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## CITY OF KELOWNA

### MEMORANDUM

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**Date:** March 29, 2006  
**File No.:** Z06-0011

**To:** City Manager

**From:** Planning and Corporate Services Department

**Subject:**

**APPLICATION NO.** Z06-0011  
**AT:** 827 Wardlaw Avenue

**OWNER:** Mark Elgood  
**APPLICANT:** Lynn Welder

**PURPOSE:** TO REZONE THE SUBJECT PROPERTY FROM THE RU1- LARGE LOT HOUSING ZONE TO THE RU6 – TWO DWELLING HOUSING ZONE.

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

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

**REPORT PREPARED BY:** KEIKO NITTEL

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#### 1.0 RECOMMENDATION

THAT Rezoning Application No. Z06-0011 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 3, DL 135, ODYD, Plan 7821 located on Wardlaw Avenue, Kelowna, B.C. from the RU1- Large Lot Housing zone to the RU6- Two Dwelling Housing zone be considered by Council;

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

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction.

#### 2.0 SUMMARY

The applicant is seeking to rezone the subject property to the RU6- Two Dwelling Housing zone.

### 3.0 ADVISORY PLANNING COMMISSION

The above-noted application was reviewed by the Advisory Planning Commission at the meeting of March 14, 2006 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z06-0011, for 827 Wardlaw Avenue, Lot 3, Plan 7821, Sec. 18, Twp. 26, ODYD, by Lynn Welder Consulting (L. Welder Lalonde), to rezone from the RU1-Large Lot Housing zone to the RU6-Two Dwelling Housing zone.

### 4.0 THE PROPOSAL

A one storey single detached dwelling is currently located on the subject property. The applicant is seeking to rezone the subject property from the RU1- Large Lot Housing zone to the RU6- Two Dwelling Housing zone to allow for future development potential of a second unit on the subject property. The applicant has not submitted concept plans for a second unit. The subject property currently has a legal non- conforming front driveway.

The application meets the requirements of the RU6 – Two Dwelling Housing zone as follows:

<b>CRITERIA</b>	<b>PROPOSAL</b>	<b>RU6 ZONE REQUIREMENTS</b>
Lot Area (m <sup>2</sup> )	742.7m <sup>2</sup>	700m <sup>2</sup>
Lot Width	18.29m	18.0m
Lot Depth	40.61m	30.0m
Storeys (#)	1.0	2.5
Site Coverage (bldgs)	17.7%	40%
Site Coverage (bldgs, parking)	31.9%	50%
Height of Proposed Dwelling	<4.5 m	9.5m
<b>Setbacks (Existing Dwelling)</b>		
Front Yard	9.1m	4.5m
Side Yard	2.0m	2.3m
Side Yard	2.0m	2.3m
Rear Yard	23.5m	5.0m

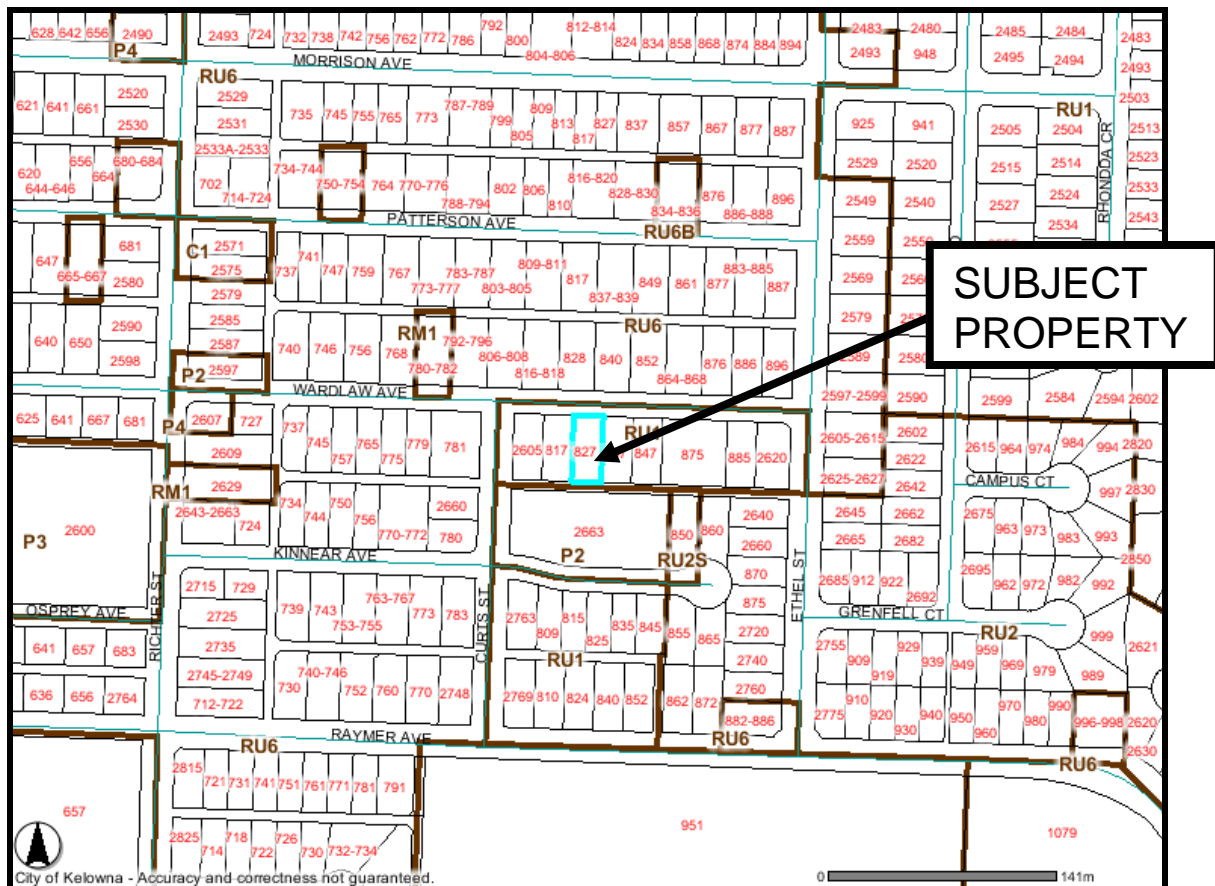
#### 4.1 Site Context

The subject property is located on the south side of Wardlaw Avenue between Curts Street and Ethel Street.

Adjacent zones and uses are:

- North - RU6 – Two Dwelling Housing
- East - RU1- Large Lot Housing
- South - P2 – Parks & Open Space
- West - RU1- Large Lot Housing

## 4.2 Site Location Map



## 4.4 Current Development Policy

### 4.4.1 Kelowna Official Community Plan (2000-2020)

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).

### 4.4.2 City of Kelowna Strategic Plan (2004)

Objectives of the Strategic Plan include: to realize construction of housing forms and prices that meet the needs of Kelowna residents; to achieve accessible, high quality living and working environments; to sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.

5.0 TECHNICAL COMMENTS

5.1 Fire Department

If additional unit is developed, fire department access, fire flows, and hydrants are to be in accordance with the BC Building Code and City of Kelowna Subdivision Bylaw. Note; Fire Department access is never from a back lane, it is always from the main street. Fire fighter access from the front/street side of the property to the back building(s) is not to be impeded at anytime. The address for both residences is to be visible from the street.

5.2 Inspection Services, Interior Health, Parks Department, RCMP, School District No. 23, Shaw Cable, Terasen, Telus,  
No comment.

5.3 Telus

Property has existing aerial service.

5.4 Works & Utilities

The Works & Utilities Department have the following requirements associated with this application to rezone from RU-1 to RU-6.

1. Domestic Water and Fire Protection
  - (a) The existing lot is serviced with a small diameter (13-mm) water service, which is substandard. Disconnect and provide a new water service to meet current by-law requirements. Provide an additional 19mm copper water service to the property. Service upgrades can be provided by the City at the owner's cost.
  - (b) The boulevard irrigation system must be integrated with the on-site irrigation system.
  - (c) The subject lot is included into Water Specified Area Number 1.
2. Sanitary Sewer
  - (a) Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service complete with an I.C.
  - (b) The existing service can be utilised for this proposed development if it is of sufficient depth.
  - (c) Abandon and backfill existing septic tanks in accordance with Building Department requirements. Identify the location of the existing tanks and fields.
  - (d) The subject lot is included into Sanitary Sewer Specified Area Number

3. Storm Drainage  
(a) It will be necessary to construct some storm drainage facilities on Wardlaw Avenue and the rear lane fronting the proposed development. The cost of this construction is included in the roads item.

4. Road Improvements  
Wardlaw Avenue must be upgraded to an urban standard along the full frontage of this proposed development including curb and gutter, monolithic sidewalk, piped storm drainage system extension, pavement widening, landscaped boulevard complete with underground irrigation system, re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction. The cash-in-lieu amount for road frontage improvements is determined to be \$ 9,996.00

The rear lane fronting this development must be upgraded to a paved standard including a piped storm drainage system. The cash-in-lieu amount for lane frontage improvements is determined to be \$5,934.00

5. Electric Power and Telecommunication Services  
It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for new services and modifications to the existing services, which would be at the applicant's cost.

6. Bonding and Levy Summary  
Levies  
Wardlaw Avenue - frontage upgrade                      \$ 9,996.00  
Rear Lane – frontage upgrade                              \$ 5,934.00  
  
**Total                      \$ 15,930.00**

7. Site Related Issues and Development Permit  
Comments regarding site related issues will be provided when a development permit application is received.

8. Electric Power and Telecommunication Services  
It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.

6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The proposal to rezone the subject property from the RU1- Large Lot Housing zone to the RU6- Two Dwelling Home is consistent with the OCP future land use designation of Single/Two Unit Residential use and with OCP policies on Secondary Suites. The proposed use of the property for a single house is a permitted use with the RU6 zone. Should the applicant wish to proceed with construction of a second dwelling, a development permit will first be required.

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Andrew Bruce  
Manager of Development Services

Approved for inclusion ☐

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

KN/AB/kn

Attach.

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

- Location of subject property
- Air photo
- Site plan
- Floor plans
- Photographs of the House