
CITY OF KELOWNA

MEMORANDUM

DATE: July 27, 2005

TO: City Manager

FROM: Planning and Development Services Department

APPLICATION No.: OCP05-0009/Z05-0023

OWNER/APPLICANT: Monashee Financial Corp./Patrick McBride (Pending transfer to R A Quality Homes Ltd./Tony Khun Khun)

LOCATION: 632 Craig Road

PURPOSE: To amend the Official Community Plan Future Land Use designation from Rural/Agricultural to Single/Two-Family Residential and to rezone from the A1–Agriculture 1 zone to the RU1–Large Lot Housing zone for 5 proposed lots and RU1s – Large Lot Housing with a secondary suite for 1 proposed lot to contain the existing dwelling

EXISTING OCP DESIGNATION:
Rural/Agriculture

PROPOSED OCP DESIGNATION:
Single/Two Unit Residential

EXISTING ZONE:
A1 – Agriculture 1 zone

PROPOSED ZONES:
RU1 – Large Lot Housing, RU1s – Large Lot Housing with Secondary Suite

REPORT PREPARED BY: Shelley Gambacort

1.0 RECOMMENDATIONS

THAT OCP Bylaw Amendment No. OCP05-0009 to amend Map 19.1 of the *Kelowna 2020 - Official Community Plan* Bylaw No. 7600 by changing the Future Land Use designation of Lot B, Sec. 26, Twp. 26, ODYD, Plan 28885, located on Craig/Lacombe Roads, Kelowna, BC, from the Rural/Agriculture designation to the Single/Two Unit Residential designation, as shown on Map "A" attached to the report of Planning & Corporate Services Department, dated July 14, 2005, **not** be supported by Council;

THAT Rezoning Application No. Z05-0023 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, Sec. 26, Twp. 26, ODYD, Plan 28885, located on Craig/Lacombe Roads, Kelowna, BC from the A1 – Agriculture 1 zone to the RU1 – Large Lot Housing zone and the RU1s – Large Lot Housing with Secondary Suite zone as shown on Map "B" attached to the report of Planning & Corporate Services Department, dated July 14, 2005, **not** be supported by Council.

2.0 SUMMARY

The applicant is requesting an amendment to the Official Community Plan Future Land Use designation for the subject property from Future Urban Reserve to the Single/Two Unit Residential designation in order to proceed with a rezoning application from the A1 – Agriculture 1 zone to the RU1 – Large Lot Housing zone and the RU1s – Large Lot Housing with a secondary suite zone in order to facilitate a six lot residential subdivision.

2.1 Advisory Planning Commission

The Advisory Planning Commission at their meeting of Tuesday April 27, 2005 and the following recommendations were passed:

THAT the Advisory Planning Commission supports Official Community Plan Application No. OCP05-0009 to amend the Official Community Plan Future Land Use designation from the Rural/Agricultural to Single/Two Unit Residential;

AND THAT the Advisory Planning Commission supports Rezoning Application No. Z05-0023, for 632 Craig Road, Lot B, Plan 28885, Sec. 25, Twp. 26, ODYD, by Monashee Financial Corp. Ltd. (Patrick McBride), to rezone from the A1-Agriculture 1 zone to the RU1-Large Lot Housing zone for 5 proposed lots and the RU1s-Large Lot Housing with secondary suite zone for 1 proposed lot, subject to the removal of the garage.

3.0 BACKGROUND

In 2003 the owner of the property submitted an OCP amendment application, a rezoning application and a subdivision application (PLR) for a similar proposal to create 6 single family residential lots. The applications were reviewed by the Advisory Planning Commission and a recommendation was passed supporting the applications, however at that time the Advisory Planning Commission urged the applicant to meet with the residents of Lacombe Road to discuss the proposal prior to the application proceeding to Council.

A Preliminary Layout Review (PLR) letter was issued for the proposed subdivision and a requirement of the PLR letter was the registration of a buffering covenant on the properties. This covenant would identify a 15m no-build area along the eastern boundary of proposed lots 3,4,5,6, with a 6m vegetative buffer included within this no-build area and stipulate that proposed lots 1 & 2 establish a 2m high chain link fence, with Cedar hedging.

As a result of this covenant requirement the OCP and Rezoning applications were withdrawn prior to receiving first reading, as the applicant was not prepared to remove the existing garage to facilitate the covenant requirements.

4.0 PROPOSAL

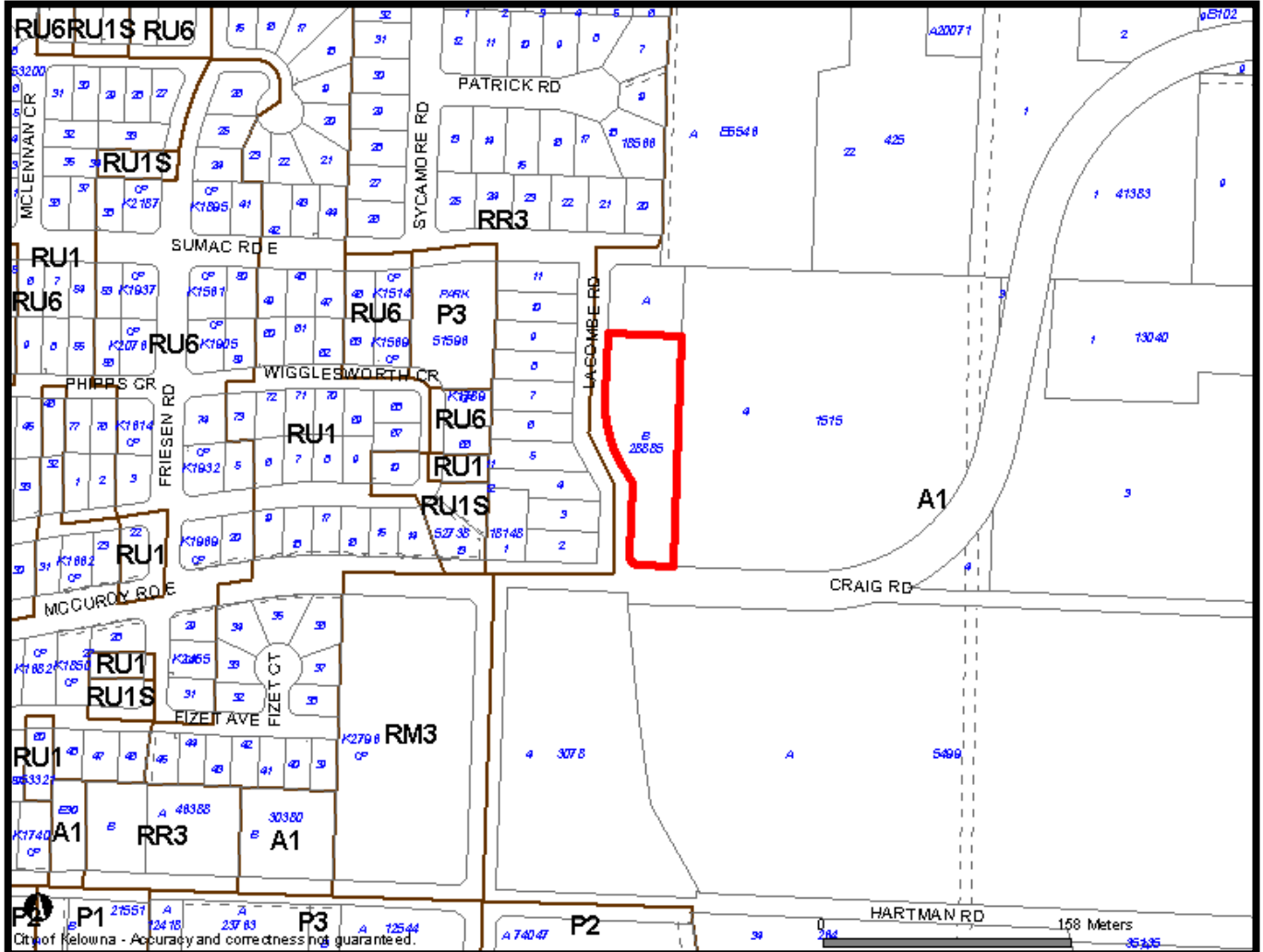
The applicant is currently proposing to rezone the subject property to facilitate a six lot residential subdivision. Proposed Lot 1, which will contain the existing single family dwelling, is proposed to be zoned to the RU1s – Large Lot Housing with a secondary suite zone and proposed Lots 2 – 6 are proposed to be zoned to the RU1 – Large Lot Housing zone. The property is serviced by community sewer and water (Rutland Waterworks District).

The application meets the requirements of the proposed RU1 – Large Lot Housing zone as follows:

CRITERIA	PROPOSAL	RU1 ZONE REQUIREMENTS
Site Area (m ²)	800 – 1,470	550
Site Width (m)	16.9	16.5
Site Depth (m)	30	30

5.0 SITE CONTEXT

The subject property is within the Rutland Sector Plan and is located at the northeast corner of Craig Road and Lacombe Road, south of Sumac Road. To the east of the subject property is farmland, which is within the Agricultural Land Reserve.



Adjacent zones and uses are:

- North - A1 – Agriculture 1; *residential*
- East - A1 – Agriculture 1; *agricultural*
- South - A1 – Agriculture 1; *agricultural*
- West - RR3 – Rural Residential 3; *single family residential*

6.0 CURRENT DEVELOPMENT POLICY

- CITY OF KELOWNA STRATEGIC PLAN 2004 EDITION

The Strategic Plan objectives relating to development are:

- 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.

Staff have reviewed this application, and it may move forward without affecting either the City's financial plan or waste management plan.

7.0 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.

8.0 TECHNICAL COMMENTS

8.1 Works & Utilities

The Works & utilities Department comments and requirements regarding this application to rezone the subject property from A1 to RU1 and RU1s are as follows:

1. Subdivision

- a) Dedicate the necessary widening along McCurdy Road to provide for the ultimate 25.0 m. right of way.
- b) Dedicate the necessary widening along Lacombe Road West to provide for a 20.0 m. right of way, if required.
- c) Provide easements as may be required.

