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## CITY OF KELOWNA

### MEMORANDUM

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**Date:** June 22, 2004  
**File No.:** (3360-20) Z04-0025  
**To:** City Manager  
**From:** Planning and Corporate Services Department  
**Subject:**

**APPLICATION NO.** Z04-0025      **OWNER:** Donald & Rosemary Bigham  
**AT:** 160 Bryden Road      **APPLICANT:** Donald & Rosemary Bigham

**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 WITHIN THE PRINCIPAL DWELLING.

**EXISTING ZONE:** RU1 - LARGE LOT HOUSING

**PROPOSED ZONE:** RU1s - LARGE LOT HOUSING WITH SECONDARY SUITE ZONE

**REPORT PREPARED BY:** NELSON WIGHT

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

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#### **1.0 RECOMMENDATION**

THAT Rezoning Application No. Z04-0025 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 9, Sec. 27, Twp. 26, ODYD, Plan 11286 located at 160 Bryden Road, 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 zone. They intend to make additions to the existing dwelling, in order to develop a secondary suite within the principal dwelling unit.

### 3.0 BACKGROUND

#### 3.1 The Proposal

This application seeks to have the subject property rezoned to allow for a secondary suite within the principal dwelling unit. The Applicant proposes constructing a 130 m<sup>2</sup> (1,400 ft<sup>2</sup>) addition to the existing 84.5 m<sup>2</sup> (910 ft<sup>2</sup>) dwelling.

Upon completion of the construction, the dwelling would be 215 m<sup>2</sup> (2,300 ft<sup>2</sup>). The existing house, comprising 84.5 m<sup>2</sup>, will become the secondary suite within this new structure. Access to the property is available from Bryden Road, as there is no rear lane. An existing driveway leads to an attached garage, which provides parking for one vehicle, with a second parking space possible on the driveway itself. The Applicant is proposing a second driveway leading to a double-car, attached garage towards the rear of the property.

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

CRITERIA	PROPOSAL	RU2s ZONE REQUIREMENTS
Lot Area (m <sup>2</sup> )	1,376 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width (m)	29 m	16.5 m
Lot Depth (m)	48 m	30.0 m
Site Coverage (%)	23% 33%	40% (buildings) 50% (with driveway and parking)
Total Floor Area (m <sup>2</sup> ) -House -Secondary suite	215 m <sup>2</sup> 84.5 m <sup>2</sup> (39%)	N/A The lesser of <b>90 m<sup>2</sup></b> or 40% of the total floor area of the principal building
Height	1 ½ storey m	9.5 m (2 ½ storeys)
Setbacks		
Front	10 m	6.0 m
North Side	4.6 m	2.0 m
South Side	2.1 m	2.0 m
Rear	7.6 m	7.5 m
Parking Spaces (Total)	4 spaces	3 spaces

#### 3.2 Site Context

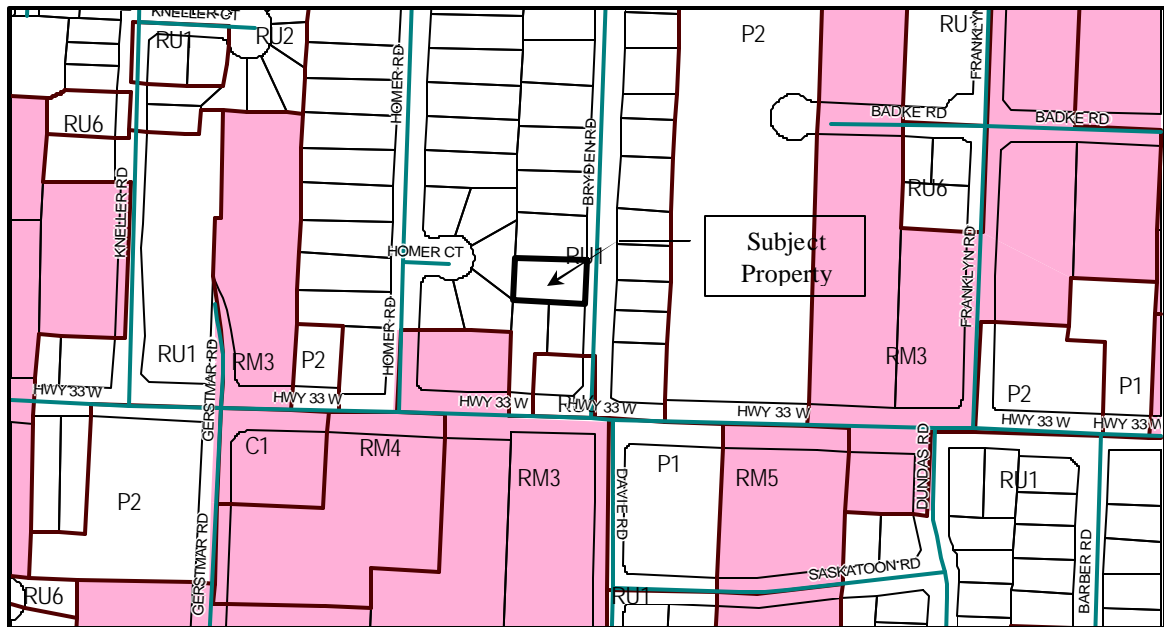
The subject property is located on Bryden Road, just north of Hwy 33. The surrounding area consists primarily of single family housing, with adjacent lots zoned RU1 – Large Lot Housing.

