
CITY OF KELOWNA

MEMORANDUM

Date: September 5, 2003
File No.: Z03-0040
To: City Manager
From: Planning and Corporate Services Department
Subject:

APPLICATION NO. Z03-0040 OWNER: Melvin & Rita Uppenburn

AT: 1101 Bentien Road APPLICANT: D.E. Pilling & Associates

PURPOSE: To rezone from the existing split zoning (RU1 & A1) to the RU1-Large Lot Housing zone in order to facilitate a 7 lot single family residential subdivision.

EXISTING ZONE: A1-Agriculture 1 / RU1-Large Lot Housing

PROPOSED ZONE: RU1-Large Lot Housing

REPORT PREPARED BY: Mark Koch

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Rezoning Application No. Z03-0040 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for part of Lot 1, Plan KAP52172, Sec. 24, Twp. 26, ODYD, located on Bentien Road, Kelowna, B.C. 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;

2.0 SUMMARY

The applicant is proposing to rezone part of the subject property from the existing A1-Agriculture 1 zone to the proposed RU1-Large Lot Housing zone. A part of the subject property is currently zoned RU1-Large Lot Housing, with the proposed rezoning being required in order to facilitate a proposed 7 lot single family subdivision.

2.0 BACKGROUND

2.1 The Proposal

The subject property is located in the Belgo/Black Mountain Sector Plan area, and is split zoned both RU1-Large Lot Housing and A1-Agriculture 1. The applicant has indicated that they intend to retain the one single detached dwelling that is currently located on the property. A concurrent application has been submitted, applying for a proposed 7 lot single family subdivision of the subject property.

3.0 Advisory Planning Commission

The subject application was reviewed by the Advisory Planning Commission at the meeting of, August 26, 2003 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z03-0040, 1101 Bentien Road, Lot 1, Plan KAP52172, Sec. 24, Twp. 26, ODYD, D.E. Pilling & Associates (Greg Reschke) to rezone part of the subject property from the A1-Agriculture 1 zone to the RU1-Large Lot Housing zone in order to create a single family lot.

The application meets the requirements of the RU1-Large Lot Housing zone as follows:

CRITERIA (PROPOSED LOT #)	PROPOSAL	RU1-LARGE LOT HOUSING
Site Area (m ²) ❶	868m ²	550m ²
Site Width (m) ❶	16.5	16.5m
Site Depth (m) ❶	50.0m	30m
Site Area (m ²) ❷	825m ²	550m ²
Site Width (m) ❷	18.0m	16.5m
Site Depth (m) ❷	35.0m	30m
Site Area (m ²) ❸	574m ²	550m ²
Site Width (m) ❸	16.7m	16.5m
Site Depth (m) ❸	33.0m	30m
Site Area (m ²) ❹	559m ²	550m ²
Site Width (m) ❹	17.1m	16.5m
Site Depth (m) ❹	31.8m	30m
Site Area (m ²) ❺	551m ²	550m ²
Site Width (m) ❺	17.1m	16.5m
Site Depth (m) ❺	30.9m	30m
Site Area (m ²) ❻	554m ²	550m ²
Site Width (m) ❻	16.6m	16.5m
Site Depth (m) ❻	30.0m	30m
Site Area (m ²) ❼	3718m ²	550m ²
Site Width (m) ❼	83.1m	16.5m
Site Depth (m) ❼	30.0m	30m

