

Memo



Date: August 8, 2011

To: City Manager

From: Land Use Management, Community Sustainability (GS)

Application: Z11-0060 **Owners:** DRS Ventures Ltd.

Address: 1800 Crosby Road **Applicant:** DE Pilling & Associates Ltd.

Subject: Rezoning Application (Secondary Suite)

Existing OCP Designation: Multiple Unit Residential (Low Density)
Major Park / Open Space (public)
Single /Two Unit Residential Hillside

Existing Zone: A1 - Agriculture 1

Proposed Zone: A1s - Agricultural 1 with Secondary Suite

1.0 Recommendation

THAT Rezoning Application No. Z11-0060 to amend the City of Kelowna Zoning Bylaw No. 8000, by changing the zoning classification of The South East ¼ of Section 5 Township 23 ODYD Except Plan 896, located at 1800 Crosby Road, Kelowna, BC from the A1 - Agriculture 1 zone to the A1s - Agricultural 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 Development Engineering Department being completed to their satisfaction;

AND FURTHER THAT a building permit application for the secondary suite be received prior to final adoption of the zone amending bylaw.

2.0 Purpose

The applicant is proposing to rezone the subject property from the A1 - Agriculture 1 zone to the A1s - Agricultural 1 with Secondary Suite zone, in order to construct a secondary suite within a principal residence.

3.0 Land Use Management

This rezoning application for a secondary suite within the principal dwelling currently under construction. The City has policy that supports a secondary suite in the A1 - Agriculture zone where the secondary suite is proposed within the principal dwelling. This is the case with the proposed rezoning.

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While City staff are supporting the proposed rezoning to A1s to facilitate this secondary suite, Council should be aware of the future implications of doing so with respect to Parks and Open Space in Glenmore.

As illustrated on the future land use map, Section 4.4 below, the principal dwelling and proposed secondary suite are located on land with a future parks and open space designation. The principal dwelling is an outright permitted use on the land and would not be subject to additional scrutiny with respect to future land use. The rezoning to allow a secondary suite is discretionary however, and lends itself to a higher level of scrutiny in terms of the building location and impacts to future land use.

The Parks & Public Spaces Branch of the Infrastructure Planning Department has noted the greatest concern with respect to the subject property and intended use. Of concern is that if this rezoning is approved, the future costs for the City to purchase the land to convert to park will be increased.

Of additional concern is that the location of the dwelling with suite will block public access from a popular, albeit unsanctioned (private) trail. The issue of public access is of concern to parks planners as the trail is one of the only connection points from the populated Glenmore Valley to the upper highlands (natural area). As a result it is very desirable for the City to maintain (secure) access through this connection point.

4.0 Proposal

4.1 Project Description

The landowner is seeking to develop a secondary suite in a principal dwelling currently under construction. The proposal complies with the Zoning Bylaw No. 8000 provisions for the A1s - Agriculture 1 with Secondary Suite zone as follows:

Criteria	Requirement / Maximum	Proposed
Site Coverage (residential development)	10 %	<10 %
Front Yard	6.0 m	6.0 m
Side Yard (south)	3.0 m	>3.0 m
Side Yard (north)	3.0 m	>3.0 m
Rear Yard	10.0 m	>10.0 m
Secondary Suite Area	Lesser of 90 m ² or 75% of the total floor area	75.7 m ² and 16 %
Private Open Space	30 m ² per dwelling	45 m ² (suite)
Parking	2 for principal dwelling and 1 for secondary suite = 3 total	>3 spaces

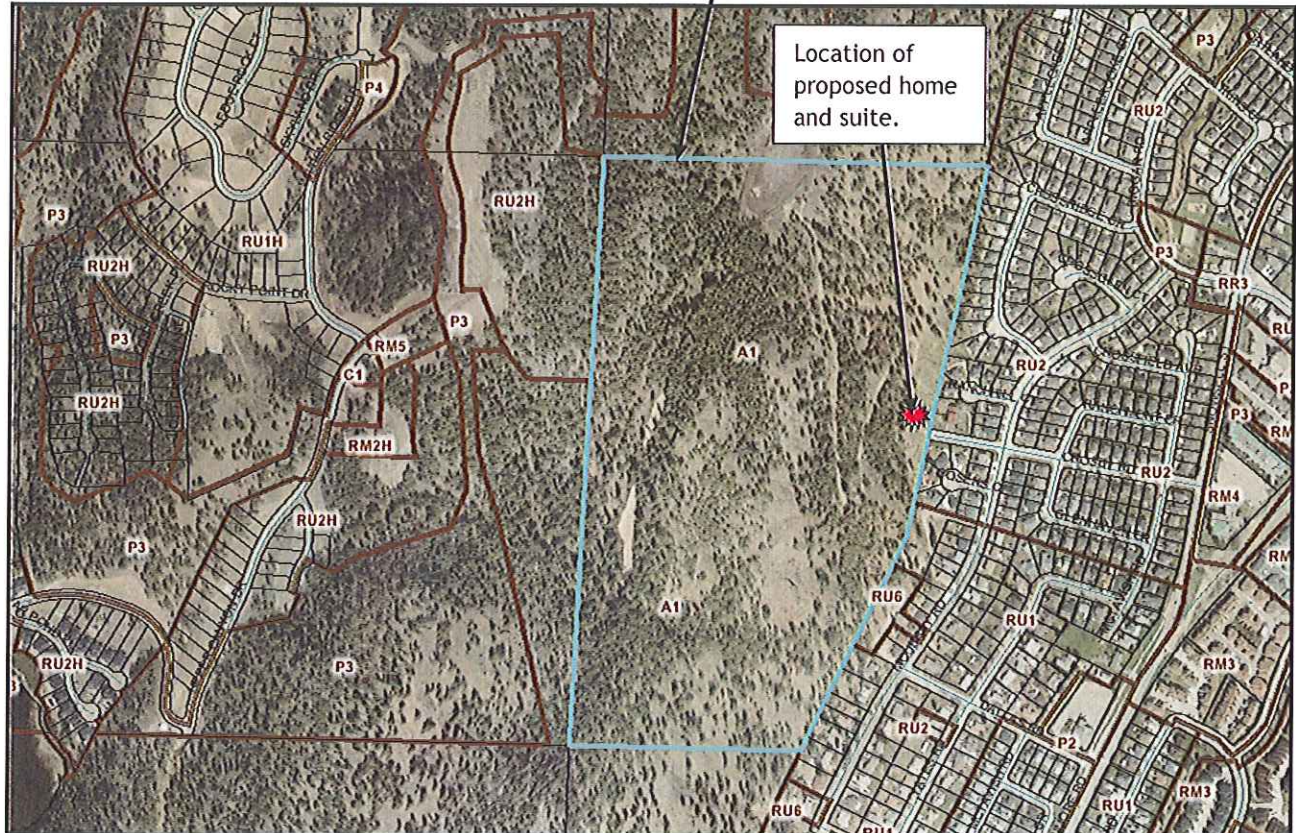
4.2 Site Context

The subject property is located in the Glenmore/Clifton/Dilworth sector. The subject property is adjacent to a developed community comprised of single family dwellings to the east. The immediate area is void of legal secondary suites. The parcels to the south, west and north are presently undeveloped.

