

**City of Kelowna  
Regular Council Meeting  
AGENDA**



Monday, January 18, 2016  
1:30 pm  
Council Chamber  
City Hall, 1435 Water Street

Pages

**1. Call to Order**

This meeting is open to the public and all representations to Council form part of the public record. A live audio feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

**2. Confirmation of Minutes**

3 - 7

PM Meeting - January 11, 2016

**3. Development Application Reports & Related Bylaws**

**3.1 160 Gibbs Road West, Z15-0055 - Lance Johnson & Tracey Skulmoski**

8 - 21

To rezone the subject property to facilitate the conversion of an accessory building to a carriage house on the subject parcel.

**3.2 160 Gibbs Road West, BL11183 (Z15-0055) - Lance Johnson & Tracey Skulmoski**

22 - 22

To give Bylaw No. 11183 first reading in order to rezone the subject property to

**3.3 150 Homer Road, OCP15-0004 & Z15-0018 - The BC Muslim Association**

23 - 34

To re-designate and to rezone a portion of the subject parcel, outlined in red, in order to facilitate the redevelopment of a religious assembly use on the adjacent property at 1120 Hwy 33 W for parking.

**3.4 150 Homer Road, BL11186 (OCP15-0004) - The BC Muslim Association**

35 - 36

**Requires a majority of all members of Council (5).**

To give Bylaw No. 11186 first reading in order to re-designate a portion of the subject parcel to facilitate the redevelopment of a religious assembly use on the adjacent property.

- 3.5 150 Homer Road, BL11187 (Z15-0018) - The BC Muslim Association 37 - 38**

To give Bylaw No. 11187 first reading in order to rezone a portion of the subject parcel to facilitate the redevelopment of a religious assembly use on the adjacent property.

- 3.6 1010 Ellis Street, DP15-0266 - Whitworth Holdings Ltd. 39 - 58**

To consider the form and character of 2 storey business support services building at the corner of Ellis and Manhattan Drive.

**4. Non-Development Reports & Related Bylaws**

- 4.1 Landfill Sanitary Lift Station - Partnership to Construct Leachate Treatment 59 - 61**

To provide funds necessary to partner with the developer of the McKinley Beach Development, in order to pay for the incremental costs required to receive and treat leachate from the landfill. Further, the 2016 financial plan will need to be amended accordingly.

**5. Bylaws for Adoption (Non-Development Related)**

- 5.1 BL11177 - Amendment No. 14 to Bylaw Notice Enforcement Bylaw No. 10475 62 - 62**

To adopt Bylaw No. 11177 in order to amend Bylaw Notice Enforcement Bylaw No. 10475.

**6. Mayor and Councillor Items**

**7. Termination**



## City of Kelowna Regular Council Meeting Minutes

Date: Monday, January 11, 2016  
Location: Council Chamber  
City Hall, 1435 Water Street

Council Members Present: Mayor Colin Basran and Councillors Maxine DeHart, Ryan Donn, Gail Given, Tracy Gray, Charlie Hodge, Brad Sieben, Mohini Singh and Luke Stack

Staff Present: City Manager, Ron Mattiussi\*; Deputy City Manager, Paul Macklem\*; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith\*; Suburban and Rural Planning Manager, Todd Cashin\*; Community & Neighbourhood Services Manager, Louise Roberts\*; and Legislative Systems Coordinator, Sandi Horning

(\* denotes partial attendance)

### 1. Call to Order

Mayor Basran called the meeting to order at 1:31 p.m.

Mayor Basran advised that the meeting is open to the public and all representations to Council form part of the public record. A live audio feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

### 2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Stack

R005/16/01/11 THAT the Minutes of the PM Meeting of December 14, 2015 be confirmed as circulated;

AND THAT the Minutes of the 2016 Budget Deliberations of December 17, 2015 be confirmed as circulated.

Carried

### 3. Development Application Reports & Related Bylaws

#### 3.1 2075 KLO Road, Z15-0045 & TA15-0010 - Eva Linttell

Staff:

- Displayed a PowerPoint presentation summarizing the reasons for staff non-support of the application and responded to questions from Council.

Mayor Basran invited the Applicant, or Applicant's Representative, to come forward.

Tyler Linttell, Applicant, 2075 KLO Road:

- Displayed a PowerPoint presentation summarizing the reasons for Council to support the application moving forward.
- Responded to questions from Council.

Scott Lintell, Owner, 2075 KLO Road:

- Provided a timeline with respect to the construction and the planting of vegetable gardens.

The City Manager left the meeting at 2:04 p.m. The Deputy City Manager joined the meeting at 2:04 p.m.

Tyler Linttell, Applicant, and Scott Linttell, Owner, 2075 KLO Road:

- Responded to questions from Council.
- Confirmed that there is a verbal and written contract with John Hofer of Wise Earth Farms for the 2016 season. Once John returns from his winter vacation, further negotiations will take place.

Staff:

- Responded to questions from Council.
- Clarified the City's Zoning Bylaw regulations with respect to the number of RV sites permitted.
- Clarified the Agricultural Land Commission's regulations with respect to the number of RV sites permitted.

The Deputy City Manager left the meeting at 3:09 p.m. The City Manager rejoined the meeting at 3:09 p.m.

Staff:

- Confirmed that the proposed Text Amendment will be site specific and only apply to the property that is the subject of this application.

Moved By Councillor Hodge/Seconded By Councillor Singh

THAT Zoning Bylaw Text Amendment Application No. TA15-0010 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "B" in the Report from the Community Planning Department dated January 11, 2016 for Lot B District Lot 131 ODYD Plan 39954, located at 2075 KLO Road, Kelowna, BC be considered by Council;

AND THAT Rezoning Application No. Z15-0045 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B District Lot 131 ODYD Plan 39954, located at 2075 KLO Road, Kelowna, BC from the A1 - Agriculture 1 zone

to the A1t - Agriculture 1 with Agri-tourist Accommodation zone be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw and Text Amending Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 11, 2016;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Section 219 Restrictive Covenant that will limit the area of the agri-tourist accommodation footprint, dates of operation, as well as prohibiting storage of RV's;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Section 219 Restrictive Covenant that will prohibit individual water and sewer services to each agri-tourist accommodation units, permitting one water hookup and one sani-dump located at the front of the property;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of an Agri-Tourist Accommodation Business Licence;

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

**Amendment Moved By Councillor Gray/Seconded By Councillor Sieben**

**R006/16/01/11** THAT the condition of the issuance of a Section 19 Restrictive Covenant that will prohibit individual water and sewer services to each agri-tourist accommodation units, permitting one water hookup and one sani-dump located at the front of the property be removed.

**Carried**  
Councillors Given & Stack - Opposed.

The original motion as amended was then voted on and carried as follows:

**Moved By Councillor Hodge/Seconded By Councillor Singh**

**R007/16/01/11** THAT Zoning Bylaw Text Amendment Application No. TA15-0010 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "B" in the Report from the Community Planning Department dated January 11, 2016 for Lot B District Lot 131 ODYD Plan 39954, located at 2075 KLO Road, Kelowna, BC be considered by Council;

AND THAT Rezoning Application No. Z15-0045 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot B District Lot 131 ODYD Plan 39954, located at 2075 KLO Road, Kelowna, BC from the A1 - Agriculture 1 zone to the A1t - Agriculture 1 with Agri-tourist Accommodation zone be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw and Text Amending Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 11, 2016;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Section 219 Restrictive Covenant that will limit the area of the agri-tourist accommodation footprint, dates of operation, as well as prohibiting storage of RV's;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of an Agri-Tourist Accommodation Business Licence;

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

Carried  
Mayor Basran and Councillors Given, Gray & Stack - Opposed.

### 3.2 260 Davie Road, Z15-0047 - Urban Cottage Homes Ltd.

Staff:

- Provided the rationale for waiving the requirement for a Development Permit.

Moved By Councillor Given/Seconded By Councillor Donn

R008/16/01/11 THAT Council waives the requirement for a Development Permit to be considered in conjunction with Final Adoption of Rezoning Bylaw No. 11164;

AND THAT Final Adoption of Rezoning Bylaw No. 11164 be considered by Council.

Carried

### 3.3 260 Davie Road, BL11164 (Z15-0047) - Urban Cottage Homes Ltd.

Moved By Councillor DeHart/Seconded By Councillor Stack

R009/16/01/11 THAT Bylaw No. 11164 be adopted,

Carried

### 3.4 2755 McCurdy Road, OCP11-0011, Z11-0069 & TA11-0010, Extension Request - Prodev GP Ltd. et al

Staff:

- Provided the rationale for extending the date for adoption and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Given

R010/16/01/11 THAT in accordance with the Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Official Community Plan Amendment Bylaw No. 10875 (OCP11-0011) and Rezoning Bylaw No. 10877 (Z11-0069) be extended from July 29, 2015 to July 29, 2016.

Carried

#### 4. Non-Development Reports & Related Bylaws

##### 4.1 Grants to Address the Sexual Exploitation of Youth

Staff:

- Displayed a PowerPoint presentation summarizing the proposal to merge the Grants to Address the Sexual Exploitation of Youth with the Community Social Development Grants.
- Responded to questions from Council.
- Confirmed that the changes would be implemented in 2016 and would affect the 2017 grant program.

Moved By Councillor Donn/Seconded By Councillor Given

R011/16/01/11 THAT Council receives, for information, the report from the Community & Neighbourhood Services Manager dated January 11, 2016, which outlines merging the Grants to Address the Sexual Exploitation of Youth with the Community Social Development Grants;

AND THAT COUNCIL approves merging the Grants to Address the Sexual Exploitation of Youth with the Community Social Development Grants as outlined in the report dated January 11, 2016;

AND THAT COUNCIL rescinds Council Policy 277 Grants to Address Sexual Exploitation of Youth;

AND FURTHER THAT COUNCIL approves moving the funds in budget for the Grants to Address Sexual Exploitation of Youth to the Community Social Development Grants budget.

Carried

#### 5. Bylaws for First Three Readings (Non-Development Related)

##### 5.1 BL11177 - Amendment No. 14 to Bylaw Notice Enforcement Bylaw No. 10475

City Clerk:

- Clarified that the staff report was considered by Council in December, however the Bylaw did not receive any readings at that time.

Moved By Councillor Donn/Seconded By Councillor Given

R013/16/01/11 THAT Bylaw No. 11177 be read a first, second and third time.

Carried

#### 6. Mayor and Councillor Items - Nil.

#### 7. Termination

This meeting was declared terminated at 4:06 p.m.

\_\_\_\_\_  
Mayor

/slh

\_\_\_\_\_  
City Clerk





Council Policy No. 367 with respect to public consultation was undertaken by the applicant. All adjacent neighbours within a 50m radius were provided with a circulation package in regards to the development.

## 4.0 Proposal

### 4.1 Background

The existing 1 ½ storey single detached dwelling with a single vehicle carport on the south side was constructed in the early 1960's. In 2013 a building permit was approved for the construction of the accessory building/ workshop in the rear yard with the future intention of converting it to a Carriage House.

### 4.2 Project Description

The subject parcel is located within the Permanent Growth Boundary on the west side of Gibbs Road. At the time of construction, the accessory building met all of the Zoning Bylaw regulations. In rezoning the parcel to allow for the conversion of the accessory building to a Carriage House, one variance is triggered. The required rear yard setback of 2.0 m would need a variance to be reduced to the 1.5 m proposed.



If rezoning is approved, the existing oversize workshop door will be removed and replaced with windows. The building will be finished to match the existing primary dwelling. Private open space for the Carriage House is provided beside it, to the north. The existing driveway will be extended to the carriage house to provide sufficient parking. The primary dwelling will have two parking spaces with one being in the existing attached carport and the second is provided in tandem.

The existing fence and hedges provide privacy for the adjacent parcels and the subject one. The two windows on the rear elevation will be screened by the fence and hedge. This will provide

### 4.3 Site Context

The subject property is located on the west side of Gibbs Road W in the Rutland area of Kelowna.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Single Family Dwelling
East	RU1 - Large Lot Housing	Single Family Dwelling
South	RU1 - Large Lot Housing RM3 - Low Density Multiple Housing	Single Family Dwelling Multi-Family Row housing
West	RU6 - Two Dwelling Housing	Semi-Detached Dwelling

Subject Property Map: 160 Gibbs Road W



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1c ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	550 m <sup>2</sup>	856 m <sup>2</sup>
Min. Lot Width	16.5 m	22 m
Min. Lot Depth	30 m	38.79 m
Development Regulations		
Site Coverage	40%	21.8%
Site Coverage: accessory buildings or structures and carriage house (one storey)	20%	10%
Floor area of carriage house (footprint)	100 m <sup>2</sup>	85.8 m <sup>2</sup>
Max. area of carriage house (total building area)	130 m <sup>2</sup>	85.8 m <sup>2</sup>
Max. net floor area of carriage house to total net floor area of principal building	75%	40%
Height (mid point of roof)	4.8 m	4.2 m
Setback from Principal Dwelling	3.0 m	12.4 m
Carriage House Regulations		
Max. Height	4.8 m	4.2 m
Min. Side Yard (north)	2.0 m	9.1 m
Min. Side Yard (south)	2.0 m	2.9 m
Min. Rear Yard (without a lane)	2.0 m	1.5 m <span style="color: red;">●</span>

Height (carriage house shall not be higher than existing primary dwelling unit)	1 1/2 storey ex. House	1 storey Carriage house
<b>Other Regulations</b>		
Min. Parking Requirements	3 stalls	+3 stalls provided
Min. Private Open Space	30 m <sup>2</sup>	+30 m <sup>2</sup>
● Indicates a requested variance to the rear setback to a carriage house for a laneless parcel.		

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Compact Urban Form.**<sup>1</sup> Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

## 6.0 Technical Comments

### 6.1 Building & Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation are being applied to this structure at time of permit application

### 6.2 Development Engineering Department

- See Attachment 'A'.

### 6.3 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- All units shall have a posted address on Gibbs Rd W. for emergency response
- Should a gate or fence be installed between main house and carriage house the gate is to open without special knowledge (locking device) and have a clear width of 1100mm.

## 7.0 Application Chronology

Date of Application Received: October 15, 2015  
Date Public Consultation Completed: November 15, 2015

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

**Report prepared by:**

---

Lydia Korolchuk, Planner

**Reviewed by:**  Terry Barton, Urban Planning Manager

**Approved for Inclusion:**  Ryan Smith, Community Planning Department Manager

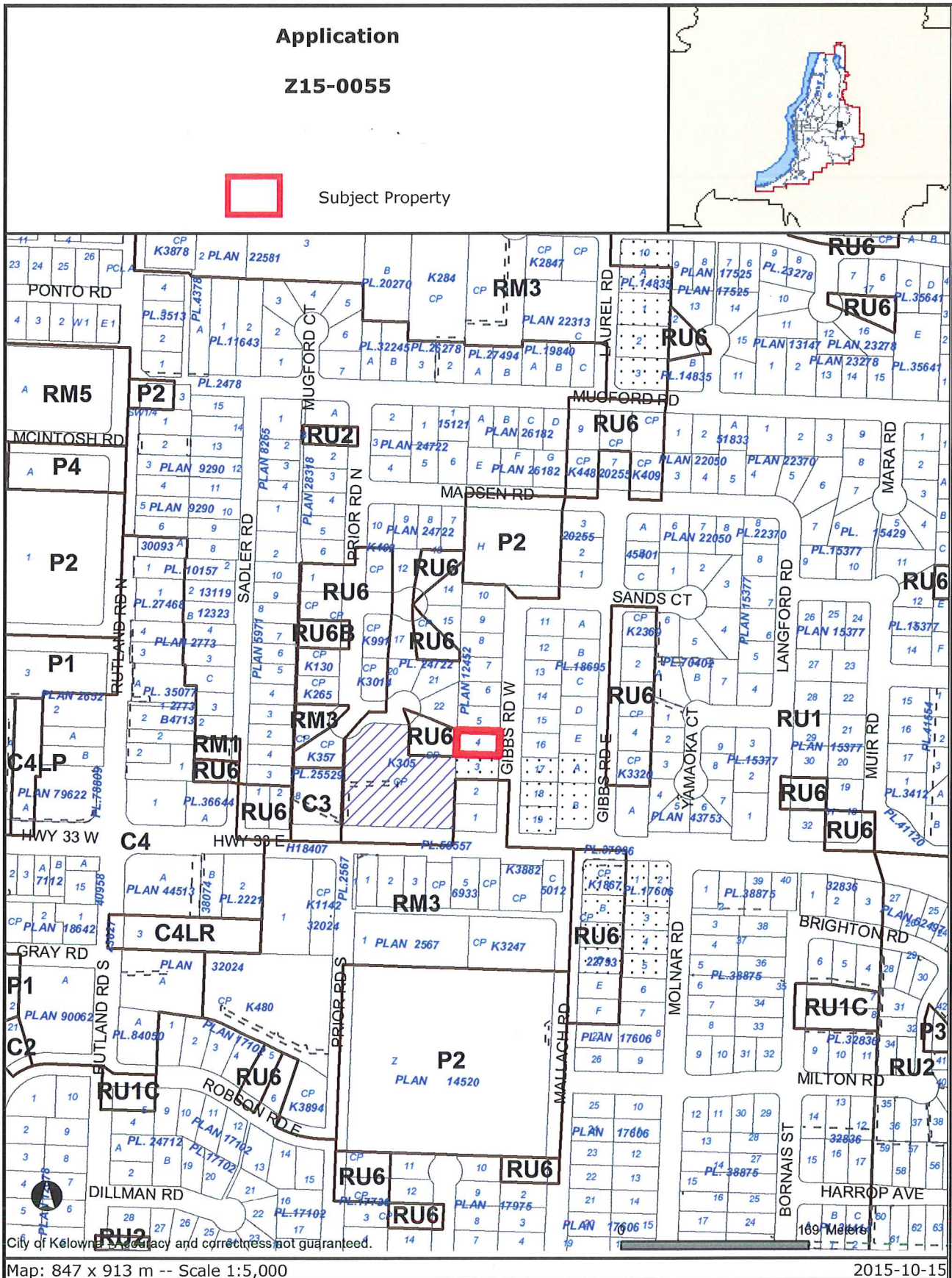
**Attachments:**

Subject Property Map

Site Plan & Landscape Plan

Conceptual Elevations

Attachment A: Development Engineering Memorandum dated November 25, 2015



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.  
 The City of Kelowna does not guarantee its accuracy. All information should be verified.

