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## CITY OF KELOWNA

### MEMORANDUM

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**Date:** December 7, 2005  
**To:** City Manager  
**From:** Planning and Corporate Services Department  
**Subject:**

**APPLICATION NO.** HAP05-0014      **OWNER:** Kurt and Trudy Balkenhol

**AT:** 1945 McDougall Street      **APPLICANT:** Kurt and Trudy Balkenhol

**PURPOSE:** TO CONSTRUCT A NEW SINGLE FAMILY DWELLING ON THE  
SUBJECT PROPERTY

TO VARY THE SOUTHERN SIDE YARD SETBACK FROM 2.3M  
REQUIRED TO 1.52M PROPOSED

TO VARY THE NORTHERN SIDE YARD SETBACK FROM 2.3M  
REQUIRED TO 1.52M PROPOSED

TO VARY THE FRONT YARD SETBACK FROM 4.5M  
REQUIRED TO 3.65M PROPOSED

**EXISTING ZONE:** RU1 – LARGE LOT HOUSING

**REPORT PREPARED BY:** RYAN SMITH

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#### 1.0 RECOMMENDATION

THAT Council authorize the issuance of Heritage Alteration Permit No. HAP05-0014; for Lot 5, District Lot 14, ODYD, Plan 2069, located on McDougall 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".

AND THAT variances to the following sections of Zoning Bylaw No. 8000 be granted:

Section 13.1 – RU1: Large Lot Housing: 13.1.6(c):

Vary the front yard setback from 4.5m required to 3.65m proposed.

Section 13.1 – RU1: Large Lot Housing: 13.1.6(d):

Vary the northern side yard setback from 2.3m required to 1.52m proposed.

Vary the southern side yard setback from 2.3m required to 1.52m proposed.

2.0 SUMMARY

The applicant is seeking support for the construction of a new single family dwelling on the subject property. The proposal requires variances to the northern and southern side yard setbacks as well as the front yard setback.

3.0 COMMUNITY HERITAGE COMMISSION

At the regular meeting of July 5, 2005 it was resolved:

THAT the Community Heritage Commission not support Heritage Alteration Permit Application No. HAP05-0014 – 1945 McDougall Street and recommends that the plans be redesigned to provide vehicle access from the rear lane, in accordance with the Heritage Conservation Area Design Guidelines, and resubmitted to the Commission for review. It is also recommended that setback variances be weighted to move the proposed new home away from the residential property immediately to the south and towards the road to the north of the subject property. The Commission supports the retention of the rear lane in its present condition.

Note: The applicants have since revised the proposal for re-consideration by the Community Heritage Commission. The CHC passed the following resolution at their November 29, 2005 meeting:

That the Community Heritage Commission not support Heritage Alteration Permit No. HAP05-0014 – 1945 McDougall Street with the reasons being that the size of the home and the many variances requested for the front and side yards result in a building that is not compatible with the Heritage Conservation Area Design Guidelines.

The following concerns and comments were noted:

- The Committee recommends that the lilac hedges be retained.
- Extensive landscaping should be added on the southern side of the property to minimize the loss of privacy to adjoining neighbors.

4.0 PROPOSAL

The applicant has proposed to construct a new single family dwelling on the subject property on McDougall Street in the Abbott Street Heritage Conservation Area. The subject property is a small RU1 – Large Lot Housing zoned lot that is currently vacant. A lane borders the property's north side which will serve as the access to the proposed detached garage/workshop at the rear of the property. The proposed single family dwelling measures two storeys in height and 168m<sup>2</sup> in size. The exteriors of the dwelling will be finished with hardi-plank siding, cultured stone accents around the base facing the street, asphalt shingles, and contrasting trim.

