

City of Kelowna

Regular Council Meeting

AGENDA



Monday, January 15, 2018
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 and video feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

2. Confirmation of Minutes

4 - 10

PM Meeting - January 8, 2018

3. Committee Reports

3.1 Agricultural Advisory Committee – Annual Report to Council

11 - 14

To update Council on the activities of the Agricultural Advisory Committee.

4. Development Application Reports & Related Bylaws

4.1 OCP Amendment (OCP17-0027) & Rezoning Application (Z17-0107) – Boundaries Amendments

15 - 39

To amend the Official Community Plan to change future land use designations and to rezone the subject properties to complete housekeeping amendments to lot line boundaries.

4.2 Various Addresses, BL11527 (OCP17-0027) - City of Kelowna

40 - 49

To give Bylaw No. 11527 first reading in order to change the Future Land Use designations on portions of the subject properties in order to amend boundary lot lines.

4.3 Various Addresses, BL11536 (Z17-0107) - City of Kelowna

50 - 64

To give Bylaw No. 11536 first reading in order to change the zoning on portions of the subject properties in order to amend boundary lot lines.

4.4	McIntosh Rd 360, Dougall Rd N 345 & 365 - Z17-0041 - Unik-Town Development Inc	65 - 76
	To rezone the subject property to facilitate the development of multiple dwelling housing.	
4.5	McIntosh Rd 360, Dougall Rd N 345 & 365 - BL11528 (Z17-0041) - Unik-Town Development Inc	77 - 77
	To give Bylaw No. 11528 first reading in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RM5 - Medium Density Multiple Housing zone.	
4.6	Lakeshore Rd 5076, LUCT16-0001 & Z16-0027 - Stewart Storie and Gloria Heung	78 - 86
	To consider an application to terminate the Land Use Contract and rezone the subject properties from A1 – Agriculture to the RR2 – Rural Residential 2.	
4.7	Lakeshore Rd 5076, BL11529 (LUCT16-0001) - Stewart Storie and Gloria Heung	87 - 88
	To give Bylaw No. 11529 first reading in order to early terminate Land Use Contract No. LUC77-1012.	
4.8	Lakeshore Rd 5076, BL11531 (Z16-0027) - Stewart Storie and Gloria Heung	89 - 89
	To give Bylaw No. 11531 first reading in order to rezone the subject property from the A1 - Agriculture 1 zone to the RR2 - Rural Residential zone.	
4.9	DeHart Rd 644, Z17-0097 - Ricardo & Patricia Tomic	90 - 96
	To rezone the subject property to the RU6 – Two Dwelling Housing zone to facilitate the construction of a second dwelling.	
4.10	DeHart Rd 644, BL11533 (Z17-0097) - Ricardo & Patricia Tomic	97 - 97
	To give Bylaw No. 11533 first reading in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone.	
4.11	Glenmore Rd 621, Z17-0106 - Mehdi Tehrani & Mandana Ghanyei	98 - 109
	To rezone the subject property from A1 to RU6 to facilitate a two-lot subdivision.	
4.12	Glenmore Rd 621, BL11535 (Z17-0106) - Mehdi Tehrani and Mandana Ghanyei	110 - 110
	To give Bylaw No. 11535 first reading in order to rezone the subject property from the A1 - Agriculture 1 zone to the RU6 - Two Dwelling Housing zone.	
4.13	Rutland Rd N 1308 & 1324, Z17-0047 - 1121911 BC Ltd	111 - 123
	To rezone the subject property to facilitate the development of multiple dwelling housing.	

4.14	Rutland Rd N 1308 & 1324, BL11537 (Z17-0047) - 1121911 BC Ltd	124 - 124
	To give Bylaw No. 11537 first reading in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RM3 - Low Density Multiple Housing zone.	
4.15	Richter Street 1800, DP17-0179 - Meiklejohn Architects Inc	125 - 148
	To consider the form and character of the proposed 55-unit 4-storey multiple dwelling housing project on the subject property (Central Green).	
5.	Non-Development Reports & Related Bylaws	
5.1	Capri-Landmark - Preferred Concept Plan	149 - 189
	To provide Council with an update on the preferred Concept Plan and to receive direction to advance the development of the final plan document which will include specified funding options and the implementation strategy.	
5.2	Transit 2017/2018 Amended Annual Operating Agreement	190 - 215
	To receive Council approval for amendment #1 to the Transit 2017/18 Annual Operating Agreement.	
5.3	Urban Deer in Kelowna	216 - 220
	To provide an update on urban deer within the City of Kelowna.	
5.4	Sanitary Sewer Connection Area 28 - Stellar Drive Extension Charges	221 - 223
	To approve the use of Sewer Connection Area 28 reserves for the construction of new sanitary sewer connections along Stellar Drive.	
6.	Mayor and Councillor Items	
7.	Termination	



City of Kelowna Regular Council Meeting Minutes

Date: Monday, January 8, 2018
 Location: Council Chamber
 City Hall, 1435 Water Street

Members Present Deputy Mayor Tracy Gray, Councillors, Ryan Donn, Gail Given, Charlie Hodge, Brad Sieben and Mohini Singh

Members Absent Mayor Colin Basran, Councillors Maxine DeHart and Luke Stack

Staff Present City Manager, Ron Mattiussi; City Clerk, Stephen Fleming, Community Planning Department Manager, Ryan Smith*; Urban Planning Manager, Terry Barton*; Divisional Director, Community Planning & Strategic Investments, Doug Gilchrist*; Planner, Lydia Korolchuk*; Infrastructure Engineering Manager, Joel Shaw*; Divisional Director, Alan Newcombe*; Infrastructure Delivery Dept. Manager, Brian Beach*; Sport & Event Services Manager, Doug Nicholas*; Parks & Buildings Planning Manager, Robert Parlane*; Planner Specialist, David James*; Legislative Coordinator (Confidential), Arlene McClelland

(* Denotes partial attendance)

1. Call to Order

Deputy Mayor Gray called the meeting to order at 1:33 p.m.

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

2. Confirmation of Minutes

Moved By Councillor Donn/Seconded By Councillor Hodge

R004/18/01/08 THAT the Minutes of the Regular Meetings of December 11, 2017 and the Budget Meeting of December 14, 2017 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 McCurdy Road 700, Z16-0025 Extension - Silver City Holdings Inc.

Staff:

- Provided an overview of the application.

Moved By Councillor Given/Seconded By Councillor Singh

R005/18/01/08 THAT in accordance with Development Application Procedures Bylaw No. 10540, the deadline for the adoption of Rezoning Bylaw No. 11283, be extended from October 4, 2017 to October 4, 2018.

AND THAT Council directs Staff to not accept any further extension requests.

Carried

3.2 Richter Street 1710-1740, DP17-0039 - Meiklejohn Architects Inc.

Staff:

- Displayed a PowerPoint Presentation summarizing the application and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Singh

R006/18/01/08 THAT Council hear from the Applicant.

Carried

Bob Daigenais, Applicant Representative

- Spoke to the rationale for the current site plan and the reasoning for the elimination of the previously proposed 8 storey commercial building at the corner of Richter and Harvey.
- Believed that a commercial building on the corner of Richter Street and Harvey Avenue was not an appropriate response for a pedestrian friendly community.
- Advised that adding height to the buildings fronting Harvey Avenue would be difficult to achieve due to geo-technical challenges on the site.
- A Public Plaza all the way through the site will make it a more pedestrian friendly realm.
- Advised that commercial access for Central Green is a challenge.
- Will provide lined retail on both sides along Richter Street to enhance the pedestrian focus on Central Green.
- Visitor parking will be on the podium and the expectation is to bike and walk to the site.
- The main podium, Site E, has to address a number of levels, public connection to the bridge along the highway; the corner of Richter Street and Harvey Avenue onto the site as well as the reverse direction from Rowcliffe Avenue.
- Responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Singh

2018/01/08 THAT Council authorizes the issuance of Development Permit No. DP17-0039 for Lot 1 District Lot 139 ODYD Plan KAP92715, located at 1710 - 1740 Richter 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 April 18, 2017;

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.

[Not voted on due to deferral motion]

Moved By Councillor Sieben/Seconded By Councillor Given

R007/18/01/08 THAT Council defers consideration of Development Permit No. DP17-0039 for Lot 1 District Lot 139 ODYD Plan KAP92715, located at 1710 - 1740 Richter St, Kelowna, BC pending additional information from staff.

Carried
Councillor Hodge - Opposed

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

4.1 **Budget Adjustments Required for Saucier Avenue Water and Saucier Avenue Sanitary Replacement Projects (Richter to Ethel)**

Staff:

- Provided an overview of the budget adjustments required for Saucier Avenue identified in the 2017 capital projects

Moved By Councillor Donn/Seconded By Councillor Sieben

R008/18/01/08 THAT Council receives for information, the report from the Infrastructure Division Director dated December 11, 2017 regarding the budget adjustments required for the Saucier Avenue Water Main and Sanitary Replacement projects.

AND THAT the 2017 Financial Plan be updated to reflect the transfer of \$150,000 from the Okanagan Avenue Water Replacement project to the Saucier Avenue Water Main Replacement project;

AND THAT the 2017 Financial Plan be updated to reflect the transfer of \$195,000 from the Airport Gravity Main By-Pass project to the Saucier Avenue Sanitary Replacement project;

AND FURTHER THAT Council authorize the additional expenditures totaling \$345,000 for the projects noted above.

Carried

4.2 **Budget Adjustments Required for Ethel Street Active Transportation Corridor – Phase 3 (Harvey Ave. to Sutherland Ave.)**

Staff:

- Provided an overview of the budget adjustments identified in the 2017 capital projects and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Sieben

R009/18/01/08 THAT Council receives for information, the report from the Infrastructure Division Director dated December 11, 2017 regarding the budget adjustments for the Ethel Street Active Transportation Corridor – Phase 3;

AND THAT the 2017 Financial Plan be updated to reflect the transfer of \$80,000 from the Sutherland Avenue ATC project to the Ethel Street Phase 3 ATC Construction project;

AND THAT the 2017 Financial Plan be updated to reflect the transfer of \$80,000 from Ash & Uplands Pressure Reducing Valve project to the Ethel Phase 3 ATC Water Main Replacement project;

AND FURTHER THAT Council authorize the additional expenditures totaling \$160,000 for the projects noted above.

Carried

4.3 Status of Various 2017 Capital Water Utility Projects

Staff:

- Provided an update on the various 2017 Capital Water Utility Projects and responded to questions from Council.

Moved By Councillor Sieben/Seconded By Councillor Given

R010/18/01/08 THAT Council receives for information, the report from the Infrastructure Division Director dated December 11, 2017 regarding the status of various 2017 Capital Water Utility projects;

AND THAT the 2017 Financial Plan be updated to reflect the transfer of \$445,000 from completed and cancelled projects to active projects requiring additional funds as noted in the Financial/Budgetary Considerations section;

AND THAT Council approve the cancellation of the Okanagan Boulevard Water Main Replacement project and the Ash and Uplands Pressure Reducing Valves project;

AND FURTHER THAT Council authorize the additional expenditures of \$445,000 for those active projects requiring additional funds to complete as noted in the Financial/Budgetary Considerations section.

Carried

4.4 Establishment Bylaw for Aspen Road Local Area Service Project

Moved By Councillor Hodge/Seconded By Councillor Donn

R011/18/01/08 THAT Council receive for information the report dated December 11, 2017 from the City Clerk pertaining to Local Area Service project for Aspen Road;

AND FURTHER THAT Council amends at third reading Bylaw No. 11275, Establishment Bylaw for Local Area Service for Aspen Road.

Carried

4.5 BL11275 - Establishment and Loan Authorization Bylaw for LAS Aspen Road

Moved By Councillor Hodge/Seconded By Councillor Given

R012/18/01/08 THAT Bylaw No. 11275 be amended at third reading to include wording changes to meet legislative requirements for obtaining approval from the Inspector of Municipalities.

Carried

4.6 Budget Amendment - Mission Recreation Park Quadplex Viewing Deck

Staff:

- Provided an overview of the budget amendment for the Mission Recreation Park Quadplex viewing deck.

Moved By Councillor Donn/Seconded By Councillor Given

R013/18/01/08 THAT Council receives for information, the report from the Sport & Event Services Manager dated January 8, 2018, with respect to amending the Mission Recreation Park (MRP) Softball Quadplex Viewing Deck project;

AND THAT the 2018 Financial Plan be amended to include \$100,000 for the MRP Softball Quadplex Viewing Deck project funded from the MRP Softball Facility Reserve, as outlined in this report;

AND FURTHER THAT Council authorize the additional expenditure of \$100,000 for the MRP Softball Quadplex Viewing Deck project from the MRP Softball Facility Reserve.

Carried

4.7 Boyce-Gyro Beach Park Washroom – Scope Revision and Budget Transfers

Staff:

- Displayed a PowerPoint Presentation summarizing the rationale for a revised scope and additional funding required for the Boyce-Gyro Beach Park Washroom and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Donn

R014/18/01/08 THAT Council receives for information the report from the Parks and Building Planning Manager dated January 8, 2018 with regard to the Boyce-Gyro Beach Park Washroom – scope revision and budget transfers;

AND THAT Council authorize the revision to the scope of the 2017 Parks Infrastructure Renewal – Washroom Renovations project, to replace the renovation with the construction of a new washroom and change room building;

AND THAT Council authorize the cancelation of the Queensway Transit Security Pavilion project;

AND THAT the 2017 Financial Plan be amended to include the transfer of \$224,000 from the Queensway Transit Security Pavilion project to the Parks Infrastructure Renewal – Washroom Renovations;

AND THAT Council authorize the cancelation of the Capital Opportunities and Partnerships Program for Kelowna United;

AND FURTHER THAT the 2017 Financial Plan be amended to include the transfer of \$100,000 from the Capital Opportunities and Partnerships Program project to the Parks Infrastructure Renewal – Washroom Renovations.

Carried

Councillor Hodge – Opposed

4.8 Development Cost Charges Bylaw No. 11498 Amendment No. 3 to Development Cost Charge Bylaw No. 10515

Staff:

- Displayed a PowerPoint Presentation summarizing the Development Cost Charges Amendment and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Hodge

R015/18/01/08 THAT Council receives, for information, the report from the Infrastructure Engineering Manager dated January 8, 2018, with respect to the Development Cost Charge Bylaw No. 11498 Amendment No. 3 to Development Cost Charge Bylaw No. 10515;

AND THAT Bylaw No. 11498 Amendment No. 3 to Development Cost Charge Bylaw No. 10515 be forwarded for reading consideration.

Carried

4.9 BL11498 - Amendment No. 3 to Development Cost Charge Bylaw No. 10515

Moved By Councillor Hodge/Seconded By Councillor Given

R016/18/01/08 THAT Bylaw No. 11498 be read a first, second and third time.

Carried

4.10 Road Closure and Consolidation – Adjacent to 555 Fuller Avenue

Moved By Councillor Hodge/Seconded By Councillor Donn

R017/18/01/08 THAT Council receives, for information, the Report from the Manager, Real Estate Services dated January 8th, 2018, recommending that Council adopt the proposed closure of a portion of roadway adjacent to 555 Fuller Avenue;

AND THAT Bylaw No.11522, being the proposed closure of a portion of roadway adjacent to 555 Fuller Avenue, be given reading consideration.

Carried

4.11 BL11522 - Road Closure and Removal of Hwy Dedication - Portion of Fuller Ave

Moved By Councillor Given/Seconded By Councillor Hodge

R018/18/01/08 THAT Bylaw No. 11522 be read a first, second and third time.

Carried

4.12 Road Closure – Laneway Adjacent to 815 - 831 Leon Avenue

Moved By Councillor Given/Seconded By Councillor Sieben

R019/18/01/08 THAT Council receives, for information, the Report from the Manager, Real Estate Services dated January 8, 2018, recommending that Council adopt the proposed closure of a portion of laneway adjacent to 815-831 Leon Avenue;

AND THAT Bylaw No.11532, being the proposed closure of a portion of laneway adjacent to 815-831 Leon Avenue, be given reading consideration.

Carried

4.13 BL11532 - Road Closure and Removal of Hwy Dedication - Portion of Leon Avenue

Moved By Councillor Sieben/Seconded By Councillor Singh

R020/18/01/08 THAT Bylaw No. 11532 be read a first, second and third time.

Carried

4.14 Road Closure and Removal of Hwy Dedication - Portions of Queensway Ave and Water St

Moved By Councillor Donn/Seconded By Councillor Given

R021/18/01/08 THAT Council receives, for information, the Report from the Manager, Strategic Land Development dated January 8, 2018, recommending that Council adopt the proposed closure of a portion of Queensway Avenue and Water Street;

AND THAT Bylaw 11516, being proposed closure of a portion of Queensway Avenue and Water Street adjacent to 289 Queensway Avenue, be given reading consideration;

AND FURTHER THAT Mayor and City Clerk be authorized to execute all documents related to this transaction.

Carried

4.15 BL11516 - Road Closure and Removal of Hwy Dedication - Portions of Queensway Ave and Water St

Moved By Councillor Singh/Seconded By Councillor Sieben

R022/18/01/08 THAT Bylaw No. 11516 be read a first, second and third time.

Carried

5. Mayor and Councillor Items

Councillor Sieben:

- Shout out to two hockey players with Kelowna Rockets who represented Canada at the World Junior Ice Hockey Championship.

Councillor Hodge

- Raised question regarding the Central Green deferral motion.

City Manager:

- Confirmed that staff would discuss with the developer issues raised by Council.

Councillor Donn:

- Made comment on recent events over the holidays involving emergency services and commended the RCMP Member who alerted occupants of a structure fire on Cameron Avenue.

6. Termination

This meeting was declared terminated at 3:45 p.m.

Deputy Mayor Gray

/acm

City Clerk

Report to Council



Date: December 11, 2017
File: 1200-10
To: City Manager
From: Agricultural Advisory Committee
Subject: Agricultural Advisory Committee – Annual Report to Council
Prepared by: Community Planning (MS)

Recommendation:

THAT Council receives, for information, the report from the Agricultural Advisory Committee dated December 11th, 2017, with respect to an annual report to Council.

Purpose:

To update Council on the activities of the Agricultural Advisory Committee.

Background:

The Agricultural Advisory Committee (AAC) is pleased to report its activities of this Council term to date. Per Council's direction, the AAC was formed in the spring of 2015 and on June 11, 2015 had its initial meeting where the Chair and Vice Chair were appointed. Committee members include:

Chair: Dr. Johannus Janmaat
Vice Chair: Yvonne Herbison
Members: Dr. Edward Schiller
Pete Spencer
Keith Duhaime
Domenic Rampone
Tarsem Singh Goraya
Jeff Ricketts (Alternate)
Jill Worboys – Interior Health (Non-Voting)

The AAC has provided an agricultural lens on the many applications, plans and changes to agricultural policy since their appointment in June, 2015. The Committee undertook to further advance Council's priority to 'Preserve Agricultural Land' specified by Council in 2016. They formally meet once a month to review development files and projects.

A summary of activities included below:

1. Agricultural Plan (2017)

The AAC acted as a touchstone throughout the planning process, providing guidance and advice at key junctures. The AAC provided input on vision, goals, and priorities, identified approaches to help engage the community, as well as reviewed the draft before it was presented to the public.

The AAC met with staff on seven occasions to review and provide input into the Agricultural Plan. This included four workshops, including:

- i. April 14, 2016 Stakeholder mapping and project scoping
- ii. May 11, 2016 Vision and Strengths, Weaknesses, Opportunities and Threats Analysis
- iii. Oct. 13, 2016 Key themes and recommendations
- iv. March 13, 2016 Draft policy and recommendations

The Committee reviewed draft iterations of the plan following public engagement and input from stakeholders. In addition, the AAC helped communicate the public engagement opportunities through their networks, including the online survey and public open house opportunities.

2. Agri-tourist Accommodation – Removal of Use from Bylaw

The AAC provided comment and expertise on the removal of agri-tourist accommodation use A1t – Agriculture 1 with Agri-tourist Accommodation 1 from Bylaw No. 8000, which was adopted by Council on September 13, 2016.

3. Temporary Farm Worker Housing Amendments

The AAC reviewed and provided comments into the Temporary Farm Worker Housing Amendments, for two revisions, which were adopted by Council on September 18th, 2017.

4. Agricultural Compliance and Enforcement Strategy

The AAC provided comments into the Agricultural Compliance and Enforcement Strategy, which was supported by Council in 2015.

5. Development Applications

The AAC reviewed and provided comments into development applications, including:

- 17 Non-Farm Use Agricultural Land Commission (ALC) Applications
- 3 Subdivision ALC Applications
- 3 Exclusion ALC Applications
- 4 Farm Help Applications
- 2 Development Permit Applications
- 4 Rezoning Applications
- 3 Agri-tourist Accommodation Applications
- 1 Heritage Alteration Permit
- 1 Area Structure Plan adjacent the Agricultural Land Reserve (ALR)
- 1 Liquor License

Of note, five of the above applications were withdrawn by the applicants after receiving recommendations from the committee. Several of these applications were then revised, with new applications submitted based on feedback and response from the AAC.

6. City initiated projects that were reviewed by the AAC include:

- Airport Master Plan
- Community Agricultural Water Rate Design Engagement Process

7. Documents Reviewed for Comment:

Provincial documents that were reviewed for comment included:

- i. Regulating Agri-tourism and Farm Retail Sales in the Agricultural Land Reserve – Ministry of Agriculture (2015)
- ii. Agricultural Land Inventory Data – Ministry of Agriculture (2016)
- iii. Agricultural Land Reserve – New and Amended Policies (2016)

8. Members participated in the following

- Okanagan Agricultural Adaptation Strategy Workshops # 1 and #2 (2016)
- Planning Institute of BC Conference and Agricultural Mobile Tour (2016)

9. Information – Other Events

The following events and programs were shared by the committee and further extended to their individual networks:

- Invitation to Domestic Marketing Workshops (2015)
- Fall 2015 Export Marketing Events
- Agri-food Business Planning Program (2016)
- BC Food Works Program – Value Added Production (2016)
- Farm Succession Seminar Series (2016)
- Young Agrarians events (varied)
- Bioregional Food Systems Presentation – Okanagan College (2017)
- Agriculture in Action Tour (2017)
- Electrical Fencing Workshops – Upcoming for 2018

Internal Circulation:

Policy and Planning

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

Prepared by: M. Steppuhn, Planner
Reviewed by: Todd Cashin, Suburban and Rural Planning Department Manager
Approved for Inclusion: Doug Gilchrist, Divisional Director, Community Planning & Strategic Investments

cc: Agricultural Advisory Committee Members
Tracy Guidi – Policy and Planning

REPORT TO COUNCIL



Date: January 8, 2018

RIM No. 1250-20

To: City Manager

From: Community Planning Department (LB)

Application: OCP17-0027 / Z17-0107 **Owner:** Various

Address: Various **Applicant:** City of Kelowna

Subject: OCP Amendment & Rezoning Application – Discrepancies in Boundaries

1.0 Recommendation

THAT Official Community Plan Map Amendment Application No. OCP17-0027 to amend Map 4.1 in the Kelowna 2030 – Official Community Plan Bylaw No. 10500 by changing the Future Land Use designation of several properties as indicated the Future Land Use Designation Discrepancies Table and shown on Maps "A" to "H" attached to the Report from the Community Planning Department dated January 8, 2018 be considered by Council;

AND THAT the Official Community Plan Map Amending Bylaw be forward to a Public Hearing for further consideration;

AND THAT Council considers the Public Hearing process to be appropriate consultation for the purpose of Section 475 of the *Local Government Act*;

AND THAT Rezoning Application No. Z17-0107 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of several properties as indicated the Future Land Use Designation Discrepancies Table and shown on Maps "I" to "T" attached to the Repot from the Community Planning Department dated January 8, 2018 be considered by Council;

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

2.0 Purpose

To amend the Official Community Plan to change the future land use designation of and to rezone the subject properties to complete housekeeping amendments to correct boundary discrepancies.

3.0 Community Planning

Staff have identified several properties with discrepancies in future land use designation and zoning boundaries and are bringing forward these amendments to resolve these inconsistencies. These are considered housekeeping amendments that will align future land use designation and zoning boundaries with existing or proposed future lot lines and resolve clerical oversights from previous applications. Some

mapping amendments are the result of the subdivision of properties occurring after adoption of rezoning bylaws. As such, Maps A to T are considered housekeeping amendments.

In accordance with section 466(7) of the *Local Government Act*, notices were not mailed to property owners or residents of the subject property and direct neighbourhood notification was not carried out. Notices were posted in the newspaper in accordance with other requirements of *Local Government Act* section 466.

3.1 Future Land Use Designation Discrepancies Table

Legal Description	Civic Address	Existing Designation	Proposed Designation	Map No.
Part of LOT 2 SECTION 17 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN KAP65503	Bennett Road 1602	PARK – Major Park / Open Space (public) S2RESH – Single / Two Unit Residential – Hillside	S2RESH – Single / Two Unit Residential – Hillside PARK – Major Park / Open Space (public)	A & B
Part of LOT 1 SECTION 17 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN KAP65503	Bennett Road 1855	PARK – Major Park / Open Space (public) S2RESH – Single / Two Unit Residential – Hillside	S2RESH – Single / Two Unit Residential – Hillside PARK – Major Park / Open Space (public)	A & B
Part of LOT 17 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP45757	Carnegie Street 1798	PARK – Major Park / Open Space (public)	S2RESH – Single / Two Unit Residential – Hillside	C
Part of LOT 16 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP45757	Carnegie Street 1810	PARK – Major Park / Open Space (public)	S2RESH – Single / Two Unit Residential – Hillside	C
Part of LOT 29 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP45757	Carnoustie Drive 438	S2RESH – Single / Two Unit Residential – Hillside	PARK – Major Park / Open Space (public)	C
Part of LOT 12 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP42924	Carnoustie Drive 488	PARK – Major Park / Open Space (public)	S2RESH – Single / Two Unit Residential – Hillside	C
Part of LOT 1 SECTIONS 20 AND 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP51781 EXCEPT PLAN EPP55883 AND EPP60436	Fawn Run Drive 1448	PARK – Major Park / Open Space (public)	S2RESH – Single / Two Unit Residential – Hillside	D
Part of LOT 1 SECTIONS 20 AND 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP51781 EXCEPT PLAN EPP55883 AND EPP60436	Fawn Run Drive 1448	PSU - Public Services / Utilities S2RES – Single / Two Unit Residential	PARK – Major Park / Open Space (public) PSU - Public Services / Utilities	E

Legal Description	Civic Address	Existing Designation	Proposed Designation	Map No.
Part of LOT 1 SECTION 2 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP72188	Mahonia Drive 4075	REP – Resource Protection Area	S2RES – Single / Two Unit Residential	F
Part of LOT 1 DISTRICT LOT 14 OSOYOOS DIVISION YALE DISTRICT PLAN EPP34822	Pandosy Street 3030	MRM – Multiple Unit Residential (Medium Density) (formerly road right-of-way)	MXR – Mixed Use (Residential / Commercial)	G
Part of LOT A DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN EPP39101 EXCEPT PLANS EPP50977 AND EPP54107	Richter Street 1190	COMM – Commercial	EDINST – Educational / Major Institutional	H
Part of LOT 1 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN EPP54107	St Paul Street 1193	EDINST – Educational / Major Institutional	COMM – Commercial	H

3.2 Summary of Zoning Discrepancies

Legal Description	Civic Address	Existing Zone	Proposed Zone	Map No.
Part of LOT 19 DISTRICT LOT 134 OSOYOOS DIVISION YALE DISTRICT PLAN 20399	Bechard Road 760	RU1 – Large Lot Housing	RU2 – Medium Lot Housing	I
Part of LOT 2 SECTION 19 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP68016	Burne Avenue 816	P2 – Education and Minor Institutional	RU6 – Two Dwelling Housing	J
Part of LOT 17 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP45757	Carnegie Street 1798	P3 – Parks and Open Space	RU1h – Large Lot Housing (Hillside Area)	K
Part of LOT 16 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP45757	Carnegie Street 1810	P3 – Parks and Open Space	RU1h – Large Lot Housing (Hillside Area)	K
Part of LOT 29 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP45757	Carnoustie Drive 438	RU1h – Large Lot Housing (Hillside Area)	P3 – Parks and Open Space	K
Part of LOT 12 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP42924	Carnoustie Drive 488	P3 – Parks and Open Space	RU1h – Large Lot Housing (Hillside Area)	K

Legal Description	Civic Address	Existing Zone	Proposed Zone	Map No.
Part of LOT 1 SECTION 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP55883	Fawn Run Drive 1428	A1 – Agriculture 1	RU1 – Large Lot Housing	L
Part of LOT 1 SECTIONS 20 AND 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP51781 EXCEPT PLAN EPP55883 AND EPP60436	Fawn Run Drive 1448	P3 – Parks and Open Space	RU1h – Large Lot Housing (Hillside Area)	M
Part of LOT 1 SECTIONS 20 AND 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP51781 EXCEPT PLAN EPP55883 AND EPP60436	Fawn Run Drive 1448	A1 – Agriculture P4 - Utilities	P3 – Parks and Open Space P4 - Utilities	L
LOT 1 DISTRICT LOT 357 OSOYOOS DIVISION YALE DISTRICT PLAN KAP46269	Gordon Drive 4623	RU1 – Large Lot Housing	RU6 – Two Dwelling Housing	N
Part of LOT 1 SECTION 2 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP72188	Mahonia Drive 4075	RR2 – Rural Residential 2	RR3 – Rural Residential 3	O
LOT 24 SECTION 24 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP67683	Mine Hill Drive 1330	RU4h - Low Density Cluster Housing (Hillside Area)	RU1h – Large Lot Housing (Hillside Area)	P
Part of LOT 1 DISTRICT LOT 508A SIMILKAMEEN DIVISION YALE DISTRICT AND SECTION 31 TOWNSHIP 29 OSOYOOS DIVISION YALE DISTRICT PLAN EPP50904	Mission Ridge Road 1193	RU1 – Large Lot Housing	A1 – Agriculture 1	Q
Part of LOT 1 DISTRICT LOT 14 OSOYOOS DIVISION YALE DISTRICT PLAN EPP34822	Pandosy Street 3030	RU1 – Large Lot Housing (formerly road right-of-way)	C4 – Urban Centre Commercial	R
Part of LOT A DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN EPP39101 EXCEPT PLANS EPP50977 AND EPP54107	Richter Street 1190	I4 – Central Industrial	P1 – Major Institutional	S

Legal Description	Civic Address	Existing Zone	Proposed Zone	Map No.
Part of LOT 1 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN EPP54107	St Paul Street 1193	P1 – Major Institutional	I4 – Central Industrial	S
Part of LOT 1 SECTION 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP31682	Steele Road 1328	RU3 – Small Lot Housing	RU1 – Large Lot Housing	L
Part of LOT A SECTIONS 32 AND 29 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP54061	Valley Road 720-724	A1 – Agriculture 1	RM3 – Low Density Multiple Housing	T

Report prepared by: Laura Bentley, Planner Specialist


Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Map "A" OCP Amendment – 1602 & 1855 Bennett Road
 Map "B" OCP Amendment – 1602 & 1855 Bennett Road
 Map "C" OCP Amendment – 1798 & 1810 Carnegie Street and 438 & 488 Carnoustie Drive
 Map "D" OCP Amendment – 1448 Fawn Run Drive
 Map "E" OCP Amendment – 1448 Fawn Run Drive
 Map "F" OCP Amendment – 4075 Mahonia Drive
 Map "G" OCP Amendment – 3030 Pandosy Street
 Map "H" OCP Amendment – 1190 Richter Street and 1193 St Paul Street
 Map "I" Rezoning – 760 Bechard Road
 Map "J" Rezoning – 816 Burne Avenue
 Map "K" Rezoning – 1798 & 1810 Carnegie Street and 438 & 488 Carnoustie Drive
 Map "L" Rezoning – 1428 & 1448 Fawn Run Drive and 1328 Steele Road
 Map "M" Rezoning – 1448 Fawn Run Drive
 Map "N" Rezoning – 4623 Gordon Drive
 Map "O" Rezoning – 4075 Mahonia Drive
 Map "P" Rezoning – 1330 Mine Hill Drive
 Map "Q" Rezoning – 1193 Mission Ridge Road
 Map "R" Rezoning – 3030 Pandosy Street
 Map "S" Rezoning – 1190 Richter Street and 1193 St Paul Street
 Map "T" Rezoning – 720-724 Valley Road



 PARK to S2RESH

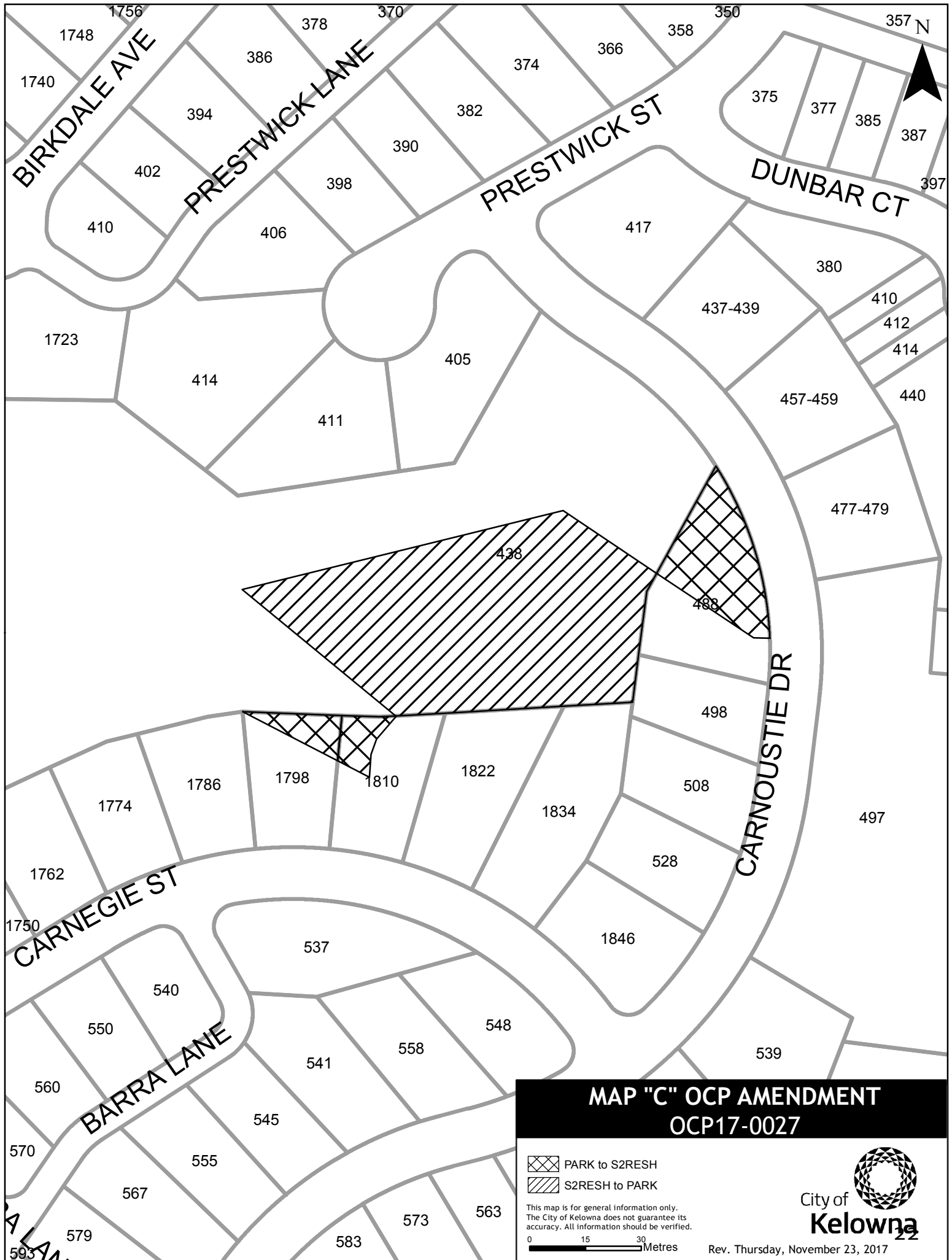
This map is for general information only.
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
City of
Kelowna

Rev. Thursday, November 23, 2017





MAP "C" OCP AMENDMENT OCP17-0027

-  PARK to S2RESH
-  S2RESH to PARK

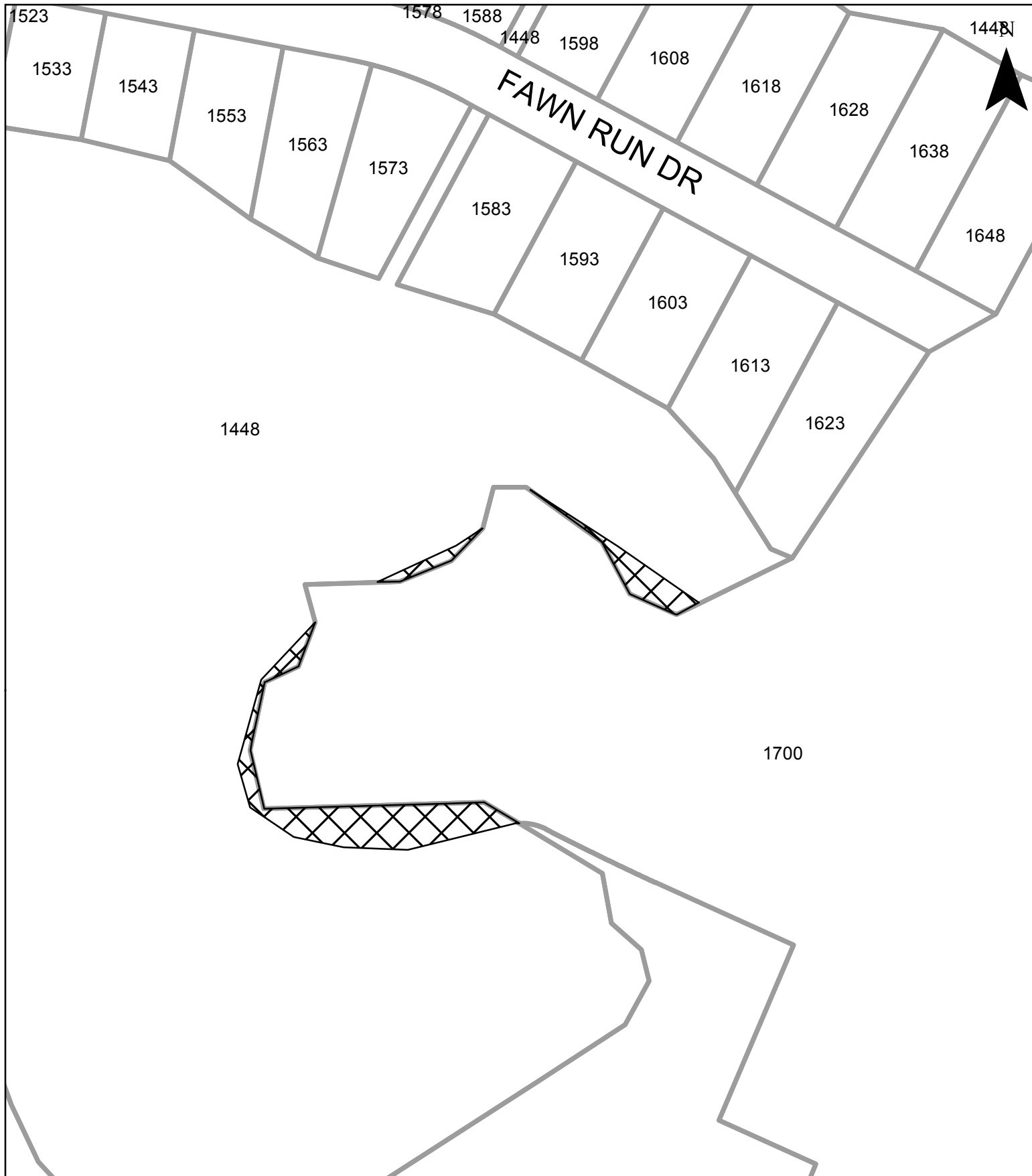
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0 15 30 Metres




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Kelowna

Rev. Thursday, November 23, 2017



MAP "D" OCP AMENDMENT OCP17-0027

 PARK to S2RESH

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accuracy. All information should be verified.

0 15 30
Metres



Rev. Thursday, November 23, 2017

N



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979

1448

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4928

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SILVER STAG CT

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1398




1428

FAWN RUN DR

1448

4975

MAP "E" OCP AMENDMENT OCP17-0027

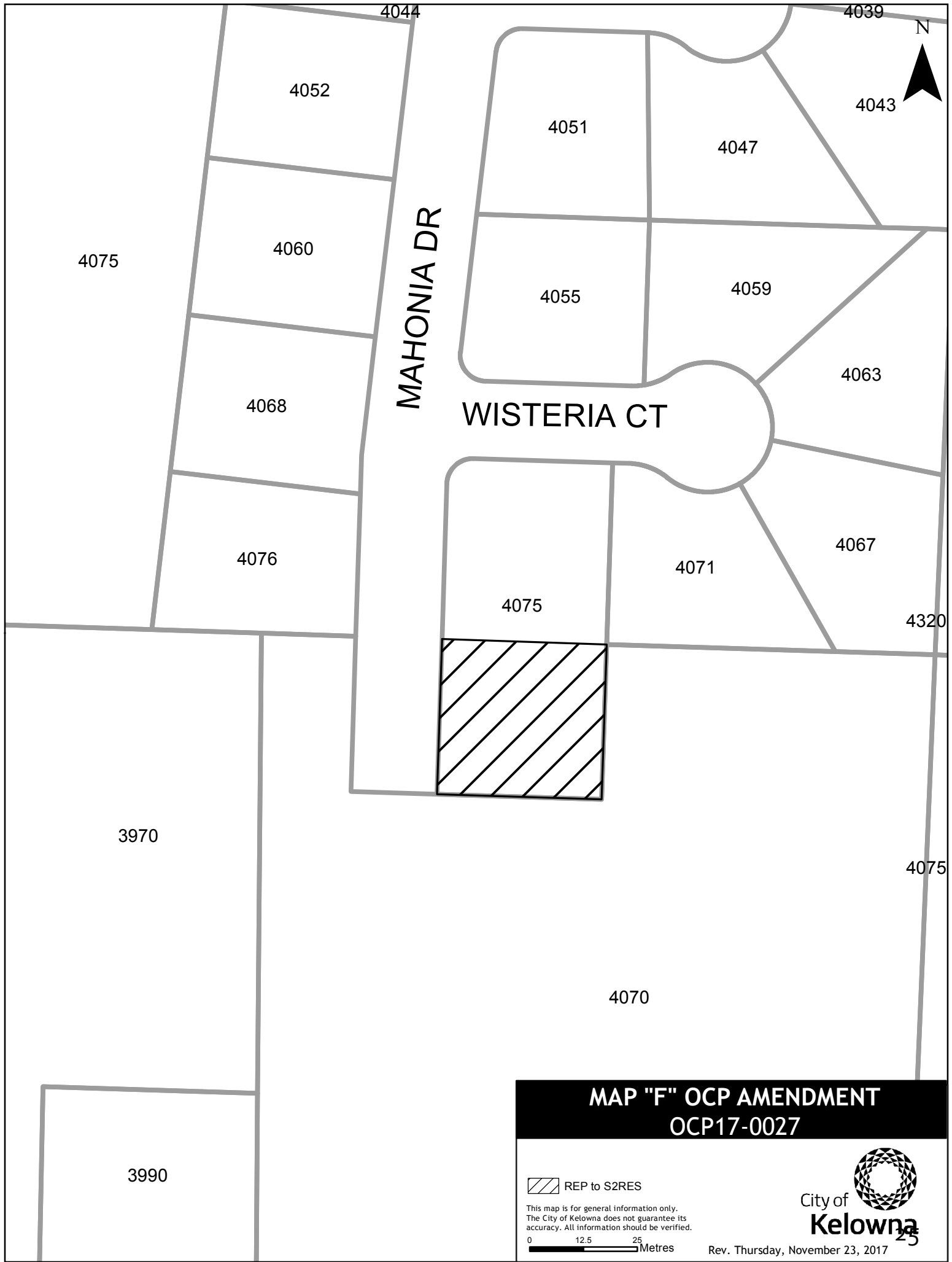
-  PSU to PARK
-  S2RES to PARK
-  S2RES to PSU

This map is for general information only.
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0 10 20 Metres



Rev. Friday, December 08, 2017



**MAP "F" OCP AMENDMENT
OCP17-0027**

 REP to S2RES

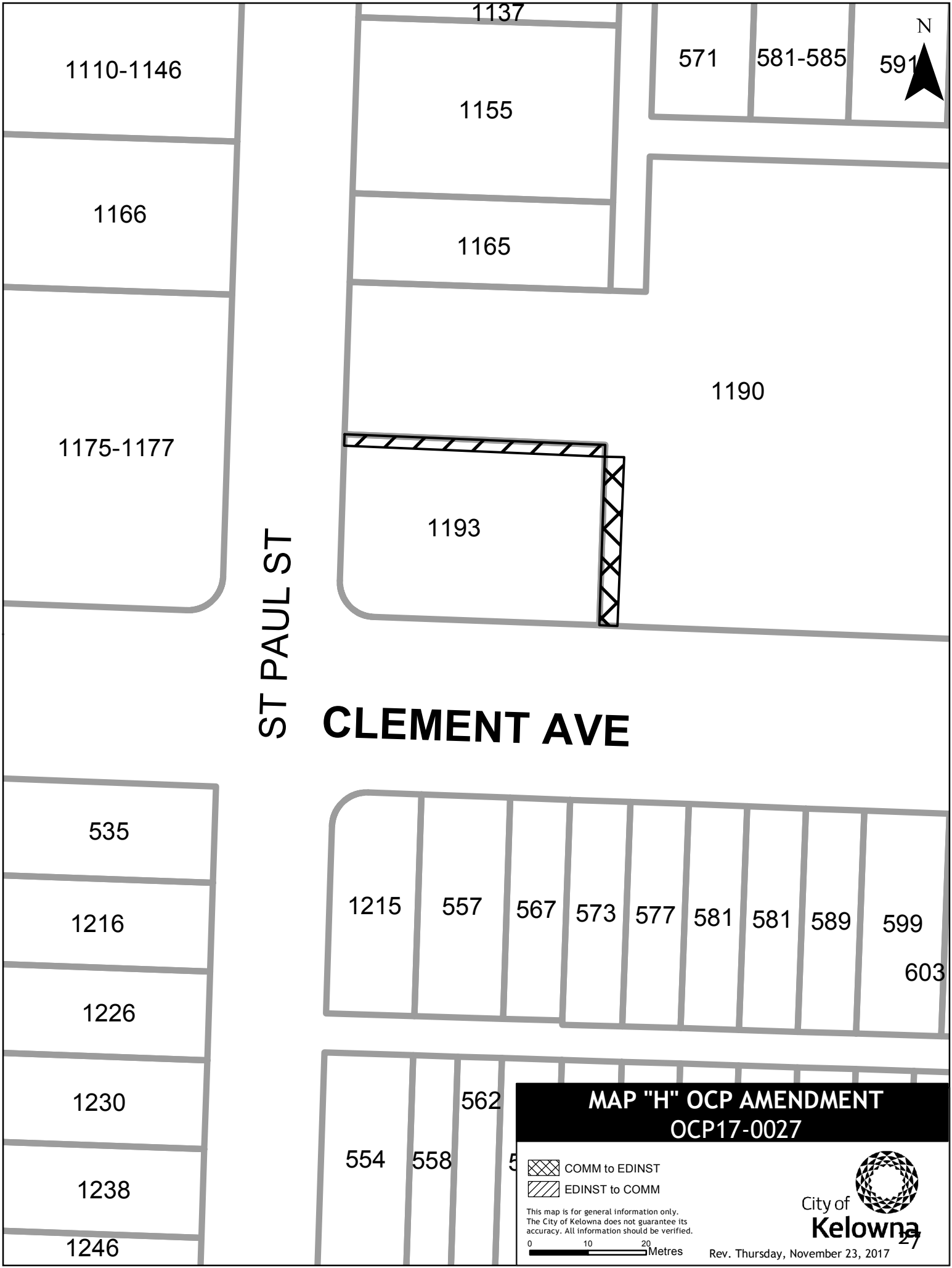
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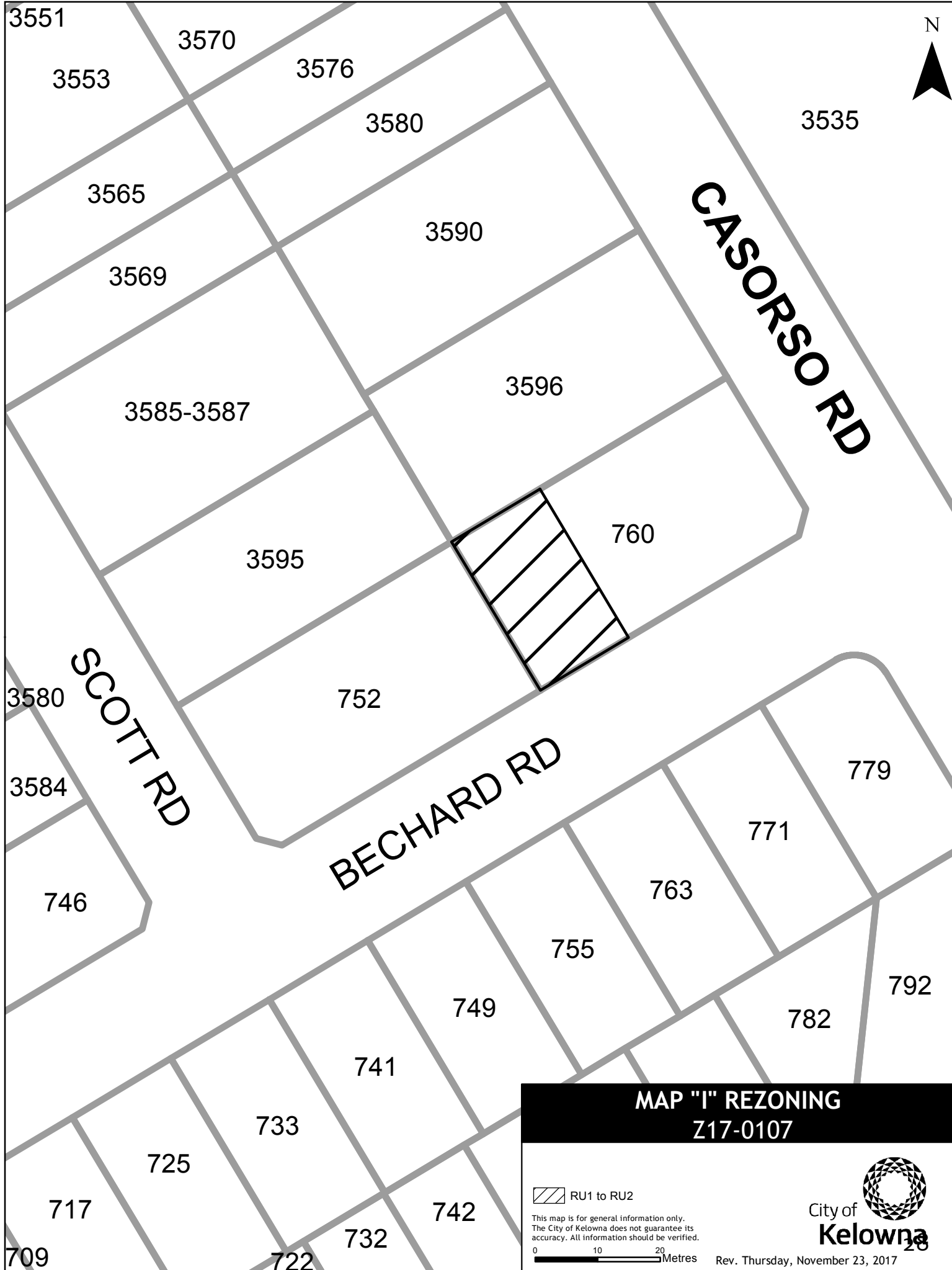
0 12.5 25 Metres



Rev. Thursday, November 23, 2017







3551 3570 3576 3580 3535 3553 3565 3569 3585-3587 3590 3596 3595 760 752 3580 3584 746 779 771 763 755 749 741 733 725 717 709 722 732 742 782 792

CASORSO RD

SCOTT RD

BECHARD RD

MAP "I" REZONING
Z17-0107

RU1 to RU2

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0 10 20 Metres

City of Kelowna

Rev. Thursday, November 23, 2017

COPELAND PL

N



789

795

799-801

805-807

839

803

(N OF)

(N OF)

2008



786

792

800-802

806

816

838

846

854

BURNE AVE

783

797

805

809

813-815

835

MAP "J" REZONING

Z17-0107



P2 to RU6

This map is for general information only.
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accuracy. All information should be verified.

