

City of Kelowna
Regular Council Meeting
AGENDA



Monday, November 26, 2018
1:30 pm
Council Chamber
City Hall, 1435 Water Street

Pages

1. Call to Order

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

2. Confirmation of Minutes

5 - 13

PM Meeting - November 19, 2018

3. Consultant Report

3.1 Public Safety Report

14 - 51

The purpose of the report is to receive recommendations from the Public Safety Liaison on how to improve public safety in Kelowna.

4. Development Application Reports & Related Bylaws

4.1 Agassiz Rd 2025, Z16-0052 - Exceling Investments Inc. - (Provincial Rental Housing Corporation, Inc. No. BC0052129)

52 - 53

To direct staff to rescind the bylaw and close the file.

4.2 Agassiz Rd 2025, BL11358 (Z16-0052) - Exceling Investments Inc. - (Provincial Rental Housing Corporation, Inc. No. BC0052129)

54 - 54

To rescind first, second and third readings of Bylaw No. 11358.

4.3 Agassiz Rd 2025, Z18-0109 - Provincial Rental Housing Corporation, Inc. No. BC0052129

55 - 77

To rezone the subject property from the RU1 – Large Lot Housing zone to the RM5 – Medium Density Multiple Housing zone to facilitate the development of supportive housing.

- 4.4 **Agassiz Rd 2025, BL11701 (Z18-0109) - Provincial Rental Housing Corporation, Inc. No. BC0052129** 78 - 78
- To give Bylaw No. 11701 first reading in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RM5 - Medium Density Multiple Housing zone.
- 4.5 **Darin Pl 4627, Z18-0090 - Calvin Meldrum & Barbara Laupitz** 79 - 85
- 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 construction of a Carriage House.
- 4.6 **Darin Pl 4627, BL11702 (Z18-0090) - Calvin Meldrum & Barbara Laupitz** 86 - 86
- To give Bylaw No. 11702 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.
- 4.7 **Abbott St 2783 & 2787, Z18-0038 - AJ Wiens Development Group Ltd., Inc No BC0798391** 87 - 95
- To consider rezoning the three subject properties from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone to facilitate the development of three semi-detached dwellings.
- 4.8 **Abbott St 2783 & 2787, BL11703 (Z18-0038) - AJ Wiens Development Group Ltd., Inc. No. BC0798391** 96 - 96
- To give Bylaw No. 11703 first reading in order to rezone the subject properties from the RU6 - Two Dwelling Housing zone to the RM3 - Low Density Multiple Housing zone.
- 4.9 **Sarsons Rd 439, Z18-0076 - Rock Shore Developments Ltd., Inc. No. BC1114860** 97 - 105
- To rezone the subject property from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone to facilitate a two lot subdivision.
- 4.10 **Sarsons Rd 439, BL11705 (Z18-0076) - Rock Shore Developments Ltd., Inc. No. BC1114860** 106 - 106
- To give Bylaw No. 11705 first reading in order to rezone the subject property from the RU1 - Large Lot Housing zone to the RU2 - Medium Lot Housing zone.
- 4.11 **Molnar Rd 435, Z18-0096 - Craig J. and Natasha B. Guidi** 107 - 112
- 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.

4.12	Molnar Rd 435, BL11707 (Z18-0096) - Craig J. and Natasha B. Guidi	113 - 113
	To give Bylaw No. 11707 first reading in order 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.	
4.13	Hwy 97 N 2629 DP18-0021 (Amendment) - SKJJ Holdings Inc	114 - 143
	To consider the form and character of an amended Development Permit for an 83 room hotel development.	
5.	Bylaws for Adoption (Development Related)	
5.1	Curlew Drive 461, Z18-0084 (BL11674) - Alexander and Nadja Duffield	144 - 144
	To adopt Bylaw No. 11674 in order to rezone the subject property from the RR3 - Rural Residential 3 zone to the RU1 - Large Lot Housing zone.	
6.	Non-Development Reports & Related Bylaws	
6.1	Affordable Housing and Revenue from Online Accommodation Platforms	145 - 148
	To consider directing new revenue from Online Accommodation Platforms towards affordable housing initiatives in Kelowna.	
6.2	Borrowing Bylaw 11708: Investing in Canada Infrastructure Program (ICIP) – Green Infrastructure – Sanitary Sewer Connection Area Water Quality Enhancement Project	149 - 151
	To approve in principle Loan Authorization Bylaw No. 11708 to support the grant application already submitted to the Investing in Canada Infrastructure Program (ICIP).	
6.3	BL11708 - Sanitary Sewer Connection Areas Water Quality Enhancement Project	152 - 152
	To give Bylaw No. 11708 first, second and third readings in order to authorize the borrowing of the estimated costs to construct improvements within the Sanitary Sewer Connection Area Water Quality Enhancement Project.	
6.4	Bylaw Enforcement Notice Bylaw Amendments	153 - 154
	To make amendments to update the Bylaw Enforcement Notice Bylaw No. 10475 to change section number references, clarify a section and correct two penalty amounts.	
6.5	BL11710 - Amendment No. 21 to Bylaw Notice Enforcement Bylaw No. 10475	155 - 158
	To give Bylaw No. 11710 first, second and third reading in order to amend Bylaw Notice Enforcement Bylaw No. 10475.	

6.6 Enterprise Court 1955 (Portion of), BL11704 - Road Closure and Removal of Hwy Dedication 159 - 160

To amend Bylaw No 11704 at third reading to correct the road name from Enterprise Way to Enterprise Court.

7. Resolutions

7.1 Draft Resolution, re: 2019 Council Meeting Schedule 161 - 162

To adopt the 2019 Council Meeting Schedule

8. Bylaws for Adoption (Non-Development Related)

8.1 BL11623 - Establishment of South East Kelowna Water Local Area Service Bylaw 163 - 165

To adopt Bylaw No. 11623 in order to continue the water service for southeast Kelowna residents as a local area service of the City of Kelowna.

8.2 BL11715 - Amendment No. 32 to Airport Fees Bylaw No. 7982 166 - 168

To adopt Bylaw No. 11715 in order to amend the Airport Fees Bylaw No. 7982.

9. Mayor and Councillor Items

10. Termination



City of Kelowna Regular Council Meeting Minutes

Date: Monday, November 19, 2018
 Location: Council Chamber
 City Hall, 1435 Water Street

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

Staff Present City Manager, Doug Gilchrist; City Clerk, Stephen Fleming; Community Planning Department Manager, Ryan Smith*; Suburban and Rural Planning Manager, Dean Strachan*, Urban Planning Manager, Terry Barton*; Sustainability Coordinator, Tracy Guidi*; Long Range Policy Planning Manager, James Moore*; Development Engineering Manager, James Kay*; Transit and Programs Manager, Jerry Dombowsky*; Transit Service Coordinator, Mike Kittmer*; Deputy City Clerk, Karen Needham*; Senior Airport Finance & Corporate Services Manager, Shayne Dyrdal*, Legislative Coordinator (Confidential), Clint McKenzie

(* Denotes partial attendance)

1. Call to Order

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

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

2. Confirmation of Minutes

Moved By Councillor Hodge/Seconded By Councillor DeHart

R993/18/11/19 THAT the Minutes of the Regular Meeting of October 1, 2018 and Inaugural Meeting of November 5, 2018 be confirmed as circulated.

Carried

3. Development Application Reports & Related Bylaws

3.1 Radant Rd 575, Z18-0063 - Lihua Feng

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Given/Seconded By Councillor Wooldridge

R994/18/11/19 THAT Rezoning Application No. Z18-0063 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 1 Township 25 ODYD Plan 11054, located at 575 Radant Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated November 19, 2018;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the registration of a No-Build, No-Disturb Section 219 Restrictive Covenant within the 15.0 m Riparian Management Area of the subject property.

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the registration of a Section 219 Restrictive Covenant requiring demolition of all existing structures and dwellings, and completion of an Environmental Development Permit prior to any new construction.

Carried

3.2 Radant Rd 575, BL11698 (Z18-0063) - Lihua Feng

Moved By Councillor Donn/Seconded By Councillor DeHart

R995/18/11/19 THAT Bylaw No. 11698 be read a first time.

Carried

3.3 Highland Dr. N. 1720, Z18-0065 - Lidia B. Baumgart

Staff:

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

Moved By Councillor Sieben/Seconded By Councillor Donn

R996/18/11/19 THAT Rezoning Application No. Z18-0065 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 29, Township 26, Osoyoos Division, Yale District, Plan 28059, located at 1720 Highland Dr. North, 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 June 7, 2018;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the registration on the subject property of a Section 219 Tree Protection Covenant to ensure the ongoing preservation of mature trees located on subject property.

Carried

3.4 Highland Dr. N. 1720, BL11699 (Z18-0065) - Lidia B. Baumgart

Moved By Councillor Donn/Seconded By Councillor DeHart

R997/18/11/19 THAT Bylaw No. 11699 be read a first time.

Carried

3.5 Riverside Ave 1848-1854, Z18-0045 - Lisa Carol White

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Hodge/Seconded By Councillor DeHart

R998/18/11/19 THAT Rezoning Application No. Z18-0045 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A District Lot 14 Osoyoos Division Yale District Plan EPP81940, located at 1848-1854 Riverside Avenue, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU6 – Two Dwelling Housing zone, be considered by Council;

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

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

Carried

3.6 Riverside Ave 1848-1854, BL11700 (Z18-0045) - Lisa Carol White

Moved By Councillor Donn/Seconded By Councillor DeHart

R999/18/11/19 THAT Bylaw No. 11700 be read a first time.

Carried

3.7 Abbott St. 3031, Z16-0048 - Calvin & Sunok Condy

Staff:

- Displayed a PowerPoint Presentation summarizing the application.

Moved By Councillor Sieben/Seconded By Councillor Given

R1000/18/11/19 THAT Council receives, for information, the Report from the Community Planning Department dated October 25, 2018, with respect to Rezoning Application No. Z16-0048 for the property located at Lot 8 Block 2 District Lot 14 ODYD Plan 4743, 3031 Abbott Street, Kelowna BC;

AND THAT Bylaw No. 11337 be forwarded for rescindment consideration and the file be closed.

Carried

3.8 Abbott St. 3031, Z16-0048 (BL11337) - Calvin & Sunok Condy

Moved By Councillor Hodge/Seconded By Councillor Singh

R1001/18/11/19 THAT Bylaw No. 11337 be rescinded at first, second and third reading and the file be closed.

Carried**4. Bylaws for Adoption (Development Related)****4.1 McCurdy Rd 700, Z16-0025 (BL11283) - Silver City Holdings Inc.**Moved By Councillor DeHart/Seconded By Councillor SiebenR1002/18/11/19 THAT Bylaw No. 11283 be adopted.Carried**4.2 Rio Dr 1257, Z17-0064 (BL11502) - Scott and Shelley LaHay**Moved By Councillor DeHart/Seconded By Councillor SiebenR1003/18/11/19 THAT Bylaw No. 11502 be adopted.Carried**4.3 Raymer Rd 4624, Z18-0035 (BL11652) - Montemurro Industries Inc.**Moved By Councillor Sieben/Seconded By Councillor DeHartR1004/18/11/19 THAT Bylaw No. 11652 be adopted.Carried**4.4 Thompson Rd 1260, Z18-0080 (BL11682) - Karoly and Cresteta Gabor**Moved By Councillor DeHart/Seconded By Councillor SiebenR1005/18/11/19 THAT Bylaw No. 11682 be adopted.Carried**5. Non-Development Reports & Related Bylaws****5.1 Community Energy Specialist 2 Year Term Opportunity**

Staff:

- Provided a summary of funding and position responsibilities for the Community Energy Specialist position and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Given

R1006/18/11/19 THAT Council receives, for information, the report from the Policy and Planning Department, dated November 19, 2018 with respect to a Community Energy Specialist two-year term opportunity;

AND THAT the 2018 Financial Plan be amended to include up to \$154,000 in grant funding from the FortisBC's Climate Action Partners Program.

Carried**5.2 Latecomer Agreement - Tina Court Sanitary Sewer**

Moved By Councillor Sieben/Seconded By Councillor DeHart

R1007/18/11/19 THAT Council endorse the Latecomer Agreement – Tina Court Sanitary Sewer between the City and the owner of Lot A Plan EPP73625 which was subdivided and required to provide excess and extended services;

AND THAT Council impose Latecomer charges for excess or extended services shown in Appendix C on the benefitting lands listed in Appendix B;

AND FURTHER THAT the Mayor and Clerk be authorized to execute this Latecomer Agreement.

Carried

5.3 Kelowna - Rutland Exchange Shelters - (Gas Tax)

Moved By Councillor Singh/Seconded By Councillor Hodge

R1008/18/11/19 THAT Council receive, for information, the report from the Transit and Programs Manager, dated November 19, 2018 regarding the Rapid Bus 2009 Gas Tax Grant Agreement – funding reallocation to Rutland Transit Exchange Phase 2/Shepherd Road Extension project;

AND THAT the 2018 Financial Plan be amended to include the reallocation of \$138,400 in surplus Federal Gas Tax funds to the current Rutland Transit Phase 2/Shepherd Road Extension project.

Carried

Mayor deferred Items 5.4 and 5.5 to later in the Agenda.

5.6 Election 2018 Results and Ballot Account Report

Staff:

- Provided a summary of the final election results and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Singh

R1009/18/11/19 THAT Council receive the Election 2018 Results and Ballot Account Report from the Chief Election Officer, dated November 19, 2018 for information.

Carried

5.7 Establishment Bylaw – Local Area Service for the Southeast Kelowna Integration Project

Moved By Councillor Singh/Seconded By Councillor Given

R1010/18/11/19 THAT Council receive the report of the Deputy City Clerk regarding the establishment of a Local Area Service for the Southeast Kelowna Integration Project, dated September 24, 2018 for information;

AND THAT Council give readings to Bylaw No. 11623 being the 'Establishment of Southeast Kelowna Water Local Area Service'.

Carried

5.8 BL11623 - Establishment of South East Kelowna Water Local Area Service Bylaw

Moved By Councillor Singh/Seconded By Councillor Hodge

R1011/18/11/19 THAT Bylaw No. 11623 be read a first, second and third time.

Carried

Council now considered Items 5.4 and 5.5.

5.4 Amendment to Kelowna International Airport Fees and Charges Bylaw No. 7982

Staff:

- Provided rationale for the proposed fee increases and responded to questions from Council.

Moved By Councillor Donn/Seconded By Councillor Hodge

R1012/18/11/19 THAT Council receive for information the report of the Senior Airport Finance & Corporate Services Manager dated November 19, 2018 with respect to the changes to the Airport Fees Bylaw No. 7982;

THAT the 2018 Financial Plan be amended to include an additional \$164,000 of parking revenues to be contributed to the Groundside Reserve;

AND THAT Bylaw No. 11715 being Amendment No. 32 to the City of Kelowna Airport Fees Bylaw 7982 be advanced for reading consideration.

Carried

5.5 BL11715 - Amendment No. 32 to Airport Fees Bylaw No. 7982

Moved By Councillor Hodge/Seconded By Councillor Singh

R1013/18/11/19 THAT Bylaw No. 11715 be read a first, second and third time.

Carried

5.9 2115 Rutland Court – Road Closure

Moved By Councillor Singh/Seconded By Councillor Wooldridge

R1014/18/11/19 THAT Council receives, for information, the Report from the Acting Manager, Real Estate Services dated November 19, 2018, recommending that Council adopt the proposed closure of a portion of road adjacent to 2115 Rutland Court;

AND THAT Bylaw No. 11680, being proposed road closure of a portion of road adjacent to 2115 Rutland Court, be given reading consideration.

Carried

5.10 Rutland Rd N (Portion of), BL11680 - Road Closure and Removal of Hwy Dedication

Moved By Councillor Hodge/Seconded By Councillor Singh

R1015/18/11/19 THAT Bylaw No. 11680 be read a first, second and third time.

Carried

5.11 4712 Raymer Road – Road Closure

Moved By Councillor Singh/Seconded By Councillor Given

R1016/18/11/19 THAT Council receives, for information, the Report from the Acting Manager, Real Estate Services dated November 19, 2018, recommending that Council adopt the proposed closure of a portion of road adjacent to 4712 Raymer Road;

AND THAT Bylaw No. 11697, being proposed road closure of a portion of road adjacent to 4712 Raymer Road, be given reading consideration.

Carried

5.12 Raymer Rd (Portion of), BL11697 - Road Closure and Removal of Hwy Dedication

Moved By Councillor Wooldridge/Seconded By Councillor Given

R1017/18/11/19 THAT Bylaw No. 11697 be read a first, second and third time.

Carried

5.13 1955 Enterprise Way – Road Closure

Moved By Councillor Given/Seconded By Councillor Donn

R1018/18/11/19 THAT Council receives, for information, the Report from the Acting Manager, Real Estate Services dated November 19, 2018, recommending that Council adopt the proposed closure of a portion of road adjacent to 1955 Enterprise Way;

AND THAT Bylaw No. 11704, being proposed road closure of a portion of road adjacent to 1955 Enterprise Way, be given reading consideration.

Carried

Council:

- Inquired whether road closure is for Enterprise Way or Enterprise Court.

City Clerk:

- Will confirm with staff and let Council know.

5.14 Enterprise Way 1955 (Portion of), BL11704 - Road Closure and Removal of Hwy Dedication

Moved By Councillor Wooldridge/Seconded By Councillor Hodge

R1019/18/11/19 THAT Bylaw No. 11704 be read a first, second and third time.

