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**CITY OF KELOWNA  
MEMORANDUM**

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**Date:** September 20, 2008  
**To:** City Manager  
**From:** Planning & Development Services Department  
**APPLICATION NO.** Z07-0062      **APPLICANT:** Peter Chataway  
**AT:** 3432 Scott Road      **OWNER:** Kelly Robinson  
Clayton Robinson

**PURPOSE:** TO REZONE THE SUBJECT PROPERTY FROM THE RU1 - LARGE LOT HOUSING ZONE TO THE RU1S - LARGE LOT HOUSING WITH SECONDARY SUITE ZONE IN ORDER TO ALLOW FOR THE CONSTRUCTION OF A SUITE WITHIN AN ACCESSORY BUILDING.

**EXISTING ZONE:** RU1 – LARGE LOT HOUSING

**PROPOSED ZONE:** RU1s – LARGE LOT HOUSING WITH SECONDARY SUITE

**REPORT PREPARED BY:** NELSON WIGHT

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**1.0 RECOMMENDATION**

THAT Rezoning Application No. Z07-0062 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6, District Lot 135, O.D.Y.D., Plan 3886, located on Scott Road, 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;

AND THAT the zone amending bylaw be considered in conjunction with Council's consideration of a Development Variance Permit on the subject property.

AND FURTHER THAT 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**

The applicant is proposing to demolish the existing dwelling unit and construct a new single family dwelling, in addition to a secondary suite in an accessory building. A change in the zoning of the property would be required from RU1 to RU1s. There is an accompanying Development Variance Permit application to address (a) site coverage of accessory building, (b) height of accessory building, and (c) driveway access from Scott Road.

**3.0 BACKGROUND**

There is an existing single-family home on the subject property. The applicant intends to redevelop the entire site, constructing a new 2 ½ storey principal dwelling, and a 2-storey accessory building with secondary suite.

The proposed development meets the requirements of the RU1 – Large Lot Housing with Secondary Suite zone, as follows. Conflicts with the Zoning Bylaw regulations for this zone are detailed immediately following the table:

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	460.0 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width	15.24 m	15.0 m
Lot Depth	30.15 m	30.0 m
Development Regulations		
Site Coverage (buildings)	34%	40%
Site Coverage (buildings/parking)	49%	50%
Site Coverage (accessory building)	15.5% <sup>A</sup>	14%
Height (proposed house)	2 ½-storeys / 9.5 m	2 ½ storeys / 9.5 m
Height (accessory building)	2-storey / 5.6 m <sup>B</sup>	1 ½ storeys / 4.5 m
Front Yard	4.6 m / 6.1 m	4.5 m or 6.0 m to a garage
Side Yard (north)	2.4 m	2.0 m (1 - 1 ½ storey) 2.3 m (2 storey)
Side Yard (south)	2.4 m	2.0 m (1 - 1 ½ storey) 2.3 m (2 storey)
Rear Yard (accessory bldg)	1.5 m	1.5 m
Separation Distance Between Houses	5.1 m	5.0 m
Floor Area (new house)	± 230 m <sup>2</sup>	n/a
Floor Area (secondary suite)	89 m <sup>2</sup>	lesser of 90 m <sup>2</sup> or 75% of principal dwelling
Other Requirements		
Parking Stalls (#)	meets requirements	3 spaces
Lane Access Only	does not meet requirements <sup>C</sup>	Where the development has access to a rear lane, vehicular access to the development is only permitted from the rear lane.
Private Open Space	meets requirements	30 m <sup>2</sup> of private open space per dwelling

<sup>A</sup> The applicant is seeking a variance to this site coverage requirement for accessory buildings.

<sup>B</sup> The applicant is seeking a variance to the maximum height requirement for an accessory building.

<sup>C</sup> The Applicant is seeking to vary this requirement in order to allow for a vehicle access to a surface parking area in the front yard.

#### **4.0 SITE CONTEXT**

The subject property is located on the west side of Scott Road, just south of where it meets Moberly Road. The area has been developed primarily as a single- and two-family neighbourhood, with the exception of lands adjacent to the north, which were recently developed to accommodate a row-housing project.

North-	RM3 – Low Density Multiple Housing
East	RU2 – Medium Lot Housing
South	RU1 – Large Lot Housing
West	RU1 – Large Lot Housing

#### **5.0 TECHNICAL COMMENTS**

(See attached)

#### **6.0 POLICY**

##### Kelowna 2020 Official Community Plan (OCP)

*Future Land Use Designation* - The property is designated Single/Two Unit Residential, pursuant to Map 19.1 of the OCP.

