CITY OF KELOWNA

MEMORANDUM

Date: January 17, 2007

To: City Manager

From: Planning and Development Services Department

APPLICATION NO. OCP06-0021/Z06-0054 **OWNER:** Melcor Developments Ltd.

AT: Swainson/Treetop Roads & Black Mountain Drive **APPLICANT:** Stantec Consulting Ltd.

PURPOSE: TO AMEND THE CITY OF KELOWNA OFFICIAL COMMUNITY PLAN AND ZONING BYLAWS TO INCORPORATE THE LAND USE DESIGNATIONS IDENTIFIED IN THE 2003 BELL MOUNTAIN AREA STRUCTURE PLAN WITH ADJUSTMENTS RESPECTING A MORE DETAILED ANALYSIS OF THE BLACK MOUNTAIN DEVELOPMENT SITE.

Designations:	***EXISTING:***	***PROPOSED:***
OCP:	Private Recreation Major Park/Open Space Single/Two Unit Residential Multi Unit Residential (Low Density) Multi Unit Residential (Medium Density) Commercial	Private Recreation Major Park/Open Space Single/Two Unit Residential Multi Unit Residential (Low Density) Multi Unit Residential (Medium Density) Commercial
Zoning:	A1 Agriculture 1 P3 Parks & Open Space	RU1hs Large Lot Housing (Hillside Area) with Secondary Suite RM3 Low Density Multiple Housing RM5 Medium Density Multiple Housing C9 Tourist Commercial P3 Parks & Open Space

REPORT PREPARED BY: Corine (Cory) Gain, MCIP, CPT

1.0 RECOMMENDATION

THAT OCP Bylaw Amendment No. OCP06-0021 to amend Map 19.1 of Kelowna 2020 – Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot A Section 19 Township 27 Osoyoos Division Yale District Plan KAP80286; Lot B Section 19 Township 27 Osoyoos Division Yale District Plan KAP80286 and Lot 3 Section 19 Township 27 Osoyoos Division Yale District Plan 33849, located between the north end of Black Mountain Drive and south of Swainson/Treetop Roads, Kelowna, BC to amend the Official Community Plan Future Land Use designations on the subject property to those shown on Map 'A' attached to the report

of the Planning and Development Services Department dated November 30, 2006 be considered by Council;

AND THAT Rezoning Application No. Z06-0054 to amend City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classifications of Lot A Section 19 Township 27 Osoyoos Division Yale District Plan KAP80286; Lot B Section 19 Township 27 Osoyoos Division Yale District Plan KAP80286 and Lot 3 Section 19 Township 27 Osoyoos Division Yale District Plan 33849, located between the north end of Black Mountain Drive and south of Swainson/Treetop Roads, Kelowna, BC to those shown on Map 'B' attached to the report of the Planning and Development Services Department dated November 20, 2006 be considered by Council;

AND FURTHER THAT OCP Bylaw No. OCP06-0021 and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration.

2.0 SUMMARY

The applicant is proposing to implement the Official Community Plan (OCP) and zoning bylaw designation changes contained within the 2003 Bell Mountain Area Structure Plan with adjustments respecting more a detailed analysis of the Black Mountain Development site. A full description of the changes in zoning designation boundaries is contained within correspondence dated August 8th, 2006 from the applicant. A copy of the correspondence is attached to and forms part of this report.

3.0 ADVISORY PLANNING COMMISSION

At the regular meeting of November 7, 2006 it was resolved:

> THAT the Advisory Planning Commission supports Official Community Plan Application No OCP06-0021, for (S of) Swainson Road; 1870 Treetop Road, Lots A & B, Plan 80286 and Lot 1, Plan 33849, Sections 19 & 30, Twp. 27, ODYD, by Stantec Consulting Ltd. (M. Skobalski), to amend the Official Community Plan Future Land Use designations on the subject property; and
>
> THAT the Advisory Planning Commission supports Rezoning Application No. Z06-0054 for (S of) Swainson Road; 1870 Treetop Road, Lots A & B, Plan 80286 and Lot 1, Plan 33849, Sections 19 & 30, Twp. 27, ODYD, by Stantec Consulting Ltd. (M. Skobalski), to and to rezone from the A1-Agriculture 1 zone to various zones (C9; P3; RM3; RM5; RU1hs).

4.0 BACKGROUND

4.1 The Proposal

The subject property is located north and west of the recently constructed Black Mountain Drive. This application will ultimately extend the Black Mountain Estates development (formerly Bell Mountain Estates under previous ownership) north to Treetop Road.

Originally, the Bell Mountain Area Structure Plan incorporated a C-9 resort/hotel development near the golf clubhouse. This component has been reduced to the provision of modest C9 accommodations to be contained above the golf course clubhouse. The application proposes an air space lot for that portion of the property above the ground floor P3 designated clubhouse

facility. The C9 zoning will only apply to the air space lot. The subject application proposes to incorporate multiple-family housing in place of the former commercial resort/hotel development component.

The OCP and zoning boundary amendments proposed are intended to adjust the boundaries and designations to reflect this change in the proposed C-9 Tourist Commercial land use to P3 Parks and Open Space, RM3 Low Density and RM5 Medium Density Multiple Housing zones.

A considerable portion of the subject property will be protected natural open space (both private and public). These areas are proposed to primarily be protected by the P3 zone designation and public (City) ownership. Some portions of residential lots will also be protected by a 'no build/no disturb' area restrictive covenant. There are three options being considered for that portion of the site west of Black Mountain Road and east of proposed Road 'D'. Currently the application shows the proposed zoning designation as a combination of RM3, RM5 and P3. Staff is currently in discussion with the applicant about how to best address the protection of these steeply sloped areas. Three options are under consideration:

i) Private open space protected by a 'no build/no disturb' restrictive covenant;
ii) Private open space protected by the P3 zoning designation and inclusion in the legal title of the golf course lands; or
iii) Public open space protected by the P3 zoning designation and owned by the City.

Regardless of the ownership of the land, fire mitigation work in accordance with Wildfire Fire Management Guidelines and Hazardous Conditions Development Permit requirements will be required prior to approval of any future subdivision.

Hillside Development Guidelines will be applicable to all development contemplated for the subject property(s). Applications for Environmental Development Permits will be required where appropriate. Geotechnical Engineering reports will be requested for slope protection and soil bearing capacity for individual lots at the time of building permit application, as required. The applicant is aware of the guidelines and demonstrates an understanding of the principles as evidenced by the diagrams attached to this report for reference as to the applicant's intentions.

Note that the application contains some basic 'housekeeping' zone boundary amendments to extend zoning designations to the centre of Black Mountain Drive in accordance with standard City policy.

4.2 Site Context

Adjacent zones and uses are, to the:

North	A1 Agriculture 1 Zone and RR1 Rural Residential 1 Zone
East	A1 Agriculture 1 Zone/Future Black Mountain Irrigation District Reservoir
South	RU1/RU1h/RU1hs, RU4, RM3, P3
West	A1 Agricultural 1 Zone/Proposed 'Prospect at Black Mountain' (formerly 'Mine Hill') Development

4.3 Site Location Map (See page 9)

4.4 Current Development Policy

4.4.1 City of Kelowna Strategic Plan (2004)

- Goal 1/Objective 3: *To maintain, respect and enhance our natural environment*/Manage human impacts on our natural environment, including Okanagan Lake and the surrounding hillsides.
- Goal 3/Objective 4: *To foster the social and physical well being of residents and visitors*/Realize construction of housing forms and prices that meet the needs of Kelowna residents
- Goal 3/Objective 5: Achieve accessible, high quality living and working environments.
- Goal 3/Objective 6: Provide infrastructure (utilities, transportation, parks, and facilities) that keeps pace with population growth and evolving opportunities.
- Goal 3/Objective 7: Sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.

