

Memo



Date: June 24, 2011

To: City Manager

From: Land Use Management, Community Sustainability

Application: Z11-0038

Owner: Gary & Darlene Lewis

Address: 3984 Bluebird Rd.

Applicant: Gary & Darlene Lewis

Subject: Rezoning Application

Existing OCP Designation: Single / Two Unit Residential

Existing Zone: RU1 - Large Lot Housing

Proposed Zone: RU1s - Large Lot Housing with Secondary Suite

1.0 Recommendation

THAT Rezoning Application No. Z11-0038 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of Parcel Z, Section 1, Township 25, O.D.Y.D., Amended Plan 1452, located on Bluebird Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU1s - Large Lot Housing with Secondary Suite zone, be considered by Council;

AND THAT the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration.

AND FURTHER THAT final adoption of the Zone Amending Bylaw be considered in conjunction with Council's consideration of a Development Variance Permit on the subject property.

2.0 Purpose

This application seeks to rezone the subject property from the RU1- Large Lot Housing zone to the RU1s - Large Lot Housing with a secondary suite zone in order to allow the development of a suite in an accessory building. A Development Variance Permit application is required as the proposed accessory building with secondary suite is to be located between the principal dwelling and the street (the front yard setback is less than the required 18 m).

3.0 Land Use Management

The proposed rezoning acknowledges an existing legal non-conforming use on the subject property and aims to ensure the continued use of the property for a secondary suite in an accessory building. Accordingly, it supports a more efficient use of the subject property and helps to diversify the housing supply in the area. 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. The subject property is in close proximity

to parks, schools, transit, recreational opportunities, and neighbourhood commercial retail. Properties zoned RU6 and RU1s exist in the immediate area where secondary suites are permitted.

Minimal impact (if any) is anticipated on abutting properties, as parking requirements and private open space provisions are achieved on-site. Should the land use be favourably considered, the Development Variance Permit application will be reviewed at a future date.

4.0 Proposal

4.1 Background / Project Description

The principal dwelling that is located closest to the lake was constructed in 1975. As part of that Building Permit application, the existing cottage was to remain on the property which created two units on the property.

As the applicant wishes to replace the old cottage building with a new accessory building containing a suite, a rezoning application is required. The new accessory building is proposed to occupy the same location as the existing cottage. As the cottage was located in the front yard adjacent to Bluebird Road (at a setback that is less than twice the required front yard setback) a Development Variance Permit is triggered to vary the front yard setback requirement to the accessory building as the new construction is not grandfathered for the original siting. The new construction of the accessory building requires that the land use (zoning) and the siting conform to the current development regulations. The proposed accessory building is designed to be 4.5 m (1½ storeys) with two bedrooms on the upper level, and kitchen, living room, and garage on the lower level.

4.2 Site Context

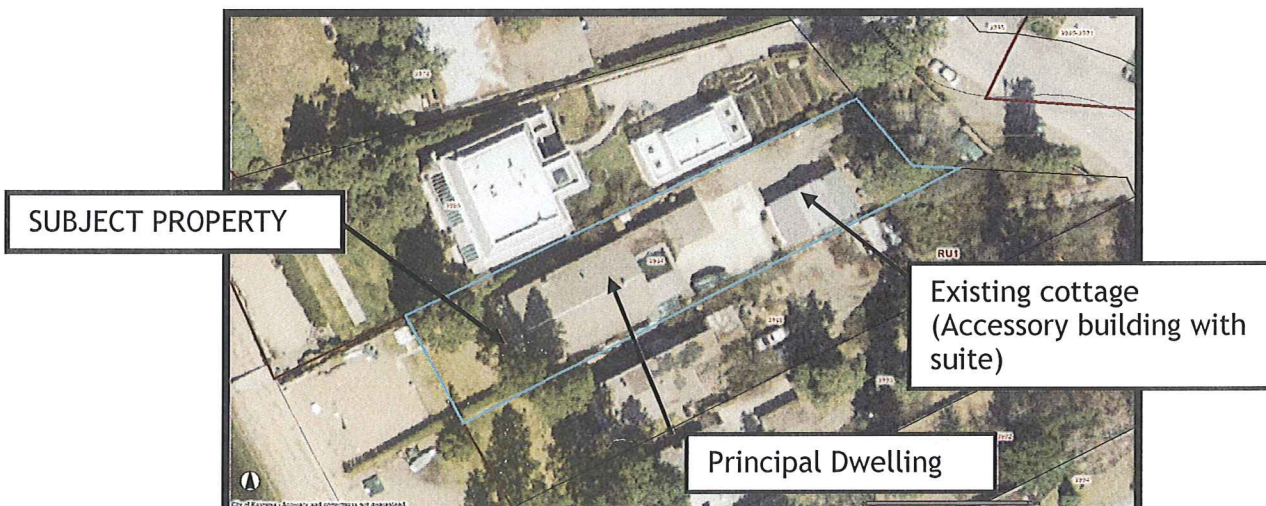
The subject property is located on the west side of Bluebird Road in the Mission Area.

More specifically, the adjacent land uses are as follows:

- North West RU1 Large Lot Housing - Single Unit Housing
- North East RU1 Large Lot Housing - Single Unit Housing
- RU6 Two Dwelling Housing/Bluebird Rd.
- South West W1 Recreational Water Use/Okanagan Lake
- South East RU1 Large Lot Housing - Single Unit Housing

4.3 Subject Property Map

3984 Bluebird Road



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

Zoning Analysis Table		
CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	1,255 m ²	550 m ²
Lot Width	16.5m	16.5m
Lot Depth	57 m	30m
Development Regulations		
Site Coverage (Buildings only)	19%	40%
Site Coverage (Buildings and driveway)	47.5%	50%
Existing Dwelling		
Height		2 ½ storeys / 9.5m
Floor Area	297 m ²	
Front Yard	38 m	4.5m or 6.0m to garage
Side Yard (south east)	1.5 m	1 or 1½ storey 2.0m 2 or 2½ storey 2.3m
Side Yard (north west)	3.0m	1 or 1½ storey 2.0m 2 or 2½ storey 2.3m
Rear Yard (Okanagan Lake)	12.5m	7.5 m
Accessory Building with Suite		
Height		4.5 m
Floor Area	89.8 m ²	
Front Yard	6.0m ①	2x 4.5m = 9.0m
Side Yard (south east)	2.0m	2.0m
Side Yard (north west)	6.24	2.0m
Rear Yard (Okanagan Lake)	55 m	1.5m
Separation between dwellings	16 m	4.5 m
Other Regulations		
Minimum Parking Requirements	3 stalls provided	3 stalls required
Private Open Space	Meets requirements	30 m ² per unit

NOTE:

① Vary Section 6.5.8 of the Zoning Bylaw from 2 times the required front yard setback (2 x 4.5m) = 9.0m required to 6.0m proposed.

5.0 Current Development Policies

No supporting policy information is available in *2030 Kelowna Official Community Plan*. Housing policy documentation is expected to be reviewed by Council shortly.

6.0 Technical Comments

6.1 Building & Permitting Department

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

2) A minimum Geodetic Elevation of 343.66 meters is required for all habitable spaces including the parking garage(s).

6.2 Bylaw Services

No concerns

6.3 Development Engineering Branch

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

1. Domestic Water and Fire Protection

This property is currently serviced with a 19mm-diameter copper water service. The service will be adequate for this application. Metered water from the main residence must supply the proposed suite.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service which is adequate for this application.

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.

6.4 Environment & Land Use Branch

The Environment & Land Use Branch recommend that the foreshore of Okanagan Lake be protected via a no build/no disturb Section 219 Restrictive Covenant to be registered under the Land Title Act against the title of the subject property to effectively preserve the Riparian Management Area. The Riparian Management/No Disturb Covenant area is all the land within the property measured 15 meters upland of the Natural Boundary of Okanagan Lake.

NOTE: *The applicant has provided mapping that shows that the natural boundary of Okanagan Lake is greater than 15m from property line, therefore no restrictive covenant is required.*

6.5 Fire Department

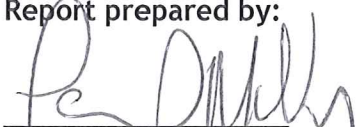
1. An unobstructed and easily distinguishable firefighter access path, of 1100 mm, from the street to the back of the property line as well to the secondary detached suite main entrance is required.
2. If a fence is ever constructed between the dwellings an 1100 mm, clear width, gate is required. Any gate is to open with out special knowledge.

3. The addresses for both residences are to be visible from Bluebird Rd.

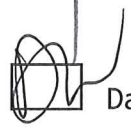
7.0 Application Chronology

Date of Application Received: May 10, 2011

Report prepared by:


Paul McVey, Urban Land Use Planner

Reviewed by:

 Danielle Noble Manager, Urban Land Use Management

Approved for Inclusion:

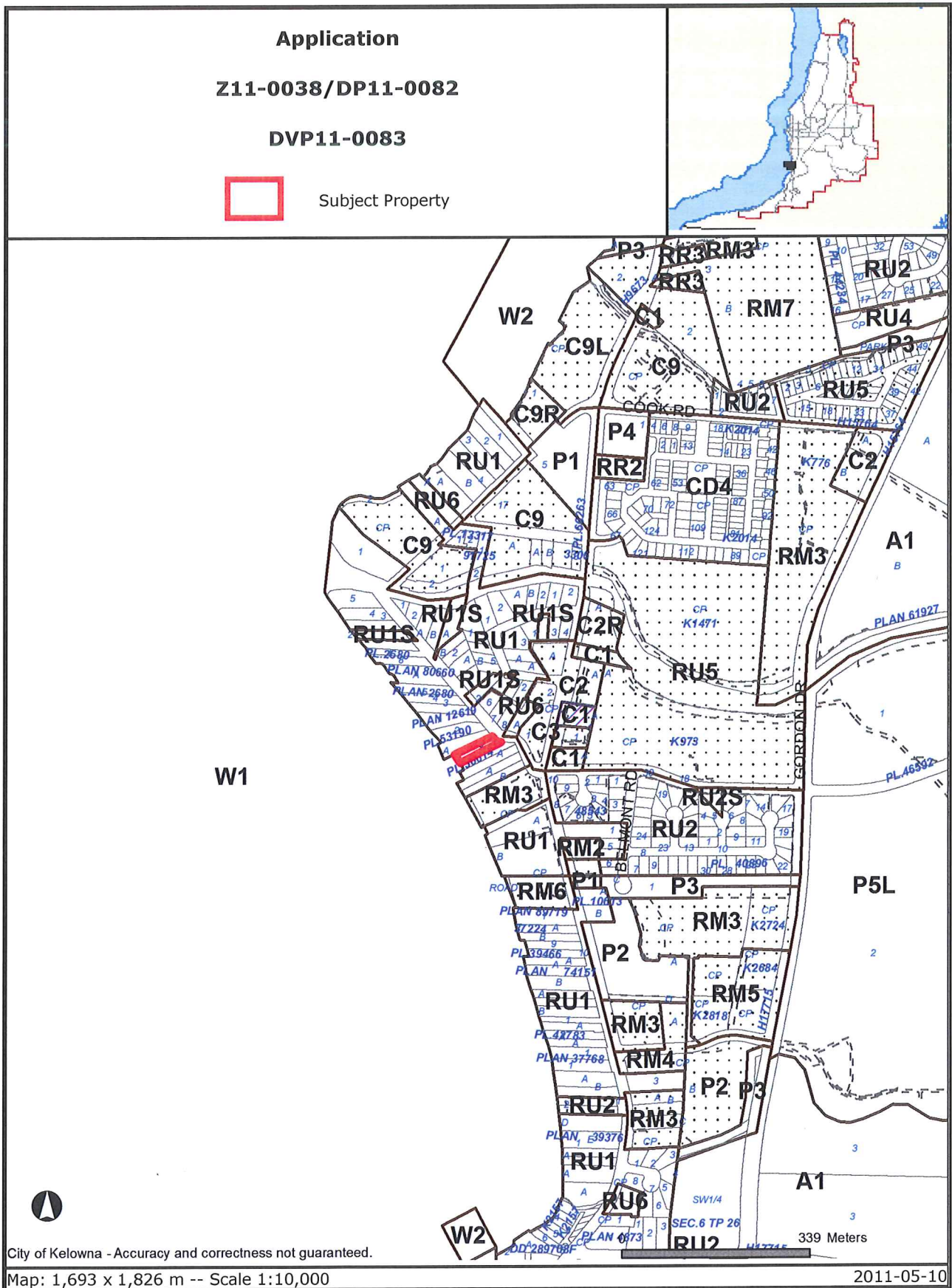
 Shelley Gambacort, Director, Land Use Management