Carried

6. Resolutions**6.1 City Clerk, Draft Resolution, re: Deputy Mayor Schedule 2018-2022**

Moved By Councillor Donn/Seconded By Councillor Hodge

R1020/18/11/19 THAT the Deputy Mayor Schedule for the City of Kelowna Municipal Council 2018-2022 term be as follows:

DEPUTY MAYOR:

November 2018	Councillor Maxine DeHart	November 2020	Councillor Maxine DeHart
December 2018	Councillor Gail Given	December 2020	Councillor Gail Given
January 2019	Councillor Luke Stack	January 2021	Councillor Luke Stack
February 2019	Councillor Brad Sieben	February 2021	Councillor Brad Sieben
March 2019	Councillor Mohini Singh	March 2021	Councillor Mohini Singh
April 2019	Councillor Charlie Hodge	April 2021	Councillor Charlie Hodge
May 2019	Councillor Ryan Donn	May 2021	Councillor Ryan Donn
June 2019	Councillor Loyal Wooldridge	June 2021	Councillor Loyal Wooldridge
July 2019	Councillor Maxine DeHart	July 2021	Councillor Maxine DeHart
August 2019	Councillor Gail Given	August 2021	Councillor Gail Given
September 2019	Councillor Luke Stack	September 2021	Councillor Luke Stack
October 2019	Councillor Brad Sieben	October 2021	Councillor Brad Sieben
November 2019	Councillor Mohini Singh	November 2021	Councillor Mohini Singh
December 2019	Councillor Charlie Hodge	December 2021	Councillor Charlie Hodge
January 2020	Councillor Ryan Donn	January 2022	Councillor Ryan Donn
February 2020	Councillor Loyal Wooldridge	February 2022	Councillor Loyal Wooldridge
March 2020	Councillor Maxine DeHart	March 2022	Councillor Maxine DeHart
April 2020	Councillor Gail Given	April 2022	Councillor Gail Given
May 2020	Councillor Luke Stack	May 2022	Councillor Luke Stack
June 2020	Councillor Brad Sieben	June 2022	Councillor Brad Sieben
July 2020	Councillor Mohini Singh	July 2022	Councillor Mohini Singh
August 2020	Councillor Charlie Hodge	August 2022	Councillor Charlie Hodge
September 2020	Councillor Ryan Donn	September 2022	Councillor Ryan Donn
October 2020	Councillor Loyal Wooldridge	October 2022	Councillor Loyal Wooldridge

Carried**7. Bylaws for Adoption (Non-Development Related)****7.1 Adams Road (Portion of), BL11656 - Road Closure and Removal of Highway Dedication**

Mayor Basran invited anyone in the public gallery who deemed themselves affected to come forward.

No one from the Gallery came forward.

Moved By Councillor Wooldridge/Seconded By Councillor Given

R1021/18/11/19 THAT Bylaw No. 11656 be adopted.

Carried**7.2 BL11664 - Kelowna Memorial Park Cemetery Bylaw**

Moved By Councillor Given/Seconded By Councillor Singh

R1022/18/11/19 THAT Bylaw No. 11664 be adopted.

Carried

8. Mayor and Councillor Items

Councillor DeHart:

- Spoke to her attendance at the 100th Anniversary of the Ukrainian Orthodox Church.
- Spoke to her attendance at the Strong Neighbourhoods Awards.

Councillor Donn:

- Spoke to the passing of a young woman Casey Miller who had been missing.

Councillor Sieben:

- Reminder of the Us and Them documentary screening regarding homelessness on Thursday evening at the Community Theatre.

Councillor Hodge:

- Thanked the media for their election coverage.
- Welcomed Councillor Wooldridge.

Councillor Wooldridge:

- Thanked fellow Council members and staff for making him feel welcomed.
- Spoke to his attendance at the KSS Remembrance Day Ceremony.
- Spoke to the Art Exhibit at the Kelowna Art Gallery.

Councillor Given:

- Attended the Salvation Army Kettle Launch and spoke to the great work they do in the community.
- Spoke to her attendance at the National Day of the Child kick off last week.

Mayor Basran:

- Spoke to his attendance at the grand opening of Apple Valley Seniors Housing and thanked the Society of Hope, BC Housing and the Province for their support of the project.
- Welcomed Councillor Wooldridge.

9. Termination

This meeting was declared terminated at 2:26 p.m.

Mayor Basran

/cm/acm


City Clerk

Report to Council



Date: November 26, 2018
File: 5040-00
To: City Manager
From: Joe Creron, Deputy City Manager
Subject: Public Safety Report

Recommendation:

THAT the Public Safety Report dated October 2018 be received as information,

AND THAT the Acting Community Safety Director report back to City Council early in 2019 outlining an Implementation Plan based on the recommendations of the Public Safety Report.

Purpose:

The purpose of the report is to receive recommendations from the Public Safety Liaison on how to improve public safety in Kelowna.

Background:

Bill McKinnon, former RCMP Superintendent was hired as a Public Safety Liaison to assess public safety concerns in our City, particularly in the downtown, and make recommendations on how we could improve public safety. Some of the problems identified by the Public Safety Liaison have already been resolved. The Acting Community Safety Director will report back to City Council with an Implementation Plan based on the recommendations of the Public Safety Report.

Considerations not applicable to this report:

Internal Circulation:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Existing Policy:

Financial/Budgetary Considerations:

Personnel Implications:

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

Submitted by:

A handwritten signature in purple ink, appearing to read "Joe Creron". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Joe Creron, Deputy City Manager, Operations



Public Safety Report

Review and recommendations from the Public Safety Liaison

October 2018

1435 Water Street
Kelowna, BC V1Y 1J4
TEL 250-469-8610
FAX 250-862-3349
email@kelowna.ca

kelowna.ca

INTRO

The mandate of this review is to address the social issues related to the impacts of homelessness, poverty, addictions, mental health and criminal behaviour on the City of Kelowna at this point in time. The review looked at the coordination of all levels of government to identify the services required and gaps in essential services required before there is a need for law enforcement.

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LETTER FROM THE AUTHOR

After working 40 years in law enforcement and security, I can honestly say that reviewing the issues around homelessness and opioid crisis in Kelowna has been one of the most complex tasks that I have ever been asked to investigate or provide guidance to.

As a former RCMP officer and Superintendent of the Kelowna Detachment, my knowledge of the criminal justice system and the factors contributing to public safety have been assets in developing this report. But as any maturing individual acknowledges, there is always more to learn and apply to our practices.

Situations and conditions change and we must adapt and work together to ensure the safety of all Kelowna residents, businesses and visitors – and this includes our most vulnerable citizens. A number of large systemic changes have altered our environment – particularly in the downtown core. These include the opioid crisis, a change in approach from the Courts and the sheer number of individuals living in Kelowna without homes.

The formal mandate of my research and recommendations is to address public safety concerns related to the impacts of homelessness, mental illness, addictions and criminal behaviour in the City of Kelowna. My research includes interviews and discussions with more than 60 individuals and agencies including the RCMP, Interior Health, City of Kelowna Bylaw Services, Downtown Kelowna Association, Chamber of Commerce, local business owners, health and housing representatives, shelter operators, treatment agencies, complainants and advocacy groups.

This report contains a brief situational analysis and a number of recommendations that generally fall into four categories: further study, education, lobbying partners (including other governments) and actions. There were also a number a quick wins that I am pleased to report have already improved the situation downtown and beyond.

The one thing I know for sure: we can't arrest our way out of this crisis. Enforcement plays an important role in dealing with the issues our community now faces, but this is only one part of the equation. Enforcement only deals with the symptoms and not the causes. The *Journey Home* strategy is correct: housing and treatment are the key to long-term success. Until we get there, the City should take a leadership role in a collaborative and coordinated intergovernmental approach to the issues we see on the ground today.

As a member of this incredible community it is my pleasure to be part of efforts that will continue to build a safe and welcoming community for all residents, businesses and guests.

Bill McKinnon,
Public Safety Liaison

BACKGROUND/ CURRENT STATE

The City of Kelowna is a growing city, facing many of the same issues being experienced by other municipalities – big or small – around the province. During the summer of 2018, the public and local businesses expressed growing concerns about safety and cleanliness in Kelowna stemming from homelessness, due to mental health and drug use in the community.

The City has dedicated resources and time to facilitate the Journey Home engagement and the development of a Housing-First solution, yet the issues on the ground today will continue to affect local residents, tourists and business owners until the results of these efforts are realized.

Public safety is a big, subjective subject and has to be viewed from a variety of perspectives and lenses. In the City's 2017 Citizens Survey, mentions of social issues grew by 24 per cent over the previous survey (2015) and residents were more likely to cite issues around homelessness/poverty behind perceptions of deteriorating community safety. Nonetheless, Kelowna continues to be seen as a safe community overall, with 90 per cent of respondents describing the city as 'very/somewhat safe' (on par with 2015). Perceptions of downtown safety in particular, were slightly lower but still high overall, with 80 per cent of respondents describing this sub-area as 'very/somewhat safe.'ⁱ

Increasing calls for service

Calls for service, both to the City and the RCMP have risen over the past year. As of September 2018, RCMP calls increased by more than 1,600 calls (four per cent over last year) and the Detachment is facing growing overtime costs due to growing call volume and staffing shortages.

The City of Kelowna is also seeing growing service requests for cleaning, sharps pick-up and bylaw infractions. One specific example: in 2017 Bylaw Services received 375 requests concerning homeless individuals; this year to date they have received more than 445.ⁱⁱ Sharps collection continues to increase around the city, up 21 per cent (as of September 2018) over the total annual collection count in 2016.

Council has also received correspondence from residents, businesses and tourists and weekly media coverage has led to heightened awareness around issues downtown and beyond.

Number of homeless individuals

Kelowna experienced heightened problems with homelessness in 2005. Since that time, there continues to be significant growth in the number of people experiencing homelessness. In the most recent Point in Time Count, 286 individuals were experiencing homelessness with an additional 319 individuals living in temporary housing – an increase of 26 per cent over the previous count.ⁱⁱⁱ

This rise in the number of individuals frequenting the streets or living rough has led the City and other service agencies to take emergent actions to reduce harm and create temporary shelter space during extreme weather events.

The Red Zone

The Red Zone was developed in 2005 to respond to the criminally transient population in downtown Kelowna at that time. The Red Zone was initially used in prosecution as a recommendation to the courts to move people outside of the downtown corridor where they had committed their offense. The boundaries were the

waterfront in the west, Doyle and Stockwell Avenues to the north, Ethel Street to the east, and Lake and Rowcliffe Avenues to the south.

It was previously thought that moving people along, ticketing for multiple offences and constant police interaction would reduce incidents downtown. But in reality all it did was displace problems to other areas, for instance, like the issues currently seen around the Capri Mall area.

The Court also found that individuals were violating probation orders when attempting to access services within the Red Zone, so Judiciaries now use what is referred to as go/no-go zones in probation orders. For example, if you were convicted of trafficking in City Park, you are no longer allowed access to that specific area.

Opioid Crisis

In 2016, the Provincial Medical Health Officer declared a public health emergency over the growing epidemic of overdoses and overdose deaths in the province.^{iv} Kelowna is no exception to this province-wide problem.

By August this year, Kelowna had already experienced 40 overdose deaths and is likely to surpass last year's total of 76 overdose deaths.^v Most overdose deaths are occurring in private residences as the risk of overdose death is reduced in the vulnerable population when they are housed and supported. Interior Health is taking a strong multi-faceted approach to this issue in Kelowna, using a continuum of harm reduction and substance use services to support those vulnerable to this growing issue.

The state of emergency gives BC Health Services the authorization to introduce new services (without following traditional approval channels). Examples of this include inhalation and injection sites in low-barrier facilities.^{vi} Inhalation sites allow users to smoke substances in a tent or properly vented area and are typically located outdoors at supportive sites. Injection sites are typically located indoors. Both are dedicated consumption areas. Staff in the vicinity are trained and equipped in case of an overdose.

Safe consumption sites are where use is supervised by an outreach worker. These sites are authorized by Health Canada. In Kelowna, a mobile safe injection site was approved in 2017 to operate in downtown Kelowna (12:30-5:30 pm) and Rutland (7-11:30 pm) daily.

Housing crunch

Kelowna continues to experience a record low vacancy rate and increasing housing prices. Housing affordably continues to be a pressing issue in Kelowna as both direct housing costs, such as utilities and taxes, and indirect costs, such as transportation, are all increasing. In particular, nearly half of tenant households in Kelowna spend more than 30 per cent of their income on housing. From 2016 to 2017, rent costs grew by seven per cent to \$1,047/month. Many of these households are vulnerable to rent increases due to low vacancy rates.^{vii}

Local shelters are also at or near capacity. A simple comparison of the most recent numbers of those living rough to shelter beds shows there is a significant deficit of shelter beds – especially in the event of extreme weather events. Of the three primary facilities in Kelowna, two are facing closure within six months if suitable new locations are not found.

The next step of the housing spectrum is supportive housing; moving people from homelessness or at risk of homelessness into housing. Kelowna currently has more than 3,000 supportive units around the city, under high demand. BC Housing is set to open 88 long-term supportive housing units this winter, but more units will be needed to meet the current and growing demand.

HOUSING FIRST

The Journey Home Strategy is Kelowna's long-term solution for housing and homeless in our community. Every agency or person interviewed during this process highly endorsed the Housing First model and the work that City of Kelowna and the Journey Home team have put into a Kelowna-specific solution.

The Housing First model is a person-centered approach rooted in the belief that all people deserve housing and that anyone, even those with the most complex needs, can move successfully from homelessness to housing with the appropriate supports. This approach has been used in several cities across Canada and proven effective in reducing the cost of homelessness to health, justice and the community.

Among a number of actions, Journey Home calls for 300 units of supportive housing. In addition to the 88 coming on-stream this year, 120 more units are in progress. Journey Home is working to secure commitments for the remaining units the strategy calls for.

The end result in a perfect world would be for everyone to have a roof over their head and for all persons with addictions or mental illness to have the supports in place that would allow them to have a sense of purpose in life. However, there are short term efforts that will help ensure public safety and security until the milestones of the Journey Home strategy are achieved. Recommendations in this report will address those gaps and align with the work of Journey Home.

QUICK FIXES

Early on in the information gathering phase of this report, it became apparent that there were a number of efforts that the City could implement around cleanliness and security efforts to quickly affect change to public perception of safety.

1. ROAD AND SIDEWALK CLEANING

Leon Avenue roadways and sidewalks both required extra attention due to high pedestrian use.

Result: Leon is now included in scheduled street cleaning and power washing. This has helped to keep this area cleaner and support local business owners.

2. GARBAGE CANS

Over the years, growing numbers of people in the downtown has increased the need for more garbage pick up and the number of garbage bins. Along Leon, bins had been damaged and removed over time, but never replaced. As a result, garbage was much more visible and not collected at the same level of service as other areas.

Result: Civic Operations has ordered new garbage bins which will be installed upon delivery to reduce the amount of litter found on the sidewalks and street on Leon Avenue.

3. CAPRI AREA

Increasing issues were being reported in the Gordon Drive & Sutherland area caused in part to the displacement of people from inside the Red Zone. Complaints included ongoing noise at night, people

sleeping in business doorways and ongoing need to clean up needles and human waste. After an assessment was made of the area, and interviews were completed with local business owners, the City hired private security to patrol the area during the evening when most of the complaints were being issued.

Result: The patrols began in late July and, since that time, businesses are no longer finding as many people sleeping on the steps or in alcoves and disturbances have been greatly reduced.

4. ACCESS TO PUBLIC FACILITIES

Public urination and defecation was a reoccurring problem around the Cornerstone shelter on Leon Avenue. As only registered occupants of the shelter are entitled to access their facilities for safety, a lack of public facilities in the area led to the issue.

Result: Porta Potties were installed behind the Cornerstone shelter for public use in early August. After installation, there were reports of these facilities being used for criminal behaviour and shelter, however, they were effective in reducing the incidences of public urination/defecation in the nearby area.

5. SHARPS COLLECTION

In 2016, the City of Kelowna and partners including Interior Health worked to address sharps inappropriately discarded in the community. Unfortunately, despite the rising number of needles being found in the community and need for protocol, no decisive action was taken and the group had not met since 2016.

Result: A review of the Kelowna Sharps strategy was undertaken and since that time the following procedures have been implemented:

- The introduction of a single phone number for residents to report improperly discarded needles on public or private property: 250-469-8801 (needle collection option)
- Updated information about sharps collection on the city website: kelowna.ca/safety
- A proactive, multi-agency approach in areas with a higher incidence of discarded needles:
 - o Parks checked daily during summer months and kept clear and free of debris
 - o Beach sweeps completed each morning during summer months to keep beaches clean of debris
 - o Increased patrols by park staff, bylaw and RCMP officers
 - o Education of other partners, including the DKA, Uptown Rutland Business Association, SD 23 and other services, on how to look for needles and pick up as needed
 - o New sharps collection bins added where needed
 - o Plans for three new community sharps collection boxes in strategic areas around the city, allowing members of the public to safely dispose of found needles (should they feel comfortable doing so)
 - o Replaced absent/damaged needle disposal boxes as needed

The Police Services Crime Prevention Unit has been tasked with leading and managing the sharps collection program going forward

TAKING THE LEAD

Collaboration is the key to developing and implementing solutions that will work for Kelowna. During interviews, key stakeholders all indicated that they want to be part of a collaborative approach to reduce the social impact to the community during this Opioid/Homelessness crisis. To have successful collaboration, the City needs to: take a leadership role in facilitating this collaboration between partners, become more involved in the decisions of partners that affect the quality of life for residents and business owners around the city, and understand and measure the issue through shared data.

Over the past number of years, partners have met at critical times to discuss and solve specific issues. However, successful collaboration was not achieved or sustained due to a lack of leadership and accountability. The City of Kelowna was an active partner, but to date has not taken on the leadership role that others are looking to it for. Due to the complex nature of the issues, traditional jurisdictional boundaries and unknown costs, that was probably the best, most logical, approach at the time.

However, given the crisis this community finds itself in today and the outcry of the business community and citizens of this city, a different approach is now required: a sustained, collaborative approach that includes BC Housing, RCMP, Bylaw Services, Interior Health, social service agencies – including the Journey Home Society, business leaders, and the City of Kelowna working together.

This type of initiative requires leadership from the City of Kelowna because, at the end of the day, the City owns the community outcomes (safety, cleanliness, security, damaged infrastructure, economic viability, enforcement costs etc.). From the public's perspective, the current issues are not well understood and the causes and solutions are often oversimplified.

Having the City lead this group will establish and maintain commitment and accountability of all parties. This doesn't let other partners off the hook: those representing the various stakeholders and partners also need to have an appropriate level of system awareness and decision making ability to represent their organizations and take action from the committee's direction. Each partner has a responsibility to communicate and engage with the public on decisions that affect the community as well as work together to support community needs.

This committee will provide the necessary expertise and understanding to make strong decisions that work best for the community as a whole. The outcomes and results of collaborative decisions will directly benefit and impact both the residents and business community of Kelowna.

A good place for this committee to start is to develop mutual guidelines around the placement of shelters and supportive housing in Kelowna, ensuring that the needs of clients, service agencies and the community are all balanced to mitigate and reduce unnecessary impacts.

Lastly, as we navigate these challenging social issues, create growth strategies, and implement services – there will be greater public awareness and expectation to measure change and effectiveness of a collaborative approach. Shared data from participating agencies is vitally important to understanding: the current state of affairs, identify emerging patterns, and to measure if change is occurring – whether it is positive or negative. The City of Kelowna could play an important role in the collection and analysis of this data. By combining all data, we can understand the past and present, measure progress and strategically plan for the future.

Recommendation:

1. That the City of Kelowna lead a committee involving stakeholders (Interior Health, RCMP, City Policy & Planning, Bylaws, BC Housing, URBA, DKA, Chamber of Commerce) to work collaboratively to come up with actions to deal with the social impact of the opioid and homelessness crisis.
2. The Committee build criteria for the location of shelters and supportive housing in the city.
3. BC Housing, Interior Health, the RCMP and the City of Kelowna share relevant data so that decision makers from all agencies and levels of government can make informed and accurate decisions on social impacts related to opioid and homelessness issues.
4. The City develop performance measures to gage our progress in reducing the impact of social issues and perceptions of public safety. This will also allow the City to make adjustments if the measurements demonstrate we are not moving in the right direction.
5. The City, working with the committee, identify and address public information gaps.

ENFORCEMENT

An incorrect — but prevalent — perception exists that many of the social and behavioural issues associated with homelessness and drug use can be solved with increased enforcement by the RCMP and City of Kelowna Bylaw Services. The City and RCMP have used a number of enforcement-based initiatives to combat crime and deter nuisance behaviours, including:

- Downtown Enforcement Unit
- PACT team (RCMP & Mental Health Nurse)
- Joint bike patrols (RCMP & Bylaw Officers)
- Gator patrols (RCMP)
- use of RCMP auxiliary officers

Yet, despite these efforts, issues have continued to grow. Based on interviews, discussions and observations, the following recommendations detail how current and potential enforcement-based services could be expanded, altered or refined to make best use of these resources and complement other services in the community.

RCMP resources

The Kelowna City RCMP detachment has 188 RCMP officers' positions. However, at any given time, there are not 188 "boots on the ground." In 2018, the RCMP began the summer 24 officers short due to both position vacancies and temporary vacancies. (Members who are on temporary vacancies are not able to perform normal duties at all due to illness, parental leave, suspension or they are restricted to desk duties due to a medical condition. Parental leave, for example, can create up to a two-year vacancy for a position.)

In 2018, City Council approved four new RCMP positions, but to date these have not been filled. By the end of the summer the Detachment was 30 officers short.

As per the City's contract with the Province, Kelowna detachment assigned three officers to the District's Emergency Response Team (ERT). These officers have one week a month of mandatory training in addition to incident call-outs throughout the Southeast District. Kelowna RCMP members were also called to assist with emergency evacuations due to wildfires in other regions of the province. Combined, these staffing shortfalls are seriously impacting the ability of the Kelowna Detachment to respond to the growing incidents in Kelowna reported during the summer months.

Additional police officers are required to keep up with the continued growth of Kelowna and the ongoing opioid crisis that the community is experiencing. The Prosser report (RCMP resourcing study) was completed in January 2012 and stated the city required 20.5 RCMP FTEs by 2018 to effectively execute a crime reduction strategy. Between 2013-2018 the detachment added 18 officers.

Recommendation:

1. That the City of Kelowna lobby the Federal Government and RCMP to fill all vacant positions and develop a resourcing strategy to promptly fill temporary vacancies for members.
2. Add additional members on an ongoing basis to meet the needs to this growing community and deal with the increased calls for service.

Operational Plan

Over the past few months, numerous service requests, letters to City Hall and media reports have highlighted issues in the downtown core and parks. Criminal behaviour (drug trafficking, prostitution, theft, assaults) is ongoing in the downtown core and offences are happening daily.

Over the past summer, incidents of public drug use and sex were reported in downtown city parks. For the most part, criminal activity is not occurring in downtown city parks. Most incidents involve breaches of City bylaws, i.e. smoking, drug use, open liquor, operating a bicycle without a helmet, or possession of drug paraphernalia. The public need to feel safe when using and enjoying our parks, and this can be accomplished by using a collaborative approach by the RCMP, bylaws, and the use of private security.

The RCMP recognize that they play a significant role in providing presence and safety in our parks, but given resourcing pressures and the lack of criminality in our parks, this presence can be accomplished by a coordinated effort of other agencies, including private security and Bylaw Services. The RCMP should take the lead role in creating an annual operational plan and coordinating shifts between all agencies to ensure daily coverage between all three enforcement parties. This plan should cover May 1- October 1 annually and could be updated or re-assessed if earlier or later patrols are required.

Recommendation: The RCMP should present to Council a report outlining an operational plan for policing of the downtown and city parks next summer by April 2019.

The Auxiliary Constable Program

The Auxiliary Constable program was introduced across Canada in 1963 to enhance community policing and crime prevention initiatives. Auxiliary Officers volunteer their time to support programs that help keep communities safe. The RCMP suspended the program over safety concerns in January 2016 following the deadly shootings on Parliament Hill in 2014 and in a St. Albert casino in 2015.

Prior to 2016, the City of Kelowna relied on the Auxiliary Constable program particularly during the summer months, when hundreds of thousands of visitors come to Kelowna and the City hosts 30 special events that require additional police presence. In 2010, Kelowna had 65 volunteers who provided volunteer service of more than 11,000 hours to the City of Kelowna. This program bolstered the RCMP's ability to provide public safety to our community.

Following extensive consultation with former auxiliaries, provincial, territorial and municipal partners and other stakeholders, in January the RCMP announced that Provinces and Territories will be able to implement a new Auxiliary Constable model that includes three tiers of officers – two tiers of which include auxiliaries with Peace Officers status. Provinces and Territories will be able to choose one or a combination of the tiers based on local needs and circumstances.

Peace Officer status means individuals have the authority to enforce (including making arrests when appropriate) all federal and provincial statutes as well as municipal bylaws.

TIER 1, 2, 3

- **Tier 1:** provides RCMP Auxiliaries an opportunity to participate in community policing services, such as watch programs, public education initiatives, non-enforcement support to operations, community fundraising events and participation in parades and public ceremonies. Tier 1 Auxiliaries will perform

these activities under the general supervisions of an RCMP employee and will not have Peace Officer status.

- **Tier 2:** includes all the activities listed in Tier 1 with the addition community presence via foot and bicycle, access and traffic control, and disaster assistance. Tier 2 does not include general duty activities (operational patrols). These Auxiliaries will be under the close supervision of an RCMP officer, and will have Peace Officer status.
- **Tier 3:** includes all activities from Tier 1 and Tier 2 with the addition a general duty patrol, attending calls, check stops, scene security and searches of persons. Tier 3 Auxiliaries will be under the direct supervision of an RCMP police officer, and will have Peace Officer status.

All three tiers of Auxiliary constables could be used effectively in Kelowna to augment Detachment resources.

Recommendation: the City of Kelowna ask the Provincial Government, Ministry of Public Safety, the Solicitor General and the Commanding Officer of "E" division to reinstitute the RCMP Auxiliary Program and to have the volunteers trained prior to May 2019 so that they can be in service for next summer.

HUB model

Traditional policing and law enforcement strategy models have not proven fully effective in dealing with the issues Kelowna is currently experiencing. A collaborative, proactive response is needed to address the diverse issues that result in calls to the police.

The HUB community safety model is a multiple sector collaboration – a twice weekly conversation – that enables front-line workers in public safety, health, and social service agencies to proactively identify and mitigate risks that are associated with criminal offending, victimization and personal crisis (e.g. overdose). It is designed to improve a much broader set of social outcomes, including reducing crime, violence and victimization. It is a proactive tool to help reduce a life of crime.

The HUB is unique as it stems from its carefully defined and distinct point of entry – it's aimed at connecting those at risk to the services they need most. Initial intervention contacts typically occur within 24-48 hours and research shows that 53 per cent of situations brought to HUB are resolved within one week, and 79 per cent are resolved within two weeks.

Over the last few years, this approach to proactive and preventative policing has been established in communities across Canada, including the *Surrey Mobilization and Resilience Table (SMART)* and *Mission Active Support Table (MAST)* and most recently in Penticton, the *Community Active Support Table (CAST)*.

The HUB model would seek to reduce the incidence of emergencies to persons, groups or places in Kelowna. The primary focus of HUB is situations where circumstances, as reviewed by multiple human service perspectives, indicate that a person or group is of an elevated risk of harm.

Acutely elevated risk as occurs when four conditions are present:

- A significant community interest is at stake;
- Clear possibility of harm occurring;
- Severe intensity of harm is predicted; and
- There is a multi-disciplinary nature to the elevated risk factors.

Examples of risks include addictions and mental health issues, criminality and victimization, poor physical health or self-care, lack of social and family support, poor parenting, frequent truancy, inadequate housing, poverty, negative peer and family associations, unemployment and/or anti-social behaviour.

The HUB itself operates entirely within existing staff resources of all participating agencies. Agencies using the model report a positive return on the investment they make in staff time and significant improvements in collaboration in general, more efficient information flows, and more cooperative working relationships. Most agencies report gaining important new insights into the realities and challenges facing their counterparts, and new opportunities for shared effectiveness and efficiency.

Kelowna Detachment has done extensive work researching the HUB model and is ready to implement this model. Funding is also available from the Province to build community situation tables like the HUB.

Recommendation:

1. That the Kelowna RCMP Detachment implement the HUB model and engage with key partners in its development: Interior Health, City of Kelowna, Ministry of Children & Family Development, Westbank First Nation, School District 23, Downtown Kelowna Association, Prosecution Service of BC, BC Probation Services, BC Corrections, and BC Housing.
2. Apply for grant funding through the Province.

PACT - Police & Crisis Team

The Police and Crisis Team, which pairs an RCMP member and a Mental Health Nurse, has been very successful in diverting people from hospital emergency visits and directly connecting them to appropriate services in a timely manner. Over the past year, 53 clients were connected with services specific to their health needs and avoided a trip to the emergency room. All those referred for emergency treatment by PACT were admitted to hospital for further care, which attests to the success of PACT assessments.

Recommendation:

1. that City Council dedicate additional RCMP officers (requested in an earlier recommendation above) to further enhance the PACT teams.
2. that City Council lobby Interior Health to provide matching nurse resources.

Bike Patrol – RCMP / Bylaw Services

In 2018, City Council approved the addition of four bylaw officers with the intent to have teams of police and bylaw officers patrolling city parks and downtown Kelowna on bikes.

This collaborative/joint initiative is a good idea in theory, however, there are number of systemic issues that limited the success of this program over the summer.

1. **Authority** - Bylaw Officers are appointed by the municipality, under the authority of section 36 of the BC Police Act, to deliver enforcement of Kelowna's bylaws through the provision of the BC Community Charter. Historically, it's been an effective authority in addressing non-compliance to municipal bylaws relative to parking, zoning, business licencing, property nuisance and the like, but falls short of the appropriate authority and training required to address public safety issues. Bylaw Officers in Kelowna have no authority under provincial legislation or the criminal code and thus,

beyond enforcement of civic bylaws, they have no more authority than a common citizen under section 494 of the Criminal Code.

This creates significant safety issues to both the public and the officers themselves when dealing with public safety issues. The public have an expectation when they see a uniformed presence that these individuals have the authority and training to deal with public behavioural issues. Bylaw officers themselves are highly frustrated that they are not able to deal with blatant anti-social behaviours and offences they encounter.

Additionally, the following challenges also surfaced for members of the bike patrol:

2. **Communications** – RCMP and Bylaw Officers use different radio frequencies, teams were unable to communicate when split up.
3. **Privacy & shared information** – RCMP unable to store information about person stopped or checked due to privacy act rules.
4. **RCMP resources** - RCMP members were frequently unable to fill shifts due to court, training, court briefing preparations, holidays, secondment to fires evacuation and security efforts, and ERT training.
5. **Training** – Bylaw Officers have limited training and experience in the use of force. RCMP members are concerned for their own safety as members of a combined unit and expect that their partners know what to do when confronted with a resistant individual and have training in the use of force continuum.

Recommendation:

- Option 1:** the RCMP form a dedicated bike patrol consisting of four members working May 1 – October 15 each year and an additional four officers during July 1- September 1. If for any reason a member is absent for duty, an Auxiliary Constable (tier 3) or another RCMP member would fill this void.
- Option 2:** explore the viability of enhancing Bylaw Officers' authorities in a tiered policing approach (Special Provincial Constable status) and which would give Bylaw Officer's Peace Officer status. This would give them the ability and authority to enforce provincial and criminal behaviours. The upgrade would require significant training for Bylaw Officers and increased liability for the City of Kelowna. Bylaw officers could then partner with RCMP on a combined Bike patrol or form their own bike squad to patrol the parks and downtown Kelowna.

Private Security

The City spends \$1.4 million annually on private security and another \$1.6 million for security at the Airport. Private security plays an important role in community safety, reducing, deterring and reporting incidents. Traditionally, private security was used for the protection of public assets – checking parks, buildings, gates etc. at night, but in the past couple years, the city has increased services to include daytime patrols and security presence in specific areas.

A number of gaps exist in the current system and considering the large amount of funding going towards the hiring of private security, much more accountability is needed. For example, a private security firm hired by the City was unable to staff crucial positions this summer, resulting in a gap in service during the City's busiest time. Also, last minute request for additional security personnel/hours is difficult as demand for these service is high throughout the city.

The City of Kelowna also has a number of security-related activities that are currently unmet. A need exists for someone to:

- investigate incidents
- Liaise to RCMP and others
- Security contract administrator
- CPTED Resource
- Threat assessment and violence prevention
- Bullying and harassment lead
- RCMP video requests
- Theft from the City Works Yard.

Recommendation: that the City of Kelowna hire a full time Security Manager to oversee private security needs for the community as well as the organization.

COMMUNITY COURT

Individuals experiencing homelessness, addiction or living with mental illness appear before the Provincial Court every day in Kelowna. Frequently their offences (such as petty theft, open drug use) are not as serious or as complicated as the issues that underlie the offence (substance use, mental illness, etc.).

The current sentencing model typically deals with the criminal issue at hand and does not necessarily mitigate underlying issues that might help avoid future issues for a variety of reasons.

1. Individuals living homeless or with mental illness live in unstable circumstances that can change quickly and often.
2. Further, the court's motivation to address these underlying issues depends on the willingness of the individual being sentenced (i.e. you can sentence someone to rehabilitation, but can't force them to go). In many cases, the best the court can do is manage the underlying issues through some form of community supervision.
3. Effective management of these underlying issues requires a detailed understanding of the individual and their unique needs and, just as importantly, which resources may not be appropriate for that person. As it stands, the court is often left to deal with these individuals without the benefit of anything other than relatively superficial information. Typically, these offences do not warrant the preparation of a pre-sentence report.

For example, in Kelowna, one individual has been charged 83 times for possession of open liquor and 10 times for obstruction of a sidewalk/smoking since 2012: total fines equaling \$23,015. This individual's behavioral issues stem from underlying substance use. In this case, these fines and all the court costs and time will never be recovered and this person is no better off today, either. This set of circumstances causes great frustration for RCMP and City Bylaw officers who frankly don't know what to do next.

Alternatively, a Community Court offers a different approach. To be sentenced through Community Court, sentencing is deferred when offenders pre-agree to attend tailored solutions that meet the individual's needs and support community needs.

A community court brings together the resources and necessary background information from the justice, health and social services sectors in a coordinated manner to comprehensively address underlying issues. This allows the court to impose responsive, timely, and focused bail and sentencing orders for these offenders experiencing homelessness, and/or suffering from mental health and addiction issues.

A community court only works if the individual is placed in housing after successful completion of treatment.

Kelowna had a community court from 2010-2012, but its operation relies on the availability of Provincial Judges to participate in this system. In Kelowna, a great deal of work was conducted earlier this year by the Kelowna integrated Court Steering Committee to re-introduce and resource a functioning Community Court. A business case was forwarded in June 2018 to the BC Ministry of Justice. To date a response has not been received.

Recommendation: that a Community Court be re-instated in Kelowna, and that the City of Kelowna lobby local MLA's and the Ministry of Justice to support and provide the appropriate provincial resources for a Community Court in Kelowna as soon as possible.

HEALTH: MENTAL HEALTH & SUBSTANCE USE

Treatment

The treatment of those individual with addictions is extremely complex. It's an oversimplification to say, there are not enough detox or treatment beds, as substance use rehabilitation requires different strategies. No two individuals are the same in terms of use, type of substance, time they have been using the substance, daily intake. Other factors to consider are psychological characteristics if each individual and elements of their lifestyle.

However, even during the crisis, there is need to support individuals with addictions move into increased harm reduction and then into treatment services. Looking at the numbers for the mobile safe consumption service, this facility is well attended and is delivering a service that is valued by the clients. However, referrals from the mobile to other services have been low, potentially due to the lack of space and time available to engage clients in confidential discussions about treatment options and harm reduction.

Additionally, the spectrum of mental health and substance use services in Kelowna is not optimized. There are gaps in service, sometimes wait times, and other areas of opportunity that need improvement. Additional funding would assist Interior Health to develop and expand the programs and range of services to improve outcomes for patients and service recipients. This is the key to the overall issue: unless you deal with the roots of the problem, increasing health, housing and safety costs will continue to burden all levels of government.

Recommendation:

1. That the City of Kelowna continue to lobby both the federal and provincial government for new and additional funding for substance use treatment within our community.
2. That the City work, through the committee, with Interior Health to find a location for a permanent safe consumption site. This would allow services from the mobile unit to be maximized as a secondary location.

Education & stigma

Stigma exists around those suffering in our community with medical issues around mental health and addictions and this can translate into negative perceptions around public safety. Substance use isn't a "choice," and for many it isn't easy to access local services and find success in overcoming addictions.

The systemic challenges surrounding substance use are complex, compounding and constantly changing. Council and Senior Management at City Hall can increase their understanding of the continuum of substance use services, mental health supports and the latest methodology in addiction recovery to support some of the most vulnerable in our community and make informed community decisions.

Recommendation: that City Council and appropriate city staff further build their understanding and awareness of Mental Health and Addictions best practices and continue to support those in our community struggling with these medical issues through the use of non-stigmatizing language.