---

**CITY OF KELOWNA**  
**MEMORANDUM**

---

**Date:** November 25, 2015  
**File No.:** Z15-0055  
**To:** Land Use Management Department (LB)  
**From:** Development Engineering Manager  
**Subject:** 160 Gibbs Rd. W. Lot 4 Plan 12452 Carriage House RU1C

---

Development Engineering has the following requirements associated with this application.

1. **Domestic Water**

- (a) The property is located within the Rutland Water District (RWD) service area. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. The developer is responsible, if necessary, to arrange with RWD staff for any service improvements and the decommissioning of existing services. Only one water service will be permitted to a consolidated lot.

2. **Sanitary Sewer**

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. No service upgrades are required for this application.

3. **Electric Power and Telecommunication Services**

It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service upgrades to these services which would be at the applicant's cost.

4. **Access and Parking Requirements**

Access to the subject property is limited to Gibbs Road West.



---

Steve Muenz, P. Eng.  
Development Engineering Manager

jo

---

CITY OF KELOWNA

MEMORANDUM

---

**Date:** November 25, 2015  
**File No.:** DP15-0251  
**To:** Urban Planning (LB)  
**From:** Development Engineer Manager (SM)  
**Subject:** 160 Gibbs Rd. W. Lot 4 Plan 12452 Carriage House

---

The Development Engineering comments and requirements regarding this Development Application to construct a carriage house are as follows:

1. **General.**

Requirements addressed in rezoning file Z15-0055 must be satisfied prior to the issuance of this Development Permit.



---

Steve Muenz, P.Eng.  
Development Engineering Manager

jo

---

**CITY OF KELOWNA**  
**MEMORANDUM**

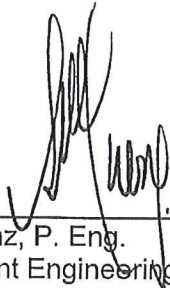
---

**Date:** November 25, 2015  
**File No.:** DVP15-0252  
**To:** Community Planning (LB)  
**From:** Development Engineering Manager (SM)  
**Subject:** 160 Gibbs Rd. W. Lot 4 Plan 12452

---

Development Engineering comments and requirements regarding this development permit application are as follows:

This development variance permit application to vary the rear yard setback to 1.6m does not compromise any municipal services.



---

Steve Muenz, P. Eng.  
Development Engineering Manager

jo



PROJECT STATISTICS:

Zoning Analysis Table

CRITERIA	SUIT ZONE REQUIREMENT	PROPOSAL
Development Regulations		
Maximum Total Site Coverage (buildings)	40%	21.8%
Maximum Total Site Coverage (buildings, driveways & parking)	50%	46.0%
Maximum Height	9.2 m / 2 3/4 stories	existing / 1 1/2 story
Minimum Front Yard	4.5 m	7.8 m
Minimum Side Yard (South)	6.0 m (to garage / carport)	
Minimum Side Yard (North)	2.0 m (1 or 1 1/2 stories)	8.6 m
Minimum Rear Yard	2.3 m (2 or 2 1/2 stories)	1.5 m
	4.5 m (flanking street)	22.4 m
Carriage House Development Regulations		
Maximum Accessory Site Coverage	20%	10%
Maximum Accessory Building Footprint	100 m <sup>2</sup> (carriage house) 50 m <sup>2</sup> (accessory buildings) 130 m <sup>2</sup> (total)	85.8 m <sup>2</sup>
Maximum Net Floor Area	100 m <sup>2</sup>	80 m <sup>2</sup>
Maximum Net Floor Area to Principal Building	75%	40%
Maximum Accessory Site Coverage	14%	n/a
Maximum Accessory Building Footprint	90 m <sup>2</sup>	n/a
Maximum Net Floor Area	90 m <sup>2</sup>	n/a
Maximum Net Floor Area to Principal Building	75%	n/a
Maximum Upper Storey Floor Area to Building Footprint	75%	n/a
Maximum Height (to mid-point)	4.8 m	4.2 m
Maximum Height (to peak)	Peak of principal dwelling	4.8 m
Minimum Front Yard	.To be in rear yard	yes
Minimum Side Yard (South)	2.0 m	2.9 m
Minimum Side Yard (North)	4.5 m (flanking street)	9.1 m
Minimum Rear Yard	0.9 m	1.5 m
	1.5 m (to garage / carport)	
	2.0 m (to lane)	
Minimum Distance to Principal Building	3.0 m	12.4 m
Other Regulations		
Minimum Parking Requirements	3 stalls	3 stalls
Minimum Private Open Space	30 m <sup>2</sup> per dwelling	30 m <sup>2</sup> per dwelling

CONTEXT SITE PLAN:

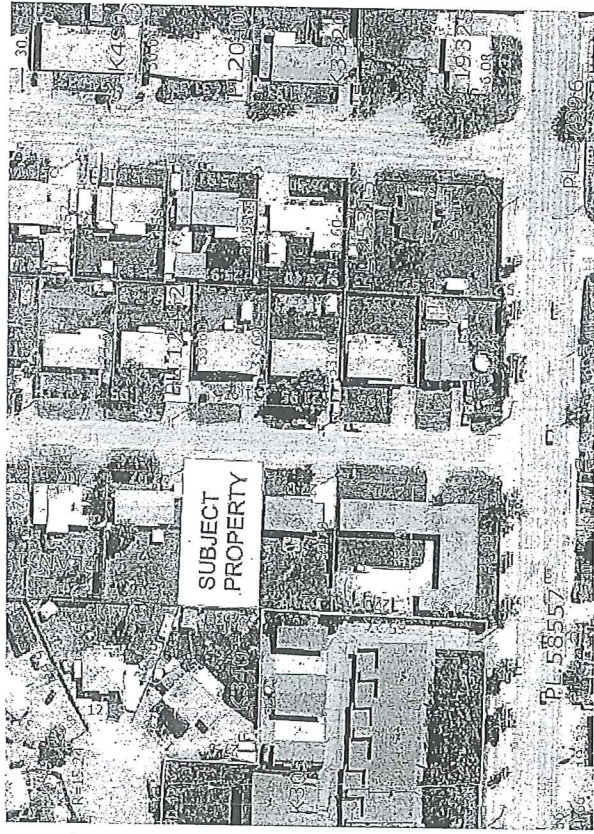
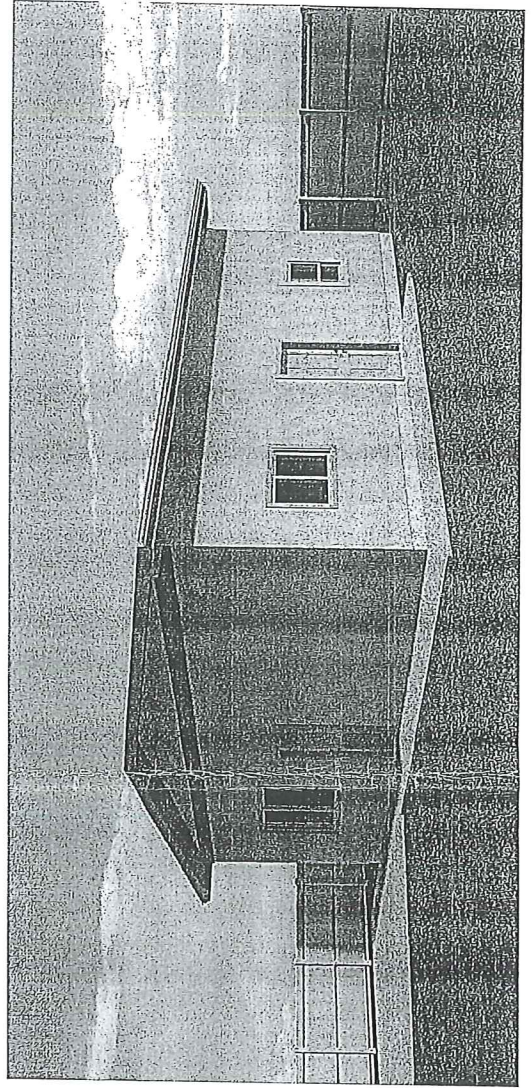


ILLUSTRATION:



Notes:  
 1. All drawings shall be prepared on A1 paper.  
 2. All drawings shall be prepared on a grid.  
 3. All drawings shall be prepared on a scale.  
 4. All drawings shall be prepared on a standard.  
 5. All drawings shall be prepared on a consistent.  
 6. All drawings shall be prepared on a uniform.  
 7. All drawings shall be prepared on a regular.  
 8. All drawings shall be prepared on a standard.  
 9. All drawings shall be prepared on a consistent.  
 10. All drawings shall be prepared on a uniform.

- The document is:
- NOT prepared in accordance with the standards.
  - ACCURATE document. Revision 1/2/2011.
  - The title of the document.
  - Accurately reflects the project from the site.
  - A fully usable, design phase drawing corresponding to the project.
  - Not for construction.

01 201102 ISSUED FOR RECORD

**NOVATION**  
 CONSULTANTS  
 110 142 CUMBERLAND AVE. 5TH FLOOR  
 KELLOWNA B.C. V1Y 1T1

Project Name: Garage/Carriage House  
 Location: 110 142 CUMBERLAND AVE. 5TH FLOOR  
 Project No: 001-2011  
 Drawing Title: PROJECT COVER PAGE

Author	PK
Date	PK
Checker	PK
Printer	PK
Scale	
Sheet	A0.00
Total	510 SHEETS

Notes:  
 1. All dimensions are shown in feet and inches.  
 2. All dimensions are shown in feet and inches.  
 3. All dimensions are shown in feet and inches.  
 4. All dimensions are shown in feet and inches.  
 5. All dimensions are shown in feet and inches.

- This document is:
- NOT controlled. Previous and future editions should be used.
  - A CONTROLLED document. Previous editions should not be used.
  - The first issue of the document.
  - A complete revision. Where previous editions have been replaced.
  - A partial revision. Where previous editions have been amended.
  - A new issue.
  - A new revision.

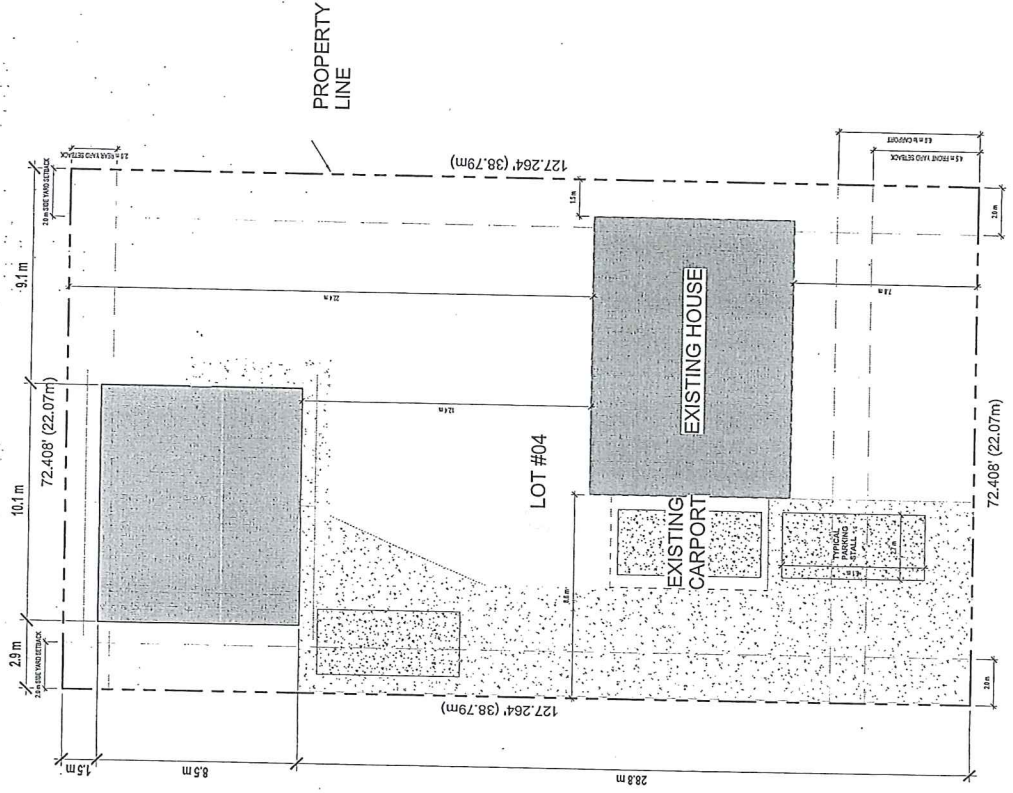
91 2019/02 ISSUED FOR RECORD  
 DATE: 02/02/2019



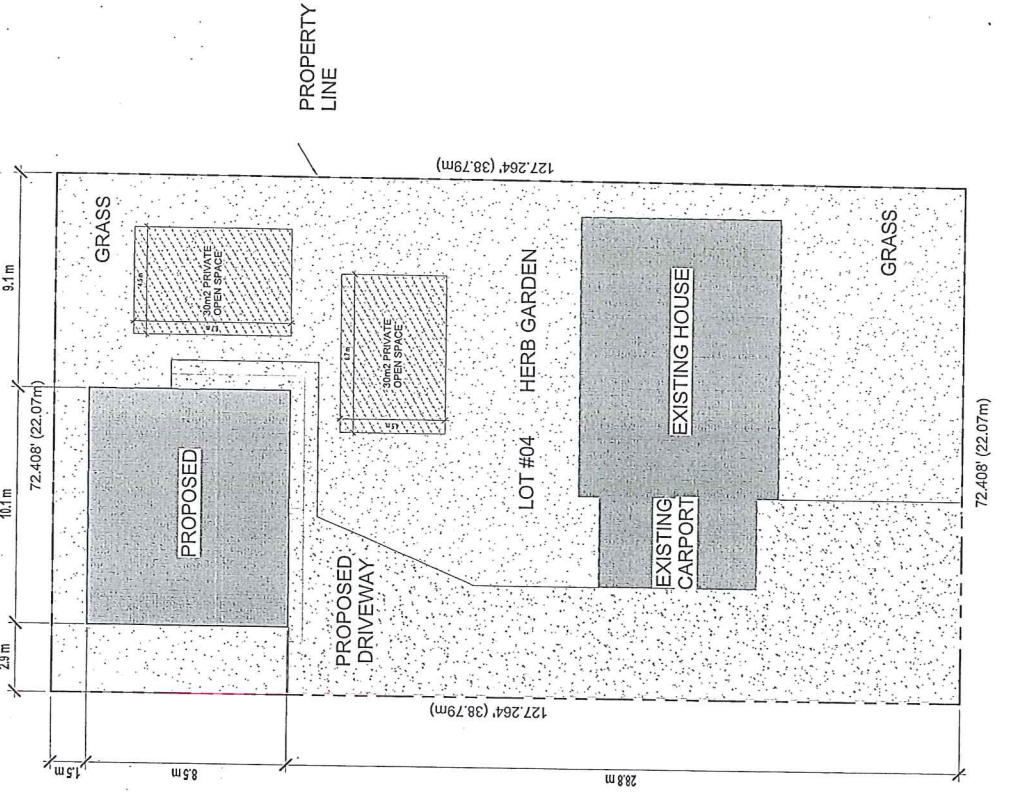
**NOVATION**  
 CONSULTANTS  
 101, 102, 103, 104, 105, 106, 107, 108, 109, 110  
 C/O TOWER 2, 50, WATERLOO ST.  
 WINDSOR, ONTARIO N9A 6K5

