

Development Variance Permit

DVP21-0103



This permit relates to land in the City of Kelowna municipally known as

3090 Holland Road

and legally known as

Lot 3 District Lot 131 ODYD Plan 10710 Except Plan H16127

and permits the land to be used for the following development:

Single Dwelling House (RU1– Large Lot Housing)

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Council Decision April 12, 2022

Decision By: COUNCIL

Existing Zone: RU1– Large Lot Housing

Future Land Use Designation: S-RES – Suburban Residential

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: Rolan L Facette and Karen M Facette

Applicant: Urban Options Planning Corp.

Terry Barton
Development Planning Department Manager
Planning & Development Services

Date

ATTACHMENT A

This forms part of application
DVP21-0103

Planner Initials GA

City of Kelowna
DEVELOPMENT PLANNING



1. SCOPE OF APPROVAL

This Development Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this permit, noted in the Terms and Conditions below.

The issuance of a permit limits the permit holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific variances have been authorized by the Development Permit. No implied variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

2. CONDITIONS OF APPROVAL

That variances to the following section of the Zoning Bylaw No. 8000 be granted in accordance with Schedule "A":

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.

This Development Permit is valid for two (2) years from the date of approval, with no opportunity to extend.

3. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

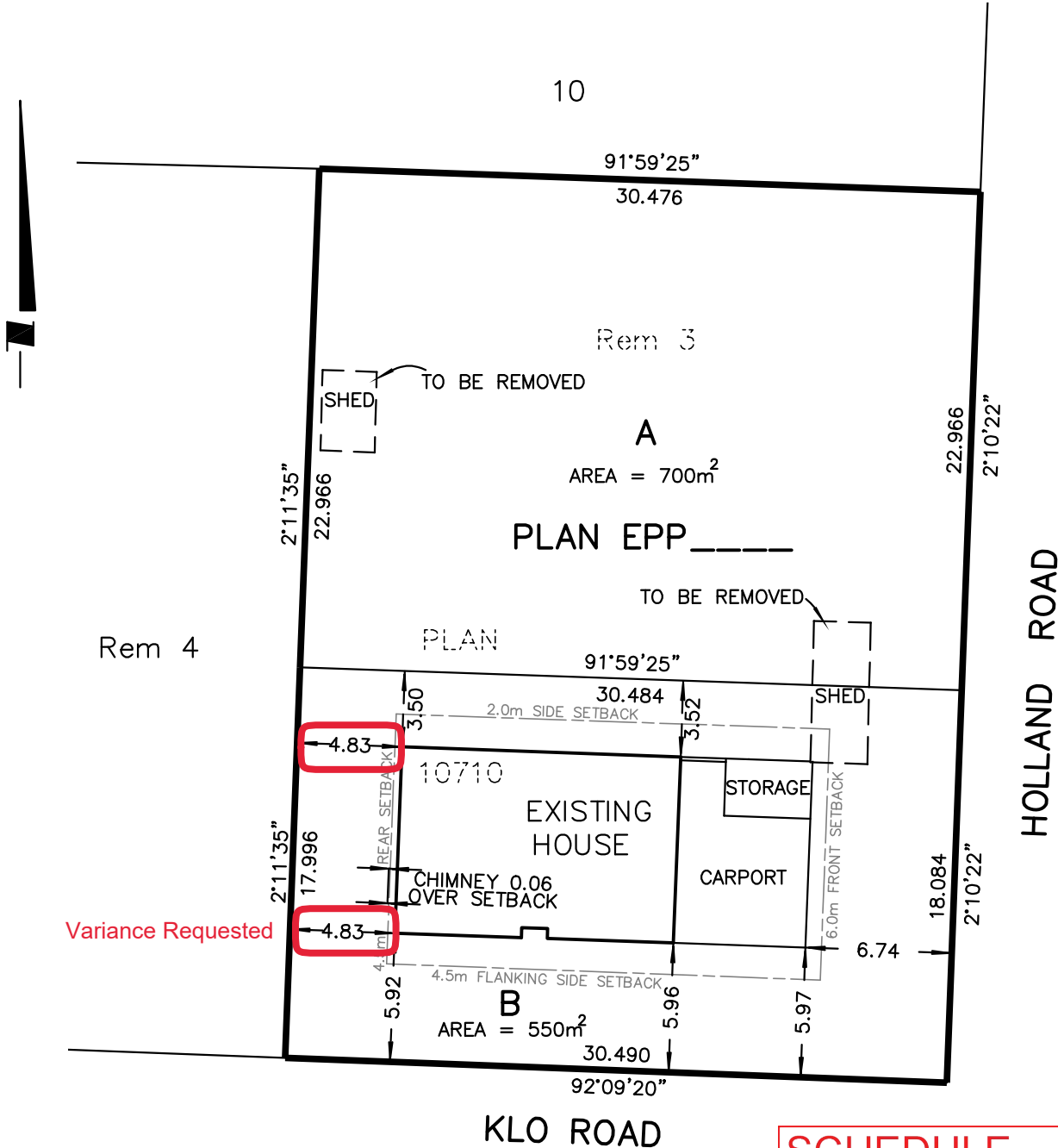
All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or their designates.**

PROPOSED SUBDIVISION PLAN OF LOT 3 DISTRICT LOT 131 ODYD PLAN 10710 EXCEPT PLAN H16127

PID: 009-538-151

3090 HOLLAND ROAD,
KELOWNA



Variance Requested

SCHEDULE A

This forms part of application
DVP21-0103

Planner Initials **GA**

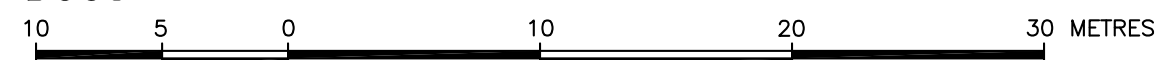
City of Kelowna
DEVELOPMENT PLANNING

CLIENT: ROLAN FACETTE		DATE: OCTOBER 1, 2020	
SCALE: 1:300 METRES	FILE: 22185-rev1	DRAWN BY: FL	
Ferguson Land Surveying & Geomatics Ltd.			
BC AND CANADA LAND SURVEYORS 404-1630 PANDOSY STREET, KELOWNA, BC			
PHONE: (250) 763-3115		FAX: (250) 763-0321	
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SUBDIVISION PLAN OF LOT 3 DISTRICT LOT 131
 ODYD PLAN 10710 EXCEPT PLAN H16127

PLAN EPP106713

BCGS 82E.083



THE INTENDED PLOT SIZE OF THIS PLAN IS 560mm IN WIDTH BY 432mm IN HEIGHT (C SIZE) WHEN PLOTTED AT A SCALE OF 1:300

TABLE OF GEODETIC CONTROL MONUMENTS

NAD83(CSRs) 4.0.0.BC.1 UTM ZONE 11 COORDINATES			
GCM	NORTHING	EASTING	ESTIMATED ABSOLUTE ACCURACY
79H9942	5526628.617	321590.901	0.02
95H1907	5526528.441	322200.202	0.02

LEGEND

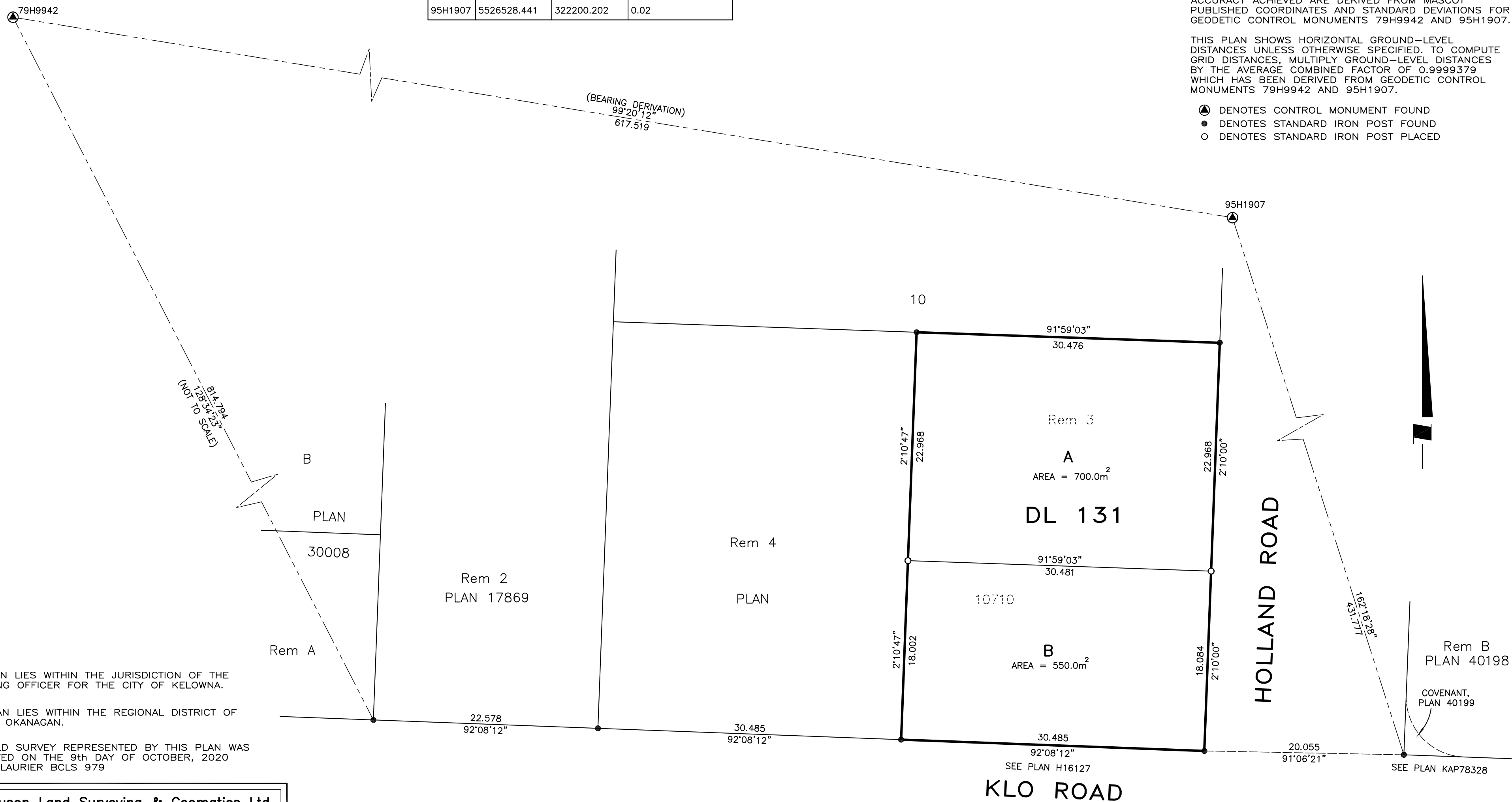
INTEGRATED SURVEY AREA NO. 4, CITY OF KELOWNA, NAD83 (CSRS) 4.0.0.BC.1

GRID BEARINGS ARE DERIVED FROM OBSERVATIONS BETWEEN GEODETIC CONTROL MONUMENTS 79H9942 AND 95H1907 AND ARE REFERRED TO THE CENTRAL MERIDIAN OF UTM ZONE 11.

THE UTM COORDINATES AND ESTIMATED ABSOLUTE ACCURACY ACHIEVED ARE DERIVED FROM MASCOT PUBLISHED COORDINATES AND STANDARD DEVIATIONS FOR GEODETIC CONTROL MONUMENTS 79H9942 AND 95H1907.

THIS PLAN SHOWS HORIZONTAL GROUND-LEVEL DISTANCES UNLESS OTHERWISE SPECIFIED. TO COMPUTE GRID DISTANCES, MULTIPLY GROUND-LEVEL DISTANCES BY THE AVERAGE COMBINED FACTOR OF 0.9999379 WHICH HAS BEEN DERIVED FROM GEODETIC CONTROL MONUMENTS 79H9942 AND 95H1907.

- DENOTES CONTROL MONUMENT FOUND
- DENOTES STANDARD IRON POST FOUND
- DENOTES STANDARD IRON POST PLACED



THIS PLAN LIES WITHIN THE JURISDICTION OF THE APPROVING OFFICER FOR THE CITY OF KELOWNA.

THIS PLAN LIES WITHIN THE REGIONAL DISTRICT OF CENTRAL OKANAGAN.

THE FIELD SURVEY REPRESENTED BY THIS PLAN WAS COMPLETED ON THE 9th DAY OF OCTOBER, 2020 RYAN DELAURIER BCLS 979

Ferguson Land Surveying & Geomatics Ltd.
 B.C. AND CANADA LAND SURVEYORS
 404-1630 PANDOSY STREET, KELOWNA, B.C.
 TELEPHONE (250) 763-3115 FAX (250) 763-0321

JOB No: 22185-SUB

S:\Shared (Aug 10, 2006)\Job_Files\221XX\22185\CAD DRAWINGS\22185-SUB.DWG
 DRFTD BY: RD FIELD CREW: JF/RQ

CITY OF KELOWNA
MEMORANDUM

Date: March 14, 2021
File No.: Z21-0044
To: Urban Planning (BW)
From: Development Engineering Manager (JK)
Subject: 3090 Holland Rd. RU1 to RU6

The Development Engineering Department has the following comments and requirements associated to rezone the subject property from RU1 - Large Lot Housing to RU6 - Two Dwelling Housing. The Development Engineering Technologist for this project is Aaron Sangster.

1. All comments have been addressed in S20-0028.

James Kay

James Kay, P. Eng.
Development Engineering Manager

AS

ATTACHMENT	B
This forms part of application # DVP21-0103	
Planner Initials	GA
 City of Kelowna DEVELOPMENT PLANNING	



April 6, 2021

City of Kelowna
Urban Planning Department
1435 Water Street
Kelowna, BC



Application to Rezone the Property from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing with an Additional Variance at 3090 Holland Road

Dear Planning Staff,

The purpose of this application is to rezone the subject property from RU1 – Large Lot Housing to RU6 – Two Dwelling Housing with an additional Variance to the rear yard setback of the existing dwelling. In addition, there is a Subdivision PLR application currently in stream on the subject property for a 2-lot split (S20-0028). The intended result is to have two properties under the RU6 zone. Context photos are provided to show the current configuration of the property.

Rezoning

In the immediate neighbourhood, there are multiple properties which are zoned RU6, including the end of Holland Road and the entire block of Lowe Court and Bouvette Street. The subject property is located within the Permanent Growth Boundary on the KLO Transportation Corridor, which is defined as a “4 Lane Arterial” with a bicycle network and BC Transit bus route. In addition to transportation amenities, we believe the application is beneficial to the community for multiple reasons. Firstly, the application will allow for much needed infill upgrades on a street which has seen limited redevelopment since it was originally constructed. Once the associated subdivision is complete, the northern property will support two dwellings under the RU6 zone due to the lot width and area. On the property to the south, the existing dwelling will remain in place due to recent upgrades by the landowner, therefore it will remain as single-dwelling housing. With regards to amenities, the property is situated near Okanagan College, Kelowna Secondary School, KLO Middle School, Pandosy Urban Center, Munson Pond Park, etc. This property is an ideal location for students or growing families.

Development Variance

A Development Variance Permit application is necessary to address the rear yard of the existing dwelling. Once the property is subdivided, the rear yard (currently a side yard) will become non-conforming. A Variance is sought to legalize the rear yard at 4.82m. Since the southern property will remain as single-dwelling housing with no new construction, it is anticipated that the neighbourhood will not be affected by the Variance.

We believe this project creates positive infill in a growing area of Kelowna. For any questions regarding the application, please contact Urban Options Planning Corp. at 250.575.6707.

Regards,

Birte Decloux, RPP MCIP
Urban Options Planning Corp.