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# CITY OF KELOWNA

## MEMORANDUM

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**DATE:** December 7, 2006  
**TO:** City Manager  
**FROM:** Planning & Development Services Department  
**APPLICATION No.:** OCP05-0010

**OWNER:** Watermark Developments Ltd.  
**CONTACT PERSON:** John Hertay

**LOCATION:** 285 Arab Road, 825 & 1081 Curtis Road

**PURPOSE:** To amend the Official Community Plan Map 6.2 (Urban Development Permit Area Designation Map), Map 7.1 (Natural Environment/Hazardous Condition Development Permit Area Designation Map) and Map 19.1 (Generalized Future Land Use Map), to reflect the proposed changes to the University South Area Structure Plan Future Land Use Concept Plan

**EXISTING & PROPOSED OCP DESIGNATIONS:**

Commercial, Single/Two Unit Residential, Multiple Unit Residential – Medium Density, Major Park & Open Space, Educational/Major Institutional, Public Services/Utility

**EXISTING ZONE:** A1 – Agriculture 1

**REPORT PREPARED BY:** Shelley Gambacort

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### **1.0 RECOMMENDATIONS**

THAT OCP Bylaw Amendment No. OCP05-0010 to amend Map 19.1 of the *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of North ½ of the South East ¼ of Sec. 3, Twp. 23, ODYD; North East ¼ of Sec.3, Twp. 23, ODYD; and Lot 7, Sec. 10, Twp. 23, ODYD, Plan 1638, located north of Appaloosa Road and Arab Road and South of UBCO, Kelowna, BC, from the Commercial, Single/Two Unit Residential, Multiple Unit Residential – medium density, Major Park & Open Space, Educational/Major Institutional, and Public Services/Utility designations to the Commercial, Single/Two Unit Residential, Multiple Unit Residential – low density, Multiple Unit Residential – Medium Density, Major Park & Open Space, Educational/Major Institutional and Future Urban Reserve designations, as shown on Map “A” attached to the report of the Planning & Development Services Department, dated December 7, 2006, be considered by Council;

THAT OCP Bylaw Amendment No. OCP05-0010 to amend Map 7.1 of the *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by adding the Natural Environment Development Permit Area Designation to the North ½ of the South East ¼ of Sec. 3, Twp. 23, ODYD; the North East ¼ of Sec.3, Twp. 23, ODYD; and Lot 7, Sec. 10, Twp. 23, ODYD, Plan 1638, located north of Appaloosa Road and Arab Road and South of University of BC Okanagan, Kelowna, BC, be considered by Council;

THAT OCP Bylaw Amendment No. OCP05-0010 to amend Map 6.2 of the *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by adding the Village Centre DP Area and Multiple Unit Development Permit Area to Lot 7, Sec. 10, Twp. 23, ODYD, Plan 1638 and part of the North East ¼ of Sec. 3, Twp. 23, ODYD as shown on Map “B” attached to the report of the Planning & Development Services Department, dated December 7, 2006, be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP05-0010 be forwarded to a Public Hearing for further consideration.

## **2.0 SUMMARY**

The applicant is proposing to revise the University South Area Structure Plan Future Land Use Concept Plan Map primarily to:

- Relocate the Commercial, Institutional and Multiple Unit Residential – Medium Density designated areas;
- Introduce a Multiple Unit Residential – Low Density designated area; and
- Designate an area as Future Urban Reserve, recognizing that development within this area is outside of the time frame of the current Official Community Plan.

These proposed changes to the University South Area Structure Plan Future Land Use Concept Plan precipitates this OCP amendment in order to reflect the proposed revisions on Map 19.1 of the *Kelowna 2020 - Official Community Plan Bylaw No. 7600*

This reconfiguration of the future land uses is a result of the demand for suitable commercial and multi-family facilities closer to the UBC Okanagan campus.

## **2.1 Advisory Planning Commission**

In accordance with the Local Government Act, Section 879 'Consultation during OCP development', this application OCP05-0010 was open for public consultation during the review by the Advisory Planning Commission at their advertised meeting of June 21, 2005 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Official Community Plan Application No. OCP05-0010 and Rezoning Application No. Z05-0033, for 285 Arab Road, Lot SE 1/4, Plan Sec. 3, Twp. 23, ODYD, by Watermark Dev. Ltd. (John Hertay), to amend the Official Community Plan Future Land Use designations for portions of the University South Area Structure Plan and to rezone a portion of the subject property from the A1-Agriculture 1 zone to the RU5-Bareland Strata Housing zone, in order to facilitate a 102 lot single family modular home residential subdivision. (**Note:** *The proposed application to rezone to RU5 is not being pursued at this time*).

