

---

**CITY OF KELOWNA  
MEMORANDUM**

---

**DATE:** April 2, 2008

**TO:** City Manager

**FROM:** Planning & Development Services Department

**APPLICATION NO.** Z07-0020

**APPLICANT:** CLAUDE CASAVANT &  
MARIE THEROUX

**AT:** 167 HOMER COURT

**OWNER:** AS ABOVE

**PURPOSE:** TO REZONE FROM THE RU1 – LARGE LOT HOUSING ZONE TO THE RU1(s) – LARGE LOT HOUSING WITH SECONDARY SUITE ZONE, IN ORDER TO LEGALIZE AN EXISTING SECONDARY SUITE WITHIN THE EXISTING BUILDING.

**EXISTING ZONE:** RU1 – LARGE LOT HOUSING

**PROPOSED ZONE:** RU1(s) – LARGE LOT HOUSING WITH SECONDARY SUITE ZONE

**REPORT PREPARED BY:** PAUL McVEY

---

### **1.0 RECOMMENDATION**

THAT Rezoning Application No. Z07-0020 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, Sec. 27, Twp. 26, O.D.Y.D., Plan 29877 located on Homer Court, Kelowna, B.C. from the RU1 – Large Lot Housing Zone to the RU1(s) – 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;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Inspection Services Department being completed to their satisfaction;

### **2.0 SUMMARY**

This rezoning application seeks to rezone the subject property from the existing RU1 – Large Lot Housing Zone to the proposed RU1s – Large Lot Housing with Secondary Suite Zone to legalize the existing secondary suite within the principal building on the subject property. There has not been an application made for a Development Permit, as the dwelling located on the subject property was constructed in July 1979, and is therefore exempt from a Development Permit application.

### **3.0 BACKGROUND**

The applicant has had a secondary suite developed within the ground level of the existing dwelling for some time. This unauthorized suite came to light as the result of a complaint

*n*

made to the bylaw enforcement department in January 2007. This application to rezone has been made to correct that oversight, and legitimise this existing suite.

There is adequate lot area to provide ample room for vehicle parking, while also providing useable outdoor living area. The site plan also indicates that there is an existing double garage in the rear of the property, as well as a carport that is part of the existing dwelling.

