZONE CATEGORY: | RR3- Rural Residential 3 |
| 12. | PROPOSED ZONE: | RR3s – Rural Residential 3 with Secondary Suite |
| 13. | PURPOSE OF THE APPLICATION: | To rezone the subject property to allow a secondary suite within an accessory building |
| 14. | MIN. OF TRANS./HIGHWAYS FILES NO.: | |
| | NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY | n/a |
| 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
- Elevations
- Floor plans