PROJECT NO.	Geo Gulf Palm Country House
CLIENT	Geo Gulf Palm Country House
DATE OF ISSUE	02/02/2019
PROJECT NO.	RI-2013
SITE PLAN	
DATE OF ISSUE	02/02/2019
PROJECT NO.	RI-2013
DATE OF ISSUE	02/02/2019
PROJECT NO.	RI-2013

**A1.00**



**GIBBS RD. W**  
 SITE PLAN:  
 -Lot #4, Sec 26, TWP 26, O.D.Y.D  
 -Plan 12452  
 -Civil Address: #160 Gibbs Rd W., B.C.,  
 V1  
 -Lot Area: (856.1m2)  
 -Zoning: RU1



**GIBBS RD. W**  
 SITE PLAN:  
 -Lot #4, Sec 26, TWP 26, O.D.Y.D  
 -Plan 12452  
 -Civil Address: #160 Gibbs Rd W., B.C.,  
 V1  
 -Lot Area: (856.1m2)  
 -Zoning: RU1

① Site Plan

② Landscape Plan

1. All work shall be in accordance with the applicable codes and standards. The contractor shall be responsible for obtaining all necessary permits and approvals. The contractor shall be responsible for coordinating with all other trades and utilities. The contractor shall be responsible for maintaining access to all existing utilities and structures. The contractor shall be responsible for protecting all existing structures and utilities. The contractor shall be responsible for maintaining the site in a safe and sound condition at all times. The contractor shall be responsible for removing all debris and materials from the site. The contractor shall be responsible for restoring the site to its original condition. The contractor shall be responsible for providing all necessary safety measures. The contractor shall be responsible for providing all necessary site access. The contractor shall be responsible for providing all necessary site security. The contractor shall be responsible for providing all necessary site lighting. The contractor shall be responsible for providing all necessary site signage. The contractor shall be responsible for providing all necessary site fencing. The contractor shall be responsible for providing all necessary site barriers. The contractor shall be responsible for providing all necessary site gates. The contractor shall be responsible for providing all necessary site locks. The contractor shall be responsible for providing all necessary site keys. The contractor shall be responsible for providing all necessary site records. The contractor shall be responsible for providing all necessary site reports. The contractor shall be responsible for providing all necessary site drawings. The contractor shall be responsible for providing all necessary site photographs. The contractor shall be responsible for providing all necessary site videos. The contractor shall be responsible for providing all necessary site audio. The contractor shall be responsible for providing all necessary site text. The contractor shall be responsible for providing all necessary site graphics. The contractor shall be responsible for providing all necessary site animations. The contractor shall be responsible for providing all necessary site simulations. The contractor shall be responsible for providing all necessary site models. The contractor shall be responsible for providing all necessary site data. The contractor shall be responsible for providing all necessary site information. The contractor shall be responsible for providing all necessary site services. The contractor shall be responsible for providing all necessary site products. The contractor shall be responsible for providing all necessary site materials. The contractor shall be responsible for providing all necessary site equipment. The contractor shall be responsible for providing all necessary site tools. The contractor shall be responsible for providing all necessary site supplies. The contractor shall be responsible for providing all necessary site consumables. The contractor shall be responsible for providing all necessary site accessories. The contractor shall be responsible for providing all necessary site peripherals. The contractor shall be responsible for providing all necessary site peripherals. The contractor shall be responsible for providing all necessary site peripherals. The contractor shall be responsible for providing all necessary site peripherals.

- This document is for:  
 1. All work shall be in accordance with the applicable codes and standards.  
 2. The contractor shall be responsible for obtaining all necessary permits and approvals.  
 3. The contractor shall be responsible for coordinating with all other trades and utilities.  
 4. The contractor shall be responsible for maintaining access to all existing utilities and structures.  
 5. The contractor shall be responsible for protecting all existing structures and utilities.  
 6. The contractor shall be responsible for maintaining the site in a safe and sound condition at all times.  
 7. The contractor shall be responsible for removing all debris and materials from the site.  
 8. The contractor shall be responsible for restoring the site to its original condition.  
 9. The contractor shall be responsible for providing all necessary safety measures.  
 10. The contractor shall be responsible for providing all necessary site access.  
 11. The contractor shall be responsible for providing all necessary site security.  
 12. The contractor shall be responsible for providing all necessary site lighting.  
 13. The contractor shall be responsible for providing all necessary site signage.  
 14. The contractor shall be responsible for providing all necessary site fencing.  
 15. The contractor shall be responsible for providing all necessary site barriers.  
 16. The contractor shall be responsible for providing all necessary site gates.  
 17. The contractor shall be responsible for providing all necessary site locks.  
 18. The contractor shall be responsible for providing all necessary site keys.  
 19. The contractor shall be responsible for providing all necessary site records.  
 20. The contractor shall be responsible for providing all necessary site reports.  
 21. The contractor shall be responsible for providing all necessary site drawings.  
 22. The contractor shall be responsible for providing all necessary site photographs.  
 23. The contractor shall be responsible for providing all necessary site videos.  
 24. The contractor shall be responsible for providing all necessary site audio.  
 25. The contractor shall be responsible for providing all necessary site text.  
 26. The contractor shall be responsible for providing all necessary site graphics.  
 27. The contractor shall be responsible for providing all necessary site animations.  
 28. The contractor shall be responsible for providing all necessary site simulations.  
 29. The contractor shall be responsible for providing all necessary site models.  
 30. The contractor shall be responsible for providing all necessary site data.  
 31. The contractor shall be responsible for providing all necessary site information.  
 32. The contractor shall be responsible for providing all necessary site services.  
 33. The contractor shall be responsible for providing all necessary site products.  
 34. The contractor shall be responsible for providing all necessary site materials.  
 35. The contractor shall be responsible for providing all necessary site equipment.  
 36. The contractor shall be responsible for providing all necessary site tools.  
 37. The contractor shall be responsible for providing all necessary site supplies.  
 38. The contractor shall be responsible for providing all necessary site consumables.  
 39. The contractor shall be responsible for providing all necessary site accessories.  
 40. The contractor shall be responsible for providing all necessary site peripherals.  
 41. The contractor shall be responsible for providing all necessary site peripherals.  
 42. The contractor shall be responsible for providing all necessary site peripherals.  
 43. The contractor shall be responsible for providing all necessary site peripherals.  
 44. The contractor shall be responsible for providing all necessary site peripherals.  
 45. The contractor shall be responsible for providing all necessary site peripherals.  
 46. The contractor shall be responsible for providing all necessary site peripherals.  
 47. The contractor shall be responsible for providing all necessary site peripherals.  
 48. The contractor shall be responsible for providing all necessary site peripherals.  
 49. The contractor shall be responsible for providing all necessary site peripherals.  
 50. The contractor shall be responsible for providing all necessary site peripherals.

01 201800 ISSUED FOR REZONING  
 PROJECT:



**NOVATION**  
 CONSULTANTS  
 101 W. 10th Avenue, Suite 200  
 Colorado Springs, CO 80901

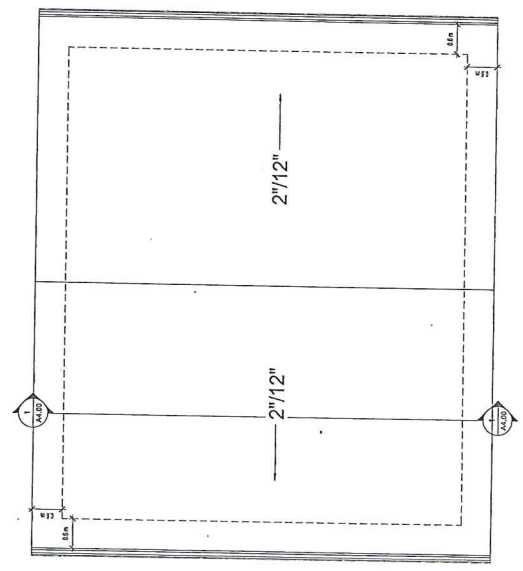
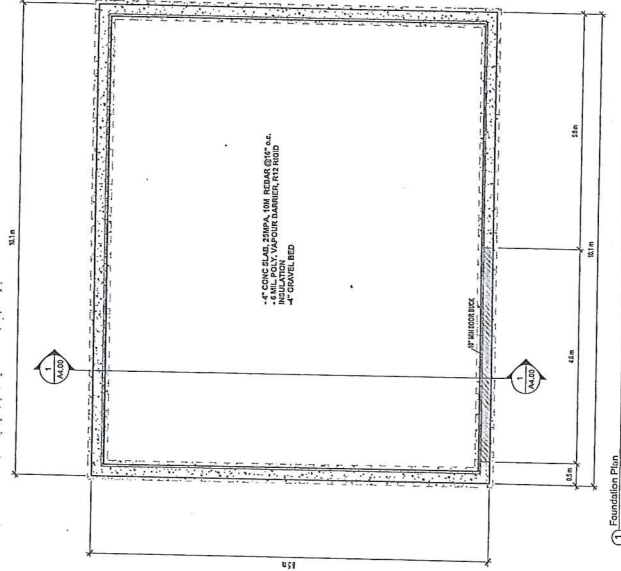
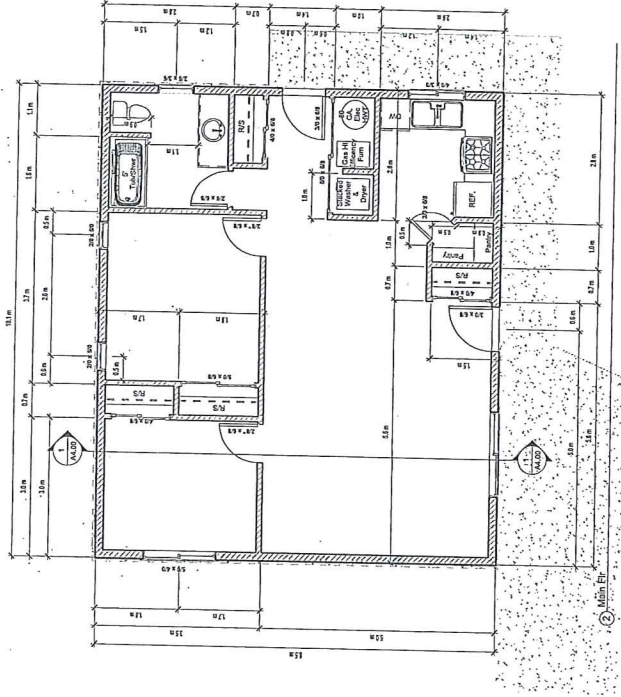
PROJECT: Garage/Future Carriage House  
 LOCATION: 400 S. 10th St.

DRAWING NO.: 400-101-101  
 DATE: 11/15/18

FOUNDATION, MAIN FLOOR,  
 AND ROOF PLAN

SCALE: 1/8" = 1'-0"  
 SHEET: PS  
 TOTAL SHEETS: 1

A2.00

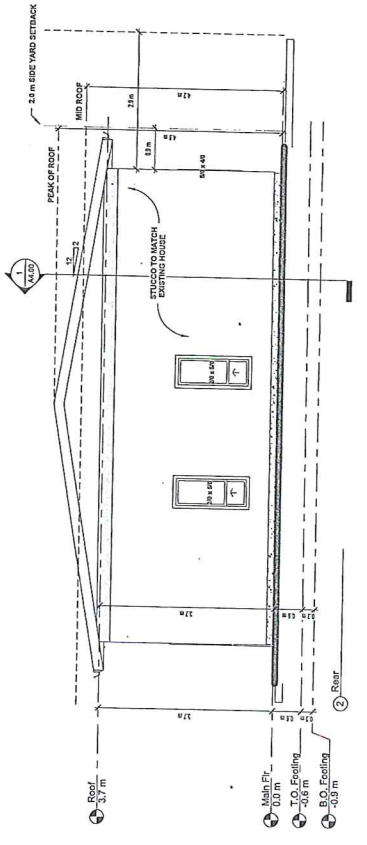
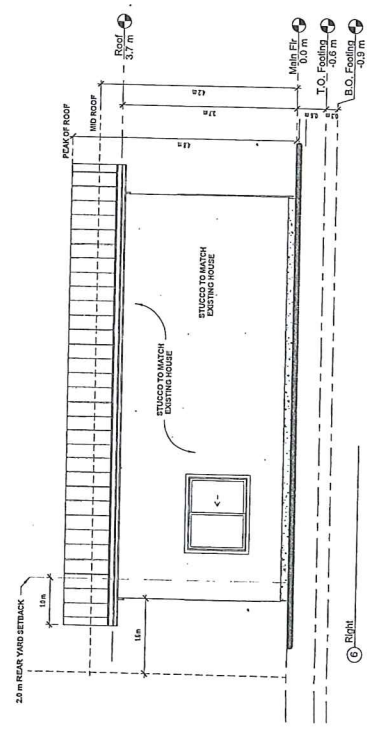
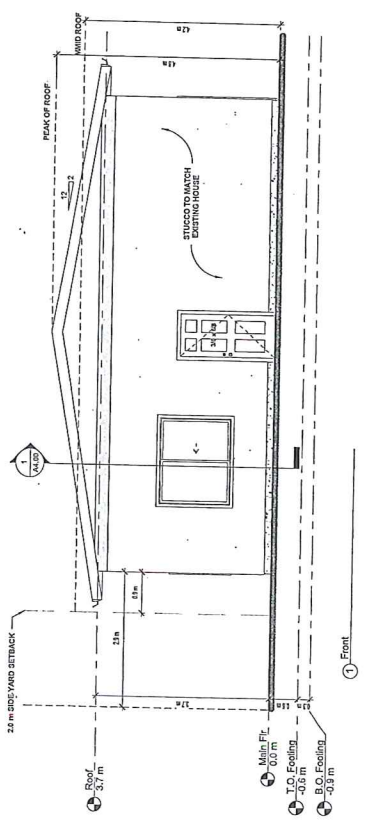
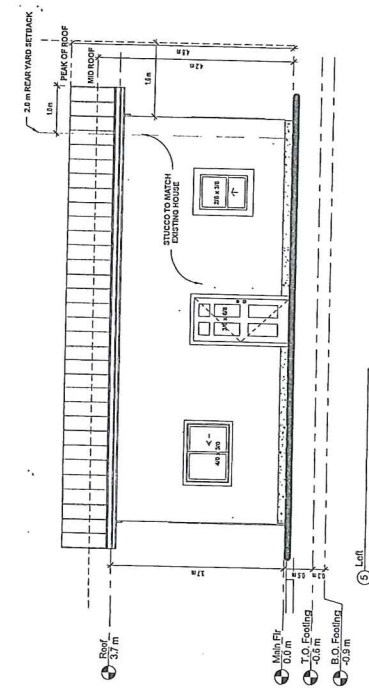


1 Foundation Plan

3 Roof

Notes:  
 1. All dimensions are in meters unless otherwise specified.  
 2. All elevations are relative to the datum indicated.  
 3. All materials and finishes are to be as specified in the schedule.  
 4. All work is to be in accordance with the current edition of the National Building Code of Canada (NBCC) and the Ontario Building Code (OBC).  
 5. The architect is not responsible for the structural design of the building.  
 6. The architect is not responsible for the mechanical, electrical, plumbing, or fire protection design of the building.  
 7. The architect is not responsible for the landscape design of the building.  
 8. The architect is not responsible for the interior design of the building.  
 9. The architect is not responsible for the furniture design of the building.  
 10. The architect is not responsible for the signage design of the building.

- Dimensions in meters:
- All dimensions are in meters unless otherwise specified.
  - All elevations are relative to the datum indicated.
  - All materials and finishes are to be as specified in the schedule.
  - All work is to be in accordance with the current edition of the National Building Code of Canada (NBCC) and the Ontario Building Code (OBC).
  - The architect is not responsible for the structural design of the building.
  - The architect is not responsible for the mechanical, electrical, plumbing, or fire protection design of the building.
  - The architect is not responsible for the landscape design of the building.
  - The architect is not responsible for the interior design of the building.
  - The architect is not responsible for the furniture design of the building.
  - The architect is not responsible for the signage design of the building.



