
CITY OF KELOWNA
MEMORANDUM

DATE: June 16, 2005
TO: City Manager
FROM: Planning & Corporate Services Department

APPLICATION NO.: Z05-0014 & OCP05-0003

OWNERS: Singla Bros. & Dr. Gary Randhawa
APPLICANT/CONTACT PERSON: Singla Bros./Tony Lockhurst

LOCATION: 5241 Chute Lake Road

PURPOSE: To amend the Official Community Plan Future Land Use designation from Future Urban Reserve to Single/Two Unit Residential and Major Parks/Open Space and to rezone from the A1 – Agriculture 1 zone to the RU1h – Large Lot Housing (Hillside Area) & P3 – Parks and Open Space in order to facilitate a single dwelling housing subdivision of ~125.

EXISTING OCP DESIGNATION:
Single/Two Unit Residential &
Future Urban Reserve

PROPOSED OCP DESIGNATION:
Single/Two Unit Residential and Major
Parks/Open Space

EXISTING ZONE:
A1 – Agriculture 1

PROPOSED ZONE:
RU1h – Large Lot Housing (Hillside Area) &
P3 – Parks and Open Space

REPORT PREPARED BY: Shelley Gambacort

1.0 RECOMMENDATION

THAT OCP Bylaw Amendment No. OCP05-0003 to amend Map 19.1 of the *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of part of Lot A, Sec. 24, Twp. 28, SDYD, Plan 18646, located on Chute Lake Road, Kelowna, BC, from the Future Urban Reserve designation and Single/Two Unit Residential to the Single/Two Unit Residential designation and Major Park/Open Space, as shown on Map "A" attached to the report of Planning & Corporate Services Department, dated June 16, 2005 be considered by Council;

THAT Rezoning Application No. Z05-0014 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, Sec. 24, Twp. 28, SDYD, Plan 18646, located on Chute Lake Road, Kelowna, BC, from the A1 – Agriculture 1 zone to the RU1h – Large Lot Housing (Hillside Area) and P3 – Parks and Open Space zones as shown on Map "B" attached to the report of Planning & Corporate Services Department, dated June 16, 2005, be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP05-0003 and zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Works & Utilities Department being completed to their satisfaction.

2.0 SUMMARY

The applicant is requesting an amendment to the Official Community Plan Future Land Use Map 19.1 from the Future Urban Reserve designation to the Single/Two Unit designation and Major Park/Open Space in order to proceed with a rezoning application for the entire property from the A1 – Agriculture 1 zone to the RU1h – Large Lot Housing (Hillside Area) zone in order to facilitate the development of an approximately 125 lot single family residential subdivision and P3 – Parks & Open Space for the proposed open space corridor.

2.1 Advisory Planning Commission

These applications were reviewed by the Advisory Planning Commission at their meeting of March 15, 2005 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Official Community Plan Application No. OCP05-0003 and Rezoning Application No. Z05-0014, for 5241 Chute Lake Road/Lot A, Plan 18646, Sec. 24, Twp. 28, ODYD, by Singla Bros (Tony Lockhurst), to amend the Official Community Plan Future Land Use designation for a portion of the subject property from Future Urban Reserve to Single / Two Family Residential; and to rezone all of the property from the A1-Agriculture 1 zone to the RU1-Large Lot Housing zone in order to accommodate a single family residential development.

3.0 BACKGROUND

The northern half (approximately) of the subject property is currently designated for the Single/Two Unit residential development on the OCP Future Land Use map, with the southern half designated as Future Urban Reserve. The Future Urban Reserve designation is primarily in place due to the current lack of availability of water. At present, the maximum contour elevation for water service is 520m, based on the elevation of the Adams reservoir. The upper portion of the subject property, above this contour elevation, is not serviceable at this time unless further system facilities are built. Given the current development trends, construction of another water reservoir facility that would be capable of servicing the areas above the 520m contour is presently being designed for construction in the near future.

4.0 THE PROPOSAL

The development proposal is for approximately 125 single family residential lots. The requirements of the City of Kelowna RU1h – Large Lot Housing (Hillside Area) zone are that each proposed lot must have an area of at least 550 m², a width of at least 16.5 m (17 m for corner lots), and a depth of at least 30 m.