0 5 10 Metres

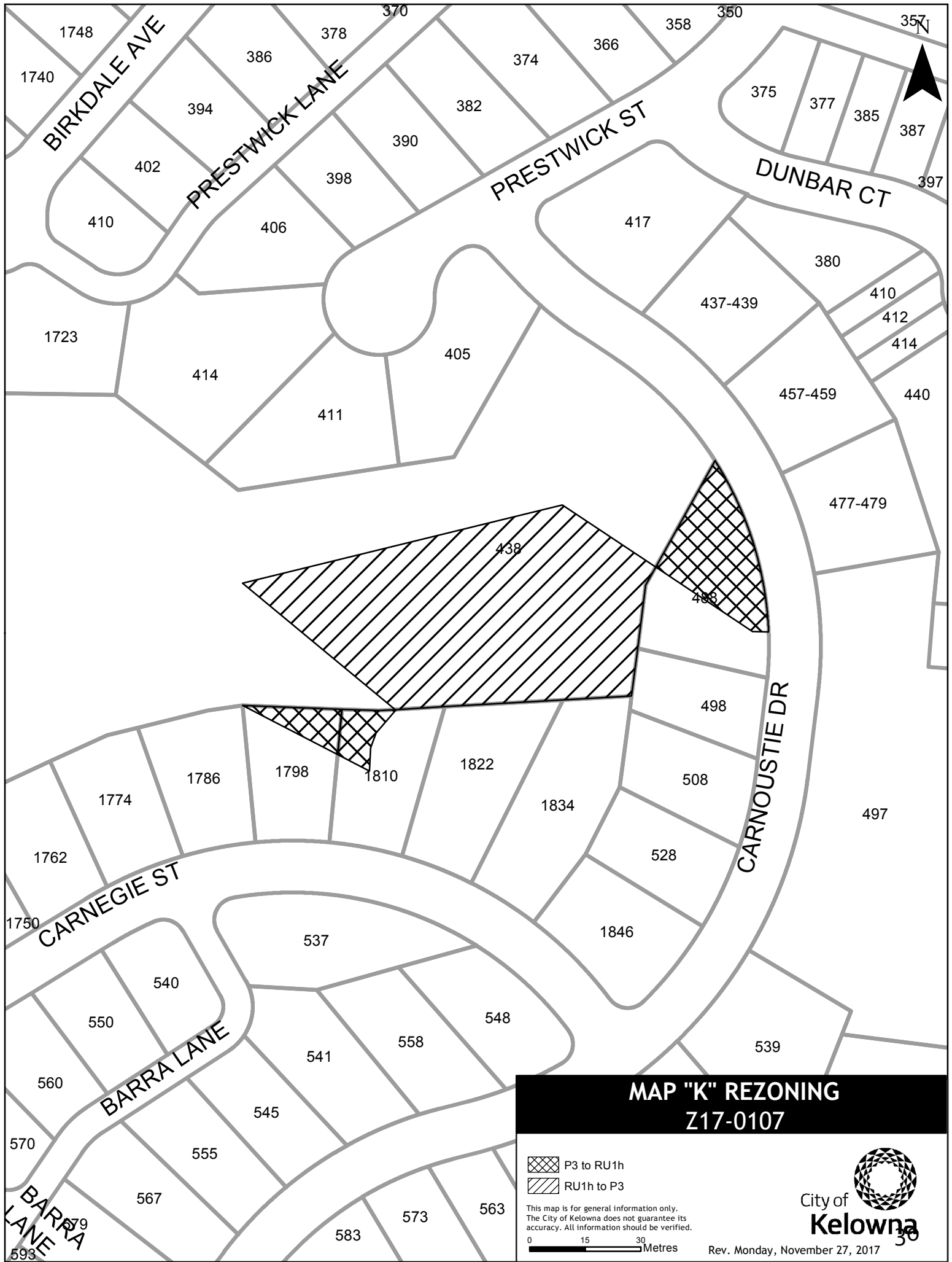


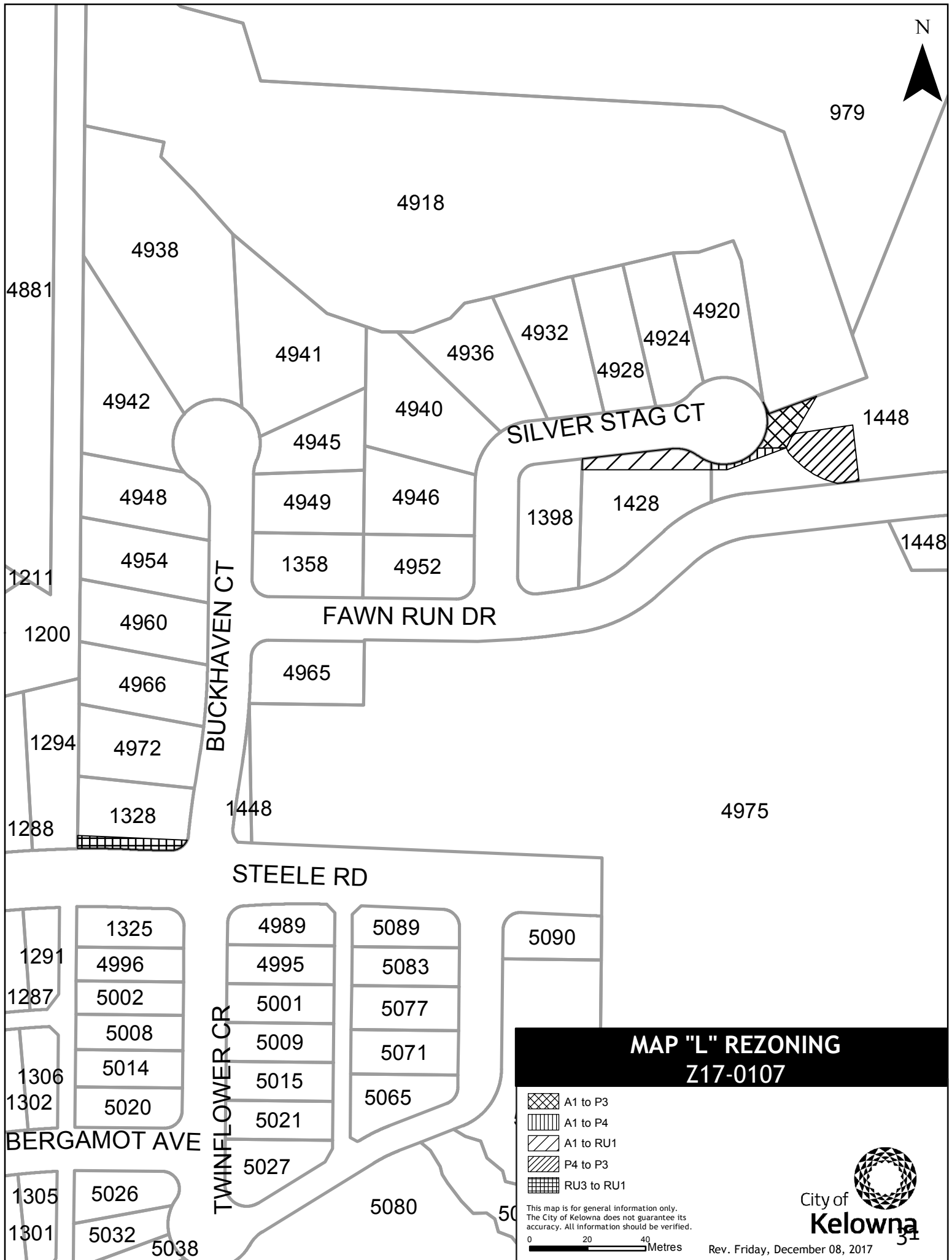
City of

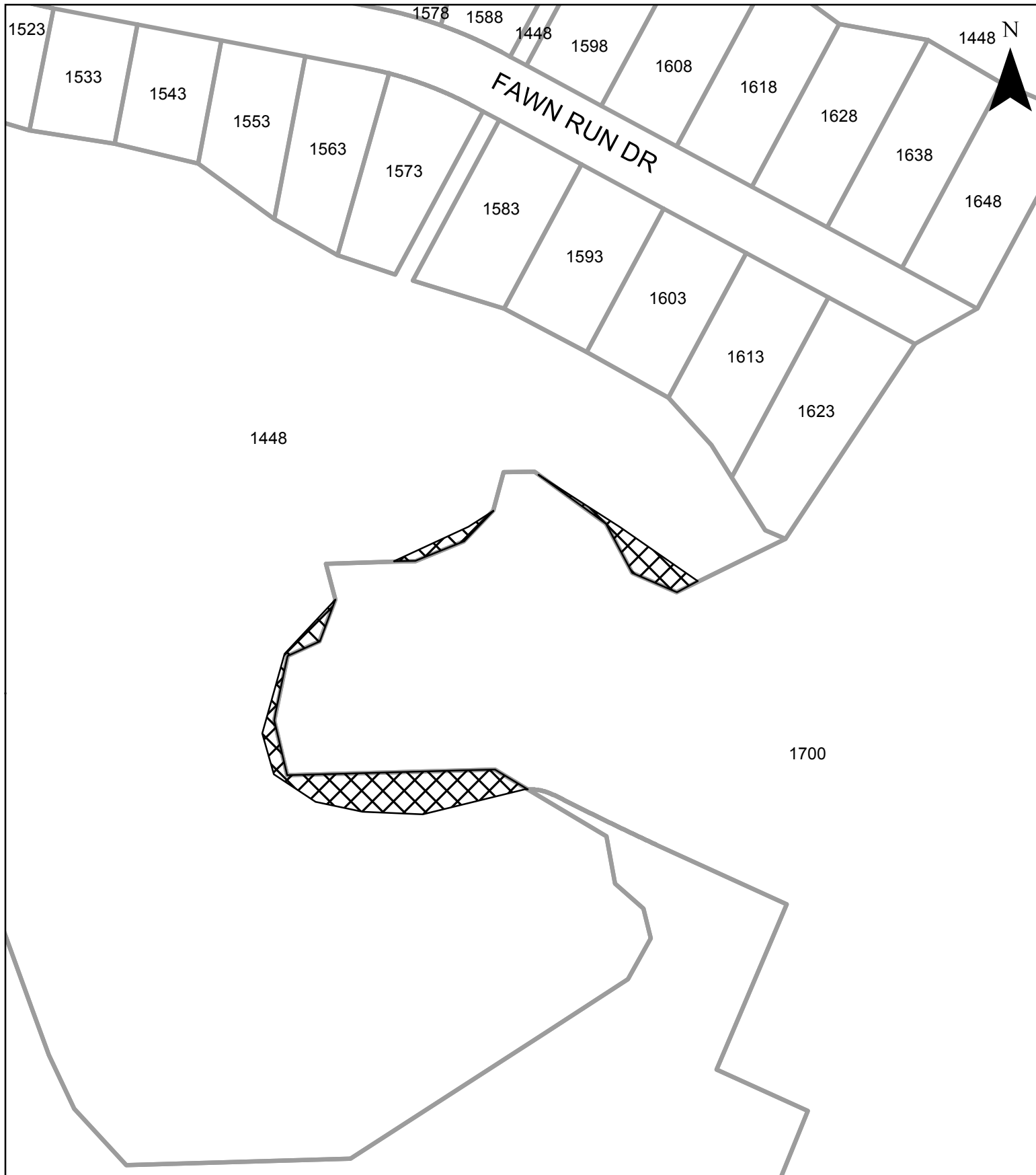
Kelowna

29

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MAP "M" REZONING

Z17-0107

P3 to RU1h

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0
30

Metres

Rev. Monday, November 27, 2017





MAP "O" REZONING Z17-0107

 RR2 to RR3

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0 12.5 25
Metres



(W OF)

685

1109

1330

1340

1326

1322

1318

1314

1344

1348

1347

1343

1339

1335

1331

1327

1323

1352

1356

1360

1364


MINE HILL DR

1370

1378

MINE HILL LANE

MAP "P" REZONING Z17-0107

 RU4h to RU1h

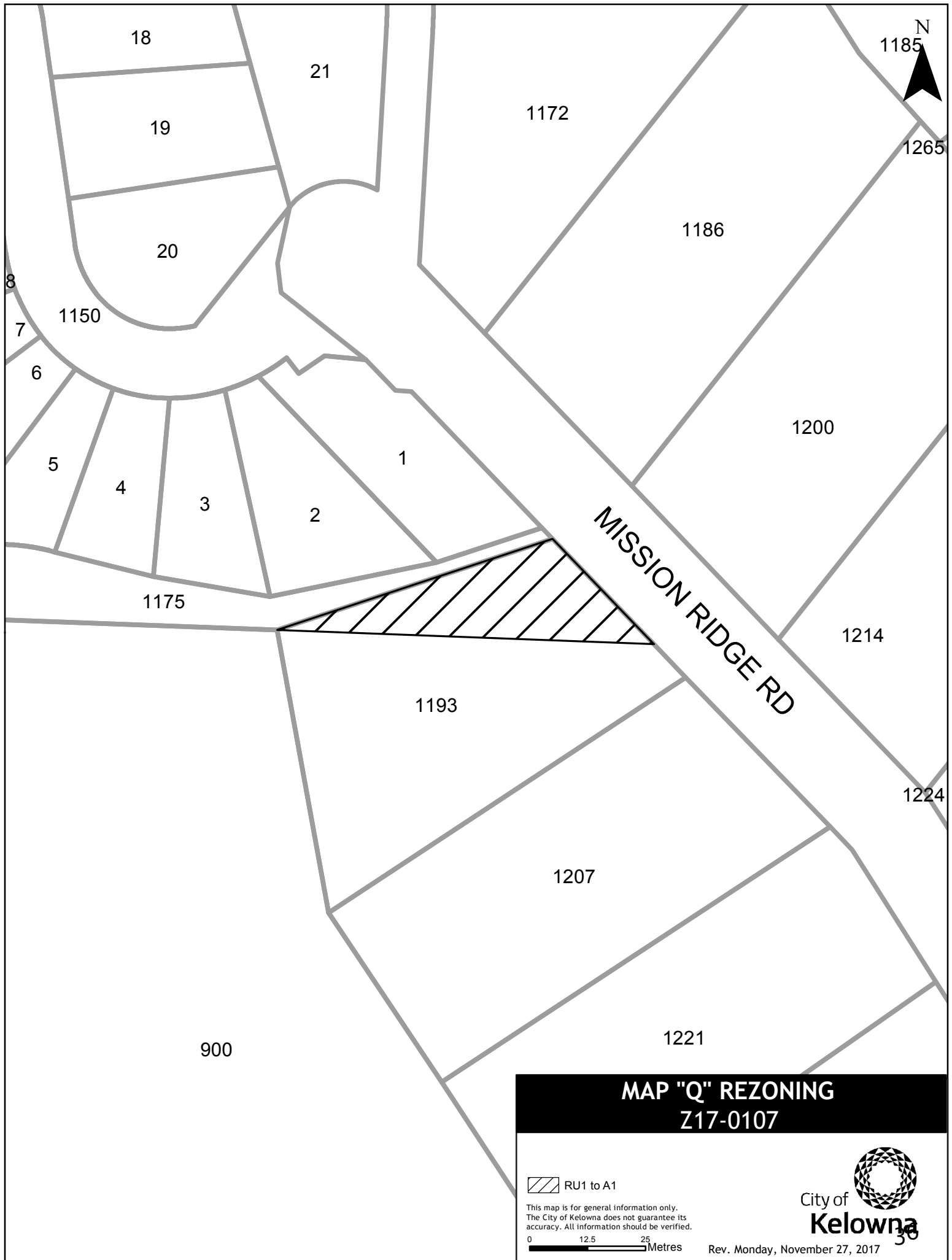
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0 15 30 Metres




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Kelowna

Rev. Monday, November 27, 2017



MISSION RIDGE RD

MAP "Q" REZONING Z17-0107

 RU1 to A1

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0 12.5 25 Metres



Rev. Monday, November 27, 2017

37

1110-1146

1166

1175-1177

1155

1165

1190

1193

571

581-585

591

N



ST PAUL ST

CLEMENT AVE

535

1216

1226

1230

1238

1246

1215

557

567

573

577

581

581

589

599

603

554

558

562

5

MAP "S" REZONING
Z17-0107

I4 to P1

P1 to I4

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accuracy. All information should be verified.

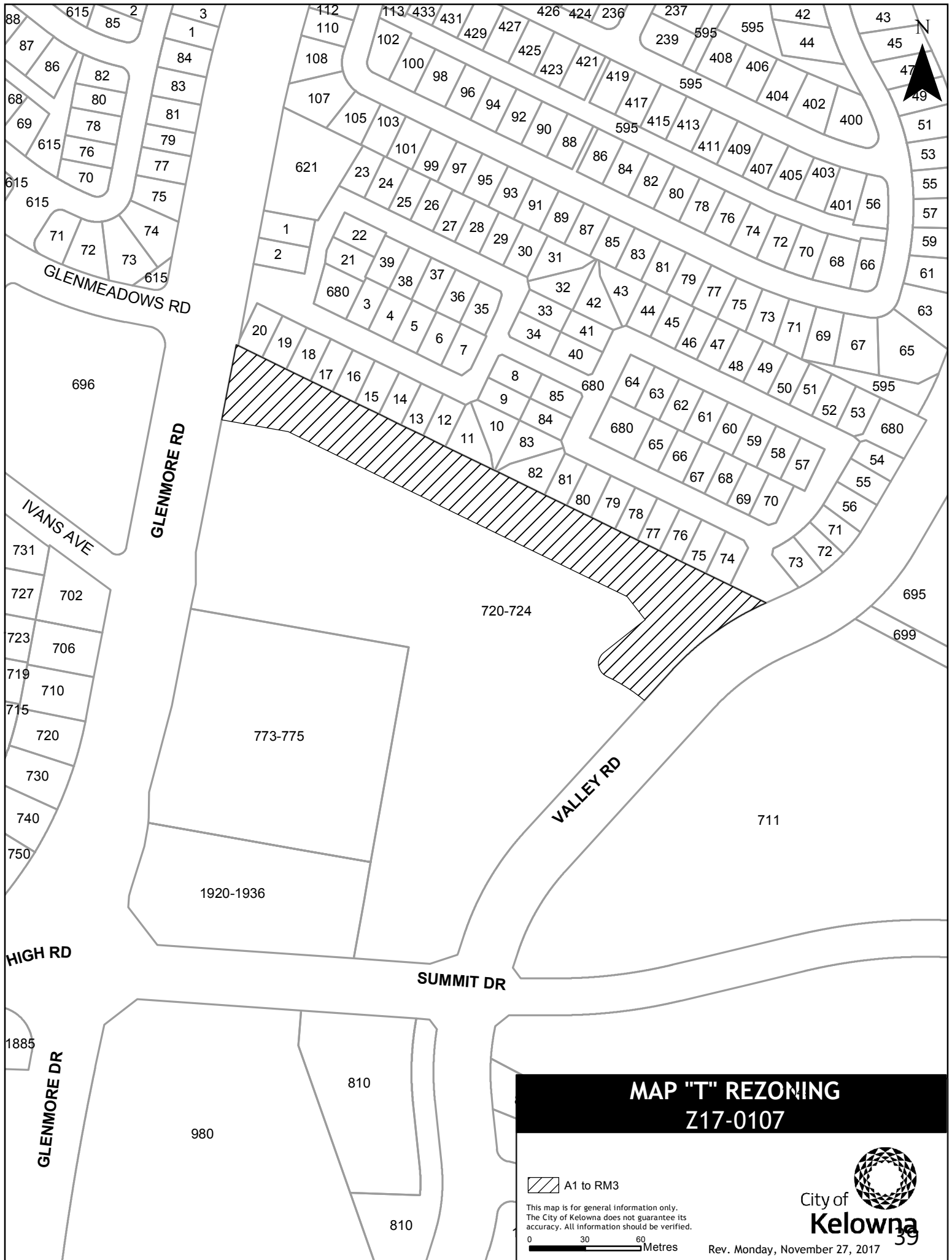
0 10 20 Metres

City of


Kelowna



Rev. Sunday, December 17, 2017



MAP "T" REZONING Z17-0107

 A1 to RM3

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accuracy. All information should be verified.

0 30 60 Metres



Rev. Monday, November 27, 2017

CITY OF KELOWNA

BYLAW NO. 11527

OCP17-0027 - City of Kelowna – Official Community Plan Boundary Discrepancies

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:
 - a) part of LOT 2 SECTION 17 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN KAP65503 located at Bennett Road, Kelowna, BC from the PARK – Major Park / Open Space (public) and S2RESH – Single / Two Unit Residential – Hillside designations to the S2RESH – Single / Two Unit Residential – Hillside and PARK – Major Park / Open Space (public) designations as shown on Maps A & B attached to and forming part of this bylaw;
 - b) part of LOT 1 SECTION 17 TOWNSHIP 23 OSOYOOS DIVISION YALE DISTRICT PLAN KAP65503 located at Bennett Road, Kelowna, BC from the PARK – Major Park / Open Space (public) and S2RESH – Single / Two Unit Residential – Hillside designations to the S2RESH – Single / Two Unit Residential – Hillside and PARK – Major Park / Open Space (public) designations as shown on Maps A & B attached to and forming part of this bylaw;
 - c) part of LOT 17 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP45757 located at Carnegie Street, Kelowna, BC from the PARK – Major Park / Open Space (public) designation to the S2RESH – Single / Two Unit Residential – Hillside designation as shown on Map C attached to and forming part of this bylaw;
 - d) part of LOT 16 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP45757 located at Carnegie Street, Kelowna, BC from the PARK – Major Park / Open Space (public) designation to the S2RESH – Single / Two Unit Residential – Hillside designation as shown on Map C attached to and forming part of this bylaw;
 - e) part of LOT 29 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP45757 located at Carnoustie Drive, Kelowna, BC from the S2RESH – Single / Two Unit Residential – Hillside designation to the PARK – Major Park / Open Space (public) designation as shown on Map C attached to and forming part of this bylaw;
 - f) part of LOT 12 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP42924 located at Carnoustie Drive, Kelowna, BC from the PARK – Major Park / Open Space (public) designation to the S2RESH – Single / Two Unit Residential – Hillside designation as shown on Map C attached to and forming part of this bylaw;
 - g) part of LOT 1 SECTIONS 20 AND 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP51781 EXCEPT PLAN EPP55883 AND EPP60436 located on Fawn Run Drive, Kelowna, BC from the PARK – Major Park / Open Space (public) designation to the S2RESH – Single / Two Unit Residential – Hillside designation as shown on Map D attached to and forming part of this bylaw;

- h) part of LOT 1 SECTIONS 20 AND 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP₅₁₇₈₁ EXCEPT PLAN EPP₅₅₈₈₃ AND EPP₆₀₄₃₆ located on Fawn Run Drive, Kelowna, BC from the S₂RES – Single / Two Unit Residential and PSU – Public Services / Utilities designations to the PARK – Major Park / Open Space (public) and PSU - Public Services / Utilities designations as shown on Map E attached to and forming part of this bylaw;
 - i) part of LOT 1 SECTION 2 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP₇₂₁₈₈ located on Mahonia Drive, Kelowna, BC from the REP – Resource Protection Area designation to the S₂RES – Single / Two Unit Residential designation as shown on Map F attached to and forming part of this bylaw;
 - j) part of LOT 1 DISTRICT LOT 14 OSOYOOS DIVISION YALE DISTRICT PLAN EPP₃₄₈₂₂ located on Pandosy Street, Kelowna, BC from the MRM – Multiple Unit Residential (Medium Density) designation to the MXR – Mixed Use (Residential / Commercial) designation as shown on Map G attached to and forming part of this bylaw;
 - k) part of LOT A DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN EPP₃₉₁₀₁ EXCEPT PLANS EPP₅₀₉₇₇ AND EPP₅₄₁₀₇ located on Richter Street, Kelowna, BC from the COMM – Commercial designation to the EDINST – Educational / Major Institutional designation as shown on Map H attached to and forming part of this bylaw;
 - l) part of LOT 1 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN EPP₅₄₁₀₇ located on St. Paul Street, Kelowna, BC from the EDINST – Educational / Major Institutional designation to the COMM – Commercial designation as shown on Map H 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

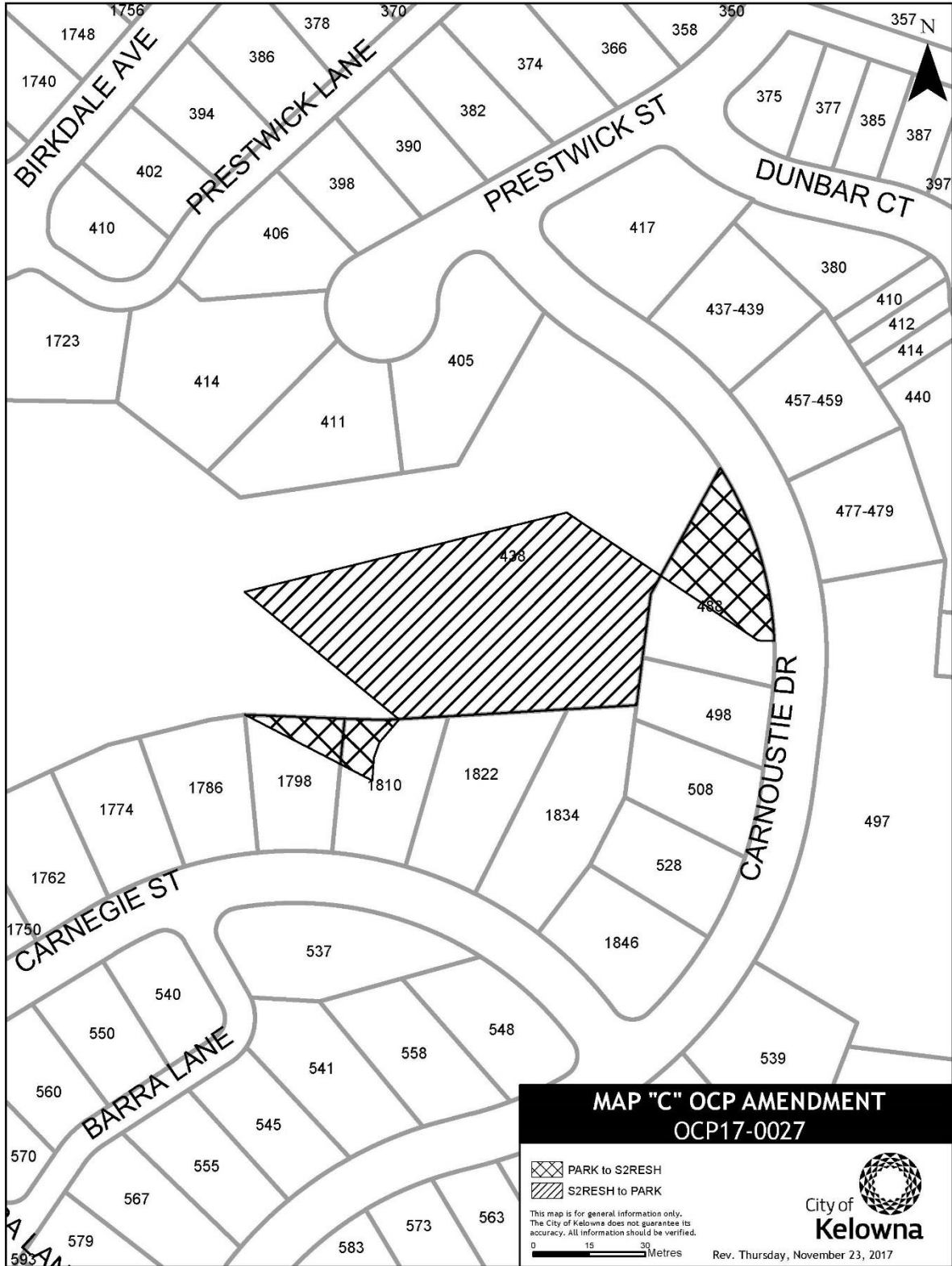
Adopted by the Municipal Council of the City of Kelowna this

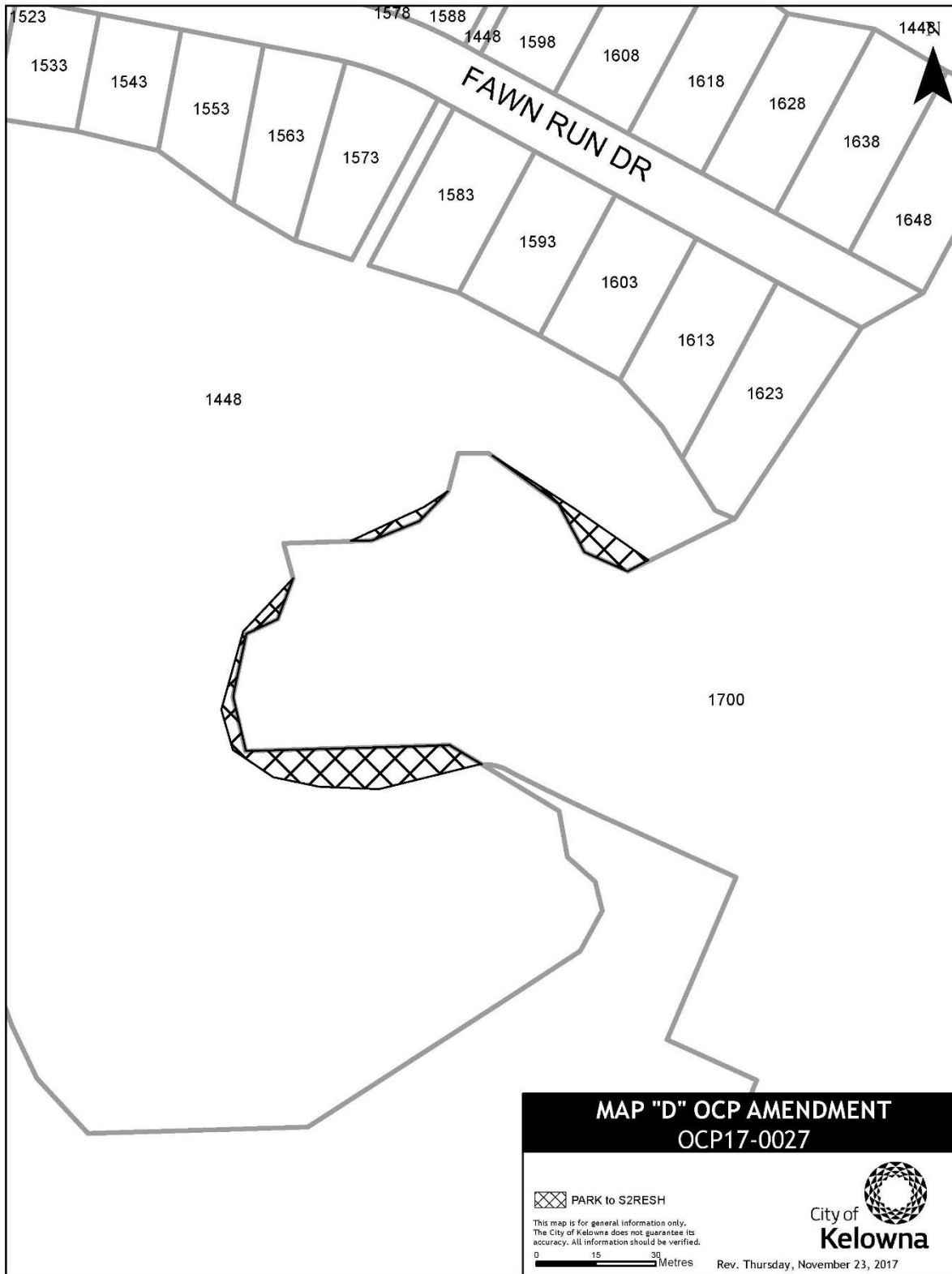
Mayor

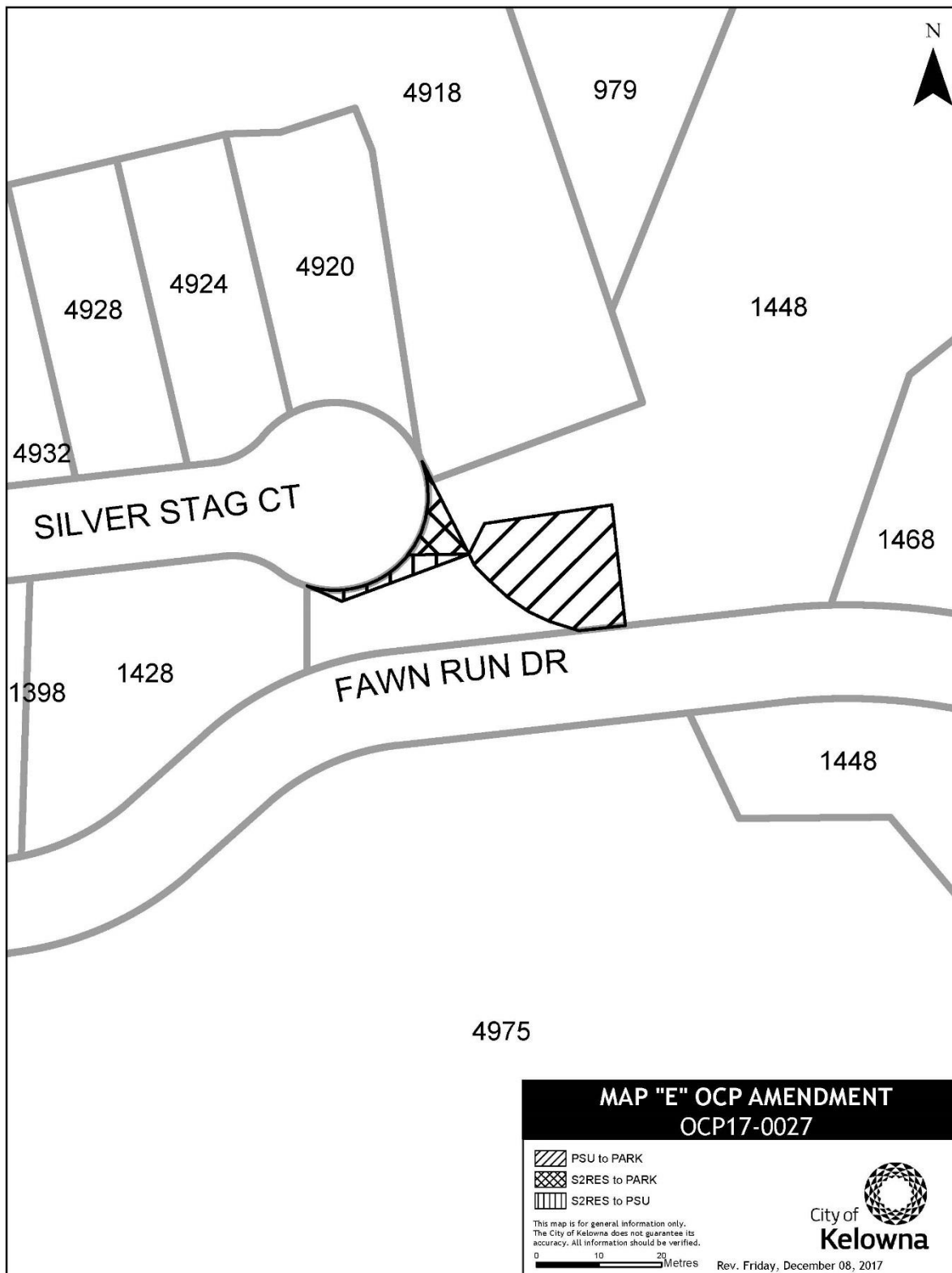
City Clerk





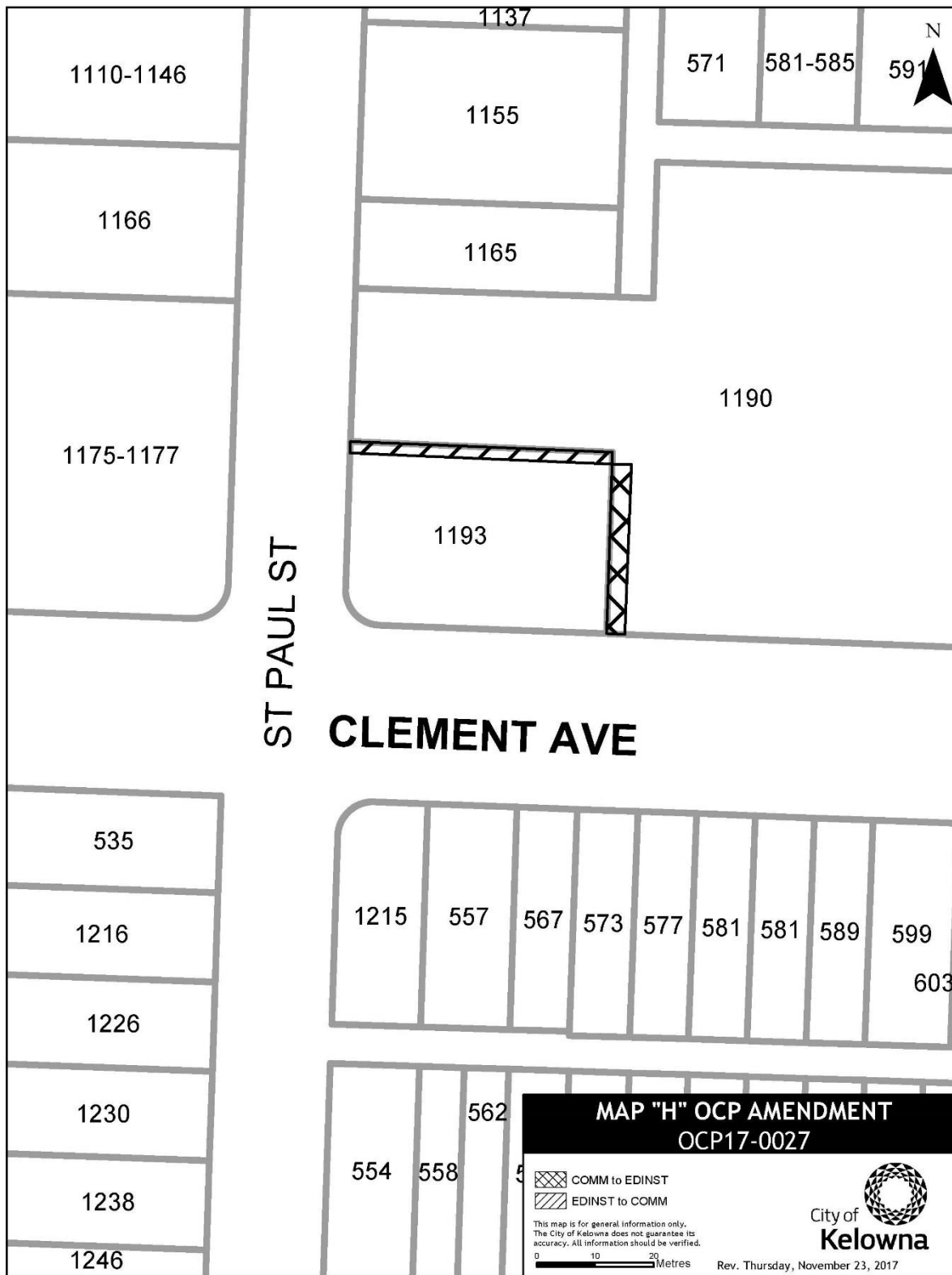












CITY OF KELOWNA

BYLAW NO. 11536 - Z17-0107

City of Kelowna –Zoning Boundary Discrepancies

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:
 - a) part of LOT 19 DISTRICT LOT 134 OSOYOOS DIVISION YALE DISTRICT PLAN 20399 located on Bechard Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone as shown on Map I attached to and forming part of this bylaw;
 - b) part of LOT 2 SECTION 19 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP68016 located on Burne Avenue, Kelowna, BC from the P2 – Education and Minor Institutional zone to the RU6 – Two Dwelling Housing zone as shown on Map J attached to and forming part of this bylaw;
 - c) part of LOT 17 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP45757 located on Carnegie Street, Kelowna, BC from the P3 – Parks and Open Space zone to the RU1h – Large Lot Housing (Hillside Area) zone as shown on Map K attached to and forming part of this bylaw;
 - d) part of LOT 16 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP45757 located on Carnegie Street, Kelowna, BC from the P3 – Parks and Open Space zone to the RU1h – Large Lot Housing (Hillside Area) zone as shown on Map K attached to and forming part of this bylaw;
 - e) part of LOT 29 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP45757 located on Carnoustie Drive, Kelowna, BC from the RU1h – Large Lot Housing (Hillside Area) zone to the P3 – Parks and Open Space zone as shown on Map K attached to and forming part of this bylaw;
 - f) part of LOT 12 SECTION 19 TOWNSHIP 27 OSOYOOS DIVISION YALE DISTRICT PLAN EPP42924 located on Carnoustie Drive, Kelowna, BC from the P3 – Parks and Open Space zone to the RU1h – Large Lot Housing (Hillside Area) zone as shown on Map K attached to and forming part of this bylaw;
 - g) part of LOT 1 SECTION 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP55883 located on Fawn Run Drive, Kelowna, BC from the A1 – Agriculture 1 zone to the RU1 – Large Lot Housing zone as shown on Map L attached to and forming part of this bylaw;
 - h) part of LOT 1 SECTIONS 20 AND 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP51781 EXCEPT PLAN EPP55883 AND EPP60436 located on Fawn Run Drive, Kelowna, BC from the P3 – Parks and Open Space zone to the RU1h – Large Lot Housing (Hillside Area) zone as shown on Map M attached to and forming part of this bylaw;
 - i) part of LOT 1 SECTIONS 20 AND 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP51781 EXCEPT PLAN EPP55883 AND EPP60436 located on Fawn Run Drive, Kelowna, BC from the A1 – Agriculture 1 and P4 – Utilities zones to the P3 – Parks and

Open Spaces and P4 – Utilities zone as shown on Map L attached to and forming part of this bylaw;

- j) LOT 1 DISTRICT LOT 357 OSOYOOS DIVISION YALE DISTRICT PLAN KAP46269 located on Gordon Drive, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone as shown on Map N attached to and forming part of this bylaw;
 - k) part of LOT 1 SECTION 2 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP72188 located on Mahonia Drive, Kelowna, BC from the RR2 – Rural Residential 2 zone to the RR3 – Rural Residential 3 zone as shown on Map O attached to and forming part of this bylaw;
 - l) LOT 24 SECTION 24 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP67683 located on Mine Hill Drive, Kelowna, BC from the RU4h - Low Density Cluster Housing (Hillside Area) zone to the RU1h – Large Lot Housing (Hillside Area) zone as shown on Map P attached to and forming part of this bylaw;
 - m) part of LOT 1 DISTRICT LOT 508A SIMILKAMEEN DIVISION YALE DISTRICT AND SECTION 31 TOWNSHIP 29 OSOYOOS DIVISION YALE DISTRICT PLAN EPP50904 located on Mission Ridge Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the A1 – Agriculture 1 zone as shown on Map Q attached to and forming part of this bylaw;
 - n) part of LOT 1 DISTRICT LOT 14 OSOYOOS DIVISION YALE DISTRICT PLAN EPP34822 located on Pandosy Street, Kelowna, BC from the RU1 – Large Lot Housing zone to the C4 – Urban Centre Commercial zone as shown on Map R attached to and forming part of this bylaw;
 - o) part of LOT A DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN EPP39101 EXCEPT PLANS EPP50977 AND EPP54107 located on Richter Street, Kelowna, BC from the I4 – Central Industrial zone to the P1 – Major Institutional zone as shown on Map S attached to and forming part of this bylaw;
 - p) part of LOT 1 DISTRICT LOT 139 OSOYOOS DIVISION YALE DISTRICT PLAN EPP54107 located on St. Paul Street, Kelowna, BC from the P1 – Major Institutional zone to the I4 – Central Industrial zone as shown on Map S attached to and forming part of this bylaw;
 - q) part of LOT 1 SECTION 29 TOWNSHIP 29 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP31682 located on Steele Road, Kelowna, BC from the RU3 – Small Lot Housing zone to the RU1 – Large Lot Housing zone as shown on Map L attached to and forming part of this bylaw;
 - r) part of LOT A SECTIONS 32 AND 29 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN EPP54061 located on Valley Road, Kelowna, BC from the A1 – Agriculture 1 zone to the RM3 – Low Density Multiple Housing zone as shown on Map T 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

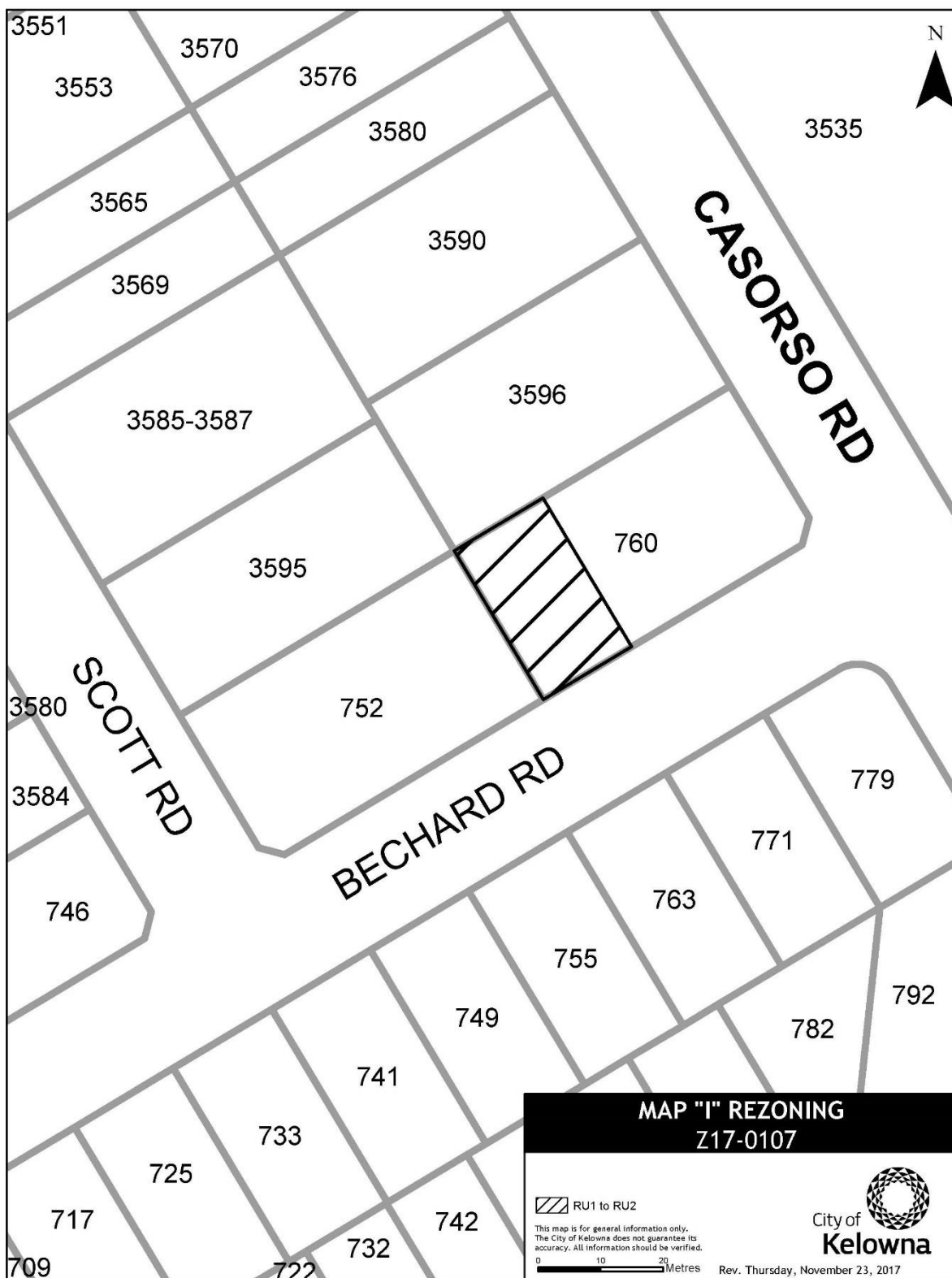
Approved under the Transportation Act this

