

Memo



Date: April 20, 2010
File: 0920-20-004
To: City Manager
From: Doug Gilchrist, Director - Real Estate & Building Services
Subject: CD #21 Zone - Workshop

Recommendation:

THAT Council receive for information the report and presentation on the specific areas of Council interest as related to the CD #21 Zone;

AND THAT Council confirm their support for each of the following seven (7) CD Zone #21 Guidelines that are necessary to achieving the Organizing Principles and the Urban Design Principles (noted below);

- 1.) *Heritage* - the retention of identified building frontages and human scale along Bernard Avenue via prescribed preservation AND mandatory Heritage Revitalization Agreements.
- 2.) *Public Space* - increase the amount of constructed public open space through incentive driven development contributions, the requirement for large lot consolidations and increased density.
- 3.) *Siting and Massing* - plan and protect for optimization of view corridors, site lines, sun light exposure/shadowing via taller slender buildings in strategic locations as defined in Schedule "D" attached.
- 4.) *Building height* - provide for a building height that will accomplish Guideline #2 and #3 as defined in Schedule "E" attached.
- 5.) *Tower forms* - maintain the human scale of buildings at street level by setting towers back from street edge.
- 6.) *Active Streets* - achieve active uses at street level. No blank walls or dead space.
- 7.) *Hotel Use* -
 - a. Provide for a feasible hotel use on the Royal Trust site
 - OR
 - b. Provide for a feasible hotel use on public right-of-way or private lands other than on the Royal Trust site or existing zoned park land.

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AND THAT Council reconfirm their support for the eleven (11) CD #21 Zone Organizing Principles attached as Schedule "A" this report and identified in Appendix 2 of the CD #21 Guideline document;

AND THAT Council reconfirm their support for the twelve (12) CD #21 Zone Urban design Principles attached as Schedule "B" this report and identified in Appendix 3 of the CD #21 Guideline document;

AND FURTHER THAT Council reconfirm their support for the proposed amenities attached as Schedule "C" to this report.

Purpose:

To further inform Council of the details of the proposed CD #21 Zone for a portion of the City's downtown (Stage 3 of a 3 stage review process), to answer previous questions raised by Council and to obtain approval from Council on the areas of agreement with respect to the zone.

Background:

On February 22nd, 2010 Council passed the following resolution:

THAT second and third reading of Bylaw Nos. 10019 and 10020 be rescinded;

AND THAT Council directs staff to convene a workshop, as soon as possible, to present Council with information on the current CD21 zone proposal;

AND FURTHER THAT the Public Hearing with respect to the CD21 zone proposal be scheduled for the fall of 2010.

As a result of this direction staff proposed a three stage process (see below) which was endorsed by Council. Stage 1 and 2 are now complete.

This report and associated presentation is Stage 3 of this process. During the Stage 2 workshop Council also proposed that Staff bring forward the critical pieces of the CD#21 Zone in a manner that would allow Council to vote on and "get past" the areas of agreement and allow greater focus on key areas where consensus did not yet exist.

- ✓ **Stage 1** - is intended to provide Council with a high level review of the history of the process to date and propose an agenda for a comprehensive workshop on March 29th, 2010.
- ✓ **Stage 2** - to hold a Council workshop on March 29th, 2010 whereby staff fully educate Council on the details of all aspects of the proposed CD#21 rezoning and answer questions posed by Council.

Stage 3 - consider Council requests for amendments to the existing CD #21 rezoning bylaws (if any) and report back.

Key CD #21 Guidelines:

Of the many guidelines and principles associated with the CD#21 Zone the following seven (7) are seen as critical areas requiring clear direction from Council in order to proceed. Each of these is described in detail in the Zoning documents however a short summary description is provided here for ease of reference.

- 1.) **Heritage** - the retention of identified building frontages and human scale along Bernard Avenue via prescribed preservation AND mandatory Heritage Revitalization Agreements.

It is the intent of this zoning exercise to plan for and protect the human scale and historical look and feel of Bernard Avenue. One that represents an important past in our Community. The CD #21 Zone as presented is an attempt to balance a representation of the past with sustainable urban densification of the future. This preservation requirement does not exist today.

- 2.) **Public Space** - increase the amount of constructed public open space through incentive driven development contributions, the requirement for large lot consolidations and increased density.

One key element of any successful urban redevelopment of this scale is active and welcoming public open space. This plan focuses on increasing both the size and the quality of the outdoor places to gather, to walk and connect people with the environment.

- 3.) **Siting and Massing** - plan and protect for optimization of view corridors, site lines, sun light exposure/shadowing via taller slender buildings in strategic locations as defined in Schedule "D" attached.

