

# Memo



**Date:** May 11, 2011  
**File:** 1200-31  
**To:** City Manager  
**From:** Long Range Planning Manager  
**Subject:** Changes to Council Policy Manual

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**Recommendation:**

THAT Council receives, for information, the report from the Long Range Planning Manager dated May 11, 2011 with respect to proposed new, revised and rescinded policies;

AND THAT after adoption of Bylaw No. 10500, being the Kelowna 2030 Official Community Plan, Council adopts Council Policy No. 360, being Social Policies as outlined in the report from the Long Range Planning Manager dated May 11, 2011;

AND THAT after adoption of Bylaw No. 10500, being the Kelowna 2030 Official Community Plan, Council Policy No. 247, being Hierarchy of Plans (Sector Plans / Structure Plans), be revised as outlined in the report from the Long Range Planning Manager dated May 11, 2011;

AND FURTHER THAT after adoption of Bylaw No. 10500, being the Kelowna 2030 Official Community Plan, Council Policy No. 323 being Future Urban Reserve and Council Policy No. 345 being Affordable Housing and Amenities or Cash-in-Lieu of Thereof - Interim Policy for Increased Density Resulting From Official Community Plan Amendment be rescinded as outlined in the report from the Long Range Planning Manager dated May 11, 2011.

**Purpose:**

To have Council adopt new policy, revise or rescind existing policies to ensure policy consistency with Kelowna 2030 - Official Community Plan, to which Council has given initial consideration.

**Background:**

An OCP is a document that contains community goals, objectives and policies guiding growth and change. Specifically, an OCP focuses on land use management, projecting where and when new development will occur and how municipal services will accommodate this growth.

There are a number of Council Policies that are no longer necessary or require amendment in order to ensure consistency with Bylaw No. 10500 Kelowna 2030 - Official Community Plan. In addition, the current OCP Bylaw No. 7600 includes policies focused on education, employment and other social or community development issues that are not integral to the management of land use and development as proposed under new Bylaw No. 10500. These socially oriented policies will no longer be part of the OCP, but they have value and are necessary for the on-going management of social and community development issues as well as evaluation of social

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development grants. Those policies are brought forward as a new Council Policy 360 (Attachment 1) to ensure that they have continued applicability and relevance.

**Internal Circulation:**

General Manager of Community Sustainability  
Director, Land Use Management  
Community Planning Manager

**Legal / Statutory Authority:**

Council has the authority to adopt, by resolution, land use plans and other guidelines or policies to be used by staff within the context of an Official Community Plan.

**Existing Policy:**

There are a number of Council Policies that will need to be rescinded or amended as noted below:

Policy 247 - Hierarchy of Plans (Sector and Structure Plans)

The policy on the Hierarchy of Plans provides the potential for the development and consideration of other levels of community land use plans, within the context of the existing Official Community Plan. Such plans may also be used to explore the potential for land use or policy changes that could be implemented through an OCP amendment process. The current policy provides the potential for Sector Plans and Neighbourhood or Area Structure Plans, prepared at the direction of Council, and outlines the content and process to be followed.

OCP Bylaw No. 10500 Kelowna 2030 - Official Community Plan proposes a change to the hierarchy of plans - the Area Redevelopment Plan (ARP) would replace the Neighbourhood Structure Plan (NSP). An ARP would apply to existing developed areas of the City as outlined in the OCP. Such areas could be owned by one or a few land owners and these plans would be prepared either by the City or by an individual land owner or owners.

The necessary additions to Policy 247 are outlined in Attachment 2, including a revised Schedule "B" to add the ARP reference. It is recommended that Council Policy 247 be amended as noted.

Policy 323 - Future Urban Reserve

The policy on Future Urban Reserve was approved in 2005 to ensure that lands within the Future Urban Reserve are not supported for any further parcelization. Since the adoption of this policy the existing OCP has been amended to include this caveat in the designation description. Proposed OCP Bylaw No. 10500 Kelowna 2030 - Official Community Plan also includes this specific wording and therefore it is recommended that Policy 323 (Attachment 3) be rescinded.

Policy 345 - Affordable Housing and Amenities or Cash-in-Lieu of Thereof - Interim Policy for Increased Density Resulting From Official Community Plan Amendment

The policy on Affordable Housing Amenities or Cash-in-Lieu resulting from an OCP amendment (Attachment 4) was put in place to ensure that affordable housing was achieved when Council considered OCP amendments based on OCP Bylaw 7600 policies that outlined specific conditions for consideration of a density increase. That process has not been entirely successful in that the expectation of increased density has been reflected in the land value and developers argued that there was no real incentive because they had already paid the potential lift in land value.



The new OCP Bylaw 10500 does not include policy direction to consider density increases through OCP re-designation in return for provision of affordable housing units, therefore it is recommended that Policy 345 be rescinded.

Policy 344 - Affordable Housing or Cash-in-Lieu of Affordable Housing - Interim Policy for Zoning Bylaw Bonuses For Affordable Housing will still be in effect to allow consideration of bonuses for affordable housing though a zoning change - but that zoning change would need to be in compliance with the OCP land use plan. Policy 344 may be refined or reconsidered as part of a forthcoming Zoning Bylaw review.

