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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** January 14, 2005  
**File No.:** HAP05-0001

**To:** CITY MANAGER

**From:** Planning and Corporate Services Department

**Subject:**

APPLICATION NO. HAP05-0001  
AT: 525 Buckland Avenue

OWNER: Thomson Real Estate Dev.  
APPLICANT: Thomson Real Estate Dev.

**PURPOSE:** TO OBTAIN A HERITAGE ALTERATION PERMIT TO ALLOW A LOT WIDTH OF 16.76 METRES WHERE 18.0 METRES IS REQUIRED TO ALLOW THE STRATIFICATION OF TWO DWELLINGS ON THE SUBJECT PROPERTY.

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

**REPORT PREPARED BY:** KEIKO NITTEL

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

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**1.0 RECOMMENDATION**

THAT Council authorize the issuance of Heritage Alteration Permit No.05-0001 for Lot 1, DL 14, ODYD, Plan 2691, located on Buckland Avenue, Kelowna, B.C., subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in general accordance with Schedule "A"
2. The exterior design and finish of the building to be constructed on the land be in general accordance with Schedule "B";
3. Landscaping to be provided on the land be in general accordance with Schedule "C";

AND THAT a variance to the following section of Zoning Bylaw No. 8000 be granted:

Section 13.6.5 (g) Subdivision Regulations

A variance to allow a lot width of 16.76m where 18.0 m is required.

**2.0 SUMMARY**

The applicant obtained approval under a previous heritage alteration permit to renovate the exterior of the exiting house as well as relocate a second house, currently located next door, onto the subject property. Under the current Zoning Bylaw regulations, the two houses are permitted on the subject property in the form of a house with a secondary suite. However, in order to allow the houses to be stratified, the applicant requires a variance to the lot width requirement to allow the buildings to be considered two principal buildings.

**3.0 COMMUNITY HERITAGE COMMISSION**

The proposal to relocate the additional single detached house from the neighbouring property was previously reviewed under a previous permit. Issues related to the form and character of the proposed development were addressed under HAP03-0014. Subsequent to the meeting of

the CHC, the applicant decided to proceed with the application without the variance to the lot width to allow the relocation of the second house onto the property as a secondary suite with the intention on making a separate application to allow for the stratification of the property. At the CHC meeting and, at subsequent meetings with the adjacent neighbourhood, the applicant made clear his continued intention to proceed with obtaining a variance to allow the stratification of the property. As issues regarding both the form and character and the future stratification of the property were previously addressed, the current application was not required to be reviewed again by the CHC

The Community Heritage Commission at the meeting of December 7, 2004 considered the application HAP03-0014, and the following resolution was passed:

THAT the Community Heritage Commission supports Heritage Alteration Permit Application HAP03-0014 – 525 Buckland Avenue to allow for the construction on two dwellings located in the Marshall Street Heritage Conservation Area.

#### 4.0 BACKGROUND

##### 4.1 The Proposal

A heritage alteration permit previously approved the relocation of a second dwelling onto the subject property. The applicant intends on moving the existing house, currently located next door at 533 Buckland Avenue, onto the rear of the subject property. The exteriors of both houses are to be renovated. The house at the front of the property is to be finished with beige stucco, white trim, and black roofing. The second house, located at the rear of the property, is to be finished with a coordinating taupe tone, also with white trim accents, and black roofing. Two parking spaces are to be located adjacent to each of the houses. At the rear of the property, the applicant intends on registering a right-of-way to allow the proposed driveway to be used as access to the rear of the adjacent property (533 Buckland Avenue). While the development meets the regulations of the Zoning Bylaw for a single detached dwelling and secondary suite within an accessory building, the applicant would like to stratify the two dwellings and therefore requires a variance to the required lot width of the property. The existing lot width is 16.76 m where 18.0 m is required in order to allow two single detached dwelling on site.

