

REPORT TO COUNCIL



Date: June 1, 2012
To: City Manager
From: Land Use Management, Community Sustainability (JM)

Application: Z11-0081 **Owner:** Regional District of Central Okanagan / Central Okanagan Land Trust / Crown

Address: Various (see Attachment 1) **Applicant:** Regional District of Central Okanagan (Wayne Darlington)

Subject: Rezoning Application

Existing OCP Designation: Parks & Open Space
Resource Protection Area

Existing Zone: P4 - Utilities
A1 - Agriculture 1

Proposed Zone: P3 - Major Park / Open Space (public)
P4 - Utilities (*only where existing*)

1.0 Recommendation

THAT Rezoning Application No. Z11-0081 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of part of those parcels or portions thereof shown on "Attachment 1" attached to the Report of the Land Use Management Department dated June 1, 2012, from the A1 - Agriculture 1 and RU1 - Large Lot Housing zones to the P3 - Major Park / Open Space zone, as shown on Map "B" attached to the Report of the Land Use Management Department dated June 1, 2012, be considered by Council;

AND THAT the 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 being completed to their satisfaction.

2.0 Purpose

The Regional District of Central Okanagan (RDCO) has applied to rezone 23 regional park properties within the boundary of the City of Kelowna to P3 - Parks and Open Space in order to formalize the existing park use of the subject properties. The large majority of the parcels are presently zoned A1 - Agriculture 1 (see Attachment 1). However, several of the parcels are split zoned, with portions of the properties zoned P4. In these instances, the P4 zoning will not change, and the resulting zoning will be split between P3 and P4 zones.

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3.0 Land Use Management

The proposed rezoning of the subject properties simply seeks to recognize through zoning a use that is already in existence. The park use is supported in every case through the Official Community Plan (OCP), which designates the Future Land Use for each parcel as Major Park / Open Space (public).

In addition, the likelihood of agriculture taking place on the parcels is low. First, the properties are all owned by the RDCO, or leased by them from the Central Okanagan Land Trust (COLT). Neither organization is engaged in agriculture. Each property also is linked to a larger contiguous network of regional park properties, which suggests that the properties will remain as Regional Park for the long term. Further to this, the existing passive recreation and biodiversity conservation uses that are taking place on these parcels are explicitly permitted by the Agricultural Land Commission (ALC).

The rezoning as proposed is also supported by the Growth Management Strategy, which emphasizes the value of recreational opportunities and seeks to enhance those opportunities. Rezoning the subject properties to formalize the parks use will enable the RDCO to pursue this agenda without the need to rezone for every individual property for any park-related work.

4.0 Proposal

4.1 Background

In 2011, the RDCO applied for a Natural Environment Development Permit (NEDP) from the City in order to develop a parking lot at one of its regional park properties within the City. City staff were unable to issue the NEDP, as it was discovered that the property in question was not zoned appropriately. It was then noted that zoning non-conformance was prevalent among many of the district's regional park holdings, the vast majority of which are presently zoned A1 - Agriculture 1, which does not permit the 'public parks' use.

4.2 Project Description

The applicant proposes to rezone a total of 23 parcels of land presently used for regional park purposes, but not zoned accordingly, in order to formalize this use. Typical uses on these parcels include passive recreation (e.g.: trails) and biodiversity conservation. The parcels are spread out across the City, with the largest number being associated with the Mission Creek Greenway.

Beyond the proposed trailhead parking lot for the parcel at 5307 Lakeshore Road, there are no immediate plans for park development on these parcels. However, rather than rezoning that single property in isolation, only to repeat the rezoning every time parks related work is required, the applicant proposes to rezone all the improperly zoned parcels, bringing them into compliance and avoiding future problems.

As the P3 zone does not have minimum subdivision requirements, each of the subject parcels will meet the minimum criteria to be conforming to P3 zone standards.

4.3 Site Context

The 23 subject properties are spread across the City (see attached maps), but most are situated in rural agricultural areas. 19 of the 23 parcels are owned by the RDCO, with remainder being leased to the RDCO but owned by COLT. Several of the parcels are entirely or partially within the Agricultural Land Reserve (ALR); however, the regulations of the Agricultural Land Commission (ALC) permit the use as follows:

“biodiversity conservation, passive recreation, heritage, wildlife and scenery viewing purposes, as long as the area occupied by any associated buildings and structures does not exceed 100 m2 for each parcel.”

Subject Property Map: See attached Map “B” (Various Properties)

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Regional Context - Parks and Natural Areas¹

It is the City of Kelowna’s objective to protect and enhance natural areas and provide a variety of parks for people to pursue active, creative and healthy lifestyles. The objective includes creating an open space network that protects sensitive ecosystems and links important habitat areas.

6.0 Technical Comments

6.1 Development Engineering Department

See attached Memoranda from Development Engineering Branch

6.2 Fire Department

No concerns.

6.3 Interior Health Authority

No concerns.

7.0 Application Chronology

Date of Application Received: October 25, 2011

Between November 29, 2011 and May 25, 2012, the applicant was in discussions with Development Engineering regarding improvements triggered as a result of the rezoning application.

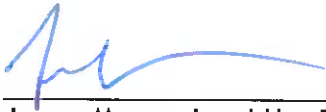
Advisory Planning Commission November 22, 2011

The above noted application was reviewed by the Advisory Planning Commission at the meeting on November 22, 2011 and the following recommendation was passed:

THAT the Advisory Planning Commission supports Rezoning Application No. Z11 0081 by Regional District (W. Darlington), to rezone multiple regional park properties from a mix of A1, RU1, and P1 to the P3 zone to recognize existing regional parks uses.

¹ City of Kelowna Official Community Plan Bylaw No. 10500, Chapter 2 – Regional Context, “Parks and Natural Areas”, pg. 2.2.

Report prepared by:



James Moore, Land Use Planner

Reviewed by:



Todd Cashin Manager, Manager, Environment & Land Use

Approved for Inclusion:



Shelley Gambacort, Director, Land Use Management

Attachments:

Attachment 1 - Description of Subject Properties

Map "B" - Map of Subject Properties

Memoranda from Development Engineering Branch

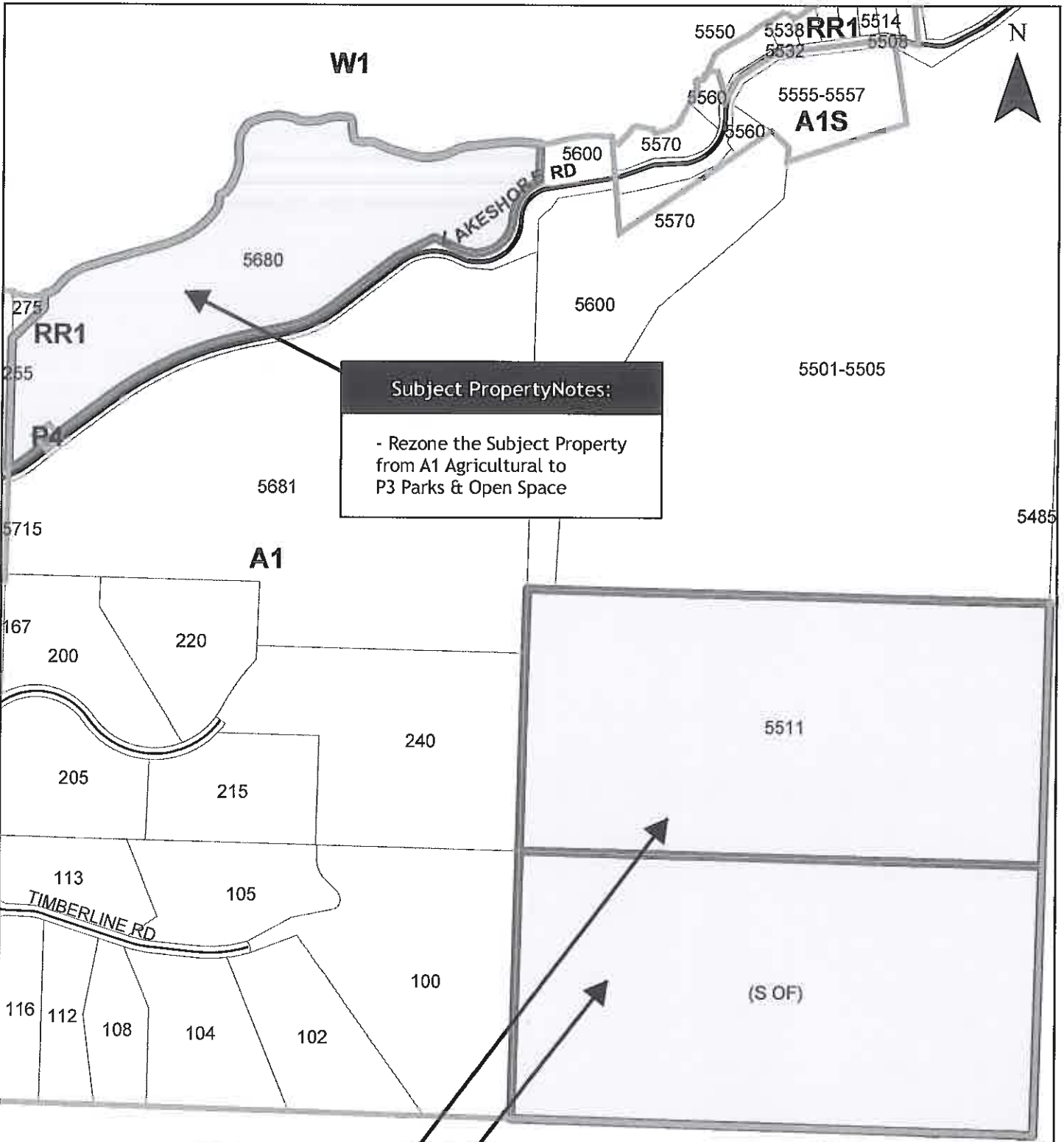
Letter from RDCO, dated December 22, 2011

Letter from RDCO, dated March 15, 2012

Email from S. Muenz, Development Engineering Manager, dated May 25, 2012

Attachment 1 - Subject Property Descriptions

Address	Legal Description	Ownership	Current Zoning	OCF Designation	ALR	Proposed Zoning
2549 Belgo Rd	Lot A, Section 11, Township 26, ODYD, Plan KAP68946	RDCO	A1	PARK	yes	P3
2803 Belgo Rd	Lot A, Section 11, Township 26, ODYD, Plan KAP67943	RDCO	A1	PARK	yes	P3
2971 Belgo Rd	Lot B, Section 11, Township 26, ODYD, Plan 30451	RDCO	A1	PARK	yes	P3
1250 Creek St	Lot A, Section 22, Township 26, ODYD, Plan 26298	RDCO	A1	PARK	yes	P3
955 Gerstmar Rd	Lot B, Section 22, Township 26, ODYD, Plan 16702, Except Plans 23179 and KAP80881	RDCO	A1/P3	PARK	partial	P3
2080 Hollywood Rd S	Lot 5, Section 14, Township 26, ODYD, Plan 1751 Except Plans 21761 and KAP44196	RDCO	A1	PARK	yes	P3
1870 Mantle Ct	Parcel A, Section 7, Township 27, ODYD, Plan KAP79441	RDCO	A1	PARK	no	P3
1320 Pasadena Rd	Lot B, Section 14, Township 26 and of District Lot 2779, ODYD, Plan 32177	RDCO	A1/RU1/P4	PARK	partial	P3/P4
2903 Walburn Rd	The South West ¼, of Section 12, Township 26, ODYD, Except Plans 1380, B6800 and 20506	RDCO	A1	PARK	partial	P3
1456 KLO Rd	Lot 2, District Lot 131, ODYD, Plan KAP53338	RDCO	P4/A1	PARK	no	P3/P4
3755 Carter Rd	That Part of South East ¼, Section 11, Township 26, ODYD, shown on Plan A13607	RDCO	A1	PARK	partial	P3
5511 Chute Lake Rd	The North ½ of the Southwest ¼ of Section 15, Township 28, SDYD	COLT / RDCO	A1	PARK	no	P3
956 Curtis Rd	Lot A, Section 10, Township 23, ODYD, Plan KAP63279	RDCO	A1	PARK	yes	P3
3001 Field Rd	Lot 18, Section 1, Township 26, ODYD, Plan 1247, Except Plans 20506 and KAP64797	RDCO	A1	PARK	no	P3
(S OF) Lakeshore Rd	The South ½ of the Southwest ¼ of Section 15, Township 28, SDYD	COLT / RDCO	A1	PARK	no	P3
5307 Lakeshore Rd	Lot A, Section 22, Township 28, SDYD, Plan 8258	RDCO	A1	PARK	no	P3
5680 Lakeshore Rd	Lot A, Section 16, Township 28, SDYD, Plan 28444	RDCO	P4/A1	PARK	no	P3/P4
(N OF) McCulloch Rd	Block C, Section 2, Township 26, ODYD	RDCO	A1	PARK	partial	P3
2050 McKinley Rd	Lot A, Section 21, Township 23, ODYD, Plan KAP52156	RDCO	A1	PARK	no	P3
2050 McKinley Rd	Northwest ¼, Section 16, Township 23, ODYD, Shown on Plan C17426	Crown	A1	PARK	no	P3
(E OF) Senger Rd	That Park of the South East ¼ of Section 11 Shown on Plan B18571, Township 26, ODYD	RDCO	A1	PARK	yes	P3
(W OF) Werger Rd	Lot 1, Section 21, Township 23, ODYD, Plan KAP64934	RDCO	A1	PARK	no	P3
(W OF) Wildwood Rd	Lot 1, Section 16, Township 26, ODYD, Plan KAP61083	COLT / RDCO	A1	PARK	yes	P3



