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**CITY OF KELOWNA**  
**MEMORANDUM**

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**DATE:** September 26, 2008  
**FILE NO.:** OCP07-0031/TA07-0006

**TO:** City Manager

**FROM:** Planning & Development Services Department

**APPLICATION NO.** TA07-0006/  
OCP07-0031      **OWNER:** KINNIKINNIK  
DEVELOPMENTS INC.,  
GLENMORE ELLISON  
IMPROVEMENT DISTRICT

**AT:** 3650 & 4001 FINCH ROAD,  
(W. OF) GLENMORE ROAD N.,  
1890, 2230 (N. OF) McKINLEY  
ROAD, (W. OF) & 3280 SLATER  
ROAD      **APPLICANT:** KINNIKINNIK  
DEVELOPMENTS INC.

**PURPOSE:** OFFICIAL COMMUNITY PLAN AMENDMENT TO ADJUST THE  
BOUNDARIES OF THE COMMERCIAL, UTILITIES, AND  
PRIVATE RECREATION FUTURE LAND USE AREAS TO  
INCORPORATE REFINEMENTS TO THE PROPOSED  
DEVELOPMENT PLAN

TEXT AMENDMENT TO THE CD18 – VINTAGE LANDING  
COMPREHENSIVE RESORT DEVELOPMENT ZONE TO MAKE  
MINOR AMENDMENTS TO THE CD-18 ZONE;

**EXISTING ZONES:** CD18 – VINTAGE LANDING COMPREHENSIVE RESORT  
DEVELOPMENT ZONE,  
P3 – PARKS AND OPEN SPACE ZONE,  
P4 – UTILITIES  
W2 – INTENSIVE WATER USE ZONE,

**REPORT PREPARED BY:** PAUL McVEY

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**1.0    RECOMMENDATION**

THAT OCP Bylaw Amendment No. OCP07-0031 to amend Map 19.1 of the *Kelowna 2020 - Official Community Plan* Bylaw No. 7600 by changing the Future Land Use designation of portions of Lot B, Sec. 33, Twp. 23, O.D.Y.D., Plan KAP78845; Frac. NE ¼, of Sec. 29, Twp. 23, O.D.Y.D. said to contain 91 acres more or less; NW ¼, Sec. 28, Twp. 23, O.D.Y.D.; SW ¼, Sec. 28, Twp. 23, O.D.Y.D.; Lot 1, Sec. 21 & 28, Twp. 23, O.D.Y.D., Plan KAP78846; NW ¼, Twp. 23, Sec. 21, O.D.Y.D., Exc. Plans DD24364, and 18402; That part of the NW ¼ of Sec. 21 Shown on Plan B3562, Twp. 23, O.D.Y.D., Exc. Plan 17265; Lot A, Sec. 21, Twp. 23, O.D.Y.D., Plan 17265 Exc. Plan KAP50960; located on Glenmore Road, Finch Road, and Slater Road, Kelowna, B.C., from the existing Future Urban Reserve, Commercial, Public Services, and Private Recreation



designations to the revised Future Urban Reserve, Commercial, and Private Recreation designations, as shown on Map "A" attached to the report of Planning & Development Services Department, dated September 26, 2008, be considered by Council;

AND THAT Council considers APC public process, to be appropriate consultation for the purpose of section 879 of the *Local Government Act*, as outlined in the report of the Planning & Development Services Department dated September 26, 2008,

AND THAT Zoning Bylaw Text Amendment No. TA08-0006 to amend City of Kelowna Zoning Bylaw No. 8000 by amending the CD18 - Vintage Landing Comprehensive Resort Development Zone as shown in Schedule "A" as outlined in the report of the Planning & Development Services Department dated September 26, 2008 be considered by Council;

THAT OCP Bylaw (OCP07-0031) and Text Amendment No. TA07-0006 be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the OCP Bylaw (OCP07-0031) and Text Amendment No. TA07-0006 be considered subsequent to Council's consideration a zone amending bylaw for the subject properties;

## 2.0 SUMMARY

The applicant is seeking to amend the Official Community Plan by updating the future land use designations for the subject development site indicated on Map 19.1 - Generalized Future Land Use map, as well as to seek a text amendment to the existing CD18 – Vintage Landing Comprehensive Resort Development zone to make minor amendments to the zone in order to incorporate updates that have occurred to the development plan. These proposed amendments have been triggered through the ongoing review and refinement process that has occurred as this development project has matured.

### 2.1 Advisory Planning Commission

The above noted applications (OCP07-0031 / TA07-0006) were reviewed by the Advisory Planning Commission at the meeting of December 18, 2007 and the following recommendation was passed:

THAT the Advisory Planning Commission support Official Community Plan Amendment Application No. OCP07-0031, for 3650 Finch Road, W of Glenmore Road, 1890 McKinley Road, W of Slater Road, Lot NE ¼, Plan T23, S29, O.D.Y.D, 4001 Finch Road, Lot B, Plan 78845 and 3280 Slater Road, Lot 1, Plan 78846, Twp. 23, Secs. 21, 28 & 29, O.D.Y.D by Kinnikinnik Dev. Inc. (G. Gaucher), to amend the Official Community Plan to adjust the boundaries of commercial and private recreation future land use designation areas to incorporate refinements to the proposed development plan.

AND THAT the Advisory Planning Commission support Text Amendment Application No. TA07-0006, for 3650 Finch Road, W of Glenmore Road, 1890 McKinley Road, W of Slater Road, Lot NE ¼, Plan T23, S29, O.D.Y.D, 4001 Finch Road, Lot B, Plan 78845 and 3280 Slater Road, Lot 1, Plan 78846, Twp. 23, Secs. 21, 28 & 29, O.D.Y.D by Kinnikinnik Dev. Inc. (G. Gaucher), to amend the existing CD18 – Vintage Landing Comprehensive Resort Development zone

to make minor amendments to the text of the zone to incorporate updates that have occurred to the development plan.

### 3.1 BACKGROUND

The subject properties have been under application for a comprehensive resort development since 2003. At that time, Council of the day supported a comprehensive resort development comprised of; "Commercial Resort Accommodation", "Resort and Wellness Village", "Golf Course", "Vineyard and Cottage Winery", and a "Resort and Leadership Centre", as reviewed through an "Area Structure Plan" process.

The associated development applications for that original submission were considered at a Public hearing on August 9, 2005, and received 2<sup>nd</sup> and 3<sup>rd</sup> readings on August 22, 2005. Those applications were extended, and were finally adopted on January 15, 2007, and incorporated the proposed future land use designations into the Official Community Plan, and added the CD18 – Vintage Landing Comprehensive Resort Development zone to the City of Kelowna Zoning Bylaw.

These current applications propose to amend the City of Kelowna Official Community Plan by adjusting the boundaries for the "Private Recreation" area, the "Future Urban Reserve" areas, the "Commercial" area, and the "Rural / Agriculture" area to reflect proposed changes to the development plan which have occurred as the development plan has been reviewed and refined. There is also a proposed change to the "Public Service/ Utilities" future land use designation around the McKinley Reservoir to reflect the proposed changes to the northern boundary that will occur when the two existing "fingers" on the north side of the reservoir are filled in to become part of the new adjacent golf course development.

Associated with this OCP application is an application for a Text Amendment to the CD18 – Vintage Landing Comprehensive Resort Development zone which proposes to;

- Change the density provisions of the zone from "number of units" to "floor area",
- Move 100 units (equivalent area) from the Hillside Area (Area III) up to the Village Area (Area I),
- Remove the limit of stay in the resort accommodation units which were previously limited to a maximum stay of 240 days;

