
**CITY OF KELOWNA
MEMORANDUM**

DATE: January 18, 2008
FILE NO.: OCP07-0013 / Z07-0039
TO: City Manager
FROM: Planning & Development Services Department
APPLICATION NO. OCP07-0013 / Z07-0039 **APPLICANT:** Renee & Thomas Burzuk
AT: 3089-3091 Gordon Drive **OWNERS:** Renee & Thomas Burzuk

PURPOSE: OCP AMENDMENT TO CHANGE THE FUTURE LAND USE DESIGNATION OF THE SUBJECT PROPERTY FROM SINGLE / TWO UNIT RESIDENTIAL TO MULTIPLE UNIT RESIDENTIAL – LOW DENSITY.

TO REZONE THE SUBJECT PROPERTY FROM THE RU6 – TWO DWELLING HOUSING ZONE TO THE RM1 – FOUR DWELLING HOUSING ZONE TO ALLOW FOR THE DEVELOPMENT OF TWO ADDITIONAL DWELLING UNITS IN THE BASEMENT OF THE EXISTING SEMI DETACHED HOUSING.

TO SEEK AUTHORIZATION FOR THE CITY OF KELOWNA TO ENTER INTO A HOUSING AGREEMENT WITH RENEE & THOMAS BURZUK FOR 3089-3091 GORDON DRIVE.

EXISTING ZONE: RU6 – TWO DWELLING HOUSING
EXISTING OCP DESIGNATION: SINGLE/TWO UNIT RESIDENTIAL

PROPOSED ZONE: RM1 – FOUR PLEX HOUSING
PROPOSED OCP DESIGNATION: MULTIPLE UNIT RESIDENTIAL – LOW DENSITY

REPORT PREPARED BY: Alec Warrender

1.0 RECOMMENDATION

THAT OCP Bylaw Amendment No. OCP07-0013 to amend Map 19.1 of the *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot C, District Lot 131, ODYD, Plan 30008, located at 3089-3091 Gordon Drive, 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 January 18, 2008, be considered by Council;

AND THAT Council considers the APC public process to be appropriate consultation for the purpose of Section 879 of the *Local Government Act*, as outlined in the report of the Planning & Development Services Department dated January 18, 2008;

THAT Rezoning Application No. Z07-0039 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot C, District Lot 131, ODYD, Plan 30008, located at 3089-3091 Gordon Drive, Kelowna, B.C. from the RU6 – Two Dwelling Housing zone to the RM1 – Four Plex Housing zone be considered by Council;

THAT Council forward Bylaw No. 9924 authorizing a Housing Agreement between the City of Kelowna and Renee & Thomas Burzuk which requires the owners to designate *1 dwelling unit for rental affordable* housing on Lot C, District Lot 131, ODYD, Plan 30008, located at 3089-3091 Gordon Drive, Kelowna, B.C., for reading consideration;

THAT the OCP Bylaw Amendment No. OCP07-0013 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 Permit on the subject property.

2.0 SUMMARY

This application seeks to rezone the subject property from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling Housing zone to allow for the legalization of two existing dwelling units in the basement of the existing semi-detached housing located on the subject property. As this use is inconsistent with the Future Land Use designation of the Official Community Plan, there has also been application made for an Official Community Plan Amendment.

3.0 ADVISORY PLANNING COMMISSION

THAT the Advisory Planning Commission support Official Community Plan Application No. OCP07-0013, for 3089 – 3091 Gordon Drive, Lot C, Plan 30008, Sec. 18, Twp. 26, ODYD, by Porter Ramsay (T. Smithwick), to amend the OCP Future Land Use from Single/Two Unit residential to Multiple Unit Residential-Low Density.

It was moved and seconded to amend the main motion to support subject to a housing agreement for one (1) unit affordable housing.

THAT the Advisory Planning Commission support Rezoning Application No. Z07-0039, for 3089 – 3091 Gordon Drive, Lot C, Plan 30008, Sec. 18, Twp. 26, ODYD, by Porter Ramsay (T. Smithwick), to rezone from the RU6-Two Dwelling Housing zone to the RM1-Fourplex Housing zone to allow a four unit residential building.

4.0 THE PROPOSAL

The subject property contains one two-unit semi-detached dwelling that has had two additional dwelling units constructed in the basement without permits. In June of 2006, there had been a complaint investigated by the City of Kelowna By-Law Enforcement Division regarding the use of the property for two additional dwelling units, located in the basement of the existing building.

For this development proposal, applications have been made for:

- Official Community Plan amendment to change the future land use designation from the existing Single/Two unit Residential designation to the proposed Multiple Unit Residential – low density designation,
- Rezoning application to rezone the subject property from the existing RU6 – Two Dwelling Housing zone to the proposed RM1 – Four Dwelling Housing zone, and,
- Development Permit application to address the form and character of the resulting development, and the site landscaping.

The proposed application meets the requirements of the RM1 – Four Dwelling Housing zone, as follows:

CRITERIA	PROPOSAL	RM1 ZONE REQUIREMENTS
Subdivision Regulations		
Lot Area	876 m ²	700 m ²
Lot Width	21.34 m	22.0 m
Lot Depth	41.07 m ²	30.0 m
Development Regulations		
Site Coverage (buildings)	35.5%	40%
Site Coverage (buildings, parking and driveways)	52.8% ❶	50%
Height	1 ½ storeys < 9.5 m	2 ½ storeys / 9.5 m
Front Yard (Gordon Drive)	7.05m	4.5 m or 6.0 m to a garage
Side Yard (south)	2.0m	2.0 m 1 or 1½ storey 2.3 m 2 or 2½ storey
Side Yard (north)	2.55m	2.0 m 1 or 1½ storey 2.3 m 2 or 2½ storey
Rear Yard	12.4m	4.5 m or 6.0 m to a garage
Private Open Space	meets requirements	25 m ² per dwelling unit
Other Regulations		
Minimum Parking Requirements	6 spaces provided	1.25 spaces per 1 br unit 1.5 spaces per 2 br unit 6 spaces required

❶ 52.8% site coverage authorized in original building permit

4.1 Site Context

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

North	RU1 – Large Lot Housing – Single Family Housing
East	RU1 – Large Lot Housing – Single Family Housing
South	RU1 – Large Lot Housing – Single Family Housing
West	RU6 – Two Dwelling Housing – Two Family Housing

4.2 Site Location Map

3089-3091 Gordon Drive



5.0 CURRENT DEVELOPMENT POLICY

5.1.1 Kelowna Official Community Plan

Staff recommends that the APC public process should be considered appropriate consultation for the purpose of Section 879 of the *Local Government Act* and that the process is sufficiently early and does not need to be further ongoing in this case. Furthermore, additional consultation with the Regional District of Central Okanagan, other boards, councils or agencies listed in Sec. 879, is not required in this case.

Staff have reviewed this application and it may move forward without affecting either the City's financial plan or waste management plan. Further the applicant has entered into a Housing Agreement to secure one affordable rental unit.

The future land used designation for the subject properties identified in the Official Community Plan is Single/Two Family Residential. The proposal is not consistent with this designation.

Rezoning to Higher Densities. Consider supporting an OCP amendment and rezoning application for residential densities greater than those provided for on the Generalized Future Land Use Map 19.1 in those cases where a portion of the proposed units are available for affordable, special needs or rental housing identified to be in short supply (guaranteed through a Housing Agreement), and where:

- *Supporting infrastructure is sufficient to accommodate the proposed development (or the developer is prepared to upgrade the necessary infrastructure); and*
- *The proposed densities do not exceed the densities provided for on Map 19.1 by more than one increment (e.g. medium density multiple units might be entertained where low-density has been provided for, and low-density multiple units might be entertained where single/two unit residential densities have been provided for); and*
- *The project can be sensitively integrated into the surrounding neighbourhood, with no more than a one-storey height gain between the proposed development and the height permitted within land uses assigned to adjacent parcels (Where the property being proposed for redevelopment is large, consideration may be given to providing greater heights at the centre of the property provided that the new building is sensitively integrated with the surrounding neighbourhood); and*
- *Approval of the project will not destabilize the surrounding neighbourhood or threaten viability of existing neighbourhood facilities (e.g. schools, commercial operations etc.).*

The project meets most of the requirements outlined in the City of Kelowna's Official Community Plan. The OCP also contains the following objectives for context and design for new multiple family developments:

5.2 Kelowna Strategic Plan (2005)

The City of Kelowna Strategic Plan encourages the development of a more compact urban form by increasing densities through infill and redevelopment within existing urban areas and to provide for increased densities within future urban areas. Also redeveloping

transitional areas to increase densities for more efficient use of existing land. Furthermore the City will emphasize a density of development higher than presently occurring to allow for more efficient use of the land.

6.0 TECHNICAL COMMENTS

6.1 Inspections Department

Building Inspector did onsite inspection to check for code compliance, minor fire separation upgrades required to be completed and hardwired carbon monoxide detectors to be installed. Building permit and re-inspection will be required to ensure code compliance.

6.2 Works & Utilities

See Attached.

7.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The proposed development of the basement of the semi-detached dwelling seems to be a reasonable form of in-fill development. The subject property is designated as Single / Two Unit Residential in the OCP and as such the proposed rezoning to convert the existing duplex into a four-plex will require an OCP amendment to Multiple Unit Residential - low density. Through a Housing Agreement the applicant will be providing one unit of rental affordable housing. This would satisfy the OCP in regards to the affordable housing requirements associated with the proposed amendment and rezoning.

A change in zoning from duplex housing to a four-plex will not have an impact on the appearance of the site. Renovations have already been done and the application is intended to legalize the conversion of the existing duplex into a four-plex. The Works & Utilities Department did have concerns regarding onsite vehicle movements, the applicant has satisfied these concerns. Five letters from neighbouring residents in support of this project were submitted with the application.


Shelley Gambacort
Current Planning Supervisor

Approved for Inclusion



Paul Macklem
Acting Director of Planning & Development Services

PM/SG/aw

- Location Map
- Site & Floor Plan
- Photograph
- Landscape Plan

CITY OF KELOWNA
MEMORANDUM

Date: June 15, 2007
File No.: Z07-0039 DP07-0091 OCP07-0013
To: Planning & Development Services Department (PMvY)
From: Development Engineering Manager
Subject: Proposed Four-Plex 3089-3091 Gordon Dr Lot C Plan 30008 RM1

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 a two 25mm diameter PVC 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. The service should be adequate for the proposed development.

3. Road Improvements

Gordon Drive has been fully urbanized and no upgrades are required as part of this application.

4. Electric Power and Telecommunication Services

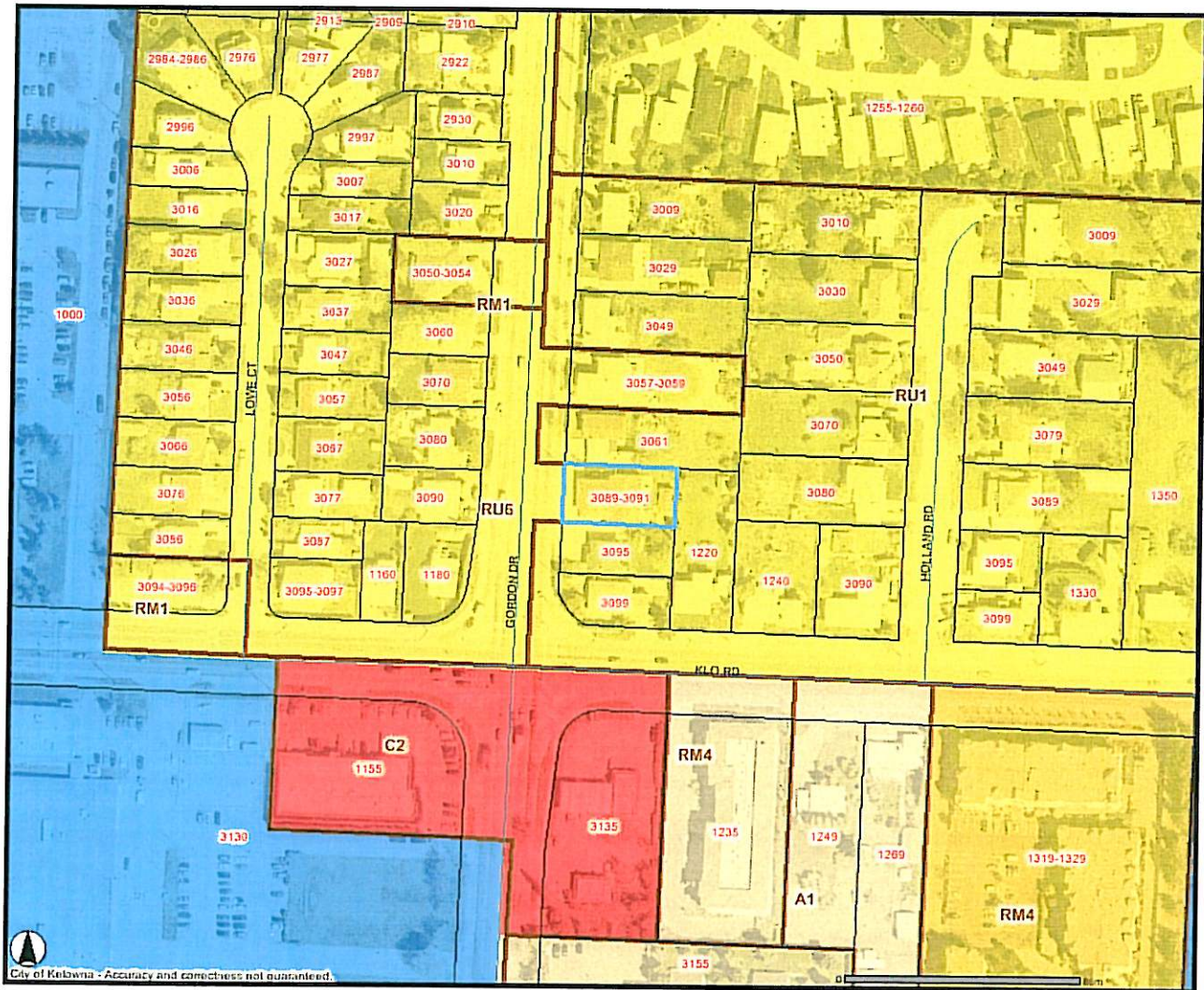
It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services which would be at the applicant's cost.

5. Access, Manoeuvrability and Parking Requirements

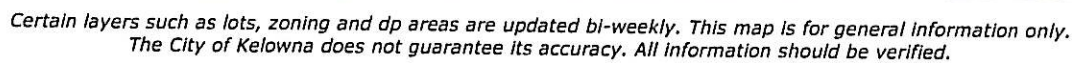
- (a) A minimum of six off-street vehicle parking spaces are required.
- (b) Each vehicle must be able to turn-around on-site and exit the site in a forward direction while all the remaining parking modules are occupied.
This forward direction movement is important as this segment of Gordon Drive (arterial) is serving increasing traffic volumes and the potential for conflicts with vehicles and pedestrians is extremely high.
- (c) Access onto Gordon Drive is restricted to right in right out only.

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

MAP "A"



