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# Council Policy

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

APPROVED June 4, 1996

RESOLUTION: R506/11/05/16  
REPLACING: R375/10/04/26; R447/96/06/04; Policy No. 220 & 221  
DATE OF LAST REVIEW: May 2011

### **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.

### **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
- 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) 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.

(2) 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.

(3) 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.

(3) Submission Requirements (Cont'd)

An Area Structure 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.

(4) 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 3.

(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 and City staff 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 City's requirements for Content and Submission noted in Section 4 & 5 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 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 Community Sustainability Division and prepare revisions to the draft ASP.

## (4) Process (Cont'd)

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

The 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, Council consideration, Public Hearing and Final Reading.

**E. AREA REDEVELOPMENT PLANS (ARP'S)**

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;

(1) Area Redevelopment Plan Contents (Cont'd)

- (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.

(3) Process (Cont'd)

## (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**

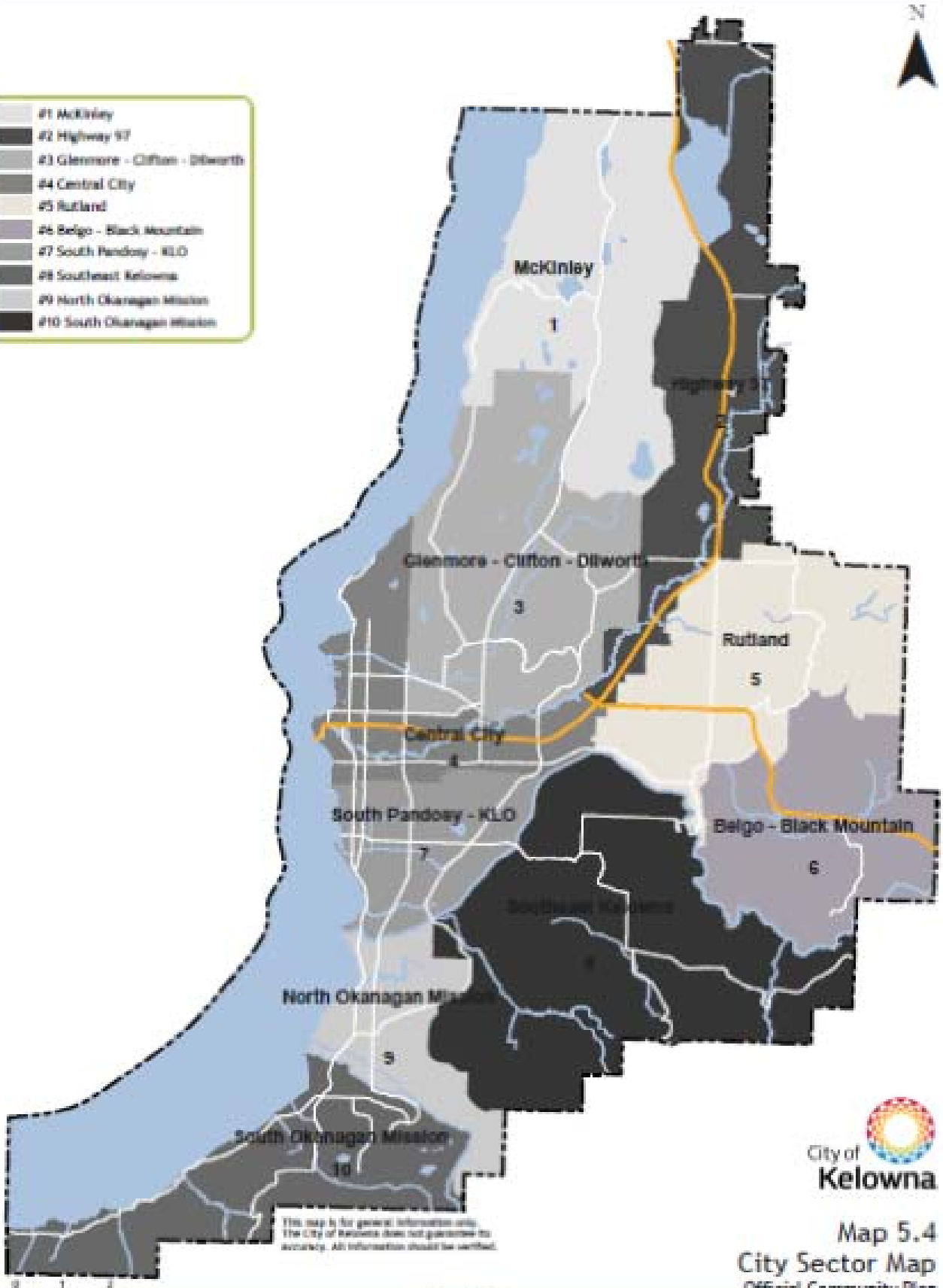
Council resolution.

