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**CITY OF KELOWNA  
MEMORANDUM**

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**DATE:** April 23, 2009  
**TO:** City Manager  
**FROM:** Community Sustainability Division

**APPLICATION NO.** Z09-0001                      **APPLICANT:** Randy Mosher

**AT:** 1025 Thompson Road                      **OWNER:** Randy Mosher and Ashley Hager

**PURPOSE:** TO REZONE FROM THE RU1 – LARGE LOT HOUSING ZONE TO THE RU1(s) – LARGE LOT HOUSING WITH A SECONDARY SUITE ZONE TO LEGALIZE A SUITE WITHIN A SINGLE FAMILY DWELLING

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

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

**REPORT PREPARED BY:** BIRTE DECLOUX

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**1.0 RECOMMENDATION**

THAT Rezoning Application No. Z09-0001 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Section 22, Township 26, O.D.Y.D., Plan 21501, located on Thompson Road, Kelowna, B.C. from the RU1- Large Lot Housing zone to the RU1(s) – Large Lot Housing with a 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 the RU1- Large Lot Housing zone to the RU1(s) – Large Lot Housing with a Secondary Suite zone to legalize an existing suite within a single family dwelling.

**3.0 BACKGROUND**

The bi-level single family dwelling contains an existing illegal suite. In response to bylaw investigation the applicant is seeking to legalize the suite. The owner of the subject property lives in the principal dwelling.

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

<b>Zoning Bylaw No. 8000</b>		
<b>CRITERIA</b>	<b>PROPOSAL</b>	<b>RU1(s) ZONE REQUIREMENTS (Suite within Principal Dwelling)</b>
<b>Subdivision Regulations</b>		
Lot Area	1041 m <sup>2</sup>	550 m <sup>2</sup>
Lot Width	22.72 m	16.5 m
Lot Depth	44.64 m	30.0 m
<b>Development Regulations</b>		
Site Coverage (buildings)	13 %	40%
Site Coverage (buildings/parking)	16 %	50%
Height (existing house)	1.5 storey / 5.94 m	2 ½ storeys / 9.5 m
Floor Area of principal dwelling	141.9 m <sup>2</sup>	
Floor Area of Secondary Suite / Size Ratio	65.96 m <sup>2</sup> / 46%	In building can't exceed lessor or 90 m <sup>2</sup> or 40%
Front Yard	Approx 7.0 m	6.0 m to a garage
Side Yard (west)	2 m	2.0 m (1 - 1 ½ storey)
Side Yard (east)	2 m	2.0 m (1 - 1 ½ storey)
Rear Yard	27 m	7.5 m
<b>Other Requirements</b>		
Parking Stalls (#)	3 spaces	3 spaces
Private Open Space	meets requirements	30m <sup>2</sup> per dwelling unit

**3.1 Site Context**

The subject property is located on the south side of Thompson Road, in Rutland. More specifically, the adjacent land uses are as follows:

- North - RU1 – Large Lot housing
- East - RU1 – Large Lot housing
- South - RU1 – Large Lot housing
- West - RU1 – Large Lot housing

3.2 **Site Location:** 1025 Thompson Road



**4.0 CURRENT DEVELOPMENT POLICY**

The property is proposed to be zoned RU1(s) – Large Lot Housing 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 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.

**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 Development Engineering

See attached.

5.2 Building and Permitting

3/4 hr. fire separation required between proposed basement suite and main residence. If suite is existing it is to be upgraded to the requirements of BCBC 2006.

5.3 Fire Department

Requirements of Section 9.36, Secondary Suites, of the BCBC 2006 are to be met. Fire separations as per BCBC 2006.

5.4 Bylaws

Bylaws did have a complaint about an illegal suite at this location. File generated on November 24, 2008 and concluded on January 10, 2009 (when rezoning application was submitted).


5.5 Rutland Waterworks

No comment.

**6.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS**

Although the Land Use Management Department does not condone illegal suites, staff are supportive of owners who engage in the process of legalizing suites and bringing them up to code standards.

Policies within the Official Community Plan support the sensitive integration of infill of existing neighbourhood and where services are already in place and densification can easily be accommodated. The proposal allows for more efficient use of the subject property and helps to diversify the housing supply in the area.