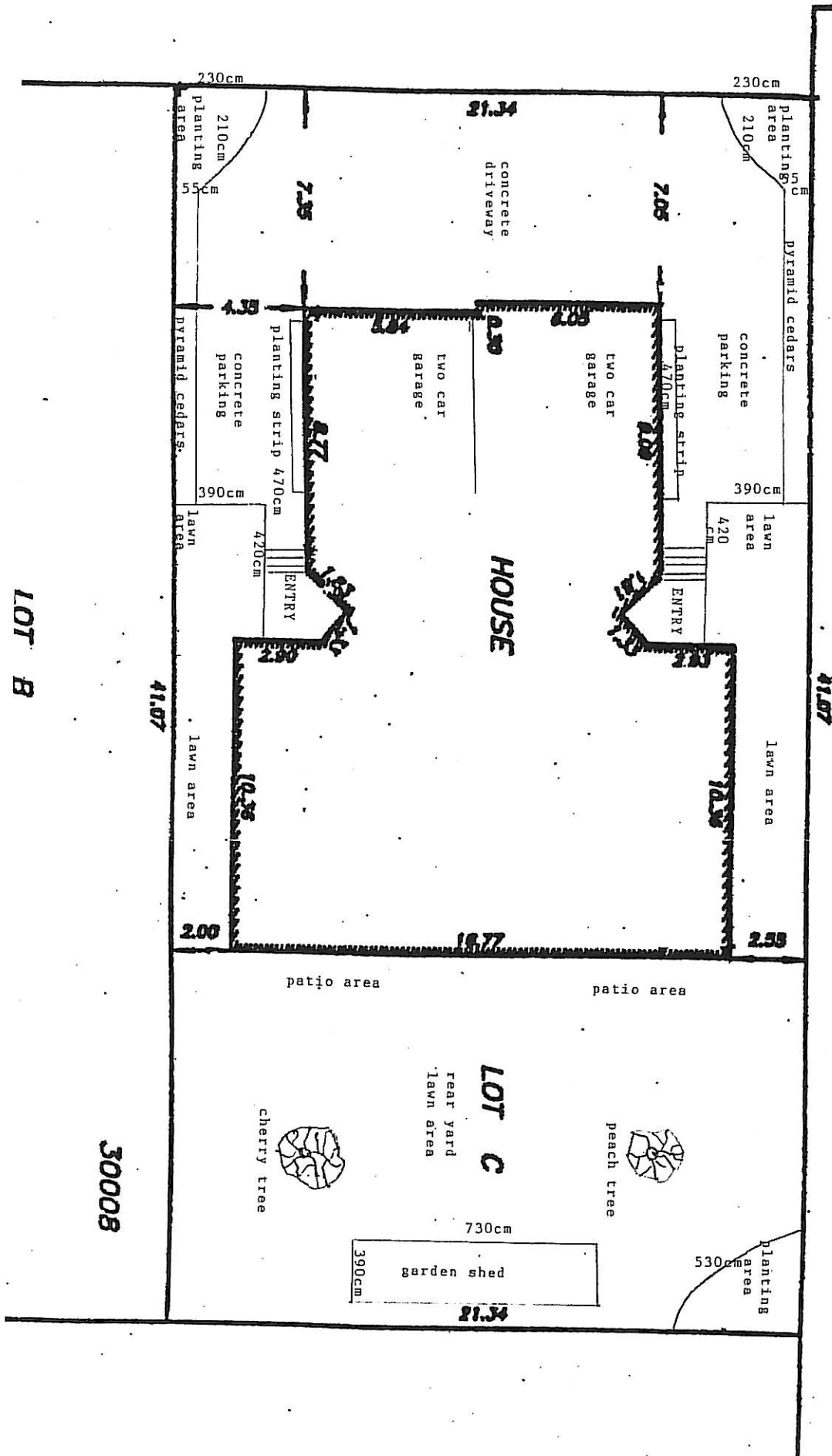
Subject Property to have Future Land Use designation changed from "SINGLE/TWO UNIT RESIDENTIAL" to "MULTIPLE UNIT RESIDENTIAL - LOW DENSITY"



GORDON

DRIVE

3089-3091 Gordon Drive
Site & Landscape Plan



measurements are
in cm



PROJECT FOR HUMANITARIANISM		THESE REQUESTS ARE TO BE MADE TO THE IDEAL DESIGN (1980) LTD.		ALL INFORMATION SHALL BE KEPT VERY SECRETE UNLESS OTHERWISE NOTED. WEEDS ARE SPECIFICALLY AND EXCLUSIVELY DESIGNED TO PROTECT THE COUNTRY FROM INVASION BY INSECTS AND DISEASES.	
STUDY AREA		FURNITURE WITH SCALE			
WTR		KLM, NW, 30000			
WTR BY					

Measurements are in cm



