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**CITY OF KELOWNA  
MEMORANDUM**

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**Date:** February 04, 2009

**To:** City Manager

**From:** Community Sustainability Division

**APPLICATION NO.** OCP08-0028 / Z08-0111

**OWNER:** Sukhbir Sandhu  
& Charanjit Sandhu

**AT:** 773 Morrison Avenue

**APPLICANT:** Sukhbir Sandhu  
& Charanjit Sandhu

**PURPOSE:** TO AMEND 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.

**EXISTING OCP DESIGNATION:** Single/Two Unit Residential

**PROPOSED OCP DESIGNATION:** Multiple Unit Residential (Low Density)

**EXISTING ZONE:** RU6 – Two Dwelling Housing

**PROPOSED ZONE:** RM1 – Four Dwelling Housing

**REPORT PREPARED BY:** Andrew Browne

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**1.0 RECOMMENDATION**

THAT OCP Bylaw Amendment No. OCP08-0028 to amend Map 19.1 of the *Kelowna 2020 - Official Community Plan* Bylaw No. 7600 by changing the Future Land Use designation of Lot B District Lot 136 ODYD Plan 4572, located at 773 Morrison Avenue, Kelowna, BC, from the Single/Two Unit Residential designation to Multiple Unit Residential (Low Density) designation, as shown on Map "A" attached to the report of Community Sustainability Division, dated February 04, 2009, be considered by Council;

THAT Rezoning Application No. Z08-0111 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B District Lot 136 ODYD Plan 4572, located at 773 Morrison Avenue, Kelowna, BC, from the RU6 – Two Dwelling Housing zone to the RM1 – Four Dwelling Housing zone be considered by Council;

THAT Council considers the Advisory Planning Commission public process to be appropriate consultation for the purpose of Section 879 of the *Local Government Act*, as outlined in the report of the Community Sustainability Division dated February 04, 2009;

THAT the OCP Bylaw Amendment No. OCP08-0028 bylaw and the zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction.

**2.0 ADVISORY PLANNING COMMISSION**

At the December 16, 2008 meeting of the Advisory Planning Commission, the following resolutions were adopted:

THAT the Advisory Planning Commission support Official Community Plan Application No. OCP08-0028, for 773 Morrison Avenue; Lot B, DL 136, Plan 4572, ODYD, by Sandhu, Charanjit and Sukbir, to amend the Official Community Plan future land use designation of the subject property from Single/Two Family Residential to Multiple Unit Residential (Low Density).

THAT the Advisory Planning Commission support Rezoning Application No. Z08-0111, for 773 Morrison Avenue; Lot B, DL 136, Plan 4572, ODYD, by Sandhu, Charanjit and Sukbir, to rezone the subject property from RU6 - Two Dwelling Housing to RM1 - Four Dwelling Housing.

In addition, the following anecdotal comments were recorded in the minutes of the same:

The Advisory Planning Commission is requesting that Planning staff negotiate with the Applicant to see if they can put together an affordable housing agreement for one unit.

**3.0 SUMMARY**

The applicant is proposing a four-plex on the subject property in the form of two duplex units each containing a secondary suite. In addition, a Development Permit to approve the form and character of the proposed development is under consideration.

**4.0 PROPOSAL**

The proposed development has been designed to function as two duplex units each with a secondary suite. Two dwelling housing (including duplexes) are a permitted use in the RU6 zone that is well established throughout the neighbourhood. However, duplexes are not permitted together with secondary suites in the zone. Accordingly, the applicant is seeking an Official Community Plan amendment for the future land use designation of the subject property from Single/Two Unit Residential to Multiple Unit Residential (Low Density) and a rezoning from RU6 – Two Dwelling Housing to RM1 – Four Dwelling Housing.

The application compares with the requirements of the RM1 – Four Dwelling Housing zone as shown in the following table.

