
CITY OF KELOWNA

MEMORANDUM

Date: March 28, 2001
File No.: File No. Z01-1001
(3360-20)

To: City Manager

From: Planning & Development Services Department

Purpose: To rezone the subject property to accommodate a 58 lot single family residential subdivision

Owner: Debo Holdings Ltd. **Applicant/Contact Person:** Planning Solutions Consulting Inc./Tony Markoff

At: 871 Paret Road

Existing Zone: A1 – Agriculture 1 **Proposed Zone:** RU2 – Medium Lot Housing

Report Prepared By: Shelley Gambacort

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot A, D.L. 579, Sec. 30, Twp. 29, S.D.Y.D., Plan KAP67461, located on Paret Road, Kelowna, BC, from the A1 – Agriculture 1 zone to the RU2 – Medium Lot Housing zone;

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

AND FURTHER THAT final adoption of the zone amending bylaw be withheld pending the execution, by the owner of the subject property, a Servicing Agreement acceptable to the City of Kelowna.

2.0 SUMMARY

The applicant is requesting approval to rezone a 4.37 ha (10.8 ac) property from the A1 – Agriculture 1 zone to the RU2 – Medium Lot Housing zone in order to accommodate a proposed 58 lot single family residential subdivision. A subdivision application is being processed concurrently with this rezoning application.

The subject property is designated for single/two family residential development in the Official Community Plan and is designated as single family/cluster housing in the Southwest Okanagan Mission Sector Plan. An Area Structure Plan for this property is not required, as it has been designated as an *Area of Infill* in the Sector Plan.

2.0 BACKGROUND

2.1 The Proposal

The existing 4.37 ha (10.8 ac) lot under application for rezoning is the result of a recent block plan subdivision which involved the former Paret Road gravel pit and the Borden property situated to the north of this former gravel pit. This block plan subdivision also resulted in the dedication of the future Gordon Drive extension as identified in the Official Community Plan and the Southwest Okanagan Mission Sector Plan. The actual construction of the Gordon Drive extension will be triggered at the time of development of the 905th unit within the Southwest Okanagan Mission Sector Plan. At the present time approximately 180 units have been approved in this Sector Plan area.

Access to the proposed development will be through the extension of the existing Paret Road with the provision of an emergency access north to the future extension of Gordon Drive. No direct access will be permitted from the lots backing onto the future extension of Gordon Drive.

CRITERIA	PROPOSAL	RU2 ZONE REQUIREMENTS
Lot Area (m ²)	Ranges in size from 466 to 1701	400
Lot Width (m)	13.45 (min.)	13
Lot Depth (m)	30 (min.)	30

2.2 Advisory Planning Commission

This application was reviewed by the Advisory Planning Commission (APC) at their meeting of January 23, 2001 and the following recommendation was passed:

That the Advisory Planning Commission not support, at this time, application Z01-1001 for the rezoning of 871 Paret Road from A1 – Agriculture1 to the RU2 – Medium Lot Housing zone by Planning Solutions (Tony Markoff), and the applicants be requested to meet with the neighbourhood to hear their concerns and to consider some compromise or changes which may meet with the satisfaction of both the neighbourhood and the developer.

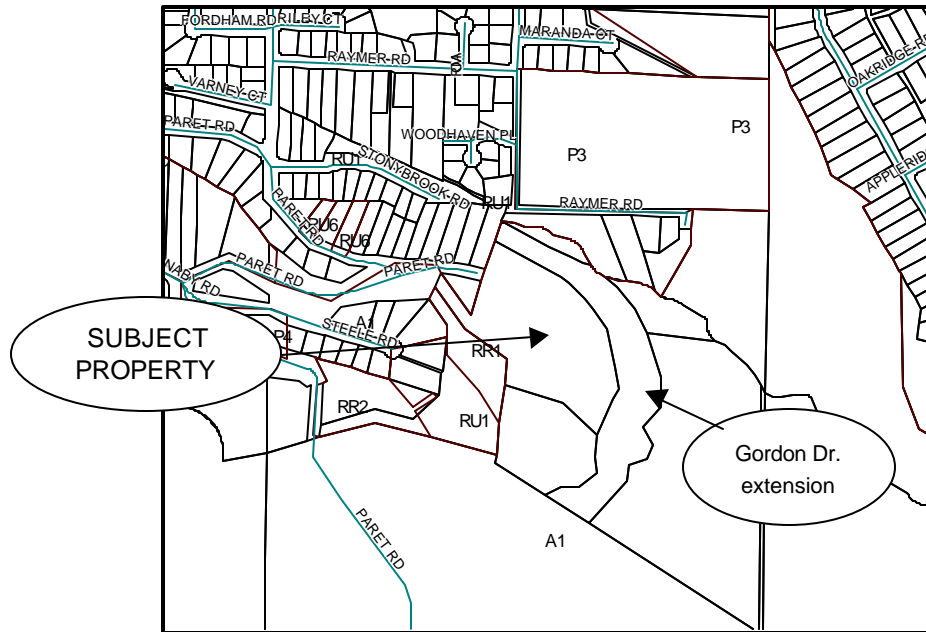
In response to the APC recommendation the applicant organized a neighbourhood meeting which was held on February 22, 2001. A summary of this neighbourhood meeting is attached for Council's information. Staff have been reviewing the five issues that were identified at that meeting and believe that they can be addressed through the subdivision process, with the exception of the density/lot size issue. The Works and Utilities comments on Page 5 of this report outline their response to the issues that were identified.

2.2 Site Context

The subject property is located at the east end of Paret Road and south of the future extension of Gordon Drive.

Adjacent zones and uses are, to the:

- North - RU1 – Large Lot Housing; existing single family residential subdivision and future Gordon Drive extension
- East - A1 – Agriculture 1; future Gordon Drive extension and City owned land (future park/open space)
- South - A1 – Agriculture; vacant (future residential)
- West - RR1 – Rural Residential 1; undeveloped and RU1 Large Lot Housing; existing single family



2.4 Current Development Policy

2.4.1 City of Kelowna Strategic Plan (1992)

The proposed development is in keeping with the goals and objectives of the Strategic Plan which are to encourage infill development, encourage higher densities than in existing areas and to require a full level of urban services at the time as development occurs.

2.4.2 Kelowna Official Community Plan (1994-2013)

The OCP Future Land Use designation of the subject property is Single/Two Family residential.

2.4.3 Southwest Okanagan Mission Sector Plan (1994)

The Sector Plan Future Land Use designation of the subject property is single family/cluster housing residential.

4.0 TECHNICAL COMMENTS

4.1 Works & Utilities

The Works & Utilities Department has the following requirements associated with this rezoning application that pertain to roads and utility improvements leading to the site. All other requirements will be addressed in the subdivision application under file S00-001.

.1 Domestic Water and Fire Protection

- a) The existing water main servicing this location is 100-mm diameter pipe, which is insufficient for fire flow requirements for this new development. A water main 300 mm diameter is located on Paret Road just south of Stoneybrook Road a distance of approximately 370 m. It will be necessary to replace the 100 mm main with a main of adequate size. The cost of this work for bonding purposes is \$ 76,600.00
- b) Domestic Water and Fire Protection for the development area will be addressed in the Subdivision Requirements under File: S01-001.

.2 Sanitary Sewer

- a) Sanitary Sewer issues will be addressed in the Subdivision Requirements under file S01-001.

.3 Storm Drainage

- a) Storm Sewer issues will be addressed in the Subdivision Requirements under file S01-001.

.4 Road Improvements

- a) Paret Road leading into the proposed subdivision is presently not constructed. Construction of approximately 100 meters of Paret Road to a rural road standard will be required. (Local class 2 rural road, City Standard SS-R4). The cost of this work for bonding purposes is \$33,000.00, including drainage works consisting of a drywell and catch basins.

.5 Road Dedication and Subdivision Requirements

- a) The existing Paret Road right-of-way (ROW) access road is 20 meters wide and the internal road right-of-way is 15 meters wide. It is preferred that the road property lines align on the north side and that Paret Road be narrowed on the south side to converge to a 15 meter ROW at the development entrance.

.6 Latecomer Protection

Under provisions of Section 990 of the BC Municipal Act, and in conformance with the City of Kelowna Subdivision Development & Servicing Bylaw No. 7900, the owner is eligible to apply for latecomer protection for the following:

- a) Water main replacement on Paret Road.

.7 Bonding and Levy Summary

- a) Bonding

Water main replacement	\$76,600.00
Road upgrade	\$33,000.00

Total Bonding	<u>\$109,600.00</u>
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NOTE: The bonding amounts shown above are comprised of estimated construction costs escalated by 140% to include engineering design and contingency protection and are provided *for information purposes only*. The owner should engage a consulting civil engineer to provide detailed designs and obtain actual tendered construction costs if he wishes to do so. Bonding for required off-site construction must be provided as a condition of subdivision approval and may be in the form of cash or an irrevocable letter of credit, in an approved format.

The owner must also enter into a servicing agreement in a form provided by the City prior to 4th reading of the zone amending bylaw.

.8 Administration Charge

An administration charge will be assessed for processing of this application, review and approval of engineering designs and construction inspection. Off-site construction costs will be added to internal subdivision costs when calculating the total administration costs. The administration charge is calculated as 3% of the total construction costs, not including design. 7% GST will be added.

Works & Utilities Response to Residents Concerns

The applicant met with the residents of the Paret Road neighbourhood on February 22, 2001 and the following is a response to the issues raised at this meeting (copy of Minutes attached).

1. Traffic Safety - Three identified corners:

a) Paret Road at Bellevue Creek – Bellevue Creek Bridge

The site distance issue as it relates to the bridge will be reviewed in detail to ensure concurrence with City standards irrespective of the subdivision application. While it did not appear to be an issue based on our field review, this will be confirmed based on a technical analysis at the subdivision stage of development approval.

The bridge width, while somewhat narrow when compared to today's Subdivision bylaw Standards, is certainly not unprecedented locally. There is a relatively low volume of traffic on this link, even after the theoretical build out of the proposed development, and there is a relatively lighter volume of pedestrian activity typically associated with the large lot type of land use in the area. There is an existing pedestrian crossing of the creek approximately 425 m east of the Bellevue Creek bridge and is much closer to the proposed subdivision and as such it would be difficult to justify an investment in some form of additional pedestrian accommodation across the Bellevue Creek bridge based solely on this subdivision application. The overall life expectancy of the Bellevue Creek bridge structure was estimated to be >30 years based on the 1993 bridge condition survey. In this regard, the initiative to create a pedestrian creek crossing opportunity at this location would then fall within the criteria generated to support the Sidewalk Master Plan.

b) Thornloe at Paret Road

A stop sign will be relocated to improve departure sightline angles. Shrubbery planted within the City road right-of-way on the south side of

the intersection will be removed to improve approach and departure sightlines. The “Curve Warning” sign on the east approach to this intersection will be moved further away from the intersection to provide earlier warning.

c) Paret Road and Stonybrook Road

Trees on both approaches will be trimmed and maintained to maximize sightline opportunities. “Intersection Ahead” signs will be installed on both approaches.

d) Paret Road at proposed subdivision entrance

The City is requiring a ± 100 m length of the off-site Paret Road upgrading to a paved local/rural road standard.

e) Signage

Sign placement, location and visibility will be reviewed to ensure concurrence with City standards irrespective of the subdivision application. Based on a preliminary field review, it would appear as though a few warning signs could be added and/or relocated to improve roadway safety. Enforcement of the roadway regulations is, as noted, within the realm of responsibility of the RCMP.

f) Bank Stability – Paret Road: This is a City maintenance issue. We will forward to the appropriate department for inspection and repairs (if necessary).

g) Impacts of Construction Traffic – This is inevitable with any development and construction. All vehicles must observe and respect all speed limits and dust control is the responsibility of the construction company.

2. Tree Retention

The City Subdivision Approving Officer will address tree removal. Existing trees that are healthy and not in the path of roads, driveways or home sites will be considered for retention in the construction site grading plan.

3. Water Main

Regular City monitoring and maintenance is completed on all water mains throughout the City on a consistent basis.

4. Environmental Concerns on the Debo Property

A geotechnical report is a requirement of this development and includes comments on any contaminated material on this site. Furthermore, the Ministry of Environment received a site profile on March 6, 2001 for the subject property. In accordance with Section 7(1) of the Contaminated Sites Regulation, the manager notified the City of Kelowna that it does not intend at this time to require or order a preliminary site investigation or a detailed site investigation under Section 26.2 of the Waste Management Act.

5. Density

The density decision for this development will be a Council decision based on the City's current development policies.

4.2 Inspections Department

- .1 High voltage power lines and easement are to be removed,
- .2 Building envelopes are to be accessible by driveways not exceeding 15% slopes,
- .3 A geotechnical report is required that indicates all possible geotechnical hazards have been assessed and the property is safe for the intended use of subdivision and development.

4.2 Fire Department

Fire Department access and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw

4.3 Parks Manager

- .1 Subdivision and development plans to include a landscape plan for blvd treatment.
- .2 City Parks standards shall apply for all boulevard (BLVD) landscaping.
- .3 Construction drawings to include all u/g utility locations in BLVD.
- .4 BLVD landscape and irrigation to be approved by Parks Division.

4.4 BC Gas

Gas is available in the area. Six to eight weeks notice is required to design and schedule installation.

4.5 Canada Post

This application will require the installation of centralized mail delivery equipment.

4.6 Shaw Cable

Owner/contractor to supply/install conduit system as per Shaw Cable drawings & specifications.

4.7 Telus

Developer to provide underground structure as per Telus specifications.

4.8 BC Transit & RCMP

No Comment

4.9 SD #23

No response

5.0 PLANNING COMMENTS

The proposed RU2 – Medium Lot Housing residential use is in keeping with the intent of the Strategic Plan and the Single/Two Family Future Land Use designation of both the Official Community Plan and the Southwest Okanagan Mission Sector Plan.

Nineteen of the proposed 58 lots exceed the minimum 550 m² lot size of the RU1 – Large Lot Housing zone and the average lot size in the proposed RU2 – Medium Lot Housing subdivision is 500 m². The minimum RU2 lot size is 400 m². Furthermore, each proposed lot frontage at the minimum front yard building setback is 15 m. The minimum RU2 front yard building setback is 13 m.

As previously mentioned in the Advisory Planning Commission comments, the five issues identified at the neighbourhood meeting on February 22, 2001, can be addressed through the subsequent subdivision process, with the exception of the density/lot size issue.

Robert G. Shaughnessy
Subdivision Approving Officer

Approved for inclusion

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

RGS/SG/sg

Attachment

FACT SHEET

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|--|---|
| 1. APPLICATION NO.: | Z01-1001 |
| 2. APPLICATION TYPE: | Rezoning |
| 3. OWNER:
- ADDRESS
- CITY/ POSTAL CODE | Debo Holdings Ltd.
4436 Hobson Road
Kelowna, BC V1W 1Y3 |
| 4. APPLICANT/CONTACT PERSON:
- ADDRESS
- CITY/ POSTAL CODE:
- TELEPHONE/FAX NO.: | Planning Solutions Consulting Inc./
Tony Markoff
744 Barnaby Road
Kelowna, BC V1W 4N9
764-7377/764-7822 |
| 5. APPLICATION PROGRESS:
Date of Application:
Staff Report to Council:
Servicing Agreement Concluded:
Servicing Agreement Forwarded to Applicant: | January 8, 2001
April 2, 2001 |
| 6. LEGAL DESCRIPTION: | Lot A, DL 579, SDYD, Plan KAP67461 |
| 7. SITE LOCATION: | East end of Paret Road |
| 8. CIVIC ADDRESS: | 871 Paret Road |
| 9. AREA OF SUBJECT PROPERTY: | 4.37 ha |
| 10. AREA OF PROPOSED REZONING: | 4.37 ha |
| 11. EXISTING ZONE CATEGORY: | A1 – Agriculture 1 |
| 12. PROPOSED ZONE: | RU2 – Medium Lot Housing |
| 13. PURPOSE OF THE APPLICATION: | To rezone to RU2 in order to facilitate a 58 lot single family residential subdivision |
| 14. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | Not applicable |

Attachments

(Not attached to the electronic copy of the report)

Location Map
Plan of proposed subdivision
Summary of Paret Road Neighbourhood meeting
RU2 – Medium Lot Housing Zone