

Memo



Date: May 28, 2010

To: City Manager

From: Community Sustainability Division

File No: OCP10-0005/Z10-0023

Applicant: No. 21 Great Projects Ltd.
(Dave Lange)

At: 5000 Gordon Drive
1290 Ivens Road

Owner: No. 21 Great Projects Ltd.

Purpose: TO AMEND THE FUTURE LAND USE MAP OF THE OFFICIAL COMMUNITY PLAN FOR A PORTION OF THE SUBJECT PROPERTIES WHICH WILL RESULT IN CHANGES TO THE CONFIGURATION AND BOUNDARIES OF "PARK - MAJOR PARK/OPEN SPACE", "COMMERCIAL", "EDUCATIONAL/MAJOR INSTITUTIONAL" AND "RESIDENTIAL" USES.

TO REZONE A PORTION OF THE SUBJECT PROPERTIES FROM THE EXISTING "A1 - AGRICULTURE 1" AND "RU1H - LARGE LOT HOUSING (HILLSIDE AREA)" ZONES TO THE PROPOSED "RU2 - MEDIUM LOT HOUSING", "RU3 - SMALL LOT HOUSING", AND "P3 - PARKS & OPEN SPACE" ZONES TO FACILITATE THE DEVELOPMENT OF 87 SINGLE FAMILY DWELLINGS.

Existing Zones: A1 - Agricultural 1
P3 - Parks & Open Space
RU1h - Large Lot Housing (Hillside Area)

Proposed Zones: RU3 - Small Lot Housing
RU2 - Medium Lot Housing
P3 - Parks & Open Space

Existing Future Land Uses: Major Park/Open Space
Commercial
Educational/Major Institutional
Single/Two Unit Residential
Multiple Unit Residential - Low Density
Multiple Unit Residential - Cluster Housing
Multiple Unit Residential - Medium Density
Public Services/Utilities

Proposed Future Land Use: Major Park/Open Space
Commercial
Educational/Major Institutional
Single/Two Unit Residential
Multiple Unit Residential - Low Density
Multiple Unit Residential - Cluster Housing
Multiple Unit Residential - Medium Density
Public Services/Utilities

Report Prepared by: Greg Sauer

GS

1.0 RECOMMENDATION:

THAT Official Community Plan Bylaw Amendment No. OCP10-0005 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 the South ½ District Lot 579 Similkameen Division Yale District Except Plans KAP77336, KAP86178, KAP86917, KAP87090 AND KAP87918, located at 5000 Gordon Drive, and the North ½ of District Lot 579 Similkameen Division Yale District Except Plans 5648, 9458, 9459, KAP74689, KAP75766, KAP77604, AND KAP88577, located at 1290 Ivens Road, Kelowna, B.C., to reconfigure the boundaries (line work) of future land uses as shown on Map "A" attached to the report of Land Use Management Department, dated May 28, 2010, be considered by Council;

AND THAT Council considers the Advisory Planning Commission public process to be appropriate consultation for the purpose of Section 879 of the Local Government Act, as outlined in the report of Land Use Management Department, dated May 28, 2010;

AND THAT Rezoning Application No. Z10-0023 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of the South ½ District Lot 579 Similkameen Division Yale District Except Plans KAP77336, KAP86178, KAP86917, KAP87090 AND KAP87918, located at 5000 Gordon Drive, and the North ½ of District Lot 579 Similkameen Division Yale District Except Plans 5648, 9458, 9459, KAP74689, KAP75766, KAP77604, AND KAP88577, located at 1290 Ivens Road, Kelowna, B.C., from the RU1h - Large Lot Housing (Hillside Area) zone to the P3 - Parks & Open Space zone; the RU1h - Large Lot Housing (Hillside Area) zone to the RU3 - Small Lot Housing zone; the RU1h - Large Lot Housing (Hillside Area) zone to the RU2 - Medium Lot Housing zone; the A1 - Agricultural 1 zone to the RU3 - Small Lot Housing zone; and the A1 - Agricultural 1 zone to the RU2 - Medium Lot Housing zone as shown on Map "B" attached to the report of Land Use Management Department, dated May 28, 2010, be considered by Council;

AND THAT the OCP Bylaw Amendment No. OCP10-0005 and zone amending bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Development Engineering Branch and Infrastructure Planning Department being completed to their satisfaction;

AND THAT final adoption of the zone amending bylaw be considered subsequent to issuance of a Natural Environment Development Permit by the Land Use Management Department;

AND FURTHER THAT final adoption of the zone amending bylaw be withheld pending receipt of the Plan of Subdivision in a registerable form by the Subdivision Approving Officer.

2.0 SUMMARY:

The applicant is proposing to rezone, subdivide and develop a 5.38 hectare portion of the subject properties to develop 87 units of single family residential development. Applications as follows have been submitted in conjunction with this proposal:

1. an Official Community Plan amendment application to alter the boundaries of existing future land use polygons including the Major Park/Open Space, Commercial, Educational/Major Institutional, Single/Two Unit Residential, Multiple Unit Residential - Low Density, Multiple Unit Residential - Medium Density, Public Services/Utilities;
2. a rezoning application to rezone a portion of the subject properties from the existing "A1 - Agriculture 1" and "RU1h - Large Lot Housing (hillside area)" zones to the proposed "RU2 - Medium Lot Housing", "RU3 - Small Lot Housing", and "P3 - Parks & Open Space" zones to facilitate the development of 87 single family dwellings; and,
3. a Development Permit to address the Hazardous Conditions (i.e. steep slopes) and Natural Environment (i.e. environmentally sensitive areas) on the subject properties.

Notably, the subject properties being considered are approximately 70.85 hectares in size, but the proponents seek to rezone 5.38 hectares for residential development purposes at this time.

The proposed development is premised on successfully amending Section 13.3 (RU3 - Small Lot Housing) of the Zoning Bylaw to allow more flexible and smaller fee simple lot sizes. Further information about the proposed text amendments to Section 13.3 are provided as part of file TA10-0006.

3.0 BACKGROUND:

The subject properties at 5000 Gordon Drive, 1290 Ivens Road are located in the far southern reaches of the City in the OCP Sector “Southwest Mission”. The Southwest Okanagan Mission Sector Plan was completed in 1994 and addresses nearly 5,000 acres of land in the City. The Sector area has progressed sequentially with the Area Structure Plan for Neighbourhood 1 completed in 1996, and Neighbourhood 2 in 2000. The proposed development is within the Neighbourhood 3 Area Structure Plan which was finalized in 2007.

