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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** July 14, 2004

**File No.:** Z04-0042

**To:** City Manager

**From:** Planning and Corporate Services Department

**Subject:**

APPLICATION NO. Z04-0042

OWNER: Jim Gretzinger

AT: 1703 Lynrick Road

APPLICANT: Serko Property Services

PURPOSE: To rezone from the existing A1-Agriculture 1 zone to the RU1-Large Lot Housing and the RU6-Two Dwelling Housing zone in order to facilitate a 3 lot single and two unit residential subdivision

EXISTING ZONE: A1-Agriculture 1

PROPOSED ZONE: RU1-Large Lot Housing / RU6-Two Dwelling Housing

REPORT PREPARED BY: Mark Koch

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**SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS**

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**1.0 RECOMMENDATION**

THAT Rezoning Application No. Z03-0042 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of Lot A, Sec. 18, Twp. 27, ODYD, Plan 25460, Except Plan KAP53392, located on Lynrick Road, Kelowna, BC, from the A1 – Agriculture 1 zone to the RU6 – Two Dwelling Housing zone, as shown on Map "A" attached to the report of Planning & Corporate Services Department, dated July 14, 2004 BE considered by Council;

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

**2.0 SUMMARY**

The applicant is proposing to rezone the subject property from the A1-Agriculture 1 zone to the proposed RU1-Large Lot Housing and RU6-Two Dwelling Housing zone. This rezoning request has been made to facilitate a proposed three lot subdivision, which includes two RU1-Large Lot Housing lots to the north, and one RU6-Two Dwelling Housing lot to the south.

### 3.0 ADVISORY PLANNING COMMISSION

The subject application was reviewed by the Advisory Planning Commission at the meeting of July 6, 2004, and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z04-0042, for 1703 Lynrick Road, Lot A, Plan 25460, Sec. 18, Twp. 27, ODYD by Serko Property Services (Larry Serko), to rezone from the A1-Agriculture 1 zone to the RU1-Large Lot Housing zone and the RU6-Two Dwelling Housing zone in order to facilitate a 3 lot single family residential subdivision.

### 4.0 BACKGROUND

#### 4.1 The Proposal

The subject property is located in the Belgo/Black Mountain Sector Plan area, and is currently zoned A1-Agriculture 1. The applicant has indicated that they seek to retain the single detached dwelling which is currently located on the northern portion of the property. A concurrent application has been submitted in order to subdivide the subject property into three residential lots.

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

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> ) (Proposed Lot 1)	1072.3m <sup>2</sup>	550m <sup>2</sup>
Site Width (m) (Proposed Lot 1)	21.91m	16.5m
Site Depth (m) (Proposed Lot 1)	48.69	30m
Site Area (m <sup>2</sup> ) (Proposed Lot 2)	831.8m <sup>2</sup>	550m <sup>2</sup>
Site Width (m) (Proposed Lot 2)	16.85m	16.5m
Site Depth (m) (Proposed Lot 2)	48.57m	30m

CRITERIA	PROPOSAL	RU6 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> ) (Proposed Lot 3)	961.0m <sup>2</sup>	700m <sup>2</sup>
Site Width (m) (Proposed Lot 3)	20.00m	18m
Site Depth (m) (Proposed Lot 3)	47.53m	30m

