
CITY OF KELOWNA

MEMORANDUM

DATE: March 2, 2007

TO: City Manager

FROM: Planning & Development Services Department

APPLICATION No.: ASP03-0001/OCP07-0003

OWNERS: No. 21 Great Projects, Vincent & Pamela Blaskovich, Interval Investment Inc., 392187 BC Ltd., Oracle Investments Inc., City of Kelowna

APPLICANT/CONTACT PERSON: Stantec Consulting Ltd./Marnie Skobalski

LOCATION: Ivens & Paret Road, south of Gordon Drive extension

PURPOSE: To amend the Official Community Plan in accordance with the proposed future land use component of the Neighbourhood 3 Area Structure Plan

EXISTING OCP DESIGNATION: Single/Two Unit Residential, Major Park/Open Space – Area Structure Plan area

PROPOSED OCP DESIGNATION: Rural/Agricultural, Single/Two Unit Residential, Multiple Unit Residential – Low Density, Commercial, Educational/Major Institutional & Major Park/Open Space

EXISTING ZONE: A1 – Agriculture 1

REPORT PREPARED BY: Shelley Gambacort

1.0 RECOMMENDATIONS

THAT OCP Bylaw Text Amendment No. OCP07-0003 to amend *Kelowna 2020* Official Community Plan Bylaw No. 7600 by deleting reference to a pending SW Mission Area Structure Plan, and adding a definition of Cluster Housing, and adding references to Cluster Housing as outlined in the report of the Planning & Development Services Department dated March 2, 2007 be considered by Council;

AND THAT OCP Bylaw Amendment No. OCP07-0003 to amend Map 6.2 of the *Kelowna 2020* Official Community Plan Bylaw No. 7600 by adding the Village Centre Development Permit Area Designation to Part of the North ½ of DL 579, SDYD except Plans 5648, 9458, 9459, KAP74689, KAP75766 and KAP77604; and Part of the South ½ of DL 579, SDYD except Plan KAP77336 located on Ivens Road, Kelowna, BC, as shown on Map “A” attached to the report of Planning & Development Services Department, dated March 2, 2007, and revise the legend of Map 6.2 Village Centre Development Permit Areas to include “8 South Gordon” be considered by Council;

AND THAT OCP Bylaw Amendment No. OCP07-0003 to amend Map 12.1 of the *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by adding the 2 Lane Major Collector Roads and 2 Lane Minor Collector Roads to the North ½ of DL 579, SDYD except Plans 5648, 9458, 9459, KAP74689, KAP75766 and KAP77604; Lot 3, DL 579, SDYD, Plan KAP66779; Lot A, Secs. 20 & 29, Twp. 29, SDYD, Plan KAP44335; Part 8.1 acres more or less of the SW ¼ Sec. 29 shown outlined green on Plan B4787, Twp. 29, SDYD; the South ½ DL 579, SDYD, except Plan KAP77336; and Lot B, Sec. 20, Twp. 29, SDYD, Plan KAP44335; off of Ivens Road, Kelowna, BC, as shown on Map “B”, attached to the report of Planning & Development Services Department, dated March 2, 2007 be considered by Council;

THAT OCP Bylaw Amendment No. OCP07-0003 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 DL 579, SDYD except Plans 5648, 9458, 9459, KAP74689, KAP75766 and KAP77604; Lot 3, DL 579, SDYD, Plan KAP66779; Lot B, DL 579, SDYD, Plan KAP67461; Lot A, Secs. 20 & 29, Twp. 29, SDYD, Plan KAP44335; Part 8.1 acres more or less of the SW ¼ Sec. 29 shown outlined green on Plan B4787, Twp. 29, SDYD; the South ½ DL 579, SDYD, except Plan KAP77336; Lot B, Sec. 20, Twp. 29, SDYD, Plan KAP44335; and the NE ¼ of Sec. 20, Twp. 29, SDYD, located off of Ivens and Paret Roads, Kelowna, BC, from the Single/Two Unit Residential designation to the Single/Two Unit Residential, Multiple Unit Residential – Cluster Housing, Multiple Unit Residential (Low Density), Multiple Residential (Medium Density), Commercial, Major Park/Open Space, and Educational/Major Institutional designations, and to revise the legend of Map 19.1 to include the Multiple Unit Residential (Cluster Housing) designation, as shown on Map “C” attached to the report of Planning & Development Services Department, dated March 2, 2007, be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP03-0007 be forwarded to a Public Hearing for further consideration;

2.0 SUMMARY

The purpose of the application is to amend the *Kelowna 2020* – Official Community Plan Bylaw No. 7600 (OCP) to reflect the proposed land uses contained within the Neighbourhood 3 Area Structure Plan (ASP). The Area Structure Plan is intended to be a guide for the future rezoning, subdivision, and development of the area. The Official Community Plan amendment will designate the future land uses, development permit areas, village centre area and road network as proposed in the Area Structure Plan for Neighbourhood 3.

The land is currently undeveloped with the exception of one single family residence and some limited area used for grazing. The subject properties were significantly impacted by the August 2003, Okanagan Mountain Park Fire and subsequent salvage logging operations as illustrated by the pre-fire and post-fire aerial photographs attached to this report.

2.1 Advisory Planning Commission

The draft Neighbourhood 3 Area Structure Plan was reviewed by the Advisory Planning Commission at their meeting of Tuesday, November 8, 2005 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Application #ASP03-0001, which seeks to amend the Official Community Plan Future Land Use Map, in accordance with the proposed Area Structure Plan for Neighbourhood 3 (Ivens Road area), to designate areas for a variety of residential, commercial, institutional, parks and open space uses.

3.0 BACKGROUND

The 1994 Southwest Okanagan Mission Sector Plan identified three neighbourhood nodes as having development potential and were identified as Neighbourhood 1 (includes the Kettle Valley development area), Neighbourhood 2 (includes the South Ridge and Quarry development areas) and Neighbourhood 3, which is the subject of this Official Community Plan amendment application.

