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

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**Date:** April 13, 2004  
**File No.:** Z04-0008

**To:** City Manager

**From:** Planning and Development Services Department

**Subject:**

APPLICATION NO. Z04-0008  
AT: 840 Princess Court

OWNER: Freda & David Shanko  
APPLICANT: Freda Shanko

PURPOSE: TO REZONE THE PROPERTY FROM RU1- LARGE LOT HOUSING TO RU1s- LARGE LOT HOUSING WITH SECONDARY SUITE TO LEGALIZE AN EXISTING SECONDARY SUITE WITHIN AN EXISTING SINGLE DETACHED DWELLING.

EXISTING ZONE: RU1 – LARGE LOT HOUSING

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

REPORT PREPARED BY: KEIKO NITTEL

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**SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS**

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**1.0 RECOMMENDATION**

THAT Rezoning Application No. Z04-0008 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 13, Section 23, Township 26, ODYD, Plan 27679, located on Princess Court, 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 forwarded to a Public Hearing for further consideration.

## 2.0 SUMMARY

The applicants are seeking to rezone the subject property from the RU1 – Large Lot Housing to the RU1s – Large Lot Housing with Secondary Suite to legalize an existing secondary suite in the basement of the existing a single detached dwelling.

## 3.0 BACKGROUND

### 3.1 The Proposal

The applicant is seeking to legalize an existing secondary suite on the lower level of the existing house. The proposed secondary suite, measuring 84.1 m<sup>2</sup>, includes two bedrooms, a kitchen, a living room, a laundry room and a bathroom. An attached garage can accommodate one vehicle with parking for an additional 3 vehicles in the adjacent driveway.

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

CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS
Lot Area (m <sup>2</sup> )	1381.0m <sup>2</sup>	550.0 m <sup>2</sup>
Lot Width (m)	23.0+m	16.5 m
Lot Depth (m)	30.0+m	30.0m
Site Coverage (%)	9.0% 19.0%	40% (buildings) 50% (with driveway and parking)
Total Floor Area (m <sup>2</sup> ) -House -Secondary suite	719.0m <sup>2</sup> 84.1m <sup>2</sup>	N/A The lesser of 90 m <sup>2</sup> or 40% of the total floor area of the principal building
Setbacks-House (m)		
-Front	7.6m	4.5 m or 6.0 m from a garage or carport having vehicular entry from the front
-Rear	9.0+m	7.5 m
-Side	4.6+m	2.3 m
-Side	2.3 m	2.3 m
Parking Spaces (Total)	4	3

### 3.2 Site Context

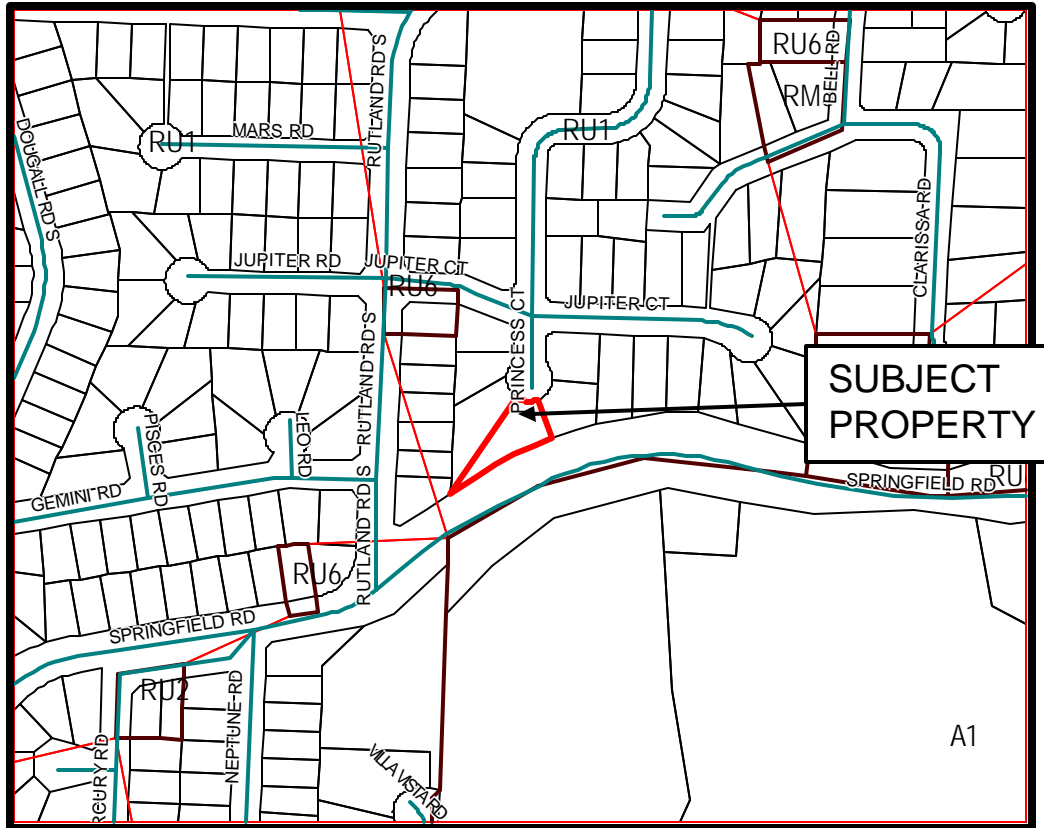
The subject property is located on Princess Court south of Jupiter Court.

