

REPORT TO COUNCIL



Date: July 5, 2012
To: City Manager
From: Land Use Management, Community Sustainability (JM)
Application: Z12-0042 **Owner:** Lane & Maegan Merrifield
Address: 10 - 180 Sheerwater Court **Applicant:** MGC Construction Ltd.
Subject: Rezoning Application
Existing OCP Designation: Resource Protection Area
Major Park/Open Space (public)
Existing Zone: RR1 - Rural Residential 1
Proposed Zone: RR1s - Rural Residential 1 with Secondary Suite

1.0 Recommendation

THAT Rezoning Application No. Z12-0042 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lot 25, Section 6, Township 23, ODYD, Strata Plan KAS3129 Together With An Interest In Common Property In Proportion To The Unit Entitlement Of The Strata Lot As Shown On Form V, located on 10 - 180 Sheerwater Court, Kelowna, BC from the RR1 - Rural Residential 1 zone to the RR1s - Rural Residential 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 FURTHER THAT final adoption of the Zone Amending Bylaw be considered in conjunction with Council's consideration of a Development Variance Permit for the subject property.

2.0 Purpose

The applicant is seeking a rezoning in order to permit a detached secondary suite on the subject property in the form of a guest house.

3.0 Land Use Management

Land Use Management staff are generally supportive of the proposed development. The detached secondary suite ("guest house") has been designed so as to form an integral component of the overall site development, thereby minimizing impact to adjacent parcels and maximizing lake views.

It should be noted that there are no examples of detached secondary suite development in the immediate vicinity and very few in the wider area.

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4.0 Proposal

4.1 Background

The subject property formerly consisted of three separate legal lots, which have subsequently been consolidated to form one larger parcel. The principal dwelling on the parcel and the detached garage are presently under construction.

4.2 Project Description

The applicant is proposing to construct a detached secondary suite in the form of a one bedroom, single storey guest house on the subject property. The detached suite is proposed to be 89.7m² in area and is situated approximately 25m west of the principal dwelling.

All buildings (principal dwelling, guest house, garage) are accessed via a circular vehicle concourse. While the principal dwelling and the attached garage are accessed at grade from this point, the guest house is accessed below grade via staircase from the vehicle concourse.

All buildings on the site have been designed comprehensively to maximize lake and valley views and to mitigate visual impact. To this end, the guest house and principal dwelling are linked via a common retaining wall into which the guest house is integrated. To mitigate visual impact, the guest house has been designed so that its roof is at approximately the same grade as the concourse. The guest house has also been designed with a green roof, which is the only portion of the structure visible from the vehicle concourse.

Parking for the detached suite is located in the garage attached to the principal dwelling on the parcel. The site will also benefit from significant new landscaping, concentrated around the principal dwelling and alongside the driveway. Existing vegetation on the slope below the proposed development will remain and is subject to a restrictive covenant preventing future disturbance. Ample private open space is provided on site.

This proposal triggers a Development Variance Permit (DVP), to vary the height of the accessory building, which will be considered by Council at a later date, should the application be successful. Development Permit (DP) is also required, and will be executed at a staff level.

4.3 Site Context

The subject property is approximately 3.4 ha in area and is located west of Clifton Road at the northwest corner of the Sheerwater development. The property presently contains a principal dwelling and a detached garage both currently under construction. Much of the parcel is comprised of lands having grades in excess of 30%.

The surrounding area is characterized by similar rural residential development on large parcels. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Okanagan Lake	Okanagan Lake
East	RR1 - Rural Residential 1	Rural residential
South	RR1 - Rural Residential 1	RR1 - Rural Residential 1
West	RR1 - Rural Residential 1	RR1 - Rural Residential 1

Subject Property Map: 10 - 180 Sheerwater Court



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RR1s ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	1ha	34.2ha
Lot Width	40m	Exceeds
Lot Depth	30m	Exceeds
Development Regulations		
Site Coverage	10%	Approx. 2%
Height (detached suite)	4.5m	5.98m ^①
Front Yard	28.8m	6.0m
Side Yard (south)	54.5m	3.0m
Side Yard (north)	90.8m	3.0m
Rear Yard	32.5m	3.0m
Other Regulations		
Minimum Parking Requirements	3 stalls	6
Minimum Building Separation	4.5m	25.5m
Private Open Space	30m ²	m ²
Floor Area (Secondary Suite)	90m ²	89.7m ²
Okanagan Lake Sightlines	120°	Meets requirements
① To vary the maximum height of an accessory building containing a secondary suite from 4.5m permitted to 5.98m proposed.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

The Kelowna 2030 Official Community Plan Future Land Use designation for the subject property is Resource Protection Area.