<b>Zoning Bylaw No. 8000</b>		
<b>Criteria</b>	<b>Proposal</b>	<b>RM1 Zone Requirements</b>
<b>Subdivision Regulations</b>		
Site Width	25.81 m	20.0 m
Site Depth	36.20 m	30.0 m
Site Area	934.3 m <sup>2</sup>	700 m <sup>2</sup>

<b>Development Regulations</b>		
Site Coverage (buildings)	40%	40%
Site Coverage (buildings, parking, driveways)	49.5%	50%
Floor Area Ratio (FAR)	0.59	0.60
Principal Building Height	7.57 m and 2 ½ storeys	Lesser of 9.5 m or 2 ½ storeys
Front Yard	4.5 m	4.5 m
Side Yard (west)	3.3 m	2.5 m
Side Yard (east)	3.3 m	2.5 m
Rear Yard	16.75 m	7.5 m
Accessory Building Rear Yard	1.5 m	1.5 m
<b>Other Regulations</b>		
Private Open Space	Meets requirements	25 m <sup>2</sup> per unit
Vehicle Parking	8 stalls	7 stalls
Bicycle Parking	Class I – 4 spots	Class I – 2 spots

#### 4.1 Site Context

The subject property is located on the south side of Morrison Avenue in South Pandosy, between Richter Street and Ethel Street. The neighbourhood is predominantly single and two dwelling residential in character, with commercial uses present to the north and south. Kelowna General Hospital is northwest of the subject property and is often noted as a substantial traffic and activity generator in this area of the City. Properties of higher residential density exist in the immediate area, including other examples of RM1 (four dwelling) development.

Specifically, the adjacent land uses are as follows:

North	RU6 – Two Dwelling Housing
South	RM1 – Four Dwelling Housing
East	RU6 – Two Dwelling Housing
West	RU6 – Two Dwelling Housing





## 5.0 CURRENT DEVELOPMENT POLICY

### 5.1 Public Process

Staff recommends that 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 Section 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.

### 5.2 Kelowna 2020 Official Community Plan

**Housing – Infrastructure Availability.** Give preference to supporting new housing in areas where required services already exist or can be provided most economically and efficiently.

**Housing – 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 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). To mitigate the neighbourhood impact of higher densities, it is important that:

- supporting infrastructure and park land is sufficient to accommodate the proposed development (or the developer is prepared to upgrade the necessary infrastructure and park land); 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 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 use designations assigned to adjacent parcels; and

**Housing – Ground-Oriented Housing.** Encourage the development of ground-oriented multiple unit housing as an affordable housing choice for the rental or ownership markets, including families with children, in those areas where Map 19.1 indicates necessary densities as being appropriate. Ground oriented housing is defined as housing where each dwelling unit has direct access to the unit and private open space at grade level.

**Housing – Housing Variety.** Encourage the development of a variety of housing forms to ensure that the housing supply meets the needs of Kelowna's diverse population and satisfies a range of lifestyle choices.

**Housing – Integration.** Encourage the sensitive integration of different housing forms in the various sectors of the City, in support of neighbourhood diversity and healthy communities.

## 6.0 TECHNICAL COMMENTS

### 6.1 **Fire Department**

Logical addressing and all address numbers must be visible from the street. Requirements of section 9.36, Secondary Suites, of the BCBC 2006 are to be met.

### 6.2 **Building & Permitting Department**

No concerns.

### 6.3 **Development Engineering Branch**

See attached memorandum (2 pages).

## 7.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS

Land Use Management recognizes the eclectic mix of land-use zoning in the immediate neighbourhood, and other examples of RM-1 residential projects exist. The proposed four-plex is anticipated to be sensitive to the housing stock in this established neighbourhood in that it more closely resembles a duplex density profile than a four-plex.

At present, the Official Community Plan and applicable Council policy does not provide for a cash-in-lieu option for the provision of affordable housing units in exchange for an OCP amendment to increase density. However, in smaller-scale projects, the provision of affordable units for a Housing Agreement can be very challenging. Accordingly, the applicant has proposed to contribute cash-in-lieu (\$10,000) of the required affordable housing contribution based on previous applications supported by Council. This value, in the absence of formal Council policy, is consistent with other RM-1 projects supported in the last year.

Land Use Management staff recommend support for this application on the basis of the proposal's compatibility with the neighbourhood as well as the cash-in-lieu contribution for affordable housing. A Development Permit to approve the form and character of the proposed development is under consideration and will be brought forward pending favourable support of the rezoning application.



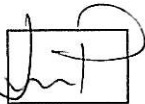
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Danielle Noble  
Urban Land Use Manager

Approved for inclusion  
Shelley Gambacort  
Director of Land Use Management



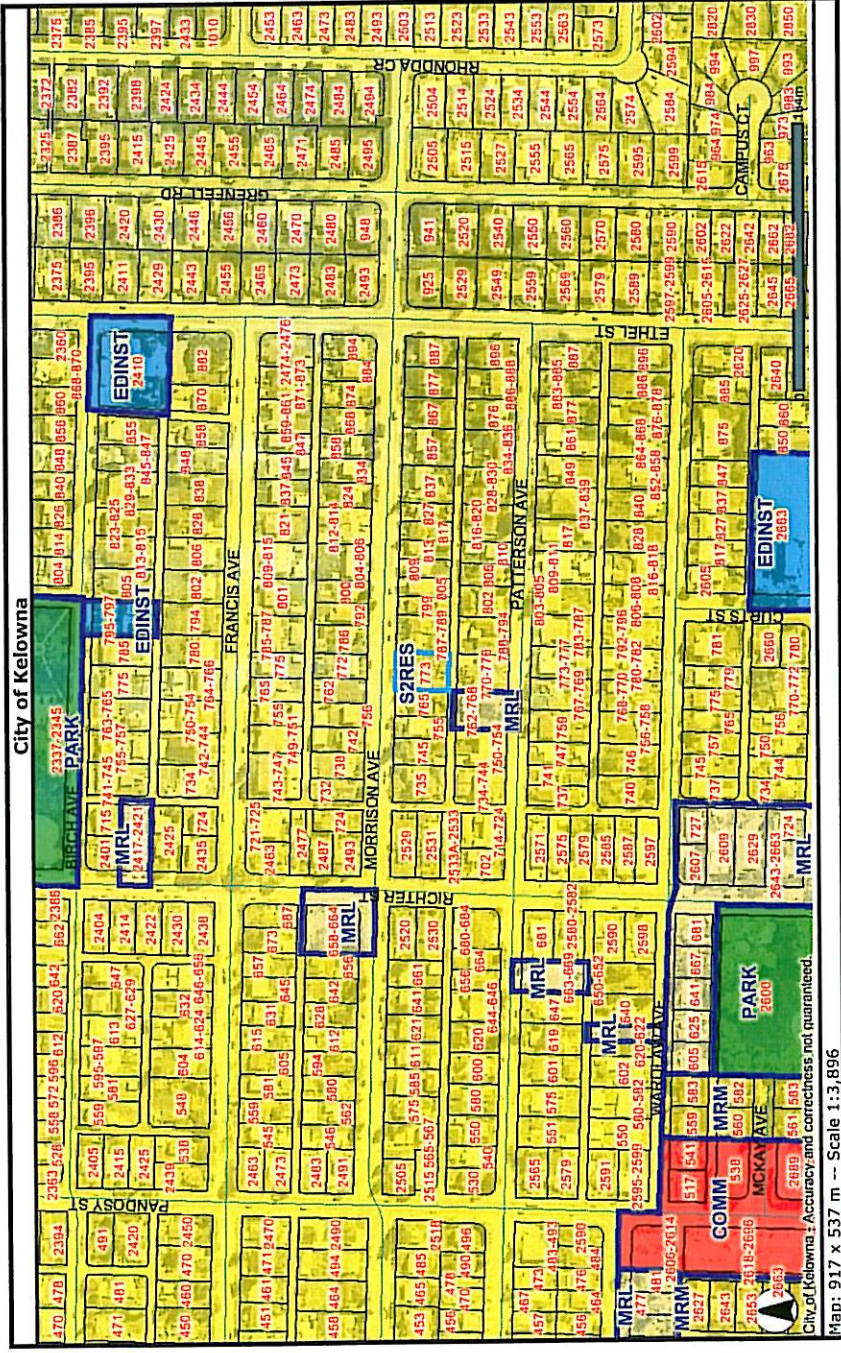
Approved for inclusion  
Jim Paterson  
General Manager, Community Sustainability



