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**CITY OF KELOWNA**

**MEMORANDUM**

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**DATE:** August 08, 2007

**TO:** City Manager

**FROM:** Planning and Development Services Department

**APPLICATION NO.:** OCP07-0018  
Z07-0053

**OWNER:** Peter & Patricia Mosychuk

**AT:** 620-622 Wardlaw Avenue

**APPLICANT:** Peter Mosychuk

**PURPOSE:** TO AMEND THE OFFICIAL COMMUNITY PLAN FUTURE LAND  
USE DESIGNATION FROM SINGLE/TWO FAMILY TO LOW  
DENSITY MULTIPLE UNIT RESIDENTIAL

TO REZONE THE SUBJECT PROPERTY FROM RU6 – TWO  
DWELLING HOUSING TO RM1 – FOUR DWELLING HOUSING  
IN ORDER TO PERMIT THE CONVERSION OF THE EXISTING  
SEMI-DETACHED HOUSING INTO FOUR-PLEX HOUSING

**EXISTING OCP DESIGNATION:** SINGLE/TWO UNIT RESIDENTIAL

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

**PROPOSED OCP DESIGNATION:** MULTIPLE UNIT RESIDENTIAL – LOW DENSITY

**PROPOSED ZONE:** RM1 – FOUR DWELLING HOUSING

**REPORT PREPARED BY:** Alec Warrender

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**1.0 RECCOMENDATION**

THAT OCP Bylaw Amendment No. OCP07-0018 to amend Map 19.1 of the *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Strata Lot 2, District Lot 14, ODYD, Strata Plan KAS2898, located at 620-622 Wardlaw Avenue, Kelowna, B.C., from the Single/Two Unit Residential designation to the Multiple Unit Residential - Low Density designation, as shown on Map "A" attached to the report of Planning & Development Services Department, dated August 08, 2007, be considered by Council;

THAT Rezoning Application No. Z07-0053 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Strata Lot 2, District Lot 14, ODYD, Strata Plan KAS2898, located at 620-622 Wardlaw Avenue, Kelowna, B.C. from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling Housing zone be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP04-0018 bylaw and the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Variance Permit on the subject property.

## 2.0 SUMMARY

The applicant is requesting approval to amend the Official Community Plan's Future Land Use Designation for the subject property from Single/Two Unit Residential to Multiple Unit Residential – Low Density and to rezone the subject property from RU6 – Two Dwelling Housing to RM1 – Four Dwelling Housing.

The applicant has also applied for variances to both of the side yard setbacks and the side width. More specifically the applicant is requested to vary the western side yard setback from 2.5m to 2.42m, the eastern side yard setback from 2.5m to 2.44m and the site width from 22m to 21.34m. The existing semi-detached housing was designed in a manner that could easily accommodate a conversion to four-plex housing. The applicant has indicated that both of the semi-detached housing units have the potential for two independent living quarters.

## 3.0 ADVISORY PLANNING COMMISSION

At a meeting held on July 31, 2007, the APC passed the following motions:

THAT the Advisory Planning Commission support Official Community Plan Application No. OCP07-0018, for 620-622 Wardlaw Avenue, Lot CP, Sec. 13, Twp. 25, and Sec. 18, Twp. 26, ODYD by Mosycjuk, to amend the OCP from Single/Two Unit Residential to Low Density Multiple Unit Residential.

THAT the Advisory Planning Commission support Rezoning Application No. Z07-0053, for 620-622 Wardlaw Avenue, Lot CP, Sec. 13, Twp. 25, and Sec. 18, Twp. 26, ODYD by Mosycjuk, to rezone from RU6-Two Dwelling Housing zone to RM1 – Four Dwelling Housing to permit the existing four-plex.

## 4.0 SITE CONTEXT

The subject property is located on the north side of Wardlaw Avenue between Pandosy and Richter Street.

