

# Memo



**Date:** February 24, 2010  
**To:** City Manager  
**From:** Community Sustainability Division  
**File No:** Z07-0084 **Applicant:** Steve Baldwin  
**At:** 3598 Spiers Rd **Owner(s):** Kathleen Baldwin  
**Purpose:** TO REZONE FROM THE RR3 - RURAL RESIDENTIAL 3 ZONE TO THE RR3s - RURAL RESIDENTIAL 3 WITH A SECONDARY SUITE ZONE IN ORDER TO ALLOW FOR A SECONDARY SUITE WITHIN AN EXISTING ACCESSORY BUILDING.

**Existing Zone:** RR3 - RURAL RESIDENTIAL 3 ZONE

**Proposed Zone:** RR3s - RURAL RESIDENTIAL 3 WITH A SECONDARY SUITE ZONE

Report Prepared by: Birte Decloux

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## 1.0 RECOMMENDATION:

THAT Rezoning Application No. Z07-0084 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Section 8, Township 26, O.D.Y.D, Plan 9033 Except Plan 11176, located on 3598 Spiers Rd, Kelowna, B.C. from the RR3 - Rural Residential 3 Zone to the RR3s - Rural Residential 3 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 a Building Permit for the suite be applied for prior to final adoption of the zone;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of SEKID being completed to their satisfaction.

## 2.0 SUMMARY:

This rezoning application seeks to rezone from the RR3 - Rural Residential 3 zone to RR3s - Rural Residential 3 (with Secondary Suite) zone to allow for an already constructed secondary suite within an existing accessory building on the subject property.

## 3.0 BACKGROUND:

### 3.1 The Proposal

The intent of this application is to allow for the secondary suite in an existing accessory building at the rear of the subject property. The suite includes one bedroom, a living area, kitchen, and full bathroom. The minimum required 3 parking spaces and 30m<sup>2</sup> open space per dwelling unit have been provided.

The proposed application meets the requirements of the RR3(s) Rural Residential 3 with a Secondary Suite zone as follows:

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	RR3(s) REQUIREMENTS
Subdivision Regulations		
Lot Area	1968 m <sup>2</sup>	1600 m <sup>2</sup>
Lot Width	27.5 m	18 m
Lot Depth	71.6 m	30.0 m
Development Regulations		
Site Coverage (buildings)	19 %	30%
Site Coverage (buildings/parking)	32 %	50%
Floor Area (Principal Dwelling)	116 m <sup>2</sup>	N/A
Floor Area (Secondary Suite)	85 m <sup>2</sup> (73%)	90 m <sup>2</sup> or 75% of existing bldg
Height (accessory building)	1 Storey/ 4.1 m	2 ½ storeys / 9.5 m
Front Yard	48.2 m	6.0 m
Side Yard (North)	2.75 m	2.0 m (1 - 1 ½ storey)
Side Yard (South)	6.45 m	2.0 m (1 - 1 ½ storey)
Rear Yard	2.25 m	1.5 m
Separation Distance	31.7 m	Min 5.0 m
Other Requirements		
Parking Stalls (#)	4 spaces	3 spaces
Private Open Space	meets requirements	30 m <sup>2</sup> per dwelling unit

### 3.2 Site Context

The subject property is located on the west side of Spiers Rd in the Southeast Kelowna sector of the City. The subject property is part of a small rural residential subdivision developed with single family residential homes. Properties to the south and east are within the ALR. More specifically, the adjacent land uses are as follows:

North	RR3 -Rural Residential 3
East	A1 - Agriculture 1
South	A1 - Agriculture 1
West	RR3 -Rural Residential 3

### 3.3 Site Location Map: 3598 Spiers Rd



## 4.0 CURRENT DEVELOPMENT POLICY

### 4.1 City of 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.

### 4.2 Kelowna 2020 - Official Community Plan

The subject property is designated as Rural/Agricultural on Generalized Future Land Use Map 19.1 which forms part of the Official Community Plan. The proposed land use (rural residential housing with a secondary suite) is consistent with the direction of this policy document.

## 5.0 TECHNICAL COMMENTS

### 5.1 Fire Department

Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw.

