
CITY OF KELOWNA
MEMORANDUM

Date: February 13, 2009
To: City Manager
From: Community Sustainability Division

APPLICATION NO. Z08-0116 **APPLICANT:** Al Dyck
AT: 1155 Toovey Road **OWNERS:** Al Dyck

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 AN ADDITION TO THE EXISTING SINGLE FAMILY DWELLING

Existing Zone: A1 – Agriculture 1
Proposed Zone: A1s – Agriculture 1 with Secondary Suite

Report Prepared By: Luke Turri

1.0 RECOMMENDATION

THAT Rezoning Application No. Z08-0116 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 15, Section 24, Township 26, ODYD, Plan 23445, located at 1155 Toovey Road, 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;

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

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 an addition of an existing single family dwelling.

3.0 BACKGROUND

The subject property was created through subdivision before 1976, 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.”

3.1 The Proposal

The proposed suite would be located above an extension to the current garage with a separate exterior access being created. The addition would require a Development Variance Permit to vary the required front yard setback from 6m to 5.07m. Parking requirements would be met within the expanded garage and parking area, providing adequate off-street parking.

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

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	1249m ²	550m ²
Lot Width	27.43m	16.5m
Lot Depth	46.30m	30.0m
Development Regulations		
Site Coverage	18% (24%)	40% (50% incl. driveways/parking)
Height	6.5m	9.5m
Front Yard	5.07m ^o	6.0m
Side Yard (south)	4.4m	2.3m
Side Yard (north)	2.3m	2.3m
Rear Yard	23.3m	7.5m
Suite Floor Area	82.4m ² (887ft ²) / (40%)	90m ² (968ft ²) / (40% of existing dwelling)
Other Regulations		
Minimum Parking Requirements	3 spaces	3 spaces
Private Open Space	exceeds requirements	30m ² /dwelling

^o Variance required.

3.2 Site Context

The property is located in the Toovey Heights subdivision, accessed from Highway 33. Specifically, adjacent land uses are as follows:

North	A1 – Agricultural 1 (Single Family Neighbourhood) RU1 – Large Lot Housing (Single Family Neighbourhood)
East	A1 – Agricultural 1 (Vacant Lot)
South	A1 – Agricultural 1 (Single Family Neighbourhood)
West	A1 – Agricultural 1 (Single Family Neighbourhood)

Site Location Map

Subject property: 1155 Toovey Road



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 (2004)

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 Building & Permitting

BP required for suite, to be constructed to requirements of BCBC 2006.

5.2 Development Engineering Branch

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

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 proposed addition would help to diversify the housing supply within the Toovey Heights/Black Mountain area. Furthermore, the proposal is congruent with former secondary suite applications within the Toovey Heights subdivision. The addition has been designed to match the form and character of the existing single family dwelling. Little, if any, negative impacts on adjacent properties are anticipated. Adequate on-site parking alleviates any concerns of on-street parking conflicts. A Development Variance Permit application to vary the proposed front yard set back is to be addressed at a later date.