Through a complex set of urban design exercises, shadowing analysis, architectural studies, mathematical calculations and economic review the locations and sizes of the proposed development sites (sub-areas) were established. Relocating or resizing any of these has a cumulative effect on the whole of the plan.

- 4.) **Building height** - provide for a minimum building height that will accomplish Guideline #2 and #3 as defined in Schedule "D" attached.

The height and therefore the density that is provided for in each sub-area of the plan are such that Staff believe there is enough of an incentive for land owners and developers to conform to the proposal. A reduction in building heights would reduce this incentive and thereby the likelihood of the plan being realized to the detail proposed. Any "transferring" or "shuffling" of height would require a full review of the impact of those changes on the principles and guidelines (see above) trying to be achieved.

- 5.) ***Tower forms*** - maintain the human scale of buildings at street level by setting towers back from street edge.

With the exception of key strategic locations the towers are set back from the street edge within the three to four storey podiums. This is indented to keep the pedestrian feel of the street at a more human scale. This is particularly prominent throughout the Bernard Ave. and Water St. sections of the plan.

- 6.) ***Active Streets*** - achieve active uses at street level. No blank walls or dead space.

Vibrant and interesting uses of space will face all streets and parks. Activity at street level is intended to animate the street and create a sense of ownership and community.

- 7.) ***Hotel Use*** -

a. Provide for a feasible hotel use on the Royal Trust site

OR

b. Provide for a feasible hotel use on public right-of-way or private lands other than on the Royal Trust site or existing zoned park land.

The year-round activity created by a hotel, and all of its associated uses, located close to the foot of Bernard Ave. and ultimately the expanded Sails Plaza is seen as critical to the success of this portion of the plan.

Considerations not applicable to this report:

Internal Circulation:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Community & Media Relations Considerations:

Alternate Recommendation:

In light of the above, the Real Estate & Building Services department request Council's support and direction on this initiative.

Submitted by:



Doug Gilchrist, Director
Real Estate & Building Services

Approved for inclusion:



John Vos, General Manager, Community Services

cc: J. Paterson, GM - Community Sustainability
S. Gambacort, Director - Land Use Management
S. Bagh, Director - Policy & Planning
R. Cleveland, Director - Infrastructure Planning

SCHEDULE 'A'
Organizing Principles

At the outset of the CD 21 planning process, Council endorsed the following as principles to be followed in ensuring that the CD would be consistent, the objectives of the Kelowna Downtown Plan (2000):

- 1) Enhance Kelowna's identity nationally and internationally and enhance the identity of Downtown as Kelowna's principal Urban Centre.
- 2) Develop a viable mixed-use community that supports live, work and play opportunities for both residents and visitors.
- 3) Develop safe streets by providing more eyes and ears on the streets to reduce demand for law enforcement in the area.
- 4) Incorporate sustainable design principles by making efficient use of existing infrastructure, provide a stronger tax base, create an urban environment that facilitates pedestrian movement, incorporate a mixture of uses at densities that are economically viable and that will support public transit, and incorporate green building technologies.
- 5) Expand community amenities by enhancing public use of City, Kerry, and Stuart Parks, developing a major pier and enhanced short term public moorage, ensuring continuous public access along the lake, preserving identified view corridors, developing streetscape improvements consistent with a world class urban centre, increasing public open space and providing for a range of other amenities including eventual daycare facilities and school facilities in appropriate locations in the Downtown.
- 6) Create a concept plan that integrates well with adjoining areas including the identified Parks and Culture District.
- 7) Incorporate housing diversity in the Downtown by providing a range of housing types and tenures including affordable and special needs housing.
- 8) Respect Downtown's heritage assets.
- 9) Provide for Downtown amenity contributions as a condition of development shared equally by all benefiting lands, including future Downtown redevelopment where appropriate and where possible (i.e. daycare facilities, schools, offsite affordable housing).
- 10) Honour the City's agreement with the Province form movement of vehicles into and out of Kelowna for the new Bill Bennett Bridge.
- 11) Act as a catalyst for redevelopment for the remainder of Downtown.

SCHEDULE 'B'

Urban Design Principles

Guided by the above principles, the plan for the CD 21 Zone has also been shaped in response to these Urban Design Principles as illustrated on the following pages:

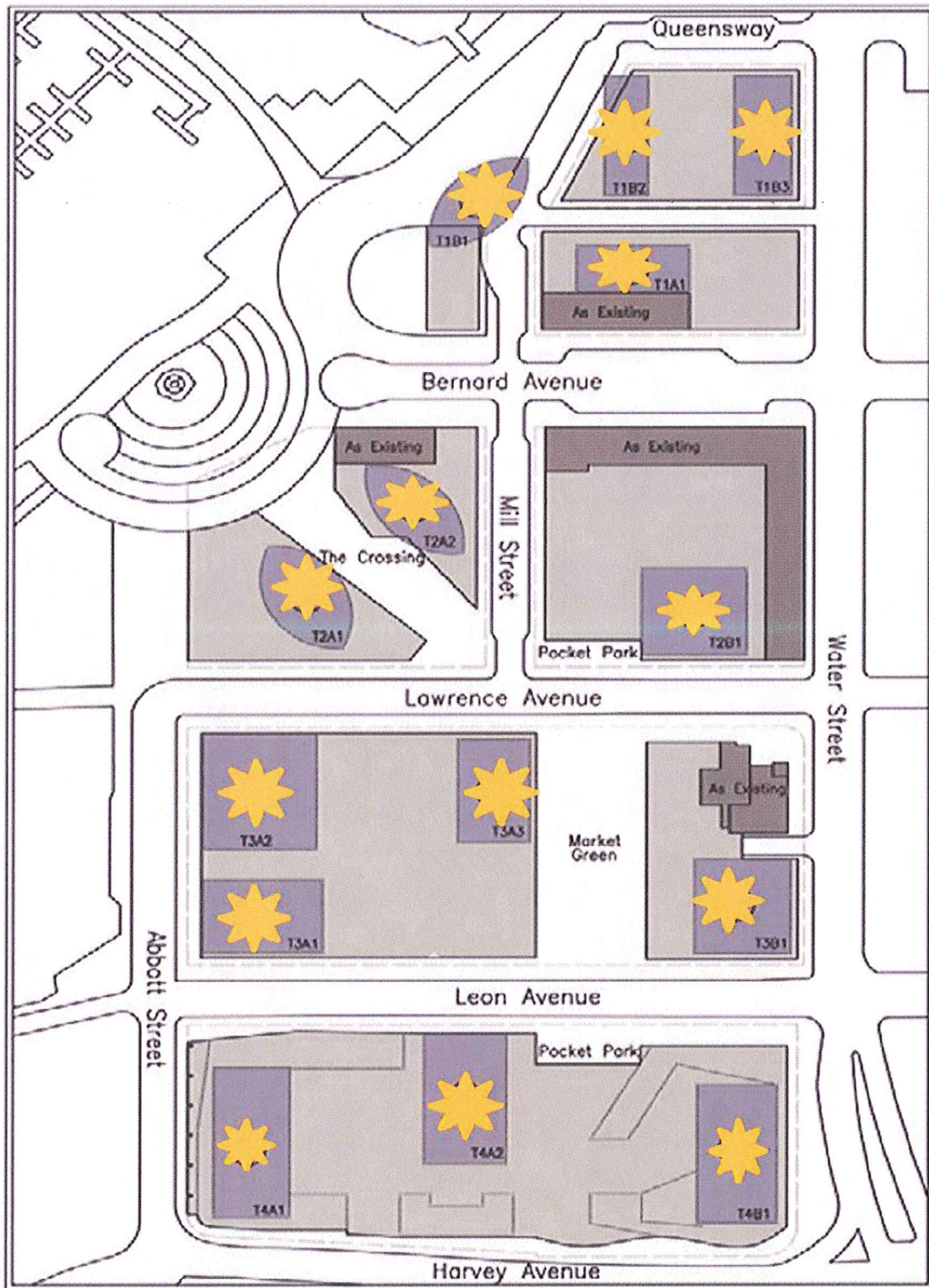
- Principle 1:** Walkable urban pattern
- Principle 2:** Enhance Harvey Ave. as a greenbank boulevard
- Principle 3:** Mill St. connector between Bernard & Lawrence to redirect thru-traffic away from waterfront
- Principle 4:** Pandosy/Harvey intersection to develop as an "urban crossing" over the long term, connecting to the rest of the city
- Principle 5:** Flex zone at Abbott & Bernard street-ends to support year-round urban activity
- Principle 6:** Optimise Kelowna sunshine period of 11:00am to 5:00pm
- Principle 7:** Respond to the diagonal pulls of pedestrian and vehicular patterns
- Principle 8:** Create a series of linked, memorable urban places
- Principle 9:** Integrate public realm with an axial progression of focal points
- Principle 10:** Highlight contrast of the park/city interface with strong urban and landscape forms
- Principle 11:** Knit City park with Downtown
- Principle 12:** Reinforce heritage continuum of city for the future: - fire hall, street scale, "sails", dock & pier

SCHEDULE 'C'

AMENITY CONTRIBUTIONS

1. Streetscape Construction
2. Plaza Construction
3. Public Washrooms
4. Children's Playground
5. Indoor Civic Amenity Space
 - a.) Daycare
 - b.) Multi-use facility
7. Public Pier
(*A 25% portion to be allocated to CD Amenity)
8. Affordable Housing
9. Additional Public Land

SCHEDULE 'D'



SCHEDULE 'E'

