

Memo



Date: July 22, 2011
File: 1200-31
To: City Manager
From: Long Range Planning Manager
Subject: OCP 2030 Bylaw 10500 - Council Resolutions

Recommendation:

THAT Council receives, for information, the report from the Long Range Planning Manager dated July 22, 2011 with responses in regard to Council resolutions from May 30, 2011.

Purpose:

To report back to Council on resolutions with respect to the adoption of OCP Bylaw 10500 on issues for clarification of specific wording and impact of potential changes.

Background:

At the Council Meeting of May 30, 2011 the following resolutions were adopted:

THAT staff report back to Council with respect to the impact of changing the northern boundary of the Health District to Glenwood Avenue and Richter Street from the current boundary as set out in the Kelowna 2030 Official Community Plan; (Service Request #197554)

THAT staff report back to Council with respect to the costs, and timing, of initiating an Area Redevelopment Plan for a broader Health District area of Glenwood Avenue to the Cottonwoods site; (Service Request #197555)

THAT staff report back to Council with clarification of the wording contained in Policy 12.9.9.1 of the Kelowna 2030 Official Community Plan; (Service Request #197556)

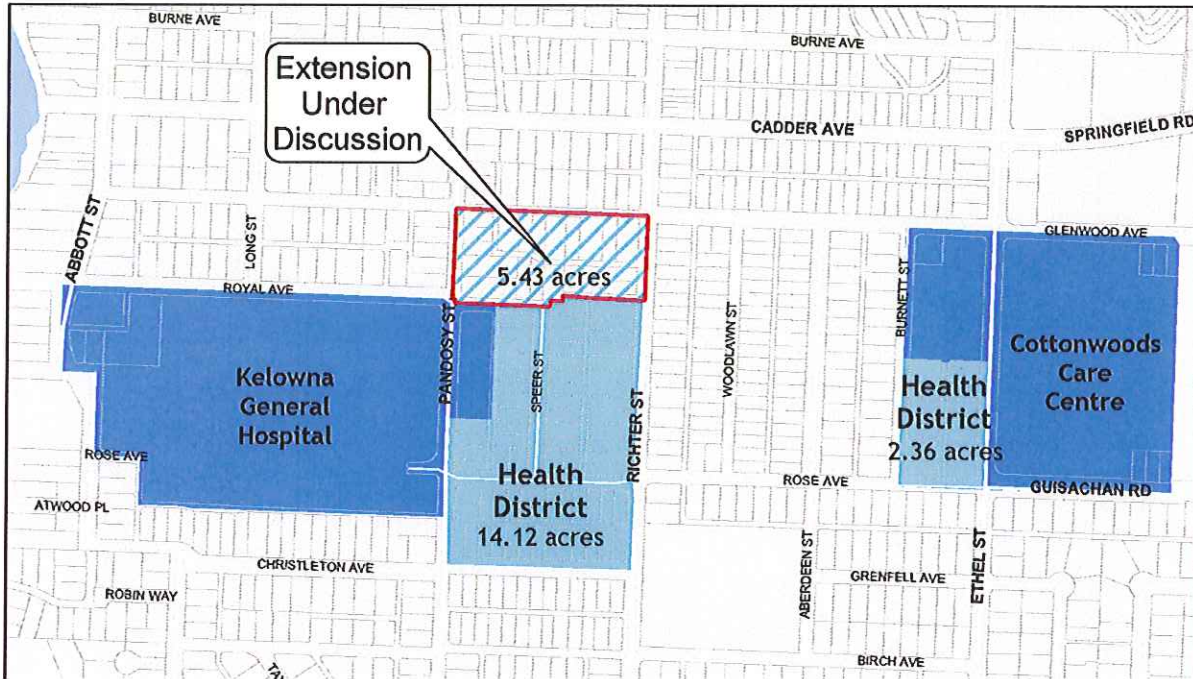
THAT staff report back to Council with clarification of the wording contained in Policy 15.4.1.3.5 of the Kelowna 2030 Official Community Plan; (Service Request # 197556)

THAT staff report back to Council with respect to the rationale for not changing the future land use designation of the south side of Manhattan Drive from the Industrial designation to the Commercial designation. (Service Request #197557)

GV

Northern Boundary of Health District

Currently the 2030 OCP designates lands within the boundary of Pandosy Street, Royal Avenue, Richter Street and Christleton Avenue as well as the land between Ethel Street and Burnett Street north of Rose Avenue as “Health District”. Council has directed staff to consider the implications of expanding the Health District north to Glenwood Avenue between Pandosy and Richter Street.



