
**CITY OF KELOWNA
MEMORANDUM**

DATE: February 3, 2009
TO: City Manager
FROM: Community Sustainability Division

APPLICATION NO. Z08-0117 **APPLICANT:** Edith & Daniel Buehler

AT: 353 Clifton Road **OWNER:** Edith & Daniel Buehler

PURPOSE: TO REZONE FROM THE A1-AGRICULTURE 1 ZONE TO THE A1(s) -
AGRICULTURE WITH A SECONDARY SUITE ZONE TO CONSTRUCT
A SECONDARY SUITE IN AN ACCESSORY BUILDING

EXISTING ZONE: A1 – AGRICULTURE 1

PROPOSED ZONE: A1(s) -AGRICULTURE WITH A SECONDARY SUITE

REPORT PREPARED BY: BIRTE DECLOUX

1.0 RECOMMENDATION

THAT Rezoning Application No. Z08-0117 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 31, Township 26, ODYD, Plan 12963, located on Clifton Road, Kelowna, B.C. from the A1- Agriculture 1 zone to the A1(s) – Agriculture with a 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 subject to registration of a no-disturb covenant to preserve the steep slopes area;

AND THAT final adoption of the zone amending bylaw be subject to the requirements of the Building and Permits Department.

2.0 SUMMARY

This application seeks to rezone from the A1- Agriculture 1 zone to the A1(s) – Agriculture with a secondary suite zone to construct a secondary suite in an accessory building.

3.0 BACKGROUND

An accessory building on the subject property was destroyed by fire in 2008. The applicant chose to rebuild the accessory building to incorporate living space to accommodate a home office and recreational space for their family. The applicant is rezoning as they want to have the flexibility to use the space as a secondary suite in the future.

The accessory building consists of a three car garage, workshop and carport on the ground level with a home office and planned 72.44 m² suite above.

The proposed application meets the requirements of A1(s) – Agriculture with a secondary suite zone as follows:

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	A1(s) ZONE REQUIREMENTS (For Secondary Suite in Accessory Building)
Subdivision Regulations		
Lot Area	1.14 acres or 0.4606 ha	4.0 ha
Lot Width	33.66 m existing non-confirming	40.0 m
Lot Depth	135.45 m	Na
Development Regulations		
Site Coverage (buildings)	6.7 %	10%
Site Coverage (buildings/parking)	6.75%	10%
Height (accessory building)	7.91 m	Max 13.0 m
Floor Area of Suite	72.44 m ² / 50.3%	In accessory bldg lessor of 90 m ² or 75% of existing bldg
Floor Area of Principal Dwelling	144 m ²	
Front Yard	29.57 m	6.0 m or double front yard set back if accessory building is located in front of the principal dwelling
Side Yard (s)	4.72 m	3.0 m
Side Yard (n)	18.29 m	3.0 m
Rear Yard	> 10 m	10 m / 3.0 m for accessory buildings
Separation Distance Between Buildings	16.7 m	Min 5.0 m
Other Requirements		
Parking Stalls (#)	4 Spaces	3 spaces
Private Open Space	meets requirements	No requirement

3.1 **Site Context**

The subject property is located on the east side of Clifton Road, south of Blair Pond. More specifically, the adjacent land uses are as follows:

- North A1 – Agriculture - residential
- East A1 – Agriculture - residential
- South A1 – Agriculture - residential
- West A1 – Agriculture – City land

3.2 **Site Location:** 353 Clifton Road



4.0 **CURRENT DEVELOPMENT POLICY**

The applicant proposes to rezone to the A1(s) Agriculture with a secondary suite zone. The purpose of this zone is to allow for secondary suites in agricultural areas.

4.1 City of Kelowna Strategic Plan (2004)

Objective #4 – Realize construction of housing forms and prices that meet the needs of Kelowna residents.

Objective #5 – Achieve accessible, high quality living and working environments.

Objective #7 – Sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.

4.2 Kelowna 2020 – Official Community Plan

The proposal is consistent with the future land use designation of Single/Two Unit Residential in the Official Community Plan. The Single/Two Unit Residential designation covers single detached homes for occupancy by one family, single detached homes with a secondary suite, semi-detached and detached buildings used for two dwelling units, and complementary uses (OCP, Chapter 8).

