

# REPORT TO COUNCIL



**Date:** March 27, 2017

**RIM No.** 1250-01

**To:** City Manager

**From:** Community Planning Department (MS)

**Application:** Z17-0002 / DP17-0003      **Owner:** City of Kelowna

**Address:** 289 – 291 Valley Road      **Applicant:** City of Kelowna

**Subject:** Rezoning from A1 – Agriculture 1 to P5 – Municipal District Park

Existing OCP Designation: Park

Existing Zone: A1 – Agriculture 1

Proposed Zone: P5 – Municipal District Park

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## 1.0 Recommendation

THAT Rezoning Application No. Z17-0002 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of *Lot A Sections 4 Township 23 and Section 33 Township 26 ODYD District Plan EPP16971*, located at 289-291 Valley Road, Kelowna, BC from the A1 – Agricultural 1 zone to the P5 – Municipal District Park zone be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer for road dedication;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit for the subject property.

THAT Development Permit No. **DP17-0003** for *Lot A Sections 4 TWP 23 and Section 33 TWP 26 ODYD Plan EPP16971*, located at 289 – 291 Valley Road, Kelowna, BC, as attached to the report of March 27, 2017, to allow the construction of Phase I and Phase II Glenmore Recreation Park be approved subject to the following:

- a) The dimensions and siting of the attenuation pond, fencing, vegetative buffer, and roadway and to be constructed on the land be in accordance with Schedule "A";
- b) The landscaping and fencing for the Agricultural Buffer to be provided on the land be in accordance with Schedule "B"; and

- c) The attenuation pond, associated riparian planting and stormwater attenuation structures, including the oil/water separator, to be provided on the land be in accordance with Schedule "C";

AND FURTHER THAT this Development Permit is valid for two (2) years from the date of Council approval, with no opportunity to extend.

## **2.0 Purpose**

To rezone the subject property from A1 Agricultural to P5 Municipal District Park, together with a Natural Environmental and Farm Development Permit to address stormwater drainage, farmland buffers and a road dedication for parking and access.

## **3.0 Community Planning**

Community Planning supports the proposal to rezone the subject property from A1 – Agriculture 1 to P5 – Municipal District Park, as well as the farmland buffers and stormwater attenuation as per plans for the Development Permit.

The proposal is consistent with the Official Community Plan's future land use designation of the property as Park, which has been in place prior to 2011. In addition, it is consistent with the Agricultural Land Commission's approval<sup>1</sup> #352/2011, which approved the use of the property as a Municipal District Park.

Staff have kept the ALC apprised of the planning progress for the park as well as the agricultural mitigation commitments required as part of the approval. The ALC have communicated that they are encouraged with the progress of the mitigation measures, and have had input on details of the plan including the fencing and vegetative buffer. The ALC expects the ALR buffer to be completed in 2017.

Phase I of the park development is scheduled for 2017. This includes the establishment of the farmland vegetation buffers, ALR fencing, an attenuation pond for site stormwater, riparian planting around the pond, site grading, road dedication, and gravel surfacing of the road.

Phase II of park development is scheduled for 2018, subject to funding. This will include constructing the playing fields on the southern half of the property, and finishing the roadway access.

Future phases include a recreation centre, rugby fieldhouse, a spray park, a skate park, and additional playing fields. Staff notes that these future works are not included in the Development Permit.

## **4.0 Proposal**

### **4.1 Background**

Glenmore Recreation Park has long been envisioned as a significant community amenity to serve both residents in the local Glenmore area and the larger community. Since the 1980s, the City instituted a consistent planning framework that has anticipated the need for a major park in Glenmore. The Glenmore Valley Sector Plan (1989) followed the block approval of ALR land in 1988 and was the first to formally recognize the need.

Subsequent plans including the Agriculture Plan (1998), the Glenmore/Clifton/Dilworth Sector Plan (1998), and Kelowna's Official Community Plans, including the City's recently adopted 2030 OCP reference the need for a Recreation Park in Glenmore.

The 1989 Glenmore Sector Plan anticipated an additional built-out population of approximately 12,000. At present the Glenmore sector is home to approximately 23,000 residents. Further, approximately 11,000

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<sup>1</sup> ALC, Nov. 22, 2011. ALC File 52452 – Glenmore Recreation Park – letter and Minutes of Resolution #352/2011

additional residents are projected to locate in the Glenmore sector by 2030, with additional growth taking place in Glenmore's neighbouring areas.

In 2011, the Agricultural Land Commission (ALC) granted a Non-farm use approval<sup>2</sup> subject to a number of agricultural mitigation measures. These included vegetation buffers along the ALR, fencing, lot consolidation of road right of way with adjacent parcels through Glenmore Valley that is no longer required, the rehabilitation of the playing fields at 500 Valley Road, and the relocation of the Scenic Road Firehall and rehabilitation of that property to agriculture. Staff have been corresponding with the ALC on the status of the mitigation measures, and a summary of the results is included below in Section 4.5.

#### 4.2 Project Description

Phase I of the park development is scheduled for 2017. This includes the establishment of the farmland buffers, fencing, an attenuation pond for site stormwater, road dedication, underground utilities and gravel surfacing of the road.