The subject properties being considered at this time are hillside in nature and are nearly 71 hectares in size. Notably, the residential development is being proposed on only a small area of 5.38 hectares contained within the 5000 Gordon Drive and 1290 Ivens Road properties. The City of Kelowna currently owns the properties identified as (E of) Gordon Drive and 4821 Gordon Drive (northern most properties, see maps below) and which are 8.00 hectares and 1.01 hectares in size respectively and adjacent to the Bellevue Creek corridor. These properties are intended as Parks & Open Space and are zoned as such.

As noted in the Neighbourhood 3 Area Structure Plan, “the land use pattern is shaped, in part, by topography, natural features, established road corridors and confirmed connecting points to off-site roads and paths”. It is also notable that much of the lands within the subject properties were burned by the 2003 Okanagan Mountain Park wildfire and which drastically altered the landscape with most coniferous vegetation removed and only deciduous vegetation (associated with gullies and wet areas) surviving the event.

While the subject properties are “hillside”, the area being proposed for residential development as part of this phase is not too topographically challenged relative to other areas onsite. The elevation difference (~250 meters) occurs over a large horizontal distance and results in relatively few locations in excess of 30% slopes. The subject properties are entirely undeveloped at this time. The north and easterly boundaries of Neighbourhood 3 are defined by Bellevue Creek and lands to the east and south of Neighbourhood 3 are presently undeveloped.

Aerial photos and groundtruthing of the site by staff shows that surface and subsurface water is present on site. A number of “ponds” are perched above the development area being proposed. The development area is a receiving parcel for some of this drainage and seepage which is occurring both above and below the existing natural grade.

In terms of long term development potential, the Southwest Okanagan Mission Sector Plan includes a 20 year growth scenario with build-out projections for Neighbourhood 3 totalling 1,200 units. Beyond the 20 year timeframe, the Southwest Okanagan Mission Sector Plan projects an additional 900 dwelling units (2,100 units total) in the area defined by the Neighbourhood 3 Area Structure Plan.

3.1 Site Context

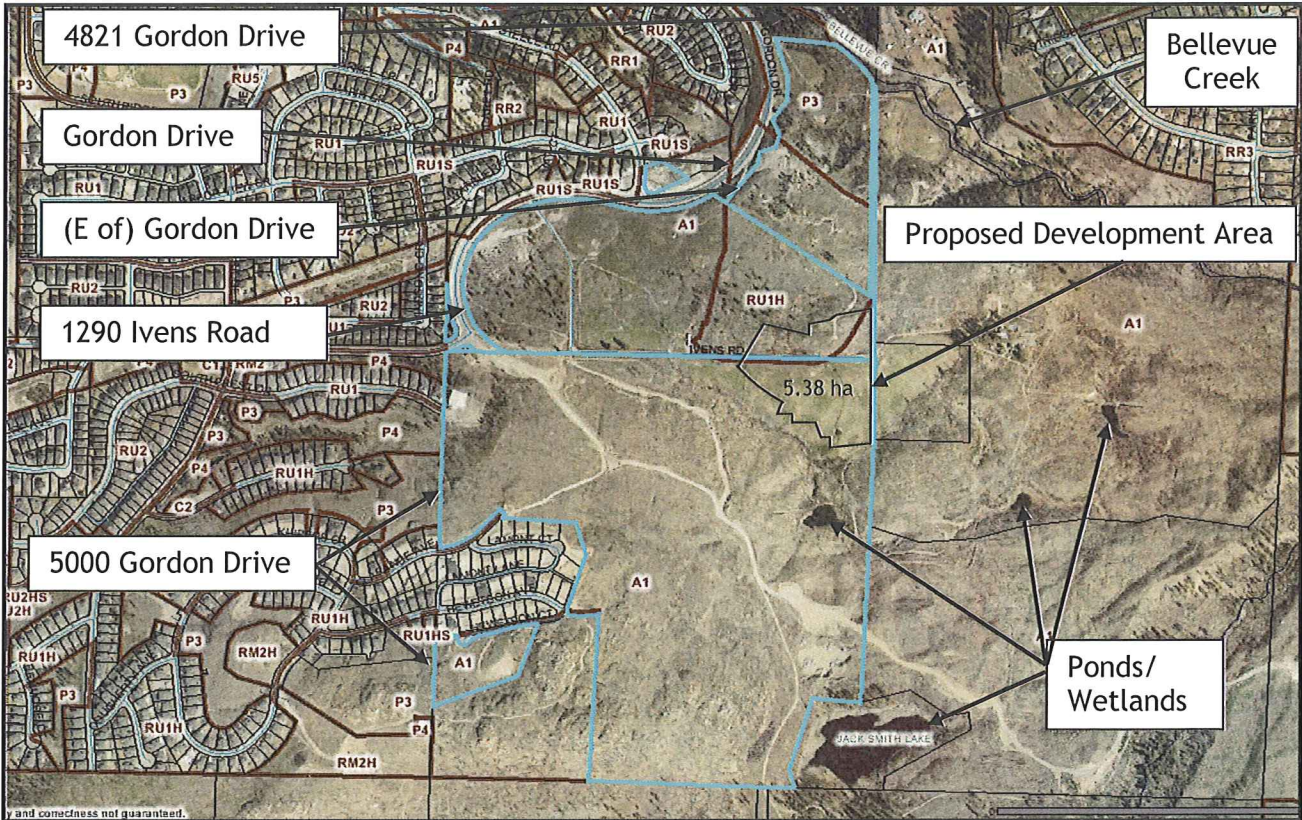
The subject property is located within the Southwest Okanagan Mission Sector.

