
CITY OF KELOWNA

MEMORANDUM

Date: October 8, 2004
File No.: Z04-0056

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. Z04-0056 OWNER: John & Anne Bulych/ Sharon Bulych

AT: 1862-1872 Chandler Street APPLICANT: Pacific Sun Enterprises Ltd.

PURPOSE: TO REZONE THE PROPERTY FROM RU6 – TWO DWELLING HOUSING TO RU6b – TWO DWELLING HOUSING (BOARDING HOUSE).

EXISTING ZONE: RU6 – TWO DWELLING HOUSING

PROPOSED ZONE: RU6b – TWO DWELLING HOUSING (BOARDING HOUSE)

REPORT PREPARED BY: KEIKO NITTEL

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Rezoning Application No. Z04-0056 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 8, DL 137, ODYD, Plan 10011, located on Chandler Street, Kelowna, B.C. from the RU6- Two Dwelling Housing to RU6b – Two Dwelling Housing with Boarding House zone be considered by Council;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration.

2.0 SUMMARY

The applicant is seeking to rezone the subject property from the RU6 – Two Dwelling Housing zone to RU6b- Two Dwelling with Boarding House zone to allow for the use of the property for a halfway house.

3.0 BACKGROUND

3.1 The Proposal

The applicant is proposing to rezone the subject property to allow for the relocation of an existing half-way house, currently located directly across Chandler Street, onto the subject property. The existing semi-detached dwelling currently situated on the subject property would be demolished and the building currently located across the street would be relocated onto the site. The applicant is proposing significant landscaping on-site to help mitigate the impact of the proposed boarding house. In addition, an opaque fence will be located along the west (side) and south (rear) property lines.

The ten bedrooms are located in the basement of the dwelling. The main floor consists of a t.v. room, games room, storage room, living room, dining room, pantry, two washrooms, and three offices. Windows from the kitchen, storage room and games room face the adjacent property to the west. On the south elevation of the building, windows from the supervisor and manager offices' face the adjacent neighbours. Landscaping is proposed along the west and south property lines includes trees to be planted in front of the main floor windows. In addition to the fencing, the applicant is proposing significant plantings of both trees and shrubs to visually buffer the adjacent property from the halfway house. The two remaining elevations (north & south) face street frontages.

The application meets the requirements of the proposed RU6b – Two Dwelling Housing with Boarding House zone as follows:

CRITERIA	RU6b	RU6
Lot Area (m ²)	834m ²	800m ²
Lot Width (m)	22.86m	15.0m
Lot Depth (m)	37.31m	30.0m
Site Coverage (%)	25% / < 50%	40%/ 50%
Setbacks-House (m)		
-Front	4.5m	4.5m
-Rear	16.0m	7.5m
-Side	4.5m	2.0m
-Side	5.56m	4.5m
Parking Spaces (Total)	6 spaces	1 per 2 sleeping spaces max 10 boarders = 5 spaces

** The plans submitted are conceptual in nature. The applicant will be required to ensure that the proposal meets all the requirements of the Zoning Bylaw prior to obtain a building permit.

3.2 Site Context

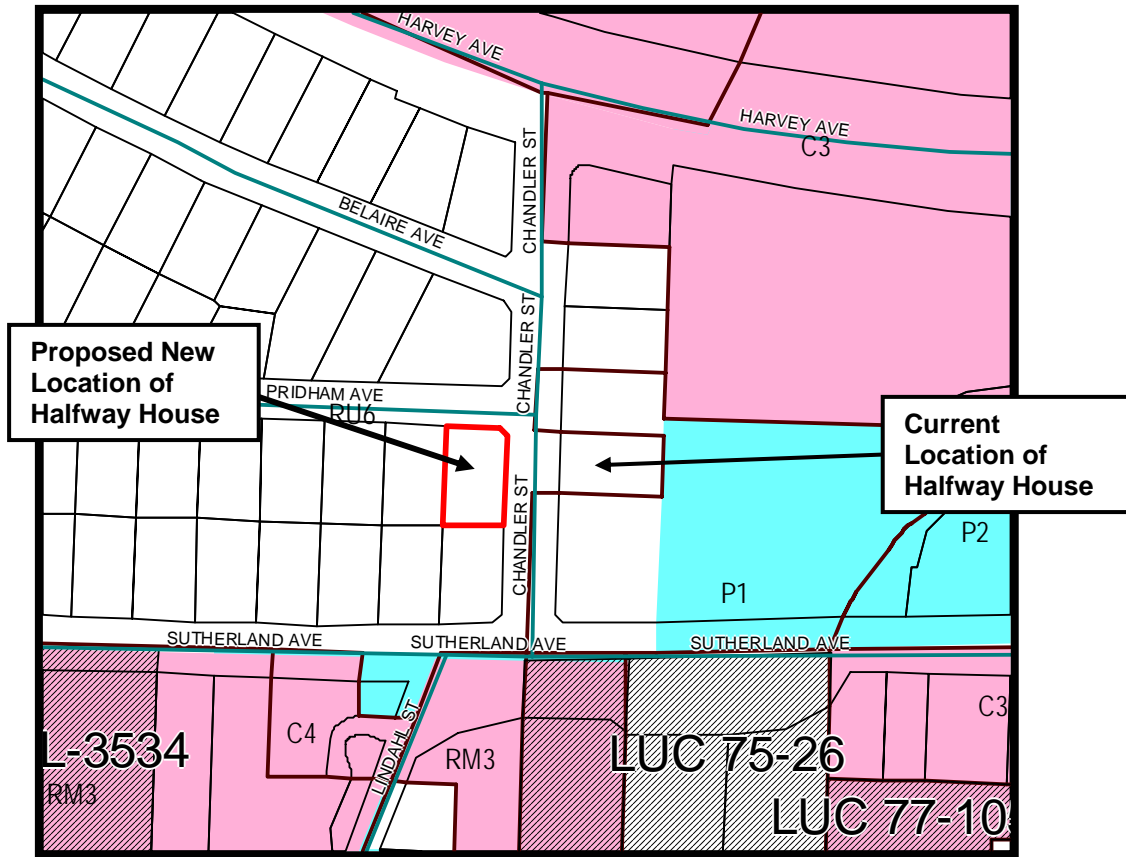
The subject property is located on Chandler Street between Sutherland Avenue and Pridham Avenue.

Adjacent zones and uses are:

- North - RU6 – Two Dwelling Housing
- East - RU6 – Two Dwelling Housing
- P1 - Major Institutional
- South - RU6 – Two Dwelling Housing
- West - RU6 – Two Dwelling Housing

Site Location Map

Subject Property:



3.3 Existing Development Potential

The subject property is zoned RU6- Two Dwelling Housing. The purpose of the RU6 zone is to provide a zone for development of a maximum of two dwelling units per lot. The principal uses in this zone are: duplex housing, semi-detached housing & single detached housing. The secondary uses in this zone are bed and breakfast homes, boarding or lodging houses (RU6b only), care centres, minor, group homes, minor, home based businesses, major, home based businesses, minor, secondary suites.

3.4 Current Development Policy

3.4.1 City of Kelowna Strategic Plan (1992)

One of the objectives of the Strategic Plan is “to develop a more compact urban form by increasing densities through infill and re-development within existing urban areas and to provide for higher densities within future urban areas” (Objective 1.1). The proposal is consistent with these objectives and with their accompanying strategies.

3.4.2 Kelowna Official Community Plan

The subject property is designated in the OCP as Multiple Unit Residential - Medium density. It was anticipated that this site would be part of a larger redevelopment of the general area that would achieve higher densities within the Capri Village Centre. The use of this site for a boarding or lodging house would not provide for the number of units envisaged as the potential occupancy of the proposed use would be similar to a duplex with each unit occupied by up to 5 unrelated individuals. Staff notes that relocating a lower than anticipated density

onto this site could forestall the transition of this area towards the uses anticipated in the OCP and could limit the potential of the corner lot to the south on Sutherland Avenue. The applicant, however, is not changing the parent zoning designation of RU6 – Two Dwelling Housing. As the parent designation remains the same, the proposed development is not required to be consistent with the future land use designation.

4.0 TECHNICAL COMMENTS

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

4.1 Bylaw Enforcement

No comment.

4.2 Fire

No comment.

4.3 Fortis

No response.

4.4 Inspection Services Department

Demolition permits and building permits will be required.

4.5 Interior Health

No comment.

4.6 Works & Utilities

The Works & Utilities Department has the following comments and requirements associated with this application to rezone from RU6 to RUB:

4.6.1 General

The proposed rezoning application does not compromise Works and Utilities requirements.

4.6.2 Domestic water and fire protection

This development is within the City service area. This property is currently serviced by the municipal water main. The existing 19mm-diameter copper water service may be retained for use by the proposed development if it is of sufficient size. Service changes, if required, will be at the owner's cost. Water service issues will be reviewed when a Building Permit application including a mechanical plan is submitted.