4.4.2 Official Community Plan (OCP)

- Section 7.1.2 **Environment, Alternative Hillside Standards** shall be considered "within the context of a Hazardous Condition Development Permit" with the intention of minimizing "the effects of development on the natural environment of hillside areas, defined as lands in their natural state that have a slope angle of 10% and greater for a minimum height of 6 metres while preserving areas with slopes of 30% and greater". "Effects to be minimized may include cuts and fills, tree cutting, regrading and the visual impact in general of urban development on hillsides".
- Section 7.9.11 **Retention of Natural Areas** states: "Encourage all development and infrastructure projects to conserve wetlands, wildlife habitat, trees or other indigenous vegetation. Encourage alternative development methods, such as considering increasing density, narrowing right-of-ways or cluster housing."
- Section 7.9.12 **Indigenous Plants** states: "Encourage, wherever possible, the use of indigenous plants in landscape planting schemes".
- Section 8.1.36 **Apartments and Townhouses** encourages "development to contribute to the City's goal of, over the 2000-2020 timeframe, having 54% of new residential units be in the form of apartments, townhouses (and cluster housing), or other multiple unit buildings".
- Section 8.1.44 **Integration** recommends encouraging "the sensitive integration of different housing forms in the various sectors of the City, in support of neighbourhood diversity and healthy communities".
- Section 8.1.45 **Cluster Housing** encourages "especially in environmentally sensitive areas the creation of cluster housing with the aim of maximizing amenity space and lessening environmental impact, including retention of steep sloped areas as natural open space, public or private…"
- 14.1.1 **Parks and Leisure Policies, Parks and Open Space** states that the City should "endeavour to provide a variety of parks and open spaces to meet the diverse needs of the community".
- 14.1.4 **Natural Open Space** directs that a minimum of 5% of the City's total area should be protected as publicly owned natural open space.
- 14.1.28 **Dedication of Natural Areas** states that "At time of subdivision or rezoning, encourage landowners, where appropriate, to dedicate any significant natural areas/features for preservation or for public use.

- 14.1.30 **Viewing Areas and Interpretative Centres** encourages "the creation of natural environment viewing areas and interpretative facilities where such can be done without jeopardizing sensitive natural vegetation or wildlife".
- Staff have reviewed this application and it may move forward without affecting either the City's Financial Plan or Waste Management Plan.

4.4.3 Kelowna Hillside Development Guidelines (2001)

- Section 3.1 Subdivision Planning provides extension direction with respect to consideration of site opportunities and constraints. The intent is "to promote a clear appreciation of the unique hillside qualities of each site with the purpose of identifying and understanding the specific opportunities or constraints that will result in the preparation of responsible development plans". The Planning principles incorporated into the Hillside Development Guidelines are "intended to respect the physical and environmental character of the hillside setting in which development is proposed".

4.4.4 Handbook for Environmental & Hazardous Condition – Development Permit Areas

- Section 5 of the handbook states as follows:
  "The OCP designates Natural Environment and Hazardous Condition Development Permit Areas:
  - For protection of natural areas from potential detrimental effects of development; and
  - For protection of life and property from natural disasters and hazards which can be anticipated".

  Environmental Development Permits may be required to address specific aspects of the development particularly relative to protection of steep slopes.

5.0 TECHNICAL COMMENTS

This application was circulated to various City Departments and technical agencies and the following comments were received:

5.1 Community Development and Real Estate

Please contact the Land Agent for road dedications over 20 metres in width, land dedications and land transfers to or from the City of Kelowna, road closures and road reserves. Depending on the type of land transaction being contemplated, the processing time can vary from 3 weeks to 3 months. The Land Department requires a full size copy, together with an 8 ½ x 11 copy, of any survey plans.

5.1 Environment Manager

Refer to Environmental Impact Assessment Report.

5.2 Fire Department

Fire Department access, fireflows and hydrants as per BC Building Code and City of Kelowna Subdivision bylaw. This is a recognized wildland interface area therefore a hazard assessment will be required as part of the subdivision process. Roads should provide an alternate means of egress/access and should be looped when possible.

Engineered fire flows are needed to determine hydrant requirements. Rudimentary Fire Department access to wild land areas should be provided at the time of subdivision.

5.3 Inspection Services Department

Hillside development issues to be addressed. Site grading control is critical. Foundation and roof drainage should be connected to storm sewer or approved rock pits (rock content in soil is a concern for drainage in this area). Steep slope and building platform lots should be reviewed by a professional for slope protection and soil bearing capacity.

5.4 Black Mountain Irrigation District (BMID)

Subdivisions occurring on this site will be subject to the payment of Capital Expenditure Charges to BMID as per BMID Bylaw 639 or the current bylaw in place at that time.

As the land is located above our main service pressure zone, servicing of the lands will be subject to the construction of a new concrete balancing reservoir situated on the subject lands at an elevation of approximately 735 metres. The reservoir will be supplied with water from Black Mountain Booster Station No. 4 which was installed in 2004 along Black Mountain Drive. BMID has an agreement with the landholder for the provision of a Statutory Right-of-Way for water supply to this reservoir site and to the lands to the west upon request of BMID. Development of on-site water distribution mains will be subject to the City Subdivision Servicing Bylaw and typical water supply requirements of BMID.

BMID understands that the intent of the rezoning application and has no objection to the land use changes proposed. BMID currently has the ability to supply water to the development at the present time.

5.5 Ministry of Transportation

Based on the information received to date and the Irrevocable Letter of Credit in the amount of $206,530.50 for the Highway 33/Gallagher Road ultimate intersection that Melcor Properties has already submitted, we have no further objections concerning the rezoning application and OCP amendment application for the remainder of the Black Mountain development lands.

5.6 Parks Department

1. In reviewing the neighbourhood park requirements for this area, the City will acquire one neighbourhood park at 0.6 ha in size. The applicant shall revise the concept plan to be consistent with this required park size. Other considerations for the park:
    a. Local road frontage shall be provided on two sides of the park to give exposure and sightlines, min. 25% of the park perimeter.
    b. Overall slope of the park to be as flat as possible, 2% ideal to allow for typical park facilities i.e. children s play area, grass field, trees, shrubs, trails, etc.;
    c. As square shaped as possible to allow an efficient layout of park facilities.
    d. Serviced with water connection and electrical hookup.

2. In order to develop a pedestrian environment, the Applicant should provide an accessible public trail system through the neighbourhood connecting the various amenities including parks, schools, natural open space areas and the town center.

A conceptual trail system was proposed in the Bell Mountain ASP, 2003 that needs to be reviewed and updated. The Applicant shall provide a refined, detailed trail plan to be submitted to the Parks Division for review and approval. Key trails that should be included, but not limited to, are as follows:

a. The Black Mountain Drive Recreation Corridor shall continue along the road and terminate at the neighbourhood park.
b. In lieu of a public trail around the Golf Course (as City policy states), the Parks Division recommends a trail around the future BMID water reservoir and along the BMID flume corridor.
c. Through natural open space areas.

3. Natural Open Space areas may be protected through various mechanisms including:
   a. Public ownership
   b. Incorporation into residential or golf course lots protected with no-building, no-disturb covenants (trails would be achieved through statutory right-of-ways in favour of public access).
   c. Managed by a third party conservation group.

   If public ownership is the preferred option, the following requirements will apply;
   a. Adequate road frontage to provide exposure and sightlines into the area; and provide adequate maintenance access.
   b. On steep slope areas, a fall zone or catchment area will be needed to protect neighbouring housing against falling rock and trees, slumpage and slope failure. Maintenance access will also be needed at the top and/or bottom of the slope.
   c. An accessible public trail.

4. Construction drawings for the Black Mountain Recreation Corridor Extension showing landscaping, utility locations, and irrigation shall be submitted to the Parks Division for review and approval.

