

# Memo



**Date:** April 28, 2010  
**File:** 1200-31  
**To:** City Manager  
**From:** Director, Policy and Planning  
**Subject:** Building Height Policy Discussion (Continued)

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## **Recommendation:**

THAT Council receive for information the report from the Policy and Planning Department dated April 28, 2010 on Building Height Policy Discussion;

AND THAT Council direct staff to, through the OCP public consultation process, obtain further feedback on proposed height limits as identified in the report from the Policy and Planning Department dated April 28, 2010 on Building Height Policy Discussion.

## **Purpose:**

On April 12, 2010 Council reviewed and provided staff with feedback on a series of draft OCP policy recommendations. Among the issues discussed and unresolved was the establishment of maximum building heights, specifically for the downtown and South Pandosy areas. Staff were directed to "report back to Council with respect to the high rise requirements within the different town centers, and in particular, what the OCP currently identifies and what could potentially be brought forward under the draft OCP". Staff reported back on April 19, 2010.

On April 19, 2010 Council further discussed the matter of building heights and directed staff to "to amend the Building Height Policy to include building heights of 19 storeys in parts of downtown, where there is a potential for higher structures, to develop a policy with respect to building heights in the Capri/Landmark area and building heights of 16 storeys in the Midtown area; AND FURTHER THAT the amended Building Height Policy be forwarded to Council for approval."

This report is intended to fulfill the above-noted direction.

## **Background:**

The attached Map 1 shows locations of existing and approved tall buildings and the status of pending applications (applications received but not yet presented to Council) for tall buildings. Map 2 shows the areas within the Downtown area that have C4 and C7 zoning.

To date, most requests for building heights over 8 storeys have been for multi-family (rather than commercial or institutional) purposes, so it would seem reasonable to focus on anticipated

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demand for those units. The draft OCP at this point anticipates that by 2030, there will be a need for an additional 20,084 housing units, of which 11,519 will likely be multi-family. In deriving the projections, staff have, to the extent possible, factored in anticipated changing demographics (e.g. increasing median age). For example, staff have assumed that those who are now 50 will, in twenty years, be living in housing similar to what today's 70 year olds live in.

The decade spanning 2000-2009 saw the construction of 991 units in buildings ranging in height from 9 to 26 storeys. Over the same time period, building permits were issued for 7801 multiple family dwelling units. If this trend were to continue, there would be a need for, by 2030, an additional 1497 units in high-rise buildings. Over the past decade, high-rise buildings have provided in the range of 46-262 units/project, for an average of 110 units. For the purpose of this discussion, given the preceding information, it is anticipated that, over the next twenty years, the City could expect to see construction of approximately 14 new high-rise buildings. The question from a planning perspective is: where should those buildings be located and what height should be allowed?

Based on anticipated demand, community goals, existing policy direction (see below sections for details) and public input received to date (see below sections), staff recommend the following height limits:

Downtown	Six storeys within C4 zoned areas. Within C7 zoned areas, the height limit would be a maximum of the heights defined in the Zoning Bylaw (this would be 6 storeys in some areas and 12-14 in other areas). Where the Zoning Bylaw sets heights of 12 storeys, Council may consider height variances allowing for up to 19 storeys, provided that the additional height (beyond that provided in the Zoning Bylaw) results in the creation of affordable housing or yields other significant community benefits. Those areas that have been the focus of a Council-endorsed comprehensive development plan approved subsequent to adoption of OCP Bylaw ___ will be subject to the height limits identified in that plan. (Note: If the CD21 zone is approved in advance of OCP adoption, staff could be directed to amend the Downtown height limit policy to acknowledge whatever heights are approved as part of CD21). In all other areas, the height limit would be 4 storeys.
South Pandosy	Generally 4 storeys. Six storeys within C4 or C9 zoned areas. Potential for 8 storeys where architecturally distinct and significant buildings are placed at corner, gateway or view terminus locations that are of significance to the community or where buildings are of cultural significance to the community.
Rutland	Generally 4 storeys. Six storeys within C4 or C9 zoned areas. Potential for 12 storeys in the core of Rutland, as identified in the C7 zone of the Zoning Bylaw.
Midtown	16 storeys, where the OCP designation provides for high-density multiple-units.

