
**CITY OF KELOWNA
MEMORANDUM**

DATE: August 25, 2009
TO: City Manager
FROM: Community Sustainability Division

APPLICATION NO. Z09-0028 **APPLICANT:** Chris Vickery

AT: 3832 Finch Road **OWNER:** Arlene Tuttle

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

EXISTING ZONE: A1 – AGRICULTURE 1 ZONE

PROPOSED ZONE: A1(s) AGRICULTURE 1 WITH SECONDARY SUITE ZONE

REPORT PREPARED BY: BIRTE DECLOUX

1.0 RECOMMENDATION

THAT Rezoning Application No. Z09-0028 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 32, Township 23, O.D.Y.D., Plan 38647, located on Finch Road, Kelowna, B.C. from the A1 Agriculture 1 zone to the A1(s) 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 from A1-Agriculture 1 zone to the A1(s)-Agriculture 1 with secondary suite zone to construct a secondary suite within an accessory building.

4.0 BACKGROUND

A single family dwelling is situated on the west side of the property near the lake. The applicant is proposing to construct a new secondary suite within an accessory building on the higher elevation of the property. The site has challenging topography with many sloped areas, however, the accessory building is planned to be sited on a relatively flat area. There are two access easements across the subject property, allowing the neighbour to the south access to Finch Road. The driveway to the proposed accessory building is accessed off one of these easements.

The accessory building visually appears to be larger than permitted, however the floor area of the suite falls within the 90m² maximum permitted and there is no restriction regarding the foot print of an accessory building in the Agriculture Zone. The proposed building consists of the suite and triple garage on the main floor. An unfinished storage area is planned for lower floor without interior access by the suite.

The proposed suite is a well designed one bedroom space with a large balcony.

The proposed application meets the requirements of A1(s) Agriculture 1 with secondary suite zone follows:

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	A1(s) ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	11.7 ha	4.0 ha
Lot Width	371.66 m	40.0 m
Lot Depth	468.17 m	NA
Development Regulations		
Site Coverage	0.44 %	10%
Size ratios	Finished Suite 90 m ² or 27%	In accessory bldg lessor of 90 m ² or 75% of existing bldg
Height (accessory building)	6.9 m	Lessor of 9.5m or height of existing principal dwelling
Foot print	195.64 m ²	
Front Yard	203.2 m	6.0 m
Side Yard (s)	90.34 m	3.0 m
Side Yard (n)	161.2 m	3.0 m
Rear Yard	129.2 m	10 m / 3.0 m for accessory buildings
Separation Distance Between Houses	Greater than required	Min 5.0 m
Other Requirements		
Parking Stalls (#)	3 spaces provided for suite	3 spaces

4.1 Site Context

The subject property is located at the end of Finch Road in McKinley Landing. More specifically, the adjacent land uses are as follows:

North - RR3 – Rural Residential 3

East A1 – Agriculture 1 zone

South A1 – Agriculture 1 zone

West W1 – Recreational Water Use

4.2 Site Location: 3832 Finch Road



5.0 CURRENT DEVELOPMENT POLICY

The property is proposed to be zoned A1(s) – Agriculture 1 with Secondary Suite. The purpose of this zone is to provide for rural areas and agricultural uses as well as other complimentary uses suitable in an agricultural setting.

5.2 Kelowna 2020 – Official Community Plan

The future land use designation of the subject property is Future Urban Reserve. This translates into land that has some development potential but is not projected for development within the Official Community Plan 20-year time horizon. There is potential for the reconsideration of the status of these lands as part of a future review and updating of the Official Community Plan. These boundaries are schematic in nature, and include lands that may remain within the ALR. Lands within this designation will not be supported for any further parcelization.

6.0 TECHNICAL COMMENTS

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

6.1 Development Engineering

The application to rezone from A1 to A1s will increase the load of the onsite septic storage system and it's proximity to the lake may be an issue. The rezoning should be subject to the Public Health Authority.

6.2 Building and Permitting

No concerns

6.3 Fire Department

This premises is in excess of 8km response from the nearest Firehall and adequate fire protection cannot be assured, therefore, it is recommended this structure should be sprinklered to the NFPA 13D standard

6.4 Public Health Inspector

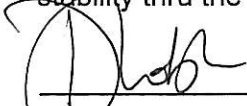
No objection to the approval of the creation of a secondary suite - I.H. has been provided with information for onsite sewage and drinking water.