**Considerations not applicable to this report:**

- Financial/Budgetary Considerations:**
- Legal/Statutory Procedural Requirements:**
- Community & Media Relations Considerations:**
- External Agency/Public Comments:**
- Personnel Implications:**
- Alternate Recommendation:**

Submitted by:



Gary Stephen, Long Range Planning Manager  
Policy and Planning

**Approved for inclusion:**

Signe Bagh, Director of Policy & Planning



cc: General Manager, Community Sustainability  
Director, Land Use Management  
Community Planning Manager

Attach:



## Attachment 1

POLICY 360



City of Kelowna  
1435 Water Street  
Kelowna, BC V1Y 1J4  
250 469-8500  
kelowna.ca

# Council Policy

## Social Policies

RESOLUTION:  
REPLACING:  
DATE OF LAST REVIEW:

### A. Accessibility

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**Access Guide.** Encourage appropriate local agencies to distribute and maintain a City of Kelowna Access Guide, such that it is readily available and up-to-date;

**Parking Spaces.** Address, by means of representation for those with disabilities on appropriate committees of Council, issues including provision of appropriate parking for those with disabilities, and the enforcement of bylaws;

**Existing Problems.** In co-operation with other agencies, work to advise building and landowners of existing situations where access presents problems and should be improved;

**Award Program.** In co-operation with other agencies such as the Canadian Homebuilders' Association of Kelowna and the Urban Development Institute, the City will help to create an award program for any development or re-development which demonstrates outstanding attention to accessibility;

**Awareness.** Continue to support appropriate agencies to organize and promote initiatives to raise awareness and improve accessibility in Kelowna.

### B. Child Care

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**Data Base.** Co-ordinate with the appropriate agencies to access an integrated data base regarding child care which will be used when considering development proposals or decisions involving the location of child care facilities;

**Provincial License.** Continue to collaborate with the appropriate provincial ministry or agency to co-ordinate licensing requirements for child care with municipal bylaws;

**Child Advocacy Service.** Work with stakeholders to co-ordinate any/all efforts to provide a child advocacy service for the City of Kelowna in order to protect the welfare of children;

**Instruction.** Support, in principle, initiatives to ensure training programs meet the needs of all levels of child care instruction;

**Young Parents.** Support, in principle, the provision of young parents programs in Senior Secondary Schools where there is a demonstrated need;

**Employer-Supported Child Care.** Work with other agencies to promote and encourage employer-supported child care;

**Community Child Care.** Work with the development community and other agencies having an interest in housing to develop housing projects which include community child care facilities;

**Co-ordination.** Support community, government and agency efforts to provide a coordinated and efficient approach to the provision of child care in the city;



## **B. Child Care Cont'd**

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**Child Care System.** When appropriate, advocate to senior government levels, in support of child care stakeholders, to achieve positive change in the development and maintenance of a comprehensive child care system;

**Funding.** Co-ordinate and collaborate, as necessary, with child care stakeholders, the Union of B.C. Municipalities (UBCM), the Federation of Canadian Municipalities (FCM) to advocate to senior government regarding funding that affects local services and education to children;

**Joint Ventures.** Participate in joint ventures with the use of existing staff and resources to provide; for child care needs, wherever possible;

**Zoning.** Continue to monitor the Zoning Bylaw to ensure that there is maximum potential for the provision of child care facilities;

**Recreational Programs.** Continue to expand and improve inclusive recreational programs for children.

## **C. Community Development**

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**Youth Advocacy Service.** Support, in principle, any stakeholder actions to establish a youth advocacy service in the City of Kelowna to facilitate communication between youth and other groups and services in the community;

**School Facilities.** Continue to advocate to the School Board of School District No. 23 to provide greater opportunities to use school facilities for after school education and activities to a wide variety of groups in the community;

**Seniors.** With the assistance of other agencies, determine ways to increase the involvement of seniors in the community through voluntary work;

**Social Programs.** Communicate, advocate and collaborate with other agencies to ensure that senior government social programs are adequately addressing local needs;

**Seminars and Conferences.** Collaborate, as needed, to make educational seminars and conferences available to community groups, including Residents Associations, in order to achieve greater understanding of issues in the community;

**Environmental Issues.** In co-operation with other agencies, seek to involve all residents in environmental programs and issues in the community. This could include annual clean-up of parks and waterfront areas;

**Grants.** Assist agencies and individuals to access grants or funding from senior levels of government for social needs by directing them to funding programs, wherever feasible;

**Municipal Position Papers.** With respect to issues resulting from senior government actions and policies which have local significance, work with the community, the Union of B.C. Municipalities (UBCM), and the Federation of Canadian Municipalities (FCM) to present municipal position papers to senior government;

**Senior Secondary Re-development.** Encourage School District No. 23 to consider the inclusion of theatres in the re-construction of Senior Secondary School facilities;

**Food Banks.** Promote the efforts of Food Banks in the City;

**Residents' Associations.** Facilitate and support communication and co-operation with Residents' Associations and other grass root organizations;

## **C. Community Development Cont'd**

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**Neighbourhood Plans.** Include consideration of the social aspects of community development in the preparation of Sector Plans, Neighbourhood Structure Plans and Area Structure Plans;

**Common Meeting Space.** Develop a policy to require new commercial, industrial or high density residential development to provide common meeting space areas for use by the local community and/or areas to be used for the common good of the public;

**Youth Representation.** Endeavour to include youth representation on decision-making and advisory committees having input in planning for the future needs of the community;

**Development Process.** Work with community groups to increase capacity regarding the local development process;

**Public Facilities.** Continue to ensure that its public facilities are made available and affordable to the public for local community uses;

**Community Social Development Grants.** Continue to administer Community Social Development Grants on an annual basis to qualifying agencies who submit proposals for projects for social improvements in the community which focus on prevention and are consistent with the provisions of the Official Community Plan and the City Social Policies;

**Customer Service.** Continue to improve its customer service approach to the delivery of services to the community;

**Sustainable Development.** Continue to promote social well being and quality of life by including and implementing policies and actions that are environmentally sound and sustainable for development and re-development within the City;

**Joint Use.** Continue to encourage the development of joint use of community facilities and services for non-profit purposes.

## **D. Crime Prevention**

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**Funding to Address Youth Sexual Exploitation:** Maintain annual funding to provide grants to local agencies to address the issue of youth sexual exploitation;

**Youth Life Skills.** Communicate with and encourage other agencies which provide youth programs and services to youth, to provide and expand instruction to youth on essential life and social skills including:

- human rights and respect for diversity;

- healthy lifestyle choices;

- prevention of drug and alcohol abuse;

- conflict resolution;

- self-esteem;

- human sexuality;

- budgeting;

- career counseling;

- legal issues;

- rights and responsibilities.



## **D. Crime Prevention Cont'd**

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**Events.** Work with other agencies in the city to develop events to promote crime prevention in the community;

**Legal Counseling.** Advocate to the Province and appropriate agencies to ensure that legal counseling services are readily accessible to the community;

**Royal Canadian Mounted Police (RCMP).** Refer agencies expressing interest in crime prevention programs to the RCMP community and volunteer programs.

## **E. Human Rights**

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**School Programs.** Advocate to support comprehensive human relations programs in the school curriculum;

**Youth Awareness.** Encourage and assist youth to hold events (e.g. concerts) to raise awareness of human rights issues and increase understanding in the community;

**Education Regarding Diversity.** Continue to work with pertinent agencies and organizations to educate the community regarding diversity;

**Race Relations.** In concert with City priorities, re-examine the need for a race relations and multi-cultural policy;

**Anti-Racist Identity.** Maintain its identity as an anti-racist community;

**Diversity.** Maintain that "Kelowna Celebrates Diversity".

## **F. Employment**

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**Employment Services.** When necessary, in response to community need, advocate to senior government, in co-operation with other municipalities, the Union of British Columbia Municipalities, and the Federation of Canadian Municipalities to maintain and enhance; not reduce nor eliminate services to those seeking employment;

**Labour Market.** Encourage appropriate agencies to coordinate education services in relation to the needs of the local economy;

**Local Skills and Education.** Work with other agencies to maximize knowledge of the skills and education required by local industries and businesses and communicate this information to the (local) agencies providing educational and re-training programs;

**Education and Re-training.** Advocate with pertinent agencies to expand and increase educational and re-training opportunities to those who are unable to find work;

**Economic Opportunities.** Work with other agencies, and advocate to senior government, to explore and examine innovative employment alternatives that embrace the four pillars of sustainability (i.e. social, economic, cultural and environmental);

**Health and "High-Tech" Industries.** Co-operate and advocate with other agencies to encourage the growth and expansion of "high tech" and particularly health industries, in Kelowna in order to maximize employment opportunities in this field and to create a high caliber of health services in the community;

**Entrepreneurial Initiatives.** Continue to encourage self-employment initiatives, including home-based business, while ensuring neighborhood fit through the zoning regulations, and work with pertinent agencies to raise awareness of these opportunities.

## **G. Education**

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**Education Funding.** Communicate and collaborate with local educational decision-makers, including the Union of B.C. Municipalities (UBCM) and the Federation of Canadian Municipalities to lobby senior government levels to appropriately fund and support local educational services;

**Adult Education.** Co-operate with agencies to ensure a comprehensive adult education program in order to maximize opportunities for career changes and development. This should include evening and correspondence education;

**Local Health Care Services.** Communicate and co-operate with health care agencies in the city individually or through the Union of B.C. Municipalities (UBCM), and the Federation of Canadian Municipalities to ensure continued funding for needed local health care services;

**Health Care Education.** Work with other levels of government and other agencies to ensure that education and information are available to all residents on essential health care issues. These include:

- human rights and respect for diversity;
- healthy lifestyle choices and prevention of drug and alcohol abuse;
- proper nutrition;
- exercise programs;
- communication and relationships;
- local preventive health care services; and
- environmental health.

**Community Use of Schools.** Encourage that schools be designed so as to facilitate, during non-school hours, use for before/after school care programs, recreation programs, youth/family activities, and continuing/adult education.

### **REASON FOR POLICY**

To provide social and community development policies that can be used as guidelines in the evaluation of development applications or other civic initiatives.

### **LEGISLATIVE AUTHORITY**

Council Resolution.

### **PROCEDURE FOR IMPLEMENTATION**

Maintain as guidelines pending the development of a Social Strategy.





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APPROVED June 4, 2010

# Council Policy

## Hierarchy of Plans (Sector Plans/Structure Plans /Redevelopment Plans)

RESOLUTION: R375/10/04/26  
REPLACING: R447/96/06/04; Policy No. 220 & 221  
DATE OF LAST REVIEW: April 2010

### A. MANDATE FOR COMMUNITY PLANS

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The *Local Government Act* provides for a community plan to be adopted by a municipality containing a general statement of the broad objectives and policies of the local government respecting the form and character of existing and proposed land use and servicing requirements in the area covered by the plan. A local government may adopt one or more community plans for one or more areas ~~[Section 875(1)]~~.

### B. HIERARCHY OF PLANNING DOCUMENTS

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The following hierarchy of plans is proposed, and will be established by amendment to the Official Community Plan:

- Official Community Plan
- Sector Plans
- Area Structure Plans ~~(Neighbourhood Structure Plans or Area Structure Plans)~~
- Area Redevelopment Plans

### C. SECTOR PLANS

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Sector Plans are undertaken for large areas of the City, which may contain portions of developed and undeveloped land. Because of the large area, the multiple land owners, and the need to establish general parameters as a framework for future development or re-development, the City will undertake to prepare Sector Plans, at Council's direction. The plan area shall comprise an integrated planning unit definable by manmade or natural boundaries, as shown in Schedule A. The Sector Plan will work towards those objectives and policies stated in the Official Community Plan. A public process is followed and the plan is adopted, by bylaw, following a Public Hearing as an Official Community Plan amendment.

### D. AREA STRUCTURE PLANS

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#### ~~(1) — Neighbourhood Structure Plans (NSP'S)~~

~~Neighbourhood Structure Plans are undertaken for developed areas of the City where there are existing services and multiple land owners. Because of the greatly fragmented ownership, the City will undertake the preparation of Neighbourhood Structure Plans, at the direction of Council, for developed areas of the City experiencing pressures for re-development or infill development.~~

#### ~~(2) — Neighbourhood Structure Plan Contents~~

~~All Neighbourhood Structure Plans shall contain:~~

- ~~— (a) — an inventory of existing land uses, natural features, zoning, transportation networks, utility infrastructure and heritage sites;~~

- ~~(b) — a statement of development objectives and policies for the area, and their relationship to Council policy as stated in the Official Community Plan, and within other bylaws and policies that may be adopted by Council from time to time;~~
- ~~(c) — where applicable, information on the natural environment of the area including the manner in which natural site characteristics will influence development;~~
- ~~(d) — the identification of major lands land uses by type and density;~~
- ~~(e) — the general location of transportation networks and required upgrades to accommodate vehicles, pedestrians and cyclists within the plan area, and the relationship of the proposed network to existing City facilities;~~
- ~~(f) — the identification of the need for major institutional facilities within the plan area, or the planned expansion of existing facilities;~~
- ~~(g) — the location and type of any development permit areas to be designated within the plan area, together with guidelines for proposed development within those development permit areas;~~

~~(3) — Area Structure Plans (ASP'S)~~

Area Structure Plans (ASP's) shall be prepared by an individual land owner or owners of the majority of land for areas identified in the Official Community Plan as ASP areas, or for areas where the proponent is contemplating a proposal which:

- (a) does not conform to the purpose and intent of the Official Community Plan; and
- (b) is of sufficient magnitude in terms of population, units of development, servicing constraints, social impact or economic burden on the municipality; or
- (c) in Council's view, may affect adjacent properties, land uses, or the natural environment; or
- (d) in Council's view, may be affected by hazardous conditions; or
- (e) in Council's view, may affect municipal heritage sites, or a revitalization area; and
- (f) such other matters as may be required, unique to the plan area under consideration.

The plan area shall be as outlined in the OCP or as authorized by resolution of Council. The Plan will work towards those objectives and policies stated in the Official Community Plan. Approval of the Area Structure Plan as an Official Community Plan amendment, will be considered by Council following a Public Hearing.

Because Area Structure Plans for large tracts of land tend to have environmental, servicing and financial impacts far greater than any individual rezoning or subdivision application, and the process of assessing these impacts and managing the public input to that process requires a substantial staff time commitment, it is the policy of Council that an applicant for an Area Structure Plan pay an application fee that will cover these anticipated costs, and that the City have the option of using that fee to hire auxiliary staff resources in the form of consultants to assist in its review.



(1) Area Structure Plan Contents

Area Structure Plans shall generally contain the following, with more specific requirements to be determined within a Terms of Reference prepared for each planning area after Council authorization and prior to the commencement of plan preparation:

- (a) an inventory of existing land uses, natural features, zoning, transportation network, utility infrastructure and heritage sites.
- (b) a statement of development objectives and policies for the area, and their relationship to Council policy as stated in the Official Community Plan, and within other bylaws and policies that may be adopted by Council from time to time.
- (c) information on the natural environment and hazardous conditions of the area including the manner in which natural site characteristics will influence development and an assessment of the environmental impact of the proposed development.
- (d) the identification of major land use areas by type and density.
- (e) the general location of the major transportation network for vehicles, public transit, pedestrians and cyclists within the plan area, and the relationship of the proposed network to existing City facilities. Advance transportation plans should identify all vehicle, transit, pedestrian, cycle and trail linkages and provide a mix of trail, local, collector and arterial roads necessary to create a balanced transportation system.
- (f) the identification and general location of the proposed major utility infrastructure components, including, but not limited to underground mains and trunks, sub-stations, storm water management facilities, gas lines, and power lines.
- (g) the identification of the need for major institutional uses within the plan area, including school and park requirements.
- (h) the sequence of development of the plan area, related to the provision of utilities, transportation facilities and community services, and the general direction and timing of development.
- (i) the location and type of any development permit areas to be designated within the plan area together with guidelines for proposed development within those development permit areas.

(2) Submission Requirements

Prior to the preparation of any Area Structure Plan documents, an applicant shall first submit a request for Council's authorization to proceed with an Area Structure Plan. The request should include:

- (a) Letter of request outlining property to be included.
- (b) Map showing legal descriptions of property to be included and boundaries of proposed ASP.
- (c) Description of the property and map showing existing land use, site or topographic constraints.
- (d) Terms of Reference for the ASP as well as a generalized description of land uses being proposed, and illustrated on a map of the property.
- (e) Other information as may be required to support the request to proceed with an ASP.

If the application is for lands not identified in the OCP as an ASP area, then the applicant must apply to Council for an amendment to the OCP concurrently with the application for authorization and the request will be scheduled for consideration with other OCP amendments.

An Area Structure Plan shall include:

- (a) ~~plan-Plan~~ reports and background information documents in ~~xerexable-form~~ reproducible formats.
- (b) Maps at the appropriate scale, showing the following:
  - (i) plan area and neighbourhood boundaries,
  - (ii) topography, developable and undevelopable areas,
  - (iii) distribution of land uses by type and density,
  - (iv) population and density of each neighbourhood,
  - (v) transportation and utility networks, by size and type and other maps, plans or graphic material necessary to describe the proposal for the plan area.