The application meets the requirements of the proposed RU1 – Large Lot Housing zone as follows:

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Lot Area (m <sup>2</sup> )	375m <sup>2</sup>	550m <sup>2</sup>
Lot Width (m)	12.3m	16.5m
Lot Depth (m)	31.8m	30.0m
Site Coverage Existing (%)	0.0%	40%
Site Coverage Proposed (%)	38.58%	40%
Height - Storeys (SFD existing)	2	2.5
<b>Setbacks-House (m)</b>		
-Front	3.65m❶	4.5m but 6.0m to the front of a garage or carport
-Rear	13m	7.5m
-North Side	1.52m❷	2.3m
-South Side	1.52m❸	2.3m
<b>Setbacks- Accessory</b>		
- North Side Yard	1.52m	1.5m
- South Side Yard	1.52m	1.5m
- Rear Yard	2.74m	1.5m
Parking Spaces	2	2

❶Note: Applicant is seeking to vary the front yard setback from 4.5m required to 3.65m proposed.

❷Note: Applicant is seeking to vary the northern side yard setback from 2.3m required to 1.52m proposed.

❸Note: Applicant is seeking to vary the southern side yard setback from 2.3m required to 1.52m proposed.

#### 4.2 Site Context

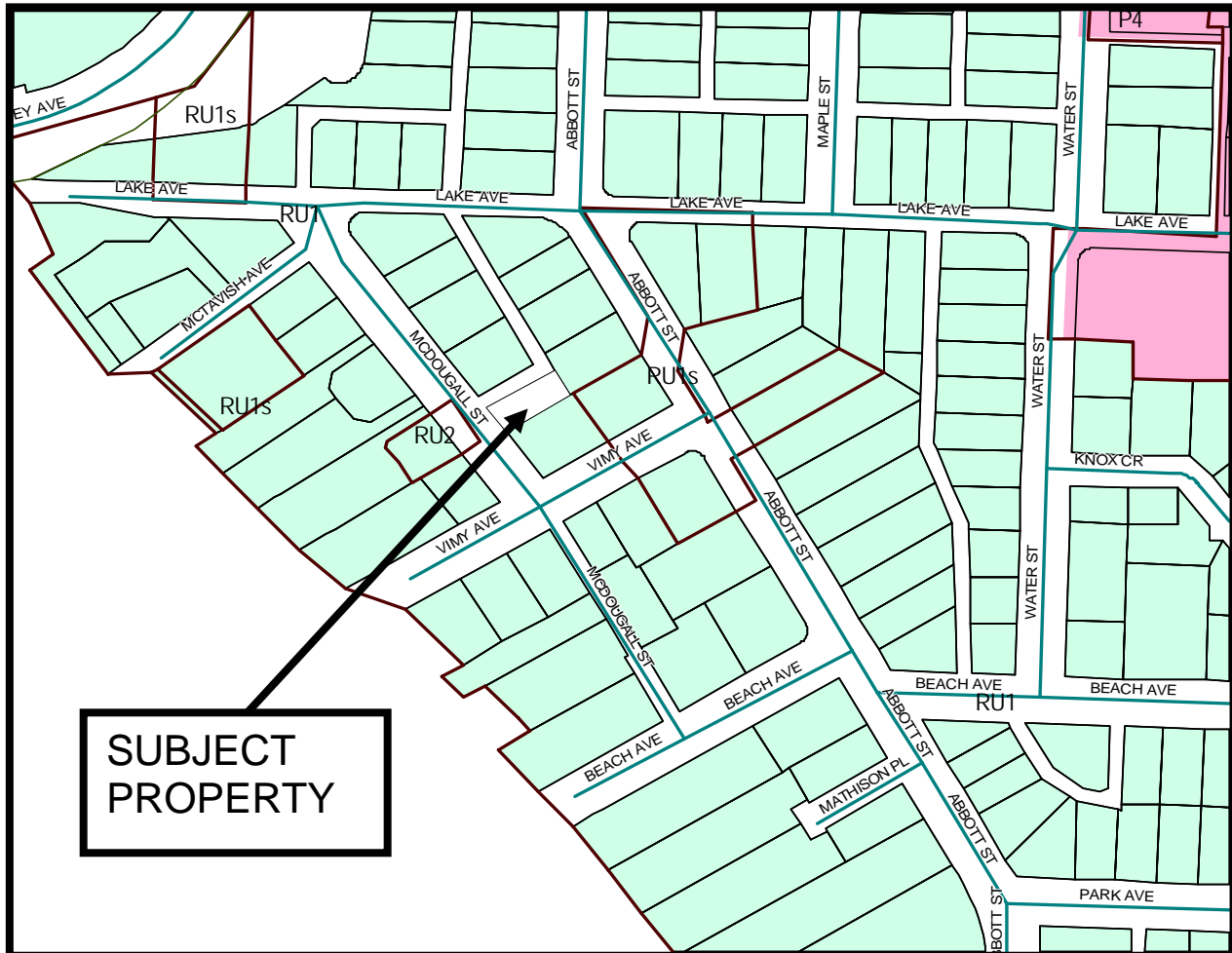
The subject property is located on the northwest side of McDougall Street between Lake Avenue and Vimy Avenue.

Adjacent zones and uses are:

- North - RU1 - Large lot housing – single family dwelling
- East - RU1 - Large lot housing – single family dwelling
- South - RU1 - Large lot housing – single family dwelling
- West - RU2 - Medium lot housing – single family dwelling

Site Location Map

Subject Property: 1945 McDougall Street



4.3 Existing Development Potential

The property is zoned RU1 – Large Lot Housing. The purpose of this zone is to provide for single detached housing as a principal use, and compatible secondary uses, such as bed and breakfast homes, minor care centres and group homes, as well as home based businesses.

Secondary suites are allowed on lots with RU1s – Large Lot Housing with Secondary Suite zoning.

4.4 Current Development Policy

4.4.1 Kelowna Official Community Plan

The proposal is consistent with the designation of Single/Two Family Residential in the Official Community Plan future land use designation. The Single/Two Family 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 proposed building addition is subject to the Abbott Street and Marshall Street Heritage Conservation Areas Development Guidelines set out in the Official Community Plan. The intent of the Development Guidelines is to give consideration to the form, character and landscaping of all new development within the Heritage Conservation Areas.

The applicant has incorporated design features that are generally consistent with the Development Guidelines and with the design of other homes in the area, including the roof form, siding material, doors and windows. The massing of the building is also complementary to the neighbourhood in that several other two storey house exist on this block of McDougall. The applicants have indicated that they will attempt to preserve some of the mature vegetation close to the McDougall Street frontage.

To improve the design, staff recommends that the applicants also consider the use of ornamental shutters on the north, south and street fronting elevations. The placement of the proposed new dwelling is also not entirely consistent with the Development Guidelines. The Guidelines encourage applicants to maintain the established front yard setback by placing additions within 10% of the adjacent or average building setback. Due to the size of the subject property, the applicants are proposing to vary the required front yard setback.

#### **5.0 PLANNING AND CORPORATE SERVICES DEPARTMENT**

The Planning and Corporate Services Department as well as the Community Heritage Commission expressed concerns regarding the original proposal by the applicants as it appeared to be a modern style which would not complement the heritage conservation area. The applicant considered the concerns expressed by the CHC and decided to revise the proposal in order to satisfy the design related issues. The revised design eliminates the proposed garage access from McDougall Street and provides a more prominent front entry feature. The proposed design also incorporates a small accessory building at the rear of the property which will house parking for two cars and a workshop. The revised proposed is generally consistent with design guidelines for the Abbott Street Conservation Area.

In order to proceed with the proposed design the applicant requires variances to both side yard setbacks and the front yard setback. Considering the size of the existing lots which is much narrower and smaller in area than other RU1 lots in the vicinity, Planning staff are generally supportive of the proposed setback variances. The subject property is of a size which would be more consistent with the provisions of the RU3 – Small Lot Housing zone, the proposal would comply with the bylaw if developed under the RU3 – Small Lot Housing provisions. Staff have no further concerns at this time; however, several of the applicant's neighbors have expressed concerns about this application.

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Andrew Bruce  
Manager of Development Services



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

RM/AB/rs  
Attach.

#### **ATTACHMENTS**

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

- Location of subject property
- Site plan and main floor plan
- Plan of upper floor
- Elevations