
CITY OF KELOWNA

MEMORANDUM

DATE: May 19, 2005

TO: City Manager

FROM: Planning & Corporate Services Department

OWNER:
Sun Holdings Ltd.

APPLICANT/CONTACT PERSON:
Protech Consultants Ltd./Grant Maddock

LOCATION: 5030 Frost Road

APPLICATION NO.: Z04-0059

PURPOSE: To rezone from the A1-Agriculture 1 zone to the RU1-Large Lot Housing zone and P3 – Parks & Open Space zone in order to facilitate a 17 lot single family residential subdivision.

EXISTING ZONE: A1-Agriculture **PROPOSED ZONES:** RU1-Large Lot Housing & P3 – Parks & Open Space

REPORT PREPARED BY: Shelley Gambacort

1.0 RECOMMENDATION

THAT Rezoning Application No. Z04-0059 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Sec. 24, Twp. 28, SDYD, Plan 30846, located on Frost Road, Kelowna, BC, from the A1 – Agriculture 1 zone to the RU1-Large Lot Housing and P3 – Parks & Open Space zones, as shown on Map "A" attached to the report of Planning & Corporate Services Department, dated May 19, 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 the subject property from the A1 – Agriculture 1 zone to the RU1 – Large Lot Housing zone and the P3-Parks and Open Space zone, in order to facilitate a 17 lot single family subdivision.

2.1 Advisory Planning Commission

The application was reviewed by the Advisory Planning Commission at their meeting of April 5, 2005 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z04-0059, for 5030 Frost Road, Lot 2, Plan 30846, Secs. 24 & 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 and the P3-Parks and

Open Space zone, in order to facilitate a 17 lot single family residential subdivision.

3.0 THE PROPOSAL

The development proposal is for 17 single family residential lots. The requirements of the City of Kelowna RU1 – Large Lot Housing 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 area within the Fortis BC right of way is designated as P3 – Parks and Open space and will form part of a linear trail corridor being developed in this area.

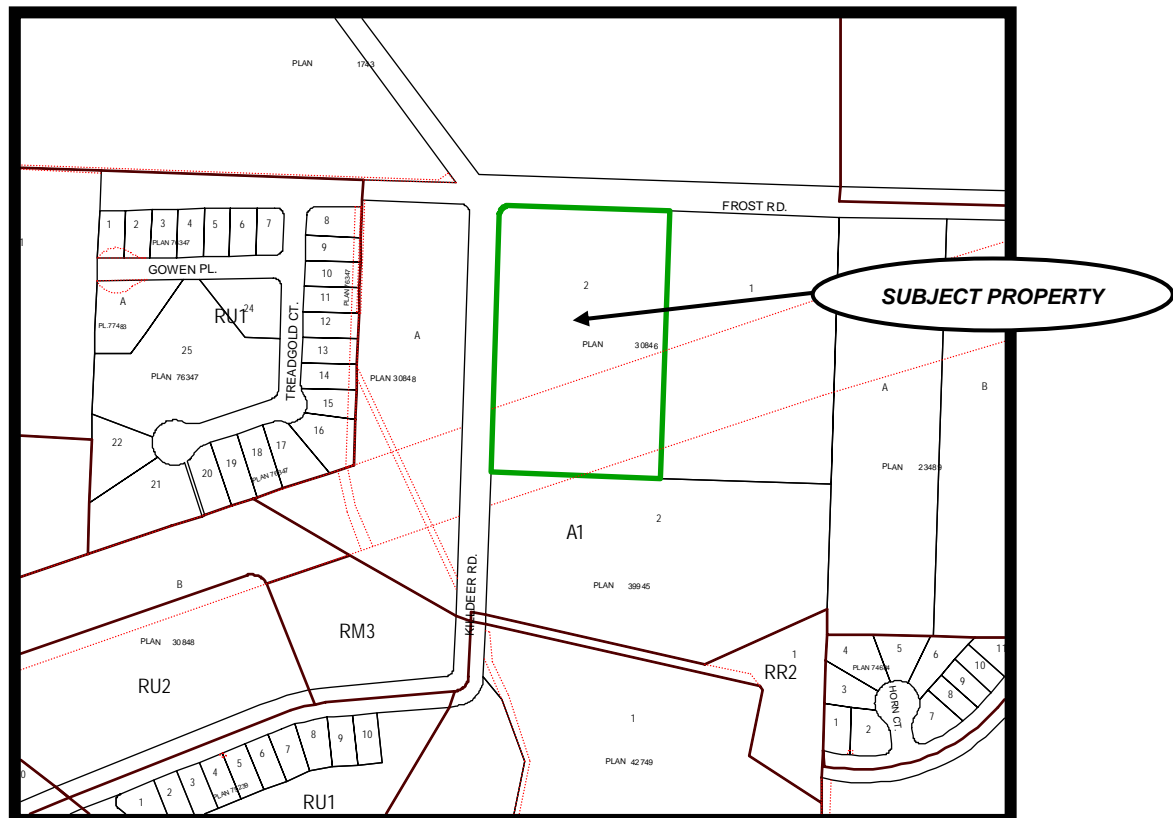
There is a concurrent subdivision application being processed with this rezoning application.

4.0 SITE CONTEXT

Adjacent zones and uses are, to the:

- North - A1 – Agriculture 1; *rural agricultural*
- East - A1 – Agriculture 1; *rural residential*
- South - A1 – Agriculture 1; *rural residential*
- West - A1 – Agriculture 1; *rural residential*

The property is located at the southeast corner of Frost Road and Killdeer Road.



5.0 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.

6.0 PROPOSED DEVELOPMENT POTENTIAL

- 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.
- 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.

7.0 TECHNICAL COMMENTS

7.1 Works & Utilities

The City's Works & Utilities Department will handle the Works & Services requirements identified below between time of Preliminary Layout Review (PLR) and application for Subdivision Approval. Arrangements for construction must be made before making application for Approval of a subdivision plan. The Development Engineering Technician for this project is Sergio Sartori.

The following Works & Services are required for this subdivision:

7.2 General

- a) Requirements of the rezoning application no. Z04-0059 must be satisfied before subdivision approval.
- b) Prior to rezoning, a pre-design report is required to confirm offsite works and costs. An offsite servicing agreement will be required for the works beyond the subdivision (such as sanitary sewer on Frost Road). For convenience the offsite servicing agreement may include the frontage works on Frost Road and Killdeer Road. A separate servicing agreement

will be required for the onsite works. These agreements may be combined into one.

- c) The postal authorities must be contacted to determine whether or not a “community mailbox” will be utilized, and if so, its location should be determined and the proposed location shown on the construction plans. Please contact the Canadian Post Corporation, Delivery Services, P.O. Box 2110, Vancouver, B.C. V6B 4Z3 (604) 662-1381 in this regard.
- d) Where there is a possibility of a high water table or surcharging of storm drains during major storm events, non-basement homes may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.
- 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.
- f) Existing water infrastructure is reaching capacity refer to comments under Water.

7.3 Geotechnical Report

- a) Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: 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.**

The Geotechnical reports must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development.
- (iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).

- (iv) Any special requirements for construction of roads, utilities and building structures.
- (v) Suitability of on-site disposal of storm water including effects upon adjoining lands.
- ii) Recommendations for items that should be included in a Restrictive Covenant.
- iii) Any items required in other sections of this document.
- iv) Recommendations for erosion and sedimentation controls for water and wind.
- v) Recommendations for roof drains and perimeter drains.
- vi) Recommendations for construction of detention or infiltration ponds if applicable.

7.4 Water

- a) The property is located within the City of Kelowna water service area.
- 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.
- c) An existing trunk water main fronts the site but cannot be used for individual lot connections. An adequately sized local distribution line will be required along the property frontages on Killdeer Road and Frost Road and must consider servicing of adjacent future development. A tie-in will be permitted for the distribution line in a location to be determined and approved by the Water Division.
- d) **Existing infrastructure such as the South Crest Reservoir is approaching capacity for this area. If this subdivision is delayed or other subdivisions are registered before this one and use the available capacity, then further infrastructure may need to be built. It will need to be built either by this subdivision or in conjunction with others. The subdivision will not be approved if there is no capacity remaining.**
- e) Remove or relocate any existing service connections encroaching on the proposed lots.

7.5 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 is located on Frost Road at Threadgold Place. Sewer will need to be extended from this point to the site.
- 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.

7.6 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 hydro geotechnical 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 the following drawings:
 - i) 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);
 - ii) A detailed Storm water Management Plan for this subdivision; and,
 - iii) An Erosion and Sediment Control Plan.
- c) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.

7.7 Roads

- a) Frost Road and Killdeer Road must be upgraded to a full urban standard (along the full frontage including the Power Right of Way) including curb and gutter, sidewalk, piped storm drainage system, fillet pavement, street lights, and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction.
- b) The internal road is designated an urban class 2 local road. Dedicate and construct the road in accordance with City standard SS-R4, 15.0m dedication, 9.1m road).
- c) Provide traffic control and street name signs where required. The City will install all signs and traffic control devices at the developer's expense.
- d) Provide a Street Sign, Markings and Traffic Control Devices Drawing.
- e) Grade the fronting road boulevards in accordance with the standard drawing and provide a minimum of 50 mm of topsoil. Major cut/fill slopes must start at the property lines.
- f) Driveway access is not permitted onto Frost 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.
- g) Provide corner rounding or truncation dedication of 6 m radius at Killdeer and Frost Road.

7.8 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.
- c) Before making application for approval of your subdivision plan, please make arrangements with Fortis BC for the pre-payment of applicable charges and tender a copy of their receipt with the subdivision application.
- d) 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.
- e) Remove aerial trespass(es)

7.9 Latecomer Provisions

- a) Under the provisions of the Local Government Act, Latecomer provisions are available for the following items:
 - i) Water main installation on Frost Road
 - ii) Storm sewer installation on Frost Road
 - iii) Sanitary sewer installation on Frost Road
- b) The consulting engineer is to prepare and submit the Latecomer information. The City will prepare the actual Latecomer Agreement(s) and forward to the owner(s) for signature. The Latecomer Agreements must be submitted for Council's adoption prior to the notice to proceed with the works and/or subdivision approval.

7.10 Other Engineering Comments

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

7.11 Charges and Fees

- a) Development Cost Charges (DCC's) are payable
- b) DCC credits will be available, for DCC Works installed by the applicant, based on the lowest of the following:
 - i) DCC's payable for that class of item (i.e. roads),
 - ii) The value of the DCC item as estimated for the DCC Bylaw, or
 - iii) The actual cost of construction of the item as verified by contract costs.
- c) The following works and services are applicable for DCC credit considerations:
 - i) Road works on Frost Road

Note that Killdeer Road is not a DCC road (the fronting costs are the responsibility of the applicant for the full frontage).
- d) Fees per the "Development Application Fees Bylaw" include:
 - i) Street/Traffic Sign Fees: at cost if required (to be determined after design).

- ii) Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
 - iii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - iv) Engineering and Inspection Fee: 3% of construction value (plus GST).
 - v) Latecomer Processing Fee: \$1,000.00 (plus GST) per agreement (no charge for 1 day agreements).
- e) Sewer Specified Area Administration Fee of \$250.00 to amend service boundary.
- f) Water Specified Area Administration Fee of \$250.00 to amend service boundary.
- g) Water Extended Service Area Latecomers (ESA's):

| ESA# | Frontender | Component | Anniversary (rates change) | *Rate/unit \$ |
|------|---------------|-----------------------|-------------------------------|------------------|
| 1 | Kettle Valley | Intake/pipe/PS etc | April 15/06 | 1,014 |
| 3 | South Ridge | 600 pipe Hedeman | October 10/05 | 116 |
| 4 | South Ridge | 600/400 pipe Killdeer | October 10/05 | 385 |
| 7 | Progressive | Reservoir South Crest | January 20/06 | 885 |

*(these fees are to be confirmed at time of subdivision)

7.12 Fire Department

Fire hydrants as per City of Kelowna Subdivision, Development & Servicing Bylaw.

7.13 Parks Department

Ensure the parcel of land below the power lines will be dedicated to the City as P3 for a future linear park.

8.0 PLANNING COMMENTS

The proposed use of the site complies with the Official Community Plan Generalized Future Land Use designation of Single/Two Unit Residential and the policies and guidelines of the Neighbourhood 2 Area Structure Plan.

Through the concurrent subdivision application, the servicing requirements will be addressed, which will ensure the provision of community water and sanitary sewer to the proposed development.

R. G. Shaughnessy
Subdivision Approving Officer

RGS/SG/sg

Approved for inclusion



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

Attachments

(Not attached to the electronic copy of the report)

- Map “A”
 - Plan of Proposed Subdivision
-