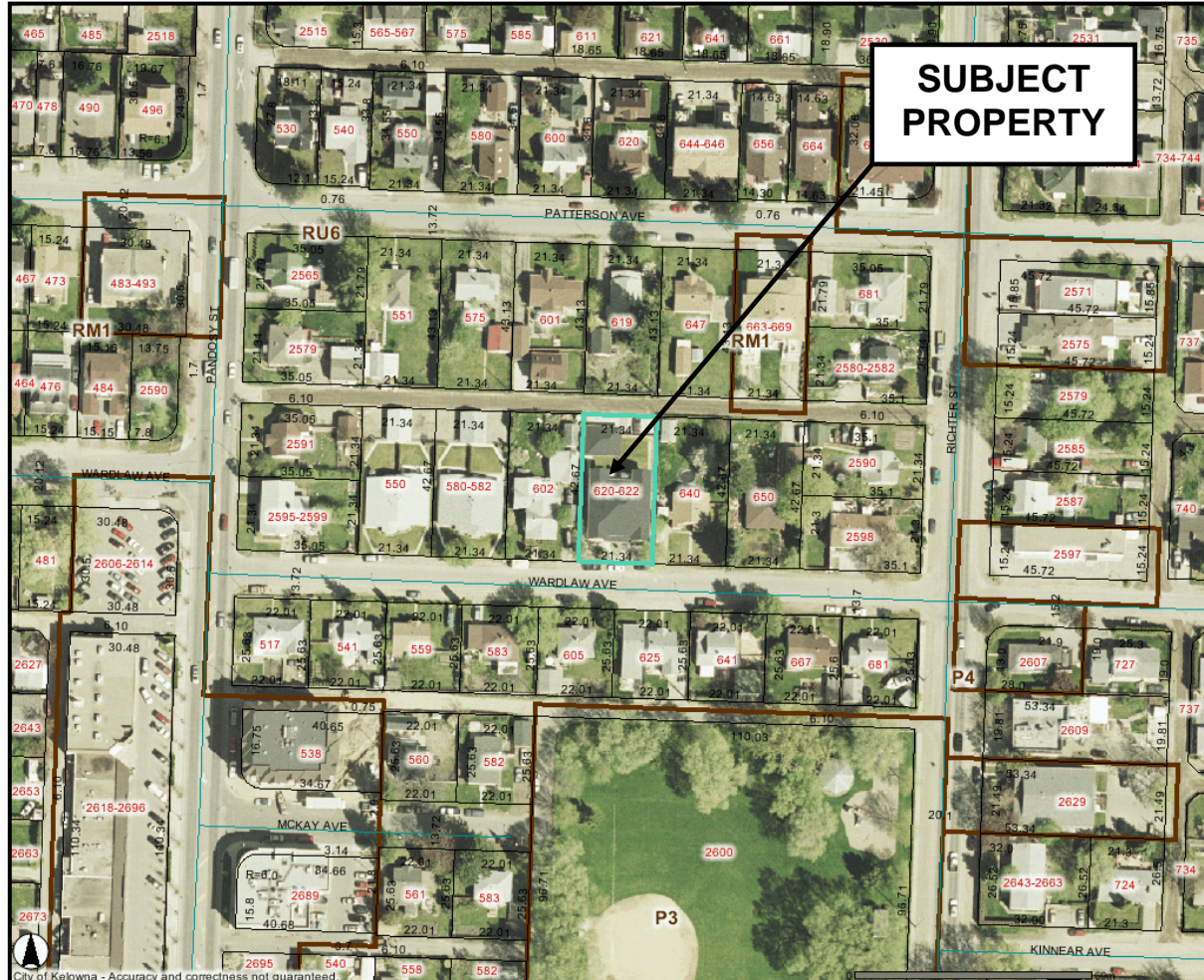
Adjacent zones and land uses are:

North	- RU6 – Two Dwelling Housing – Single family residence
East	- RU6 – Two Dwelling Housing – Single family residence
South	- RU6 – Two Dwelling Housing – Single family residence
West	- RU6 – Two Dwelling Housing – Single family residence

Although the immediate neighbourhood is primarily composed of single family dwellings, there are also a number of semi-detached and four-plex housing units.