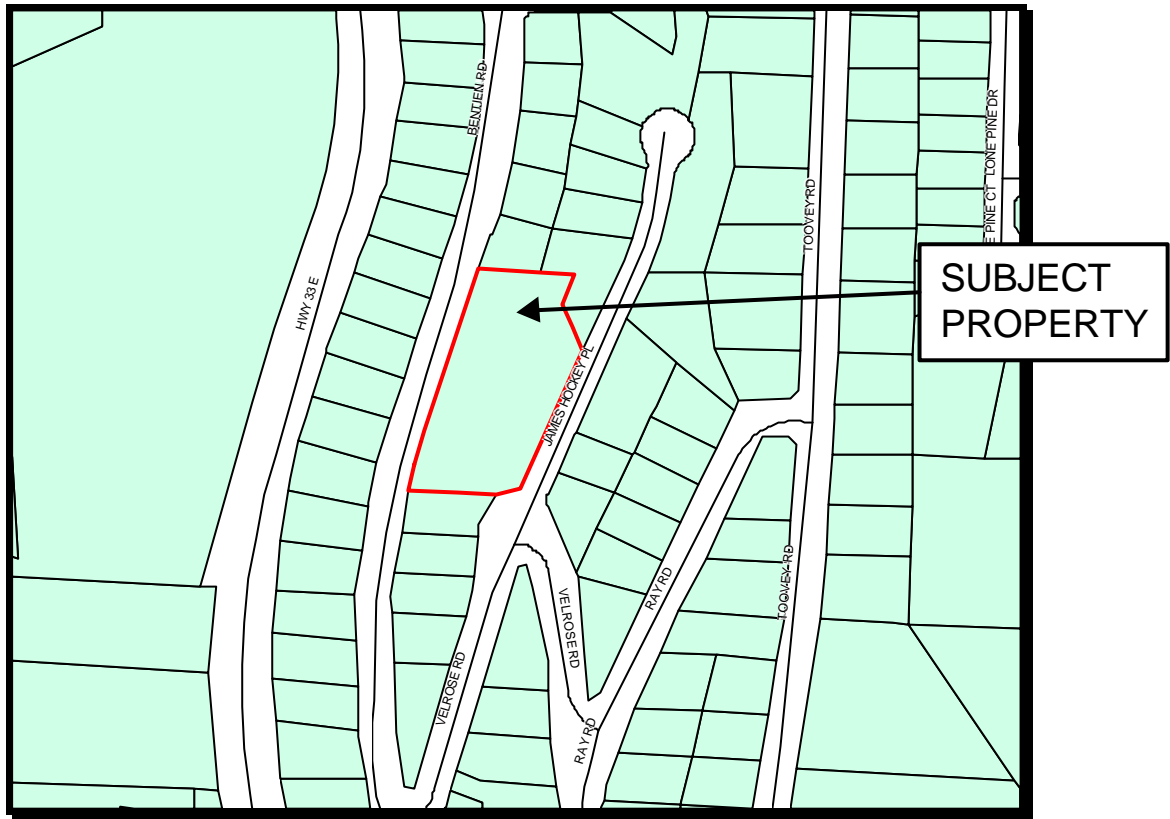
4.0 Site Context

The subject property lies within the Belgo/Black Mountain Sector Plan boundary, and is situated within a predominantly single detached neighbourhood.

Adjacent zones and uses are, to the:

North - A1-Agriculture 1 & RU1-Large Lot Housing / Single Detached Residential
 East - RU1-Large Lot Housing / Single Detached Residential
 South - RU1-Large Lot Housing / Single Detached Residential
 West - A1-Agriculture 1 / Single Detached Residential

Site Location Map



5.0 Existing Development Potential

The existing development potential for the A1-Agriculture 1 part of the subject property is for Agricultural and associated uses, with the RU1-Large Lot Housing portion of the lot having the potential for urban residential and associated uses.

5.1 Current Development Policy

5.1.1. Kelowna Official Community Plan

The Official Community Plan Future Land Use Designation for the entire subject property been identified as Single/Two Family Residential, and therefore the proposed rezoning to RU1-Large Lot Housing is consistent with the OCP.

5.1.2. City of Kelowna Strategic Plan (1992)

The proposal is consistent with the intent of the Strategic Plan, which states:

“The City will, in its plans and policies concerning future urban development, place an emphasis on more efficiently using serviced land within existing urban areas through infill, and will provide for an increased density of development within established urban areas through redevelopment of areas which are in transition”.

5.1.3. Black Mountain Sector Plan

The Black Mountain Sector Plan identifies that the area is to retain a single family residential nature, with future urban development being confined to the identified urban areas within the boundary.

6.0 Technical Comments

6.1 Works & Utilities Department and relevant utility agencies

The Works & utilities Department comments and requirements regarding this application to rezone the subject property from A1 to RU1 are as follows:

1.Subdivision.

- a) Provide easements as may be required.

2.Geotechnical Study.

A comprehensive Geotechnical Study is required, which is to be prepared by a Professional Engineer competent in the field of geotechnical engineering. The study is to address the following:

- a) Overall site suitability for development.
- b) Slope analysis (i.e. 0-10 %, 10-20 %, 20-30% and over 30 %).
- c) Presence of ground water and/or springs.
- d) Presence of fill areas.
- e) Presence of swelling clays.
- f) Presence of sulfates.
- g) Potential site erosion.
- h) Provide specific requirements for footings and foundation construction.
- i) Provide specific construction design sections for roads and utilities over and above the City's current construction standards.
- j) Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands.

