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**CITY OF KELOWNA  
MEMORANDUM**

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**DATE:** November 29, 2007

**TO:** City Manager

**FROM:** Planning & Development Services Department

**APPLICATION NO.** Z07-0066

**APPLICANT:** Anne Squair

**AT:** 1704 Joe Riche Road

**OWNER:** Vic & Denise Clay

**PURPOSE:** TO REZONE FROM THE A1 – AGRICULTURE 1 TO THE A1(s) – AGRICULTURE 1 WITH SECONDARY SUITE ZONE, IN ORDER TO CREATE A SECONDARY SUITE WITHIN A NEW ACCESSORY BUILDING.

**EXISTING ZONE:** A1 – AGRICULTURE 1

**PROPOSED ZONE:** A1(s) – AGRICULTURE 1 WITH SECONDARY SUITE ZONE

**REPORT PREPARED BY:** BIRTE DECLOUX

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**1.0 RECOMMENDATION**

THAT Rezoning Application No. Z07-0066 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 168, TWP 27, O.D.Y.D., Plan 24361, located on Joe Rich Road, Kelowna, B.C. from the A1 – Agriculture 1 zone to the A1(s) – 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;

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

**2.0 SUMMARY**

This application seeks to rezone from A1 – Agriculture 1 to A1(s) – Agriculture 1 with a Secondary Suite zone to allow a secondary suite within a new accessory building on the subject property. Because the lot was developed prior to 1976 and is under 2 acres the provisions and regulations of the RU1 zone will apply in accordance with sec. 1.7.1 of Bylaw 8000.



### 3.0 BACKGROUND

There is an existing single family dwelling on the subject property which is located on the east side of the property. The proposed accessory building fronting Joe Riche Road would be located on the west side of the property.

There is adequate surface parking available for both the principal and secondary dwelling units located directly in front of the principal unit.

The proposed application meets the requirements of the RU1(s) Rural Residential with a Secondary Suite zone as follows :

CRITERIA	PROPOSAL	A1s ZONE REQUIREMENTS
Development Regulations		
Site Coverage (buildings)	12.5%	40%
Site Coverage (buildings/parking)	18.4%	50%
Height (principal dwelling)	5.9 m	9.5 m
Other requirements		
Floor Area (principal dwelling)	142.70 m <sup>2</sup>	n/a
Floor Area (secondary suite)	89.65 m <sup>2</sup>	90 m <sup>2</sup>
Height (accessory building)	3.56 m	The lesser of 4.5 m or the height of the principal dwelling
Parking Stalls (#)	3 spaces	3 spaces
Separation Distance	6.1 m	5.0 m
Private Open Space	212 m <sup>2</sup>	30 m <sup>2</sup> of private open space per dwelling

### 3.1 Site Context

The subject property is located on the north side of Joe Riche Road, north of Hwy 33 E. The surrounding properties are developed for single family housing. More specifically, the adjacent land uses are as follows:

- |        |  |
|--------|--|
| North- | A1 – Agriculture 1 – existing single family subdivision        |
| East   | RR3 – Rural Residential 3 - existing single family subdivision |
| South  | P4 – Utilities - existing single family subdivision            |
| West   | A1 – Agriculture 1 - existing single family subdivision        |



### 3.2 Existing Development Potential

The purpose is to provide a zone for single detached housing, and compatible secondary uses.

## 4.0 TECHNICAL COMMENTS

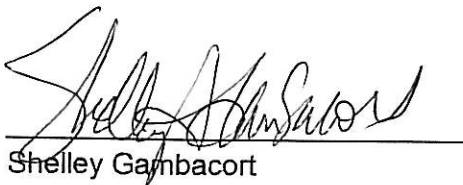
### 4.1 As Attached

## 5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

Staff recommends that this rezoning application be supported, as it represents a sensitive infill project, consistent with the policies contained within the OCP. The existing property is large enough to accommodate both buildings without any impact on the surrounding neighbours.

Development of the proposed suite 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 and two dwelling forms of housing.

A direct Development Permit accompanies this zoning change application and has been approved. Staff is also supportive of this element of the project.