The *Kelowna 2020* – Official Community Plan Bylaw No. 7600 anticipated the preparation of an Area Structure Plan for this subject area and identified it as such on the Generalized Future Land Use Map, Map 19.1.

Within Chapter 19 of the OCP it further outlined the potential development components that could be contained within the ASP area and are listed as being public open space, school/college/university, neighbourhood commercial, one/two unit residential, multi-unit residential (low), multi-unit residential (medium), and agricultural.

At the regular meeting of Council held on January 19, 2004 a resolution was adopted authorizing Stantec Consulting Ltd. to prepare an Area Structure Plan for the subject properties.

The preparation of the Area Structure Plan was to take into consideration the items identified in the report from the Planning & Corporate Services department dated January 12, 2004 and the various Terms of Reference provided by the following City departments to the applicant:

- Transportation
- Environment
- Drainage
- Parks
- Works & Utilities

4.0 THE PROPOSAL

4.1 Description of Plan Area

The Area Structure Plan for Neighbourhood 3 encompasses approximately 177.4 ha and generally slopes upwards from Bellevue Creek which defines the north and east boundary of the Plan area. The Plan area includes all or portions of eight legal lots under the ownership of six landowners. Kelowna City Council authorized preparation of the Neighbourhood 3 Area Structure Plan in January 2004.

Elevations within the Plan area range from approximately 425m at Bellevue Creek at the north tip to 680m on the knoll in the southwest corner. Within the Plan area there is one permanent residence (the Blaskovich home), together with a fenced pasture used for grazing horses and the south portion of the farm is bisected by Bellevue Creek. Residential development flanks the west side of the Plan area and is well established on the Crawford benchland across Bellevue Creek and north of the Plan area.

4.2 Area Structure Plan Goal

A stated goal of the Area Structure Plan is “that Neighbourhood 3 should evolve into a high quality, attractive, complete community where many of the residents’ day-to-day needs will be met with less reliance on the automobile.” The Plan further states that Neighbourhood 3 “is expected to become a multi-faceted neighbourhood, home to a diverse array of people, with a thriving Village Centre forming the heart of the community”.

SMART GROWTH PRINCIPLES

The Neighbourhood 3 Area Structure Plan upholds several Smart Growth principles such as:

- creating a range of housing opportunities and choices;
- creating a walkable community;
- fostering distinctive, attractive communities with a strong sense of place;
- mixing land uses;
- preserving open space, farmland, natural beauty, and critical environment areas;
- providing transportation choices.

4.3 Village Centre

The proposed Area Structure Plan designates a mixed-use Village Centre intended to enable both existing and future residents to conveniently access day-to-day goods and services without adding to traffic volumes en route to alternative shopping destinations. Whereas the proposed Village Centre is larger than suggested in the Southwest Okanagan Mission Sector Plan, it is to be noted that Neighbourhoods 1 and 2 may not achieve their commercial potential.

The Village Centre is anticipated to be a destination for social activities, shopping, personal services and business. Buildings of four to five storeys are envisioned to have commercial uses at grade and residential units above.

The principal street through the Village Centre (Road B) is envisioned as the “High Street” and its prominence warrants an appropriate level of spatial and visual treatment. The High Street is proposed to provide a convenient loop for public transit to pass through the heart of the commercial/residential node, through multi-family development and past the school. The required 20m right-of-way is proposed to be supplemented by a 2m front setback on each side of the street, on private property, contiguous with and designed to complement the public realm. The additional width will provide a more amenable pedestrian environment, space for outdoor seating, or storefront display of goods.

4.4 Parks / School Site

Three Neighbourhood Parks totalling 1.5 ha are proposed for Neighbourhood 3. A 0.5 ha Neighbourhood Park is proposed at the east end of Jack Smith Lake, the second 0.5 ha site is proposed at Mair Pond and the third is proposed to be incorporated into the development of the 2.5 ha school site thus increasing the area of the school / Neighbourhood Park to 3.0 ha.

In addition to the Neighbourhood Parks, approximately 36.5 ha of land and water-based natural areas are proposed to be protected as natural park areas. The Neighbourhood 3 landowners and City staff are currently negotiating an overall agreement for the establishment of all Major Park / Open Space and Water Feature areas shown in the Plan.

4.5 Linear Parks & Pathways

Within the Neighbourhood 3 Area Structure Plan, “Key Pedestrian Routes” identify over 10 km of off-street and on-street pathways. Various types of pathways are envisioned ranging from low impact crush pathways in natural area parks, to boulevard separated sidewalks along streets such as the South Crest and Hewetson extensions, to an “Abbott Street” style recreation corridor combining both on-street and off-street components.

The network of Key Pedestrian Routes links together the park system, and provides connections from residential areas to the parks, Village Centre, and to neighbourhoods beyond the Plan area. Sidewalks and other minor pathway linkages will supplement the Key Pedestrian Routes and enhance the overall non-vehicular movement system.

4.6 Environment / Wildlife Areas

Neighbourhood 3 is comprised of diverse terrain and natural features. Much of the tree cover and other vegetation was burned in the 2003 Okanagan Mountain Park fire. Salvage logging removed marketable burned timber after the fire however, some remnant clusters of mature trees, primarily deciduous, have survived particularly near wetted areas.

Four environmental studies have been undertaken as part of the Area Structure Plan preparation (see Appendices 1 – 4 of ASP). These range from the initial, overall assessment prepared by EBA Engineering Consultants Ltd. (EBA) (Appendix 1) to more focused, follow-up studies prepared by Summit Environmental Consultants Ltd. (Summit) and Golder Associates Ltd. (Golder). Map 11 in the ASP represents the collective results of the four studies and takes into consideration changes to the site's ecology brought about by the fire and post-fire logging activities.

As recommended by EBA, the southeast corner of the Plan area, adjacent to Bellevue Creek, was subject of further study to determine active and relic channels, high water mark and the extent of the sensitive riparian area. Summit determined the extent of the riparian zone requiring protection using the detailed assessment methodology defined by the Riparian Areas Regulation (RAR) (see Appendix 2 of ASP). Whereas Summit concluded that the environmentally sensitive riparian area extends 15 m inland from the high water mark, the Neighbourhood 3 Plan proposes a minimum 30 m wide setback from high water (see Figure 2, p. 3.14 of ASP). Any development in the southeast corner, including road, is proposed to be beyond the minimum 30 m setback.