7.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

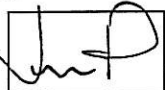
The A1(s) - Agriculture 1 with a secondary suite does not impact the future land use designation of Future Urban Reserve. The site is amply large to accommodate an accessory building containing a suite without impacting the neighbours or the principal dwelling on the subject property. The applicant was able to meet all the criteria of Interior Health for both water and septic systems.

Staff note the sizable area dedicated to the storage area in the lower half of the accessory building. However under the Agriculture 1 zoning, the footprint of the accessory building is not restricted and thus meets the zoning bylaw. The applicant felt that combining storage and a secondary suite within one building is a more economical and environmentally sensitive use of the site. At this time, the secondary suite is intended for caretakers of the property.

Given the siting of the proposed accessory structure, no Natural Environment Development Permit will be triggered and a professional geotechnical report will be submitted to ensure soil stability thru the Development Permit Waiver process.



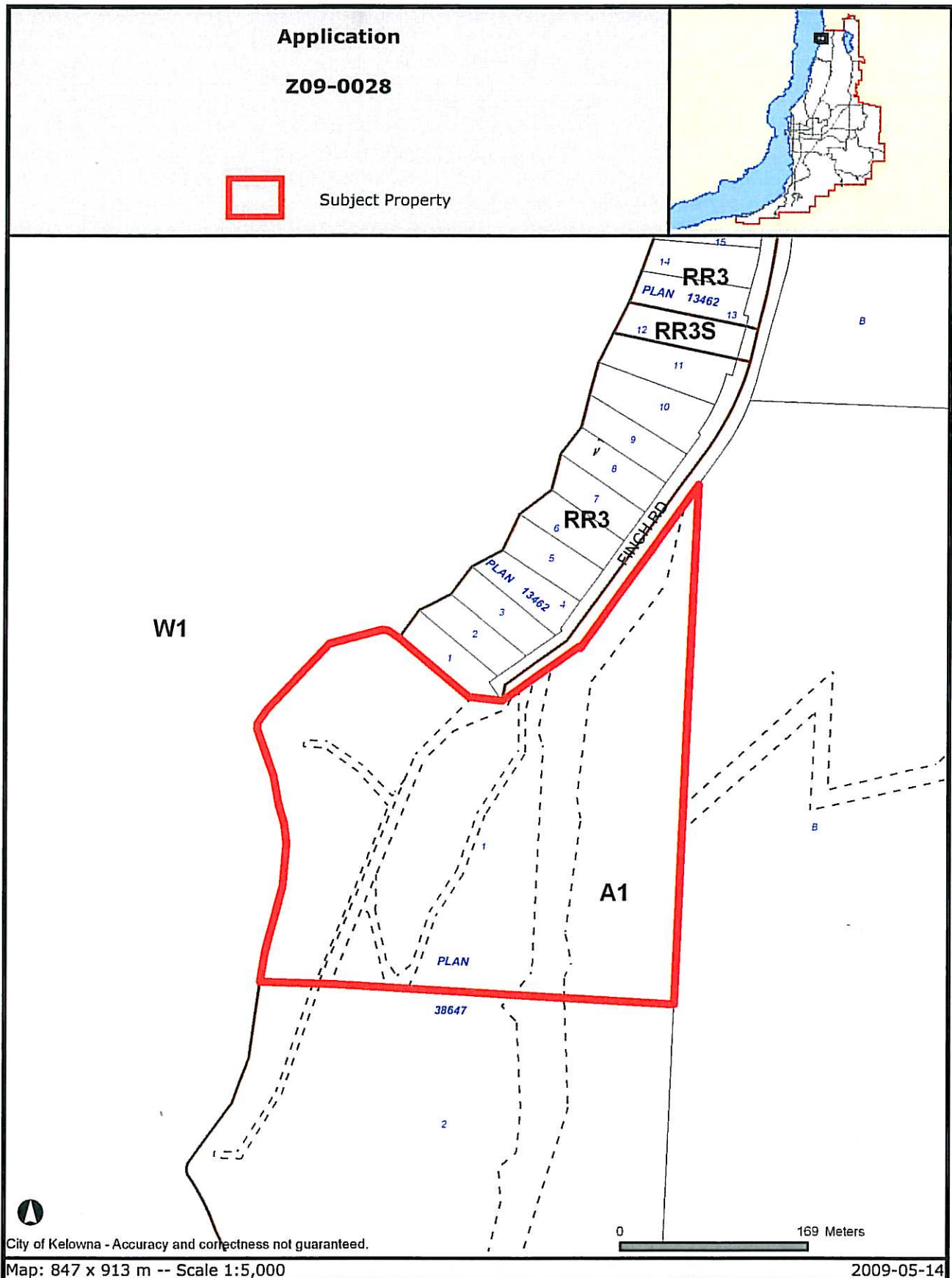
Danielle Noble
Urban Land Use Manager

Approved for Issuance 

~~F~~ Shelley Gambacort
Director of Land Use Management

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- ATTACHMENTS
Location of subject property
Site Plan
Elevation drawings
Suite Floor Plan