Subject Property Notes:

- Rezone the Subject Property from A1 Agricultural to P3 Parks & Open Space

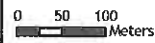
Subject Properties Notes:

- Rezone the Subject Properties from A1 Agricultural to P3 Parks & Open Space

MAP "B" PROPOSED ZONING
 Application #Z11-0081 Map# 1

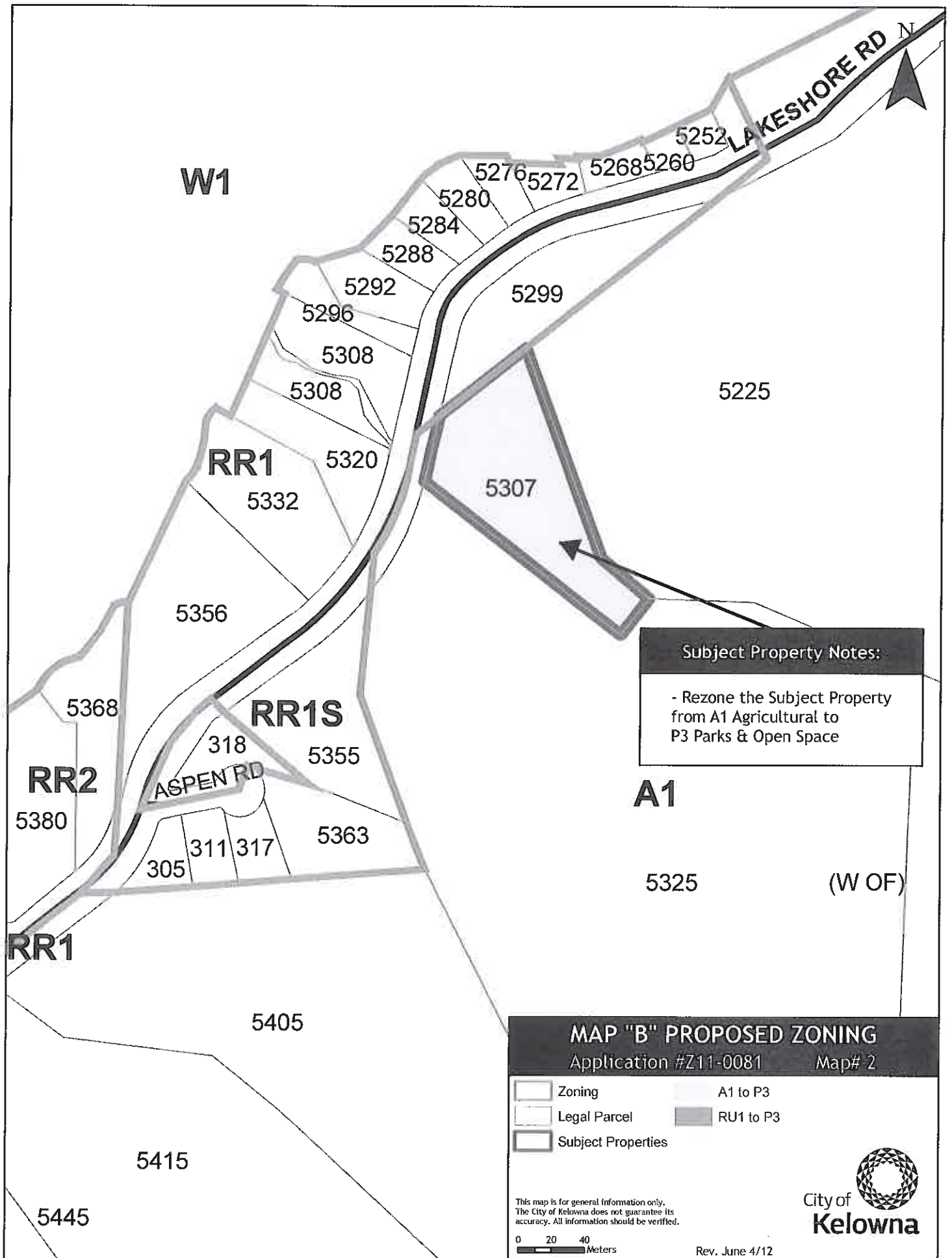
- Zoning
- Legal Parcel
- Subject Properties
- A1 to P3
- RU1 to P3

This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



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1255-1260

RM7

1460

2850

3009

3029

3049

RU1

1370

P2

1350

P4

A1

1456

1540

RM4

3070

(N OF)

1330

1390

1430

P1

1450

3090

KLO RD

RM4

1359 P4

Subject Property Notes:

- Rezone a portion of the Subject Property from A1 Agricultural to P3 Parks & Open Space

3210

ST AMAND RD

3219

1429

RM5

1459-1469

P2

1489-1493

3220

3229

3230

3229

3261

P2

A1

3240

RU1

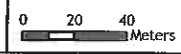
MAP "B" PROPOSED ZONING

Application #Z11-0081

Map# 3

- Zoning
- Legal Parcel
- Subject Properties
- A1 to P3
- RU1 to P3

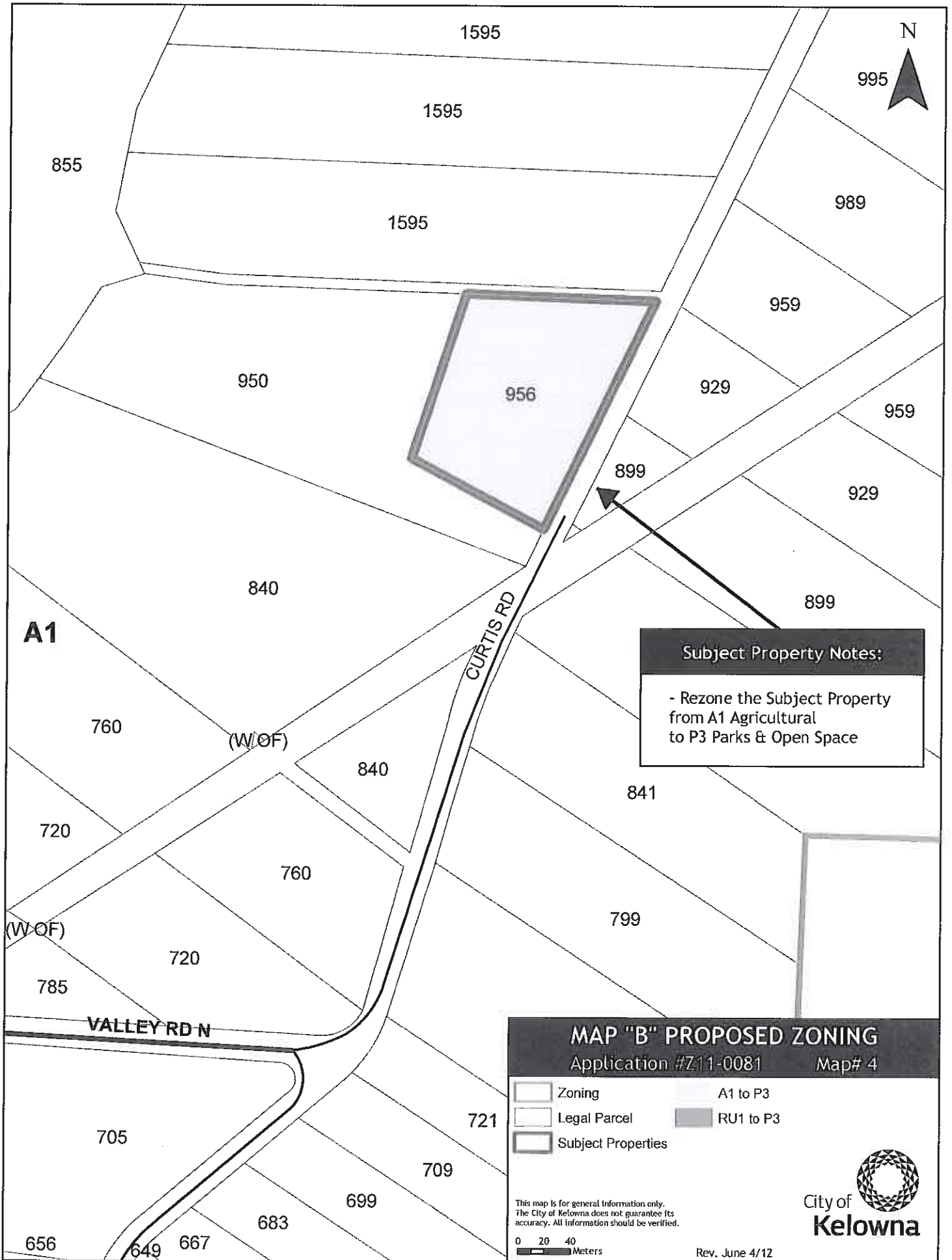
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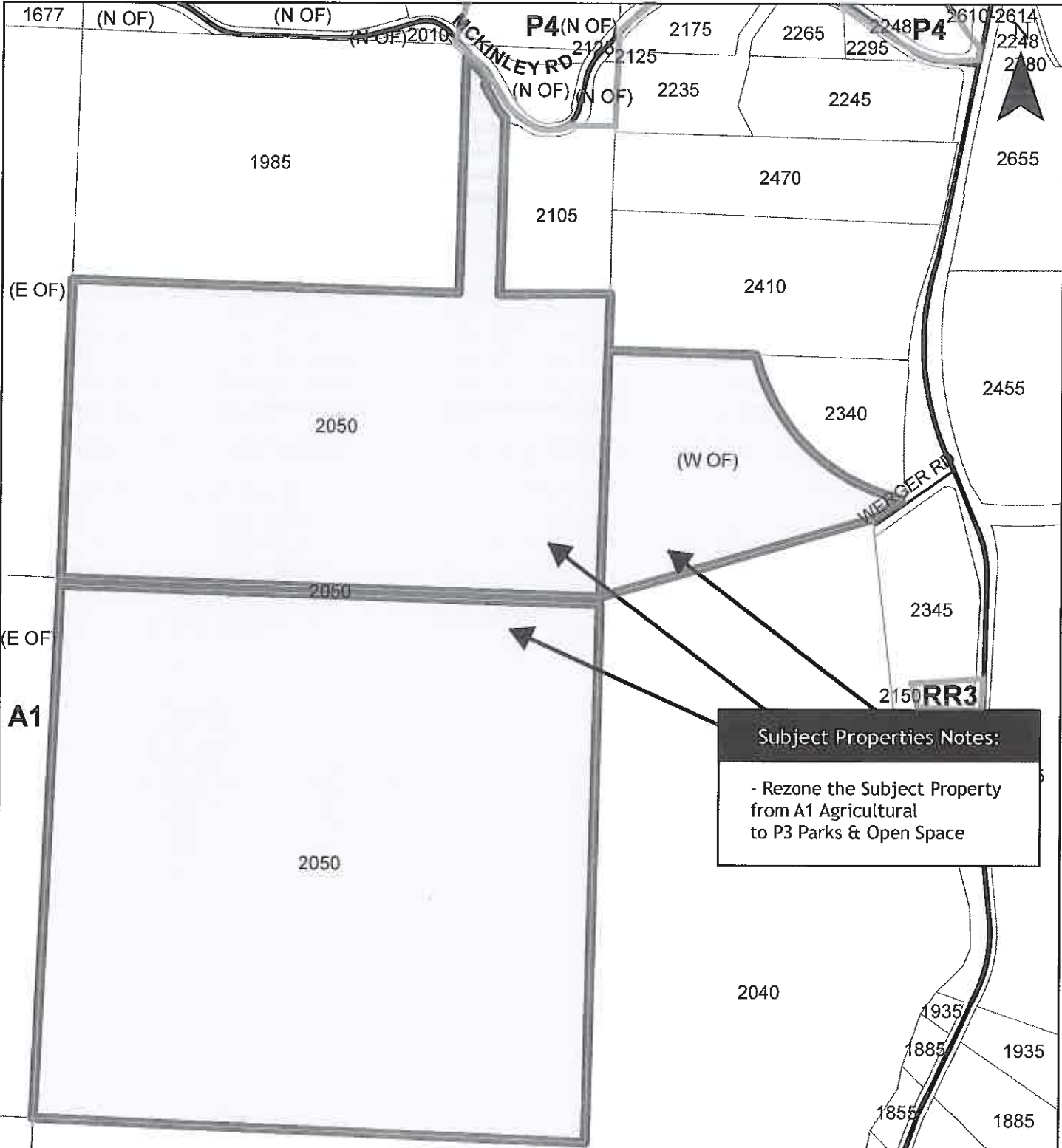


