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# CITY OF KELOWNA

## MEMORANDUM

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**Date:** February 12, 2003

**File No.:** File No. Z99-1060 (3360-20)

**To:** City Manager

**From:** Planning & Development Services Department

**Purpose:** To rezone the subject properties to facilitate the subdivision of 3 – RR2 lots, Lot, 1 – RU1 Lot and 1 – P3 Lot

**Owner:** Maranda Estates Ltd.:  
Margaret Sharples & Guy  
Ferrari; City of Kelowna

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

**At:** 4654 Westridge Drive & 980 Maranda Court

**Existing Zone:** A1 – Agriculture 1 & 8  
RR3 – Rural Residential 3

**Proposed Zone:** RR2 – Rural Residential 2,  
RU1 – Large Lot Housing and the 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 Rezoning Application No. Z99-1060, to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 7, D.L. 580 A, S.D.Y.D., Plan 28238; Lot 8, D.L. 580 A, Sec. 29, Twp. 29, S.D.Y.D., Plan KAP62399; and part of Lot 141, Sec. 29, Twp. 29, S.D.Y.D., Plan 24972, located on Westridge Drive and Maranda Court, Kelowna, BC, from the A1 – Agriculture 1 zone and the RR3 – Rural Residential 3 zone to the RR 2 – Rural Residential 2 zone, the RU1 – Large Lot Housing zone and the P3 – Parks & Open Space zone, be considered by Council;

AND THAT the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration.

### 2.0 SUMMARY

The applicant is proposing to rezone the subject properties from the A1 – Agriculture 1 and RR3 – Rural Residential 3 zone to the RR2 – Rural Residential 2, RU1 – Large Lot Housing and P3 – Parks and Open Space zones in order to create 3 rural residential lots, 1 large lot single family housing lot and a park lot.

The proposed three rural residential lots would front onto Westridge Drive by way of three panhandle lot configurations and all three lots would utilise a private reciprocal driveway access easement within the panhandle areas. The proposed RU1 single family residential lot contains an existing single family dwelling that is presently accessed off of Maranda Court. The park lot would connect with the parkland to the north (the former Mission gravel pit site that has been reclaimed) and Woodhaven Park to the south which forms the Coronado Slope.

## 2.1 Advisory Planning Commission

This application was reviewed by the Advisory Planning commission at the meeting of December 7, 1999, and the following recommendation was passed:

THAT the Advisory Planning Commission support Rezoning Application No. 99-1060 (Protech Consultants (1989) Ltd. – Maranda Court / Crawford Bridal Path / Westridge).

## 3.0 BACKGROUND

### 3.1 The Proposal

The proposed three RR2 lots would meet the 1 ha minimum parcel size requirement for lots serviced by individual septic systems and would access from Westridge Drive along the three panhandle portions of the proposed lots. A private reciprocal driveway access easement from Westridge Drive would cross the existing City owned and titled bridle path and then connect to the developable portion of each lot. There would also be a right-of-way registered in favour of the City over the 3 panhandle portions of the proposed RR2 lots, which would enable the general public, the continued non-vehicular access to the parkland to the north (the former City gravel pit) and the existing City owned and titled bridle path.

The proposed 1.65 ha park site would remain as undeveloped park and open space with the continued opportunity for use of the existing trails that link this area to the park sites to the north and south (i.e.: former City gravel pit and Woodhaven Park).

The proposed 4850 m<sup>2</sup>, RU1 lot is to facilitate the subdivision of an existing single family dwelling, which presently accesses from Maranda Court.

Proposed Lot 4, which is presently zoned RR3 and fronts onto Westridge Drive, is not a part of this rezoning application, however, it forms part of the proposed subdivision in that the northern 7.62 m will form the panhandle portion for each of the three proposed RR2 lots (2.54 m width for each proposed lot).

### 3.2 Site Context

The subject property is situated between Maranda Court to the west and Westridge Drive to the east, the former Mission Gravel Pit to the north and Woodhaven Park to the south.