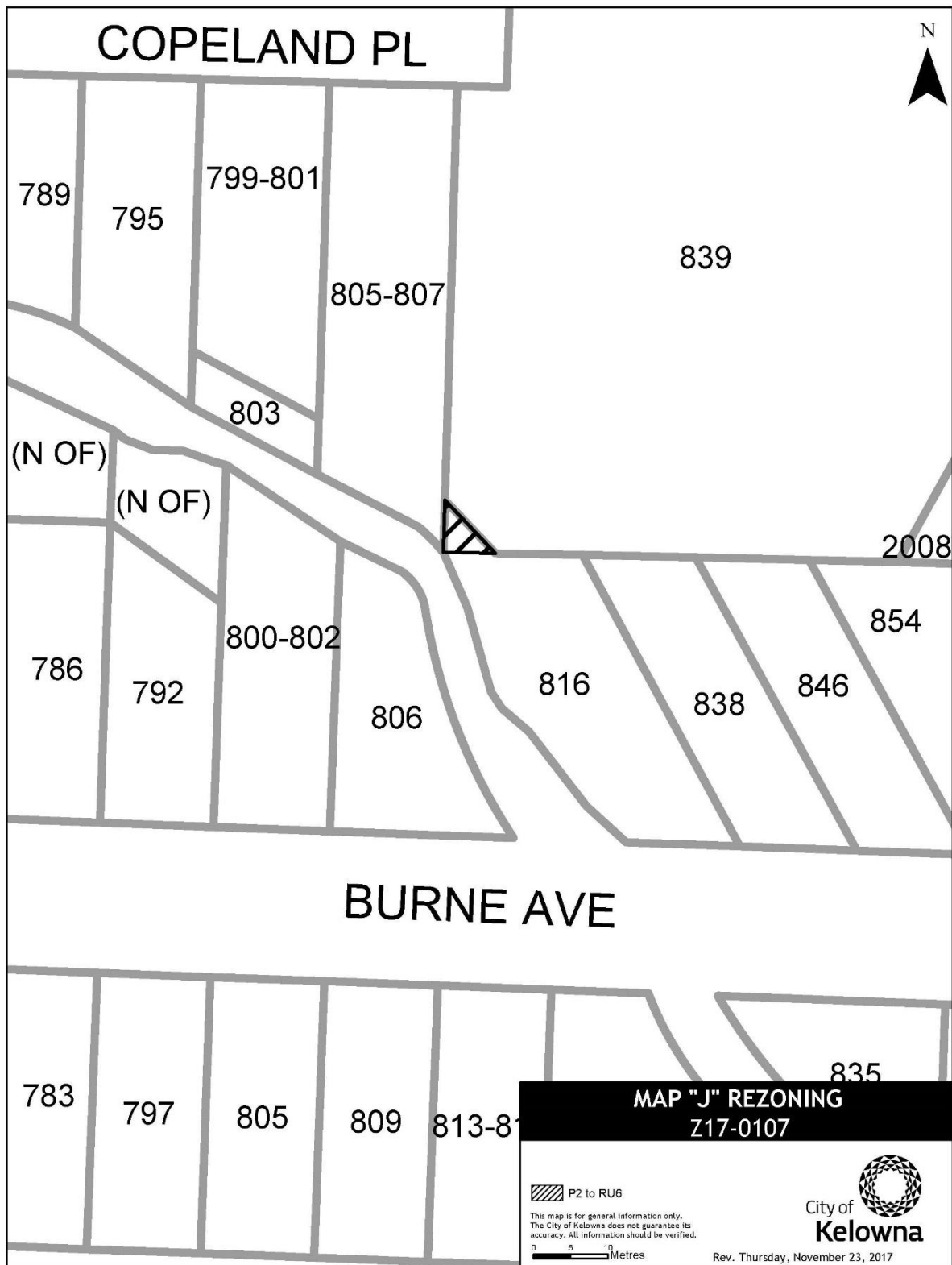
(Approving Officer – Ministry of Transportation)

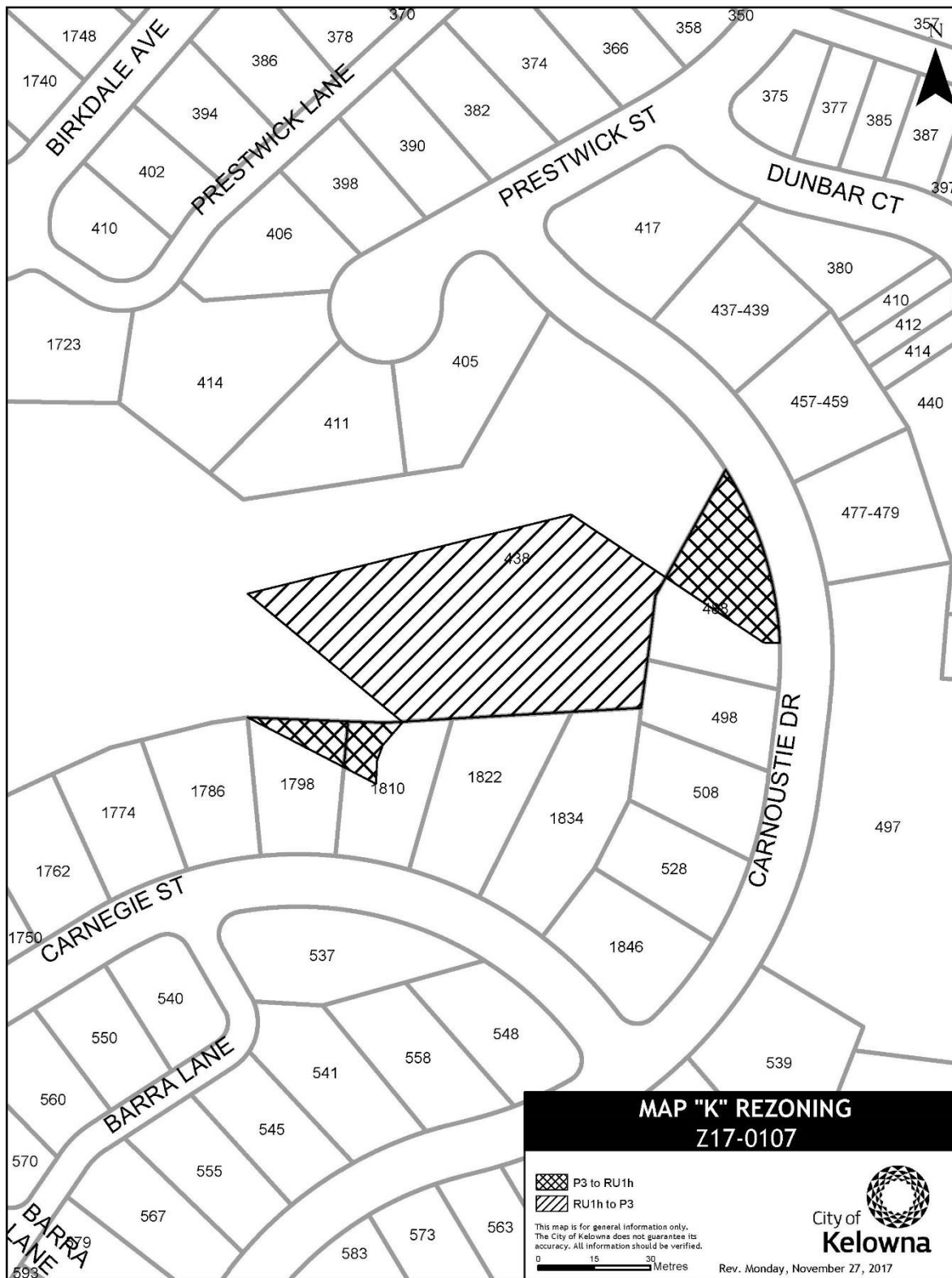
Adopted by the Municipal Council of the City of Kelowna this

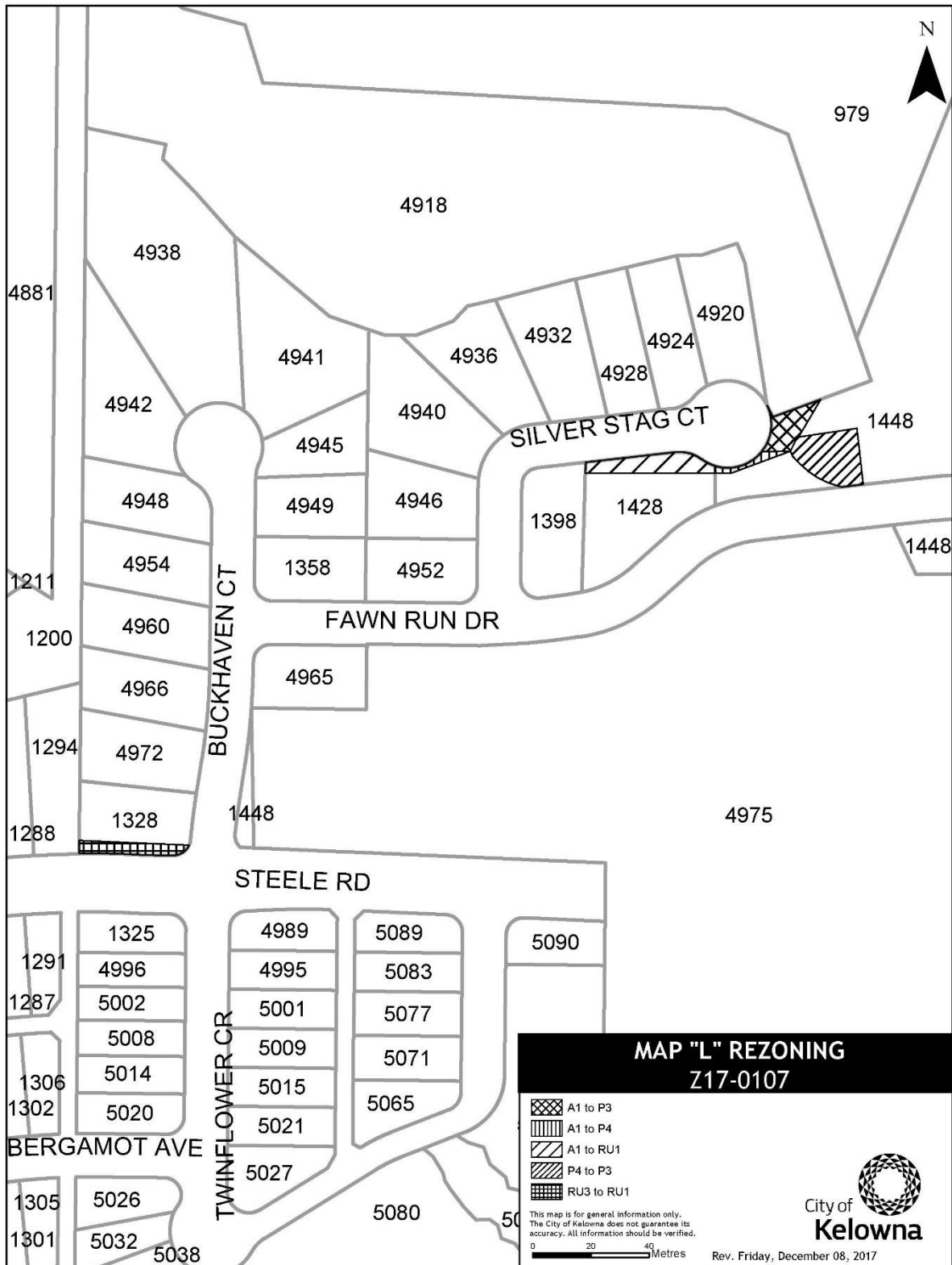
Mayor

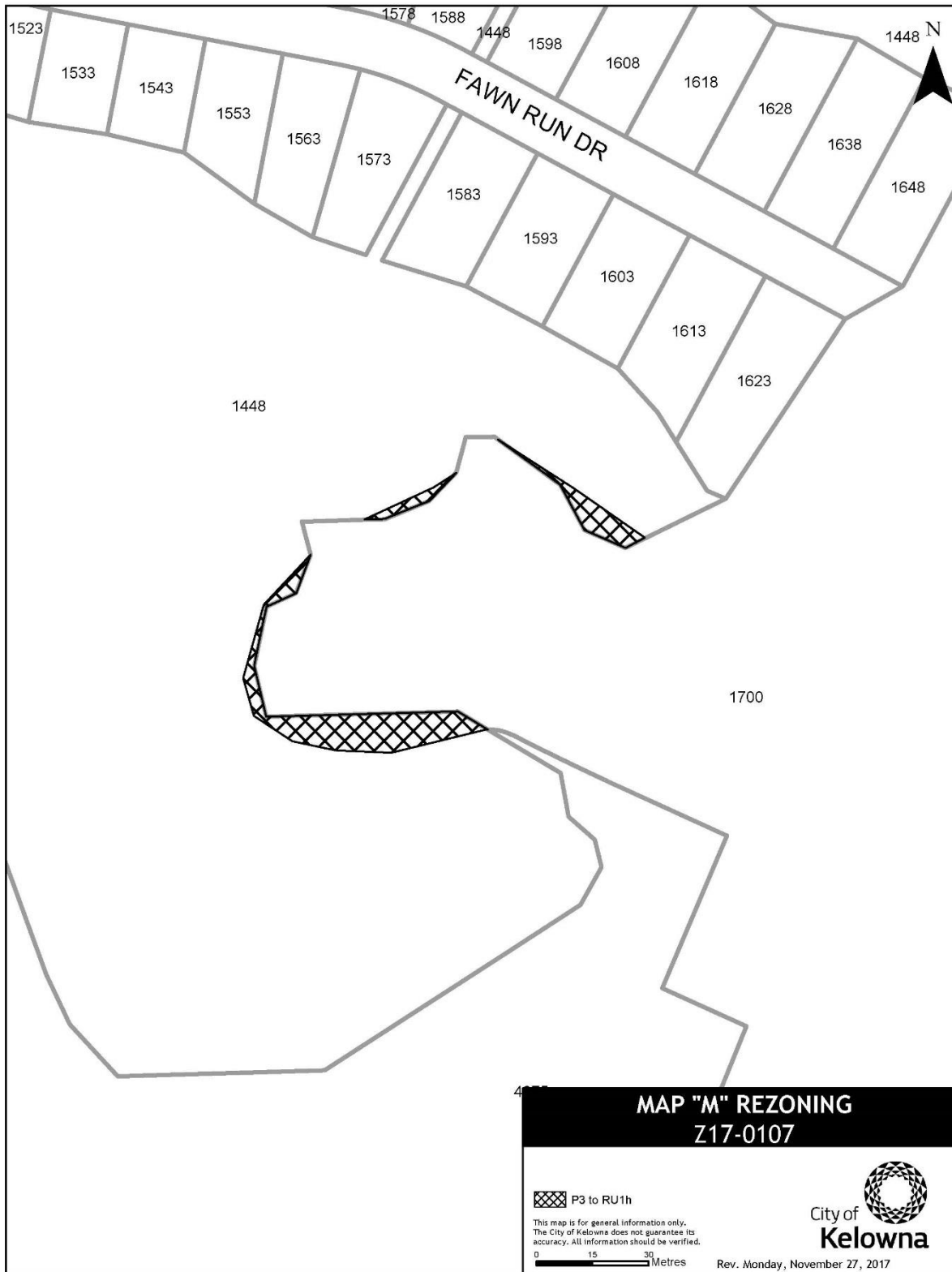
City Clerk





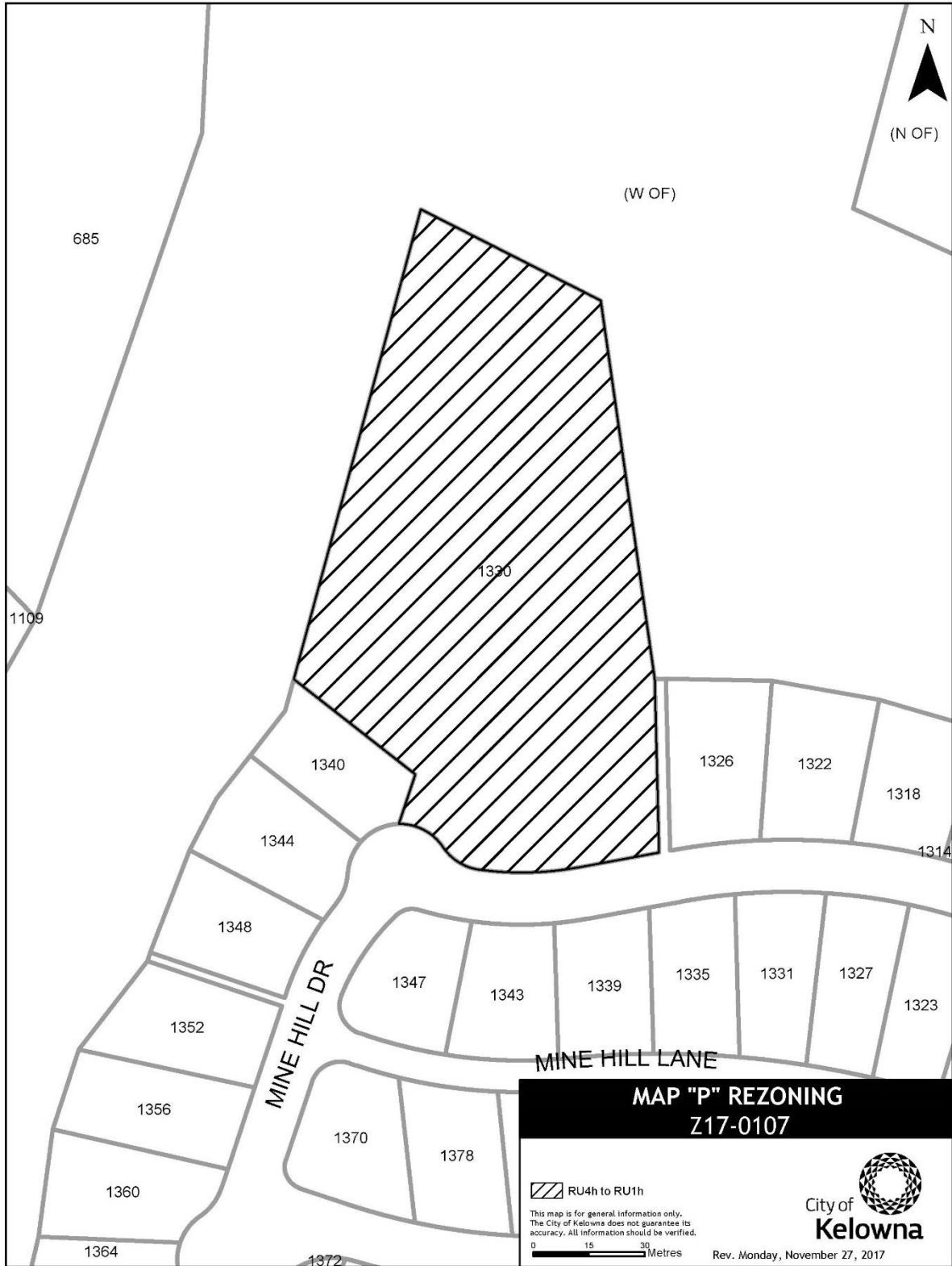


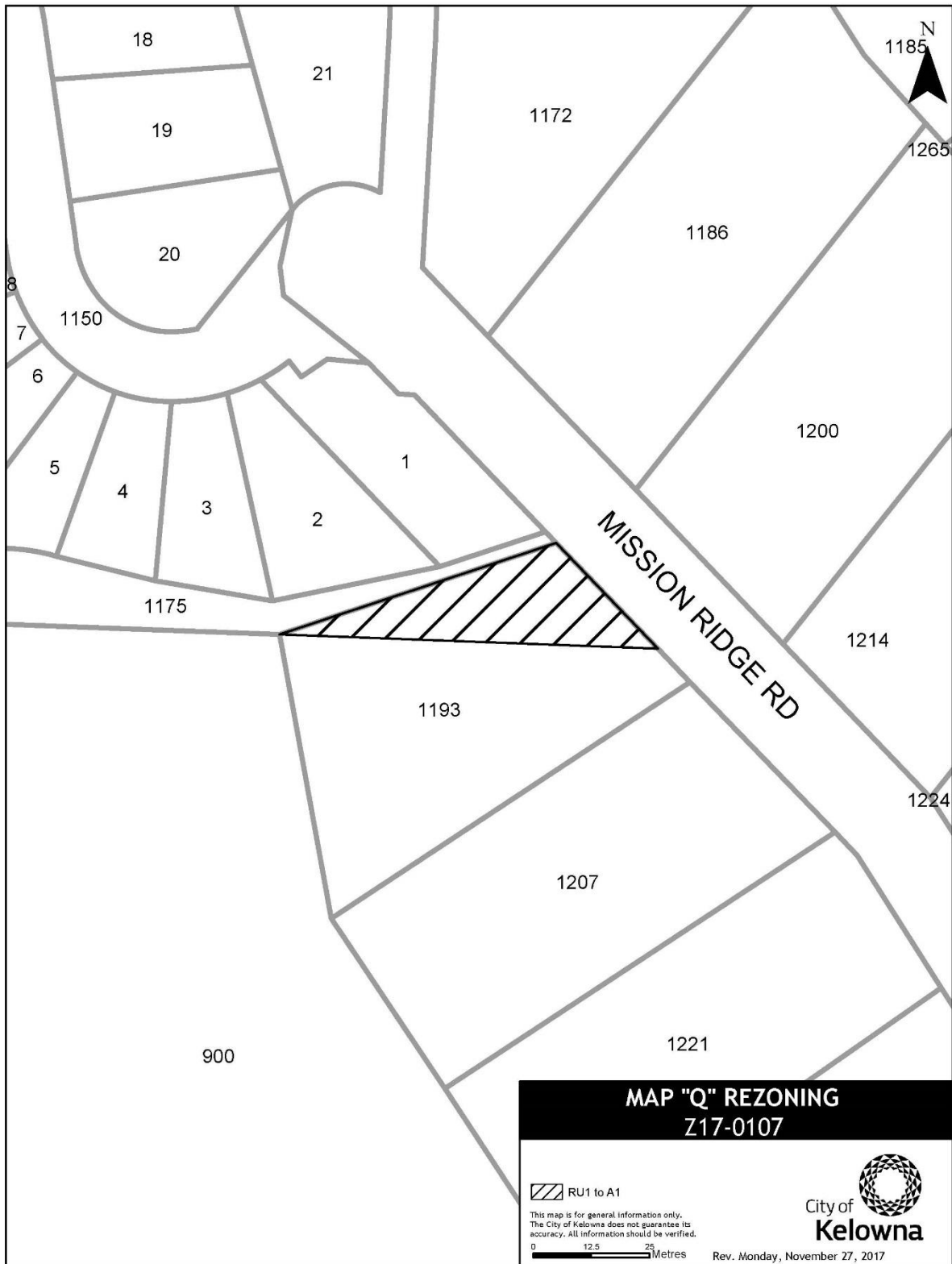




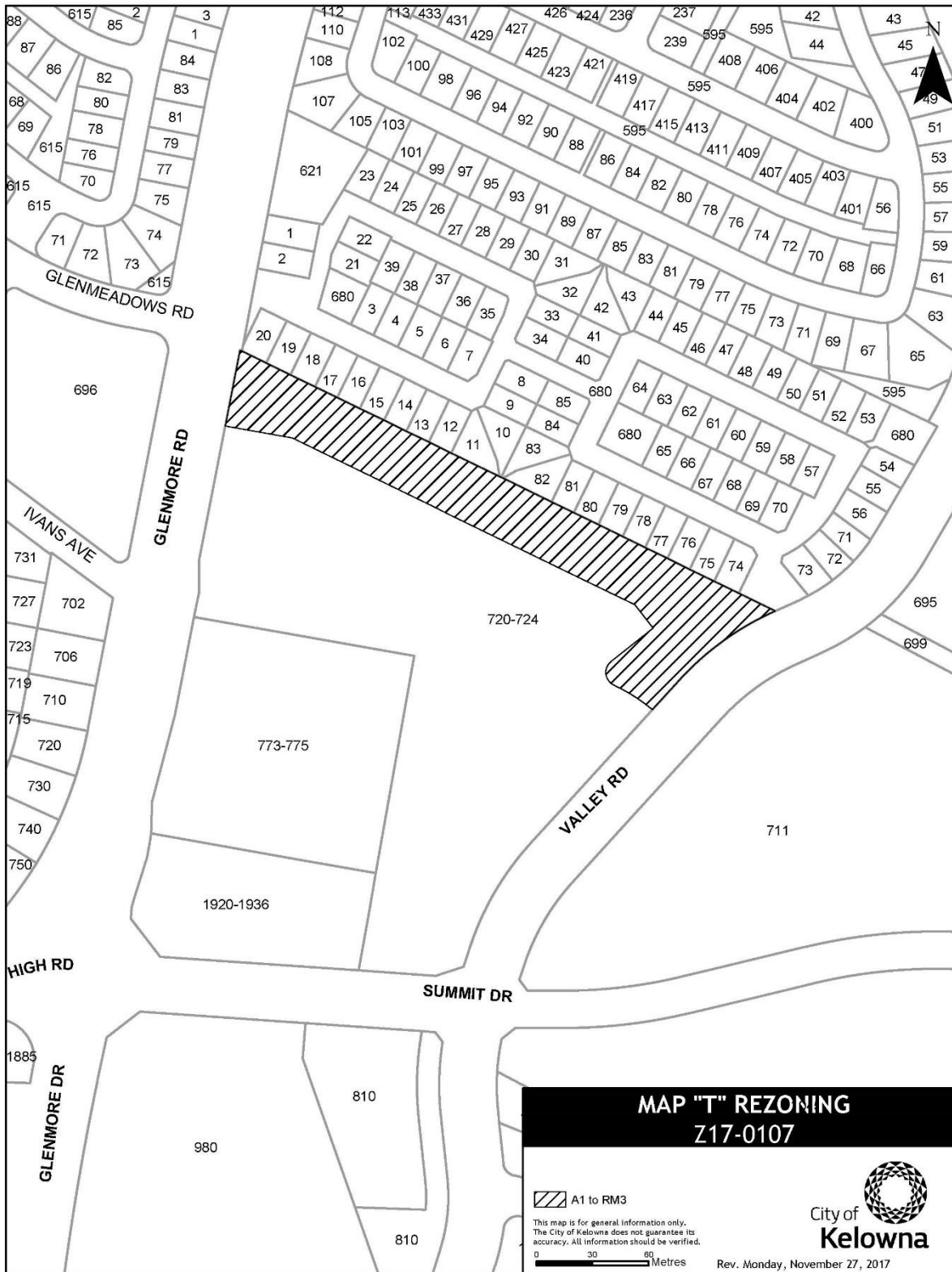












REPORT TO COUNCIL



Date: January 15, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TB)

Application: Z17-0041

Owner: Unik-Town Development Inc.
Inc. No. BC1109459

Address: 360 McIntosh Road,
345 & 365 Dougall Road N

Applicant: Xu Yang – Pacific West
Architecture Inc.

Subject: Rezoning Application

Existing OCP Designation: MRM – Multiple Unit Residential (Medium Density)

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU5 – Medium Density Multiple Housing

1.0 Recommendation

THAT Rezoning Application No. Z17-0041 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of each of the following properties:

1. Lot A Sec 26 Twn 26 ODYD Plan 6977, located at 360 McIntosh Road, Kelowna, BC;
2. Lot B Sec 26 Twn 26 ODYD Plan 6977, located at 345 Dougall Road, Kelowna, BC
3. Lot C Sec 26 Twn 26 ODYD Plan 6977, located at 365 Dougall Road, Kelowna, BC;

from the RU1 – Large Lot Housing zone to the RM5 – Medium Density Multiple Housing zone be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 23, 2017;

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

2.0 Purpose

To rezone the subject property to facilitate the development of multiple dwelling housing.

3.0 Community Planning

Community Planning supports the proposed rezoning from RU1 – Large Lot Housing to RM5 – Medium Density Multiple Housing to facilitate the development of multiple dwelling housing. It is consistent with the Official Community Plan (OCP) Future Land Use Designation of MRM – Multiple Unit Residential (Medium Density). The applicant is proposing to re-purpose the existing single-family land to achieve an apartment building for student living.

This urban infill project has a number of land use benefits including its contribution to revitalizing the Rutland Urban Centre. The project will also benefit from the existing infrastructure and services within the immediate neighbourhood as well as the close proximity of a number of significant amenities including schools, parks, and transit. Equally, the businesses and services in the Rutland Urban Centre will benefit from an increased number of potential customers and patrons in close proximity.

4.0 Proposal

4.1 Background

The subject properties each have a single family dwelling on the property that will be demolished or relocated as a function of this development. The applicant first applied in May 2017, and in October 2017 significant changes were made to the unit make-up of the project under new ownership.

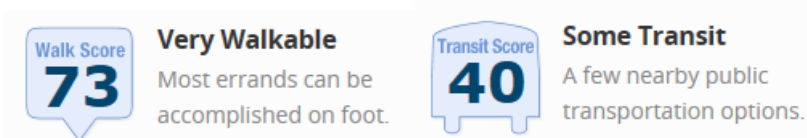
4.2 Project Description

The proposed rezoning will facilitate the development of a 94-unit student housing project with a mix of microsuites, 1-bedrooms, and 4-bedrooms. It is 4 ½ storeys high with a combination of parkade and surface parking accessed from the lane. Private outdoor space is provided on private balconies or patios for each unit, as well as communal balconies on each floor and a rooftop amenity area. The applicant is considering a 20% reduction in parking from the City's Zoning Bylaw with a potential cash-in-lieu payment.

Staff are currently working on a Carshare Bylaw which could apply to this property in order to provide several carshares rather than contributing to the City's cash-in-lieu parking program. In early discussions with OGO Carshare, the subject property is an ideal location to have minimum 2 cars provided on-site with the opportunity to have an additional 2 cars provided in the neighbourhood. This is consistent with OGO's business philosophy and has had success in other Urban Centres in Kelowna. Staff see this as a potentially valuable community amenity and it is consistent with OCP Objective 5.11; support parking management programs that promote reduced vehicle ownerships, reduced vehicle trips and increased use of active modes of transportation.

Should Council support the rezoning, Staff will bring forward a Development Permit for the form and character of the building with the necessary parking and Carshare details.

4.3 Walk Score and Transit Score



4.4 Site Context

The subject property is located in Rutland Urban Centre which makes it an ideal site for increased density. With nearby transit, shops, employment, and parks, it is a desirable area for student housing. Due to the

location within an Urban Centre, the location does allow for micro-suites and also for cash-in-lieu for parking.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Residential
East	RU1 – Large Lot Housing	Residential
South	RU1 – Large Lot Housing	Residential
West	RU1 – Large Lot Housing RU2 – Medium Lot Housing	Residential

Subject Property Map: 360 McIntosh Road, 345 & 365 Dougall Road N.



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Objective 5.3 - Focus development to designated growth areas.

Permanent Growth Boundary.¹ Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of property outside the Permanent Growth Boundary for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business

¹ City of Kelowna Official Community Plan, Policy 5.2.1 (Development Process Chapter).

designated sites or as per Council's specific amendment of this policy. The Permanent Growth Boundary may be reviewed as part of the next major OCP update.

Compact Urban Form.² 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.³ Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

Healthy Communities.⁴ Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

6.0 Technical Comments

6.1 Development Engineering Department

- Please view Schedule "A" attached to the Report from the Community Planning Department dated January 23, 2017.

6.2 Bylaw Services

- Currently there are no open/outstanding Bylaw Enforcement files pertaining to the following property addresses: 345 & 365 Dougall Rd. N, 360 McIntosh Rd.

6.3 Ministry of Transportation

- Preliminary Approval is granted for the rezoning for one year pursuant to Section 52(3)(a) of the Transportation Act.

² City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

³ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).

7.0 Application Chronology

Date of Application Received: May 4, 2017
Date Public Consultation Completed: July 25, 2017
Date of Revised Drawings Received: October 30, 2017

Report prepared by: Trisa Brandt, Planner II

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A": Development Engineering Memorandum
Site Plan
Conceptual Elevation and Site Context
Landscape Plan

CITY OF KELOWNA

MEMORANDUM

Date: June 26, 2017

File No.: Z17-0041

To: Urban Planning Management (TB)

From: Development Engineering Manager (SM)

Subject: 365 & 345 Dougall Rd N and 360 McIntosh Rd RU1 to RM5

The Development Engineering Department has the following comments and requirements associated with this rezoning application to rezone the subject properties from RU1 – Large Lot Housing to RM5 – Medium Density Multiple Housing to facilitate the development of a 60-unit rental apartment building. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

The Development Engineering Technologist for this project is Jason Ough

1. Domestic Water and Fire Protection

- a) This development is within the service area of the Rutland Waterworks District (RWD). The developer is required to make satisfactory arrangements with the RWD for these items. All charges for service connection and upgrading costs, as well as any costs to decommission existing services are to be paid directly to RWD.
- b) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures.

2. Sanitary Sewer

- a) 365 & 345 Dougall Road N are currently serviced with 100mm sanitary services to Dougall Road N. 360 McIntosh Road is serviced with a 100mm sanitary service to McIntosh Road. 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 if necessary.
- b) 365 & 345 Dougall Road N are currently within Sanitary Sewer Specified Area # 20. The developer will be responsible to cash commute, pay in full, the specified area charges for this development. The charge is currently set at \$2045.50 per Equivalent Dwelling Unit (EDU). If this fee were calculated today the calculation would be as follows: $0.5 \times 60 \text{ units} \times \$2045.50 = \$61,350.00$

SCHEDULE A	
This forms part of application # Z17-0041	
Planner Initials	TB
 City of Kelowna <small>COMMUNITY PLANNING</small>	

3. Storm Drainage

The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems. Only one service will be permitted for this development. The applicant, at his cost, will arrange the installation of one overflow service if required.

4. Road Improvements

- a) The applicant must have a civil engineering consultant submit a design for Dougall Road to be upgraded to an urban standard (SS-R5) along the full frontage of the subject property; including curb and gutter, relocated sidewalk, street lighting, landscaped boulevard, storm drainage system, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. An estimate for public side works will be required, for bonding purposes, to be submitted by the applicants civil engineering consultant.
- b) Dougall Road frontage shall include a bus stop to be built to an accessible standard (1.5x4m pad back of sidewalk), moved closer to the intersection if possible.
- c) Access to this development will be from the existing lane off McIntosh Road along the east property line.
- d) The applicant must have a civil engineering consultant submit a design for McIntosh Road to be upgraded to an urban standard (SS-R5) along the full frontage of the subject property; including curb and gutter, relocated sidewalk, street lighting, landscaped boulevard, storm drainage system, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. An estimate for public side works will be required, for bonding purposes, to be submitted by the applicants civil engineering consultant. McIntosh Road is identified in the Pedestrian and Bicycle Master Plan (PBMP) for inclusion of a multi-use pathway (MUP).
- e) At the time of design submission review, City staff will confirm that curb and gutter alignments will work with the ultimate cross section for McIntosh Road.

5. Road Dedication and Subdivision Requirements

- a) The subject properties are required to be consolidated as part of this development project.
- b) Provide approximately 2.5m of road dedication along Dougall Road N.
- c) Provide approximately 3m of road dedication on McIntosh Road frontage to match 340 McIntosh Road.
- d) Provide 6m corner rounding at the intersection.
- e) Grant statutory rights-of-way if required for utility services.

6. Electric Power and Telecommunication Services

- a) Burial of overhead wires will be required in all urban and village centre areas as outlined in the current Kelowna Official Community Plan. The City would ensure new development in these areas would be responsible for burial of wires fronting their property.
- b) All proposed service connections are to be installed underground. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

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 (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 offsite 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. Other Engineering Comments

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors as required.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, 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 must be incorporated in the construction drawings submitted to the City's

Development Manager.

10. Geotechnical Report

- a) Provide a comprehensive geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed development.**
- Overall site suitability for development.
 - Presence of ground water and/or springs.
 - Presence of fill areas.
 - Presence of swelling clays.
 - Presence of sulphates.
 - Potential site erosion.
 - Provide specific requirements for footings and foundation construction.
 - Provide specific construction design sections for roads and utilities over and above the City's current construction standards


11. Development Permit and Site Related Issues

Access and Manoeuvrability

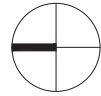
- (i) Access to the site will be permitted from the lane only.
- (ii) Ensure acceptable turning movements onsite for MSU design vehicle.
- (iii) Any bicycle racks included with this development shall be onsite.

12. Charges and Fees

- a) Development Cost Charges (DCC's) are payable.
- b) Fees per the "Development Application Fees Bylaw" include:
- i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
 - ii) Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
 - iii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).


Steve Muenz, P. Eng.
Development Engineering Manager

jo



SITE CALCULATIONS (94 UNITS)

CIVIC ADDRESS: 365 & 345 DOUGALL RD N, 360 MCINTOSH RD, KELOWNA, BC
LEGAL DESCRIPTION: LOTS A, B AND C PLAN MAP 6977

CURRENT ZONING: RU1
PROPOSED ZONING: RM5

SITE DETAILS

	ZONING REQUIREMENT	PROPOSED
SITE AREA (m ²)	1400	2815.9
SITE WIDTH (m)	30	61.5
SITE DEPTH (m)	35	85.5
SITE COVERAGE OF BUILDING (m ²)	40%	568.8
COVERED PATIO (m ²)		314.4
COVERED PATIO (m ²)		161.8
TOTAL (m ²)		1105.1

SITE COVERAGE OF BUILDINGS,

DRIVEWAYS, AND PARKING AREAS

	70%
BUILDING (m ²)	911.9
DRIVEWAYS/PARKING AREAS (m ²)	1015.9
TOTAL (m ²)	1927.8

PARKING NUMBER

1STAL/MICRO SUITE	89
1.25 STALL/2 BEDROOM UNIT	3.75
2 STALL/4 BEDROOM UNIT	4
TOTAL	96.75
21 parking stalls will be payment-in-lieu	

PARKING RATIO

INCLUDING: VISITOR	9
ACCESSIBLE	1
FULL SIZE (50%)	34
MEDIUM SIZE (40%)	27
COMPACT SIZE (10%)	7
TOTAL	66

BICYCLING PARKING REQUIREMENTS

CLASS I	47
CLASS II	10
TOTAL	57

PRIVATE OPEN SPACE M2

7.5 per bachelor	667.5
25 per 1+ brm dwelling	125
TOTAL REQUIRED	792.5
PRIVATE PATIO	406.6
ROOF PATIO	299.3
COMMON ROOM	34.3
LOCKER ROOM	83.3
TOTAL	919.5

DEVELOPMENT REGULATIONS

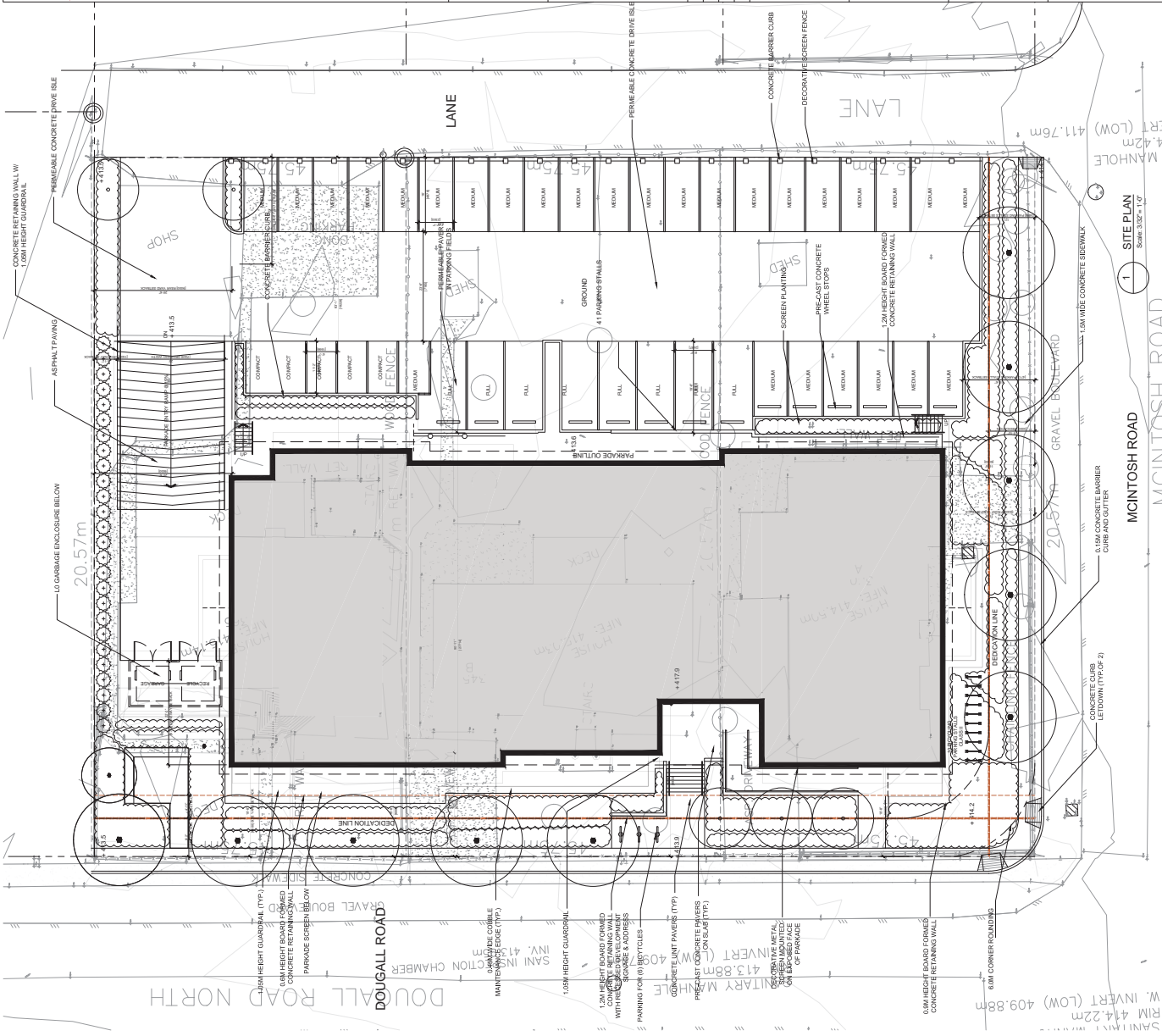
FSR	1.3
REQUIRED	1.3
BUILDING SETBACKS	6.0
FRONT	7.0
SIDE YARD (EAST)	6.0
SIDE YARD (WEST)	6.0
REAR YARD	9.0

BUILDING DETAILS

TOTAL BUILDING AREAS	39397
BUILDING HEIGHT	4.5 STOREY/18m

Unit Breakdown

Unit	Unit type	No. of Unit	Unit Area (ft. ²)	Area total (ft. ²)
A	Micro Suite	89	312	27768
B	1 Bedroom	3	480	1440
C	4 Bedroom	2	1180	2360



P

W

A

pacific west architecture

1200 West 73rd Ave (Airport Square)
Vancouver, BC V6P 1G6
Office: 604.967.7977
Fax: 604.267.7036
Email: info@pacificwestarch.com
www.pacificwestarch.com

REGIONS

1

REVISION

1

DATE

2017.04.03

PROJECT NUMBER

2017.04.03

CHECKED BY

DATE CHECKED

2017.04.03

CONSULTANT

2017.04.03

PROJECT

KELOWNA APARTMENT

365 & 345 DOUGALL RD N, 360 MCINTOSH RD

KELOWNA B.C.

DRAWING TITLE

AND STATISTICS

SITE PLAN

DRAWING NO.

A1.01

74

PWA

**pacific
west
architecture**

1201 West 73rd Ave (Airport Square)
Suite 1100
Vancouver B.C. V6P 6G5

Office: 604.267.7072
Fax: 604.267.7056
Email: info@pacificwest.ca
Web: www.pacificwest.ca

A 1.00	COVER PAGE
A 1.01	SITE PLAN AND STATISTICS
A 2.01	FLOOR PLANS
A 2.02	FLOOR PLANS
A 2.03	FLOOR AND ROOF PLANS
A 2.04	UNIT PLANS
A 3.01	ELEVATIONS
A 3.02	ELEVATIONS
A 4.01	BUILDING SECTIONS
A 5.01	RENDERING AND MATERIAL BOARD
A 5.02	RENDERINGS

BENCH Site Design Inc.
4-1562 Water Street, Kelowna B.C. V1Y 1J7
Tel: (250)-808-5113



3 SITE PHOTO LOOKING NORTHWEST



5 SITE PHOTO LOOKING SOUTHEAST

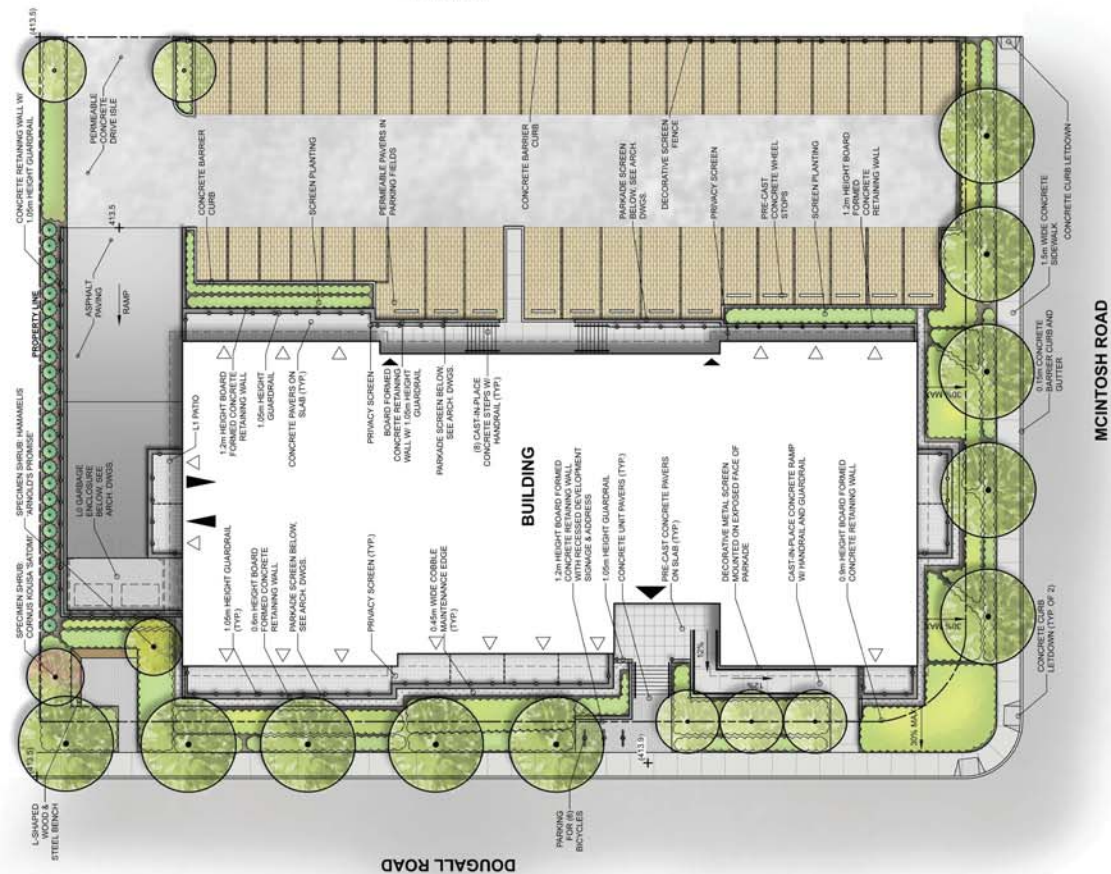
REVISIONS

ISSUES	DATE
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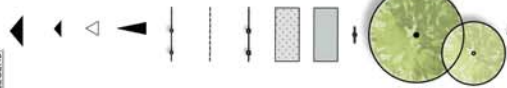
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PROJECT NUMBER		A288
DRAWN BY		CF
CHECKED BY		PY
DATE CHECKED		2017-10-23

PROJECT
KELOWNA APARTMENT
365 & 345 DOUGALL RD N, 360
MCINTOSH RD
KELOWNA B.C.

SITE KEY



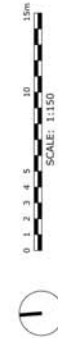
LEGEND



CHARACTER IMAGES



WOOD & STEEL FEATURE BENCH



NOT FOR CONSTRUCTION

DEVELOPMENT PERMIT NOTES:

- [illegible]

WARRANT LIST:

[illegible]

PROPOSED TREE

PROPOSED EVERGREEN SCREENING

SHRUBS, GRASSES & PERENNIALS



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PACIFIC WEST ARCHITECTURE
SCHEIDT/ROD, N.E.

PROJECT:
DOUGALL ROAD
MULTI-FAMILY
KELOWNA, B.C.