The adjacent zones and uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing P3 - Parks & Open Space A1 - Agricultural 1	Single Family Residential Open Space/Creek
West	RU1/RU1s - Large Lot Housing P3 - Parks & Open Space P4 - Utilities	Single Family Residential Linear/Neighbourhood Park Stormwater Management/Park
South	A1 - Agricultural 1	Open Space/Grazing
East	A1 - Agricultural 1	Open Space/Grazing

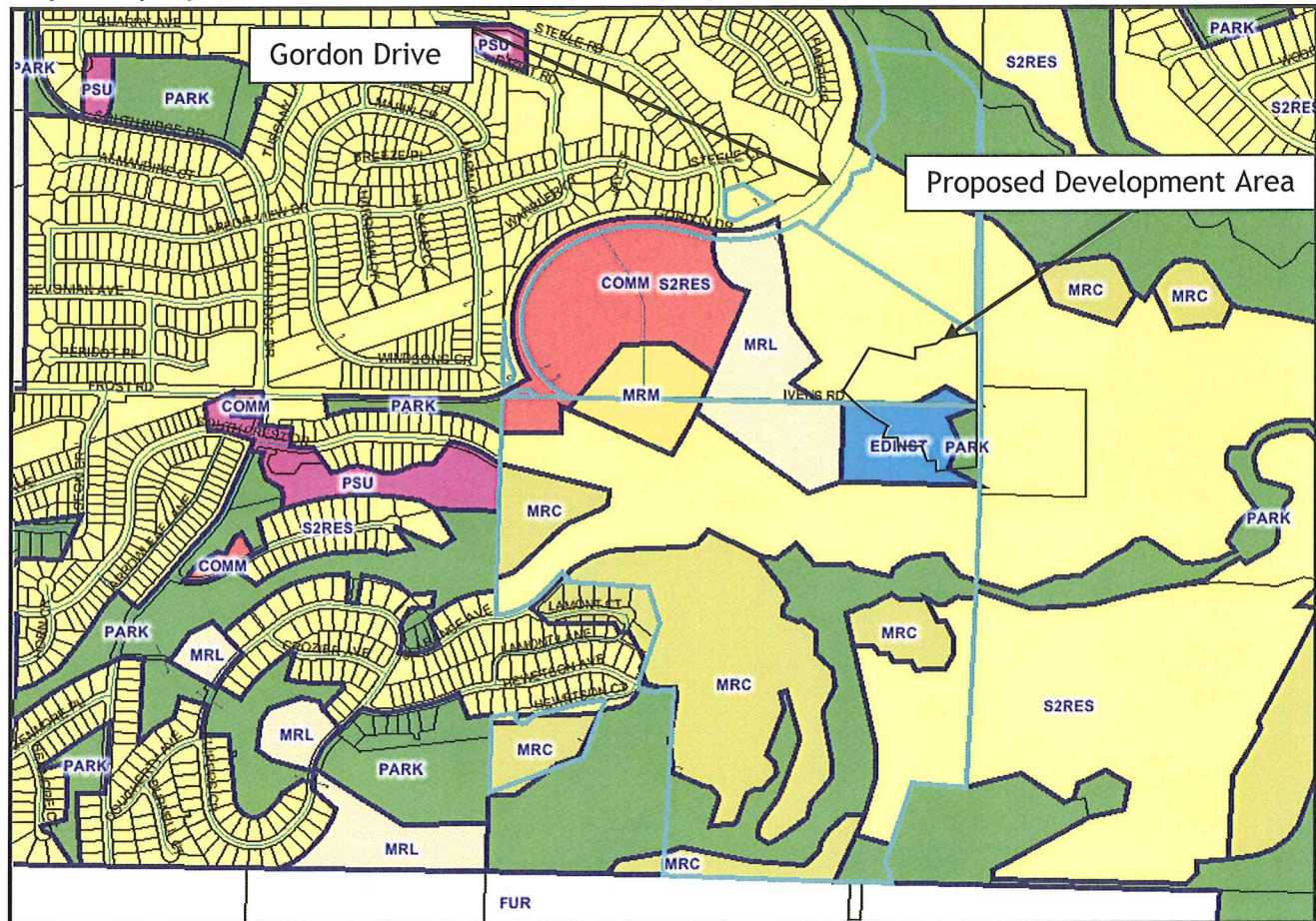
Site Location Maps

Subject property: 5000 Gordon Drive, 1290 Ivens Road & (E OF) Gordon Drive Illustrating Existing Zoning



and comactness not guaranteed.

Subject Property: 5000 Gordon Drive, 1290 Ivens Road & (e of) Gordon Drive Illustrating Existing Future Land Uses



3.2 Proposal

The applicant is proposing to rezone, subdivide and develop a 5.38 hectare portion of the properties as illustrated above. The intent is to develop the site as an 87 unit single family residential development. The applicants are proposing nine RU2 - Medium Lot Housing units with the remaining 78 units being proposed as RU3 - Small Lot Housing Units. The proponents expect to be able to offer homes in this development at lower price points by developing smaller lot sizes.

After further consideration of the ASP, the applicant has applied to reconfigure the site by shifting both future land use and current zoning lines to meet various development and City objectives. While the Neighbourhood 3 Area Structure Plan shows a number of uses among the three parent properties (e.g. Commercial - Village Center, Multi-Unit Residential Medium Density), this application only considers a relatively small (5.38 ha) development parcel. The proposed development zoning arrangement (RU2, RU3) and lot configuration is illustrated on attached Map "B".

The proponent has selected a relatively flat area of the parcel which was originally expected to host an elementary school site for School District No. 23 on which to develop small and medium lot fee simple housing. The proponents have proposed an alternate location for the school site adjacent to a large tract of P3 - Parks & Open Space.

In addition, the two parcels to the north (~9.02 hectares) and which are presently owned by the City and zoned P3- Parks & Open Space will increase in size as significant additional land

adjacent to the existing park lands will be dedicated as part of the development process. The proposal seeks to amend the OCP designation of the existing Single/Two Unit Residential polygon adjacent to the City's Park to Major Park/Open Space and to rezone a portion of the existing RU1h - Large Lot Housing (Hillside Area) to P3 - Parks & Open Space (see Map "A" attached).

The proponent's submission is premised on successfully amending Section 13.3 (RU3 - Small Lot Housing) of the Zoning Bylaw to allow more flexible and smaller fee simple lot sizes. Specific to the text amendment that is being proposed concurrently, the applicant proposes the following changes to the RU3 zone to facilitate this development:

1. Minimum lot width is reduced from 10.5 metres to 8.5 metres, except on corner lots which would be reduced from 12.0 metres to 10 metres.
2. Minimum lot area is reduced from 325 square metres to 290 square metres.
3. No maximum floor area ratio.
4. Extension of the 1.2 metre minimum side yard to include up to 2 storey portions of buildings, except that it is reduced from 4.5 metres to 2.5 metres from a flanking street.

Notably, smaller lot sizes are one of only a few options available to the City and developers in terms of providing housing at an affordable price point.

