
**CITY OF KELOWNA
MEMORANDUM**

DATE: August 29, 2006
FILE NO.: Z06-0035
TO: City Manager
FROM: Planning & Development Services Department
PURPOSE: To rezone the subject property from RU2 – Medium Lot Housing zone to RU2s – Medium Lot Housing with Secondary Suite zone.

OWNERS: Anita D'Angelo **APPLICANTS:** Anita D'Angelo

AT: 578 Cawston Ave.

EXISTING ZONE: RU2 - Medium Lot Housing

PROPOSED ZONE: RU2s – Medium Lot Housing with a Secondary Suite

REPORT PREPARED BY: Danielle Noble

0.0 RECOMMENDATION

THAT Rezoning Application No. Z06-0035 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 28, D.L. 139, ODYD, Plan 1037, located on Cawston Ave., Kelowna, B.C. from the RU2 – Medium Lot Housing zone to the RU2s – Medium 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;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction.

1.0 SUMMARY

The Applicant is requesting to rezone the subject property to allow a secondary suite in a proposed accessory building. A single family residence is situated on the subject property, and the proposed secondary suite would be accommodated in an accessory building that will also serve as a garage.

2.0 SITE CONTEXT

The subject property is located on Cawston Ave., situated between Richter and St. Paul streets. The immediate neighbourhood is predominantly zoned RU2, with commercial and industrial zoning within close proximity to the west.

Existing development consists of an older single family dwelling. The proposed accessory dwelling will be a one and a half storey incorporating a one car garage adjacent to the secondary suite. The habitable area will comprise of a living room, bathroom and kitchen on the entry level in addition to a bedroom loft and attic space on the upper level. The required parking spaces will be provided in the driveway situated off the lane access, also incorporating parking in the newly constructed garage.

The proposed materials of the accessory building are intended to complement the current finishing of the existing dwelling. Both structures will be finished with a dark grey stucco exterior, dressed with white trim finishing for the roof line and window treatments. The existing house will therefore be improved through such exterior upgrades to the façade to provide continuity and coordination between the two buildings. Existing landscaping is comprised predominantly of grass as well as random cedars and trees situated along the side property lines. An existing wood fence is situated on the eastern property line that serves to provide partial privacy for the abutting neighbors. The applicant will be encouraged to further increase the quantity and quality of landscaping on site.

If the rezoning is approved, the applicant will proceed through a Development Permit process to regulate the form and character of the secondary suite contained in the accessory building and to ensure compliance with the guidelines.