## **3.0 BACKGROUND**

The University South Area Structure Plan (ASP) Future Land Use Map, dated June 1997, was incorporated into the Official Community Plan in January 1998. Since that time the only development with the ASP boundaries that has occurred is the College Heights modular home park (Phase I) in the south east corner of the ASP boundary west of the Hollywood Road N. extension and an industrial subdivision east of the Hollywood Road N. extension.

As the applicant indicated in his application there are three issues that have driven the request for these revisions.

1. The change in status of the Okanagan University College to UBC Okanagan, which prompted them to initiate a review of their development strategy.
2. The current University South Area Structure Plan (ASP) Future Land Use Map showed two possible alignments for the Central Okanagan Bypass road and the Transportation Department has now determined that the alignment being pursued will go through the southeast portion of the site.

3. The need for more affordable/economical forms of housing in the community.

They are proposing fee simple modular home development between the Central Okanagan Bypass alignment and the College Heights bareland strata subdivision adjacent to Hollywood Road N.

#### **4.0 THE PROPOSAL**

The applicant has submitted the Official Community Plan amendment application as a result of the change in status of the Okanagan University College to the UBC Okanagan, which lead to the owners to rethinking the development strategy within the University South ASP.

The proposed revisions include the following:

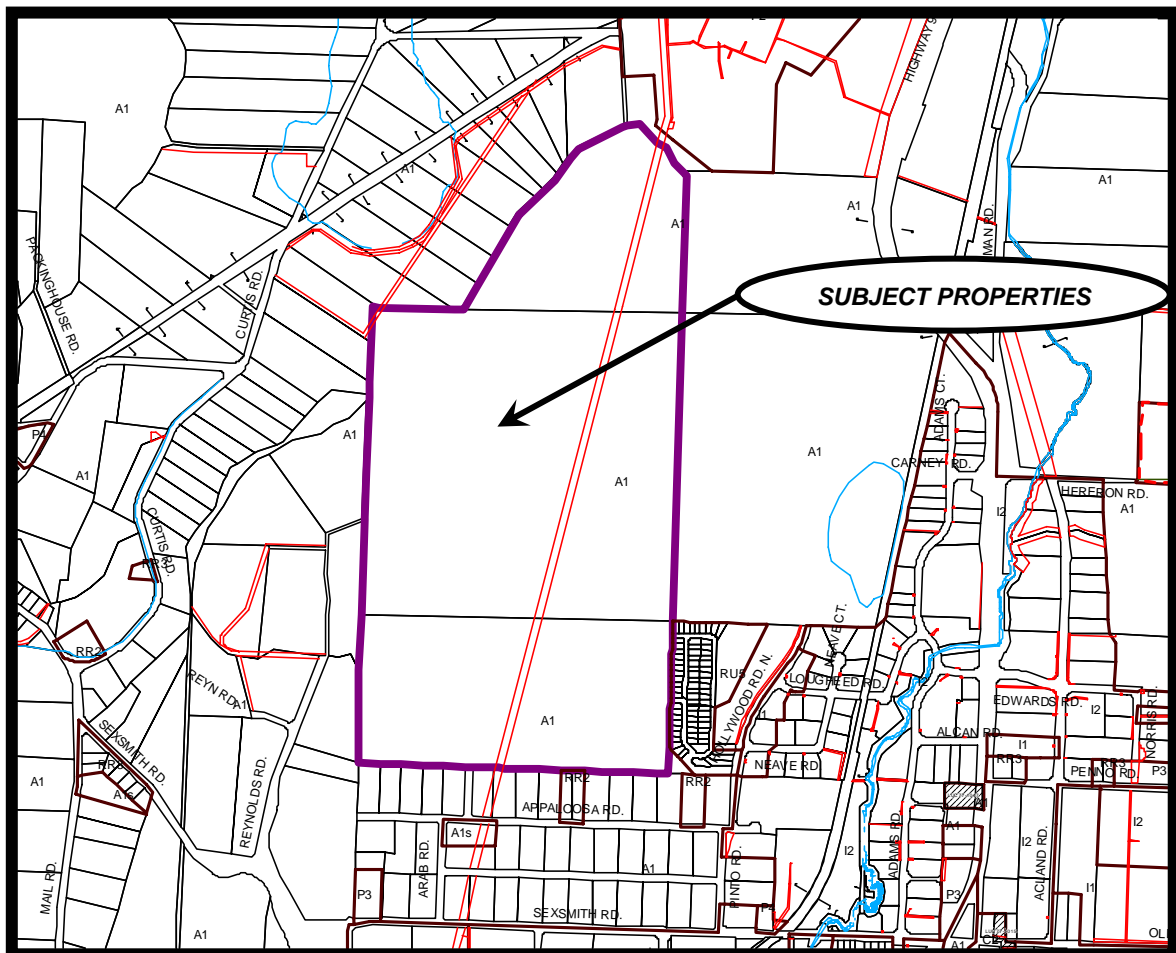
- Relocation of the commercial node to the north portion of the ASP area, to better serve the future development of the University site.
- Relocation of the public school and park sites from the south end of the property to the mid-point of the ASP. The School District has indicated to the applicant that if the site is graded to meet their requirements they are satisfied with the proposed re-location site. The School District has also advised the applicant that they anticipate needing the school in approximately 12 years.
- Provision of a private school site at the northeast corner of the ASP area to facilitate the new site of the Aberdeen Hall Preparatory School.
- Relocation of the Multiple Unit Residential – Medium Density sites from the south end of the ASP area to the north end between the private and public school sites and adjacent to the proposed commercial area.
- Re-designation of the Multiple-Unit Residential – Medium Density site and the Educational/Major Institutional site at the south end of the ASP area to Single/Two Unit Residential in order to facilitate a single family residential subdivision while utilizing a modular home form of development. The applicant has indicated that the College Heights bareland strata subdivision development has been well received as it is a more affordable product and wishes to expand on this form of housing however they are now considering a fee simple form of subdivision *not* a bareland strata subdivision.
- Recognition of the relocation of the proposed Central Okanagan Bypass Road alignment (formerly referred to as the North End Connector) as required by the City of Kelowna Transportation Division of the Works & Utilities Department.
- Re-designation of the area shown on the west side of the Plan area from Single/Two unit residential to Future Urban Reserve recognizing that this area is not projected for development within the 20-year time frame of the OCP.
- Designating a portion of the plan area between the existing Gas Right-of-Way and the proposed neighbourhood collector road as Multiple Unit Residential – Low Density.