*Development Permit Process* - This development is subject to the Development Permit Guidelines for Form and Character of Secondary Suite and Two Dwelling Housing Development.

#### **7.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS**

##### Rezoning

The Future Land Use designation for this property is "single-/two-unit residential". The rezoning application, which contemplates a change from RU1 to RU1s is consistent with that designation, and—despite the limited lot area—could be developed to accommodate a secondary suite, either within a new principal building, or in a modest accessory building.

##### Development Issues

The proposal contemplates a development that does not conform entirely to the regulations governing secondary suite development. The list of variances requested by the applicant is as follows:

- allow site coverage for accessory buildings of 15.5%, where the maximum is 14%

- allow a 2-storey accessory building, where the maximum allowable height is 1 ½-storeys.
- allow vehicle access from Scott Road, where rear lane access is provided

Should this rezoning application be successful, the accompanying Development Variance Permit application will come forward to Council for consideration. However, Staff is non-supportive of the variances for height and site coverage, and encourages the applicant to consider a design that conforms to the development regulations specified in Zoning Bylaw No. 8000. Staff would, however, support the variance to allow a driveway on Scott Road.

The applicant is proposing to construct a green roof on both the main house and the accessory building. Although the green roof concept is highly desirable, there is concern with regard to its application on a wood-frame structure. If this project goes ahead to the building permit stage, the applicant would be required to provide supporting documentation from the necessary registered professionals to the satisfaction of the Inspections Services Manager.



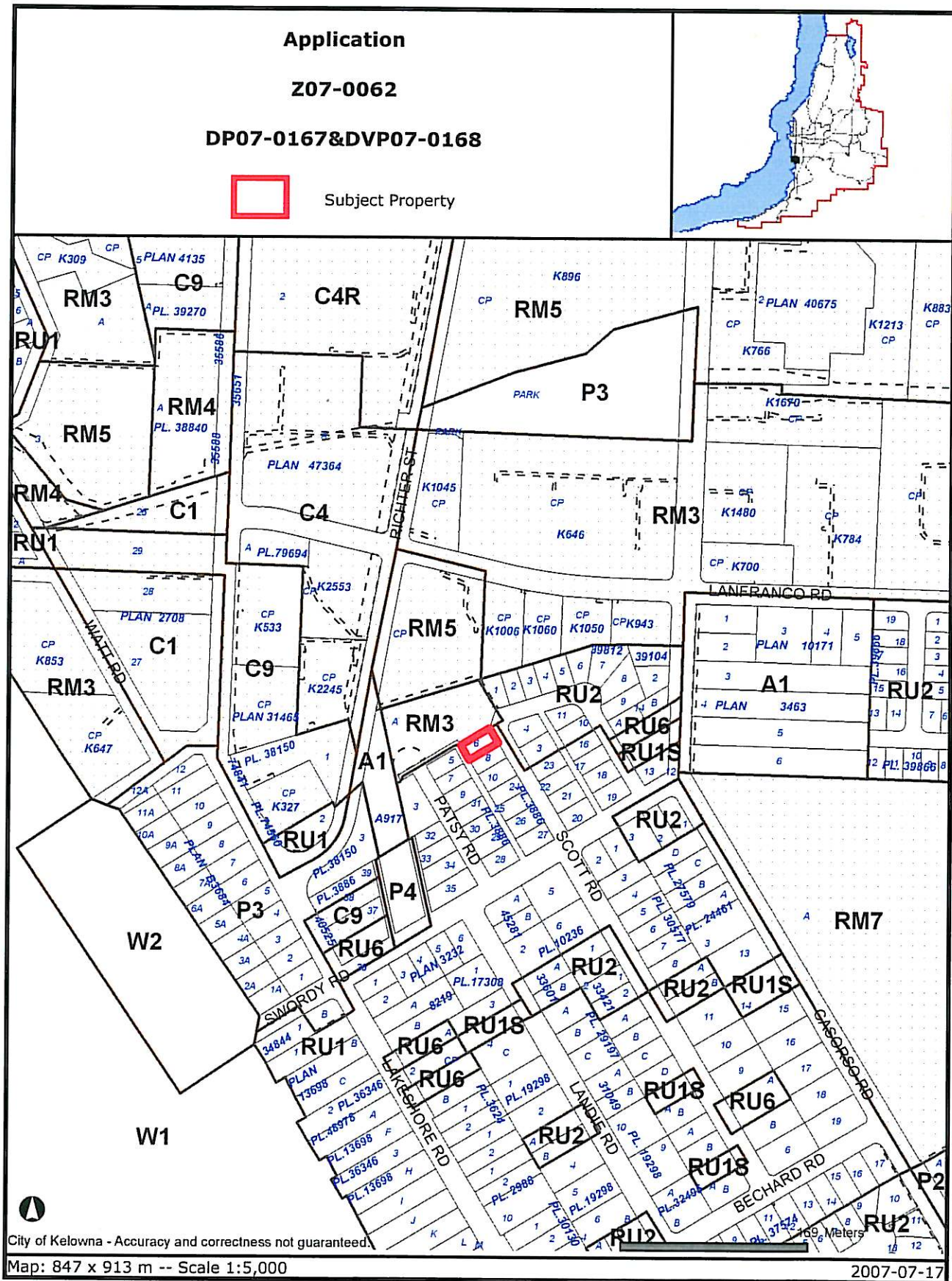
Shelley Gambacort  
Director of Land Use Management  
NW/nw

