
CITY OF KELOWNA

MEMORANDUM

Date: July 15, 2004

File No.: DVP04-0051

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. DVP04-0051 OWNER: Peter Oud & Randall Black

AT: 400 & 410 Milton Road APPLICANT: Marion Bremner

PURPOSE: TO VARY THE LOT DEPTH FROM 30.00M REQUIRED TO 21.33M
PROPOSED;

EXISTING ZONE: RU1 – LARGE LOT HOUSING

REPORT PREPARED BY: MARK KOCH

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No. 04-0051; Lot 9, Sec. 23, Twp. 26, ODYD, Plan 17606 & Lot 26, Sec. 23, Twp. 26, ODYD, Plan 17606;

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

Section 13: Urban Residential Zones: RU1 – LARGE LOT HOUSING: Subdivision Regulations

Section 13.1.5 (b): Vary the lot depth from 30.00m required to 21.33m proposed;

2.0 SUMMARY

The applicant recently submitted an application to subdivide the existing two subject properties, proposing to create three single family lots. The proposed parcels do not have the required lot depth. Therefore, this development variance application is to vary the required lot depth for the proposed properties in order to facilitate a three lot single family subdivision.

3.0 BACKGROUND

3.1 The Proposal

The subject properties are located on Milton Road, situated east of Mallach Road and west of Molnar Road. There are two existing homes on the current two lots. This development variance application is to vary the 30.00m required lot depth for the proposed three single family lots.

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

CRITERIA	PROPOSAL	RU1 REQUIREMENTS
Lot Area (m ²) Proposed Lot A	584m ²	550m ² (min)
Lot Width (m) Proposed Lot A	27.49m	16.5m(min)
Lot Depth (m) Proposed Lot A	21.33m	30.0(min)
Lot Area (m ²) Proposed Lot B	562m ²	550m ² (min)
Lot Width (m) Proposed Lot B	26.42m	16.5m(min)
Lot Depth (m) Proposed Lot B	21.33m	30.0(min)
Lot Area (m ²) Proposed Lot C	559m ²	550m ² (min)
Lot Width (m) Proposed Lot C	26.03m	16.5m(min)
Lot Depth (m) Proposed Lot C	21.33m	30.0(min)

3.2 Site Context

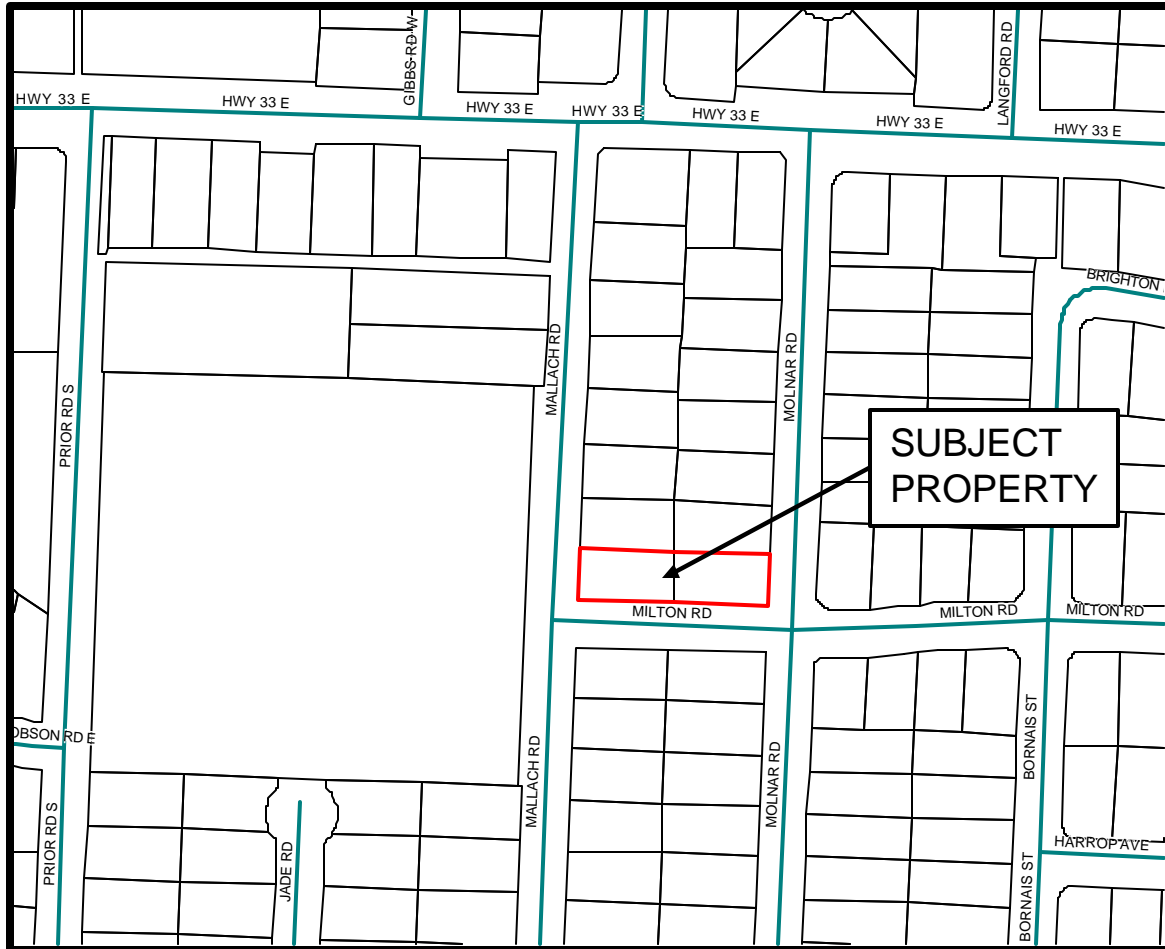
The subject property is located on Milton Road, between Mallach Road to the West and Molnar Road to the East in the Rutland Sector Plan area of the City. The surrounding neighbourhood is mostly zoned RU1 – Large Lot Housing.

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 - P2 – Education and Minor Institutional / School

3.3 Location Map

Subject Property: 400 & 410 Milton 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 Works & Utilities Department comments and requirements regarding this application to reduce the lot depth to 21.34 m. from 30.0 m. as per the zoning bylaw are as follows:

- a) The requested Development Variance Application creates a small lot that will provide very little pervious area when fully developed. The lots created ultimately provide very little pervious area once fully developed; the reduced pervious area will affect the overall City runoff coefficient and could create some problems in the future, especially in areas without a storm drainage system.
- b) The establishment of minimum lot dimensions, as stated in the Zoning Bylaw, should be adhered to as well in order to avoid any potential servicing problems by densification and creating disproportionate lots within established neighbourhoods.
- c) Should this application for variance be approved, all the servicing requirements identified in our subdivision report under file S04-0058 will have to be satisfied.

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.

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.: | DVP04-0051 |
| 2. APPLICATION TYPE: | Development Variance Permit |
| 3. OWNER: | Peter Oud & Randall Black |
| . ADDRESS | 400 Milton Road |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1Y 1W4 |
| 4. APPLICANT/CONTACT PERSON: | Marion Bremner |
| . ADDRESS | #1-1890 Cooper Road |
| . CITY | Kelowna, BC |
| . POSTAL CODE | V1Y 8B7 |
| . TELEPHONE/FAX NO.: | 250-860-1100 |
| 5. APPLICATION PROGRESS: | |
| Date of Application: | May 7, 2004 |
| Date Application Complete: | May 7, 2004 |
| Servicing Agreement Forwarded to Applicant: | N/A |
| Servicing Agreement Concluded: | N/A |
| Staff Report to APC: | N/A |
| 6. LEGAL DESCRIPTION: | Lot 9, Sec. 23, Twp. 26, ODYD, Plan 17606 & Lot 26, Sec. 23, Twp. 26, ODYD, Plan 17606 |
| 7. SITE LOCATION: | On Milton Road, located between Molnar Road and Mallach Road |
| 8. CIVIC ADDRESS: | 400 & 410 Milton Road |
| 9. AREA OF SUBJECT PROPERTY: | 1719m ² |
| 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; |

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| 12. | MIN. OF TRANS./HIGHWAYS FILES NO.:
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