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# CITY OF KELOWNA

## MEMORANDUM

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**Date:** January 23, 2009  
**To:** City Manager  
**From:** Community Sustainability Division

**APPLICATION NO.** Z08-0115

**APPLICANT:** Flywheel Building Solutions

**AT:** 1619 Oswell Drive

**OWNERS:** Coraleen Priebe

**Purpose:** TO REZONE THE SUBJECT PROPERTY FROM THE A1 – AGRICULTURE 1 ZONE TO THE A1s- AGRICULTURE 1 (WITH SECONDARY SUITE) ZONE TO ACCOMMODATE A SECONDARY SUITE WITHIN THE SINGLE FAMILY DWELLING

**Existing Zone:** A1 – Agriculture 1

**Proposed Zone:** A1s – Agriculture 1 with Secondary Suite

**Report Prepared By:** Luke Turri

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### 1.0 RECOMMENDATION

THAT Rezoning Application No. Z08-0115 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 2, Section 18, Township 27, ODYD, Plan 24361 located on 1619 Oswell Drive, Kelowna, BC from the A1- Agricultural 1 zone to the A1- Agricultural 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 final adoption of the zone amending bylaw be considered subsequent to the requirements of the Black Mountain Irrigation District being completed to their satisfaction.

### 2.0 SUMMARY

The applicant is seeking to rezone the subject property from the A1-Agricultural 1 to the A1s- Agricultural 1 with Secondary Suite zone to create a secondary suite within the basement of an existing single family dwelling.

### 3.0 BACKGROUND

The subject property fronts Highway 33, but is accessed from a lane via Oswell Drive. The parcel was created through subdivision before 1976 (See "Development Potential"), and as such, is regulated as an RU1 – Large Lot Housing lot.

As per Zoning Bylaw No. 8000, Section 1.7.1:

"Non-conforming agricultural, residential, or rural residential lots less than 0.2 hectares, which existed prior to August 10, 1976, shall be developed in accordance with the provisions and regulations of the RU1 zone."

The RU1 – Large Lot Housing zone provides for single detached housing, and compatible secondary uses, on larger serviced urban lots.

### 3.1 The Proposal

The proposed suite would be located within the basement of the existing single family dwelling, with a separate exterior access being created. Parking requirements would be met within the existing garage and driveway, providing ample off-street parking.

The proposal conforms to the regulations of Zoning Bylaw No.8000 as follows:

CRITERIA	PROPOSAL	A1s ZONE REQUIREMENTS
<b>Subdivision Regulations</b>		
Lot Area	966m <sup>2</sup>	550m <sup>2</sup>
Lot Width	24.3m	16.5m
Lot Depth	39.6m	30.0m
<b>Development Regulations</b>		
Site Coverage	16% (32%)	40% (50% incl. driveways/parking)
Height	5.8m	9.5m
Front Yard	12.2m	6.0m
Side Yard (south)	2.1m	2.0m
Side Yard (north)	2.5m	2.0m
Rear Yard	15.8m	7.5m
Suite Floor Area	69m <sup>2</sup> (746ft <sup>2</sup> ) (36%)	90m <sup>2</sup> (968ft <sup>2</sup> ) (40%)
<b>Other Regulations</b>		
Minimum Parking Requirements	3 spaces	3 spaces
Private Open Space	30m <sup>2</sup> /dwelling	30m <sup>2</sup> /dwelling

### 3.2 Site Contexts

The property is located in the Black Mountain area, across from Black Mountain Elementary School, within an established single family subdivision.

Specifically, adjacent land uses are as follows:

North	A1 – Agricultural 1 (Single Family Neighbourhood)
East	RU1 – Large Lot Housing (Single Family Neighbourhood) P4 – Utilities (City of Kelowna)
South	P2 – Educational and Minor Institutional (Black Mtn. Elementary)
West	A1 – Agricultural 1 (Single Family Neighbourhood)

### Site Location Map

Subject property: 1619 Oswell Drive



## **4.0 CURRENT DEVELOPMENT POLICY**

### **4.1 Kelowna Official Community Plan**

The subject property is designated as Single/Two Family Residential on Generalized Future Land Use Map 19.1 which forms part of the Official Community Plan. The proposed land use (single dwelling housing with a secondary suite) is consistent with the direction of this policy document.

### **4.2 Kelowna Strategic Plan**

One of the objectives of the Strategic Plan is "to develop a more compact urban form by increasing densities through infill and re-development within existing urban areas and to provide for higher densities within future urban areas" (Objective 1.1). The proposal is consistent with these objectives and with their accompanying strategies.

## **5.0 TECHNICAL COMMENTS**

### **5.1 Works and Utilities**

This application does not trigger any servicing requirements from the City of Kelowna.

5.2 Ministry of Transportation

Preliminary Approval is granted for the rezoning for one year pursuant to Section 52(3) (a) of the Transportation Act.

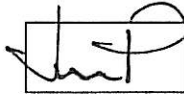
**6.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS**

The Land Use Management Department is supportive of the proposed land use. The secondary suite contained within the existing single family dwelling would help to diversify the housing supply within the Black Mountain area. Little, if any, negative impacts on adjacent properties are anticipated. Adequate on-site parking alleviates any concerns of on-street parking conflicts.



Danielle Noble  
Manager, Urban Land Use

Approved for inclusion



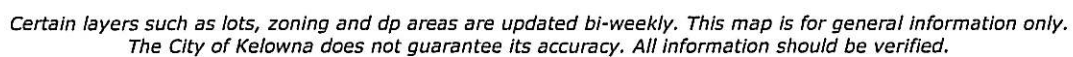
 Shelley Gambacort  
Director, Land Use Management

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**ATTACHMENTS**

Subject Property Map  
Site Plan/Floor Plans (1 pg.)  
Elevations/Landscape Plan (1pg.)







SECONDARY SUITE CALCULATIONS  
TOTAL AREA OF HOUSE = 2044 SQ FT  
ALLOWED AREA OF SUITE = 40% = 818 SQ FT  
PROPOSED (EXCLUDING SHADED AREAS)  
ENTRANCE = 48 SQ FT  
SUITE = 748 SQ FT  
TOTAL = 794 SQ FT