Shelley Gambacort

Current Planning Supervisor

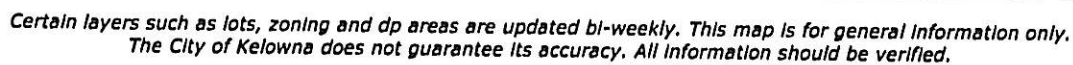
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## ATTACHMENTS

Location of subject property  
Site Plan (Surveyor's Certificate)  
Floor Plan of Suite  
Photos of Subject Property (7 pages)  
Landscape Plan





File: Z07-0066

Application

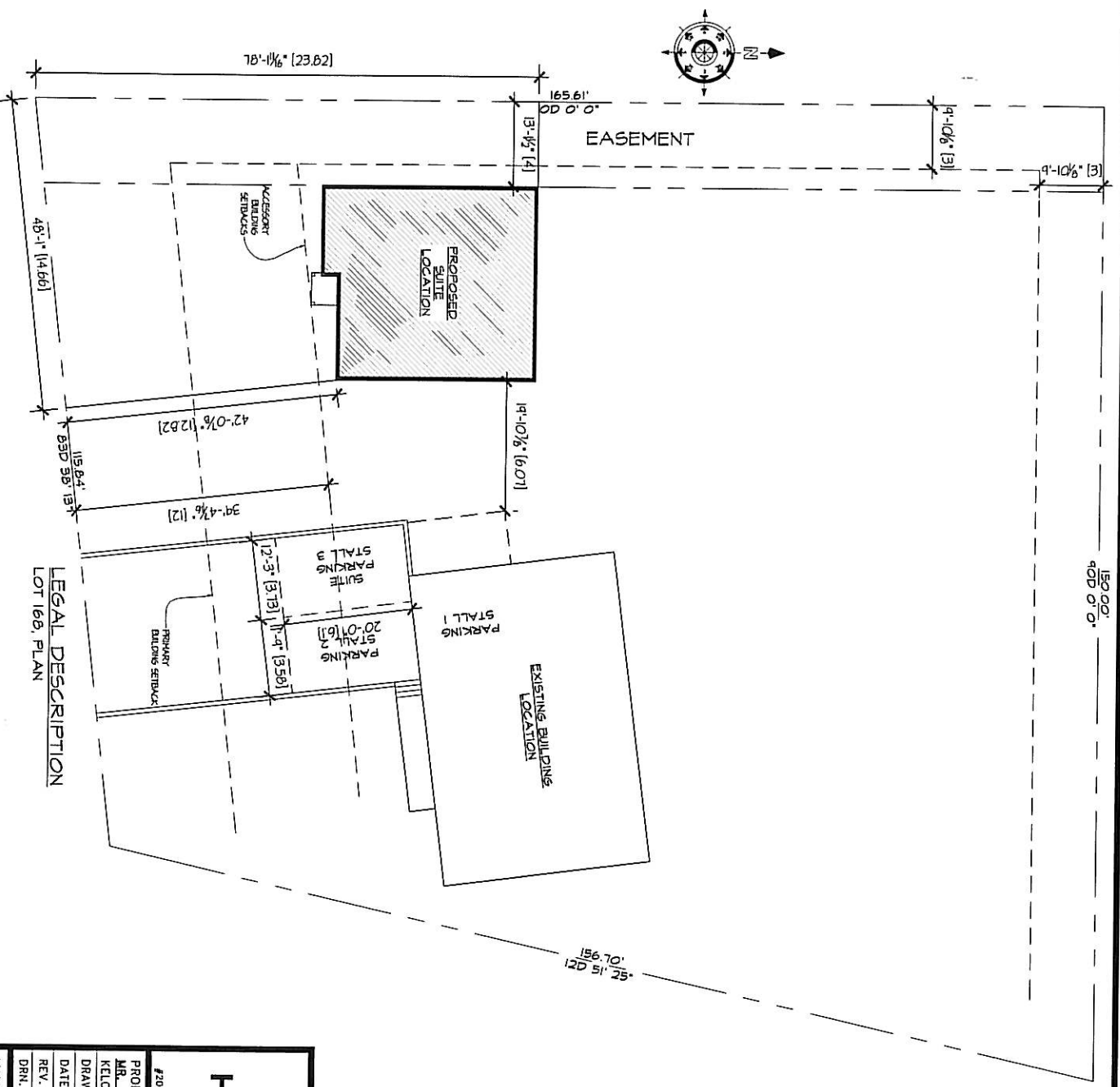
File: Z07-0066

Type: REZONING - NON APC


File Circulation

Seq	Out	In	By	Comment
	B.C. Assessment Authority (info only)			
	2007-07-24	2007-07-24		
	Bylaw Enforcement Officer			
	2007-07-24	2007-07-25	PTURNER	Bylaws has never had any complaints about this property. Patte.
	Community Development & Real Estate Mgr			
	2007-07-24	2007-07-31	MBORGUN	Land Comments for Inclusion in Council Report: Please contact the Land Agent for road dedications over 20 metres in width, land dedications and land transfers to or from the City of Kelowna, road closures and road reserves. Depending on the type of land transaction being contemplated, the processing time can vary from 3 weeks to 3 months. The Land Department requires a full size copy, together with an 8 1/2 x 11 copy, of any survey plans.
