

REPORT TO COUNCIL



Date: January 12, 2021

To: Council

From: City Manager

Department: Development Planning

Application: DVP19-0243

Owner: Corey Knorr Construction Ltd.,
Inc. No. BC0380398

Address: 595 Mugford Road

Applicant: Ryan Knorr

Subject: Development Variance Permit Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU2 – Medium Lot Housing

1.0 Recommendation

THAT final adoption of Rezoning Bylaw No. 12088 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP19-0243 for Lot 1 Section 26 Township 26 ODYD Plan 17560, located at 595 Mugford Road, Kelowna, BC;

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

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

To vary the minimum lot width from 13.0 m required to 12.85 m proposed for Lot A

AND FURTHER THAT this Development Variance Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

2.0 Purpose

To vary lot width from 13.0 m required to 12.85 m for proposed Lot A to facilitate a 2-lot infill subdivision.

3.0 Development Planning

Development Planning Staff are recommending support for the proposed variance to reduce the minimum lot width from 13.0 m required to 12.85 m for one of the two lots proposed to facilitate a 2-lot subdivision.

Staff are recommending the application be supported as it is consistent with Official Community Plan (OCP) policies related to infill development.

The proposal is consistent with the OCP policy related to compact urban form as the proposal would result in an increase in density and allow for infill development in an existing neighborhood close to amenities. The subject property is located just east of the Rutland Urban Centre and is near several schools including; South Rutland Elementary, Rutland Elementary, Rutland Middle and Rutland Senior Secondary. The site is also in close proximity to transit bus routes located along Merrifield Rd with an existing bus stop situated adjacent to the property on the east side of Merrifield Rd.

The subject property currently contains a single family dwelling, which if removed, could facilitate two conforming RU2 lots, however, the applicant is proposing to keep the existing house and vary one of the proposed lots by 0.15m which is considered a minor variance to lot width. Both proposed lots would exceed the minimum lot depth and lot area required for a typical RU2 lot which will lessen the impact of the proposed variance for Lot A. Should Council support the variance, it would allow the property to be subdivided while maintaining the existing home on-site and creating a new infill lot fronting onto Mugford Rd.

4.0 Proposal

4.1 Background

The variance application is related to a proposed rezoning application to rezone the subject site from RU1 to RU2. In August of 2020 Council gave the rezoning bylaw (BL12088) 1st, 2nd, and 3rd readings and passed a resolution that final adoption of the rezoning bylaw be considered in conjunction with Council's consideration of a Development Variance Permit for the subject site.

4.2 Project Description

The applicant intends to rezone and subdivide the property and construct a new single-family dwelling on the western most lot (Lot A). A subdivision plan has been provided showing the location of the existing home and garage on-site and what the lot configuration would look like should Rezoning, DVP and Subdivision applications be supported.

4.3 Site Context

The subject property is located in the Rutland City Sector at the intersection of Mugford Road and Merrifield Road, just west of Mugford Park. The surrounding neighbourhood is largely comprised of single-family properties predominantly zoned RU1 – Large Lot Housing with some RU2 – Medium Lot Housing and RU6 – Two Dwelling Housing zoned sites. Other surrounding zones include P3 – Parks and Open Space, A1 – Agriculture 1 and RU4 – Low Density Cluster Housing. Surrounding Future Land Use designations include predominantly S2RES – Single / Two Unit Residential with some MRL – Multiple Unit Residential (Low Density), PARK – Major Park / Open Space (Public), REP – Resource Protection Area and EDINST – Educational / Major Institutional. The subject property has a walk score of 31 meaning most errands require a vehicle.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Dwelling Housing
East	RU1 – Large Lot Housing	Single Dwelling Housing
South	RU2 – Medium Lot Housing	Single Dwelling Housing
West	RU1 – Large Lot Housing	Single Dwelling Housing

Subject Property Map: 595 Mugford Road



4.4 Subdivision Regulations Table

Subdivision Regulations			
CRITERIA	RU2 ZONE REQUIREMENTS	Proposed Lot A	Proposed Lot B
Min. Lot Area	400 m ²	449.9 m ²	629.4 m ²
Min. Lot Width	13.0 m	12.85 m ●	17.23 m
Min. Lot Depth	30.0 m	36.56 m	36.56 m
● Indicates a requested variance to Section 13.2.5(a) of Zoning Bylaw No. 8000			

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Objective 5.3 Focus development to designated growth areas

Policy.2 Compact Urban Form. Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 – 100 people and/or jobs per ha located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Chapter 5: Development Process

Objective 5.22 Ensure context sensitive housing development.

Policy .6 Sensitive Infill. Encourage new development or re-development in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

6.o Application Chronology

Date of Application Received: December 19, 2019

Date Public Consultation Completed: September 14, 2020

Report prepared by: Andrew Ferguson, Planner II

Reviewed by: Jocelyn Black, Urban Planning Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Draft Development Variance Permit DVP19-0243

Schedule A: Subdivision Plan