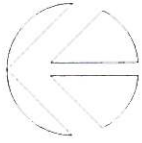


*Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
The City of Kelowna does not guarantee its accuracy. All information should be verified.*



H&S DESIGN
 644 MAIN STREET
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PROJECT NORTH

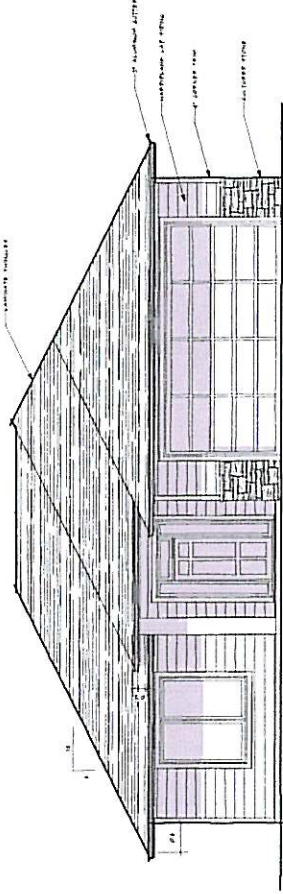
REVISION	DATE	DESCRIPTION

PROJECT
 PRIVATE RESIDENCE
 3832 FINCH ROAD
 KELOWNA, BC
 LOT 1 PLAN 38647

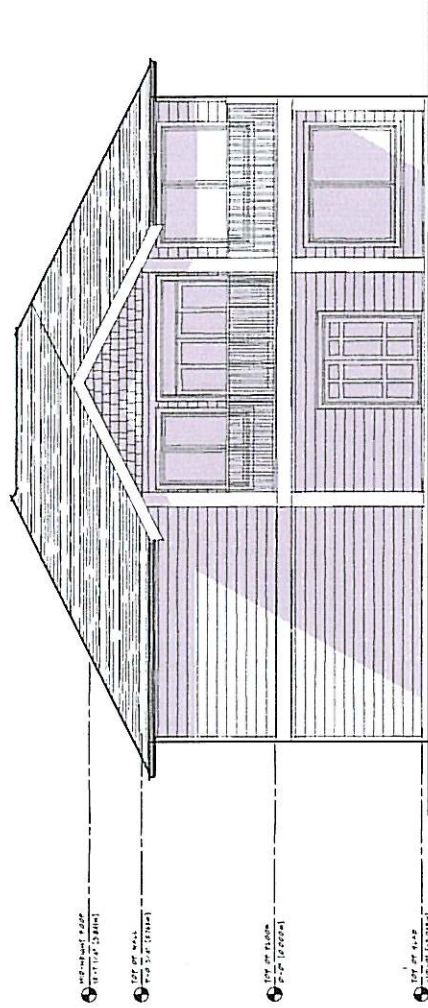
DRAWING TITLE
 ELEVATIONS 1

DATE
 MAY 5, 2009

DRAWING NUMBER
 1 of 5



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

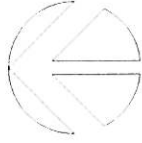