	Environment Manager			
	2007-07-24	2007-08-02		No response
2	Environment Manager			
	2007-07-24	2007-08-27	CDAVIS	No comment
	Fire Department			
	2007-07-24	2007-08-01	GDAFT	No comment
	FortisBC			
	2007-07-24	2007-08-02		No response
	Inspections Department			
	2007-07-24	2007-07-30	RREADY	No concerns
2	Inspections Department			
	2007-07-24	2007-07-30	RREADY	No concerns
	Irrigation District - BMID			
	2007-07-24	2007-08-02		see file
	Mgr Policy, Research & Strategic Plannin			
	2007-07-24	2007-07-26		no comment
	Ministry of Transportation			
	2007-07-24	2007-09-11		Ministry of Transportation has no objection to this proposal and would be prepared to affix signature to the bylaw after 3rd reading.
	Public Health Inspector			
	2007-07-24	2007-08-10		sewer required.

**\*\* End of Report \*\***



LEGAL DESCRIPTION  
LOT 166, PLAN



**HARMONY HOMES**

#201 - 613 FINE RD., KELLOWNA, B.C.  
PH: 250-765-5191

PROPOSED RESIDENCE OF:  
**MR. & MRS. CLAY**  
KELLOWNA, B.C.

DRAWING SCALE: 3/32" = 1'-0"

