
CITY OF KELOWNA
MEMORANDUM

Date: November 2, 2005
File No.: 0360-20

To: City Manager

From: Planning and Corporate Services Department

Subject: Rutland Height / Massing Review

Report prepared by: Gary L. Stephen

RECOMMENDATION

THAT Council endorse the direction of the Rutland Height and Massing Study as outlined in the Planning and Corporate Services report of November 2, 2005 for further Council consideration as OCP and Zoning Bylaw amendments;

AND THAT staff be directed to present for public input the concept of extending C7 zoning to Rutland prior to final preparation and formal Council consideration of related OCP and Zoning amendments.

BACKGROUND

At the Regular Meeting of Monday, February 14, 2005, Council discussion of another item on mixed use developments in Urban Centre areas led to the following resolution also being adopted:

THAT Council direct staff and the Urban Centres Implementation Committee to develop a process / timeline and budget for considering additional height and density in the Rutland urban centre and report back to Council.

Staff prepared a draft Work Plan that was discussed by the Urban Centres Implementation Committee on April 20, 2005. UCIC agreed with the overall work plan and suggested minor amendments with respect to consultation with Irrigation Districts and other stakeholders.

A planning staff report dated April 27, 2005 that outlined a work plan for this project was considered by Council at the Regular Meeting held Monday, May 2, 2005, when the following resolution was adopted:

THAT the Planning and Corporate Services report of April 27, 2005 on the review of height and massing in Rutland be received:

AND THAT staff be directed to continue the review as indicated in the Work Plan attached to the staff report, with funds from the 2005 Neighbourhood Area Planning Program account.

Since that Council direction, staff completed a 3D computer model of the Rutland area to use as a presentation tool and in the analysis of the impact of higher buildings on existing development and view corridors. After meetings and discussions with stakeholders, including the Rutland Residents Association, representatives from the Rutland business community and Irrigation Districts, an Open House was held on June 8, 2005 to discuss community interest in increasing building height in Rutland. The 3D computer model was used to display the concept.

The session was attended by some 35 – 40 people, mostly Rutland residents and business people. An exit survey was conducted and there were 25 responses to that survey. A summary of the survey results is provided in Attachment 1.

In general, the Open House comments were overwhelmingly (76 %) in support of taller buildings in Rutland, although there was a mixture of opinions on building height limitations (eight to twenty-one storeys). Also, there was a mixture of opinions on locations (throughout Rutland, upper bench vs. lower bench, commercial core only) where additional building height would be appropriate. Most respondents preferred a variety of building heights rather than one uniform height. The primary issues seemed to be that there would need to be better planning to manage the development of taller buildings and that taller buildings be confined to the existing commercial core so as not to impact nearby lower density residential neighbourhoods. The design, exterior finish and landscaping / green space related to taller buildings are also seen as critical to sensitive integration.

Policy Background

The OCP currently provides for building height in the Rutland Town Centre of four (4) storeys, with potential for up to six (6) storeys at selected locations in the Urban Centre (landmark corners of Hwy 33 / Hollywood Rd or Hwy 33 / Rutland Rd).

The Zoning Bylaw provides for a Rutland commercial area that is generally zoned C4 (plus other modified C4 zones for liquor related uses etc.) with an FAR of 1.0 (up to 1.3 or 1.4 for mixed use developments with a housing agreement and underground / under-building parking) and maximum building height of 15.0 m or 4 storeys. Building heights could be higher by virtue of a development variance permit as long as the use or density is not changed. Building height for hotels or apartment hotels could be up to 25.0m or 7 storeys.

DISCUSSION

Rutland Transit Charrette

The Rutland Height and Massing Study has been moving along in concert with the Rutland Transit Centre Charrette undertaken in the summer of 2005. The preferred option identified in the final Charrette document provides for the location of a Transit Centre along the south side of the extension of Shepherd Road between Asher Road and Dougall Road, surrounded by a pedestrian-friendly transit-oriented town centre. The commercial centre would be located primarily north of Highway 33 stretching from Aurora Crescent to Roxby Road. An interim transit exchange station would be on Hwy 33 at the Roxby Road intersection until the full transit exchange on Shepherd Road is constructed.

Rutland Height and Massing Study

After the Open House in June staff discussed a number of alternatives for implementation of higher buildings in Rutland. The first option considered would be to amend the C4 zone to allow additional height, however this action would also impact other C4 zoned areas of the City where such height may not be appropriate.

The idea of creating a new commercial zone specific to Rutland was also discussed. This option would be workable however it creates another zone and adds to the complexity of the Zoning Bylaw.

Staff agreed that the simplest option would be to support rezoning a portion of the Rutland Town Centre to C7 Central Business Commercial which currently applies only in the Downtown Urban Centre. The benefits of using an existing zone are:

- The C7 zone already contains the regulations that would be required to manage additional building height. Using the C7 zone eliminates the need to create a Rutland specific zone or adopt changes that might impact other C4 areas.
- The C7 zone provides regulations on building height and use in relation to geographic sub-areas as well as building envelope regulations that could easily be adapted to Rutland.
- The C7 height limit of 44 m (approximately 12 storeys) is compatible with the height range being considered for Rutland. As noted previously building height could be higher by virtue of a DVP as long as the use and density regulations are maintained.
- Forthcoming C7 Design Guidelines would apply.

There would need to be several OCP amendments and zoning amendments to facilitate the change in policy. Attachment 2 outlines the potential amendments that would be necessary to implement this program.

Attachment 3 outlines the extent of potential geographic sub-areas within Rutland to adapt to the C7 zone and to facilitate the redevelopment of a pedestrian friendly Rutland Town Centre as Transit Oriented Development (TOD) adjacent to the proposed transit centre. A bold line around much of the commercial core of Rutland denotes the area where C7 zoning (including potential for taller buildings) could be considered. Within that bold line is a smaller hatched area around and adjacent to the transit centre that is very similar to the town centre described in the Charrette. Within this area development could be required to have significant ground floor commercial uses in support of the transit centre and create a pedestrian friendly environment. Outside the hatched area development could be commercial, mixed use commercial / residential, or even a residential only building. Outside the bold line indicating the C7 area the commercial land uses could remain as C4 (4 storeys) to provide a transition to adjoining lower density uses.

There has also been some discussion of the potential for pre-zoning the areas of Rutland that would be supported for C7 uses. However, a review of existing road widths in these areas reveals that many of the roads may require widening, which can only happen at the rezoning stage. If the City pre-zones these sites we would be foregoing the ability to achieve road widths necessary to support a pedestrian and transit friendly centre. It is therefore preferable to create the regulatory changes to support the change in zoning through the normal rezoning application process.

At the October 27, 2005 Rutland Residents Association meeting the Association passed a formal resolution stating that the Association is not opposed to the C7 zone. The Rutland business community has formally indicated that the Association is not opposed to the use of the C7 zone in Rutland. It is suggested that it would be appropriate to hold an additional Presentation / Open House to solicit more input prior to the final preparation of OCP and Zoning Bylaw amendments for Council consideration. There would also be further opportunity for public input as part of the Bylaw amendment public hearing process.

CONCLUSION

The direction of the Rutland Height and Massing Study to allow higher buildings has received consistent public and Council committee support to date. It is recommended that Council endorse the concept as outlined in this report and direct staff to hold further consultation prior to formal Council consideration of subsequent OCP and Zoning Bylaw amendments.

Signe K. Bagh, MCIP
Manager Policy, Research and Strategic Planning

Approved for inclusion

R.L. Mattiussi, ACP, MCIP
Director of Corporate and Planning Services

GLS/gls

cc: Manager, Community Development and Real Estate
 Transportation Manager

Rutland Height / Massing Study

Summary of Open House Survey

June 8, 2005

Question 1. Would you support greater building height in the Rutland Town Centre?
Yes? / No? / Why?