**PROCEDURE FOR IMPLEMENTATION**

Policy administered through Land Use Management or Policy and Planning.

Schedule "A"

- #1 McKinley
- #2 Highway 97
- #3 Glenmore - Clifton - Dilworth
- #4 Central City
- #5 Rutland
- #6 Belgo - Black Mountain
- #7 South Pandoy - KLO
- #8 Southeast Kelowna
- #9 North Okanagan Mission
- #10 South Okanagan Mission

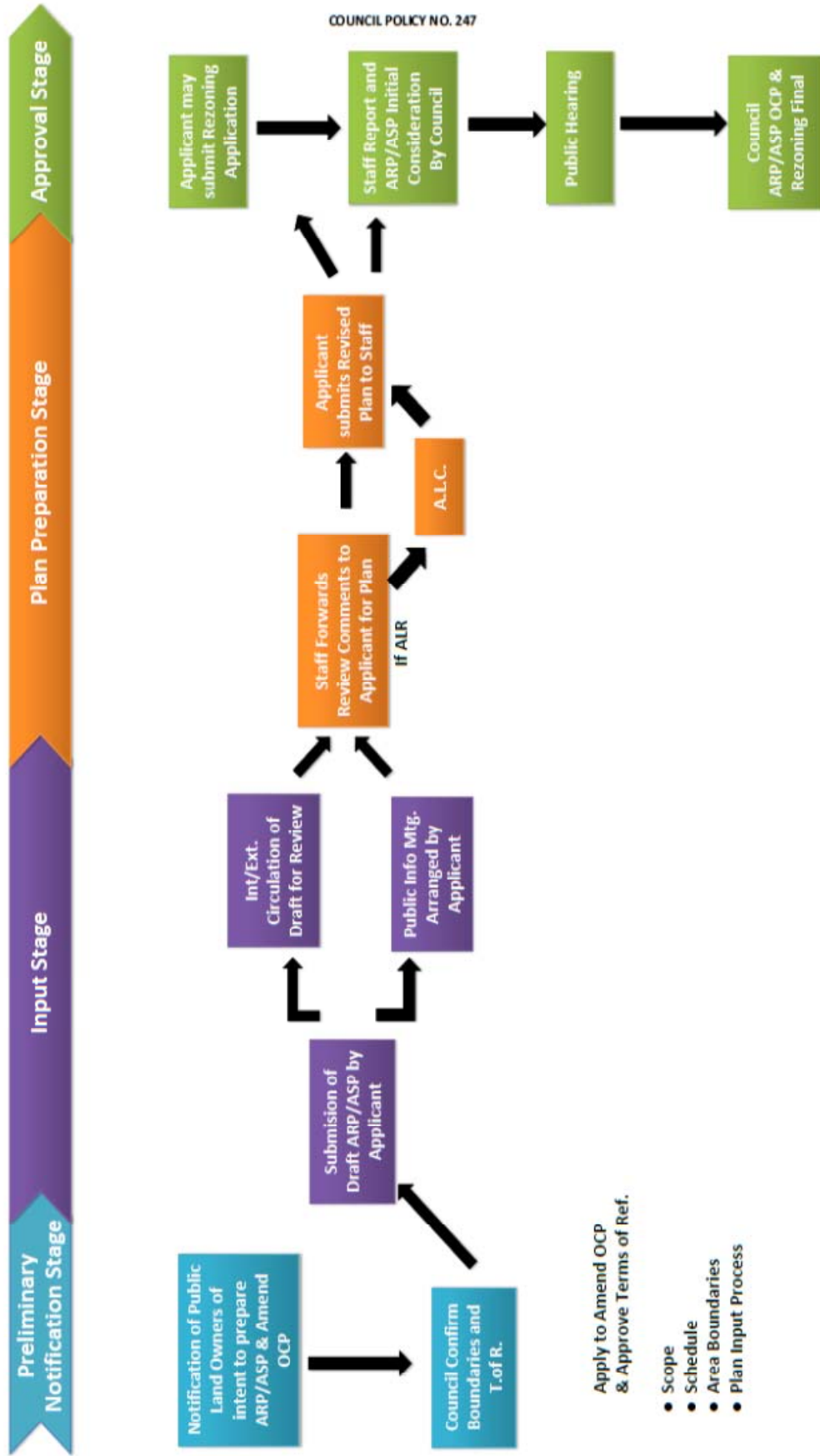


This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.



Map 5.4  
City Sector Map  
Official Community Plan

Rev. April 2011



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