Adjacent zones and uses are:

- North - RU1 –Large Lot Housing zone
- East - RU1 –Large Lot Housing zone
- South - RU1 –Large Lot Housing zone
- West - RU1 –Large Lot Housing zone

## Site Location Map

Subject Property:



### 3.3 Existing Development Potential

The property is zoned RU1 – Large Lot Housing. The purpose is to provide a zone for single detached housing, and compatible secondary uses, on larger serviced urban lots. Principal uses are “single dwelling housing”, with secondary uses such as bed and breakfast homes, minor care centres and group homes, as well as home based businesses.

Secondary suites are permitted within the RU1s - Large 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

Breezeway separating main house from secondary suite does not appear to meet spatial separation requirements of B.C. Building Code.

Recommend that the Owner contact the Inspection Services Department prior to applying for a building permit.

4.2 Fire Department

No objections

4.3 Public Health Inspector

No objections as long as community water & sewer systems are utilized.

4.2 Works and Utilities Department

The Works & Utilities Department has the following comments and requirements associated with this application to rezone from RU1 to RU1s:

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 service area of the Black Mountain Irrigation District (BMID). The Developer is required to make satisfactory arrangements with the RWWD for these items. All charges for service connection and upgrading costs are to be paid directly to the BMID.

4.2.3 Sanitary Sewer

This property is currently serviced by the municipal sanitary sewer system.

4.2.4 Access and Parking

Parking is provided on-site.

## 5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The subject property is designated as Multiple Unit Residential Low Density in the OCP and in the Rutland Sector Plan. As such, this application for a rezoning to allow the addition of a suite would be inconsistent with that designation. However, this site is located on the edge of the transition between single / two unit development and multiple unit development, and the type of development being proposed would not significantly affect the future potential of the site. It is suggested that this application for suite could be considered as interim development until more intensive development occurs in the general area. When that transition to more intensive development begins to occur the property value of these sites will likely outweigh the very low density nature of the area and redevelopment will occur.

The Planning and Development Services Department supports the proposed rezoning of the property from RU1 – Large Lot Housing zone to RU1s - Large Lot Housing with Secondary Suite zone. A petition bearing the signatures of neighbouring property owners in support was submitted with the application. The Applicant will not be required to apply for a development permit, as this application was in stream prior to June 1, 2004.

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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.  | <b>APPLICATION NO.:</b>   | Z04-0025  |
| 2.  | <b>APPLICATION TYPE:</b>  | Rezoning  |
| 3.  | <b>OWNER/APPLICANT:</b>   | Donald and Rosemary Bigham  |
|     | · <b>ADDRESS</b>  | 160 Bryden Road   |
|     | · <b>CITY</b>   | Kelowna, BC   |
|     | · <b>POSTAL CODE</b>  | V1X 3Y4   |
|     | · <b>TELEPHONE/FAX NO.:</b>   | 717-0214  |
| 4.  | <b>APPLICATION PROGRESS:</b>  |   |
|     | <b>Date of Application:</b>   | April 20, 2004  |
|     | <b>Date Application Complete:</b>                                     | April 20, 2004  |
|     | <b>Servicing Agreement Forwarded to Applicant:</b>                    | n/a   |
|     | <b>Servicing Agreement Concluded:</b>                                 | n/a   |
|     | <b>Staff Report to Council:</b>                                       | June 22, 2004   |
| 5.  | <b>LEGAL DESCRIPTION:</b>   | Lot 9, Sec. 27, Twp. 26, ODYD, Plan 11286   |
| 6.  | <b>SITE LOCATION:</b>   | The property is located on Bryden Road, just north of Hwy 33  |
| 7.  | <b>CIVIC ADDRESS:</b>   | 160 Bryden Road   |
| 8.  | <b>AREA OF SUBJECT PROPERTY:</b>                                      | 1,376 m <sup>2</sup>  |
| 9.  | <b>AREA OF PROPOSED REZONING:</b>                                     | 1,376 m <sup>2</sup>  |
| 10. | <b>EXISTING ZONE CATEGORY:</b>  | RU1 – Large Lot Housing   |
| 11. | <b>PROPOSED ZONE:</b>   | RU1s - Large Lot Housing with Secondary Suite   |
| 12. | <b>PURPOSE OF THE APPLICATION:</b>                                    | To rezone the subject property to allow for the construction of a secondary suite within the principal dwelling unit. |
| 13. | <b>MIN. OF TRANS./HIGHWAYS FILES NO.:</b>                             |   |
|     | <b>NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY</b> | n/a   |
| 14. | <b>DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS</b>                       | n/a   |

### **ATTACHMENTS**

(not attached to the electronic version of the report)

- Location of subject property
- State of Title
- Site plan/Floor Plan
- Front Elevation
- Petition in support