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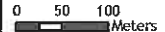
Subject Properties Notes:

- Rezone the Subject Property from A1 Agricultural to P3 Parks & Open Space

MAP "B" PROPOSED ZONING
 Application #Z11-0081 Map# 5

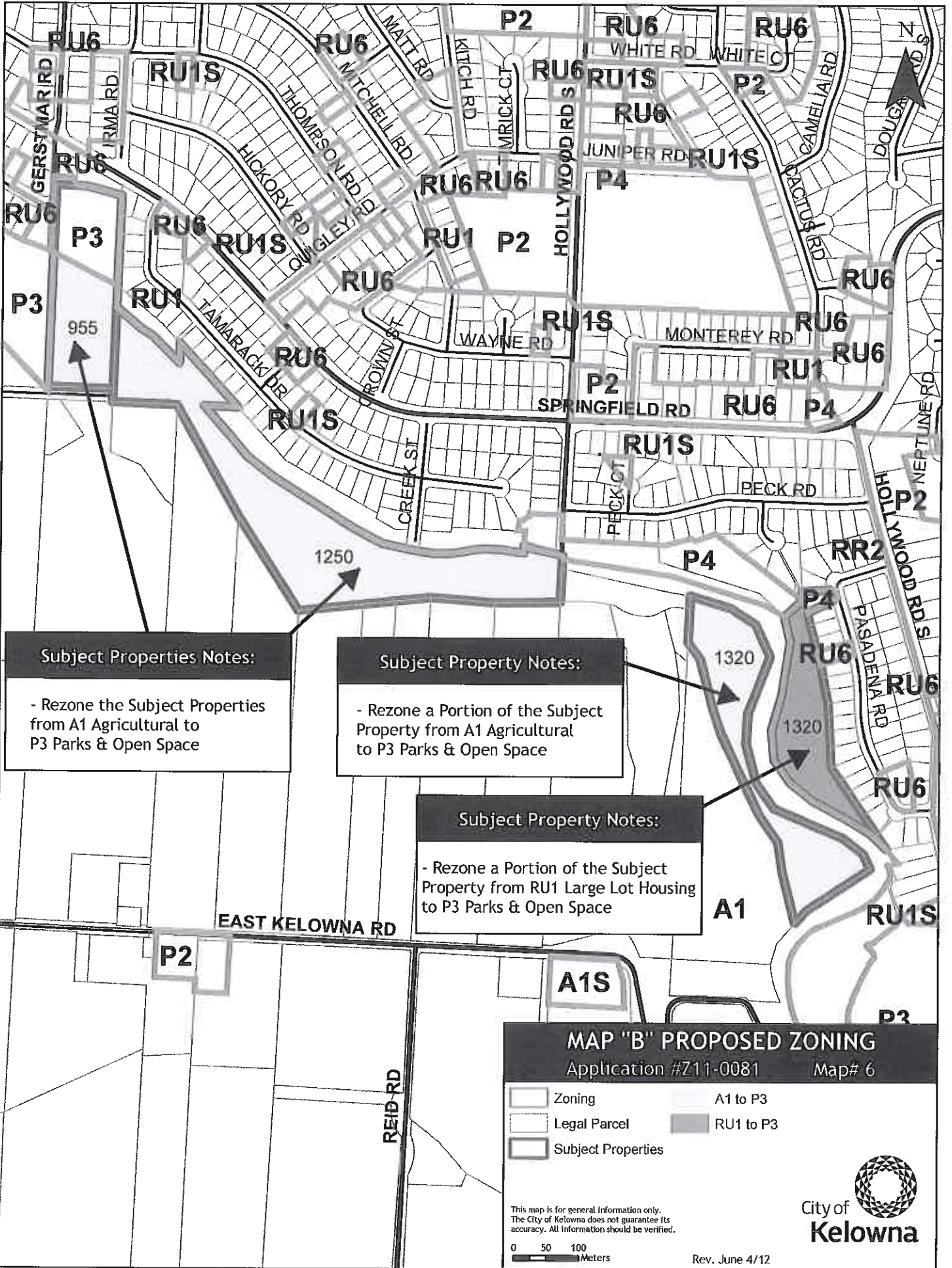
- Zoning
- A1 to P3
- Legal Parcel
- RU1 to P3
- Subject Properties

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Subject Properties Notes:

- Rezone the Subject Properties from A1 Agricultural to P3 Parks & Open Space

Subject Property Notes:

- Rezone a Portion of the Subject Property from A1 Agricultural to P3 Parks & Open Space

Subject Property Notes:

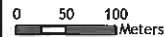
- Rezone a Portion of the Subject Property from RU1 Large Lot Housing to P3 Parks & Open Space

MAP "B" PROPOSED ZONING

Application #Z11-0081 Map# 6

- Zoning
- Legal Parcel
- Subject Properties
- A1 to P3
- RU1 to P3

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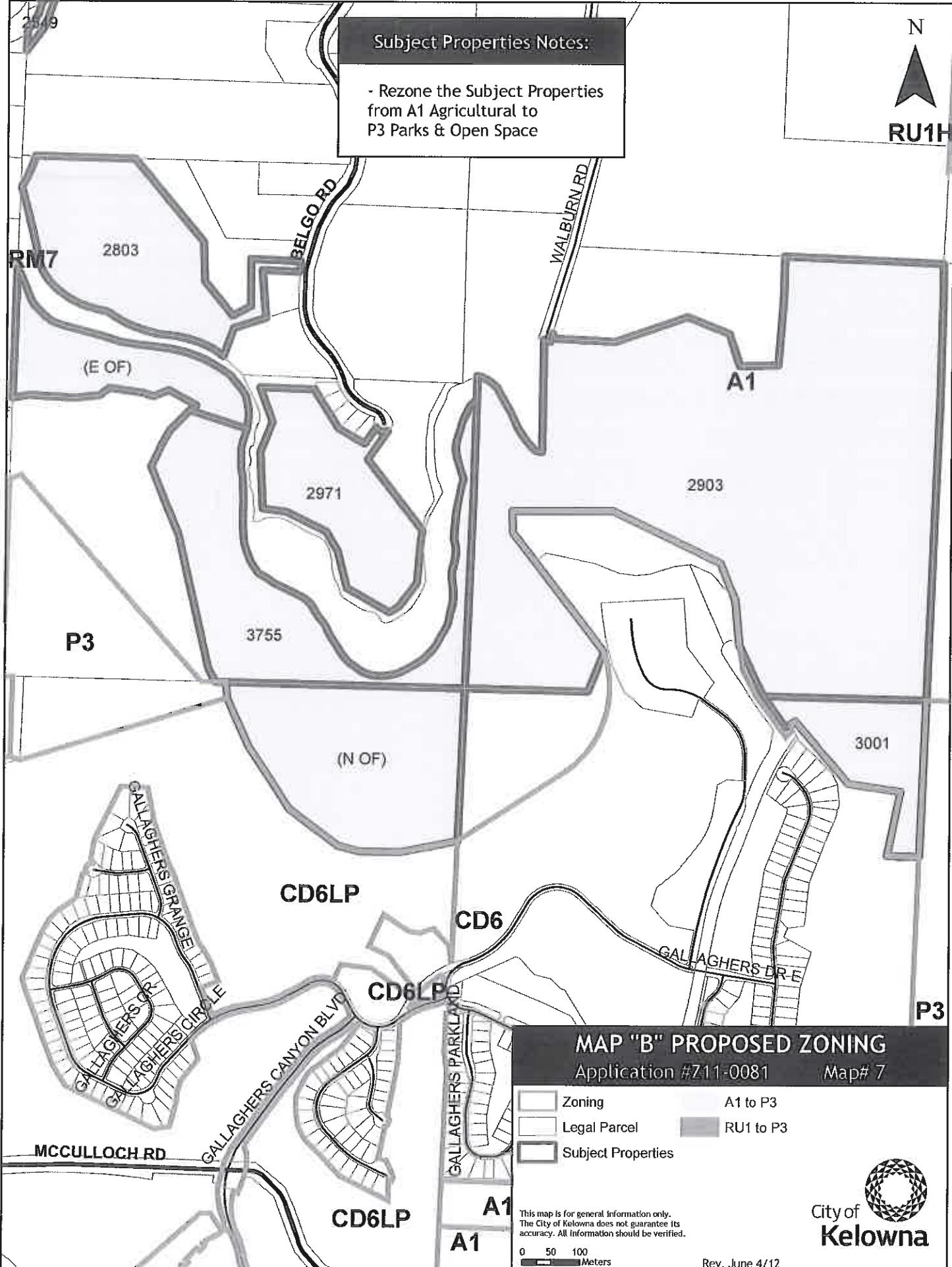


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Subject Properties Notes:

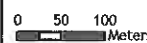
- Rezone the Subject Properties from A1 Agricultural to P3 Parks & Open Space



MAP "B" PROPOSED ZONING
 Application #Z11-0081 Map# 7

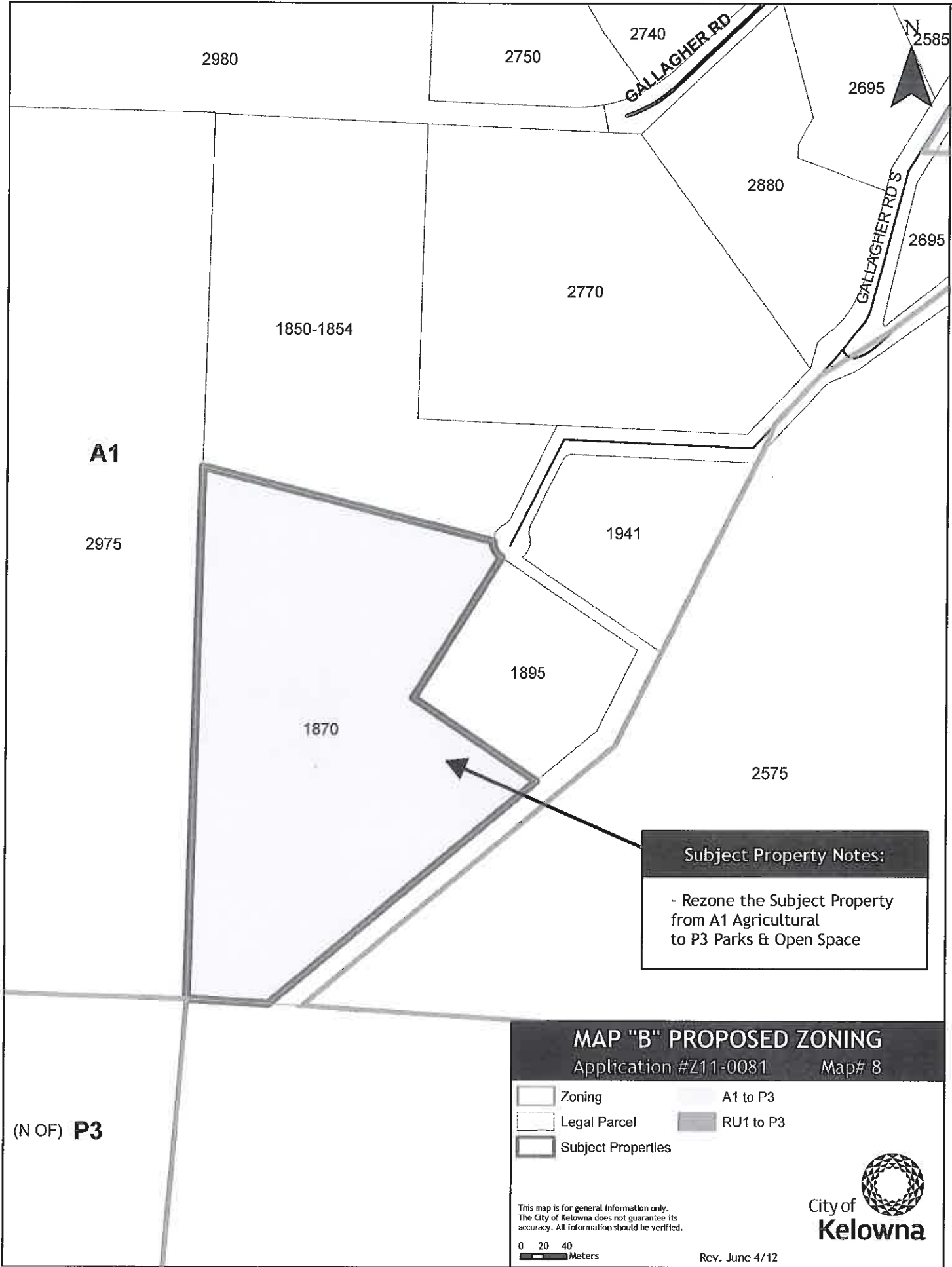
- Zoning
- Legal Parcel
- Subject Properties
- A1 to P3
- RU1 to P3

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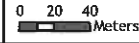
Subject Property Notes:

- Rezone the Subject Property from A1 Agricultural to P3 Parks & Open Space

MAP "B" PROPOSED ZONING
 Application #Z11-0081 Map# 8

-  Zoning
-  Legal Parcel
-  Subject Properties
-  A1 to P3
-  RU1 to P3

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(N OF) **P3**

A1

2975

1850-1854

2770

1941

1895

1870

2575

2980

2750

2740

2695

2585

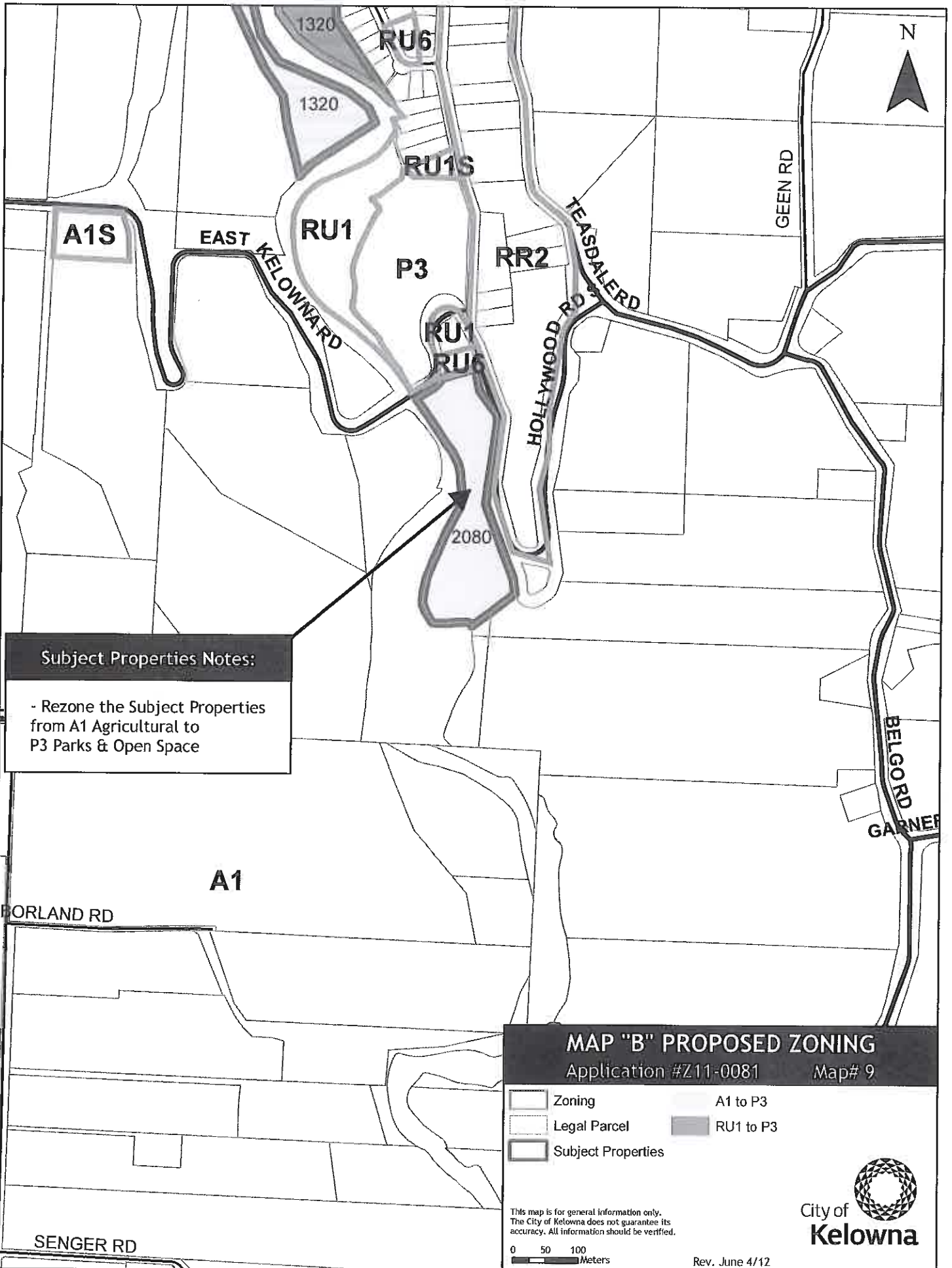
2880

2695

GALLAGHER RD

GALLAGHER RD S





Subject Properties Notes:

- Rezone the Subject Properties from A1 Agricultural to P3 Parks & Open Space

MAP "B" PROPOSED ZONING

Application #Z11-0081 Map# 9

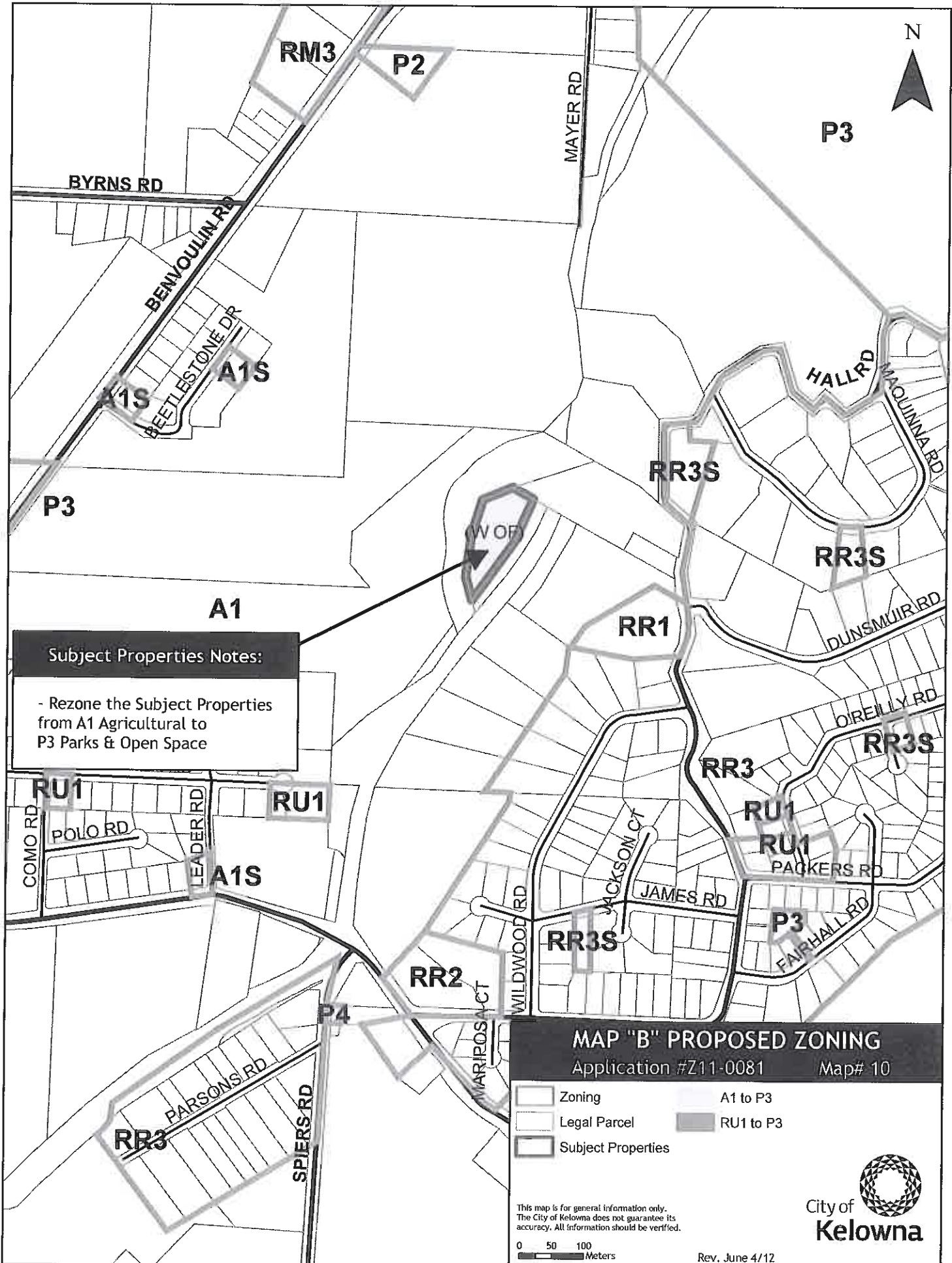
-  Zoning
-  Legal Parcel
-  Subject Properties
-  A1 to P3
-  RU1 to P3

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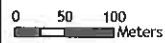
Subject Properties Notes:

- Rezone the Subject Properties from A1 Agricultural to P3 Parks & Open Space

MAP "B" PROPOSED ZONING
 Application #Z11-0081 Map# 10

- Zoning
- Legal Parcel
- Subject Properties
- A1 to P3
- RU1 to P3

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Rev. June 4/12



CITY OF KELOWNA
MEMORANDUM

Date: November 30, 2011
File No.: Z11-0081 (1320 Pasadena Road)
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: 1320 Pasadena Road – Lot B, Plan KAP32177, Sec. 14, Twp. 26, ODYD

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for this service.

3. Sanitary Sewer.

The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

This application does not trigger any offsite upgrades.



Steve Muenz, P. Eng.
Development Engineering Manager

BB

CITY OF KELOWNA
MEMORANDUM

Date: November 30, 2011
File No.: Z11-0081 (1870 Mantle Court)
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: 1870 mantle Court – Lot B, Plan KAP79441, Sec. 7 & 12, Twp. 26, ODYD

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for this service.