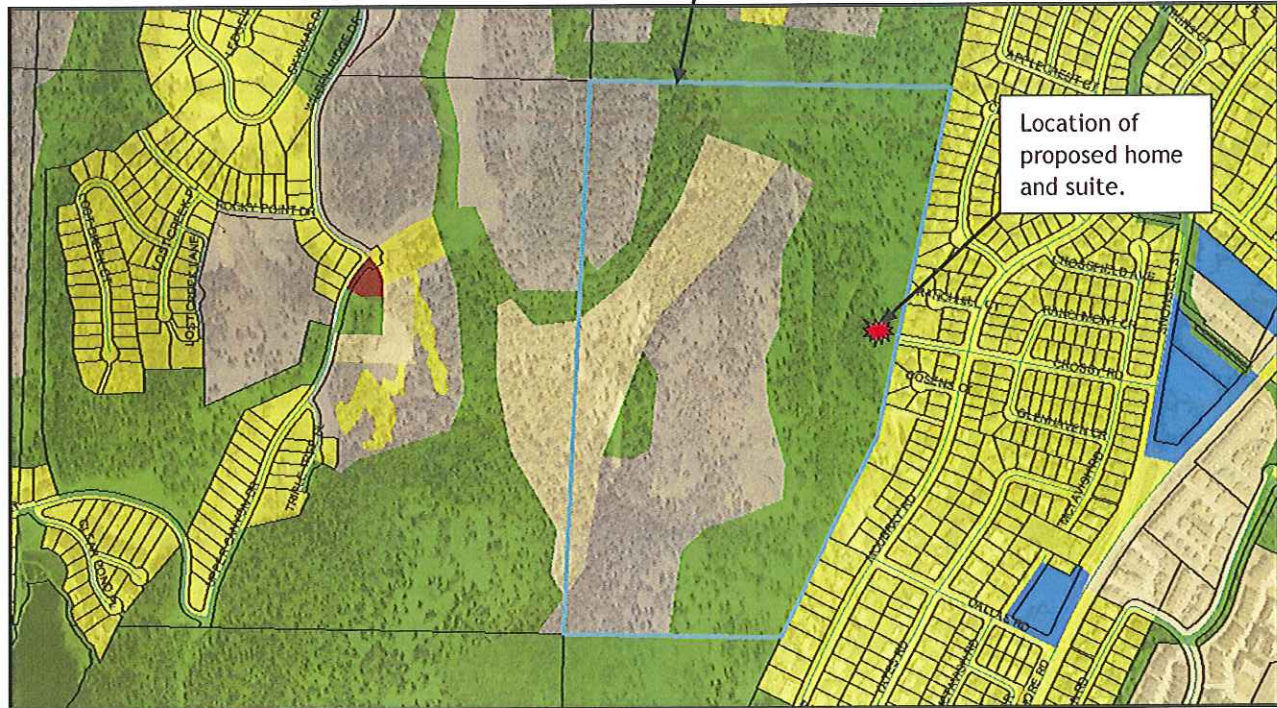
Specifically, the adjacent zones and land uses include:

Direction	Zone	Land Use
North	A1 - Agriculture	Natural Area
South	A1 - Agriculture	Natural Area
East	RU1 - Large Lot Housing RU2 - Medium Lot Housing RU6 - Two Dwelling Housing	Residential
West	A1 - Agriculture RU2H - Medium Lot Housing (Hillside)	Natural Area

4.3 Subject Property Map -1800 Crosby Road



4.4 Future Land Use Map -1800 Crosby Road



5.0 Current Development Policies

5.1 Official Community Plan (Kelowna 2030)

Objective 5.34 Preserve productive agricultural land.

Policy .1 Secondary Suites. Encourage secondary suites on agricultural land to be located within a permitted principal dwelling.

Objective 7.12 Provide active and passive parks for a diversity of people and a variety of uses.

Policy .2 Natural Area Parks and Open Space. Provide a city-wide network of natural area parks which meet the following criteria:

- contains representative Okanagan ecosystems;
- contains areas of outstanding natural beauty (including areas with high visual sensitivity and high visual vulnerability, such as rocky outcrops, ridge lines, hilltops, silt slopes, canyons, and
- water edges);
- the land area is contiguous and forms part of a larger open space network;
- contains conservation areas;
- protects viewshed corridors; and
- where appropriate, trails which maximize public safety while minimizing human impact on the most sensitive and vulnerable areas.

6.0 Technical Comments

6.1 Infrastructure Planning

The OCP Future Land Use Map identifies a portion of the subject property as future park and open space. The future designation was determined as part of the land use in the Glenmore

Highlands Area Structure Plan (2000) and forms part of the park network for the area. The park designation is a result of both environmental and passive recreation objectives.

The portion that has been designated as future park is also the area in which the applicant is constructing a single family dwelling and proposes to rezone to include a secondary suite. If approved, the future costs to purchase the land to convert to park will be increased.

