
CITY OF KELOWNA

MEMORANDUM

Date: August 21, 2002

File No.: Z02-1025

To: City Manager

From: Planning & Development Services Department

Subject:

APPLICATION NO. Z02-1025

OWNER: DONALD AND SHARIFAH
LUTTMER

AT: 926 LAWRENCE AVENUE

APPLICANT: DONALD AND SHARIFAH
LUTTMER

PURPOSE: TO REZONE THE PROPERTY FROM THE RU6 – TWO DWELLING
HOUSING ZONE TO THE RM1 – FOUR-PLEX HOUSING ZONE

EXISTING ZONE: RU6 – LARGE LOT HOUSING

PROPOSED ZONE: RM1 – FOUR-PLEX HOUSING

REPORT PREPARED BY: KIRSTEN G. BEHLER

1.0 RECOMMENDATION

THAT Rezoning Application No. Z02-1025 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of the west 70.55 feet of Lot 6, Block 55, D.L. 138, ODYD, Plan 262 except Plan B7988, located on Lawrence Avenue, Kelowna, B.C. from the RU6 – Large Lot Housing zone to the RM1 – Four-Plex Housing zone **not** be considered by Council;

AND THAT the zone amending bylaw **not** be forward to a Public Hearing for further consideration.

2.0 SUMMARY

The applicants propose to construct a four-plex on the subject property. They would like to rezone the property from the RU6 – Two Dwelling Housing zone to the RM1 – Four-Plex Housing zone. The proposed rezoning would yield densities lower than those anticipated in the Official Community Plan. In addition, the development of the subject property would isolate two properties to the west on which the densities anticipated in the OCP would most likely not be achieved either. The Planning and Development Services Department is therefore not supportive of the rezoning application.

3.0 ADVISORY PLANNING COMMISSION

The Advisory Planning Commission considered the applications at their meeting of July 9, 2002, and passed the following recommendation:

That the Advisory Planning Commission support rezoning application No. Z02-1025, 926 Lawrence Avenue, the west 70.55 feet of Lot 6, Block 55, D.L. 138, ODYD, Plan 262 except Plan B7988, Donald and Sharifah Luttmmer, to rezone the property from the RU6 – Two Dwelling Housing to RM1 – Four-Plex Housing zone in order to facilitate the development of a residential four-plex;

And that the Advisory Planning Commission support development permit application DP02-0051, 926 Lawrence Avenue, the west 70.55 feet of Lot 6, Block 55, D.L. 138, ODYD, Plan 262 except Plan B7988, Donald and Sharifah Luttmmer, to allow for the development of a residential four-plex.

4.0 BACKGROUND

4.1 The Proposal

The subject site is located in the Central City, east of Ethel Street, on the north side of Lawrence Avenue. The applicants wish to develop a four-plex on the site, which is currently vacant. The existing zone is RU6 – Two Dwelling Housing, and the applicants are requesting a rezoning to RM1 – Four-Plex Housing.

The four-plex would be oriented towards Lawrence Avenue, with parking located at the rear lane. The ground floor will contain two two-bedroom units, and two three-bedroom units will be located on the second floor. Each unit will have a main entrance at ground level. Furthermore, each unit will have a rear access to the shared garden and a small covered porch or patio.

The front elevation of the building is rich in architectural detail. Each individual entrance has a sub-roof supported by wooden columns with rock detail. The windows have mullions and decorative shutters. The building will be finished with tan-coloured textured vinyl siding. In addition, grey stone material will be used at the base of the building and the columns. The three gables will be finished with burgundy-coloured shingles. While the front elevation has a large amount of detail to create visual interest, the side and rear elevations were initially lacking detail. The applicants considered architectural features that would break up the massing of these elevations and subsequently added horizontal trim, window details and a rock base to the side elevations. The rear elevation has been enhanced with horizontal trim and trellises.

The property will be landscaped with a number of perennials and shrubs, as well with flower beds for annuals. The rear yard includes an open lawn area, which can be used as open space by the tenants of the building.

