

# Memo



**Date:** December 3, 2009

**To:** City Manager

**From:** Community Sustainability Division

**File No:** Z09-0065

**Applicant:** Mike Buchner

**At:** 835 Quigley Road

**Owner:** Mike A. Buchner & Sandra C. Buchner

**Purpose:** To rezone the subject property from RU1 - Large Lot Housing zone to the RU1(s) Large Lot Housing with a secondary suite zone to construct a secondary suite within a single family dwelling.

**Existing Zone:** RU1 - Large Lot Housing zone

**Proposed Zone:** RU1(s)- Large Lot Housing with a secondary suite zone

Report Prepared by: Birte Decloux

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## 1.0 RECOMMENDATION:

THAT Rezoning Application No. Z09-0065 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Lot 20, Section 22, Township 26, ODYD, Plan 19576, located at Quigley Road, Kelowna, BC, from the RU1 - Large Lot Housing zone to the RU1(s) Large Lot Housing 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 considered subsequent to the discharge of the covenants on the state of title.

## 2.0 SUMMARY:

This application is seeking to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1(s) Large Lot Housing with a secondary suite zone to construct a secondary suite within a single family dwelling.

## 3.0 BACKGROUND:

The applicant is proposing to construct a secondary suite in the lower level of this single family home. The proposed suite consists of two bedrooms and an open living room/ kitchen area. Private outdoor open space is provided for each dwelling unit. The existing dwelling is located close to major bus routes with accessibility to services including schools and shopping.

A handwritten signature in black ink, appearing to be the initials "R" or "N".

The proposed application meets the requirements of RU1(s)- Large Lot Housing with a secondary suite zone follows:

<b>Zoning Bylaw No. 8000</b>		
<b>CRITERIA</b>	<b>PROPOSAL</b>	<b>RU1(s) ZONE REQUIREMENTS (Suite within Principal Dwelling)</b>
<b>Subdivision Regulations</b>		
Lot Area	836 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width	21.95 m	16.5 m
Lot Depth	38.1 m	30.0 m
<b>Development Regulations</b>		
Site Coverage (buildings)	12 %	40%
Site Coverage (buildings/parking)	29.5 %	50%
Height (existing house)	3.66 m	2 ½ storeys / 9.5 m
Floor Area of principal dwelling	193 m <sup>2</sup>	
Floor Area of Secondary Suite / Size ratios	77.3 m <sup>2</sup> / 40%	In building can't exceed lessor or 90 m <sup>2</sup> or 40%
Front Yard	8.26 m	6.0 m
Side Yard (northeast)	2.33 m	2.0 m (1 - 1 ½ storey)
Side Yard (southwest)	3.12 m	2.0 m (1 - 1 ½ storey)
Rear Yard	20.54	7.5 m / 1.5 m for accessory buildings
<b>Other Requirements</b>		
Parking Stalls (#)	3 spaces	3 spaces
Private Open Space	meets requirements	30m <sup>2</sup> requirement

### 3.1 Site Context

The subject property is located on the east side of Quigley Road, north of Springfield in Rutland. More specifically, the adjacent land uses are as follows:

North	RU1	Large Lot Housing
South	RU1	Large Lot Housing
East	RU1	Large Lot Housing
West	RU1	Large Lot Housing

### 3.2 Site Location: 835 Quigley Road



## 5.0 CURRENT DEVELOPMENT POLICY

The RU1(s) - Large Lot Housing with Secondary Suite zone is being proposed for this property. The purpose of this zone is to provide for single detached housing as a principal use, and compatible secondary uses.

### 5.1 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.

## 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

This application does not trigger any servicing requirements.

### 6.2 Rutland Waterworks District

RWD has no comment with regard to this application.

### 6.3 Fire Department

Requirements of Section 9.36, Secondary Suites, of the BCBC 2006 are to be met. Fire separations as per BCBC 2006. Additional visible address for the suite is required.

6.4 Building and Permitting

New BP application #39358 in system, proposed suite to meet requirements of BCBC 2006.

6.5 Public Health

Interior Health has no concerns provided community water and sanitary sewer are available.

6.6 Bylaw Services

No concerns.


**7.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS**

This proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area. The Land Use Management Department notes that policies within the Official Community Plan support the sensitive integration into existing neighbourhoods, where services are already in place and densification can easily be accommodated. Minimal impact (if any) is anticipated on abutting properties, as parking requirements and private open space provisions can easily be achieved on-site.

A covenant from 1970 still exists on the property restricting the site to a single family dwelling as part of the building scheme of the time. The subdivision approving officer has agreed that this covenant may be discharged.

A Building Permit has been applied for and will be reviewed by the Building and Permitting staff should Council a favourably endorse the rezoning request.

Submitted by:

*Jen*   
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Danielle Noble  
Manager, Urban Land Use

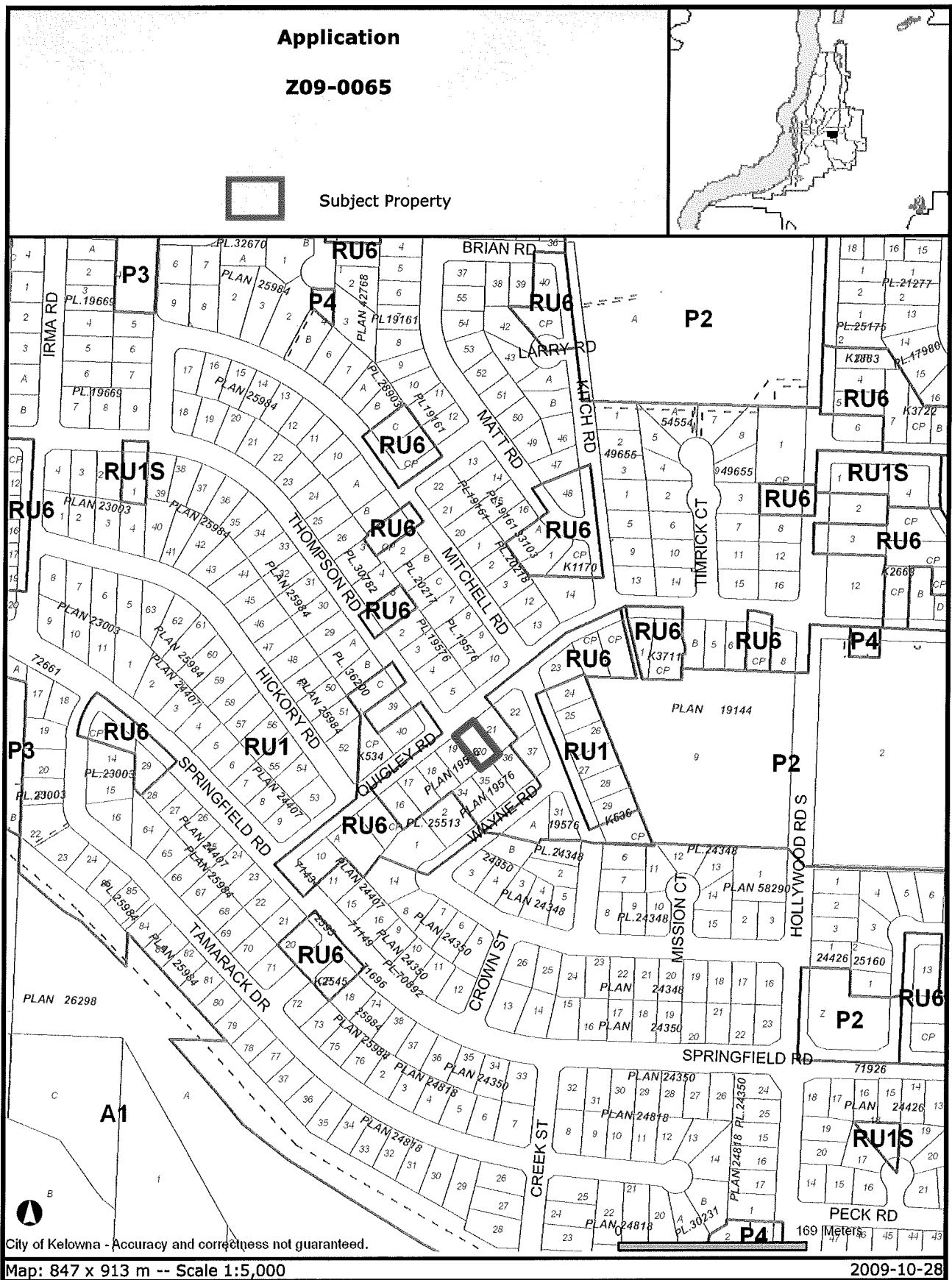
Approved for inclusion:



Shelley Gambacort  
Director, Land Use Management

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**Attachments:**  
Subject Property Map  
Site Plan  
Suite Floor Plans  
Photo



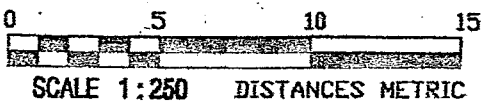
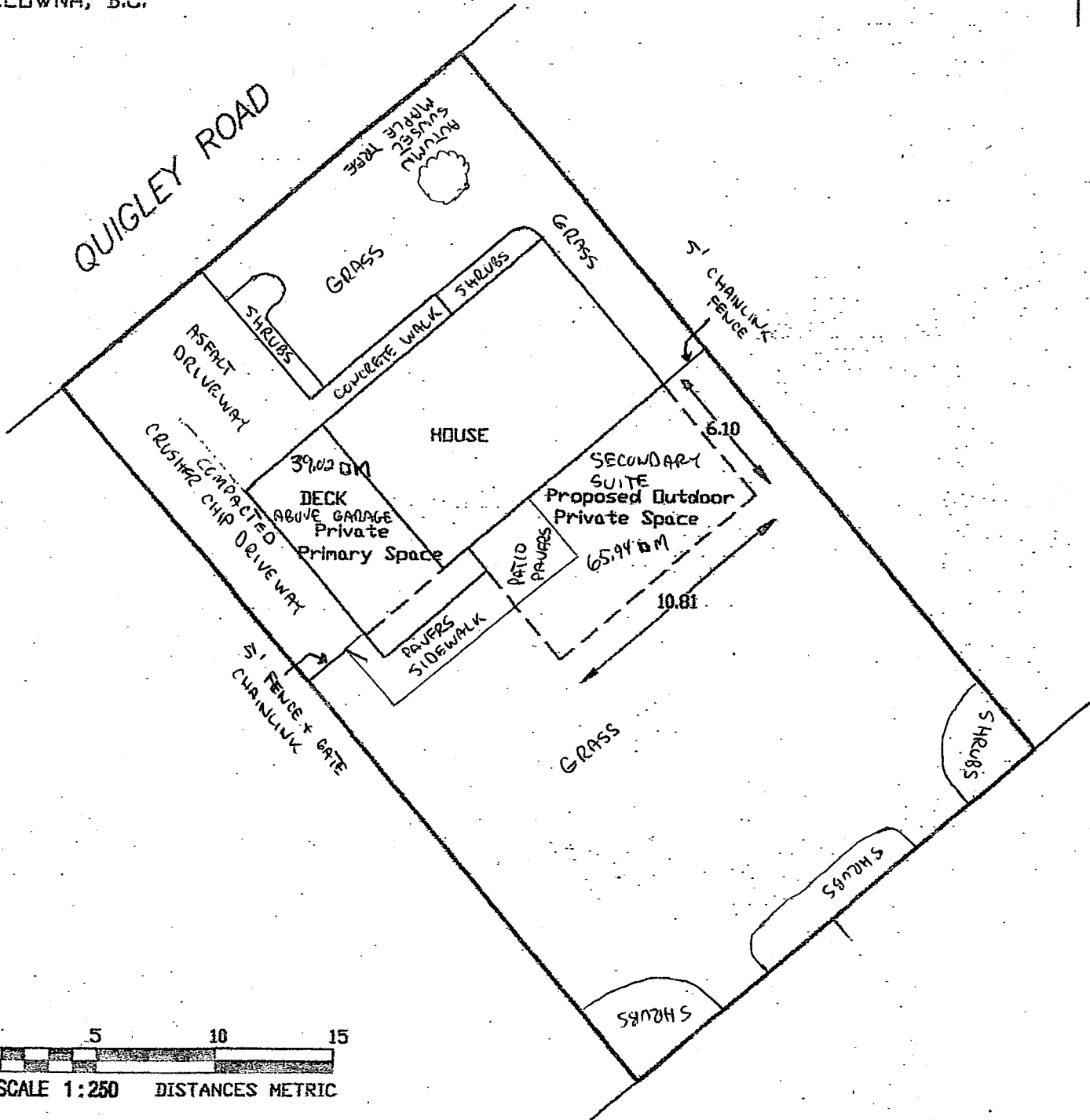
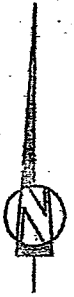
Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.

# LANDSCAPE PLAN

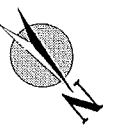
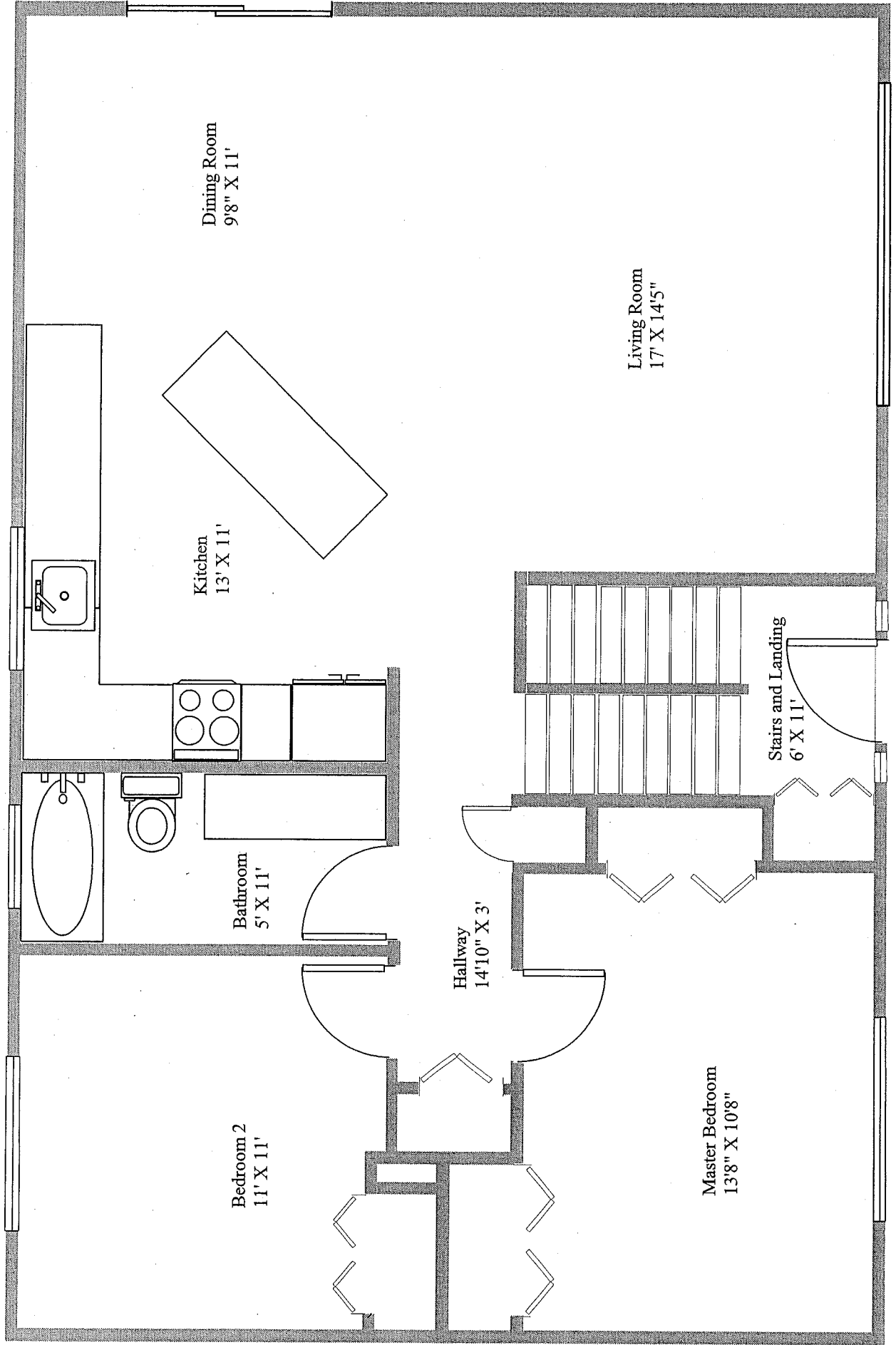
LOT 20, SECTION 22, TOWNSHIP 26, PLAN 19576  
OSOYDOS DIVISION, YALE DISTRICT,  
BRITISH COLUMBIA  
P.I.D. 008-003-572

## CIVIC ADDRESS:

# 835 QUIGLEY ROAD  
KELOWNA, B.C.

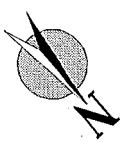
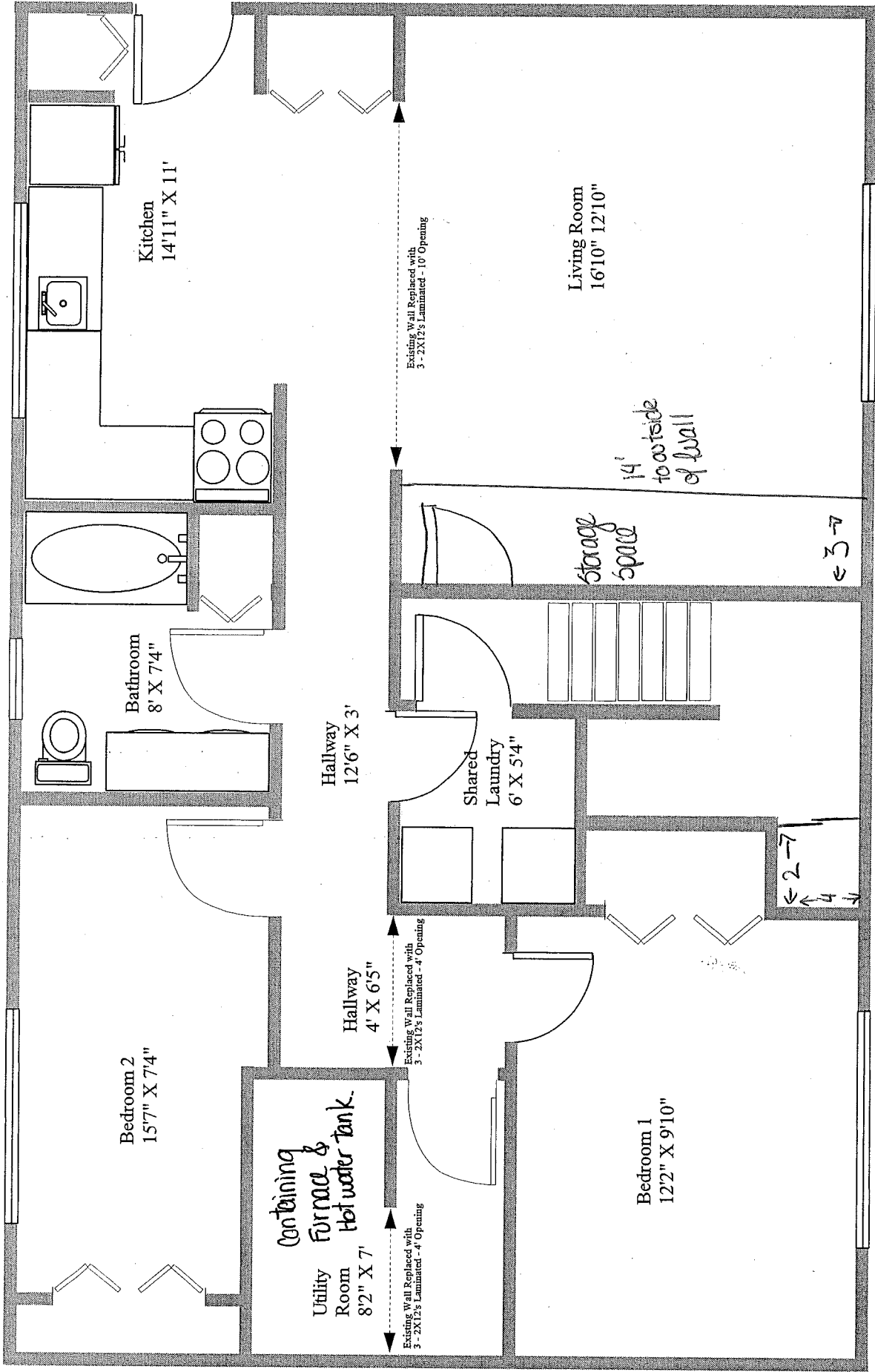


835 Quigley Road - Main - Floor Plan



Scale 1 : 48

835 Quigley Road - Basement - Floor Plan



Scale 1 : 48