2.1 Site Location Map

Subject Property: 620-622 Wardlaw Avenue

3.0 DEVELOPMENT ANALYSIS

The application conforms to the City's Zoning Bylaw No. 8000 as follows:

<u>CRITERIA</u>	<u>PROPOSAL</u>	<u>RM1 ZONE REQUIREMENTS</u>
Subdivision Regulations		
Lot Area	910.5 m <sup>2</sup>	700 m <sup>2</sup>
Lot Width	21.34 m <sup>1</sup>	22.0 m
Lot Depth	42.67 m	30.0 m

Development Regulations		
Site Coverage (buildings)	34. %	40%
Site Coverage (buildings, parking and driveways)	49%	50%
Height	2 ½ storeys < 7.6 m	2 ½ storeys / 9.5 m
Setbacks		
Front Yard (Gordon Drive)	6.01m	4.5 m or 6.0 m to a garage
Side Yard (west)	2.42m <sup>2</sup>	2.5 m - 2 or 2½ storey
Side Yard (east)	2.44m <sup>3</sup>	2.5 m - 2 or 2½ storey
Rear Yard	20.5m / 4.5m	7.5 m / 1.5 m from accessory buildings
Other Regulations		
Private Open Space	meets requirements	25 m <sup>2</sup> per dwelling unit
Parking Requirements	7 standard stalls/4 small stalls	8 spaces required

<sup>1</sup> Existing site width 21.34 m where RM1 zone requires min. lot width of 22.0 m

<sup>2</sup> Existing side yard setback (west) 2.42 where RM1 zone requires 2.5 m.

<sup>3</sup> Existing side yard setback (east) 2.44 where RM1 zone requires 2.5 m.

#### 4.0 CURRENT DEVELOPMENT POLICY

Staff have reviewed this application and it may move forward without affecting either the City's financial plan or waste management plan.

#### OCP07-0018

The subject property is designated as Single / Two Unit Residential in the OCP and as such the proposed use of this site would not be in compliance. The OCP supports the sensitive infill of increased density in all areas of the City. The OCP also provides for the potential to increase the density where there is an affordable housing component. This building would not represent a significant change to the neighbourhood and it may provide a more affordable form of housing.

#### 5.0 TECHNICAL COMMENTS

##### 5.1 Inspections Department


Building permit c/w as built drawings required for suites constructed in basement level of both units without building permits. Verification of fire separations at roof and walls between units and code analysis required.

##### 5.2 Works & Utilities See Attached.

6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The project is commendable in that it maximizes the building frontage facing Wardlaw Avenue, while hiding the on-site parking behind the building. Moreover, the form and materials convey a residential quality appropriate to the context. The proposed site coverage of 49% means that the building just meets Bylaw requirements (50%), as such there is a limited amount of open space. However, including the open decks facing the rear yard the amount of private open space is sufficient.

The application also proposes variances to the side yard setbacks. Given the minor nature of the requested variances and that the building exists today, Staff feels that they are supportable. While this area is currently envisaged as a Single / Two Unit Residential area there is some precedent in the immediate neighbourhood for the development and conversion of four-plex housing units. The subject property would be suitable for the RM1 – Four Dwelling Housing zone.

  
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Shelley Garbancort  
Current Planning Supervisor

DS/SG/aw

Approved for Inclusion



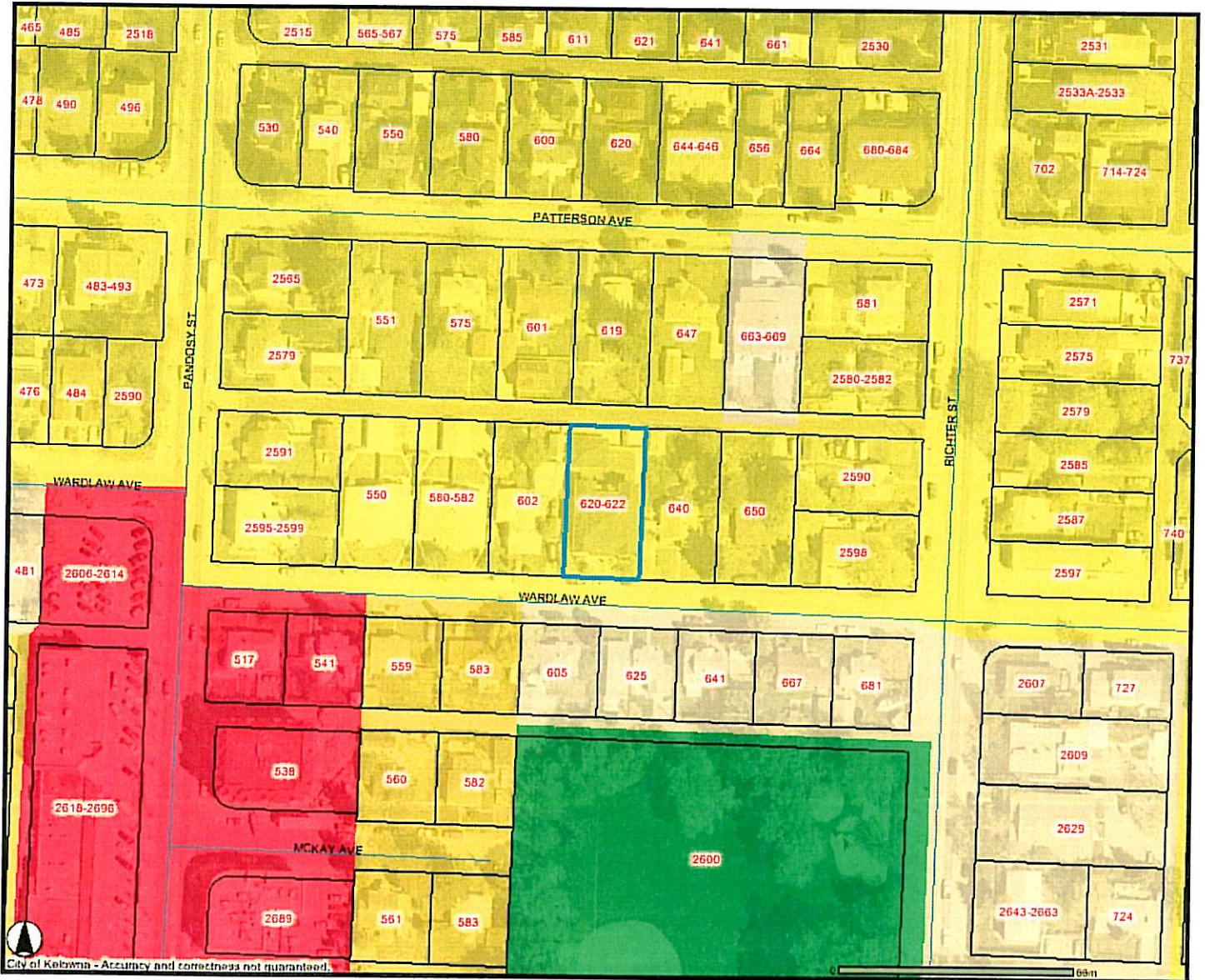
  
David L. Shipclark  
Acting Director of Planning & Development Services

Attach.

- Location Map
- Site Plan & Elevations
- Photograph
- Works & Utilities - Comments



# MAP "A"



**Subject Property to have Future Land Use designation changed from "SINGLE/TWO UNIT RESIDENTIAL" to "MULTIPLE UNIT RESIDENTIAL - LOW DENSITY"**





LANE

620 WARDLAW AVE.

LOT PLAN

SCALE: 1/8" = 1'-0"

LOWER FLOOR

AREA: 1308 SQ. FT.