BASIC NEEDS

Shelters

Kelowna currently has three shelters: The Gospel Mission, Inn from the Cold and Cornerstone.

Shelters are on the housing continuum, but unique from supportive housing. Shelters are always going to be needed in Kelowna. The Journey Home Strategy should reduce the number of individuals requiring shelters when the 300 supportive housing units are completed. The strategy also calls for 500 new support program spaces to provide community treatment, case management, rapid rehousing and housing-loss prevention.

In November 2017, the Cornerstone shelter opened at 425 Leon Avenue and will remain open until March 31, 2019. Cornerstone is a temporary, low-barrier shelter that opened quickly to respond to a critical bed shortage as the temperatures dropped well below freezing and both the Gospel Mission and Inn from the Cold were filled to capacity. Cornerstone is funded by BC Housing and operated by the John Howard Society. The site shelters 80 people. Without this shelter, people would have frozen to death.

From my review, the placement of a low-barrier shelter (Cornerstone) at this location was less than ideal for the following reasons:

1. The population of residents in this shelter is too large for a low-barrier facility
2. The site was not purpose-built to safely house 80 individuals who have addiction issues, mental illness or brain injury.
3. The proximity to another shelter. The Gospel Mission, located within three blocks of Cornerstone, houses 90 persons.
4. The immediate proximity to Interior Health's outreach centre and the mobile safe consumption service. These additional services & the shelter nearby bring additional people into the area creating a high density of people within the first three blocks of Leon. The lack of other basic services (public washrooms) for all these people also led to an increase in loitering in the area and public urination/defecation in the surrounding area.
5. Certainly not all, but many of the residents have serious addictions that result in criminal behaviours to support these addictions.

Recommendation: Low barrier shelters should be strategically located in the City of Kelowna: close to services, but separated from other shelters. Through the proposed committee, the City of Kelowna needs to engage with BC Housing, Interior Health, RCMP, Bylaw Services, Chamber of Commerce and the community to identify appropriate locations for emergency shelters in the city. Ultimately, the location of supportive housing and shelters need to be part of the long-term planning process in collaboration with all stakeholders.

Washrooms

In July, business owners along Leon Avenue were burdened with reoccurring public urination and defecation in alcoves and alleys, on the street and from the tops of buildings. As a temporary measure, Porta Potties were placed in the alley behind the Cornerstone shelter, reducing the issue somewhat in that area.

After meeting with members of the Journey Home Lived Experience Circle on Homelessness, access to convenient public washrooms and showers, transportation to access services and drinking water were identified as basic needs for those living on the streets.

The only public washrooms are in the parks five blocks away and only registered occupants of both shelters are entitled to access their facilities. Most businesses in the downtown core will not allow the general public to use private washrooms.

The bathroom in Stuart Park, Kerry Park and Hot Sands beach appear to be able to meet the needs of citizens and tourists that use the parks daily. Public washrooms/showers are needed in the downtown core and could even be operated by a peer support model.

Recommendation: the City of Kelowna needs to have additional public washrooms in high traffic areas, that are accessible year-round, in other areas of the downtown core. Possible examples include the Portland Loo and the Winnipeg pop-up public toilet.

Transportation

Kelowna is fortunate to have a variety of services for those experiencing homelessness, addictions or mental health issue. However, lack of transportation is often a barrier to accessing to these services. One of the main reasons for loitering in parks or sidewalks is the fact that many have no way to transport themselves from one area of the city to another. For instance, access is provided to public recreation facilities and laundry services, but there is no way to get there and get back downtown to access shelters and other critical services.

Recommendation: the City of Kelowna explore supplying transportation options to people experiencing homelessness in order to provide the means to deal with normal necessities of life.

Water

Another basic necessity is access to fresh, potable water. When temperatures are very hot, our most vulnerable people are much more likely to suffer from heat exhaustion and heat stroke. Further warming, as we are expecting to see with the impacts of climate change, will bring higher health risks. Other than those outside of the public washrooms in city parks, there is little or no public access to clean drinking water near to services – especially during hot summer months. Consequently, many service providers in the downtown, including Interior Health, provide bottled water.

Recommendation: the City of Kelowna explore the installation of drinking water fountains in additional areas of downtown Kelowna.

Peer empowerment & employment

Peer support is an important contributor to recovery for individuals that have experienced homelessness, or mental health or addiction challenges. Peer support provides a supportive relationship between people who have a lived experience in common including emotional and social support. Evidence demonstrates this benefits both individuals and families, as well as the overall community.

There is no "one-size-fits-all" approach to peer support. It can take many different forms and be offered wherever people need it, whether in peer-run organizations, workplaces, schools, or healthcare settings. Peer support is intended to complement traditional programs. However, despite effectiveness, peer support programs receive very little funding.

The Journey Home Strategy highlighted the need to introduce peer support models as a strategy that is critical to generating impact and helping to break down stigma. As such, they are working in collaboration

with the Community Action Team to develop a Peer Empowerment and Employment approach by creating a Peer Support Network. This initiative includes creating a sustainable program by:

- designing and implementing training for peer support workers;
- providing a focus on ongoing community education to combat stigma and discrimination;
- forming partnerships to ensure sustainability of the initiative;
- forming community partnerships to contribute to the overall health and safety of the community.

Recommendations:

1. City to support and contribute to the development of the Peer Empowerment and Employment program;
2. Through the HUB table, at-risk individuals interacting with businesses and community, would be supported through connection with trained peer support workers.
3. Support and contribute to Journey Home Society's work in developing peer employment opportunities including developing social enterprises to contribute to: addressing stigma, community beautification (including sharps clean-up); and public facility attendance (i.e. downtown public washroom/shower facilities).

APPENDIX 1 – ENGAGEMENT

BC Housing	Matthew Camirand, Coordinated Access & Assessment Manager Ann Howard, Regional Director
Canadian Mental Health Association	Shelagh Turner, Executive Director Mike Gawliuk, Director of Service Delivery & Program Innovation
Chamber of Commerce	Dan Rogers, Executive Director Tom Dyas, Past President
City of Kelowna	Stephen Bryans, Roadways Operations Supervisor Glenda Cooper, Community Development Coordinator Kevin England, Bylaw Enforcement Officer Stephen Fleming, City Clerk David Gazley, Bylaw Services Manager Morgan Heighes, Bylaw Enforcement Officer Ken Hunter, Bylaw Services Supervisor Lance Kayfish, Risk Manager Kurt Szalla, Bylaw Enforcement Officer Sue Wheeler, Social Development Manager
Downtown Kelowna Association	Nikki Csek, Vice-President Layla Miller, Operations Manager Ron Beahun, On-street Services Manager
Inn from the Cold	Jan Schulz, Executive Director
Interior Health	Dr. Silvina Mema, Medical Health Officer Deborah Preston, Community Health Services Administrator – Central Okanagan Heather Deegan, Director, Healthy Communities Nadine Rigby, Social Program Officer Lorena Hiscoe, Corporate Director - Clinical Operations, Population Health Danielle Cameron, Mental Health and Substance Use (MHSU) Health Services Administrator Tannis Andersen, Promotion, Prevention and Primary Care Services Manager Lesley Coates, Regional Harm Reduction Coordinator
John Howard Society	Gaelene Askeland, Executive Director Andrea Sage, Manager of Employment Services
Journey Home	Martin Bell, Co-chair Erin Welk, Community Action Team

Kelowna’s Gospel Mission	Randy Benson, Executive Director
Ki-Low-Na Friendship Centre	Tina Larouche, Program Director
Metro Church	Jeff Simla, Executive Pastor
Now Canada	Liz Talbot, Executive Director
Paladin Security	Jason Davis, BC Interior Operations Manager
Provincial Court of British Columbia	Marguerite (Meg) Shaw, Regional Administrative Judge
RCMP	Brent Mundle, Superintendent - Officer in Charge Rob Thorarinson, Inspector – Operations Officer Carrie Seale
Resident & former John Howard Society CEO	Shelley Cook
Resident & former Mayor	Walter Gray
The Bridge	Celine Thompson, Executive Director Gerard Joyal, Residence Supervisor John Yarschenko, Director of Recovery & Addiction Services
Uptown Rutland Business Association	Laurel D’Andrea, Executive Director
Westbank First Nations	Diane Roy, Life Skills Coordinator

In addition, the Public Safety Liaison met with numerous business owners, stratas and members of the Lived Experience Circle.

APPENDIX 2 – REFERENCES

-
- ⁱ *Citizen Survey*. City of Kelowna, 29 Oct. 2018, www.kelowna.ca/our-community/about/citizen-survey.
- ⁱⁱ City of Kelowna Service request system: Jan.-Sept. 2018, Jan.-Dec. 2017 & Jan.-Dec. 2016
- ⁱⁱⁱ *Kelowna's Journey Home Strategy*. City of Kelowna, 2018. kelowna.ca/journeyhome.
- ^{iv} "Provincial Health Officer Declares Public Health Emergency." *BC Gov News*, Province of British Columbia. 14 Apr. 2016, news.gov.bc.ca/releases/2016HLTH0026-000568.
- ^v "Illicit Drug Overdose Deaths in BC January 1, 2008 – August 31, 2018." *BC Coroners Service*. <https://www2.gov.bc.ca/assets/gov/birth-adoption-death-marriage-and-divorce/deaths/coroners-service/statistical/illicit-drug.pdf>
- ^{vi} "Harm reduction innovation during and overdose emergency." Mark Lysyshyn & Jane Buxton, UBCMJ 2018.
- ^{vii} *Kelowna's Journey Home Strategy*. City of Kelowna, 2018. kelowna.ca/journeyhome.



Public Safety Liaison report & recommendations

NOVEMBER 2018





Environment scan



Quick Wins



Take the lead



Enforcement

RCMP





Role of Bylaw



Coordination

Community Court





Community health

Shelters

I CAN BE ONE WITH GOD.
I CAN RELIEVE PAIN
WITHOUT OBLIVION.
I CAN BE HAPPY
WITH WHAT I NEED.
I CAN BE IN COMMUNITY.
I CAN BE LOVED.
I CAN BE OPEN TO A WAY.
I CAN BE
... BEING BEAUTIFUL



Basic needs

LIVED EXPERIENCE



Questions?

For more information, visit kelowna.ca.

REPORT TO COUNCIL



Date: November 26, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TA)

Application: Z16-0052 **Owner:** Provincial Rental Housing Corporation Inc. No. BC0052129

Address: 2025 Agassiz Rd **Applicant:** Excelling Investments Inc. BC1062096 (Cristian Anca)

Subject: Rezoning Bylaw Rescindment

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

Existing Zone: RU1 – Large Lot Housing

1.0 Recommendation

THAT Council receives, for information, the Report from the Community Planning Department dated November 19, 2018 with respect to Rezoning Application No. Z16-0052 for the property located at 2025 Agassiz Road;

AND THAT Bylaw No. 11358 be forwarded for rescindment consideration and the file be closed.

2.0 Purpose

To rescind all three readings given to Rezoning Bylaw No. 11358 and direct Staff to close the file.

3.0 Community Planning

An application to rezone the subject property was made on May 13, 2016 to rezone from the RU1 – Large Lot Housing zone to the RM5 – Medium Density Multiple Housing zone.

Bylaw No. 11358 received 2nd and 3rd readings at a Regular Meeting of Council on March 7, 2017, following the Public Hearing held on the same date. On March 19, 2018, a request for an extension from March 7, 2018 to March 7, 2019 was approved by Council to allow the applicant more time to work on meeting the requirements of the rezoning application. The property was recently purchased by BC Housing who will be applying to rezone the subject property to the same zone (RM5) with a different scope and density. As such, Community Planning Staff are recommending that Rezoning Bylaw No. 11358 be rescinded.

4.0 Subject Property – 2025 Agassiz Rd



5.0 Application Chronology

Date of Application Received: May 13, 2016
Date of Public Hearing: March 7, 2017
Date of Rezoning Extension: March 19, 2018

Report prepared by: Trisa Atwood, Planner II

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

CITY OF KELOWNA
BYLAW NO. 11358
Z16-0052 – 2025 Agassiz Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, District Lot 129, ODYD, Plan EPP68381 located on Agassiz Road, Kelowna, B.C., from the RU1 – Large Lot Housing Zone to the RM5 – Medium Density Multiple Housing Zone;
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this 20th day of February, 2017.

Considered at a Public Hearing on the 7th day of March, 2017.

Read a second and third time by the Municipal Council this 7th day of March, 2017.

Approved under the Transportation Act this 8th day of March, 2017.

Audrie Henry
(Approving Officer – Ministry of Transportation)

First, second and third readings rescinded by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: November 26, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TA)

Application: Z18-0109 **Owner:** Provincial Rental Housing Corporation, Inc No BC0052129

Address: 2025 Agassiz Rd **Applicant:** Provincial Rental Housing Corporation

Subject: Rezoning Application

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

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RM5 – Medium Density Multiple Housing

1.0 Recommendation

THAT Rezoning Application No. Z18-0109 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 1, District Lot 129, ODYD, Plan EPP68381, located at 2025 Agassiz Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RM5 – Medium Density Multiple Housing zone, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated October 23, 2018;

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

2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the RM5 – Medium Density Multiple Housing zone to facilitate the development of supportive housing.

3.0 Community Planning

Community Planning Staff are recommending support for the proposed rezoning to RM5 – Medium Density Multiple Housing to facilitate the development of a supportive housing complex. The proposal is consistent with the Official Community Plan (OCP) Future Land Use Designation of Multiple Unit Residential Medium Density (MRM). It is located within the Permanent Growth Boundary and more specifically within the Midtown Urban Centre. It is an appropriate location for increased residential density as it is well supported by nearby amenities, services, and transit consistent with the OCP Urban Infill Policies. Many of the neighbouring properties already have a similar residential zoning, or are designated for Multiple Unit Residential Medium Density (MRM) in the OCP Future Land Use Map.

4.0 Proposal

4.1 Background

The subject property at 2025 Agassiz Road was created through consolidation of 2 residential lots, 2 remnant lots, and purchased land from the property owner to the south. A rezoning application was received in 2016 to rezone to RM5 – Medium Density Multiple Housing for a multi-family complex. The application was supported by Community Planning Staff and Council and received 3rd reading on March 7, 2017. The applicant did not proceed to meet the requirements for adoption of the rezoning (Development Engineering requirements, Development Permit, etc.) and the property was subsequently purchased by BC Housing in 2018.

4.2 Project Description

BC Housing has applied for the same rezoning application from RU1 – Large Lot Housing to RM5 – Medium Density Housing to facilitate the development of a supportive housing complex. The proposal is for approximately 52 studio homes within a four storey apartment building. All parking and outdoor space will be contained on site. This location is suitable for this use based on the proximity of shopping and services, parks, and transit which is supported by the OCP Policy for Compact Urban Growth. The proposed density is consistent with other residential densities in the area. The applicant has provided a thorough design rationale attached to this report (Attachment "A").

Should Council support the rezoning application, a Development Permit will come forward for Council consideration of form, character, site layout, and landscaping. There are no variances anticipated at this time.

4.3 Site Context

The location falls with the Urban Centre of Midtown, is within the Permanent Growth Boundary and is within walking distance to many amenities including a Community Garden, Mission Creek Park, and Rapid Bus Transit on Highway 97. It fronts onto three streets, and is immediately adjacent to the Ukrainian Greek Orthodox Church, and behind Orchard Plaza Shopping Centre.

There is a mix of other property zones in the area including several Single Family, Multi-Family, Public & Institutional, and Commercial.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 and RM5	Single Family and Multi-Family Residential
East	C4LR	Commercial Shopping Centre

South	RM4	Church and Multi-Family Residential
West	RM5	Multi-Family Residential

Subject Property Map: 2025 Agassiz Rd



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

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.

Objective 5.9.² Support the creation of affordable and safe rental, non-market and/or special needs housing.

Healthy Communities.³ 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.

¹ City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).
² City of Kelowna Official Community Plan, Objective 5.9 (Development Process Chapter).
³ City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).

Embracing Diversity.⁴ Increase understanding of various forms of housing needs and styles toward increasing acceptance of housing meeting the needs of diverse populations by encouraging applicants to undertake early and on-going consultation relating to their project, including provision of support material where appropriate.

5.2 Healthy Housing Strategy

Vision Statement.⁵ that the housing needs of all Kelowna residents are met through affordable, accessible, and diverse housing options.

5.3 Journey Home

Housing First.⁶ The *Housing First* approach to ending homelessness, centers on quickly moving people experiencing homelessness into independent and permanent housing, followed by provision of additional supports and services as needed.

6.0 Technical Comments

6.1 Building and Permitting

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

6.2 Development Engineering Department

- Please see attached Schedule "A": Development Engineering Memorandum

6.3 Fire Department

- Construction fire safety plan is required to be submitted and reviewed prior to construction and updated as required.

7.0 Application Chronology

Date of Application Received: October 22, 2018
Date Public Consultation Completed: September 11, 2018
Date of Public Open House: November 8, 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:

Schedule "A": Development Engineering Memorandum
Attachment "A": Applicant's Letter of Rationale
Attachment "B": Proposed Site Plan, Floor Plans, and Renderings

⁴ City of Kelowna Official Community Plan, Policy 5.22.8 (Development Process Chapter).

⁵ City of Kelowna Healthy Housing Strategy, Introduction 1.1.

⁶ City of Kelowna Journey Home Strategy Community Report, Guiding Principle 3.

CITY OF KELOWNA
MEMORANDUM

Date: October 23, 2018
File No.: Z18-0109
To: Urban Planning Management (TA)
From: Development Engineering Manager (JK)
Subject: 2025 Agassiz Rd. RU1 - RM5

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

1. Domestic Water and Fire Protection

- (a) The existing lots are serviced with small diameter water services (2). The developer's consulting mechanical engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The estimated cost of this construction for bonding purposes is **\$10,000.00**
- (b) The applicant, at his cost, will arrange for the removal of the existing services and the installation of one new larger metered water service.
- (c) The developer must obtain the necessary permits and have all existing utility services disconnected prior to removing or demolishing the existing structures. The City of Kelowna water meter contractor must salvage existing water meters, prior to building demolition. If water meters are not salvaged, the developer will be invoiced for the meters.