3. Sanitary Sewer.

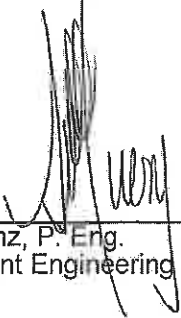
The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

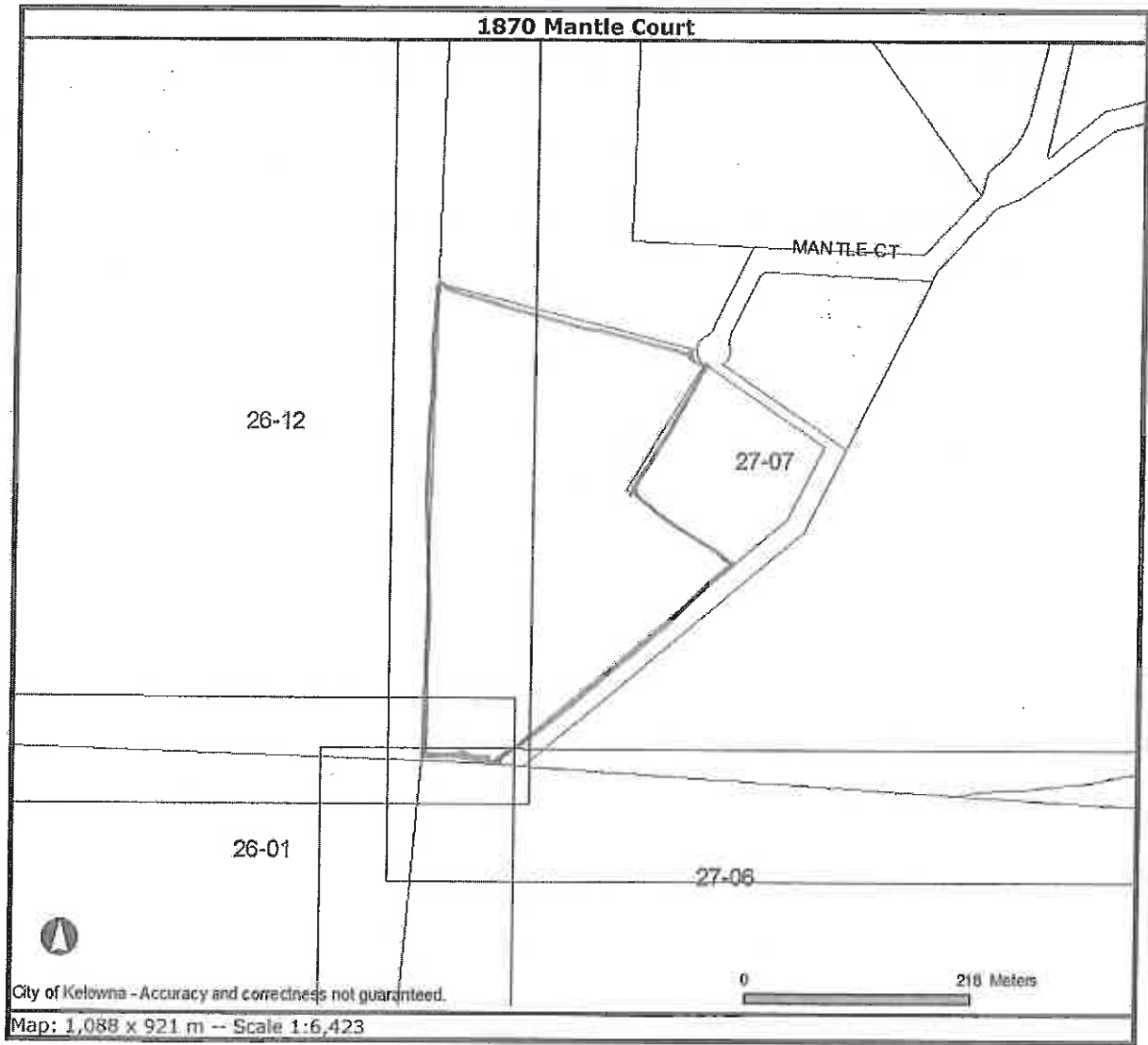
5. Road improvements.

This application does not trigger any offsite upgrades.



Steve Muenz, P. Eng.
Development Engineering Manager

BB



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CITY OF KELOWNA
MEMORANDUM

Date: November 30, 2011
File No.: Z11-0081 (1250 Creek Street)
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: 1250 Creek Street – Lot A, Plan KAP26298, Sec. 15 & 22, Twp. 26, ODYD

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for this service.

3. Sanitary Sewer.

The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

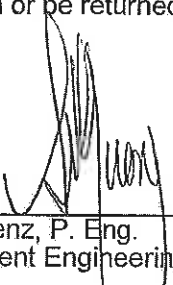
A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

This application does not trigger any offsite upgrades.

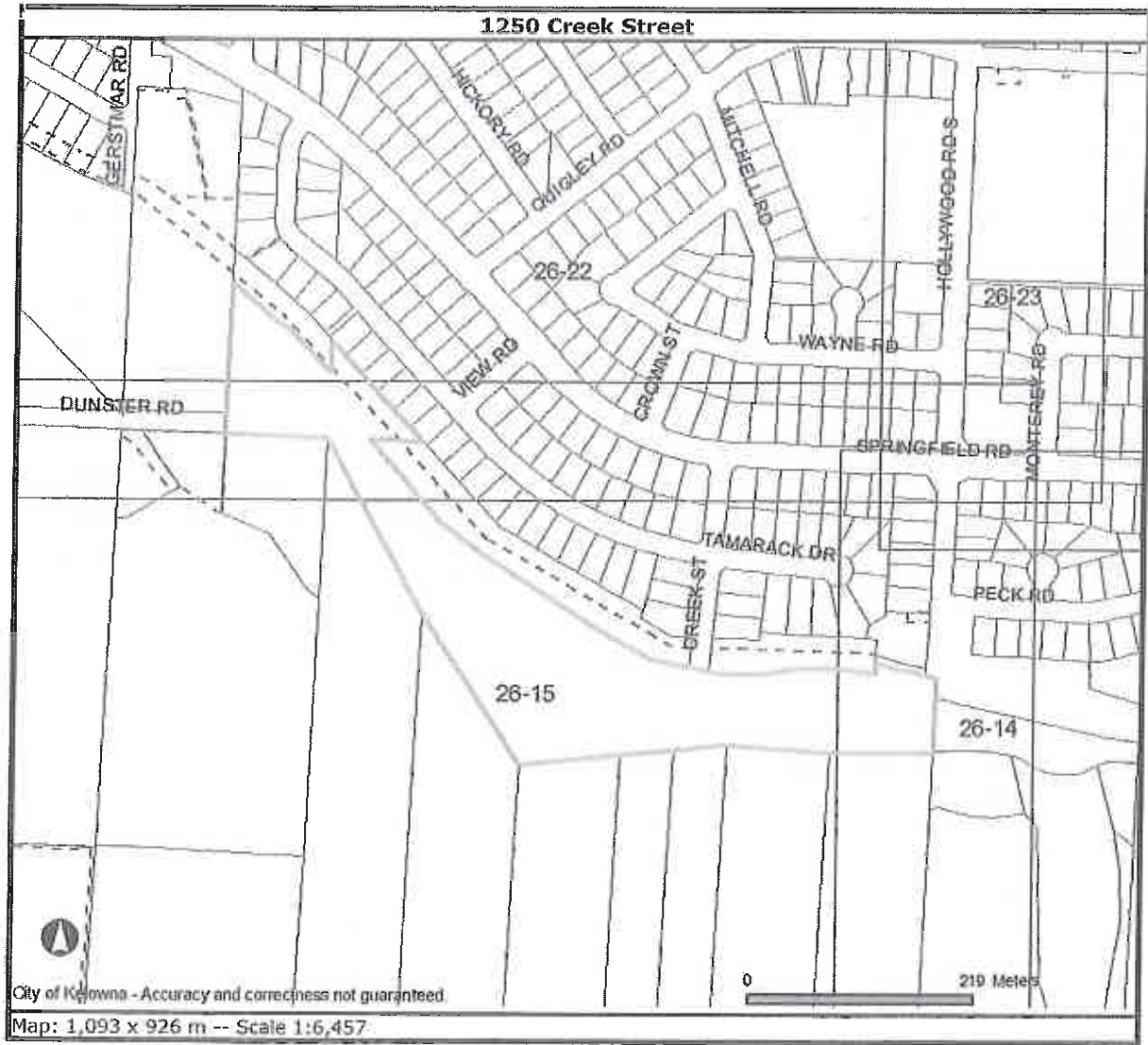
6. Mission Creek

The subject property spans across Mission Creek. Mission Creek channel may require dedication or be returned to crown.



Steve Muenz, P. Eng.
Development Engineering Manager

BB



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CITY OF KELOWNA
MEMORANDUM

Date: November 30, 2011
File No.: Z11-0081 (2549 Belgo Road)
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: 2549 Belgo Road – Lot A, Plan KAP68946, Sec. 11, Twp. 26, ODYD

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for this service.

3. Sanitary Sewer.

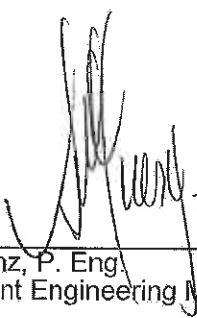
The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

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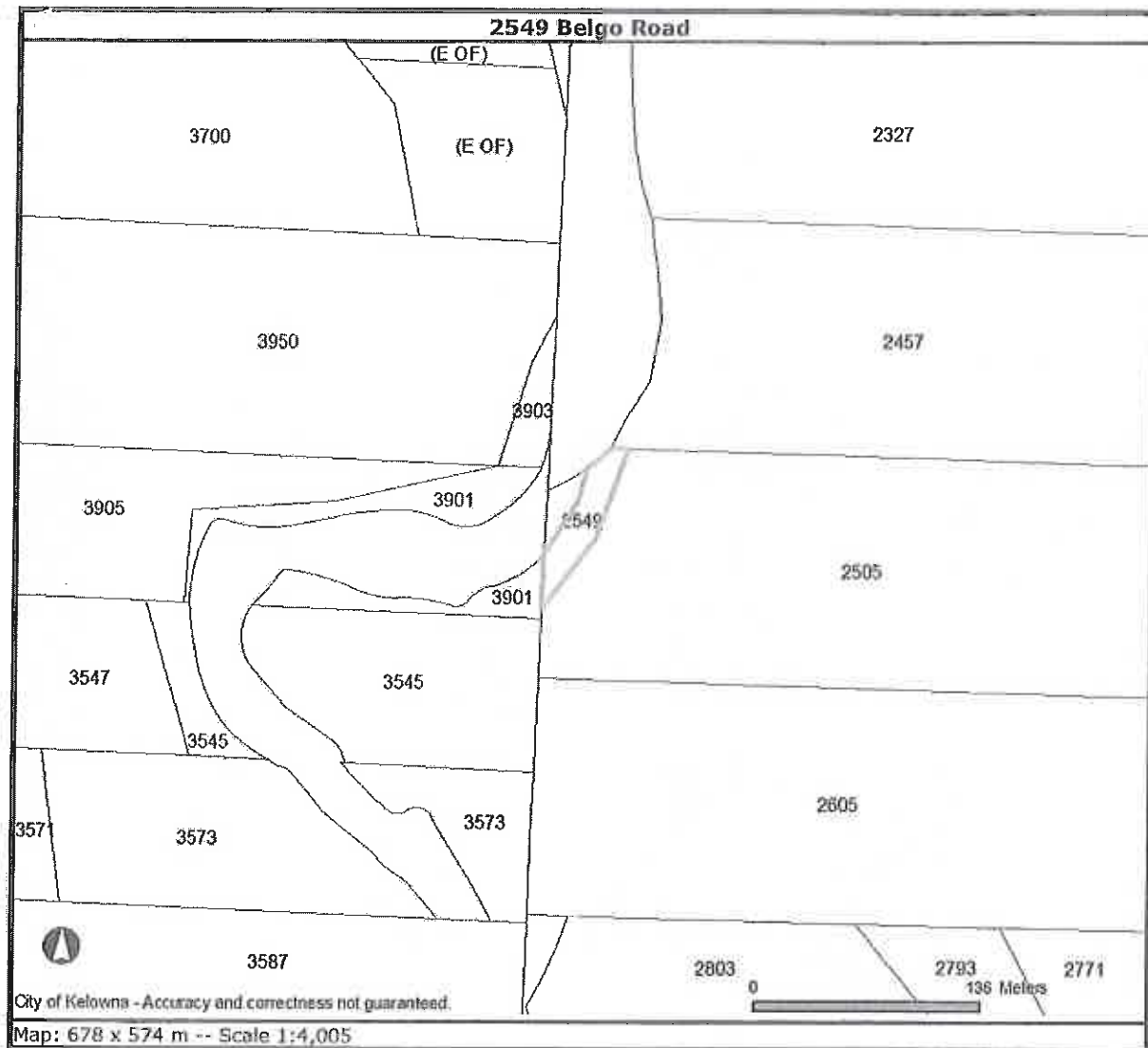
5. Road improvements.

The subject property does not front any road. This application does not trigger any offsite upgrades.



Steve Muenz, P. Eng.
Development Engineering Manager

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CITY OF KELOWNA
MEMORANDUM

Date: November 30, 2011
File No.: Z11-0081 (2803 Belgo Road)
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: 2803 Belgo Road -- Lot A, Plan KAP67943, Sec. 11, Twp. 26, ODYD

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for this service.

3. Sanitary Sewer.

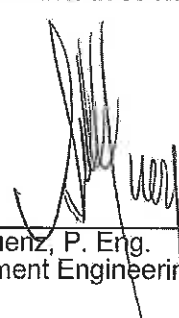
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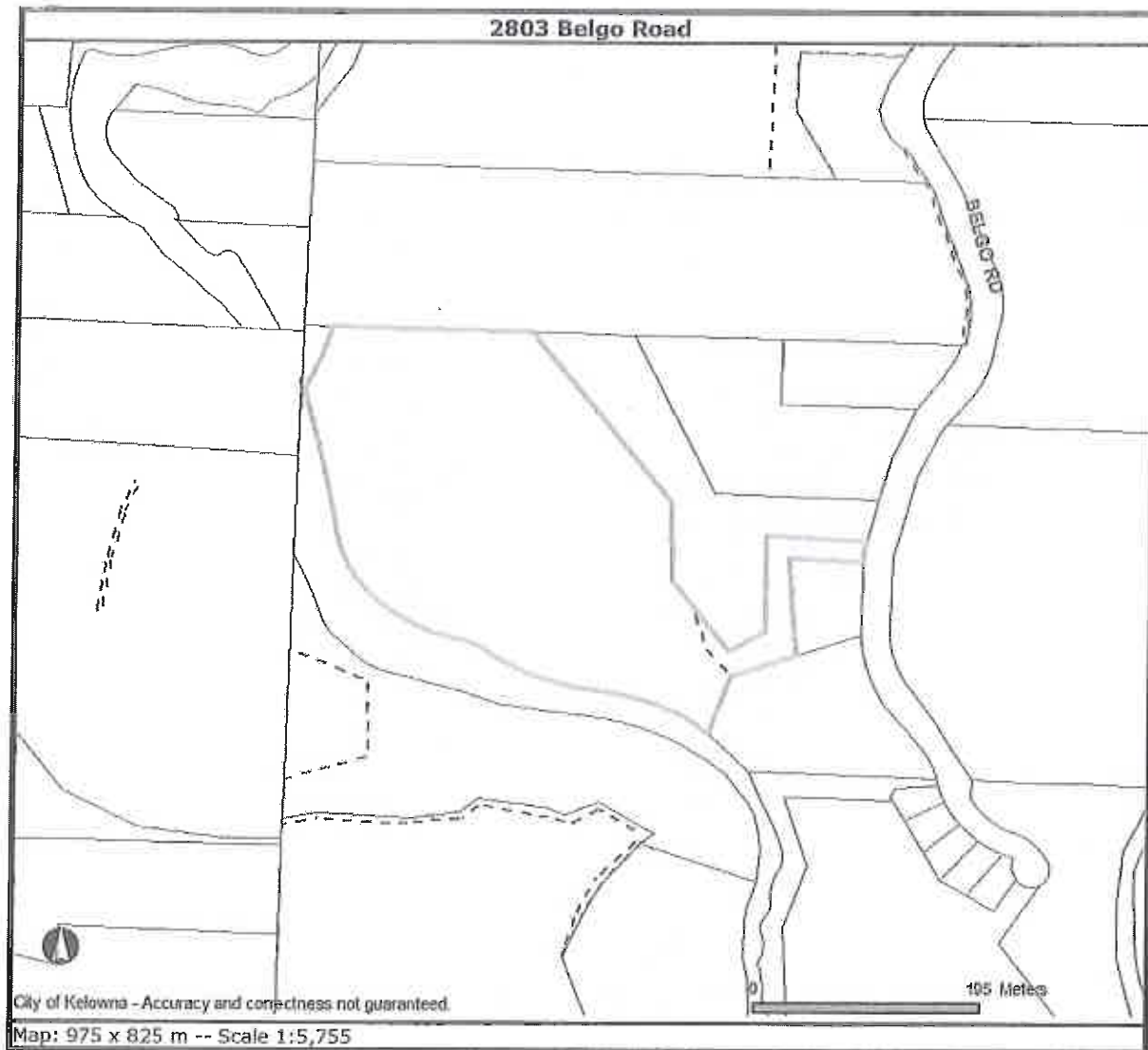
5. Road improvements.

This application does not trigger any offsite upgrades.



Steve Muenz, P. Eng.
Development Engineering Manager

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CITY OF KELOWNA
MEMORANDUM

Date: November 30, 2011
File No.: Z11-0081 (955 Gerstmar Road)
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: 955 Gerstmar – Lot B, Plan KAP16702, Sec. 22, Twp. 26, ODYD

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for this service.

3. Sanitary Sewer.

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4. Drainage.

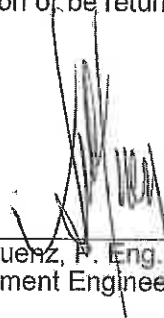
A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

The road frontage was upgraded under a previous development application..

6. Mission Creek

The subject property spans across Mission Creek. Mission Creek channel may require dedication or be returned to crown.



Steve Muenz, P. Eng.
Development Engineering Manager

BB



This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

CITY OF KELOWNA
MEMORANDUM

Date: November 30, 2011
File No.: Z11-0081 (2971 Belgo Road)
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: 2971 Belgo Road – Lot B, Plan KAP30451, Sec. 11, Twp. 26, ODYD

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for this service.

3. Sanitary Sewer.

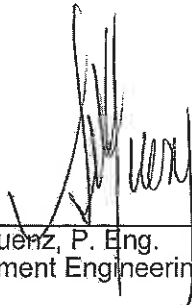
The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

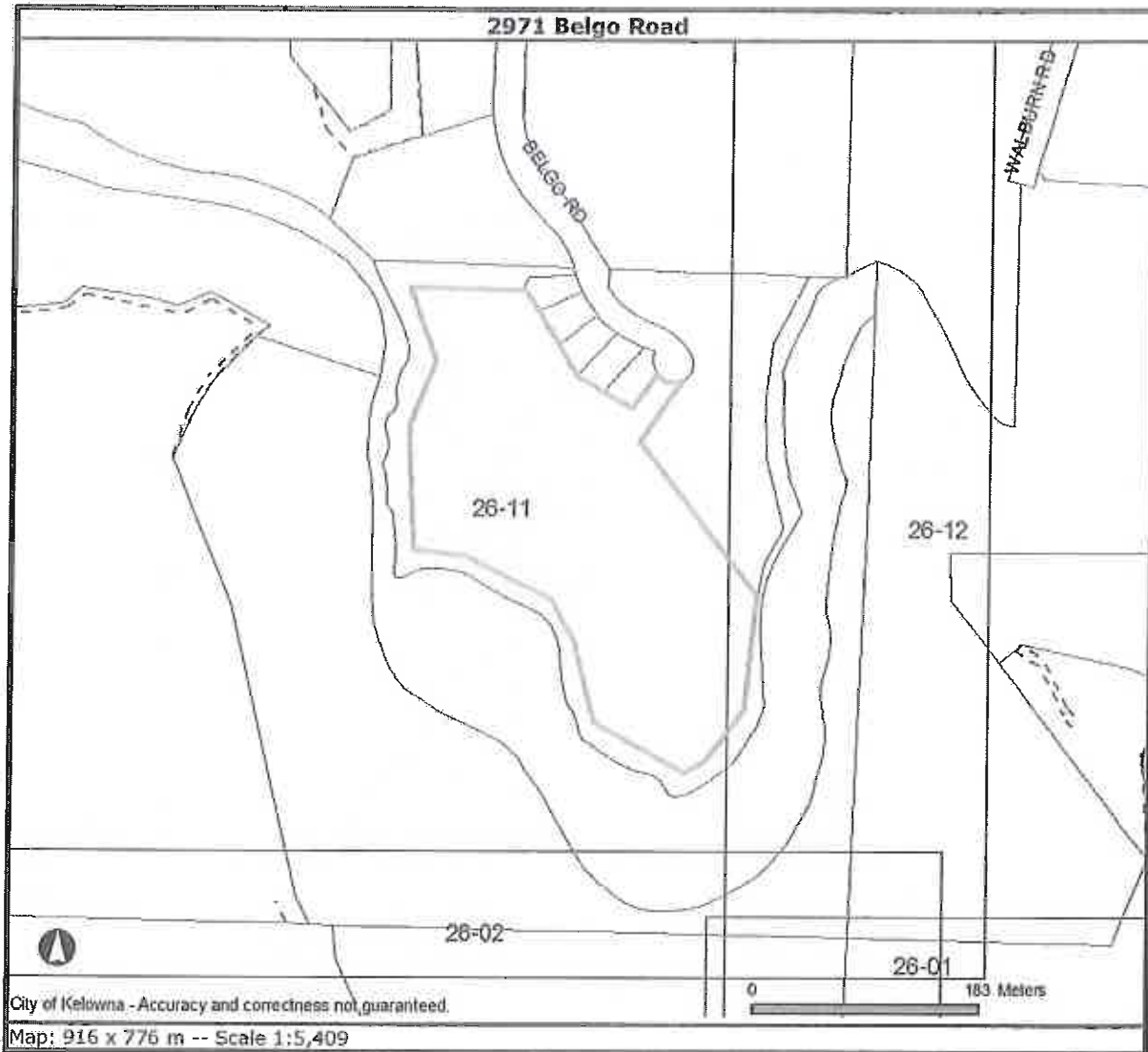
5. Road improvements.

This application does not trigger any offsite upgrades.



Steve Muenz, P. Eng.
Development Engineering Manager

BB



This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

CITY OF KELOWNA
MEMORANDUM

Date: November 30, 2011
File No.: Z11-0081 (2903 Walburn Road)
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: 2903 Walburn Road – T26 S12 SW ¼ , Sec. 12, Twp. 26, ODYD

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for this service.

3. Sanitary Sewer.

The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

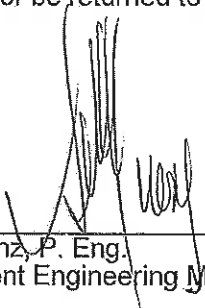
A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

The road frontage was upgraded under a previous development application..

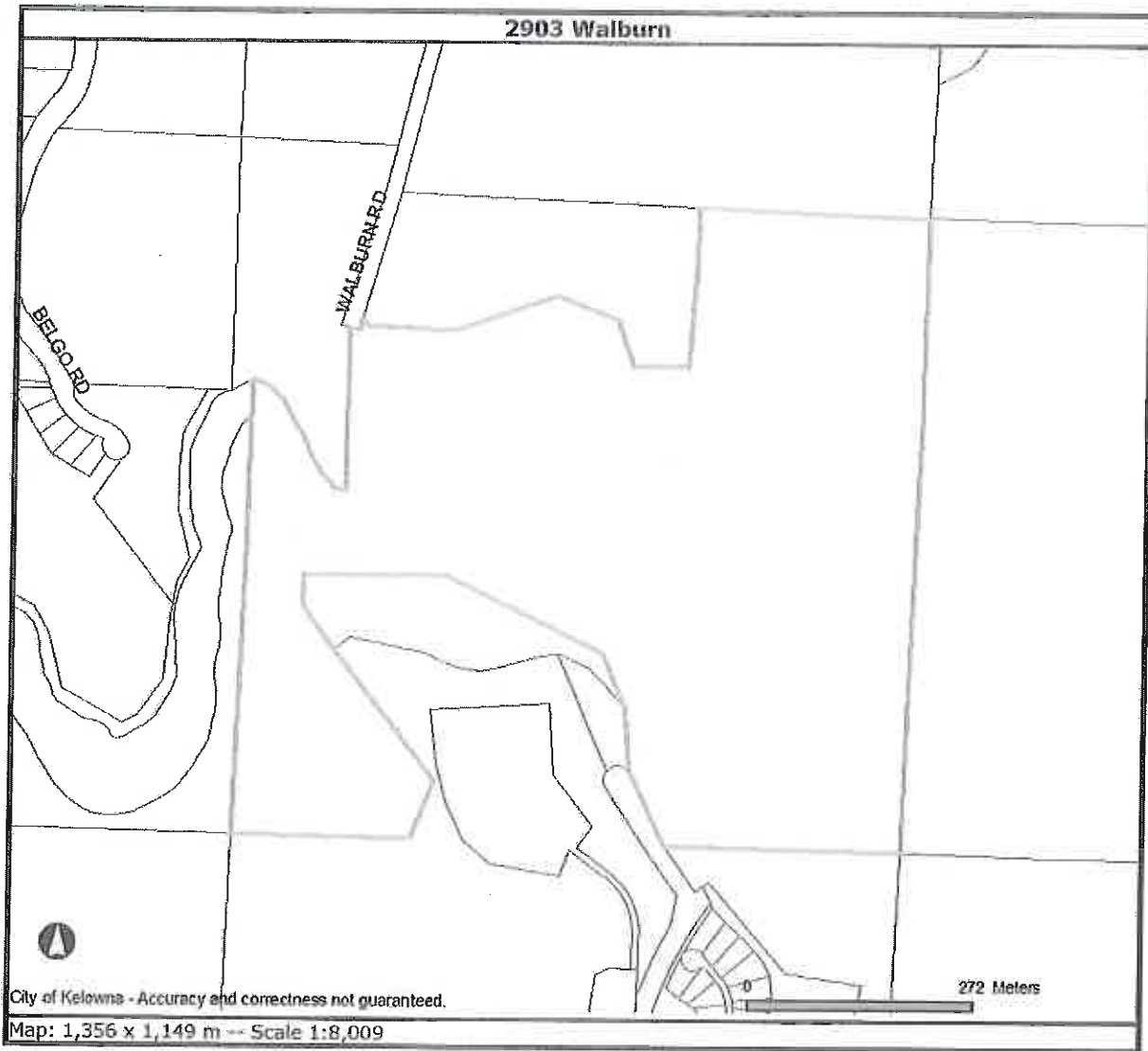
6. Mission Creek

The subject property spans across Mission Creek. Mission Creek channel may require dedication or be returned to crown.



Steve Muenz, P. Eng.
Development Engineering Manager

BB



This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

CITY OF KELOWNA
MEMORANDUM

Date: November 30, 2011
File No.: Z11-0081 (2080 Hollywood Road South)
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: 2080 Hollywood Road South– Lot5, Plan 1751, Sec. 14, Twp. 26, ODYD

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for this service.

3. Sanitary Sewer.

The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

This application does not trigger any offsite upgrades.

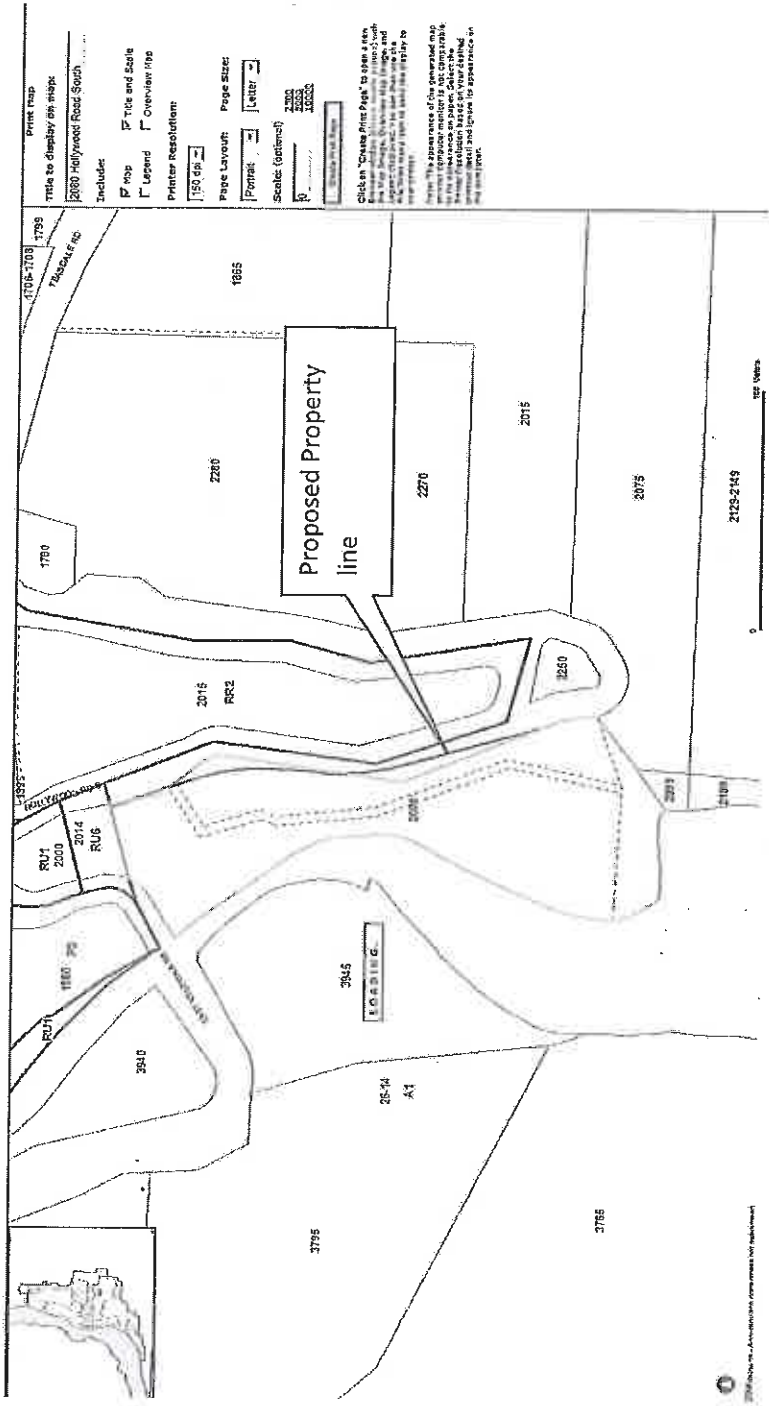
6. Road dedication

The subject property encroaches in some areas onto Hollywood Road South. It is recommended that the property line along Hollywood Road South be established at 10.0m measured from the current mean road centerline as shown on attached sketch.



Steve Muenz, P. Eng.
Development Engineering Manager

BB



Print Map
 Title to display on maps
 2000 Hollywood Road South

Include:
 Top
 Title and Date
 Legend
 Overview Map

Printer Resolution:
 150 dpi

Page Layout: Page Size:
 Format: Letter

Scale: (optional)
 1:1000
 1:2000
 1:5000

Click on "Change Print Page" to select the
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CITY OF KELOWNA
MEMORANDUM

Date: December 1, 2011
File No.: Z11-0081
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: 3755 Carter Road

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the service area of the South East Kelowna Irrigation District (SEKID). The developer is required to make satisfactory arrangements with the SEKID for this service.

3. Sanitary Sewer.

The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

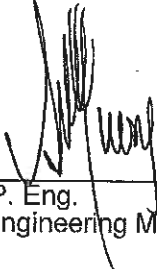
A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

The subject property has no road frontage.

6. Mission Creek

The subject property spans across Mission Creek. Mission Creek channel may require dedication or be returned to crown.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA
MEMORANDUM

Date: December 1, 2011
File No.: Z11-0081
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: 5511 Chute Lake Road

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the future service area of the City of Kelowna. This property is not serviced at this time.

3. Sanitary Sewer.

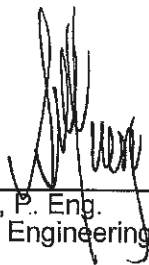
The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

The subject property has no road frontage.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA
MEMORANDUM

Date: December 1, 2011
File No.: Z11-0081
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: 956 Curtis Road

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for this service.

3. Sanitary Sewer.

The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

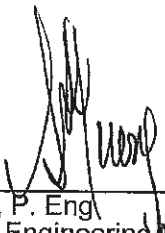
A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

The road frontage along the subject property cannot be constructed in its current location therefore re-alignment and dedication thru the subject property may be required for the connection of Curtis Road to John Hindle Drive.

6. Robert Lake

The subject property spans into Robert Lake and may require dedication or be returned to crown.



Steve Muenz, P. Eng
Development Engineering Manager

SS

CITY OF KELOWNA
MEMORANDUM

Date: December 1, 2011
File No.: Z11-0081
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: (W OF) Wildwood Road

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the service area of the South East Kelowna Irrigation District (SEKID). The developer is required to make satisfactory arrangements with the SEKID for this service.

3. Sanitary Sewer.


The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

The subject property has no road frontage.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA
MEMORANDUM

Date: December 1, 2011
File No.: Z11-0081
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: (E OF) Senger Road

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the service area of the South East Kelowna Irrigation District (SEKID). The developer is required to make satisfactory arrangements with the SEKID for this service.

3. Sanitary Sewer.

The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

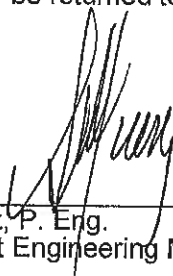
A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

The subject property has no road frontage.

6. Mission Creek

The subject property spans across Mission Creek. Mission Creek channel may require dedication or be returned to crown.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA
MEMORANDUM

Date: December 1, 2011
File No.: Z11-0081
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: (N OF) McCulloch Road

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the service area of the South East Kelowna Irrigation District (SEKID). The developer is required to make satisfactory arrangements with the SEKID for this service.

3. Sanitary Sewer.

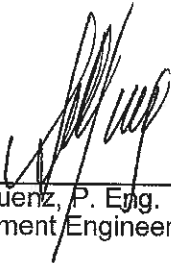
The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

The subject property has no road frontage.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA
MEMORANDUM

Date: December 1, 2011
File No.: Z11-0081
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: (S OF) Lakeshore Road

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the future service area of the City of Kelowna. This property is not serviced at this time.

3. Sanitary Sewer.

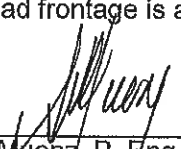
The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

The road frontage is acceptable based on the proposed zoning.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA
MEMORANDUM

Date: December 1, 2011
File No.: Z11-0081
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: 5680 Lakeshore Road

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the future service area of the City of Kelowna. This property is not serviced at this time.

3. Sanitary Sewer.

The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

The road frontage was improved by the City in 2009.

6. Bertram Creek

The subject property spans across Bertram Creek. Bertram Creek channel may require dedication or be returned to crown.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA
MEMORANDUM

Date: December 1, 2011
File No.: Z11-0081
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: 5307 Lakeshore Road

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the future service area of the City of Kelowna. This property is not serviced at this time.

3. Sanitary Sewer.

The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

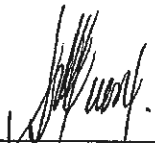
A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

The road frontage was upgraded as part of the Lebanon Creek Culvert upgrade.

6. Lebanon Creek

The subject property spans across Lebanon Creek. Lebanon Creek channel may require dedication or be returned to crown.



Steve Muenz / P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA
MEMORANDUM

Date: December 1, 2011
File No.: Z11-0081
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: 3001 Field Road

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the service area of the South East Kelowna Irrigation District (SEKID). The developer is required to make satisfactory arrangements with the SEKID for this service.

3. Sanitary Sewer.

The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

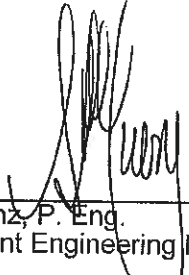
A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

The subject property has no road frontage.

6. Mission Creek

The subject property spans across Mission Creek. Mission Creek channel may require dedication or be returned to crown.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA
MEMORANDUM

Date: December 1, 2011
File No.: Z11-0081
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: 2050 McKinley Road

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the future service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for this service.