- **Yes**, by allowing buildings to be higher it could create more green space.
- **Yes**. All options should be looked at regarding revitalization and modernizing Rutland core or town centre. And not just a nice building by Rutland standards or just nice for Rutland, but cutting edge in modern and futuristic looking buildings.
- **Yes**, why not? It's everywhere else in Kelowna, why should Rutland be any different?
- **Yes**. Needs to be rejuvenated. Negative vibes must be abolished. There is plenty of real estate for commercial and high density residential.
- **Yes**. Rutland needs to be revitalized and this would go a long way in making that happen. We need a centre piece to rally around and restore / instill the civic pride of being a Rutland resident.
- **Yes**. I'd rather go up than build on land that could grow food. Infrastructure would be cheaper and less expensive to keep up with concentrated high rises than in sprawling subdivisions. Get more business in the area – fill the mall!
- **Yes**. It seems like the logical way to go. Hopefully will stop some urban sprawl and maybe the loss of valuable farmland.
- **No**. Kelowna has a need for better building, not more. High rises are a blight not a solution.
- **Yes**. Taller buildings would encourage more efficient land use and delivery of services. Provide more affordable housing of better quality. Startup companies need to find quality affordable housing for employees.
- **No**. The roads will not handle the additional traffic and no planning has been done. The City does not even have a plan to handle the additional traffic on Harvey Ave that will result from the new bridge. See 10 points listed by Citizens for Responsible Community Planning. Growth should be stopped as it is destroying our environment.
- **No**. Kelowna cannot support a larger population. Population increase will always increase traffic. Small increase or big increase, an increase no matter what the size.
- **No**. Traffic congestion, obstruction of views, creation of shadows, makes communities impersonal, waste energy, increase housing costs and leads to more high rises.
- **Yes**, if these would be planned into a nice structure. Needs to have some thought put into planning.
- **No**.
- **Yes**. RTC needs increase in population to provide demand for services. Also, it is smarter to go up rather than spread out. We are short of land – up saves land.
- **Yes**. We need it.
- **Yes**. We need nicer looking buildings.
- **Yes**.

- **Yes**, but not hi-rise concrete blocks.
- **Yes**, it is necessary for future development.
- **No**. I want Kelowna to retain as much of its present character as possible.
- **Yes**. Need more urban living.
- **Yes**. Higher density is needed to help form real downtown centres.
- **Yes**. Taller buildings in the Rutland downtown core are both desirable and efficient. Congratulations to the City on this proposal and for the vision you are showing.
- **Yes**. I see nothing wrong with increasing the allowable height of buildings in Rutland Commercial Core, with some caveats. (Consideration of existing sight lines, new buildings should fit with existing character, infrastructure upgrades, aesthetically pleasing and environmentally friendly.)

There were 25 responses to this question – 19 Yes and 6 No.

Question 2. What building height would be appropriate or acceptable in the Rutland Town Centre?

- 16 – 21 storeys
- Whatever is appropriate without interfering with the codes and air flight regulations.
- 8 – 10 storeys
- Maximum 20 storeys in the lower area.
- Maximum of 20 storeys or 70 m. I think there should be a designated minimum of 12 storeys or 40 m in this key area.
- Up to 12 storeys
- 12 – 18 storeys would be good.
- Maximum 4 storeys
- 12 – 20 storeys
- 2 storeys
- 3 storeys
- 4 storeys
- I would prefer that at four corners – 8 – 10 storeys at most. Hollywood and Hwy 33 if set away from the road, maybe higher.
- 2 – 3 storeys: 4 is plenty.
- 12 + storeys. Any size provided the building design is appealing to most people.
- 10 – 12 storeys
- 12 storeys
- 8 – 12 storeys
- I believe 12 storeys high, but only for more expensive apartments because it's been my experience that hi-rise low cost housing become ghettos and undesirable places to live in and to have as neighbours.
- 8 storeys
- The current 4 storey limit.
- 20 storeys
- 12 – 16 storeys

There were 23 responses to this question – 16 advocating between 8 and 21 storeys, with 6 advocating 4 or less storeys. One response did not specify.

- 8 storeys – 1 response 8 – 10 storeys – 2 responses
- 8 – 12 storeys – 1 response 10 – 12 storeys – 1 response
- 12 storeys – 3 responses 12 + storeys – 1 response
- 12 – 16 storeys – 1 response 12 – 18 storeys – 1 response
- 12 – 20 storeys – 1 response 16 – 21 storeys – 1 response
- 20 storeys – 3 responses

Question 3. Should building height be the same for the whole commercial core of the Rutland Town Centre or are there areas where different building heights would be appropriate or acceptable?