  
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Danielle Noble  
Manager, Urban Land Use

Approved for inclusion

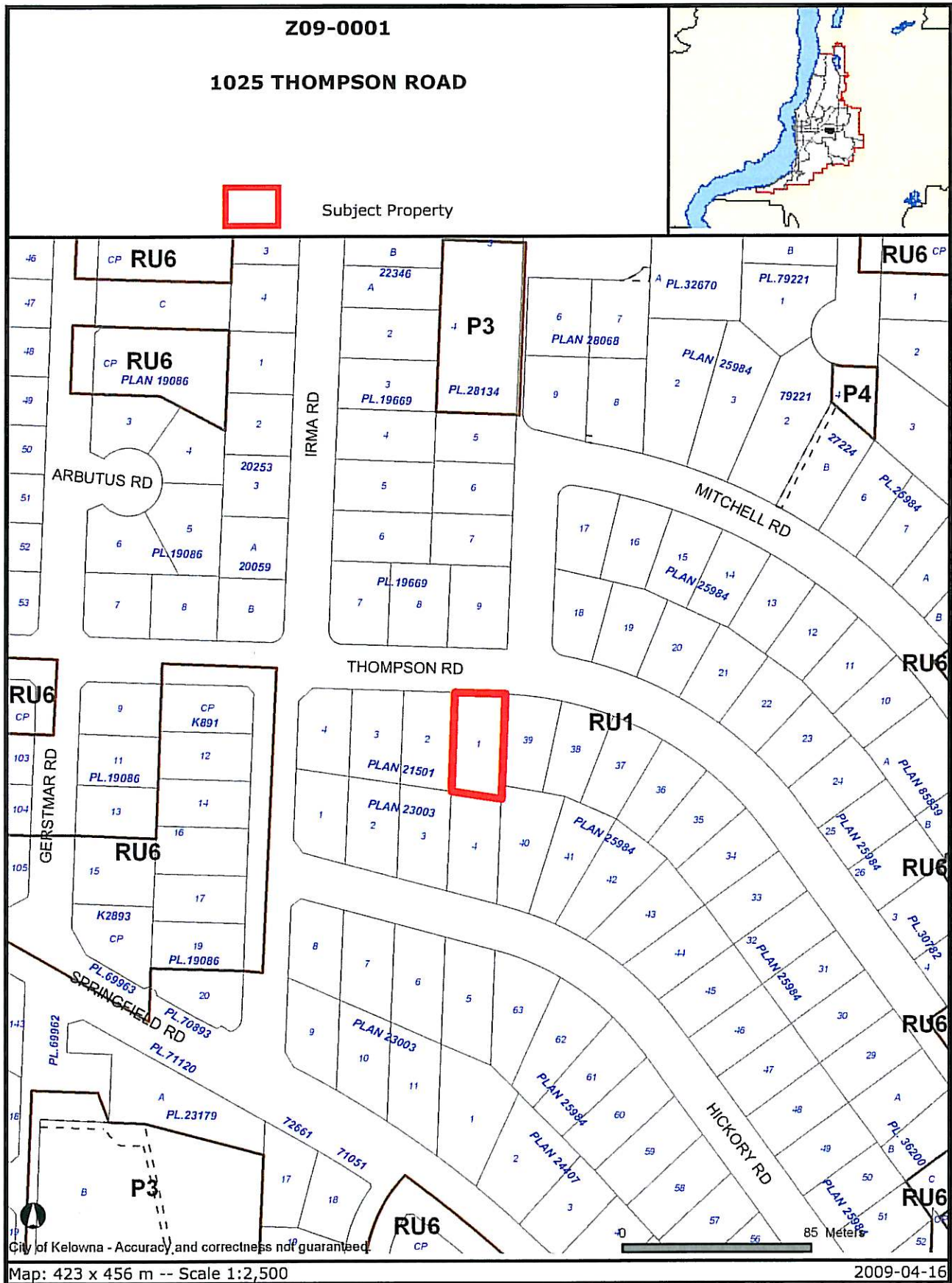


Shelley Gambacort  
Director, Land Use Management

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ATTACHMENTS:

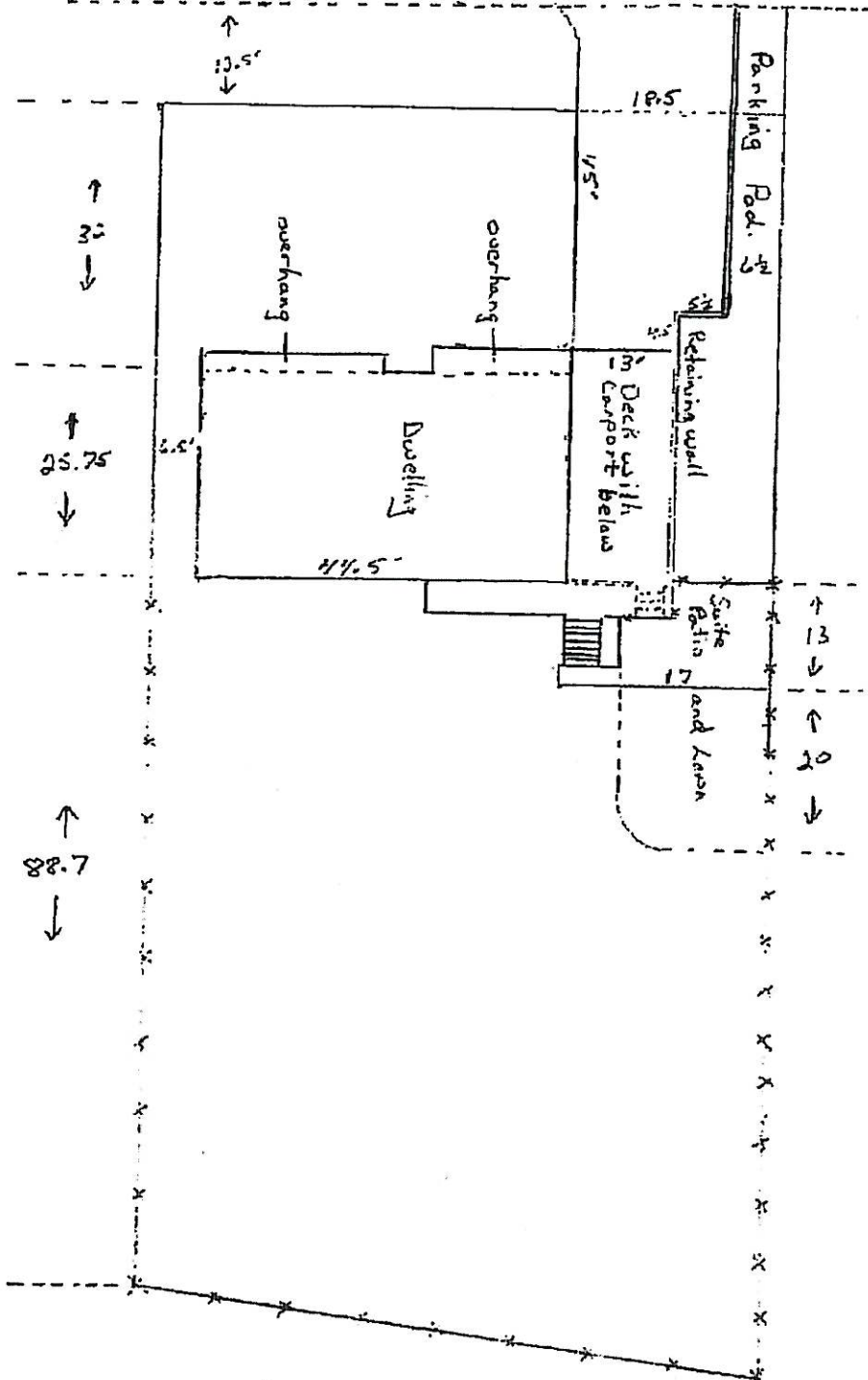
- Location of subject property
- Site Plan
- Elevations (photos)
- Development Engineering comments



*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.*

74.55'

curb



146.45'