Attachments:

- Subject Property Location Map
- Site Plan and Landscaping
- Conceptual Building Elevations
- Context/Site Photos

Handwritten notes:
11/23/11
11/23/11





*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.*

April 2011



EXISTING COTTAGE



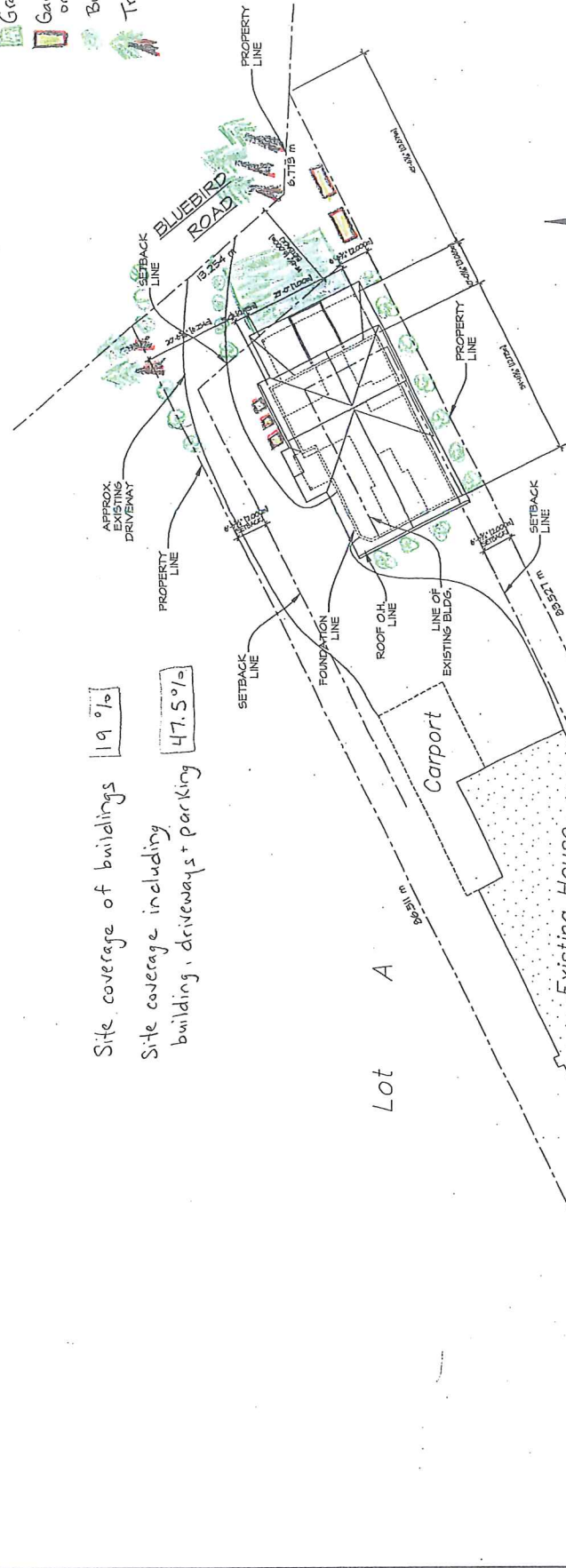
VIEW OF DISTANCE BETWEEN COTTAGE + HOUSE

LANDSCAPING

-  Grass area
-  Garden box or planter
-  Bushes
-  Trees

Site coverage of buildings 19.0%

Site coverage including building, driveways + parking 47.50%



Lot 3

PARCEL Z
1255.65 m²

NOTE:
EXACT BUILDING LOCATION & ELEVATION TO BE DETERMINED ON SITE. CONSULT REGISTERED LOT PLAN PRIOR TO CONSTRUCTION.

BAXTER DESIGN
ARCHITECTS & INTERIORS INC.
4015 WARDEN RD., #101
RICHMOND, B.C. V6V 1W1
PH: (604) 271-8822
WWW.BAXTERDESIGN.COM

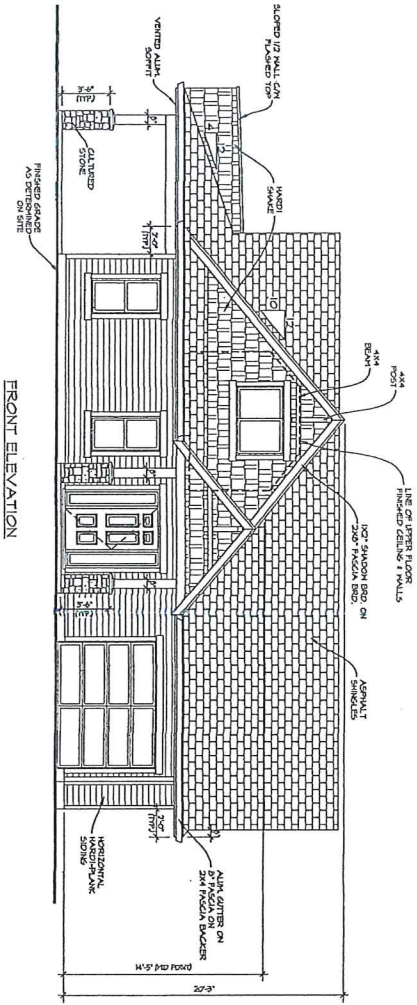
PROPOSED CARRIAGE HOUSE FOR PARCEL Z, LOT 3, 1255.65 M², KILLOWNA, B.C.
DRAWING SCALE: 2/32" = 1'-0"
DATE: MARCH 4, 2011
REV. DATE(S):
DRN. BY: S.A.B. / L.L.C.