4.6.3 Sanitary Sewer

This property is currently serviced by the municipal sanitary sewer system. The existing 100mm-diameter service will be adequate for the proposed additional suite and may be retained. An inspection chamber (IC) must be installed on the service at the owner's cost as required by the sewer-use bylaw.

4.6.4 Site Related Issues

The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or

demolishing the existing structure. The City of Kelowna water meter contractor must salvage the existing water meters, prior to building demolition. If water meters are not salvaged, the owner will be invoiced for the meters.

- 4.6.5 Driveway access to the required off-street, dust-free parking area must be located at the furthest point from the intersection.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The subject property is designated in the OCP as Multiple Unit Residential - Medium density. The applicant, however, is not applying to change the parent designation (RU6) of the property. An amendment to the Official Community Plan is therefore not required.

The proposed rezoning is required in order to facilitate the relocation of the existing halfway house currently located on the property across Chandler Street. The applicant intends on demolishing the existing semi-detached dwelling and relocating the single detached dwelling, currently used as the halfway house use, from across the Chandler Street onto the subject property. The RU6b zone allows a boarding house as part of a single detached dwelling. The existing halfway house was previously renovated from a semi-detached dwelling into a single detached dwelling with only one kitchen. The maximum number of resident in the RU6b zone is 10 residents. The halfway house does not intend on intensifying their current operations. A concurrent rezoning application is in process to rezone the property of which the halfway house is currently located in order to allow its consolidation with the adjacent Stillwaters Private Hospital property which surrounds in on three sides. Should the rezoning of the subject property not proceed, the halfway house will remain in its current location. The potential relocation of the halfway house from the neighbourhood is therefore not a consideration of this application.

Staff is satisfied that the applicant has made a good attempt to preserve the privacy of the adjacent properties through the use of both landscaping and opaque fencing. The proposed fence along the south and west property lines will consist of Allan block post with a textured finish and cedar tongue in groove fencing materials. The applicant intends on constructing the fence to the maximum height permitted which is 2.0m (6'6"). In addition, the proposed plantings are intended to preserve the privacy of the adjacent properties. On the west side of the property, trees are to be planted along the property line in line with the upper floor windows. In addition, the plantings along the fence lines are intended to provide additional buffering from the adjacent properties. In general, Staff feels that the high level of landscaping proposed will serve to both enhance the overall look of the property as well as mitigate visual and auditory impacts of the development on the adjacent houses.

Andrew Bruce
Development Services Manager

Approved for inclusion

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

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Attach.

FACT SHEET

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| 1. APPLICATION NO.: | Z04-0056 |
| 2. APPLICATION TYPE: | Rezoning |
| 3. OWNER: | John & Anne Bulych/ Sharon Bulych |
| • ADDRESS | 2265 Nelson Rd/ 221-2288 Benvoulin Rd |
| • CITY | Kelowna, BC |
| • POSTAL CODE | V1Y 7Z3/ V1E 2C6 |
| 4. APPLICANT/CONTACT PERSON: | Pacific Sun Enterprises (James & David Kornell) |
| • ADDRESS | 1- 700 Rutland Rd |
| • CITY | Kelowna, BC |
| • POSTAL CODE | V1X 7W8 |
| • TELEPHONE/FAX NO.: | 250.491-7714 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | August 16, 2004 |
| Date Application Complete: | August 16, 2004 |
| Servicing Agreement Forwarded to Applicant: | n/a |
| Servicing Agreement Concluded: | n/a |
| Staff Report to Council: | September 23, 2004 |
| 6. LEGAL DESCRIPTION: | Lot 8, DL 137, ODYD, Plan 10011, |
| 7. SITE LOCATION: | On the northwest corner of Chandler Street and Pridham Avenue |
| 8. CIVIC ADDRESS: | 1862-1872 Chandler Street |
| 9. AREA OF SUBJECT PROPERTY: | 834 m ² |
| 10. AREA OF PROPOSED REZONING: | 834 m ² |
| 11. EXISTING ZONE CATEGORY: | RU6- Two Dwelling Housing |
| 12. PROPOSED ZONE: | RU6 – Two Dwelling Housing (Boarding House) |
| 13. PURPOSE OF THE APPLICATION: | TO REZONE THE PROPERTY FROM RU6 – TWO DWELLING HOUSING TO RU6b – TWO DWELLING HOUSING (BOARDING HOUSE). |
| 14. MIN. OF TRANS./HIGHWAYS FILES NO.: | n/a |
| NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY | |
| 15. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | n/a |

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site/Landscaping Plan
- Floor plans
- Letter from Applicant
- Letter from Halfway House Society
- Letter for Appraiser