

Memo



Date: February 11, 2010
To: City Manager
From: Development Services Department

APPLICATION NO. DVP09-0073

OWNER: Michael Matvieshen

AT: 1425 McCurdy Rd East

APPLICANT: Paramount Holdings Inc.

PURPOSE: TO OBTAIN A DEVELOPMENT VARIANCE PERMIT TO THE SUBDIVISION AND SERVICING BYLAW NO.7900 IN ORDER TO USE A SEPTIC SYSTEM WHERE SEWER SERVICE IS AVAILABLE

EXISTING ZONE: A1 - AGRICULTURE 1

REPORT PREPARED BY: DAMIEN BURGGRAEVE

1.0 RECOMMENDATION:

THAT Council NOT authorize the issuance of Development Variance Permit No. DVP09-0073 for Lot 2 Section 36 Township 26 ODYD plan 23935 Except PPlan KAP53090 and KAP84358, located at 1425 McCurdy Road, Kelowna, B.C;

2.0 SUMMARY:

The applicant is seeking a variance to the current Subdivision, Development and Servicing Bylaw No.7900 to eliminate the requirement for a connection to the City's Sanitary Sewer System to facilitate the use of an on-site Septic System

3.0 ADVISORY PLANNING COMMISSION:

The application was reviewed by the Advisory Planning Commission at the December 8th, 2009 meeting and the following recommendation was passed:

THAT the Advisory Planning Commission support Development Variance Permit Application No. DVP09-0073, for 1425 McCurdy Road; to allow a Development Variance Permit to Subdivision and Service Bylaw No. 7900 in order to use a septic system where sewer service is available.

4.0 THE PROPOSAL:

The applicant envisions a house that would be fully "off the grid" and self-sustainable. As part of his vision to be self sustainable the applicant has installed an on-site sewage disposal system and does not wish to connect to the available sewer connection which is contrary to the Subdivision and Development Servicing Bylaw. While contrary to the City's bylaw, the Septic Field (which has already been installed) meets the requirements for sewage disposal systems which are regulated by the Interior Health Authority. The field was also designed and installed by a certified On-Site Wastewater Practitioner. The applicant is also planning on using other forms of green energy such

as solar panels as part of this project. The proposed development meets all the requirements of the A1-Agricultural zone but not section 6.1(h) of the Subdivision and Servicing Bylaw. The applicant is seeking a variance to the following Section:

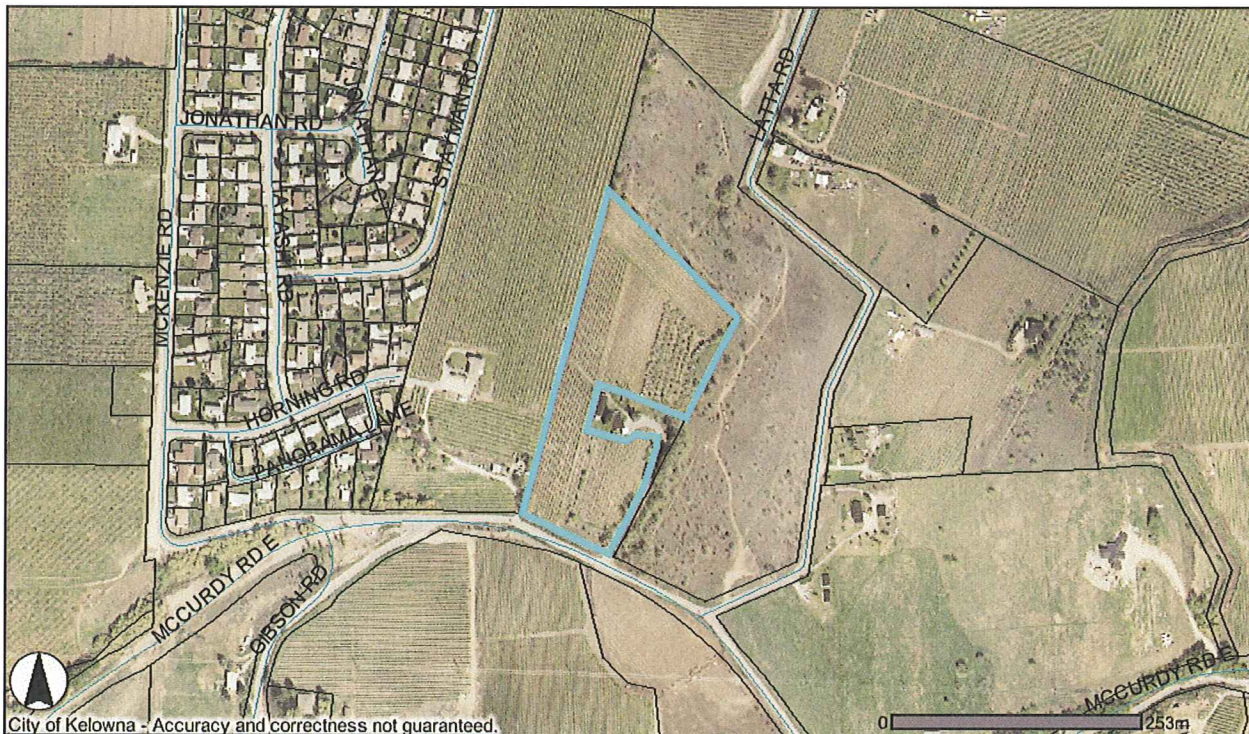
6.1 (h) *The owner of any land or parcel on which exclusively a Building Permit is desired, and which is not being subdivided or otherwise developed, must service the building with a sanitary sewage collection and disposal system, including a service connection, designed and constructed in accordance with the Works and Services Requirements. In absence of a Sewer collection system in the area, an on-site sewage disposal system will be considered.*

4.0 Site Context

The subject property is approximately 3.6 ha and is located on the north side of McCurdy Road East between McKenzie Road and Latta Road. The surrounding area is mostly agricultural in character with the exception of a small subdivision west of the subject property. More specifically, the surrounding uses are as foloow

- North- A1 - Agriculture 1 (ALR)
- East A1 - Agriculture 1 (ALR)
- South A1 - Agriculture 1 (ALR)
- West A1 - Agriculture 1 (ALR)

4.0 Subject Property: 1425 McCurdy Road East



5.0 Development Services Department

The Development Services Department does not support this Development Variance Permit application. This area was originally made a priority for community sanitary sewer service due to poor conditions for septic drainage. It is important to note that soil conditions in the area are such that negative impacts from the septic field may be encountered off-site rather than on the subject property. The applicant has installed the septic system in question prior to obtaining the required municipal approvals and staff are also concerned about the potential revenue loss and off-site impacts related to poor drainage conditions in the area.

Having noted the above, staff do recognize that the goal of managing a property completely off the grid is very innovative and potentially environmentally friendly in the correct circumstances.

6.0 Alternate Recommendation

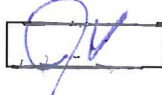
THAT Council authorize the issuance of Development Variance Permit No. DVP09-0073 for Lot 2 Section 36 township 26 ODYD Plan 23935 Except PAn KAP53090 and KAP84358, located at 1425 McCurdy Road, Kelowna, B.C to the following section of the Subdivision, Development and Servicing Bylaw No. 7900:

Section 6.1 (h) Development - Application for a Building Permit: A variance to allow an independent septic system where sanitary sewer service is available.



Ryan Smith
Subdivision Approving Officer

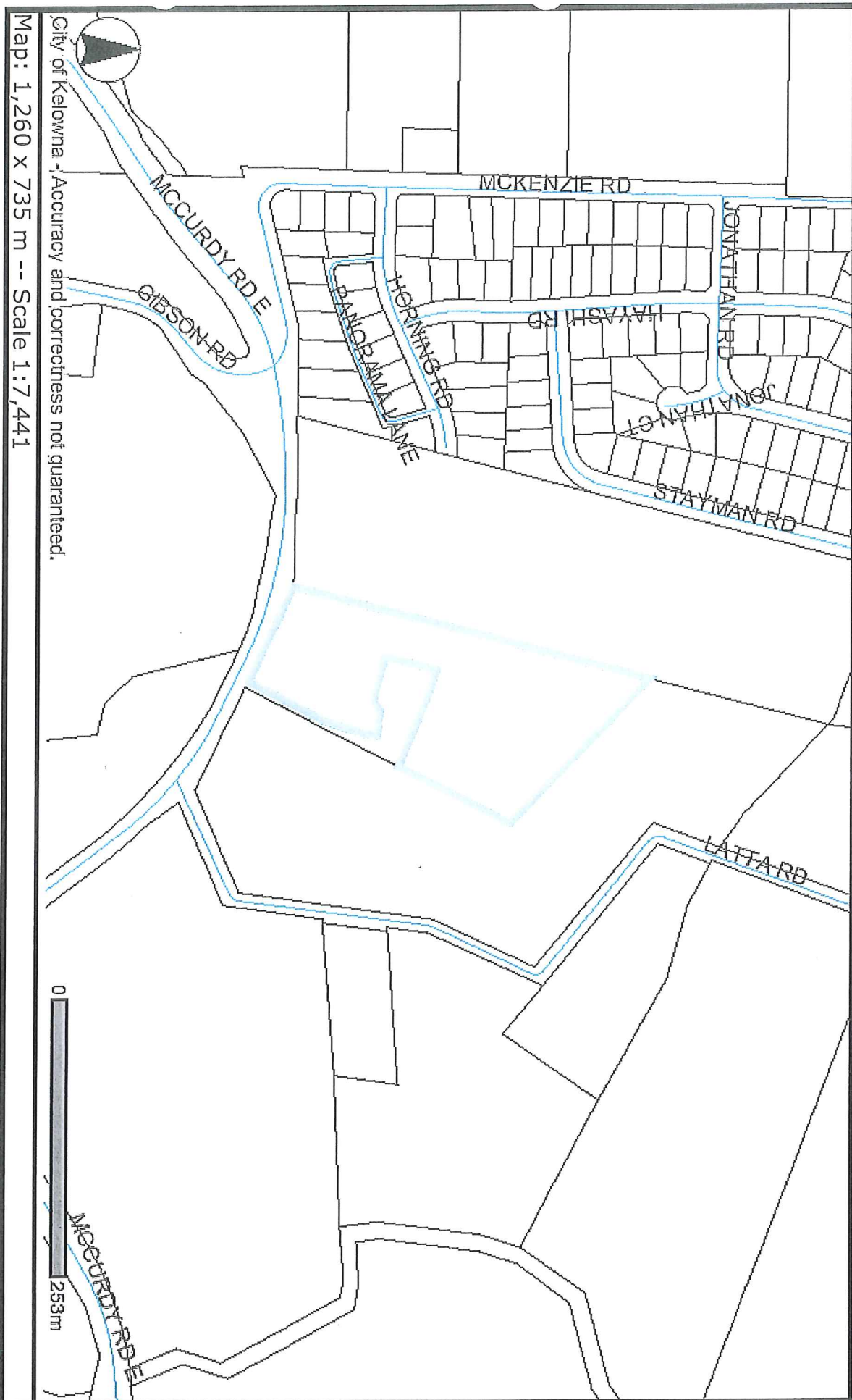
Approved for Inclusion



Attachments:

- Subject Property Map
- Utility Map Showing Sewer Connection
- Engineering Memo

City of Kelowna

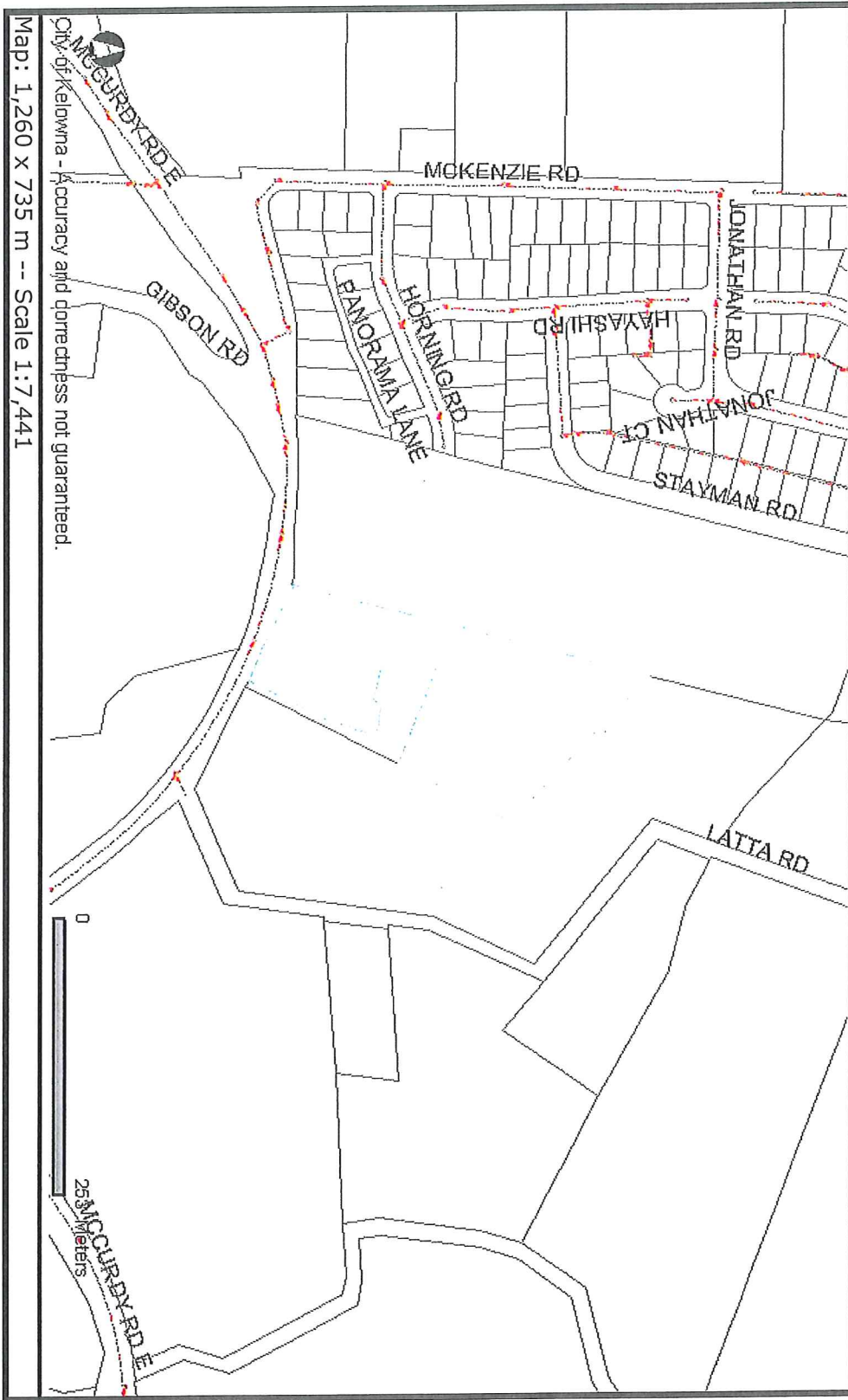


City of Kelowna - Accuracy and correctness not guaranteed.

Map: 1,260 x 735 m -- Scale 1:7,441

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

City of Kelowna Utilities



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Map: 1,260 x 735 m -- Scale 1:7,441

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CITY OF KELOWNA
MEMORANDUM

Date: July 21, 2009
File No.: DVP09-0073
To: Approving Officer (RS)
From: Development Engineering Manager (SM)
Subject: 1425 McCurdy Road E – lot 2, Plan 23935, Section 36, Township 26, ODYD

The Development Engineering comments and requirements regarding this development variance permit application are as follows:

1. General.

- a) This property has an existing sanitary sewer service. The Sanitary Utility cannot support a development proposal that includes a private onsite wastewater treatment and disposal system.
- b) The current City policy is to enforce connection requirements where a property is fronted by the Municipal wastewater collection system.
- c) On-site wastewater treatment and disposal systems have a limited life expectancy. The City has made significant investments in the Municipal wastewater collection and treatment system to protect the environment, the groundwater, public health and ultimately eliminate all small individual sewage treatment and disposal systems.



Steve Muenz, P. Eng.
Development Engineering Manager

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