6.0 Technical Comments

6.1 Building & Permitting Department

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

6.2 Development Engineering Department

No requirements.

6.3 Fire Department

No concerns.

6.4 Interior Health Authority

We note that this parcel resides in the service area for the City of Kelowna municipal drinking water and sewer systems, however, it is unclear whether the referenced parcel is currently connected. We recommend that approval of this proposal is contingent upon connection to the City of Kelowna municipal drinking water and sewer systems.

6.5 FortisBC (electric)

FortisBC (electric) reviewed the attached referral and based on the information received have no concerns with the proposal subject to any changes to this application which would require further review and comment by Fortis.

7.0 Application Chronology

Date of Application Received: May 23, 2012

Development Variance Permit Application Received: June 22, 2012

Report prepared by:



James Moore, Land Use Planner

Reviewed by:

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Danielle Noble Manager, Urban Land Use

Approved for Inclusion:

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Shelley Gambacort, Director, Land Use Management

Attachments:

Subject Property Map

Site Plan

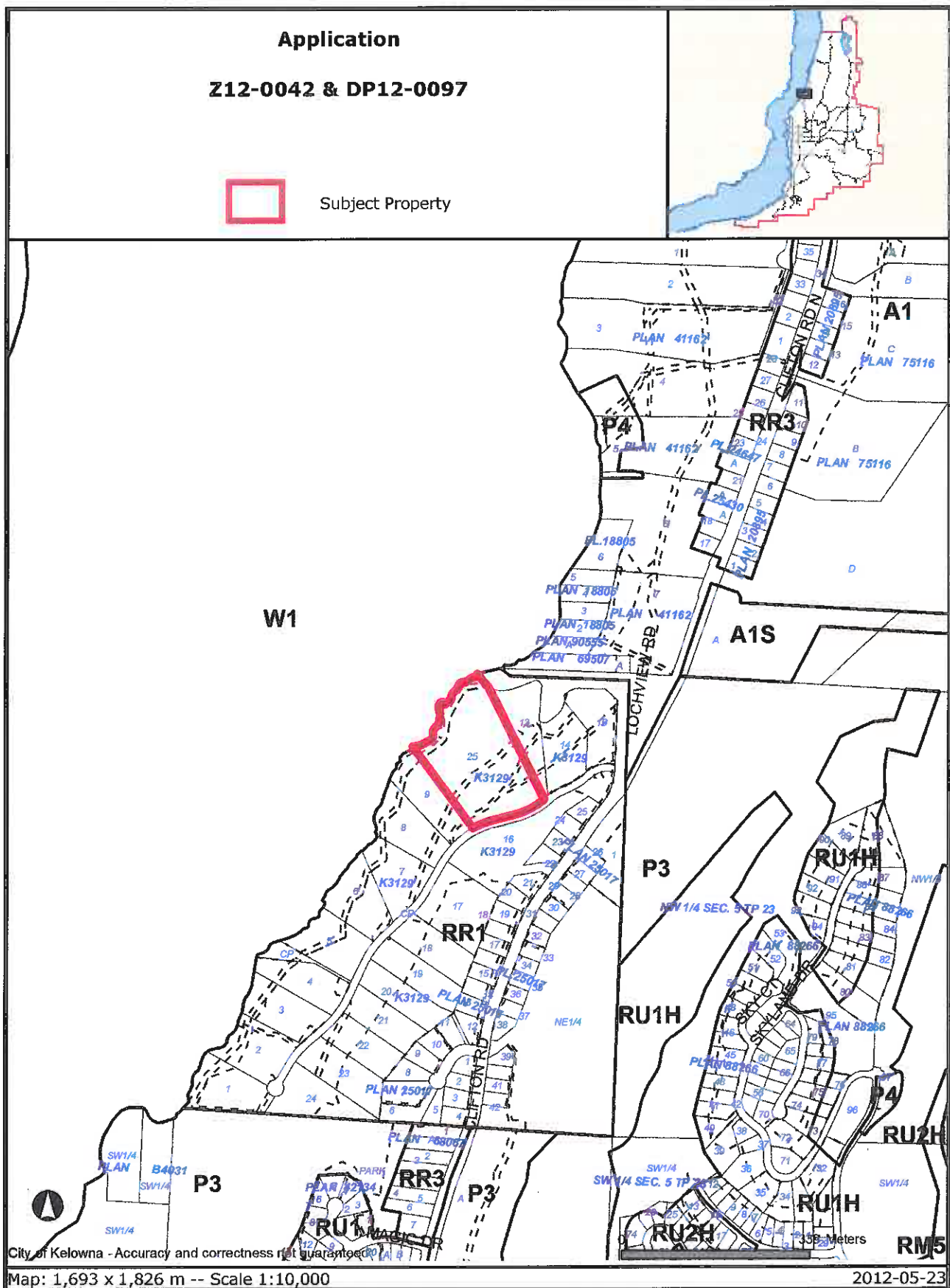
Landscape Plan

Floor Plan

Conceptual Elevations

Context/Site Photos

Development Engineering Memorandum, dated May 25, 2012



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.

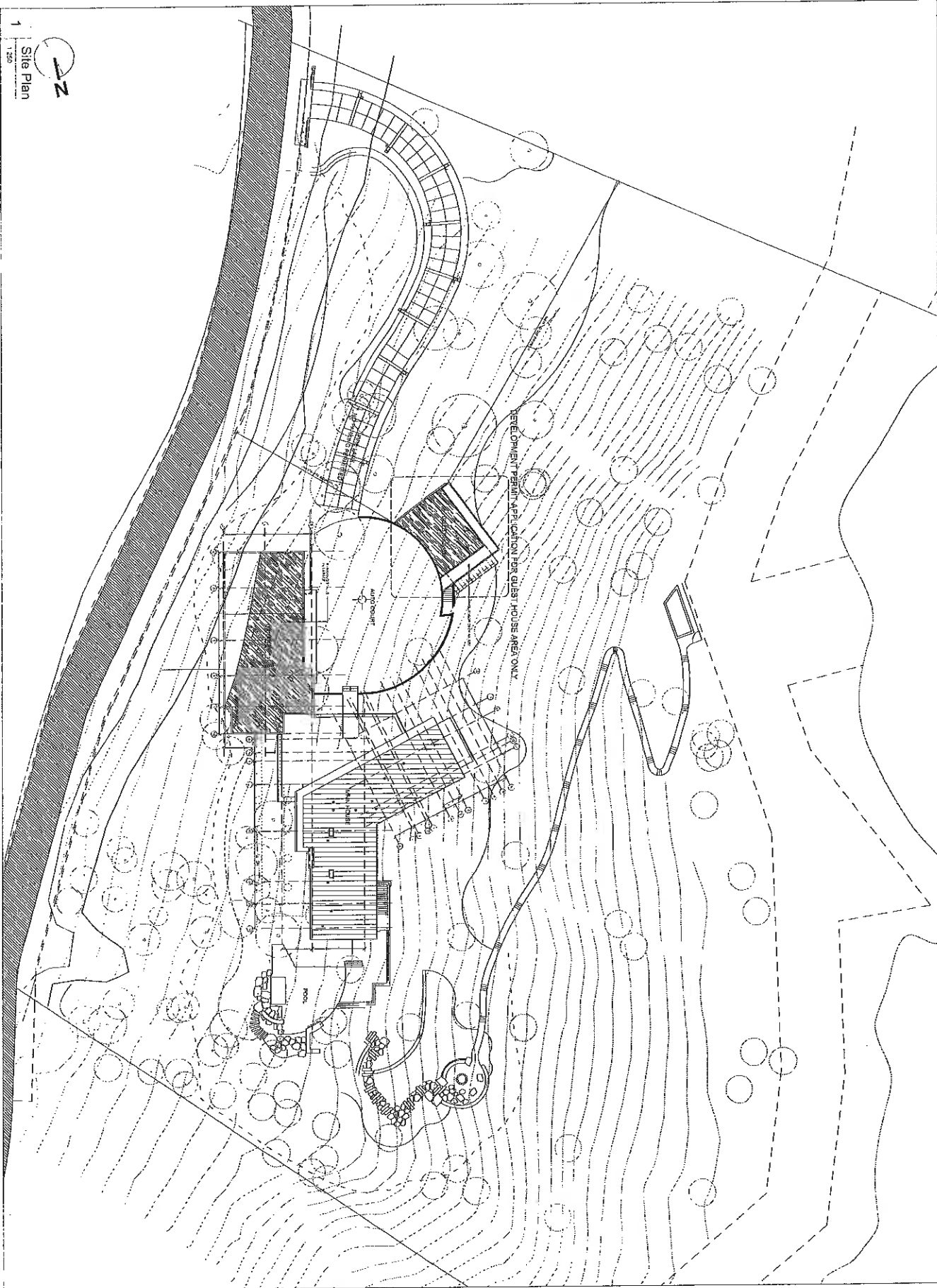
11-P-0441 (U)-SCHIEFFELMAN
KOLBANO, DO VIV EX-1
UN-28, SUTHERLAND, SHERWOOD, 23
CLIPPER, HIGGINS PLUM KASSTEN

