
CITY OF KELOWNA

MEMORANDUM

Date: May 20, 2005
File No.: Z05-0018

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. Z05-0018 **OWNER:** Martin & Bonnie Dupree
AT: 278 Old Vernon Rd. **APPLICANT:** Martin & Bonnie Dupree

PURPOSE: TO REZONE THE PROPERTY FROM A1 – AGRICULTURE 1 ZONE TO A1s – AGRICULTURE 1 WITH SECONDARY SUITE TO ALLOW FOR THE CONSTRUCTION OF A SECONDARY SUITE WITHIN AN ACCESSORY BUILDING;

EXISTING ZONE: A1 – AGRICULTURE 1 ZONE

PROPOSED ZONE: A1s – AGRICULTURE 1 WITH SECONDARY SUITE ZONE

REPORT PREPARED BY: NELSON WIGHT

1.0 RECOMMENDATION

THAT Rezoning Application No. Z05-0018 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Sec. 2, Twp. 23, ODYD, Plan 11263 except that part lying west of a line drawn parallel to and perpendicularly distant 102.50 feet from the west boundary of said lot, located on Old Vernon Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the A1s – Agriculture 1 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 A1 – Agriculture 1 zone to the A1s – Agriculture 1 with Secondary Suite zone. The proposed secondary suite is to be located in an accessory building.

3.0 BACKGROUND

3.1 The Proposal

This application seeks to have the subject property rezoned to allow for a secondary suite within an accessory building. There is an existing home on this lot, and the Applicant proposes to move-on a modular home, siting it towards the rear of the property. A car port would be attached to this structure, in order to meet the requirements for a suite in an accessory building. The existing home is $\pm 300 \text{ m}^2$ (3,200 ft^2), and the proposed suite would contain 60 m^2 (644 ft^2) of living space with an attached car port.

The subject property is located in a rural area of the City, which is serviced by an individual well, and private sewage disposal (septic tank and field). This property is currently serviced by the municipal wastewater collection system, but it is not connected at this time.

The application meets the requirements of the proposed A1s – Agriculture 1 with Secondary Suite zone as follows:

CRITERIA	PROPOSAL	A1s ZONE REQUIREMENTS
Lot Area (m ²)	3,764 m ² (0.93 ac.)	4.0 ha.
Lot Width (m)	31.27 m	40.0 m
Site Coverage (%)	8%	10%
Total Floor Area (m ²) -House -Secondary suite	300 m ² 60 m ² (20%)	N/A The lesser of 90 m² or 75% of the total floor area of the principal building
Height (principal building)	1 storey (6.1 m)	2.5 m
Height (accessory building)	1 storey (3.0 m)	4.5 m
Setbacks		
Front	16.3 m	6.0 m
Side (east)	4.54 m	2.0 m (1 ½ storey) 2.3 m (2 ½ storey)
Side (west)	7.6 m	2.0 m (1 ½ storey) 2.3 m (2 ½ storey)
Rear	24.6	10.0 m except it is 3.0 m for accessory buildings

3.2 Site Context

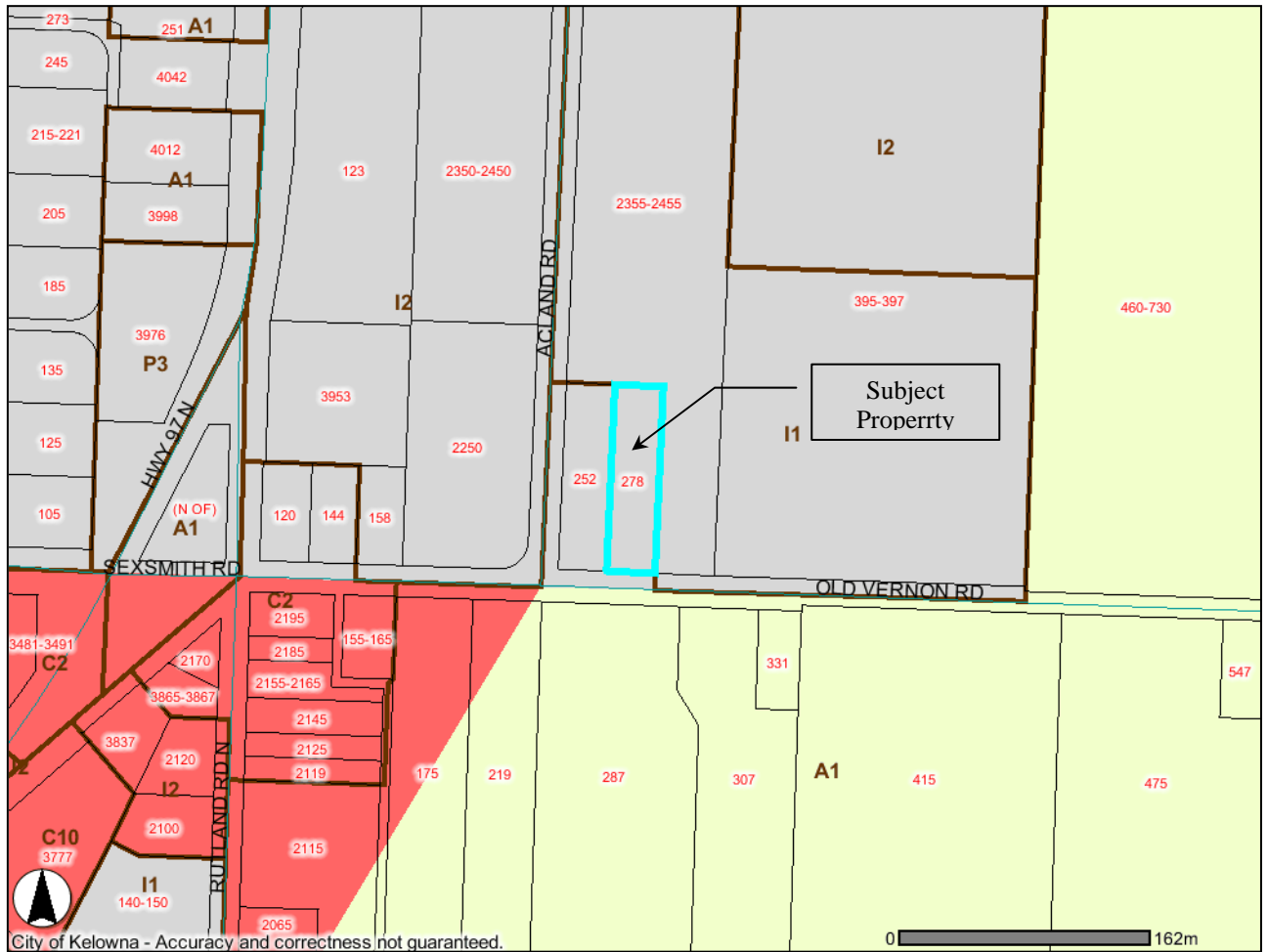
The subject property is located northeast of the intersection of Old Vernon Road and Acland Road. The area north of Old Vernon Road is in transition from agricultural to industrial use.

