

NOTE: LOT B WILL BE ACCESS BY AIR ONLY

PARCEL A
PLAN B5456

ATTACHMENT A
 This forms part of application
 # Z20-0016
 Planner Initials **BC**
 City of Kelowna
 DEVELOPMENT PLANNING

LEGAL DESCRIPTION: LOT 7 SECTION 34
 TOWNSHIP 26 ODYD PLAN 3236 EXCEPT PLAN
 B5456

DRAWING TYPE: TOPOGRAPHIC SITE PLAN/
 PROPOSED SUBDIVISION PLAN

CIVIC ADDRESS: 729 FITZPATRICK ROAD, KELOWNA



B.C. LAND SURVEYORS
 CANADA LANDS SURVEYORS
 Subdivision Design
 Legal, Topographic & GPS Surveys
 404-1630 Pandosy St., Kelowna, B.C. V1Y 1P7
 Telephone (250)763-3115 Fax (250)763-0321

LEGEND	
⊗ SPOT HEIGHT	⊗ FIRE HYDRANT
● IRON PIN FOUND	RMA DENOTES REPAIRMAN MANAGEMENT AREA
○ ^{PP} POWER POLE	--- OVERHEAD POWERLINE
○ ^{C.D.} SANITARY SEWER CLEANOUT	--- PROPOSED SETBACK (12 ZONING)
○ ^{MH} SANITARY SEWER MANHOLE	

REVISION NO.	DESCRIPTION	BY	DATE REVISED
1	PROPOSED PARK ADDED	AI	DECEMBER 6, 2019
2	ADDED PROPOSED LOT B	RD	MAY 21, 2020

JOB NO. 21950-TOPO

DATE: AUGUST 30, 2019

SCALE: 1:500 METRES

CLIENT: JUSTIN BULLOCK

NOTES: ELEVATIONS ARE GEODETIC AND
 ARE DERIVED FROM RTK GPS.
 CONTOURS ARE 0.5 METRES INTERVALS.

FIELD BOOK: SEE FILE

FIELD CREW: JF/RQ DRAWN BY: AI

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December 20, 2019

City of Kelowna
Community Planning Dept.
1435 Water Street
Kelowna, BC
V1Y 1J4

Re: Rezoning at 729 Fitzpatrick Road

Dear Planning Staff

We are pleased to submit this application to rezone the property at 729 Fitzpatrick Road from the A1 – Agriculture 1 zone to the I2 – General Industrial zone. The application triggers an Environmental Development Permit application which is to be applied for in early 2020 and reviewed concurrently with the rezoning process. There are no plans to demolish or construct any structures on the property.

This property's current zone is designated as A1 – Agriculture 1, which is no longer the highest and best use of the subject property. The A1 zone allows for agricultural use; however, there is no evidence that the property has been used for agricultural purposes. Over the past few decades, this area has transitioned towards residential and industrial. In addition, the *City of Kelowna Official Community Plan* identifies the property with a future land use designation of Industrial, therefore it is logical to rezone the land to I2 – General Industrial to bring the subject property into compliance. The future landowner intends to move his business to the property, initially utilizing the existing structures.

The property at 729 Fitzpatrick Road is in sync with the surrounding area due to a variety of applications to the City. These applications are listed as follows:

- *1308 Findlay Rd* – rezoning the subject property from RU1 to I2.
- *766 Stremel Rd* – rezoning the subject property from RU1 to I2 and P3.
- *766 Stremel Rd* – rezoning to C10 & P3 to allow the construction of car dealership.
- *820 Finns Rd, 839 Finns Rd, 850 Finns Rd, 888 Finns Rd* – amending the OCP, rezoning from A1- Agriculture zone to the C10- Vehicle Commercial Zone and associated Development Permits (in progress since 2015).

Some of these projects have already received 3rd reading and are working through further requirements prior to final adoption.


The southern portion of the property is designated as 'Park,' and the landowner is prepared to dedicate this area to the City as discussed with Planning staff. Pre-application meetings were held on site with Corey Davis, Environmental Technician and Melanie Stepphun, Parks Department to discuss the City's interests.

