

# City of Kelowna

## Regular Council Meeting

### AGENDA



Monday, February 22, 2016  
1:30 pm  
Council Chamber  
City Hall, 1435 Water Street

Pages

**1. Call to Order**

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

**2. Confirmation of Minutes**

3 - 9

PM Meeting - February 15, 2016

**3. Public in Attendance**

**3.1 Water Stewardship**

10 - 13

Presentation to Council by Craig Nichol, Earth & Environmental Sciences, UBC, regarding Measurements of Groundwater Contributions to Okanagan Lake from the Kelowna Area.

**4. Committee Reports**

**4.1 Heritage Advisory Committee Appointments**

14 - 21

To consider the recommended appointments of the members of the Heritage Advisory Committee.

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

**5.1 Heritage Procedures Bylaw**

22 - 24

To consider a new Heritage Procedures Bylaw to clarify and refine the procedures for processing applications under Part 15, Heritage Conservation of the Local Government Act.

**5.2 BL11185 - Heritage Procedures Bylaw** 25 - 35

**Requires a 2/3 majority of Council.**

To give Bylaw No. 11185 first, second and third readings in order create a new Heritage Procedures Bylaw.

**5.3 Okanagan Basin Water Board Water Conservation and Quality Improvement Grants - 2016- 2017** 36 - 49

To request support for pursuing grant funding from the Okanagan Basin Water Board's Water Conservation and Quality Improvement Program.

**5.4 540 Osprey Avenue - Proposed Road Closure & Sale** 50 - 53

To close a portion of unused laneway adjacent to 540 Osprey Avenue and transfer the same to the adjacent owner in exchange for obtaining additional roadway along Osprey Avenue to accommodate the construction of a sidewalk.

**5.5 540 Osprey Avenue (Portion of Laneway adjacent to), BL11180 - Road Closure Bylaw** 54 - 55

To give Bylaw No. 11180 first, second and third readings in order to authorize the City to permanently close and remove the highway dedication of a portion of highway adjacent to Osprey Avenue.

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

**6.1 2185 & 2195 Rutland Road N (Portion of Laneway adjacent to), BL11181 - Road Closure Bylaw** 56 - 57

**Mayor to invite anyone in the gallery who deems themselves affected by the proposed road closure to come forward.**

To authorize the City to permanently close and remove the highway dedication of a portion of highway adjacent to Rutland Road North.

**7. Mayor and Councillor Items**

**8. Termination**



## City of Kelowna

### Regular Council Meeting

### Minutes

Date: Monday, February 15, 2016  
 Location: Council Chamber  
 City Hall, 1435 Water Street

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

Staff Present Acting City Manager, Doug Gilchrist; City Clerk, Stephen Fleming  
 Suburban & Rural Planning Manager, Todd Cashin\*; Community Planning Department, Ryan Smith\*; Urban Planner, Laura Bentley\*; Property Management Manager, Mike Olson\*; Parking Services Manager, Dave Duncan\*; Parking Operations Coordinator, Andrew Rolston\*; Park & Landscape Planner, Barbara Davidson\*; Parks & Buildings Planning Manager, Robert Parlane\*; Council Recording Secretary, Arlene McClelland

(\* Denotes partial attendance)

#### 1. Call to Order

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

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

#### 2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Given

R108/16/02/15 THAT the Minutes of the Regular Meetings of February 1, 2016 be confirmed as circulated.

Carried

#### 3. Public in Attendance

##### 3.1 Heritage Week Presentation

Mayor Basran:

- Introduced Claire Smith-Burns, Heritage Week Committee Member.

Claire Smith-Burns, Heritage Week Committee Member

- Displayed a PowerPoint Presentation summarizing Heritage Week activities and responded to questions from Council.

### **3.2 Heritage Grants Program Presentation**

Mayor Basran:

- Introduced Julie Cosgrave, Committee Member, Heritage Grants Program.

Julie Cosgrave, Committee Member, Heritage Grants Program

- Provided a PowerPoint Presentation summarizing the Heritage Grants Program.

### **3.3 City of Kelowna Heritage Grants Program**

Staff:

- Provided an overview of the report and responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Donn

**R109/16/02/15** THAT Council authorizes the City to enter into a Grant Administration Agreement for the Heritage Grants Program with the Central Okanagan Heritage Society in the form attached to the Report from the Planner II dated February 15, 2016;

AND THAT Council authorizes the Mayor and City Clerk to execute all documents associated with this Agreement.

Carried

## **4. Development Application Reports & Related Bylaws**

### **4.1 464 Morrison Avenue, Z15-0058 - Flying Eagle Holdings & Birkett Holdings**

Staff:

- Displayed a PowerPoint Presentation summarizing the application.
- Noted corrections in the staff report and confirmed no variance is required and meets site coverage requirements.
- Confirmed that no carriage house is associated with this application.
- Responded to questions from Council.

Moved By Councillor Hodge/Seconded By Councillor Gray

**R110/16/02/15** THAT Rezoning Application No. Z15-0058 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6, District Lot 14, ODYD Plan 3398, located on 464 Morrison Avenue, Kelowna, BC from the RU1 - Large Lot Housing zone to the RU6 - Two Dwelling Housing zone be, considered by Council;

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

AND FURTHER THAT final adoption of the zone amending bylaw be considered subsequent to the requirements of the Development Engineering Branch being completed to their satisfaction.

Carried



**4.2 464 Morrison Avenue, BL11202 (Z15-0058) - Flying Eagle Holdings & Birkett Holdings**

Moved By Councillor Hodge/Seconded By Councillor Given

R111/16/02/15 THAT Bylaw No. 11202 be read a first time.

Carried

**4.3 1855 Bennett Road, 1005 Clifton Road N & (E of) Paly Road, OCP14-0018 & Z14-0033, Supplemental Report - Lakeside Communities Inc.**

Councillor Singh declared a conflict of interest as she resides on Bennett Road and departed the meeting at 2:18 p.m.

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Sieben/Seconded By Councillor Hodge

R112/16/02/15 THAT Council receives, for information, the Report from the Community Planning Department dated February 15, 2016 with respect to Rezoning Application No. Z14-0033 and Official Community Plan Amendment Application No. OCP14-0018 for the properties located at 1855 Bennett Road, 1005 Clifton Road N, and (East of) Paly Road;

AND THAT Council considers the Public Information Session public process to be appropriate consultation for the purpose of Council Policy No. 367, as outlined in the Report from the Community Planning Department dated February 15, 2016;

AND THAT Bylaw No. 11160 be forwarded for amendment consideration;

AND FURTHER THAT Official Community Plan Amending Bylaw and the Zone Amending bylaw be forwarded to a Public Hearing for further consideration.

Carried

**4.4 1855 Bennett Road, 1005 Clifton Road N & (E of) Paly Road, BL11159 (OCP14-0018) - Lakeside Communities Inc.**

Moved By Councillor Gray/Seconded By Councillor Hodge

R113/16/02/15 THAT Bylaw No. 11159 be amended at 1st reading by deleting Map "A1" and replacing it with a new Map "A1";

AND THAT the bylaw has been considered in conjunction with the City's Financial Plan and Waste Management Plan.

Carried

Councillor Singh rejoined the meeting at 2:20 p.m.

**4.5 330 Davie Road, Z15-0062 - Jeremiah Weiler & Carissa Kennedy**

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Sieben

**R114/16/02/15** THAT Rezoning Application No. Z15-0062 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 22 Township 26 ODYD Plan 31836, located at 330 Davie Rd, Kelowna, BC from RU1 - Large Lot Housing zone to RU1c - Large Lot Housing with Carriage House 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 set out in Attachment "A" - City of Kelowna Memorandum dated January 28, 2016.

Carried

**4.6 330 Davie Road, BL11203 (Z15-0062) - Jeremiah Weiler & Carissa Kennedy**

Moved By Councillor Donn/Seconded By Councillor Gray

**R115/16/02/15** THAT Bylaw No. 11203 be read a first time.

Carried

**4.7 3697 Lakeshore Road, Z15-0066 - Pam Irene Sahlin**

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Donn

**R116/16/02/15** THAT Rezoning Application No. Z15-0066 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 24, Block 4, District Lot 134, ODYD, Plan 515 except Plan KAP91276, located at 3697 Lakeshore 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 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 14, 2016.

Carried

**4.8 3697 Lakeshore Road, BL11201 (Z15-0066) - Pam Irene Sahlin**

Moved By Councillor Singh/Seconded By Councillor DeHart

**R117/16/02/15** THAT Bylaw No. 11201 be read a first time.

Carried



#### 4.9 1981 Cross Road, Z15-0030 - Lorne P. Pearson

Staff:

- Displayed a Map and provided rationale for waiving the final adoption conditions.

Moved By Councillor Gray/Seconded By Councillor Given

R118/16/02/15 THAT Council waives the requirement for conditions of adoption as outlined in Schedule (A) attached to the report from the Community Planning Department dated September 14, 2015 to be considered in conjunction with Final Adoption of Rezoning Bylaw No. 11134;

AND THAT Council waives the requirement for conditions of adoption of Council's consideration of a Development Permit and Development Variance Permit be considered in conjunction with Final Adoption of Rezoning Bylaw No. 11134;

AND FURTHER THAT Final Adoption of Rezoning Bylaw No. 11134 be considered by Council.

Carried

#### 4.10 1981 Cross Road, BL11134 (Z15-0030) - Lorne Pearson

Moved By Councillor Singh/Seconded By Councillor DeHart

R119/16/02/15 THAT Bylaw No. 11134 be adopted.

Carried

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

#### 5.1 2 - 2323 Hunter Road, Lease Extension - Modot Ventures Inc.

Staff:

- Displayed a PowerPoint Presentation outlining reasons for the six month lease extension.

Moved By Councillor Singh/Seconded By Councillor DeHart

R120/16/02/15 THAT Council approves the amendment to the Lease dated March 27, 2015, between the City of Kelowna and Modot Ventures Inc. for an extension of six (6) months to the City's lease of industrial storage space as set out in the attached Report of the Property Manager, dated February 15, 2016;

AND THAT the Mayor and City Clerk be authorized to execute all documents necessary to complete the transaction;

AND FURTHER THAT all costs associated with the Lease Amendment in 2017 be charged to the Building Services operating budget.

Carried

#### 5.2 Electric Vehicle Charging Station Installation and Eco-Pass Updates

Staff:

- Displayed a PowerPoint Presentation outlining the pilot project and Eco Pass updates and responded to questions from Council.

Moved By Councillor Given /Seconded By Councillor Donn

**R121/16/02/15** THAT Council authorizes staff to enter into a project partnership with FortisBC, for the supply and install of two electric vehicle charging stations, as outlined in the report from the Manager, Parking Services, dated February 15, 2016;

AND FURTHER THAT the Manager, Parking Services be authorized to execute all documents necessary to complete the transactions.

Carried

Moved By Councillor Donn/Seconded By Councillor Given

**R122/16/02/15** THAT Council directs staff to amend the Eco-pass program to provide permits only to plug-in electric vehicles for their first year of service, valid for use up to a maximum of 2 hours per day of no-charge on-street parking, as outlined in the report from the Manager, Parking Services, dated February 15, 2016;

AND THAT Council approves, effective March 1, 2016, new Council Policy 375 - "Eco Pass Permit" as attached to the report from the Manager, Parking Services, dated February 15, 2016.

Carried

Councillors Stack and Hodge - Opposed

### **5.3 Renaming McCarren, Tulameen and Providence Neighbourhood Parks and Rockview Natural Area Park**

Staff:

- Provided rationale for the consolidation and name changes to the neighbourhood parks and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor DeHart

**R123/16/02/15** THAT Council receives, for information, the report from the Parks Planner dated February 9, 2016, regarding renaming McCarren, Tulameen, Providence and Mountainside Neighbourhood Parks and Rockview Natural Area Park;

AND THAT Council direct staff to consolidate McCarren, Tulameen and Providence neighbourhood parks to become one neighbourhood park named 'Providence Park';

AND FURTHER THAT Council direct staff to consolidate Mountainside neighbourhood park and Rockview natural area park to become one natural area park named 'Mountainside Park'.

Carried

Councillor Hodge - Opposed

## **6. Mayor and Councillor Items**

Councillor Given:

- Spoke to her attendance at the Local Government Leadership Academy Conference in Richmond, BC.

Councillor Donn:

- Spoke to the upcoming Central Okanagan Heritage Society Awards at the Laurel Building, Wednesday, February 17<sup>th</sup>.

Councillor Gray:

- Spoke to the KSS Encore Fundraiser at the Kelowna Community Theatre, February 15<sup>th</sup> and 16<sup>th</sup>.

Councillor Singh:

- Attended on behalf of the Mayor, the Murdered and Missing Aboriginal Women's Tribute on February 14<sup>th</sup>.

Councillor DeHart:

- Spoke to her attendance on behalf of the Mayor, of Doris Drayton's 103<sup>rd</sup> birthday celebration.
- Spoke to her attendance on behalf of the Mayor, at the press conference announcing the PGA Tour stop in Kelowna from June 5 - 13, 2016.

Councillor Stack:

- Spoke to his attendance at the Canadian Home Builders Association luncheon.
- Spoke to his attendance at the Chamber of Commerce luncheon; and complimented the Mayor on his State of the City address.

Acting City Manager:

- Made comment on electric vehicle initiatives.

## 7. Termination

This meeting was declared terminated at 3:19 p.m.

\_\_\_\_\_  
Mayor


/acm

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



**MEASUREMENTS OF GROUNDWATER CONTRIBUTIONS  
TO OKANAGAN LAKE FROM THE KELOWNA AREA**

**Craig Nichol**  
Earth and Environmental Sciences



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**OUTLINE** 2

Outline | Background | Methods | Results | Discussion | Conclusions | Next Steps

**BACKGROUND**

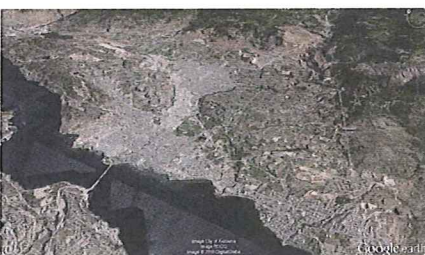
**METHODS**

**RESULTS**

**DISCUSSION**

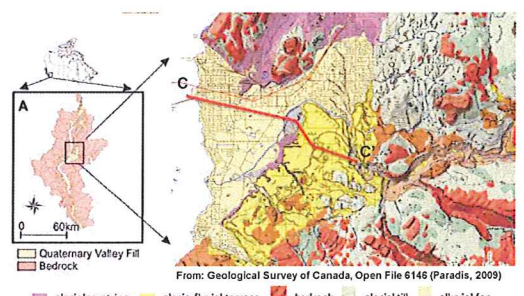
**CONCLUSIONS**

**NEXT STEPS**



**BACKGROUND** 5

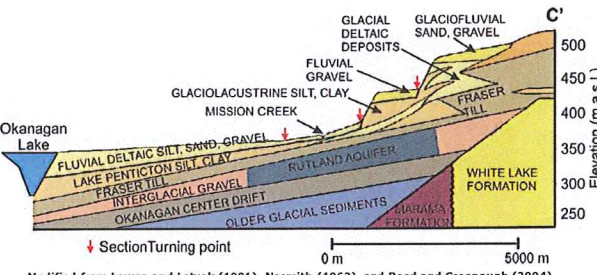
Outline | Background | Methods | Results | Discussion | Conclusions | Next Steps



From: Geological Survey of Canada, Open File 6146 (Paradis, 2009)

**BACKGROUND** 6

Outline | Background | Methods | Results | Discussion | Conclusions | Next Steps



Modified from Lowen and Letvek (1981), Nasmith (1962), and Roed and Greenough (2004).

**BACKGROUND** 5

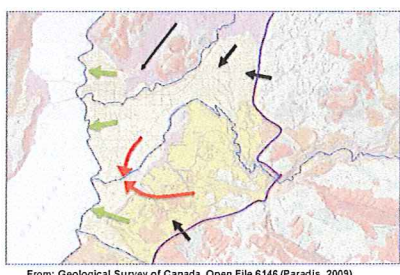
Outline | Background | Methods | Results | Discussion | Conclusions | Next Steps

**Groundwater**

**Main Ins:**  
Precipitation Recharge  
Losses from Creeks  
Inputs from Bedrock  
Irrigation Returns  
Leakage

**Main Outs:**  
Discharge to Lake  
Discharge to Surface Water  
Pumping

**Or: Storage Change**



From: Geological Survey of Canada, Open File 6146 (Paradis, 2009)

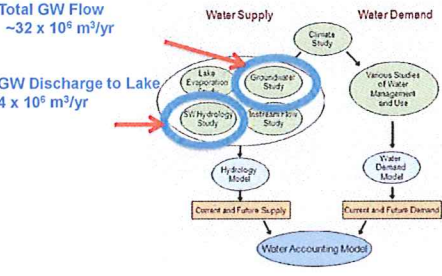
**BACKGROUND** 4

Outline | Background | Methods | Results | Discussion | Conclusions | Next Steps

**Okanagan Basin Water Board's Supply and Demand Study**

**Total GW Flow**  
 $\sim 32 \times 10^6 \text{ m}^3/\text{yr}$

**GW Discharge to Lake**  
 $4 \times 10^6 \text{ m}^3/\text{yr}$



Modified from: OBWB Phase II Summary Report

**PURPOSE** 7

1. Directly measure groundwater discharge from the Kelowna aquifers to Okanagan Lake
  - Spatial/temporal, high flow areas, confined aquifer discharge
2. Investigate the potential implications of the observed groundwater discharge volume and patterns
  - Other studies, other parameters, regional context

Okanagan Lake   Surface bedrock  
 Artesian well   464 MoE aquifer

**METHODS** 8

Outline | Background | **Methods** | Results | Discussion | Conclusions | Next Steps

**SEEPAGE METERS**

74 point measurements  
11 control measurements

**POINT MEASUREMENT ISSUES:** Time | Space | Confined aquifer

**METHODS** 9

Outline | Background | **Methods** | Results | Discussion | Conclusions | Next Steps

**ISSUE: Variation over Time**

Eg: Conceptual expected GW outflow over one year

**Solution:** 3 long-term stations

**METHODS** 10

Outline | Background | **Methods** | Results | Discussion | Conclusions | Next Steps

**ISSUE: Variation in Outflow with Distance From Shore**

**Solution:** 12 transects perpendicular to shore

**METHODS** 11

Outline | Background | **Methods** | Results | Discussion | Conclusions | Next Steps

**ISSUE: Confined aquifer**

**Solution:** Preliminary Cross Section Modelling

**METHODS** 12

Outline | Background | **Methods** | Results | Discussion | Conclusions | Next Steps

**Nearshore**

Vary the K value (~how permeable the material is) over typical ranges  
24 + 18 Scenarios



UBC

RESULTS 14

Outline | Background | Methods | Results | Discussion | Conclusions | Next Steps

OVER FLOW CALCULATION =  $0.37 \times 10^6 \text{ m}^3/\text{yr}$

INTER-ANNUAL VARIABILITY

YEAR 1 =  $0.41 \times 10^6 \text{ m}^3/\text{yr}$

YEAR 2 =  $0.29 \times 10^6 \text{ m}^3/\text{yr}$

UBC

RESULTS 13

Outline | Background | Methods | Results | Discussion | Conclusions | Next Steps

Patterns observed in MODFLOW scenario results:

NO LAKEBED LAYER

LAKEBED LAYER

↓  $K_{\text{confining}} = \downarrow \text{discharge}_{\text{NEARSHORE}}$

↓  $K_{\text{lakebed}} = \uparrow \text{discharge}_{\text{NEARSHORE}}$

26 – 100% of flow captured in the nearshore area (mean of 72%)

56 – 100% of flow captured in the nearshore area (mean of 87%)

UBC

RESULTS 15

Outline | Background | Methods | Results | Discussion | Conclusions | Next Steps

OVER FLOW CALCULATION =  $0.37 \times 10^6 \text{ m}^3/\text{yr}$

INTER-ANNUAL VARIABILITY

YEAR 1 =  $0.41 \times 10^6 \text{ m}^3/\text{yr}$

YEAR 2 =  $0.29 \times 10^6 \text{ m}^3/\text{yr}$

	Flux at Long-Term Stations		
	Knock ( $\text{m}^3/\text{m}^2/\text{s}$ )	Klaude-Robby ( $\text{m}^3/\text{m}^2/\text{s}$ )	Lakeshore ( $\text{m}^3/\text{m}^2/\text{s}$ )
Sept - Oct 2011	1.65E-07	3.20E-07	3.58E-07
Sept - Oct 2012	1.43E-07	1.55E-07	1.04E-07
Percentage of 2011 fluxes observed in 2012	87%	48%	29%
July - Aug 2012	2.60E-07	2.67E-07	1.53E-07
July - Aug 2013	4.06E-08	2.07E-08	2.34E-07
Percentage of 2012 fluxes observed in 2013	16%	8%	153%

UBC

DISCUSSION 16

Outline | Background | Methods | Results | Discussion | Conclusions | Next Steps

RESULTS COMPARISON

Study	Method	GW Discharge to Ok Lake ( $\text{m}^3/\text{yr}$ )	Comment
OBWB Phase II Supply & Demand Project	Calculated groundwater flow through aquifers	$32 \times 10^6$	Separation of flow to lake and flow to creeks?
OBWB Phase II Supply & Demand Project	Estimated from groundwater component of a regional hydrology model	$4 \times 10^6$	
Smerdon/Allen (2009)	Groundwater Model	$183 \times 10^6$	Used older conceptual model of groundwater flow.
This Study	Measurements along shoreline	$0.4 \times 10^6$	

UBC

DISCUSSION 17

Outline | Background | Methods | Results | Discussion | Conclusions | Next Steps

UPGRADIENT CONTROLS

	STUDY YEAR ONE	STUDY YEAR TWO	CHANGE
Precipitation?	300 mm	331 mm	10% ↑
Recharge from Mission Creek?			Not Estimated
Groundwater levels? (aquifer 464 during summer)	373.68 masl	373.34 masl	- 0.34 m
Pumping? (One water purveyor)	$2.8 \times 10^6 \text{ m}^3$	$3.2 \times 10^6 \text{ m}^3$	14% ↑

UBC

DISCUSSION 18

Outline | Background | Methods | Results | Discussion | Conclusions | Next Steps

CONCLUSIONS 21

Outline | Background | Methods | Results | Discussion | **Conclusions** | Next Steps

1. Directly measured groundwater discharge from the Kelowna aquifers to Okanagan Lake
  - GW discharge estimate =  $0.37 \times 10^6 \text{ m}^3/\text{year}$
2. Investigate the potential implications of the observed groundwater discharge volume and patterns
  - GW discharge < OBWB Phase 2 Study GW study estimates
  - Inter-annual variation in observed flux rates (up to 84% in some locations) may be tied to GW extraction
  - GW discharge estimate < 7% of the volume being extracted from upgradient aquifers

CONCLUSIONS 22

Outline | Background | Methods | Results | Discussion | **Conclusions** | Next Steps

**RESEARCH VALUE:**

- Supports local or regional model calibration including the OBWB's Supply and Demand Model
- Provides groundwater flow information required for future groundwater contaminants research
- Demonstrates the use of seepage meters to support water balance estimates

NEXT STEPS 23

Outline | Background | Methods | Results | Discussion | Conclusions | **Next Steps**

1. Further work to characterize the hydrogeological environment within the Kelowna area;
2. Investigate GW/SW interactions along major fluvial systems (including pumping);
3. Further quantification of other water budget parameters;
4. Completion of a coupled groundwater/surface water model

THANK YOU SPONSORS, PARTNERS and tireless RESEARCH ASSISTANTS

**SUMMIT** ENVIRONMENTAL CONSULTANTS INC. **Okanagan Basin WATER BOARD** **BRITISH COLUMBIA** Ministry of Environment **TETRA TECH** EBA **UBC** Okanagan Natural Sciences and Engineering Research Council of Canada

RA's: Jordan Wu, Bob Cao, Craig Baptie, Jordan White, Maryssa Soroke

and **THANK YOU** FOR LISTENING. ANY QUESTIONS?



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# Report to Council



**Date:** February 22, 2016  
**File:** 0615-20  
**To:** City Manager  
**From:** Laura Bentley, Planner II, Policy & Planning  
**Subject:** Heritage Advisory Committee Appointments

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## **Recommendation:**

THAT Council receives, for information, the report from the Planner II dated February 22, 2016, with respect to Heritage Advisory Committee appointments;

AND THAT Council approves the appointment of Stoke Tonne, Abigail Riley, Brian Anderson, Amanda Snyder and Lorri Dauncey to the Heritage Advisory Committee for the remainder of the 2014-2018 term;

AND FURTHER THAT Council approves the appointment of Ryan Esbjerg and Bob Hayes as alternates to the Heritage Advisory Committee for the remainder of the 2014-2018 term.

## **Purpose:**

To consider the recommended appointments of the members of the Heritage Advisory Committee.

## **Background:**

At its regular meeting on December 14, 2015, Council endorsed the Terms of Reference for the Heritage Advisory Committee (HAC) and directed staff to advertise for membership. Advertisements were placed in local papers and contact was made with members of the heritage community to ensure that there was widespread knowledge of the opportunity.

The closing date for applications was January 22, 2016. A total of twelve (12) applications were received. Applicants held a wide variety of expertise, from heritage planning and architecture, to conservation and carpentry.

Staff evaluated the applications based on the requirements identified in the approved Terms of Reference (see Appendix A). Each of the five areas of technical and heritage expertise - design, planning, construction, historical information and heritage conservation - must be represented on the HAC. Staff considered how the applicants' professional and volunteer



experience in these areas will best serve the Committee's objectives. With its refined scope and mandate, the HAC will meet on an as-needed basis to review heritage-related development applications.

In accordance with the Terms of Reference, staff recommend the appointment of five (5) members to form the HAC. The recommended appointments are listed below:

1. Stoke Tonne (technical expertise - design)
2. Abigail Riley (technical expertise - planning)
3. Brian Anderson (technical expertise - construction)
4. Amanda Snyder (heritage expertise - historical information)
5. Lorri Dauncey (heritage expertise - heritage conservation)

In addition, staff are recommending that Council appoint the following two (2) alternates:

1. Ryan Esbjerg (technical expertise - design)
2. Bob Hayes (heritage expertise - historical information)

These alternates will only be called upon in instances where one or more of the regular appointed members of the HAC are unable to attend a scheduled meeting.

After thorough consideration, staff feel that the above appointments represent a very strong HAC, having a broad range of skills, knowledge and experience. The proposed HAC reflects a renewed focus on examining heritage development applications, with a focus on members with experience in planning, architecture, engineering, and conservation.

**Financial/Budgetary Considerations:**

Budget necessary to conduct Heritage Advisory Committee meetings is included in the current department budget.

**Considerations not applicable to this report:**

Internal Circulation:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

Submitted by:

**L. Bentley, Planner II, Policy & Planning**

Approved for inclusion:



**D. Noble-Brandt, Policy & Planning Department Manager**

cc:  
City Clerk  
Community Planning Department Manager  
Parks & Buildings Planning Manager

**Attachments:**

Appendix A - Heritage Advisory Committee Terms of Reference

# Terms of Reference



## HERITAGE ADVISORY COMMITTEE

### INTRODUCTION

The Heritage Advisory Committee (HAC) advises Council and the Divisional Director of Community Planning & Real Estate on matters related to heritage protection and conservation. The Committee advises on development and conservation matters with respect to heritage property.

The HAC functions as an Advisory Committee of Council.

### OBJECTIVE

The primary objective of the Committee is to advise Council on heritage-related development applications. The Committee may also advise on other matters related to the heritage significance of any building, structure or landscape feature located within City limits.

### SCOPE OF WORK

The HAC may make recommendations to Council regarding applications that may have an impact upon a building, structure or landscape feature having possible heritage significance to the city. The following applications will be forwarded to the HAC for review prior to consideration by Council or the Divisional Director of Community Planning & Real Estate:

- Heritage Revitalization Agreements;
- Heritage Designation Bylaws;
- Heritage Conservation Covenants;
- Major Heritage Alteration Permits;
- Heritage Register requests;
- Official Community Plan Amendment and associated Rezoning applications within a Heritage Conservation Area; and
- Other applications at the discretion of Council or the Director of Community Planning & Real Estate.

Committee members are expected to be familiar with supporting plans, policies and guidelines to inform recommendations on applications and other matters. These will be provided in the orientation binder. Consideration will be given to the Heritage Conservation Area Guidelines in the City of Kelowna Official Community Plan and the Abbott Street & Marshall Street Heritage Conservation Areas Development Guidelines when reviewing Heritage Alteration Permits.

Major Heritage Alteration Permits will be processed by Community Planning staff and forwarded to the HAC for consideration. These are applications that propose:

- Subdivision with creation of a new lot;
- Demolition of 30 m<sup>2</sup> or more that is visible from a street;
- An addition of 30 m<sup>2</sup> or more that is visible from a street;
- A new structure that is visible from a street; or
- Other Heritage Alteration Permit applications at the discretion of Council or the Divisional Director of Community Planning & Real Estate.

Minor Heritage Alteration Permits will be processed by Community Planning staff and will not be forwarded to the HAC for consideration. These are applications that propose:

- Subdivision where no new lot is created;
- Demolition of less than 30 m<sup>2</sup> that is visible from a street;
- An addition of less than 30 m<sup>2</sup> that is visible from a street;
- Demolition, a new structure or an addition that is not visible from a street;
- Alterations that are generally consistent with the applicable guidelines; or
- Development of a carriage house.

The Committee shall advise Council on any matter referred to it by Council.

### **MEMBERSHIP**

In order to provide the expertise required to advise on development applications, the membership of the Committee shall consist of five (5) voting members derived as follows:

- Three technical experts with professional expertise in the areas of design, planning or construction, where preference will be given to those with related heritage experience; and
- Two heritage experts with expertise in the areas of historical information or conservation.

Two alternates may be appointed to replace regular members unable to attend Committee meetings. Alternates will be chosen from the design and heritage communities at large.

Where insufficient members can be identified to represent the specific expertise identified above, additional members may be appointed from the community at large.

### **QUALIFICATIONS**

The following are considered to be minimum qualifications to serve on the Committee:

- Preference will be given to residents of or business owners in the city of Kelowna;
- Available to attend most HAC meetings;
- Commitment to the HAC's objectives;
- Ability to objectively review complex applications and planning considerations;
- Understanding of the heritage planning framework including, but not limited to, Kelowna's Official Community Plan, Zoning Bylaw, Local Government Act; and
- Access to a computer and an email address to receive and respond to communications and information including meeting packages.

### **APPOINTMENT AND TERM**

The Committee will run concurrent with the four year Council term with a mid-term review at the end of two years. Members shall be appointed by Council for a two year term.

Council may, at any time, remove any member of the Committee and any member of the Committee may resign at any time upon sending written notice to the Chairperson of the Committee. In the event of a vacancy occurring during a regular term of office, the vacancy may be filled for the remainder of that term upon resolution of Council.

Committee members who are absent for three consecutive meetings shall forfeit their appointment, unless such absence is authorized by motion of the Committee.

Members of the Committee shall serve without remuneration.

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## **CHAIR**

Unless appointed by Council the Committee shall elect the Chairperson and, if applicable, Vice Chair annually. In the absence of the Chairperson and Vice Chairperson, the Committee may elect an Acting Chairperson from those members present at that meeting.

The Chair may appoint sub-committees to deal with any special matters coming within the scope and jurisdiction of the Committee. Any sub-committee so created will report to the Committee.

The Chair and Vice Chair shall be provided a training session by the City on procedures for Committees of Council.

## **MEETING PROCEDURES**

The Chairperson shall call meetings of the Committee on a monthly basis unless there are no items to be reviewed in a particular month. Generally, all meetings will be held on the third Thursday of each month in City Hall. Alternate dates may occur where special circumstances demand.

The Committee will recognize that each meeting can require a significant commitment of staff resources and meetings should therefore be held when there are clear items of business to address in accordance with the scope of work. Committee members are expected to be familiar with the relevant materials and come to meetings prepared to discuss the agenda items.

A special meeting may be called by the Chairperson, at the request of any three members of the Committee or the Divisional Director of Community Planning & Real Estate. Notice of the day, hour, and place of special meeting shall be given at least three days prior to the meeting, by providing a copy of the notice for each member of the Committee and the Office of the City Clerk for posting.

Unless otherwise authorized by the *Community Charter* or City of Kelowna Council Procedure Bylaw No. 9200, as amended or replaced from time to time, all meetings will be held in open session and in a location accessible to the public.

Unless otherwise authorized by the Committee, the public shall only address the Committee when they are a scheduled delegation on the Committee meeting agenda.

A majority of the Committee members, three, shall represent a quorum. A meeting shall not proceed if a quorum cannot be achieved. Members must make a reasonable effort to notify the staff liaison at least two working days before the meeting if they are unable to attend.

The order of business is to be set out in an agenda package to be provided to the Committee members in advance of the meeting date. Items for the agenda, including presentation materials, will be forwarded electronically to the Office of the City Clerk at least five complete working days prior to the meeting date for agenda preparation and posting for the public on the City's website.

Minutes of the meetings will be prepared by the Office of the City Clerk and signed by the Committee Chair or Acting Chair for the meeting for which the minutes pertain. Originals of the minutes will be forwarded to the City Clerk for safekeeping. Once adopted, minutes will be posted for public viewing on the City's website.

### **Conflict of Interest**

Committee members must abide by the conflict of interest provisions of the *Community Charter* and City of Kelowna Council Procedure Bylaw No. 9200, as amended or replaced from time to time. Members who have a direct or indirect pecuniary interest in a matter under discussion are not permitted to participate in the discussion of the matter or to vote on a question in respect of the matter. They must declare their conflict and state the general nature of their conflict, and then leave the meeting or that part of the meeting where the matter is under discussion. The member's declaration must be recorded in the minutes, and the Committee member must not attempt in any



way, whether before, during or after the meeting to influence the voting on any question in respect of the matter.

### **Voting**

Committee members have a responsibility to make decisions based on the best interests of the City at large.

All Committee members, including the Chair, vote on every motion unless they have declared a conflict and left the meeting. Members who do not indicate their vote, or have left the meeting without declaring a conflict, are counted as having voted in favour of the question. If the votes are equal for and against, the question is defeated.

### **Comments in Public or to the Media**

When speaking in public or to the media on an issue, Committee members must distinguish whether they are speaking as a member of the Committee, a representative of another agency or community group, or as an individual. Committee members need to convey the public interest and remember that they represent the Corporation of the City of Kelowna.

## **REPORTING TO COUNCIL**

Recommendations of the Committee must be adopted by a motion of the Committee prior to an application being considered by Council or the Divisional Director of Community Planning & Real Estate. The Committee will report its recommendations to the Community Planning Department or the Policy & Planning Department who shall forward the Committee recommendations to Council or the Divisional Director of Community Planning & Real Estate as part of a comprehensive report on the application.

The Committee will provide a status report to Council annually. This report should include a record of work conducted and an indication of the associated costs attached to the Committee's work including staff resources.

The Committee Chairperson will, accompanied by the staff liaison, report to Council on behalf of the Committee.

The Office of the City Clerk will ensure Committee Agendas and Minutes are forwarded electronically for circulation to all Council members.

## **BUDGET**

The routine operations and any special initiatives of the Committee will be funded by allocations within the Community Planning & Real Estate Division budget.

## **STAFF SUPPORT**

The Community Planning and Policy and Planning Departments shall provide support for the Committee to undertake work assigned by Council within the Committee's scope of work. Support functions may include the following:

- forwarding all agenda items to the Office of the City Clerk at least five working days prior to the meeting date for agenda preparation and posting as a public notice;
- including a standing agenda item to review the outcome of applications submitted to Council;
- limiting last minute agenda items by ensuring agenda packages are distributed ahead of time to adequately prepare members for the meeting;
- receiving all correspondence, and preparing correspondence and reports on behalf of the Committee;

- reviewing and returning draft minutes to the Office of the City Clerk to finalize prior to adoption by the Committee;
- reporting back to the Committee with status updates on applications the Committee has considered;
- maintaining a list of outstanding issues for Committee action (with support from the Office of the City Clerk) in accordance with the Committee's scope of work and Council's direction; and
- providing all members with a detailed orientation binder at the beginning of the term, including a 'cheat sheet' of planning terms. This binder is to be returned to staff at the end of the term.

The Office of the City Clerk shall provide secretarial support for the Committee. Support functions include the following:

- organizing and preparing the meeting agendas, in conjunction with the Chair and staff liaison;
- receiving and organizing all agenda-related presentation materials and/or hand-outs prior to the meeting date for inclusion in the agenda package;
- distributing the agenda packages electronically to Committee members;
- maintaining the records of the Committee, including posting and filing of minutes for the public record;
- taking and preparing draft minutes, and providing the final minutes to the City Clerk and staff liaison;
- forwarding the Committee's meeting agendas and minutes electronically for circulation to all Council members;
- providing an annual check-in with the Committee, including Chair training; and
- supplying the orientation binder for the newly elected Committee members.

The Office of the City Clerk, in conjunction with the staff liaison, shall initiate recommendations to Council for Committee appointments and maintain an updated list of appointees, including the date they were appointed.

Endorsed by Council: November 18, 2002  
Revised & Endorsed by Council: October 19, 2009  
Revised & Endorsed by Council: February 27, 2012  
Revised & Endorsed by Council: December 14, 2015

# Report to Council



**Date:** February 22, 2016  
**File:** 0600-10  
**To:** City Manager  
**From:** L. Bentley, Planner II, Policy & Planning Department  
**Subject:** Heritage Procedures Bylaw

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## **Recommendation:**

THAT Council receives, for information, the Report from the Planner II, Policy & Planning Department, dated February 22, 2016, recommending that Council adopt a new Heritage Procedures Bylaw;

AND THAT Bylaw No. 11185, being the Heritage Procedures Bylaw, be forwarded for reading consideration.

## **Purpose:**

To consider a new Heritage Procedures Bylaw to clarify and refine the procedures for processing applications under Part 15, Heritage Conservation of the Local Government Act.

## **Background:**

The Heritage Procedures Bylaw outlines the procedural requirements for applications for bylaws, agreements and permits under Part 15, Heritage Conservation of the *Local Government Act*. It is intended to establish clear and consistent processes for applicants, staff and Council to follow when applying for and considering heritage applications. As an overview, the Bylaw addresses the following main issues, among other items:

- Who may submit an application and what information needs to be provided;
- When and how applications are referred to the Heritage Advisory Committee;
- When notification signage is needed and what content is required; and
- When Council's approval authority is delegated to staff.

The types of heritage applications governed under this bylaw include: Heritage Revitalization Agreements, Heritage Designation Bylaws, Heritage Conservation Covenants, Heritage Alteration Permits and Heritage Register properties. The current Heritage Procedures Bylaw No. 7776 was adopted in 1997, with several amendments to date.

The current Bylaw lacks clarity on some aspects of the way in which heritage-related development applications are processed. This can lead to confusion for applicants and inconsistencies in how staff interpret and apply the Bylaw to the review process. Additionally, references to titles, departments, bylaws and sections of the *Local Government Act* are outdated. The new Heritage Procedures Bylaw clarifies and refines the procedures for processing applications and includes the following key changes:

- Up to date references to job titles, department names, bylaws and sections of the *Local Government Act*;
- Consistent application requirements across different application types;
- Clear criteria for delegation of authority to approve Heritage Alteration Permits and lapse of Heritage Alteration Permits;
- Fewer requirements and clear criteria for notification signage.

The new Bylaw gives more understandable and consistent direction for applicants, staff and the Heritage Advisory Committee. With clearly defined expectations and requirements for heritage applications, staff will be better equipped to deliver excellent customer service and support heritage management efforts.

**Legal/Statutory Authority:**

*Local Government Act*, Section 590

**Existing Policy:**

*Official Community Plan - 2030*

Objective 5.7 - Policy 2 - Heritage Designation

Encourage owners of properties listed in the Kelowna Heritage Register and identified as significant to voluntarily provide long-term heritage protection to their properties through the use of a Heritage Designation Bylaw.

Objective 5.7 - Policy 3 - Heritage Revitalization Agreements

Consider the adaptive reuse of heritage buildings appropriate within any future land use designation, provided that a Heritage Revitalization Agreement is negotiated with the City and provided that the project meets the criteria established for sensitive neighbourhood integration.

Objective 9.2 - Policy 1 - Heritage Register

Ensure that the Heritage Register is updated on an ongoing basis to reflect the value of built, natural and human landscapes.

Objective 9.2 - Policy 4 - Conservation Areas

Development in the Abbott Street and Marshall Street Heritage Conservation Area outlined on Map 9.1 will be assessed using the Abbott Street and Marshall Street Heritage Conservation Area Guidelines in Chapter 16.

Chapter 16 - Heritage Conservation Area Guidelines

**Considerations not applicable to this report:**

Internal Circulation:

Legal/Statutory Procedural Requirements:

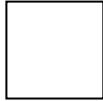
Financial/Budgetary Considerations:

Personnel Implications:  
External Agency/Public Comments:  
Communications Comments:  
Alternate Recommendation:

Submitted by:

L. Bentley, Planner II, Policy & Planning Department

Approved for inclusion:



D. Noble-Brandt, Policy & Planning Department Manager

cc:  
Community Planning Department Manager  
Parks & Building Planning Manager



# CITY OF KELOWNA

## BYLAW NO. 11185

### Heritage Procedures Bylaw

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WHEREAS under the provisions of Part 15 Heritage Conservation of the Local Government Act, the City of Kelowna may by bylaw delegate Council's powers and to establish application procedures in respect of bylaws, agreements and permits

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

#### 1.0 TITLE

1.1 This Bylaw may be cited as "Heritage Procedures Bylaw No. 11185."

#### 2.0 SEVERABILITY

2.1 If a portion of this Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause or phrase.

#### 3.0 DEFINITIONS

3.1 In this bylaw:

'**Building Permit**' means a permit to perform work regulated by the City of Kelowna Building Bylaw No. 7245 as amended or replaced from time to time,

'**Building Inspector**' means the person appointed to the position of Director of Development Services and includes his or her designate,

'**City Clerk**' means the Corporate Officer of the City of Kelowna,

'**Community Planning Department Manager**' means the person appointed to the position and includes his or her designate,

'**Council**' means the Municipal Council of the City of Kelowna,

'**Heritage Advisory Committee**' means the Heritage Advisory Committee of the City of Kelowna as established under Section 142 of the *Community Charter*,

'**Heritage Alteration Permit**' means a permit pursuant to Section 617 of the *Local Government Act*, authorizing alteration or other actions in relation to **Protected Heritage Property** or property within a **Heritage Conservation Area**,

'**Heritage Conservation Area**' means an area designated under Section 614 of the *Local Government Act* in the City of Kelowna Official Community Plan,

'**Heritage Conservation Covenant**' means a registered agreement between the City and the owner of heritage property pursuant to Section 219 of the *Land Title Act*,

'**Heritage Designation Bylaw**' means a bylaw adopted by the City of Kelowna pursuant to Section 611 of the *Local Government Act*,

'**Heritage Register**' means the community heritage register of the City of Kelowna as established under Section 598 of the *Local Government Act*,

'**Heritage Revitalization Agreement**' means an agreement between the City and the owner of heritage property pursuant to Section 610 of the *Local Government Act*,

'**Owner**' means the registered owner of an estate in fee simple, and includes:

- (a) the tenant for life under a registered life estate; and
- (b) the registered holder of the last registered agreement for sale,

'**Policy & Planning Department Manager**' means the person appointed to the position and includes his or her designate,

'**Protected Heritage Property**' means a property subject to the agreement of a registered **Heritage Revitalization Agreement**, a **Heritage Conservation Covenant** or a **Heritage Designation Bylaw**,

'**Zoning Bylaw**' means City of Kelowna Zoning Bylaw No. 8000 as amended or replaced from time to time.

#### **4.0 APPLICABILITY**

4.1 This bylaw shall apply to the following:

- (a) an amendment of a bylaw under Part 15, Heritage Conservation of the *Local Government Act*;
- (b) properties identified within a **Heritage Conservation Area** under Section 614 of the *Local Government Act*;
- (c) a **Heritage Revitalization Agreement** under Section 610 of the *Local Government Act*;
- (d) the designation of real property in whole or in part as **Protected Heritage Property** under Section 611 of the *Local Government Act*;
- (e) a **Heritage Conservation Covenant** under Section 219 of the *Land Title Act*;
- (f) the issuance of a **Heritage Alteration Permit** under Section 617 of the *Local Government Act*; and
- (g) properties identified within a **Heritage Register** under Section 598 of the *Local Government Act*.

#### **5.0 HERITAGE REVITALIZATION AGREEMENT**

5.1 The registered owner of real property within the City of Kelowna, or an agent authorized in writing, may apply for a **Heritage Revitalization Agreement**, or an amendment of a **Heritage Revitalization Agreement**, pursuant to Section 610 of the *Local Government Act*.

- 5.2 Every application for a **Heritage Revitalization Agreement**, or an amendment of a **Heritage Revitalization Agreement**, shall be made on a form as approved by the **Community Planning Department Manager**, signed by the applicant and accompanied by the following, as applicable:
- (a) the application fee outlined in Development Application Fees Bylaw No. 10560 as amended or replaced from time to time;
  - (b) proposed use(s) and density of the property;
  - (c) photographs of each elevation of the property;
  - (d) historic information on the property;
  - (e) elevations of the proposed historical restoration including background information showing the architectural features and characteristics of the building at the time of construction;
  - (f) drawings of the subject property including details of building and re-construction materials with sample boards;
  - (g) details of on-site parking;
  - (h) details of the proposed alterations to the heritage property;
  - (i) details of landscaping; and
  - (j) any other information that will assist in the evaluation of the application.
- 5.3 An application for a **Heritage Revitalization Agreement** shall be forwarded to the **Heritage Advisory Committee** for review, after which a recommendation will be forwarded to **Council** for consideration.
- 5.4 An applicant for a **Heritage Revitalization Agreement** shall be required to post a 'Heritage Proposal Sign' on the subject property, in accordance with the conditions outlined in Schedule "1" attached to and forming part of this bylaw.
- 5.5 Subject to Section 590 of the *Local Government Act*, re-application for a **Heritage Revitalization Agreement**, or the amendment of a **Heritage Revitalization Agreement**, that has been refused by **Council** shall not be considered within a six (6) month period immediately following the date of refusal.
- 6.0 HERITAGE DESIGNATION**
- 6.1 The registered **owner** of real property within the City of Kelowna, or an agent authorized in writing, may apply for a **Heritage Designation Bylaw** pursuant to Section 611 of the *Local Government Act*.
- 6.2 Every application for a **Heritage Designation Bylaw** shall be made on a form as approved by the **Community Planning Department Manager**, signed by the applicant and accompanied by the following, as applicable:
- (a) the application fee outlined in Development Application Fees Bylaw No. 10560 as amended or replaced from time to time;
  - (b) a description of the current use(s) of the property;
  - (c) photographs of each elevation of the property;

- (d) information on the heritage significance and architectural merit of the property;
  - (e) site plan of the property;
  - (f) elevation drawings showing the architectural features, characteristics and colours of the exterior of the building;
  - (g) details of affixed interior building features or fixtures proposed to be subject to protection;
  - (h) details of any landscape features proposed to be subject to protection; and
  - (i) any other information that will assist in the evaluation of the application.
- 6.3 An application for Heritage Designation shall be forwarded to the **Heritage Advisory Committee** for review, after which a recommendation will be forwarded to **Council** for consideration.
- 6.4 An applicant for a **Heritage Designation Bylaw** shall be required to post a 'Heritage Proposal Sign' on the subject property, in accordance with the conditions outlined in Schedule "1" attached to and forming part of this bylaw.
- 6.5 Subject to Section 590 of the *Local Government Act*, re-application for a **Heritage Designation Bylaw** that has been refused by **Council** shall not be considered within a six (6) month period immediately following the date of refusal.
- 7.0 HERITAGE CONSERVATION COVENANT**
- 7.1 The registered **owner** of real property within the City of Kelowna, or an agent authorized in writing, may apply for a **Heritage Conservation Covenant** pursuant to Section 219 of the *Land Title Act*.
- 7.2 Every application for a **Heritage Conservation Covenant** shall be made on a form as approved by the **Community Planning Department Manager**, signed by the applicant and accompanied by the following, as applicable:
- (a) the application fee outlined in Development Application Fees Bylaw No. 10560 as amended or replaced from time to time;
  - (b) a description of the current use(s) of the property;
  - (c) photographs of each elevation of the property;
  - (d) information on the heritage significance and architectural merit of the property;
  - (e) site plan of the property;
  - (f) elevation drawings showing the architectural features, characteristics and colours of the exterior of the building;
  - (g) details of affixed interior building features or fixtures proposed to be subject to protection;
  - (h) details of any landscape features proposed to be subject to protection; and

- (i) any other information that will assist in the evaluation of the application.
- 7.3 An application for a **Heritage Conservation Covenant** shall be forwarded to the **Heritage Advisory Committee** for review, after which a recommendation will be forwarded to **Council** for consideration.
- 7.4 Subject to Section 590 of the *Local Government Act*, re-application for a **Heritage Conservation Covenant** that has been refused by **Council** shall not be considered within a six (6) month period immediately following the date of refusal.
- 8.0 HERITAGE ALTERATION PERMIT**
- 8.1 The registered **owner** of real property within the City of Kelowna, or an agent authorized in writing, may apply for a **Heritage Alteration Permit**, or an amendment of a **Heritage Alteration Permit**, pursuant to Section 617 of the *Local Government Act*.
- 8.2 Every application for a **Heritage Alteration Permit**, or an amendment of a **Heritage Alteration Permit**, shall be made on a form as approved by the **Community Planning Department Manager**, signed by the applicant and accompanied by the following, as applicable:
  - (a) the application fee outlined in Development Application Fees Bylaw No. 10560 as amended or replaced from time to time;
  - (b) photographs of each elevation of the property;
  - (c) elevations of the proposed facade alterations;
  - (d) drawings of the subject property including details of building/re-construction materials and colour samples on appropriate sample boards;
  - (e) details of on-site parking;
  - (f) details of the proposed alterations to the heritage property; and
  - (g) any other information that will assist in the evaluation of the application.
- 8.3 Pursuant to Section 615 and 617 of the *Local Government Act*, a **Heritage Alteration Permit** must be issued prior to undertaking alterations or other actions on property within a **Heritage Conservation Area** or on **Protected Heritage Property**.
- 8.4 Where a **Building Permit** is required, a **Heritage Alteration Permit** must be issued prior to or in conjunction with the issuance of a **Building Permit**. In addition, applicants must obtain a **Building Permit** for new construction prior to or in conjunction with the issuance of a **Building Permit** for the demolition or removal of a building within a **Heritage Conservation Area**.
- 8.5 An application for a **Heritage Alteration Permit** shall be forwarded to the **Heritage Advisory Committee** for review in accordance with the **Heritage Advisory Committee** Terms of Reference, after which a recommendation will be forwarded to the **Community Planning Department Manager** or **Council** for consideration.
- 8.6 An applicant for a **Heritage Alteration Permit** that requires a variance to the provisions of the **Zoning Bylaw** shall be required to post a 'Heritage Proposal Sign' on the subject property, in accordance with the conditions outlined in Schedule "1" attached to and forming part of this bylaw.

- 8.7 Pursuant to Sections 590 and 617 of the *Local Government Act*, the **Community Planning Department Manager** is hereby authorized to exercise the powers and perform the duties of **Council** in respect of the issuance of **Heritage Alteration Permits** listed in this section. These powers and duties shall include, but not be limited to, authorizing and approving the permit, rejecting the permit, establishing the requirements and conditions of the permit, and determining whether such requirements and conditions have been met.

The authority shall be limited to **Heritage Alteration Permits** that meet the following criteria:

(a) **Protected Heritage Property:**

- (i) The application is for non-structural alterations to a heritage building located on **Protected Heritage Property**, including the replacement of windows, doors, roofing materials or minor repairs/alterations of this nature; or
- (ii) The application is for changes to the exterior finish of a heritage building located on **Protected Heritage Property**, such as repainting, the addition of period lighting on the structure and replacement of decorative details; or
- (iii) The application is related to site alteration requests for **Protected Heritage Property** such as the addition or removal of site vegetation, or the re-location of required parking; and
- (iv) The application does not require a variance to the provisions of the Zoning Bylaw.

(b) **Heritage Conservation Areas:**

- (i) The application is for development on a property that is zoned for single or two dwelling housing within a **Heritage Conservation Area**; and
- (ii) The application does not require a variance to the provisions of the Zoning Bylaw.

- 8.8 **Heritage Alteration Permits** that do not meet the criteria in Section 8.7 of this bylaw shall require consideration by **Council**.

- 8.9 A **Heritage Alteration Permit** is considered to have been issued upon the date of authorization by **Council**, or, where applicable, upon the date of authorization by the **Community Planning Department Manager**.

- 8.10 A **Heritage Alteration Permit** is considered to have lapsed if construction has not substantially commenced within two years of the date of issuance, or as otherwise specified by the Permit. In order for construction to be considered substantially commenced, the following minimum criteria will apply:

- (a) A valid **Building Permit** has been issued;
- (b) The site has been completely fenced for construction purposes;
- (c) The site has been partially or entirely excavated; and

- (d) Greater than 50% of the approved **Heritage Alteration Permit's** project's footing and foundation has been poured.
- 8.11 Subject to Section 590 of the *Local Government Act*, re-application for a **Heritage Alteration Permit** that has been refused by the **Community Planning Department Manager** or **Council** shall not be considered within a six (6) month period immediately following the date of refusal.

## **9.0 KELOWNA HERITAGE REGISTER**

- 9.1 The registered **owner** of real property within the City of Kelowna, or an agent authorized in writing, may submit a written request to add a building(s) to or remove a building(s) from the Kelowna **Heritage Register** pursuant to Section 598 of the *Local Government Act*.
- 9.2 Written requests will be reviewed by the Policy & Planning Department on an annual basis, unless special circumstances require otherwise at the discretion of the **Policy & Planning Department Manager**.
- 9.3 The Policy & Planning Department will compile background information on the subject building(s) and the request and information will be forwarded to the **Heritage Advisory Committee** for review.
- 9.4 The **Heritage Advisory Committee** will evaluate the historical, architectural and contextual qualities of the subject building(s) and prepare a recommendation regarding the request.
- 9.5 The recommendation of the **Heritage Advisory Committee** will be forwarded to **Council** for consideration.

## **10.0 WITHHOLDING OF APPROVALS**

- 10.1 Pursuant to Sections 604 and 605 of the *Local Government Act*, approvals may be withheld for **Protected Heritage Property** as follows:
  - (a) The **Building Inspector** may withhold the issuance of any **Building Permit** where the **Community Planning Department Manager** is of the opinion that the **Building Permit** would authorize an alteration to **Protected Heritage Property**; and
  - (b) The **Building Inspector** may withhold the issuance of any **Building Permit** for the demolition of **Protected Heritage Property** until a **Heritage Alteration Permit** and any other necessary approvals have been issued with respect to the proposed alterations.
- 10.2 Pursuant to Sections 604 and 605 of the *Local Government Act*, approvals may be withheld for a building that is included in the **Heritage Register** as follows:
  - (a) The **Building Inspector** may withhold the issuance of any **Building Permit** where the **Community Planning Department Manager** is of the opinion that the **Building Permit** would authorize an alteration to property that is included in the **Heritage Register**; and
  - (b) The **Building Inspector** may withhold the issuance of any **Building Permit** for the demolition of a building included in the **Heritage Register** until a **Building Permit** and any other necessary approvals have been issued with respect to the proposed alterations.

- 10.3 The **Building Inspector** may not withhold the issuance of a **Building Permit** for the demolition or alteration of **Protected Heritage Property** or a building included in the **Heritage Register** where the demolition or alteration is reasonably required to mitigate a hazard to public safety.
- 10.4 The **Building Inspector** shall notify the applicant for a **Building Permit** withheld under this section that the matter of the issuance of the **Building Permit** will be considered by **Council** at a regular meeting. The date, time and location of the meeting shall be stated in the notice. The notice shall be sent by registered mail, unless the meeting date is within five days of the date on which the notice would be mailed, in which case the notice shall be given by personal service and not mailed. The applicant for the **Building Permit** being withheld shall be entitled to address **Council** when the matter is considered by **Council**.

#### **11.0 RE-CONSIDERATION**

- 11.1 Where an applicant or **owner** of property subject to a decision made by the **Community Planning Department Manager** pursuant to Section 8.7 of this bylaw is dissatisfied with the decision, the applicant or **owner** may apply to **Council** for re-consideration of the matter within 30 days of the decision being communicated to them.
- 11.2 An application for re-consideration shall be delivered in writing to the **City Clerk** and shall set out the grounds upon which the applicant considers the requirement or decision of the **Community Planning Department Manager** is inappropriate and what, if any, requirement or decision the applicant considers **Council** ought to substitute.
- 11.3 The **City Clerk** must place each application for re-consideration on the agenda of a regular meeting of **Council** to be held not earlier than two weeks from the date the application for re-consideration was delivered, and must notify the applicant and any other party who the **City Clerk** reasonably considers may be affected by the re-consideration, of the date of the meeting at which the re-consideration will occur.
- 11.4 An applicant for re-consideration shall be required to post a 'Heritage Proposal Sign' on the subject property, in accordance with the conditions outlined in Schedule "1" attached to and forming part of this bylaw.
- 11.5 At the meeting, **Council** may hear from the applicant and any other person interested in the matter under re-consideration who wishes to be heard, and may either confirm the requirement or decision of the **Community Planning Department Manager** or substitute its own requirement or decision.

#### **12.0 ENACTMENTS**

- 12.1 Any enactments referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated or replaced from time to time, and any bylaw referred to herein is a reference to an enactment of the **Council** of the City of Kelowna, as amended, revised, consolidated or replaced from time to time.

#### **13.0 EFFECTIVE DATE**

- 13.1 This bylaw shall come into full force and effect as and from the date of adoption.

#### **14.0 REPEAL**

- 14.1 Heritage Procedures Bylaw No. 7776 and all amendments thereto, are hereby repealed.



Read a first, second and third time this

Adopted by a 2/3 vote of the Municipal Council of the City of Kelowna this

\_\_\_\_\_  
Mayor

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

## SCHEDULE "1"

### HERITAGE PROPOSAL SIGN REQUIREMENTS

---

#### **1.0 GENERAL INFORMATION**

- 1.1 Heritage Proposal Signs will be purchased from a signage provider at the applicant's expense. The City's signage template must be used and the signage content must be endorsed by City Staff.
- 1.2 The sign(s) will include the following information, as applicable to the application:
  - (a) The City's application file number;
  - (b) A brief project description;
  - (c) The date(s) of the relevant **Council** meeting at which the application is to be considered; and
  - (d) Any additional information the **Community Planning Department Manager** may require.

#### **2.0 LOCATION AND SITING SPECIFICATIONS**

- 2.1 All Heritage Proposal Signs will be placed on a property that is subject to an application pursuant to this bylaw so that they are clearly visible from the street, approximately 3 metres inside the property line.
- 2.2 One sign is required for each 100 metres of road frontage provided that no more than three signs are required for any one site.
- 2.3 Heritage Proposal Signs will be located in a manner that does not interfere with pedestrian or vehicular traffic or obstruct visibility from streets, lanes, walkways or driveways. All Signs must be installed and maintained by the applicant in a safe, sturdy manner, capable of withstanding wind and weather.

#### **3.0 TIMING**

- 3.1 All Heritage Proposal Signs must be posted a minimum of ten days prior to the **Council** meeting at which the application is scheduled for consideration. The Heritage Proposal Sign must remain in place continuously until **Council** has concluded deliberations on the application. All signs must be removed within seven days of a Public Hearing or the final decision of **Council**.

#### **4.0 PHOTOGRAPHIC EVIDENCE**

- 4.1 The applicant must provide the **Community Planning Department Manager** with photographic evidence confirming that all Heritage Proposal Signs required by this bylaw have been installed on the subject property before the application will be considered at a **Council** meeting.

#### **5.0 FAILURE TO POST**

- 5.1 Failure to post the required Heritage Proposal Sign(s) in accordance with this bylaw will result in the postponement of consideration of the application by **Council**. All

costs incurred by the City for public notification as a result of such postponement will be the responsibility of the applicant.

# Report to Council



**Date:** February 17, 2016

**Rim No.** 0710-60

**To:** City Manager

**From:** Utility Planning Manager  
Urban Forestry Supervisor

**Subject:** Okanagan Basin Water Board Water Conservation and Quality Improvement Grants - 2016- 2017

---

## **Recommendation:**

THAT Council approves an application by staff to the Okanagan Basin Water Board for a 2016-2017 Water Conservation and Quality Improvement Grant to restore and protect wetland habitat and breeding grounds for the American Avocet in the area of the Glenmore Landfill;

AND THAT upon confirmation of grant award, the 2016 Financial Plan be amended to include the receipt of \$30,000 for the American Avocet Wetland Restoration Project.

AND THAT Council approves an application by staff and the Okanagan Regional Goose Management Committee to the Okanagan Basin Water Board for a 2016-2017 Water Conservation and Quality Improvement Grant to assess the impacts of waterfowl population on water quality;

AND FURTHER THAT upon confirmation of the grant award of \$10,000, the 2016 Financial Plan be amended to include the receipt of \$10,000 for the Water Fowl Water Quality Project.

## **Purpose:**

To request support for pursuing grant funding from the Okanagan Basin Water Board's Water Conservation and Quality Improvement Program to restore and protect wetland water habitat and breeding grounds for the American Avocet in the area of the Glenmore Landfill as well as to seek funding to conduct an impact assessment of the waterfowl population on water quality.

## **Background:**

The purpose of the Okanagan Basin Water Board's Water Conservation and Quality Improvement Grant Initiative is to assist local government in addressing issues that enhance the valley-wide sustainable use of water.

Eligible activities include "Habitat Restoration Projects" that restore riparian or foreshore areas to improve water quality and other water quality projects.

As part of the application process, all applications must be accompanied by a Board or Council resolution from the respective Regional District Board and/or Municipal Council.

**1) Avocet Wetland Habit Restoration- Request \$30,000 from OBWB (\$60,000 project)**

The City has constructed a dam at the Glenmore landfill to support a wetland habitat for the American Avocet. The Pond was originally created to replace a habitat that was inadvertently created on top of the Southern portions of the landfill. The requirement to create an Avocet habitat is a requirement of the landfill Operations Certificate.

As the Northern parts of the landfill are being filled, the storage and processing areas for the recycling will need to be relocated in the South. These new storage and processing areas will begin to infringe upon the Avocet habitats that currently reside over the landfill. The Avocet pond that the City has constructed has not been well adopted by the Avocet. The wetlands, nesting areas, depth of the pond and the salinity of the water do not meet the Avocet's needs and the pond itself attracts other species of birds that could potentially feed on refuse in the landfill. Staff would like to investigate whether we could either enhance the Avocet Pond so that it is well used, or preferably enhance existing wetlands South of the landfill, or simply create a new depression and wetlands.

**2) Assessing Impacts of Waterfowl Population on Water Quality - Request \$10,000 from OBWB (\$12,500 project)**

This project will address the concern coming from potential contamination of lake water due to avian populations throughout the Okanagan basin.

It is envisioned that the project will take place throughout the 2016/17 year with seasonal surveys beginning in March 2016 for up to a year. The site specific survey's will monitor all waterfowl activity and provide species breakdown and provide habitat use and behavior. The final report will define recommendations for each municipality to implement in order to minimize contamination from waterfowl.

**Internal Circulation:**

Grants & Partnerships Manager  
Financial Planning Manager

**Financial/Budgetary Considerations:**

The full amount required to complete the Avocet Wetland Habit Restoration project as well as assessing the impact of waterfowl population on water quality are not part of the City's current financial Plan. The 2016 financial plan will require the addition of the following two grants with the remaining costs of the projects to be funded from the City's current budget:

- The Avocet Wetland Habit Restoration project is estimated to be \$60,000 of which \$30,000 will be funded from a grant with the remaining \$30,000 funded from the City's current Landfill Consulting and Professional Services budget.
- Assessing the impact of waterfowl population on water quality is estimated to be \$12,500 of which \$10,000 will be funded from a grant with the remaining \$2,500 funded from the City's current Integrated Pest Management Urban Forestry budget.

**Considerations not applicable to this report:**

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

Submitted by:

A. Reeder, Utilities Planning Manager

Approved for inclusion:



A. Newcombe, Divisional Director, Infrastructure

Attachment 1: Water Conservation and Quality Improvement Grant Program Application  
2016-2017 American Avocet Wetland Habitat Restoration

Attachment 2: Water Conservation and Quality Improvement Grant Program Application  
2016-2017 for Assessing Impacts of Waterfowl Population on Water Quality

Attachment 3: Central Okanagan Naturalists Club letter of support

cc: Divisional Director, Infrastructure  
Financial Services Director  
Grants & Partnerships Manager  
Infrastructure Planning Dept Manager



1450 KLO Road, Kelowna, BC V1W 3Z4  
P 250.469.6270 F 250.762.7011  
www.obwb.ca

## Water Conservation and Quality Improvement Grant Program Application Form

Please carefully complete and review this form before submitting. If you are unclear on any of the sections, please consult the guide to the application on our website, or contact the Office and Project Manager at 250-469-6270 or [grants@obwb.ca](mailto:grants@obwb.ca).

Enter Grant Application Year: 2016

### A. PROJECT SUMMARY

**Organization:** City of Kelowna

**Project Title:** American Avocet Wetland Habitat Restoration

**Regional District:** RDNO ☐ RDCO ☒ RDOS ☐

**Supporting Local Government:** City of Kelowna Council

**Project Budget:** \$60,000 **Grant Requested:** \$30,000

**Project Category:** Restoration

### B. PROJECT CONTACT

**Name:** Andrew Reeder

**Title:** Utility Planning Manager

**Phone:** 250-469-8876

**Email:** [areeder@kelowna.ca](mailto:areeder@kelowna.ca)

### C. PROJECT GOALS

#### What is the aim of the project?

Restore and protect wetland water habitat and breeding grounds for the American Avocet in the area of the Glenmore Landfill. This grant would be applied to the first phase of the project which involves the review of existing plans, proposed options and the development of a conceptual plan to move forward. Future phases would include but not be limited to implementation, monitoring and public education.

### D. PROJECT DELIVERABLES/MEASURABLE OUTCOMES

#### What are the expected deliverables of the project? How will the project's success be measured?

The review of existing and proposed options with a conceptual plan. Success will be measured by the reporting of recommended options and the development of a conceptual plan to move forward.

### E. PROJECT METHODS

**Briefly describe how your organization will meet its goal.**

The American Avocet is known to breed in an area that was historically used for landfilling and is slated for future filling activities. The existing plans to create new Avocet habitat onsite require review in light of the revised Landfill Fill Plan and long term development plans of the Landfill. An environmental consultant will be engaged to review options to enhance Avocet habitat in areas both onsite and offsite and develop a plan. City of Kelowna staff will coordinate the project and engage third party stakeholders. These stakeholders will likely include the local naturalist clubs, the University of British Columbia, the RDCO, landowners and the public.

As the Avocet breeds in alkaline wetlands and water bodies, the enhancement of these breeding sites will further protect these areas. In turn, water quality will be improved by preserving these water bodies. Numerous alkaline water bodies exist in the area of the landfill for potential habitat protection and water quality improvement.

**F. PROJECT TIMELINE**

**Project Start Date: 05/09/2016 Completion Date: 31/03/2017**

**Please list all anticipated phases/activities with dates of completion in the space below:**

**Activities within this project include:**

- Engage a consultant (Summer 2016)
- Review of existing habitat design and efficacy of the implementation to date (Summer/Fall 2016)
- Develop and discuss options for habitat enhancement and water quality improvement. Options will likely include the enhancement of habitat and water quality in existing water bodies, such as Robert and Little Robert Lakes, in the area of the Glenmore Landfill (Fall 2016)
- Report recommended options and develop a plan to move forward (Spring 2017)

**G. PROJECT PARTNERS**

**How does this project illustrate collaboration with other agencies? With other jurisdictions?**  
As UBCO owns the majority of land surrounding Robert and Little Robert Lakes, they would be engaged as a partner in enhancement of these areas. The long term project could be an opportunity for instructors and students to be involved in a local habitat restoration project within walking distance of the campus.

The RDCO also owns land on the shoreline of Robert Lake containing Robert Lake Regional Park. If this area is used for enhancement, the RDCO could partner with the City of Kelowna in habitat enhancement and public education.

The Central Okanagan Naturalist Club has been involved in inventories and studies involving the Avocet in the Kelowna area. This organization would be involved throughout the project.



#### H. PROJECT VALLEY-WIDE BENEFIT

**Recognizing that the Okanagan is one valley with one water, how does this project benefit the valley as a whole? Describe how the outcomes of the project can benefit others in the Okanagan.**

The American Avocet is a bird currently blue listed as a threatened species and are prized by bird watchers. Hundreds of visitors from around the province and beyond come to the Glenmore Landfill annually to view the Avocet. The social, environmental and economic benefits of the Avocet are significant. Other jurisdictions with breeding sites could use the proposed enhancements to increase or introduce breeding on their sites. The creation of Avocet habitat and breeding grounds would in turn preserve alkaline wetlands that improve water quality.

#### I. PROJECT INNOVATION

**What is innovative about this project? Will this project present a new and/or innovative approach or address a previously identified issue?**

The Avocet is not well distributed throughout BC and only about 6 breeding sites are known in Southern BC, including the Glenmore Landfill. The enhancement of habitat such as nesting platforms has shown to be successful in other jurisdictions but have never been implemented successfully in the Okanagan.

#### J. GRANT TRACK RECORD

**If your organization has received OBWB grants for previous projects, please comment on the success of the projects and the significance of the grants to your organization.**

The City of Kelowna have been fortunate to receive OBWB grants in the past with the most recent being \$20,000 towards the 2015 Mill Creek Tree Management Plan. This grant has enabled the City of Kelowna to focus on tree enhancement with the goal of protecting our future drinking water quality, ensuring public safety and improving terrestrial and aquatic habitat along the creek.

#### K. PROJECT FUNDING

**Total Project Funding: \$60,000**

**Please list below all sources of funding and indicate whether each is direct or in-kind, confirmed or unconfirmed.**

Glenmore Landfill Reserve Fund – direct and unconfirmed

#### L. PROJECT EXPENSES

**Total Project Budget: \$60,000**

**Project Management: \$2,000**

**Equipment: \$0**

**Supplies/Consumables: \$1000**

**Printing/Media:** \$1000

**Consultant/Contractor:** \$53,500

**Travel:** \$500

**Wages:** \$2000

**Other:** \$0

#### SUBMITTING THIS APPLICATION

Please ensure you have reviewed the terms of reference and the guide to the application. Once your application is complete, please submit a copy along with the required supporting resolution from local government and any other supporting documents to:

Okanagan Basin Water Board  
WCQI Grant Program  
1450 KLO Rd  
Kelowna, B.C. V1W 3Z4

Or electronically to:

[grants@obwb.ca](mailto:grants@obwb.ca)

Applications must be received by 4:00 p.m. on the deadline date. Late or incomplete applications will not be accepted. Please save and print a copy of the application for your records.



**Okanagan Basin**  
WATER BOARD

1450 KLO Road, Kelowna, BC V1W 3Z4  
P 250.469.6270 F 250.762.7011  
www.obwb.ca

**Water Conservation and Quality Improvement Grant Program  
Application Form**

Please carefully complete and review this form before submitting. If you are unclear on any of the sections, please consult the guide to the application on our website, or contact the Office and Project Manager at 250-469-6270 or [grants@obwb.ca](mailto:grants@obwb.ca).

Enter Grant Application Year: 2016

**A. PROJECT SUMMARY**

**Organization:** Okanagan Regional Goose Management Committee – City of Kelowna

**Project Title:** Assessing Impacts of Waterfowl Population on Water Quality

**Regional District:** RDNO ☒ RDCO ☒ RDOS ☒

**Supporting Local Government:** City of Kelowna

**Project Budget:** \$12,500 **Grant Requested:** \$10,000

**Project Category:** Water Quality Project

**B. PROJECT CONTACT**

**Name:** Blair Stewart

**Title:** Urban Forestry Supervisor

**Phone:** 250-469-8843

**Email:** [bstewart@kelowna.ca](mailto:bstewart@kelowna.ca)

**C. PROJECT GOALS**

**What is the aim of the project?**

To address the concern coming from potential contamination of lake water due to wildlife (avian fecal pellets) throughout the Okanagan basin. Water quality within the Okanagan basin fluctuates throughout the year and this project aims to quantify how avian populations affect water quality. The final report will define recommendations for each municipality to implement in order to minimize contamination from waterfowl.

#### D. PROJECT DELIVERABLES/MEASURABLE OUTCOMES

**What are the expected deliverables of the project? How will the project's success be measured?**

The project will take place throughout the 2016/17 year with seasonal surveys beginning in March 2016 for up to a year. The site specific survey's will monitor all waterfowl activity and provide species breakdown and provide habitat use and behavior. Furthermore, the surveys will include establishing scat plots at the survey sites to determine estimates of how much fecal pellets is influencing water quality. The assumption is that there is a quantitative correlation between increased populations of waterfowl in the Okanagan Basin and increased fecal coliform/ecoli levels in the lake (drinking) water. Long term success will be measured by how each municipality is able to implement recommendations from the report.

#### E. PROJECT METHODS

**Briefly describe how your organization will meet its goal.**

We will initiate the process of meeting our goal of addressing the concerns regarding increased water contamination due to increased waterfowl population by increasing our knowledge with the abovementioned technical report. The report will be derived from waterfowl and water quality data collected in specific survey locations.

#### F. PROJECT TIMELINE

**Project Start Date: 01/03/2016 Completion Date: 31/03/2017**

**Please list all anticipated phases/activities with dates of completion in the space below:**

**The project will be broken down into two phases. The first phase will involve the field data collection of four seasonal surveys completed throughout the year. The second phase will include statistically analyzing the data and providing a summary and recommendations within a technical report.**

#### G. PROJECT PARTNERS

**How does this project illustrate collaboration with other agencies? With other jurisdictions? Okanagan Regional Goose Management Committee (ORGMC) is comprised of municipalities and Regional Districts from Osoyoos to Vernon in the Okanagan Valley. The City of Kelowna staff Chair the abovementioned committee. The ORGMC group also has a long standing relationship with the Canadian Wildlife Service and the Ministry of Environment.**



#### H. PROJECT VALLEY-WIDE BENEFIT

**Recognizing that the Okanagan is one valley with one water, how does this project benefit the valley as a whole? Describe how the outcomes of the project can benefit others in the Okanagan.**

The Okanagan Regional Goose Management Committee has been working for 15+ years to manage Canada Geese (*Branta Canadensis*) populations throughout the Okanagan Valley. One of the key management pieces for the committee and each municipality is to conduct scare programs and/or egg addling in their communities. In order to assist with these actions the committee established a management plan. In 2006, the committee drafted the Okanagan Regional Goose Management Strategy and Action Plan for the region. <http://okanagangooseplan.com> This document has been critical in providing direction and continuity for the involved levels of government to reach their goals.

If the City of Kelowna was able to receive these funds the resulting technical report could help direct the committee in future efforts to look at drafting a further management plan for all waterfowl that affect beaches, parks and most importantly water quality. The technical report will help to describe where and when our waterfowl species conjugate and if these spikes in population affectively influence water quality through fecal coliform ppm.

#### I. PROJECT INNOVATION

**What is innovative about this project? Will this project present a new and/or innovative approach or address a previously identified issue?**

We currently do not have any data to define what waterfowl species (besides Canada Geese) and/or populations are possibly influencing the water quality throughout the valley. The proposed technical report will provide details of both species and population numbers to local municipalities and provide recommendations going forward. Fecal pellets from waterfowl is a growing concern which may lead to water quality concerns for beaches and beach users.

#### J. GRANT TRACK RECORD

**If your organization has received OBWB grants for previous projects, please comment on the success of the projects and the significance of the grants to your organization.**

The City of Kelowna in partnership with the Okanagan Regional Goose Management Committee (ORGMC) received a grant in 2010 to support the education and awareness component of the aforementioned goose management plan at the regional level. Through the grant, ORGMC and the participating municipalities were able to send leaflets and mailouts to residents to assist in educating the public about Canada geese in our region. The project has seen a huge increase in reported nests and an overall reduction in the number of geese that have entered the population due to a successful egg addling program.



#### K. PROJECT FUNDING

**Total Project Funding: opportunity**

Please list below all sources of funding and indicate whether each is direct or in-kind, confirmed or unconfirmed.

The Okanagan Regional Goose Management Committee (ORGMC) awards a contract annually to a qualified consulting firm to conduct nesting surveys, egg addling and population surveys to aid in the management of the regional Canada Goose populations. This qualified and experienced contractor may have the capacity to conduct some of the survey work related to the proposed project while also completing a portion of the ORGMC project. This may ensure that there are no redundancies in the process and possibly some cost savings in completing the field survey phase.

Technicians with the City of Kelowna's Water Quality Department will be processing the water samples. This will reduce the cost of sending samples a private lab to be tested.

#### L. PROJECT EXPENSES

**Total Project Budget:** \$12,500.00

**Project Management:** \$1,500.00

**Equipment:** \$Click here to enter text.

**Supplies/Consumables:** \$Click here to enter text.

**Printing/Media:** \$Click here to enter text.

**Consultant/Contractor:** \$10,000.00

**Travel:** \$Click here to enter text.

**Wages:** \$1000.00

**Other:** \$



*Okanagan Basin*  
WATER BOARD

1450 KLO Road, Kelowna, BC V1W 3Z4  
P 250.469.6270 F 250.762.7011  
[www.obwb.ca](http://www.obwb.ca)

#### SUBMITTING THIS APPLICATION

Please ensure you have reviewed the terms of reference and the guide to the application. Once your application is complete, please submit a copy along with the required supporting resolution from local government and any other supporting documents to:

Okanagan Basin Water Board  
WCQI Grant Program  
1450 KLO Rd  
Kelowna, B.C. V1W 3Z4

Or electronically to:

[grants@obwb.ca](mailto:grants@obwb.ca)

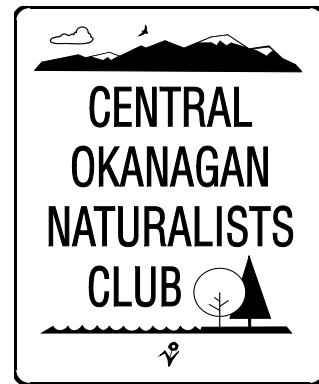
Applications must be received by 4:00 p.m. on the deadline date. Late or incomplete applications will not be accepted. Please save and print a copy of the application for your records.





Central Okanagan Naturalists Club  
P.O. Box 21128  
RPO Orchard Park  
Kelowna, B.C.  
V1Y 9N8

3 February 2016



City of Kelowna  
1435 Water St.  
Kelowna, B.C. V1Y 1J4  
Attention: Mr. Andrew Reeder, Utility Planning Manager

**Re: Support for City of Kelowna Application to OBWB for Wetland Habitat Restoration for American Avocets**

The Central Okanagan Naturalists Club has been involved as a partner with the City of Kelowna since 1998 actively seeking information and methods to perpetuate the presence of the largest and only consistently used American Avocet colony in British Columbia.

The motto of our club is "To Know Nature and To Keep It Worth Knowing". As a volunteer group, we are involved with Christmas Bird Counts and other Citizen-Science initiatives to gather information on and to conserve birds. As such we have continued to monitor the local avocet population annually since 1997 and worked with the City of Kelowna to find ways to maintain their presence at Kelowna in the face of the ever continuing use and expansion of the Central Okanagan's only landfill into Alki Lake.

We wholly support this application by the City of Kelowna and continue to look forward to working with them on the conservation of avocets in the Kelowna area in the upcoming years.

Sincerely,

Les Gyug  
Avocet Program Leader  
Central Okanagan Naturalists Club

cc. Rick Gee, CONC President

# Report to Council



**Date:** 2/22/2016  
**File:** 1125-51-053  
**To:** City Manager  
**From:** J. Säufferer, Manager, Real Estate Services  
**Subject:** Proposed Road Closure & Sale - adj. to 540 Osprey Avenue

---

## **Recommendation:**

THAT Council receive for information the report from the Manager, Real Estate Services dated February 22, 2016, recommending that Council adopt a Road Closure Bylaw to close an unused portion of laneway adjacent to 540 Osprey Avenue;

AND FURTHER THAT Bylaw No. 11180, being the proposed road closure, be given reading consideration.

## **Purpose:**

To close a portion of unused laneway adjacent to 540 Osprey Avenue and transfer the same to the adjacent owner in exchange for obtaining additional roadway along Osprey Avenue to accommodate the construction of a sidewalk.

## **Background:**

The City is closing and transferring 0.7 meters of unused laneway adjacent to 540 Osprey Avenue in exchange for the Owner dedicating 1.5 meters of roadway along Osprey Avenue.

The road closure survey plan for bylaw approval is included as Schedule 'A'. Included as Schedule 'B' is a subdivision plan showing the road dedication, as well as the consolidation of the road closure with the adjacent parcel.

## **Financial/Budgetary Considerations:**

The proposed road dedication has been reviewed by City Staff to ensure that it meets municipal needs. All costs associated with the road closure and road dedication, including the relocation of all municipal and third-party utility services, will be borne by the adjacent land owner.

**Legal/Statutory Authority:**

Council Policy 127(i) authorizes Staff to dispose of excess road right of ways provided that an equivalent portion of roadway is dedicated and there are no additional land acquisition requirements associated with the road closure.

**Internal Circulation:**

Manager, Transportation & Mobility  
Manager, Development Engineering

**Considerations not applicable to this report:**

Legal/Statutory Procedural Requirements:

Existing Policy:

Personnel Implications:

External Agency/Public Comments:

Communications Comments:

Alternate Recommendation:

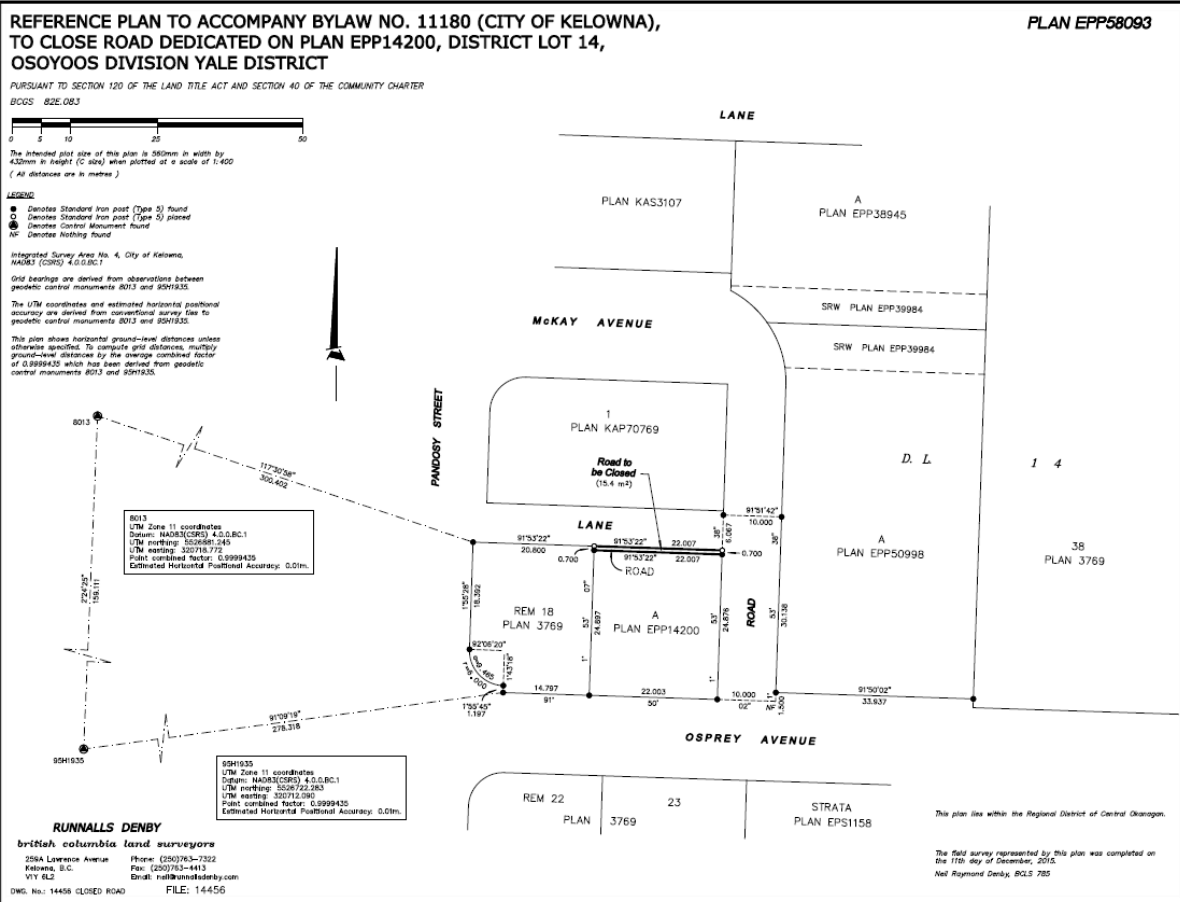
**Submitted by:** J. Säufferer, Manager, Real Estate Services

**Approved for inclusion:** D. Edstrom, Director, Real Estate

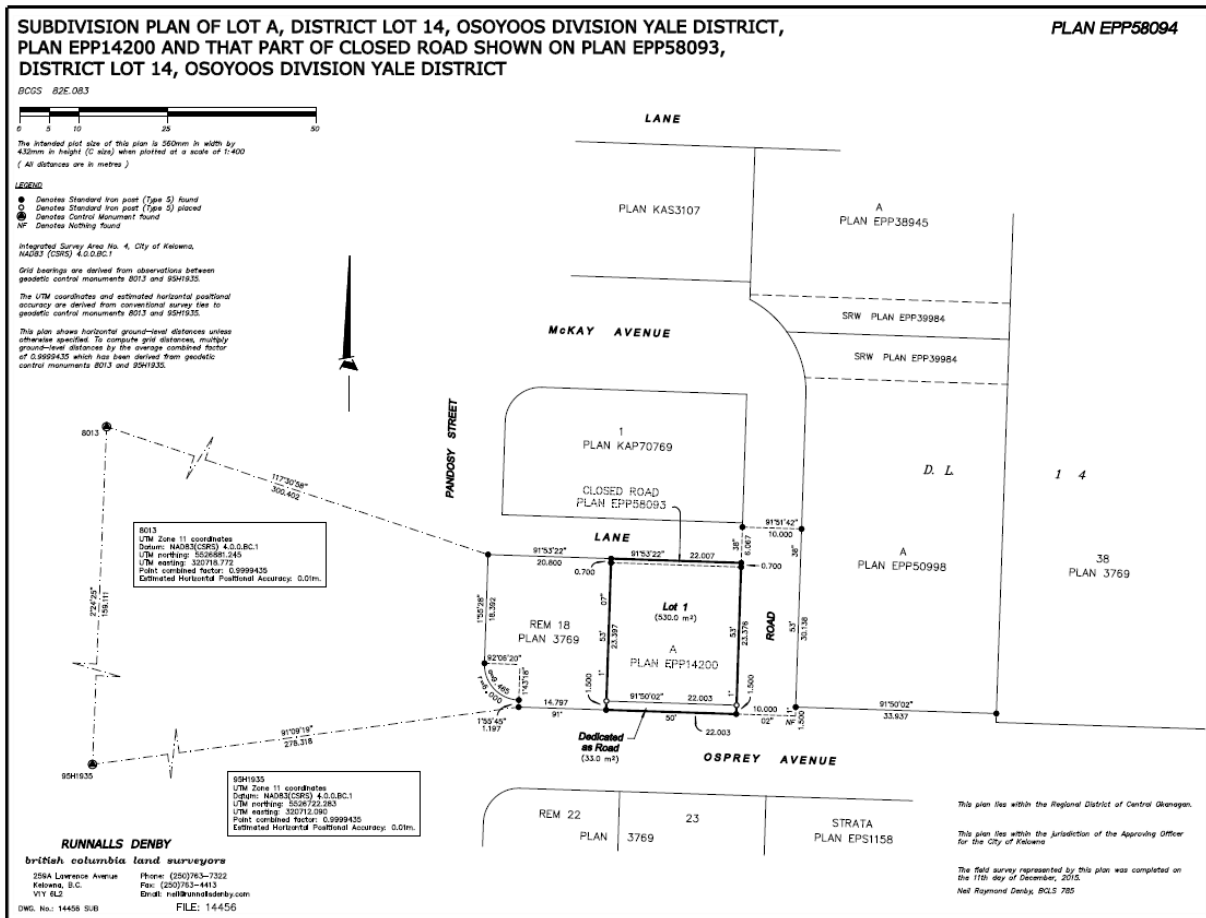
**Attachments:** 1. Schedule A - Road Closure Survey Plan  
2. Schedule B - Subdivison Plan

**cc:** M. Hasan, Transportation & Mobility Manager  
S. Muenz, Development Engineering Manager

# Schedule "A"



## Schedule “B”



# **CITY OF KELOWNA**

## **BYLAW NO. 11180**

### **Road Closure and Removal of Highway Dedication Bylaw (Portion of of laneway adjacent to 540 Osprey Avenue)**

**A bylaw pursuant to Section 40 of the Community Charter to authorize the City to permanently close and remove the highway dedication of a portion of highway adjacent to Osprey Avenue**

---

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

1. That portion of highway attached as Schedule "A" comprising 15.4 m<sup>2</sup> shown in bold black as Road to be Closed on the Reference Plan prepared by Neil Raymond Denby, B.C.L.S., is hereby stopped up and closed to traffic and the highway dedication removed.
2. The Mayor and City Clerk of the City of Kelowna are hereby authorized to execute such conveyances, titles, survey plans, forms and other documents on behalf of the said City as may be necessary for the purposes aforesaid.

Read a first, second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

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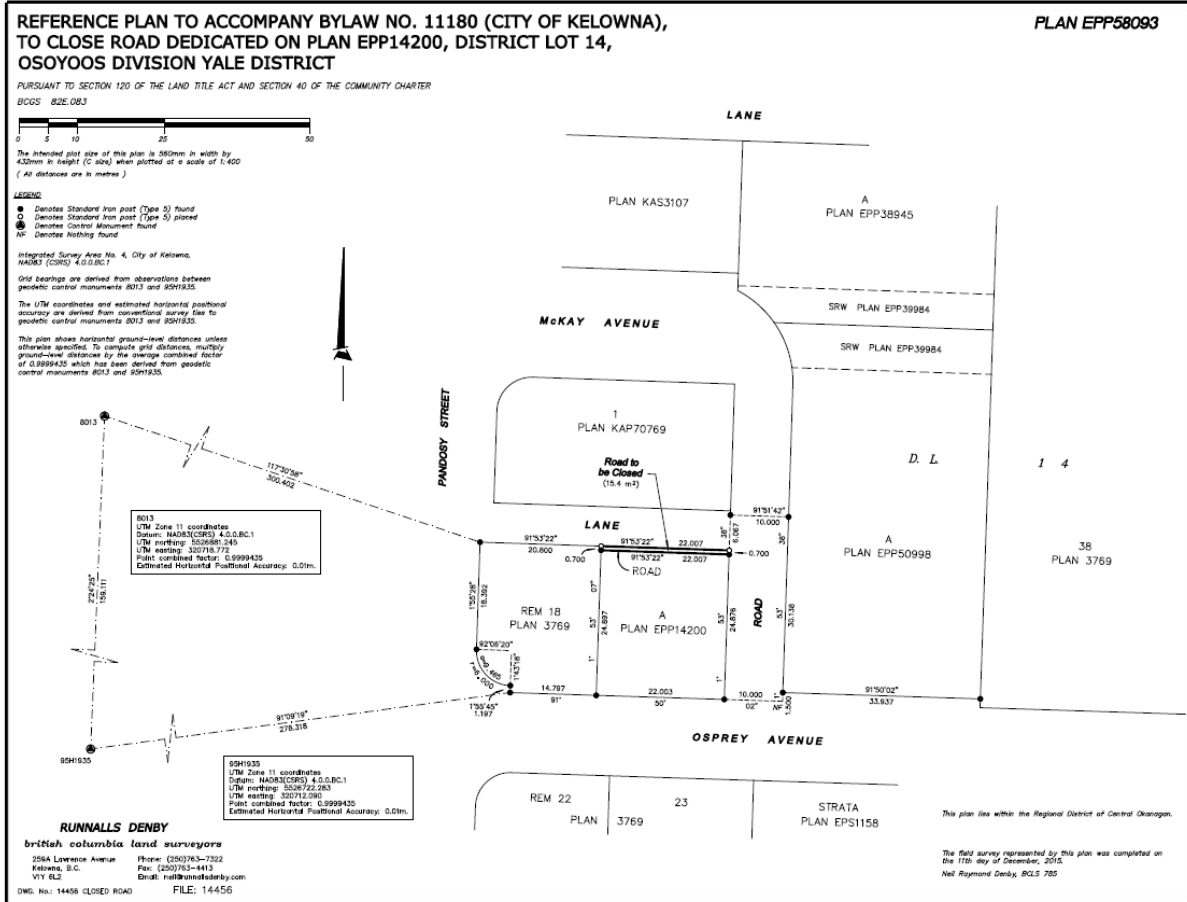
Mayor

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City Clerk



Schedule "A"



# CITY OF KELOWNA

## BYLAW NO. 11181

### Road Closure and Removal of Highway Dedication Bylaw (Portion of laneway Adjacent to Rutland Road North)

**A bylaw pursuant to Section 40 of the Community Charter to authorize the City to permanently close and remove the highway dedication of a portion of highway adjacent to Rutland Road North**

---

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

1. That portion of highway attached as Schedule "A" comprising 208.7m<sup>2</sup> shown in bold black as Closed Road on the Reference Plan prepared by H.G van Gurp, B.C.L.S., is hereby stopped up and closed to traffic and the highway dedication removed.
2. The Mayor and City Clerk of the City of Kelowna are hereby authorized to execute such conveyances, titles, survey plans, forms and other documents on behalf of the said City as may be necessary for the purposes aforesaid.

Read a first, second and third time by the Municipal Council this 25<sup>th</sup> day of January, 2016.

Approved Pursuant to Section 41(3) of the Community Charter this 3<sup>rd</sup> day of February, 2016.

Audrie Henry  
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

---

Mayor

---

City Clerk

## Schedule "A"