**Attachments**

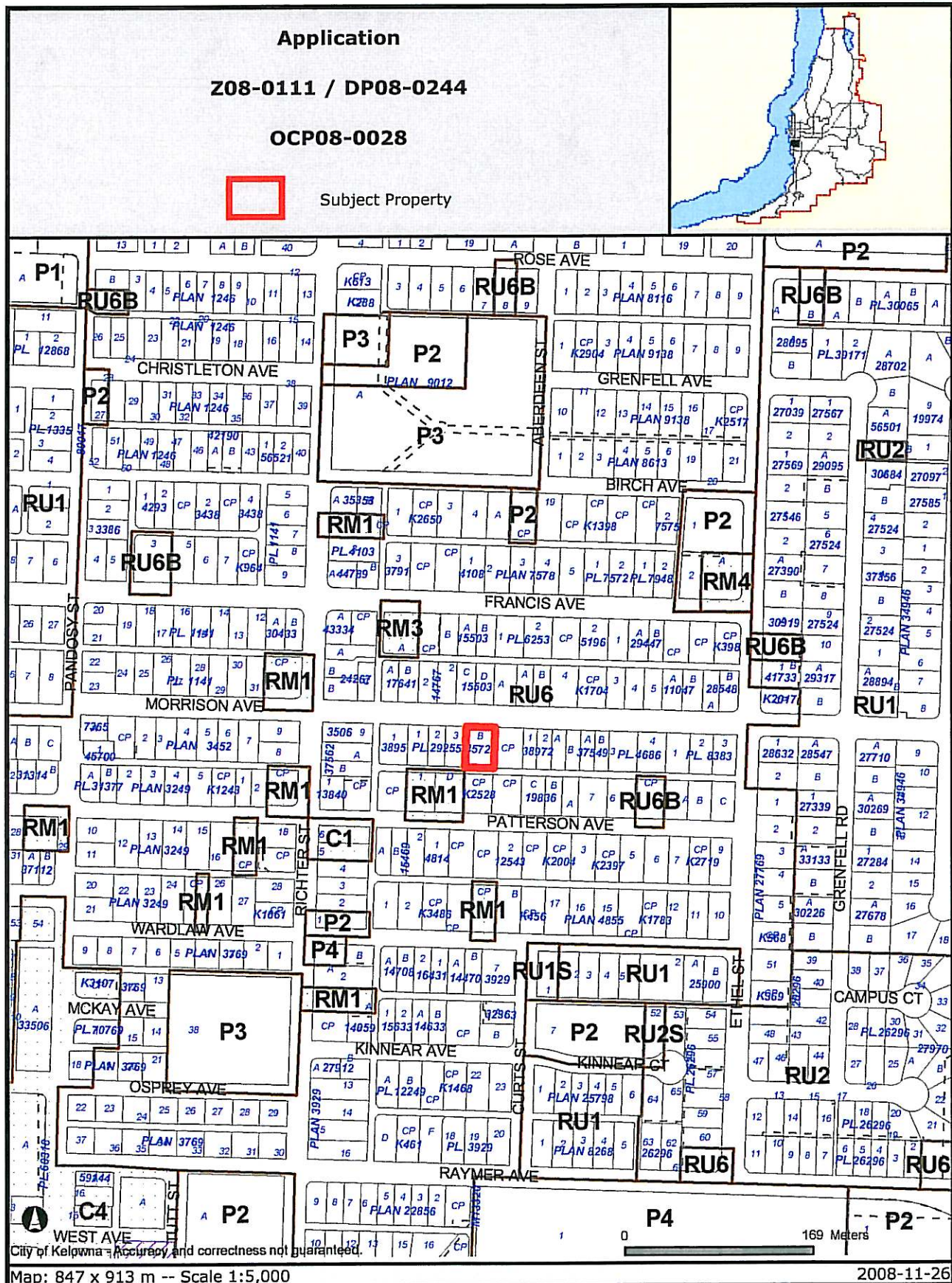
- Location and zoning map
- OCP future land use designation map
- Proposed site plan
- Proposed landscape plan
- Development Engineering Branch memorandum (2 pages)