Danielle Noble
Manager, Urban Land Use

Approved for inclusion



Shelley Gambacort
Director, Land Use Management

ATTACHMENTS

Subject Property Map
Site Plan
Floor Plan of Proposed Suite

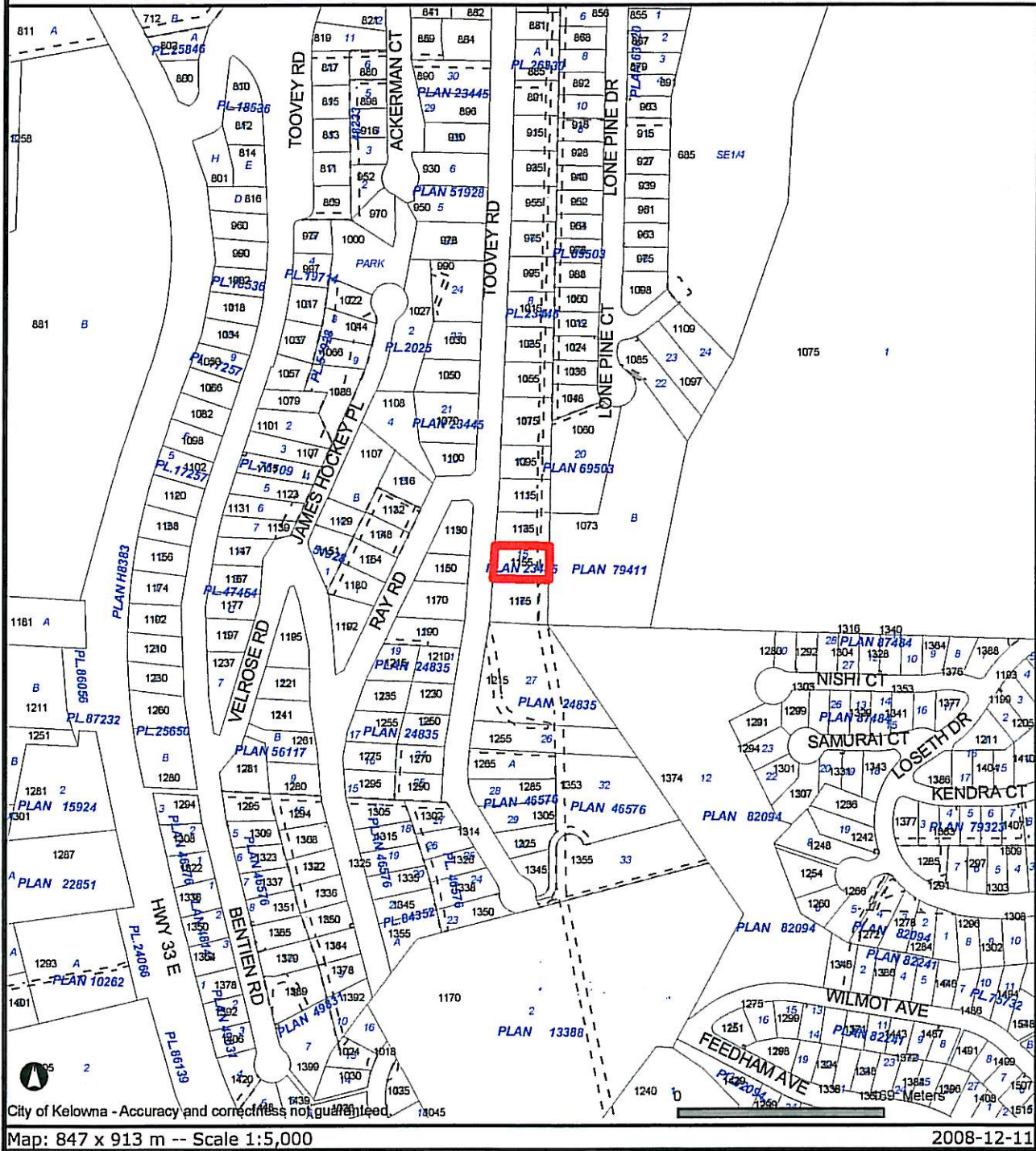
ADDRESS

208-0116

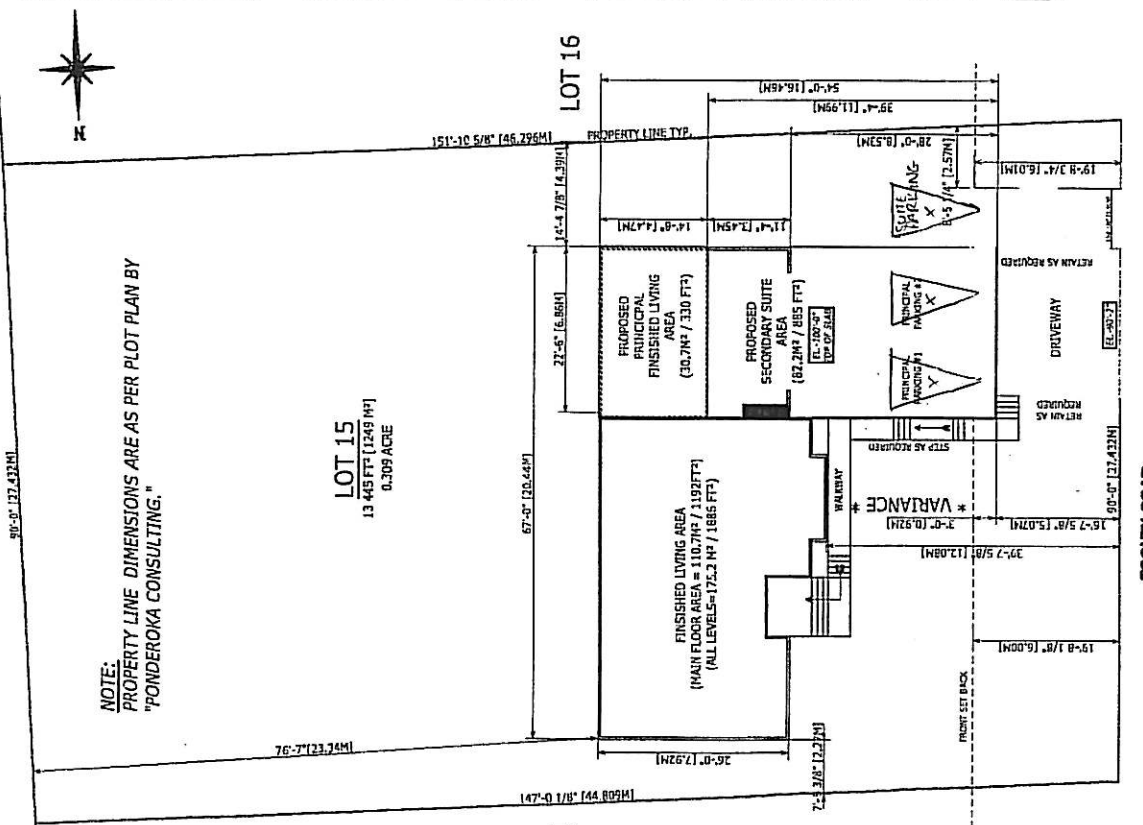
DVP08-0256



Subject Property



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.

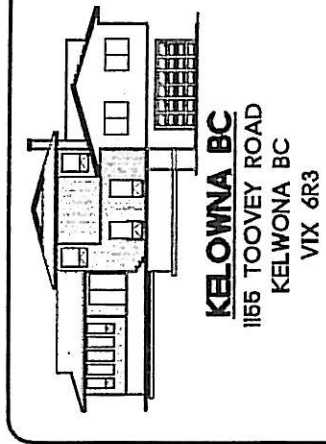


LEGAL DESCRIPTION
 LOT 15, SECTION 24, TOWNSHIP 26, PLAN 234545,
 OSOYODS DIVISION, YALE DISTRICT
 BRITISH COLUMBIA

REQUIRED FIRE SEPARATION
 BETWEEN PRINCIPAL SUITE
 / SECONDARY SUITE 45 MIN

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	DEC 4/08	REVISE SECONDARY SUITE PARKING TO SIDE	MB



CLIENT: **ALAN DYCK**

DRAWING TITLE:
**PROPOSED SITE PLAN
 ZONING CHANGE**

DATE: NOV. 2008 FILE NAME: Allen-Dyck
 DRAWN BY: REBALE
 SCALE: ARCH/OWN
 CHECKED: **SP**