The adjacent zones and land uses are, to the:

- North - A1 – Agriculture 1 - park/open space;
- East - A1 – Agriculture 1 - and RR3 – Rural Residential 3; established single family rural residential neighbourhood of Crawford Estates;
- South - P3 – Park & Open Space & A1 – Agriculture 1; Woodhaven Park and undeveloped land;
- West - RU1 – Large Lot Housing; established single family residential neighbourhood of North Mission.

### 3.3 Current Development Policy

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

The proposed rezoning is in keeping with the goals and objectives of the Strategic plan through the protection of the natural area and encouraging “infill” development.

### 3.3.2 Kelowna Official Community Plan (OCP)

The Official Community Plan designates the future land use for the subject properties as Rural/Agricultural with some areas in excess of 30% slopes on the RR2 proposed lots, Major Park/Open Space for the area proposed as park, and single family residential for the proposed RU1 zoned lot.

### 3.3.3 North Mission/Crawford Sector Plan (May 1997)

As with the OCP the Sector Plan designates the future land use for the subject properties as Rural/Agricultural with some areas in excess of 30% slopes on the RR2 proposed lots, Major Park/Open Space for the area proposed as park, and single family residential for the proposed RU1 zoned lot.

## 4.0 TECHNICAL COMMENTS

### Works & Utilities

The following Works & Services are required for this subdivision:

#### 1. Geotechnical Report

- (a) Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the following items:
  - (i) Site suitability for development.
  - (ii) Any special requirements for construction of roads, utilities and building structures.
  - (iii) Suitability of on-site disposal of storm water including effects upon adjoining lands in accordance with the Subdivision, Development and Servicing Bylaw, Schedule 4 Sanitary Item 2.18.
  - (iv) Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.
  - (v) Identify slopes greater than 30%.
  - (vi) Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.
  - (vii) Recommendations for items that should be included in a Restrictive Covenant.
  - (viii) Any special requirements that the proposed subdivision should undertake so that it will not impact the bank(s). The report must consider erosion and structural requirements.
  - (ix) Any items required in other sections of this document.
  - (x) Recommendations for erosion and sedimentation controls for water and wind.

2. Water

- (a) The property is located within the City water 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) Arrange for individual lot connections before submission of the subdivision plan, including payment of connection fees (provide copy of receipt).
- (d) The existing water service for Lot 4, Plan 24972 may be retained and used for that lot.

3. Sewer

The proposed RU1 lot accessing from Maranda Court is presently serviced with sanitary sewer. The three proposed RR2 lots will be serviced by individual septic tank disposal systems.

4. Drainage

- (a) The City Engineer may permit use of individual ground water disposal systems, where soils are suitable.
- (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) An Erosion and Sediment Control Plan.
- (c) Significant banks are located along the proposed park boundary. The slopes appear to be sensitive to erosion; temporary and permanent measures must be taken to prevent erosion and sediment transport.
- (d) A hydrogeotechnical report will be required for on-site disposal of drainage water, 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.
- (e) Identify clearly on a contour map, or lot grading plan, the top of bank(s). Provide cross-sections along the top of the bank at each property corner and at locations where there are significant changes in slope. Cross-sections are to be perpendicular to the contour of the slope. Show the proposed property lines on the cross-sections. Not all areas have a clear top of bank; and therefore, field reconnaissance by City staff and the applicant may be needed to verify a suitable location for property lines.

- (f) Provide a Restrictive Covenant on all properties created where there are undevelopable areas (slopes greater than 30%) for non-disturbance and to restrict tree removal.

5. Roads

- (a) Verify that physical driveway access will satisfy City requirements for all lots. Show driveways on the lot grading plan with cut/fill lines and provide cross-sections for each lot.
- (b) Re-locate existing poles and utilities, where necessary.

6. Power and Telecommunication Services and Street Lights

- (a) The services to this development are to be installed underground.
- (b) Before making application for approval of your subdivision plan, please make arrangements with West Kootenay Power for the pre-payment of applicable charges and tender a copy of their receipt with the subdivision application for final approval.
- (c) The applicant must 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.

5.0 PLANNING COMMENTS

The Planning & Development Services Department does not have any concerns with the rezoning application as proposed. The areas in excess of 30% slopes will be protected by way of a no-disturb covenant registered as a priority charge against the park lot to be created and dedicated to the City. The proposed three panhandle lot configuration for the RR2 lots would be supported by the Subdivision Approving Officer.