Prior to the 2003 wildfire, there was potential for wildlife movement between Jack Smith Lake and the ponds in the central part of the Plan area however post-fire tree mortality and logging removed the tree cover important to wildlife refuge in this area. Both EBA and Summit concur that a movement corridor linking Jack Smith to Bellevue Creek would potentially be of value to wildlife. Summit's report (Appendix 3 of ASP) evaluates the merit of such a linkage and recommends a 25 m wide corridor be established by allocating 12.5 m on both sides of the Plan area's south boundary. This corridor is shown on Maps 8, 10, & 11 (attached to this report) between Jack Smith Lake and Road E. Between Road E and Bellevue Creek, the corridor broadens considerably alongside the north side of the Perimeter Road.

The Environmental Assessment prepared by Golder (Appendix 4 of ASP), describes where compensation planting and habitat restoration should occur and recommends a 2:1 replacement ratio to replace deciduous vegetation lost to fire or impacted by proposed development.

4.7 Jack Smith Lake, Hill Spring, Seepage Spring, Crawford Slough, Mair Pond

Jack Smith Lake and the four central-area ponds are sustained by a "man-made" water system which diverts water from Bellevue Creek. A 250mm (10") pipe carries water from Bellevue Creek to Jack Smith Lake which is filled according to the terms of the water licence which is specifically for conservation purposes. It is anticipated that this water licence will be transferred to the City of Kelowna for ongoing management of water levels in Jack Smith Lake.

A 150mm (6") pipe carries water from Bellevue Creek to Crawford Slough where it is stored for irrigation purposes. It is anticipated this water licence will be retained by the current licence holder and amended to serve other property. First-hand observation over many years indicates that groundwater also flows between Jack Smith Lake and the lower elevation ponds.

Reports by Golder in Appendices 5 and 6 address geotechnical and hydrogeological characteristics of the Plan area. Given groundwater conditions, and exposed seepage along the north bluff overlooking Bellevue Creek, Golder recommends additional sub-surface investigations be required if on-site disposal of stormwater is proposed.

4.8 Infrastructure and Services

All development in Neighbourhood 3 must be fully serviced with water, sewer, storm drainage and an adequate road system. As lots and units are created through the subdivision process, the owners will be required to install the infrastructure to permit the development as well as up-grading of off-site facilities.

a) Roads

There will be two main arterial roads that will serve Neighbourhood 3. Gordon Drive will extend south through Neighbourhood 3 and the South Perimeter Road which will run east – west just south of the Neighbourhood 3 boundaries.

Frost Road, South Crest Drive and Steele Road will also extend into NH3 with road connections provided to serve the various neighbourhood components.

b) Water

The proposed water supply system for Neighbourhood 3 consists of four pressure zones which will be serviced from either the South Crest reservoir or the South Ridge Reservoir. These reservoirs will require expansion as development occurs between Neighbourhoods 2 and 3. The ultimate capacity of each reservoir will depend upon unit counts for each zone in combination with fire flows. More detailed review of the water systems will be completed at the pre-design stage for the initial phases of development.

c) Sanitary Sewer System

It is anticipated the majority of Neighbourhood 3 will be serviced by a gravity sanitary sewer disposal system. This NH3 system will tie into the Gordon Trunk/Paret main system which has been oversized to accommodate future development of these lands.

d) Storm Water Management

Ground disposal systems will be utilized wherever possible for disposal of minor storm events. However, all ground disposal systems will have a piped outlet to a natural drainage course. For areas that cannot utilize ground disposal a collection system will carry the minor storm events to a natural drainage course.

There are a number of ponds and natural drainage courses on the property and will be incorporated into the storm water management system.

4.9 Proposed Land Uses

Map “A” attached to this report outlines the areas designated for the following lands uses:

- Single Family Residential – This designation accounts for approximately 75 hectares or 42% of the subject lands.
- Cluster Residential – The areas shown for cluster housing equal approximately 30 ha or 17% of the subject lands. This departments experience in other areas of the City where the cluster housing concept has initially been proposed is that ultimately developers proceed with conventional single family development rather than the cluster housing concept initially anticipated. As the purpose of cluster development is to preserve topography, natural features, open space or environmentally sensitive features we are proposing a new designation which broadens the form of housing that could be developed on these cluster housing sites while maintaining single/two unit densities. To facilitate this the following amendment to the OCP are proposed as part of this OCP application:

- Definitions section – add the following definition of Cluster Housing.

Cluster Housing – means a form of residential development that concentrates buildings, driveways, parking areas and other common facilities on a portion of a land parcel to minimize site disturbance, leaving the remainder of the parcel as natural open space (often subject to environmental sensitivity or hazardous conditions).

- Chapter 8 – Amend Policy 8.1.45 as follows:

Cluster Housing. Encourage, especially in environmentally sensitive areas and areas of steeper slopes (see Map 7.1), the creation of cluster housing to lessen environmental impact. Steeply sloped areas should be retained as natural open space, public or private. The intent of the clustering would be to preserve features that otherwise could be developed and to maximize open space in order to:

- a) facilitate creative and flexible site design that is sensitive to the land's natural features and adaptive to the natural topography;
- b) protect environmentally sensitive areas of a development site and preserve them on a permanent basis;
- c) decrease or minimize non-point source (*e.g.: asphalt roofs, driveways and parking*) pollution impacts by reducing the amount of impervious surfaces in site development;
- d) promote overall cost savings on infrastructure installation and maintenance; and
- e) provide opportunities for social interaction, walking and hiking in open space areas.

- Chapter 19 Future Land Use – add the following new designation:

Multiple Unit Residential – Cluster Housing

Small lot single detached homes (may include a suite), semi-detached buildings used for two dwelling units, or attached buildings containing no more than six (6) ground oriented residential units, in a clustered form of site development to lessen environmental impact, including retention of steeply sloped areas as natural open space, public or private. Complementary uses (i.e. care centres, minor public services/utilities and neighbourhood parks), that are integral components of urban neighbourhoods would also be permitted. This designation may be considered for sites of at least 1ha that otherwise would have been designated single / two unit residential, where a significant portion (e.g. 35-50%) of the site (to be determined through the Environmental / Hazardous Condition DP process) is to be retained in a natural state. Areas to remain undisturbed are to be protected by “no disturb” covenants, recognizing that some disturbance may be necessary for wild land fire mitigation. All areas over 30% slope and/or environmentally sensitive are considered un-developable but that site area may be included for density calculations (to be determined through the Environmental / Hazardous Condition DP process), with maximum building densities generally consistent with the typical yields achievable in small lot single / two unit residential subdivisions if such development were applied to the entire site. Maximum lot coverage and parking requirements will be applied to the net developable portion of the site, rather than to any individual lot. Form and character, including building height, would be similar to typical single / two unit housing.

Building densities would also be consistent with the provisions of the Residential Multiple - Cluster Housing (RM1c) zone (*Note: This zone does not currently exist however would be proposed for the first cluster housing component of a rezoning application*) of the Zoning Bylaw and may include CD Comprehensive Development zoning for similar densities or land uses.

- Multiple Unit Residential (Low Density) – This designation accounts for ~5.5 ha or 4% of the subject lands primarily between Gordon Drive, the proposed commercial lands and the proposed school site. This area is also within the proposed Village Centre area.

Zones that fall within the Multiple Unit Residential (Low density) designation are:

RM1 – Four Plex housing
RM2 – Low Density Row Housing
RM3 – Low Density Multiple Housing

- Commercial – The designation proposes to encompass approximately 7 ha or 4% of the subject lands and will be the key component of the Village Centre. This area is located on the south side of Gordon Drive between Frost and Steele Roads. The scale of the Neighbourhood 3 commercial Centre is proposed to be larger than the areas designated in Neighbourhood 1 (Kettle Valley) and Neighbourhood 2 (South Ridge) and will serve the broader Upper Mission area. The Plan also provides for mixed use commercial which will incorporate multi-family residential units in upper storeys while maintaining the commercial uses on the lower floors. No direct access is proposed from Gordon Drive as the Plan proposed to access businesses from the local street system.

Commercial zones that could be anticipated in this area are:

C1 – Local Commercial
C2 – Neighbourhood Commercial
C3 – Commercial

- Multiple Unit Residential (Medium Density) – This designation accounts for approximately 2.5 ha or 1% of the subject lands and will be adjacent to the Commercial component of the Village Centre and will serve as a transition between the commercial area and low density multi-family area.

Zones that fall within the Multiple Residential (Medium Density) designation are:

RM4 – Transitional Low Density Housing
RM5 – Medium Density Multiple Housing

- Education/Major Institutional – The combined elementary school and neighbourhood park site is approximately 2.5 ha in size and is located in one of the flattest areas of NH3. The combined use allows for the School District and the Parks to enter into a shared use agreement to allow for public use of the playfields. The neighbourhood parks component consists of ~.5 ha of the allocated 2.5 ha. The applicant has been working with the School District and the Parks Department to ensure that the designated site meets the needs of both users.
- Major Park/Open Space – There will be approximately 38 ha or 21% of the ASP area designated as major park/open space. Included within this designation is the Bellevue Creek Corridor, the area east of Kuipers Peak Park, the area around Jack Smith Lake including a 0.5 ha neighbourhood park, and a connection between the peak in the southwest corner of the ASP (adjacent to Kuipers Peak Park) through Hill Spring, Seepage Spring, Crawford Slough, Mair Pond and Canyon Falls Park. Refer to Map 10 – Parks and Pathways Plan attached to this report.

The OCP requirement for Neighbourhood Park is 0.6 hectares per thousand population and the Community Park requirement is 0.4 hectares per thousand population. Based on the projected build-out of minimum 1196 units and a projected population of 2631 (2.2 persons per unit), the requirement will be for a minimum 1.5 hectares of Neighbourhood Park and a minimum of 1.1 hectares of Community Park. However, the land requirement for Community Park will be transferred to an offsite location (Kettle Valley, Neighbourhood 1).

The Area Structure Plan also shows an approximately 3.8 ha portion of the plan area along the north boundary as agriculture since the existing farm is expected to remain in operation for the foreseeable future. However, as this parcel of land is a significant component of the Bellevue Creek corridor, staff are recommending that the future land use designation for this parcel be shown as Major Park/Open Space at this time.

a) Neighbourhood Parks

The Parks Division has recommended that the 1.5 ha Neighbourhood Park requirement be distributed to create several smaller parks throughout the community.

- 0.5 hectare neighbourhood park adjacent to Jack Smith Lake;
- 0.5 hectare Neighbourhood Park adjacent to the school site. We will support a joint use agreement with the School District;
- Several, smaller pocket parks totalling 0.5 hectares will be located adjacent to the ponds/sloughs.

There are site-specific criteria that need to be met in determining the precise location and configuration of the Neighbourhood Parks:

- Road frontage preferably on 2 sides;
- As square as possible to efficiently program recreation facilities;
- A flat site below 5% grade, 2% grade preferable.

b) Natural Open Space

The Environmental Inventory Assessment prepared by EBA identifies the area around Kuiper's Peak as environmentally sensitive, consisting of rock bluffs and talus slopes. In order to protect this significant natural feature, the applicant will be required to dedicate the area to the City as Natural Area Park.