LANDSCAPE
CONCEPT PLAN

DESIGN BY	NO
ISSUED BY	DATE
CHECKED BY	NO
PROJECT NO	17-002
SCALE	1

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CITY OF KELOWNA

BYLAW NO. 11528

Z17-0041

360 McIntosh Road, 345 & 365 Dougall Road North

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 A Section 26 Township 26 ODYD Plan 6977, located at McIntosh Road, Kelowna, BC;
 - Lot B Section 26 Township 26 ODYD Plan 6977, located at Dougall Road, Kelowna, BC; and
 - Lot C Section 26 Township 26 ODYD Plan 6977, located at Dougall Road, Kelowna, BC;from the RU1 – Large Lot Housing zone to the RM5 – Medium Density Multiple Housing 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 this

Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: January 15, 2018

RIM No. 1250-40

To: City Manager

From: Community Planning Department (AC)

Application: Z16-0027/LUCT16-0001 **Owner:** Stewart James Storie and Gloria Wing Heung (5076)

Address: 5076 Lakeshore Road **Applicant:** The City of Kelowna

Subject: Rezoning and Land Use Contract Termination Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: A1 – Agriculture 1

Proposed Zone: RR2 – Rural Residential 2

1.0 Recommendation

WHEREAS the BC Provincial Government has mandated that all Land Use Contracts under the jurisdiction of a local government and in the Province of British Columbia be terminated by 2024;

AND WHEREAS the BC Provincial Government has provided a legislated process for the early termination of land use contracts when the local government has adopted a zoning bylaw that will apply to the land at the time the termination bylaw comes into force;

AND THAT Application No. LUCT16-0001 to terminate LUC77-1012 from Lot B, Section 23, Township 28, SDYD, Plan 30063, located on 5076 Lakeshore Road, Kelowna, BC, be considered by Council;

AND WHEREAS the underlying A1 – Agriculture 1 zone in the City of Kelowna Zoning Bylaw No. 8000 applies to Lot B, Section 23, Township 28, SDYD, Plan 30063, located on 5076 Lakeshore Road, Kelowna, BC under Land Use Contract LUC77-1012;

THEREFORE, BE IT RESOLVED THAT as the underlying A1 – Agriculture 1 zone Lot B, Section 23, Township 28, SDYD, Plan 30063, located on 5076 Lakeshore Road, Kelowna, BC under Land Use Contract LUC77-1012 does not meet the land use requirements under City of Kelowna Zoning Bylaw No. 8000;

AND THAT Rezoning Application No. Z16-0027 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification for Lot B, Section 23, Township 28, SDYD, Plan 30063, located 5076 Lakeshore Road, Kelowna, BC from the A1 - Agriculture 1 zone to the RR2 – Rural Residential 2 zone be considered by Council;

AND FURTHER THAT the Land Use Contract Termination Bylaw and Rezoning Bylaw be forwarded to a Public Hearing for further consideration.

2.0 Purpose

To consider an application to terminate the Land Use Contract and rezone the subject properties from A1 – Agriculture to the RR2 – Rural Residential 2.

3.0 Community Planning

Staff are bringing forth a Land Use Contract (LUC) termination and rezoning application for the subject properties. The underlying zoning (A1 – Agriculture) does not fit within the established neighbourhood and does not match the existing land use. Staff are proposing to adopt the adjacent RR2 – Rural Residential 2 zone to the subject properties. This termination of LUC77-1012 is the result of the LUC discharge and rezoning application on 5080 Lakeshore Road (Z16-0009 & LUC16-0001). The existing Land Use Contract (LUC) on the subject properties was created in 1976 to allow for one single family residential dwelling per lot on Lakeshore Road with the possibility of an additional structure as an accessory building. Staff are suggesting rezoning the two properties to RR2 which would permit similar uses.

The Local Government Act, that was amended in 2014, states that all land use contracts in the province will be terminated as of June 30th 2024. In addition, by June 20th 2022, local governments must have the appropriate underlying zoning regulations adopted in order to replace land use contracts upon their termination. Therefore, the application at 5080 Lakeshore has brought an opportunity for the City to terminate this Land Use Contract.

Community Planning supports the request for the LUC termination and rezoning as it complies with the 2014 amendment of the Local Government Act.

Staff are recommending Council Notification Policy #367 including early notification and development signage be waived for this Land Use Contract termination. Public consultation in this case is not recommended as the process is a City initiative mandated by the Local Government Act and does not result in any changes in existing land use. Staff did mail out letters to the 2 impacted property owners (see attached letter). There are approximately 83-86 LUCs remaining out of an original 140 LUCs approved by the City of Kelowna that affect approximately 710 properties.

4.0 Proposal

4.1 Background

British Columbia first experimented with contract zoning in 1971. The Land Use Contract was a tool regularly used in the 1970's and was eliminated on November 15th 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

Issues have arisen, specifically with the continued application of land use contracts as they supersede any subsequent bylaw dealing with land use and development including: Zoning Bylaws, Development Cost Charge Bylaws, and Development Permits. From 1978 to 2014, municipalities or the owners of the land could not unilaterally discharge, cancel, or modify the land use contract without the other party's consent. The Local Government Act was amended in 2014 stating all land use contracts in the province will be terminated as of June 30th 2024. Land use contracts will remain in force until that date. This provides property owners with ten years to complete any development authorized by their land use contract unless the LUC is terminated prior to that date. By June 20th 2022, local governments must have appropriate zoning

regulations in place to replace land use contracts upon their termination. Local governments must provide notice to each owner that the termination of land use contract is occurring and must provide notice of what the new zoning regulations apply to the land.

Land Use Contract terminations (unlike LUC discharges) do not apply when Council adopts the bylaw. Terminations require a one-year grace period as outlined by the Local Government Act. Further, the municipality must send additional letters after the one-year grace period is complete informing the property owners of which land use regulations apply to their properties.

4.2 Project Description

The City is seeking to rezone one property to RR2 – Rural Residential 2 and to terminate the Land Use Contract. The property at 5076 Lakeshore Road consists of a single family dwelling.

The property located at 5064 Lakeshore Road has applied for a Land Use Contract discharge and rezoning application. Therefore, it was no included in this report.

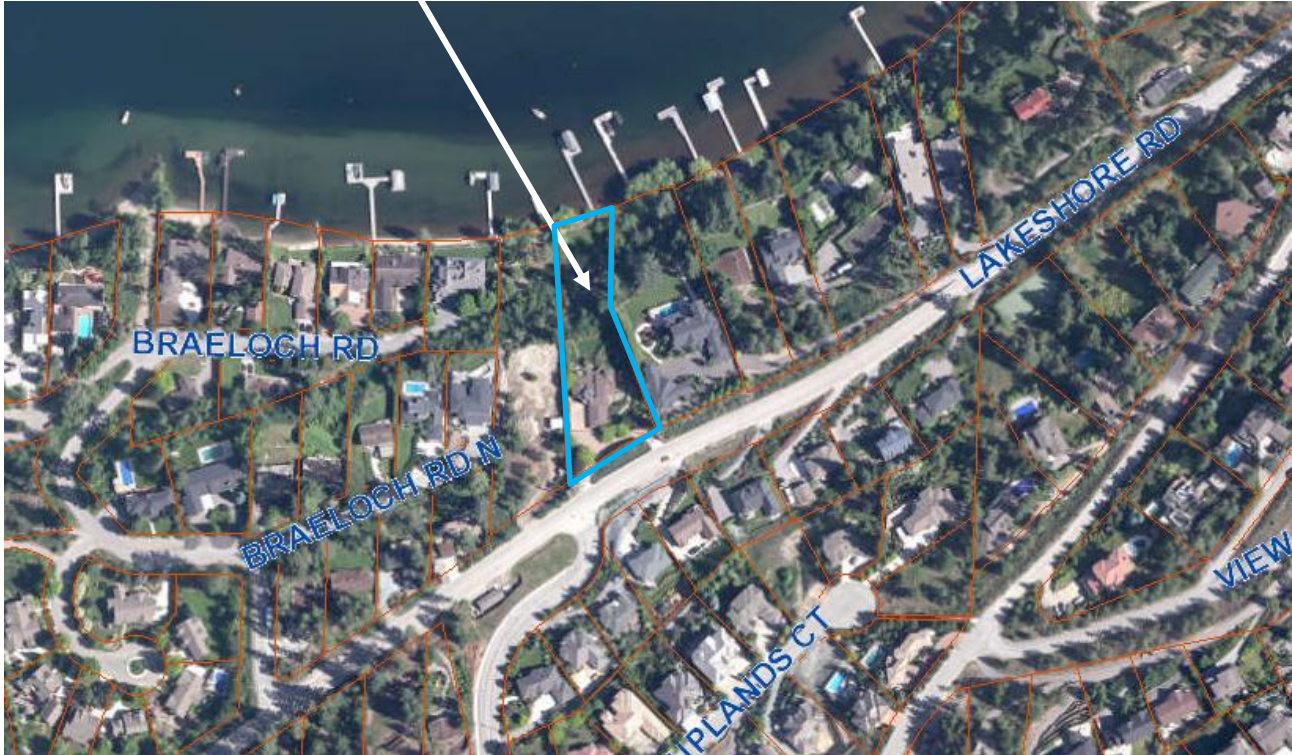
4.3 Site Context

The subject properties abut Lakeshore Road on the northwest side. The properties are designated S2RES – Single/Two Unit Residential in the Official Community Plan and the surrounding area is low density residential.

Adjacent land uses are as follows:

Orientation - 5076 Lakeshore Road	Zoning	Land Use
North	W1 – Recreational Water Use	N/A
East	LUC 77-1012 (A1 – Agricultural 1)	Single family residential
South	RU1 – Large Lot Housing	Single family residential
West	LUC 77-1012 (A1 – Agricultural 1)	Single family residential

Subject Properties Map: 5076 Lakeshore Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ 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.

5.2 Council Policy No. 282 – Strategy for Elimination of Remaining Land Use Contracts

Council Policy No. 282.² Includes the following statement:

- That the City of Kelowna initiate proceedings to discharge the contacts subject to consultation with affected owners of the land and subject to prior approval by council with regard to affected contracts;

6.0 Technical Comments

N/A

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

7.0 Application Chronology

Date of Application Received: May 6, 2016

Date Public Consultation Completed: N/A *

*See community planning section for the public consultation waiver rationale.

Report Prepared by: Adam Cseke, Urban Planner Specialist & Jenna Ratzlaff, Summer Student

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Letter to LUC owners

November 30, 2017
1210-01



To: Property Owner

Re: Proposed Termination of Land Use Contract LUC77-1012; Pertaining to LUCT16-0001
and Rezoning Z16-0027 for 5080 Lakeshore Road

You are receiving this letter because your property is impacted by a Land Use Contract that regulates your land development rights.

A neighbouring property owner with the same Land Use Contract noted above, has recently applied to the City to discharge this contract under the City of Kelowna Zoning Bylaw No. 8000, for our files LUCT16-0001 and Z16-0009 at 5080 Lakeshore Road.

The existing underlying zoning is A1 - Agriculture; however, it is currently not in effect as the Land Use Contract takes precedence. Staff are proposing to rezone your property to the RR2 – Rural Residential 2 zone.

The City of Kelowna is mandated by the Province to eliminate all Land Use Contracts by 2022. The City is proposing to terminate the Land Use Contract within your neighbourhood, including your property. Generally, this results in clearer and more generous building and development regulations, such as the possibility for a legal secondary suite.

Terminating your Land Use Contract requires Council approval and staff are prepared to bring forward a recommendation to Council for consideration in the coming weeks. Once Council considers the Land Use Contract Termination Bylaw, there is a 1-year grace period before the underlying zone comes into effect (as regulated by the British Columbia Local Government Act).

What is a Land Use Contract?

The Province first experimented with Land Use Contract zoning in 1971 before it was eliminated on November 15th 1978. The purpose of the tool was to allow local governments to arrive at agreements with specific developers to grant development rights over and above what was allowed under current zoning. This was typically done in exchange for commitments by developers to help finance the infrastructure costs of development.

The Local Government Act was amended in 2014 stating all land use contracts in the province must be terminated as of June 30th 2024. This provides property owners with ten years to complete any development authorized by their Land Use Contract unless the LUC is terminated prior to that date. By June 20th 2022, local governments must have appropriate zoning regulations in place to substitute land use contracts upon their termination. Whenever a property owner applies to change land uses within an LUC (resulting in a LUC Discharge), the City will then initiate the process to eliminate the whole LUC.

For further information regarding Land Use Contracts, please refer to the City of Kelowna website (www.kelowna.ca/homes-building/zoning-land-use-contracts). For inquiries regarding the termination of your Land Use Contract, please contact the Community Planning Department at 250-469-8626, or email: planninginfo@kelowna.ca.

Regards,

Terry Barton
Urban Planning Manager

Attachments:
Zoning Bylaw No. 8000 – RR2 –Rural Residential 2 zone

AC/hb

Community Planning Department
1435 Water Street
Kelowna, BC V1Y 1J4
TEL 250 469-8626
planninginfo@kelowna.ca
kelowna.ca

12.2 RR2 – Rural Residential 2

RR2c – Rural Residential 2 with Carriage House

12.2.1 Purpose

The purpose is to provide a **zone** for country residential **development**, and complementary **uses**, on medium sized **lots** in areas of high natural amenity and limited **urban services**.

12.2.2 Principal Uses

The **principal uses** in this **zone** are:

- (a) **community garden**
- (b) **greenhouses and plant nurseries**
- (c) **single dwelling housing**

12.2.3 Secondary Uses

The **secondary uses** in this **zone** are:

- (a) **bed and breakfast homes**
- (b) **child care centre, minor**
- (c) **carriage house (RR2c only)**
- (d) **group homes, minor**
- (e) **home based businesses, major**
- (f) **home based businesses, minor**
- (g) **home based businesses, rural**
- (h) **secondary suite**

12.2.4 Buildings and Structures Permitted

- (a) one **single detached house** (which may contain a **secondary suite**);
- (b) permitted accessory buildings or structures;
- (c) carriage house (permitted only on properties that have a 'c' designated sub-zone);
- (d) only one secondary dwelling unit is permitted (e.g. secondary suite or carriage house).

12.2.5 Subdivision Regulations

- (a) The minimum **lot width** is 36.0 m.
- (b) The minimum **lot depth** is 30.0 m.
- (c) The minimum **lot area** is 1.0 Ha unless a connection to the community sanitary sewer system, in accordance with the requirements of the City of Kelowna's Subdivision, Development & Servicing Bylaw, has been installed. If a connection to a community sanitary sewer system in accordance with the requirements of the City of Kelowna's Subdivision, Development & Servicing Bylaw, has been installed, the minimum **lot area** is 4000 m².

12.2.6 Development Regulations

- (a) The maximum **site coverage** is 20%, except that it is 50% for **greenhouses and plant nurseries**.

Site coverage of accessory **buildings** or **structures** and **carriage house** shall not exceed a combined 14%. The maximum floor area of a carriage house shall be 90 m² or 75% of the total floor area of the principal building. The maximum floor area of a carriage house may increase to a maximum of 100 m² only if the carriage house is limited to one (1) storey in height and is less than 75% of the total floor area of the principal building.

- (b) The maximum **height** for principal buildings is the lesser of 9.5m or 2 ½ storeys. The maximum **height** for accessory **buildings** / structures is 4.5m. The maximum **height** for **carriage houses** is 4.8m.
- (c) The minimum **front yard** is 6.0 m.
- (d) The minimum **side yard** is 3.0 m, except it is 4.5 m from a **flanking street**.
- (e) A "c" notation shown on Schedule "A" as part of the identified **zone** classification indicates that a **secondary use** in the form of a secondary **dwelling** unit is permitted on the properties so designated, subject to meeting the conditions of **use** of the **zone**. A "c" zoning classification on a property shall be established by rezoning the subject property to the "c" version of the parent **zone**.
- (f) The minimum **rear yard** is 9.0 m, except it is 3.0 m for accessory **buildings**.
- (h) [deleted]

12.2.7 Other Regulations

- (a) There shall be no more than one single detached house per **lot**.
- (b) When a home based **business** of any type involves the cutting and wrapping of wild game or any meat, the **lot** must have a minimum **lot area** greater than 0.33 ha.
- (c) For **sites** within the **Agricultural Land Reserve**, the maximum **gross floor area** of agricultural and garden sales for produce produced off the **site** is the lesser of 50.0 m² or one-third of the total floor area of the agricultural and garden sales stand.
- (d) In addition to the regulations listed above, other regulations may apply. These include the general **development** regulations of Section 6 (accessory **development**, **yards**, projections into **yards**, lighting, stream protection, etc.), the **landscaping** and fencing provisions of Section 7, the parking and loading regulations of Section 8, and the specific **use** regulations of Section 9.
- (e) [deleted]
- (f) A **carriage house** must not be closer than 3.0m to an existing principal building.

CITY OF KELOWNA

BYLAW NO. 11529

LUCT16-0001

Early Termination of Land Use Contract LUC77-1012 5076 Lakeshore Road

WHEREAS a land use contract (the "Land Use Contract LUC77-1012") is registered at the Kamloops Land Title Office under the charge number N43260 against lands in the City of Kelowna particularly known and described as in Schedule "A" attached (the "Lands"), located at Lakeshore Road, Kelowna, B.C.;

AND WHEREAS Section 548 of the *Local Government Act* provides that a local government may impose an early termination to land use contracts registered in a Land Title Office that applies to land within the jurisdiction of the local government;

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

1. This Bylaw may be cited for all purposes as "Early Termination of Land Use Contract LUCT16-0001 Bylaw";
2. Land Use Contract LUC77-1012 is hereby terminated as of the date of adoption; and
3. This bylaw will come into force and effect one year after the adoption date.

Read a first time by the Municipal Council this

Considered at a Public Hearing this

Read a second and third time by Municipal Council on the

Adopted by the Municipal Council this

Mayor

City Clerk

Schedule A: LUC77-1012

No.	Legal Description	Address	Parcel Identifier Number	Charge Number	Land Use Contract	Underlying Zone
1	Lot B, Section 23, Township 28, SDYD, Plan 30063	5076 Lakeshore Rd	004-085-965	N43260	LUC77-1012	A1 – Agriculture 1 zone

CITY OF KELOWNA
BYLAW NO. 11531
Z16-0027 –5076 Lakeshore 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 Lot B Section 23 Township 28 SDYD Plan 30063 located on Lakeshore Road, Kelowna, B.C., from the A1 – Agriculture 1 zone to the RR2 – Rural Residential 2 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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: January 15, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: Z17-0097

Owner: Ricardo Trumper & Patricia Tomic

Address: 644 DeHart Road

Applicant: Birte Decloux (Urban Options Planning & Permits)

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z17-0097 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 District Lot 358 Osoyoos Division Yale District Plan 39262, located at 644 DeHart Road, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU6 – Two Dwelling Housing zone be considered by Council;

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

AND FURTHER THAT final adoption of the Rezoning 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 15, 2018.

2.0 Purpose

To rezone the subject property to the RU6 – Two Dwelling Housing zone to facilitate the construction of a second dwelling.

3.0 Community Planning

Staff support the application to rezone from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone to allow a second dwelling to be built on the subject property. The RU6 zone is consistent with the existing Future Land Use designation of S2RES – Single / Two Unit Residential. The property is

within the Permanent Growth Boundary and meets the minimum lot dimensions for two dwelling housing. The property is well in excess of the minimum lot dimensions and the applicant has submitted a conceptual site plan that demonstrates that the development can be achieved without variances.

The application meets the intent of several Official Community Plan (OCP) goals and policies related to containing growth within developed areas and providing for a variety of housing options. Full infrastructure servicing is available along DeHart Road in this area.

The applicant has confirmed the completion of neighbourhood consultation in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Project Description

The proposal is to rezone the subject property to construct a second dwelling. The applicant proposes to retain the existing house and construct a second detached house towards the front of the property. The conceptual plan shows a potential building site with a gross main floor area of 181.2 m². No variances are being requested.

4.2 Site Context

The subject property is located on the north side of DeHart Road, between Lakeshore Road and Gordon Drive, in the City's North Mission – Crawford Sector. It is approximately 0.13 ha (0.32 ac) in area and currently has one single detached house. The surrounding area is characterized by single family dwellings, with the future DeHart Community Park immediately across the street. The property is located within the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Ru1 – Large Lot Housing	Residential
East	Ru1 – Large Lot Housing	Residential
South	Ru1 – Large Lot Housing	Future DeHart Community Park
West	Ru1 – Large Lot Housing	Residential

Subject Property Map: 644 DeHart Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 1: Introduction

Goal 1. Contain Urban Growth. Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

Goal 2. Address Housing Needs of All Residents. Address housing needs of all residents by working towards an adequate supply of a variety of housing.

Development Process

Objective 5.3 Focus development to designated growth areas.

Policy 5.3.2 Compact Urban Form. 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.

Policy 5.22.6 Sensitive Infill. 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.

Policy 5.22.7 Healthy Communities. Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

6.0 Technical Comments

6.1 Development Engineering Department

- See attached Schedule “A” City of Kelowna Memorandum

7.0 Application Chronology

Date of Application Received: October 20, 2017

Date Public Consultation Received: December 13, 2017

Report Prepared by: Kimberly Brunet, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule “A” City of Kelowna Memorandum

Schedule “B” Conceptual Site Plan

CITY OF KELOWNA

MEMORANDUM

Date: November 02, 2017
File No.: Z17-0097

To: Community Planning (KB)

From: Development Engineering Manager(JK)

Subject: 644 DeHart Rd. RU1 to RU6

The Development Engineering Department has the following comments and requirements associated with this rezoning application. The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Jason Angus

1. Domestic Water and Fire Protection

This property is currently serviced with a 19mm-diameter PVC water service. The disconnection of the existing small diameter water services and the tie-in of a larger new 50mm service c/w two curb stops can be provided by City forces at the developer's expense. The applicant will be required to sign a Third Party Work Order for the cost of the water service upgrades. For estimate inquiry's please contact Jason Angus, by email jangus@kelowna.ca or phone, 250-469-8783.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. No further utility upgrades are needed.

3. Road Improvements

- a. DeHart Rd must be upgraded to an urban arterial standard along the full frontage of this proposed development, including sidewalk, pavement removal and replacement, boulevard landscaping, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. A one-time cash payment in lieu of construction must be collected from the applicant for future construction by the City. The cash-in-lieu amount is determined to be **\$41,508.00** not including utility service cost.

4. Development Permit and Site Related Issues

Direct the roof drains into on-site rock pits or splash pads.

5. Electric Power and Telecommunication Services

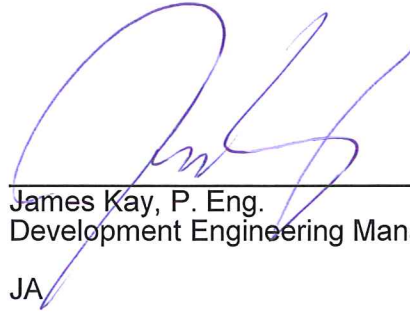
The electrical and telecommunication services to this building must be installed in an underground duct system, and the building must be connected by an underground service. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

7. Bonding and Levy Summary**(a) Levies**

1. DeHart Rd. frontage improvements

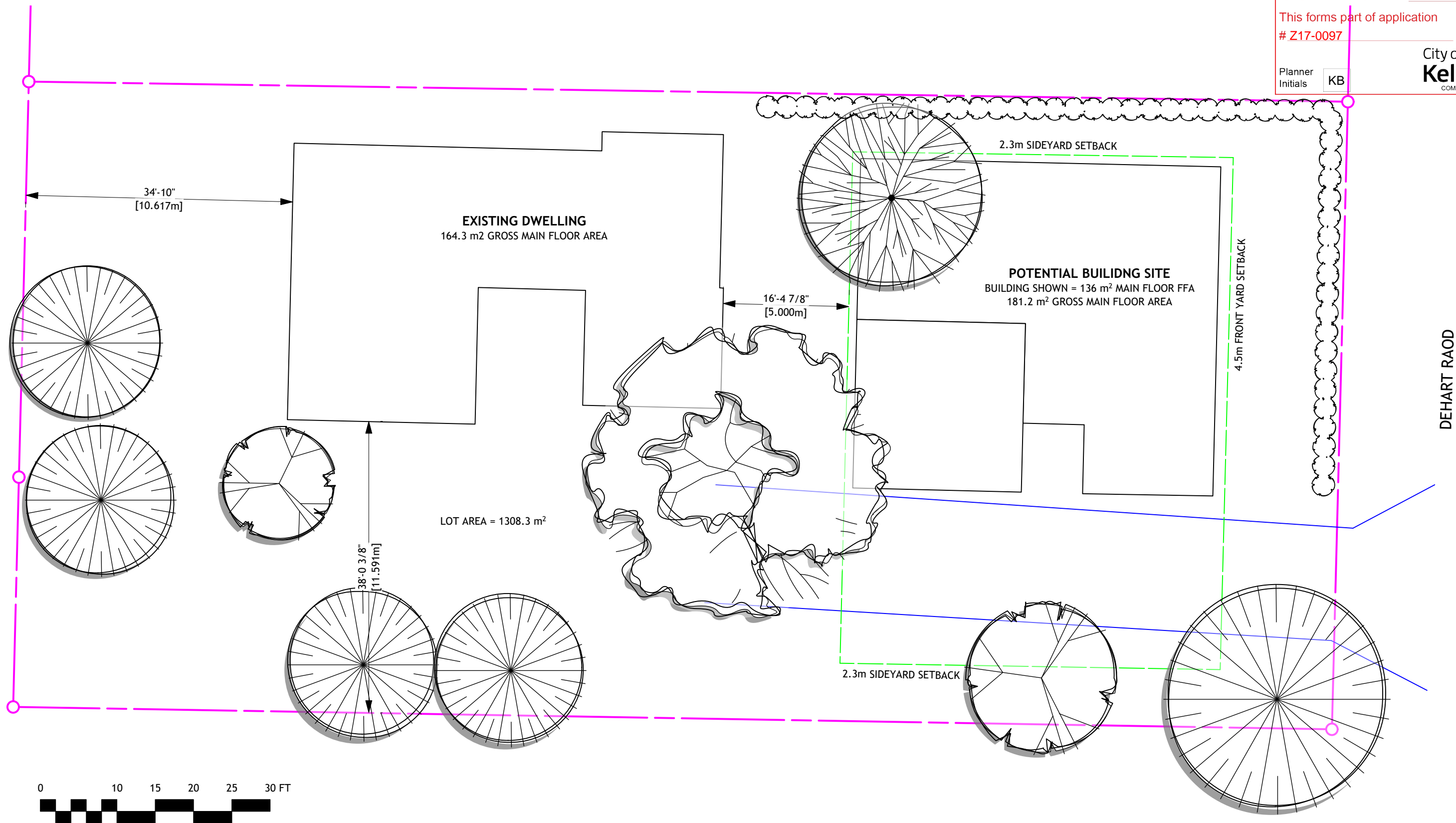
\$41,508.00**(b) Bonding**

1. Service upgrades

To be determined


James Kay, P. Eng.
Development Engineering Manager

JA



CITY OF KELOWNA
BYLAW NO. 11533
Z17-0097 – 644 DeHart 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 Lot 1 District Lot 358 ODYD Plan 39262 located on DeHart Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing 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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: January 15, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (KB)

Application: Z17-0106

Owner: Mehdi Tehrani & Mandana Ghanyei

Address: 621 Glenmore Road

Applicant: Mehdi Tehrani

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: A1 – Agriculture 1

Proposed Zone: RU6 – Two Dwelling Housing

1.0 Recommendation

THAT Rezoning Application No. Z17-0106 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 32 Township 26 ODYD Plan 6835 Except Plan KAP71534, located at 621 Glenmore Road, Kelowna, BC from the A1 – Agriculture 1 zone to the Ru6 – Two Dwelling Housing zone, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 15, 2018;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of a Preliminary Layout Review Letter by the Approving Officer.

2.0 Purpose

To rezone the subject property from A1 to RU6 to facilitate a two-lot subdivision.

3.0 Community Planning

Staff support the application to rezone from the A1 – Agriculture 1 zone to the RU6 – Two Dwelling Housing zone, to facilitate a two lot subdivision. The RU6 zone is consistent with the Future Land Use designation of

Single / Two Unit Residential and the property is within the Permanent Growth Boundary. The existing lot is in excess of the minimum lot dimensions and the applicant has submitted a conceptual plan that demonstrates that the two lot subdivision can be achieved without variances. While the City is generally supportive of achieving higher residential densities within the urban core area, this specific property has some challenges with access to a major arterial road and the more modest proposed density will help to ensure access and egress does not become a problem.

The application meets the intent of several Official Community Plan (OCP) goals and policies relating to containing growth within developed areas and providing additional housing options.

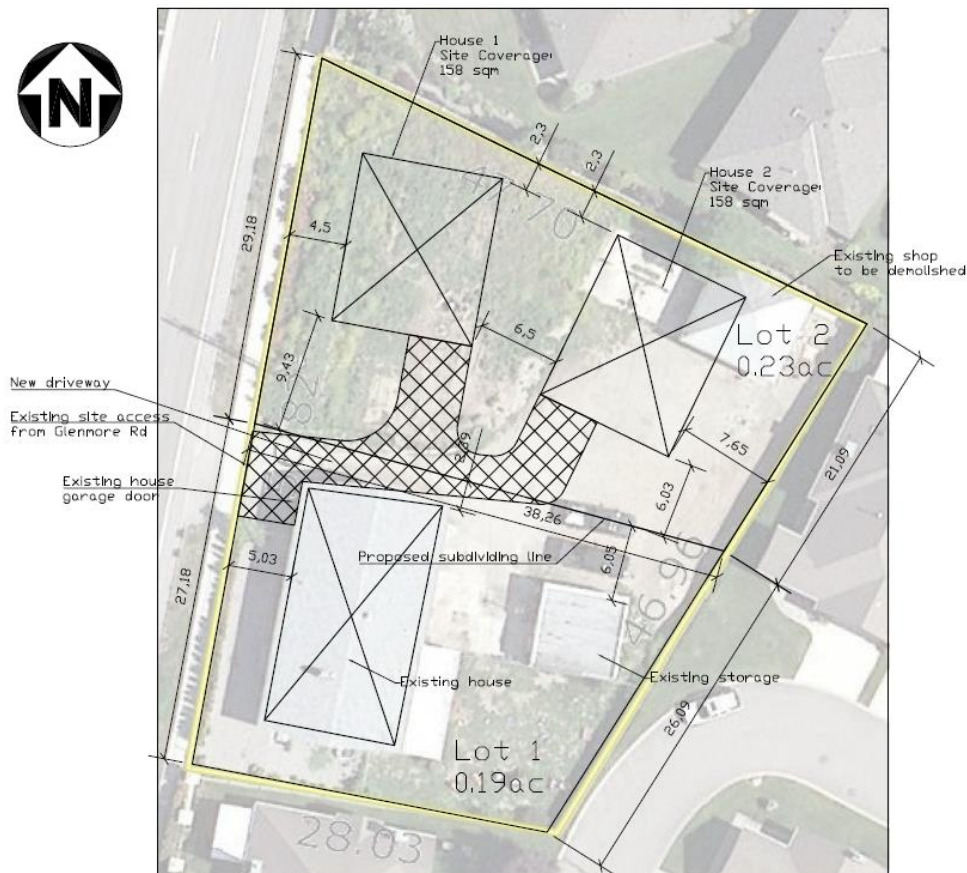
The applicant has confirmed the completion of neighbourhood notification in accordance with Council Policy No. 367.

4.0 Proposal

4.1 Project Description

The proposal is to rezone the subject property to facilitate a two lot subdivision. The conceptual subdivision plan indicates that a second lot can be created meeting all zoning and subdivision regulations. Staff will work with the applicant at the time of subdivision to ensure appropriate vehicle access to both lots, using one shared driveway, off Glenmore Road is achieved.

Conceptual Subdivision Plan: 621 Glenmore Road



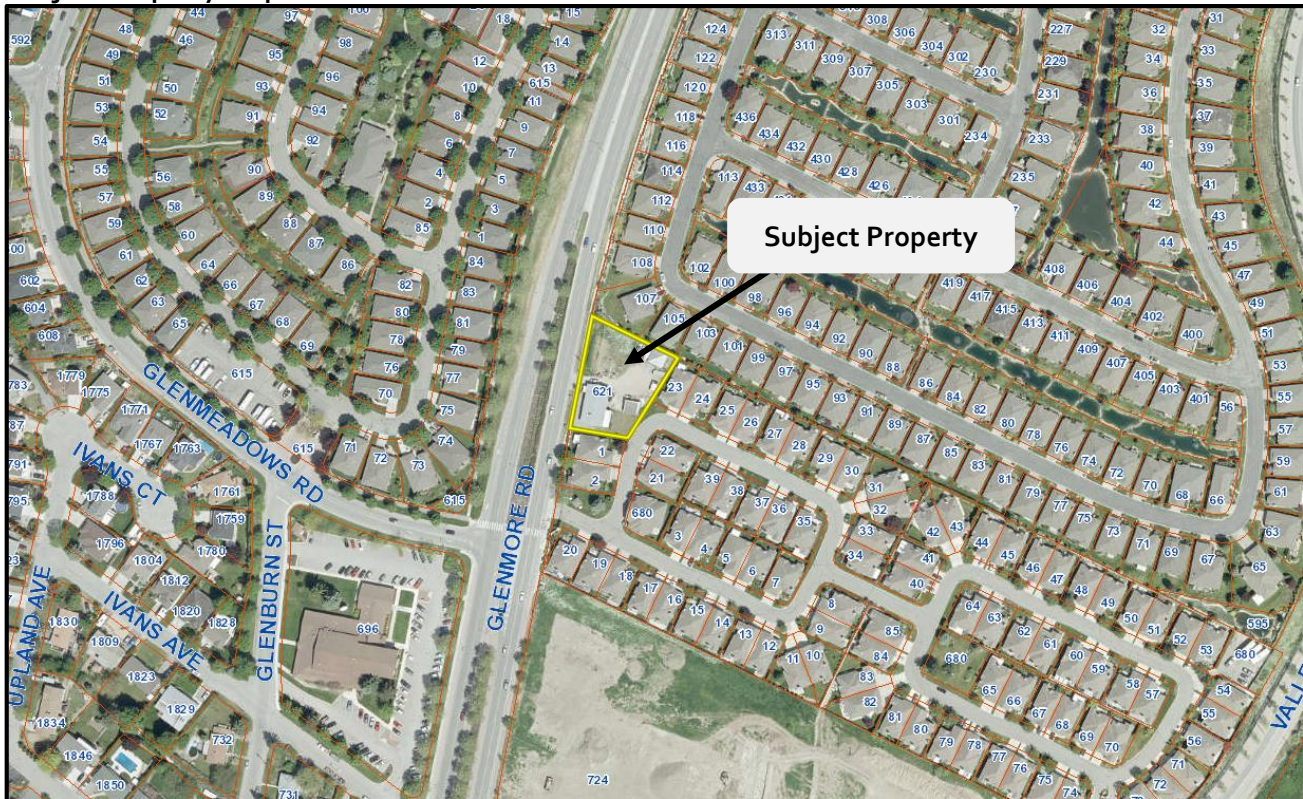
4.2 Site Context

The subject property is located on Glenmore Road in the Glenmore – Clifton – Dilworth Sector. It is approximately 0.433 acres (1,752 m²) in area and currently has one detached single house, which is proposed to remain after subdivision. The surrounding area is characterized by single family dwellings. It is located within the Permanent Growth Boundary.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	Ru5 – Bareland Strata Housing	Residential
East	Ru5 – Bareland Strata Housing	Residential
South	Ru5 – Bareland Strata Housing	Residential
West	Ru5 – Bareland Strata Housing	Residential

Subject Property Map: 621 Glenmore Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

6.0 Chapter 1: Introduction

Goal 1	Contain Urban Growth. Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.
Goal 2	Address Housing Needs of All Residents. Address housing needs of all residents by working towards an adequate supply of a variety of housing.

Chapter 5: Development Process	
Objective 5.3	Focus Development to Designated Growth Areas.
Policy 5.2.3	Compact Urban Form. 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.
Policy 5.22.6	Sensitive Infill. 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.
Policy 5.22.7	Healthy Communities. Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

Technical Comments

6.1 Development Engineering Department

See Attachment "A" City of Kelowna Memorandum

7.0 Application Chronology

Date of Application Received: October 31, 2017

Date Public Consultation Completed: December 3, 2017

Report prepared by: Kimberly Brunet, Planner

Reviewed by: Terry Barton, Community Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment "A" City of Kelowna Memorandum

Schedule "A" – Letter of Rationale



CITY OF KELOWNA

MEMORANDUM

Date: November 27, 2017
File No.: Z17-0106
To: Urban Planning (KB)
From: Development Engineering Manager (JK)
Subject: 621 Glenmore road Zone: A1 to RU6

The Development Engineering Department 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. All servicing and Road requirements will be address in S17-0110.

The Development Engineering Technologist for this project is Ryan O'Sullivan

1. Domestic Water and Fire Protection

- (a) The property is located within the Glenmore Ellison Irrigation District (GEID) 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 (City of Kelowna) is responsible, if necessary, to arrange with GEID staff for any service improvements and the decommissioning of existing services. Only one water service will be permitted to a consolidated lot.
- (b) A water meter is mandatory for each property 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.
- (c) Boulevard landscape irrigation system, must be integrated with the on-site irrigation system.

2. Sanitary Sewer

The developer's consulting mechanical engineer will determine the development requirements of the proposed development and establish the service needs. The proposed lot is not serviced. Only one service per lot will be permitted for this development. If required, the applicant will arrange for the installation of the new service at the applicants cost.

3. Storm Drainage

The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems.

4. Road Improvements and Dedication

- (a) All road requirements will be addressed in S17-0110.

5. Electric Power and Telecommunication Services

The electrical and telecommunication services to this building must be installed in an underground duct system, and the building must be connected by an underground service. It is the developer's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for these services, which would be at the applicant's cost.

6. Design and Construction

- (b) 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.
- (c) 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.
- (d) 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).
- (e) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- (f) 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.

7. Servicing Agreements for Works and Services

- (a) A Servicing Agreement is required for all offsite 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.

8. Other Engineering Comments

- (a) Provide all necessary Statutory Rights-of-Way for any utility corridors required, including those on proposed or existing City Lands.
- (b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Terasen, 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 must be incorporated in the construction drawings submitted to the City's Development Manager.

9. Development Permit and Site Related Issues

- (a) Access and Manoeuvrability
 - (i) An MSU standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles movements should also be illustrated on the site plan.
 - (ii) Perimeter access must comply with the BC Building Code. Fire Truck access designs and proposed hydrant locations will be reviewed by the Fire Protection Officer.



James Kay, MS, P.Eng,
Development Engineering Manager

RO

Letter of Rationale

621 Glenmore Rd. Rezoning to RU6

To: City of Kelowna staff and Councilors;

We, Mandana Ghanyei and Mehdi Tehrani, the owners of 621 Glenmore Rd, Kelowna, BC, V1V 2H4 wish to apply to rezone the subject property from A1 to RU6. In addition, upon rezoning, the subject property meets the subdividing requirement and we would like to subdivide the property in to two lots.



Figure 1 Plan view of the 621 Glenmore Rd property and surrounding neighbors

Figure 1 shows the aerial photo of the subject property and the surrounding neighborhood. The lot size is 0.43 acre and there is an existing single family house on the south west of the lot. Based on current OCP, the future land use of the lot is proposed as S2RES which allows to build two detached single family houses.

Figure 2 presents the proposed subdividing which divides the lot in to Lot A (0.24ac) and Lot B (0.19ac). Since there is only one access from Glenmore Rd to the existing lot, an easement will be required to be registered at the common property line between Lot A and B.

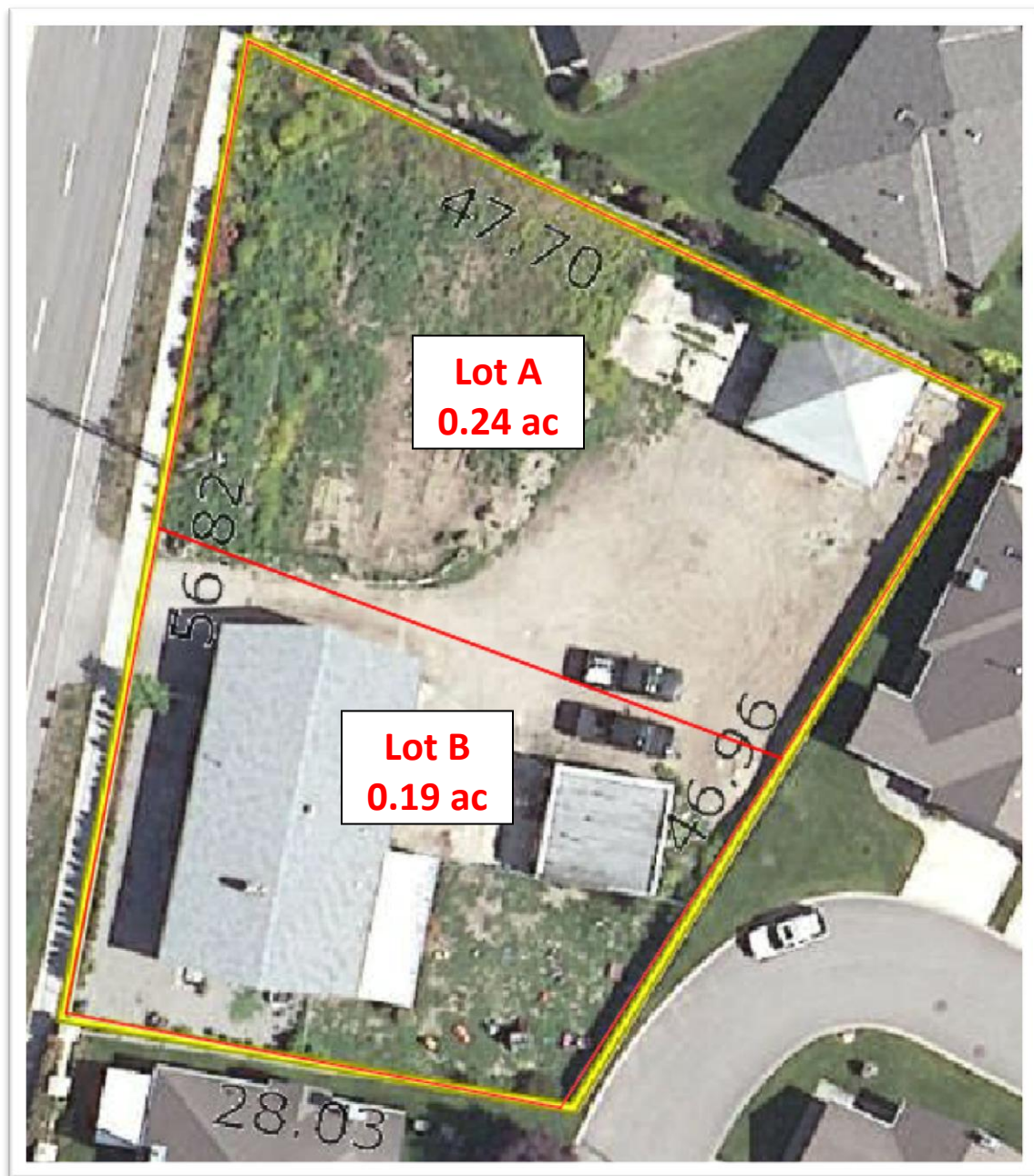


Figure 2 Lot dimensions and proposed subdividing line

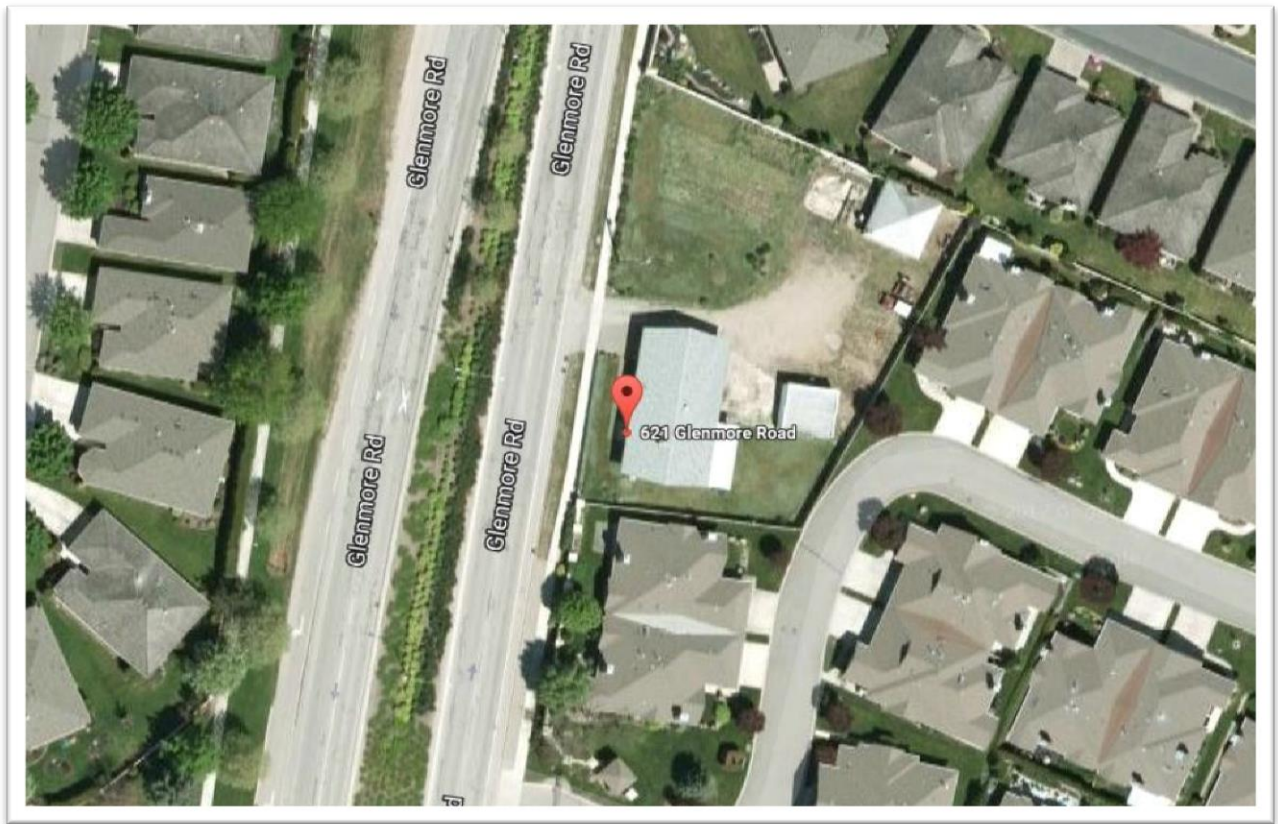
The ultimate goal is to build two detached single family dwelling houses on Lot A similar to the surrounding houses style, and keep the existing house and detached garage on Lot B and match

the exterior of the house with the new ones. The two new houses on Lot A will be stratified and will share a court yard between them.

Kind Regards,
Mandana Ghanyei, EIT
Mehdi Tehrani, P.Eng.

Enclosed:

- Lot layout drawing
- Property photos
- Application form
- Authorization form





CITY OF KELOWNA
BYLAW NO. 11535
Z17-0106 – 621 Glenmore 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 Lot A Section 32 Township 26 ODYD Plan 6835 Except Plan KAP71534 located on Glenmore Road, Kelowna, B.C., from the A1 – Agriculture 1 zone to the RU6 – Two Dwelling Housing 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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: January 15, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TB)

Application: Z17-0047

Owner: 1121911 BC Ltd. Inc. No.
BC1121911

Address: 1308 & 1324 Rutland Rd N

Applicant: Patrick McCusker Architecture
Inc.

Subject: Rezoning Application

Existing OCP Designation: MRL – Multiple Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RM3 – Low Density Multiple Housing

1.0 Recommendation

THAT Rezoning Application No. Z17-0047 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of each of the following properties:

1. Lot 2, Sec 35, Twp 26, ODYD, Plan 14663, located at 1324 Rutland Rd N, Kelowna, BC
2. Lot 3, Sec 35, Twp 26, ODYD, Plan 14663, located at 1308 Rutland Rd N, Kelowna, BC

from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing zone be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated January 15, 2018;

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

2.0 Purpose

To rezone the subject property to facilitate the development of multiple dwelling housing.

3.0 Community Planning

Community Planning supports the proposed rezoning from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing as it is consistent with the Official Community Plan (OCP) Future Land Use Designation of Multiple Unit Residential (Low Density). The subject property is located in Rutland on two major BC Transit Routes and within 100m of the nearest transit stop, meeting the OCP Urban Policy of Compact Urban Form (Policy 5.2.3). In addition, the RM3 zone restricts height to three storeys which is only a half storey higher than height restrictions in the surrounding RU1 zones, therefore, it meets the OCP Policy of Sensitive Infill (Policy 5.22.6).

Two Development Engineering objectives are achieved through this rezoning including a 5.0m road dedication along Rutland Rd N, and a 2.0m Statutory Right of Way for a future walkway connection from Rutland Rd N to Aldon Rd. This achieves OCP Objective 5.1 to ensure that opportunities are available for greater use of active transportation in the future.

4.0 Proposal

4.1 Background

The subject properties each have a single family dwelling that will be demolished as a function of this development. The properties will be required to be consolidated prior to final adoption of the rezoning.

4.2 Project Description

The proposed rezoning will facilitate the development of multiple dwelling housing in the form of row housing. The applicant has proposed 36 homes in 6 buildings, three storeys in height, with ground-oriented units along the street front. One site access is proposed to align with Wallace Rd, and a secondary access will be for emergency vehicles only. Should Council support the rezoning, Staff will bring forward a Development Permit for Council consideration, and there are no variances contemplated at this time.

4.3 Site Context

The subject property is located in Rutland, north of the Urban Centre. It is located near Chichester Wetland Park and Harris Park. The neighbourhood is predominantly RU1, however, the future land use along this corridor supports zoning up to RM3.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Detached Housing
East	RU1 – Large Lot Housing	Single Detached Housing
South	RU1 – Large Lot Housing	Single Detached Housing
West	RU1 – Large Lot Housing	Single Detached Housing

Subject Property Map: 1308 & 1324 Rutland Rd N**5.0 Current Development Policies****5.1 Kelowna Official Community Plan (OCP)****Development Process**

Compact Urban Form.¹ 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.² Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

Objective 5.10.³ Ensure opportunities are available for greater use of active transportation and transit to: improve community health; reduce greenhouse gas emissions; and increase resilience in the face of higher energy prices.

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

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

³ City of Kelowna Official Community Plan, Objective 5.10 (Development Process Chapter).

Maximize Pedestrian / Cycling Connectivity.⁴ Require that pedestrian and cyclist movement and infrastructure be addressed in the review and approval of all City and private sector developments, including provision of sidewalks and trails and recognition of frequently used connections and informal pedestrian routes. With new developments, require dedication of on-site walking and cycling paths where necessary to provide links to adjacent parks, schools, transit stops, recreation facilities, employment nodes, cul-de-sacs and large activity areas.

6.0 Technical Comments

6.1 Building & Permitting Department

- Full Plan check for BC Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- Please see Schedule “A” attached to the Report from Community Planning dated January 15, 2018.

6.3 Bylaw Services

- Currently there are no outstanding/open Bylaw Enforcement Files pertaining to property addresses 1308 & 1324 Rutland Rd. N.

7.0 Application Chronology

Date of Application Received: May 19, 2017
 Date of Revised Drawings Received: October 13, 2017
 Date Public Consultation Completed: October 18, 2017

Report prepared by: Trisa Brandt, Planner II

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Schedule “A”: Development Engineering Memorandum

Attachment “A”: Site Plan

Attachment “B”: Conceptual Elevations

⁴ City of Kelowna Official Community Plan, Policy 5.10.1 (Development Process Chapter).

CITY OF KELOWNA
MEMORANDUM

Date: July 12, 2017
File No.: Z17-0047
To: Urban Planning Management (TB)
From: Development Engineering Manager (JK)
Subject: 1324 & 1308 Rutland Rd N RU1 to RM3

The Development Engineering Department has the following comments and requirements associated with this rezoning application to rezone the subject properties from RU1 – Large Lot Housing to RM3 – Low Density Multiple Housing and a Development Permit Application for the form and character of 36 townhomes. The road and utility upgrading requirements outlined in this report will be a requirement of this development.

The Development Engineering Technologist for this project is Jason Ough

1. Domestic Water and Fire Protection

- a) This development is within the service area of the Black Mountain Irrigation District (BMID). The developer is required to make satisfactory arrangements with the BMID for these items. All charges for service connection and upgrading costs, as well as any costs to decommission existing services are to be paid directly to BMID.
- b) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures.

2. Sanitary Sewer

- a) 1324 Rutland Rd N & 1308 Rutland Rd N are currently serviced with 100mm sanitary services. 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 if necessary. Any service improvement and decommissioning works may be included in an offsite servicing design package submission including an estimate for bonding purposes.
- b) 1324 Rutland Rd N & 1308 Rutland Rd N are currently within Sanitary Sewer Specified Area # 20. The developer will be responsible to cash commute, pay in full, the specified area charges for this development. The charge is currently (until March 2018) set at \$2045.50 per Equivalent Dwelling Unit (EDU). The calculation of this fee is as follows: 36units X \$2045.50 = \$73,638.00

**3. Storm Drainage**

The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the Subdivision, Development and Servicing Bylaw No. 7900. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and provision of a storm drainage service for the development and / or recommendations for onsite drainage containment and disposal systems. Only one service will be permitted for this development. The applicant, at his cost, will arrange the installation of one overflow service if required.

4. Road Improvements

- a) Rutland Road North is identified in the OCP Transportation Servicing Plan as a 4-lane arterial with an active transportation component. Transportation Planning staff will provide a cross section to establish the curb off-set.
- b) The applicant must have a civil engineering consultant submit a design for roadway improvements along the entire frontage of the subject properties. This will include curb and gutter, sidewalk, street lighting, landscaped boulevard, storm drainage system, pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. An estimate for public side works will be required, for bonding purposes, to be submitted by the applicants civil engineering consultant.
- c) This development application will be limited to one access to Rutland Rd N. Maximum 6m wide, this access should be aligned with Wallace Road, or, as far north as possible.

5. Road Dedication and Subdivision Requirements

- a) The subject properties are required to be consolidated as part of this development project.
- b) Provide 5m of road dedication along Rutland Road N.
- c) Provide 2m of SROW for future walkway to connect Rutland Road N to Aldon Rd.
- d) Grant statutory rights-of-way if required for utility services.

6. Electric Power and Telecommunication Services

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

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 (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 offsite 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. Other Engineering Comments

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors as required.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as Fortis, 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 must be incorporated in the construction drawings submitted to the City's Development Manager.

10. Geotechnical Report

- a) Provide a comprehensive geotechnical report prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed development.**
 - Overall site suitability for development.
 - Presence of ground water and/or springs.
 - Presence of fill areas.
 - Presence of swelling clays.
 - Presence of sulphates.
 - Potential site erosion.
 - Provide specific requirements for footings and foundation construction.
 - Provide specific construction design sections for roads and utilities over and above the City's current construction standards

SCHEDULE		A
This forms part of application		
# Z17-0047		
Planner Initials	TB	
		 City of Kelowna COMMUNITY PLANNING

11. Development Permit and Site Related Issues

Access and Manoeuvrability

- (i) Access to the site will be permitted from the lane only.
- (ii) Ensure acceptable turning movements onsite for MSU design vehicle.
- (iii) Any bicycle racks included with this development shall be onsite.

12. Charges and Fees

- a) Development Cost Charges (DCC's) are payable.
- b) Fees per the "Development Application Fees Bylaw" include:
 - i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
 - ii) Survey Monument Fee: \$50.00 per newly created lot (GST exempt).
 - iii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).



James Kay, P. Eng.
Development Engineering Manager

jo

Concluding



project no. 2368

Drawing title

analyzed	PMC	scale	1/16"=1'-0"
drawn	JB		
checked	PMC		

September 29, 2017 09:42 AM



NOTES:

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- MATERIALS LEGEND:**
- PERGLASS (WHITE SHIMMER)
 - HORIZONTAL SLATS (HARDWOOD PRODUCT)
 - VERTICAL BOARD AND BATTEN (HARDWOOD PRODUCT)
 - PAINT AND TRIM (HARDWOOD PRODUCT)
 - DOUBLE GLAZED THERMALLY BROKEN VINYL WINDOWS
 - EXTENSION SLIDING ALUMINUM GUARDRAIL AND POCKETS
 - BUILT-UP COLUMNS
 - INSULATED METAL SECTIONAL OVERHEAD DOOR
 - PAVING
 - 1" PREFINISHED ALUMINUM PAPER GUTTER W/ PREFINISHED ALUMINUM DOWNSPOUTS
 - 1" JELLY BOARDS
 - 1" TYP WINDOW AND DOOR TRIMS



COLOUR SCHEME OPTION 01



COLOUR SCHEME OPTION 02

02 2017.09.29 REVISED FOR PIP
 03 2017.10.19 REVISED FOR PIP
 No. Date Description
 Revisions



PATRICK MCCUSKER
 ARCHITECTURE INC.
 AAA MAREC
 3430 BENVOLUNT ROAD
 K.E. LUTHER & SONS
 PH: 778-444-1222
 pat@pmccusker.com
 www.pmacs.com

PROJECT FOR
 RUTLAND TOWNHOMES
 MULTI-FAMILY RESIDENTIAL
 1389 AND 1324 RUTLAND ROAD
 KILWINNAH B.C.
 PROJECT NO. 3368

drawn by: [blank]
 checked by: [blank]
 approved by: [blank]

COLOURED FRONT ELEVATIONS:
 MAIN ENTRY FOR TOWNHOMES
 ALONG WEST PROPERTY LINE

DATE	BY	FOR
2017.09.29	PM	NTS
2017.10.19	JB	
2017.10.19	PM	

DP3.11
 September 29, 2017 11:18 AM

ATTACHMENT B

This forms part of application
 # Z17-0047

Planner Initials **TB**

City of Kelowna
 COMMUNITY PLANNING

COLOR LEGEND

- Calson Brown
- Timber Bark
- Hazelnut Beige
- Monterey Teal



City of Kelowna
COMMUNITY PLANNING

Description

**ATTRICK McCUSKER
ARCHITECTURE INC.**

AA	MAIBC	MRAIC
430. BENVOLIN ROAD ELOWNA, B.C. V2W 4M5		
- Phone: 778-484-9223 - pat@pmccarch.com www.pmccarch.com		

Project title

RUTLAND TOWNHOMES
MULTI-FAMILY RESIDENTIAL
1308 and 1324 RUTLAND ROAD
KELWOWNA, B.C.

project title
RUTLAND TOWNHOMES
MULTI-FAMILY RESIDENTIAL
1308 AND 1324 RUTLAND ROAD
KELWOWNA, B.C.

drawing title
COLOURED REAR ELEVATION
GARAGE ENTRY FOR TOWNHOMES
ALONG WEST PROPERTY LINE

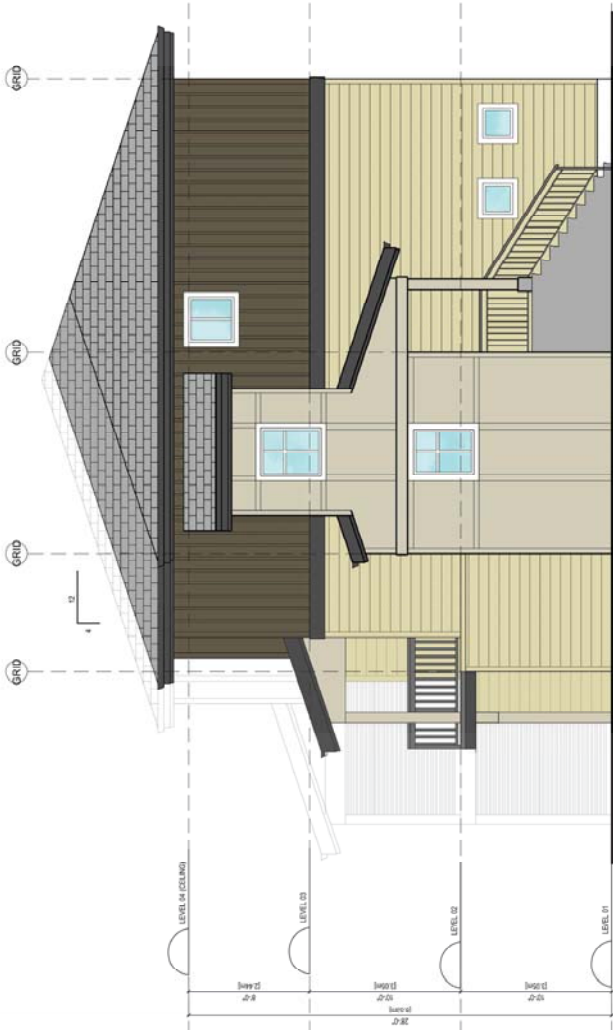
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PMc	

DP3.12

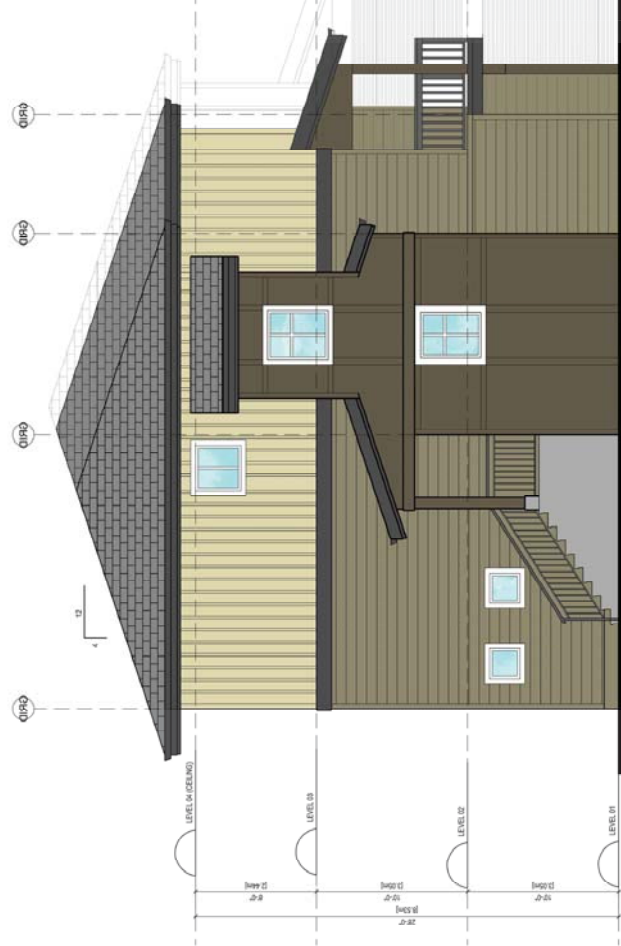
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NOTES:
 1. All materials and finishes are to be approved by the City of Kelowna.
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 3. All materials and finishes are to be approved by the City of Kelowna.
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 9. All materials and finishes are to be approved by the City of Kelowna.
 10. All materials and finishes are to be approved by the City of Kelowna.

- MATERIALS LEGEND:**
- 1 - DOUBLE GLAZED THERMALLY BROKEN VINYL WINDOWS
 - 2 - EXTERIOR RAINING - ALUMINUM GUARDRAIL AND PICKETS
 - 3 - RAIL-LUP COLUMNS
 - 4 - INSULATED METAL SECTIONAL OVERHEAD DOOR
 - 5 - FASCIA
 - 6 - 5" PRE-INSULATED ALUMINUM FASCIA GUTTER W/ PREFINISHED ALUMINUM DOWNSPOUTS
 - 7 - SET BOARDS
 - 8 - 1"x4" WINDOW AND DOOR TRIMS
- COLOUR LEGEND:**
- 1 - BRICK/CLAY LAMINATE SHINGLES
 - 2 - HORIZONTAL SIDING (PAVLEE PRODUCT)
 - 3 - VERTICAL BOARD AND BATTEN (PAVLEE PRODUCT)
 - 4 - VERTICAL SIDING (PAVLEE PRODUCT)
 - 5 - 1"x4" WINDOW AND DOOR TRIMS



COLOUR SCHEME OPTION 01



COLOUR SCHEME OPTION 02

02 2017.08.28 REVISION FOR DP
 02 2017.08.28 REVISION FOR DP
 No. Date Description



PATRICK MCCUSKER
 ARCHITECTURE INC.
 3430 BENVOLUNT ROAD
 K. L. KELLOWNA, B.C. V1Y 9K5
 PHONE: 778-444-1222
 FAX: 778-444-1223
 WWW.PMARCHITECTURE.COM

PROJECT NO.
 RUTLAND TOWNHOMES
 MULTI-FAMILY RESIDENTIAL
 1309 AND 1324 RUTLAND ROAD
 KELLOWNA, B.C.
 PROJECT NO. 3368

OWNERS: THE
 COLOURED SIDE ELEVATIONS:
 FOR TOWNHOMES
 ALONG WEST PROPERTY LINE

DATE	DATE
DATE	DATE
DATE	DATE
DATE	DATE

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ATTACHMENT B

This forms part of application
 # Z17-0047

Planner Initials **TB**

City of Kelowna
 COMMUNITY PLANNING

COLOUR LEGEND



Culture Stone

Timber Bark

Natural Range

Mountain Stone



PM 

project title
RUTLAND TOWNHOMES
MULTI-FAMILY RESIDENTIAL
1308 AND 1324 RUTLAND ROAD
KELWOWN, B.C.
project no. 3368

material	PMC	size	1/8" x 1'-0"
drawn	JB		
checked	PMC		
drawing no.			

DP3.14



City of Kelowna
COMMUNITY PLANNING

CITY OF KELOWNA
BYLAW NO. 11537
Z17-0047 – 1308 and 1324 Rutland Road North

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 Lots 2 & 3 Section 35 Township 26 ODYD Plan 14663 located on Rutland Road North, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RM3 – Low Density Multiple Housing 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

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: January 15, 2018

RIM No. 0940-00

To: City Manager

From: Community Planning Department (LK)

Application: DP17-0179

Owner: 1017496 B.C. Ltd., INC No.
BC1017496

Address: 1800 Richter Street

Applicant: Meiklejohn Architects Inc.

Subject: Development Permit Application

Existing OCP Designation: MXR – Mixed Use (Residential/Commercial)

Existing Zone: CD22 – Central Green Comprehensive District

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP17-0179 for Lot A District Lots 14 and 139 ODYD Plan EPP18764, located at 1800 Richter Street, 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 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 the proposed 55-unit 4-storey multiple dwelling housing project on the subject property (Central Green).

3.0 Community Planning

Community Planning Staff are supportive of the proposed 55-unit multiple dwelling housing project on the subject parcel. The application is consistent with the objectives of the Official Community Plan (OCP) Urban Design Guidelines and the design is appropriate for the context of the site within the Central Green Master Site Development Permit. The proposal also meets the OCP's Urban Infill objectives and it meets all of the Zoning Bylaw Regulations within the CD22 – Central Green Comprehensive Development Zone.

The property is within the Permanent Growth Boundary and is located in the City Centre Urban Centre. Proposed building 'D' is at the south end of the developable site (current location of the Central Green Sales Centre) with Rowcliffe Park directly south and west of the building. Richter Street runs along the street frontage. The residential density should be well supported by the City's efforts to build Rowcliffe Park (to the south) and the close proximity of the shops and services of the downtown.

4.0 Proposal

4.1 Background

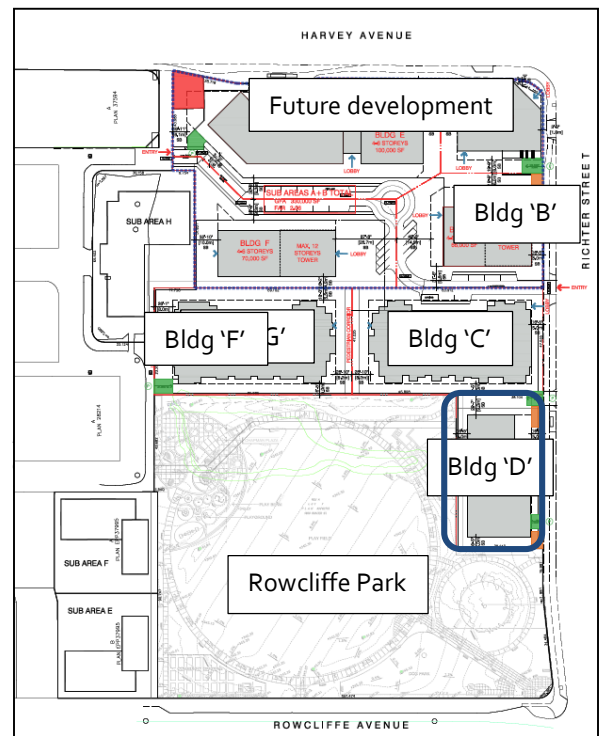
On December 14, 2015, Council approved the Central Green Master Site Development Permit. Since that time, Development Permits have been approved for three buildings (Buildings F, G and C). Refer to Figure 1 for building locations.

Building F is under construction and the application for Building B is currently under review by Staff. These two buildings, along with the future development along Harvey Avenue are intended to be rental projects.

Buildings C & G are two strata developed buildings which are currently under construction. The current project site is notated by the blue outline in Figure 1. The City will also be proceeding with the building of Rowcliffe Park; the first phase of construction was approved in the 2017 Capital Plan.

4.2 Project Description

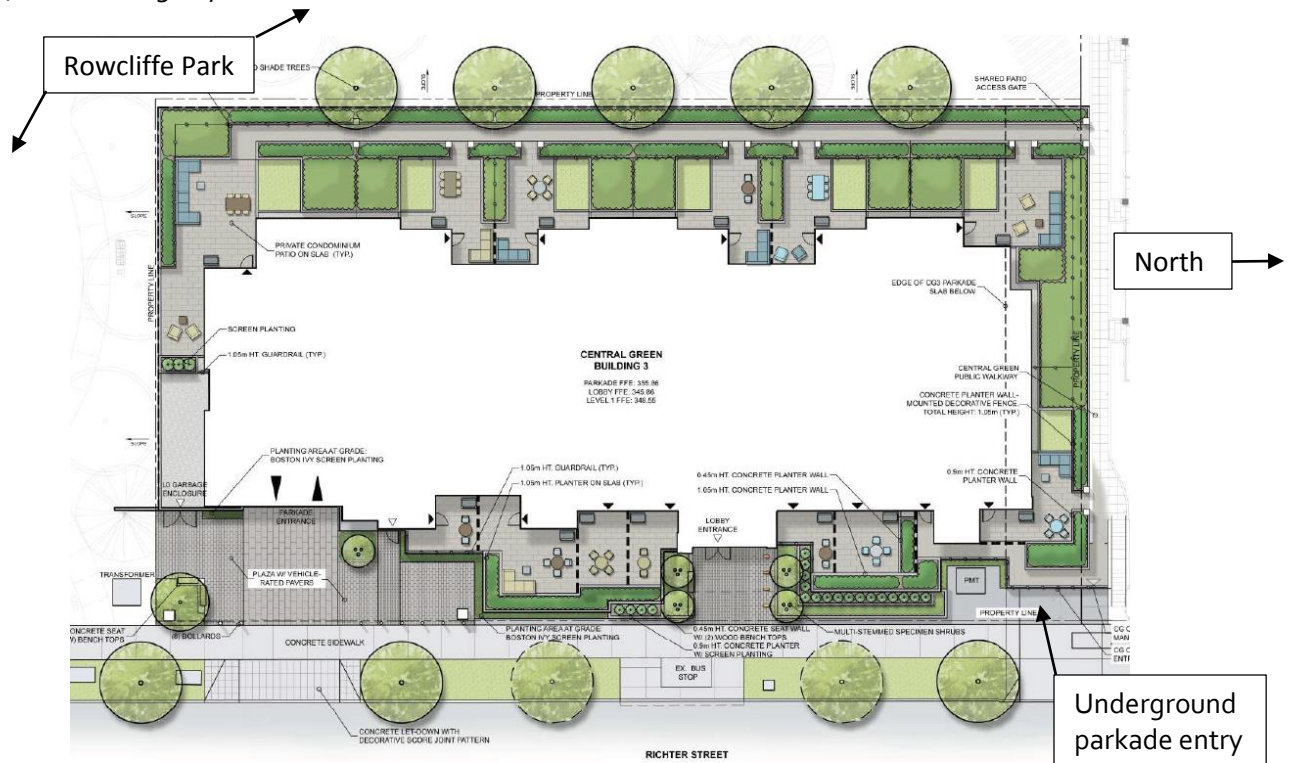
The proposed development is for the form and character of the third strata building for the south portion of the Central Green project site. The subject four storey, 55-unit building will have 20 three-bedroom units, 19 two-bedroom units, 12 one-bedroom units and 4 micro-suites. Each unit has a balcony or patio to meet the private amenity space requirements.



4.3 Central Green Master Site Plan



4.4 Building Layout



The proposed four storey building is wood frame construction and has a frontage onto Richter Street, with Rowcliffe Park to the west and south. Central Green Building C is located to the north. The parkade podium height is consistent across the entire Central Green development site. The parkade entry is at the north end of the proposed building and provides a single level of parking. To provide a cohesive transition across the Central Green site, the same plant species and design elements are utilized. This includes the use of brick masonry and interlocking pavers along with cast in place concrete.

4.5 Building Design

The approved buildings currently under construction to the north of the subject project site are designed in a traditional architectural form. The proposed building 'D' will be consistent in form and finishes approved for the two previous buildings. The exterior will be clad in a combination of red brick masonry, exposed concrete with cast reveals and hardi-plank siding in contrasting tones. Articulation is provided along the building facades to provide visual interest to those approaching the site. The use of metal detailing on the railings lends to the urban aesthetic, while the 'red brick' is a historic reference to the Central School site located across Richter Street. When viewed from along Richter Street, the style of the Central Green development flows from 'traditional' to a more 'modern' style, with the red brick providing a consistent visual tie throughout the entire project site.

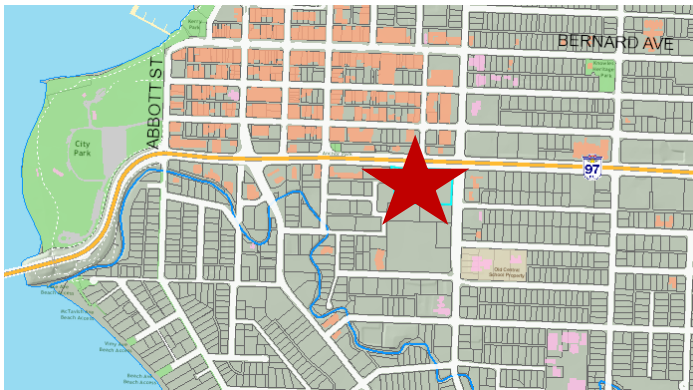


4.6 Site Context

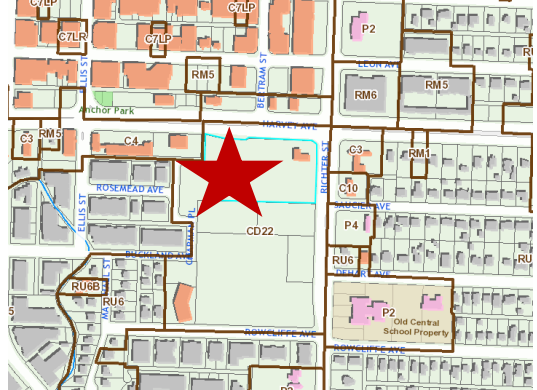
Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	C4 – Urban Centre Commercial	Food Primary Establishment, Gas Bar
East	C3 – Community Commercial C10 -Service Commercial	Gas Bar Rapid Drive-Thru Vehicle Service
South	CD22 – Central Green	Multiple Dwelling Housing
West	RM5 – Medium Density Multiple Housing	Multiple Dwelling Housing

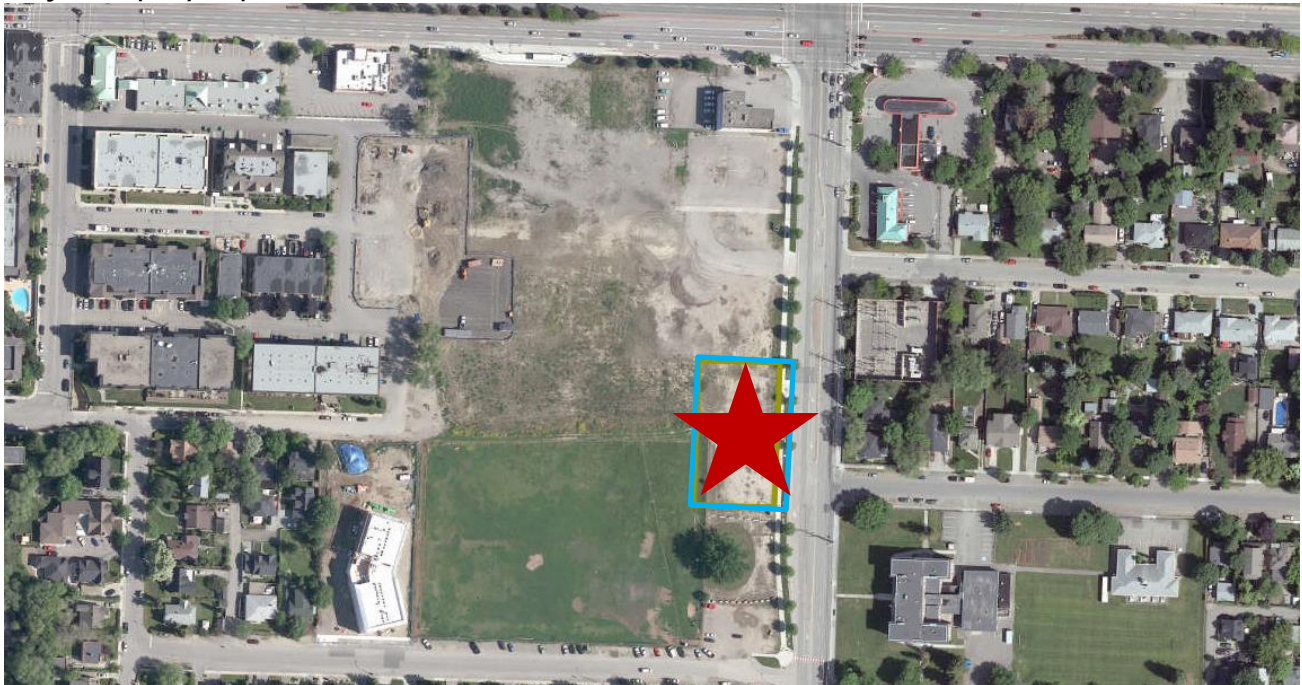
Context Map:



Zoning Map:



Subject Property Map: 1800 Richter Street



4.7 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	CD22 ZONE REQUIREMENTS	PROPOSAL
Development Regulations		
Floor Area Ratio	2.0	1.62
Maximum Site Coverage	50%	47.94%
Maximum Height	16.5 m	16.5 m
Front Yard (Richter St)	3.0 m	3.62 m
Side Yard (north)	3.0 m	3.65 m
Side Yard (south)	3.0 m	3.62 m
Rear Yard	3.0 m	4.6 m

Other Regulations		
Minimum Parking Requirements	53 stalls	63 stalls
Bicycle Parking	Class I – 40 stalls required Class II – 8 stalls required	Class I – 100 stalls provided * Class II – 8 stalls provided at-grade
Private Open Space	874 m ²	1132m ²
* Bicycle stalls are provided within the underground parking area.		

5.0 Current Development Policies

5.3 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ 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.

Comprehensive Development Permit Area Objectives.²

- Convey a strong sense of authenticity through urban design that is distinctive for Kelowna;
- Promote a high urban design standard and quality of construction for future development that is coordinated with existing structures;
- Integrate new development with existing site conditions and preserve the character amenities of the surrounding area;
- Promote interesting, pedestrian friendly streetscape design and pedestrian linkages;
- Provide for a scale and massing of commercial buildings that promotes a safe, enjoyable living, pedestrian, working, shopping and service experience;
- Incorporate architectural features and detailing of buildings and landscapes that define an area's character;
- Promote alternative transportation with enhanced streetscapes and multimodal linkages;
- Highlight the significance of community institutional and heritage buildings.

6.0 Technical Comments

6.1 Building & Permitting Department

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):

- Any alternative solution must be accepted by the Chief Building Inspector prior to the release of the Building Permit
- Location, Heights, Colors of mechanical systems and the required screening are to be determined at time of DP
- Any security system that limits access to exiting needs to be addressed in the code analysis by the architect.
- Handicap Accessibility to the main floor levels to be provided, ramps may be required.
- Hard surfaced paths leading from the egress stairwells to a safe area are to be clearly defined as part of the DP

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

² City of Kelowna Official Community Plan, Objectives 14.2 (Urban Design Development Permit Areas Chapter).

- f. Access to the roofs are required per NFPA and guard rails may be required and should be reflected in the plans if required.
- g. Storm water management systems below the parkade slab may affect the Radon mitigation system and be potentially into the high water level of the ground water. If this system is in place at time of building permit application a peer review may be required to ensure compliance with the Building Code. The cost of the peer review will be at the cost of the developer. Please contact the city for clarification of the peer review process.

Any changes or revisions to an approved Development Permit will require an amendment.

6.2 Development Engineering Department

- Refer to Attachment A.

7.0 **Application Chronology**

Date of Application Received: August 9, 2017

Report prepared by: Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Development Engineering Memorandum

Attachment B: MOTI Letter

Attachment C: Draft Development Permit DP17-0179

Schedule A: Site Plan

Schedule B: Conceptual Elevations

Schedule C: Landscape Plan



CITY OF KELOWNA

MEMORANDUM

Date: August 23. 2017

File No.: DP17-0179

To: Urban Planning (LK)

From: Development Engineering Manager (JK)

Subject: 1800 Richter Street

Central Green 3

Development Engineering has the following comments and requirements associated with this Form and Character for the construction of a four storey multiple dwelling house on the subject property.

1) General

- a) All the offsite infrastructure and services upgrades are addressed in the Rezoning Engineering Report under file Z10-0078.

2) 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.

3) Sanitary Sewer.

- a) The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size and preferred location of the new service. Only one service will be permitted for this development.

4) 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) On site storm drainage systems and overflow service (if necessary) for the site will be reviewed and approved by Engineering when a site servicing design is submitted.

5) Road Access.

- a) It is noted that access to the subject property is temporary therefore will require security for the replacement of the existing infrastructure once the temporary access is no longer required.

6) Development Permit and Site Related Issues

- a) Provide all necessary Statutory Rights-of-Way for any utility corridors required and/or existing utilities on property.
- b) Indicate on the site, the locations of loading bays as well as the garbage and recycle bins.
- c) An MSU standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways

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 Works & Utilities 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.


James Kay, P.Eng.
Development Engineering Manager

JA

ATTACHMENT		A
This forms part of application		
# DP17-0179		
Planner Initials	LK	 City of Kelowna COMMUNITY PLANNING



Your File #: DP17-0179
eDAS File #: 2017-05053
Date: Oct/11/2017

City of Kelowna
1435 Water Street
Kelowna, British Columbia V1Y 1J4
Canada

ATTACHMENT B	
This forms part of application # DP17-0179	
Planner Initials	LK
 City of Kelowna <small>COMMUNITY PLANNING</small>	

**Re: Proposed Development Permit Approval – Central Green
1800 Richter Street, City of Kelowna**

With regard to the proposed 55-unit condominium on the development site known as “Central Green”, the Ministry has reviewed the details provided along with the City of Kelowna and Ministry of Transportation and Infrastructure Agreement and associated “Central Green Matrix” of November 4, 2011.

Subsequent to our review, we note the unit number threshold for the 2015 off-site highway improvements has been reached. Per the matrix, the following improvements are triggered:

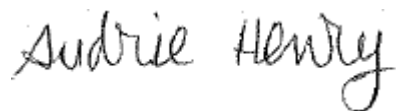
- Construct EB right-turn lane from Highway 97 to Richter Street (design is currently in progress).
- Remove the crosswalk from the east side of Highway 97 at Ellis Street (please provide the status of this improvement).

All works are to be designed and constructed to the criteria noted on the “Central Green Matrix” to the Ministry’s satisfaction.

Subsequent to the design approval, please provide your engineer’s cost estimate. The Ministry will hold bonding, valued at 150% of the approved estimated costs for construction of the works.

If you have any questions please feel free to call Kelowna Development Approvals at (250) 712-3660.

Yours truly,



Audrie Henry
District Development Technician

Local District Address
<p>Kelowna Area Office 300-1358 St. Paul Street Kelowna, BC V1Y 2E1 Canada Phone: (250) 712-3660 Fax: (250) 712-3669</p>

Development Permit DP17-0179

ATTACHMENT C

This forms part of application

DP17-0179

Planner
Initials

LK

City of
Kelowna
COMMUNITY PLANNING



This permit relates to land in the City of Kelowna municipally known as

1800 Richter Street

and legally known as

Lot A District Lots 14 and 139 ODYD Plan EPP18764

and permits the land to be used for the following development:

Multipl Dwelling Housing

The development has been approved subject to any attached terms and conditions, and to full compliance with the approved plans bearing the stamp of approval and the above described development permit number.

The present owner and any subsequent owner of the above described land must comply with any attached terms and conditions.

Date of Decision: January 8, 2018

Decision By: CITY COUNCIL

Development Permit Area: Central Green Comprehensive Development Permit Area

This permit will not be valid if development has not commenced by January 8, 2020.

Existing Zone: CD22

Future Land Use Designation: MRM

This is NOT a Building Permit.

In addition to your Development Permit, a Building Permit may be required prior to any work commencing. For further information, contact the City of Kelowna, Development Services Branch.

NOTICE

This permit does not relieve the owner or the owner's authorized agent from full compliance with the requirements of any federal, provincial or other municipal legislation, or the terms and conditions of any easement, covenant, building scheme or agreement affecting the building or land.

Owner: 1017496 B.C. Ltd., INC No. BC1017496

Applicant: Meiklejohn Architects Inc

Ryan Smith, Community Planning Department Manager
Community Planning & Strategic Investments

Date

1. SCOPE OF APPROVAL

This Development 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 Development 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 Development 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.

2. CONDITIONS OF APPROVAL

- 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"; and
- 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.

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

3. 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 Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer 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 enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property own of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

- a) A Certified Cheque in the amount of \$71,515.63 OR
- b) An Irrevocable Letter of Credit in the amount of \$71,515.63

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.

4. Indemnification

Upon commencement of the works authorized by this Permit the Developer covenants and agrees 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 said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, 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.

**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or their designates.**

ZONING SUMMARY

CENTRAL GREEN 3								
ADDRESS			1800 RICHTER STREET KELOWNA					
LEGAL DESCRIPTION			LOT A, DISTRICT LOTS 14 AND 139 ODYD PLAN EPP18764					
DEVELOPMENT PERMIT AREA			CENTRAL GREEN DEVELOPMENT PERMIT AREA					
EXISTING ZONING			CD22 CENTRAL GREEN COMPREHENSIVE ZONE					
EXISTING LEGAL USE			VACANT					
GRADES			EXISTING AVERAGE - LEVEL		FINISH AVERAGE - LEVEL			
NUMBER OF BUILDINGS			4 STOREY CONDOMINIUM BUILDING OVER PARKADE					
CRITERIA FOR ALL TYPES OF APPLICATION:			CD22 CENTRAL GREEN COMPREHENSIVE ZONE					
			ZONING STANDARD		PROPOSAL			
SITE AREA (sm)			2576.3		2576.3			
SITE WIDTH (m)			N/A		N/A			
SITE DEPTH (m)			N/A		N/A			
OFF-STREET PARKING			53 stalls		63 stalls			
PRIVATE OPEN SPACE			type	sm	# unit	sm	level 1	101.2 sm
			bachelor	7	4	28	level 2	120.5 sm
			1 bed	12	12	144	level 3	120.5 sm
			2/3 bed	18	39	702	level 4	120.5 sm
			total		55	874		
							total	472 sm
							Bldg balconies: 472 sm landscape/amenity area: 1,032 sm Total: 1,503 sm	
HEIGHT OF BUILDING (S)/# OF STOREYS			16.5m MAX.		16.5 m / 4 storeys			
SITE COVERAGE OF BUILDING(S) (%)			50% max.		1244 / 2576.3 = 48.28 %			
SITE COVERAGE INCLUDING BUILDINGS, DRIVEWAYS AND PARKING (%)			N/A		N/A			

ADDITIONAL REQUIREMENTS FOR COMMERCIAL, INDUSTRIAL AND MULTIPLE UNIT / INTENSIVE RESIDENTIAL APPLICATIONS:	CD22 CENTRAL GREEN COMPREHENSIVE ZONE				
	ZONING STANDARD		PROPOSAL		

NUMBER OF BICYCLE PARKING SPACES	Class I: 0.5 per dwelling unit x 55 units Total = 28 bikes min. Class II: 0.1 per dwelling unit x 55 units Total = 6 bikes min.	Class I: 55± bike racks within parkade Class II: 6 stall bike racks (see site plan)
NUMBER OF LOADING SPACES	N/A	N/A
DRIVE AISLE WIDTH (m) (IF PROPOSED)	7.0m	7.0m / 6.0m
SETBACKS TO PARKING (m):		
NORTH (FRONT)	N/A	N/A
SOUTH (REAR)	N/A	N/A
WEST (SIDE)	N/A	N/A
EAST (SIDE)	N/A	N/A
FLOOR AREA NET	± 5,152.6sm max. net area	± 4,200sm
FLOOR AREA RATIO (F.A.R.)	2.0 max.	1.63
BUILDING (S) SETBACKS (m):		
NORTH (SIDE)	4.5m	± 3.62m to residential
SOUTH (SIDE)	3.0m	± 3.62m to residential
WEST (REAR)	3.0m	± 8.8m to residential
EAST (RICHTER ST.)	3.0m	± 5.36m to residential
DAYLIGHT ANGLE (IF A TOWER)	N/A	N/A
PODIUM HEIGHT (IF PROPOSED)	N/A	N/A
FLOOR PLATE SIZE (IF REQUIRED)	N/A	N/A

PARKING CALCULATIONS

STALL SIZE	WIDTH	LENGTH	HEIGHT	PARKING RATIO	
				required	proposed
FULL SIZE STALL	8'-3"	2.5m	19'-8"	6.0m	
MEDIUM SIZE STALL (40% max)	7'-6"	2.3m	15'-9"	4.8m	
COMPACT SIZE STALL (10% max)	6'-6"	2.0m	11'-2"	3.4m	
DISABLED STALL	12'-2"	3.7m	19'-8"	6.0m	
DRIVE AISLES (2-way 90° pkg)	23'-0"	7.0m			
PARKING REQUIREMENTS:					
	RESIDENTIAL:	no of unit		no of stall	
	0.75 stall/ bachelor unit	4		3	
	0.9 stalls/ 1 bedrm unit	12		11	
	1.0 stalls/ 2 & 3 bedrm unit	39		39	
	total unit	55			
	TOTAL PARKING REQUIRED:			53 STALLS	
	TOTAL PARKING PROVIDED:			63 STALLS	

BUILDING AND FLOOR AREAS - BLDG F:

UNIT TYPES		UNIT GFA ±sf	UNIT GFA ±sm	UNIT COUNT
A	MICRO	312.0	29.0	4
A1	1 BED	443.0	41.2	3
A2	1 BED	608.0	56.5	3
A3	1 BED	662.0	61.5	6
B	2 BED	708.0	65.8	8
C	2 BED	833.0	77.4	4
C1	2 BED	881.0	81.8	4
C2	2 BED	1014.0	94.2	3
D	3 BED	1163.0	108	4
D1	3 BED	1039.0	96.5	16
	TOTAL	45,211	4,200	55

	GFA ±sf	GFA ±sm	Res. GFA ±sf	Res. GFA ±sm
PARKADE	21,970	2,041		
1ST LEVEL			13,389	1,244
2ND LEVEL			13,389	1,244
3RD LEVEL			13,389	1,244
4TH LEVEL			13,389	1,244
TOTAL RESIDENTAL GFA			53,556	4,976
SITE COVERAGE AREAS:				
FOOTPRINT AREA LEVEL 1 :		±1,244 sm (13,389 sf)		

SPATIAL SEPARATION: 3.2.3.1.D

	WEST/EAST WALL	NORTH WALL	SOUTH WALL
WALL AREA	window openings & walls construction un-restricted.	± 43 sm	± 30 sm
OPENING AREA	limiting distance exceeds 8.0m, or bldg faces a street in accordance with 3.2.3.10	± 14.5 sm	± 12.9 sm
% PROVIDED		± 33.7 %	± 43 %
LIMITING DISTANCE		± 3.62 m	± 3.62 m
% PERMITTED		± 50.2 %	± 62 %
CONSTRUCTION TYPE		combustible	combustible
CLADDING MATERIAL		combustible	combustible
REQUIRED RATINGS		45 min	45 min

BUILDING CODE REVIEW

OCCUPANCY	GROUP C		PARKADE: GROUP F3	
ARTICLE	3.2.2.50		3.2.2.78	
NO. OF STOREYS	4 STOREYS		UNLIMITED	
NO. OF STREETS FACING	1		1	
BUILDING ARREAS:	PROPOSED	CODE MAXIMUM	PROPOSED	CODE MAXIMUM
	±1,244sm	1,800sm	2,041 sm	UNLIMITED
NOTE: PARKADE TO BE CONSIDERED AS A SEPARATE BUILDING IN ACCORDANCE WITH 3.2.1.2				
CONSTRUCTION TYPE	COMBUSTIBLE		NON-COMBUST.	
SPRINKLERED	YES		YES	
ASSEMBLY RATINGS:				
FLOOR	1 HR. (2 HR. RATING ABOVE PARKADE)			
WALLS / BEARING STRUCTURE	1 HR. (2 HR. RATING FOR PARKADE)			
ROOFS	1 HR			

FIRE PROTECTION: 3.2.4./ 3.2.5./ 3.2.6.

LOCATION OF HYDRANT TO SIAMESE CONNECTION	45 m MAX.	3.2.5.5.
STANDPIPE/HOSE	YES (IN EACH STAIR SHAFT)	3.2.5.8.
SPRINKLERED	YES	
FIRE ALARM SYSTEM	YES	3.2.4.1.(2)(f)
EXIT LIGHTS	YES	
EMERGENCY LIGHTING	YES	

OCCUPANT LOAD TABLE 3.1.17.1.

PARKADE LEVEL:	46sm / PERSON X 2,041sm	45 PERSONS
RESID. LEVELS :		
LEVEL 1	2 PERSONS/SLEEPING RMS x 27 RMS	54 PERSONS
LEVEL 2 TO 4	2 PERSONS/SLEEPING RMS x 29 RMS	58 PERSONS PER FLOOR
TOTAL @ RESIDENTIAL BLDG		273 PERSONS

ACCESSIBILITY REQUIREMENTS 3.8.

	REQUIRED	PROVIDED
ACCESS TO MAIN ENTRANCES	YES	YES
ACCESS TO ALL FLOORS	NO	YES
ACCESSIBLE WASHROOM	NO	NO

WASHROOM FIXTURES REQUIREMENTS

MIN. 1 REQ'D./ DWELLING UNIT	3.7.2.2.(11)

EXIT FACILITIES 3.1 TO 3.6

REQUIRED EXITS	2 MIN. PER FLOOR	
	REQUIRED WIDTHS	PROVIDED WIDTHS
	min. 800mm door width as per 3.4.3.2.(A)	
	min. 1100mm stair width as per 3.4.3.2.(A)	
PARKADE LEVEL	6.1mm/ person X 45 persons = 275mm	4 doors @ 3'-0" = 12'-0" (3656mm)
RESIDENTIAL LEVELS:		
LEVEL 1 - 4 (doors)	6.1mm /person x 58 persons max =354 mm	min. 2 doors @ 3'0" width per floor = 6'0" (1829mm)
LEVEL 1 - 4 (stairs)	8.0mm /person x 58 persons max =464 mm	min. 2 stairs @ 3'10" width per floor = 7'8" (2337mm)
RESIDENTIAL UNITS		
EXIT THROUGH LOBBY	yes	3.4.4.2.
PANIC HARDWARE REQ'D	yes (at exterior stair & lobby doors)	3.4.6.16.(2)
EXIT EXPOSURE	ok	3.2.3.13.
MAX. TRAVEL DISTANCE	45m	3.4.2.5.(1)
EXIT RATINGS REQUIRED:		
STAIR SHAFTS	1 HR (2 HR @ Parkade)	3.4.4.1.
CORRIDORS	1 HR	3.3.2.6.(4)

REQUIRED FIRE SEPARATIONS 3.1.3.1.

TENANTS / MAJOR OCCUPANCIES		
GROUP C TO C	1 HR	3.3.1.1.
GROUP F3 TO C	2 HR	3.2.1.2.
SERVICES ROOMS	1 HR	3.6.2.
JANITOR ROOM	Non-Rated Fire Separation	

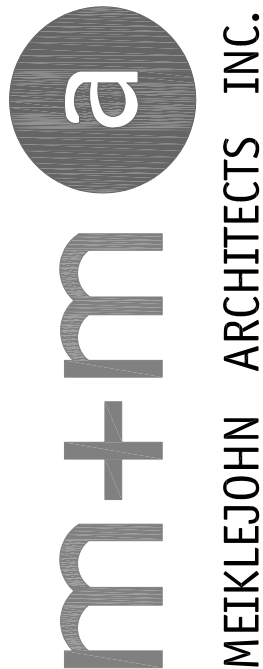
BUILDING FIRE SAFETY

SOFFIT PROTECTION	N/A (SPRINKLERED)	3.2.3.16.
FLAME SPREAD RATINGS	COMPLY WITH	3.1.13.2
METAL DECK ASSEMBLIES	N/A	3.1.14.2.
ROOF COVERING CLASSIFICATION	CLASS "A"	3.1.15.2.
ATTIC FIRESTOPS	YES	3.1.11.
MAX. ATTIC AREA	300 sm	3.1.11.5.
MAX. CRAWLSPACE AREA	N/A	3.1.11.6.
CONCEALED FLOOR AREA	N/A	3.1.11.5.



201-75 FRONT STREET
PENTICTON, B.C.
V2A 1H2
TEL: 250.492.3143
EMAIL: pen-mai@shaw.ca

233 BERNARD AVENUE
KELOWNA, B.C.
V1Y 6N2
TEL: 250.762.3004
EMAIL: kel-mai@shaw.ca



2017-11-20
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DP

343.30
mill creek
flood plain
348.55
level 1

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No.	Date	Revision
01	2017-11-20	REISSUED FOR DP

Project Title

CENTRAL
GREEN 3

1800 RICHTER STREET KELOWNA V1Y 0E6

Drawing Number

A1.02

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ALL DIMENSIONS SHALL BE VERIFIED ON JOB

Drawing Title

Zoning
Code


Date	2017-11-20
Job No.	m+m 17-1763
Scale	AS SHOWN
Drawn	SN
Checked	JO



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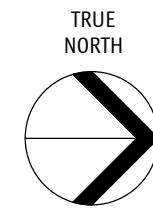


233 BERNARD AVENUE
KELOWNA, B.C.
V1Y 6N2
TEL: 250.762.3004
FAX: 250.762.8707
EMAIL: kel-mai@shaw.ca

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Project Title

CENTRAL
GREEN 3

1788 RICHTER STREET KELOWNA V1Y 0E6

Drawing Number

A2.01

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Drawing Title

OVERALL SITE PLAN

1" = 20'-0"

Date	2017-11-20
Job No.	1763
Scale	1" = 20'-0"
Drawn	Author
Checked	Checker



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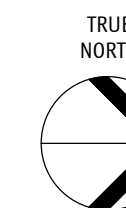
SCHEDULE **A**

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DP17-0179

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Project Title

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Drawing Number

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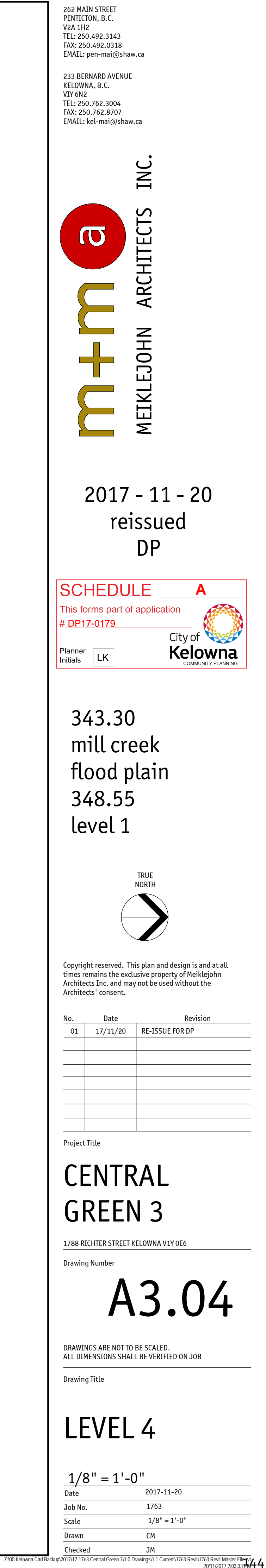
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Drawing Title

LEVEL 3

$$\underline{1/8'' = 1'-0''}$$


Date	2017-11-20
Job No.	1763
Scale	1/8" = 1'-0"
Drawn	CM
Checked	JM



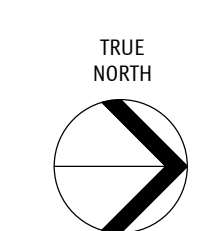


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SCHEDULE		B
This forms part of application		
# DP17-0179		
Planner Initials	<div style="border: 1px solid black; padding: 2px;">LK</div>	 City of Kelowna

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Project Title

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GREEN 3

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Drawing Number

Drawing Number: 1

A4.01

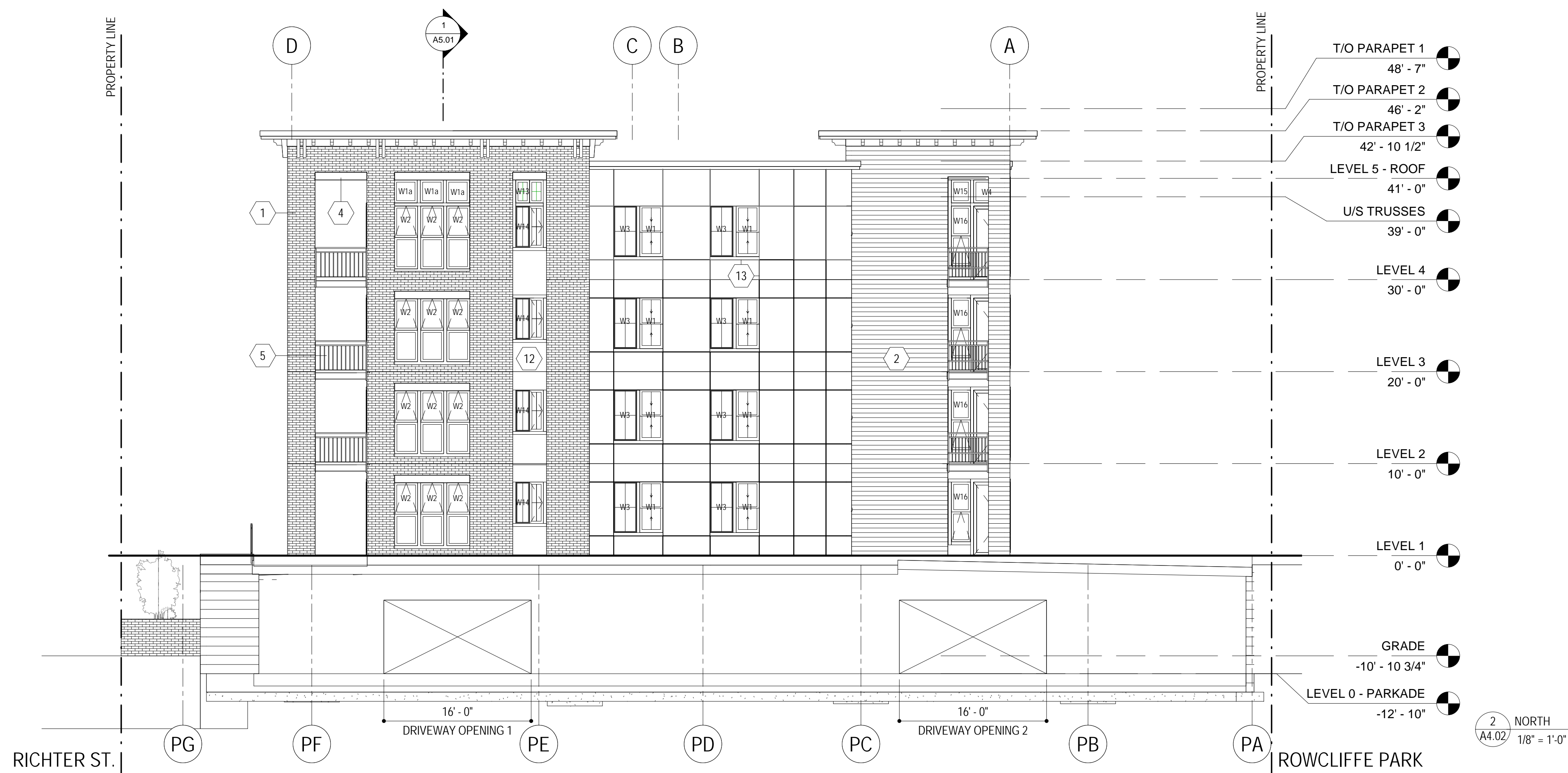
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Research Title

BUILDING ELEVATIONS

 $\frac{1}{2} \text{O}_2 \rightarrow \frac{1}{2} \text{O}_2$

Date	2017-11-20
Job No.	1763
Scale	1/8" = 1'-0"
Drawn	CM
Checked	JM



BUILDING ELEVATION KEY NOTE:


NOTES:

1. REFER TO PLANS & SECTIONS & SPECS DETAILED INFORMATION
2. REFER TO SPECIFICATION SECTION 08800 FOR GLASS TYPES
3. COLOURS SHALL BE CHOSEN BY THE ARCHITECT AT A LATER DATE FROM SPECIFIED COLOUR RANGE.

1	BRICK VENEER
2	HORIZONTAL HARDIE PLANK SIDING
3	PAINTED STEEL SUSPENDED CANOPY
4	PRECAST CONCRETE SILL/LINTELS
5	ALUM. GUARDRAILS C/W PICKETS TO MATCH BLDG C/G
6	ALUM. STOREFRONT/ENTRY DOORS
7	BRICK PLANTER WALLS (SEE LANDSCAPE)
8	EXPOSED CONC. C/W CAST REVEALS
9	PAINTED METAL DOORS/FRAMES
10	PAINTED O/H DOOR
11	EXIST. O/H DOOR
12	HARDIE PANEL CLADDING
13	ALUM. PANEL REVEALS
14	DECORATIVE WOOD DENTIL/MOULDINGS TO MATCH BLDG C/G
15	PREFIN METAL FLASHING CAP
16	HARDIE TRIM FASCIA
17	PREFIN METAL MECH. LOUVERS
18	LANDSCAPED BERM
19	NOT USED
20	NOT USED

262 MAIN STREET
PENTICTON, B.C.
V2A 1H2
TEL: 250.492.3143
FAX: 250.492.0318
EMAIL: pen-mai@shaw.ca

233 BERNARD AVENUE
KELOWNA, B.C.
V1Y 6N2
TEL: 250.762.3004
FAX: 250.762.8707
EMAIL: kel-mai@shaw.ca



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SCHEDULE _____ **B**

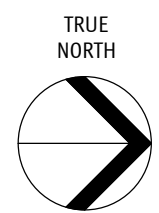
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DP17-0179

Planner Initials

City of Kelowna
COMMUNITY PLANNING

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Project Title

CENTRAL
GREEN 3

1788 RICHTER STREET KELOWNA V1Y 0E6

Drawing Number

A4.02

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BUILDING ELEVATIONS

As indicated

Date	2017-11-20
Job No.	1763
Scale	As indicated
Drawn	CM
Checked	JM

TREES

4. PLANT MATERIALS AND CONSTRUCT





148

Report to Council



Date: January 15, 2018
File: 1200-70
To: City Manager
From: Ross Soward, Planner Specialist
Subject: Capri-Landmark - Preferred Concept Plan

Recommendation:

THAT Council receives, for information, from the Planner Specialist dated January 15, 2018, with respect to the Preferred Concept Plan for the Capri-Landmark Plan.

THAT Council approves the Preferred Concept Plan in principle and directs staff to move forward with the development of the final plan and implementation strategy as outlined in the report from the Planner Specialist dated January 15, 2018.

AND THAT Council directs staff to further explore the feasibility of the funding options outlined in the report from the Planner Specialist dated January 15, 2018.

Purpose:

To provide Council with an update on the preferred concept plan and to receive direction to advance the development of the final plan document which will include specified funding options and the implementation strategy.

Background:

In February 2017, Council directed staff to develop the Urban Centre Plan for Capri-Landmark in accordance with the goals of the City's Official Community Plan (OCP) and the *Urban Centres Roadmap* (UCR). The Capri-Landmark Plan will guide future development and long-term infrastructure investment in this area. In doing so, the Plan must balance the goal of attracting future growth and intensification, while ensuring that necessary infrastructure investments are identified to ensure the area develops as a successful urban centre. In August, Council directed Staff to investigate the feasibility of Concept 2 as the Preferred Concept Plan direction.

Staff have analyzed the feasibility of the concept plan, testing the transportation network in relation to the growth projections and reviewing the parks strategy in relation to the City's policies. Subsequently, Staff refined the preferred concept plan direction to reflect the technical analysis. The preferred concept plan direction was presented on November 15th to key landowners and to the public at an Open House on November 16th with approximately 225 citizens attending. The consultation aimed to garner community support for the key features of the Plan and next steps in the planning process.

Overall, this preferred final concept plan is the product of:

- Council direction
- three phases of public engagement
- the UCR principles and targets
- various City policies/objectives and corresponding staff technical analysis

The following big moves are highlighted (below & Figure 3) to describe the transformative changes for this urban centre.

Big Moves

1. Enhance vitality and re-balance the land use mix by introducing additional residential development to achieve a density of 150 combined jobs / people per hectare (today it is 80).
2. Re-align Sutherland Ave as a new complete street that will prioritize walking, cycling and transit, creating an east-west street linking Burtch Rd to Spall Rd.
3. Create signature social spaces by developing new community and neighbourhood parks as well as a public plaza in Landmark to serve future residents and workers.
4. Establish Dickson Ave (between Dayton St and Kirschner Rd) as a main street with ground-oriented retail and street-front amenities that will announce the area as a key destination.
5. Develop and daylight Ritchie Brook as a pedestrian path and stormwater garden that will enhance community identity and improve stormwater management in the area linking Landmark to Pacific Court Park as redevelopment occurs in the area.

Land use

The City's growth management plan relies heavily on the City's five urban centres. The 2030 Official Community Plan commits to focusing future growth in the City's Urban Core and urban centres. The plan sets the target of focusing 45 per cent of future residential units as well as a significant proportion of future commercial in the City's urban centres. By focusing growth in urban centres such as Capri-Landmark there is less pressure to accommodate future growth in new greenfield areas at the edge of the City. Moreover, the approach of densifying the City's urban centres will also reduce the city's long-term infrastructure costs. The Capri-Landmark urban centre plan reinforces the City's commitment to urban centre revitalization and will position the area to accommodate growth in a way that promotes complete communities.

The preferred concept plan is consistent with the option Council endorsed on August 28th. From a land use perspective, the Plan (see Figure 2) aims for a population density that will result in vitality and viability of key amenities (services, transit, public spaces, etc). More specifically, the Plan rebalances the number of people living and working in the area by increasing residential density. New areas are

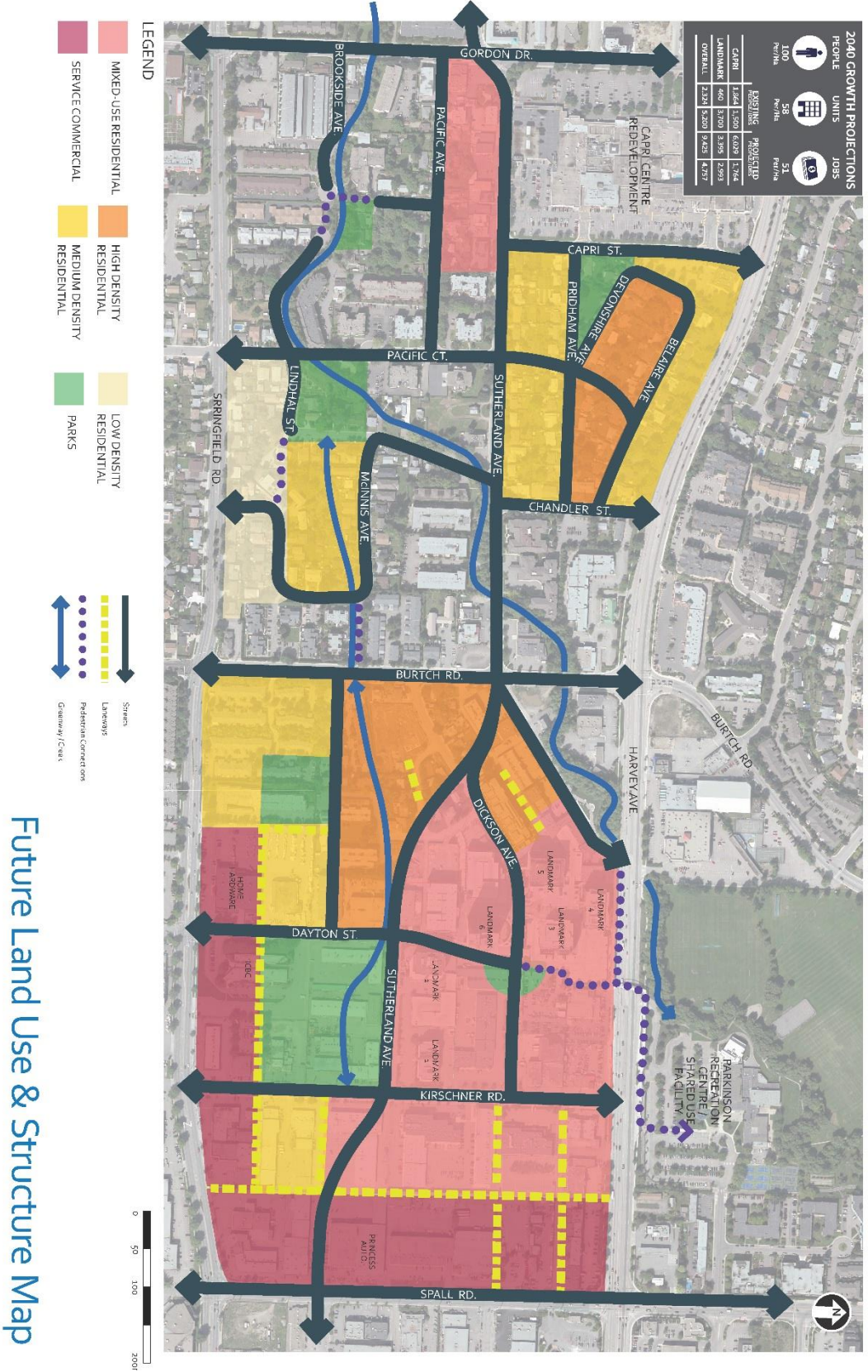
identified for mixed-use residential with ground-oriented retail on Dickson Ave (between Kirschner and Dayton) and Sutherland Ave (south of the Capri Mall). From a housing perspective, new medium / high-density housing will be encouraged in select areas of Capri and Landmark with townhouse development envisioned for the area south of Pacific Park along Springfield Road. The existing medium-density residential in Capri will be maintained to preserve existing affordable housing. From a commercial perspective, the Springfield and Spall Road corridor in Landmark will be maintained for service commercial. Overall, the proposed densification will deliver the healthy mix of uses needed to support the transformation of the area as a live-work neighbourhood.

To accommodate the additional growth, the maximum building heights within the urban centre will be increased in strategic locations, while ensuring heights in the area respect the Downtown as the premier urban centre with the City's tallest towers. Accordingly, staff support an upper limit of 16-18 storeys in designated areas of Landmark, preserving the Landmark 6 Tower as the tallest tower in the Landmark area. The preliminary building height profile for Landmark is supported by a series of principles (described in Attachment C) to guide height in Landmark. For example, building heights should step up from Springfield Rd to Harvey Ave to focus density in the northern part of Landmark close to amenities (Dickson / Harvey) and to maintain sunlight on the proposed Ritchie Community Park (Figure 1). Overall, additional building heights must be integrated in a way that serves to advance other key goals of the Plan.

Preliminary building massing & Community Park for Landmark (looking northwest from Kirschner)



Figure 1





1. Enhance vitality and re-balance the land use mix by introducing additional residential development to achieve a density of 150 combined jobs / people per hectare.
2. Re-align Sutherland Ave as a new complete street that will prioritize walking, cycling and transit, creating an east-west street linking Burch Rd to Spall Rd.
3. Create new social spaces by developing new community and neighbourhood parks as well as a public plaza in Landmark to serve future residents and workers.

4. Establish Dickson Ave (between Dayton St and Kirschner Rd) as a main street with ground-oriented retail and streetfront amenities that will announce the area as a key destination.
5. Develop and daylight Ritchie Brook as a pedestrian path and stormwater garden that will enhance community identity and improve stormwater management in the area linking Landmark to Pacific Court Park as redevelopment occurs in the area

Big Ideas / Illustrated Concept Plan

Capri-Landmark Plan - Preferred Concept Plan



Figure 3

Public Space

The addition of parks in the urban centre will be critical to supporting the transformation of the area as a desirable place for people to live and work. The proposed parks and public space plan (figure 4) includes roughly 6.28 Ha of community and neighbourhood parks and ensures 100% of residents are within 400 metres of a park or public space. The increased population and employment densities and high proportion of people living and working in multi-storey buildings will require that future parks are built to a higher standard to reflect the more intensive use (24-7, 365 days a year) that is anticipated. The two priority parks for the area will be the expansion of Pacific Park in Capri and the creation of a new Community Park in Landmark. In addition to the community and neighbourhood parks proposed, two linear corridors are identified for the area. Mill Creek will be a citywide linear park that will be developed in the Capri area and Ritchie Brook will be a linear corridor with a path that will link Pacific Park with the Community Park in Landmark. These paths / green infrastructure corridors will function as amenities for residents, while enhancing stormwater management in area that lacks permeable surfaces. Moreover, recent literature highlights the return on investment associated with green infrastructure in the form of ecosystem services or cost savings from reducing run-off and mitigating flooding during extreme rain events.¹ Overall, parks and public space improvements will play an important role in spurring private sector investment in the urban centre moving forward.

Figure 4



Capri-Landmark Plan - Preferred Concept Plan



¹ Coutts and Hahn. 2015. Green Infrastructure, Ecosystem Services, and Human Health. *International Journal of Environmental Research and Public Health*.

Transportation

After receiving council direction in August, staff undertook additional technical analysis of the proposed transportation network (figure 6). Staff tested the proposed transportation network against the 2040 land use build-out of 9,425 residents. Analysis shows that even with mode shifts and intersection improvements both the Highway 97 and the Springfield Rd corridors will continue to be challenged in meeting level of service standards as both roads experience significant congestion as a result of citywide traffic growth. The 2040 build-out assumes much of the new development will take the form of residential or mixed-use residential with supporting retail and commercial uses. By balancing the land use - shifting away from the current office uses that generate significant congestion at peak times, future growth can be accommodated in a way that spreads out the number of daily transportation trips more evenly throughout the day. Current office uses result in thousands of workers all arriving in Landmark from 8-9 and leaving from 4-5, creating significant congestion. However, by adding residential and encouraging a healthy mix of land uses, more trips will be made by walking, cycling or transit and the trips will be more evenly spread throughout the day. The urban centre will continue to experience congestion at peak times, but the improved transportation network will accommodate future development and provide residents and workers with more options for how they get around.

Key Transportation Improvements

- Sutherland Ave complete street (figure 5) will provide east-west connection from Gordon to Spall
- Transit access within Landmark area, bringing route 11 with several bus stops to area
- Provide additional direct access to the pedestrian bridge overpass from Dickson Ave
- Develop Dayton Street as a complete street with improved pedestrian and cycling facilities
- Extend Pacific Court to Springfield Rd to create new north-south connection in Capri
- Develop Dickson as a main street to encourage destination for retail / community gathering
- Require sidewalks on all streets in the urban centre
- Provide direct and accessible pedestrian walkways and crosswalks on large blocks
- Key intersection improvements to improve traffic flow at Burtch Rd, Spall Rd, & Gordon Dr

Sutherland Ave Complete Street Cross-section in Landmark



Figure 5

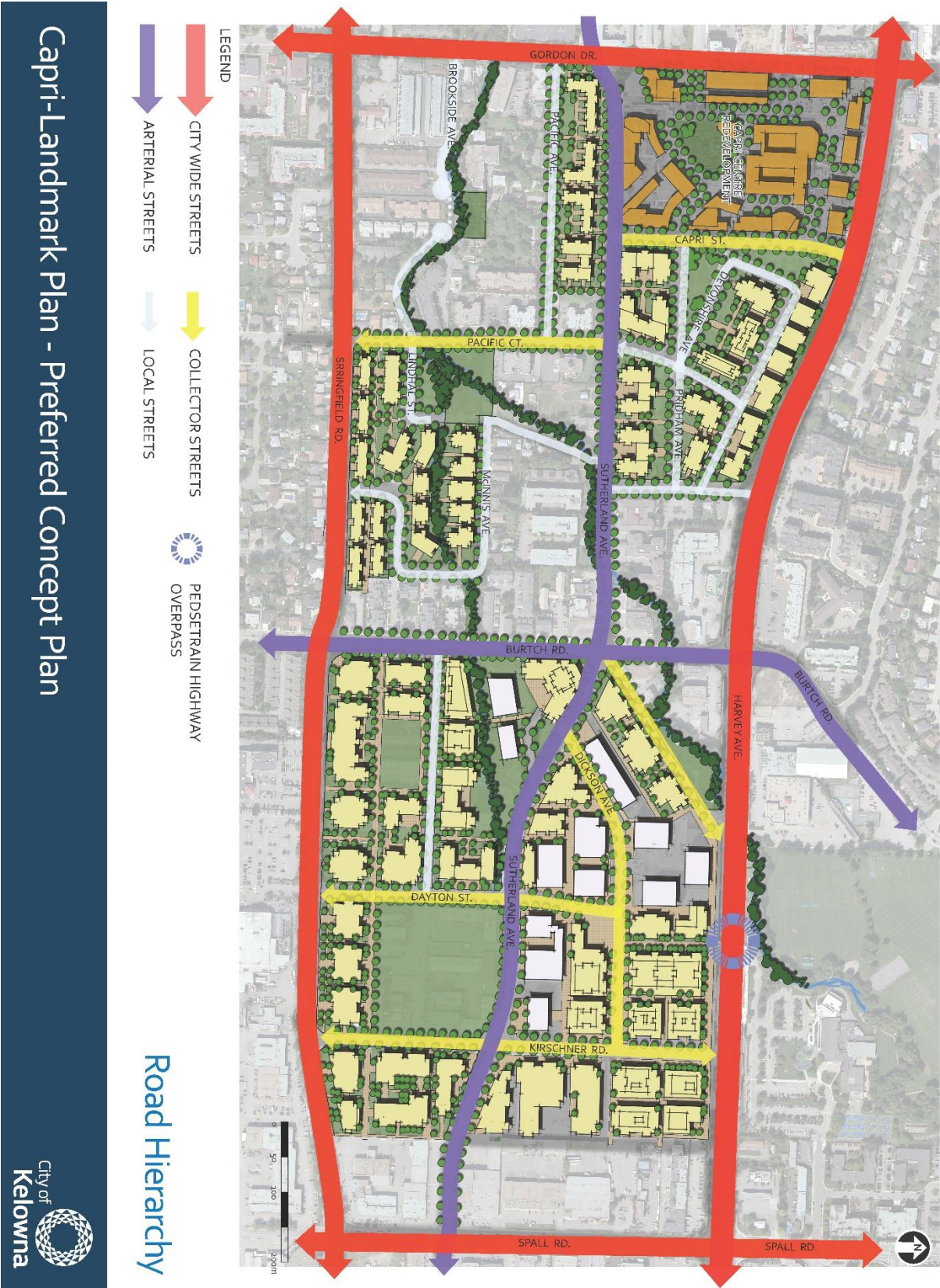


Figure 6

Urban Centres Roadmap Targets

The Preferred Concept Plan was analyzed in relation to twelve UCR targets to understand how the Plan measures up to the City's goals for urban centre development (Attachment B). As part of the background research for the Plan, several key issues were identified. For example, the mix of land uses and residential density were areas of weakness that the Plan has addressed, achieving the combined employment and population density target of 150 people / jobs per hectare. The Plan also responds to the people-first transportation targets by adding new transit routes and Active Transportation Corridors to the area. Also, the increase in parks and public spaces meets the target of all residents being within 400 metres of a park or public space and that the urban centre contains a diversity of parks and public spaces. The Plan has achieved many of the UCR targets, but there are areas that require further Plan consideration. For example, across the City it is a challenge to ensure a proportion of new growth is in the form of affordable housing. Also, the area has a limited street tree canopy and the Landmark area will continue to be underserved in terms of pedestrian routes in the near-term. Overall, the performance of the Preferred Concept Plan in relation to the UCR targets demonstrates the forward momentum in applying the City's goals for urban centre development through this process.

Implementation

Through the refinement of the plan, Staff prepared a more detailed breakdown of the key public improvements. These cost estimates remain preliminary and require a further level of analysis before inclusion in the final plan. The current estimates include preliminary land acquisition costs and reflect a more detailed review of parks and transportation improvements. The identified infrastructure will have a significant cost to the City, but future growth in the area will also provide a significant benefit to the tax base and the City's DCC program.

*Preliminary Estimates for DCC Revenues for 2040**

Timeframe	Transportation DCCs	Water DCCs	Sanitary DCCs	Parkland Acquisition DCCs	Treatment DCCs
2040 Build-out	\$23.0M	\$2.0M	\$3.0M	\$26.0M	\$8.8M

**Estimates based on current DCC rates using the 2040 Capri-Landmark land use build-out.*

Preliminary Community Infrastructure Costing for 2040

Project Type	Land Costs	Project Costs	Total
Parks & Public Spaces	\$19,500,000	\$16,000,000	\$35,500,000
Linear Corridors/Paths	\$5,000,000	\$2,000,000	\$7,000,000
Transportation	\$18,000,000	\$32,000,000	\$50,000,000
Utility & Infrastructure	N/A	\$7,500,000	\$7,500,000
Total	\$42,500,000	\$57,500,000	\$100,000,000

The community infrastructure proposed addresses both an existing community deficit, while positioning the area for significant densification by 2040. The deficit is a result of how the Landmark area developed prior to it being designated as an urban centre. Currently, in Landmark there are no parks, few sidewalks, no bicycle routes, limited street trees and none of the signature public spaces associated with urban centres. However, because the area is designated as an urban centre and is expected to accommodate a significant amount of future residents, there is a corresponding need for infrastructure and amenities to support a high quality of life. Also, without key transportation improvements the urban centre will not be able to accommodate the level of intensification without seeing excessive traffic issues and escalating congestion. Overall, the proposed infrastructure investments are central to the goal of delivering a high quality of life within the City's five urban centres.

The cost estimates above are preliminary and will require additional refinement before they are included in the City's capital planning process. For example, utility relocation costs will be included as the alignment of Sutherland Ave is finalized. Several of the projects identified are in the 2030 DCC plan and many others are strong candidates for the 2040 DCC program that will be determined through the upcoming OCP review. However, there will be a gap between the 2040 DCC program funding and what taxation can be reasonably expected to deliver. The improvements however, are considered necessary to support the additional density anticipated within the 2040 build-out of the Plan. Given the gap between the proposed infrastructure improvements and anticipated DCC and taxation funding, the implementation of the plan will require landowners and developers to contribute to growth related infrastructure improvements in the area. As a result, infrastructure improvements will need to be shared among the following sources:

Funding Tool	Share of Improvements
Development cost charges	30-40%
Local area funding mechanism	25-35%
Taxation	20-25%
Development led (Frontage and Off-site Improvements)	10-15%
Grants and partnerships	0-5%

The funding tools below are examples of the funding tools staff recommend for further investigation in advance of plan implementation workshop with Council.

Preliminary Funding Tools

- *Development Cost Charges:* A number of key projects are candidates for inclusion in the 2040 DCC program. The high level of local improvements point to the potential utility of an area-specific DCC or new sector DCC for the urban centre. Also, given the significant costs associated with park development in the area, this Plan reinforces the lack of reliable funding

options for parkland development in urban centres, highlighting the potential of a parkland development DCC.

- *General Taxation:* Because the area is designated as an Urban Centre in the OCP and expected to accommodate 12.6 per cent of citywide residential growth over the next 20 years, a higher level of amenities is required. Leadership from the City by prioritizing capital plan investment in this area or through increasing general revenue will be required to encourage the transformation of the area.
- *Density Bonus:* To realize the 2040 build-out, an increase in allowable building height and FAR is proposed. Bonus density could be used as a tool to achieve select plan goals (plaza, public spaces, affordable housing or community spaces) via redevelopment or a reserve fund contribution.
- *Local area service:* The Plan proposes several major local improvements that will primarily benefit the local landowners. A local improvement bylaw or specified area bylaw could allow the City to borrow funds to front-end select infrastructure projects and then recover the costs using a parcel tax to recover either a portion or the full costs of key infrastructure such as roads or parks.
- *Development works agreement/ Latecomer charges:* If a landowner is motivated, key works (e.g. transportation improvements) required to support development could be front-ended by a developer with the developer being re-paid through a one-time charge (subject to agreement with landowners) in a defined area as they look to secure approvals for redevelopment of their properties to finance the construction of key infrastructure.

The Preferred Final Concept Plan will be used as the basis for the development of a comprehensive plan for the area that will guide the growth and transformation of this urban centre over the next 20 years. The Plan will be implemented gradually with significant leadership roles for both the City and the development community. With a strong plan in place, each redevelopment proposal can be leveraged to move the community closer to achieving the long-term vision for the area.

Next Steps

Following Council's input, Staff will move forward with final plan refinements in preparation for final draft Plan consultation. Staff will move forward with detailed planning and policy direction to develop the supporting materials for the final Plan document. This will be supplemented with a comprehensive analysis of the costing estimates and proposed funding tools with further consultation of landowners in the area to develop the implementation strategy. Staff anticipates the next report to Council to occur by March prior to the spring 2018 Council Report when the final Plan document will be presented for approval.

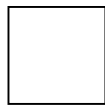
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Department Manager, Policy and Planning
Department Manager, Community Planning
Manager, Urban Planning
Manager, Integrated Transportation Department Manager

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Design Technician, Utility Planning
Communications Consultant, Community Engagement
Engineering Technical Support Coordinator
Manager, Infrastructure Engineering
Manager, Development Engineering
Manager, Parks & Buildings Planning
Manager, Strategic Land Development
Divisional Director, Financial Services

Submitted by:
Ross Soward, Planner Specialist

Approved for inclusion:



James Moore, Manager of Long Range Policy Planning

Attachments

Attachment A – Urban Centres Roadmap Targets
Attachment B – Building Heights Design Principles
Attachment C – Transportation Network Maps
Attachment D – Ritchie Brook Memo
Attachment E – Urban Design Objectives

Existing Policy

2030 Official Community Plan

Objective 5.3 Focus development to designated growth areas

Policy .2: Compact Urban Form.

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 per ha 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).

Urban Centres Roadmap

Principles for Urban Centre Development

- Principle 1: Promote Vitality Through a Mix of Land Uses
- Principle 2: Encourage Building and Street Proportions that are Inviting for People
- Principle 3: Ensure a Diversity of Housing Types
- Principle 4: Establish Flexible Public Spaces that Promote Social Interaction
- Principle 5: Promote Local Character and Sense of Place
- Principle 6: Design for Environmental Resilience
- Principle 7: Prioritize Alternative Transportation Options and Connections
- Principle 8: Create Streets and Blocks that are Walkable and Comfortable for all Pedestrians

Pedestrian and Cycling Master Plan

Network Design

Objective 1: Facilitate and enhance walking and cycling in all roadway designs;
Objective 2: Apply higher design standards for high demand or “strategic” active transportation routes;
Objective 3: Develop a comprehensive pedestrian and bicycle network for phased implementation.

Financial/Budgetary Considerations:

Policy and Planning Professional and Consulting Budget = \$146,700

Personnel Implications:

1455 hours of staff time



Capri-Landmark Plan

Preferred Concept Plan January 15th, 2018



Why Plan for Capri-Landmark

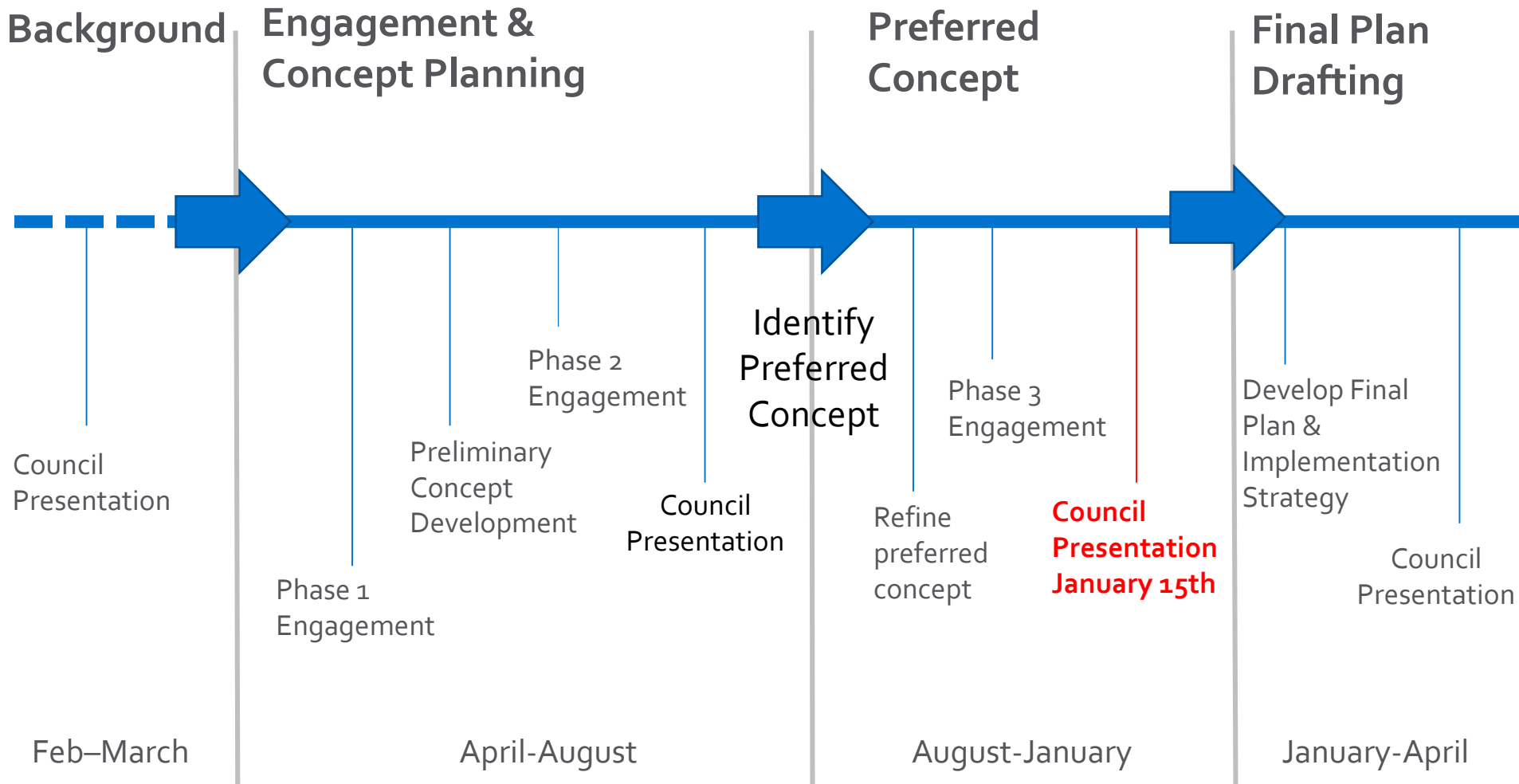


**Current
Situation**



**Successful
Urban Centre**

Planning Process

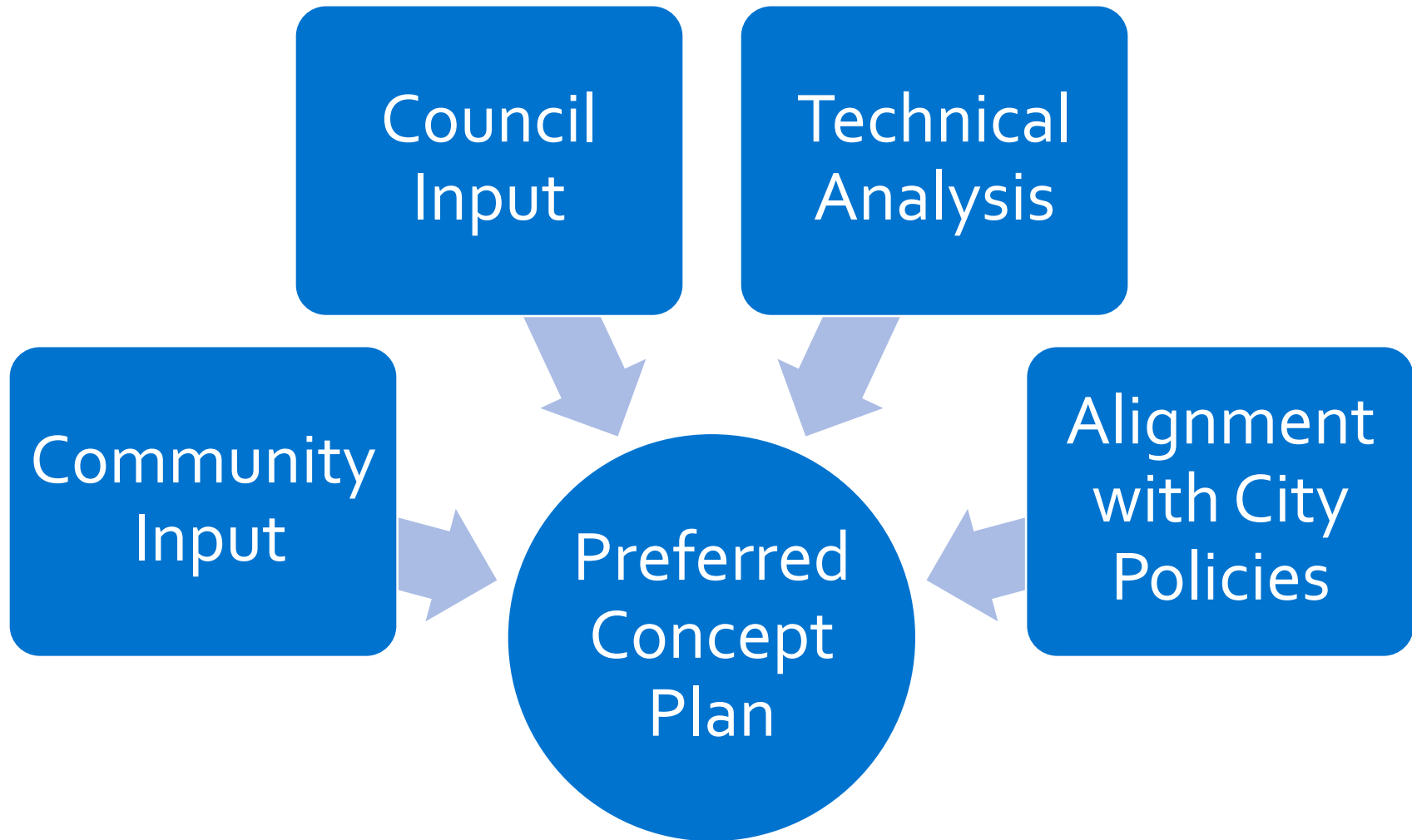


Phase 3 Engagement Update

- ▶ Open house at Coast Capri
 - ▶ Public support for preferred concept
- ▶ Key landowner session at City Hall
 - ▶ Information sharing, plans for further consultation



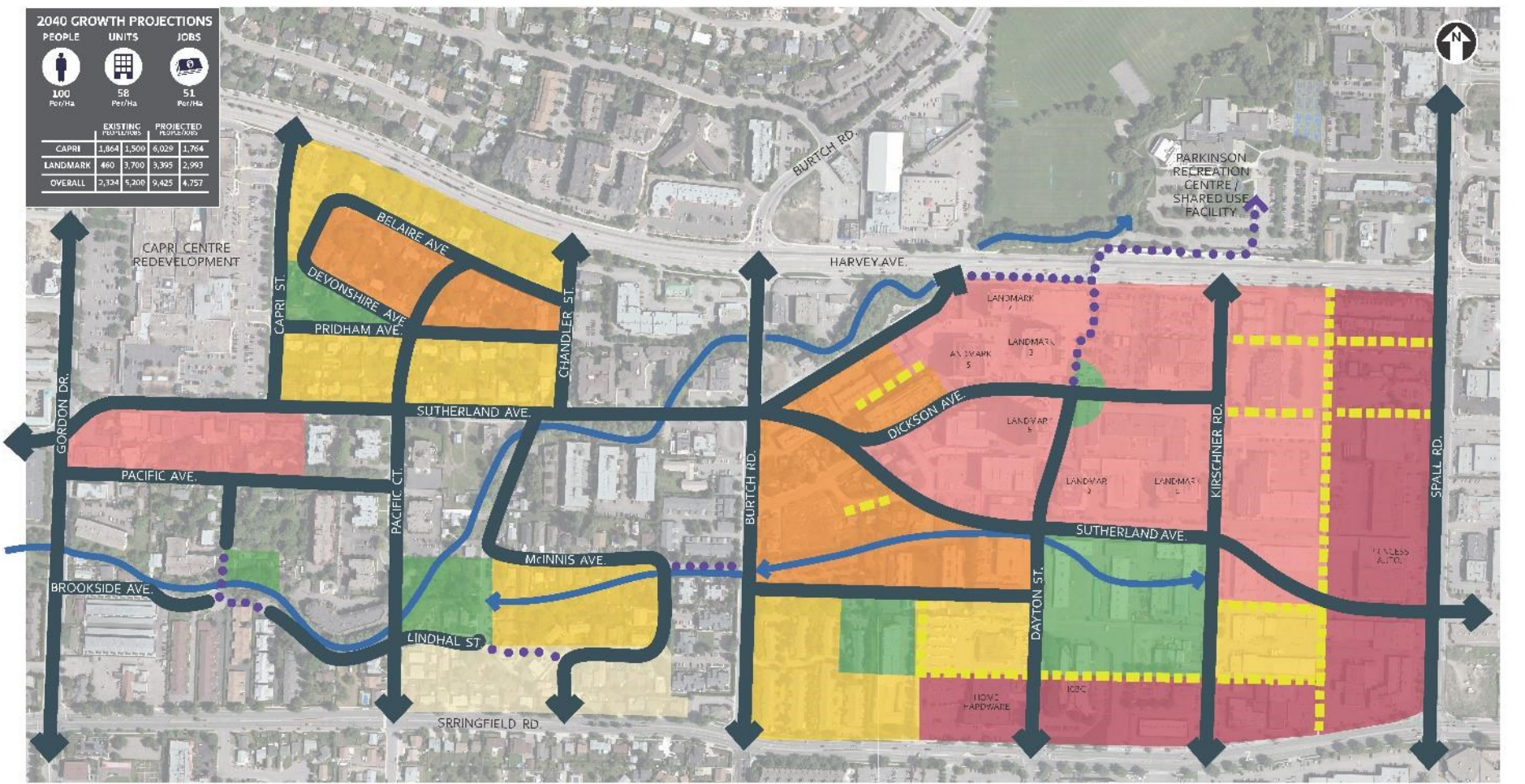
Refining the Concept Plan



2040 GROWTH PROJECTIONS

	PEOPLE	UNITS	JOB
	100	58	51
	Per/Ha	Per/Ha	Per/Ha

	EXISTING	PROJECTED
	2014-2018	2019-2040
CAPRI	1,064	5,029
LANDMARK	460	3,395
OVERALL	2,324	8,425



LEGEND

- MIXED-USE RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- SERVICE COMMERCIAL
- MEDIUM DENSITY RESIDENTIAL
- PARKS

- Streets
- Laneways
- Potential Connections
- Greenway / Creek

0 50 100 200m

Future Land Use & Structure Map

Capri-Landmark - Preferred Concept Plan



1. Enhance vitality and re-balance the land use mix by introducing additional residential development to achieve a density of 150 combined jobs / people per hectare.
2. Re-align Sutherland Ave as a new complete street that will prioritize walking, cycling and transit, creating an east-west street linking Burtch Rd to Spall Rd.
3. Create new social spaces by developing new community and neighbourhood parks as well as a public plaza in Landmark to serve future residents and workers.

4. Establish Dickson Ave (between Dayton St and Kirschner Rd) as a main street with ground-oriented retail and streetfront amenities that will announce the area as a key destination.
5. Develop and daylight Ritchie Brook as a pedestrian path and stormwater garden that will enhance community identity and improve stormwater management in the area linking Landmark to Pacific Court Park as redevelopment occurs in the area

Big Ideas / Illustrated Concept Plan

Draft Building Height Profile

- ▶ Maintain downtown as premier urban centre
- ▶ Focus height to support plan goals with upper limit of 16-18





LEGEND

- | | | | | | |
|--|-------------------|---|-------------------|---|-----------------------------|
|  | CITY WIDE STREETS |  | COLLECTOR STREETS |  | PEDSETRAIN HIGHWAY OVERPASS |
|  | ARTERIAL STREETS |  | LOCAL STREETS | | |

Road Hierarchy



LEGEND

- | | | | | | |
|--|---|---|--|---|--------------------------------|
|  | PRIMARY CYCLE ROUTES
(CYCLE TRACKS) |  | MULTI-USE PATH
(OFF-STREET PATH) |  | PEDESTRIAN HIGHWAY
OVERPASS |
|  | SECONDARY CYCLE ROUTES
(BICYCLE LANES) |  | BICYCLE BOULEVARD
(SIGNAGE + DIVERSION) |  | PEDESTRIAN PATH / CROSSING |

Active Transportation Map



LEGEND



RAPID BUS ROUTE
(7.5 MINUTE PEAK)



FREQUENT TRANSIT ROUTE
(15-20 MINUTE PEAK)
ROUTE 5, 8, & 11 EXIST
ROUTE 7 PROPOSED 2018



PROPOSED BUS STOPS
ROUTE 11 STOPS, WITH SUTHERLAND EXTENSION



EXISTING BUS STOPS

Transit Routes

Transportation Network Analysis

- ▶ Challenges remain with Harvey & Springfield
- ▶ Network provides capacity for 2040 growth (congestion remains)
- ▶ Shift to live-work will reduce trip lengths
- ▶ Improvements will make walking, cycling and transit viable option



UCR Principle	UCR Target	Baseline	Proposed Plan
Promote vitality through a mix of land uses	150-250 combined jobs and residents per hectare	78.6 jobs /residents per /hectare	151
	Ratio of 2 residents to 1 job (2:1)	1:2.4 residents to jobs	2:1
Healthy housing mix	Housing Mix 80% apartments, 20% ground oriented	73% apart (multi), 13% ground-oriented	100% of growth will be multi-family
Prioritize people-first transportation options & connections	90% of residents close to frequent transit	100%	100%
	90% of residents close proximity to ATC (n/s and e/w)	1.5%	43%
Create streets & blocks that are walkable & comfortable for all	100% of blocks < 250m for cars, 100% of blocks < 150m for pedestrians/cyclists	52% for cars, 25% for pedestrians/cyclists	82.4% <250 m for cars, 36.5% < 150M for pedestrians
	Street network with 0.8 intersections/ha,	0.26 intersections per hectare	.31 intersection per hectare
Establish social spaces that promote social interaction	All residents in close proximity to a public space (within 400m)	83%	100%
	Diversity of public spaces: Diversity Index (less than 0.2)	0.37	.17
	At least 1 central plaza or square,	Zero	2

Implementation Considerations

- ▶ Preliminary estimate of DCC revenue of roughly \$60-\$65 million

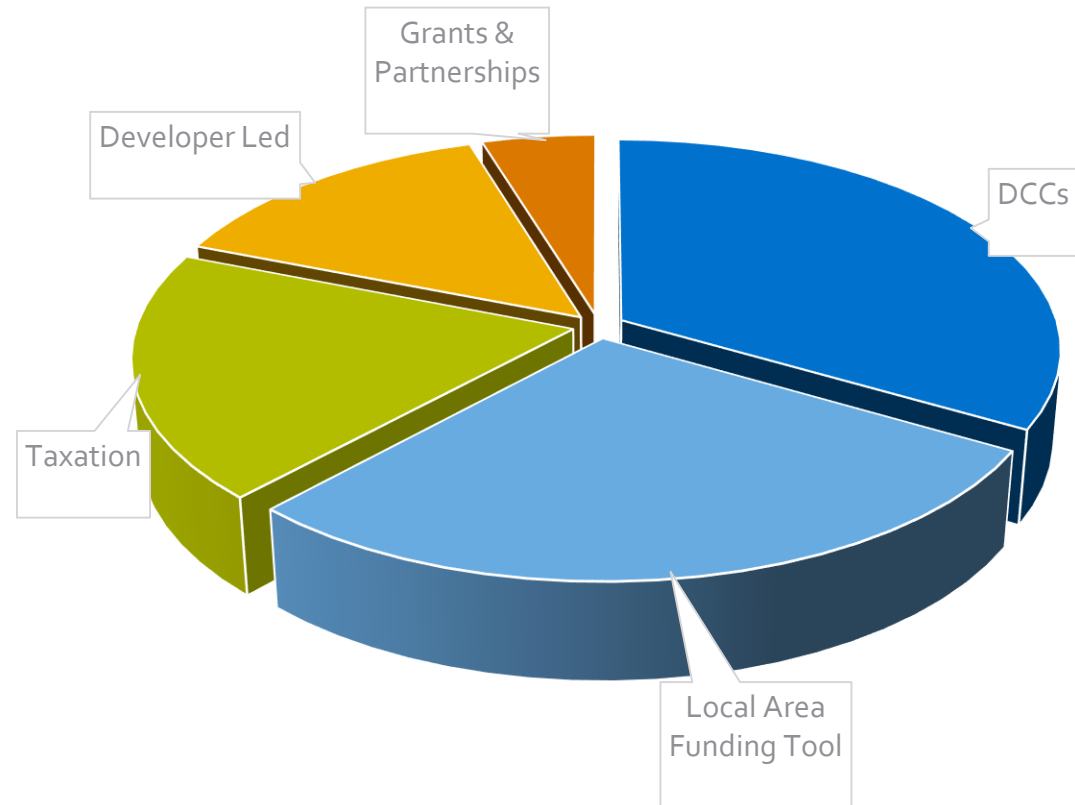
Preliminary Estimates for Community Infrastructure Costs

Project Type	Land Costs	Project Costs	Total
Parks & Public Spaces	\$19,500,000	\$16,000,000	\$35,500,000
Linear Corridors/Paths	\$5,000,000	\$2,00,000	\$7,000,000
Transportation	\$18,000,000	\$32,000,000	\$50,00,000
Utility & Infrastructure	TBD	\$7,500,000	\$7,500,000
Total	\$42,500,000	\$57,500,000	\$100,000,000

Implementation Considerations

- ▶ Several projects in 2030 DCC program
- ▶ Select projects are candidates for 2040 DCC program
- ▶ Gap between what DCC program and taxation can deliver & identified infrastructure needs
- ▶ Staff will investigate a range of funding tools

Funding Tools for Plan Improvements



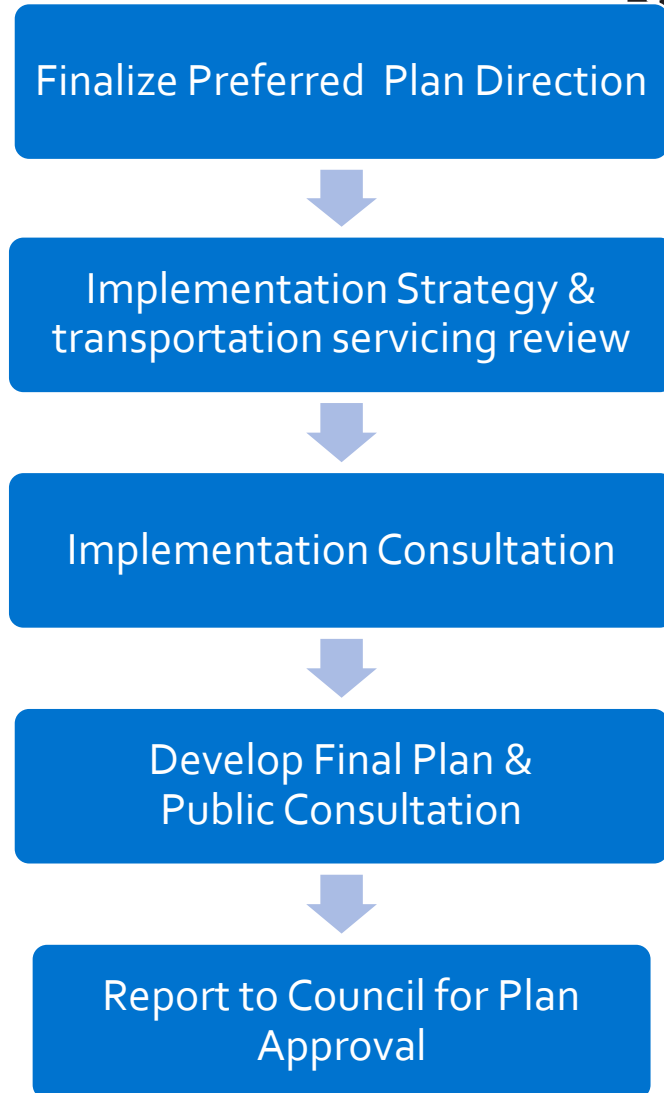
Implementation

Staff will investigate these and other funding tools in advance of an implementation workshop:

- ▶ Development Cost Charges
- ▶ General Taxation
- ▶ Density Bonus
- ▶ Local area service
- ▶ Parcel Tax
- ▶ Development Works Agreement
- ▶ Public-private partnership

Next Steps

- ▶ Upon council approval, staff will take following actions:
 - ▶ Finalize transportation servicing review
 - ▶ Develop implementation strategy
 - ▶ Prepare final plan development



Conclusion

- ▶ Urban centres critical to city's growth strategy
- ▶ Need to position areas for success
- ▶ Need amenities & transportation options
- ▶ Requires a new approach to funding & investment
- ▶ Improvements needed to support development in near-term



Attachment A - Urban Centres Roadmap (UCR) Targets

UCR Principle	UCR Target	Baseline	Proposed Plan
Promote vitality through a mix of land uses	150-250 combined jobs and residents per hectare	/ 78.6 jobs and residents/ha	151
Promote vitality through a mix of land uses	Ratio of 2 residents to 1 job (2:1)	1:2.4 residents to jobs	2:1
Healthy housing mix	Housing Mix 80% apartments, 20% ground oriented	73% apart., 13% ground-oriented	100% of new growth will be in the form attached housing and apartments,
Healthy housing mix	All affordable housing near frequent transit 100%	100%	
Prioritize people-first transportation options & connections	90% of residents close to frequent transit	100%	100%
Prioritize people-first transportation options & connections	90% of residents close to ATC (n/s and e/w)	1.5%	43%
Create streets & blocks that are walkable & comfortable for all pedestrians	Short blocks: 100% of blocks < 250m for cars, 100% of blocks < 150m for pedestrians/cyclists	52% for cars, 25% for pedestrians/cyclists	82.4% <250 m for cars, 36.5% < less than 150M for pedestrians
Create streets & blocks that are walkable & comfortable for all pedestrians	Street network with 0.8 intersections/ha,	0.26 intersections/ha	.31/ha
Establish social spaces that promote social interaction	All residents in close proximity to a public space (within 400m)	83%	100%
Establish social spaces that promote social interaction	Diversity of public spaces: Simpson Index less than 0.2	0.37	.17
Establish social spaces that promote social interaction	At least 1 central plaza or square,	Zero	2
Design for environmental resilience	20% tree canopy coverage	Major deficiency in Landmark	Continues to be challenge in the near-term but permeable surfaces will increase

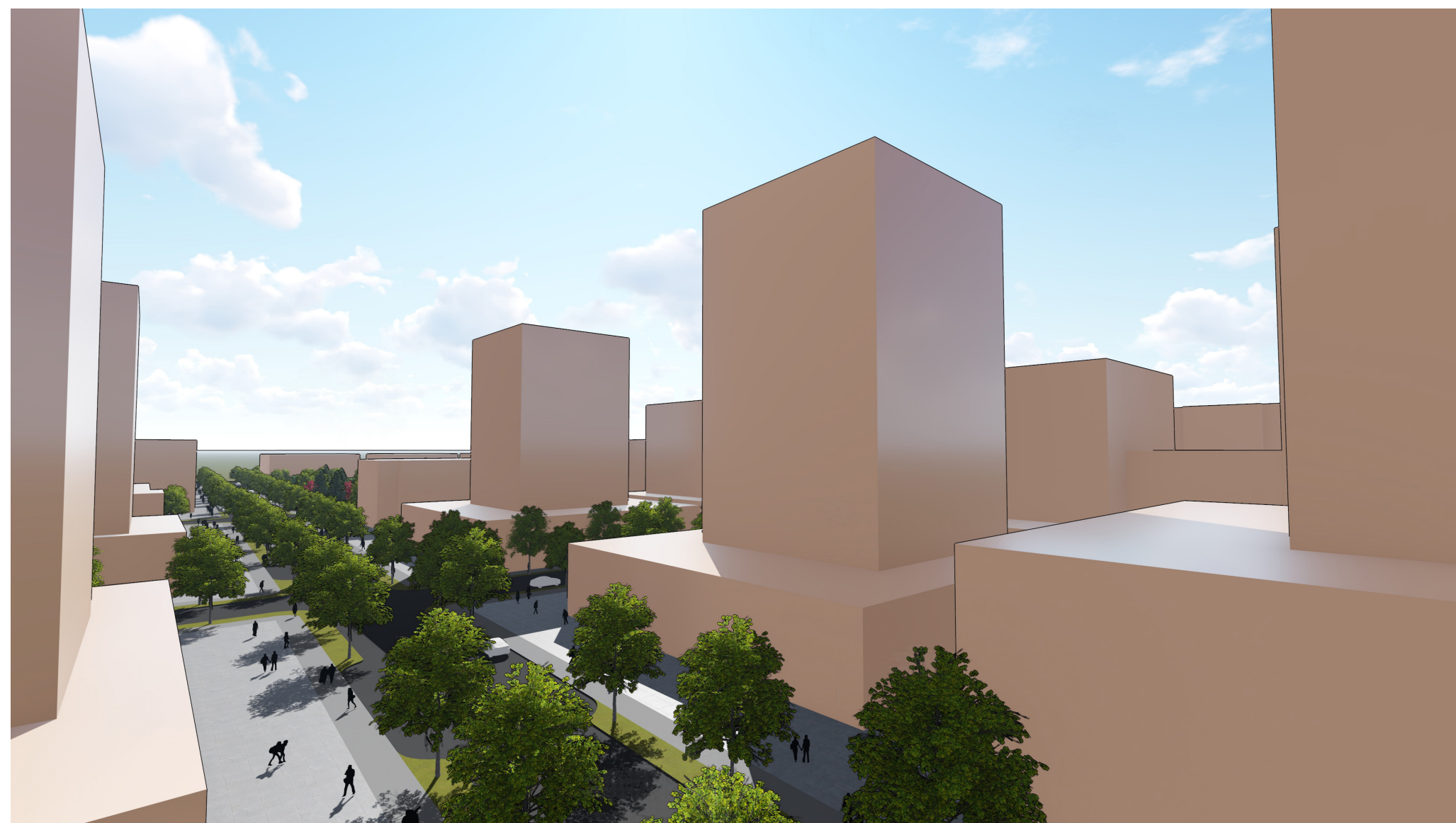
Attachment B - Building Heights Design Principles

DESIGN PRINCIPLE 1: DESIGN WITH DENSITY



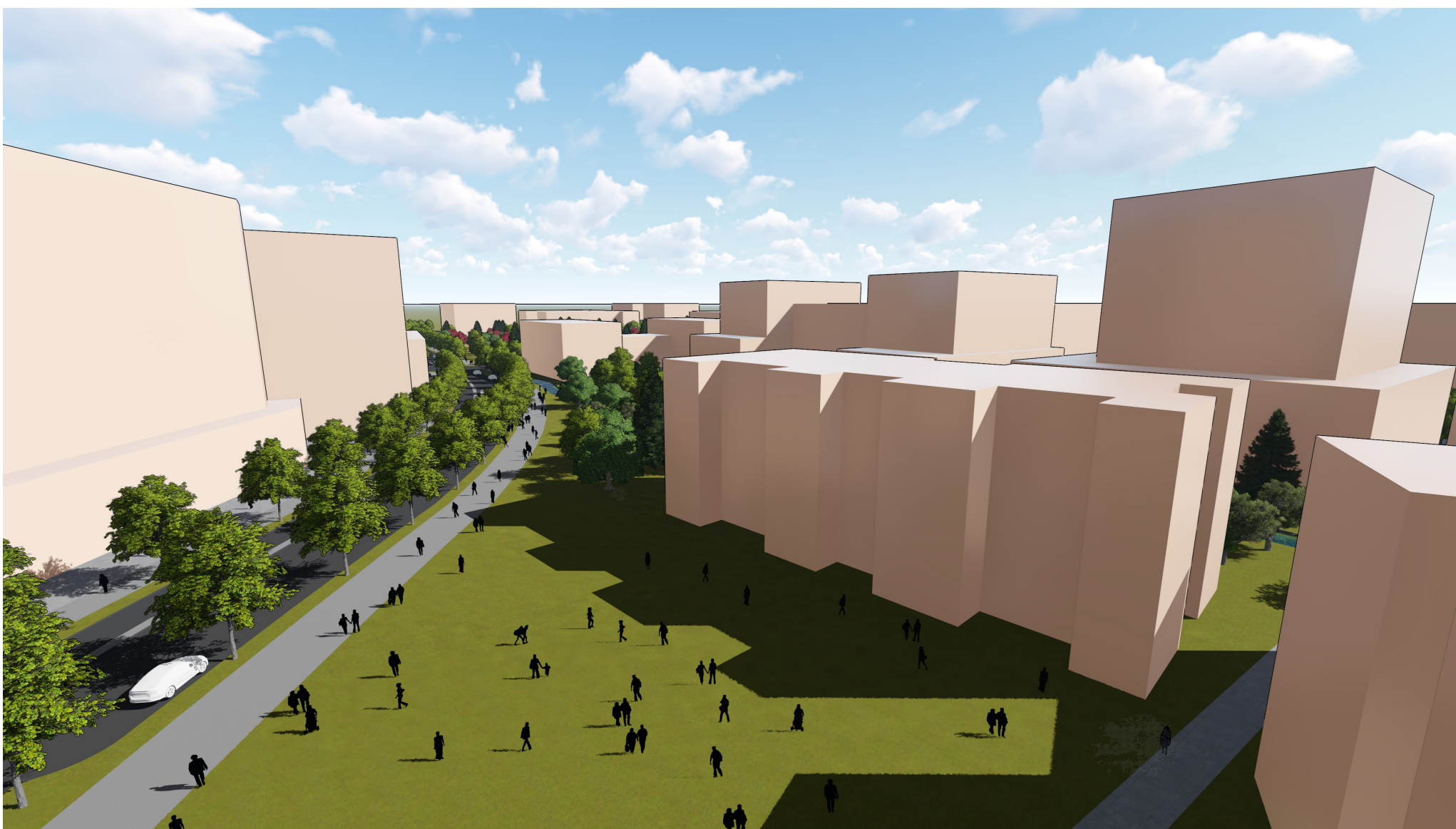
In general, building height and massing will respond to the adjacent neighbourhood conditions by increasing the heights of the buildings from South to North. Thus the lowest buildings would be at Springfield Road and would step up to the highest buildings along Highway 97. This massing supports the higher density envisioned to support highway 97 as a principal transit route. Additionally, lower buildings heights to the south allows for maximum sunlight to pedestrian spaces.

DESIGN PRINCIPLE 4: CONNECT STREETS AND SKIES



Where towers are situated in close proximity to each other, consideration should be given to separating adjacent tower floorplates by a minimum of 25 metres and stepping back the upper floors of the building (over 3 storeys) to visually reduce the massing and create human scale pedestrian friendly environments.

DESIGN PRINCIPLE 2: ACHIEVE DIVERSE CHARACTER



Building heights, form, character and siting will be encouraged to vary throughout the neighbourhood to create variety and interest in the skyline.

DESIGN PRINCIPLE 5: CONNECT OUR OPEN SPACES



Tower floorplates should be designed with sensitivity to adjacent parcels to promote the creation of functional private open spaces within the neighbourhood.

DESIGN PRINCIPLE 3: BUILD FOR PEDESTRIANS



Building and open space design should convey human scale, address pedestrian comfort and safety, maximize sunlight penetration and compliment the surrounding community built form. Building siting and height will also be controlled adjacent to the proposed community park to maximize sunlight and views into the park.

DESIGN PRINCIPLE 6: ALLOW THE CREEK TO SHINE



Buildings in close proximity to Mill Creek and Ritchie Brook should be sited to maximize sun access to these environmentally significant natural features.

Attachment B - Building Heights Design Principles

Preliminary massing model with existing conditions



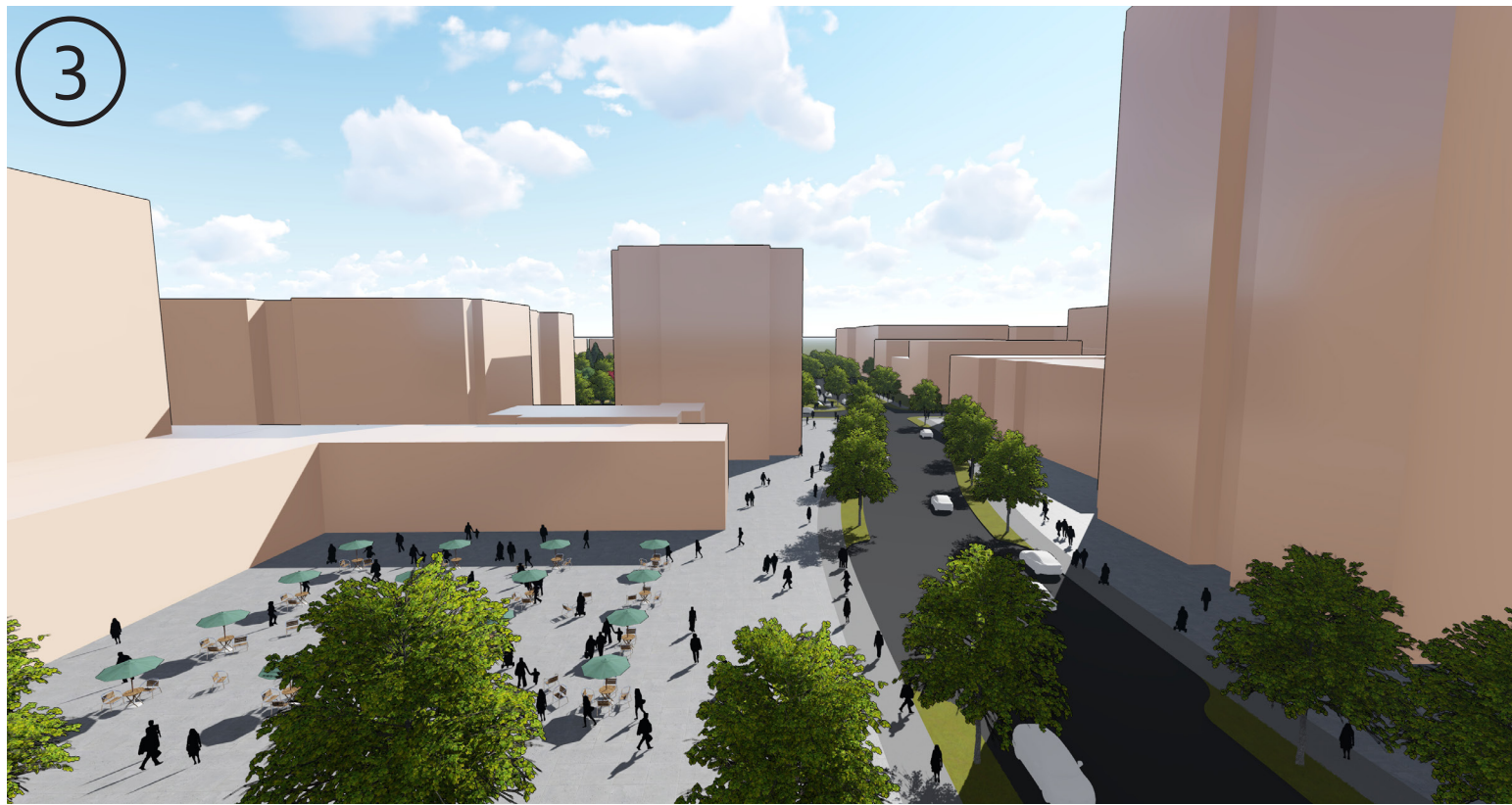
View from Spall Road looking towards Okanagan Lake.



View down Dickson Avenue at Dickson and Spall Road.



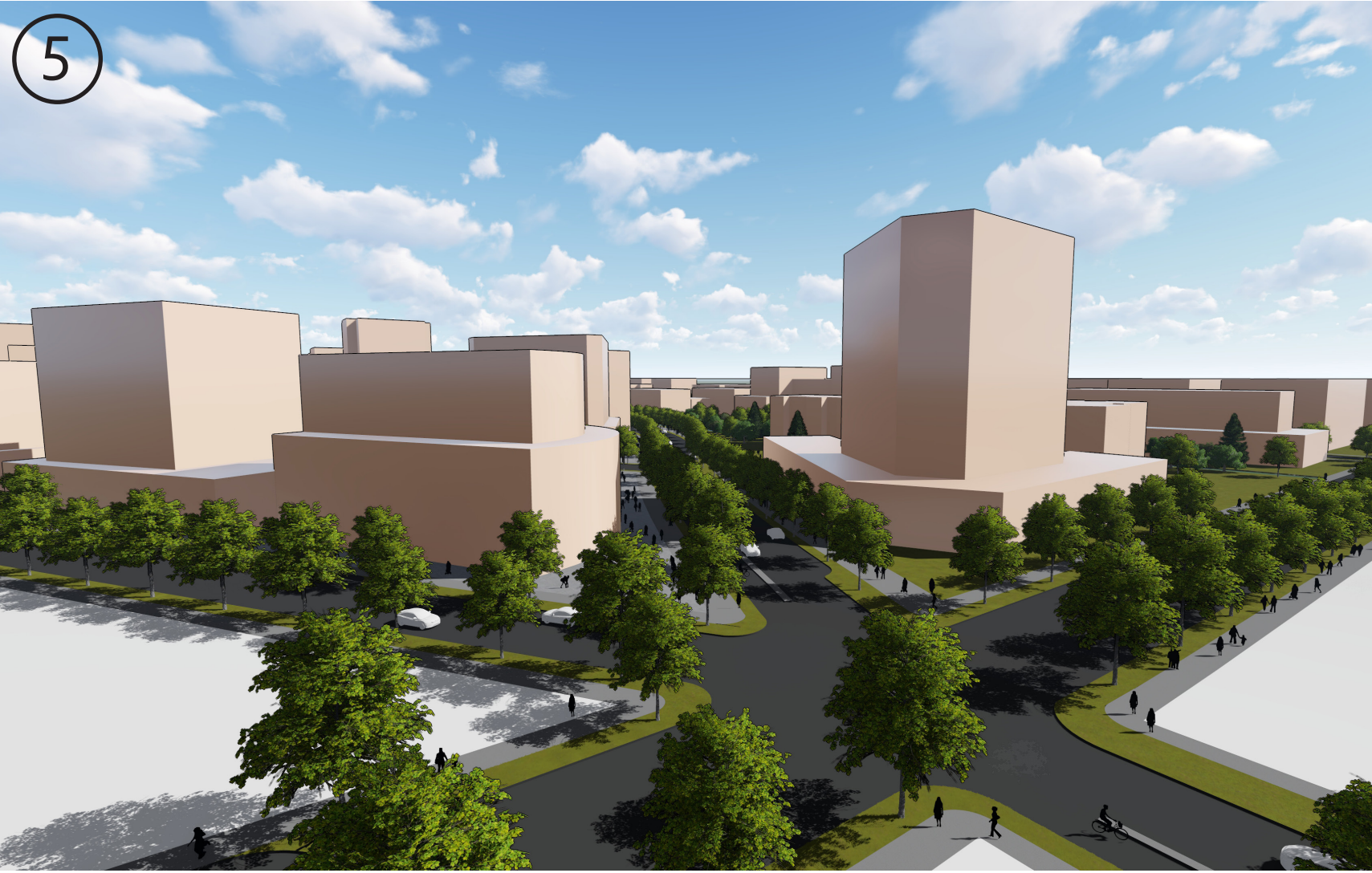
View from city park at corner of Kirschner Road and Sutherland Avenue.



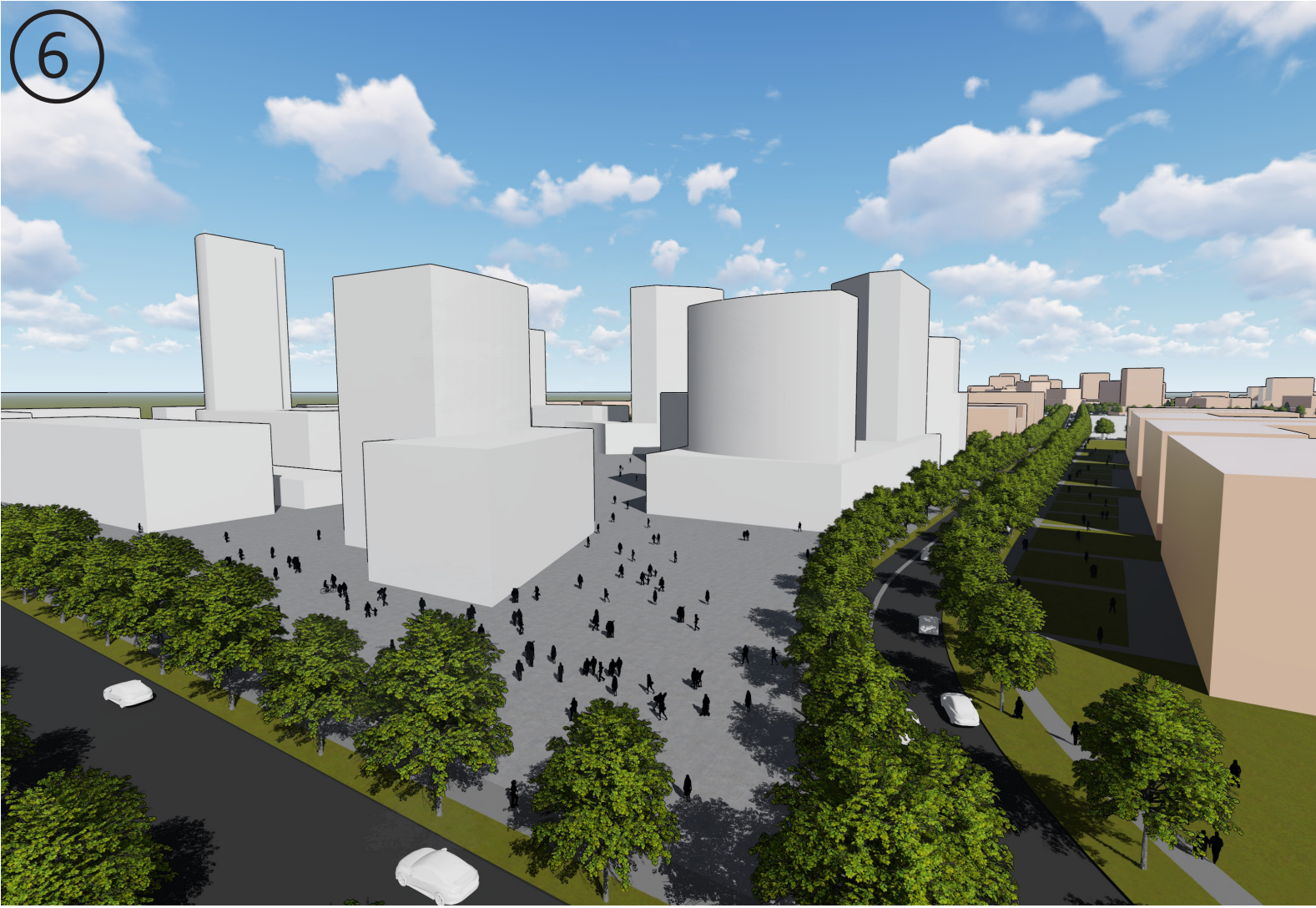
View of plaza space from the corner of Dickson Avenue and Dayton Street.



View of Dayton Street from Dayton and Dickson Avenue.



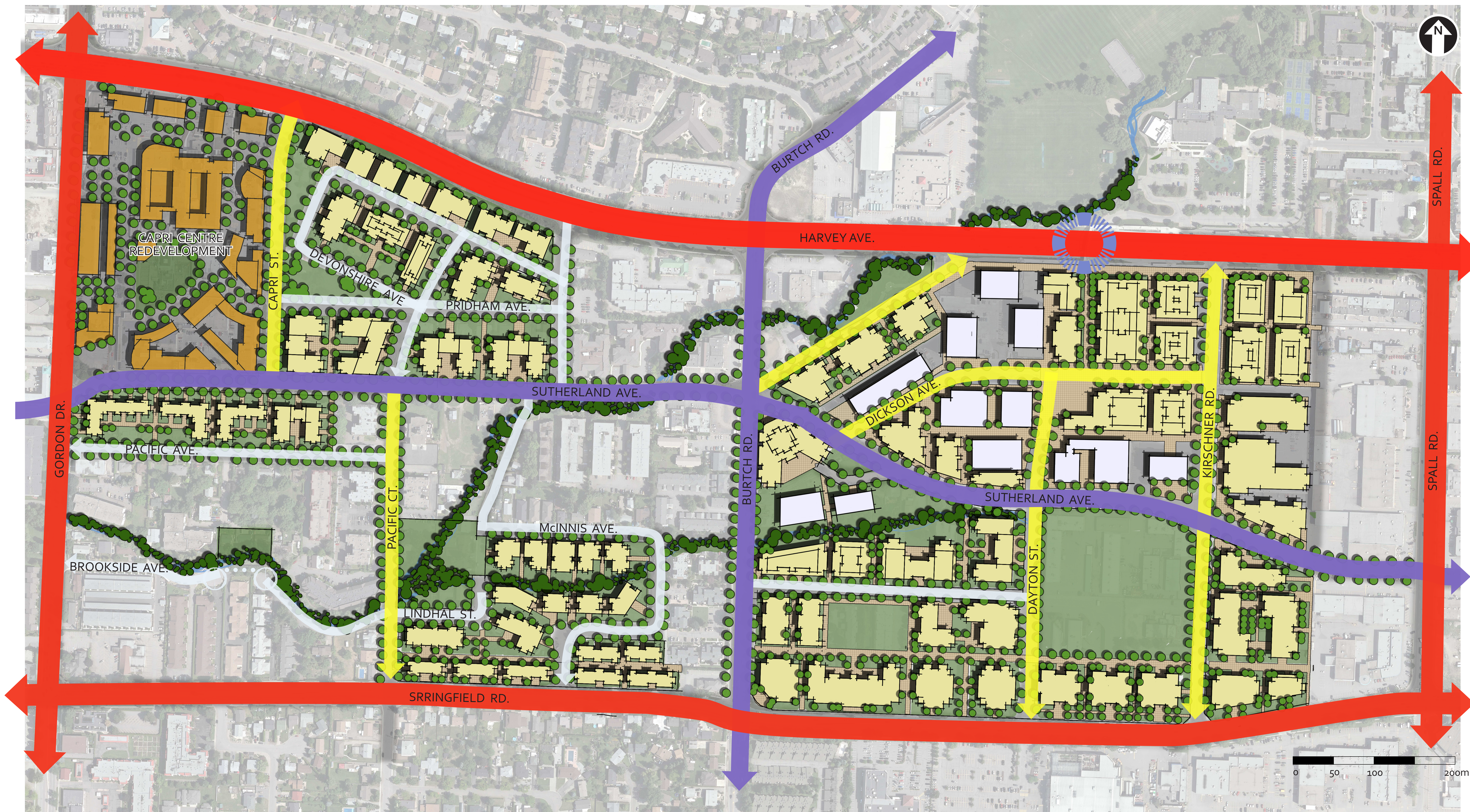
View of Sutherland Avenue and Burtch Road intersection.



View of Capri-Sutherland relationship at Gordon Drive and Sutherland Avenue.



View of City Park towards Sutherland Avenue from Kirschner Road.

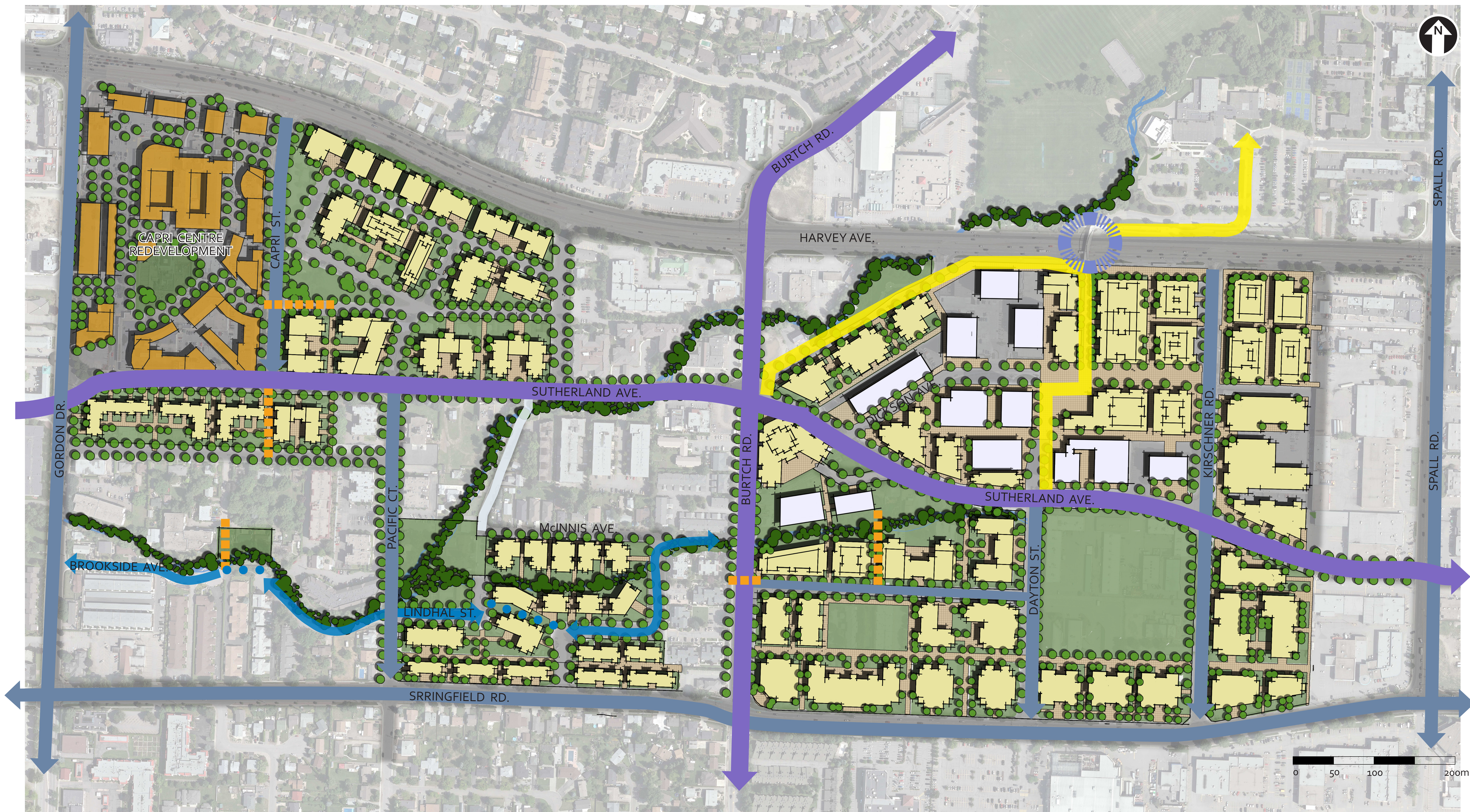


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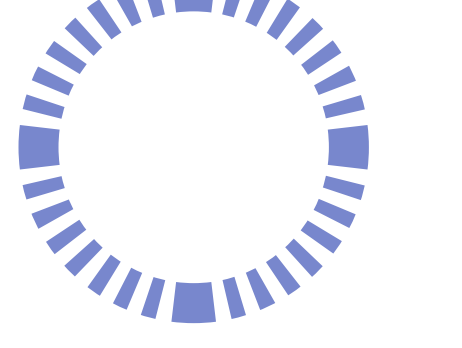



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|--|-------------------|---|-------------------|---|-----------------------------|
|  | CITY WIDE STREETS |  | COLLECTOR STREETS |  | PEDSETRAIN HIGHWAY OVERPASS |
|  | ARTERIAL STREETS |  | LOCAL STREETS | | |

Road Hierarchy

Capri-Landmark Plan - Preferred Concept Plan



LEGEND

- | | | | | | |
|--|---|---|---|---|--------------------------------|
|  | PRIMARY CYCLE ROUTES
(CYCLE TRACKS) |  | MULTI-USE PATH
(Off-STREET PATH) |  | PEDESTRIAN HIGHWAY
OVERPASS |
|  | SECONDARY CYCLE ROUTES
(BICYCLE LANES) |  | BICYCLE BOULEVARD
(SIGNAGE +DIVERSION) |  | PEDESTRIAN PATH / CROSSING |

Active Transportation Map

Capri-Landmark Plan - Preferred Concept



LEGEND



RAPID BUS ROUTE
(7.5 MINUTE PEAK)



FREQUENT TRANSIT ROUTE
(15-20 MINUTE PEAK)
ROUTE 5, 8, & 11 EXIST
ROUTE 7 PROPOSED 2018



PROPOSED BUS STOPS
ROUTE 11 STOPS, WITH SUTHERLAND EXTENSION



EXISTING BUS STOPS

Transit Routes

Attachment D – Ritchie Brook Memo

Project: 17052

Date: November 17, 2017

To: Luke Dempsey, City of Kelowna

Subject: Ritchie Brook Feasibility Study Scope – Interim Deliverables

This memo addresses the following interim deliverables for the Ritchie Brook Study to daylight portions of Ritchie Brook within the Capri-Landmark Plan area:

1. Identify two cross-sections for the Ritchie Brook corridor as shown on the plan on page 3: a basic cross-section to allow for long-term maintenance and basic public access and a cross-section in areas that are less constrained that provides greater stormwater benefits and a neighbourhood amenity.
2. Provide rationale, dimensions and high level cost per metre estimate for the proposed cross-sections
3. Identify issues with the alignment of the corridor (between Burtch and Dayton). Also, if necessary identify alternative alignment for this constrained section to support feasibility and implementation.
4. Investigate flow levels expected for Ritchie Brook under the recommended Daylighting corridor and cross-sections.
5. Quantify the anticipated stormwater benefit for the proposed daylighting corridor and cross-sections identified.

1. Cross sections

Cross section A (page 3) illustrates a typical location where the alignment would be constrained between existing development.

At cross section A, where the right of way may be constrained, the width of the right of way would be a minimum of 15 m. The channel cross section would have a bottom width of 1 m with 2:1 sideslopes and a top width of 5 m. The channel would be situated on one side of the right of way allowing for a 10 m wide access route on the other side that would include the walking trail and access for equipment if required for maintenance. A preliminary cross section is provided on page 3.

2. Channel design rationale and Class D construction cost estimates for channel Burtch and Dayton

The recommended channel cross section of 1 m bottom width, 2:1 sideslopes with a depth of 1 m and a slope of 0.5% would provide a channel capacity of ~8 m³/s which would be far in excess of the expected maximum design flow.

The Class D costs to construct the channel, including lining with riprap is ~\$375/m. Assuming a 5 m wide walking/access trail, the estimated cost would be ~\$50/m. It is important to note that the cost estimates do not include any costs to remove and dispose of any existing pipe on this route, any required land acquisition and any demolition of buildings within the new corridor if this is required.

3. Potential issues with Burtch/Dayton alignment corridor

There may be an issue securing the necessary 15 m width for the channel corridor between Burtch Road and Dayton Street with the existing development. If a 15 m wide corridor was not available, then the design may be modified to fit. It is important that the corridor have sufficient width to allow for the required channel capacity plus access for equipment.

4. Flow levels in daylighted channel

The Central Area Drainage Plan (2008) provides an estimated base flow for Ritchie Brook of 0.018 m³/s that would have an estimated depth of ~0.2 m. The report also provides a maximum storm flow at Burch Road of 1.4 m³/s that would have a depth of ~0.50 m.

5. Stormwater benefits from daylighting

The anticipated stormwater benefits from daylighting Ritchie Brook are:

- Reducing flooding impacts on Mill Creek from Ritchie Brook by detaining storm water within stormwater ponds in the daylighted catchment.
- Reduced storm drain system and maintenance costs.
- Improved water quality of water released into Mill Creek through additional filtration and capture of pollutants and nutrients in stormwater ponds and open channel.
- Ecological benefits from open channel flow versus piped flow.

In summary, the proposed cross section reflects a constrained 15 metre right-of-way with a top channel width of 5m. Channel design rationale provides a capacity of 8m³/s and class D construction cost estimates are approximately \$375 per lineal metre of constructed channel. Potential conflicts with existing developments will be explored in further analysis. The base flows of Ritchie Brook from the Central Area Drainage Plan (2008) are reasonably similar to areas of Brandt's Creek. In cases where Ritchie Brook flows are lower, velocities may be increased by decreasing the width of the channel. The stormwater benefits include improved water quality, additional conveyance capacity with open channel drainage course and options to include off-stream storage.

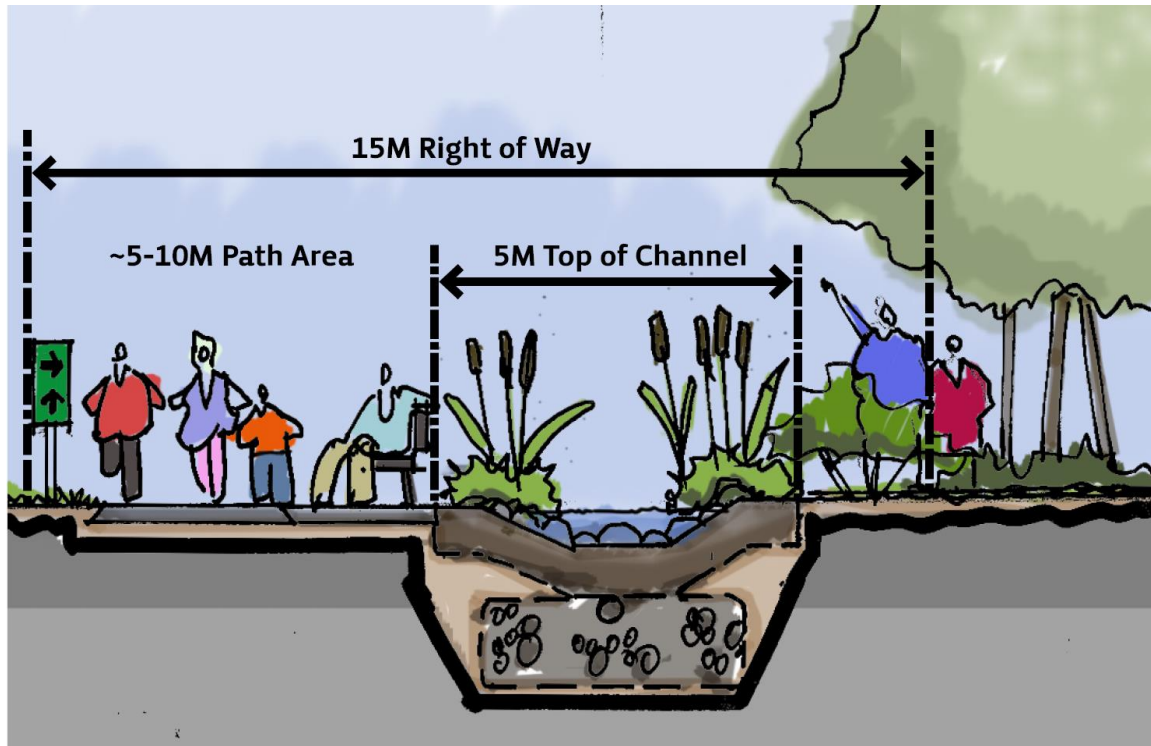
Future analysis will include the some of the following tasks:

- Estimate the quantifiable anticipated stormwater management and flood mitigation benefits from daylighting the corridor.
- Class D cost estimates to design, construct and maintain the proposed daylighted stream and corridor.
- Determine any implications to the corridor concept of the redesign of Sutherland Avenue to connect with Dolphin Avenue.

D.A. Dobson, PEng

Attach.

Cross Section A: Preliminary Cross Section for Ritchie Brook Stormwater Gardens



Attachment E - Urban Design Objectives

- 1** Build streets that are safe and comfortable for pedestrians with ample sidewalk space, appropriate lighting, weather protection and shade from the summer sun
- 2** Provide green space in private and public spaces to improve livability and rainwater management
- 3** Require building massing that provides sensitive transitions between different land uses and between public and private spaces
- 4** Ensure that tall and mid-rise buildings use articulation to reduce their apparent bulk/massing, to create a varied skyline, and to allow sunlight penetration to the street
- 5** Limit the negative impacts of vehicle access and parking on building design and on the public realm
- 6** Orient buildings to the street and develop human-scale buildings at the street level
- 7** Where tall buildings are proposed, use podium designs of no greater than 3 storeys (5 storeys for buildings fronting Highway 97) to reinforce a human-scale relationship to the street and to support vibrancy at-grade
- 8** Focus retail to designated streets and ensure that retail is designed to succeed
- 9** Ensure vibrant retail streets with active uses facing the street and a consistent street wall
- 10** Support a diversity of high-quality architecture with a focus on creative and innovative design
- 11** Focus tall buildings (12+ storeys) in specific areas to support key objectives
- 12** Space tall buildings (12+ storeys) appropriately to vary the skyline, to provide privacy, light and air
- 13** Ensure that mixed-use residential developments provide the necessary amenities and facilities to support a high quality of life for residents

Report to Council



Date: January 15, 2018
File: 1405-01
To: City Manager
From: Matt Friesen, Financial Analyst
Subject: Transit 2017/2018 Amended Annual Operating Agreement

Recommendation:

THAT Council approves Amendment #1 to the 2017/2018 Annual Operating Agreement for conventional, community and custom transit.

Purpose:

To receive Council approval for amendment #1 to the transit 2017/18 Annual Operating Agreement.

Background:

The Annual Operating Agreement (AOA) is submitted annually by BC Transit to the City of Kelowna in March, and is effective for the period of April 1st to March 31st of the following year. The AOA is a summary of budgeted revenues and costs within the Kelowna Regional Transit System for BC Transit's fiscal year (March 31st year-end).

Each Local Government Partner within the Kelowna Regional Transit System submits the AOA to their respective Council for approval. The impacts of the 2017/2018 AOA were included in the City of Kelowna's 2017 Provisional Budget that Council approved in December 2016. However, significant changes to transit service throughout the year within the Kelowna Regional Transit System require an amendment to the original AOA.

This is a request for the approval of an amendment to the 2017/18 Annual Operating Agreement for conventional, community and custom transit. The amendment reflects increased service hours and related operating costs for improvement and expansion of services which include:

- Improved on-time performance
- Increased Saturday service on Route 1 and Route 8

- Improved service optimization on Route 13
- Introduction of expanded and improved UBCO transit exchange
- Expanded handyDART service

The improved service and expansion initiatives for conventional and community transit were approved by council on July 10, 2017. The increase of 2,500 hours of conventional transit and 500 hours of handyDART service beginning in September 2017 was approved by Council in June 2016. Appendix 1 outlines the changes in budgeted costs for conventional, community and custom transit as a result of the amended AOA.

Conventional Transit

The amended budget for conventional transit includes a \$93,642 increase in operating costs. BC Transit funds \$43,721 of the increase and the Local Governments pays for \$49,921 of the increase. The City of Kelowna's share is \$41,769.

Community Transit

The amendment includes a \$24,522 increase in operating costs for community transit. BC Transit funds \$11,449 of the increase and the Local Governments pay for \$13,073 of the increase. The City of Kelowna's share is \$5,021.

Custom Transit

Fleet operating costs for custom transit increased due to the expanded handyDART service but there was a larger decrease in the taxi saver program resulting in an overall decrease of \$27,366 in operating costs. BC Transit funds decreased by \$18,250 and the Local Government portion of costs reduced by \$9,116. The City of Kelowna's share of the reduction is \$6,718.

The amendment was received at the City of Kelowna in October 2017 and the 2017 impacts were covered by the existing budget. 2018 impacts were built into the 2018 Provisional Budget Operating Requests that council approved in December 2017.

Internal Circulation:

Manager, Integrated Transportation Department
 Manager, Transit and Programs
 Divisional Director, Financial Services
 Divisional Director, Infrastructure
 Revenue Supervisor, Financial Services

Legal/Statutory Authority:

Annual Operating Agreement is required to authorize funding for payment of transit contractor.

Financial/Budgetary Considerations:

Existing budget provides for these Annual Operating requirements.

Considerations not applicable to this report:

Legal/Statutory Procedural Requirements:

Existing Policy:

Personnel Implications:

External Agency/Public Comments:

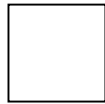
Communications Comments:

Alternate Recommendation:

Submitted by:

M. Friesen, Financial Analyst

Approved for inclusion:



Genelle Davidson, *Divisional Director, Financial Services*

cc: Revenue Supervisor, Financial Services

Appendix 1

CONVENTIONAL TRANSIT	2017/2018			BC Transit Portion	Local Gov't Portion	City of Kelowna Portion	Allocated to 2017 Budget	Allocated to 2018 Budget
	Original AOA	Amended AOA	Total Difference	46.69%	53.31%	83.67% (of local Gov't portion)		
Expenditures								
Total Operating Costs	\$18,447,958	\$18,541,600	\$93,642	\$43,721	\$49,921	\$41,769	\$23,868	\$17,901
Total Lease Fees - Local Share	\$2,871,014	\$2,871,014	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL COSTS	\$21,318,972	\$21,412,614	\$93,642	\$43,721	\$49,921	\$41,769	\$23,868	\$17,901
Percentage Increase from Original AOA			0.44%					

COMMUNITY TRANSIT	2017/2018			BC Transit Portion	Local Gov't Portion	City of Kelowna Portion	Allocated to 2017 Budget	Allocated to 2018 Budget
	Original AOA	Amended AOA	Total Difference	46.69%	53.31%	38.41% (of local Gov't portion)		
Expenditures								
Total Operating Costs	\$2,431,552	\$2,456,074	\$24,522	\$11,449	\$13,073	\$5,021	\$2,869	\$2,152
Total Lease Fees - Local Share	\$105,675	\$105,675	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL COSTS	\$2,537,227	\$2,561,749	\$24,522	\$11,449	\$13,073	\$5,021	\$2,869	\$2,152
Percentage Increase from Original AOA			0.97%					

CUSTOM TRANSIT	2017/2018			BC Transit Portion	Local Gov't Portion	City of Kelowna Portion	Allocated to 2017 Budget	Allocated to 2018 Budget
	Original AOA	Amended AOA	Total Difference	66.69%	33.31%	73.70% (of local Gov't portion)		
Expenditures								
Total Operating Costs	\$3,262,924	\$3,235,558	(\$27,366)	(\$18,250)	(\$9,116)	(\$6,718)	(\$3,839)	(\$2,879)
Total Lease Fees - Local Share	\$126,808	\$126,808	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL COSTS	\$3,389,732	\$3,362,366	(\$27,366)	(\$18,250)	(\$9,116)	(\$6,718)	(\$3,839)	(\$2,879)
Percentage Increase from Original AOA			-0.81%					

**KELOWNA REGIONAL
ANNUAL OPERATING AGREEMENT**

between

THE CITY OF KELOWNA

and

BRITISH COLUMBIA TRANSIT

Effective

April 1, 2017

Amendment #1 Effective September 3, 2017

INFORMATION CONTAINED IN THIS AGREEMENT IS SUBJECT TO THE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT. CONSULT WITH THE AUTHORITY PRIOR TO RELEASING INFORMATION TO INDIVIDUALS OR COMPANIES OTHER THAN THOSE WHO ARE PARTY TO THIS AGREEMENT.

ANNUAL OPERATING AGREEMENT

BETWEEN:

THE CITY OF KELOWNA

(the "Municipality")

AND:

BRITISH COLUMBIA TRANSIT

(the "Authority")

WHEREAS the Authority is authorized to contract for transit services for the purpose of providing and maintaining those services and facilities necessary for the establishment, maintenance and operation of a public passenger transportation system in the Transit Service Area;

WHEREAS the Municipality is authorized to enter into one or more agreements with the Authority for transit services in the Transit Service Area;

WHEREAS the parties hereto have entered into a Transit Service Agreement which sets out the general rights and responsibilities of the parties hereto;

WHEREAS the Municipality and the Authority are authorized to share in the costs for the provision of a Public Passenger Transportation System pursuant to the *British Columbia Transit Act*;

AND WHEREAS the parties hereto wish to enter into an Annual Operating Agreement which sets out, together with the Transit Service Agreement, the specific terms and conditions for the Public Passenger Transportation System for the upcoming term.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and of the covenants hereinafter contained, the parties covenant and agree with each other as follows:

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SECTION 1: DEFINITIONS

Unless agreed otherwise in the Annual Operating Agreement, the definitions set out in the Transit Service Agreement shall apply to this Annual Operating Agreement including:

- a) "Annual Operating Agreement" shall mean this Annual Operating Agreement and any Annual Operating Agreement Amendments negotiated and entered into by the parties subsequent hereto;
- b) "Transit Service Agreement" shall mean the Transit Service Agreement between the parties to this Annual Operating Agreement, including any amendments made thereto;

SECTION 2: INCORPORATION OF SCHEDULES

All schedules to this agreement are incorporated into the agreement, and form part of the agreement.

SECTION 3: INCORPORATION OF TRANSIT SERVICE AGREEMENT

Upon execution, this Annual Operating Agreement shall be deemed integrated into the Transit Service Agreement and thereafter the Transit Service Agreement and Annual Operating Agreement shall be read together as a single integrated document and shall be deemed to be the Annual Operating Agreement for the purposes of the *British Columbia Transit Act*, as amended from time to time.

SECTION 4: TERM AND RENEWAL

- a) The parties agree that the effective date of this agreement is to be September 3, 2017, whether or not the agreements have been fully executed by the necessary parties. Once this agreement and the associated Transit Service Agreement are duly executed, this agreement will replace all provisions in the existing Transit Service Agreement and Master Operating Agreement with respect to the rights and obligations as between the Authority and the Municipality.
- b) Upon commencement in accordance with Section 4(a) of this agreement, the term of this agreement shall be to March 31, 2018 except as otherwise provided herein. It is acknowledged by the parties that in the event of termination or non-renewal of the Annual Operating Agreement, the Transit Service Agreement shall likewise be so terminated or not renewed, as the case may be.
- c) Either party may terminate this agreement as follows:
 - a. Cancellation by the Authority: In the event that the Authority decides to terminate this Agreement for any reason whatsoever, the Authority shall provide at least ninety (180) days prior written notice. Such notice to be provided in accordance with Section 10.
 - b. Cancellation by the Municipality: In the event that the Municipality decides to terminate this Transit Service Agreement for any reason whatsoever, and by extension the Annual Operating Agreement, the Municipality shall provide at least one hundred and eighty (180) days prior written notice. Such notice to be provided in accordance with Section 10.

SECTION 5: FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT

This Agreement and the parties hereto are subject to the provisions of the *Freedom Of Information And Protection Of Privacy Act* ("FOIPPA"). Any information developed in the performance of this Agreement, or any personal information obtained, collected, stored pursuant to this Agreement, including database information, shall be deemed confidential and subject to

the provisions of the FOIPPA including the handling, storage, access and security of such information. Confidential information shall not be disclosed to any third party except as expressly permitted by the Authority or pursuant to the requirements of the FOIPPA.

SECTION 6: SETTLEMENT OF DISPUTES

In the event of any dispute arising between or among the parties as to their respective rights and obligations under this Agreement, or in the event of a breach of this Agreement, the parties agree to use their best efforts to find resolution through a mediated settlement. However, in the event that mediation is not successful in finding a resolution satisfactory to all parties involved, any party shall be entitled to give to the other notice of such dispute and to request arbitration thereof; and the parties may, with respect to the particular matter then in dispute, agree to submit the same to a single arbitrator in accordance with the applicable statutes of the Province of British Columbia.

SECTION 7: MISCELLANEOUS PROVISIONS

- a) Amendment: This agreement may only be amended in writing signed by the Municipality and the Authority and specifying the effective date of the amendment.
- b) Assignment: This Agreement shall not be assignable without prior written consent of the parties.
- c) Enurement: This Agreement shall be binding upon and enure to the benefit of the parties hereto and their respective successors.
- d) Operating Reserve Fund: In accordance with OIC 594, in fiscal year 2015/16, BC Transit established a Reserve Fund to record, for each local government, the contributions that BC Transit has received but has not yet earned.
 - a. BC Transit will invoice and collect on monthly Municipal invoices based on budgeted Eligible Expenses.
 - b. Any expenditure of monies from the Reserve Fund will only be credited towards Eligible Expenses for the location for which it was collected.
 - c. Eligible Expenses are comprised of the following costs of providing Public Passenger Transportation Systems:
 - i. *For Conventional Transit Service:*
 - 1. the operating costs incurred in providing Conventional Transit Service excluding interest and amortization;
 - 2. the amount of any operating lease costs incurred by BC Transit for Conventional Transit Services;
 - 3. the amount of the municipal administration charge not exceeding 2% of the direct operating costs payable under an Annual Operating Agreement;
 - 4. an amount of the annual operating costs of BC Transit not exceeding 8% of the direct operating costs payable under an Annual Operating Agreement;
 - ii. *For Custom Transit Service:*
 - 1. the operating costs incurred in providing Custom Transit Service excluding interest and amortization, but including the amount paid by BC Transit to redeem taxi saver coupons issued under the Taxi Saver Program after deducting from that amount the amount realized from the sale of those coupons;
 - 2. the amount of any operating lease costs incurred by BC Transit for Custom Transit Service;

3. the amount of the municipal administration charge not exceeding 2% of the direct operating costs payable under an Annual Operating Agreement; and,
 4. an amount of the annual operating costs of BC Transit not exceeding 8% of the direct operating costs payable under an Annual Operating Agreement;
- d. Eligible Expenses exclude the costs of providing third-party 100%-funded services; and,
 - e. BC Transit will provide an annual statement of account of the reserves received and utilized, including any interest earned for each local government.
- e) The parties agree that this agreement is in substantial compliance with all relevant legislative requirements to establish the rights and obligations of the parties as set out in the *British Columbia Transit Act*.

SECTION 8: GOVERNING LAW

This Agreement is governed by and shall be construed in accordance with the laws of the Province of British Columbia, with respect to those matters within provincial jurisdiction, and in accordance with the laws of Canada with respect to those matters within the jurisdiction of the government of Canada.

SECTION 9: COUNTERPARTS

This contract and any amendment hereto may be executed in counterparts, each of which shall be deemed to be an original and all of which shall be considered to be one and the same contract. A signed facsimile or pdf copy of this contract, or any amendment, shall be effective and valid proof of execution and delivery.

SECTION 10: NOTICES AND COMMUNICATIONS

All notices, claims and communications required or permitted to be given hereunder shall be in writing and shall be sufficiently given if personally delivered to a designated officer of the parties hereto to whom it is addressed or if mailed by prepaid registered mail to the Authority at:

BRITISH COLUMBIA TRANSIT

c/o President & CEO
P.O. Box 610
520 Gorge Road East
Victoria, British Columbia V8W 2P3

and to the Municipality at:

THE CITY OF KELOWNA

c/o Transit and Programs Manager
1435 Water Street
Kelowna, BC V1Y 1J4

and, if so mailed, shall be deemed to have been received five (5) days following the date of such mailing.

Amendment #1
Kelowna Regional
City of Kelowna

This will confirm our agreement to amend Schedule B – Service Specifications and Schedule C- Budget.

IN WITNESS WHEREOF, the parties have hereunto set their hand this ____ day of _____,
20____.

THE CITY OF KELOWNA

BRITISH COLUMBIA TRANSIT

CHIEF OPERATING OFFICER

CHIEF FINANCIAL OFFICER

SCHEDULE "A": TARIFF AND FARES

Conventional Transit Fares:

*Effective as of
Sept. 1, 2015*

- a) Single Cash Fares:
 - i) Adult/College Student \$2.50
 - ii) Senior \$2.50
 - iii) Student \$2.50
 - iv) Child 4 or under - Free when accompanied by an adult.
 - v) Accessible Transit Attendant - Free
 - b) Tickets (sheet of 10):
 - i) Adult/College Student \$22.25
 - ii) Senior/Student* \$20.25
 - c) One Day Pass:
 - i) Adult/College Student \$ 6.50
 - ii) Senior \$ 6.50
 - iii) Student \$ 6.50
 - d) Monthly Pass:
 - i) Adult \$70.00
 - ii) Senior* \$45.00
 - iii) Student* \$45.00
 - iv) College Student** \$55.00
 - v) College Semester Pass** \$176.00
 - e) U-Pass per semester \$63.00
 - f) Transfers: allow for unlimited travel for up to 90 minutes from the time of issue.
 - g) BC Bus Pass valid for the current calendar year and available through the Government of British Columbia BC Bus Pass Program.
 - h) CNIB Identification Card available from the local office of the CNIB.
 - i) BC Transit Employee Bus Pass.
- * Reduced fare with valid ID for seniors aged 65 and over, and students in full-time attendance to grade 12.
- ** Reduced fare for full-time registered college students available only at Okanagan College and Sprott-Shaw Community College.

Custom Transit Fares:

Fares:

Effective as of September 1, 2015

One-way trip

Registered User	\$ 2.50
Tickets (5)	\$12.50
Companion	\$ 2.50
Monthly Pass	\$75.00
Attendant accompanying registered user	no charge

Note: Visitors may register for temporary handyDART service. Proof of registration in another jurisdiction or proof of eligibility is required.

SCHEDULE "B": SERVICE SPECIFICATIONS

Kelowna Conventional Transit Service:

Kelowna Regional Base Budget Official AOA Amendment #1 2017/2018**Schedule 'B'**

Effective Apr 01, 2017

Scheduled Revenue Service

April to April (Apr 01, 2017 to Apr 29, 2017)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Apr 14, 2017	Apr 17, 2017	
Hrs/Day	544.12	544.12	544.12	544.12	544.12	294.23	177.87	177.87	544.12	
Kms/Day	12,536.69	12,536.69	12,536.69	12,536.69	12,536.69	6,779.15	4,098.18	4,098.18	12,536.69	
April to June (Apr 30, 2017 to Jun 24, 2017)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	May 22, 2017		
Hrs/Day	503.95	503.95	503.95	503.95	503.95	291.25	177.87	177.87		
Kms/Day	11,611.16	11,611.16	11,611.16	11,611.16	11,611.16	6,710.49	4,098.18	4,098.18		
June to Sep (Jun 25, 2017 to Sep 02, 2017)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Jul 01, 2017	Aug 07, 2017	
Hrs/Day	496.42	496.42	496.42	496.42	496.42	291.25	177.87	291.25	177.87	
Kms/Day	11,437.67	11,437.67	11,437.67	11,437.67	11,437.67	6,710.49	4,098.18	6,710.49	4,098.18	
Sep to Dec (Sep 03, 2017 to Dec 17, 2017)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Sep 04, 2017	Oct 09, 2017	Nov 11, 2017
Hrs/Day	546.60	546.60	546.60	546.60	549.60	316.22	177.87	177.87	177.87	177.87
Kms/Day	12,593.83	12,593.83	12,593.83	12,593.83	12,662.95	7,285.81	4,098.18	4,098.18	4,098.18	4,098.18
Dec to Dec (Dec 18, 2017 to Dec 31, 2017)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Dec 25, 2017	Dec 26, 2017	
Hrs/Day	546.60	546.60	546.60	546.60	546.60	313.22	177.87	177.87	312.83	
Kms/Day	12,593.83	12,593.83	12,593.83	12,593.83	12,593.83	7,216.68	4,098.18	4,098.18	7,207.70	
Jan to March (Jan 01, 2018 to Mar 31, 2018)										
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Jan 01, 2018	Feb 12, 2018	Mar 30, 2018
Hrs/Day	546.60	546.60	546.60	546.60	549.60	316.22	177.87	177.87	177.87	177.87
Kms/Day	12,593.83	12,593.83	12,593.83	12,593.83	12,662.95	7,285.81	4,098.18	4,098.18	4,098.18	4,098.18

Extra Revenue Service

	Apr, 2017	May, 2017	Jun, 2017	Jul, 2017	Aug, 2017	Sep, 2017	Oct, 2017	Nov, 2017	Dec, 2017	Jan, 2018	Feb, 2018	Mar, 2018
Extra Overload Hours	104.00	104.00	104.00	104.00	104.00	104.00	104.00	104.00	104.00	104.00	104.00	104.00
Extra Overload Kilometres	2,396.19	2,396.19	2,396.19	2,396.19	2,396.19	2,396.19	2,396.19	2,396.19	2,396.19	2,396.19	2,396.19	2,396.19
Extra School Service Hours	235.00	160.00	180.00	20.00	20.00	180.00	160.00	160.00	120.00	160.00	144.00	88.00
Extra School Service Kilometres	5,414.47	3,686.45	4,147.25	460.81	460.81	4,147.25	3,686.45	3,686.45	2,764.84	3,686.45	3,317.80	2,027.55
Extra Special Events Hours	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00	50.00
Extra Special Events Kilometres	1,152.02	1,152.02	1,152.02	1,152.02	1,152.02	1,152.02	1,152.02	1,152.02	1,152.02	1,152.02	1,152.02	1,152.02

Adjusted Revenue Service

	Apr, 2017	May, 2017	Jun, 2017	Jul, 2017	Aug, 2017	Sep, 2017	Oct, 2017	Nov, 2017	Dec, 2017	Jan, 2018	Feb, 2018	Mar, 2018

2017/2018 Calendar Specification

Period	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Exceptions	Total	Exception Days
Apr 01, 2017 to Apr 29, 2017	3	4		4	3	5	4	2	29	Apr 14, 2017 Good Friday 2017 (Fri)
Apr 30, 2017 to Apr 30, 2017	0	0	0	0	0	0	1	0	1	Apr 17, 2017 Easter Monday 2017 (Mon)
May 01, 2017 to May 31, 2017	4	5	5	4	4	4	4	1	31	May 22, 2017 Victoria Day 2017 (Mon)
Jun 01, 2017 to Jun 24, 2017	3	3	3	4	4	4	3	0	24	Jul 01, 2017 Canada Day 2017 (Sat)
Jun 25, 2017 to Jun 30, 2017	1	1	1	1	1	0	1	0	6	Aug 07, 2017 BC Day 2017 (Mon)
Jul 01, 2017 to Jul 31, 2017	5	4	4	4	4	4	5	1	31	Sep 04, 2017 Labour Day 2017 (Mon)
Aug 01, 2017 to Aug 31, 2017	3	5	5	5	4	4	4	1	31	Oct 09, 2017 Thanksgiving Day 2017 (Mon)
Sep 01, 2017 to Sep 02, 2017	0	0	0	0	1	1	0	0	2	Nov 11, 2017 Remembrance Day 2017 (Sat)
Sep 03, 2017 to Sep 30, 2017	3	4	4	4	4	4	4	1	28	Dec 25, 2017 Christmas Day 2017 (Mon)
Oct 01, 2017 to Oct 31, 2017	4	5	4	4	4	4	5	1	31	Dec 26, 2017 Boxing Day 2017 (Tue)
Nov 01, 2017 to Nov 30, 2017	4	4	5	5	4	3	4	1	30	Jan 01, 2018 New Years Day 2018 (Mon)
Dec 01, 2017 to Dec 17, 2017	2	2	2	2	3	3	3	0	17	Feb 12, 2018 Family Day 2018 (Mon)
Dec 18, 2017 to Dec 31, 2017	1	1	2	2	2	2	2	2	14	Mar 30, 2018 Good Friday (2018) (Fri)
Jan 01, 2018 to Jan 31, 2018	4	5	5	4	4	4	4	1	31	
Feb 01, 2018 to Feb 28, 2018	3	4	4	4	4	4	4	1	28	
Mar 01, 2018 to Mar 31, 2018	4	4	4	5	4	5	4	1	31	
Total	44	51	52	52	50	51	52	13	365	13 Exceptions

Monthly Summary

Month	Conventional Transit							
	Revenue Hours				Revenue Kilometers			
	Scheduled	Extra	Adjusted	Total	Scheduled	Extra	Adjusted	Total
April, 2017	12,876.65	389.00		13,265.65	296,681.94	8,962.68		305,644.62
May, 2017	13,141.25	314.00		13,455.25	302,778.38	7,234.66		310,013.04
June, 2017	12,925.73	334.00		13,259.73	297,812.75	7,695.46		305,508.21
July, 2017	12,770.42	174.00		12,944.42	294,234.42	4,009.02		298,243.44
August, 2017	12,975.59	174.00		13,149.59	298,961.60	4,009.02		302,970.62
September, 2017	13,339.30	334.00		13,673.30	307,341.55	7,695.46		315,037.01
October, 2017	13,822.70	314.00		14,136.70	318,479.23	7,234.66		325,713.89
November, 2017	13,875.21	314.00		14,189.21	319,689.07	7,234.66		326,923.73
December, 2017	13,349.55	274.00		13,623.55	307,577.70	6,313.05		313,890.75
January, 2018	14,191.43	314.00		14,505.43	326,974.88	7,234.66		334,209.54
February, 2018	12,551.63	298.00		12,849.63	289,193.39	6,866.01		296,059.40
March, 2018	13,961.05	242.00		14,203.05	321,666.86	5,575.76		327,242.62
Total	159,780.51	3,475.00	0.00	163,255.51	3,681,391.77	80,065.10	0.00	3,761,456.87

Kelowna Community Transit Service:

Kelowna Comm Bus Base Budget Official AOA Amendment #1 2017/2011

Schedule 'B'

Effective Apr 01, 2017

Scheduled Revenue Service

April to April (Apr 01, 2017 to Apr 29, 2017)

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Apr 14, 2017	Apr 17, 2017						
Hrs/Day	94.95	94.95	94.95	94.95	94.95	75.18	58.33	58.33	94.95						
Kms/Day	2,376.60	2,376.60	2,376.60	2,376.60	2,376.60	2,147.89	1,730.65	1,730.65	2,376.60						

April to Sep (Apr 30, 2017 to Sep 02, 2017)

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	May 22, 2017	Jul 01, 2017	Aug 07, 2017					
Hrs/Day	84.30	84.30	84.30	84.30	84.30	75.18	58.33	58.33	75.18	58.33					
Kms/Day	2,110.04	2,110.04	2,110.04	2,110.04	2,110.04	2,147.89	1,730.65	1,730.65	2,147.89	1,730.65					

Sep to March (Sep 03, 2017 to Mar 31, 2018)

	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Sep 04, 2017	Oct 09, 2017	Nov 11, 2017	Dec 25, 2017	Dec 26, 2017	Jan 01, 2018	Feb 12, 2018	Mar 30, 2018
Hrs/Day	96.30	96.30	96.30	96.30	96.30	75.18	58.33	58.33	58.33	75.18	58.33	75.18	58.33	58.33	58.33
Kms/Day	2,410.30	2,410.30	2,410.30	2,410.30	2,410.30	2,147.89	1,730.65	1,730.65	1,730.65	2,147.89	1,730.65	2,147.89	1,730.65	1,730.65	1,730.65

Extra Revenue Service

	Apr. 2017	May, 2017	Jun, 2017	Jul, 2017	Aug, 2017	Sep, 2017	Oct, 2017	Nov, 2017	Dec, 2017	Jan, 2018	Feb, 2018	Mar, 2018
Extra Overload Hours	11.00	11.00	11.00	11.00	11.00	11.00	11.00	11.00	11.00	11.00	11.00	11.00
Extra Overload Kilometres	275.33	275.33	275.33	275.33	275.33	275.33	275.33	275.33	275.33	275.33	275.33	275.33

Adjusted Revenue Service

	Apr, 2017	May, 2017	Jun, 2017	Jul, 2017	Aug, 2017	Sep, 2017	Oct, 2017	Nov, 2017	Dec, 2017	Jan, 2018	Feb, 2018	Mar, 2018

2017/2018 Calendar Specification

Period	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Exceptions	Total	Exception Days
Apr 01, 2017 to Apr 29, 2017	3	4	4	4	3	5	4	2	29	Apr 14, 2017 Good Friday 2017 (Fri)
Apr 30, 2017 to Apr 30, 2017	0	0	0	0	0	1	1	0	1	Apr 17, 2017 Easter Monday 2017 (Mon)
May 01, 2017 to May 31, 2017	4	5	5	4	4	4	4	1	31	May 22, 2017 Victoria Day 2017 (Mon)
Jun 01, 2017 to Jun 30, 2017	4	4	4	4	5	4	4	0	30	Jul 01, 2017 Canada Day 2017 (Sat)
Jul 01, 2017 to Jul 31, 2017	5	4	4	4	4	4	5	1	31	Aug 07, 2017 BC Day 2017 (Mon)
Aug 01, 2017 to Aug 31, 2017	3	5	5	5	4	4	4	1	31	Sep 04, 2017 Labour Day 2017 (Mon)
Sep 01, 2017 to Sep 02, 2017	0	0	0	0	1	1	0	0	2	Oct 09, 2017 Thanksgiving Day 2017 (Mon)
Sep 03, 2017 to Sep 30, 2017	3	4	4	4	4	4	4	1	28	Nov 11, 2017 Remembrance Day 2017 (Sat)
Oct 01, 2017 to Oct 31, 2017	4	5	4	4	4	4	5	1	31	Dec 25, 2017 Christmas Day 2017 (Mon)
Nov 01, 2017 to Nov 30, 2017	4	4	4	5	5	4	3	4	30	Dec 26, 2017 Boxing Day 2017 (Tue)
Dec 01, 2017 to Dec 31, 2017	3	3	4	4	5	5	5	2	31	Jan 01, 2018 New Years Day 2018 (Mon)
Jan 01, 2018 to Jan 31, 2018	4	5	5	4	4	4	4	1	31	Feb 12, 2018 Family Day 2018 (Mon)
Feb 01, 2018 to Feb 28, 2018	3	4	4	4	4	4	4	1	28	Mar 30, 2018 Good Friday (2018) (Fri)
Mar 01, 2018 to Mar 31, 2018	4	4	4	5	4	5	4	1	31	
Total	44	51	52	52	50	51	52	13	365	13 Exceptions

Monthly Summary

Month	Conventional Transit							
	Revenue Hours				Revenue Kilometers			
	Scheduled	Extra	Adjusted	Total	Scheduled	Extra	Adjusted	Total
April, 2017	2,529.93	11.00		2,540.93	66,278.75	275.33		66,554.08
May, 2017	2,446.97	11.00		2,457.97	63,665.69	275.33		63,941.02
June, 2017	2,388.64	11.00		2,399.64	61,935.04	275.33		62,210.37
July, 2017	2,437.85	11.00		2,448.85	63,703.54	275.33		63,978.87
August, 2017	2,446.97	11.00		2,457.97	63,665.69	275.33		63,941.02
September, 2017	2,581.55	11.00		2,592.55	67,298.44	275.33		67,573.77
October, 2017	2,673.00	11.00		2,684.00	69,591.76	275.33		69,867.09
November, 2017	2,652.64	11.00		2,663.64	68,540.76	275.33		68,816.09
December, 2017	2,630.76	11.00		2,641.76	69,066.94	275.33		69,342.27
January, 2018	2,710.97	11.00		2,721.97	70,271.41	275.33		70,546.74
February, 2018	2,422.07	11.00		2,433.07	63,040.51	275.33		63,315.84
March, 2018	2,689.85	11.00		2,700.85	70,009.00	275.33		70,284.33
Total	30,611.20	132.00	0.00	30,743.20	797,067.53	3,303.96	0.00	800,371.49

Kelowna Custom Transit Service:

Kelowna Regional Custom Base Budget Official AOA Amendment #1 2017/2018

Schedule 'B'

Effective Apr 01, 2017

Scheduled Revenue Service

April to Sep (Apr 01, 2017 to Sep 02, 2017)								
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	
Hrs/Day	137.65	137.65	137.65	137.65	137.65	52.00		
Kms/Day	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Sep to March (Sep 03, 2017 to Mar 31, 2018)								
	Mon	Tue	Wed	Thu	Fri	Sat	Sun	
Hrs/Day	141.67	141.67	141.67	141.67	141.67	52.00		
Kms/Day	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Flexible Hours

	Apr, 2017	May, 2017	Jun, 2017	Jul, 2017	Aug, 2017	Sep, 2017	Oct, 2017	Nov, 2017	Dec, 2017	Jan, 2018	Feb, 2018	Mar, 2018
	41.67	41.67	41.67	41.67	41.67	41.67	41.67	41.67	41.67	41.67	41.67	41.67

Extra Revenue Service

	Apr, 2017	May, 2017	Jun, 2017	Jul, 2017	Aug, 2017	Sep, 2017	Oct, 2017	Nov, 2017	Dec, 2017	Jan, 2018	Feb, 2018	Mar, 2018

Adjusted Revenue Service

	Apr, 2017	May, 2017	Jun, 2017	Jul, 2017	Aug, 2017	Sep, 2017	Oct, 2017	Nov, 2017	Dec, 2017	Jan, 2018	Feb, 2018	Mar, 2018

2017/2018 Calendar Specification

Period	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Exceptions	Total	Exception Days
Apr 01, 2017 to Apr 30, 2017	3	4	4	4	3	5	5	2	30	Apr 14, 2017 Good Friday 2017 (Fri)
May 01, 2017 to May 31, 2017	4	5	5	4	4	4	4	1	31	Apr 17, 2017 Easter Monday 2017 (Mon)
Jun 01, 2017 to Jun 30, 2017	4	4	4	5	5	4	4	0	30	May 22, 2017 Victoria Day 2017 (Mon)
Jul 01, 2017 to Jul 31, 2017	5	4	4	4	4	4	5	1	31	Jul 01, 2017 Canada Day 2017 (Sat)
Aug 01, 2017 to Aug 31, 2017	3	5	5	5	4	4	4	1	31	Aug 07, 2017 BC Day 2017 (Mon)
Sep 01, 2017 to Sep 02, 2017	0	0	0	0	1	1	0	0	2	Sep 04, 2017 Labour Day 2017 (Mon)
Sep 03, 2017 to Sep 30, 2017	3	4	4	4	4	4	4	1	28	Oct 09, 2017 Thanksgiving Day 2017 (Mon)
Oct 01, 2017 to Oct 31, 2017	4	5	4	4	4	4	5	1	31	Nov 11, 2017 Remembrance Day 2017 (Sat)
Nov 01, 2017 to Nov 30, 2017	4	4	5	5	4	3	4	1	30	Dec 25, 2017 Christmas Day 2017 (Mon)
Dec 01, 2017 to Dec 31, 2017	3	3	4	4	5	5	5	2	31	Dec 26, 2017 Boxing Day 2017 (Tue)
Jan 01, 2018 to Jan 31, 2018	4	5	5	4	4	4	4	1	31	Jan 01, 2018 New Years Day 2018 (Mon)
Feb 01, 2018 to Feb 28, 2018	3	4	4	4	4	4	4	1	28	Feb 12, 2018 Family Day 2018 (Mon)
Mar 01, 2018 to Mar 31, 2018	4	4	4	5	4	5	4	1	31	Mar 30, 2018 Good Friday (2018) (Fri)
Total	44	51	52	52	50	51	52	13	365	13 Exceptions

Monthly Summary

Month	Custom Transit							
	Revenue Hours				Revenue Kilometers			
	Scheduled	Extra	Flexible	Adjusted	Total	Scheduled	Extra	Adjusted
April, 2017	2,737.70		41.67		2,779.37	0.00		
May, 2017	3,236.30		41.67		3,277.97	0.00		
June, 2017	3,236.30		41.67		3,277.97	0.00		
July, 2017	3,098.65		41.67		3,140.32	0.00		
August, 2017	3,236.30		41.67		3,277.97	0.00		
September, 2017	3,089.38		41.67		3,131.05	0.00		
October, 2017	3,183.07		41.67		3,224.74	0.00		
November, 2017	3,272.74		41.67		3,314.41	0.00		
December, 2017	2,951.73		41.67		2,993.40	0.00		
January, 2018	3,324.74		41.67		3,366.41	0.00		
February, 2018	2,899.73		41.67		2,941.40	0.00		
March, 2018	3,235.07		41.67		3,276.74	0.00		
Total	37,501.71	0.00	500.04	0.00	38,001.75	0.00	0.00	0.00

SCHEDULE "C": BUDGET

Kelowna Conventional Transit Service:

	Base Budget 2017/2018	Kelowna Regional Conventional Transit April - August 2017					September - March 2018				
		Regional District of Central Okanagan / Ellison					Regional District of Central Okanagan / Ellison				
		City of Kelowna	City of West Kelowna	Westbank First Nation	District of Lake Country		City of Kelowna	City of West Kelowna	Westbank First Nation	District of Lake Country	
Total Revenue	\$6,181,887	\$2,180,203	\$0	\$0	\$0	\$0	\$4,001,685	\$0	\$0	\$0	\$0
Total Direct Operating Costs	\$16,592,154	\$5,640,401	\$586,294	\$188,340	\$330,028	\$5,901	\$8,237,238	\$846,767	\$272,013	\$476,649	\$8,523
Total Operating Costs	\$18,541,601	\$6,232,539	\$647,844	\$208,112	\$364,675	\$6,521	\$9,246,391	\$984,326	\$312,883	\$528,855	\$9,456
Total Costs (including Local Government Share of Lease Fees)	\$21,412,615	\$7,232,005	\$751,734	\$241,485	\$423,155	\$7,566	\$10,645,644	\$1,129,772	\$359,605	\$610,727	\$10,920
Net Local Government Share of Costs	\$6,119,007	\$1,983,557	\$432,804	\$139,033	\$243,627	\$4,356	\$2,105,237	\$647,158	\$206,122	\$350,840	\$6,273
Revenue Share		100.00%	0.00%	0.00%	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%
Cost Share (Not including BRT)		83.55%	8.68%	2.79%	4.89%	0.09%	83.67%	8.62%	2.77%	4.85%	0.09%
BRT Share		67.15%	26.34%	6.51%	0.00%	0.00%	67.15%	26.34%	6.51%	0.00%	0.00%

Kelowna Community Transit Service:

	Base Budget 2017/2018	Kelowna Comm Bus Transit April-August 2017					September - March 2018				
		City of Kelowna	District of West Kelowna	Westbank First Nation	District of Peachland	District of Lake Country	City of Kelowna	District of West Kelowna	Westbank First Nation	District of Peachland	District of Lake Country
Total Revenue	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Direct Operating Costs	\$2,255,152	\$341,135	\$330,557	\$123,769	\$50,085	\$60,803	\$519,133	\$485,220	\$181,679	\$73,519	\$89,252
Total Operating Costs	\$2,456,076	\$370,311	\$358,829	\$134,355	\$54,369	\$66,003	\$565,997	\$529,984	\$198,440	\$80,302	\$97,486
Total Costs (including Local Government Share of Lease Fees)	\$2,561,751	\$386,884	\$374,888	\$140,368	\$56,802	\$68,957	\$589,198	\$552,466	\$206,858	\$83,708	\$101,621
Net Local Government Share of Costs	\$1,326,215	\$200,060	\$193,857	\$72,585	\$29,373	\$35,658	\$305,439	\$286,126	\$107,133	\$43,353	\$52,630
Cost Share		37.64%	36.47%	13.66%	5.53%	6.71%	38.41%	36.02%	13.49%	5.46%	6.63%

Kelowna Custom Transit Service:

	Base Budget 2017/2018
Total Revenue	\$232,000
Total Direct Operating Costs	\$2,911,279
Total Operating Costs	\$3,235,558
Total Costs (including Local Government Share of Lease Fees)	\$3,362,366
Net Local Government Share of Costs	\$904,203



Transit 2017/2018 Amended Annual Operating Agreement



Transit 2017/2018 Amended Annual Operating Agreement

- ▶ Annual Operating Agreement (AOA) is a summary of budgeted revenues and costs
- ▶ Effective April 1st to March 31st
- ▶ 2017/2018 AOA was approved and executed by Council in August 2017
- ▶ Significant changes to transit service require an amendment to the 2017/2018 AOA

Transit 2017/2018 Amended Annual Operating Agreement

- ▶ The amendment reflects:
 - ▶ Improved on-time performance
 - ▶ Increased Saturday service on Route 1 and Route 8
 - ▶ Improved service optimization on Route 13
 - ▶ Introduction of expanded and improved UBCO transit exchange
 - ▶ Expanded handyDART service

Transit 2017/2018 Amended Annual Operating Agreement

- ▶ Improved service and expansion initiatives
 - ▶ Approved by council in July 2017
- ▶ Increase of service hours beginning September 2017
 - ▶ Approved by council in June 2016

CONVENTIONAL TRANSIT	2017/2018				BC Transit Portion	Local Gov't Portion	City of Kelowna Portion 83.67% (of local Gov't portion)
	Original AOA		Amended AOA	Total Difference			
Expenditures					46.69%	53.31%	
Total Operating Costs	\$18,447,958		\$18,541,600	\$93,642	\$43,721	\$49,921	\$41,769
Total Lease Fees - Local Share	\$2,871,014		\$2,871,014	\$0	\$0	\$0	\$0
TOTAL COSTS	\$21,318,972		\$21,412,614	\$93,642	\$43,721	\$49,921	\$41,769
Percentage Increase from Original AOA				0.44%			

COMMUNITY TRANSIT	2017/2018				BC Transit Portion	Local Gov't Portion	City of Kelowna Portion 38.41% (of local Gov't portion)
	Original AOA		Amended AOA	Total Difference			
Expenditures					46.69%	53.31%	
Total Operating Costs	\$2,431,552		\$2,456,074	\$24,522	\$11,449	\$13,073	\$5,021
Total Lease Fees - Local Share	\$105,675		\$105,675	\$0	\$0	\$0	\$0
TOTAL COSTS	\$2,537,227		\$2,561,749	\$24,522	\$11,449	\$13,073	\$5,021
Percentage Increase from Original AOA				0.97%			

CUSTOM TRANSIT	2017/2018				BC Transit Portion	Local Gov't Portion	City of Kelowna Portion 73.70% (of local Gov't portion)
	Original AOA		Amended AOA	Total Difference			
Expenditures					66.69%	33.31%	
Total Operating Costs	\$3,262,924		\$3,235,558	(\$27,366)	(\$18,250)	(\$9,116)	(\$6,718)
Total Lease Fees - Local Share	\$126,808		\$126,808	\$0	\$0	\$0	\$0
TOTAL COSTS	\$3,389,732		\$3,362,366	(\$27,366)	(\$18,250)	(\$9,116)	(\$6,718)
Percentage Increase from Original AOA				-0.81%			

Transit 2017/2018 Amended Annual Operating Agreement

- ▶ 2017 portion of cost impacts were covered by existing budget
- ▶ 2018 portion of cost impacts were built into the 2018 Provisional Budget



Questions?

Report to Council



Date: January 10, 2018
File: 1840-05
To: City Manager
From: Blair Stewart, Parks Services Manager
Subject: Urban Deer in Kelowna

Recommendation:

THAT Council receive for information, the January 10, 2018 report from the Park Services Manager regarding urban deer in Kelowna;

AND THAT Council forwards a request to the Regional District of Central Okanagan to consider becoming a member of WildSafe BC.

Purpose:

To provide and update on urban deer within the City of Kelowna.

Background:

Concerns regarding urban deer populations have increased in many southern B.C. communities over the last ten years. Mule deer and whitetail deer are two native species of deer in British Columbia, and mule deer are the main species seen in urban areas in the Okanagan.

Anecdotal evidence suggests that urban deer populations have increased in our region. There are several possible reasons for the growth in population including the availability of food, and increased safety and security.

Encroachment of new developments into natural areas may provide protection from natural predators. Typically, predators such as coyotes, cougars, wolves and bears will not travel into dense subdivisions which provides deer with a "human shield". Some wildlife researchers are also suggesting that fire suppression practices on adjacent Crown lands have contributed to an increase in urban deer, since deer prefer more open forest conditions that occur with regular wildfires.

In Kelowna, staff have observed a moderate increase in service requests related to urban deer concerns in the last two years. During this time, the city has received a total of 61 service requests.

Year	Number of Service Requests
2017	32
2016	29
2015	6
2014	3
2013	5
2012	6

The majority of service requests are coming from urban/wildland interface areas such as Dilworth Mountain, Knox Mountain and the south Mission area, but in the last few years the bulk of deer-related inquiries are from the Mission/south slopes. Most concerns are related to landscape damage on private property. However, a couple cases of aggression towards pets have been reported as well. Complaints seem to increase in the winter months when food is scarce.

Council has received a copy of a petition that was circulated this past summer asking Council “to create and implement a plan for the control of resident deer”.

The Province asserts that urban deer are the responsibility of local governments, however deer are protected under the Provincial Wildlife Act and local governments may not conduct any deer management activities without Provincial approval.

In 2017, in response to local government concerns, the Province began offering a new funding program to assist with the management of urban deer. A total of \$100,000 is available throughout the Province for cost-sharing with local governments, and individual projects are generally capped at \$20,000 per community. Four communities (Invermere, Cranbrook, Grand Forks and Elkford) received a total of \$56,000 funding in 2017, but final reports for these efforts are not available. For the City of Kelowna to be eligible to receive this matching funding, deer population estimates and a management plan would need to be developed first¹.

Staff have contacted the Regional Wildlife Biologist (Ministry of Forests, Lands and Natural Resource Operations), the BCSPCA, and several municipalities to gather information to learn from their experiences. A number of communities have explored options for urban deer control, including the cities of Cranbrook, Kimberley, Grand Forks and Invermere, Oak Bay and Penticton, among others (Appendix 1). Some of the findings from other communities may be summarized as follows:

- The issue is complex and to date no simple solutions have been found. Local governments have tried a variety of options including “No feeding” bylaws, public education, and direct control.
- Although complaints in Kelowna appear to be increasing (particularly in the Mission area), the number of complaint is still relatively low compared to other communities. For example, Cranbrook received 42 aggressive deer complaints in 2011 compared to 2 complaints related to deer aggression in Kelowna (2017).

¹ Personal communication, Regional Wildlife Biologist, Ministry of Forests, Lands and Natural Resource Operations.

- For communities that have attempted deer culling, the main concern cited has been “aggressive deer” (e.g. Invermere, Cranbrook) or safety concerns along busy roads (e.g. Oak Bay). This is not the case in Kelowna where the majority of complaints have been related to landscaping damage.
- Culling efforts have been very controversial and in areas where culls have occurred, there is no clear evidence that it successfully controlled the problem. The numbers of animals culled have been relatively low, the expense has been high, and there have been legal challenges and significant opposition in the community.
- In Cranbrook, deer counts and complaints have continued to increase in spite of four culls. In 2016, McCrory Wildlife Services was commissioned by Animal Alliance of Canada to carry out an independent review of deer culls in British Columbia. The report concluded that there may have been some short term results from culls, “but little or no evidence of long term value”.²
- Deer relocation or contraception are viewed as more acceptable options by animal rights advocates, however, the Province does not support either option at the present time³.
- A number of municipalities provide public education to help residents understand their role and implement strategies to reduce deer intrusion on private property. Some cities have also implemented a “Do Not Feed” bylaw for all wildlife. Municipalities dealing with human/wildlife coexistence concerns are also expected to conduct seasonal population studies to establish a baseline. Once a population estimate is determined, it is up to the City to determine if the population is within an acceptable range.

Some Kelowna neighbourhoods are situated adjacent to prime mule deer habitats and it should be expected that residents will see and interact with urban deer. Staff have a number of recommendations to assist with urban wildlife coexistence going forward. However, staff believe that the Province needs to take a leading role, especially with regards to forest management activities in interface areas as well as modifications to current hunting regulations.

Ultimately the Provincial Government is responsible for wildlife in the Province of British Columbia. The funding announced in 2015/16 is a step in the right direction, but the province needs to do more to address urban deer concerns by municipalities throughout the province. Forest management activities such as fuel management close to town could help increase forage for deer in natural areas, making urban areas less attractive. The Province is starting to adjust hunting regulations and more should be done to add hunting opportunities within the Okanagan valley to help target low elevation mule deer. Provincial officials have also recommended that local governments consider membership with WildSafe BC. WildSafe BC is an education program designed to reduce human-wildlife conflict, which includes urban deer, bears and other wildlife. Since wildlife issues are not contained by political boundaries, staff are recommending that the Regional District of Central Okanagan board consider membership in this organization on behalf of all the municipal partners in the central Okanagan.

Internal Circulation:

Lisa Ruether, Communications Advisor
Stephen Fleming, City Clerk

² <https://www.animalalliance.ca/wp-content/uploads/2017/10/report-24-Aug2017-final-DeerCullTechReport-2-mccrory.pdf>

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

Submitted by:

B. Stewart, Parks Service Manager

Approved for inclusion:



Ian Wilson, Infrastructure Operations Department manager

cc: Joe Creron, Deputy City Manager

Appendix 1. A few examples of BC communities dealing with urban deer.

Cranbrook

- Since 2010, Cranbrook has had an Urban Deer Management Advisory Committee working on management plans. Public education and a No Feeding Bylaw have been part of the strategy.
- City of Cranbrook has carried out four culls since 2011 and removed 78 deer³. Some of the challenges encountered during this practice have included strong resistance from animal rights groups and theft or vandalism of traps. The 2016 cull cost about \$550 per animal.
- In spite of culling and other deer management efforts, the populations of urban deer have continued to increase since deer counts began in 2010. Deer complaints initially dropped in 2012 but have been increasing in the last few years⁴.

Capital Regional District

- From 2013-2015 the CRD and Oak Bay spent a combined \$270,000 on a deer management pilot program, resulting in a cull in the Oak Bay area in 2015⁵. A provincial permit was obtained to remove 25 deer, but only 11 animals were removed in Oak Bay⁶.
- The cull was very controversial and criticized by the SPCA as well as animal rights groups.
- Oak Bay applied for \$20,000 funding from the Province for a deer contraception trial in 2016. Funding was denied, with the Province citing the need for more research.
- Central Saanich advocated for changes to the hunting and trapping regulations, to extend the season for female deer, and also advocated for fencing subsidies.
- City of Victoria is monitoring the situation but Council feel that it's a Provincial issue⁷

Invermere

- A legal challenge was launched against the 2011 deer cull, but this was ultimately overturned by the BC Supreme Court in 2013. Invermere Mayor Gerry Taft said the lawsuit was one of the "nastiest experiences I've ever had", and that he and his council received petitions and emails from all over the world and even death threats throughout the case.⁸

Penticton

- "Penticton has attempted to follow the Province's process to be allowed to cull deer, but in the end, public opposition and the threat of lawsuits caused City Hall to drop the idea."⁹ Council is looking to the Province to provide more leadership.
- The Regional District of Okanagan Similkameen has taken the lead in the south Okanagan with regards to deer education, and is also a member of Wildsafe BC.

³ <http://www.cranbrook.ca/our-city/city-departments/oic/urban-deer/>

⁴ http://docs.cranbrook.ca/downloads/urban_deer/2016-Urban-Deer-Annual-Report.pdf

⁵ <http://www.timescolonist.com/news/local/crd-directors-vote-to-leave-deer-management-to-municipalities-1.2009520>

⁶ <http://www.timescolonist.com/news/local/nothing-learned-from-oak-bay-deer-cull-b-c-sPCA-1.1788416>

⁷ <http://www.timescolonist.com/news/local/urban-deer-a-problem-councillors-say-but-it-s-not-victoria-s-to-solve-1.6550108>

⁸ <http://www.cbc.ca/news/canada/british-columbia/invermere-deer-cull-upheld-by-b-c-supreme-court-1.2252030>

⁹ <http://www.pentictonwesternnews.com/news/deer-cull-not-likely/>

Report to Council



Date: January 15, 2018
File: 1880-20
To: City Manager
From: Utility Planning Manager
Subject: Sanitary Sewer Connection Area 28 - Stellar Drive Extension Charges

Recommendation:

THAT Council receives for information, the report from the Utility Planning Manager dated January 15, 2018, with respect to sanitary sewer servicing work completed on Stellar Drive within Sanitary Sewer Connection Area 28;

AND THAT Council authorizes the expenditure of \$172,100 from the Sewer Connection Area 28 reserve to pay for the sanitary sewer servicing;

AND FURTHER THAT the 2018 Financial Plan be amended to include the \$172,100 Stellar Drive Extension project, with funding from the Sanitary Sewer Connection Area 28 Reserve.

Purpose:

To approve the use of Sewer Connection Area 28 reserves for the construction of new sanitary sewer connections along Stellar Drive.

Background:

In 2017, OMID Developments (through Bonafide Builders and Hi-Mark Excavating Ltd.) installed a sewer main along Stellar Drive to route sanitary sewer flow to existing City sewer infrastructure on Uplands Drive per attached Figure 1 Stellar Drive Sewer Extension - Location Plan.

As part of the development servicing agreement, the City requested the installation of individual service connections which will permit future connections to those residences situated along the sanitary sewer main and Tanager Drive. The cost of the additional work was \$172,100 and was completed to coordinate work with the developer to save future construction costs and disruption to the neighbourhood.

The City's funding for this project will be taken from the Sewer Connection Area 28 reserves as the construction was within this connection area.

The connection area reserve will recover the construction expenditure as properties connect to the new sanitary service and pay their connection area charges as per Bylaw 8469.

Internal Circulation:

Development Engineering Manager
Infrastructure Engineering Manager
Budget Supervisor

Considerations not applicable to this report:

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

Submitted by:

Rod MacLean, P. Eng., Utilities Planning Manager

Approved for inclusion:

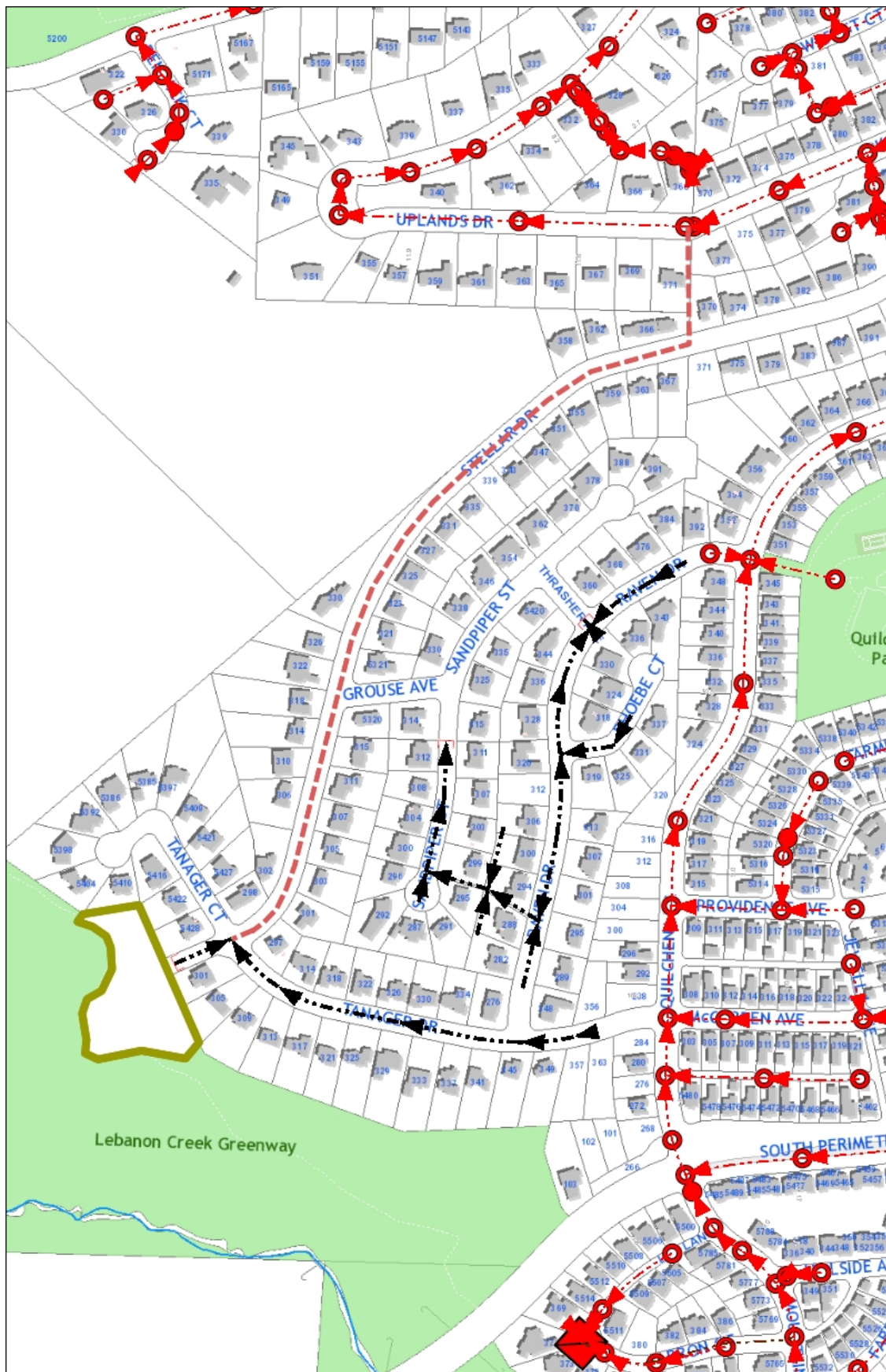


A. Newcombe, Divisional Director, Infrastructure

Attachment: Figure 1. Stellar Drive Sewer Extension - Location Plan

cc: Divisional Director, Civic Operations
Divisional Director, Community Planning and Real Estate

City of Kelowna

Figure 1. Stellar Drive Sewer Extension - Location Plan**Legend**

- ▶ Sanitary Mains
- Sanitary Mains Text
- Sanitary Mains ID
- Sanitary Force Mains
- Sanitary Force Text
- Sanitary Services
- ◆ Air Valve - Sanitary
- Cap - Sanitary
- Cleanout - Sanitary
- ▤ Coupling - Sanitary
- Lift Station - Sanitary
- Manhole - Sanitary
- Manhole featureID - Sanitary
- Stub - Sanitary
- ✕ Valve - Sanitary
- ▶ Inactive Sanitary Mains
- Inactive Sanitary Force Mains
- Inactive Sanitary Services
- Stellar Dr Sewer Extension
- ▭ Subject Property

**Notes**

0 125 250Meters



January 5, 2018

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