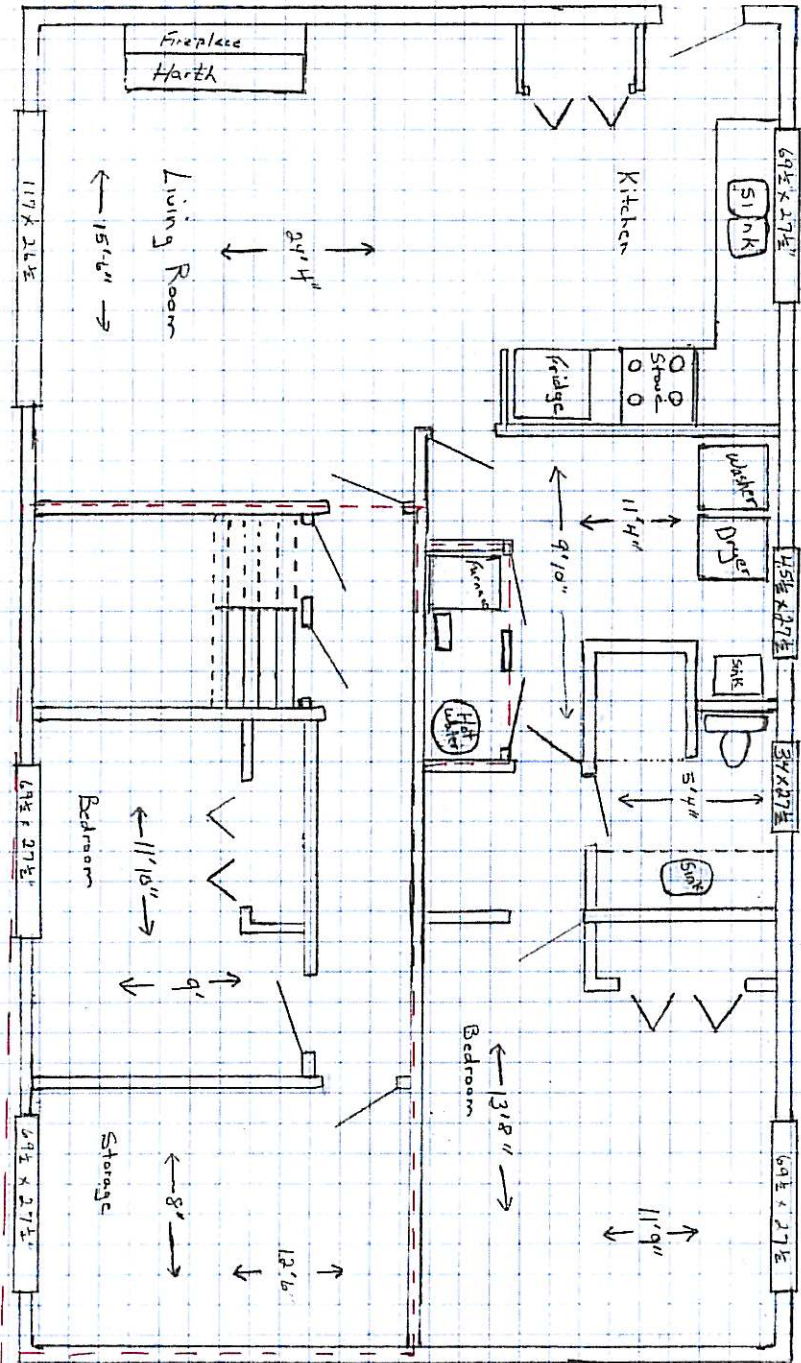
155'

Lot # 1

74.67'