In addition, the location of the house will block the public from using a popular, albeit unsanctioned (private) trail. This issue of public access is of concern to parks planners as the trail is one of the only connection points from the populated Glenmore Valley to the upper highlands (natural area). As a result it is very desirable for the City to maintain (secure) access through this connection point.

6.2 Building & Permitting Branch

Development Cost Charges of \$2,500 are required to be paid prior to issuance of any Building Permits. Operable bedroom windows required as per the 2006 edition of the British Columbia Building Code (BCBC 06). Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.3 Development Engineering Branch

The subject property is not currently serviced by a water or sanitary sewer connection. A servicing agreement and bonding is required for both connections as part of this application.

See attached memorandum.

6.4 Fire Department

Requirements of section 9.10.9.14, Secondary Residential Suites, of the BCBC 2006 are to be met. Smoke Alarms as per section 9.10.19 of the BCBC are required. Additional address for the suite is required.

6.5 Irrigation District (GEID)

Water Service Certificate for one water service for one single family dwelling with one suite obtained (May 31, 2011).

6.6 Interior Health Authority (Public Health Inspector)

As the proposed development will be serviced by existing community drinking water system, IH has no objection to this proposal from a water servicing perspective. However, it should be noted that the Glenmore-Ellison Irrigation District (GEID) does not meet the 43210 Drinking Water Objectives as previously provided, and is currently or frequently on a Water Quality Advisory. As per Section 17(2) of the Public Health Act Transitional Regulation (BC Reg. 51/2009 amended to 296/2010), the landlord must supply safe and potable water.

7.0 **Application Chronology**

Date of Application Received July 12, 2011

All Comments Received July 29, 2011

Report prepared by:


Greg Sauer, Environment & Land Use Planner

Reviewed by:



Danielle Noble, Manager, Urban Land Use

Approved for inclusion:



Shelley Gambacort, Director, Land Use Management

Attachments:

Subject Property Map

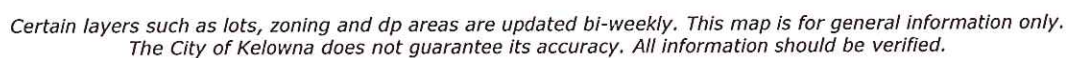
Site Plan

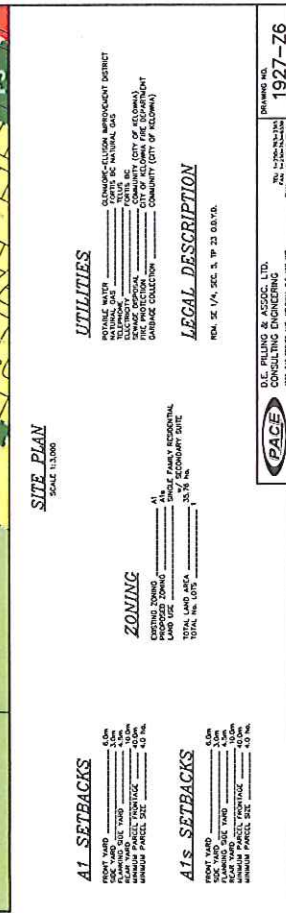
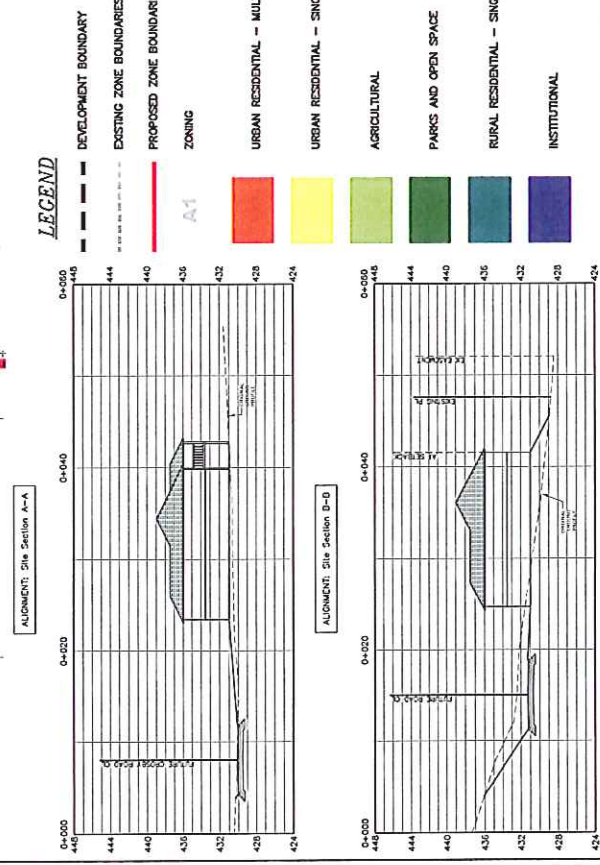
Elevation Drawings (2)

