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**CITY OF KELOWNA  
MEMORANDUM**

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**DATE:** June 14, 2008

**TO:** City Manager

**FROM:** Planning & Development Services Department

**APPLICATION NO.** Z08-0046  
**AT:** 1250 Bothe Street

**APPLICANT:** Melanie Berg  
**OWNERS:** Melanie Berg

**PURPOSE:** TO REZONE THE SUBJECT PROPERTY FROM RU1 – LARGE LOT HOUSING TO RU1S – LARGE LOT HOUSING WITH SECONDARY SUITE TO LEGALIZE THE EXISTING SECONDARY SUITE LOCATED IN THE BASEMENT.

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

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

**REPORT PREPARED BY:** Alec Warrender

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**1.0** RECOMMENDATION

THAT Rezoning Application No. Z08-0046 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, District Lot 131, ODYD, Plan 37963, located at 1250 Bothe Street, 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** BACKGROUND

An application to rezone the subject property to the RU1s – Large Lot Housing with Secondary Suite zone was defeated by Council on January 14<sup>th</sup>, 2008. In large part the application was not supported because the former owner had not worked with the neighbours and there were two active Bylaw files on the subject property. The applicant has since purchased the property and would like to legalize the existing suite.

**3.0** SUMMARY

This rezoning application seeks to rezone the subject property from the RU1 – Large Lot Housing to the RU1s – Large Lot Housing with Secondary Suite.