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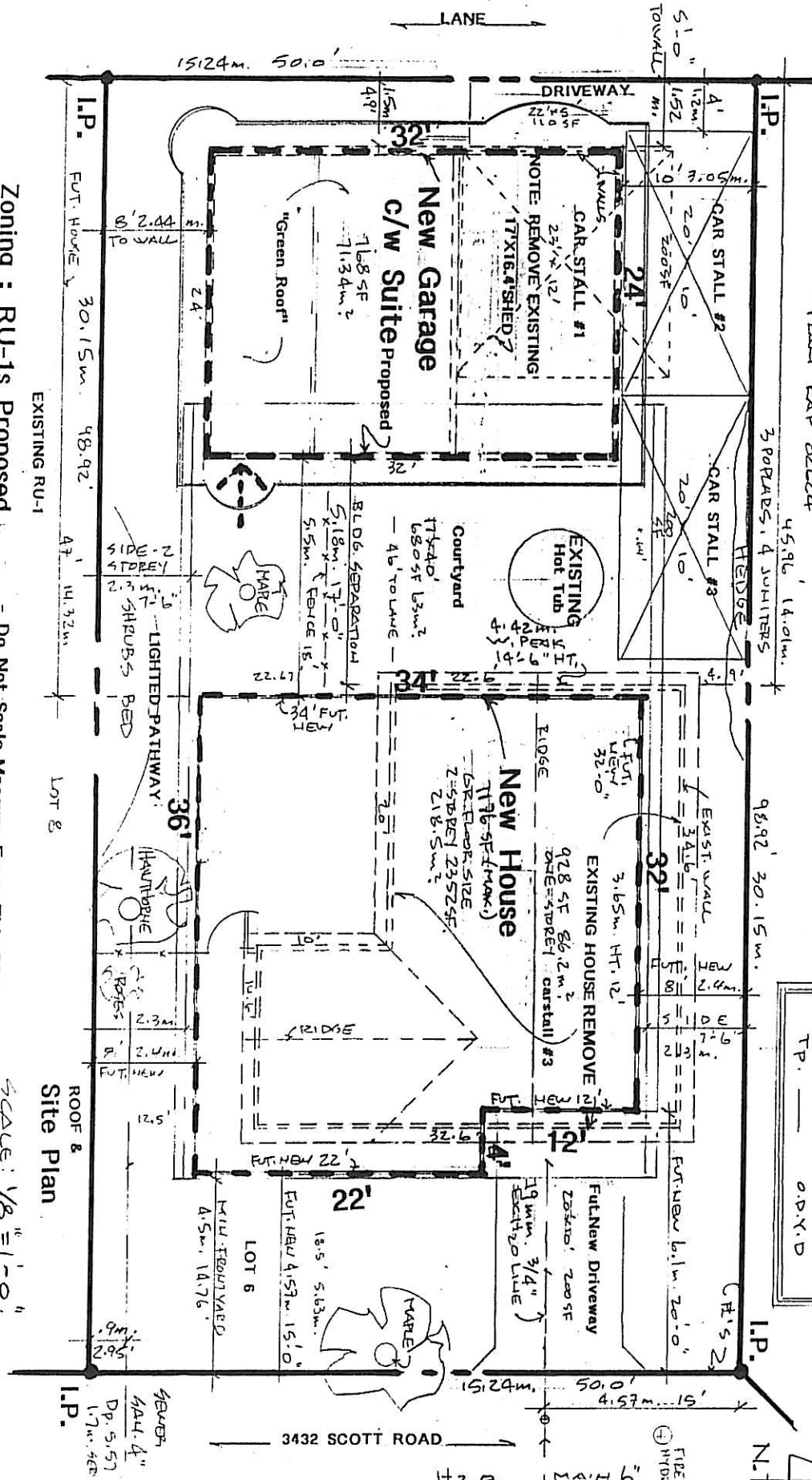
#### ATTACHMENTS

