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**CITY OF KELOWNA**

**MEMORANDUM**

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**DATE:** February 21, 2006

**TO:** City Manager

**FROM:** Planning & Corporate Services Department

**APPLICATION No.:** Z05-0074

**OWNERS:** Lamberton/Johnson &  
Appleby

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

**LOCATION:** 5031 Killdeer Road, 5080 & 5090 Frost Road

**PURPOSE:** To rezone from the A1-Agriculture 1 zone to the RU2-Medium Lot Housing zone and P3 – Parks & Open Space zone in order to facilitate a single family residential lot subdivision and a linear park.

**EXISTING OCP DESIGNATION:** Single/Two Unit Residential

**EXISTING ZONE:** A1 – Agriculture 1

**PROPOSED ZONE:** RU2 – Medium Lot  
Housing and P3 – Parks & Open Space

**REPORT PREPARED BY:** Shelley Gambacort

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## **1.0 RECOMMENDATIONS**

THAT Rezoning Application No. Z05-0074 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, DL 1688s, SDYD, Plan 23489 located on Frost Road, Lot 1, Sec. 24, Twp. 28, SDYD, Plan 30846 located on Frost Road and Lot 2, Sec. 24, Twp. 28, SDYD, Plan 39945, located on Killdeer Road, Kelowna, BC from the A1 – Agriculture 1 zone to the RU2 – Medium Lot Housing and P3 – Parks & Open Space zones as shown on Map "A" attached to the report of Planning & Corporate Services Department, dated February 21, 2006 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 RU2 – Medium Lot Housing zone and the P3-Parks and Open Space zone, in order to facilitate a 65 lot single family subdivision and a linear park.

### **2.1 Advisory Planning Commission**

This application was reviewed by the Advisory Planning commission at the meeting of December 6, 2005, and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z05-0074, for 5080 & 5090 Frost Road; 5031 Killdeer Road, Lot 1, Plan 30846, Lot A, Plan 23489 and Lot 2, Plan 39945, Secs. 24 & 25, Twp. 28; Secs. 19 & 30, Twp. 29, ODYD, by Protech Consultants Ltd. (Grant Maddock), to rezone from the A1-Agriculture 1 zone to the RU2-Medium Lot Housing zone in order to facilitate a 65 lot, single family residential subdivision.

### 3.0 THE PROPOSAL

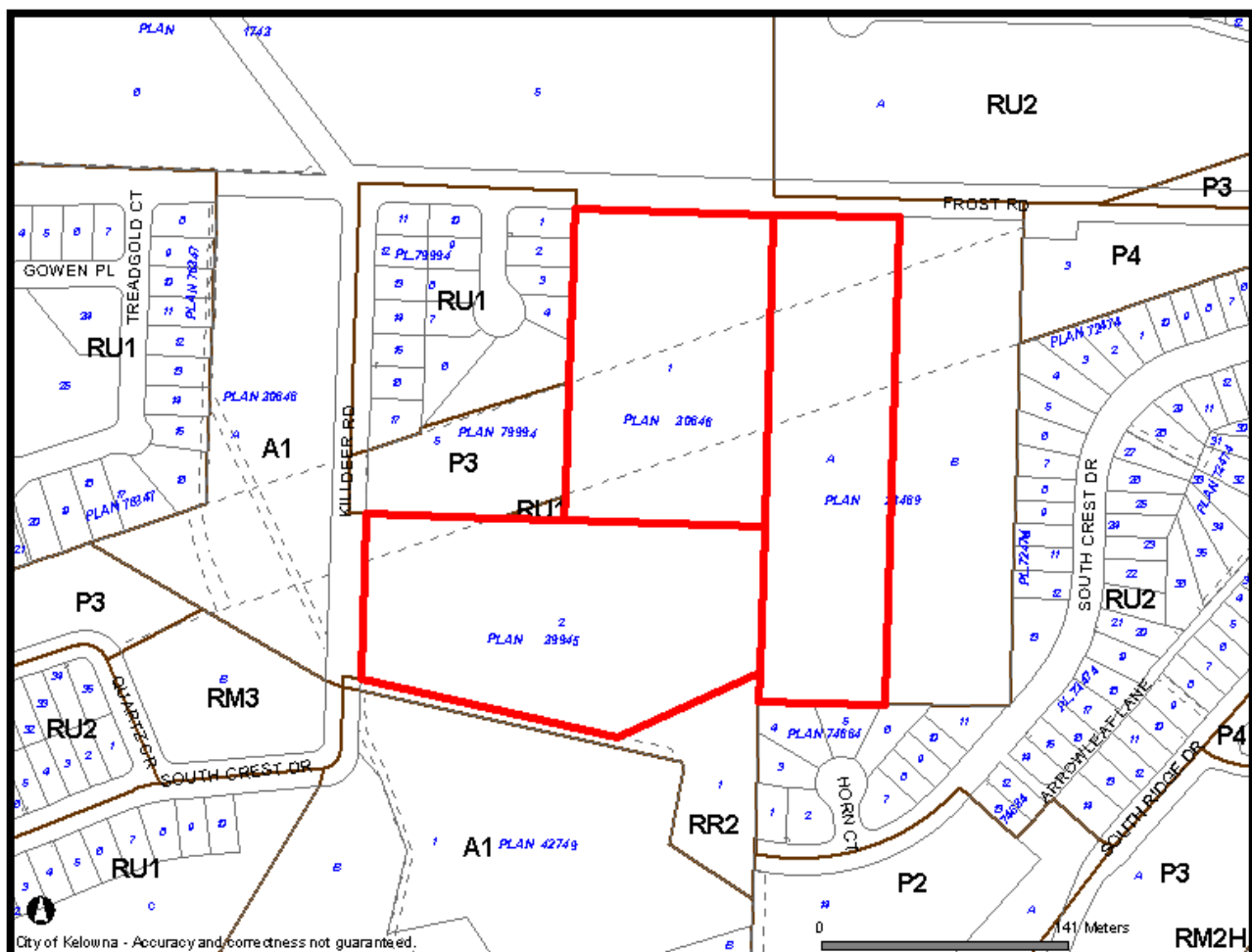
The subdivision development proposal is for 65 single family residential lots. The requirements of the City of Kelowna RU2 – Medium Lot Housing zone are that each proposed lot must have a minimum lot area of 400 m<sup>2</sup>, a minimum lot width of 13 m (16.5 m for corner lots), and a minimum lot depth of 30 m.

