City of Kelowna Regular Council Meeting AGENDA



Monday, June 11, 2018 1:30 pm Council Chamber City Hall, 1435 Water Street

1. Call to Order

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

2. Confirmation of Minutes

PM Meeting - May 28, 2018

3. Public in Attendance

3.1 Kelowna Art Gallery

Annual Presentation to Council by Nataley Nagy, Executive Director of the Kelowna Art Gallery.

4. Development Application Reports & Related Bylaws

4.1	Hwy 33 E 1759, Z17-0065 - Ki-Low-Na Friendship Society, Inc. No. S-10638	49 - 65
	To rezone the subject property from RU1 – Large Lot Housing zone and P2 – Educational &Minor Institutional zone to RM3 – Low Density Multiple Housing zone to facilitate the development of a multi-family complex.	
4.2	Hwy 33 E 1759, Z17-0065 (BL11625) - Ki-Low-Na Friendship Society, Inc. No. S-10638	66 - 67
	To give Bylaw No. 11625 first reading in order to rezone the subject property from RU1 – Large Lot Housing zone and P2 – Educational &Minor Institutional zone to RM3 – Low Density Multiple Housing zone.	
4.3	Abbott St 2195, Z18-0041 - Gordon and Karen Lovegrove	68 - 77
	To rezone the subject property from the RU1 — Large Lot Housing zone to the RU1c — Large Lot Housing with Carriage House zone to facilitate the development of a carriage house.	

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4.4	Abbott St 2195, Z18-0041 (BL11626) - Gordon and Karen Lovegrove	
	To give Bylaw No. 11626 first reading in order to rezone the subject property from the	

To give Bylaw No. 11626 first reading in order to rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.

4.5	Bach Rd 440, Z18-0020 - Richard Therrien and Jeffery Good	79 - 85
	To rezone the subject property from RU1 — Large Lot Housing zone to RU1c — Large Lot Housing with Carriage House zone to facilitate the development of a carriage house.	
4.6	Bach Rd 440, Z18-0020 (BL11627) - Richard Therrien and Jeffery Good	86 - 86
	To give Bylaw No. 11627 first reading in order to rezone the subject property from the RU1 — Large Lot Housing zone to RU1c — Large Lot Housing with Carriage House zone.	
4.7	Fleming Rd 500, Z17-0040 (BL11486) - Urban Park Townhomes Development Ltd	87 - 87
	To amend at third reading the legal description and adopt Bylaw No. 11486 in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RM4 - Transitional Low Density Housing zone.	
4.8	Fleming Rd 500, DP17-0096 - Urban Park Townhomes Development Ltd	88 - 119
	To consider the form and character of a 36-unit townhouse development on the subject property.	
Bylaw	s for Adoption (Development Related)	
5.1	Dougall Rd N 490, Z17-0101 (BL11614) - Jaspreet Sekton	120 - 120
	To adopt Bylaw No. 11614 in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone.	
5.2	Hubbard Rd 814, Z18-0014 (BL11615) - James & Robin Wilson	121 - 121
	To adopt Bylaw No. 11615 in order to rezone the subject property from the Ru1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone.	
Non-D	Development Reports & Related Bylaws	
6.1	Capri-Landmark Urban Centre Plan - Implementation Approach	122 - 169
	To obtain Council's support for the proposed Capri-Landmark Urban Centre Plan implementation approach.	

5.

6.

78 - 78

6.2	Parks Development Funding Strategy	170 - 498		
	To provide Council with further details on the various funding options identified and prioritized by Council in previous workshops on this topic, and provide a recommendation for which options should proceed.			
6.3	Community for All Action Plan Implementation Progress Update	499 - 518		
	To update Council on the Community for All actions implemented in 2017 as well as the actions slated for implementation in 2018.			
6.4	License Agreement – Freedom Mobile	519 - 534		
	To endorse a building licence agreement with Freedom Mobile Inc. for the installation of a telecommunications facility at the City-owned site at 4075 Gordon Drive.			
6.5	Kelowna Curling Club Loan Request	535 - 547		
	To receive Council approval for a loan from the City of Kelowna to the Kelowna Curling Club to fund the replacement of the chiller and possibly the roof replacement at the Kelowna Curling Club facility on Recreation Avenue.			
6.6	Rutland Arena Dressing Room Renovations	548 - 551		
	To seek Council approval to fund the dressing room renovations at the Rutland Arena from the Arenas Reserve.			
Bylaws for Adoption (Non-Development Related)				
7.1	Valley Rd 720, (BL11507) - Housing Agreement Authorization Bylaw - Valley Land Subdivision Ltd	552 - 559		
	To adopt Bylaw No. 11507 in order to enter into a Housing Agreement with Valley Land Subdivision Ltd.			
7.2	Pacific Avenue 1155, (BL11567) Housing Agreement Authorization Bylaw - Necessary Homes Inc.	560 - 567		
	To adopt Bylaw No. 11567 in order to enter into a Housing Agreement with Necessary Homes Inc.			
7-3	KLO Road 1360, (BL11568) - Housing Agreement Authorization Bylaw - Summerwood Retirement Resort Holding Corporation	568 - 575		
	To adopt Bylaw No. 11568 in order to enter into a Housing Agreement with Summerwood Retirement Resort Holding Corporation.			

7.

7.4 Lakeshore Rd 3477-3499, (BL11610) - Housing Agreement Authorization Bylaw -0984342 BC Ltd Inc.

To give Bylaw No. 11610 first, second and third readings in order to enter into a Housing Agreement with 0984342 BC Ltd Inc.

7.5 BL11624 - Amendment No. 10 to Council Remuneration and Expense Bylaw No. 7547 5^{84 - 585}

To adopt Bylaw No. 11624 in order to amend the Council Remuneration and Expense Bylaw No. 7547.

8. Mayor and Councillor Items

9. Termination



City of Kelowna Regular Council Meeting Minutes

Monday, May 28, 2018 Council Chamber Location: City Hall, 1435 Water Street Mayor Colin Basran, Councillors Maxine DeHart*, Ryan Donn, Gail Given, **Members** Present Tracy Gray, Charlie Hodge, Mohini Singh and Luke Stack Members Absent Councillor Brad Sieben Acting City Manager, Joe Creron; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith*; Suburban and Rural Planning Staff Present

Manager, Dean Strachan*; Divisional Director Community Planning & Manager, Dean Strachan*; Divisional Director Community Planning & Strategic Investments, Doug Gilchrist*; Community Planning Supervisor, Laura Bentley*; Sustainability Coordinator, Tracy Guidi*; Park and Landscape Planner, Melanie Steppuhn*; Policy & Planning Department Manager; Danielle Noble-Brandt*; Long Range Policy Planning Manager, James Moore*; Planner Specialist, Ross Soward*; Energy Program Manager, Brydan Tollefson*; Planner Specialist, David James*; Divisional Director Financial Services, Genelle Davidson*; Cultural Services Manager, Christine McWillis*; Risk Manager, Lance Kayfish*; Acting Legislative Coordinator (Confidential), Tania Tishenko

(* Denotes partial attendance)

Call to Order 1.

Date:

Mayor Basran called the meeting to order at 1:32 pm.

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 and video feed is being broadcast and recorded by CastaNet and a delayed broadcast is shown on Shaw Cable.

Confirmation of Minutes 2.

Moved By Councillor Donn/Seconded By Councillor Hodge

R521/18/05/28 THAT the Minutes of the Regular Meeting of May 14, 2018 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Lakeshore Road 5064 Z18-0007 and LUC18-0001 - Mark Fipke

Staff:

- Displayed a PowerPoint Presentation summarizing the reasons for staff non-support.

Jordan Henninga, Kent- Macpherson on behalf of Applicant

- Displayed a PowerPoint Presentation.
- Provided history of development and construction on subject property.
- Responded to questions from Council.

Staff:

- Responded to questions from Council.

Moved By Councillor Stack/Seconded By Councillor Hodge

<u>**R522/18/05/28</u>**THAT Application No. LUC18-0001 to discharge LUC77-1012 from Lot A, Section 23, Township 28, SDYD, Plan 30063, located on 5064 Lakeshore Road, Kelowna, BC, be considered by Council;</u>

AND FURTHER THAT the City of Kelowna Zoning Bylaw No. 8000 change the zoning classification of Lot A, Section 23, Township 28, SDYD, Plan 30063, located at 5064 Lakeshore Road, Kelowna, BC from the A1 – Agriculture zone to the RR2c – Rural Residential 2 with Carriage House zone <u>NOT</u> be considered by Council.

<u>Carried</u> Councillor Gray - Opposed

3.2 Pier Mac Way 1915 & Kel Mac Ct. 3510, 3520 TA17-0002, Supplemental Report - Pier Mac Petroleum Installation Ltd.

Councillor DeHart declared a conflict of interest due to her employment in the hotel industry and left the meeting at 1:55pm.

Staff:

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

Scott Thompson, Northland Property Corporation, Applicant

- Displayed CD-15 Principal Uses on the ELMO.
- Provided background on the history of the site.
- Read from the CD-15 Zone purpose as stated in Zoning Bylaw 8000.
- Emphasized zone anticipated and provided for supporting uses.
- Hotel is supporting use to the nearby Airport and University uses.

- Hotel will have less traffic impact than a retail use and that it conforms to existing City and Provincial plans and approvals.
- Economic development of Airport and University requires supporting uses such as a hotel and lack of hotel rooms in the immediate vicinity will negatively impact their respective development.
- Hotel is a better use for the development of the area than some of the current uses in the CD-15 zone.
- Responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Given

<u>**R523/18/05/28</u>** THAT Council receive for information the supplemental report for application TA12-0012 dated May 28, 2018;</u>

AND THAT Zoning Bylaw Text Amendment No. TA17-0012 to amend City of Kelowna Zoning Bylaw No. 8000 by amending principle uses, the industrial height limit, and the other regulations section within the CD15 – Airport Business Park to facilitate a Hotel development as outlined in Schedule "A" of the report from the Urban Planning Department dated November 20, 2017, be NOT considered by Council.

AND THAT the Text Amendment Bylaw NOT be forwarded to a Public Hearing for further consideration.

Carried

Councillor DeHart returned to the meeting at 2:22 pm.

3.3 Holland Rd 3010, Z18-0010 - Scott and Chandra Payer & John and Alexandra Woodfield

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Singh

R524/18/05/28 THAT Rezoning Application No. Z18-0010 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 14, District Lot 131, Osoyoos Division Yale District, Plan 10710, located at 3010 Holland Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing, 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 Attachment "A" from the Development Engineering Department dated February 1, 2018.

Carried

3.4 Holland Rd 3010, Z18-0010 (BL11620) - Scott and Chandra Payer & John and Alexandra Woodfield

Moved By Councillor Gray/Seconded By Councillor Hodge

R525/18/05/28 THAT Bylaw No. 11620 be read a 1st time.

Carried

3.5 Pacific Ave 1145, Z17-0118 - Anagram Properties

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Donn/Seconded By Councillor Gray

R526/18/05/28 THAT Rezoning Application No. Z17-0118 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1 District Lot 137 ODYD Plan 7833, located at 1145 Pacific Avenue, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM5 – Medium Density Multiple Housing zone be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated May 28, 2018;

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

Carried

3.6 Pacific Ave 1145, Z17-0118 (BL11621) - Anagram Properties

Moved By Councillor Hodge/Seconded By Councillor Gray

R527/18/05/28 THAT Bylaw No. 11621 be read a 1st time.

Carried

3.7 Taylor Cr 2424, Z18-0024 - Kerry and Nicole Begrand Fast

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Hodge/Seconded By Councillor Stack

R528/18/05/28 THAT Rezoning Application No. Z18-0024 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 17, District Lot 14, ODYD, Plan 7336 located at 2424 Taylor Crescent, Kelowna, BC from the RU1 – Large Lot Housing zone to the 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 in conjunction with Council's consideration of a Development Variance Permit for the subject property.

Carried

3.8 Taylor Cr 2424, Z18-0024 (BL11622) - Kerry and Nicole Begrand Fast

Moved By Councillor Gray/Seconded By Councillor Hodge

R529/18/05/28 THAT Bylaw No. 11622 be read a 1st time.

Carried

3.9 Shanks Rd 4085 & 4133, TA18-0001 (BL11551) - Geen Family Holdings Ltd

Moved By Councillor Hodge/Seconded By Councillor Gray

R530/18/05/28 THAT Bylaw No. 11551 be adopted.

Carried

3.10 Shanks Rd 4085 4133, FH18-0001 - Geen Family Holdings Ltd

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Singh/Seconded By Councillor Given

<u>**R531/18/05/28</u>** THAT final adoption of Zoning Bylaw Text Amending Bylaw No. 11551 be considered by Council;</u>

AND THAT Council authorizes the issuance of Temporary Farm Worker Housing Permit No. FH18-0001 for Lot 20 Section 34 Township 23 ODYD Plan 500 Except Plan KAP45154, located at 4085 Shanks Road, Kelowna, BC, and for Lot 19 Section 34 Township 23 ODYD Plan 500 Except Plan KAP45154, located at 4133 Shanks Road, Kelowna, BC, subject to the following:

- 1. The dimensions and siting of the buildings and structures to be constructed on the land be in accordance with Schedule "A";
- 2. Landscaping to be provided on the land in accordance with Schedule "B";
- 3. The applicant be required to post with the City a Landscape Performance Security deposit in the form of an Irrevocable Letter of Credit in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;
- 4. Registration of a Section 219 Restrictive Covenant restricting the use of the temporary farm worker housing to accommodation for temporary farm workers only, to a maximum of one hundred and forty (140) temporary farm workers, and to a maximum occupation of ten (10) months of the year;
- 5. Registration of a Section 219 Restrictive Covenant on all parcels owned or leased by the farmer in the McKinley City Sector restricting the total number of temporary farm worker housing to one hundred and forty (140) on those parcels; and
- 6. Registration of a Section 219 Restrictive Covenant on the farm unit parcels prohibiting the parcels from being sold or otherwise transferred separately; and
- 7. Registration of an easement on the farm unit parcels allowing reciprocal access for utilities (water, sanitary and drainage) and access.

Carried

3.11 Implementing Agriculture Plan Policy Recommendations: PACKAGE 1 Bylaw Amendments OCP18-0003 and TA18-0002

Staff:

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

Moved By Councillor Given/Seconded By Councillor Stack

<u>**R532/18/05/28</u>** THAT Official Community Plan Text Amendment Application No. OCP18-0003 to amend Kelowna 2030 – Official Community Plan Bylaw No. 1500 as outlined in Schedule B attached to the report from Policy and Planning dated May 28, 2018 be considered by Council;</u>

AND THAT Zoning Bylaw Text Amendment Application No. TA18-0002 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule C in the Report from Policy and Planning dated May 28, 2018 be considered by Council;

AND THAT Council considers the public process outlined in the report from Policy and Planning dated May 28, 2018, to be appropriate consultation for the purpose of Section 475 (1) and (3) of the Local Government Act;

AND THAT the Official Community Plan Text Amending Bylaw and the Zoning Text Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Zoning Text Amending Bylaw be considered subsequent to the approval of the Ministry of Agriculture and Ministry of Transportation and Infrastructure.

Carried

3.12 OCP18-0003 (BL11616) - Amendments to Address the Agriculture Plan

Moved By Councillor Singh/Seconded By Councillor Stack

<u>**R533/18/05/28</u>** THAT Bylaw No. 11616 be read a 1st time.</u>

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

Carried

3.13 TA18-0002 (BL11617) - Agricultural Amendments based on the Agricultural Plan

Moved By Councillor Singh/Seconded By Councillor DeHart

R534/18/05/28 THAT Bylaw No. 11617 be read a 1st time.

Carried

3.14 Implementing Agriculture Plan Policy Recommendations - PACKAGE 2 Bylaw Amendments OCP18-0004 and TA18-0003

Staff:

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

Moved By Councillor Hodge/Seconded By Councillor Singh

<u>**R535/18/05/28</u>** THAT Official Community Plan Text Amendment Application No. OCP18-0004 to amend Kelowna 2030 – Official Community Plan Bylaw No. 15000 as outlined in Schedule A attached to the report from Policy and Planning dated May 28, 2018 be considered by Council;</u>

AND THAT Zoning Bylaw Text Amendment Application No. TA18-0003 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule B in the Report from Policy and Planning dated May 28, 2018 be considered by Council;

AND THAT Council considers the public process outlined in the report from Policy and Planning dated May 28, 2018, to be appropriate consultation for the purpose of Section 475 (1) and (3) of the Local Government Act;

AND THAT the Official Community Plan Text Amending Bylaw and the Zoning Text Amending Bylaw be forwarded to a Public Hearing for further consideration;

AND FURTHER THAT final adoption of the Zoning Text Amending Bylaw be considered subsequent to the approval of the Ministry of Agriculture and Ministry of Transportation and Infrastructure.

Carried

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3.15 OCP18-0004 (BL11618) - Amendments to Address the Agriculture Plan

Moved By Councillor Singh/Seconded By Councillor DeHart

R536/18/05/28 THAT Bylaw No. 11618 be read a 1st time.

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

Carried

3.16 TA18-0003 (BL11619) - Agricultural Amendments based on the Agricultural Plan

Moved By Councillor Singh/Seconded By Councillor Stack

<u>R537/18/05/28</u> THAT Bylaw No. 11619 be read a 1st time.

Carried

4. Non-Development Reports & Related Bylaws

4.1 2040 OCP Update – Growth Scenarios Public Consultation

Staff:

Displayed a PowerPoint Presentation and responded to questions from Council.

<u>**R538/18/05/28</u>** THAT Council receives, for information, the four growth scenarios as they relate to the first phase of public engagement for the 2040 OCP update.</u>

Carried

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4.2 2018 Rental Housing Agreement Bylaws

Moved By Councillor Singh/Seconded By Councillor Hodge

<u>R539/18/05/28</u> THAT Council, receives, for information, the Report from the Planner Specialist dated May 28, 2018 recommending that Council adopt the following Housing Agreement bylaws to secure 436 purpose-built rental housing units;

AND THAT Bylaw No. 11507 authorizing a Housing Agreement between Valley Land Subdivision Ltd, which requires the owners to designate 166 dwelling units in a purpose-built rental housing for Lot A, Sections 29 and 32 Township 26, ODYD, Plan EPP75038 at 724 Valley Road, Kelowna, BC, be forwarded for reading consideration;

AND THAT Bylaw No. 11568 authorizing a Housing Agreement between the City of Kelowna and Necessary Homes Ltd, INC NO. BC 0850280 which requires the owners to designate 14 dwelling units in a purpose-built rental housing for Lot 1, Block 1 District Lot 137, ODYD, Plan 5042 at 1155 Pacific Avenue, Kelowna, BC, be forwarded for reading consideration;

AND THAT Bylaw No. 11567 authorizing a Housing Agreement between the City of Kelowna and Summerwood Retirement Resort Holding Corporation, which requires the owners to designate 154 dwelling units in a purpose-built rental housing for Lot A, District Lot 131, ODYD, Plan EPP76548 at 160 KLO Road, Kelowna, BC, be forwarded for reading consideration;

AND FURTHER THAT Bylaw No.11610 authorizing a Housing Agreement between the City of Kelowna and 0984342 BC Ltd., which requires the owners to designate 102 dwelling units in a purpose-built rental housing for Lot A District Lot 134 ODYD, Plan EPP65105 at 3477-3499 Lakeshore Road, Kelowna, BC, be forwarded for reading consideration.

Carried

4.3 Valley Rd 720, (BL11507) - Housing Agreement Authorization Bylaw - Valley Land Subdivision Ltd

Moved By Councillor Singh/Seconded By Councillor Hodge

<u>**R540/18/05/28</u>** THAT Bylaw No. 11507 be read a 1st, 2nd and 3rd time.</u>

Carried

4.4 KLO Rd 1360, (BL11567) Housing Agreement Authorization Bylaw - Necessary Homes Inc.

Moved By Councillor Singh/Seconded By Councillor Hodge

<u>R541/18/05/28</u> THAT Bylaw No. 11567 be read a 1st, 2nd, and 3rd time.

4.5 Pacific Ave 1155, (BL11568) - Housing Agreement Authorization Bylaw -Summerwood Retirement Resort Holding Corporation

Moved By Councillor Singh/Seconded By Councillor Stack

R542/18/05/28 THAT Bylaw No. 11568 be read a 1st, 2nd and 3rd time.

Carried

Carried

4.6 Lakeshore Rd 3477-3499, (BL11610) - Housing Agreement Authorization Bylaw -0984342 BC Ltd Inc.

Moved By Councillor Singh/Seconded By Councillor Stack

R543/18/05/28 THAT Bylaw No. 11610 be read a 1st, 2nd and 3rd time.

Carried

4.7 Rental Housing Revitalization Tax Exemption Agreements

Staff:

- Staff provided summary of the three agreements and responded to questions from Council.

Moved By Councillor Given/Seconded By Councillor Singh

R544/18/05/28 THAT Council, receives, for information, the Report from the Planner Specialist dated May 28, 2018 recommending that Council adopt the following Revitalization Tax Exemption Agreements for three purpose-built rental housing projects;

AND THAT Council approves the City of Kelowna entering into a Revitalization Tax Exemption Agreement with Valley Land Subdivision Ltd, for Lot A, Sections 29 and 32 Township 26, ODYD, Plan EPP75038 at 724 Valley Road, Kelowna, BC;

AND THAT Council approves the City of Kelowna entering into a Revitalization Tax Exemption Agreement with Necessary Homes Ltd, INC NO. BC 0850280, for Lot 1, Block 1 District Lot 137, ODYD, Plan 5042 at 1155 Pacific Avenue, Kelowna, BC;

AND FURTHER THAT Council approves the City of Kelowna entering into a Revitalization Tax Exemption Agreement with 0984342 B.C. LTD for Lot A District Lot 134 ODYD, Plan EPP65105 at 3477-3499 Lakeshore Road, Kelowna, BC;

Carried

4.8 2017 Climate Action Revenue Incentive Program

Staff:

- Displayed a PowerPoint Presentation summarizing the 2017 progress and 2018 plans.

Moved By Councillor Stack/Seconded By Councillor Singh

<u>R545/18/05/28</u> THAT Council receives, for information, the report from the Sustainability Coordinator and Energy Program Manager, dated May 28, 2018, with respect to the 2017 Climate Action Revenue Incentive Program public report;

AND THAT the 2018 Financial Plan be amended to increase both the revenue and the associated contribution to the Energy Management Rebate reserve budget as a result of the Climate Action Revenue Incentive Program grant.

Carried

4.9 Kelowna Community Health Services Centre Public Art – Financial Contribution Agreement

Staff:

- Displayed a PowerPoint Presentation summarizing the agreement.

Moved By Councillor Hodge/Seconded By Councillor Given

<u>R546/18/05/28</u> THAT Council receives, for information, the report from the Planner Specialist, Parks & Buildings Planning dated May 28, 2018, with respect to the Kelowna Community Health Services Centre Public Art – Financial Contribution Agreement;

AND THAT Council authorize the Mayor and Clerk to execute the Financial Contribution Agreement between Bentall Kennedy (Canada) Limited Partnership, BK Prime Kelowna Holdings LP and the City of Kelowna;

AND FURTHER THAT the 2018 Financial plan be amended to include the expenditure up to \$60,000 from the Public Art Reserve for the City's contribution portion towards the commissioning of new publicly accessible artwork at the Kelowna Community Health Services Centre, 505 Doyle Avenue.

Carried

4.10 Community Art Program Guidelines

Staff:

- Displayed a PowerPoint Presentation summarizing the revised guidelines.

Moved By Councillor Hodge/Seconded By Councillor Singh

<u>**R547/18/05/28</u>** THAT Council receives for information the report from the Cultural Services Manager dated May 28, 2018, regarding revised Guidelines for the Community Art Program.</u>

AND THAT Council approves the revised guidelines for the Community Art Program as set out in the report of the Cultural Services Manager dated May 28, 2018.

Carried

4.11 Municipal Insurance Association of BC Associate Membership Insurance Coverage

Moved By Councillor Given/Seconded By Councillor Hodge

R548/18/05/28 THAT Council approves delegating to the Director of Human Resources the authority to authorize and execute the attached agreement, as amended from time to time, on behalf of Mayor and Council for the purpose of providing select service providers liability insurance protection through the Municipal Insurance Association of British Columbia (MIABC) as an Associate Member under the City of Kelowna's liability insurance membership account.

Carried

4.12 Elected Officials RTC 2018 05 22 Council Remuneration

Staff:

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

Moved By Councillor Singh/Seconded By Councillor Stack

<u>R549/18/05/28</u> THAT Council receives the report from the Divisional Director, Financial Services dated May 28, 2018 with respect to amendments for removal of the one third allowance for incidental expenses and an increase in remuneration to the Council Remuneration and Expense Bylaw effective January 1, 2019;

AND THAT Bylaw No. 11624 being the Amendment No. 10 to the Council Remuneration and Expense Bylaw No. 7547 be in advanced for reading consideration;

Carried

4.13 BL11624 - Amendment No. 10 to Council Remuneration and Expense Bylaw No. 7547

Moved By Councillor Donn/Seconded By Councillor Given

R550/18/05/28 THAT Bylaw No. 11624 be read a 1st, 2nd and 3rd time.

Carried

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5. Bylaws for Adoption (Non-Development Related)

5.1 BL11565 - 2018 General Local Government Election Bylaw

Moved By Councillor Donn/Seconded By Councillor Given

<u>**R551/18/05/28</u>** THAT Bylaw No.11565 be adopted.</u>

5.2 BL11569 - Amendment No. 1 to City of Kelowna Automated Voting Machines Authorization Bylaw No. 10970

Moved By Councillor Donn/Seconded By Councillor Given

<u>R552/18/05/28</u> THAT Bylaw No. 11569 be adopted.

Carried

Carried

5.3 BL11601 - Amendment No. 30 to Traffic Bylaw No. 8120

Moved By Councillor Donn/Seconded By Councillor Given

R553/18/05/28 THAT Bylaw No. 11601 be adopted.

Carried

6. Mayor and Councillor Items

Councillor Stack:

 Will be attending FCM in Halifax and is looking forward to hear what the main topics of discussion will be.

Councillor DeHart:

- Brain Trust Symposium BRAINx 2018 will be held on June 7th at the Ramada Kelowna Hotel & Conference Centre with a Journey Home Presentation.

- On behalf of Mayor Basran will be attending the Canadian Catholics School Trustees Association Conference on June 7th.
- ALS Walk on Sunday June 10th starting at the Dolphins Fountain at 10:30 am.

Councillor Hodge:

- Shout out to the IHA staff who work at the Wound Clinic.
- Shout out to Gwen Holland on her 99th birthday. Gwen was the first female elected to serve on Council in 1969.

Councillor Gray:

Bike to work week started today. Go online at biketowork.ca and register.

Councillor Donn:

- Shared concerns with cyclist safety during Bike to Work Week.
- Reminded the public to use the online service request system to identify areas where work needs to be done.
- For crime prevention please register bikes with 529 Garage.
- Excited to learn that \$1.45M was donated from the estate of Harry Weatherill towards the Okanagan Rail Trail Campaign.

Councillor Given:

- Spoke to her attendance at the Municipal Fleet Managers Association Conference.
- Spoke to her attendance at the Kelowna Newcomers Club and the Kiwanis Music Festival Gala.
- Spoke to her attendance at the groundbreaking ceremony for "The Shore" and wanted to send out a shout out to the Stand Up Paddle Board Rental ladies at Gyro Beach for their great instruction to paddle boating.

Mayor Basran:

Reflected on today's agenda and made comment on some of the transformative items on the Agenda that will impact the future of the City.

Termination 7.

This meeting was declared terminated at 4:32 pm.

City Clerk

Mayor Basran

/tt



Thank you for bringing art into the lives of 27,500 Museum visitors (6.1% increase)

Our Vision and Mission

By bringing people and art together, the Kelowna Art Gallery strives to make meaningful social impact and improve the quality of people's lives.



Our Vision and Mission

Through our diverse program visitors become more creative, more aware, and gain new perspectives.



Our Vision and Mission

We will continue to focus on engaging our visitors, inspiring our audiences, and being innovative in the ways we gather people together to create community through art.



Our Connect Program provided local adults (493) with developmental disabilities opportunities to create art with local artists.



Since 2010 we offer tours for the visually impaired



Over 7,000 school children visit the Gallery annually for a tour and activity



DRAWN TOGETHER ANNUAL MEMBERS' EXHIBITION

Community Engagement

336

Cultural Access Passes for new Canadians awarded since 2012 Celebrating 150 Years with 80 works of historical Canadian art from 9 private collectors in Kelowna.



We were delighted to welcome the Honourable Minister of Culture, Melanie Joly, to the Gallery to view Our 150 Exhibition



We are committed to local artists



Providing a national platform for our community

Publications

ARSON CTIONS

536.70

GARY PEARSON SHORT FICTIONS

Gary Pearson: Short Fictions

members: \$30.00

non-members: \$35.00

GARY SHOR

Exhibitions that tour across Canada

Landon Mackenzie's exhibition travelled to PEI, Halifax and Barrie



Permanent Collection renovation

Before

After



We loaned art from our permanent collection to The Audain Art Museum in Whistler and to the Kamloops Art Gallery this past year.





YLW



Seen by 1.7 million

travelers



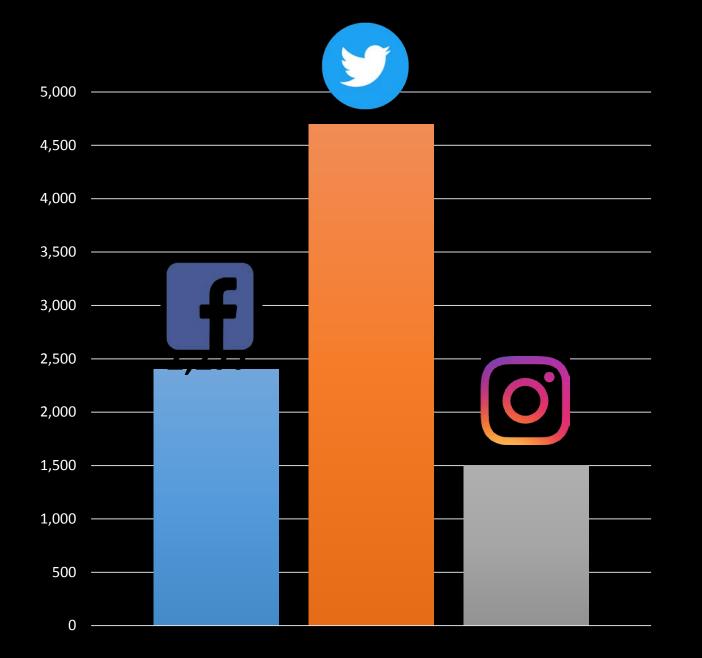
-800

community-based artists exhibited

Family Sundays expanded hours 1,266 participants



RARKE RARKS



Internet & Social Media

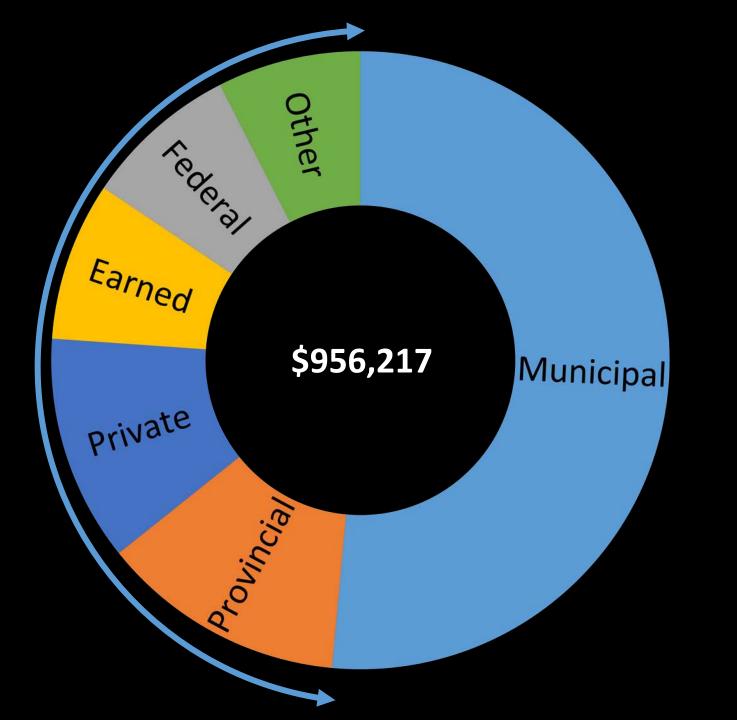
45,700

Website visitors (6.3% increase)

300 +

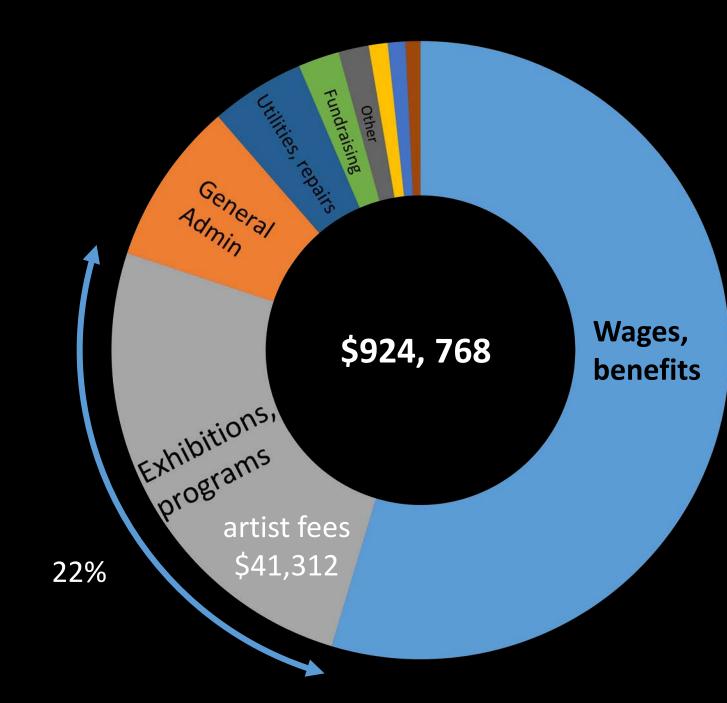
articles, interviews, and editorial features in national, regional, and local media

Okanagan Life Magazine, Kelowna Capital News, The Daily Courier, YLW Connection, ICON Okanagan Magazine, Okanagan Woman Magazine, The Phoenix (UBCO), Courier EXTRA. Vie des Arts, MICE Magazine, Coastal Beat, Castanet.net, oook.ca, infonews.ca, KelownaNow.com, CBC British Columbia, The Province, National Gallery of Canada Magazine, Border Crossings, Canadian Art, Galleries West, Preview – The Gallery Guide, Global Okanagan News at 5, go! Okanagan, CBC Kelowna Daybreak South, AM 1150, Q103.1 FM, and 99.9 Sun FM



2017 Revenues

500,943	53%
119,688	13%
83,750	9%
160,768	17%
48,992	6%
41,803	5%
	119,688 83,750 160,768 48,992



2017 Expenses

Wage, benefits General Admin Exhibitions, programs Insurance Advertising Fundraising Utilities, repairs Prof dev, consulting Other \$508,986 \$77,088 \$202,905 \$12,363 \$13,080 \$19,587 \$47,961 \$21,245 \$7,224 The Year Ahead

- Continue work to increase accessibility, community engagement, and attendance
- Continue to develop local collectors and showcase collections in the city (Dr. Luigi Rossi)

June 16 – October 28

C. Ticlaura

Volunteers

2400 hours = \$48,000



City of Kelowna Province of British Columbia British Columbia Arts Council Canada Council for the Arts Central Okanagan Public Schools **Central Okanagan Foundation Audain Foundation Telus Community Fund** Vancouver Foundation **Canadian Museums Association** Young Canada Works

as well as our members (%27.59 increase) and individual supporters



Accelerate Okanagan Alliance for Equality for **Blind Canadians** The Alternator Centre for **Contemporary Art** CARFAC BC **Community Living BC Ballet Kelowna Bumbershoot Children's** Theatre **CAGE** conference

Canadian Mental Health Association Kelowna Chamber of Commerce **Central Okanagan Women's Resource & Education Centre Creative Aging** Arts Council of the Central Okanagan **Culture Days Delta Grand Okanagan Resort** Hart House, University of Toronto

Kelowna Museums **Kelowna Community Music** School (KCMS) **Opera Kelowna Rotary Centre for the Arts** School District #23 **UBC Okanagan** Vancouver Art Gallery West Bank First Nations



thank you!







Date:	June 28, 2018			Reiuwiid
RIM No.	1250-30			
То:	City Manager			
From:	Community Pla	anning Department (TA)		
Application:	Z17-0065		Owner:	Ki-Low-Na Friendship Society, Inc. No. S-10638
Address:	1759 Highway <u>s</u> (Margaret's Lai		Applicant:	Patrick McCusker
Subject:	Rezoning Appli	ication		
Existing OCP De	signation:	MRL – Multiple Unit Re PARK – Major Park/Op	•	· ·
Existing Zone:		RU1 – Large Lot Housir	ng	
Proposed Zone:		RM3 – Low Density Mu	ltiple Housing	

1.0 Recommendation

THAT Rezoning Application No. Z17-0065 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of portions of Lot B, Section 18, Township 27, ODYD, Plan 29386, located at 1759 Highway 33 E, Kelowna, BC from the RU1 – Large Lot Housing zone and P2 – Educational & Minor Institutional zone to the RM3 – Low Density Multiple Housing zone as shown on Map "A" attached to the Report from the Community Planning Department dated May 28, 2018, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the issuance of an Environmental Development Permit to establish required protection of the environmentally sensitive areas and the SROW for public access;

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 May 28, 2018;

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

2.0 Purpose

To rezone the subject property from RU1 – Large Lot Housing zone and P2 – Educational & Minor Institutional zone to RM3 – Low Density Multiple Housing zone to facilitate the development of a multifamily complex.

3.0 Community Planning

Community Planning supports the proposed rezoning from RU1 – Large Lot Housing zone and P₂ – Educational & Minor Institutional zone to RM₃ – Low Density Multiple Housing zone as it is consistent with several key Official Community Plan objectives including aligning with the Future Land Use, protection of environmentally sensitive areas (ESA), establishing a section of public trail as part of Gopher Creek Linear Park, and providing affordable housing.

The northern portion of the subject property is predominantly flat and has a Future Land Use of MRL – Multiple Unit Residential (Low Density) which supports RM₃ rezoning to allow for townhomes and apartment style housing. The southern portion of the subject property features steep slopes and riparian areas associated with Gopher Creek. This portion has a future land use designation of PARK – Major Park/Open Space (Public) which will remain. An Environmental Development Permit is required to be issued for the subject property which will ensure the necessary Section 219 Restrictive Covenants are put in place to protect the environmentally sensitive steep slopes and riparian areas as determined by a qualified environmental professional (OCP Policy 5.15.7). Along with the protection of the ESAs, the applicant will be required to register a Public Statutory Right-of-Way that allows the public to connect through the subject property as part of the larger Gopher Creek Linear Park Plan (OCP Policy 5.14.2).

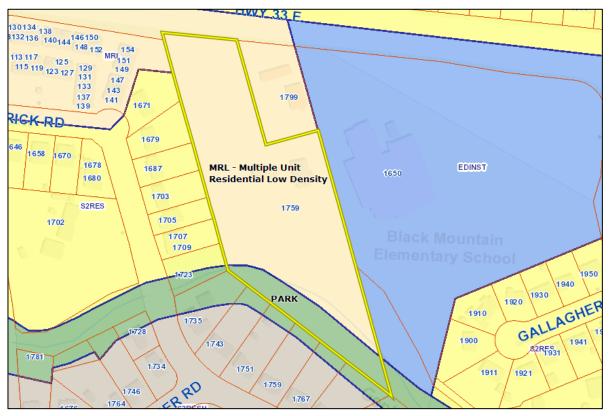


Figure 1: Official Community Plan Future Land Use Designations

The proposed development takes the form of multi-family townhomes and an apartment building for affordable housing as managed through the non-profit Ki-Low-Na Friendship Society. The types of units range from one and two-bedroom apartment units to three and four-bedroom townhomes. The larger units represent family housing stock (OCP Policy 5.22.13) which is currently in low supply in Kelowna as identified in the Housing Needs Assessment. The applicant is considering a future phase on the remainder of the property and in association with the current development proposal which may include a Childhood Education and Care Centre. Should Council support the rezoning, Staff will present a Development Permit and Development Variance Permit to be considered in conjunction with final adoption of the Rezoning Bylaw.



Figure 2: Rendering of proposed development

4.0 Proposal

4.1 <u>Background</u>

The subject property was acquired by the Ki-Low-Na Friendship Society in 2004 and currently has a single family dwelling that was constructed in 1989 with accessory building located on the property which will be removed as a function of this application.

4.2 Project Description

The subject property is currently split zoned between $RU_1 - Large Lot Housing$, $P_2 - Educational & Minor Institutional, and <math>P_3 - Parks & Open Space$. The applicant has applied to rezone the RU_1 and P_2 portions to $RM_3 - Low$ Density Multiple Housing to facilitate a multi-family development with future Child Care Centre.

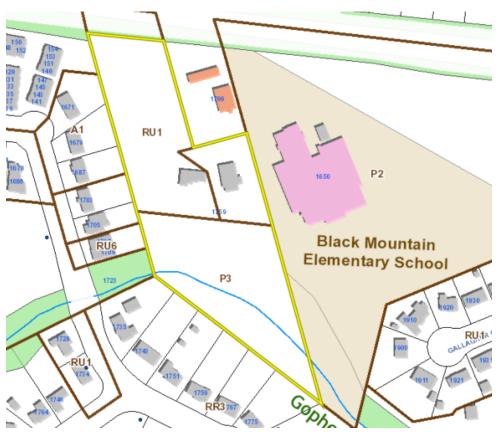


Figure 3: Split zoned property between RU1, P2, and P3

The portion of the property that is zoned P3 will remain and will have a Public Statutory Right-of-Way registered over it to allow for the public to access the Gopher Creek Linear Park. An Environmental Development Permit will be required to establish a "Do Not Disturb" 219 Restrictive Covenant over the steep slopes and riparian areas on the southern portion of the site to provide long term protection for the ESAs. An additional "Do Not Build" 219 Restrictive Covenant will be registered along the top of the steep slopes for a geotechnical setback to the proposed structures. Staff have worked with the applicant and their environmental consultant to determine the specific locations of these setbacks and are confident the Environmental Development Permit will reflect appropriate preservation of the steep slopes and riparian areas.

The applicant has proposed a total of 14 townhomes featuring 3 and 4 bedrooms with two car tandem garages. A 35-unit apartment building will consist of one and two-bedroom units with surface parking. The applicant has identified one variance to absolute height on the apartment building as the design attempts to work with the changing grades on the subject property. Access to the site is from Highway 33 E, and the Ministry of Transportation and Infrastructure has provided preliminary approval for the rezoning. Should Council support the rezoning, Staff will bring forward a Development Permit and Development Variance Permit for Council Consideration.

4.3 <u>Site Context</u>

The subject property is located in the Black Mountain Village Centre on the south side of Highway 33 E. It is located on a bench above Gopher Creek and adjacent to Black Mountain Elementary School. There is a series of single family dwelling homes to the west which are located at a lower elevation than the proposed development.

Orientation	Zoning	Land Use
North	A1 - Agriculture	Residential
East	A1 – Agriculture	Gas Bar
EdSL	P2 – Educational & Minor Institutional	Public School
South	RR3 – Rural Residential 3	Residential
	A1 – Agriculture	
West	RU1 – Large Lot Housing	Residential
	RU6 – Two Dwelling Housing	

Specifically, adjacent land uses are as follows:

Subject Property Map: 1759 Highway 33 E



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Policy 5.2.3: Complete Suburbs. Support a mix of uses within Kelowna's suburbs (see Map 5.1 - Urban Core Area), in accordance with "Smart Growth" principles to ensure complete communities. Uses that should be present in all areas of the City (consistent with Map 4.1 - Future Land Use Map), at appropriate locations, include: commercial, institutional, and all types of residential uses (including affordable and special needs housing) at densities appropriate to their context. Building heights in excess of four storeys will not be supported within the suburban areas, unless provided for by zoning existing prior to adoption of OCP Bylaw 10500.

Policy 5.14.2: Dedication of Linear Parks. At subdivision and rezoning for all development types secure a minimum 10-metre wide linear corridor for public access as included in Table 5.1 Linear Park – Public Access and/or are shown on Map 5.9 – Linear Corridors / Paths. The 10-metre wide corridor may be in addition to, and outside, any riparian management area requirements imposed through the Environmental Development Permit (see Chapter 12) requirements of the OCP. On the

private property side of the public access corridor, the City may, as necessary, consider stipulating additional "no disturb" zones. Lot line adjustments or other subdivision applications not resulting in the creation of new lots suitable for the construction of buildings permitted under the applicable zoning will be considered exempt from this policy. Linear trail corridors can have the following tenure which will be determined by staff at the time of subdivision or rezoning:

- Titled property in the name of the city as a park, protected area, or
- Road reserve right of way; or
- Statutory right of way.

Policy 5.15.7: Protection Measures. Protect and preserve environmentally sensitive areas using one or more of the following measures, depending on which measures are appropriate to a given situation:

- Dedication as a City park or trail where the area complements the goals and objectives of sustainable development. ESA's acquired as parks or trails will be managed to protect their sensitive features in balance with public use;
- Ensure setbacks on adjacent developments are adequate to maintain the integrity of the ESA and to minimize hazards created at the interface between natural areas and development. For example, ensure housing is setback an adequate distance adjacent to an interface area with potential tree, rockfall, flooding or fire hazards;

Policy 5.22.11: Housing Mix. Support a greater mix of housing unit size, form and tenure in new multi-unit residential and mixed use developments.

Policy 5.22.13: Family Housing. Support housing alternatives for families when single detached housing is too costly, including features that are important to families such as: outdoor space, direct access to grade, workshop space, larger units, safe design, and neighborhood characteristics (e.g.: location and amenities).

6.0 Technical Comments

6.1 <u>Building & Permitting Department</u>

Full plan check review will be included with Development Permit.

6.2 <u>Development Engineering Department</u>

Please see the attached memorandum dated August 27, 2017.

6.3 Bylaw Services

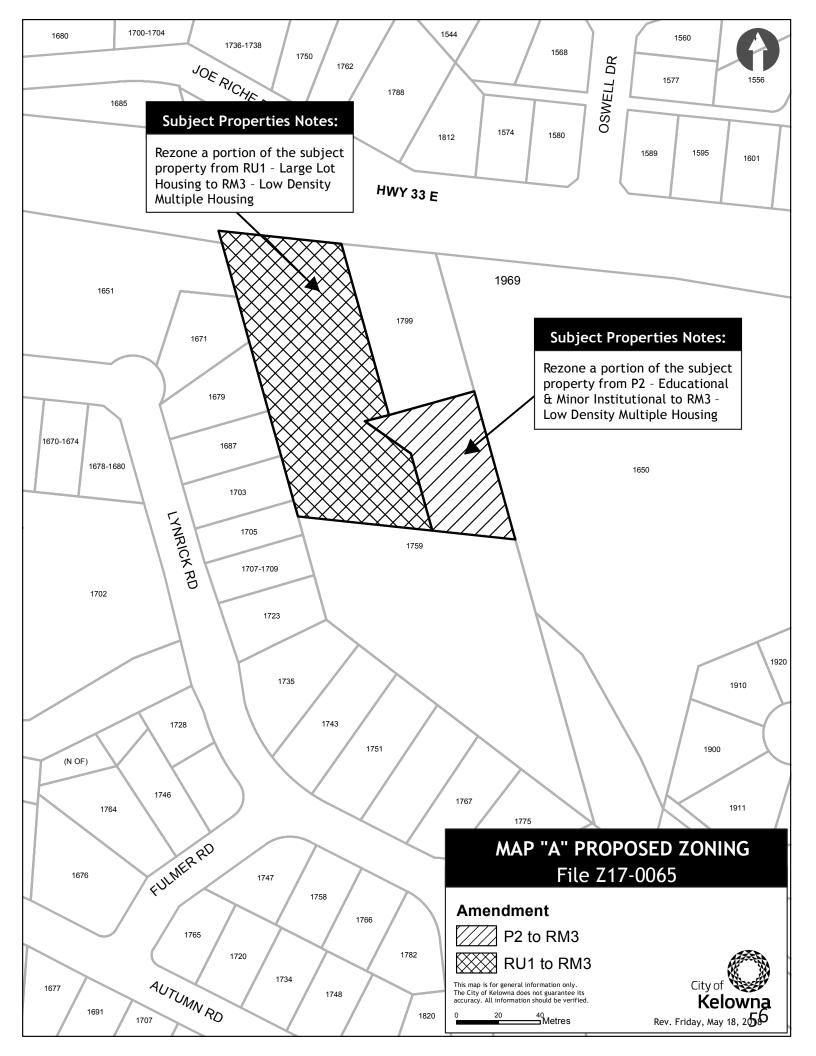
Currently there are no outstanding/open Bylaw enforcement files pertaining to property location: 1759 Highway 33 E.

7.0 Application Chronology

Date of Application Received: Date Public Consultation Completed:	June 21, 2017 April 25, 2018
Report prepared by:	Trisa Atwood, Planner II
Reviewed by:	Terry Barton, Urban Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Map "A": Proposed Zoning Schedule "A": Development Engineering Memorandum Applicant's Letter of Rationale Proposed Site Plan Context/Site Photos Sustainability Checklist





CITY OF KELOWNA

MEMORANDUM

Date: August 23, 2017

File No.: Z17-0065

To: Urban Planning Management (TB)

From: Development Engineering Manager (JK)

Subject: 1759 Hwy 33 E

RU1 to RM3

The Development Engineering Department has the following comments and requirements associated with this application to rezone a portion of the subject property from RU1 to RM3 to facilitate a multi-family development.

The road and utility upgrading requirements outlined in this report will be a requirement of this development. The Development Engineering Technologist for this project is Andy Marshall.

1. <u>General</u>

These are Development Engineering comments/requirements and are subject to the review and requirements from the Ministry of Transportation (MOTI).

2. Domestic Water and Fire Protection

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

3. <u>Sanitary Sewer</u>

This property is currently serviced with 100mm sanitary services. The developer's consulting mechanical engineer will determine the development requirements of this proposed development and establish the service needs. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal and disconnection of the existing services and the installation of one new larger service if necessary. Any service improvement and decommissioning works may be included in an offsite servicing design package submission including an estimate for bonding purposes.

SCHEDULE A This forms part of application² # Z17-0065 City of Kelowna Initials of the part of th

4. <u>Storm Drainage</u>

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

5. Road Dedication and Subdivision Requirements

- a) Provide ROW access agreement for a public walkway (Gopher Creek Linear Park) through this development. This public access walkway must remain unobstructed. City staff will determine the limits of this dedication.
- b) Grant statutory rights-of-way if required for utility services.

6. <u>Electric Power and Telecommunication Services</u>

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

7. Other Engineering Comments

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

8. <u>Geotechnical Report</u>

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



9. **Development Permit and Site Related Issues**

Access and Manoeuvrability

- Ensure acceptable turning movements onsite for MSU design vehicle. (i) (ii)
- Any bicycle racks included with this development shall be onsite.

10. **Charges and Fees**

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

Jason Ough **Development Engineering Technologist**



Development Engineering Manager (initials)



June 19, 2017 City of Kelowna 1435 Water Street Kelowna, BC V1Y 1J4

Attention: Land Use Management Department | City of Kelowna

Re: Rezoning and Development Permit Application for Lot B, Plan KAP 29386, Section 18, Township 27, ODYD 1759 Highway 33, Kelowna, B.C.

Project Description

The proposal is to rezone a 1.98 ha parcel located at 1759 Highway 33 from RU1 large lot single family to RM-3 low density multifamily.

At present the lot is split zoned, RU1 and P3. the proposed rezoning will be for the RU1 portion only with the P3 to remain for a future early childhood education center.

The future land use as defined in the OCP for this area is for a higher residential density so the proposal conforms to the future land use

In addition to the Rezoning application we will be applying for a development permit concurrently. The DP application will consist of a comprehensive residential rental project consisting of two distinct residential building types. The first building type will be 14 side by side three and four bedroom townhouses with tandem parking. The second will be a three story 35-unit apartment building consisting of one and two bed room units

Parking for the apartment on grade with access to the site by way of an existing access off Highway 33 There is at present existing house and out building which will be removed at construction

Design Rationale

The objective of the project is to provide affordable rental accommodation to a wide demographic including singles, families and seniors. To achieve this, the project will provide a diverse unit mix ranging from one and two bedroom apartments to 3 to 4 bedroom townhouses. In addition, three two -bedroom units will be suitable for people with disabilities.

Because of the size and semi -rural nature of the site The project will have the opportunity to create its own mini-community with some unique natural amenities such as an existing wetland at the southern end of the site and access to the Gopher Creek linear park

The Margret's Landing will provide a catalyst to create a new neighborhood while also creating much need affordable rental units for both families and elders

Sustainability

Smart urban growth prescribes higher residential density within appropriate areas that provide the necessary amenities for people to live, work and play without the need of cars. Higher density is also a sustainable solution since it allows the reduction or elimination of new infrastructure, including roads, utility services and the additional energy consumption associated with it. In addition to this the project would will be built to Leed Certified standards and provide a significant economic and sustainable benefit to the area by:

- 1) helping to fulfill the desperate need for entry level and affordable housing in Kelowna;
- 2) provide additional residential density support to the local businesses

Variances

The development of a purpose-built rental project has its challenges but given the fact that the site is rural in nature we are only requiring a slight variance for the building height of the apartment building from 10 m to 11 m

This is to accommodate the width of the building and the slope roof

Conclusion

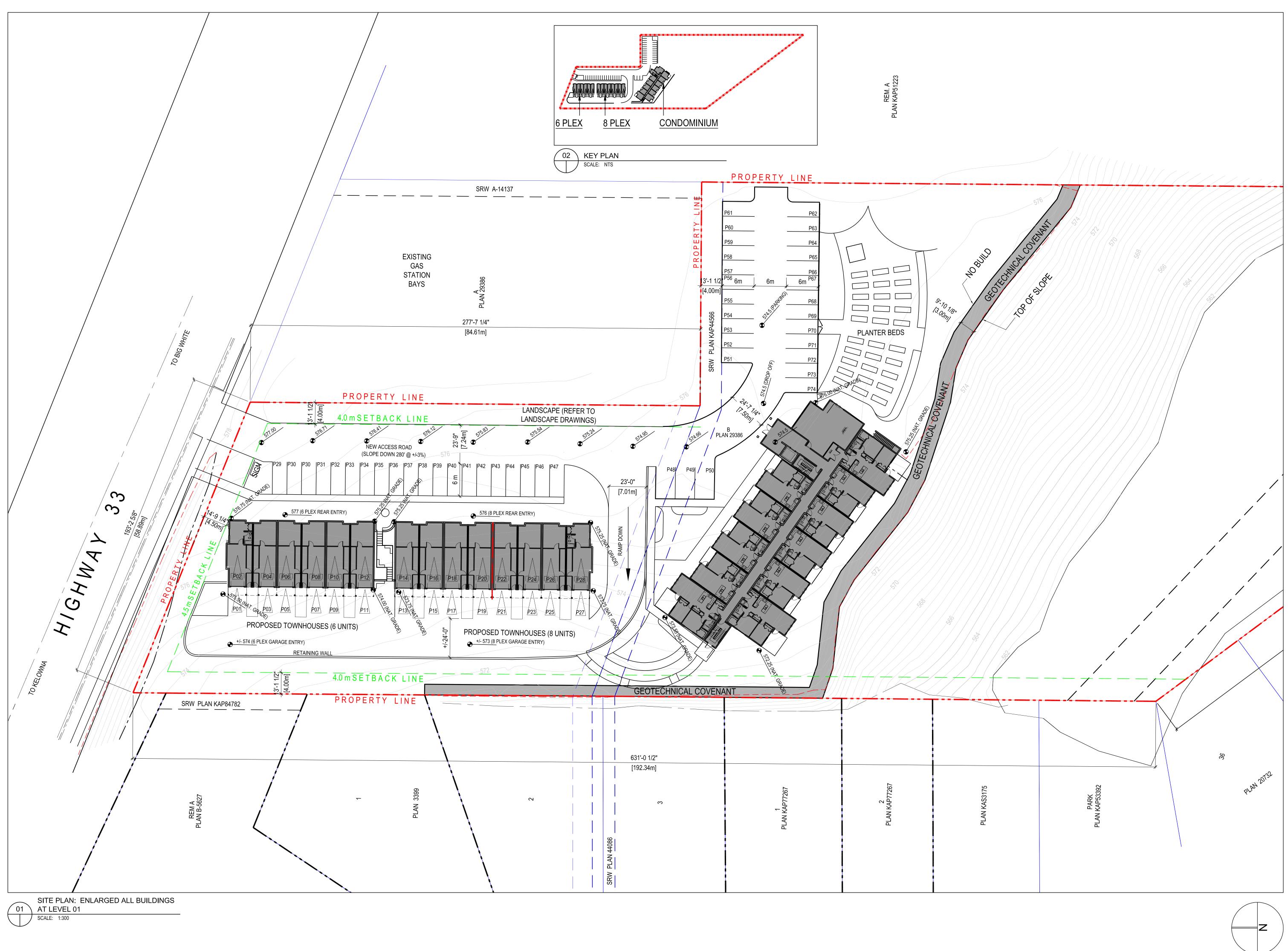
The design of this project attempts to balance good urban design with functional and financial viability. We believe it will fit well with the existing neighborhood as well as providing additional affordable housing for Kelowna

I trust that you will find our application in good order. For further building statistics, please refer to the cover page of the drawings, A0.0. Please contact our office if you require any further information.

Sincerely,

5/0

Patrick McCusker, Architect-AIBC, AAA, MRAIC Principal Patrick McCusker Architecture Inc.



Notes:

© Copyright Reserved. This drawing and design are, and at all times remain, the property of Patrick McCusker Architecture Inc., and can be reproduced only with written consent. All drawings shall be read in conjunction with specifications and consultant details.

All work shall be carried out in accordance with Canadian standards, specifications, British Columbia Building Code (Current Edition) and local authority by-laws and regulations.

Tabulated scales refer to Arch D size drawing sheet. This drawing must not be scaled.

Contractors shall verify all dimensions prior to

commencement of work. Any omissions or discrepancies shall be reported to the

Seal

architect.



drawing no.

DP1.02a



Land Use Management 1435 Water Street Kelowna, BC V1Y 1J4 250 469-8626 kelowna.ca/landuse sustainability@kelowna.ca

Sustainability Checklist Commercial or Multi-unit Development

with Rezoning

Project Name or Location 1759 HWY 33 EKST

Applicant Name PATRICK MCCUSKER

PATRICK MCCUSKER ARCHITECT INC Organization ___

ECONOMIC SUSTAINABILITY

	Score	Points
Building uses: (IF APPLICABLE, SELECT ONE FROM LIST)		
□ 3 or more uses (ie. Office space, retail & residential)		3
🗹 2 uses or types of residential (ie. retail & residential or townhouse & low-rise apartments)	2	2
Employs local contractors (some, most or all) during construction	5	2-5
Construction products and supplies sourced within the region	2	1-2
TOTAL	9	10

ENVIRONMENTAL SUSTAINABILITY

	Score	Points
Green Building Certification being sought		
C LEED	5	5
BuiltGreen, Green Globe or other (please specify)	0	3
Recycled Materials used in Building Construction	1	2

Green Space

Design includes Shared Green Space (ie. Rooftop garden, community garden)	3	2-3
Environmentally-Sensitive Areas Protected during construction phase (ie. Fenced)	2	2
or		
No Environmentally Sensitive Area to protect		

Air Quality

Co-op Car(s) or Transit Passes for Building Occupants (secured through an agreement)	Ö	2
Natural Ventilation (ie. Windows that open)	2	2
Safe & Accessible Bicycle Storage Facilities	2	2
Trees planted on the site beyond zoning requirements (not including any replacement trees)		
□ 1-5 trees		1
™^ 5 +	2	2
No Fast Food Drive Thru facilities	1	1

Water Quality & Quantity

Recycling of grey water		4
50% of area outside of permitted site coverage is permeable or unpaved surface	2	2
Irrigation system employs conservation technology (ie. Drip irrigation)		
or	2	2
No irrigation system required for landscaping		
Rainwater collection		
or	0	2
Water conservation beyond building code requirements		
Xeriscaping for water conservation		

CITY OF KELOWNA	API	PLICATION FORM
or	2	2
Landscaping with indigenous vegetation (drought resistant)	Access.	

Renewable Energy Source(s) for Building, such as geo-thermal, solar photovoltaic, air pumps, etc. Please	\wedge	2-4
Specify:	U	
Building Orientated and/or Designed to Maximize Energy Savings		2
Low Energy Windows Installed throughout Building(s)	2	2
Pre-Heating Water Energy Technology to be Employed		2
Energy Efficient Features (lighting, appliances, etc.)	2	2
SUBTOTAL	29	45

SOCIAL SUSTAINABILITY

	Score	Points
Provides Indoor or Outdoor Social/Recreational Amenity (i.e. community meeting place, dog park, public community garden, etc.). Please Specify: AMENITY ROOM + COMMUNITY GARDERS	3	2-3
Designed According to Crime Preventions Through Environmental Design (CPTED) Principles (staff can provide document)	2	2
SUBTOTAL	5	5

CULTURAL SUSTAINABILITY

	Score	Points
Voluntary Streetscaping Improvements, such as benches, planters, or lighting upgrades	3	2-4
City Design Guidelines & Staff Comments Addressed in Project Design	1	1-3
Heritage Site Identified and Recommendations for Conservation Followed		1-3
or No Disturbance to a Heritage Site No Heritage Site	3	3
Public Art Provision or		1-3
Significant Public Amenity (i.e. covered walkway, fountain, etc.) Please Specify:		
Connectivity from site to Parks, Bike Paths, Pedestrian Walkways, or Local Amenities (shops, medical centre, etc.)		2
SUBTOTAL	10	15

BONUS

·	Score	Points
 Other Sustainability Measure(s), including but not limited to: Rehabilitation of a Natural Feature (i.e. wetland); Green Roof; Accessible Design Beyond Building Code; Child-Friendly Design. 	6	1-10
Please provide details below		
ECCONMIC SUBTOTAL	6	10
ENVIRONMENTAL SUBTOTAL	29	45
SOCIAL SUBTOTAL	5	5
CULTURAL SUBTOTAL	10	15
TOTAL	50	85

ADDITIONAL DETAILS

Thank you for taking the time to complete the City of Kelowna Sustainability Checklist. Once you have completed the checklist, please email it to <u>sustainability@kelowna.ca</u> or drop it off on the 2nd floor of City Hall.

Thank you.

CITY OF KELOWNA

BYLAW NO. 11625 Z17-0065 – 1759 Hwy 33E

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

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

- THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of portions of Lot B, Section 18, Township 27, ODYD, Plan 29386 located on Highway 33 E, Kelowna, B.C., from the RU1 – Large Lot Housing zone and the P2 – Educational & Minor Institutional zone to the RM3 – Low Density Multiple Housing zone as per Map "A" attached to and forming part of the bylaw.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

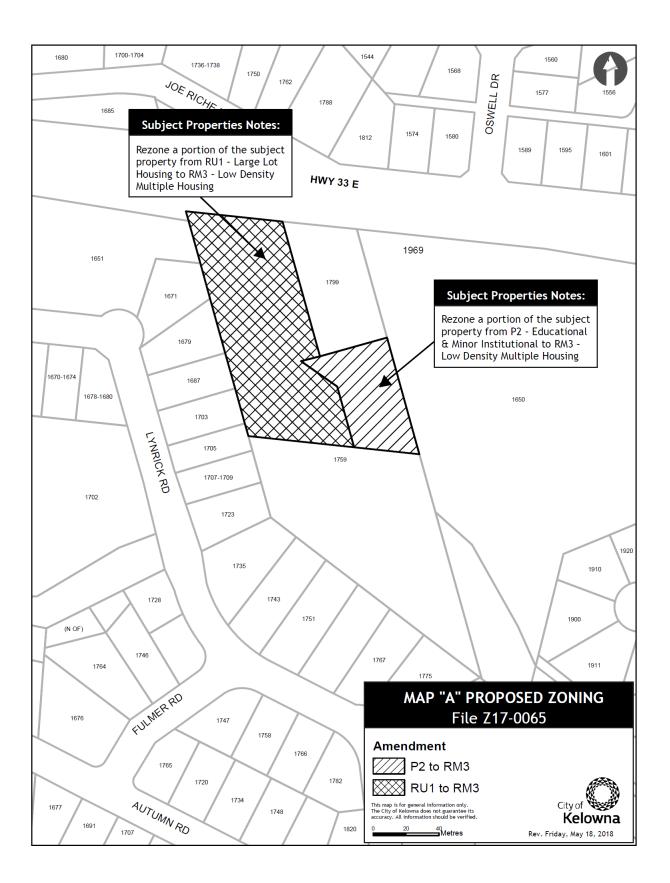
Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



REPORT TO COUNCIL



Date:	June 11, 2018 REIOWI			
RIM No.	1250-30			
То:	City Manager			
From:	Community Pla	anning Department (KB)		
Application:	Z18-0041		Owner:	Gordon Richard Lovegrove Karen Lorraine Lovegrove
Address:	2195 Abbott St		Applicant:	Baxter Design (Shane Baxter)
Subject:	Rezoning Appli	ication		
Existing OCP De	signation:	S2RES – Single / Two U	nit Residential	
Existing Zone:		RU1 – Large Lot Housin	ig	
Proposed Zone:		RU1c – Large Lot Housi	ing with Carriag	je House

1.0 Recommendation

THAT Rezoning Application No. Z18-0041 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 4 District Lot 14 Osoyoos Division Yale District Plan 3393, located at 2195 Abbott Street, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c Large Lot Housing with Carriage House zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

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

2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone to facilitate the development of a carriage house.

3.0 Community Planning

Community Planning Staff support the proposed rezoning application from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to facilitate the development of a carriage house.

The Official Community Plan (OCP) Future Land Use designation of the subject property is S2RES – Single / Two Unit Residential, which supports this zoning change. The concept of the carriage house is aligned with the OCP Policies of Compact Urban Form – increasing density where infrastructure already exists, and of

Carriage Houses & Accessory Apartments. The property is connected to City sanitary sewer and within the Permanent Growth Boundary of the City.

The subject property is located within the Abbott Marshall Heritage Conservation Area. As such, should Council support the Rezoning application, Staff issuance of a Heritage Alteration Permit, for the form and character of the carriage house would be required. The applicant has submitted preliminary drawings for the carriage house (Schedule "B") which demonstrates that it can be constructed without any variances.

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

4.0 Proposal

4.1 Background

The subject property has a single family dwelling that will be retained through this development. The original dwelling was constructed in 1956, in Frank Lloyd Wright styling. The applicant has indicated there a garage was later constructed around 1990, not in keeping with the style of the house. This garage is proposed to be removed, to allow the construction of the carriage house, which would be more in keeping with the form and character of the original residence.

As the property is located within the Abbott Marshall Heritage Conservation Area, should the rezoning application be supported by Council, a Heritage Alteration Permit would be required prior to issuance of any building permits.

4.2 Project Description

The applicant has provided preliminary designs for a new carriage house. A conceptual site plan has been submitted showing the carriage house can be constructed without variances.

4.3 Site Context

The 1093 m² subject property is located at the corner of Abbott Street and Royal Avenue. It is in close proximity to the Kelowna General Hospital, several waterfront parks and is located on the Abbott Street Recreation Corridor. It is within the Permanent Growth Boundary and has a walk score of 54, which means it is somewhat walkable.

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Residential
East	RU1 – Large Lot Housing	Residential
South	HD1 – Kelowna General Hospital	Current Parking Lot, Development application currently in-stream for Congregate Housing
West	RU1 – Large Lot Housing	Residential

Specifically, adjacent land uses are as follows:



Subject Property Map: 2195 Abbott Street

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5 - Development Process

Policy 5.2.3 - **Compact Urban Form.** Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Policy 5.22.6 – Sensitive Infill. Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

Policy 5.22.12 – Carriage Houses & Accessory Apartments. Support carriage houses and accessory apartments through appropriate zoning regulations.

6.o Technical Comments

6.1 Development Engineering Department

See attached Schedule "A" - City of Kelowna Memorandum

7.0 Application Chronology

Date of Application Received:	April 11, 2018
Date Public Consultation Completed:	May 4, 2018

Report prepared by:	Kimberly Brunet, Planner
Reviewed by:	Dean Strachan, Suburban and Rural Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Schedule "A" – City of Kelowna Memorandum Schedule "B" - Conceptual Site Plan, Floor Plan and Elevations



CITY OF KELOWNA

MEMORANDUM

Date: April 27, 2018

File No.: Z18-0041

To: Community Planning (KB)

From: Development Engineering Manager(JK)

Subject: 2195 Abbott St

RU1 – RU1c Carriage House

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

1. Domestic Water and Fire Protection

This property is currently serviced with a 19mm-diameter water service. The service will be adequate for this application. One metered water service will supply both the main residence and the carriage house.

2. Sanitary Sewer

Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service c/w an inspection chamber (IC) No further upgrades are needed at this time.

3. Development Permit and Site Related Issues

Direct the roof drains onto splash pads.

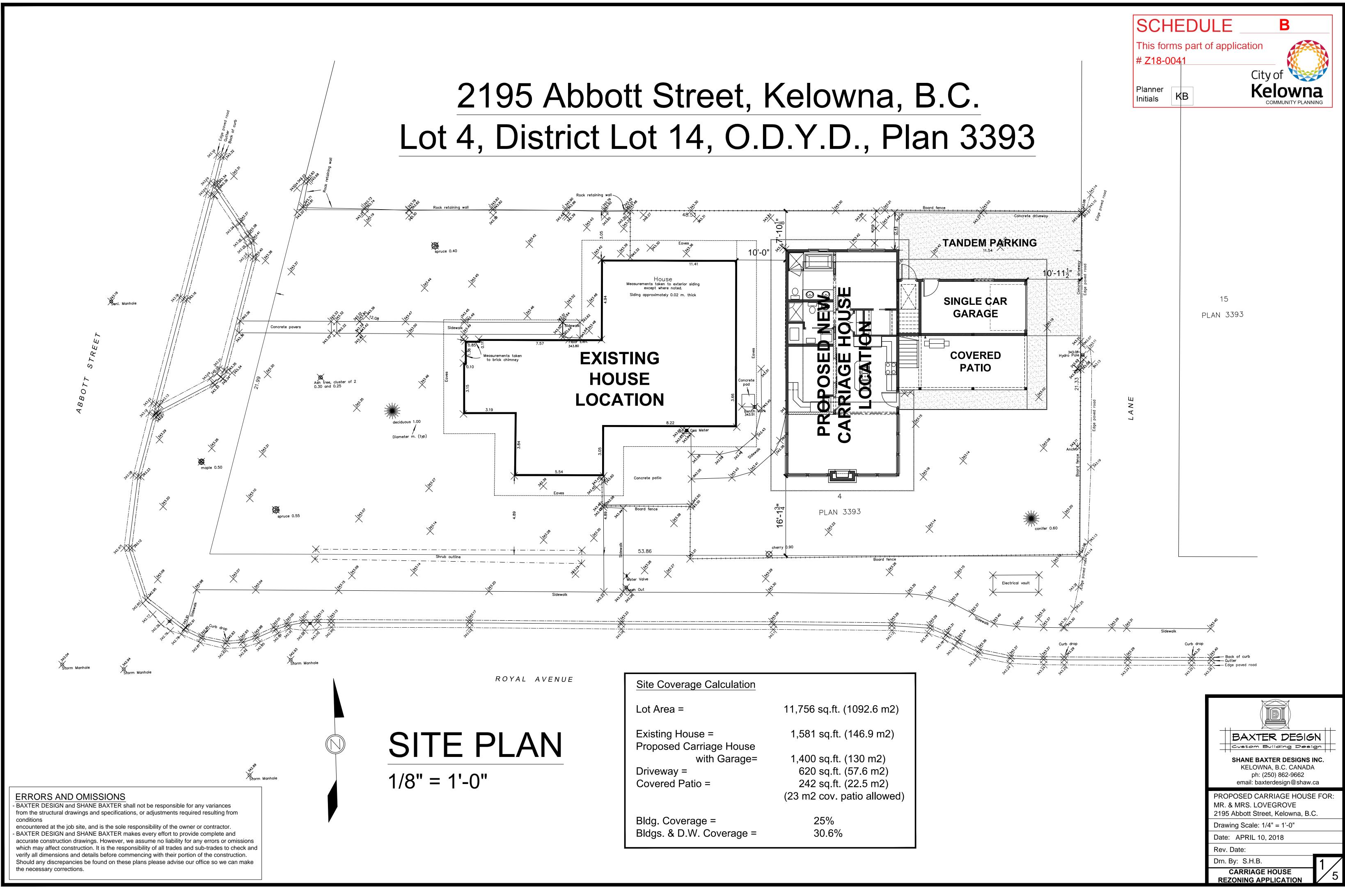
Driveway access is permitted from the lane as per bylaw.

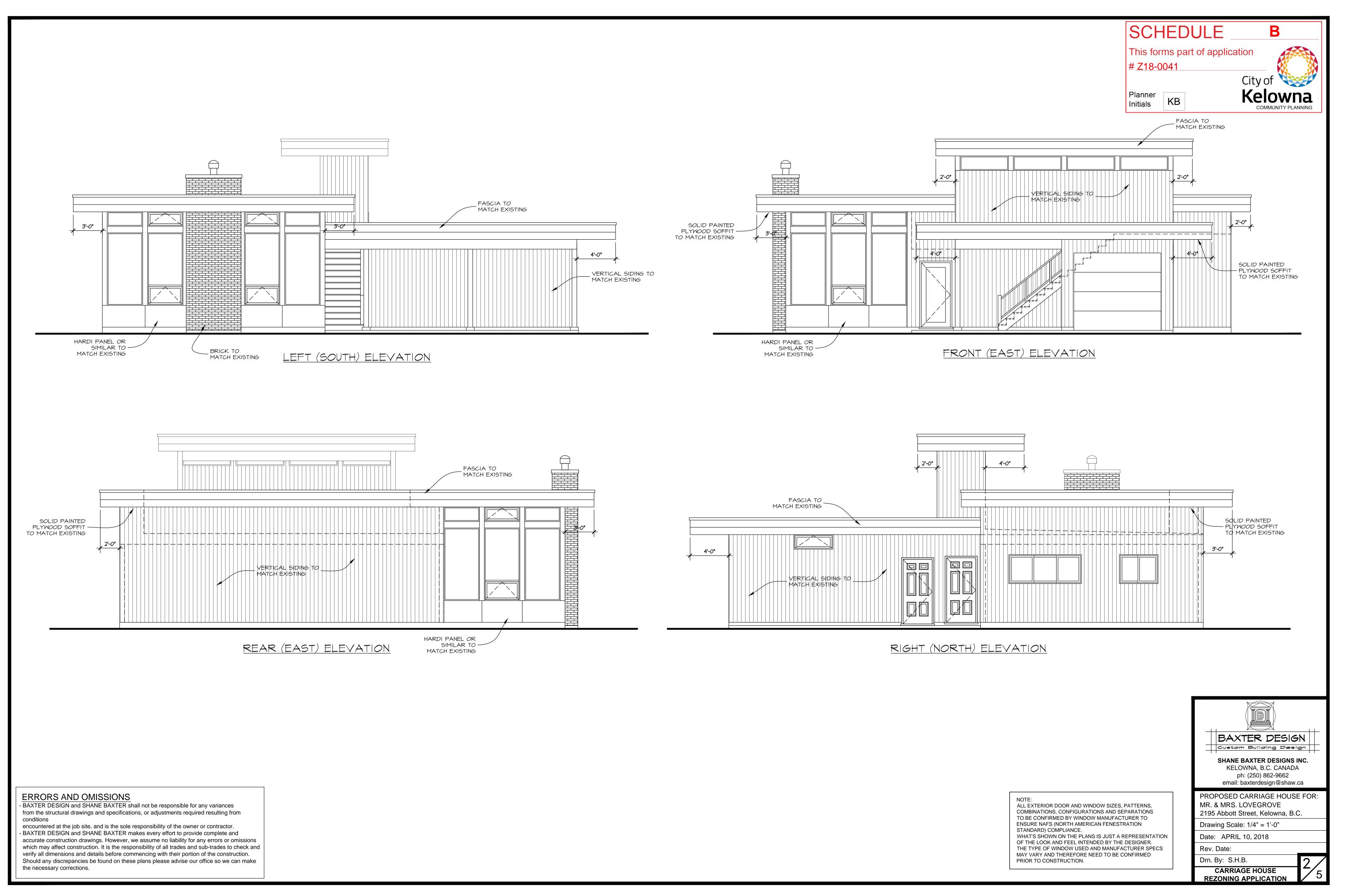
4. Electric Power and Telecommunication Services

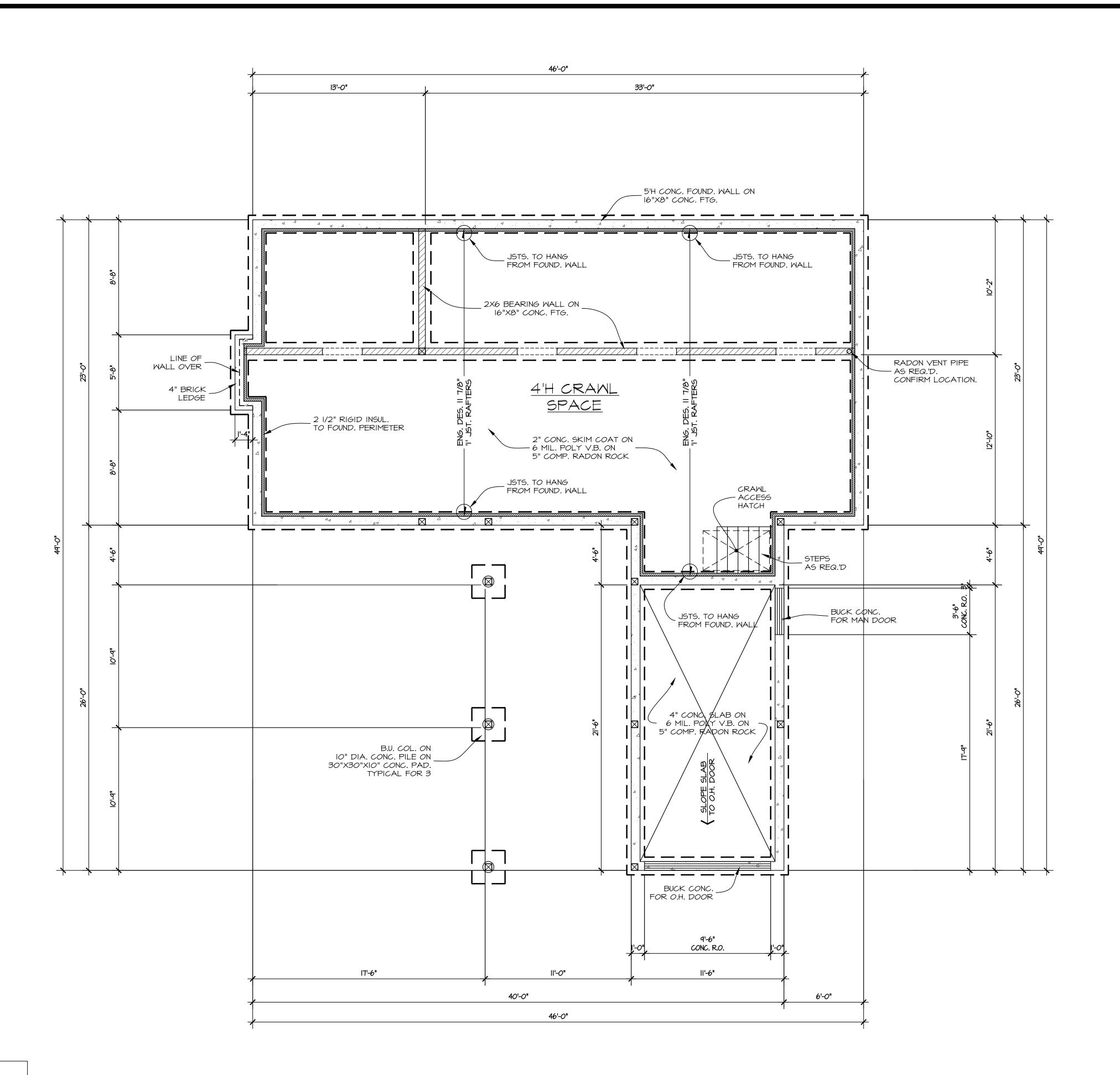
It is the applicant's responsibility to make a servicing application with the respective electric power, telephone and cable transmission companies to arrange for service apgrades to these services which would be at the applicant's cost.

James⁄Kay, P. Eng. Development Engineering Manager

JA







ERRORS AND OMISSIONS

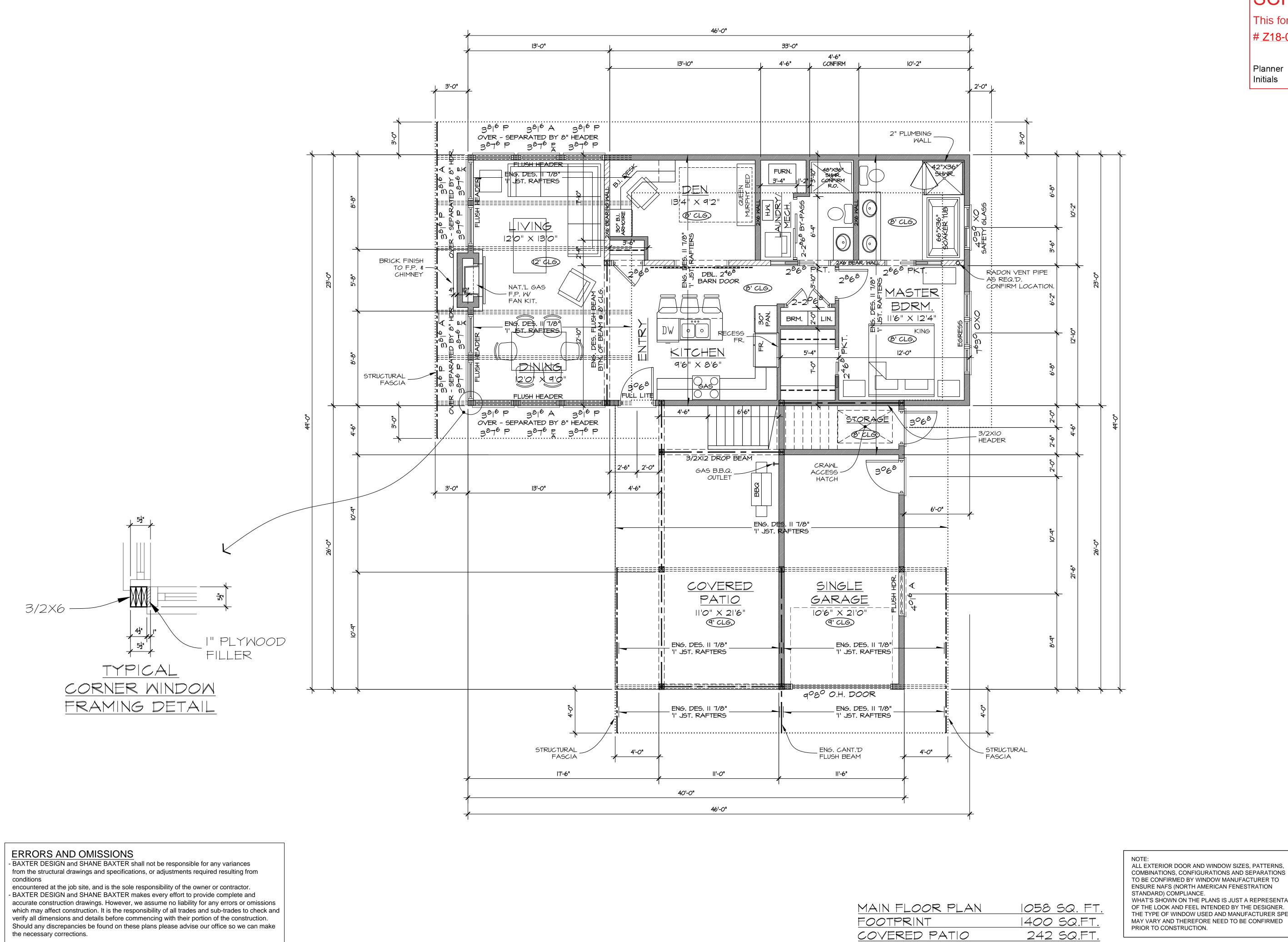
- BAXTER DESIGN and SHANE BAXTER shall not be responsible for any variances from the structural drawings and specifications, or adjustments required resulting from conditions

encountered at the job site, and is the sole responsibility of the owner or contractor.
BAXTER DESIGN and SHANE BAXTER makes every effort to provide complete and accurate construction drawings. However, we assume no liability for any errors or omissions which may affect construction. It is the responsibility of all trades and sub-trades to check and verify all dimensions and details before commencing with their portion of the construction. Should any discrepancies be found on these plans please advise our office so we can make the necessary corrections.

