
**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

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.

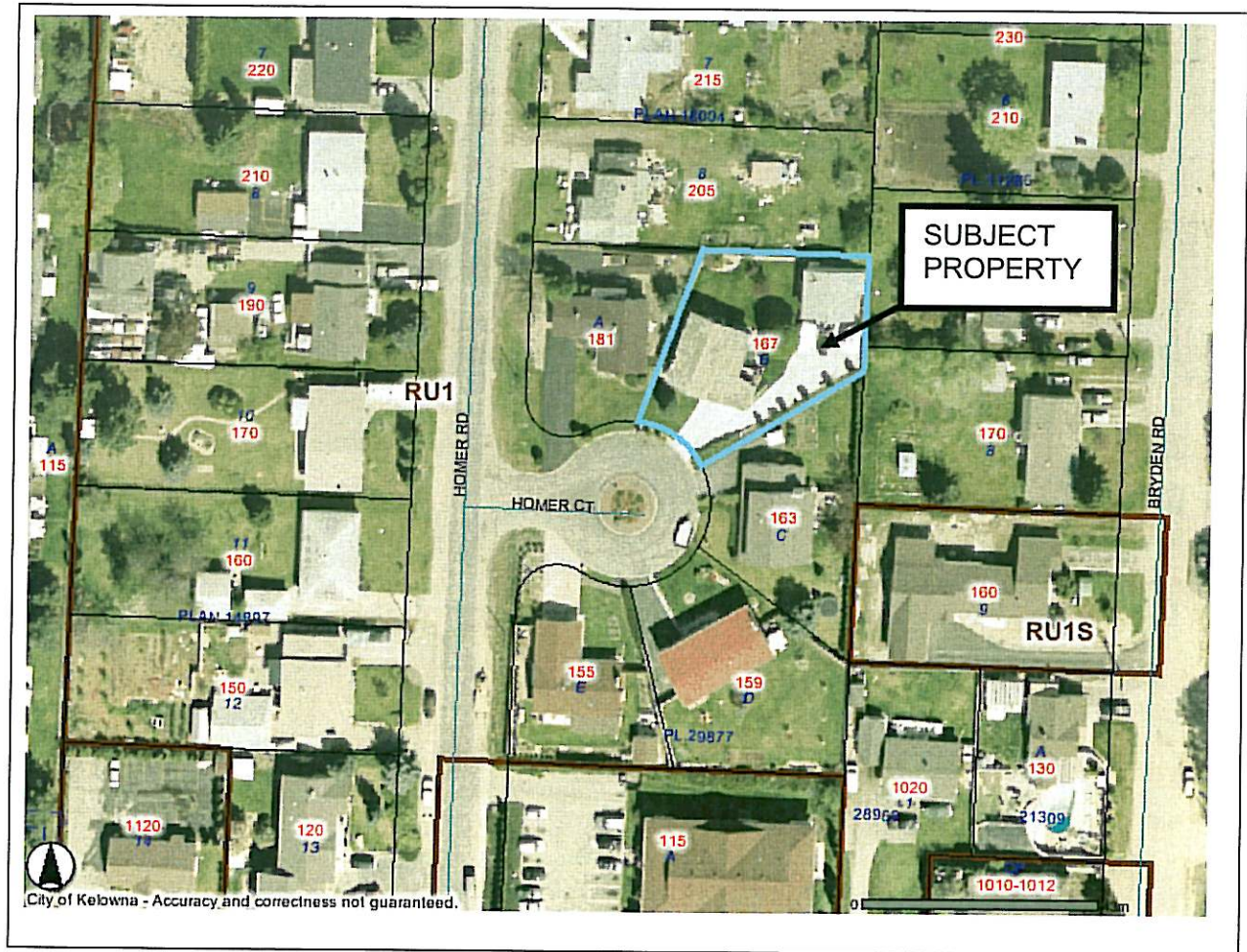
The proposed application meets the requirements of the RU1(s) Large Lot Housing with a Secondary Suite zone as follows :