5. Prior to the City assuming ownership for any public lands, the applicant will retain a registered professional forester (RPF) or recognized equivalent to develop and implement a plan to reduce potential wildfire hazards. The plan will address fuel reduction, forest health and the protection of significant characteristics of the forested area. The plan and work will be reviewed and approved by the Parks Division prior to undertaking any work. All approved recommendations of the RPF's report shall be implemented prior to transfer in ownership of the lands to the City of Kelowna.

6. The City of Kelowna Boulevard Maintenance Bylaw No. 5708-84 requires the residents to be responsible to weed, water and mow the boulevards adjacent to their properties. They will also be responsible for maintaining the boulevard in a reasonably tidy condition, free and clear of garbage, letter or debris.

5.7 Telus

Telus will provide underground facilities to this development. Developer will be required to supply and install conduit as per Telus policy. Developer to provide a 3 metre x 4 metre easement at no cost to Telus for a switching equipment cabinet to service this property and which could serve surrounding properties. Telus will require 24 hour access to the switching equipment.

5.8 Works & Utilities

Works and Utilities comments with regard to this application to rezone a portion of the subject property from A1 to RU1hs, RM3 and P3 are as follows:

1. Subdivision

a) Register a road reserve for the extension of Black Mountain Drive. A pre-design is required to ensure that the road reserve includes the extent of the cuts and fills necessary for the ultimate road alignment as defined by the City of Kelowna roadway division.

b) Provide easements as may be required.

2. Geotechnical Study

a) Provide a comprehensive geotechnical report (3 copies), prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below:

b) The Geotechnical report must be submitted to the Planning and Development Services Department (Planning & Development Officer) for distribution to the Works & Utilities Department and Inspection Services Division 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, including effects upon adjoining lands.

(vi) Slope stability, rock fall hazard and slippage including the effects of drainage on the site.

(vii) Identify in detail all slopes greater than 30%.

viii) Top of bank assessment and location including recommendations for property line 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 roof drains and perimeter drains.

xiii) Recommendations for construction of detention or infiltration ponds and their effects on the downstream properties.

3. Domestic Water and Fire protection

a) The proposed development is within the service area of the Black Mountain Irrigation District (BMID). All charges and securities for service connections and system upgrading costs are to be paid directly to the BMID as stated in BMID letter dated December 12, 2002

b) The applicant is to provide the City of Kelowna the assurance that the supply of domestic water and fire protection is achievable in accordance with the City standards for all the zones contemplated under this application.

4. Sanitary Sewer

a) The applicant is required to provide a comprehensive wastewater collection report describing the services to the subject properties and the downstream capacity to accommodate Lot 3, plan 33849 which was never included in the capacity of the Gopher Creek wastewater trunk main.

b) An application for inclusion in the Specified Area service boundary must be made and an administration levy of $250.00 is required to incorporate this development into Sewer service area # 1.

5. Drainage.

A comprehensive detailed site drainage management plan and design to comply with the City's drainage and policy manual is a requirement of this application.

6. Power and Telecommunication services.

The services to and within this development are to be installed underground. It is the developer's responsibility to make an application to the respective utilities companies. The utility companies are then required to obtain the City's approval before commencing their works.

7. Roads.

Black Mountain Drive

a) Black Mountain Drive is designated an urban arterial road. Dedicate and construct the road to a modified standard including a 21.8m. dedication plus fill and/or cut slopes where required a 10.9m. road, 1.5 m. sidewalk, 3.0m. multi-use asphalt path and landscaped boulevard complete with underground irrigation. The construction and right of way must include provision for proper traffic movement in all directions at the intersection with

Hwy 33. The construction cost for this item, is estimated at **$940,000.00** and is inclusive of a bonding escalation

b) The intersection of Black Mountain Drive and Hwy 33 is under the jurisdiction of the Ministry Of Transportation (MOT). The intersection upgrading will be constructed in conjunction with the Hwy 33 widening in accordance with the letter from the MOT dated February 23, 2004 and the e-mail dated February 15, 2005. The MOT has indicated that cash in lieu of construction is preferable from the developer. The cash contribution is to be determined by the MOT.

c) Begley Road must be reconstructed in order to relocate the current intersection to the west and intersecting with Black Mountain Drive. Begley Road is designated as an urban Class 1 Collector. Dedicate and construct the road in accordance with City standard SS-R5, (20.0 m. dedication and 13.1m. road). The Old Joe Riche Road intersection might require some re-grading in order to achieve an intersection that meets current standards. The construction cost for this item is estimated at **$460,000.00** and is inclusive of a bonding escalation.

8. Street Lights

Street lights must be installed on all roads in accordance as per Bylaws requirements. Design drawings to include level of illumination plan.

9. Engineering.

Design, construction, supervision and inspection of all off-site civil works and servicing must be performed by a Civil Engineer and all such work is subject to the approval of the City Engineer.

5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Planning and Development Services Department is supportive of the land use plan contained with the 2003 Bell Mountain Area Structure Plan and supports the proposed adjustments to that plan on the basis of further detailed site analysis and reconsideration of the proposed commercial uses.

The subject property is proposed to be designated as a mix of private recreation, park, commercial, single and multiple forms of residential development that is consistent with the Area Structure Plan. The Official Community Plan (OCP) designates significant portions of this site as Natural Environment / Hazardous Condition and Wildland Fire Hazard DP areas. These issues will be dealt with through the phased subsequent subdivision processes.

It is important to note that a minor shift in the north-south road alignment of Black Mountain Drive to the west was necessitated by a reconfiguration of the 'back nine' of the golf course to avoid an environmentally sensitive gully area. Melcor Developments willingly redesigned that portion of the golf course to respect the environmentally sensitive gully area to accommodate environmental values identified by the Environmental Division and the Official Community Plan. A remnant area at the northeast corner of the subject property has been proposed for RM3 in consideration of the reconfiguration at the north end of the "back nine" of the golf course. The size and shape of the proposed parcel may be impacted by the future road alignment as

identified by the Transportation Division. These issues will be dealt with in further detail at the time of subdivision.

It is also noted that this proposal includes a future road reserve/connection to Treetop Road. This road link is not acknowledged in the OCP primarily due to the Agricultural Land Commission concern that urban traffic from this development would travel north through agricultural areas and on rural roads not intended for heavier traffic. As part of the original 1995 OCP review discussions with the ALC, the City agreed to remove this road link from the Future Land Use and Road Network Maps. At best, any road link in this area should be an emergency access only. Primary access should be from the extension of Black Mountain Drive from Hwy 33 and secondary access should be through adjoining development to the west that will eventually link to Toovey Area via Lone Pine Drive or Loseth Drive. The Transportation Department is aware of these issues.

Bob Shaughnessy
Subdivision Approving Officer

Approved for inclusion

Mary Pynenburg, MRAIC MCIP
Director of Planning & Development Services

RS/cg

Attach.

- Letter from Applicant dated August 8, 2006
- Location Map
- Site Map
- Existing Zoning Map
- Future Zoning Map
- Proposed Zoning, Slope Analysis, Road Concept Map
- Current OCP Map
- Proposed OCP Map
- Site Map and Photos
- Proposed Design Concepts

Stantec Consulting Ltd.
300 - 1708 Dolphin Avenue
Kelowna BC V1Y 9S4
Tel: (250) 860-3225 Fax: (250) 860-3367
stantec.com

Stantec

August 8, 2006
File: 1116-30440

City of Kelowna
1435 Water Street
Kelowna BC V1Y 1J4

Attention: **Corrine (Cory) Gain**

Dear Cory:

Reference: **Black Mountain Rezoning & OCP Amendments for Subject Properties:**

- **Lot 3, Plan 33849, Sec. 19, Tp. 27, ODYD**
- **Lot A, Plan KAP80286, Sec. 19, Tp. 27, ODYD**
- **Lot B, Plan KAP80286, Sec. 19, Tp. 27, ODYD**

On behalf of our client, Melcor Developments, Stantec is please to submit applications for Official Community Plan amendment and rezoning of the balance of Melcor's Black Mountain development project.