Location of subject property  
Drawing Set  
Air Photo  
Letters in Support  
Technical Comments  
Works and Utilities Memo

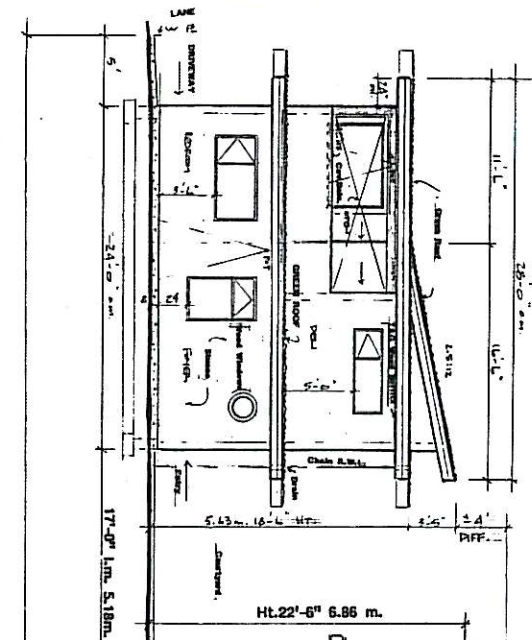




Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.

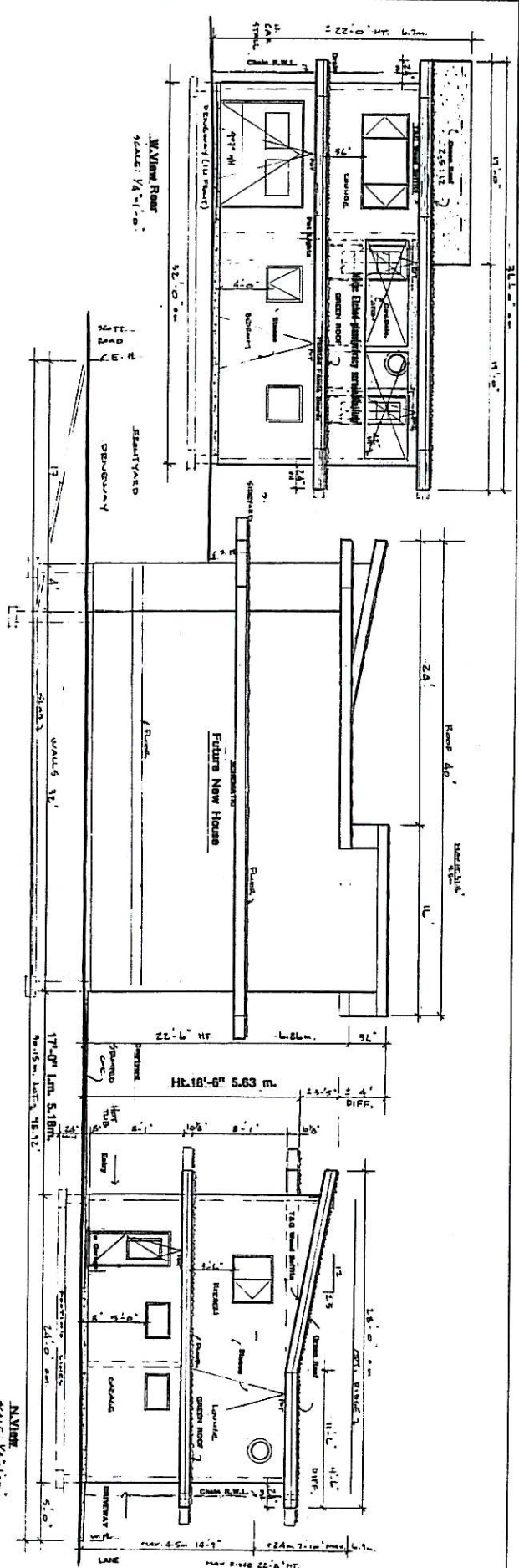
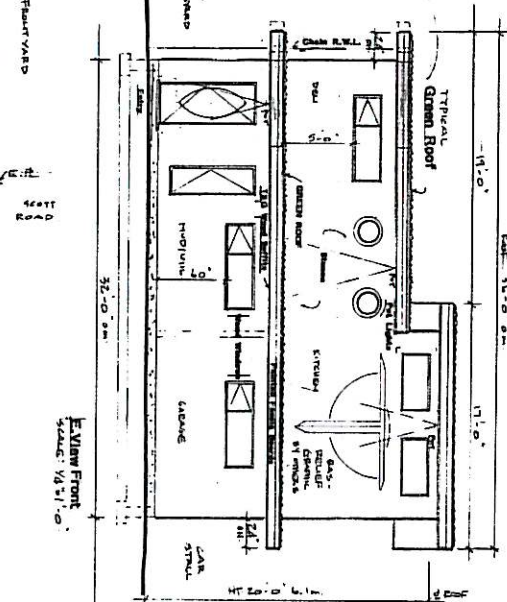
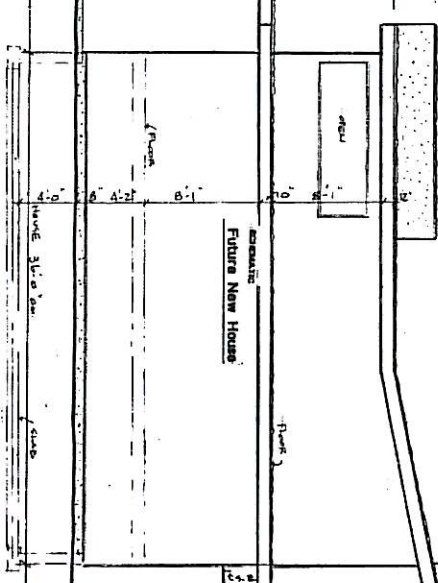