CRITERIA	PROPOSAL	RU1s ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	1131 m ²	550 m ²
Lot Width	15.24 m	13.0 m
Lot Depth	34 m	30.0 m
Development Regulations		
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
Other requirements		
Total Floor Area	242.6 m ²	n/a
Floor Area (secondary suite)	77.1 m ² 31.7% of principal building	The lesser of 90 m ² 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 ² 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)

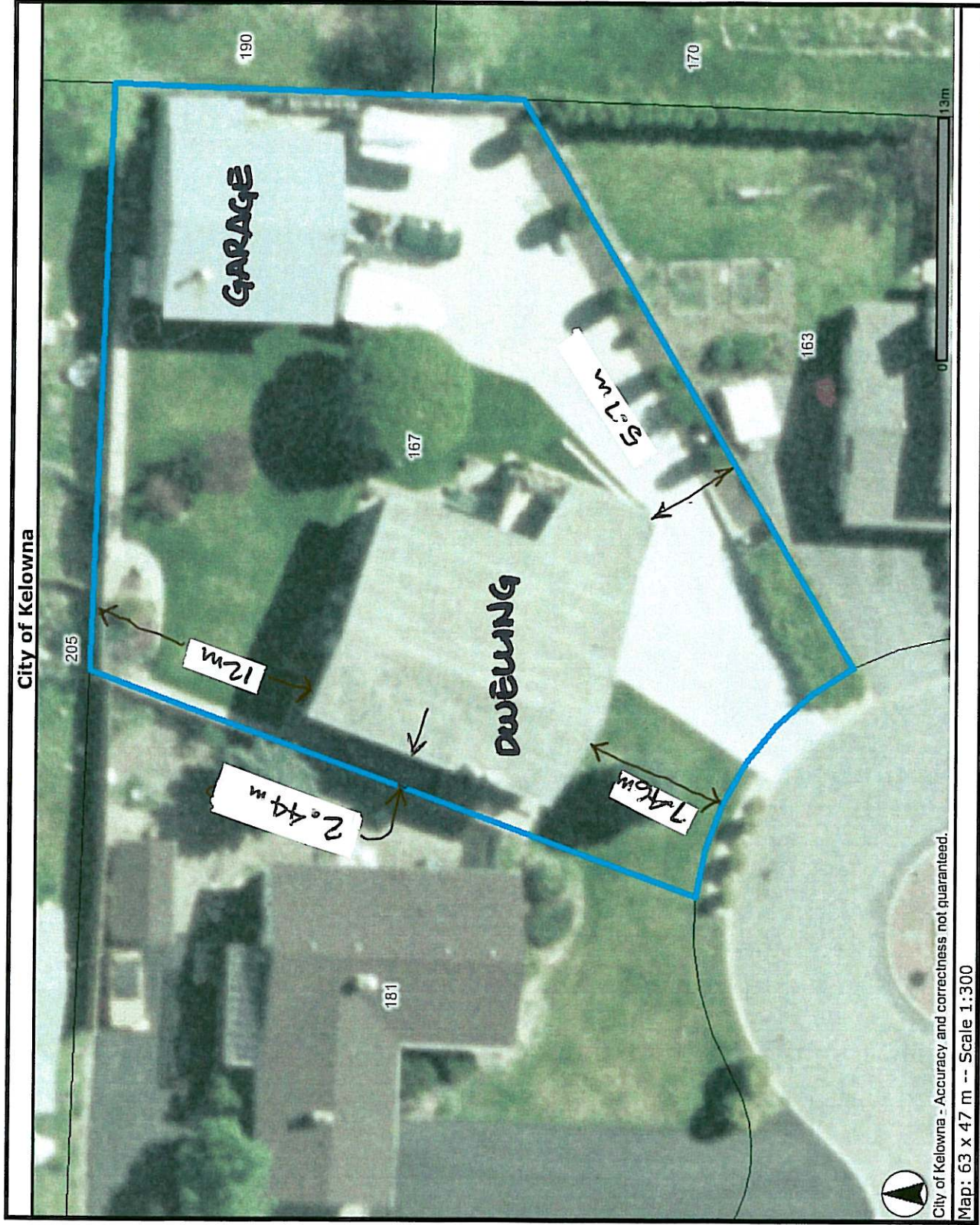
Floor Plan of Building

Floor Plan of Suite

Photos of Subject Property (5 pages)

