
CITY OF KELOWNA

MEMORANDUM

Date: April 1, 2005

File No.: Z05-0007

To: City Manager

From: Planning and Development Services Department

Subject:

APPLICATION NO. Z05-0007

OWNER: Kevin & Pamela Purnell

AT: 4110 Tatlow Road

APPLICANT: as above

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: KEIKO NITTEL

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Rezoning Application No. Z05-0007 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, Section 3, Township 26, ODYD, Plan 5504, located on Tatlow 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;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the South East Kelowna Irrigation District being completed to their satisfaction.

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 applicant is seeking to rezone the subject property from the A1 – Agricultural 1 zone to A1s – Agricultural 1 with Secondary Suite to permit a secondary suite in an accessory building. The subject property is a 0.64 ha lot with A1 zoning and is in the Agricultural Land Reserve (ALR). The subject property, however, falls within the Agricultural Land Commission exception provisions, in that the parcel was subdivided prior to Dec 21, 1972 and it is less than 2 acres in size. The ALR regulations are therefore not applicable.

The proposed secondary suite is to be located on the south side of the property. On the front elevation, the accessory building will be one storey. The slope of the property, however, will facilitate a walkout basement on the rear elevation. A development variance permit will be required to allow the accessory building to exceed 4.5 m at the back of the building. The basement portion of the building will not be accessible from the inside of the building. In addition, the applicant will be required to register a covenant on title stating that the basement will not be permitted to be developed for living space. The intent of the applicant is to use the space as a workshop/storage area. The main floor contains a single car garage, two bedrooms, a living room, kitchen, and two bathrooms. The exterior of the building will be finished in earth tone stucco with asphalt shingle roofing.

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)	6413m ²	40000 m ²
Lot Width (m)	82.57m	40.00m
Lot Depth (m)	75.90	n/a
Total Floor Area (m ²) -- House --Secondary suite	185.8m ² 89.4m ²	n/a 90m²
Height (Accessory)	6.4m	4.5m
Setbacks-Suite (m)		
-Front	12.2m	6.0m
-Rear	56.4m	10.0m
- Side (North)	60.7m	3.0m
- Side (South)	6.1m	3.0m
Proximity of Accessory Building to Principal Building	33.8m	5.0m
Parking Spaces (Total)	6+	3 spaces

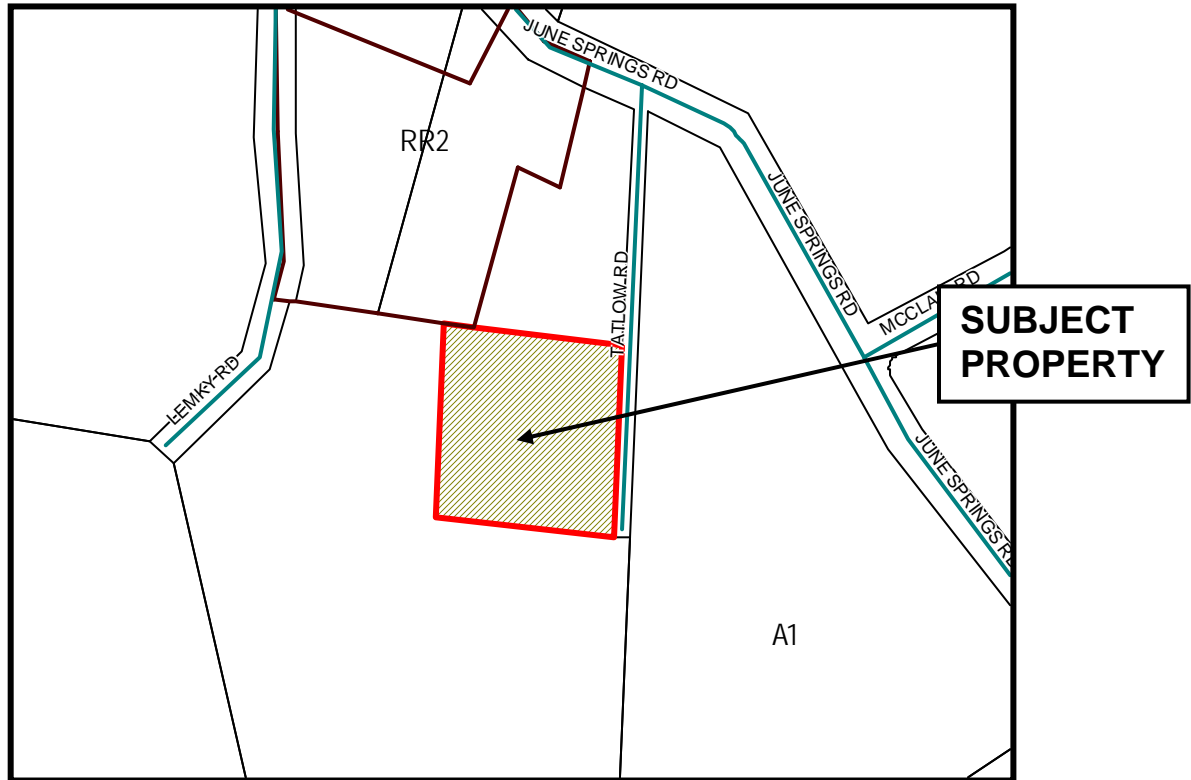
3.2 Site Context

The subject property is located at the south end of Tatlow Road.

Adjacent zones and uses are:

North - A1 – Agricultural 1 - ALR
 East - A1 – Agricultural 1 - ALR
 South - A1 – Agricultural 1 –ALR
 West - A1 – Agricultural 1 - ALR

Site Location Map



3.3 Existing 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 (2004)

Objectives of the Strategic Plan is include: to realize construction of housing forms and prices that meet the needs of Kelowna residents; to achieve accessible, high quality living and working environments; to sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.

4.0 TECHNICAL COMMENTS

4.1 Inspection Services

There is no use as identified in lower floor however, future bathroom, separate entrance door, and full open above windows are designed. This could become worth it easily in a separate suite and there is no immediate connection between these two floors. This issue and the size of allowable floor area to be addressed prior to any approval.

4.2 Works & Utilities

No comment.

4.3 Interior Health

No objection subject to connection to SEKID water.

4.4 Fire Department

No comment.

4.5 South East Kelowna Irrigation District

See attached.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department is supportive of the proposed rezoning of the property from the A1 – Agriculture 1 zone to the A1s – Agriculture 1 with Secondary Suite zone. The OCP designates the future land use of the subject property as Rural / Agricultural. The proposed land use (suite in an accessory building) is consistent with the direction of this policy document, which encourages the creation of suites under the stipulations of the Zoning Bylaw. The applicant has submitted letters of support from the neighbours for the proposed accessory building with secondary suite. The proposed size and height of the house does not meet the Zoning Bylaw regulations. A variance will therefore be required to allow. If the variance is approved, a covenant to be registered on title, will be required prohibiting the development of the basement of the proposed dwelling.

Andrew Bruce
Development Services Manager

Approved for inclusion

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

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Attach.

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan
- Aerial Photo of Site
- Floor plans
- Elevations