3. Sanitary Sewer.

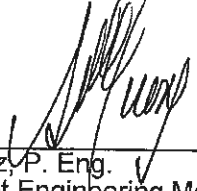
The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

The road frontage along the subject property will be improved by the Kinnikinnik Development.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA
MEMORANDUM

Date: December 1, 2011
File No.: Z11-0081
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: 2050 McKinley Road

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the future service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for this service.

3. Sanitary Sewer.

The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

The road frontage along the subject property will be improved by the Kinnikinnik Development.



Steve Muenz, P. Eng.
Development Engineering Manager

SS

CITY OF KELOWNA
MEMORANDUM

Date: November 29, 2011
File No.: Z11-0081

To: Land Use Management Department (JM)

From: Development Engineering Manager (SM)

Subject: 1456 KLO Rd Lot 2 Plan KAP53338 RDCO PARK

Development Engineering comments and requirements pertaining to this application to rezone the subject property from P4 / A1 to P3 / P4 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the service area of the City of Kelowna. Our records indicate that this property is not serviced.

3. Sanitary Sewer.


The subject property is not serviced by the Municipal Wastewater collection system.

4. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

KLO Road is fully urbanized fronting the subject property.


Steve Muenz, P.Eng.
Development Engineering Manager
JF/jf

CITY OF KELOWNA
MEMORANDUM

Date: December 13, 2011
File No.: Z11-0081
To: Land Use Management (JM)
From: Development Engineering Manager (SM)
Subject: (W of) Werger Road **REVISED**

Development Engineering comments and requirements regarding this application to rezone the subject property from A1 to P3 are as follows:

1. Subdivision.

Provide easements as may be required.

2. Domestic water and fire protection.

This development is within the future service area of the Glenmore Ellison Irrigation District (GEID). The developer is required to make satisfactory arrangements with the GEID for this service.

3. Sanitary Sewer.

The subject property is not serviced by the Municipal Wastewater collection system.

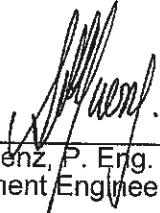
4. Drainage.

A comprehensive site drainage management plan and design to comply with the City's drainage design and policy manual will be a requirement of any future development on the subject property.

5. Road improvements.

Werger Road has not been constructed from Glenmore Road N to the subject property. Cash in lieu of construction will be required for the full road frontage of the subject property. The cash in lieu amount is \$12,000.00

The proposed future McKinley Road re-alignment traverses this property. Provide a blanket Road Reserve Agreement with the City of Kelowna.



Steve Muenz, P. Eng.
Development Engineering Manager

SS



Parks Services

1450 K.L.O. Road
Kelowna, B.C. V1W 3Z4

Telephone: (250) 469-6232
Fax: (250) 762-7011

www.regionaldistrict.com

March 15th, 2012

By email

City of Kelowna
Environment & Land Use Branch
1435 Water Street
Kelowna, B.C.
V1Y 1J4

Attention: James Moore, Land Use Planner

Re: Regional Park Rezoning Project (Z11-0081) – Werger Road

Dear Mr. Moore,

Further to our meeting dated February 7th, 2012 this letter will clarify the access and development of the Werger Road property.

The Regional District's legal access to Stephens Coyote Regional Park is at 2050 McKinley Road. However, the Regional District currently has an informal agreement with the City of Kelowna to permit parking and access to Stephens Coyote Regional Park at the Glenmore Dog Park across from the Glenmore Landfill. It should also be noted that the Werger Road property that is described in the application is a part of Stephens Coyote Regional Park.

Currently, the future development of staging/parking/trailhead amenities at Werger Road for Stephens Coyote is identified to be completed in 2015 as per the Regional District's Draft 2012-2016 5 Year Financial Plan. The Regional District does not intend on any development before that date and development in 2015 would be under consideration of the Regional Board approving the budget in 2015. The Regional District in planning and proceeding with this project in 2015 would be required to follow all regulatory requirements. The Regional District does understand that at such time the comments by the City of Kelowna's Engineering Department may take effect.

I trust that this meets your requirements to proceed forward with the Regional District's rezoning application. Thank you for your time and assistance in this matter.

Yours truly,

Wayne Darlington
Manager – Parks & Facilities



Parks Services

1450 K.L.O. Road
Kelowna, B.C. V1W 3Z4

Telephone: (250) 469-6232
Fax: (250) 762-7011

www.regionaldistrict.com

December 22nd, 2011

By email

City of Kelowna
Environment & Land Use Branch
1435 Water Street
Kelowna, B.C.
V1Y 1J4

Attention: James Moore, Land Use Planner

Re: Regional Park Rezoning Project (Z11-0081) – Response Comments Engineering

Dear Mr. Moore,

Please find the enclosed the Regional District's comments in response to referral comments made by the City of Kelowna's Development Engineering Manager in general and for each parcel of land.

General Comments

The lands contained within this application for rezoning are part of a network of Regional Parks delivered as a service to all residents of the Central Okanagan by the Regional District of Central Okanagan. Lands associated with this project cannot be removed or encumbered in any way shape or form without the permission of the Regional Board and majority of all eligible voters in the Central Okanagan. This can be achieved through the use of a referendum or alternative approval process (Section 941.1 Local Government Act). Therefore any comments regarding acquiring a right, removal or adjustment of Regional Park lands cannot occur unless the process described has been completed.

Specific Property Comments

3755 Carter Road

1. Subdivision - No comment
2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment
4. Drainage - No comment
5. Road Improvements – No comment

6. Mission Creek – Subdivision of land is not occurring, return to crown is not applicable.

5511 Chute Lake Road

1. Subdivision - No comment
2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment
4. Drainage - No comment
5. Road Improvements – No comment

956 Curtis Road

1. Subdivision - No comment
2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment
4. Drainage - No comment
5. Road Improvements – The Regional District operates the land as part of Robert Lake Regional Park which is a Conservation Park. The Regional District partnered in the purchase of the land with the Central Okanagan Land Trust and there is a Section 219 No build No disturb Covenant over these lands which is registered on title. The Regional District would not support the disposition or encumbering of park land without exhaustive efforts to determine other suitable alternatives. In addition, comments as identified in General Comments above would be applied.
6. Robert Lake – Subdivision of land is not occurring, return to crown is not applicable.

(W OF) Wildwood Road

1. Subdivision - No comment
2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment
4. Drainage - No comment
5. Road Improvements – No comment

(W OF) Werger Road

1. Subdivision - No comment
2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment

4. Drainage - No comment

5. Road Improvements – The Regional District operates this property as part of Stephens Coyote Regional Park which is a Conservation Park. The original purchase of the land was in partnership with the City of Kelowna and a covenant for future road was provided to the City of Kelowna as shown on KAP64935. The Regional District does not support the placement of a Blanket Road Reserve outside the area already identified on Plan KAP64935 over the property or the request for the cash-in-lieu of construction fees. The Regional District requests that consideration be given to the nature of the rezoning request and that both the Blanket Road Reserve and cash-in-lieu be waived, the Regional District will honour the commitments regarding the existing road reserve as shown on Plan KAP64935. The lands are not for development and are for the greater public good, typical development consideration should not apply in this case. In addition, comments identified above under General Comments will also apply.

(E OF) Senger Road

1. Subdivision - No comment

2. Domestic water and fire protection - No comment

3. Sanitary Sewer - No comment

4. Drainage - No comment

5. Road Improvements – No comment

6. Mission Creek – Subdivision of land is not occurring, return to crown is not applicable.

(N OF) McCulloch Road

1. Subdivision - No comment

2. Domestic water and fire protection - No comment

3. Sanitary Sewer - No comment

4. Drainage - No comment

5. Road Improvements – No comment

(S OF) Lakeshore Road

1. Subdivision - No comment

2. Domestic water and fire protection - No comment

3. Sanitary Sewer - No comment

4. Drainage - No comment

5. Road Improvements – No comment

5680 Lakeshore Road

1. Subdivision - No comment
2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment
4. Drainage - No comment
5. Road Improvements – No comment
6. Bertram Creek – Subdivision of land is not occurring, return to crown is not applicable.

3001 Field Road

1. Subdivision - No comment
2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment
4. Drainage - No comment
5. Road Improvements – No comment
6. Bertram Creek – Subdivision of land is not occurring, return to crown is not applicable.

2050 McKinley Road

1. Subdivision - No comment
2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment
4. Drainage - No comment
5. Road Improvements – No comment

1320 Pasadena Road

1. Subdivision - No comment
2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment
4. Drainage - No comment
5. Road Improvements – No comment

1870 Mantle Court

1. Subdivision - No comment
2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment
4. Drainage - No comment
5. Road Improvements – No comment

1250 Creek Street

1. Subdivision - No comment
2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment
4. Drainage - No comment
5. Road Improvements – No comment
6. Mission Creek – Subdivision of land is not occurring, return to crown is not applicable.

2549 Belgo Road

1. Subdivision - No comment
2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment
4. Drainage - No comment
5. Road Improvements – No comment

2803 Belgo Road

1. Subdivision - No comment
2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment
4. Drainage - No comment
5. Road Improvements – No comment

2903 Walburn Road

1. Subdivision - No comment

2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment
4. Drainage - No comment
5. Road Improvements – No comment
6. Mission Creek – Subdivision of land is not occurring, return to crown is not applicable.

2971 Belgo Road

1. Subdivision - No comment
2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment
4. Drainage - No comment
5. Road Improvements – No comment

E. of Spencer Road

1. Subdivision - No comment
2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment
4. Drainage - No comment
5. Road Improvements – No comment

2080 Hollywood Road

1. Subdivision - No comment
2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment
4. Drainage - No comment
5. Road Improvements – No comment
6. Road Dedication – The subject property is being encroached on by Hollywood Road. It is recommended that the appropriate City of Kelowna personnel contact and discuss with the Regional District staff appropriate solutions to the situation. Lands cannot be removed from a Regional Park without a referendum or alternative approval process as noted in general comments.

955 Gerstmar Road

1. Subdivision - No comment
2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment
4. Drainage - No comment
5. Road Improvements – No comment
6. Mission Creek – Subdivision of land is not occurring, return to crown is not applicable.

1456 KLO Road

1. Subdivision - No comment
2. Domestic water and fire protection - No comment
3. Sanitary Sewer - No comment
4. Drainage - No comment
5. Road Improvements – No comment

The Regional District requests consideration regarding the response comments to the Development Engineering Manager comments with such consideration leading to park rezoning of all the properties identified. If due consideration cannot be given, the Regional District will withdraw the rezoning of the following properties:

- 956 Curtis Road
- (W of) Werger Road
- 2080 Hollywood Road

It is important to note that the City of Kelowna is a partner in the delivery of Regional Parks and have a long history of working together. In many cases the City of Kelowna and Regional District work co-jointly or have agreements to operate or manage each other's lands for their desired purposes to assist in the delivery of the services that are being provided to the residents of the City of Kelowna or Regional District. If consideration cannot be given, we request that a meeting be arranged to discuss the issues related to this rezoning application. Thank you for your time and assistance in this matter.

Yours truly,



Wayne Darlington
Manager – Parks & Facilities

James Moore

From: Steve Muenz
Sent: Wednesday, May 23, 2012 10:22 AM
To: James Moore
Subject: RE: Dev Eng report for RDCO parks

Follow Up Flag: Follow up
Flag Status: Completed

James:

Based on Wayne Darlington's (Manager – Parks & Facilities) letter of Marsh 15, 2012 concerning Regional Park Zoning Project (Z11-0081) – Werger Road, I am prepared to waive the requirements as being required as part of this application based on Wayne's commitment to adhere to the requirements during the future development of the project.

Steve Muenz, P.Eng. Development Engineering Manager
Development Services

TEL: 250-469-8625
FAX: 250-862-3314
E-Mail: smuenz@kelowna.ca

City of Kelowna 1435 Water Street, Kelowna, BC V1Y 1J4 kelowna.ca

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From: James Moore
Sent: May 23, 2012 10:16 AM
To: Steve Muenz
Subject: Dev Eng report for RDCO parks

Hey Steve,

Any word on the revised Dev Eng requirements for RDCO parks zoning???

James Moore, MCP, MCIP
Land Use Planner
Land Use Management Department | Community Sustainability Division

Tel 250 469-8959
Fax 250 862-3320

City of Kelowna 1435 Water Street, Kelowna, BC V1Y 1J4 kelowna.ca/environment
