
**CITY OF KELOWNA
MEMORANDUM**

DATE: February 18, 2008

TO: City Manager

FROM: Planning & Development Services Department

APPLICATION NO. Z08-0003 **APPLICANT:** Wayne and Terry Cobb

AT: 4160 McClain Rd **OWNER:** Wayne and Terry Cobb

PURPOSE: TO REZONE FROM THE A1 – AGRICULTURE 1 TO THE A1s – AGRICULTURE 1 WITH SECONDARY SUITE ZONE, IN ORDER TO CREATE A SECONDARY SUITE WITHIN A NEW ACCESSORY BUILDING.

EXISTING ZONE: A1 – Agriculture 1 Zone

PROPOSED ZONE: A1s – Agriculture 1 with Secondary Suite Zone

REPORT PREPARED BY: Corine (Cory) Gain, MCIP, CPT

1.0 RECOMMENDATION

THAT Rezoning Application No. Z08-0003 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 2 Township 26 Osoyoos Division Yale District Plan 18326, located at 4160 McClain Road, Kelowna BC 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

This application seeks to rezone the subject property from A1 – Agriculture 1 to A1s – Agriculture 1 with a Secondary Suite zone to allow a secondary suite within a new accessory building on the subject property. The subject one acre property was created by subdivision on August 8, 1968. As such, while the property is located within the Agricultural Land Reserve, it is exempt from the Agricultural Land Commission Act under Section 23(1). Therefore, no application to the ALC is required to construct the secondary suite in an accessory building. Further, the proposal meets the requirements of Zoning Bylaw 8000 Section 1.8.4 in that the proposal complies with all regulations of the zoning bylaw except minimum lot size.

3.0 BACKGROUND

An existing single family dwelling on the subject property is located on the north side of the property approximately 58 m from the McClain Road frontage. The proposed accessory building is to be located to the rear of the existing dwelling approximately in the location of an

old barn that the applicant proposes to remove to make room for the new building. There is adequate surface parking available for both the principal and secondary dwelling units located directly adjacent to each of the existing and proposed buildings.

The proposed application meets the requirements of the A1 – Agriculture with a Secondary Suite zone as follows:

CRITERIA	PROPOSAL	A1s ZONE REQUIREMENTS
Development Regulations		
Site Coverage (buildings)	8.3 %	10%
Height (Existing house)	5.7 m	9.5 m
Height (Accessory bldg)	6.85 m maximum	9.5 m
Other requirements		
Floor Area (principal dwelling)	121.8 m ²	n/a
Floor Area (secondary suite)	89 m ²	90 m ²
Height (proposed accessory building)	3.56 m	The lesser of 4.5 m or the height of the principal dwelling
Parking Spaces (#)	3 spaces	3 spaces
Separation Distance	14 m	5.0 m
Private Open Space	< 30 m ² for each dwelling	30 m ² of private open space per dwelling

3.1 Site Context

The subject property is located on the northwest side of McClain Road, midway between June Springs and McCulloch Roads. The adjacent zones are as follows:

North-	A1 – Agriculture 1
East	A1 – Agriculture 1
South	A1 – Agriculture 1
West	A1 – Agriculture 1

3.2 Site Location Map (See attachments)

Subject Property: 4160 McClain Road

3.3 Existing Development Potential

The purpose of the A1 – Agriculture 1 zone 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 the bylaw.

4.0 TECHNICAL COMMENTS

See Attachment 'H'.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

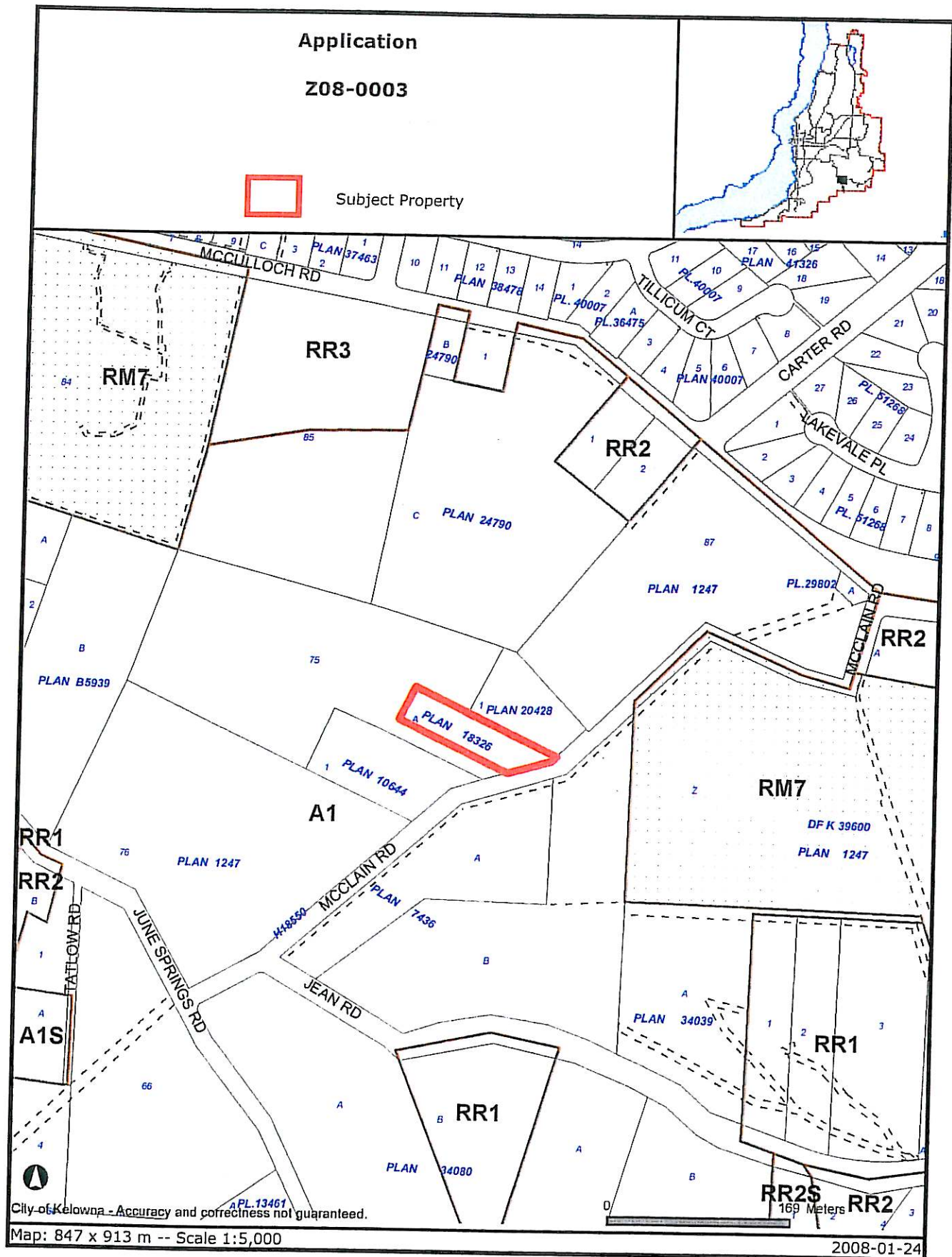
The Planning and Development Services Department recommends that this rezoning application be supported, as it represents a sensitive infill project, consistent with the policies contained within the OCP. The existing property is large enough to accommodate both buildings without any impact on the surrounding neighbours. The three immediately adjacent property owners have provided confirmation of their support for the subject application.


Shelley Gambacorti
Current Planning Supervisor

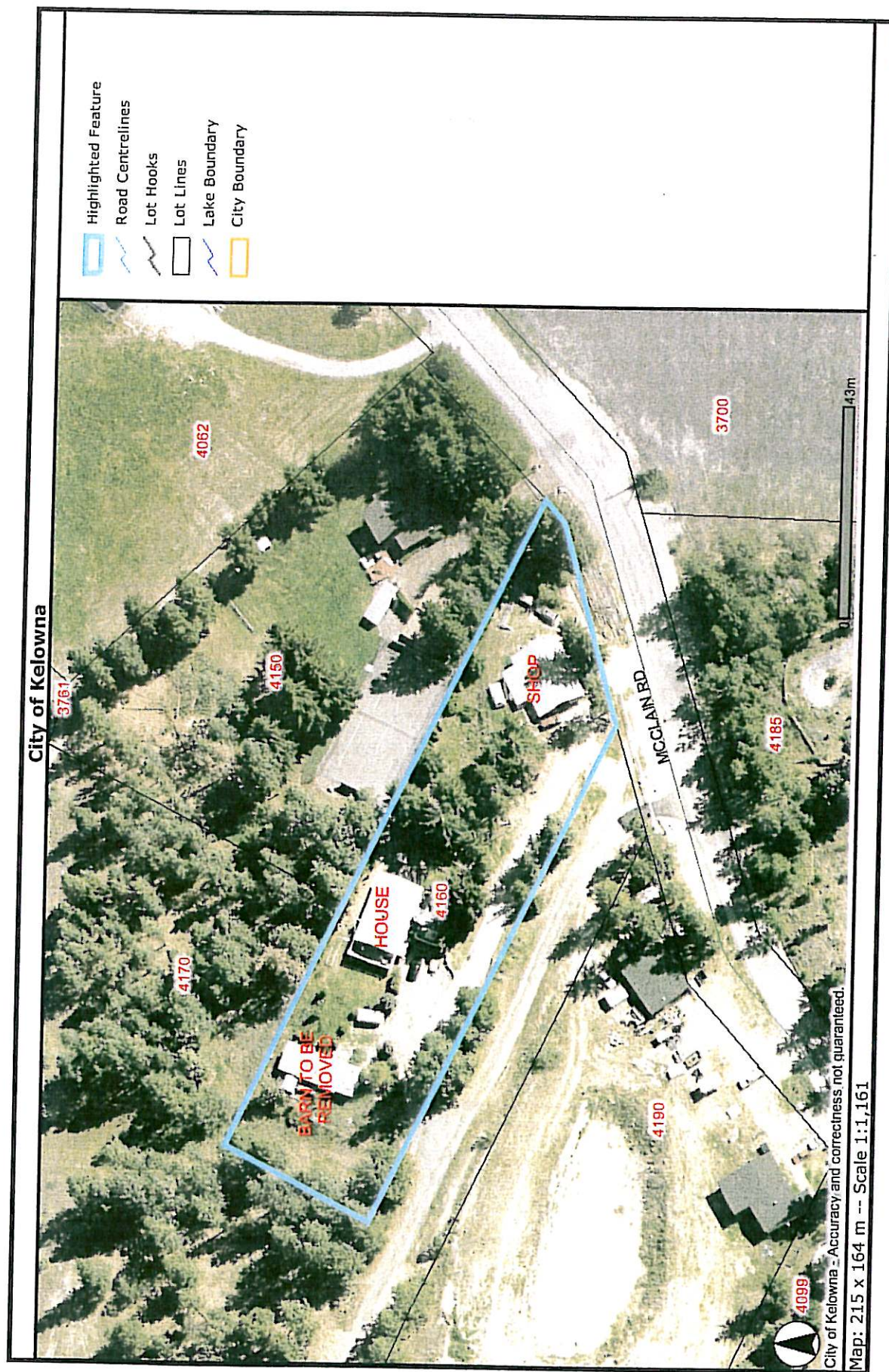
SG/cg

ATTACHMENTS

- A - Location Map with Zoning
- B - Orthophoto (Scale 1:1,161)
- C - Proposed Site Plan
- D - Elevation of Proposed Accessory Building (4 pages)
- E - Development Application File Circulation Report (2 pages)

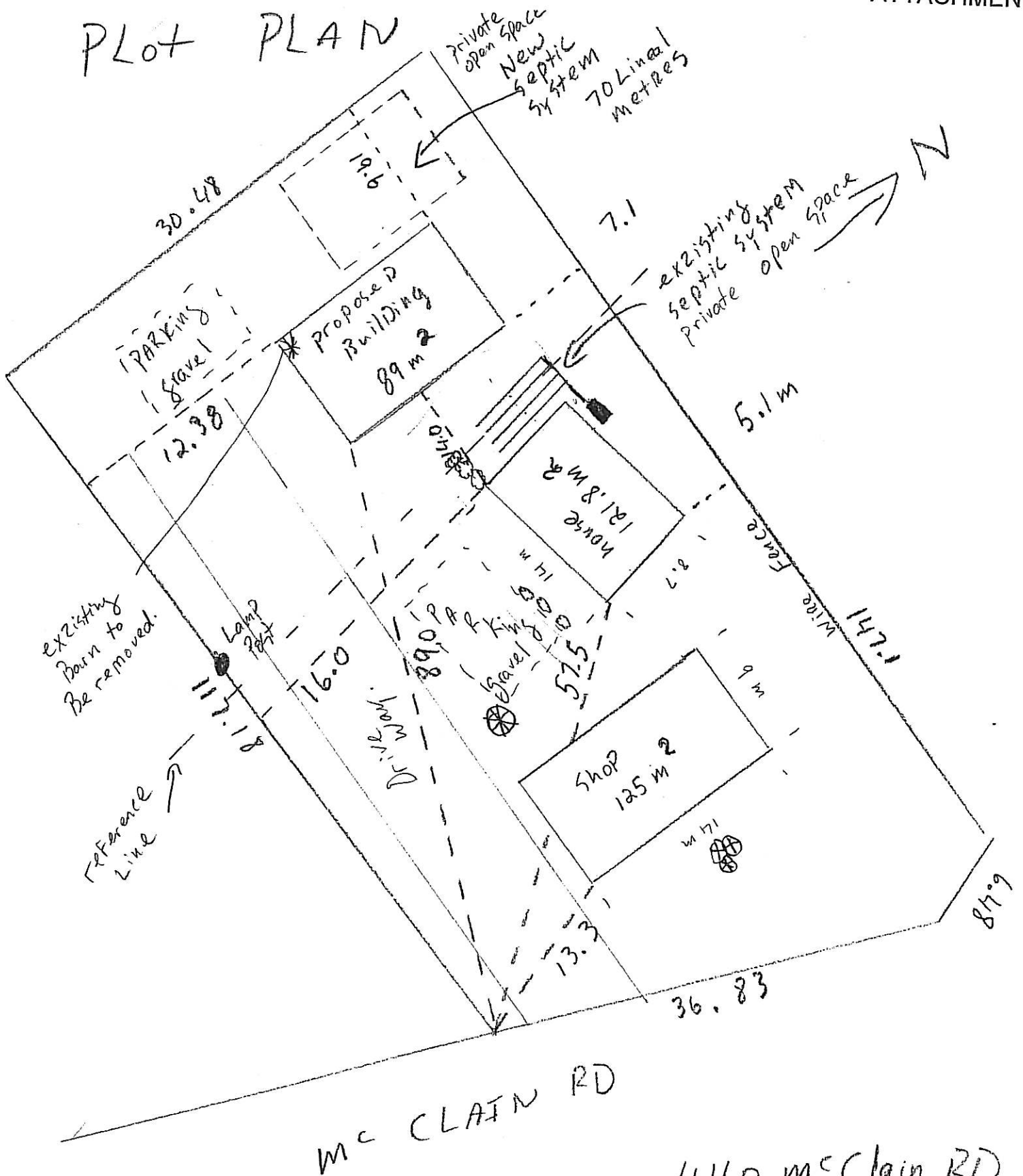


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
The City of Kelowna does not guarantee its accuracy. All information should be verified.



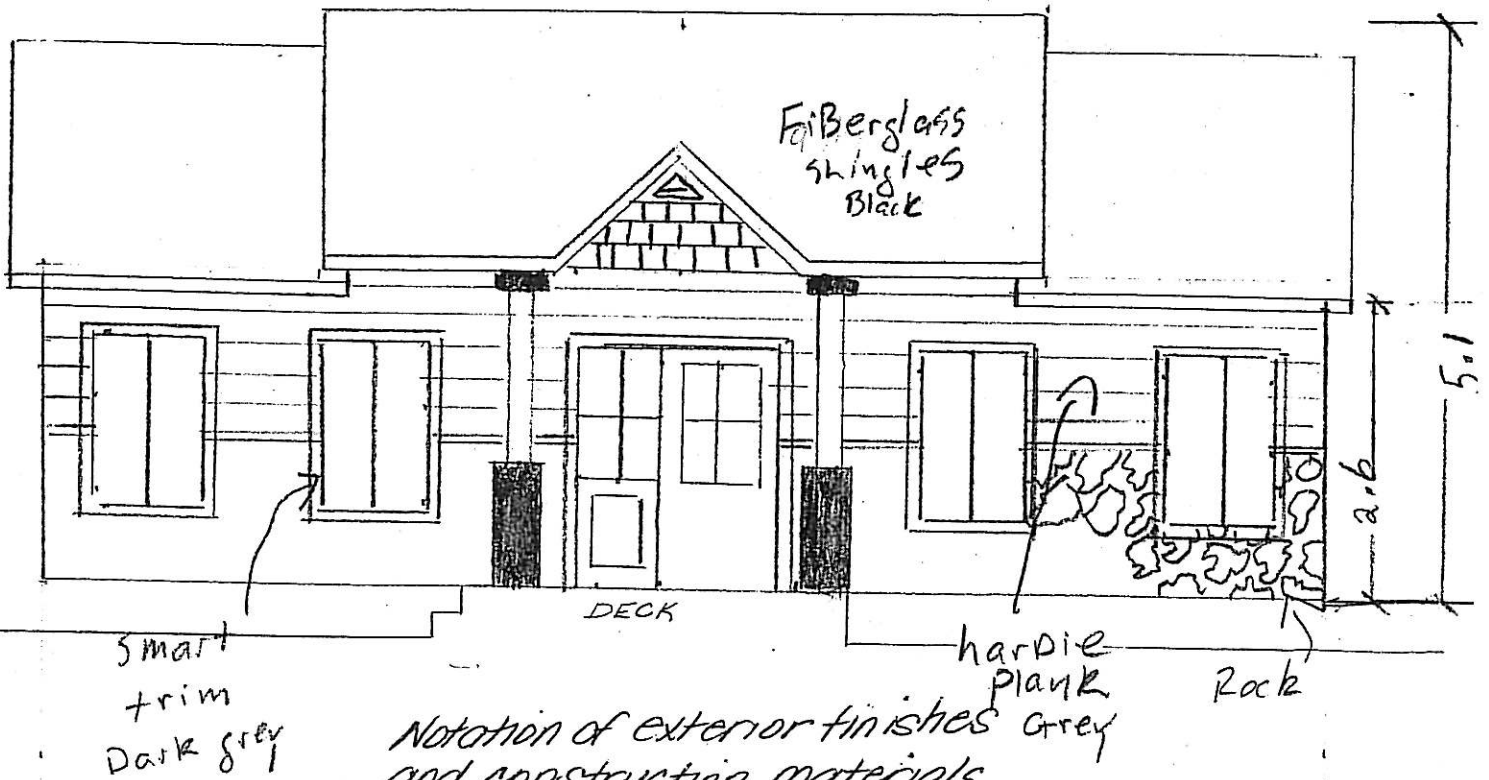
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Plot PLAN



4160 McClain RD
 Kelowna B.C.
 Lot - A PLAN 18326
 Sec 2 TP 26 O.D.Y.D

Front elevation



Notation of exterior finishes grey
and construction materials
Specification of colours preferred.

File: Z08-0003

Application

File: Z08-0003

Type: REZONING - NON APC

File Circulation

Seq	Out	In	By	Comment
				B.C. Assessment Authority (info only)
	2008-01-24	2008-01-24		
				Bylaw Enforcement Officer
	2008-01-24	2008-01-24	PTURNER	No concerns
				Community Development & Real Estate Mgr
	2008-01-24	2008-02-05	SALEXANDER	CD&RE 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 ? x 11 copy, of any survey plans.
				Environment Manager
	2008-01-24	2008-01-25	CDAVIS	No comment
				Fire Department
	2008-01-24	2008-02-06	GDAFT	The address for both residences are to be visible from the street. If a fence is ever constructed between the dwellings a six foot wide gate is required. Any gate is to open with out special knowledge.
				FortisBC
	2008-01-24	2008-02-12		No response
				Inspections Department
	2008-01-24	2008-01-25	RREADY	Ensure building permit application drawings labelled related to not permitting two units in carriage house building.
				Irrigation District - SEKID
	2008-01-24	2008-02-05		See file for comments.
				Public Health Inspector
	2008-01-24	2008-02-11		No information re: onsite sewage disposal on file. The owner is advised to seek the services of an AP to design and file the proposed sewerage system with this office prior to construction; No records can be found for the existing building; The owner is advised to seek the services of an AP to determine the age, location and capacity of the existing system to determine if the proposed construction can be approved. The owner is reminded that all onsite sewerage systems do fail eventually and the proposed construction may possibly limit the availability of an area for repair. In the event a repair is needed, an AP must be contacted to design and file repair. These comments do not address the operating condition of the sewerage system, and reflect only the information contained in our files.
				Works & Utilities
	2008-01-24	2008-01-31		see documents tab

CITY OF KELOWNA
MEMORANDUM

Date: January 29, 2008
File No.: Z08-0003
To: Planning and Development Officer (CG)
From: Development Engineering Manager (SM)
Subject: 4160 McClain Road – Lot A, Plan 18326

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

The proposed rezoning for the addition of a carriage house does not compromise Works and Utilities as far as servicing is concerned.

Steve Muenz, P. Eng.
Development Engineering Manager

SS