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

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**DATE:** March 24, 2009  
**TO:** City Manager  
**FROM:** Community Sustainability Division  
**APPLICATION NO.** Z08-0106                      **APPLICANT:** Douglas Lane  
**AT:** 1848 & 1854 Riverside Ave              **OWNER:** Douglas Lane  
**PURPOSE:** To rezone the subject properties from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone in order to legalize an existing duplex.  
**EXISTING ZONE:** RU1 – Large Lot Housing  
**PROPOSED ZONE** RU6 – Two Dwelling Housing  
**REPORT PREPARED BY:** Andrew Browne

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**1.0     RECOMMENDATION**

THAT Rezoning Application No. Z08-0106 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5 Block 3 District Lot 14 ODYD Plan 1395 Except Plan B3849 and Lot 6 Block 3 District Lot 14 ODYD Plan 1395, located at 1848 & 1854 Riverside Avenue, Kelowna, B.C. from the RU1 – Large Lot 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;

AND THAT final adoption of the zone amending bylaw be considered subsequent to lot consolidation taking place and the requirements of the Development Engineering Department being completed to their satisfaction.

**2.0     SUMMARY**

This application seeks to rezone the subject properties from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone in order to legalize an existing duplex.

**3.0     ADVISORY PLANNING COMMISSION**

At a meeting held on December 16, 2008, the Advisory Planning Commission passed the following recommendation:

THAT the Advisory Planning Commission support Rezoning Application No. Z08-0106, for 1848 & 1854 Riverside Avenue; Lots 5 & 6, Plan 1395, Sec. 24, Twp. 25, ODYD, by D. Lane to rezone the subject property from RU1-Large Lot Housing zone to the RU6-Two Dwelling Housing zone to legalize an existing duplex.

## 4.0 PROPOSAL

### 4.1 Proposed Development

The subject properties contain an existing duplex that has been decommissioned by the applicant during this process by internally amalgamating both units. No significant external work is proposed apart from extending the roof eave, modifying dormers, and modest aesthetic modifications. The applicant seeks to rezone the parcel in order to legalize the previously existing duplex use.

As the existing structure is located across two legal parcels, a lot consolidation is a condition of final adoption of this rezoning. The table below shows this application's compliance with the requirements of the RU6 zone and reflects the proposed consolidated area, width, and depth.

CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS FOR TWO PRINCIPAL DWELLINGS
<b>Subdivision Regulations</b>		
Lot Area	1008 m <sup>2</sup>	700 m <sup>2</sup>
Lot Width	27.39 m	18.0 m
Lot Depth	37.23 m	30.0 m
<b>Development Regulations</b>		
Site Coverage (buildings)	20.42% existing	40%
Site Coverage (buildings/parking)	29.27% existing	50%
Height	2 storeys existing	2 ½ storeys / 9.5 m
Front Yard	8.33 m existing	4.5 m or 6.0 m to a garage
Side Yard (north)	2.00 m existing	2.0 m (1 or 1 ½ storey portion)
Side Yard (south)	6.12 m existing	2.3 m (2 or 2 ½ storey portion)
Rear Yard	15.09 m existing	7.5 m (2 or 2 ½ storey portion)
Parking Stalls	4 spaces	4 spaces
Private Open Space	Meets requirements	30 m <sup>2</sup> of private open space per dwelling

## 4.2 Site Context

The subject property is located on the west side of Riverside Avenue in the City Centre. The surrounding area is predominantly zoned RU1 (Large Lot Housing), though a wide variety of land uses are within walking distance. Specifically, the adjacent land uses are as follows:

North	RU1 – Large Lot Housing
South	RU1 – Large Lot Housing
East	RU1 – Large Lot Housing
West	RU1 – Large Lot Housing



## 5.0 TECHNICAL COMMENTS

### 5.1 Building & Permitting Department

See HAP08-0010 comments dated Oct.24/08, same apply to rezoning application.