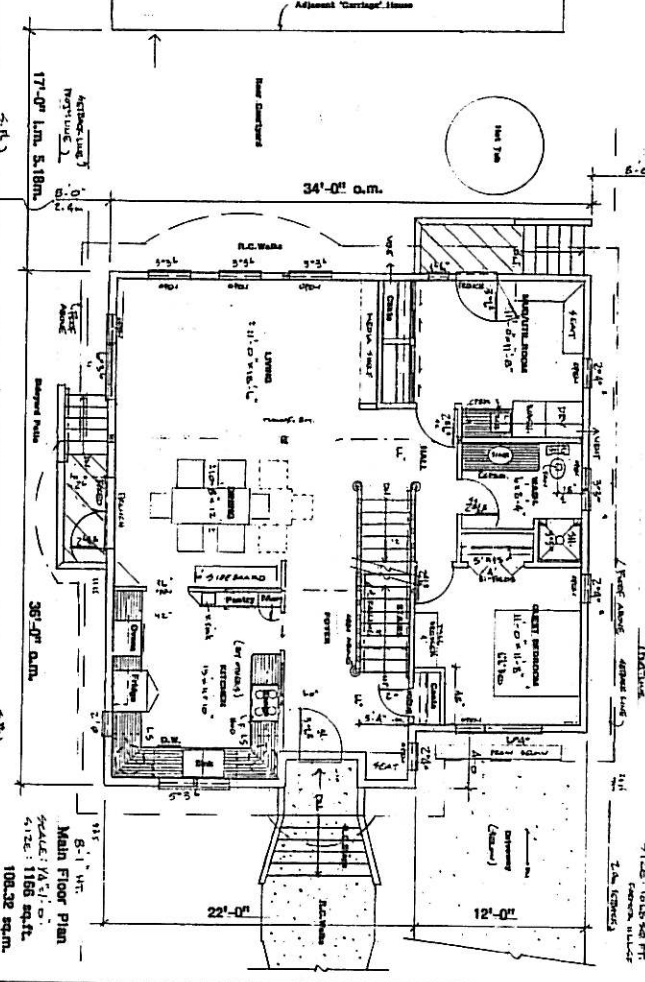
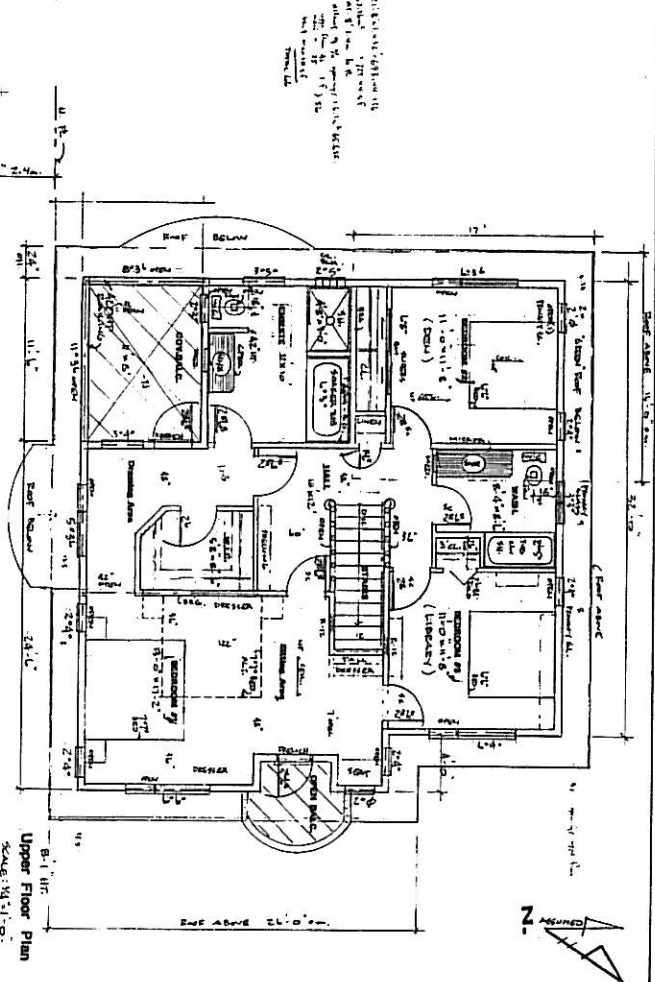
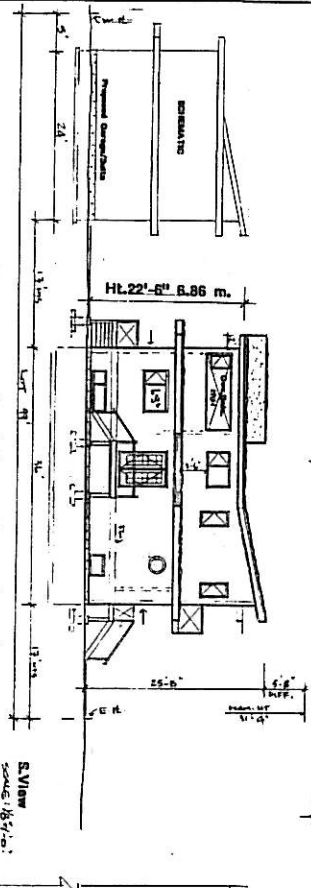
