

# Memo



**Date:** November 30/2009  
**To:** City Manager  
**From:** Community Sustainability Division  
**File No:** Z09-0058                      **Applicant:** 0722955 BC Ltd  
**At:** 5127 Chute Lake Road & 5268-   **Owner:** Various owners  
5348 Upper Mission Drive

**Purpose:** To rezone the “Kelowna Mountain” development to allow secondary suites.

**Existing Zones:** RR2 - Rural Residential 2, RR3 - Rural Residential 3, RU1h - Large Lot Residential (Hillside Area)

**Proposed Zones:** RR2s - Rural Residential 2 with Secondary Suite, RR3s - Rural Residential 3 with Secondary Suite, RU1hs - Large Lot Residential with Secondary Suite (Hillside Area)

Report Prepared by: Andrew Browne

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## 1.0 RECOMMENDATION

THAT Rezoning Application No. Z09-0058 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of:

- i. Lots 1-9 Section 24 Township 28 SDYD Plan KAP87908, located at 5268, 5278, 5288, 5298, 5308, 5318, 5328, 5338, and 5348 Upper Mission Dr, Kelowna, B.C. from the RR2 - Rural Residential 2 zone to the RR2s - Rural Residential 2 with Secondary Suite zone;
- ii. A portion of Lot 1 Section 24 Township 28 SDYD Plan 5485 Except Plans 18646, KAP49406, KAP50989, KAP64523 and KAP87908, located on 5127 Chute Lake Rd, Kelowna, B.C., from the RU1h - Large Lot Residential (Hillside Area) zone to the RU1hs - Large Lot Residential with Secondary Suite (Hillside Area) zone;
- iii. A portion of Lot 1 Section 24 Township 28 SDYD Plan 5485 Except Plans 18646, KAP49406, KAP50989, KAP64523 and KAP87908, located on 5127 Chute Lake Rd, Kelowna, B.C., from the RR3 - Rural Residential 3 zone to the RR3s - Rural Residential 3 with Secondary Suite zone;
- iv. A portion of Lot 1 Section 24 Township 28 SDYD Plan 5485 Except Plans 18646, KAP49406, KAP50989, KAP64523 and KAP87908, located on 5127 Chute Lake Rd, Kelowna, B.C., from the RR2 - Rural Residential 2 zone to the RR2s - Rural Residential 2 with Secondary Suite zone;

all as shown on Map “A” attached to the report of the Community Sustainability Division, dated November 30, 2009, be considered by Council;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

A handwritten signature in black ink, appearing to be a stylized 'N' or similar character.

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the amendment of the covenants (of the affected properties) that serve to restrict second kitchens.

## 2.0 SUMMARY

The applicant proposes to establish zoning to permit secondary suites within the “Kelowna Mountain” development, both for existing titled lots and future phases on the remainder parcel.

