
CITY OF KELOWNA

MEMORANDUM

Date: May 21, 2002
File No.: Z01-1046 / TA01-014
To: City Manager
From: Planning and Development Services Department
Subject:

APPLICATION NO. Z01-1046 / OWNER: WILLIAM HALTON
TA01-014
AT: 318 ASPEN ROAD APPLICANT: WILLIAM HALTON

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM THE RR1 –
RURAL RESIDENTIAL 1 TO THE RR1s – RURAL
RESIDENTIAL 1 WITH SECONDARY ZONE TO LEGALIZE
AN EXISTING BASEMENT SUITE

TO AMEND ZONING BYLAW NO. 8000 TO ADD THE “S”
DESIGNATION TO THE RR1 - RURAL RESIDENTIAL 1
ZONE

EXISTING ZONE: RR1 – RURAL RESIDENTIAL 1

PROPOSED ZONE: RR1s – RURAL RESIDENTIAL WITH SECONDARY SUITE

REPORT PREPARED BY: KIRSTEN G. BEHLER

1.0 RECOMMENDATION

THAT Final Adoption of Zoning Bylaw Text Amendment No. 8774 be considered by Council;

THAT Final Adoption of Zone Amending Bylaw No. 8775 be considered by Council.

2.0 SUMMARY / BACKGROUND

The applicant wishes to rezone the subject property from the RR1 – Rural Residential 1 to the RR1s – Rural Residential 1 with Secondary Suite zone in order to permit the continuing use of a secondary suite in the basement of the house. In addition, he has asked the City of Kelowna to amend the text of the RR1 zone to add the “s” designation.

The text amendment and zone amending bylaws were given second and third reading by Council on January 22, 2002. Final rezoning was made subject to the applicant meeting all requirements of the Inspection Services Department to

upgrade the existing suite to the standards of the BC Building Code. The applicant has completed these upgrades, as confirmed by the Building Inspector.

The house and illegal suite were originally serviced by water from Lake Okanagan. Due to recent coliform counts of the lake water, Council asked the applicant to switch the source of potable water to an existing well located on the subject property. Tests of the well water showed zero coliform counts. These results, together with the fact that the well meets the minimum separation of 100 feet from the septic field, as confirmed by the applicant and shown on the sketch attached to this report, should guarantee that the well water is a safe and reliable source of water. Neither the Health Unit, nor the City of Kelowna's Water Division have jurisdiction over wells on private property; however both commented verbally that the well should be a safe source of potable water, most likely exceeding the water of the lake in quality.

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.:** Z01-1046 /TA01-014
2. **APPLICATION TYPE:** Rezoning and Text Amendment
3. **OWNER:** William Halton
· **ADDRESS** 952 16th Avenue
· **CITY** Calgary, AB
· **POSTAL CODE** T2E 1K9
4. **APPLICANT/CONTACT PERSON:** William Halton / Carol Halton
· **ADDRESS** As above
· **CITY**
· **POSTAL CODE**
· **TELEPHONE/FAX NO.:** 762-0317
5. **APPLICATION PROGRESS:**
 Date of Application: September 11, 2001
 Date Application Complete:
 Servicing Agreement Forwarded to Applicant: N/A
 Servicing Agreement Concluded: N/A
 Staff Report to Council: November 20, 2001
6. **LEGAL DESCRIPTION:** Lot 6, Section 22, Twp. 28, SDYD, Plan 18222
7. **SITE LOCATION:** Okanagan Mountain, east of Lakeshore Road
8. **CIVIC ADDRESS:** 318 Aspen Rd.
Kelowna, BC
9. **AREA OF SUBJECT PROPERTY:** 1935m"
10. **AREA OF PROPOSED REZONING:** 1935m"
11. **EXISTING ZONE CATEGORY:** RR1 – Rural Residential 1
12. **PROPOSED ZONE:** RR1s – Rural Residential 1 with Secondary Suite
13. **PURPOSE OF THE APPLICATION:** To legalize the continuing use of a secondary suite located in the basement of the house and amend to RR1 zone to add the "s" designation
14. **MIN. OF TRANS./HIGHWAYS FILES NO.:**
NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY
15. **DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS** N/A

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan showing well and septic field location