## 5.0 SITE CONTEXT

The adjacent zones and uses are, to the:

- North - P2 – Education & Major Institutional; *UBC Okanagan campus*
- East - A1 – Agriculture 1 & RU5 – Bareland Strata Housing; *undeveloped and College Heights modular home park*
- South - A1 – Agriculture 1 & RR2 – Rural Residential 2; *rural residential lots*
- West - A1 – Agriculture 1; *agricultural properties*

The area under application for OCP amendment is south of the UBC Okanagan property, north of Appaloosa and Arab Roads and west of the Hollywood Road N. extension.



## 6.0 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 current OCP Future Land Use designations (see attached Map) of the subject property are:
    - Commercial
    - Single/Two Unit Residential
    - Multiple Unit Residential – medium density
    - Major Park & Open Space
    - Educational/Major Institutional
    - Public Services/Utility

The OCP states that the future land use component of the Area Structure Plans approved by Council will be incorporated into the Generalized Future Land Use Map 19.1. All development within the ASP boundaries must be consistent with the directions set out in the Area Structure Plan.

- Staff have reviewed this application, and it may move forward without affecting either the City's financial plan or waste management plan.

## **7.0 TECHNICAL COMMENTS**

### **7.1 Works & Utilities**

This OCP amendment to rearrange the location of some of the current land uses does not compromise Works and Utilities servicing requirements.

Detailed servicing requirements will be provided by Works and Utilities at future rezoning phases and will need to address the following:

#### **1. Domestic water and fire protection.**

- a) This development is within the service area of the Glenmore Ellison Improvement District (GEID). The developer is required to make satisfactory arrangements with the GEID for these items. All charges for service connection and all necessary upgrading costs are to be paid directly to the GEID.
- b) The water system must be capable of supplying domestic and fire flow demands in accordance with the Subdivision & Servicing Bylaw for the requested zoning. The applicant must provide water computations for this development to confirm the available water supply.

#### **2. Sanitary Sewer.**

- a) The municipal wastewater collection system is available within a reasonable distance of the subject property. The wastewater collection main crossing Hwy 97 is 250 mm. in diameter, the applicant must provide a comprehensive report confirming that this portion of collection system is able to carry the ultimate combined wastewater flow produced by the UBCO development and the subject property.
- b) It is anticipated that the collection system servicing the development will follow a portion or the entire East-West Connector. The applicant must demonstrate the staging of the sanitary sewer construction and operation between the time of the construction of the local access road and the ultimate

arterial road construction. The construction cost of the wastewater collection system extension to the development will be determined at the rezoning stage for bonding purpose.

3. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual, is a requirement of rezoning. This plan can become part of the geotechnical study to identify the ground recharge/detention areas.

