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# CITY OF KELOWNA

## MEMORANDUM

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**Date:** November 19, 2002  
**File No.:** Z02-1033

**To:** City Manager

**From:** Planning & Development Services Department

APPLICATION NO. Z02-1033

OWNER: Robert Harasin

AT: 1665 Begley Road

APPLICANT: Robert (Bob) Harasin

PURPOSE: To rezone the subject property to facilitate a two lot single unit dwelling subdivision..

EXISTING ZONE: RR3 – Rural Residential 3

PROPOSED ZONE: RR2 – Rural Residential 2

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. Z02-1033 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 18, Township 27, ODYD, Plan 25442, located on Begley Road, Kelowna, B.C. from the RR3 – Rural Residential 3 zone to the RR2 – Rural Residential 2 zone be considered by Council;

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

### 2.0 SUMMARY

The purpose of the application is to rezone the subject property from RR3 – Rural Residential 3 to RR2 – Rural Residential 2 to facilitate a two lot single unit dwelling subdivision. The existing property is 2.33 ha (5.75 ac) in area with approximately 500 m of road frontage along Old Joe Riche Road. A requirement of a subdivision within the current zoning, RR3 – Rural residential 3 zone, would be an urbanized road frontage (curb, gutter & storm sewer) along Old Joe Riche Road. Begley Road along the north property boundary has been upgraded with an urbanized frontage and no vehicular access will be permitted for the proposed southerly lot due to topographic constraints.

Due to the extremely large road frontage a two lot subdivision becomes uneconomical. The RR2 – Rural Residential 2 zone only requires a rural road cross section (without curb, gutter & storm sewer) thus making the subdivision economical. Furthermore, the proposed down zoning of the property to RR2 – Rural Residential 2 zone would create a transitional area between the urban sized lots to the west and the larger agricultural lots to the east.

### 3.0 ADVISORY PLANNING COMMISSION

The subject application was reviewed by the Advisory Planning Commission at the meeting of August 20, 2002 and the following recommendation was passed:

That the Advisory Planning Commission support Rezoning application No. Z02-1033 for Lot 2, Plan 25442, Sec. 18, Twp. 27, ODYD, Bob Harasin, to rezone the subject property for the RR3 – Rural Residential 3 zone to the RR2 – Rural Residential 2 zone to allow for the subdivision of the lot into two RR2 lots..

### 4.0 BACKGROUND

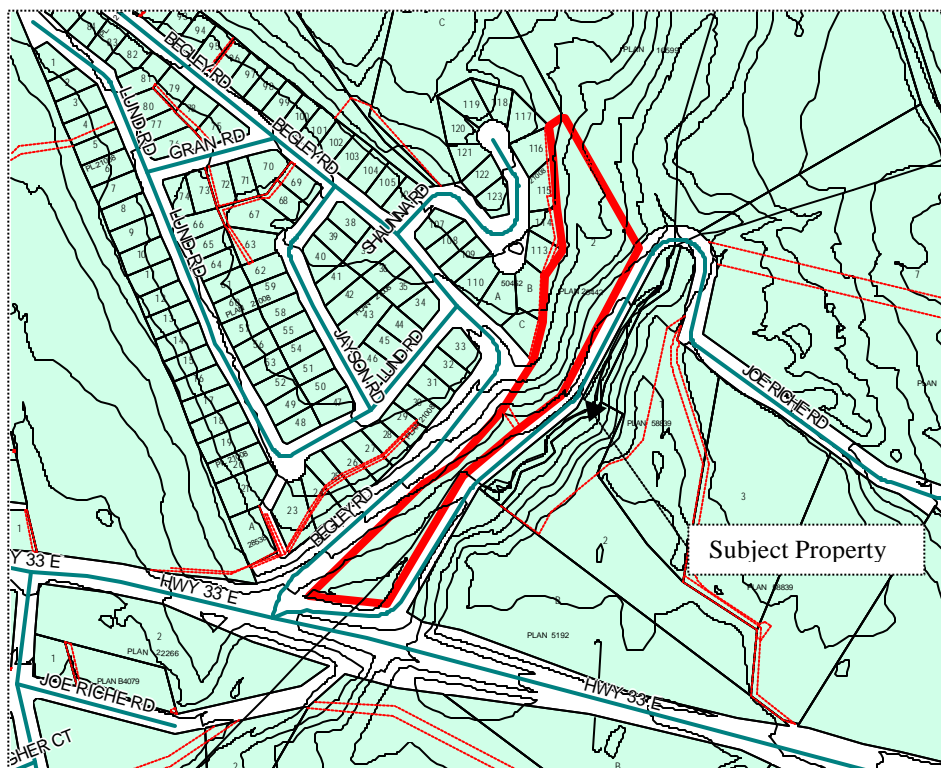
#### 4.1 The Proposal

The applicant proposes to subdivide the subject property into two single unit rural residential lots approximately 1.0 ha (2.47 ac) in area and 1.33 ha (3.29 ac) in area. The applicant is intending on developing a single unit dwelling, log home, on the southern portion of the property adjacent to Gopher Creek. An existing single unit dwelling is situated on the northern portion of the property. The applicant intends on connecting the proposed southern lot to the community sanitary sewer system. The proposed lots will comply with the RR2 – Rural Residential 2 zone requirements.

#### 4.2 Site Context

The subject property is located in the Belgo / Black Mountain Sector area of the City north of Highway 33 E. The existing single unit dwelling located in the northern portion of the site is accessed from Begley Road. The proposed additional dwelling would be located in the southern portion of the property and would be accessed from Joe Riche Road. The subject property is mainly comprised of steep slopes. There is a suitable building site on the proposed lot. The proposed southerly lot would be significantly lower in elevation than the surrounding adjacent properties and the existing dwelling unit on the subject property.

The subject property and contours (5m intervals) are identified on the map below.



Adjacent zones and uses are, to the:

- North - A1 – Agriculture 1; undeveloped
- East - A1 - Agriculture 1; hobby farms
- South - A1 – Agricultural 1; undeveloped
- West - RR3 – Rural Residential 3 and RU1 – Large Lot Housing; single unit residential dwellings

#### 4.3 Existing Development Potential

The existing development potential for the subject property is single unit residential dwellings primarily intended for smaller country residential lots in areas with a high natural amenity and limited urban services.

#### 4.4 Current Development Policy

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

The Strategic Plan supports innovative infill development and the preservation of natural features within the City.

##### 4.4.2 Kelowna Official Community Plan

The future land use designations for the subject property are Single / Two Unit Residential and Park / Open Space. The natural feature Gopher Creek is located along the south east property line therefore the subject property is located within a Natural Environment Development Permit area.. The Plan encourages a more efficient use of land within developed single detached neighbourhoods through rezoning and subdivision applications that allow for smaller lot sizes.

##### 4.4.3 Black Mountain Sector Plan

The future land use designations for the subject property are Single Family Residential and Open Space. An objective of the plan is to maintain the residential character of the area and to limit the residential development to the areas designated as single family residential.

#### 5.0 TECHNICAL COMMENTS

##### 5.1 Works and Services Department Comments, Black Mountain Irrigation District and the relevant utility agencies

The technical requirements relating to the subdivision to create an additional lot will be addressed in the concurrent subdivision application.

6.0 PLANNING & DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The proposed rezoning application is supported in the Official Community Plan and the Southeast Kelowna Sector Plan for single family residential use. The proposed lot to be created by subdivision which would be 1.3 ha in size will be connected to the community sanitary sewer system as a condition of subdivision approval.

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R. G. (Bob) Shaughnessy  
Subdivision Approving Officer

Approved for inclusion

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

RGS/JD/jd  
Attach.

**FACT SHEET**

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| <b>1. APPLICATION NO.:</b>  | Z02-1033   |
| <b>2. APPLICATION TYPE:</b>   | Rezoning   |
| <b>3. OWNER/APPLICANT/CONTACT PERSON:</b>                                 | Robert Harasin   |
| . ADDRESS   | 1665 Begley Road   |
| . CITY/POSTAL CODE  | Kelowna, BC V1X 4K4  |
| . TELEPHONE/FAX NO.:  | 765-7151   |
| <b>5. APPLICATION PROGRESS:</b>   |  |
| Date of Application:  | July 27, 2002  |
| Date Application Complete:  | August 1, 2002   |
| Servicing Agreement Forwarded to Applicant:                               |  |
| Servicing Agreement Concluded:  |  |
| Staff Report to Council:  | November 20, 2002  |
| <b>6. LEGAL DESCRIPTION:</b>  | Lot 2, Section 18, township 27, ODYD,<br>Plan 25442  |
| <b>7. SITE LOCATION:</b>  | North of Highway 33 E between Begley<br>and JoeRriche Road                                     |
| <b>8. CIVIC ADDRESS:</b>  | 1665 Begley Road   |
| <b>9. AREA OF SUBJECT PROPERTY:</b>                                       | 2.33 ha  |
| <b>10. AREA OF PROPOSED REZONING:</b>                                     | 2.33 ha  |
| <b>11. EXISTING ZONE CATEGORY:</b>  | RR3 – Rural Residential 3  |
| <b>12. PROPOSED ZONE:</b>   | RR2 – Rural Residential 2  |
| <b>13. PURPOSE OF THE APPLICATION:</b>                                    | To rezone the subject property to<br>facilitate a two lot single unit dwelling<br>subdivision. |
| <b>14. MIN. OF TRANS./HIGHWAYS FILES NO.:</b>                             | #2-81-20037  |
| <b>NOTE: IF LANDS ARE WITHIN 800 m OF A<br/>CONTROLLED ACCESS HIGHWAY</b> |  |
| <b>15. DEVELOPMENT PERMIT MAP 19.1<br/>IMPLICATIONS</b>                   | Not Applicable   |

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

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