

# MEMORANDUM

APPLICATION NO. Z03-0037 OWNER: Double Day Development

AT: 1585 Lewis Road APPLICANT: David Davies

PURPOSE: To rezone the subject property from the RR2–Rural Residential 2 zone to the RR3–Rural Residential 3 zone in order to create an additional lot for a single unit residential dwelling.

EXISTING ZONE: RR2–Rural Residential 2

PROPOSED ZONE: RR3–Rural Residential 3

REPORT PREPARED BY: MARK KOCH

The subject property is located within the Agricultural Land Reserve and was previously involved in a part of a subdivision application, where in January, 2003 the City of Kelowna subdivided the parent parcel to establish a public park, including a portion of Drui's Pond. At that time, the Agricultural Land Reserve Commission allowed the subdivision within the Agricultural Land Reserve, to facilitate in the "public interest", a public park dedication. The resolution disallowed the initial Agricultural Land Reserve exclusion application that the applicant had submitted, but allowed the City of Kelowna to subdivide the subject property "as determined by the City of Kelowna".

### 3.0 Advisory Planning Commission

The subject application was reviewed by the Advisory Planning Commission at the meeting of October 7, 2003 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z03-0037, 1585 Lewis Road, Lot A, Plan 72858, Sec. 13, Twp. 26, ODYD by Double Day Development (Dave Davies), to rezone the subject property from the RR2–Rural Residential 2 zone to the RR3–Rural Residential 3 zone in order to facilitate a 2 lot subdivision.

### 4.0 BACKGROUND

#### 4.1 The Proposal

The application is to rezone the subject property from the RR2-Rural Residential 2 zone to the RR3-Rural Residential 3 zone, in order to facilitate further subdivision, and create an additional single unit residential lot. The subject property is serviced by a community sanitary sewer system, which runs along Lewis Road.

The application meets the requirements of the proposed RR3-Rural Residential zone as follows:

CRITERIA	PROPOSAL	RR3 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> ) ❶	+/- 3100m <sup>2</sup>	+/- 1600m <sup>2</sup>
Site Width (m) ❶	+/- 50m	+/- 18m
Site Depth (m) ❶	+/- 56m	+/- 30m
Site Area (m <sup>2</sup> ) ❷	+/- 2500m <sup>2</sup>	+/- 1600m <sup>2</sup>
Site Width (m) ❷	+/- 50m	+/- 18m
Site Depth (m) ❷	+/- 45m	+/- 30m

Notes:

