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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** January 12, 2001  
**File No.:** (3360-20) **Z00-1051**

**To:** City Manager

**From:** Planning and Development Services Department

**Subject:**

APPLICATION NO. Z00-1051

OWNER: Douglas Galbraith

AT: 3564 SCOTT ROAD

APPLICANT: AS ABOVE

PURPOSE: TO REZONE TO PERMIT THE CONTINUING USE OF AN  
EXISTING SECONDARY SUITE

EXISTING ZONE: RU1 – LARGE LOT HOUSING

PROPOSED ZONE: RU1s – LARGE LOT HOUSING WITH SECONDARY SUITE

REPORT PREPARED BY: BARB WATSON

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**1.0 RECOMMENDATION**

THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, D.L. 134, O.D.Y.D., Plan 31217, located on 3564 Scott Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone;

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 subsequent to the requirements of the Inspection Services Department being completed to their satisfaction.

**2.0 SUMMARY**

The applicant is proposing to rezone the subject property from the existing RU1 – Large Lot Housing zone to the proposed RU1s – Large Lot Housing with Secondary Suite zone to permit the continuing use of an existing suite.

**3.0 BACKGROUND**

**3.1 The Proposal**

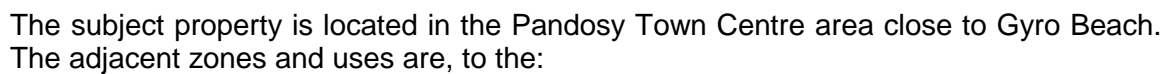
The subject property is located on the east side of Scott Road between Lakeshore Road and Casorso Road. The property is currently zoned for RU1 Large Lot Housing uses. The applicant wishes to rezone to the RU1s – Large Lot Housing with secondary suite zone in order to permit the continuing use of an existing suite.

The existing principal dwelling is located in the centre of the block with access from Scott Road. The house is a one and one half storey dwelling with the suite located in the rear of the lower level. The main floor of the dwelling consists of two bedrooms and a combination living room / dining room / kitchen area. The lower level consists of a one bedroom self contained suite, a shared laundry room facility, two additional bedrooms as well as a storage area for the principal residence. The site has adequate parking with a carport and single car garage as well as tandem parking in front of these covered parking facilities. The site is serviced with both water and sewer and Works and Utilities have reviewed the application.

There is an open Bylaw Enforcement investigation on this property, File No. 00-2102, for an existing illegal basement suite. The file was opened on June 14, 2000. The Bylaw Enforcement Officer sent a letter to the applicant on July 31, 2000 advising them that their basement suite was illegal and the process involved to rectify this situation. As a result of this investigation, the applicant applied on October 16, 2000 to rezone the property in order to legalize the basement suite.

The proposal is subject to the minimum subdivision regulations of the RU1s – Large Lot with Secondary Suite zone that have been established for single family dwellings with secondary suites. The site is in an area where there aren't any curb or sidewalks. The applicant has a grassed boulevard and uses the doublewide driveway for parking. The proposal meets the requirements of the RU1s – Large Lot Housing with Secondary Suite zone as follows:

CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	749.34 m <sup>2</sup>	550 m <sup>2</sup>
Site Depth (m)	40.97 M	30 m
Site Width (m)	18.29 M	16.5 m
Site Coverage (%)	20%	40 %
Building at Grade (m <sup>2</sup> )	144.45 m <sup>2</sup>	
Total Area of Dwelling	199.73 m <sup>2</sup>	
Total Area of Suite	41.8 m <sup>2</sup>	
Storeys (#)	1 ½ storeys	2 Storeys
Setbacks (m)		
- Front	6.2 m	4.5 m and 6.0 m from a garage
- Rear	18 m	7.5 m
- North Side	2.1 m	2.0 m
- South Side	2.5 m	2.0 m
Parking Stalls (#)	3 parking stalls	3 parking stalls



- North - RU1 – Large Lot Housing  
East - RU1 – Large Lot Housing  
South - RU1 – Large Lot Housing  
West - RU1 – Large Lot Housing

### 3.3 Existing Development Potential

The existing RU1 - Large Lot Housing zone allows for the principal use of a single detached housing unit and secondary uses of bed and breakfast homes, minor care centres, minor group homes, minor and major home businesses, and secondary suites where the property is zoned RU1s.

### 3.4 Current Development Policy

#### 3.4.1 Kelowna Official Community Plan

This proposal is consistent with the designation of single/two family residential and associated uses, which includes uses such as local commercial, childcare, churches and parks.

#### 3.4.2 City of Kelowna Strategic Plan (1992)

The proposal is generally consistent with the Strategic Plan objective of developing a “more compact urban form by increasing densities through infill and redevelopment within existing urban areas...”