## 3.0 BACKGROUND

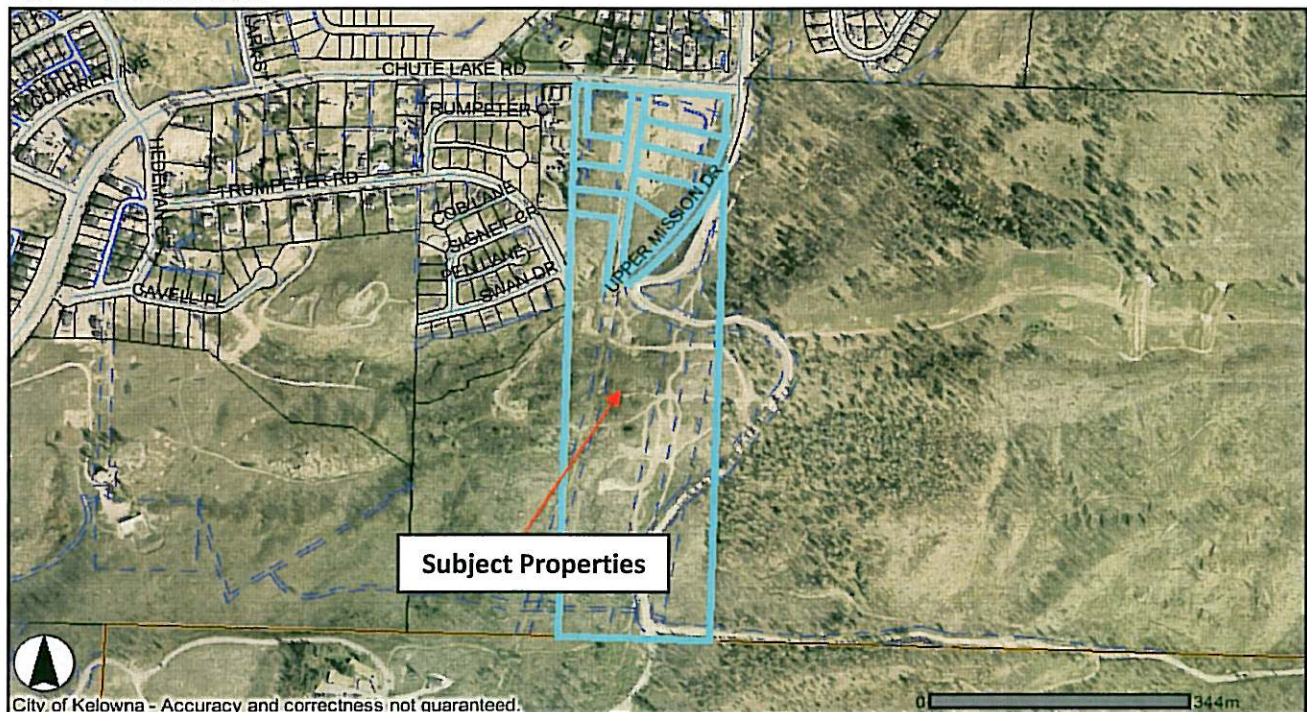
### 3.1 Site Context

The subject properties are located on Chute Lake Road and Upper Mission Drive in the Southwest Mission, as highlighted below. Formal secondary suite zoning is limited in the immediate area.

The immediately adjacent zones/land uses are as follows:

North	RR2 - Rural Residential 2
South	Beyond City boundary
East	A1 - Agriculture 1
West	A1 - Agriculture 1, RU1h - Large Lot Housing (Hillside Area), P4 - Utilities

### 3.2 Aerial Photo



## 4.0 CURRENT DEVELOPMENT POLICY

### City of Kelowna Official Community Plan (2020)

Infrastructure Availability. Give preference to supporting new housing in areas where required services already exist or can be provided most economically and efficiently.

Land Utilization within Single Detached Areas. Work towards achieving more efficient use of land within developed single-detached neighbourhoods by encouraging rezoning, subdivision and building permit applications that would allow for smaller lot sizes,

secondary suites, minor boarding facilities, minor group homes, duplexes etc. that are sensitively integrated into a neighbourhood.

Housing Variety. Encourage the development of a variety of housing forms to ensure that the housing supply meets the needs of Kelowna's diverse population and satisfies a range of lifestyle choices.

Integration. Encourage the sensitive integration of different housing forms in the various sectors of the City, in support of neighbourhood diversity and healthy communities.

Secondary Suites. Encourage, under the conditions stipulated in the Zoning Bylaw, the creation of secondary suites.

## 5.0 TECHNICAL COMMENTS

Building & Permitting Branch. Hillside development guidelines apply to the lots proposed for "S" designation.

Bylaw Services Branch. No concerns.

Development Engineering Branch. The proposed rezoning does not compromise City of Kelowna utilities as far as servicing is concerned.

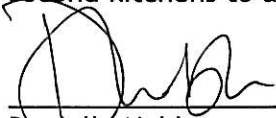
Fire Department. Requirements of Section 9.36, Secondary Suites, of the BCBC 2006 are to be met. Fire separations as per BCBC 2006.

## 6.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

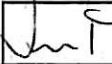
The proposed Zoning Bylaw amendment is consistent with the Official Community Plan future land use designation for the subject properties. Secondary suites represent a low-impact method of providing additional housing.

While it is not yet usual practice to pre-zone a new neighbourhood for secondary suites, there is no basis in policy to suggest that this should not be supported. Notably, this will allow the Building and Permitting Department to process Building Permit applications in a more timely and efficient manner in anticipation of homeowners wishing to accommodate a legal secondary suite option at the time of original construction.

Covenants in favour of the City, restricting greenhouses and plant nurseries and second kitchens have been registered on some or all of the subject properties at the time of subdivision. This was initiated at the time when the Zoning Bylaw still permitted second kitchens within urban and residential zones. These covenants will need to be amended prior to final adoption to allow the second kitchens to accommodate the secondary suite provisions.