2. Sanitary Sewer

- (a) The existing lots are serviced with 100mm diameter sanitary services (2). The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size and preferred location of the new service. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of all existing small diameter services and the installation of a new larger service. The estimated cost of this construction for bonding purposes is **\$8,000.00**

3. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for these sites which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plans, minimum basement elevations (MBE), if applicable, and provision of a storm drainage service and recommendations for onsite drainage containment and disposal systems.



- (b) Only one service will be permitted for this development. The applicant, at his cost, will arrange for the installation of one new overflow service. The estimated cost of this construction for bonding purposes is **\$5,000.00**

4. Road Improvements

- (a) Barlee Rd has been upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk and drainage system. A landscaped boulevard complete with street trees is required. The estimated cost of this construction for bonding purposes is **\$1,000.00**.
- (b) Agassiz Rd has been upgraded to an urban standard along the full frontage of this proposed development, including curb and gutter, sidewalk and drainage system. A landscaped boulevard complete with street trees is required. The estimated cost of this construction for bonding purposes is **\$4,000.00**
- (c) Contribute a sum of \$2,254.39 per equivalent development unit as this development's assessed share for future extension of Agassiz Rd. from Kent Rd. thru to Ambrosi Rd. as required in the Ambrosi Area Plan Policy 235.

6. Subdivision

- (a) Grant Statutory Rights of Way if required for utility services.
- (b) Lot consolidation.
- (c) If any road dedication or closure affects lands encumbered by a Utility right-of-way (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. Electric Power and Telecommunication Services

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground as the subject properties are within the "Capri Landmark Urban Centre".
- b) Streetlights must be installed on Agassiz Rd if required.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

8. Engineering

Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the city engineering department for review and marked "issued for construction" by the city engineer before construction may begin.



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 Works & Utilities Department. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

10. Servicing Agreements for Works and Services

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

11. Geotechnical Report

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:

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



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

Planner
Initials

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12. Bonding and Levy Summary

(a) Bonding

Water service upgrades	\$ 10,000
Sanitary sewer service upgrades	\$ 8,000
Storm overflow services	\$ 5,000
Bedford Street frontage improvements	\$ 5,000

Total Bonding \$28,000.00

NOTE: The bonding amount shown above are comprised of estimated construction costs escalated by 140% to include engineering design and contingency protection and are provided for information purposes only. The owner should engage a consulting civil engineer to provide detailed designs and obtain actual tendered construction costs if he wishes to do so. Bonding for required off-site construction must be provided and may be in the form of cash or an irrevocable letter of credit, in an approved format.

The owner must also enter into a servicing agreement in a form provided by the City.

(b) Levies

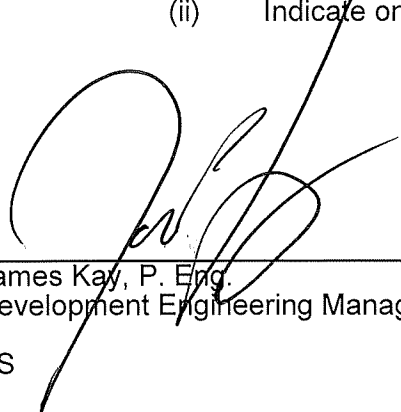
Ambrosi Area Plan Policy 235 assessment:

52 unit's x 0.7 = 36.4 EDU @ \$2,254.39 = **\$ 82,059.80**

12. Development Permit and Site Related Issues

Access and Manoeuvrability

- (i) Access to the site will be permitted from Barlee Rd.
- (ii) Indicate on the site, the locations of the garbage and recycle bins.



 James Kay, P. Eng.
 Development Engineering Manager
 AS

REZONING APPLICATION / DESIGN RATIONALE

ATTACHMENT **A**

This forms part of application

Z18-0109

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TA



A18-34 Agassiz Road Housing Project

Kelowna, B.C.

October 22, 2018

Prepared by:

PREPARED FOR:

BC Housing
Shafin Demani – Development Manager
1701 – 4555 Kingsway, Burnaby, BC
V5H 4V8

SUBMITTED TO:

City of Kelowna
Development Services
Kelowna, BC

Architecture
Interior Design and Planning
Building Envelope Consulting



ARCHITECTURE

Garry Tomporowski Architect Ltd
Kelowna, B.C. 250.979.1668



JULIET ANDERTON
CONSULTING INC.



ARCHITECTURE

Garry Tomporowski
Architect Ltd
243 – 1889 Springfield Road
Kelowna, BC Canada V1Y 5V5
Phone: 250. 979.1668 Fax: 250.979.4366
Email: gtaoffice@gtarch.ca

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ATTACHMENT **A**

This forms part of application

Z18-0109

Planner
Initials

TA





ATTACHMENT A

This forms part of application # **Z18-0109** Oct 22, 2018

City of Kelowna
COMMUNITY PLANNING

Planner Initials **TA**

1.0 OVERVIEW

The purpose of the application is to rezone the subject property from *RU1 – Large Lot Housing*, to *RM5 – Medium Density Multiple Housing*, to facilitate the development of 52 studio homes in a four-storey, medium density, permanent supportive housing building. The proposal meets all City of Kelowna *Zoning Bylaw* requirements of the *RM5* zone and will not require any variance to the *Bylaw*.

The proposal is consistent with the *Multiple Unit Residential Medium Density (MRM) Official Community Plan (OCP) Future Land Use Designation*, and is located within the City's *Permanent Growth Boundary* and the *Midtown Urban Centre* (one of the five Urban Centres planned to accommodate 44% of Kelowna's future growth).

2.0 PROJECT DESCRIPTION

The application proposes 52 studio homes, in a four-storey apartment building including eight accessible homes and six homes with the potential to accommodate couples. The property is located directly west of the Orchard Plaza Shopping Centre, and fronts onto three roads (Agassiz Road, Barlee Road, Vasile Road). It shares a property boundary with the Ukrainian Orthodox Church and the Orchard Haven Housing Society to the south.

Many of the neighbouring properties are also zoned *RM5 – Medium Density Multiple Housing* and are developed with multifamily densities. The broader area includes a mix of property zones, including several *Single Family*, *Multiple Unit Residential*, *Public and Institutional*, and *Commercial*.

- North - *RU1* and *RM5* (Single and Multi-Family Residential)
- East - *C4LR* - Commercial Shopping Centre
- South - *RM4* – Church and Multi-Family Residential
- West - *RM5* – Multi-Family Residential

The proposed site plan is aligned with the requirements of the proposed zone, the operational, functional technical needs of the proposed supportive housing use and the needs and quality of life for future residents. The proposed site plans also pays particular attention to promoting a context sensitive design to proactively address the needs and interests of neighbouring residents. See *Figure 1 (attached)*.

3.0 PROJECT RATIONALE

Although the *Midtown Urban Centre* has the lowest population density of the five Urban Centres, the proposal is consistent with *OCP* policies on *Compact Urban Form* and is in an appropriate location to increase residential densities. The proposed massing and four-storey build height are compatible the surrounding multi-unit residential buildings (i.e., between three and nine storeys) and the proposed density and land use is well supported by nearby (and walkable) community amenities, public transit and commercial, retail, health and personal services.¹ Increasing residential densities in this walkable, mixed-use urban centre through the low vehicle dependent land use proposed (i.e., supportive

¹ The property is within approximately 500 m of two Rapid Bus Stops (Harvey Avenue) and 200 m of Frequent Transit Network Stops (Springfield Road).



housing), coupled with BC Housing's voluntary commitment to the BC Energy Step Code 3 standard, directly support the implementation of the City's *Community Climate Action Plan*.

The proposed height and site layout are also consistent with the *OCP Sensitive Infill Policy*; and the proposal is well positioned to fulfill the *OCP* guidelines for urban form and character. The proposal is committed addressing the *OCP Multi Unit Design Guidelines*, the *OCP Revitalization Design Guidelines*, the City's *Crime Prevention Through Environmental Design Guidelines (CPTED)* and the City's *Guidelines for Accessibility*. Should City Council support the rezoning, the BC Housing will submit a *Form and Character Development Permit* aligned with these *OCP Guidelines*.

The *RM5 – Medium Density Multiple Housing* zone is proposed to provide for “supportive housing” as a principle land use, as permitted by the *RM5* zone. It is important to note that the land use proposed – i.e., supportive housing – is compatible with a variety of neighbourhood densities and demographics, including the neighbourhood characteristics that surround the subject property, provided the area includes walkable mix of use and provides good access to transit. The proposed site plan promotes a context sensitive design to proactively address the needs and interests of neighbouring residents; and key operational strategies ensure the supportive housing is positioned to make a positive contribution to the neighbourhood. *Figure 1: Neighbourhood Fit* provides examples of the design features and operational measures that will help to ensure a context sensitive development.

The proposed supportive housing directly supports the implementation the City's *OCP Housing Availability Policy* “**to support the provision of housing for all members of the community, including those in core housing need or requiring special needs housing (transitional, age in place, emergency or shelter)**” and the City's vision established by the *Healthy Housing Strategy* – i.e., to ensure that “**housing needs of all Kelowna residents are met through affordable, accessible and diverse housing options.**”

The proposed supportive housing also directly supports implementation of the City's *Imagine Kelowna* community vision. *Imagine Kelowna's Principle 2 (Smarter)* is grounded in the goal to “**build healthy neighbourhoods that support a variety of households, income levels and life stages. Everyone in our community should have the ability to find stable and appropriate housing.**”

Most significantly, the proposal for supportive housing directly implements the community's voice and collective vision set by *Kelowna's Journey Home Strategy* - the five-year plan to address homelessness. *Journey Home* was endorsed by City Council in June 2018 and included key principles focused on *Housing First* (Principle 3)² and on *Joint Leadership and Collaboration* (Principle 4). The principle of *Joint Leadership and Collaboration* underscores the need for “**everyone to do their part**”, including “all levels of government, including Indigenous government, non-profit providers, private sector, academia, living/lived experience and Kelowna residents.”

In October 2018, BC Housing's supportive housing registry included approximately 500

² The *Housing First* approach to ending homelessness, centers on quickly moving people experiencing homelessness into independent and permanent housing, followed by provision of additional supports and services as needed.



Planner Initials

TA

Kelowna COMMUNITY PLANNING

Kelowna residents seeking supportive housing. The 2018 Point in Time Count in Kelowna identified 286 homeless people, and the Journey Homes Strategy notes that homelessness in Kelowna has increased 20% over the last two years. **“The Journey Home message is clear: the time to act is now.”**

The proposed supportive housing will provide homes for between 52 and 58 people who are homeless or at risk of homeless – making clear strides to reaching the Journey Home Strategy goal to “end chronic and episodic homelessness.

4.0 SITE AND PARKING ACCESS

The required parking is located onsite in a secure area, accessed from Vasilie Road South. There are 21 parking spots provided, included parking for visitors and staff. The parking is secured, and accessed by a key fob.

Careful attention has been paid to the on-site parking, including accessible parking near the front entrance. This area has been artfully located to provide screening using carefully created landscape features and focus points. This does not take away from safety, which has been carefully considered in the overall layout of the project itself. The design and width has been considered to accommodate all types of emergency and delivery vehicles, maintenance vehicles, garbage trucks and snow removal vehicles which will be necessary from time to time. Any potential water table issues will be addressed using concrete add mixtures, perimeter drainage and vertical drainage planes.

A low retaining wall will be constructed as necessary in the SE corner of the site to adjust existing grade, and to provide firm anchoring of the fence along the South property line.

5.0 VARIANCES

There are no variances requested for this project.

6.0 URBAN CONNECTIVITY AND SUSTAINABILITY

The design team has reviewed the Sustainability Checklist in preparation of the project and has included as many options as possible for consideration at this time (please see figure 1). Many existing amenities are within walking distance. This unique four storey building with a mix of studio and couples units, will add to the diversity of housing options available within the community, as previously discussed.

This properly designed and detailed building will reduce heating and cooling loads, increase air quality, and reduce energy consumption. Envelope details that prevent water and moisture ingress, yet still allow the assemblies to dry, will prevent mould growth. Reducing thermal bridging combined with appropriate thermal insulation will reduce heating and cooling loads. Providing windows in all of the occupied spaces allows natural day lighting, and reducing energy consumption required for illumination. Operable windows also allow for natural ventilation, thus reducing the need for mechanical ventilation to provide fresh air, and adding “liveability”. It is our intent to meet Step 3 of the Energy Step Code.

Extensive use of materials from natural sources is used to the largest extent possible, and thereby reduces the carbon foot print accordingly. A properly designed and detailed building will also reduce heating and cooling loads, increase air quality, and reduce energy consumption.



There are a number of retail opportunities in the immediate area which are easily accessed by foot, bicycle, bus, taxi or other, depending on the individual's mobility status. The property is within 500 meters of two rapid bus stops (Harvey Ave) and 200m of frequent Transit Stops (Springfield Road).

7.0 CRIME PREVENTION

The intentions of CPTED have been addressed in the following ways: well maintained entrances and frontages are intended to promote pride in occupancy. This will discourage vandalism, encourage surveillance and will improve overall maintenance of the site. The walk-up, pedestrian friendly and ground oriented entrance has been provided to reinforce this principle.

The design of the building and landscaping promote both natural and camera surveillance, and as such does not provide opportunistic hiding spaces. The entrances are clearly visible from the street and well lit sidewalks surround the building.

The position of the entrance and social lifestyle of the site will help promote further surveillance and territorial reinforcement. Separation of private, semi-private and public spaces will be achieved with opaque and semi-opaque fences. The overall landscaping and finish materials will separate and add comfort to the residents and visitors. Large windows and patios help to provide eyes to the street and surrounding areas. To support interaction and familiarity amongst the residents and users, an abundance of common outdoor space and amenities have been provided.

Site lighting to the streetscape and pathways will be clearly lit, designed to illuminate the faces of users, and provide illumination levels that do not create high contrast areas that could potentially conceal offenders.

Trees will be planted in the front and side yards to make the space more desirable and promote resident usage. Plantings that inhibit access will be located below grade level windows. Changes in materials will define the transition from public common space to tenant common space, and fences will clearly define the boundary between the common and private outdoor space, and for pedestrian safety at the parking interface.

8.0 LANDSCAPE

The Developer has selected Outland Landscape Design to create an interesting and articulate landscape solution which responds to the architectural style of the project. This will also compliment the governing character which has been previously established in the surrounding neighborhood. A number of the shrubs, both annual and perennial have been selected with these elements in mind. They appear as border plantings, plantings in pots and in shrub beds throughout the site and on the patios in special groupings to accentuate calmness, and to create focus points for the residents, visitors and medical staff.

Carefully selected landscaping material will help reduce the projects use of water. This will prove an attractive, colorful and interesting variety of grass, shrubs and large trees for shade, privacy and path definition.

While trees will be somewhat restricted to the perimeter, efforts have been made to visually join to it by attention to the building shape and orientation.



The design team has gone to great lengths to create an abundance of open space for use by the residents and visitors. Landscape features, places of repose, and other vantage spots for resting and meditation, are easily accessed from the building.

This unique and attractive project will endure due to its sense of community, and the fact that it presents a prominent streetscape and connection to the surrounding neighborhood.

9.0 SUMMARY

BC Housing and the design team feel that the combination of a quality design coupled with leading edge technology, pedestrian-friendly landscape features, and modern building materials will provide for a very functional and highly desired residential use neighbourhood project.

It is also our desire that this project will be one to be built in an area critical to the continued sustainability and growth of our City internationally.

We look forward to your enthusiastic support and recognition for all the project brings to our community.

10.0 APPENDIX AND ATTACHMENTS

- Figure '1': "A Neighbourhood Fit"
- Letter of Agency
- Rezoning Application Documents
- Topographic survey (in architectural drawings set)
- State of Title Certificate
- Small and large scale drawings
- USB drive and /or CD contain all submission documents

END

**11.0 FIGURE 1: "NEIGHBOURHOOD FIT"****– A Context Sensitive Site Design and Operational Approach**

DESIGN "FIT" ELEMENTS	
All Zoning Bylaw Requirements Fulfilled	<ul style="list-style-type: none"> No Development Variance Permits are required.
Balances Impact of Building Height and Massing	<ul style="list-style-type: none"> The site plan locates the building toward the west side of the property, across from the vacant lot, approximately an equal distance from each of the neighbouring residential buildings to the north, south and east.
Generous Setbacks to Adjacent Residential Buildings	<ul style="list-style-type: none"> The setback to the adjacent building to the north exceeds 34.5 metres (113 feet) and the setback to the building to the east exceeds 44.5 metres (146 feet). The distance to the Orchard Haven residents to the southeast exceeds 31 metres (100 feet).
Modest Building Height	<ul style="list-style-type: none"> The building is proposed at a four-storey height, equal or lower than the three closest multi-unit buildings.
Exceeds Required Parking	<ul style="list-style-type: none"> The number of on-site parking stalls exceeds the RM5 zone requirements to ensure all parking needs of the housing can be accommodated on-site.
Mitigates Impact of Traffic and all Vehicle Headlights	<ul style="list-style-type: none"> Vehicle access is planned from the west (i.e., Vasile Road) to avoid traffic impacts on Barlee Road and Agassiz Road and to ensure there are no impacts from vehicle headlights into neighbouring properties.
Natural Surveillance at Vasile Road	<ul style="list-style-type: none"> Site access from Vasile Road to the property will introduce legitimate vehicle and pedestrian activity and natural surveillance of the east side of the property.
New Sidewalk and Pedestrian Lighting on Vasile Road	<ul style="list-style-type: none"> Off-site improvements on Vasile Road will include a new sidewalk and lighting to support and define pedestrian access for residents of the building and Orchard Haven residents.
Noise Management of Activity Areas	<ul style="list-style-type: none"> Outside activities and gathering areas such as the residents' gazebo are located at the west side of the property, away from the shared boundary with Orchard Haven to the south.
Noise Management from Building	<ul style="list-style-type: none"> Studio housing units will not have balconies, which will mitigate noise and minimizes clutter that can be associated with balconies.
Generous Landscape Buffers and Off-Site Street Trees	<ul style="list-style-type: none"> Fencing, a retaining wall and a generous 7 metre landscape buffer are planned adjacent to the Orchard Haven residents in the southwest corner of the site to provide a buffer between the two properties. A generous landscape buffer is planned on-site adjacent to Agassiz and Barlee Roads, as well as off-site street trees along these boulevards.
Maximizing Natural Surveillance	<ul style="list-style-type: none"> Activity areas within the building and building windows are planned to provide for natural surveillance of public sidewalks, pedestrian areas and parking lots.
Crime Prevention Through Environmental Design (CPTED)	<ul style="list-style-type: none"> Landscaping, fencing, gates, lighting, and other site design features will support other operational safety and security measures to support and reinforce Crime Prevention Through Environmental Design (CPTED).
Reduced Construction Impacts and Timelines	<ul style="list-style-type: none"> Modular construction reduces construction impacts (i.e., noise, dust, timelines) on adjacent neighbours.



