

Memo



Date: August 23, 2010

To: City Manager

From: Community Sustainability Division

File No: DVP10-0113 **Applicant:** Kevin Halchuk
Nancy Halchuk

At: 559 McClure Road **Owner:** Kevin Halchuk
Nancy Halchuk

Purpose: TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO VARY THE REAR YARD (WESTERN) SETBACK FROM 7.5M REQUIRED TO 4.5M PROPOSED TO FACILITATE A FUTURE TWO LOT SUBDIVISION.

Existing Zone: RU1 - Large Lot Housing

Report Prepared by: Greg Sauer

1.0 RECOMMENDATION:

THAT Council authorize the issuance of Development Variance Permit No. DVP10-0113 for Lot 2, District Lot 167, O.D.Y.D., Plan 18442, located at 559 McClure Road, Kelowna, BC;

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

Section 13.1.6(e) Rear Yard Setback- To vary the required rear yard (western) setback from 7.5 m required to 4.5 m proposed.

2.0 BACKGROUND/SITE CONTEXT:

The property is situated in the North Mission - Crawford sector of the City and is located near Bellevue Creek. The applicants are proposing a two lot subdivision to a comparatively large urban residential lot. The subject property is 1,420 m² and is located in a residential neighbourhood which is comprised of large lot residential housing with adjacent and nearby lots ranging between 640 m² and nearly 4,600m². Most lots are near 1,500 m² in area (see Site Location Map, page 2).

The reduced rear yard setback being proposed through this variance is necessary to meet the subdivision regulations which require a minimum lot area of 550 m² for the new lot being created. At present one single family dwelling exists on the subject property. The remainder lot with the existing home will be 861 m² should the variance and subdivision be approved. Procedurally, the variance will not take effect until such time as the subdivision has been registered.

If a two lot subdivision is approved on the subject property by way of this variance, the existing single family dwelling will meet the requirements of the RU1 Large Lot Housing zone with the following exception as follows:

Zoning Bylaw No. 8000		
CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Development Regulations		
Site Coverage (buildings)	18%	40%
Site Coverage (buildings/parking)	36%	50%
Height (existing house)	1 storey	2 ½ storeys / 9.5 m
Front Yard	45 m	4.5 m
Side Yard (n)	12.2 m	2.0 m (1- 1 ½ storey)
Side Yard (s)	3.3 m	2.0 m (1- 1 ½ storey)
Rear Yard	4.5 m *	7.5 m
*Indicates that a variance is required		