The application meets the requirements of the RM1 – Four-Plex Housing zone as follows:

| CRITERIA | PROPOSAL | RM1 ZONE REQUIREMENTS |
|----------------------------|--------------------------------------|---|
| Lot Area (m ²) | 837m ² | 700m ² |
| Lot Width | 21.5m | 20.0m |
| Lot Depth | 39.5m | 30.0m |
| F.A.R. | 0.54% | 0.6 |
| Site coverage | 28% for building 43% with parking | 40% for buildings 50% with parking and driveways |
| Height (# of storeys/m) | 2 storeys | 2 ½ storeys / 9.5m |
| Setbacks (m) | | |
| - Front | 4.5m | 4.5m |
| - Rear | 18.0m | 7.5m |
| - West Side | 2.5m | 2.5m |
| - East Side | 2.5m | 2.5m |
| Landscape Buffer | | |
| - North | Parking area | Level 3: 3m landscape buffer or fence |
| - South | 4.5m landscaping | Level 2: 3m landscape buffer |
| - East | fence | Level 3: 3m landscape buffer or fence |
| - West | Existing trees and cedar hedge | Level 3: 3m landscape buffer or fence |
| Private Open Space | 27m ² approx. per unit | 25m ² per dwelling unit |
| Parking Stalls (#) | 7 | 7 stalls |

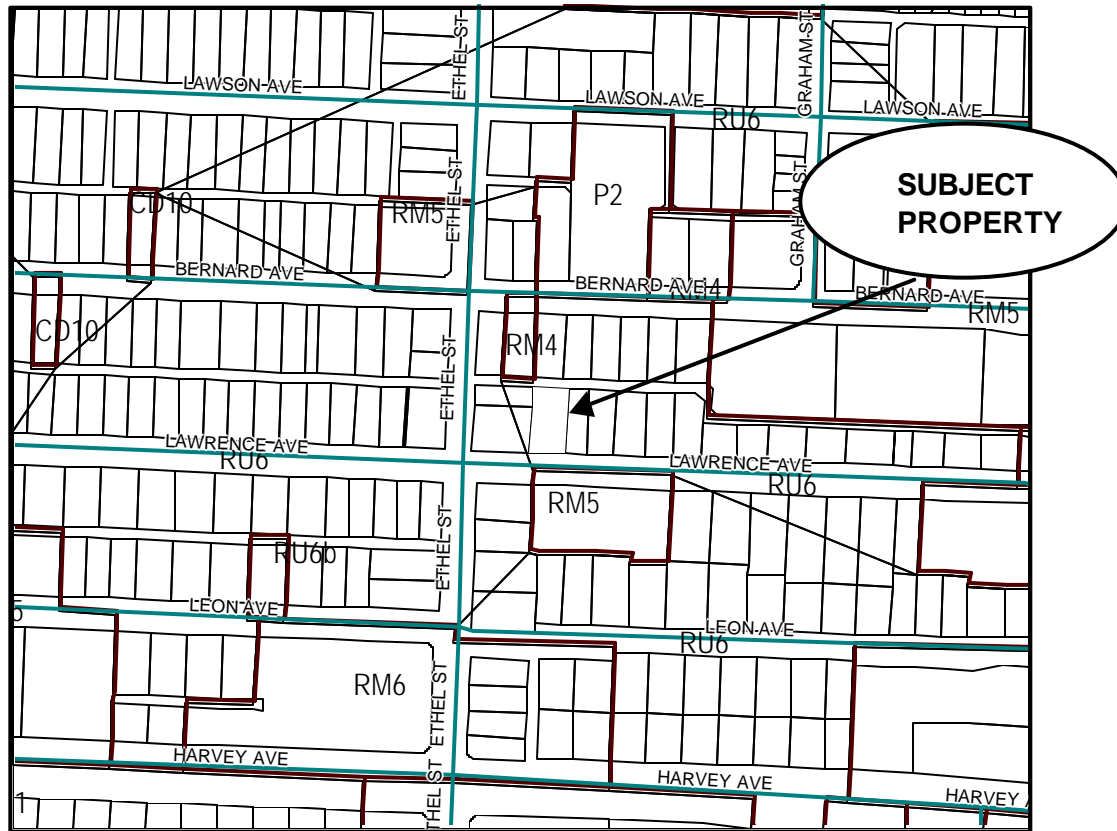
4.2 Site Context

The subject site is located in the Central City in the North End Neighbourhood, east of Ethel Street, on the north side of Lawrence Avenue. Many properties in this area are zoned RU6 – Two Dwelling Housing. However, the area has experienced a significant amount of change, and several apartment housing developments can be found on RM5 – Medium Density Multiple Housing zoned lots on Lawrence and Bernard Avenues.

