
CITY OF KELOWNA

MEMORANDUM

Date: June 2, 2003
File No.: 6800-00

To: City Manager

From: Planning and Corporate Services Department

Subject: Ensuring Sensitive "Second Unit" Infill Development

RECOMMENDATION

THAT staff initiate preparation of voluntary design guidelines and identify any Zoning Bylaw amendments that would assist in achieving sensitive "second unit" infill development within RU6-zoned areas, including the Bay Avenue and the Bernard and Lawrence Avenue areas of the North End and South Central neighbourhoods.

BACKGROUND

On January 13, 2003 Council adopted a resolution directing staff to "initiate a public review process to consider the establishment ... of an intensive residential development permit area for the North End and South Central neighbourhoods of the City and/or the establishment ... of Heritage Conservation Areas within the Bay Avenue area of the North End neighbourhood and the Bernard Avenue and Lawrence Avenue area of the South Central neighbourhood."

The above resolution was intended to respond to:

1. resident concerns relating to the conservation of heritage character in the Bay Avenue and the Bernard and Lawrence Avenue areas; and
2. resident concerns relating to negative impacts of "suites in accessory buildings" in the North End and South Central neighbourhoods.

As a first step towards addressing resident concerns, staff held a workshop on March 13, 2003 to obtain comments and suggestions regarding suites in accessory buildings. Staff reported on the findings of that workshop at the April 28, 2003 Regular Council Meeting. To help address resident concerns, Council endorsed staff's recommendation to draft Zoning Bylaw amendments and educational design guidelines to help ensure more sensitive development of accessory buildings containing secondary suites.

Heritage and neighbourhood character can be affected by suites in accessory buildings as well as by other types of suites or second units (duplexes). This report focuses on how character can more generally (beyond just suites in accessory buildings), be preserved in the face of infill development.

DISCUSSION

The design of new multiple-unit buildings can be addressed by existing development procedures. All multiple unit buildings must go through a design review process that includes a requirement to obtain a Development Permit. Only single and two-unit buildings are not required to go through such design scrutiny. Recent concerns from residents of the North End and South Central neighbourhoods have focused on the impact of development activities that are currently permitted in the City's *two* unit residential zone (RU6), including the development of suites in accessory buildings.

The 1995 Heritage Management Plan suggested that the heritage character of the Bay Avenue and Bernard and Lawrence Avenue areas be preserved by designating these areas as Heritage Conservation Areas (HCAs). The Heritage Management Plan was prepared at a time when an HCA was the only tool available for regulating design of single/two unit dwellings. Since then, the Province has introduced legislation which gives cities the ability to require design-related development permits for "infill" development. (This would be achieved by designating Intensive Residential Development Permit Areas in the OCP). The types of development that would qualify as "infill" has been left vague, but it is staff's understanding that the types of development concerning North End and South Central residents could qualify.

The justification for establishing Intensive Residential Development Permit Areas (IRDPA's) and HCAs is similar in that both can be established to regulate the design of new single and two unit homes within established neighbourhoods. The establishment of IRDPAs or HCAs could permit affected properties to be developed in accordance with existing zoning provisions and future land use designations and at the same time, if structured to do so, give residents a platform to voice any design concerns.

At this point, the pressure for greater design control has related mostly to suites in accessory buildings, but in the future, that concern could easily extend to any second unit on a single lot. Pressure for greater design control has to date come from areas discussed in the Heritage Management Plan, but also from other neighbourhoods experiencing redevelopment pressures.

Council has already directed staff to prepare voluntary design guidelines to address the issue of suites in accessory buildings. The question now is whether there is a need to extend such guidelines to apply to other housing forms, such as duplexes and suites not in accessory buildings. Secondly, if there is a need for that, the City must decide which neighbourhoods should be encouraged to adhere to such design guidelines (only

neighbourhoods with identified “heritage” character, or all neighbourhoods facing infill pressures?).

It is suggested that when staff prepare voluntary design guidelines for suites in accessory buildings, that staff also look at doing the same for other types of “second unit” infill developments occurring within the RU6 zone.

There is significant potential for increasing density within OCP-designated “single/two unit” areas in Kelowna’s “greater downtown”. Recent analysis has shown that within this area, up to 2270 units could be added in a manner consistent with current zoning provisions and OCP designations. Given the extent of potential density increases, it is critical that any infill development be sensitive. Quality of life should not be sacrificed. Appropriate design can do much to ensure that new development “fits” with existing neighbourhoods, including neighbourhoods with heritage character. Since there is potential for density increases in more than just the areas previously identified as potential HCAs, it is suggested that any efforts to ensure sensitive infill be broadly applied.

In order to stay consistent with Council’s earlier direction to prepare voluntary design guidelines for suites in accessory buildings, it is recommended that a similar approach be taken with other types of “second unit” infill developments. The purpose of the guidelines would be to identify design treatments that would help new structures better fit into Kelowna’s established neighbourhoods. It is suggested that staff, in consultation with the community, identify design-related infill issues. Design recommendations could be packaged as a set of voluntary development guidelines. Should Council at some future point find it necessary to make the voluntary guidelines mandatory, such action could be achieved by designating “Intensive Residential Development Permit Areas” in the OCP (after a Public Hearing).

In the process of developing the design guidelines, it is possible that some issues will be identified as being best dealt with through revisions to the Zoning Bylaw. If such are found, it is recommended that they be flagged for Council’s consideration. [The intent of identifying potential Zoning Bylaw amendments would be to resolve building design issues, not to eliminate the potential of lots within the RU6 zone to generally accommodate two units. In this regard, the proposed process would not resolve concerns of those who oppose the current zoning bylaw regulations that permit two units within such zones.]

It is recommended that the voluntary guidelines and potential Zoning Bylaw amendments be broadly applied to areas permitting two units on a single lot. Such broad application would include the areas that have been under consideration as potential Heritage Conservation Areas.

Properly carried out, it is expected that the above-proposed approach would yield design outcomes similar to what could be achieved through designation of additional HCAs. As an added benefit, this approach would comprehensively address design and infill issues that have arisen throughout the broader downtown area.

SUMMARY

It is submitted that the above-proposed approach is a reasonable first step towards ensuring more sensitive infill. The proposed approach has the potential to respond to a broad range of concerns both within Heritage Conservation Areas proposed in the 1995 Heritage Management Plan and the rest of the greater downtown area.

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Approved for inclusion

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