4.0 ADVISORY PLANNING COMMISSION:

At a meeting held on April 27, 2010, the Advisory Planning Commission passed the following recommendations to Council:

THAT the Advisory Planning Commission support Official Community Plan Amendment Application No. OCP10-0005, for E of Gordon Drive; 5000 Gordon Drive; 1290 Ivens Road, to amend the future land use map for a portion of the subject property which will change the configuration and boundaries of Park - Major Park/Open Space, Commercial, Educational/Major Institutional and Residential uses.

and

THAT the Advisory Planning Commission support Rezoning Application No. Z10-0023, for E of Gordon Drive; 5000 Gordon Drive; 1290 Ivens Road, to rezone a portion of the subject property from A1 - Agriculture 1 and RU1h - Large Lot Housing (Hillside Area) to RU2 - Medium Lot Housing, RU3 - Small Lot Housing, and P3 - Parks & Open Space to facilitate 86 single family dwellings.

The Advisory Planning Commission felt that the application to amend future land uses and zoning lines represents an overall net benefit to the development concept plan for Neighbourhood 3.

5.0 CURRENT DEVELOPMENT POLICY:

5.1 Kelowna Official Community Plan

The Kelowna Official Community Plan designates the location of the proposed development on the subject property as Major Park & Open Space, Educational/Major Institutional, Single/Two Unit Residential, Multiple Unit Residential - Low Density. Application OCP10-0005 has been made to change the OCP designation to facilitate the proposed residential development.

Relevant Official Community Plan policies include the following:

7.1 Hillside Policies¹

7.1.1 Hazardous Condition Review. Ensure that all development and activities in hillside areas are reviewed for compliance with City engineering standards, safety and protection and refer applications to the Province in accordance with applicable requirements.

7.1.2 Alternative Hillside Standards. Consider, within the context of a Hazardous Condition Development Permit, alternative hillside development standards within Zoning Bylaw 8000 and the Subdivision, Development and Servicing Bylaw 7900. The intent is to minimize the effects of development on the natural environment of hillside areas, defined as lands in their natural state that have a slope angle of 10% and greater for a minimum height of 6 metres while preserving areas with slopes of 30% and greater. Effects to be minimized may include cuts and fills, tree cutting, regrading and the visual impact in general of urban development on hillsides.

14.1 Parks and Leisure Policies²

14.1.1 Parks and Open Space. Endeavour to provide a variety of parks and open spaces to meet the diverse needs of the community.

14.1.28 Dedication of Natural Areas. At time of subdivision or rezoning, encourage landowners, where appropriate, to dedicate any significant natural areas / features for preservation or for public use.

14.1.33 Linear Park Dedications. At subdivision for all development types and at rezoning for multiple unit housing, commercial, industrial and institutional developments, secure a 10-metre statutory right-of-way for public access where trails are included in Table 14.1 and/or are shown on Map 14.2.

5.2 Neighbourhood 3 Area Structure Plan (2007)

- Section 3.1 Development Vision & Objectives³

Vision: To create a community:

- noted for its positive and distinctive sense of place characterized by its natural setting, spectacular views, quality urban design, and respect for nature;
- with a strong and vital Village Centre serving as a focal point for both new and existing neighbourhoods by providing places to work, shop, reside, relax, socialize, and learn;
- which, through its inter-connection of natural spaces, parks, pathways, residential areas, and urban gathering places, fosters healthy lifestyles, encourages non-motorized transportation, promotes social interaction and respect for nature,
- that demonstrates a commitment to the principles of sustainable planning, site development, design, construction, and maintenance practices, and
- which provides homes and workplaces for a wide variety of people.

Objectives

Consistent with prevailing expectations for the future of this community, some of the objectives for the development of Neighbourhood 3 are:

1. To identify and respect attributes of the natural environment, such as areas sensitive to development, for both their intrinsic and community values;
2. To provide a mix of housing types and densities suitable for a variety of households, age groups, income levels, and preferences;

¹ City of Kelowna Official Community Plan - Environment; p. 7-1.

² City of Kelowna Official Community Plan - Parks and Leisure; pp. 14-1, 14-4.

³ Neighbourhood 3 Area Structure Plan, Section 3 Development Concept; pp. 3.1, 3.2

3. To establish a conveniently located village centre of a scale sufficient to provide commercial services to meet the day-to-day needs of residents throughout the Sector Plan area over both the short and long term (beyond 20 years);
4. To orient higher density residential development around the village centre
5. To identify a suitable elementary school site in consultation with School District No. 23;
6. To integrate parks and pathways into the development of Neighbourhood 3 taking into consideration amenity and recreation values, accessibility to residents, personal health and fitness objectives, multi-function potential (i.e. walking, cycling) and linkages to public transit stops and other destinations within and beyond Neighbourhood 3.

6.0 TECHNICAL COMMENTS:

6.1 Development Engineering Branch - See Attached

6.2 Environment & Land Use Branch

- a. A Natural Environment Development Permit will be required prior to final reading. The Development Permit will only cover the first phase of subdivision (not the parent parcel) and a Terms of Reference may be required.

6.3 Infrastructure Planning

- a. The applicant is proposing that the School District lease a portion of the existing City parkland for sports fields for the future school. Infrastructure Planning requests assistance from Real Estate & Building Services in order to establish a Memorandum of Understanding (e.g. conditions, terms, value, area, etc.) with the School District for the future lease.
- b. The applicant has proposed to construct a detention pond (stormwater management facility) on the existing City parkland. The applicant will be required to design the detention pond and associated infrastructure in a manner that has a significant civic and park benefit and does not sterilize the land for public use. The applicant is required to submit a site plan to the City for review and approval. The site plan will be evaluated on how the engineering, landscaping, environmental (e.g. visual mitigation measures) and park & trail components work together.
- c. The existing OCP Future Land Use designation for the subject area identified a Neighbourhood Park (0.5 ha in size) located adjacent to the future School site and servicing the future residents of the Ponds Town Centre. Now that the Land Use is being rearranged, the applicant is required to submit a plan demonstrating a new Neighbourhood Park location and which is acceptable to the City.
- d. The applicant (or LUM) needs to confirm the land use designation and proposed land tenure under the Fortis Powerlines in the Town Centre.
- e. All proposed parkland shall be zoned P3 - Parks & Open Spaces and transferred to the City as a titled lot at the time of subdivision. Until that time, the future parkland shall not be disturbed by construction activity (material & construction storage, equipment & vehicle parking, etc.) and kept in a natural undisturbed condition (unless approval is granted by Infrastructure Planning).