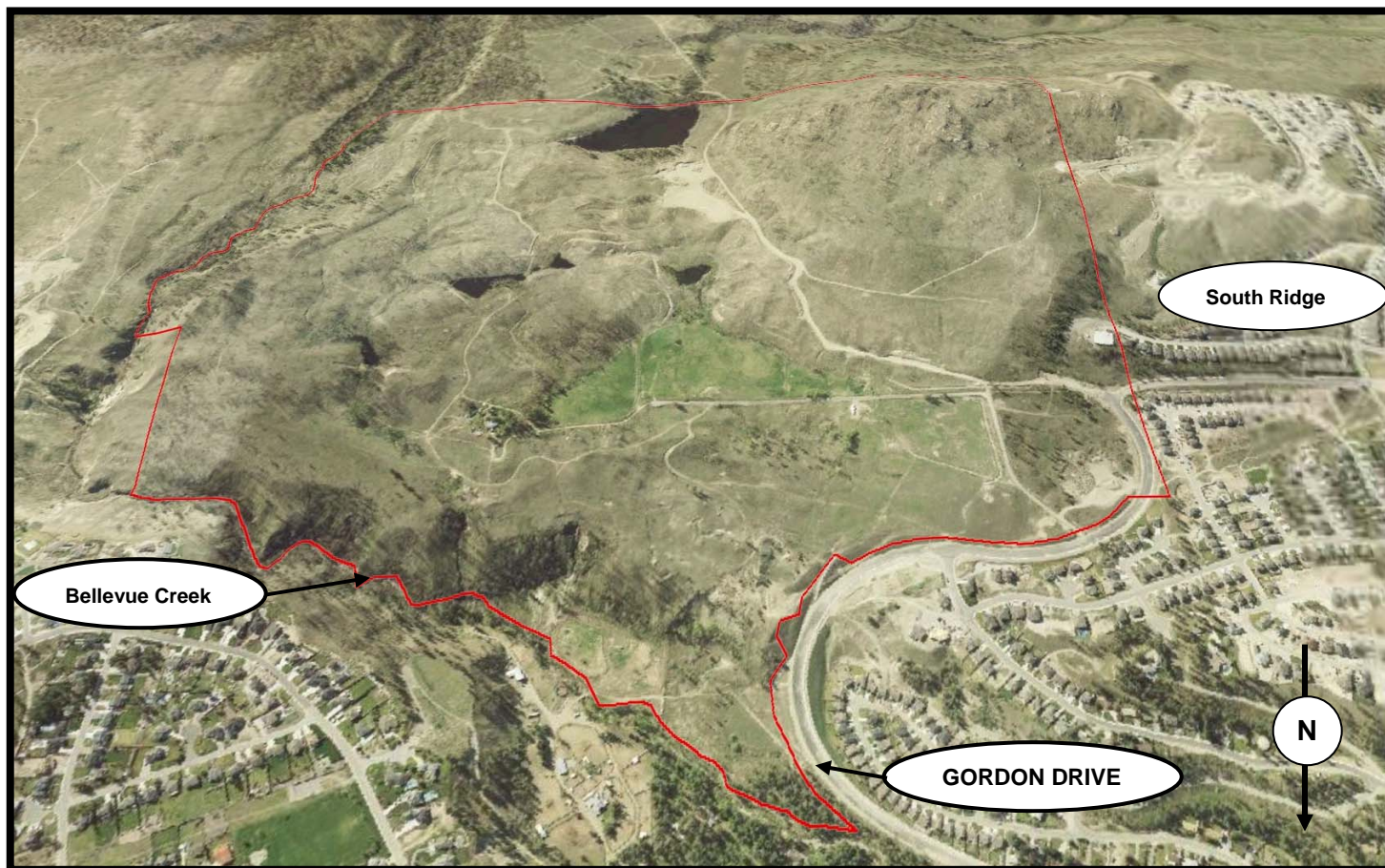
The Development Concept Plan (attached Map 8) does propose development within this environmentally sensitive area contrary to the EIA prepared for the property.

c) Jack Smith Lake

Jack Smith Lake is listed on the City's Natural Features Inventory and is shown as environmentally sensitive on the EIA. The City will require the applicant to dedicate the lake and a minimum 10 metre wide corridor measured from the top-of-bank, to protect the riparian area and provide a corridor for public access.

5.0 SITE CONTEXT

The subject lands are located south of Gordon Drive west of Bellevue Creek and east of South Ridge and are seen outlined in red below.



Surrounding Zoning

With the exception of Canyon Falls Park which is zoned P3 (Parks and Open Space) lands to the north, east, and south of the Neighbourhood 3 Plan area are currently zoned A1 (Agriculture 1). Lands to the west of Neighbourhood 3 are zoned:

- RU1 (Large Lot Housing)
- RU1h (Large Lot Housing – Hillside)
- RU2 (Medium Lot Housing)
- RM2h (Low Density Row Housing – Hillside)
- P3 (Parks and Open Space), and
- P4 (Utilities)

6.0 CURRENT DEVELOPMENT POLICY

- City of Kelowna Strategic Plan – 2004

The Neighbourhood 3 Area Structure Plan supports several objectives of the City's Strategic Plan:

- "Conserve Kelowna's water resources" is supported by development guidelines which promote the recycling of rainwater for irrigation and the use of drought resistant plants in the landscaping of both private and public property.

- “Promote health and wellness initiatives” is supported by the extensive network of public paths, the diversity of paths to suit different purposes and preferences, and the inter-connected system of parks which will foster healthy outdoor activities and leisure opportunities.
- “Achieve accessible, high quality living and working environments” is supported by the Plan’s development guidelines and compliance with many LEED-ND (Leadership in Energy & Environmental Design – Neighbourhood Development) intents.
- “Provide infrastructure that keeps pace with population growth and evolving opportunities”. Development in Neighbourhood 3 must establish the municipal services required for each phase of development. This will address the Strategic Plan objective to provide infrastructure that keeps pace with population growth.
- Official Community Plan – Kelowna 2020

Map 19.1 Generalized Future Land Use, identifies the Neighbourhood 3 area as “Area Structure Plan 4”.

- Section 19 of the OCP identifies Potential ASP Development Components for the NH3 as being; *public open space, school/college/university, neighbourhood commercial; one/two unit residential, multi-unit residential (low), multi-unit residential (medium) and agricultural.*
- The OCP also states that the future land use component of 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.

NOTE: Staff have reviewed this application, and it may move forward without affecting either the City’s Financial Plan or Waste Management Plan as development in this Neighbourhood 3 area was already acknowledged through the South West Mission Sector Plan.

- Southwest Okanagan Mission Sector Plan (1994)

The proposed Area Structure Plan generally conforms to the requirements of the Southwest Okanagan Mission Sector Plan. The Sector Plan indicates Neighbourhood 3 will provide for development of 1200 units within the 20 year growth scenario.

5.0 TECHNICAL COMMENTS

5.1 Works and Services Requirements

Draft 3 Comments:

- a) Provide Road Hierarchy Plan complete with road standards for the full neighbourhood to the satisfaction of the Transportation Department. Roads must be proved out topographically to confirm viability of alignments. Determination of road alignments is critical between adjacent land developments. (*Note: Road Hierarchy has been provided to Works & Utilities Satisfaction*).
- b) South Crest Drive from South Ridge Drive to the east in Neighbourhood # 2 has been constructed to a Local standard.

5.2 Environment Division

It may be prudent to survey at a later date the area adjacent Bellevue Creek in the SE corner but this plan indicates enough setback to satisfy flood and riparian setbacks. There is planting and restoration necessary by the developer at time of development of this phase. Parks will need to develop their plan, negotiate with developer and go through a future Development Permit process unless it is tied to the development for path in this area.

There is a very good description of the water based features and their viability based upon the water regime and water licensing. There is no indication of how this will be carried through the plan and there needs to be covenant over all these areas before re-zoning and subdivision. As well the mechanism for continuing to be the steward for this water system needs to be drawn up in an agreement that stipulates the conditions and requirements and continues in perpetuity. This agreement will need to be jointly administered by the future owners in partnership with the City or the City will have to maintain. The costs and liability associated with this venture need to be clearly defined. There may be a utility function (Drainage) that is ongoing since the system of ponds does provide the freeboard during high rainfall events.

The environmental recommendations need to be followed through and need to be tied to the development of the various parcels.

It is uncertain what the setback from the agreed to High Water Mark on Jack Smith Lake is and where the proposed path around the lake is located. *(Note: The agreed upon setback from High Water Mark of Jack Smith Lake was 10.0. The route of the path is conceptual and reflects the objective to have a path encircling the lake. At such time as a design plan for Jack Smith Lake park is prepared, it will need to address pathway route, picnic areas etc.).*

The unfunded liability of fire hazard abatement for the post -fire condition will needs to be addressed. The City should not take/buy any of the lands (Bellevue Creek Canyon) unless there are clearly defined hazardous conditions remedied. There is agreement that the Knoll could be hazard abated without further requirements.

There is no certainty about restoration unless there is a condition at subdivision and bonding for the Development Permit work [at that time]. A better way for this plan would be to have a substantial amount of the restoration and hazard abatement done upfront and this should be stated in the Area Structure Plan. *(The entire Neighbourhood 3 area is within a Natural Environment/Hazardous Condition Development Permit area and not work can occur without first obtaining the necessary approval to do so.)*

5.3 Parks Division

The Parks Division has reviewed the revised draft area structure plan and makes the following comments:

1) Bellevue Creek Floodplain Area (southeast corner)

Map 8 - Development Concept designates the Bellevue Creek floodplain area in the southeast corner of the subject property as Cluster Housing. This floodplain area was assessed by EBA Environmental as having extremely important terrestrial habitat with the potential to support both red-listed and blue-listed species. The Parks Division recommends that the area be designated for environmental protection and requests that the Planning Department reassess the area. *(Note: Further Environmental Work indicated that there was potential for limited development in this area as indicated by the proposed designation of Cluster Housing. A minimum 30 m wide protected corridor area is shown as open space on the west side of the Bellevue Creek channel and any development would occur west of this 30 m corridor. However, it is*

acknowledged that the Parks Division has an interest in obtaining the balance of this land in the future and would have preferred the whole area be designated as Parks & Open Space at this time).

2) Jack Smith Lake

Map 8 Development Concept Plan shows a trail around Jack Smith Lake. The location and alignment (appropriate setback) needs approval from the Environment Division. (*This will be done prior to any development.*)

3) Page 3.13

The unnamed City parkland at the outer curve of Gordon Drive will be a staging area as part of the Bellevue Creek Linear Park.

4) Page 3.14 and Figure 2 Top of Slope Path Concept

- The recreation corridor will include fencing where deemed necessary.
- Lighting will be provided at roadway entrance/exit points.
- The main trail will be 3.0m wide asphalt with a secondary 1.5m gravel pathway to specific viewpoints only.
- The proposed retaining walls shown in *Figure 2* should be set back from the top-of-bank by a minimum width of 10 m.

5) Key Recreation Corridors

Map 8 Development Concept shows several key recreation corridors along local roads. The applicant should provide a typical cross section and details regarding this amenity (*This will be provided at time of development*).

6) Water Licenses

The City Drainage Division should be contacted regarding operation and maintenance of the water licence to Jack Smith Lake and the four other ponds.

7) Park Criteria

At the subdivision stage, the Parks Division will require the following criteria for the parks:

- a. Adequate road frontage to provide exposure and sightlines; neighbourhood parks should have road frontage on 2 sides.
- b. Neighbourhood parks as square as possible for efficient layout of facilities.
- c. Neighbourhood parks as flat as possible, preferably <2% grade.
- d. Natural Areas and Linear Parks to have adequate maintenance access.
- e. In steep sloped areas that present a significant hazard to private lands from falling rocks and trees, and/or possible slope failure and slippage, safe fall zones will be required.

8) Fuel Modification

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 the risk of wildfire and remove hazardous trees. 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.

5.4 Community Development & Real Estate Division

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 1/2 x 11 copy, of any survey plans.

5.5 Fire Department

Fire department access and hydrants as per the City of Kelowna Subdivision By-law. A wild fire assessment report will be required.

Consideration should be made for requiring fire resistive materials for roofing and siding. Landscaping materials/design should be reviewed --mulch etc.

