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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** March 7, 2001  
**File No.:** Z01-1013

**To:** City Manager

**From:** Planning and Development Services Department

**Subject:**

APPLICATION NO. Z01-1013                      OWNER:        DONNA WATSON

AT:    400 HOLLYWOOD ROAD S.              APPLICANT: DONNA WATSON

PURPOSE:                      TO REZONE THE SUBJECT PROPERTY FROM THE RU1 –  
LARGE LOT HOUSING ZONE TO THE RU1s – LARGE LOT  
HOUSING WITH SECONDARY SUITE ZONE TO LEGALIZE  
AN EXISTING BASEMENT SUITE

EXISTING ZONE:    RU1 – LARGE LOT HOUSING

PROPOSED ZONE: RU1s ZONE – LARGE LOT HOUSING WITH SECONDARY  
SUITE

REPORT PREPARED BY:    KIRSTEN G. BEHLER

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1.0    RECOMMENDATION

THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 21, Sec. 22, Twp. 26, O.D.Y.D., Plan 19846, located on Hollywood Road S., 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 the Department's satisfaction.

2.0    SUMMARY

The applicant seeks to rezone the subject property from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone to permit the continuing use of a basement suite.

3.0    BACKGROUND

### 3.1 The Proposal

The subject property is located on Hollywood Road South in Rutland, approximately two blocks south of Highway 33. The lot is zoned RU1 – Large Lot Housing. The purpose of this zone is to provide for single detached housing and compatible secondary uses on larger serviced urban lots. Secondary suites are allowed on lots with RU1s – Large Lot Housing with Secondary Suite zoning.

The subject property fronts onto Hollywood Road. The main entrance to the one-storey rancher is located at the front of the house. The principal, three bedroom dwelling is located on the main floor. The basement contains the secondary suite and a storage room used by the residents of the main dwelling. The shared laundry room is located on the enclosed patio on the upper floor.

The one-bedroom suite includes an office/recreation room, an open living/kitchen area, as well as a full bath. Access to the suite is provided via a set of stairs at the back of the carport, located at the south side of the house.

Off-street parking is provided in the one-car carport and in the driveway area. The driveway provides sufficient room for two cars; however, the two spaces for the main dwelling are configured in tandem.

The application meets the requirements of the RU1s – Large Lot Housing with Secondary Suite zone as follows:

CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS
Lot Area (m <sup>2</sup> )	735.9m <sup>2</sup>	550m <sup>2</sup>
Lot Width (m)	21.9m	16.5m
Lot Depth (m)	33.8m	30.0m
Site Coverage (%)	16.4% 29.2%	40% (building and carport) 50% (with driveway)
Total Floor Area (m <sup>2</sup> ) - Existing house - Secondary suite	174.5m <sup>2</sup> 50.7m <sup>2</sup>	N/A 90m <sup>2</sup> or 40% of the total floor area of the principal building
Storeys (#)	1	2 ½ storeys / 9.5m
Setbacks (m)		
- Front	11.9m	6.0m
- Rear	14.0m	7.5m
- Side		
- North	4.1m	2.0m
- South	1.83m❶	2.0m
Parking Spaces	3	3 spaces minimum

#### Notes:

❶ The applicant will be required to move the posts of his carport at the building permit stage to meet the minimum side yard setback.

### 3.2 Site Context

The subject property is located in Rutland, south of Highway 33, on the west side of Hollywood Road South. The subject property is zoned for RU1– Large Lot Housing. The surrounding neighbourhood is predominantly zoned RU1 – Large Lot Housing,

with one lot zoned RU1s – Large Lot Housing with Secondary Suite located on Barber Road. Several properties in the area are zoned RU6 – Two-Dwelling Housing, and a number of multiple family residential zones, such as RM2 (Low Density Row Housing) and RM4 (Transitional Low Density Housing), as well as commercial zones, are located along Highways 33.

Other than the property on Barber Road and the existing RU6b zones, no properties in the area are zoned to permit secondary suites. Since 1996, 18 complaints about illegal suites have been made for a total of 16 properties in the area.

Adjacent zones and uses are, to the:

- North - RU1 - Large lot housing – single family dwelling
- East - P3 – Parks and Open Space – park; and  
RU1 - Large lot housing – single family dwelling
- South - RU1 - Large lot housing – single family dwelling
- West - RU1 - Large lot housing – single family dwelling

### 3.3 Site Location Map



### 3.3 Existing Development Potential

The property is zoned RU1 – Large Lot Housing. The purpose of this zone is to provide for single detached housing as a principal use, and compatible secondary uses, such as bed and breakfast homes, minor care centres and group homes, as well as home based businesses. Secondary suites are allowed on lots with RU1s – Large Lot Housing with Secondary Suite zoning.

### 3.4 Current Development Policy

#### 3.4.1 Kelowna Official Community Plan

The property is designated as Single/Two Family Residential in the Official Community Plan. The Single/Two Family Residential designation covers single detached homes for occupancy by one family, single detached homes with a secondary suite, semi-detached buildings used for two dwelling units, and complementary uses (OCP, Chapter 15). The application is therefore consistent with this designation.

In addition, the Official Community Plan encourages secondary suites as a form of rental or affordable housing and as an effective tool to increase densities in existing neighbourhoods without major impacts on the form and character of the neighbourhood (Section 4.6.18).

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

One of the objectives of the Strategic Plan is “to develop a more compact urban form by increasing densities through infill and re-development within existing urban areas and to provide for higher densities within future urban areas” (Objective 1.1). The proposal is consistent with this objective and with its accompanying strategies.