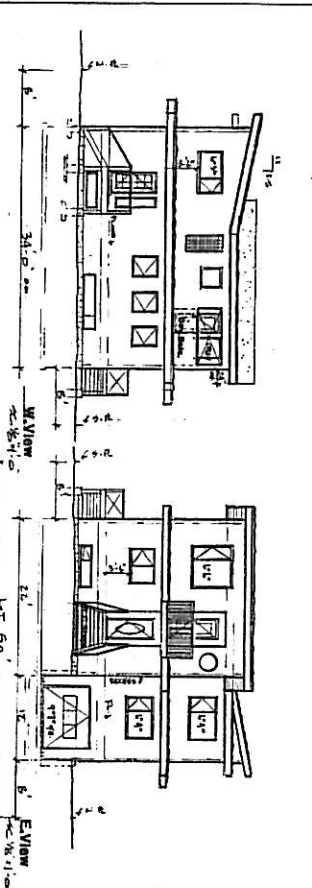
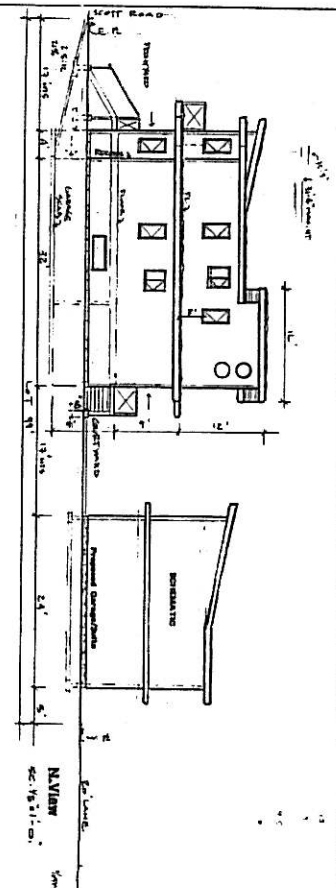
DATE: 8/27/02

