

Report to Council



Date: July 11, 2022
To: Council
From: City Manager
Subject: 2040 OCP: Downtown Building Heights Mapping for Ellis Street
Department: Policy and Planning

Recommendation:

THAT Council direct staff to bring forward proposed amendments to Downtown building height policy and mapping in the Kelowna 2040 – Official Community Plan Bylaw No. 12300.

Purpose:

To provide Council with an update and amendment process for consideration of the Downtown Building Heights Map in the 2040 Official Community Plan, specifically as it relates to the east side of Ellis Street from Bernard Avenue to Clement Avenue.

Background:

A Public Hearing was held to hear from the public on matters regarding the 2040 Official Community Plan on October 26, 2021. During the Regular Meeting that followed the Public Hearing, Council endorsed the following resolution:

Previous Council Resolution

Resolution	Date
THAT Council direct staff to bring forward, upon adoption of the OCP 2040, the rationale for the OCP 2040 Map 3.1 Future Land Use designation for 1205 High Road; AND THAT Council direct staff to bring forward, upon adoption of the OCP 2040, the rationale for the OCP 2040 Map 3.1 Future Land Use designation for 4998 Gordon Drive: AND FURTHER THAT Council direct staff to bring forward, upon adoption of the OCP 2040, the rationale for the OCP 2040 Downtown Building Heights Map 4.1, specifically the east side of Ellis Street from Bernard Avenue to Clement Avenue.	October 26, 2021

This report serves to address the portion of Council’s resolution that speaks to the Downtown Building Heights Map 4.1.

Discussion:

Height Mapping in the 2040 Official Community Plan Process

The 2040 Official Community Plan (OCP) focuses approximately 48% of Kelowna's future growth in the city's five Urban Centres: Downtown, Capri Landmark, Midtown, Pandosy and Rutland. Chapter 4 outlines objectives, policies and mapping that speak specifically to building heights in those Urban Centres.

During the 2040 OCP Phase 4 Engagement process, some concerns were raised from the public about proposed building heights, including in the Downtown generally, with minimal feedback related to specific streets, including Ellis Street. As part of the refinements to the draft 2040 OCP, revised policies and maps for all Urban Centres were developed. These revisions lowered the building height along the east side of Ellis Street between Bernard and Clement Avenue (the subject properties) to 20 storeys - lower than those signaled in both the draft 2040 OCP and the now repealed 2030 OCP (see Table 1 and Attachment 1).

Table 1: Building Height Changes on Subject Properties

Document	Proposed Heights	Notes
2030 OCP	26 Storeys	Tallest building heights signaled
Draft 2040 OCP	13 storeys and above	Tallest building heights signaled with heights regulated through Zoning Bylaw
Adopted 2040 OCP	20 storeys	Second-tallest building heights signaled

The rationale for the change in heights on the subject properties pertains to achieving form and character goals by allowing for a more gradual height transition from taller buildings along St. Paul Street towards the lower profile buildings in the Civic Precinct, which includes historic buildings such as the one-storey Laurel Packinghouse. The small size of many of the subject properties was also a factor, due to considerations for accommodating parking and podium heights. Fewer than five sites within the subject properties that are expected to develop in the timeframe of the 2040 OCP have land area greater than 2,000 square metres. Others are significantly smaller in size or have seen more recent development.

Development Trends Following OCP Process

Following the Public Hearing for the 2040 OCP, several development applications have been made for taller buildings in Downtown, particularly east of the subject properties but also in other areas of Downtown. Many of these proposals are significantly higher than the 26 storeys signaled in that area, consistent with Policy 4.4.3 of the 2040 OCP (outlined below). Given the shifting height profile of these projects, the 20 storey heights currently signaled in the OCP along Ellis Street would result in a more sudden height transition than anticipated when the 2040 OCP was being developed.

Both the number of applications and the residential units proposed throughout Downtown represent a recent shift in the city's development landscape. In some cases, existing proposals, such as UBC's Downtown campus, have proposed height increases over their initial application. The height and profile of such proposals mean that, should they be approved and constructed, they are likely to become defining landmarks for Kelowna's Downtown skyline, warranting a new context to consider for future proposals. In short, some updates to policy may be warranted to guide building heights in this emerging context.

OCP Policy and Mapping Considerations

The changing landscape for tower construction in Kelowna may necessitate refinement of the height policies and corresponding mapping in the 2040 OCP. Such a refinement, even early in the OCP's life is in keeping with the directions outlined in *Chapter 16: Making the Plan Work*:

"The Official Community Plan is a living document that provides direction on how Kelowna will evolve to 2040. While policies and decisions should be consistent with the Pillars, Growth Strategy, objectives and the policies of the Plan, the Official Community Plan should be recognized as a flexible and adaptable document. Amendments to the plan from time to time are expected during its 20 year life to ensure that it adapts to a changing context."

Such refinements may include, but not be limited to the following:

- Amending Map 4.1 of the 2040 OCP to signal a 26 storey building height on some or all of the subject properties; and
- Updating OCP Urban Centre height policies to provide more robust guidance for consideration of the tower heights in the Downtown Urban Centre, such as:
 - A clearer vision for Downtown Kelowna's skyline profile
 - Height policies for sub-areas within Downtown Kelowna
 - Graphics and images to more clearly communicate the intent of Downtown height policies and mapping.

As discussed during the development of the Zoning Bylaw #12375, zoning development regulations, (including density) are tied directly to the building heights signaled in the OCP. Should Council direct staff to undertake these policy refinements, impacts on the Zoning Bylaw will be carefully considered and would be undertaken and brought forward through a formal OCP amendment application process in fall, 2022.

Conclusion:

A comprehensive policy framework to guide building heights is an important part of creating vibrant Urban Centres. This guidance ensures that as Urban Centres grow, they do so in a way that is sensitive to adjacent neighbourhoods, public spaces and key natural and placemaking features, while also being positioned to absorb the most significant residential and employment growth in the city. The changing landscape of in-stream tower approvals has warranted a reconsideration of these select blocks of Ellis Street and surrounding areas, as well as the exploration of additional OCP policy to respond to adjacent development while still being consistent with the pillars and objectives of the OCP.

Internal Circulation:

Divisional Director, Planning and Development Services
Department Manager, Development Planning

Existing Policy:

Imagine Kelowna
2040 Official Community Plan
Two directly attributable policies are as follows:

Policy 4.4.2. Downtown Skyline.

Support development Downtown that is generally consistent with Map 4.1 to accomplish the following:

- Tapering of heights from taller buildings in the center of Downtown to lower buildings towards Okanagan Lake and adjacent Core Area Neighbourhoods;
- Preservation of the existing form and character of historic Bernard Avenue and other heritage sites;
- Consistency with the objectives of the Civic Precinct Plan; and
- The development of taller buildings that incorporate distinct architectural features in strategic locations near Okanagan Lake.

Policy 4.4.3. Taller Downtown Buildings.

With due consideration of the objectives of Policy 4.4.2, consider support for development that is higher than the heights outlined in Map 4.1 where the proposal contains significant benefit to Kelowna citizens, including some or a combination of the following:

- An affordable, supportive and/or rental housing component that further advances Urban Centre housing objectives;
- A significant public amenity that supports the fostering of more inclusive and socially connected Urban Centres, such as parks, public spaces, schools, post-secondary institutions or childcare facilities;
- Offsite considerations, including enhanced streetscapes, provision of Active Transportation Corridors, tree canopy protection and enhancement, or green infrastructure within the road right of way;
- Smaller tower floorplates to mitigate the impact on views and shadowing; and/or
- Outstanding and extraordinary architectural design.

Attachments:

Attachment 1: Map 4.1 – Downtown Building Heights, 2040 Official Community Plan

Submitted by: R. Miles, Long Range Policy Planning Manager

Approved for inclusion:



D. Noble-Brandt, Policy & Planning Dept. Manager