01 2019/02 ISSUED FOR PERMITS

**NOVATION**  
 ARCHITECTURE

PROJECT DATA  
 Gungahlin Carriage House  
 181 - 185 DENVER DR. SUITE 220  
 GUNGAHLIN, ACT 2911

DRAWING DATA  
 EXTERIOR ELEVATIONS

Project	PK	Scale	1:48
Drawn	PK		
Checked	PK		
Approved	PK		

A3.00

NOTES:  
 1. The drawings are for the building shown on the site plan.  
 2. The drawings are for the building shown on the site plan.  
 3. The drawings are for the building shown on the site plan.  
 4. The drawings are for the building shown on the site plan.  
 5. The drawings are for the building shown on the site plan.  
 6. The drawings are for the building shown on the site plan.  
 7. The drawings are for the building shown on the site plan.  
 8. The drawings are for the building shown on the site plan.  
 9. The drawings are for the building shown on the site plan.  
 10. The drawings are for the building shown on the site plan.  
 11. The drawings are for the building shown on the site plan.  
 12. The drawings are for the building shown on the site plan.  
 13. The drawings are for the building shown on the site plan.  
 14. The drawings are for the building shown on the site plan.  
 15. The drawings are for the building shown on the site plan.  
 16. The drawings are for the building shown on the site plan.  
 17. The drawings are for the building shown on the site plan.  
 18. The drawings are for the building shown on the site plan.  
 19. The drawings are for the building shown on the site plan.  
 20. The drawings are for the building shown on the site plan.  
 21. The drawings are for the building shown on the site plan.  
 22. The drawings are for the building shown on the site plan.  
 23. The drawings are for the building shown on the site plan.  
 24. The drawings are for the building shown on the site plan.  
 25. The drawings are for the building shown on the site plan.  
 26. The drawings are for the building shown on the site plan.  
 27. The drawings are for the building shown on the site plan.  
 28. The drawings are for the building shown on the site plan.  
 29. The drawings are for the building shown on the site plan.  
 30. The drawings are for the building shown on the site plan.  
 31. The drawings are for the building shown on the site plan.  
 32. The drawings are for the building shown on the site plan.  
 33. The drawings are for the building shown on the site plan.  
 34. The drawings are for the building shown on the site plan.  
 35. The drawings are for the building shown on the site plan.  
 36. The drawings are for the building shown on the site plan.  
 37. The drawings are for the building shown on the site plan.  
 38. The drawings are for the building shown on the site plan.  
 39. The drawings are for the building shown on the site plan.  
 40. The drawings are for the building shown on the site plan.  
 41. The drawings are for the building shown on the site plan.  
 42. The drawings are for the building shown on the site plan.  
 43. The drawings are for the building shown on the site plan.  
 44. The drawings are for the building shown on the site plan.  
 45. The drawings are for the building shown on the site plan.  
 46. The drawings are for the building shown on the site plan.  
 47. The drawings are for the building shown on the site plan.  
 48. The drawings are for the building shown on the site plan.  
 49. The drawings are for the building shown on the site plan.  
 50. The drawings are for the building shown on the site plan.  
 51. The drawings are for the building shown on the site plan.  
 52. The drawings are for the building shown on the site plan.  
 53. The drawings are for the building shown on the site plan.  
 54. The drawings are for the building shown on the site plan.  
 55. The drawings are for the building shown on the site plan.  
 56. The drawings are for the building shown on the site plan.  
 57. The drawings are for the building shown on the site plan.  
 58. The drawings are for the building shown on the site plan.  
 59. The drawings are for the building shown on the site plan.  
 60. The drawings are for the building shown on the site plan.  
 61. The drawings are for the building shown on the site plan.  
 62. The drawings are for the building shown on the site plan.  
 63. The drawings are for the building shown on the site plan.  
 64. The drawings are for the building shown on the site plan.  
 65. The drawings are for the building shown on the site plan.  
 66. The drawings are for the building shown on the site plan.  
 67. The drawings are for the building shown on the site plan.  
 68. The drawings are for the building shown on the site plan.  
 69. The drawings are for the building shown on the site plan.  
 70. The drawings are for the building shown on the site plan.  
 71. The drawings are for the building shown on the site plan.  
 72. The drawings are for the building shown on the site plan.  
 73. The drawings are for the building shown on the site plan.  
 74. The drawings are for the building shown on the site plan.  
 75. The drawings are for the building shown on the site plan.  
 76. The drawings are for the building shown on the site plan.  
 77. The drawings are for the building shown on the site plan.  
 78. The drawings are for the building shown on the site plan.  
 79. The drawings are for the building shown on the site plan.  
 80. The drawings are for the building shown on the site plan.  
 81. The drawings are for the building shown on the site plan.  
 82. The drawings are for the building shown on the site plan.  
 83. The drawings are for the building shown on the site plan.  
 84. The drawings are for the building shown on the site plan.  
 85. The drawings are for the building shown on the site plan.  
 86. The drawings are for the building shown on the site plan.  
 87. The drawings are for the building shown on the site plan.  
 88. The drawings are for the building shown on the site plan.  
 89. The drawings are for the building shown on the site plan.  
 90. The drawings are for the building shown on the site plan.  
 91. The drawings are for the building shown on the site plan.  
 92. The drawings are for the building shown on the site plan.  
 93. The drawings are for the building shown on the site plan.  
 94. The drawings are for the building shown on the site plan.  
 95. The drawings are for the building shown on the site plan.  
 96. The drawings are for the building shown on the site plan.  
 97. The drawings are for the building shown on the site plan.  
 98. The drawings are for the building shown on the site plan.  
 99. The drawings are for the building shown on the site plan.  
 100. The drawings are for the building shown on the site plan.

- This document is:
- NOT CONTROLLED: Revisions may be made without notice.
  - A CONTROLLED document: Revisions will be advised.
  - The full text of this document.
  - Approved for release: This version is for internal use only.
  - Not for distribution: This version is for internal use only.
  - Not for construction.

11 2015/02 ISSUED FOR RECORD/OP  
 11 2015/02 ISSUED FOR RECORD/OP



11 2015/02 ISSUED FOR RECORD/OP  
 11 2015/02 ISSUED FOR RECORD/OP

Project Name: Garage/Future Carriage House

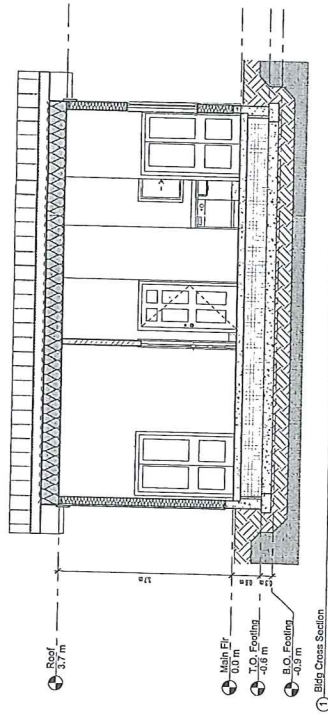
Location: 11 2015/02 ISSUED FOR RECORD/OP

Project No: 11 2015/02 ISSUED FOR RECORD/OP

Building Sections

Scale: 1:48

A4.00



**CITY OF KELOWNA**  
**BYLAW NO. 11183**  
**Z15-0055 - Lance Johnson & Tracey Skulmoski**  
**160 Gibbs Road W**

---

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 4, Section 26, Township 26, ODYD, Plan 12452 located on Gibbs Rd W, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

---

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk

# REPORT TO COUNCIL



**Date:** January 18<sup>th</sup>, 2016

**RIM No.** 1250-20

**To:** City Manager

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

**Application:** OCP15-0004  
Z15-0018

**Owner:** The BC Muslim Association

**Address:** 150 Homer Road

**Applicant:** Steve Shoranick (Trak Construction)

**Subject:** Official Community Plan Redesignation and Rezoning Application

**Existing OCP Designation:** MRL - Multiple Unit Residential (Low Density)

**Proposed OCP Designation:** EDINST - Education / Institutional

**Existing Zone:** RU1 - Large Lot Housing

**Proposed Zone:** P2 - Education and Minor Institutional

---

## 1.0 Recommendation

THAT Official Community Plan amendment No. OCP15-0004 to amend Map 4.1 of the Kelowna 2030 - Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of portions of Lot 12, Section 27, Township 26, ODYD, Plan 14897 located at 150 Homer Road, Kelowna, BC, from the MRL - Multiple Unit Residential (Low Density) designation to the EDINST - Education / Institutional designation, as shown on Map "A" attached to the Report from the Community Planning Department dated January 18<sup>th</sup> 2016, be considered by Council;

AND THAT Rezoning application No. Z15-0018 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot 12, Section 27, Township 26, ODYD, Plan 14897 located at 150 Homer Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the P2 - Education and Minor Institutional zone, as shown on Map "B" attached to the Report from the Community Planning Department dated January 18<sup>th</sup> 2016, be considered by Council;

AND THAT the Official Community Plan amending Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Official Community Plan amending Bylaw and Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated June 17<sup>th</sup> 2015;

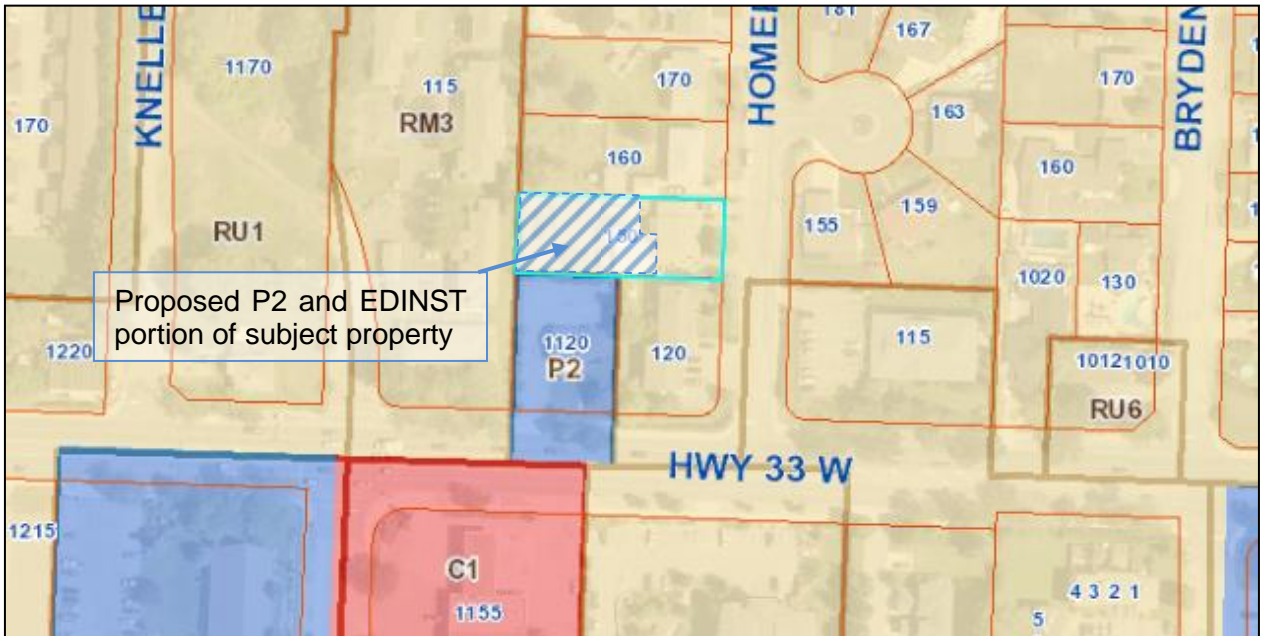
## 2.0 Purpose

To re-designate and to rezone a portion of the subject parcel, outlined in red, in order to facilitate the redevelopment of a religious assembly use on the adjacent property at 1120 Hwy 33 W for parking.



## 3.0 Community Planning

Community Planning Staff supports the proposal to re-designate and to rezone a portion of the subject parcel to P-2 Institutional (see image on below). The property is adjacent to the Kelowna Islamic Centre located at 1120 Hwy 33 W. The Islamic Centre is preparing to redevelop and build a new building at 1120 Hwy 33 W. In order to expand the floor area of the Kelowna Islamic Centre additional parking is required. The BC Muslim Association recently purchased 150 Homer Road to achieve this objective.





There were numerous discussions and negotiations with the Ministry of Transportation and Infrastructure (MOTI) about the Kelowna Islamic Centre’s existing Highway 33 access. The solution that was adequate for MOTI and the applicant was to limit the existing access to right out on Hwy 33 and to develop an alternative access into the site from Homer Road. The existing garage on the northern half of 150 Homer Road will be removed and developed into a drive aisle.

#### 4.0 Proposal

##### 4.1 Background

The BC Muslim Association has purchased the neighbouring property at 150 Homer Road in order to be able to expand the parking capacity for the redeveloped Islamic Centre.

In fulfillment of Council Policy No. 367 respecting public consultation, the applicant has notified all of the neighbours within a 50 metre radius.

##### 4.2 Project Description

The portion of 150 Homer Road subject to the OCP re-designation and rezoning is proposed to be developed into a parking lot. The remainder portion of the lot will remain as a separate residential lot. The new 570 m<sup>2</sup> Kelowna Islamic Centre will need a number of variances to be approved including: a 6% site coverage variance, setback variances to the existing garage and single family dwelling, and a 50% parking reduction variance.

Zoning Analysis Table		
CRITERIA	P2 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Site coverage for buildings, roads, & parking areas	60%	66% *
Side Yard for accessory building (east)	4.5m	TBD *
Other Regulations		
Minimum Parking Requirements	57 stalls	29 stalls *
Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Rear Yard setback (west)	7.5m	TBD *
* Variances required		

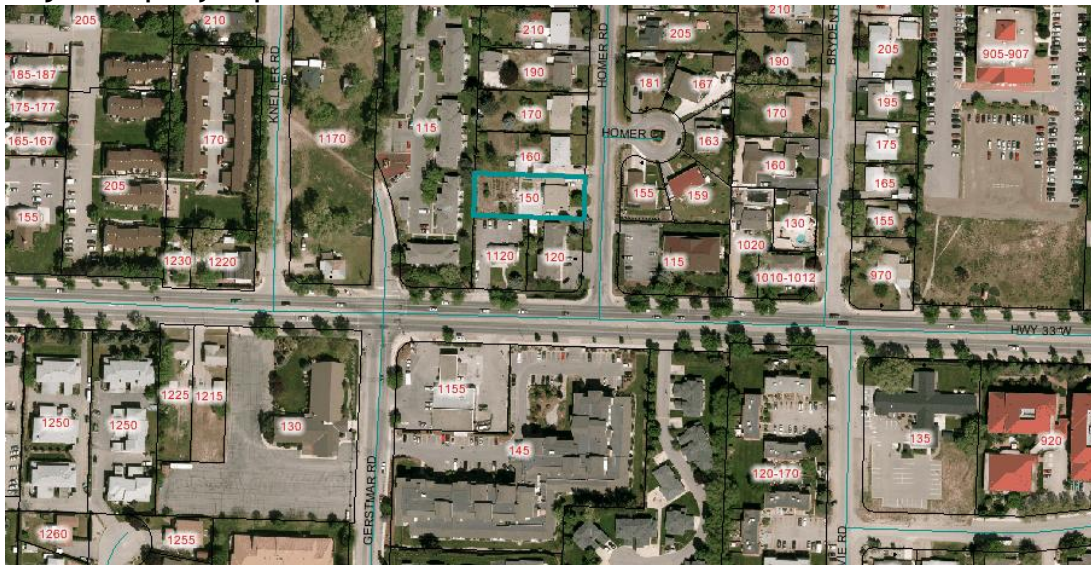
If Council adopts the OCP re-designation and rezoning at 150 Homer Road, then Staff will bring forward a Development Permit and a Development Variance Permit for the Kelowna Islamic Centre on a newly consolidated lot for Council’s consideration.

##### 4.3 Site Context

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	MRL - Multiple Unit Residential (Low Density)
East	RU1 - Large Lot Housing RM3 - Low Density Multiple Housing	MRL - Multiple Unit Residential (Low Density)
South	RU1 - Large Lot Housing P2 - Education and Minor Institutional	MRL - Multiple Unit Residential (Low Density) EDINST - Education / Institutional
West	RM3 - Low Density Multiple Housing	MRL - Multiple Unit Residential (Low Density)

**Subject Property Map: 150 Homer Road**



**5.0 Current Development Policies**

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

**Development Process**

**Compact Urban Form.**<sup>1</sup> Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

**Sensitive Infill.**<sup>2</sup> Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

**6.0 Technical Comments**

**6.1 Building & Permitting Department**

- 1) Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s).
- 2) Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- 3) A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
  - a. Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

- 4) A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- 5) An exit analysis is required as part of the code analysis at time of building permit.
- 6) Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- 7) Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation, soffit protection the new requirements for part 9 buildings and NAFS are being applied to this structure at time of permit application.

## 6.2 Development Engineering Department

See Development Engineering Memo dated June 17<sup>th</sup> 2015.

## 6.3 Fire Department

- 1) The Fire Department has no issues with the zoning.