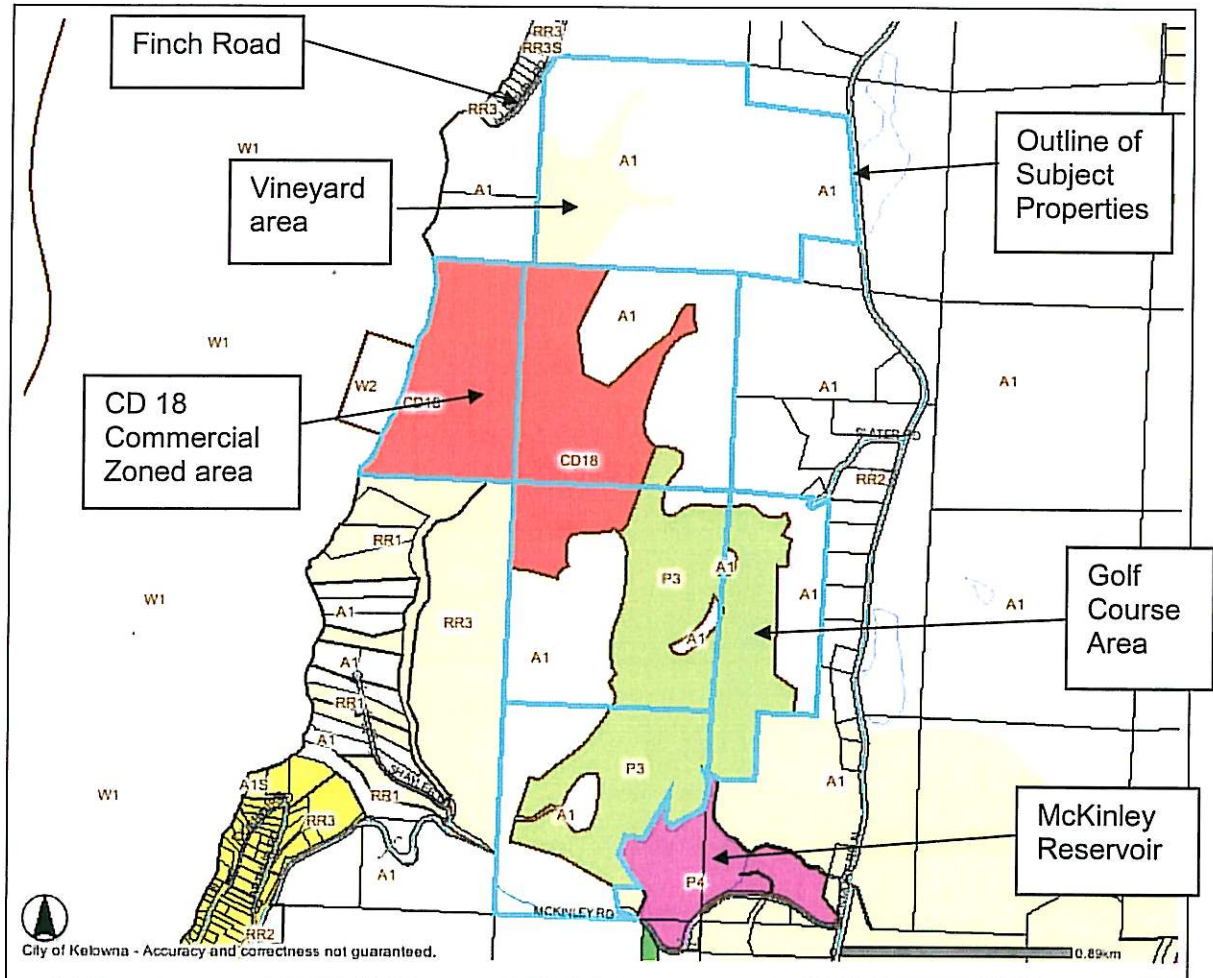
There are no changes proposed for the list of principal uses or secondary uses associated with this zone.

The applicant has provided a summary document to outline their proposed amendments under application, and rationale statements to support these changes. A copy of that letter has been attached to this report for reference.

The original development proposal was supported on the basis that there would be no financial impact on the residents of Kelowna, in that the development was to be responsible for all costs associated with servicing the development. The developer has entered into a servicing agreement which commits the developer to servicing the development site at his cost, as well as indicating trigger points for various levels of servicing.

The proposed changes to the development plan will not alter this commitment by the developer in that there will be no change to the proposed development building area, as well as no changes to the allowable density and no change in permitted uses.

SUBJECT PROPERTY MAP





**ORIGINAL** Summary Table of Proposed Uses and Development Areas

LAND USE DESIGNATION	SITE AREA	% OF SITE	UNIT	SQ. FT.
<u>COMMERCIAL</u> Resort accommodation Wellness Facilities + Resort commercial Staff accommodation	81.9 Ha (202.4 Ac)	23%	1000 units	65,000 M <sup>2</sup> 19,000 M <sup>2</sup>
<u>PRIVATE RECREATION</u> Golf Course	81.3 Ha (200.8 Ac)	23%		
<u>AGRICULTURE</u> Vineyard	16.5 Ha (40.7 Ac)	5%		
<u>FUTURE URBAN LAND RESERVE</u>	172.2 Ha (425.5 Ac)	49%		
<b>TOTALS</b>	351.3 Ha (868.0 Ac)	100%	1000 units accommodation	84,000 M <sup>2</sup>

**REVISED** Summary Table of Proposed Uses and Development Areas

LAND USE DESIGNATION	SITE AREA	% OF SITE	SQ. FT.
<u>COMMERCIAL</u> Resort accommodation Wellness Facilities + Resort commercial Staff accommodation	83.49 Ha (206.3 Ac)	24%	65,000 M <sup>2</sup> 19,000 M <sup>2</sup>
<u>PRIVATE RECREATION</u> Golf Course	76.44 Ha (188.8 Ac)	22%	
<u>AGRICULTURE</u> Vineyard	16.5 Ha (40.7 Ac)	5%	
<u>FUTURE URBAN RESERVE</u>	174.87 Ha (432.1 Ac)	49%	
<b>TOTALS</b>	351.3 Ha (868.0 Ac)	100%	84,000 M <sup>2</sup>

### 3.2 Site Context

The subject property is located in an undeveloped area of north McKinley Landing that spans the area from the McKinley reservoir to the south, Finch Road to the north, Slater road to the east, and Okanagan Lake to the west. The site is generally sloping down from east to west, with intermittent valleys, draws, and plateaus, and a steeply sloped section down to Okanagan Lake. The area that is sloped down to the lake also has a small ravine that slopes to the lake. There is a gravel beach along the lake front that has a small dock existing. The site has been used primarily as range land for the grazing of cattle.

Adjacent zones and uses are, to the:

- North - A1 – Agriculture 1 / Finch Road
- East - A1 – Agriculture 1 / End of Slater Road
- South - A1 – Agriculture 1 / McKinley Road  
P4 – Utilities / McKinley Reservoir
- West - A1 – Agriculture 1 / Okanagan Lake

### 3.3 Current Development Policy

#### 3.3.1 Kelowna Official Community Plan

Application OCP03-0002 added the land use pattern and associated Future Land Use (FLU) designations which were identified through the Area Structure Plan (ASP04-0001) application review process. The associated OCP amending Bylaw No. 9466 was adopted on January 15, 2007. This current application seeks to amend the boundary of the "Private Recreation" FLU designation and return a portion back to the FLU noted as "Future Urban Reserve". There is also a minor amendment to amend the boundary of the "Commercial" FLU designation, as well as to adjust the boundary of the "Public Service / Utilities" FLU designation to the north of the McKinley Reservoir.

Staff recommends that APC public process should be considered appropriate consultation for the purpose of Section 879 of the *Local Government Act*, and that the process is sufficiently early and does not need to be further ongoing in this case. Furthermore, additional consultation with the Regional District of Central Okanagan, other boards, councils or agencies listed in Section 879, is not required in this case.

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

#### 3.3.2 City of Kelowna Strategic Plan (2004)

The City of Kelowna Strategic Plan 2004 describes a vision of what residents hope Kelowna will be like in the future and has identified as one of the themes that overall, residents aspire to live in a community that:

- Aims to co-exist with the physical environment and minimize negative impacts to air, land, and water resources, including Okanagan Lake and the surrounding natural and agricultural areas.
- works to develop and maintain a strong, diversified local economy that offers residents opportunities for high-paying jobs
- embraces the social, cultural and physical well-being of its residents through the delivery of quality services at a reasonable price, the development and maintenance of quality infrastructure and built forms, and meaningful opportunities to be involved in major decisions made by the City.

**Goal 1** of the Strategic Plan is "To Maintain, Respect and Enhance Our Natural Environment. This section also includes the following statements;

1. Conserve Kelowna's water resources
2. Preserve and promote the enhancement of air quality within Kelowna's air shed
3. Manage human impacts on our natural environment, including Okanagan Lake and the surrounding hillsides.

**Goal 2** of the Strategic Plan is "To Foster a Strong, Stable and Expanding Economy. This section also includes the following statements;

1. Aid in the growth and progress of Kelowna as a desirable place to do business
2. Aid in the growth and progress of Kelowna as a desirable place to visit, shop, and tour
3. Increase the diversity of employment opportunities
4. Commit to continued sound fiscal management

**Goal 3** of the Strategic Plan is "To Foster the Social and Physical Well Being of Residents and Visitors" This section also includes the following statements;

1. Promote health and wellness initiatives
2. Ensure the availability of fiscal and human resources to provide quality City services (recreation, culture, fire, police, planning, works and utilities)
3. Reduce traffic congestion on City streets, Highway 97, and Okanagan Lake Bridge.
4. Realize construction of housing forms and prices that meet the needs of Kelowna residents.
5. Achieve accessible high quality living and working environments.
6. Provide infrastructure (utilities, transportation, parks, facilities) that keep pace with population growth and evolving opportunities.
7. Sensitively integrate new development with heritage resources and existing urban, agricultural and rural areas.
8. Provide meaningful opportunities for a broad range of input from residents and agencies on major directions taken by the City.

