
CITY OF KELOWNA
MEMORANDUM

DATE: March 27, 2007
TO: City Manager
FROM: Planning and Development Services Department

APPLICATION NO. HAP07-0004 **OWNER:** Robert (Bill) & Lori Oliver
AT: 272 Burne Ave. **APPLICANT:** San Marc Custom Homes

PURPOSE: TO OBTAIN A HERITAGE ALTERATION PERMIT TO BUILD A TWO STOREY SINGLE FAMILY DWELLING ON THE SUBJECT PROPERTY

TO VARY THE REQUIRED SIDE YARD SETBACK FROM 4.5M REQUIRED TO 2.5M PROPOSED TO ACCOMMODATE THE NEW CONSTRUCTION OF A TWO STOREY SINGLE FAMILY DWELLING

EXISTING ZONE: RU1 – LARGE LOT HOUSING
REPORT PREPARED BY: DAMIEN BURGGRAEVE

1.0 RECOMMENDATION

THAT Council authorize the issuance of Heritage Alteration Permit No. HAP07-0004; for Lot C, District Lot 14, ODYD Plan KAP47541, located at 272 Burne 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 a variance to the following section of Zoning Bylaw No. 8000 be granted:

Section 13.1.6 (d) – Large Lot Housing: Development Regulations: To vary the sideyard setback for a two storey building from a flanking street from the 4.5m required to 2.5m proposed.

2.0 SUMMARY

Through the mechanism of a Heritage Alteration Permit, the applicant is proposing a variance to the side yard from a flanking street requirement from 4.5m to 2.5m proposed in order to allow for the construction of a two storey single family dwelling.

3.0 BACKGROUND

The subject property is not listed on Kelowna’s Heritage Register but is included in the Abbott Street and Marshall Street Conservation Area. Accordingly, the conservation policies and guidelines apply to the new development on existing properties. See policy section for details.

4.0 COMMUNITY HERITAGE COMMISSION

At a meeting held on April 5, 2007, the Community Heritage Commission made the following recommendation:

THAT the Community Heritage Commission support Heritage Alteration Permit Application No. HAP07-0004, 272 Burne Avenue, for a single family dwelling with side yard variance on the subject property, which is located within the Heritage Conservation Area on Burne Street.

5.0 SITE DATA

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

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Lot Area (m ²)	1631m ²	550m ²
Lot Width (m)	27.5m	16.5m
Lot Depth (m)	94.5m	30.0m
Site Coverage (%)	12%	40%
Gross Floor Area	200.4m ²	
Height - Storeys	2	2.5
Setbacks-House (m)		
-Front	4.5m	4.5m but 6.0m to the front of a garage or carport
-Rear	60m	15m from Okanagan Lake
-North Side	2.3m	2.3m
-South Side	2.3m❶	4.5m from flanking street
Parking Spaces	3	3
Setbacks-Retaining Wall		
From Okanagan Lake	20m	15m From Okanagan Lake

❶Note: The applicant is seeking to vary the rear yard setback from 4.5m required to 2.3m proposed in order to accommodate the proposed single family dwelling.

5.1 Site Context

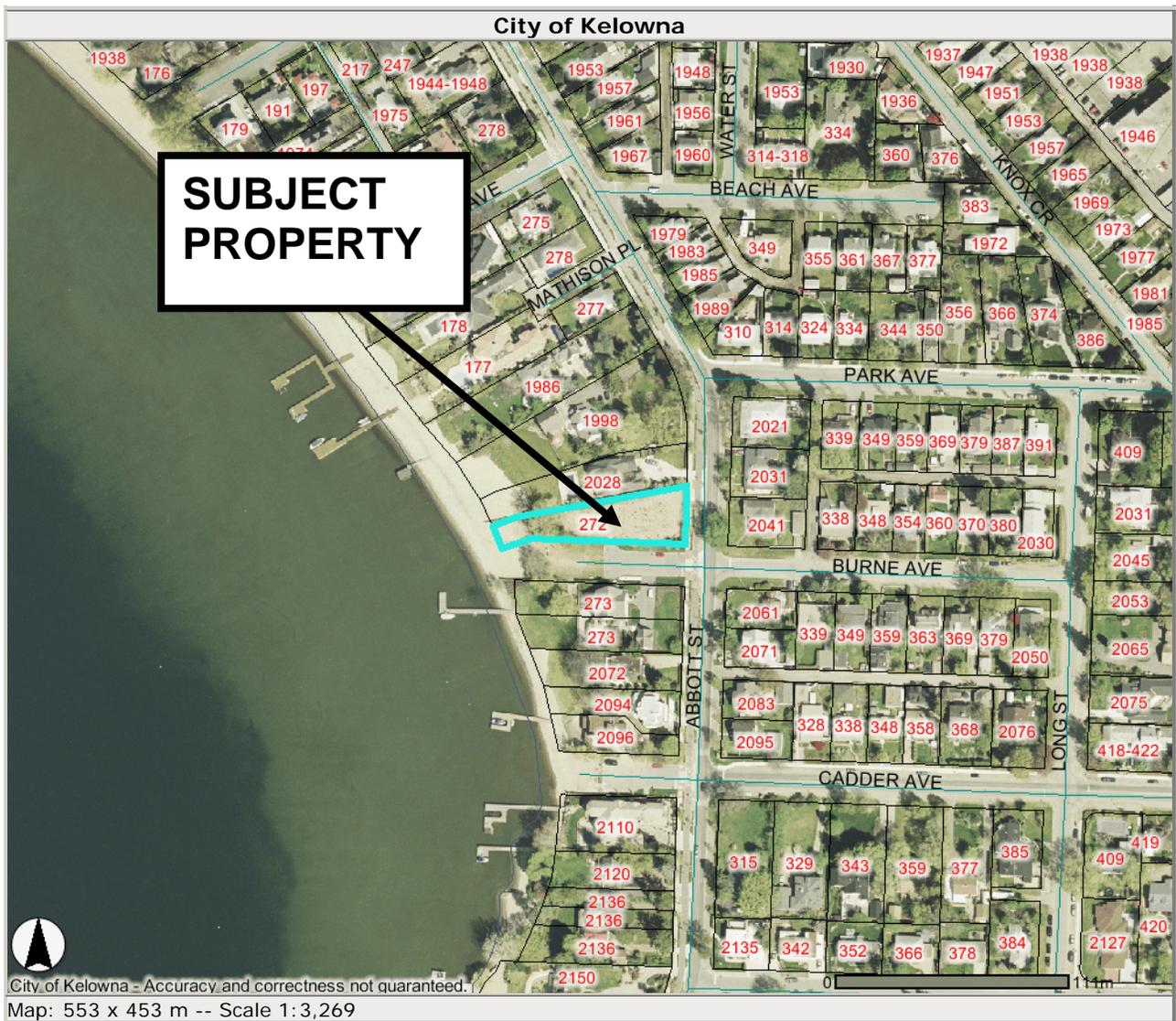
The subject property is located on the corner of Abbott Street and Burne Avenue. The property is zoned RU1 – Large Lot Housing which is consistent with the pattern of zoning in this neighbourhood.

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: 272 Burne Avenue



5.2 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.

6.0 Current Development Policy

6.1 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 single family dwelling 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.

6.2 Abbot Street and Marshall Heritage Conservation Area Development Guidelines

The purpose of these guidelines is to maintain the existing single or two family residential and historical character of the Abbott Street and Marshall Street Heritage Conservation Areas. They encourage new development or additions to existing development, which are compatible with the form and character of the existing context, and advocate retention and renovation of existing development.

7.0 TECHNICAL COMMENTS

This application was circulated to various internal departments and technical agencies and the following comments were received:

7.2 WORKS AND UTILITIES

7.2.1 Domestic Water

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

7.2.2 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.

7.2.3 Electric Power and Telecommunication Services

The electric and telecommunication services to this house are connected to underground services.

7.2.4 Site Access and Development Related Issues

Works and Utilities can support the requested variance to reduce the flanking street side yard setback from 6.0m required, to 2.31m proposed, providing that the setback from the garage door is at or greater than 6.0m.

Direct the roof drains into on-site rock pits. This will help dissipate the roof drain water and prevent additional concentrated flows onto the road right of way.

The submitted plans imply that the existing driveway access to Abbott Street will not be utilised. Access closer will require driveway and curb letdown removal and reconstruction. Boulevard restoration treatment must match the existing standards used on Abbott Street. A new access driveway to Burne Avenue will required curb cuts, removal of the existing curb and construction of a driveway curb letdown.

The estimated cost of this construction for bonding purposes is **\$21,000.00**.

7.2.5 Engineering

Road construction design, construction supervision, and quality control supervision of all off-site works, must be performed by an approved consulting civil engineer. Designs must be submitted to the City Engineering Department for review and marked “issued for construction” by the City Engineer before construction may begin.

7.2.6 Bonding Summary

Driveway access modifications and boulevard restoration

Total Bonding **\$ 21,000.00**

NOTE: The bonding amounts shown above are comprised of estimated construction costs escalated by 140% to include engineering design and contingency protection. Bonding for required off-site construction must be provided and may be in the form of cash or an irrevocable letter of credit, in an approved format.

The owner must also enter into a servicing agreement in a form provided by the City.

7.3 INSPECTION DEPARTMENT

Water table area, located in flood plain construction area which requires an elevation of 343.66m, 2 ft. above high water mark, also mechanical equipment to be located above high water mark.

8.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The subject property is designated as Single / Two Unit Residential in the OCP and as such the construction of a new dwelling would be in compliance. The subject property is also located within the Abbott Street and Marshall Street Heritage Conservation Area, although there is currently no dwelling on site.

It is noted that this site is on the waterfront in an area where the homes are all substantial in size and therefore this proposal would not be out of character with that recent trend. However, that recent trend would not be in keeping with the historic style of the area as Tudor Revival, Early Suburban or Vernacular Cottage (late). This particular lot is identified as part of a Tudor Revival block and the preference would be to develop a new home on the vacant site in that style.

The new dwelling while very large is an interesting design, with an articulated facade and visual interest, including elements of the Arts and Craft style. There is no elevation provided for the Abbott Street frontage but as it is adjacent to a prominent pedestrian and recreation corridor this facade should be as well presented as the Burne Avenue and lake front views.

It is recommended that it would be appropriate to support this project subject to comments from the Community Heritage Commission in terms of fit within the neighbourhood character. Staff believe the rounded elements (e.g. arches, oval and circular windows, two storey arched porch element) are not in keeping with the more rectilinear expression of arts and crafts and will work with the applicant to explore further refinement of the architectural expression.

The proposed single family dwelling with related variance does not seem unreasonable given the narrow shape of the subject property. Staff does not have concerns with the layout of the proposed development. The applicant has incorporated building design that is generally consistent with the Development Guidelines for the conservation area. It is therefore recommended that this application be supported.

Shelley Gambacort
Acting Manager of Development Services

Approved for inclusion

Mary Pynenburg, MRAIC MCIP
Director of Planning & Development Services

MP/SG/db
Attach

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Site plan
- Plan of main floor
- Plan of upper floor
- Elevations
- Colour board
- Photos of surrounding houses