Figure 1: "Neighbourhood Fit" cont.

Operational Fit Elements	
Good Neighbour Commitment -	<ul style="list-style-type: none"> Both BC Housing and the John Howard Society of the Central and South Okanagan (JHSCSO) have made a commitment to being good neighbours.
Experienced Non-Profit Operator –	<ul style="list-style-type: none"> The JHSCSO is an experienced non-profit housing operator with over 60 years of experience and committed to engaging with the neighbourhood in proactively manner.
Minimum of Two 24/7 on site staff –	<ul style="list-style-type: none"> A minimum of two staff will be on-site 24 hours a day, seven days a week. Additional staff would include an operations manager, as well as cooks, property maintenance and support workers, and any additional programming staff.
Rigorous and Balanced Resident Selection –	<ul style="list-style-type: none"> A rigorous resident selection process will be undertaken by BC Housing and the JHSCSO to balance the needs of residents with the operational capacity to support residents. Potential tenants are assessed to determine a fit with the housing through a Vulnerability Assessment, prior to securing housing.
Resident Program Agreement Commitment –	<ul style="list-style-type: none"> Each resident will sign Program Agreement to establish a commitment to being a good neighbour, both within the housing and in neighbourhood.
Resident Case Planning –	<ul style="list-style-type: none"> All residents receive individual case planning to further their life and social skills. Skills training may include employment planning and programs to managing the transition to independence and recovery.
Timely Resolution of Issues –	<ul style="list-style-type: none"> The housing operations fall outside the limitation of the Residential Tenancy Act, which allow for timely action to resolve situations where residents are not a good fit and where residents need to be relocated to more appropriate housing.
Community Advisory Committee -	<ul style="list-style-type: none"> The JHSCSO would also lead the development of a Community Advisory Committee to discuss opportunities for collaboration in building a safer and healthier community. Representation may include BC Housing, Interior Health, the City of Kelowna, local RCMP, local service providers, local supportive housing residents and community members at large.

AGASSIZ ROAD RESIDENCES KELOWNA BC . FOR BC. HOUSING

2025 AGASSIZ ROAD, KELOWNA, BC

3D VIEW



ATTACHMENT **B**

This forms part of application

Z18-0109

Planner Initials **TA**



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PROJECT INFO:

CIVIL ADDRESS:
2025 AGASSIZ ROAD, KELOWNA, BC

LEGAL DESCRIPTION:
LOT 1, DL 129, ODYD, PLAN EPP68381

ZONING: CURRENT RU1, REZONE TO RM5

LOT AREA: 34,038 ft² 3162 m²
BUILDING AREA: 8,973 ft² 834 m²
PARKING AREA+ DRIVEWAY : 8,220 ft² 764 m²
SITE COVERAGE: 26.3%(MAX 40%)
SITE COVERAGE(W/ PARKING): 50.5%(MAX 65%)
F.A.R.: 0.56(MAX 1.1)

FLOOR AREAS:

GROSS BUILDING AREA	
AREA NAME	AREA
1st FLOOR GROSS AREA	755 m ²
2nd FLOOR GROSS AREA	762 m ²
3rd FLOOR GROSS AREA	622 m ²
4st FLOOR GROSS AREA	622 m ²
TOTAL GROSS AREA:	2,761 m ²

NET FLOOR AREA	
AREA NAME	AREA
1st FLOOR NET AREA	448 m ²
2nd FLOOR NET AREA	627 m ²
3rd FLOOR NET AREA	462 m ²
4st FLOOR NET AREA	462 m ²
TOTAL NET AREA:	1,999 m ²

CITY OF KELOWNA ZONING BYLAW NO. 8000 ANALYSIS:

Section 7 – Landscaping and Screening
7.3 Refuse and Recycling Bins
 7.3.2 REFUSE & RECYCLING BINS SCREENING FROM ADJACENT STREETS AND LOTS
PROPOSED: BINS SCREENED MIN. 2.0m HIGH C/W PLANTINGS MIN. 1.5m HIGH MIN. 3.0m FROM PROPERTY

7.6 MINIMUM LANDSCAPE BUFFERS
 7.6.1
 b) LEVEL 2: MIN 3.0m BUFFER
 c) LEVEL 3: MIN 3.0m BUFFER OR OPAQUE BARRIER
 TABLE 7.1 MIN. LANDSCAPE BUFFER TREATMENT LEVELS SCHEDULE
FRONT: LEVEL 2 STREET- NO ADJACENT PROPERTY MIN. 3m
REAR YARD: LEVEL 3 STERRT- NO ADJACENT PROPERTY MIN. 3m (PARKING) VEG. BUFFER & CONTINUOUS OPAQUE BUFFER
NORTH SIDE YARD: LEVEL 3 MIN. 3m BOULEVARD (NO ADJACENT PROPERTY)
SOUTH SIDE YARD: LEVEL 3 MIN. 3m LANDSCAPE BUFFER C/W CONTINUOUS OPAQUE BUFFER

SECTION 8 - PARKING AND LOADING

8.1 OFF-STREET VEHICLE PARKING
8.1.2. MIN NUMBER SPACES
 TABLE 8.1
SUPPORTIVE HOUSING
 52-54 RESIDENCES MIN 1/3 BEDS= 18 PARKING STALLS REQUIRED
TOTAL STALLS REQUIRED = 18 PROVIDED = 21

8.1.7 PARKING SPACES FOR THE DISABLED
 a) PER B.C. BUILDING CODE: 1/100 **PROP: 1**

8.1.11 SIZE AND RATIO
FULL SIZE: **PROP: 14** **MID SIZE:** **PROP: 7**
 a) **MIN WIDTH: 2.5m PROP: 2.5m** **MIN WIDTH: 2.5m PROP: 2.5m**
MIN LENGTH: 6m PROP: 6.0m **MIN LENGTH: 6m PROP: 6.0m**
MIN HEIGHT: 2.0m PROP: 2.0m **MIN HEIGHT: 2.0m PROP: 2.0m**
FULL SIZE: PROP: 62% **MID SIZE: MAX: 40%** **PROP: 33%**
HANDI CAP: PROP: 1(5%)
SMALL SIZE: MAX: 10% PROP: 0%

8.4 OFF-STREET BICYCLE PARKING
8.4.1 NUMBER OF SPACES
 TABLE 8.3: SUPPORTIVE HOUSING
SUPPORTIVE HOUSING
 CLASS I: 0.50 PRE DEWELLING UNIT: 26 SPACES REQUIRED **PROP: 27 SPACES**
 CLASS II: 0.10 PER DEWELLING UNIT: 6 SPACES REQUIRED **PROP: 6**

8.4.6 DEVELOPMENT BICYCLE PARKING
 MIN WIDTH: 0.6m
 MIN LENGTH: 1.8m
 MIN HEIGHT: 1.9m

SECTION 13.11 - RM5 - MEDIUM DENSITY MULTIPLE HOUSING

13.11.2. PRINCIPLE USES:
(C) SUPPORTIVE HOUSING

13.11.5 SUBDIVISION REGULATIONS

MINIMUM LOT AREA: 1400 m² (**EXISTING: 3162m²**)
 MINIMUM LOT WIDTH: 30.0m. (**EXISTING : 31m**)
 MINIMUM LOT DEPTH: 35.0m (**EXISTING : 102.4m**)

13.11.6 DEVELOPMENT REGULATIONS

SITE COVERAGE: 40% **PROP: 26.3%**
 MAX SITE COVERAGE OF BUILDINGS & DRIVEWAYS 65% **PROP: 50.5%**
 MAX HEIGHT: IS THE LESSER OF 18.0m OR 4.5 STOREYS **PROP: 4 STOREYS(15.0m)**
 MAX FLOOR AREA RATIO: 1.1 **PROP: 0.56**
 MIN FRONT YARD: 6.0m **PROP: 17.7m SETBACK**
 MIN SIDE YARD: 4.5m < 2.5 STOREYS **PROP: SOUTH 5.6m SETBACK**
 7.0m > 2.5 STOREYS **PROP: SOUTH 9.1m SETBACK**
 4.5m < 2.5 STOREYS **PROP: NORTH 6.6m SETBACK**
 6.0 METERS TO A FLANKING STREET **PROP: NORTH 6.1m SETBACK**
 MIN REAR YARD: 9.0m(TO STREET 7.0m) **PROP: 43m**
 MAX BUILDING FRONTAGE: 100m **PROP: 85m**
 MIN PRIVATE OPEN SPACE: 7.5m² COVERAGE BEDROOM **PROP: 490M² =9.4m²/ BEDROOM**

BRITISH COLUMBIA BUILDING CODE 2012 ANALYSIS:

CONSULTANTS:

ARCHITECTURAL:
GTA ARCHITECTURE LTD.
 CONTACT: GARRY TOMPOROWSKI
 243 - 1889 SPRINGFIELD ROAD
 KELOWNA, B.C., V1Y 1S9
 PHONE: (250) 979-1668, FAX: (250) 979-4366
 EMAIL: garry@gtararch.ca

LANDSCAPE:
NAME: OUTLAND DESIGN LTD.
 CONTACT: ALEXANDER FRASER
 ADDRESS: 303-590 KLO ROAD
 KELOWNA, BC, V1Y 7S2
 PHONE: 250-868-9270
 EMAIL: ALEXANDER@OUTLANDDESIGN.CA

SURVEYOR:
ALLTERRA LAND SURVEYING LTD.
 264 WESTMINSTER AVENUE W.,
 PENTICTON, BC, V2A 1J9
 PHONE: 250-492-5903
 WEBSITE: WWW.ALLTERRASURVEY.CA

MECHANICAL:
NAME: DELTA-T CONSULTANTS LTD.
 CONTACT: ERIC SCHREDL
 ADDRESS: 203-1449 ST PAUL ST
 KELOWNA, BC, V1Y 2E5
 PHONE: 250-860-5550
 EMAIL: ERIC@DELTA-T.CA

ELECTRICAL:
NAME: ICS ENGINEERING INC.
 CONTACT: GREG LYNCH
 ADDRESS: #32034-2151 LOUIS DRIVE,
 WESTBANK, BC, V4T 3G2
 PHONE: 778-738-2172
 EMAIL: GREG.LYNCH@ICSENGGROUP.COM

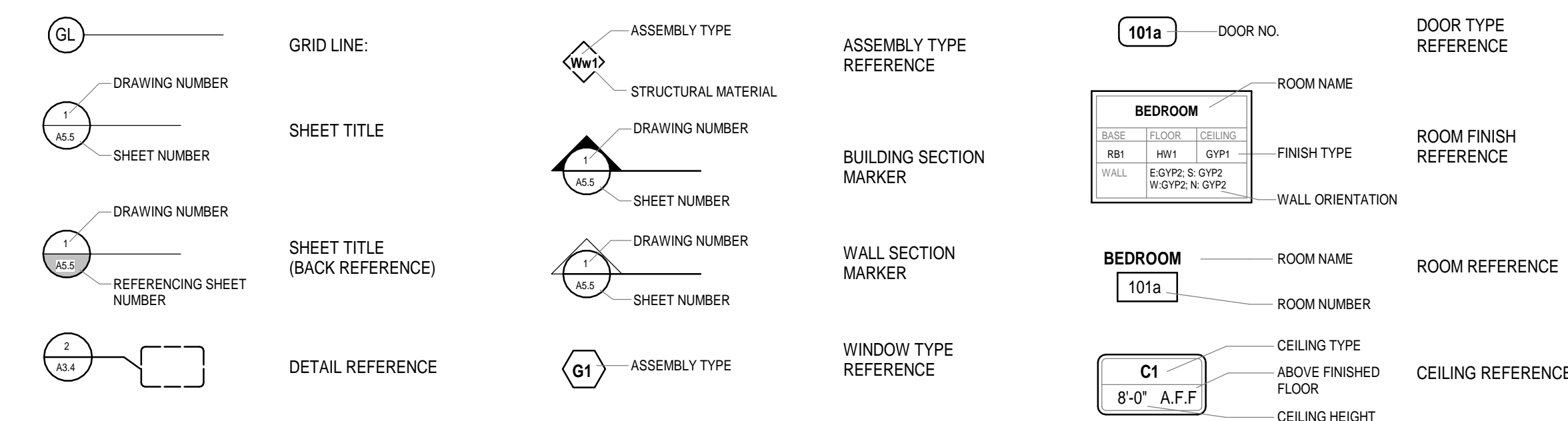
GEOTECHNICAL:
NAME: WSP GLOBAL INC.
 CONTACT: PAUL ELL
 ADDRESS: 108-3677 HWY 97N
 KELOWNA, BC, V1X 5C3
 PHONE: 250-469-7758
 EMAIL: PAUL.ELL@WSP.COM

STRUCTURAL:
R&A ENGINEERS
 CONTACT: GREG WYLIE
 202-3401 33rd STREET, VERNON
 BC V1Y 1J7, CANADA
 PHONE: (250)-308-7911
 EMAIL: GREG@RAENGINEERING.CA

LIST OF DRAWINGS:

GTA ARCHITECTURAL LIST	
SHEET NUMBER	SHEET NAME
A0.00	COVER SHEET
A0.01	SITE PHOTOS
A0.02	PERSPECTIVES
A1.03	SITE PLAN
A2.01	UPPER FLOOR PLANS
A4.01	BUILDING SECTIONS

SYMBOL LEGEND:



5 | 2018.10.19 | FF | ISSUED FOR REZONING

NO.	DATE	BY	DESCRIPTION
			DESIGN CONSULTANT

DESIGN CONSULTANT

SEAL



GTA ARCHITECTURE LTD.
 243 1889 SPRINGFIELD ROAD
 Kelowna, British Columbia,
 V1Y 1S9
 TELEPHONE: (250)979-1668
 www.gtararch.ca

DEVELOPED BY:

PROJECT
 AGASSIZ ROAD RESIDENCES
 KELOWNA BC . FOR BC. HOUSING

2025 AGASSIZ ROAD, KELOWNA, BC

SHEET TITLE

COVER SHEET

DRAWN BY:	FF	DRAWING NO.:	
DESIGNED BY:	GTA		A0.00
SCALE:	12" = 1'-0"		
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VIEW FROM AGASSIZ ROAD A



VIEW FROM AGASSIZ ROAD B



VIEW FROM AGASSIZ ROAD C



VIEW FROM VASILE RD

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			DESIGN CONSULTANT

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gta

GTA ARCHITECTURE LTD.
 243 1889 SPRINGFIELD ROAD
 Kelowna, British Columbia
 V1Y 6X5
 TELEPHONE: (250)979-1668
 www.gtarch.ca

DEVELOPED BY:

PROJECT
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 KELOWNA BC . FOR BC. HOUSING
 2025 AGASSIZ ROAD, KELOWNA, BC

SHEET TITLE
SITE PHOTOS

DRAWN BY:	FF	DRAWING NO.	A0.01
DESIGNED BY:	GTA		
SCALE:	12" = 1'-0"		
DATE:	10/19/18	FILE:	A18-34

ATTACHMENT B

This forms part of application
Z18-0109

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PERSPECTIVE - BUILDING NORTH



PERSPECTIVE - BUILDING NORTHWEST



PERSPECTIVE - WEST



PERSPECTIVE - EAST

5	2018.10.19	FF	ISSUED FOR REZONING
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NO.	DATE	BY	DESCRIPTION
			DESIGN CONSULTANT

DESIGN CONSULTANT

SEAL

gta

GTA ARCHITECTURE LTD.
243 1889 SPRINGFIELD ROAD
Kelowna, British Columbia
V1Y 5X5
TELEPHONE: (250)979-1668
www.gtaarch.ca

DEVELOPED BY:

PROJECT
AGASSIZ ROAD RESIDENCES
KELOWNA BC . FOR BC. HOUSING

2025 AGASSIZ ROAD, KELOWNA, BC

SHEET TITLE

PERSPECTIVES

DRAWN BY:	Author	DRAWING NO.	A0.02
DESIGNED BY:	GTA		
SCALE:	12" = 1'-0"		
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ISSUED FOR CLIENT REVIEW

5	2018.10.19	FF	ISSUED FOR REZONING
4	2018.10.09	FF	ISSUED FOR REVIEW
3	2018.09.06	FF	ISSUED FOR REVIEW
2	2018.08.15	FF	ISSUED FOR REVIEW
1	2018.08.10	FF	ISSUED FOR REVIEW

NO.	DATE	BY	DESCRIPTION
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DESIGN CONSULTANT