FOUNDATION PLAN



BAXTER DESIGN
Custom Building Design
SHANE BAXTER DESIGNS INC. KELOWNA, B.C. CANADA ph: (250) 862-9662 email: baxterdesign@shaw.ca
PROPOSED CARRIAGE HOUSE FOR: MR. & MRS. LOVEGROVE 2195 Abbott Street, Kelowna, B.C.
Drawing Scale: 1/4" = 1'-0"
Date: APRIL 10, 2018
Rev. Date:
Drn. By: S.H.B.
CARRIAGE HOUSE

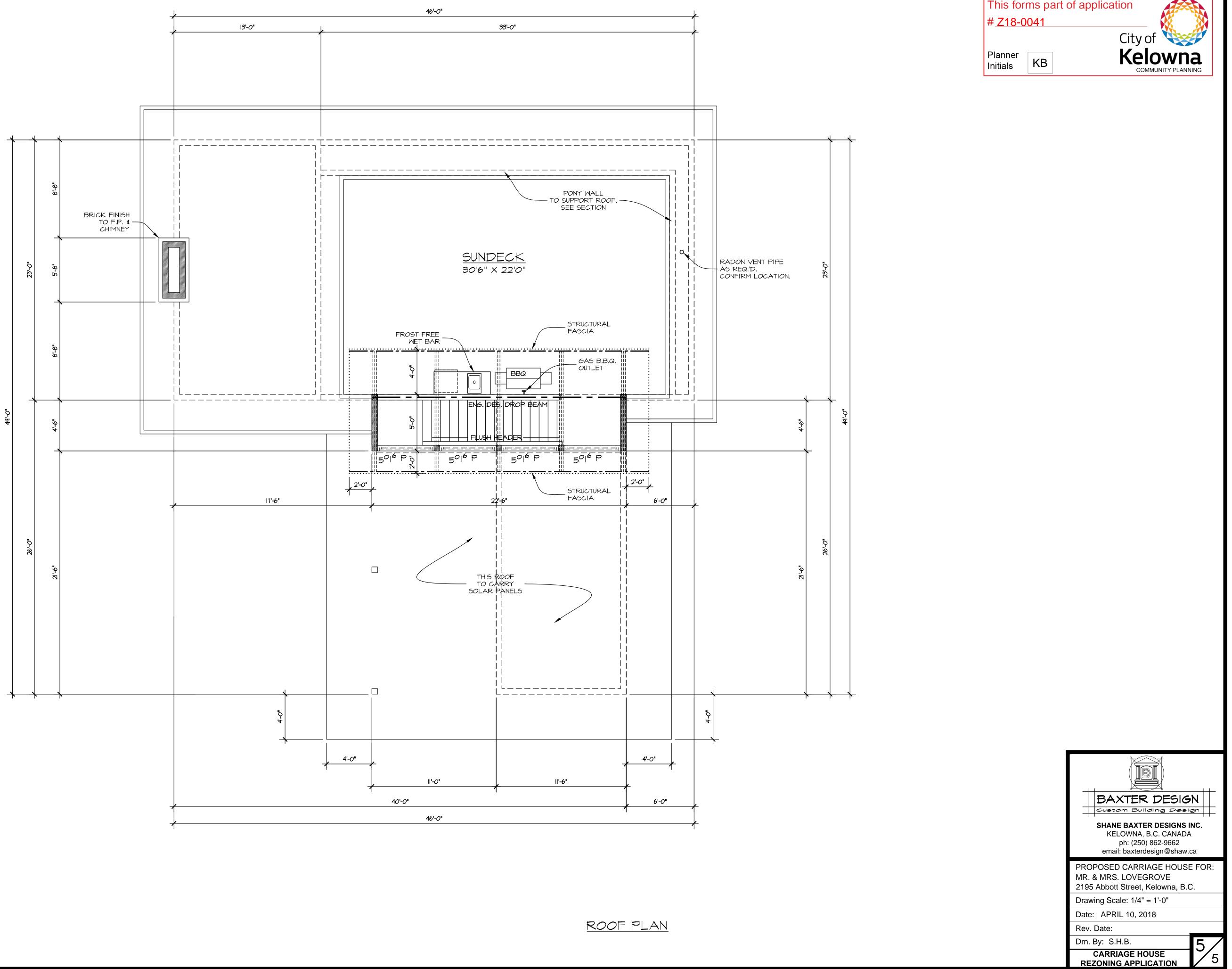


MAIN FLOOR PLAN	058
FOOTPRINT	1400
COVERED PATIO	242



BAXTER DESIGN
Custom Building Design
SHANE BAXTER DESIGNS INC. KELOWNA, B.C. CANADA ph: (250) 862-9662 email: baxterdesign@shaw.ca
PROPOSED CARRIAGE HOUSE FOR: MR. & MRS. LOVEGROVE 2195 Abbott Street, Kelowna, B.C.
MR. & MRS. LOVEGROVE
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MR. & MRS. LOVEGROVE 2195 Abbott Street, Kelowna, B.C. Drawing Scale: 1/4" = 1'-0"
MR. & MRS. LOVEGROVE 2195 Abbott Street, Kelowna, B.C. Drawing Scale: 1/4" = 1'-0" Date: APRIL 10, 2018

ENSURE NAFS (NORTH AMERICAN FENESTRATION STANDARD) COMPLIANCE. WHAT'S SHOWN ON THE PLANS IS JUST A REPRESENTATION OF THE LOOK AND FEEL INTENDED BY THE DESIGNER. THE TYPE OF WINDOW USED AND MANUFACTURER SPECS MAY VARY AND THEREFORE NEED TO BE CONFIRMED PRIOR TO CONSTRUCTION.



ERRORS AND OMISSIONS

- BAXTER DESIGN and SHANE BAXTER shall not be responsible for any variances from the structural drawings and specifications, or adjustments required resulting from conditions

encountered at the job site, and is the sole responsibility of the owner or contractor. - BAXTER DESIGN and SHANE BAXTER makes every effort to provide complete and accurate construction drawings. However, we assume no liability for any errors or omissions which may affect construction. It is the responsibility of all trades and sub-trades to check and verify all dimensions and details before commencing with their portion of the construction. Should any discrepancies be found on these plans please advise our office so we can make the necessary corrections.



BYLAW NO. 11626 Z18-0041 – 2195 Abbott Street

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

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

- THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 4, District Lot 14, ODYD, Plan 3393 located on Abbott Street, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



June 11, 2018			NEIUWIId
1250-30			
City Manager			
Community Pla	nning Department (BBC	2)	
Z18-0020		Owner:	Richard Laurent Therrien and Daniel Jeffery Good
440 Bach Road		Applicant:	Richard Laurent Therrien
Rezoning Appli	cation		
ignation:	S2RES – Single / Two U	nit Residential	
	RU1 – Large Lot Housin	g	
	RU1c – Large Lot Housi	ng with Carriag	je House
	1250-30 City Manager Community Pla Z18-0020 440 Bach Road Rezoning Applic	1250-30 City Manager Community Planning Department (BBC Z18-0020 440 Bach Road Rezoning Application ignation: S2RES – Single / Two U RU1 – Large Lot Housin	1250-30 City Manager Community Planning Department (BBC) Z18-0020 Owner: 440 Bach Road Applicant: Rezoning Application

1.0 Recommendation

THAT Rezoning Application No. Z18-0020 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 6, Section 26, Township 26, Osoyoos Division, Yale District, Plan 22499, located at 440 Bach Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, be considered by Council;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure;

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

2.0 Purpose

To rezone the subject property from RU1 - Large Lot Housing zone to RU1c - Large Lot Housing with Carriage House zone to facilitate the development of a carriage house.

3.0 Community Planning

Community Planning supports the proposed rezoning from RU1 - Large Lot Housing to RU1c - Large Lot Housing with Carriage House to facilitate the development of a carriage house.

The Official Community Plan (OCP) Future Land Use is designated as S2RES - Single/Two Unit Residential, which supports this modest increase in density and the property is located within the Permanent Growth Boundary with urban services. The concept of the carriage house is aligned with the OCP urban infill policy

of Compact Urban Form - increasing density where infrastructure already exists. The proposed one-storey carriage house also meets the OCP Policy of Sensitive Infill, which involves designing so that height and massing is sensitive to the existing context of the neighbourhood.

Should Council approve the rezoning, the applicant may apply for a demolition permit to remove an existing structure in the location of the proposed carriage house, then apply for a building permit, provided there are no variances requested.

To fulfill Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff on February 20, 2018, outlining that the neighbours within 50 m of the subject property were notified.

4.0 Proposal

4.1 <u>Background</u>

The subject property currently has a single family dwelling and a small secondary structure located on the parcel. The single family dwelling will be retained through this development, whereas the existing secondary structure (located at rear, northeastern corner of the lot) will be demolished prior to the construction of the proposed carriage house on the same footprint as the existing secondary structure.

4.2 Project Description

The applicant has provided proposed designs for the single storey carriage house, located at northeastern corner of the lot. Access to the proposed carriage house will be from Bach Road, and parking requirements for the proposed carriage house have been met. The proposed carriage house does not trigger any variances at this time.

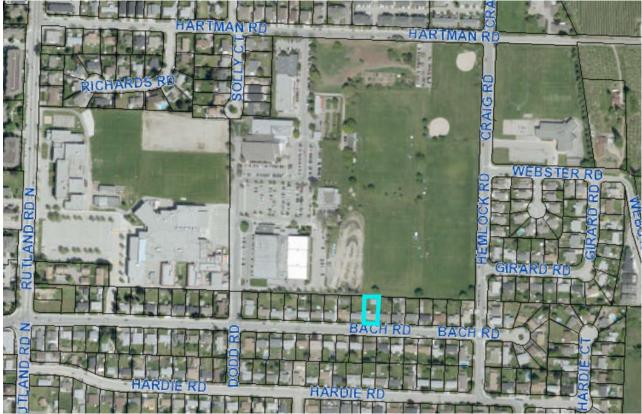
4.3 Site Context

The subject property is located on Bach Road, between Dodd Road and Hemlock Road, approximately 500 meters east of Rutland Road, within the Rutland City Sector. The area is characterized primarily by single family dwellings, with Rutland Arena and Recreation Park, Rutland Elementary, and Rutland Middle and Senior School located immediately north of the subject property.

Orientation	Zoning	Land Use
North	P5LP – Municipal District Park (liquor primary)t	Rutland Arena and Recreation Park
NORTH	P2 – Educational and Minor Institutional	Rutland Middle and Senior School
Fact	RU1 – Large Lot Housing	Residential
East	P2 - Educational and Minor Institutional	Rutland Elementary School
South	RU1 — Large Lot Housing	Residential
50001	RU6 – Two Dwelling Housing	Residential
West	RU1 - Large Lot Housing	Residential

Adjacent land uses are as follows:

Subject Property Map: 440 Bach Road



- 5.0 Current Development Policies
- 5.1 Kelowna Official Community Plan (OCP)

Development Process

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

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

Carriage Houses & Accessory Apartments.³ Support carriage houses and accessory apartments through appropriate zoning regulations.

Urban Uses.⁴ Direct urban uses to lands within the urban portion of the Permanent Growth Boundary, in the interest of reducing development and speculative pressure on agricultural lands.

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

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

³ City of Kelowna Official Community Plan, Policy 5.22.12 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.33.3 (Development Process Chapter).

6.o Technical Comments

6.1 <u>Building & Permitting Department</u>

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

6.2 <u>Development Engineering Department</u>

• Please see attached Development Engineering Memorandum (Attachment A) dated March 2, 2018.

6.3 <u>Fire Department</u>

• No objections to zoning.

7.0 Application Chronology

Date of Application Received:	February 6, 2018
Date Public Consultation Completed:	February 20, 2018

Report prepared by:	Barbara B. Crawford, Planner
Reviewed by:	Terry Barton, Urban Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A – Development Engineering Memorandum Schedule A – Proposed Carriage House Site and Elevation Plans

MEMORANDUM

ATTACH	MENT A
This forms part	of application
# Z18-0020	🕅 🕺
	City of
Planner Initials BC	Kelowna COMMUNITY PLANNING

Date: March 02, 2018

File No.: Z1%-0020

To: Community Planning (BC)

From: Development Engineering Manager (JK)

Subject: 440 Bach Rd Lot 6 Plan 22499 RU1 to RU1c Carriage

Carriage House

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

1. Domestic Water and Fire Protection

The property is located within the Black Mountain Irrigation District (BMID) service area. The water system must be capable of supplying domestic and fire flow demands of the project in accordance with the Subdivision, Development & Servicing Bylaw. The developer is responsible, if necessary, to arrange with BMID staff for any service improvements.

2. Sanitary Sewer

- a) Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service which is adequate for this application.
- b) This property is located within Sewer Specified Area #21A. The proposed carriage house will trigger additional cost share for 0.5 Single Family Equivalent (SFE) of the current pay-out rate for Sewer Specified Area #21A which is \$1276.11 per SFE. The cost for one SFE has previously been paid out for this property and the additional cost for the proposed carriage house is \$638.05 (\$1276.11 x 0.5 SFE) valid until March 31, 2018.

3. Development Permit and Site Related Issues

Direct the roof drains onto splash pads.

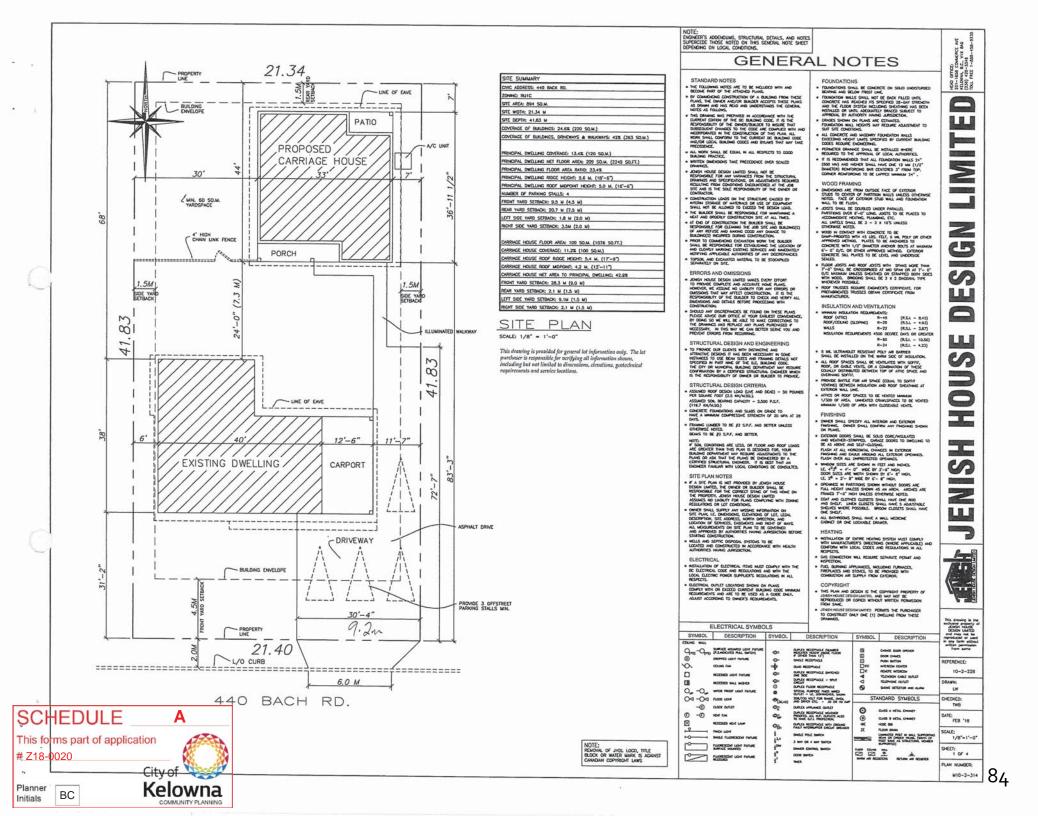
Driveway access permissible is one (1) per property as per bylaw

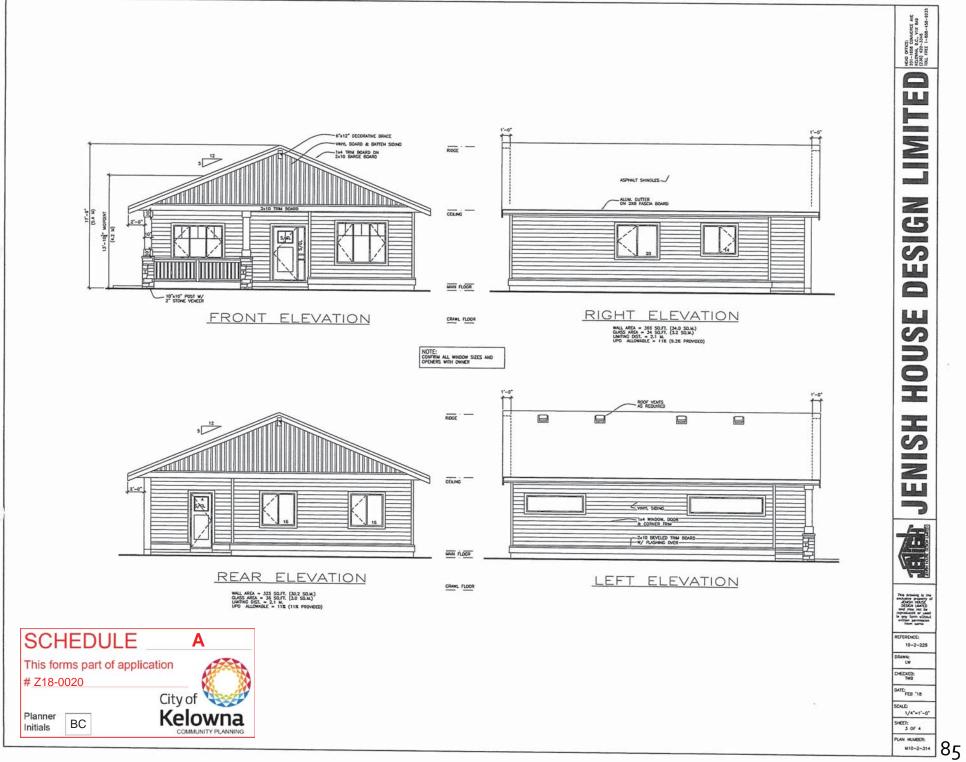
4. <u>Electric Power and Telecommunication Services</u>

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

James Kay, P. Eng.

Development Engineering Manager





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BYLAW NO. 11627 Z18-0020 – 440 Bach Road

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

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

- THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 6, Section 26, Township 26, ODYD, Plan 22499 located on Bach Road, Kelowna, B.C., from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Approved under the Transportation Act this

(Approving Officer – Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

BYLAW NO. 11486 Z17-0040 — 500 Fleming Road

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

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

- 1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1 Section 27 Township 26 ODYD Plan EPP77221 located on Fleming Road, Kelowna, B.C., from the RU1 Large Lot Housing zone to the RM4 Transitional Low Density Housing zone.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 2nd day of October, 2017.

Considered at a Public Hearing on the 17th day of October, 2017.

Read a second and third time by the Municipal Council this 17th day of October, 2017.

Approved under the Transportation Act this 19th day of October, 2017.

_____Audrie Henry_____ (Approving Officer – Ministry of Transportation)

Amended at third reading and adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date:	June 11, 2018			NCIUWIIG
RIM No.	0940-00			
То:	City Manager			
From:	Community Pla	anning Department (LK)		
Application:	DP17-0096		Owner:	Urban Park Townhomes Development Ltd., Inc. No. BC1119805
Address:	500 Fleming Ro	bad	Applicant:	New Town Services
Subject:	Development I	Permit		
Existing OCP De	signation:	MRM – Multiple Unit Re	esidential (Med	ium Density)
Existing Zone:		RU1 – Large Lot Housir	ng	
Proposed Zone:		RM4 – Transitional Low	v Density Housi	ng

1.0 Recommendation

THAT Rezoning Bylaw No. 11486 be amended at third reading to revise the legal description of the subject properties from Lot 1 Section 27 Township 26 ODYD Plan 10847 except Plan A12943, Lot A Section 27 Township 26 ODYD Plan KAP79327 and Lot B Section 27 Township 26 ODYD Plan KAP79327 to Lot 1 Section 27 Township 26 ODYD Plan EPP77221;

AND THAT final adoption of Rezoning Bylaw No. 11486 be considered by Council;

AND THAT Council authorizes the issuance of Development Permit No. DP17-0096 for Lot 1 Section 27 Township 26 ODYD Plan EPP77221, located at 500 Fleming Road, Kelowna, BC subject to the following:

1. The dimensions and siting of the building to be constructed on the land be in accordance with Schedule "A,"

2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "B";

3. Landscaping to be provided on the land be in accordance with Schedule "C";

4. The applicant be required to post with the City a Landscape Performance Security deposit in the form of a "Letter of Credit" in the amount of 125% of the estimated value of the landscaping, as determined by a Registered Landscape Architect;

AND THAT Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated June 20, 2017;

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

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

2.0 Purpose

To consider the form and character of a 36-unit townhouse development on the subject property.

3.0 Community Planning

Community Planning Staff supports the proposed 36-unit townhouse development. The application meets the Official Community Plan (OCP) Urban Design Guidelines and the design is appropriate for the area and the context of the site. The proposal also meets many of the OCP's Urban infill objectives and it meets all of the Zoning Bylaw Regulations for the RM4 – Transitional Low Density Housing zone and does not trigger any variances. A key feature of the development is the provision of ground oriented units along both Fleming and Leathead road frontages with entry doors facing onto the street.

4.0 Proposal

4.1 <u>Background</u>

The subject development consisted of three separate properties which have been consolidated into a single parcel. The existing single family dwellings are in varying states of disrepair. These structures would be demolished to accommodate the new development.

4.2 <u>Project Description</u>

The proposed strata development consists of 36 three-storey townhouse units with attached garages. There will be a total of five buildings: 3 eight-unit buildings and 2 six-unit buildings. All units are 3-bedrooms, have private amenity space in the form of balconies and patios and all on-site parking

requirements are met. The single site access is provided from Fleming Road at the south end of the development with the private road extending down the middle of the site to provide access to the private garages.

The site is a corner parcel which allows the



development to have ground-oriented units facing onto both Leathead and Fleming Roads rather than being oriented to the interior of the site. The buildings have been designed with an earth toned colour

palette that utilizes hardie panels for the exterior finish. Wood grained hardie panels have been added as accents to lend a warmth to the exterior finishing. The large windows and façade articulation present a more visually pleasing streetscape. Each unit has a landscaped patio area with low-height decorative fences to delineate the private space from the public street. The units have prominent entries with walkways leading to the street frontage, which provides a welcoming, human-scaled streetscape.

Pedestrian connectivity is provided within the development with pathways across the site connecting to the streets. The interior buildings have a walkway along the west property line providing a pedestrian connection to Leathead Road. Shared garden and composting areas have been located in both the northwest and southwest corners of the development and garbage and recycling are situated adjacent to the south shared garden area. There are two interior courtyards situated in the centre of the site which provide generous plantings and seating areas for the use of the residents.

4.3 <u>Site Context</u>

The property is located within the Permanent Growth Boundary in the Rutland neighbourhood at the intersection of Leathead and Fleming Roads. Ben Lee Park is located one block east of the subject parcel.

Orientation	Zoning	Land Use
North	I2 – General Industrial	Automotive Repairs
NOTUT	C10 – Service Commercial	Commercial Uses
East	RU1 – Large Lot Housing	Single Dwelling Housing
South	RU1 – Large Lot Housing	Single & Duplay Housing
300011	RU6 – Two Dwelling Housing	Single & Duplex Housing
West	RM3 –Low Density Multiple Housing	Multiple Dwelling Housing

Specifically, adjacent land uses are as follows:

Subject Property Map:



4.4 Zoning Analysis Table

Zoning Analysis Table				
CRITERIA	RM4 ZONE REQUIREMENTS	PROPOSAL		
E	Existing Lot/Subdivision Regulations			
Lot Area	900 m²	5329 m²		
Lot Width	30 m	47.9 m		
Lot Depth	30 m	111 M		
Development Regulations				
Floor Area Ratio	.85	.83		
Site Coverage (buildings)	50%	40%		
Site Coverage (buildings, driveways & parking)	60%	60%		
Height	13.0 m or 3 storeys	9.45 m & 3 storeys		
Front Yard	6.o m	6.0 m		
Side Yard (east)	4.5 m	4.5 m		
Side Yard (west)	4.5 m	4.5 m		
Rear Yard	9.0 m	9.0 m		
Other Regulations				
Minimum Parking Requirements	72 stalls	75 stalls		
Private Open Space	900 m²	2200 M ²		

Current Development Policies 5.0

Kelowna Official Community Plan (OCP) 5.1

Development Process

Complete Communities.¹ Support the development of complete communities with a minimum intensity of approximately 35-40 people and/or jobs per hectare to support basic transit service – a bus every 30 minutes. (approx. 114 people / hectare proposed).

Compact Urban Form.² Develop a compact urban form that maximizes the use of existing infrastructure and contributes to energy efficient settlement patterns. This will be done by increasing densities (approximately 75 - 100 people and/or jobs located within a 400 metre walking distance of transit stops is required to support the level of transit service) through development, conversion, and re-development within Urban Centres (see Map 5.3) in particular and existing areas as per the provisions of the Generalized Future Land Use Map 4.1.

Sensitive Infill.³ Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighbourhood with respect to building design, height and siting.

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

6.0 **Technical Comments**

- 6.1 **Building & Permitting Department**
 - Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.
 - Demolition Permit required for any existing structures
 - A third party work order may be required with the Development Engineering Department for an upgraded water line and sewage connection. These requirements are to be resolved prior to issuance of the Building Permit.
 - A Mechanical room independent from the units is required for the water service to enter prior to being piped to the independent units.
 - Separate and independent heating systems are required for each unit. These heating units may be required to vent thru the roof depending on distances to windows and air inlets to the building. We recommend that the location of any Air conditioners are to be established at this time due to setback limitations.
 - HPO (Home Protection Office) approval or release is required at time of Building Permit • application.
 - A Geotechnical report is required to address the sub soil conditions and site drainage at time of building permit application. Minimum building elevations are required to be established prior to the

¹ City of Kelowna Official Community Plan, Policy 5.2.4 (Development Process Chapter).

 ² City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).
 ³ City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

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

release of the Development Permit. If a soil removal or deposit permit is required, this must be provided at time of Development Permit application.

- Fire Department access to site, turn a rounds requirement for equipment, travel distance from the truck access to the front doors of the units and private hydrant locations if required are too be verified with Kelowna Fire Department. The Fire truck is required to be able to drive up to access the front door(s) within a range of 3 meters to 15 meters on an unobstructed hard surface path.
- A Hoarding permit is required and protection of the public from the staging area and the new building area during construction. Location of the staging area and location of any cranes should be established at time of DP.
- The drawings submitted for Building Permit application are to indicate the method of fire separation between the units.
- Range hood above the stove and the washroom to vent separately to the exterior of the building. The size of the penetration for this duct thru a fire separation is restricted by BCBC 12, so provide size of ducts and fire separation details at time of Building Permit
- Full Plan check for Building Code related issues will be done at time of Building Permit applications. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this complex at time of permit application

6.2 <u>Development Engineering Department</u>

- Refer to attached memo dated June 20, 2017.
- 6.3 Fire Department
 - Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required. Template available online at Kelowna.ca
 - Engineered Fire Flow calculations are required to determine Fire Hydrant requirements as per the City of Kelowna Subdivision Bylaw #7900 150 L/sec required. Should another hydrant be required on this property it shall be deemed private and shall be operational at the start of construction.
 - Fire Department access is to be met as per BCBC 3.2.5.- ensure the hammerhead is large enough to turn around if over 90 metres maintain access for emergency response.
 - All requirements of the City of Kelowna Fire and Life Safety Bylaw 10760 shall be met.
 - One address off of Fleming Rd (Main access) with unit numbers for this complex.
 - Dumpster/refuse container must be 3 meters from structures or overhangs.

6.4 Fortis BC - Electric

• There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Fleming and Leathead Roads. Based on the plans submitted, it is unclear whether adequate space has been provided to accommodate the transformation required to service the proposed development. It is recommended that FBC(E) be contacted as soon as possible to determine servicing and land rights requirements for the proposed design. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.

- 6.5 BMID- Irrigation District
 - Refer to Attachment B.

7.0 Application Chronology

Date of Application Received:	May 1, 2017
Date Public Consultation Completed:	May 3, 2017

Report prepared by:	Lydia Korolchuk, Planner
Reviewed by:	Terry Barton, Urban Planning Manager
Approved for Inclusion:	Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A: Development Engineering Memorandum Attachment B: Draft Development Permit – DP17-0096 Schedule A: Site Plans Schedule B: Conceptual Elevations, Finish Schedule & Renderings Schedule C: Landscape Plan



MEMORANDUM

Date: June 20, 2017

File No.: Z17-0040

To: Urban Planning Management (LK)

From: Development Engineering Manager (SM)

Subject: 1065 & 1075 Leathead Rd, 500 Fleming Rd RU1 to RM4

The Development Engineering Department has the following comments and requirements associated with this rezoning application for the properties at 1065, 1075 Leathead Road and 500 Fleming Road to accommodate development of a multiple dwelling housing complex. The road and utility upgrading requirements outlined in this report will be requirements of this development. The Development Engineering Technologist for this project is Jason Ough

1. <u>General</u>

These Development Engineering comments and requirements and are subject to review and or revision for approval by the Ministry of Transportation (MOTI) Infrastructure.

2. Domestic Water and Fire Protection

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

3. Sanitary Sewer

- a) The subject properties are currently within Sanitary Sewer Specified Area # 20 and is serviced by the municipal sanitary sewer collection system. The developer will be responsible to cash commute, pay in full, the specified area charges for this development. The charge is currently set at \$2045.50 per Equivalent Dwelling Unit (EDU).
- b) Our records indicate that these properties are currently serviced with individual 100mm-diameter sanitary sewer service lines. The applicant's consulting mechanical engineer will determine the requirements of the proposed development and establish the service needs. Only one service per lot will be permitted for this development. If required, the applicant will arrange for the removal and disconnection of the existing service and the installation of one new larger service at the applicants cost. Contact Jason Ough (250 469 4519) for service work estimate.

4. <u>Storm Drainage</u>

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

5. <u>Road Improvements</u>

- a) The applicant must have a civil engineering consultant submit a design for Fleming Road to be upgraded to an urban standard (SS-R5) along the full frontage of the subject property; including curb and gutter, sidewalk, LED street lighting, landscaped boulevard, storm drainage system, pavement removal and replacement and relocation or adjustment of utility appurtenances if required to accommodate the upgrading construction. An estimate for public side works will be required, for bonding purposes, to be submitted by the applicants civil engineering consultant.
- b) Provided approximately 1m of Highway Reserve along the entire frontage of Leathead Road to achieve a minimum 20m road right of way for future OCP arterial road improvement project.

6. **Subdivision and Dedication**

- a) The developer is required to consolidate the two subject properties.
- b) If any road dedication or closure affects lands encumbered by a Utility right-ofway (such as Hydro, Telus, Gas, etc.) please obtain the approval of the utility. Any works required by the utility as a consequence of the road dedication or closure must be incorporated in the construction drawings submitted to the City's Development Manager.

7. Development Permit and Site Related Issues

- a) Direct the roof drains into on-site rock pits or splash pads.
- b) An MSU standard size vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways. If the development plan intends to accommodate larger vehicles movements should also be illustrated on the site plan.

8. <u>Electric Power and Telecommunication Services</u>

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

9. Design and Construction

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

10. <u>Geotechnical Report</u>

As a requirement of this application the owner must provide a geotechnical report prepared by a Professional Engineer qualified in the field of hydro-geotechnical survey to address the following:

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

i) Additional geotechnical survey may be necessary for building foundations, etc.

Steve Mùenz, P. Eng. Development Engineering Manager



MEMORANDUM

Date: June 20, 2017

File No.: DP17-0096

To: Urban Planning Management (LK)

From: Development Engineering Manager (SM)

Subject: 1065 & 1075 Leathead Rd, 500 Fleming Rd

The Development Engineering Department has the following comments and requirements associated with this Development Application Permit to evaluate the form and character of a proposed multiple dwelling housing complex development at 1065 & 1075 Leathead Rd and 500 Fleming Rd.

The Development Engineering Technologist for this project is Jason Ough

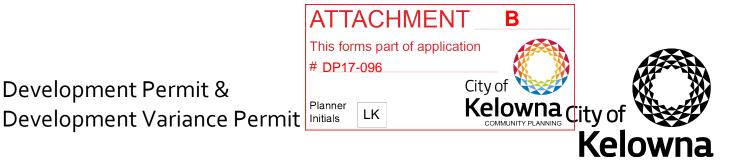
1. <u>General.</u>

All offsite infrastructure and services upgrades have been addressed in the Rezoning Application Engineering Report under file Z17-0040.

Steve Muenz, P. Eng.

Development Engineering Manager

jo



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

500 Fleming Road

and legally known as

Lot 1 Section 27 Township 26 ODYD Plan EPP77221

Development Permit &

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

Multiple Dwelling Housing

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

June 11, 2018 Date of Decision:

Decision By: **CITY COUNCIL**

Development Permit Area: Comprehensive

This permit will not be valid if development has not commenced by June 11, 2020.

Future Land Use Designation: MRM Existing Zone: RM₄

This is NOT a Building Permit.

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

NOTICE

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

Owner: Urban Park Townhomes Development Ltd.

Applicant: **New Towne Services**

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

1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

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

This Development Permit is valid for two (2) years from the date of June 11, 2018 approval, with no opportunity to extend.

3. PERFORMANCE SECURITY

As a condition of the issuance of this Permit, Council is holding the security set out below to ensure that development is carried out in accordance with the terms and conditions of this Permit. Should any interest be earned upon the security, it shall accrue to the Developer and be paid to the Developer or his or her designate if the security is returned. The condition of the posting of the security is that should the Developer fail to carry out the development hereby authorized, according to the terms and conditions of this Permit within the time provided, the Municipality may use enter into an agreement with the property owner of the day to have the work carried out, and any surplus shall be paid over to the property own of the day. Should the Developer carry out the development permitted by this Permit within the time set out above, the security shall be returned to the Developer or his or her designate. There is filed accordingly:

a) An Irrevocable Letter of Credit in the amount of \$ 217,550.00

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

4. INDEMNIFICATION

Upon commencement of the works authorized by this Permit the Developer covenants and agrees to save harmless and effectually indemnify the Municipality against:

a) All actions and proceedings, costs, damages, expenses, claims, and demands whatsoever and by whomsoever brought, by reason of the Municipality said Permit.

All costs, expenses, claims that may be incurred by the Municipality where the construction, engineering or other types of works as called for by the Permit results in damages to any property owned in whole or in part by the Municipality or which the Municipality by duty or custom is obliged, directly or indirectly in any way or to any degree, to construct, repair, or maintain.

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



BUILDING/SITE SUMMARY

	PROPERTY #1	
	CIVIC ADDRESS: LEGAL DESCRIPTION:	1065 LEATHEAD ROA LOT 1, SECTION 27, 1
	PROPERTY #2	
	CIVIC ADDRESS:	1075 LEATHEAD ROA
	LEGAL DESCRIPTION:	LOT A, SECTION 27, 7
	PROPERTY #3	
	CIVIC ADDRESS:	500 FLEMING ROAD,
Ļ	LEGAL DESCRIPTION:	LOT B, SECTION 27,
	SITE AREA (BEFORE ROAD WIDENING): SITE AREA (AFTER ROAD WIDENING):	
	PROPOSED NET FLOOR AREA:	4464.8 m²
	FLOOR AREA RATIO (FAR):	4464.8 / 5384.4 =
	PRIVATE OPEN SPACE SUMMARY:	
	DWELLING UNIT >1 BEDROOMS (25.0m ² I	EACH)
	PRIVATE OPEN SPACE PROPOSED:	
	PARKING: NO VARIANCE REQUIRED	
	REQUIRED:	
	2 STALLS PER 3 BEDROOM DWELLING U TOTAL REQUIRED PARKING:	NITS:
)	VISITOR PARKING	
	TOTAL PROVIDED:	

BUILDING UNIT BREAKDOWN

NET FLOOR AREA BREAKDOWN TYPICAL UNIT C: TYPICAL UNIT D:

END UNIT A: END UNIT B:

TOTAL NET FLOOR AREA PER 6-UNIT BUILDING: TOTAL NET FLOOR AREA PER 8-UNIT BUILDING:

TOTAL NET FLOOR AREA (ALL BUILDINGS):

1273.7 SF 1302.7 SF 1358.0 SF 1386.8 SF 8066.0 SF 10642.4 SF

48059.2 SF (4464.8 SM)

TOTAL PROVIDED:

LEATHEAD TOWNHOUSE

REISSUED for DP AUGUST 30, 2017

CODE ANALYSIS **BUILDING CLASSIFICATION:** 1.3.3.3.1 PART 9 DAD, KELOWNA BC 9.10.2.1 GROUP C MAJOR OCCUPANCY: , TOWNSHIP 26, ODYD, PLAN 10847, PID 003-398-544 **REQUIRED:** PROPOSED: SPRINKLERED N/A NO DAD, KELOWNA BC MAXIMUN AREA OF GLAZED OPENINGS TABLE 9.10.15.4 REFER TO A2.10 & A2.11 , TOWNSHIP 26, ODYD, PLAN KAP79327, PID 026-454-751 MAX STOREYS: 3 3 , KELOWNA BC NUMBER OF STREETS FACING: , TOWNSHIP 26, ODYD, PLAN KAP79327, PID 026-454-769 2 2 MAX BUILDING AREA: 473.8 M² 600 M² 8 UNIT 600 M² 6 UNIT 359.7 M² NOT REQUIRED - 9.10.18.2(5) FIRE ALARM 1 **= 0.83** FLOOR ASSEMBLIES: NON-RATED 9.10.8.11 (3.22.53(4) WALLS, COLUMNS, ARCHES: 9.10.8.3(1) NON-RATED <u>= 900.0 m²</u> = 900.0 m² 36 UNITS TOTAL REQUIRED: FIRE SEPARATIONS: 1 HOUR - 9.10.9.14(3) GROUP C TO GROUP C = 23740.2 SF (2205.5 m²) GARAGE NOT REQ'D - 9.10.9.16(3) ROOF COVERING CLASS A SOFFIT PROTECTION YES ATTIC FIRE STOPS REQUIRED - 9.10.16.1 MAX. ATTIC AREA 300 sm WITH A FLAME SPREAD RATING GREATER THAN 25 -9.10.16.1(5b) <u>72 STALLS</u> 72 STALLS LIMITING DISTANCE REFER TO A2.10 AND A2.11 THERMAL BARRIER (INTERIOR SURFACE) 1 HR. TABLE 9.10.14.5.A 4 STALLS 76 STALLS

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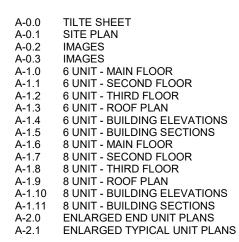
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Verify all dimensions and datums prior to commencement of work. Report all errors and omissions to the Architect.

ARCHITECTURAL

NEW TOWN ARCHITECTURE & ENGINNERING INC. 1464 St. Paul Street Kelowna, B.C., V1Y 2E6 Roman Yamchshikov, Architect AIBC ph: 250 860 8185, fax: 250 860 0985 roman@newtownservices.net

DRAWING LIST



SEAL

Revision

No	Date	Description
1	AUG 30,2017	REISSUED FOR DP

ZONING BYLAW SUMMARY

	REQUIRED	PROPOSED
ONE:	RM4	RM4
IAXIMUM FLOOR AREA RATIO:	0.85	0.83
IAXIMUM SITE COVERAGE:	50 %	40 %
IAXIMUM SITE COVERAGE OF BUILDINGS, RIVEWAYS & PARKING:	60 %	60 %
IAXIMUM HEIGHT:	13.0 m OR 3 STOREYS	9.45 m OR 3 STOREYS
IINIMUM FRONT SETBACK:	6.0 m	6.0 m
INIMUM SIDE SETBACK:	4.5 m	4.5 m
IINIMUM REAR SETBACK:	9.0 m	9.0 m



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project address LEATHEAD ROAD

KELOWNA, B.C. project no. 4007

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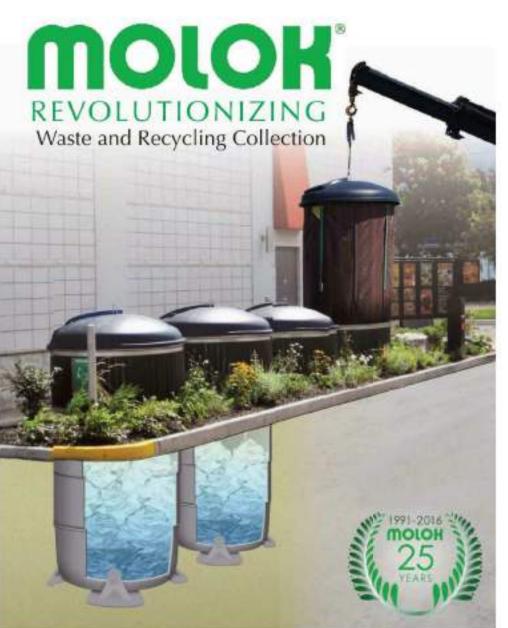
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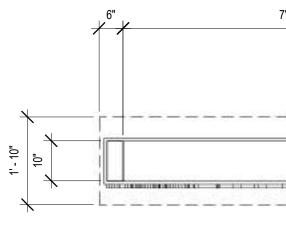
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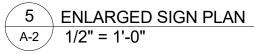
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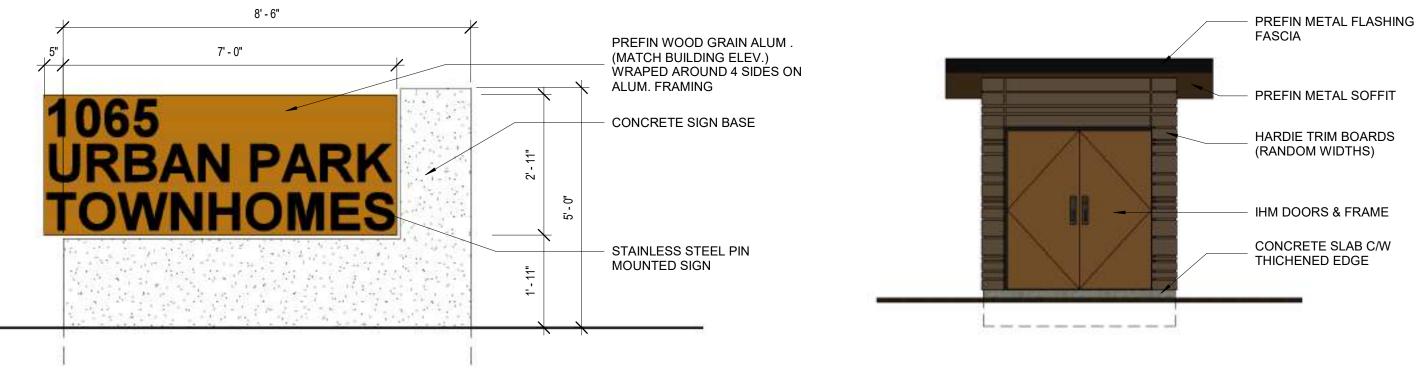
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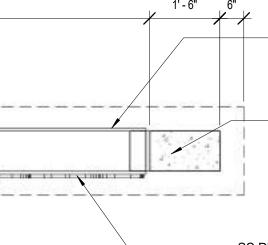








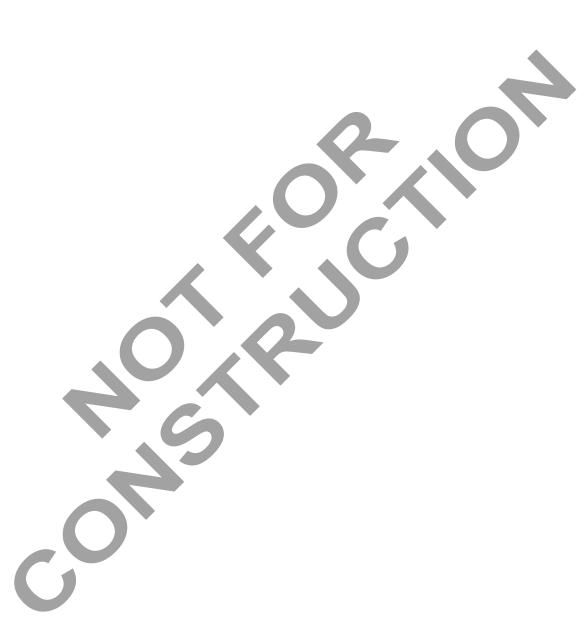








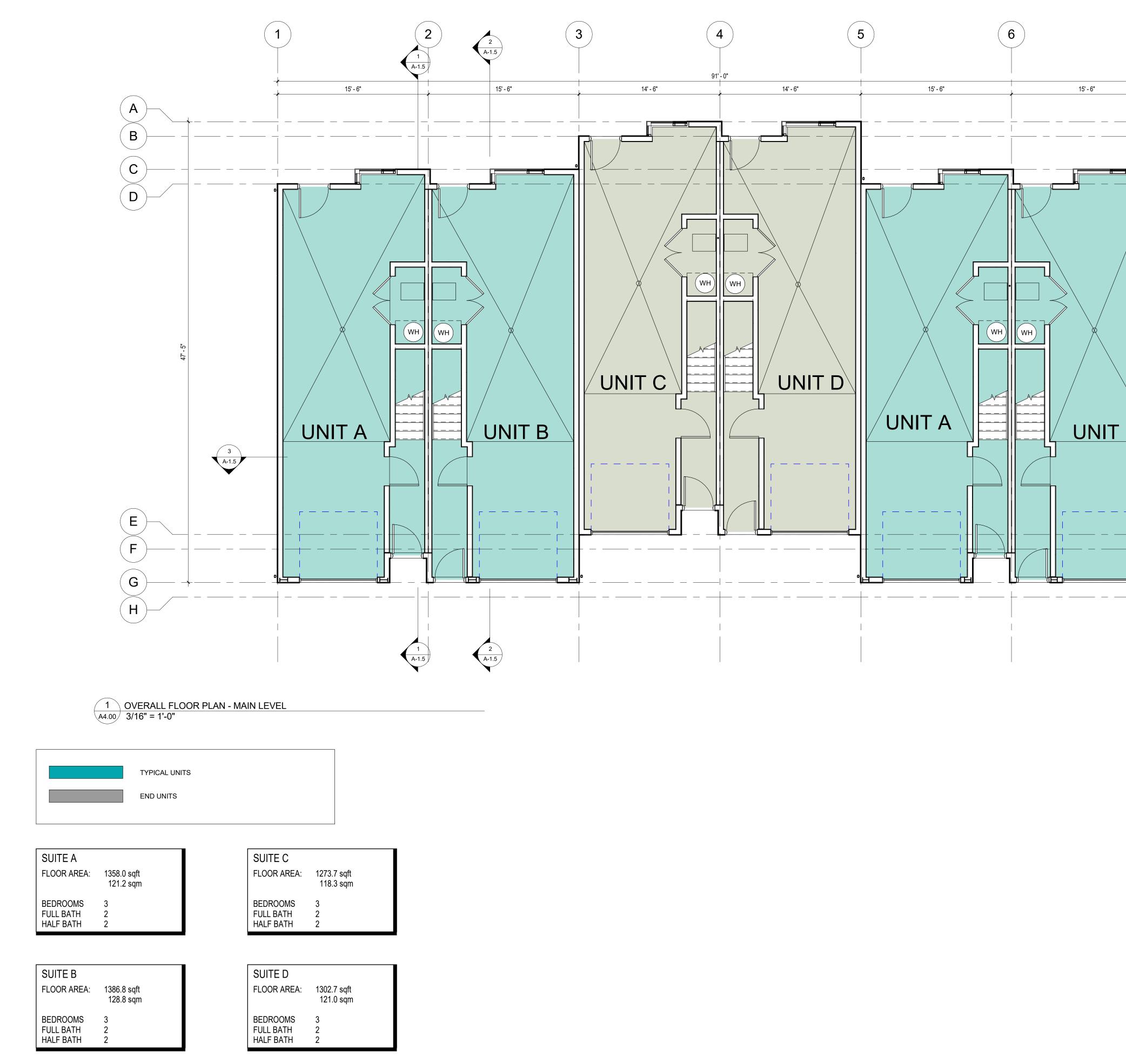
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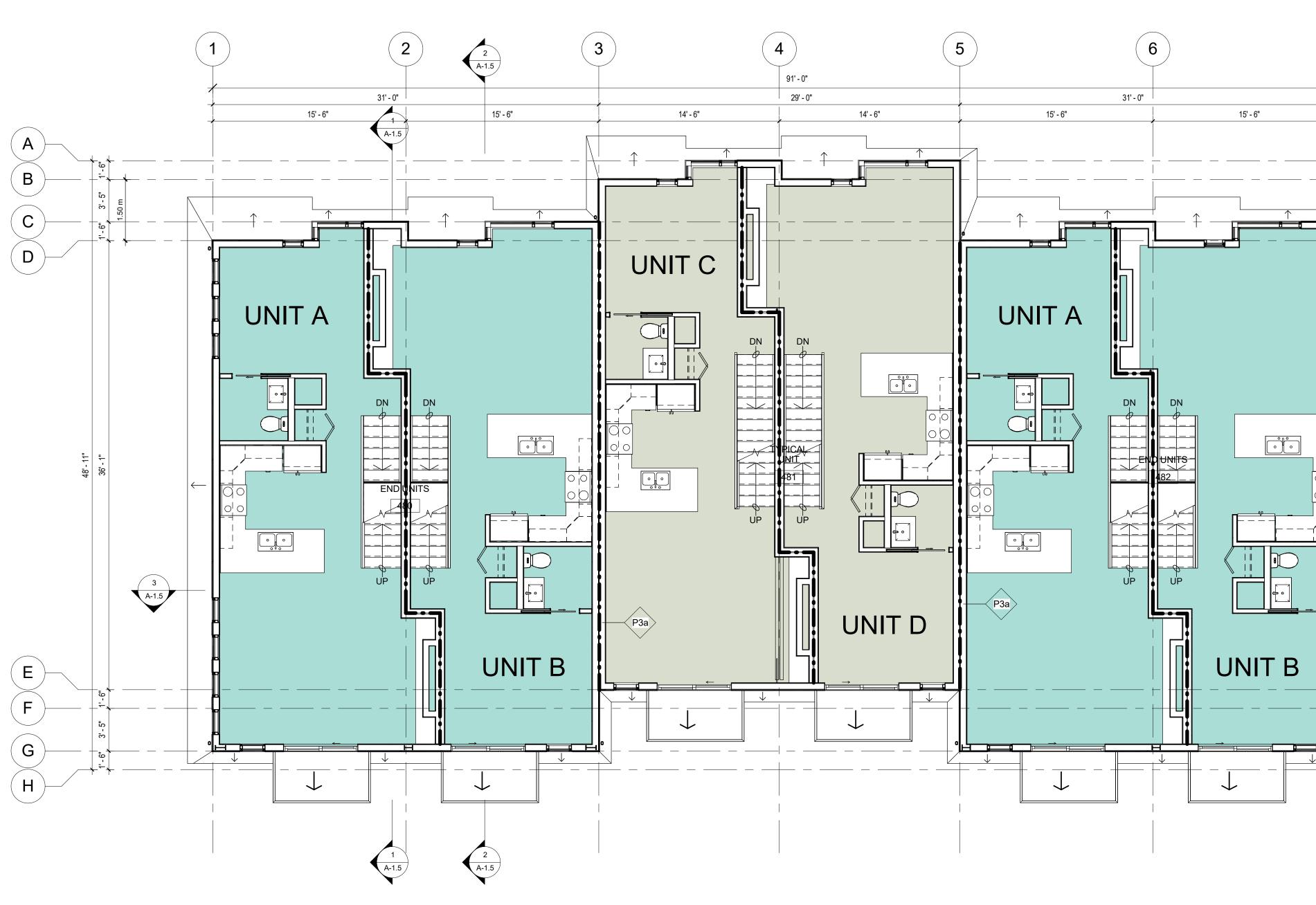


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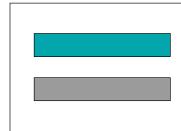




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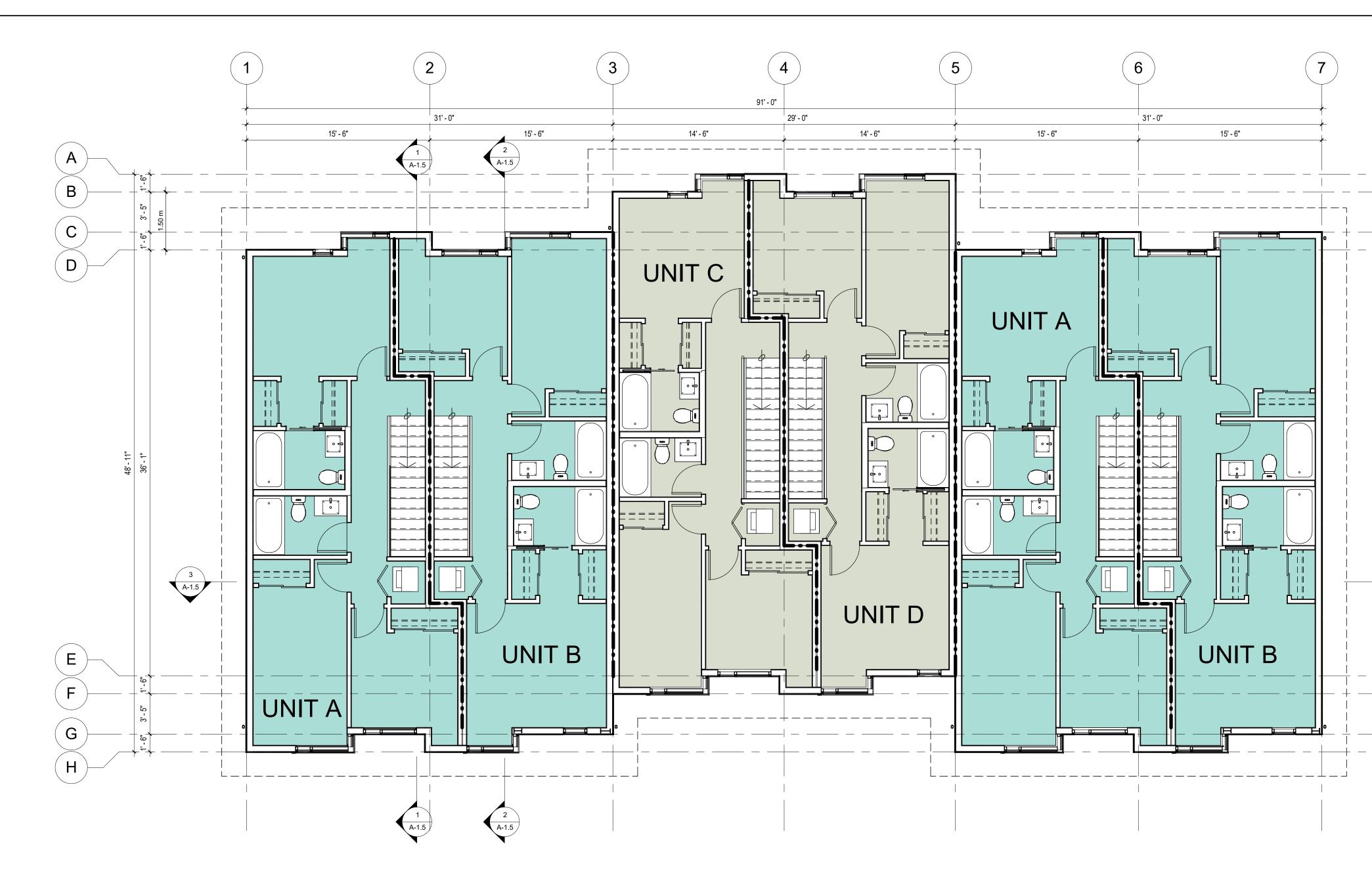




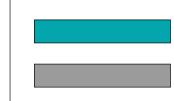
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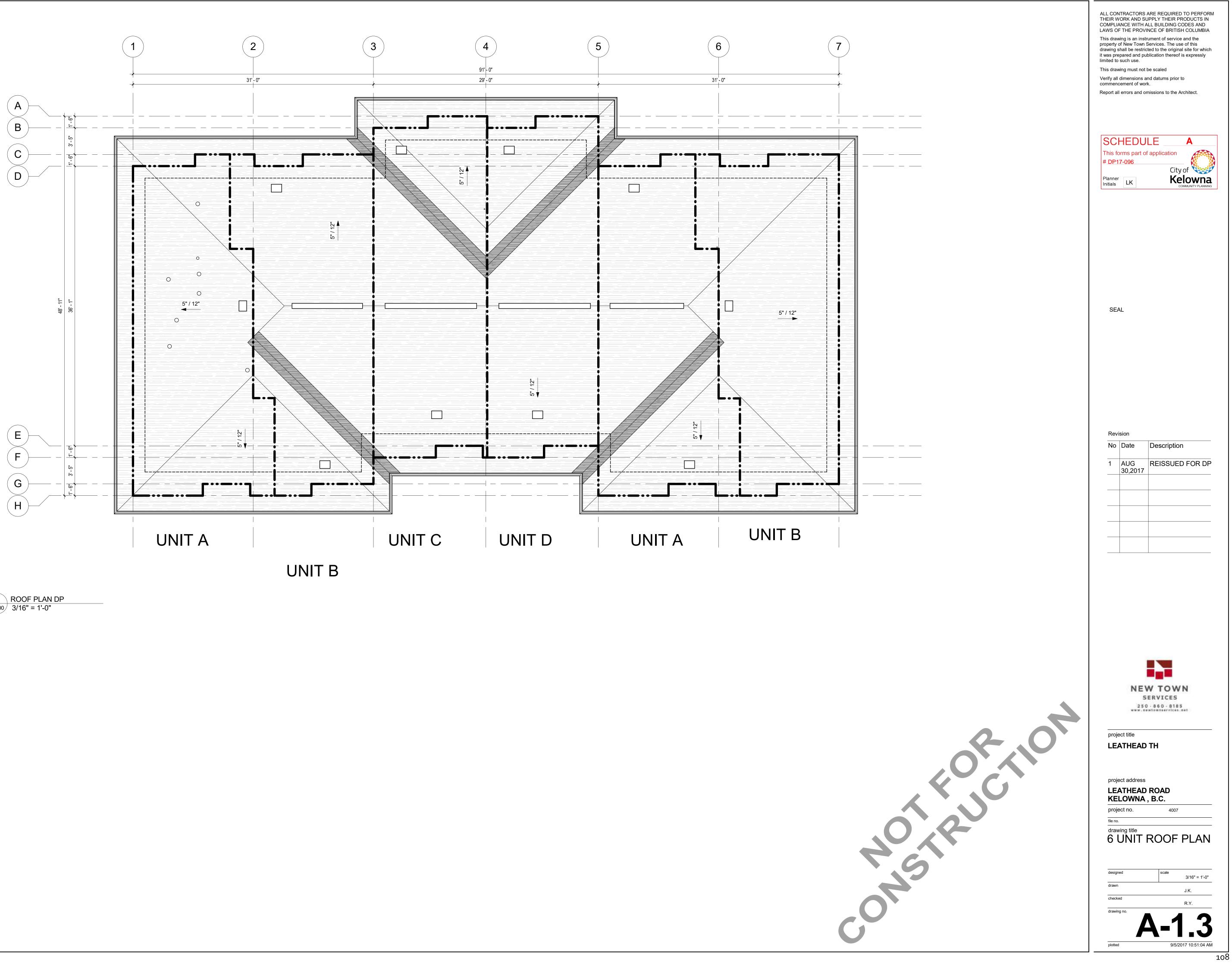
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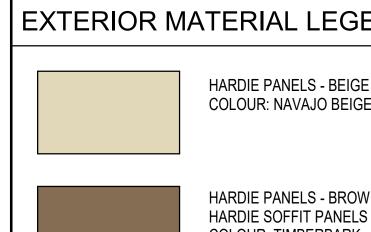
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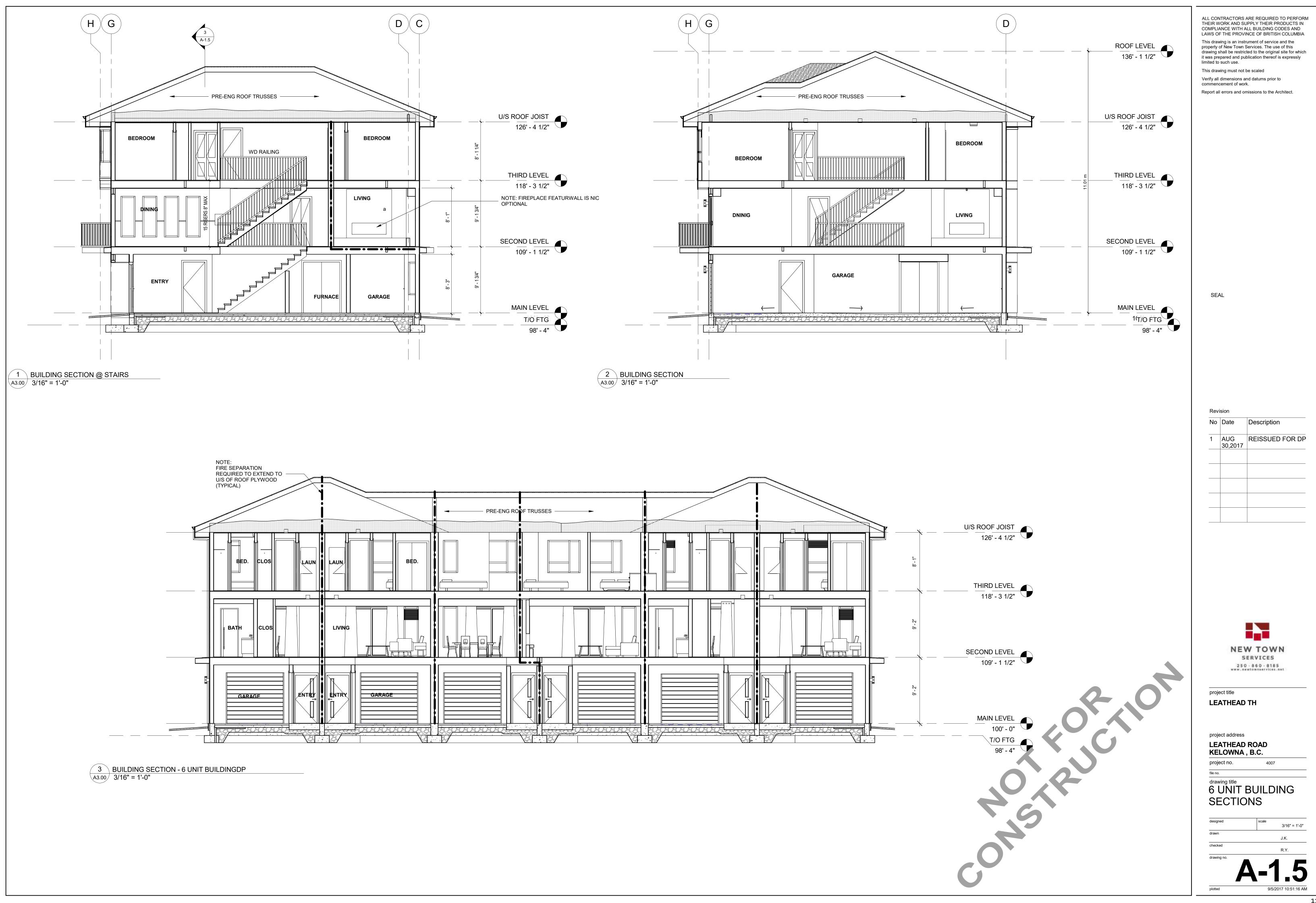


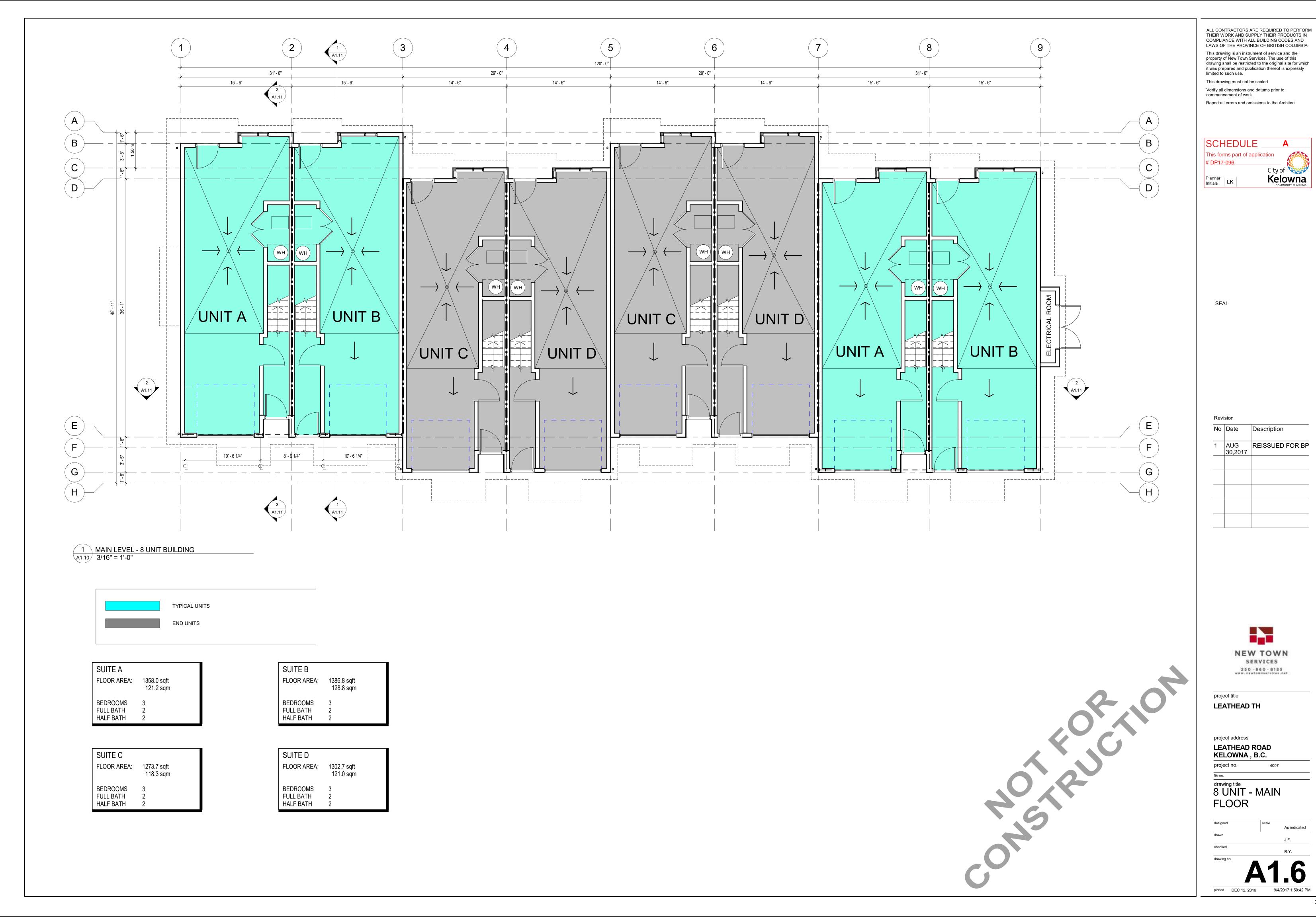


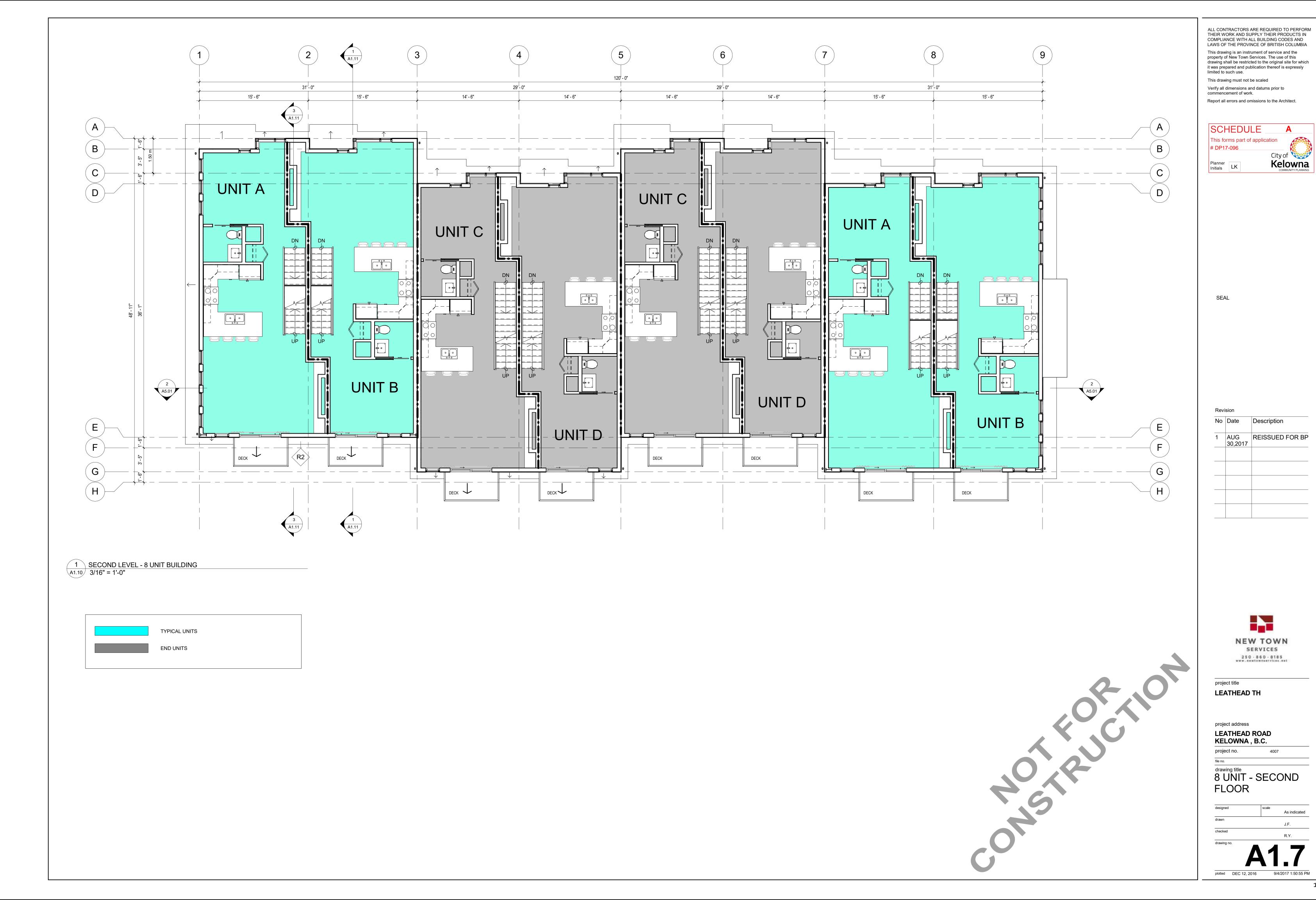
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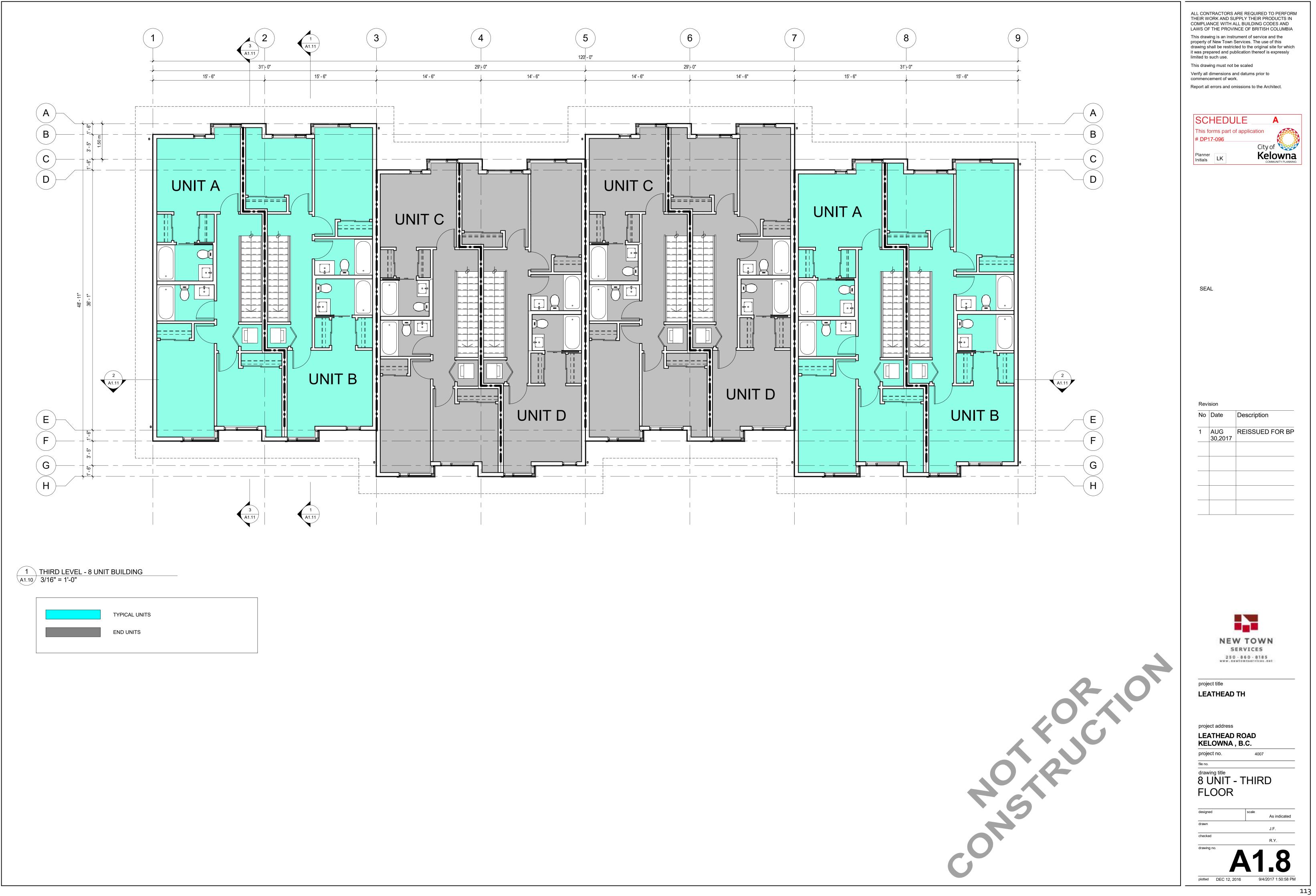
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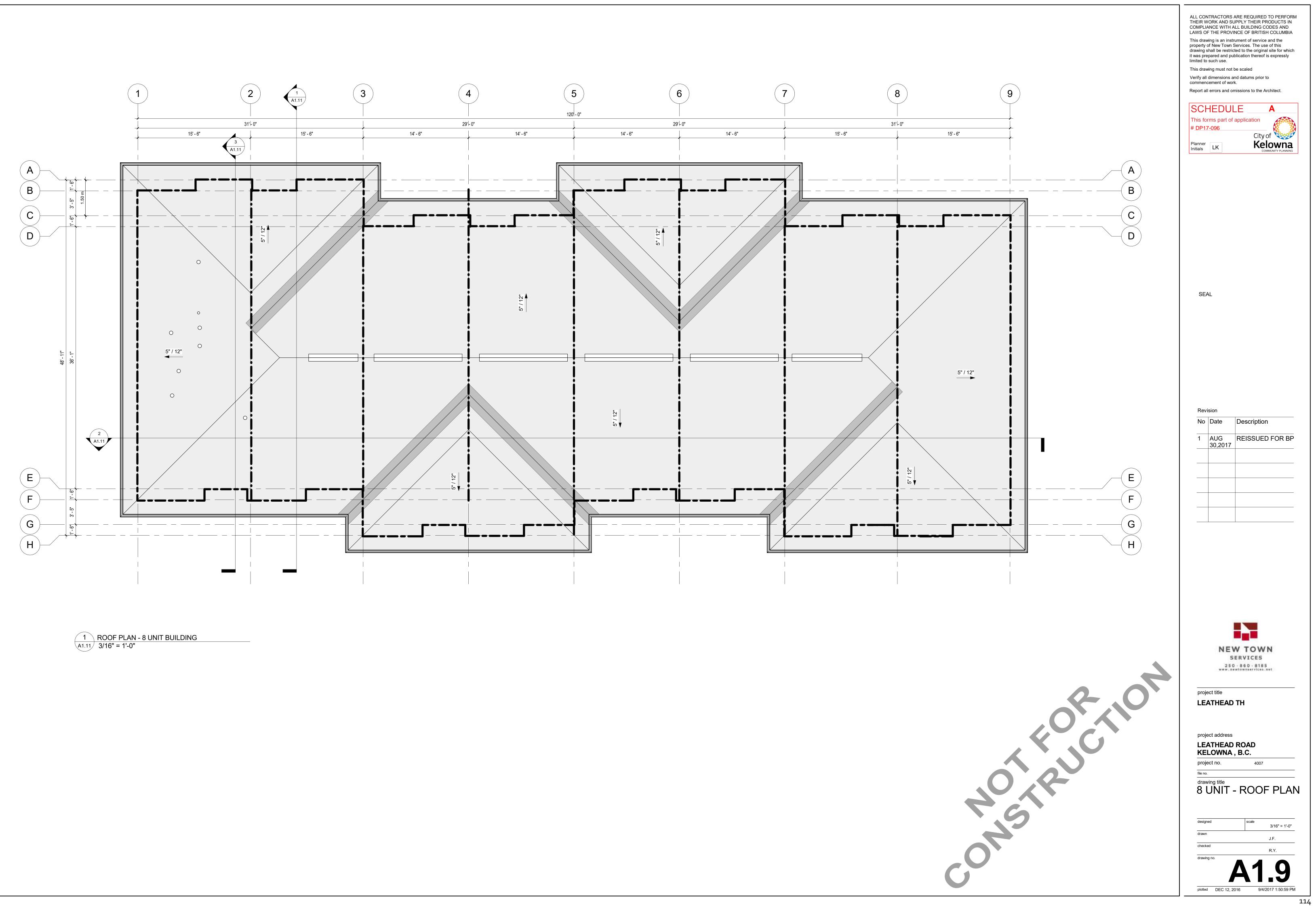
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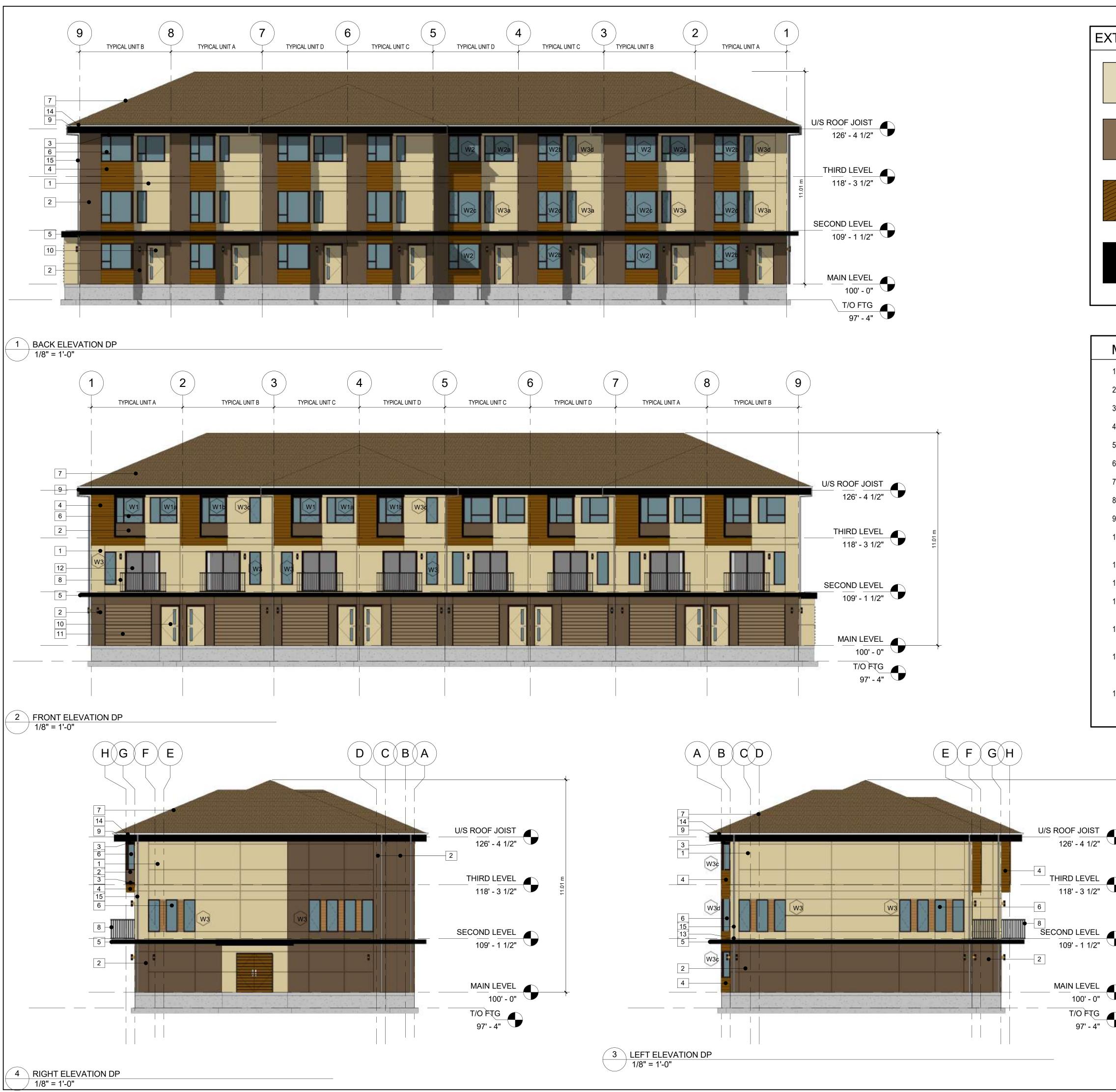




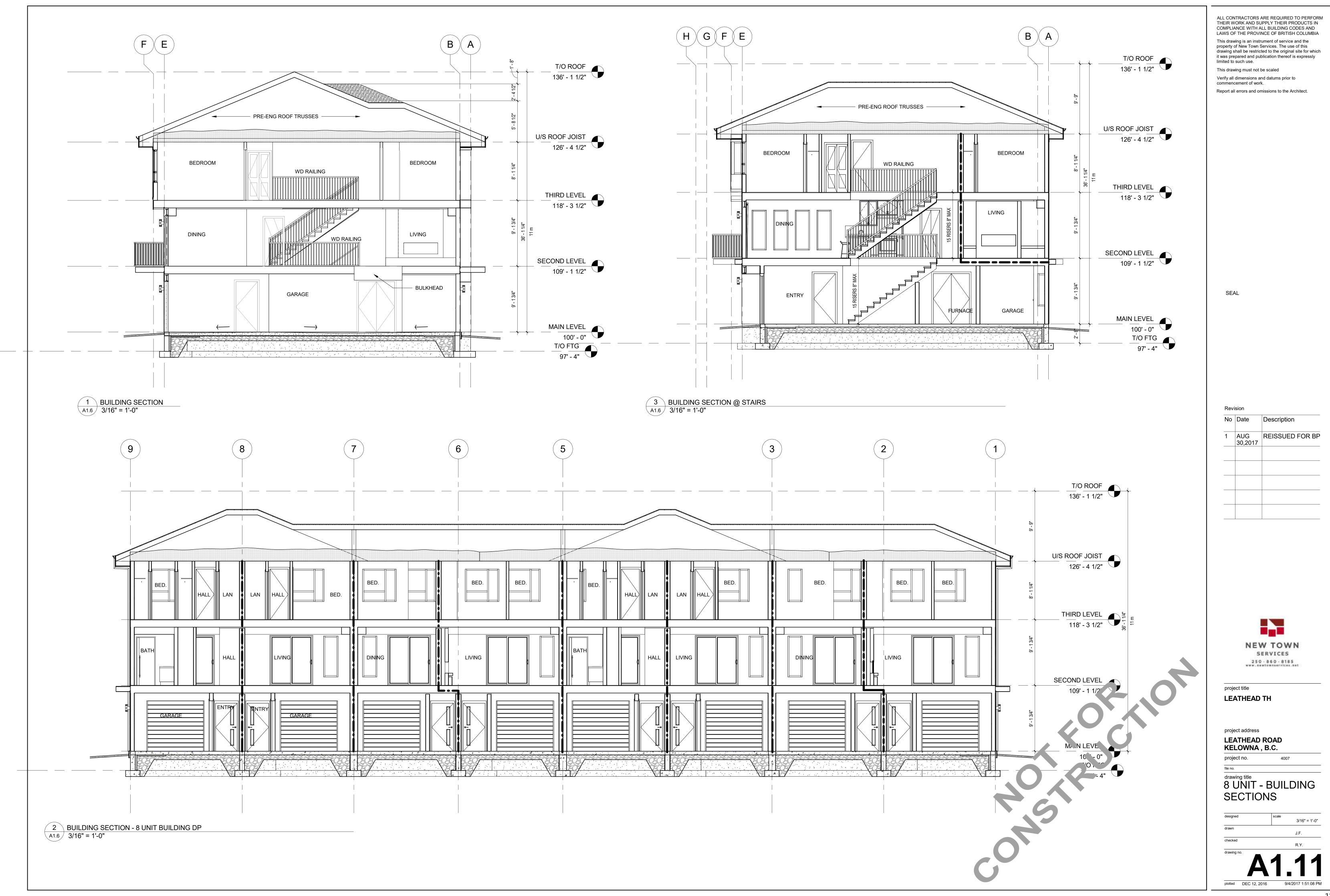


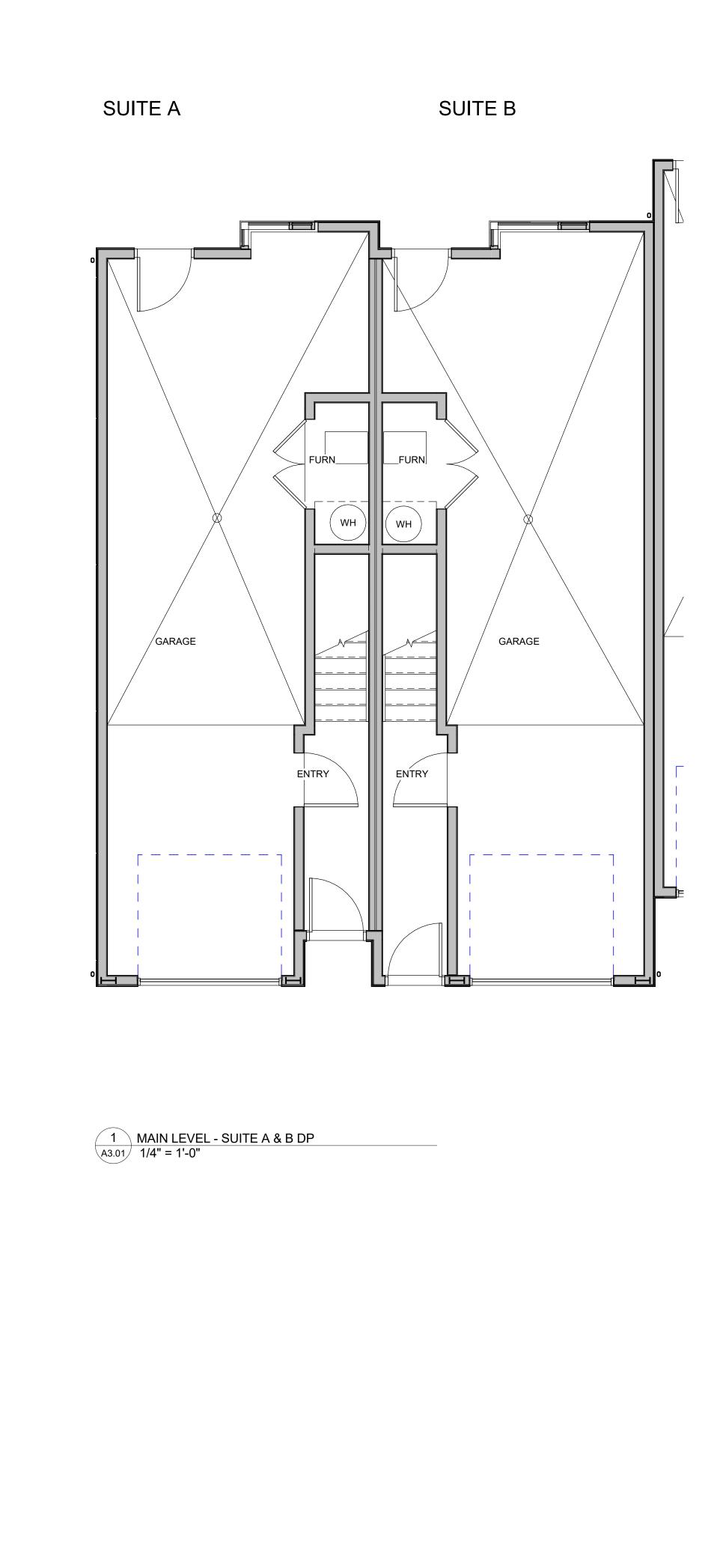






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HARDIE PANELS - BEIGE COLOUR: NAVAJO BEIGE		This drawing is an instrument of service and the property of New Town Services. The use of this drawing shall be restricted to the original site for which it was prepared and publication thereof is expressly limited to such use. This drawing must not be scaled Verify all dimensions and datums prior to commencement of work.
HARDIE PANELS - BROWN/GREY COLOUR: TIMBERBARK HARDIE TRIM - BROWN/GREY COLOUR: TIMBERBARK		Report all errors and omissions to the Architect.
LUX ALUMINUM SIDING - WOOD GRAIN COLOUR: CEDAR		SCHEDULE B This forms part of application # DP17-096 City of
PREFINISHED METAL FLASHING - COLOUR: BLACK TO MATCH WINDOWS/D EXTERIOR RAILINGS & GUTTER/DOWNSP		Planner Initials LK Kelowna COMMUNITY PLANNING
MATERIAL KEYNOTE LEGEND		
1. HARDIE PANELS - BEIGE		SEAL
2. HARDIE PANELS - BROWN/GREY		
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 LUX ALUMINUM SIDING - WOOD GRAIN C/W ALL REQUIRED HARDIE PANELS - COLOUR - BLACK) I RIM	
 6. VINYL WINDOWS (NAILING FLANGE) - COLOUR BLACK 		
7. ASPHALT SHINGLE ROOF - BROWN		
8. ALUMINUM GUARDRAIL - BLACK		Revision
9. HARDIE (FASCIA) TRIM BOARD - COLOUR BLACK		No Date Description
10. SOLID PAINTED DOOR - COLOR MATCH HARDIE PANELS GREY/BROWN		1 AUG REISSUED FOR BP 30,2017
11. OVERHEAD DOOR - COLOR MATH HARDIE PANELS BEIGE		
12. GLAZED SLIDING DOOR		
13. PROVIDE SLEEVE C/W FLASHING SEAL TO ALLOW FOR DOWNSPOUT TO PASS THROUGH. CLOUR - BLACK		
14. PREFIN SEAMLESS ALUM.GUTTER C/W ALL REQUIRED		
 HARDWARE & LEAF PROTECTION. COLOUR - BLACK 15. PREFIN ALUMN. 3 X 4 DOWNSPOUT C/W BRACKETS, DRAIN EXTENSION CONNECT TO STORM. COLOUR BLACK (REFER TO MECH. / CIVIL DWG'S) 	N	
 16. PREFINISHED REVEALS, TRIMS, INSIDE/OUSTIDE CORNERS TRANSITIONS, WINDOWS/DOORS & SOFFIT TO SUIT HARDS PANELS. COLOUR - BLACK 		
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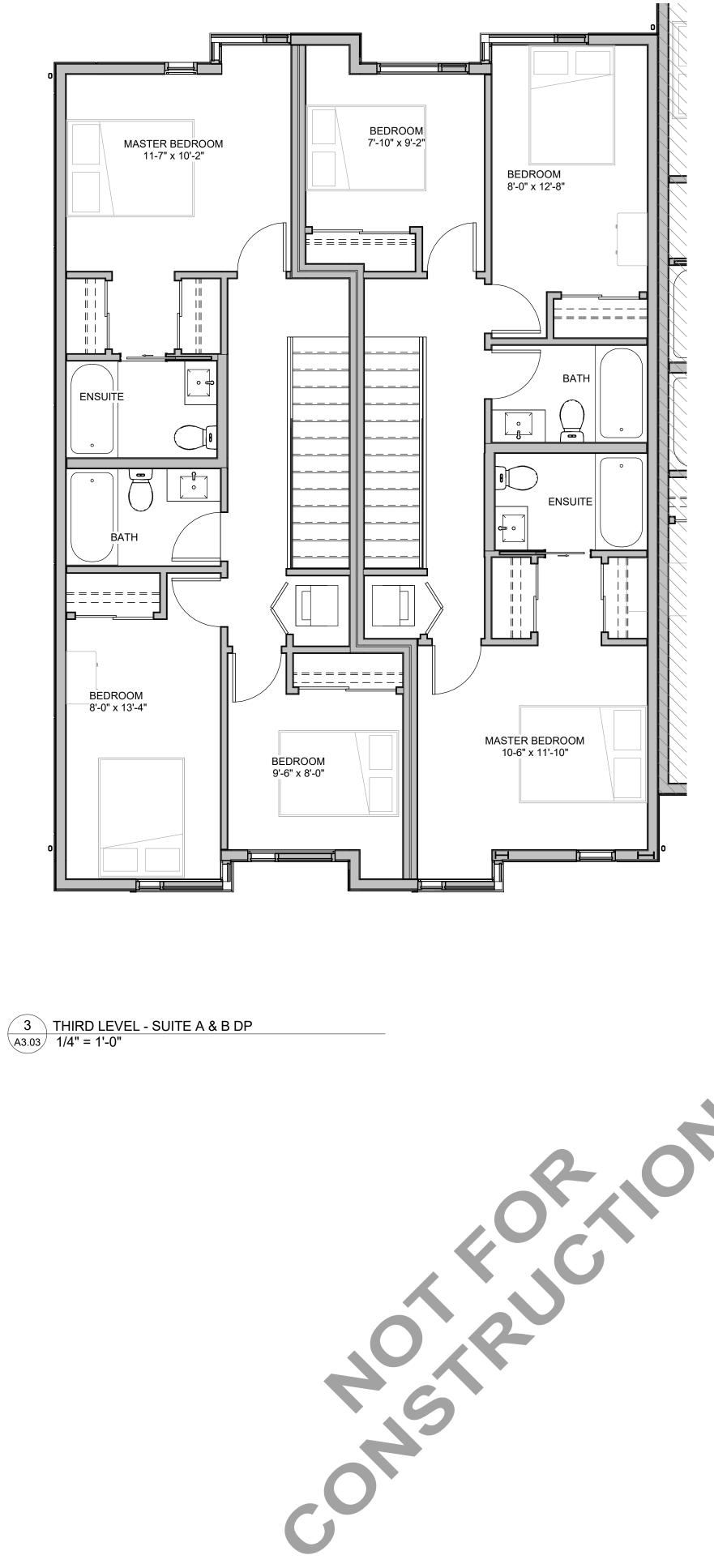


SUITE A

SUITE B

SUITE A





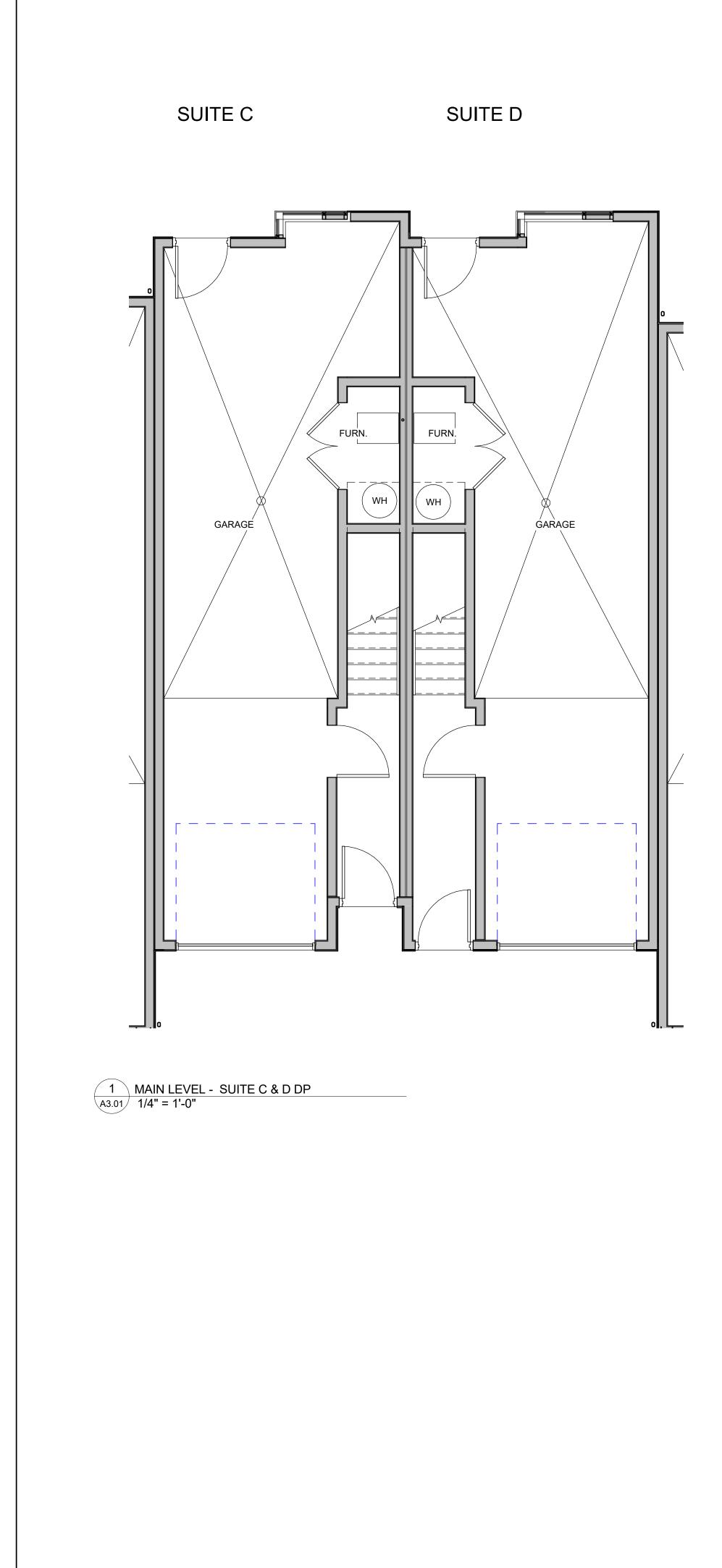
2 SECOND LEVEL - SUITE A & B DP A3.02 1/4" = 1'-0"

SUITE B

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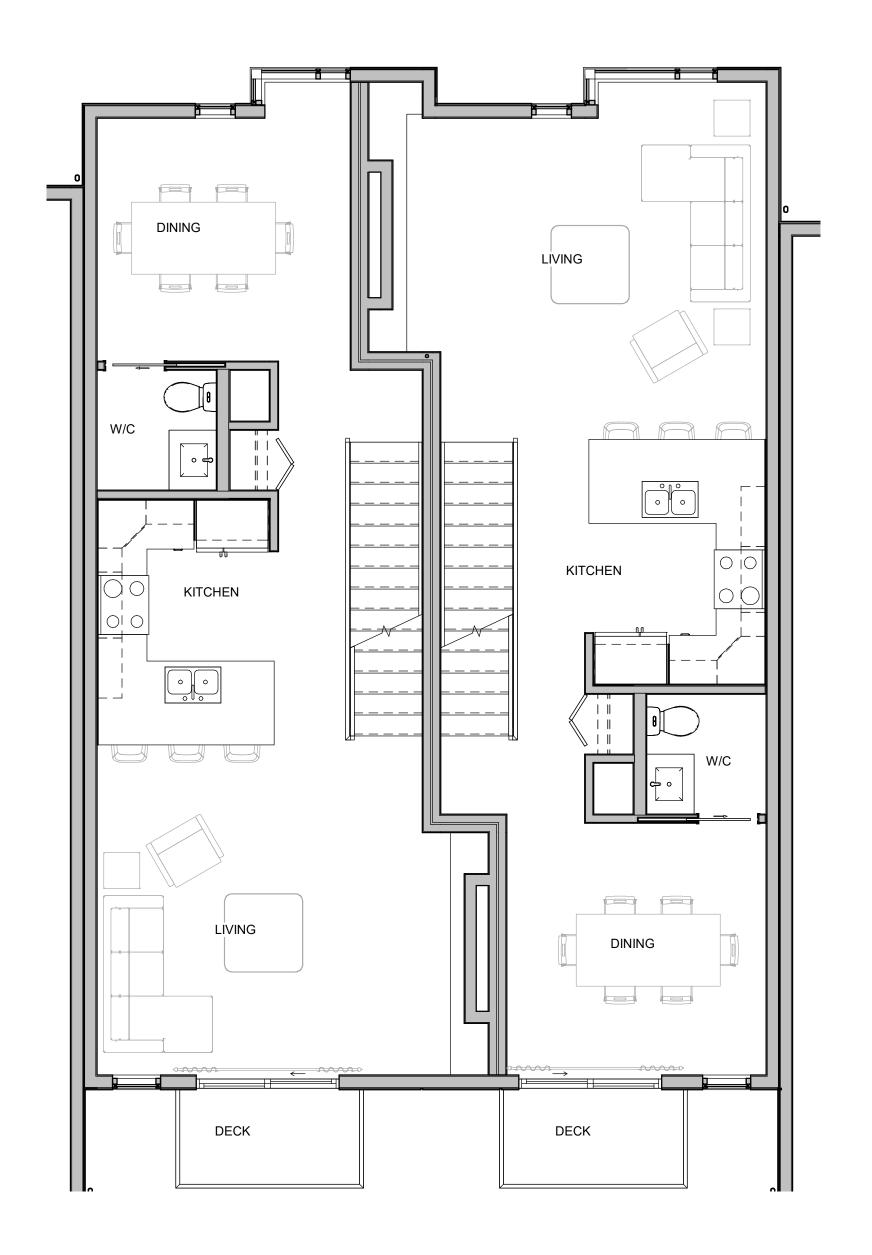
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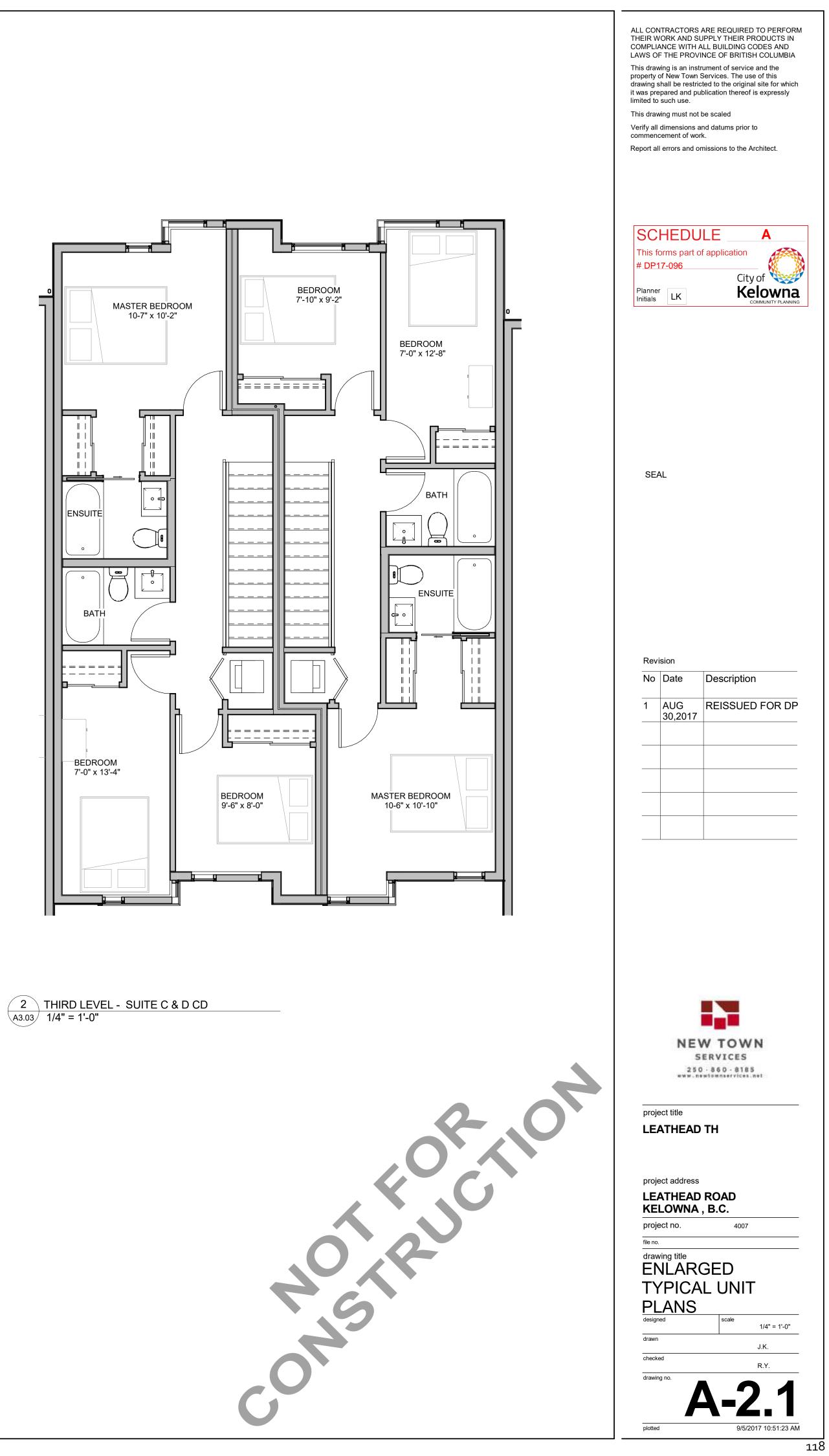
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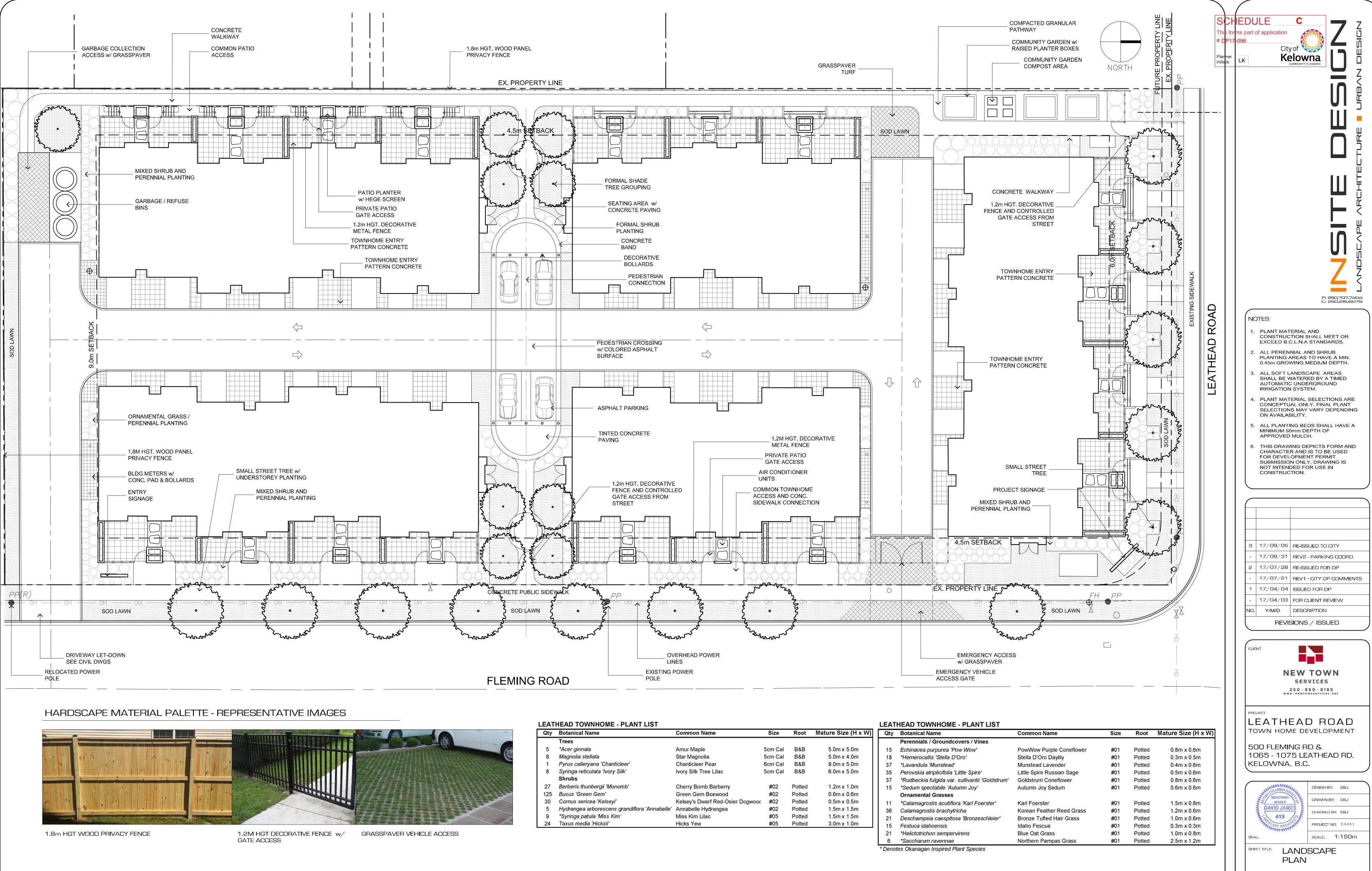
SUITE C

SUITE D





3 SECOND LEVEL - SUITE C & D DP A3.02 1/4" = 1'-0"



	LEAI	HEAD TOWNHOME - PLAT
-/	Qty	Botanical Name
- (Trees
	5	*Acer ginnala
	8	Magnolia stellata
CHARLES CONTRACT	1	Pyrus callervana 'Chanticleer'

	Trees						Peren
5	*Acer ginnala	Amur Maple	5cm Cal	B&B	5.0m x 5.0m	15	Echina
8	Magnolia stellata	Star Magnolia	5cm Cal	B&B	5.0m x 4.0m	18	*Heme
1	Pyrus calleryana 'Chanticleer'	Chanticleer Pear	6cm Cal	B&B	9.0m x 5.0m	37	*Lavai
8	Syringa reticulata 'Ivory Silk'	Ivory Silk Tree Lilac	5cm Cal	B&B	6.0m x 5.0m	35	Perov
	Shrubs					37	*Rudb
27	Berberis thunbergii 'Monomb'	Cherry Bomb Barberry	#02	Potted	1.2m x 1.0m	15	*Sedu
125	Buxus 'Green Gem'	Green Gem Boxwood	#02	Potted	0.6m x 0.6m		Ornan
30	Cornus sericea 'Kelseyi'	Kelsey's Dwarf Red-Osier Dogwood	#02	Potted	0.5m x 0.5m	1 11	*Calar
5	Hydrangea arborescens grandiflora 'Annabelle'	Annabelle Hydrangea	#02	Potted	1.5m x 1.5m	36	
9	*Syringa patula 'Miss Kim'	Miss Kim Lilac	#05	Potted	1.5m x 1.5m	21	Desch
24	Taxus media 'Hicksii'	Hicks Yew	#05	Potted	3.0m x 1.0m	15	
						_	+ 0 0 CU

SHEET NO.

LDP-1

CITY OF KELOWNA

BYLAW NO. 11614 Z17-0101 490 Dougall Road North

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

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

- THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 17 Section 26 Township 26 ODYD Plan 3476, located at Dougall Road North, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 7th day of May, 2018.

Considered at a Public Hearing on the 29th of May, 2018.

Read a second and third time by the Municipal Council this 29th of May, 2018.

Approved under the Transportation Act this 4th day of June, 2018.

"Audrie Henry"

(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11615

Z18-0014-814 Hubbard Road

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

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

- THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 2 District Lot 580A SDYD Plan 17390, located at Hubbard Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone.
- 2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 7th day of May, 2018.

Considered at a Public Hearing on the 29th of May, 2018.

Read a second and third time by the Municipal Council this 29th of May, 2018.

Adopted by the Municipal Council this

Mayor

City Clerk

Report to Council



Date:	June 11, 2018
File:	1200-70
То:	City Manager
From:	Ross Soward, Planner Specialist
Subject:	Capri-Landmark Urban Centre Plan - Implementation Approach

Recommendation:

THAT Council receives the report from the Planner Specialist, dated June 11, 2018 regarding the implementation strategy for the Capri-Landmark Plan;

AND THAT Council endorses in principle the approach to implementation as described in the report, from the Planner Specialist, dated June 11, 2018 to guide the final phase of the Capri-Landmark Plan process;

AND FURTHER THAT Council directs staff to move forward with landowner consultation on the implementation approach.

Purpose:

To obtain Council's support for the proposed Capri-Landmark Urban Centre Plan implementation approach.

Background:

The Urban Centres Roadmap (UCR) affirmed the importance of area plans to support the transformation of Kelowna's five urban centres as vibrant live-work communities. Urban centres directly influence the lives of almost all of our community residents, and in turn, have a substantial impact on the wider environment. Urban environments drive economic development, deliver many public services such as education, healthcare and transportation networks, and foster social connections. Due to the infrastructure deficit and the significant development pressure in the area, Capri-Landmark was identified as the first urban centre where the principles and targets of the UCR would be applied to guide the development of an urban centre plan. The Capri-Landmark Urban Centre Plan will be critical in positioning the area for success by directing where future growth will occur and identifying the

necessary infrastructure and amenities to deliver a high quality of life to future residents and workers in this area.

In January 2018, staff presented the Capri-Landmark Preferred Concept Plan (Attachment A). This Concept Plan was developed after extensive community engagement, council direction, as well as the technical analysis of staff and consultants. The Preferred Concept Plan was endorsed in principle by Council, directing staff to build-out the final plan and supporting implementation strategy. The cost and feasibility of the City delivering key parks and transportation infrastructure was identified in the Concept Plan and noted at that time as a priority for additional detailed planning.

Over the last three months, staff refined the proposed infrastructure improvements, confirming the critical amenities such as parks and transportation improvements that will provide a high quality of life within the Capri-Landmark urban centre. Further, staff investigated a range of funding strategies that the City could use to deliver the proposed infrastructure and the potential financial impact of delivering the Plan. Through this work, staff have confirmed that the cost of the proposed infrastructure is commensurate with the share of city-wide growth that is expected to occur here.

The report identifies the following:

- Core infrastructure requirements considered vital to meeting the basic operational needs for the urban centre and to deliver a high quality of life to future residents and workers;
- Preliminary implementation and financing strategy to deliver the endorsed concept plan; and,
- Infrastructure cost comparison for accommodating growth in urban and suburban locations.

Key Infrastructure Improvements

The concept plan that Council endorsed in January 2018 aims to transform the area over time into a complete community with the support of key transportation, parks, and utility improvements. Preliminary cost estimates for these improvements are summarized below.

Project Type	Land Acquisition Costs	Development Costs	Total
Parks & Public Spaces	\$18,500,000	\$17,000,000	\$35,500,000
Transportation	\$18,500,000	\$33,500,000	\$52,000,000
Utility & Infrastructure	TBD	\$7,750,000	\$7,750,000
Total	\$37,000,000	\$58,250,000	\$95,250,000 ¹

Transportation

The Plan promotes a mix of land uses and identifies various infrastructure improvements to enhance transportation options in Capri-Landmark and to encourage walking, cycling and transit use.

¹ Included in \$95 million of infrastructure works: Approximately \$10.8 million of projects already identified in the 2030 Infrastructure Plan as well as \$15 million in development-led works.

Key Proposed Transportation Improvements

- Sutherland complete street to enhance east-west connectivity from Gordon to Spall
- Transit access within Landmark area, bringing route 11 with several bus stops to area
- Provide additional access to the pedestrian bridge overpass from Dickson Ave
- Extend Pacific Court through to Springfield Rd to create new north-south vehicular connection, including the closure of a portion of Lindhal St to thru traffic.
- Develop Dickson Ave as a main street to encourage destination for retail / community gathering
- Require sidewalks on all streets in the area
- Improve key intersections to reduce congestion on Burtch Rd, Spall Rd, & Gordon Dr

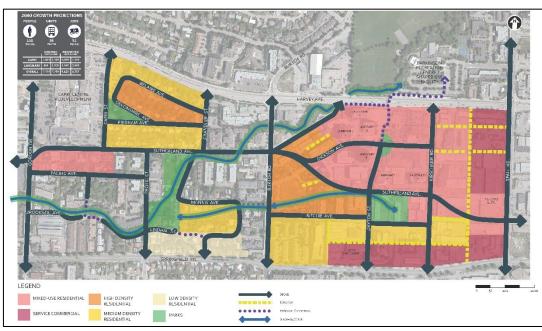


Figure 1: Proposed Transportation Network and Future Land Use

The projected growth for Capri-Landmark accounts for roughly 13 per cent of citywide growth to 2040, while the cost of the proposed transportation improvements to 2040 would equate to roughly 15 per cent of the transportation share of the City's 2030 Infrastructure Plan. The realignment of Sutherland Ave (including land acquisition) accounts for about half of the overall transportation infrastructure costs in the area. The proposed east-west complete street will improve connectivity in the area and make it easier for people to walk, cycle and take transit in the area (shown in Figure 1). At the same time, the Plan proposes improvements at many of the key arterial intersections (Springfield-Gordon, Harvey-Burch, Harvey-Gordon, Springfield-Spall) to reduce vehicle congestion at peak times. Overall, the proposed transportation infrastructure improvements will be critical to support growth and to ensure residents have a range of transportation options within the urban centre.

Parks and Public Space

The other priority that is vital to providing a high quality of life and to transforming this urban centre is the addition of parks and public spaces. As per the City's *Urban Centres Roadmap* principles, investments in park and public spaces will offer a much needed amenity for future residents and

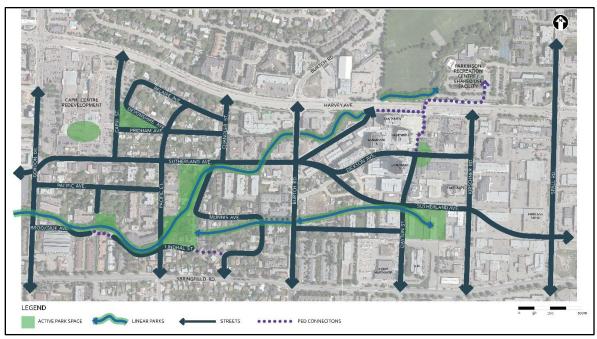
workers and serve as a catalyst to support the transformation of this urban centre. Subsequent to the Council Report in January, staff have refined the park and public spaces implementation strategy for Capri-Landmark to be more flexible and responsive to future opportunities.

Active Park Name	Type of Project	Park Class	Total Area Proposed (Hectares)
Ritchie Brook Park (Landmark)	New Park	Neighbourhood	1.2 Ha
Brookside	New Park	Neighbourhoo	о.30 На
Landmark Plaza	New Plaza	Neighbourhood	0.20 Ha
Capri Centre	New Plaza /Rink	Neighbourhood	0.42 Ha
Mary Anne Collinson Memorial	Park Expansion	Neighbourhood	o.41 Ha = (existing + expansion)
Pacific Court Park	Park Expansion	Community	1.7 Ha = (existing + expansion)
Total Active Parks Proposed			4.23 Ha

Key Proposed Parks and Public Space Improvements

Based on an estimated 2040 population of 9,425 people - approximately 9.4 Ha of parkland is needed to meet the City's target² for Community and Neighbourhood Parks (active parks) within Capri-Landmark. The proposed parks and public space plan identifies 4.23 ha and the remaining 5.17 ha may be identified for future acquisitions over the long-term as opportunities arise and funding is made available.





Currently there exists 0.9 Ha of existing park space at Pacific Court Park and Mary-Ann Collinson Park. The proposed park plan illustrated in Figure 2 will increase this total to 4.23 Ha for this area. Given the

² City of Kelowna, Parkland Acquisition Guidelines 2.2 hectares for every 1,000 residents.

cost to acquire land and the logistics involved with multiple landowners, staff recognize that achieving the current City-wide target will be challenging. In order to provide further park and recreation opportunities in the immediate neighbourhood, the parks plan proposes the following strategies to augment the core active parkland in the area:

- Develop parks and open spaces in the area to a high standard/quality to reflect increased density and intensive use that is expected within this urban centre.
- Integrate two linear parks (Mill Creek & Ritchie Brook) to provide a safe and contiguous pedestrian connection to amenities as well as enhancing drainage and stormwater management.
- Develop Active Transportation Corridors and main streets that can also function as public spaces for residents and workers.
- Allocate Parkland Acquisition DCCs in a flexible and opportunistic manner, responding to where growth and redevelopment occurs in the urban centre.
- Promote privately developed publicly accessible amenity spaces through major development application review.

In addition, the City maintains a large Recreation-level park immediately to the north of the Landmark area in which the rebuilding of the aging Parkinson Recreation Centre and potential School District partnership will create an opportunity to refresh the outdoor spaces and provide new park and recreation amenities that will serve this urban centre.

Funding and Implementation Approach

Over the last several months, staff investigated the viability of delivering the infrastructure improvements and arrived at a recommended funding approach for Plan implementation, which has been founded on the following financial planning principles:

- Establish fees and charges where those who benefit the most from future infrastructure improvements are expected to contribute the greatest (area funding tool)
- Limit funding strategies that create a disincentive for future development in Capri-Landmark
- Promote fairness and equity for all development through funding strategies
- Utilize funding tools that will ensure viability of the long-term plan goals
- Encourage tools that provide flexibility for long-term urban centre planning and revitalization

Based on these principles, the City's DCC program (20-Year Servicing Plan) is recommended as the primary funding tool to deliver the proposed infrastructure. The parkland acquisition projects, transportation works and utility improvements would all be considered for inclusion in the 20-Year Servicing Plan / Infrastructure Plan. All DCC projects added to the 20-Year Servicing Plan would also have a corresponding taxation assist.

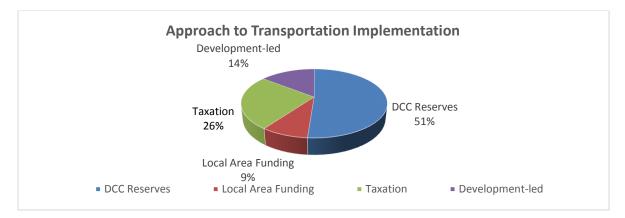
Staff are also recommending that a local area funding tool (e.g.: area-specific DCC) be investigated through the 20-Year Servicing Plan update to ensure local landowners who benefit the most pay their fair share of infrastructure improvements. In addition, the Plan will rely on development-led

improvements related to transportation, parks and utilities that will be secured through the rezoning of key parcels.

As part of the technical analysis, staff completed a modelling exercise (Attachment C) to understand the financial impact of the proposed infrastructure on the current Infrastructure and 20-Year Servicing Plans. A summary of this modelling exercise is provided below, highlighting the financial impacts associated with the proposed transportation, utility and parks projects.

Implementation Approach for Transportation

Based on staff's analysis, the total cost to implement the identified transportation infrastructure improvements is \$52.5 million and is estimated to be completed by 2040. Of this total, \$36.7 million falls under the 2030 timeframe and represents 11% of the City's current 2030 Infrastructure Plan. The chart below shows the share of funding sources to deliver the proposed transportation improvements.

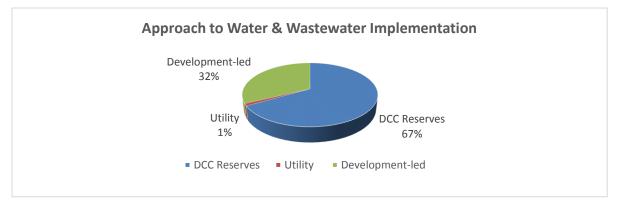


Under this proposed approach, the taxation impact is estimated at \$14.2 million, while another \$7.6 million is assumed to be development-led works triggered as individual re-zonings occur.

If Council approves the described funding approach and the Plan is approved, the projects would then be considered for inclusion in the updated 20-Year Servicing Plan / 2040 Infrastructure Plan in 2019. Due to the scale of improvements proposed, the addition of the Capri-Landmark projects would require additional taxation funding via the removal of lower priority projects in the current Infrastructure Plan or by reviewing the City's approach to taxation assists and DCC rates. Each project would be subject to the annual capital planning process, and Council would need to prioritize Capri-Landmark amongst all the other capital projects for implementation to occur.

Implementation Approach for Water & Wastewater

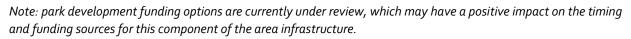
The proposed water and wastewater utility improvements are estimated at \$1.7 million and \$5.7 million respectively and is estimated to be completed by 2040. This would result in a corresponding 2030 Infrastructure Plan impact of \$1.7 million or a 2% increase for Water. \$3.96 million of the \$5.7 million in Wastewater projects fall in the 2030 timeline and translates to an increase of 3% to the 2030 Infrastructure Plan for Wastewater. The total utility impact for both water and wastewater would be \$0.06 million dollars. Staff have identified roughly \$1.7 million in wastewater improvements that are development-led that would be triggered by the Capri Centre redevelopment.

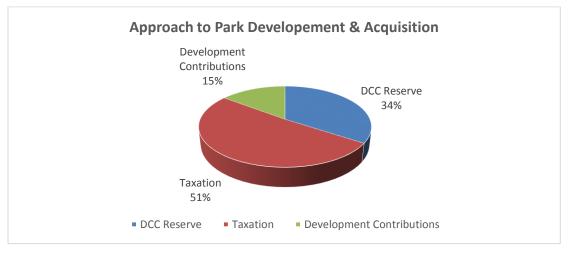


If Council approves the described funding approach and the Plan is approved, the proposed utility improvements would be considered for inclusion in the updated 20-Year Servicing Plan / 2040 Infrastructure Plan in 2019/20. The improvements would have a nominal impact on utility rates, and would result in a small increase in DCC rates with new projects added to the 20-Year Servicing Plan.

Implementation Approach for Parkland Acquisition & Development

The park acquisition and park development components of the park infrastructure program are broken out separately. The total parkland acquisition costs are estimated at \$18.5 million. The proposed park acquisition projects would have a 2030 impact of \$7.0 million on the Infrastructure Plan.³ The park acquisitions would have a minor taxation impact of \$0.7 million. The Parkland Development component of the plan is estimated at \$17 million, which would need to be funded via taxation and added to the Infrastructure Plan, representing a significant impact to the overall park development program.





³ The current DCC program already includes approximately \$6 million of parkland dedication within the proposed Capri-Landmark Plan. These projects could be prioritized before the 2040 DCC Program update.

If Council approves the described funding approach and the Plan is approved, the park acquisition and development projects would be considered for inclusion in the updated 20-Year Servicing Plan / 2040 Infrastructure Plan in 2019/20. Staff has also assumed some dedication of linear park space to support the implementation of the Plan as re-zonings occur.

From a park development perspective, the identified projects would need to be prioritized over other projects, for inclusion in the Infrastructure Plan. Under today's current park development funding model, the park development component of the Plan will require a large amount of taxation, highlighting the challenges with developing parks solely on taxation funding. Accordingly, the park development component of the Plan will require Council to prioritize Capri-Landmark over other park development projects.

Overall Impact– DCC Fees (20-Year Servicing Plan) Transportation, Water and Wastewater

Adding the identified transportation, water and wastewater projects to the 20-year Servicing Plan will require an adjustment to the City's DCC rates. The transportation component of the Plan would require the largest adjustment to the DCC program, adding roughly 16% to the 2030 program. For this reason, staff are proposing a local area funding tool (e.g. Area DCC) be investigated to finance local transportation improvements, ensuring local landowners pay a larger proportion of improvements that they benefit from. Water and Wastewater both represent a smaller impact with an increase to the DCC program of 6% and 9% respectively. Based on this preliminary analysis (summarized in the table below), the cost per unit would increase approximately 7% for residential DCC rates. This analysis demonstrates the DCC program (20-Year Servicing Plan) is a viable strategy for delivering key improvements, resulting in a minor impact to DCC rates in the core area.

DCC Service Area	Residential 1	Residential 2	Residential 3	Residential 4
Inner City	\$11,161	\$9,976	\$7,064	\$6,521
Current Rate				
South Mission	\$37,770	\$35,073	\$26,507	\$25,245
Current Rate				
North of Inner City /	\$25,565	\$22,841	\$17,790	\$16,744
Glenmore				
Current Rate				
Inner City	¢11.024	\$10 CE2	67 F 4 C	\$6.060
Inner City	\$11,924	\$10,653	\$7,546	\$6,960
With Capri-Landmark	(+\$763)	(+\$677)	(+\$482)	(+\$439)
Projects (7% increase)				
-				

2030 DCC Rate Impact⁴

⁴ To understand the potential impact of the 2030 interim Plan implementation, staff have estimated the increase to the DCC rates by adding the Capri-Landmark transportation, water and wastewater projects to the 20-year servicing plan. This analysis also assumes roughly 1,400 new units of growth above the growth accounted for in the 2030 20-Year Servicing Plan.

Near-term implementation strategy

Technical analysis has shown that the first phase of Sutherland Ave (Burtch Rd to Dayton St) and intersection improvements at Burtch Rd and Harvey Ave will be needed to support further re-zonings in the Landmark area. The implementation approach described above demonstrates that the City is able to deliver the key infrastructure improvements through existing funding strategies, including the 20-Year Servicing Plan / Infrastructure Plan. However, it will take time to update the 20-Year Servicing Plan and to gather the required funds for these projects, highlighting the challenges associated with completing the first phase of Sutherland Avenue in the next five years. Consequently, the development community may want a more rapid implementation of transportation improvements to open up additional redevelopment potential in Landmark.

To support a more rapid implementation of the Plan, the City has identified the option of a Development Works Agreement (DWA) with a developer for the construction of phase 1 of the realignment of Sutherland Ave (Burtch to Dayton). A DWA would require the developer to build the identified "works" (e.g. Sutherland Ave realignment phase 1), with the developer being repaid for part or all of their costs from other developers in the area (based on the agreement). Any parcel that benefits from said works who later comes forward to redevelop their parcel would be required to contribute the specified charge at the time of building permit. The City would collect the funds (specified charges) and pay the developer once per calendar year any monies collected. Overall, this tool would provide an option for a major landowner who is motivated to advance the implementation of the Plan to accelerate the infrastructure works required to allow for redevelopment in Landmark.

Comparing Costs (Urban vs Suburban)

The *Urban Centres Roadmap* affirmed the City's commitment to focusing investment and growth within the City's five urban centres as a strategy to support long-term environment and economic sustainability. In isolation, the infrastructure costs of the Capri-Landmark plan appear significant. However, it is important to look at the costs in relation to the costs of accommodating similar growth in other parts of the City. For example, when a large suburban development comes forward, the full capital costs to service the growth are not often discussed. In these cases, the developer pays a large percentage of the upfront costs for transportation and utilities to support the proposed development, recovering the costs through the sale of each individual home or lot. The financial impact to the City for these suburban development projects is largely the long-term maintenance and future replacement (lifecycle costs) of the infrastructure, in addition to other operating costs not funded through development (fire, policing, bylaws, transit, infrastructure maintenance and renewal, etc.). For the Capri-Landmark Plan, the City is leading the process and in an effort to be transparent and to test the viability of plan implementation, a full breakdown of the overall capital costs to support the concept plan has been provided.

The financial impacts of the proposed plan are better understood by comparing the costs of accommodating growth in Capri-Landmark with the costs of accommodating a similar level of growth in a suburban location. This comparison (below) highlights the relative cost savings of accommodating 10,000 residents in Capri-Landmark as opposed to a suburban location (see attachment B for more

detail). Based on staff's technical analysis, using the Province's *Community Lifecycle Infrastructure Costing (CLIC) Tool*, the cost savings of focusing growth in the urban centre are significant. The capital costs to accommodate roughly half (5,000 residents) in a suburban / greenfield location would be two to three times more for each house or unit. At the same time, there are other major public costs associated with suburban development, be it the loss of farmland, naturalized lands, higher GHGs, as well as adverse health impacts associated with car dependent sprawl development.

CLIC Infrastructure Costs for Greenfield (suburban/peripheral) Development	CLIC Infrastructure Costs for Infill (urban centre/core) Development
Upfront Capital Costs: \$30,000- \$35,000 per unit	Upfront Capital Costs: \$7,000-\$15,000 per unit
Annual Lifecycle infrastructure costs: \$2,500 per unit	Annual Lifecycle infrastructure costs: \$1,100 per unit

This comparison shows there are substantial benefits associated with focusing growth through infill as opposed to accommodating similar growth in a suburban location. These cost-savings are one of several reasons the City's growth management strategy focuses on densifying the city's five urban centres. In the context of the Capri-Landmark Plan, much of the basic network infrastructure (utilities & transportation) are already in place, but a deficit does exist in terms of infrastructure and amenities due to the Service Commercial legacy of the area and the development of the Landmark Office towers under the Land Use Contract. Therefore, to accommodate 7,000 additional residents the plan has identified long-term infrastructure needs (transportation, parks, and utilities) and an implementation strategy to deliver the services and amenities to positon the area for success. The identified infrastructure costs are not minimal; but, when the costs are reviewed in relation to building in outlying areas of the city, the Capri-Landmark Plan represents an extremely cost-effective approach for accommodating growth.

Moreover, the significant growth proposed for the area is anticipated to generate substantial revenues for the City. A high level estimate shows that the 4,000 new units projected for Capri-Landmark could translate into roughly \$1.3 billion dollars of private sector investment.⁵ The proposed infrastructure improvements (\$95 million dollars) represent only 7 per cent of the private sector investment anticipated by 2040.⁶ At the same time, the build-out of the urban centre could produce roughly \$80 million dollars in development cost charge fees to fund infrastructure improvements. These estimates reinforce the robust business case for encouraging growth within Capri-Landmark. The future success of the urban centre is dependent upon attracting a significant number of future residents to the area,

⁵Assuming the majority of new units will be multi-family units and using the average costs for an apartment / condo unit of \$325,000 per unit.

⁶ Based on technical analysis using the Community Lifecycle Infrastructure Costing (CLIC) Tool

requiring leadership from the City to deliver the parks and transportation improvements needed to provide a high quality of life to future residents and workers.

Conclusion & Next Steps

The infrastructure improvements identified are vital to the success of the revitalization of the urban centre, reinforcing that a defined approach for delivering the infrastructure is fundamental to the success of the plan and the City's growth strategy. A clear approach for financing key improvements will allow the Plan to be implemented gradually with significant leadership roles for both the City and the development community. With a strong vision and implementation strategy in place, each redevelopment proposal can contribute to advancing the success of this Urban Centre.

The technical analysis demonstrates the cost of the proposed infrastructure is commensurate with the amount of growth projected for the area (7,000 new residents = 13% of future citywide growth). The analysis also reinforces that the City is able to deliver the proposed improvements largely using the existing funding strategies, recognizing that there is a sizable taxation impact (\$32 million) associated with the proposed Plan. The taxation component will require the reprioritizing of other existing projects or a change in funding practices with respect to taxation assist. For this reason, Staff continue to see value in exploring a new local area funding tool (e.g.: area-specific DCC) or other strategies that could reduce the burden on taxation for local improvements and ensure the local landowners who benefit the most, pay their fair share.

The analysis has also reinforced that the Infrastructure Plan and 20-Year Servicing Plan are viable options to deliver the proposed infrastructure. These programs are fully subscribed, therefore adding new projects to these programs will require the removal of other, lower priority projects or the expansion of the overall program. The forthcoming update of the Infrastructure Plan and 20-Year Servicing Plan will require tough decisions by Council to prioritize Capri-Landmark infrastructure ahead of projects currently in the City's Infrastructure Plan. However, investing in Capri-Landmark represents a cost-effective approach as the build-out of the urban centres simultaneously advances a range of City goals related to healthy communities, sustainable transportation, economic development, as well as environmental and fiscal sustainability, reinforcing the strong case for prioritizing Capri-Landmark in future capital planning processes.

Subject to Council approval of the proposed implementation approach, staff will move forward with consultation with landowners in the Capri-Landmark area on the plan direction, proposed funding approach and the potential of introducing an area funding tool through the 2019 20-Year Servicing Plan review. Concurrently, Staff will complete final plan refinement and analysis to prepare the final plan report as well as bylaw amendments for zoning and future land use updates. Staff anticipate the next Council report to present the final plan document for Council endorsement later this summer.

Internal Circulations

Divisional Director, Community Planning and Real Estate Department Manager, Policy & Planning Department Manager, Community Planning Manager, Urban Planning Manager, Financial Planning Manager, Integrated Transportation Department Manager Transportation Engineer Planning & Development Design Technician, Utility Planning Communications Advisor Manager, Infrastructure Engineering Manager, Development Engineering Manager, Parks & Buildings Planning

Submitted by: Ross Soward, Planner Specialist

Approved for inclusion:

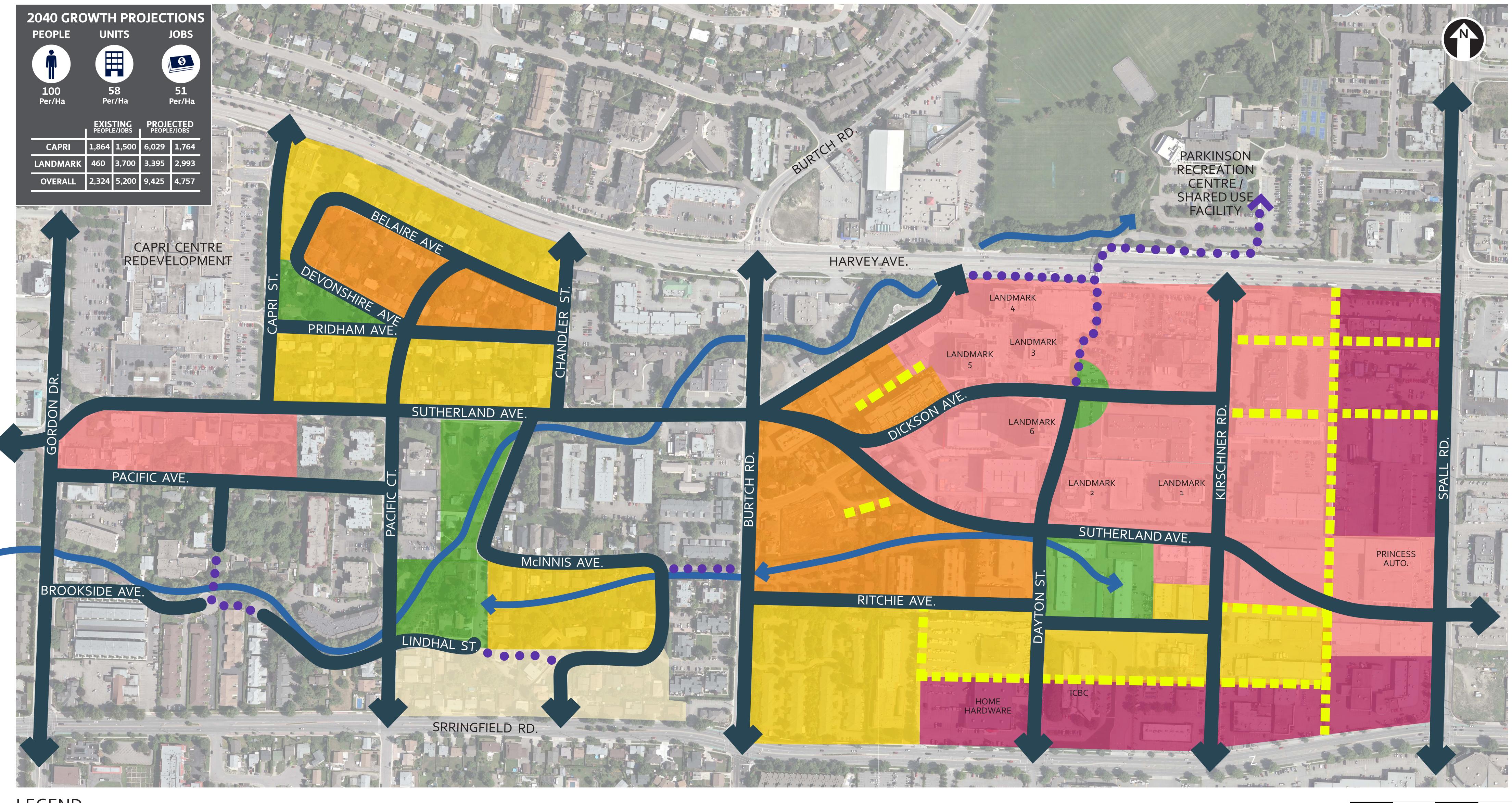
James Moore, Manager of Long Range Policy & Planning

Attachments

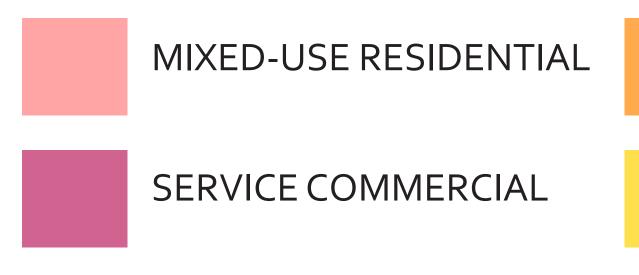
Attachment A – Preferred Concept Plan

Attachment B – CLIC Cost Comparison Estimates

Attachment C – Financial Impacts Modeling Exercise Summary



LEGEND



HIGH DENSITY RESIDENTIAL

MEDIUM DENSITY RESIDENTIAL

Capri-Landmark - Preferred Concept Plan



Laneways

Pedestrian Connections

Greenway / Creek

Future Land Use & Structure Map

0

50

100

200M



Capri-Landmark Plan - Implementation Approach

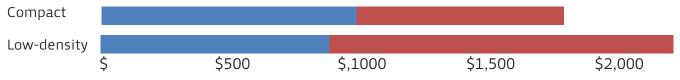
Attachment B - Community Lifecycle Infrastructure Costs Estimates

Key Indicators	Greenfield (low-density)	Urban Centre (Compact)
Net Density (units/ha)	15	50
Population	5202	10,000
Gross Land (Hectares)	188	94
Residential Area %	71%	70
Connectivity	Mostly closed road network, some transit access, 10 km from CBD	Walkable streets and blocks, Strong transit access, 2.5 km from CBD
Land Use Mix	Primarily residential, single-family detached, townhouse and some commercial	Compact development, jobs, retail and services in close proximity to high and medium density residential
Total Road Length (metres)	20,488	14,270

Initial Capital Costs Per Household: Per household initial capital costs are significantly lower in the urban centre (Capri-Landmark) compared to the low density, greenfield scenario (\$7,815 vs \$32,398).



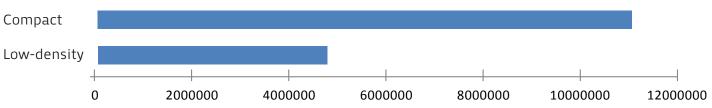
Annual Operating Costs Per Household: In the low density neighbourhood, operating costs are higher than in the compact neighbourhood (Capri-Landmark) (\$2,228 vs. \$2,099) excluding school costs.



Lifecycle Costs: The estimate of lifecycle cost per household for the low density neighbourhood is 42% higher than that of the compact neighbourhood (\$3,713 vs. \$2,135) when school costs are included.



Annual Estimated Revenue: The annual revenue (property taxes) for the compact neighbourhood are substantially higher at full build-out than in low density neighbourhood (\$11.0 million vs \$4.5 million).



Attachment C – Financial Impact Modelling Exercise

A breakdown of the financial impacts associated with the proposed transportation, utility and parks projects is provided below.

Implementation Approach for Transportation

The proposed transportation infrastructure is estimated at \$52 million with \$36.7 million in projects that would need to be added to the current Infrastructure Plan in the 2020-2030 timeframe.¹

Transportation	Cost of Projects Added to Capital Plan (millions)	% Comparison to Total 2030 Capital Plan Projects	Total Taxation Impact of Projects Added to 2030 Capital Plan (millions)	% Comparison to Total Taxation in the 2030 Capital Plan
2030 Capital Plan	\$36.7	11%	\$14.2	16%

Impacts to 2030 Capital Plan – Transportation Infrastructure

The addition of the proposed transportation projects to the Infrastructure Plan would increase the transportation component of the Infrastructure Plan by 11 per cent and require \$14 million in additional taxation dollars, assuming no transport projects were removed from the Infrastructure Plan. The 11% increase in Infrastructure Plan costs associated with the proposed projects is commensurate with the goal of encouraging 13% of Citywide growth in Capri-Landmark out to 2040.

Impacts to DCC Program – Transportation Infrastructure

Transportation DCC Fees	Residential 1	Residential 2	Residential 3	Residential 4
Current 2030 DCC Program	\$8,338	\$7,838	\$5,586	\$5,253
With Capri-Landmark Projects	\$8,912	\$8,377	\$5,971	\$5,614

The approach of adding key projects to the DCC program allows for the costs to be disbursed across the entire city with only a 7 per cent increase in fees, reducing the risk associated with financing the key transportation infrastructure.

The addition of the proposed Capri-Landmark transportation projects (e.g.: Sutherland Ave, intersection improvements etc.) to the DCC program would increase the transportation component by 16 per cent. If Council approves the described funding approach and the Plan is approved, the projects would then be considered for inclusion in the 20-Year Servicing Plan / Infrastructure Plan through the 2019 update. Each project would still be subject to the annual capital planning process where Council would need to prioritize Capri-Landmark projects amongst all the other capital projects for implementation to occur.

¹ The remaining \$15.5 million includes development-led projects, projects outside the 2030 timeline and projects already in the current Capital Plan.

Implementation Approach for Water & Wastewater

The proposed water and wastewater utility improvements are estimated at \$1.7 million and \$3.9² million respectively. These projects would all be added to the Infrastructure Plan and 20—Year Servicing Plan (DCC program).

Program	Cost of Projects Added to Capital Plan (millions)	% Comparison to Total 2030 Capital Plan Projects	Total Taxation Impact of Projects Added to 2030 Capital Plan (millions)	% Comparison to Total Taxation in the 2030 Capital Plan
2030 Capital Plan	\$1.7	2%	\$0	0%

Impacts to 2030 Infrastructure Plan – Water Utility

The addition of \$1.7 million of projects to the 2030 Plan would represent an increase of 2% to the current 2030 Infrastructure Plan with no impact to taxation or utility rates.

Impacts to DCC Program – Water Utility

DCC Rates	Residential 1	Residential 2	Residential 3	Residential 4
Current 2030 DCC Program	\$1,282	\$859	\$615	\$436
Capri-Landmark Impact	\$1,400	\$938	\$672	\$476

The addition of the proposed Capri-Landmark Water utility projects to the DCC program would increase the total Water utility DCC program by 6%. Overall, the modelling exercise shows that the impact of water utility improvement is fairly minimal. There would be a small fee increase for DCCs (9%), but no impact on taxation / utility rates.

Impacts to 2030 Infrastructure Plan - Wastewater Utility

Program	Cost of Projects Added to Capital Plan (millions)	% Comparison to Total 2030 Capital Plan Projects	Total Taxation / Utility Impact of Projects Added to 2030 Capital Plan (millions)	% Comparison to Total Taxation in the 2030 Capital Plan
2030 Capital Plan	\$3.9	3%	\$0.06	0%

The proposed Wastewater projects represent a 3% increase to the 2030 infrastructure Plan for Wastewater infrastructure. However, there would be no impact on taxation / utility.

Impacts to DCC Program – Wastewater Utility

DCC Rates	Residential 1	Residential 2	Residential 3	Residential 4
Current 2030 DCC Program	\$1,541	\$1,279	\$863	\$832
Capri-Landmark Impact	\$1,612	\$1,338	\$903	\$870

² In addition, there is \$1.7 million in Wastewater works that would be funded by development in the area.

The modelling exercise shows that the impact of Wastewater Utility works is minimal, adding 9% to the Wastewater DCC 20-Year Servicing Plan. Based on the modelling exercise there would be a small fee increase for DCCs (4.5%) and a nominal impact on taxation / utility rates.

Implementation Approach for Parkland Acquisition & Development

The Parks infrastructure funding approach is presented to show the acquisition and development component separately. The Parkland acquisition costs are estimated at \$6.9 million and would be added to the 2040 20-year Servicing Plan / Infrastructure Plan.³ The Parkland Development is estimated at \$17 million which will be funded fully by taxation and would be added to the Infrastructure Plan. The parks acquisition and development projects in Capri-Landmark will need to be prioritized against other park projects and will be contingent upon development occurring in Capri-Landmark.

Parkland Acquisition Project	Cost of Projects (millions)	DCC Plan Annual Average (millions)	% Comparison to Total Parkland DCC Average in 2030 Capital Plan
Mary-Ann Collison Expansion	\$1.6	\$10.1	16%
New Brookside	\$2.3	\$10.1	23%
New Landmark Neighbourhood Park	\$3.0	\$10.1	30%
Total	\$6.9		

Cost Comparison to Annual Average in 2030 Infrastructure Plan – Parkland Acquisition

The proposed park acquisition projects would be funded through the Citywide Parks DCC and would need to be prioritized against other City parks acquisition projects.

Project	Cost of Projects (millions)	2030 Capital Plan Annual Average for Development	% Comparison to Average Annual Park Development in 2030 Capital Plan
Expand Pacific Court Development	\$1.4	\$2.2	62%
Expand Mary-Ann Collison	\$0.6	\$2.2	27%
New Ritchie Neighbourhood Park	\$9.8	\$2.2	433%
New Brookside	\$0.8	\$2.2	35%
New Landmark Plaza	\$2.7	\$2.2	119%
Ritchie Brook (linear park)	\$1.8	\$2.2	82%
Total	\$17.1		

Cost Comparison to Annual Average in 2030 Infrastructure Plan – Parkland Development

Note: park development funding options are currently under review, which may have a positive impact on the timing and funding sources for this component of the area infrastructure.

³ The current DCC program already includes approximately \$6 million of parkland dedication within the proposed Capri-Landmark Plan. These projects could be prioritized before the 2040 DCC Program update.

None of the projects identified above are in the current Infrastructure Plan. The proposed Parks projects would need to be considered for inclusion in City's 2040 Infrastructure Plan, requiring a significant amount of taxation funding to support park development. Given that that taxation is the only funding tool currently used to develop parks across the City, Council would need to prioritize taxation funding to support the development of parks in the Capri-Landmark area.

Overall DCC Program and Infrastructure Plan Impact– Transportation, Water and Wastewater

The transportation component of the Plan would have the largest impact to the DCC program, adding roughly 16% to the 2030 program. Water and Wastewater both represent a smaller impact with an increase to the DCC program of 6% and 9% respectively. Based on the current approach, Staff are assuming that through the 2040 DCC program update a number of new parks projects could be added without increasing the general cost of the program as new growth will also be added. For this reason, staff are assuming the Capri-Landmark park projects could be added to 2040 DCC program without impacting the overall Parkland acquisition budget. Based on the modelling exercise, the table below shows a modest increase of 7% to the DCC fees if the Transportation, Water and Wastewater projects were added today. Overall, the 2040 DCC Program update in 2019 will provide the opportunity to consider the inclusion of the Capri-Landmark projects in the DCC program as well as to set the overall rates and structure of the program.

DCC Rates	Residential 1	Residential 2	Residential 3	Residential 4
Current 2030 DCC Program	\$11,161	\$9,976	\$7,064	\$6,521
Capri-Landmark Impact	\$11,924	\$10,653	\$7,546	\$6,960

2030 DCC Rate Impact⁴

From the Infrastructure Plan perspective, the Capri-Landmark infrastructure works would represent an increase to the Infrastructure Plan that is commensurate with the level of growth projected. The transportation improvements identified in the Plan represent the greatest impact on the City's Infrastructure Plan due to the roughly \$14 million in taxation required to fund the proposed DCC projects. The Parks and Public Spaces would represent the other major impact to the Infrastructure Plan due to the \$17 million of taxation required to fund the development of Parks in Capri-Landmark, but these projects have the opportunity to be phased over time. From a utilities perspective, the Water and Wastewater improvements would have a very nominal impact on the / Infrastructure Plan Capital Plan program with a modest increase to the DCC program and no increase in taxation/utility rates to fund the proposed improvements. Overall, the financial impacts of the proposed improvements are not inconsequential; however, the investment in Capri-Landmark urban centre represent a cost-effective approach to civic investment and will help to advance a wide range of the City's long-term goals.

⁴ To understand the potential impact of the 2030 interim Plan implementation, staff have estimated the increase to the DCC rates by adding the Capri-Landmark transportation, water and wastewater projects to the 20-year servicing plan. This analysis also assumes roughly 1,400 new units of growth above the growth accounted for in the 2030 20-Year Servicing Plan.



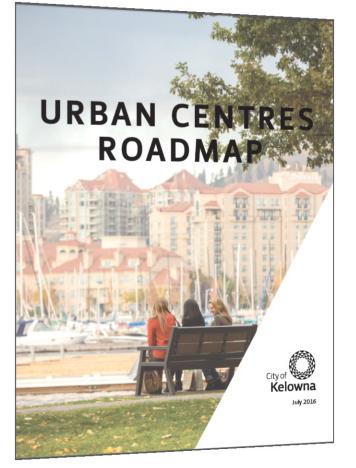
Capri-Landmark Plan

Implementation Approach – June 11, 2018



Revitalizing Kelowna's Urban Centres





- Important role of Urban Centres
- First Plan based on Urban Centres Roadmap targets
- Plan will guide redevelopment
- Determine priority infrastructure improven
 - infrastructure improvements
- Deliver high quality of life to future residents

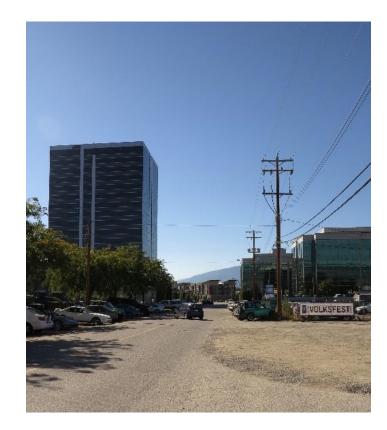
Challenges of Urban Centre Plans



 Urban centre redevelopment critical to Kelowna growth management plan

Challenges

- Many different landowners
- Higher land values
- Significant impact on existing uses
- Existing deficit
- Requires innovative responses & leadership



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Why Plan for Capri-Landmark







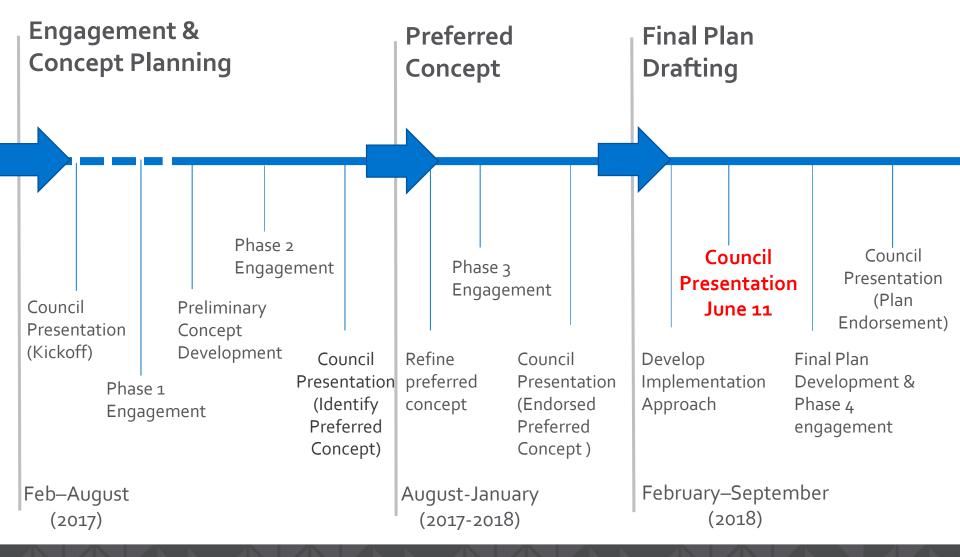
Current Situation

Maturing Urban Centre

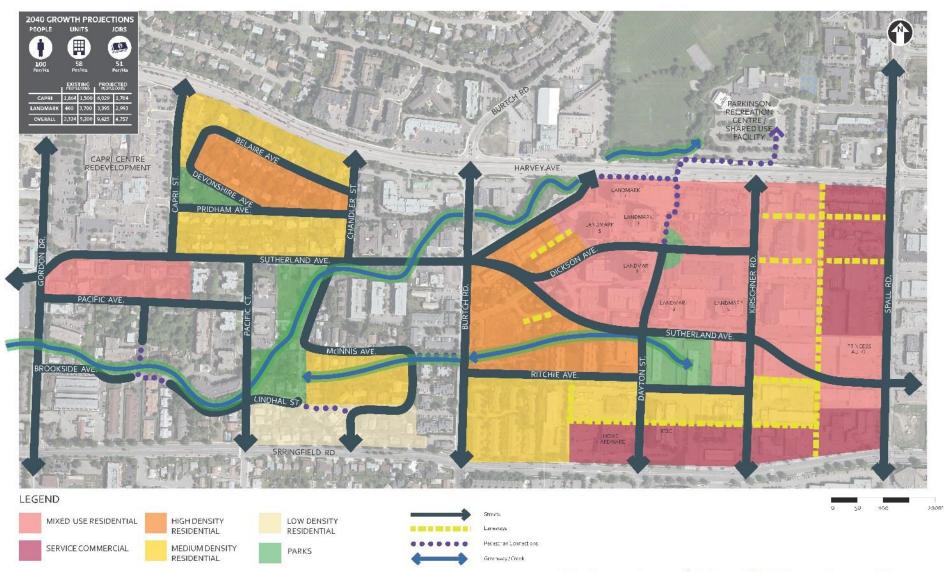
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Planning Process





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Future Land Use & Structure Map

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Overall Plan Infrastructure Costs



Project Type	Land Costs	Project Costs	Total
Total	\$37,000,000	\$58,250,000	\$95,250,000

Costs of Growth using BC Government CLIC Tool:

- Accommodating similar growth in suburbs would be at least 2-3 times more expensive
 - Capital Costs Per Unit:
 - \$7K- \$15K in urban centre vs \$30k-\$40K in suburbs
 - Lifecycle Cost Per Unit

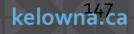
\$1,000 in urban centre vs \$2,500 in suburbs

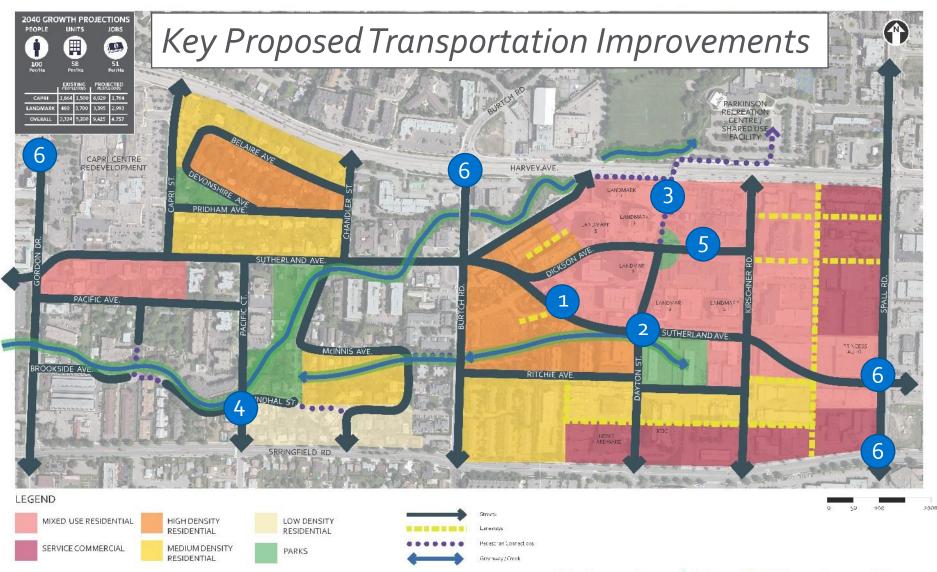
Externalized costs : Loss of naturalized lands/farmland, adverse health impacts & higher GHGs

Outline for Presentation



- Transportation Improvements
- Parks Improvements
- Funding & Implementation ApproachConclusion





Future Land Use & Structure Map

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Transportation Network Analysis



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



Transportation Infrastructure Costs City of Kelowna



- Capri-Landmark is 13% of Citywide growth to 2040
- Sutherland Ave accounts for roughly 50% of overall transportation costs
- Includes \$4 million in current Infrastructure Plan
- Includes \$7.5 million in development-led works



Parks & Public Space Planning



Target of 2.2 Ha of Parks per 1,000 residents

2040 population estimate of 9,425

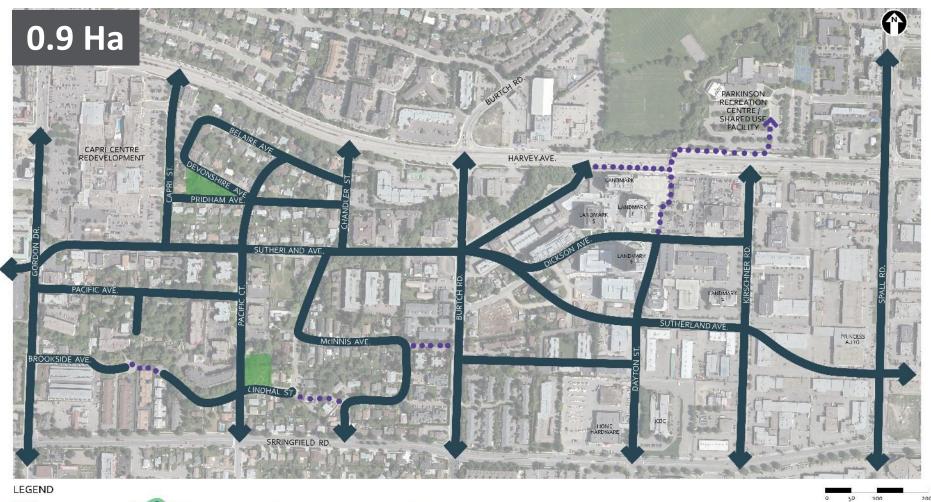
Translates to
 9.4 Ha of
 active parks



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Existing Parks Space





ACTIVE PARK SPACE

LINEAR PARKS

STREETS

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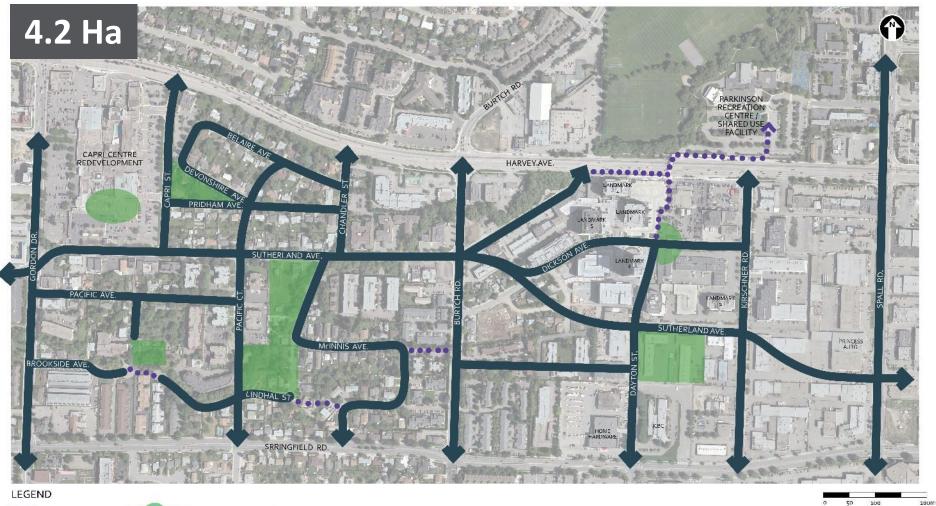
Proposed Parks Plan

LINEAR PARKS

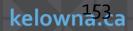
STREETS

ACTIVE PARK SPACE





PED CONNECITONS



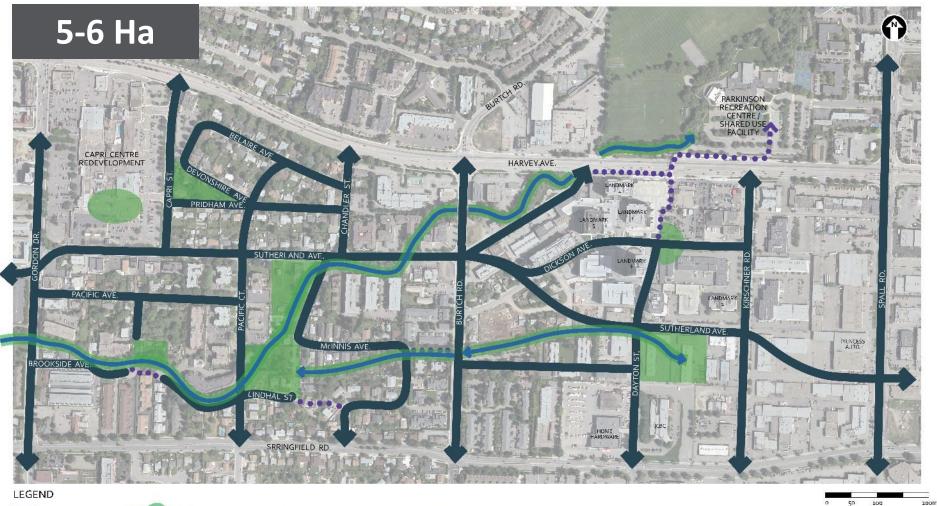
Proposed Parks Plan

LINEAR PARKS

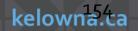
STREETS

ACTIVE PARK SPACE

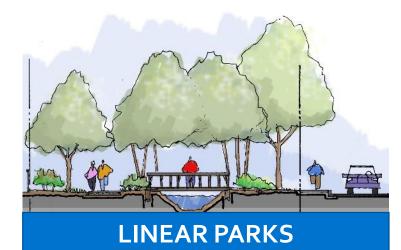




PED CONNECITONS



Integrated Parks Planning Approach City of City of Kelowna





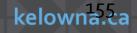
PLAN FOR INTENSIVE USE



STREETS AS PUBLIC SPACE



POCKET PARKS



Integrated Approach







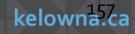
Total Parks Infrastructure Costs



Project Type	Land Costs	Project Costs	Total
Parks	\$18,500,000	\$17,000,000	\$35,500,000

*Included in \$35 million of infrastructure

- \$6 million already in 2030 Infrastructure Plan / 20-Year Servicing Plan
- \$5 million in development-led contribution



Funding & Implementation Approach



Principles for Capri-Landmark

- Establish fees and charges where those who benefit the most, contribute the greatest
- Avoid strategies that create a disincentive for future development
- Promote fairness and equity for all development
- Utilize funding tools that will ensure viability of the longterm plan goals
- Encourage tools that provide flexibility for future urban centre planning and revitalization

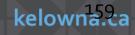


Funding Strategies for Plan



Addressing infrastructure deficit requires mix of funding tools

- DCC program is primary tool
 - Projects would be added to 20-Year Servicing Plan & would have a significant taxation impact
- Taxation for park development projects
- Development-led work would through re-zonings are critical
- Explore funding strategies that reduce taxation impact

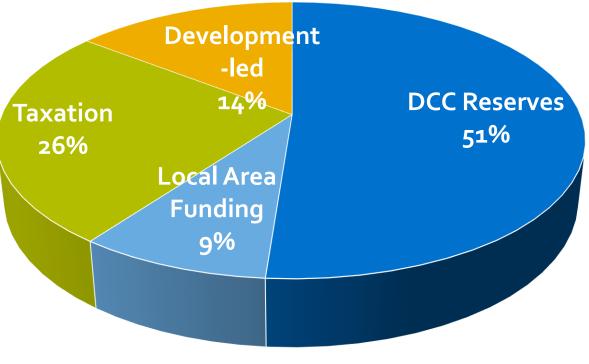




Approach to Transportation Funding

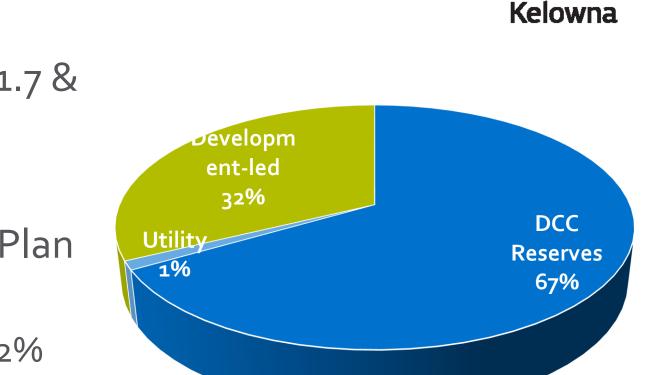
 Total cost of \$52 million
 \$37 million /

11% impact to2030 CapitalPlan



\$14 million taxation impact

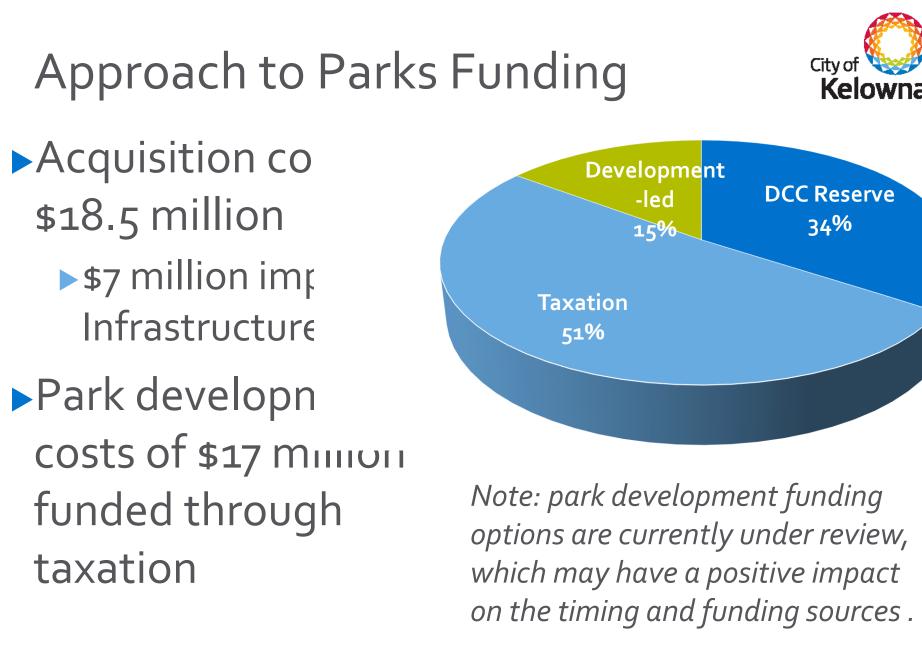
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- Approach to Water & Wastewater
 Funding
 Total cost of \$1.7 &
 \$5.7 million
 - respectively
- Infrastructure Plan impact:
 - \$1.7 million / 2% impact for Water
 - \$3.96 / 3% impact for wastewater
 - Nominal utility impact



City of



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Estimated Impact on DCC Fees



DCC Rates	Residential	Residential	Residential	Residential
	1	2	3	4
Current 2030 DCC Program	\$11,161	\$9,976	\$7,064	\$6,521
Impact of Capri-	\$11,924	\$10,653	\$7,546	\$6,960
Landmark Projects	(+\$763)	(+\$677)	(+\$482)	(+\$439)

Transportation impact largest, increase of 16% of 2030 program, commensurate with growth

► Water & Wastewater increase of 6% & 9%

Overall 7% DCC rate increase if Plan were added now

Financial Impacts Summary



- Capri-Landmark is 13% of Citywide growth to 2040
- Costs are commensurate with growth projected
- Funding tools available to deliver, could be enhanced with local funding tool
- Will be challenging to add new projects, without removing projects
- Up to \$32 million long-term taxation impacts based on past practices
- Investing in urban centres advances a range of City objectives



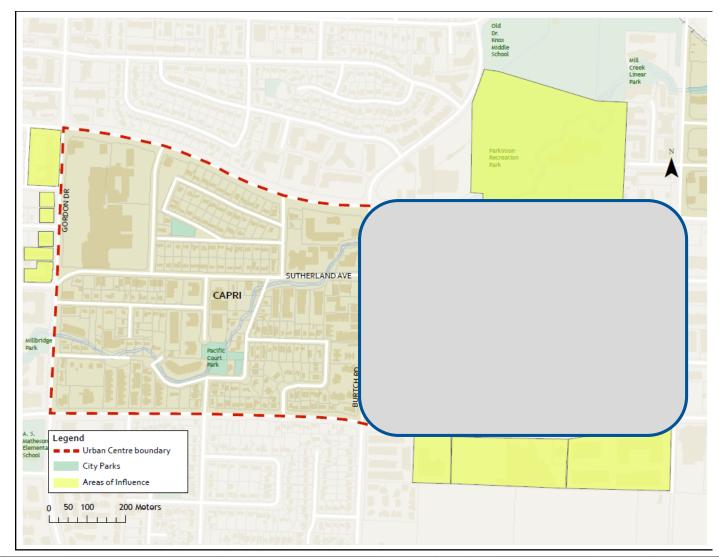
Capri-Landmark & Capital Planning City of

- Final Council Report, late summer 2018
- In 2019, Capri-Landmark projects would be considered for inclusion in 20-Year Servicing Plan, Infrastructure Plan would also be updated
- > 2040 20-Year Servicing Plan would establish updated DCC rates and collect monies for new projects starting 2020
- Evaluate Capri-Landmark projects through annual capital planning process in 2020 (Council will need to prioritize)

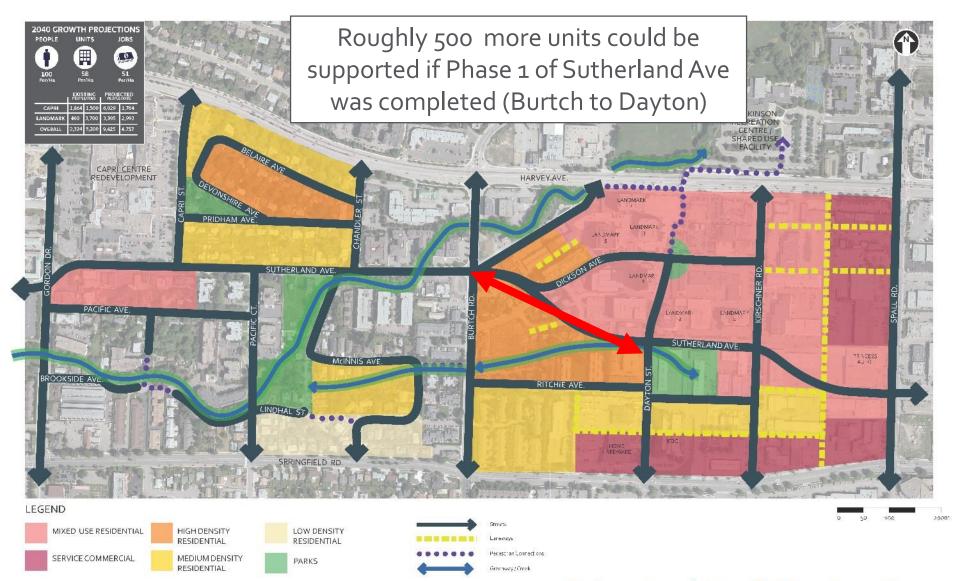


Development-led Approach





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Future Land Use & Structure Map

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Sutherland Ave Phase 1



- Will be challenging to deliver Sutherland Ave Phase 1 in the near-term
- May be interest from Development community to accelerate Phase 1 of Sutherland Ave
- Explore potential of Developer-led approach



Conclusion & Next Steps



- Urban revitalization is critical to success of City's growth management Plan
- Infrastructure vital to long-term success of area
- Infrastructure costs are commensurate with growth projected
- Significant taxation impact that will challenge City Plans
- Funding strategies exist, opportunity to bolster with area funding tool
- Investing in urban centres is cost-effective and reinforces multiple City objectives
- Move forward with final plan development & consultation

Report to Council



Date:	June 11, 2018	V c
File:	1840-01	
То:	City Manager	
From:	Parks & Buildings Planning Manager	
Subject:	Parks development funding strategy	
	Report Prepared by: Melanie Steppuhn, Park and Landscape	Planner

Recommendation:

THAT Council receives for information, the report from the Parks & Building Planning Manager dated June 11, 2018, with respect to Parks development funding;

AND THAT Council directs staff to prepare a draft Parks Development DCC, engage with the public and key stakeholders on the proposal, and report back to Council on how to proceed with implementing a Parks Development DCC;

AND THAT Council directs staff to investigate, through coordination with the 10 year capital plan, the impacts and benefits of creating a specific 'Infrastructure Levy' percentage on taxation to address general infrastructure deficits, and report back to Council;

AND THAT Council directs staff to confirm the potential taxation capital funding shift from Linear Parks acquisition funding, to parks development funding, in tandem with preparing a draft Linear Parks Acquisition DCC, engage with the public and key stakeholders on the proposal, and report back to Council;

AND THAT Council directs staff to prepare a draft Parks DCC for Commercial and Industrial zoned properties, engage with the public and key stakeholders on the proposal, and report back to Council on how to proceed with implementing a Commercial/Industrial Parks DCC;

AND THAT Council directs staff to research a range of options to reduce the parks DCC taxation assist, engage with the public and key stakeholders on the proposal, and report back to Council on the implementation of such a reduction;

AND FURTHER THAT Council directs staff to evaluate and assess impacts of transfering funds to existing parks and undeveloped park sites from parking, leases, property rentals, concessions, and other revenues, as defined in the attached report and report back to Council on implementation.

Purpose:

To provide Council with further details on the various funding options identified and prioritized by Council in previous workshops on this topic, and provide a recommendation for which options should proceed.

Background:

The City of Kelowna is committed to providing parkland for public enjoyment and well-being, access to waterfront, creating sports amenities to promote active living, preserving natural open space for wild flora and fauna, and developing linear greenways throughout the City. It has become apparent however that the pace of recent park development has not kept pace with the rate of acquisition, resulting in acquired parkland lying fallow for several years, or leased in the interim, while awaiting development funding.

Council Engagement Process

In May 2017, at Council's request, staff presented the Parks Development Report – A study of underdeveloped, undeveloped and future park sites (Attachment 1).

The City then retained Urban Systems to assist with three workshops:

October 2, 2017 - Workshop 1: Engaging Council in shaping the key public policy questions to be addressed in the City's overall approach to parkland acquisition and development moving forward;

October 16, 2017 – Workshop 2 : Building an evaluation and priority setting tool;

November 6, 2017 - Workshop 3: Having Council participate in aligning financing tools with specific public policy objectives and funding needs associated with parkland acquisition and development.

The options and priorities identified in these workshops have now been developed and quantified in the Parks Development Funding Strategy report, May 4 2018 (Attachment 2) prepared by Urban Systems.

Parks Development Funding Strategy Report

The May 2018 report first quantifies the funding needs for parks development previously identified. In order to ensure excessive requirements are avoided, this is based on City development standards for smaller parks and approved masterplans for our larger parks. In order to meet the shortfall with a twenty year window, this translates into an annual funding target of \$8.4 million.

The report then analyses the previously identified potential sources of funding in the priority order determined by Council. An estimate of funding potential is calculated for each source, and a strategy and action steps for implementation set out.

Options 1-4 identify different combinations of these sources, and the total funding resulting:

- Option 1 only includes Parks development DCCs, and Commercial/Industrial acquisition & development DCCs. It achieves 43% of the target.
- Option 2 also includes a 2% Infrastructure levy on general taxation, a shift in taxation funding from acquisition to development in conjunction with a Linear parks acquisition DCC, a reduction in the existing Parks development DCC taxation assist, and revenues generated from existing parks or undeveloped park land. This option achieves 61% of the \$8.4 million target.

- *Option 3* also includes a \$4 million parks-specific parcel tax for parks development over five years. This option exceeds the target for the first five years, but drops to 62% for the remaining fifteen years.
- Finally, *Option 4* also includes additional funding from an increased Airport dividend and more actively pursuing Community partnerships. Again, this option exceeds the target initially, then drops below the target after five years.

Table 5.1

Options for annual revenue potential from various tools

Tool	Option 1	Option 2	Option 3	Option 4
Press forward				
Parks development DCC	\$3,422,000	\$3,422,000	\$3,422,000	\$3,422,000
Infrastructure Levy on General taxation (2% tax for Infrastructure)		\$426,000	\$426,000	\$426,000
Shift from acquisition to development		\$644,000	\$644,000	\$644,000
Commercial/Industrial parks development DCC	\$236,000	\$236,000	\$236,000	\$236,000
Potentially move forward				
Linear parks acquisition DCCs (linked to 'Shift from acquisition to development' above)		Included	Included	Included
Parcel taxation (for 5 years)			\$4,000,000	\$4,000,000
Consider and explore further				
Reduce parks acquisition and development DCC taxation assist from 8% to 1% (plus 3.3%)		\$284,000	\$284,000	\$284,000
Increase in Airport dividend				\$51,000
Community partnerships				\$25,000
Parks revenues		\$163,000	\$163,000	\$163,000
Total	\$3,658,000	\$5,145,000	\$9,195,000	\$9,316,000

Each tool is considered in detail in the attached Parks Development Strategy Report. In many instances the potential revenue is identified as a range, and will be subject to consultation with the public and key stakeholders. For the purposes of equal comparison this table shows the maximum potential revenue for each tool.

Option 2

Recognizing Council's expressed desire to distribute the funding load across several bases, and not burden just one sector, staff are recommending Option 2 be pursued. This option shares the load between the development community and general taxation, with additional support from parks generated revenues.

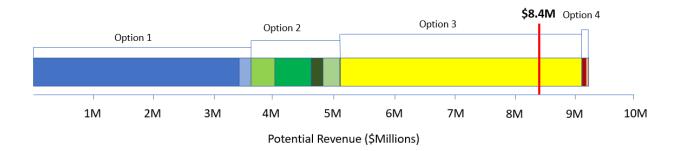
This option is based on the four tools identified by Council as their highest priority. A reduction in taxation assist is also added in order to avoid a disproportionate amount of taxation in the capital plan being tied to DCC funded projects only, and affords Council greater flexibility during budget

deliberations. Finally as described above, parks revenues are added to increase the diversity of funding sources.

A diversified portfolio of park development projects across the City might be appealing and achieve community support for a parks-specific Parcel tax. However, this option is a short-term, one-off solution, and more significantly, disregards the shortfalls in other sectors of the Infrastructure capital portfolio. Furthermore, the 10 year Capital Plan identifies funding shortfalls for infrastructure investment in other service areas (ie Transportation, Buildings and Information Services) that could be in conflict with a Parcel tax for taxation dollars. Therefore, the Parcel tax was not recommended by staff.

While a 2% infrastructure levy on general taxation achieves less financial benefit specifically for parks development, it has the benefit of addressing some of other Infrastructure shortfalls. Therefore this is included as a staff recommendation for investigation and coordination through the 10 year Capital Plan process. It should be noted that the 2% infrastructure levy is only an assumption at this point. The funding source(s) for the unfunded infrastructure in the 10-Year Capital Plan, including the asset renewal shortfall, have not been determined and will be the focus of further analysis over the coming months.

The graph below shows how each option relates to attaining the goal of generating an additional \$8.4 million.



Option 2 achieves 61% of the funding target, thereby theoretically spreading the same park development over a 35 year period.

Internal circulation:

Divisional Director, Infrastructure Divisional Director, Community Planning & Strategic Investments Divisional Director, Financial Services Divisional Director, Active Living & Culture Airport Director Director Strategic Investments Community Planning Department Manager Policy & planning Department Manager Infrastructure Delivery Department Manager Infrastructure Engineering Manager Property Management Manager Community Engagement Manager

Financial/Budgetary considerations:

Staff are recommending the analysis of the transfer of direct revenues generated, after operational costs are deducted, within existing parks and undeveloped park sites from parking, leases, property rentals, concessions, and other revenues to the Ro79 - Parks Acquisition & Development General Reserve.

Considerations not applicable to this report:

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

Submitted by: R. Parlane, Manager, Parks and Buildings Planning

Approved for inclusion:

Alan Newcombe, Infrastructure Divisional Director

Attachments:

Attachment 1 – Parks Development Report, May 2017

Attachment 2 – Parks Development Funding Strategy report, May 2018

Attachment 3 – Parkland Acquisition and Development workshop presentaitons, October 2017

Attachment 4 – Parks Development Funding Strategy presentation, June 2018

cc: Airport Director

City Clerk Divisional Director, Active Living & Culture Divisional Director, Community Planning & Strategic Investments Divisional Director, Corporate Strategic Services Divisional Director, Financial Services Divisional Director, Infrastructure Director Strategic Investments



PARKS DEVELOPMENT REPORT A study of underdeveloped, undeveloped and future park sites.

May 2017



EXECUTIVE SUMMARY

The City of Kelowna is committed to providing parkland for public enjoyment and well-being, creating sports amenities to promote active living, preserving natural open space for wild flora and fauna, and developing linear greenways that create strong pedestrian and cycling connections throughout the city.

Following the Parkland Acquisition Guidelines, the City acquires parkland based on long-term planning strategies and through land dedications at the time of subdivision or rezoning. It has become apparent however, the rate of park development has not kept pace with the rate of parkland acquisition. While development is thriving, the rate of parkland acquisition exacerbates the inability to provide fully built out parks for our citizens based on our adopted standards. While it could be considered our parkland acquisition ratios are therefore too high, comparison with other municipalities shows our ratio on the lower end of the spectrum. Further, as a tourism-focused economy the City relies heavily on our parks system for our visitors to enjoy.

At the direction of Council this report was prepared to identify the shortfall in park development, and options on how this might be addressed. The report cards within provide a succinct record of all undeveloped and underdeveloped parks, as well as future park sites anticipated to be acquired in the near future. They demonstrate the gaps in development across all categories of park within the City.

The report also provides a simple overview of multiple funding alternatives, without prejudice, in order to address the backlog. This is provided for discussion, with the intent Council will direct staff to develop certain options for further deliberation.

The report concludes with consideration to open up undeveloped parkland for public access on an interim basis, and specifically waterfront properties.



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1.0 PARK INFRASTRUCTURE OBJECTIVES

2030 Official Community Plan

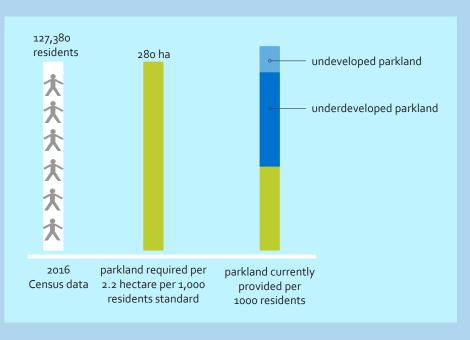


*Refer to Appendix A for excerpt from Official Community Plan outlining park policies associated with each of the above objectives.

2.0 BENCHMARK STUDY

How are we measuring up?

Within the over arching OCP objective of 'Provide active and passive parks for a diversity of people and a variety of uses', one policy is the 'Active Park Standard', which identifies the intent of providing 2.2 hectares of active parkland per 1,000 new population growth. Per the figure below, we are currently meeting the target. This figure can be somewhat misleading though, in the fact that in a given year we might be in the process of acquiring a large piece of land which does not factor into the calculation - resulting in a lower measurement of park provision. Conversely, the measure could be skewed to show that we are acquiring more park land than we need to, based on a given year in which many large acquisitions were made. This being said, it is important to interpret the data with some background knowledge of the larger acquisition strategies that coincide with our long term planning goals.



Provision of 2.2 ha of active parkland per 1,000 residents

How are we measuring up? (continued)

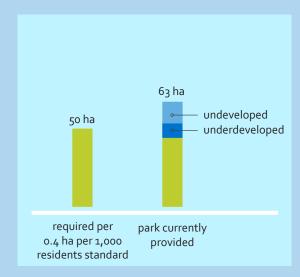
Within the Active Park Standard policy, the 2.2 hectares is approximately comprised of o.6 hectares of neighbourhood park, o.4 hectares of community park, o.6 hectares of recreation park, and o.6 hectares of city-wide park. Linear and natural area parks are not included in this measure. The following info graphics provide a snapshot of each park class and how it relates to the intentions set out in the Active Park Standard policy.



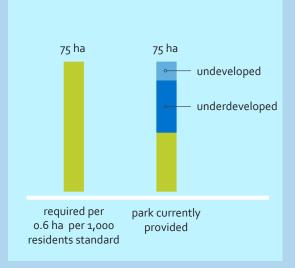
Provision of 0.6 ha of neighbourhood park per 1,000 residents



Provision of o.6 ha of recreation park per 1,000 residents



Provision of 0.4 ha of community park per 1,000 residents



Provision of 0.6 ha of city-wide park per 1,000 residents

3.0 PARK PROVISION

3.1 THE QUALITY OF OUR PARKS

From our staff:

"Looking at it from a broad spectrum, the most important thing is to provide consistency of quality throughout each park type. We have to be careful. It's essential to ensure we put the right amenity in the right place! When building a park, the quality isn't just about the amenities, it's about the quality of the space and its compatibility with adjacent land use. Especially when a school leaves a neighbourhood, a park can become a huge community focal point. Parks are more than just a space - they really are an integral part of the community."

JOE CRERON, Deputy City Manager

"Our strengths as a City, in terms of parks, lies in our acquisition and parkland provision strategies. There is a great range of distribution of park space throughout the City, with most people in the Urban Core living and working within close proximity to a park (or future park). The challenge, in consideration of the community's rapid growth over the past 30 years, is developing and constructing new parks to meet this population demand and at the same time modernizing older park facilities and amenities nearing the end of their life span. If successful in tackling this challenge, the tangible benefits to the community are enormous in terms of quality of life and would significantly contribute to the Kelowna 'brand'."

TERRY BARTON, Urban Planning Manager

From our citizens:

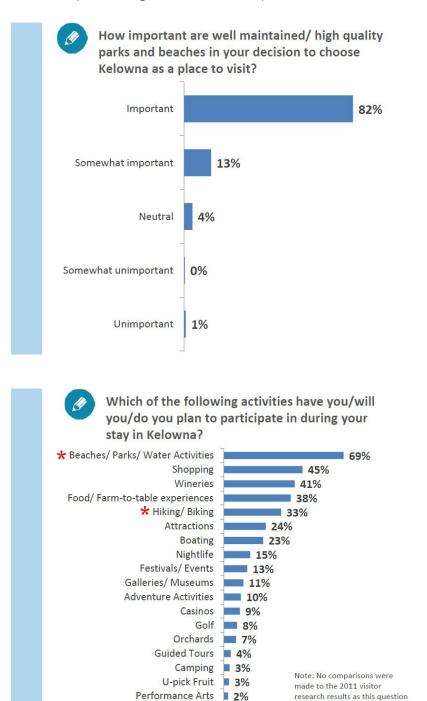
"I would like to take this opportunity to thank the City of Kelowna for the much-needed work currently being done to improve the safety and enjoyment of the mountain biking trails on Knox Mountain. The new downhill trail on the Shale Trail area, for example, is safe, well built and super fun. More such trails are needed and would be greatly appreciated. Thank you again for this great, new amenity for the local biking community and for helping to keep people healthy, active and outdoors. Looking forward to more great trails!"

"I live with my 15 yr. old daughter in a townhouse near Richmond Park. We love the park and would use it more if it weren't for the undesirables there. There are a lot of kids in the neighborhood that live in condos or townhouses and have no place to play and would use the park more if there was equipment such as basketball hoops etc. I am more than willing to raise funds to help improve the park as I feels this park is very important."

Comments via 'Service Request'

From our visitors:

The following graphs were taken from the '2016 Visitor Intercept Survey' conducted by Tourism Kelowna. It is evident that our parks and natural amenities are the primary draw for many of the tourists that visit Kelowna. Well maintained and high quality spaces are why they choose Kelowna, and the activities they plan to participate in are, for the most part, integrated within our parks and trails.



Sporting Event 2%

Other 2%

survey.

was not part of the 2011

3.2 TYPE AND QUANTITY OF OUR PARKS

In terms of providing parkland for our citizens, Infrastructure Planning follows the City of Kelowna's Official Community Plan by ensuring there is at least 2.2 hectares of parkland per 1,000 population.

The type of park provided is determined by the parameters set out in the City of Kelowna's 'Parkland Acquisition Guidelines'. This guideline is prescriptive in its methodology for park provision. Size of park and what amenities are typically included in each are given.

3.3 PRIORITIZING PARK DEVELOPMENT

The City park development priorities are based on multiple factors:

- Provision (or lack of) park facilities for residents in a specific area
- Needs of specific user groups
- Provision of specific sports facilities to meet demand
- Parks master plans
- Public consultations

When the City is approached by a private group to partner in park development, these priorities may shift in order to take advantage of a financial opportunity. These opportunities should be explored through the City's Partnership Framework which provides a consistent avenue to examine opportunities through all stages of partnership development and ensure they are aligned with City objectives and priorities.

Examples from Seattle, WA:

"In a story cited in the recent issue of Parks and Recreation magazine, when neighbors in an upper-middle-class neighborhood of Seattle asked if they could hold fundraisers to raise money to reopen a wading pool shuttered due to cuts, Parks officials made a counteroffer. 'Our push back is that we don't want to privatize our parks and have a rich/poor divide,' says Friedli. 'We said, 'If you raise money to open two wading pools, we'll open yours and another on the south side of Seattle,' which is poorer. They got it right away, and agreed,' he recalls. 'That's kind of the way Seattle thinks.'"

Blaha, K. "Public-Private Partnerships, Seattle Style (Part 2 of 3)." City Parks Blog. November 4, 2013. https:// cityparksblog.org/2013/11/04/public-private-partnerships-seattle-style-part-2-of-3/

"'There is tension between government, which is there to protect the land for the use of all people, and private entities, which may have limited interests,' said Barbara Wright, who recently co-chaired a citizen committee on the future of Seattle's parks. Defining the role and mission of a partnership is really important. In structuring a partnership agreement with the city, you're looking for that sweet spot.' "

Beekman, D. "Public-private partnerships take root to help downtown parks." Seattle Times. January 5, 2015. http://www. seattletimes.com/seattle-news/public-private-partnerships-take-root-to-help-downtown-parks/

4.0 REPORT CARD | NEIGHBOURHOOD PARKS

These parks are centrally located within a neighbourhood and typically serve approximately 2,000 residents within one kilometre or a five-minute walk to the park. Due to a combination of residential development and land acquisition strategies, there are numerous neighbourhood parks earmarked for future development.

On all pages, examples of successful parks are shown in the snapshot images. Success is defined by type and quality of amenities, quality of construction, level of usage, and sense of ownership by neighbourhood.

4.1 SUCCESSFUL PARKS







- Widely popular play structure
- Great views from park
- Accessible from top, middle, and bottom or park parcel

- First natural playground for the City of Kelowna
- Great 360 degree view
- Tennis court

- Tennis courts
- Pickleball courts
- Small but popular play structure

4.2 NEIGHBOURHOOD PARK DEVELOPMENT FUNDING

The current 2030 Capital Plan identifies the development of six neighbourhood parks as Priority 1 commencing in 2022 (2024-26 + 2028-29). An additional nine neighbourhood parks are identified in others years as Priority 2.

Priority 1: \$2,425,000 Priority 2: \$3,700,000

4.3 UNDEVELOPED, UNDERDEVELOPED + FUTURE NEIGHBOURHOOD PARKS

Name	Status	Area (ha)	Key Features	2030 Capital Plan
Lost Creek Park	Undeveloped	0.21 ha	<u>Funded</u> Playground, pathway, benches	Funded in 2017 capital budget as a park development partnership
Barlee Park	Underdeveloped	o.37 ha	<u>Existing</u> Community garden	
			<u>Proposed</u> Playground, open lawn area	P2 in 2017 (\$400,000)
Ballou Park	Underdeveloped	1.44 ha	<u>Existing</u> Playground, picnic table, community garden	
			<u>Proposed</u> Trailhead, court sport, open lawn area	
* Martin Park	Undeveloped	1.54 ha	<u>Existing</u> Martin Avenue Mosaics (community public art)	Potential to be 1/6 parks developed as P1
* Casorso Park	Undeveloped	1.70 ha	<u>Proposed</u> Comm. garden, playground	Potential to be 2/6 parks developed as P1
* Walrod Park	Undeveloped	o.98 ha	Potential to relocate Knox tennis courts here	Potential to be 3/6 parks developed as P1
* Landmark Urban Centre Park	Future	-	-	Potential to be 4/6 parks developed as P1
* Kirschner Park	Future	-	-	Potential to be 5/6 parks developed as P1
* Burne Ave. Park	Future	-	-	Potential to be 6/6 parks developed as P1
** Prospect at Black Mountain Park	Future			Unfunded (identified as P2 in 2030 Plan)
** Elliot Ave. Park	Future			Unfunded (identified as P2 in 2030 Plan)
** Johnson Rd. Park	Future			Unfunded (identified as P2 in 2030 Plan)
** Marshall St. Park	Future		·	Unfunded (identified as P2 in 2030 Plan)
** Wilson Ave. Park	Future			Unfunded (identified as P2 in 2030 Plan)
** Wilden - Hepner Park	Future			Unfunded (identified as P2 in 2030 Plan)
** Wilden - Landrover Park	Future			Unfunded (identified as P2 in 2030 Plan)
**University South Park #2	Future			Unfunded

4.3 UNDEVELOPED, UNDERDEVELOPED + FUTURE NEIGHBOURHOOD PARKS (continued)

Fraser Lake Park	Future		Unfunded
Tower Ranch Park #1	Future		Unfunded
Tower Ranch Park #2	Future		Unfunded
The Ponds Park #1	Future		Unfunded
The Ponds Park #2	Future		Unfunded
Band Road Park	Future		Unfunded
Lillooet Park	Future	*Currently owned by SD#23 / leased by City of Kelowna *Partially developed	Unfunded
Dilworth Soccer Park	Future	*Currently owned by SD#23 / leased by City of Kelowna *Partially developed	Unfunded
Eagle Ridge	Future		Unfunded
Tonn Mountain	Future		Unfunded

* For illustrative purposes these six parks are identified as potentially funded, however this is not an indication these are the priority parks for development.

** For illustrative purposes these nine parks are identified as Priority 2's, however this is not an indication these are the priority parks for development.

5.0 REPORT CARD | COMMUNITY PARKS

Designed to serve 12,000 people within a radius of three kilometres, Community Parks feature higher intensity recreation uses such as multi-recreational courts, sportsfields, and infrastructure to meet vehicle, transit, cycling and pedestrian needs. Due to a combination of residential development and land acquisition plans, there are numerous neighbourhood parks earmarked for future development.

5.1 SUCCESSFUL PARKS



- Water park
- Skate park
- Walking paths
- Universally accessible playground



- Tennis court
- Natural area / pond
- Trails and pathways



- Feature slide
- Water park
- Tennis court
- Walking paths

5.2 COMMUNITY PARK DEVELOPMENT FUNDING

The current 2030 Capital Plan identifies three community parks for development: Rowcliffe Park (\$4.4m over 2017-21), Rutland Centennial Park (\$3.5m over 2018-2020), and Dehart Park (\$4.7m over 2021-24), and an additional \$1.2m for general development 2027-30, all as Priority 1. Parks identified as Priority 2 in the 2030 Capital Plan include: University South Community Park (\$1.6m over 2025-26), Gallagher Park (\$900,000 over 2024-25), and an additional \$300,000 for general development in 2026).

Priority 1: \$14,075,000 Priority 2: \$2,850,000



5.3 UNDEVELOPED, UNDERDEVELOPED + FUTURE COMMUNITY PARKS

Name	Status	Area (ha)	Key Features	2030 Capital Plan
Rowcliffe Park	Undeveloped	2.02 ha	Existing Off-leash dog park Funded Phase1: Playground w/ walkway + sod berm Phase 2: perimeter walkway, stage, vehicle access easement Phase 3: play field, community gardens, dog park, heritage walk, plaza area	Funded in 2017 (\$1.7 million) P1 in 2018 (\$1 million) P1 in 2019 (\$1.2 million) P1 in 2021 (\$500,000)
Rutland Centennial	Underdeveloped	2.46 ha	Existing Playground, pathway + benches <u>Funded</u> Performance stage, sport court/field, multi- cultural gardens, washrooms	P1 in 2018-20 (\$3.5 million)
Dehart Park	Undeveloped	3.74 ha	<u>Existing</u> Comm. garden, tennis courts <u>Funded</u> Walking trails, bike course, youth area	P1 in 2021-24 (\$4.7 million)
Gallagher Park (Black Mountain)	Undeveloped	6.oo ha	Not yet planned	P2 in 2024-25 (\$900,000)
University South Park	Undeveloped	N/A	<u>Proposed</u> Washrooms Sport field Playground Pathway	P2 in 2025-26 (\$1.6 million)
Aurora Park	Undeveloped	o.34 ha	Not yet planned	Unfunded
Begbie Park	Undeveloped	1.27 ha	Not yet planned	Unfunded
Quilchena Park / Blair Pond Park	Underdeveloped	N/A	Both parks require washrooms	Unfunded
Ponds Community Park	Underdeveloped	7.6 ha	Requires a sports park	Unfunded
Wilden - Village Cen- tre Park	Future	-	-	Unfunded
Dayton Park	Future	-	-	Unfunded
Ellison Lake Park	Future	-	-	Unfunded
Rutland Town Centre Park	Future	-	-	Unfunded

6.0 REPORT CARD | RECREATION PARKS

Recreation Parks attract large numbers of active recreation participants and spectators. Passive recreational uses for all ages are also typical incorporated into the design. The City of Kelowna runs several Recreation Parks that are heavily used. Examples of successful attributes have been pulled out and are featured in the snapshots below.

Currently, there is only one undeveloped Recreation Park in the city. The table below provides more detail on this park, as well as areas within the existing parks that require development in order for them to meet the requirements of their approved Master Plan.

6.1 SUCCESSFUL PARKS



 One popular element of Mission Recreation Park, the artificial turf field, has served the City for almost 20 years. Having a field such as this provides opportunity for year round programming, and with lighting extends hours of use which reduces pressure on other heavily used grass fields.



• The softball fields at Mission Recreation are extremely well used. Softball in Kelowna is one of the most popular summertime social activities.



 Angel Way is a multi-use corridor that connects users from the highway pedestrian overpass through Parkinson Recreation Park to the Rail Trail corridor along Clement Avenue.

6.2 RECREATION PARK DEVELOPMENT FUNDING

The current 2030 Capital Plan identifies \$4.8m as Priority 1 for the first phases of Glenmore Recreation Park. An additional \$1.4m is identified as Priority 1 in 2022-23 for two softball diamonds at Mission Recreation Park. A variety of projects are identified as Priority 2, including boat launch land & facilities (\$10m over 2019, 2024-25)

Priority 1: \$6,287,875 Priority 2: \$26,562,125



6.3 UNDEVELOPED, UNDERDEVELOPED + FUTURE RECREATION PARKS

Name	Status	Area (ha)	Key Features	2030 Capital Plan
Glenmore Recreation	Undeveloped	11.48 ha	<u>Funded</u> Phase 1: servicing, ALR buffer, attenuation pond, access roads Phase 2: sports fields, seeding, irrigation, lighting, asphalt	Funded in 2017 (\$2.6 million) P1 in 2018 (\$1.7 million)
			<u>Proposed</u> Phase 3: rec facility, pickleball, playground, waterpark, artificial turf, basketball, skatepark, entry plaza	P2 in 2017-18 (\$562,000 - additional) P2 in 2022-23 (\$2.2 million) P2 in 2025-26 (\$2.2 million) P2 in 2028-29 (\$2.2 million)
Mission Recreation	Underdeveloped	46.55 ha	Existing Diamonds, sports fields, pedestrian paths, dog park, community gardens, soccer dome <u>Funded</u> Turf replacement, 2 additional diamonds	P1 in 2021 (\$600,000 - turf) P1 in 2022-23 (\$1.4 million - diamonds)
			<u>Proposed</u> Youth park, plaza, + trail system Pedestrian network + landscaping Landscaping associated w/ new build- ings	P2 in 2024-25 (\$4.4 million)
Parkinson Recreation	Underdeveloped	19.49 ha	<u>Existing</u> Tennis, pickleball, fields, multi-use corridor	
			<u>Proposed</u> Re-design of field layout Mill Creek trail	Not identified in 2030 Capital Plan Potential opportunity for improvements in partnership with SD23 school development
Rutland Recreation	Underdeveloped	14.56 ha	<u>Existing</u> Sport fields, community garden, dog park, BMX track, washroom <u>Funded</u> Pickleball courts	Funded in 2017 (\$200,000 - pickleball)
			<u>Proposed</u> Sport field re-design + playground	Not identified in 2030 Capital Plan
Tutt Ranch Recreation	Future	-	-	Unfunded

7.0 REPORT CARD | CITY-WIDE PARKS

City-Wide parks are parks of special recreational, environmental or cultural significance. They must be designed to accommodate active programming (e.g. sports field, sports courts, etc.), passive programming (e.g. picknicking, playgrounds, etc.), or a combination of both. Park amenities vary, but are typically of sufficient importance to attract people throughout the City, as well as tourists.

As a tourist destination city, Kelowna places high value on procuring, developing, and maintaining citywide parks. These parks are enjoyed by tourists and locals alike, and are generally higher end in terms of amenities.

7.1 SUCCESSFUL PARKS



- Wintertime skating rink
- Summertime event site
- Environmentally restored shoreline
- Open lawn area
- 'The Bear' public art piece
 - Waterfront promenade



- Partnership project with Central Okanagan Land Trust
- Walking trails and boardwalk
- Partners in Parks initiatives to install lookout platforms
- Popular site for naturalist activities



- Sheltered sandy beach
- Wheelchair access into lake
- Walking paths

7.2 CITY-WIDE PARK DEVELOPMENT FUNDING

The current 2030 Capital Plan identifies \$4 million dollars towards funding of 3 city-wide parks in Priority 1 status which include: Sarson's Beach Park, Kerry Park, and South Pandosy Waterfront Park.

- Priority 1: \$3,990,000
- Priority 2: \$29,400,000

7.3 UNDEVELOPED, UNDERDEVELOPED + FUTURE CITY-WIDE PARKS

Name	Status	Area (ha)	Key Features	2030 Capital Plan
Boyce-Gyro Beach Park	Underdeveloped (per 2016 concept plan)	3.6 ha	Existing Beach volleyball courts, passive green space, washrooms, playground, concession <u>Funded</u> Parking lot expansion, beach volleyball courts, public art, multi-use corridor connection, washroom renovations	Funded in 2017 (\$2.2 million)
Sarsons Beach Park Expansion	Underdeveloped	1.1 ha	<u>Existing</u> Playground Passive green space <u>Funded</u> Expansion of beach area	P1 in 2019 (\$340,000)
Kerry Park	Underdeveloped (per 2016 concept plan)	o.70 ha	Existing Sails Plaza Spirit Stage + plaza Passive green space Ogopogo sculpture Promenade <u>Funded</u> Promenade, plaza improvements, event ground / passive recreation, enhanced landscaping, + Sails plaza	Phase 1 funded in 2017 (\$1.1 million) *Now deferred to 2018-19
				Phase 2 P2 in 2018 (2.7 million)
City Park	Underdeveloped (per 2014 Mas- ter Plan)	13.2 ha	Existing Soccer field, various courts, playground, lawn bowling + clubhouse, passive green space, cenotaph plaza, washrooms, spray park, skate park <u>Funded</u> Foreshore stabilization Promenade enhancements	Accepted in 2017 budget (\$400,000) P1 in 2020 (\$1.2 million)
			<u>Proposed</u> Spray park, skateboard, playground, picnic area + pathway system	P2 in 2020-22 (\$6.4 million)
South Pandosy Waterfront Park	Undeveloped	7.0	<u>Funded</u> Riparian restoration, public pier, boat launch, paddle centre, public washroom, promenade + pathways	P1 in 2026-27 (\$2.2 million)

UNDEVELOPED, UNDERDEVELOPED + FUTURE CITY-WIDE PARKS (continued)

Sutherland Bay	Underdeveloped	2.0 ha	Existing Playground, passive green space, pathway system Funded Restored shoreline <u>Proposed</u> Expansion of park, new amenities	Funded in 2017 (\$200,000) P2 in 2023-24 (\$4.4 million)
Surtees Property	Undeveloped	1.6 ha	Proposed Linear park connection, trailhead + cultural interpretation	Site to be developed in partnership with a commercial developer
Bennett Plaza	Underdeveloped	o.o6 ha	<u>Proposed</u> Entrance to Art Walk Accessible plaza Public art	P2 in 2019-20 (\$1.7 million)
Waterfront Park	Underdeveloped	8.5 ha	Proposed Overall park improvements	Not identified in 2030 plan
Rotary Beach Park	Underdeveloped	1.4 ha	<u>Proposed</u> New parking layout Improved landscape and plaza areas Improved play area Pedestrian connections Lakeshore Rd. multi-use corridor	Not identified in 2030 plan
Bluebird Waterfront Park	Undeveloped	1.1 ha	Not yet planned	Not identified in 2030 plan
Dewdney Park (Melcor land beach access)	Future	-	-	Partnership commitment from developer (50/50)
Garner Pond	Future	-	-	Unfunded
University South	Future	-	-	Unfunded
Mine Hill Mountain Park	Future	-	-	Unfunded
Confluence of Francis Brook / Mill Creek	Future	-	-	Unfunded
Wilden - Summit Park	Future	-	-	Unfunded
Kirschner Mountain Park #1 + #2	Future	-	-	Unfunded
Mouth of Mission Creek -Truswell Property	Future	-	-	Unfunded

UNDEVELOPED, UNDERDEVELOPED + FUTURE CITY WIDE PARKS (continued)

Pandosy Town Centre Park	Future	-	-	Unfunded
Sutherland Bay Park	Future	-	-	Unfunded
Mouth of Mission Creek to Rotary Beach Park Waterfront Walkway	Future	-	-	Unfunded
West Ave. to Cedar Ave.	Future	-	-	Unfunded
Manhattan Point	Future	-	-	Unfunded

8.0 REPORT CARD | NATURAL AREA + LINEAR PARKS

Linear Parks and Natural Area Parks are similar in that they remain largely untouched, remaining in their natural state. Fire fuel and danger tree mitigation, as well as access for fire suppression is important in these areas.

Wetlands, hillsides, ravines, significant natural landscapes, and other environmentally sensitive areas are typical characteristics of Natural Area Parks. They have areas established for public access and recreation that are designed to protect and preserve ecological processes.

Linear Parks refer to the network of on-road and off-road trails that are developed to serve all forms of non-vehicular movement. Linear Parks often parallel creek corridors. The City's Linear Park Master Plan identifies six priority Linear Parks, which will be the focus of this report card.

8.1 SUCCESSFUL NATURAL AREA PARKS



- Hiking trails
- Viewpoint pavilions
- Swimming area and dog beach
- Professional grade mountain bike trails
- Naturalist activities



- Pedestrian path around wetland area
- Home to painted turtles
- Home to breeding and migratory birds
- Riparian area restoration

8.2 NATURAL AREA PARK DEVELOPMENT FUNDING

The current 2030 Capital Plan identifies \$2.8m for ongoing improvements at Knox Mountain Park from 2017-2030 as Priority 1. Also identified as Priority 1 is \$650,000 for natural area park/trail development.

- Priority 1: \$3,725,000
- Priority 2: \$2,175,000

8.3 UNDEVELOPED, UNDERDEVELOPED + FUTURE NATURAL AREA PARKS

Name	Status	Area (ha)	Key Features	2030 Capital Plan
Knox Mountain Park	On-going improvements		Trail improvements + development Realign Ellis St. + Poplar Point Dr. Annual scorecard assessment Fence installation Info kiosk + gateway at Ellis St. Noxious weed removal Improvements to Crown / Lower Lookout staging area Develop new Kathleen Lake staging / park- ing area	P1 in 2017-2030 (\$2.85 million)
Tower Ranch Mountain Park	Undeveloped	18.6 ha	<u>Funded</u> Parking lot	Developer commitment to build parking lot
			<u>Proposed</u> Washroom Trail System	Unfunded
University South Park Open Space	Undeveloped		<u>Proposed</u> Trail system	Not identified in 2030 plan

8.4 SUCCESSFUL LINEAR PARKS





- Provides multi-use connectivity from the southeast end of Kelowna through the Okanagan Lake.
- Constructed in partnership with RDCO, who has a license to occupy the trail and takes responsibility for maintenance and operations
- Home to breeding and migratory birds
- 'Hidden gem' trail along Okanagan Lake
- Rigorous climb
- Provides access to two beach areas, including Paul's Tomb.
- Amazing views north and south through the valley



- Developed in conjunction with the Central Okanagan Bypass
- Meeting public demand for increased cycling and pedestrian facilities
- Provides a safe route to and from the downtown core

8.5 PRIORITY LINEAR PARKS FOR DEVELOPMENT

- 1. Waterfront Walkway (Strathcona Park to Mission Creek)
- 2. Mill Creek Linear Park
- 3. Rail Trail (UBCO to downtown)
- 4. Bellevue Creek Linear Park
- 5. Gopher Creek Linear Park
- 6. Mission Creek Greenway

8.6 PRIORITY LINEAR PARK STATUS UPDATE

1. WATERFRONT WALKWAY

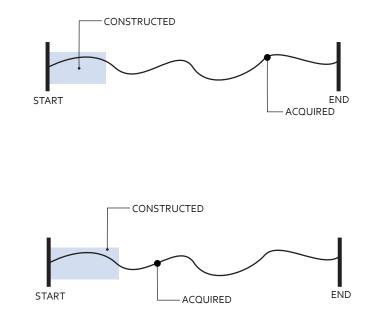
2. MILL CREEK LINEAR PARK

Trail construction completed:

Linear park length:

Land acquired:

- Linear park length: 1 kilometre
 - Land acquired: 73%
- Trail construction completed: 0.2 kilometres



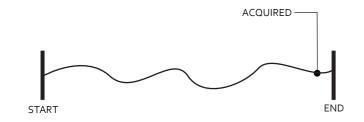
19 kilometres

4.5 kilometres

39%

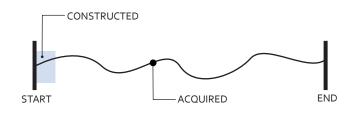
3. RAIL TRAIL (UBCO TO DOWNTOWN)

- Linear park length: 20 kilometres
- Land acquired: 95%
- Trail construction completed: o kilometres



4. BELLEVUE CREEK LINEAR PARK

- Linear park length: 13 kilometres
- Land acquired: 41%
- Trail construction completed: 0.2 kilometres



CONSTRUCTED

START

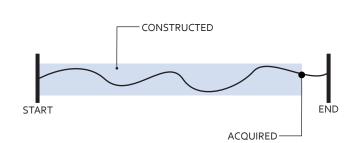
ACQUIRED

5. GOPHER CREEK LINEAR PARK

- Linear park length: 8.5 kilometres
- Land acquired: 14%
- Trail construction completed: 1.0 kilometre



- Linear park length: 16.5 kilometres
- Land acquired: 90%
- Trail construction completed: 15 kilometres



END

9.0 PARK DEVELOPMENT FUNDING OPTIONS

The previous report cards identify both Active and Linear/Natural Parks that are currently undeveloped, underdeveloped or anticipated to be acquired in the near future, and the degree of development funding shortfall when considered against the 2030 Capital Plan.

This section identifies a wide variety of potential revenue sources in order to address some of these development shortfalls. Each source is considered only as an overview, in an anticipation that further research be required before any decisions are made. The list seeks to be comprehensive and without prejudice for the purposes of discussion. Therefore while some options generate new money, others simply redirect funding from elsewhere within the City finances.

The options have been categorized into nine headings:

- Development Cost Charges
- Revenues
- Lease or land sale
- Partnerships
- Grants
- Community Amenity Contributions
- General taxation
- Tourism taxation
- Parcel taxation

Development Cost Charges (DCCs)

The City of Kelowna maintains an open and excellent relationship with the development community, based on equity and transparency. DCCs are currently levied for parkland acquisition only on residential development on a per unit basis at a rate of 2.2 hectares per thousand.

A number of options are summarized below based on best practice in other BC municipalities. A more thorough consideration is given to these in the discussion paper prepared by Urban Systems in October 2010, attached as Appendix C.

Addition of park development costs in the DCC Program. This is currently not levied in Kelowna, but common practice among many similar communities in BC, i.e. all municipalities within our study group, except Surrey. This would provide a new revenue source for park development without increasing general taxation.

Inclusion of non-residential development in the DCC Program. It is current practice in many BC municipalities to collect DCCs for both parkland acquisition and development on non-residential development in many BC municipalities. Again, this would provide a new revenue source for park development without increasing general taxation. This applies a charge to all building users, not merely their place of residence, and hence includes both tourists and non-resident workers. While there is

a strong correlation between park use and many commercial uses (hotels, wineries, offices, etc), the direct link with industrial is more remote and harder to justify.

5% parkland dedication at subdivision. Section 941 of the Local Government Act (LGA) allows municipalities to require 5% of land to be dedicated for park use at subdivision, typically as a neighbourhood park. This is common practice in many other BC municipalities, but is rarely used in Kelowna. This reduces pressure on tax supported funding and isolates acquisition from the vagaries of land value fluctuations. Where land is not identified, a cash-in-lieu can be provided. In order to avoid 'double-dipping', either a credit is given for the land value against the neighbourhood park DCC component, or the DCC bylaw is revised to exclude neighbourhood parks.

Removal or reduction of neighbourhood parkland within the DCC program. Often used in conjunction with the 5% parkland dedication, this allows the DCC program to focus on 'higher-order' parks (City-wide, Recreation and Community), and/or be redirected towards park development costs.

Reduce the taxation assist for parkland acquisition DCCs. The City currently includes an 8% taxation assist plus an additional 3.4% from taxation for secondary suites, and the like, for parkland acquisition. This covers the use of proposed park space by existing residents. The average is 3.8% across the six other municipalities considered for comparison.

Use of densification gradient. DCCs for all City infrastructure (ie. transportation, sanitary, storm, water) are charged on a densification gradient, except park acquisition which is charged on a per unit rate. Density gradients are used by a number of other BC jurisdictions and consistent with the Ministry of Community & Rural Development (MoCRD) DCC Best Practice. In order to maintain the average, DCC rates on single detached homes would increase to offset multiple unit development. The change serves to encourage densification but yields no net increase in park acquisition revenue.

Reduction of parkland acquisition standard. A reduction of parkland acquisition standard would reduce the DCC acquisition cost component, and thereby create space within the DCC program to add parkland development costs.

However, while this would create space within the DCC program, Kelowna's current acquisition standard at 2.2 hectares per thousand population is currently significantly below the Provincial average. This is of concern particularly for a tourism based economy such as Kelowna. Indeed, the recommendation from the 2010 study, Appendix B, is that this standard should be increased to 2.5 hectares per thousand population.

The tables on the following pages show the policies adhered to by municipalities of a similar size in British Columbia.

URBAN systems

	Kelowna	Abbotsford	Kamloops	Langley	Chilliwack	Surrey ¹	Richmond ¹
Policy for provision of parkland per 1000 residents?	Yes	Yes	Yes	OV	Yes	Yes	Yes
What is the ratio?	2.2 hectares per 1000 population	3.4 hectares per 1000 population	15-20 hectares per 1000 population	3.2 hectares per 1000 population (as a guideline, not a policy)	4.º hectares per 1000 population	2.4 hectares per 1000 population	3.1 hectares per 1000 population, except 1.3 hectares per 1000 population in City Centre
What type of parks are included?	City-wide, recreation, community and neighbourhood parks. Does not include linear parks, creek corridors and natural open space.	City-wide, community and neighbourhood parks. The City of Abbotsford also has a standard that 6% of fits land base should be parkland.	All types of parks (active, passive, open space and more). The City currently has 4.3 ha / 1000 population	Municipal, conservation, community and neighbourhood parks.	Community and neighbourhood parks.	City-wide and neighbourhood parks. These targets do not include destination or regional scale parkland.	City-wide, community, neighbourhoods
Park development costs included in the DCC program?	No – Only parkland acquisition costs are included in the DCC bylaw.	Yes – Development of all forms of parks.	Yes - DCC parks development program primarily includes projects that are intended to serve the broader needs of the community, rather than specific neighbourhoods. City-wide parks development and trail systems development are good examples of projects included in Kamloops's DCC program.	Yes – DCC parks development program includes improvements to various neighbourhood, community and municipal parks throughout the Township.	Yes – Development of all forms of parks.	No – Only parkland acquisition costs are included in the DCC bylaw.	Yes – Development of all forms of parks
Is non-residential development included in the DCC program?	°N N	°Z	Vo	Vo Vo	Most non-residential uses do not pay parks DCCs, however, institutional uses do pay parks DCCs	Some non-residential uses do not pay parks DCCs, however, Highway 99 Corridor commercial and industrial uses do pay parks DCCs	Yes – All uses contribute to both park development and acquisition
Parkland acquisition included in your DCC bylaw?	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Are neighbourhood parks included?	Yes	Yes	Yes	No	Yes	Yes	Yes
What types of parkland are acquired through 5% dedication at subdivision?	The City does not generally use the 5% parkland dedication / cash-in-lieu provision outlined in the Local Government Art (LGA) – the City uses DCCs for acquisition.	No prescribed list, but dedication is generally determined on a case by case basis. Typically, 5% cash-in-lieu is taken.	The minimum 5% parkland dedication is applied in newly developing areas and this is used to support recreational uses such as sports and active play. The Kamloops parks Master Plan states Open Space (steep slopes, gullies, etc.) should not be included in the 5% parkland dedication.	The Approving Officer is empowered to make decisions as to the requirement of the 5% parkland dedication or cash in lieu from subdivision proposals. This is used to acquire primarily neighbourhood parkland. The Development Cost Charges Bylaw (adopted in 2008), states DCC parkland acquisition charges do not include neighbourhood level parks.	The 5% dedication is used to fund specifically neighbourhood level parks. The 5% dedication level parks. The 5% dedication DCS, which are used for funding indoor facilities, "community level" parks and sport fields that serve a much larger geographic area.	The City of Surrey Parks, Recreation And Culture Strategic Plan allows the 5% parkland dedication tool to acquire all types of parks with consideration for the size of the proposed parkland, ecological integrity of the surrounding system, optimal community use, and the "fr" within the and the "fr" within the and the "fr" within the	Richmond applies the 5% land dedication policy for new developments. Location goals, as stated in the City of Richmond Park. Classifications, are used as the evaluative criteria for acquisitions. They also often consider taking cash in-lieu. This covers most types of parkland.

	Kelowna	Abbotsford	Kamloops	Langley	Chilliwack	Surrey ¹	Richmond ¹
What percentage taxation assist goes to parkland?	%8	965	96 T	96T	%0T	5%	%T
Density gradient used to determine Parks DCC rates?	No – same charge regardless Yes of density for Parks DCGs, use except Residential 5 - multi- family units of 55,8 square meters or less are charged per sq.m	– Parks DCC varies by land category Rural Residential Urban Residential Medium Density High Density Congregate Care	Yes-Parks DCC varies by land use category Single and Two Family Residential Multi-Family Mesidential- Low Density (per unit) Multi-Family – Medium Density (per unit) Multi-Family – High Density (per unit)	 Yes - Parks DCC varies by land use category Residential 1 - represents 3.5 or less dwelling units per hectare; Residential 2 - represents 4.5 to 4.4 dwelling units per hectare; dwelling units per hectare; than 7.4 dwelling units per represents greater than 7.4 dwelling units per represents greater thectare. 	 Yes – Parks DCC varies by land use category with Single Family, Duplex Townhouse & Other Apartment Small Apartment Note: Townhouse & Other, Apartment, Small Apartment how the same of Crate which is lower than the rock of Single Family and Duplex. 	Yes – Parks DCC varies by land use category. Some of multi- family residential uses have been categorized together in the DCC bylaw and have the same rate per sq. ft.	Yes – Parks DCC varies by land use category • Single Family • Townhouse • Apartment

I Note: Both Surrey and Richmond have suggested that the current trend toward the increasing ratio of multi-family to single family residential development has resulted in less parkland being made available through the 5% dedication process. Further, they suggest that given the high cost of land in these communities neither the 5% land dedication, nor the 5% cash in lieu tool can be relied upon to secure adequate park space or funds for parks to meet desired hectares per capita ratio. For this reason both cities emphasize the need for both 5% parkland dedication and Parks Development Cost Charges for land acquisition to ensure that they can secure important environmental or recreation space for future generations.

Revenues

Many City revenues sources remain dedicated to their sector of origin (ie. airport taxes, parking fees, utility taxes). There are a few existing revenue sources currently within the parks system that are currently returned to the general revenue stream.

Property rentals. Many park properties awaiting development, particularly waterfront and linear park properties, are rented out as residences. This could generate a small revenue stream.

Concessions & equipment rentals. Several of our city-wide and beach front parks have concession agreements (ie. bike, skate, or waterplay rentals, food, floating waterplay structure). The apparent 'commercialization' of the park system, could reasonably be justified to generate revenue for park development.

Sponsorship. The City has adopted a policy to pursue sponsorship opportunities for City owned assets. The naming of Parks has been specifically excluded from this, however naming of components within a park (ie. playgrounds, performance stages) can be considered. Sponsorship opportunities will be seeking both a financial contribution and a programming element, so create a meaningful community connection with the sponsorship.

Parking Revenue

Parking fees within City parks currently go towards parking revenue. These could be dedicated towards park development, however it is not anticipated to be a significant revenue generator.

Recreation user fees

User fees for sports fields and courts currently go to general revenue. These could be dedicated towards sports field and court development.

It would be reasonable to dedicate these to parks development, but again to the detriment of general revenue. Property rentals and concession and equipment revenues already exist and therefore fall into the category of redistribution of existing funding to the detriment of another area or service. In the case of property rentals a significant amount goes back to offsetting taxation on an annual basis. This revenue also funds some of the building and facility maintenance and pays property taxes.

Lease or land sale

The lease or sale of land within or adjacent to a park can provide revenue for park development and the potential to benefit from shared infrastructure.

Commercial lease. Long term lease of land has the potential to provide benefits to the overall park experience, the park development, and the safety and security within the park. By sensitively developing criteria to be applied to lease or land sale within a park, the City has the power to animate park edges with food and beverage, music, entertainment and the like. When the adjacent land uses and the scale of the park are suitable to support a commercial endeavour, this could be a viable option to consider. On-going public education would be necessary to ensure residents understand and support any proposals made.

Sale of surplus land. Sale of surplus land, especially if its' value is increased by the adjacent new park, can generate revenue for the parks system. Typically, use of this revenue is restricted by the Local Government Act to further park acquisition only.

By example, the sale of land adjacent to Boyce-Gyro Park is to be used to partially fund the development of a new parking lot and other amenities within the park. Further, Council has also identified the potential sale of unused road ends in the north end of the City as another potential revenue source.

Partnerships

Partnerships with other groups (ie. developers, sports organizations, not-for-profit groups, neighbourhood associations), typically up to 50:50 or more, offer the potential to spread the benefit of taxation funding across a wider field. There have been many successful examples within the parks system over recent years. However partnerships offer two major challenges:

• Ensuring that park amenity development remains equitable and fairly distributed across the City (ie. preventing a developer or neighbourhood unreasonably jumping the queue through partnering).

• Guaranteeing park amenities remain in line with City goals and policies (ie. sports partnerships developed to ensure equal distribution of provision across the City).

Developers. Several developers have voluntarily partnered with the City for park development costs, typically up to 50%, as they recognize the benefit of completed parks when selling property lots (ie. Kettle Valley). Conversely when parks are identified in marketing material but not developed this often reflects badly on the City. However, many of the successful developer partnerships in the past were achieved with a full time staff position to foster them. This position no longer exists currently, and developer partnerships have since reduced generally as a result.

Sports' organizations. Certain sports facilities (ie. year-round inflatable structures) can offer an opportunity for an organization to provide an amenity that might not otherwise be realized. The organization typically requests land from the City while it covers capital, operating and maintenance costs. In return the organization provides a portion of time available for public use. However, the most lucrative location for the facility may be at odds with City goals.

Not-for-profit organizations. Service groups and cultural organizations can offer possibilities for one off partnerships, and can often access grant and other funding sources the City does not have access to. Typically these are assessed on a one off basis to ensure the organization's goals are in line with those of the City (ie. Laurel Packinghouse Courtyard).

Neighbourhood groups. A common model in other provinces, partnership with a neighbourhood group faces many challenges. A Local Area Service (LAS) plan, often used for utility upgrades, is a very administratively clumsy tool for the relatively small amounts required for a neighbourhood park development. A voluntary partnership with a neighbourhood group, however (ie. Lost Creek Park), lacks the structure to ensure all neighbours contribute equitably.

Grants

Grants from Federal or Provincial sources, or charitable organisations, offer potential funding for park development or amenity improvements. However grants for general park development have been less forthcoming in recent years, or have been for small values that cease to be cost effective to apply for and administer.

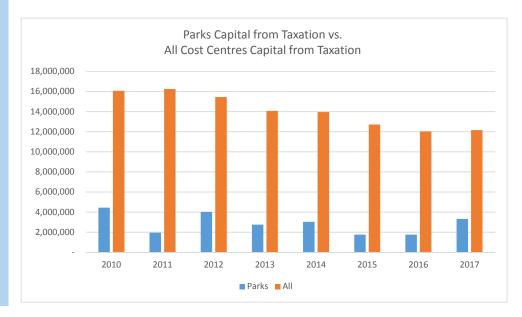
Community Amenity Contributions

Community Amenity Contributions (CACs) are contributions agreed to between the applicant/developer and local government as part of a rezoning process which is typically in the applicant's/developer's favour: density bonusing. CACs can take several forms including community amenities, affordable housing, and financial contributions towards infrastructure that cannot be obtained through DCCs, such as recreation facilities or fire halls. The agreed to contribution would be obtained by the municipal government if, and when, the local government decides to adopt the rezoning bylaw.

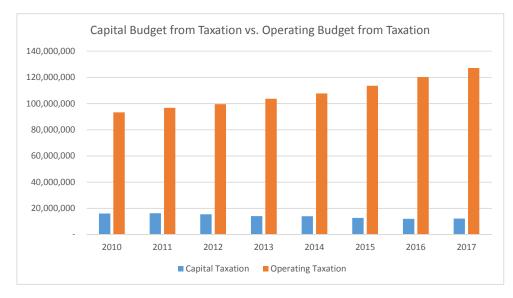
CACs have been included as an option in order to be comprehensive. However, as a negotiated contribution CACs are typically very difficult to impose equitably, and therefore not popular with either municipalities or the development community.

General taxation

Over the span of the 2030 Capital Plan, expenditure funded by taxation (including gas tax portion) on Parks capital projects averages at approximately 19% of the total taxation capital expenditure. The average fluctuates from year to year in order to accommodate the larger projects within the different infrastructure sectors.



However since 2010, the total taxation expenditure on Infrastructure capital projects as a percentage of the total taxation revenue has reduced, particularly since 2014. In 2010 Infrastructure capital represented 25% of total taxation, in 2017 it is 30%. The total expenditure for parks capital has therefore reduced proportionately in that same period.



Further, as the City inventory of parks ages, the demands on capital for asset renewal or replacement projects increases, putting further pressure on capital available for these new projects. Unless overall taxation is increased, no new funding source is available. Otherwise, to increase the proportion spent on Parks capital projects would be at the detriment of other municipal services or capital projects.

Tourism taxation

Kelowna's economy is primarily tourism based. In the summer months, the number of people in the City increases significantly. Many of these tourists come to our parks, especially the city-wide parks and beaches. However, there is currently no mechanism for direct cost recovery from this sector for either park acquisition or development. The following method is proposed:

Hotel tax. This tax is fairly accurately targeted at the tourism sector, including sports tourism, and hence easily justifiable as a 'user pays' funding source. A proportion of the hotel tax could be dedicated to park acquisition and development. Either this tax is increased to generate a new revenue source for park development, or its distribution is reassessed at the detriment of other tourism services.

Parcel taxation

This option would identify a portfolio of high priority park projects across the City in order to approach the electorate for funding through a specific tax over and above general property tax levels. In order to be equitable and serve a wide portion of the population, the portfolio of projects should be evenly distributed across the City, and serve a broad spectrum of different park user groups. The portfolio might include several high profile city-wide parks (City Park, South Pandosy, Bluebird Ave (Lakeshore), etc.), recreation park upgrades, and/or undeveloped community parks. The parcel tax would require a referendum, and therefore most likely coincide with a municipal election. This parcel tax may be implemented as a one off tax, or collected over several years. While additional taxes are rarely welcomed, parks projects are typically popular with the electorate and a portfolio of carefully chosen park projects may be one of the most likely proposals to succeed.

Conclusion

The options considered above are intended as a comprehensive overview of all potential funding options for the park development backlog. Of the options considered, only a proportion generate new revenue sources, the rest merely redistribute funding to the detriment of other municipal services. Further, while all revenue opportunities are considered, of these options only a few, probably in combination, could realistically generate the magnitude of financing required to significantly address this backlog:

- Development Cost Charges (park development charges, non-residential park charges, acquisition standard).
- Lease or land sale (commercial lease)
- Partnerships (developers, sports organizations)
- General taxation (new taxation)
- Tourism taxation (hotel taxation)
- Parcel taxation

As mentioned previously, the above options are merely an overview, and further study and discussion of the selected options is anticipated.

10.0 TEMPORARY USAGE IN PARKS

Temporary Access

The City owns many Natural Areas which function well with very little or no amenity provision. People are able to access improvised trails, walk dogs, enjoy wildlife, children play and ride bikes and generally everyone can enjoy the greenways of the City. Most undeveloped park land is also available for similarly uses. Occasional litter gets out of hand, play forts have to be dismantled, or fire pits removed, but typically the majority of these spaces are enjoyed successfully with minimal input by City resources.

Temporary Uses

Temporary community amenities are occasionally added to these undeveloped sites. Community garden groups and off-leash dog parks are perhaps two of the most in demand amenities that are often provided at relatively little cost. For example, De Hart Park has hosted a successful community garden for several years. However, once introduced to any location a temporary use can quickly become a permanent expectation. This can create difficulties if the use does not fit with the master plan for the greater benefit for all citizens. For example, Rowcliffe Park has been a large off-leash dog park for several years, the smaller dog park proposed as part of the overall park design currently being developed is not popular with dog owners in the neighbourhood.

Other Pressures

When the park development does not happen quickly the land sits unused, and various sport and community interest groups may propose uses for the site which often conflict with the carefully considered long-term master plan. These 'money available now' options result in ad hoc planning and puts pressure on the City to fit a square peg into a round hole.

Further access to undeveloped land held by other parties has created an expectation that it remain as parkland in the future over which the City has no jurisdiction. For example, the Kettle Valley school site.

Inaccessible Sites

Some undeveloped park sites or newly acquired properties are not made available for public use. Existing properties are either retained with limited maintenance and leased, or, if unsafe, demolished and the site fenced. The sites remain inaccessible until funding is available for the full park development. The primary concern is that undeveloped land in residential neighbourhoods, particularly waterfront, may attract campfires, parties, vagrancy, or other undesired activities.

There is however increasing public demand that these sites be made available in a temporary manner, particularly to meet the desire for increased waterfront access.

Conclusion

While the City must learn from the experiences of temporary uses and undesired activities on other sites, there still remains significant potential to allow acquired park land and waterfront to be made available for public benefit and well-being in the short-term. For example, Manhattan Drive, South Pandosy Waterfront Park and Bluebird Road Waterfront Park. Valuable building assets might remain for amenities compatible with the long-term master plan, and security issues would need to be addressed. A 'temporary usage' plan could address public safety, provide base level amenities, and open the land to the public sooner as a publicly accessible undeveloped park. It would provide the public with the confidence that we are acquiring park land with intention to develop, and improve public amenity in the short-term.

Staff will seek direction from Council to consider undeveloped sites for improved public access for further discussion.



APPENDIX A

PARKS POLICIES

Parks play a critical role in supporting community sustainability in the broadest sense and enhance community quality of life.

Objective 7.12 Provide active and passive parks for a diversity of people and a variety of uses.

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

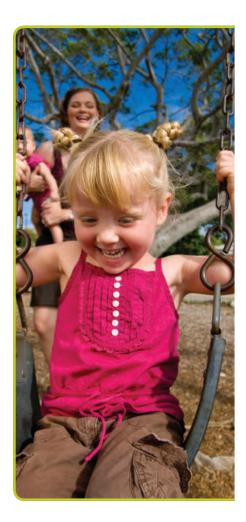
Policy .2Natural Area Parks and Open Space.Provide a city-wide network\$ \$ \$of natural area parks which meet the following criteria:

- contains representative Okanagan ecosystems;
- contains areas of outstanding natural beauty (including areas with high visual sensitivity and high visual vulnerability, such as rocky outcrops, ridge lines, hilltops, silt slopes, canyons, and water edges);
- the land area is contiguous and forms part of a larger open space network;
- contains conservation areas;
- protects viewshed corridors; and
- where appropriate, trails which maximize public safety while minimizing human impact on the most sensitive and vulnerable areas.

To achieve the above, the City will need to acquire land. In determining what land to acquire, the City will assess:

- costs/benefits to ensure the City is receiving a public asset, rather than a maintenance liability;
- liability from natural and man-made hazards (falling rocks, debris, hazardous trees, fuel modification etc.) to ensure hazards are mitigated in advance of acquisition;
- maintenance access to ensure it is acceptable; and
- opportunities for linear trails, view points, staging areas etc. to ensure availability of a public recreation component.

Parks play a critical role in supporting community sustainability in the broadest sense and enhance community quality of life.



💲 Economic Sustainability 🛉 Social Sustainability 🛛 🚯 Environmental Sustainability 🎇 Cultural Sustainability

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Objective 7.14 **Provide waterfront parkland along the Okanagan** Lake shoreline.

Policy .1 Waterfront. Waterfront parkland acquisition will concentrate
 on areas along Okanagan Lake to increase public ownership of the foreshore. A high priority section of waterfront will be from Kinsmen Park to Knox Mountain Park.

Objective 7.15 **Develop park partnerships.**

Policy.1 Partnerships. The City will create community and enhance quality-of-life through partnerships with developers, residents' associations, property owners, non-profit organizations, private enterprise, user groups and individuals, on the acquisition and construction of all classes of parks. The City will also pursue joint use agreements and partnerships with School District 23, Regional District of the Central Okanagan, and the University of British Columbia Okanagan.

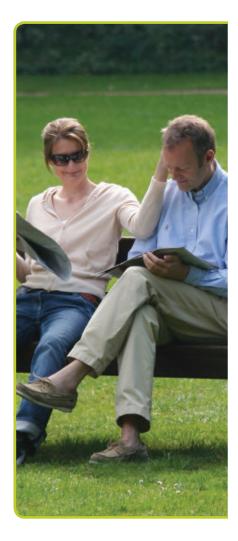
Objective 7.16 **Develop parkland to respond to user needs.**

- Policy.1 Design to Context. Design park space to reflect neighbourhood context.
- Policy .2 Park Accessibility. Design parks to meet the needs of a variety
 of user groups, including families, youth, and seniors. Where appropriate, parks will be designed to meet universal access standards for outdoor spaces.

Objective 7.17 Minimize environmental impacts of parks.

- Policy .1 Manage Public Access. Manage the impacts of public access in natural area parks by defining and developing trails which maximize public safety while minimizing human impact on the most sensitive and vulnerable areas; and reducing the impact of trails for example by reducing width, modifying surfaces, and developing boardwalks.
- Policy .2 Water Conservation. Conserve water by improving the efficiency of existing irrigation systems, improving park construction standards, designing for water conservation, using non-potable water and converting park and civic building landscapes to reduce the amount of irrigated turf where appropriate.

Design parks to meet the needs of a variety of user groups...



💲 Economic Sustainability 🕴 Social Sustainability 🛛 🚯 Environmental Sustainability 🎇 Cultural Sustainability

City of Kelowna Official Community Plan - **Chapter 7** • Infrastructure • 7.10 *REVISED - JULY 10, 2012*



so as not to negatively affect farming operations. Mitigation techniques may include: deer fencing, signage, and trash bins to ensure trespass and field contamination is minimized. Any parks affecting lands in the ALR will be subject to detailed design based on the Ministry of Agriculture's guidelines. Policy .5 Walking Radius. Strive to provide all residents in the urban core (See Map 5.1 Core Area) of the City with access to centrally **\$†**Ø located parks within a five minute walking radius. Policy .6 Glenmore Recreation Park. As a key park initiative establish a 1 Commission. Policy.7 Ś techniques such as: closing excess streets and roads; • converting surface parking lots; · developing existing parks with higher intensity uses (e.g. sportfields, lighting, artificial turf fields); developing boulevards as people places; developing cemetery with public park components; sharing school yards; park components; • encouraging rooftop gardens; and • using the railway as a linear park. Objective 7.13 **Provide a city-wide linear park and trail network.** Policy .1 Linear Park Priorities. The top six linear park priorities for the City, as endorsed by the Linear Park Master Plan are: **\$†\$\%** Waterfront Walkway • Kinsmen to Strathcona; and Rotary Beach Park to Mission Creek

- Gopher Creek, and
- Mission Creek Lakeshore to the Lake.

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7.9 • Chapter 7 • Infrastructure - City of Kelowna Official Community Plan **REVISED - JULY 10, 2012**

Policy .4

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City of Kelowna - Park Development Report

Strive to provide all residents in the urban core... of the City with access to centrally located parks within a five minute walking radius.

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

Parks in Agricultural Areas. Where parks and linear pathways

are proposed adjacent to farm areas they will be designed

- Alternative Park Space. In urban areas of the City where further park acquisition is not financially feasible, consider innovative

 - developing utility corridors and detention ponds with public

- Rails with Trails
- Mill Creek
- Bellevue Creek



Objective 7.18 Minimize intrusion of utilities in parks.

Policy.1 10

\$

50

Policy.2

Utilities in Parks. Public or private utilities will not be located in parks and natural open spaces unless an overall public benefit and no net environmental loss can be demonstrated. Where these criteria can be met, the utility must be located and designed in such a way as to have no visual impact to the surrounding neighbourhood.

Protect the City's groundwater resource from inappropriate development...

GENERAL UTILITY POLICIES

Objective 7.19 Ensure efficient, sustainable and context sensitive implementation of utilities.

Policy .1 District Energy System. Where a district energy system is in place or is planned, implement a Service Area Bylaw to ensure new buildings in the service area are ready for connection to the district energy system.

> Energy Reduction Priorities. In working to reduce greenhouse gas emissions, place a primary focus on reducing demand, then prioritize further efforts in the following sequence: re-using waste heat, using renewable heat, and then finally on using renewable energy.

💲 Economic Sustainability 🕴 Social Sustainability 🛛 🚯 Environmental Sustainability 💥 Cultural Sustainability

7.11 • Chapter 7 • Infrastructure - City of Kelowna Official Community Plan **REVISED - JULY 10, 2012**

APPENDIX B



Discussion Paper



Parks Financing Framework

Phase 1 Policy Review

October 2010 USL File: 0467.0398.01



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1.0 INTRODUCTION

1.1 Background

The City of Kelowna requested Urban Systems Ltd. (USL) to undertake a review of how future parkland acquisition and development is financed, and provide recommendations to update the City's parks financing framework. As part of the review, the consultant was asked to review current policies and evaluate the alternatives available to provide added flexibility to the City in providing the required parkland and park development needs for the growing community. Currently, the City collects Parkland DCCs on all new residential developments and utilizes these funds as the primary source of funding for parkland acquisition of City, Recreation, Community and Neighbourhood Parks. The DCC revenue is topped up with funds provided through general taxation where approved by Council. Currently, the City does not generally use the 5% parkland dedication / cash-in-lieu provisions outlined in the *Local Government Act (LGA)*.

This report also discusses other means by which the City can acquire parks and open spaces (e.g. linear parks and environmentally sensitive areas), as well as provides a review of a proposed policy change by the City to increase the parkland standard from its current 2.2 hectares (ha) per thousand of new population growth.

To undertake a review of the City's Parkland Acquisition Policies, our approach addresses three (3) primary questions:

- What is the current situation?
- What are the options for parkland financing and development, and what are the benefits and drawbacks for each?
- What are the appropriate financing tools, strategies and policies for the City of Kelowna?

1.2 Objectives

The objectives of this review include the following:

• Recommend a diversified funding structure to the City of Kelowna for future parkland acquisition and development;





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- Review the potential use of the 5% parkland dedication / cash-in-lieu provisions of the *Local Government Act (LGA);*
- Review the potential to levy Parkland DCCs on non-residential development – e.g. commercial land uses;
- Provide clarity and consistent policy and practices for parkland acquisition with explicit statements on policy;
- Review a proposed policy change of increasing the current parkland requirements of 2.2 ha per thousand population, as set out in the draft Kelowna 2030 OCP document and the Parkland Supply Review currently being undertaken by another consultant (Catherine Berris Associates).

1.3 Report Format

The report is organized into the following sections:

- Section 1 Introduction
- Section 2 Guiding Principles and Best Practices
- Section 3 Current City Parkland Acquisition Policies & Practices
- Section 4 Review of Practices in other Communities
- Section 5 Policy and Finance Analysis
- Section 6 Policy Review Summary and Recommendations





2.0 GUIDING PRINCIPLES AND BEST PRACTICES

2.1 Guiding Principles

Parkland acquisition and development policies should be guided by overarching principles. The Ministry of Community and Rural Development ("the Ministry") has developed a Parkland Acquisition Best Practices guidebook which suggests that local governments develop parkland acquisition policies based on the following principles:

- Integration
- Benefiter pays
- Fairness
- Equity
- Accountability
- Certainty
- Consultation

Evaluation of the various policy and financing options leading to the consultant's recommendations has been based on these guiding principles.

2.2 Key Development Considerations

In addition to the general tax base, much of parkland acquisition and development will be funded from new development. Openness and transparency, predictability of actions, and respect between players (City, land owners and developers) are fundamental preconditions for good development. The City of Kelowna maintains an open and excellent relationship with the development community, and this review takes that into consideration in order to ensure that there is:

- Equity for the development community ("level playing field")
- Transparency and clarity in developing land valuation calculations
- Sufficient revenues and land required for future park needs to service both the existing community and new development

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2.3 Best Practices

In addition to guiding principles, the Ministry's guidebook identifies a number of best practices to take into consideration when developing a parks financing strategy:

- Avoiding double-charging
- Land vs. cash-in-lieu
- Basis for the 5% calculation
- Selecting parkland within a subdivision
- Determining the cash-in-lieu value
- Park frontage costs
- Consideration of parkland needs, and
- Consideration for non-residential parkland requirements.

A comparison of the recommended best practices compared to the current City polices is included as Appendix 'A' to this report.





3.0 CURRENT CITY POLICIES AND PRACTICES

3.1 Current Policies

The City has established a number of policies and guidelines for the acquisition of parks within the community. The City of Kelowna's current **"20 Year Servicing Plan and Financing Plan"** sets out the following assumptions for Parkland Acquisition to the 2020 planning horizon:

Parks/Open Space Acquisition

The Parkland Acquisition program represents the costs of acquisition of Citywide, district, community and neighbourhood parks required to service the projected additional population over the 20 year planning horizon. The service standard identified is based on a standard of **2.2 hectares per 1,000 population**, the City will need to acquire **125 hectares** of park over the next 20 years at an estimated cost of **\$144.1 Million**. This represents an average annual expenditure of **\$7.2** Million over the 20 year planning horizon of the OCP to the end of 2020.

The following servicing assumptions have been incorporated into the Park land Acquisition program:

- In order to accommodate the higher density form of new growth projected in the Official Community Plan, there will be a need to **acquire some land with existing improvements on the land**. This will provide neighbourhood parks in close proximity to growth areas and will increase the average value of land as compared to purchasing vacant land.
- The cost of purchasing some waterfront Parkland has been included in the calculations for City Wide park requirements.
- **Acquisition costs** are based on the current values of actual identified properties and estimated future acquisitions, by park type and by growth area.
- The Parks Land Acquisition program **does not include any park development** or provision of park amenities. Parks development costs can be recovered directly from new growth but, consistent with the previous program, has not been included.

• Other park amenities such as **linear parks, creek corridors and natural** open space will be acquired, however costs of these amenities will not form





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The inclusion of linear parks and creek corridors would necessitate an increase in the current standard. It has been determined that these spaces relate to urban form and a desire to protect natural features within the community rather than to population growth and it would be impractical to set a standard based on acreages.

3.2 Current Development Cost Sharing Model

The current cost sharing model, as set out in the City's Servicing Plan, estimates the allocated of Parkland Acquisition costs to 2020 as follows:

Funding Source	Amount	Percent of Total
General Taxation	\$13.3 Million	9.2 %
Development Cost Charge (DCC)	\$127.4 Million	88.4 %
DCC Reserve Fund	\$3.4 Million	2.4 %
Total Program Cost	\$144.1 Million	100.0 %

Cost Sharing Principles & Assumptions

- Acquisition of Park Land is assumed to be of primary benefit to residential growth and the cost of the program, therefore, is applied only to residential growth units.
- Required land and costs are based on a standard of **2.2 hectares per 1,000** population.
- DCC value now based on population growth and specific lands to be acquired.
- A **single sector approach** has been used for the entire city which is consistent with the cost sharing methodology used in the previous plan.
- To determine the **land values**, developed areas were included where appropriate and limited provision was made for the acquisition of waterfront properties from new growth directly.
- The municipality, at its option, may require the developer to **dedicate 5%** of the land to be subdivided, in a location satisfactory to the city. The developer who dedicates land will receive credit for a portion (usually neighbourhood park component) of the Development Cost Charge. The





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Phase 1 Policy Review Discussion Paper municipality may exercise this option only when it deems that the value of the dedicated land is **equal to or exceeds the value** of the Development Cost Charge credit.

• An **"assist" factor of 8%** has been used to develop the charge applicable to new growth which is the same rate used in the previous plan. The assist factor represents the deemed benefit to existing taxpayers of the acquisition of additional parks.

3.3 Current Practices

As part of this project, the consultant team interviewed a number of City staff to review the City's current practices with respect to parkland acquisition, development, and dedication. Highlights of the City's current practices are summarized below:

- As previously noted, the current policy for the Parkland Acquisition program is based on 2.2 ha per thousand population and is currently under review (possible increase to 2.4 ha per thousand);
- Regional Parks (e.g. Bertram Creek and Mission Creek) do not appear to be accounted for in the City's current supply of active parkland, even though they are utilized by City residents for similar functions;
- City-wide Parkland DCC contribution in the amount of \$5,069 per unit is collected from all new residential developments within the City in accordance with DCC Bylaw No. 9095;
- Parkland Acquisition Guidelines call for acquisition of land through dedications to the City at the time of subdivision for Linear Parks and Natural Area Parkland (environmentally sensitive areas) over and above the DCC contribution, without cost to the City;
- The requirement for a 5% dedication of Parkland under Section 941 of the LGA is not currently utilized, except for special cases in the development of remote Greenfield sites, (e.g. McKinley / Kinnikinnick Resort Development), which is currently being negotiated;
- Acquisition of parkland for active parks (City, Recreation, District, Neighbourhood) are primarily funded by Parkland DCC contributions, with additional contributions from General Taxation as may be required and authorized by Council;

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No DCCs are collected for active park development purposes; and
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Phase 1 Policy Review Discussion Paper • All park development costs are currently paid by the City from General Taxation revenue.

3.4 Summary of Current Policies and Practices

Based on our review, some of the potential financial impacts of the current cost sharing model are as follows:

- At the current policy of 2.2 ha per 1,000 population, parkland acquisition will require significant funds over the next 20 years in order to acquire 87 hectares of parkland by 2030. If this is increased to 2.4 ha per 1,000 population, an additional 34 hectares of parkland would be required (total parkland acquisition of 121 ha). Any increases to the active parkland supply formula should be considered carefully with respect to the potential financial impact to development cost charges (DCCs) and general taxation.
- Regional Parks do not appear to be included in the current active parkland supply calculations, even though some of these parks (e.g. Bertram Creek, Mission Creek) service similar functions as active City-owned parks. They should be included in the City's active parkland supply calculations.
- Linear parks are not included in the current active parkland supply calculations, which account for an additional 75 hectares (or 0.6 ha per 1,000 population). Accounting for linear parks within the active parkland supply could potentially lower the parkland acquisition requirements, thus lessening the potential financial commitments.
- The acquisition of linear parks is not currently funded within the DCC program as the City has other mechanisms to acquire them, at no cost to the City. This practice should be maintained, where practical.
- The purchase of linear parks, creek corridors and natural open space which are not achieved through re-development (e.g. right-of-way dedication or protection through restrictive covenants), will need to be funded through general taxation.
- Significant park development costs are not included in the formulation of the Development Cost Charge levy and must be considered when developing the 10 Year Capital Plan, and funded through general taxation.

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4.0 PRACTICES IN OTHER COMMUNITIES

Throughout British Columbia, many municipalities collect Park DCCs (for both land acquisition and park development), and also make use of the 5% dedication of land/cash-in-lieu provisions of the *LGA*. These tools may be used in combination with one another in a fair and equitable fashion, although care must be used to avoid charging developers twice for the same acquisitions. Therefore, it is necessary for guidelines to be established by the local government to clearly demonstrate how it will avoid double-charging developers. The following outlines the current practices in a number of BC municipalities which are provided in this discussion paper for comparative purposes.

4.1 Park Development Cost Charges

City of Surrey - collects DCCs as a tool to acquire new Parklands. Also utilizes the 5% dedication/cash-in-lieu provisions of the LGA, at the sole discretion of the City, and will negotiate up to 50% land dedication through density bonusing for new development. Parkland needs are expressed as a standard of 4.2 ha per 1,000 population, and the City applies this standard to all future growth. The municipality calculates how much of its target can be acquired through the 5% dedication provisions and the remaining amount of land becomes the basis for the DCC calculations.

As the City reaches build-out in the City core and other areas, it is looking to mini-parks or urban plazas as part of redevelopment process with parkland to service residents within 400 meters of the site. Currently recommending consideration of some form of green amenity every 200 meters, e.g. rest stops at Greenway entrances, to be negotiated on private property or alternatively negotiate a 'right of passage' for the public use.

Langley, Maple Ridge, Mission and West Kelowna – These municipalities collect DCCs for only certain types of Parkland (e.g. City-wide or Community Parks) and use the 5% dedication at subdivision for other types of Parkland, such as Neighbourhood Parks, meeting a more localized need.





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Phase 1 Policy Review Discussion Paper **City of Burnaby** – utilizes the 5% Parkland dedication of land for new developments and also has a Parks DCC Bylaw in place. Burnaby issues DCC credits to eliminate any double-charging for Parkland acquired through the 5% Parkland dedication provision.

City of Kamloops – Kamloops collects DCCs on all new developments, for Parkland Development purposes only, and requires the dedication of 5% of subdivision land for Parkland purposes where designated on the City's plans. If not specifically dedicated by plans, the City takes a 5% cash-in-lieu contribution based on the value of the subdivision land. The 5% dedication or cash-in-lieu is in addition to the dedication of any ESA lands that are required by the City.

4.2 Acquiring and Protecting Creek Setback Areas

Township of Langley – requires creek setback areas to be dedicated through its OCP for Streamside Protection and Enhancement. It also uses Development Permit Areas to protect watercourses from deterioration and encroachment by urban development.

District of Maple Ridge – uses 5% dedication at subdivision exclusively for obtaining setback areas, while other municipalities may not acquire ownership of creek setback areas at all, and instead require registration of restrictive covenants. The District (in addition to 5% dedication at subdivision) uses negotiations at rezoning to acquire these areas.

City of Surrey – Linear parks are negotiated with developers at rezoning as a density trade-off or as a 'right of passage' for public use, over and above the 5% Parkland dedication requirement.







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4.3 Obtaining Trails:

Many municipalities use the rezoning process to acquire trails. In addition to negotiating trail development at rezoning, some jurisdictions like the Township of Langley use density bonusing and are moving towards the use of a public amenity fee to satisfy developers desire to see the cost of trail/greenway development spread evenly over all of the developing area.

The Township of Langley – in addition to using density bonusing, also declares trails as Essential Services in its subdivision bylaw, which means the trail must be in place prior to issuance of a building permit.

District of Maple Ridge – makes use of the broad definition of "highway' and sometimes obtains trails as an off-site "works and service" during the subdivision process.

4.4 Non-Residential Parkland DCCs:

Some examples of jurisdictions collecting DCCs on non-residential developments are as follows:

City of Chilliwack – Collects a DCC charge for new institutional development at a rate of \$12.80 per square meter basis, but does not charge for Commercial or Industrial Developments.

City of Port Coquitlam – Collects DCCs on Non-Residential Developments for Parkland Development only with a \$1.28 per square meter charge on commercial developments and a charge of \$6,334 per hectare for new industrial development with a two sector geographic consideration.

District of North Vancouver – Collects DCCs for Parkland Acquisition on all new Commercial, Industrial and Institutional developments on a per square meter basis. Current DCC rates are \$8.079 per m² for Commercial, \$1.390 per m² for Industrial, and \$4.181 per m² for defined institutional developments within the District.

City of Richmond – Utilizes a DCC charge for new Commercial and light Industrial Development on a per square foot basis for Parks Acquisition and





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Phase 1 Policy Review Discussion Paper Development. Major industrial development is also charged DCCs for Park Acquisition and Development on a per acre of gross site area. Current rates are \$1.10 per square foot for Parks Acquisition and \$0.46 per square foot for Parks Development purposes for Commercial and Light Industrial developments. Industrial development is levied a per acre charges of \$4,275.10 and \$1,794.35 for park acquisition and park development respectively.

City of Surrey – Currently collects DCCs for Parkland purposes on specific commercial developments on the Highway 99 corridor and City Centre developments. Current DCC rates are \$15,119 per acre for all zones and land uses within the Highway 99 corridor.

City of Victoria – Charges a Parkland Acquisition and Development DCC for all new Commercial, Industrial and Institutional Development within the City. Current rates are \$1.26 and \$0.53 per sq.m. total floor area for Commercial developments, \$0.52 and \$0.22 per sq.m. total site area for Industrial developments, and \$1.26 and \$0.53 per sq.m. total floor area for Institutional developments, levied for Parkland Acquisition and Parkland Development purposes respectively.

Appendix 'B' to this report sets out Parkland Acquisition and Dedication Practices in a number of other B.C. jurisdictions.



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5.0 POLICY AND FINANCE ANALYSIS

This section provides an overview of the City of Kelowna's current policies with respect to parkland acquisition and development. It introduces a number of options for the City to consider, outlining the pros and cons of each of the potential strategies.

5.1 Current Policy Observations and Potential Risks

Based on our review of the City of Kelowna's current policies related to parkland acquisition and development, the following is a summary list of our observations and potential risks:

- Future demographic trends continue to indicate an aging population, smaller family sizes and lower growth projections;
- The Kelowna OCP 2030 Draft Plan indicates a potential decline in growth projections from the previous OCP – from over 2% per annum in the 2020 OCP Plan to a revised 1.51% estimated growth for the 2010 to 2030 planning horizon;
- The reduced growth rate translates to a reduction in projected new housing units – from 25,539 units for the period 2001 to 2020 to revised projections 19,906 new residential units for the period 2010 to 2030, a reduction of 22%;
- Declining construction activity in recent years due to the economy has led to a reduction in DCC revenue for Parkland purposes – the average annual construction between 2006 and 2008 was 1,464 units, compared with only 453 units in 2009. This represents a decline in the number of new units per annum of 69%;
- The current Financial Plan and Parkland Standard calls for Parkland Acquisition expenditures totaling \$30.95 Million over the next five years for an average of \$6.19 Million per annum. This is without any proposed increases to the current per capita parkland standard of 2.2 ha / 1,000 population;
- DCC Parkland reserve funds are currently being depleted the Parks Reserve Fund balance at the end of 2008 was \$7.13 million, declining to \$5.52 million as of December 31, 2009;





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- Revenue projections for Parks DCCs for 2009 was estimated at \$6.3 million, compared to actual collection in 2009 of only \$1.04 Million;
- The cost of all Parkland Development is currently derived from general taxation revenue (i.e. there are no DCCs levied for parkland development);
- UDI and the development industry continue to express concern with the level of contributions towards Parkland DCCs (and the total cost of development in general).

5.2 Policy Considerations

In addition to DCCs, the City has the authority to utilize several different tools to acquire and/or protect parkland; specifically, this may include protection of stream setback areas and dedication of greenway/trail corridors adjacent to these areas. The City's current policies and practices are in line with most other BC municipalities with respect to parkland acquisition and the use of Parkland DCCs, with the exception of the following practices:

- 5% dedication of parkland upon subdivision of land not widely utilized;
- Some communities do not include neighbourhood parks within their DCC program;
- The active parkland target (i.e. 2.2 ha / 1,000 population) is defined differently in different communities;
- DCCs for Parkland Development are not levied;
- Non-Residential Development is not levied a Park DCC;
- All residential development is levied the same 'per-unit' Park DCC, whereas all other City of Kelowna DCCs utilize a 'density gradient'.

The following discussion with consider each of the practices above and identify the potential pros and cons of amending this practice in the City of Kelowna.

5.2.1 Provision of 5% Parkland dedication at subdivision in accordance with Section 941 of the Local Government Act

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Positive Attributes:

- Legislative authority currently in place
- Common practice in many other BC jurisdictions





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- With increasing cost of land, serves as an alternative source of Parkland and reduces pressure on tax supported funding
- Is an appropriate vehicle to get the Parkland where needed in Greenfield developments
- In areas where land is not specifically identified/required, Cash-in-lieu of the 5% dedication can be obtained, based on value of the land being subdivided
- No restrictions on the use of Cash-in-lieu as City-wide policy application
- Currently under consideration for some greenfield sites, e.g. McKinley Resort Development (Kinnikinnick)

Negative Aspects:

- Only applies to subdivisions of 3 lots or greater, and therefore does not address redevelopment and densification e.g. Downtown core and other areas of the City with traditionally higher land costs
- Lands required must be identified (generally) in the Official Community Plan, otherwise the developer has the option of providing land or cash-in-lieu
- May be resisted by development community/Urban Development Institute, especially if an off-setting DCC credit is not provided
- 5.2.2 Removal or reduction of Neighbourhood Parklands within the DCC Program

Positive Attributes:

- Used in conjunction with the 5% parkland dedication, can provide additional flexibility with respect to neighbourhood parkland acquisition
- Common practice in some BC jurisdictions
- Concentrates DCC program on "higher-order" parklands (City, Recreation, Community)
- Allows for potential additional funding to be directed towards other park needs (e.g. park development)
- Reduces general taxation requirement for the Neighbourhood Parkland DCC component (i.e. 8% assist factor)





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Negative Aspects:

- As discussed in the previous section, the 5% works effectively only on Greenfield subdivisions; therefore, general taxation would be required to fully fund new neighbourhood parks that were not achieved from 5% dedication or cash-in-lieu
- For a reduction in the DCCs, it would require a change in Parkland DCC policy to remove some neighbourhood parkland components the DCC calculations in order to ensure no duplication of charge
- Some additional administrative costs may be incurred as current DCC policy includes a 1% cost allocation which is recovered through the DCC program and would be lost under the proposed policy change

5.2.3 Proposed increase in Active Parkland standard from the current City standard of 2.2 ha per thousand population.

Positive Attributes:

- Consistent with the City's vision of a greener, more livable city
- Would provide more Active Parkland to address changing demographic and community desires
- In line with some other jurisdictions e.g. Surrey, Maple Ridge, Abbotsford and Vernon, where current Active Parkland standards exceed 3.0 ha per thousand population
- Would move towards the Provincial average of about 2.5 ha per thousand according to recent BCRPA survey results

Negative Aspects:

- An increase to 2.4 ha per thousand would require an additional 34 ha of Parkland over the current standard to 2030 (CBA 2010 estimate); an increase to 3.0 ha per thousand would require a further 102 ha
- The figure does not include linear parks and trails (e.g. Mission Creek Greenway), or passive open spaces (environmentally sensitive lands, steep hillsides), which are in addition to the active Parkland required. Including all of these areas, the total Parkland is estimated at 7.8 ha per thousand (900 Hectares/115,000 population) as per the City's 2009 Annual Report





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- The figure does not appear to include Regional Parks included within City boundaries, e.g. Bertram Creek Regional Park and Mission Creek Regional Park
- Much of the future Parkland needs will be in areas of redevelopment / increased density, such as the Downtown core and Rutland centre, with high land costs to meet requirements
- Escalating land costs and decreasing growth projections will lead to higher DCC rates for Parkland acquisition at current standards, let alone increased standards
- Increasing budget pressures on all fronts will limit available funding from general taxation, given the public's resistance to significant increases in taxation
- Would require additional cost for development of new parks and maintenance costs that are totally funded from general taxation

5.2.4 Addition of Park Development in the DCC program

Positive Attributes:

- Provides a new source of revenue for park development, to create significant usable park spaces to be enjoyed by existing and future development
- Would lessen the burden on general taxation to fully fund park development within the City of Kelowna
- Is common practice among a number of larger communities in British Columbia (e.g. Surrey, Victoria, Coquitlam)

Negative Aspects:

• Would constitute a new DCC levy for new development, which may not be appropriate in the current economic climate

5.2.5 Inclusion of Non-Residential Development in the DCC program

Positive Attributes:

- Provides a new source of DCC revenue for Parkland purposes from the additional land uses (e.g. commercial, industrial, institutional)
- No impact on residential housing costs







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- Current practice to collect DCCs for Parkland Acquisition/development on non-residential developments in a number of BC municipalities
- Would provide an additional source of DCC revenue to address the higher cost of lands required to service commercial areas, particularly in the downtown core

Negative Aspects:

- Applies a charge to buildings rather than people
- Not consistently applied throughout all other local government jurisdictions (although it is fairly common practice in larger municipalities)
- More difficult to link benefit of parks to some non-residential land uses (e.g. industrial)
- Although some institutional uses may derive benefit from parks (e.g. hospitals), other institutions already provide their own form of park land and development (e.g. schools, child care facilities, universities)
- Anticipate resistance from the development community (especially nonresidential builders), unless there was a corresponding decrease to the other DCC categories

5.2.6 Use of a Densification Gradient

Positive Attributes:

- Consistent with the City's of Kelowna's policies for other DCC infrastructure (e.g. transportation, sanitary sewer, water)
- Would potentially reduce Parks DCC levy on multi-family developments, consistent with Council's policy to increase density in designated areas
- More equitable application DCC policy by basing contribution on people not units, recognizing the difference in occupancy level of housing units
- Consistent with DCC Best Practice Guidelines issued by the Ministry of Community & Rural Development
- Density gradient is currently used by a number of other BC jurisdictions

Negative Aspects:

 Although the 'average' Park DCC could be designed to remain the same, it would potentially increase the DCC rate on single detached units to offset the reduction for higher density, multiple unit development







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6.0 POLICY REVIEW SUMMARY AND RECOMMENDATIONS

This discussion paper provides a detailed review of Provincial legislation and best practices, current City of Kelowna policies, and practices in other communities throughout BC regarding Parkland acquisition and development. Based on the options available, it is the consultant's considered opinion that the following policy areas will provide the best opportunities to the City to diversify its funding structure for Parkland Acquisition and Development for future years.

6.1 5% Parkland Dedication / Cash-in-Lieu Provisions

A review of the City's current practice indicates that there is some potential to greater utilize the statutory parkland dedication requirements within the City of Kelowna. However, because of the nature of the legislation, the impact will be greatest felt in areas with 'greenfield' development for subdivisions of 3 or more parcels. This accounts for only approximately one-third of the new residential development within the 20 year planning horizon.

Although the legislation exists obtain 5% parkland or cash-in-lieu at time of subdivision, a number of things should be taken into consideration by the City, in accordance with provincial best practices. These are detailed in Appendix A of this report and summarized below:

Policy Considerations:

- Continue to utilize the 5% dedication / cash-in-lieu of parkland on an as-needed basis for greenfield subdivisions of 3 or more lots
- Need to identify areas in OCP (generally) where 5% dedication is to be considered, for consistency with the Local Government Act
- Consistent with best practices, parkland dedication area should include all 'active' park areas, including linear parks, trails, and viewing areas.
 Environmentally sensitive areas protected under covenant with no public access do not form part of the 5% dedication
- Ensure that the cash-in-lieu provisions, when applied, are done so consistently and fairly
- Follow Provincial Best Practices to ensure no "double charging" occurs





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Recommended Actions:

- No new legislation required as authority currently in place in *the Local Government Act;*
- Amendment of City's Parkland Acquisition Guidelines #1.3 (Non-DCC Parkland provision) to require a 5% dedication of lands for Park purposes on all new (major) greenfield developments within the areas of the City designated with new Parkland requirements on its OCP mapping and Parkland Acquisition policy documentation;
- Guideline #1.3 to be amended by the addition of specific provisions for the determination of the Cash-in-Lieu as follows:
 - Valuation of development lands to be determined by the Real Estate Department of the City;
 - Value to be determined on the entire subdivision area
 - Valuation to be based on property value as zoned for development
 - Valuation disputes to be resolved by independent, qualified appraisal valuation.
- Through the OCP update process, generally identify the locations where new neighbourhood parks are desired and include policies with respect to the use of the 5% dedication, as per the Local Government Act

Options:

- **Option 1:** Where Parkland is taken under the 5% dedication, a DCC offsetting credit to be provided to the developer based on the value of the lands being developed up to a maximum of the Parkland DCC contribution otherwise required.
 - **Option 2:** Review and exclude potential Neighbourhood and Community Parklands from DCC program which would fall under the 5% land dedication and collect full DCCs for other Parkland uses e.g. Recreation and City-wide Parklands, on the Greenfield developments involved.

Note: Based on discussions with City staff, Option 2 would require some additional staff resources to review and exclude specific neighbourhood and community parklands from the DCC program. Moreover, as some areas would be subject to both 5% dedication and Parkland DCCs (since





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6.2 Include Non-Residential Development in the Parks DCC Program

Based on the research undertaken in this discussion paper, there is indeed some justification for levying Park DCCs for non-residential developments (especially commercial development) as parks are shown to be a benefit to employees, business owners and the development community. Assessing Park DCCs for non-residential development is an accepted practice in some communities in the Lower Mainland and Vancouver Island communities, with varying rates for industrial, institutional, and commercial development, parkland acquisition, and/or park development. Given that the majority of future development in Kelowna is focused on densification and mixed uses within the Urban Centres, the quantity and especially quality of urban park environments will be affected by new growth (both residential and non-residential). Some things to consider when developing such a Park DCC component for non-residential development are as follows:

Policy Considerations:

- Institutional DCCs for Parks are somewhat difficult to justify, especially for schools and universities which provide their own park space.
- Industrial DCCs for Parks are also difficult to justify, given the limited amount of potential industrial growth in Kelowna and the difficulty of showing correlation between industrial development and park development.
- There is possibly a rationale for Parks DCC for the hospital area, but the direct correlation may be difficult to justify, and the benefits are directed more towards employees rather than users (e.g. patients).
- A correlation between new commercial development and park development has been shown in numerous comparison municipalities, and seems justified in Kelowna. A more thorough policy analysis would be needed to determine the extent and impact of charging commercial DCCs for Parkland acquisition and/or development.
- A general resistance to increase in DCC charges can be anticipated from the development community, led by the Urban Development Institute.





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Recommended Actions:

• Review the current Parks DCC program and consider including new commercial development as a contributor to Parks DCCs

6.3 Include Parkland Development Costs within the DCC Program

Similar to non-residential categories within Parks DCCs, there are a number of comparison communities which include park development within their Development Cost Charges program. Some communities restrict park development DCCs to neighbourhood parks only, others to municipal-wide park development only, and still others for all categories of park development. Through our research, it is evident that new development, to some extent, impacts and drives the need for park improvements for all parkland categories in the City of Kelowna. The allocation of that impact and the park categories will need to be determined through further Park DCC analysis.

Policy Considerations:

- Many communities throughout BC (especially larger communities) include Parkland development in their DCC program.
- Parkland development is highly regulated by the Ministry see Ministry Circular #97:04 attached as Appendix 'D'.
- Which park categories should be included in the DCC Program for park development – Neighbourhood and Community Parks only, City-wide only, or all park categories.
- Is there an appetite to increase the total DCCs to accommodate Parkland development?
- Resistance to increase in DCC charges can be anticipated from the development community, led by the Urban Development Institute. An enhanced public consultation process will likely be required.

Recommended Actions:

- Prepare cost estimates of Park Development Program to be considered for the Parks Development DCC, consistent with Ministry Circular #97:04.
- As part of the next DCC Major Update, undertake a detailed review to consider the approach and impact of including Park Development DCCs within the overall DCC program.

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6.4 Use of Density Gradient for Park DCCs

The City of Kelowna utilizes a sophisticated density gradient for apportioning DCCs to residential development. This is an accepted, if not the preferred, methodology supported by provincial best practices and the Urban Development Institute. The density gradient is applied to all other infrastructure classes (transportation, water, and sanitary sewer) except for parkland acquisition. The rationale for the unit-based Parkland DCC calculation is that the denser residential developments will rely more heavily on the City's parks system (especially neighbourhood and community parks) than larger single-detached developments where you have more back yards. This is reasonable rationale, but one which deserves review from time to time.

Policy Considerations:

- The residential density gradient is utilized by the City of Kelowna for all other DCC components and many other jurisdictions. However, there is a reasonable rationale in place for utilizing a unit-based Parks DCC.
- A density gradient for Parks DCC will likely promote residential densification, but may have a negative impact on single detached DCCs (i.e. DCC increase).

Recommended Actions:

• That the City give consideration to a Density Gradient for Parkland Acquisition and Development in future DCC Bylaw reviews.

6.5 Proposed Increase in Parkland Standards for Future Development

The City of Kelowna currently utilizes a parkland standard for active parkland based on 2.2 hectares per 1,000 population. There are a number of ways in which this standard is calculated such as the inclusion or exclusion of linear trails, beach accesses, school playgrounds, regional parks, and natural open spaces. Through the OCP process, the City is considering increasing the parkland standard for new development, between 2.4 hectares and up to 3.0 ha/1,000 population. The City recently commissioned a consultant (Catherine Berris and Associates) to review the impacts of such a policy change. This discussion paper does not delve into the rationale for this policy change, but makes the following observations and policy considerations:







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Observations

- Total City Parkland and other passive green spaces are estimated at 1,711 ha representing 7.8 % of the City's total land base. The suggested target is 12% of total land base (United Nations and B.C. Government standards).
- Excluding ALR lands (38% of the total land base) increases total Parkland and green space to 12.38% of the City's total land base
- Including Regional Parks increases total Parkland and green space to 1,821 ha representing 8.2% of total land base and 13.2% if ALR lands are excluded from the land base.

Policy Considerations:

- The 2010 Parkland Supply Review conducted by Catherine Berris and Associates (CBA) recommends an active parkland target of 2.4 ha/1,000, which would require a total of 121 hectares of parkland acquisition to 2030 (an additional 34 ha over the current program).
- The City's currently calculates its Active Parks supply on four park categories neighbourhood, community, recreation, and City-wide. Although the CBA report recommends against including Linear Parks (75 hectares) within this calculation, the City should consider including Regional Parks (at least those with an active park component) within the total, for the basis of its parkland standard.

Recommended Actions:

Review this Discussion Paper along the CBA Parkland Supply Review document to determine an appropriate active parkland standard for the City of Kelowna, and update the Kelowna 2030 OCP accordingly.







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APPENDIX A

Best Practices Comparison Recommended Best Practices compared to Current City Policy





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1. Avoid Double-Charging Best Practice

A municipality that chooses to acquire parkland using the 5% dedication/ cash-inlieu provisions and parkland DCCs should demonstrate in its reference materials, including its DCC Background Report, how it will avoid double-charging developers.

Current City Practice:

- DCCs are collected for Park Land purposes based on a policy of 2.2 hectares/per thousand population with no requirement for the 5% dedication / cash-in-lieu provisions.
- No DCCs are collected for Park Development purposes and this represents a Large unrecovered expenditure from General Revenue funds
- Subdivision Approval Officer is currently giving consideration to 5% land dedication for major new development only, e.g. McKinley Resort Development. Current practice ensures developers are not charged twice if this vehicle is used – e.g. DCC credit for value of active parkland provided
- Parkland Acquisition Guidelines call for acquisition of land through dedications to the City at the time of subdivision for Linear Parks and Natural Area Parkland (environmentally sensitive areas) over and above the DCC contribution.
- Linear Park dedications also required at rezoning for multiple-unit housing, commercial, industrial and institutional developments.
- General Tax Revenue is used for Park Acquisition for Non-DCC Parkland that cannot be acquired through redevelopment or that cannot be related to the needs of growth.

Policy issues for consideration by Council:

The current draft of the update of the OCP calls for an increase in Parkland dedication from 2.2 hectares per 1,000 new residents to 3.0 hectares. The proposed policy is to move to the new standard over time, with 2.2 ha/1000 to stand until 2020 and move to 3.0 ha for the next 10 year period to 2030.

- How will this policy be documented and achieved?
- Is the rationale defensible?
- What extent of Passive Parkland to be included within the standard?
- How will Council deal with the escalating cost of land for Park purposes?

Practices of other Local Governments:

• **City of Surrey** - treats Parkland DCCs as a secondary tool to be used only to acquire lands that cannot be obtained through the 5% dedication/cash-in-lieu provisions. Parkland needs are expressed as a standard such as 10.5 acres per





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- Another approach used by Langley, Maple Ridge, Mission and West Kelowna collect DCCs for certain types of Parkland (e.g. City-wide or Community Parks) and use the 5% dedication at subdivision other types of Parkland such as Neighbourhood Parks meeting a more localized need.
- **City of Burnaby** issues DCC credits to eliminate any double-charging for Parkland acquired through the 5% Parkland dedication provision.





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2. Land vs. Cash-in-lieu Best Practice:

In general, land owners should expect to provide or dedicate land in locations where a park has been identified in a neighbourhood plan, or referenced in other land use planning documents through specific policies or illustrations on a land map. Where future park locations are not identified or referenced in planning documents and development applications are consistent with land use plans, it is reasonable for owners to expect to contribute cash-in-lieu of land.

Current City Practice:

- Required Parkland is currently designated on neighbourhood plans and other planning documentation.
- Active Parkland requirements are primarily funded by Parkland DCC contributions which are required under the authority provided by DCC Bylaw No. 9095 as land is approved for residential development.
- Required lands are purchased at market value with funds provided by Parkland DCC Reserve Funds and General Taxation top-up as required.
- The requirement for a 5% dedication of Parkland under Section 941 of the LGA is not generally utilized except for special cases in the development of remote Greenfield sites, e.g. McKinley Resort Development.
- Current valuation of land is based on the entire subdivision area before dedication of ESA lands and valued as zoned for development.

Policy issues for consideration by Council:

Parkland planning is currently covered by the Official Community Plan, Neighbourhood Plans and the City's 20-Year Parks Acquisition Plan, which is guided by the City's Parkland Acquisition Guidelines. These guidelines give direction for the location, size and configuration of the land to be purchased or acquired through Parkland dedication.

With the ever increasing value of land, will the City be able to obtain sufficient Active Parklands to meet the future needs of the growing community under current policy and practices? Policy questions for consideration include:

- Should the City start to utilize the 5% Parkland dedication requirement for all new residential developments?
- If so, are the Parkland requirements sufficiently designated on current planning documentation to over-ride the developer's option to provide cash-in-lieu in accordance with Section 941 (2) of the LGA?

October 2010 0467.0398.01 • What further steps must be taken to ensure the City may determine whether the owner must provide land?





- In the event that the owner/developer's option prevails, what will be the basis for evaluation of the land for the equivalent 5% value to be contributed in cash?
- What new policies and guidelines are required to ensure transparency and clarity of the City's practices and fairness to the land owners and developers involved?

Practices of other Local Governments:

• It is the standard practice of most jurisdictions to designate specific Parkland sites in the OCP and other land use planning documentation.

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3. Basis for the 5% Calculation Best Practice:

When municipalities calculate a subdivision's required parkland contribution (up to 5% of the proposed subdivision area), environmentally sensitive areas, not intended for public access, should be excluded from the equation. If trails or other public features are planned for environmentally sensitive lands, these areas effectively represent passive parks; at least a portion should therefore be included in the total subdivision area of purposes of calculating the required 5% park dedication. Publicly accessed environmental areas should also be accepted by municipalities toward the 5% dedication.

Current City Practice:

- Linear Parks and Natural Area Parkland identified in the OCP, including lake front lands and creek corridors, are acquired by dedication, preferably as Titled lots, upon subdivision of land in addition to DCC contributions for Active Parkland requirements.
- Linear Parks and Natural Area Parklands are obtained by the City at no cost and are not considered as an offset to the required DCC Parkland contributions. This practice is supported by a legal opinion provided by the City's outside solicitors.
- Parkland DCCs are collected on all new residential developments to help fund future land acquisitions for Active Parklands for City-wide, Recreation, Community and Neighbourhood Parks use.

Policy issues for consideration by Council:

If the City utilizes the 5% Parkland dedication requirement for new subdivisions it will be necessary to give consideration to the following policy issues:

- How will the selection of Parklands within a subdivision be determined?
- What forms of parkland/green space should be considered? Active, Passive, Linear Parks, Natural Areas, Environmentally sensitive areas, others?
- How will the City avoid double charging if both land contribution and DCCs are used for new residential development?
- Is the policy to not consider the value of public trail lands as an offset to DCC Parkland contributions defensible?
- How will the current DCCs for Parkland be changed to reflect the contribution of land?

Practices of other Local Governments:

October 2010 0467.0398.01 Many municipalities use the rezoning process to acquire trails. In addiction to negotiating trail development at rezoning, some jurisdictions like the **Township**





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- **Township of Langley** also declares trails as Essential Services in its subdivision bylaw, which means the trail must be in place prior to issuance of a building permit.
- **District of Maple Ridge** makes use of the broad definition of "highway' and sometimes obtains trails as an off-site "works and services" during subdivision.





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4. Selecting Parkland within a Subdivision Best Practice: When 5% parkland dedication is required, the value of the lands being acquired by

the municipality should represent, in approximate terms, 5% of the value of the entire subdivision.

Current City Practice:

- Valuation of land is based on the entire subdivision area before dedication of ESA and valued as zoned for development.
- Density for development is also based on the entire subdivision area.
- Required Parkland dedications are negotiated with owner/developers on Greenfield sites.
- Current practice recognizes dedication of Active Parkland areas as an offset to DCC contributions to eliminate double-charging the developer. This applies only to large Greenfield sites that are required to designate 5% of the development for Parkland purposes. (Only instance at this time is the McKinley Resort Development currently under consideration by the City's Approval Officer.)

Policy issues for consideration by Council:

Current City policy is to require payment of DCCs for Parkland acquisition and not to require dedication of Active Parklands. A change in policy to require a 5% dedication of land will require the following policy considerations:

- What types of Parkland are to be obtained under the 5% designation?
- Are Parklands adequately designated in the City's OCP, Parkland policies and other planning documentation?
- Are adequate useable lands available within the proposed subdivision and if not, how will the land be valued for the cash-in-lieu contribution?
- Will the services of a qualified land appraiser be necessary to determine value? Or
- Will the City negotiate the value directly with the developer?
- How will disputes on valuation be resolved?





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5. Determining the Cash-in-Lieu Value Best Practice:

Where cash-in-lieu is required, municipalities should encourage valuation of the land through an appraisal completed by a qualified professional. To promote equity, fairness and consistency in the cash-in-lieu valuation process, municipalities should consider developing a policy to resolve differences of opinion on value that arise between land owners and the municipality.

Current City Practice:

- Dedication of Active Parkland not generally required at subdivision at this time.
- Valuation of land is done by the Real Estate department of the City.
- Valuation of the land is determined on the entire subdivision area.
- Serviced lot value consideration with the property valued as zoned for development.

Policy issues for consideration by Council:

A change in policy to require dedication of 5% of land for park purposes will require the following issues to be addressed by Council. The Urban Development Institute and local developers are concerned about the current Parkland DCC contributions and will need to be convinced of the merits of the proposed policy change.

- How will the City consult with the development industry?
- What policies and practices will be implemented to ensure equity, fairness and consistency for the development community?
- How will Council resolve differences of opinion with the land owner on the value of the land involved?





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6. Park Frontage Costs:

Where a significant road dedication or park frontage is required to develop a park on dedicated land, municipalities should consider sharing the costs of servicing the frontage of a park, either through cost-sharing agreements or DCCs.

Current City Practice:

- Access to Parklands is a paramount consideration and may be taken as an easement for legal access initially until a final designation by Titled Lot can be obtained for linear parkland purposes can be completed.
- Access to steep slopes is a concern as often inadequate land is designated to allow adequate access and room for stabilization work that may be necessary in the future.

Policy issues for consideration by Council:

- How much land should be required to be designated to ensure access to the lands for potential future maintenance requirements?
- Consideration of access to both the top and bottom of the slope for maintenance purposes?
- What is the extent of access development costs to be shared by the City when lands are dedicated by the developer for access to Parklands within a proposed development?
- What additional policies need to be established for clarity on the access issue in the Parkland Acquisition Guidelines?





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APPENDIX B

Parkland Acquisition / Dedication Practices in Other Jurisdictions



Parkland Acquisition/Dedication Practices in Sampling of Other Jurisdictions

		Coquitlam	Burnaby	Langley (Township)	Maple Ridge	Mission	Kamloops	Port Moody	Surrey
1.	Is parkland acquisition included in your DCC bylaw? If so, for what types of parkland? a. Neighbourhood parks b. Community parks c. District parks d. Trails e. Waterfront f. Creeks and setback areas g. Other	Yes, all types included in the DCC program.	Yes, all types included in the DCC program.	Yes, community parks, district parks, and trails (at a municipal level) are included.	Neighbourhood, community and district parks are included in the DCC program.	District parks and environmentally sensitive parks in only one area (Cedar Valley).	No. Parkland Development costs only.	Yes. Identified as a contribution towards Public Open Space within the community.	Yes, all types included in the DCC program.
2.	What types of parkland are acquired through 5% dedication at subdivision? a. Neighbourhood parks b. Community parks c. District parks d. Trails e. Waterfront f. Creeks and setback areas g. Other	Neighbourhood and community parks, trails, waterfront, and creek and setback areas sometimes.	Typically, 5% cash-in- lieu is taken. Burnaby rarely requests parkland dedication. Cash-in-lieu/parkland dedication is used to acquire all types of parkland, but not usually for creeks and setback areas.	Trails (infrequently), waterfront (rarely), and sub-neighbourhood parks (tot lots when required).	Waterfront and creeks/setback areas are acquired through 5% dedication.	Neighbourhood parks.	n/a	Neighbourhood parks, community park, trails, creeks and setback areas, as well as athletic parks.	Yes, all types dedicated at subdivision – depends on location.
3.	What land is included in the total area for the 5% calculation (e.g. are environmentally sensitive areas or steep areas excluded)?	Typically total area of land being subdivided.	Varies by development.	Gross developable areas, which does not include environmentally sensitive lands or steep slopes.	As much of the waterfront and ravine bank as possible, up to the set-back area.	Typically total area of land being subdivided.	Value of all land being subdivided.	Typically total area of land being subdivided.	Varies by development.
4.	What policies are in place to prevent "double- dipping" when parkland is dedicated at subdivision and DCC are collected for parkland?	Total DCC program accounts for 5% dedication at subdivision.	DCC credits are given.	Only specific parks are covered in the DCC program as noted in Question 1.	The OCP states that land and/or cash can be taken for creek protection. DCCs are collected only for neighbourhood parks.	Follow Ministry of Community Services Best Practices Guide for parkland acquisition and DCCs (separate project lists)	N/a	To be determined.	DCC program accounts for 5% dedication at subdivision.
5.	What policies are in place to decide between parkland dedication and cash-in-lieu at subdivision?	If OCP, Neighbourhood Plans, Parkland Acquisition Program, or Master Trail Plan shows park or open space, then land requested. Otherwise cash-in- lieu.	Varies by development, but typically 5% cash- in-lieu taken.	Always take land.	As per the OCP, if there is no watercourse, then cash-in-lieu.	Often determined by OCP – if OCP shows parkland on site, then land is requested.	Dedication only where designated on City's plans.	Typically land is taken; however, if parkland is not needed in a certain area, then cash-in-lieu is requested.	Determined by Parks Planning based on NCP, general land use plans, Parks Master Plan, parkland acquisition program, and local area concept plans.



APPENDIX 'B'

		Coquitlam	Burnaby	Langley (Township)	Maple Ridge	Mission	Kamloops	Port Moody	Surrey
6.	Does the municipality accept protected areas (i.e. streamside protection and enhancement areas as per RAR, SPR) as parkland dedication at subdivision?	Yes, sometimes it is transferred voluntarily, and in one Neighbourhood Plan, the land below top-of- bank is required by policy to be transferred to the City.	Sometimes. Depends on specific development.	Setback areas taken as dedicated lots in Township ownership under the Streamside Protection Bylaw. These areas typically have a public trail at their edge. If there is no public trail or if the area is not strategically located to complete a corridor, may require only a restrictive covenant.	RAR has not been adopted.	No.	Yes, in addition to 5% Parkland dedication.	Yes.	Yes. In multi-family sites, these areas are often dedicated at no cost to the City. Surrey has not adopted the RAR.
7.	Does the municipality acquire ownership or protect streamside protection and enhancement areas? If so, through what means? a. Ownership through: i. 5% dedication ii. DCC iii. Other b. Rights-of way c. Restrictive covenants d. Other	Combination of methods used: 1) 5% dedication to create continuity and connectivity 2) DCC are used occasionally 3) Restrictive covenants if the owner does not transfer land voluntarily.	Covenants are typically used, though the City does acquire, outright, its large ravine parks.	Typically dedicated through Streamside Protection Bylaw. Rarely use rights-of- way, and infrequently use restrictive covenants.	Watercourse setback areas must be dedicated at rezoning. Where dedication cannot be achieved, a restrictive covenant is used.	DCCs are used to acquire ownership in one area (Cedar Valley). Otherwise, restrictive covenants are used.	Combination of methods used.	Typically, ownership is acquired through 5% dedication at subdivision. Rights-of- way and restrictive covenants are also used. Rights-of-way are often obtained in exchange for work to address bank erosion.	Ownership is acquired typically through the development process by all means noted, or purchased outright by the city.
8.	How are trails acquired? Through works and services agreements? At rezoning? Parkland dedication? DCCs?	Most trails are obtained through 5% dedication at subdivision and DCCs. Works and services and rezoning are used less frequently.	Through the development process by a combination of these methods.	Most trails obtained at rezoning, though some trails are obtained through density bonusing. Township is moving towards a public amenity levy. Trails are also part of required off-site works and services.	Dedicated at rezoning or the approving officer requires dedication of a trail as a condition of subdivision.	Negotiated at rezoning or through use of DCCs in Cedar Valley.	Through development process by a combination of means.	Trails are negotiated through the development process or are obtained through 5% dedication at subdivision.	Varies by development. Either dedicated or taken as ROW at rezoning or development permit, or acquired.



APPENDIX 'B'

		Coquitlam	Burnaby	Langley (Township)	Maple Ridge	Mission	Kamloops	Port Moody	Surrey
9.	Does the municipality acquire ownership of trails or only statutory rights-of-way? How so?	Typically ownership is acquired. When City ownership is not practical or possible, then restrictive covenants are imposed.	Both ownership and SROW.	Township typically obtains ownership. Rights-of-way are rarely used (only in circumstances where the trail is located in a designated buffer between different land uses and the landowner is responsible for maintenance, or the landowner needs the land to preserve lot yield).	Ownership is preferred either as a "road" or within a dedicated park area.	Acquired or negotiated.	Ownership preferred.	Ownership is generally preferred.	Both, depends on situation.
10.	Are decisions re: parkland acquisition made by Council or delegated to Staff?	Decisions are made by Council.	Acquisitions approved by Council, but dedication at subdivision handled by Staff.	Decisions delegated to Staff.	Acquisitions are approved by Council.	Subdivisions with 3 or more lots are reviewed by Staff for parkland requirements and then forwarded to Council for its decision.	Delegated by established policies.	Reports are prepared by Staff to Council for its final decision.	Reports are prepared by Staff to Council for its final decision.





Parks Financing Framework

Phase 1 Policy Review Discussion Paper APPENDIX C

Current Parkland Acquisition Legislation





Parks Financing Framework

Phase 1 Policy Review Discussion Paper

Excerpt from *Local Government Act* – Provision of park land

- **941.** (1) Subject to section 905.1 (4) (h) and (4.1), an owner of land being subdivided must, at the owner's option,
 - (a) provide, without compensation, park land of an amount and in a location acceptable to the local government, or
 - (b) pay to the municipality or regional district an amount that equals the market value of the land that may be required for park land purposes under this section determined under subsection (6).
 - (2) Despite subsection (1), if an official community plan contains policies and designations respecting the location and type of future parks, the local government may determine whether the owner must provide land under subsection (1) (a) or money under subsection (1) (b).
 - (3) Despite subsections (1) and (2), if a regional district does not provide a community parks service, the option under subsection (1) (b) does not apply and the owner must provide land in accordance with subsection (1) (a).
 - (4) The amount of land that may be required under subsection (1) (a) or used for establishing the amount that may be paid under subsection (1) (b) must not exceed 5% of the land being proposed for subdivision.
 - (5) Subsection (1) does not apply to
 - (a) a subdivision by which fewer than 3 additional lots would be created, except as provided in subsection (5.1),
 - (b) a subdivision by which the smallest lot being created is larger than 2 hectares, or
 - (c) a consolidation of existing parcels.
 - (5.1) Subsection (1) does apply to a subdivision by which fewer than 3 additional lots would be created if the parcel proposed to be subdivided was itself created by subdivision within the past 5 years.





Parks Financing Framework

Phase 1 Policy Review Discussion Paper

APPENDIX D

Ministry Circular No. 97:04 – Parkland Development



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	COLUM	SH IBIA	Ministry of Municipal Affairs	Municipal Financial Services	CIRCULAR
				Circul	ar No. 97:04
				Original Issued: Febru	iary 25, 1997
9	To: All I	Municip	al and Regiona	I District Treasurers	
00	Re: Parl	kland D	evelopment Co	st Charges	
	Municipa.	Act to	authorize the col	995 Legislation Session, an lection of development cost providing parkland or recla	charges (DCC) for
es al	The amer	ndmente	s were as follows	:	
			elopment Cost C I the following su	harges Generally" - subsec bstituted:	tion on parkland was
	b)	provid	ing and improvin	g parkland	
r r r			of Development the following sul	Cost Charges" - subsectior ostituted:	on parkland was
	(6)	(i) (ii)	providing fencing	nd or reclaiming land as par g, landscaping, drainage an rooms and playground and	d irrigation, trails, rest
	intended the improve part improvement are usually specifically the direction submission legislation.	hat the i arkland ents we r preser listed r bn from ns for pu While ommen	increase in DCC would not be sig re specifically list it in most develo must be funded fi government, the urposes of appro- most of the allow	comments made in introduc resulting from the addition of nificant. For this reason, th red, and deliberately exclud- ped parks. Those elements rom other sources of revent Inspector of Municipalities, val, will apply a very narrow vable expenditures are self- an illustration of the positio	of expenditures to e allowable parkland ed many elements that s which are not ue. In furtherance of in reviewing (interpretation of the explanatory, the
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Circular No. 97:04 Page 2

- Landscaping includes the construction of playing fields (levelling ground, planting grass and other plant material) but does not include the construction of parking lots or access roads.
- Irrigation includes sprinkler systems.
- Playground and playing field equipment includes items normally classified as equipment such as swings and slides but does not include buildings or structures such as dugouts, bleachers, or field houses. The term also does not include the construction of tennis or basketball courts, baseball diamonds, tracks or the installation of lighting systems.

This policy remains in effect until such time as the issue can be dealt with in a more comprehensive fashion. As you are aware, work of the Development Finance Review Committee may lead to changes in this particular policy.

If you have any questions, please contact the financial analyst for your area.

(ORIGINAL SIGNED BY:)

Ken MacLeod Inspector of Municipalities

City of Kelowna REPORT TO COUNCIL Parks Development Funding Strategy





304 – 1353 Ellis Street Kelowna, BC V1Y 1Z9 Contact: Joel Short E: jshort@urbansystems.ca T: 250-762-2517 x 1202

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Appendix **A** – Council Meeting Materials

EXECUTIVE SUMMARY

The key objectives of the report are as follows:

- Identify the future funding requirements for parks development;
- Identify potential sources of funding to meet the needs for parks development;
- Prioritize funding sources for parks development;
- Set out a strategy and action steps to pursue funding sources for parks development.

A series of three-workshops were held with Council in October and November 2017:

- Workshop 1: Engaged Council in shaping the key public policy questions to be addressed in the City's overall approach to parkland acquisition and development moving forward;
- Workshop 2: Engaged Council in providing direction and Building an Evaluation and Priority Setting Tool;
- Workshop 3: Council participated in aligning financing tools with specific public policy objectives and funding needs associated with parkland acquisition and development.

The direction that Council have generally indicated through the workshops for each tool is as follows:

- Press forward:
 - Parks development DCCs
 - Infrastructure levy General taxation
 - Shift from acquisition to development
 - Commercial/Industrial parks acquisition and development DCCs
- **Potentially move forward**, but need more information to consider & explore:
 - Linear parks acquisition DCCs
 - Parks-specific parcel taxation
- Not sure yet Consider and explore further:
 - Reduce parks DCC taxation assist factor
 - Tourism taxation Increase Airport dividend
 - Developer partnerships
 - Community partnerships

• No additional effort - Maintain status quo:

- Tourism taxation Hotel tax
- Community amenity contributions
- Requirement for developers to build parks in new residential developments
- Sponsorships
- Commercial lease, or sale of surplus land
- Parks revenues
- Grants

The revenue required for future parks development is as follows:

- Additional funding required for future parks development is approximately \$198 million over 20 years translates to about \$9.9 million per year required for parks development
- The current level of parks development funding is approximately \$3 million per year, but about half of that amount is required for renewal, leaving \$1.5 million per year for new and growth-related parks development.
- The difference between the funding target and the existing level of funding is approximately \$8.4 million per year.

Following the prioritisation given by Council, and a more detailed review of revenue potential from each source, the study groups the funding combinations into four options, and considers how those options move towards attaining the \$8.4 million goal:

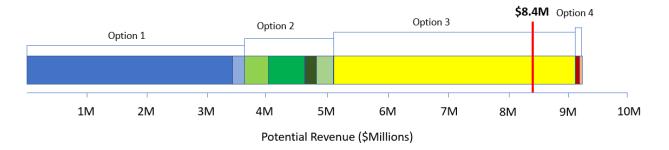
- **Option 1** includes Parks development DCCs and Commercial/Industrial parks acquisition and development DCCs.
- **Option 2**. Adds an Infrastructure levy on general taxation, (a portion of which would be attributed to parks development), a shift from parks acquisition to parks development, a reduction in the Parks DCC taxation assist and parks revenues.
- **Option 3** adds a Parks-specific parcel tax.
- **Option 4** adds the increase in the Airport dividend and Community partnerships.

The following table shows how these various options move the City towards the \$8.4 million goal.

Options for annual revenue potential from various tools							
ТооІ	Option 1	Option 2	Option 3	Option 4			
Press forward							
Parks development DCC	\$3,422,000	\$3,422,000	\$3,422,000	\$3,422,000			
Infrastructure Levy on General taxation (2% tax for Infrastructure)		\$426,000	\$426,000	\$426,000			
Shift from acquisition to development		\$644,000	\$644,000	\$644,000			
Commercial/Industrial parks development DCC	\$236,000	\$236,000	\$236,000	\$236,000			
Potentially move forward							
Linear parks acquisition DCCs (linked to 'Shift from acquisition to development' above)		Included	Included	Included			
Parcel taxation (for 5 years)			\$4,000,000	\$4,000,000			
Consider and explore further							
Reduce parks acquisition and development DCC taxation assist from 8% to 1% (plus 3.3%)		\$284,000	\$284,000	\$284,000			
Increase in Airport dividend				\$51,000			
Community partnerships				\$25,000			
Parks revenues		\$163,000	\$163,000	\$163,000			
Total	\$3,658,000	\$5,145,000	\$9,195,000	\$9,316,000			

Table 5.1
Options for annual revenue potential from various tools

The graph below shows how each option relates to attaining the goal of generating an additional \$8.4 million.



The recommended option at this time is **Option 2**, which generates \$5.1 million. Although it does not reach the target of \$8.4 million, it draws upon all of the options where Council would like to press forwards. It also includes a reduction in the DCC taxation assist, which affords Council greater flexibility in the capital planning process. It also includes parks revenues to increase the diversity of the financial load. The potential future addition of Park-specific parcel taxation in Option 3 would attain the full target, and is still a possibility, however Council would need to consider how this tool would fit along with other City priorities and initiatives.

The report goes on to set out the details for each potential tool in the strategy for generating additional funds for parks development.

1.0 INTRODUCTION

This report sets out tools and strategies on how to pay for parks in the City of Kelowna. While it deals with a wide range of issues related to identifying revenues to pay for parks, the primary focus in on revenues to pay for the development of parks. The City generally has effective sources of revenue or techniques to secure land for parks, but it requires additional options to provide revenues for parks development. The focus of the report is also on capital items in terms of parks development rather than operations and maintenance of parks, which is outside the scope of this analysis. The key objectives of the report, then, are as follows:

- Identify the future funding requirements for parks development;
- Identify potential sources of funding to meet the needs for parks development;
- Prioritize funding sources for parks development;
- Set out a strategy and action steps to pursue funding sources for parks development.

In order to meet those key objectives, the report is organized into the following sections:

Background - this section describes the initial background to this project.

Council engagement process – this section describes the meetings that were held with Council to discuss issues and identify approaches.

Funding requirements and revenue potential – this section sets out the funding requirements and revenue potential generated from optional blends of approaches.

Overview of tools and strategy – this section set out a brief overview of the tools and the strategies used to generate revenues for parks.

Press forward – this section provides details on the tools where the City will press forward in pursuing. For each tool, there is a section that provides a description of the tool, identifies the revenue potential and parameters that influence the revenue, describes Council direction and discussion to date, identifies next steps, and sets out a draft Council resolution.

Potentially move forward – this section provides details on the tools where the City will potentially move forward but requires somewhat more information in order to consider and explore the tool further. For each tool, there is a section that provides a description of the tool, identifies the revenue potential and parameters that influence the revenue, describes Council direction and discussion to date, identifies next steps, and sets out a draft Council resolution.

Not sure yet – Consider and explore further - this section provides details on the tools where the City is not sure yet and requires more work to consider the tool further. These are items where immediate action is not anticipated, but work is required to explore the tool over the longer term. For each tool, there is a section that provides a description of the tool, identifies the revenue potential and parameters that influence the revenue, describes Council direction and discussion to date, identifies next steps, and sets out a draft Council resolution.

No additional effort - Maintain status quo - this section provides details on new tools Council did not want to pursue, and existing tools which should continue with the existing status quo, but with no increase in effort. For each tool the section will describe the tool and discuss why no additional effort is required.

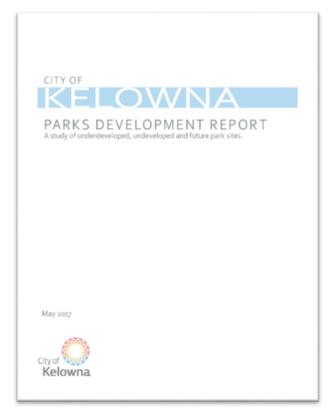
2.0 BACKGROUND

The City of Kelowna is committed to providing parkland for public enjoyment and well-being, creating sports amenities to promote active living, preserving natural open spaces for wild flora and fauna, and developing linear greenways that create strong pedestrian and cycling connections throughout the City.

In May 2017, City Council received the Parks Development Report – A study of underdeveloped, undeveloped and future park sites.

The report highlighted the importance of parks in Kelowna. It noted that the '2016 Visitor intercept survey' conducted by Tourism Kelowna found that our parks and natural amenities are the primary draw for many of the tourists that visit Kelowna. The survey indicated that 82% said that well maintained and high quality parks and beaches are important in their decision to choose Kelowna, and the activities they plan to participate in are, for the most part, integrated within our parks and trails. The Ipsos 2017 Citizen survey found that 'Good recreation facilities and opportunities' was identified as the top characteristic that makes a city a good place to live. Parks were identified as important or somewhat important by 98% of residents.

This report quantified the extent of under-developed, undeveloped and future parks across all park types against current and future municipal targets. The report also identified several potential funding sources in order to address this shortfall. The report notes that while the City acquires parkland in accordance with the Parkland Acquisition Guidelines, it has become



apparent the rate of park development has not kept pace with the rate of parkland acquisition. This raises some fundamental questions of public policy, which naturally lead into discussions about potential strategies and appropriate financing tools to ensure the City's parkland acquisition and development keep pace with community desires and the City's ability to fund these initiatives. Council engaged in a series of three workshops to discuss these items in more detail and to provide direction that could be used in moving forward.

3.0 COUNCIL ENGAGEMENT PROCESS

The City retained Urban Systems to assist in a three-workshop series with Council (in October and November 2017):

- **2 October 2017 Workshop 1**: Engaged Council in shaping the key public policy questions to be addressed in the City's overall approach to parkland acquisition and development moving forward;
- **16 October 2017 Workshop 2**: Engaged Council in providing direction and Building an Evaluation and Priority Setting Tool;
- **6 November 2017 Workshop 3**: Council participated in aligning financing tools with specific public policy objectives and funding needs associated with parkland acquisition and development.

During the first workshop on October 2, 2017, Council members provided direction on broader policy issues related to parks such as the proportion of resources that go towards parks acquisition versus parks development, and considerations on the level of parks acquisition and development provided in the City. The presentation used to facilitate discussion with Council is set out in Appendix A.

During the second workshop on October 16, 2017, Council refined the direction in the first workshop and built an evaluation and priority setting matrix for parks expenditures, setting the stage for the third workshop.

More specifically, the following items were addressed during Workshop 2 on October 16th:

- Recapped direction provided during Workshop 1;
- Provided Council with some additional parks data requested during Workshop 1;
- Engaged Council in an exercise to build a tool for setting parks priorities, including:
 - \circ $\,$ Confirming the specific criteria that should be used in setting priorities; and
 - Placing a weighting, or level of importance, to each of the criteria.

Figure 3.1 Parks Priorities Activity Results

		1. Consistency with F	Plans	
Costs / Funding		Official Community Plan		Infrastructure Plans
(Muncisal badget availability	Lano cost		•	
		Parks Master Plans	•0	Ales Sharing 0 000
Adved value	Waintenence cons			
		2. Demographics		
Provision of new facilities	Penactitation of existing families	Addressing gaps in provision for al	l ages and obilities	Needs of current age-groups and characteristics
Intercard analyticity from Reignsourness groups	Finding solitality star Levelopers	Neess of latino rigit groups and i		
Long form to will:		3. Location		
6. Usage Level		Accessibility by walking, transit, a from rearby areas	nd recting	Connectivity improvement opportunities Detween parts
Arrite passe user levels	uniting park opparity levels			
Differences / strituit as between or very grite		Current park access billing from m destinations and smerities	(C) aparamatana	Description for visitors and resigneds
		Proventy to cher period, act ca	v es in geographi	
		200 0		
7. Economic Development				
		4. Community Inp	• • O	Autora Provides
Vision needs		Addiserenced up and group	•• () •	Animessa i mensi far kantan nyska af zanta
		Alfanee excelorateria		

Table 3.1Parks Priorities Activity Results

Priorities Priorities Activity Resu	Number of Dots
	Number of Dots
1. Consistency with Plans	14
Official Community Plan	14
Infrastructure Plans	6
Parks Master Plans	7
Parks Standards	5
2. Demographics	
Addressing gaps in provision for all ages and abilities	7
Needs of future age-groups and characteristics	6
Needs of current age-groups and characteristics	0
3. Location	•
Accessibility for walking, transit, and cycling from nearby areas	3
Connectivity improvement opportunities	0
between parks	0
Current park accessibility from major community	0
destinations and amenities	
Destination for visitors and residents	5
Proximity to other parks, deficiencies in	6
geographic areas	
Proximity to growth nodes	10
4. Community Input / Needs	
Existing deficiencies	14
Future priorities	3
Addresses needs of user groups	11
Addresses needs for certain types of parks	4
Addresses socioeconomic inequalities	8
5. Costs / Funding	•
Municipal budget availability	13
Land cost	0
Added value	4
Maintenance costs	9
Provision of new facilities	6
Rehabilitation of existing facilities	10
Funding availability from neighbourhood groups	4
Funding availability from developers	11
Long-term benefits	3
6. Usage Level	
Anticipated user levels	9
Existing park capacity levels	2
Differences / similarities between other parks	3
7. Economic Development	I
Attraction for new visitors (i.e. sports tourism)	8
	1 -

The presentation used during Workshop 2 is set out in Appendix A.

The following items were addressed during Workshop 3 on November 6th:

- Summarized the direction from the previous two workshops;
- Reviewed specific funding options, identified based partly on work in the previous workshops;
- Discussed criteria for evaluating funding tools, based partly on the earlier workshops;
- Reviewed and evaluated each of the funding tools with the goal of determining the approach for each tool including:
 - Proceed Tools that line up well with goals and direction. While more work is likely required, Council would like to proceed with further steps toward implementation;
 - Consider/Explore Tools where it is not clear at this point and more work is required to explore;
 - No additional effort Tools where no extra effort is put into exploring or building more revenue from these methods, but current practices will be maintained.

The results of Workshop 3 provided direction for the next steps in revising the City's approach towards parks funding, and in developing a clear parks funding and financing strategy.

	<u>Yes</u> - Proceed	Not Sure - Consider/ Explore	<u>No</u> - No Additional Effort
DCCs – Parks Improvements	/		
DCCs - Linear Parks Acquisition	>	X	
DCCs – Commercial Development	/		
Reduce DCC Assist		X	
Parcel Taxation)	K	
General Taxation	V		
Shift Parks Acquisition Funds to Parks Development	\bigcirc		Real Provide P
Tourism Taxation - Airport		EXPLORE BRADOR DIVIDEND TO CITY	
Tourism Taxation - Hotels			/
Community Amenity Contributions			V
Sponsorship			1
Developers build parks			~
Commercial lease and sale of surplus land			~
Developer Partnerships		X	
Community Group Partnerships		X	
Parks revenues			~

Figure 3.2 Results of Tool Approaches for Parks Funding Activity

The presentation used to facilitate discussion during Workshop 3 is set out in Appendix A.

4.0 FUNDING REQUIREMENTS AND REVENUE POTENTIAL

4.1 Funding requirements

A number of parks in City are partially developed and funded, including:



Neighbourhood Parks



Community Parks



Recreation Parks



City-wide Parks



Linear Parks & Natural Areas

Source: City of Kelowna

The specific parks and the value of capital projects required to complete the parks are set out in Table 4.1. These costs are based on typical components required in the parks on a cost per hectare basis and do not include costs for major buildings. These cost also no not include annual operations and maintenance costs, as that is outside the scope of this exercise. These costs area based on general estimates and would need to be refined based on updated Capital Plans if more detailed analysis proceeds.

Park Classification	Park Area (Ha)	Percent developed/ funded	Area un/under developed (Ha)	Typical cost per hectare	Total Funding Required
Neighbourhood					
Barlee Park	0.37	20%	0.296	\$1,250,000	\$370,000
Ballou Park	1.44	50%	0.72	\$1,250,000	\$900,000
Community					
Quilchena Park (washrooms) Blair Pond Park	2.5	80%	0.5	\$750,000	\$375,000
(washrooms) Ponds Community Park	2.5	80%	0.5	\$750,000	\$375,000
(sports field)	7.6	90%	0.76	\$2,500,000	\$1,900,000
Recreation					
Glenmore Recreation	11.48	35%	7.462	\$1,350,000	\$10,073,700
Mission Recreation	46.55	90%	4.655	\$1,350,000	\$6,284,250
Parkinson Recreation	19.49	40%	11.694	\$1,350,000	\$15,786,900
Rutland Recreation	14.56	40%	8.736	\$1,350,000	\$11,793,600
City-wide					
Kerry Park	0.7	30%	0.49	\$6,000,000	\$2,940,000
City Park	13.2	70%	3.96	\$2,000,000	\$7,920,000
Sutherland Bay	2	50%	1	\$4,000,000	\$4,000,000
Bennett Plaza Waterfront Park	0.06	0%	0.06	-	\$1,800,000
(renewal)	8.5	75%	2.125	\$1,500,000	\$3,187,500
Rotary Beach Park	1.4	75%	0.35	\$3,500,000	\$1,225,000
Bluebird Beach Park	1.1	0%	1.1	\$2,000,000	\$2,200,000

Table 4.1 Partially developed parks -Additional funding either identified as P2 in the 10 year Capital plan or unfunded.

Total

\$71,130,950

The City also has an amount of future parklands that have yet to be acquired but will need to be developed in each of the following categories:

- Neighborhood parks;
- Community parks;
- Recreation parks; and
- City wide parks.

The value of funding required does not include the parkland acquisition, since this is already addressed through parkland DCCs and other means. As noted earlier, these cost also no not include annual operations and maintenance costs. The value is only for capital components required in the parks based on typical costs per hectare, not including major buildings, required to develop these future parks, as set out in Table 4.2 below.

Table 4.2 Undeveloped and future parks						
Park Class	Park Area (Ha)	Percent developed/ funded	Area undeveloped (Ha)	Typical cost per hectare	Total Funding Required	
Neighbourhood						
Overall	15	0%	15	\$1,250,000	\$18,750,000	
Community						
Overall	27	0%	25	\$2,500,000	\$62,500,000	
Recreation						
Tutt Ranch Recreation	16	0%	16	\$900,000	\$14,400,000	
City-wide						
Overall	12	0%	12	\$2,000,000	\$24,000,000	
Total					\$119,650,000	

Another category of parks requiring development are linear parks. The details of linear park lands still to be acquired and developed are set out in Table 4.3 below. Once again these are general estimates that would need to be refined if more detailed analysis proceeds.

Table 4.3 Linear Parks to be acquired						
Priority Linear Park	Park length (km)	% land acquired	Length acquired (km)	% land to be acquired	Length to be acquired (km)	
Waterfront walkway	1	73%	0.73	27%	0.27	
Mill Creek Linear Park	19	39%	7.41	61%	11.59	
Rail Trail	20	95%	19	5%	1.0	
Bellevue Creek	13	41%	5.33	59%	7.67	
Gopher Creek	8.5	14%	1.19	86%	7.31	
Mission Creek	16.5	90%	14.85	10%	1.65	
Total	78		48.51		29.49	

Linear Parks development costs can range from \$150,000 to \$350,000 per km. Using an average cost of \$250,000 per km for the 29.49 km results in development costs of about \$7.4 million.

The required funding over the next 20 years is summarized in the Table 4.4 and Figure 4.1 below.

City of Relowing – Park development				
Category	Amount			
Total partially developed/funded	\$71,130,950			
Total undeveloped/future	\$119,650,000			
Linear parks development	\$7,372,500			
Total Unfunded	\$198,153,450			

Table 4.4City of Kelowna – Park development

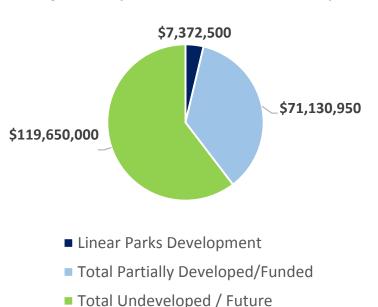


Figure 4.1 City of Kelowna – Future Park Development

The approximately \$198 million over 20 years translates to about \$9.9 million per year required for parks development.

4.2 Past funding levels

The level of past expenditures for parks development varies from year to year but can provide a general indication of the level of funding commitments currently made by the City through the budgeting process.

For this analysis, the figures shown from 2010 to 2017 only include parks development costs, and do not include parks acquisition or parks operations and maintenance. When looking at the figures from 2010 to 2017, the analysis shows that the amounts for 2010 are quite high, but that is because of a somewhat rare grant opportunity from stimulus funding in 2009 and 2010. In order to effectively compare the amount of funds the City regularly expends on parks development from funds other than unusual grants, we compiled the total expenditures without grants as set out in Table 4.5 below.

Parks development expenditures				
Year	Expenditures			
	(without Grants)			
2010	\$ 3,761,189			
2011	\$ 1,550,268			
2012	\$ 3,750,007			
2013	\$ 3,987,178			
2014	\$ 2,974,195			
2015	\$ 1,931,887			
2016	\$ 1,478,380			
2017	\$ 4,124,373			
Total 2010-2017	\$ 23,557,476			
Average per year	\$ 2,944,684			

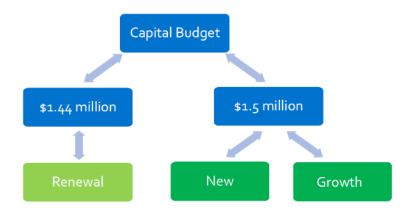
Table 4.5 Parks development expenditures



Figure 4.2

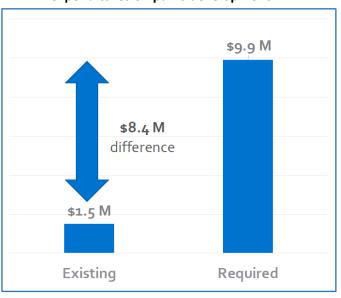
As an average over 8 years from 2010 to 2017, the City spends \$2.94 million per year, which we can round up to about \$3 million per year. There is quite a bit of variability in the expenditures ranging from a low of about \$1.48 million in 2016, to a high of about \$4.12 million in 2017 on parks development.

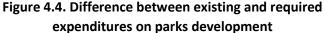
Figure 4.3. Parks development expenditures Breakdown



Another factor to consider is that approximately half of the \$3.0 million annual expenditures on parks development over the past years are on renewal of existing parks components and facilities and rather than the provision of new components or components to address growth. For example, the money is spent to replace an existing aging playground or fence rather than a new playground in a new undeveloped park. Expenditures on renewal will be a continuing requirement over the years. While it is recognized the renewal deficit is greater than this, renewal is not part of this study. Therefore, it is assumed this level of commitment is carried forward for renewal, leaving the remaining \$1.5 million of taxation for parks development.

If we consider the average of about \$1.5 million per year in expenditures in the past is available for new and growth related parks development and compare it to the \$9.9 million per year required for parks development over the next 20 years, then we require an additional \$8.4 million per year in revenues for parks development. As the City adds new parks development, it will require for more funds to replace and renew these facilities, but such an analysis is beyond the scope of this assignment. The full effect of the need to generate more funds to replace additional aging parks infrastructure will not be felt until the new parks infrastructure starts to get to the age where it needs to be replaced. From this point in the analysis, the report assumes that an additional \$8.4 million is required per year to fund required Parks





development. As noted earlier in the report, operations and maintenance costs are outside the scope of this study, but an operations and maintenance budget will be required to address additional parks development, and will need to be considered by Council along with the capital costs.

5.0 OVERVIEW OF TOOLS AND STRATEGY

5.1 Introduction

Based on the analysis of the various tools and discussions with Council, this report sets out the approach moving forward for each tool. This section provides a brief summary list of the direction that Council provided for each tool, with further details set out in sections that follow. The tools are grouped into these categories:

- Press forward ('Yes Proceed') Tools that line up well with goals and direction. While more
 work is likely required, Council members indicated they would like to proceed with further steps
 toward implementation;
- **Potentially move forward**, but need more information to consider & explore (Leaning to 'Yes proceed', but also 'Not sure consider explore') these tools line up well with goals and direction, but Council members were not quite sure about proceeding, and some further work is required before deciding to proceed towards implementation;
- **Consider and explore further** ('Not Sure Consider & explore') Tools where it is not clear at this point and more work is required to explore; and
- No additional effort Maintain status quo ('No further effort') New tools Council did not want to pursue, and existing tools which should continue with the existing status quo, but with no increase in <u>effort necessary.</u>

The direction that Council members have generally indicated through the workshops that they would like to take for each tool is as follows:

- Press forward:
 - Parks development DCCs
 - Infrastructure levy General taxation
 - Shift from acquisition to development
 - Commercial/Industrial parks acquisition and development DCCs
- **Potentially move forward**, but need more information to consider & explore:
 - Linear parks acquisition DCCs
 - Parks-specific parcel taxation

• Consider and explore further:

- Reduce parks DCC taxation assist factor
- Tourism taxation Increase Airport dividend
- Developer partnerships
- Community partnerships

• No additional effort - Maintain status quo:

- Tourism taxation Hotel tax
- Community amenity contributions
- Requirement for developers to build parks in new residential developments
- Sponsorships
- Commercial leases
- Sale of surplus land
- Parks revenues
- Grants

The revenue potential for Parks revenues has been identified as greater than previously reported to Council. It has therefore been elevated to 'Not sure yet' to allow Council an opportunity to consider the revised revenue.

The revenue potential from each tool is set out in the next section. After this next section the report provides details for each tool including a description of the tool, the revenue potential and parameters that influence the revenue, Council direction and discussion to date, and next steps.

5.2 Revenue potential from various tools

The following sections set out some additional details for each tool, the revenue generation potential, and suggested strategy for moving forward with each tool. This section provides a brief overview of the revenue potential from each tool where the City would like to engage in some additional effort, and compares it with the revenue needs identified in section 4. To facilitate thinking about various combinations of approaches, this report sets out several options. Each subsequent option builds on the previous option:

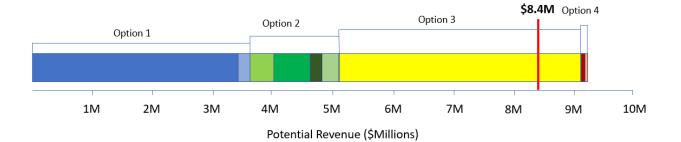
- **Option 1** includes Parks development DCCs and Commercial/Industrial parks acquisition and development DCCs. Council indicated we should proceed with work on these two tools.
- **Option 2**. Adds an Infrastructure levy on general taxation, a shift from parks acquisition to parks development in tandem with a Linear parks acquisition DCC, a reduction in the Parks DCC taxation assist and Parks revenues. Council indicated we should proceed with the first two tools. Option 2 includes a reduction in the DCC taxation assist, which avoids a disproportionate amount of taxation in the capital plan being tied to DCC funded projects only, and affords Council greater flexibility through the budget deliberations. It also includes parks revenues to increase the diversity of the financial load and link users to the development costs.
- **Option 3** adds a Parks-specific parcel taxation which falls into the category of Potentially move forward. The Parcel tax is only proposed for a five year duration.
- **Option 4** adds additional tools where Council was 'Not sure but wanted to consider and explore', and these include the increase in Airport dividend and Community partnerships.

As noted in section 4, about \$3 million is spent per year on Parks development and renewal and about \$1.5 million of that is spent on new or growth-related development. An additional \$8.4 million per year is the target for full parks development.

The following Table 5.1 shows how these various Options move the City towards that goal.

Options for annual revenue potential from various tools							
Tool	Option 1	Option 2	Option 3	Option 4			
Press forward							
Parks development DCC	\$3,422,000	\$3,422,000	\$3,422,000	\$3,422,000			
Infrastructure Levy on General taxation (2% tax for Infrastructure)		\$426,000	\$426,000	\$426,000			
Shift from acquisition to development		\$644,000	\$644,000	\$644,000			
Commercial/Industrial parks development DCC	\$236,000	\$236,000	\$236,000	\$236,000			
Potentially move forward							
Linear parks acquisition DCCs (linked to 'Shift from acquisition to development' above)		Included	Included	Included			
Parcel taxation (for 5 years)			\$4,000,000	\$4,000,000			
Consider and explore further							
Reduce parks acquisition and development DCC taxation assist from 8% to 1% (plus 3.3%)		\$284,000	\$284,000	\$284,000			
Increase in Airport dividend				\$51,000			
Community partnerships				\$25,000			
Parks revenues		\$163,000	\$163,000	\$163,000			
Total	\$3,658,000	\$5,145,000	\$9,195,000	\$9,316,000			

Table 5.1 Options for annual revenue potential from various tools



As the table illustrates, Options 1 and 2 do not attain the goal of identifying an additional \$8.4 million per year for parks development; although both options make significant progress towards that goal. Option 3 generates almost \$9.2 million and slightly exceeds the goal of generating an additional \$8.4 million. However the assumption is that the addition \$4 million per year through a parcel tax would only continue for a period of 5 years. Consequently, the goal is attained for a 5 year period, not the entire 20 year period. Option 4 also attains the goal, but as with option 3, only for the 5 year period while a parcel tax is assumed to be in place.

5.3 Limitations on funding sources

There are limitations on the potential sources for some of the required funds in the future. Specifically, only some of the projects would be eligible for consideration for recovery through a Parks development DCC. The specific items that are eligible are described in more detail in the section on Parks development DCCs below.

Of the \$198 million required over the next 20 years, the analysis estimates that about \$67 million is comprised of projects eligible for recovery through Development Cost Charges for parkland development in Neighbourhood, Community, Recreation, and City-wide parks. An additional \$7.3 million identified for development of linear parks are also likely eligible for cost recovery through DCCs. The remaining \$124 million would need to be generated through other means. This doesn't necessarily mean that \$67 million and \$7.3 million will come from development cost charges, but we know that no more than that amount could come from Parks Development DCCs.

Another limitation is the potential to shift funding from parkland acquisition to parkland development. some sources such as funds in the Parkland Acquisition DCC reserve fund cannot be drawn out and spent on parks development. Similarly, funds in the Land Sales/Parkland Statutory reserve are generally limited to land acquisition rather than parkland development. The limitations on the use or creation of various funding sources have been considered in developing estimates of the potential revenues from each source.

6.0 PRESS FORWARD

6.1 Introduction

This section identifies tools that line up with the goals and direction – these fit well and Council will proceed with the direction. For each tool the subsection will do the following:

- Describe the tool
- Identify revenue potential and parameters that influence the revenue
- Describe Council direction and discussion to date
- Identify next steps background work, consultation, engagement, timeline
- Draft staff recommendation in the form of Council resolution

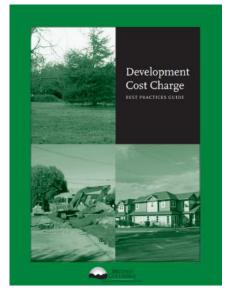
6.2 Parks Development DCCs

6.2.1 Tool description

The City currently only charges a DCC for Parkland acquisition. It does not change a DCC for park development. Based on research conducted as part of the Park Development Report in May 2017, comparative cities including Abbotsford, Kamloops, Langley, Chilliwack and Richmond all include parks development in their DCCs. Surrey was the only comparative city that does not include parks development costs in their DCCs. The Surrey Parks Recreation and Culture Strategic Plan also recommends the use of a Parks Development DCC. In order to be consistent with most comparative communities and take advantage of a readily available cost recovery tool that many communities use, Kelowna can consider charging a Parks development DCC.

It is important to understand what a Parks development DCC can and cannot include in the capital project list. Parks development DCC s can pay for:

- Fencing
- Landscaping
- Drainage
- Irrigation
- Trails
- Restrooms
- Changing rooms
- Playground equipment



• Playing field equipment



Landscaping includes leveling, grass and plants, but does not include parking lots or access roads.

Playground and playing field equipment includes playground structures such as swings and slides, but does not include:

- Dugouts and bleachers
- Field houses
- Tennis or basketball courts
- Baseball diamonds
- Artificial turf fields
- Picnic shelters
- Tracks
- Lighting systems

For each park type, the City identified the components that are eligible for recovery through DCCs and translated that into a percentage of the park development required. For example, about 85% of the development of a neighbourhood park is eligible for recovery through DCCs and only 28% of the components of recreation parks are eligible. The City also applied assist factors to identify the total amount of each park type that can be recovered though DCCs. These figures are set out in Table 6.1. In addition to the approximately \$66.6 million eligible as set out in Table 6.1, an additional \$6.5 million could be recovered for development of linear parks for a total of about \$73.1 million. This assumes that the need for more development of Linear parks is due to growth. Other figures would result if we assume that some portion of the costs to develop more Linear parks are required by existing residents.

If a Parks Development DCC is established, developers would receive a DCC credit if they construct Parks development works that are set out in the DCC program. This is potentially attractive to developers as a mechanism that would allow them to build the parks improvements in their subdivision without having to wait for the City to build it.



Source: Inteleface.com

One consequence of advancing time and building the park before the City is ready is that the developer loses credit for the 8% taxation assist amount on the project. In considering a Parks development DCC, it is useful to consider how DCC credits may work for Parks development by developers. Developers would get credit for the lesser of:

- The City cost estimate for the work in the DCC report;
- The actual cost of the work; or
- The Parks development DCC owed by the developer.

6.2.2 Revenue potential

On method to estimate revenue potential from a Parks development DCC is to identify a percentage increase in the existing Parks acquisition DCC. The Parks acquisition DCC revenues over the past 10 years have been a total of \$37.3 million. While this fluctuates significantly on a yearly basis from about \$800,000 to \$8,500,000, the average is about \$3,730,000 per year. The current Parks acquisition DCC is \$5795 per residential unit. If the City increased Parks DCCs by 20%, this increase would generate another \$1159, amounting to about \$746,000 per year in an average year. In a year like the last two with over \$7 million per year, this would result in an additional \$1.4 million per year.

Another approach is to choose a specific dollar amount of increase per equivalent unit. In terms of a dollar amount of increase per unit, an additional charge of \$2000 per unit is about a 35% increase. Such an increase would generate \$1.3 million in an average year and \$2.45 million in the last couple of years. If you wanted to generate another \$2000 per unit that would be \$2000 x 19950 units over 20 years = \$39,900,000, or about \$2,000,000 per year.

Finally, the City could calculate the DCC required to generate enough to pay for a proportion of projects identified as eligible for cost recovery through DCCs. This total amount would be the \$66,601,000 noted in Table 6.1 below, plus \$6,562,000 for linear parks development (about 89% of the \$7,372,500 noted above, which would be approximately the amount remaining after applying the municipal assist factor), resulting in DCC eligible costs of approximately \$73,163,000 over 20 years. The 20-year servicing and financing strategy DCC report projects 19,950 residential units over this time period. While the new OCP will generate new growth figures that extend beyond 2030, the figures in the servicing and financing strategy over a 20-year period are useful for initial calculations. This amounts to: \$73,163,000 / 19,950 units = \$3,667 per unit. If we include commercial and Industrial equivalent units as paying the Parks development DCC, the number of equivalent units goes up by 1242 for commercial and 136 for Industrial for a total of 21,328 units if we use the same figures from the 20 year Servicing Plan. This amounts to: \$73,163,000 / 21,328 = \$3,430 per unit. Over a 20-year period, that amounts to about \$3.66 million per year, with about \$3.42 million from Residential DCCs and about \$0.21 million from Commercial DCCs and \$0.023 million from Industrial DCCs.



Potential Revenue (\$Millions)

Table 6.1Eligible Parks development DCC items

Park Class	Park Area (Ha)	% developed/ funded	Area un/under developed (Ha)	Typical cost per hectare	Total Funding Required	% eligible for development DCC	Benefit Allocation	Funded by development DCC (less 11% tax assist)	Total % funded by development DCC	Total \$ funded by development DCC	Total unfunded remaining
Neighbourhood - Partially											
Dev. / Funded											
Barlee Park	0.37	20%	0.296	\$1,250,000	\$370,000	85%	27%	89%	20%	\$75,574	\$294,426
Ballou Park	1.44	50%	0.72	\$1,250,000	\$900,000	85%	27%	89%	20%	\$183,829	\$716,171
Neighbourhood - Undev. /											
Future			15								
Overall	15	0%	15	\$1,250,000	\$18,750,000	85%	100%	89%	76%	\$14,184,375	\$4,565,625
Community - Partially Dev. / Funded											
Quilchena Park											
(washrooms)	2.5	80%	0.5	\$750,000	\$375,000	100%	27%	89%	24%	\$90,112	\$284,888
Blair Pond Park					40					400.000	
(washrooms)	2.5	80%	0.5	\$750,000	\$375,000	100%	27%	89%	24%	\$90,112	\$284,888
Ponds Community Park	7.0	00%	0.70	¢2 500 000	¢4,000,000	4000/	270/	000/	2.40/	¢456 570	64 442 420
(sports field)	7.6	90%	0.76	\$2,500,000	\$1,900,000	100%	27%	89%	24%	\$456,570	\$1,443,430
Community - Undev. / Future											
Overall	27	0%	25	\$2,500,000	\$62,500,000	65%	100%	89%	58%	\$36,156,250	\$26,343,750
Recreation - Partially Dev. /	27	078	25	\$2,500,000	\$02,500,000	0378	100%	0370	3070	\$30,130,230	\$20,343,730
Funded											
Glenmore Recreation	11.48	35%	7.462	\$1,350,000	\$10,073,700	28%	27%	89%	7%	\$677,799	\$9,395,901
Mission Recreation	46.55	90%	4.655	\$1,350,000	\$6,284,250	28%	27%	89%	7%	\$422,829	\$5,861,421
Parkinson Recreation	19.49	40%	11.694	\$1,350,000	\$15,786,900	28%	27%	89%	7%	\$1,062,206	\$14,724,694
Rutland Recreation	14.56	40%	8.736	\$1,350,000	\$11,793,600	28%	27%	89%	7%	\$793,520	\$11,000,079
Recreation - Undev. /				+ _, ,	+,,					+	+,,
Future											
Tutt Ranch Recreation	16	0%	16	\$900,000	\$14,400,000	28%	100%	89%	25%	\$3,588,480	\$10,811,520
City-wide - Partially Dev. / Funded											
Kerry Park	0.7	30%	0.49	\$6,000,000	\$2,940,000	36%	27%	89%	9%	\$254,333	\$2,685,666
City Park	13.2	70%	3.96	\$2,000,000	\$7,920,000	36%	27%	89%	9%	\$685,143	\$7,234,857
Sutherland Bay	2	50%	1	\$4,000,000	\$4,000,000	36%	0%	89%	0%	\$0.00	\$4,000,000
Bennett Plaza	0.06	0%	0.06	\$30,000,000	\$1,800,000	36%	0%	89%	0%	\$0.00	\$1,800,000
Waterfront Park (renewal)	8.5	75%	2.125	\$1,500,000	\$3,187,500	36%	0%	89%	0%	\$0.00	\$3,187,500
Rotary Beach Park	1.4	75%	0.35	\$3,500,000	\$1,225,000	36%	0%	89%	0%	\$0.00	\$1,225,000
Bluebird Beach Park	1.1	0%	1.1	\$2,000,000	\$2,200,000	36%	27%	89%	9%	\$190,318	\$2,009,682
City-wide - Undev. / Future											
Overall Total	12	0%	12	\$2,000,000	\$24,000,000 \$190,780,950	36%	100%	89%	32%	\$7,689,600.00 \$66,601,053	\$16,310,400 \$124,179,897

6.2.3 Council direction

Council provided direction to "Yes – proceed" with Parks development DCCs.

A number of factors or considerations discussed over the three workshops and these include:

- Ensuring that developers receive a DCC credit if they build parks DCC projects;
- Focussing on Neighbourhood and Community parks development, rather than Recreation and City-wide parks, since the type of development that is eligible fits better with Neighbourhood parks;
- Clearly identifying which parks development are included in the DCC program;
- Proceeding with establishing clear standards for parks development to ensure that both the City and developers have the same expectations for the level of development and the items eligible for DCC credits;
- Clarifying if the Parks development DCC will be in addition to the parks acquisition DCC or will the parks acquisition DCC decrease somewhat in order to create 'room' for the Parks development DCC; and
- Identifying how much tolerance exists for an overall upward movement in the combined Parks acquisition and development DCC, in return for the park development being undertaken in new growth areas.

6.2.4 Next steps

The next steps for proceeding with the implementation of Parks Development DCCs are as follows:

- Refine the potential rates and revenues:
 - Clarify Parks DCC Development project list in terms of capital projects for specific parks and the eligible components within each park
 - o Identify costs
 - Confirm population and development projections to be used for calculations
 - Calculate potential Parks development DCC rates
 - Calculate potential annual revenues based on the calculated rates.
- Identify if changes would occur to the Parks acquisition DCC. This will need to be done in concert with work on considering adding a Linear parks acquisition DCC.
- Clarify the proposed approach to parks DCC credits.
- Refine the existing standards for neighbourhood parks.
- Clarify the approach to partnerships for neighbourhood parks since this is inter-related with neighbourhood parks DCCs and DCC credits. Some developers like the current approach of parks partnerships and the City would need to be clear about how that may change in coordination with changes to the parks DCCs

- Consult with the public to obtain feedback on potential Parks development DCCs.
- Engage with UDI and other members of the development community to seek their thoughts on the concept and potential changes.
- Revise the approach based on input from the public, UDI and the development community.
- Engage with UDI and other members of the development community on the revised approach.
- Amend the DCC background report and the DCC bylaw to implement a Parks Development DCC.

6.2.5 Draft staff recommendation, in the form of a Council resolution

The following resolutions can be brought forth to Council for the provision of a Parks development DCC:

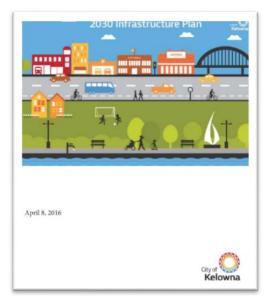
Council directs staff to prepare a draft Parks Development DCC, engage with the public and key stakeholders on the proposal, and report back to Council on how to proceed with implementing a Parks Development DCC.

6.3 Infrastructure levy - General taxation

6.3.1 Tool description

An option is to apply an increase to general municipal property taxation, such as a 1% or 2% (or some other appropriate tax percentage) tax increase for Infrastructure: an Infrastructure levy. To use a portion of the increased tax revenue for parks development. This revenue is completely flexible, and could be used to pay for parks development that may not be eligible for inclusion in a Parks development DCC or other sources.

One related option discussed was to revisit the allocation of the total capital budget for all services – roads, water, sewer, buildings, parks etc. – to increase the proportion of the existing budget towards parks, which means somewhat less would be available for other services. This would not result in an increase in taxes, but rather a shift in how existing tax dollars are spent. While this possibility was discussed, Council did not have much



appetite for the concept at the time, so it was not taken further. As a result, this section only focusses on the 1% or 2% tax increase for Infrastructure.

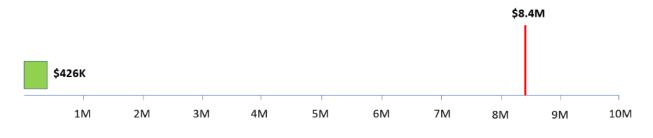
A certain percentage of the entire amount generated for Infrastructure could be allocated to parks projects. The 2030 Infrastructure Plan notes that from 2016 to 2030, about 16% of the total infrastructure plan projects are spent on Parks projects, so in calculating revenue potential this report assumes that 16% of the additional percentage for Infrastructure could go towards Parks development projects. However, this allocation may be reconsidered for this additional revenue.

6.3.2 Revenue potential

The City's property value tax is projected to be about \$133 million in 2018 (as set out in the latest Financial Plan). Examples of percentage increases for infrastructure are:

- A 1% increase would result in about \$1.33 million and if for example, 16% of that went to parks development, that would result in about \$213,000 per year
- A 2% increase would result in about \$2.66 million and if for example, 16% of that went to parks development, that would result in \$426,000 per year

The amount of revenue for parks would be influenced by the actual percentage increase for infrastructure, and the allocation of the percentage increase towards parks development. While the 16% allocation to parks is based on projected proportions, in view of the significant deficit that needs to be addressed for parks development, it may be useful to consider increasing the 16% to a higher percentage when considering how to allocate the additional 1% or 2% for infrastructure.





6.3.3 Council direction and discussion

Council provided direction of "Yes proceed" to general taxation increases. Some council members felt it may be most effective as a specific percentage, such as 1% or 2% (or other percentage as necessary) towards infrastructure. Council members did not feel there would be an appetite for a specific percentage charge only for parks development, since there are other infrastructure priorities for the City's residents as along with parks. However, they did think that it may be feasible to present a bundle of infrastructure needs, with parks as a portion of that bundle. The idea of having a separate line item on tax notices such as "Infrastructure improvement funding" or "Infrastructure levy" and a dedicated fund was also discussed.

6.3.4 Next steps

The next steps for proceeding with the implementation of a general taxation increase are as follows:

• Clarify the specific parks development needs that could be addressed though the 1% or 2% Infrastructure levy, along with other infrastructure needs that would be part of the bundle

- Clarify the revenue potential and details. For example, does the 1% or 2% apply to all property classes or just residential? How does the 1% or 2% property value tax fit with a potential parcel tax for parks facilities?
- Clarify the impacts on various assessment classes and property values in the City.
- Establish draft timing for implementation.
- Engage with stakeholders to educate about the idea and seek input, perhaps as part of the City's regular engagement on the 2019 Financial Plan.
- Return to Council with results of the input.

6.3.5 Draft staff recommendation, in the form of a Council resolution

The following resolutions can be brought forth to Council for consideration related to general taxation:

Council directs staff to investigate, through coordination through the 10 year capital plan, the impacts and benefits of creating a specific 'Infrastructure Levy' percentage on taxation to address general infrastructure deficits, and report back to Council.

6.4 Shift parks acquisition to parks development

6.4.1 Tool description

The City could shift the expenditures within the current funding level for parks. The shift would be to spend more on parks development and less on parks acquisition, than in the past. This would help address the issue regarding the significant amount of existing parkland that is underdeveloped. For a period of time, the City could focus more funds on parks development and somewhat less on acquisition. This would not entail a wholesale shift, but a 'tilt' in the priorities. Parkland acquisition would still occur in order to ensure that the City invests in parkland to support its future.

6.4.2 Revenue potential

From 2010 to 2017 about 59% of parks expenditures have been on acquisition and 41% on development, as demonstrated in Table 6.1.



Figure 6.1 Parks expenditures (2010 – 2017)

The amounts vary significantly from year to year as illustrated in Table 6.2.

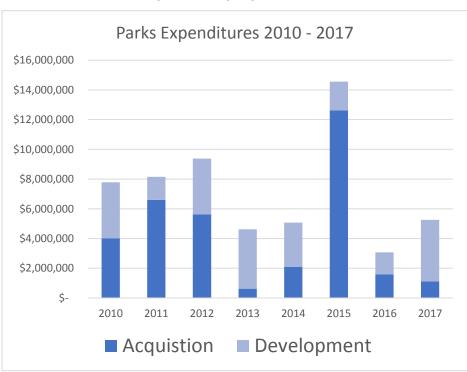


Table 6.2Parks expenditures per year (2010 – 2017)

The average expenditures on parks acquisition per year over the 2010 to 2017 period were about \$4.29 million per year for acquisition and about \$2.94 million per year for development without

grants. The analysis shows that the amounts for 2010 are quite high, but that is because of a somewhat rare grant opportunity from stimulus funding in 2009 and 2010. In order to effectively compare the amount of funds the City regularly expends on parks development from funds other than unusual grants, we compiled the total expenditures without grants.

In seeking amounts that could be shifted from expenditures on acquisition to expenditures on development, we need to consider that some sources would not be available for a shift from acquisition to development and these include:

- Expenditures from Acquisition DCC reserves (\$18.35 million from 2010 to 2017) these funds are specifically allocated for Parks acquisition.
- •
- Expenditures from Land sales/Parkland statutory reserve (\$5.86 million from 2010 to 2017)

 while these funds occasionally are used for development projects, they are primarily restricted to acquisition, and this analysis assumes that these funds will not be available for parks development.

The significant sources that could be shifted from expenditures on acquisition to expenditures on parks development include the following:

- Taxation sources taxation funding and carryover taxation (\$5.11 million from 2010 to 2017)
- General reserves (\$1.87 million from 2010 to 2017)

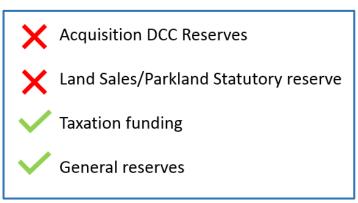


Figure 6.1 – What can shift from acquisition to development?

These are essentially taxation sources and they added up to \$6.98 million from 2010 to 2017. About \$5.15 million is this money was spent on Natural and Linear parks acquisition. The remaining \$1.83 million was spent on Active parks acquisition, but this is likely composed of the 8% Parks DCC assist, and the 3.4% assist for secondary suites, required to accompany the amount spent from the Parkland acquisition DCC reserve fund.

The \$6.98 million translates to about \$872,000 per year. One option could be to shift all of those funds from acquisition to parks development to provide an additional \$872,000 per year for

development. This would leave \$872,000 less per year to acquire Natural and Linear parkland and to make up the assist amount to accompany parkland acquisition funds. This shift could be accomplished in a number of different ways:

- The City could reduce the Parks DCC assist. If the Parks acquisition DCC assist was reduced, that would free up additional funds for transfer from acquisition to development, since the money would not be required to pay the assist portion of parkland acquisition.
- This City could defer spending money from the Parks acquisition DCC Reserve Fund for a few years, this would reduce the need for the City to provide the matching 8% assist amount on acquisition in any specific year and free it up for expenditures on development.
- The City could stop acquiring Natural and Linear parkland for a number of years.
- The City could establish a Natural and Linear parkland DCC to generate a separate source of funds for acquiring Natural and Linear parks.

The third option has often been adopted in recent years. In 2016 and 2018 Natural and Linear park acquisition has been dropped to a P2 in favour of more pressing capital budget demands. Inevitably this has hindered the acquisition program for this type of park in recent years.

To address the combination of options set out in section 5, the amount assumed available to shift without the reduction in the DCC assist is the \$5.15 million spent on Natural and Linear parks, or about \$644,000 per year. The amount realized from a reduction in the assist amount is set out in section 8.2 and included in Option 4 in section 5.

It is important to note that from 2010 to 2017, \$28.8 million or an average of \$3.6 million per year was donated as parkland or provided as natural areas or linear parks. Frequently this is in the form of undevelopable hillside associated with a new subdivision. This is not a source of revenue, but rather a value ascribed to parkland donated or provided to the City. This is expected to continue, and the City would still be acquiring parkland through donation or though development, even if some funding is shifted away from acquisition. It is interesting to note that, over the same time, from 2010 to 2017, only about \$640,000 or an average of \$80,000 per year was donated or provided for park development.

6.4.3 Council direction and discussion

Council provided direction of "Yes proceed" for shifting from parks acquisition to parks development and emphasized that this is the most important change they would like to see made. It is important to shift the emphasis or 'tilt' from parks acquisition to development in order to allocate more funding to parks development and address the backlog of undeveloped or underdeveloped parks. Council wants more flexibility to allocate additional funds towards parks development and does not want to be locked in to only being able to spend certain funds on acquisition.

Consideration should be made toward spending more funds on parks development for the next few years, and then shifting back to spending money on acquisition as Council does not want to be short-sighted in terms of acquiring parkland over the long-term, but still would like to focus more on parks development in the short term. That being said, Council does not want to stop land acquisition, as they would like flexibility to acquire lands if opportunities arise.

6.4.4 Next steps

The next steps for proceeding with the implementation of a shift from parks acquisition to parks development are as follows:

- Return to Council with figures to obtain their input on the magnitude of shift they would like to see;
- Work in concert with establishing a Linear parks acquisition DCC in order to maintain acquisition funding for this park type
- Work in concert with other initiatives such as establishing a Parks Development DCC which will provide more flexibility in expenditure of DCC revenues;
- Seek input on this shift in direction at the next round of public input on the financial plan; and
- Establish guidelines for future budget allocation discussions in order to allow for more expenditures on Parks development.

6.4.5 Draft staff recommendation, in the form of a Council resolution

The following resolution can be brought forth to Council for the shift from parks acquisition to parks development:

Council directs staff to confirm the potential taxation capital funding shift from Linear Parks acquisition funding, to parks development funding, in tandem with preparing a draft Linear Parks Acquisition DCC, engage with the public and key stakeholders on the proposal, and report back to Council.

6.5 Commercial/Industrial parks acquisition & development DCCs

6.5.1 Tool description

Currently the City does not apply a Parks acquisition DCC charge to Commercial or Industrial developments. The City could apply a Parks DCC to these uses. Visitors who patronize commercial establishments have an impact on the demand for parks during their visit. Employees from outside the City also have an impact on parks during lunch and before or after work. These impacts are not captured by only having residential development pay for a Parks DCC. Similar to DCCs applied for other forms of infrastructure, the Parks DCC would be applied based on the square metres of new floor area of commercial development, and the hectares of Industrial development.



Source: City of Kelowna

There are two components of the Commercial/Industrial Parks DCC that could be considered:

- A Parks development DCC
- A Parks acquisition DCC

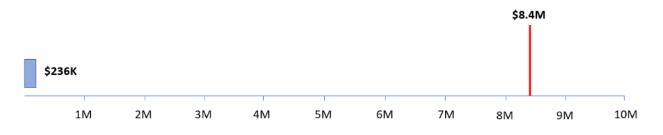
A Parkland development DCC that applies to commercial/industrial units would spread the parkland development costs over a larger number of equivalent units, meaning lower charges per unit for Residential DCCs, or considered another way, the commercial/industrial development would shoulder some of the burden and generate some of the revenue required.

The creation of a Parks acquisition DCC that applies to commercial/industrial developments would spread the Parks acquisition DCC amongst more development units, reducing the charges per residential unit. This could in turn free up room for a Parks development DCC on residential units.

Some consideration could be given to charging specific sectors of commercial uses, such as hotels or restaurants that specifically serve tourists, however this may be somewhat difficult to do and still meet the requirements of the Local Government Act or the Best Practices Guide. Further exploration would be required to identify potential options to charge specific commercial uses a different DCC rate or to only charge specific commercial uses, and this approach is not proposed at this time.

6.5.2 Revenue potential

A portion of a Parks development DCC could be paid for by commercial/industrial development. The 20year Servicing Plan and Financing Strategy identifies 1242 equivalent units of commercial development, 136 equivalent units of industrial, and 19950 equivalent units of residential development, which means that 6.46% of units are projected to be commercial/industrial. If about \$3.66 million per year could be generated by all Parks development DCCs, 6.46% of that amount could be generated by commercial/industrial development which equates to about \$236,000 per year.



Potential Revenue (\$Millions)

The \$3,430 per residential unit for a Parks Development DCC calculated earlier would translate to \$11.36 per square metre for commercial (the City DCC report equates 302 sq. m. of commercial to 1 residence) and \$8470 per hectare for industrial (the City DCC report equates .405 hectares of industrial to 1 residence). This compares to an existing overall DCC for Commercial uses (for roads, water and sewer) of about \$54.40 per square metre (in the Inner City area) and an Industrial DCC of \$65,354 per hectare (in the Inner City area).

If Commercial development paid the equivalent of \$5795 per year for a residence for a Parks acquisition DCC, and the 20-year Servicing Plan and Financing Strategy identifies 1242 equivalent units of commercial development, this translates to about \$7,197,000 over 20 years or \$360,000 per year. The amount of revenue would be influenced directly by the amount of commercial development per year. The 20-year Plan also identifies 136 equivalent units if industrial, which would translate into \$788,000 or about \$39,000 per year. The equivalent charge of \$5795 per unit would be \$19.19 per square metre of commercial development, and \$14,309 per hectare of Industrial development.

Another way to consider the impact is that if commercial and industrial development is added to the amount of units for the Parks acquisition DCC, the Residential acquisition DCC would decrease. As commercial and industrial units would make up another 6.46% of the units, the \$5795 Parks acquisition DCC could decrease by about 6.46% or \$374 per unit. This could free up some room for a Parks development DCC.

6.5.3 Council direction and discussion to date

Council provided direction of "Yes - Proceed" for applying a DCC to commercial and industrial uses. Many people come from outside the City of Kelowna to vacation here or work here and they have an impact on parks. This approach will assist in providing funds to pay for this impact. This will assist in providing additional DCC funds from mixed use buildings that have both residential and commercial uses.

6.5.4 Next steps

The next steps for proceeding with the implementation of a Commercial/Industrial DCC are as follows:

- Clarify the amount of potential Commercial/Industrial parks DCC that would be charged;
- Clarify the potential revenue from the Commercial/Industrial parks DCC;
- Clarify if the Commercial Parks DCC will be for both acquisition and development likely if the Parks development DCC proceeds, it will be for both;
- Clarify if the DCC will be applied to only commercial development or to industrial development as well;
- Frame up the proposal for input;
- Consult with the public to obtain feedback on potential Parks development DCCs.
- Engage with UDI and other members of the development community, taking care to ensure that commercial and industrial developers and builders are specifically included to seek their thoughts on the concept and potential changes;
- Revise the approach based on input;
- Engage with the stakeholders on the revised approach; and
- Amend the DCC background report and the DCC bylaw to implement a parks DCC that applies to commercial and possibly industrial uses.

6.5.5 Draft staff recommendation, in the form of a Council resolution

The following resolutions can be brought forth to Council for the implementation of a Commercial and Industrial DCC:

Council directs staff to prepare a draft a Parks DCC for Commercial and Industrial zoned properties, engage with the public and key stakeholders on the proposal, and report back to Council on how to proceed with implementing a Commercial/Industrial Parks DCC

7.0 POTENTIALLY MOVE FORWARD, (BUT NEED MORE INFORMATION TO CONSIDER & EXPLORE)

7.1 Introduction

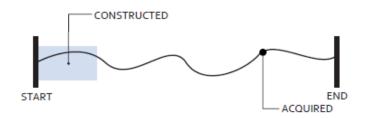
This section identifies tools that Council may consider for implementation in the future upon further exploration of benefits and constraints. These are tools where there is a definite interest in moving forward, but more work is required to understand impacts.

For each tool the subsection will do the following:

- Describe the tool
- Identify revenue potential and parameters that influence the revenue
- Describe Council direction and discussion to date
- Identify next steps background work, bring back to Council for direction
- Draft staff recommendation in the form of a Council resolution

7.2 Linear parks acquisition DCCs

7.2.1 Tool description



Currently the City does not include property acquisition for Linear parks in the calculation of Parks acquisition DCCs. In order to generate more revenue and to provide flexibility in using DCC revenues, the City could add Linear parks acquisition to the Parks DCC. In order to proceed, the City would need to add the hectares of linear parkland required per 1000 population to the DCC calculations. Currently the DCC bylaw sets out an amount of 2.2 hectares per 1000 population for acquisition. This figure would be increased to include linear parks.

Another approach would be to identify the linear kilometres required. The analysis set out in section 4 identifies that an additional 29.49 km of linear park needs to be acquired. At an estimated cost per km for acquisition of \$600,000 per km, that translates into a total acquisition cost of \$17,694,000.

One factor to consider is the proportion of future linear parks acquisition that should be allocated to Growth. This analysis assumes that the current population is served with linear parks, and that new linear parks are required to serve growth. Other assumptions, such as assuming that a portion of the new linear parks are required to serve the existing population would result in different potential DCC rates.



Source: City of Kelowna

7.2.2 Revenue potential

If \$17,694,000 is accumulated over 20 years for linear parks acquisition, that equates to \$884,700 per year. If these funds are collected from both residential and commercial development through DCCs, the DCC rate would be: \$17,694,000 - 8% assist = \$16,278,480 / 21328 units = \$763 per unit.

A Linear parks acquisition DCCs in itself does not directly provide funding for Parks development, which is the focus of this report. However, it does allow a shift in taxation spending from acquisition to development, while maintaining the Linear parks acquisition program. Therefore, this tool has been linked to the shift from acquisition to development, as outlined in 6.4 above, for further consideration.

7.2.3 Council direction and discussion

Council direction was in between "Yes proceed" and "Not sure – consider/explore" for the implementation of a Linear parks acquisition DCC. Linear parks have functions that fit into different areas, which might influence funding sources since Linear parks are important for mobility and often fit into flood mitigation areas.

Further consideration is required to determine: how the potential increase in DCCs for Linear parks relates to potential increases due to the Parks development DCC; whether or not there will be room for a Linear parks acquisition DCC if the City proceeds with a Parks development DCC; and the overall impact on Parks DCCs. While Council is keen on seeing the development of parks, this tool would focus more on acquisition.

7.2.4 Next steps

The next steps for proceeding with the implementation of a linear parks acquisition DCC are as follows:

- Conduct background work to quantify more clearly the amounts of lands required, the potential revenue generated and the potential increase in Parks acquisition DCCs.
- Work in concert with a shift in taxation spending from acquisition to development as set out in 6.4 above.
- Consult with the public to obtain feedback on potential Linear parks acquisition DCCs.
- Engage with UDI and other members of the development community to seek their thoughts on the concept and potential changes.
- Revise the approach based on input from the public, UDI and the development community.
- Bring information back to Council for discussion, along with the broader context of other initiatives such as the Parks development DCC.

7.2.5 Draft staff recommendation, in the form of a Council resolution

This tool is proposed for consideration in parallel with the shift from acquisition to development as set out in 6.4 above, and therefore shares the same proposed resolution to Council for the further exploration of implementation of a Linear parks acquisition DCC:

Council directs staff to confirm the potential taxation capital funding shift from Linear Parks acquisition funding, to parks development funding, in tandem with preparing a draft Linear Parks Acquisition DCC, engage with the public and key stakeholders on the proposal, and report back to Council.

7.3 Parks-specific parcel taxation

7.3.1 Tool description

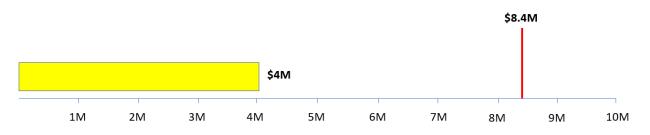
A parcel tax would create a portfolio of parks projects throughout the City. However, an alternative approval process or referendum may be required to implement this tool if borrowing is required. If no borrowing is necessary, a parcel tax increase could be implemented without the use of either.

7.3.2 Revenue potential

A representative portfolio of potential parks improvements that could be funded by a Parksspecific parcel tax throughout the City is set out below. It would be a diverse portfolio representative of the different areas of the City, and relevant to many different parks user groups:

Total	\$19.6m
Black Mountain Community Park	\$5.4m
South Pandosy Waterfront – Phase 1	\$5.0m
Rutland Centennial Park – Phase 3	\$2.3m
Glenmore Recreation Park - Phase 3	\$3.9m
City Park - Walkway renewal	\$3.0m

There are 56,000 tax rolls (51,000 residential). If the \$19.6 million is divided by the number of tax roles, this equates to about \$350 per unit. This could be spread out to generate about \$70 per year over 5 years, about \$4,000,000 per year, or \$3,500,000 per year if just charged on residential parcels/rolls.



Potential Revenue (\$Millions)

7.3.3 Council direction

Council direction was in between "Yes - proceed" and "Not sure – consider/explore" for creation of a parcel tax for parks improvement.

7.3.4 Next steps

The next steps for proceeding with a high increase to parcel taxation are as follows:

- Conduct background research; and
- Seek further direction from Council

7.3.5 Draft staff recommendation, in form of a Council resolution

The following resolution can be brought forth to Council for the further exploration of the implementation of a parcel tax for parks development:

Council directs staff to proceed with conducting research on the potential revenue generated from a Parks-specific parcel tax and to report back to Council on constraints and benefits associated with proceeding with such a parcel tax.

8.0 CONSIDER AND EXPLORE FURTHER

8.1 Introduction

This section identifies tools for which Council demonstrated uncertainty. Further consideration of the impacts and benefits of these tools is required before a decision can be made about proceeding. For each tool, the subsection will do the following:

- Describe the tool
- Identify revenue potential and parameters that influence the revenue
- Describe Council direction and discussion to date
- Identify next steps background work, analysis
- Draft staff recommendation in the form of a Council resolution

8.2 Reduce the Parks DCC assist

8.2.1 Tool description

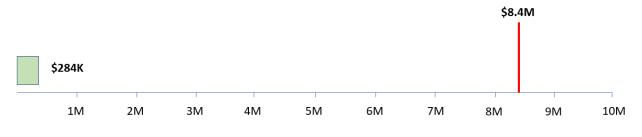
Currently the parks Acquisition DCC assist factor is 8%, plus an extra 3.4% assist for secondary suites. This tool would entail reducing the 8% assist to 1% assist. 1% assist is common in most communities. The Parks acquisition DCC would therefore increase to compensate for the 7% difference. –This amount is currently paid by general taxation revenues. This would free up room in the City budget as the 7% difference in assist would not be required to accompany the amounts withdrawn from the Parks Acquisition DCC reserve fund to purchase parkland. In other words, the amounts currently committed in the budget to pay the 7% assist could be spent on other things such as parks development.

Further, as identified in 6.2 above, DCCs can only be used on specific components of parks development. They may not be applicable design elements Council may wish to pursue, that are specific to Kelowna clientele or the Okanagan climate. A reduction in Parks DCC assist also avoids a larger portion of taxation in the capital budget being tied to DCC funded projects only, and therefore affords greater flexibility to Council during budget deliberations.

8.2.3 Revenue potential

A brief calculation of the revenue potential is based on reducing the basic assist from 8% to 1% on the existing Parks Acquisition DCC. The existing Parks Acquisition DCC has generated \$37.3M over 10 years, which results in \$3.73M per year on average. This \$3.73M represents 92% of revenue at 8% basic assist. If the figure is recalculated with a 1% assist rather than an 8% assist, this means 99% of revenue rather than 92%, and results in average annual revenues of \$4.014M or an additional \$283,800 per year. The \$283,800 would be provided by Parks Acquisition DCCs rather than by general revenues, which would free up the general revenue funds for Parks projects not funded by DCCs.

As an example of a potential increase in the Parks Acquisition DCC, the current \$5795 residential Parks Acquisition DCC has an 8% assist. If the assist were reduced to 1%, that DCC would increase to \$6236 per dwelling. This translates to a \$441 increase in Parks Acquisition DCCs per dwelling over the current Parks Acquisition DCC.



Potential Revenue (\$Millions)

8.2.4 Council direction and discussion

Council indicated that they were willing to explore this approach further but would like to have more information regarding the implications. Some of the implications of decreasing the assist factor would include:

- The impact on the Parks acquisition DCC rate;
- How the change would be viewed by the development community as it would result in developers paying a higher portion of the parks cost since the City would no longer be providing the 8% assist; and
- Implications for other aspects of the City budget. For example, if the assist amount is reduced, then that may free up the component of the City budget that currently pays for the extra 7% in assist.

8.2.5 Next steps

While the figures above provide some of that information requested by Council, they are based on brief calculations. To provide better information, the City should conduct a more detailed DCC calculation modelling to identify the impact on Parks acquisition DCCs and the amount of revenue freed up for the City by reducing the assist amount from 8% to 1%.

In order to identify how the change would be viewed by the development community, the following steps are suggested:

- Consult with the public to obtain feedback on a potential reduction in the Parks DCC taxation assist.
- Meet with the development community to gain an understanding of their perspectives on a
 potential reduction in the assist amount, and resulting increase in Parks acquisition DCCs;
 and
- Combine such consultation with discussions on other suggested changes allowing the public and the development community to see the cumulative impacts of the suggested changes.

8.2.6 Recommendation

The following resolution can be brought forth to Council for the further exploration decreasing the municipal assist factor for DCCs:

Council directs staff to research a range of options to reduce the parks DCC taxation assist, engage with the public and key stakeholders on the proposal, and report back to Council on the implementation of such a reduction

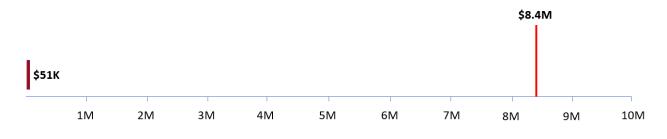
8.3 Tourism taxation – Increase Airport dividend

8.3.1 Tool description

Visitors have an impact on parks and other infrastructure. Currently the Airport pays an annual 'dividend' to the City of Kelowna as a return on the investments the City has made that benefit the airport and air travellers. The concept would be to either increase the dividend amount paid to the City, or to set a separate levy paid by the airport. The charge would provide funds to pay for all forms of infrastructure impacted by tourism to the City such as transportation and water, not just parks.

8.3.2 Revenue potential

The estimated revenue from the Airport dividend for 2018 is \$1.28 million. While at this point no analysis has been conducted to determine how the amount would be calculated, a 25% increase would result in an additional \$320,000 per year for a range of infrastructure, of which a certain portion could be directed to parks development that benefits tourists who arrive by air. If 16% of that amount was directed to Parks, that would result in an additional about \$51,000 per year.





8.3.3 Council direction and discussion

Council suggested that the City could explore the concept of the Airport paying a tax or dividend to pay for broader infrastructure impacts, or to pay for the benefits of investments the City makes in infrastructure that benefits tourism. Council did not feel that it was appropriate to have a payment directed solely at Parks since visitors have an impact on a variety of different types of infrastructure. It would be important to emphasize that the funds generated would contribute to the full range of infrastructure.

8.3.4 Next steps

The next steps would be to develop more details for the concept together with Finance, the Airport and departments responsible for various forms of infrastructure, including parks. The details would identify the amount of the charge, how the charge would be administered, and where the funds generated by the charge would be directed.

8.3.5 Recommendation

The following resolution can be brought forth to Council for the further exploration of implementing a tourism tax for the airport:

Council directs staff to explore the concept of an increased Airport dividend specifically aimed at paying for a broad range of infrastructure that benefits the airport and air travellers, and to report back to Council on the benefits and implications of this tool.

8.4 Developer partnerships

8.4.1 Tool description

In the past, several developers have voluntarily partnered with the City for park development costs, typically up to 50%, as they recognize the benefit of completed parks when selling property lots (i.e. Kettle Valley). Conversely and more recently, several developers chose not to partner with the City for parks development, and when parks are identified in marketing material but not developed, this often reflects poorly on the City. Many of the successful developer partnerships in the past were achieved with the equivalent of a full-time staff position to pursue them. This capacity no longer exists currently, and developer partnerships have since reduced generally as a result.



Source: City of Kelowna

The use of voluntary developer partnerships is not equitable, and a heavy demand. Council has also expressed concern in the past that partnerships skew parks development priorities established by the City, by effectively queue jumping over developments in existing neighbourhoods, less affluent areas, or other City priority needs.

The concept is to consider making the parks partnership requirements firmer and more consistent with developers. This would ensure that every new development engages in a parks partnership and that new parks are associated with every new development.

On the other hand, if the City proceeds with a Parks development DCC, it could replace developer partnerships with a more equitably distributed and managed system. The developer partnership approach to getting parks built would likely diminish in importance, and the City would not need to make the parks partnership requirements firmer and more consistent. Partnership opportunities would be discussed and resolved as they arose. Nevertheless, this section considers the impacts of a more consistent parks partnership requirements.

8.4.2 Revenue potential

To get an idea of the possible revenue potential, the amounts generated through partnerships with developers over the past 3 years are as follows:

- \$150,000 at a 50/50 partnership over the last couple of years
- \$75,000 per year in revenues
- That amount would translate to about \$225,000 over 3 years

If all developments are required to participate in parks partnerships, rather than just the portions that are currently volunteering to partner, the result may be a doubling or even tripling revenue through this form of partnership. Doubling would result in \$150,000 per year and tripling would result in \$225,000 per year. In making projections, that analysis will assume that the revenue from developer partnerships for parks development will double to generate another about \$75,000 per year.

Since the combination of funding in Option 4 includes a Parks development DCC, the analysis does not include this \$75,000. As noted above, if the Parks development DCC proceeds, the City would not need to make the parks partnership requirements firmer and more consistent, and the \$75,000 would not be a consistent source of revenue.

8.4.3 Council direction and discussion

Council felt that the concept of requiring developers to partner with parks was worth exploring further, but it would need to be explored within the context of the other tools that are being considered. For example, the potential for a Parks development DCC that could pay for parks development should be considered in conjunction with developer partnerships to ensure the two work together and are not resulting in the perception of double charging. Council thought that the City should engage with the development community to identify their thoughts on the concept.

8.4.4 Next steps

The next steps are to frame up the concept more clearly and then to meet with the development community to gauge their thoughts on the concept.

8.4.5 Recommendation

The following resolution can be brought forth to Council for further exploration of developer partnerships:

Council directs staff to further explore the concept of ensuring that all developments participate in parks partnerships, which includes seeking input from the public and affected stakeholders, and to report back to Council on the associated benefits and implications of these partnerships.

8.6 Community partnerships

8.6.1 Tool description

There is potential to partner with community groups for the provision of parks and parks facilities. Opportunities may exist with the following community groups:

- Sports organizations Certain sports facilities (i.e. temporary inflatable structures to achieve year round use) can offer an opportunity for an organization to provide an amenity that might not otherwise be realized. The organization typically requests land from the City while it covers capital, operating and maintenance costs. In return, the organization provides a portion of time available for public use. As a generalisation, recently such partnerships have been more frequently directed towards buildings (club houses, temporary inflatable structures) than pitches and courts.
- Not-for-profit organizations Service groups and cultural organizations can offer
 possibilities for one-off partnerships and can often access grant and other funding sources
 the City does not have access to. Typically, these are assessed on a one-off basis to
 ensure the organization's goals are in line with those of the City (i.e. Laurel Packinghouse
 Courtyard).
- Neighbourhood groups A common model in other provinces, partnership with a neighbourhood group faces many challenges. A Local Area Service (LAS) plan, often used for utility upgrades, is a very administratively clumsy tool for the relatively small amounts required for a neighbourhood park development. A voluntary partnership with a neighbourhood group, however (i.e. Lost Creek Park), lacks the structure to ensure all neighbours contribute equitably.

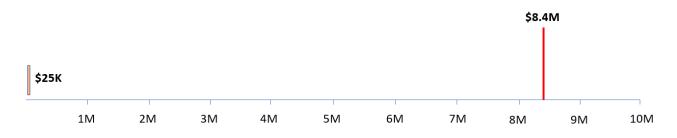


Source: City of Kelowna

Some of the examples noted above are for buildings, which are outside the scope of this report, but there may be potential for items such as playground structure the could be considered within the scope of this assignment.

8.6.2 Revenue potential

As an indicator of the revenue potential, the Lost Creek Park in Wilden resulted in \$125,000 in revenue raised by diligent and dedicated neighbourhood group over several years but consumed an extensive amount of their time and staff time in order to do so. There will be limited amounts of revenue potential associated with this source and may only be applicable in specific situations. Therefore, as an estimate this report will indicate that approximately \$25,000 per year can be generated through Community partnerships.



Potential Revenue (\$Millions)

8.6.3 Council direction and discussion

Council felt that this was likely an option to continue to retain at the City, and that it would likely be considered on a case-by-case basis. As with Developer partnerships, concern has been expressed that this model facilitates queue jumping over higher City priorities. Somewhat more exploration could be undertaken to clarify the opportunities and affirm policies for when Community partnerships are appropriate.

8.6.4 Next Steps

The next steps are to review existing policies and framework for community contributions and then engage Council in discussions to determine if the policy direction should be revised.

8.6.5 Recommendation

The following resolution can be brought forth to Council for the exploration of community partnership opportunities:

Council directs staff to review and refine existing policies and establish a framework for community contributions to parks facilities.

8.7 Parks revenues

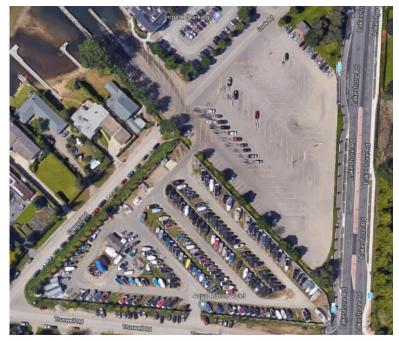
8.7.1 Tool description

Parks revenues include a series of revenue sources directly from Parks including:

- Parking revenue;
- Property rentals;
- Leases;
- Concession and equipment rentals; and
- Recreation user fees.

8.7.2 Revenue potential

It should be highlighted, this tool does not generate new revenue for the City, (unless fees and rates are increased). These revenues currently go to either General revenue, or specific reserves. However, this tool does generate a stronger and more tangible link between expenditures and revenues generated within the same cost centre. This can serve to clearly justify user fees to the broader public (such as boat parking fees adjacent to a boat launch), as well as enforce the link to lost rental revenue potential when planning new park development.



Source: Google, Map data

In terms of parking revenue, the City Park and Waterfront Park Parking Lots currently contribute approximately \$50,000 per year to the Parks acquisition & development reserve. This amount is useful, and the City will continue to use these revenues. There is also the potential to generate additional revenues from boat parking, particularly at Cook Road. Substantial repairs to the boat launch are anticipated in the near future, and this is an opportunity to make a direct link between expenditure and user fees. Similarly, other parking fees generated at our popular waterfront parks particularly, can be used to support development within the City-wide park type.

After operating costs for administration, maintenance, property tax, etc. there is net revenue after expenses from rental of the parks residential properties. Additional funds are generated from other parks properties awaiting development (many of these are along our linear corridors). This would provide an important source of revenue, and could fund of linear park development each year.

The City also currently receives funding for cell tower leases located on parkland. Again this small but steady stream of revenue could be used to fund improvements in associated areas (eg. Knox Mountain trail improvements), and to make the direct correlation in the public perception between the compromise of having a cell tower and the associated trail benefits.

The City currently generates revenues from concessions in parks such as food trucks. The primary purpose of these enterprises is to add animation and vibrancy to our parks system, and

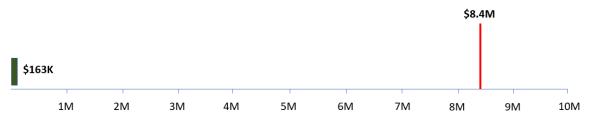
rates are therefore negotiated with this purpose in mind. Again a clear link can be made between resident park users and tourists with the expenditures associated with our City-wide parks

There is very limited potential to generate significant additional revenues from recreation user fees such as:

- User fees for sports fields and courts;
- Revenue from event user fees in parks; and
- Equipment rentals for parks, sports fields and courts.

User fees are used to fund the operating costs to support such programs. Surplus revenues (if any) from the above sources are already contributed to the relevant reserves including the Sports fields reserve and Parks acquisition and development reserve. Changes may impact user groups if fees and rental rates are increased, with only very modest increases in revenues. The City will continue with the current approach for these sources of revenue.

More work is required to establish the potential increase in parks revenues that could go towards Park development. Pending further investigation at Council's direction, this analysis assumes a conservative \$163,000 of revenues is dedicated towards Parks development annually.



Potential Revenue (\$Millions)

8.7.3 Council direction and discussion

Staff had advised Council during the workshops there was only limited revenues available, and Council therefore directed we should maintain the status quo. It has since become apparent the potential revenue is greater, and it has therefore been elevated to 'Consider and explore further' on the Potential annual revenue matrix, in order to allow Council to review the new figures.

8.7.4 Next steps

The next steps are to consider these potential sources in more detail and identify the magnitude of revenue potential. The City may also wish to establish policies that guide the use of funds from these sources to ensure they are directed towards parks development projects.

8.7.5 Recommendation

The following resolution can be brought forth to Council for the exploration of Parks revenues:

Council directs staff to transfer funds in the forthcoming 2019 Provisional Budget and ongoing thereafter, for direct revenues generated, after operational costs are deducted, within existing parks and undeveloped park sites from parking, leases, property rentals, concessions, and other revenues, to the R079 - Parks Acquisition & Development General Reserve.

9.0 NO ADDITIONAL EFFORT - MAINTAIN STATUS QUO

9.1 Introduction

This section provides details on new tools Council directed to not pursue, as well as existing tools which should continue with the current status quo, but with no increase in effort or special focus. Each subsection below will complete the following:

- o Describe the tool.
- Discuss why no additional effort is required.

9.2 Tourism taxation – Hotel tax

9.2.1 Describe tool

Hotel tax is currently levied on accommodation costs paid by visitors to Kelowna. A proportion of the hotel tax could be dedicated to park acquisition and development. Either the Hotel tax is increased to generate a new revenue source for park development, or its distribution is reassessed to allocate a portion of revenues to parks development, with decreases to funds for other tourism services.

9.2.3 Why no further effort is required

In previous discussions on the Parks Development Report on May 2017, Council indicated that an increase to the Hotel Tax to generate funds for parks development was not appropriate at this time. The City recently increased the Hotel Tax from 2% to 3% in early 2017 and an additional increase so soon is not supported. Further, a reallocation of the Hotel Tax for Parks development is not supported since the Hotel Tax and the recent increase are required to fund Tourism Kelowna. Council continued to confirm this direction during the Parks funding workshops in Fall 2017. No further effort is required to investigate the potential to increase or reallocate the Hotel Tax at this time.

9.3 Community Amenity Contributions

9.3.1 Tool description

Community Amenity Contributions (CACs) are negotiated amenity contributions agreed to by the applicant/developer and local government as part of a rezoning process initiated by the applicant/developer. They can be implemented through density bonusing provisions set out in the zoning bylaw, or paid upon rezoning based on extra density. Some communities establish a specific charge per square metre of additional floor space or per additional unit permitted through rezoning, other communities require negotiation on a case-by-case basis.

9.3.2 Why no further effort is required

While they can generate revenues in specific situations, they can be difficult to administer equitably and consume staff time. Both Council and staff indicated concerns with the idea of establishing Community Amenity Contributions in Kelowna. Observations were made of other communities that have expressed concerns with the CAC program and process. CACs would likely generate concerns in the development community and also place additional pressure on limited staff resources to undertake negotiations on CACs equitably. No further effort is required to investigate CACs directed at parks development.

9.4 Requirement for developers to build parks in new residential developments

9.4.1 Tool description

This tool would require developers to construct and develop parks as part of greenfield subdivision and construction in growth areas. While the authority to require developers to provide parkland at the time of development is clear, and the authority to require developers to pay DCCs for park development is also clear, the authority to require developers to construct and develop parks is less clear. More work would be required to clarify the authority. Certainly there is an opportunity to negotiate with developers for them to build the parks components, and this is currently being done under a partnership model, and could be done under the Parks development DCC model, but more work would be required to determine how to specifically require developers to build parks in a manner similar to how developers are required to build water and sewer lines within their developments.

9.4.2 Why no further effort is required

No further effort will be expended on this approach partly because of the uncertain authority to implement the tool and partly because the City plans to put more effort into creating a consistent partnership model of working with developers to partner on parks within their greenfield developments. Furthermore, if the city proceeds with a Parks Development DCC, this would provide a more equitable approach to the provision of fully developed parks regardless of development size, boundary or location, rather than attempting to make each new subdivision provide a fully developed park.

9.5 Sponsorships

9.5.1 Tool description

Many communities seek out funding through corporate sponsorship at parks, particularly sports fields through naming rights or signage advertising businesses or organizations, and benefits through positive association with the facility. The City of Kelowna has prepared guidelines to move forward with a five-year Corporate sponsorship and advertising pilot program. The program will welcome corporate sponsorship and advertising from qualified businesses and organizations that

align with the City's values, priorities and asset audiences. One of the components of the strategy is to seek sponsorships associated with various parks and recreation facilities.

9.5.2 Why no further effort is required

Since the following document has been prepared: "City of Kelowna Corporate Sponsorship and Advertising - Program Guidelines", which sets out a comprehensive approach to sponsorship, no further effort is required in this area. The document sets out a 5-year program, and the approach can be evaluated after 5 years. While this tool fits into the category of "no further effort required" this does not mean that no efforts are being made in this area, it only means that no additional investments beyond what the City is already making will be required on the sponsorship front. A plan is in place and it is moving forward well, so no more analysis or investigation is required at this time.

9.6 Commercial lease

9.6.1 Tool description

The City can generate revenues for parks development through commercial lease. This would include commercial lease of portions of parkland such as land on the perimeter of parks for food and beverage businesses. Commercial lease on parkland has been a contentious issue in the past. Each case is carefully considered, and a clear public benefit identified.

9.6.2 Why no further effort is required

Again. while this tool fits into the category of "no further effort required" this does not mean that no efforts are being made in this area, merely no additional efforts beyond what the City is already making doing are necessary.

9.6 Commercial Lease or sale of surplus land

9.6.1 Tool description

The City can generate revenues from the sale of surplus land, such as the recent sale of land adjacent to Boyce-Gyro Beach Park to allow for reconfiguration of the lands to accommodate parking for the park. However this was unusual, in many instances the original acquisition method of park property would dictate that any revenues generated from the sale can only be used for the acquisition of more property.

9.6.2 Why no further effort is required

No further effort is directed to the area of surplus land because the funds for the sale of surplus lands are already allocated for the acquisition of parkland under the current policy. The potential for parks development revenue is relatively low, however specific cases will be brought to Council should they arise.

9.7 Grants

9.7.1 Tool description

Grants from Federal or Provincial sources, or charitable organisations, offer potential funding for park development or amenity improvements. However, grants for general park development have been less forthcoming in recent years or have been for small values that cease to be cost effective to apply for and administer.

9.7.2 Why no further effort is required

Additional effort will not necessarily yield results if there are no grant programs to pursue at the moment. No additional effort beyond what is currently dedicated will be expended in pursuit of grants. The City will continue to evaluate grant opportunities as they arise and pursue them if they make sense.

Appendix A – Council Meeting Materials

PARKLAND ACQUISITION AND DEVELOPMENT

PARKS FUNDING STRATEGY - COUNCIL WORKSHOP #1



Martin Bell October 2, 2017 Urban Systems



Parks Funding – Workshop Series Overview

- Workshop #1 Context and Public Policy Discussions
- Workshop #2 Building an Evaluation and Priority Setting Tool
- Workshop #3 Developing Our Funding and Financing Strategy



Parks Funding – Workshop #1 Overview

- The historic context for parks acquisition and development in Kelowna
- Our present context
- Key public policy questions for Council

Historic Context

-X

326

E-36.

Our Current Context

Dini-ANT



What are Council's broad (and/or more specific) goals with respect to parkland acquisition and development?



2030 OFFICIAL COMMUNITY PLAN





What are citizens saying with respect to their desire for parks in Kelowna? (e.g. feedback from the Ipsos Survey)



17



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Qualities or Characteristics that Make a City a Good Place to Live

🕇 Good recreational facilities/opportunities	20%
Convenient location/accessible to everything	15%
Beautiful natural setting	13%
Employment/job opportunities (incl. well paying jobs)	12%
Good amenities and services	12%
Low crime rate/safe	11%
Right size (not too big/small)	11%
Good weather/climate	10%
🛨 Nice beaches/lakes	9%
Good healthcare access (doctors/hospitals)	6%
Friendly/welcoming people	6%
Good sense of community	6%
Good quality of life	6%
Good public transportation	6%
★ Good parks/green space	5%
Good cultural opportunities/events/entertainment	5%
Family oriented/family friendly	5%
Don't know	2%

	2012 Top Mentions		
	Low crime rate/safe	16 %	
*	Good recreational facilities/ opportunities	16%	
*	Good parks/green space	13%	
	Employment/job opportunities	12 %	
	Convenient location/accessible to everything	11%	

Includes mentions of 5% or more.

Base: All respondents (n=301)

Q2. There are a number of reasons why people choose to live in one city or area over another. Assuming family and weather are not factors, what qualities or characteristics make a city a good place to live? That is, what qualities or characteristics would you use to describe your ideal city? Anything else?

331



Ipsos

Satisfaction with Specific City Services

42

2012 Norm

Satisfied		2012	Norm	
Fire services	76%	96%	97 %	94 %
★ Sports fields	48%	93%	95%	89 %
🕇 Recreational facilities and programs	44%	93%	92 %	86 %
Community cleanliness	36%	93%	N/A	N/A
🛨 Parks	48%	91%	95%	94 %*
Police services	46%	89%	88%	92 %
Cultural facilities and programs	23%	87%	89 %	N/A
Drinking water quality	47%	82%	N/A	N/A
Road maintenance	17%	81%	78 %	77%
Bike lanes and pedestrian sidewalks	24%	73%	83%	N/A
Community planning	13%	73%	66%*	68 %*
Public transit	2070	68%	69 %	53%
Traffic management including traffic calming and improving the flow of traffic	11%	57%	57%	63 %
	Very satisfied	Somewhat satisfied		

*Slightly different question wording.

Base: All respondents (n=301)

Q8. I'm now going to read a list of services provided to you by the City of Kelowna. Please tell me how satisfied you are with each of the following services, using a scale of very satisfied, somewhat satisfied, not very satisfied, or not at all satisfied.

332



Ipsos

Importance of Specific City Services

46

2012 Norm

Important		2012	Norm		
Fire services	92%	100%	98 %	99 %	
Drinking water quality	94%	99%	N/A	N/A	
Community cleanliness	79%	99%	N/A	N/A	
★ Parks	80%	98%	97 %	95%*	
Road maintenance	77%	98%	98 %	98%	
Traffic management including traffic calming and improving the flow of traffic	76%	97%	95 %	95 %	
Police services	83%	96%	98%	97 %	
★ Recreational facilities and programs	66%	96%	95%	95%	
Bike lanes and pedestrian sidewalks	69%	93%	90%	N/A	
Community planning	64%	88%	96 %*	92 %*	
Cultural facilities and programs	37%	83%	83%	N/A	
★ Sports fields	46%	81%	89%	85%	
Public transit	54%	74%	79 %	83%	
	Very important Some	ewhat important			

*Slightly different question wording.

Base: All respondents (n=301)

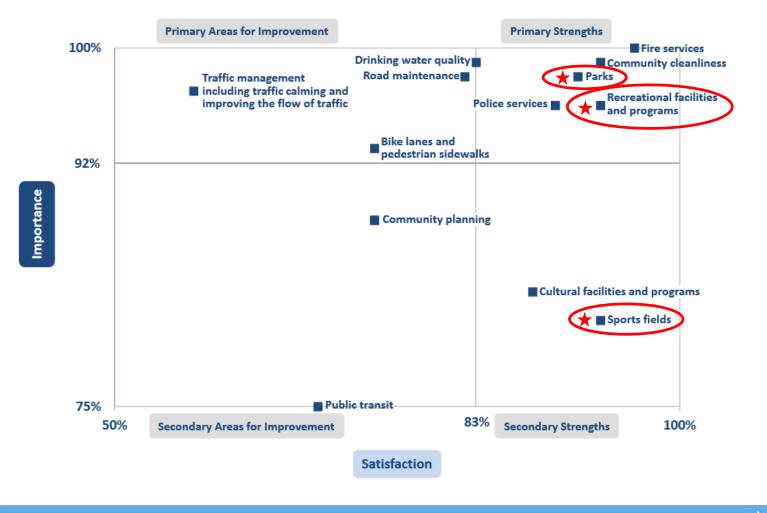
Q7. I'm now going to read a list of services provided to you by the City of Kelowna. Please tell me how important each of the following services is to you personally, using a scale of very important, somewhat important, not very important, or not at all important.



49



Action Grid: Importance vs Satisfaction



334

kelowna.ca



65

Ipsos

Paired Choice Analysis

	% Win	
Drinking water	69%	
Encouraging a diverse supply of housing options at different price points	63%	
Roads	57%	
Sewage treatment facilities	57%	
Police services	54%	
Business and economic development	53%	
Fire services	51%	
Public transit	47%	
Enhancing the natural environment	46%	
🛨 Parks	46%	
🛨 Recreational facilities and programs	45%	
Community cleanliness	44%	
Sidewalks	42%	
Bike lanes	37%	
Preservation of historic places	32%	
Cultural facilities and programs	30%	

0/ 14/100

Base: All respondents (n=301)

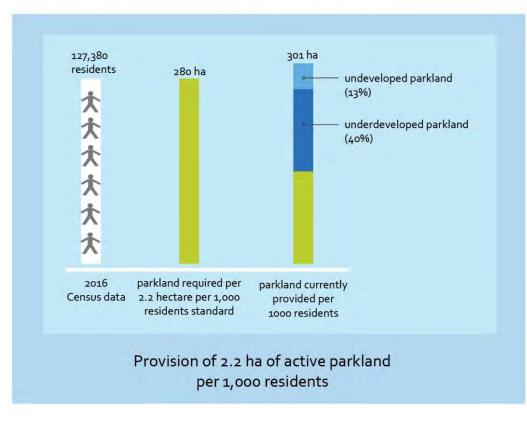
Q14. The City of Kelowna has many different options for things it can invest in over the next four years. I'm now going to read you different pairs of priorities. For each pair, please tell me which item you think should be the greater priority for investment over the next four years.



What do the data sets say about our progress on parkland acquisition and development?



BENCHMARKING EXERCISE | Park Provision



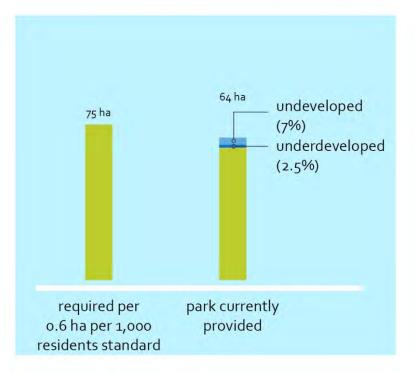


REPORT CARD | Neighbourhood Parks





BENCHMARKING EXERCISE | Neighbourhood Parks



Provision of 0.6 ha of neighbourhood park per 1,000 residents

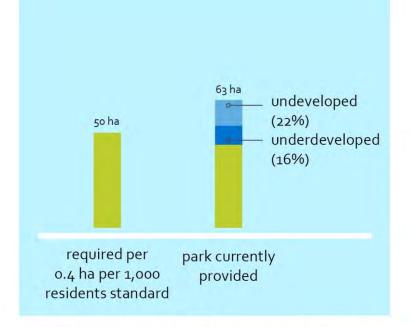


REPORT CARD | Community Parks





BENCHMARKING EXERCISE | Community Parks



Provision of 0.4 ha of community park per 1,000 residents

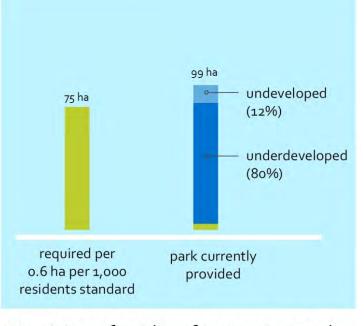


REPORT CARD | Recreation Parks





BENCHMARKING EXERCISE | Recreation Parks



Provision of o.6 ha of recreation park per 1,000 residents



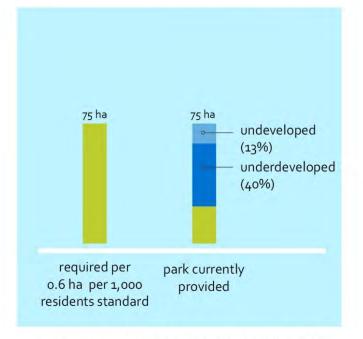
REPORT CARD | City-wide Parks



344 kelowna.ca



BENCHMARKING EXERCISE | City-wide Parks



Provision of o.6 ha of city-wide park per 1,000 residents



REPORT CARD | Linear and Natural Area Parks



346 kelowna.ca



Top 6 Priority Linear Parks for Development

1 kilometre

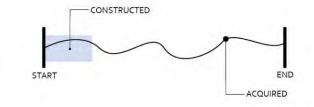
73%

39%

20 kilometres

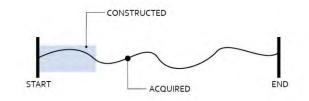
95%

- 1. WATERFRONT WALKWAY
- Linear park length:
- Land acquired:
- Trail construction completed: 0.2 kilometres



2. MILL CREEK LINEAR PARK

- Linear park length: 19 kilometres
- Land acquired:
- Trail construction completed: 4.5 kilometres



3. RAIL TRAIL (UBCO TO DOWNTOWN)

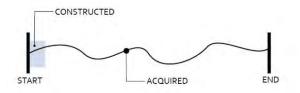
- Linear park length:
- Land acquired:
- Trail construction completed: o kilometres





4. BELLEVUE CREEK LINEAR PARK

- Linear park length: 13 kilometres •
- Land acquired:
- Trail construction completed: 0.2 kilometres ٠



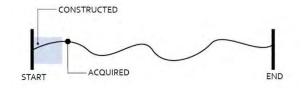
5. GOPHER CREEK LINEAR PARK

- Linear park length: •
- Land acquired: ٠
- 14% Trail construction completed: 1.0 kilometre

95%

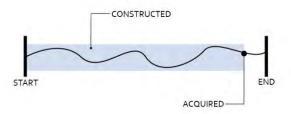
8.5 kilometres

41%



6. MISSION CREEK GREENWAY

- Linear park length: 16.5 kilometres •
- Land acquired: ٠
- Trail construction completed: 15 kilometres





Based on the City's policy approach and what we know about parks today – do our parkland standards (acquisition and development) reflect the healthy city we seek to build? Best mid-sized city in North America?



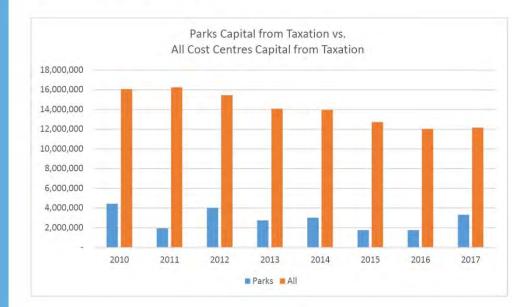
How would you evaluate the City's progress on parkland acquisition and development (vs. plans/strategies, growth and community expectations)?



Is the community's desire for parks reflected in the City's investment strategy for parkland acquisition and development?

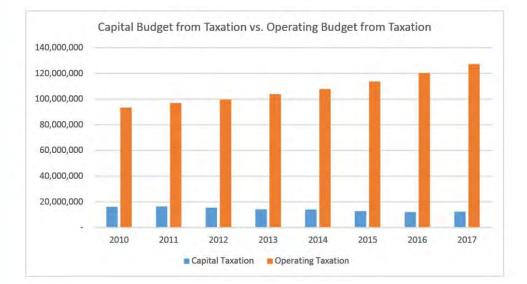


General Taxation





General Taxation (continued)

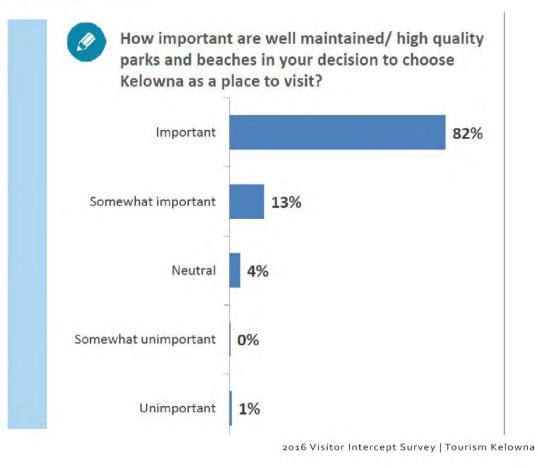




Parks, waterfront spaces and recreation facilities and their role in economic development

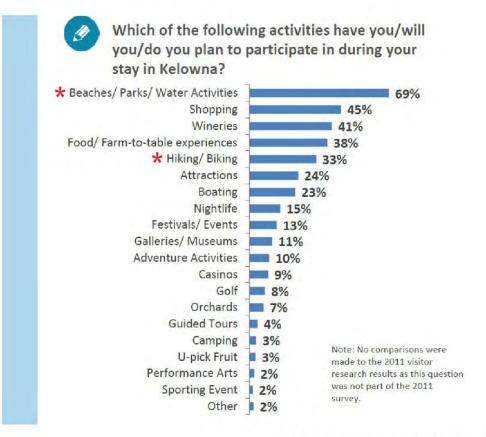


From our visitors:





From our visitors:



2016 Visitor Intercept Survey | Tourism Kelowna



Parks, waterfront space and related recreation amenities impact tourism and visitation decisions and investments.

What is the City's role in these investments vis-à-vis conscious economic development for the community?

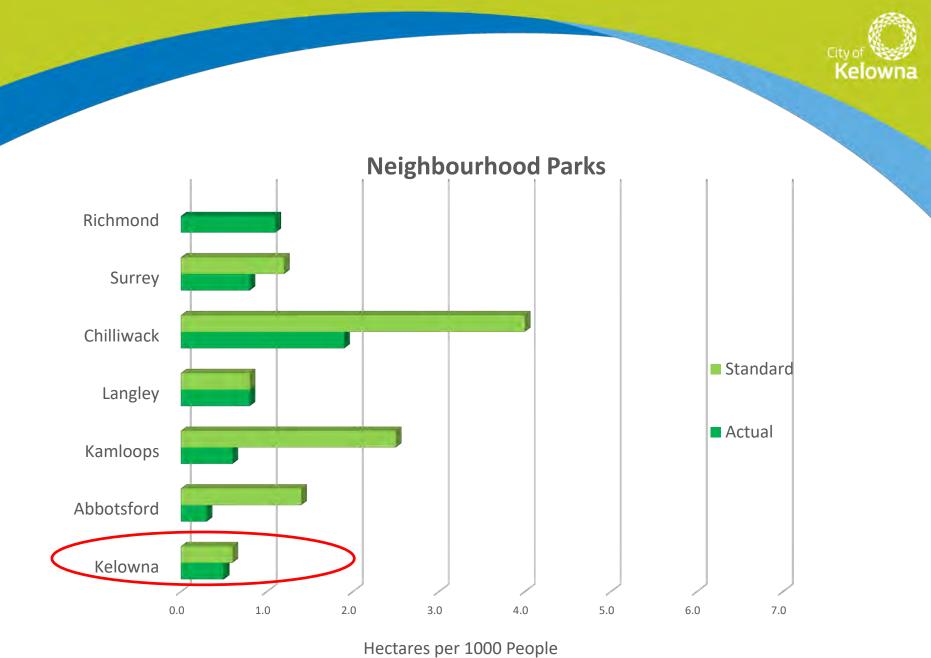


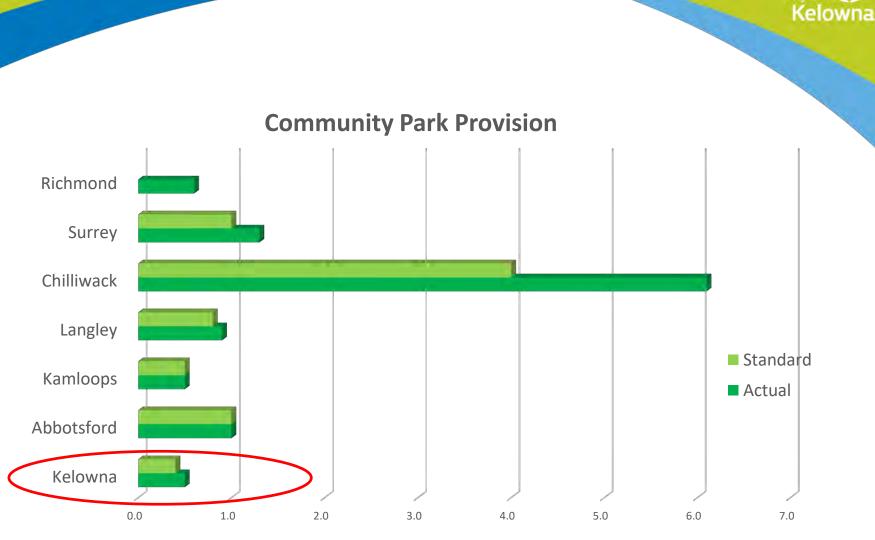
The City's current approach to parkland development favours parks partnerships often in greenfield developments. This diverts funding away from investment / reinvestment in the City's core area parks.

Is this aligned with your Council priorities?



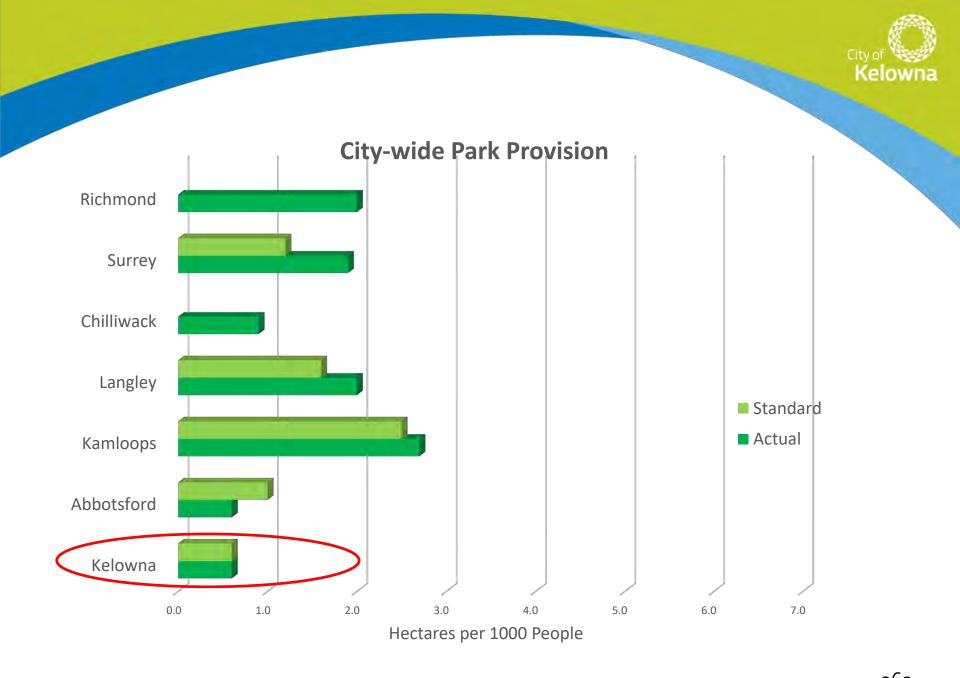
Thinking about all City investment priorities, what is the desired course for parkland acquisition and development investment in Kelowna over the next five to ten years?





Hectares per 1000 People

Cityo



362 kelowna.ca



Current Provision with Natural Areas



City of Kelowna Regular Council Meeting AGENDA



Pages

2 - 4

Monday, October 2, 2017 9:00 am Knox Mountain Meeting Room (#4A) City Hall, 1435 Water Street

1. Call to Order

2. Confirmation of Minutes

Regular AM Meeting - September 18, 2017

3. Reports

3.1Parks Development – Parkland Acquisition and
Development Funding Strategy, Workshop 190 m5 - 148

The Report to Council dated 8 May 2017 (Attachment 1) quantified the extent of undeveloped and underdeveloped parks across all park types against municipal targets, both currently and in the future. The report also identified several potential funding sources in order to address this shortfall. Following the directives arising from Council, three workshops are proposed. The workshops will be designed to follow a progression, and use consensus building exercises on key policy matters and financing tools/strategies.

4. Resolution Closing the Meeting to the Public

THAT this meeting be closed to the public pursuant to Section 90(1) (f) of the Community Charter for Council to deal with matters relating to the following:

- Law Enforcement
- 5. Adjourn to Closed Session
- 6. Reconvene to Open Session
- 7. Issues Arising from Correspondence & Community Concerns
 - 7.1 Mayor Basran, re: Issues Arising from Correspondence 30 m
- 8. Termination

364

Repo	ort to Council	
Date:	2 October, 2017	City of Kelowna
File:	1840-01	Relowid
То:	City Manager	
From:	Parks & Buildings Planning Manager	
Subject:	Parks Development — parkland acquisition and o Workshop 1	development funding strategy,

Recommendation:

THAT Council receives for information, the report from the Parks & Building Planning Manager dated October 2nd, 2017, with respect to Parks Development – parkland acquisition and development funding strategy workshop 1.

Purpose:

The Report to Council dated 8 May 2017 (Attachment 1) quantified the extent of undeveloped and underdeveloped parks across all park types against municipal targets, both currently and in the future. The report also identified several potential funding sources in order to address this shortfall. Following the directives arising from Council, three workshops are proposed. The workshops will be designed to follow a progression, and use consensus building exercises on key policy matters and financing tools/strategies.

Background:

The City of Kelowna is committed to providing parkland for public enjoyment and well-being, creating sports amenities to promote active living, preserving natural open space for wild flora and fauna, and developing linear greenways that create strong pedestrian and cycling connections throughout the City.

In May 2017, City Council received the Parks Development Report – A study of underdeveloped, undeveloped and future park sites (Attachment 2). The report notes that while the City acquires parkland in accordance with the Parkland Acquisition Guidelines, it has become apparent the rate of park development has not kept pace with the rate of parkland acquisition. This raises some fundamental questions of public policy which lead naturally into discussions about potential strategies and appropriate financing tools to ensure the City's parkland acquisition and development keep pace with community desires and the City's ability to fund these initiatives.

Council Engagement Process

The City has retained Urban Systems to assist in a three-workshop series with Council (in October and November 2017) with the objectives of:

2 October 2017 - Workshop 1: Engaging Council in shaping the key public policy questions to be addressed in the City's overall approach to parkland acquisition and development moving forward;

17 October 2017 – Workshop 2: Providing Council with an overview of the legislative, City policy, financial framework and financing tools associated with parkland acquisition and development; and

6 November 2017 Workshop 3: Having Council participate in aligning financing tools with specific public policy objectives and funding needs associated with parkland acquisition and development.

While some of the workshop will be oriented toward providing an overview of the City's policy framework, legislative requirements and present financial approaches, it is intended to incorporate time in the session to work with Council in articulating the key public policy questions Council would like to see addressed through this review process. Identifying these questions clearly at the outset will yield insight and better alignment with the potential strategies and financing tools recommended as outcomes for this process.

Internal circulation:

Deputy City Manager Divisional Director, Infrastructure Divisional Director, Community Planning & Strategic Investments Divisional Director, Financial Services Divisional Director, Corporate Strategic Services Divisional Director, Active Living & Culture Divisional Director, Corporate & Protective Services Divisional Director, Human Resources & Corporate Performance

Considerations not applicable to this report:

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

Submitted by:

R. Parlane, Manager, Parks and Buildings Planning

Approved for inclusion:

Alan Newcombe, Infrastructure Divisional Director

Attachment 1: May 8th, 2017 Report to Council – Parks Development – Underdeveloped, Undeveloped and Future Park Sites.

Attachment 2: Parks Development Report

Attachment 3: Parks Development – Funding Strategy Workshop Presentation

cc: Deputy City Manager

Divisional Director, Infrastructure Divisional Director, Community Planning & Strategic Investments Divisional Director, Financial Services Divisional Director, Corporate Strategic Services Divisional Director, Active Living & Culture Divisional Director, Corporate & Protective Services Divisional Director, Human Resources & Corporate Performance City Clerk

Report to Council

Date:	May 8, 2017	Kelov	
File:	1840-01	IVEION	
То:	City Manager		
From:	Parks & Buildings Planning Manager		
Subject:	Parks Development - underdeveloped, undeveloped and future park sites		

Recommendation:

THAT Council receives for information, the report from the Parks & Building Planning Manager dated May 8, 2017, with respect to Parks Development – underdeveloped, undeveloped and future park sites;

AND THAT Council directs staff to report back to a future meeting of Council with options to revise Development Cost Charges that would be used for parks development funding;

AND THAT Council directs staff to report back to a future meeting of Council with an anticipated schedule of commercial leases and land sales that may be used for parks development funding;

AND THAT Council directs staff to report back to a future meeting of Council with a recommendation on strategies to increase parks development funding through the City's partnership programs;

AND THAT Council directs staff to report back to a future meeting of Council with a recommendation on an increase in parks development funding through general taxation;

AND THAT Council directs staff to report back to a future meeting of Council with a recommendation on an increase in City-wide parks development funding through the hotel tax;

AND THAT Council directs staff to report back to a future meeting of Council with an identified portfolio of high priority park projects that may be considered for a parcel tax via referendum;

AND FURTHER THAT Council directs staff to report back to a future meeting of Council with a Temporary Usage Plan for acquired parkland currently not in public use.

Purpose:

To provide a comprehensive summary of all underdeveloped, undeveloped and future parks in each of the different park classifications. Further, to provide an outline list of potential funding options to



address this backlog, in order that Council may identify which options should be considered in more detail by staff for further discussion.

Background:

The City of Kelowna provides a wide variety of parkland for the enjoyment of all residents and visitors. Neighbourhood parks provide close, convenient 'green family rooms' for all residents across the City. Community parks provide recreational amenities including recreational courts and fields, community gardens and dog parks. The City's recreational parks promote active living and well-being through a multitude of different sports facilities to suit a wide variety of user groups and ages. Our linear parks and natural areas preserve and promote native flora and fauna, while providing a strong network of pedestrian and cycling connections across the City. Our City-wide parks highlight the very best locations within our park system for both residents and tourists to enjoy the Okanagan.

The City acquires land for park use based on long-term planning strategies following the Parkland Acquisition Guidelines. Land is either dedicated at the time of subdivision or rezoning, or purchased using DCC and taxation funding. It is apparent however, park development has not progressed in line with the City's aspirations. Many parks remain underdeveloped with only the first phases of the design complete. Many others lie fallow or with interim tenants as undeveloped parks. The Official Community Plan Future Land Use Map identifies further future parks to be added to the inventory of acquired parkland in the foreseeable near future as part of the City's growth strategy.

Council directed staff to prepare a report to schedule the shortfall in underdeveloped, undeveloped and future parkland, in order to clearly identify the shortfalls in park development funding. This report includes this data as a series of report cards for each park classification.

The report also provides a broad list of funding options that may be combined in order to address this backlog of development. For the benefit of full discussion, the list is intended to be extensive, including options staff do not recommend for further consideration, or offer only limited benefit. This list is an outline only, with the objective to determine on which options Council will direct staff to report back in more detail.

Specifically, the revision of Development Cost Charges to generate park development funds was considered by a previous Council in 2010, and the report from that time is attached as an appendix to the Parks Development Report. However, this report is now dated, and if this option is to be pursued further, it would need to be updated.

Finally, the report identifies there are a number of acquired park sites which are currently not accessible for residents' use. Security, maintenance, appearance, interim costs and temporary uses becoming inferred long-term demands are the most common concerns for not making the land accessible. A Temporary Usage Plan is proposed to consider which of these sites may be made accessible as an interim measure, and address the concerns in doing so. The intent is to avert frustration, and develop public confidence in the long-term future development of the site, while preserving the land for future development of the park's masterplan.

Financial/Budgetary Considerations:

The report considers nine options to increase park development funding for discussion:

- Development Cost Charges
- Revenues

- Lease or land sale
- Partnerships
- Grants
- Community Amenity Contributions
- General taxation
- Tourism taxation
- Parcel taxation

Of these, some partnerships and grants are currently being pursued. Revenues currently contribute to general funding or dedicated to other sectors, therefore to dedicate them to park development would be to the detriment of other City services. Community Amenity Contributions are related to the City's development application review process, and staff may consider this tool as part of the upcoming Official Community Plan review process.

The following items: Development Cost Charges, lease or land sale, partnerships, general taxation, tourism taxation, and parcel taxation, are proposed for further deliberation by Council.

Internal circulation:

Deputy City Manager Divisional Director, Infrastructure Divisional Director, Community Planning Divisional Director, Financial Services Divisional Director, Active Living & Culture

Considerations not applicable to this report:

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

Submitted by: R. Parlane, Manager, Parks and Buildings Planning

Approved for inclusion:



Alan Newcombe, Infrastructure Divisional Director

Attachment 1 – Parks Development Report

cc: Deputy City Manager Divisional Director, Infrastructure Divisional Director, Community Planning Divisional Director, Financial Services Divisional Director, Active Living & Culture Infrastructure Operations Dept Manager Infrastructure Engineering Manager Infrastructure Delivery Dept Manager Director, Strategic Investments Urban Planning Manager Community Engagement Manager City Clerk



City of Kelowna Regular Council Meeting Minutes

Date:Monday, October 2, 2017Location:Knox Mountain Meeting Room (#4A)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

> Deputy City Manager, Joe Creron; City Clerk, Stephen Fleming, Parks & Buildings Planning Manager, Robert Parlane*; Divisional Director, Community Planning & Strategic Investments, Doug Gilchrist*; Divisional Director, Active Living & Culture, Jim Gabriel*; Director Strategic Investments, Derek Edstrom*; Divisional Director Infrastructure, Alan Newcombe*; Park & Landscape Planner, Lindsey Clement*; Legislative Coordinator (Confidential), Arlene McClelland

Guests Martin Bell, CEO Urban Systems and Joel Short, Senior Planner, Urban Systems

(* denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 9:01 a.m.

2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor Gray

<u>R788/17/10/02</u> THAT the Minutes of the Regular AM Meeting of September 18, 2017 be confirmed as circulated.

Carried

Councillor Given joined the meeting at 9:03 a.m.

3. Reports

3.1 Parks Development – Parkland Acquisition and Development Funding Strategy, Workshop 1

Staff:

- Displayed a PowerPoint Presentation introducing the parkland acquisition and development funding strategy.
- Introduced Consultants.

Martin Bell, CEO Urban Systems and Joel Short Senior Planner, Urban Systems - Displayed a PowerPoint Presentation summarizing the parkland acquisition and development

- funding strategy.
 Lead a series of discussions with Council regarding Council's broad goals with respect to parkland
- Lead a series of discussions with Council regarding Council's broad goals with respect to parkland acquisition and development and general financing implications for each.

Council:

- Provided individual comments.

Moved By Councillor Sieben/Seconded By Councillor Singh

<u>R789/17/10/02</u> THAT Council receives for information, the report from the Parks & Building Planning Manager dated October 2nd, 2017, with respect to Parks Development – parkland acquisition and development funding strategy workshop 1.

The meeting recessed at 10:31 a.m.

The meeting reconvened at 10:42 a.m.

4. Resolution Closing the Meeting to the Public

Moved By Councillor Stack/Seconded By Councillor Hodge

<u>**R790/17/10/02**</u> THAT this meeting be closed to the public pursuant to Section 90(1) (f) of the Community Charter for Council to deal with matters relating to the following:

Law Enforcement

5. Adjourn to Closed Session

The meeting adjourned to a closed session at 10:42 a.m.

6. Reconvene to Open Session

The meeting reconvened to an open session at 12:24 p.m.

7. Issues Arising from Correspondence & Community Concerns

7.1 Mayor Basran, re: <u>Troika Development Application – September 19th Public Hearing</u>

Mayor Basran:

- Will be asking Council to waive the six month waiting period so that Troika may present a revised Green Square Development Permit application to a future meeting.

7.2 Councillor Hodge, re: <u>Public Hearing - September 19th</u>

Councillor Hodge:

- Raised concern with the length of the September 19th Public Hearing and would like to discuss options.

City Clerk:

 Staff will be coming forward to Council with proposed amendments to the Council Procedure Bylaw & Policies and Council could discuss then.

<u>Carried</u>

2

Carried

7.3 Councillor Donn, re: IHA Correspondence to Address Council

Moved By Councillor Donn/Seconded By Councillor Sieben

<u>R791/17/10/02</u> THAT Council directs staff to provide background information on Interior Health Authority request to address Council and provide recommendation whether to invite.

Carried

7.4 Councillor Stack, re: <u>Westcorp Hotel Application</u>

Councillor Stack:

- Would like an update on the Westcorp Hotel application.

Mayor:

Confirmed that a Development Permit and Development Variance Permit application has been submitted.

8. Termination

The meeting was declared terminated at 12:28 p.m.

Mayor

City Clerk

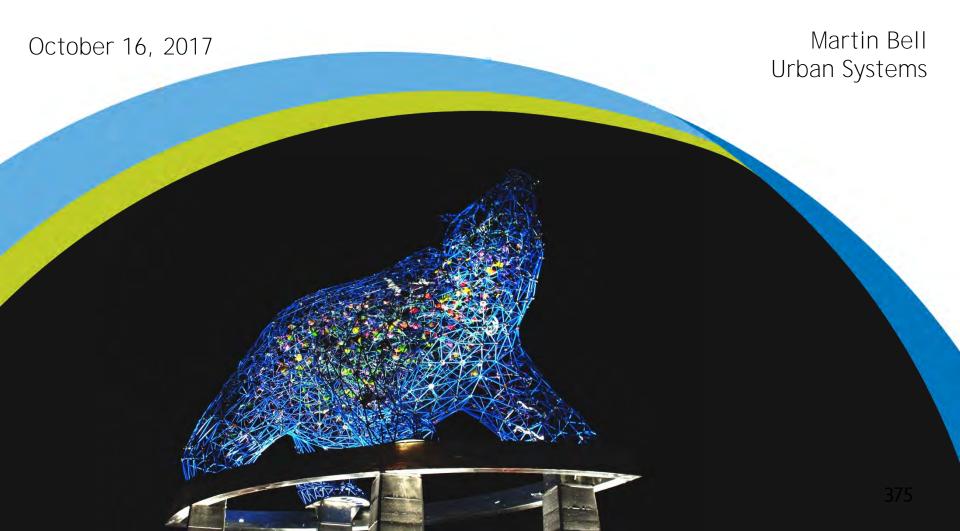
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PARKS DEVELOPMENT

PARKLAND ACQUISITION & DEVELOPMENT FUNDING STRATEGY

COUNCIL WORKSHOP 2







Parks Funding – Workshop Series Overview

- Workshop #1 Context and Public Policy Discussions
- Workshop #2 Building an Evaluation and Priority Setting Tool
- Workshop #3 Developing Our Funding and Financing Strategy



Summary of Workshop #1 – October 2nd

What we heard:

- Shift the tilt from Parks Acquisition towards more Parks Development
- Do not draw funds away from other priorities such as transportation in order to fund parks, instead:
 - shift priorities within the existing budget, or
 - look for additional funding sources for parks
- Explore tools to collect funds for parks in specific urban areas that are densifying such as: Capri/Landmark; South Pandosy; Rutland Town Centre



Summary of Workshop #1 – October 2nd

What we heard:

- Explore options for Parks Improvement DCCs with development community:
 - Explore tolerance for upward movement in Parks DCCs to pay for improvements?
 - Keep overall DCC rates the same but shift some component to parks development?
 - Provide developers with DCC credits for parks they build?



Summary of Workshop #1 – October 2nd



What we heard:

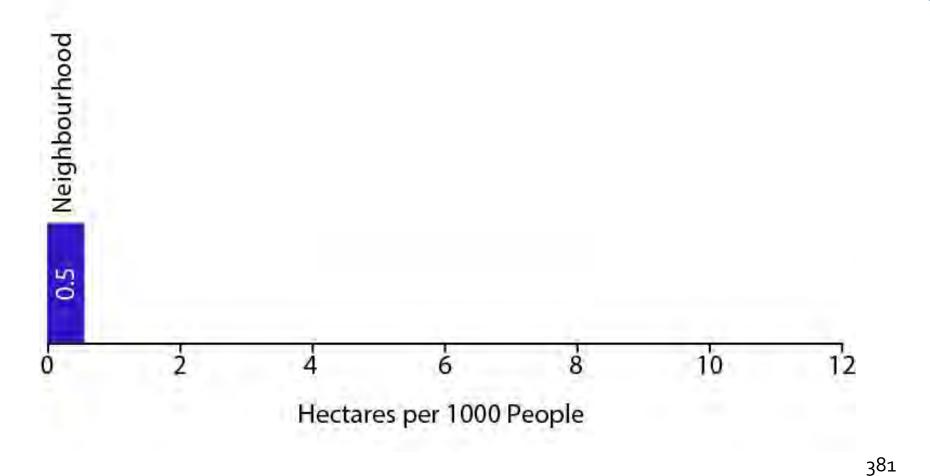
- Consider making the parks partnership requirements firmer and more consistent ensure that as new neighbourhoods are built, developers provide them with finished neighbourhood parks
- Consider Linear Parks, along with Regional Parks and other parks not necessarily owned by the City, in the inventory of available parks space
- Explore potential to open up parks that aren't 100% developed, or don't yet meet our standards, however the potential likely depends on the situation



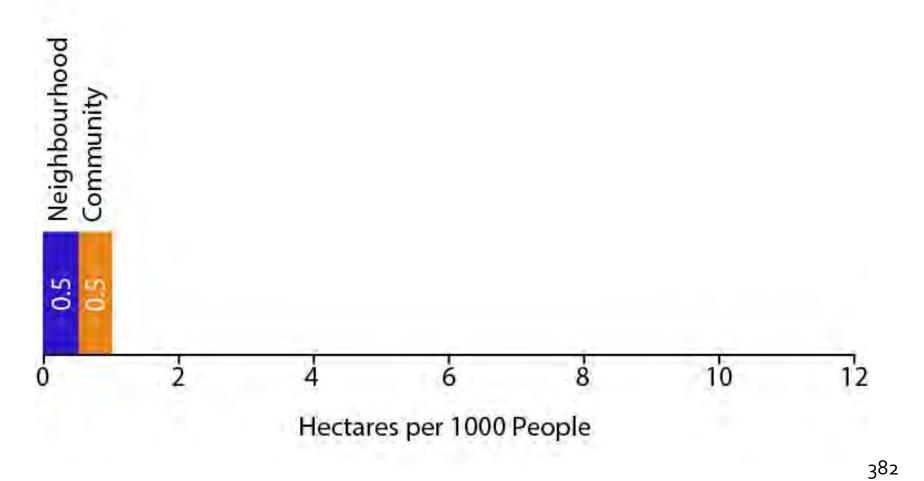
More Data...requested by Council

How does the parks standard per 1000 population growth change as we add other components?

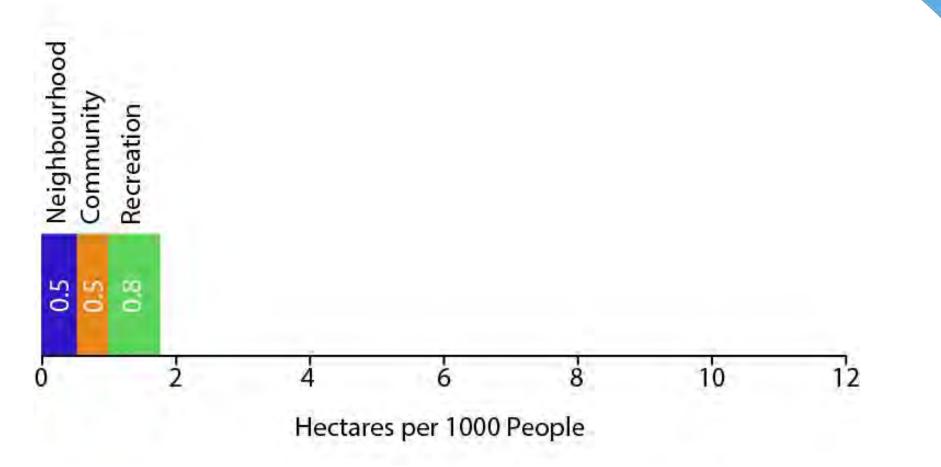




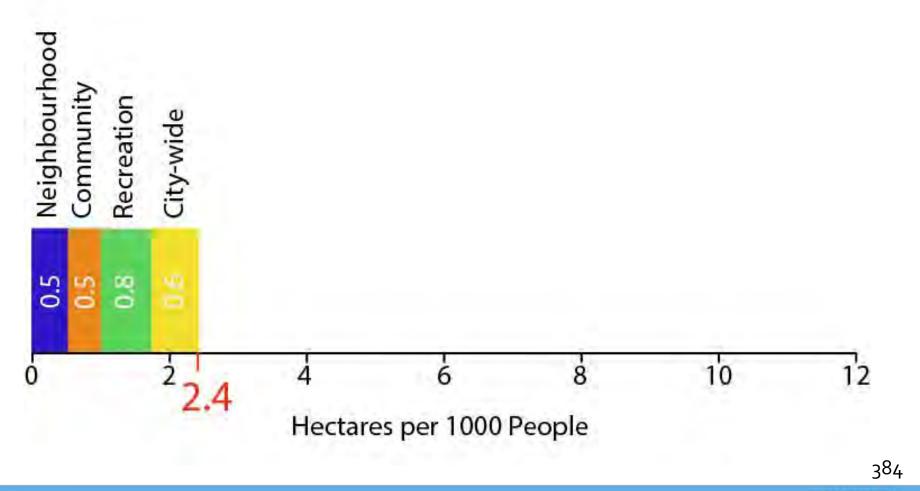




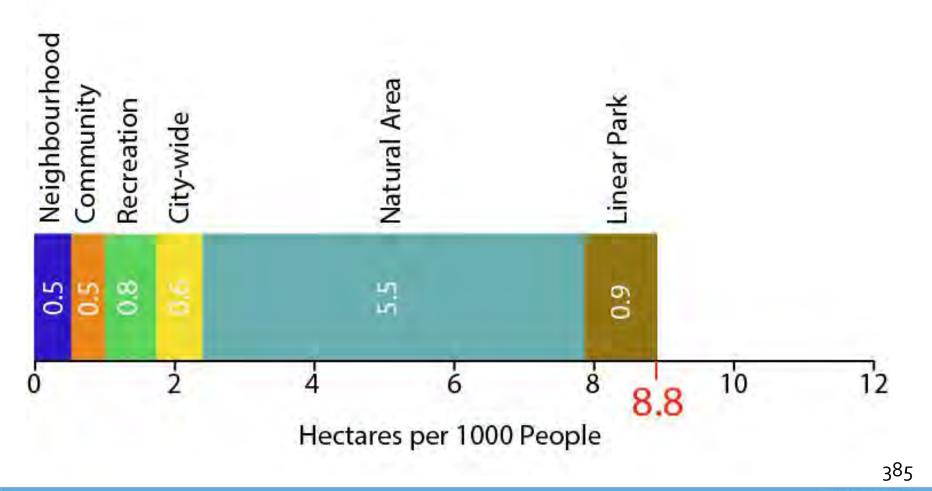






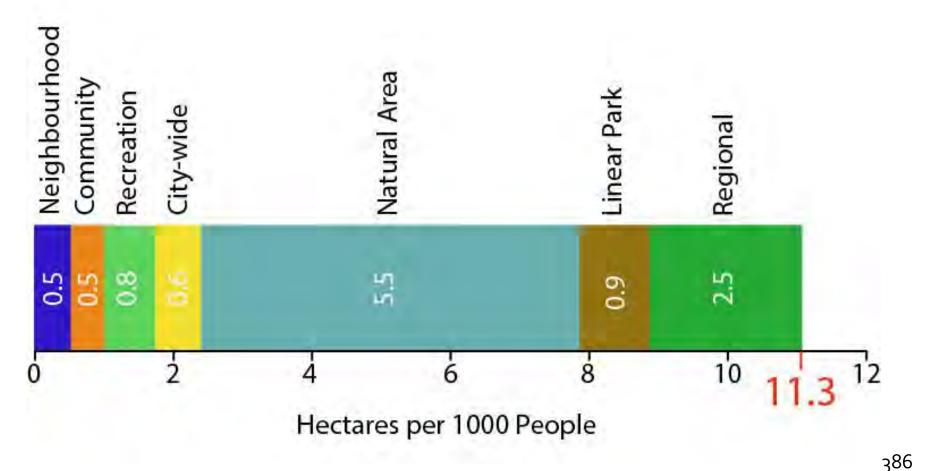




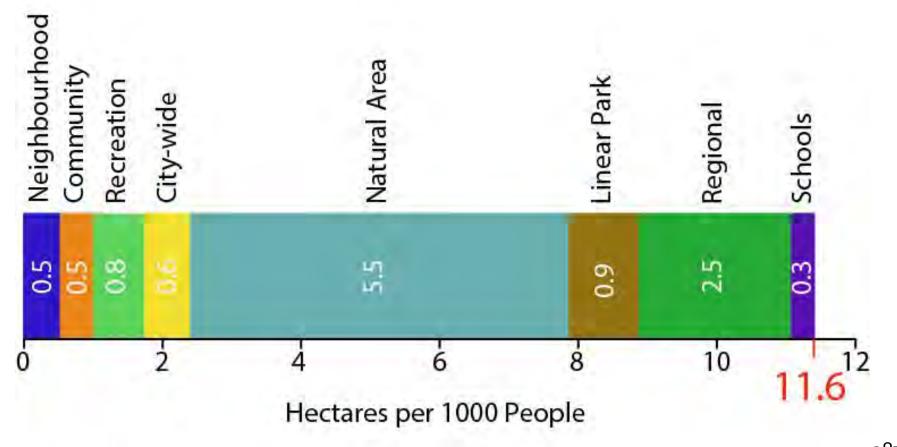


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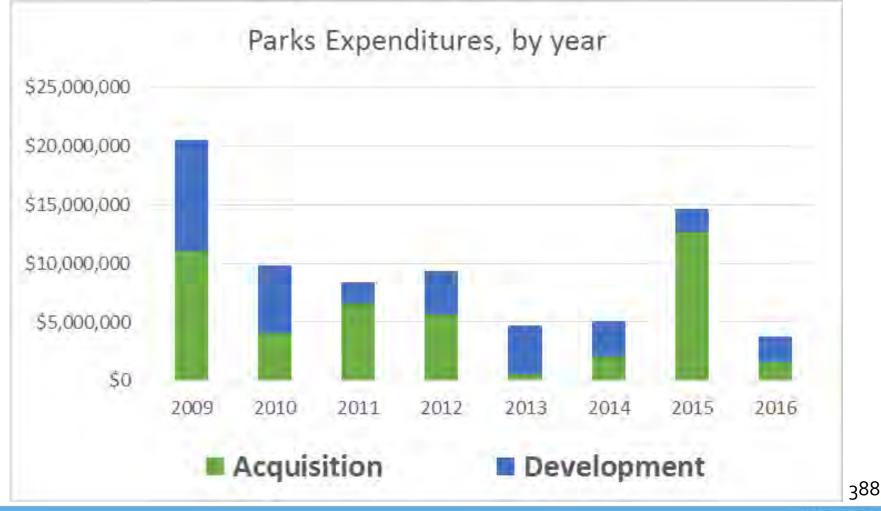








Funding Allocation: Parks Acquisition and Development



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Funding Allocation: Parks Acquisition and Development

Parks expenditures, Total 2009 - 2016



kelowna.ca

289

What is the potential for a shift in the 'tilt'? How much would Council consider shifting from acquisition to development?

Considerations:

- Risks: e.g. may miss out on some acquisition opportunities, might not be acquiring enough parkland for future needs
- Benefits: e.g. could meet more needs for parks development, could make more use of existing parklands
- Other shifts: Could Development funds come from other budget areas? e.g. Linear Parks may have benefits to other budget areas such as flood protection, active transportation, drainage



Setting Priorities: How to build a parks acquisition and development priority matrix

- Step 1 : Agree on criteria
- Step 2 : Place weight on each of the criteria





1. CONSISTENCY WITH PLANS

- Official Community Plan
- Infrastructure Plan
- Parks Master Plans





2. DEMOGRAPHICS

- Addressing gaps in provision for all ages and abilities
- Needs of current age-groups and characteristics
- Needs of future age-groups and characteristics



3. LOCATION

- Walkability
- Current park accessibility
- Proximity to other parks
- Connectivity improvement opportunities
- Destination for visitors and residents

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4. COMMUNITY INPUT/NEEDS

- Deficiencies
- Priorities
- Addresses needs of user groups
- Addresses park type needs
- Addresses socio-economic inequalities



5. COSTS / FUNDING

- Municipal budget availability
- Land cost
- Added value
- Maintenance costs
- Long-term benefits
- Rehabilitation of existing facilities
- Provision of new facilities
- Funding availability from Developers
- Funding availability from Neighbourhood groups





6. USAGE LEVEL

- Anticipated user levels
- Differences / similarities between other parks
- Existing park capacity levels





7. ECONOMIC DEVELOPMENT

- Attraction for new visitors, e.g. Sports Tourism
- Visitor needs



Exercise: Create a parks acquisition and development priority matrix



Next Session

Workshop #3 - Developing Our Funding and Financing Strategy



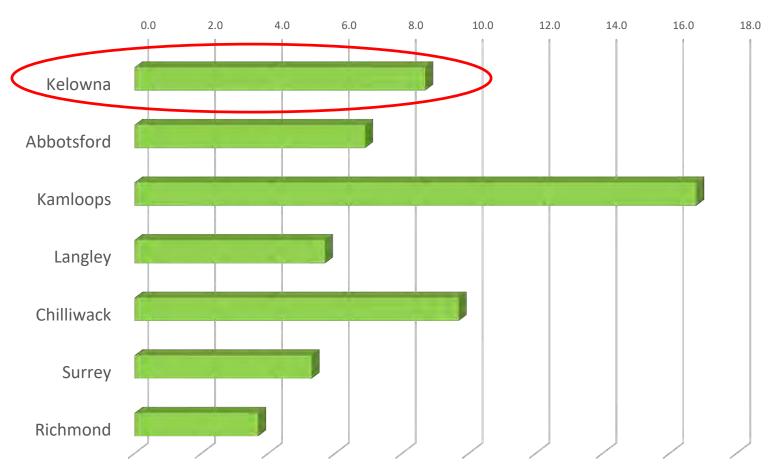
Back up slides

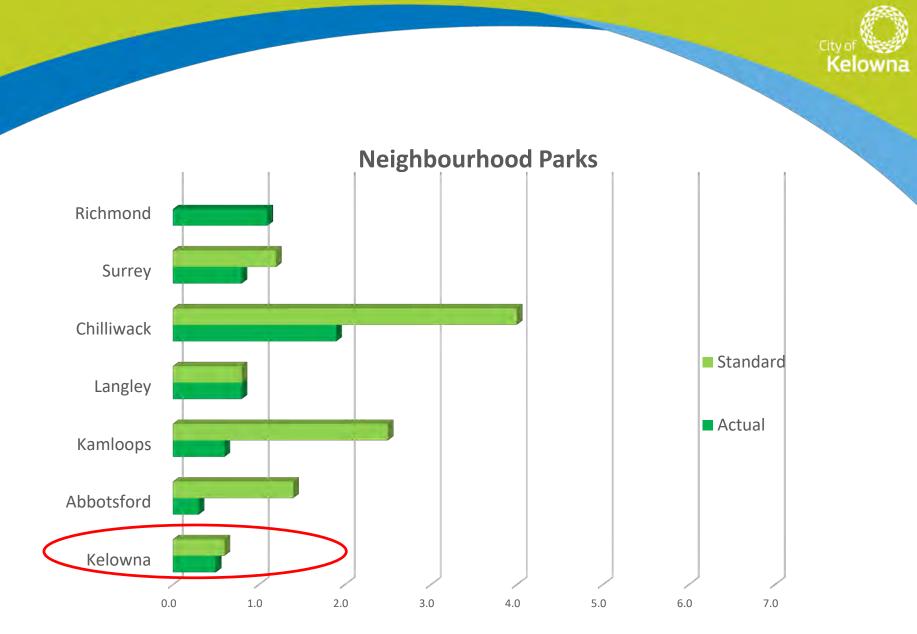
Comparative slides that we included in the last session, may need for this session



Current Provision, including Neighbourhood, Community, City-Wide and Natural/Linear Parks

Hectares (ha) per 1000 People





Hectares per 1000 People

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Hectares per 1000 People

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Kelowna



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City of Kelowna **Regular Council Meeting** AGENDA



Mond	lay, Octo	ber 16, 2017	4	v -
9:00 a	am			
		n Meeting Room (#4A)		
City H	Iall, 1435	Water Street		Pages
	Callda	Order		r uges
1.	Call to	Order		
2.	Confirr	nation of Minutes		2 - 4
	Regula	r AM Meeting - October 2, 2017		
3.	Report	S		
	3.1	Parks Development – Parkland Acquisition and Development Funding Strategy, Workshop 2	90 M	5 - 38
		To provide Council with the second workshop in a series of three. This workshop aimed at building an evaluation and priority setting tool with Council.	o is	
	3.2	Sign Bylaw Workshop 3 - TA15-0013	45 m	39 - 116
		To provide City Council with additional information with respect to the philosop behind changes to the Sign Bylaw.	bhy	
	3.3	Divisional Director, Corporate & Protective Services, Verbal Report, re: IHA Request to Attend Council re: Opioid Crises	5 m	
	3.4	City Clerk, Verbal Report, re: Draft 2018 Council Meeting Schedule	10 M	
4.	lssues	Arising from Correspondence & Community Concerns		
	4.1	Mayor Basran, re: Issues Arising from Correspondence	30 m	
F	Termir	nation		

5. Termination

Date:	October 16, 2017	Kelowna
File:	1840-01	Kelowna
То:	City Manager	
From:	Parks & Buildings Planning Manager	
Subject:	Parks Development - Parkland Acquisition and Deve Workshop 2	elopment Funding Strategy,

Recommendation:

THAT Council receives for information the report from the Parks & Buildings Planning Manager dated October 16, 2017, with respect to Parks Development - Parkland Acquisition and Development Funding Strategy Workshop 2.

Purpose:

To provide council with the second workshop in a series of three. This workshop is aimed at building an evaluation and priority setting tool with council.

Background:

As noted in earlier reports, the City of Kelowna is committed to providing parkland for public enjoyment and well-being, creating sports amenities to promote active living, preserving natural open space for wild flora and fauna, and developing linear greenways that create strong pedestrian and cycling connections throughout the City.

In May 2017, City Council received the Parks Development Report - A study of underdeveloped, undeveloped and future park sites. The report notes that while the City acquires parkland in accordance with the Parkland Acquisition Guidelines, it has become apparent the rate of park development has not kept pace with the rate of parkland acquisition. This raises some fundamental questions of public policy which lead naturally into discussions about potential strategies and appropriate financing tools to ensure the City's parkland acquisition and development keep pace with community desires and the City's ability to fund these initiatives. Council engaged in the first workshop on October 2, 2017, where members provided direction on broader policy issues related to parks such as the proportion of resources that goes towards parks acquisition vs parks development, and considerations on the level of parks acquisition and development provided in the City.

Council Engagement Process

The City has retained Urban Systems to assist in a three-workshop series with Council (in October and November 2017):

October 2, 2017 - Workshop 1 (completed): Engaging Council in shaping the key public policy questions to be addressed in the City's overall approach to parkland acquisition and development moving forward;

October 16, 2017 - Workshop 2: Building an evaluation and priority setting tool;

November 6, 2017 - Workshop 3: Having Council participate in aligning financing tools with specific public policy objectives and funding needs associated with parkland acquisition and development.

More specifically, the following items will be addressed during this forthcoming workshop.

- Recapping direction provided during Workshop 1;
- Providing Council with some additional parks data requested during Workshop 1;
- Spending most of the time during Workshop 2 engaging Council in an exercise to build a tool for setting parks priorities, which will include:
 - confirming the specific criteria that should be used in setting priorities; and
 - placing a weighting, or level of importance, to each of the criteria.

Clarifying Council's priorities for parks will provide solid direction for the potential strategies and financing tools recommended as outcomes for this process. The results of Workshop 2 on establishing priorities will set the stage for Workshop3 which focusses on the funding and financing strategy.

Internal circulation:

Deputy City Manager Divisional Director, Infrastructure Divisional Director, Community Planning & Strategic Investments Divisional Director, Financial Services Divisional Director, Corporate Strategic Services Divisional Director, Active Living & Culture Divisional Director, Corporate & Protective Services Divisional Director, Human Resources & Corporate Performance

Considerations not applicable to this report:

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

R. Parlane, Manager, Parks and Buildings Planning

Alan Newcombe, Infrastructure Divisional Director

Attachment: 2017-10-16-Parks Funding Strategy-Council Workshop 2

cc: Deputy City Manager Divisional Director, Infrastructure Divisional Director, Community Planning & Strategic Investments Divisional Director, Financial Services Divisional Director, Corporate Strategic Services Divisional Director, Active Living & Culture Divisional Director, Corporate & Protective Services Divisional Director, Human Resources & Corporate Performance City Clerk



City of Kelowna Regular Council Meeting Minutes

Date:Monday, October 16, 2017Location:Knox Mountain Meeting Room (#4A)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*

Councillors Charlie Hodge

City Manager, Ron Mattiussi; City Clerk, Stephen Fleming, Parks & Buildings Planning Manager, Robert Parlane*; Divisional Director, Community Planning & Strategic Investments, Doug Gilchrist*; Community Planning Department Manager, Ryan Smith*; Urban Planning Manager, Terry Barton*; Community Planning Supervisor, Lindsey Ganczar*; Park & Landscape Planner, Lindsey Clement*; Bylaw Services Manager, David Gazley*, Divisional Director, Corporate Strategic Services, Carla Weaden*; Legislative Coordinator (Confidential), Arlene McClelland

Guests Martin Bell*, CEO Urban Systems and Joel Short*, Senior Planner, Urban Systems

(* denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 9:03 a.m.

2. Confirmation of Minutes

Moved By Councillor Gray/Seconded By Councillor Donn

<u>R814/17/10/16</u> THAT the Minutes of the Regular AM Meeting of October 2, 2017 be confirmed as circulated.

Carried

Councillor Sieben joined the meeting at 9:04 a.m.

Councillor Stack joined the meeting at 9:04 a.m.

3. Reports

3.1 Parks Development – Parkland Acquisition and Development Funding Strategy, Workshop 2

Staff:

- Introduced the parkland acquisition and development funding strategy workshop.

Martin Bell, CEO Urban Systems and Joel Short Senior Planner, Urban Systems

- Displayed a PowerPoint Presentation summarizing Workshop No. 1 on October 2, 2017 and provided a series overview.
- Lead a discussion with Council on the merits of park acquisition versus park development and the potential DCC implications.
- Provided information on different park types within the City and funding allocations between park acquisition and development since 2009.
- Lead a discussion with Council in order to build a parks acquisition and development priority matrix and had Council participate in a matrix building exercise.
- Workshop 3 will be to develop a funding and financing strategy based on Council's input from the matrix exercise.
- Responded to questions from Council.

The meeting recessed at 10:35 a.m.

The meeting reconvened at 10:44 a.m.

3.2 Sign Bylaw Workshop 3 - TA15-0013

Staff:

- Provided background information and issues with respect to the Sign Bylaw and the need for an update.
- Displayed a PowerPoint Presentation summarizing the draft Sign Bylaw.
- Responded to questions from Council.

Council:

- Provided individual comments.

Moved By Councillor DeHart/Seconded By Councillor Given

<u>**R815/17/10/16</u>** THAT the Sign Bylaw Workshop 3 report prepared by the Community Planning Department dated October 16, 2017 be received for information;</u>

AND THAT Council directs Staff to undertake additional industry-related consultation and before bringing the new Sign Bylaw to an afternoon City Council meeting for further consideration.

Carried

The meeting to reconvene following the afternoon meeting.

The meeting recessed at 12:25 p.m.

The meeting reconvened at 3:09 p.m. with Councillors Hodge and Singh absent.

3.3 Divisional Director, Corporate & Protective Services, Verbal Report, re: IHA Request to Attend Council re: Opioid Crises

Staff:

- Provided a verbal report regarding a request from IHA to attend a Council meeting.

Moved By Councillor Donn/Seconded By Councillor Given

<u>**R816/17/10/16</u>** THAT Council directs staff to schedule Interior Health Authority to a future Council meeting.</u>

Carried

3.4 City Clerk, Verbal Report, re: Draft 2018 Council Meeting Schedule

City Clerk:

- Displayed the draft 2018 Council Meeting Schedule and commented on recommended break in the meetings around the Municipal Election.
- Responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Sieben

<u>R817/17/10/16</u> THAT Council directs staff to bring forward the Draft 2018 Council Meeting Schedule with additional Public Hearing dates in September and October to an afternoon meeting for Council's consideration.

Carried

4. Issues Arising from Correspondence & Community Concerns

4.1 Mayor Basran, re: Issues Arising from Correspondence

Mayor Basran:

- Has been invited to go on a tour by KF Aerospace; arrangements will be made by the City Clerk and the Mayor's Confidential Secretary.
- Referenced email from Jordan Hettinga regarding major industry tax category Tolko is placed in and how this impacts their annual taxes.

Moved By Councillor Sieben/Seconded By Councillor Gray

<u>**R818/17/10/16</u>** THAT Council directs staff to provide information and recommendation regarding Tolko Industries tax category.</u>

Carried

4.2 Councillor Gray, re: Expense Recording

Councillor Gray:

- Inquired as to how Council expenses are publicly recorded and legislated.

City Manager:

- Advised that Council can present expenses however Council would like.

4.3 Councillor Stack, re: Utility Billing Changes Memo

Councillor Stack:

- Commented on a recent memo from Communications regarding change in policy for tenant accounts.

5. Resolution Closing the Meeting to the Public

Moved By Councillor Donn/Seconded By Councillor DeHart

<u>**R819/17/10/16</u>** THAT this meeting be closed to the public pursuant to Section 90(1) (e) of the Community Charter for Council to deal with matters relating to the following:</u>

• Acquisition, Disposition or Expropriation of Land or Improvements.

Carried

6. Adjourn to Closed Session

The meeting adjourned to a closed session at 3:48 p.m.

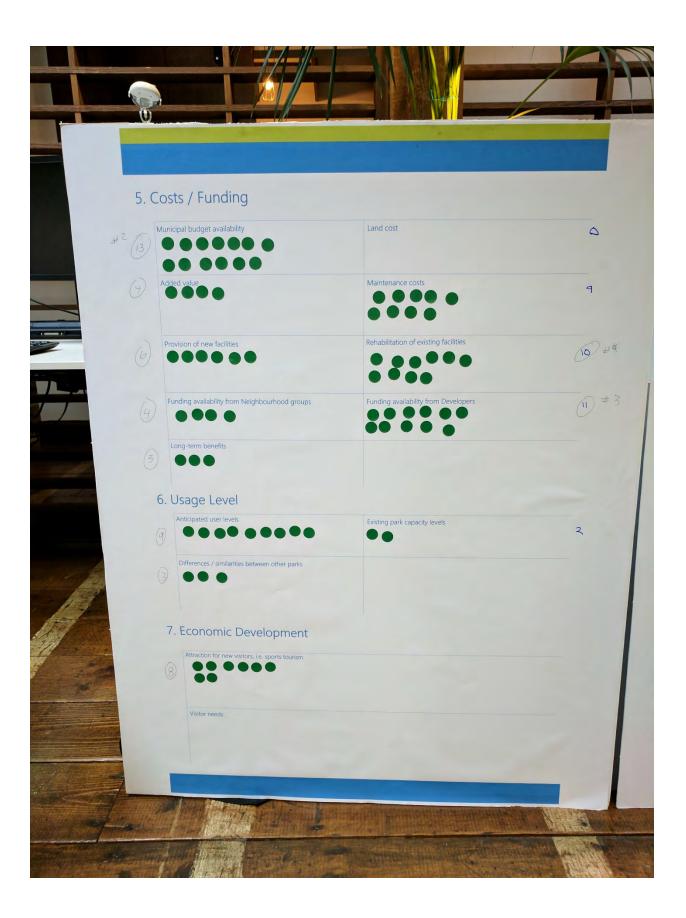
7. Termination

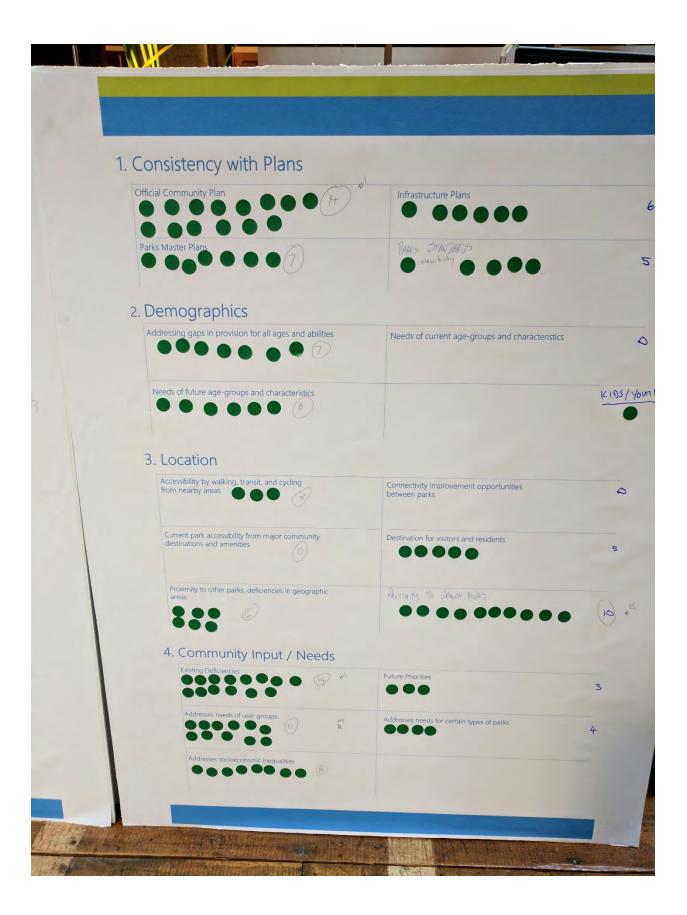
The meeting was declared terminated at 4:25 p.m.

Mayor

/acm/sf

City Clerk





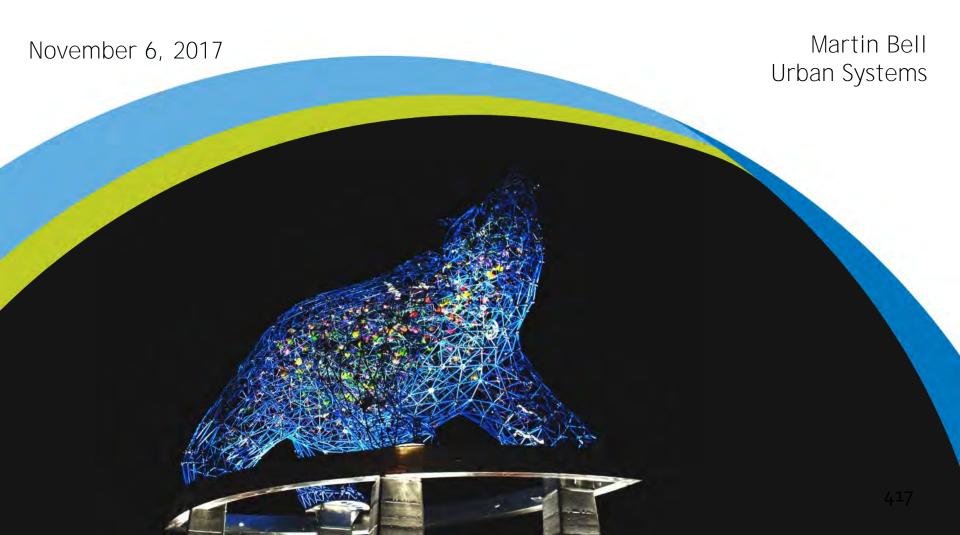
	<u>Yes</u> - Proceed	Not Sure - Consider/ Explore	No Addit Effor
DCCs – Parks Improvements			
DCCs - Linear Parks Acquisition		X	
DCCs – Commercial Development			
Reduce DCC Assist		X	
Parcel Taxation		X	
General Taxation	V		
Shift Parks Acquisition Funds to Parks Development	Ø		A A A A A A A A A A A A A A A A A A A
Tourism Taxation - Airport		EXPLORE BRONDER DIVIDEND TO CITY	
Tourism Taxation - Hotels			/
Community Amenity Contributions			V
Sponsorship Developers build parks			
Commercial lease and sale of surplus land			
Developer Partnership	s	X	
Community Group Partnerships		X	

PARKS DEVELOPMENT

PARKLAND ACQUISITION & DEVELOPMENT FUNDING STRATEGY

COUNCIL WORKSHOP 3







Parks Funding – Workshop Series Overview

- Workshop #1 Context and Public Policy Discussions
- Workshop #2 Building an Evaluation and Priority Setting Tool
- Workshop #3 Developing Our Funding and Financing Strategy



Overview of Workshop #3

- Summary of direction from the previous 2 workshops
- Criteria matrix of key items for setting parks acquisition and development priorities
- > Available financing tools
- Evaluation Matrix for financing tools
- > Evaluation tools with Council, based on specific criteria
- > Place tools into three categories:
 - ➢ Proceed
 - Consider/Explore further
 - > No further effort



Summary of Workshop #2 – October 16th

What we heard:

- Council does not want to reduce the funding available for acquisition, and would like to provide more funding for park development
- Do not draw funds away from other priorities such as transportation in order to fund parks
- Explore tools to collect funds for parks in specific urban areas that are densifying
- Explore options for Parks Improvement DCCs with development community
- > Explore charging a Parks DCC on Commercial development



Summary of Workshop #2 – October 16th



What we heard:

- Explore opportunity for upward movement in Parks DCCs
- Consider making the parks partnership requirements firmer and more consistent
- Establish standards for Neighbourhood parks for developers to meet
- Ensure the we have flexibility to allocate resources to acquisition or development as required
- Explore potential to open up and allow interim access to parks that are not 100% developed



Criteria Matrix – Key Items

- 1. Adhere to plans that Council has already prepared, such as the Official Community Plan and Infrastructure Plan
- 2. Service Anticipated Growth Areas set out in the plans
- 3. Address existing deficiencies
- 4. Address needs of City-wide user groups
- 5. Funding availability: from municipal budget and from developers



Criteria Matrix – Key Items

Other important items:

- Rehabilitating existing facilities
- Considering maintenance costs
- Considering anticipated user level
- > Addressing economic inequalities
- Attracting new visitors (e.g. sports tourism)





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Funding Options

- Development Cost Charges
 - Residential DCC for parks development
 - Commercial DCC for park development and land acquisition
 - Parks DCC for Linear parks acquisition
 - ➢ Reducing assist factor
- Community Amenity Contributions
- Requirement for developers to build parks in new residential developments
- Partnerships
 - Developer partnerships
 - Community Group partnerships





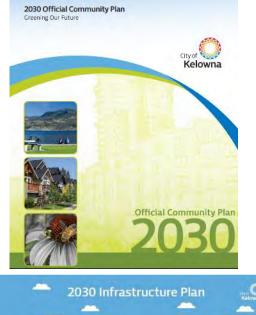
Funding Options

- Park Revenues
- > Sponsorships
- Lease or land sale
- ➢ Grants
- ➢ General Taxation
- ➢ Tourism Taxation
 - ➤ Airport fees
 - ➤ Hotel tax
- Parcel Taxation





Criteria for Evaluation of Finance Tools





Fit with specific direction in previous meetings e.g.

- Fit with Plans: Official Community Plan, Infrastructure Plan
- Serving Anticipated Growth Areas
- > Addressing existing deficiencies
- Addressing needs of user groups
- Funding availability: from municipal budget and from developers



Criteria for Evaluation of Finance Tools

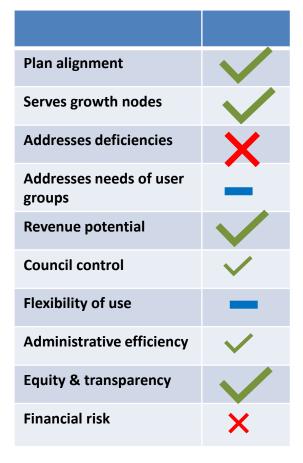
> More 'standard' criteria for evaluating financial tools

- Revenue potential and length of time required to generate funds - how fast the tool works
- Level of Council control
- Flexibility of use
- > Administrative efficiency and related items:
 - ➤ Costs in staff time
 - ➤ Legal implications
 - ➤ Ease of implementation
 - ➤ Speed of implementation
- Equity and transparency
- Risk associated with use of tools and undertaking a project (in regards to revenue generation potential)



Criteria for Evaluation of Finance Tools







Who Pays for What



Developers:

- > DCCs
- Community amenity contributions
- ➤ Partnerships
- Requirement for developers to build parks in new residential developments

Residents / property owners:

- ➤ General taxation
- Parcel taxation

Senior levels of Government ➤ Grants



Who Pays for What



User groups

- ➢ Parks revenues
- ➤ Sponsorships
- ➢ Partnerships
- ➤ Tourism taxation
- Lease or Land sale

Commercial development

- Commercial DCCs
- ➤ Tourism taxation
- ➢ Parcel taxation
- ➤ General taxation



Revenue Potential

Revenue potential is estimated in 3 categories:

- > 1. High \$500,000+ per year up to \$3,500,000 per year
- > 2. Medium \$100,000 to \$500,000 per year
- > 3. Low Less than \$100,000 per year



Revenue Potential

High

- Parks
 Improvement DCCs
- Linear Parks acquisition DCCs
- Parcel taxation
- ➤ General taxation

Medium

- Commercial Parks DCCs
- Tourism taxation
- Community amenity contributions
- Sponsorships
- Shift in Assist Factors
- Requirement for developers to build parks in new residential developments

Low

- Lease or land sale
- Partnerships
- Parks revenues
- ➤ Grants



Review of Tools

While discussing tools, determine if the City should:

- I. Proceed Tools that line up with goals and direction these fit well and Council will proceed with direction
- 2. Consider/Explore Tools where it is not clear at this point and more work is required to explore
- 3. No Additional Effort Tools where no extra effort is put into exploring or building more revenue from these methods. Status quo for these tools.



Explore charging DCCs for Parks improvements:

> Parks Improvement DCCs can pay for:

- ➤ Fencing
- > Landscaping
- ➤ Drainage
- ➤ Irrigation
- ➤ Trails
- ➤ Restrooms
- Changing rooms
- Playground equipment
- Playing field equipment





Explore charging DCCs for Parks improvements

- Landscaping includes leveling, grass and plants, but does not include
 - ➤ parking lots or access roads
- Playground and Playing field equipment includes playground structures like swings and slides, but does not include:
 - Dugouts and bleachers
 - ➤ Field houses
 - Tennis or basketball courts
 - Baseball diamonds
 - > Artificial turf fields
 - ➢ Picnic Shelters
 - ➤ Tracks
 - ➤ Lighting systems



Explore charging DCCs for Parks improvements

- DCC credits for parks improvements
- Developers get credit for the lesser of:
 - The City cost estimate for the work in the DCC report;
 - The actual cost of the work; or
 - > The Parks Improvement DCC owed by the developer.



Explore charging DCCs for Parks improvements:

- Will need to refine Standards for Neighbourhood parks (for developer build and DCC credits)
- ➢ Review against matrix
- Implications of change
- Set out steps to move forward:
 - ➤ Quantify
 - Discussions with Development Community?

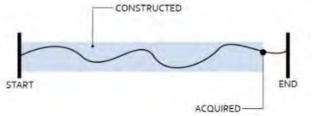
	DCCs
Plan alignment	
Serves growth nodes	
Addresses deficiencies	X
Addresses needs of user groups	-
Revenue potential	\checkmark
Council control	\checkmark
Flexibility of use	-
Administrative efficiency	\checkmark
Equity & transparency	
Financial risk	





Acquisition of Linear Parks

- Consider adding Linear parks to the Parkland acquisition list
- Will allow expenditures from the DCC reserve fund to acquire linear parks
- Set out steps to move forward:
 - ➤ Quantify
 - Discussions with Development Community



Mission Creek Greenway



Parcel taxation

- Create a portfolio of parks projects throughout the city
- ➢ Referendum
- ➢ For example:
 - City Park walkway
 Glenmore Rec Phase 3
 Rutland Centennial
 South Pandosy Waterfront
 Black Mountain
 Total
 \$19.64m
- Revenue generation potential



Parcel taxation

- Review against matrix
- Direction to explore further?
- > Why a Parcel tax just for parks?
 - No other revenue stream unlike other infrastructure
 - parks benefit all areas of the community

	Parcel Taxation	
Plan alignment		
Serves growth nodes		
Addresses deficiencies		
Addresses needs of user groups	\checkmark	
Revenue potential	\checkmark	
Council control		
Flexibility of use	-	
Administrative efficiency	×	
Equity & transparency	\sim	
Financial risk	\checkmark	



General taxation

- Review against matrix
- Increase in property taxes to pay for parks improvements, or shift in allocation of general taxation revenue to parks
- Strong revenue generation
- Confirm the results of Workshops 1&2 indicate this should not be considered further

	General Taxation	
Plan alignment		
Serves growth nodes	\checkmark	
Addresses deficiencies		
Addresses needs of user groups	\checkmark	
Revenue potential	\checkmark	
Council control		
Flexibility of use	\checkmark	
Administrative efficiency		
Equity & transparency		
Financial risk	\checkmark	

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Charge a Parks DCC on Commercial development

- Impact of commercial development on parks by employees and visitors
- > Only on net NEW commercial floor space
- Just for improvement OR both improvement and acquisition?
- Review evaluation against matrix
- Set out steps to move forward:
 - Background work
 - ➤ Quantify
 - Discussions with Commercial Development Community



Reduce the DCC Assist Factor

- Currently the DCC assist factor is 8%, plus and extra 3.4% assist for secondary suites
- Could reduce the 8% assist to 1% assist, which is common in many communities
- Parks DCC would increase to compensate for the 7% difference currently this is paid by general revenues
- Similar evaluation as DCCs
- Steps to move forward



Property Taxation and DCCs Shift budget allocation from Parks Acquisition to Parks Development

- Related to generating more revenue for Parks Improvements
- Connection with DCC change to allow funds to be spent on improvements as well as acquisition
- Magnitude of shift
- Implications of change



Tourism taxation:

Generate funds from Airport to pay for impacts of visitors

- Visitors have an impact on parks and other infrastructure
- The airport funding is a levy paid by the airport that would apply for all infrastructure, not just parks
- ➢ Review against matrix
- > Next steps:
 - discussions with Finance and YLW

	Tourism Taxation
Plan alignment	\checkmark
Serves growth nodes	-
Addresses deficiencies	\checkmark
Addresses needs of user groups	\checkmark
Revenue potential	\checkmark
Council control	
Flexibility of use	
Administrative efficiency	
Equity & transparency	
Financial risk	4



Tourism Taxation: Hotel Tax

- Discussed previously with Council
- > Confirm that we will not be pursuing increase in Hotel Tax





	CACs
Plan alignment	×
Serves growth nodes	\checkmark
Addresses deficiencies	-
Addresses needs of user groups	\checkmark
Revenue potential	\checkmark
Council control	-
Flexibility of use	-
Administrative efficiency	X
Equity & transparency	-
Financial risk	

Community Amenity Contributions

- Community amenity contributions
 - Through Density Bonus
 - > Through rezoning
- > Paid upon rezoning based on extra density
- Note that these can be difficult to administer equitably and they consume staff time
- ➢ Review against matrix



Sponsorship

- New Sponsorship strategy with respect to Parks
- ➢ Review against matrix



	Sponsorship
Plan alignment	\checkmark
Serves growth nodes	×
Addresses deficiencies	-
Addresses needs of user groups	\checkmark
Revenue potential	\checkmark
Council control	-
Flexibility of use	-
Administrative efficiency	_
Equity & transparency	-
Financial risk	— 448



Requiring developers to build parks

- Require developers to construct parks and parks improvements as part of greenfield developments in growth areas.
- Review evaluation against matrix
- Will need to review legal tools available to implement



	Developer Build	
Plan alignment	×	
Serves growth nodes	\checkmark	
Addresses deficiencies	×	
Addresses needs of user groups	×	
Revenue potential	\checkmark	
Council control	×	
Flexibility of use	×	
Administrative efficiency	×	
Equity & transparency	-	
Financial risk		4



	Lease or land sale
Plan alignment	_
Serves growth nodes	-
Addresses deficiencies	-
Addresses needs of user groups	-
Revenue potential	×
Council control	\checkmark
Flexibility of use	\checkmark
Administrative efficiency	×
Equity & transparency	-
Financial risk	

Commercial lease and sale of surplus land

- Commercial lease of portions of parkland e.g food and beverage
- Sale of surplus parkland e.g. land adjacent to Boyce-Gyro Park
- Revenue potential
- Review against matrix



	Partnerships
Plan alignment	×
Serves growth nodes	\checkmark
Addresses deficiencies	-
Addresses needs of user groups	\checkmark
Revenue potential	×
Council control	-
Flexibility of use	×
Administrative efficiency	X
Equity & transparency	
Financial risk	\checkmark

Developer Partnerships

- Consider making the parks partnership requirements firmer and more consistent with developers
- Review evaluation against matrix







Community Group Partnerships

- Explore opportunities for Partnerships with
 - > Sports Organizations
 - > Non-Profit Organizations
 - Neighbourhood groups
- > Need to Review existing policies and framework
- ➢ Review against matrix



Parks revenues

- Parks revenues include a series of revenue sources directly from Parks
 - Property rentals
 - Concession and equipment rentals
 - > Parking revenue
 - Recreation user fees



Parks revenues

➢ Review against matrix

	Parks Revenues
Plan alignment	\checkmark
Serves growth nodes	×
Addresses deficiencies	-
Addresses needs of user groups	_
Revenue potential	×
Council control	\checkmark
Flexibility of use	
Administrative efficiency	\checkmark
Equity & transparency	\sim
Financial risk	4



Initial Evaluation

	DCCs	Community Amenity Contributions	Park Revenues	Sponsorship	Lease or land sale	Partnerships
Plan alignment		X	\checkmark	\checkmark	-	×
Serves growth nodes		\checkmark	X	×	-	\checkmark
Addresses deficiencies	X	-	-	—	-	-
Addresses needs of user groups	-	\checkmark	\checkmark	\checkmark	-	\checkmark
Revenue potential		\checkmark	×	\checkmark	×	×
Council control	\checkmark	_	\checkmark		\checkmark	_
Flexibility of use	-	_			\checkmark	×
Administrative efficiency	\checkmark	X	\sim	-	×	X
Equity & transparency		-	 	-	-	-
Financial risk	-	_		-	-	455



Initial Evaluation

	Grants	General Taxation	Tourism Taxation	Parcel Taxation	Developer Build	
Plan alignment	\checkmark		\checkmark		-	
Serves growth nodes	-	\checkmark	-		\checkmark	
Addresses deficiencies	\checkmark	\checkmark	\checkmark		×	
Addresses needs of user groups	\checkmark	\checkmark	\checkmark		×	
Revenue potential	×				\checkmark	
Council control	X				×	
Flexibility of use	X			-	×	
Administrative efficiency	X	\checkmark		×	×	
Equity & transparency	-		~	×.	—	
Financial risk	\checkmark				-	456



Results of Evaluation

1. Proceed: Tools that line up with goals and direction - these fit well and Council will proceed with direction





Results of Evaluation



2. Consider / Explore further: Tools where it is not clear at this point and more work is required to explore



Results of Evaluation

3. No Additional Effort: Tools where no extra effort is put into exploring or building more revenue from these methods. Status quo for these tools.



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Summary

- ➤ What was heard today
- ➤ Council direction
- ➤ Next steps

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City of Kelowna Regular Council Meeting AGENDA



		ember 6, 2017	V	0-		
9:00 a		n Meeting Room (#4A)				
		; Water Street				
City i	1455			Pages		
1.	Call to	Order				
2.	Confirmation of Minutes			3 - 5		
	Regula	r AM Meeting - October 30, 2017				
3.	Report	S				
	3.1	Parks Development – Parkland Acquisition and Development Funding Strategy, Workshop 3	120 M	6 - 42		
		To provide Council with the final workshop in a series of three. This workshop is aimed at having Council participate in aligning financing tools with specific pub policy objectives and funding needs associated with parkland acquisition and development.				
	3.2	STPCO Update Draft Governance Review and STPCO 2018-2020 Work Plan	45 m	43 - 65		
		To present the draft outcomes of the Governance Review of the Strategic Partr of the Central Okanagan and the draft 2018-2020 STPCO Work Plan.	nership			
4.	Resolu	Resolution Closing the Meeting to the Public				
	THAT this meeting be closed to the public pursuant to Section 90(1) (b) of the Community Charter for Council to deal with matters relating to the following:					

- Position Appointment
- 5. Adjourn to Closed Session
- 6. Reconvene to Open Session

7. Issues Arising from Correspondence & Community Concerns

7.1 Mayor Basran, re: Issues Arising from Correspondence 30 m

8. Termination

Report to Council



Date:	November 6, 2017	Kelowna	
File:	1840-01		
То:	City Manager		
From:	Parks & Buildings Planning Manager		
Subject:	Parks Development – Parkland Acquisition and Development Workshop 3	Funding Strategy,	

Recommendation:

THAT Council receives for information, the report from the Parks & Buildings Planning Manager dated November 6, 2017, with respect to Parks development – Parkland Acquisition and Development Funding Strategy Workshop 3.

Purpose:

To provide Council with the final workshop in a series of three. This workshop is aimed at having Council participate in aligning financing tools with specific public policy objectives and funding needs associated with parkland acquisition and development.

Background:

As noted in earlier reports, the City of Kelowna is committed to providing parkland for public enjoyment and well-being, creating sports amenities to promote active living, preserving natural open space for wild flora and fauna, and developing linear greenways that create strong pedestrian and cycling connections throughout the City.

In May 2017, City Council received the Parks Development Report – A study of underdeveloped, undeveloped and future park sites. The report notes that while the City acquires parkland in accordance with the Parkland Acquisition Guidelines, it has become apparent the rate of park development has not kept pace with the rate of parkland acquisition. This raises some fundamental questions of public policy which lead naturally into discussions about potential strategies and appropriate financing tools to ensure the City's parkland acquisition and development keep pace with community desires and the City's ability to fund these initiatives. Council engaged in the first workshop on October 2, 2017, where members provided direction on broader policy issues related to parks such as the proportion of resources that goes towards parks acquisition vs parks development, and considerations on the level of parks acquisition and development provided in the City. During the second workshop on October 16, 2017, Council refined the direction in the first workshop and built an evaluation and priority setting matrix for parks expenditures, setting the stage for the third workshop.

Council Engagement Process

The City has retained Urban Systems to assist in a three-workshop series with Council (in October and November 2017):

October 2, 2017 - Workshop 1 (completed): Engaging Council in shaping the key public policy questions to be addressed in the City's overall approach to parkland acquisition and development moving forward;

October 16, 2017 – Workshop 2 (completed): Building an evaluation and priority setting tool;

November 6, 2017 - Workshop 3: Having Council participate in aligning financing tools with specific public policy objectives and funding needs associated with parkland acquisition and development.

More specifically, the forthcoming workshop will address the following items:

- Summarizing the direction from the previous two workshops;
- Reviewing specific funding options, identified based partly on work in the previous workshops;
- Discussing criteria for evaluating funding tools, based partly on the earlier workshops;
- Reviewing and evaluating each of the funding tools with the goal of determining the approach for each tool including:

Proceed - tools that line up well with goals and direction. While more work is likely required, Council would like to proceed with further steps toward implementation;

Consider/explore further - tools where it is not clear at this point and more work is required to explore;

No additional effort - tools where no extra effort is put into exploring or building more revenue from these methods.

The results of Workshop 3 will provide direction for the next steps in revising the City's approach towards parks funding, and developing a clear parks funding and financing strategy.

Internal circulation:

Deputy City Manager Divisional Director, Infrastructure Divisional Director, Community Planning & Strategic Investments Divisional Director, Financial Services Divisional Director, Corporate Strategic Services Divisional Director, Active Living & Culture Divisional Director, Corporate & Protective Services Divisional Director, Human Resources & Corporate Performance

Considerations not applicable to this report:

Personnel implications: Existing Policy: Legal/Statutory Authority: Legal/Statutory Procedural Requirements: External Agency/Public Comments: Communications Comments: Alternate Recommendation: Submitted by: R. Parlane, Manager, Parks and Buildings Planning

Alan Newcombe, Infrastructure Divisional Director

cc: Deputy City Manager

Divisional Director, Infrastructure Divisional Director, Community Planning & Strategic Investments Divisional Director, Financial Services Divisional Director, Corporate Strategic Services Divisional Director, Active Living & Culture Divisional Director, Corporate & Protective Services Divisional Director, Human Resources & Corporate Performance City Clerk



City of Kelowna Regular Council Meeting Minutes

Date:	Monday, November 6, 2017
Location:	Knox Mountain Meeting Room (#4A)
	City Hall, 1435 Water Street

- Members Present Mayor Colin Basran, Councillors Maxine DeHart, Ryan Donn, Gail Given Tracy Gray, Brad Sieben*, Mohini Singh and Luke Stack
- Members Absent Councillor Charlie Hodge
- Staff Present City Manager, Ron Mattiussi; City Clerk, Stephen Fleming, Divisional Director, Infrastructure, Alan Newcombe*; Parks & Buildings Planning Manager, Robert Parlane*; Divisional Director, Financial Services, Genelle Davidson*; Integrated Transportation Department Manager, Rafael Villarreal*; Planner Specialist, David James*; Transit & Program Manager, Jerry Dombowsky*; Strategic Transportation Planning Manager, Mariah VanZerr*; Legislative Coordinator (Confidential), Arlene McClelland
- Guests Martin Bell*, CEO Urban Systems and Joel Short*, Senior Planner, Urban Systems
- (* denotes partial attendance)

1. Call to Order

Mayor Basran called the meeting to order at 9:03 a.m.

2. Confirmation of Minutes

Moved By Councillor Donn/Seconded By Councillor Gray

<u>R894/17/11/06</u> THAT the Minutes of the Regular AM Meeting of October 30, 2017 be confirmed as circulated

Carried

3. Reports

3.1 Parks Development – Parkland Acquisition and Development Funding Strategy, Workshop 3

Staff:

- Introduced the parkland acquisition and development funding strategy workshop.

- Displayed a PowerPoint Presentation summarizing the conclusions of Workshop No. 2 on October 16, 2017 and provided an overview of Workshop No. 3.
- Responded to questions from Council.

Joel Short Senior Planner, Urban Systems

- Discussed the various funding options and criteria to measure each option.
- Discussed high, medium and low revenue potential.
- Responded to questions from Council.

Councillor Sieben departed the meeting at 10:26 a.m.

Council:

- Provided comment on each of the parks funding options and whether to place in the "Proceed", "Consideration/Explore" or "No Additional Effort" category and identified as such on a flip chart.
- Discussed other funding options not considered by staff.

City Manager:

- A summary of feedback along with financial implications will be brought forward in recommendations for Council's consideration.

Moved By Councillor Given/Seconded By Councillor Donn

<u>**R895/17/11/06</u>** THAT Council receives for information, the report from the Parks & Buildings Planning Manager dated November 6, 2017, with respect to Parks development – Parkland Acq2uisition and Development Funding Strategy Workshop 3.</u>

Carried

The meeting recessed at 11:13 a.m.

The meeting reconvened at 11:23 a.m.

3.2 STPCO Update Draft Governance Review and STPCO 2018-2020 Work Plan

Staff:

- Displayed a PowerPoint Presentation summarizing the objectives and draft outcomes of the Governance Review of the Strategic Partnership and the draft 2018-2020 STPCO Work Plan.
- The focus moving forward will be to transition from operations to strategic collaboration.
- Introduced new Transportation Manager Mariah VanŻerr.
- Made comments on the request from West Kelowna to extend the deadline for their withdrawing from STPCO.
- Responded to questions from Council.

Mayor Basran:

- Reminded Council that he and Councillor Given, as RDCO Chair, reside on the STPCO.
- Made comment on current and future activities of the STPCO.
- Made comment on the benefits of planning regionally.

Councillor Given:

 Made comment on current and future activities of the STPCO from her perspective as the RDCO Chair and noted some of the communication challenges of getting a consistent message to each partner.

City Manager:

- Provided background information for the implementation of the STPCO and for the governance model chosen at that time.
- Made comments on the future of the STPCO,

Councillor Sieben rejoined the meeting at 11:50 a.m.

<u>**R896/17/11/06**</u> THAT Council receives for information, the report from the Integrated Transportation Department Manager, dated November 6, 2017 regarding the Strategic Transportation Partnership of the Central Okanagan (STPCO) Update Draft Governance Review and STPCO 2018-2020 Work Plan;

AND THAT Council supports the City of West Kelowna, who has given notice to withdraw from the partnership, to have the ability to rescind this notice by December 22, 2017.

Carried

4. Resolution Closing the Meeting to the Public

Moved By Councillor Singh/Seconded By Councillor DeHart

<u>**R897/17/11/06</u>** THAT this meeting be closed to the public pursuant to Section 90(1) (b) of the Community Charter for Council to deal with matters relating to the following:</u>

• Position Appointment

<u>Carried</u>

5. Adjourn to Closed Session

The meeting adjourned to a closed session at 12:24 p.m.

6. Reconvene to Open Session

The meeting reconvened to an open session at 12:25 p.m.

7. Issues Arising from Correspondence & Community Concerns

7.1 Mayor Basran, re: Development Pressures - Airport Industrial Area

Mayor Basran:

- Spoke to the need for a Workshop on the pressures on potential redevelopment of lands around the airport.
- Advised that staff are fielding numerous inquiries.
- Advised that Council members are being asked questions.

Moved By Councillor Stack/Seconded By Councillor Singh

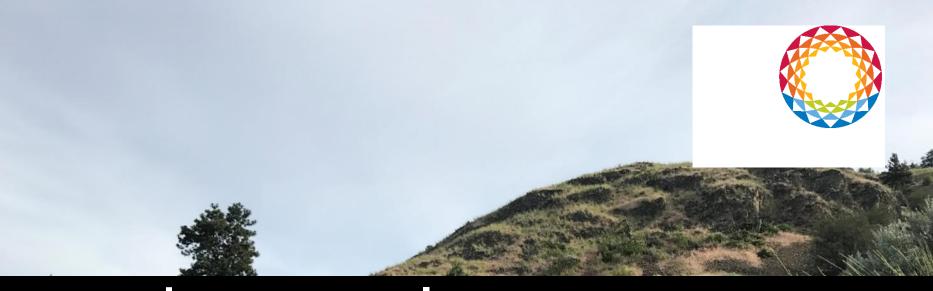
<u>**R898/17/11/06</u>** THAT Council directs staff to present a Workshop for Council on Development pressures in the Airport Industrial Area and implications of changes in the future land use.</u>

Carried

8. Termination

The meeting was declared terminated at 12:28 p.m.

City Clerk



Parks Development Funding Strategy

June 11, 2018





Objectives

- Identify the future funding requirements
- Identify potential funding sources
- Prioritize potential funding sources
- Strategy and action

Background



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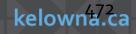
- May 2017 Council received the Parks Development Report
 - Existing undeveloped and under-developed parks
 - Anticipated future park acquisitions
 - Current funding in 2030 Capital Plan
 - Potential funding sources to address the shortfall
 - Interim parks access





Council engagement process

- Workshop 1: Engaged Council in shaping the key public policy questions to be addressed in the City's overall approach to parkland acquisition and development moving forward;
- Workshop 2: Engaged Council in providing direction and building an evaluation and priority setting tool;
- Workshop 3: Council participated in aligning financing tools with specific public policy objectives and funding needs associated with parkland acquisition and development.



Public demand



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- Local playgrounds
- Off-leash dog parks
- Anti-social behaviour
- Sports fields: baseball, softball, soccer
- Courts: pickleball, etc
- Artificial turf
- Water front access
- Outdoor events
- Washrooms
- Tourism



 Accessibility for all: seniors, toddlers, cognitive and physical disabilities





Neighbourhood parks



Recreation parks



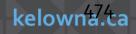
Community parks



City-wide parks



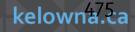
Linear parks & natural areas





5.3 UNDEVELOPED, UNDERDEVELOPED + FUTURE COMMUNITY PARKS

Name	Status	Area (ha)	Key Features	2030 Capital Plan	
Rowcliffe Park	Undeveloped	2.02 ha	Existing Off-leash dog park Funded Phasea: Playground w/ walkway + sod berm Phase 2: perimeter walkway, stage, vehicle access easement Phase 3: play field, community gardens, dog park, heritage walk, plaza area	Funded in 2017 (\$1.7 million) P1 in 2018 (\$1 million) P1 in 2019 (\$1.2 million) P1 in 2021 (\$500,000)	
Rutland Centennial	Underdeveloped	2.46 ha	Existing Playground, pathway + benches <u>Funded</u> Performance stage, sport court/field, multi- cultural gardens, washrooms	P1 in 2018-20 (\$3.5 million)	
Dehart Park	Undeveloped	3.74 ha	<u>Existing</u> Comm. garden, tennis courts <u>Funded</u> Walking trails, bike course, youth area	P1 in 2021-24 (\$4.7 million)	
Gallagher Park (Black Mountain)	Undeveloped	6.oo ha	Not yet planned	P2 in 2024-25 (\$900,000)	
University South Park	Undeveloped	N/A	Proposed Washrooms Sport field Playground Pathway	P2 in 2025-26 (\$1.6 million)	
Aurora Park	Undeveloped	0.34 ha	Not yet planned	Unfunded	
Begbie Park	Undeveloped	1.27 ha	Not yet planned	Unfunded	
Quilchena Park / Blair Pond Park	Underdeveloped	N/A	Both parks require washrooms	Unfunded	
Ponds Community Park	Underdeveloped	7.6 ha	Requires a sports park	Unfunded	
Wilden - Village Cen- tre Park	Future	-	-	Unfunded	
Dayton Park	Future	-	-	Unfunded	
Ellison Lake Park	Future	-	-	Unfunded	
Rutland Town Centre Park	Future	-	-	Unfunded	

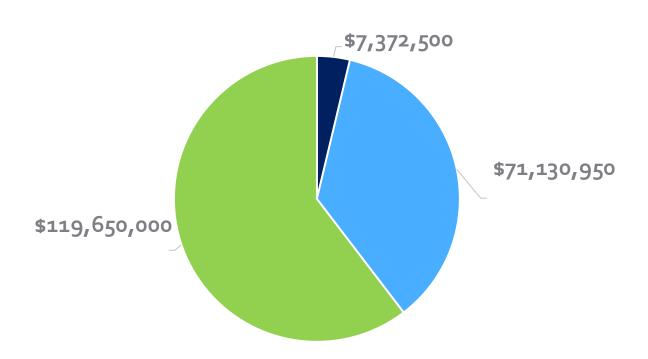




- Full development of all undeveloped, underdeveloped or future parks over twenty years
- ► To typical City standards or agreed masterplans







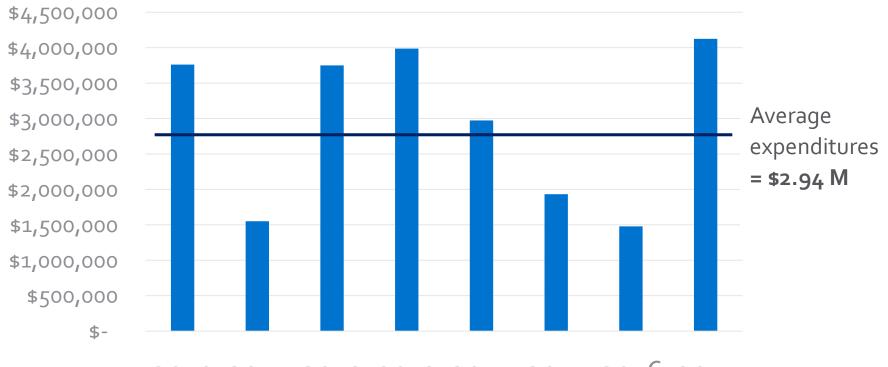
- Linear Parks Development
- Total Partially Developed/Funded
- Total Undeveloped / Future

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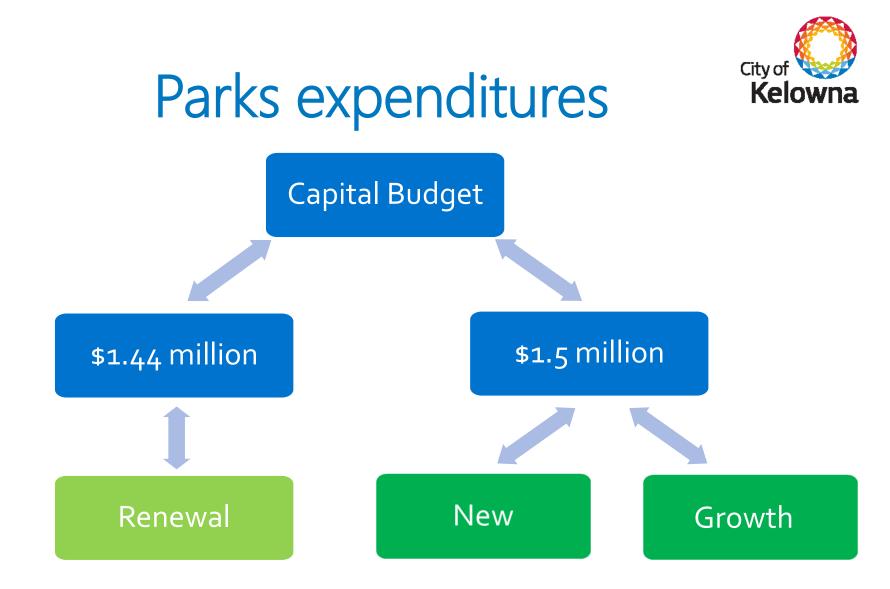
Past funding levels

Parks Improvement Expenditures (2010 - 2017)



2010 2011 2012 2013 2014 2015 2016 2017

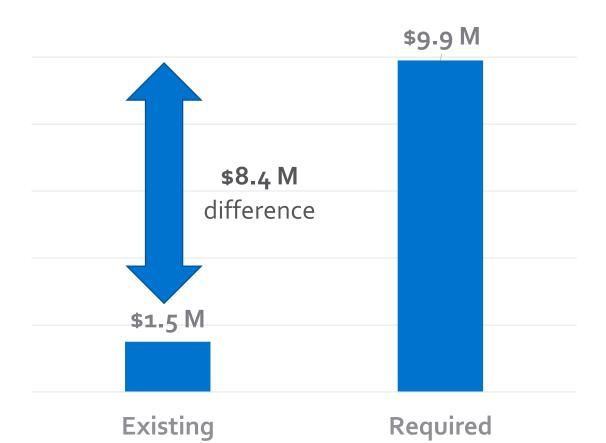
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Existing & target expenditures







- Press forward
- Potentially move forward
- Not sure yet Consider and explore
- No additional effort Maintain status quo







Press forward

- Parks development DCCs
- Infrastructure levy general taxation
- Shift taxation from acquisition to development
- Commercial/Industrial parks acquisition & development DCCs







Potentially move forward

- Linear parks acquisition DCCs
- Park-specific parcel taxation







Not sure yet – Consider and explore further

- Reduce Parks DCC taxation assist factor
- Tourism taxation Airport dividend
- Developer partnerships
- Community partnerships
- Parks revenues







No additional effort - Maintain status quo:

- Tourism taxation Hotels
- Community amenity contributions
- Requirement for developers to build parks in new residential developments
- Sponsorships
- Commercial lease, or sale of surplus land
- Grants



Eligible Parks Development DCCs



Park Class	Park Area (Ha)	% developed/ funded	Area un/under developed (Ha)	Typical cost per hectare	Total Funding Required	% eligible for development DCC	Benefit Allocation	Funded by development DCC (less 11% tax assist)	Total % funded by development DCC	Total \$ funded by development DCC	Total unfunded remaining
Neighbourhood - Partially											
Dev. / Funded	0.37	200/	0.005	£4.050.000	6370.000	054/	070/	000/	2024	675 574	£204.405
Barlee Park	0.37	20%	0.296	\$1,250,000	\$370,000	85%	27%	89%	20%	\$75,574	\$294,426
Ballou Park	1.44	50%	0.72	\$1,250,000	\$900,000	85%	27%	89%	20%	\$183,829	\$716,171
Neighbourhood - Undey, /											
Future	45		15	<i>\$4.050.000</i>	640 750 000	054	4000	000/	7.04	644404000	64 F.CF COF
Overall	15	0%	15	\$1,250,000	\$18,750,000	85%	100%	89%	76%	\$14,184,375	\$4,565,625
Community - Partially Dev. / Funded											
Quilchena Park											
(washrooms)	2.5	80%	0.5	\$750,000	\$375,000	100%	27%	89%	24%	\$90,112	\$284,888
Blair Pond Park											
(washrooms)	2.5	80%	0.5	\$750,000	\$375,000	100%	27%	89%	24%	\$90,112	\$284,888
Ponds Community Park				** *** ***	÷+	1000				6456 530	<i></i>
(sports field)	7.6	90%	0.76	\$2,500,000	\$1,900,000	100%	27%	89%	24%	\$456,570	\$1,443,430
Community - <u>Undey</u> , / Future											
Overall	27	0%	25	\$2,500,000	\$62,500,000	65%	100%	89%	58%	\$36,156,250	\$26,343,750
Recreation - Partially Dev. /	27	070	25	\$2,500,000	502,500,000	0570	100%	05%	5676	\$50,150,250	\$20,545,750
Funded											
Glenmore Recreation	11.48	35%	7.462	\$1,350,000	\$10,073,700	28%	27%	89%	7%	\$677,799	\$9,395,901
Mission Recreation	46.55	90%	4.655	\$1,350,000	\$6,284,250	28%	27%	89%	7%	\$422,829	\$5,861,421
Parkinson Recreation	19.49	40%	11.694	\$1,350,000	\$15,786,900	28%	27%	89%	7%	\$1,062,206	\$14,724,694
Rutland Recreation	14.56	40%	8.736	\$1,350,000	\$11,793,600	28%	27%	89%	7%	\$793,520	\$11,000,079
Recreation - Undey. /											
Future											
Tutt Ranch Recreation	16	0%	16	\$900,000	\$14,400,000	28%	100%	89%	25%	\$3,588,480	\$10,811,520
City-wide - Partially Dev. /											
Funded											
Kerry Park	0.7	30%	0.49	\$6,000,000	\$2,940,000	36%	27%	89%	9%	\$254,333	\$2,685,666
City Park	13.2	70%	3.96	\$2,000,000	\$7,920,000	36%	27%	89%	9%	\$685,143	\$7,234,857
Sutherland Bay	2	50%	1	\$4,000,000	\$4,000,000	36%	0%	89%	0%	\$0.00	\$4,000,000
Bennett Plaza	0.06	0%	0.06	\$30,000,000	\$1,800,000	36%	0%	89%	0%	\$0.00	\$1,800,000
Waterfront Park (renewel)	8.5 1.4	75% 75%	2.125	\$1,500,000	\$3,187,500	36% 36%	0% 0%	89% 89%	0% 0%	\$0.00	\$3,187,500
Rotary Beach Park Bluebird Beach Park	1.4 1.1	75%	0.35 1.1	\$3,500,000 \$2,000,000	\$1,225,000 \$2,200,000	36%	0% 27%	89% 89%	0% 9%	\$0.00 \$190,318	\$1,225,000 \$2,009,682
	1.1	076	1.1	\$2,000,000	\$2,200,000	2070	2/70	0370	570	\$120,510	\$2,005,062
City-wide - Undey. / Future											
Overall	12	0%	12	\$2,000,000	\$24,000,000	36%	100%	89%	32%	\$7,689,600.00	\$16,310,400
Total					\$190,780,950					\$66,601,053	\$124,179,897



Potential annual revenue



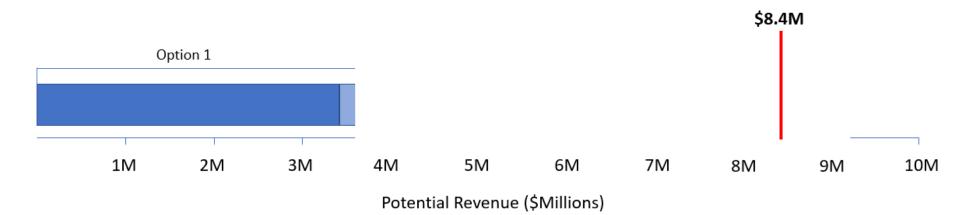
Tool	Option 1	Option 2	Option 3	Option 4
Press forward				
Parks development DCC	\$3,422,000	\$3,422,000	\$3,422,000	\$3,422,000
Infrastructure Levy on General		\$426,000	\$426,000	\$426,000
taxation (2% tax for Infrastructure)				
Shift from acquisition to		\$644,000	\$644,000	\$644,000
development				
Commercial/Industrial parks	\$236,000	\$236,000	\$236,000	\$236,000
development DCC				
Potentially move forward				
Linear parks acquisition DCCs		Included	Included	Included
(linked to 'Shift from acquisition to				
development' above)				
Parcel taxation (for 5 years)			\$4,000,000	\$4,000,000
Consider and explore further				
Reduce parks acquisition and		\$284,000	\$284,000	\$284,000
development DCC taxation assist				
from 8% to 1% (plus 3.3%)				
Increase in Airport dividend				\$51,000
Community partnerships				\$25,000
Parks revenues		\$163,000	\$163,000	\$163,000
Total	\$3,658,000	\$5,145,000	\$9,195,000	\$9,316,000





Option 1 - \$3.66 million

- Parks development DCCs
- Commercial/Industrial parks acquisition & development DCCs



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Option 1 - \$3.66 million

- Neighbourhood park \$0.7 million
- Rutland Centennial Park Completion –
 - \$2.25 million



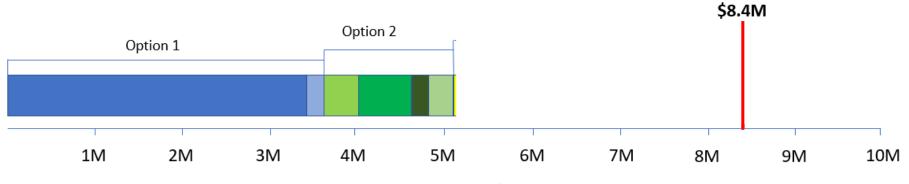






Option 2 - \$5.14 million

- Infrastructure levy General taxation
- Shift taxation from acquisition to development
- Linear parks acquisition DCCs
- Parks revenues
- Reduce DCC taxation assist



Potential Revenue (\$Millions)

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Option 2 - \$5.14 million

- Neighbourhood park \$0.7 million
- Glenmore Recreation Park Phase I \$3.75 million









Option 3 - \$9.19 million

Park-specific parcel taxation



Potential Revenue (\$Millions)



Option 3 - \$9.19 million

- Neighbourhood park \$0.7 million
- Rutland Centennial Park Completion – \$2.25 million
- Glenmore Recreation Park Phase
 I \$3.75 million
- Linear Trails 2 km \$0.5 million

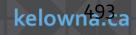






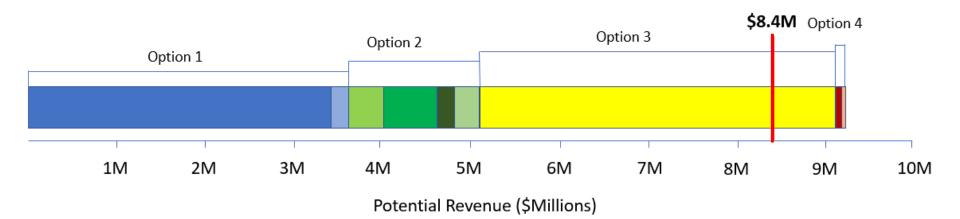








Option 4 - \$9.32 million Increase Airport dividend Community partnerships



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Potential annual revenue



Tool
Press forward
Parks development DCC
Infrastructure Levy on General taxation (2% tax for Infrastructure)
Shift from acquisition to development
Commercial/Industrial parks development DCC
Potentially move forward
Linear parks acquisition DCCs (linked to 'Shift from acquisition to development' above)
Parcel taxation (for 5 years)
Consider and explore further
Reduce parks acquisition and development DCC taxation assist from 8% to 1% (plus 3.3%)
Increase in Airport dividend
Community partnerships
Parks revenues
Total



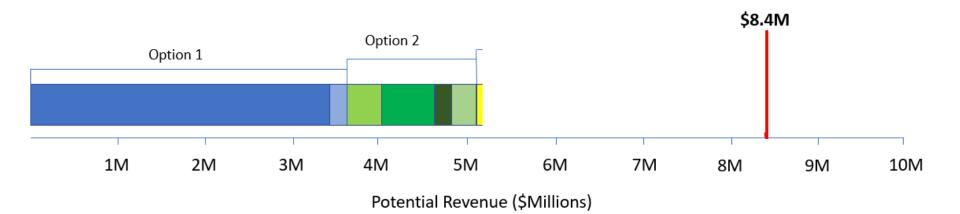
Recommendation

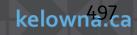
- Draws on all the tools Council identified as highest priority
- Does not prioritise parks development over other Infrastructure needs
- Shares the funding load between taxation, new development and parks revenue
- Generates \$5.14 million annually, approx. 61% of funding target





Recommendation Option 2







Questions?

For more information, visit **kelowna.ca**.

Report to Council



Date:	June 11, 2018
File:	1200-40
То:	City Manager
From:	Michelle Kam, Sustainability Coordinator
Subject:	Community for All Action Plan Implementation Progress Update

Recommendation:

That Council receives, for information, the report from the Sustainability Coordinator dated June 11, 2018, with respect to the Community for All Action Plan Implementation Progress Update.

Purpose:

To update Council on the Community for All actions implemented in 2017 as well as the actions slated for implementation in 2018.

Background:

The Healthy City Strategy is a long-term, integrative plan that the City is building in partnership with Interior Health. The Healthy City Strategy focuses on healthy places and spaces, community health and quality of life for all Kelowna residents. Once complete, the Healthy City Strategy will address six theme areas: Healthy Neighborhood Design, Healthy Food Systems, Healthy Natural Environments, Healthy Transportation Networks, Healthy Housing and Community for All. Community for All was the first theme area of the Healthy City Strategy to be developed.

The Community for All Action Plan, approved by Council on December 12, 2016, identified areas to adapt policies, plans and programs to achieve the vision "to create a city that is healthy, safe, active and inclusive for seniors, children, and those with diverse abilities." The overall goal of the Plan is to reduce chronic diseases and social isolation through increasing health, physical activity, social connections, accessibility and equity as it relates to city building.

The Community for All Action Plan recommended 31 actions to be either explored or implemented in 2017 and 2018. The City is leading 21 of these actions and key community stakeholders are leading the remaining 10 actions. Of note, it is important to recognize the ongoing resources that are required for the implementation phase to ensure that the Plan's vision and potential is realized. Implementation is

the process that turns strategies and plans into actions in order to accomplish strategic objectives and goals. The Community for All Action Plan is an example where ongoing resources, people, systems and organizational commitment are required from a number of partners to realize the Plan's vision. Effective plans need to be living documents to ensure actions are implemented and that the corresponding monitoring and evaluation are conducted on a continual basis.

A summary on the progress of those actions is provided in Appendix A: Status of Community for All Actions. Of the actions slated for implementation in 2017, three of the actions are not proceeding due to different reasons that include lack of resources (staffing and/or funding) and other unforeseen issues. Of the actions slated to be explored or implemented in 2017, seven are ongoing, six are in progress and eight are complete.

Highlights of the actions implemented in 2017 include:

- Policy & Planning is leading the second theme area of the Healthy City Strategy Healthy Housing Strategy, which will be brought to Council in early summer;
- Active Living & Culture integrated "Sport for Life" as a key action item in the City's Community Sport Plan;
- Roadways received an ongoing budget item of \$20,000 for accessibility retrofits;
- Infrastructure assessed 157 City parks and 76 City buildings with a focus on ensuring accessibility for all residents; and
- People In Motion expanded their online Accessibility Guide to include the above parks and buildings assessments.

In 2018, seven new actions will be implemented and many of the 2017 actions will be ongoing.

The strength of the Community for All Action Plan includes the collaboration and partnerships with, and commitment from, City departments and key stakeholders. The City of Kelowna, Interior Health and numerous community stakeholders are working collectively together to develop and foster a culture of all ages and abilities. By advancing the Community for All actions, the City in partnership with various agencies, will promote a community where policies, services and structures related to the physical and social environment are designed to support and enable people of all ages and abilities to live in a secure environment, enjoy good health, and continue to participate fully in society.

Existing Policy:

Community for All Action Plan, endorsed in December 2016.

External Agency/Public Comments:

Information in the report regarding the stakeholder led actions was received from Interior Health, Pathways Abilities Society, People in Motion, School District #23 and Seniors Outreach Society.

Submitted by:

M. Kam, Sustainability Coordinator

Approved for inclusion:

Danielle Noble-Brandt, Policy & Planning Department Manager

Attachments: Appendix A – Status of Community for All Actions

cc:

Community Planning & Real Estate Divisional Director Active Living & Culture Divisional Director Integrated Transportation Department Manager Infrastructure Delivery Department Manager Senior Project Manager **Communications Advisor Community Policing Coordinator** Parks & Buildings Planning Manager Parking Services Manager Community & Neighborhood Services Manager Sport & Event Services Manager **Event Development Supervisor** Neighborhood Development Coordinator **Roadways Operations Supervisor** Community Planning Department Manager Planner II Interior Health Pathways Abilities Society People in Motion School District #23

Seniors Outreach Society

Appendix A:

Status of Community for All Actions

THEME AREA	ACTION	LEAD	STATUS	DETAILS
Inclusive Community	Explore opportunities to enhance the communication of health services and health messaging	Interior Health	Complete	Increased utilization of social media (Facebook & Twitter) to engage the public and inform, which includes: posting of how-to and FAQ videos (air quality during wildfires, meningococcal outbreak, flooding) and Facebook Live events (UseSafe launch) and video tours (Cedar Sage Wellness Clinic).
	Expand the Seniors Contact Program	City of Kelowna (Community Policing)	Not proceeding	Due to volunteer staffing levels, as well as the ability for wellness checks to be conducted by the RCMP, the program cannot be expanded over the current capacity of 30 individuals at this time.
	Integrate "Sport for Life" principles into policies, procedures and programs and work towards becoming a "Canadian Sport for Life" Community	City of Kelowna (Active Living & Culture)	Ongoing	"Sport for Life" integration has been included as a key action item in the City's Community Sport Plan. Working with numerous community partners including local sports organizations, PacificSport Okanagan, School District #23, Interior Health and Indigenous Sport, Physical Activity and Recreation Council.
	Connect seniors and youth through after-school work programs	School District #23 and Seniors Outreach Society	In progress	Seniors Outreach Society connected with nine different organizations including School District #23 and service groups. However, due to several factors including WCB, liability insurance and other issues, the snow removal after-school program will not proceed. Seniors Outreach Society will continue to explore other opportunities to connect seniors and youth.

	Cabaal District #aa	Oracian	The focus will be to connect individual Middle and Secondary Schools with established senior care facilities to develop plans to connect youth to seniors.
Develop a network of parents and community members to lead extracurricular clubs in schools	School District #23	Ongoing	This is an ongoing action at a number of schools within School District #23.
Create Neighbour Awards to foster neighbourliness and inspire connections between neighbours	City of Kelowna (Active Living & Culture)	Complete	Program launched in 2017, with a full roll out scheduled for 2018 including promoting the Neighbour Award online and through social media. Neighbour Awards will be promoted to attendees at various Neighbourhood Events. Neighbour Awards will be ongoing and recipients will be acknowledged at the Strong Neighbourhoods year end wrap-up in November.
Continue to foster the social connection of neighbours and build capacity within neighbourhood based organizations	City of Kelowna (Active Living & Culture)	Ongoing	Will continue to offer opportunities for neighbours to engage through various programs. Will continue to offer the pop-up Park & Play program, in addition to the regular Park & Play program, to facilitate more opportunities for connections.
Create a Neighbourhood Champion volunteer program	City of Kelowna (Active Living & Culture)	Slated for 2018	
Review and enhance the accessibility requirements in the Outdoor Event Permit application to improve accessibility at community events	City of Kelowna (Active Living & Culture)	In progress	Active Living & Culture is developing a Guide to Accessible Festivals and Events to improve accessibility at local events.
Expand the online Accessibility Inventory to increase awareness of accessible opportunities	People In Motion	Complete	People In Motion expanded the online <u>Accessibility</u> <u>Guide</u> to include the City of Kelowna Community for All Assessment on 157 City parks and 76 City buildings.
Provide opportunities for people with diverse abilities to showcase	People In Motion	In progress	People In Motion would like to expand on this project to provide entrepreneurial/business skills

	products and skills at community markets or events Explore the opportunity to enhance the information provided	Interior Health	Complete	 workshops. People In Motion will provide education on cost analysis, demographics studies, trends in public markets, short fiscal management course and applying for business name and license etc. Dependent on additional funding. Created a page on IH's public website for "Newcomers & Refugee Care" complete with FAQs,
	to residents, including new residents			a video on Health 101 Education, and a list of health providers.
	Explore the opportunity to enhance the information and resources provided to new parents	Interior Health	Complete	Interior Health has created a <u>New Baby Package</u> which includes information and resources for new parents.
Healthy Neighbourhood Design & Healthy Natural Environments	Conduct a Community for All Assessment in City parks with a focus on accessibility and safety	City of Kelowna (Infrastructure)	Complete	 157 parks were assessed in the summer of 2017. Final results were presented to Council on April 16th, 2018. The accessibility details of all the parks and buildings have been included in People In Motion's <u>Accessibility Guide</u>. The City of Kelowna's website contains a link to this Accessibility Guide. Implementation of prioritized retrofits will be ongoing and will occur as funding / budget is available. City of Kelowna is also working with the Rick Hansen Foundation in 2018 as part of their pilot project for assessments which will allow the City to be eligible for their specialized grant funding.
	Conduct a Community for All Assessment in City buildings with a focus on accessibility and safety	City of Kelowna (Infrastructure)	Complete	76 buildings were assessed in the summer of 2017. See above for additional details on the assessments.
	Promote all ages and abilities assessments to other organizations and businesses	City of Kelowna (Policy & Planning)	Slated for 2018	

Healthy Housing	Support the development of diverse housing types to meet the variety of housing needs in the community	City of Kelowna (Policy & Planning)	In progress	Policy and Planning is leading the development of a Healthy Housing Strategy, which will be the second theme area of the Healthy City Strategy. A Housing Needs Assessment was completed in November 2017 and the Healthy Housing Strategy is slated for completion in June 2018.
	Promote and encourage residents to apply for the Energy Conservation Assistance Program to help save energy and money	City of Kelowna (Policy & Planning)	Complete	Information was sent to all the stakeholders that participated in the Community for All project to encourage their organization to promote the E-CAP program to their members. FortisBC partnered with the Seniors Outreach Society and Kelowna Childcare Society to pilot a program for the organizations to assist their members to apply for the E-CAP program.
Healthy Transportation Networks	Expand the student-led walking school bus program	School District #23	Ongoing	Casorso Elementary School and the parent community are working on this opportunity with Kelowna Gospel Fellowship Church.
	Expand the Bike Recycle program in schools	School District #23	Ongoing	This is ongoing work in a middle school.
	Enhance cycling safety program through infrastructure improvements	City of Kelowna (Integrated Transportation)	Slated for 2018	
	Enhance communication and awareness for the pedestrian and bicycle network and roadway safety for all users	City of Kelowna (Communications & Integrated Transportation)	Slated for 2018	
	Expand wayfinding signage network	City of Kelowna (Integrated Transportation)	Slated for 2018	
	Review and update infrastructure policies, bylaws and guidelines to ensure accessibility features are incorporated	City of Kelowna (Infrastructure Delivery)	In progress	Infrastructure Delivery is working on standard drawing and clauses that will be included in the Subdivision and Servicing Bylaw 7900 update. The update will include clauses for accessibility standards, including, but not limited to,

				construction site safety, infrastructure in public spaces and sidewalks.
	Conduct an accessibility parking program review	City of Kelowna (Parking Services)	Deferred to 2018 due to resources	
	Provide real-time GPS bus location and schedules	City of Kelowna (Integrated Transportation and BC Transit)	Slated for 2018	
	Redevelop a travel training program to encourage people to use transit as an alternative to accessible transportation	City of Kelowna (Integrated Transportation)	In progress	Council approved an Occupational Therapist evaluation criteria for handyDART which was put in place in 2016. This included training for those deemed fit to ride conventional transit. The final training module to be delivered will be finalized in 2018.
	Implement a program specifically for accessibility infrastructure retrofits	City of Kelowna (Roadways)	Ongoing	An ongoing budget of \$20,000 was approved by Council as part of the Community for All Action Plan. Ongoing actions will be identified either by annual sidewalk inspections or by service requests.
Healthy Food Systems	Connect local farmers with the community	City of Kelowna (Community Planning)	Not proceeding	Due to a number of constraints, including resources and issues with private sales on public property, this action is not proceeding at this time.
	Develop a Community Kitchen that facilitates eating, cooking classes and shared meals	Pathways Abilities Society	Not proceeding	Pathways Abilities Society received a grant to complete an assessment of a Community Kitchen for seniors, families and those with diverse abilities. The assessment was done in partnership with Interior Health, UBC, Seniors Outreach Society. The assessment phase of the project identified that developing one community kitchen for seniors, families and those with diverse abilities would likely not be sustainable due to ongoing funding required and the distinct interest and needs of each group.

			However, this research included an inventory of the existing community kitchen's in Kelowna which can be used to connect residents with existing facilities.
Promote a nutritional focus in City recreational programs and concession and vending machines in City-owned facilities	City of Kelowna (Active Living & Culture)	Ongoing	Will continue to work with Concessionaires to ensure that healthy food and beverage guidelines are being followed and nutritional options are available at all concessions and vending machines in City-owned facilities.



Community for All Action Plan Implementation Progress Update



Healthy City Strategy

The Healthy City Strategy will be a long-term, integrative plan that will focus on healthy built environment, community health and quality of life for all Kelowna residents.

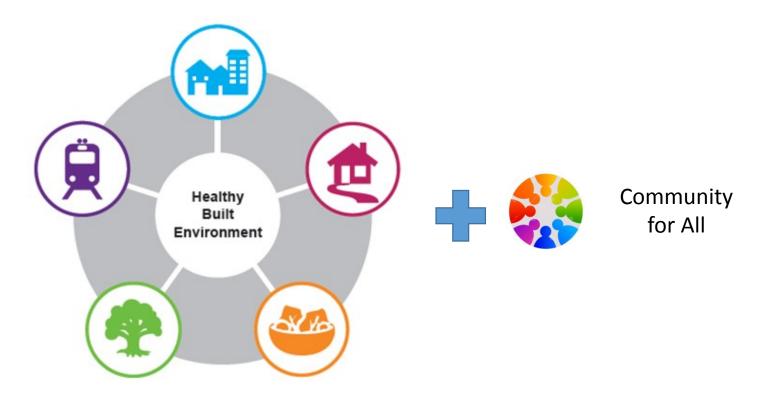


 Working together to create built environments in which people and places thrive.





Healthy City Strategy Theme areas







Community for All

Vision: A city that is healthy, safe, active & inclusive for seniors, children and those with diverse abilities





Actions

- 31 actions created;
- 21 actions led by the City;
- 10 actions led by community stakeholders;
- Actions either implemented or explored in 2017 – 2018.





Summary of 2017 Actions

Status of Actions	Number of Actions
Complete	8
Ongoing	7
In progress	6
Not proceeding	3



Key Highlights: Community for All Assessments

- Infrastructure assessed 157 City parks and 76 City buildings with a focus on accessibility;
- Rick Hansen Foundation Accessibility Certification;
- Accessibility Guide.





Accessibility Guide



PIMBC Home

Programs

Accessibility Guide

Events

News & Links

Contact Us

Media

People In Motion has compiled a comprehensive Online Accessibility Guide for the Central Okanagan. Whether you are a resident, or just visiting the area, and you or family member have a physical disability or mobility concern, this guide will assist you in finding accessible resources in our community. Please select the category you would like to view, or search in the box below:

ACCESSIBILITY INVENTORY FOR KELOWNA & DISTRICT							
Home / Find a Busine	255						
Disability Services	Dining	Kelowna Parks & Buildings	H otels	Shopping	C Things to Do	* Other Services	



Other Key Highlights



- Healthy Housing Strategy, second theme area;
- "Sport for Life" incorporated into the City's Community Sport Plan;
- Ongoing accessibility retrofit budget.



New Actions for 2018

- Create a Neighbourhood Champion volunteer program;
- Promote Parks and Building Assessments to other organizations and businesses;
- Enhance communication for the pedestrian and bicycle network;
- Expand wayfinding signage network; and
- Conduct an accessibility parking program review.



Questions?



Report to Council



Date:	June 11, 2018
File:	1140-41
То:	City Manager
From:	J. Säufferer, Manager, Real Estate Services
Subject:	License Agreement – Freedom Mobile

Recommendation:

THAT Council approves the City entering into a five (5) year Building Licence Agreement, with Freedom Mobile Inc., for the installation of telecommunication facility at the City-owned site at 4075 Gordon Drive, with the option to renew for an additional three (3) five (5) year terms, as per the terms and conditions outlined in the form attached to the Report of the Manager, Real Estate Services, dated June 11, 2018;

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

AND THAT the 2018 Financial Plan be amended to accommodate the revenue to be received;

AND FURTHER THAT all proceeds generated by this agreement, estimated to total \$417,690.00 over the five (5) year term and the three (3) allowable extension periods, be credited to the Mission Recreation Park Loan Reserve until 2022 and then to the City's Parks Purchase & Development Reserve;

Purpose:

To endorse a building licence agreement with Freedom Mobile Inc. for the installation of a telecommunications facility at the City-owned site at 4075 Gordon Drive.

Background:

Freedom Mobile Inc. ("Freedom") has recognized a deficiency in their mobile phone network in the lower mission area, and has identified the city-owned site at 4075 Gordon Drive ("H20") as a potential location for a telecommunications facility to address the lack of adequate wireless coverage. City Staff, in conjunction with the YMCA staff operating the city-owned H2O facility, have reviewed the request from Freedom, and have no concerns with the proposed installation, as it is not anticipated to have any negative building or operational impacts.

Term	5 years
Fee	\$18,000/year
Extensions	3 x 5 years (at city's discretion)
Use	Telecommunications facilities & equipment

In order to protect the visual integrity of the building and the associated branding as the H2O Adventure and Fitness Centre, the license agreement stipulates that no logo's, signage, text or advertising be incorporated in the installation. The extent to which any changes to the front of the building will be visible to the public is approximated in the photo-rendering shown below.



Financial/Budgetary Considerations:

The Building License Agreement ("BLA") provides for a lease payment of \$18,000 per year for the initial five (5) year term. Three (3) subsequent five (5) year extensions (each at the discretion of the city) would see an increase in the license fee between the greater of 10% or inflation. Total approximate revenues over the potential twenty (20) year term of the BLA are in excess of \$400,000, as shown below:

Term	Annual	Total
Years 1-5	\$18,000	\$90,000
Years 6-10	\$19,800	\$99,000
Years 11-15	\$21,780	\$108,900
Years 16-20	\$23,958	\$119,790
TOTAL		\$417,690

Revenues associated with the BLA will be credited to the City's Mission Recreation Park Loan Reserve until 2022 when the loan repayment will be complete. After such time, the revenues will be credited to the City's Parks Purchase & Development Reserve to support park development.

External Agency/Public Comments:

Details regarding the BLA have been reviewed with the Kelowna YMCA, the third-party operator of the City-owned H₂O facility, who have expressed no concerns with the arrangement.

Internal Circulation:

Active Living & Culture Divisional Director Building Services Manager Sponsorship & Advertising Manager Accounting Operations Manager Property Management Manager Budget Supervisor

Considerations not applicable to this report:

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

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

Approved for inclusion: D. Edstrom, Director, Strategic Investments

Attachments: 1. Building Licence Agreement 2. PowerPoint

cc: J. Gabriel, Divisional Director, Active Living & Culture
 M. Johansen, Manager, Building Services
 J. Taylor, Manager, Sponsorship & Advertising
 G. Filafilo, Manager, Accounting Operations
 M. Olson, Manager, Property Management

H Licence Agreement; Province of British Columbia Site Code: BKE0010B

Building Licence Agreement

IN CONSIDERATION of the licence feess paid by Freedom Mobile Inc. (Licensee) to City of Kelowna (Licensor) and the terms contained in this licence agreement (the **'Licensee'**) herein, Licensor licences the Licensed Area (identified below) to Licensee and Licensee accepts the Licensed Area from Licensor, and the parties agree as follows:

I. PRINCIPAL TERMS:

- (a) Licence Fee: \$18,000 per year plus G.S.T. provided that the Licensor has supplied the Licensee with the Licensor's G.S.T. number. In such event G.S.T. shall commence to be payable by the Licensee for the first payment of the Licence Fee following the supply of the G.S.T. number.
 (b) Licensor's G.S.T. No: 121937551
 - (q)
 - Utility Payment: included in Licence Fee Separate meter with direct sub-meter installed by Lice

- (p)
- Separate meter with direct invoices from local utility separate meter with direct invoices from local utility sub-meter installed by Licensee, with invoices from Licensor, subject to Section II (j) below Licence Fee Payment: \$18,000 annually, in advance, plus G.S.T., if applicable, due and payable commencing on the Commencement Date as defined in Section I (f) below and annually on the anniversary of the Commencement Date throughout the Term. At the request of Licensee, Licensor will accept Licence Fee payments by electronic funds transfer under which payments are deducted from Licensee's bank account and credited on the due date to a bank account established in the name of Licensor with a major Canadian bank or other major Canadian financial institution designated by Licensor and Licensor shall cooperate with Licensee to establish this form of payment if so requested by
 - (e)
- (e) Term: Five (5) years commencing on the Commencement Date.
 (f) Commencement Date: Commencing on the day that is the first day of the month following the commencement of installation of Licensee's equipment on the Licensed Area. Licensee shall provide written notice to Licensor setting out the installation date with regards to the Licensee's equipment.
 (g) Extensions: Three (3) sextension terms of five (5) years sech.
 (h) Property Legal Description: Schedule A (References to "Property" in this Licence refer to the property described in Schedule A tree (3) the SC (3) the sech.
 (i) Property Legal Description: Schedule A (References to "Property" in this Licence refer to the property described in Schedule A trees. The part of the Property that is subject to this Licence as outlined in Schedule (B, Use: Use of the premises and access and utility rights by Licensee shall be for the purpose of installing, attaching, modifying, removing, replacing, reconfiguring, maintaining, supplementing and operating, at its sole expense, telecommunications facilities and equipment for the provision of the procession of the provision of the procession of the procession of the procession of the provision of the procession of the provision of the procession of the procession of the provision of the procession of the provision of the procession of the p
 - (g) (h)

 - EEX
- - approval, Area and telecommunication services.
 (1) Access: Twenty-four (24) hours a day, seven (7) days a week. Upon receiving Licensor's prior. Licensee may, at Licensee's cost, install a lock box on the Property for access to the Licensed Licensor shall provide the Licensee with the necessary keys to permit such access.
 (m) Additional Provisions: Schedule 'C'.

II. TERMS AND CONDITIONS:

- Before Commencement Date, Licensee and/or its contractors shall have full access to the Property in order to carry out all necessary tests to satisfy itself that it may use the Licensed Area for its intended purpose, including the preparation of a survey plan (not to be registered on the title to the Property) outlining the Licensed Area and other matters incidental to the Use as herein provided, at Licensee's expense. The Licensee shall repair any damage to the Licensed Area caused by Licensee. (a)
- Before installing any equipment, Licensee shall submit plans outlining the Licensed Area to Licensor whereupon such plans shall form part of this Licence. (q)
- All initial and future equipment, which shall remain the personal and moveable property of Licensee and not become fixtures notwithstanding attachment to any degree, will be installed, operated and maintained and relocated in a good and workmanship like manner in accordance with sound engineering practices and all applicable legislation. Licensee shall obtain and maintain all licenses required to operate the equipment. Licensee shall remove all equipment, except for foundations and equipment roof anchors, if applicable, upon termination of this Licence. Licensee shall otherwise restore the Licensed Area to its original condition, reasonable wear and tear excepted. (c)
- Licensee and Licensor indemnify and hold the other harmless against any and all costs (including legal costs) and loss to person or property which arise out of the unlawful or negligent use and/or occupancy of the Licensed Area by such indemnifying party. Licensee shall maintain during the term and any extensions, public liability and property damage insurance coverage of not less than Two Million Dollars (\$2,000,000) and upon notice Licensor shall be added as an additional insured and provided with a copy of the Insurance Certificate. (p)
- Licensee upon paying the Licence Fee shall have quiet possession of the Licensed Area. Licensor shall not cause interference or permit others to interfere with or impair the quality of the telecommunications services being rendered by Licensee from the Licensed Area. Licensor shall ensure that other carriers granted space on the Property co-ordinate site access and antenna placement with Licensee through (e)

Licence Agreement; Province of British Columbia 2 Site Code: BKE0010B

OI no interference iS Licensee's standard collocation procedures and conditions to ensure there impairment and Licensee's quiet possession of the Licensed Area is protected.

Licensee shall ensure that all activities conducted at the Licensed Area under its control are in compliance with all applicable environmental laws and Licensee shall indemnify Licensor for any breach of such laws resulting from an act or omission on the part of Licensee. Licensor shall be responsible for any other environmental contamination affecting the Licensed Area and shall indemnify Licensee in connection therewith. Licensor represents and warrants that there is no existing environmental Ð

contamination.

- Licensor shall be entitled to terminate this Licence for any material breach of this Licence by Licensee upon provision of thirty (30) days' notice to Licensee specifying the nature of the breach in sufficient detail to permit rectification by Licensee. If such breach is incapable of remedy within such period or Licensee has diligently commenced to remedy such breach within thirty (30) days' notice from Licensor then the term of such notice shall be for such greater period of time as may permit Licensee to remedy the breach. Licensee may terminate this Licence upon thirty (30) days' notice to the Licensee is determines in its sole discretion that the Licensee Area is unsuitable for Licensee's network, commercial impracticality or if Licensee is unable to obtain any required approvals, permits or the like within timelines satisfactory to Licensee, acting reasonably. Licence Fee will be adjusted to the date of termination. (g)
- This Licence will automatically be extended for three (3) extension terms of five (5) years each (the **'First, Second and Third Extension Terms'**) unless Licensee gives Licensor written notice of its intention not to extend at least sixty (60) days prior to the end of the Term or the then current extension term, as applicable. (h)
- Each extension term will be governed by the same terms and conditions set out herein except that the Licence Fee for each year during such extension term shall be equal to the Licence Fee in the last year of the immediately preceding term or extension term (as applicable), increased by the greater of an amount equal to the change in the Canadian Consumer Price Index (all items) in the immediately preceding term or tern will be no right to extend after the last extension preceding term or ten percent (10%), and that there will be no right to extend after the last extension term. (<u>:</u>)
- Licensee may use any existing vertical and/or horizontal pathways on or in the building designated for cable installations and may connect its equipment to all utilities including telephone, fibre and hydro and, where applicable, to Licensor's electrical grounding system, interior wiring, and cabling in and on the Property. Licensor shall supply power to the Licensed Area. Any utility access provided by Licensor, including power, telephone, fibre and hydro to be at Licensee's cost and expense. 9
- planned as Licensor shall give Licensee at least seventy-two (72) hours advance written notice of any plann interruptions of electrical supply and where commercially feasible as much advance written notice possible of any emergency interruptions. (k)
- In the event of extended power outage greater than four (4) hours, Licensor shall supply back-up power to the Licensed Area at Licensee's expense. For greater certainty, the Licensee shall only be responsible for the cost of electricity used by the Licensee in connection with or relating to the Licensed Area. At its own discretion and cost, Licensee shall have the option to install or provide its own back-up power for the Licensed Area. Ξ
- Subject to the paragraph(s) below, Licensor may assign this Licence at any time. Licensee may assign its rights under this Licence or to its equipment and may sublicence the Licensed Area to its affiliates, associates, lenders or a purchaser of all or a part of its network and may undergo a corporate reorganization, including, without limitation, a merger or amalgamation. All other assignments or sublets shall require Licensor's consent. For clarity, this Licence does not permit Licensee to sublease or co-locate its equipment and/or the Licensed Area without the express written approval of Licensor, which consent may be withheld at Licensor's sole discretion. (H
- (n) This Licence will not be registered on the title to the Property.
- This Licence, together with all schedules hereto, is the entire agreement between the parties and supersedes any other agreements, promises or understanding made before the execution of this Licence. This Licence shall be subject to the laws of the province of British Columbia and if any provision of this Licence is found to be invalid, it may be severed without affecting the validity of the balance of the Licence. No change or modification to this Licence shall be valid unless it is in writing and is duly executed by both parties hereto. If Licensor constitutes more than one person, every representation, covenant and agreement on the part of Licensor will be a joint and several representation, covenant, and agreement of the persons constituting Licensor. (o)
- Each party will be excused for delay in performance of their obligations hereunder if they are prevented from timely performance due to circumstances or events beyond their reasonable control. (d)
- Notices to be given under this Licence shall be in writing and may be delivered personally (with a written acknowledgement of receipt of the notice signed by a recipient representing and/or authorized by Licensor or Licensee as the case may be), by mail (deemed received on third (3^{rd)} business day after (b)

Licence Agreement; Province of British Columbia 3 Site Code: BKE0010B

posting), or by facstimile transmission (with confirmation of transmission and deemed delivered on the date transmitted) with a copy also sent by mail to the names, addresses and facsimile numbers listed below.

- If no additional extension terms are negotiated at the end of the last extension period, Licensor agrees to allow Licensee to remain in possession on a month to month basis at the annual Licence Fee last paid, plus 25%, and upon the same terms and conditions of this Licence for up to an additional twelve (12) months. E
- Intentionally deleted. (s)
- The terms and conditions of this agreement shall extend to and bind the heirs, personal representatives, successors and assigns of Licensor and Licensee. E
- Licensor represents and warrants that the rights granted herein do not conflict with any rights previously granted by Licensor to others, that the Property connects to a paved public road and that the Licensee shall have legal and practical access to the Licensed Area. (n)
- (v) Intentionally deleted.
- (w) Each party, upon the reasonable request of the other, will execute, do or cause to be done or executed all further and other lawful acts, deeds, documents, instruments and assurances for the better or more perfect and absolute performance of the terms of this Licence.
- (a) This Licence may be executed in counterparts and the parties hereto have executed this Licence by their respective duly authorized representatives on the dates set out below. This Licence shall be effective and for reference purposes dated the date the last party signed this Licence. May

2018

N

Date:

Tamer Morsy Saleh CTO Freedom Mobile Inc. Ronny Hanna VP, Network Deployment Freedom Mobile Inc. nada M5J 1A7 Manager, Lease Administration 1-866-507-1118 1-866-481-7056 Freedom Mobile Inc. Queen's Quay. Perminal 207 Queen's Quay, Suite 710 P.O. Box 114 P.O. Box 114 Toronto, ON Canada M5J 1A Queen's Quay Terminal 207 Queen's Quay Suite 710, P.O. Box 114 Toronto, ON Canada M5J 1A7 I/We have authority to bind the Corporation Freedom Mobile Inc.. Mailing Address for Notices: Name: Title: Name: **Title:** Attention: License: Per: Per: Fax: Iel:

Freedom Mobile Inc. Building Licence Agreement REV October 2015

I/We have authority to bind the Corporation

Name:

Title: Per:

Name:

Per:

Title:

CITY OF KELOWNA 1435 Water Street Kelowna, BC V1Y 1J4

Licensor:

Date:

Licence Agreement; Province of British Columbia 4 Site Code: BKE0010B

> Mailing Address for Notices: 1435 Water Street Kelowna, BC V1Y 1J4

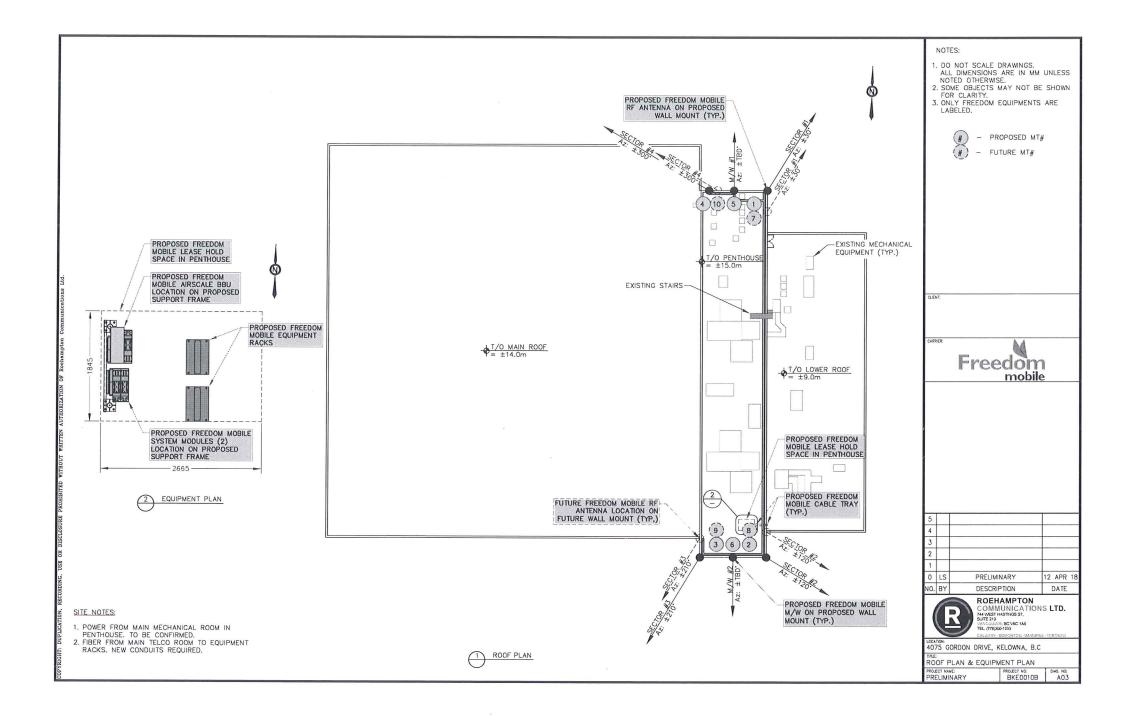
Attention: John Saufferer, Manager, Real Estate Services Tel: 250-469-8658

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SCHEDULE "A" LEGAL DESCRIPTION OF PROPERTY (confirmed by Licensor) TOGETHER WITH ANY STRUCTURES THEREON.	PID: 026-563-355 LEGAL DESCRIPTION:	LOT 2 DISTRICT LOT 168 AND SECTION 6 TOWNSHIP 26 OSOYOOS DIVISION YALE DISTRICT PLAN KAP80134	
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Licence Agreement; Province of British Columbia 5 Site Code: BKE0010B

Licence Agreement; Province of British Columbia 6 Site Code: BKE0010B	<u>SCHEDULE "B"</u> LICENSED AREA	A description of the equipment and detailed sketch of the rooftop and any and all other area(s) showing the proposed area to be licensed including area(s) for current and future installations, cable trays, conduit, cabinet, antennas and other miscellaneous items.	Equipment: 8 Antennas 2 Microwave Dishes Equipment Pad / Platform Area 2m x 3m Space required for Cables and Wires	SEE ROOF PLAN NEXT PAGE					



Licence Agreement; Province of British Columbia 8 Site Code: BKE0010B

SCHEDULE "C"

ADDITIONAL PROVISIONS

The visiual impact of the equipment installed within the Licensed Area from the ground floor will be generally as shown in the photo-renderings below. At no time will logo's, signage, text, advertising, or any other visual obstruction not shown in the photo-renderings below be visible to the public.

Licensor reserves the right to determine whether any equipment installed by Licensee that is visible to the public be unpainted (as shown in the lower image below).





Licence Agreement; Province of British Columbia 9 Site Code: BKE0010B DETAILED CONSTRUCTION DRAWINGS SCHEDULE "D" NOT APPLICABLE

-

Freedom Mobile Lease



Photo-rendering of proposed installation

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Key Agreement Terms

Term: 5 years

- Fee: \$18,000/year
- Extensions: 3 x 5 years (at City's discretion)
- Total revenue potential : \$417,000



Report to Council



Date:	June 11, 2018
File:	0610-41
То:	Acting City Manager
From:	Jim Gabriel, Division Director, Active Living & Culture
Subject:	Kelowna Curling Club Loan Request
	Report Prepared by: S. Kochan, Partnership Manager

Recommendation:

THAT Council receives the report from the Division Director, Active Living & Culture dated June 11, 2018 regarding a loan request from the Kelowna Curling Club;

AND THAT the 2018 Financial Plan be amended to include a loan to the Kelowna Curling Club of up to \$300,000 funded from the Curling Club Improvement Reserve where \$50,000 would be non-repayable as outlined in the report from the Divisional Director, Active Living & Culture, dated June 11, 2018;

AND THAT Council supports an application by the Kelowna Curling Club to the Community Gaming Grants Branch seeking a 2018 Capital Project Grant of \$150,000 for replacement of the roof at the Kelowna Curling Club facility on Recreation Avenue;

AND THAT the Division Director, Active Living & Culture, be authorized to execute all documents necessary to document the loan and support an application by the Kelowna Curling Club to the Community Gaming Grants Branch;

AND FURTHER THAT staff provide an update when the results of the Community Gaming Grant application are known.

Purpose:

To receive Council approval for a loan from the City of Kelowna to the Kelowna Curling Club to fund the replacement of the chiller and possibly the roof replacement at the Kelowna Curling Club facility on Recreation Avenue.

Background:

The Kelowna Curling Club facility ('the facility') on Recreation Avenue is owned by the City of Kelowna and operated by the Kelowna Curling Club ('the Club') through a long term lease agreement. The current lease term expires on December 31, 2023.

The Club initiated and funded the development of the facility in 1978 and has successfully operated the facility since that time. As a facility operating partner, the Club continues to develop the sport of curling through a variety of programs and tournaments, including youth, school and diversability programs. The facility is also increasingly used as a rental venue, providing much needed space for trade shows and other events which are well-attended by the community.

A Building Condition Assessment report regarding the facility was prepared for the City by Read Jones Christoffersen Ltd. in January 2017. The report concludes that, due to the age of the facility, several major systems will need replacement by 2023, including the ice making equipment and the roof.

Chiller: The recent tragedy in the Fernie, BC arena resulted in a regulatory review and facility inspections conducted by the BC Safety Authority and Worksafe BC. As a result of the facility inspection at the Kelowna Curling Club, the chiller was identified as being beyond its service life and an order was issued to remove the chiller from service. Replacement of the unit is mandatory and must take place as soon as possible so that the facility is ready to make ice for upcoming events. Based on a review of three estimates, the lowest projected cost for replacement of the chiller is \$150,209 plus GST.

Roof: The roof has been leaking since last year, and it is evident that the current roof system has failed and will need to be replaced now. Based on a review of three quotes provided by local companies, the roof replacement project cost is \$300,000. The roof replacement project must be completed before adverse fall weather sets in. The work will take approximately 4 to 6 weeks to complete.

The Club does not have sufficient resources on hand to replace both the chiller and the roof.

Capital Project Grant: The Club is eligible to apply to the provincial Gaming Branch for a Capital Project Grant which could provide up to 50 per cent of project costs, to a maximum of \$250,000. Applications are accepted between June 1 and July 31, 2018. The other 50 per cent must be matched from other sources, ideally by cash which is confirmed and available. The project work may commence at any time after the application is submitted. The timeline for grant notification is by the end of October, 2018, but may arrive sooner. This is outside the City's and the applicant's control. A project will be deemed ineligible if it is completed prior to notification from the Gaming Branch. Timelines, and the fact that Gaming funding is not guaranteed creates a significant financial risk both for the Club and for the City as the facility owner.

The lease provides that the Club is responsible for maintenance of both the roof and the chiller equipment. In the current circumstances, staff are recommending a partnered approach to replacement of both these items. This is not the first time that a non-profit facility operator such as the Curling Club has encountered challenges in covering the costs of necessary facility repairs. As is the case with all non-profit facility operating partners, the City seeks to find a win-win solution which recognizes obligations, pro-actively addresses issues, manages risk, protects a valuable physical asset and ensures that operations of an important public facility will continue to be viable and sustainable.

Proposed arrangements:

1. Roof replacement

The Club will proceed with replacement of the roof, supported by cash reserves on hand (\$150,000 or 50%) and an application for a Capital Project Grant (\$150,000 or 50%). The City will review the application prior to submission.

2. Chiller replacement

The City will provide the funds necessary to replace the chiller.

3. Loan terms and conditions:

The City will provide a loan of up to a maximum of \$300,000 to the Curling Club for the following purposes and on the following conditions:

- Interest at the rate of 2.75 per cent will be calculated annually only on the amounts actually advanced;
- First advance: \$150,000 for the replacement of the chiller;
- Second advance: only if needed, up to \$150,000 in the event of a shortfall or denial of Capital Project Grant proceeds for replacement of the roof. Funding will be advanced by the City only upon receipt of notification from the Gaming Branch.
- Payments will be semi-annual over a term of 5 years;
- \$50,000 will be a non-repayable contribution by the City of Kelowna.

Possible scenarios are:

Grant at 100%	Roof:	City total \$150,000
	\$150,000 Grant	Less \$50,000 non-repayable
	\$150,000 Club	Balance payable to City \$100,000
	Chiller:	Semi-annual payment to City \$10,000
	\$150,000 City	plus interest
Grant partial (i.e.	Roof:	City total \$225,000
\$75,000 of \$150,000	\$75,000 Grant	Less \$50,000 non-repayable
request)	\$150,000 Club	Balance payable to City \$175,000
	\$75,000 City	Semi-annual payment to City \$17,500
	Chiller:	plus interest
	\$150,000 City	
Grant unsuccessful	Roof:	City total \$300,000
	\$o Grant	Less \$50,000 non-repayable
	\$150,000 Club	Balance payable to City \$250,000
	\$150,000 City	Semi-annual payment to City \$25,000
	Chiller:	plus interest
	\$150,000 City	

Staff have assessed the Club's capacity to carry the debt associated with this loan by considering:

a) Past experience – in 2013/2014, the City approved a total loan to the Club of \$200,000 at 3 per cent annual interest, repayable in semi-annual payments of \$20,000 over a six-year period. The Club has made its payments on time. There are two remaining payments (\$20,000 on September 1, 2018 and \$20,439 on March 1, 2019) for this previous loan. The City has discussed with the Club the fact that the current and past loan payments will overlap and the Club has indicated that it will be able to meet both commitments without undue hardship.

- b) Review of financial statements between 2013 and 2017, revenues have increased from \$575,583 to \$897,580, or 55 per cent. The Club projects continued growth and consistent cash flow from its key revenue centres: curling club fees and dues, food and beverage operations, pro shop, and facility rentals. The Club also benefits from an annual Gaming grant of approximately \$45,000 dedicated to youth and school programs. Revenues are projected to be over \$1 million by the end of the current fiscal year in April 2019.
- c) Other information provided by the Club the Club is one of only three facilities in Canada with 12 ice sheets, and is in the top five clubs in the country in terms of revenues and membership which now stands at just over 1,200 members. The Club is pursuing additional revenues through hosting more competitive bonspiels, adding more leagues, increasing rentals in the off season, changing its liquor license, and working with Tourism Kelowna to bid on more major events, including a successful bid to host the 2018 World Mixed Curling Championships in October. The Club's Board and staff are excited and optimistic about the future.

Additional terms and conditions:

- Based on the Building Condition Assessment Report, the Club must provide to the City for review and approval, a multi-year capital repair and replacement plan which sets out timelines and costs for necessary repairs and maintenance, and links these to the Club's budget process. A Capital Renewal Plan has been requested as part of previous loan arrangements but has not been delivered. The City will hold the Club accountable for this deliverable.
- Improved financial reporting to the City, including:
 - Annual Financial Statements, professionally prepared on a Review Engagement basis commencing with the fiscal year end April, 2019;
 - Annual budgets once approved by the Club's Board of Directors;
 - Establishment of a capital improvement reserve based on actual building usage
- In consultation with City staff, the Club will create a plan to monetize commercial naming rights for the facility, as granted to the Club by Council in July 2014.

Internal Circulation:

Property Management Manager City Clerk Building Services Manager Financial Planning Manager Payroll & Internal Controls Manager Partnership Manager Sponsorship & Advertising Manager

Financial/Budgetary Considerations:

The Curling Club Improvement Reserve was established for the express purpose of funding capital improvements to the facility. There are currently sufficient funds in the Reserve to cover this request. If approved, the loan advances to the Club will be drawn from the Reserve, and all funds repaid by the Club to the City will be deposited back into the Reserve. There will be no budget or taxation impact arising from the loan to the Club.

Considerations not applicable to this report:

Legal/Statutory Authority

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

Submitted by: J. Gabriel, Division Director, Active Living & Culture

cc: Property Management Manager City Clerk Building Services Manager Financial Planning Manager Payroll & Internal Controls Manager Partnership Manager Sponsorship & Advertising Manager Divisional Director Financial Services



Kelowna Curling Club June 11, 2018

Background

- Built in 1978
- City owned
- Leased to Club
- Club is responsible for building repairs and maintenance

- 2017 Building Condition Assessment
- Roof last replaced in 1994; in year 24 of 25 year lifespan; leaking -\$300,000 project
- Chiller mandatory replacement by provincial order -\$150,000 project

Gaming: Capital Project Grant

- Applications June 1 to July 31, 2018
- Maximum \$250,000 or up to 50% of project cost
- Matching through confirmed sources
- Notification by October 31, 2018
- Project cannot be completed before notification
- Club will apply for \$150,000 for roofing project, matched by its reserves on hand

Loan arrangements

► Roof:

\$150,000 grant
\$150,000 Club

- If partial or no grant, City will lend funds needed
- Note: all funds advanced from and repaid to existing reserve

Chiller:

- ▶ \$150,000 City loan
- \$50,000 non-repayable contribution
- \$100,000 repayable by Club
- 5 year term; 2.75 per cent interest; semiannual payments

Grant at 100%	Roof: \$150,000 Grant \$150,000 Club Chiller: \$150,000 City	City total \$150,000 Less \$50,000 non-repayable Balance payable to City \$100,000
Grant partial (i.e. \$75,000 of \$150,000 request)	Roof: \$75,000 Grant \$150,000 Club \$75,000 City Chiller: \$150,000 City	City total \$225,000 Less \$50,000 non-repayable Balance payable to City \$175,000
Grant unsuccessful	Roof: \$0 Grant \$150,000 Club \$150,000 City Chiller: \$150,000 City	City total \$300,000 Less \$50,000 non-repayable Balance payable to City \$250,000

Kelowna Curling Club

- Has fulfilled previous loan commitments
- Sustained revenue and program growth
- New opportunities
- Engaged Board & staff
- Hosting 2018 World Mixed Curling Championship



Additional loan terms



Enhanced planning and reporting:

- Capital repair and replacement planning
- Deeper capital reserves
- Financial reporting
- Sponsorship \$ for naming



Questions?

For more information, visit **kelowna.ca**.

Report to Council



Date:	June 11, 2018
File:	0610-51
То:	City Manager
From:	Doug Nicholas, Sport & Event Services Manager
Subject:	Rutland Arena Dressing Room Renovations

Recommendation:

THAT Council receives for information, the report from the Sport & Event Services Manager dated June 11, 2018, with respect to renovating the dressing rooms at the Rutland Arena;

AND THAT the 2018 Financial Plan be amended to include up to \$100,000 funded from the Arenas Reserve to support the renovations at the Rutland Arena as outlined in the report dated June 11, 2018.

Purpose:

To seek Council approval to fund the dressing room renovations at the Rutland Arena from the Arenas Reserve.

Background:

The Rutland Arena, located at 645 Dodd Road, is a free-standing single-story complex constructed in 1974 as a single sheet ice arena. The original building was approximately 45,000 sq. ft. in size and included stepped concrete "stadium" bleachers, seating 1,000 persons.

In 1993, a second ice sheet of approximately 20,000 sq. ft. was added and much of the original building was upgraded with new exterior cladding, roof replacements, and expanded mechanical refrigeration facilities. Further expansion occurred in 2002 with the addition of a 3,500 sq. ft. administrative area (Sport Kelowna), and again in 2006 with improvements to the skaters' lobby, concession, washrooms, and front entrance. The building is now classified in the BC Building Code as Group A Division 3 Assembly occupancy and is reported to be 70,776 sq. ft. in total area.

Dressing room renovations

Renovations to the dressing rooms are required to better accommodate the needs of individual players playing on a predominately opposite gender team (i.e. single male players playing on female ringette teams or single female players playing on male hockey teams). Additionally, the referees dressing room is undersized and unable to accommodate the referees' needs. The proposed changes within the existing space (see Appendix A) would create appropriate "all user" dressing rooms as well as improve the space allocated for referees. The scope of work includes consulting and engineering fees, construction costs, permits and contingency.

The Arena Advisory Committee has been consulted on this project, and is fully supportive of using the Arenas Reserve to move it forward. If supported by Council, the project work will begin as soon as possible with a targeted completion for Fall 2018.

Internal Circulation:

Jim Gabriel, Divisional Director, Active Living & Culture Martin Johansen, Building Services Manager George King, Financial Planning Manager Amanda Lamberti, Communications Advisor

Financial/Budgetary Considerations:

The Arenas Reserve is intended to be used exclusively for the development of new arenas or redevelopment and renovation of existing arenas that provide a direct benefit back to the arena user groups and/or the general public. There are currently sufficient funds in the reserve to cover this project.

Existing Policy:

Arenas Reserve (Policy #259)

Social Policies (Policy # 360) includes a section on Equity and Inclusion and states that the City will "collaborate with other agencies to deliver programs and services which improve diversity, equity and inclusion".

Council endorsed the "Community for All Action Plan" which promotes inclusivity and accessibility for all ages.

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:

Doug Nicholas, Sport & Event Services Manager

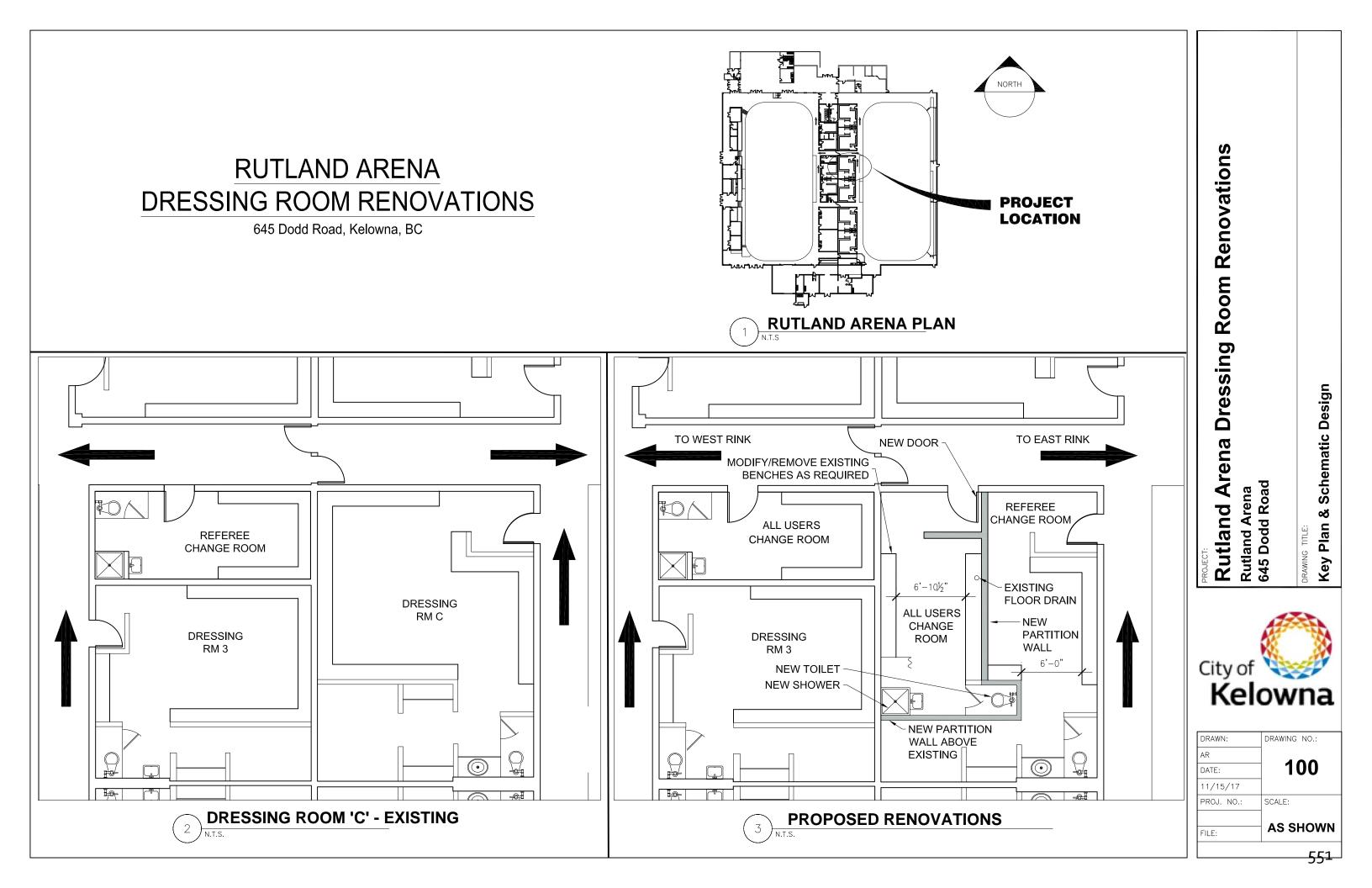
Approved for inclusion:

Jim Gabriel, Divisional Director, Active Living & Culture

Attachments:

Appendix A – Rutland Arena Dressing Room Renovations

cc: Jim Gabriel, Divisional Director, Active Living & Culture Genelle Davidson, Divisional Director, Financial Services



CITY OF KELOWNA

BYLAW NO. 11507

Housing Agreement Authorization Bylaw – Valley Land Subdivision Ltd – 720 Valley Road

Whereas pursuant to Section 483 of the *Local Government Act*, a local government may, by bylaw, enter into a housing agreement.

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

- 1. The Municipal Council hereby authorizes the City of Kelowna to enter into a Housing Agreement with Valley Land Subdivision Ltd., Inc. No. BC1078341 for the lands known as Lot A, Sections 29 and 32, Township26, ODYD, Plan EPP755038 located on Valley Road, Kelowna, B.C., a true copy of which is attached to and forms part of this bylaw as Schedule "A".
- 2. The Mayor and City Clerk are hereby authorized to execute the attached agreement as well as any conveyances, deeds, receipts or other documents in connection with the attached agreement.
- 3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 28th day of May, 2018.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

PURPOSE-BUILT RENTAL HOUSING AGREEMENT

THIS AGREEMENT dated for reference affects:

LEGAL DESCRIPTION OF PROPERTY SUBJECT TO THE AGREEMENT:

Lot A, Sections 29 & 32, TP 26, ODYD, Plan EPP75038

("Land")

And is

BETWEEN: Valley Land Subdivision Ltd. 500-1708 Dolphin Ave, Kelowna, BC V1Y 9S4

("Owner")

AND:

CITY OF KELOWNA, a local government incorporated pursuant to the *Community Charter* and having its offices at 1435 Water Street, Kelowna, B.C. V1Y 1J4

("City")

GIVEN THAT:

- A. The Owner has applied to the City for rezoning of the Lands to permit the construction of a housing complex that will include purpose-built rental housing units, as defined in this Agreement, on certain lands more particularly described in this Agreement;
- B. The City may, pursuant to section 483 of the *Local Government Act*, enter into an agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure, and availability of the housing units on the land or construction on land;
- C. The Owner and the City wish to enter into this Agreement to provide for purpose-built rental housing on the terms and conditions set out in this Agreement, and agree that this Agreement is a housing agreement under s. 483 of the *Local Government Act*; and
- D. The City has, by bylaw, authorized the execution of this Agreement and the Owner has duly authorized the execution of this Agreement;

This Agreement is evidence that in consideration of \$1.00 paid by the City to the Owner (the receipt of which is acknowledged by the Owner) and in consideration of the promises exchanged below, the City and Owner agree, as a housing agreement between the Owner and the City under s. 483 of the *Local Government Act*, as follows:

ARTICLE 1 INTERPRETATION

1.1 Definitions -

"Caregiver" means an individual who provides assistance with the performance of the personal functions and activities necessary for daily living that a person is unable to perform efficiently for himself or herself;

"City" means the City of Kelowna;

"Dwelling Unit" means accommodation providing sleeping rooms, washrooms, and no more than one kitchen, intended for domestic use, and used or intended to be used permanently or semi-permanently for a Household. This use does not include a room in a hotel or a motel.

"Household" means

- (a) a person;
- (b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities;
- (c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities; or
- (d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using common cooking facilities.

In addition, a household may also include up to one Caregiver or nanny;

"Land" means the land described herein;

"LTO" means the Kamloops Land Title Office or its successor;

"Official Community Plan" means the City of Kelowna Official Community Plan Bylaw No. 10500, or its successor bylaw;

"Owner" means the registered owner of the Lands from time to time and any parcels into which the Lands are subdivided;

"Purpose-Built Rental Housing" means a Dwelling Unit that is intended to be used for rental housing; and

"Tenancy Agreement" means a tenancy agreement as defined in, and subject to, the *Residential Tenancy Act.*

- **1.2** Interpretation In this Agreement:
 - reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;

- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- (c) reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
- (d) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (e) the word "enactment" has the meaning given in the *Interpretation Act* on the reference date of this Agreement;
- (f) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- (g) reference to any enactment is a reference to that enactment as consolidated, revised, amended, reenacted or replaced, unless otherwise expressly provided;
- (h) the provisions of s. 25 of the Interpretation Act with respect to the calculation of time apply;
- (i) time is of the essence;
- (j) all provisions are to be interpreted as always speaking;
- (k) reference to a "party" is a reference to a party to this Agreement and to their respective successors, assigns, trustees, administrators and receivers;
- (I) reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
- (m) the definitions given in the City of Kelowna Zoning Bylaw No. 8000, or its successor bylaw, and the Official Community Plan apply for the purposes of this Agreement; and
- (n) any act, decision, determination, consideration, consent or exercise of discretion by a party, or other person, as provided in this Agreement will be performed, made or exercised acting reasonably.
- 1.3 **Purpose of Agreement** The Owner and the City agree that:
 - this Agreement is intended to serve the public interest by providing for occupancy of a certain number of Dwelling Units, of the kinds provided for in this Agreement, that are in demand in the City of Kelowna but that are not readily available;
 - (b) damages are not an adequate remedy to the City in respect of any breach of this Agreement by the Owner, such that the Owner agrees the City should be entitled to an order for specific performance, injunction or other specific relief respecting any breach of this Agreement by the Owner.

ARTICLE 2 HOUSING AGREEMENT AND LAND USE RESTRICTIONS

- 2.1 Land Use Restrictions The Owner and the City herby covenant and agree as follows:
 - (a) The Land will be used only in accordance with this Agreement;
 - (b) The Owner will design, construct and maintain one or more buildings providing 166 Dwelling Units as Purpose-Built Rental Housing
 - (c) The Owner acknowledges that the City will not support applications to stratify the building(s) on the Land, thereby allowing the identified Purpose-Built Rental Housing Dwelling Units to be sold independently of each other, for a period of ten (10) years from the date of this Agreement.

ARTICLE 3 HOUSING AGREEMENT AND TRANSFER RESTRICTIONS

- 3.1 **Purchaser Qualifications** The City and the Owner agree as follows:
 - (a) the Owner will not sell or transfer, or agree to sell or transfer, any interest in any building containing Purpose-Built Rental Housing Dwelling Units on the Land other than a full interest in the fee simple title to an agency or individual that will continue to ensure that the Purpose-Built Rental Housing Dwelling Units are available in accordance with this Agreement.

3.2 Use and Occupancy of Purpose-Built Rental Housing Dwelling Unit - The Owner agrees with the City as follows:

- (a) the Owner will rent or lease each Purpose-Built Rental Housing Dwelling Unit on the Land in accordance with the *Residential Tenancy Act*, and in no event may the Owner itself occupy a Purpose-Built Rental Housing Dwelling Unit or use the Purpose-Built Rental Housing Dwelling Unit for short-term vacation accommodation; and
- (b) the Owner will deliver a copy of the Tenancy Agreement for each Purpose-Built Rental Housing Dwelling Unit to the City upon demand.

ARTICLE 4 GENERAL

- 4.1 Notice of Housing Agreement For clarity, the Owner acknowledges and agrees that:
 - (a) this Agreement constitutes a housing agreement entered into under s. 483 of the *Local Government Act;*
 - (b) the City is requiring the Owner to file a notice of housing agreement in the LTO against title to the Land;

- (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land;
- (d) in the event the parties agree to release this Agreement from the title of the Land, which may not occur before the tenth (10th) anniversary of the date of this Agreement, the Owner will repay the City for 100% of the amount of the rental grant received from the City. Such repaid funds will be directed to the City's Housing Opportunities Reserve Fund.
- 4.2 No Effect On Laws or Powers This Agreement does not
 - (a) affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of land,
 - (b) impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement,
 - (c) affect or limit any enactment relating to the use or subdivision of land, or
 - (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of land.
- 4.3 Management The Owner covenants and agrees that it will furnish good and efficient management of the Dwelling Units and will permit representatives of the City to inspect the Dwelling Units at any reasonable time, subject to the notice provisions of the *Residential Tenancy Act*. The Owner further covenants and agrees that it will maintain the Dwelling Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Land. Notwithstanding the foregoing, the Owner acknowledges and agrees that the City, in its absolute discretion, may require the Owner, at the Owner's expense, to hire a person or company with the skill and expertise to manage the Dwelling Units.
- **4.4** Notice Any notice which may be or is required to be given under this Agreement will be in writing and either be delivered or sent by facsimile transmission. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery. Any notice which is sent by fax transmission is to be considered to have been given on the first business day after it is sent. If a party changes its address or facsimile number, or both, it will promptly give notice of its new address or facsimile number, or both, to the other party as provided in this section.
- **4.5** Agreement Runs With the Land Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the City in respect of the Land and this Agreement burdens the Land and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including by subdivision or by strata plan under the *Strata Property Act*.
- **4.6** Limitation on Owner's Obligations The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.
- 4.7 Release The Owner by this Agreement releases and forever discharges the City and each of its elected officials, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors, and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Dwelling Units which has been or at any time after the

commencement of this Agreement may be given to the Owner by all or any of them. This clause will survive the termination of this Agreement.

- **4.8 Joint Venture** Nothing in this Agreement will constitute the Owner as the agent, joint venturer, or partner of the City or give the Owner any authority to bind the City in any way.
- **4.9** Waiver An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.
- **4.10** Further Acts The Owner will do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.
- **4.11 Severance** If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
- **4.12** Equitable Remedies The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.
- **4.13 No Other Agreements** This Agreement is the entire agreement between the parties regarding its subject and it terminates and supersedes all other agreements and arrangements regarding its subject.
- **4.14 Amendment** This Agreement may be discharged, amended or affected only by an instrument duly executed by both the Owner and the City.
- **4.15** Enurement This Agreement binds the parties to it and their respective successors, heirs, executors and administrators. Reference in this Agreement to the "City" is a reference also to the elected and appointed officials, employees and agents of the City.
- **416 Deed and Contract** By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

IN WITNESS WHEREOF the parties hereunto have executed this Agreement on the date and year first above written.

SIGNED, SEALED & DELIVERED in) the presence of:)	"OWNER" by its authorized signatories;
Signature of Witness	mart St
CHAD DAVIDSON	Matt Butter Print Name:
<u>HUS VATES ROAD, KELO</u> UNA Address)	(d)
DEVELEPMENT MANAGER Occupation	<u>CHAD DAVIDSON</u> Print Name:
SIGNED, SEALED & DELIVERED in) the presence of:))	CITY OF KELOWNA by its authorized signatories:
Signature of Witness	Mayor
Print Name	City Clerk
Address))	
Occupation	

CITY OF KELOWNA

BYLAW NO. 11567

Housing Agreement Authorization Bylaw – Necessary Homes Ltd., Inc. No. BCo850280 – 1155 Pacific Avenue

Whereas pursuant to Section 483 of the *Local Government Act*, a local government may, by bylaw, enter into a housing agreement.

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

- 1. The Municipal Council hereby authorizes the City of Kelowna to enter into a Housing Agreement with Necessary Homes Ltd., Inc. No. BCo850280 for the lands known as Lot 1, Block 1, District Lot 137, ODYD, Plan 5042 located on Pacific Avenue, Kelowna, B.C., a true copy of which is attached to and forms part of this bylaw as Schedule "A".
- 2. The Mayor and City Clerk are hereby authorized to execute the attached agreement as well as any conveyances, deeds, receipts or other documents in connection with the attached agreement.
- 3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 28th day of May, 2018.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

PURPOSE-BUILT RENTAL HOUSING AGREEMENT

THIS AGREEMENT dated for reference _______ affects: LEGAL DESCRIPTION OF PROPERTY SUBJECT TO THE AGREEMENT Lot A DL #131, ODYD, PL EPP 7648 ("Land") And is BETWEEN: Summerwood Retirement Resort Holding Corporation 1277 Gordon Drive, Kelowna, BC, V1Y 4W4 ("Owner")

AND:

CITY OF KELOWNA, a local government incorporated pursuant to the Community Charter and having its offices at 1435 Water Street, Kelowna, B.C. V1Y 1J4

("City")

GIVEN THAT:

- A. The Owner has applied to the City for rezoning of the Lands to permit the construction of a housing complex that will include purpose-built rental housing units, as defined in this Agreement, on certain lands more particularly described in this Agreement;
- B. The City may, pursuant to section 483 of the Local Government Act, enter into an agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure, and availability of the housing units on the land or construction on land;
- C. The Owner and the City wish to enter into this Agreement to provide for purpose-built rental housing on the terms and conditions set out in this Agreement, and agree that this Agreement is a housing agreement under s. 483 of the Local Government Act; and
- D. The City has, by bylaw, authorized the execution of this Agreement and the Owner has duly authorized the execution of this Agreement;

This Agreement is evidence that in consideration of \$1.00 paid by the City to the Owner (the receipt of which is acknowledged by the Owner) and in consideration of the promises exchanged below, the City and Owner agree, as a housing agreement between the Owner and the City under s. 483 of the *Local Government Act*, as follows:

ARTICLE 1

INTERPRETATION

1.1 Definitions -

"Caregiver" means an individual who provides assistance with the performance of the personal functions and activities necessary for daily living that a person is unable to perform efficiently for himself or herself;

"City" means the City of Kelowna;

"Dwelling Unit" means accommodation providing sleeping rooms, washrooms, and no more than one kitchen, intended for domestic use, and used or intended to be used permanently or semi-permanently for a Household. This use does not include a room in a hotel or a motel.

"Household" means

- (a) a person;
- (b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities;
- (c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities; or
- (d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using common cooking facilities.

In addition, a household may also include up to one Caregiver or nanny;

"Land" means the land described herein;

"LTO" means the Kamloops Land Title Office or its successor;

"Official Community Plan" means the City of Kelowna Official Community Plan Bylaw No. 10500, or its successor bylaw;

"Owner" means the registered owner of the Lands from time to time and any parcels into which the Lands are subdivided;

"Purpose-Built Rental Housing" means a Dwelling Unit that is intended to be used for rental housing; and

"Tenancy Agreement" means a tenancy agreement as defined in, and subject to, the Residential Tenancy Act.

1.2 Interpretation - In this Agreement:

 reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;

- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
- (d) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- the word "enactment" has the meaning given in the Interpretation Act on the reference date of this Agreement;
- (f) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- reference to any enactment is a reference to that enactment as consolidated, revised, amended, reenacted or replaced, unless otherwise expressly provided;
- (h) the provisions of s. 25 of the Interpretation Act with respect to the calculation of time apply;
- time is of the essence;
- all provisions are to be interpreted as always speaking;
- (k) reference to a "party" is a reference to a party to this Agreement and to their respective successors, assigns, trustees, administrators and receivers;
- reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
- the definitions given in the City of Kelowna Zoning Bylaw No. 8000, or its successor bylaw, and the Official Community Plan apply for the purposes of this Agreement; and
- any act, decision, determination, consideration, consent or exercise of discretion by a party, or other person, as provided in this Agreement will be performed, made or exercised acting reasonably.
- Purpose of Agreement The Owner and the City agree that;
 - this Agreement is intended to serve the public interest by providing for occupancy of a certain number of Dwelling Units, of the kinds provided for in this Agreement, that are in demand in the City of Kelowna but that are not readily available;
 - (b) damages are not an adequate remedy to the City in respect of any breach of this Agreement by the Owner, such that the Owner agrees the City should be entitled to an order for specific performance, injunction or other specific relief respecting any breach of this Agreement by the Owner.

ARTICLE 2

HOUSING AGREEMENT AND LAND USE RESTRICTIONS

- 2.1 Land Use Restrictions The Owner and the City herby covenant and agree as follows:
 - The Land will be used only in accordance with this Agreement;
 - (b) The Owner will design, construct and maintain one or more buildings providing _154__ Dwelling Units as Purpose-Built Rental Housing
 - (c) The Owner acknowledges that the City will not support applications to stratify the building(s) on the Land, thereby allowing the identified Purpose-Built Rental Housing Dwelling Units to be sold independently of each other, for a period of ten (10) years from the date of this Agreement.

ARTICLE 3 HOUSING AGREEMENT AND TRANSFER RESTRICTIONS

- 3.1 Purchaser Qualifications The City and the Owner agree as follows:
 - (a) the Owner will not sell or transfer, or agree to sell or transfer, any interest in any building containing Purpose-Built Rental Housing Dwelling Units on the Land other than a full interest in the fee simple title to an agency or individual that will continue to ensure that the Purpose-Built Rental Housing Dwelling Units are available in accordance with this Agreement.

3.2 Use and Occupancy of Purpose-Built Rental Housing Dwelling Unit - The Owner agrees with the City as follows:

- (a) the Owner will rent or lease each Purpose-Built Rental Housing Dwelling Unit on the Land in accordance with the *Residential Tenancy Act*, and in no event may the Owner itself occupy a Purpose-Built Rental Housing Dwelling Unit or use the Purpose-Built Rental Housing Dwelling Unit for short-term vacation accommodation; and
- (b) the Owner will deliver a copy of the Tenancy Agreement for each Purpose-Built Rental Housing Dwelling Unit to the City upon demand.

ARTICLE 4 GENERAL

- 4.1 Notice of Housing Agreement For clarity, the Owner acknowledges and agrees that:
 - this Agreement constitutes a housing agreement entered into under s. 483 of the Local Government Act;
 - (b) the City is requiring the Owner to file a notice of housing agreement in the LTO against title to the Land;
 - (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land;

(d) in the event the parties agree to release this Agreement from the title of the Land, which may not occur before the tenth (10th) anniversary of the date of this Agreement, the Owner will repay the City for 100% of the amount of the rental grant received from the City. Such repaid funds will be directed to the City's Housing Opportunities Reserve Fund.

4.2 No Effect On Laws or Powers - This Agreement does not

- affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of land,
- (b) impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement,
- (c) affect or limit any enactment relating to the use or subdivision of land, or
- (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of land.
- 4.3 Management The Owner covenants and agrees that it will furnish good and efficient management of the Dwelling Units and will permit representatives of the City to inspect the Dwelling Units at any reasonable time, subject to the notice provisions of the *Residential Tenancy Act*. The Owner further covenants and agrees that it will maintain the Dwelling Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Land. Notwithstanding the foregoing, the Owner acknowledges and agrees that the City, in its absolute discretion, may require the Owner, at the Owner's expense, to hire a person or company with the skill and expertise to manage the Dwelling Units.
- 4.4 Notice Any notice which may be or is required to be given under this Agreement will be in writing and either be delivered or sent by facsimile transmission. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery. Any notice which is sent by fax transmission is to be considered to have been given on the first business day after it is sent. If a party changes its address or facsimile number, or both, it will promptly give notice of its new address or facsimile number, or both, to the other party as provided in this section.
- 4.5 Agreement Runs With the Land Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the City in respect of the Land and this Agreement burdens the Land and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including by subdivision or by strata plan under the *Strata Property Act*.
- 4.6 Limitation on Owner's Obligations The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.
- 4.7 Release The Owner by this Agreement releases and forever discharges the City and each of its elected officials, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors, and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Dwelling Units which has been or at any time after the commencement of this Agreement may be given to the Owner by all or any of them. This clause will survive

the termination of this Agreement.

- 4.8 Joint Venture Nothing in this Agreement will constitute the Owner as the agent, joint venturer, or partner of the City or give the Owner any authority to bind the City in any way.
- 4.9 Waiver An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.
- 4.10 Further Acts The Owner will do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.
- 4.11 Severance If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
- 4.12 Equitable Remedies The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.
- 4.13 No Other Agreements This Agreement is the entire agreement between the parties regarding its subject and it terminates and supersedes all other agreements and arrangements regarding its subject.
- 4.14 Amendment This Agreement may be discharged, amended or affected only by an instrument duly executed by both the Owner and the City.
- 4.15 Enurement This Agreement binds the parties to it and their respective successors, heirs, executors and administrators. Reference in this Agreement to the "City" is a reference also to the elected and appointed officials, employees and agents of the City.
- 416 Deed and Contract By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

IN WITNESS WHEREOF the parties hereunto have executed this Agreement on the date and year first above written.

SIGNED, SEALED & DELIVERED in) the presencest of the presence of the presenc	"OWNER" by its authorized signatories:
Print Name	Ed Hall Print Name:
) Address)	
Occupation	Print Name:
SIGNED, SEALED & DELIVERED in) the presence of:	CITY OF KELOWNA by its authorized signatories:
Signature of Witness	Маус
Signature of Witness)	Mayo City Cler

Occupation

CITY OF KELOWNA

BYLAW NO. 11568

Housing Agreement Authorization Bylaw – Summerwood Retirement Resort Holding Corporation, Inc. No. BC1090350 – 1360 KLO Road

Whereas pursuant to Section 483 of the *Local Government Act*, a local government may, by bylaw, enter into a housing agreement.

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

- 1. The Municipal Council hereby authorizes the City of Kelowna to enter into a Housing Agreement with Summerwood Retirement Resort Holding Corporation, Inc. No. BC1090350 for the lands known as Lot A, District 131, ODYD, Plan EPP7648 located on KLO Avenue, Kelowna, B.C., a true copy of which is attached to and forms part of this bylaw as Schedule "A".
- 2. The Mayor and City Clerk are hereby authorized to execute the attached agreement as well as any conveyances, deeds, receipts or other documents in connection with the attached agreement.
- 3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 28th day of May, 2018.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

PURPOSE-BUILT RENTAL HOUSING AGREEMENT

THIS AGREEMENT dated for reference ______ affects:

LEGAL DESCRIPTION OF PROPERTY SUBJECT TO THE AGREEMENT:

Lot 1 Block 1 District Lot 137 ODYD Plan 5042 ("Land")

And is

BETWEEN: Necessary Homes Ltd, INC.NO. BC0850280 PO Box 24028 RPO Town Centre Kelowna B.C V1Y 9H2

("Owner")

AND:

CITY OF KELOWNA, a local government incorporated pursuant to the Community Charter and having its offices at 1435 Water Street, Kelowna, B.C. V1Y 1J4

("City")

GIVEN THAT:

- A. The Owner has applied to the City for rezoning of the Lands to permit the construction of a housing complex that will include purpose-built rental housing units, as defined in this Agreement, on certain lands more particularly described in this Agreement;
- B. The City may, pursuant to section 483 of the Local Government Act, enter into an agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure, and availability of the housing units on the land or construction on land;
- C. The Owner and the City wish to enter into this Agreement to provide for purpose-built rental housing on the terms and conditions set out in this Agreement, and agree that this Agreement is a housing agreement under s. 483 of the Local Government Act; and
- D. The City has, by bylaw, authorized the execution of this Agreement and the Owner has duly authorized the execution of this Agreement;

This Agreement is evidence that in consideration of \$1.00 paid by the City to the Owner (the receipt of which is acknowledged by the Owner) and in consideration of the promises exchanged below, the City and Owner agree, as a housing agreement between the Owner and the City under s. 483 of the *Local Government Act*, as follows:

ARTICLE 1 INTERPRETATION

1.1 Definitions -

"Caregiver" means an individual who provides assistance with the performance of the personal functions and activities necessary for daily living that a person is unable to perform efficiently for himself or herself;

"City" means the City of Kelowna;

"Dwelling Unit" means accommodation providing sleeping rooms, washrooms, and no more than one kitchen, intended for domestic use, and used or intended to be used permanently or semi-permanently for a Household. This use does not include a room in a hotel or a motel.

"Household" means

- (a) a person;
- (b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities;
- (c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities; or
- (d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using common cooking facilities.

In addition, a household may also include up to one Caregiver or nanny;

"Land" means the land described herein;

"LTO" means the Kamloops Land Title Office or its successor;

"Official Community Plan" means the City of Kelowna Official Community Plan Bylaw No. 10500, or its successor bylaw;

"Owner" means the registered owner of the Lands from time to time and any parcels into which the Lands are subdivided;

"Purpose-Built Rental Housing" means a Dwelling Unit that is intended to be used for rental housing; and

"Tenancy Agreement" means a tenancy agreement as defined in, and subject to, the Residential Tenancy Act.

1.2 Interpretation - In this Agreement:

- reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
- (d) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- the word "enactment" has the meaning given in the Interpretation Act on the reference date of this Agreement;
- (f) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- (g) reference to any enactment is a reference to that enactment as consolidated, revised, amended, reenacted or replaced, unless otherwise expressly provided;
- (h) the provisions of s. 25 of the Interpretation Act with respect to the calculation of time apply;
- time is of the essence;
- all provisions are to be interpreted as always speaking;
- (k) reference to a "party" is a reference to a party to this Agreement and to their respective successors, assigns, trustees, administrators and receivers;
- reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
- (m) the definitions given in the City of Kelowna Zoning Bylaw No. 8000, or its successor bylaw, and the Official Community Plan apply for the purposes of this Agreement; and
- any act, decision, determination, consideration, consent or exercise of discretion by a party, or other person, as provided in this Agreement will be performed, made or exercised acting reasonably.
- 1.3 Purpose of Agreement The Owner and the City agree that:
 - this Agreement is intended to serve the public interest by providing for occupancy of a certain number of Dwelling Units, of the kinds provided for in this Agreement, that are in demand in the City of Kelowna but that are not readily available;
 - (b) damages are not an adequate remedy to the City in respect of any breach of this Agreement by the Owner, such that the Owner agrees the City should be entitled to an order for specific performance, injunction or other specific relief respecting any breach of this Agreement by the Owner.

ARTICLE 2 HOUSING AGREEMENT AND LAND USE RESTRICTIONS

- 2.1 Land Use Restrictions The Owner and the City herby covenant and agree as follows:
 - The Land will be used only in accordance with this Agreement;
 - (b) The Owner will design, construct and maintain one or more buildings providing 14 Dwelling Units as Purpose-Built Rental Housing
 - (c) The Owner acknowledges that the City will not support applications to stratify the building(s) on the Land, thereby allowing the identified Purpose-Built Rental Housing Dwelling Units to be sold independently of each other, for a period of ten (10) years from the date of this Agreement.

ARTICLE 3 HOUSING AGREEMENT AND TRANSFER RESTRICTIONS

- 3.1 Purchaser Qualifications The City and the Owner agree as follows:
 - (a) the Owner will not sell or transfer, or agree to sell or transfer, any interest in any building containing Purpose-Built Rental Housing Dwelling Units on the Land other than a full interest in the fee simple title to an agency or individual that will continue to ensure that the Purpose-Built Rental Housing Dwelling Units are available in accordance with this Agreement.

3.2 Use and Occupancy of Purpose-Built Rental Housing Dwelling Unit - The Owner agrees with the City as follows:

- (a) the Owner will rent or lease each Purpose-Built Rental Housing Dwelling Unit on the Land in accordance with the *Residential Tenancy Act*, and in no event may the Owner itself occupy a Purpose-Built Rental Housing Dwelling Unit or use the Purpose-Built Rental Housing Dwelling Unit for short-term vacation accommodation; and
- (b) the Owner will deliver a copy of the Tenancy Agreement for each Purpose-Built Rental Housing Dwelling Unit to the City upon demand.

ARTICLE 4 GENERAL

- 4.1 Notice of Housing Agreement For clarity, the Owner acknowledges and agrees that:
 - this Agreement constitutes a housing agreement entered into under s. 483 of the Local Government Act;
 - (b) the City is requiring the Owner to file a notice of housing agreement in the LTO against title to the

Land;

- (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land;
- (d) in the event the parties agree to release this Agreement from the title of the Land, which may not occur before the tenth (10th) anniversary of the date of this Agreement, the Owner will repay the City for 100% of the amount of the rental grant received from the City. Such repaid funds will be directed to the City's Housing Opportunities Reserve Fund.
- 4.2 No Effect On Laws or Powers This Agreement does not
 - affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of land,
 - (b) impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement,
 - (c) affect or limit any enactment relating to the use or subdivision of land, or
 - (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of land.
- 4.3 Management The Owner covenants and agrees that it will furnish good and efficient management of the Dwelling Units and will permit representatives of the City to inspect the Dwelling Units at any reasonable time, subject to the notice provisions of the *Residential Tenancy Act*. The Owner further covenants and agrees that it will maintain the Dwelling Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Land. Notwithstanding the foregoing, the Owner acknowledges and agrees that the City, in its absolute discretion, may require the Owner, at the Owner's expense, to hire a person or company with the skill and expertise to manage the Dwelling Units.
- 4.4 Notice Any notice which may be or is required to be given under this Agreement will be in writing and either be delivered or sent by facsimile transmission. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery. Any notice which is sent by fax transmission is to be considered to have been given on the first business day after it is sent. If a party changes its address or facsimile number, or both, it will promptly give notice of its new address or facsimile number, or both, to the other party as provided in this section.
- 4.5 Agreement Runs With the Land Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the City in respect of the Land and this Agreement burdens the Land and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including by subdivision or by strata plan under the *Strata Property Act*.
- 4.6 Limitation on Owner's Obligations The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.
- 4.7 Release The Owner by this Agreement releases and forever discharges the City and each of its elected officials, officers, directors, employees and agents, and its and their heirs, executors, administrators, personal representatives, successors, and assigns, from and against all claims, demands, damages,

actions, or causes of action by reason of or arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Dwelling Units which has been or at any time after the commencement of this Agreement may be given to the Owner by all or any of them. This clause will survive the termination of this Agreement.

- 4.8 Joint Venture Nothing in this Agreement will constitute the Owner as the agent, joint venturer, or partner of the City or give the Owner any authority to bind the City in any way.
- 4.9 Waiver An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.
- 4.10 Further Acts The Owner will do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.
- 4.11 Severance If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
- 4.12 Equitable Remedies The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.
- 4.13 No Other Agreements This Agreement is the entire agreement between the parties regarding its subject and it terminates and supersedes all other agreements and arrangements regarding its subject.
- 4.14 Amendment This Agreement may be discharged, amended or affected only by an instrument duly executed by both the Owner and the City.
- 4.15 Enurement This Agreement binds the parties to it and their respective successors, heirs, executors and administrators. Reference in this Agreement to the "City" is a reference also to the elected and appointed officials, employees and agents of the City.
- 416 Deed and Contract By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

IN WITNESS WHEREOF the parties hereunto have executed this Agreement on the date and year first above written.



SIGNED, SEALED & DELIVERED in the presence of:

Signature of Witness

Print Name

Address

Occupation

"OWNER" by its authorized signatories:

Tiek Print Name:

Luli in

Print Name:

)

CITY OF KELOWNA by its authorized signatories:

Mayor

City Clerk

CITY OF KELOWNA

BYLAW NO. 11610

Housing Agreement Authorization Bylaw – 0984342 BC Ltd Inc. No. BC0984342 – 3477 – 3499 Lakeshore Road

Whereas pursuant to Section 483 of the *Local Government Act*, a local government may, by bylaw, enter into a housing agreement.

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

- 1. The Municipal Council hereby authorizes the City of Kelowna to enter into a Housing Agreement with 0984342 BC Ltd., Inc. No. BC0984342 for the lands known as Lot A, District Lot 134, ODYD, Plan EPP65105 located on Lakeshore Road 3477-3499, Kelowna, B.C., a true copy of which is attached to and forms part of this bylaw as Schedule "A".
- 2. The Mayor and City Clerk are hereby authorized to execute the attached agreement as well as any conveyances, deeds, receipts or other documents in connection with the attached agreement.
- 3. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first, second and third time by the Municipal Council this 28th day of May, 2018.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

PURPOSE-BUILT RENTAL HOUSING AGREEMENT

THIS AGREEMENT dated for reference April 30, 2018 affects:

LEGAL DESCRIPTION OF PROPERTY SUBJECT TO THE AGREEMENT:

LOT A DISTRICT LOT 134 OSOYOOS DIVISION YALE DISTRICT PLAN EPP65105

("Land")

And is

BETWEEN: 0984342 B.C. LTD 205 – 3975 LAKESHORE ROAD KELOWNA, B.C. V1W 1V3

("Owner")

AND:

CITY OF KELOWNA, a local government incorporated pursuant to the *Community Charter* and having its offices at 1435 Water Street, Kelowna, B.C. V1Y 1J4

("City")

GIVEN THAT:

- A. The Owner has applied to the City for rezoning of the Lands to permit the construction of a housing complex that will include purpose-built rental housing units, as defined in this Agreement, on certain lands more particularly described in this Agreement;
- B. The City may, pursuant to section 483 of the Local Government Act, enter into an agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure, and availability of the housing units on the land or construction on land;
- C. The Owner and the City wish to enter into this Agreement to provide for purpose-built rental housing on the terms and conditions set out in this Agreement, and agree that this Agreement is a housing agreement under s. 483 of the *Local Government Act*; and
- D. The City has, by bylaw, authorized the execution of this Agreement and the Owner has duly authorized the execution of this Agreement;

This Agreement is evidence that in consideration of \$1.00 paid by the City to the Owner (the receipt of which is acknowledged by the Owner) and in consideration of the promises exchanged below, the City and Owner agree, as a housing agreement between the Owner and the City under s. 483 of the *Local Government Act*, as follows:

ARTICLE 1 INTERPRETATION

1.1 Definitions -

"Caregiver" means an individual who provides assistance with the performance of the personal functions and activities necessary for daily living that a person is unable to perform efficiently for himself or herself;

"City" means the City of Kelowna;

"Dwelling Unit" means accommodation providing sleeping rooms, washrooms, and no more than one kitchen, intended for domestic use, and used or intended to be used permanently or semi-permanently for a Household. This use does not include a room in a hotel or a motel.

"Household" means

- (a) a person;
- (b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities;
- (c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using common cooking facilities; or
- (d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using common cooking facilities.

In addition, a household may also include up to one Caregiver or nanny;

"Land" means the land described herein;

"LTO" means the Kamloops Land Title Office or its successor;

"Official Community Plan" means the City of Kelowna Official Community Plan Bylaw No. 10500, or its successor bylaw;

"Owner" means the registered owner of the Lands from time to time and any parcels into which the Lands are subdivided;

"Purpose-Built Rental Housing" means a Dwelling Unit that is intended to be used for rental housing; and

"Tenancy Agreement" means a tenancy agreement as defined in, and subject to, the *Residential Tenancy Act.*

1.2 Interpretation - In this Agreement:

- (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
- (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- reference to a particular numbered section or article, or to a particular lettered Schedule, is a reference to the correspondingly numbered or lettered article, section or Schedule of this Agreement;
- (d) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (e) the word "enactment" has the meaning given in the *Interpretation Act* on the reference date of this Agreement;
- (f) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- (g) reference to any enactment is a reference to that enactment as consolidated, revised, amended, reenacted or replaced, unless otherwise expressly provided;
- (h) the provisions of s. 25 of the Interpretation Act with respect to the calculation of time apply;
- (i) time is of the essence;
- (j) all provisions are to be interpreted as always speaking;
- (k) reference to a "party" is a reference to a party to this Agreement and to their respective successors, assigns, trustees, administrators and receivers;
- (I) reference to a "day", "month", "quarter" or "year" is a reference to a calendar day, calendar month, calendar quarter or calendar year, as the case may be, unless otherwise expressly provided;
- (m) the definitions given in the City of Kelowna Zoning Bylaw No. 8000, or its successor bylaw, and the Official Community Plan apply for the purposes of this Agreement; and
- (n) any act, decision, determination, consideration, consent or exercise of discretion by a party, or other person, as provided in this Agreement will be performed, made or exercised acting reasonably.

1.3 Purpose of Agreement - The Owner and the City agree that:

- this Agreement is intended to serve the public interest by providing for occupancy of a certain number of Dwelling Units, of the kinds provided for in this Agreement, that are in demand in the City of Kelowna but that are not readily available;
- (b) damages are not an adequate remedy to the City in respect of any breach of this Agreement by the Owner, such that the Owner agrees the City should be entitled to an order for specific performance, injunction or other specific relief respecting any breach of this Agreement by the Owner.

ARTICLE 2 HOUSING AGREEMENT AND LAND USE RESTRICTIONS

- 2.1 Land Use Restrictions The Owner and the City herby covenant and agree as follows:
 - (a) The Land will be used only in accordance with this Agreement;
 - (b) The Owner will design, construct and maintain one or more buildings providing 102 Dwelling Units as Purpose-Built Rental Housing
 - (c) The Owner acknowledges that the City will not support applications to stratify the building(s) on the Land, thereby allowing the identified Purpose-Built Rental Housing Dwelling Units to be sold independently of each other, for a period of ten (10) years from the date of this Agreement.

ARTICLE 3 HOUSING AGREEMENT AND TRANSFER RESTRICTIONS

- 3.1 Purchaser Qualifications The City and the Owner agree as follows:
 - (a) the Owner will not sell or transfer, or agree to sell or transfer, any interest in any building containing Purpose-Built Rental Housing Dwelling Units on the Land other than a full interest in the fee simple title to an agency or individual that will continue to ensure that the Purpose-Built Rental Housing Dwelling Units are available in accordance with this Agreement.

3.2 Use and Occupancy of Purpose-Built Rental Housing Dwelling Unit - The Owner agrees with the City as follows:

- (a) the Owner will rent or lease each Purpose-Built Rental Housing Dwelling Unit on the Land in accordance with the *Residential Tenancy Act*, and in no event may the Owner itself occupy a Purpose-Built Rental Housing Dwelling Unit or use the Purpose-Built Rental Housing Dwelling Unit for short-term vacation accommodation; and
- (b) the Owner will deliver a copy of the Tenancy Agreement for each Purpose-Built Rental Housing Dwelling Unit to the City upon demand.

ARTICLE 4 GENERAL

- 4.1 Notice of Housing Agreement For clarity, the Owner acknowledges and agrees that:
 - (a) this Agreement constitutes a housing agreement entered into under s. 483 of the Local Government Act;

- (b) the City is requiring the Owner to file a notice of housing agreement in the LTO against title to the Land;
- (c) once such a notice is filed, this Agreement binds all persons who acquire an interest in the Land;
- (d) in the event the parties agree to release this Agreement from the title of the Land, which may not occur before the tenth (10th) anniversary of the date of this Agreement, the Owner will repay the City for 100% of the amount of the rental grant received from the City. Such repaid funds will be directed to the City's Housing Opportunities Reserve Fund.

4.2 No Effect On Laws or Powers - This Agreement does not

- (a) affect or limit the discretion, rights, duties or powers of the City under any enactment or at common law, including in relation to the use or subdivision of land,
- (b) impose on the City any legal duty or obligation, including any duty of care or contractual or other legal duty or obligation, to enforce this Agreement,
- (c) affect or limit any enactment relating to the use or subdivision of land, or
- (d) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of land.
- 4.3 Management The Owner covenants and agrees that it will furnish good and efficient management of the Dwelling Units and will permit representatives of the City to inspect the Dwelling Units at any reasonable time, subject to the notice provisions of the *Residential Tenancy Act*. The Owner further covenants and agrees that it will maintain the Dwelling Units in a satisfactory state of repair and fit for habitation and will comply with all laws, including health and safety standards applicable to the Land. Notwithstanding the foregoing, the Owner acknowledges and agrees that the City, in its absolute discretion, may require the Owner, at the Owner's expense, to hire a person or company with the skill and expertise to manage the Dwelling Units.
- 4.4 Notice Any notice which may be or is required to be given under this Agreement will be in writing and either be delivered or sent by facsimile transmission. Any notice which is delivered is to be considered to have been given on the first day after it is dispatched for delivery. Any notice which is sent by fax transmission is to be considered to have been given on the first business day after it is sent. If a party changes its address or facsimile number, or both, it will promptly give notice of its new address or facsimile number, or both, to the other party as provided in this section.
- 4.5 Agreement Runs With the Land Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the City in respect of the Land and this Agreement burdens the Land and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including by subdivision or by strata plan under the *Strata Property Act*.
- **4.6** Limitation on Owner's Obligations The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.
- 4.7 Release The Owner by this Agreement releases and forever discharges the City and each of its elected officials, officers, directors, employees and agents, and its and their heirs, executors, administrators,

personal representatives, successors, and assigns, from and against all claims, demands, damages, actions, or causes of action by reason of or arising out of advice or direction respecting the ownership, lease, operation or management of the Land or the Dwelling Units which has been or at any time after the commencement of this Agreement may be given to the Owner by all or any of them. This clause will survive the termination of this Agreement.

- **4.8** Joint Venture Nothing in this Agreement will constitute the Owner as the agent, joint venturer, or partner of the City or give the Owner any authority to bind the City in any way.
- **4.9** Waiver An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.
- **4.10** Further Acts The Owner will do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.
- **4.11 Severance** If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.
- **4.12** Equitable Remedies The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement.
- **4.13** No Other Agreements This Agreement is the entire agreement between the parties regarding its subject and it terminates and supersedes all other agreements and arrangements regarding its subject.
- **4.14** Amendment This Agreement may be discharged, amended or affected only by an instrument duly executed by both the Owner and the City.
- 4.15 Enurement This Agreement binds the parties to it and their respective successors, heirs, executors and administrators. Reference in this Agreement to the "City" is a reference also to the elected and appointed officials, employees and agents of the City.
- **416** Deed and Contract By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

IN WITNESS WHEREOF the parties hereunto have executed this Agreement on the date and year first above written.

SIGNED, SEALED & DELIVERED in) the presence of:)

ma Signature of Witness

Cecelia McGuire

3682 Walker Road, Peachland BC V0H 1X2

Controller

"OWNER" by its authorized signatories:

0984342 B.C. Ltd.

Print Name: Greg Appelt

Print Name:

)

SIGNED, SEALED & DELIVERED in) the presence of:

CITY OF KELOWNA by its authorized signatories:

Mayor

City Clerk

Print Name

Signature of Witness

Address

Occupation

ITY OF KELOWNA

BYLAW NO. 11624

Amendment No. 10 to Council Remuneration and Expense Bylaw No. 7547

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Council Remuneration and Expense Bylaw No. 7547 be amended as follows:

1. THAT Section 2. <u>Mayors Indemnity</u> be amended by:

a) Deleting sub-section 2.1 that reads:

"Effective January 1st, 2012, the Mayor shall be paid an annual indemnity of \$89,457.91, of which one-third is an allowance for expenses incidental to the discharge of the duties of the Mayor's office."

And replace it with:

"Effective January 1st, 2019, the Mayor shall be paid an annual indemnity of \$107,525.22 until December 31st, 2019."

- b) Deleting in sub-section 2.2 the year "2014" and replace it with "2020";
- 2. AND THAT Section 3. Councillors' Indemnity be amended by:
 - a) Deleting sub-section 3.1 that reads:

"Effective January 1, 2012 a Councillor's indemnity shall be paid on an annual indemnity of \$31,310.27 until December 31, 2013, of which one-third is an allowance for expenses incidental to the discharge of the duties of the Councillor."

And replacing it with:

"Effective January 1st, 2019 a Councillor's indemnity shall be paid on an annual indemnity of \$36,543.33 until December 31st, 2019."

- b) Deleting in sub-section 3.2 the year "2014" and replace it with "2020";
- 3. AND THAT Section 4. **Deputy Mayor's Indemnity** be amended by deleting the following:

"Effective October 1st, 1994, Councillors appointed to the position of Deputy Mayor shall receive an additional \$350.00 per month (\$161.00 bi-weekly), of which one-third shall be considered an allowance for expenses incidental to the discharge of their duties as Deputy Mayor."

And replacing it with:

"Effective January 1st, 2019, Councillors appointed to the position of Deputy Mayor shall receive an additional \$350.00 per month (\$161.00 bi-weekly), to the discharge of their duties as Deputy Mayor."

- 4. This bylaw may be cited for all purposes as "Bylaw No. 11624, being Amendment No. 10 to Council Remuneration and Expense Bylaw No. 7547."
- 5. This bylaw shall come into full force and effect and is binding on all persons as as of January 1, 2019.

Read a first, second and third time by the Municipal Council this 28th day of May, 2018.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk