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**CITY OF KELOWNA**  
**MEMORANDUM**

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**DATE:** October 16, 2006  
**FILE NO.:** Z06-0053  
**TO:** City Manager  
**FROM:** Planning & Development Services Department  
**PURPOSE:** To rezone the subject property from RU1 – Large Lot Housing zone to RU1s – Large Lot Housing with Secondary Suite zone.

**OWNERS:** Karen Wells & Ruby Gale  
**APPLICANTS:** Karen Wells

**AT:** 1240 Gaggin Rd.

**EXISTING ZONE:** RU1 - Large Lot Housing

**PROPOSED ZONE:** RU1s – Large Lot Housing with a Secondary Suite

**REPORT PREPARED BY:** Danielle Noble

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**1.0** **RECOMMENDATION**

THAT Rezoning Application No. Z06-0053 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Sec. 22, Twp 26, ODYD, Plan 22385, located on Gaggin Rd., 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 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 a one-storey accessory building.

**3.0** **PROPOSAL**

Existing development consists of an older single family dwelling. The proposed accessory dwelling will be a one storey structure incorporating the secondary suite on the main floor. The floor plan is comprised of a living room, kitchen, master and guest bedrooms, bathroom and entry design incorporating a mud room. The required parking spaces will be provided in the driveway situated off Gaggin Rd., which presently serves the existing garage that will be demolished to accommodate the proposed accessory building.

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 white vinyl siding exterior with blue trim finishing for the accents and window treatments. These colors emulate the existing house as it currently stands. Existing landscaping is comprised predominantly of grass as well as random cedars and trees

situated along the side property lines. A vegetable and flower garden will remain to the rear of the proposed accessory building, in addition to random flowers situated on the western property line. A recently constructed wood fence is situated on the entire property boundary line that serves to provide privacy for the abutting neighbors.

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.

#### 4.0 SITE CONTEXT

The subject property is located on Gaggin Rd., situated between Gerstmar and Taylor roads. The immediate neighbourhood is an eclectic assortment of multiple zonings, dominated by multiple RU6 properties and select RU1s and RU2s designations.

#### **Zoning and Uses of Adjacent Property**

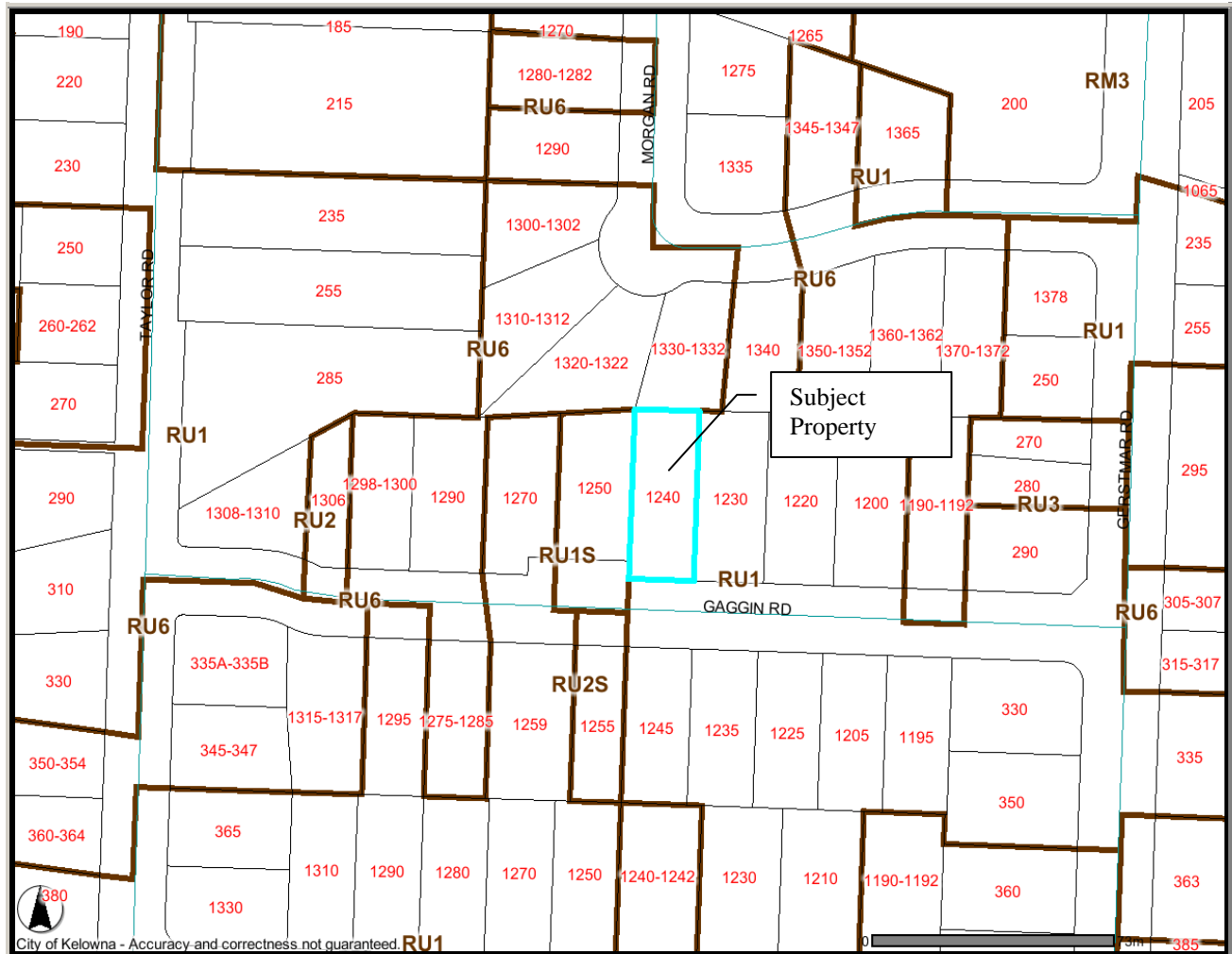
|       |                                                                          |
|-------|--------------------------------------------------------------------------|
| North | RU6 – Two Dwelling Housing                                               |
| East  | RU1 – Large Lot Housing                                                  |
| South | RU1 & RU2s – Large Lot Housing & Medium Lot Housing with Secondary Suite |
| West  | RU1s – Large Lot Housing with Secondary Suite                            |