- ❶ Proposed Lot 1
- ❷ Proposed Lot 2

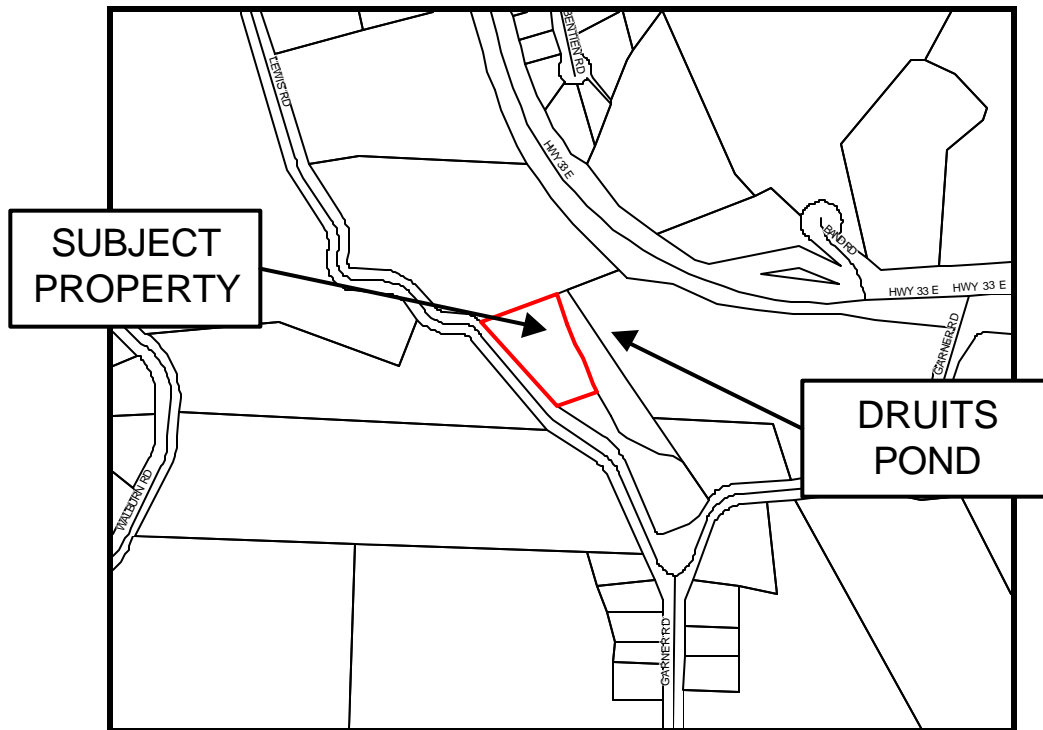
#### 4.2 Site Context

The site is located on the east side of Lewis Road and north of Garner Road in the Belgo / Black Mountain Sector area of the city. The site is 0.56 ha (1.39ac) in area and slopes from 528m-530m.

Adjacent zones and uses are, to the:

- North - A1 – Agriculture 1; Small field and associated residence
- West - A1 – Agriculture 1; steep bushland and rural residential
- South - P3 – Parks and Open Space; Public Park
- East - A1 – Agriculture 1, P2 – Educational and Minor Institutional; unfarmed field and associated residence, and Orchard City Seventh-Day Adventist Church

Site Location Map



5.0 Existing Development Potential

The existing development potential is for Rural Residential and associated uses.

5.1 Current Development Policy

5.1.1 Kelowna Official Community Plan

The Official Community Plan contains policies that discourage further parcelization of land identified as being in the Agricultural Land Reserve.

5.1.2 City of Kelowna Strategic Plan

The City of Kelowna Strategic Plan contains policies that seek to protect agricultural land and provide buffers between urban and agricultural land.

5.1.3 Belgo/Black Mountain Sector Plan

The Belgo/Black Mountain Sector Plan identifies the subject property as being in the Agricultural Land Reserve, and further contains policies that seek to minimize the impact of development on rural and agricultural land.

6.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The proposed rezoning and the related subdivision application is NOT supported by the relevant relevant planning and development policy documents, including the Official Community Plan, the City of Kelowna Strategic Plan, and the Belgo/Black Mountain Sector Plan.

The initial ALR, rezoning and subdivision applications were supported by the Agricultural Land Commission, the Agricultural Advisory Committee, the Advisory Planning Commission, the Planning and Corporate Services Department, and City Council to facilitate, in the “public interest”, the dedication of a public park adjacent to Druits Pond.

7.0 ALTERNATE RECOMMENDATION

THAT Rezoning Application No. Z03-0037 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for Lot A, Plan 72858, Sec. 13, Twp. 26, ODYD, located on Lewis Road, Kelowna, B.C. from the RR2–Rural Residential 2 zone to the RR3–Rural Residential 3 zone be supported by Council;

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

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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.:** Z03-0037
2. **APPLICATION TYPE:** Rezoning Application
3. **OWNER:** Double Day Development Corp  
· **ADDRESS** 406 Moubray Road  
· **CITY** Kelowna, BC  
· **POSTAL CODE** V1V 1R4
4. **APPLICANT/CONTACT PERSON:** David Davies  
· **ADDRESS** 406 Moubray Road  
· **CITY** Kelowna, BC  
· **POSTAL CODE** V1V 1R4  
· **TELEPHONE/FAX NO.:**
5. **APPLICATION PROGRESS:**  
Date of Application: July 18, 2003  
Date Application Complete: July 18, 2003  
Servicing Agreement Forwarded to Applicant:  
Servicing Agreement Concluded:  
Staff Report to APC: September 4, 2003  
Staff Report to Council: October 15, 2003
6. **LEGAL DESCRIPTION:** Lot A, Plan 72858, Sec. 13, Twp. 26, ODYD
7. **SITE LOCATION:** East of Lewis Road and North of Garner Road
8. **CIVIC ADDRESS:** 1585 Lewis Road
9. **AREA OF SUBJECT PROPERTY:** 0.56ha
10. **AREA OF PROPOSED REZONING:** 0.56ha
11. **EXISTING ZONE CATEGORY:** RR2-Rural Residential 2
12. **PROPOSED ZONE:** RR3-Rural Residential 3
13. **PURPOSE OF THE APPLICATION:** To rezone the subject property from the RR2–Rural Residential 2 zone to the RR3–Rural Residential 3 zone in order to create an additional lot for a single unit residential dwelling.
14. **MIN. OF TRANS./HIGHWAYS FILES NO.:**  
**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
- Site plan