



City of Kelowna
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Council Policy

Panhandle Lot Policy

APPROVED March 18, 1991

RESOLUTION: R375/10/04/26
 REPLACING: R728/99/08/23; S351/1991/03/18
 DATE OF LAST REVIEW: April 2010

A. URBAN LOTS

General

The Approving Officer exercises independent judgment when evaluating panhandle lot proposals, giving consideration to the following factors:

1. If there are any other means of conventional subdivision of the subject property, either independently or together with abutting properties.
2. Whether topographic constraints warrant consideration of the panhandle geometry.
3. The impact of such a subdivision upon the established amenities of adjoining parcels taking into consideration the views, privacy and quiet enjoyment of property.

Residential Subdivisions

Panhandle lots may be considered by the Approving Officer under the following conditions:

1. Where topographical or other severe physical constraints prevent conventional subdivision and the panhandle lot appears the best solution to possible further subdivision of lands in order to provide physical access.
2. If the subject lands are part of a future land assembly, consequently the panhandle arrangement is a temporary one in which the panhandle will disappear and ultimate access will be provided by conventional means.
3. Any new dwelling to be constructed should face a natural amenity feature, body of water or public open space.
4. If a proposed lot, in the opinion of the Approving Officer, will not have an adverse affect upon the use, privacy and quiet enjoyment of surrounding property owners. In making this assessment, the Approving Officer shall take into consideration written views of adjacent property owners. If he agrees that the owners will be injuriously affected, such subdivision will not be approved.

The minimum width of the panhandle portion shall not be less than 6 metres.

Other Factors for Consideration

1. Panhandle lots that meet the above criteria will be considered more appropriate in rural areas due to the greater separation between dwellings and the potential for further subdivision given larger parcel sizes. In urban residential neighbourhoods, panhandle lots are less favoured unless there is a clearly evident reason for this configuration.
2. The area and width of the parcel must be in accordance with the applicable zoning and subdivision by-laws. The panhandle portion of the lot is not to be included as part of the required minimum lot area.
3. The length of the panhandle is not excessive with respect to the provision of the services or ability to access the building site with emergency vehicles.
4. The location of the panhandle will provide for safe ingress and egress from all public roadways.
5. Where there is no other subdivision possibility in an established area.
6. Where there is no possibility of a road being created to eliminate the need for a panhandle subdivision.
7. Whether the panhandle geometry is required for physical access as opposed to legal access.

A subdivision application to create a panhandle lot must be accompanied by plans indicating the existing lot geometry and the siting and general orientation of all adjoining parcels, including the homes located on such parcels and the location of principle windows and access points to these surrounding dwellings and their driveway locations.

In addition, a statement of intent explaining the circumstances that warrant consideration of a panhandle lot must be submitted to enable a full review of the application.

Commercial and Industrial Subdivisions

Creation of panhandle lots may be considered in the following circumstances:

1. If it is a temporary arrangement as part of an overall land assembly such that the panhandle will, in the foreseeable future, be removed and conventional access will be provided in the ultimate layout.
2. As part of a comprehensive development of commercial and industrial buildings, the request is to legally separate land and existing buildings, provided that access is secured by rights-of-way, if necessary. In addition, the following items will be considered:
 - (a) Physical access must be taken from the panhandle.
 - (b) Widths of the panhandle should be not less than 9 metres and not less than 20 metres if the panhandle parcel is capable of further subdivision.

Given the larger parcel sizes prevailing in the rural area, the greater separation between dwellings and the occasional need for interim, transitional type subdivisions, panhandle lot subdivision proposals will be more favourably considered in rural areas of the city. While these types of proposed subdivisions should be generally consistent with the other criteria outlined in this policy, greater flexibility will be applied when reviewing panhandle lot applications for parcels located in the rural area. In addition to the other criteria contained in this policy, rural area panhandle lot applications will be evaluated on the basis of the following factors:

- (a) As well as taking into account topography, dwelling and accessory building locations, the quiet enjoyment and dwelling privacy concerns, the proposed panhandle lot configuration should allow for a dwelling unit orientation that would logically fit within a potential overall lot and dwelling layout, should further subdivision occur in the immediate area.
- (b) In addition to site specific conditions, the width, location and alignment of the panhandle portion of the lot will be evaluated based on the anticipated future road pattern for the area.
- (c) Panhandle lots created under the Homesite Severance Policy of the British Columbia Agricultural Land Commission will be more favourably considered, but will be encouraged to comply with the guidelines of this policy.

REASON FOR POLICY

To outline the guidelines used by the Approving Officer when dealing with requests for establishment of panhandle lots in the City of Kelowna.

LEGISLATIVE AUTHORITY

Council Resolution.

PROCEDURE FOR IMPLEMENTATION

Applications are processed by the Subdivision Approving Officer.