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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** March 20, 2001

**File No.:** Z01-1002

**To:** City Manager

**From:** Planning and Development Services Department

**Subject:**

APPLICATION NO. Z01-1002

OWNER: BRAD LAVERDURE

AT: 594 SPRUCEVIEW PLACE SOUTH APPLICANT: BRAD LAVERDURE

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM THE RU2 – MEDIUM LOT HOUSING ZONE TO THE RU2s – MEDIUM LOT HOUSING WITH SECONDARY SUITE ZONE TO PERMIT THE CONTINUING USE OF A SECONDARY SUITE IN THE BASEMENT OF THE HOUSE

EXISTING ZONE: RU2 – MEDIUM LOT HOUSING

PROPOSED ZONE: RU2s ZONE – MEDIUM 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 4, Sec. 32, Twp. 26, O.D.Y.D., Plan KAP45720, located on Spruceview Place South, Kelowna, B.C., from the RU2 – Medium Lot Housing zone to the RU2s – Medium 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 his property from the RU2 – Medium Lot Housing zone to the RU2s – Medium Lot Housing with Secondary Suite zone to legalize the use of a secondary suite located in the basement of the building.

3.0 BACKGROUND

### 3.1 The Proposal

The subject property is located in Glenmore Valley, west of Glenmore Road and south of Sprucenglen Drive. The lot is zoned RU2 – Medium Lot Housing. The purpose of this zone is to provide for single detached housing and compatible secondary uses on medium sized serviced urban lots. Secondary suites are allowed on lots with RU2s – Medium Lot Housing with Secondary Suite zoning.

The subject property fronts on Spruceview Place South. There is no lane, and the main access to the house and the garage is off Spruceview Place South. The 1½ storey house consists of the main dwelling and a basement with a finished suite. Access to the main dwelling is located at ground level at the front of the house. Due to the slope of the lot to the west, the main access to the suite is at ground level at the north side of the house. An exterior concrete staircase leads from the front of the house to the main door of the suite. This door is lit and well visible from the street and the adjacent park. Another set of doors, located in the entertainment room of the suite, provides access to the covered patio and back yard. This patio is closed off with a fence and a gate, thus offering the tenants of the suite private open space.

A hallway is connecting the suite with the remainder of the building. The suite and the basement, which includes a game room and two storage rooms for the main dwelling, are separated by a fire-rated door.

Parking on the lot is accommodated in a two-car garage. The applicant will provide an additional parking spot for the tenants of the suite.

The application meets the requirements of the RU2s – Medium Lot Housing with Secondary Suite zone as follows:

CRITERIA	PROPOSAL	RU2s ZONE REQUIREMENTS
Lot Area (m <sup>2</sup> )	664 m <sup>2</sup>	400 m <sup>2</sup>
Lot Width (m)	22 m	13.0 m
Lot Depth (m)	34.3 m	30.0 m
Site Coverage (%)	29.3% 37.5%	40% (house) 50% (with driveways and parking areas)
Total Floor Area (m <sup>2</sup> ) - existing house - secondary suite	367.1 m <sup>2</sup> 81.6 m <sup>2</sup>	N/A 90 m <sup>2</sup> max. or 40% of principal building
Storeys (#)	1 ½ storeys	9.5 m or 2 ½ storeys
Setbacks (m)		
- Front	6.7 m	6.0 (for garage with access from front)
- Rear	9.8 m	7.5 m
- Side	2.2 m (south) 6.2 m (north)	1.8 m
Parking Spaces	2 <sup>①</sup>	3 min., 4 max.

① The current spots are located in the two-car garage. The applicant is required to provide a third parking spot on site prior to the zone amending bylaw receiving final adoption.

### 3.2 Site Context

The subject property is located in Glenmore Valley, west of Glenmore Road and Glenmeadows Road, and south of Spruceglen Drive. The subject property is zoned for RU2 – Single detached housing on medium sized lots. Other single-family zones can be found in the immediate area, such as RR3 – Rural Residential 3 just west of the subject property and RU1 – Large Lot Housing south of Spruceview Court. The area east of Glenmeadows Road is zoned RU5 – Bareland Strata Housing. Adjacent to the subject property, a P3 – Parks and Open Space zone can be found.

In the past five years, the City has received six illegal suite complaints for a total of five properties in the vicinity of Spruceview Place South. The construction of a secondary suite at the corner of Spruceview Place South and Marona Court, approximately one block south of the subject property, was approved by Council in February.

Adjacent zones and uses are, to the:

- North - P3 – Parks and Open Space –Caro Park  
 East - RU2 – Medium Lot Housing – Single Family Dwellings  
 South - RU2 – Medium Lot Housing – Single Family Dwellings  
 West - RR3 – Rural Residential 3 – Single Family Dwellings

### 3.3 Site Location Map



### 3.3 Existing Development Potential

The property is zoned RU2 – Medium 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 RU2s – Large Lot Housing with Secondary Suite zoning.

### 3.4 Current Development Policy

#### 3.4.1 Kelowna Official Community Plan

The proposal is consistent with the designation of Single/Two Family Residential in the Official Community Plan future land use designation. 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).

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 Glenmore / Clifton / Dilworth Sector Plan (1998)

The Glenmore / Clifton / Dilworth Sector Plan includes the policy to maintain and enhance the stability and liveability of existing neighbourhoods by ensuring that intensification in the form of infill and conversions are consistent with the neighbourhood structure and character (Chapter 7, Policy 1). The proposal, which ultimately means an intensification, is consistent with this policy, since it is consistent with the character and structure of the neighbourhood.

## 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

- An exhaust fan with timer is required in the bathroom.
- A separate heating and ventilation system is required. Existing duct outlets to be closed and drywalled over.
- An additional parking stall is required.

### 4.2 Bylaw Enforcement Officer

An open investigation on the currently illegal suite exists for the subject property (File No. 00-756 Bldg Bylaw - Summer Kitchen Permit - Officer Pearson SU1). The investigation was initiated through a complaint.

## 5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no concerns regarding the proposed rezoning of the property from RU2 – Medium Lot Housing to RU2s – Medium Lot Housing with Secondary Suite. The proposal is consistent with the designation of Single/Two Family Residential use in the Official Community Plan future land use designation and with OCP policies on Secondary Suites. It is furthermore consistent with the policy of compatible intensification in the Glenmore / Clifton / Dilworth Sector Plan.

The applicant has contacted a large number of his neighbours, who were in favour of the application. The Planning and Development Services Department recommends Council consider the application favourably, but withhold final adoption of the zoning bylaw until the requirements of the Inspection Services Department have been met to the Department's satisfaction.

Andrew Bruce  
Current Planning Manager

Approved for inclusion

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

/kgb  
Attach.

# **FACT SHEET**

1. **APPLICATION NO.:** Z01-1002
2. **APPLICATION TYPE:** Rezoning
3. **OWNER:** Brad Laverdure  
- **ADDRESS** 46 Country Hills, Terrace NW  
- **CITY** Calgary, AB  
- **POSTAL CODE** T3K 4S5
4. **APPLICANT/CONTACT PERSON:** Same as above  
- **ADDRESS**  
- **CITY**  
- **POSTAL CODE**  
- **TELEPHONE/FAX NO.:** Office Phone: (403) 630-6454  
Home Phone: (403) 226-6454
5. **APPLICATION PROGRESS:**  
Date of Application: January 10, 2001  
Date Application Complete: March 13, 2001  
Servicing Agreement Forwarded to Applicant: N/A  
Servicing Agreement Concluded: N/A  
Staff Report to Council: March 21, 2001
6. **LEGAL DESCRIPTION:** Lot 4, Plan KAP45720, Sec. 32, Twp. 26, ODYD
7. **SITE LOCATION:** Glenmore Valley, west of Glenmore Road and south of Spruceglen Drive
8. **CIVIC ADDRESS:** 594 Spruceview Place South  
Kelowna, BC  
V1V 1S8
9. **AREA OF SUBJECT PROPERTY:** 664m<sup>2</sup>
10. **AREA OF PROPOSED REZONING:** 664m<sup>2</sup>
11. **EXISTING ZONE CATEGORY:** RU2 – Medium Lot Housing
12. **PROPOSED ZONE:** RU2 – Medium Lot Housing with Secondary Suite
13. **PURPOSE OF THE APPLICATION:** To permit the continuing use of a secondary suite in the basement of the house
14. **MIN. OF TRANS./HIGHWAYS FILES NO.:** N/A  
**NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY**

**ATTACHMENTS**

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

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