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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** January 26, 2001  
**File No.:** Z00-1050

**To:** City Manager

APPLICATION NO. Z00-1050                      OWNER / APPLICANT: Ronald Waller

AT: 1940 Treetop Road

**PURPOSE:** To rezone the subject property from A1 – Agriculture 1 zone to RR1 – Rural Residential 1 to accommodate the subdivision of the subject property into two lots.

**EXISTING ZONE:** A1 – Agriculture 1

**PROPOSED ZONE:** RR1 – Rural Residential 1

**REPORT PREPARED BY:** Josephine Duquette

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**SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS**

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**1.0    RECOMMENDATION**

THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2, Sec. 19, Twp. 27, O.D.Y.D., Plan 33849, located at 1940 Treetop Road, Kelowna, B.C., from the A1 – Agriculture 1 zone to the RR1 – Rural Residential 1 zone;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration.

**2.0    SUMMARY**

The applicant is requesting rezoning from the A1-Agriculture 1 zone to the RR1 – Rural Residential 1 zone in order to accommodate the subdivision of the subject property into two lots.

**3.0    BACKGROUND**

**3.1    The Proposal**

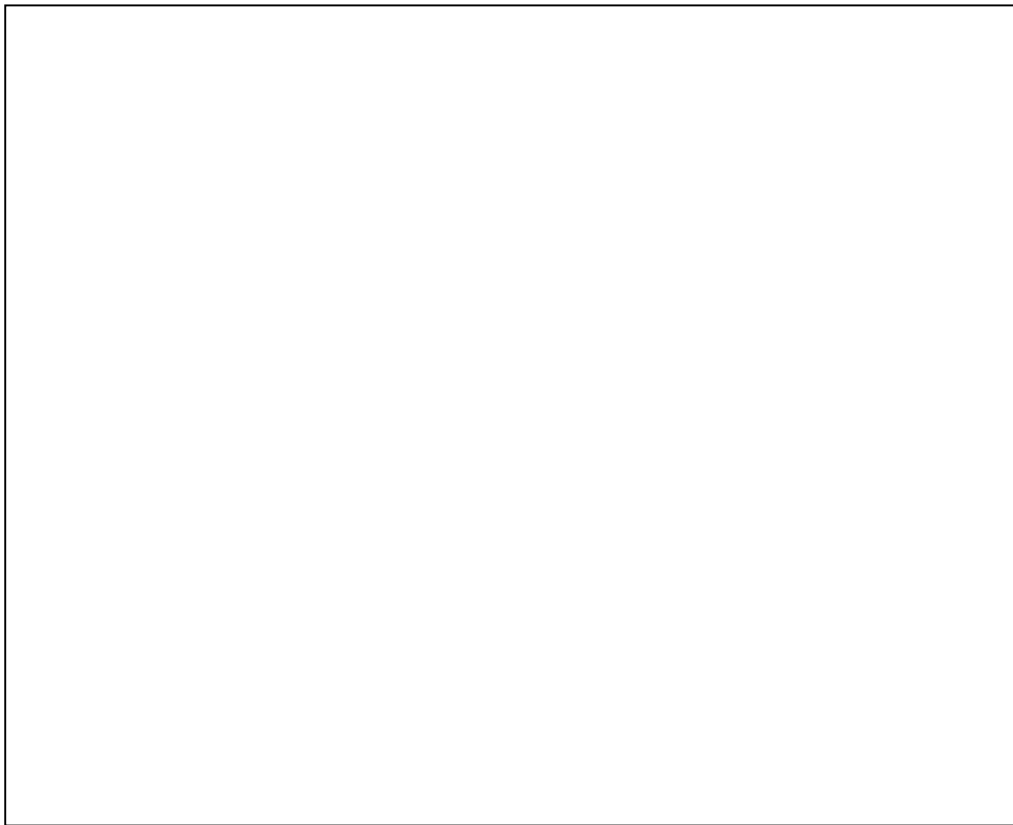
The subject property is currently occupied by a single family residential dwelling located near the southwest corner of the site and a tree farm is located on the north portion of the site. It is the intent of the applicant to create one additional rural residential lot and to continue the tree farm operation. The adjacent parcels are zoned A1 – Agriculture 1 zone and the property to the north is being actively farmed. Portions of the adjacent properties, north of Treetop Road and east of the subject site, are located within the Agricultural Land Reserve, however the subject property is not.

The subject property is 2.025 Hectares (5.0 acres) in size and has a frontage of approximately 160 m along Treetop Road. The applicant proposes to subdivide the site into two equally sized lots. The minimum site area for the proposed lots will be 1.0 Hectare (2.5 acres), for septic disposal purposes. The lot widths and depths range for the proposed lots, however the lots will conform to the RR1 – Rural Residential 1 subdivision regulations. If a common driveway is proposed to be used, a reciprocal access easement agreement between the two proposed lots will be required prior to registration of the plan of subdivision.

