

# Development Variance Permit

## DVP21-0202



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

**442 Eldorado Rd**

and legally known as

**Lot 6 District Lot 167 ODYD Plan 10989**

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

### **RU<sub>2</sub> – Medium 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 August 23<sup>rd</sup>, 2022

Decision By: COUNCIL

Existing Zone: RU<sub>2</sub> – Medium 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: Paul & Meghan Neufeld and Pillar West Developments Inc., Inc.No. BC1066488

Applicant: Urban Options Planning Corp.

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Terry Barton  
Development Planning Department Manager  
Planning & Development Services

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Date

**ATTACHMENT**     A    

This forms part of application  
# DVP21-0202

Planner  
Initials

TC



## 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":

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

To vary the the required lot width from 15.0m required to 14.56m 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.**

<b>ATTACHMENT</b> _____ <b>A</b>	
This forms part of application # <b>DVP21-0202</b>	
Planner Initials	<b>TC</b>
 <b>City of Kelowna</b> DEVELOPMENT PLANNING	



**ATTACHMENT** **B**

This forms part of application  
# **DVP21-0202**

Planner Initials TC

City of **Kelowna**  
DEVELOPMENT PLANNING 

REVISED October 27, 2021

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

Rezoning, DVP, and PLR Application at 442 Eldorado Road

Dear Planning Staff,

The purpose of this application is to rezone the subject property from RU1 – Large Lot Housing to RU2 – Medium Lot Housing and secure a Variance Permit. This process will facilitate a two-lot Subdivision which is being applied for concurrently. The intent is to create two medium sized lots which will blend seamlessly into the existing community. The existing dwelling located on this property will be removed as part of the development process. The immediate area of the subject property is designated in the OCP as Single/Two Unit Residential (S2RES), a designation that supports the RU2 – Medium Lot Housing zone.

**Rezoning**

The immediate neighbourhood includes a range of housing densities, ranging from “RU1 – Large Lot Housing” up to “RU6 – Two Dwelling Housing.” The neighbourhood consists of several older dwellings located on large lots. However, there have been several subdivisions since the mid-2000’s that have created smaller lots in the neighbourhood. The area is well served with several schools, parks, and the Okanagan Mission Community Hall. In addition, the subject property is located within 0.5km from Sarsons’ Beach Park and the Eldorado Road Beach Access. Shopping is an easy walk away to the local commercial hub.

**Development Variance Permit**

One Development Variance is being requested as part of this application:

- To reduce the required lot width from 15.0m on a corner lot to 14.566m for Proposed Lot B.

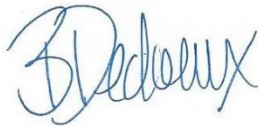
We believe the proposed Variance to reduce the lot width is reasonable because the proposed width at the front yard setback is only 0.434m less than the bylaw requirement of 15.0m. The lot width at the rear yard is 14.849m, which is only 0.151m less than 15.0m. In addition, the resulting properties exceed the minimum parcel size of 400m<sup>2</sup> under the RU2 – Medium Lot Housing zone.

## Subdivision

The proposed subdivision conforms to the OCP Future Land Use designation of S2Res – Single / Two Unit Residential. In the immediate neighbourhood, there are 8 properties zoned RU2, many of which have been recently subdivided. The proposed subdivision will allow for upgrades to a property which has seen limited redevelopment since its original construction in 1967. With regards to road dedication, 7.7m<sup>2</sup> will be dedicated at the corner of Walker and Eldorado to allow for the road to be upgraded to an urban standard.

For any questions, please contact Birte at 250.575.6707 or email [birte@urbanoptions.ca](mailto:birte@urbanoptions.ca).

Regards,



Birte Decloux, RPP MCIP  
Urban Options Planning Corp.

<b>ATTACHMENT</b>	<b>B</b>
This forms part of application # DVP21-0202	
Planner Initials	TC
 City of <b>Kelowna</b> DEVELOPMENT PLANNING	

# PLAN OF PROPOSED SUBDIVISION OF LOT 6 DISTRICT LOT 167 ODYD PLAN 10989

PID: 009-510-974

CIVIC ADDRESS: 442 ELDORADO ROAD, KELOWNA

BCGS 82E.083

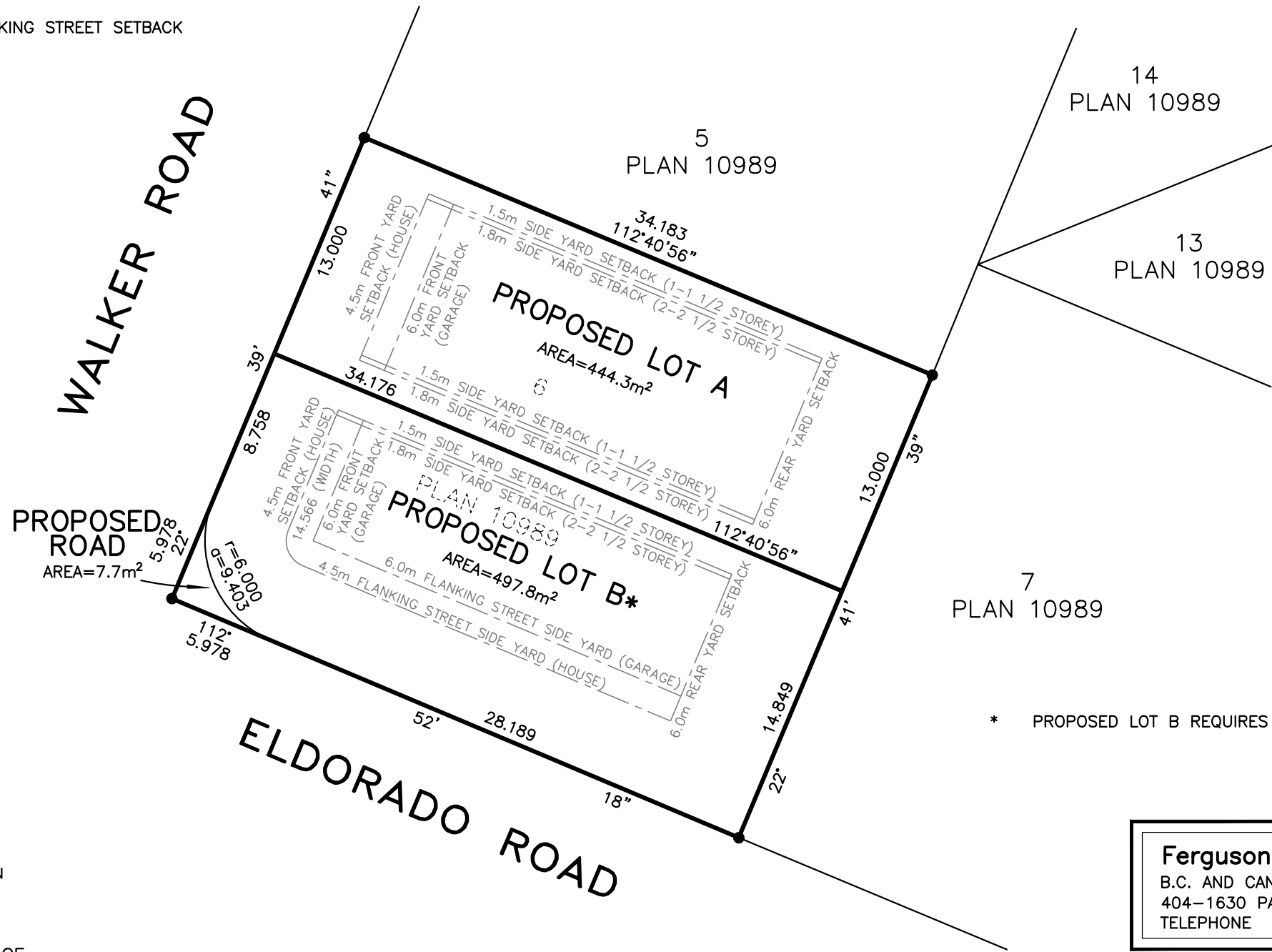
10 5 0 10 20 30 METRES

THE INTENDED PLOT SIZE OF THIS PLAN IS 432mm IN WIDTH BY 280mm IN HEIGHT (B SIZE) WHEN PLOTTED AT A SCALE OF 1:300

DATE: AUGUST 4, 2021

REVISED OCTOBER 27, 2021 - 4.5m FLANKING STREET SETBACK

LOT INFORMATION			
	CURRENT LOT 6	PROPOSED LOT A	PROPOSED LOT B
ZONING	RU1	RU2	RU2
AREA	949.8m <sup>2</sup>	444.3m <sup>2</sup>	497.8m <sup>2</sup>
WIDTH	27.736m	13.00m	14.566m



**SCHEDULE A**

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THIS LOT IS SUBJECT TO FOLLOWING NON-FINANCIAL CHARGES:  
-RESTRICTIVE COVENANT (B7683)

THIS PLAN SHOWS REGISTERED CHARGES ON TITLE THAT ARE DEFINED BY SURVEY PLAN OR DESCRIPTION. UNREGISTERED INTERESTS HAVE NOT BEEN INCLUDED OR CONSIDERED.

SETBACKS SHOWN ARE ACCORDING TO CITY OF KELOWNA ZONING BYLAW PROPOSED ZONE RU2

THIS PLAN IS NOT TO BE USED FOR RE-ESTABLISHMENT OF PROPERTY BOUNDARIES.

**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 22378-PROP SUB-REV1

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