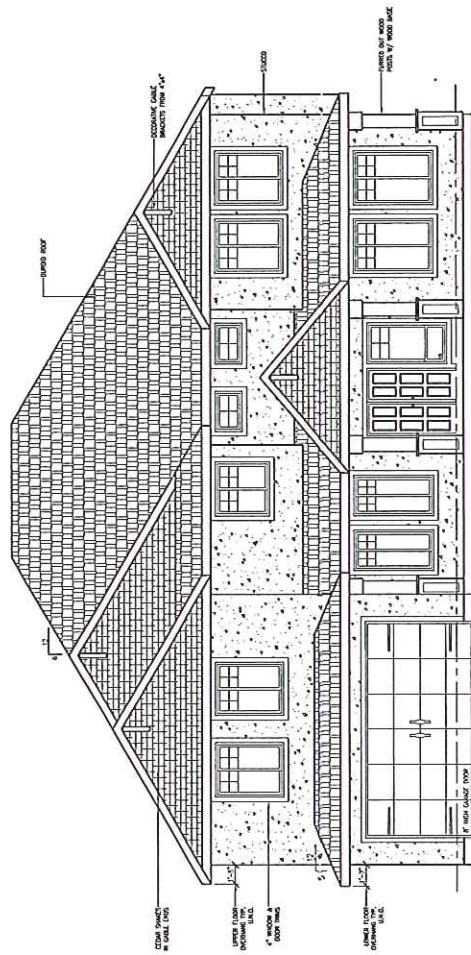
Floor Plans (2)

Cross-section

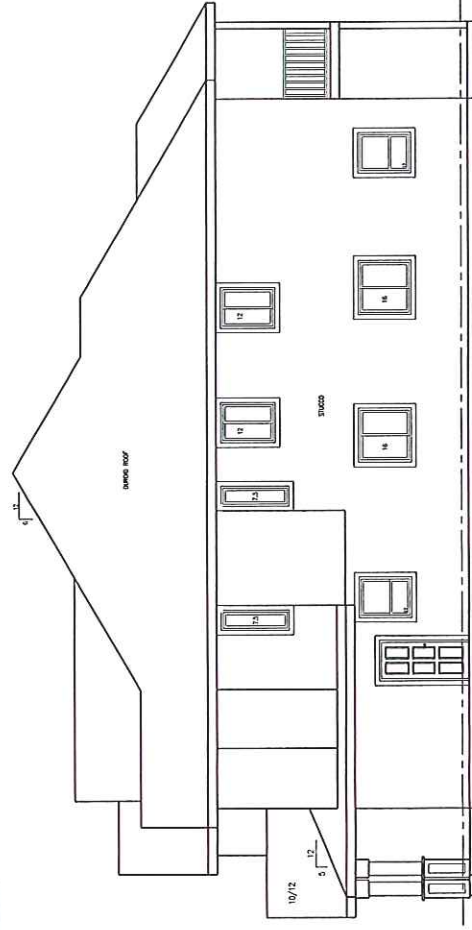
Development Engineering Branch Memorandum