Zoning

The proposed zoning pattern is based on the future land use designations adopted through the 2003 Bell Mountain Area Structure Plan (ASP) as part of the Official Community Plan however some changes are deemed necessary.

Upon further analysis of slopes west of the site's main north/south roadway, it was necessary to modify the road network presented in the Bell Mountain ASP in order to achieve more reasonable access to developable areas and lands beyond. This realignment to the road system resulted in some adjustments to the future land use pattern, particularly in the northwest sector.

The proposed zoning pattern retains a 0.84 ha site for a public park on one of the sites flattest areas. The size and location of the park is consistent with the park site designated in the Bell Mountain ASP. The proposed park site is proposed to be a broad "L" shape which would wrap around a small group of residences and have frontage on three public roads.

Reconsideration of market preferences, and the semi-rural location and setting of the Black Mountain golf / residential community are the basis for the proposed change from tourist commercial to medium density multiple housing in the central part of the site. Slope constraints

within the area proposed for RM5 will be further evaluated through the subdivision process and those areas deemed to be environmentally sensitive or hazardous will remain undeveloped and be protected by restrictive covenant.

The clubhouse area within the golf course is proposed to include visitor accommodation within the upper storeys therefore a vertical zoning arrangement is proposed consisting of P3 at and below grade and C9 above.

A few "housekeeping" adjustments to the zoning pattern are necessary to allow for a portion of the golf course zoning (P3) to extend across the road and for differing zones to meet in the middle of this proposed right of way.

Proposed P3 designations that are not part of the golf course are applied to natural area parks that are intended to remain in their natural condition with the exception of public pathways where appropriate.

Melcor has acquired Lot 3, Plan 33849 situated at the north end of the project site. The proposed north/south roadway bisects this parcel. West of this future right of way this parcel is proposed to be rezoned to RU1hs. Approximately 0.24 ha (1.0 ac) in the lower, northeasterly part of this parcel is proposed for the golf course maintenance facility and is proposed for P3 zoning. The east-central portion of this parcel is proposed to be zoned RM3 to allow a cluster of low density multi unit housing to be developed around the back of the no. 10 green. Setbacks from the green to the residential development will be in accordance with accepted golf course design standards.

The proposed rezoning of the subject properties is summarized as follows:

- Lot 3, Plan 33849:
  - From A1 to RU1hs, P3, and RM3
- Lot A, Plan KAP80286:
  - From P3 to combination of P3 at and below grade and C9 above grade (upper storeys) in area of clubhouse.
- Lot B, Plan KAP80286
  - From A1 to P3, RU1hs, RM3, and RM5
  - The southerly portion of Lot B is currently zoned P3, RU1h, RU1hs, RU4, & RM3 however, with the exception of minor 'housekeeping' zone adjustments, this part of Lot B is not subject to this rezoning application.

Regarding Lot B, the area which is the primary focus of this rezoning application is the portion currently zoned A1 which is situated almost entirely west of the main north / south access road through the site. A relatively small area proposed for RM5 extends to the east side of the central roadway. The southerly portion of Lot B was previously rezoned to RU1h, RU1hs, RU4, RM3.

Stantec

August 8, 2006
Page 3 of 3

Reference: Black Mountain Rezoning & OCP Amendments

Official Community Plan

To accommodate the proposed zoning pattern, some adjustments to the Official Community Plan – Future Land Use designations are necessary. With a few exceptions, future land use proposed for the Black Mountain development site is generally consistent with the layout and intent presented in the Bell Mountain ASP. It is suggested that the refinements that are proposed make for a stronger, more marketable development, which is better suited to the natural terrain of the site.

Given the complexity of the multiple OCP designations currently applied to the site and the proposed amendments it is difficult to describe in written format the adjustments which are proposed. Please refer to the attached "Current OCP" and "Proposed OCP" Future Land Use plans for a graphic depiction of the proposed changes.

It should be noted that the OCP's linear park connection, from off-site lands to the west to the natural park area in the central part of Lot B, is conceptual and subject to change. As noted in the Bell Mountain ASP, "Conceptual Park and Open Space" figure, it is understood that a pedestrian connection is the intent. The route may follow an underground utility however, it may not be precisely where shown on the OCP Future Land Use map.

The City may want to revise the OCP designations at the south end of Lot B, Plan KAP80286 to bring it into conformance with the current zoning pattern.

Mapping is enclosed which should clarify current and proposed OCP and zoning applicable to the three subject properties.

Sincerely,

STANTEC CONSULTING LTD.

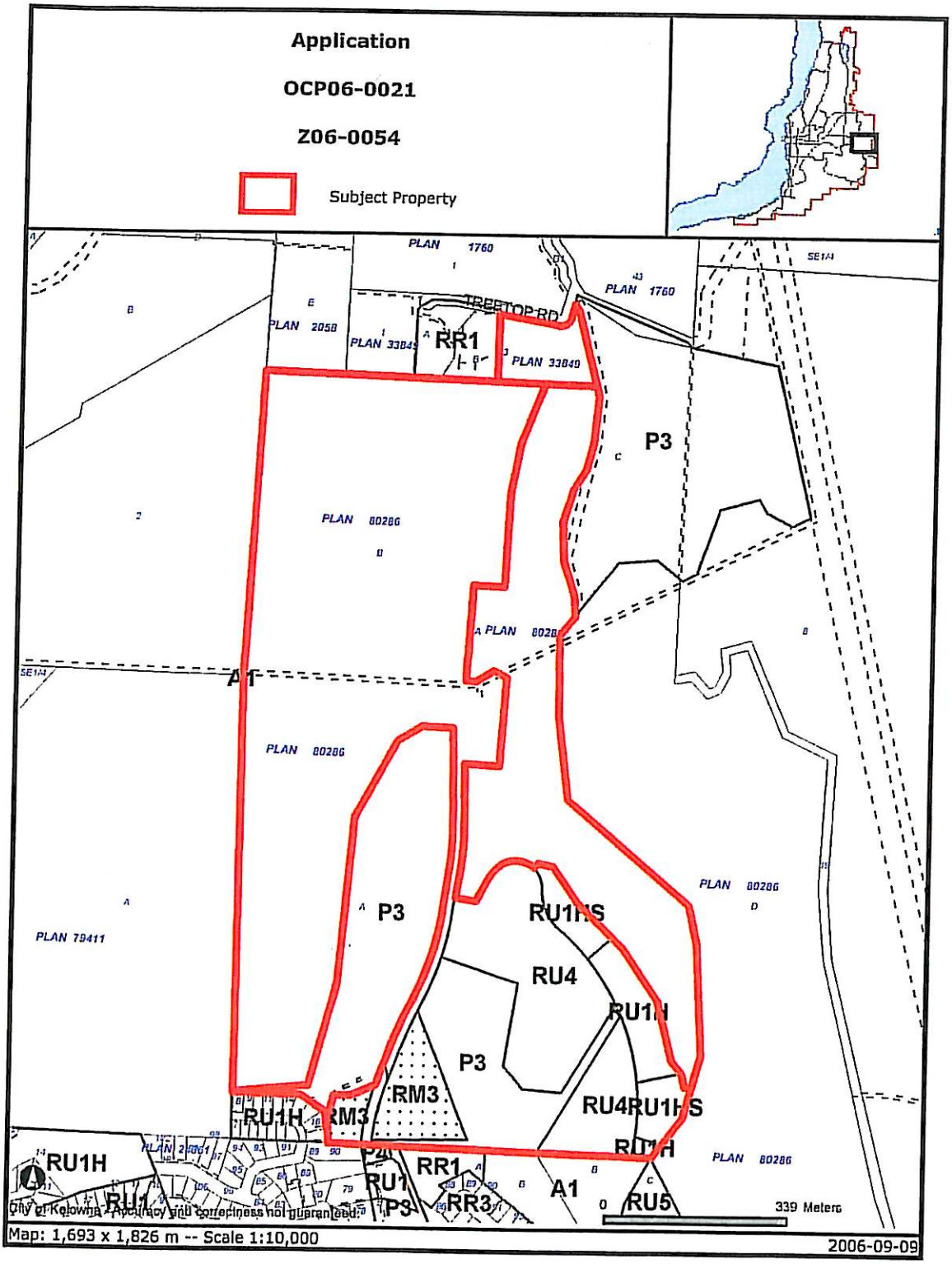
Marnie J. Skobalski, MCIP
Planner
Tel: (250) 860-3225 Fax: (250) 860-3367 Email: mskobalski@stantec.com