Adjacent zones and uses are to the:

- North - RU6 – Two Dwelling Housing – Single detached dwelling
- East - RU6 – Two Dwelling Housing - Single detached dwelling
- South - RM5 - Medium Density Multiple Housing – Three-storey apartment building
- West - RU6 – Two Dwelling Housing - Single detached dwelling

Site Map



4.3 Existing Development Potential

The property is zoned RU6 – Two Dwelling Housing, a zone intended for the development of a maximum of two dwelling units in the form of single detached, duplex, or semi-detached housing or single detached housing with secondary suites.

4.4 Current Development Policy

4.4.1 Kelowna Official Community Plan

The Official Community Plan designates the future land use of this site as Medium Density Multiple Family Residential. The proposed development of the subject property is not consistent with this designation, since it would yield lower densities than envisioned in the OCP. An OCP amendment, however, is not required, since the applicants do not wish to exceed the densities permitted under the Medium Density designation.

5.0 TECHNICAL COMMENTS

5.1 Works & Utilities

The Works & Utilities Department has the following requirements associated with this application to rezone from RU6 to RM1.

.1 Domestic Water and Fire Protection

- (a) The existing water distribution and fire protection system in this vicinity is sufficient to support the proposed development.
- (b) The existing lot is serviced with a small diameter copper water service, which is not sufficient for the proposed development. A new larger water service can be provided at the applicant's cost.
- (c) Decommissioning and removal of any unused water service will be at the applicant's cost.
- (d) When the new larger water service is installed, the applicant will be required to pay the City for a new water meter of appropriate size.
- (e) The new water meter must be installed at the service inlet and inside the new building.

.2 Sanitary Sewer

- (a) The existing sanitary sewer system on Lawrence Avenue is sufficient to support the proposed development.
- (b) The existing lot is serviced with a 100mm-diameter sanitary sewer service, which should be adequate for the proposed application. If the existing sanitary service is retained, an inspection chamber (IC) must be installed on the service at the owner's cost as required by the sewer-use bylaw. If a larger sanitary sewer service is required, it can be provided at the owner's cost.
- (c) Decommissioning and removal of any unused sanitary service will be at the applicant's cost.

.3 Storm Drainage

- (a) The existing storm sewer system on Lawrence Avenue is sufficient to support the proposed development.
- (b) The existing lot is not serviced with a storm sewer connection. A storm sewer service of adequate size can be provided at the owner's cost.
- (b) Provide a lot grading plan identifying the minimum basement elevation (MBE), on-site drainage containment and disposal systems.

.4 Road Improvements

- (a) Lawrence Avenue must be upgraded to a full urban standard including curb and gutter, catchbasins, fillet pavement, filler sidewalk-interlocking block, landscaped boulevard, and adjustment and / or re-location of existing utility appurtenances if required to accommodate this construction. A one-time cash payment in lieu of construction must be

collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be \$14,600.00, not including utility service costs

- (b) The rear lane has been upgraded to a paved standard. No further upgrades are required.

.5 Road Dedication

By registered plan to provide the following:

- (a) Grant statutory rights-of-way if required for utility services.

.6 Electric Power and Telecommunication Services

The electrical and telecommunication services to this building as well as the local distribution wiring must be installed in an underground duct system. The existing building and the proposed new building must be connected by an underground service. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services which would be at the applicant's cost.

.7 Geotechnical Report

As a requirement of this application and / or prior to issue of a building permit, the applicant must provide a comprehensive geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- (a) Area ground water characteristics.
- (b) Site suitability for development; i.e. unstable soils, etc.
- (c) Drill and/or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyze soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- (d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.

.8 Survey Monuments and Iron Pins

If any legal survey monuments or property iron pins are removed or disturbed during construction, the developer will be invoiced a flat sum of \$1,200.00 per incident to cover the cost of replacement and legal registration. Security bonding will not be released until restitution is made.

.9 Development Permit and Site Related Issues

- (a) The on-site parking area must be paved complete with a drainage collection system installed.
- (b) The development will be required to contain and dispose of site generated storm water on the site by installing a ground recharge system consisting of drywells and perforated pipe bedded in drain rock.