1 NORTH ELEVATION
 SCALE: 1/8" = 1'-0"



JUS DESIGN
ARCHITECTURE
644
KELOWNA, BC
V1W 4T5

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PROJECT NORTH

REVISION	DATE	DESCRIPTION

PROJECT

PRIVATE RESIDENCE
3632 FINCH ROAD
KELOWNA, BC
LOT 1 PLAN 36647

SCHEMATIC TITLE

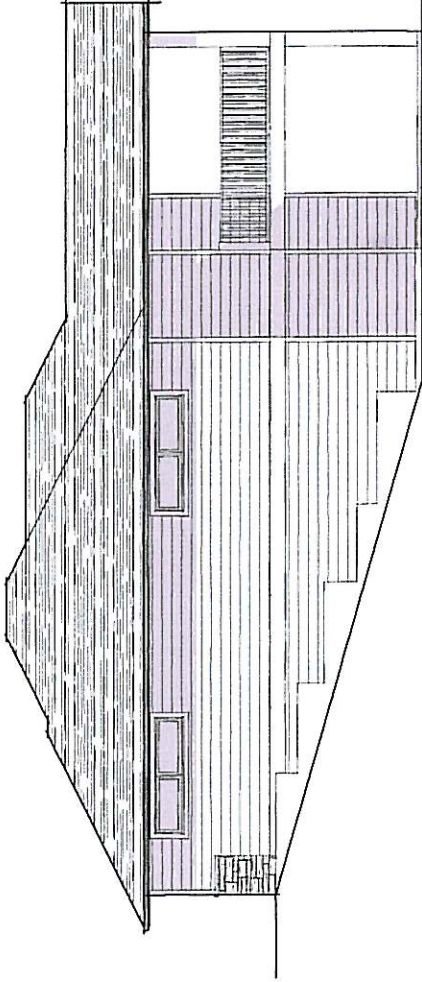
ELEVATIONS 2

DATE

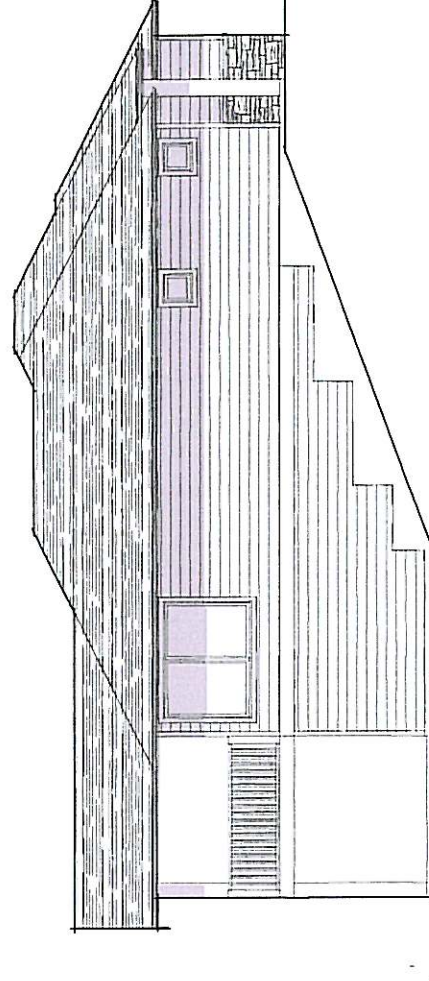
MAY 5, 2009

DRAWING NUMBER

2 of 5



1 EAST ELEVATION
SCALE: 1/4" = 1'-0"

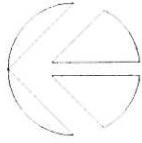


1 WEST ELEVATION
SCALE: 1/4" = 1'-0"



THE DESIGN GROUP
644 ALEXANDER AVENUE
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V1Y 4Y5