### (3) Process

Schedule B, attached to and forming part of this policy, illustrates the process to be followed in the adoption of an Area Structure Plan.

#### (a) Process Outline

##### Step 1 Application

The land owner, or agent acting for a group of land owners makes application to Council for authorization to proceed with the development of an Area Structure Plan. The application should include those items noted in Section ~~4.2.2~~ 5.

#### (b) Step 2 Consideration by Council (three weeks)

If the area is identified as an ASP area within the OCP, staff will prepare a report for Council's consideration of the request for authorization to prepare an ASP. The report will include a recommendation on the proposed boundaries of the plan area, a preliminary statement of issues to be considered relative to the Official Community Plan and other Council policy, and a statement to the effect that approval of the request to prepare ASP in no way assures approval of the final ASP. The application fee will include a base fee plus a charge per hectare for the area to be included in the plan area. The purpose of the application fee is to cover additional staff resources in the form of engineering and planning consultant as may be considered necessary to augment staff resources in order to meet timeline commitments.

#### (c) Step 3 Start up Meeting

Following Council's authorization, a start-up meeting with the applicant, their consultants, city staff and any consultant acting on the City's behalf is convened to discuss the Terms of Reference. A site visit will be conducted by the applicant to familiarize all personnel involved with the unique characteristics of the site.

#### (d) Step 4 Preparation of a Draft Plan (varies - applicant's responsibility)

It is the responsibility of the applicant to engage the appropriate expertise to prepare an Area Structure Plan **(in accord with the approved Terms of Reference)** which meets with the requirements for Content and Submission noted in Section ~~4.2.1~~ & 5 of this policy, and conforms with objectives and policy outlined in the Official Community Plan. Once



completed it is submitted to the ~~City's Planning Department~~ Community Sustainability Division who will coordinate the review.

(e) Step 5 Review of First Draft (ten weeks)

The ~~Planning Department~~ Community Sustainability Division will coordinate the review of the draft ASP by City staff and external agencies, and prepare written comments on the submission. A meeting with the applicant will be held to discuss the comments.

(f) Step 6 Preparation of Second Draft (varies - applicant's responsibility)

The applicant will address the concerns raised by the ~~Planning Department~~ Community Sustainability Division and prepare revisions to the draft ASP.

(g) Step 7 Review of Second Draft ASP (four weeks)

The ~~Planning Department~~ Community Sustainability Division will coordinate the review of the second draft and prepare a position on the Area Structure Plan. This will be communicated to the applicant by letter.

(h) Step 8 Public Information Meeting

The applicant will schedule and advertise a public information meeting to allow the public to review and discuss the draft ASP. City staff will attend to observe and answer general questions.

(i) Step 9 Submission of Final Draft ASP and OCP and/or Zoning Bylaw amendment (varies applicant's responsibility)

With the submission of an application to amend the Official Community Plan and/or the Zoning Bylaw as necessary, the application process is now concurrent with the OCP/Zoning Amendment Process, which includes circulation, APC meeting, ~~VGA~~, Council consideration, Public Hearing and Final Reading.

## **E. AREA REDEVELOPMENT PLANS (ARP's)**

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Area Redevelopment Plans are undertaken for developed areas of the City where there are existing services and the area is experiencing pressures for re-development or infill development that would significantly increase building height or density beyond existing zoning. ARP's, based on Terms of Reference agreed upon by Council, shall be prepared by an individual land owner for a single project site (at the applicant's cost) or by the City where there are multiple owners of the land for areas identified in the Official Community Plan as ARP areas which:

- (a) conform to the purpose and intent of the Official Community Plan; and
- (b) is of sufficient magnitude in terms of population, units of development, servicing constraints, social impact or economic burden on the municipality; or
- (c) in Council's view, may affect adjacent properties, land uses, the natural environment or hazardous conditions; or
- (d) in Council's view, may affect municipal heritage sites, or a revitalization area; and
- (e) such other matters as may be required, unique to the plan area under consideration.

The plan area shall be as outlined in the OCP or as authorized by resolution of Council. The Plan will work towards those objectives and policies stated in the Official Community Plan. Approval of the Area Redevelopment Plan as an Official Community Plan amendment, will be considered by Council following a Public Hearing.

(1) Area Redevelopment Plan Contents

All Area Redevelopment Plans shall contain:

- (a) an inventory of existing land uses, natural features, zoning, transportation networks, utility infrastructure and heritage sites;
- (b) a statement of development objectives and policies for the area, and their relationship to Council policy as stated in the Official Community Plan, and within other bylaws and policies that may be adopted by Council from time to time;
- (c) where applicable, information on the natural environment or hazardous conditions of the area including the manner in which natural site characteristics will influence development;
- (d) the identification of major land uses by type and density;
- (e) the general location of transportation networks and required upgrades to accommodate vehicles, public transit, pedestrians and cyclists within the plan area, and the relationship of the proposed network to existing City facilities. Advance transportation plans should identify all vehicle, transit, pedestrian, cycle and trail linkages and provide a mix of trail, local, collector and arterial roads necessary to create a balanced transportation system;
- (f) the location and type of any development permit areas to be designated within the plan area, together with guidelines for proposed development within those development permit areas.

(2) Submission Requirements

Where the applicant is the land owner, or agent acting for a group of land owners, the submission requirements would be the same as for an Area Structure Plan (ASP).

If the applicant is the City, staff shall first submit a request for Council's authorization to proceed with an Area Redevelopment Plan. The request should include:

- (a) Map showing the boundaries of the proposed ARP.
- (b) Description of the property and map showing existing land use, site or topographic constraints.
- (c) Terms of Reference for the ARP as well as a generalized description of land uses being proposed, and illustrated on a map of the property.
- (d) Identification of funding source / budget.