LOWER FLOOR

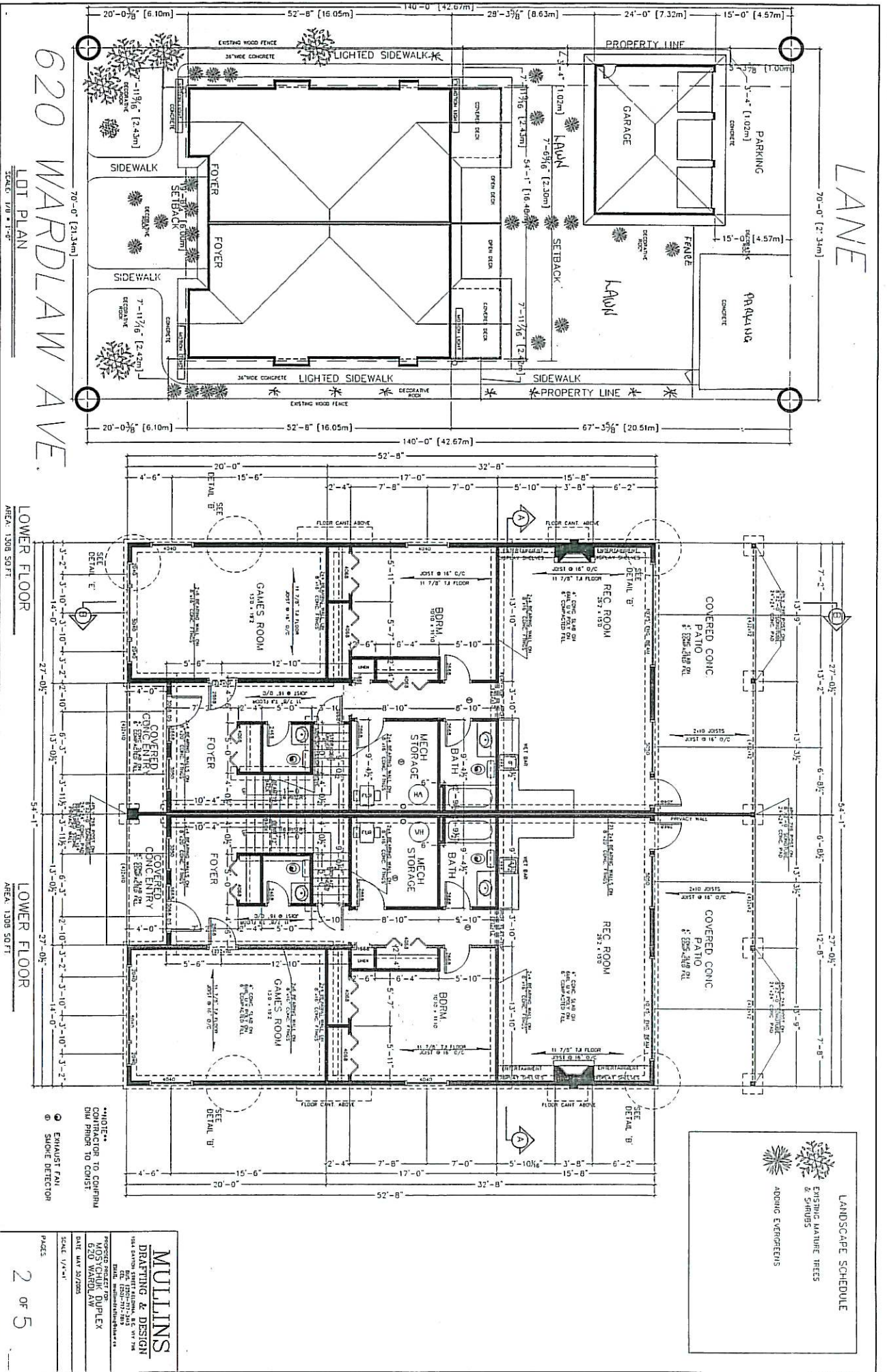
AREA: 1308 SQ. FT.

EXHAUST FAN  
SMOKE DETECTOR

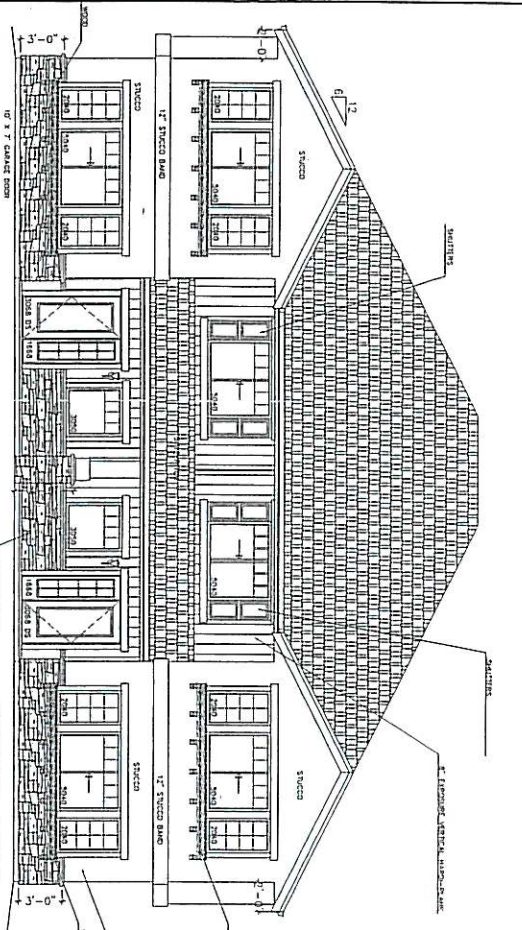
**MULLINS**  
DRAFTING & DESIGN  
1545 S. 10TH STREET, SUITE 100, APT. 100  
MUSKOGEE, AL 36501  
TEL: (205) 717-1100  
FAX: (205) 717-1101  
DATE: MAY 20, 2003  
PROJECT: 620 WARDLAW AVE  
SHEET: 2 OF 5