#### 3.4.3. Rutland Sector Plan (1997)

The proposal is consistent with the Rutland Sector Plan. Specifically, the proposed suite helps move toward a more compact urban form, which is one of the Urban Form Policies of the plan. In addition, the proposal is consistent with several Housing Policies, such as the policy on supporting secondary suites (4.6.8) and the policy on supporting the continued infill of low density single/two family housing within existing neighbourhoods that are not selected for redevelopment to higher densities (4.6.7).

### 4.0 TECHNICAL COMMENTS

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

#### 4.1. Inspection Services Department

- a) The walls between the suite and the common foyer and between the suite and the upstairs storage room shall be rated with a 5/8" Type X gypsum board.
- b) The door to the suite and the door at the top of the stair shall have a 20 min. rating.
- c) The suite ceiling shall be rated with a 5/8" Type X gypsum board.
- d) The furnace room for the upstairs unit is within the basement suite. A 3/4 hr. rating is required c/w a 20 min. rated door.
- e) A separate heating system is required for the suite.

- f) Hardwired and interconnected smoke alarms are required in each suite.

4.2. Bylaw Enforcement Officer

An open investigation file regarding the illegal suite exists for this property (No. 00-4079 – C. Gavin).

4.3. Works and Utilities Department

- a) The proposed rezoning application does not compromise Works and Utilities requirements.
- b) This development is within the service area of the Rutland Waterworks District (RWWD). The Works and Utilities Department recommends the installation of second water service to the subject property. The applicant is required to make satisfactory arrangements with the RWWD for these items. All charges for service connection and upgrading costs are to be paid directly to the RWWD.
- c) This property is currently serviced by the municipal sanitary sewer system. The property note regarding an easement can be ignored as it was erroneously entered in the system and will be corrected.
- d) There is ample parking provided on site. It is recommended that some form of hammerhead be created on site that would allow a vehicle to turn around and avoid backing up onto Hollywood Road

4.4. Rutland Water District

The Irrigation District has no comments regarding the proposed rezoning of this property.

## 5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no concerns regarding the proposed rezoning of the property from RU1 – Large Lot Housing to RU1s – Large Lot Housing with Secondary Suite. The proposal is consistent with the OCP future land use designation of Single/Two Family Residential use and with OCP policies on Secondary Suites. It is furthermore supported by the policies on secondary suites, infill and a more compact urban form in the Rutland Sector Plan.

The applicant has contacted her neighbours regarding the proposed legalization of the suite. All residents within a 100 metre radius of the subject property are in support of the application.

Andrew Bruce  
Current Planning Manager

Approved for inclusion

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

KGB  
Attach.

**FACT SHEET**

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| <b>1. APPLICATION NO.:</b>                                                                                                                                                                         | Z01-1013                                                                                 |
| <b>2. APPLICATION TYPE:</b>                                                                                                                                                                        | Rezoning                                                                                 |
| <b>3. OWNER:</b><br>- ADDRESS<br>- CITY<br>- POSTAL CODE                                                                                                                                           | Donna Watson<br>400 Hollywood Road S.<br>Kelowna, BC<br>V1X 3T1                          |
| <b>4. APPLICANT/CONTACT PERSON:</b><br>- ADDRESS<br>- CITY<br>- POSTAL CODE<br>- TELEPHONE/FAX NO.:                                                                                                | Donna Watson / Keith Webster<br>As above<br><br>861-4516                                 |
| <b>5. APPLICATION PROGRESS:</b><br>Date of Application:<br>Date Application Complete:<br>Servicing Agreement Forwarded to Applicant:<br>Servicing Agreement Concluded:<br>Staff Report to Council: | February 21, 2001<br>February 21, 2001<br>N/A<br>N/A<br>March 7, 2001                    |
| <b>6. LEGAL DESCRIPTION:</b>                                                                                                                                                                       | Lot 21, Sec. 22, Twp. 26, ODYD, Plan 19846                                               |
| <b>7. SITE LOCATION:</b>                                                                                                                                                                           | Rutland, south of Highway 33, on the west side of Hollywood Rd. S.                       |
| <b>8. CIVIC ADDRESS:</b>                                                                                                                                                                           | 400 Hollywood Road S.<br>Kelowna, BC                                                     |
| <b>9. AREA OF SUBJECT PROPERTY:</b>                                                                                                                                                                | 736m <sup>2</sup>                                                                        |
| <b>10. AREA OF PROPOSED REZONING:</b>                                                                                                                                                              | 736m <sup>2</sup>                                                                        |
| <b>11. EXISTING ZONE CATEGORY:</b>                                                                                                                                                                 | RU1 – Large Lot Housing                                                                  |
| <b>12. PROPOSED ZONE:</b>                                                                                                                                                                          | RU1s – Large Lot Housing with Secondary Suite                                            |
| <b>13. PURPOSE OF THE APPLICATION:</b>                                                                                                                                                             | To legalize the continuing use of a secondary suite located in the basement of the house |
| <b>14. MIN. OF TRANS./HIGHWAYS FILES NO.:</b><br><b>NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY</b>                                                                             | 2-81-19109                                                                               |
| <b>15. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS</b>                                                                                                                                                | N/A                                                                                      |

**ATTACHMENTS**

**(not attached to the electronic version of the report)**

- Location of subject property
- Site plan
- Floor plans
- Elevations