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# CITY OF KELOWNA

## MEMORANDUM

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**Date:** July 23, 2001  
**File No.:** Z01-1032

**To:** City Manager

**From:** Planning & Development Services Department

APPLICATION NO. Z01-1032                      OWNER: Nancy and Lyle Howlett

AT: 4355 June Springs Road                      APPLICANT: Nancy and Lyle Howlett

PURPOSE: To rezone a portion of Lot A, Section 35, Township 29, ODYD, Plan KAP55352 to accommodate a subdivision lot line adjustment.

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 Rezoning Application No. Z01-1032, part of Lot A, Section 35, Township 29, ODYD, Plan KAP55352, as shown on Map "A" attached to the report of Z01-1032, dated July 23, 2001, located on June Springs Road, Kelowna, B.C., from the A1 – Agriculture 1 zone to the RR1 – Rural Residential zone not be approved by the Municipal Council;

### 2.0 SUMMARY

The applicant is requesting a rezoning from the A1-Agriculture 1 zone to the RR1 – Rural Residential 1 zone on a portion of the subject property in order to accommodate a subdivision lot line adjustment. The subdivision lot line adjustment would reduce the size of Lot A, Plan 55352, which is significantly sloped, from 2.0 ha to 1.0 ha and would increase the size of Lot B, Plan 55352 from 3.0 ha to 4.0 ha. The proposed lot line adjustment would allow the owners of Lot B, Plan 55352 to expand their equestrian activities onto the more gently sloped portion of Lot A, Plan 55352.

### 3.0 ADVISORY PLANNING COMMISSION

The subject application was reviewed by the Advisory Planning Commission at the meeting of May 29, 2001 and the following recommendation was passed:

That the Advisory Planning Commission supports Rezoning Application No. Z01-1032 by Lyle and Nancy Howlett to rezone the A1 – Agriculture 1 zone to the RR1 – Rural Residential 1 zone in order to amend the zoning on a portion of Lot A to accommodate a lot line adjustment reducing Lot A to 1.0 ha in area.

#### 4.0 BACKGROUND

##### 4.1 The Proposal

Lot A, Plan 55352 is currently occupied by one mobile home. It is the intent of the applicant to reduce the size of the subject property through a lot line adjustment with the property to the south (Lot B, Plan 55352). The subject property would be reduced to 1.0 ha in area and the property to the south would be increased to 4.0 ha in area. The surrounding properties are a mix of A1 – Agriculture 1 and RR1 – Rural Residential 1 zoned properties. The subject property and the surrounding lands are not situated in the Agricultural Land Reserve.

CRITERIA	PROPOSAL	RR1 ZONE REQUIREMENTS
Site Area (ha)	1.0 ha	1.0
Site Width (m)	~ 100.0	40.0
Site Depth (m)	~ 85.0	30.0

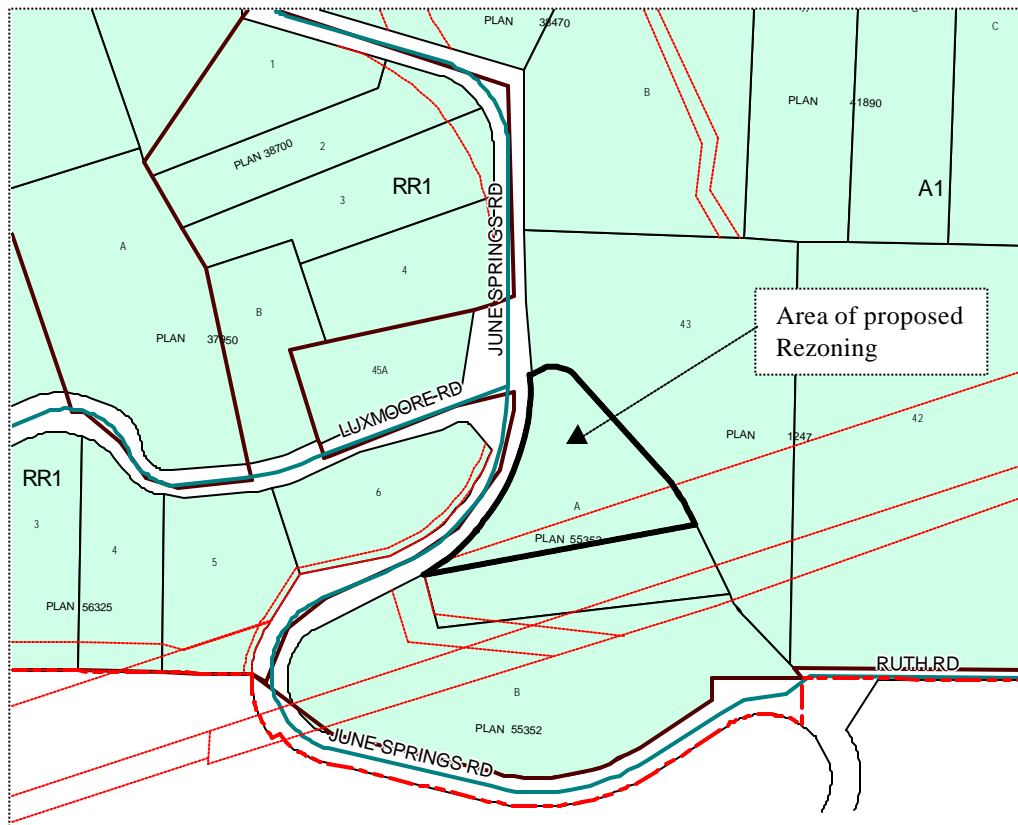
##### 4.2 Site Context

The property is located in the Southeast Kelowna Sector of the city.

The adjacent zones and uses are, to the:

- North - A1 – Agriculture 1; Rural Residential
- East - A1 – Agriculture 1; Rural Residential
- South - A1 – Agriculture 1; Rural Residential
- West - RR1 – Rural Residential 1; Rural Residential

The subject property is located on the map below.



#### 4.3 Existing Development Potential

The site is significantly sloped and would support limited agricultural uses

#### 4.4 Current Development Policy

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

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 rural residential growth on lands other than agricultural lands.

##### 4.4.2 Kelowna Official Community Plan

The Current Official Community Plan (OCP) designates the future land use of the subject property as Rural / Agricultural. Generally land areas within this designation will not be supported for more intensive development than that allowed under the current zoning regulations.

##### 4.4.3 Southeast Kelowna Sector Plan

The Southeast Kelowna Plan designates the future land use of the subject property as Rural Non ALR. An objective of the plan is to formulate an urban-rural land use balance which will provide for the mutual harmony of both, thereby promoting the retention and enhancement of the desirable character of the area. A policy to ensure this objective is to not support further parcelization of rural non-agricultural lands.

#### 5.0 TECHNICAL COMMENTS

##### 5.1 West Kootenay Power

The proposed new lot line will change within our power line right – of – way and should be reflected within the easement right – of – way Plan A1582.

##### 5.2 Planning Comments

The proposed rezoning to RR1 – Rural Residential 1 is not supported in the policies and objectives of the Official Community Plan or the Southeast Kelowna Sector Plan. The future land use designation for the property is Rural / Agricultural and Rural Non ALR, respectively. However, the proposed lot line adjustment will meet the subdivision regulations for the RR1 – Rural Residential 1 zone for a lot on a septic tank disposal system and no additional lots are being created. The proposed lot line adjustment would allow the owners of Lot B, Plan 55352 to expand their equestrian activities.

The Planning and Development Services Department does not support the proposed rezoning to RR1 zone. However, should City Council favourably consider this rezoning application then the existing mobile home should be removed from the subject property and the following alternate recommendation be adopted:

THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of part of Lot A, Section 35, Township 29, ODYD, Plan KAP55352, as shown on Map “A” attached to the report of Z01-1032, dated July 23, 2001, located on June Springs Road, Kelowna, BC., from the A1 – Agriculture 1 zone to the RR1 – Rural Residential zone;

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

R. G. Shaughnessy  
Subdivision Approving Officer

Approved for inclusion ☐

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

RGS/JD/jd  
Attachment

**FACT SHEET**

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|---|--|
| <b>1. APPLICATION NO.:</b>                          | Z01-1032   |
| <b>2. APPLICATION TYPE:</b>                         | Rezoning   |
| <b>3. OWNER/APPLICANT/CONTACT PERSON:</b>           | Lyle and Nancy Howlett   |
| . ADDRESS   | 4385 June Springs Road   |
| . CITY/POSTAL CODE                                  | Kelowna, BC V1W 4C8  |
| . TELEPHONE/FAX NO.:                                | 862 - 5412   |
| <b>5. APPLICATION PROGRESS:</b>                     |  |
| Date of Application:                                | May 14, 2001   |
| Date Application Complete:                          | May 15, 2001   |
| Staff Report to Council:                            | July 25, 2001  |
| <b>6. LEGAL DESCRIPTION:</b>                        | Lot A, Sec. 35, Twp. 29, ODYD, Plan 55352  |
| <b>7. SITE LOCATION:</b>                            | East of June Springs Road and north of the south property line.  |
| <b>8. CIVIC ADDRESS:</b>                            | 4355 June Springs Road   |
| <b>9. AREA OF SUBJECT PROPERTY:</b>                 | 2.0 ha   |
| <b>10. AREA OF PROPOSED REZONING:</b>               | 1.0 ha   |
| <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 a portion of Lot A, Section 35, Township 29, ODYD, Plan KAP55352 to accommodate a lot line adjustment. |
| <b>14. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS</b> | Not Applicable   |

**Attachments that are missing from the Electronic Version**

Subject Property Map  
Proposed Subdivision Layout (Map "A")