Zoning and Uses of Adjacent Property

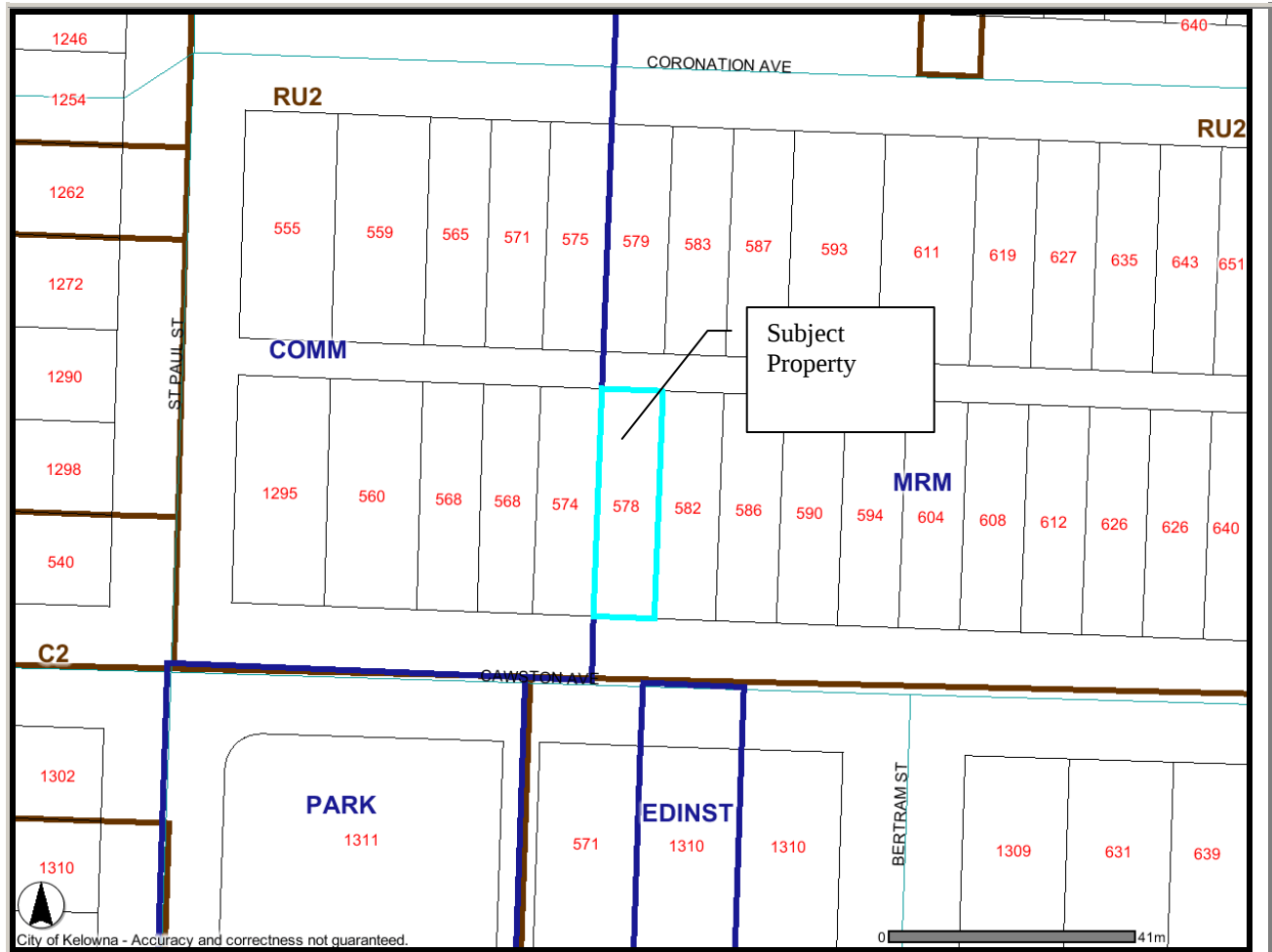
North	RU2 – Medium Lot Housing
East	RU2 – Medium Lot Housing
South	RU6 & C7 – Two Dwelling Housing and Central Business Commercial
West	RU2 – Medium Lot Housing

The application meets the requirements of the proposed RU2s – Medium Lot Housing with Secondary Suite zone as follows:

CRITERIA	PROPOSAL	RU2s ZONE REQUIREMENTS
Total Site Area	378 m ²	400 m ² (for subdivision)
Site Coverage (%)	44%	50% with driveways/parking
Total Floor Area (m ²) -Existing House -Secondary suite	83.1m ² 49.2m ²	90m ²
Height	4.5m	4.5m/Height of principle residence
Setbacks-Accessory (m)		
-Front	27.3m	4.5m
-Rear	1.5m	1.5m (for accessory bldgs)
-Side Yard (East)	2.5m	1.5m (for 1 or 1½ storey building)
-Side Yard (West)	1.5m	1.5m (for 1 or 1½ storey building)
Separation between Accessory & Principle Buildings	8.6m	5.0m
Parking Spaces (Total)	3	3

3.0 SITE MAP

Subject Property: 578 Cawston Ave.



4.0 POLICY AND REGULATION

4.1.1 Kelowna 2020 – Official Community Plan

The current Official Community Plan has designated the subject property as Multiple Unit Residential – Medium Density. The proposal is inconsistent with the future land use designation given the intent to densify in this immediate area through alternate housing forms other than single family dwellings. However, it is still recommended that this application be supported. The property improvement does not represent a significant enough investment that permitting it would prevent the site from being purchased and amalgamated with other lots to facilitate the OCP Multiple Unit designation sometime in the future.

The proposed building addition is subject to the Secondary Suite and Two Dwelling Housing Development Guidelines set out in the Official Community Plan. The intent of the Development Guidelines is to give consideration to the form, character and landscaping of all new secondary suites as forms of housing. The applicant will be required to provide further detailing with regard to the landscaping.