- It should be the same.
- A basic footprint should be drawn up and as long as the exteriors are tasteful and modern and hopefully timeless (not easily outdated in a short period of time); all projects should be referred to individually and seen how will it fits into the basic footprint. The footprint will always be flexible.
- Not necessarily. Each development should be looked at separately and decided upon at that time depending on the developer wants to build.
- No. Fewer storeys on the upper area.
- No. 20 storeys on the lower west side and 14 storeys or 55 m on the upper east side bench.
- Varied. Higher below the ridge (escarpment).
- I think there should be a variety of heights, but only in the commercial area.
- Each area should be evaluated individually.
- Developer should be free to decide the height of their building.
- All the same (2 storeys)
- No acceptable area for more height.
- The same (4 storeys)
- Would prefer staggered heights with creative bottoms.
- Yes, all the same.
- No. There should be a variety to add to the esthetic appeal.
- Flexible
- Different heights
- Same
- Same height becomes boring. Vary the heights.
- Stay strictly to the Town Centre area and then adhere to whatever height is finally agreed to.
- Same for the whole commercial core.
- Same
- In the C4 zoned area only. Other areas may be acceptable with public consultation.

There were 23 responses to this question. 2 responses preferred keeping the height at or below 4 storeys and 2 responses were not specific. Of the 19 responses that supported additional height - 5 wanted the height to be the same throughout while the remaining 14 wanted a variety of heights. There were 3 of the 14 responses that supported a variety of building heights that further specified higher buildings below the escarpment and lower buildings above the escarpment.

Question 4. If you answered Yes to Question 1 are there areas or specific sites where higher buildings would not be appropriate in the Rutland Town Centre?

- In dense single family neighbourhoods.
- Anything outside one square km, but we can't have a building alone here or there.
- Not that I can think of.
- Yes – above the escarpment.
- No
- No
- None that I can think of at the moment.
- High buildings would not be appropriate anywhere.
- Places where the view will be destroyed should have no building.
- High buildings only at the 4 corners.
- No high buildings outside the downtown (Rutland) core.
- No high buildings near low single family residential areas – taller buildings next to 4 storeys make sense.
- Higher buildings should only be at Hwy 33 and Rutland Rd.
- Near single family homes.
- Rutland to Hollywood along Hwy 33 only for higher buildings.
- No
- Avoid single family housing sites.

Of the 19 Yes responses to Question 1, there were 16 responses on specific areas.

- *5 responses indicate that anywhere would be OK*
- *5 responses indicate that taller buildings in or near single family areas is not appropriate.*
- *2 responses indicate that taller buildings should only be in the Rutland commercial core.*
- *2 responses indicate that taller building should only be at the 4 corners area.*
- *1 response indicated that taller buildings should not be above the escarpment*
- *1 response indicated that taller buildings should not be in areas that block views.*

Question 5. If you answered No to Question 1 are there areas or specific sites where higher buildings might be appropriate in the Rutland Town Centre and what height would be appropriate?

- Maximum 4 storeys anywhere.
- No
- No areas, maximum 3 storeys
- No
- No, 2 or 3 storeys – 4 is plenty
- No

Of the 6 No responses to Question 1 there were 6 responses that indicated that there were no areas of Rutland where taller buildings might be appropriate.

Attachment 2

Potential OCP Amendments:

- Definitions – amend the Town Centre definition to refer to C4 or C7 zoning.
- New policy – Chapter 6 Urban Form – Implementation – consider amendments to the Zoning Bylaw to support higher buildings in the Rutland commercial core similar to downtown regulations.
- New language – Chapter 19 Future Land Use Designations – Commercial – amend the reference to height in Rutland and reference to exclusively residential projects where permitted by zoning (as opposed to the Downtown Plan area).

Potential Zoning Amendments:

- Amend current C4, C4rls, C4lp, C4lp/rls zoned sites in Rutland to the respective C7 zone designation within the boundaries of Diagram C (a buffer of C4 zoning would be kept adjacent to most areas intended to remain as lower density residential use).
- Amend C7 zone - section 14.7.4 Purpose – to include Rutland
- Amend C7 zone - section 14.7.5 Development Regulations (a) (f) (g) (h) (i) (j) – to add reference to areas 1 and 2 on Diagram C
- Amend C7 zone - section 14.7.6 Other Regulations (b) (d) – to add reference to areas 1 and 2 on Diagram C
- Add a new Diagram C (to outline area 1 and 2)
 - *Area 1 would apply to the Transit Oriented Development (TOD) area where at grade commercial use would be required.*
 - *Area 2 would apply to the remainder of the core commercial area where a purely residential building would be allowed, although commercial zoning would obviously still permit purely commercial or mixed uses as well.*

Attachment 3

Map of Proposed Rutland C7 Zone and Sub Areas.