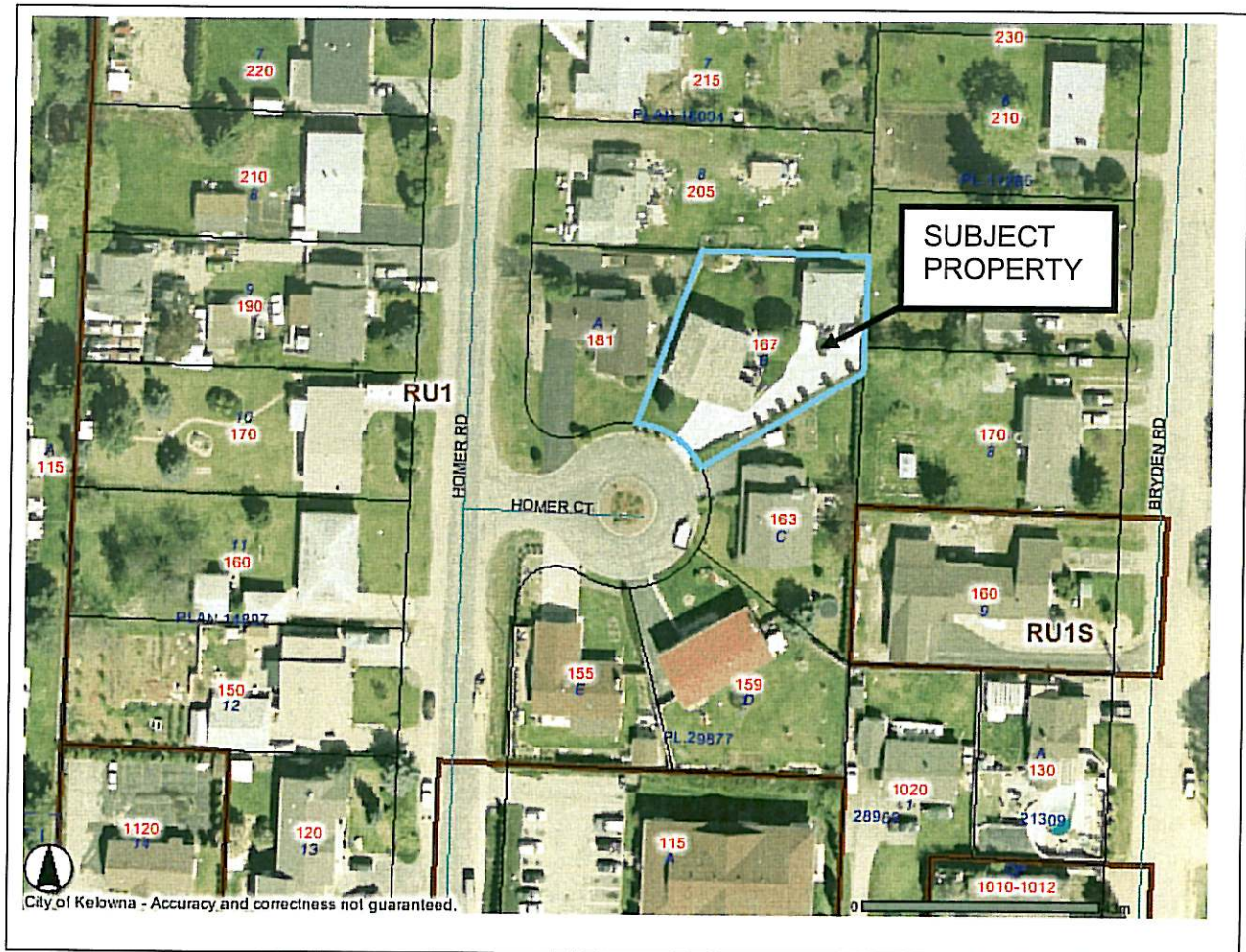
The proposed application meets the requirements of the RU1(s) Large Lot Housing with a Secondary Suite zone as follows :

CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS
<b>Subdivision Regulations</b>		
Lot Area	1131 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width	15.24 m	13.0 m
Lot Depth	34 m	30.0 m
<b>Development Regulations</b>		
Site Coverage (buildings)	13.1%	40%
Front Yard	7.46 m	4.5 m or 6.0 m to a garage
Side Yard (west)	2.4 m	2.3 m (2 to 2 ½ storey)
Side Yard (South east)	5.7 m	2.3 m (2 to 2 ½ storey)
Rear Yard	12.0 m	7.5 m
<b>Other requirements</b>		
Total Floor Area	242.6 m <sup>2</sup>	n/a
Floor Area (secondary suite)	77.1 m <sup>2</sup> 31.7% of principal building	The lesser of 90 m <sup>2</sup> or 40% of the total floor area of the principal building
Parking Stalls (#)	(at least) 3 spaces	3 spaces
Private Open Space	Shared open space	30 m <sup>2</sup> of private open space per dwelling

### 3.1 Site Context

The subject property is located on the north east side of Homer Court, off of Homer Road, located between Highway 33 and Houghton Road in Rutland. The surrounding properties are developed for single family housing. All are RU1 zoning - Large Lot Housing.

## SUBJECT PROPERTY MAP



### 3.2 Existing Development Potential

The purpose is to provide a zone for single detached housing, and compatible secondary uses. The property is designated as Single/Two Unit Residential future land use in the City of Kelowna Official Community Plan.

### 4.0 TECHNICAL COMMENTS

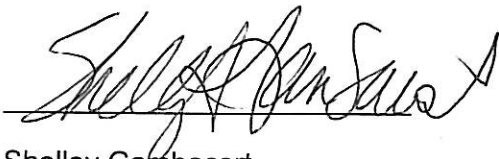
4.1 As Attached

## 5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The proposal complies with the regulation of the RU1s zone of Zoning Bylaw No. 8000. This application is not subject to a Development Permit application as the dwelling located on the subject property was built in 1979, prior to the June 1, 2004 cut-off date identified in Chapter 8 of the City of Kelowna Official Community Plan.

