
CITY OF KELOWNA
MEMORANDUM

DATE: March 14, 2005

FILE NO.: LUC05-0001 and Z05-0002
(3360-20)

TO: City Manager

FROM: Planning & Corporate Services Department

PURPOSE: To discharge the Land Use Contract and rezone the subject properties to the RU1 – Large Lot Housing zone in order to facilitate a 15 lot single family residential subdivision

OWNERS: M. Van Montfoort, W. & I. Montgomery, L. & C. Burnett, J. & L. Russell, S. & D. Pegg, J. & A. Dykstra

APPLICANT/CONTACT PERSON: LPN Consulting (2000) Ltd./Lloyd Nestman

AT: 653, 657, 661, 665, 669, 673 Drummond Court

EXISTING ZONE: RR3 – Rural Residential 3

PROPOSED ZONE: RU1 – Large Lot Housing

REPORT PREPARED BY: Shelley Gambacort

1.0 RECOMMENDATIONS

THAT Application No. LUC05-0001 to discharge Land Use Contract No.76-1041 (Bylaw 4661-78) from Lots 20 – 25, DL's 357 & 358, ODYD, Plan 31179, located on Drummond Court be considered by Council;

THAT Rezoning Application No. Z05-0002 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots 20 – 25, DL's 357 & 358, ODYD, Plan 31179, located on Drummond Court, Kelowna, BC from the RR3 – Rural Residential 3 zone to the RU1 – Large Lot Housing zone be considered by Council;

AND THAT the Land Use Contract amendment and zone amending bylaw be forwarded to a Public Hearing for further consideration.

2.0 SUMMARY

The applicant proposes to discharge the existing Land Use Contract and rezone the subject properties from the RR3 – Rural Residential 3 zone to the RU1 – Large Lot Housing zone to facilitate the development of 15 single family residential lots for a net 9 lot development. The application is in accordance with the single/two unit residential designation of the Official Community Plan.

2.1 Advisory Planning Commission

The Advisory Planning Commission, at their meeting of February 1, 2005, reviewed the application and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z05-0002, for 653/657/661/665/669/673 Drummond Court, Lots 25, 24, 23, 22, 21, 20, Plan 31179, Sec. 30, Twp. 26, ODYD, by LPN Consulting (2000) Ltd. (Lloyd Nestman), to discharge the Land Use Contract and rezone to the RU2-Medium Lot Housing zone in order to facilitate a 15 lot single family residential subdivision.

3.0 BACKGROUND

Council adopted the Land Use Contract for Drummond Court October 24, 1978. This Land Use Contract allowed for the development of the properties as low density single family residential lots with a minimum parcel size of 836 m², or larger if required by the Medical Health Office in order to facilitate sanitary sewage disposal fields. In order to proceed with the current subdivision development proposal the Land Use Contract must be discharged from the six existing subject properties.

3.1 THE PROPOSAL

The six subject properties fronting on Drummond Court each contain a single family dwelling. Through the development of “The Quarry” (former Hilltop Sand & Gravel) adjacent to and to the south of the subject properties there is an opportunity to subdivide off the southern portion of these six lots as part of the extension of Quarry Avenue. This would allow for the creation of nine single family residential lots fronting on Quarry Avenue and six single family residential lots containing the existing dwellings fronting on Drummond Court. All lots will be serviced by community sanitary sewer and water systems.

It had initially been planned, as part of “The Quarry” development, to extend Quarry Avenue to enable all of the properties on the south side of Drummond Court the potential for further subdivision along the extended Quarry Avenue. However, the Quarry developers were unable to meet the geotechnical requirements that would have allowed for this length of road and as a result have had to limit the length of Quarry Avenue which will now only facilitate the subdivision of the subject properties (Lots 20-25, Plan 31179).

The owners of the subject properties are working with the developer of the Quarry in order to facilitate this development and they have agreed to follow the architectural guidelines as established by “The Quarry” development.

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Site Area (m ²)	639 – 737 lots fronting Quarry Avenue 1050 – 1190 lots fronting Drummond Court	550
Site Width (m)	18.26 – 21.8 fronting on Quarry Avenue no change to lot widths fronting on Drummond Court	16.5
Site Depth (m)	35 m (Quarry Avenue lots) 40.40 – 56.37 (Drummond Court lots)	30

3.2 SITE CONTEXT

The subject properties are located on the south side of Drummond Court adjacent to “The Quarry” development.

Adjacent zones and uses are, to the:

- North - Land Use Contract/RR3 – Rural Residential 3; single family lots
- East - Land Use Contract/RR3 – Rural Residential 3; single family lots
- South - RU2 – Medium Lot Residential; future single family development
- West - RU2 – Medium Lot Residential; single family development

- CITY OF KELOWNA STRATEGIC PLAN 2004 EDITION

- Manage human impacts on our natural environment, including Okanagan Lake and the surrounding hillsides.
- Sensitive integrate new development with heritage resources and existing urban, agricultural and rural areas.

- The OCP Future Land Use designation of the subject property is Single/Two Family residential.

The purpose of the RU1 – Large Lot Housing 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) General

- a) SOUTH MISSION ROAD TRIGGERS: Offsite roadworks identified in the Southwest Mission Sector Plan are triggered at various stages of development based on subdivided lots or units. These works are identified in the Sector Plan and numerous components are triggered by developments occurring in the area at this time. However, major developers in the area have committed to constructing these works as they are needed. Therefore this development is not required to build any of these road segments as long as this commitment is maintained.
- b) The Approving Officer should consider the need for a walkway between Drummond Court and the Quarry Avenue
- c) The subdivision needs to be undertaken with the adjacent land development (Quarry).

.2) Geotechnical Report

- i) A comprehensive Geotechnical Study is required, which is to be prepared by a Professional Engineer competent in the field of geotechnical engineering.

.3) Water

- a) The property is located within the City Utility service area (specified area 1). The proposed lots will require service from another water pressure zone and which will require an amendment to the Extended Service Area (ESA) boundaries. The new lots (9) will be subject to the ESA charges and obligations.

NOTE: Some of the ESA water system components are reaching capacity (i.e. reservoir storage) and depending on timing may require upgrading before subdivisions are approved. At this time there is capacity but if the subdivision is delayed then this may be a concern.

.4) Sanitary Sewer

- a) Provide an adequately sized sanitary sewer system complete with individual lot connections.

.5) Drainage

- a) Provide an adequately sized drainage system complete with individual lot connections.

.6) Roads

- a) Quarry Avenue 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). At the terminal end of Quarry Avenue a cul-de-sac is required.
- b) If required, dedicate and construct walkway in accordance to City standard drawing SS-R28. Note: the dedication width for walkways is 2.4 m.

.7) Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground.

.8) Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.

.9) Latecomer Provisions

- a) If works are installed that benefit adjacent lands (without the participation or cooperation of these lands) the provisions of the Local Government Act for Latecomers (adjacent land owners who connect to services at a later date) are available. Depending on the design and timing of adjacent land owners, some works may be applicable. This will be confirmed at the time of detail engineering design.

.10) Other Engineering Comments

- a) The property is located in Sewer Specified Area No 17 and therefore, all parcels to be created will be subject to the debt charges for this service. This cost must pay-out the outstanding financial obligation for each lot.
- b) The properties are located in Sewer Connection Area No. 17. All existing lots cash commuted originally except lot 20 (673 Drummond Court). With the subdivision, lot 20 is required to pay out the remaining spec area obligation. All new lots also will be required to pay out the remaining specified area obligation. The remaining obligation up to March 31, 2005 is \$2,093.65 per lot. Total pay out is 20,936.50 (10 lots; 9 new + 1 old). After March 31, 2005 the obligation will be recalculated. (City Chartfield 955-40-SA517-*)
- c) Current Water Extended Service Area Latecomers (ESA's):

ESA#	Frontender	Component	Anniversary	Rate/unit
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1	Kettle Valley	Intake/pipe/PS etc	April 15/05	976
3	South Ridge	600 pipe Hedeman	October 10/05	116
4	South Ridge	600/400 pipe Killdeer	October 10/04	385
7	Progressive	Reservoir South Crest	January 20/05	885

4.2 **FIRE DEPARTMENT**

Fire Department access and fire hydrants as per BC Building Code and the City of Kelowna Subdivision & Development Services Bylaw.

5.0 **PLANNING COMMENTS**

The proposed development of the subject property complies with the Single/Two Unit residential designation of the Official Community Plan and will be a complimentary extension of “The Quarry” development through incorporation of their established architectural guidelines.

Through the concurrent subdivision application, the servicing issues will be addressed including the provision of community water and sanitary sewer to the proposed development. The construction of the Quarry Avenue extension will form part of the subdivision requirements in coordination with “The Quarry” development.

R. G. Shaughnessy
Subdivision Approving Officer

Approved for inclusion

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

RGS/SG/sg

ATTACHMENTS

(not attached to the electronic copy of the report)

- Location Map “A
 - Plan of proposed subdivision
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