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**CITY OF KELOWNA  
MEMORANDUM**

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**DATE:** October 14, 2008  
**TO:** City Manager  
**FROM:** Community Sustainability Division  
**APPLICATION NO.** Z08-0073      **APPLICANT:** Lone Pine Estates  
**AT:** 685 Lone Pine Drive      **OWNER:** Colin Day  
**PURPOSE:** TO REZONE THE SUBJECT PROPERTY FROM THE RU1 - LARGE LOT HOUSING AND A1 – AGRICULTURE 1 ZONES TO THE RU1h – LARGE LOT HOUSING (HILLSIDE AREA) ZONE IN ORDER TO ALLOW FOR THE USE OF HILLSIDE DESIGN CRITERIA FOR FUTURE SUBDIVISION.  
**EXISTING ZONE:** RU1 – LARGE LOT HOUSING & A1 – AGRICULTURE 1  
**PROPOSED ZONE** RU1h – LARGE LOT HOUSING (HILLSIDE AREA)  
**REPORT PREPARED BY:** ANDREW BROWNE

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**1.0    RECOMMENDATION**

THAT Rezoning Application No. Z08-0073 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of South East 1/4 of Section 24, Township 26, O.D.Y.D., except Plans KAP54413, KAP58342, KAP59957, KAP63620, KAP69503 and KAP79411, located at 685 Lone Pine Drive, Kelowna, B.C. from the RU1 – Large Lot Housing and A1 – Agriculture 1 zones to the RU1h – Large Lot Housing (Hillside Area) zone be considered by Council;

AND THAT the zone amending bylaw be forwarded to a Public Hearing for further consideration;

**2.0    SUMMARY**

This application seeks to rezone the subject property from RU1 – Large Lot Housing and A1 – Agriculture 1 to RU1h – Large Lot Housing (Hillside Area) to allow for the use of hillside design criteria for future subdivision.

**3.0    ADVISORY PLANNING COMMISSION**

At a meeting held on October 7, 2008, the Advisory Planning Commission passed the following recommendation:

THAT the Advisory Planning Commission support Rezoning Application No. Z08-0073, for 685 Lone Pine Dr, South East 1/4 of Section 24, Township 26, O.D.Y.D., except Plans KAP54413, KAP58342, KAP59957, KAP63620, KAP69503 and KAP79411 by CTQ Consultants Ltd. (G. Threlfall), to rezone the subject property from the A1-Agriculture 1 zone to the RU1H-Large Lot Housing Hillside Area zone in order to facilitate a single family residential subdivision.

The Advisory Planning Commission commented that they would like to see the issues of parkland and access to Mine Hill to be clarified with consideration of this application. Additionally, the upgrade of the intersection at Highway 33/Toovey Road when 4 laning is complete to be addressed as soon as possible.

