
CITY OF KELOWNA
MEMORANDUM

Date: February 12, 2003
File No.: File No.: Z02-1024 (3360-20)

To: City Manager

From: Planning & Development Services Department

Purpose: To rezone the subject property to permit the development of a single family subdivision within Neighbourhood Two in the Southwest Okanagan Mission Sector Area

Owner: Tyson Properties Ltd. **Applicant/Contact Person:** Protech Consultants (1989) Ltd./Grant Maddock

At: 5109 Killdeer Road

Existing Zone: A1 – Agriculture 1 **Proposed Zone:** RU1 – Large Lot Housing

Report Prepared by: Shelley Gambacort

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATIONS

THAT Rezoning Application No. Z02-1024 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot C, Plan 30848, Twp. 28, Sec. 24, SDYD, located on Killdeer Road, Kelowna, BC from the A1 – Agriculture 1 zone to the RU1 – Large Lot Housing zone be considered by Council;

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

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

2.0 SUMMARY

The applicant proposes to rezone the subject property from the current A1 designation to RU1 to facilitate a proposed subdivision consisting of approximately 24 single family lots. The application is in accordance with the Area Structure Plan for Neighbourhood Two of the South West Mission Sector Plan.

2.1 Advisory Planning Commission

The Advisory Planning Commission at their meeting of November 12, 2002 reviewed the application and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z02-1024, 5109 Killdeer Road, Lot C, Plan 3084, Twp. 28, Sec. 24, ODYD, by Protech Consultants Ltd. (Grant Maddock), to rezone from the A1 – Agriculture 1

zone to the RU1 – Large Lot Housing zone in order to facilitate a 24 single family residential subdivision.

3.0 BACKGROUND

3.1 The Proposal

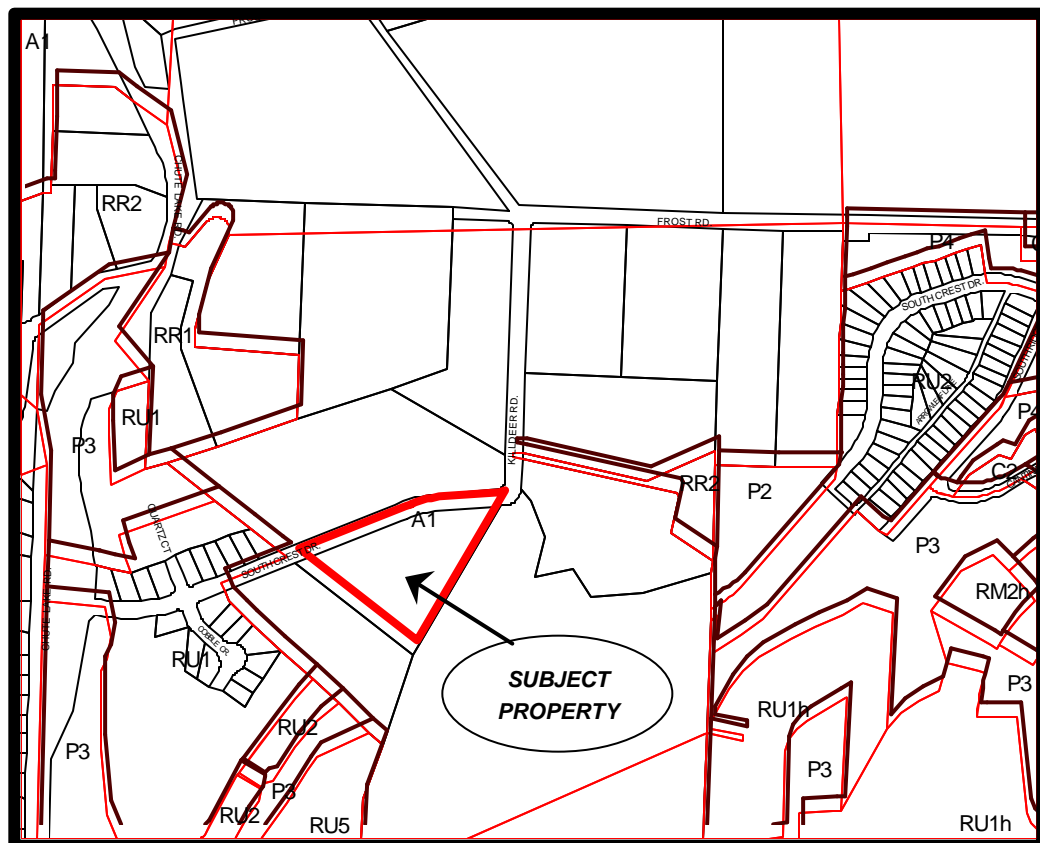
The proposed subdivision comprises 24 single family lots ranging in size from 603 m² to 1003.8 m². Access to the proposed subdivision will be from South Crest Drive (formerly Killdeer Road) and this proposed east-west road will ultimately link with the Stonebridge neighbourhood to the west and the South Ridge neighbourhood to the east. There is an existing single family residence located at the northeast corner of the subject property.

The proposal, as compared to the requirements of the RU1 zone requirements are as follows: (**Note: The subdivision plan will require some adjustments in order to achieve the minimum site width requirements for all lots.*)

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Site Area (m ²)	592.7 – 1003.8	550
Site Width (m)	~13* – 38.26	16.5/17 corner lot
Site Depth (m)	30 - 54	30

3.2 Site Context

The subject property is located at the south end of Killdeer Road on the south side of South Crest Drive.



Adjacent zones and uses are, to the:

North - A1 – Agriculture 1; vacant rural land
East - A1 – Agriculture 1; vacant rural land
South - A1 – Agriculture 1; vacant rural land
West - A1 – Agriculture 1; vacant rural land

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 Official Community Plan designates the subject property for single/two unit residential development.

3.3.3 Southwest Okanagan Mission Sector Plan

The Southwest Okanagan Mission Sector Plan identifies generalized road locations, density, and form of housing. 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) Provision of a drainage management plan/report that addresses how drainage will be handled including effects on downstream facilities and drainage courses.
- (b) A domestic water line will be required on Killdeer Road fronting the property (connections to the existing trunk water line are not acceptable).
- (c) Sanitary sewer is not available and will need to be extended from Chute Lake Road at Frost Road and up Killdeer Road (as shown in the Area Structure Plan).
- (d) Two road alignment options for South Crest Drive were presented to the City from Protech Consultants. Alternate #1 is preferred by the City. If alternate #2 is used, adjustment to the radius is required to 170m for the Collector Road at Killdeer Road.

Profiles are required for both options from Killdeer Road to South Crest drive in the South Ridge Neighbourhood, showing how grades will be satisfied. Existing portions of South Crest Road and Killdeer Road may need to be re-graded. Agreement on alternates must be reached between the various owners and the City.

- (e) Offsite works are triggered with this application. In the South Mission Sector the number of current SF units including those with issued or pending PLR's is:

NH 1: 364
 NH 2: 679
 NH 1 and 2: 1043
 NH 1,2 and 3: 1159

The following list of roads is now triggered and must be constructed by the applicant or in conjunction with other developers. These are DCC projects. DCC credits are applicable for works constructed.

4.00 ROADWORKS (Projects from SMSP)			Trigger	
	Road	Description	Units	NH
4.08	Second Access	2L Rural (Hilltop/Gordon)	300	2
4.09	DeHart: Lakeshore - Gordon	S/W one side	500	1,2
4.10	Lakeshore: DeHart to Old Meadows	S/W one side	500	1,2
4.11	Lakeshore @ Collett	Left & right turn lanes	600	1,2
4.12	Lakeshore @ Eldorado	Left & right turn lanes	600	1,2
4.13	Lakeshore @ McClure	Left & right turn lanes	600	1,2
4.14	Lakeshore @ Vintage	Left & right turn lanes	600	1,2
4.15	Lakeshore: Barnaby - Vintage	S/W one side	600	1,2
4.16	Chute: Barnaby - Frost	S/W one side	800	1,2
4.17	Frost: Connect to Gordon	2L rural or urban	950	1,2,3
4.18	Gordon: OM - Dehart (Ph1)	2L Rural+s/w+LTL	950	1,2,3
4.19	Gordon: Paret - Frost (Ph1)	2L Rural+s/w+LTL	950	1,2,3
4.20	Lakeshore @ Barnaby	Traffic lights with TL	1000	1,2,3
4.21	Lakeshore @ Old Meadows	Traffic lights with TL	1000	1,2,3
4.22	Gordon: Dehart - Paret (Ph1)	2L Rural+s/w+LTL	1100	1,2,3

ONSITE WORKS:

.1) General

- a) 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.

NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.

.3) Water

- a) The property is located within the City 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) Fill any existing wells.

.4) Sanitary Sewer

- a) Provide an adequately sized sanitary sewer system complete with individual lot connections. See OFFSITE requirements – a major extension is required.
- b) Abandon and backfill existing septic tanks in accordance with Building Department requirements. Identify, on the Lot Grading Plan, the location of the existing tanks and fields.

.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) A detailed Stormwater Management Plan for this subdivision; and,
 - iii) An Erosion and Sediment Control Plan.

- c) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.