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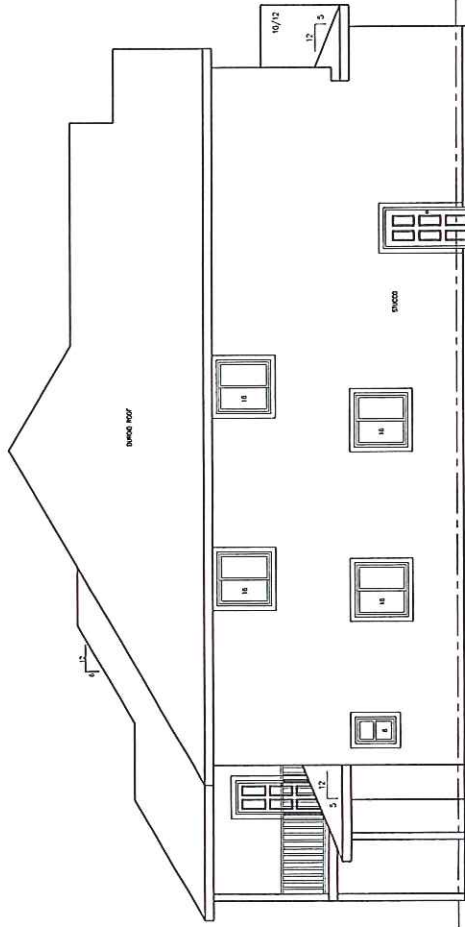
— FRONT ELEVATION —



— RIGHT ELEVATION —


DRAWING NO.	REFERENCE	NO.	REVISION	BY	DATE	<div>  Phillon Design </div>	TITLE	DATE	SCALE	DRAWING NO.	<div> <div> <div>PHILLON DESIGN</div> <div>1000 W. 17th Street, Suite 100</div> <div>Wichita, KS 67203</div> <div>Phone: (316) 261-1111</div> <div>Fax: (316) 261-1112</div> <div>Website: www.phillon.com</div> </div> <div> <div>DD011-5636-P1</div> <div>DATE: 04/02/2011</div> <div>BY: J.D.</div> <div>CHK: J.D.</div> <div>DATE: 04/02/2011</div> </div> </div>
							PROPOSED RESIDENCE FOR DHAMI BROTHERS CROSBY STREET KETOWN, N.C.		1/4" = 1'		

THESE PLANS COMPLY WITH ALL REQUIREMENTS OF THE IBC.



- LEFT ELEVATION -

- LEFT ELEVATION -

DRAWING NO.	REFERENCE	NO.	REVISION	BY	DATE		PROPOSED RESIDENCE FOR DHAM BROTHERS CROSBY STREET KELOWNA, B.C.	TITLE 1/4" = 1'	DWG. SCALE DATE CADD FILE PHOTO	DRAWING NO. DD11-5636-P2	PHILLON DESIGN 1000-1000 AVENUE SUITE 100, VICTORIA, BC V8W 2E6 TEL: 250-383-2588 FAX: 250-383-2589 WWW.PHILLONDESIGN.COM

CITY OF KELOWNA
MEMORANDUM

Date: July 29, 2011
File No.: Z11-0060

To: Land Use Management Department (GS)

From: Development Engineering Manager

Subject: 1800 Crosby Road Suite in Residence

Development Engineering has the following comments and requirements associated with this application..

1. Domestic Water

This property is not currently serviced with a water service. The applicant has submitted engineering drawings with proposed services that have been approved by development engineering. **A servicing agreement and bonding is a requirement of this application.**

2. Sanitary Sewer

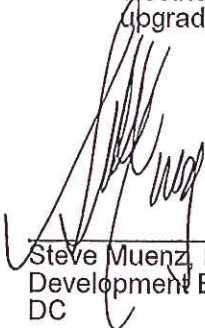
This property is not currently serviced with a sanitary sewer service. The applicant has submitted engineering drawings with proposed services that have been approved by development engineering. **A servicing agreement and bonding is a requirement of this application.**

3. Development Permit and Site Related Issues

The 2nd driveway is not supportable in the future. As it is a private driveway at this time it is acceptable, however in the event that the road goes through as shown on the site plan, the 2nd access would need to be removed. We recommend to plan now for this eventuality and pull a single access into the site and then split into two accesses/parking areas.

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
DC