
CITY OF KELOWNA

MEMORANDUM

Date: November 15, 2005

File No.: Z05-0071

To: City Manager

From: Planning & Corporate Services Department

Subject:

Application No: Z05-0071

Applicant: Todd Blasco

Location: 2330 Silver Place

Owners: R.T. & C. Blasco

Purpose: To rezone the subject property to allow for the construction of a secondary suite in an accessory building.

Existing Zone: A1 – Agriculture 1 Zone

Proposed Zone: A1s – Agriculture 1 with Secondary Suite

Report Prepared By: Corine (Cory) Gain, MCIP, CPT

1.0 RECOMMENDATION

THAT Rezoning Application No. Z05-0071 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 33 Township 26 Osoyoos Division Yale District Plan KAP61113, located at 2330 Silver Place, Kelowna, B.C. from the A1 – Agriculture 1 Zone to the A1s – Agriculture 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 in conjunction with Council's consideration of text amendment TA05-0010 relating to the maximum height of an accessory building containing a secondary suite.

2.0 SUMMARY

This application seeks to rezone the subject property to allow for the construction of a secondary suite in an accessory building to contain an 85.3 sq. m. (918 sq. ft.) suite above a 111.5 sq. m. (1200 sq. ft.) garage/workshop. The City of Kelowna Planning & Corporate Services Department proposes a text amendment to Section 9.5.2 of Zoning Bylaw 8000 to change the maximum height regulations for an accessory building containing a secondary suite in the A1s zone as a separate initiative.

3.0 BACKGROUND

2.1 The Proposal

The subject property currently contains one single family dwelling approximately 240 sq. m. in size. The property is located within the Agricultural Land Reserve. The proposed addition of a secondary suite in the accessory building has received approval from the Agricultural Land Commission by Resolution #455/2005.

The subject property is currently zoned A1 – Agriculture 1. The “s” zone classification will permit the establishment of a secondary suite on a property with this designation. The establishment of a secondary suite must adhere to the requirements of both the parent zone and Section 9.5 of the Zoning Bylaw whichever is more restrictive.

The applicant seeks to rezone the subject property to permit development of a secondary suite in an accessory building currently under construction under Building Permit # 24464 as a garage/workshop. The applicant hopes to amend the plans for the accessory building to include a secondary suite on the second floor. The proposed steeply pitched roof style, with the addition of two large dormers will accommodate an 85.3 sq. m. (918 sq. ft.) suite above a 111.5 sq. m. (1200 sq. ft.) garage/workshop. It is not anticipated that the proposed construction will have any impact on neighbouring property owners.

A recommendation from staff contained in a separate “text amendment” initiative will address the issue of the height of the accessory building proposed to contain the secondary suite. If the text amendment is approved by Council the application will be able to proceed without further consideration of the issue. If Council chooses not to amend the current height requirements of Section 9.5.1(e) to provide more generous standards for properties zoned A1 – Agriculture 1 Zone, the applicant will be required to make separate application for a Development Variance Permit to vary the height requirement of that section.

With the exception of the height requirement of Section 9.5.1(e) the proposed application meets the requirements of the A1s Zone as follows:

CRITERIA	PROPOSAL	BYLAW REQUIREMENTS
Subdivision Regulations		
Lot Area	5.016 ac. (2.03 ha./20,299 m ²)	2.0 ha.
Lot Width	47.0+ m	40.0 m
Size for Secondary Suite	20,299 m ²	830 m ²
Development Regulations		
Site Coverage (buildings)	~445.9 m ² ~ 2 %	10% for residential development
Height (existing house)	< 9.5 m	2 ½ storeys / 9.5 m
Height (proposed acc. bldg.)	7.31 m	Lesser of 4.5 m height of the principle dwelling Variance Required or Text Amendment
Front Yard (Silver Place)	> 6.0 m	6.0 m
Side Yard (West)	> 3.0 m	3.0 m
Side Yard (East)	35.85 m	3.0 m
Rear Yard (North)	9.90 m	10.0 m

CRITERIA	PROPOSAL	BYLAW REQUIREMENTS
Separation Distance	~ 40 m	5.0 m
Size of Secondary Suite	85.3 m ²	90 m ² or 75% of the total floor area of the principal dwelling
Private Open Space	Meets requirements	30 m ² per dwelling
Other Regulations		
Minimum Parking Requirements	3+ spaces	2 spaces for the principal dwelling + 1 space for the suite
Lighted Pathway	Open/parking area between buildings lit	Between fronting street and the acc. bldg.

3.1 Site Context

The adjacent land uses are as follows:

<i>Direction</i>	<i>Zoning Designation</i>	<i>Land Use</i>
North	A1 – Agriculture 1	Residential/Agricultural
East	A1 – Agriculture 1	Residential/Agricultural
South	A1 – Agriculture 1	Residential/Agricultural
West	A1 – Agriculture 1	Residential

3.2 Site Location Map

Subject property: 2330 Silver Place



3.3 Existing Development Potential

The existing buildings on the subject property maximize the development potential under the current zoning designation. The principle dwelling is being constructed under Building Permit # 24402 issued in January 2005. The accessory building that is the subject of this application is currently under construction under Building Permit # 24464. As previously mentioned the application to rezone the property to the "s" designated version of the A1 Zone will take advantage of the current development potential of the property while maintaining the agricultural productivity of the property.

One concern is the possible conversion of the garage/workshop area to a habitable area. Staff supports the Agricultural Land Commissions requirement that a restrictive covenant be registered against the title of the property to prohibit the creation of additional dwellings on the property.

3.4 Current Development Policy

3.4.1 City of Kelowna Strategic Plan (2004)

Objectives of the Strategic Plan include: to realize construction of housing forms at 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.

3.4.2 Kelowna 2020 Official Community Plan (OCP)

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 or lack of services and utilities limit land use intensification. In addition, the Official Community Plan (Policy 8.1.46) encourages the creation of secondary suites, provided that they meet the requirements of the zoning bylaw.

3.4.3 City of Kelowna Agricultural Plan

The Agricultural Plan supports the provision of secondary suites in agricultural areas as a possible additional source of revenue to farmers. As the proposed suite would exist in an available structure, additional land is not being taken out of agricultural production. As such, the proposed suite is viewed as an efficient means of providing additional housing on an agricultural site.

4.0 **TECHNICAL COMMENTS**

4.1 Inspection Services

No comments received to date.

4.2 Works & Utilities

The Works & utilities Department comments and requirements regarding this application to rezone from A1 to A1s are as follows:

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 Glenmore Ellison Irrigation District (GEID). All charges for service connection and upgrading costs are to be paid directly to the GEID.

4.2.3 Sanitary Sewer

This property is not serviced by the municipal wastewater collection system,

4.2.4 Access and parking

There is ample parking provided on site.

4.3 Fire Department

Fire Department access, fire flows and hydrants as per BC Building Code and City of Kelowna Subdivision Bylaw.

5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT COMMENTS

The Planning and Development Services Department is supportive of the proposed rezoning of the property from A1 – Agriculture Zone to A1s – Agriculture 1 with Secondary Suite Zone. Both the Official Community Plan and the Agricultural Plan support the creation of the proposed secondary suite. The applicant also has the approval of the Agricultural Land Commission subject to the provisions of ALC Resolution # 455/2005.

Andrew Bruce
Manager Development Services

Approved for inclusion ☐

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

AB/cg

ATTACHMENTS

(Not attached to the electronic version of the report)

- Location Map
- Site Plan
- Floor Plans (2)
- Elevation Drawings (4)