.6) Roads

- a) South Crest Drive frontage must be upgraded to a full urban standard including curb and gutter, sidewalk, piped storm drainage system, fillet pavement, street lights, and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction. South Crest Drive is designated an urban class 2 collector road. Dedicate and construct the road in accordance with City standard SS-R7, (20 dedication, 11.3m road - measured from back of curb). Sidewalk is required on one side. This work is not part of the DCC program, therefore DCC credits are not applicable.
- b) Internal roads will be designated as urban class 1 local road. Dedicate and construct the road in accordance with City standard SS-R3, (18m dedication, 10.3m road).
- c) Provide traffic control and street name signs where required. The City will install all signs and traffic control devices at the developer's expense.
- d) Provide a Street Sign, Markings and Traffic Control Devices Drawing.
- e) 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.
- f) Re-locate existing poles and utilities, where necessary.
- g) A temporary asphalt cul-de-sac, will be required at each terminal end of roads that will be extended in the future. Additional dedication or a Statutory Right-of-Way may be needed.

.7) Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground.
- b) Street lights must be installed on all roads.
- c) 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) 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. 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.

.9) 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.
- 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), if applicable.
- 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) \$ 106 /unit
 - Water ESA 3 CWS 6 (600mm Chute & Frost) \$ 150 /unit
 - Water ESA 3 CWS 7 (400mm Killdeer) \$ 202 /unit
- 3) A latecomer for the Progressive Construction Reservoir on South Crest Drive is applicable but the construction is not complete at this time. The applicable charge will be determine when the latecomer agreement is finalized.
- 4) A latecomer for the #21 Great Projects water main installed on South Ridge Drive (and Arbor View Drive). The applicable charge will be determine when the latecomer agreement is finalized.
- 5) A latecomer for the #21 Great Projects water main installed on Frost Road from South Ridge Drive to the Reservoir. The applicable charge will be determine when the latecomer agreement is finalized.
- 6) A latecomer for Summit South Joint Ventures sanitary sewer constructed on the South Ridge Road alignment is to be paid (refer to agreement for special details).

4.2 Fire Department

Fire Department access and hydrants as per the BC Building Code and City of Kelowna Subdivision, Development and Servicing Bylaw. This property is also in an interface.

4.3 Inspections Department

Provide a full geotechnical report that indicates the land is safe for the intended use.

4.4 BC Gas

A main extension is required to serve this proposed development. Work is to be initiated by developers representative at least 8 weeks prior to installation.

4.5 Shaw Cable, Telus & Aquila

No concerns.

4.6 SD #23

Potential 10 – 15 additional students – Anne McClymont & OKM.

5.0 PLANNING COMMENTS

The proposed rezoning of the site is in conformity with the Neighbourhood Two Area Structure Plan. A subdivision application is being processed concurrently with this rezoning application, which will address the site servicing, lot layout and road alignment issues.

The Planning Department has no objections to this rezoning application subject to subject to the required off-site servicing requirements being addressed to the Development Engineering Managers satisfaction.

R. G. Shaughnessy
Subdivision Approving Officer

Approved for inclusion

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

RGS/SG/sg

FACT SHEET

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|--|---|
| 1. APPLICATION NO.: | Z02-1024 |
| 2. APPLICATION TYPE: | Rezoning |
| 3. OWNER:
· ADDRESS
· CITY/ POSTAL CODE | Tysen Properties Ltd.
1109 Churchill Road
Kelowna, BC V1V 8K9 |
| 4. APPLICANT/CONTACT PERSON:
· ADDRESS
· CITY/ POSTAL CODE:
· TELEPHONE/FAX NO.: | Protech Consultants (1989) Ltd./Grant Maddock
200 – 1449 St. Paul Street
Kelowna, BC V1Y 2E4
860-1771/860-1994 |
| 5. APPLICATION PROGRESS:
Date of Application:
Staff Report to Council:
Servicing Agreement Forwarded to Applicant:
Servicing Agreement Concluded: | May 16, 2002
February 12, 2003 |
| 6. LEGAL DESCRIPTION: | Lot C, Sec. 24, Twp. 28, SDYD, Plan 30848 |
| 7. SITE LOCATION: | South side of South Crest Drive at the south end of Killdeer Road |
| 8. CIVIC ADDRESS: | 5109 Killdeer Road |
| 9. AREA OF SUBJECT PROPERTY: | 2.03 ha |
| 10. AREA OF PROPOSED REZONING: | 2.03 ha |
| 11. EXISTING ZONE CATEGORY: | A1 – Agriculture 1 |
| 12. PROPOSED ZONE: | RU1 – Large Lot Housing |
| 13. PURPOSE OF THE APPLICATION: | To rezone the subject property to permit the development of a single family subdivision within Neighbourhood Two in the Southwest Mission |
| 15. DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS | Not applicable |

Attachments

(Not attached to the electronic copy of the report)

Location Map
Plan of Proposed Subdivision
Draft Pre-Plan for area