Technical comments

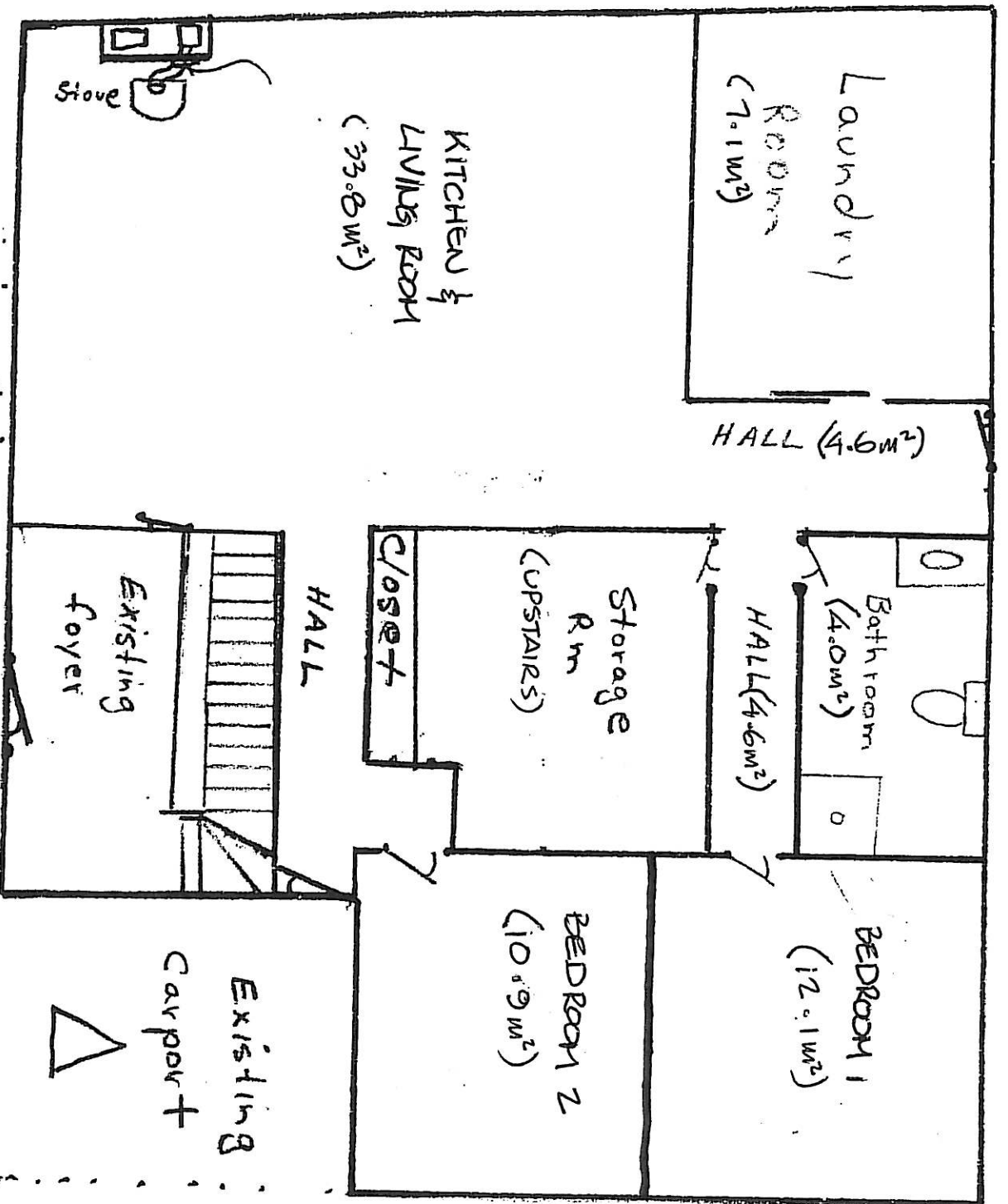




This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

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 ²
LAUNDRY	8 X 9.6	76.8	7.1 m ²
BATH	5 X 8.6	43.0	4.0 m ²
BACK ENTRY	10 X 5	50.0	4.6 m ²
HOLLOWAY	4 X 11	49.5	4.6 m ²
Bedroom	13 X 10	130.0	12.1 m ²
Bedroom	13 X 9	117.0	10.9 m ²
		<u>830.3</u> #	<u>77 m²</u>