SEAL

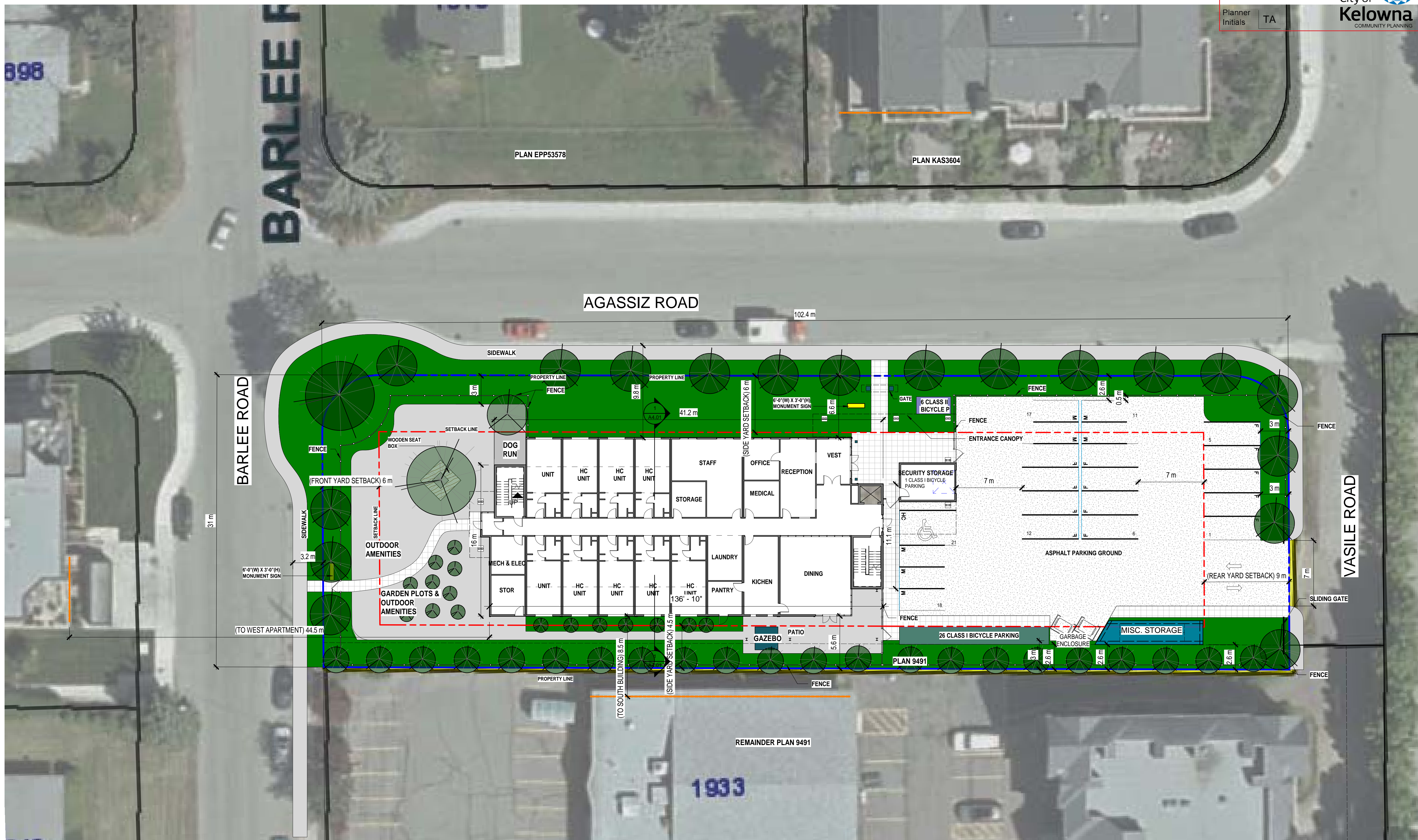
gta
 GTA ARCHITECTURE LTD.
 243 1889 SPRINGFIELD ROAD
 Kelowna, British Columbia
 V1Y 5S5
 TELEPHONE: (250)979-1668
 www.gtarch.ca

DEVELOPED BY:

PROJECT
 AGASSIZ ROAD RESIDENCES
 KELOWNA BC . FOR BC. HOUSING
 2025 AGASSIZ ROAD, KELOWNA, BC

SHEET TITLE
 SITE PLAN

DRAWN BY:	FF	DRAWING NO.:	A1.03
DESIGNED BY:	GTA	SCALE:	As indicated
DATE:	08/10/18	FILE:	A18-34



SITE AREA:	34,038 ft ²
BUILDING AREA:	8,973 ft ²
PARKING AREA+ DRIVEWAY :	8,220 ft ²
SITE COVERAGE:	26.3%(MAX 40%)
SITE COVERAGE(W/ PARKING):	50.5%(MAX 65%)
F.A.R.:	0.56(MAX 1.1)

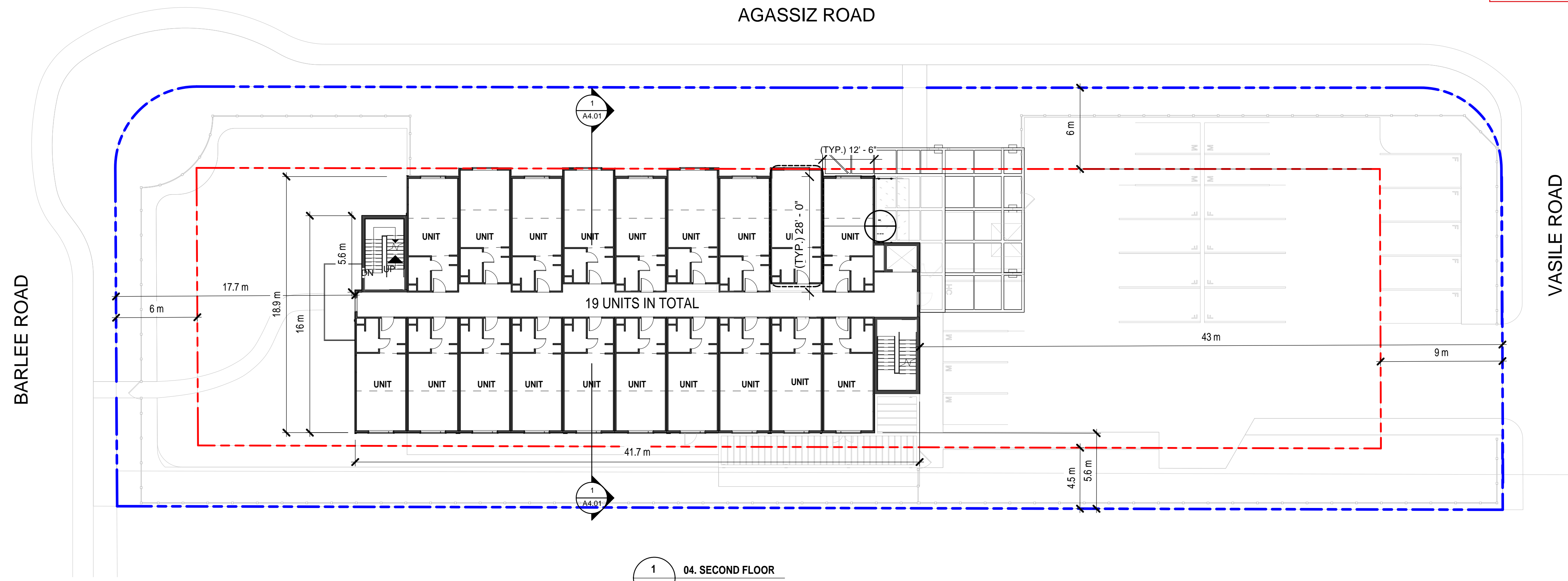
SITE PLAN LEGEND	
	PROPERTY LINE
	SETBACK LINE
	S.O.D
	ASPHALT GROUND
	EXTERIOR PRIVATE OPEN SPACE

1 01.SITE PLAN
 A1.03 1/16" = 1'-0"

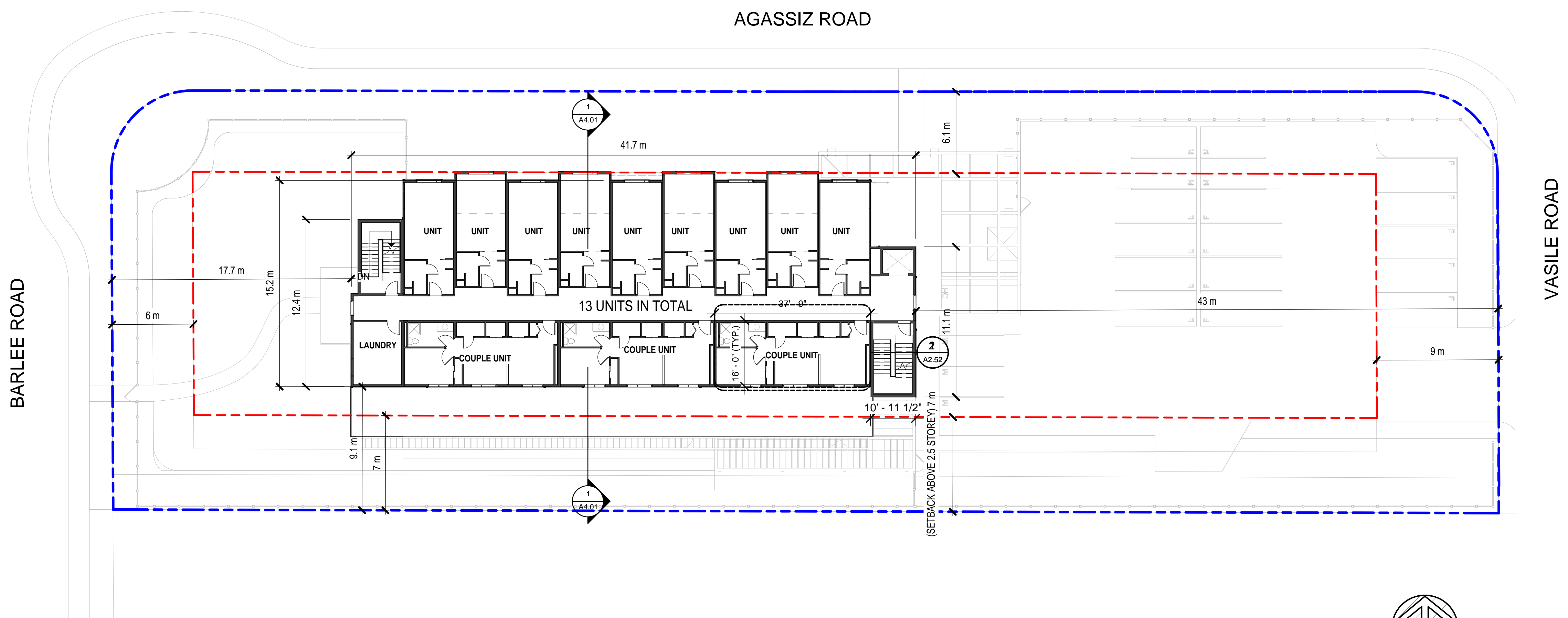


Notes:
- THIS DRAWING MUST NOT BE SCALED.
- VERIFY ALL DIMENSIONS AND DATUMS PRIOR TO COMMENCEMENT OF WORK. REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECT.
- VARIATIONS AND MODIFICATIONS ARE NOT ALLOWED WITHOUT WRITTEN PERMISSION FROM THE ARCHITECT.
- THIS DRAWING IS THE EXCLUSIVE PROPERTY OF THE ARCHITECT.
- ANY REPRODUCTION MUST BEAR THEIR NAME AS ARCHITECT.

ISSUED FOR CLIENT REVIEW



1
A2.01 04. SECOND FLOOR
1/16" = 1'-0"



2
A2.01 05. THIRD FLOOR
1/16" = 1'-0"



5	2018.10.19	FF	ISSUED FOR REZONING
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NO.	DATE	BY	DESCRIPTION
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DESIGN CONSULTANT

SEAL



GTA ARCHITECTURE LTD.
243 1889 SPRINGFIELD ROAD
Kelowna, British Columbia
V1Y 5X5
TELEPHONE: (250)979-1668
www.gtarch.ca

DEVELOPED BY:

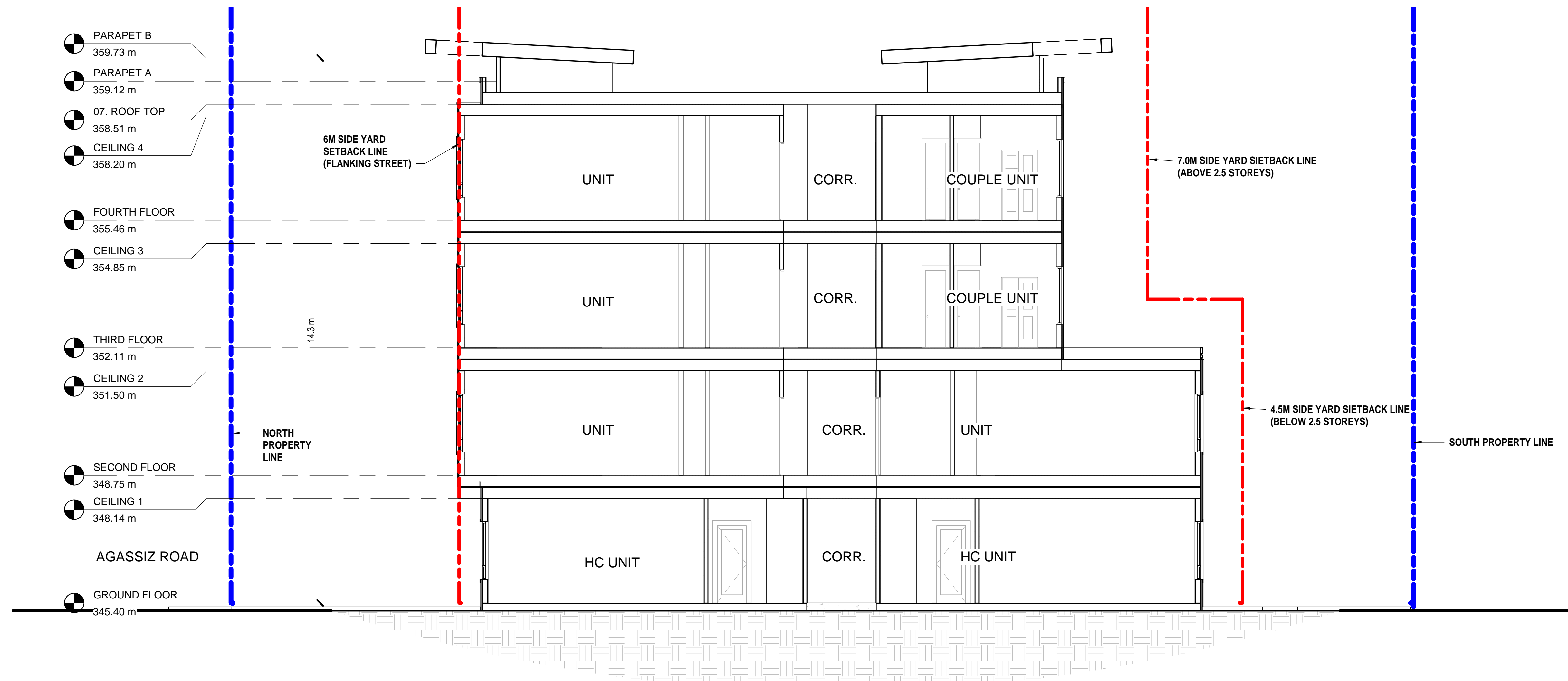
PROJECT
AGASSIZ ROAD RESIDENCES
KELOWNA BC . FOR BC. HOUSING
2025 AGASSIZ ROAD, KELOWNA, BC

SHEET TITLE
UPPER FLOOR
PLANS

DRAWN BY:	FF	DRAWING NO.	A2.01
DESIGNED BY:	GTA		
SCALE:	1/16" = 1'-0"		
DATE:	09/12/18	FILE: A18-34	

Notes:
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ISSUED FOR BUILDING PERMIT



1
 A4.01 N-S SECTION
 3/16" = 1'-0"

5	2018.10.19	FF	ISSUED FOR REZONING
---	------------	----	---------------------

NO.	DATE	BY	DESCRIPTION
-----	------	----	-------------

DESIGN CONSULTANT

SEAL



GTA ARCHITECTURE LTD.
 243 1889 SPRINGFIELD ROAD
 Kelowna, British Columbia
 V1Y 5X5
 TELEPHONE: (250)979-1668
 www.gtaarch.ca

DEVELOPED BY:

PROJECT
 AGASSIZ ROAD RESIDENCES
 KELOWNA BC . FOR BC. HOUSING
 2025 AGASSIZ ROAD, KELOWNA, BC

SHEET TITLE
 BUILDING SECTIONS

DRAWN BY:	FF	DRAWING NO.	A4.01
DESIGNED BY:	GTA		
SCALE:	3/16" = 1'-0"		
DATE:	06/18/18	FILE: A18-34	

CITY OF KELOWNA
BYLAW NO. 11701
Z18-0109 – 2025 Agassiz Road

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

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

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lot 1, District Lot 129, ODYD, Plan EPP68381, located on Agassiz Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RM5 – Medium Density Multiple Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on this

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: November 26, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (TH)

Application: Z18-0090 **Owner:** Calvin Keith Meldrum & Barbara Leanne Laupitz

Address: 4627 Darin Place **Applicant:** Barbara Laupitz

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single Family Residential

Existing Zone: RU1 Large Lot Residential

Proposed Zone: RU1C Large Lot Residential with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z18-0090 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 12 District Lot 357 ODYD Plan KAP57058, located at 4627 Darin Place, 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.

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 construction of a Carriage House.

3.0 Community Planning

Community Planning supports the proposed rezoning application to add the subzone "C" to facilitate a carriage house. The RU1C zone is considered a sensitive infill into the existing RU1 zoned neighbourhood. Kelowna's Official Community Plan also includes a single family dwelling with a carriage house in the S2RES designation definition.

4.0 Proposal

4.1 Background

The single family dwelling and detached accessory structure on the property were permitted and constructed in 1996. The accessory structure is 1.5 storeys in height. The upper storey has remained unfinished since 1996. The owners wish to convert the upper storey into a carriage house.



4.2 Project Description

The accessory structure meets zoning bylaw requirements for height, net floor area and overall footprint of the structure. The accessory structure does not meet the zoning bylaw with regards to the side yard setback. Current bylaws require a 1.5 m side yard setback for both an accessory structure (detached garage) and a carriage house. However, in 1996 an accessory structure could be constructed 1.2 m from a side yard. As such, the existing accessory structure proposed to be converted into a carriage house is 1.2 m from the side yard. This requires a Development Variance Permit to be considered by Council to vary the south side yard from a 1.5 m to a 1.2 m setback. should this rezoning application receive third reading. The Development Variance Permit would be a requirement of final adoption of the RU1C zone.