### 5.2 Development Engineering Department

See attached memorandum.

### 5.3 Fire Department

No comments.

**6.0 LAND USE MANAGEMENT DEPARTMENT COMMENTS**

As the existing structure is located across two legal parcels, a lot consolidation via the Land Title Office is a condition of this rezoning before final adoption by Council.

The legal description for Lot 5 (1854 Riverside) notes that the applicant owns Lot 5 except Plan B3849, reflecting the southern half of the parcel as being owned by the southern neighbour. The development potential of the southern half of Lot 5 is reduced until such time as it is consolidated with 1866 Riverside Avenue.

Proposed work to the exterior of the building has been previously controlled by a Heritage Alteration Permit (HAP08-0010) and includes, among other modifications, extension of the roof overhang, projection of existing dormers, addition of heavy timber accent beams, addition of a shed dormer above the main entry, and the addition of a new entry door with access stairs.

No significant impact on adjacent or nearby properties is anticipated. The application conforms with the City of Kelowna Official Community Plan and Zoning Bylaw No. 8000. Land Use Management staff recommend support for the application.



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Danielle Noble  
Urban Land Use Manager

Approved for Inclusion:



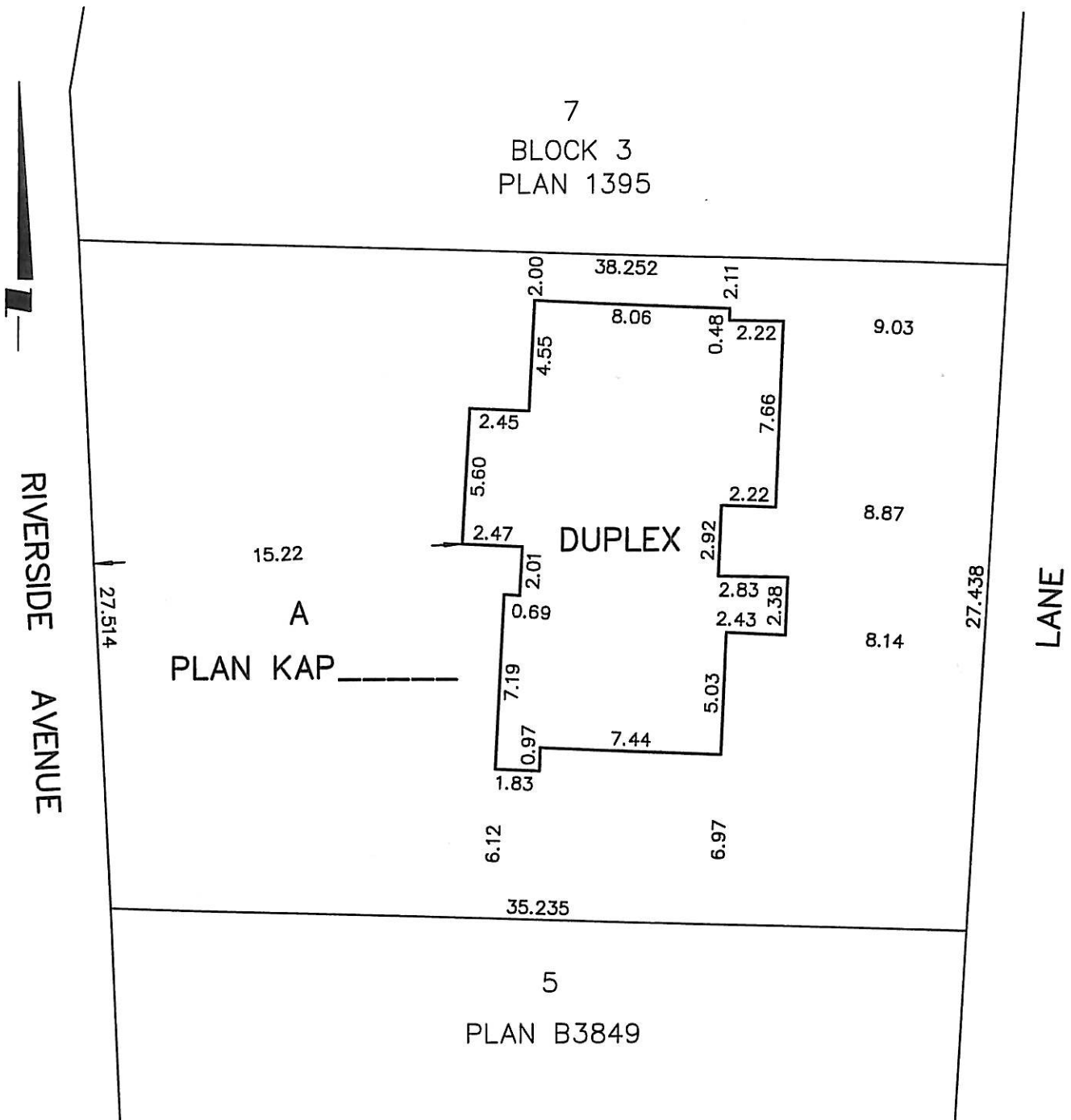
Shelley Gambacort  
Director of Land Use Management

**ATTACHMENTS**

Location and zoning map  
Development Engineering Department memorandum  
Legal Survey Certificate  
Combined site plan and floor plan  
Elevations

B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION  
ON LOT A, PLAN KAP \_\_\_\_\_, DL 14, ODYD.

1848 AND 1854 RIVERSIDE AVENUE



I HEREBY CERTIFY THAT THE ABOVE SKETCH SHOWS THE REGISTERED DIMENSIONS OF THE ABOVE DESCRIBED PROPERTY AND RELATIVE LOCATION OF THE BUILDINGS THEREON.

*d. Ferguson*

B.C.L.S., P.L.S.  
THIS DOCUMENT IS NOT VALID UNLESS ORIGINALLY SIGNED AND SEALED

THIS PLAN IS FOR THE USE OF THE BUILDING INSPECTOR AND/OR MORTGAGEE ONLY AND IS NOT TO BE USED FOR THE RE-ESTABLISHMENT OF PROPERTY BOUNDARIES.

CLIENT: DOUG LANE

DATE: FEBRUARY 11, 2009

SCALE: 1:250 METRES

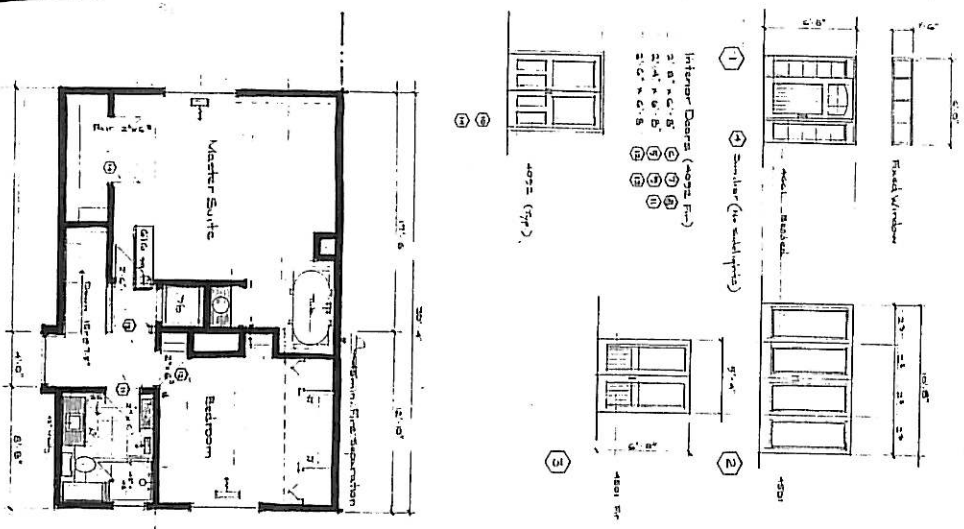
FILE: 18327

© T.E. FERGUSON LAND SURVEYING LTD.