.10 Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. The administration charge is calculated as 3% of the total off-site construction costs, not including design. 7% GST will be added.

5.2 BC Gas

Gas is available from Lawrence Ave. The customer is responsible for application for gas service and costs of any alterations to the existing gas service.

5.3 Fire Department

Fire department access and hydrants as per the B.C. Building Code and City of Kelowna Subdivision By-law. Engineered fire flows will be required. A hydrant is required within 90m of principal entrance.

5.4 Shaw

Developer/contractor to supply/install conduit system as per Shaw drawings & specifications.

5.5 Telus

Telus will provide underground facilities to this development. Developer will be required to supply and install as per Telus Policy.

5.6 ANC

ANC will provide underground electrical service to proposed development on behalf of City of Kelowna.

6.0 PLANNING COMMENTS

The Planning and Development Services Department does not support the rezoning application to rezone the property from RU6 – Large Lot Housing to RM1 – Four-Plex Housing. The Official Community Plan designates this lot as Medium Density Multiple Unit Residential, a designation that allows for higher densities than achieved with a four-plex. By permitting the development of this site with a four-plex, two properties to the west, which are also currently zoned RU6 – Two Dwelling Housing and designated for Medium Density Multiple Unit Residential, would be isolated. The densities anticipated in the OCP would therefore not likely be achieved on these lots either. The Planning and Development Services Department recommends that the subject property and the two lots to the west should preferably be consolidated as a medium-density multiple unit development site.

It should be noted, however, that the proposed building has been very well designed and incorporates many design features that are encouraged by the Multiple Unit Residential design policies found in the OCP.

7.0 ALTERNATE RECOMMENDATION

THAT Rezoning Application No. Z02-1025 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of the west 70.55 feet of Lot 6, Block 55, D.L. 138, ODYD, Plan 262 except Plan B7988, located on Lawrence Avenue, Kelowna, B.C. from the RU6 – Large Lot Housing zone to the RM1 – Four-Plex Housing zone be considered by Council;

AND THAT the zone amending bylaw be forward to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit for the form and character of the proposed Multiple Unit Residential development on the subject property.

Andrew Bruce
Current Planning Manager

Approved for inclusion

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

KGB
Attach.

FACT SHEET

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| 1. | APPLICATION NO.: | Z02-1025 |
| 2. | APPLICATION TYPE: | Rezoning application and Development Permit application |
| 3. | OWNER: | Donald and Sharifah Luttmmer |
| | . ADDRESS | 4524 Walker Road |
| | . CITY | Kelowna, BC |
| | . POSTAL CODE | V1W 2Z1 |
| 4. | APPLICANT/CONTACT PERSON: | As above |
| | . ADDRESS | |
| | . CITY | |
| | . POSTAL CODE | |
| | . TELEPHONE/FAX NO.: | 764-4521 / same |
| 5. | APPLICATION PROGRESS: | |
| | Date of Application: | June 6, 2002 |
| | Date Application Complete: | |
| | Servicing Agreement Forwarded to Applicant: | |
| | Servicing Agreement Concluded: | |
| | Staff Report to APC: | July 4, 2002 |
| | Staff Report to Council: | August 21, 2002 |
| 6. | LEGAL DESCRIPTION: | The West 70.55 feet of Lot 6, D.L. 138, ODYD, Plan 262, except Plan B7988 |
| 7. | SITE LOCATION: | Central City, east of Ethel Street, on the north side of Lawrence Avenue |
| 8. | CIVIC ADDRESS: | 926 Lawrence Avenue |
| 9. | AREA OF SUBJECT PROPERTY: | 837m" |
| 10. | EXISTING ZONE CATEGORY: | RU6 – Two Dwelling Housing |
| 11. | TYPE OF DEVELOPMENT PERMIT AREA: | Urban Centre DP |
| 13. | PURPOSE OF THE APPLICATION: | To rezone the subject property from RU6 to RM1 to permit the construction of a four-plex |
| 14. | MIN. OF TRANS./HIGHWAYS FILES NO.: NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY | |
| 15. | DEVELOPMENT PERMIT MAP 6-2 IMPLICATIONS | |
| | General Multiple Unit DP | Mandatory DP |

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan
- Elevations
- Floor plans
- Colour renderings
- Landscape plan