Given the need for industrial land, the appropriate future land use designation and accessibility to the site we feel that it is appropriate to rezone to the I2 Industrial use. We look forward to hearing your comments and feedback on the project. Should you have any questions please call Birte Decloux at 250.575.6707.

Regards,



Birte Decloux on behalf of Justin Bullock

ATTACHMENT	B
This forms part of application # Z20-0016	
Planner Initials	BC
 City of Kelowna DEVELOPMENT PLANNING	

CITY OF KELOWNA

MEMORANDUM

Date: ~~February 24, 2020~~ (May 26, 2020)
File No.: Z20-0016
To: Community Planning (BC)
From: Development Engineering Manager (JK)
Subject: 729 Fitzpatrick Rd.

A1 – I2

The Development Engineering Department has the following comments and requirements associated with this rezoning application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Aaron Sangster.

1. General

- a) These are Development Engineering comments/requirements and area subject to the review and requirements from the Ministry of Transportation (MOTI) Infrastructure Branch.

2. Road Improvements


- a) Fitzpatrick Rd. must be upgraded to an urban standard along the full frontage of this proposed development, including barrier curb and gutter, sidewalk, irrigated landscaped boulevard, drainage system including catch basins, manholes and pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. Road cross section to be used is a SS-R5

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 these items. All charges for service connection and upgrading costs are to be paid directly to the BMID. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with the City of Kelowna current Bylaws and Policies.

2. Sanitary Sewer

- a) Our records indicate that this property is currently serviced with a 150mm-diameter sanitary sewer service. The applicant's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Only one service will be permitted for this development. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost.

SCHEDULE		A
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3. **Storm Drainage**

- a) Provide a detailed Stormwater Management Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900.
- b) Ground water will not be allowed to be pumped to City drainage system.
- c) The developer must engage a consulting civil engineer to provide a storm water management plan for this site which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems

4. **Erosion Servicing Control Plan**

- a) Provide a detailed ESC Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900.
- b) The developer must engage a consulting civil engineer to provide an ESC plan for this site which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900.
- c) Civil consultant is responsible for all inspection and maintenance.
- d) A Security Deposit for ESC Works equal to 3.0% of the Consulting Engineer's opinion of probable costs of civil earthworks and infrastructure will be added to the Servicing Agreement.

5. **Road Dedication and Subdivision Requirements**

- a) Grant Statutory Rights of Way if required for utility services.
- b) If any road dedication or closure affects lands encumbered by a Utility right-of-way (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.
- c) Dedicate ~3.15m width along the full frontage of Fitzpatrick Rd. to align with the property line of 747 Fitzpatrick Rd.

6. **Development Permit and Site Related Issues**

- a) *Road access via driveway letdown must conform to bylaw 7900. As per bylaw 7900 only one driveway will be permitted on this development.*
- b) Direct the roof drains into on-site rock pits or splash pads.
- c) Creek easements/dedication will be required.

7. **Electric Power and Telecommunication Services**

- a) All proposed service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost. The utility companies are required to obtain the City's approval before commencing construction.

- b) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

7. Design and Construction

- a) 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. Drawings must conform to City standards and requirements.
- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

8. Servicing Agreement for Works and Services

- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

4. Geotechnical Report

- a) Provide a comprehensive geotechnical report, 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 report must be submitted 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 and sanitary waste, including effects upon adjoining lands.
- vi. Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.
- vii. Identify slopes greater than 30%.
- viii. Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.
 - ix. Recommendations for items that should be included in a Restrictive Covenant.
 - x. Any special requirements that the proposed subdivision should undertake so that it will not impact the bank(s). The report must consider erosion and structural requirements.
 - xi. Any items required in other sections of this document.
 - xii. Recommendations for erosion and sedimentation controls for water and wind.
 - xiii. Recommendations for roof drains and perimeter drains.
 - xiv. Recommendations for construction of detention or infiltration ponds if applicable.

5. Charges and Fees

- a) Development Cost Charges (DCC's) are payable
- b) 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, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - (iii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).



 James Kay, P. Eng.
 Development Engineering Manager

AS