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CITY OF KELOWNA

MEMORANDUM

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**DATE:** May 2, 2008

**TO:** City Manager

**FROM:** Planning and Development Services Department

**APPLICATION NO.** OCP07-0027

**OWNER:** Various Owners

**AT:** Various Properties

**APPLICANT:** City of Kelowna - Parks Division

**PURPOSE:** TO AMEND THE OFFICIAL COMMUNITY PLAN FUTURE  
LAND USE DESIGNATION TO REFLECT LAND IN  
RUTLAND TOWN CENTRE REQUIRED FOR FUTURE PARK

**EXISTING OCP DESIGNATION:** COMMERCIAL & EDUCATION/MAJOR INSTITUTIONAL  
**PROPOSED OCP DESIGNATION:** MAJOR PARK/OPEN SPACE

**REPORT PREPARED BY:** Alec Warrender

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1.0 RECOMMENDATION

THAT OCP Bylaw Amendment No. OCP07-0027 to amend Map 19.1 of the *Kelowna 2020* - Official Community Plan Bylaw No. 7600 by changing the Future Land Use designation of Lot 12, Sec. 26, Twp. 26. ODYD, Plan KAP46961 located at 470 Highway 33 West, Lot 13, Sec. 26, Twp. 26. ODYD, Plan KAP46961 located at 245 Aurora Crescent, Lot A, Sec. 26, Twp. 26. ODYD, Plan 27870 located at 150-160 Dougall Road North, Lot A, Sec. 26, Twp. 26. ODYD, Plan KAP82536 located at 140 Dougall Road North, Lot 6, Sec. 26, Twp. 26. ODYD, Plan 9924 located at 165 Dougall Road North, Lot C, Sec. 26, Twp. 26. ODYD, Plan 20351 located at 160-168 Asher Road, a portion of Lot 3, Sec. 26, Twp. 26. ODYD, Plan 16739 located at 165-171 Asher Road, a portion of Lot B, Sec. 26, Twp. 26. ODYD, Plan 35012 Except Plans 39372 and KAP75003 located at 250 Highway 33 West, a portion of Lot 1, Sec. 26, Twp. 26. ODYD, Plan 511 Except Plan 39372 located at 115-135 Roxby Road, a portion of Parcel B, on Plan B1019 of Lot 2, Sec. 26, Twp. 26. ODYD, Plan 511 Except Plan B3068 located at 190 Highway 33 West, a portion of Lot A, Sec. 26, Twp. 26. ODYD, Plan KAP74060 located at 160 Highway 33 West, a portion of Lot A, Sec. 26, Twp. 26. ODYD, Plan KAP79622 located at 110-150 Highway 33 West, Lot 2, Sec. 26, Twp. 26. ODYD, Plan 2652 located at 166-170 Rutland Road North, a portion of Lot B, Sec. 23, Twp. 26. ODYD, Plan 41234 located at 439-489 Highway 33 West, from the Commercial and the Education / Major Institutional designations to the Major Park / Open Space designation, as shown on Map "A" attached to the report of Planning & Development Services Department, dated May 2, 2008 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 Planning & Development Services Department dated May 2, 2008;

THAT the OCP Bylaw Amendment No. OCP07-0027 be forwarded to a Public Hearing for further consideration.

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## 2.0 SUMMARY

The applicant, the City of Kelowna's Parks Department, is requesting approval to amend the Official Community Plan's Future Land Use Designation for a portion of the subject properties from Commercial to Major Parks/Open Space.

## 3.0 ADVISORY PLANNING COMMISSION

On April 8, 2008, the Advisory Planning Committee supported the Rutland Town Centre Parks and Open Space Plan.

## 4.0 BACKGROUND

### Growth in the Rutland Town Centre

The City of Kelowna's Official Community Plan (OCP) was updated at a regular meeting of Council on February 20, 2006 to allow for the potential of C7 zoning to increase the density in the Rutland Town Centre (Attachment 1). Over the next 20 years, and as the area re-develops, the Planning Department estimates that 4,000 additional people will move to the town centre and provide an increase in population approximately 7,000 to 11,000 people.

### Existing Parks

There are two existing municipal parks within the Rutland Town Centre: Lions Park and Roxby Park, and there is one community-owned and operated park: Centennial Park (Rutland Parks Society).

### Parkland Demand

The existing parks in the Rutland Town Centre will not provide adequate park services for the 4,000 additional people. To address the future demand, new parkland will need to be acquired and developed. The OCP park objective is to provide 2.2 hectares of new parkland for every additional 1,000 people. The purpose of the Rutland Town Centre Parks and Open Space Plan is to provide direction on how to achieve this standard.

Given the 2006 adjustment to the permitted land uses in the town centre, it is anticipated that prices for land in the area will increase substantially more than historic patterns for the area and the availability of land for park uses will decrease. This situation places pressure on the City to make strategic land acquisitions in the town centre as opportunities arise and/or as redevelopment occurs, in order to minimize cost to the City and maximize the opportunity of parkland to provide benefit to the plans for redeveloping the town centre.

### Rutland Town Centre Task Force

The Rutland Town Centre Task Force's Terms of Reference include issues of redevelopment, pedestrian accessibility and urban design. In June 2007, the Task Force made a number of recommendations to Council, including increasing pedestrian linkages, providing streetscaping and landscaping, as well as the development of an urban park and/or plaza in the town centre. On June 11, 2007, Council endorsed the recommendations of the Task Force.

## 4.1 The Proposal

In 2006, the Parks Division began looking at opportunities to acquire additional park space in the Rutland Town Centre. A concept plan comprised of the following features was prepared

and refined through discussions with stakeholders, various City departments, the Rutland Task Force and through public consultation (Attachment 2):

*i. Rutland Green*

Geographically positioned in the centre of the Rutland Town Centre, this park will be easily accessible within a 5 – 10 minute walk of the majority of the redevelopment area. The park will be approximately 1.9 ha in size and can provide such facilities and activities as performance stage/events, display gardens, multi-purpose green field, a promenade water feature, children's playground, walking trails and sports courts (Attachment 3 & 4).

*ii. Rutland Town Square*

Located at the top of the Rutland Bluffs, the Town Square Park is strategically located at the junction of the Rutland Green, Rutland Bluff Linear Park and the Rutland Promenade. The site is approximately 0.23 ha in size with outstanding panoramic views over Kelowna and the lake. Facilities and activities envisioned are an urban courtyard, civic gathering space and water feature for use as a skating rink in the winter. Adjacent future private development will provide opportunities for ground floor commercial such as cafes, shops and restaurants (Attachment 5).

*iii. Rutland Promenade*

The Rutland Promenade, an approximately 20 metre wide pedestrian corridor will connect the Rutland Town Square with the existing Centennial Park and Rutland Road. This urban promenade will provide additional opportunities to the development community for ground floor commercial, retail and multi-family. An environmentally friendly water canal is envisioned to accept rainwater from the surrounding private rooftops and provide areas for infiltration as opposed to piping storm water off-site. (Attachment 6).

*iv. HWY 33 Pedestrian Overpass*

Highway 33 functions as a major transportation corridor and acts as a major barrier to the form, character, and pedestrian accessibility of the Town Centre. A pedestrian overpass connecting the two sides of Rutland will help mitigate this barrier and reconnect the community. The pedestrian overpass was presented initially to Council as part of the Rutland Community Connections project in 2005 and is being brought forward as part of the Rutland Town Centre Parks and Open Space Plan.

5.0 CIRCULATION COMMENTS

5.1 Transportation Division

The Rutland Town Centre has been the focus of planning by the Transportation Division for a proposed transit exchange. A planning charrette was hosted in 2005 which lead to the selection of the proposed site of the transit exchange. Since the charrette, the City has acquired all of the properties for the exchange and extension of Shepherd Rd. The exchange is proposed to be built in 2009. The Transportation Division is currently working on the planning of streetscaping and infrastructure improvements in the town centre in support of transit-oriented development. Consultations will be held this year with the Rutland Uptown Business Association, the Rutland Residents Association and land developers on these proposed works and a policy to see redevelopment in the area in support of the transit exchange.

## 6.0 CURRENT DEVELOPMENT POLICY

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. Furthermore, additional consultation with the Regional District of Central Okanagan is not required in this case.

Staff have reviewed this application, in regards to the City's waste management plan and the project may proceed. A cost estimate conducted by the Community Development and Real Estate Division suggested land acquisition will be in the range of \$13.7 million. The land acquisition will be funded through the Development Cost Charge Bylaw with new development in the City contributing 92% and future taxation contributing 8%. Acquisitions are expected to take place over a number of years and any changes to the DCC program will be determined through the next DCC update.

## 7.0 PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

The Rutland Town Centre is designated as Commercial in the OCP and is intended to accommodate redevelopment for more commercial uses and significantly more residential uses either as secondary (mixed use) to commercial uses or as outright residential development within the Urban Centre. Along with the residential population growth it would be incumbent on the City to provide park space as per Parks standards. In fact, the marketing of the Rutland Town Centre as a more intensive commercial / residential community will benefit from the civic amenities proposed in the Parks Plan. Planning and Development Services Staff have worked with the Parks Department on the development of this plan

Therefore in support of the OCP principles of directing growth to Urban Centres it is recommended that the OCP amendment application to add a system of urban parks to the Rutland Urban Centre be supported.



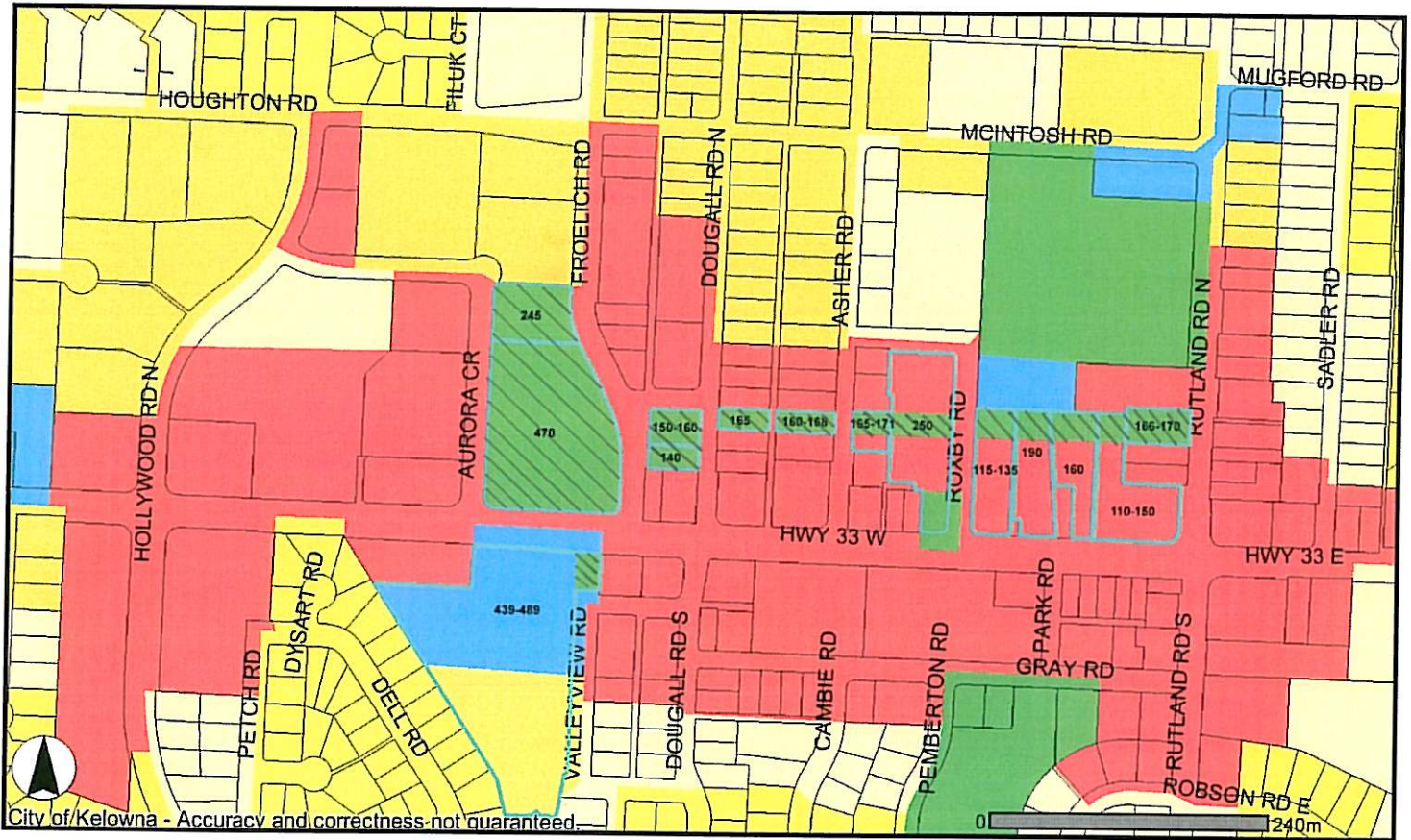
Shelley Gambacort  
Current Planning Supervisor

SG/aw

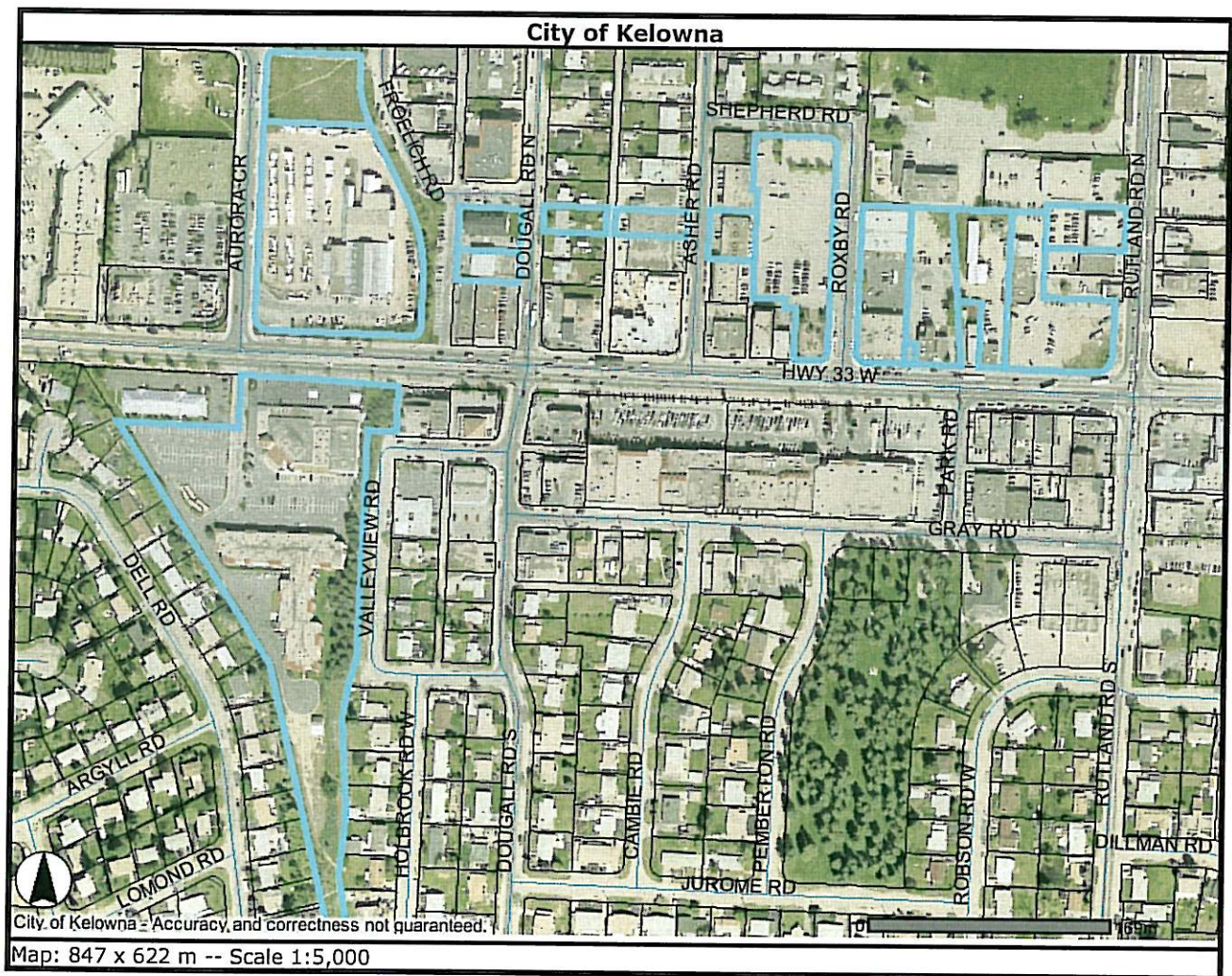
### Attach

- Location Map
- Air Photo
- Rutland Parks Plan
- Additional Information

# MAP "A"









Portion of Subject Properties to have Future Land Use designation changed from "COMMERCIAL" and "EDUCATION / MAJOR INSTITUTIONAL" to "MAJOR PARK / OPEN SPACE"

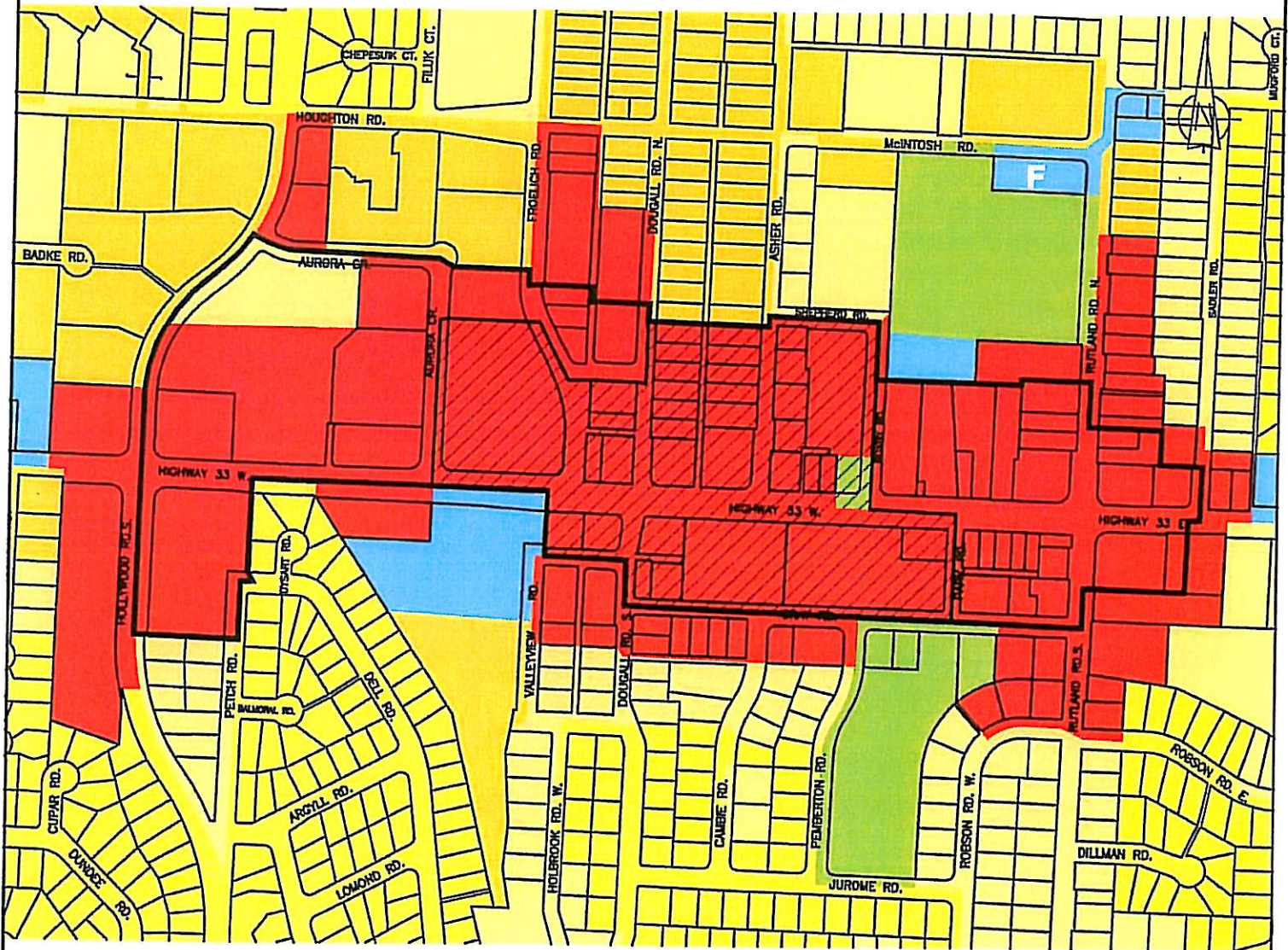




*This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.*

## LEGEND

### OCP Generalized Future Land Use

- |  |   |
|--|---|
|  SINGLE/TWO UNIT RESIDENTIAL (associated uses: local commercial, care centres, minor public services/utilities, & neighbourhood park) |  COMMERCIAL                                |
|  MULTIPLE UNIT RESIDENTIAL - low density (associated uses: care centres, minor public services/utilities, & neighbourhood park)       |  EDUCATIONAL/MAJOR INSTITUTIONAL           |
|  MULTIPLE UNIT RESIDENTIAL - medium density (associated uses: care centres, minor public services/utilities, & neighbourhood park)    |  MAJOR PARK/OPEN SPACE (public or private) |
|  | F FIREHALL  |
|  | S SCHOOL  |



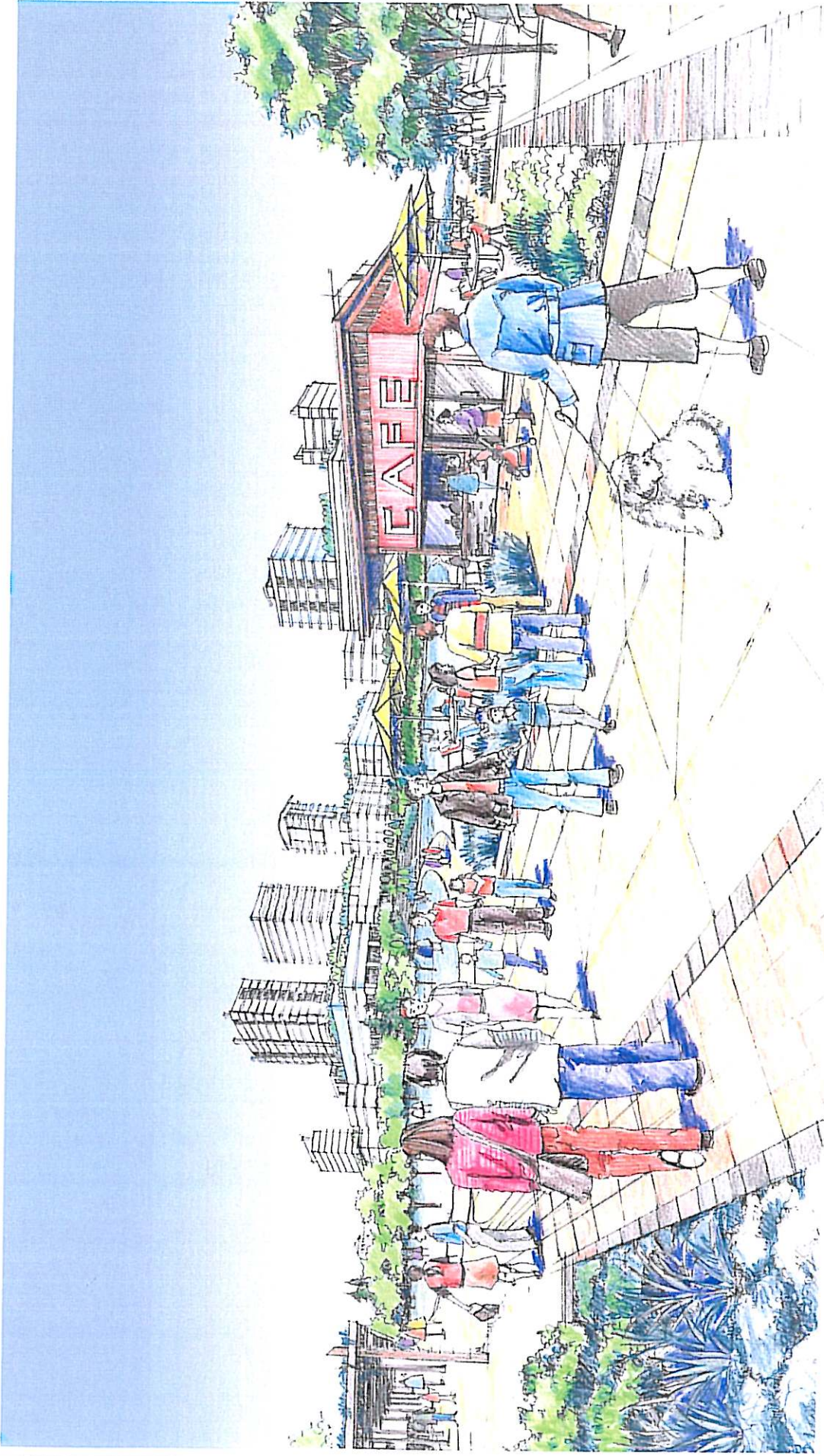
-  C7 Commercial Zone Boundary
-  C7 Zone (Mandatory Ground Floor Commercial)

# Attachment 1



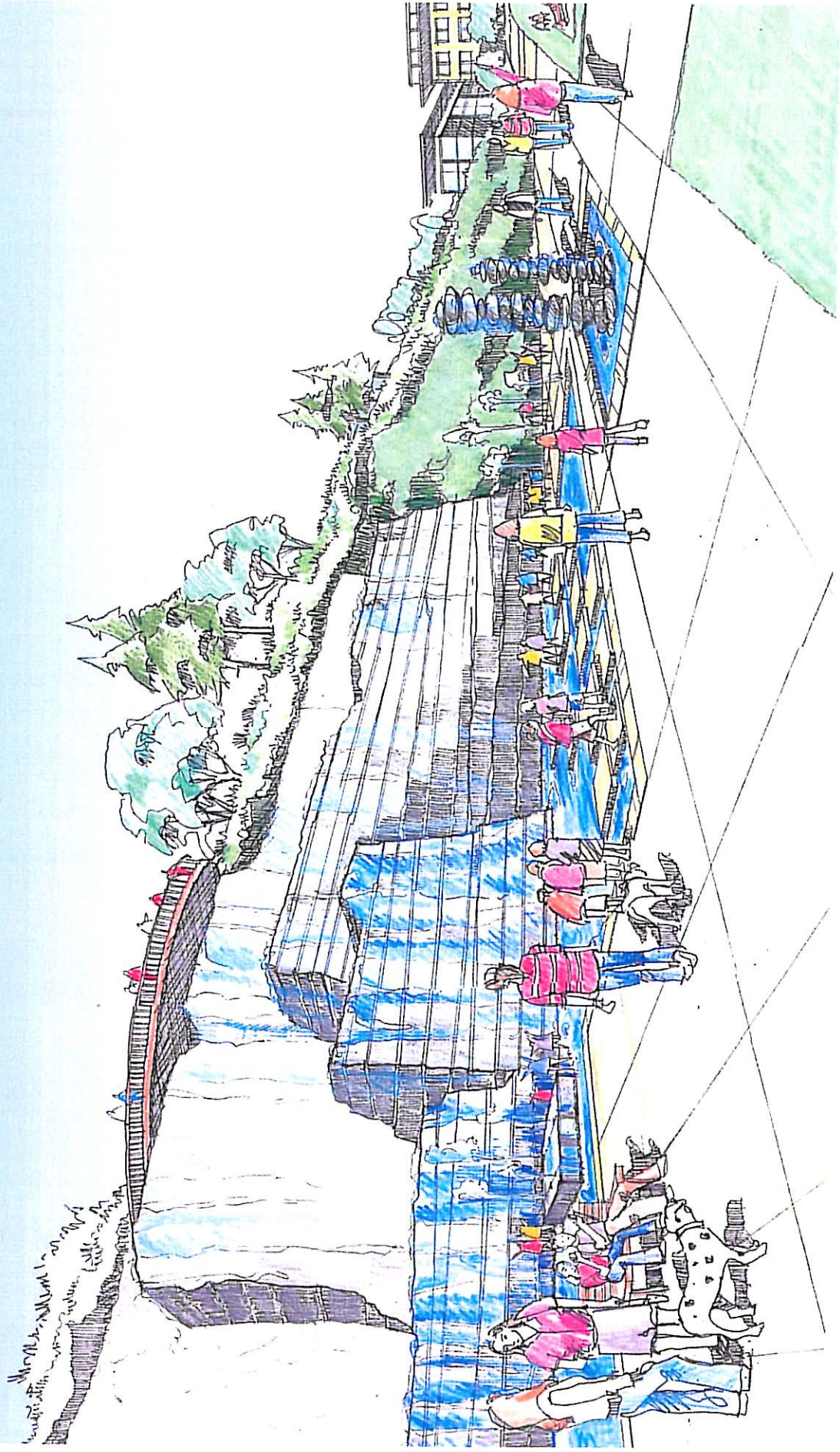
# Attachment 2

RUTLAND GREEN



Attachment 3

RUTLAND GREEN - WATERFALL

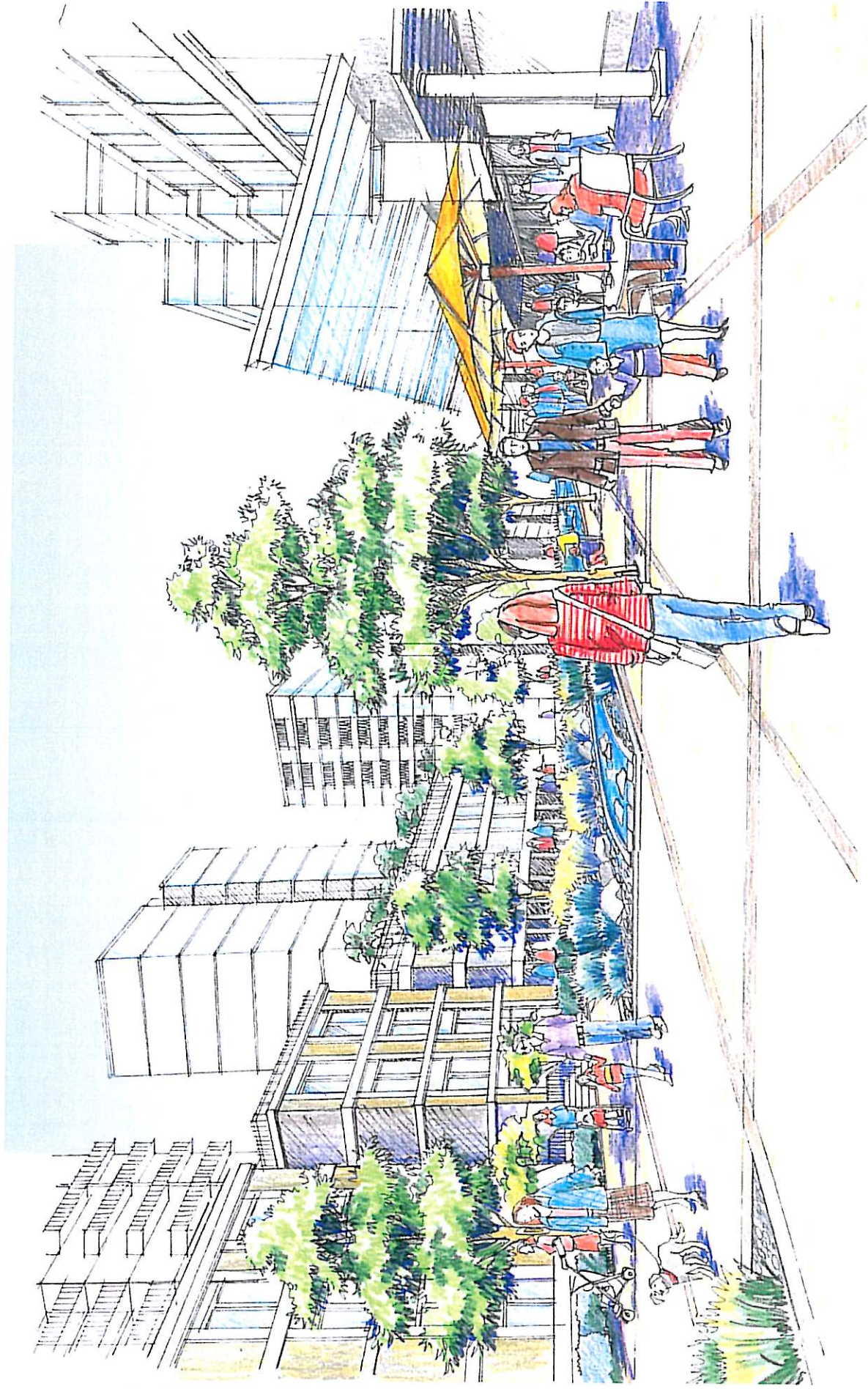


Attachment 4

RUTLAND TOWN SQUARE



RUTLAND PROMENADE



Attachment 6

# Attachment 7

## RUTLAND TOWN CENTRE PARKS AND OPEN SPACE SURVEY RESULTS

### 102 COMPLETED SURVEYS

Do you support the creation of more parks & open spaces for the growing population in the Rutland Town Centre?

102 answered Yes.

The preliminary concept plans for the proposed parks illustrate possibilities for your future parks. What aspects do you favour?

- 31 people expressed they would like to see more walkways.
- 25 people expressed they would like to see more open greenspace.
- 14 people expressed they would like to see family features such as an ice rink, playground etc
- 11 people expressed they would like to see a town square.
- 9 people expressed they would like to see a promenade.

What are your concerns regarding the proposed parks?

- 30 people expressed no concerns
- 25 people expressed concern with regards to security and safety.
- 9 people expressed concern with the infrastructure (road congestion, high usage of area)
- 9 people expressed concern about the timeframe (sooner than later)
- 6 people expressed concern about how it will affect existing properties
- 5 people expressed concern that building highrises might take priority over Parks and the vision of Parks is lost
- 4 people expressed concern about a rise in taxes

What amenities would you enjoy in the proposed parks of the Rutland Town Centre?

Restaurants	-	79 people
Outdoor Performances	-	74 people
Water Feature	-	70 people
People Watching	-	65 people
Picnicking	-	56 people
Ice Skating	-	56 people
Biking	-	55 people
Dog Walking	-	49 people
Children's Waterplay	-	49 people
Playground	-	45 people
Tennis	-	32 people
Roller Blading	-	26 people
Basketball	-	21 people

In addition to these amenities

5 people would like to see a giant chess board

4 people would like to see a volleyball court

**Did the material presented provide you with enough information to make an informed decision regarding this matter?**

79 answered

Yes

14 answered

No

9 didn't answer or didn't know

**If No, what type of information should have been included?**

Common questions were

When will it start - would like to have been told a more accurate time line.

Would like to know more details about the Bluff Linear Park

Would like more details as to how properties will be obtained and where current businesses will go.

**Additional Comments**

Some additional comments were

Hope I live long enough to see it happen.

Would be nice to see it start soon.

Presentation well done and informative.

Great ideas - keep public updated on progress.

Connecting pedestrian pathways to schools is important.

If dogs are allowed, make sure they are on leash and plenty of dog waste receptacles are provided.

Ensure the area is safe and well looked after.

## THE RUTLAND RESIDENTS ASSOCIATION

Office of the President  
Telephone 765-4113

380 Madsen Rd  
Kelowna, B.C. V1X 2C2

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Dear Mayor and Council of Kelowna

On November 22, 2007, the Rutland Residents Association made a motion that was carried to "support the Rutland Town Center Parks and Open Space Plan". The Association members are very excited to see this plan implemented.

The parks staff was very helpful at the open house and the presentation was well done. We would like to have it noted how much we appreciated the extra effort that the parks department made by placing the display in the Rutland library. This enabled many more residents to view the plan.

Thank you for the time and consideration that you are giving to Rutland and its residents. It is being noticed.

Sincerely

Mary-Ann Graham  
Rutland Residents Association  
President

765-4113

# Attachment 8

## **Additional Information Regarding the Rutland Parks & Open Space Plan**

### **INTERNAL CIRCULATION TO:**

Director of Recreation Parks and Cultural Services  
Director of Planning  
Manager of Policy Research and Strategic Planning  
Manager of Planning & Development Services  
Director of Works & Utilities  
Transportation Manager  
Manager of Financial Services  
Manager of Community Development and Real Estate

### **LEGAL/STATUTORY AUTHORITY:**

*Local Government Act (Section 876)* provides the authority to adopt an Official Community Plan bylaw. The *LGA Sections 877 and 878* outline the required content and potential policy statements respectively and *LGA Section 879* outlines the consultation requirements for the adoption and amendment of an OCP.

### **LEGAL/STATUTORY PROCEDURAL REQUIREMENTS:**

Under the *Local Government Act (Section 879)* there is a requirement for the City to provide one or more opportunities it considers appropriate for consultation in addition to the public hearing required as part of the OCP amendment process. Details of the public consultation process are outlined in the External Agency/Public Comments Section on page 4 of this report.

The *LGA (Section 882 (3))* states that when adopting or amending an OCP the first thing Council must do after First Reading and before Public Hearing is consider the plan amendment in conjunction with "its financial plan and any waste management plan that is applicable in the municipality or regional district". See the Financial/Budgetary Considerations Section below for more information.

### **EXISTING POLICY:**

#### **Kelowna Strategic Plan (2004)**

The following goals and objectives from the Kelowna Strategic Plan support the Rutland Town Centre Parks and Open Space Plan:

To foster a strong, stable and expanding economy

1. Aid in the growth and progress of Kelowna as a desirable place to do business.
2. Aid in the growth and progress of Kelowna as a desirable place to visit, shop and tour.

To foster the social and physical well-being of residents and visitors

1. Promote health and wellness initiatives.
2. Ensure the availability of fiscal and human resources to provide quality City services (recreation, culture, fire, police, planning, works and utilities).
3. Reduce traffic congestion on City streets
4. Achieve accessible, high quality living and working environments.
5. Provide infrastructure (utilities, transportation, parks and facilities) that keeps pace with population growth and evolving opportunities.

#### Official Community Plan 2000 - 2020

The following goals from the current OCP support the Rutland Town Centre Parks and Open Space Plan:

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

**14.2 Parks Standard.** Using Development Cost Charge revenue, strive to provide 2.2 ha of parks per 1000 population growth.

#### **EXTERNAL AGENCY/PUBLIC COMMENTS:**

##### Public Open House

A public open house was held November 14, 2007 at Rutland Centennial Hall. The event was advertised several different ways to ensure residents were informed about the opportunity. There were over 2000 mailouts to local residents within a 400 metre radius. Advertisements were in both local newspapers, the Courier and the Capital News, billboards were on-display the day of the event on the major roads. Presentation boards were on display at the open house and a comment sheet was available for written input. Results of the public open house can be found in Attachment 7.

The presentation boards were available after the meeting on the City's website for information, and on display at the Rutland Library and City Hall for the two following weeks. The comment sheet was also available for additional comments.

##### Property Owners

The Parks Division mailed out registered letters to the 13 impacted property owners and have either met or had telephone conferences with all the property owners to discuss the potential for the City to acquire their properties, should the plan be approved by Council.

##### Rutland Resident's Association

The Rutland Resident's Association has been included in the development of the plan. Representatives were in attendance at the Public Open House on November 14, 2008. The Rutland Resident's Association is in full support of the proposed parks plan (see letter of support – Attachment 8).

Advisory Planning Committee

On April 8, 2008, the Advisory Planning Committee supported the Rutland Town Centre Parks and Open Space Plan.