2. 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:

- Overall site suitability for development.
- Slope analysis (i.e. 0-10 %, 10-20 %, 20-30% and over 30 %).
- Presence of ground water and/or springs.
- Presence of fill areas.
- Presence of swelling clays.
- Presence of sulfates.
- Potential site erosion.
- Provide specific requirements for footings and foundation construction.
- Provide specific construction design sections for roads and utilities over and above the City's current construction standards

3. 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 this service. 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.

4. Sanitary Sewer

- a) The subject property is within Sanitary Sewer Specified Area and is serviced by the municipal sanitary collection system. All the proposed lots have been pre-serviced; however, the services have not been paid by the owner.
- b) The developer is required to pay the sanitary sewer specified area charge of per unit. The estimated sanitary sewer charge is estimated at **\$54,000.00** (\$9,000.00 per Equivalent Dwelling Unit). The charge is currently under final review, the developer will be required to pay the charge applicable at the time the payment is made by the applicant.

5. Drainage

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. This plan can become part of the geotechnical study to identify possible ground recharge/detention areas.

6. 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.

7. Road improvements

Lacombe Road

The east half of Lacombe Road along the frontage of the subject property is required to be upgraded to a full urban local standard complete with curb, gutter, street lighting, asphalt fillet, storm drainage, landscaped boulevard and the relocation and/or removal of utilities as may be required. The estimated cost of this work, for bonding purposes, would be \$82,200.00, inclusive of a bonding contingency.

McCurdy Road extension.

- a) The north half of McCurdy Road extension is required to be upgraded to a full urban arterial standard complete with barrier curb, gutter, separate sidewalk, street lighting, asphalt fillet, storm drainage, landscaped boulevard and the relocation and/or removal of utilities as may be required. The estimated cost of this work, for bonding purposes, would be \$27,100.00 inclusive of a bonding contingency.
- b) McCurdy Road is classified as an arterial road. The existing driveway along the East Side of the property must be relocated Lacombe Road in accordance with Bylaw 7900 schedule 4. Highway para 4.6.

8. Street lights.

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

9. 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.

10. Bonding and Levies Summary

a) Performance Bonding

Lacombe Road upgrading	\$ 82,200.00
McCurdy Road upgrading	\$ 27,100.00
Total performance bonding	<u>\$ 109,300.00</u>

b) Levies

Sanitary Sewer Specified Area fee (6 units @ \$ 9,000.00)	<u>\$ 54,900.00</u>
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8.2 Inspection Services

Geotechnical report should be provided to confirm lot/house drainage, soil types and bearing capacity. Lot grading plan showing geodetic existing grades would be beneficial for plan reviews.

8.3 Black Mountain Irrigation District

No objections to the proposed subdivision subject to:

- A capital cost charge of \$1,200 per lot for five new lots = \$6,000.00
- A connection of \$300.00 per lot for five lots payable at time of Application for water.
- A meter supply and installation fee of \$383.55 for each lot payable at time of application for water.
- An FUS calculation to determine required fire flow.
- Installation of water service t each lot at developers cost.
- Should an additional fire hydrant be required by the City of Kelowna Fire Department, installation of same at developers cost.

8.4 Terasen

Will require a gas main to be installed to service new lots.

9.0 PLANNING & CORPORATE SERVICES DEPARTMENT

The Planning and Development Services Department has concerns with this proposed change in zone and permitted uses. The Official Community Plan does not support the proposed urban residential uses on the subject property nor does the City of Kelowna Strategic Plan. This proposed concurrent rezoning and OCP amendment application presents issues of conflicting urban and rural land uses, and should it be approved, would require significant buffering to separate the adjacent agricultural use and the proposed residential use for the subject property.

Should Council choose to support these applications the following recommendation could be considered:

THAT OCP Bylaw Amendment No. OCP05-0009 to amend Map 19.1 of the *Kelowna 2020 - Official Community Plan* Bylaw No. 7600 by changing the Future Land Use designation of Lot B, Sec. 26, Twp. 26, ODYD, Plan 28885, located on Craig/Lacombe Roads, Kelowna, BC, from the Rural/Agriculture designation to the Single/Two Unit Residential designation, as shown on Map "A" attached to the report of Planning & Corporate Services Department, dated July 14, 2005 be considered by Council;

THAT Rezoning Application No. Z05-0023 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B, Sec. 26, Twp. 26, ODYD, Plan 28885, located on Craig/Lacombe Roads, Kelowna, BC from the A1 – Agriculture 1 zone to the RU1 – Large Lot Housing zone and the RU1s – Large Lot Housing with Secondary Suite zone as shown on Map "B" attached to the report of Planning & Corporate Services Department, dated July 14, 2005, be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP05-0019 and zone amending bylaw be forwarded to a Public Hearing for further consideration.

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)

- Map "A"
 - Map "B"
 - Draft Plan of Subdivision
 - Letter of Intent
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