## 7.0 Application Chronology

Date of Application Received: April 17<sup>th</sup> 2015  
Date Public Consultation Completed: July 29<sup>th</sup> 2015

### Report prepared by:

---

Adam Cseke

Reviewed by:

Terry Barton, Urban Planning Manager

Approved for:

Ryan Smith, Community Planning Department Manager

### Attachments:

Subject Property Map

Attachment 'A' Development Engineering Memo dated June 17<sup>th</sup> 2015

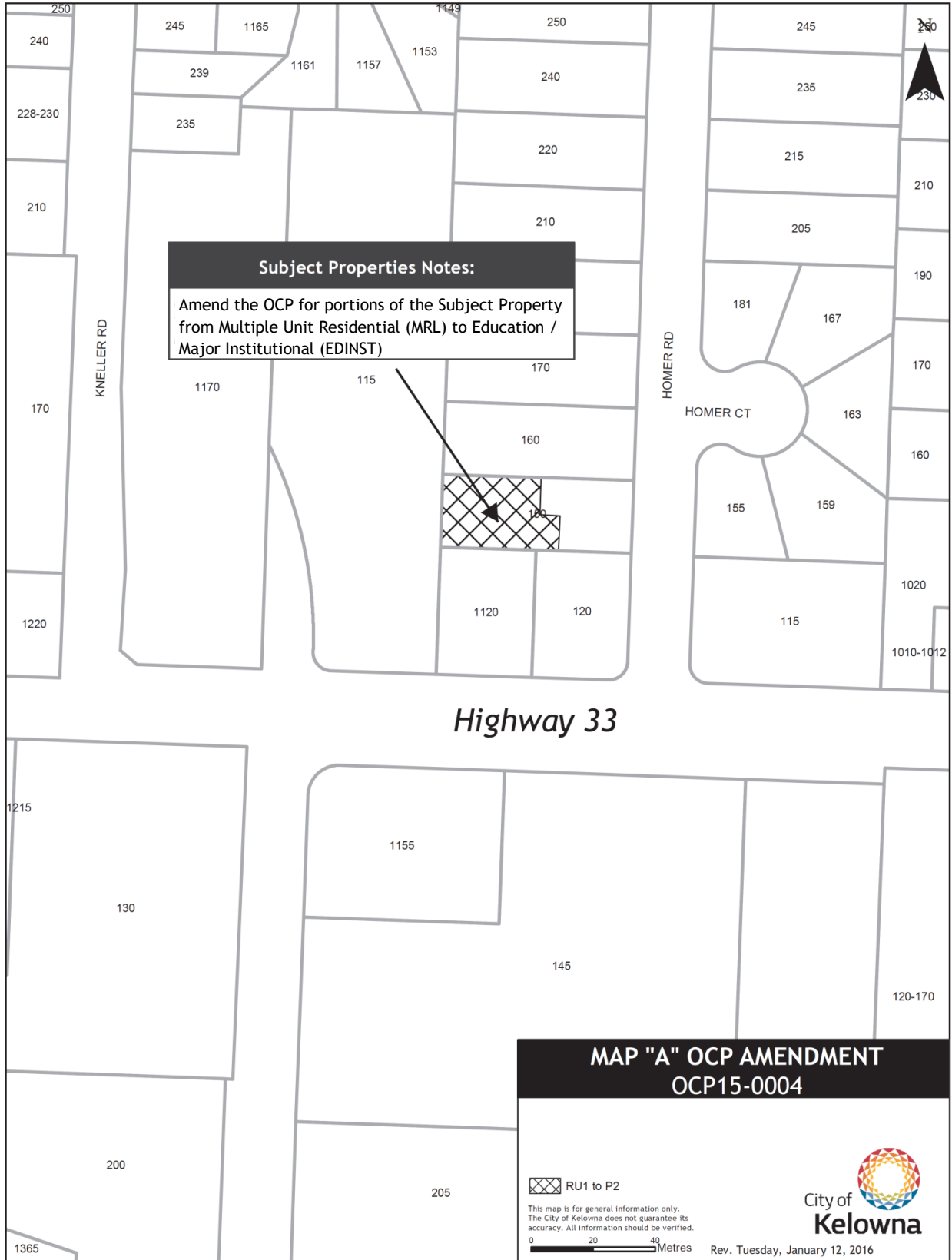
Site Plan

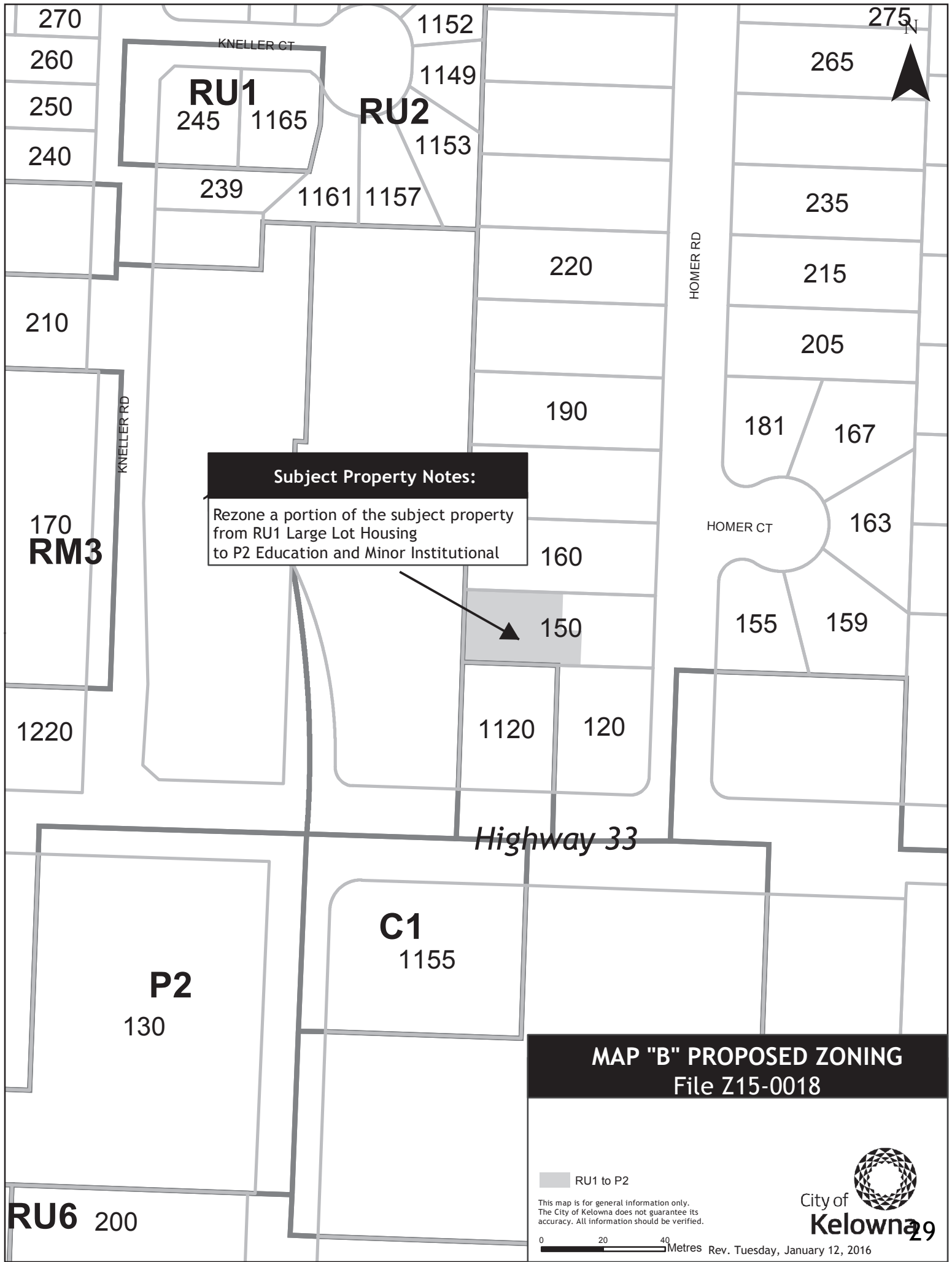
Conceptual Renderings

Preliminary Survey Plan

Map A

Map B

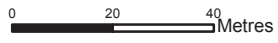




**MAP "B" PROPOSED ZONING**  
**File Z15-0018**

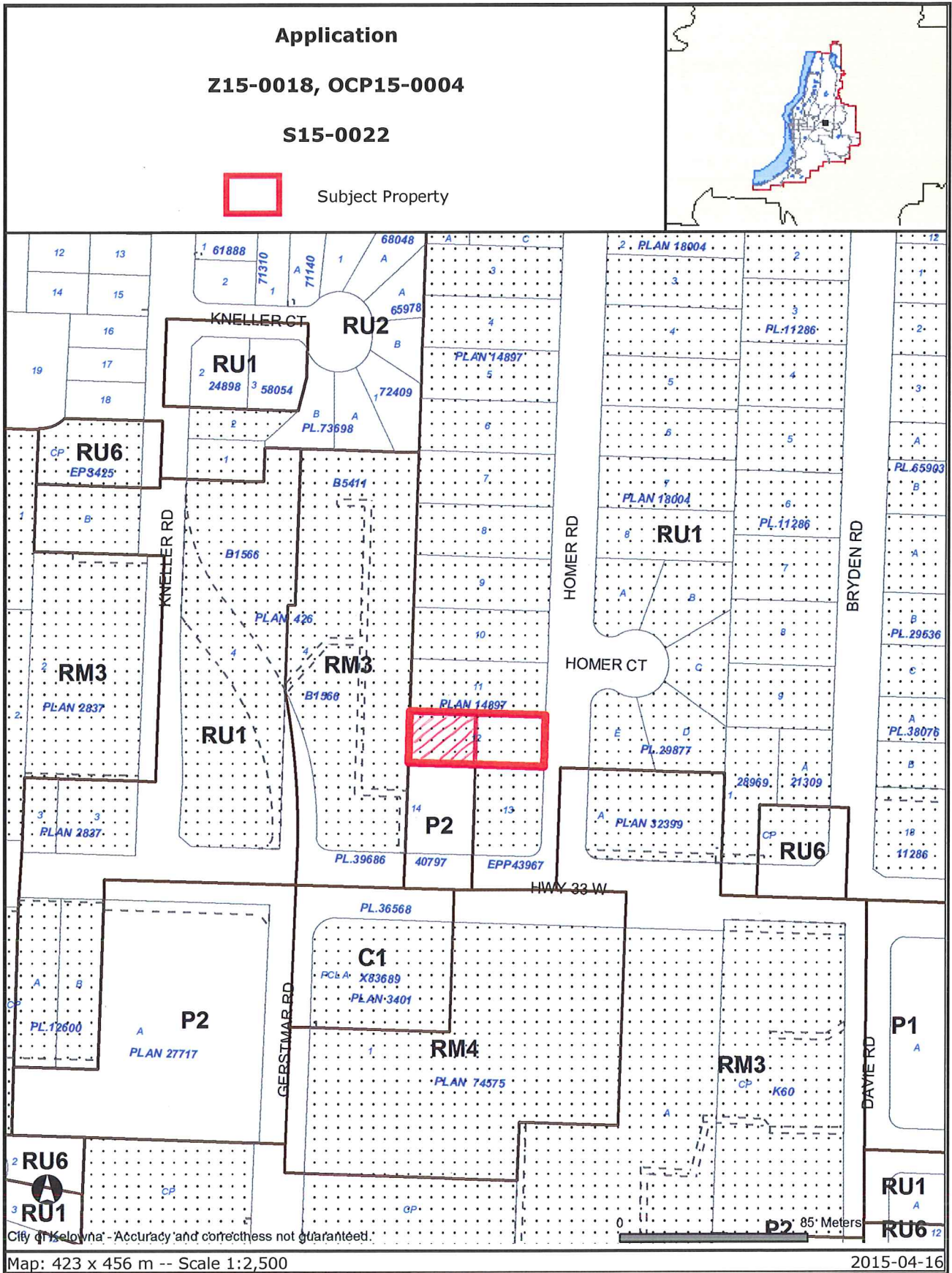
■ RU1 to P2

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



Rev. Tuesday, January 12, 2016





City of Kelowna - Accuracy and correctness not guaranteed.

Map: 423 x 456 m -- Scale 1:2,500

2015-04-16

Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.

---

**CITY OF KELOWNA**  
**MEMORANDUM**

---

**Date:** *June 17, 2015*

**File No.:** Z15-0018

**To:** Urban Planning (LG)

**From:** Development Engineering Manager (SM)

**Subject:** 150 Homer Road, lot 12 & 14, plan 14897, Section 27, Township 26, ODYD

---

Development Engineering Services comments and requirements pertaining to this application to rezone a portion of lot 12 from RU1 to P2 after a boundary adjustment are as follows:

**General**

- a) Provide easements as may be required.
- b) All servicing requirements were addressed in the technical subdivision under file S15-0022. This application does not trigger any additional servicing upgrades.
- c) *The revised drawings do not affect the Development Engineering comments in the memo dated May 14, 2015 reiterated above for convenience.*

---

Steve Muenz, P. Eng.  
Development Engineering Manager

B<sup>2</sup>

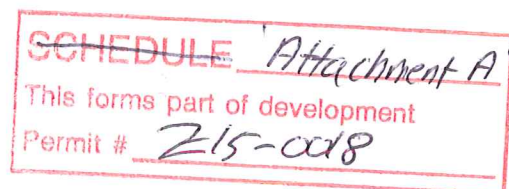
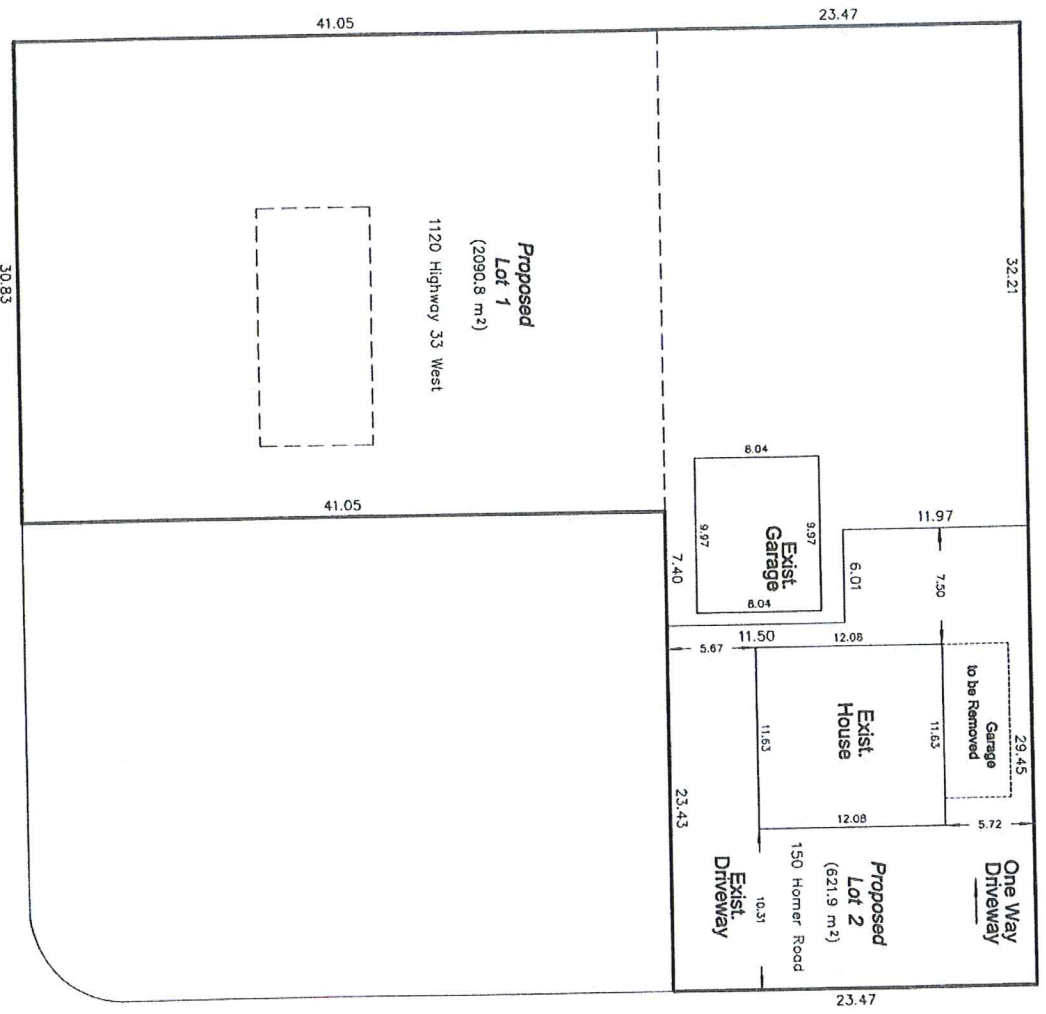