Capri/Landmark	Generally 4 storeys. Greater height (up to 12 storeys) may be supported on the Capri Shopping Centre site and in the area bordered by Dickson Avenue, Dayton Avenue, Springfield Road and Kirschner Road upon approval of a Council-endorsed comprehensive development plan for the site that provides for a variety of housing types (including but not limited to ground-oriented and rental apartment housing) and the provision of commercial space that is of an amount that, at minimum, equals that which existed in 2010.
Elsewhere	Four storeys for residential and six storeys for apartment hotels and hotels. Those areas that have been the focus of a Council-endorsed comprehensive development plan approved subsequent to adoption of OCP Bylaw ___ will be subject to the height limits identified in that plan.

It is recommended that permitted building height in the Downtown area be greater than in other areas of the City in order to reinforce the predominant role of the Downtown Urban Centre.

#### Existing Policy:

- The existing OCP does not specify maximum building heights other than by reference to the zoning that would typically be applied to each land use designation. The existing OCP does include policy direction regarding underlying principles governing height:
  - *Policy 6.1.26* The City of Kelowna will encourage a general decrease in building height and density as the distance from the Urban Centre core increases.
  - *Policy 6.1.27* The City of Kelowna will encourage building heights adjacent to Okanagan Lake to remain low and support an increase in building height as the distance from the lake increases, except in circumstances where a landmark development is proposed and a total comprehensive development that still preserves sight lines can occur.
- The Downtown Plan contains some areas where it is recommended that 6 storeys be the maximum building height, and other areas where it is recommended that 12 storeys be the maximum building height.
- The South Pandosy Sector Plan
  - *Policy 7.2.1.17* The City of Kelowna will encourage the height of buildings along the Pandosy/Lakeshore commercial corridor to a maximum of 4 stories. East or west of this corridor, buildings should decrease in height to permit successive views to the east or west respectively, from taller buildings over shorter ones.
  - *Policy 7.2.1.18* The City of Kelowna will consider a major landmark development at the corner of Lakeshore and Watt. The intent is to permit a mixed use building with commercial at grade level and office and/or residential above. A building of up to 8 stories in height may be considered for the site.
- The Rutland Sector Plan
  - The Hollywood and Rutland Road intersections with Highway 33 are seen as the anchors of the Town Centre development. In these areas, development could rise up to six storeys. Along Highway 33 between Hollywood and Rutland Roads, buildings are envisioned to contain at-grade retail with three additional storeys of either residential or office uses.

- Rutland Height and Massing Study
  - This project looked at the potential for an increase to building height within the commercial core of the Rutland Town Centre. This work was done subsequent to completion of the Sector Plan. Generally, the business community and resident's association was supportive of the increased building height if it would change the economic outlook for the community. Council endorsed the potential for C7 zoning within the Rutland Town Centre that would allow buildings up to 12 - 14 storeys. The C7 Zone in the Zoning Bylaw was amended to include the potential for C7 in the Rutland core.

#### External Agency/Public Comments:

Since adoption of the South Pandosy Sector Plan (1997), the Rutland Sector Plan (1997) and the Downtown Plan (1999) and the current OCP (2002), there have been development-related projects that have resulted in considerable public discussion and debate concerning the matter of building heights. Input has been received through on-line surveys, open-houses, APC meetings and Public Hearings.

To staff's knowledge, there has been only one statistically-valid, random-sample survey of the population as a whole that has addressed the matter of building heights in specific areas of the City. In June 2008, the City, as part of the OCP review, initiated a mail-out survey sent to a random sample of 2500 residents. The City received 700 responses (a 28% return). This type of response suggests that the information obtained can be considered accurate plus or minus 4%, 19 times out of 20. Among the many questions asked, was the following:

#### What would be an appropriate maximum building height for each of the following areas?

The responses were as follows:

##### Downtown Core

Less than 4 storeys	9%
4-6 storeys	19%
7-14 storeys	27%
15-19 storeys	17%
20-25 storeys	12%
26-30 storeys	6%
30+ storeys	9%

##### South Pandosy

Less than 4 storeys	8%
4-6 storeys	32%
7-14 storeys	32%
15-19 storeys	12%
20-25 storeys	9%
26-30 storeys	2%
30+ storeys	6%

Orchard Park

Less than 4 storeys	5%
4-6 storeys	12%
7-14 storeys	30%
15-19 storeys	22%
20-25 storeys	12%
26-30 storeys	7%

