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**CITY OF KELOWNA  
MEMORANDUM**

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**DATE:** November 18, 2008  
**TO:** City Manager  
**FROM:** Community Sustainability Division  
**APPLICATION NO.** Z08-0092      **APPLICANT:** Gregory & Darleen McCaw  
**AT:** 605 Horn Crescent      **OWNER:** Gregory & Darleen McCaw

**PURPOSE:** TO REZONE THE SUBJECT PROPERTY FROM THE RU2(H) - MEDIUM LOT HOUSING (HILLSIDE AREA) ZONE TO THE RU2(H)(S)- MEDIUM LOT HOUSING (HILLSIDE AREA) WITH SECONDARY SUITE ZONE TO LEGALIZE A SECONDARY SUITE WITHIN AN EXISTING SINGLE FAMILY DWELLING.

**EXISTING ZONE:** RU2(H) - MEDIUM LOT HOUSING (HILLSIDE AREA)

**PROPOSED ZONE:** RU2(H)(S) - MEDIUM LOT HOUSING (HILLSIDE AREA) WITH SECONDARY SUITE

**REPORT PREPARED BY:** BIRTE DECLOUX

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**1.0 RECOMMENDATION**

THAT Rezoning Application No. Z08-0092 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6, District Lot 1688S, SDYD, Plan KAP82290, located on Horn Crescent, Kelowna, B.C. from the RU2(h) Medium Lot Housing (Hillside Area) zone to the RU2(h)(s) Medium Lot Housing (Hillside Area) 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**

This application seeks to rezone from RU2h Medium Lot Housing (Hillside Area) zone to the RU2hs Medium Lot Housing (Hillside Area) with Secondary Suite zone in order to legalize a secondary suite within an existing single family dwelling.

**3.0 BACKGROUND**

The existing single family dwelling is located at the end of street backing on to future parkland in a new development on the South Slopes. The application to rezone was applied for subsequent to an illegal suite investigation in February 2008. The one bedroom suite is located in the basement of the dwelling with external access via the garage. Sufficient parking and outdoor space have been allocated to comply with the zoning bylaw.



The table below shows this application's compliance with the requirements of the RU2H(s) Medium Lot Housing (Hillside Area) with a Secondary Suite zone.

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	RU2H(s) ZONE REQUIREMENTS (FOR SECONDARY SUITE)
Subdivision Regulations		
Lot Area	671 m <sup>2</sup>	400 m <sup>2</sup>
Lot Width	16.22 m	13 m
Lot Depth	31.79 m	30 m
Development Regulations		
Site Coverage (buildings)	36.4 %	40 %
Site Coverage (buildings/parking)	44.2 %	50 %
Height	8.5 m / 2 storey	9.5m or 2 ½ storeys
Front Yard	6.09 m	3.0 m or 6.0 m to garage from curb or sidewalk
Side Yard (w)	1.98 m	1.5 for 1 – 1 ½ storey; 1.8 for 2 – 2 ½ storey
Side Yard (east)	3.65 m	1.5 for 1 – 1 ½ storey; 1.8 for 2 – 2 ½ storey
Rear Yard	< 7.5 m	6.0 m (1 – 1 ½ storey); 7.5m (2 – 2 ½ storey)
Floor Area of Principal Dwelling	244.51 m <sup>2</sup>	
Floor Area of Secondary Suite	41.2 m <sup>2</sup> /17%	Lessor of 90 m <sup>2</sup> or 40% of Principal Dwelling
Other Requirements		
Parking Stalls (#)	3 spaces	3 spaces
Private Open Space	meets requirements	30 m <sup>2</sup> of private open space per dwelling

### 3.1 **Site Context**

The subject property is located on the south side of Horn Crescent, in south east Mission backing on parkland. More specifically, the adjacent land uses are as follows:

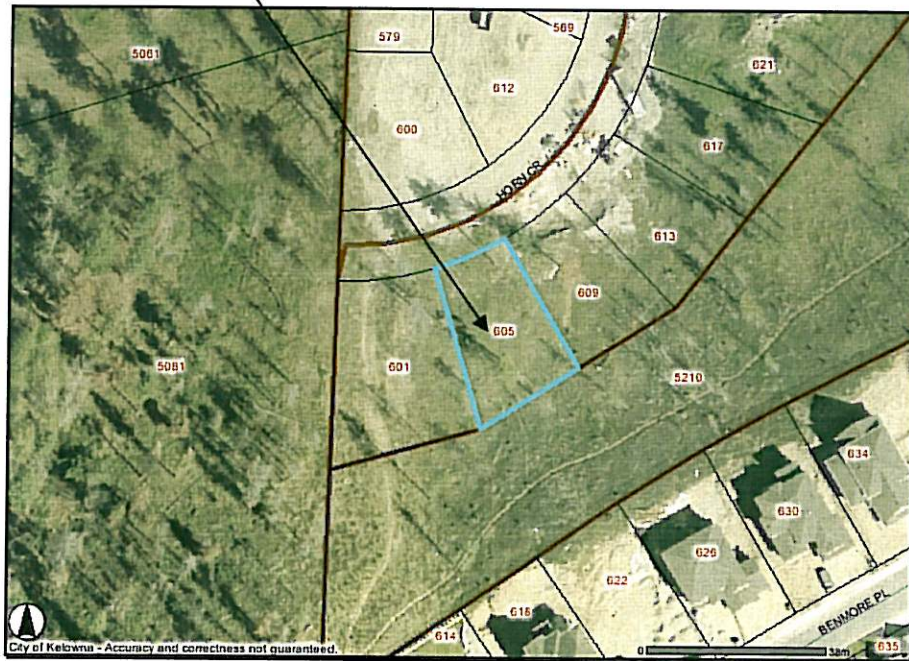
North - RU2 Medium Lot Housing

East - RU2h Medium Lot Housing (Hillside Area)

South - P3 Parks and Open Space

West - RU2h Medium Lot Housing (Hillside Area)

### 3.2 **Site Location:** 605 Horn Crescent



## 4.0 **POLICY**

The property is proposed to be zoned RU2hs – Medium Lot Housing (Hillside area) with secondary suite. The purpose of this zone is to provide for single detached housing as a principal use, and compatible secondary uses.

### 4.1 **Policy and Regulation**

#### City of Kelowna Strategic Plan (2004)

*Objective #4* – Realize construction of housing forms and prices that meet the needs of Kelowna residents.

*Objective #5* – Achieve accessible, high quality living and working environments.

*Objective #7* – Sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.

#### Kelowna 2020 – Official Community Plan

The proposal is consistent with the future land use designation of Single/Two Unit Residential in the Official Community Plan. The Single/Two Unit Residential

designation covers single detached homes for occupancy by one family, single detached homes with a secondary suite, semi-detached and detached buildings used for two dwelling units, and complementary uses (OCP, Chapter 8).

## 5.0 TECHNICAL COMMENTS

The application has been submitted to various technical agencies and City departments, and the following relevant comments have been submitted:

### 5.1 Works and Utilities

The property servicing requirements were completed as part of S05-0024.

### 5.2 Inspections Services

Architectural drawings required to show layout of proposed suite. Building permit required for proposed suite to requirements of BCBC 2006.

### 5.3 Fire Department

Requirements of Section 9.36, Secondary Suites, of the BCBC 2006 are to be met.

## 6.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

Rezoning the subject property to the RU2(h)(s) zone would be consistent with the future land use designation of the area. The proposal allows for efficient use of the subject property and helps to diversify the housing supply in the area.

Staff has received some feedback from the surrounding neighbours expressing opposition to the project although no formal written correspondence has been received. The primary concern is additional traffic on this dead end street. As noted in this report, on-site parking requirements have been met.



Danielle Noble

Urban Land Use Supervisor

Approval for Inclusion



Shelley Gambacort

Director of Land Use Management

Bcd

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## ATTACHMENTS:

Location of subject property

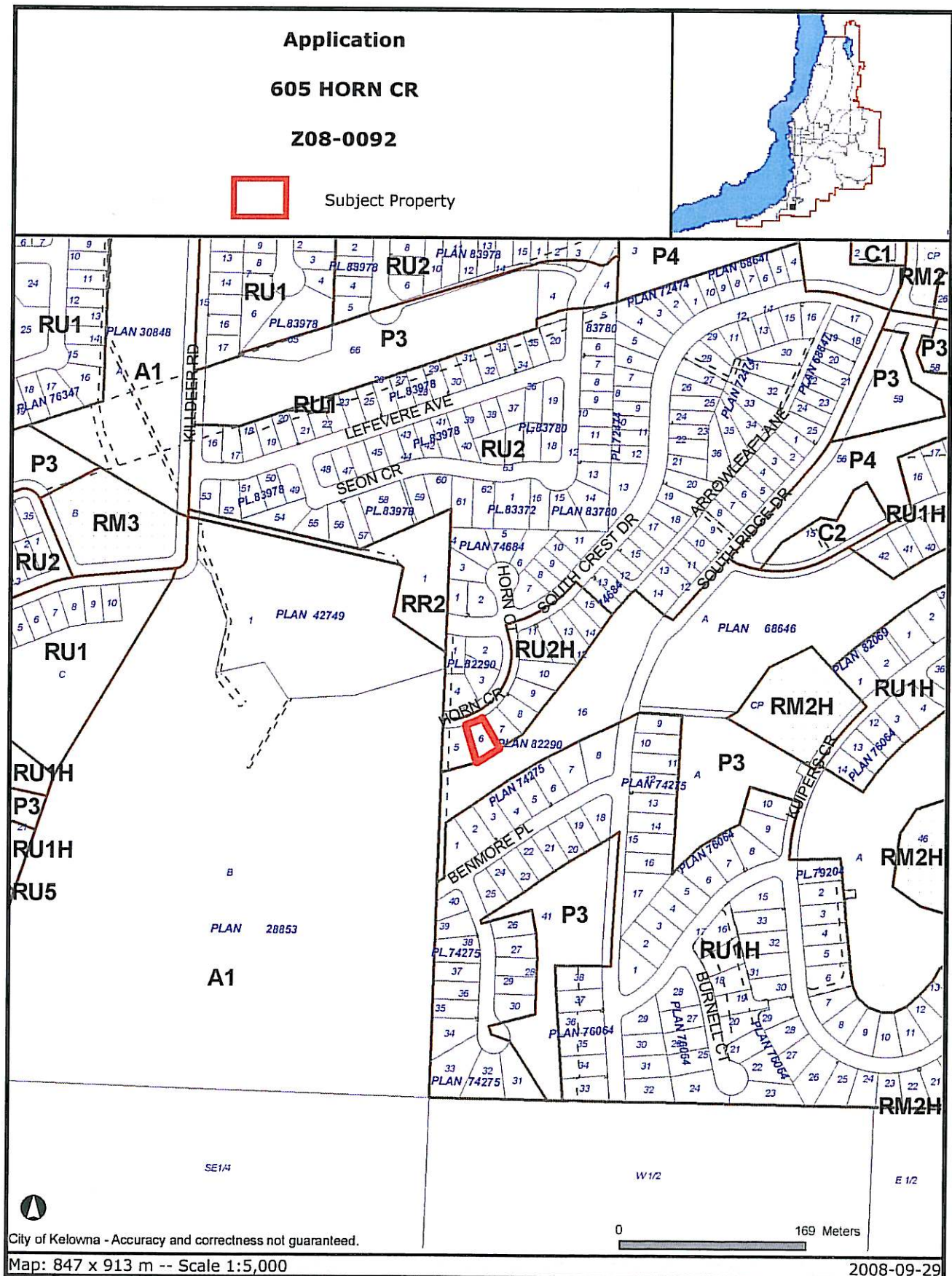
Site Plan

Elevation Drawings

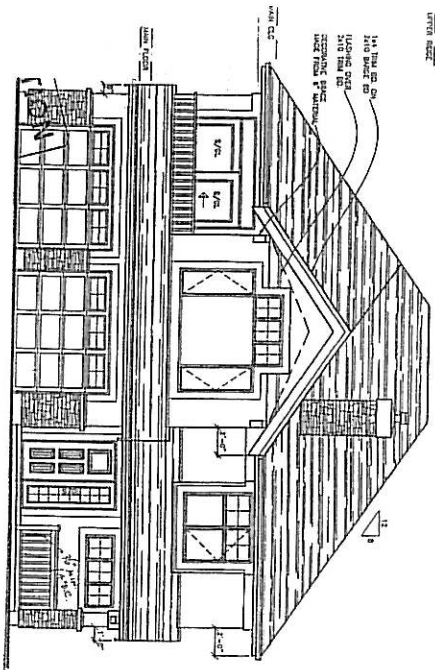
Floor Plan of Basement

Photos of Building & Suite Interior

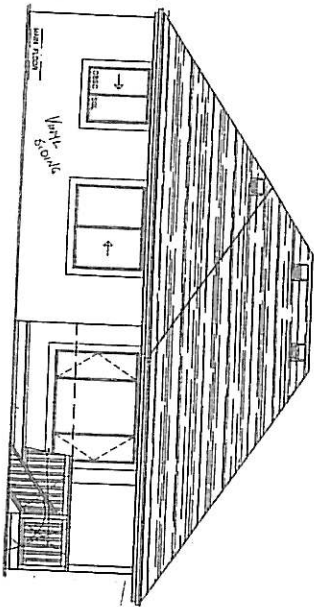




Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.

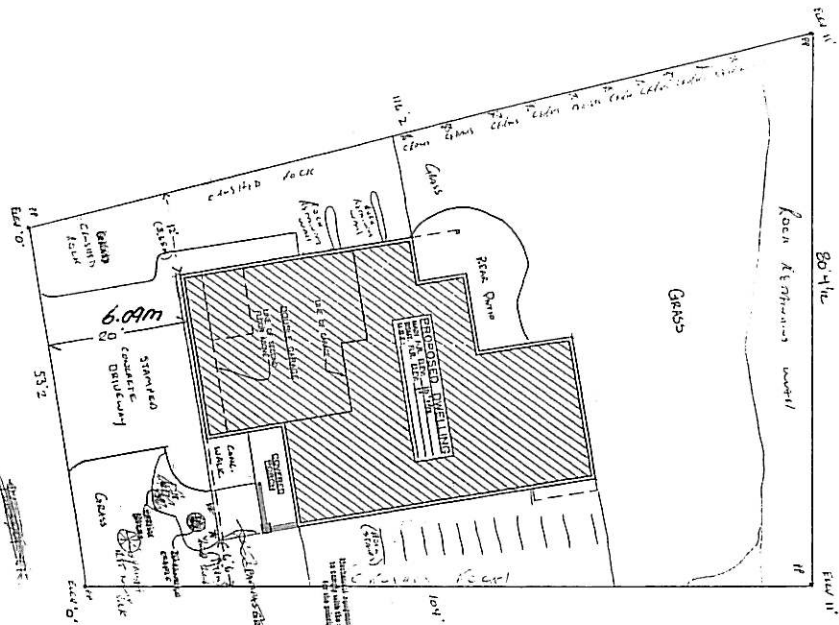


FRONT ELEVATION



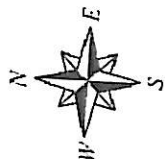
REAR ELEVATION

Scale 1/4" = FOOT



SITE PLAN

Scale 1/8" = FOOT



Driveway: 4800'  
 of walkway + 40  
 right " + 40  
 5600'  
 or 52m<sup>2</sup>