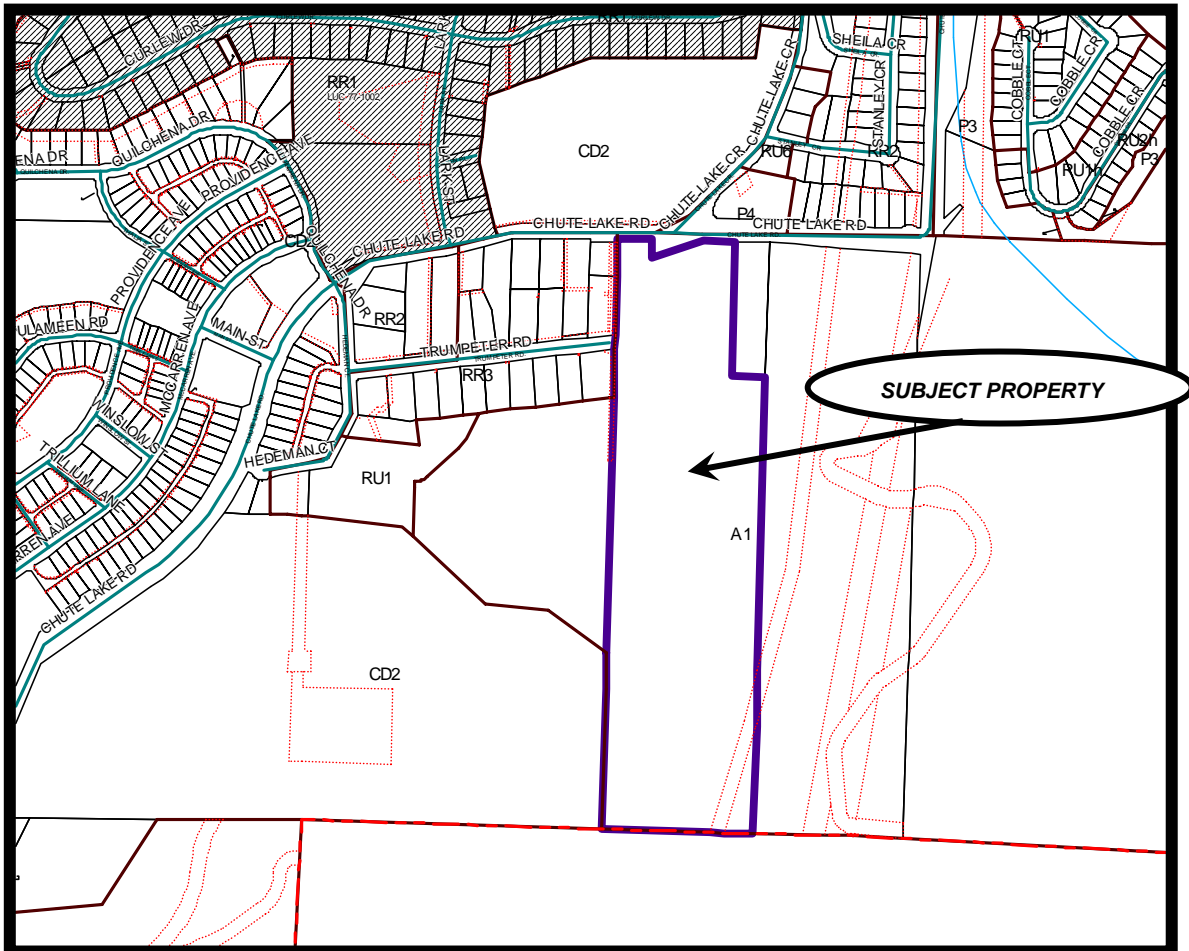
The preliminary plan of proposed subdivision provides the necessary road connectivity to the adjacent properties and also provides an open space corridor that will allow for a linear trail through the subject property and which will continue through the adjacent land to the east when it develops in the future. This Open Space Corridor will be zoned P3 – Parks and Open Space as part of the rezoning of this subject property.

5.0 SITE CONTEXT

Adjacent zones and uses are, to the:

- North - P4 – Utilities & CD2 – Kettle Valley Comprehensive Residential Development; *Cedar Creek Community Centre & vacant*
- East - A1 – Agriculture 1; *undeveloped & mobile home park*
- South - City Boundary
- West - RR3 – Rural Residential 3 & A1 – Agriculture 1; *single family lots and undeveloped area*

The property is located on the south side of Chute Lake Road across from Chute Lake Crescent.



6.0 CURRENT DEVELOPMENT POLICY

- CITY OF KELOWNA STRATEGIC PLAN 2004 EDITION

The Strategic Plan objectives relating to development are:

- Manage human impacts on our natural environment, including Okanagan Lake and the surrounding hillsides.

- Sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.
- KELOWNA 2020 – OFFICIAL COMMUNITY PLAN
Through this application the OCP is being amended to reflect the proposed land use and zoning for the proposed development.

7.0 PROPOSED DEVELOPMENT POTENTIAL

- The purpose of the RU1h – Large Lot Housing (Hillside Area) 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.
- The purpose of the P3 – Parks and Open Space zone is to provide a zone for the preservation and enhancement of open space and limited public facilities.

8.0 TECHNICAL COMMENTS

8.3 Works & Utilities

.1) General

- a) The upper area above the 520m contour does not have water service. In order to develop these lands a new pump station, reservoir and piping will be required. The new system must be designed in accordance with the Sector Plan for this neighbourhood.
- b) The lower area, below the 520m contour, does not have adequate reservoir storage at this time. The South Mission water system is currently short of reservoir storage capacity in the Neighbourhood 1 service area. Kettle Valley Developments has committed to install a new cell at the Adam's reservoir site above Chute Lake Road; however, the Approving Officer may want to consider this matter when issuing the Preliminary Layout Review Letter if construction has not started.
- c) Provide a Pre-design report to address all offsite Utility and Transportation servicing including costs.
- d) Prior to final adoption of the zone amending bylaw: Prior to rezoning, a Predesign report specific to this development is required to identify all offsite servicing needs in accordance with the Subdivision, Development and Servicing Bylaw. A Servicing Agreement for all offsite works required by this subdivision must be provided, along with Performance Security, before final adoption of the Zone Amending Bylaw.
- e) South Mission Road Triggers: Offsite roadwork 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, other 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 the other developers in the area remain committed to building these roads.

.2) Geotechnical Report

- a) 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) For offsite works a Predesign report is required complete with costs. Performance security and a Servicing Agreement will be required for offsite works. See comments in the “General” section.
- b) 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. Provide water calculations for this subdivision to confirm this. Ensure every building site is located at an elevation that ensures water pressure is within the bylaw pressure limits. Note: Private pumps are not acceptable for addressing marginal pressure.

.4) Sanitary Sewer

- a) Provide an adequately sized sanitary sewer system complete with individual lot connections.
- b) Sanitary sewer is not available at the site but exists on Chute Lake Road north of South Crest Drive. According to a Predesign of the sewer collection system in the Okaview area, by Urban Systems, the sewer is to be extended up Chute Lake Crescent from the intersection of Okaview Road. The Wastewater Utility is prepared to fund the service connections for each existing lot along the route and therefore the connections are to be installed with the extension of the line. This extension may be done jointly with the neighbouring development to the west. This route on Chute Lake Crescent provides a benefit to existing residents and allows the developer the potential to recovered most of the costs through a latecomer process when existing owners hook-up. The City Wastewater Utility does not support any other route.
- c) For offsite works a Predesign report is required complete with costs. Performance security and a Servicing Agreement will be required for offsite works. See comments in the “General” section.

.5) Drainage

- a) 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.
- b) Confirm if offsite works are required and how drainage will be handled on site.
- c) Confirm locations and sizes of any detention facilities if required.

- d) A Predesign report is required that addresses how Stormwater Management will be dealt with. For offsite works, performance security and a Servicing Agreement will be required prior to rezoning. See comments in the “General” section.

.6) Roads

- a) On Chute Lake Road frontage, grade the boulevard and construct a separate sidewalk to ultimate standards. These works are Development Cost Charge items and therefore DCC credits will be applicable.
- b) Lots with frontage on Chute Lake Road are required to maintain the boulevard between the curb and the sidewalk. For each lot, provide a pipe sleeve under the sidewalk that can be used for irrigation.
- c) Dedication and Construction of internal roads will be required in accordance with the Subdivision Bylaw at the time of subdivision.
- d) Driveway access will not be permitted onto Chute Lake Road. A restrictive covenant in favour of the City of Kelowna, registrable under Section 219 of the Land Title Act, must be granted to the effect that vehicular access is not permitted from abutting lots. The subdivision plan must be endorsed to the effect that a covenant is to be registered. The covenant must be registered as a priority charge and is to be indicated on the Lot Grading Plan.

.7) Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground.
- b) Street lights must be installed on all roads.

.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) Under the provisions of the Local Government Act, Latecomer provisions are available for the offsite water and sewer installations.

.10) Charges and Fees

- a) Development Cost Charges (DCC’s) are payable
- b) The following works and services are applicable for DCC credit considerations:
 - i) Chute Lake Road

- c) Water Extended Service Area Latecomers:

| ESA# | Front ender | Component |
|------|---------------|-----------------------|
| 1 | Kettle Valley | Intake/pipe/PS etc |
| 9 | Kettle Valley | Adams Reservoir cell3 |

- d) Sewer Specified Area Administration Fee of \$250.00 to amend service boundary.
- e) Water Specified Area Administration Fee of \$250.00 to amend service boundary.

8.2 Environment Manager

This property is not a designated Natural Environment area in the OCP; however, Leon Creek (a.k.a., Thompson Creek) crosses this property in a generally east - west direction. This waterway meets the definition of a "stream" as defined by the Province's Riparian Areas Regulation. Streams defined by this regulation require 30-m assessment area. There is a process within the regulations that allows for alternate setbacks to be determined by a "Qualified Professional." Should an alternate setback be sought by the applicant, the Riparian Area Regulations could be applied in this case.

8.3 Parks Division

- .1 Parks Staff require a linear park connection through the subject property as outlined in the OCP Map 14.2. The parkland corridor shown on the applicant's proposed subdivision plan lies in a natural valley with a seasonal creek corridor.
- .2 The Developer will be required to retain a registered professional forester or recognized equivalent to develop a fire plan to reduce potential hazards through fuel reduction and tree thinning. The plan and work will be approved by the Parks Division;
- .3 The rear of the lots backing onto this corridor will be required to be fenced with a minimum 1.2 m high black chain link fence;
- .4 Parks Staff recommend that the trail be constructed during development of the subdivision to the approval of the Parks Division. Please have the Developer contact the Parks Staff to discuss details.
- .5 Boulevard maintenance including watering (manual or automated irrigation) will be the responsibility of owner/occupant.
- .6 All plant material (trees, shrubs, ground covers and sod) used in the boulevard to be reviewed and approved by Parks Staff.
- .7 Boulevard tree maintenance will be the responsibility of Parks Division. However, the adjacent owner will be responsible for watering and replacement of trees during the establishment period, for at least two growing seasons after planting.
- .8 The Parks Division asks the Developer to consider the planting of street trees on each new housing lot consistent with the City of Kelowna's Urban Forestry Tree Planting Guide (available at the Parks Division).

8.4 Fire Department

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

9.0 PLANNING COMMENTS

The applicant has been working closely with the developer of the lands to the east (Applications: OCP05-0008 & Z05-0020) to ensure continuity in the road network, linear park and servicing requirements, as shown on the attached plan of proposed subdivision. The Open Space corridor recognizes the area that had been identified in the ASP for a linear park corridor, which will continue through the adjacent lands as they develop.

The proposed OCP and Rezoning applications are in conformity with the Neighbourhood One Area Structure Plan, which designated the subject property for single family residential use while recognizing the need for an additional water reservoir to service the area above the 520 m contour. However, in order to proceed with development below the 520 m contour the Adam's Reservoir requires an additional cell. The applicant is prepared to front-end the cost, and construct, the additional cell for the Adam's Reservoir in addition to providing the water reservoir needed to service property above the 520 m contour.

There is a concurrent subdivision application being processed that will ensure all servicing issues are addressed to facilitate the proposed subdivision.

R. G. Shaughnessy
Subdivision Approving Officer

Approved for inclusion

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

RGS/SG/sg

Attachments

(Not attached to the electronic copy of the report)

- Location Map
 - Map "A"
 - Map "B"
 - Preliminary Plan of Proposed Subdivision
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