Rutland

Less than 4 storeys	7%
4-6 storeys	22%
7-14 storeys	29%
15-19 storeys	19%
20-25 storeys	11%
26-30 storeys	5%
30+ storeys	9%

Other Areas

Less than 4 storeys	17%
4-6 storeys	28%
7-14 storeys	24%
15-19 storeys	14%
20-25 storeys	6%
26-30 storeys	3%
30+ storeys	8%

**Over the next 20 years, what type of development do you think would be appropriate for the Capri area?**

More low-rise apartments	35%
More highrise apartments	30%
More commercial	16%
No change	15%
More single family	4%

**Over the next 20 years, what type of development do you think would be appropriate for the Landmark Towers area (Springfield/Highway 97/Burtch)?**

More highrise apartments	31%
No change	27%
More commercial	23%
More low-rise apartments	17%
More single family	2%

What steps should be taken regarding building heights (respondents could indicate more than one selection)?

- Building height should decrease in proximity to Okanagan Lake 35%
- Building heights should vary in different parts of the city 32%
- Building height should decrease as distance increases from the core of the City's Urban Centres (Downtown, South Padosy, Rutland and Orchard Park area) 22%
- There should be no restrictions on building height: tall buildings are appropriate in all areas of the city 5%
- Other 6%

**Legal/Statutory Authority:**

Local Government Act - Division 2, Part 26, Section 879

**Internal Circulation:**

Land Use Management  
Real Estate and Building Services  
City Clerk

**Considerations not applicable to this report:**

Financial/Budgetary & Personnel Commitments:

Technical Requirements:

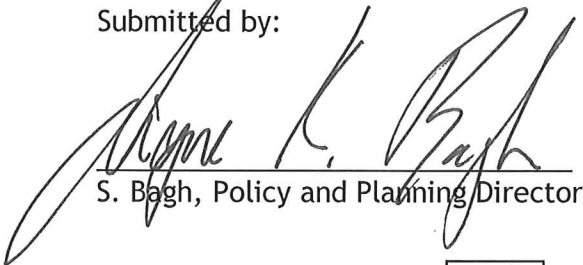
Communications Considerations:

Alternate Recommendation:

Legal/statutory Procedural Requirements:

Internal Circulation:

Submitted by:



S. Bagh, Policy and Planning Director

Approved for inclusion:



Jim Paterson, Manager of Community Sustainability

Attachments: Map showing location of developments over 4 storeys.  
Map of Downtown showing C7 and C4 zoned areas