S. View  
SCALE: 1/8" = 1'-0"



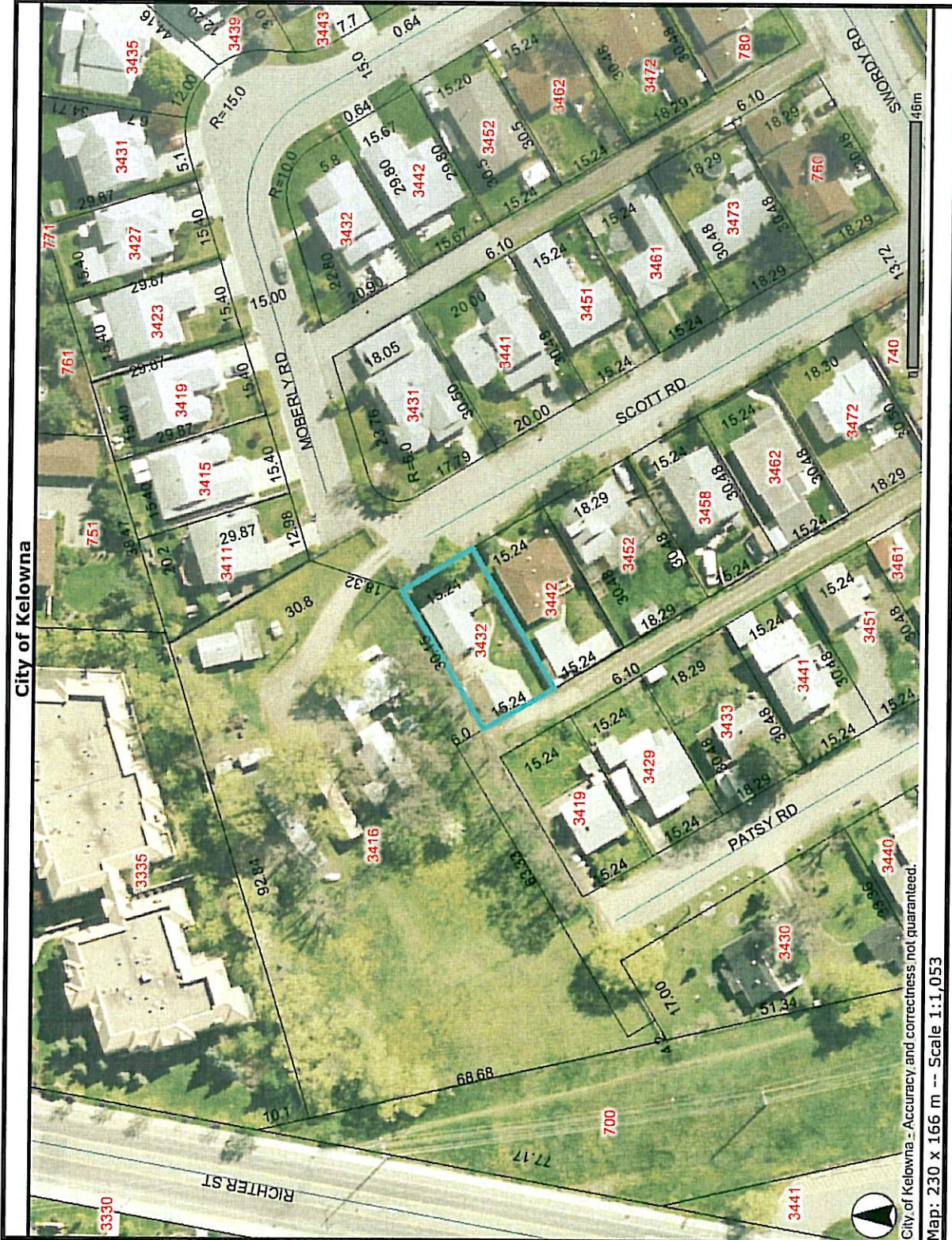
Draw. No.	ROBINSON Garage c/w Suite (Proposed)	Notes:	Author	Revisions:	Date
2	3638 SCOTT ROAD, KELLOWNA, B.C. V1Y 2H2		Peter J. Chataway, B. Arch.		
OF 2	SCALE: AS SHOWN PER NO. 2007-02-06		Kelowna, B.C. V1Y 2H2		
	DATE: AUGUST 28, 2002 DWG: PJC		Tel. 763-0334 Fax: 763-0334		
			Housa, Plans & Design		

PRINTED: JULY 5, 2003



DWG. No.	DATE	REVISIONS	DATE
1.	1.		
<b>ROBINSON HOUSE</b> 313 BOOTY ROAD, KELLOWNA, B.C. V1Y 5B5 SCALE: AS SHOWN DATE: AUGUST 28, 2008 DWG. PIC			
Peter J. Chataway, B. Arch. 368 Cadder Avenue Kelowna, B.C. V1Y 5N1 Tel. 763-8334 Fax House Plans & Design			





To: City of Kelowna  
Planning Department  
1435 Water Street  
Kelowna, B.C.