Danielle Noble  
Manager, Urban Land Use

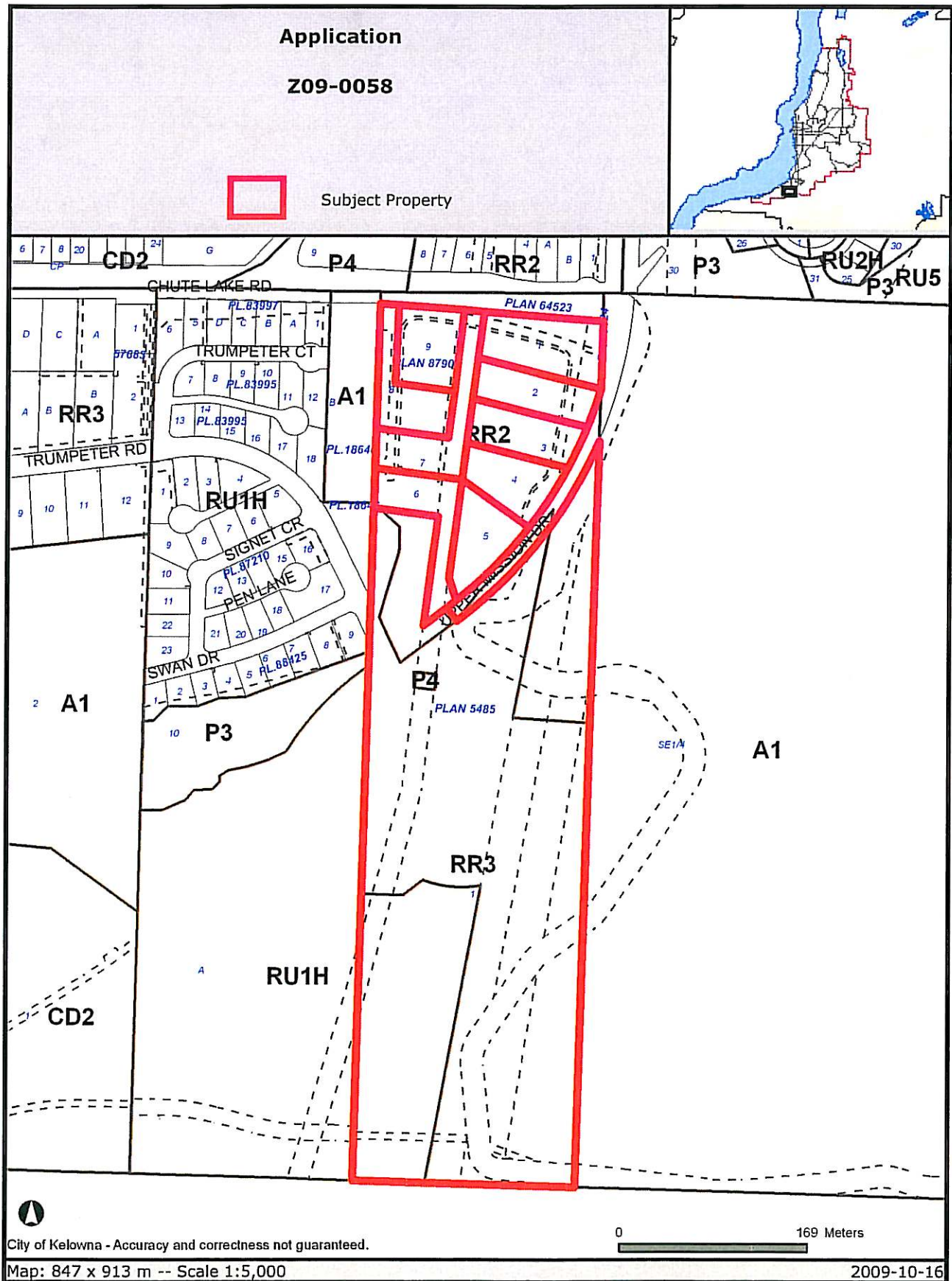
Approved for inclusions   
Shelley Gambacort  
Director, Land Use Management

### Attachments

Location and zoning map  
Map "A"







City of Kelowna - Accuracy and correctness not guaranteed.

Map: 847 x 913 m -- Scale 1:5,000

2009-10-16

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.

# Map A – Z09-0058

