

# REPORT TO COUNCIL



**Date:** April 12, 2022

**To:** Council

**From:** City Manager

**Department:** Development Planning

**Application:** DVP21-0103

**Owner:** Rolan L Facette and Karen M Facette

**Address:** 3090 Holland Road

**Applicant:** Urban Options Planning Corp.

**Subject:** Development Variance Permit

**Existing OCP Designation:** C-NHD – Core Neighbourhood

**Existing Zone:** RU1 – Large Lot Housing

**Proposed Zone:** RU6 – Two Dwelling Housing

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## 1.0 Recommendation

THAT final adoption of BL12296 be considered by Council;

AND THAT Council authorizes the issuance of Development Variance Permit No. DVP21-0103 for Lot 3 District Lot 131 ODYD Plan 10710 Except Plan H16127, located at 3090 Holland Road, Kelowna, BC;

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

**Section 13.1.6(d): RU6 – Two Dwelling Housing Development Regulations:**

To vary the required minimum rear yard from 7.5 m permitted to 4.8 m proposed.

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 issue a Development Variance Permit to vary the rear yard setback from 7.5 m to 4.8 m to facilitate a proposed two-lot subdivision.

## 3.0 Development Planning

Staff recommends support for the Development Variance Permit. The proposal is to vary the rear yard of an existing house on a lot subject to rezoning and subdivision. The front of subject lot is currently on KLO Road. The proposed subdivision would change the orientation of both resulting lots to front onto Holland Road, changing the side yard of the existing house on the proposed southern lot to a rear yard. A rear yard variance from 7.5m to 4.8m is being requested to bring the existing house into conformity with the zoning bylaw.

#### **4.0 Proposal**

##### **4.1 Background**

The rezoning file was given initial consideration on November 1<sup>st</sup>, 2021 and received second and third on November 22<sup>nd</sup> 2021.

##### **4.2 Project Description**

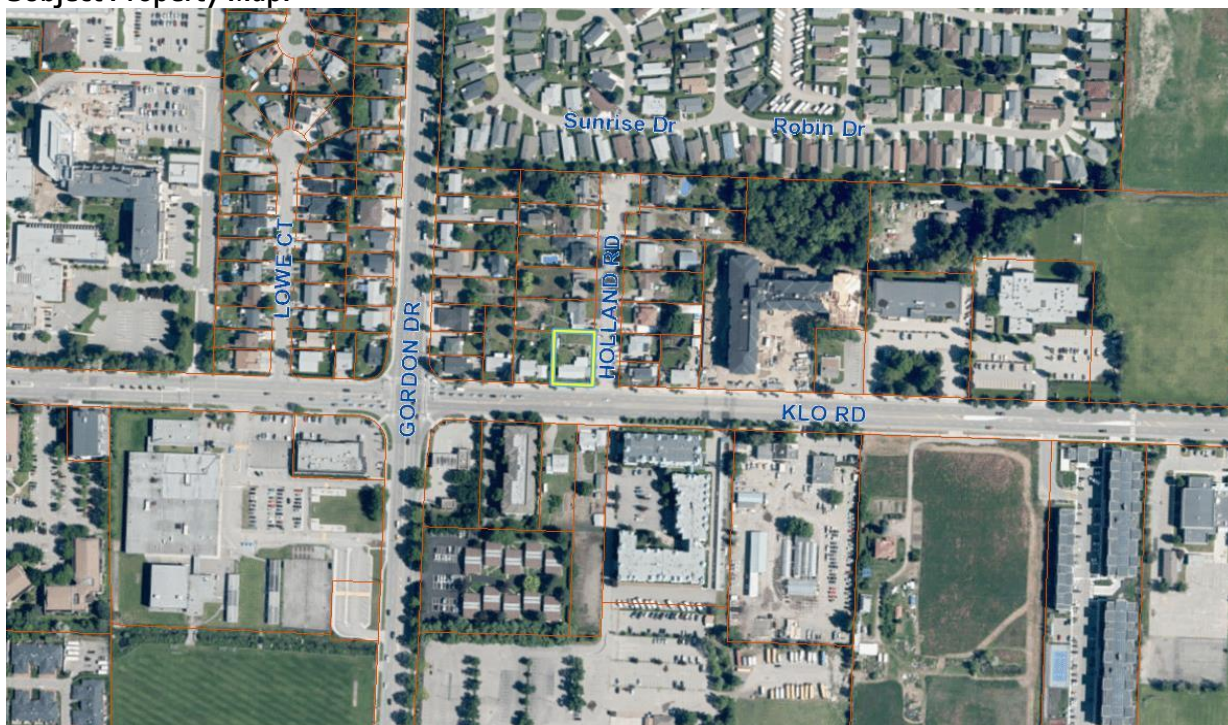
The proposal to rezone the property from from the RU1 – Large Lot Housing to the RU6 – Two Dwelling Housing zone received second and third reading on November 22<sup>nd</sup>, 2021. The property is located at the intersection of Holland Road and KLO Road, this site has a C-NHD – Core Neighbourhood future land use designation and is within the Permanent Growth Boundary (PGB). The proposed Development Variance Permit would finalize the subdivision and the final adopt the RU6 – Two Dwelling Housing zone.

##### **4.3 Site Context**

The surrounding area is primarily a mix of RU1 – Large Lot Housing, RM1 – Four Dwelling Housing RM4– Medium Lot Housing and A1 – Agriculture 1.

Specifically, adjacent land uses are as follows:

<b>Orientation</b>	<b>Zoning</b>	<b>Land Use</b>
North	RU1- Large Lot Housing	Single Family Dwelling
East	RU1- Large Lot Housing	Single Family Dwelling
South	A1 – Agriculture 1	Agriculture
West	RU1- Large Lot Housing	Single Family Dwelling

**Subject Property Map:****4.4 Zoning Analysis Table**

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	440m <sup>2</sup>	550m <sup>2</sup>
Min. Lot Width	18m	18.08m
Min. Lot Depth	30m	30.59m
Development Regulations		
Min. Front Yard	6.0 m	6.74m
Min. Side Yard (south)	4.5m	5.92m
Min. Side Yard (north)	2.0m	3.52m
Min. Rear Yard	7.5m	4.83m

**5.0 Current Development Policies****5.1 Kelowna Official Community Plan (OCP)****Kelowna 2040 – Official Community Plan Policy Template****Objective 5.3 Design residential infill to be sensitive to neighbourhood context**

Policy 5.3.1. Ground Oriented Infill	Encourage gentle densification in the form of ground-oriented residential uses such as house-plexes, townhouses and narrow lot housing to approximately 2 storeys, maintaining residential uses and setbacks that reflect the existing development pattern. Consider opportunities for greater height and massing at block ends and along Active Transportation Corridors as outlined in Figure 5.3. <i>The proposal would divide two larger lots into smaller lots, while rezoning to higher density zones to allow for ground oriented infill.</i>
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## **6.o Application Chronology**

Date of Application Accepted: April 6, 2021

Date Public Consultation Completed: May 3, 2021

**Report prepared by:** Graham Allison, Planner I

**Reviewed by:** Jocelyn Black, Urban Planning Manager

**Reviewed by:** Terry Barton, Development Planning Department Manager

**Approved for Inclusion:** Ryan Smith, Divisional Director, Planning & Development Services

### **Attachments:**

Schedule A: Survey Plan

Attachment A: Draft Development Variance Permit

Attachment B: Development Engineering Memo

Attachment C: Applicant's Rationale