Reference: 3432 Scott Road

Keith & Kelly Robinson

Please note that I / we have reviewed the suite plans with variance requests for the above property and I / we have no objections to this project being approved by the City of Kelowna, including the requests for variances.

Yours truly,

3411 Moberly Road  
Address

July 5/07  
Date

Z. Ikebuchi  
Signed

Z. Ikebuchi  
Print



To: City of Kelowna  
Planning Department  
1435 Water Street  
Kelowna, B.C.

Reference: 3432 Scott Road

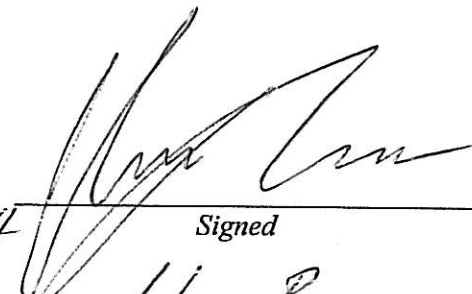
Keith & Kelly Robinson

Please note that I / we have reviewed the suite plans with variance requests for the above property and I / we have no objections to this project being approved by the City of Kelowna, including the requests for variances.

Yours truly,

3431 Scott Road  
Kelowna, B.C. V1W3H4

July 5/07  
Date

  
Signed  
Adin Praywara  
Print

To: City of Kelowna  
Planning Department  
1435 Water Street  
Kelowna, B.C.

Reference: 3432 Scott Road

Keith & Kelly Robinson

Please note that I / we have reviewed the suite plans with variance requests for the above property and I / we have no objections to this project being approved by the City of Kelowna, including the requests for variances.

Yours truly,

3452 SCOTT RD.

Address

Mike Golik

Signed

July 04.07

Date

MIKE GOLIK

Print



To: City of Kelowna  
Planning Department  
1435 Water Street  
Kelowna, B.C.

Reference: 3432 Scott Road

Keith & Kelly Robinson

Please note that I / we have reviewed the suite plans with variance requests for the above property and I / we have no objections to this project being approved by the City of Kelowna, including the requests for variances.

Yours truly,

3419 Moberly Rd

Address

Ellide Dominato

Signed

July 5/07

Date

Ellide Dominato

Print

Type: REZONING - NON APC

Seq	Out	In	By	Comment
	B.C. Assessment Authority (info only)			
	2007-07-17	2007-07-17		
	Bylaw Enforcement Officer			
	2007-07-17	2007-07-17		
	Community Development & Real Estate Mgr			
	2007-07-17	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 ? x 11 copy, of any survey plans.
	Environment Manager			
	2007-07-17	2007-07-20	CDAVIS	No comment
	Fire Department			
	2007-07-17	2007-08-02		no response.
	FortisBC			
	2007-07-17	2007-07-17		Info Only.
	Inspections Department			
	2007-07-17	2007-07-30	RREADY	No concerns
	Mgr Policy, Research & Strategic Plannin			
	2007-07-17	2007-08-03		no response.
	Public Health Inspector			
	2007-07-17	2007-08-10		requires sewer & water

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

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**Date:** August 24, 2007  
**File No.:** Z07-0062 DP07-0167 DVP07-0168  
**To:** Planning & Development Services Department (NW)  
**From:** Development Engineering Manager  
**Subject:** 3432 Scott Road      Lot 6   Plan 3886      RU-1s   Suite

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The Works & Utilities Department comments and requirements regarding this application to rezone from RU-1 to RU-1s are as follows:

1.      Domestic Water and Fire Protection

The existing lot is adequately serviced with a 19mm diameter copper water service. Metered water from the main residence must be extended to supply the suite. The meter shall be within the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws.

2.      Sanitary Sewer

Our records indicate that this property is serviced with a 100mm-diameter sanitary sewer service that should be adequate for the proposed application. An inspection chamber (IC) must be installed on the service at the owner's cost as required by the sewer-use bylaw. **The applicant will be required to sign a Third Party Work Order for the cost of installing the (IC) prior to issuance of a Building Permit**

3.      Development Permit and Site Related Issues

We have no objection to the height and site coverage variances. Adequate, hard surface on-site parking must be provided. The parking modules must meet by-law requirements. Direct the roof drains into on-site rock pits. This will help dissipate the roof drain water and prevent additional concentrated flows onto the City right-of-way.

4.      Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.

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Steve Muenz, P. Eng.  
Development Engineering Manager  
JF/