DATE: JULY 6, 2007

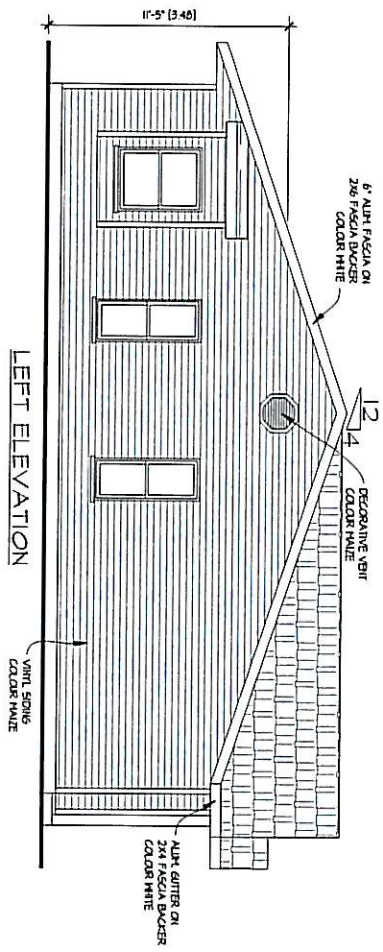
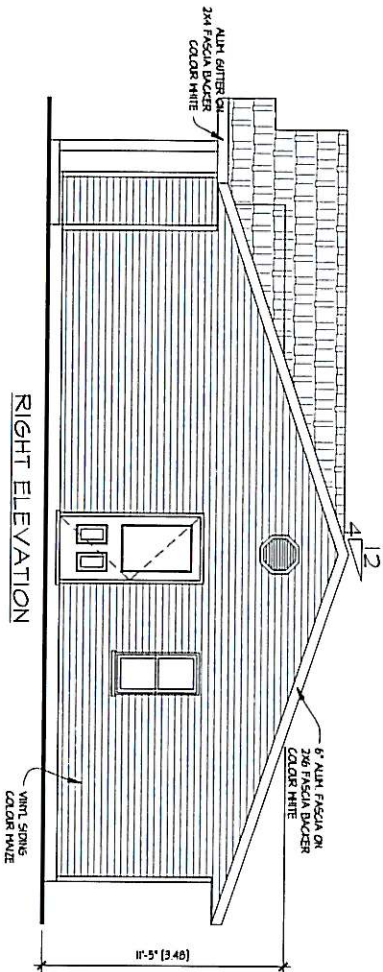
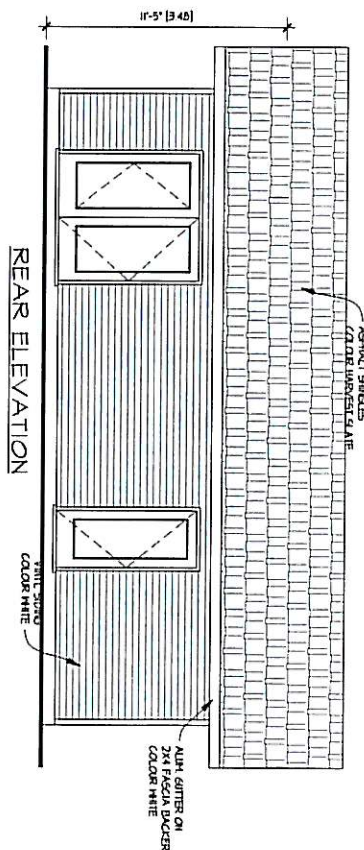
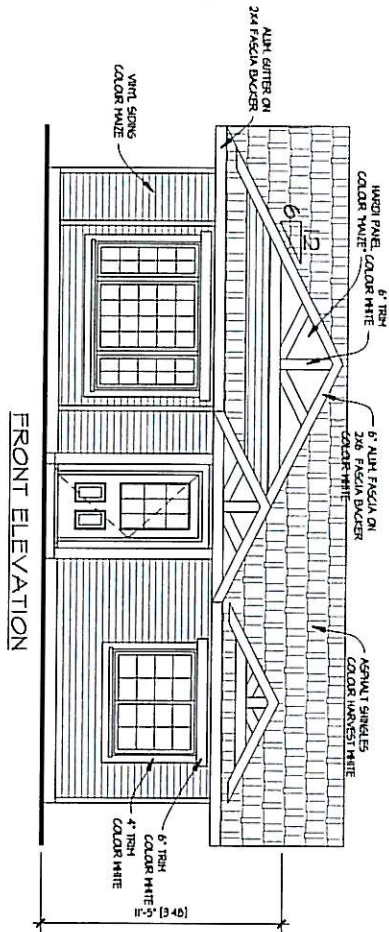
REV. DATE(S):


DRN. BY: J.A.S.

AWARD WINNING BUILDER

4/5







# HARMONY HOMES

#201 - 833 FINE RD., KELOWNA, B.C.  
 PH: 250-765-5191

PROPOSED RESIDENCE OF:  
 MR. & MRS. CLAY  
 KELOWNA, B.C.

DRAWING SCALE: 1/4" = 1'-0"

DATE: JULY 6, 2007

REV. DATE(S):

DRN. BY: J.A.S.