## 4.0 **BACKGROUND**

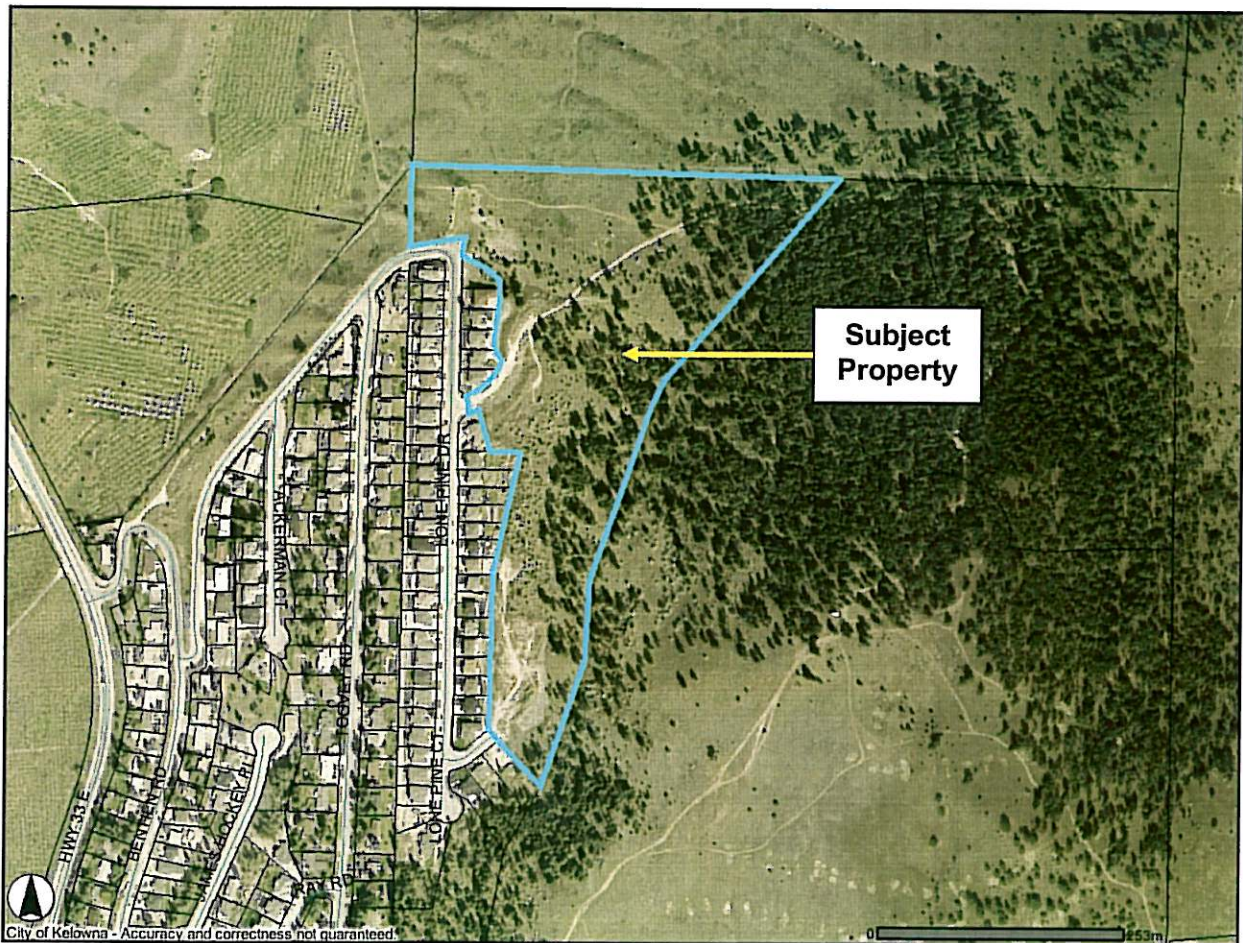
### 4.1 **Proposed Development**

In preparation for phase six of Lone Pine Estates, the applicant seeks to rezone the subject property to permit the use of hillside design criteria for the proposed 26-lot subdivision and any future phases proposed on the subject property.

### 4.2 **Site Context**

The subject property is located adjacent to Toovey Heights at the end of Lone Pine Drive in a hillside environment. The land is mostly bare of large vegetation except for trees on the north slope of the mountain. The subject property also features substantial slopes including many areas exceeding 30% slope. The zoning of adjacent properties is as follows:

- North A1 – Agriculture 1
- South RU1 – Large Lot Housing  
P3 – Parks and Open Space
- East P3 – Parks and Open Space  
RU1h – Large Lot Housing (Hillside Area)  
RU4h – Low Density Cluster Housing (Hillside Area)
- West RU1 – Large Lot Housing & A1 – Agriculture 1





## **5.0 CURRENT DEVELOPMENT POLICY**

### **5.1 Official Community Plan**

Sec. 7.1.3 Application of Alternative Hillside Development Standards states: "Consider alternative hillside development standards for hillside areas proposed to be on urban services and having no through roads or larger areas planned on a comprehensive neighbourhood basis. Due to the hillside development potential for impacts on adjacent lands Hazardous Condition Development Permits will be considered for an entire title area, notwithstanding that portions of the site may contain areas of lesser slopes."

