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# CITY OF KELOWNA

## MEMORANDUM

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**Date:** January 22, 2003  
**File No.:** Z99-1049 & DP99-10,067(3360-20)  
**To:** City Manager  
**From:** Planning & Development Services Department  
**Purpose:** To adopt Zone Amending Bylaw No. 8603 (R127 Enterprises) and to authorize the issuance of a Development Permit addressing the Natural Environment/Hazardous Condition designation of the subject property  
**Owner:** R127 Enterprises Ltd.  
**Applicant** Planning Solutions Consulting Inc./ **Contact Person:** Tony Markoff/  
Stantec Charlie Higgins  
**At:** Mission Ridge Road/Westpoint Drive  
**Existing Zone:** A1 – Agriculture 1 **Proposed Zones:** RU1 – Large Lot Housing &  
P3 – Parks & Open Space  
**Report Prepared by:** Shelley Gambacort

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SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

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### 1.0 RECOMMENDATION

THAT final adoption of Zone Amending Bylaw No. 8603 (Z99-1049 – R127 Enterprises, Mission Ridge Road/Westpoint Drive) be considered by the Municipal Council;

AND THAT Council endorse the Mission Ridge Area Structure Plan dated January 6, 2000, prepared by New Town Planning Services;

AND THAT Municipal Council authorize the issuance of Development Permit No. DP099-10,067, R127 Enterprises; Southeast 1/4 of Section 31 not included within the limits of District Lot 580a Similkameen Division Yale District, Township 29, Osoyoos Division Yale District except Plans B3677, 3093, 13170, 17707, 18684, 20390, 32874 and 36632, located on Mission Ridge Road/Westpoint Drive, Kelowna, BC; subject to the following:

1. The Coronado Hillside Path to be built and landscaped in accordance with Schedule A – Stantec Drawing No. WW1, Revision 3 dated January 16, 2003.
2. The erosion and sediment control shall be done in accordance with Schedule B – Stantec Drawing No. ERSC1, Revision 4 dated January 16, 2003.
3. The Coronado Slope drainage to be addressed in accordance with Schedule C – Stantec Drawing No. DR1, Revision 4 dated January 16, 2003.

4. The Coronado Walking Path and Storage Ponds to be developed in accordance with Schedules D<sub>1</sub>, D<sub>2</sub> and D<sub>3</sub> – Stantec Drawing Nos. CP1, CP2 and CP3, Revision 3 dated January 16, 2003.
5. All tree removal within proposed Lot B, shall be completed prior to transfer of title to the City of Kelowna and all trees proposed for removal must be flagged for inspection and approved by the City of Kelowna Environment Manager prior to removal.
6. Fire Hazard Mitigation of the subject property to be achieved through the following options, as outlined in the report dated April 23, 2002 prepared by Don Whyte of Montane Resource Management Inc. Note: This work is to be done by hand without the use of motorized vehicles on the slope.
  - (a) Tree pruning dead limbs to 2.0 metres in height;
  - (b) Cut up and scatter coarse fuels such as large branches or down tree trunks;
  - (c) Cut out and remove standing dead or dying trees within densely stocked patches;
  - (d) Scattering large accumulations of moderate and fine fuels;
  - (e) Survey the area, located and remove other fire hazards that could build heat if burned such as firewood piles, tree forts, and other materials and refuse that often occur adjacent to residential areas;
  - (f) Post signs prohibiting motorized vehicles and warning of potential for fire ignition.
7. Where tree removal has been authorized tree replacement shall occur in accordance with the City of Kelowna, Tree Protection Bylaw No. 8041.
8. Site grading in accordance with Schedules E<sub>1</sub>, E<sub>2</sub>, & E<sub>3</sub> – Stantec drawings No. SG1, SG2 and SG4, Revision 4 dated January 16, 2003.
9. Provision of black chainlink fencing, 1.8 m in height, at the rear of Lots 1 – 22, Lots 30 – 46 and Lots 52 – 60 in accordance with Schedules E<sub>1</sub>, E<sub>2</sub>, & E<sub>3</sub> – Stantec drawings No. SG1, SG2 and SG4, Revision 4 dated January 16, 2003.

## 2.0 SUMMARY

Rezoning Authorisation Bylaw No. 8603 received second and third readings at a Regular meeting of Council held on December 12, 2000, with final adoption of the zone amending bylaw being withheld pending the following:

- Provision of an executed Servicing Agreement and the provision of the necessary funds and/or bonding;
- Issuance of a Preliminary Layout Review Letter by the Approving Officer; and
- Consideration of a Development Permit on the subject property.

### 2.1 Servicing Agreement

An executed Servicing Agreement and required bonding has been received to cover the off-site requirements. These offsite requirements comprise the construction of the sidewalk along Westpoint Drive from the subject property to Dehart Road and the water system upgrades consisting of a new pump station, watermain upgrades and new reservoir storage.

### 2.2 Preliminary Layout Review

A Preliminary Layout Review letter (PLR) was issued February 19, 2001. Included in the PLR letter requirements are the following items, which were issues arising from the Public Hearing and must be addressed to the satisfaction of the Subdivision Approving Officer prior to application for Subdivision Approval.

- (a) Light placement on the emergency access corridor and the impact on the adjacent Lot 1, Plan 20390;
- (b) Landscaping along the emergency access corridor adjacent to Lot 1, Plan 20390;
- (c) Rear and sideyard setbacks on proposed on Lots 47 & 49 to respect the privacy of Lot 1, Plan 20390;
- (d) Building Height restriction (i.e. 1 – 1½ storeys) for proposed Lot 61;
- (e) Provision of larger transition lots adjacent to Lot 1, Plan 20390;
- (f) Provision of the sidewalk along the existing Westpoint Drive; and
- (g) The impact of drainage on the Coronado slope from the lots adjacent to the ridgeline.

A block plan application has also been received which will create Lots A, B and C (see attached Plan of Subdivision #1). Proposed Lot A is the area designated for development into the 68 single family residential lots. Proposed Lot B, is the proposed P3 – Parks and Open Space zoned area, also referred to as the Coronado Slope. Ownership of proposed Lot B is to be transferred to the City once certain works noted in the Development Permit requirements are completed to the satisfaction of the City. Proposed Lot C is the area adjacent to the existing Coronado Crescent subdivision. Proposed Lot C, will be further subdivided and consolidated with these adjacent lots as shown on the attached Plan of Subdivision #2.

### 2.3 Development Permit Application

The Development Permit Application has been submitted to address the Natural Environment/Hazardous Condition development permit area. This Development Permit will address the following:

- Fire Hazard Mitigation through the removal of branches and ladder fuels on trees to 2.0 m height on the Coronado Slope. This work is to be done by hand without the use of motorized vehicles on the slope.
- All tree removal within proposed Lot B, shall be completed prior to transfer of title to the City of Kelowna and all trees proposed for removal on proposed Lots A or B must be flagged for inspection and approved by the City of Kelowna Environment Staff/Manager prior to removal. Where tree removal has been authorized tree replacement shall occur in accordance with the City of Kelowna, Tree Protection Bylaw No. 8041, at a ratio of two replacement trees for each tree removed, and shall be planted and maintained on the same parcel as the tree(s) removed.
- Mitigation of all disturbed areas as shown on Schedule B attached, through hydroseeding. The hydroseed mix will meet the City Park standards and the maintenance period for the hydroseeding will be for two years to ensure adequate growth.

- Existing Coronado Hillside Path to base of Coronado slope to be upgraded to a 1.0 m wide crusher chip walkway with a 0.15 m high berm on the downhill side of the walkway, in accordance with Schedule A attached.
- Black chainlink fencing, 1.8 m in height, to be provided at rear of proposed Lots 1 – 22, 30 – 46 and 52 – 60; along walkways between Lots 39 & 40, 52 & 53; and along new rear lot lines at base of Coronado Slope in accordance with Schedules A & B attached.
- Coronado slope drainage to be addressed in accordance with Schedule C attached.
- Coronado walking path and storage ponds located at the base of the Coronado Slope to be constructed in accordance with Schedules D<sub>1</sub>, D<sub>2</sub> and D<sub>3</sub> attached.
- Site grading for Lots 1 – 68 to be done in accordance with Schedules E<sub>1</sub>, E<sub>2</sub>, & E<sub>3</sub> – Stantec drawings No. SG1, SG2 and SG4, Revision 4 dated January 16, 2003 attached. This site grading will ensure that no further drainage from the development of proposed Lot A will impact on the Coronado Slope.

#### PLANNING COMMENTS

The Planning & Development Services Department is prepared to recommend support for the Development Permit application based on the attached Schedules. The issues of drainage, slope stability, mitigation and tree retention that were raised through the rezoning application have all been satisfactorily addressed through the attached Schedules. Issues raised at the Public Hearing have been addressed through the Servicing Agreement or will be addressed through the subdivision process and as a result the Planning & Development Services Department is recommending that final adoption of the zone amending bylaw be considered.

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Hazel Christy, MBA, MCIP  
Special Projects Planning Manager

Approved for inclusion

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

HC/SG/sg

**FACT SHEET**

1. **APPLICATION NOS.:** ASP-99-001, OCP99-015, Z99-1049 & DP99-10,067
2. **APPLICATION TYPES:** Official Community Plan Amendment to Adopt the Area Structure Plan, Rezoning and Development Permit.
3. **OWNERS:** R127 Enterprises Ltd.  
(Inc. No. 384163)  
#206 – 347 Leon Avenue  
Kelowna, BC V1Y 8C7
  - . **ADDRESS**
  - . **CITY/ POSTAL CODE**
4. **APPLICANT/CONTACT PERSON:** Planning Solutions Consulting  
Inc./Tony Markoff  
744 Barnaby Road  
Kelowna, BC V1W 4N9  
764-7377
  - . **ADDRESS**
  - . **CITY/ POSTAL CODE**
  - . **TELEPHONE/FAX NO.:**
5. **APPLICATION PROGRESS:**
  - Date of Revised ASP Application:** January 11, 2000
  - Staff Report to Council:** January 12, 2000
  - 2<sup>ND</sup> Staff Report to Council:** September 6, 2000
  - 3<sup>rd</sup> Staff Report to Council:** September 21, 2000
6. **LEGAL DESCRIPTION:** Southeast 1/4 of Section 31 not included within the limits of District Lot 580a Similkameen Division Yale District, Township 29, Osoyoos Division Yale District except Plans B3677, 3093, 13170, 17707, 18684, 20390, 32874 and 36632.
7. **SITE LOCATION:** Mission Ridge Road/Westpoint Drive
8. **AREA OF SUBJECT PROPERTY:** 17.09 ha
9. **EXISTING ZONE CATEGORY:** A-1 (Rural)
10. **PROPOSED ZONE CATEGORY:** RU1 (Large Lot Housing) and P3 (Parks and Open Space)
11. **PURPOSE OF THE APPLICATION:** To adopt the Area Structure Plan into the OCP and subsequently to rezone the subject property to RU1 and P3 to permit the development of the site for single family residential uses, and to retain the Coronado Slope as public open space.
12. **DP IMPLICATIONS:** Natural Environment/Hazardous Conditions

**Attachments**

*(Not attached to the electronic copy of the report)*

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- Location Map
- Schedule A – Stantec Drawing No. WW1, Revision 3 dated January 16, 2003
- Schedule B – Stantec Drawing No. ERSC1, Revision 4 dated January 16, 2003
- Schedule C – Stantec Drawing No. DR1, Revision 4 dated January 16, 2003
- Schedules D<sub>1</sub>, D<sub>2</sub> and D<sub>3</sub> – Stantec Drawing Nos. CP1, CP2 and CP3, Revision 3 dated January 16, 2003
- Schedules E<sub>1</sub>, E<sub>2</sub>, & E<sub>3</sub> – Stantec drawings No. SG1, SG2 and SG4, Revision 4 dated January 16, 2003
- Plan of Subdivision #1
- Plan of Subdivision #2
- PLR Layout