AWARD WINNING BUILDER













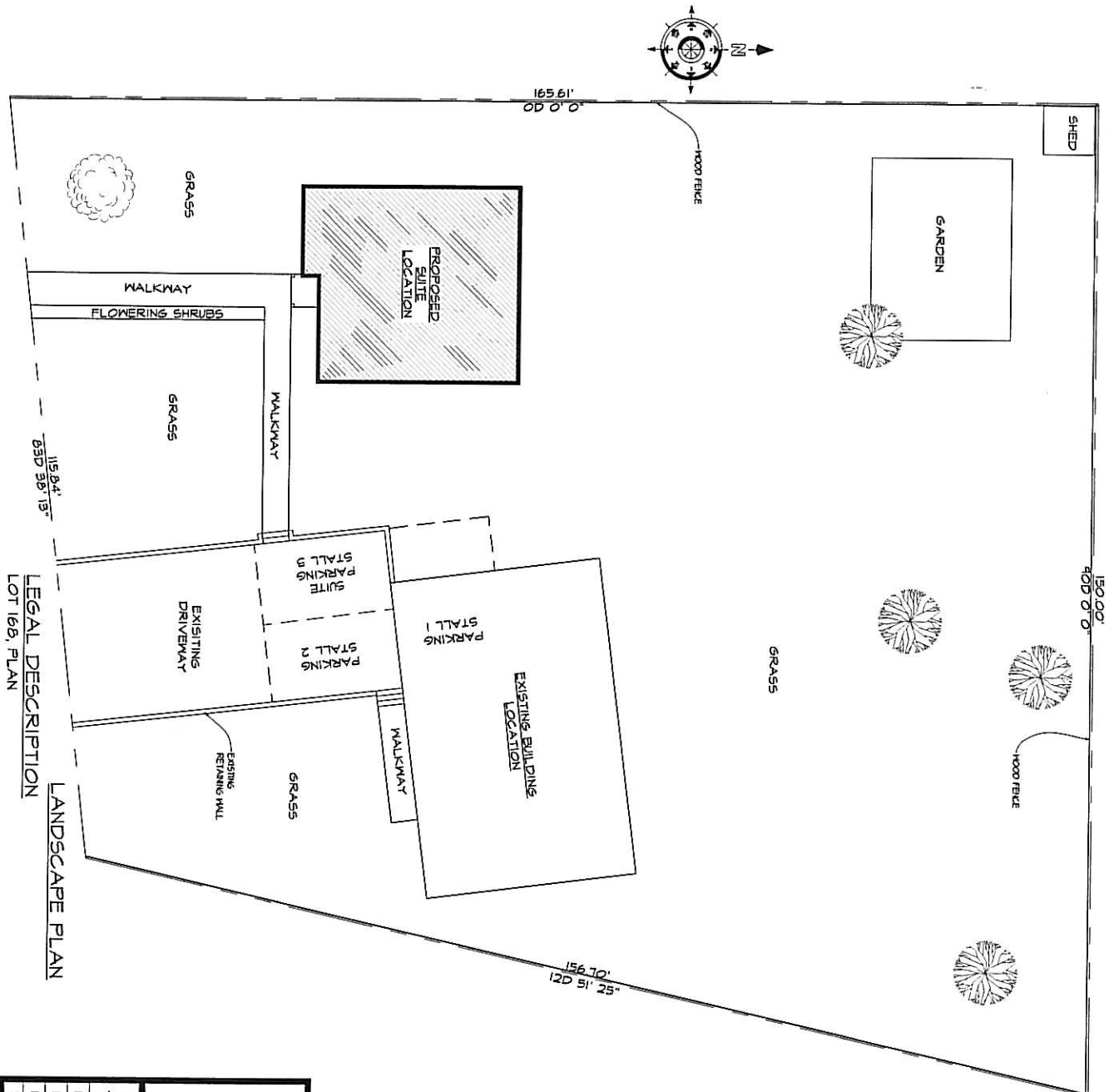













LEGAL DESCRIPTION  
LOT 168, PLAN

LANDSCAPE PLAN



**HARMONY HOMES**

#201 - 833 FINNS RD., KELOWNA, B.C.  
PH: 250-765-5191

PROPOSED RESIDENCE OF:  
**MR. & MRS. CLAY**  
KELOWNA, B.C.

DRAWING SCALE: 3/32" = 1'-0"

DATE: JULY 6, 2007

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