## **6.0 TECHNICAL COMMENTS**

### **6.1 Fire Department**

Fire Department turn-a-round required as per BCBC 2006 and City of Kelowna Subdivision Bylaw at the north-east end of Deans Drive. Contact Fire Prevention if more information needed. Fire department access, fire flows, and hydrants as per the BC Building Code and City of Kelowna Subdivision Bylaw. The road is not to exceed the requirements of the BC Building code and the City of Kelowna Subdivision Bylaw.

### **6.2 Inspection Services Department**

Compliance to Hillside guidelines to apply. Fire department access to be reviewed. Provide lot cross sections to establish extent of lot grading requirements or possible building envelopes established prior to subdivision approval being granted.

### **6.3 Policy, Research & Strategic Planning Department**

The subject property is designated as Single / Two Unit Residential in the OCP and as such the proposed rezoning would be in compliance and could be supported. This property is also designated as a Hazardous Condition DP Area for both steep slopes and wildland fire hazard.

It is noted that there are at least three (3) lots that are significantly impacted by steep slopes and may be unsuitable as building lots. The Hazardous Condition DP process should confirm which sites are suitable and not suitable.

It is recommended that this application be supported subject to the requirements resulting from the Hazardous Condition DP process relating to steep slopes and wildland fire hazard.

### **6.4 Works & Utilities Department**

This application for a technical rezoning from RU1 to RU1h of the subject property does not trigger any servicing requirements. The servicing requirements of the subdivision were addressed in our comments under file No. Z92-1016.

## **7.0 COMMUNITY SUSTAINABILITY DIVISION COMMENTS**


This proposed Zoning Bylaw Amendment is consistent with the Official Community Plan future land use designation for the property of Single/Two Unit Residential.

Hillside design criteria are intended to guide the development of sloped land to be sensitive to and more closely respect the original topography of the land. RU1h zoning, as compared with RU1

zoning, allows for adjusted street standards, building height requirements, building setbacks, and required yards in recognition of the varied terrain. The subject property features considerable challenging slopes across the site, as can be seen in the attached 5m contour map.

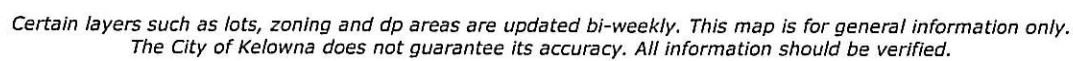
During the APC meeting members of the public noted concerns regarding traffic on Toovey Road at Highway 33 and the availability of park space in the area. At present, the most recent Traffic Impact Study indicates that a potential Toovey Road connector or reconfiguration is not required until 90 lots are developed in Lone Pine Estates. Existing and currently proposed lots in Lone Pine Estates total 83. Furthermore, Toovey Road is foreseen by Works & Utilities to remain a cul-de-sac in the future. A DCC park has been planned to the south, and will be dedicated when the property in question is developed.

The property subject to this rezoning is already zoned for residential development and this application seeks only to rezone for the hillside designation. Staff have no concerns with this application.

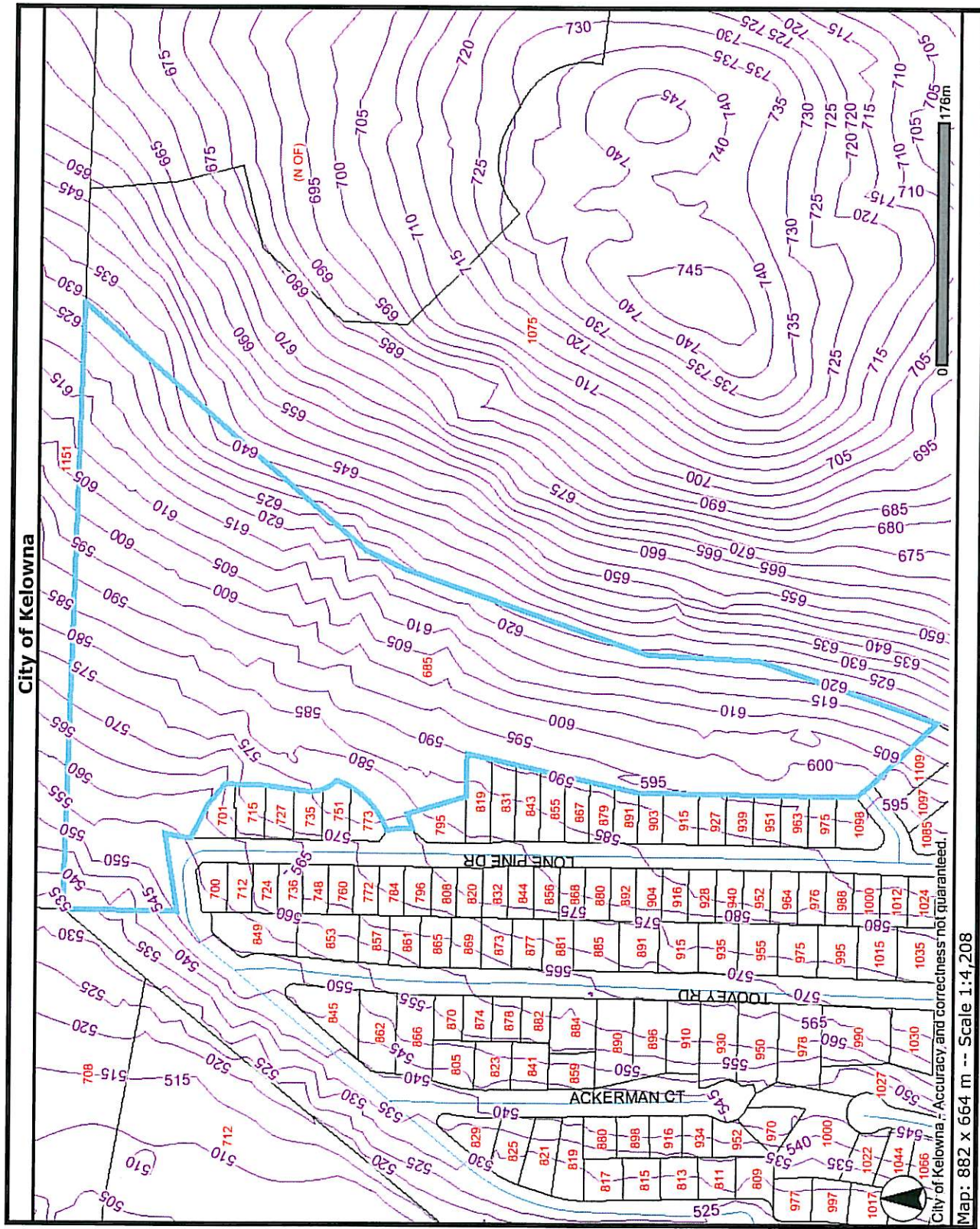
for:   
Danielle Noble  
Current Planning Supervisor

**ATTACHMENTS**

Location map (current zoning)  
Contour map (5 m interval)  
Subject property map (proposed zoning)  
Submitted subdivision plan for preliminary layout review (draft)  
Future land use map showing location of DCC park to be dedicated in future

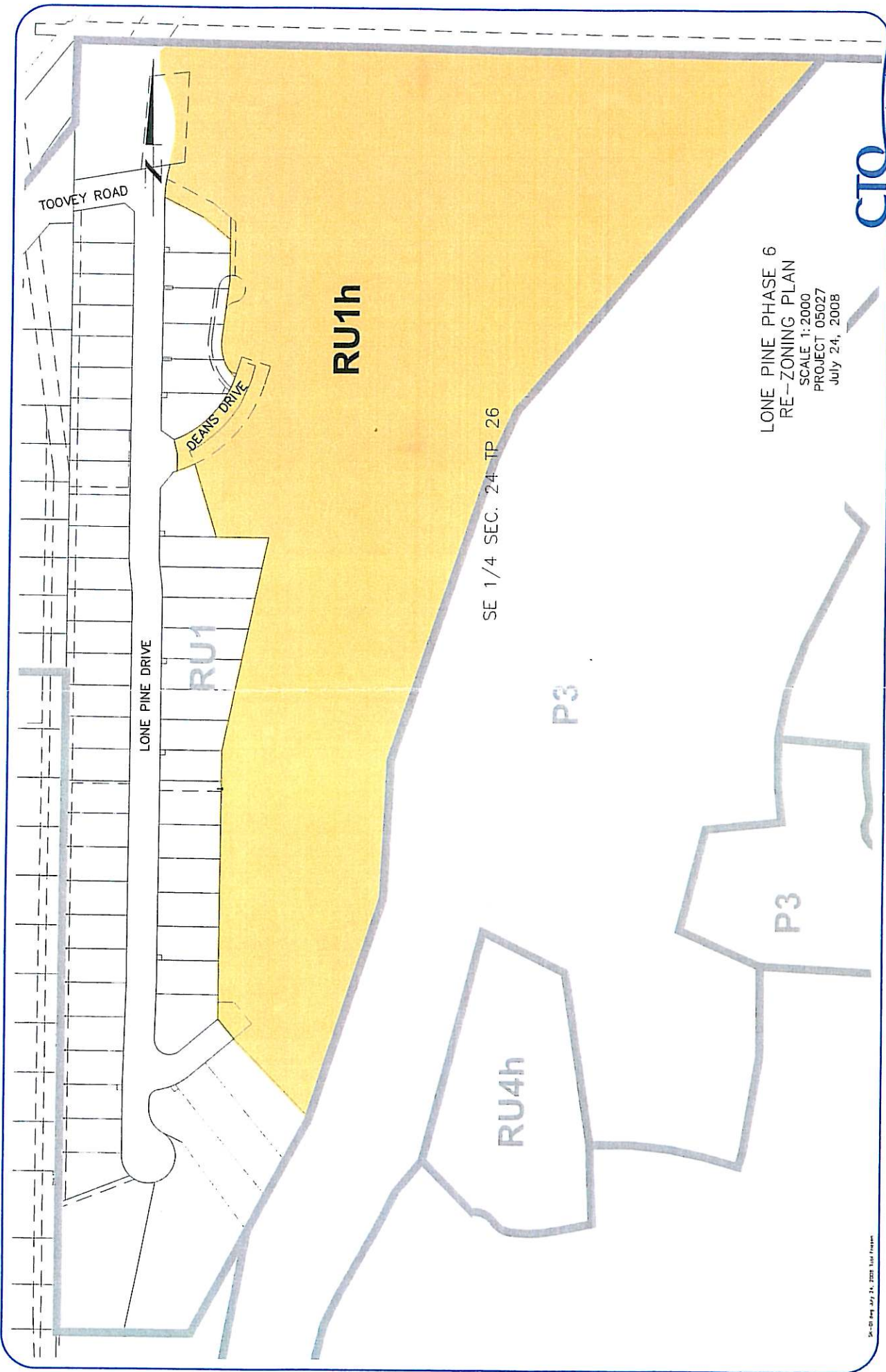






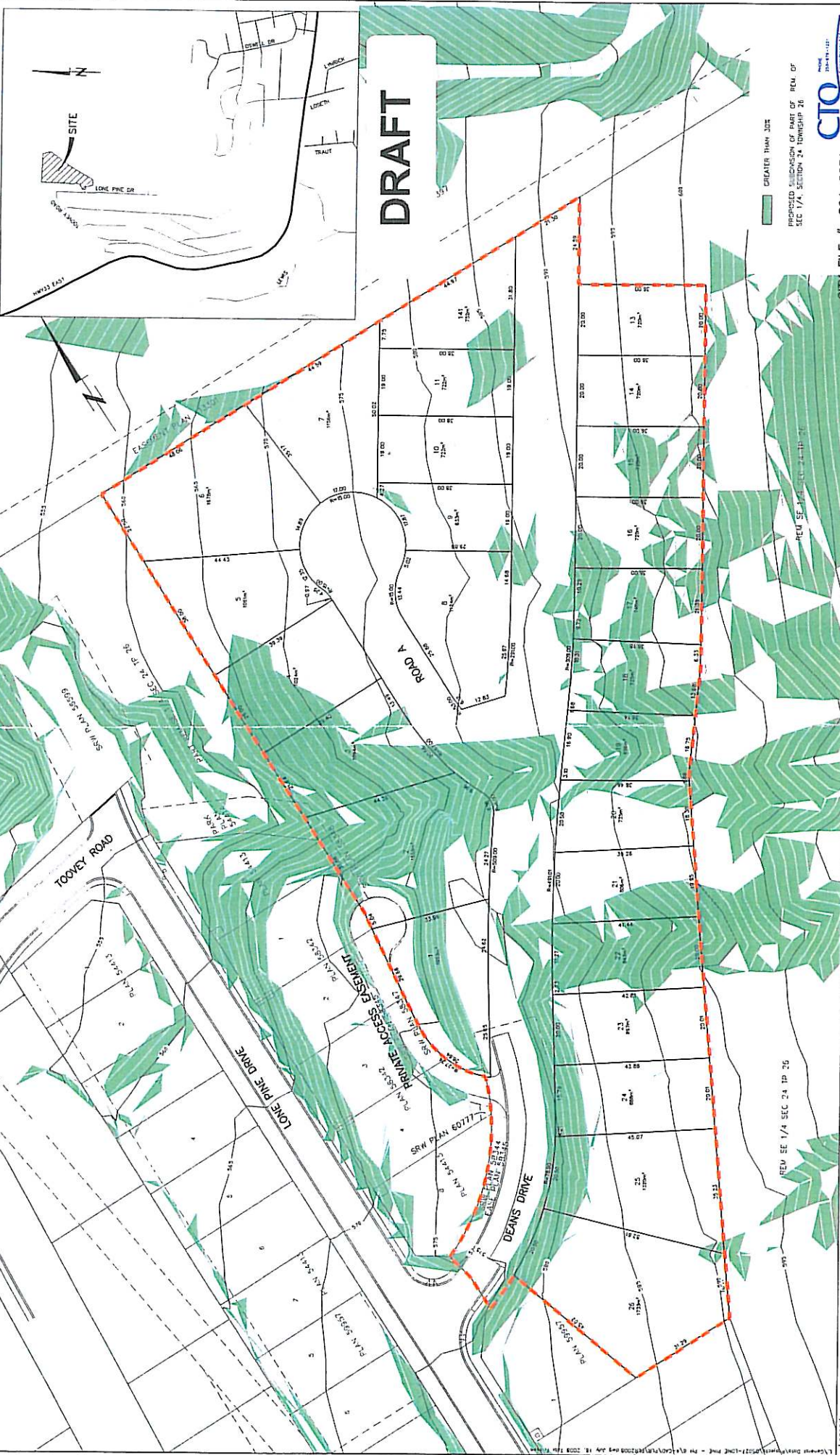
This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.





LONE PINE PHASE 6  
RE-ZONING PLAN  
SCALE 1:2000  
PROJECT 05027  
July 24, 2008





**DRAFT**

GREATER THAN 30%

PROPOSED SUBDIVISION OF PART OF REM. OF  
SEC 1/4, SECTION 24, TOWNSHIP 26

**CIO**  
City of Kelowna  
Engineering Department

CITY FILE # S04-0031 05027

THE CITY OF KELOWNA

ENGINEERING DEPARTMENT

LONE PINE ESTATES

PHASE 6

PRELIMINARY LAYOUT REVIEW

Drawn By PLR-01

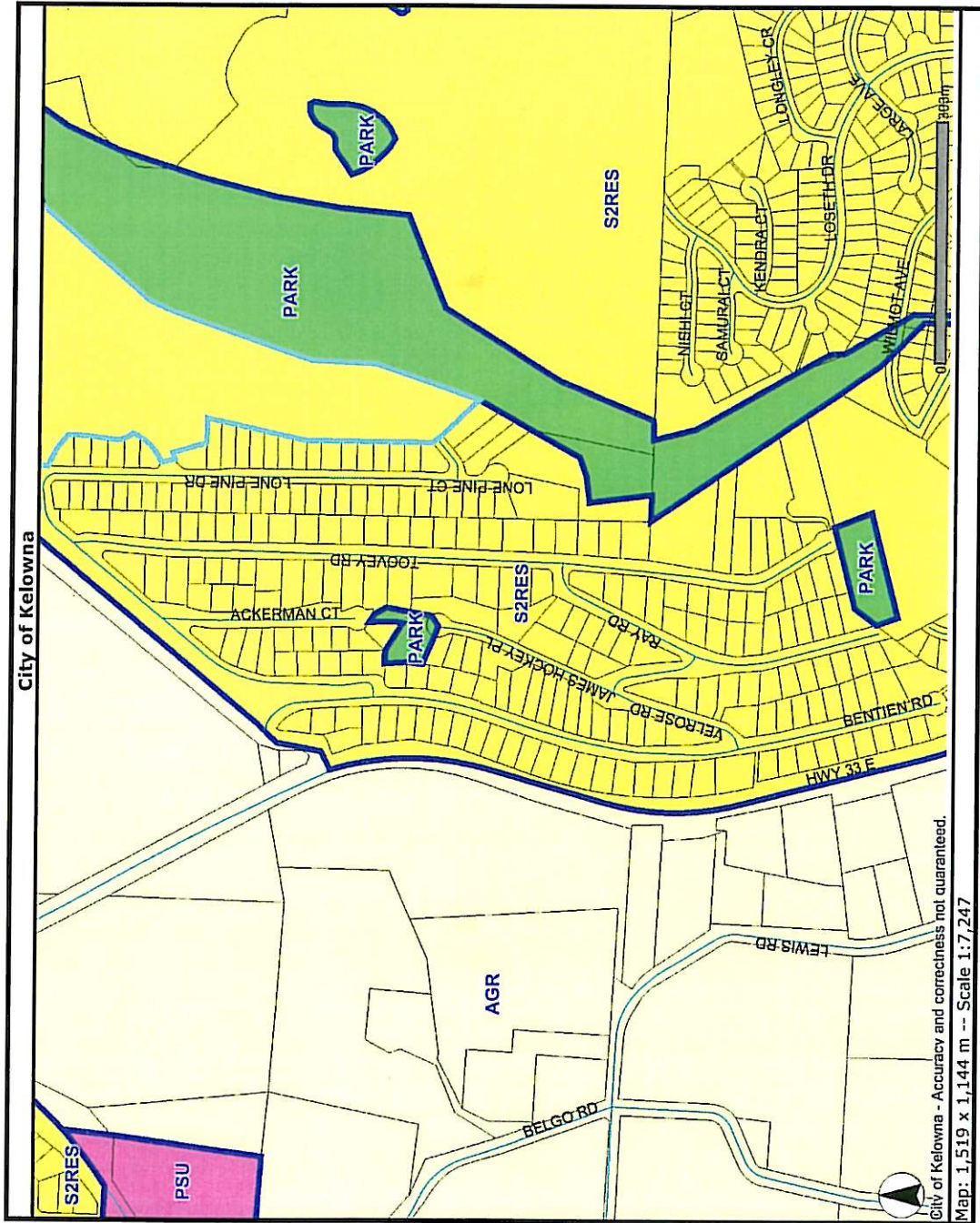
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Drawn By	PLR-01
Check By	
Design By	
Approved By	
Date	SEC 2007
Scale	1:1000

Legend	Symbol	Description
Proposed	Red dashed line	Proposed Subdivision Boundary
Existing	Black solid line	Existing Subdivision Boundary
Survey	Black solid line	Survey Boundary
Water	Blue wavy line	Water Feature
Topography	Green contour lines	Topographic Contours
Road	Black solid line	Road Right-of-Way
Utility	Black dashed line	Utility Right-of-Way
Setback	Black solid line	Setback Line
Property	Black solid line	Property Boundary
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