LANDSCAPE SCHEDULE  
ESSENTIAL PLANTING  
& SPRINGS  
ADDITIONAL PLANTINGS





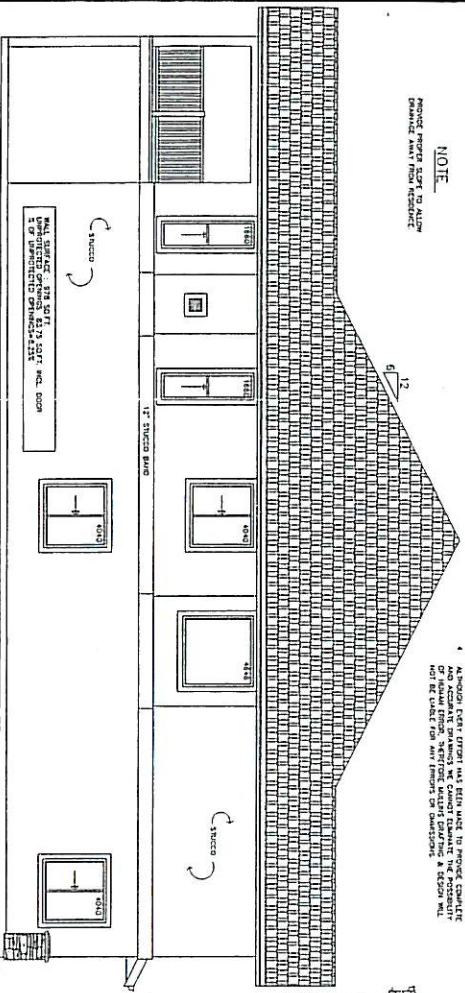


FRONT ELEVATION

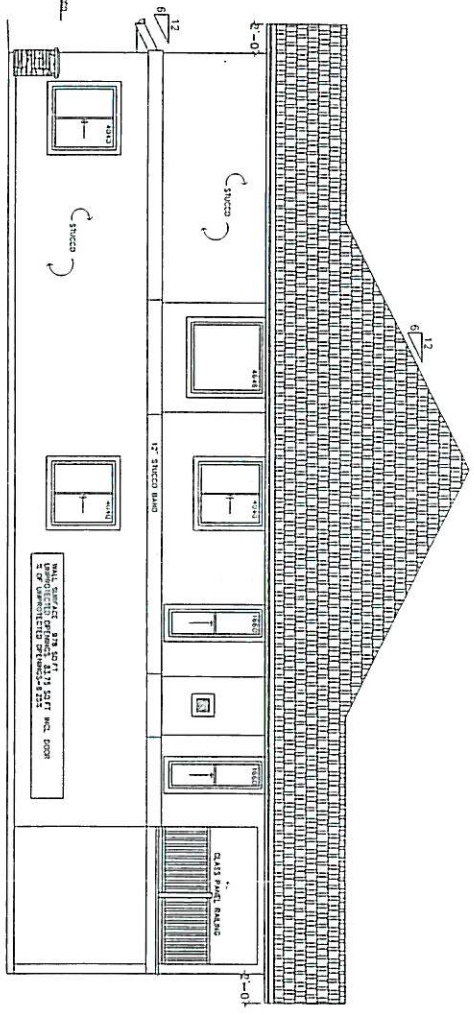
GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CURRENT EDITION OF THE S.C. BUILDING CODE AND ALL LOCAL LAWS AND ORDINANCES.
2. BEFORE CONSTRUCTION COMMENCES IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN ALL PERMITS AND APPROVALS TO THE OWNER AND TO SECURE THEM. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE BUILDING OF THE CONSTRUCTION FOR THE CORRECT SIZES OF THE BUILDING TO CONFORM WITH ALL CITY RECORDS.
3. ALTHOUGH EVERY EFFORT HAS BEEN MADE TO PROVIDE COMPLETE AND ACCURATE INFORMATION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF CHARLOTTE.

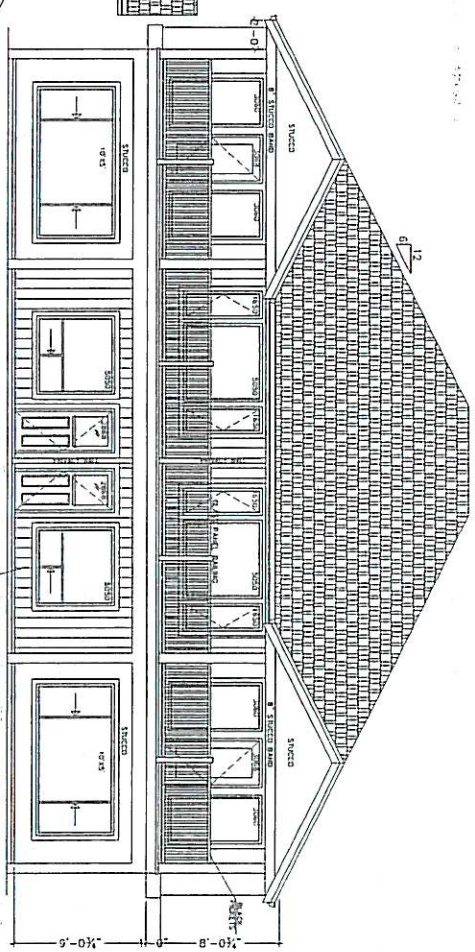
NOTE:  
PROVIDE PROPER VENT TO ALLOW  
DRAINAGE AWAY FROM RESIDENT



LEFT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

\*\*NOTE\*\*  
CONTRACTOR TO CONFIRM  
DIM PRIOR TO CONST.

**MULLINS**  
DRAFTING & DESIGN  
1845 S. BAYVIEW STREET, SUITE 100, CHARLOTTE, NC 28203  
TEL: (704) 371-7810  
FAX: (704) 371-7811  
WWW.MULLINS-DRAFTING.COM

PROJECT: 620 WARDLAW  
DATE: MAY 20/2005  
SCALE: 1/8"=1'

PAGES: 1 OF 5







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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** August 8, 2007  
**File No.:** Z07-0053 DP07-0146 DVP07-0147 OCP-0018  
**To:** Planning & Development Services Department (AW)  
**From:** Development Engineering Manager  
**Subject:** 620-622 Wardlaw Ave Lots 1, 2 PL K2898

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

1. Domestic Water and Fire Protection

The existing property is serviced with two 19mm diameter copper water services. Water metering must comply with the City Plumbing Regulation and Water Regulation bylaws.

2. Sanitary Sewer

Our records indicate that this property is serviced with a 100mm-diameter sanitary sewer service complete with inspection chamber. The service should be adequate for this application.

3. Road Improvements

Wardlaw Avenue must be upgraded to a full urban standard along the full frontage of this property, including curb and gutter, sidewalk and pavement widening and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The City wishes to defer the upgrades to Wardlaw Avenue fronting this property. Therefore, cash-in-lieu of immediate construction is required. The cash-in-lieu amount is determined to be **\$ 5,353.00**

The rear lane fronting this property must be upgraded to paved standard. The City wishes to defer the upgrades to lane fronting this property. Therefore, cash-in-lieu of immediate construction is required. The cash-in-lieu amount is determined to be **\$ 2,520.00**

4. Development Permit and Site Related Issues

The requested variance to reduce the side yard setbacks from the required 2.50m to 2.42m and 2.44, does not compromise Works and Utilities servicing requirements.

5. Access, Manoeuvrability and Parking Requirements

A minimum of six off-street vehicle parking spaces are required. The parking modules must meet bylaw requirements.

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Steve Muenz, P. Eng.  
Development Engineering Manager  
JF/jf