The subject property is sufficiently large to provide adequate space for the parking of three vehicles, and provide for adequate open space.

Staff recommends that this rezoning application be supported, as it represents a sensitive infill project with minimal impact on the surrounding neighbours.

A handwritten signature in black ink, appearing to read 'Shelley Gambacort', written over a horizontal line.

Shelley Gambacort  
Current Planning Supervisor

PMc/pmc  
Attach.

---

**ATTACHMENTS**

Location of subject property

Site Plan (air photo)

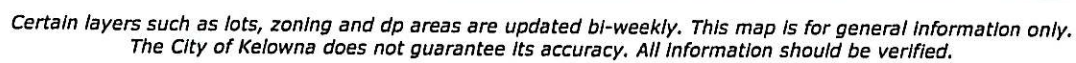
Floor Plan of Building

Floor Plan of Suite

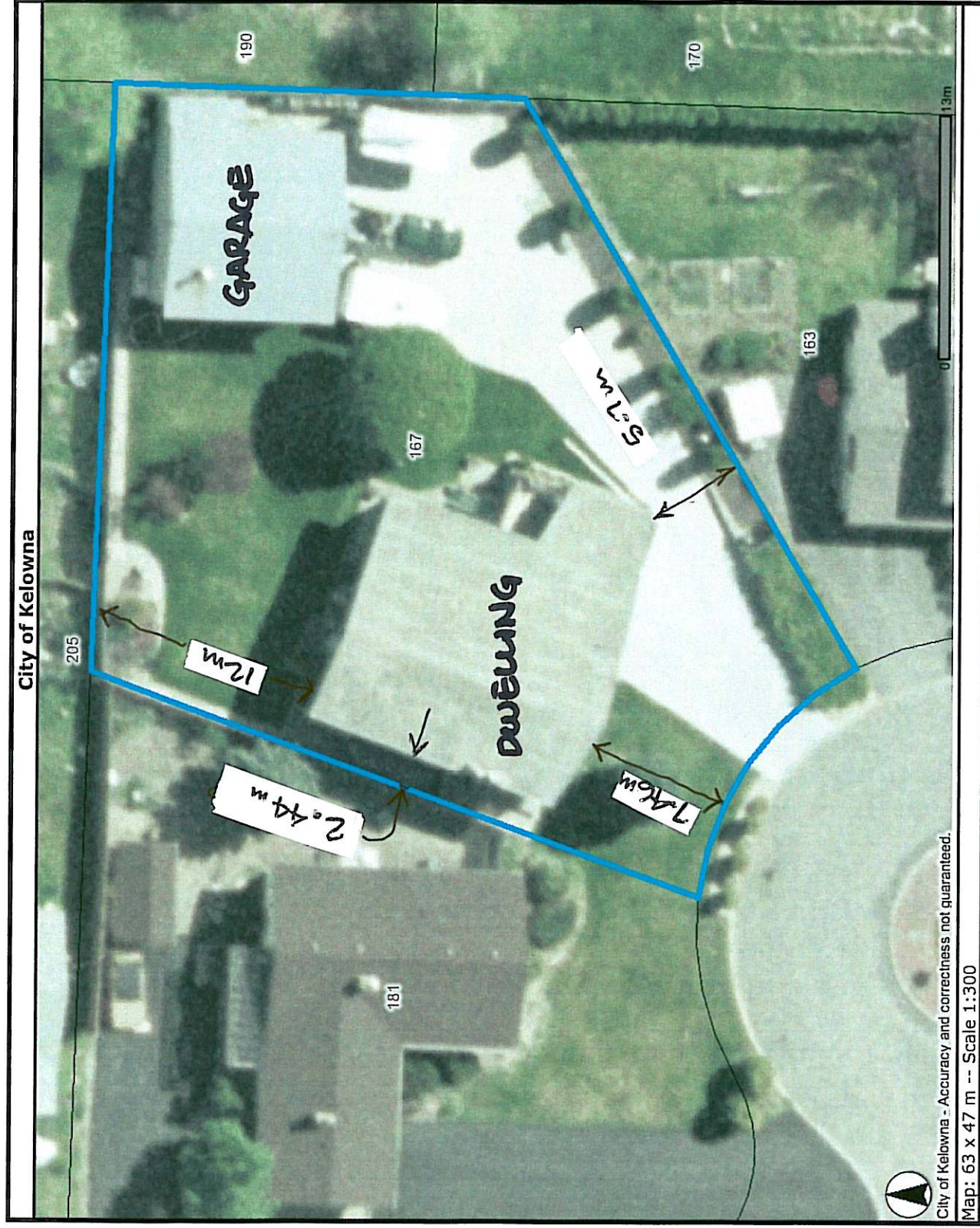
Photos of Subject Property (5 pages)

