
CITY OF KELOWNA

MEMORANDUM

Date: July 9, 2002
File No.: ASP02-0001

To: City Manager

From: Planning & Development Services Department

APPLICATION NO. ASP02-0001 OWNER: Various

AT: Bell Mountain Area APPLICANT: Weninger Construction &
Design Ltd.

PURPOSE: Request to prepare an Area Structure Plan for Bell Mountain (OCP Reference Area #11)

REPORT PREPARED BY: Josephine Duquette

SEE ATTACHED FACT SHEET FOR COMPLETE APPLICATION DETAILS

1.0 RECOMMENDATION

THAT Municipal Council approve authorization for Weninger Construction & Design Ltd. and their consultants to prepare an Area Structure Plan for the properties identified in Schedule "A";

AND THAT preparation of the Area Structure Plan take into consideration the items identified in the report from the Planning and Development Services Department, dated July 9, 2002 and the various Terms of Reference provided by the following City departments to the proponents consultant team:

- Transportation Impact Study (MoT and City Staff)
- Environmental Review
- Drainage Management Plan
- Park and Open Space Plan
- Services (Sanitary Sewer, Water)

AND FURTHER THAT the applicant be clearly advised that support to prepare the Area Structure Plan does not necessarily embody support for adoption of the Plan presented.

2.0 SUMMARY

The applicant and the consultants have submitted a request to prepare an Area Structure Plan. The applicant and consultant have met with the Planning and Development Services staff to review the requirements for the preparation of an Area Structure Plan based on Council Policy #247.

The consultant has prepared a document outlining the existing land uses, natural features, zoning, transportation, and utility infrastructure for two of the four lots encompassed within the

Area Structure Plan Boundary. The document contains a reference to the relevant policies and objectives identified in the Official Community Plan and the Black Mountain Sector Plan. The future land uses are identified in general terms in Table 19.1 in the Official Community Plan as being Public Open Space, School/College/University, Neighbourhood Commercial, Single/Two Unit Residential, and Multiple Unit Residential (Low). The Area Structure Plan will be required to incorporate all four lots within the planning and servicing documents.

Additional information for the entire area structure plan area will be required for inclusion in the Area Structure Plan, such as:

- A topography map;
- A map indicating the developable and un-developable areas;
- A map indicating the distribution of land uses by type and density;
- The total projected population for the Area Structure Plan and the projected densities;
- A map of the transportation and utility networks including size and type of service; and
- A visual impact assessment.

Staff from various departments within the City of Kelowna are preparing “Terms of Reference” documents which will be available to the consultants preparing the Area Structure Plan.

2.1 Works and Utilities Department comments

Here are the Works and Utilities servicing issues that need to be addressed by the developer in support of the request for an area structure plan for Bell Mountain. The report must include but should not be limited to the following:

1. Transportation.

- a) The applicant should be aware that a Traffic Impact Study (TIS) will be required. We can advise the following:
 - i) The study area will be defined jointly between the Ministry of Transportation, City of Kelowna and the applicants consultant. However approximate boundaries may be Hwy 33 to the south and east, McKenzie Road to the north and the city limits to the east.
 - ii) The applicant's traffic consultant may find it helpful to review the recent TIS done for the adjacent Kirschner Mountain Area Structure Plan.
- b) The TIS will have to consider a number of roadway links from the development, such as:
 - i) Lone Pine Road, from Highway 33 East.
 - ii) Gibson Road extension south of McKenzie Road to Lone Pine Road.
 - iii) Gallagher Road extension north from Highway 33 to Swainson Road and beyond to Day Road.
 - iv) Oswell Drive extension north.
- c) The major transportation issue is envisioned to be the required upgrades to Highway 33, and the responsibility for the associated construction costs.
- d) Prior to commencing the TIS, the developers traffic consultant will meet with staff from the Ministry of Highways plus the City of Kelowna to agree on the exact terms of reference for the study.

2. Domestic Water and Fire Protection.

The subject property is located within the Black Mountain Irrigation District (BMID). A report is required to address the capability of BMID of adequately supplying domestic and fire protection water, for the proposed development, in accordance with current City of Kelowna Bylaws and Policies. The report must indicate what BMID system upgrading will be necessary to meet the water supply requirement.

3. Sanitary Sewer

The existing Municipal sewer collection system can be extended to service the proposed development area. There are some known and some potential portions of the collection system that might require upgrading. The report must address the following:

- a) There is a portion, in the lower Rutland area, of the sanitary sewer main that has only approximately 300 lots excess capacity. The City is in the process of increasing the capacity of the trunk main, however, should a developer create lots beyond the capacity ahead of the City's upgrading schedule then the developer will be required to fund and construct the missing links with provision for Latecomer Agreement.
- b) The original design of the Black Mountain collection system had an estimated 450 dwelling units for the Bell Mountain area. Should the density proposed for the Bell Mountain development area be increased above the original estimate, then the capacity of the collection main will need to be assessed by the developer and any portion deficient in capacity will have to be upgraded at the cost of the developer.

4. Storm Drainage.

- a) The developer must develop a comprehensive Drainage Management Plan complying with the parameters of the City Drainage Policy and Design Manual.
- b) The developer's consultant must be prepared to provide a computer model of the Drainage Management Plan.

5 Environment Division

The area proposed for the Bell Mountain Area Structure Plan (ASP) is designated as Natural Environment and Hazardous Conditions Development Permit areas. The site contains environmentally sensitive features, steep slopes and is within the Wildland Fire Assessment area, and as such, this Area Structure Plan will require an environmental review. A Terms of Reference for the environmental review will be supplied to the consultants.

2.2 Parks Department

1. The Area Structure Plan is required to identify the following information:
 - a) The proposed natural open space to be preserved,
 - b) A slope map to indicate the 0-10, 10-20, 30-50 and +50% site slopes,
 - c) The proposed major viewpoints that will be open to public access,
 - d) The proposed linear parks and the connections to the other future linear parks identified in the Official Community Plan, and
 - e) The locations for neighbourhood and community parks as required by the standards identified in the Official Community Plan or rationalize why these are not required within the study area.

2. The park requirements are based on the proposed number of lots and the predicted associated population. The predicted associated population for an area is calculated multiplying the number of lots by 2.2 persons/lot. The definition for the number of persons/lot is identified in the Official Community Plan. Based on the proposed projection of 600 units within the Area Structure Plan area and a population of 2.2 persons/lot yields a population of 1,320 persons. The park requirements for this proposed development are as follows:
- | | | | |
|----|---------------|------------------------------|----------|
| a) | neighbourhood | 0.6ha/1,000 will be 0.792 ha | on site |
| b) | community | 0.4ha/1,000 will be 0.528 ha | off site |
| c) | district | 0.6ha/1,000 will be 0.792 ha | off site |
| d) | city wide | 0.6ha/1,000 will be 0.792 ha | off site |

The parkland acquired through Development Cost Charges is determined by the number of lots created through subdivision approval. Additional parkland dedicated by the developer will be provided as a donation.

Note: Development Cost Charges (DCC's), and DCC credits only apply to neighbourhood, community, district, and city wide parks. These parks have a maximum cross grade of 2%. DCC credits do not apply to linear park or natural area parks (open space).

3. The applicant should work with our Parks Division from an early stage in the planning of the parks and natural open space areas.
- A parks and natural open space plan shall include all private and public park components (dedicated parks, trails, golf course, view point parks, etc.) required and should be coordinated with the Parks Division.
 - Slopes over 30% and areas designated as natural open space within the Area Structure Plan shall be appropriately zoned and designated within the Official Community Plan if the area is to be in public ownership. If the area is to be left in private ownership then the areas with slopes over 30% will be required to register a no disturbance of soils or vegetation Restrictive Covenant at the Land Title Office. There may be setback requirements for any irrigation system above slopes over 30% to avoid potential erosion problems.
 - The Hillside Development Guidelines are supplemental to the amendments approved through City Council to the Zoning and Subdivision, Development and Servicing Bylaws and the Official Community Plan (pg. 7-15 Slopes). The Kelowna Hillside Development Guidelines state "While the design criteria contained in this document are guidelines and not regulations, each proponent has an obligation to demonstrate how each relevant guideline has been addressed." (pg. 1-5)
 - Any stormwater facility (detention/retention pond) that has the secondary use of park shall not create side slopes with a slope greater than 5:1. Any slope between 2:1 to 4:1 lessens the chance of a child's ability to walk or crawl out of the pond on their own. Specifically slopes of 3:1 to 4:1 are a hazard to small children if they fall in to the pond. If the stormwater facility works are maintained by the City, they should be zoned P4.

3.0 CONCLUSION

The Planning and Development Services Department supports the request to proceed with preparation of an Area Structure Plan at this time. The boundary of the Area Structure Plan is to be expanded to include the four lots identified in the Official Community Plan, and shown on Schedule A.

It should be noted that support of the recommendation to proceed with preparation of an Area Structure Plan, should in no way be construed as approval for the Area Structure Plan proposal which will be presented to City Council at a future date.

Hazel Christy, MBA, MCIP
Special Projects Planning Manager

Approved for inclusion

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

HC/JD/jd
Attachment

FACT SHEET

1. **APPLICATION NO.:** ASP02-0001
2. **APPLICATION TYPE:** Request to Prepare an Area Structure Plan
3. **OWNER 1:** 590921 BC Ltd. Inc. No. 590921
· **ADDRESS** 800 – 1285 West Broadway
· **CITY/POSTAL CODE** Vancouver, BC V6H 3X8

OWNER 2: Balbir Singh and Preminder Jeet Wariache
· **ADDRESS** 421 Wigglesworth Crescent
· **CITY/POSTAL CODE** Kelowna, BC V1X 7N3

OWNER 3: Colin Baird Day
· **ADDRESS** 4510 Crawford Road
· **CITY/POSTAL CODE** Oyama, BC V4V 2C7
4. **APPLICANT/CONTACT PERSON:** Weninger Construction & Design Ltd. /
Marlin Weninger
· **ADDRESS** 1225 Mountain Avenue
· **CITY/POSTAL CODE** Kelowna, BC V1Y 7G9
· **TELEPHONE/FAX NO.:** (250) 765-6898 / (250) 765-9410
5. **APPLICATION PROGRESS:**
 Date of Application: 2002-03-19
 Staff Report to Council: 2002-04-08
6. **LEGAL DESCRIPTIONS:** SE1/4 of Sec 24, Twp 26, ODYD except Plans
KAP54413, KAP58342, KAP59957, KAP63620 and
KAP69503

Lot 2, Sec 24 & 25, Twp 26, ODYD, Plan
KAP62397

Lot A, Sec 19, Twp 27, ODYD, Plan 31717

Lot B, Sec 19, Twp 27, ODYD, Plan 31717
7. **SITE LOCATION:** North and East of Highway 33 East – identified as
Area Structure Plan 11 on Map 19.1 of the Official
Community Plan
8. **AREA OF SUBJECT PROPERTY:** 205 Ha

Attachments that are missing from the Electronic Version

Bell Mountain Request to Prepare an Area Structure Plan document