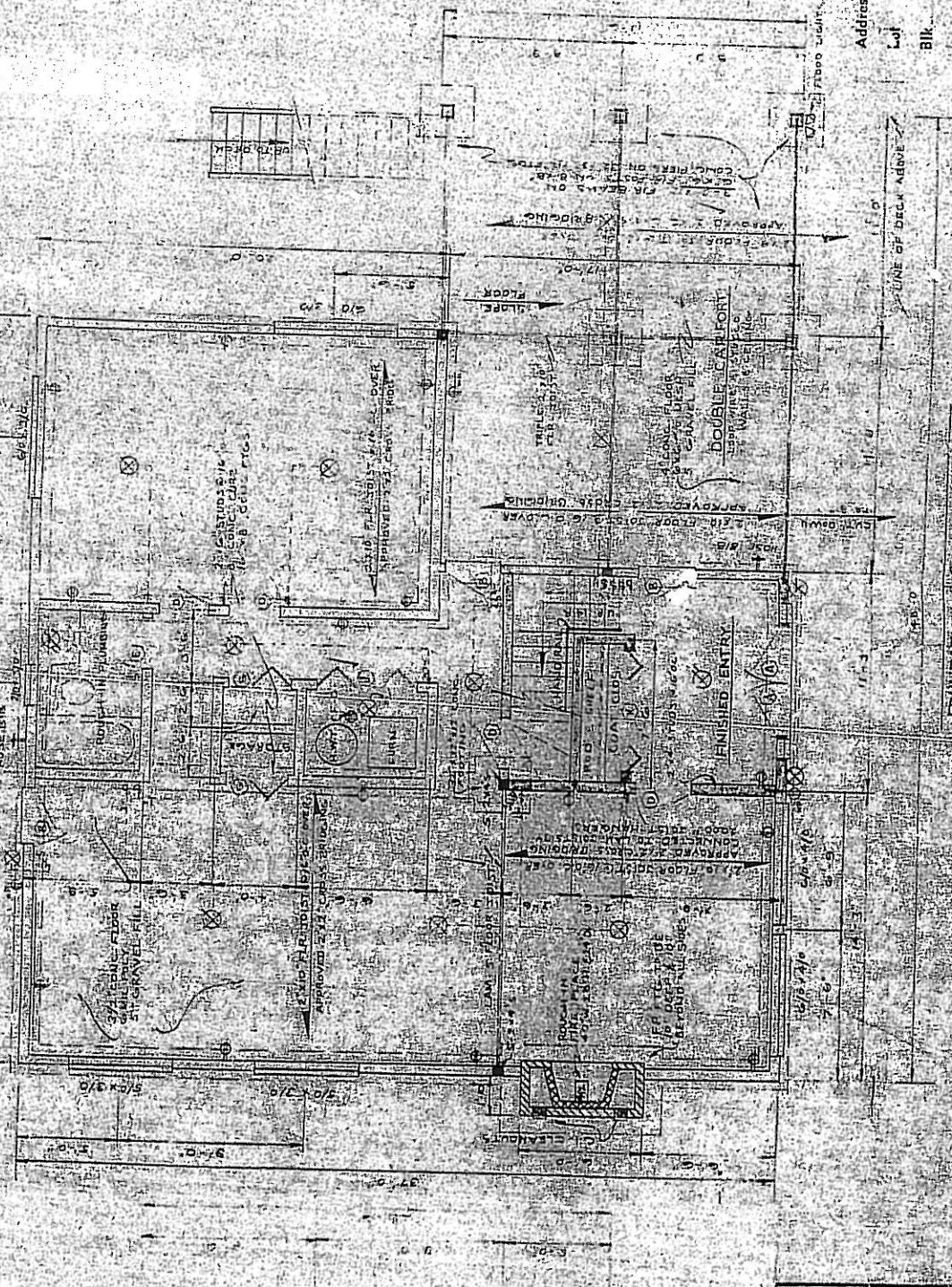
FROM JEAN-CLAUDE CASAVANT

MS. MARIE A. THEROUX

SUMMARY of SUITE ROOM SIZES

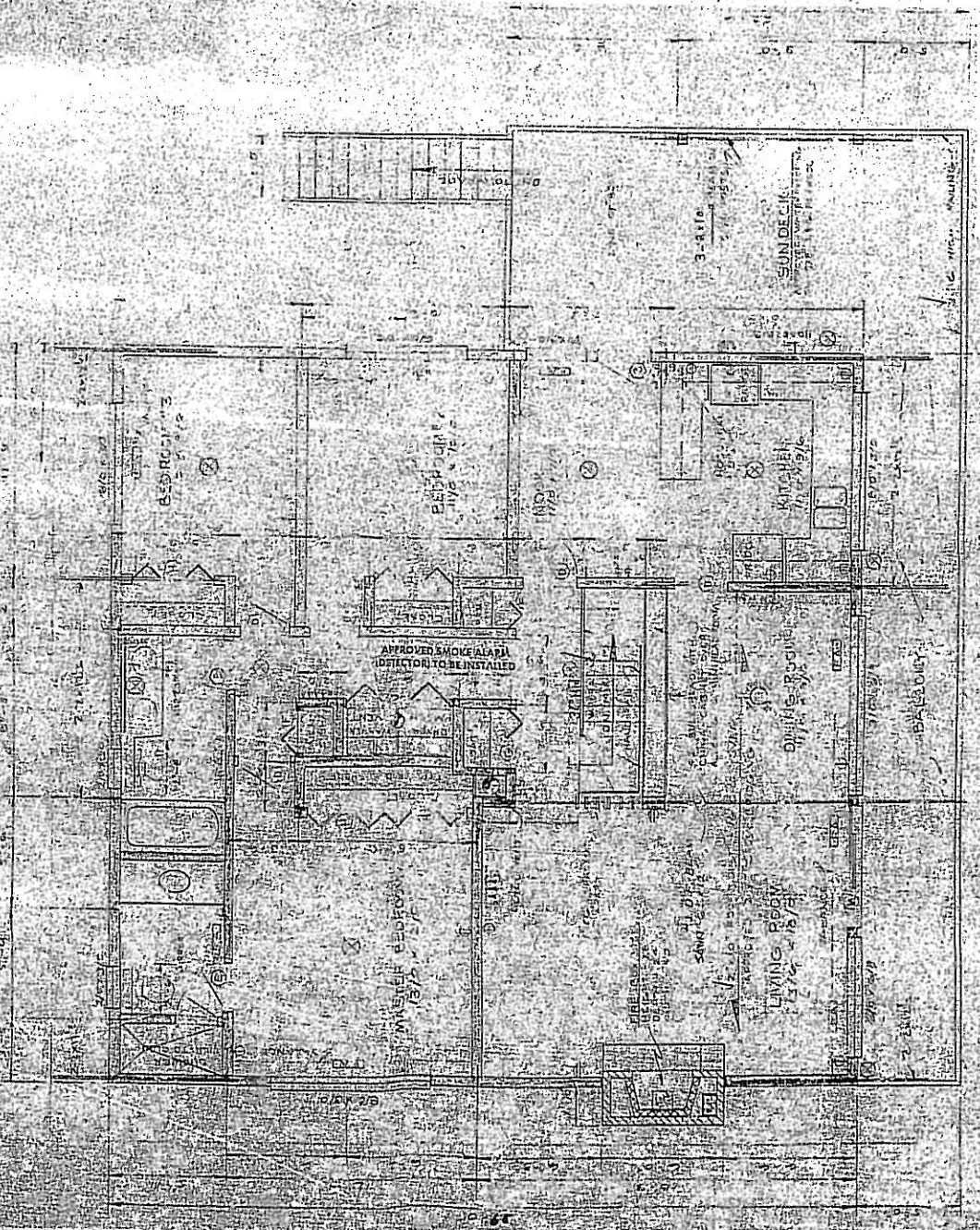
2485400T 4
FOUNDATION PLAN

1/4" Scale



Address 167 Homer CRT
Lot B Sec 27
Blk Twp 26
Plan 29877 Pages 1/79

FOUNDATION & BASEMENT PLAN



MAIN FLOOR PLAN

1/4" scale

- MAIN FLOOR PLAN - Area 1369 sq. ft.

File: Z07-0020

Application

File: Z07-0020

Type: REZONING - NON APC

File Circulation

Seq	Out	In	By	Comment
				B.C. Assessment Authority (info only)
	2007-02-16	2007-02-16		
				Bylaw Enforcement Officer
	2007-02-16	2007-02-16		Info Only. Open file for illegal suite #91242
				Fire Department
	2007-02-16	2007-02-28	MNEID	Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw.
				FortisBC
	2007-02-16	2007-02-16		Info Only.
				Inspections Department
	2007-02-16	2007-02-21	RREADY	Proposed suite to meet BCBC 2006 ie: related to fire separation between units, separate heating systems, smoke alarms/carbon monoxide detectors. Parking required to zoning bylaw requirements.
				Mgr Policy, Research & Strategic Plannin
	2007-02-16	2007-02-20		no comments
				Public Health Inspector
	2007-02-16	2007-02-23		Sanitary sewer required.
				Works & Utilities
	2007-02-16	2007-03-01		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.