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

| <b>CRITERIA</b>                                                           | <b>PROPOSAL</b>                           | <b>RU1s ZONE REQUIREMENTS</b>        |
|---------------------------------------------------------------------------|-------------------------------------------|--------------------------------------|
| Total Site Area                                                           | 976 m <sup>2</sup>                        | 550 m <sup>2</sup> (for subdivision) |
| Site Coverage (%)                                                         | 24%                                       | 40% (for buildings/structures)       |
| Total Floor Area (m <sup>2</sup> )<br>-Existing House<br>-Secondary suite | 239.7m <sup>2</sup><br>89.1m <sup>2</sup> | 90m <sup>2</sup>                     |
| Height                                                                    | 3.79m                                     | 4.5m/Height of principle residence   |
| Setbacks-Accessory (m)                                                    |                                           |                                      |
| -Front                                                                    | 49.89m                                    | 4.5m                                 |
| -Rear                                                                     | 10.1m                                     | 1.5m (for accessory bldgs)           |
| -Side Yard (East)                                                         | 2.0m                                      | 2.0m (for 1 or 1½ storey building)   |
| -Side Yard (West)                                                         | 7.75m                                     | 2.0m (for 1 or 1½ storey building)   |
| Separation between Accessory & Principle Buildings                        | 7.13m                                     | 5.0m                                 |
| Parking Spaces (Total)                                                    | 3                                         | 3                                    |

## 5.0 SITE MAP

Subject Property: 1240 Gaggin Rd.



## 6.0 POLICY AND REGULATION

### 6.1.1 Kelowna 2020 – Official Community Plan

The current Official Community Plan has designated the subject property as Single/Two Family Residential. The proposal is consistent with the future land use designation given the opportunity to densify in this immediate area through alternate housing forms other than single family dwellings.

OCP housing policy 8.1.34 encourages second dwellings as achieving more efficient use of land within developed single-detached neighbourhoods and policy 8.1.31 reiterates this support. Policy 8.1.56 also applies to this application and the applicant will be required to secure a development permit. As such any renovations or new construction must adhere to the appropriate development permit guidelines in Chapter 8 of the OCP.

6.1.2 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.

7.0 TECHNICAL COMMENTS

7.1 Community Planning Manager

The design of this accessory suite can be ideal for accommodating the needs of people with disabilities. The latter is also one of the most important functions of suites; to allow people with disabilities to live independently with potential help of people in the main dwelling; the most typical example being aging parents of the main dwelling occupants. In order to ensure that the suite can meet this need into the future, elements of adaptable design should be applied to facilitate conversion for handicapped accessibility later on, should this become necessary. The application should be supported, provided all zoning and building requirements are met.

7.2 Fire Department

No comment.

7.3 Inspection Services Department

Proposed building to meet requirements of BCBC 1998

7.4 Interior Health

No comment.

7.5 Works and Utilities Department

The Works & utilities Department comments and requirements regarding this application to rezone the subject property from RU1 to RU1s are as follows:

- a) The plan for the proposed rezoning application for a suite does not compromise Works and Utilities as far as servicing is concerned.
- b) The parcel is fully serviced in accordance with the current requirements for the requested zone.
- c) The revised 45 degree angled parking on-site as proposed by the applicant meets the minimum design guidelines.

8.0 PLANNING AND DEVELOPMENT SERVICES COMMENTS

Staff has no 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 proposed design of the accessory building will compliment the design and character of the existing residence, and enhance the built form of structures within the immediate neighbourhood. Importantly, the development is sensitive to the privacy of adjacent neighbours and the privacy of individual dwellings units on a lot and respects the scale and general character of the houses and landscape of the neighbourhood in which it is built.

Notably, the guidelines require 30 m<sup>2</sup> of open space for each of the occupants per dwelling. The site layout demonstrates that requirement can easily be achieved by incorporating both the patio allocation and grass area to be approximately 730 m<sup>2</sup>.

Comments from the Works and Utilities department have resulted in amendments to the on-site parking to more effectively accommodate the turning movements of a standard vehicle. Further design details will be addressed during the Development Permit approval process.

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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 Plan
- Landscape Plan
- Floor Plans and Elevations of Proposed Accessory Structure