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**CITY OF KELOWNA**

**MEMORANDUM**

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**Date:** July 28, 2004  
**File No.:** Z04-0040

**To:** City Manager

**From:** Planning and Corporate Services Department

**Subject:**

APPLICATION NO. Z04-0040

OWNER: Merbil Investments Ltd.

AT: 464 Trumpeter Road  
Trumpeter Road (N of)

APPLICANT: Harold Kullman

**PURPOSE:** To rezone the two subject properties from the RR2-Rural Residential 2 zone to the RR3-Rural Residential 3 zone in order to allow for a proposed two lot single family residential subdivision.

**EXISTING ZONE:** RR2-Rural Residential 2

**PROPOSED ZONE:** RR3-Rural Residential 3

**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. Z04-0040 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 14, Sec. 24, Twp. 28, SDYD, Plan 31830 and Lot 5, Sec. 24, Twp. 28, SDYD, Plan 19050 except Plan 21644, located on Trumpeter Road, Kelowna, B.C. from the RR2-Rural Residential 2 zone to the RR3-Rural Residential 3 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 has applied to rezone the two subject properties from the RR2-Rural Residential 2 zone to the RR3-Rural Residential 3 zone in order to allow a proposed two lot single family residential subdivision.

### 3.0 Advisory Planning Commission

The subject application was reviewed by the Advisory Planning Commission at the meeting of July 20, 2004 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z04-0040, for 464 Trumpeter Road, Lot 5, Plan 19050, & Lot 14, Plan 31830, Sec. 24, Twp. 28, ODYD, by Harold Kullman, to rezone from the RR2-Rural Residential zone 2 to the RR3-Rural Residential 3 zone in order to allow for a proposed two lot single family subdivision

### 4.0 BACKGROUND

#### 4.1 The Proposal

The subject properties are located in the Southwest Mission Sector area of the City, with both properties being zoned RR2-Rural Residential 2. The larger subject property fronts onto Chute Lake Road, while a smaller 173m<sup>2</sup> legal non-conforming lot fronts onto Trumpeter Road. Both lots are owned by the applicant, who is proposing to subdivide both lots into a 0.23ha parcel fronting on Chute Lake Road, and a 0.23ha parcel fronting on Trumpeter Road. This rezoning application is required to accommodate the proposed two lot single family subdivision.

Application meets requirements of proposed RU1-Large Lot Housing zone as follows:

CRITERIA	PROPOSAL	RR3 ZONE REQUIREMENTS
Site Area (m <sup>2</sup> ) $\supseteq$	2264m <sup>2</sup>	1600m <sup>2</sup>
Site Width (m) $\supseteq$	34m	18m
Site Depth (m) $\supseteq$	65m	30m
Site Area (m <sup>2</sup> ) $\nless$	2336m <sup>2</sup>	1600m <sup>2</sup>
Site Width (m) $\nless$	65m	18m
Site Depth (m) $\nless$	34m	30m

Notes:

$\supseteq$  Proposed Lot A

$\nless$  Proposed Lot B

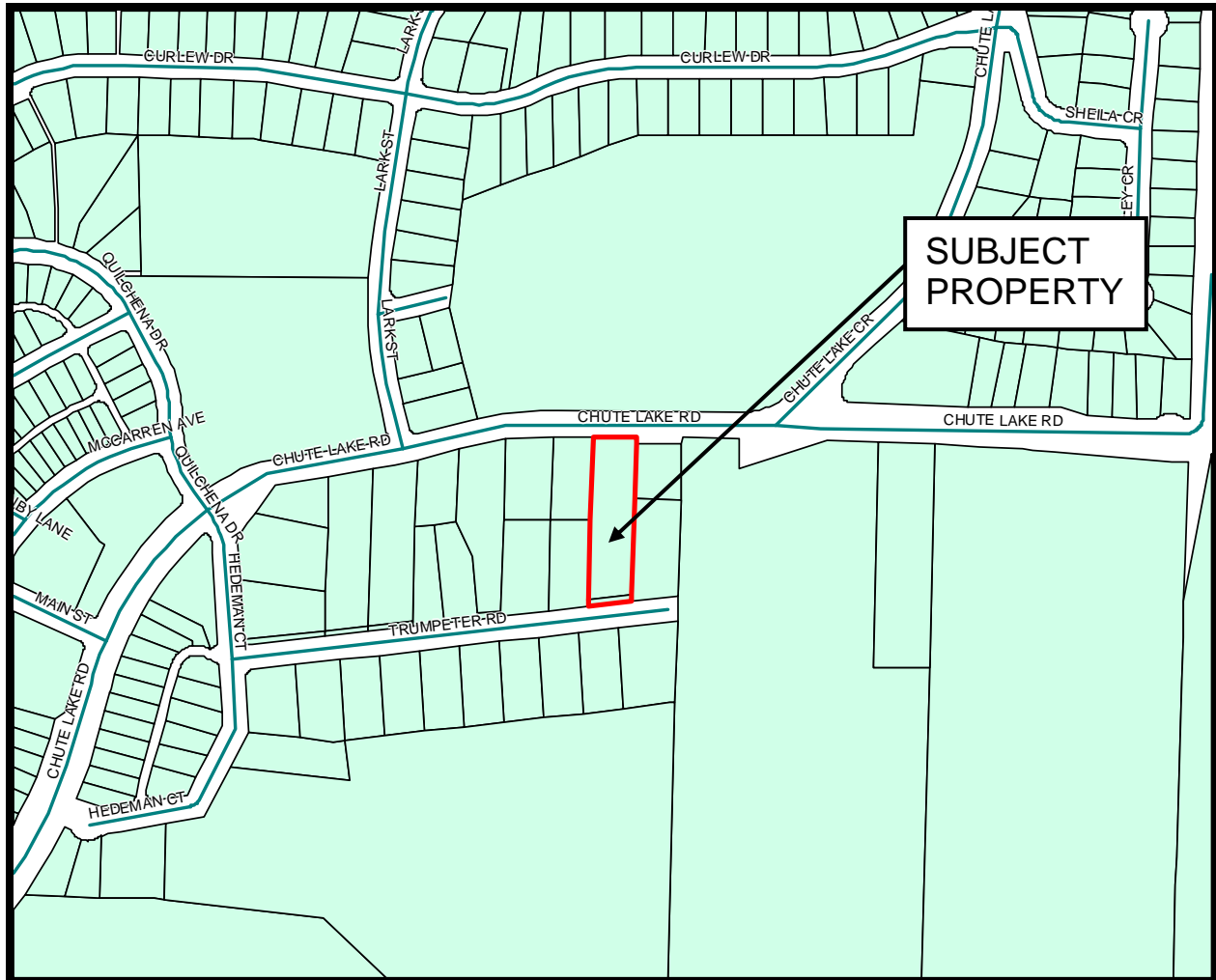
#### 4.2 Site Context

The subject property is situated within the Southwest Mission Sector Plan area, and is located adjacent to the Kettle Valley development. The subject property is one of the few remaining lots fronting on both Chute Lake Road and Trumpeter Road.

Adjacent zones and uses are, to the:

- North - CD2-Kettle Valley Comprehensive Residential Development /  
Kettle Valley Subdivision
- East - RR1-Rural Residential 1 / Single Family Residential
- South - RR3-Rural Residential 3 / Single Family Residential
- West - RR3-Rural Residential 3 / Single Family Residential

### Site Location Map



#### 5.0 Existing Development Potential

The existing RR3-Rural Residential zone permits single detached housing as a primary use, and bed and breakfast homes, intermediate care centres, minor group homes, both major and minor home based businesses, and second kitchens as secondary uses.

#### 5.1 Current Development Policy

##### 5.1.1 Kelowna Official Community Plan

The Official Community Plan Future Land Use Designation for the subject property been identified as Single/Two Family Residential, therefore the proposed rezoning to the RR2-Rural Residential 2 zone is consistent with the Official Community Plan direction.

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

The Strategic Plan encourages compact urban growth, while furthermore encouraging redevelopment and infill development.

5.1.3 Southwest Mission Sector Plan

The Southwest Mission Sector Plan contains goals and objectives which seek to create clustering of development, while further encouraging new ways of viewing density.

6.0 TECHNICAL COMMENTS

The following Works & Services are required for this subdivision:

.1) Geotechnical Report

- a) A geotechnical report may be required by the Inspection Services Department.

.2) Water

- a) The property is located within the City Water Utility service area. Arrange for individual lot connections before submission of the subdivision plan, including payment of connection fees. Show the proposed water service location on the Lot Grading Plan. The City will install the connection at cost to the owner. When the drawing is provided, the city will estimate the cost of the connection and then advise the applicant. A deposit based on the estimate will be necessary before subdivision approval.

.3) Sanitary Sewer

- a) Sewer is required for this subdivision. The property is within proposed Specified Sewer Area 28A (Okaview) and the sewer collection system is being installed at this time. The sewer will be extended across the middle of the property as part of this Specified Area. A statutory right-of-way will be required for this. Another connection will be required for the new lot. We recommend that the owner coordinated and pay for this connection now as part of the current City contract as there may be a cost savings.
- b) Both parcels to be created will be subject to the Specified Area debt charges for this service. The applicant must pay-out the outstanding financial obligation for each lot.
- c) Abandon and backfill existing septic tanks in accordance with Building Department requirements. Identify, on the Lot Grading Plan, the location of the existing tanks and fields.

.4) Drainage & Lot Grading

- a) 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.
- b) Provide 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).

.5) Roads

- a) Chute Lake Road frontage will be completed in the future as part of a larger project in the 20 Year Servicing Plan and the Development Cost Charge Program. No further construction or contribution is required from the owner (other than DCC's).
- b) Trumpeter Road is designated an urban local road. The road is already urbanized with curb and gutter and there is no further work required.
- c) New driveways are normally not permitted onto arterial roads such as Chute Lake Road; however, as this lot already fronts Chute Lake Road and has an existing driveway, we are prepared to allow access, provided:
  - i) the driveway satisfies the maximum 15% grade requirement for new lots; and,
  - ii) an adequate turn around on the property is constructed that permits vehicles to exit onto Chute Lake Road in a forward manner (avoids backing into traffic).

As an alternative, a common driveway could be provided to Trumpeter Road provided grades are "proved out".

The driveways should be rough graded prior to subdivision approval to confirm that they satisfy bylaw requirements.

.6) Power and Telecommunication Services and Street Lights

- a) 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.

7.0 PLANNING AND CORPORATE SERVICES DEPARTMENT

The Planning & Corporate Services Department has no concerns with this proposed change in zoning, which is also supported by the relevant planning and development policies, which include the Kelowna Official Community Plan, and the Southwest Mission 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.:** Z04-0040
2. **APPLICATION TYPE:** Rezoning
3. **OWNER:** Merbil Investments Ltd.
  - **ADDRESS** 5251 Chute Lake Road
  - **CITY** Kelowna, BC
  - **POSTAL CODE** V1W 4K8
4. **APPLICANT/CONTACT PERSON:** Harold Kullman
  - **ADDRESS** 14-1470 Harvey Avenue
  - **CITY** Kelowna, BC
  - **POSTAL CODE** V1Y 9K8
  - **TELEPHONE/FAX NO.:** 250-860-7500
5. **APPLICATION PROGRESS:**
  - Date of Application:** June 3, 2004
  - Date Application Complete:** June 3, 2004
  - Servicing Agreement Forwarded to Applicant:**
  - Servicing Agreement Concluded:**
  - Staff Report to APC:** June 8, 2004
  - Staff Report to Council:** July 28, 2004
6. **LEGAL DESCRIPTION:** Lot 14, Sec. 24, Twp. 28, SDYD, Plan 31830  
Lot 5, Sec. 24, Twp. 28, SDYD, Plan 19050 Except Plan 21644
7. **SITE LOCATION:** Located between Chute Lake Road and Trumpeter Road
8. **CIVIC ADDRESSES:** 464 Trumpeter Road / Trumpeter Road (N of)
9. **AREA OF SUBJECT PROPERTY:** 4600m<sup>2</sup>
10. **AREA OF PROPOSED REZONING:** 4600m<sup>2</sup>
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 allow for a proposed two lot single family residential subdivision
14. **MIN. OF TRANS./HIGHWAYS FILES NO.:** N/A  
**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