5.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments, and the following relevant comments have been submitted:

5.1 Environmental Department

The Environment and Land Use Management Branch is not concerned with the proposed rezoning from A-1 to A-1S; however, the applicant must provide a draft no build/no disturb Section 219 Restrictive Covenant, which is to be registered under the Land Title Act against the title of the subject property to effectively preserve the steep slope areas.

5.2 Development Engineering Branch

See attached

5.3 Building and Permits

Upgrade building permit(#37401) fees and drawings prior to rezoning approval.

6.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

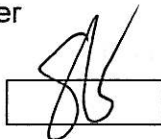
Land Use Management staff recommend that this rezoning application be supported, as it represents a sensitive infill project, consistent with the policies contained within the OCP. The property is in an area that is zoned agriculture, although functions as a large lot single family neighbourhood. The proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area. The applicant has written consent from all adjacent properties for this project. Registration of a no-build / no-disturb covenant is required to preserve the steep slope areas on the eastern portion of the parcel.



Danielle Noble

Urban Land Use Manager

Approved for Issuance



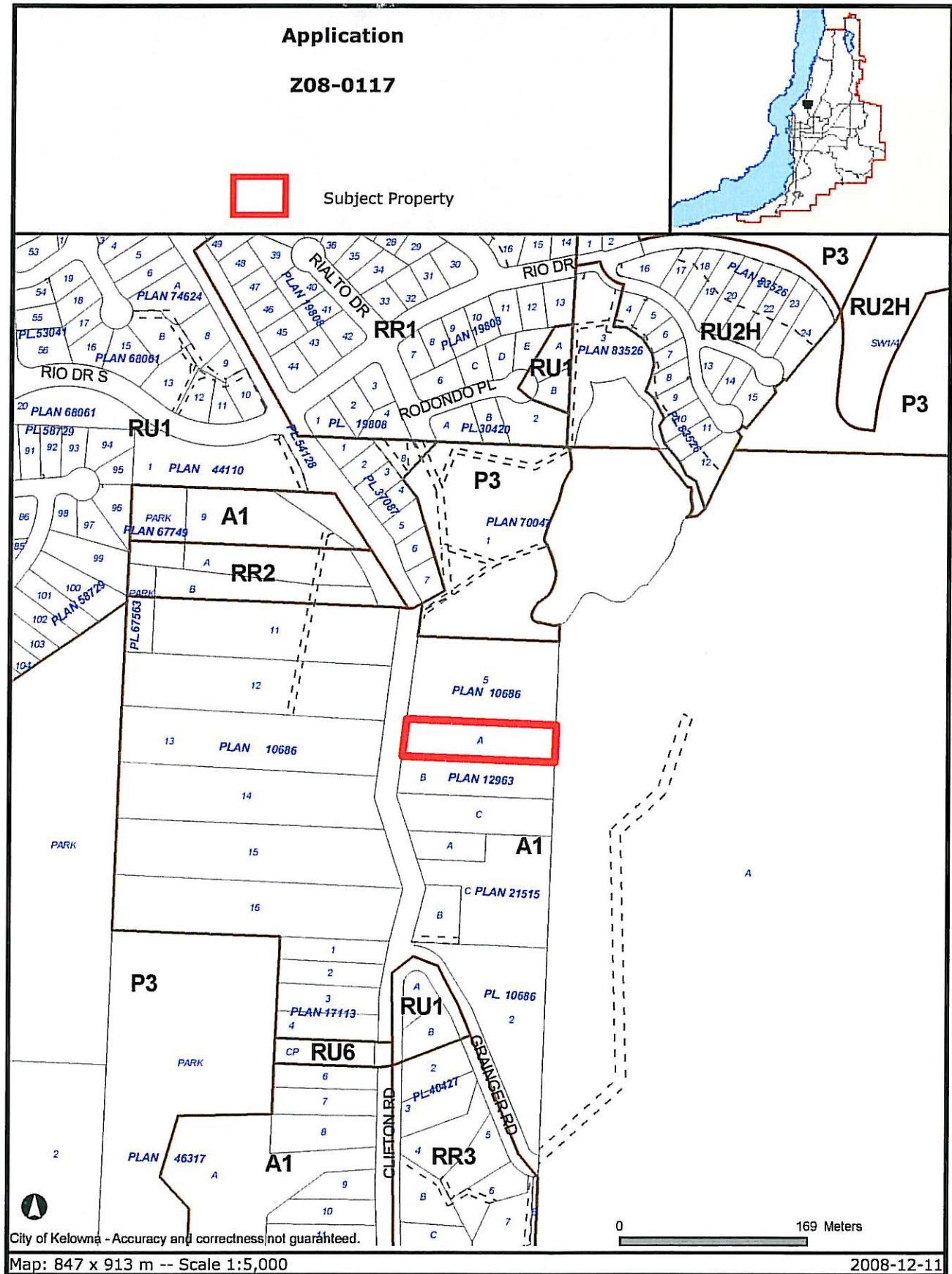
Shelley Gambacort

Director of Land Use Management

DN/Bcd

ATTACHMENTS:

Location of subject property
Site Plan
Elevation Drawings
Upper Level Floor Plan
Photos of existing building
Technical comments



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.

CITY OF KELOWNA
MEMORANDUM

Date: December 17, 2008
File No.: Z08-0117

To: Planning & Development Services Department (BD)

From: Development Engineering Manager (SM)

Subject: 353 Clifton Rd. Lot A Plan 12963 Suite

The Works & Utilities Department comments and requirements regarding this application to rezone from A-1 to A-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 supply the suite.

2. Sanitary Sewer

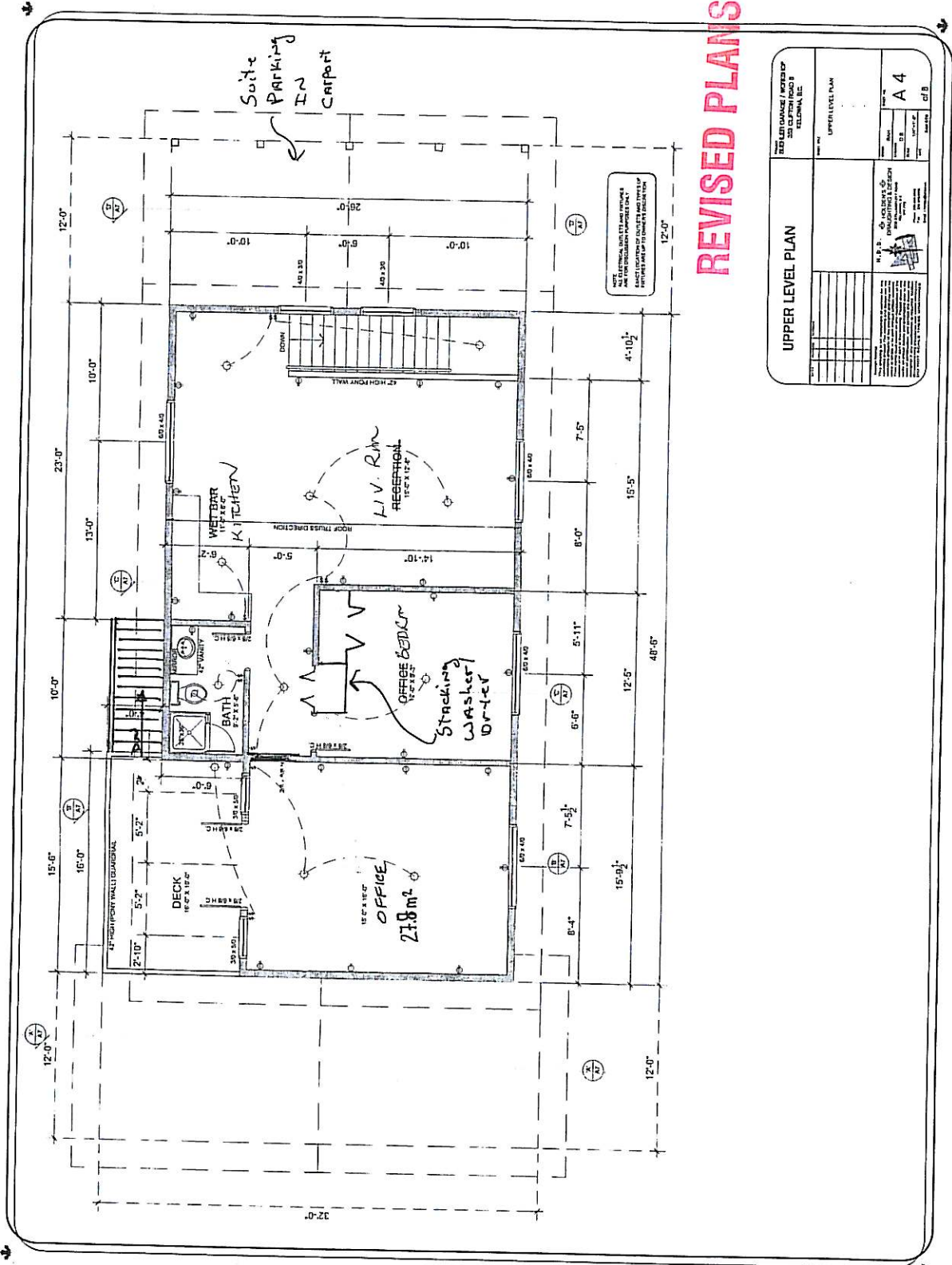
The existing lot is adequately serviced with a 150mm-diameter shared sanitary sewer connection that will service both the main residence and suite.