Thompson Rd  
209-0001

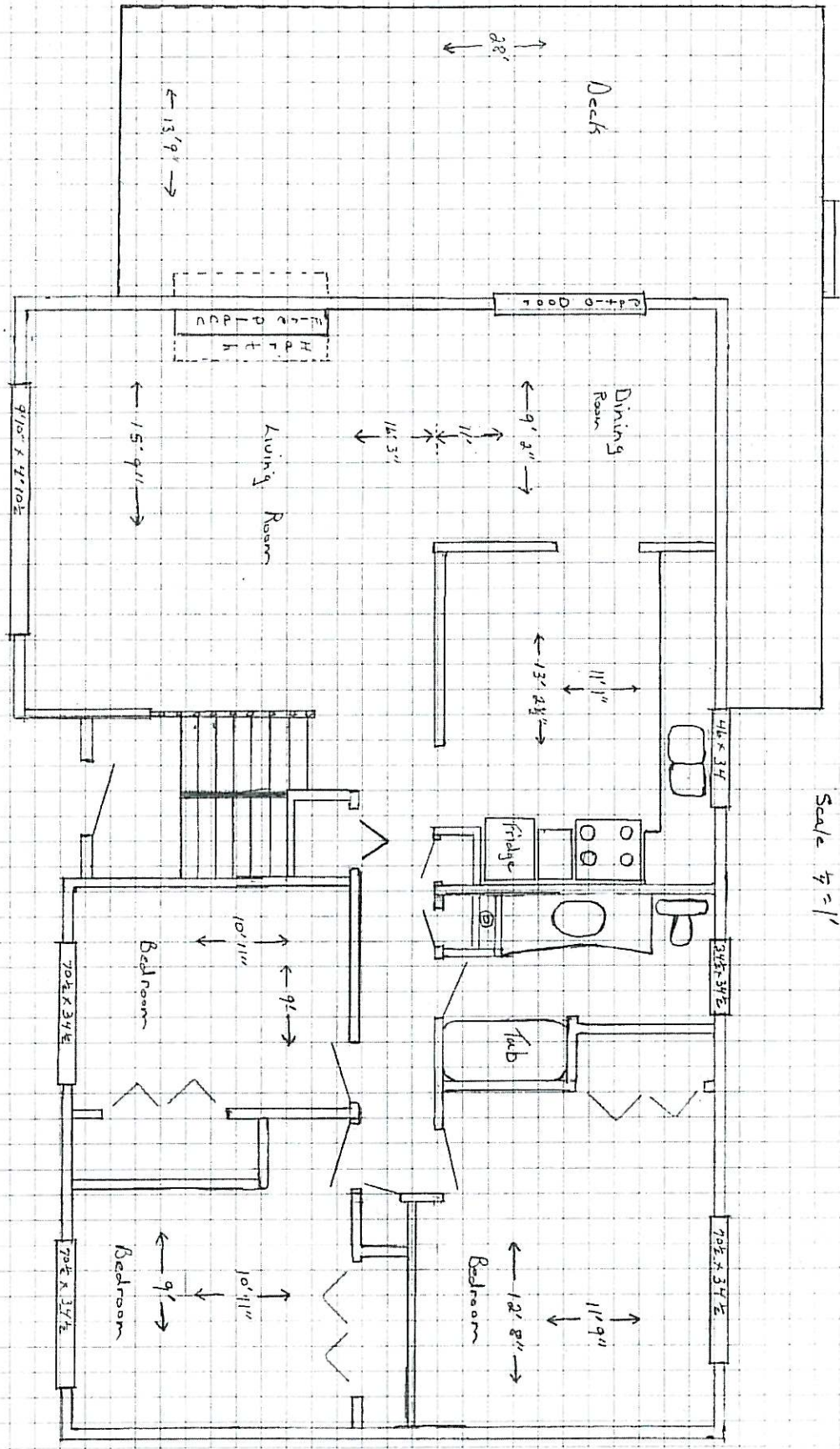
Scale 1/4" = 1'



1 bedroom suite  
710 sq ft

1025 Thompson Rd - Basement

Dotted red line = part of upstairs



1025 Thompson Rd.  
Main Floor





Picture # 7

Rear Elevation



Picture # 2  
Front Elevation

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CITY OF KELOWNA

MEMORANDUM

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**Date:** April 21, 2009  
**File No.:** Z09-0001(Revised)  
**To:** Planning & Development Services Department (BD)  
**From:** Development Engineer Manager (SM)  
**Subject:** 1025 Thompson Road. – Lot 1, Plan 21501, Sec. 22, Twp. 26, ODYD

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Development Engineering Services comments and requirements regarding this application to rezone from RU1 to RU1s are as follows:

1. Subdivision  
Provide easements as required
2. Sanitary Sewer.  
The subject property is serviced by the Municipal wastewater collection system. There are no additional charges for a suite within an existing dwelling.
3. Domestic Water.  
The subject property is located within the Rutland Waterworks (RWD). All charges and fees must be paid directly to RWD.
4. Parking.  
The applicant has not submitted any site plan showing some proposed parking layout. Presumably parking is provided by the ineffective but acceptable stacking method.

This application does not trigger any servicing requirements.

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Steve Muenz, P.Eng.  
Development Engineering Manager

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