4. Power and Telecommunication Services.

The services to this development are to be installed underground. It is the developer's responsibility to make a servicing application to the respective utility companies. The utility companies are then required to obtain the city's approval before commencing their works.

5. Road improvements.

The property is located within the Gateway Transportation Study area. The City of Kelowna, the Ministry of Transportation, UBCO and other stakeholders in the vicinity are in the process of finalizing the overall transportation network plan for the area. The City of Kelowna has agreed to phase some of the construction of the access to the proposed development based generally on the plan prepared by CTQ consultants dated September 29<sup>th</sup>, 2006. The road construction requirements for this application are as follows:

- a) The applicant is responsible to dedicate and construct an interim rural local road from the UBCO roundabout identified in the Gateway project to the proposed interim main access on the subject property. The work is to include the relocation of the Terasen high pressure transmission line, street lights, storm drainage in accordance with current City policies, the cost of the interim access is to be determined for bonding purpose at the rezoning stage.
- b) The preliminary conceptual drawing of the East-West Connector indicates that the main access to the subject property will require to be relocated to the west. The applicant is required to register a road reserve over the proposed ultimate alignment of the main access onto the subject property. Along with the road reserve, the applicant is required to submit a security equivalent to 140 % of the cost of the ultimate urban collector. The cost of the ultimate collector is to be determined for bonding purpose.

## **7.2 Environment Division**

The environmental assessment indicates there are environmental values throughout the site. "The area has been assessed in enough detail for the area structure plan; however, until site specific details for development have been completed, site specific recommendations for the development cannot be determined."

The entire area should be designated a natural environment area until rezoning and subdivision is proposed, at which time we can further refine the Environmental Development Permit areas.

Note: The subject properties are already designated a Hazardous Condition Development Permit area and Wildland Fire Hazard Development permit area. Therefore prior to any development on the site the appropriate Development Permits will be required.

### **7.3 Fire Department**

Fire department access and hydrants as per the BC Building Code and City of Kelowna Subdivision, Development and Servicing By-law.

### **7.4 Inspection Services**

Geotechnical report and lot grading plans to be submitted as part of the subdivision approval.

### **7.5 Parks Division**

- The goal for the City is to protect the top of the hillside by preserving the landform, the view corridor, and its natural open space character. We will recommend to Council acquisition of a minimum of 0.6 ha based on the amount of developable land at the top, plus additional protection of the surrounding steep slopes, which may be protected in a variety of ways:
  1. Public open space areas;
  2. Private open space areas, protected with environmental covenants; or
  3. Environmental reserve areas controlled or managed by a third party conservation group i.e. BC Wildlife Trust.
- For the purposes of advancing the Area Structure Plan [OCP amendment] we recommend revising your concept plan to show a conceptual green space area consistent with the limits of the attached drawing (refer to University South ASP – Park Plan map attached to this report) which includes park area plus surrounding steep slopes. When rezoning and subdivision of that area occurs, we will finalize the details of the park and proceed with the acquisition process.
- A second neighbourhood park should be designated at the same size (0.6 ha) further south as discussed with a total neighbourhood park area to equal 1.2 ha.
- Staff also discussed the importance of a trail system in your community and encourage further discussion about how this can be achieved.

Note: Linear Corridor is noted over BC Gas Right-of-Way and as development occurs other areas will likely be identified for a combination trail/sidewalk network connecting the various neighbourhood nodes to the parks and open space areas.

### **7.6 Glenmore Ellison Improvement District**

We have summarized the development requirements as per below.

- It is recommended that the developer, in conjunction with the adjacent development lands, make application to include the properties within the GEID service boundary area. This process will take several months to complete. (*Note: This application has been made.*) The developer would be responsible for payment of fees and advertising to bring the lands within the District Boundaries.

- It is recommended that the developer and their engineer provide a long term servicing plan for their entire development area. The development of a plan should show how the development water system will integrate into the GEID water system and how the project phasing is expected to evolve. This should help to reduce the risk of mains being improperly sized and should provided GEID with confidence that the right steps are being taken during the design.
- The Developer should also provide fire flow requirement calculation as per FUS recommendations and procedures.
- Capital Expenditure Charges as per the GEID CEC Bylaw in place at the time of payment.
- Payment of applicable Latecomers Charges (exact charge to be confirmed).

**7.7 Ministry of Transportation**

No objections.

**7.8 FortisBC**

FortisBC will provide underground electrical service.

**7.9 School District No. 23**

The School District No. 23 has no objection to the school site reserve relocation from that area designated in the 1996 Area Concept Plan to the new area designated in the 2005 Area Concept Plan as attached, with the following proviso:

Since the previous designated school site was of a level topography suitable for school and sports field construction and the proposed new site is located on a sloping property, that the developer provide a covenant guaranteeing to cut and fill the property to create a level site suitable for school and sports field construction, to the satisfaction of the school district.

