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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** June 3, 2002

**File No.:** Z02-1016

**To:** City Manager

**From:** Planning and Development Services Department

**Subject:**

APPLICATION NO. Z02-1016  
AT: 1045 ELWYN ROAD

OWNER: GORDON ZARR  
APPLICANT: GORDON ZARR

PURPOSE: TO REZONE THE SUBJECT PROPERTY FROM THE RU1 – LARGE LOT HOUSING ZONE TO THE RU1s – LARGE LOT HOUSING ZONE WITH SECONDARY SUITE TO PERMIT THE CONTINUING USE OF A BASEMENT SUITE

EXISTING ZONE: RU1 – LARGE LOT HOUSING

PROPOSED ZONE: RU1s – LARGE LOT HOUSING WITH SECONDARY SUITE

REPORT PREPARED BY: KIRSTEN G. BEHLER

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1.0 RECOMMENDATION

THAT Rezoning Application No. Z02-1016 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Sec. 22, Twp. 26, ODYD, Plan 28932, located on Elwyn Road, Kelowna, B.C. from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone be considered by Council;

AND THAT the zone amending bylaw be forward to a Public Hearing for further consideration.

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 in order to be permitted the continuing use of a basement suite.

3.0 BACKGROUND

3.1 The Proposal

The subject property is located in Rutland, south of Highway 33, east of Gerstmar Road, on the south side of Elwyn Road. The two and a half storey house fronts onto Elwyn Road. It consists of the principal dwelling, located on the main floor and the second floor, a basement suite, as well as a double car garage.

The suite contains one bedroom, a kitchen with dining room, a full bath and a living room, as well as its own laundry facilities. The remainder of the basement is used as utility space for the principal dwelling. Access to the suite is through a door on the east side of the house.

Parking for the main dwelling and the suite is provided in the double-car garage and on the driveway.

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> )	864m <sup>2</sup>	550 m <sup>2</sup>
Lot Width (m)	18.3m	16.5m
Lot Depth (m)	47.2m	30.0m
Site Coverage (%)	14.6% 20.0%	40% for the house 50% with parking and driveway
Total Floor Area (m <sup>2</sup> )		
- House	334m <sup>2</sup>	Max. 90m <sup>2</sup> or 40% of the principal building
- Secondary suite	84.7m <sup>2</sup>	
Storeys (#)	2 ½ storeys	2 ½ storeys
Setbacks (m)		
- Front	5.75m deck 6.5m house	4.5m for house 6.0m for garage or carport
- Rear	26.8m	7.5m
- Side		
- West	2.3m	2.3m
- East	2.55	2.3m
Parking Spaces	3	3

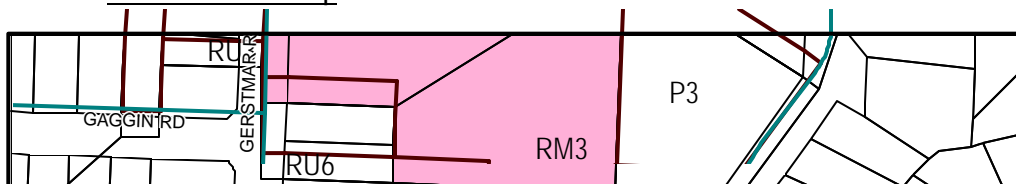
### 3.2 Site Context

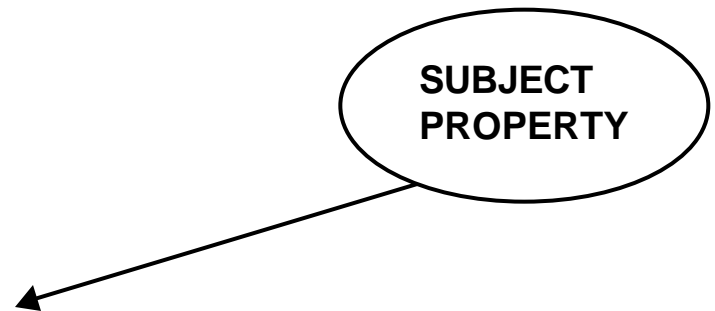
The subject property is located in Rutland, south of Highway 33, east of Gerstmar Road, on the south side of Elwyn Road. It is currently zoned RU1 – Large Lot Housing. The neighbourhood is predominantly zoned for single family housing. Several lots on Gerstmar Road are zoned to permit secondary suites, either on RU1s or RU6 zoned lots. In the past five years, the City of Kelowna has received a total eight complaints for five properties, including the subject property.

Adjacent zones and uses are, to the:

- North - RU1 - Large Lot Housing: Single-Detached Dwelling
- East - RU1 - Large Lot Housing: Single-Detached Dwelling
- South - RU1 - Large Lot Housing: Single-Detached Dwelling
- West - RU1 - Large Lot Housing: Single-Detached 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, on large sized serviced urban lots. 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. The application is therefore consistent with this designation.

In addition, the Official Community Plan encourages the creation of secondary suites, provided that they meet the requirements of the zoning bylaw.

#### 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 Works and Utilities

###### 1. General

The proposed rezoning application does not compromise Works and Utilities requirements.

###### 2. Domestic water and fire protection

This development is within the service area of the Rutland Waterworks District (RWW). All charges for service connection, and upgrading costs are to be paid directly to the RWW.

###### 3. Sanitary Sewer

This property is currently serviced by the municipal sanitary sewer system. The existing 100mm-diameter sanitary sewer service is adequate for the requested rezoning application.

###### 4. Access and parking.

There is sufficient parking provided on site.

##### 4.2 Rutland Waterworks District

CEC charge of \$200 owing to RWW for the secondary suite. No additional service required.

##### 4.3 Bylaw Enforcement

Illegal suite investigation File No. 03 1020 Officer: C Harris and File No. 03 2183 Officer G. Faulkner.

#### 4.4 Inspection Services

The fire separation on the wall between the mechanical room and the suite shall be completed with 5/8" gypsum board. The applicant previously completed the required works. The sewer development fee of \$300 has also been paid.

#### 5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department has no concerns regarding the proposed rezoning of the property from the RU1 – Large Lot Housing zone to the RU1s – Large Lot Housing with Secondary Suite zone. The proposal is consistent with the OCP future land use designation of Single/Two Family Residential use and with OCP policies on Secondary Suites. Furthermore, it is consistent with policies on housing and urban form in the Rutland Sector Plan.

The suite is located in the basement of the existing single-detached dwelling and is therefore not expected to have a negative impact on the single-family character of the neighbourhood. The suite meets the size requirements for secondary suites, and the site provides sufficient room for parking.

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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.:** Z02-1016
2. **APPLICATION TYPE:** Rezoning
3. **OWNER:** Gordon Zarr  
· **ADDRESS** 1045 Elwyn Road  
· **CITY** Kelowna, BC  
· **POSTAL CODE** V1X 1P5
4. **APPLICANT/CONTACT PERSON:** As above  
· **ADDRESS**  
· **CITY**  
· **POSTAL CODE**  
· **TELEPHONE/FAX NO.:** 763-5024 / --
5. **APPLICATION PROGRESS:**  
    **Date of Application:** April 15, 2002  
    **Date Application Complete:**  
    **Servicing Agreement Forwarded to Applicant:** N/A  
    **Servicing Agreement Concluded:** N/A  
    **Staff Report to Council:** June 3, 2002
6. **LEGAL DESCRIPTION:** Lot 1, Section 22, Twp. 26, ODYD, Plan 28932
7. **SITE LOCATION:** Rutland, south of Highway 33, east of Gerstmar Road, on the south side of Elwyn Road
8. **CIVIC ADDRESS:** 1045 Elwyn Road  
Kelowna, BC
9. **AREA OF SUBJECT PROPERTY:** 864m"
10. **AREA OF PROPOSED REZONING:** 864m"
11. **EXISTING ZONE CATEGORY:** RU1 - Large Lot Housing
12. **PROPOSED ZONE:** RU1s - Large 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.:**  
**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
- Floor Plans
- Elevations