3. Development Permit and Site Related Issues

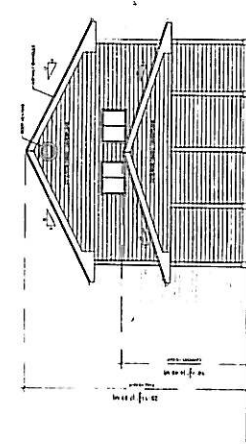
Adequate, hard surface on-site parking must be provided. The parking modules must meet by-law requirements.

Steve Muenz, P. Eng.
Development Engineering Manager
DC

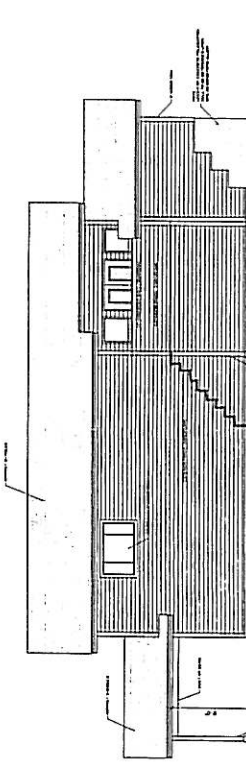
REVISED PLANS



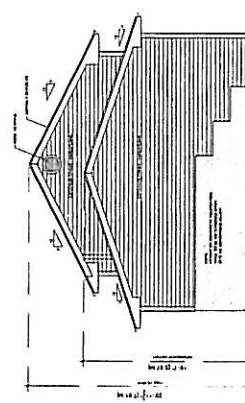
UPPER LEVEL PLAN	
<p>SEE ELECTRICAL, MECHANICAL AND PLUMBING SCHEDULES FOR DIMENSIONS AND NOTES. ALL DIMENSIONS ARE TO CENTER UNLESS NOTED OTHERWISE.</p>	<p>UPPER LEVEL PLAN</p>
<p>DATE: 10/12/17</p> <p>SCALE: AS SHOWN</p> <p>PROJECT: [REDACTED]</p> <p>CLIENT: [REDACTED]</p> <p>ARCHITECT: [REDACTED]</p> <p>PROJECT MANAGER: [REDACTED]</p>	<p>NO. OF SHEETS: 4</p> <p>SHEET NO.: A 4</p> <p>OF B</p>



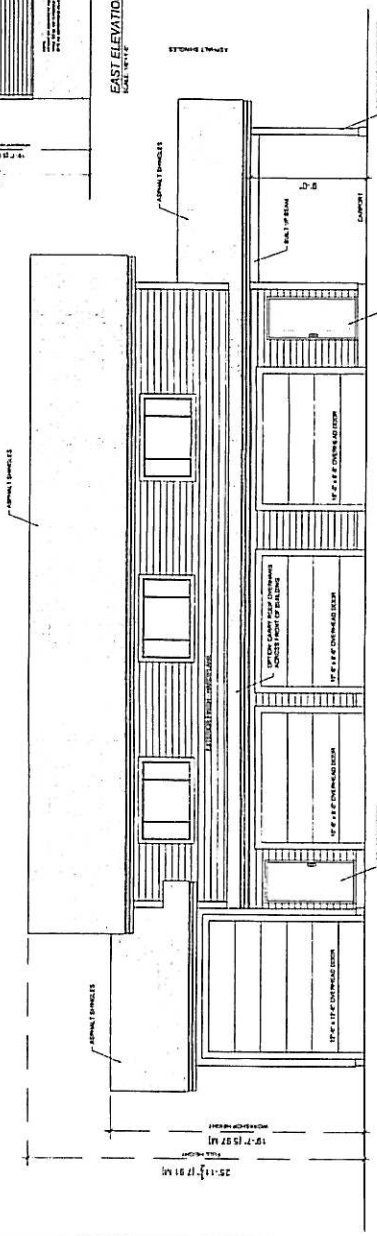
WEST ELEVATION:
SCALE: 3/8"=1'-0"