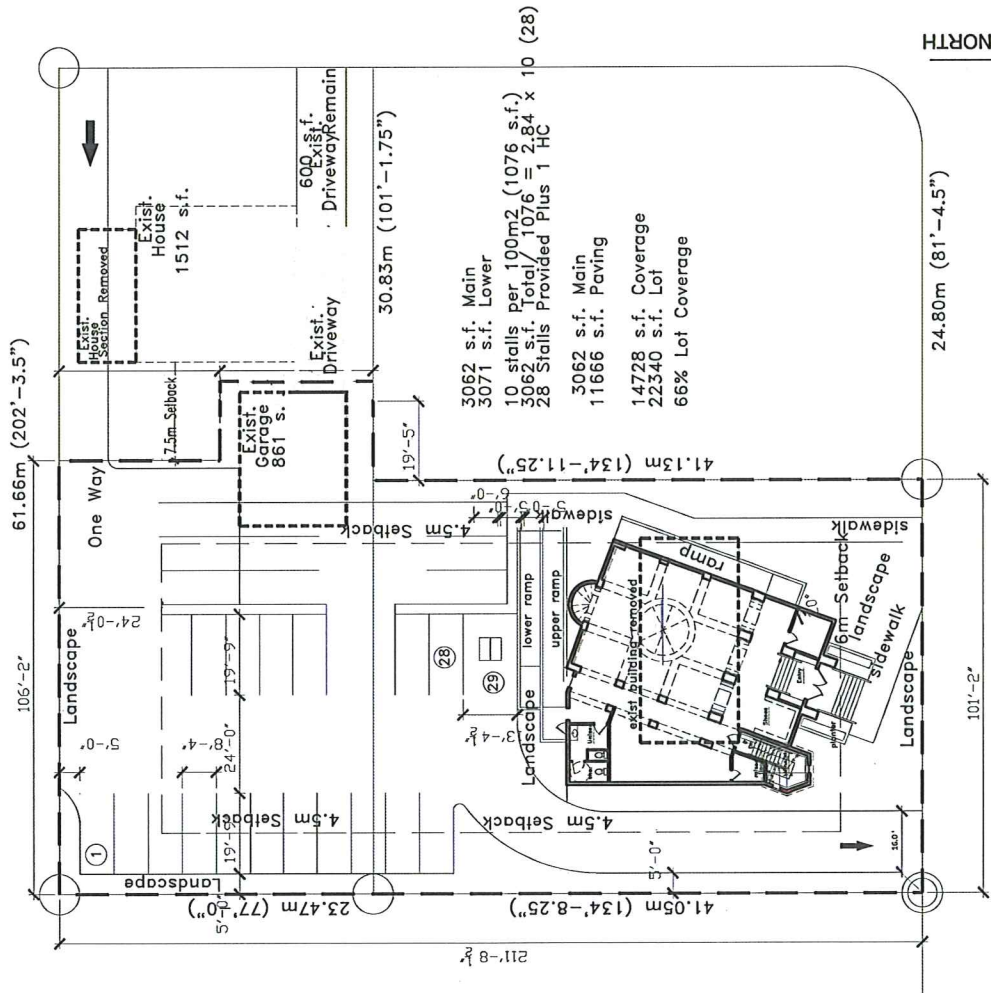


ILLUSTRATION / THE ANIS ALIVE.



PRELIMINARY  
SUBDIVISION PLAN





NORTH

1 SITE  
A-0 1/16"=1'-0"

# CITY OF KELOWNA

## BYLAW NO. 11186

### Official Community Plan Amendment No. OCP15-0004 The BC Muslim Association 150 Homer Road

---

A bylaw to amend the "*Kelowna 2030* - Official Community Plan Bylaw No. 10500".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT Map 4.1 - **GENERALIZED FUTURE LAND USE** of "*Kelowna 2030* - Official Community Plan Bylaw No. 10500" be amended by changing the Generalized Future Land Use designation of portions of Lot 12, Section 27, Township 26, ODYD, Plan 14897, located on Homer Road, Kelowna, B.C., from the MRL - Multiple Unit Residential (Low Density) designation to the EDINST - Education / Major Institutional designation as per Map "A" attached to and forming part of this bylaw;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

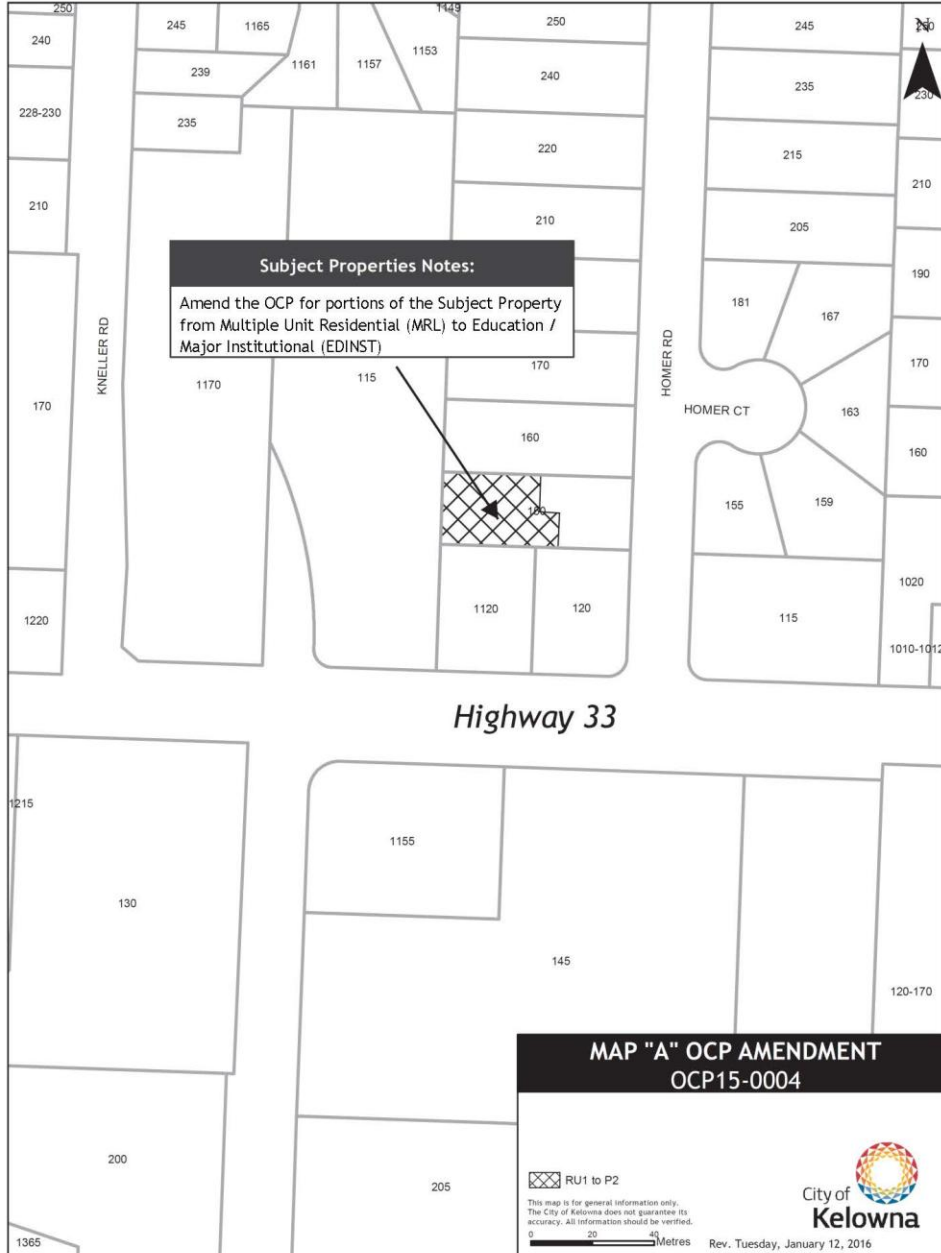
Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk



**CITY OF KELOWNA**  
**BYLAW NO. 11187**  
**Z15-0018 - The BC Muslim Association**  
**150 Homer Road**

---

A bylaw to amend the "City of Kelowna Zoning Bylaw No. 8000".

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts as follows:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of portions of Lot 12, Section 27, Township 26, ODYD, Plan 14897, located on Homer, Kelowna, B.C., from the RU1 - Large Lot Housing zone to the P2 - Education and Minor Institutional zone as per Map "B" attached to and forming part of this bylaw.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act

---

(Approving Officer-Ministry of Transportation)

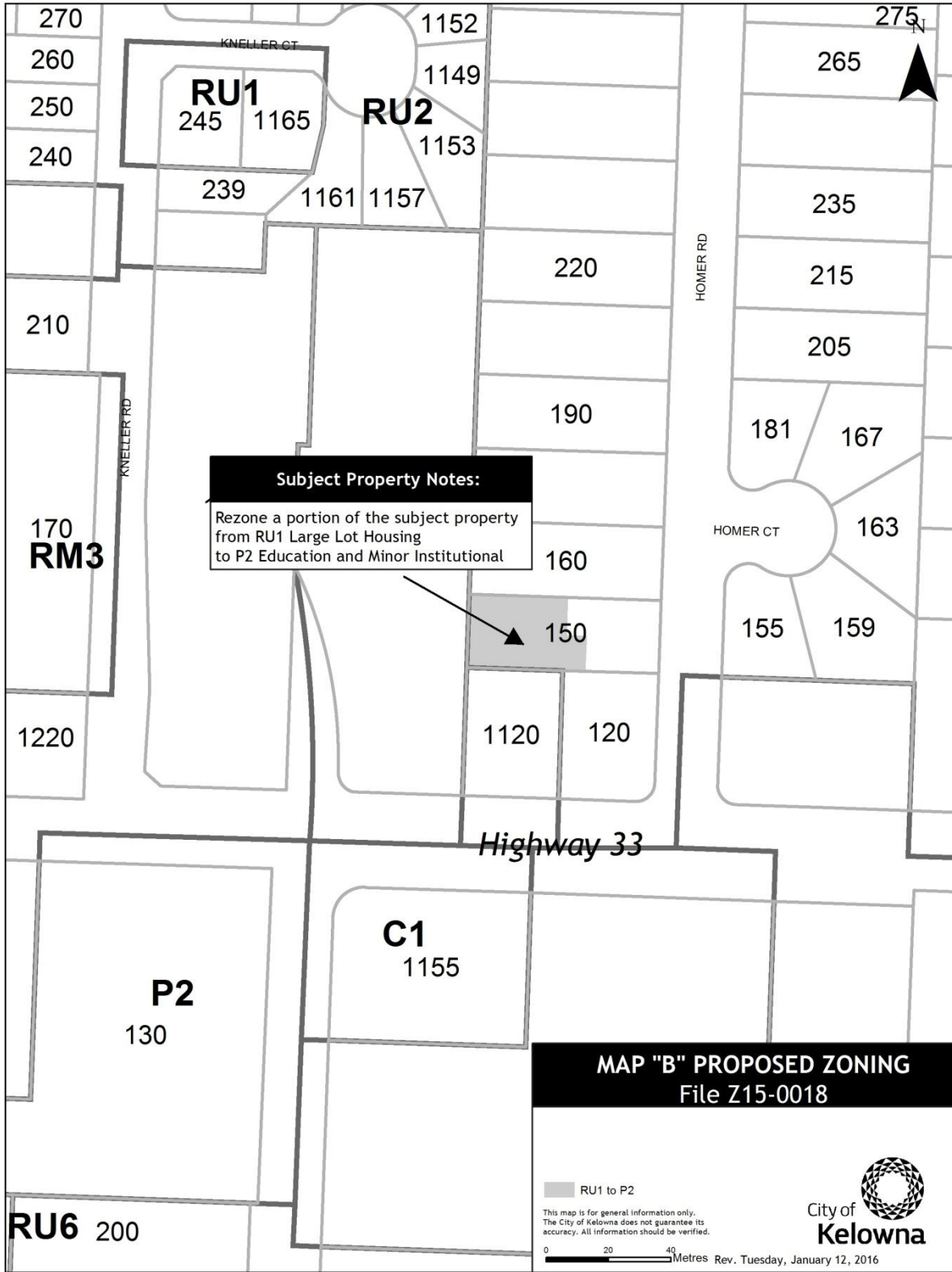
Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk



# REPORT TO COUNCIL



**Date:** January 18, 2016  
**RIM No.** 0940-10  
**To:** City Manager  
**From:** Community Planning Department (RR)  
**Application:** DP15-0266 **Owner:** Whitworth Holdings Ltd  
**Address:** 1010 Ellis St. **Applicant:** Whitworth Holdings  
**Subject:** Development Permit  
**Existing OCP Designation:** MXR - Mixed Use Residential  
**Existing Zone:** I4 - Central Industrial / I2 - General Industrial

---

## 1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP15-0266 for Lot 1, DL 139 ODYD Plan KAP69068, located at 1010 Ellis St., Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";
3. Landscaping to be provided on the land be in accordance with Schedule "C";
4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 18, 2016;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permits to be issued;

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 consider the form and character of 2 storey business support services building at the corner of Ellis and Manhattan Drive.

## 3.0 Community Planning

Community Planning staff recommend that the development permit be authorized by Council. The proposed development achieves several development objectives in the area while also acting as an ideal transitional use between different properties. The development will enhance both the built form on the site and the neighbouring park interface along Brandt Creek.

The development complies with relevant zoning requirements and no variances have been requested.

## 4.0 Proposal

### 4.1 Background

The property sits at the intersection Ellis and Manhattan. There are currently several light industrial and service commercial uses on the property, including a defunct delivery service building.



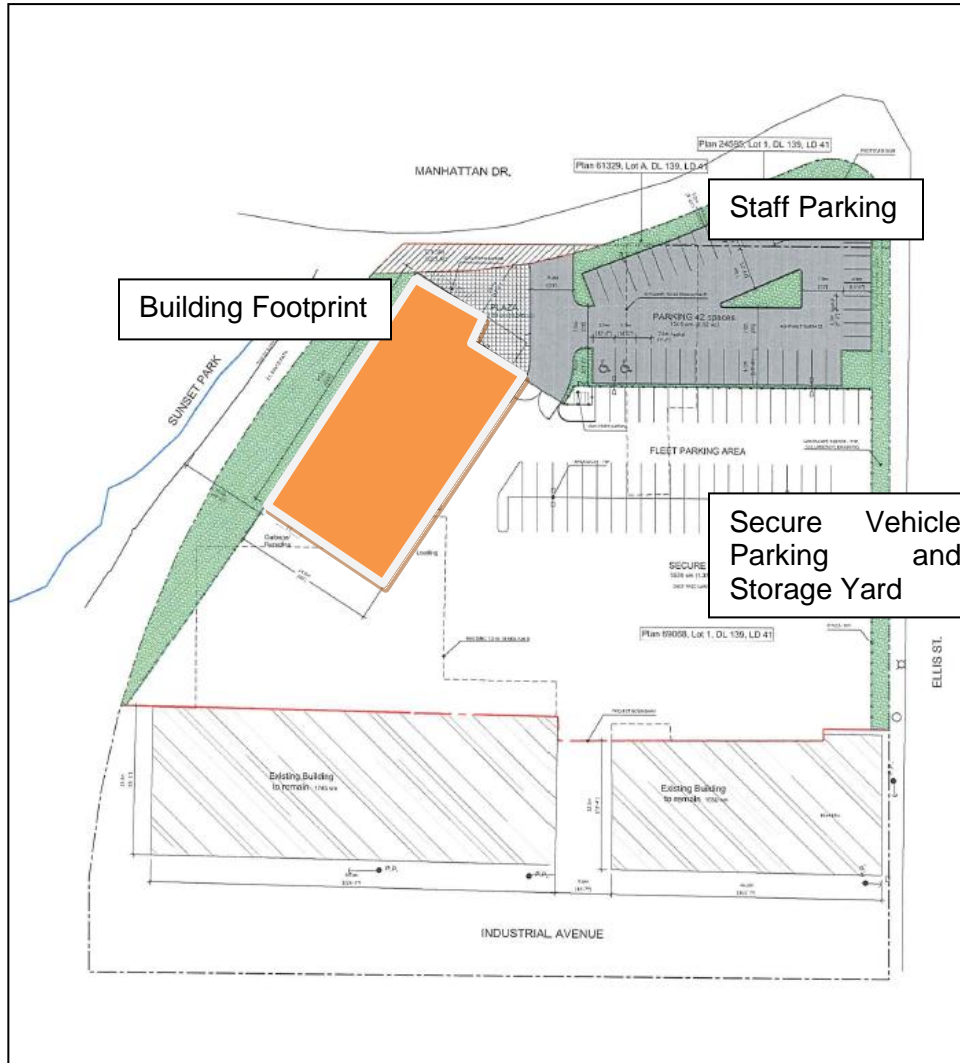
#### 1 - Building to be demolished

Several service commercial and light industrial buildings will remain on site, servicing current tenants. The delivery service building and a portion of the commercial buildings will be removed to accommodate the new use.