If the application is for lands not identified in the OCP as an ARP area, then the submission must include an application to Council for an amendment to the OCP concurrently with the application for authorization and the request will be scheduled for consideration with other OCP amendments.

An Area Redevelopment Plan shall include:

- (a) Plan reports and background information documents in reproducible formats.
- (b) Maps at the appropriate scale, showing the following:
  - (i) plan area and neighbourhood boundaries,
  - (ii) topography, developable and undevelopable areas,
  - (iii) distribution of land uses by type and density,
  - (iv) population and density of each neighbourhood,



- (v) transportation and utility networks, by size and type and other maps, plans or graphic material necessary to describe the proposal for the plan area.

(3) Process

Where the applicant is the land owner, or agent acting for a group of land owners, the process would be the same as for an Area Structure Plan (ASP).

If the applicant is the City, the process shall be as follows (see Schedule B):

(a) Process Outline

Step 1 Application

The Community Sustainability Division or the City's consultant makes application to Council for authorization to proceed with the development of an Area Redevelopment Plan. The application should include those items noted in Section E, subsection 2.

(b) Step 2 Consideration by Council (three weeks)

If the area is identified as an ARP area within the OCP, staff will prepare a report for Council's consideration of the request for authorization to prepare an ARP. The report will include a recommendation on the proposed boundaries of the plan area, a preliminary statement of issues to be considered relative to the Official Community Plan and other Council policy, and a statement to the effect that approval of the request to prepare ARP in no way assures approval of the final ARP.

(c) Step 3 Start up Meeting

Following Council's authorization, a start-up meeting with city staff and any consultant acting on the City's behalf is convened to discuss the Terms of Reference. A site visit will be conducted by staff and consultants to familiarize all personnel involved with the unique characteristics of the site.

(d) Step 4 Preparation of a Draft Plan (varies - applicant's responsibility)

It is the responsibility of the applicant / consultant to prepare an Area Redevelopment Plan which meets with the requirements for Content and Submission noted in Section E, subsections 1 & 2 of this policy, and conforms with objectives and policy outlined in the Official Community Plan. Once completed it is submitted to the Community Sustainability Division who will coordinate the review.

(e) Step 5 Review of First Draft (ten weeks)

The Community Sustainability Division will coordinate the review of the draft ARP by City staff and external agencies, and prepare written comments on the submission. A meeting with the applicant / consultant will be held to discuss the comments.

(f) Step 6 Preparation of Second Draft (varies - applicant's responsibility)

The applicant / consultant will address the concerns raised by the Community Sustainability Division and prepare revisions to the draft ARP.

(g) Step 7 Review of Second Draft ARP (four weeks)

The Community Sustainability Division will coordinate the review of the second draft and prepare a position on the Area Redevelopment Plan. This will be communicated to the applicant /consultant by letter.

(h) Step 8 Public Information Meeting

The applicant / consultant will schedule and advertise a public information meeting to allow the public to review and discuss the draft ARP. City staff will attend to observe and answer general questions.

(i) Step 9 Submission of Final Draft ARP and OCP and/or Zoning Bylaw amendment (varies applicant's responsibility)

With the submission of an application to amend the Official Community Plan and/or the Zoning Bylaw as necessary, the application process is now concurrent with the OCP/Zoning Amendment Process, which includes circulation, APC meeting, Council consideration, Public Hearing and Final Reading.

**REASON FOR POLICY**

To summarize the hierarchy of planning documents and outline the level of detail expected within each planning document as well as the process for reviewing an application in order to reduce confusion.

