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**CITY OF KELOWNA  
MEMORANDUM**

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**DATE:** January 10, 2008

**TO:** City Manager

**FROM:** Planning & Development Services Department

**APPLICATION NO.** Z07-0098

**APPLICANT:**

Jason Marzinzik

**AT:** 1859, 1879, 1891, Marshall Street  
508 Sutherland Avenue

**OWNERS:**

Dale Riddell

David Bach

Nicole & Jason Marzinzik

Thieu Vu

**PURPOSE:** TO REZONE THE SUBJECT PROPERTIES LOCATED IN THE MARSHALL STREET HERITAGE CONSERVATION AREA FROM RM5 – MEDIUM DENSITY MULTIPLE HOUSING TO RU6 – TWO DWELLING HOUSING.

**EXISTING ZONE:** RM5 – MEDIUM DENSITY MULTIPLE HOUSING

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

**REPORT PREPARED BY:** Alec Warrender

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**1.0 RECOMMENDATION**

THAT Rezoning Application No. Z07-0098 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 7, District Lot 14, ODYD, Plan 3286, located at 1859 Marshall Street, Lot 9, District Lot 14, ODYD, Plan 3286, located at 1879 Marshall Street, Lot 2, District Lot 139, ODYD, Plan 3957, located at 508 Sutherland Avenue, Lot 1, District Lot 139, ODYD, Plan 3957, located at 1891 Marshall Street, Kelowna, B.C. from the RM5 – Medium Density Multiple 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.

**2.0 SUMMARY**

This rezoning application seeks to rezone the subject property from the RM5 – Medium Density Multiple Housing to RU6 – Two Dwelling Housing.

**3.0 ADVISORY PLANNING COMMISSION**

At a meeting held on December 18, 2007, the APC passed the following motions:

THAT the Advisory Planning Commission support Rezoning Application No. Z07-0098, for 1859, 1879 & 1891 Marshall Street, Lots 1, 7 & 9, Plan 3286 and 508 Sutherland Avenue, Lot 2, Plan 3957, Sec. 24, Twp. 25, ODYD by J. Marzinzik, to rezone the subject properties located in the Marshall Street Heritage Conservation Area from the RM5 – Medium Density Multiple Housing zone to the RU6 – Two Dwelling Housing zone.

#### 4.0 THE PROPOSAL

The properties located on Marshall Street (three of the four properties included in this application) are located within the Marshall Street Heritage Conservation Area. There is an existing single-family dwelling on each of the subject properties. Although the four properties are single family properties, they are located adjacent to apartment buildings and were given an RM5 zoning. This application seeks to bring the existing zoning in line with the Future Land Use for the area, which is Single / Two Unit Residential. This in turn will also help to protect and maintain the heritage characteristics of the neighbourhood.

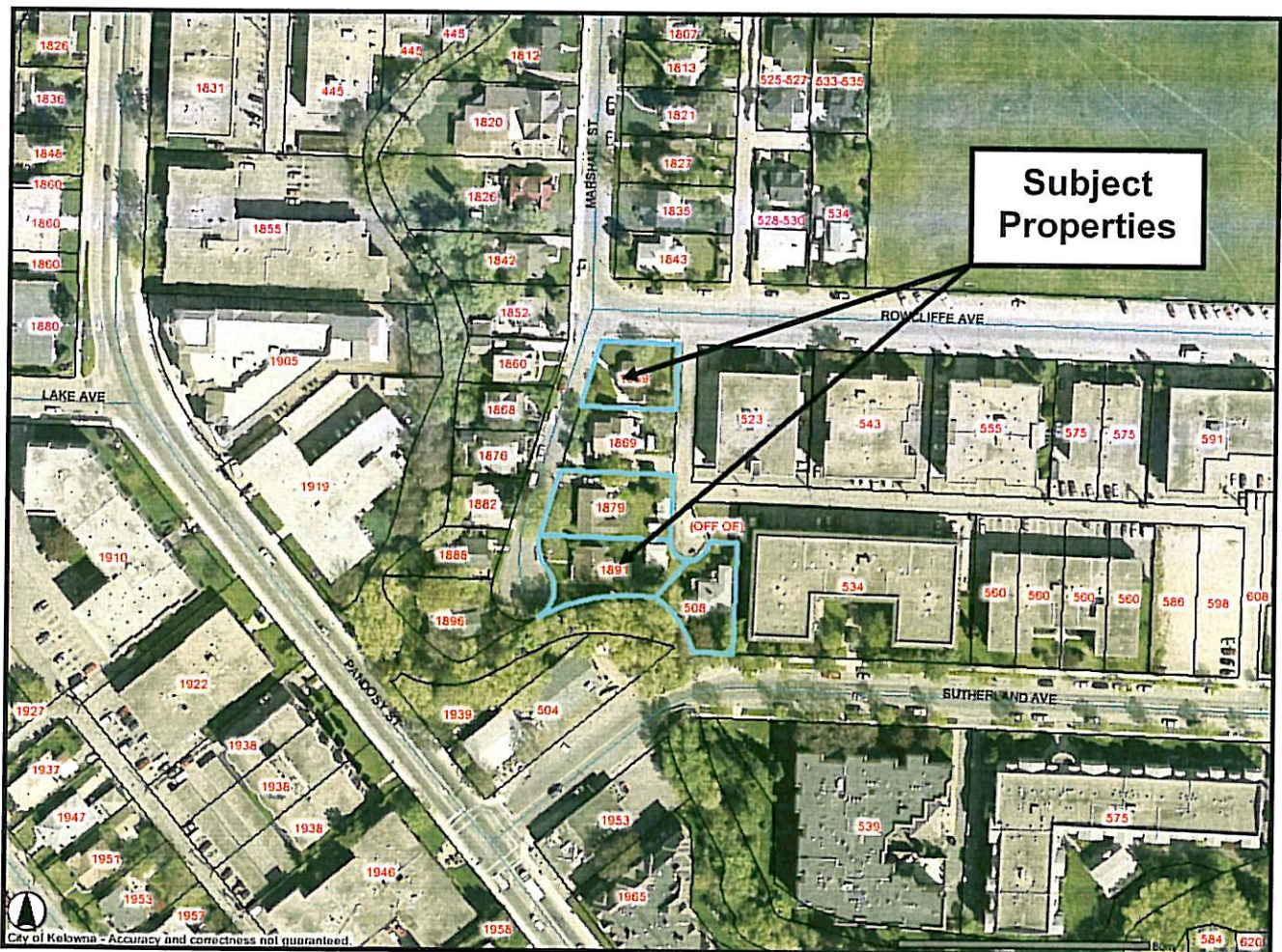
#### 4.1 Site Context

The surrounding area has been developed primarily as a single/two-family neighbourhood. More specifically, the adjacent land uses are as follows:

North	RU1 – Large Lot Housing – Single family residence
East	RM5 – Medium Density Multiple Housing - Apartments
South	RU1 – Large Lot Housing – Single family residence
West	RU1 – Large Lot Housing – Single family residence

#### 4.2 Site Location Map:

1859, 1879, 1891, Marshall St. / 508 Sutherland Ave



#### 4.3 Current Development Policy



The proposed rezoning would bring the subject properties inline with the City of Kelowna Official Community Plan's Single/Two Unit Residential Future Land Use Designation.

5.0 TECHNICAL COMMENTS

5.1 Inspections Department

Subject properties located within flood plain construction area, no habitable space or mechanical equipment permitted below the elevation of 343.66m. Possible water table area, geotechnical engineer's report required related to soil bearing capacity and stability.

5.2 Works & Utilities

The Works & utilities Department has the following comments and requirements associated with this application to rezone from RM5 to RU-6

General

The proposed rezoning application does not compromise Works and Utilities requirements. Servicing upgrades to these properties as well as site related issues would be considered upon separate development applications.

6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

Staff does not have any concerns for the proposed rezoning. As mentioned, the proposal will help to maintain the single family character, and in turn the heritage characteristics of the existing neighbourhood.

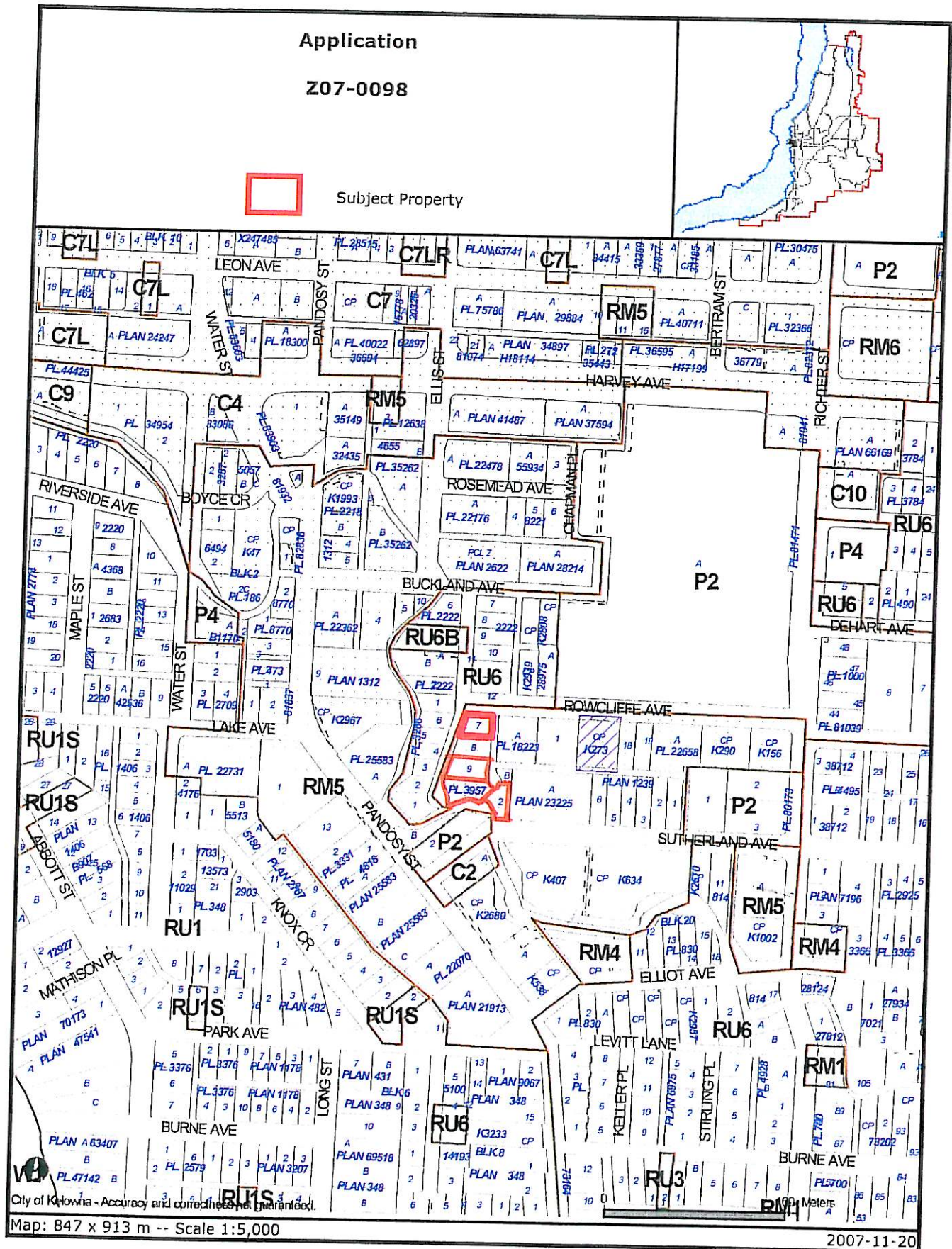


Shelley Gambacort  
Current Planning Supervisor  
SG/aw

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**ATTACHMENTS**

Location of subject properties



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.