#### 4.2 Project Description

The proponent has applied for a permit to demolish the delivery building and a portion of another building on site, and replace them with a two storey business support services building, which would include office, engineering, high technology and staging stations. The selected tenant for the building will be Telus Communications.

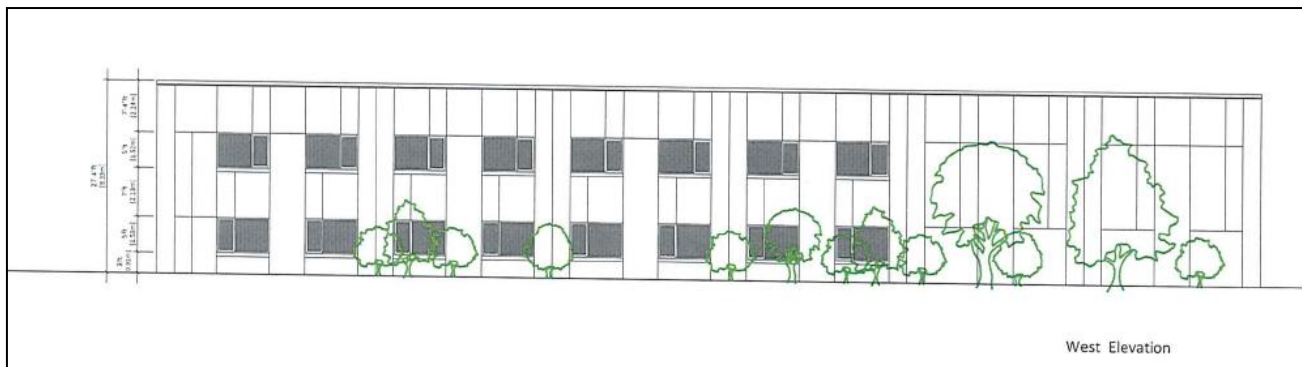


2 - Proposed Layout

The applicants will also construct a secure parking area for company vehicles and storage of cables, fibre optic lines and other cable equipment.

The proposed building is a simple 2 storey tilt up light industrial building. The design presents a windowed and inviting facade onto Manhattan Drive and the creek trail along Brandt's Creek. The access bays face onto the parking lots to the east, well back of the road.

The applicant will also complete the sidewalk along Manhattan Drive as there is currently a missing section as well as complete necessary landscaping along the street frontages.



The building orientation puts strong prominence to the creek frontage. The developer will remove the existing decaying wooden fence from along the property line and open the site to the path and creek. Removing the fence will open up a portion of the trail that currently feels secluded and dangerous, and create natural surveillance of the path from the office windows and lights.

The applicant will establish a naturalised planting area on the creek side of the property. This is a net environmental benefit as the area being naturalised is currently used to store abandoned vehicles and boats.

#### 4.3 Site Context

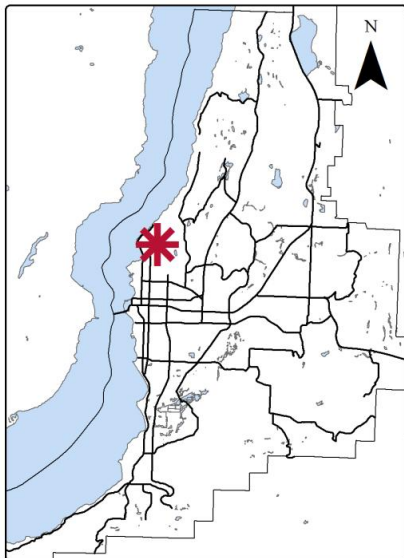
The property is in a transitional downtown industrial area. To the south and west, properties have redeveloped with residential and office uses. To the north and east, light industrial and storage uses dominate.

The proposed use and building form are well suited to the transitional nature of the property. The office use is low impact and non-polluting, staffed by engineers, technicians and support staff. However, the use also requires secure parking behind a secure fence, making it unsuitable for a more central location downtown. The proposed location is close enough to downtown that office staff can enjoy downtown amenities, while isolated enough that the secure fenced parking and equipment storage is not out of character with the neighbourhood.

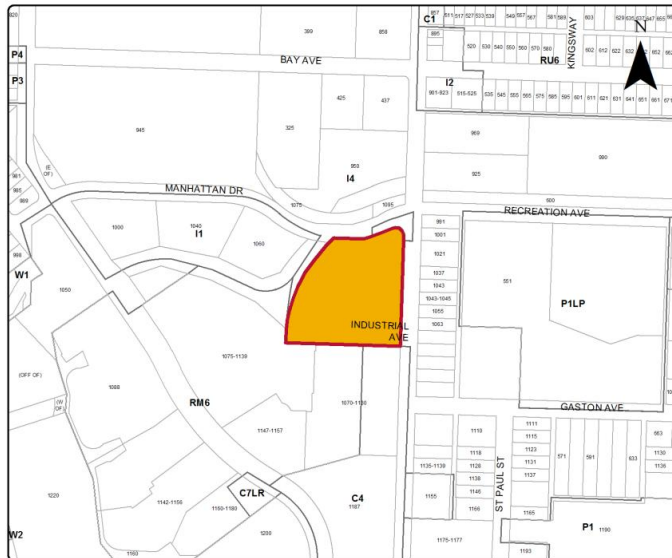
Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	I4 - Central Industrial	Boat Storage
East	I4 - Central Industrial	Light Industrial / Business Park
South	C4 - Urban Centre Commercial	Waterscapes Site Access
South	RM6 - High Rise Apartment Housing	Waterscapes
West	I1 - Business Industrial	Office

**Subject Property Map:**



CONTEXT



NEIGHBOURING ZONING



SUBJECT PROPERTY

#### 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	I4 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Maximum Floor Area Ratio	3.0	0.3
Maximum Height	18 m	10 m
Minimum Front Yard	0.0 m	10 m
Minimum Side Yard (East)	0.0 m	62 m
Minimum Side Yard (West)	0.0 m	5 m
Minimum Rear Yard	0.0 m	67 m
Other Regulations		
Minimum Parking Requirements		40
Minimum Bicycle Parking		4 class I and 12 class II

### 5.0 Current Development Policies

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

##### Objective 5.19, Policy .6

North End Industrial (High Tech and Incubator). Encourage the redevelopment of industrially designated lands north of the Downtown Urban Centre for high-tech projects and buildings, including the potential for “incubator’ space” for smaller businesses.

##### Objective 5.28, Policy .2

Business Centres. Encourage, in areas designated as “Industrial,” the provision of business centres that incorporate a mix of research, light manufacturing and associated business office uses.

#### 5.2 Kelowna Zoning Bylaw

##### I-4 Central Industrial Zone

###### Purpose

The purpose is to recognize the historical mix of uses reflected in the fringe area of the central business district.

### 6.0 Technical Comments

#### 6.1 Building & Permitting Department

- 1 Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permit(s)
- 2 Placement permits are required for any sales or construction trailers that will be on site. The location(s) of these are to be shown at time of development permit application.
- 3 A Building Code analysis is required for the structure at time of building permit applications, but the following items may affect the form and character of the building(s):
  - 3.1 Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.

- 3.2 Access to the roof is required per NFPA and guard rails may be required and should be reflected in the plans if required.
- 4 A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application.
- 5 Fire resistance ratings are required for storage, janitor and/or garbage enclosure room(s). The drawings submitted for building permit is to clearly identify how this rating will be achieved and where these area(s) are located.
- 6 An exit analysis is required as part of the code analysis at time of building permit application. The exit analysis is to address travel distances within the units, multiple parking areas (future), number of required exits per area, accessibility etc
- 7 Size and location of all signage to be clearly defined as part of the development permit. This should include the signage required for the building addressing to be defined on the drawings per the bylaws on the permit application drawings.
- 8 Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation are being applied to this structure.

## 6.2 Development Engineering Department

See attached memorandum dated November 25, 2015.

## 6.3 Fire Department

- 1 Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template available online at Kelowna.ca
- 2 Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900. Should a hydrant be required on this property it shall be deemed private and shall be operational prior to the start of construction.
- 3 A visible address must be posted as per City of Kelowna By-Laws
- 4 Should the building be sprinklered, Fire department connection is to be within 45M of a fire hydrant (UNOBSTRUCTED)and ensure FD connection is clearly marked and visible from the street. Fire alarm system is to be monitored by an agency meeting the CAN/ULC S561 Standard.
- 5 Should a fire alarm be installed a fire safety plan as per section 2.8 BCFC is required at occupancy. The fire safety plan and floor plans are to be submitted for approval in AutoCAD Drawing format on a CD should the building require a fire alarm.
- 6 Fire Department access is to be met as per BCBC 3.2.5. -
- 7 Approved Fire Department steel lock box or key tube acceptable to the fire dept. is required by the fire dept. entrance.

- 8 All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met.
- 9 Contact Fire Prevention Branch for fire extinguisher requirements and placement.
- 10 Dumpster/refuse container must be 3 meters from structures and overhangs

### 7.0 Application Chronology

Date of Application Received: September 26, 2015

Report prepared by:

---

Ryan Roycroft, Planner

Reviewed by:

Terry Barton, Urban Planning Manager

Approved for Inclusion:

Ryan Smith, Community Planning Department Manager

#### Attachments:

Site Plan  
Conceptual Elevations  
Landscape Plan  
Development Permit Checklist  
Summary of Technical Comments

---

**CITY OF KELOWNA**  
**MEMORANDUM**

---

**Date:** November 25, 2015  
**File No.:** DP15-0266

**To:** Community Planning (RR)

**From:** Development Engineering Manager

**Subject:** 1010 Ellis Street Industrial Development

---

Development Engineering has the following comments and requirements associated with this application. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

1. Domestic Water and Fire Protection

- a) The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs.
- b) The existing lots are currently serviced with small diameter services (19mm on 990 Ellis St and a 25mm, 38mm & 150mm on 1010 Ellis St). Only one service will be permitted for this development. The applicant, at his cost, will arrange for the installation of one new water service and the disconnection of the small existing services.
- c) A water meter is mandatory for this development and must be installed inside the building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost. Boulevard landscaping, complete with underground irrigation system, must be integrated with the on-site irrigation system.

2. Sanitary Sewer

- a) Our records indicate the existing lots are serviced multiple 100mm diameter sewer services (2-100mm on 990 Ellis St and 3-100mm on 1010 Ellis St). The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal and disconnection of the existing services and the installation of one new larger service.

3. Storm Drainage

- a) The developer must engage a consulting civil engineer to provide a storm water management plan for these sites which meets the requirements of the City Subdivision Development and Servicing Bylaw 7900. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage

service and recommendations for onsite drainage containment and disposal systems.

- b) Our records indicate the subject property is currently serviced with a 100mm storm sewer service. On site storm drainage systems and overflow service(s) for the site will be reviewed and approved by Engineering when a site servicing design is submitted. The applicant, at his cost, will arrange for the installation of one new storm service and the disconnection of the small existing services if required.

3. Road Improvements

- a) Ellis Street must be upgraded to current urban standards along the full frontage of this proposed development, including curb and gutter which is in a deteriorated state, replacement for the existing curb letdowns, a separate sidewalk, landscaped boulevard and drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- b) Manhattan Drive must be upgraded to an urban standard along the full frontage of this proposed development, including short section of sidewalk, landscaped boulevard complete with street trees and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.

5. Road Dedication and Subdivision Requirements

- a) Provide a highway allowance tapered widening along the frontage of the Manhattan Drive.
- b) Lot Consolidation.
- c) If any road dedication or closer affects lands encumbered by a Utility right-of-way (such as Gas, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication or closer must be incorporated in the construction drawings submitted to the City's Development Manager.
- d) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.

6. Electric Power and Telecommunication Services

- a) All proposed distribution and service connections are to be installed underground.
- b) Streetlights must be installed on all roads.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Re-locate existing utilities, where necessary.



7. Design and Construction

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the City's Development Engineering Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

8. Servicing Agreements for Works and Services

- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

9. Geotechnical Report

As a requirement of this application and building permit approval the applicant must provide a comprehensive geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

- a) Area ground water characteristics, including water sources on the site.
- b) Site suitability for development; i.e. unstable soils, foundation requirements etc.
- c) Drill and/or excavate test holes on the site and install piezometers if necessary. Log test hole data to identify soil characteristics, identify areas of fill if any. Identify unacceptable fill material, analyse soil sulphate content, identify unsuitable underlying soils such as peat, etc. and make recommendations for remediation if necessary.
- d) List extraordinary requirements that may be required to accommodate construction of roads and underground utilities as well as building foundation designs.
- e) Additional geotechnical survey may be necessary for building foundations, etc.

10. Development Permit and Site Related Issues

Access and Manoeuvrability

- (i) The proposed driveway access to the site will be permitted from Ellis St and Manhattan Drive. The existing driveway access (Industrial Ave) can remain.
- (ii) An SU-9 standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways.
- (iii) Indicate on the site, the locations of loading bays as well as the garbage and recycle bins.

---

Steve Muenz, P. Eng.  
Development Engineering Manager

SS



ELLIS ST.

**hugh j blitz** Architect

**WHITWORTH**  
RESIDUAL 118

City of Kelowna      Development Permit

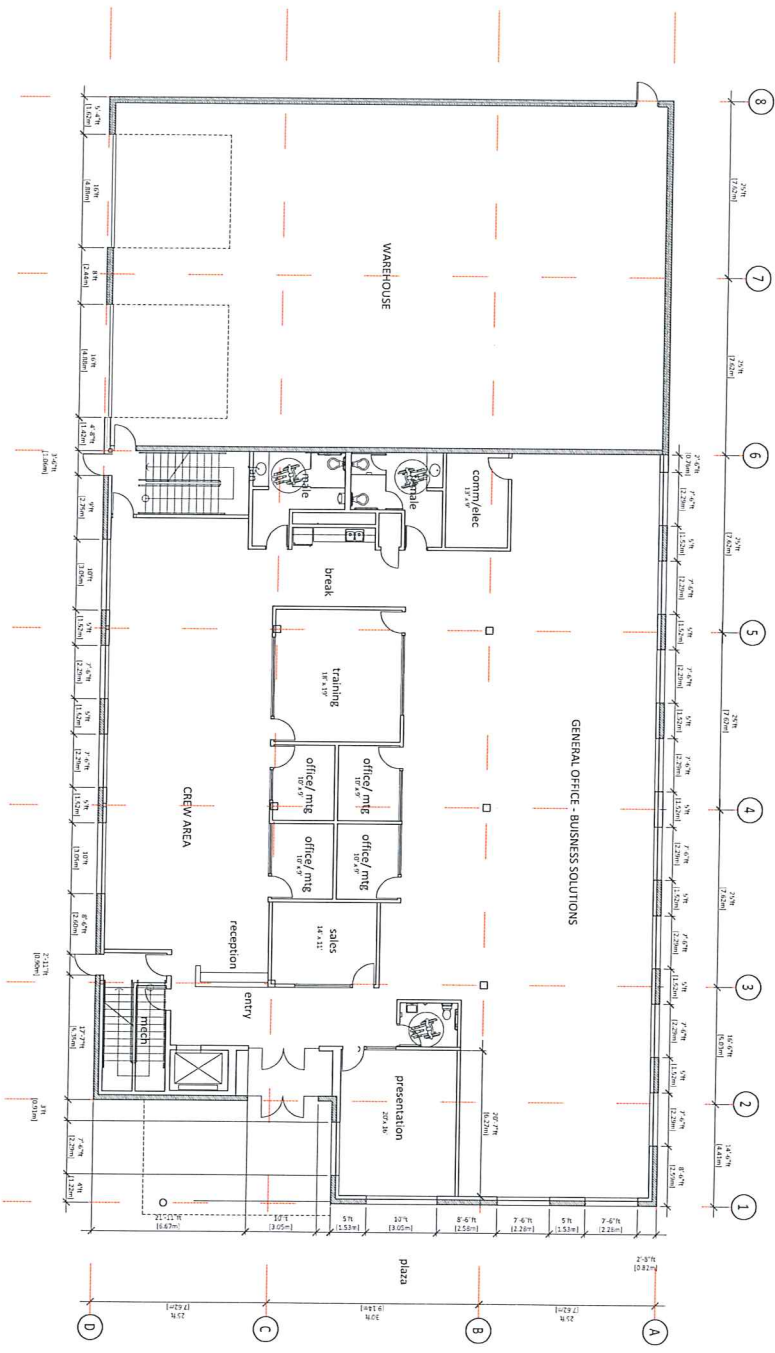
Oct 23, 15

Copyright reserved. No part of this drawing may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, without the consent of the architect.