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PROJECT NORTH

REVISION DATE DESCRIPTION

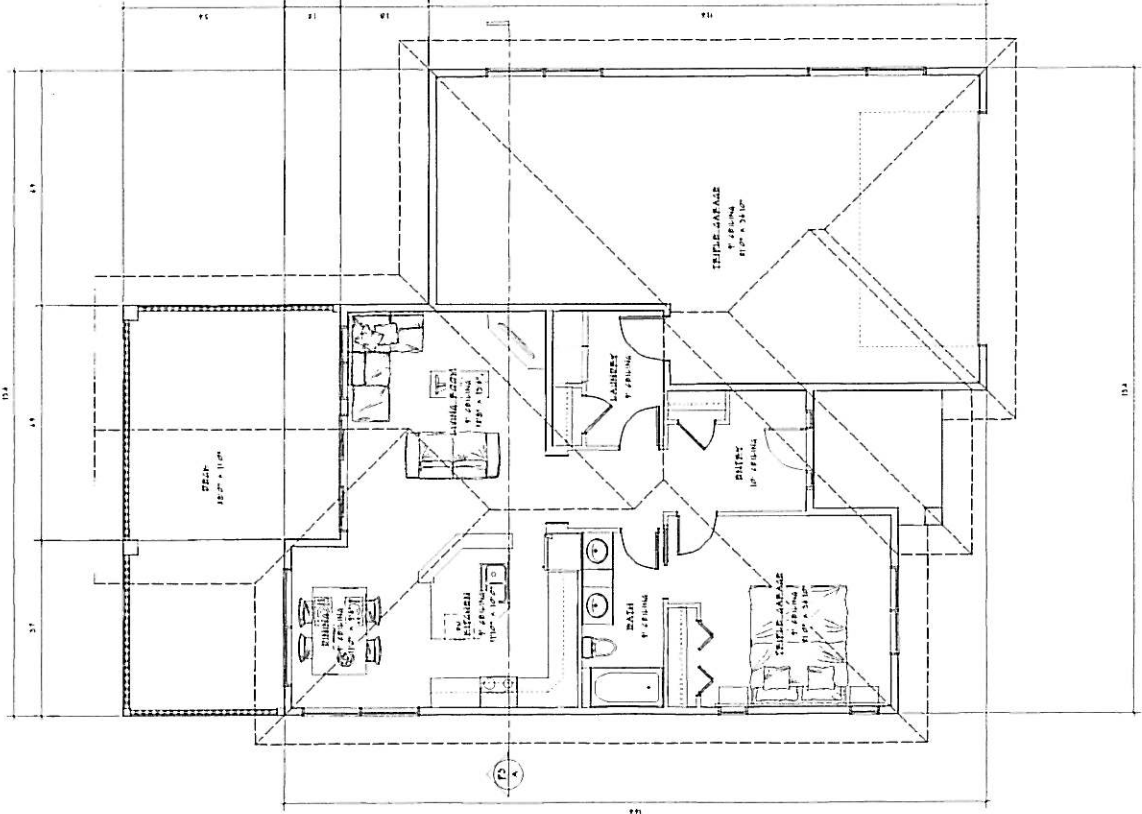
PROJECT
PRIVATE RESIDENCE
3832 FINCH ROAD
KELOWNA, BC
LOT 1 PLAN 38647

DRAWING TITLE
FLOOR PLANS

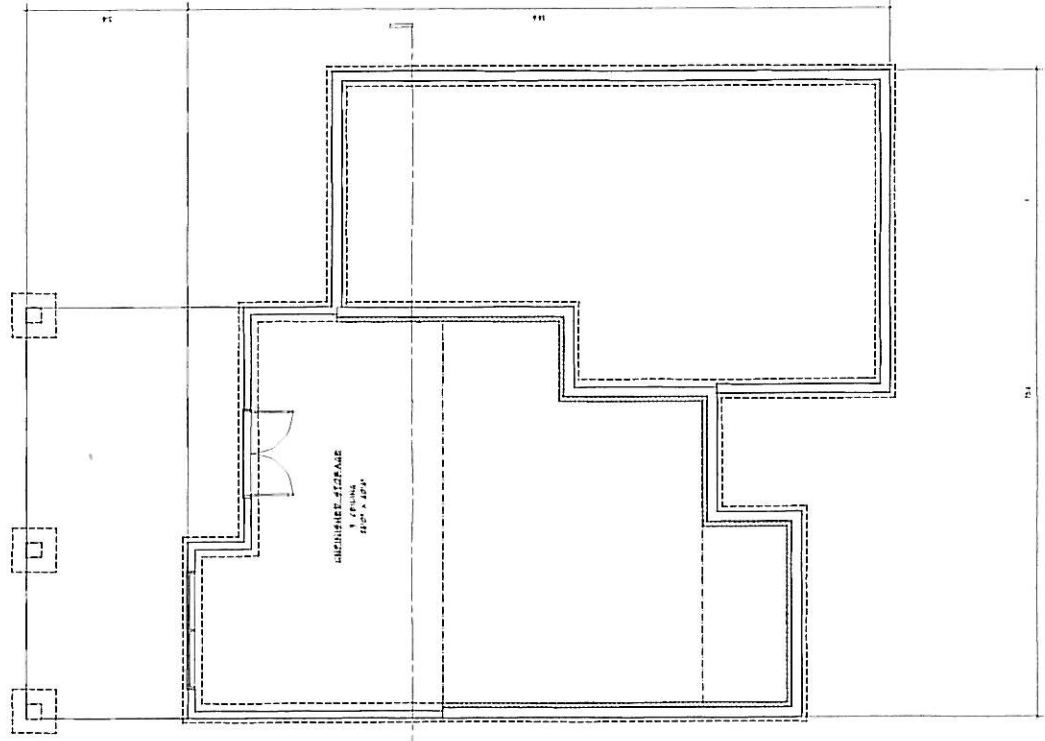
DATE
MAY 6, 2009

DRAWING NUMBER

3 of 5



1 MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0" (SEE NEXT DRAWING SHEET)



1 FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