#### 4.0 TECHNICAL COMMENTS

The application has been circulated to various technical agencies and City departments and the following comments which have been submitted are attached to this report.

## 5.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT COMMENTS

The applicant has been working with their consultants to review and refine their development plans since the original Area Structure Plan (ASP04-0001) was created. As a result of this review, there has been the discovery of some discrepancies between the OCP designations and CD zone that have been made apparent through improved mapping of the development site. This improved more accurate mapping has triggered changes to the physical locations of land use boundaries. There have also been changes in the real estate market and financial industry which have triggered changes to the length of stay provisions of the CD18 zone.

One outcome of the review of the development plan has been a review of the proposed golf course site. As a result of this refinement of the golf course layout there has been a change of the location of the boundaries of the golf course and associated "P3 – Parks and Open Space" zone boundaries. With the latest design proposal, the golf course area has moved further east towards the development site boundaries adjacent to Glenmore Road. In the original proposal, there had been an area slated for golf course located between the north-south road, and the future urban reserve area and commercial area to the west of the road. With the revised plan, this area is no longer required for the golf course, and is proposed to be returned to a "Future Urban Reserve" designation.

Another notable change to the development program, is the change in how the amount of "Resort Accommodation" is to be determined. In the original proposal, the amount of resort accommodation floor space was based on the number of units, with a maximum limit on the area of floor space that could be created. The proposed change to the CD 18 – Vintage Landing Comprehensive Resort Development zone would limit the permitted development to the amount of floor area only, similar to the way the City of Kelowna zoning bylaw deals with floor area in other commercial zones. There would be no increase in the overall amount of floor area that can be created in the CD 18 – Vintage Landing Comprehensive Resort Development zone for resort accommodation. The rationale provided by the applicant for this change is to provide greater flexibility in how the accommodation units can be configured, with the potential to provide smaller units without the use of "lock-off" style units. The applicant has suggested that the use of "lock-off" style units is no longer a desirable configuration in the hotel industry.

The applicant is also proposing a change in the location of floor area allocation of resort accommodation from Area III (Hillside) up to Area I (Village Area). The amount of floor area moved is proposed to be the equivalent to approximately 100 units. The rationale for this change is to create a "critical mass" for the proposed development within the Village area while reducing the potential development impact on the hillside area.

Another proposed change is to remove the 240 day maximum stay limit from the zone. This move is similar to the way in which "Apartment Hotel" definition in the City of Kelowna Zoning Byplay is handled, which does not have a limit on length of stay. The rationale provided by the applicant has been that as the hotel development plans have matured, that there has been a reluctance from the lending industry to provide reasonable finance rates owing to the restrictions on length of stay. As well, there are other resort hotel developments under construction in the area that do not have a limit on the length of stay, which puts the subject development under unfair restrictions when compared to other offerings in the marketplace. The applicant has also provided additional information relating to how the proposed development would be operated, to

further reinforce that the development is to be operated as a resort hotel accommodation development, and not a full time residential facility.

Though staff was initially concerned with the removal of the 240 day limitation, it has been confirmed that taxation would be based on a commercial land use as controlled by the CD18 zone. As well, the applicant has advised that the operating agreements that will program how the resort is operated dictate that the resort is to be operated as a resort development. The development cost charges applied to this development would be applied at a commercial rate as identified in City policy, where as if the units do have full kitchen facilities, a residential unit rate would be applied.

Staff are still working with the applicant and their consultants to address a number of outstanding environmental issues associated with the pending subdivision and site development. As a result of the improved site mapping, there has also been an improved mapping of the high level environmentally sensitive areas (ESA1 & ESA2), which will have to be reviewed as part of the subdivision process.

The applicant has Environmental Development Permit applications in stream to deal with the subdivision of the parent development site, the proposed golf course development, and the proposed foreshore development along Okanagan Lake.

In conclusion, Staff do not have concerns with the proposed amendments to the CD18 – Vintage Landing Comprehensive Development zone, and support the proposed amendments to the Future Land Use designations to the OCP.

  
Shelley Gambacort  
Planning and Development Services

Approved for inclusion



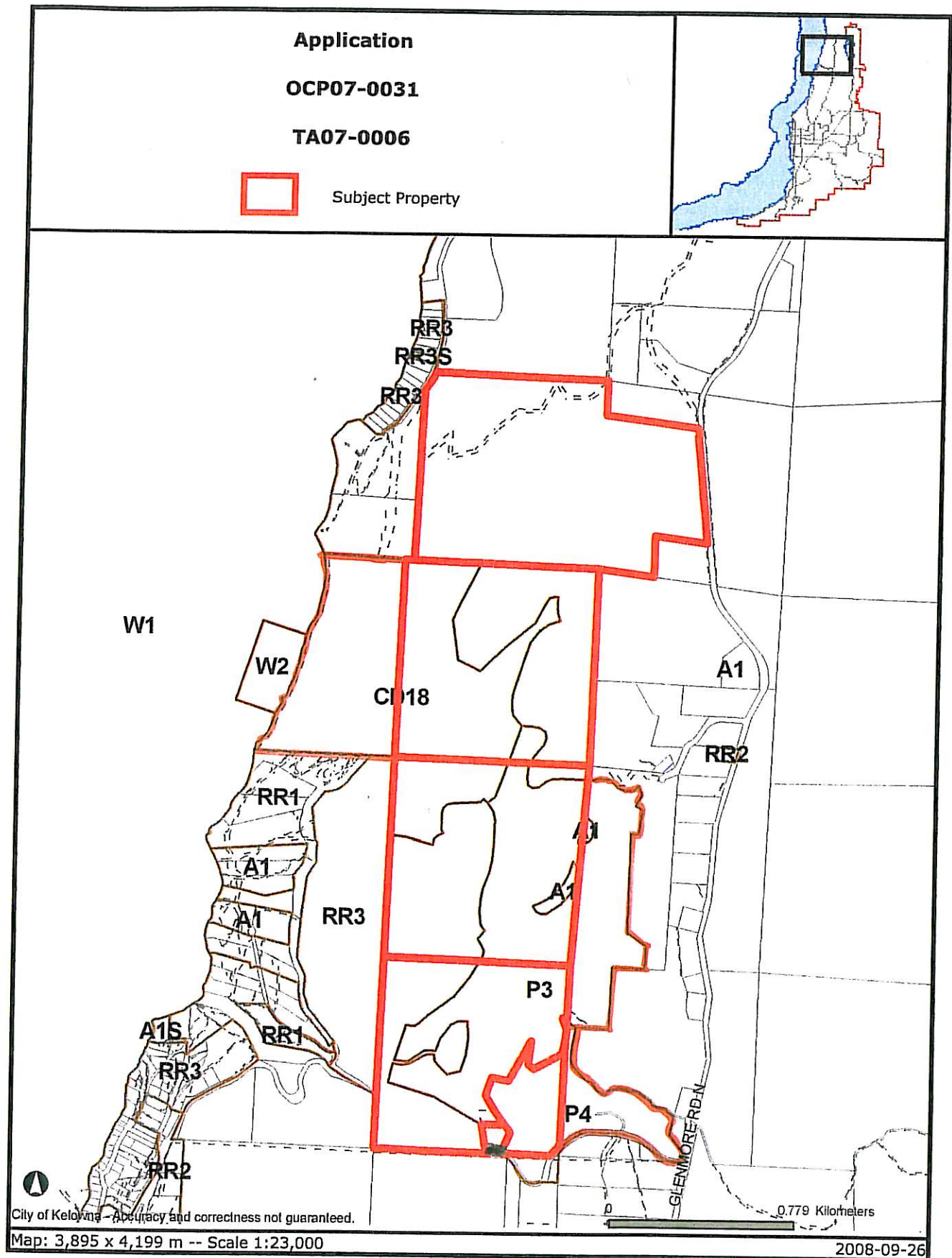
Jim Paterson  
Director of Planning & Development Services

PMc/pmc  
Attach.

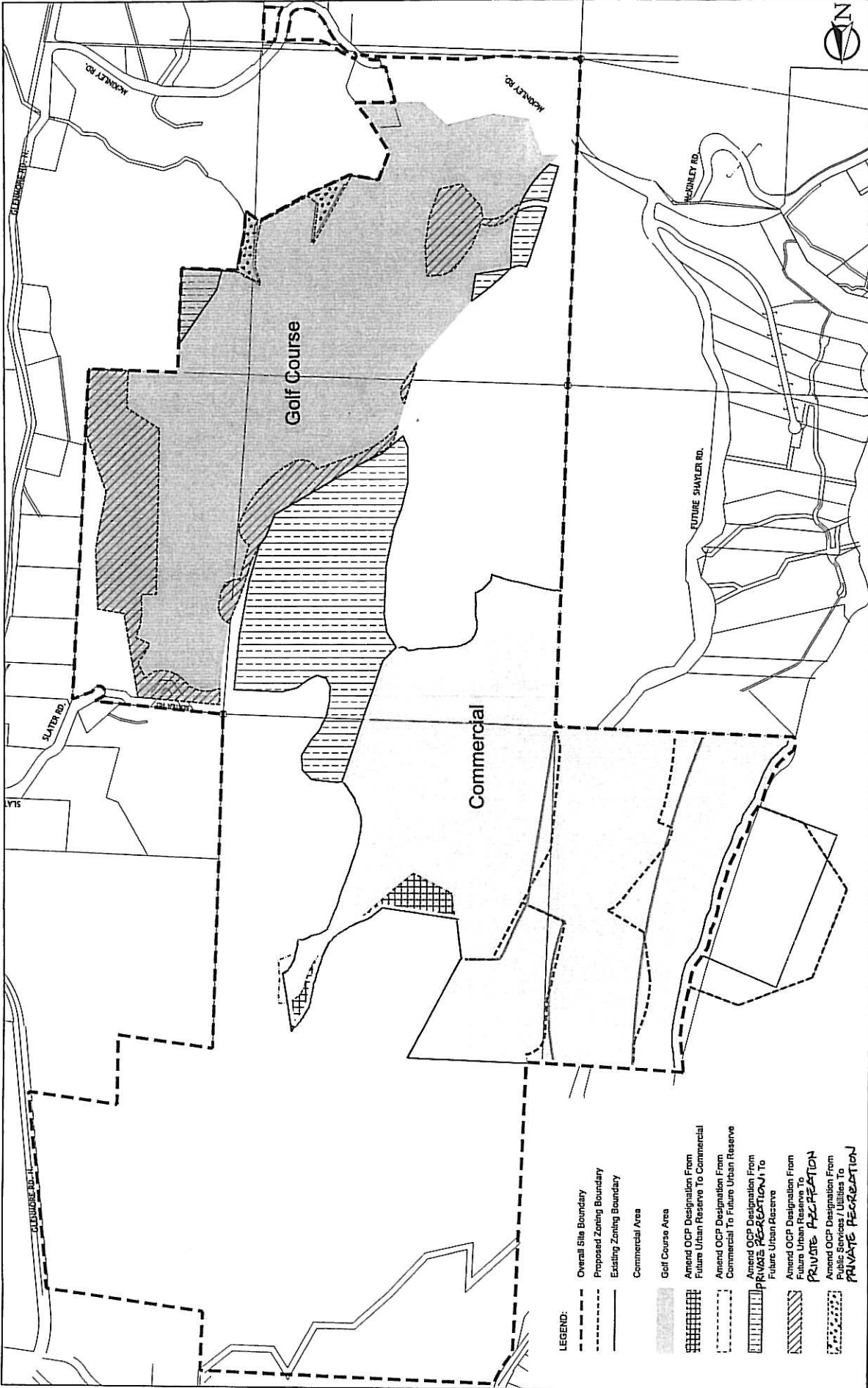


Attachments

Subject Property Map  
Proposed OCP Amendment "**Map A**"  
Proposed Text Amendments to CD18 "**Schedule A**"  
Existing OCP designation map  
Summary map showing proposed OCP amendments  
Applicant Rationale Letter  
Excerpt from Tracking System of Technical comments  
Works and Utilities Department comments  
Policy and Strategic Planning Department comments



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.



McKinley Resort Development

MAP "A"

Kelowna, BC

PROPOSED OCP AMENDMENTS

SCALE 1:4000

# SCHEDULE "A"

## TA07-0006 – Proposed Amendment to the CD18 – Vintage Landing Comprehensive Resort Development Zone

### Zoning Bylaw No. 8000

Section 17.1 (B) – Comprehensive Development zones Schedule B:  
CD18 – Vintage Landing Comprehensive Resort Development zone

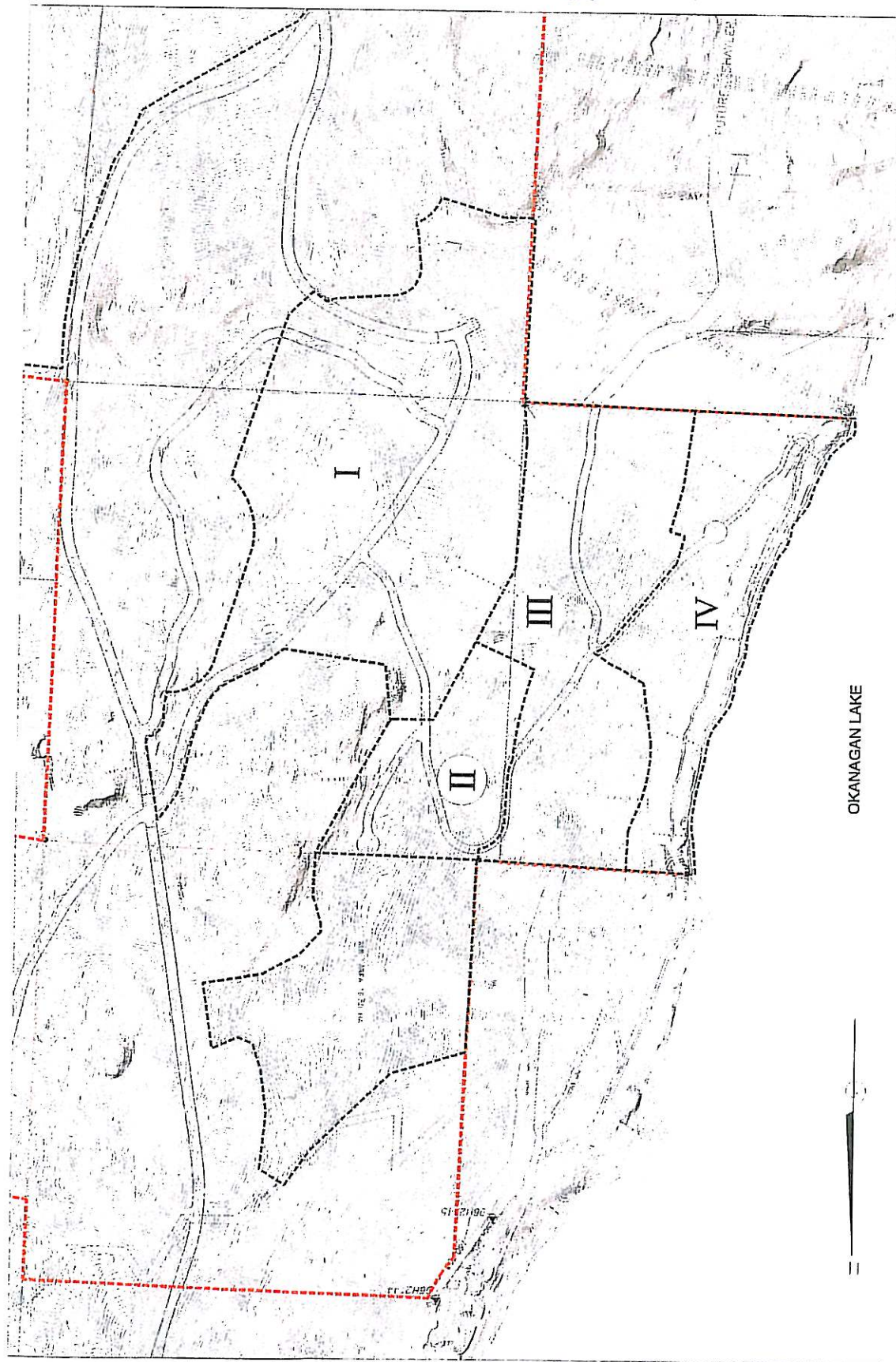
Section	Existing Wording (This column – underlined terms are <u>deleted</u> )	Proposed Wording (This column – underlined terms are <u>added</u> )
Section 1.1 Purpose	<p>The purpose is to provide a zone for the development of a comprehensively planned multifaceted destination resort. The resort will have a variety of commercial uses organized around a central "wellness" village.</p>	<p>The purpose is to provide a zone for the development of a comprehensively planned multifaceted <u>Hillside</u> destination resort. The resort will have a <u>variety</u> of commercial uses organized around a central "wellness" village.</p>
Section 1.3 Development Regulations (a) to (d)	<p>(a) Total density for the CD18 Zone shall not exceed <u>1,000 units</u> of resort accommodation (<u>187,500m<sup>2</sup></u>), <u>65,000m<sup>2</sup></u> of village commercial and <u>19,000m<sup>2</sup></u> of employee accommodation in accordance with the Vintage Landing Area Structure Plan adopted as part of the Kelowna Official Community Plan.</p> <p>(b) Resort accommodation will be made up of two types: Type A - <u>500 units</u> attached (apartment hotel, hotel or motel units in buildings exceeding 4 units with common amenities) – <u>maximum area of 150m<sup>2</sup> per unit floor area net. Maximum stay is 240 days.</u> Type B - <u>500 units</u> detached or semi-detached apartment hotel, hotel or motel units in buildings with four units or less with amenities that may be in separate buildings – <u>maximum area 225m<sup>2</sup> per unit floor area net. The main floor footprint may not exceed 150m<sup>2</sup> per unit. Maximum stay is 240 days.</u> Type B units must be served by a common reception area(s).</p>	<p>(a) Total density for the CD18 Zone shall not exceed <u>187,500m<sup>2</sup></u> of resort accommodation, <u>65,000m<sup>2</sup></u> of village commercial and <u>19,000m<sup>2</sup></u> of employee accommodation in accordance with the Vintage Landing Area Structure Plan adopted as part of the Kelowna Official Community Plan.</p> <p>(b) Resort accommodation will be made up of two types: Type A – <u>75,000m<sup>2</sup></u> of attached <u>units</u> (apartment hotel, hotel or motel units in buildings exceeding 4 units with common amenities).</p> <p>Type B – <u>112,500m<sup>2</sup></u> of detached or semi-detached apartment hotel, hotel or motel units in buildings with four units or less with amenities that may be in separate buildings. Type B units must be served by a common reception area(s). The maximum allowable density for each identified area within this zone shall be as follows:</p>

	<p>The maximum allowable density for each identified area within this zone shall be as follows, <u>controlled by a restrictive covenant</u>, and <u>amended as subdivisions occur</u>.</p> <p><b>Area I – Wellness Village</b>  <u>250 units of resort accommodation.</u>  <u>(200 Type A, 50 Type B)</u></p> <p><b>Area II – Winery and Resort Accommodation</b>  <u>150 units of resort accommodation.</u>  <u>(100 Type A, 50 Type B)</u></p> <p><b>Area III – Hillside Resort Accommodation</b>  <u>300 units of resort accommodation.</u>  <u>(300 Type B)</u></p> <p><b>Area IV – Waterfront Resort Accommodation</b>  <u>300 units of resort accommodation.</u>  <u>(200 Type A, 100 Type B)</u></p> <p>In the event that areas III and IV do not achieve <u>600 resort accommodation units</u>, the remaining balance of <u>units</u> can be transferred to areas I and II and utilized towards the <u>1,000 unit maximum</u> subject to the covenants restricting allocations and amended concurrently to reflect maximums within this zone. Allocating units from areas I and II to areas III and IV is not permitted beyond <u>unit allocation as described in 1.3(b)</u>.</p> <p>(c) Total allowable area of resort accommodation in the areas I – IV is 187,500m<sup>2</sup>.</p> <p>(d) Total maximum allowable area of commercial uses is 65,000m<sup>2</sup> made up of wellness uses (health and medical treatment services and related accommodation) and commercial uses supportive to the resort.</p> <p>(e) The maximum allowable commercial space for each area within this zone shall be as follows.</p>	<p><b>Area I – Wellness Village</b>  <u>63,750m<sup>2</sup> resort accommodation.</u>  <u>(up to 11,250m<sup>2</sup> floor area can be Type B)</u></p> <p><b>Area II – Winery and Resort Accommodation</b>  <u>26,250m<sup>2</sup> resort accommodation.</u>  <u>(up to 11,250m<sup>2</sup> floor area can be Type B)</u></p> <p><b>Area III – Hillside Resort Accommodation</b>  <u>45,000m<sup>2</sup> resort accommodation.</u>  <u>(all of the floor area is Type B)</u></p> <p><b>Area IV – Waterfront Resort Accommodation</b>  <u>52,500m<sup>2</sup> resort accommodation.</u>  <u>(up to 22,500m<sup>2</sup> floor area Type B)</u></p> <p>In the event that areas II, III and IV do not achieve <u>123,750m<sup>2</sup> of resort accommodation</u>, the remaining balance of <u>floor area</u> can be transferred to area I (Type B floor area transferred to Area I can be converted to Type A floor area but no Type A can be converted to Type B. Allocating units from area I to areas II, III and IV is not permitted beyond floor area allocation as described in 1.3(b).</p> <p>(c) Total allowable <u>floor area</u> of resort accommodation in the areas I – IV is 187,500m<sup>2</sup>.  <u>(defined as floor area net as per City of Kelowna General Definitions)</u></p> <p>(d) Total maximum allowable <u>floor area</u> of commercial uses is 65,000m<sup>2</sup> made up of wellness uses (health and medical treatment services and related accommodation) <u>technology</u> and commercial uses supportive to the resort.  <u>(defined as floor area net as per City of Kelowna</u></p>
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	<p>In the event that areas II, III, and IV do not achieve allocation of stated commercial areas, the balance can be transferred to area I and utilized towards the 65,000m2 maximum allowable commercial space. Commercial area not achieved in area I is not transferable to areas II, III and IV beyond allocation described in 1.3(e).</p> <p>(f) Within the comprehensive zone, 19,000m2 of employee accommodation can be built in <u>area I in the form of multiple unit buildings.</u></p> <p>(g) Total overall maximum allowable <u>square meterage</u> for the CD zone is 271,500m2.</p> <p>(h) Every phase of development will be controlled by a Development Permit and/or <u>subdivision</u> and shall confirm the <u>number and classification of resort accommodation units</u> and amount of village commercial, and will be controlled by a restrictive covenant and amended as <u>subdivision occurs.</u></p> <p>(i) Type B resort accommodation <u>units</u> must be developed in conjunction with common reception area(s).</p> <p>(m) For any buildings or structures in area I that exceed 6½ storeys any exposed storey where parking is provided within the building must include 60% of the exposed area as habitable space.</p> <p>(n) For any buildings or structures in areas II and IV that exceed 4½ storeys any exposed storey where parking is provided within the building must include 60% of the exposed area as</p>	<p><u>General Definitions)</u></p> <p>(e) The maximum allowable commercial floor area for each area within this zone shall be as follows: In the event that areas II, III, and IV do not achieve allocation of stated commercial areas, the balance can be transferred to area I and utilized towards the 65,000m2 maximum allowable floor area commercial space. Commercial area not achieved in area I is not transferable to areas II, III and IV beyond allocation described in 1.3(e).</p> <p>(f) Within the comprehensive zone, 19,000m2 floor area of employee accommodation can be built. (defined as floor area net as per City of Kelowna General Definitions)</p> <p>(g) Total overall maximum allowable floor area for the CD zone is 271,500m2. (defined as floor area net as per City of Kelowna General Definitions)</p> <p>(h) Every phase of development will be controlled by a Development Permit and, shall confirm the floor area net of resort accommodation, <u>village commercial, and/or employee accommodation, and will be controlled by a restrictive covenant and amended at the time of Development Permit .</u></p> <p>(i) Type B resort accommodation floor area must be developed in conjunction with common reception area(s).</p> <p>(m) For any buildings or structures in area I that exceed 6½ storeys any exposed storey where parking is provided within the building must include a <u>minimum of 60%</u> of the exposed area as habitable space.</p> <p>(n) For any buildings or structures in areas II and IV that exceed 4½ storeys any exposed storey where parking is provided within the building must include a <u>minimum of 60%</u> of the exposed area as habitable space.</p>
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	<p>habitable space.</p> <p>(o) <u>In Area I no building or structure over 6½ storeys will be allowed without one 6.0m setback in the building envelope above the 4th floor on the front and rear facades.</u></p> <p>(p) <u>In Area II and IV no building or structure over 4½ storeys will be allowed without one 6.0 setback in the building envelope above the 3rd floor on the front and rear facades.</u></p> <p>(q) <u>The maximum size of any individual retail tenancy shall not exceed 465 m2.</u></p> <p>(r) <u>The minimum setback from the CD Zone boundary for all uses shall be 10m (33 ft.) with the exception of the CD Zone boundary that fronts Okanagan Lake riparian management area which will be 1.5m.</u></p> <p>(s) <u>The minimum front yard is 0.0m., except it is 3.0m from dedicated roads.</u></p> <p>(t) <u>The minimum side yard is 0.0m, except it is 2.0m from dedicated roads.</u></p> <p>(u) <u>The minimum rear yard is 0.0m.</u></p> <p>(aa) <u>A 4m wide publicly accessible trail system will be provided by statutory right-of-way in favour of the City of Kelowna throughout the development property. Specific locations will be determined at time of Development Permit and in general accordance with the Vintage Landing Area Structure Plan</u></p>	<p>(remove and renumber the sections (o to r) to suit)</p> <p>(o) The minimum setback from the CD Zone boundary for all uses shall be 10m (33 ft.) with the exception of the CD Zone boundary that fronts Okanagan Lake riparian management area or <u>any park areas where the setback will be 1.5m.</u></p> <p>(p) The minimum front yard is 0.0m.</p> <p>(q) The minimum side yard is 0.0m.</p> <p>(r) The minimum rear yard is 0.0m.</p> <p>(x) A publicly accessible trail system will be provided by statutory right-of-way in favour of the City of Kelowna throughout the development property. Specific locations and <u>right-of-way widths</u> will be determined at time of Development Permit and in general accordance with the Vintage Landing Area Structure Plan.</p> <p>(y) <u>Road design will be as per the City of Kelowna Hillside Standards.</u></p>
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site360

GROUP  
OF COMPANIES

KEY  
MAP

1:750

Oct. 2007

Figure  
1

# Vintage Landing Comprehensive Development Zone

REVISED VINTAGE LANDING  
COMPREHENSIVE RESORT  
DEVELOPMENT SITE PLAN



**Kinnikinnik Village Master Plan**  
**Rationale for Zoning Changes to CD18**  
September, 2007

**1.1 Purpose**

The word "hillside" has been added to describe the development as a multifaceted hillside destination resort to better reflect the setting of the proposed development within the CD18 zone and to be consistent with the Vintage Landing Area Structure Plan.