1/6

ERRORS AND OMISSIONS

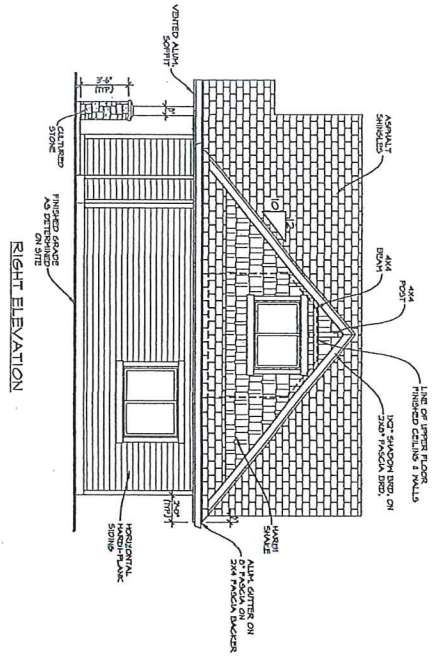
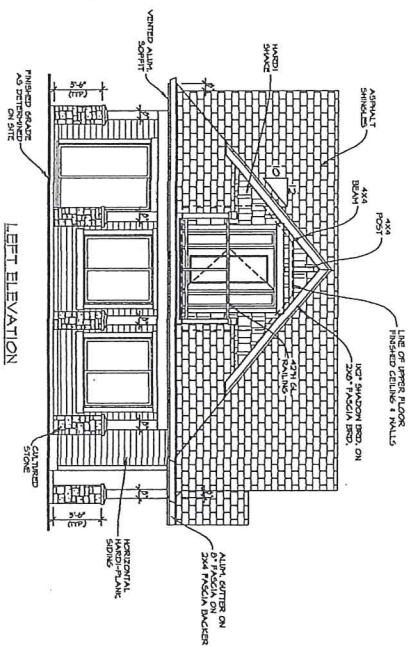
BAXTER DESIGN & SHANE BAXTER shall not be responsible for any variances in the field or any other conditions not shown on this plan, including but not limited to, but not limited to, the following:

- BAXTER DESIGN & SHANE BAXTER shall not be responsible for any variances in the field or any other conditions not shown on this plan, including but not limited to, but not limited to, the following:
- BAXTER DESIGN & SHANE BAXTER shall not be responsible for any variances in the field or any other conditions not shown on this plan, including but not limited to, but not limited to, the following:
- BAXTER DESIGN & SHANE BAXTER shall not be responsible for any variances in the field or any other conditions not shown on this plan, including but not limited to, but not limited to, the following:

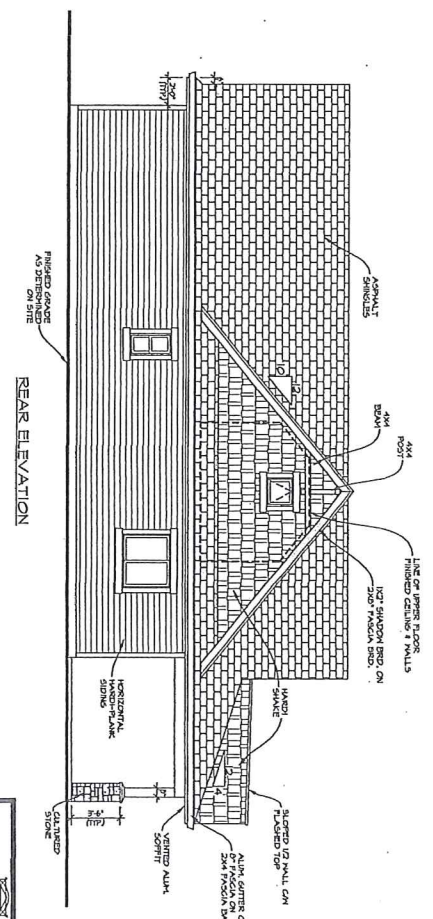


FRONT ELEVATION

LEFT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

ERRORS AND OMISSIONS

BAKTER DESIGN & ARCHITECTURE shall not be responsible for any omissions or errors in this drawing. The user of this drawing is advised that the user of this drawing is responsible for the accuracy and completeness of the information contained herein. The user of this drawing is advised that the user of this drawing is responsible for the accuracy and completeness of the information contained herein. The user of this drawing is advised that the user of this drawing is responsible for the accuracy and completeness of the information contained herein.

BAKTER DESIGN & ARCHITECTURE
 401 W. 10th St., Suite 100
 Des Moines, IA 50319
 Phone: 515-281-8182
 Fax: 515-281-8183
 Email: baxterdesign@baxterdesign.com

PROPOSED GARAGE HOUSE FOR
 3944 BURNING ROAD
 KELOWNA, B.C.

DATE: MARCH 4, 2011
 DRAWING SCALE: 1/4" = 1'-0"
 REV. DATE: 03/04/2011
 DRN. BY: SUE / E.L.C.

2/6