Adjacent zones and uses are:

North - RU1 - Large lot housing  
 East - RU1 - Large lot housing  
 South - A1- Agricultural 1  
 West - RU1 - Large lot housing

### Site Location Map

Subject Property: 840 Princess Court



### 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 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).

### 3.4.2 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).

## 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

No objection to rezoning. Layout requires intricate fire separation and many rated doors. A second means of exiting to be provided.

### 4.2 Interior Health

Applicant must apply through Interior Health office for an alteration permit to increase the capacity of the on-site sewage disposal system to accommodate basement suite. The applicant has received a septic permit January 20, 2004.

### 4.3 Works & Utilities

#### 4.3.1 General

The proposed rezoning application for the subject property does not compromise W & U requirements.

#### 4.3.2. Domestic water and fire protection

This development is within the service area of the Rutland Water Works. The developer is required to make satisfactory arrangements with the RWW for these items. All charges for service connection and upgrading costs are to be paid directly to the RWW.

#### 4.3.3. Sanitary Sewer

This property is not currently serviced by the municipal sanitary sewer system. This item is under the jurisdiction of the Public Health Officer.

#### 4.3.4. Access and parking

Sufficient onsite parking is provided.

### 4.4 Rutland Water Works

The Capital costs associated with proposal have been paid in full.

## 5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department supports 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. Furthermore, the proposal is supported by Kelowna's Strategic Plan.

The proposed suite will be located in the lower level of the existing house and accessed via a common entry way accessed from the existing front entrance to the house. Parking on-site exceeds the required minimum of three parking stalls. The suite will therefore have no negative visual impact on the single-family character of the area. The applicant will be required to ensure that the requirements of the Inspection Services Department prior to final approval of the zoning.

Access to the suite from the garage is a positive design feature of the suite from the accessibility perspective, allowing people with physical mobility challenges level access and transferability from the dwelling to a vehicle. It is recommended that the applicant incorporate landscaping / screening that would provide private outdoor living space for the tenants of the secondary suite and a well-lit area between the parking area and the suite entrance

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Andrew Bruce  
Development Services Manager

Approved for inclusion

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

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Attach.

**FACT SHEET**

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| 1. APPLICATION NO.:  | Z04-0008  |
| 2. APPLICATION TYPE:   | Rezoning  |
| 3. OWNER:  | Freda & David Shanko  |
| . ADDRESS  | 840 Princess Court  |
| . CITY   | Kelowna   |
| . POSTAL CODE  | V1X 5X5   |
| 4. APPLICANT/CONTACT PERSON:                                   | Freda Shanko  |
| . ADDRESS  | 718 South Crest Drive   |
| . CITY   | Kelowna   |
| . POSTAL CODE  | V1W 4W6   |
| . TELEPHONE/FAX NO.:   | 764-8606  |
| 5. APPLICATION PROGRESS:                                       |   |
| Date of Application:   | February 6, 2004  |
| Date Application Complete:                                     | February 6, 2004  |
| Servicing Agreement Forwarded to Applicant:                    | n/a   |
| Servicing Agreement Concluded:                                 | n/a   |
| Staff Report to Council:                                       |   |
| 6. LEGAL DESCRIPTION:  | Lot 13, Section 23, Township 26, ODYD, Plan 27679   |
| 7. SITE LOCATION:  | At the south end of Princess Court.   |
| 8. CIVIC ADDRESS:  | 840 Princess Court  |
| 9. AREA OF SUBJECT PROPERTY:                                   | 1381 m <sup>2</sup>   |
| 10. AREA OF PROPOSED REZONING:                                 | 1381 m <sup>2</sup>   |
| 11. EXISTING ZONE CATEGORY:                                    | RU1   |
| 12. PROPOSED ZONE:   | RU1s  |
| 13. PURPOSE OF THE APPLICATION:                                | TO REZONE THE PROPERTY FROM RU1- LARGE LOT HOUSING TO RU1s- LARGE LOT HOUSING WITH SECONDARY SUITE TO LEGALIZE AN EXISTING SECONDARY SUITE WITHIN AN EXISTING SINGLE DETACHED DWELLING. |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.:                         | n/a   |
| 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