SOUTH ELEVATION:
SCALE: 3/8"=1'-0"



EAST ELEVATION:
SCALE: 3/8"=1'-0"



NORTH ELEVATION:
SCALE: 3/8"=1'-0"

NOTE:
1. ALL WINDOWS AND COMPONENTS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS. ALL WINDOWS SHALL BE INSTALLED IN ACCORDANCE WITH THE LOCAL CODES AND SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS. ALL WINDOWS SHALL BE INSTALLED IN ACCORDANCE WITH THE LOCAL CODES AND SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
2. FLASHING AND GROUNDING SHALL BE CHECKED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS AND THE NATIONAL ELECTRICAL CODE. ALL FLASHING SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS AND THE NATIONAL ELECTRICAL CODE.
3. EXTERIOR LIGHTING SHALL BE CORRECTLY INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS. ALL EXTERIOR LIGHTING SHALL BE INSTALLED IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE AND SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS.
4. CONTRACTOR SHALL PROVIDE APPROPRIATE AT-RISK INSURANCE FOR THE WORKMANSHIP AND MATERIALS. ALL CONTRACTORS SHALL PROVIDE APPROPRIATE AT-RISK INSURANCE FOR THE WORKMANSHIP AND MATERIALS. ALL CONTRACTORS SHALL PROVIDE APPROPRIATE AT-RISK INSURANCE FOR THE WORKMANSHIP AND MATERIALS.
5. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LOCAL CODES AND SHALL BE DONE IN ACCORDANCE WITH THE LOCAL CODES AND SHALL BE DONE IN ACCORDANCE WITH THE LOCAL CODES.

ELEVATIONS

NO.	DESCRIPTION	DATE	BY	CHK'D
1	WEST ELEVATION			
2	SOUTH ELEVATION			
3	EAST ELEVATION			
4	NORTH ELEVATION			

REVISIONS

DATE: 06/15/2011

BY: [Signature]

CHK'D: [Signature]