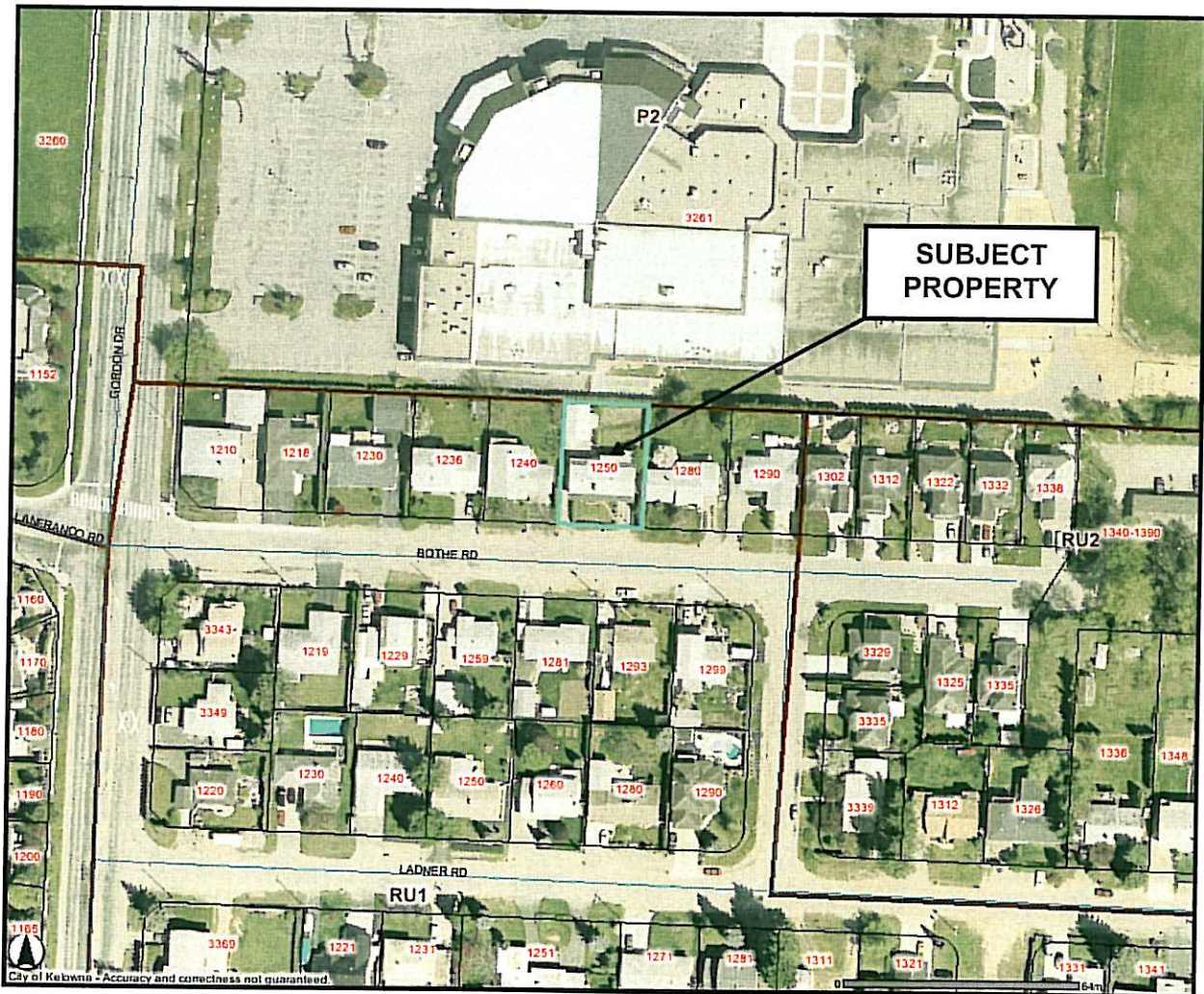
**4.0** THE PROPOSAL

There is an illegal suite located in the basement of the existing single family dwelling, this applicant would like to legalize the suite. The suite has a floor area of 46.3m<sup>2</sup> and 33.4% of the principle dwelling's total floor area.



4.1 Site Location Map:

1250 Bothe Street

4.2 Site Context

The adjacent land uses and zoning are as follows:

North	P2 – Education & Minor Institutional - Church
East	RU1 – Large Lot Housing – Single family residence
South	RU1 – Large Lot Housing – Single family residence
West	RU1 – Large Lot Housing – Single family residence

The proposed application meets the requirements of the RU1s Zone as follows:

CRITERIA	PROPOSAL	BYLAW REQUIREMENTS
Subdivision Regulations		
Lot Area	719 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width	22.4 m	16.5 m
Lot Depth	32.7 m	30 m
Development Regulations		
Site Coverage	40%	50% Incl. driveways and parking

Height	1.5 storeys	2 ½ storeys / 9.5 m
Front Yard	7.5 m	6.0 m
Side Yard (West)	4.0 m	2.0 m
Side Yard (East)	1.5 m <sup>1</sup>	2.0 m
Rear Yard (North)	15.5 m	7.5 m
<b>CRITERIA</b>	<b>PROPOSAL</b>	<b>BYLAW REQUIREMENTS</b>
Size of Secondary Suite	46.3 m <sup>2</sup> / 33.4%	90 m <sup>2</sup> or 40% of the total floor area of the principal dwelling (~55 m <sup>2</sup> )
Private Open Space	292.5 m <sup>2</sup> Each	30 m <sup>2</sup> per dwelling
<b>Other Regulations</b>		
Minimum Parking Requirements	4 spaces	2 spaces for the principal dwelling + 1 space for the suite

<sup>1</sup> Existing non-conforming

## 5.0 TECHNICAL COMMENTS

### 5.1 Works & Utilities

See Attached.

### 5.2 Inspections Department

Building permit required to upgrade suite to meet the current requirements of BCBC 2006.

## 6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The Planning and Development Services Department has no concerns with the proposed rezoning of the property from RU1 - Large Lot Housing to RU1s - Large Lot Housing with Secondary Suite. The Official Community Plan supports the creation of secondary suites and the proposed development is in line with Zoning Bylaw No. 8000. The applicant has submitted a petition in support of the application that has been signed by 10 residents located on Bothe Street.

  
 Shelley Gambacort  
 Current Planning Supervisor  
 SG/aw

## **ATTACHMENTS**

Location of subject property  
 Site Plan  
 Works & Utilities - Comments  
 Photograph



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**Date:** May 21, 2007  
**File No.:** Z08-0046

**To:** Planning & Development Services Department (AW)  
**From:** Development Engineering Manager  
**Subject:** 1250 Bothe Road                      Lot B Plan 37963                      Suite

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The Works & Utilities Department comments and requirements regarding this application to rezone from RU-1 to RU-1s are as follows:

1.     Domestic Water and Fire Protection

The existing lot is adequately serviced with a 19mm diameter copper water service.

Metered water from the main residence must be extended to supply the suite.  
The meter shall be within the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws.

2.     Sanitary Sewer

The existing house is provided with a single 100mm-diameter sanitary sewer service, complete with I.C. that should be used to service the main residence and the proposed suite

3.     Development Permit and Site Related Issues

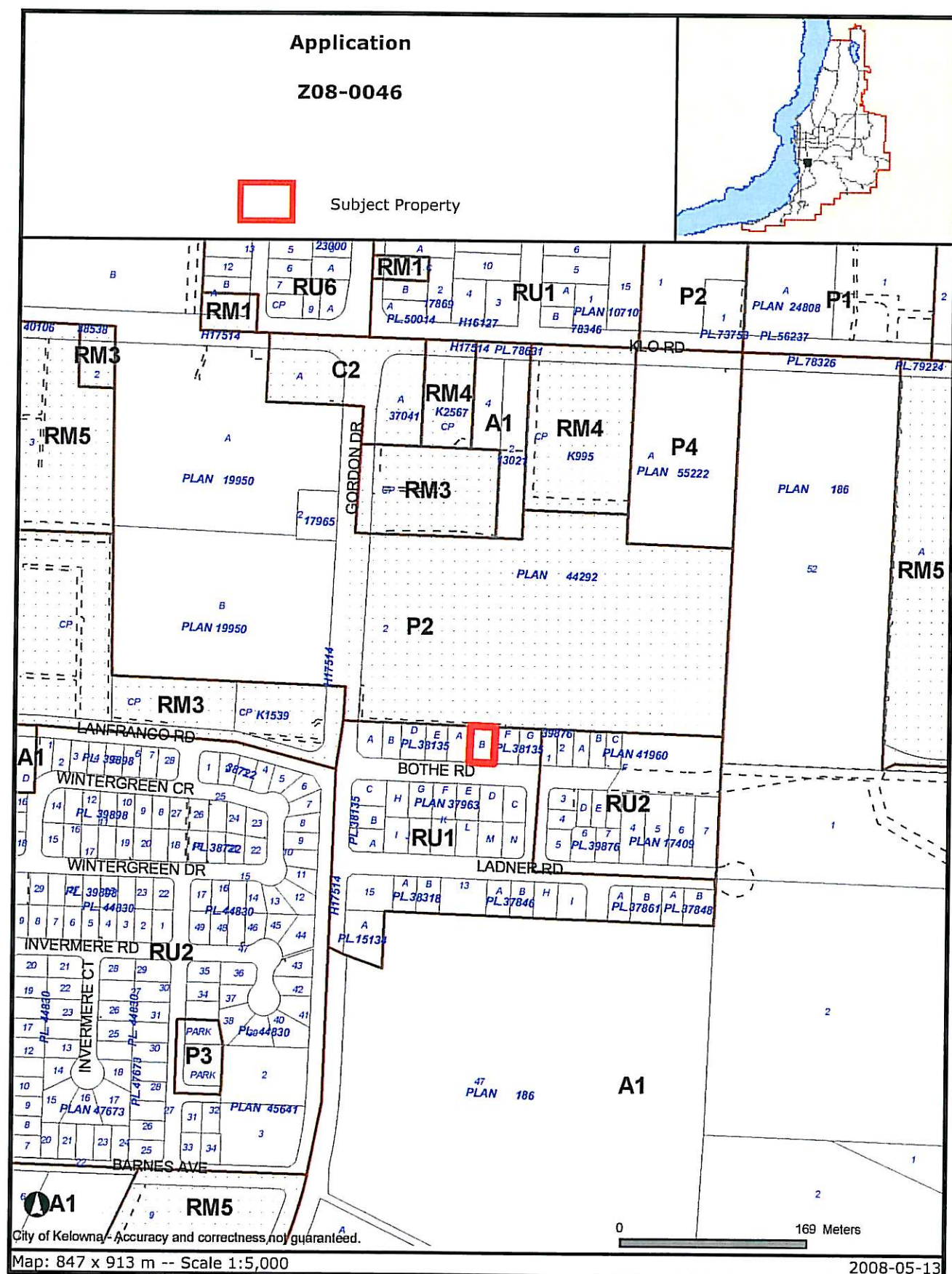
Adequate, hard surface off-street parking is provided

4.     Electric Power and Telecommunication Services

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.

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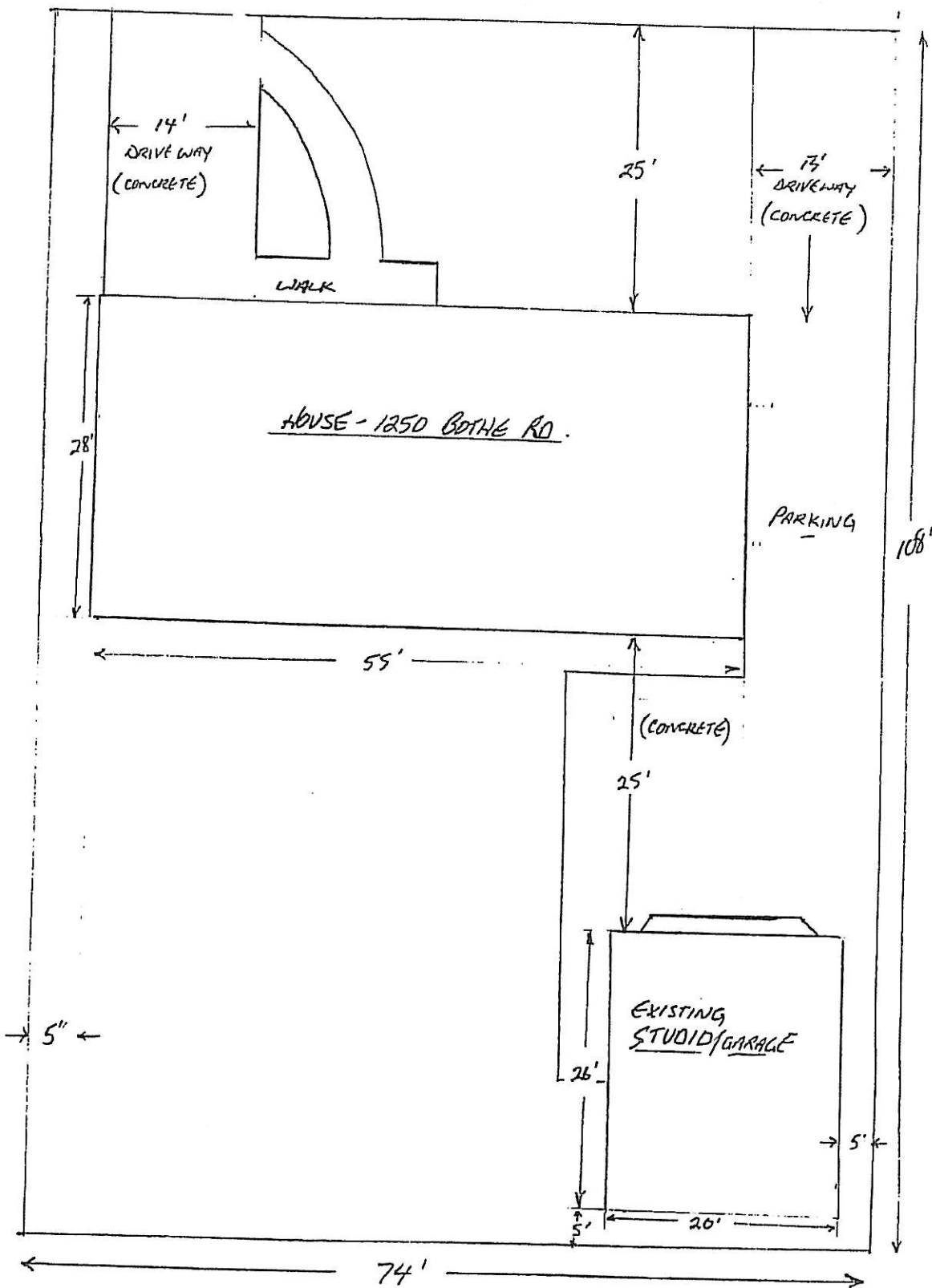
Steve Muenz, P. Eng.  
Development Engineering Manager  
JF/



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.

LOT PLAN

← BOTHE ROAD →



1250 Butler Road, Kelowna V1W 3N3

