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# CITY OF KELOWNA

## MEMORANDUM

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**Date:** July 23, 2002  
**File No.:** OCP02-0002 / Z02-1004  
**To:** City Manager  
**From:** Planning and Development Services Department  
**Subject:**

APPLICATION NO. OCP02-0002 / Z02-1004 OWNER: SUKHBIR SANDHU  
AT: 1386-1388 HIGHLAND DRIVE SOUTH APPLICANT: SUKHBIR SANDHU

**PURPOSE:** TO CHANGE THE FUTURE LAND USE DESIGNATION FROM SINGLE-TWO UNIT RESIDENTIAL TO MULTIPLE UNIT RESIDENTIAL – LOW DENSITY

TO REZONE THE PROPERTY FROM THE RU6 – TWO DWELLING HOUSING ZONE TO RM3 – LOW DENSITY MULTIPLE HOUSING ZONE TO PERMIT A CONGREGATE HOUSING FACILITY

**EXISTING ZONE:** RU6 – TWO DWELLING HOUSING

**PROPOSED ZONE:** RM3 – LOW DENSITY MULTIPLE HOUSING

**REPORT PREPARED BY:** KIRSTEN G. BEHLER

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**SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS**

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### 1.0 RECOMMENDATIONS

THAT final adoption of OCP amending bylaw No. 8878 and zone amending bylaw No. 8879 for Strata Lots 1 & 2, D.L. 137, ODYD, Plan KAS945, located on Highland Drive South, Kelowna, BC, be considered subsequent to the owner of the subject property entering into a housing agreement limiting the number of residents in the building to 20 total.

### 2.0 SUMMARY

This report is a supplement to the report by the Planning and Development Services Department dated June 14, 2002. Council since raised the question whether the number of residents in the congregate housing facility could be restricted through a housing agreement. According to the Inspection Services Department, the occupancy load for the building is a minimum of 26 persons, or two per bedroom, more if dormitory occupancy loads are applied. The Planning and Development Services Department contacted the operator of the facility who specified that 20 people would be the maximum of residents in the building. Therefore, it is recommended that the owner enter into a housing agreement restricting the number of residents

to 20 people prior to final rezoning and adoption of the OCP amending bylaw. The overall position of the department is still non-support for the rezoning and OCP amendment applications.

### 3.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department is not supportive of the rezoning and OCP amendment applications. Should Council approve the rezoning and the OCP amendment, the department recommends the owner be required to enter into a housing agreement at the owners cost, restricting the number of residents in the house to 20 people.

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Andrew Bruce  
Current Planning Manager

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Planning & Development Services

KGB  
Attach.

**FACT SHEET**

1. **APPLICATION NO.:** OCP02-0002 / Z02-1004 / DP02-0007 / DVP02-0008
2. **APPLICATION TYPE:** Official Community Plan Amendment, Zone Amendment, Development Permit, Development Variance Permit
3. **OWNER:** Sukhbir and Charnjit Sandhu  
    . **ADDRESS** 825 Birch Avenue  
    . **CITY** Kelowna, BC  
    . **POSTAL CODE** V1Y 5H3
4. **APPLICANT/CONTACT PERSON:** Sukhbir Sandhu  
    . **ADDRESS**  
    . **CITY**  
    . **POSTAL CODE**  
    . **TELEPHONE/FAX NO.:** 860-8583
5. **APPLICATION PROGRESS:**  
    **Date of Application:** February 22, 2002  
    **Date Application Complete:**  
    **Servicing Agreement Forwarded to Applicant:** N/A  
    **Servicing Agreement Concluded:** N/A  
    **Staff Report to APC:** March 7, 2002  
    **Staff Report to Council:** June 14, 2002  
    **Supplementary staff report to Council:** July 22, 2002
6. **LEGAL DESCRIPTION:** Strata Lots 1&2, D.L. 137, ODYD, Strata Plan KAS945
7. **SITE LOCATION:** South Glenmore, north of Bernard Avenue on the west side of Highland Drive South
8. **CIVIC ADDRESS:** 1386-1388 Highland Drive South  
Kelowna, BC
9. **AREA OF SUBJECT PROPERTY:** 1044m<sup>2</sup>
10. **AREA OF PROPOSED REZONING:** 18144m<sup>2</sup>
11. **EXISTING ZONE CATEGORY:** RU6 – Two Dwelling Housing Zone
12. **PROPOSED ZONE:** RM3 – Low Density Multiple Housing

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| <b>13. PURPOSE OF THE APPLICATION:</b>   | To change the FLU of the property to Multiple Unit Residential – Low Density; to rezone the property to RM3; to obtain a Development Permit for the form and character of the house and to vary minimum lot size, side yard setback and parking requirements |
| <b>14. MIN. OF TRANS./HIGHWAYS FILES NO.:<br/>NOTE: IF LANDS ARE WITHIN 800 m OF A<br/>CONTROLLED ACCESS HIGHWAY</b> | N/A  |
| <b>15. DEVELOPMENT PERMIT MAP 13.2<br/>IMPLICATIONS</b>  | General Multiple Unit Residential  |