

Memo



Date: August 11, 2010
To: City Manager
From: Community Sustainability Division
File No: Z10-0061 **Applicant/Owner:** William Jeffrey
Lynn Jeffrey
At: 4555 Sallows Road
Purpose: TO REZONE FROM THE A1 - AGRICULTURE 1 ZONE TO THE A1(s) AGRICULTURE 1 WITH SECONDARY SUITE ZONE TO ALLOW A MODULAR HOME TO BE PLACED ON THE PROPERTY.
Existing Zone: A1 - Agriculture 1
Proposed Zone: A1s - Agriculture 1 with Secondary Suite
Report Prepared by: Greg Sauer

1.0 RECOMMENDATION:

THAT Rezoning Application No. Z10-0061 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 33 Township 29 ODYD Plan 38411 located at 4555 Sallows Road, Kelowna, B.C. from the from the A1 - Agriculture 1 zone to the A1s - 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;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Interior Health Authority being completed to their satisfaction;

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the registration of a Section 219 Covenant which advises future inhabitants that this property is located adjacent to the Agricultural Land Reserve (ALR) and is subject to typical farm practices.

2.0 SUMMARY:

This application seeks to rezone the subject property from the A1 - Agriculture 1 zone to the A1s - Agriculture 1 with Secondary Suite zone to allow a modular home meeting Zoning Bylaw 8000 regulations with respect to a secondary suite to be placed on the subject property.

3.0 BACKGROUND:

The subject property is the product of a two lot subdivision of an original 2.45 hectare lot and which was effected in 1987. The property owners wish to place a modular home on the northerly portion of the subject property to accommodate immediate family. The subject property is located outside of the Agricultural Land Reserve (albeit adjacent to the ALR) and as a result, the Agricultural Land Commission (ALC) Act does not apply.

A handwritten signature in black ink, located in the bottom right corner of the page.

City policy requires the rezoning to accommodate the modular home as a secondary suite within an accessory building.

The application meets the requirements of Zoning Bylaw No. 8000 as follows:

CRITERIA	PROPOSAL	A1 ZONE REQUIREMENTS (Suite in Accessory Building)
Subdivision Regulations (not applicable)		
Lot Size	1.24ha	4.0ha
Lot Width	110.6m	40.0m
Lot Depth	111.2m	n/a
Development Regulations		
Site Coverage (residential development)	Complies (<10%)	10%
Height of Accessory Building	To be confirmed at building permit stage	9.5m
Floor Area of Principal Dwelling	~200m ²	-
Floor Area of Secondary Suite / Size ratios	To be confirmed at building permit stage, but must comply	Cannot exceed the lesser of 90 m ² or 75% of principal dwelling
Separation between dwellings	Complies	5.0m
Front Yard	Complies	12m
Side Yard (north)	Complies	3.0m
Side Yard (south)	Complies	4.0m
Rear Yard	Complies	9.0m (3.0 for accessory buildings)
Other Requirements		
Parking Stalls (#)	Complies	3 spaces
Private Open Space	Complies	30m ² required per dwelling

3.1 Site Context

The subject property is located in the Southeast Kelowna sector along Sallows Road. The area is rural agricultural in nature and while not within the Agricultural Land Reserve (ALR) is adjacent to the ALR on two sides.

Specifically, the adjacent zones and uses are:

- North** A1 - Agriculture 1 (ALR)
- East** A1s - Agriculture 1 with Secondary Suite
- South** RR1 - Rural Residential 1
- West** A1 - Agriculture 1 (ALR)

3.2 Site Location Map

Subject property: 4555 Sallows Road



4.0 DEVELOPMENT POTENTIAL/CURRENT POLICY:

4.1 Official Community Plan

*Section 8.44 Integration*¹. Encourage the sensitive integration of different housing forms in the various sectors of the City, in support of neighbourhood diversity and healthy communities.

*Section 8.47 Secondary Suites*². Encourage, under the conditions stipulated in the Zoning Bylaw, the creation of secondary suites.

*Section 8.54 Housing in Agricultural Areas*³. Discourage residential development (both expansions and new developments) in areas isolated within agricultural environments (both ALR and non-ALR).

5.0 TECHNICAL COMMENTS:

5.1 Building & Permitting

Full Plan check for Building Code related issues will be done at time of Building Permit applications

5.2 Development Engineering Branch

See attached.

¹ City of Kelowna Official Community Plan - Housing; p. 8-7.

² City of Kelowna Official Community Plan - Housing; p. 8-7.

³ City of Kelowna Official Community Plan - Housing; p. 8-8.

5.3 Fire Department

Additional visible address is required.

5.4 Public Health Inspector

See attached.

5.5 South East Kelowna Irrigation District (SEKID)

SEKID is able to provide an additional water service to this lot at a cost to the applicant of \$6,270.00.

5.6 Shaw Cable

Owner to supply and install an underground conduit system as per Shaw Cable drawings and specifications unless modular to be fed by aerial.

5.7 Telus

Telus will provide aerial service.

6.0 LAND USE MANAGEMENT DEPARTMENT:

Policies within the Official Community Plan support sensitive integration of secondary suites with the goal of enhancing neighbourhood diversity and promoting healthy communities. On the other hand, Official Community Plan policy recommends discouraging residential development (both expansions and new developments) in areas isolated within agricultural environments.

While the subject property is located near the outer reaches of the City and is relatively isolated, the placement of a modular home will achieve the social objective of aiding the aging in place of the current owners. Further, while the subject property is zoned A1 - Agriculture 1, the parcel and those in close proximity do not function as viable agricultural parcels and thus, existing agricultural viability and production will not be negatively impacted by the addition of a single residential unit.

Given that a social objective can be obtained with little or no impact on agricultural production, Land Use Management recommends support for this application. Should Council approve the rezoning application, a Building Permit application will be required to review the placement of the mobile home.

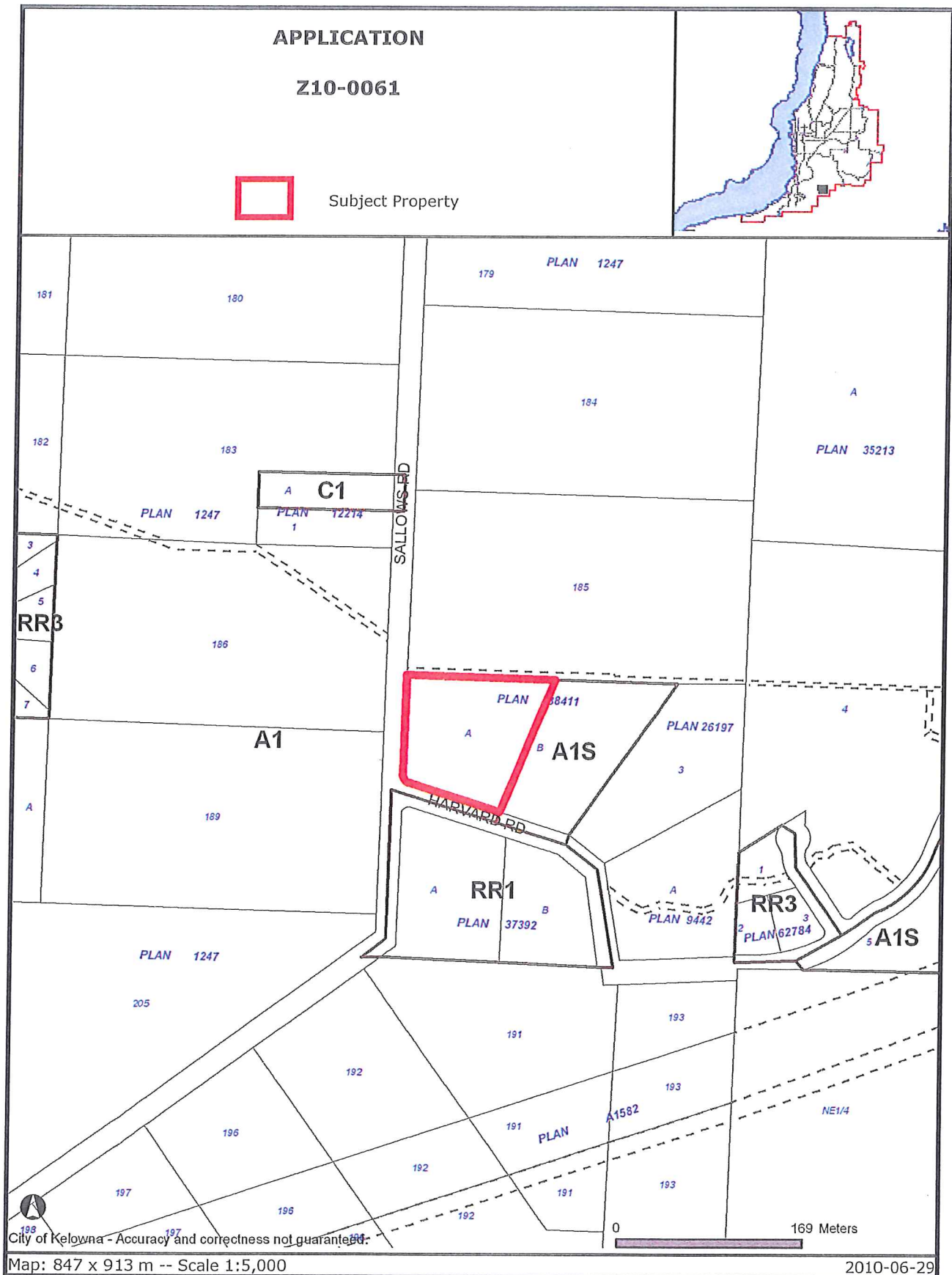
for: 

Danielle Noble
Manager, Urban Land Use

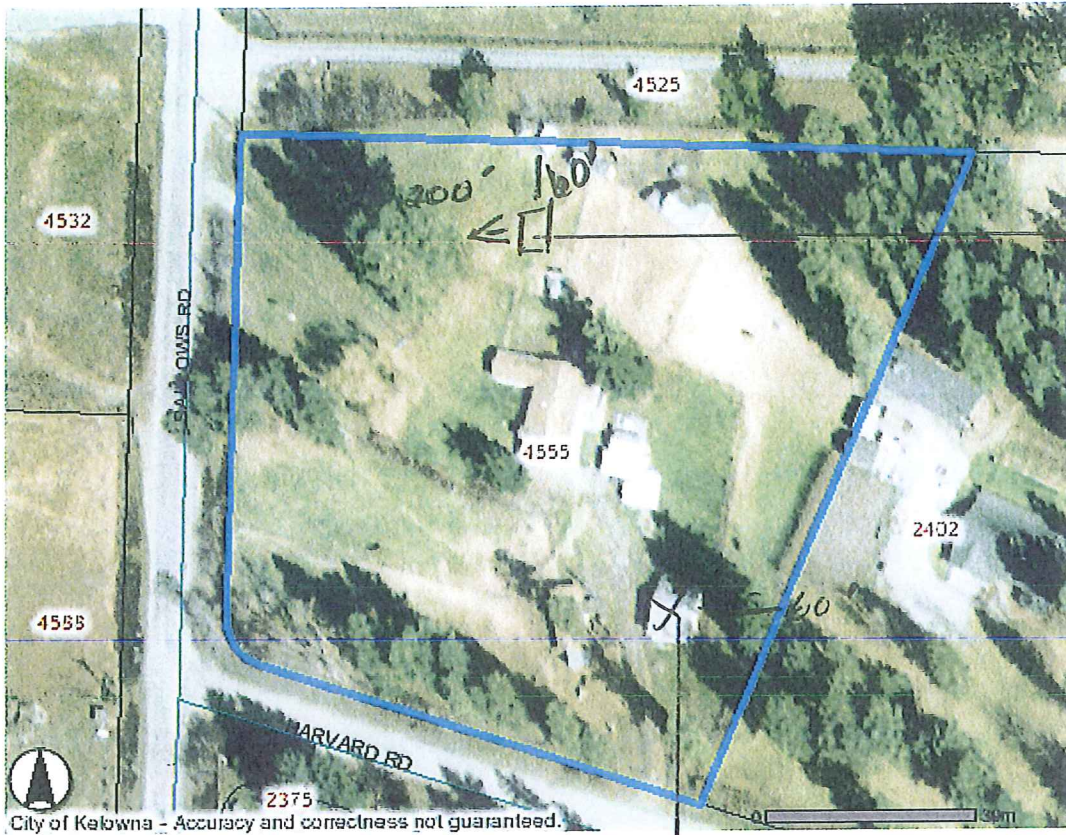
Approved for inclusion: 
Shelley Gambacort
Director, Land Use Management

Attachments:
Subject Property Map
Site Plan
Development Engineering Branch Comments
Letter from Interior Health dated August 11, 2010

Date Application Accepted: June 28, 2010



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.



MODULAR.

→ OLD CABIN TO BE REMOVED

CITY OF KELOWNA
MEMORANDUM

Date: July 7, 2010
File No.: Z10-0061

To: Land Use Management Department (GS)

From: Development Engineering Manager

Subject: 4555 Sallows Road A1 to A1s

Development Engineering Services have the following requirements associated with this rezoning Application.

1. Domestic Water and Fire Protection

This development is within the service area of the Southeast Kelowna Irrigation District (SEKID). The developer is required to make satisfactory arrangements with the SEKID for these items. All charges for service connection and upgrading costs are to be paid directly to the SEKID.

2. Sanitary Sewer

Sanitary sewage is to be handled by an on-site sewage disposal system subject to approval of the Provincial Public Health Officer. Please contact the Public Health Officer.

3. Site Related Issues

Provide on-site parking for the proposed dwelling.

4. Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.

Steve Muenz, P. Eng.
Development Engineering Manager

SS



RE-ZONING APPLICATION RESPONSE SUMMARY

August 11, 2010

Your File #: Z10-0061
Our File #: 13-232-00641
(Jeffrey)

Referral Agency: City of Kelowna – Brenda Nelmes
Owner/Applicant: William & Lynn Jeffrey
4555 Sallows Road
Kelowna, B.C. V1W 4C2

Legal Description: Lot A, Plan 38411

Site Location: 4555 Sallows Road, Kelowna, B.C. ("the Property")

Thank you for the opportunity to provide comment on the above-named Re-Zoning Application. Interior Health's recommendations are based on compliance with all applicable sections of the *B.C. Sewerage System Regulation* (B.C. Reg. 326, 2004), and the *B.C. Drinking Water Protection Act* (S.B.C. 2001, c.9) and its Regulations. We welcome the option to offer input to ensure that all newly proposed developments reflect the best options for public health protection and healthy built environments.

The proposed re-zoning appears to require further information or supporting documentation:

Onsite Wastewater Systems

As the property in question is not currently serviced by community sewerage, we will require confirmation from an Approved Person (either a Registered Onsite Wastewater Practitioner or Professional Engineer with experience in sewerage systems) that there is adequate space available on the Property to provide on-site sewerage for both dwellings. We require confirmation that adequate space is available to provide primary and replacement dispersal field areas for the new dwelling, as well as a replacement field area for the existing dwelling. This information should come in the form of a report stamped with the seal of the Authorized Person, and include soils information (based on two test pits each for both areas for the new system, and the replacement field area for the existing system), and hydraulic conductivity information (based on soil percolation or permeameter tests). All test pits should be flagged for safety and left open, pending inspection by this office.

Furthermore, we will also require confirmation that the existing sewerage system has been pumped in the past four years, and is in proper working condition.

Drinking Water

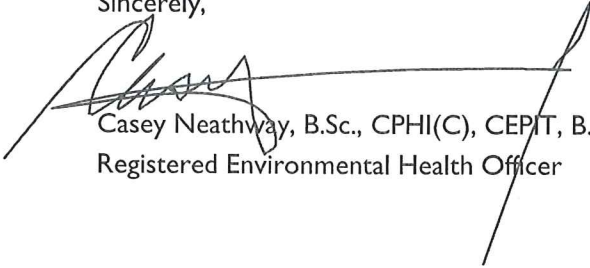
Please note that for private water supplies we do suggest that home owners have their water tested by an approved laboratory for comparison to the *Guidelines for Canadian Drinking Water Quality*. For further information on water testing, please contact your nearest Interior Health office.

Brenda Nemes
August 4, 2010

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Z10-0061 (Jeffrey)

If you have any questions or require further information, please don't hesitate to contact the undersigned.

Sincerely,



Casey Neathway, B.Sc., CPHI(C), CEPIT, B.I.T.
Registered Environmental Health Officer

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HEALTH PROTECTION
Less Risk – Better Health

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