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# CITY OF KELOWNA

## MEMORANDUM

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**Date:** August 16, 2004

**File No.:** Z04-0041

**To:** City Manager

**From:** Planning & Corporate Services Department

**Purpose:** To rezone from the A1-Agriculture 1 zone to the RU1-Large Lot Housing zone in order to facilitate a 14-lot single detached housing subdivision within Neighbourhood Two in the Southwest Mission

**Owner:** Allen & Debra Hignell      **Applicant/Contact Person:** Protech Consultants Ltd./ Grant Maddock

**At:** 5001 Chute Lake Road

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

**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. Z04-0041 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, Sec. 24, Twp. 28, SDYD, Plan 33972, located on Chute Lake 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;

### 2.0 SUMMARY

The applicant proposes to rezone the subject property from the current A1 – Agriculture 1 zone to the RU1 – Large Lot Housing zone to facilitate the development of 14 single family residential lots. The application is in accordance with the Area Structure Plan for Neighbourhood Two in the Southwest Okanagan Mission Sector area of the City and is proposed as a continuation of the development proposed to the east of the subject property (see attached Map “A”).

### 2.1 Advisory Planning Commission

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

THAT the Advisory Planning Commission supports Rezoning Application No. Z04-0041, for 5001 Chute Lake Road, Lot 1, Plan 33972, Sec. 25, Twp. 28, 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 14 lot single family residential subdivision.

### 3.0 BACKGROUND

#### 3.1 The Proposal

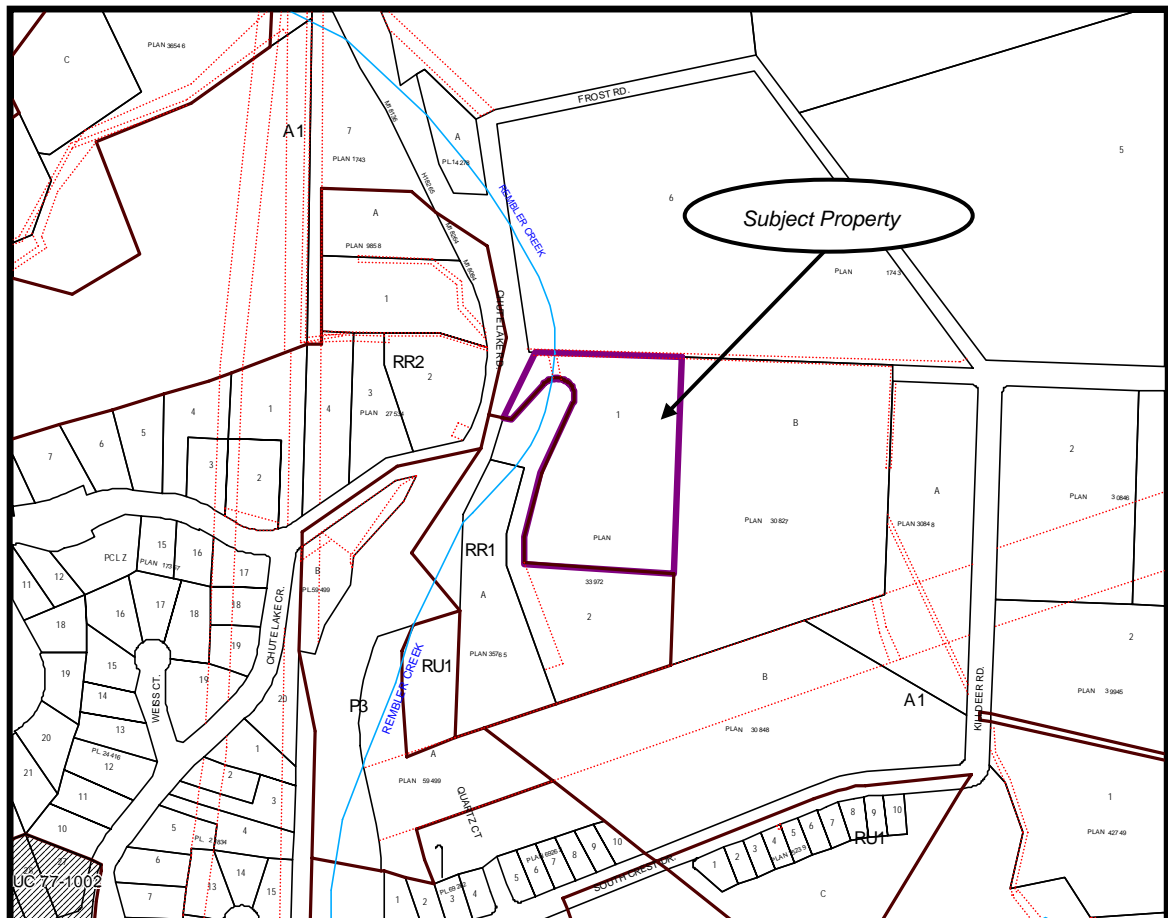
The proposed subdivision comprises 14 single family lots ranging in size from 560.4 m<sup>2</sup> to 3,933.5 m<sup>2</sup>. Access to the proposed subdivision will be from a new road that will be constructed as part of the proposed development of the adjacent land to the east of the subject property. This proposed access will tie into the proposed re-alignment and extension of Frost Road. There is an existing single family residence located on the subject property that will be incorporated into the proposed subdivision. A concurrent application for a Preliminary Layout Review letter for the proposed subdivision will address the servicing requirements necessary for the proposed development.