### 5.2 Building and Permitting Department

No comment.

### 5.3 Development Engineering Department

The proposed rezoning in order to turn the accessory building into a secondary suite does not compromise Works and Utilities as far as servicing is concerned. It should be noted that the existing house is located within the future Spiers Road right-of-way.

### 5.4 Interior Health

IH does not have an objection to the approval of the site, provided the onsite sewage disposal system installed in 2004 is sized to accommodate the total flows for a maximum 3 bedroom home plus a 1 bedroom suite.

### 5.5 Bylaw Services

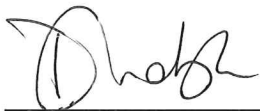
No Bylaw complaints received re: 3598 Spiers Rd.

## 6.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

The Official Community Plan designates the future land use of the subject property as rural/agricultural and the proposed land use (rural residential housing with a secondary suite) is therefore consistent. As the suite is within a recently constructed accessory building, the form and character of the building meets the guidelines as identified in policy, and the one storey height is not out of character with the established rural housing forms of the area.

Staff acknowledge that this is a dated application. The applicant was required to upgrade the on-site septic system to meet the requirements of Interior Health, which created significant delays as the applicant worked towards this requirement. Confirmation that these requirements were met was only recently received as of early February, 2010.

A direct Development Permit will be conducted at a staff level to address the form and character of the proposed secondary suite development.



Danielle Noble  
Manager, Urban Land Use

Approved for inclusion:

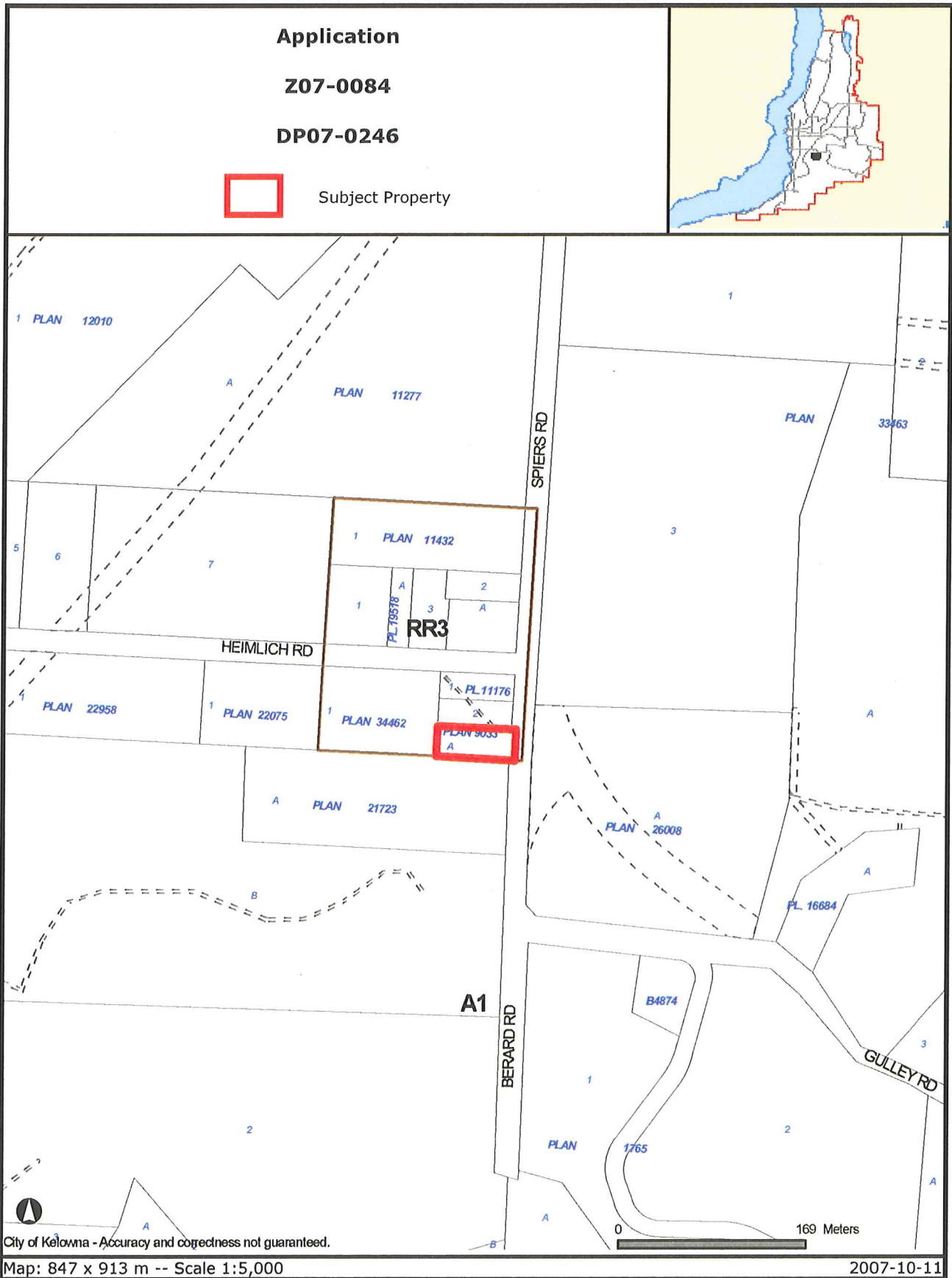


Shelley Gambacort  
Director, Land Use Management

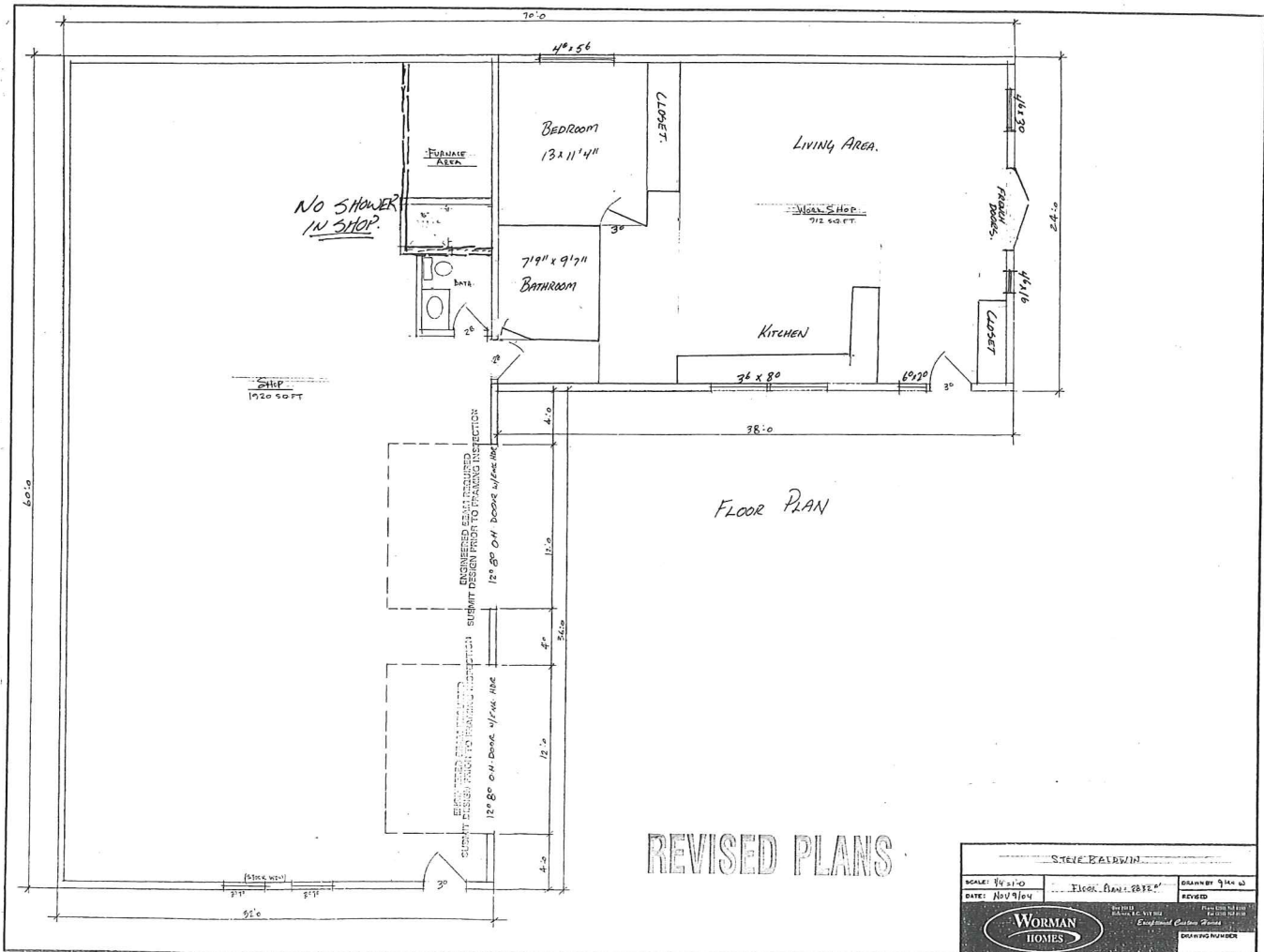
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#### Attachments:

Subject Property Map  
Site Plan/Landscape Plan  
Proposed Floor Plan  
Elevations  
Photos of Accessory Building

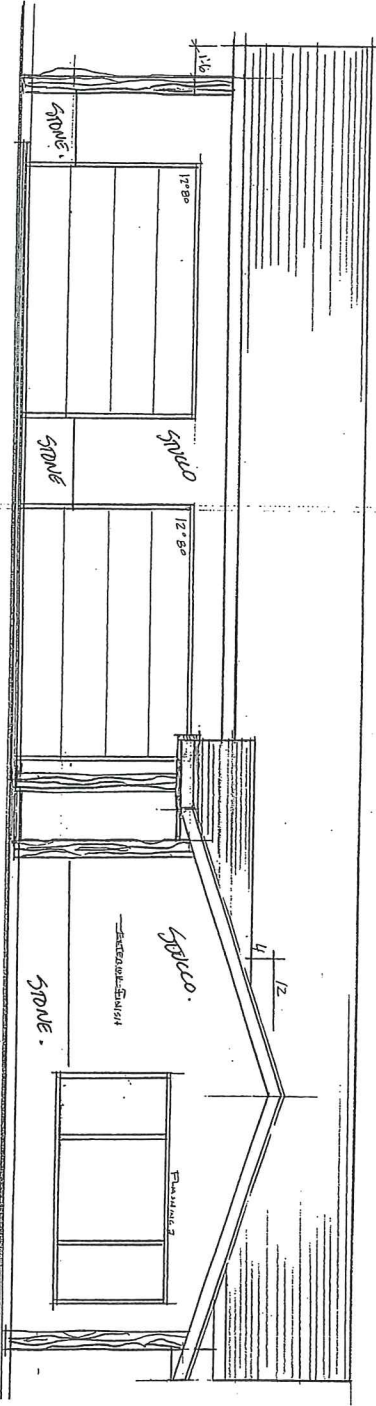
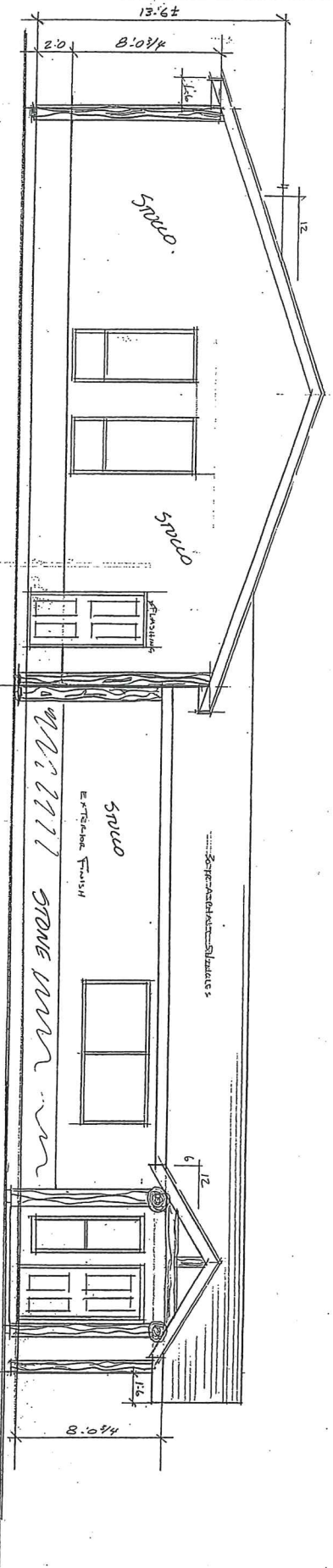


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



REVISIED PLANS

STEVE BARWIN	
SCALE: 1/4" = 1'-0"	DRAWN BY: J. H. W.
DATE: NOV 9/04	REVISED
<b>WORMAN HOMES</b>	
<small>FOR INFORMATION CALL 1-800-353-9882        WORMAN HOMES, INC. 4111 W. 34th Street        Englewood, Colorado 80155</small>	
DRIVING NUMBER	



REVIEWED BY CITY OF KELYONNA INSPECTIONS SERVICES  
 FOR PART OF BUILDING PERMIT # 1578472. THESE  
 DIMENSIONS SHALL REMAIN ON SITE UNLESS CITY BUILDING  
 INSPECTIONS  
 DATE 10/14/04 PLAN CHECKER [Signature]

STEVE EARL DWIN

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

DATE: NOV 10 04

EL ELEVATION

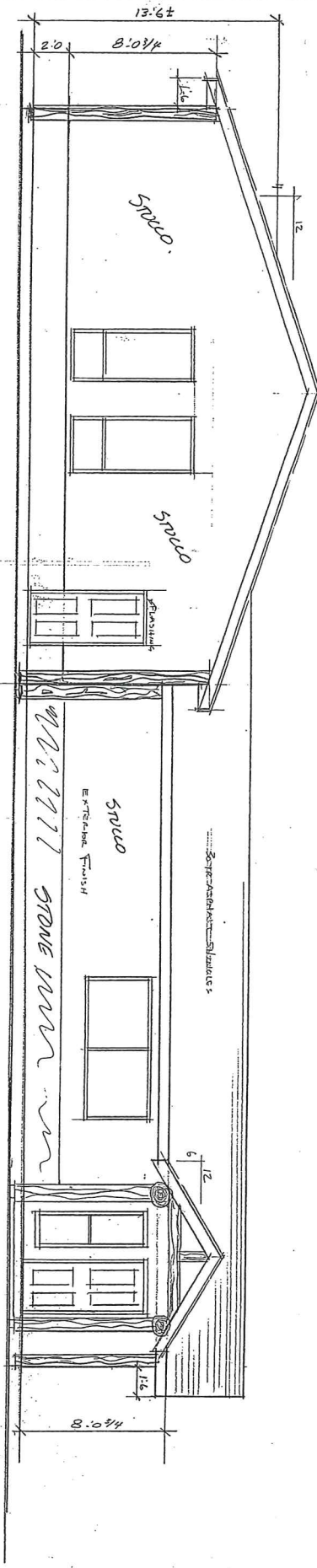
DESIGNED BY: [Signature]

REVISED

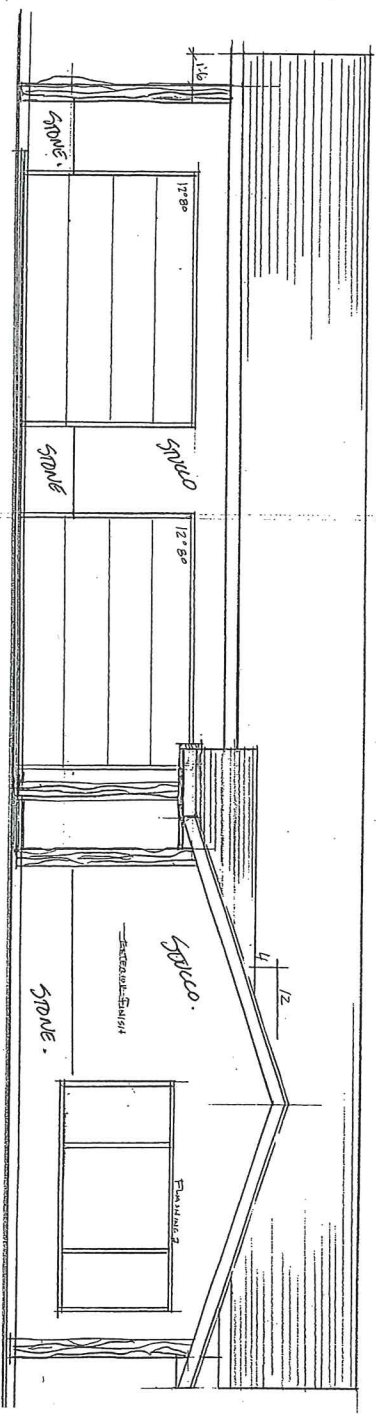
AWORMAN  
 IONES

1000 S. WYOMING  
 SPOKANE, IDAHO 83402  
 (208) 325-2200  
 (208) 325-2210

DRAWING NUMBER



ELEVATION



REVIEWED BY CITY OF KELOWNA INSPECTIONS SERVICES  
 FORWARDING PART OF BUILDING PERMIT & **SP7872** THREE  
 DRAWINGS SHALL REMAIN ON SITE WITH PERMITS CITY BUILDING  
 DEPARTMENT  
 DATE **NOV 24 04** PLAN CHECKER

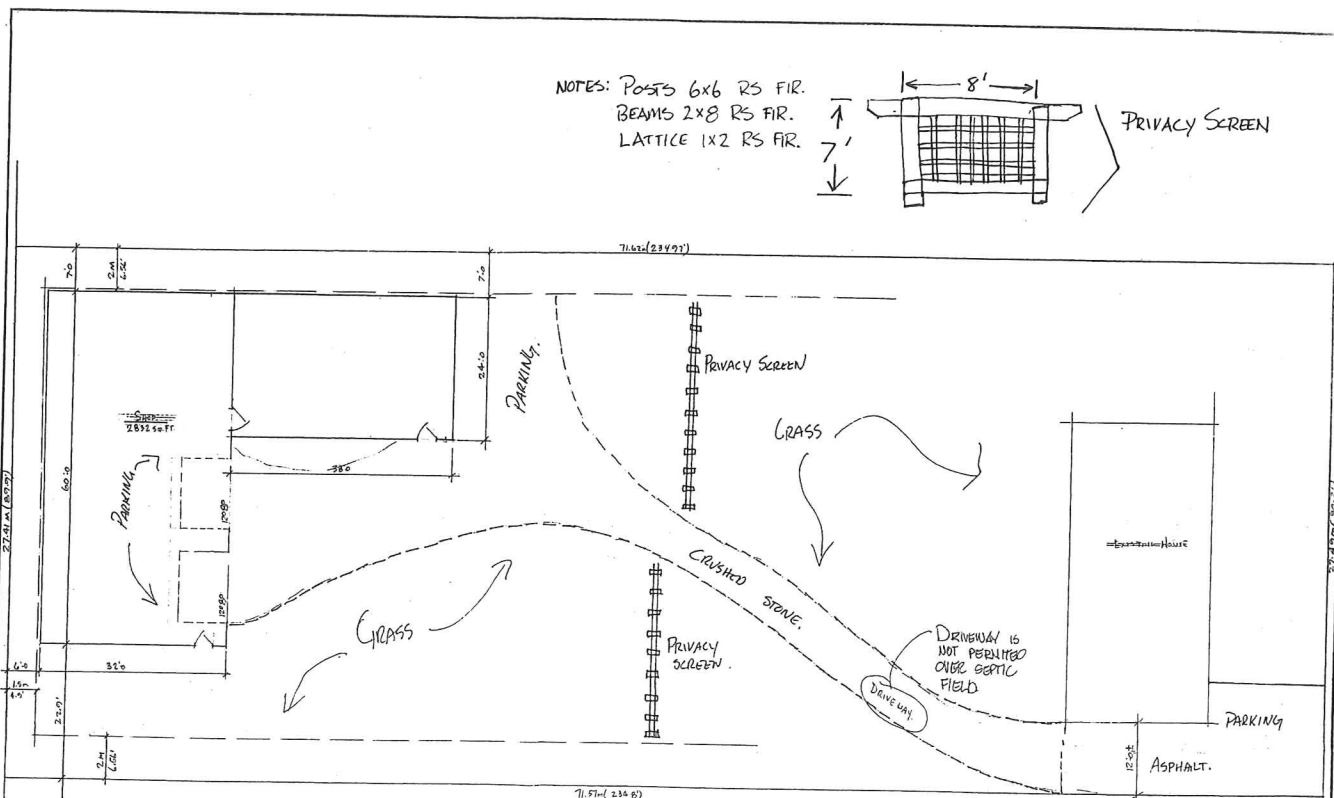
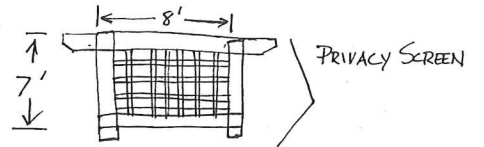
<p>STEVE BIRDWIN</p>	
<p>SCALE: 1/4" = 1'-0"</p>	<p>ELEVATION</p>
<p>DATE: NOV 19 04</p>	<p>DRAWN BY: GLENN</p>
<p>PROJECT:</p>	<p>REVISION:</p>
<p>PROJECT NO:</p>	<p>DATE: 11/19/04</p>
<p>PROJECT NO:</p>	<p>DATE: 11/19/04</p>
<p>PROJECT NO:</p>	<p>DATE: 11/19/04</p>



## Photos of Accessory Building



NOTES: Posts 6x6 RS FIR.  
 BEAMS 2x8 RS FIR.  
 LATTICE 1x2 RS FIR.



LANDSCAPE & PARKING/DRIVEWAY

3588 SPIERS RD.  
 LOT A PLAN 0033  
 21,170 SQ. FT. L.S. ACCESSORY (11/8" = 20650')  
 20' HIGH MAX. HT. 4.5' (14-76)  
 20' HIGH MAX. HT. 15.2' (47-00)

REVISED PLANS

STEVE BADDINI

SCALE: 1/2" = 1'-0"

DATE: Nov 9/17

SITE PLAN

WORMAN

DESIGNED BY: [ ]

REVIEWED BY: [ ]



January 26, 2010

Steve Baldwin  
3598 Spiers Road  
Kelowna BC  
V1W 4A8

Re: Sewerage Disposal System at Lot A, Plan 9033, 3598 Spiers Road

Dear Steve,

Interior Health has received the attached documentation, letter of certification from Bryan E. Thompson, dated October 2, 2009, and a drawing showing the approximate location of the sewage disposal system. The application to construct a sewage disposal system, dated March 10, 2004, indicates that the system was designed for a 3 bedroom house and an additional 1 bedroom suite. The letter of certification does not speak to the sizing of disposal system nor does the drawing indicate sizing and the exact location.

Interior Health does not have an objection to the approval of the suite, provided the onsite sewage disposal system installed in 2004 is sized to accommodate the total flows from a maximum 3 bedroom home plus a 1 bedroom suite.

I can be contacted at [Stephen.Pope@Interiorhealth.ca](mailto:Stephen.Pope@Interiorhealth.ca) should further information be requested.

Yours truly,

A handwritten signature in black ink, appearing to be "S. Pope", written over a faint circular stamp or watermark.

Stephen Pope C.P.H.I. (C)  
Environmental Health Officer

SP/bmm

Bus: (250) 979-7665  
Fax: (250) 868-7760  
Web: [interiorhealth.ca](http://interiorhealth.ca)

Public Health Inspections  
"Less Risk, Better Health"  
1st Floor, 1340 Ellis Street Kelowna, BC V1Y 9N1