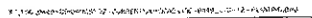
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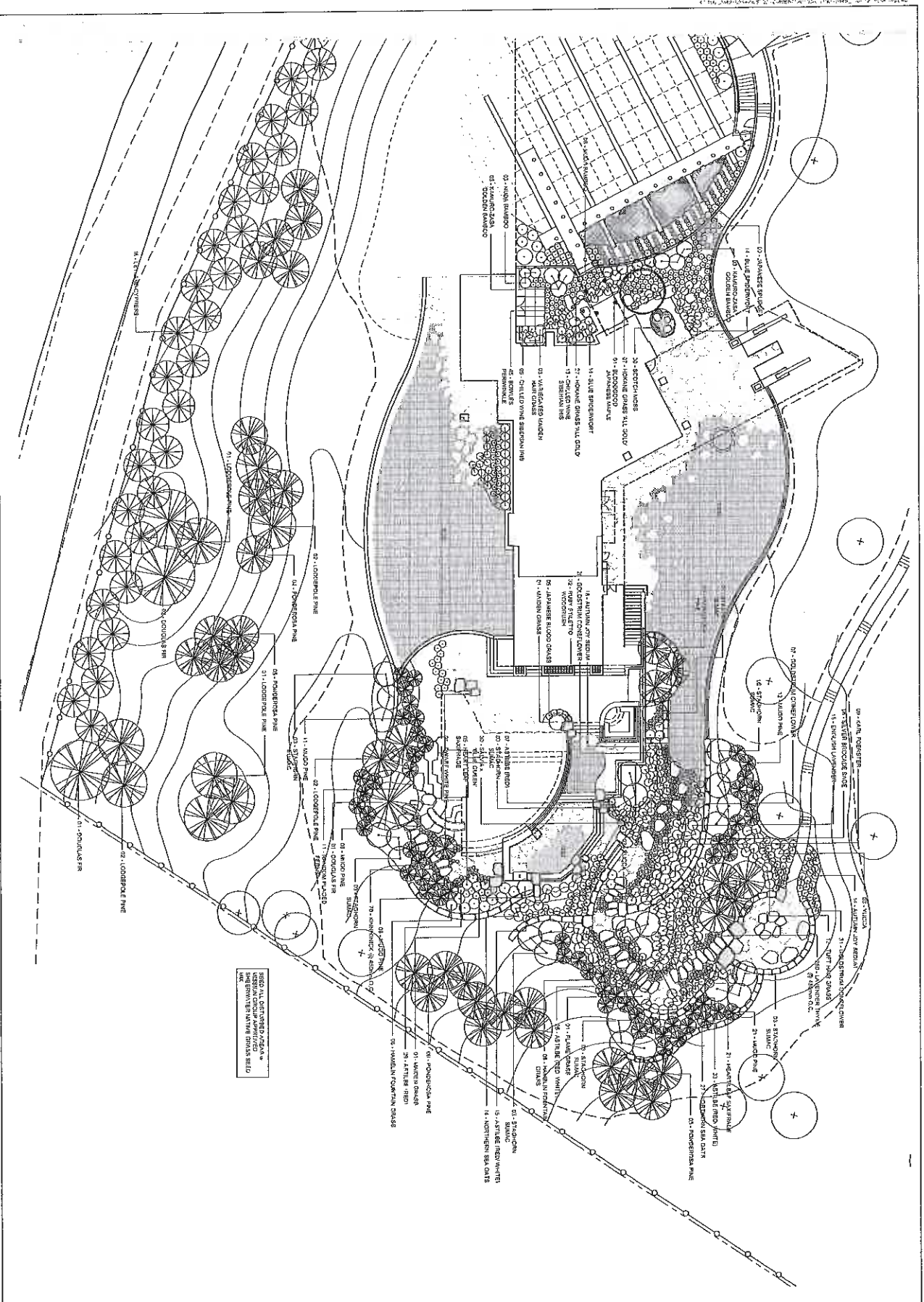
PRIVATE RESIDENCE
LOT 10
SHEERWATER COURT


SITEPLAN

A.100










MISSION
CREEK



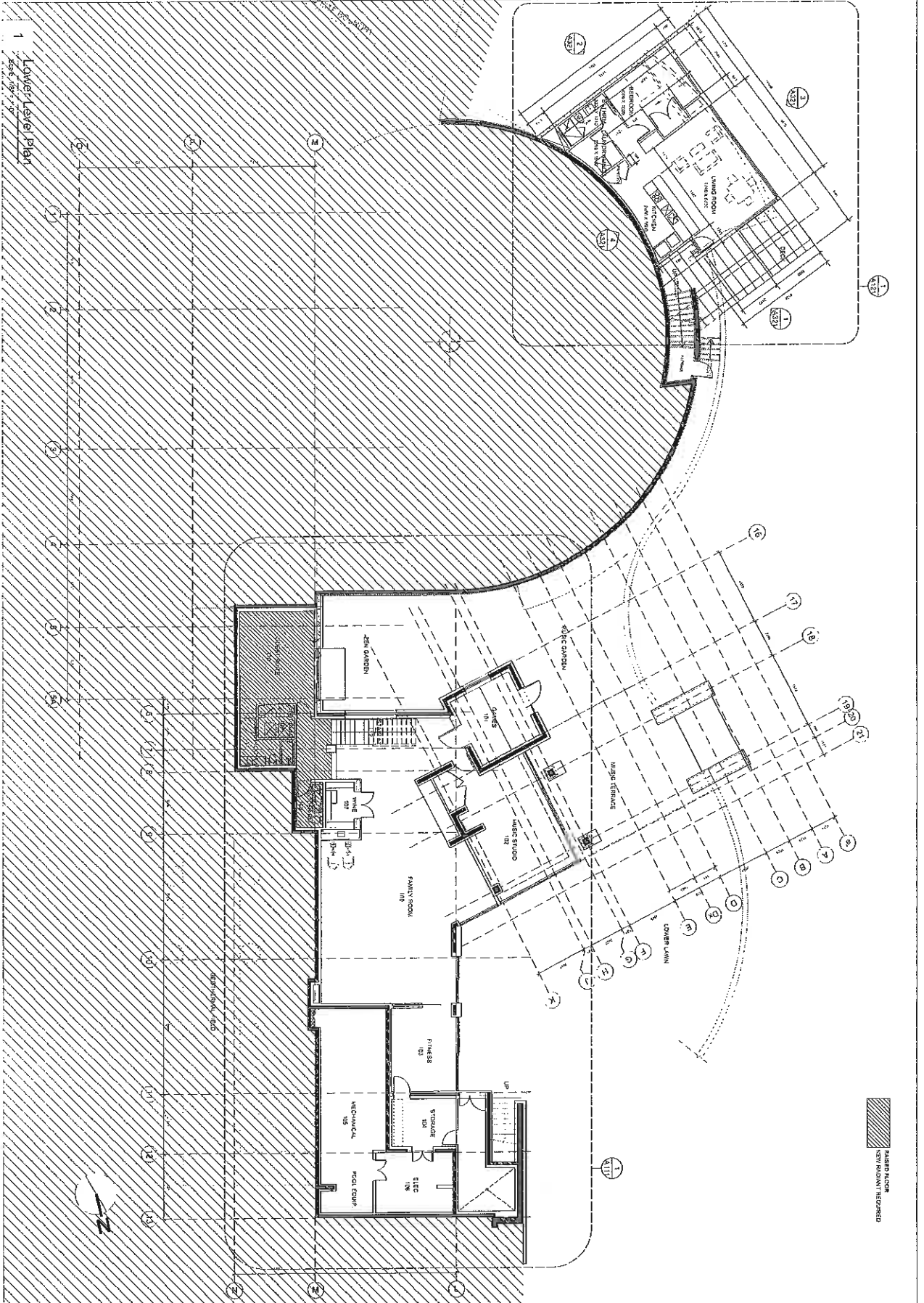
REVISIONS - ISSUED

NO.	DATE	DESCRIPTION
1	10/11/12	ISSUED FOR PERMIT
2	10/11/12	ISSUED FOR PERMIT
3	10/11/12	ISSUED FOR PERMIT
4	10/11/12	ISSUED FOR PERMIT
5	10/11/12	ISSUED FOR PERMIT
6	10/11/12	ISSUED FOR PERMIT
7	10/11/12	ISSUED FOR PERMIT
8	10/11/12	ISSUED FOR PERMIT
9	10/11/12	ISSUED FOR PERMIT
10	10/11/12	ISSUED FOR PERMIT