**1.3 Development Regulations**

**(a-g) Density**

In the original zone, density is determined by the number of units: 1000 units, of which 500 are Type A and 500 are Type B.

Type A – 150m<sup>2</sup> attached units in buildings exceeding 4 units.

Type B – 225m<sup>2</sup> detached and semi-detached units in buildings with four units or less.

The maximum floor area represented by these 1,000 units is 187,500m<sup>2</sup>.

We now propose to describe the density within the zone in terms of total allowable floor area rather than number of units for the following reasons:

1. Density described through floor area rather than units will make the CD18 zone consistent with City of Kelowna Bylaws.
2. Density allocation within the CD 18 zone will continue to be tightly controlled through allocation of floor area to each of the 4 areas. Floor area allocated to Areas II and IV remains the same, but we propose to transfer 22,500m<sup>2</sup> from Area III (the hillside) to Area I (the village). This change will create a greater critical mass within the village, and will lessen the development impact on the sensitive hillside.
3. This change is needed to allow greater flexibility for the hotel developers to create smaller units within the zone without the constraint of having to use the "lock-off" configuration. Lock-offs are no longer a desirable configuration in the hotel industry and we wish to respond to that market shift.
4. Unit count as part of the density definition within the zone was done primarily to determine form, character and impact to infrastructure.
  - Form and character will be strictly controlled by the resort's Village Master Plan, which, once approved by council, will be registered on all titles within the CD 18 zone.
  - Our calculations for impact to infrastructure always assumed a lock-off configuration within the 1,000 units which meant that we had realistically projected the existence of smaller units within the main "units". After reassessment of impact, City staff is in agreement that

there are no changes required in the Vintage Landing Servicing Agreement

5. We wish to remove the 240 day maximum stay regulation. This regulation was put in place primarily to ensure that residential product (full time housing) was not the intention within the CD 18 zone. This regulation presents difficulties for resort and hotel developers as lenders use the 240 day stipulation to rationalize higher finance rates. This in turn has a negative impact on feasibility of the project for what is essentially a stipulation that has no means of enforcement. Even without the 240 day clause, the developers' intention to build resort accommodation product, rather than housing, is clear for the following reasons:

- All units within the CD18 zone are taxed at a commercial, rather than residential, tax rate.
- All units with the CD18 zone are subject to resort amenity fees.
- A large majority of the units proposed are 650sf and less, a size much more appropriate for hotel suites or rooms than for residences.
- Most of the units are connected to common amenities, the costs of which are beyond what the permanent housing will bear.

**(h) Regulation of Floor Areas and Density**

(h) Will be replaced with the following: *Every phase of development will be defined by a Development Permit and/or subdivision which shall confirm floor areas of resort accommodation, village commercial, and employee accommodation. This will be controlled by a restrictive covenant that will be amended to reflect these values upon Development Permit approval.*

**(o,p) Stepbacks**

*Previous sections 'o' and 'q' requiring stepbacks are eliminated.*

Stepbacks are often introduced into urban high-rise environments such as Manhattan and Vancouver to prevent overshadowing of the public street and for aesthetic reasons. Because of the low-mid rise aspect of the village, buildings are not likely to be overbearing and shadowing concerns are not generally applicable as demonstrated by thousands of places from quaint European hill towns, to Paris, Boston, and Quebec City.

Aesthetically, the creation of place is dependent on a "street wall", a sense of enclosure that creates an outdoor room. The wider the street, the lower the building wall, the less sense of enclosure. The current stepback regulations not only prevent this sense of enclosure, but result in non-feasible building forms. Further, the ubiquitous stepback is over-simplistic and unnecessarily restrictive. Consider the celebrated 6-8 storey urbanism of Paris that was regulated for shadow without the use of stepbacks.



For marketing and aesthetic reasons, it will be important to carefully regulate the form of the village and associated parcels. This should be done as part of a larger plan rather than homogenous regulations. Building articulation will be regulated as part of the Village Master Plan.

#### **(q) Retail Tenancy**

*Previous section q is removed.*

Appropriate retail sizes will be determined as part of the Master Plan and development permit process. Physical and market constraints, a comprehensive master plan, and a limited entitlement of allowable retail space prevent the possibility of undesirable large-format retail tenancies.

#### **(o,p,q) Setbacks**

*Sections 1.3 o,p,q (was r,s,t). All setbacks are eliminated.*

In a village-resort setting, the elimination of setbacks from dedicated roadways is necessary to create a "sense of place" (through intimate frontages) and the creation of a street wall. The basis for creating a sense of place by designing streets as humanly scaled public spaces has been tested for centuries in some of the most treasured places in the world. Streets should be balanced for character and walkability thus requiring slower traffic movements, and pedestrian friendly frontages.

For ground-floor commercial space, a zero setback is necessary for street-oriented commercial to be successful in a mid-low rise setting. The typical shopfront should be within 3.0-5.0m of the on-street parking on a higher-volume street. This creates a manageable and appropriately scaled sidewalk space. Current setback regulations would create a uniformly oversized sidewalk space that will be difficult to manage, decrease retail viability, and will detract from the sense of an outdoor room.

For ground floor residential, provided the street has been appropriately designed to balance vehicular and pedestrian movement, residential entries should be close to the sidewalk in a village setting. In Europe, entries are often at-grade and directly on the lot line. The market in north America will not bear this character. In North America, the only necessary regulation is the elevation of residential ground stories from the sidewalk level to protect privacy, often accompanied by a shallow stoop or porch. Setbacks will be designed on an aesthetic and contextual basis and will be regulated through a Village Master Plan.

#### **Other Refinements:**

- (i) specify "floor area" as per 1.3 a-g.
- (m) (n) Clarify "minimum" so as not to impose specific value

- (s) and (t) – Signage standards will be as specified in the Village Master Plan to impose specific restrictions appropriate to the village context.
- (v) Parking – Should reflect market realities, current trends, and a mixed use environment. Parking standards will be as specified in the Resort Master Plan.
- (x) Remove specific trail width provision – trails will vary in character and width and will be determined at time of Development Permit in general accordance with the Vintage Landing Area Structure Plan.
- (y) Road design will be as per the City of Kelowna Hillside Standards as reflected in the Vintage Landing Area Structure Plan.

Paul McVey

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**From:** Keri McMahon  
**Sent:** November 14, 2007 3:02 PM  
**To:** Paul McVey  
**Cc:** Todd Cashin; Corey Davis  
**Subject:** OCP07-0031 preliminary comments & next steps

Hi Paul,  
Please find below preliminary comments on OCP07-0031.

**Preliminary Comments – Vintage Landing Applications**

**A. OCP 07-0031 / TA07-0006**

1. Re: Map changes indicating P3 Zone change to Future Land Reserve:  
Environment staff not supportive of this zoning change. Several ESA 1 and 2 areas are found within the zone and the parcel should remain zoned as P3 to protect these features and wildlife corridor connectivity from future development. Also consider the future proposed "Natural Areas Zone" as an alternate zoning.
2. Environment staff have concern with the term "final design" referencing the proposed golf course. Clearing and grading DP plans have not been submitted or reviewed. Habitat compensation details are still required.
3. Trail widths: Original text indicates "A 4m wide publicly accessible trail system". Rather than removing specific trail width provisions, consider rewording to indicate that the maximum width will be 4m. Note that trail character and width, as well as exact locations may be determined in part by environmental studies at time of development permit.

**B. S07-0135**

PLR – have not yet seen application.