Adjacent zones and uses are:

- North - I1 – Business Industrial
- East - I1 – Business Industrial
- South - A1 – Agriculture 1
- West - A1 – Agriculture 1

Site Location Map

Subject Property: 278 Old Vernon Road

3.3 Existing Development Potential

The purpose is to provide a zone for rural areas and agricultural uses as well as other complementary uses suitable in an agricultural setting. A maximum of one single dwelling house is permitted. In addition a secondary suite may be permitted when in accordance with relevant provisions of this bylaw including subsection 6.5 and 9.5.

3.4 Current Development Policy3.4.2 Kelowna Official Community Plan

Industrial (Section 19 Future Land Use) – The Official Community Plan designates the future land use of the subject property as Industrial.

Land Utilization within Single Detached Areas (Section 8.1.34 within Section 8.1 Housing Policies) – Work towards achieving more efficient use of land within developed single-detached neighbourhoods by encouraging rezoning, subdivision and building permit applications that would allow for smaller lot sizes, secondary suites, minor boarding facilities, minor group homes, duplexes etc. that are sensitively integrated into a neighbourhood.

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

The openings and east elevation are to be verified with the requirements of BC Building Code. Any placement or construction requires a valid building permit prior to commencement. Approval from Interior Health Unit is required for verification of the capacity of existing septic tank/field, or connection to community sewer.

4.2 Fire Department

Fire Department access as per BC Building Code. Smoke alarms as per BC Building Code and City of Kelowna Smoke Alarm Bylaw.

4.3 Public Health Inspector

Will need to be connected to an onsite sewage disposal system. The property must be assessed for septic suitability and an application to install a sewage disposal system obtained from Interior Health..

4.2 Works and Utilities Department

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

Domestic Water and Fire Protection – This development is within the service area of the Black Mountain Irrigation District (BMID). All charges for service connection and upgrading costs are to be paid directly to the BMID.

Sanitary Sewer – This property is currently serviced by the municipal wastewater collection system, however, it is not connected as of the date of this report. Should the applicant wish to connect, the costs associated with the connection are estimated at approximately \$6,000.00 and are payable at the time of connection application. The existing on-site sewage treatment and disposal are under the jurisdiction of the Public Health Officer.

Access and Parking – There is ample parking provided on site. It is recommended that some form of hammerhead be created on site that would allow a vehicle to turn around and avoid backing up onto Old Vernon Road.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The subject property is currently zoned Agricultural surrounded by Industrial sites to the north east and west. The future land use designation of this site is Industrial. The property is legal non-conforming as it does not meet the lot width or lot area requirements under the A1 zone and there is no apparent agricultural use taking place on the site. The impact to the neighbouring properties of allowing a suite on the subject property would appear to be minimal. The proposed suite is a mobile home sited to the rear third of the property but adequately buffered from the surrounding uses.

The mobile home is allowed under the A1s zone as a suite in accessory building and because it is deemed a suite in an accessory building the lot size limitation for placement of mobile homes (Bylaw 8000, section 11.1.7 I) does not apply and therefore no DVP for the lot size is required.

OCP housing policy 8.1.34 encourages secondary suites as achieving more efficient use of land within developed single-detached neighbourhoods and policy 8.1.46 reiterates this support.

Staff supports this application for rezoning from the A1 zone to the A1s zone to allow for a suite in an accessory building. However, it is recommended that the Applicant connect to community sewer.

Andrew Bruce
Development Services Manager

Approved for inclusion

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

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ATTACHMENTS:

Subject Property Map
Site Plan