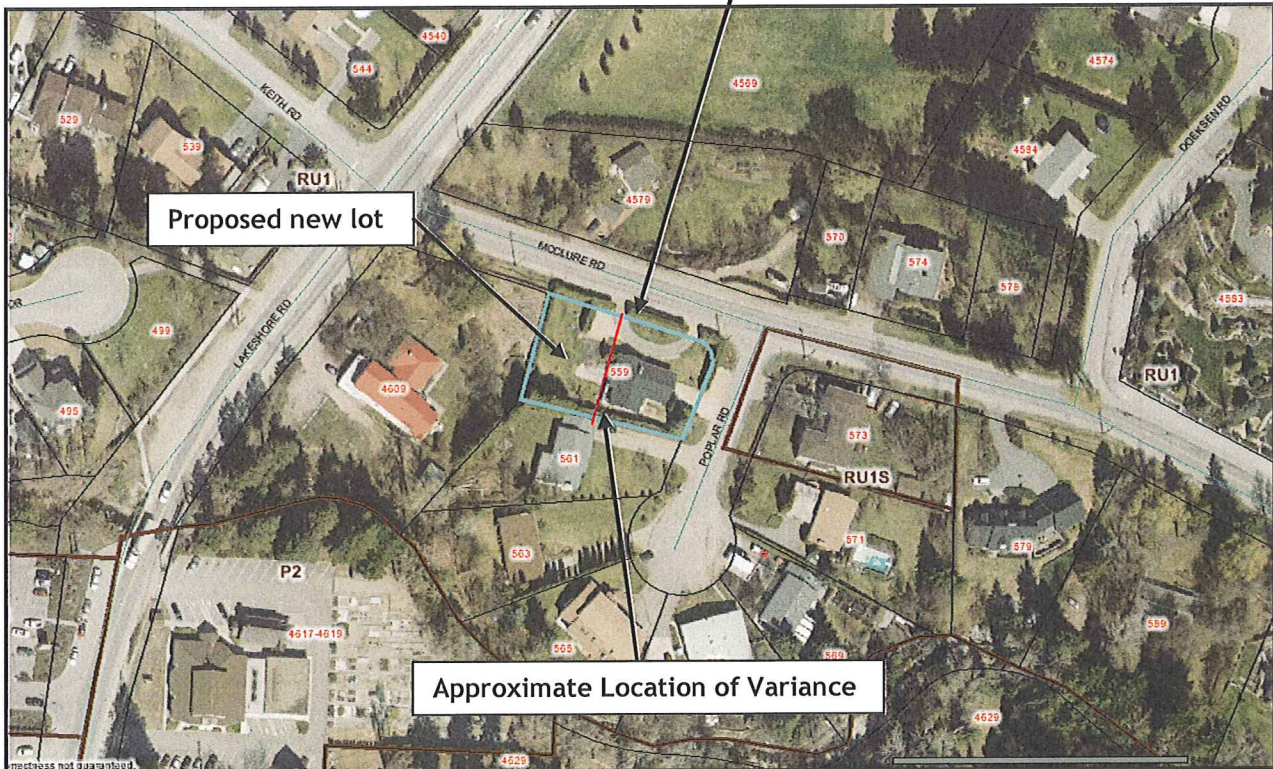
2.1 Zoning of Adjacent Property

The adjacent zones and uses are:

North	RU1 - Large Lot Housing	Residential
East	RU1s - Large Lot Housing with Secondary Suite	Residential
South	RU1 - Large Lot Housing	Residential
West	RU1 - Large Lot Housing	Residential

2.2 Site Location Map

Subject Property - 559 McClure Road



3.0 **TECHNICAL COMMENTS:**

3.1 Subdivision Approval

Future subdivision is contingent upon Council approval of the DVP.

3.2 Building & Permitting

No concerns.

3.3 Development Engineering

No concerns.

3.4 Fire Department

No concerns.

4.0 POLICY AND REGULATION

Kelowna 2020 - Official Community Plan

The subject property is designated as Single/Two Unit Residential for future land use.

Housing Policies:

Section 8.1.30 Infrastructure Availability. Give preference to supporting new housing in areas where required services already exist or can be provided most economically and efficiently.

Section 8.1.35 Land Utilization within Single Detached Areas. Work towards achieving more efficient use of land within developed single-detached neighbourhoods by encouraging rezoning, subdivision and building permit applications that would allow for smaller lot sizes, secondary suites, minor boarding facilities, minor group homes, duplexes etc. that are sensitively integrated into a neighbourhood.

Section 8.1.44 Integration. Encourage the sensitive integration of different housing forms in the various sectors of the City, in support of neighbourhood diversity and healthy communities.

5.0 LAND USE MANAGEMENT DEPARTMENT:

Land Use Management has no concerns with the reduced rear yard setback being proposed. The impacts arising from the variance as proposed are largely limited to the subject property and to the future lot that will be made possible by way of this variance.

Given that the subject property is a relatively large urban corner lot, the proposal for a rear yard variance for the existing home is deemed to only affect two adjacent properties. The owner/applicant has obtained written confirmation and approval from these two adjacent properties. As a result, Land Use Management recommends support for the proposed rear yard variance and indirectly the proposed two lot subdivision as sensitive integration and a more efficient use of land in an urbanized area with urban services.

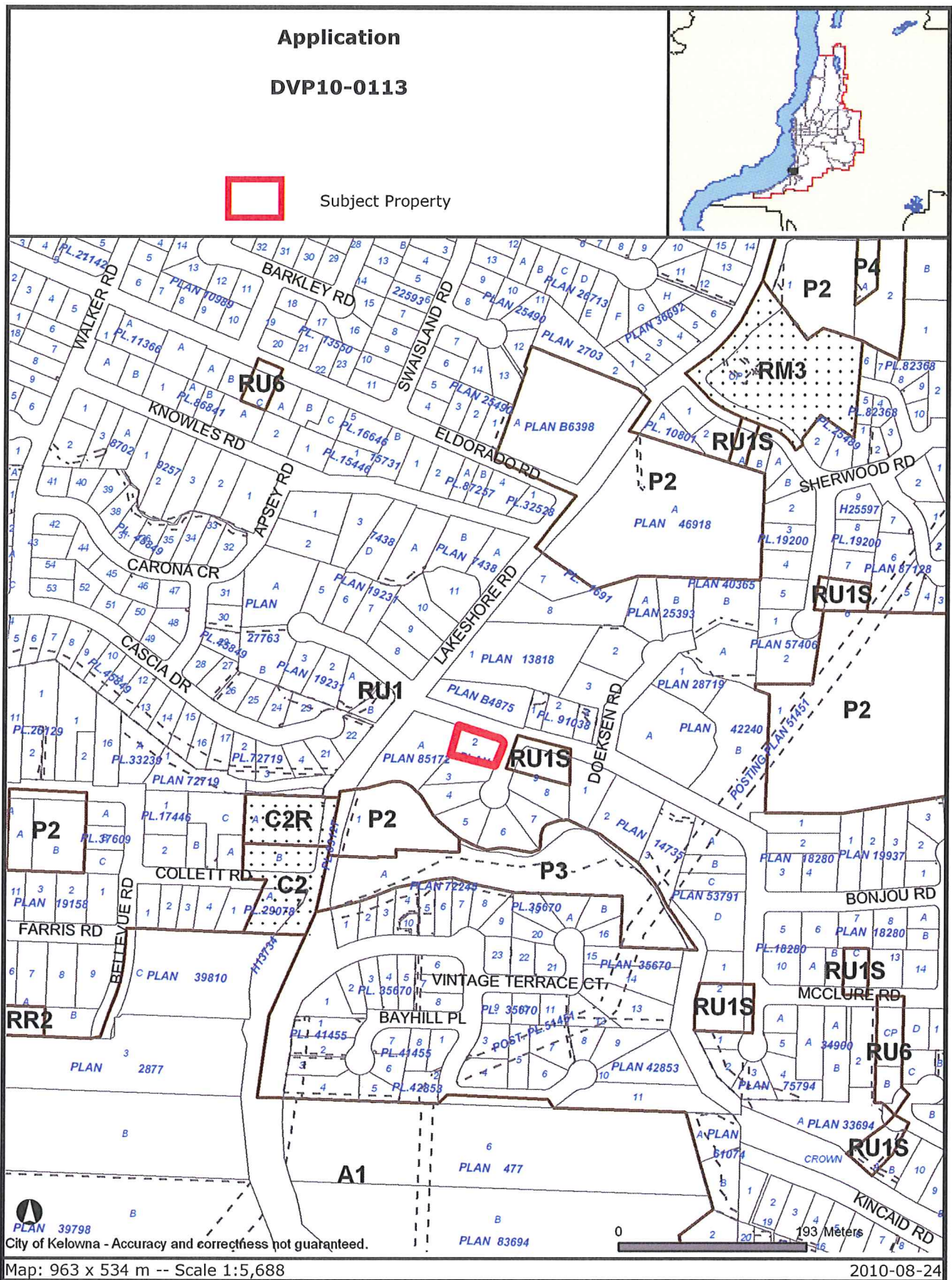
Danielle Noble
Manager, Urban Land Use

Approved for inclusion:

F/ Shelley Gambacort
Director, Land Use Management

Attachments:

- Location Map of Subject Property
- Proposed Plan of Subdivision/Images
- Date of Application Received: August 5, 2010



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.

