
CITY OF KELOWNA
MEMORANDUM

Date: June 28, 2006

To: City Manager

From: Planning and Development Services Department

Subject:

APPLICATION NO. HAP06-0006

OWNER: Elizabeth Jane Matejka

AT: 278 Beach Avenue

APPLICANT: Peter J. Chataway

PURPOSE: TO ADD AN ADDITION TO THE REAR OF THE EXISTING HOUSE

TO VARY THE REQUIRED REAR YARD SETBACK FROM 7.5M
REQUIRED TO 6.3M PROPOSED TO ACCOMMODATE THE
PROPOSED ADDITION

EXISTING ZONE: RU1 – LARGE LOT HOUSING

REPORT PREPARED BY: RYAN SMITH

1.0 **RECOMMENDATION**

THAT Council authorize the issuance of Heritage Alteration Permit No. HAP06-0006; for Lot B, District Lot 14, ODYD Plan 43495, located on Beach 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(e):

Vary the rear yard setback from 7.5m required to 6.3m proposed.

2.0 SUMMARY

The applicant has submitted a development concept which proposes an addition to the rear of the existing single family dwelling. The applicant has indicated that the intent of the addition is to provide a second kitchen for an in-law dwelling space. The applicant has also indicated that the proposed addition will trigger the need for a variance to the rear yard setback from 7.5m required to 6.3m proposed. The design of the proposed addition is designed to match the form and character of the existing 1960's English Tudor Revival Style.

In addition, the applicant has expressed a desire to apply to the City to designate the property a Municipal Heritage Site under section 967 of the Local Government Act. However, the property is not currently on the City's Heritage Register, which is a prerequisite for consideration for a heritage designation bylaw. The City will add this property to the list of properties to be evaluated for inclusion on the Heritage Register when it is next updated, likely in 2007.

3.0 COMMUNITY HERITAGE COMMISSION

At the regular meeting of June 6, 2006 it was resolved:

THAT the Community Heritage Commission supports Application No. HAP06-0006 to add an addition to the rear of the existing house, which will correspond with the existing form, character and materials.

4.0 BACKGROUND

The subject property which is located at 278 Beach Avenue is not listed on Kelowna's Heritage Register. The applicant has indicated that the house was built in 1904 as a show home for the first subdivision along Abbott Street and was used as a temporary hospital in 1928/1929. (See applicant's design rationale attached).

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

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Lot Area (m ²)	1063m ²	550m ²
Lot Width (m)	25.13m	16.5m
Lot Depth (m)	28.13m	30.0m
Site Coverage (%)	20%	40%
Gross Floor Area	342m ²	
Height - Storeys	2	2.5
Setbacks-House (m)		
-Front	10.3m	4.5m but 6.0m to the front of a garage or carport
-Rear	6.3m❶	7.5m
-East Side	7.8m	4.5m
-West Side	7.1m	2.3m
Parking Spaces	3	3

❶Note: The applicant is seeking to vary the rear yard setback from 7.5m required to 6.3m proposed in order to accommodate an addition at the rear of the existing single family dwelling.