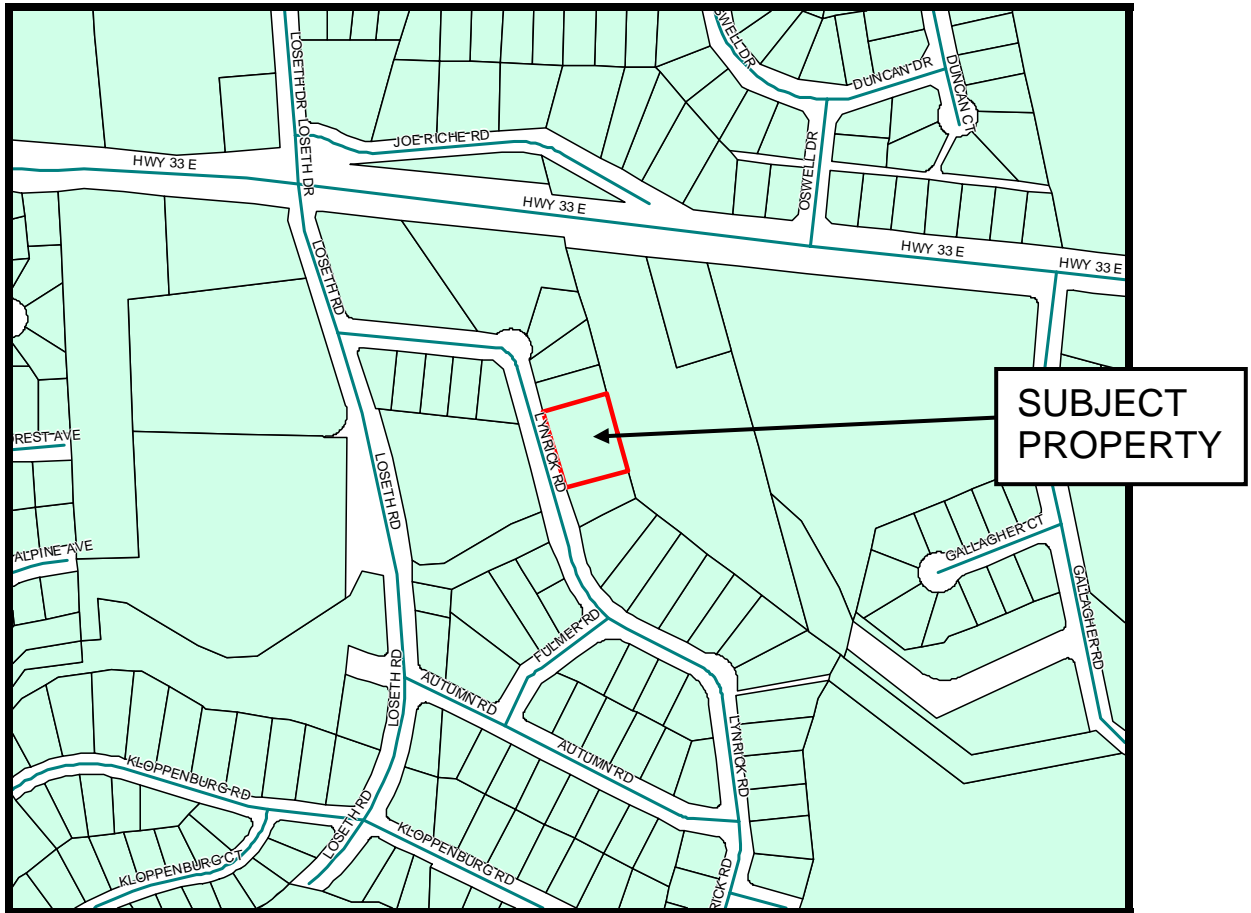
#### 4.2 Site Context

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

Adjacent zones and uses are, to the:

North - A1-Agriculture 1 / Single Family Residential  
 East - RU1-Large Lot Housing / Single Family Residential  
 P3-Parks and Open Space / Single Family Residential  
 South - A1-Agriculture 1 / Vacant Lot  
 West - A1-Agriculture 1 / Single Family Residential

Site Location Map



4.3 Existing Development Potential

The existing development potential for the A1-Agriculture 1 zoned subject property is for Agricultural and associated uses

4.4 Current Development Policy

4.4.1 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 and RU6-Two Dwelling Housing is consistent with the OCP.

4.4.2 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”.

#### 4.4.2 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.

### 5.0 TECHNICAL COMMENTS

#### 5.1 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 and RU6 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, including effects upon Gopher Creek.

##### 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 **\$6,22088** prior to March 31, 2005 (\$1,829.67x 2) for the single family lots and (\$1,829.67 x 0.7 x 2) for the proposed duplex lot.

5. Drainage.

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.

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.

Lynrick Road

The east half of Lynrick 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 \$37,100.00, inclusive of a bonding contingency.

8. 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.

9. Bonding and Levies Summary.

a) Performance Bonding

Lynrick Road frontage upgrading \$37,100.00

b) Levies

Sanitary Sewer Specified Area # 6 pay out as per 4 a) \$6,220.88

6.0 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.

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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.:** Z04-0042
2. **APPLICATION TYPE:** Rezoning
3. **OWNER:** Jim Gretzinger  
• **ADDRESS** 1703 Lynrick Road  
• **CITY** Kelowna, BC  
• **POSTAL CODE** V1P 1E8
4. **APPLICANT/CONTACT PERSON:** Serko Property Services / Larry Serko  
• **ADDRESS** 655 Tozer Avenue  
• **CITY** Kelowna, BC  
• **POSTAL CODE** V1W 2A4  
• **TELEPHONE/FAX NO.:** 250-764-0332
5. **APPLICATION PROGRESS:**  
Date of Application: June 15, 2004  
Date Application Complete: June 15, 2004  
Servicing Agreement Forwarded to Applicant:  
Servicing Agreement Concluded:  
Staff Report to APC: June 24, 2004  
Staff Report to Council: July 14, 2004
6. **LEGAL DESCRIPTION:** Lot A, Sec. 18, Twp. 27, ODYD, Plan 25460, Except Plan KAP53392
7. **SITE LOCATION:** On Lynrick Road, east of Loseth Road
8. **CIVIC ADDRESS:** 1703 Lynrick Road
9. **AREA OF SUBJECT PROPERTY:** 0.3ha (0.7ac)
10. **AREA OF PROPOSED REZONING:** 0.3ha (0.7ac)
11. **EXISTING ZONE CATEGORY:** A1-Agriculture 1
12. **PROPOSED ZONE:** RU1-Large Lot Housing /  
RU6-Two Dwelling Housing
13. **PURPOSE OF THE APPLICATION:** To rezone from the existing A1-Agriculture 1 zone to the RU1-Large Lot Housing and the RU6-Two Dwelling Housing zone in order to facilitate a 3 lot residential subdivision
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
- Proposed Plan of Subdivision