**C. DP07-???? – not yet circulated**

Also, if I could review the subdivision application (S07-0135?) and the DP that just came in as soon as possible I can get the list of additional requirements together for you. As you may have seen in my recent emails, Gail is eager to meet on the overall environmental process/requirements so I want to ensure we coordinate and discuss our requests with you first as we discussed this morning. Thanks Paul. I've included a **draft** list of information/questions from them, but must refine this upon reviewing the incoming subdivision and DP applications.

**Draft list of additional information required:**

**A. Amphibian surveys:**

1. Questions: When was the spring 2005 survey completed? What methodology was used? Which wetlands were surveyed?
2. Include the ephemeral wetlands associated with the golf course area to determine presence of spadefoot toads when main wetland is surveyed in Spring 2008.

**B. Golf Course related work:**

- Provide an overlay of Golf Course plan with ESA mapping
- Details of Golf Course Clearing and Grading
- Habitat Balance sheet and details of compensation work due to proposed impact on ESAs
- Phasing plan for clearing and grading to accommodate future studies.
- Erosion and Sediment Control Plan
- Environmental Monitoring

16/09/2008

- Spring 2008 Wildfire Hazard work in ESAs 1&2 – follow recommendations from Makonis reports.

**C. Wildlife Corridor and Trail Network overlay (involve Parks) - not yet tied to an application**

- Identify no-go zones based on ESAs, steep slopes and impacts to wildlife corridor function.
- Provide strategies for trail networks including appropriate locations, formal trail alignments, viewing locations, access points and riparian crossings, taking into consideration sustainable trail design and construction details.

**D. Other areas of development - not yet tied to an application**

- Identify footprint of development and present habitat balance sheet and details of compensation work due to proposed impact on ESAs.
- Implementation and Environmental Monitoring Plan
- Phasing Plan
- Erosion and Sediment Control Plan, etc.

Thanks again Paul. Your thoughts on the approach and details are much appreciated.

Cheers,  
Keri

**Keri McMahon, BSc.**  
**Environment Technician**

Environment Division  
City of Kelowna  
1435 Water Street  
Kelowna, BC V1Y 1J4  
Phone: (250) 469-8553  
Fax: (250) 862-3338  
Email: [kmcMahon@kelowna.ca](mailto:kmcMahon@kelowna.ca)  
Web: [www.kelowna.ca](http://www.kelowna.ca)

**Sustainable: meeting the needs of the present generation without compromising the ability of future generations to meet their needs.**

This email, and any files transmitted, is confidential and may contain privileged information. Any unauthorized dissemination or copying is strictly prohibited. If you have received this email in error, please delete it and notify the sender.

16/09/2008

File: OCP07-0031

Application

File: OCP07-0031

Type: OCP AMENDMENT

File Circulation

Seq	Out	In	By	Comment
				B.C. Assessment Authority (info only)
	2007-10-23	2007-10-23		
				Community Development & Real Estate Mgr
	2007-10-23	2007-11-14	SALEXAND	CD&RE Comments for Inclusion in Council Report: 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 ? x 11 copy, of any survey plans.
				Land Comments for Processing Information Only - Not for Council Report: Is the proposed trail network available to the public? Is there a secure tennure for public use? Are wildlife corridors to be protected by covenant?
				Environment Manager
	2007-10-23	2008-01-18		Please see initial comments emailed November 14th to Paul McVey.
				Please see additional comments in memo emailed March 14th.
				Mgr Policy, Research & Strategic Plannin
	2007-10-23	2007-11-27		Comments too extensive for posting here. Please refer to related comments in email dated November 27, 2007.
				Ministry of Transportation
	2007-10-23	2008-02-04		We have no objections or comments for the proposed OCP & Text amendments for this Area Structure Plan.
				Works & Utilities
	2007-10-23			



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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** July 23, 2008  
**File No.:** S07-0135 OCP07-0031 TA07-0006 Z08-0019  
**To:** Planning and Development Officer (PM)  
**From:** Development Engineering Manager  
**Subject:** Subdivision Application – PLR Requirements

<b>LOCATION:</b> Finch/Glenmore/McKinley	<b>ZONE</b> CD-18
<b>APPLICANT:</b> Kinnikinnik Developments Inc.	
<b>LEGAL:</b>	

### WORKS AND SERVICES REQUIREMENTS

The City's Works & Utilities Department will handle the Works & Services requirements identified below between time of Preliminary Layout Review (PLR) and application for Subdivision Approval. Arrangements for construction must be made before making application for Approval of a subdivision plan. The Development Engineering Technician for this project is Sergio Sartori.

The following Works & Services are required for this subdivision:

#### .1) General

- a) Requirements of the rezoning application no. Z03-0009 must be satisfied before subdivision approval.
- b) This proposed subdivision may require the installation of centralized mail delivery equipment. Please contact Rick Ould, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC V1Y 2K0 to obtain further information and to determine suitable location(s) within the development.
- c) Where there is a possibility of a high water table or surcharging of storm drains during major storm events, non-basement homes may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.
- d) Install a black chain link fence along the property lines backing onto the top of the slope.

## .2) Geotechnical Report

- 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: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.**

The Geotechnical reports 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 and sanitary waste, including effects upon adjoining lands.
- (vi) Slope stability, rock fall hazard and slippage including the effects of drainage and septic tank effluent on the site.
- (vii) Identify slopes greater than 30%.
- ii) Top of bank assessment and location including recommendations for property line locations, septic field locations, building setbacks, and ground water disposal locations.
- iii) Recommendations for items that should be included in a Restrictive Covenant.
- iv) 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.
- v) Any items required in other sections of this document.
- vi) Recommendations for erosion and sedimentation controls for water and wind.
- vii) Recommendations for roof drains and perimeter drains.
- viii) Recommendations for construction of detention or infiltration ponds if applicable.

**.3) Water**

- a) The property is located within the Glenmore Ellison Improvement District (GEID) service area.
- b) Provide an adequately sized domestic water connection and fire protection system. The water system must be capable of supplying domestic and fire flow demands of the project.
- c) Design drawings must be reviewed by GEID prior to the City issuing the drawings for construction. Confirmation of their review must be provided to the City.

**.4) Sanitary Sewer**

- a) Provide an adequately sized sanitary sewer system complete with individual lot connections.
- b) Abandon and backfill existing septic tanks in accordance with Building Department requirements. Identify, on the Lot Grading Plan, the location of the existing tanks and fields.

**.5) Drainage**

- a) Provide an adequately sized drainage system complete with individual lot connections. The Subdivision, Development and Servicing Bylaw requires that each lot be provided with an individual connection; however, the City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e. trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.
- b) Provide the following drawings:
  - i) A detailed Lot Grading Plan (indicate on the Lot Grading Plan any slopes that are steeper than 30% and areas that have greater than 1.0 m of fill);
  - ii) A detailed Stormwater Management Plan for this subdivision; and,
  - iii) An Erosion and Sediment Control Plan.
- c) Show details of dedications, rights-of-way, setbacks and non-disturbance areas on the lot Grading Plan.
- d) Significant banks are located on this site. The slopes appear to be sensitive to erosion; temporary and permanent measures must be taken to prevent erosion and sediment transport.
- e) Identify clearly on a contour map, or lot grading plan, the top of bank(s). Provide cross sections along the top of the bank at each property corner and at locations where there are significant changes in slope. Cross sections are to be perpendicular to the contour of the slope. Show the proposed property lines on the cross sections. Not all areas have a clear top of bank; and therefore, field reconnaissance by City staff and the applicant may be needed to verify a suitable location for property lines.

- f) Where ditches are provided they must be adequately lined and protected for the design flows.

#### **.6) Roads**

- a) Road A (entrance-village) is designated a rural class collector road. Dedicate and construct the road in accordance with City standard SS-H8, 20.0m dedication, 10.0m road).
- b) Road A (village) Road is designated an urban class village collector road. Dedicate and construct the road in accordance with City standard SS-H4 (20.0m dedication, 12.8m road).
- c) Road B (village – ridge) is designated an urban class collector road. Dedicate and construct the road in accordance with City standard SS-H4 (20.0m dedication, 12.8m road).
- d) Road B (ridge – road C) is designated a rural class collector road. Dedicate and construct the road in accordance with City standard SS-H8 (20.0m dedication, 10.0m road).
- e) Road C is designated a rural class arterial road. Dedicate and construct the road in accordance with City standard SS-H2 (20.0m dedication, 10.0m road).
- f) Road D is designated an urban class collector road. Dedicate and construct the road in accordance with City standard SS-H9 (13.3m dedication, 9.0m road).
- g) Road E is designated an urban class collector road. Dedicate and construct the road in accordance with City standard SS-H6 or TYP-04 (18.2m/15.5m dedication, 8.6m/11.0m road).
- h) Road G is designated an urban class collector road. Dedicate and construct the road in accordance with City standard SS-H4 (20.0m dedication, 12.8 road).
- i) Provide traffic control and street name signs where required. The City will install all signs and traffic control devices at the developer's expense.
- j) Provide a Street Sign, Markings and Traffic Control Devices Drawing.
- k) Dedicate and Construct all walkways in accordance to City standard drawing SS-R28. Note: the dedication width for walkways is 2.4 m. Fence heights are to be as follows:
  - Rear yard - 1.8 m above average grade level.
  - Side Yard - 1.2 m above average grade level to rear of existing home or 15 m from front property line on new lots, thereafter 1.8 m to rear property line.
 (All grade changes to occur at posts with top of fabric remaining parallel to previous section).
- l) Grade the fronting road boulevards in accordance with the standard drawing and provide a minimum of 50 mm of topsoil. Major cut/fill slopes must start at the property lines.

- m) Verify that physical driveway access will satisfy City requirements for all lots. For steeper lots (15% and greater), show driveways on the lot grading plan with grades or profiles. Where lots are serviced by onsite sewage disposal systems, show limits of cut and fill lines.
- n) Re-locate existing poles and utilities, where necessary.
- o) Cul-de-sac approach roads must not exceed bylaw grade requirements.
- p) Temporary asphalt cul-de-sacs or turn-a-round, will be required at each terminal end of roads that will be extended in the future. Additional dedication or a Statutory Right-of-Way may be needed.

**.7) Power and Telecommunication Services and Street Lights**

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground
- b) Street lights must be installed on all roads.
- c) Before making application for approval of your subdivision plan, please make arrangements with Fortis BC for the pre-payment of applicable charges and tender a copy of their receipt with the subdivision application.
- d) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- e) Remove aerial trespass(es)

**.8) Design and Construction**

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



**.9) Servicing Agreements for Works and Services**

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

**.10) Other Engineering Comments**

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager.

**.11) Charges and Fees**

- a) Development Cost Charges (DCC's) are payable
- b) None of the Works & Services required are items included in the DCC calculations and therefore not eligible for DCC credits.
- c) Fees per the "Development Application Fees Bylaw" include:
  - i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
  - ii) Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
  - iii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
  - iv) Engineering and Inspection Fee: 3% of construction value (plus GST).
- d) Sewer Specified Area Administration Fee of \$250.00 to amend service boundary.

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Steve Muenz, P.Eng.  
Development Engineering Manager

## Paul McVey

---

**From:** Signe Bagh  
**Sent:** November 27, 2007 9:42 AM  
**To:** Paul McVey  
**Cc:** Gary Stephen; Heather Benmore  
**Subject:** FW: OCP07-0031 TA07-0006 McKinley / Slater Road

Paul,

Please see below for PRSP comments on above-noted file. They were too extensive for posting to the file tracking system, but I have updated the system to refer to this email.

Thanks.

Signe

-----Original Message-----

**From:** Gary Stephen  
**Sent:** November 26, 2007 10:34 AM  
**To:** Signe Bagh  
**Subject:** OCP07-0031 TA07-0006 McKinley / Slater Road

Signe

Comments for posting to the file tracking system if you concur.

The subject property is designated as a mix of Rural Agricultural (Vineyard), Commercial (Wellness Village), Private Recreation (Golf Course), and Future Urban Reserve.

The OCP amendment portion of this application proposes some adjustments between the Private Recreation and Future Urban Reserve boundaries that would for the most part appear to still maintain the same basic shape and land areas and therefore could be considered minor in nature. The land use changes with respect to more of the flatter land on the east becoming part of the golf course must be approved by the ALC (letter not included with circulation). In addition, the proposed changes to the golf course boundary would appear to impact the McKinley Reservoir.

Therefore it is recommended that the OCP amendment be supported, subject to confirmation that the ALC is in agreement with the changes and the McKinley Reservoir will not be impacted by this proposed boundary change.

With respect to the CD-18 zone there are a number of changes being proposed and recommendations / suggestions are indicated in **bold**.

Section 1.3 (a) and (b). The most significant change is the conversion of the maximum number of resort accommodation units (from 1000) to a maximum amount of resort accommodation floor space (187,500 m<sup>2</sup>). While this change does not actually increase the amount of floor space that can be constructed it does provide the potential for significantly more units (recognizing that those units will most likely be smaller lock-off units and hotel rooms). **It will be important to confirm that additional units will not impact servicing requirements based on unit occupancy before we support any such change.**

Section 1.3 (b). In addition, some of these units have been relocated from the Hillside Resort Accommodation area to the Wellness Village area, which is a positive. It is also proposed that the if the allocation of units to Winery, Hillside and Waterfront areas cannot be achieved, that those units can be transferred to the Wellness Village area. Again, the potential **re-allocation of units from more sensitive areas to a more central village area would be seen as a positive.**

Section 1.3 (b) It is also being proposed that the CD-18 zone be amended to remove the requirement for a maximum stay of 240 days. While this would be consistent with other apartment hotel uses in more urban areas, it may be appropriate to keep this regulation as part of the CD-18 zones to ensure that the resort is truly a resort. The major reason Council approved this project outside the OCP growth strategy was that it was considered resort development that did not impact the housing unit projections within the OCP. **Removing the restricted stay provisions opens the**

door to year round occupancy and should not be supported.

Section 1.3 (c), (d) and (e). There is no change proposed to commercial or employee accommodation, which were always indicated in floor areas of 65,000 m<sup>2</sup> and 19,000 m<sup>2</sup> respectively. The building floor areas in each area are compatible with the split in the original unit count as well as the total of 187,500 m<sup>2</sup>, including the change to move some units from the hillside area to the wellness village area. The allocation of commercial floor space between the 4 areas remains the same and the total overall maximum allowable floor area remains the same at 271,500 m<sup>2</sup>.

Section 1.3 (d). However, there is a change proposed to the commercial uses [see Section 1.3 (d)] that would include technology uses. The principal and secondary uses currently provide for high tech product design and high tech research. It is not clear what is intended by the addition of this term (other than for high tech product design and high tech research), but **this change should not be taken to mean office uses or manufacturing uses under the guise of technology.** We should not support such uses in a Wellness Village concept when commercial office and manufacturing uses would be more appropriate in traditional commercial or industrial business park settings.

Section 1.3 (f). Currently the CD-18 zone provides that the 19,000 m<sup>2</sup> of employee accommodation will be in the Wellness Village area. This amendment is proposing the allocation of the employee accommodation anywhere within the 4 areas. This might not be a big issue and could be balanced by the transfer of other accommodation units from more sensitive areas if they cannot be achieved in those areas.

Section 1.3 (h). Currently the CD-18 zone indicates that the development will be controlled by DP and/or subdivision, with restrictive covenants registered at the time of subdivision. It is being proposed that the development will be controlled by DP and that the net floor areas will be controlled by restrictive covenant registered at the time of property transfer. How do we ensure that necessary restrictive covenants are registered against the title if we have given up control at time of subdivision? Waiting for the property transfer to register covenants leaves the city with no formal way to ensure compliance. **Registration of covenants at the time of subdivision should continue to be required.**

Section 1.3 (o), (p) and (q) of the current CD-18 zone. These sections are proposed to be removed completely from the CD-18 zone. Sections (o) and (p) referred to setbacks above the 4<sup>th</sup> and 3<sup>rd</sup> floor, respectively, and Section (q) restricted the maximum size of any individual retail tenancy to 465 m<sup>2</sup> (5000 sq. ft.).

The inclusion of these setbacks is a design issue that reduces the mass of these building from extending straight up from the ground plane. Discussions of human scale typically refer to buildings with a height of 4 storeys and setbacks or portions of a building above 3 or 4 storeys tends to keep buildings constructed right to the property line as having the appearance of human scale. Sections in (p) and (q) in the proposed amended CD-18 zone have removed the setback from dedicated roads so buildings could be constructed at the property line, where **that apparent height may be an issue.**

The limit on retail unit size is intended to ensure that these businesses are to service the resort clientele, not as a draw to service nearby existing or future residential development. Any discussions about a future neighbourhood or village centre commercial development should be in the context of planning for the whole North and South McKinley area. Their proposed master plan would still not encompass sufficient future growth area to warrant significant retail commercial development. It would be premature to confer that type of development to this project in advance of that larger review. **We should not support larger retail formats in this setting – retail size limitation should remain.**

Section 1.3 (v) and (w). These sections are proposed to change (new section "s") to remove the references to signage as per the C2 or W2 zones. It is proposed that signage will be regulated by the Village Masterplan rather than the City Sign Bylaw. **Are we willing to allow their Masterplan to be the determinant and do we have approval over their Masterplan?**

Section 1.3 (y). Proposed new section (u) is intended to parking and loading will be regulated by the Village Masterplan rather than the City Zoning Bylaw. **Are we willing to allow their Masterplan to be the determinant and do we have approval over their Masterplan?**

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