#### 3.4.3 South Pandosy/KLO Sector Plan

The proposal is consistent with the South Pandosy/KLO Sector Plan single / two family designation of the area. The proposed rezoning is consistent with the City's directions to increase densities within the Urban Town Centres and with the land use identified in the OCP. It is also consistent with the City's desire to enhance options for affordable housing.

### 4.0 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the guidelines in that the design elements of the single detached dwelling encourage interaction between neighbours by use of low shrubbery and inviting building facades with plenty of windows. In addition, the access to the suite will be located in a well-lit area.

### 5.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and the following relevant comments have been submitted:

### Inspection Services

The Inspections Services Department reviewed this application and had the following requirements:

1. Three off-street parking stalls are required.
2. A photoelectric type smoke alarm conforming to CAN/ULC-S531 shall be installed in each suite and interconnected.
3. A 30 minutes fire rating shall separate the suite from the main residence and the furnace room. All doors shall be 20 minute rated.
4. Each suite shall have a smoke alarm conforming to CAN/ULC-S531 Standard for Smoke Alarms to alert the tenant of the suite of any emergency within their own suite. It shall be installed between the bedrooms and living area of the suite at or near the ceiling. The alarm shall be wired with a permanent connection to an electric circuit.
5. Each suite shall have a separate mechanical ventilation system.
6. A \$300.00 Sewer Development Fee shall be paid with the permit application.
7. Laundry facilities shall be provided.

### Works and Utilities

The Works and Utilities Department has the following requirements associated with this development application. No road or utility upgrading is requested as a condition of this application:

#### 1. Domestic Water and Fire Protection

This building is presently serviced with a 19 mm diameter water service and an existing water meter is installed inside the house. Metered water must be extended to also service the proposed suite. Only one water and sewer utility bill will be issued to the owner covering both residences.

#### 2. Sanitary Sewer

- a) This building is connected to sanitary sewer. No changes are requested.
- b) The City Utility Billing Department must add a second unit onto the sewer - use bill for this address.

6.0 PLANNING AND DEVELOPMENT SERVICE DEPARTMENT COMMENTS

The Planning and Development Services Department has reviewed the above noted application and are in support of the proposal subject to input from the immediate neighbourhood.

In light of the above the Planning and Development Services Department requests Council's favourable consideration for this application.

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Andrew Bruce  
Current Planning Manager

Approved for inclusion

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R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Planning and Development Services

BW/hb  
Attach.

**FACT SHEET**

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| 1.  | <b>APPLICATION NO.:</b>   | Z99-1051   |
| 2.  | <b>APPLICATION TYPE:</b>  | Rezoning   |
| 3.  | <b>OWNER:</b>   | Douglas Ernest Galbraith   |
|     | • <b>ADDRESS</b>  | 3564 Scott Rd  |
|     | • <b>CITY</b>   | Kelowna, BC  |
|     | • <b>POSTAL CODE</b>  | V1W 3H6  |
| 4.  | <b>APPLICANT/CONTACT PERSON:</b>  | As above   |
|     | • <b>TELEPHONE/FAX NO.:</b>   | 861-4371   |
| 5.  | <b>APPLICATION PROGRESS:</b>  |  |
|     | Date of Application:  | October 17, 2000   |
|     | Date Application Complete:  | October 31, 2000   |
|     | Servicing Agreement Forwarded to Applicant:                               | N/A  |
|     | Servicing Agreement Concluded:  | N/A  |
|     | Staff Report to Council:  | November 14, 2000  |
| 6.  | <b>LEGAL DESCRIPTION:</b>   | Lot A DL 134 ODYD PI 31217                                       |
| 7.  | <b>SITE LOCATION:</b>   | Lakeshore Road to east on Bechard<br>Road to north on Scott Road |
| 8.  | <b>CIVIC ADDRESS:</b>   | 3564 Scott Road  |
| 9.  | <b>AREA OF SUBJECT PROPERTY:</b>  | 749.34 m2  |
| 10. | <b>AREA OF PROPOSED REZONING:</b>   | 749.34 m2  |
| 11. | <b>EXISTING ZONE CATEGORY:</b>  | RU1 – Large Lot Housing  |
| 12. | <b>PROPOSED ZONE:</b>   | RU1s – Large Lot Housing with<br>Secondary Suite                 |
| 13. | <b>PURPOSE OF THE APPLICATION:</b>  | To permit the continuing use of an<br>existing suite             |
| 14. | <b>MIN. OF TRANS./HIGHWAYS FILES NO.:</b>                                 | N/A  |
|     | <b>NOTE: IF LANDS ARE WITHIN 800 m OF A<br/>CONTROLLED ACCESS HIGHWAY</b> |  |
| 15. | <b>DEVELOPMENT PERMIT MAP 13.2<br/>IMPLICATIONS</b>                       | N/A  |

**ATTACHMENTS**

State of Title  
Subject Property Map  
site elevations / diagrams