Proposed Plan Of Subdivision Of Lot 2, D.L. 167, ODYD, P

Scale 1:300 Metric



KH DESIGNS INC.
 CUSTOM RESIDENTIAL DESIGN
 5025 Richards Road
 PEACHLAND B.C. V0H1X1
 250.644.039

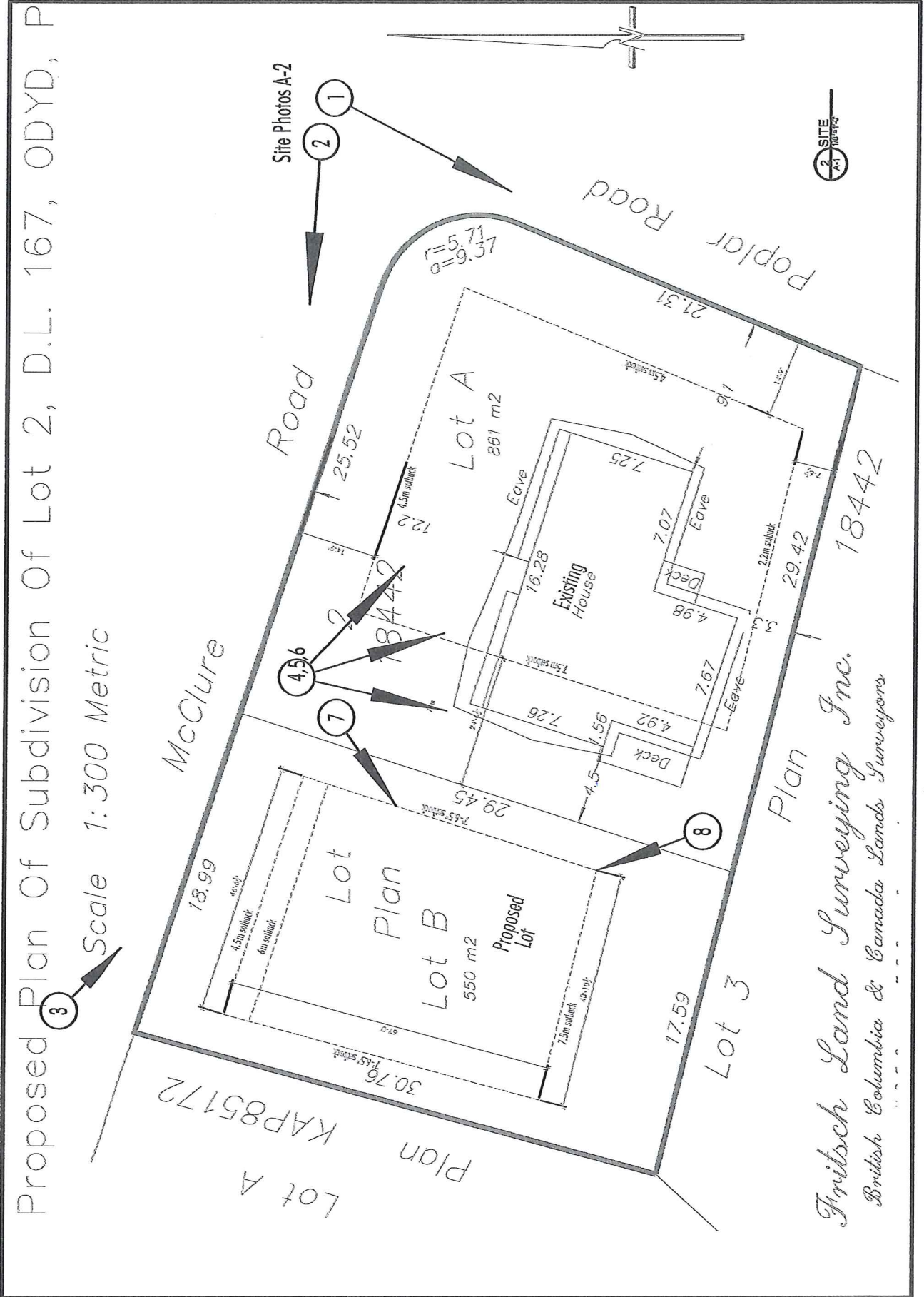
McClure Residence

Proposed Subdivision

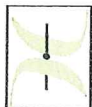
DRAWN BY: KH
 PROJECT FILE: 002-09
 ISSUE DATE: 07/30/10
 Drawing Issued

Proposed Plan

A-1



Fritsch Land Surveying Inc.
 British Columbia & Canada Lands Surveyors



KH SIGNS
 CUSTOM
 RESIDENTIAL
 DESIGN
 4024 Buchanan Road
 PLYMOUTH, WA 98154
 206-844-4059

SSP
 McClure
 Residence

**Proposed
 Subdivision**

DRAWN BY: KJM
 PROJECT: 042-09
 FILE:
 ISSUE DATE: 07/20/10
 Drawing issued

**Site
 Photos**

A-2



Photo #1

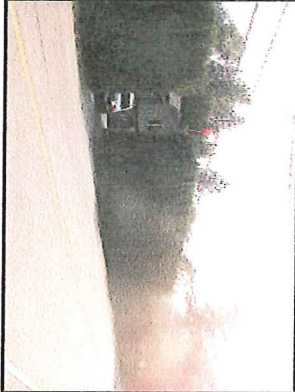


Photo #2



Photo #3

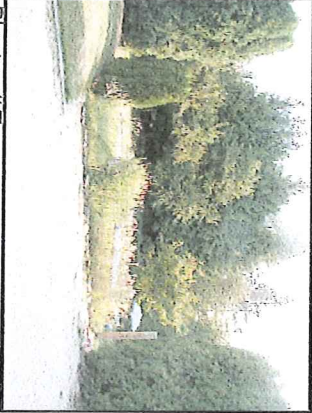


Photo #7



Photos 4, 5, 6

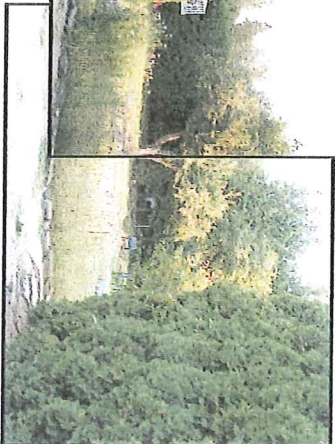


Photo #8