Enclosure: Rezoning & OCP Amendment Application,
Mapping of current and proposed OCP & zoning

c. R. Sieben, Melcor

LOCATION MAP

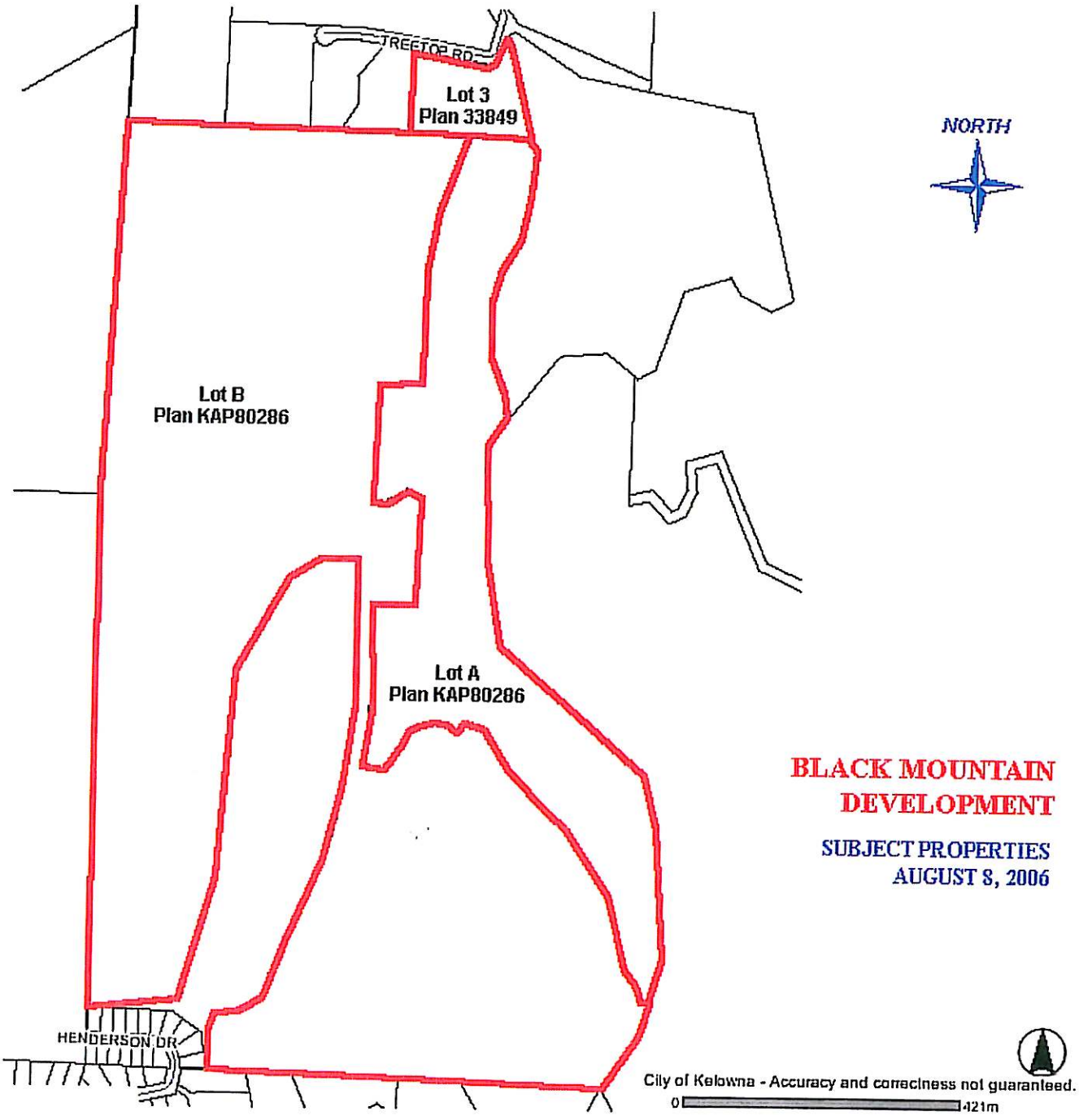
Map Output



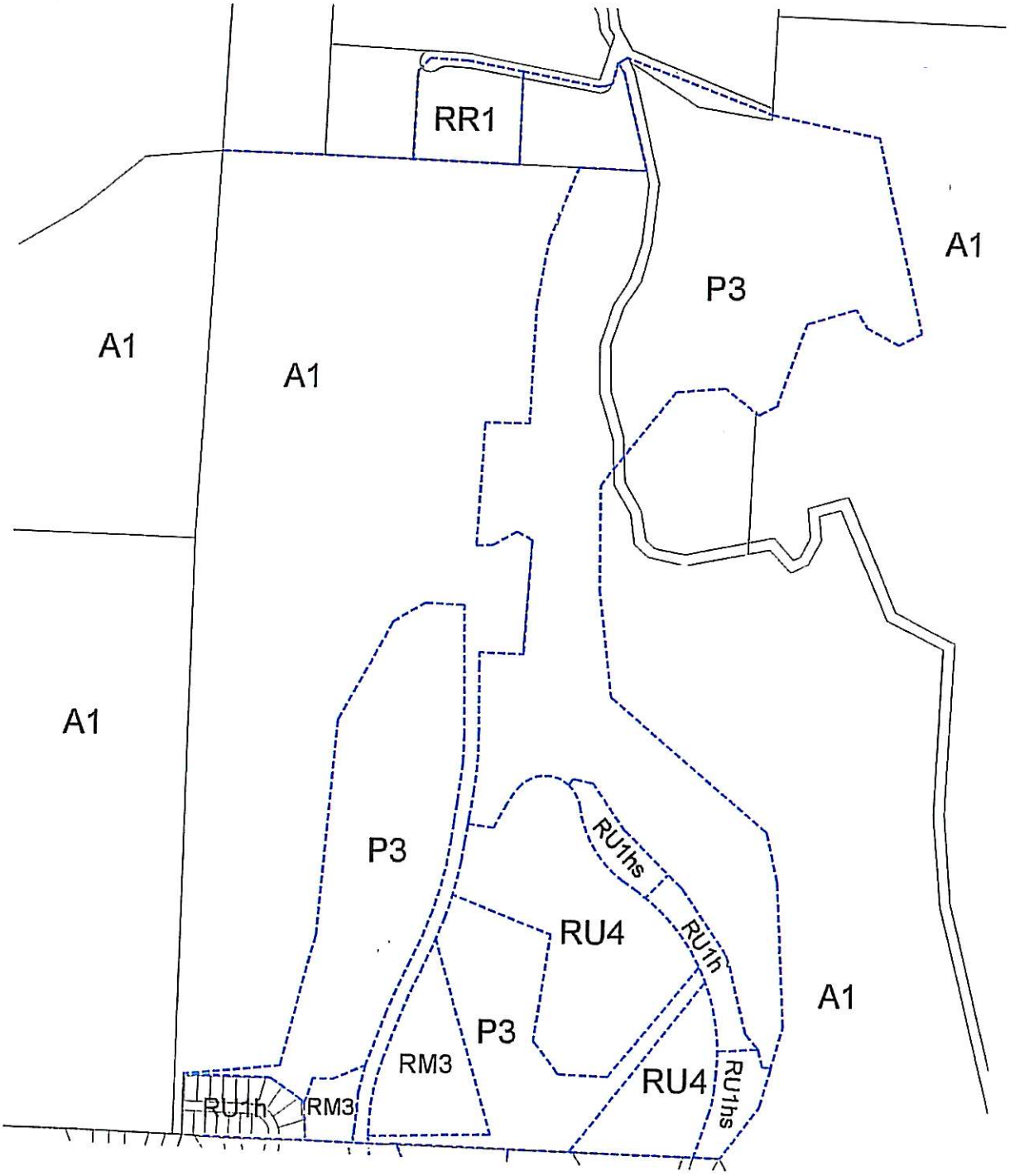
Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

http://kelintranetb/servlet/com.esri.esrimap.Esrimap?ServiceName=Overview_Map&Client... 9/9/2006

SITE MAP


TREETOP RD
Lot 3
Plan 33849
NORTH
Lot B
Plan KAP80286
Lot A
Plan KAP80286
HENDERSON DR
BLACK MOUNTAIN
DEVELOPMENT
SUBJECT PROPERTIES
AUGUST 8, 2006
City of Kelowna - Accuracy and correctness not guaranteed.
0
421m

EXISTING ZONING MAP



LEGEND

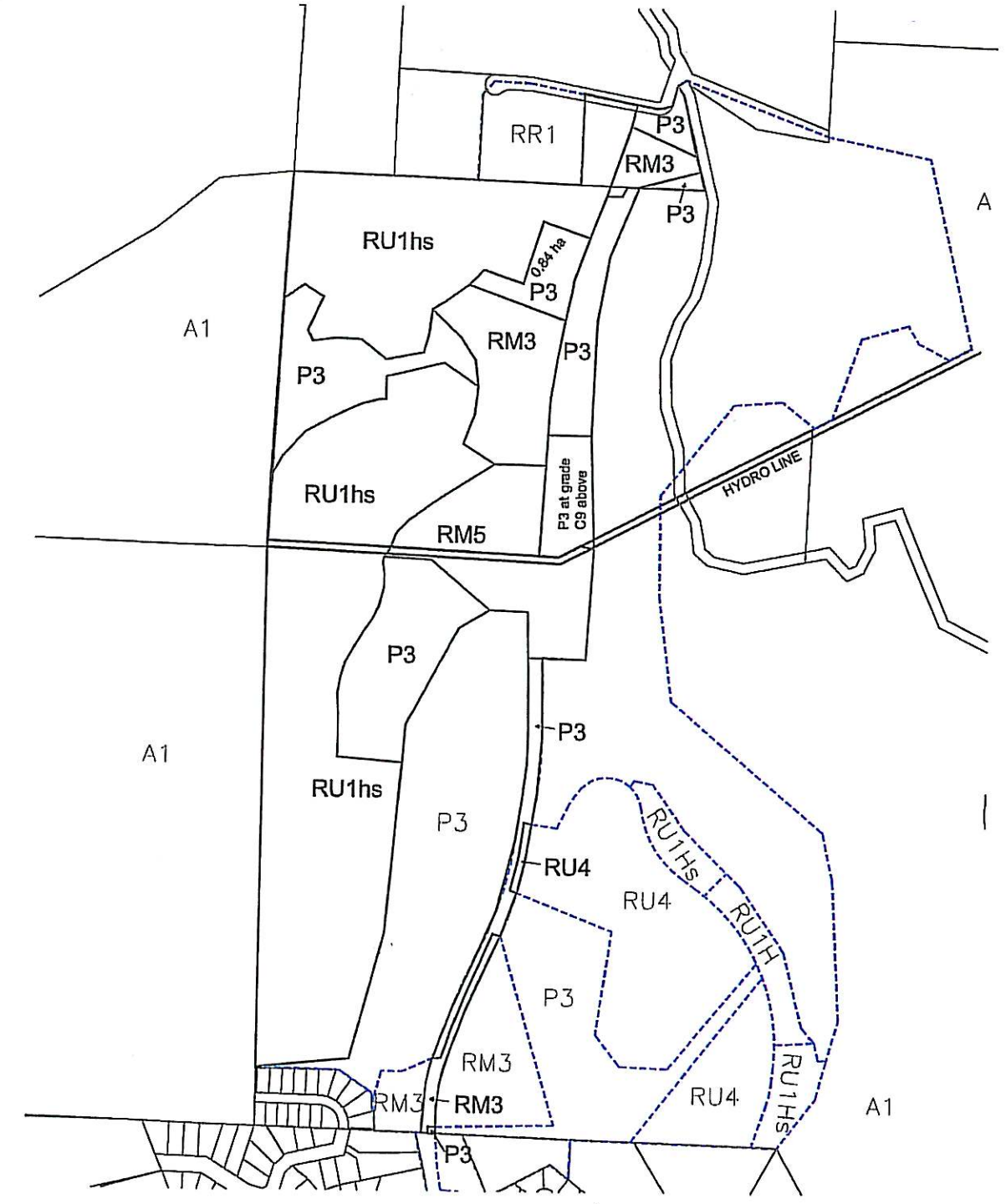
------ EXISTING ZONE BOUNDARIES

N

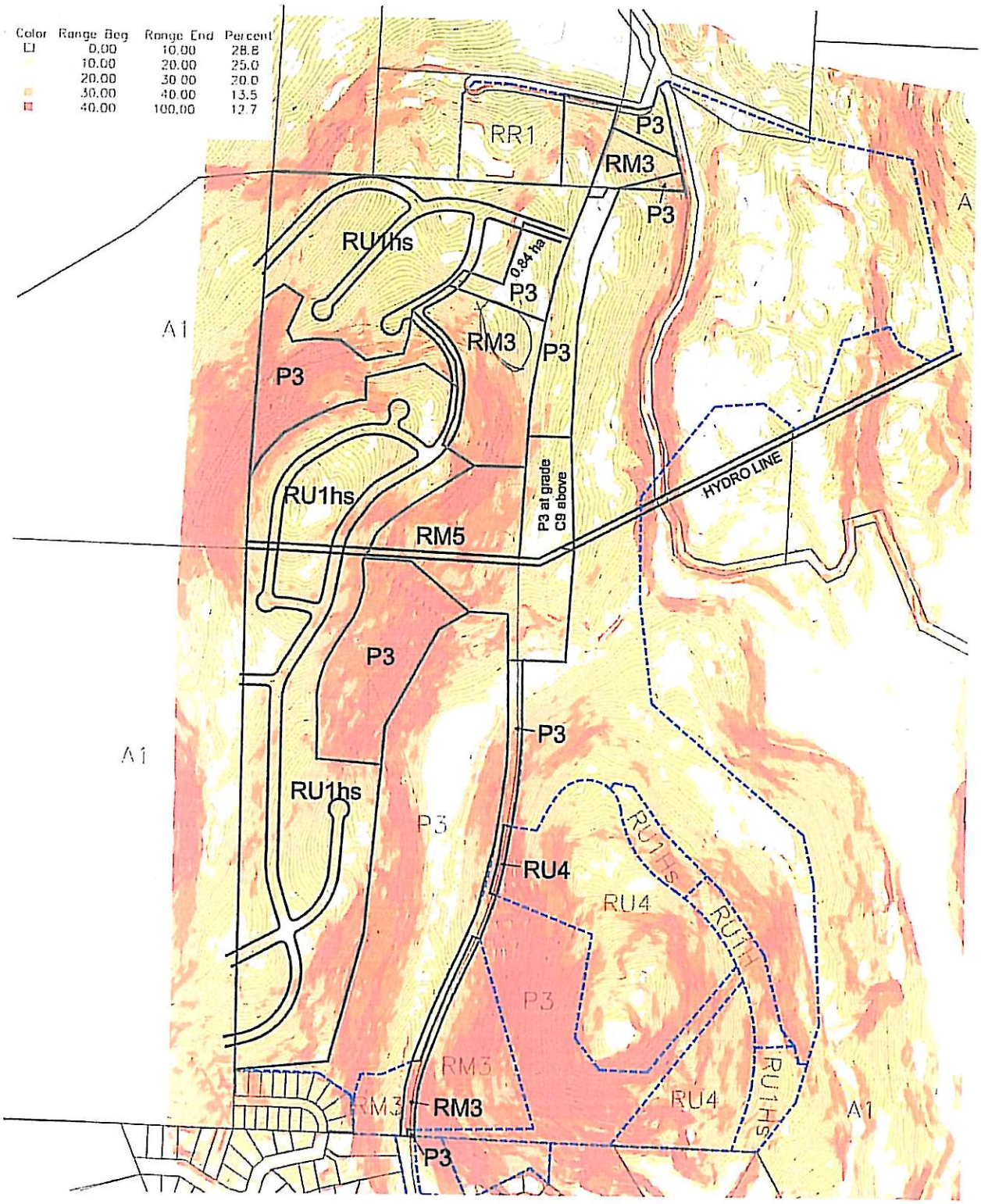
SCALE 1:7500

BLACK MOUNTAIN DEVELOPMENT
EXISTING ZONING
JULY 17, 2006

MAP 'B'
FUTURE ZONING MAP



PROPOSED ZONING, SLOPE ANALYSIS, ROAD CONCEPT MAP



LEGEND

EXISTING ZONES

FUTURE ZONES

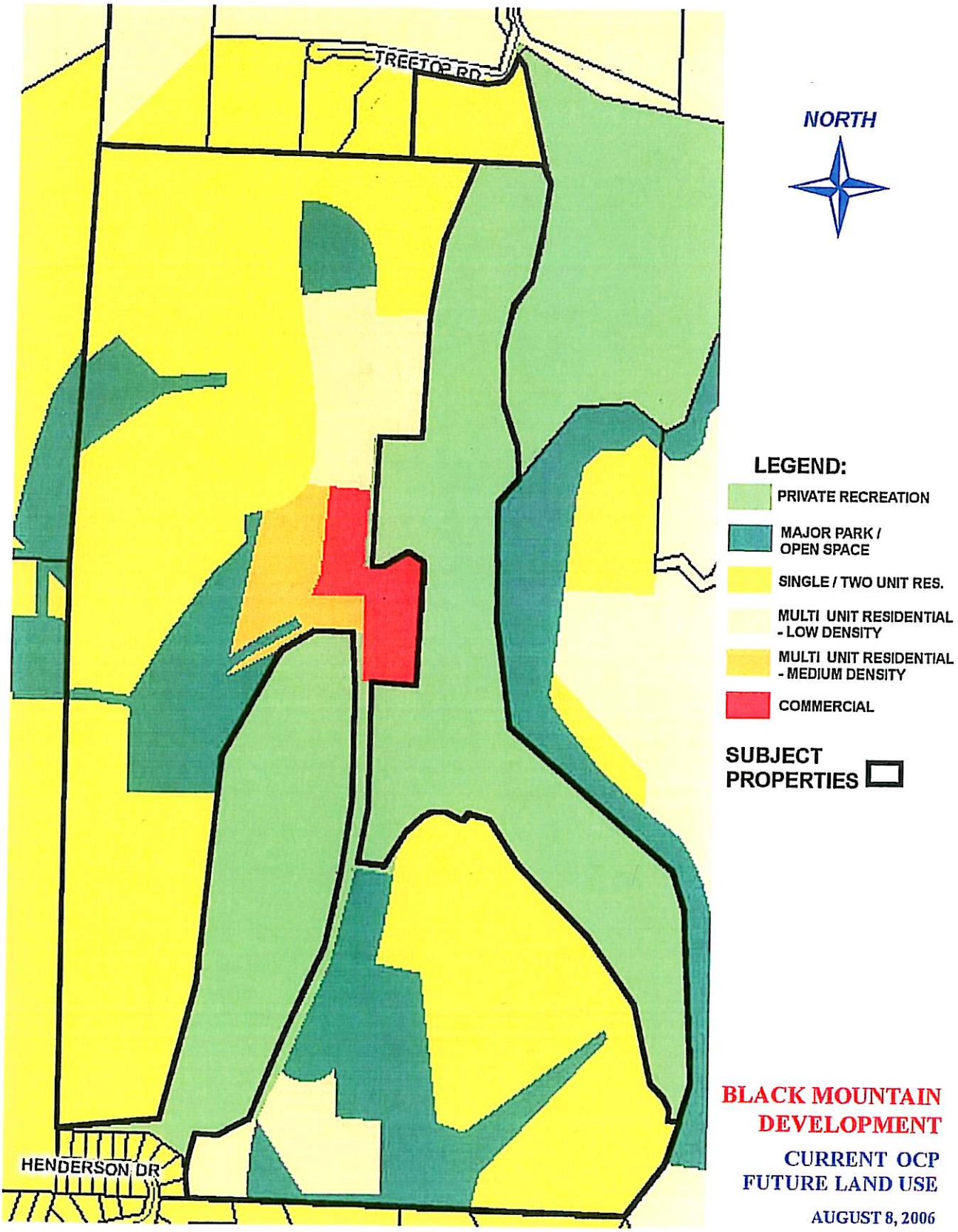
N

SCALE 1:7500

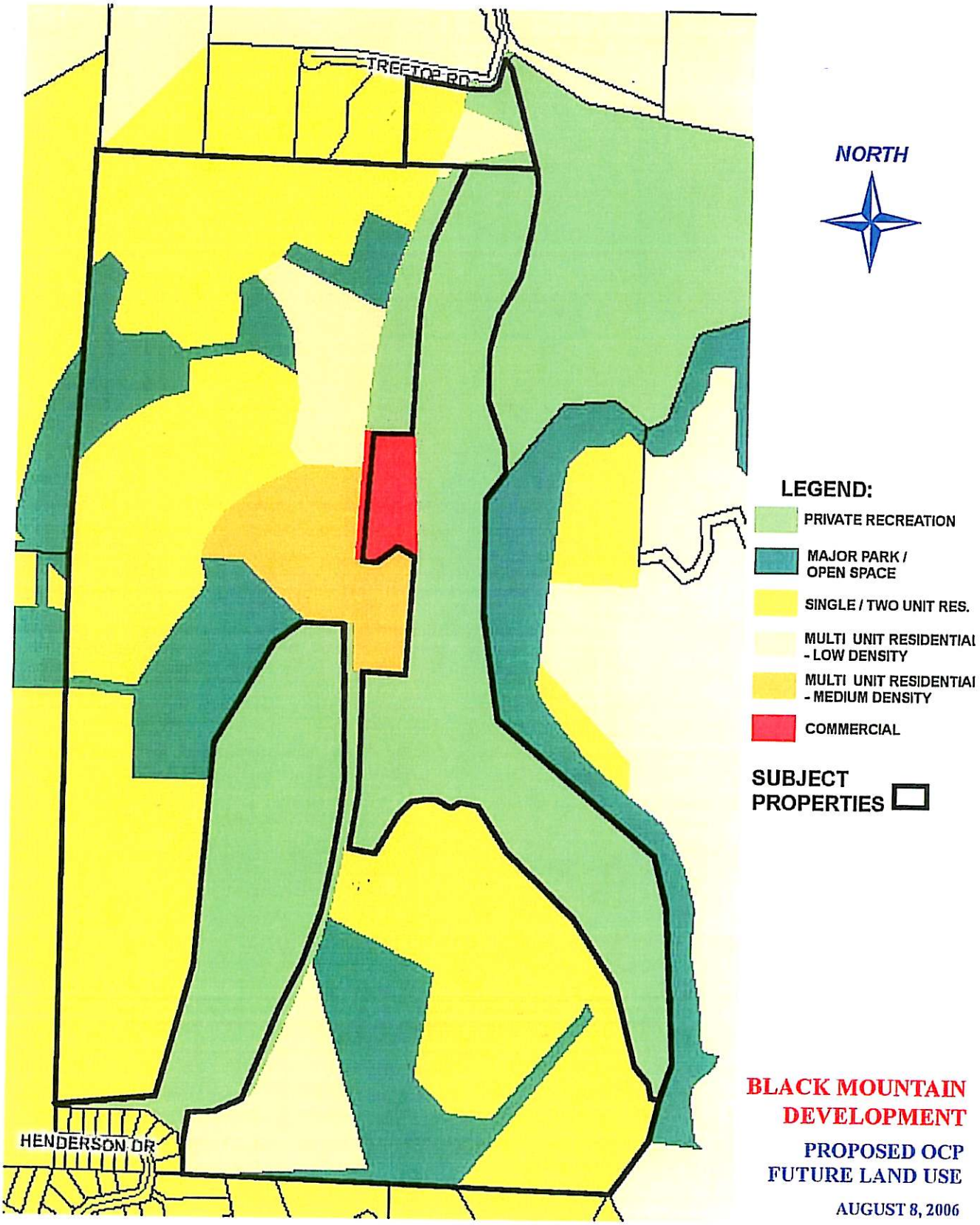
Stantec

BLACK MOUNTAIN DEVELOPMENT
PROPOSED ZONING, SLOPE ANALYSIS, ROAD CONCEPT
AUGUST 16, 2006

CURRENT OCP MAP

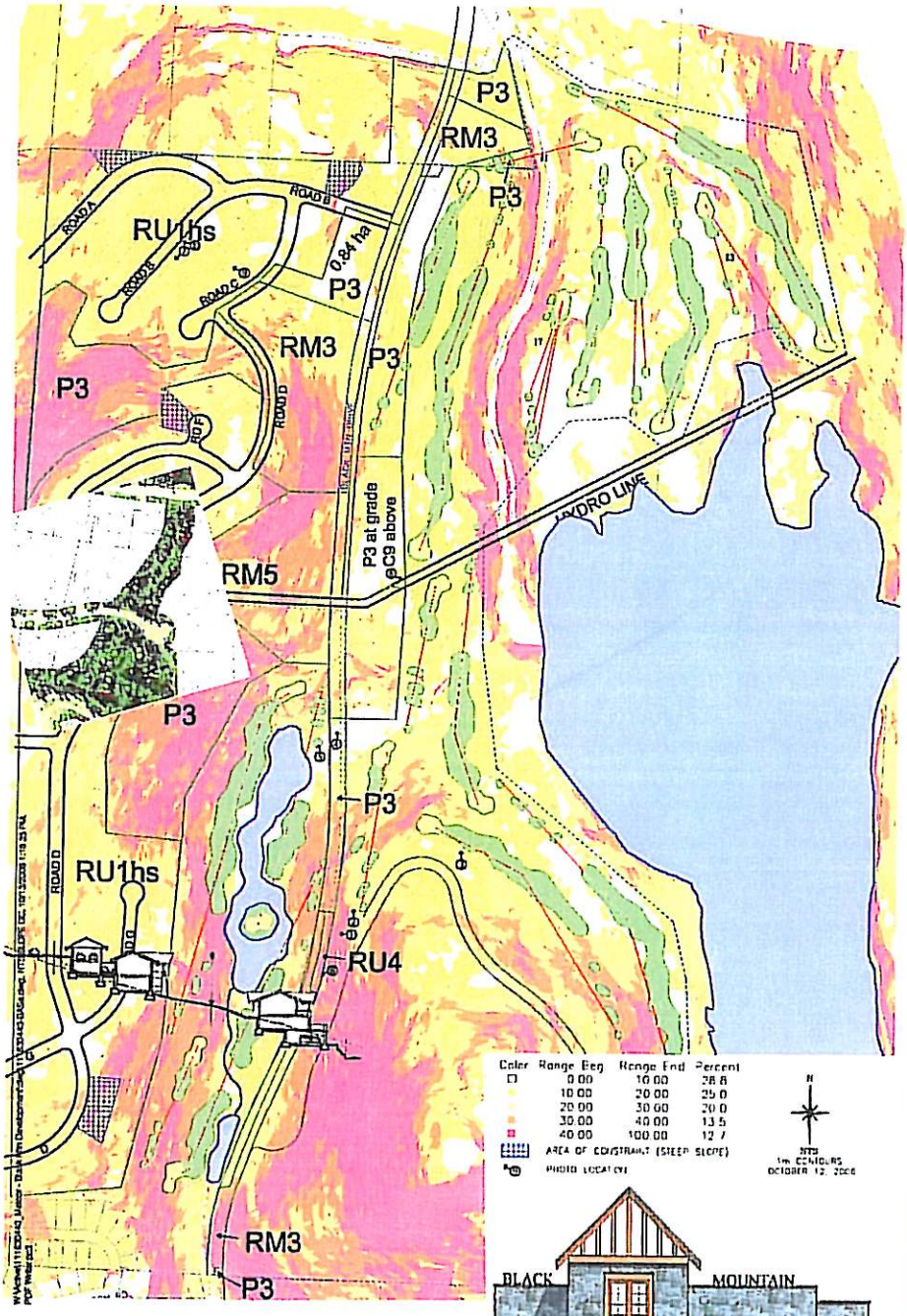


MAP 'A'
PROPOSED OCP MAP



SITE MAP AND PHOTOS

Black Mountain Golf Course & Residential Community



VIEW SOUTH, #6 GREEN & #7 TEE TO GREEN ⑥

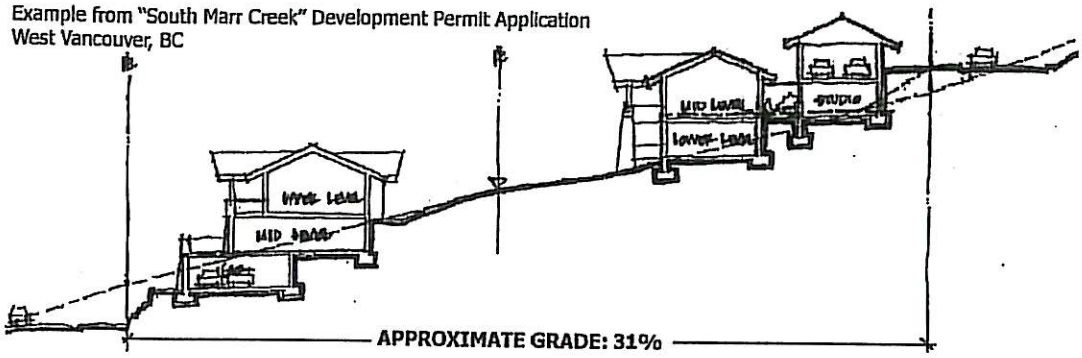
VIEW SW FROM ROAD B ⑦

VIEW EAST FROM CLUBHOUSE SITE ⑧

VIEW NW ROAD C TO ROAD B ⑨

VIEW WEST FROM ROAD B ⑩

MELCOR DEVELOPMENTS LTD.

PROPOSED DESIGN CONCEPTS

Example from "South Marr Creek" Development Permit Application
West Vancouver, BC