Technical comments







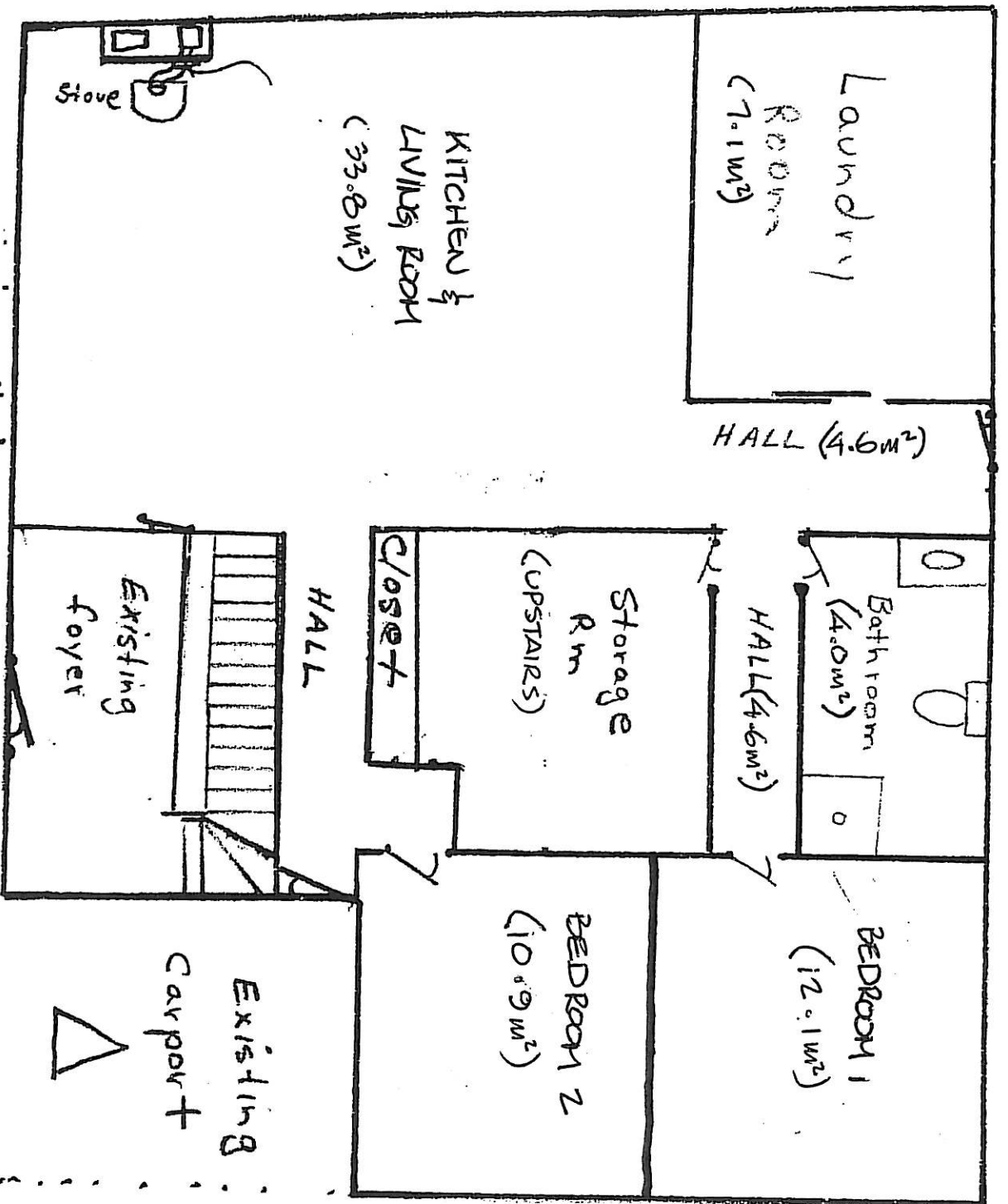


This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

[http://kelintranetb/servlet/com.esri.esrimap?ServiceName=Kelowna\\_Map\\_View](http://kelintranetb/servlet/com.esri.esrimap?ServiceName=Kelowna_Map_View) SITE PLAN 167 HOMERCT

Basement Dev.

for 167 HOMER CRT., Kelowna, B.C.



B.P. # 4449  
167 HOMER CT.



att PAUL MCVEY

FAX 862-3320

KITCHEN	28 X 13	364.0	33.8 m <sup>2</sup>
LAUNDRY	8 X 9.6	76.8	7.1 m <sup>2</sup>
BATH	5 X 8.6	43.0	4.0 m <sup>2</sup>
BACK ENTRY	10 X 5	50.0	4.6 m <sup>2</sup>
HALLWAY	<del>4.5 X 11</del>	49.5	4.6 m <sup>2</sup>
Bedroom	13 X 10	130.0	12.1 m <sup>2</sup>
Bedroom	13 X 9	117.0	10.9 m <sup>2</sup>
		<u>830.3</u> ♂	<u>77 m<sup>2</sup></u>

FROM JEAN-CLAUDE CASAVANT

MS. MARIE A. THEROUX

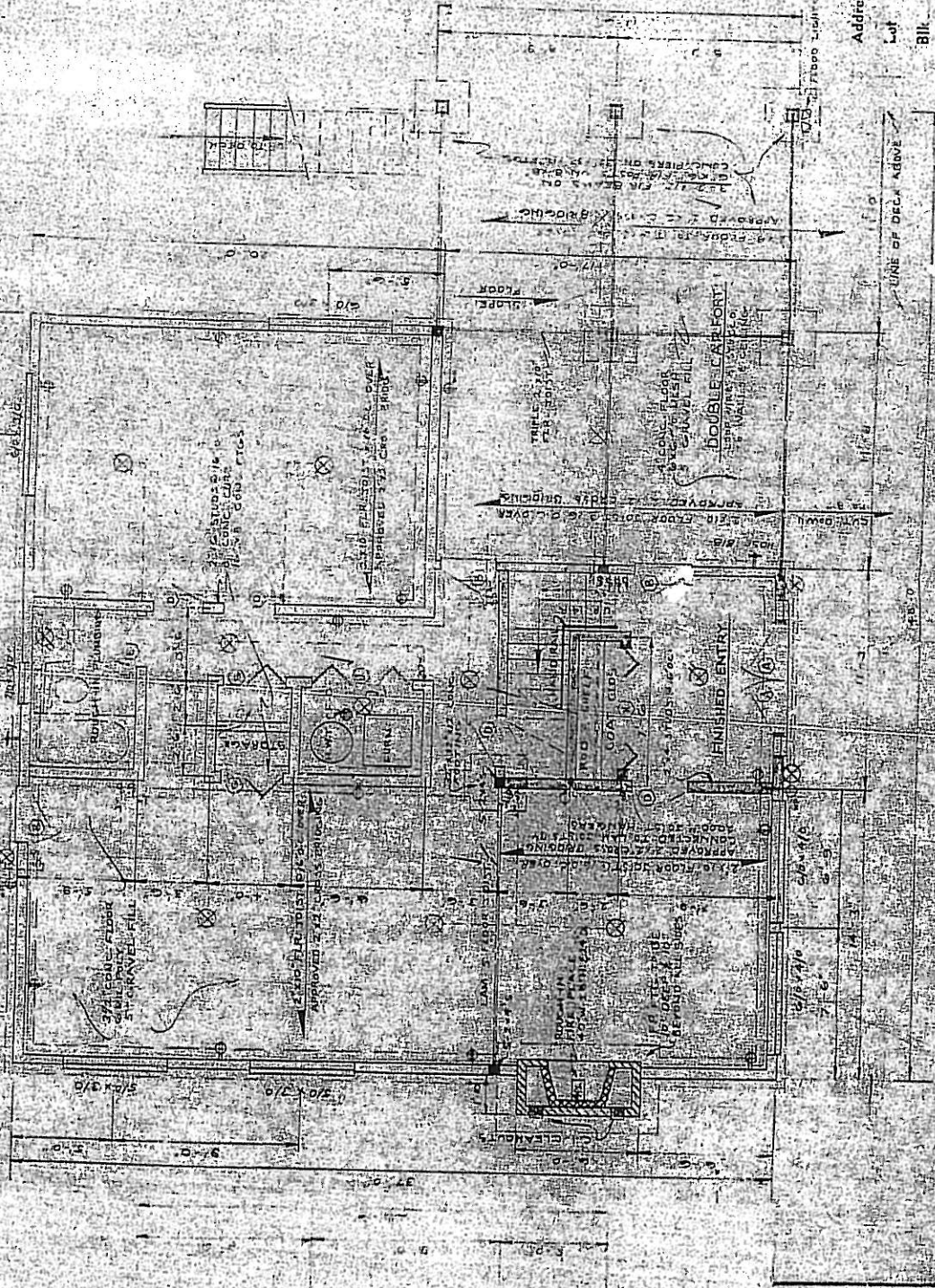
SUMMARY OF SUITE ROOM SIZES

# BASEMENT & FOUNDATION PLAN

1/4" Scale

Address 167 Homer CRT  
Lot B Sec 27  
Blk Plan 29877 Twp 26  
Pages 1/19

## FOUNDATION & BASEMENT PLAN







---

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

---

**Date:** February 27, 2007  
**File No.:** Z07-0020  
**To:** Planning and Development Officer (PMcV)  
**From:** Development Engineering Manager (SM)  
**Subject:** 167 Homer CT – Lot B, Plan 29877, section 27, Township 26, ODYD

---

The Works & utilities Department comments and requirements regarding this application to rezone the subject property from RU1 to RU1s are as follows:

The plan for the proposed rezoning application for a suite within an existing dwelling does not compromise Works and Utilities as far as servicing is concerned.

---

Steve Muenz, P. Eng.  
Development Engineering Manager

BB



FRONT VIEW



DETAIL - FRONT DOOR





DRIVEWAY & GARAGE

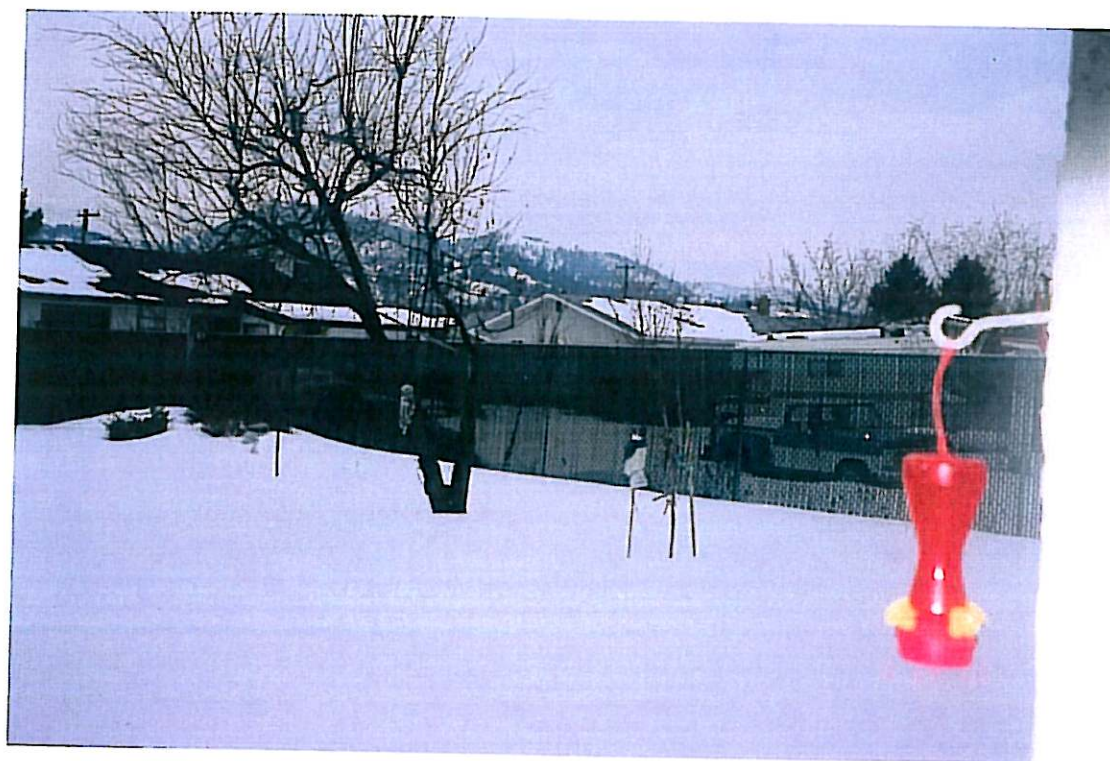


REAR YARD



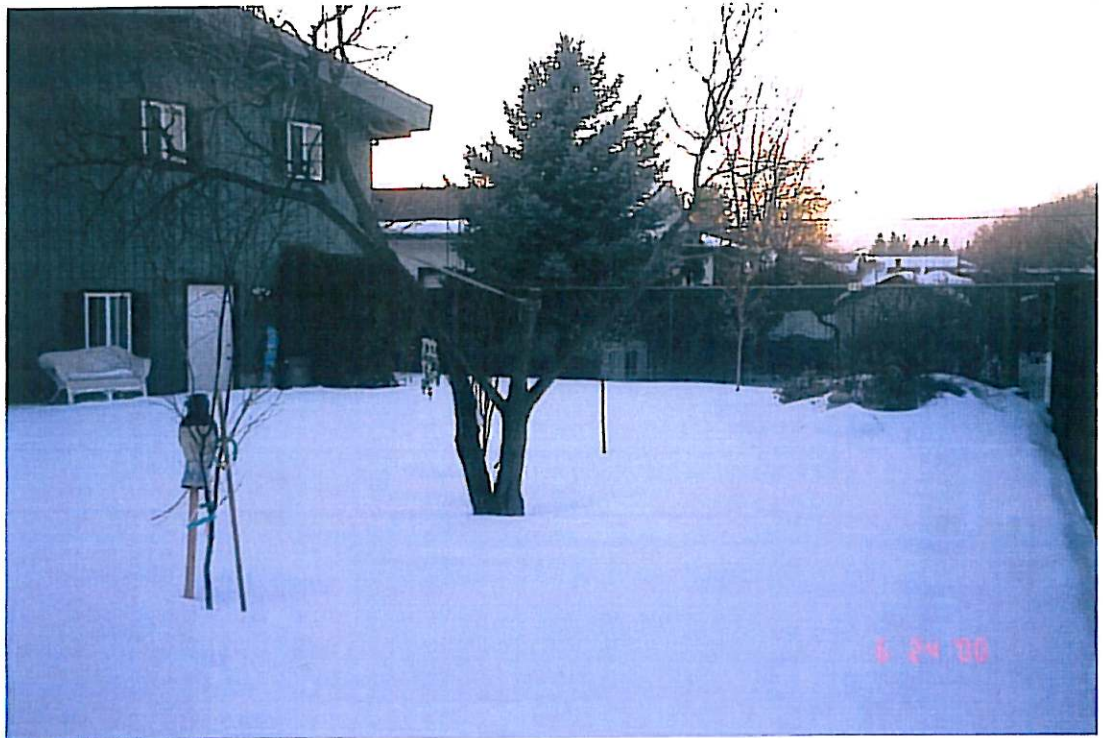


DRIVEWAY IN REAR YARD



REAR YARD





REAR YARD



REAR YARD





DRIVEWAY @ SIDE OF HOUSE



REAR YARD

⑤