The area within the FortisBC right of way is proposed to be designated as P3 – Parks and Open space and will form part of a linear trail corridor being developed in the South West Okanagan Mission Sector area of the City.

There is a concurrent subdivision application being processed with this rezoning application to address all of the technical development issues.

### 4.0 SITE CONTEXT

The property is located on the south side of Frost Road, west of the Southridge Neighbourhood and east of Killdeer Road.



Adjacent land uses are, to the:

- North - Frost Road, A1 – Agriculture 1 and RU2 – Medium Lot Housing; rural and future single family development (part of the Quarry Development)
- East - under application for RU2 – Medium Lot Residential; future single family development
- South - RU2 – Medium Lot Residential; existing single family development (Southridge)
- West - RU1 – Large Lot Housing, P3 – Parks & Open Space & A1 – Agriculture 1; future single family residential development and rural residential

## **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

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

The lot layout for the subject property appears to facilitate the Utility Policy contained in Section 13.5 of the OCP, which states as follows:

**Residential Setback.** Encourage residential development setbacks of 30 metres from the edge of the right of way for feeder lines;

## **6.0 PROPOSED DEVELOPMENT POTENTIAL**

- The purpose of the RU2 – Medium 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 medium sized serviced urban lots.

## **7.0 TECHNICAL COMMENTS**

### **7.1 Works & Utilities**

The City's Works & Utilities Department will handle the Works & Services requirements 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.

#### **.1) General**

- a) 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 on Frost Road and Killdeer Road. A separate servicing agreement will be required for the onsite works. These agreements may be combined into one.

- b) 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.
- c) Existing water infrastructure is reaching capacity refer to comments under Water.

**.2) Geotechnical Report**

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

**.3) Water**

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.

**.4) Sanitary Sewer**

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

**.5) Drainage**

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.

**.6) Roads**

- a) Frost Road must be upgraded to a full urban standard including curb and gutter, separate 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) 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.

- c) The internal roads will be designated urban class 1 local road. Dedicate and construct the road in accordance with City standard SS-R3, 18.0m dedication, 10.3m road).
- d) 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.
- e) Temporary asphalt cul-de-sacs or turn-a-round, will be required at each terminal end of roads that will be extended in the future. Additional dedication or a Statutory Right-of-Way may be needed.

**.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) 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

**.9) Charges and Fees**

- a) 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).
- b) Sewer Specified Area Administration Fee of \$250.00 to amend service boundary.
- c) Water Specified Area Administration Fee of \$250.00 to amend service boundary.
- d) Water Extended Service Area Latecomers (ESA's).

**7.2 Parks Division**

We recommend the following:

- .1 That the Linear Park to be rezoned P3.
- .2 The design of the roadways adjacent to the parkland should include a barrier curb to prevent vehicles from encroaching.
- .3 The parkland shall not be disturbed and be free and clear of weeds and debris prior to final subdivision approval.