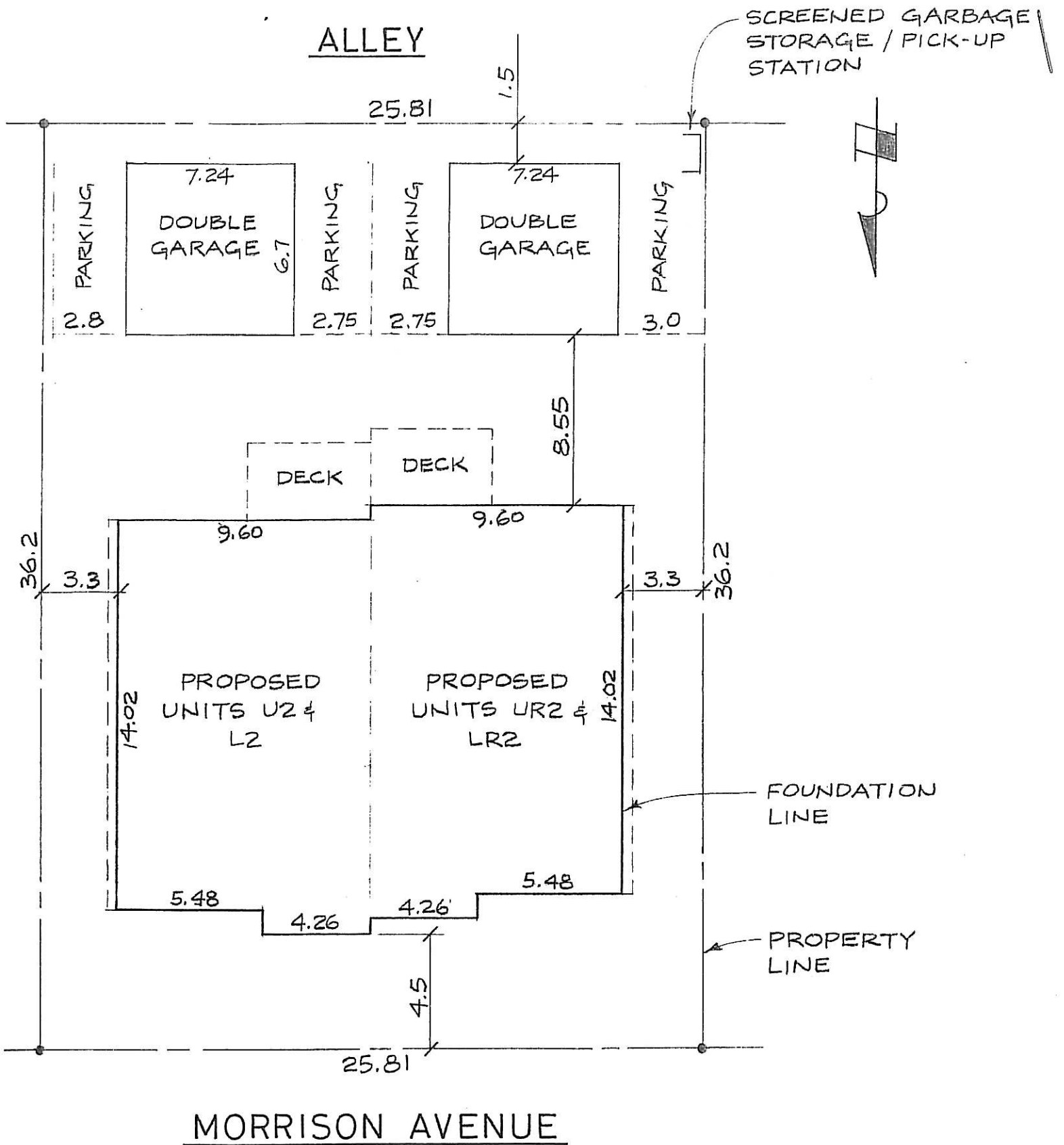
This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.





Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
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PLOT PLAN

SCALE = 1:200 (METRIC)

LEGAL DESCRIPTION

LOT B  
 PLAN 4572  
 O.D.Y.D.





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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** December 5, 2008  
**File No.:** Z08-0111 DP08-0244 OCP08-0028  
**To:** Planning & Development Services Department (AB)  
**From:** Development Engineering Manager  
**Subject:** Proposed Four-Plex                      773 Morrison Avenue                      Lot B Plan 4572

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The Works & Utilities Department has the following requirements associated with this application to rezone from RU6 to RM1.

1.     Domestic Water and Fire Protection

- (a)     This development site is serviced with a small diameter copper water service. Removal of the existing water service and the installation of a new larger service will be at the applicant's cost
- (b)     The developer's consulting mechanical engineer will determine the domestic, fire protection requirements of this proposed development, and establish the service needs. Service upgrades can be provided by the City at the applicant's cost. **The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade.**
- (c)     A water meter is mandatory for this development and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost.
- (d)     Landscaped boulevards, complete with underground irrigation systems, must be integrated with the on-site irrigation system

2.     Sanitary Sewer

- (a)     Our records indicate that this property is serviced with a 100mm-dia sanitary sewer service that should be adequate in size for this application. An inspection chamber (IC) must be installed on the service at the owner's cost. Service upgrades can be provided by the City at the applicant's cost. **The applicant will be required to sign a Third Party Work Order for the cost of the service upgrade.** For estimate, inquiry's please contact John Filipenko at 250-469-8581

3. Storm Drainage

- (a) The development will be required to contain and dispose of site generated storm water on the site by installing a ground recharge system consisting of drywells and perforated pipe bedded in drain rock.

4. Road Improvements

- (a) Morrison Avenue fronting this development must be upgraded to an collector class 2 standard (SS-R7) including concrete curb and gutter, storm drainage facilities including a catch basin and drywell fillet pavement, and re-location or adjustment of existing utility appurtenances if required to accommodate the upgrading construction, The City wishes to defer the upgrades to Morrison Avenue fronting this property. Therefore, cash-in-lieu of immediate construction is required. The cash-in-lieu amount is determined to be **\$ 9,892.00**
- (c) The rear lane must be upgraded to a paved standard for the full frontage of this development (SS-R2) including a storm drainage system (drywell and catch basin). The City wishes to defer the upgrades to the lane fronting this property. Therefore, cash-in-lieu of immediate construction is required. The cash-in-lieu amount is determined to be **\$ 6,260.00**

5. Electric Power and Telecommunication Services

The electrical and telecommunication services to this building must be installed in an underground duct system. 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

8. Bonding and Levy Summary

(b) Cash Levy

Morrison Ave frontage improvements	\$ 9,892.00
Lane frontage improvements	\$ 6,260.00

<b>Total</b>	<b>\$16,152.00</b>
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Steve Muenz, P. Eng.  
 Development Engineering Manager  
 JF/jf



**"MAP A"**  
**Application**  
**OCP08-0028 / Z08-0111**  
**773 Morrison Avenue**



**Subject property to have OCP Future Land Use designation changed from "SINGLE/TWO UNIT RESIDENTIAL" to "MULTIPLE UNIT RESIDENTIAL (LOW DENSITY)"**

**Subject property to have zoning changed from "RU6 – TWO DWELLING HOUSING" to "RM1 – FOUR DWELLING HOUSING"**