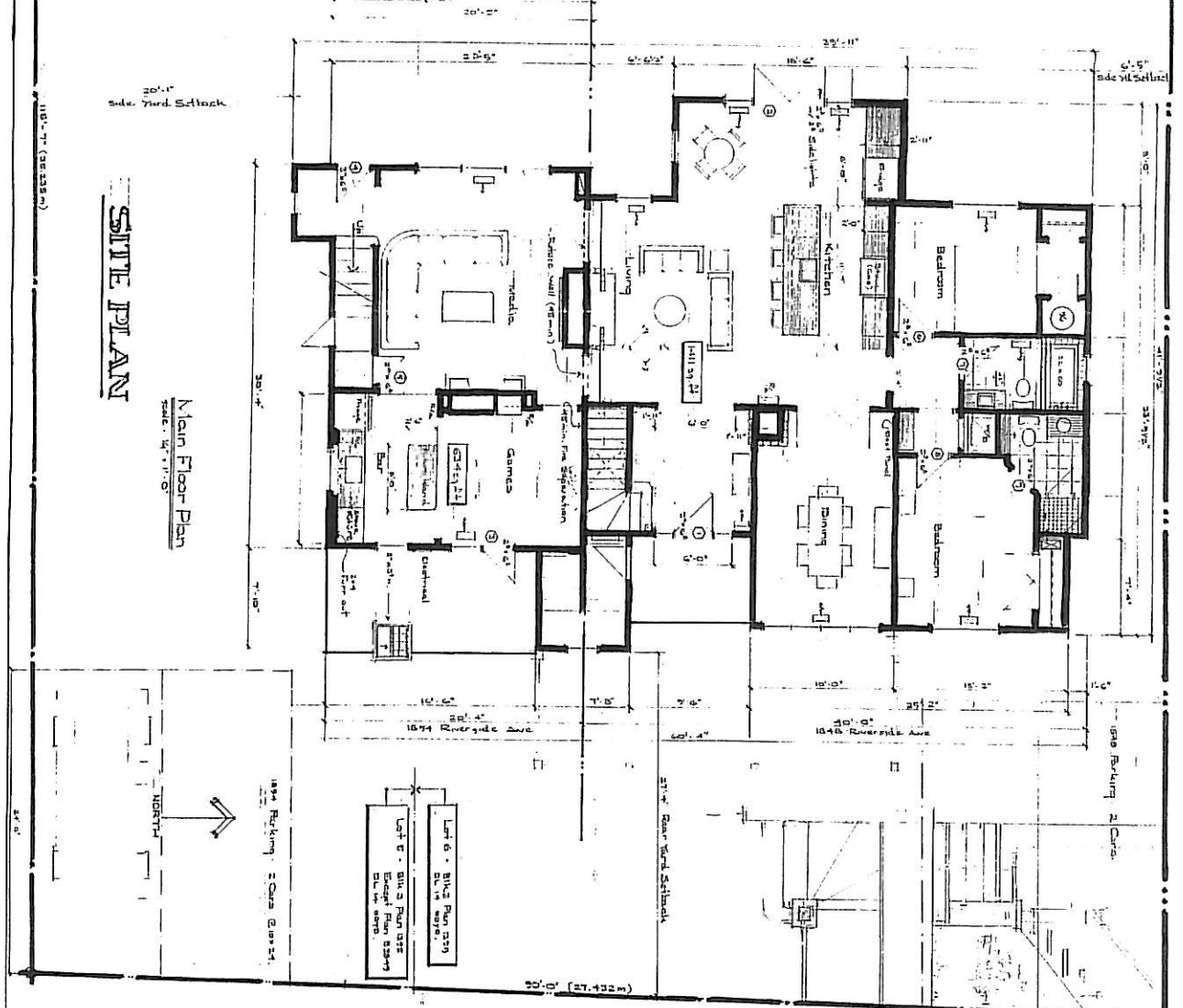
T.E. Ferguson Land Surveying Ltd.