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

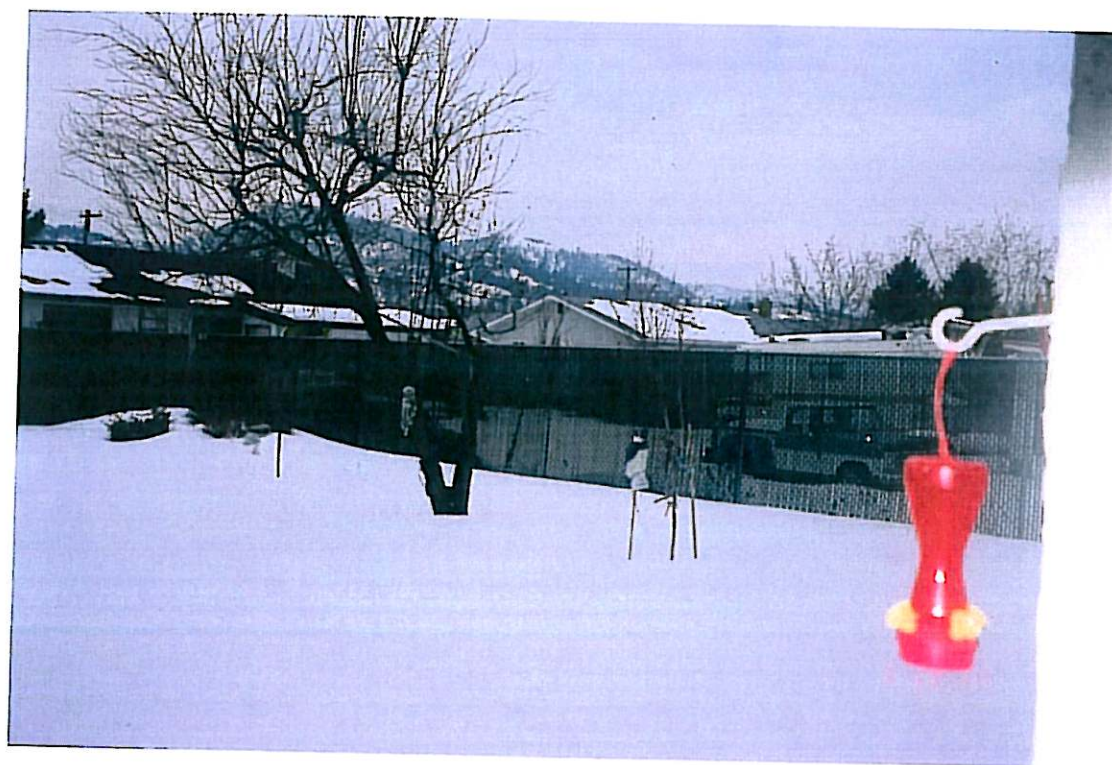


REAR YARD