5.6 Regional District of Central Okanagan

Reviewed the draft Area Structure Plan for Neighbourhood 3 and have no concerns with regards to the proposed land uses, provided the environmentally significant areas are protected.

5.7 FortisBC

Power line corridor must be maintained including access. No development (housing) or change of grades within r/w area. Considerable system improvement will be required to support this ASP.

5.8 Inspection Services

The subdivision and the development of hillside should be designed and constructed as such that all areas of concern such as drainage, soil erosion potential, steep slope development, access etc. are dealt with prior to marketing of the land. To achieve this, all required drainage swales and retaining walls on private property shall be constructed as part of the subdivision prior to final approval. This approach becomes common solution and reduces the potential of changing the topography of the land after the subdivision.

5.9 Kelowna Regional Transit/Operations Manager

Future consideration for transit service.

5.10 Ministry of Environment

The Environmental Division of the Ministry reviewed the draft Neighbourhood 3 Area Structure Plan dated March 21, 2005. This is the initial phase of planning for the area, and that subsequent applications will have more detail.

It is our understanding the intent of this document is to provide general direction to guide future development as outlined in the development concept map. Mitigation is planned at the next level (e.g. during lot and road development). In addition, it would be important for the next stage to outline impacts to the wildlife species that had been identified as being present, or are likely to occur, in the area. This would include both the flora and vertebrates referenced in Section 7 of Appendix 1 (the EBA report). Appendix G (of the EBA report) of the environmental assessment indicates the birds that the area supported. However, it is unclear as to what is to be expected of the population diversity as a result of the development as outlined. Understanding this relationship will focus the discussion as to appropriate development and mitigation, or tradeoffs that are being made.

5.11 School District #23

Site configuration was amended to reflect the changes requested. The site as configured meets the criteria provided by the School District's architectural review.

5.12 Shaw Cable

Owner/developer to supply and install an underground conduit system as per Shaw Cable drawings and specifications.

5.13 Telus

Developer will be required to provide a 4 meter by 6 meter easement at no cost to Telus, to provide space for switching equipment walk in style (WIC) cabinet, or a room within a building suitable to telus, which will service most of the properties in the area. Developer will also be required to provide underground conduit to Telus Specifications as designed by Telus.

5.14 Terasen

Have no comments at this time.

6.0 PLANNING COMMENTS

The Neighbourhood 3 Area Structure Plan provides for a truly complete community. The plan provides for a hierarchy of density focused within the village commercial area comprised of low and medium density development, a school site and park area, with single/two unit residential and cluster housing extending beyond the village centre area. There is an extensive trail network/sidewalk system proposed that takes advantage of the preservation of the wetlands as park and wildlife corridors in addition to providing connectivity throughout the Neighbourhood 3 lands and the adjacent neighbourhoods. In addition, the looping road network system will allow for an efficient transit service to the area which will link the residential areas to the commercial areas and school site as well as the adjacent neighbourhoods.

The land uses proposed within the Area Structure Plan meet the intent of the Official Community Plan in that there will be neighbourhood commercial, single/two unit residential, cluster housing, multiple unit residential (low and medium density) major park and open space and a school site.

The potential build out of the Area Structure Plan is 1200 units in keeping with what had been identified in the Southwest Okanagan Mission Sector Plan. The breakdown of units is 800 plus units of single/two unit development, approximately 300 units of multiple family residential (a mix of low and medium density) and 100 – 150 units within the commercial/mixed use development. It had been noted in the Area Structure Plan that there may be a potential build out of 1200 – 1400 units, however any increase to the anticipated 1200 units would depend on a review of the 20 year Servicing and Financial Plan as part of the forthcoming Official Community Plan review at which time additional capacity may be identified.

The Area Structure Plan provides direction to future developers in the area of energy efficiency, recycling and "green" building and site planning techniques. It also provides for a general architectural theme which encourages homes in traditional styles which may incorporate architectural design and materials characteristic of the Okanagan climate, landscape and culture. The Village Centre guidelines within the Area Structure Plan are "intended to guide the design of individual developments so that they each contribute to the overall coherent identity and sense of plan in this pedestrian-scaled Village Centre".

The Planning & Development Services Department has been in close consultation with the applicant throughout the development of the Neighbourhood 3 Area Structure Plan. The applicant and owners have been extremely cooperative throughout this process and the resulting Area Structure Plan is an excellent example of the direction that development should go in providing for a sustainable form of neighbourhood development.

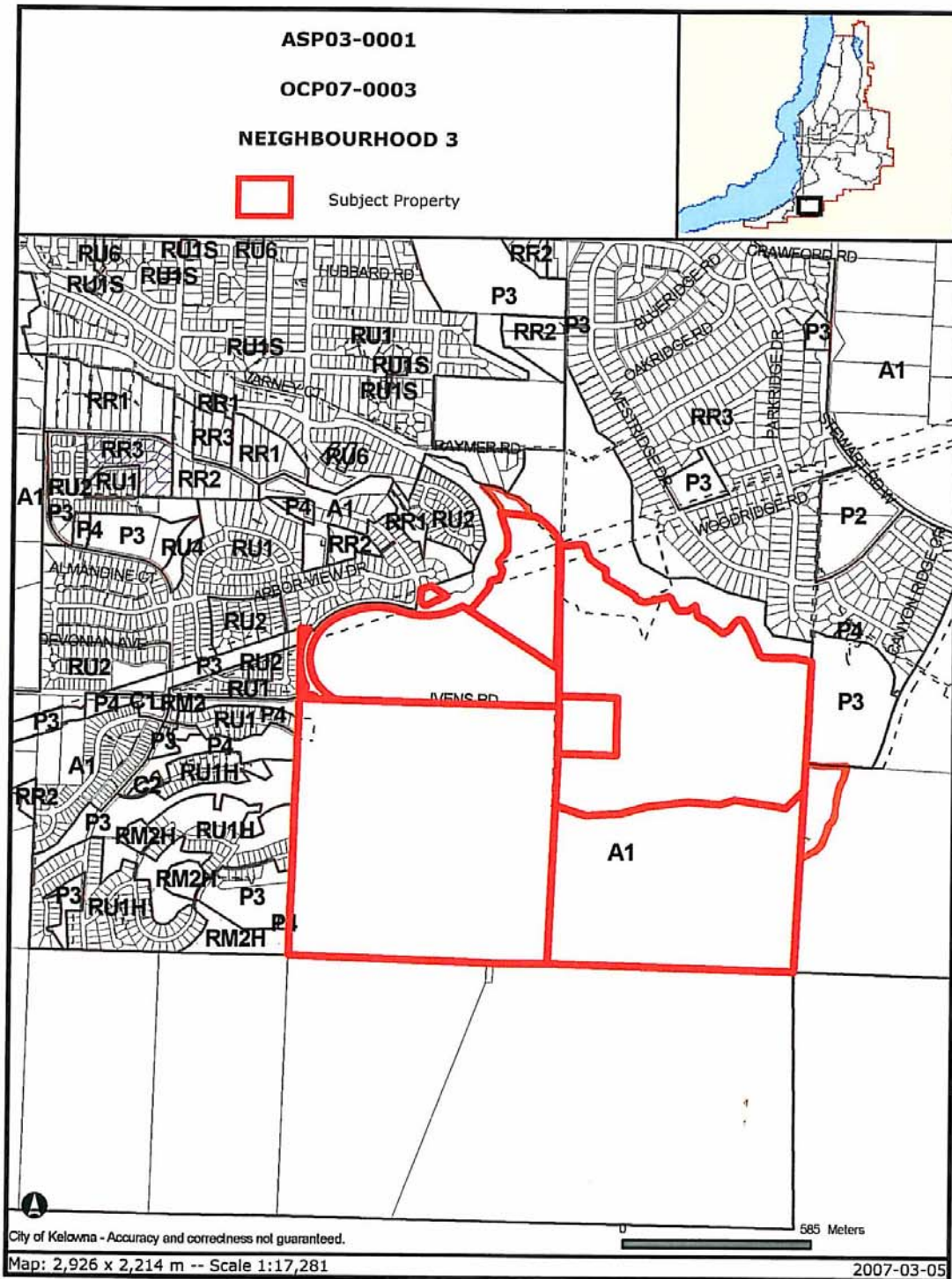
Shelley Gambacort
Acting Development Services Manager

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

MP/SG/

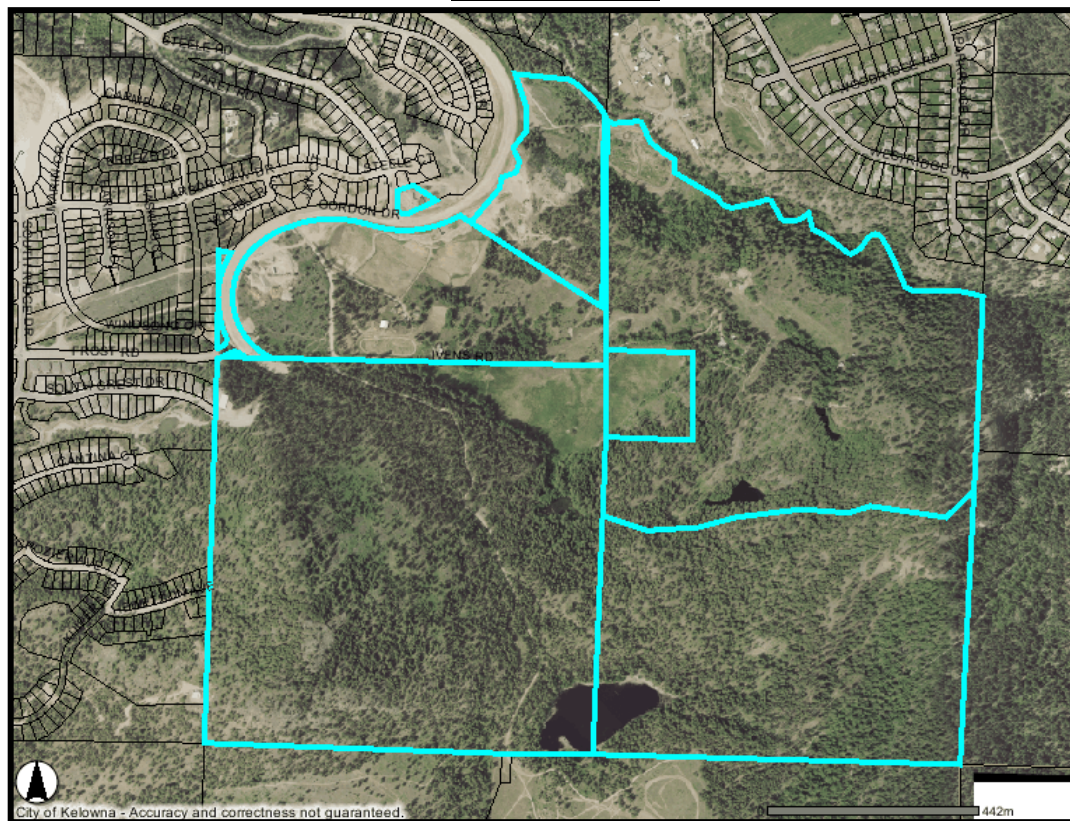
Attachments

- Subject Property Map
- Pre and Post 2003 Fire Air Photos
- Neighbourhood 3 ASP Map 8 – Development Concept
- Neighbourhood 3 ASP Map 10 – Parks and Pathway Plan
- Neighbourhood 3 ASP Map 11 – Environmentally Sensitive and Habitat Restoration Areas
- Current OCP Generalized Future Land Use Map 19.1
- Map “A” – Proposed OCP Generalized Future Land Use Map 19.1
- MAP “B” – Proposed OCP Map 6.2 – Urban Development Permit Area Designation map
- MAP “C” – Proposed OCP Map 12.1 – 20 Year Major Road Network and Road Classification Plan



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.

PRE 2003 FIRE



POST 2003 FIRE

