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Date: February 18, 2011

To: City Manager

From: Land Use Management, Community Sustainability

Application: OCP09-0018 / Z09-0069

Owner: Watermark Developments Ltd.
and Academy Apartments Ltd.
Applicant: Watermark Developments Ltd.

Address: 899 Academy Way
285 Arab Road & (N OF) Arab Road

Subject: Rezoning & OCP Amendment Applications

Existing OCP Designations: Multiple Unit Residential - Medium Density / Multiple Unit Residential - Low Density / Single Two Unit Residential / Major Park & Open Space / Education & Minor Institutional / Commercial

Proposed OCP Designations: Multiple Unit Residential - Medium Density / Multiple Unit Residential - Low Density / Single Two Unit Residential / Major Park & Open Space / Education & Minor Institutional / Commercial

Existing Zone: A1 - Agriculture 1

Proposed Zones: C3 - Community Commercial, RM3 - Low Density Multiple Housing, RM4 - Transitional Low Density Housing, RM5 - Medium Density Multiple Housing, P2 - Education and Minor Institutional and P3 - Parks and Open Space.

1.0 Recommendation

THAT OCP Bylaw Amendment No. OCP09-0018 to amend Map 19.1 of the *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designations of: Lot 2, Section 10, Twp. 23, ODYD, Plan KAP86356, located at 899 Academy Way from Multiple Unit Residential - Medium Density, Commercial and Major Park & Open Space to Multiple Unit Residential - Medium Density, Commercial and Major Park & Open Space; the North East ¼ of Section 3, Twp. 23, ODYD, located at the (N OF) Arab Road from Multiple Unit Residential - Medium Density, Multiple Unit Residential - Low Density, Single / Two Unit Residential, Major Park & Open Space, and Education & Minor Institutional to Multiple Unit Residential - Medium Density, Multiple Unit Residential - Low Density, Single / Two Unit Residential, Major Park & Open Space, Education & Minor Institutional and Commercial; and the North ½ of the South East ¼ of Section 3, Twp. 23, ODYD, Except Plan KAP88257, located at 285 Arab Road from Multiple Unit Residential - Low Density, Single / Two Unit Residential and Major Park & Open Space to Multiple Unit Residential - Low Density, Single / Two Unit Residential, Major Park & Open Space and Education & Minor Institutional as shown on 'Map' A attached to the report of the Land Use Management Department, dated February 18, 2011, be considered by Council;

THAT Council considers the 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 Land Use Management Department dated February 18, 2011;

THAT Rezoning Application No. Z09-0069 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classifications of: Lot 2, Section 10, Twp. 23, ODYD, Plan KAP86356, located at 899 Academy Way from A1 - Agricultural 1 to C3 - Community Commercial, RM5 - Medium Density Multiple Housing and RM4 - Transitional Low Density Housing; a portion of the North East ¼ of Section 3, Twp. 23, ODYD, located at the (N OF) Arab Road from A1 - Agriculture 1 to C3 - Community Commercial, RM5 - Medium Density Multiple Housing, RM4 - Transitional Low Density Housing, RM3 - Low Density Multiple Housing, P2 - Education and Minor Institutional and P3 - Parks and Open Space; a portion of the North ½ of the South East ¼ of Section 3, Twp. 23, ODYD, Except Plan KAP88257, located at 285 Arab Road from A1 - Agricultural - 1 to RM3 - Low Density Multiple Housing, P2 - Education and Minor Institutional and P3 - Parks and Open Space as shown on Map "B" attached to the report of the Land Use Management, dated February 18, 2011, be considered by Council;

THAT the OCP Bylaw Amendment No. OCP09-0018 bylaw and the zone amending bylaw be forwarded to a Public Hearing for further consideration;

THAT final adoption of the zone amending bylaw be considered in conjunction with Council's consideration of a Development Permit on the subject properties;

THAT final adoption of the zone amending bylaw be considered subsequent to the issuance of a Natural Environment Development Permit on the subject properties;

THAT final adoption of the zone amending bylaw be considered subsequent to the approval of an appropriate drainage plan;

THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Development Engineering Branch, the Fire Department and Glenmore Ellison Improvement District being completed to their satisfaction;

AND THAT final adoption of the zone amending bylaw be considered subsequent to the issuance of a Preliminary Layout Review (PLR) from the City's Subdivision Approving Officer;

2.0 Purpose

This application is for an amendment to the Official Community Plan to change the Future Land Use designation of the subject properties. The applicant is requesting that the development layout adopted through the *University South Area Structure Plan* (December 1996), and previously amended in February 2006, be further adjusted to accommodate the proposed revisions to the development plan. The proposal does not contemplate any new Future Land Use designations and is guided by the University Village Master Plan, with the existing and proposed Future Land Use designations comprised of: Multiple Unit Residential - Medium Density / Multiple Unit Residential - Low Density / Commercial / Major Park & Open Space / Education & Minor Institutional. In addition to amending the layout of the Future Land Use designations, rezoning is being sought for the three parent parcels to their appropriate and anticipated zone classification. As such, the applicant is proposing to rezone the subject properties from Agriculture 1 to C3 - Community Commercial, RM3 - Low Density Multiple Housing, RM4 - Transitional Low Density Housing, RM5 - Medium Density Multiple Housing, P2 - Education and Minor Institutional and P3 - Parks and Open Space.

An overall Form and Character Development Permit will be required prior to final approval of the zone amending bylaw. Overarching planning and design principles and additional landscaping, open space and architectural guidelines have been provided to ensure that development proceeds in a cohesive and integrated manner. Once the parent parcels have been subdivided and rezoned a Form and Character Development Permit will be required for each phase of the development process.

3.0 Land Use Management

The subject property is designated as a combination of Single / Two Unit Residential; Multiple Unit Residential - medium density; Commercial, Major Park and Open Space; and Institutional. This proposal embodies all of those designations but requires some boundary adjustments to the configuration of the designations that require an OCP amendment application.

The proposal as submitted meets the intent of the existing OCP in the types of development and provision of a Village Centre in proximity to UBC Okanagan as well as the proposed density and number of housing units. It is noted that the existing Terasen Gas Right of Way (RoW) will be relocated through the Village Centre east of and parallel to the Academy Way alignment. The gas ROW will be designated as Major Park / Open Space and will be used as pedestrian and cycling corridor through the Village connecting to UBCO.

Given the density proposed in this area and its relationship to UBCO, this development parcel fulfils many community planning objectives, both functionally and aesthetically. The design guidelines, which will be considered in conjunction with the Development Permit, will ensure that both the private and public realms offer high quality open and green space and will help execute the vision for the University Village Master Plan. A comprehensive and consistent design approach will provide continuity and cohesiveness throughout the site.

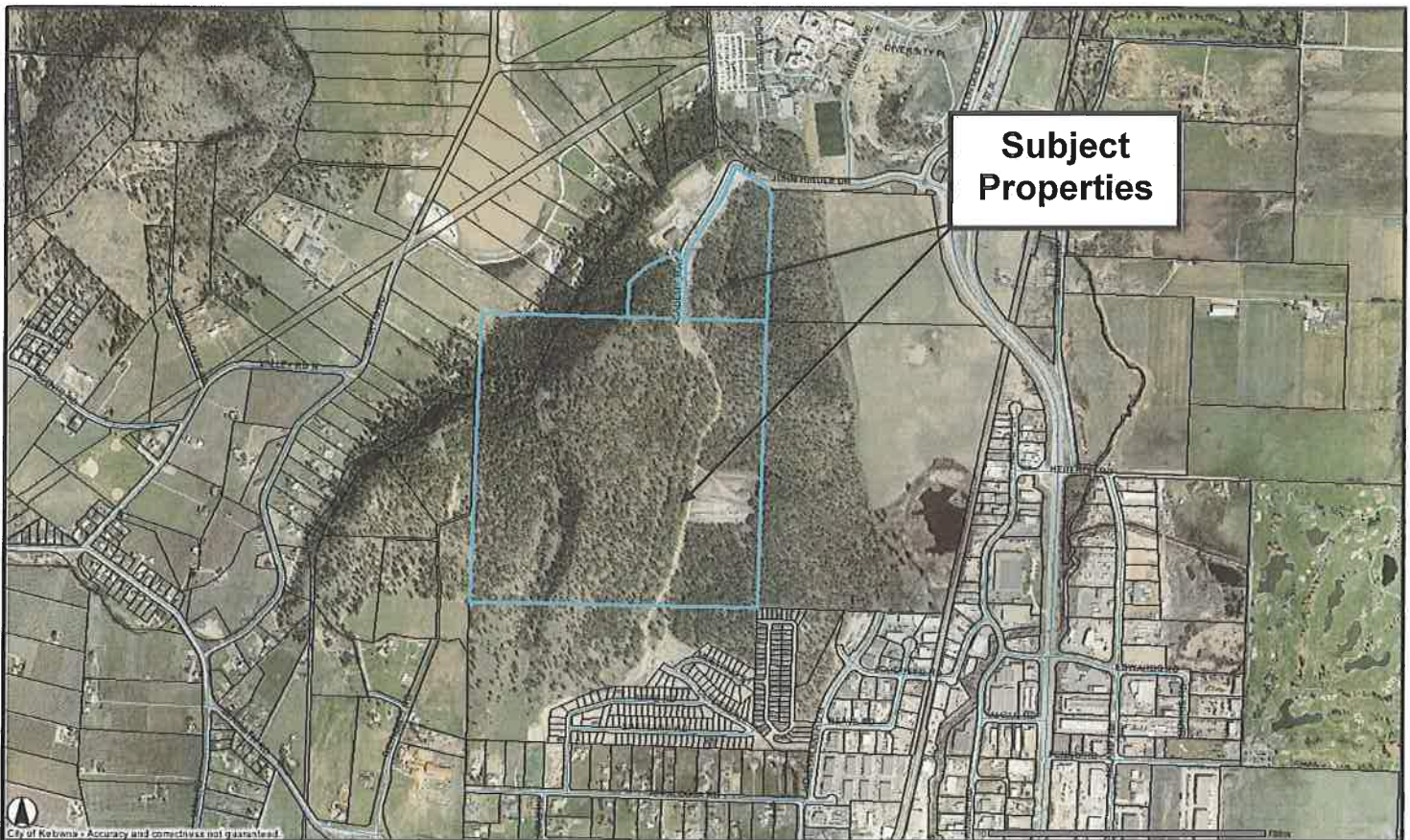
The applicant has worked with the City to ensure appropriate park sites have been identified. There is a neighbourhood park located adjacent to the large gulley open space area on the western edge of the property and one park site adjacent to the public school site. In addition, a wildlife corridor has been secured adjacent to the park site. The Land Use Management Department recommends support for the Official Community Plan amendment and rezoning applications as it is not a significant change in terms of land use mix but a relocation of the various components to more suitable locations given the growth occurring at the University to the north.

4.0 Proposal

Site Context

The subject property is located just south of UBC Okanagan in an area known as University South. The adjacent land uses are as follows:

<i>Direction</i>	<i>Zoning Designation</i>	<i>Land Use</i>
North	P2 - Educational & Minor Institutional	UBC Okanagan
East	A1 - Agriculture 1 RU5 - Bareland Strata Housing	Agriculture / Vacant Residential
South	RU2s - Medium Lot Housing with Secondary Suite A1 - Agriculture 1	Residential Residential
West	A1 - Agriculture 1	Agriculture



Background

The *University South Area Structure Plan (ASP) Future Land Use Map*, dated June 1997, was incorporated into the Official Community Plan in January 1998. The purpose of the plan was to envision a logical pattern of development for the University South area. An amendment to the Official Community plan was subsequently approved in February 2006. The amendments were due to the change in status of the Okanagan University College to UBC Okanagan, which prompted the development team to initiate a review of their development strategy.

Project Description

The applicant has submitted the Official Community Plan amendment and rezoning applications in order to move forward with the development of the University South Area. The proposed amendments to the Official Community Plan include the following:

- Breaking up the commercial node at the north of the development site, instead of having one large commercial node the applicant is proposing a main commercial node at the north of the properties (Lot 1) and a mixed use development area (Lot 9) as shown on attached Map B;
- Relocation of the Public School and Public Park sites further south on the development site; this is largely due to topographical constraints. This layout will require less cutting and filling and therefore less disturbance to the development site;

- Relocating the wildlife corridor adjacent to the main public park as recommended by City Staff;
- Recognition of the Central Okanagan Multi-Modal Corridor at the south of the development parcel.
- The Terasen Gas line will be relocated as part of the redevelopment on the northern portion of the development site, this change requires an Official Community Plan amendment to ensure that the Gas line is developed as a public trail and recreation link;

The application also involves the rezoning of the University Village Master Plan area so that the applicant can move the development project forward. Staff are currently processing a Natural Environment Development Permit to ensure that the sites Natural features are protected as part of the continued development process. On this note, the applicant is rezoning the large gulley on the west side of the property to P3 - Parks & Open Space during this phase of the development process in order to ensure its protection as a significant natural feature and public amenity. During subsequent zoning approvals for the western portion of the property, the ultimate wildlife corridor connection from the University Village area to the large P3 portion (gulley area) will be secured once site planning has been comprehensively completed for this area. The proposed zones comply with the Future Land Use Designation for the area and the proposed lot sizes meet the requirements of Zoning Bylaw No. 8000.

An overarching Form and Character Development Permit for Phase I of the University Village Master Plan is also under consideration. These overarching planning and design principles and additional landscaping, open space and architectural guidelines have been provided to ensure that development proceeds in a cohesive manner as the property will be subdivided and sold to a number of developers. Once the parent parcels have been subdivided and rezoned, a Form and Character Development Permit will be required for each phase of the development process.

The objective of the broad DP is to provide the community and developers with certainty regarding the main objectives and principles of the development such as land use, density, design guidelines and community amenities while also allowing flexibility that will permit viable, innovative development proposals. The design guidelines are meant to synthesize physical site assessments, public consultation, and relationships to existing and anticipated land uses. By adhering to this framework, developers and design teams will create proposals which are consistent with the vision for the University Village Master Plan.

5.0 Current Development Policies

Staff recommends that the 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.

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

5.1 City of Kelowna Official Community Plan (2020)

5.1.1 Considerations in Reviewing Development Applications (OCP Chapter 8 - Housing)¹

Infrastructure Availability (8.30). Give preference to supporting new housing in areas where required services already exist or can be provided most economically and efficiently;

¹ Official Community Plan, Pages 8-4 - 8-7

Housing Variety (8.40). Encourage the development of a variety of housing forms to ensure that the housing supply meets the needs of Kelowna's diverse population and satisfies a range of lifestyle choices;

Integration (8.44). Encourage the sensitive integration of different housing forms in the various sectors of the City, in support of neighbourhood diversity and healthy communities;

Objectives for Multiple Unit Residential Development²

- All development should be an appropriate response to its physical context, or anticipated future context where an area is designated for increased density or land use transition in the OCP.
- All development within Urban Centres and Village Centres should contribute to the creation of pedestrian-oriented streets and public spaces.
- All development should contribute to a sense of community identity and sense of place (integration of development within larger community, belonging).
- All development should facilitate access by, and minimize conflicts among pedestrian, bicycle, and vehicular modes of transportation (access, mobility).

5.1.2 Considerations in Reviewing Development Applications (OCP Chapter 9 - Commercial)³

Location of New Commercial. Direct new commercial ventures to locate in areas designated for commercial purposes (see Map 19.1);

Objectives for Commercial Development (OCP Chapter 9)⁴

- All development should be an appropriate response to its physical context, or anticipated future context where an area is designated for increased density or land use transition in the OCP.
- All development should provide visual interest and human scale.
- All development should contribute to a sense of community identity and sense of place (integration of development within larger community, belonging, and community cohesiveness).
- All development should facilitate access by, and minimize conflicts among pedestrian, bicycle, and vehicular modes of transportation (access, mobility).
- All development should promote safety and security of persons and property within the urban environment (CPTED).

5.1.3 Considerations in Reviewing Development Applications (OCP Chapter 9 - Parks)⁵

Dedication of Natural Areas (14-28). At time of subdivision or rezoning, encourage landowners, where appropriate, to dedicate any significant natural areas / features for preservation or for public use;

Accessibility (14-36). Work towards ensuring that some pathways in each portion of the City are accessible to various forms of assisted transportation (wheelchairs, strollers, etc.).

² Official Community Plan, Page 8-13

³ Official Community Plan, Pages 9-2 - 9-4

⁴ Official Community Plan, Page 9-8

⁵ Official Community Plan, Page 14-4 - 14-6

Site Density Calculations (14-37). Allow the owner(s) of land affected by linear park dedications to use the original site area in computing density and floor area ratios and minimum area for development or subdivision purposes;

5.1.4 Considerations in Reviewing Development Applications (OCP Chapter 18 - Institutional)

Location of Schools (18.19). Encourage schools (public and private) to locate in central and easily accessible areas. Locations within the City Centre, Town Centres, Highway Centre or Village Centres should be promoted wherever possible. Consideration for other sites should include appropriate setbacks and scale of buildings as compared to adjoining residential uses and location on a collector road;

Community Use of Schools (18.20). Encourage that schools be designed so as to facilitate, during non-school hours, use for before/after school care programs, recreation programs, youth/family activities, and continuing/adult education;

6.0 Technical Comments

6.1 Building & Permitting Department

No Concerns.

6.2 Development Engineering Department

See Attached

6.3 Fire Department

All access, roads and fire hydrant are require as per the city of kelowna Subdivision Bylaw #7900. Assurance the main collector road is to be completed and connected to Arab Rd as this development is a one way in and one way out. This development is beyond the 8Km for residential and 5Km fire department response for multi family and all building should be protected with fire sprinklers. The 6M roads should be provided with loading and unloading areas in front of each building as to not impede emergency vehicle access at any time. Road grades are nor to exceed the one in twelve standard. The multi use buildings will require fire flow calculations. Additional comments will be required at the building permit application. This is an interface forested area, fuel modification is to be completed in the undeveloped areas.

6.4 Environment Branch

Environmental concerns including, but not limited to surface and subsurface hydrology associated with the proposed development, including linkages to Carney Pond; establishment of no disturbance areas for natural environment and hazardous conditions; and the establishment of viable wildlife corridors will need to be satisfied as conditions of a staff authorized Natural Environment Development Permit.

6.5 Interior Health Authority

See Attached

6.6 Irrigation District - Glenmore Ellison

See Attached

6.7 School District No. 23

See Attached

7.0 Application Chronology

Date of Application Received: November 17th, 2009

Advisory Planning Commission August 3rd, 2010

The proposed development was reviewed by the Advisory Planning Commission at the meeting on August 3rd, 2010 and the following recommendations were passed:

THAT the Advisory Planning Commission support Official Community Plan Bylaw Amendment Application No. OCP09-0018 for 899 Academy Way; N of Arab Road to amend the Official Community Plan to reflect the proposed changes to the University South Area Structure Plan.

THAT the Advisory Planning Commission support Rezoning Application No. Z09-0069 for 800 Academy Way; N of Arab Road in order to rezone the parent parcel from the A1 - Agriculture 1 zone to the C3 - Community Commercial, RM4 - Transitional Low Density Housing, RM5 - Medium Density Multiple Housing, P2 - Education and Minor Institutional and P3 - Parks and Open Space zones for the first phase of the University Village Master Plan.

Anecdotal Comments

The Advisory Planning Commission supports the Rezoning Application, however, the access into the hilltop village should be looked at in more detail when turning left. Academy Way will be a high vehicle access from the south.

Since the APC meeting Staff have been working with the applicant to address some of the outstanding transportation and drainage concerns.

Report prepared by:




Alec Warrender, Urban Land Use Planner

Reviewed by:



Shelley Gambacort Director, Land Use Management

Approved for inclusion:



J. Paterson General Manager, Community Sustainability

Attachments:

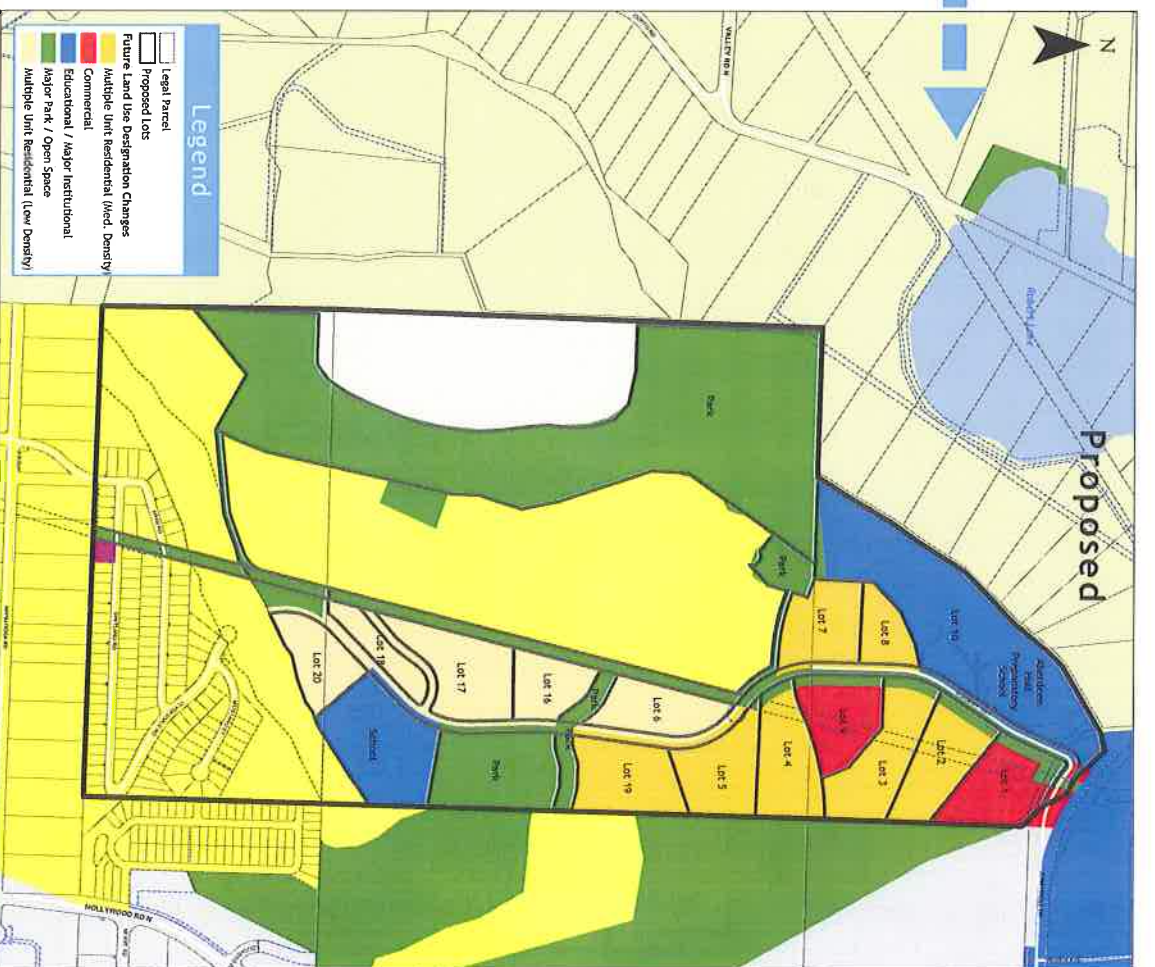
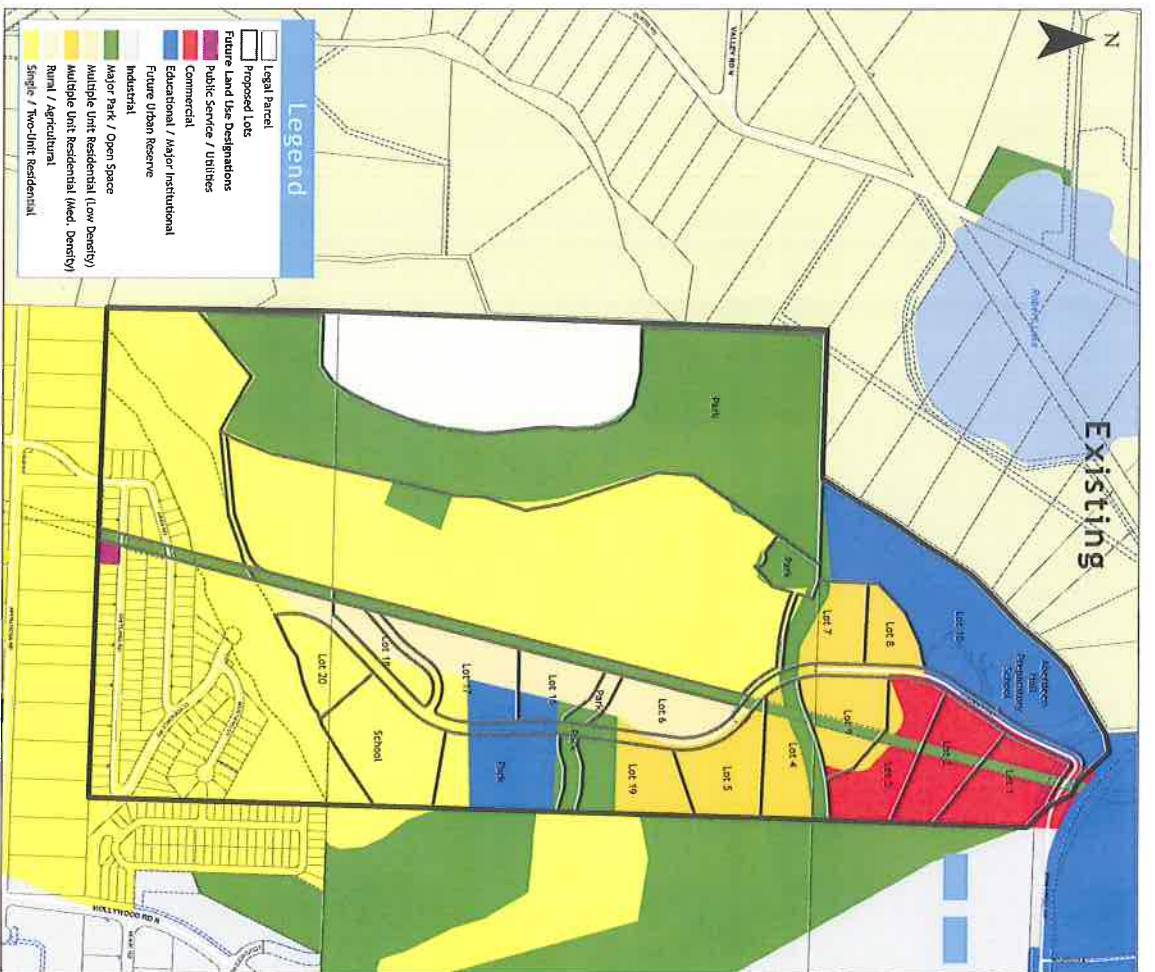
Zoning & Land Use Plan

Park, Trail & Open Space Plan

Project Overview (Excerpt from applicants 'University South Development Plan')

Technical Comments

Sustainability Checklist

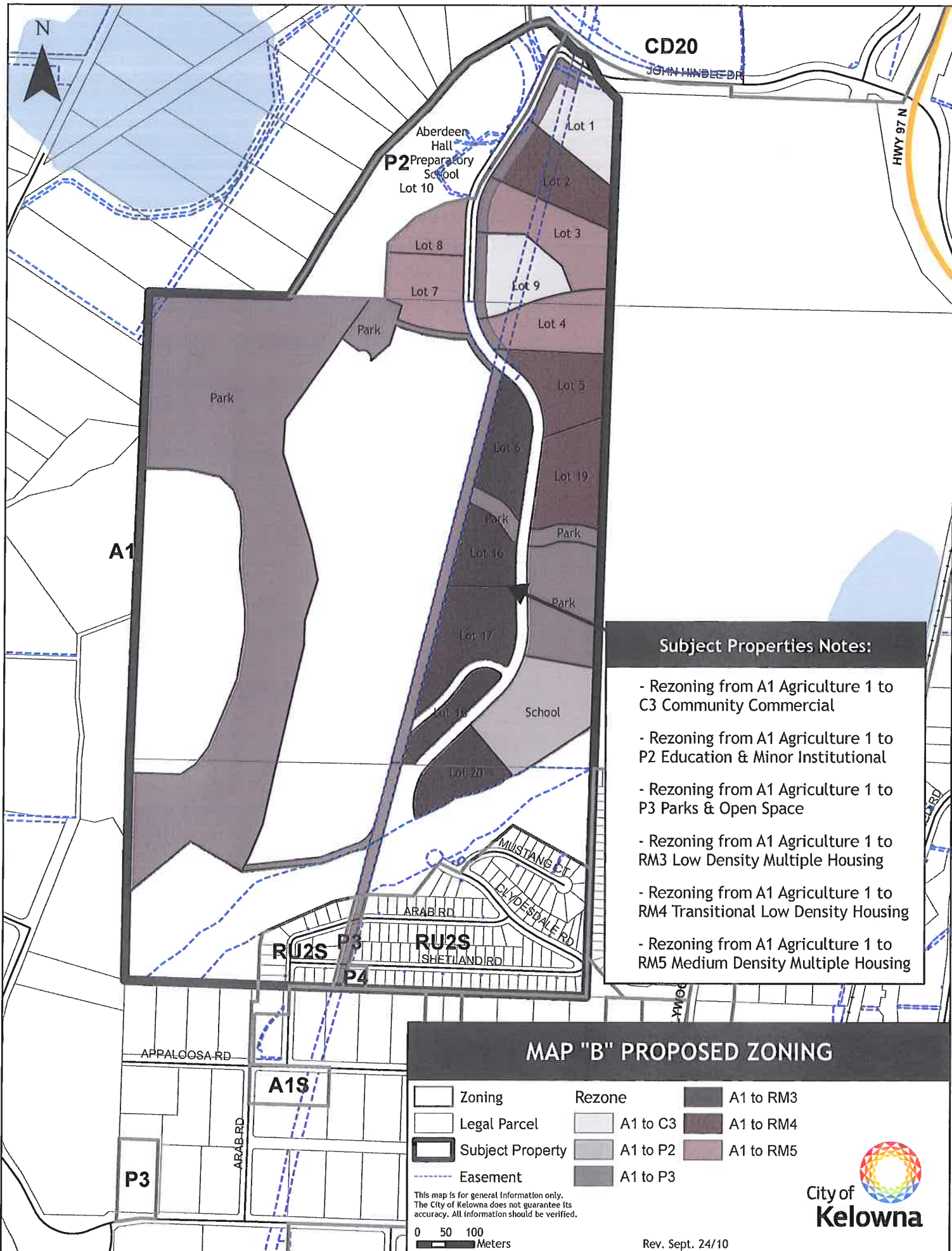


University Village Master Plan

MAP "A" OCP AMENDMENT Existing vs. Proposed

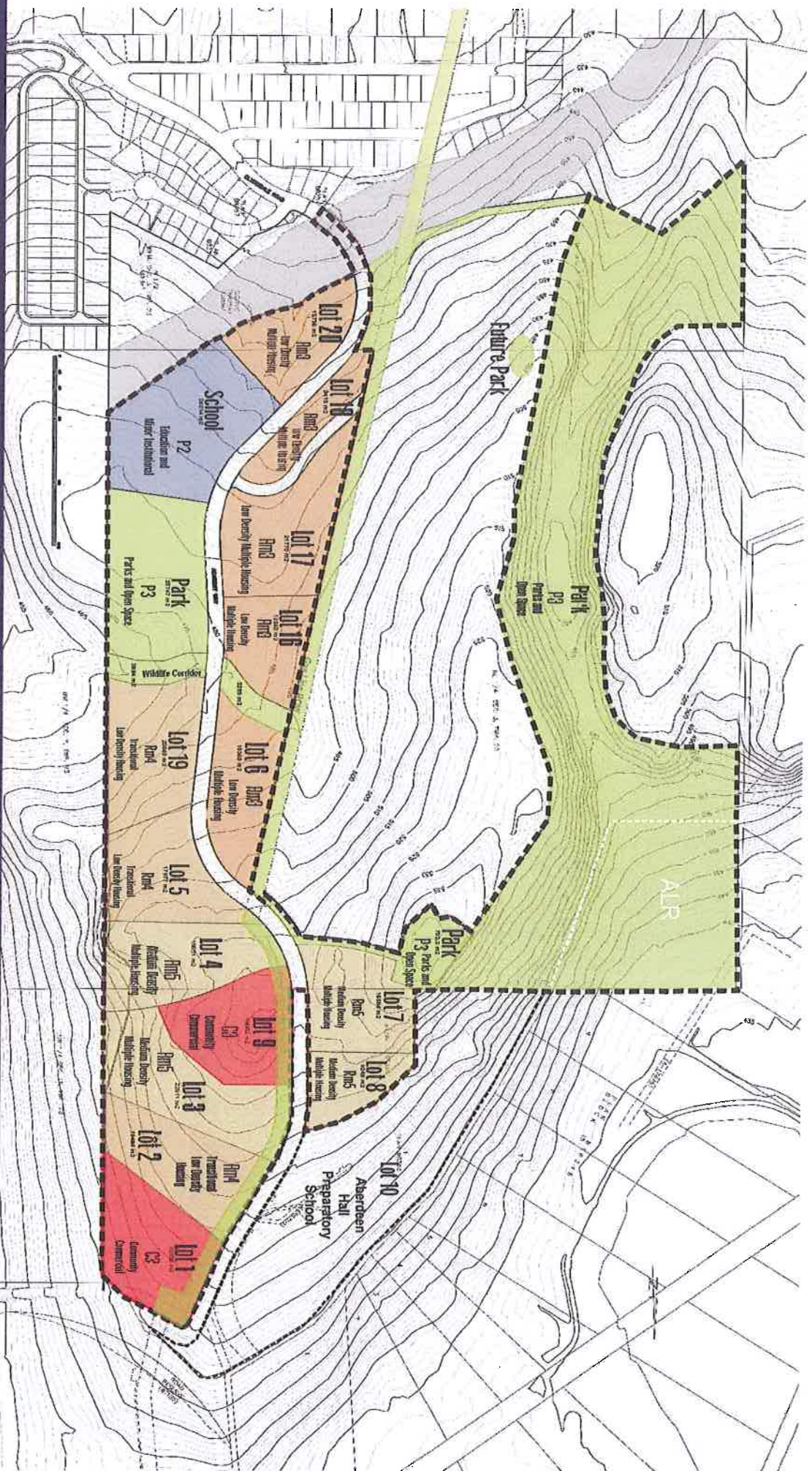
October 2010

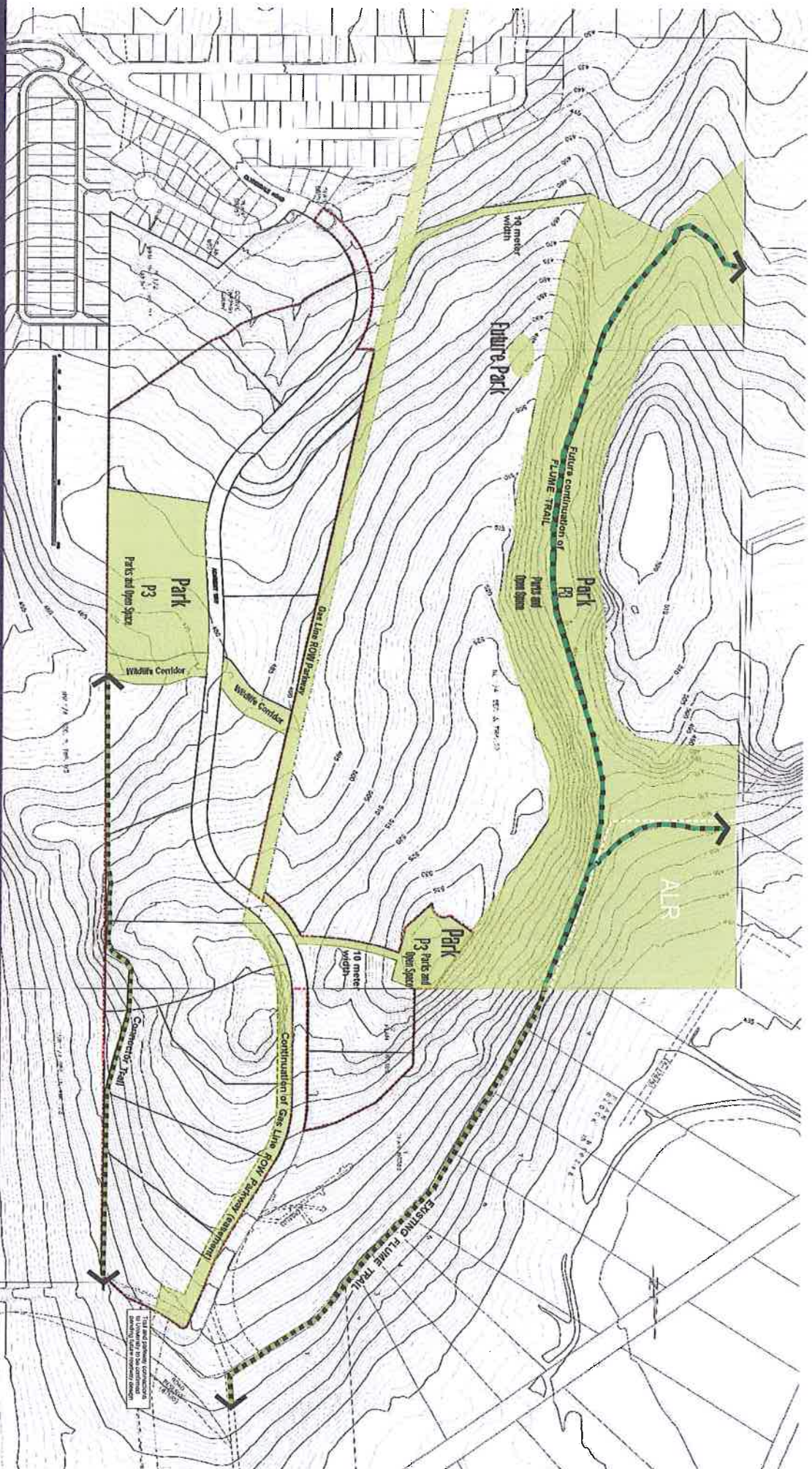




UNIVERSITY VILLAGE MASTER PLAN
UNIVERSITY SOUTH

ZONING AND LAND USE
FORMING PART OF REZONING AND SUBDIVISION APPLICATION





UNIVERSITY VILLAGE MASTER PLAN
UNIVERSITY SOUTH

PRIMARY PARKS, TRAILS
AND OPEN SPACE SYSTEM
FORMING PART OF REZONING AND SUBDIVISION APPLICATION
JUL 2010

1 Overview

1.1

University Village has been conceived by Watermark Developments Ltd. of Kelowna, BC. Located immediately southwest of the University of BC-Okanagan (UBCO) campus, it will be the most proximate neighbourhood to the university and likely the only nearby residential area to service UBCO for the immediate future. The Village forms an integral part of the University South Area that will eventually become an entire new development sector of the City.



University Village has been planned and designed on the premise that although not located directly on UBCO lands, it will form an integral part of the campus community. The vision incorporated a symbiotic relationship between the growing institutional precinct and the Village by offering residential homes, commercial services, public and private schools and parks that university students, staff, local residents and visitors can

all enjoy. The physical proximity to the university and the site terrain facilitates pedestrian movement, cycling and enhanced mobility between the Village and campus, and throughout the Village. Furthermore, the *University Village* calls for relatively high residential density with a concentration of apartment style condominiums that will support close to 2,000 people with a diverse demographic cross section. The Village character will be further enhanced by commercial retail and offices to add life to the streets and a true complete community lifestyle.

University Village will consist of approximately 700-950 residential units (depending on type of home/unit size), approximately 35,000 square feet of commercial, (retail and office), a private school, a public elementary school, parks, open space/trails network, community gardens and a wildlife corridor. This higher density residential area will be complemented by new single family residential and townhouse neighbourhoods in the future (“University Heights”). The Village itself will be composed of three or four “mini-neighbourhoods” with three and four storey apartment and townhouse buildings integrated with commercial in two prime locations. The commercial retail is planned to service university users and visitors as well as local residents.



The entire Village precinct will be accessed by a new North-South Collector road named Academy Way. Clusters of eight blocks of buildings (3 to 4 each) will be oriented to maximize views and protect the integrity of the landscape along this roadway. The streetscape of Academy Way will be enhanced by creating significant median and boulevard treatment made possible by the Gas Line relocation along the road right-of-way. This streetscape will contain walking and cycling trails as well as create gateways into each of the residential neighbourhoods via laneways and small local roads.



The entire *University Village* promotes a sustainable philosophy that captures the developer's goals, reflects market values and desires, and the association with an academic institution (UBCO) that caters to a young professional population that demands a sustainable lifestyle. Sustainable

and environmentally conscious features will be incorporated wherever feasible, be they in building design, public places, transportation, streets, trails and infrastructure. Furthermore, the Village can support a cross-section of housing type allowing for a mix of resident ages and lifestyle. This lifestyle can be further complemented by ease of a work-live environment, incubator spaces for entrepreneurs, commercial spaces for artisans, research and development offices and other opportunities.

This MASTER PLAN provides a comprehensive vision for development of *University Village* and a concise plan for how various components are expected to unfold to ensure the vision is respected for the long term. Besides this overview, the Master Plan addresses the following: Strategic Location of the Village; Planning and Design Principles;



Sustainability Features; the Land Use Concept and Zoning Scheme; Transportation and Mobility; Parks, Trails and Open Space Plan; Architectural Guidelines; Landscape Guidelines; Servicing and Utilities; and Implementation.

The Master Plan has been prepared by CTQ Consultants Ltd. (Engineering, Planning and Urban Design) with specialist input and advisory services from Meiklejohn Architects, Versa Design Group and Holland Barrs.

CITY OF KELOWNA
MEMORANDUM

Date: February 17, 2011 Revised
File No.: Z09-0069
To: Planning & Development Services (AW)
From: Development Engineering Manager (SM)
Subject: 899 Academy Way – Lot 2, Plan 86356, sec. 10, Twp.23, ODYD
N of Arab Rd – NE ¼ Sec. 3, Twp 23 ODYD

These are The Development Engineering Brach initial comments and they may be subject to the MOT comments and requirements.

The Development Services Branch comments and requirements regarding this application to rezone the subject property (University Village) from A1 to C3, RM3, RM4, RM5, P2 and P3 are as follows:

1. General.

- a) Provide a road reserve over the future Central Okanagan Arterial Roadway extending through the NE ¼ of section 3 township 23.
- b) On-site requirements will be provided by Development Engineering under the subdivision file S09-0074
- c) Provide easements and Right of Ways as may be required.
- d) Provide a no build covenant over the potential western road connection alignment. City Transportation department will pursue the feasibility of the western connection and we expect to have a recommendation (proceed with or terminate western connection) in approximately 1 year.

2. Geotechnical Study.

A comprehensive Geotechnical Study is required, which is to be prepared by a Professional Engineer competent in the field of geotechnical engineering, the study is to address the following:

- Overall site suitability for the proposed development.
- Slope analysis (i.e. 0-10 %, 10-20 %, 20-30% and over 30 %).
- Presence of ground water and/or springs.
- Presence of fill areas.
- Presence of swelling clays.
- Presence of sulfates.
- Potential site erosion.

- Provide specific requirements for footings and foundation construction.
- Provide specific construction design sections for roads and utilities over and above the City's current construction standards

3. Domestic water and fire protection.

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

4. Sanitary Sewer.

- a) The subject property is not currently serviced by the Municipal Wastewater Collection System. The developer is required to extend the sanitary main to service the existing lots. The cost of the sanitary extension is to be estimated based upon a design prepared by a Professional Engineer at the developer's expense. The estimated cost will be used for bonding purpose. The bonding security for all required offsite upgrades must be provided by the applicant prior to the adoption to the zone amending bylaw.

5. Drainage.

- a) The developer must engage a consulting civil engineer to provide a storm water management plan which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of a lot grading plan, identify minimum basement elevation (MBE), overland drainage routes, floodplain elevations and setbacks, and provision of a storm drainage service for the lot and /or recommendations for onsite drainage containment and disposal systems.
- b) The developer is required to extend the storm main to service the existing lots. The cost of the storm extension is to be estimated based upon a design prepared by a Professional Engineer at the developer's expense. The estimated cost will be used for bonding purpose. The bonding security for all required offsite upgrades must be provided by the applicant prior to the adoption to the zone amending bylaw.

6. Power and Telecommunication Services.

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

7. Street lights.

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

8. Road improvements.

The proposed development will trigger road improvements due to the potential traffic generated within the property. A Traffic Impact Study has been prepared by CTQ Consultants; the City of Kelowna has reviewed and accepted the Study. The bonding security for the required upgrades must be provided by the applicant prior to the adoption to the zone amending Bylaw. The upgrades consist of the Clydesdale extension to Hollywood Road complete with a traffic signal.

The Clydesdale connection to Hollywood Road is the responsibility of the Developer as well as any land acquisitions required to implement the Road construction.

A requirement of the Subdivision Applications first phase is to construct and maintain an emergency access (hard surface) that provides the development with a second point of access connecting to Clydesdale Road.

9. 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.

10. 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 or reports 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.

11. Other Engineering Comments

If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, etc.) the developer is to obtain the approval of the utility prior to adoption of the rezoning Bylaw. 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.

12. Bonding and Levies Summary.

a)Performance Bonding

Sanitary sewer extension	To be determined
Storm Drainage extension	To be determined
Road improvement construction	To be determined

TOTAL Performance bonding **To be determined**

Steve Muenz, P. Eng.
Development Engineering Manager

DC



Glenmore-Ellison Improvement District

445 Glenmore Road
Kelowna, BC V1V 1Z6

Email: glenmore.ellison@shaw.ca

Website: www.glenmoreellison.com

Fax: 250-763-5688

Phone: 250-763-6506

December 23, 2009

City of Kelowna
Planning and Development
1435 Water Street
Kelowna, BC V1Y 1J4

Attention: Shelley Gambacourt

Re: University Village Master Plan, Lot 2, Plan 86356 and
NE ¼, Sec. 3, Twp. 23 ODYD, CoK DP09-0152, S09-0074

Thank you for informing us of the proposed development in your letter of November 18, 2009, received by GEID on November 24, 2006. The subject properties are located within Glenmore-Ellison Improvement District (GEID) boundaries. The water allocation for Rem. NE ¼, Section 3, Township 23 is entirely "D Grade", or dry land at this time. Lot 2, Plan 86356 has had Capital Expenditure Charges paid for a single lot in the amount of \$3,600 at the time of subdivision in 2008. Water service connections, water main, and hydrants were installed within Lot 2 in 2008.

The area proposed for subdivision is the entirety of Lot 2 and approximately one third of the 32 ha (80 ac) NE ¼ parcel. We understand that the Applicant intends to create a mix of multifamily, institutional, parkland, and commercial lots with this subdivision application, for a total of 14 lots plus a wildlife corridor.

The following comments outline GEID's general requirements for the proposed subdivision.

1. Water Servicing

Servicing requirements need to be reviewed with the Applicant's engineer based on the number of units, phasing, and future related subdivision applications. Once maximum water demands are provided by the applicant to GEID, water availability and GEID's ability to supply the development will be reviewed by GEID.

Latecomer costs will be applicable for balancing storage in the UBCO reservoir. As limited unallocated storage is available in the reservoir, any major new development serviced by the UBCO reservoir may require construction of the third cell by the Applicant. In addition, portions of the existing water main crossing the Tutt lands will require upgrades in order to service the full build-out of this area, as will two existing pump stations. Any required water system upgrades will be paid by the Applicant, although latecomers and Capital Expenditure Charge credits may be available for certain types of upgrades.

The Applicant is responsible for installing all water mains within new subdivisions, including those that will be turned over to GEID. The Applicant's Engineer is to complete inspections during construction, in accordance with GEID's inspection policy.

We note that GEID has requested a long term servicing plan for the entire University Heights development area. This includes both the Aberdeen Hall private school, as well as the development of the subject property. The servicing plan should be completed prior to subdivision of these lands, in order to ensure that the long term needs of the area are met and that the servicing strategy reflects the entire area, rather than the needs of individual developments.

The Applicant must submit two (2) copies of engineered plans in accordance with City of Kelowna and GEID servicing bylaws and policies, for review. One set of review comments will be provided at no cost. GEID is currently reviewing existing bylaws, and a fee for review of each revision to the engineered plans may be assessed to the Applicant.

Upon completion of the water works, the Applicant's Engineer must provide the following prior to connection of the new works to the existing GEID-owned water mains:

- A stamped certificate that all waterworks have been constructed according to the approved plans and good engineering practices;
- Bacteriological testing results;
- Pressure test results.

2. Irrigation and Metering

All units will require water meters. GEID requires that irrigation systems conform to GEID Bylaw No. 76.

3. Fireflow Availability and Hydrants

No plans showing proposed water works for servicing the proposed subdivision have been provided to GEID at this time. Fire hydrant spacing and flowrates must conform to City of Kelowna Bylaw # 7900.

GEID requests that the Applicant have hydrant locations and spacing reviewed by the City of Kelowna Fire Department, and that a written response be provided by the Fire Department to GEID prior to constructing the proposed water works.

While the City of Kelowna Bylaw 7900 minimum fire flows for multifamily developments are 150 L/s, the fire flows for many multifamily buildings are much higher. As such, available fire flows based on infrastructure installed to date by the developer may be insufficient, and water system improvements may need to be constructed at the Applicant's expense to support the necessary flows.

4. Performance and Maintenance Bond

A performance bond in the amount of 125% of the estimated cost to complete the water works is required. An estimated construction cost for the site works should be provided

by the Applicant's Engineer to GEID for review once design drawings are submitted and approved.

The performance bond will be released upon completion of the water works, remediation of all deficiencies, acceptance of these facilities by GEID, and receipt of a maintenance bond. The maintenance bond shall be in the amount of 10% of the construction cost of the water works, and shall be provided to GEID for a minimum one-year period after final inspection and acceptance of the works by GEID. In the event that works are not completed to the satisfaction of GEID, the works may not be accepted, or a longer maintenance bonding period may be required.

5. Connection, Administration, Inspection and New Account Fees

The Applicant is responsible for GEID connection, administration, observation and inspection fees for the on-site and off-site works.

Connection fees are payable for GEID crews to connect newly installed water mains in the development to existing water mains. Typical costs for connecting to water mains are in the order of \$2,000 per connection, depending upon factors such as water main diameter, depth, and asphalt restoration costs. At this time, it is expected that at least one connection will be required, with provision for future connections as the area developments.

Administration fees are calculated as 10% of the value of off site works completed by GEID forces (i.e., 10% of the connection fees). Inspection /Observation fees are calculated as 1% of the GEID estimated value of the waterworks that will become the property of GEID.

GEID Bylaw #76 states that all new accounts or transfer of ownership shall pay a fee of \$20.00/unit. Thus, for a development with a total of 129 lots, the fees would be \$2,580 (129 units x \$20.00/unit).

6. Capital Expenditure Charges

GEID Bylaw #84 (as amended by Bylaw #87) provides a listing of CEC rates for various types of development. All rates are subject to change without notice, and CEC's will be charged as per the Bylaw that governs at the time of payment. Based on the proposed number of parcels, the CECs payable for the creation of 13 additional lots within the development (\$3,600/lot) would be \$46,800 (not including the wildlife corridor, which may also require CECs although further information is required). Additional CECs will be payable for multifamily and commercial buildings at the time of construction, based on the number of residential units or commercial floor area. CECs will also be applicable in the future for irrigation of park land or the school site.

7. Summary of Engineering Submissions and Payables

Prior to issuance of a water letter for the proposed subdivision, GEID requires the following:

- Completion of a long term servicing strategy for the University Heights area including maximum fire flows. Review of this will be required by GEID's engineer, along with GEID's ability to supply the volume of water required for this development;
- Payment of applicable Capital Expenditure Charges;
- Submission of two (2) copies of engineering plans by the Applicant, in accordance with City of Kelowna and GEID servicing bylaws and policies. The plans shall be completed by a Professional Engineer who is registered and insured in the Province of British Columbia;
- Connection costs as determined by GEID (to be based on approved design drawing);
- Performance bonding in the amount of 125% of the construction cost for the completion of water works (amount to be determined based on GEID's review of an estimate to be provided by the Applicant's Engineer);
- Administration costs (to be determined);
- Inspection/observation fees for water works; and
- New account fees.

Prior to permitting waterworks construction to proceed, GEID requires the following:

- Written confirmation from Kelowna Fire Department that they have reviewed and approve the hydrant spacing; and
- Provide Interior Health Authority Waterworks Construction Permit, for the revised off site works.

Prior to permitting connection to GEID's existing water works, GEID requires all of the above, and the following:

- Submission of daily inspection reports by the Applicant's Engineer in accordance with GEID's inspection requirements; and
- Stamped certification by the Applicant's Engineer that all works have been installed in accordance with approved plans;
- Satisfactory water works pressure test results and bacteriological results;

Prior to the release of the construction performance bond, GEID requires all of the above, and the following:

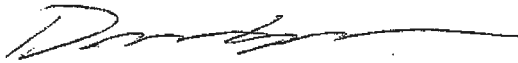
- Maintenance bond in the amount of 10% of the value of the works that will become property of GEID; and
- Completion of all water works in accordance with GEID standards, including satisfactory inspection by GEID and amendment of all deficiencies.

Prior to the release of the maintenance bond, GEID requires a final inspection, that signed and stamped as-built drawings be provided, and that all deficiencies that arise during the 1 year maintenance bonding period be remedied to GEID's satisfaction.

If you have any further questions please contact me at (250) 763-6506.

Sincerely,

**GLENMORE-ELLISON
IMPROVEMENT DISTRICT**



Darren Schlamp, B.Sc.
Manager, Engineering & Development

cc: John Hertay, Watermark Developments
(via email to johnhertay@highlinerealty.com)



Interior Health

January 12, 2010

Land Use Management Department
1435 Water Street
Kelowna, BC V1Y 1J4

Dear Mr. Warrender, Sauer and Burggraeve

RE: Rezoning Application NO. Z09-0069 -- Academy Way/Arab Road
Environmental Development Permit Application No. DP09 - 0152
Subdivision Application -- S09 -- 0074

Thank you for the opportunity to respond to this rezoning and subdivision application with a population health perspective.

The Master Plan for this proposal includes two development sites: University Village and University Heights.

University Village with up to 960 units proposes a medium density with a mixture of residential unit types and sizes, allowing for a range of owners and renters to be accommodated. The University Village Master Plan envisions 3 -4 mini neighborhoods comprised of 3 -4 story apartments and townhouses. Amenities will include commercial (convenience food store, restaurants, retail and office) and includes 2 schools. Aberdeen School a private school K -12 is currently in operation and a second elementary school is proposed.

University Height Master Plan includes single family and lower density townhomes for approximately 500 units.

Both developments will be serviced by Academy Road accessed by John Hindle Drive (north) and either Hollywood Road or the Central Okanagan Multi-Modal corridor (south). Both of the southern routes are not built and the timeframe for completion has not been included in the information provided.

Both Master Plans include incorporating a gas right of way to create trails/bike path system (off road) and could be used for a portion of Academy Road within the University Village as a multi modal path adjacent to the roadway.

Many of the concepts outlined in these Master Plans align with a population approach to improving health behaviors and outcomes. Concepts such as;

- creating linkages via trail and pathways through out the development which encourages physical activity
- a walkable neighborhood which is associated with lower body weights

Bus: (250)868-7812 Fax: (250)250-868-7760
Email: pam.moore@interiorhealth.ca
Web: www...interiorhealth.ca

HEALTH PROTECTION
Less Risk ~ Better Health

Kelowna Health Centre
1340 Ellis Street
Kelowna, BC V1Y 9N1

- creating public gardens within green spaces and supplying tools and equipment for the gardens to encourage local food production and improved nutrition
- mixed use developments which incorporates commercial, retail, office and residential and allows residents to live work and play within the development and reduces the need for vehicle use
- a pedestrian friendly streetscape which is associated with fewer traffic accidents and injuries, and less crime
- potential for mixture of residential types and sizes allowing for persons of all incomes and ages to live within the development
- potential for an elementary school which allows children to walk to school
- use of pervious surfacing where possible to improve infiltration of rainwater and road run off
- public transit options which encourages physical activity

Interior Health has been informed that a Transportation Impact Study will not be required until this development reaches second reading with Council. It is recommended that if a study is required that Council ask to have included for review;

- how pedestrian movement will be affected.
- traffic safety in relation pedestrian movement.
- the effect on active transportation from traffic on the portion of Academy Road not widened with the gas right of way. Notably in areas where people will congregate – schools and parks.
- determine the impact on pedestrians in relation to the speed differential between John Hindle Drive and Academy Way
- determination that the Master plan is in accordance with the recommendations of the Bicycle Master Plan
- determination that the site specific Transportation Demand Management strategy focuses on reducing single occupant vehicle use by ensuring viable alternate transportation options

The overarching concept of this Master Plan is to develop a complete compact neighborhood where residents are able to work, live and play. Inherent in the concept is the ability of residents to access amenities without driving to another location. A convenience food store is proposed as the only store within the development to provide groceries. Interior Health would recommend that the City of Kelowna review land use policies to determine if developments of this size and scale can be encouraged to include a food store amenity that offers a range of healthy food choices. It is understood that the build out of this development will be years down the road, but the concept of creating a sustainable and highly livable community will rely in part on provision of and easy access to fresh healthy food choices.

The City of Kelowna should be aware that Interior Health has a concern regarding source protection of existing wells in the area that may be impacted from storm water run-off from this

development. The Master plan for this development does not include an explicit assessment of the potential threats to drinking water (ie from the introduction of hazardous materials or impairment of natural ecosystem functions). The assessment should include;

- the proximity of the development to any drinking water sources
- a determination of a better management practice for source protection that will be applied to those water supplies that may be impacted

The Storm-water Management Plan (SWMP) indicates that best management practices were applied but were focused entirely on prevention of flood damage. The current provincially recognized better practices for storm-water management indicates that in addition to prevention of flood damage, plans should seek to minimize the impacts to the environment and water quality. This should include identifying measures to facilitate infiltration of mean-annual flows and attenuation of 1 in 5 year storm events to mimic natural conditions.

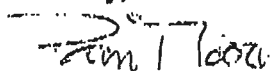
(<http://www.env.gov.bc.ca/epd/epdpa/mpp/stormwater.html>)

The Master plan indicates that the SWMP is a living document in that the authors anticipate changes will be required as the project moves forward. As part of these changes the applicant should undertake the following steps to ensure drinking water sources are adequately protected. These steps are based on the Interior Health – Health Protection guidance document (Attached document)

1. Identify any private or community water sources that may be impacted by the proposed activity.
2. For those potentially impacted water sources, identify mitigation steps that will be taken to minimize impacts.
3. Inform any potentially impacted water system owners of the concerns identified and the steps that will be taken to protect their drinking water.

Please contact Bryn Lord, Drinking Water Officer at Bryn.lord@interiorhealth.ca or Pam Moore, Healthy Community Environment at pam.moore@interiorhealth.ca for more information or comment.

Sincerely,



Pam Moore
Healthy Community Environment
Interior Health Authority
1340 Ellis Street, Kelowna
250-868-7812



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"

November 17, 2010

Mr. John Hertay
Watermark Developments Ltd.
#110-1690 Water Street
Kelowna, BC V1Y 8T8

SD23 File :
University South 071-S20

Dear Mr. Hertay,

Re: University Village Master Plan – Reservation of Public Elementary School Site

We have reviewed the latest revisions to the University Village Master Plan; Drawing No. 5, Zoning and Land Use, dated September 2010 with Matt Cameron of CTQ Consultants.

By way of this letter I wish to advise that the School District has no objection to the school site relocation from that area designated in the 1996 Area Concept Plan and subsequently the 2005 Area Structure Plan to the location shown in the current plan, with the following proviso;

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

An elementary school requires a minimum 6 acres of useable land. The school site identified in the September 2010 plan is approximately 7 acres and is irregular in shape; which after site grading is expected to achieve the 6 acres of usable site required.

The timing for construction of the new school will be dependent on the build-out of the adjacent residential subdivisions and catchment area, as well as funding support from the Ministry of Education.

The School District supports school sites being adjacent to neighbourhood parks as it allows increased opportunities for joint community use. We would support the developer and/or the City developing the designated school property for community use at their own expense and utilizing the future school property in advance of the school construction, until such time as it is required for school purposes. (The Scope of any development must be approved by School District No. 23 (Central Okanagan) in writing prior to commencement.)

I trust this letter of support will allow us to move forward with the planning for your development as well as insuring that the future public school needs are met for the area. Please contact me when you are ready to draw up an agreement.

Yours truly,

Judy Shoemaker
Planning Manager

Copy: Larry Paul, Secretary Treasurer, School District No. 23

SUSTAINABILITY CHECKLIST
REZONING APPLICATION
for Commercial or Multi-Unit Development



ECONOMIC SUSTAINABILITY		
Proximity to Urban or Village Centre (IF APPLICABLE, SELECT ONE FROM LIST)		Points
• Less than 400 metres (1-4 minute walk)	5	
• 400 - 800 metres (5-10 minute walk)	4	
• 800- 1200 metres (10-15 minute walk)	3	5
• 1200-2400 metres (15- 30 minute walk)	2	
Development Will Create Permanent Employment beyond Construction Phase		
• Part-time	1-2	7
• Full-time	2-5	
Waste Management Plan (including materials found at site)	2	2
Zoning Supports Minor or Major Use of Home-Based Business	1	1
ECONOMIC TOTAL	15	15
ENVIRONMENTAL SUSTAINABILITY		
GREEN SPACE		Points
Environmentally-Sensitive Areas Permanently Protected (through a covenant, park dedication, etc.) or No Disruption of an Environmentally Sensitive Area	2-5 or 5	5
No Extension of Existing City Infrastructure • Water • Sewer • Roads	1-3	2
Redevelopment of a Brownfield Site (existing development site)	3	0
AIR QUALITY		
Proximity to Transit Stop (IF APPLICABLE, SELECT ONE FROM LIST)		
• Less than 400 metres (1-4 minute walk)	5	
• 400 - 800 metres (5-10 minute walk)	4	
• 800 - 1200 metres (10-15 minute walk)	3	5
• 1200 - 2400 metres (15-30 minute walk)	2	
Tree Retention Plan or Tree Retention Plan Not Applicable (less than 5 trees on site)	2	2

SUSTAINABILITY CHECKLIST
REZONING APPLICATION
for Commercial or Multi-Unit Development



ENVIRONMENTAL SUSTAINABILITY <i>cont'd</i>		
WATER QUALITY & QUANTITY	Points	
Hydrogeological Assessment Completed (for the protection and management of groundwater and surface water) <i>or</i> Hydrogeological Assessment Not Applicable	2	2
ENVIRONMENTAL TOTAL	20	16
SOCIAL SUSTAINABILITY		
Site 1200 metres or less (15 minute walk) to:	Points	
• Daycare/School	2	2
• Medical Facilities	2	2
• Parks	2	2
• Shopping	2	2
• Restaurant/Café	2	2
Housing Agreement for Affordable Housing, Purpose Built Rental Development <i>or</i> Housing Includes Secondary Suite(s)	5	5
SOCIAL TOTAL	15	15
CULTURAL SUSTAINABILITY		
	Points	
NO OCP Amendment Required <i>or</i> Staff Supported OCP Amendment (conforms to long-term community planning)	10	10
Archaeological Site Identified and Recommendations for Conservation Followed <i>or</i> No Disruption of an Archaeological Site	5	5
CULTURAL TOTAL	15	15
BONUS POINTS: Other Sustainability Measure(s), including but not limited to :		
• Rehabilitation of a Contaminated Site Please provide details on attached form.	1-5	4
TOTAL POINTS	70	65
FINAL	100%	92 %

SUSTAINABILITY CHECKLIST
REZONING APPLICATION
for Commercial or Multi-Unit Development



FURTHER DETAILS:

Name: Ed Grifone

[Reset Form](#)

Organization: CTQ Consultants Ltd

Project Name or Location: University Village Development Plan Area

Thank you for taking the time to complete the City of Kelowna Sustainability Checklist. If you have completed the form using Adobe Acrobat Standard or Pro, you will be able to save your copy to your computer. Please note that if you have completed the form using Adobe Acrobat you will not be able to save your copy to your computer; however we will receive a completed copy via email.

In either case once you have completed this form, press "Submit Form" below. Please also either print the Checklist and return the printed form to the attention of the Land Use Planner managing your file, or carbon copy (cc) them in the email that you submit.

Thank you!

[Submit Form](#)

PLEASE NOTE:

THE APPLICANT HAS PROVIDED KELOWNA CITY COUNCIL WITH A COPY OF THE APPLICANT'S UNIVERSITY SOUTH DEVELOPMENT PLAN.

THE PUBLIC MAY REVIEW A COPY OF THE APPLICANT'S PLAN AT THE OFFICE OF THE CITY CLERK, 3RD FLOOR, CITY HALL, 1435 WATER STREET, FROM 8:00 AM - 4:00 PM, MONDAY TO FRIDAY.

**OFFICE OF THE CITY CLERK
FEBRUARY 24, 2011**