The proposal, as compared to the requirements of the RU1 zone requirements are as follows:

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Lot Area (m <sup>2</sup> )	560.4 – 3,933.5	550 m <sup>2</sup>
Minimum Lot Width (m)	16.5 min	16.5 m*
Minimum Lot Depth (m)	30.297 min.	30.0 m

#### 3.2 Site Context

The property is located off Chute Lake Road, across from Chute Lake Crescent.



The surrounding land uses are:

- North - A1 – Agriculture 1; agricultural with 2 single unit dwellings
- East - RU1 – Large Lot Housing; rural with single unit dwelling (under application for subdivision)
- South - RR1 – Rural Residential 1; single family dwelling
- West - RR1 – Rural Residential 1 and Chute Lake Road

### **3.3 Current Development Policy**

#### **3.3.1 City of Kelowna Strategic Plan**

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. The proposal outlined in the Area Structure Plan for Neighbourhood Two is in accordance with several objectives stated in the City's Strategic Plan.

#### **3.3.2 Official Community Plan**

The Official Community Plan Future Land Use Map identifies the site as single/two unit residential.

#### **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.

### **3.4 Proposed Development Potential**

The purpose of the RU1 zone is to provide a zone for single detached housing, and compatible secondary uses (i.e. bed & breakfast, care centres minor, group homes minor, home based businesses major & minor, second kitchen) on larger serviced urban lots.

## **4.0 TECHNICAL COMMENTS**

### **4.1 Works & Utilities**

The following Works & Services are required for this subdivision:

- .1) Geotechnical Report - Provide a comprehensive geotechnical report, prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering. 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.
- .2) Water - The property is located within the City water service area and is already serviced (specified area 1). 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.

- .3) Sanitary Sewer - The Sanitary sewer was to be routed within the future Frost Road as shown on in the Area Structure Plan for Neighbourhood 2. Sewers are to be installed in road networks and only approved within Statutory Rights-of-Way (SROW) at the discretion of the Wastewater Manager.
- .4) Drainage - 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.
- .5) Roads
  - a) The internal road is designated an urban class 2 local road. Dedicate and construct the road in accordance with City standard SS-R4, 15m dedication, 9.1m road).
  - b) On Frost Road, dedicate and construct the road to subgrade and construct a sidewalk on one side in accordance with the Predesign for this road. Grade the lots adjacent to this road to accommodate future construction.
  - c) A driveway access (reciprocal) agreement must be registered against proposed Lots 11 and 12 for vehicular access. The agreement must set down arrangements for maintenance and must include a clause to the effect that it is not to be cancelled without the consent of the Approving Officer for the City of Kelowna. This agreement must be registered as a priority charge.
  - d) Private access roads must be constructed and paved to the City standard SS-R2.
- .6) Power and Telecommunication Services and Street Lights
  - a) All proposed distribution and service connections are to be installed underground.

#### **4.2 Environment Division**

The proposed lot 14 is encumbered by steep slopes on the western portion of the property. This steeply graded area should be protected with a no-disturb or at least a no-build Section 219 covenant registered on title.

#### **4.3 Ministry of Water, Land & Air Protection**

Please ensure that access road alignment and construction is adequate to preclude impacts on Rembler Creek.

#### **4.4 Fire Department**

Fire Department access and hydrants as per the BC Building Code and City of Kelowna Subdivision, Development and Servicing Bylaw.

**4.5     Inspection Services**

No concerns with rezoning. Provide a geotechnical report and surveyors certificate. Ensure that developer is aware that the double fronting lots will be restricted to a 2 storey building facing the street.

**4.6     Parks Division**

Parks is responsible for the maintenance of all City-owned open land including the weeding and litter control along Remblers Creek. Please ensure that there is sufficient creek dedication for maintenance vehicles and crews.

**5.0     PLANNING COMMENTS**

The proposed use of the site complies with the OCP Single/Two Unit residential designation, the Southwest Okanagan Mission Sector Plan and the policies and guidelines of the Area Structure Plan.

Through the concurrent subdivision application, the servicing issues will be addressed including the provision of community water and sanitary sewer to the proposed development. In addition, as part of the subdivision process, the applicant will be required to dedicate and rough grade that portion of the Frost Road alignment running through the subject property. This Frost Road connection would then be nearly complete, except for a small section between the subject property and Chute Lake Road.

R. G. Shaughnessy  
Subdivision Approving Officer

Approved for inclusion ☐

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

RGS/SG/sg

Attachment

**FACT SHEET**

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| <b>1. APPLICATION NO.:</b>   | Z04-0041   |
| <b>2. APPLICATION TYPE:</b>  | Rezoning   |
| <b>3. OWNER:</b> <ul style="list-style-type: none"><li>• ADDRESS</li><li>• CITY/ POSTAL CODE</li></ul>   | Allen & Debra Hignell<br>5001 Chute Lake Road<br>Kelowna, BC V1Y 7R3   |
| <b>4. APPLICANT/CONTACT PERSON:</b> <ul style="list-style-type: none"><li>• ADDRESS</li><li>• CITY/ POSTAL CODE:</li><li>• TELEPHONE/FAX NO.:</li></ul>              | Protech Consultants/ Grant Maddock<br>200 – 1449 St. Paul Street<br>Kelowna, BC V1Y 2E4<br>860-1771/860-1994   |
| <b>5. APPLICATION PROGRESS:</b><br>Date of Application:<br>Servicing Agreement Forwarded to Applicant:<br>Servicing Agreement Concluded:<br>Staff Report to Council: | June 4, 2004<br><br><br><br>August 16, 2004  |
| <b>6. LEGAL DESCRIPTION:</b>   | Lot 1, Sec. 23, Twp. 28, SDYD, Plan 33972  |
| <b>7. SITE LOCATION:</b>   | Chute Lake Road, across from Chute Lake Crescent   |
| <b>8. CIVIC ADDRESS:</b>   | 5001 Chute Lake Road   |
| <b>9. AREA OF SUBJECT PROPERTY:</b>  | 2.02 ha  |
| <b>10. AREA OF PROPOSED REZONING:</b>  | 2.02 ha  |
| <b>11. EXISTING ZONE CATEGORY:</b>   | A1 – Agriculture 1   |
| <b>12. PROPOSED ZONE:</b>  | RU1 – Large Lot Housing  |
| <b>13. PURPOSE OF THE APPLICATION:</b>   | To rezone from the A1-Agriculture 1 zone to the RU1-Large Lot Housing zone in order to facilitate a 14 lot single detached housing subdivision within Neighbourhood Two in the Southwest Mission |
| <b>14. DEVELOPMENT PERMIT MAP 7.1 IMPLICATIONS</b>   | Proposed Lots 1-13 may be removed from the Development Permit Designation shown on Map 7.1   |

### Attachments

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

- Location Map
- Proposed Plan of Subdivision

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### Transit Route Map