6.4 School District No.23

- a. As outlined in the development applications Z10-0023 and OCP10-0005, please be advised that after a site visit and ongoing discussions with the Parks Department, Planning Department and the developer, School District No. 23 (Central Okanagan) is in agreement with the proposed relocation of the Elementary School site in Neighbourhood 3 (The Ponds); as currently outlined and discussed subject to Board of Education approval of a final agreement.

6.5 Fire Department

- b. The location and volume of the hydrants supplying the properties must meet the requirements of the City of Kelowna Subdivision Bylaw #7900. The single family lots require 60 liter per second flow and the multi family development requires 90 - 150 liter per second flow based on the building design.
- c. Maximum road grade permitted in a hillside development is 12%.
- d. All dead-end access roads over 100 metres must have a hammer-head turnaround or a cul-de-sac with a centre line radius of 12 metres.
- e. All lanes are to meet the City of Kelowna Subdivision Bylaw standard of 6 metres and road ways of 10.3 metres.
- f. Additional comments will be required when detailed plans are submitted.

7.0 LAND USE MANAGEMENT DEPARTMENT:

While the applicant is seeking to amend the Official Community Plan Generalized Future Land Use Map 2000 - 2020 (Map 19.1) from its present state, the proposed changes to the Official Community Plan and Area Structure Plan are viewed as positive in nature. That is to say that the stated Vision and Objectives in the Neighbourhood 3 Areas Structure Plan are not being compromised by the proposed changes. Rather, the changes should result in a more favorable community once fully developed.

The Area Structure Plan envisions a more “complete” community with commercial space and some employment opportunities by virtue of the anticipated Village Centre. The Village Centre will undoubtedly add to the quality of life in this area and also to the “completeness” of this community which presently lacks services and employment opportunities.

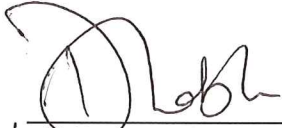
As the Village Centre is a key component of the overall development, it makes good planning sense to increase density in areas of close proximity to the Village Centre. The Area Structure Plan alludes to a form of transit-oriented development where density is increased around key locations which are suitable for transit and less reliance on automobiles. Increased density within a short walking distance is a significant factor in successfully achieving this objective.

A primary consideration of these applications is the proponent’s desire to locate this development on land originally expected to host an elementary school site. The proponent’s have however, proposed an alternate location for the school site which will be adjacent to a large tract of P3 - Parks & Open Space. The applicant seeks to amend the future land use at this time, but does not wish to rezone the land to P2 - Educational & Minor Institutional. Uncertainty surrounding timing, size and configuration of the site and use as a school are the reasons cited for this. While the zoning will not be in place, the use will be secured through the OCP amendment.

From a land use and parks and open space perspective, the proposed location adjacent to the City-owned park space has merit and is desirable. Adjacent P3 - Parks & Open Space and P2- Educational & Minor Institutional is more conducive to the creation of a joint use site which allows for beneficial synergies such as reduced parking requirements versus stand-alone uses. This arrangement may also allow the City to use the future school site for parks use until the School District constructs the school if and when the demand is met in this area.

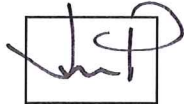
The revised plan will also decrease the length of arterial roadway required to be constructed (see Map “A” attached). Less arterial roadway should lead to a less auto-oriented community and should have less impact in terms of stormwater management and groundwater interception. Less automobile dominance should provide for a more walkable community.

In sum, the 5.38 hectare proposed development parcel and the associated site reconfiguration required to achieve the development of 87 units of single family dwellings is appropriate from a land use perspective. The proponent has made a verbal commitment to staff to seek out low impact development opportunities. Examples include the provision of rain barrels to store and attenuate rainwater (stormwater management) during storm events and provide a source of untreated water (means less embodied energy for pumping and treating) for plantings. The applicant has also stated that a minimum of 50% of the lots 'landscape zone' (the entire lot area minus the building footprint) will be landscaped using xeriscape principles. That said, a number of technical requirements (i.e. stormwater management; ensuring civic benefit in exchange for a proposed detention facility on City land; and compensation for the loss of environmentally sensitive areas) will need to be resolved prior to final adoption of the zone amending bylaw.



