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## CITY OF KELOWNA

### MEMORANDUM

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**Date:** November 19, 2003  
**File No.:** DVP03-0147

**To:** City Manager

**From:** Planning and Development Services Department

**Subject:**

APPLICATION NO. DVP03-0147                      OWNER: Joyce & Don Patterson

AT: 195 Keithley Road                      APPLICANT: Joyce & Don Patterson

PURPOSE: TO VARY THE LOT DEPTH FROM 30.00M REQUIRED TO 20.46M  
PROPOSED;

TO VARY THE REAR YARD SETBACK FROM 7.50M REQUIRED TO  
4.82M PROPOSED

EXISTING ZONE: RU1 – LARGE LOT HOUSING

REPORT PREPARED BY: MARK KOCH

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SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

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#### 1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. 03-0147; Lot 6, Plan 26609, Sec. 26, Twp. 26, O.D.Y.D.;

AND THAT variances to the following section of City of Kelowna Zoning Bylaw No. 8000 be granted:

Section 13: Specific Zone Regulations: RU1 – LARGE LOT HOUSING

**Section 13.1.4 (b):** Vary the lot depth from 30.00m required to 20.46m proposed;

**Section 13.1.5 (e):** Vary the rear yard setback from 7.50m required to 4.82 proposed

#### 2.0 SUMMARY

The applicant recently submitted an application to subdivide the subject property, proposing to create two new single family lots. The proposed parcels do not have the required lot depth, with the existing home also not having the required rear yard setback. Therefore, this development variance application is to vary the lot depth for both proposed properties, and also the rear yard setback for the existing single family home to facilitate a two lot single family subdivision.

### 3.0 BACKGROUND

#### 3.1 The Proposal

The subject property is located on Keithley Road, east of Knorr Road and west of Rutland Road. A sanitary sewer line was recently constructed adjacent to the subject property, prompting the applicants to make an application to subdivide the subject property. This development variance application is therefore to vary the required lot depth for the two proposed single family lots, and the required rear yard setback for the existing home, to facilitate the proposed subdivision.

The application compares to the City of Kelowna Bylaw No. 8000 RU1 zone as follows:

<b>CRITERIA</b>	<b>PROPOSAL</b>	<b>RU1 REQUIREMENTS</b>
Lot Area (m <sup>2</sup> ) Proposed Lot A	624m <sup>2</sup>	550m <sup>2</sup> (min)
Lot Width (m) Proposed Lot A	30.47m	16.5m(min)
Lot Depth (m) Proposed Lot A	<b>20.46m</b>	<b>30.0(min)</b>
Site Coverage (%) Proposed Lot A	37%	40%
Setbacks (m) Proposed Lot A		
- Front Yard	6.64m	4.5m
- Side Yard East	2.14m	2.0m
- Side Yard West	2.70m	2.0m
- Rear Yard	<b>4.89m</b>	<b>7.5m</b>
Lot Area (m <sup>2</sup> ) Proposed Lot B	580m <sup>2</sup>	550m <sup>2</sup> (min)
Lot Width (m) Proposed Lot B	29.61m	16.5m(min)
Lot Depth (m) Proposed Lot B	<b>20.46m</b>	<b>30.0(min)</b>

#### 3.2 Site Context

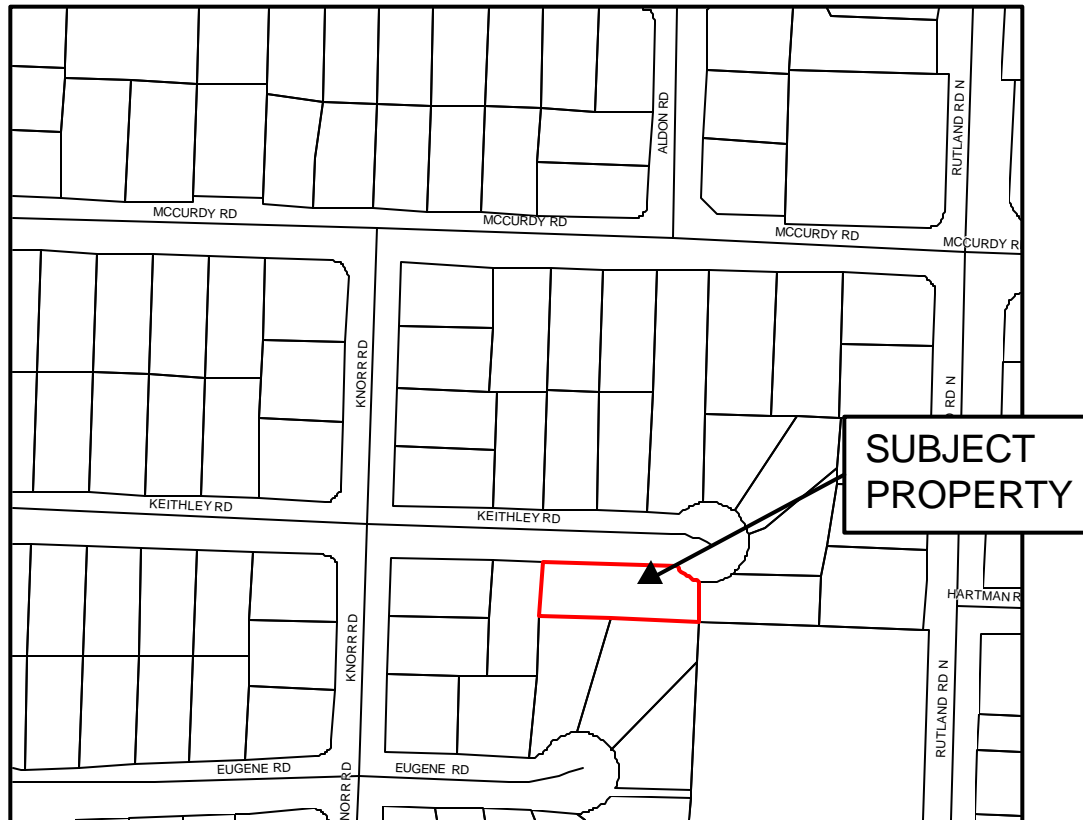
The subject property is located on Keithley Road, between Knorr Road to the West and Rutland Road to the East in the Rutland Sector Plan area of the City. The surrounding neighbourhood is zoned RU1 – Large Lot Housing.

