
CITY OF KELOWNA

MEMORANDUM

Date: March 8, 2005
File No.: Z04-0074

To: City Manager

From: Planning and Corporate Services Department

Subject:

APPLICATION NO. Z04-0074

OWNERS: Bell Mountain Estates

AT: 2030 Highway 33 E.

APPLICANT: City of Kelowna

PURPOSE: To rezone a portion of the subject property from the RR3-Rural Residential 3 zone to the RU1-Large Lot Housing zone in order to facilitate a 46 lot single family subdivision; and to rezone a portion of the subject property to the P3-Parks and Open Space zone in order to facilitate a public park; and to rezone a portion of the subject property to the P4-Utilities zone in order to facilitate a storm detention pond

EXISTING ZONE: RR3-Rural Residential 3

PROPOSED ZONES: RU1-Large Lot Housing
P3-Parks and Open Space
P4-Utilities

REPORT PREPARED BY: Mark Koch

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATIONS

THAT Rezoning Application No. Z04-0074 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5, Sec. 18, Twp. 27, ODYD, Plan 1991, Except Plans B4079 & 22266, located on Highway 33, Kelowna, BC, from the RR3-Rural Residential 3 zone to the RU1-Large Lot Housing, P3-Parks and Open Space and P4-Utilities zones, as shown on Map "A" attached to the report of Planning & Corporate Services Department, dated March 8, 2005 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 a portion of the subject property from the existing RR3-Rural Residential 3 zone to the RU1-Large Lot Housing zone in order to facilitate a 46 lot single family subdivision; to rezone a 0.9ha (2.35ac) portion of the subject property to the P3-Parks and Open Space zone in order to facilitate a public park facility; and to furthermore rezone a 0.70ha (1.74ac) portion of the subject property to the P4-Utilities

zone in order to facilitate a required storm detention pond. The proposed rezoning forms part of the Bell Mountain Estates development, with the golf course, commercial centre and residential component proposed for property located north of this subject property.

2.1 Advisory Planning Commission

The Advisory Planning Commission at the meeting of November 22, 2004 reviewed the application and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z04-0074, for 1932 & 2030 Hwy 33 E, Lot 2, Plan 24361 and Lot 5, Plan 1991, Sec. 18, Twp. 27, ODYD by Bell Mountain Estates Ltd. (Marlin Weninger), to rezone a portion of the subject property from the RR3-Rural Residential 3 zone to the RU1-Large Lot Housing zone in order to facilitate a 46 lot single family subdivision, and to rezone a portion of the subject property to the P3-Parks and Open Space zone and the P4-Utilities zone in order to facilitate a storm detention pond.

3.0 BACKGROUND

3.1 The Proposal

The subject property is located in the Belgo/Black Mountain Sector Plan area of the City of Kelowna and is currently zoned RR3-Rural Residential 3 for rural residential use. The subject property is vacant and owned by the City of Kelowna, however, a contract of sale is in place between the City and the applicant. The property furthermore, serves as the primary access point to the Bell Mountain Estates development, with a roadway currently being constructed along the western property boundary. The subject property is currently not connected to the community sanitary sewer system, however, a connection to the community sanitary sewer system and to water services will both be requirements of the associated subdivision approval application.

The application meets the requirements of the proposed zones as follows:

CRITERIA	PROPOSAL	RU1-ZONE REQUIREMENTS
Minimum Site Area	625-1516m ²	550m ²
Minimum Site Width	18-28m	16.5m
Minimum Site Depth	32-78m	30m
CRITERIA	PROPOSAL	P3-ZONE REQUIREMENTS
Minimum Site Area	-	N/A
Minimum Site Width	-	N/A
Minimum Site Depth	-	N/A
CRITERIA	PROPOSAL	P4-ZONE REQUIREMENTS
Minimum Site Area	-	N/A
Minimum Site Width	-	N/A
Minimum Site Depth	-	N/A

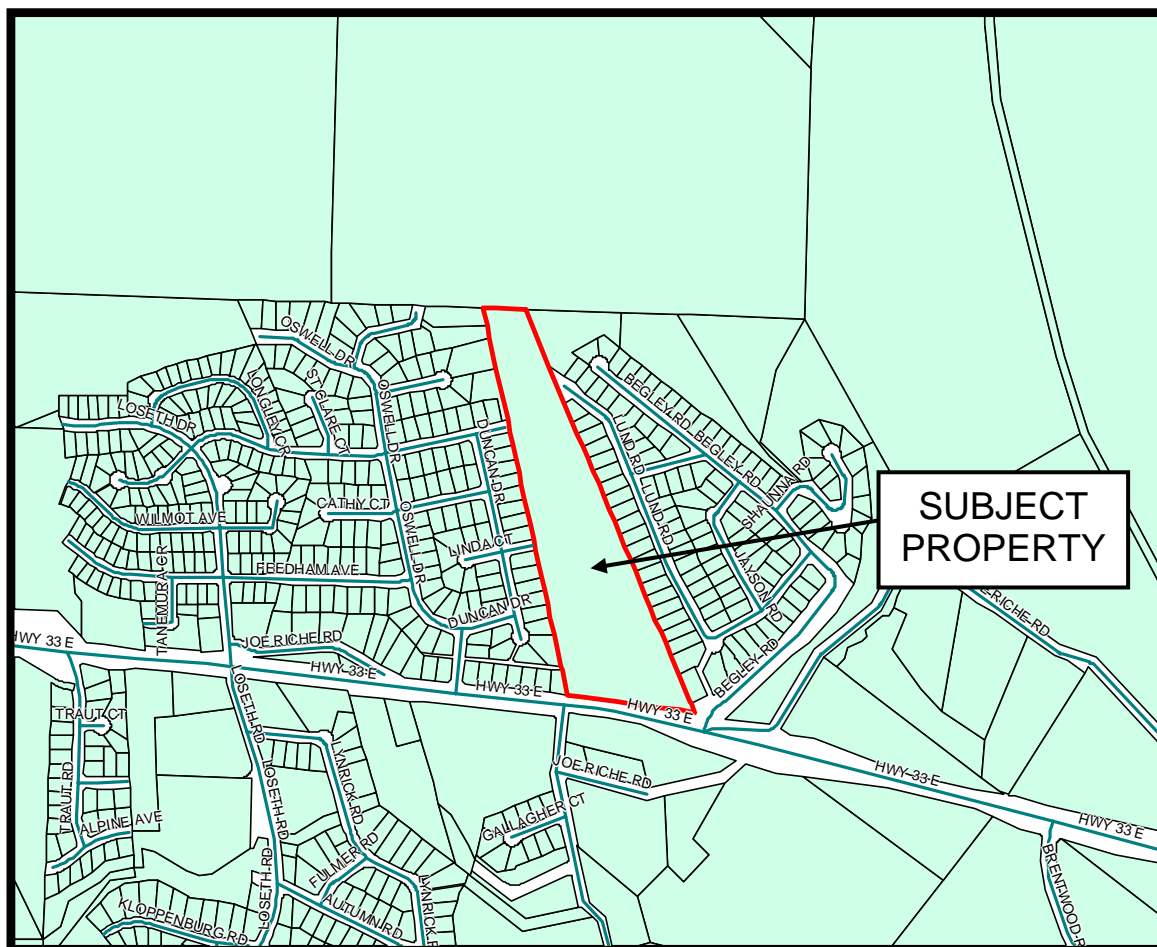
3.2 Site Context

The subject property is located north of Highway 33 E., east of Oswell Drive, and west of Begley Drive in the Belgo/Black Mountain Sector plan area of the City of Kelowna.

Adjacent zones and uses are:

- North - A1–Agriculture 1 / Proposed Residential Golf Community
- East - RR3-Rural Residential 3 / Single Family Residential
- South - A1–Agriculture 1 / Vacant
- West - A1–Agriculture 1 / Single Family Residential

Site Location Map



3.3 Current Development Policy

3.3.1 City of Kelowna Strategic Plan (1992)

The proposal is consistent with the policies of the Kelowna Strategic Plan, which seeks to “stage the development of new urban areas and only open up new areas where the capital and operating costs are within the City’s financial capability”.

3.3.2 Kelowna Official Community Plan

The proposal is consistent with the Single Family/Two Family Residential designation of the Official Community Plan. The Official Community Plan has long recognized the area as being suitable for development.

3.3.3 Black Mountain Sector Plan

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

4.0 TECHNICAL COMMENTS

4.1 Works & Utilities

The Works & utilities Department comments and requirements regarding this application to rezone the subject property from RR3 to RU1 are as follows:

These are Works and Utilities initial comments and are subject to the Ministry of Transportation requirements.

1. General

- a) Bell Mountain Drive construction standard has been identified and agreed upon in collaboration with the Parks Department as a condition of the off-site upgrading for the rezoning of Lot B plan 31717 under file Z03-0066.
- b) Highway 33 upgrading has been identified in file Z03-0066 and area being refined in consultation with the MOT.

2. Subdivision

- a) Some road dedication might be required by the Ministry of Transportation along the frontage of Hwy 33 for the ultimate carriageway. The comments from the MOT have not been received to date.
- b) Provide easements as may be required.

3. 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

4. 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.

5. Sanitary Sewer

- a) The subject property must be serviced by the municipal sanitary sewer prior to final subdivision approval.
- b) An application for inclusion in the Specified Area service boundary must be made and an administration levy of \$250.00 is required to incorporate this development into the existing Sewer Service Area.

6. 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.

7. 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.

8. Road improvements

These are W. & U. initial comments and are subject to MOH requirements

Hwy 33

The Highway 33 upgrading has been identified in file Z03-0066 and area being refined in consultation with the MOT. There should not be any further requirement under this application

9. Street lights

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

10. 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.

11. Bonding and Levies Summary

a)	Performance Bonding	None Required
b)	Levies	
	Sanitary Sewer Specified Area inclusion fee	\$250.00

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

This application is supported by relevant planning and development policies, including the Official Community Plan, the Strategic Plan, and the Black Mountain Sector Plan.

Bob Shaughnessy
Subdivision Approving Officer

Approved for inclusion

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

RGS/MK/mk

ATTACHMENTS

(not attached to the electronic version of the report)

- Location of subject property
- Proposed Plan of Subdivision
- Zoning Map
- State of Title