for | Shetley Gambacort
Director of Land Use Management

Approved for Inclusion



Jim Paterson
General Manager, Community Sustainability

DN/TC/gs

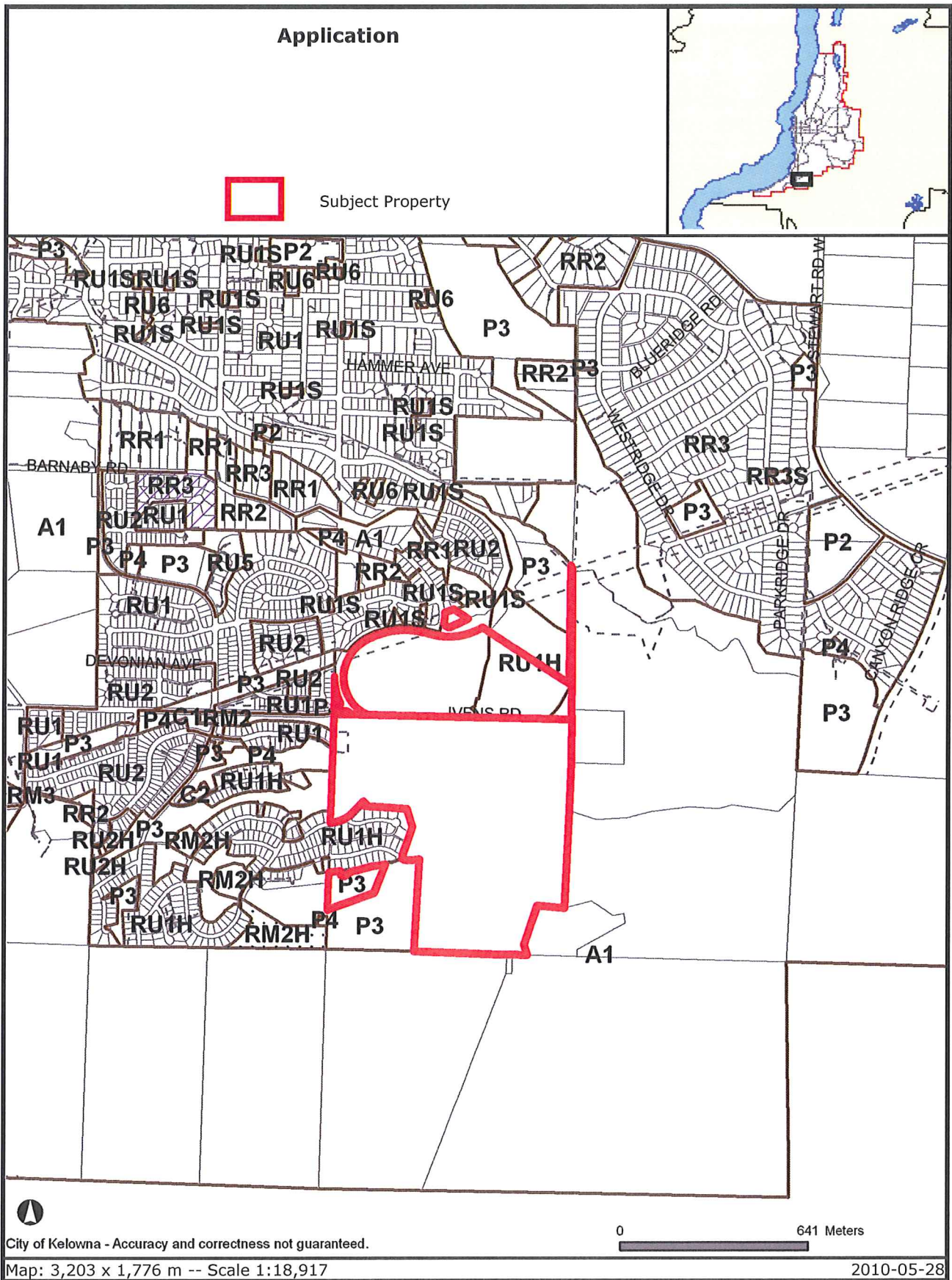
Attachments

- Subject Property Map
- Proponent's OCP Amendment Plan
- Proponent's Rezoning Plan
- Development Engineering Technical Comments
- School District No. 23 Technical Comments
- Environmentally Sensitive Area Map
- Stream and Wetland Inventory Map
- Sustainability Checklist

Date Application Accepted
April 6, 2010

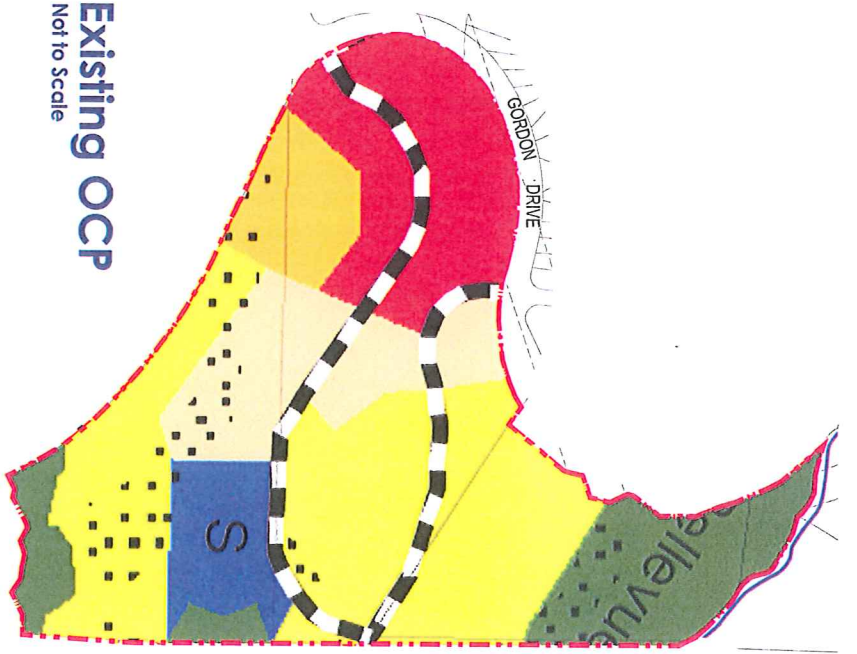
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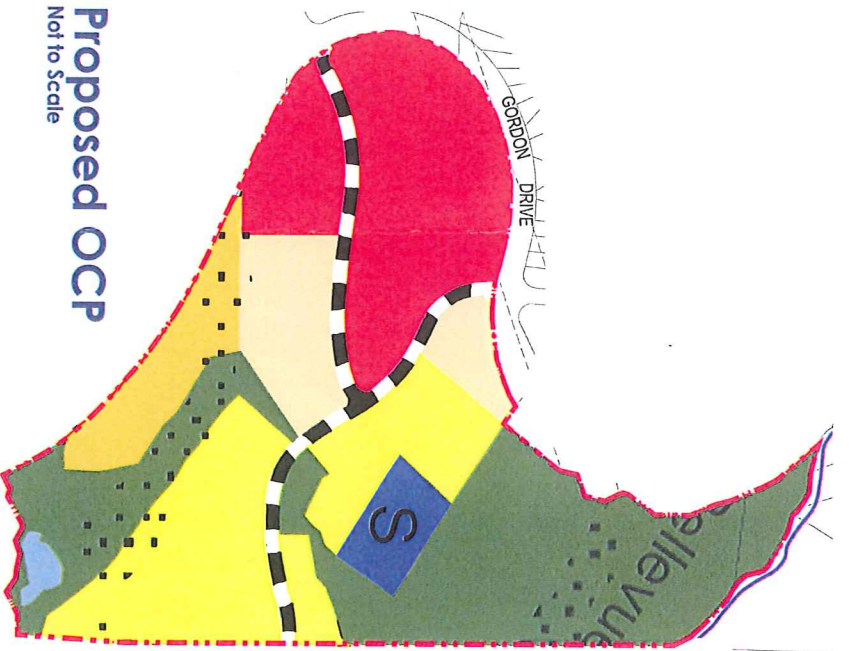


Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

MAP "A"



Existing OCP
Not to Scale



Proposed OCP
Not to Scale

Legend

Land Use Designations

- Commercial
- Educational / Major Institutional
- Multiple Unit Residential (Low Density) (associated uses: care centres, minor public services/utilities, & neighbourhood park)
- Multiple Unit Residential (Med. Density) (associated uses: care centres, minor public services/utilities, & neighbourhood park)
- Public Service / Utilities
- Single / Two-Unit Residential (associated uses: care centres, minor public services/utilities, & neighbourhood park)

Future Land Use Boundaries on lots with more than one Land Use Designation are conceptual only and may change based on Development Proposals.

NOTES

- SLOPES +30%
- S SCHOOL
- 20 YEAR MAJOR ROAD NETWORK
- PHASE II SITE BOUNDARY



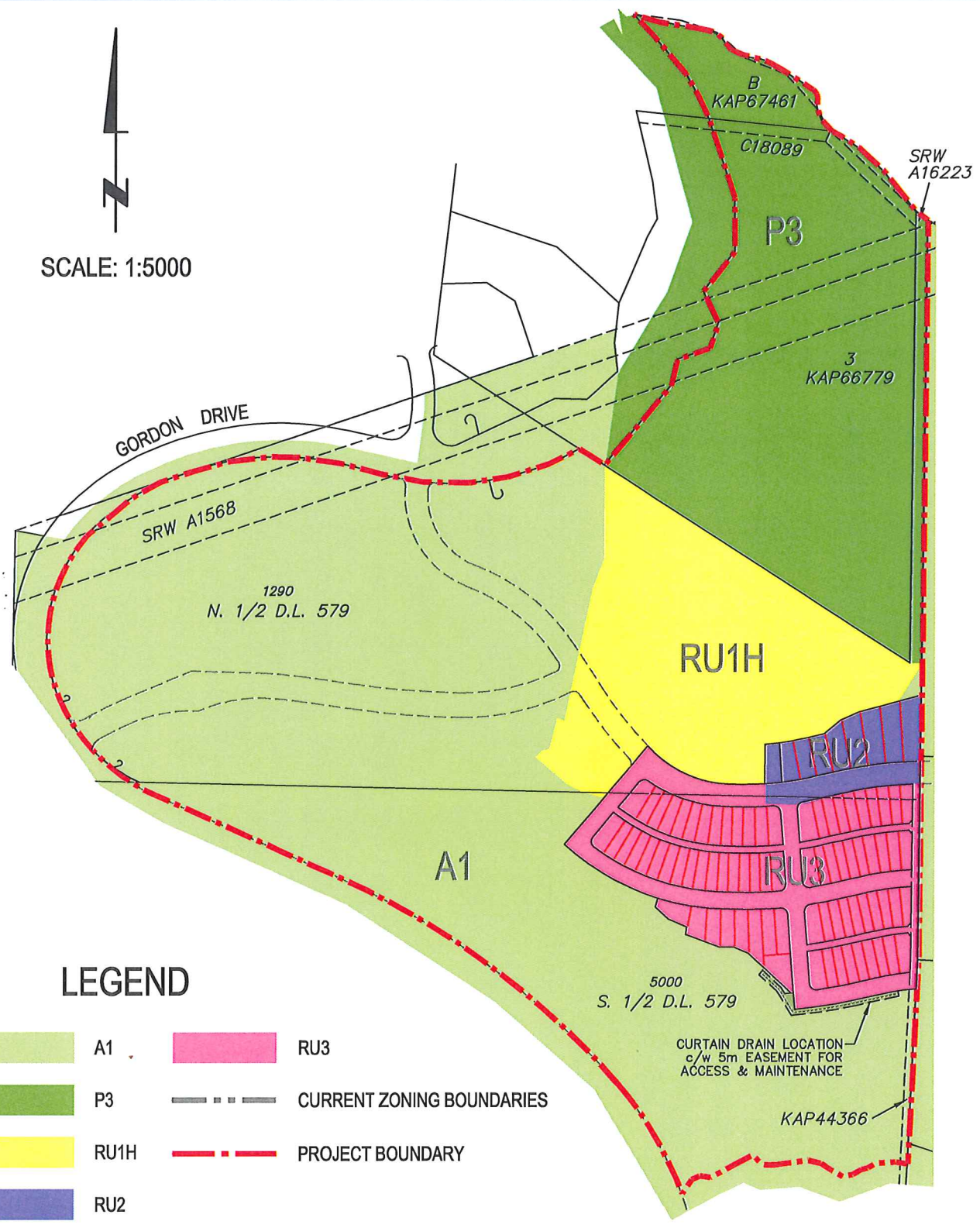
S 1/2, DL579, SDYD and N 1/2 DL579, SDYD, Lot 3, Plan KAP66779, DL 579, LD 54, SDYD
The Ponds Phase II Proposed OCP Amendment
 Existing and Proposed - March 30, 2010

OCP Plan downloaded from CoK
 Website - Rev. July 23/09






MAP "B"



SCALE: 1:5000



LEGEND

- | | | | |
|---|------|---|---------------------------|
|  | A1 |  | RU3 |
|  | P3 |  | CURRENT ZONING BOUNDARIES |
|  | RU1H |  | PROJECT BOUNDARY |
|  | RU2 | | |

SCALE 1:5000
 DATE MAY 28, 2010
 APPROVED
 DESIGN BY CWH
 DRAWN BY WKN
 CHECKED BY



ENGINEERING • PLANNING • GEOMATICS
 702-1708 DOLPHIN AVE. KELOWNA B.C. V1Y 9S4
 PHONE (250) 980-5500 FAX (250) 980-5511

NEIGHBOURHOOD 3 - THE PONDS PHASE 2 PROPOSED ZONING ARRANGEMENT

CITY OF KELOWNA
MEMORANDUM

Date: May 18, 2010
File No.: Z10-0023 OCP10-0005 TA10-0006
To: Planning and Development Officer (LT)
From: Development Engineering Manager
Subject: Zoning/OCP/TA Application

LOCATION: 5000 Gordon Drive	ZONE RU2,RU3 and P3
APPLICANT: No. 21 Great Projects Ltd.	
LEGAL: S ½ ,DL579 and N ½ ,DL579	

WORKS AND SERVICES REQUIREMENTS

.1) General

- a) 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.
- b) 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.
- c) 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.

.3) Water

- a) The property is located within the City of Kelowna service area.
- b) Provide an adequately sized domestic water and fire protection system complete with individual lot connections. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. Provide water calculations for this subdivision to confirm this. Ensure every building site is located at an elevation that ensures water pressure is within the bylaw pressure limits. Note: Private pumps are not acceptable for addressing marginal pressure.

.4) Sanitary Sewer

- a) Provide an adequately sized sanitary sewer system complete with individual lot connections.