MARKED  
 SITE PLAN

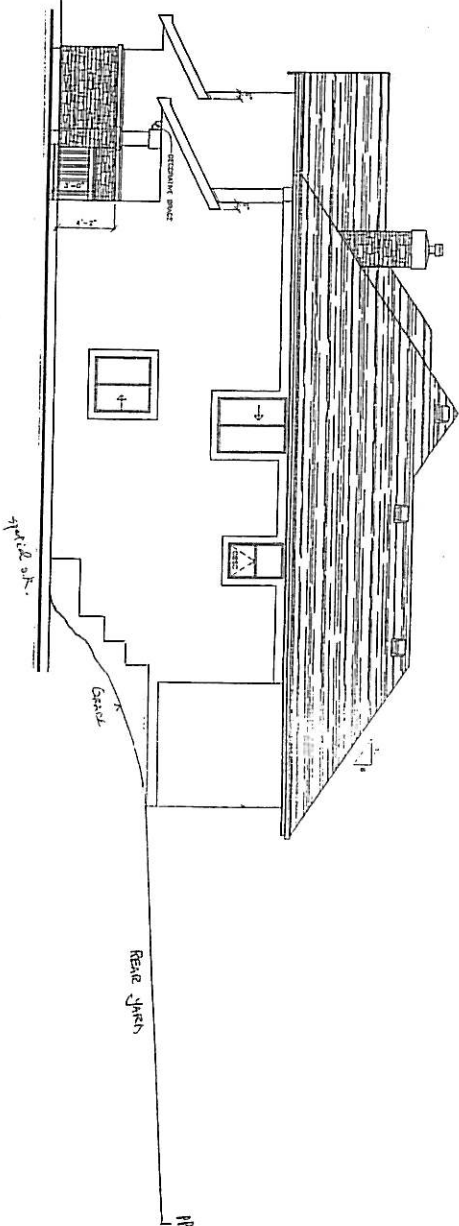
REMOVED  
 22-11-1964  
 22-11-1964

N

OFFICE

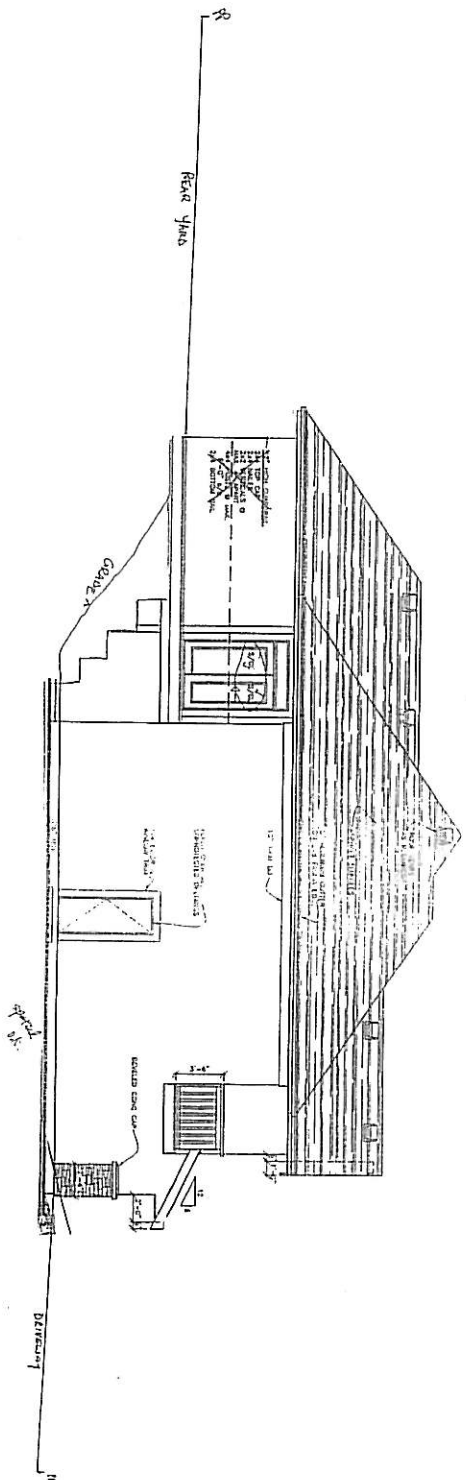
Boundary

RIGHT ELEVATION

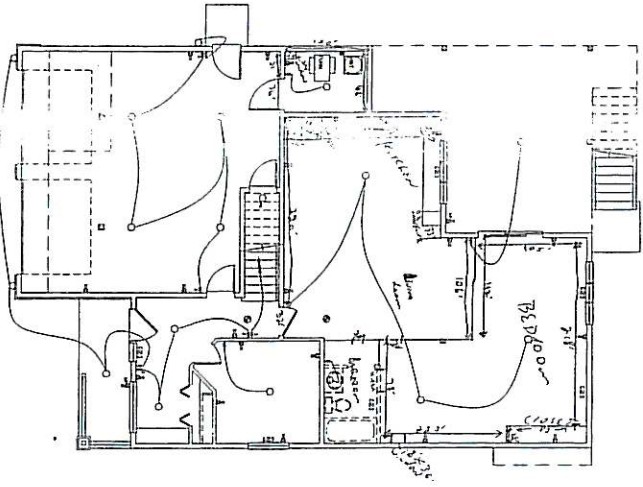


Rear Yard

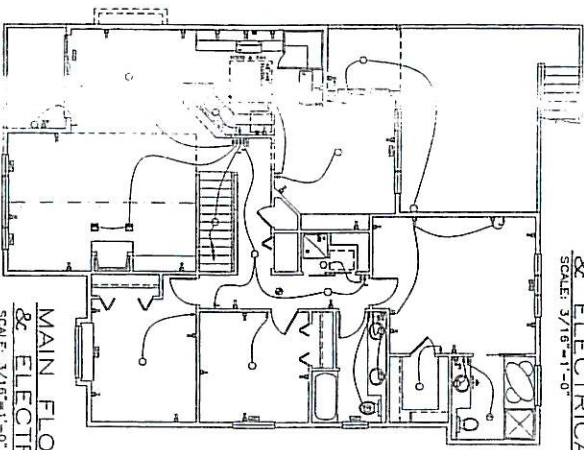
LEFT ELEVATION



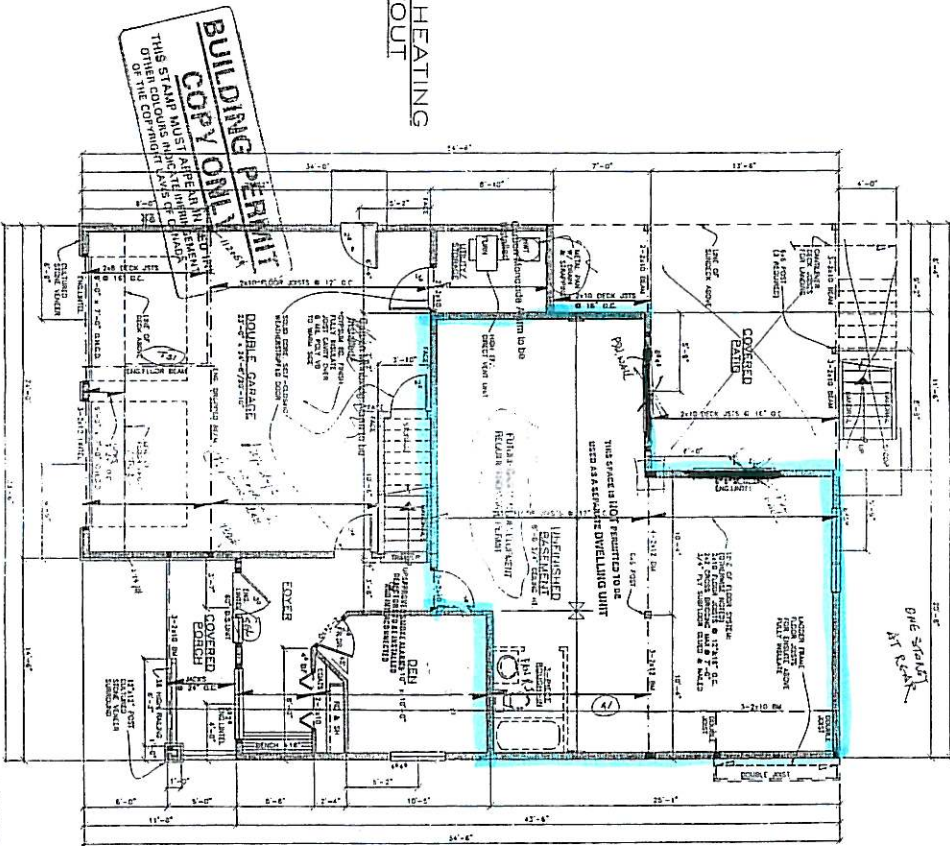




**BASEMENT FLOOR HEATING  
& ELECTRICAL LAYOUT**  
SCALE: 3/16"=1'-0"



**MAIN FLOOR HEATING  
& ELECTRICAL LAYOUT**  
SCALE: 3/16"=1'-0"



**BUILDING PERMIT  
COPY ONLY**  
THIS PLAN MUST APPEAR IN EVERY  
OTHER COPIES AND LAYS OF  
OTHER COPIES OF THIS PLAN

**BASEMENT FLOOR PLAN**

FINISHED AREA: 281 SQ. FT.  
GARAGE AREA: 577 SQ. FT. (INCLUDING UTILITY/STORAGE ROOM) INCLUDES FINISH

**ROBINSON**  
DESIGN INC.  
3770 W. 10TH AVE. SUITE 100  
DENVER, CO 80202



**JENISH HOUSE DESIGN LIMITED**

HEAD OFFICE:  
218 COLUMBIA STREET  
NEW WESTMINSTER BC  
V3L 1A8  
(604) 226-2819  
TOLL FREE 1-800-663-2228

*quite outline.*



605 Horn Cr.



Exterior of residence





605 Horn Cr.



suite interior