Cc: Director, Land Use Management  
Director, Real Estate and Building Services

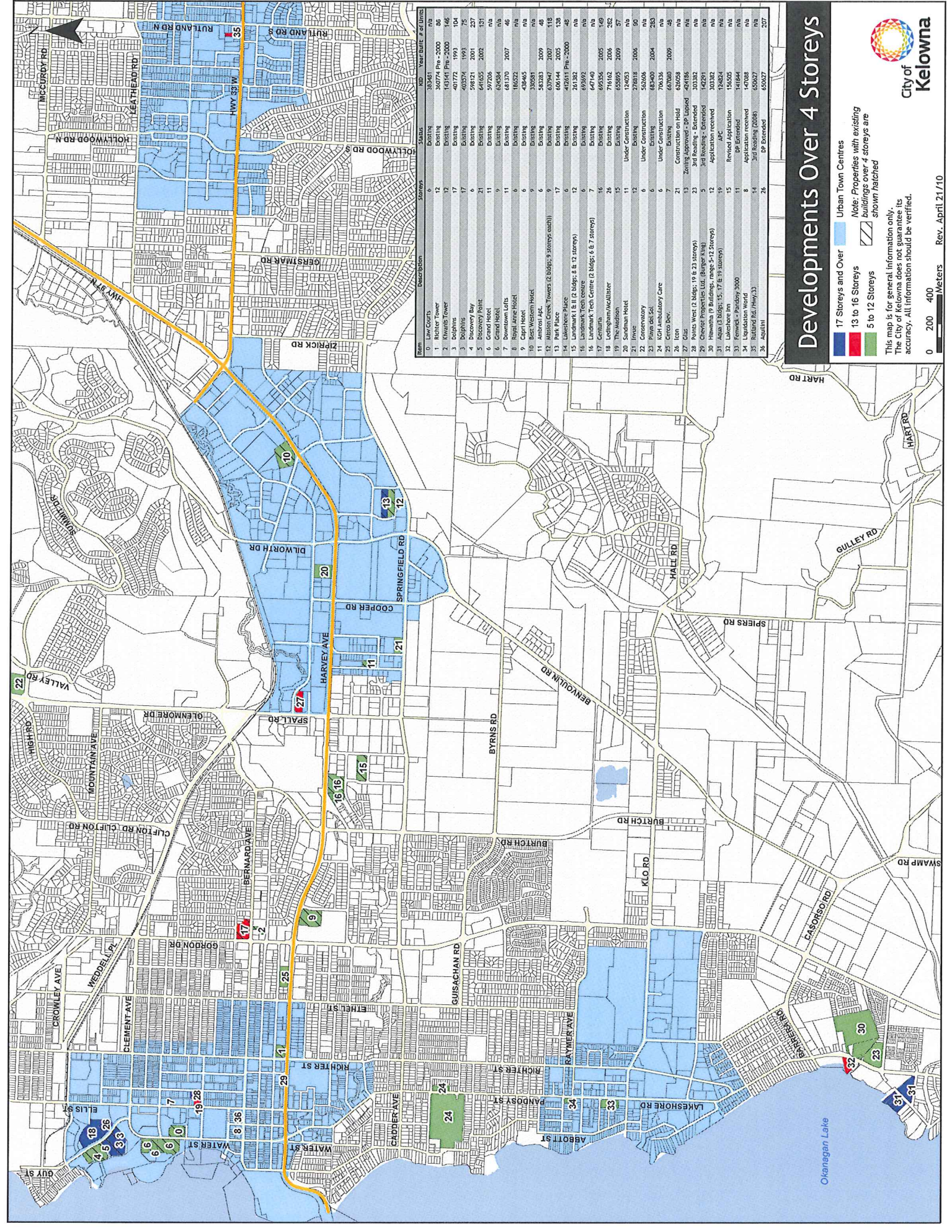
# Developments Over 4 Storeys

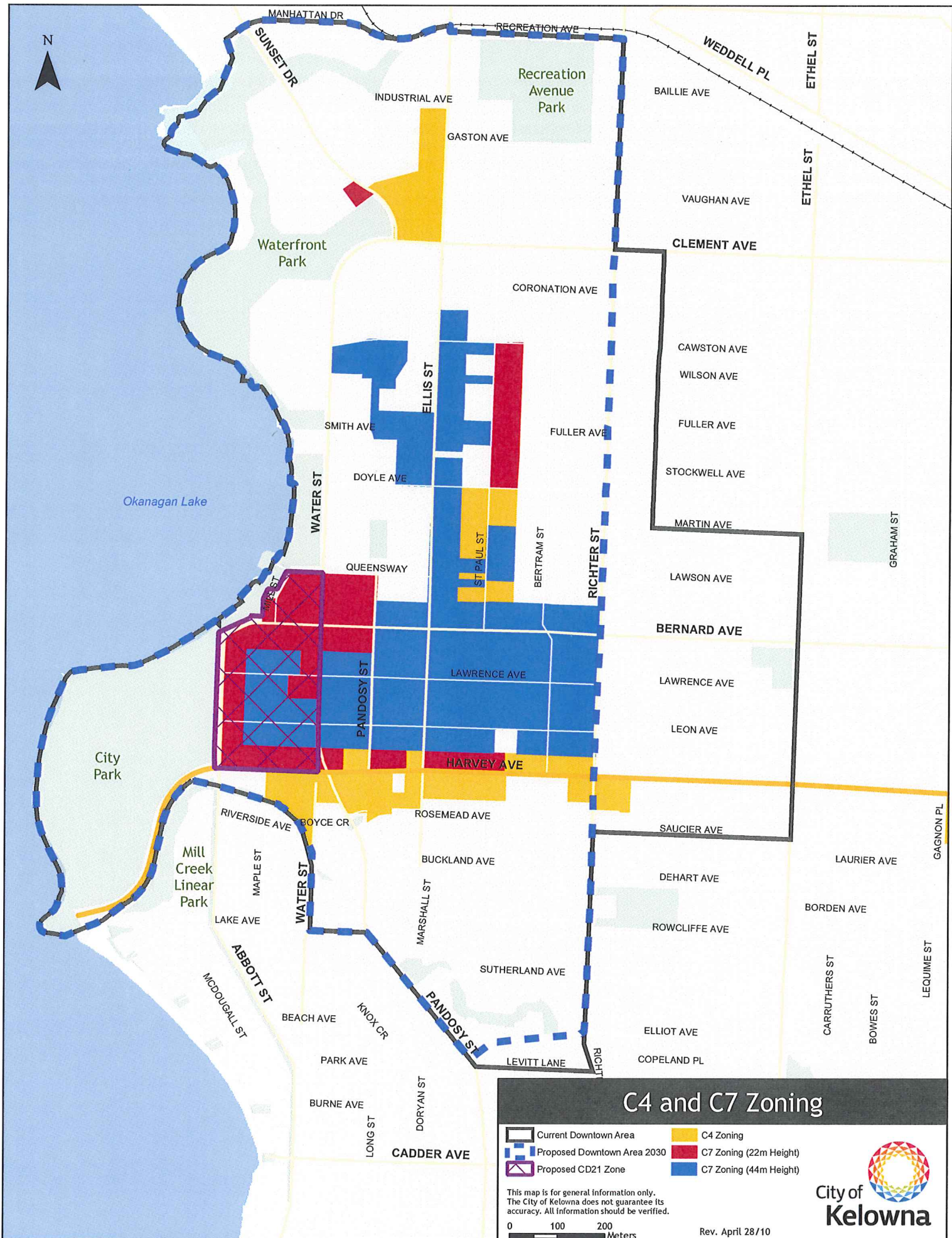
- 17 Storeys and Over Urban Town Centres
- 13 to 16 Storeys
- 5 to 12 Storeys

Note: Properties with existing buildings over 4 storeys are shown hatched

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

Item	Description	Storeys	Status	Year Built or Under
0	Law Courts	6	Existing	383461
1	Richer Tower	12	Existing	340774 Pre-2000
2	Kivallik Tower	12	Existing	143141 Pre-2000
3	Dolphins	17	Existing	40772 1993
4	Dolphins Bay	17	Existing	40574 1993
5	Disposy Point	21	Existing	49821 2001
6	Grand Hotel	9	Existing	59706 2001
7	Downtown Lofts	11	Existing	62434 2007
8	Royal Arnie Hotel	6	Existing	68170 2007
9	Capri Hotel	6	Existing	186522
10	Amsterdam Hotel	9	Existing	438465
11	Amsterdam Hotel	9	Existing	35951
12	Mission Creek Towers (2 Bldgs; 5 storeys each)	17	Existing	609947 2007
13	Park Place	6	Existing	60544 2005
14	Livestore Place	6	Existing	412611 Pre-2000
15	Landmark II (2 Bldgs; 8 & 12 storeys)	12	Existing	261382
16	Landmark Tech Centre	6	Existing	69362
17	Landmark Tech Centre (2 Bldgs; 6 & 7 storeys)	7	Existing	64740 2005
18	Lodgeman/McAllister	26	Existing	71512 2006
19	The Madison	15	Existing	65895 2009
20	Sandman Hotel	11	Under Construction	12453
21	Invoice	12	Existing	27818 2006
22	Conservatory	6	Under Construction	56266
23	Delta Hotel	6	Existing	63400 2004
24	Delta Hotel	6	Existing	60936 2009
25	Delta Hotel	6	Existing	60936 2009
26	Icon	21	Construction on hold	62658
27	Clis	13	Zoning Approved - DP Lapsed	424186
28	Points West (2 Bldgs; 19 & 23 storeys)	23	3rd Reading - Extended	30382
29	Chemel Properties Ltd. (Bunger King)	5	3rd Reading - Extended	14291
30	Hawsons (9 Buildings, range 5-12 storeys)	12	Application received	30382
31	Lakeshore Inn	15	Revised Application	24624
32	Lakeshore Inn	15	Revised Application	24624
33	Fenwick - Parady 3000	8	DP Extended	148484
34	Liquidation World	11	Application received	147088
35	Rutland Rd./Hwy.33	14	3rd Reading (2008)	650627
36	Aqualini	26	DP Extended	650627





## C4 and C7 Zoning

- Current Downtown Area
- Proposed Downtown Area 2030
- Proposed CD21 Zone
- C4 Zoning
- C7 Zoning (22m Height)
- C7 Zoning (44m Height)

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Rev. April 28/10