Phase II of park development is scheduled for 2018. This will include constructing the playing fields on the southern half of the property, completing the roadway paving, and lighting.

Future phases include an activity centre, fieldhouse, a spray park, a skate park, a playground and additional playing fields.

##### 4.2.1 Phase I

Phase I and Phase II occur in the south portion of the property only, and includes the scope of work included below:

##### Phase I - 2017

- Stormwater attenuation pond for overall drainage improvements
- ALR vegetated buffer and fencing
- Grading
- Underground utilities
- Gravel access roads
- Gravel trail along Brandt's Creek

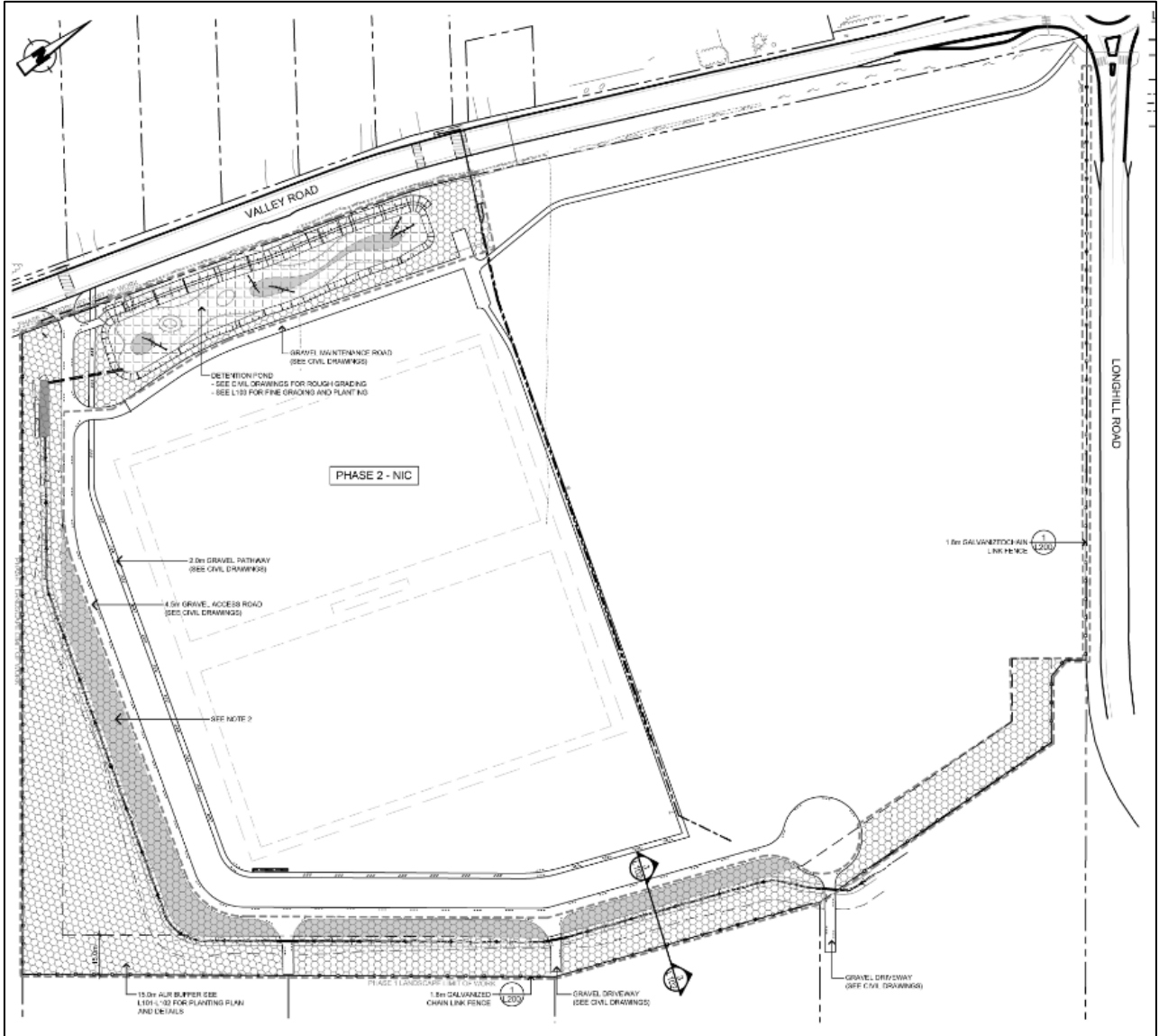
##### Phase II - 2018

- Roadway and parking (curb, gutter, sidewalk and paving)
- Lighting
- Sport fields (2 pitches)

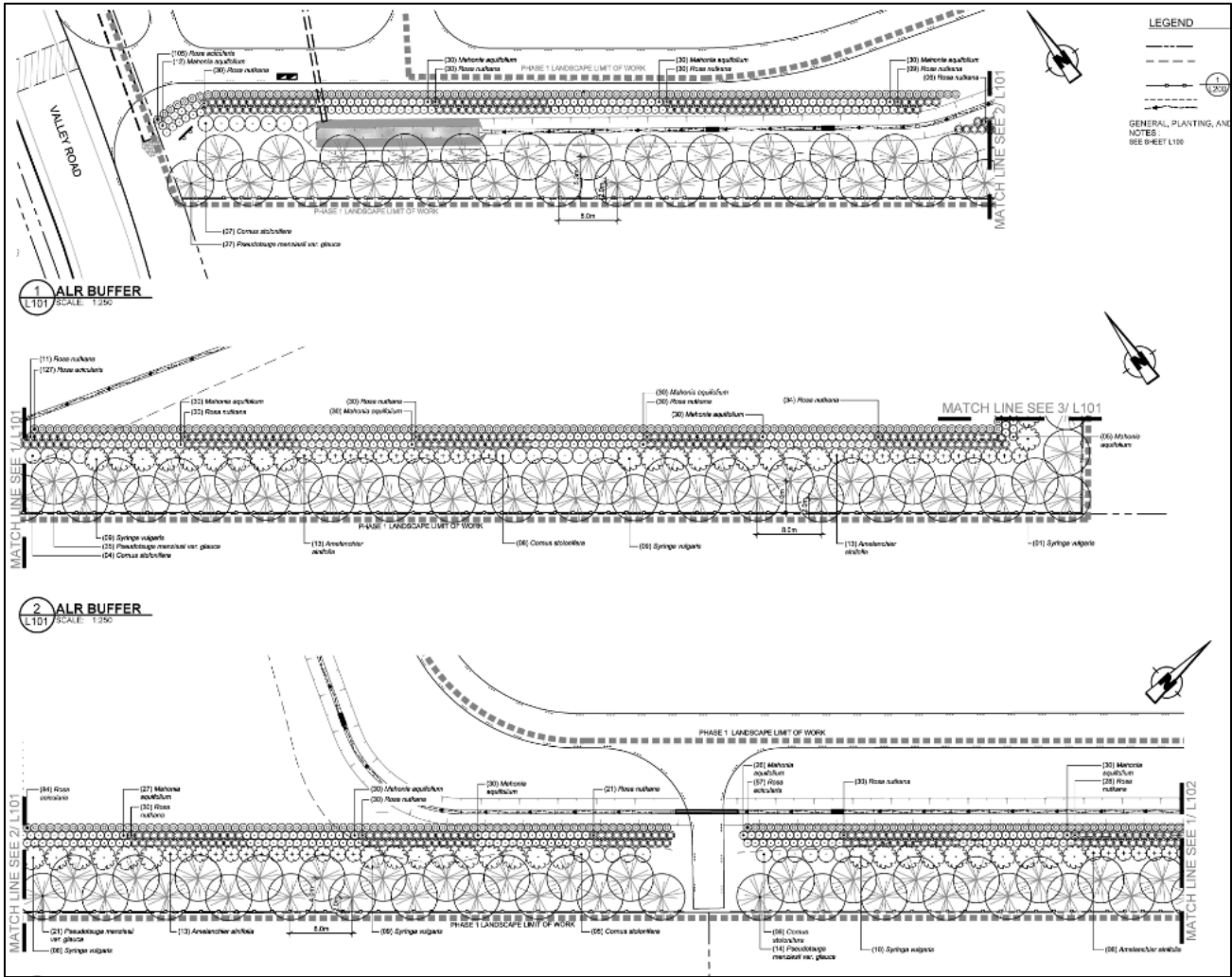
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<sup>2</sup> ALC, Nov. 22, 2011. ALC File 52452 – Glenmore Recreation Park – letter and Minutes of Resolution #352/2011

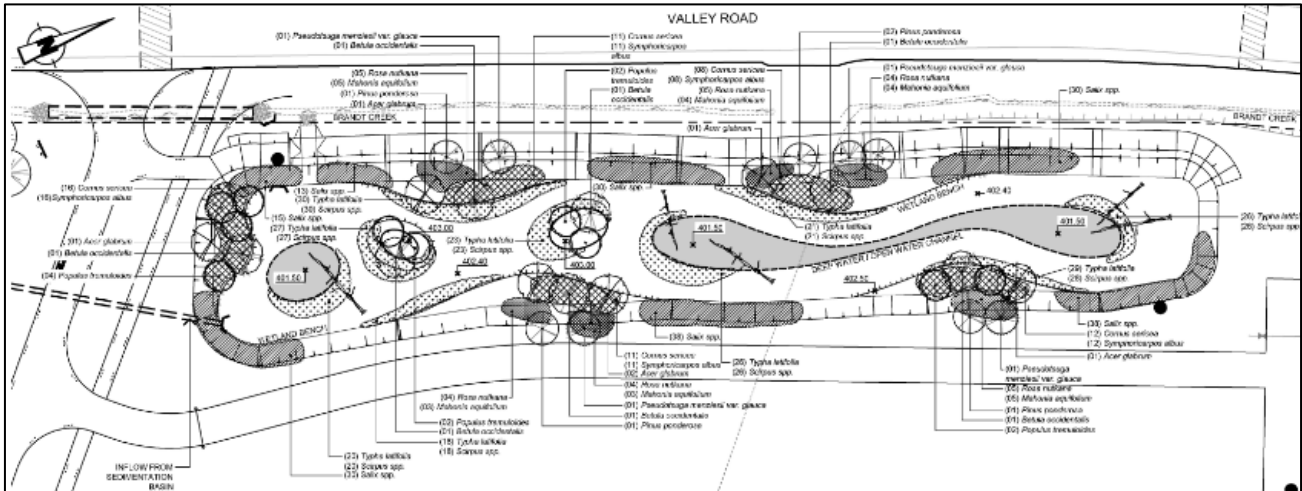
Map 1. Glenmore Recreation Park – Phase I – Schedule A

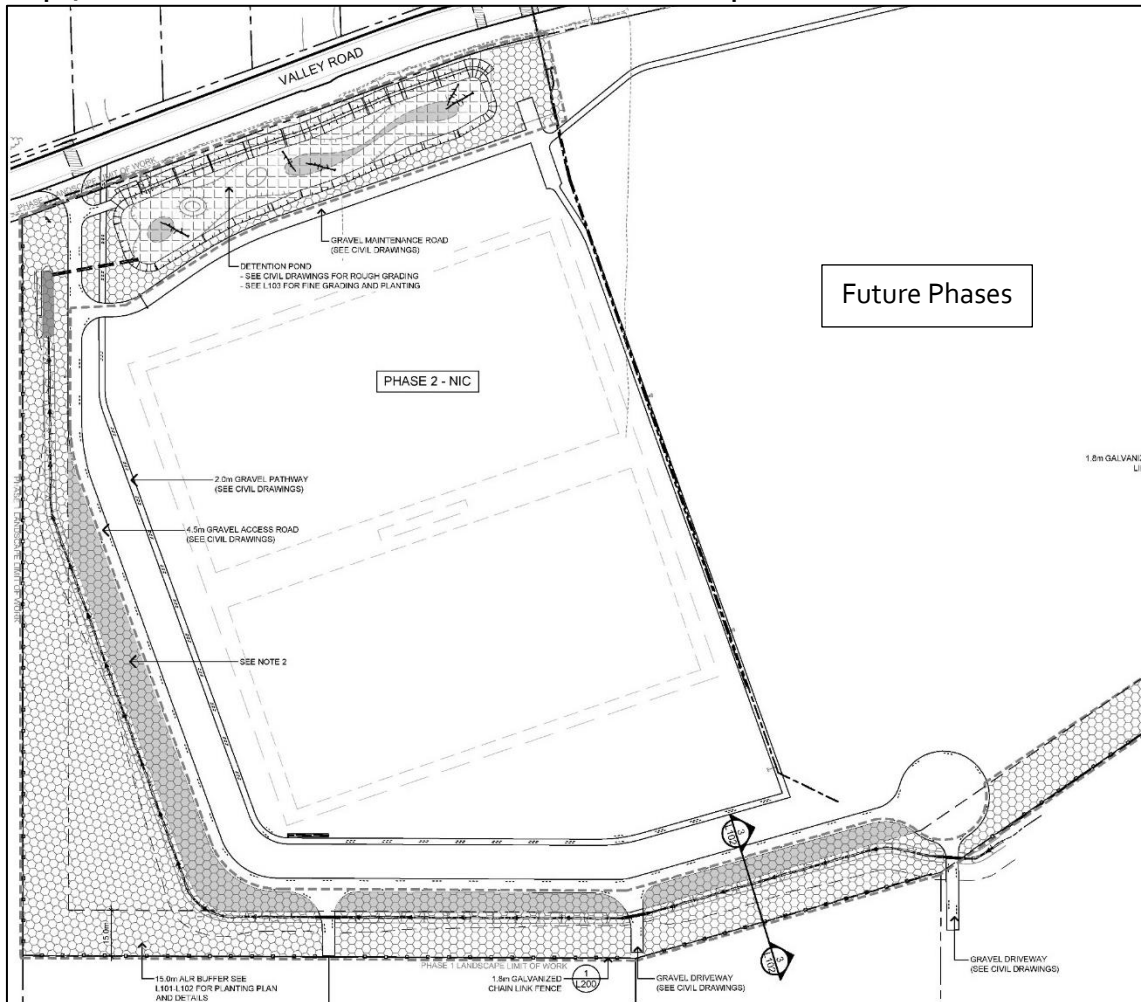


Map 2. Farm Protection Development Permit – Phase I – Schedule B



Map 3. Natural Areas Development Permit – Phase I – Schedule C



**Map 4. Road Dedication (Phase I) and Southern Field Completion (Phase II)**

#### 4.2.2 Future Phases – Concept Plan

The City has developed a Preliminary Concept Plan to illustrate how the land could be developed. The Concept Plan is provided for discussion purposes only and is subject to revisions following public consultation and discussion with the ALC. Key program elements of the park design currently include:

- Multi-use playing fields
- Artificial turf playing fields
- Playground
- Spray park
- Walking trails
- Off-leash dog park
- Field house
- Cricket batting cage
- Basketball courts
- Sport courts
- Site circulation and parking
- Field house
- Community garden
- Two Storey Activity Centre

Map 5. Glenmore Recreation Park Master Plan



4.3 Site Context

The subject properties site are located in the Glenmore/Clifton/ Dilworth Sector of the City of Kelowna. The site is situated at the southeast corner of Longhill and Valley Roads.

The Official Community Plan, Future Land Use Map currently designates part of the proposed parcels as Park. The east fork of Brandts Creek runs along the western property line of the subject parcels and adjacent to Valley Road.

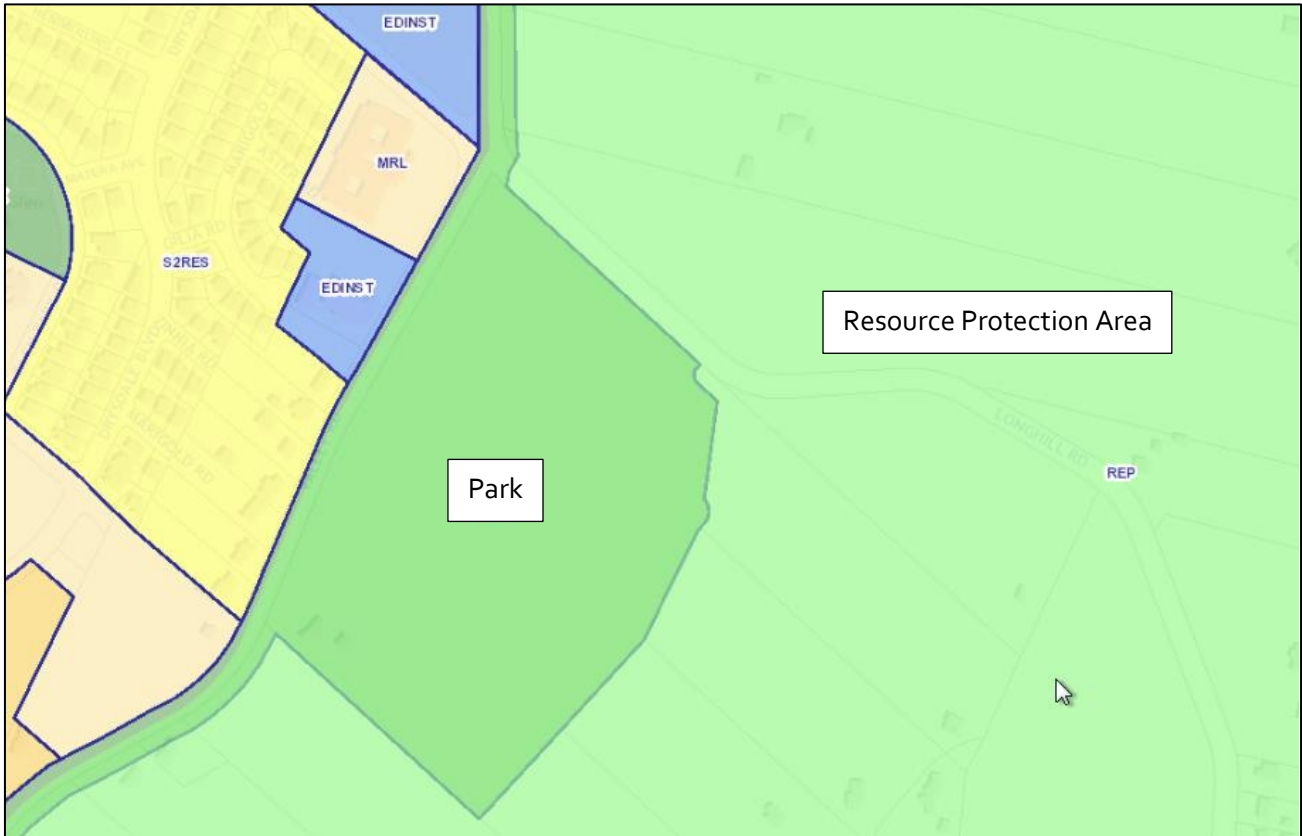
Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	A1 – Agriculture 1	Agricultural
East	A1 – Agriculture 1	Agricultural
South	A1 – Agriculture 1	Agricultural
West	RR3 – Rural Residential P2 – Educational & Minor Institutional RM3 – Low Density Multiple Housing	Residential Religious Assembly Multi-family Residential

Map 6. Subject Property Map

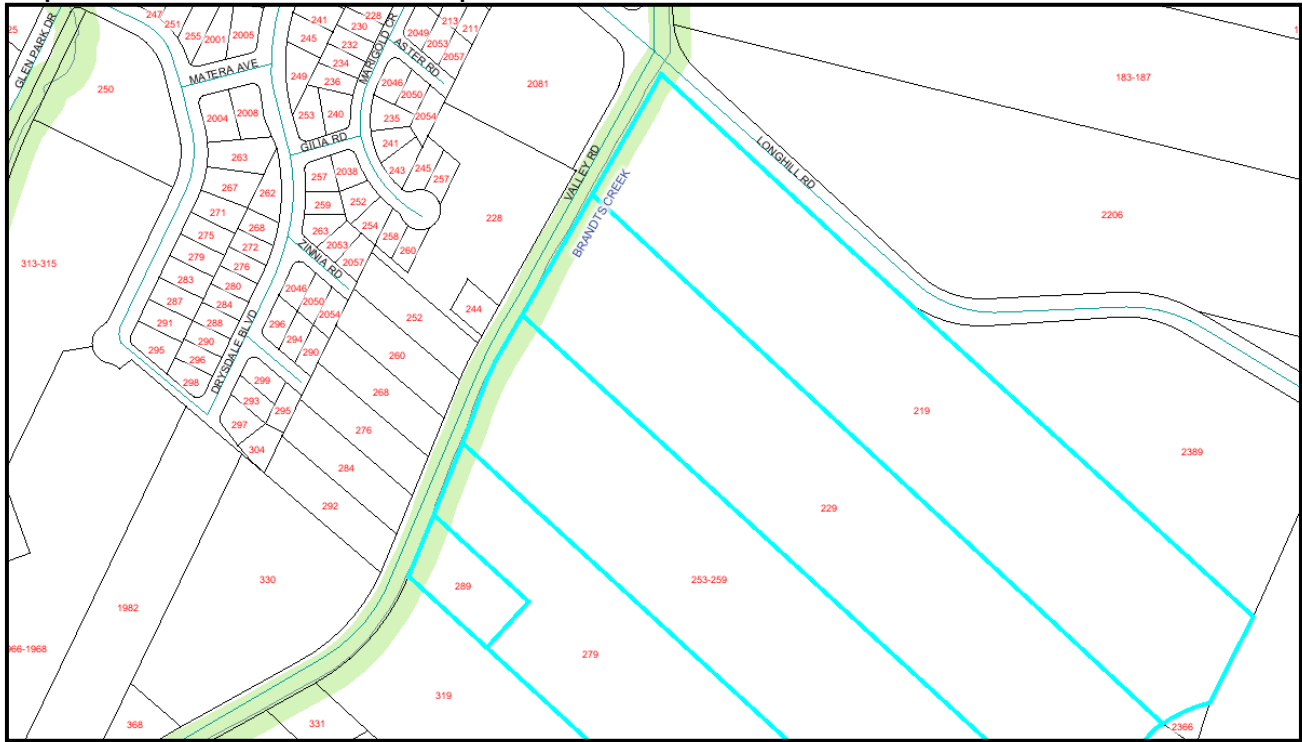


Map 7. Future Land Use Map





**Map 8. Natural Environment Development Permit Area (Brandt's Creek)**



**4.4 Zoning Analysis Table**

The requirements for the zone are included in the table below:

<b>Zoning Analysis Table</b>		
<b>CRITERIA</b>	<b>P5 ZONE REQUIREMENTS</b>	<b>PROPOSAL</b>
Existing Lot/Subdivision Regulations		
Lot Area	1 ha	11.5 ha
Lot Width	13.0 m	410 m
Lot Depth	30.0 m	300 m

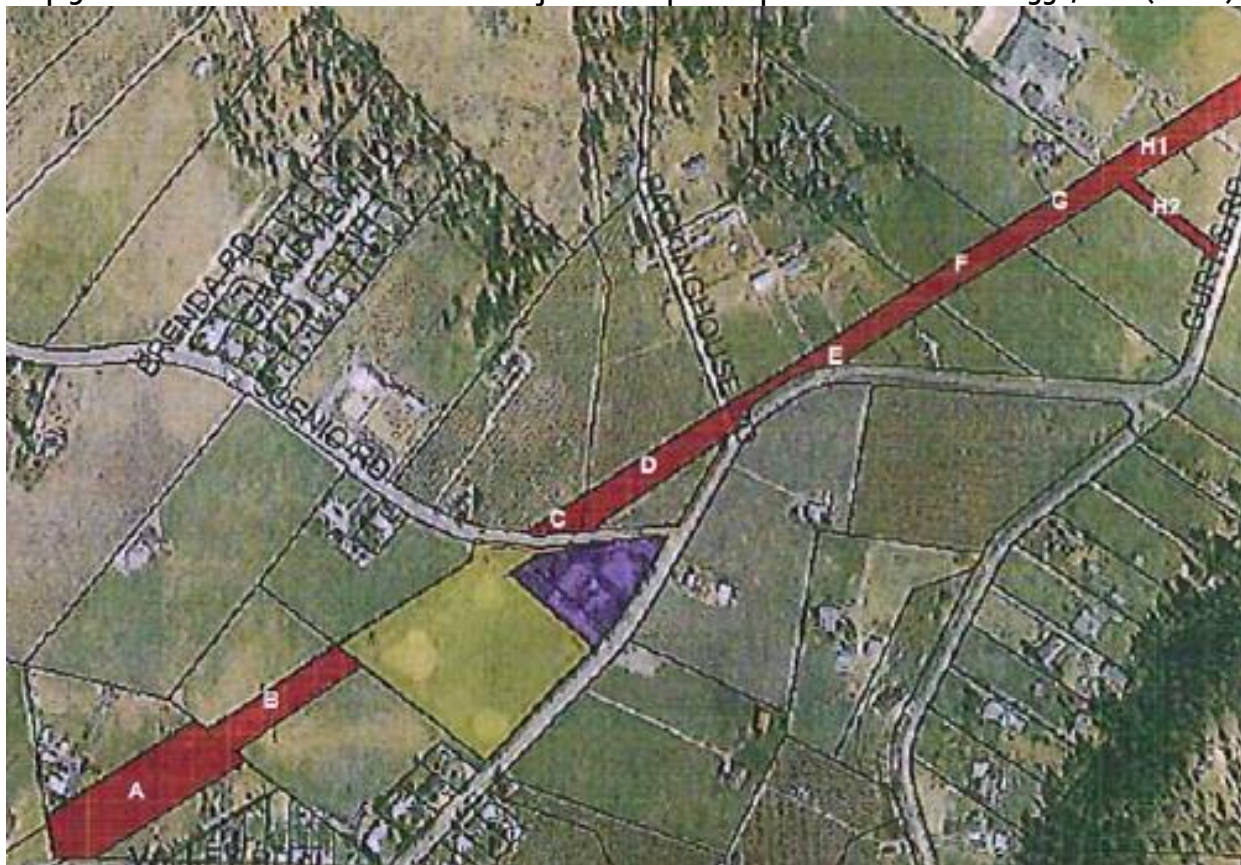
#### 4.5 ALC Non-Farm Use Approval Conditions

The ALC Non-farm Use Approval for the recreation park was subject to a number of agricultural mitigation conditions by the ALC. Staff have been working on the mitigation measures, and have been communicating updates to ALC staff. A summary is provided below, based on correspondence from the ALC<sup>3</sup>:

Item #	Item	Status	Notes
1.	Fencing	Due for installation – Phase I (2017)	Confirm completion through an update to the ALC in Fall 2017
2.	Development Plan Revision	ALC Comment – provide adequate access for large farm vehicles to adjacent farms	Confirm completion through an update to the ALC in Fall 2017
3.	Vegetative Buffer	Due for installation – Phase I (2017)	ALC is satisfied with proposed, detailed comments provided.
4.	Consolidation of Right of Way with adjacent farms (see Map 9 below)	Of 9 parcels targeted for consolidation, 3 complete, 2 are due 2017, and 4 have ongoing discussions with adjacent owners	ALC satisfied with status – requires annual update
5.	Rehabilitation of existing sports fields to agriculture (500 Valley Road North)	Rehabilitate to agricultural standard and register a covenant prohibiting the construction of a dwelling on the property. Scheduled for 2017.	ALC requires an agrologist to oversee rehabilitation
6.	Firehall Relocation (550-552 Valley Rd North)	Ongoing -Long Term Objective – planning underway to find alternate fire hall location	ALC is satisfied with status, but requires an agrologist to oversee rehabilitation when scheduled
7.	Fencing of Firehall (550-552 Valley Rd)	Fencing required once agricultural rehabilitation occurs	ALC is satisfied with status
8.	Substantial Commencement of Glenmore Recreation Park	The date for substantial commencement of construction was extended by the ALC to Oct. 25, 2017	ALC approves first phase but requires substantial progress update prior to future phases moving forward
9.	Consolidation to a single parcel	Complete	Consolidation completed and ALC is satisfied with this item
10.	Approval is only for the City of Kelowna	Confirmed	ALC is satisfied with this item

<sup>3</sup> ALC, J. Bedore. Jan. 4, 2017, Letter regarding ALC File 52452 – Glenmore Recreation Park.

**Map 9. Parcels to be Consolidated with Adjacent Properties per ALC Resolution #352/2011 (in red)**



#### 4.6 Public Notification

Public notification for a Public Information Meeting was undertaken in compliance with Policy 367 for the subject property. The Public Information Meeting was held on Wednesday, March 8, 2017, from 4:00 - 6:30pm, at the Abbey Church, 228 Valley Road (located across Valley Road from the subject property). The subject parcel is located within the Permanent Growth Boundary.

Neighbours within 50m of the subject property were notified with a hand delivered information package. Landowners with mailing addresses beyond 50m of the notification boundary were mailed the information package. A notice of the Public Information Meeting was placed in the Kelowna Capital News before the meeting and ran for two consecutive weeks.

Nineteen (19) people attended the meeting, including 4 of 5 landowners directly to the east of the subject property. Most attendees were familiar with the project's site plan and attended to see if there were any changes or new information that they should be aware of, such as the project schedule. The information presented was consistent with information presented during previous public engagement activities.

## **5.0 Current Development Policies**

### **5.1 Kelowna Official Community Plan (OCP)**

#### **Objective 5.33 Protect and enhance local agriculture<sup>4</sup>.**

Policy .1 Protect Agricultural Land. Retain the agricultural land base by supporting the ALR and by protecting agricultural lands from development by supporting a “no net loss” approach, except as otherwise noted in the City of Kelowna Agricultural Plan. Ensure that the primary use of agricultural land is agriculture, regardless of parcel size.

Policy .2 ALR Exclusions. The City of Kelowna will not forward ALR exclusion applications to the ALC except in extraordinary circumstances where such exclusion is otherwise consistent with the goals, objectives and other policies of this OCP. Soil capability alone should not be used as justification for exclusion.

#### **Objective 7.12 Provide active and passive parks for a diversity of people and a variety of uses<sup>5</sup>.**

Policy .1 Active Park Standard. Using Development Cost Charge revenue provide 2.2 ha of parks per 1000 new population growth. As a guideline the 2.2 ha standard will include provision for 0.6 ha neighbourhood, 0.4 ha community, 0.6 ha recreation and 0.6 city-wide types of parks.

Policy .4 Parks in Agricultural Areas. Where parks and linear pathways are proposed adjacent to farm areas they will be designed so as not to negatively affect farming operations. Mitigation techniques may include: deer fencing, signage, and trash bins to ensure trespass and field contamination is minimized. Any parks affecting lands in the ALR will be subject to detailed design based on the Ministry of Agriculture’s guidelines.

Policy .6 Glenmore Recreation Park. As a key park initiative establish a major Recreation Park in the Glenmore Valley that complements the existing park system. This site is identified on Map 4.1 Generalized Future Land Use. The City recognizes that use of this site for park purposes will require provision of off-setting agricultural benefits on adjacent or nearby ALR land in the Glenmore Valley to the satisfaction of the Agricultural Land Commission.

### **5.2 City of Kelowna Agriculture Plan**

#### **Urban - Rural/Agricultural Boundary Policies<sup>6</sup>**

Glenmore District Park. Seek Agricultural Land Commission concurrence toward the release of ALR land to serve as a District Park site at a location that maximizes facility potential, possibly in conjunction with other civic resources.

East of Valley Road. Encourage non-soil bound agricultural activities in the bottom lands east of Valley Road, and support the creation of smaller lots west of the toe of the slope for hobby farms, as a transition to more productive lands to the east.

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<sup>4</sup> City of Kelowna 2030 Official Community Plan: Greening Our Future (2011); p. 5.33.

<sup>5</sup> City of Kelowna 2030 Official Community Plan: Greening Our Future (2011); pp. 7.8 & 7.9.

<sup>6</sup> City of Kelowna Agriculture Plan (1998); p. 133.

### 5.3 City of Kelowna – Glenmore/Clifton/Dilworth Sector Plan

#### **Agriculture<sup>7</sup>**

Pursue either the release of property from the ALR or permission for park use within the ALR to provide for the creation of a District Park.

#### **Parks, Recreation and Open Space<sup>8</sup>**

Seek Agricultural Land Commission concurrence toward the release of ALR land to serve as a District Park site at a location that maximizes facility potential, possibly in conjunction with other civic resources.

### 5.4 City of Kelowna – Glenmore Valley Sector Plan

#### **Objective 5 – Public Open Space<sup>9</sup>**

Park standards outlined in the Official Community Plan provide for 2.2 hectares (5.5 acres) per 1,000 people on an overall basis, comprised of neighbourhood, district and City-wide facilities. With a potential population of 12,000 new people in the Glenmore Valley, the overall park requirement would be 27 hectares (68 acres). The land area allocations previously outlined include the provision of 18 hectares (45 acres) of parks within the development area. **This will require approximately 9 hectares (23 acres) in the form of a major district park to be located and provided within this overall section of the City in the future as the resident population grows and the needs will require.**

### 6.0 **Technical Comments**

#### 6.1 Development Engineering Department

See attached Development Engineering Memorandum.

#### 6.2 Fire Department

The Fire Department has no issues with the zoning. Please ensure that there is a hammerhead or a turnaround for fire trucks.

#### 6.3 Interior Health Authority

See attached letter of support.

#### 6.4 Glenmore Ellison Irrigation District (GEID)

GEID does not require fees and conditions prior to re-zoning or development permit approval. However, GEID will have fees and conditions required prior to issuance of a Water Service Certificate to facilitate building permit issuance / subdivision (for road dedication) approval. See attached letter for additional details.

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<sup>7</sup> City of Kelowna - Glenmore/Clifton/Dilworth Sector Plan (1998); p. 102.

<sup>8</sup> City of Kelowna - Glenmore/Clifton/Dilworth Sector Plan (1998); p. 113.

<sup>9</sup> City of Kelowna - Glenmore Valley Sector Plan (1998); p. 20.

**7.0 Application Chronology**

Date of Application Received: January 13, 2017  
Date of Public Open House: March 8, 2017  
Date Public Consultation Completed: March 13, 2017

**Report prepared by:** Melanie Steppuhn, Planner Specialist  
**Reviewed by:** Todd Cashin, Subdivision, Suburban and Rural Planning Manager  
**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager  
**Approved for Inclusion:** Doug Gilchrist, Divisional Director, Community Planning & Real Estate

**Attachments:**

Development Permit - Draft  
Development Engineering Services Memo  
Interior Health – Letter of Support  
Glenmore Ellison Irrigation District Letter