I trust this will allow you to proceed with your development plans. Please contact me when you are ready to draw up an agreement.

**7.8 Terasen Gas**

We agree in principle to the proposed development subject to the required upgrades/inspection of the pipeline and the applicant submitting the appropriate permit applications and abiding by their conditions.

**8.0 PLANNING COMMENTS**

This application to re-arrange the Official Community Plan future land uses for the University South Area Structure Plan is not a significant change in terms of the land use mix, but merely a relocation of the various components (single/two unit residential, multiple unit residential/ medium density, commercial, institutional).

The relocation of the commercial node to the north end of the subject properties is appropriate given the status of the UBCO campus and the proposed campus expansion plans. The Official Community Plan currently identifies the potential for a Village Centre in this area and this application proposes that the boundary of the Village Centre area include the commercial node, multiple unit residential-medium density areas and the two institutional sites as shown outlined on Schedule "A" attached to this report.



The initial access to the north end of the ASP will be from an interim road extending east from the UBCO roundabout. Construction has just commenced on the new east-west connector road off of Highway 97 which will not only serve as the new access to the UBCO campus but will also provide the necessary access to the University South ASP lands.

The south end of the Area Structure Plan is now designated for single/two unit residential development. Pending approval of this application, the developer is proposing a single family with secondary suite designation, for the area south of the proposed Central Okanagan Bypass alignment, with a proposed subdivision of approximately 126 lots. Access to this area will be off of Arab Road to the south and a future connection to Hollywood Road N. to the east.

The applicant has worked closely with the Parks Division to ensure that the appropriate park sites have been identified within the ASP boundaries. There are two neighbourhood park sites located adjacent to the open space area and one park site adjacent to the public school site.

The Planning & Development Services Department recommends support for this Official Community Plan application as it is not a significant change in terms of land use mix but merely a relocation of the various components to more suitable locations given the change in status of the University land to the north.

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Shelley Gambacort  
Acting Development Services Manager

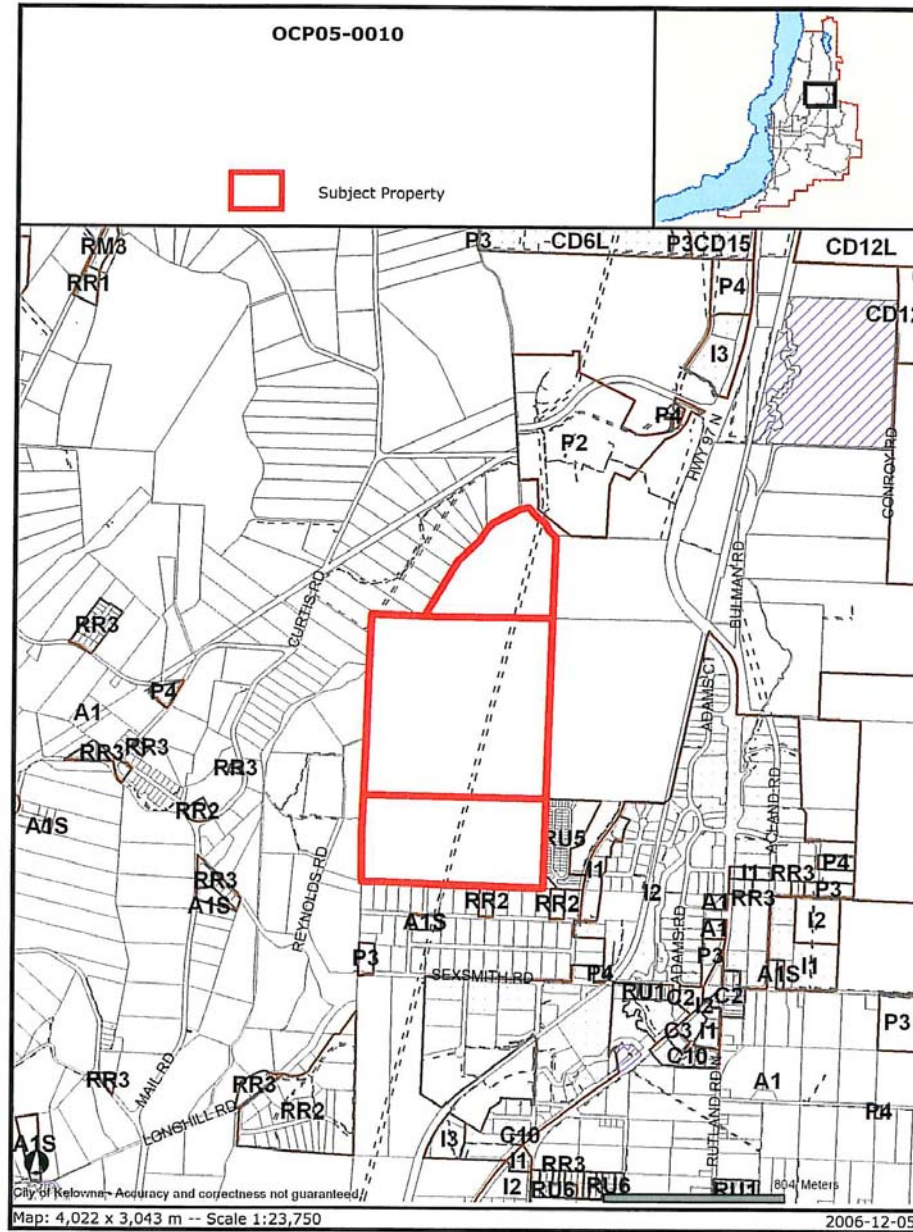
Approved for inclusion ☐  
Mary Pynenburg  
Director of Planning & Development Services