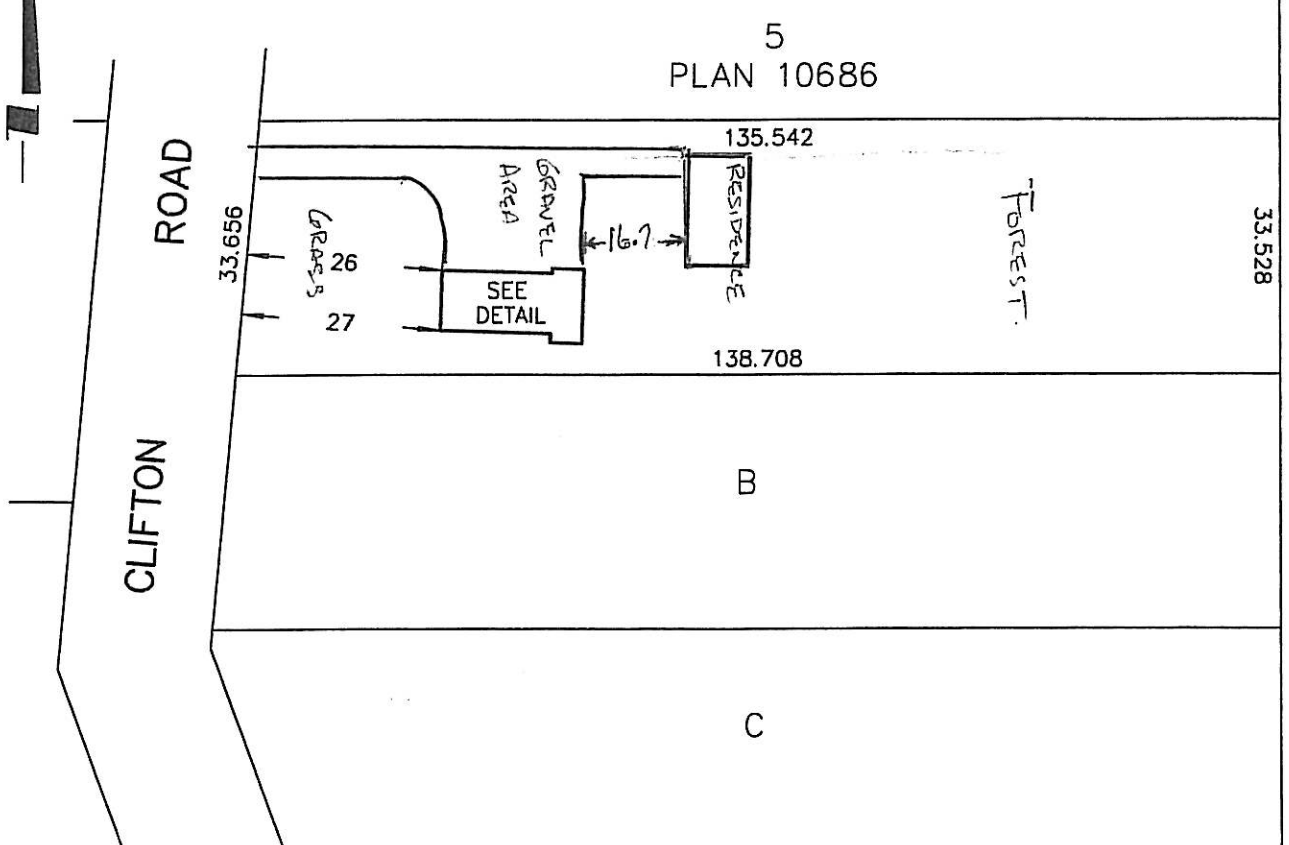
A 6

OF 8

NOTE:
ALL DOORS AND WINDOWS SHOWN ON THE ELEVATIONS ARE FOR INFORMATION ONLY. THE EXACT DOORS AND WINDOWS TO BE SELECTED BY THE OWNER.

B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION OF
NEW FOUNDATION ONLY ON LOT A, PLAN 12963, SEC 31,
TP 26, ODYD.

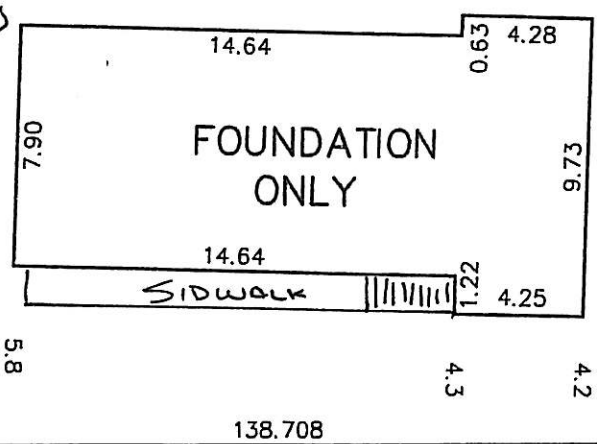
353 CLIFTON ROAD



A
PLAN
KAP5594

*NOTE:
RESIDENCE & DRIVEWAYS
WERE DRAWN ON
SURVEY BY
BUILDER, NOT
SURVEYOR

DETAIL
SCALE: 1:250 METRES



I HEREBY CERTIFY THAT THE ABOVE
SKETCH SHOWS THE REGISTERED
DIMENSIONS OF THE ABOVE DESCRIBED
PROPERTY AND RELATIVE LOCATION OF
THE BUILDINGS THEREON.

T. E. Ferguson
B.C.L.S., C.L.S.

THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY
SIGNED AND SEALED

THIS PLAN IS FOR THE USE OF THE BUILDING INSPECTOR AND/OR MORTGAGEE ONLY
AND IS NOT TO BE USED FOR THE RE-ESTABLISHMENT OF PROPERTY BOUNDARIES.

CLIENT: CANALOG OF BC	
DATE: OCTOBER 29, 2008	T.E. Ferguson Land Surveying Ltd. B.C. AND CANADA LAND SURVEYORS 404-1630 PANDOSY STREET, KELOWNA, B. TELEPHONE: (250) 763-3115 FAX: (250) 763-0321
SCALE: 1:1000 METRES	
FILE: 18268	
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