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

.6) Roads

- a) Frost Road is designated an urban class one collector road. Dedicate and construct the road in accordance with City standard SS-R6, 22.0m dedication, 14.5m road).
- b) Steele Road is designated an urban class 1 collector road. Dedicate and construct the road in accordance with City standard SS-R5 (20m dedication, 13.1m road).
- c) Residential Roads are designated an urban class 2 local road. Dedicate and construct the road in accordance with City standard SS-R4 (15.0m dedication, 9.1m road).
- d) Lanes must be constructed and paved to the City standard SS-R2.
- e) Provide traffic control and street name signs where required. The City will install all signs and traffic control devices at the developer's expense.
- f) Provide a Street Sign, Markings and Traffic Control Devices Drawing.
- g) 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.
- h) Landscaped boulevards, complete with underground irrigation, is required on Frost, Steele and residential road.
- i) 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.
- j) 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.

.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 Development Services 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) DCC credits will be available, for DCC Works installed by the applicant, based on the lowest of the following:
 - i) DCC's payable for that class of item (i.e. roads),
 - ii) The value of the DCC item as estimated for the DCC Bylaw, or
 - iii) The actual cost of construction of the item as verified by contract costs.
- c) The following works and services are applicable for DCC credit considerations:
 - i) Gordon Drive
- d) Water Extended Service Area Latecomers:

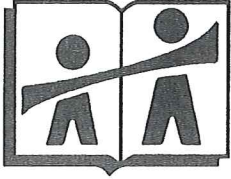
ESA#	Frontender	Component	Anniversary (rates increase)	*Rate/unit \$
11	No. 21	Reservoir	Nov 3,2010	1098
3	SSJV	Transmission Main	Oct 11,2010	141
4	SSJV	Transmission Main	Oct 11,2010	469
6	SSJV	Piping	Dec 06,2010	206
8	No.21	Piping	Jan 16,2010	164

*(these fees are to be confirmed at time of subdivision)

- e)
- f) 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).

Steve Muenz, P.Eng.
Development Engineering Manager

ss



SCHOOL DISTRICT NO. 23
(Central Okanagan)
OPERATIONS

685 Dease Road

Kelowna, B.C. V1X 4A4

Tel.: (250) 491-4000 Fax.: (250) 870-5094

"Together We Learn"

May 27, 2010

City of Kelowna
Attention: Greg Sauer, Planner II
1435 Water Street
Kelowna, BC V1Y 1J4

Sent via email: gsauer@kelowna.ca

Re: Proposed Relocation of School Site - The Ponds, Kelowna

Dear Mr. Sauer:

As outlined in the development applications Z210-0023 and OCP 10-0005, please be advised that after a site visit and ongoing discussions with the Parks Department, Planning Department and the developer, School District #23 (Central Okanagan) is in agreement with the proposed relocation of the Elementary School site in Neighbourhood 3 (The Ponds); as currently outlined and discussed, subject to Board of Education approval of a final agreement. As a result we are prepared to enter into negotiations regarding a mutually beneficial joint use of School parking lot for City use and the City sport fields for School use. It is our understanding in discussions with City Parks, that formulation of a joint use agreement will be based on the successful model currently used in West Kelowna. As a result of preliminary discussions regarding a Joint Use Agreement, some items that will be confirmed will include:

- The School District & the City agree to explore mutually acceptable terms for maintenance of the joint use sports field area and the parking lot area.
- The developer and/or the City may develop the school property for community use at their own expense and utilize the school and/or park lands in advance of the school construction, until such time that it is required for school purposes. (Scope of development to be approved by School District No. 23 (Central Okanagan) prior to commencement)
- The term of the agreement (shared use of the sports fields) shall be for the life of the school or as long as it is used for educational purposes.
- The allocation times for exclusive use of sport fields for school programs and events needs to be determined.

Yours truly,

Alan Cumbers
Director of Operations

Cc: Larry Paul, Secretary Treasurer
Judy Shoemaker, Planning Manager



- LEGEND**
- Phase 2 Site Boundary
 - Approx. Location & Likely Min. Size of Required Compensation
 - Bellevue Creek
 - Cadastre
 - Proposed Parks or Open Space (Neighbourhood 3 Area Structure Plan)
 - Environmentally Sensitive Areas
 - ESA 1 (High Environmental Sensitivity)
 - ESA 2 (Moderate Environmental Sensitivity)
 - ESA 3 (Low Environmental Sensitivity)
 - ESA 4 (Little or No Value)
 - ESA # Location where Site Boundary is encroaching into ESA area

ESA AREA SUMMARY

Phase 2 Area (Not Including Restrictive Covenant Area)

Vegetation Unit	ESA	Area (m ²)	Phase 2 total area (%)
Disturbed Grassland	4	103.5	0.2
Agricultural Field	3	39,671.0	58.5
Disturbed Grassland	3	18,555.1	27.4
Coniferous Forest	2	3,676.5	5.4
Cottonwood Stand	2	215.6	0.3
Riparian (sooth)	1	4,755.2	7.0
Riparian (sooth)	1	298.2	0.4
Tributary Aspen Seepage	1	208.3	0.3
Total		99.6	

Restrictive Covenant Area

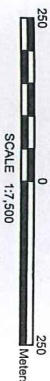
Vegetation Unit	ESA	Area (m ²)	Phase 2 total area (%)
Tributary Aspen Seepage	1	186.2	0.3
Agricultural Field	3	72.9	0.1
Total		259.1	0.4

HABITAT BALANCE

ESA	Habitat Ratio	Compensation Area Required (m ²)	Compensation Area Proposed (m ²)
1	5.272	310.1	15,815
2	3.8921	10.1	3,892.1
Total	9.164	N/A	19,708

REFERENCE

1. Orthophoto: City of Kelowna, Dated: 2006.
 2. Cadastre: City of Kelowna, Dated: 2006.
 3. Bellevue Creek: City of Kelowna; SHM, Dated: 11/6/2005.
 4. Proposed Parks: Urban Systems; File name: 030300078-ASP-Mat Pond 2010.dwg
- Projection: UTM Zone 11 Datum: NAD 83



PROJECT: ENVIRONMENTAL ASSESSMENT
 PHASE 2 NEIGHBOURHOOD 3
 NO. 21 GENT PROJECTS LTD.
 KELOWNA, B.C.

ENVIRONMENTALLY SENSITIVE AREAS

FIGURE: 6

PROJECT No. 10-1494-0071	PHASE No. 2000
DESIGN: JH, ZMARIO	SCALE: AS SHOWN
CHECK: LH, HAARHO	REV: 0
REVIEW: DK, HAARHO	



Stream and Wetland (SHIM & WIM) Mapping