MP/SG/

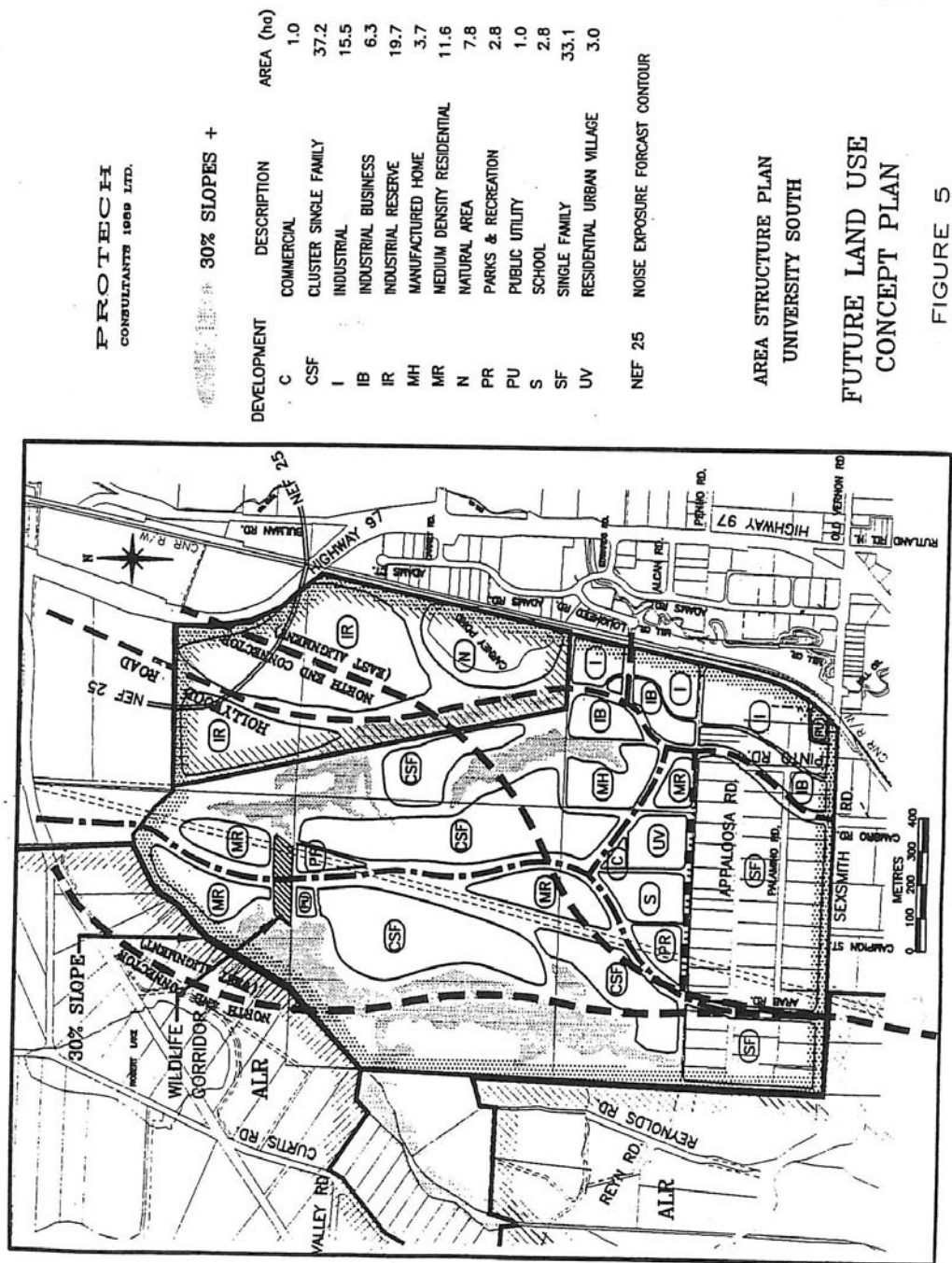
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#### **Attachments**

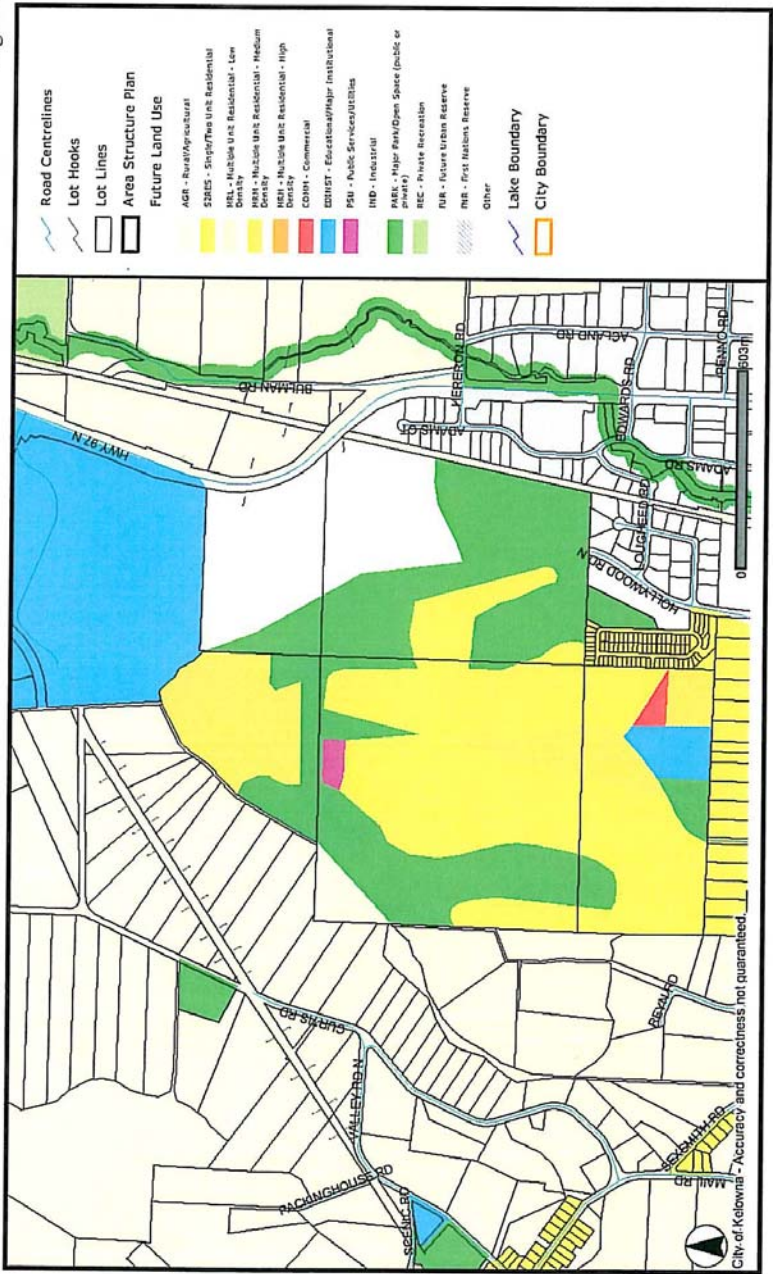
- Location Map
- Existing ASP Future Land Use Concept Plan Figure 5
- Existing OCP Future Land Designations
- Proposed Future Land Concept Plan – Schedule “A”
- Village Centre Development Permit area – Multiple Unit Development Permit Area – Schedule “B”
- University South ASP – Park Plan (Peak area)



*Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
The City of Kelowna does not guarantee its accuracy. All information should be verified.*



Map Output



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





# **MAP "B"**

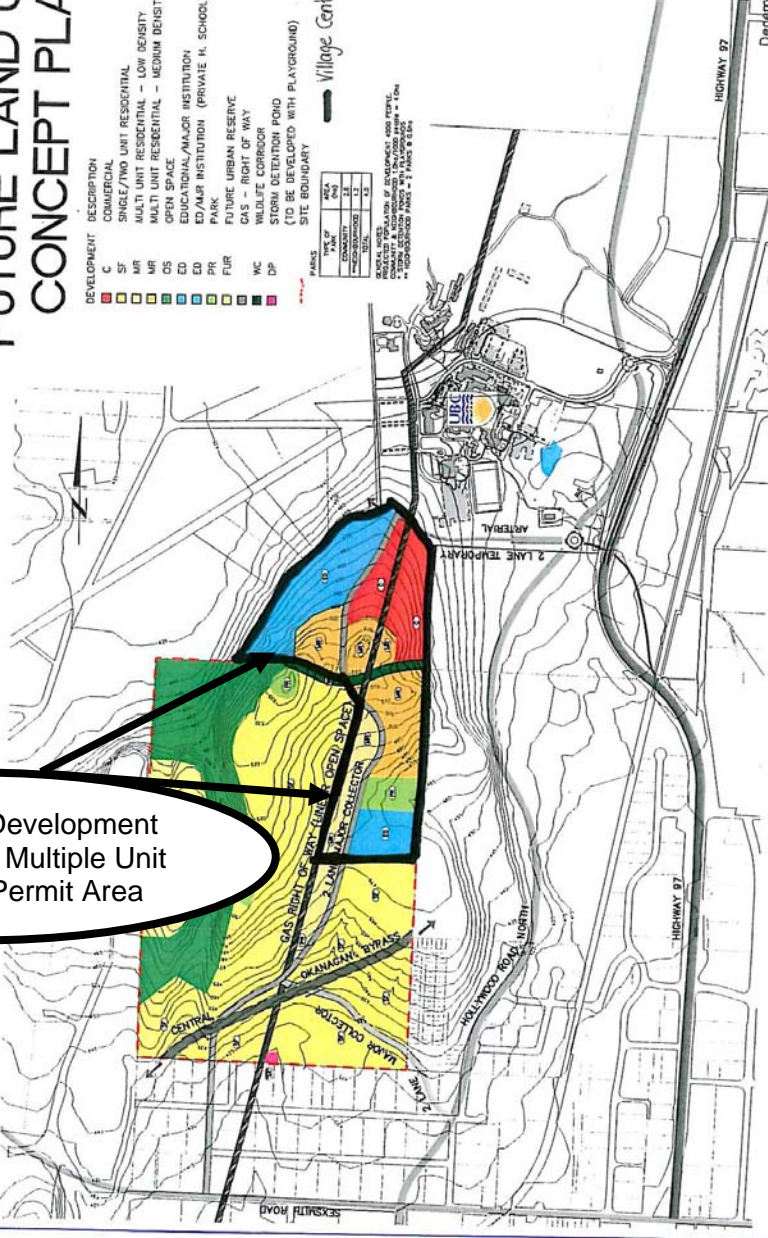
## **FUTURE LAND USE CONCEPT PLAN**

DEVELOPMENT	DESCRIPTION	AREA (Ha)
C	COMMERCIAL	5.5
SF	SINGLE/TWO UNIT RESIDENTIAL	45.8
MR	MULTI UNIT RESIDENTIAL - LOW DENSITY	4.3
MS	MULTI UNIT RESIDENTIAL - MEDIUM DENSITY	8.5
OS	OPEN SPACE	19.2
ED	EDUCATIONAL/MAJOR INSTITUTION	2.8
ED	ED/MJR INSTITUTION (PRIVATE H. SCHOOLS)	7.7
PR	PARK	4.0
FUR	FUTURE URBAN RESERVE	8.5
GC	GAS - RIGHT OF WAY	2.8
WC	WILDLIFE CORRIDOR	1.3
DP	STORM DETENTION POND	0.1
	TO BE DEVELOPED WITH PLAYGROUND	
	SITE BOUNDARY	

Village Centre Boundary

TYPE OF	AREA (Ha)
CONCRETE	1.2
ASPHALT	1.2
PAVEMENT	1.2

SELECTION NOTES:  
1. ALL DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE VILLAGE CENTRE DEVELOPMENT PERMIT AREA AND MULTIPLE UNIT DEVELOPMENT PERMIT AREA.  
2. THE VILLAGE CENTRE DEVELOPMENT PERMIT AREA IS A 100% DEVELOPMENT PERMIT AREA.  
3. THE MULTIPLE UNIT DEVELOPMENT PERMIT AREA IS A 100% DEVELOPMENT PERMIT AREA.



December 6, 2006  
Project: 04026  
Scale: 1:10,000

**CTQ**

Consultants Ltd

Village Centre Development  
Permit Area and Multiple Unit  
Development Permit Area