CRITERIA	PROPOSAL	RR1 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> )	10,000 m <sup>2</sup> (1.0 ha)	10,000 m <sup>2</sup> (1.0 ha)
Site Depth (m)	129.6 m & 138.6 m	30.0 m
Site Width (m)	48.9 m & 103.8 m	40.0 m

### 3.2 Site Context

The site is located on the south side of Treetop Road in the Belgo / Black Mountain sector of the city as indicated on the map below.



The site is on a slope rising from Treetop Road and the rear of the site is significantly higher than Treetop Road ( $\pm 25$  m). Adjacent zones and uses are, to the:

- North - A1- Agriculture 1, Agricultural Uses
- East - A1- Agriculture 1, Residential Dwelling
- South - A1- Agriculture 1, Vacant with future Residential Dwellings
- West - A1- Agriculture 1, Residential Dwelling

### 3.3 Existing Development Potential

The site is significantly sloped and would support limited agricultural uses.

### 3.4 Current Development Policy

#### 3.4.1 Kelowna Official Community Plan

The Strategic Plan identifies the importance of developing lands other than agricultural lands for urban growth. The rezoning, subdivision, and subsequent redevelopment of the parcel will accommodate both rural residential growth and continued agricultural activities.

#### 3.4.2 City of Kelowna Strategic Plan (1992)

The Current Official Community Plan designates the future land use of the subject property as Single/Two Family Residential and therefore the rezoning of the site to RR1 – Rural Residential 1 zone is consistent with the OCP.

#### 3.4.3 Black Mountain Sector Plan

The Sector Plan identifies the area for future Single Family Residential development and therefore the rezoning of the site to RR1 is consistent with the plan.

### 4.0 TECHNICAL COMMENTS

All servicing requirements addressed in the Preliminary Layout Review letter for S00-022 apply to this application. The level of servicing required for the proposed zone is identical to the current zone of this parcel. This application does not trigger any further upgrading.

### 5.0 PLANNING COMMENTS

The Planning and Development Services Department supports the proposed rezoning from A1 to RR1 to accommodate the subdivision of the parcel into two lots. The creation of a large lot rural development on the urban side of the Agricultural Land Reserve boundary will provide a transition and buffer protecting the rural lands from the impacts associated with more intense residential development anticipated to the south. The proposed zone is supported in the current development policies and the proposed lots will meet the subdivision regulations for the RR1 zone.

R. G. Shaughnessy  
Subdivision Approving Officer

Approved for inclusion ☐

R.L. (Ron) Mattiussi, ACP, MCIP  
Director of Planning & Development Services

RGS/JD/jd  
Attachments

## **FACT SHEET**

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|---|---|
| <b>1. APPLICATION NO.:</b>  | Z00-1050  |
| <b>2. APPLICATION TYPE:</b>   | Rezoning  |
| <b>3. OWNER:</b> <ul style="list-style-type: none"><li>• ADDRESS</li><li>• CITY</li><li>• POSTAL CODE</li></ul>   | Ronald Waller<br>1940 Treetop Road<br>Kelowna<br>V1P 1E5  |
| <b>4. APPLICANT/CONTACT PERSON:</b> <ul style="list-style-type: none"><li>• ADDRESS</li><li>• CITY</li><li>• POSTAL CODE</li><li>• TELEPHONE/FAX NO.:</li></ul> | Ronald Waller<br>1940 Treetop Road<br>Kelowna<br>V1P 1E5<br>765-9375 / 765-9323   |
| <b>5. APPLICATION PROGRESS:</b><br>Date of Application:<br>Date Application Complete:<br>Staff Report to APC:<br>Staff Report to Council:                       | <br>October 20, 2000<br>October 23, 2000<br>November 7, 2000  |
| <b>6. LEGAL DESCRIPTION:</b>  | Lot 2, Sec. 19, Twp. 27 ODYD, Plan<br>33849   |
| <b>7. SITE LOCATION:</b>  | South side of Treetop Road  |
| <b>8. CIVIC ADDRESS:</b>  | 1940 Treetop Road   |
| <b>9. AREA OF SUBJECT PROPERTY:</b>   | 2.025 Hectares (5.0 acres)  |
| <b>10. AREA OF PROPOSED REZONING:</b>   | 2.025 Hectares (5.0 acres)  |
| <b>11. EXISTING ZONE CATEGORY:</b>  | A1 – Agriculture 1  |
| <b>12. PROPOSED ZONE:</b>   | RR1 – Rural Residential 1   |
| <b>13. PURPOSE OF THE APPLICATION:</b>  | To rezone the subject property from A1-<br>Agriculture 1 to RR1 – Rural Residential 1<br>to accommodate the subdivision of the<br>subject parcel into two lots. |
| <b>14. MIN. OF TRANS./HIGHWAYS FILES NO.:</b><br><b>NOTE: IF LANDS ARE WITHIN 800 m OF A</b><br><b>CONTROLLED ACCESS HIGHWAY</b>                                | (a) Not Applicable  |
| <b>15. DEVELOPMENT PERMIT MAP 13.2</b><br><b>IMPLICATIONS</b>   | (a) Not Applicable  |

Attachments that are missing from the Electronic Version

Subject Property Map