Alternative land use and conventional subdivision layouts with a public cul-de-sac were considered during the preparation of the North Mission / Crawford Sector Plan (1997), but were not favourably considered by the public and/or the Council of the day. The proposed land uses and subdivision layout is the result of protracted negotiations between the respective property owners, the public and City staff.

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Bob Shaughnessy  
Subdivision Approving Officer

Approved for inclusion ☐

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

RGS/SG/sg

Attachment

**FACT SHEET**

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| 1.  | <b>APPLICATION NO.:</b>                            | Z99-1060   |
| 2.  | <b>APPLICATION TYPE:</b>                           | Rezoning   |
| 3.  | <b>OWNER:</b>                                      | Margaret Sharples  |
|     | . <b>ADDRESS</b>                                   | 979 Raymer Road  |
|     | . <b>CITY/POSTAL CODE</b>                          | Kelowna, BC V0H 1S0  |
|     | <b>OWNER:</b>                                      | Guy Ferrari  |
|     | . <b>ADDRESS</b>                                   | 980 Maranda Court  |
|     | . <b>CITY/POSTAL CODE</b>                          | Kelowna, BC V1W 2N9  |
|     | <b>OWNER:</b>                                      | Maranda Estates  |
|     | . <b>ADDRESS</b>                                   | 2075 West 37 <sup>th</sup> Avenue  |
|     | . <b>CITY/POSTAL CODE</b>                          | Vancouver, BC V6M 1N7  |
| 4.  | <b>APPLICANT/CONTACT PERSON:</b>                   | Protech Consultants (1989) Ltd./Grant Maddock  |
|     | . <b>ADDRESS</b>                                   | 200 – 1449 St. Paul Street   |
|     | . <b>CITY/POSTAL CODE</b>                          | Kelowna, BC V1Y 2E4  |
|     | . <b>TELEPHONE/FAX NO.:</b>                        | 860-1771/860-1994  |
| 5.  | <b>APPLICATION PROGRESS:</b>                       |  |
|     | <b>Date of Application:</b>                        | November 12, 1999  |
|     | <b>Date Application Complete:</b>                  | November 12, 1999  |
|     | <b>Staff Report to Council:</b>                    | February 12, 2003  |
|     | <b>Servicing Agreement Forwarded to Applicant:</b> | N/A  |
|     | <b>Servicing Agreement Concluded:</b>              | N/A  |
| 6.  | <b>LEGAL DESCRIPTION:</b>                          | Lot 7, DL 580A, SDYD, Plan 28238; Lot 8, DL 580A, Sec. 29, Twp. 29, SDYD, Plan KAP62399; and part of Lot 141, Sec. 29, Twp. 29, SDYD, Plan 24972 |
| 7.  | <b>SITE LOCATION:</b>                              | East end of Maranda Court and West of Westridge Drive  |
| 8.  | <b>CIVIC ADDRESS:</b>                              | 980 Maranda Court (Lot 7), 4654 Westridge Drive (Lot 8) and Crawford Estates Path (part of Lot 141)  |
| 9.  | <b>AREA OF SUBJECT PROPERTY:</b>                   | 5.145 ha   |
| 10. | <b>AREA OF PROPOSED REZONING:</b>                  | 5.145 ha   |
| 11. | <b>EXISTING ZONE CATEGORY:</b>                     | A1 – Agriculture 1 & RR3 - Rural Residential 3   |
| 12. | <b>PROPOSED ZONES:</b>                             | RR2-Rural Residential 2, RU1-Large Lot Housing and P3-Parks & Open Space   |

**13. PURPOSE OF THE APPLICATION:**

To rezone the subject properties from A1 zone to the RR2, RU1 and P3 zones to accommodate the subdivision of 3-RR2 Lots, 1-RU1 lot and 1-P3 Lot.

**14 DEVELOPMENT PERMIT MAP 13.2  
IMPLICATIONS**

Not Applicable

**Attachments**

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

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Location Map  
Plan of Proposed Subdivision