**NEW TELUS FACILITY**  
Lot A, Plan 61329, DL 139  
010 Ellis St. Kelowna  
Whitworth Holdings Ltd.

15000      09041215  
HJD      HJD

**SITE PLAN**      **A1.0**



**hugh j bitz** Architect

DATE: 2/2/15 CITY: GLENVIEW DEVELOPMENT PERMIT

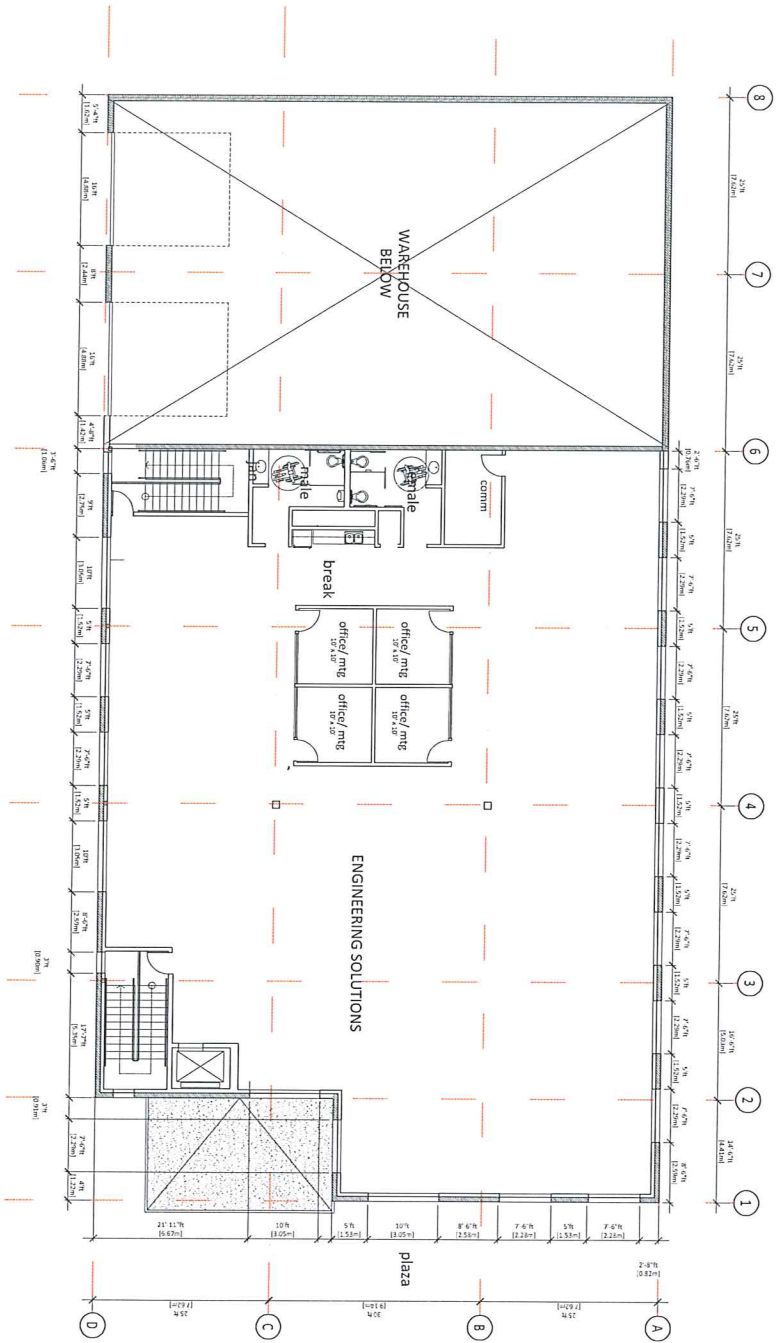
Copyright reserved. These drawings and the design work are the property of Hugh J. Bitz, Architect and shall remain the property of the architect.

NEW TELUS FACILITY  
 LOT A, PLAN S&M, DL 139  
 1000 ELLIS ST. KILGOWNA  
 WHITWORTH HOLDINGS LTD.

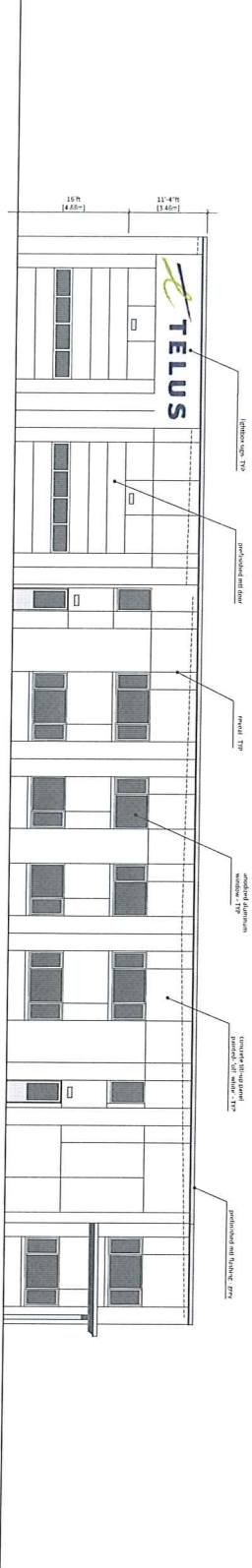
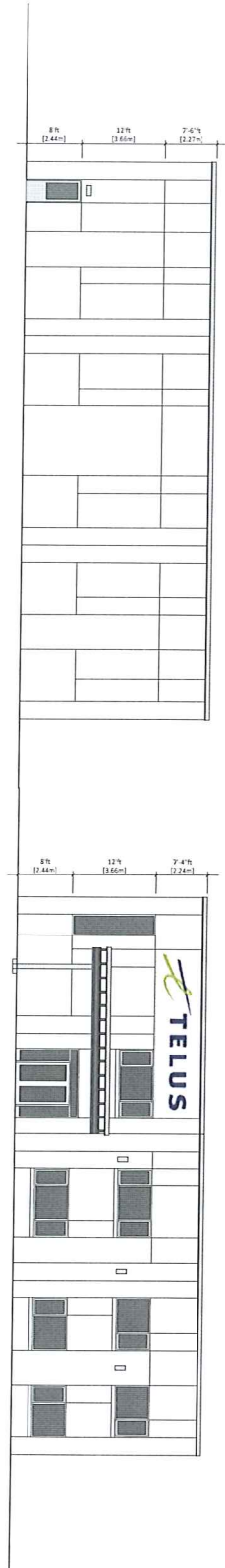
SCALE: 1/8" = 1'-0"  
 09-0-15  
 HUBB

LOWER FLOOR PLAN

**A2.0**



<p>DATE: 01.15 CITY OF KILGOMRA DEVELOPMENT PERMIT</p> <p>Copyright reserved. This drawing and the design contained therein are the property of Hugh J. Bitz Architects. No part of this drawing may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Hugh J. Bitz Architects.</p>	
<p><b>NEW TELUS FACILITY</b></p> <p>Client: A. PLAN S.A.S.I. DL 139          1010 ELLIS ST. KILGOMRA          WHITWORTH HOLDINGS LTD.</p>	
<p>Scale: 1/8" = 1'-0"</p> <p>Author: G.D. B.</p> <p>Check: H.A.B.</p>	
<p>UPPER FLOOR PLAN</p> <p><b>A2.1</b></p>	



DATE	DESCRIPTION	BY
04/21/15	CDR OF EXHIBIT	DAVID COOPER
<p>Copyright reserved. These drawings and all other contents are the property of Hugh J. Bitz Architects, Inc. and shall remain the property of Hugh J. Bitz Architects, Inc. No part of these drawings may be reproduced without the written consent of Hugh J. Bitz Architects, Inc.</p>		
<p><b>NEW TELUS FACILITY</b></p> <p>1000 A. PLAIN SAIL, DL 139          1010 ELLIS ST. KENOSHA          WHITWORTH HOLDINGS LTD.</p>		
SCALE	1/8" = 1'-0"	
PROJECT NO.	09-01-05	
DATE	04/21/15	
<p><b>ELEVATIONS</b></p>		
		<b>A3.0</b>



# DEVELOPMENT PERMIT



## APPROVED ISSUANCE OF DEVELOPMENT PERMIT NO. DP15-0266

**Issued To:** Whitworth Holdings Ltd  
**Site Address:** 1010 Ellis St.  
**Legal Description:** Lot 1, DL 139, ODYD, Plan KAP69068  
**Zoning Classification:** I4 - Central Industrial  
**Development Permit Area:** Comprehensive Form and Character

### SCOPE OF APPROVAL

This Permit applies to and only to those lands within the Municipality as described above, and any and all buildings, structures and other development thereon.

This Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by this Permit, noted in the Terms and Conditions below.

The issuance of a Permit limits the Permit Holder to be in strict compliance with regulations of the Zoning Bylaw and all other Bylaws unless specific Variances have been authorized by the Permit. No implied Variances from bylaw provisions shall be granted by virtue of drawing notations that are inconsistent with bylaw provisions and that may not have been identified as required Variances by the applicant or Municipal staff.

### 1. TERMS AND CONDITIONS

THAT Development Permit No. DP15-0266 for Lot 1, DL 139, ODYD, Plan KAP69068, located at 1010 Ellis, Kelowna, BC to allow the construction of a High Technology Building be approved subject to the following:

- a) The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A";
- b) The exterior design and finish of the building to be constructed on the land be in accordance with Schedule "B";
- c) Landscaping to be provided on the land be in accordance with Schedule "C";
- d) The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

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



## 2. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Permit Holder and be paid to the Permit Holder if the security is returned. The condition of the posting of the security is that should the Permit Holder fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use the security to carry out the work by its servants, agents or contractors, and any surplus shall be paid over to the Permit Holder, or should the Permit Holder carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Permit Holder. There is filed accordingly:

- a) Cash in the amount of \$ \_\_\_\_\_ OR
- b) A Certified Cheque in the amount of \$ \_\_\_\_\_ OR
- c) An Irrevocable Letter of Credit in the amount of \$ \_\_\_\_\_ .

Before any bond or security required under this Permit is reduced or released, the Developer will provide the City with a statutory declaration certifying that all labour, material, workers' compensation and other taxes and costs have been paid.

## 3. DEVELOPMENT

The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and any plans and specifications attached to this Permit that shall form a part hereof.

If the Permit Holder does not commence the development permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.

**This Permit IS NOT a Building Permit.**

## 4. APPLICANT'S AGREEMENT

I hereby declare that all of the above statements and the information contained in the material submitted in support of this Permit are to the best of my belief, true and correct in all respects. Upon issuance of the Permit for me by the Municipality, then in such case, I covenant and agree to save harmless and effectually indemnify the Municipality against:

- a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality granting to me the said Permit.
- b) All costs, expenses, claims that may be incurred by the Municipality if the construction by me of engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

I further covenant and agree that should I be granted a Development Permit and/or Development Variance Permit, the Municipality may withhold the granting of any Occupancy Permit for the occupancy and / or use of any building or part thereof constructed upon the hereinbefore referred to land until all of the engineering works or other works called for by the Permit have been completed to the satisfaction of the Municipal Engineer and Divisional Director of Community Planning & Real Estate.

Should there be any change in ownership or legal description of the property, I undertake to notify the Community Planning Department immediately to avoid any unnecessary delay in processing the application.

**I HEREBY UNDERSTAND AND AGREE TO ALL THE TERMS AND CONDITIONS SPECIFIED IN THIS PERMIT.**

---

Signature of Owner / Authorized Agent

---

Date

---

Print Name in Bold Letters

---

Telephone No.

**5. APPROVALS**

Issued and approved by Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

---

Ryan Smith, Community Planning Department Manager  
Community Planning & Real Estate

---

Date

**The PERMIT HOLDER is the CURRENT LAND OWNER.  
Security shall be returned to the PERMIT HOLDER.**

# Report to Council



**Date:** January 11, 2016  
**File:** 1845-90  
**To:** City Manager  
**From:** Andrew Reeder, Utility Planning Manager  
**Subject:** Landfill Sanitary Lift Station - Partnership to Construct Leachate Treatment

---

## **Recommendation:**

THAT Council receives, for information, the report from the Utilities Planning Manager dated January 11, 2016 regarding the landfill sanitary lift station-partnership to construct leachate treatment;

AND THAT Council authorizes the expenditure of \$330,000 (\$130,000 new funds plus \$200,000 authorized in 2015 for leachate treatment) plus applicable GST from the Glenmore Sanitary Landfill budget for the purpose of entering into a cost sharing agreement with McKinley Hillside Limited to construct a leachate treatment system;

AND FURTHER THAT the 2016 Financial Plan be amended to include this additional \$130,000 plus applicable taxes be funded from the landfill reserve.

## **Purpose:**

To provide funds necessary to partner with the developer of the McKinley Beach Development, in order to pay for the incremental costs required to receive and treat leachate from the landfill. Further, the 2016 financial plan will need to be amended accordingly.

## **Background:**

The City currently pumps leachate from landfill to the sanitary collection system in the Quail Ridge area. While this leachate is treated at the landfill, the level of treatment is limited and the effluent leaving the landfill has very high levels of H<sub>2</sub>S, an odour causing compound. The H<sub>2</sub>S levels within the leachate are a source of nuisance odour for the Quail Ridge residents and a safety concern for staff conducting routine maintenance on the sanitary collection system.

The McKinley Beach developer is required to construct a sanitary collection system in order to subdivide his properties. As part of this collection system, a lift station in the proximity of the landfill is required to be constructed by the developer. This created a unique opportunity for the City and the developer to work together to improve the method in which the City

treats and manages its leachate, and for both parties to reduce costs. The developer benefits by the use of landfill lands for the sanitary lift station and use of three phase power already developed and paid for by the City. The City benefits by treating the leachate, reducing nuisance impacts on the Quail Ridge residents, improving safety, eliminating the capital works required to pump effluent to Quail Ridge, and reducing costs to construct new treatment works by combining these works within the proposed sanitary lift station.

As part of the City's 2015 budget process, the proposed partnership with the developer was reviewed and approved by Council with the City's share expected to be \$200,000. When the budget was approved there was no design work completed and the partnership with the developer was only conceptual. Staff have worked with the developer and his engineers and have created a very efficient design that will meet all of the City's and the developer's objectives. More recently the developer has tendered the aforementioned project, but will need the City's incremental share of the funds in order to award the project. The City share of the works include: an aerator, piping to the lift station, a larger wet well and additional biofilter capacity.

**Discussion:**

The proposed partnership is a win-win arrangement with both parties receiving benefit from the proposed agreement. Staff expect that the proposed changes will reduce long term City capital and operational costs, reduce public nuisance, provide environmental benefit and result in improvements to operator safety. The works are expected to be completed by the spring of 2016, pending Council's approval.

**Financial/Budgetary Considerations:**

\$130,000 in additional funds from the landfill reserve will be required and the 2016 financial plan will need to be amended accordingly. This will not affect taxation as the landfill is self funding. Further, the change will not affect landfill tipping fees.

**Internal Circulation:**

Divisional Director, Community Planning and Real Estate  
Divisional Director, Infrastructure  
Financial Services Director  
Development Engineering Manager

**Considerations not applicable to this report:**

Legal/Statutory Authority:  
Legal/Statutory Procedural Requirements:  
Existing Policy:  
Personnel Implications:  
External Agency/Public Comments:  
Communications Comments:  
Alternate Recommendation:

Submitted by:

A. Reeder, Utility Planning Manager

Approved for inclusion:



A. Newcombe, Infrastructure Divisional Director

cc: Divisional Director, Community Planning and Real Estate  
Divisional Director, Infrastructure  
Financial Services Director  
Development Engineering Manager

# CITY OF KELOWNA

## BYLAW NO. 11177

### Amendment No. 14 to Bylaw Notice Enforcement Bylaw No. 10475

---

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Bylaw Notice Enforcement Bylaw No. 10475 be amended as follows:

1. THAT SECTION 7 - SCREENING OFFICERS, 7.2 be deleted in its entirety that reads:

- “(a) Bylaw Enforcement Clerk;
- (b) Bylaw Enforcement Coordinator;
- (c) Bylaw Services Manager;
- (d) City Clerk;
- (e) Director, Corporate Service and Protective Services; and
- (f) Senior Bylaw Officer”

And replaced with the following:

- “(a) Bylaw Enforcement Clerk;
- (b) Bylaw Enforcement Coordinator;
- (c) Bylaw Services Manager;
- (d) City Clerk;
- (e) Director, Corporate Service and Protective Services;
- (f) Licence and Bylaw Enforcement Officer;
- (g) Parking Operations Coordinator;
- (h) Parking Services Manager; and
- (i) Senior Bylaw Officer”

2. This bylaw may be cited for all purposes as "Bylaw No. 11177 being Amendment No. 14 to Bylaw No. Bylaw Notice Enforcement Bylaw No. 10475."

3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 11<sup>th</sup> day of January, 2016.

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk