
CITY OF KELOWNA

MEMORANDUM

Date: December 27, 2002
File No.: Z02-1027 (3360-20)

To: City Manager

From: Planning & Development Services Department

Purpose: To rezone a portion of the subject property to allow for a 46 lot single family residential subdivision

Owner: No. 21 Great Projects Ltd. & Michal & Suzanne Jilek **Applicant/Contact Person:** Runnalls Denby/Neil Denby

At: 1228 Paret Road, 889 & 904 Steele Road

Existing Zone: RR2 – Rural Residential 2 and A1 – Agriculture 1 **Proposed Zone:** RU1 – Large Lot Housing

Report Prepared by: Shelley Gambacort

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Rezoning Application No. Z02-1027 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot A, DL 579, SDYD, Plan KAP68860; part of the N½ of DL 579, SDYD, except Plans 5648, 9458 and 9459; and Lots 9 & 10, DL 579, SDYD, Plan KAP68542, located on Paret/Steele Roads, Kelowna, BC from the A1 – Agriculture 1 zone and the RR2 – Rural Residential 2 zone to the RU1 – Large Lot Housing zone as shown on Map "A" attached to the report of Planning & Development Services Department, dated December 27, 2002, be considered by Council;

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

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

AND THAT final adoption of the zone amending bylaw be withheld until an Area Structure Plan for Neighbourhood 3 has been commenced.

2.0 SUMMARY

The applicant is requesting Council approval to rezone a portion of the subject property from the A1 – Agriculture 1 zone to the RU1 – Large Lot Housing zone in order to facilitate a 46 lot single family residential subdivision. This application is consistent with the Official Community Plan single/two unit residential future land use designation and the Southwest Okanagan Mission Sector Plan single family/cluster housing residential designation.

2.1 Advisory Planning Commission

The application was reviewed by the Advisory Planning Commission at the meeting of July 9, 2002 and the following recommendation was passed:

That the Advisory Planning Commission supports Rezoning Application No. Z02-1027, (E of) Paret Road/1228 Paret Road, Lot A, Plan 68860 and the N½ of DL579, Sec. 30, Twp. 29, ODYD, Runnalls, Denby (Neil Denby) to rezone from the A1-Agriculture 1 zone and the RR2-Rural Residential 2 zone to the RU1-Large Lot Housing zone in order to facilitate the development of a 46 lot single family dwelling subdivision

3.0 BACKGROUND

3.1 The Proposal

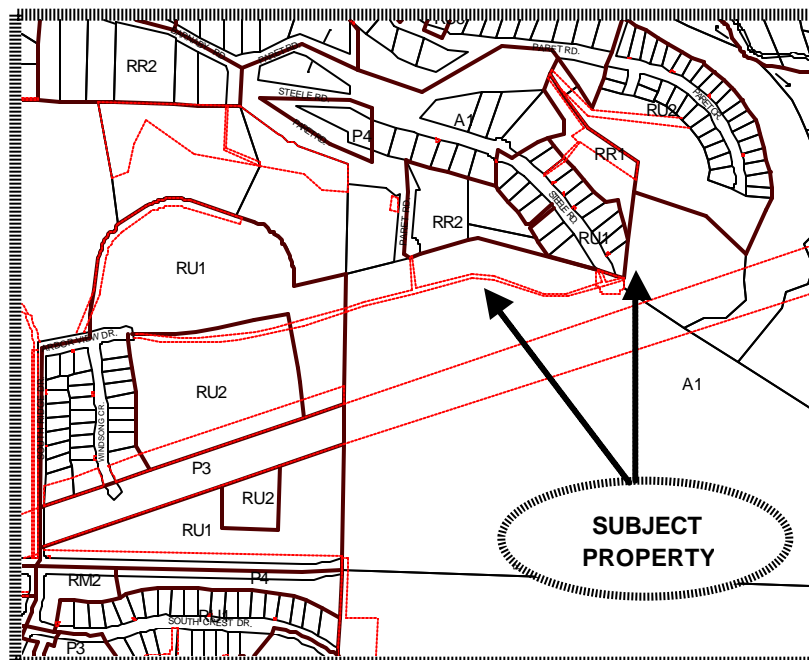
The proposed subdivision comprises 46 single family lots ranging in size from 632 m² to 1400 m². Access to the proposed subdivision will be from a proposed road that will extend off Steele Road and will connect to the proposed Progressive Construction subdivision development to the west.

The proposal, as compared to the requirements of the RU1 zone requirements are as follows:

CRITERIA	PROPOSAL	ZONE REQUIREMENTS
Site Area (m ²)	632 - 1400	550
Site Width (m)	16.5 (min.)	16.5
Site Depth (m)	31	30

3.2 Site Context

The subject property is located west of Steele Road and south of Paret Road. The future Gordon Drive extension will be located to the south of the proposed subdivision.



Adjacent zones and uses are, to the:

- North - RR2 – Rural Residential 2, RU1 – Large Lot Housing & RU2 – Medium Lot Housing; single family dwellings
- East - A1 – Agriculture 1; rural undeveloped
- South - A1 – Agriculture 1; rural undeveloped
- West - A1 – Agriculture 1; rural undeveloped (under application for single family residential development)

3.4 Current Development Policy

3.4.1 City of Kelowna Strategic Plan (1992)

The Kelowna Strategic Plan supports the orderly progression of urban development, in particular, infill development, where the extension of required municipal servicing can easily be accommodated within an existing urban area.

3.4.2 Kelowna Official Community Plan (1994-2013)

The OCP designation of the subject properties is single/two unit residential.

3.4.3 Southwest Okanagan Mission Sector Plan

The Southwest Okanagan Mission Sector Plan identifies the use as single family/cluster housing residential. The current proposal is in accordance with the general parameters set out in the Plan.

4.0 TECHNICAL COMMENTS

4.1 Works & Utilities

The City's Works & Utilities Department will handle the Works & Services requirements identified below between time of Preliminary Layout Review (PLR) and application for Subdivision Approval. Arrangements for construction must be made before making application for Approval of a subdivision plan. The Development Engineering Technician for this project is Kelly Hanson.

The following Works & Services are required for this subdivision:

OFFSITE WORKS

- a) Prior to initial consideration by council, the applicant must complete a drainage management plan/report that addresses how drainage will be handled including effects on downstream facilities and drainage courses to the Lake outlet.
- b) Some offsite water components (reservoir storage and Frost Road watermain) are required but are being constructed under previous applications (see Water section below). These components must be substantially complete before subdivision is approved.
- c) Sanitary sewer is available and no offsite works are required.

- d) The 20-year Servicing Plan indicates that Steele / Barnaby Road is to be a major collector road (12.8m asphalt with sidewalk on both sides). The road plan envisions urbanization and realignment of the older section of Steele Road to Paret Road. Timing of this work was unspecified but anticipated sometime in the future depending on road connections, traffic and pedestrian safety, and on development of neighbourhoods 2 & 3. As this subdivision will create increased traffic usage and create a link to Frost Road through other subdivisions in NH2, construction should now occur.
- e) For information, when Gordon Drive is connected to Barnaby/Steele Road through NH3, the Paret Road section north of the Steele/Barnaby intersection, which is narrow and steep, will be closed for vehicular traffic though it may be utilized for pedestrians and cyclists.
- f) The upper gravelled Paret Road section, south of the Barnaby/Steele Road intersection, will be closed in conjunction with the extension of the proposed subdivision roads and connection from the top end (south end).
- g) The intersection of Barnaby/Steele and Paret Road will require grade modifications from a traffic safety point of view. Currently the cross grade is quite significant as it leads up Paret Road to the south. With the closure of this southern portion of Paret Road (per above) these modifications can now be accomplished. The applicant is required to complete these works.
- h) Ivens Road is a "Section 4" road. This road will need to be re-routed through the proposed subdivision and the remaining sections dedicated.

ONSITE WORKS:

.1 General

- a) The postal authorities have determined that "community mailboxes" will be utilized, therefore, the proposed locations shall be shown on the construction plans. Please contact the Canadian Post Corporation, Delivery Services, P.O. Box 2110, Vancouver, BC V6B 4Z3 (604) 662-1381 in this regard.
- b) Where there is a possibility of a high water table or surcharging of storm drains during major storm events; non-basement homes may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.

.2 Geotechnical Report

- a) Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering.

.3 Water

- a) The property is located within the City Water Utility service area.
- b) Provide an adequately sized domestic water and fire protection system complete with individual lot connections.

The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. Provide water calculations for this subdivision to confirm this. Ensure every building site is located at an elevation that ensures water pressure is within the bylaw pressure limits. Note: Private pumps are not acceptable for addressing marginal pressure.

- c) A new reservoir on South Crest Drive, which has been constructed by others, will service this development.
- d) The previous subdivision phase on Steele road will be installing a 400mm trunk watermain on Frost Road connecting to the South Crest Drive reservoir. Though not constructed at this time it is required for this development. Performance Security for this work is held under the previous rezoning file Z96-1028

.4 Sanitary Sewer

- a) Provide an adequately sized sanitary sewer system complete with individual lot connections.

.5 Drainage

- a) Provide an adequately sized drainage system complete with individual lot connections. The Subdivision, Development and Servicing Bylaw requires that each lot be provided with an individual connection; however, the City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.
- b) Provide the following drawings:
 - i) A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
 - ii) Register the Lot Grading Plan as a restrictive covenant on the property.
 - iii) A detailed Stormwater Management Plan for this subdivision; and,
 - iv) An Erosion and Sediment Control Plan.
- c) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- d) Arrange for individual lot connections before submission of the subdivision plan, including payment of connection fees (provide copy of receipt).

.6 Roads

- a) Dedicate the future Gordon Drive Arterial Road per the South Mission Road Plans. Full construction is not required at this time however; grading is required to set the grades for the rear lots.
- b) Steele Road extension to the end of the property must be constructed per the South Mission Road Plans (20-year Servicing Plan) complete with sidewalks on both sides.
- c) The sidewalk design shall establish the elevations for a future sidewalk on the north side, to fit a potential widening to a Class 1 (20m) collector cross-section. This design will utilize a 'Barrier Curb' for the future north side widening. This information will be used to control the elevations for new private driveways so that this sidewalk/curb could be built on the north side, with minimal impact on the fronting residences.
- d) The internal through road "Road A" is designated an urban class 2 collector road. Dedicate and construct the road in accordance with City standard SS-R7 (20m dedication, 11.3m road). Sidewalk on one side. Design to match adjacent subdivision.
- e) The internal Cul-de-sac roads are designated as urban class 2 local roads. Dedicate and construct the road in accordance with City standard SS-R4 (15m dedication, 9.1m road).
- f) A cul-de-sac road (urban class 2 local – standard SS-R4, 15m dedication, 9.1m road) must connect to the existing Paret Road. Paret road to the north will need to be closed. This is to be co-ordinated with the Transportation Division.
- g) Provide traffic control and street name signs where required. The City will install all signs and traffic control devices at the developer's expense.
- h) Provide a Street Sign, Markings and Traffic Control Devices Drawing.
- i) Dedicate and Construct all walkways in accordance to City standard drawing SS-R28. Note: the dedication width for walkways is 2.4 m. Fence heights are to be as follows:

Rear yard - 1.8 m above average grade level.
Side Yard - 1.2 m above average grade level to rear of existing home or 15 m from front property line on new lots, thereafter 1.8 m to rear property line. All grade changes to occur at posts with top of fabric remaining parallel to previous section.

Wider walkways may be considered but must satisfy the Parks Department.
- j) Grade the fronting road boulevards in accordance with the standard drawing and provide a minimum of 50 mm of topsoil. Major cut/fill slopes must start at the property lines.

Major cut or fill slopes must be treated to the satisfaction of the Parks Department.

- k) Driveway access is not permitted onto the future Gordon Drive. A restrictive covenant in favour of the City of Kelowna, registrable under Section 219 of the Land Title Act, must be granted to the effect that vehicular access is not permitted from proposed lots 23 – 28 and 33 – 38. The subdivision plan must be endorsed to the effect that a covenant is to be registered. The covenant must be registered as a priority charge and is to be indicated on the Lot Grading Plan.

.7 Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground
- b) Street lights must be installed on all roads.
- c) Before making application for approval of your subdivision plan, please make arrangements with Aquila Networks Canada for the pre-payment of applicable charges and tender a copy of their receipt with the subdivision application for final approval.
- d) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.

.8 Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer.

On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

.9 Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

.10 Other Engineering Comments

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands. A copy of the City's standard agreement is attached for your information and is available electronically by contacting Shelley Gambacort. This agreement must be registered as a priority charge.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as BC Gas, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.
- c) BC Gas has provided comments indicating that a gas main extension is required to service this development and that they require at least 8 weeks notification for the installation.

.11 Charges and Fees

- a) Development Cost Charges (DCC's) are payable
- b) DCC credits will be available, for DCC Works installed by the applicant, based on the lowest of the following:
 - i) DCC's payable for that class of item (i.e. roads),
 - ii) The value of the DCC item as estimated for the DCC Bylaw, or
 - iii) The actual cost of construction of the item as verified by contract costs.

The following works and services are applicable for DCC credit considerations:

- Steele Road – road works
- Gordon Drive – rough grading

- c) Fees per the “Development Application Fees Bylaw” include:
- i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
 - ii) Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
 - iii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - iv) Engineering and Inspection Fee: 3% of construction value (plus GST).
 - v) Latecomer Processing Fee: \$1,000.00 (plus GST) per agreement (no charge for 1 day agreements).
- d) The following Latecomer charges (current rates) are applicable to this property:
- 1) Kettle Valley (April 16, 1998):
 - Water ESA 1 CWS 1 (intake/pipe etc) \$ 265 /unit
 - Water ESA 1 CWS 2 (temporary pump house) \$ 524 /unit
 - Water ESA 1 CWS 3 (Stellar booster station) \$ 636 /unit
 - 2) Summit South Joint Venture (October 11, 2001):
 - Water ESA 3 CWS 5 (600mm Hedeman) \$ 101 /unit
 - Water ESA 3 CWS 6 (600mm Chute & Frost) \$ 143 /unit
 - Water ESA 3 CWS 7 (400mm Killdeer) \$ 192 /unit
 - 3) A latecomer for the Progressive Construction Reservoir on South Crest Drive is applicable. The applicable charge will be determined when the latecomer agreement is finalized.

4.2 Inspection Services

No concerns with rezoning application.

4.3 Fire Department

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

4.4 Parks Department

Standard City chain link fence to be installed by developer along the proposed walkway at time of subdivision prior to lots being sold.

City standards for boulevard landscaping shall apply.

4.5 BC Gas

Gas main extension is required to serve this development. At least 8 weeks notification is required for installation.

4.6 School District No. 23

There is potential for 25 – 30 additional students (20 elementary and 10 secondary) to Anne McClymont Elementary and Okanagan Mission Secondary.

4.7 Shaw Cable

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

4.8 Telus

Telus will require an easement for the placement of a cabinet that will house a digital switch.

4.9 Aquila Networks Canada

ANC will provide electrical service.

5.0 PLANNING COMMENTS

Staff submitted a report to Council on May 13, 2002 recommending that this particular portion of the subject property be omitted from the Neighbourhood 3 Area Structure Plan boundaries and the following resolution was adopted by Council:

THAT the boundaries of Neighbourhood 3 as outlined in the Southwest Mission Sector Plan be amended to coincide with the realigned extension of Gordon Drive.

AND THAT no rezoning for the subject area shown on Map A attached to the Special Projects Planning Manager's report dated May 7, 2002, be granted until an Area Structure Plan for Neighbourhood 3 is commenced.

The proposed subdivision serves as an infill development for the existing single family development to the east and the proposed single family development to the west. The proposed subdivision layout configuration will require refinements through the concurrent subdivision application process.

R. G. Shaughnessy
Subdivision Approving Officer

Approved for inclusion

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

AB/SG/sg

FACT SHEET

- | | |
|--|--|
| 1. APPLICATION NO.: | Z02-1027 |
| 2. APPLICATION TYPE: | Rezoning |
| 3. OWNER:
· ADDRESS
· CITY/ POSTAL CODE | No. 21 Great Projects
PO Box 29053 Okanagan Mission
Kelowna, BC V1W 4A7 |
| OWNER:
· ADDRESS
· CITY/ POSTAL CODE | Michal & Suzanne Jilek
889 Steele Road
Kelowna, BC V1W 4X1 |
| 4. APPLICANT/CONTACT PERSON:
· ADDRESS
· CITY/ POSTAL CODE:
· TELEPHONE/FAX NO.: | Runnalls Denby/Neil Denby
2 – 1470 Water Street
Kelowna, BC V1Y 1J5 |
| 5. APPLICATION PROGRESS:
Date of Application:
Servicing Agreement Forwarded to Applicant:
Servicing Agreement Concluded:
Staff Report to Council: | June 12, 2002

December 27, 2002 |
| 6. LEGAL DESCRIPTION: | Part of Lot A, DL 579, SDYD, Plan KAP68860; part of the N½ of DL 579, SDYD, except Plans 5648, 9458 and 9459; and Lots 9 & 10, DL 579, SDYD, Plan KAP68542 |
| 7. SITE LOCATION: | South of Paret Road and Southwest of Steele Road |
| 8. CIVIC ADDRESS: | 889 & 904 Steele Road; 1228 Paret Road |
| 9. AREA OF SUBJECT PROPERTIES: | 31.23 ha |
| 10. AREA OF PROPOSED REZONING: | ~ 5 ha |
| 11. EXISTING ZONE CATEGORY: | A1 – Agriculture 1 & RR2 – Rural Residential 2 |
| 12. PROPOSED ZONE: | RU1 – Large Lot Housing |
| 13. PURPOSE OF THE APPLICATION: | To rezone a portion of the subject property to allow for a 46 lot single family subdivision |
| 14. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | N/A |

Attachments

(Not attached to the electronic copy of the report)

Location Map
Plan of proposed subdivision