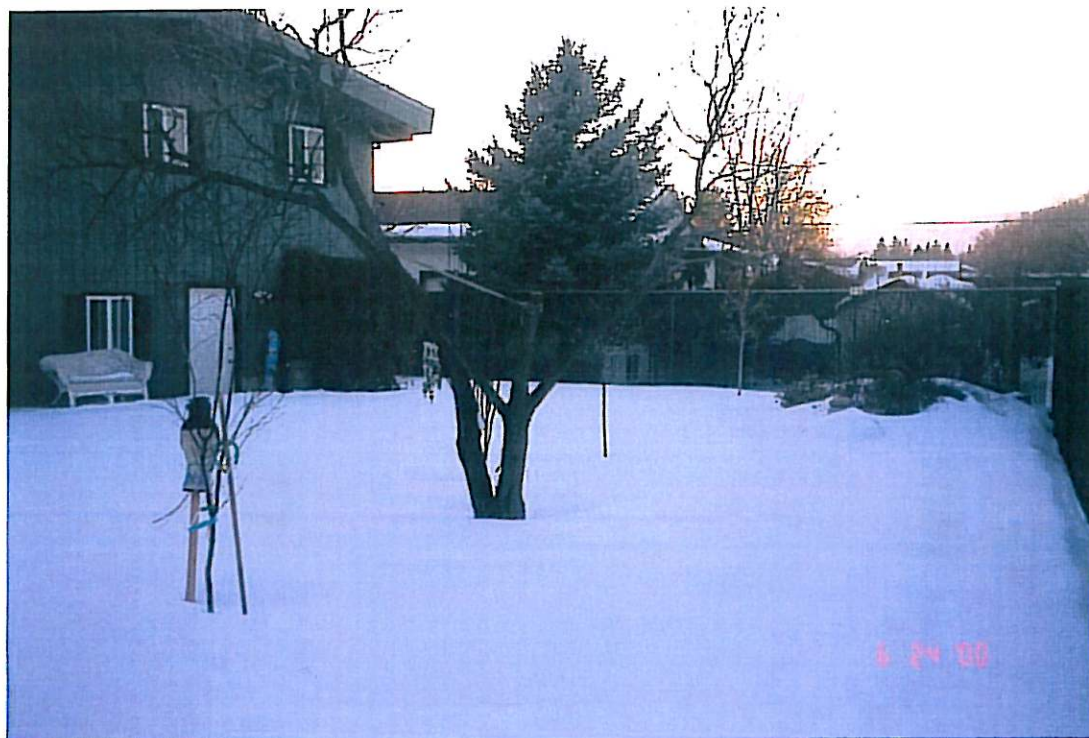




DRIVEWAY IN REAR YARD



REAR YARD



REAR YARD



REAR YARD



DRIVEWAY @ SIDE OF HOUSE



REAR YARD