
CITY OF KELOWNA

MEMORANDUM

Date: February 15, 2005
File No.: DVP04-0160

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. DVP04-0160 OWNER: Vittorio Viloa

AT: 2220 Wilkinson Street APPLICANT: Vittorio Viloa

PURPOSE: TO VARY THE REQUIRED LOT WIDTH FROM 13M TO 12.75M BEING PROPOSED, IN ORDER TO FACILITATE A TWO LOT SINGLE FAMILY SUBDIVISION;

TO VARY THE REQUIRED SIDE YARD FROM 1.5M TO 0.9M BEING PROPOSED, IN ORDER TO FACILITATE A TWO LOT SINGLE FAMILY SUBDIVISION

EXISTING ZONE: RU2-MEDIUM LOT HOUSING

REPORT PREPARED BY: MARK P. KOCH

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Council NOT authorize the issuance of Development Variance Permit No.04-0160; on Wilkinson Street, Lot 4, Plan 20116, D.L. 136, ODYD;

AND THAT variances to the following section of City of Kelowna Zoning Bylaw No. 8000 NOT be granted:

Section 13.2.5 (a): Subdivision Regulations: RU2-Medium Lot Housing

- Vary the minimum lot width from 13m required to 12.75m proposed;

Section 13.2.6 (d): Development Regulations: RU2-Medium Lot Housing

- Vary the minimum required side yard setback from 1.5m to 0.9m proposed;

2.0 SUMMARY

The property owner has indicated his intentions to submit an application to subdivide the subject property, however, based on the existing RU2-Medium Lot Housing zoning a subdivision would not be possible without these two requested variances. The subject property has an insufficient lot width and side yard setback for the proposed two lot subdivision to occur. Therefore, this development variance application is in order to vary the required RU2-Medium Lot Housing lot width from 13m to 12.75m proposed, and the side yard setback from 1.5m to 0.9m proposed.

3.0 ADVISORY PLANNING COMMISSION

The subject application was reviewed by the Advisory Planning Commission at their meeting of February 1, 2005, and the following recommendation was passed:

THAT the Advisory Planning Commission supports Development Variance Permit Application No. DVP04-0160, for 2220 Wilkinson Street, Lot 4, Plan 20116, Sec 18, Twp. 26, ODYD, by V. Vittorio to obtain a Development Variance Permit to vary the required side yard setback from 1.5m to 0.9m proposed in order to facilitate a two lot single family subdivision; and to vary the required lot width from 13.0m required to 12.75m proposed in order to facilitate a two lot single family subdivision.

DEFEATED

4.0 BACKGROUND

4.1 The Proposal

The subject property is located on Wilkinson Street, and is situated south of Springfield Road and north of Guisachan Road in the Central City sector plan area of the City of Kelowna. This development variance application is to vary the required lot width for the proposed Lot B and the required side yard setback for the existing home, in order to facilitate the proposed subdivision.

The application compares to the City of Kelowna Bylaw No. 8000 RU2 zone as follows:

CRITERIA	PROPOSAL	RU2 REQUIREMENTS
Lot Area (m ²) Proposed Lot A	930m ²	400m ² (min)
Lot Width (m) Proposed Lot A	19.86m	13.0m(min)
Lot Depth (m) Proposed Lot A	46.80m	30.0(min)
Side Yard (m) Proposed Lot A (N)	1.95m	1.5m (min)
Side Yard (m) Proposed Lot A (S)	0.9m	1.5m (min)
Front Yard (m) Proposed Lot A	9.5m	4.5m (min)
Rear Yard (m) Proposed Lot A	26m	6.0m (min)
Lot Area (m ²) Proposed Lot B	597m ²	400m ² (min)
Lot Width (m) Proposed Lot B	12.75m	13.0m(min)
Lot Depth (m) Proposed Lot B	46.80m	30.0(min)

4.2 Site Context

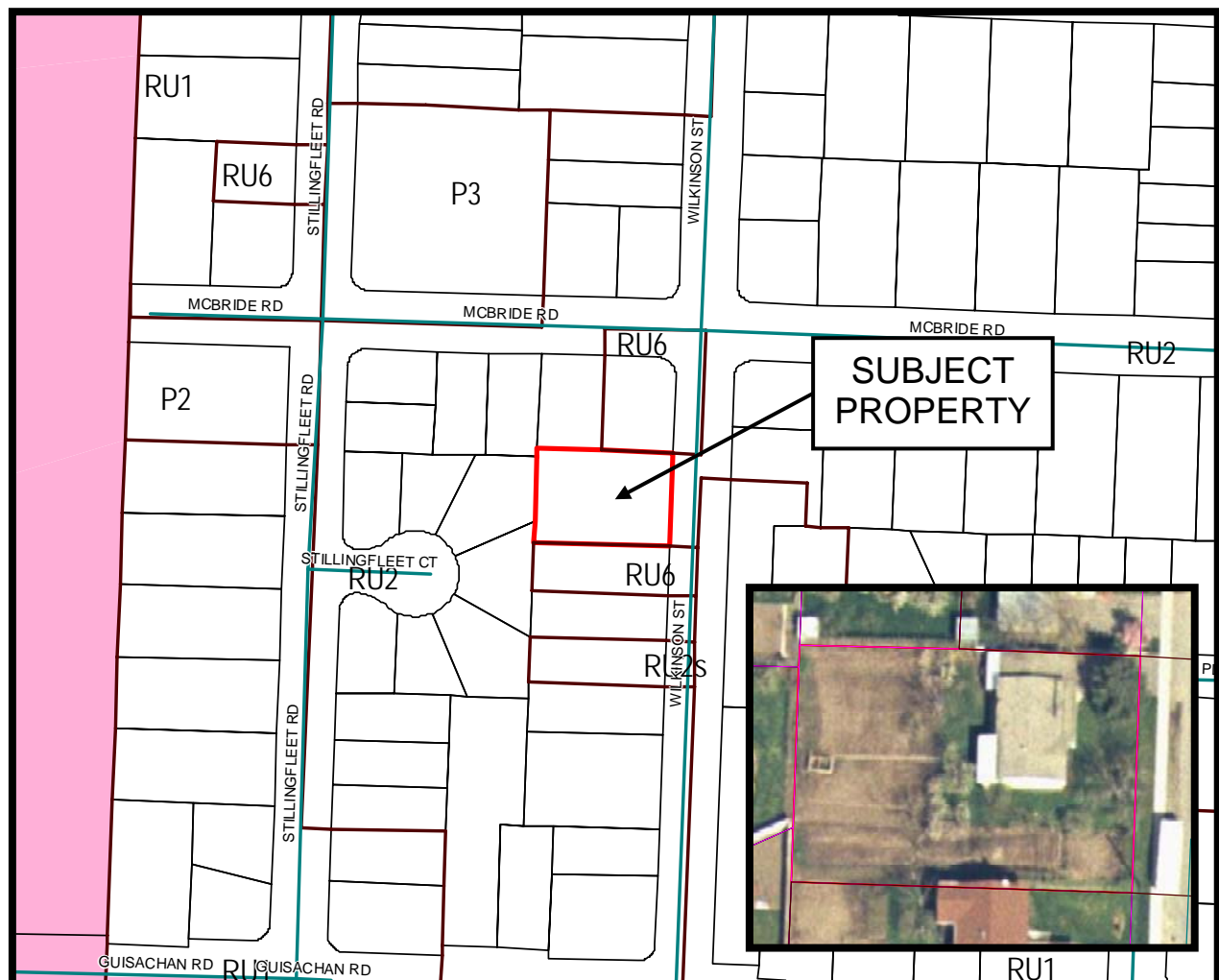
The subject property is located on the west side of Wilkinson Street, between Springfield Road and Guisachan Road within the Central City sector plan area of the City of Kelowna. The area surrounding the subject property contains a blend of RU1-Large Lot Housing, RU2-Medium Lot Housing, and RU6-Two Dwelling Housing zones.

Adjacent zones and uses are:

- North - RU2 – Medium Lot Housing / Existing Single Family Dwelling
RU6 – Two Dwelling Housing / Existing Two Family Dwelling
- East - RU1 – Large Lot Housing / Existing Single Family Dwelling
RU2 – Medium Lot Housing / Existing Single Family Dwelling
- South - RU6 – Two Dwelling Housing / Existing Two Family Dwelling
- West - RU2 – Medium Lot Housing / Existing Single Family Dwelling

4.3 Location Map

Subject Property: 2220 Wilkinson Street



4.4 Existing Development Potential

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

4.5 Current Development Policy

4.5.1 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.

4.5.2 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.

5.0 TECHNICAL COMMENTS

Work and Utilities - Development Variance Permit and Site Related Issues

The requested variance to reduce the required lot width from 13.00m to 12.75m and the variance to reduce the side yard setback from the required 1.50m to 0.90m, do not compromise Works and Utilities servicing requirements.

6.0 Inspection Services Comments

The percentage of the opening in relation to limiting distance from property line (0.9 m), and the type of construction on south elevation are the major concerns. There is no information on file to justify the BCBC complies in respect to Spatial Separation. Therefore, Inspection Services will not support the variance at this time.

7.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Corporate Services Department has concerns relating to the proposed development variance permit, as the proposed lot width is inconsistent with the character of the neighbourhood, and the proposed side yard setback variance presents problems in terms of fire separation and the B.C. Building Code. Screening and buffering between the existing home and any proposed dwelling would also be an issue. The applicant has had a chance to solicit support from the neighbourhood, and has successfully received support from most neighbours, except the property owner situated opposite the subject property. The property owner directly opposite the subject property has also submitted a letter outlining his objection to this proposed development variance permit. Staff note that the proposed retention of the existing dwelling is forcing the proposed variances. If the applicant wishes to pursue the subdivision, staff recommend that the existing dwelling be removed, relocated on site or otherwise modified to avoid the requested variance.

8.0 ALTERNATE RECOMMENDATION

THAT Council authorize the issuance of Development Variance Permit No.04-0160; on Wilkinson Street, Lot 4, Plan 20116, D.L. 136, ODYD;

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

Section 13.2.5 (a): Subdivision Regulations: RU2-Medium Lot Housing

- Vary the minimum lot width from 13m required to 12.75m proposed;

Section 13.2.6 (d): Development Regulations: RU2-Medium Lot Housing

- Vary the minimum required side yard setback from 1.5m to 0.9m proposed;

Andrew Bruce
Development Services Manager

RGS/MK/mk
Attach.

Approved for inclusion

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

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Proposed plan of subdivision
- Neighbourhood Correspondence
- State of Title