- .4 The rear and/or side yards of all proposed housing lots adjacent to the proposed Linear Park shall be fenced with min. 4' high black chain link. The fence shall be installed prior to final subdivision approval on proposed Lots 31 to 50, and 65.
- .5 Provision of a 3 metre wide pedestrian walkway between proposed Lots 40 & 41.

To ensure the above requirements are fulfilled, we further recommend to the Planning & Corporate Services Department to schedule an on-site meeting with the Parks Division and the Applicant to review the Linear Park Corridor prior to final subdivision approval.

## **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 for Neighbourhood 2 in the South West Okanagan Mission Sector Plan.

The property abutting to the northwest of the subject properties (corner of Killdeer and Frost Road) has submitted an application for subdivision approval based on the layout shown on the attached plan and the RU2 zone amending bylaw for the property abutting to the east has recently received 3<sup>rd</sup> reading and is currently under application for preliminary layout review, as shown on the attached plan.

This proposed subdivision design achieves the road connectivity east through the adjacent property to Frost Road.

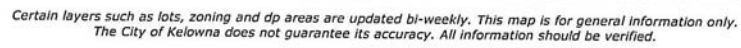
R. G. Shaughnessy  
Subdivision Approving Officer

RGS/SG/sg

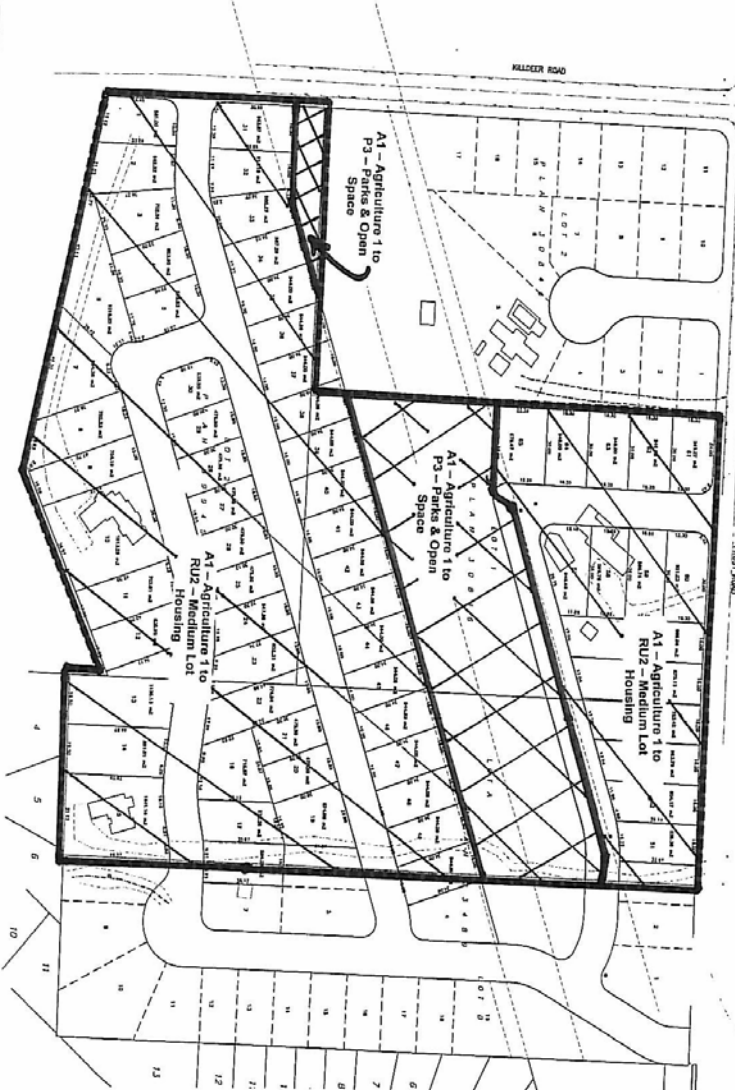
Approved for inclusion ☐

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

Attachments (2)



# MAP "A"



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PROPOSED REZONING PLAN OF  
LOT 2 SEC. 24, TWP. 28 SDYD PL. 39945  
5031 KILLDEER ROAD.

PROPOSED REZONING PLAN OF  
LOT 1 SEC. 24, TWP. 28 SDYD PL. 30846  
5080 FROST ROAD.

PROPOSED REZONING PLAN OF  
LOT A, DL 16885 SDYD PL. 23489  
5090 FROST ROAD.



5024-4271-A-04