3. Domestic water and fire protection.

- a) This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for these items. All charges for service connection, and upgrading costs are to be paid directly to the BMID.
- b) The water system must be capable of supplying domestic and fire flow demands in accordance with the Subdivision & Servicing Bylaw. The applicant must provide water computations for this development to confirm the available water supply.

4.Sanitary Sewer.

- a) The property is located in Sewer/Water Specified Area No 6 and therefore, all parcels to be created will be subject to the debt charges for this service. The

applicant must pay out the outstanding financial obligation, in the amount of \$15,780.87 prior to March 31, 2004 (\$2,254.41x 7 lots).

5.Drainage.

- a) A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual, is a requirement of this application. The drainage area upstream of the subject property and its potential effect on the proposed development must be addressed.

6.Power and Telecommunication Services.

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

7.Road improvements.

Bentien Road

The east half of Bentien Road along the frontage of the subject property must be upgraded to a full urban standard complete with curb, gutter, street lighting, asphalt fillet, storm drainage, landscaped boulevard and the relocation and/or removal of utilities as may be required. The estimated cost of this work, for bonding purposes, would be \$83,000.00, inclusive of a bonding contingency.

8.Street lights.

Street lights must be installed on all fronting roads as per bylaw requirements. Design drawings to include level of illumination plan

9.Engineering.

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.

10.Bonding and Levies Summary.

- a) Performance Bonding

Bentien Road frontage upgrading	<u>\$83,000.00</u>
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- b) Levies

Sanitary Sewer Specified Area # 6 pay out (7 x \$2,254.41)	\$15,780.87
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7.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning & Corporate Services Department has no concerns over this proposed change in zoning, which is also supported by the relevant planning and development policies, including the Kelowna Official Community Plan, Strategic Plan and the Black Mountain Sector Plan.

Bob Shaughnessy
Subdivision Approving Officer

Approved for inclusion ☐

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

RGS/MK/mk

Attach.

FACT SHEET

1. **APPLICATION NO.:** Z03-0040
2. **APPLICATION TYPE:** Rezoning
3. **OWNER:** Melvin & Rita Uppenburn
 ADDRESS 1101 Bentien Road
 CITY Kelowna, BC
 POSTAL CODE V1X 6R9
4. **APPLICANT/CONTACT PERSON:** D.E. Pilling & Associates /
 Greg Reschke
 ADDRESS 200-540 Groves Avenue
 CITY Kelowna, BC
 POSTAL CODE V1Y 4Y7
 TELEPHONE/FAX NO.: 250-763-2315
5. **APPLICATION PROGRESS:**
 Date of Application: July 14, 2003
 Date Application Complete: July 14, 2003
 Servicing Agreement Forwarded to Applicant:
 Servicing Agreement Concluded:
 Staff Report to APC: August 6, 2003
 Staff Report to Council: September 5, 2003
6. **LEGAL DESCRIPTION:** Lot 1, Plan KAP52172, Sec. 24, Twp. 26, ODYD
7. **SITE LOCATION:** East of Highway 33 and West of James Hockey Place
8. **CIVIC ADDRESS:** 1101 Bentien Road
9. **AREA OF SUBJECT PROPERTY:** 1.89ac (0.76ha)
10. **AREA OF PROPOSED REZONING:** 0.50ac (0.20ha)
11. **EXISTING ZONE CATEGORY:** RU1-Large Lot Housing
 A1-Agriculture 1
12. **PROPOSED ZONE:** RU1-Large Lot Housing
13. **PURPOSE OF THE APPLICATION:** To rezone from the existing split zoning (RU1 & A1) to the RU1-Large Lot Housing zone in order to facilitate a 12 lot single family residential subdivision.
14. **MIN. OF TRANS./HIGHWAYS FILES NO.:** 2-81-20406
 NOTE: IF LANDS ARE WITHIN 800 m OF A CONTROLLED ACCESS HIGHWAY
15. **DEVELOPMENT PERMIT MAP 13.2 IMPLICATIONS**

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Proposed Plan of Subdivision
- Site plan