4.1.2 City of Kelowna Strategic Plan (2004)

Objectives of the Strategic Plan 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.

5.0 TECHNICAL COMMENTS

5.1 Bylaw Enforcement

One complaint; unsightly premises. File concluded.

5.2 Community Planning Manager

The pathway between Cawston and the proposed suite does not provide access to an entrance to the suite. Either the path should be placed on the east side of the property, or it should extend around the south end of the suite building to the door on the east side. The path must be well lit as required in 9.5.12 of the zoning by-law. Access to the property from the lane is rendered less safe with the blank wall on the north side of the building. Either the layout of the suite could be altered so that windows from an active living area, such as the kitchen or living room, overlooks the lane, or lighting should be provided to improve the safety of the north side of the building and lane entrance to the property. See the City's CPTED document for more details on safe design www.kelowna.ca under Residents/Community Development & Real Estate/Community Planning. Policy direction in the OCP supports secondary suites as an important source of rental housing. The proposal should meet all applicable zoning and servicing requirements.

5.3 Fire Department

Fire fighter access from the front/street side of the property to the back building(s) is not to be impeded at anytime. The address for both residences is to be visible from the street.

5.4 Inspection Services Department

Proposed gravel driveway should be a minimum of 3.0 metres in width.

5.5 Policy, Research and Strategic Planning Department

The subject property is designated as Multiple Unit Residential – Medium Density on the Generalized Future Land Use map in the OCP. The proposed land use (single unit housing with a second dwelling) is not consistent with the direction of this policy document.

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

Policy 8.1.56 requiring secondary suites and two dwelling housing developments to comply with development permit conditions set forth in Section 8.3 of chapter 8 of the OCP also applies to this application. The intent of the Development Guidelines is to give consideration to the form, character and landscaping of all new secondary suites and two dwelling forms of housing. The applicant has incorporated many building design features that are consistent with the Development Guidelines, however further consideration should be given to guidelines relating to access into the suite, privacy of the neighbours and required private open space for the suite.

Recommendations are incorporated into the Planning and Development Services Comments section below.

5.6 Interior Health

Provided sewer and water are available.

6.0 PLANNING AND DEVELOPMENT SERVICES COMMENTS

Staff have no substantial concerns with the intensification of the residential use of this property, given the intention to use the accessory building for the purposes of a secondary suite. The applicant has incorporated many building design features that are consistent with the Development Guidelines, however further consideration should be given to guidelines relating to access into the suite, privacy of the neighbours, and required private open space for the suite.

Importantly, the main entrance to the suite is not clearly defined for visitors to the site, and it is recommended that a small gable roof be added above the main access on the east side on the suite and that a small concrete pad or step be poured in front of this access. It has also been suggested that the current roof design negatively impacts the neighbouring homes as the windows on the second floor overlook their back yards. It is recommended that the applicant alter the roof to a hipped style to be more consistent with the existing house and change the dormer orientation to north-south to improve neighbouring home owner's privacy in their backyards.

The recommended change in the roof design will require the removal of the south facing second floor windows. The addition of a fence or a hedge between the two structures would serve to create a dedicated private open space for the suite. This privacy screen would enable the addition of windows to the south facing wall on the main floor to allow light into the living room without negatively impacting the privacy of the occupants of the suite.

Notably, the applicant will be required to pursue a Development Permit process which will be the tool to modify the proposed design and request alternate changes to accommodate the proposed changes as noted above in accordance to the Official Community Plan Development Permit Guidelines for Secondary Suites.

Furthermore, while it is recognized that the future land use direction set forth in the OCP is inconsistent with this development, it is still recommended that this application be supported given the OCP does support/encourage secondary suites as more efficient land use in developed single family neighbourhoods.

Shelley Gambacort
Acting Development Services Manager

Approved for inclusion ☐

Mary Pynenburg, MRAIC MCIP
Director of Planning & Development Services

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Attachments (not attached to the electronic version of the report)

- Location of subject property
- Site/Landscape Plan
- Floor Plans and Elevations of Proposed Accessory Structure
- Floor Plan of Existing Single Family Dwelling