From staff’s perspective, implications of the expansion under discussion would be as follows:

1. Impacts on Neighbourhood Stability

Expansion of the Health District would increase the number of properties subject to speculative pressures, land assembly and parcel consolidation. This could undermine investment in residential properties and create conflict with OCP policy favouring retention of the heritage character of this area.

2. Impact on South Pandosy

Too much development in the Health District could have a negative impact on the Pandosy Town Centre, given that many of the types of services intended for the Health District are currently provided in the Pandosy Town Centre.

3. Servicing Impacts

Glenwood Avenue between Pandosy and Richter Streets is significantly undersized (10 metres wide). Expanding the Health District boundary will generate the need to widen this road- likely by 5 metres on each side - to reach a standard 20 metre width. Given that the north side would in large part remain designated as Single/Two unit Residential, road widening on the north side would not be able to be achieved entirely through the redevelopment process. As such, the road would either not be able to provide for priority transportation modes as identified in the OCP, or property acquisitions would have to be undertaken on the north side. Those acquisitions would either trigger changes to the 20 Year Servicing Plan and Financing Strategy to be funded through DCCs (if Glenwood were to become a DCC road), or would have to be funded at taxpayer cost.

An even larger consideration would be one of fit within the recently approved 20 Year Servicing Plan and Financing Strategy. The Servicing Plan and Financing Strategy was prepared based on the approved OCP land use plan. Deviation from that land use plan may mean recalculation of the servicing requirements - which leads to either re-distribution of growth or expanding the amount of growth anticipated in the City and applying that increment to the Hospital District. Both of these strategies could impact the recently approved 20-year Servicing Plan and Financing Strategy

While sanitary sewer and water servicing impacts appear to be minor, Infrastructure Planning has advised that they are not in a position to comment on transportation impacts for this potential land use designation change without a comprehensive multi-modal Transportation Impact Study (TIS) at both the city-side and local area levels. The completion and/or review of a TIS cannot be easily accommodated in Infrastructure Planning's current work plan.

Pandosy Street, a critical urban arterial delivering regional traffic to the Hospital District, is highly sensitive to volume changes. Given the importance of the transportation issue, it would be appropriate to defer the extension of the Health District boundary to the more detailed review of the area under a potential Area Redevelopment Plan for a larger area.

Would the currently designated Health District lands provide sufficient land for potential new health facilities as well as related educational, commercial and residential uses? IHA has indicated that they anticipate a significant expansion of facilities to accommodate their health and education-related needs for many years within the existing KGH site *west* of Pandosy. Given remaining capacity on the existing KGH site, and current IHA plans, the OCP designated "Health District" area (*east* of Pandosy) would be available for in excess of 52,000 m² (560,000 sq. ft.) of new health administration, health education, patient services, care facilities, limited health and service related commercial uses and multiple unit residential.

Area Redevelopment Plan for Expanded Health District

On May 30, 2011, Council asked staff to report back with the costs, and timing, of initiating an Area Redevelopment Plan (ARP) for a broader Health District area of Glenwood Avenue to the Cottonwoods site.

In response to Council's request, staff approached two local planning consultants familiar with these types of projects to obtain estimates relating to potential time-lines and costs of an ARP. A basic ARP following Council Policy No. 247 could cost approximately \$135,000 - \$145,000 including sub-consultants for the Transportation Impact Studies and would take approximately 5 - 6 months.

Given the level of public interest in this area, it may be appropriate to provide for additional public consultation beyond the one meeting prescribed in Policy 247. Finally, it may be worthwhile to consider the inclusion of design guidelines, particularly since this area is currently identified as a Character Development Permit area. These additional considerations could drive the cost into the \$155,000 - \$165,000 range and take up to 8 - 12 months to complete.

With respect to timing, if funding for consultant resources were provided as part of the 2012 budget, work on this project could commence upon completion of the Downtown Plan, anticipated for January 2012.

Natural Environment DP Guidelines 12.9.1

Currently the language in Chapter 12 - Natural Environment DP Guidelines reads as follows:

- 9.1 Require that private wells be closed when a parcel is connected to a community water system.

The intent of this guideline was to require that properties being developed (and connecting to a community water system) close any well on the property in order to protect groundwater from potential contamination. This guideline would apply only in areas where there are highly vulnerable aquifers.

This guideline is not intended to apply to farmland, where a well could continue to be used for irrigation, even if the residence is connected to a community water system.

Farm Protection DP Guideline 15.1.3.5

Currently the language in Chapter 15 - Farm Protection DP Guidelines reads as follows:

- 1.3.5 Install and maintain a continuous fence along the edge of agricultural land. A permeable fence which allows for the movement of wildlife (i.e. split rail) in combination with dense and continuous evergreen hedge is preferred. Impermeable fencing will not be permitted;

Typically this fencing requirement would apply to uses on the urban side of the urban-rural interface as part of the buffer requirements, but it could also apply to an agri-tourism or other non-farm use where there are more intensive uses not normally associated with farming

activities. The intention in prohibiting impermeable fencing is to allow wildlife to continue to move through farm properties.

The DP requirements on agricultural land would only be triggered if there were a rezoning, subdivision or building permit application for uses other than farming and where the potential for disruptive activities could impact adjoining farms. Any normal farm practice will not require a DP as indicated in the Chapter 15 - DP Exemptions section.

Manhattan Drive

Properties (three) along the south side of Manhattan Drive (1000 block) are designated as Industrial in the 2030 OCP. These properties are also zoned I1 - Light Industrial. The owner of these properties has expressed interest in re-designation to Commercial to acknowledge that one site (1060) contains an existing 3 storey office building and a Development Permit, Development Variance Permit and Building Permit on the adjoining property (1040) for an 8 storey office building has been approved. It should be noted that these developments were supported because office use is a principal permitted use in the I1 - Light Industrial zone.

Staff do not support the proposal to re-designate to commercial because it is considered out of context with the existing industrial uses east and north of Brandt's Creek and the existing I1 zoning provides for the office uses intended. Support for the more intensive uses proposed by the property owner on this site located at the periphery of the Downtown Urban Centre would make it more difficult to attract development to the core of Downtown. At the very least, more intensive hotel / office development at this location may be considered premature, until such time as the future of the existing Tolko operation is more certain.

There is no official development application for this property at this time. It is suggested that the most appropriate way to deal with this issue would be to encourage the property owner to submit an application and thereby engage the full public process toward Council consideration of bylaw amendments. However, for the above noted reasons staff would likely be recommending against the proposal.

Internal Circulation:

General Manager of Community Sustainability
Director, Infrastructure Planning
Director, Land Use Management
Urban Land Use Manager
Environment & Land Use 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:

Kelowna OCP 2030

- Policy 5.20.4 **Area Redevelopment Plans.** Require that detailed Area Redevelopment Plans (ARP's), consistent with Council-approved terms of reference, be prepared prior to approving rezoning applications that would increase building height or significantly increase density beyond that permitted under existing zoning for the following areas:
- Capri Shopping Centre;
 - Landmark (bounded by Harvey Ave.; Spall Rd.; Springfield Rd.; Burtch Rd.);
 - Health District;
 - other areas as directed by Council. The purpose of the ARP would be to ensure that redevelopment occurs in a manner that appropriately relates to surrounding land uses and is consistent with the OCP.

Natural Environment DP Guidelines - Chapter 12 - Section 9

- 9.1 Require that private wells be closed when a parcel is connected to a community water system.

Farm Protection DP Guidelines - Chapter 15 - Section 1.3

- 1.3.5 Install and maintain a continuous fence along the edge of agricultural land. A permeable fence which allows for the movement of wildlife (i.e. split rail) in combination with dense and continuous evergreen hedge is preferred. Impermeable fencing will not be permitted;

Considerations not applicable to this report:

Financial/Budgetary Considerations:
Legal/Statutory Procedural Requirements:
Communications 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, Infrastructure Planning
Director, Land Use Management
Urban Land Use Manager
Environment & Land Use Manager