5.0 SITE CONTEXT

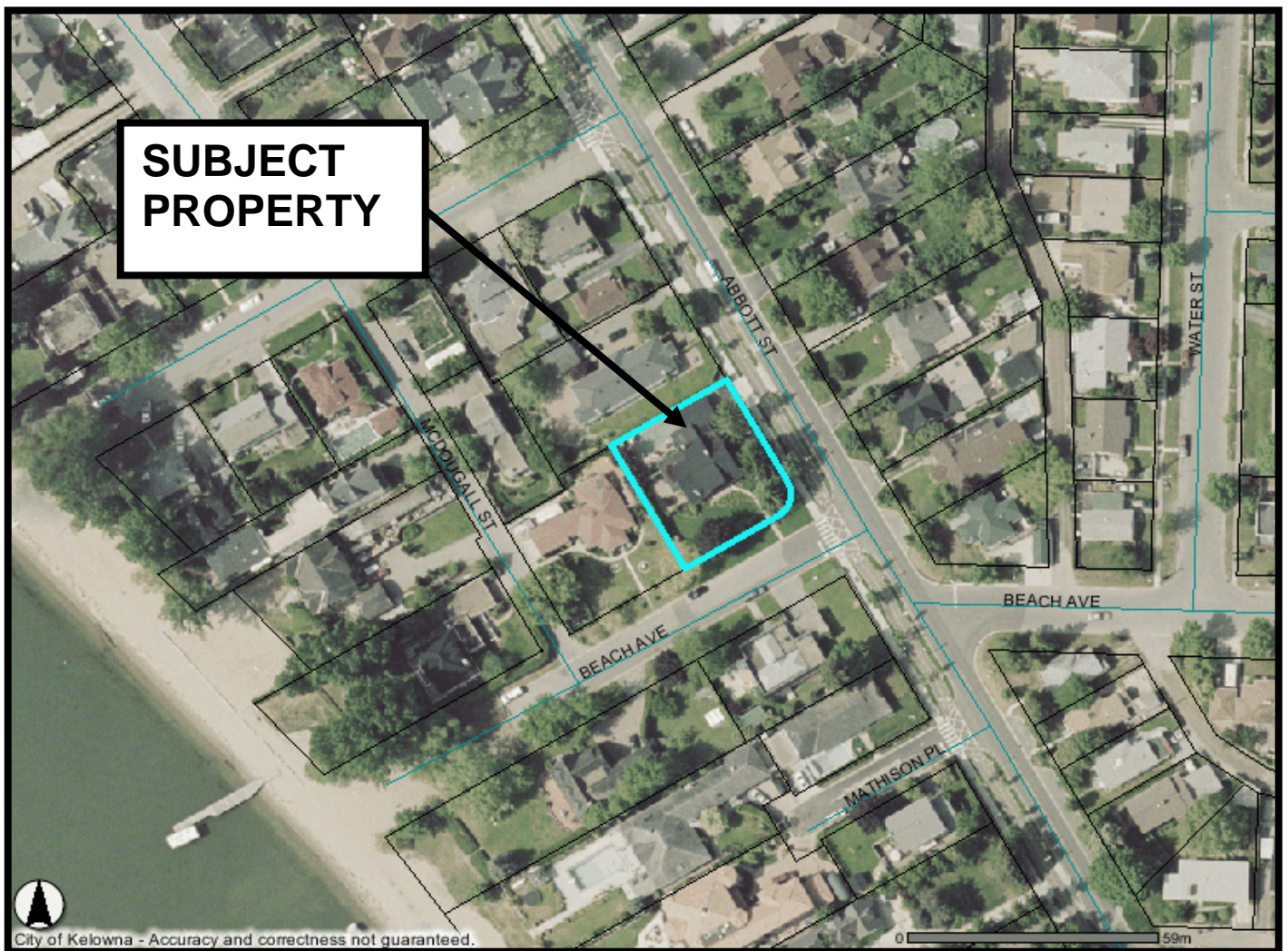
The subject property is located on the northwest corner of Beach Avenue at Abbott Street. The property is zoned RU1 – Large Lot Housing which is consistent with the pattern of zoning in this neighbourhood.

Adjacent zones and uses are:

- North - RU1 – Single Family Dwelling
- East - RU1 – Single Family Dwelling
- South - RU1 – Single Family Dwelling
- West - RU1 – Single Family Dwelling

Site Location Map

Subject Property: 278 Beach Avenue



5.1 Current Development Policy

5.1.1 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.

5.1.2 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 houses exist on this block.

6.0 TECHNICAL COMMENTS

6.1 Works and Utilities

6.1.1 Domestic Water

This property is currently serviced with a - 19mm-diameter copper water services. The service will be adequate and no changes are required.

6.1.2 Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter PVC sanitary sewer service. An inspection chamber (IC) is in place and no further upgrades are required.

6.1.3 Site Related Issues

The requested variance to reduce the rear yard setback from the required 7.5m to 6.3m, does not compromise Works and Utilities servicing requirements.

The existing driveway letdown to Abbott Street will be utilized and no modifications are anticipated.

Should access modifications be required, the applicant will be required to enter into a servicing agreement with the City.

6.2 Inspection Services

No concerns.

6.3 Telus, Terasen, Shaw Cable, RCMP, Public Health Inspector, SD#23, FortisBC

No comments.

7.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning and Corporate Services Department has no concerns with this development proposal. The proposed addition with related variance does not seem unreasonable given that the applicant has garnered the support of a majority of the surrounding neighbours.

Staff originally had concerns about the layout of the proposed addition and intended use; however, it does appear that the conversion of the second kitchen area into a secondary suite would be difficult given the layout and therefore staff has not pursued the issue.

At the time of this application the applicant indicated a desire to apply to designate the property as a Municipal Heritage Site. The subject property is not currently listed on Kelowna's Heritage Register, which is a prerequisite for consideration for a municipal heritage bylaw. Staff will add this property to the list of properties to be evaluated when the Heritage Register is next updated. The applicant may wish to engage the appropriate consultants to perform the heritage evaluation as described in the Heritage Register. Council must pass a resolution to add a property to the Register, at which time staff would consider an application for Municipal Heritage Site designation. This process could be completed in within two to three months if the property were to be evaluated and added to the Heritage Register.

Shelley Gambacort
Acting Development Services Manager

Approved for inclusion

Signe Bagh
Acting Director of Planning & Corporate Services

SB/SG/rs
Attach.

ATTACHMENTS

- Applicant's Design Rationale
- Location of subject property
- Site plan and main floor plan
- Plan of upper floor with suite
- Elevations
- Photos of existing house