##### 4.2 Site Context

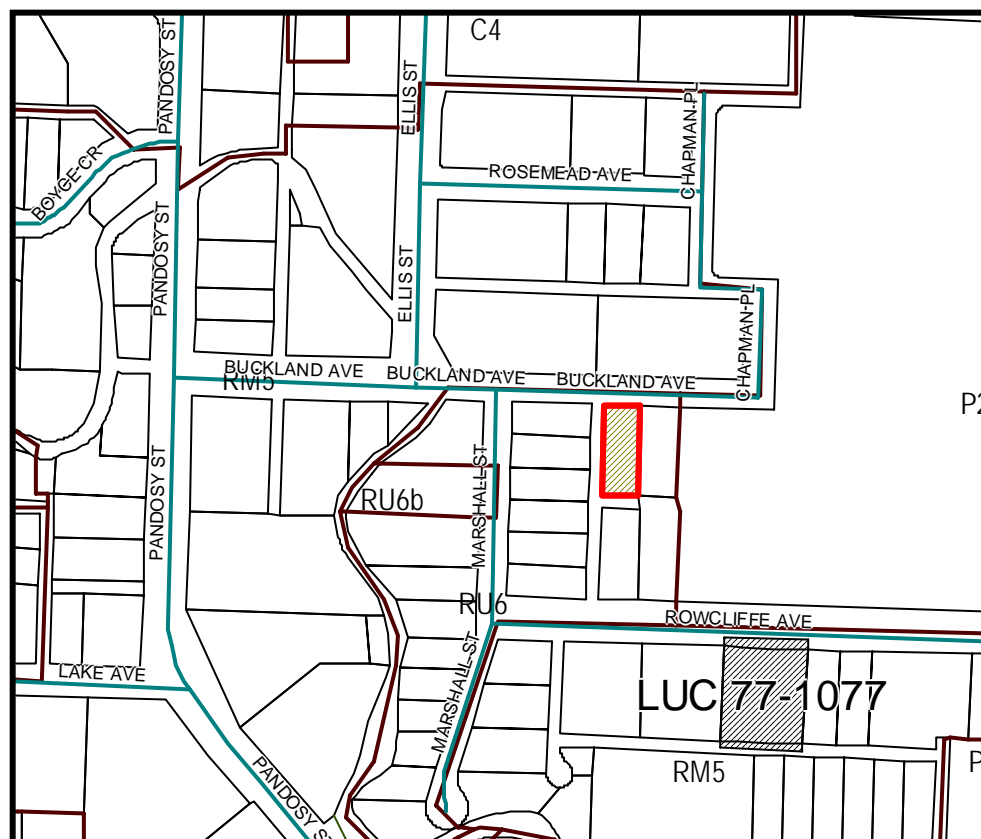
The subject property is located in the Marshall Street Heritage Conservation Area on Buckland Avenue.

The application meets the requirements of the proposed RU6 – Two Dwelling Housing with Secondary Suite zone as follows:

CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
Lot Area (m <sup>2</sup> )	710.12m <sup>2</sup>	700m <sup>2</sup>
Lot Width (m)	16.76m <sup>2</sup> *	17.0m
Lot Depth (m)	42.37m	30.0m
Site Coverage (%)	26.6% 45.5%	40% (building) 50% (with driveway and parking)
Storeys (#)	1 storey	2.5 storeys / 9.5m
Setbacks-House (m)		
-Front Yard	10.5m	4.5m
-Side Yard (east)	3.12m	2.0m
-Side Yard (west)	3.47m	2.0m
Rear Yard	6.0m	6.0m
Parking Spaces	4	4
	4.5m	4.5m

\* A variance is required in order to allow a lot width of 16.76 m where 18.0 m is required.

## Site Location Map



### 4.3 Existing Development Potential

The property is currently 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.

### 4.4 Current Development Policy

#### 4.4.1 Kelowna Official Community Plan

The proposal is consistent with the future land use designation of Single/Two Dwelling Unit Residential in the Official Community Plan. The Single/Two Dwelling Unit Residential designation covers single detached homes for occupancy by one family, single detached homes with a secondary suite, semi-detached buildings used for two dwelling units, and complementary uses (OCP, Chapter 15).

The OCP designates the area in which the subject property is located as the Abbott Street & Marshall Street Heritage Conservation Area. The purpose of the Heritage Conservation Area designation is to provide objectives and guidelines for the conservation of the areas' heritage resources and distinct character. One of the objectives of Conservation Areas is to encourage additions and new buildings that are compatible with the form and character of the existing neighbourhood buildings

## 5.0 TECHNICAL COMMENTS

5.1 Inspection Services

Building Permits required in order to relocate the house onto the subject property. Construction is to be in accordance with BC Building Code.

6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The proposed development is subject to the Abbott Street and Marshall Street Heritage Conservation Areas Development Guidelines set out in the Official Community Plan. The form and character of the development was approved under HAP04-0014. The proposal is consistent with the design guidelines as the building designs are already consistent with other buildings in the area. The applicant also intends on renovating the existing facades of the buildings with new stucco and roofing. The condition of the housing will therefore be improved. In addition, the placement of the building in the backyard area will not break up the rhythm of the streetscape or impact the privacy of the neighbours. The applicant has submitted letters of support from the adjacent property owners. Staff therefore has no concerns with the proposal to vary the lot width.

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Andrew Bruce  
Development Services Manager

Approved for inclusion

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Attach.

**ATTACHMENTS**

**(not attached to the electronic version of the report)**

- Location of subject property
- Site Plan/ Landscape Plan
- Floor Plans
- Elevations