Adjacent zones and uses are:

- North - RU1 – Large Lot Housing / Existing Single Family Dwelling
- East - RU1 – Large Lot Housing / Existing Single Family Dwelling
- South - RU1 – Large Lot Housing / Existing Single Family Dwelling
- West - RU1 – Large Lot Housing / Existing Single Family Dwelling

### 3.3 Location Map

Subject Property: 195 Keithley Road



### 3.4 Existing Development Potential

The existing development potential is for large lot urban residential and related uses.

### 4.0 Current Development Policy

#### 4.1 Kelowna Official Community Plan

The proposal is consistent with the designation of Single/Two Family Residential in the Official Community Plan Future Land Use Designation. The Single/Two Family Residential designation covers single detached homes for occupancy by one family, single detached homes with a secondary suite, semi-detached buildings use for two dwelling units, and complementary uses (OCP, Chapter 8). The OCP also encourages a focus towards achieving more efficient use of land within single detached neighbourhoods. The proposal is also consistent with this aim.

#### 4.2 City of Kelowna Strategic Plan (1992)

One of the objectives of the Strategic Plan is “to develop a more compact urban form by increasing densities through infill and re-development within existing urban areas and to provide for higher densities with future urban areas”

(Objective 1.1). The proposal is consistent with these objectives and with their accompanying strategies.

4.3 Rutland Sector Plan

The Rutland Sector Plan contains policies promoting densification in the existing urban areas, while also supporting the creation of a compact, livable and vibrant urban community.

5.0 TECHNICAL COMMENTS

The technical and utility comments are identified in the Preliminary Layout Review letter issued with the current subdivision application.

6.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Corporate Services Department has no concerns with the proposed development variance permit, with all affected neighbours having indicated their support for the associated proposed subdivision application.

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Bob Shaughnessy  
Subdivision Approving Officer

Approved for inclusion

R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Planning & Development Services

RGS/MK/mk  
Attach.

**FACT SHEET**

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|---|---|
| 1. APPLICATION NO.:   | DVP02-0147  |
| 2. APPLICATION TYPE:  | Development Variance Permit   |
| 3. OWNER:<br>· ADDRESS<br>· CITY<br>· POSTAL CODE   | Joyce and Don Patterson<br>195 Keithley Road<br>Kelowna, BC<br>V1X 2N3  |
| 4. APPLICANT/CONTACT PERSON:<br>· ADDRESS<br>· CITY<br>· POSTAL CODE<br>· TELEPHONE/FAX NO.:  | Joyce and Don Patterson<br>195 Keithley Road<br>Kelowna, BC<br>V1X 2N3<br>765-1502  |
| 5. APPLICATION PROGRESS:<br>Date of Application:<br>Date Application Complete:<br>Servicing Agreement Forwarded to Applicant:<br>Servicing Agreement Concluded:<br>Staff Report to APC: | November 11, 2003<br>November 18, 2003<br>N/A<br>N/A<br>N/A   |
| 6. LEGAL DESCRIPTION:   | Lot 6, Plan 26609, Sec. 26, Twp. 26, O.D.Y.D.   |
| 7. SITE LOCATION:   | On Keithley Road, with Knorr Road to the West & Rutland Road to the east  |
| 8. CIVIC ADDRESS:   | 195 Keithley Road   |
| 9. AREA OF SUBJECT PROPERTY:  | 1202m <sup>2</sup>  |
| 10. EXISTING ZONE CATEGORY:   | RU1 – Large Lot Housing   |
| 11. PURPOSE OF THE APPLICATION:   | To vary the lot depth from 30.00m required to 20.46m proposed;<br><br>To vary the rear yard setback from 7.50m required to 4.82m proposed |
| 12. MIN. OF TRANS./HIGHWAYS FILES NO.:<br>NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY  | N/A   |
| 13. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS  | N/A   |

**ATTACHMENTS**

**(not attached to the electronic version of the report)**

- Location of subject property
- Proposed plan of subdivision