PLANTING PLAN
(GARDEN TERRACE)

PROJECT:
PRIVATE RESIDENCE
LOT 10, 11 & 12
481 DOWNS RD

DESIGNER:
L-11



1 Lower Level Plan

Scale 1/4" = 1'-0"

1995

© 2000 Blackwell Science Ltd

LEADS:

51780

MEILYLL

A.121

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

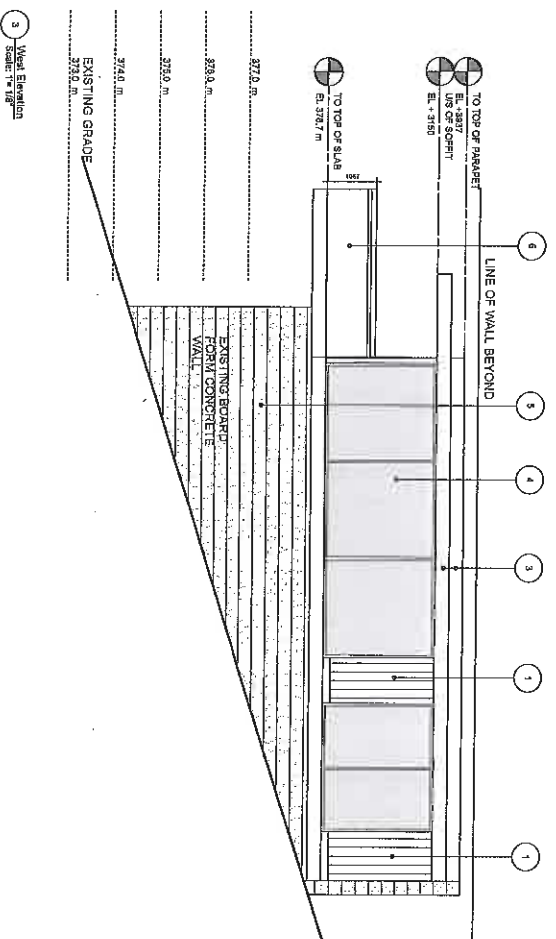
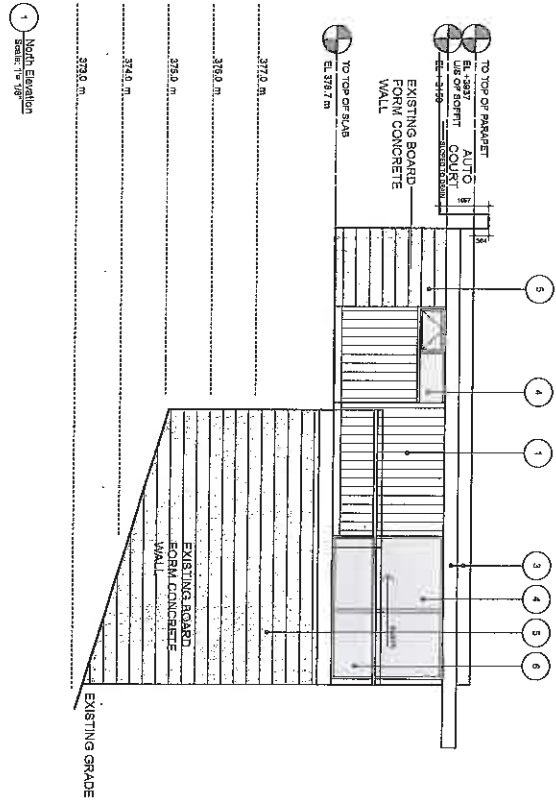


Yes

LEGEND:

ISSUES

A.121



GUEST HOUSE
ELEVATIONS
A.321



10-180 Sheerwater Court
Guest House Site Photos

CITY OF KELOWNA
MEMORANDUM

Date: May 25, 2012
File No.: Z12-0042

To: Land Use Management Department (BD)


From: Development Engineering Manager

Subject: #10 – 180 Sheerwater Court, Lot 25 Plan K3129

RR1 to RR1s

Development Engineering has the following requirements associated with this rezoning application.

This property is located within a strata development therefore we have no engineering related requirements.



Steve Muenz, P. Eng.
Development Engineering Manager

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