B.C. AND CANADA LAND SURVEYORS  
404-1630 PANDOSY STREET, KELOWNA, B.C.  
TELEPHONE: (250) 763-3115  
FAX: (250) 763-0321

50'-2" (15.293 m)



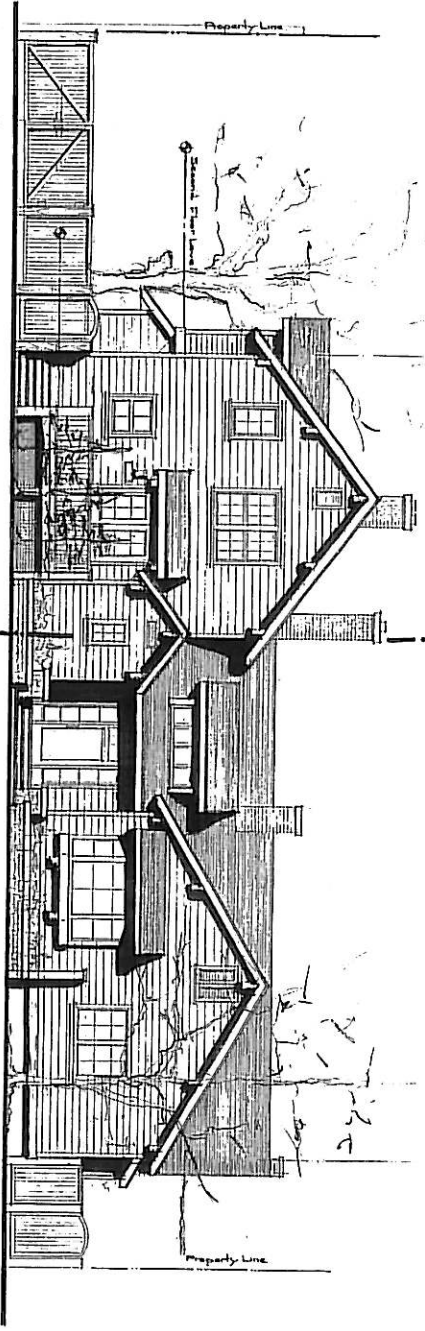
# SITE PLAN



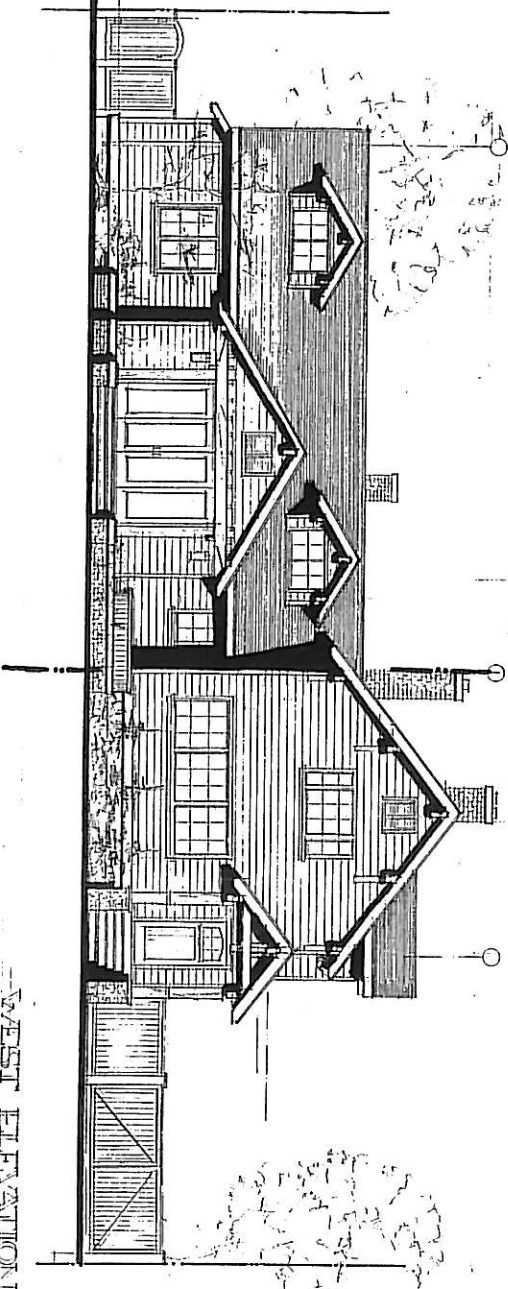
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 4320 N. 15th St. Suite 200  
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Riverside Avenue



**EAST ELEVATION - Riverside Avenue**  
Scale 1/4" = 1'-0"



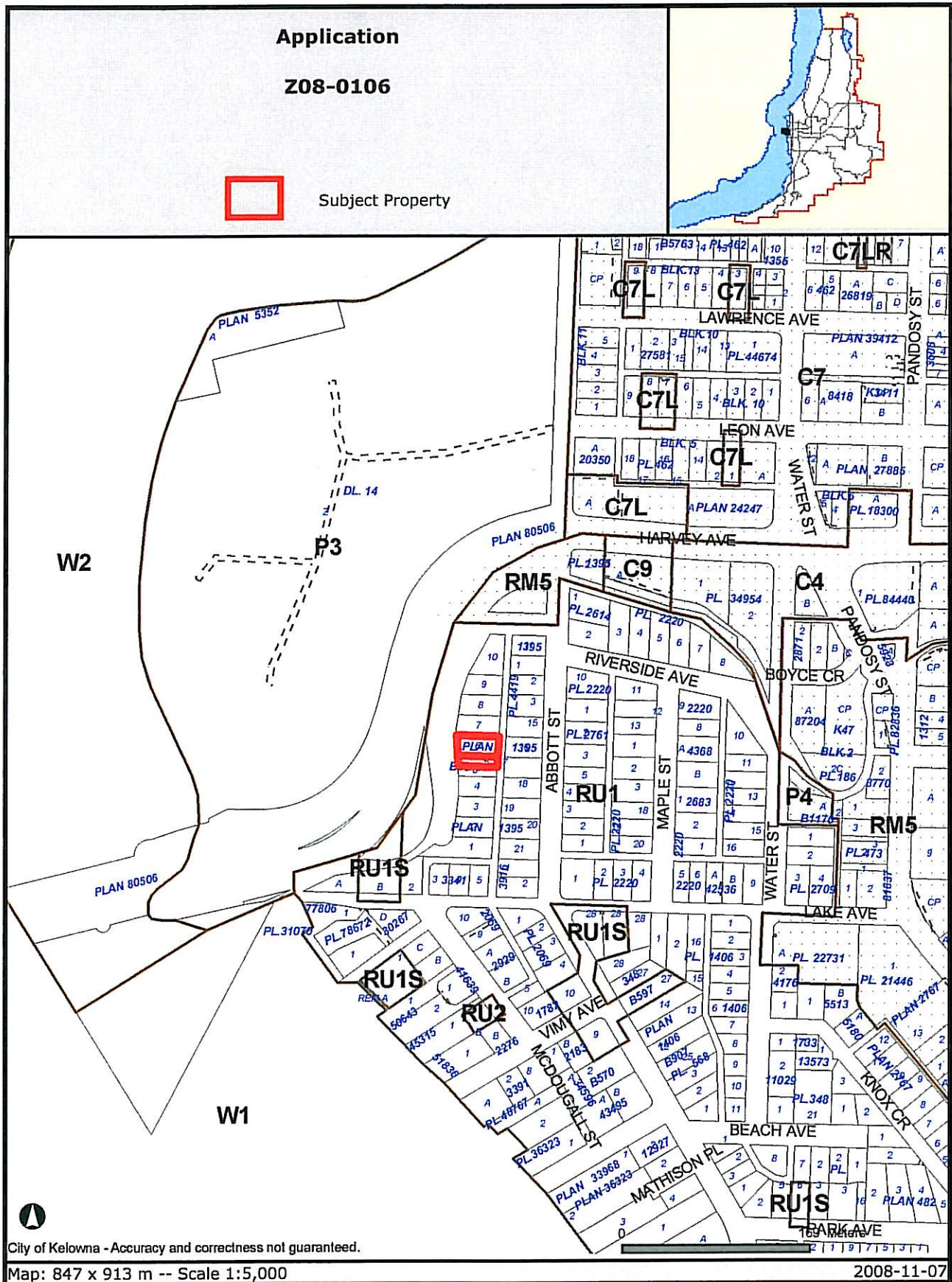
**WEST ELEVATION - Creekside**  
Scale 1/4" = 1'-0"

**SCOPE OF WORK - EXTERIOR**

1. Remove 9/4 River Lumber - reboards - etc.
2. Remove S/O of Down Lumber Eave & perimeter
3. New wood fence
4. Eaved roof shingling S/O (typical shingling)
5. Repair existing roof dormer S/O
6. Replace / re-board entry door @ 1874
7. New address - door on porch light
8. New entry screen, stack @ 1874
9. Add heavy timber / projecting screen @ roof 9/4
10. Exchange gable vents to attic
11. New window film / screen boards
12. New entry step @ 1874
13. Add shed dormer
14. New Bay Window / shed roof
15. New landscape rock entry
16. New gabled dormer - wood detail
17. Pa. location existing window
18. New patio doors in existing opening
19. Window re located from 1874
20. New gable / timber tralis
21. New entry steps - added projection
22. Exterior - wood shingles repair - replace existing
23. New landscape single roofing

**SCOPE OF WORK - INTERIOR**

1. Remove gutter / roof lap to expose structure
2. Remove all / re-board as needed
3. Local Change made
4. Remove all electrical
5. New wiring / fixtures to code
6. New smoke alarm - hard-wired
7. New installation to code
8. Remove floor joists / distribution
9. Install new kitchen cabinets / appliances
10. Note: Some / when will not be installed @ 1874
11. New retaining in unnecessary
12. Repair / finish hardwood floors
13. New stair / curbs @ 1874
14. Re-ute / re-board existing windows
15. New soffit
16. New interior doors / hardware
17. New wood trim / hardware
18. Create opening between on the Car in attic
19. Ability to close with in future for light
20. New concrete stepping in basement's first
21. Original house (1874) left in place with addition added (1972) over building original
22. Remove original roof within
23. New paint throughout



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.



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

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**Date:** December 10, 2008  
**File No.:** Z08-0106

**To:** Planning & Development Services Department (AB)

**From:** Development Engineering Manager

**Subject:** 1848 Riverside Ave Lot 6 and Rem Lot 5 Plan 1395 RU-6

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The Works & Utilities Department have the following requirements associated with this application.

1. Domestic Water and Fire Protection

The property is located within the City of Kelowna service area.

A requirement of RU6 zoning is that each lot is serviced with two (2) water services. The two existing 19mm services may be utilized for this application.

2. Sanitary Sewer

A requirement of RU6 zoning is that each lot is serviced with one (1) sanitary service. One of the existing two 100mm-diameter sanitary sewer services can be retained for this application.

The second existing sanitary service must be removed and disconnected at the main. Service changes 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 removing and disconnecting the service.** For estimate, inquiry's please contact John Filipenko at 250-469-8581

3. Site Related Issues

By registered plan, provide a lot consolidation.

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

Adequate off-street parking must be provided.

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