ZONING SUMMARY

CURRENT ZONING A1 (Agricultural 1)
 PROPOSED ZONING A1s (Agricultural 1 with Secondary Suite)

SETBACKS:
 FRONT 6.0 m (19'-8 1/4")
 SIDE 3.0 m (5'-0")
 SIDE (ABUTS STREET) 3.0 m (14'-9")
 REAR 10.0 m (32'-9")

SPATIAL SEPARATION

SOUTH FACE EXPOSED BUILDING FACE 39 M²±
 LIMITING DISTANCE 4.39 M
 ALLOWABLE GLAZING 38.4%
 39M² x 38.4 % = 14,98M² (161 FT²)
 SEE DRAWING EV1 FOR ACTUAL GLAZING PROVIDED

BUILDING AREA

PRINCIPAL SUITE 175.2 M²
 EXISTING FINISHED LIVING AREA 30.7 M²
 ADDITIONAL FINISHED LIVING AREA
 TOTAL = (175.2+30.7) X 40% = 886.4)
 MAXIMUM ALLOWABLE
 SECONDARY SUITE 82.4 M²
 LOT COVERAGE
 TOTAL = (110.7+30.7+82.2)/1249 = 17.9 %

LEGEND

CONCRETE
 ASPHALT
 GRAVEL
 RETAINING WALL

1 SITE PLAN
 SCALE: 1/16"=1'-0"

NOTE:
 PROPERTY LINE DIMENSIONS ARE AS PER PLOT PLAN BY
 "PONDEROKA CONSULTING."

LOT 15
 13 455 FT² (1249 M²)
 0.309 ACRE

LOT 16

LOT 14

TOOVEY ROAD