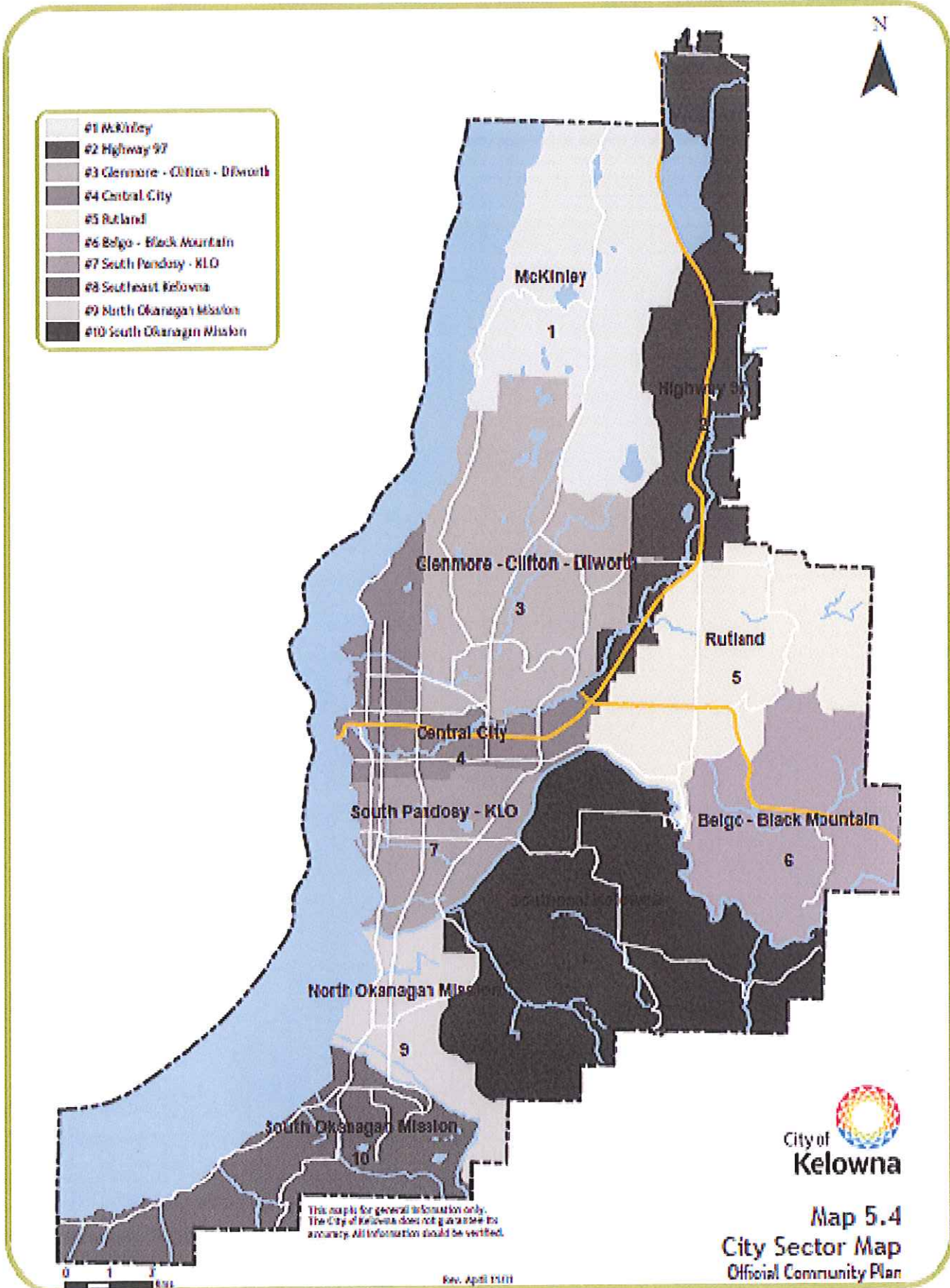
**LEGISLATIVE AUTHORITY**

~~(s) 875 & 876 Local Government Act~~ Council resolution.

**PROCEDURE FOR IMPLEMENTATION**

Policy administered through Land Use Management or Policy and Planning.

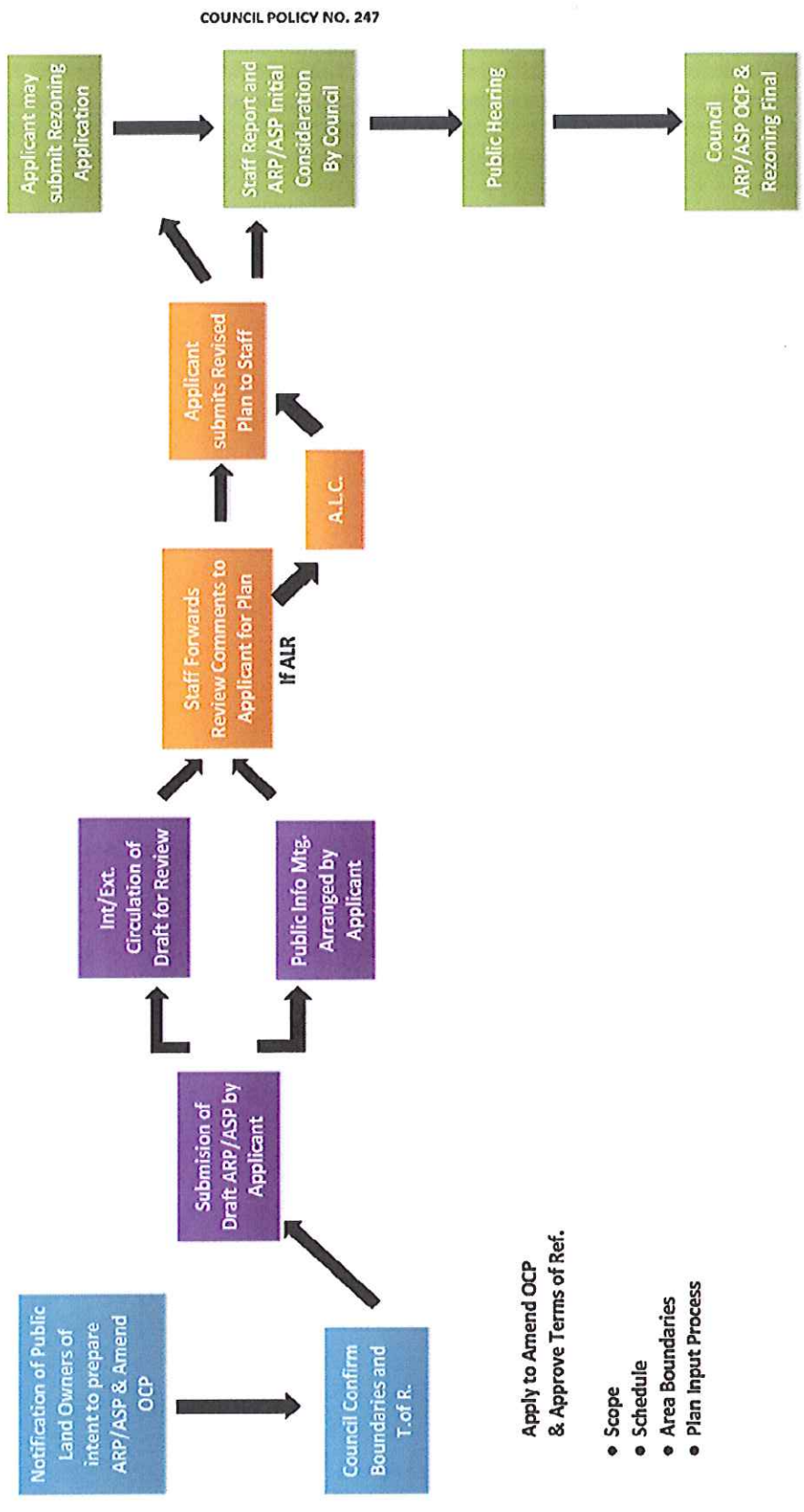




City of Kelowna  
**Map 5.4**  
City Sector Map  
Official Community Plan

Rev. April 1999

Preliminary Notification Stage      Input Stage      Plan Preparation Stage      Approval Stage



COUNCIL POLICY NO. 247

SCHEDULE "B"

Apply to Amend OCP & Approve Terms of Ref.

- Scope
- Schedule
- Area Boundaries
- Plan Input Process

**SCHEDULE B.** Area Structure Plan (ASP) & Area Redevelopment Plan (ARP) Process



## Attachment 3

POLICY 323



City of Kelowna  
1435 Water Street  
Kelowna, BC V1Y 1J4  
250 469-8500  
kelowna.ca

# Council Policy

## Future Urban Reserve

APPROVED February 28, 2005

RESOLUTION: R375/10/04/26  
REPLACING: R193/05/02/28  
DATE OF LAST REVIEW: April 2010

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Lands within the Future Urban Reserve are not supported for any further parcelization. An applicant or land owner may apply to change the future land use designation to Rural/Agricultural if they feel that a rural use of the land, such as a rural lot subdivision, is the highest and best use of the subject lands. Land Use Management will process the application and may recommend support for the land use designation to be amended where the land is deemed not to have the potential to be used as part of a comprehensive urban development in the future.

### **REASON FOR POLICY**

To clarify that some form of development may still be appropriate for lands that are within the Future Urban Reserve and that a change in land use designation may be supportable.

### **LEGISLATIVE AUTHORITY**

Council Resolution.

### **PROCEDURE FOR IMPLEMENTATION**

Applications are submitted to the Land Use Management for processing.

## Attachment 4

POLICY 345



City of Kelowna  
1435 Water Street  
Kelowna, BC V1Y 1J4  
250 469-8500  
kelowna.ca

# Council Policy

Affordable Housing and Amenities or Cash-in-Lieu of Thereof –  
Interim Policy for Increased Density Resulting From  
Official Community Plan Amendment  
APPROVED February 23, 2009

RESOLUTION: R375/10/04/26  
REPLACING: R166/09/02/23  
DATE OF LAST REVIEW: April 2010

1. In cases where an amendment to the Official Community Plan (OCP) is required in order to permit an increase in density the City will require a contribution to affordable housing and / or public amenities, to be defined in negotiation between the City and the developer (amenities should be defined in the OCP) based on the following:
  - 1.1. Net lift in land value is the market value increase, based on the value of the property at its current OCP designation, compared to the market value that would result from re-designating the property to a higher density designation in the OCP.
  - 1.2. Total value of the contribution will be equivalent to 75% of the net lift in land value (after allowing for all land development costs associated with the rezoning) as determined by a professional analyst paid for by the applicant and meeting the approval of the City;
  - 1.3. The City's priority will be to require that the contribution would be in the form of affordable housing or public amenities provided on site representing the equivalent of 75% of the net lift in land value.
  - 1.4. Notwithstanding the above, where an application is in-stream prior to the date of initial adoption of this Policy, the value of the contribution will be based on 50% of the net lift in land value, as set out in 1.1 and 1.2, above.
  - 1.5. When determining the corresponding housing or amenity (as to be determined) is to be provided on site, 75 % of the increase in net floor area resulting from the bonus must be returned in the form of affordable housing units, meeting the City's definition of affordability set out in the OCP, and secured by a housing agreement;
  - 1.6. Notwithstanding 1.5, above, where an application is in-stream prior to the date of initial adoption of this Policy, the area of the affordable housing or amenity contribution to be provided on site will equal 50% of the increase in net floor area.
  - 1.7. Acceptance of cash-in-lieu of affordable housing or other amenities will be based on a report from a qualified professional providing compelling reasons why the provision of affordable housing and/or amenities on site is not feasible.
  - 1.8. The payment will be made at building permit or (at the developer's option) deferred to occupancy permit if the developer provides acceptable security such as an irrevocable letter of credit.
2. Any funds collected as cash-in-lieu of affordable housing will be directed to the Housing Opportunities Reserve Fund governed by By-law 8593.
3. Any funds collected as cash-in-lieu of any other amenities be placed in a reserve fund governed by a By-law that defines the amenities and guides the use of the funds.
4. This policy is an interim policy to be applied until such time as Council has completed its review of the Official Community Plan.



**REASON FOR POLICY**

There is a need for a clear policy to guide the amount affordable housing or of cash-in-lieu thereof, in return for increases in density by amendment to the OCP. Council is frequently faced with development proposals for housing whereby there is an increase in density and a contribution of affordable housing is recommended in policy. However, there is no guidance for the amount of the contribution. In some cases the developer does not wish to provide affordable housing on the same site in return for the density bonus. There is a need for a clear policy to guide the amount of cash that should be contributed in lieu of providing affordable housing on site. The issue of affordable housing or other amenities, or cash-in-lieu thereof provided when density is increased is presently under review as part of the review of the Official Community Plan.

**LEGISLATIVE AUTHORITY**

Council Resolution: Local Government Act S. 904; Community Charter S. 188, 189

**PROCEDURE FOR IMPLEMENTATION**

Implemented as a return for increased density at the re-zoning stage when an Official Community Plan amendment is also needed to increase the density.