4.3 Site Context

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1	Single Family Dwelling
East	RU1	Single Family Dwelling
South	RU1	Single Family Dwelling

West	RU1	Single Family Dwelling
------	-----	------------------------

Subject Property Map: 4627 Darin Place



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1C ZONE REQUIREMENTS	EXISTING CONDITIONS
Existing Lot/Subdivision Regulations		
Min Lot Area	550 m ²	826 m ²
Min Lot Width	17.0 m	20.3 m
Min Lot Depth	30.0 m	35.4 m
Specific Use Regulations		
Max Height of Carriage House	4.8 m	4.3 m
Min Front Yard of Carriage House	9.0 m	Greater Than 6.5 m
Min Side Yard (south)	1.5 m	1.2 m ❶
Min Side Yard (flanking street)	6.0 m	6.5 m
Min Rear Yard (east)	1.5 m	2.5 m
Min distance to Principal Dwelling	3.0 m	Greater Than 6.0 m
Max Site Coverage of Carriage House and Accessory Buildings	Lesser of 14 % or 90 m ²	6% or 45 m ²
Max Net Floor Area of Carriage House	90 m ²	25.4 m ²
Max Area of Carriage House to Carriage House Footprint Area	75 %	56 %
Other Regulations		
Minimum Parking Requirements	2 for Principal 1 for Carriage House	4 stalls total
Private Open Space for Carriage House	30 m ²	30 m ²
❶ Indicates a requested variance to the Minimum Side Yard requirement.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Land Use

Single/Two Unit Residential (S2RES).¹ Single detached homes for occupancy by one family, single detached homes with a secondary suite or carriage house, semi-detached buildings used for two dwelling units, modular homes, bareland strata, and those complementary uses (i.e. minor care centres, minor public services/utilities, convenience facility and neighbourhood parks), which are integral components of urban neighbourhoods. Suitability of non-residential developments within the neighbourhood environment will be determined on a site-specific basis. Non residential developments causing increases in traffic, parking demands or noise in excess of what would typically be experienced in a low density neighbourhood would not be considered suitable.

Growth Projections

Secondary Suites/Carriage Houses² 1000 projected in new housing distribution.

6.0 Technical Comments

6.1 Building & Permitting Department

DCCs are required to be paid prior to issuance of Building Permits.

Full Plan Check for Building Code related issues will be completed at time of Building Permit applications.

6.2 Development Engineering Department

The property meets all requirements necessary for a carriage house.

6.3 Fire Department

All units to be addressed off of Darin Place

7.0 Application Chronology

Date of Application Received: August 14, 2018

Date Public Consultation Completed: October 6, 2018

Report prepared by: Tracey Hillis, Planner

Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

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

Attachments:

Attachment "A" Existing Conditions Site Survey & Building Permit Drawing

¹ City of Kelowna Official Community Plan, Definitions (Future Land Use Chapter).

² City of Kelowna Official Community Plan, Table 3.5 (Growth Projections Chapter).

This forms part of application

Z18-0090



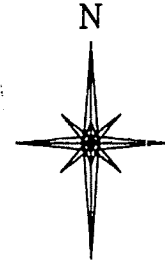
City of Kelowna
COMMUNITY PLANNING

Planner Initials **TH**

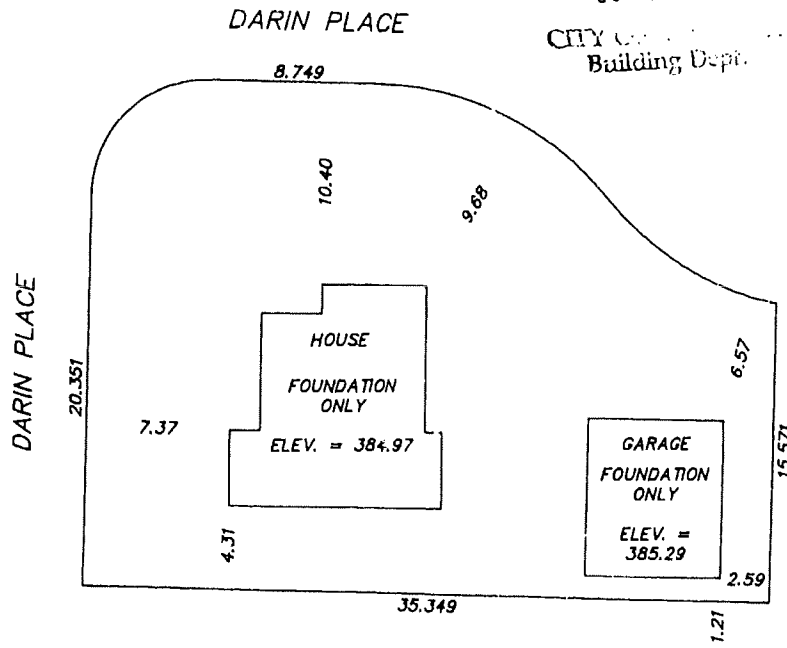
B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION OF BUILDING ON LOT 12
PLAN KAP57058 D.L. 357 O.D.Y.D.

4627 Darin Pl. B.P.# 10153

SCALE 1:300 DISTANCES ARE IN METRES.



RECEIVED
OCT 24 1996
CITY OF KELOWNA
Building Dept.



©

THIS DOCUMENT IS NOT VALID UNLESS
ORIGINALLY SIGNED AND SEALED.

CERTIFIED CORRECT
this 23rd day of October, 1996.

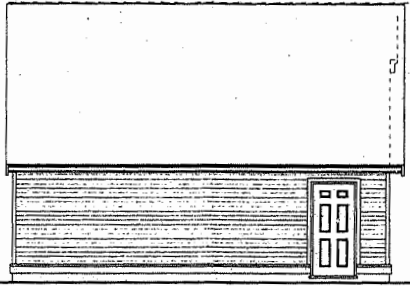
D.A. Goddard
D.A. Goddard BCLS

FILE 96-9394 FB 198

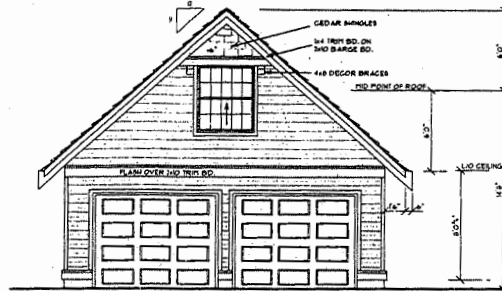
RE: VARITEC ENTERPRISES

THIS PLAN IS FOR MORTGAGE OR
MUNICIPAL PURPOSES ONLY AND IS
NOT TO BE USED TO DEFINE THE
BOUNDARIES OF THIS LOT.

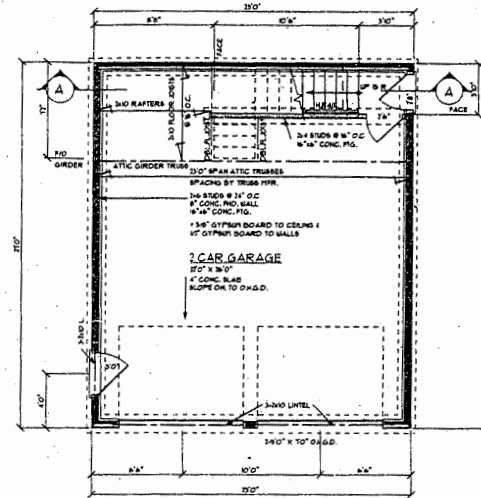
D.A. Goddard Land Surveying Inc.
200-1449 ST. PAUL STREET KELOWNA



LEFT ELEVATION

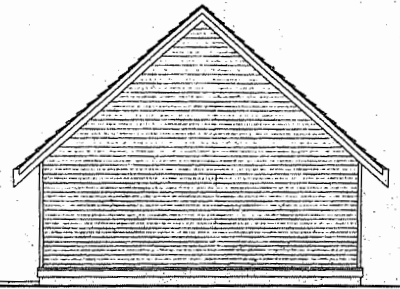


FRONT ELEVATION

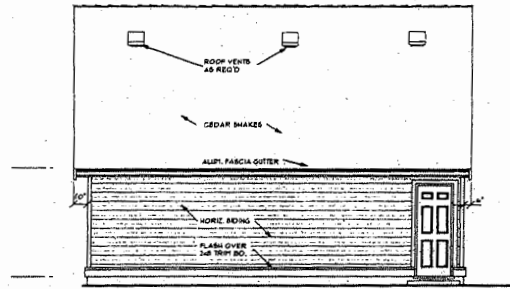


MAIN FLOOR PLAN

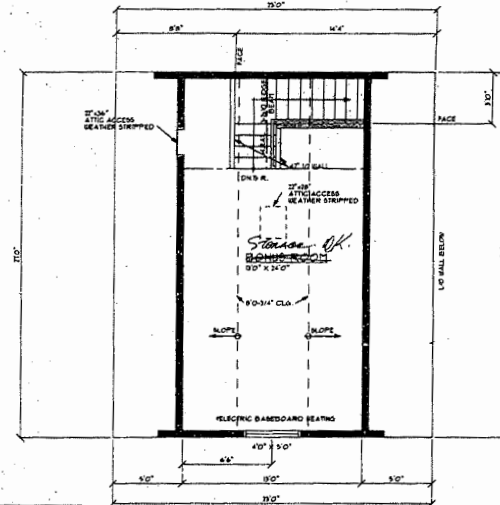
671 SQ. FT.



REAR ELEVATION

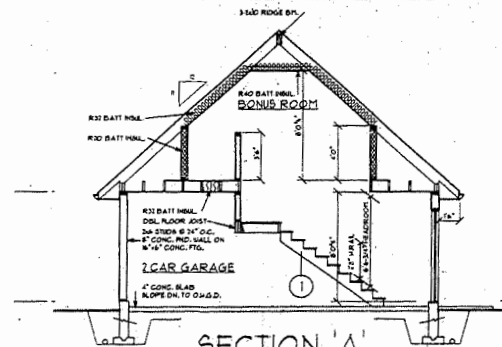


RIGHT ELEVATION



SECOND FLOOR PLAN

378 SQ. FT.



SECTION 'A'

- 1. 2" SQUARE WOOD STUDS @ 16" O.C. FOR WALLS
- 2. 2" SQUARE WOOD STUDS @ 16" O.C. FOR CEILING
- 3. 2" SQUARE WOOD STUDS @ 16" O.C. FOR FLOOR
- 4. 2" SQUARE WOOD STUDS @ 16" O.C. FOR ROOF

GARAGE PLAN #2

CUSTOM HOME DESIGN FOR:

VARITEC ENTERPRISES LTD.
KELOWNA B.C.



DATE ISSUED:	MAY '86	SHEET
DRAWN BY:	LF	1A
SCALE:	1/4" = 1'-0"	OF 1
JOB NO.:	96-41	



CITY OF KELOWNA
BYLAW NO. 11702
Z18-0090 – 4627 Darin Place

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 12 District Lot 357 ODYD Plan KAP57058, located on Darin Place, 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

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: November 26, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (LK)

Application: Z18-0038 **Owner:** AJ Wiens Development Group Ltd., Inc. No. BCo798391

Address: 2783 – 2787 Abbott Street **Applicant:** Urban Options

Subject: Rezoning Application

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

Existing Zone: RU6 – Two Dwelling Housing

Proposed Zone: RM3 – Low Density Multiple Housing

1.0 Recommendation

THAT Rezoning Application No. Z18-0038 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lots A, B and C District Lot 14 ODYD Plan 15324, located at 2783 and 2787 Abbott Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated November 26, 2018;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the demolition of existing dwellings and the consolidation of the subject properties;

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

2.0 Purpose

To consider rezoning the three subject properties from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone to facilitate the development of three semi-detached dwellings.

3.0 Community Planning

Community Planning Staff are supportive of the proposed rezoning application to facilitate the development of three semi-detached dwellings on the subject properties. The proposed development will consolidate three properties located within the South Pandosy Urban Centre on Abbott Street at the intersection with Osprey Avenue. The properties have a Walk Score of 81 (Very Walkable – Most errands can be accomplished on foot) and a Transit Score of 37 – A few nearby public transportation options in the area. The property is in proximity of many nearby amenities including the South Pandosy shops, restaurants, parks and recreational opportunities in the immediate area.

The applicant is requesting to rezone the parcels from RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone. The proposal includes six dwelling units with attached garages accessed from the east lane.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant and all neighbours within 50 m radius of the subject parcel.

4.0 Proposal

4.1 Background

The proposal site consists of three parcels, with two houses. One of the dwellings extends across the shared property line of the two properties addressed as 2783 Abbott Street. Historically, the City did not require lot consolidations as part of the development process.

With the current proposal, the existing dwellings will be demolished and the three lots consolidated to a single titled parcel with the units forming a strata development.

4.2 Project Description

The applicant is proposing three semi-detached dwellings for a total of six units on the site. The proposal includes attached garages with would be accessed from the rear laneway. A conceptual site plan has been submitted to show a possible layout of the dwellings. The proposal indicates the development can be accomplished to meet the Development Regulations of the RM3 zone without requiring any variances.

4.3 Subject Property Map

The three parcels are located along Abbott Street at the intersection of Osprey Avenue in the South Pandosy Urban Centre.



5.0 **Current Development Policies**

5.1 Kelowna Official Community Plan (OCP)

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.

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

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

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

² City of Kelowna Official Community Plan, Policy 5.3.2 (Development Process Chapter).

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

6.0 Technical Comments

6.1 Building & Permitting Department

- No comments at time of Rezoning, comments will be provided at time of Development Permit application.

6.2 Development Engineering Department

- Refer to attached memorandum dated April 24, 2018.

6.3 Fire Department

- No comments at time of Rezoning, comments will be provided at time of Development Permit application.

7.0 Application Chronology

Date of Application Received:	April 23, 2018
Date Public Consultation Completed:	May 28, 2018
Date of Amended Site Plan Received:	October 17, 2018

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
Schedule A: Site Plan

CITY OF KELOWNA
MEMORANDUM

Date: April 24, 2018
File No.: Z18-0038
To: Community Planning (LK)
From: Development Engineering Manager (JK)
Subject: 2783 – 2787 Abbott Street RU6 to RM3

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

1) General

- a) Where there is a possibility of a high water table or surcharging of storm drains during major storm events, non-basement buildings may be required. This must be determined by the engineer and detailed on the Lot Grading Plan required in the drainage section.
- b) Provide easements as may be required.
- c) This proposed subdivision may require the installation of centralized mail delivery equipment. Please contact Rick Ould, Delivery Planning Officer, Canada Post Corporation, 530 Gaston Avenue, Kelowna, BC V1Y 2K0 to obtain further information and to determine suitable location(s) within the development.

2) Geotechnical Study.

- (a) Provide a 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 subdivision.**

The Geotechnical report must be submitted prior to submission of Engineering drawings or application for subdivision approval.

- i. Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- ii. Site suitability for development.

- iii. Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- iv. Any special requirements for construction of roads, utilities and building structures.
- v. Recommendations for items that should be included in a Restrictive Covenant.
- vi. Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
- vii. Any items required in other sections of this document.
- viii. Additional geotechnical survey may be necessary for building foundations, etc

3) Water

- a) The developer's consulting engineer will determine the domestic and fire protection requirements of this proposed development and establish hydrant requirements and service needs. The bylaw requirement for residential low density multiple housing zone is 150l/s and is available at the site. If it is determined that upgrades to any other existing water distribution system must be made to achieve the required fire flows, additional bonding will be required.
- b) An approved backflow protection device must also be installed on site as required by the City Plumbing Regulation and Water Regulation bylaws.
- c) A water meter is mandatory for this development and must be installed inside a building on the water service inlet as required by the City Plumbing Regulation and Water Regulation bylaws. The developer or building contractor must purchase the meter from the City at the time of application for a building permit from the Inspection Services Department, and prepare the meter setter at his cost

4) Sanitary Sewer

- a) 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.

5) Drainage

- a) The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the City Storm Water Management Policy and Design Manual. 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.
- b) Provide a detailed Stormwater Management Plan for this development as per the Subdivision, Development and Servicing Bylaw #7900.

- c) There is a possibility of a high water table or surcharging of storm drains during major storm events. This should be considered in the design of the onsite system.

6) Roads

- a) Osprey Ave must be upgraded to an 2 lane collector along the full frontage of this proposed development including curb and gutter, street lights, landscaped boulevard, separated sidewalk, drainage system including catch basins, and pavement removal and replacement and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. Road cross section to be used is a SS-R5.
- b) Abbott Street fronting this development site is already fully urbanized and requires no further upgrades at this time.

7) Road Dedication and Subdivision Requirements

- a) Grant Statutory Rights of Way if required for utility services.
- b) If any road dedication affects lands encumbered by a Utility right-of-way (such as BC Hydro Gas, etc.) please obtain the approval of the utility prior to application for final subdivision approval. Any works required by the utility as a consequence of the road dedication must be incorporated in the construction drawings submitted to the City's Development Manager
- c) Vehicle access for the development must be from the north south laneway.
- d) Lot consolidation is required for this development.

8) Power and Telecommunication Services and Street Lights

- a) All proposed distribution and service connections are to be installed underground. Existing distribution and service connections, on that portion of a road immediately adjacent to the site, are to be relocated and installed underground.
- b) Streetlights must be installed on all roads.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Remove existing poles and utilities, where necessary. Remove aerial trespass (es).

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) Other Engineering Comments

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

11) Servicing Agreements for Works and Services

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

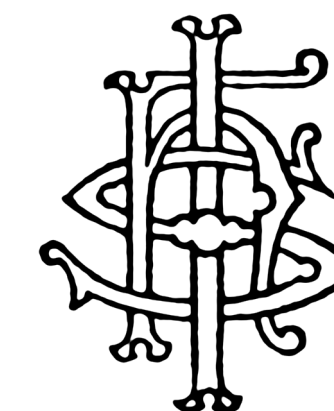
12) Charges and Fees

- a) Development Cost Charges (DCC's) are payable
- b) Fees per the "Development Application Fees Bylaw" include:
 - i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
 - ii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
- c) Engineering and Inspection Fee: 3.5% of construction value (plus GST)



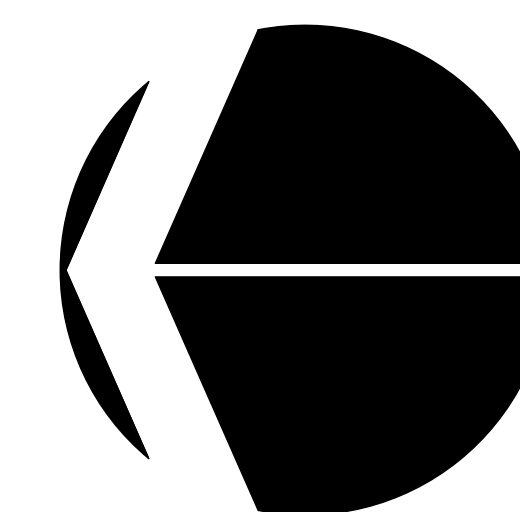
James Kay, P.Eng.
Development Engineering Manager

JA



IHS DESIGN
 1392 MINE HILL DRIVE
 KELOWNA, BC V1P 1S5
 www.ihsdesign.com
 (250) 212-7938

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PROJECT NORTH

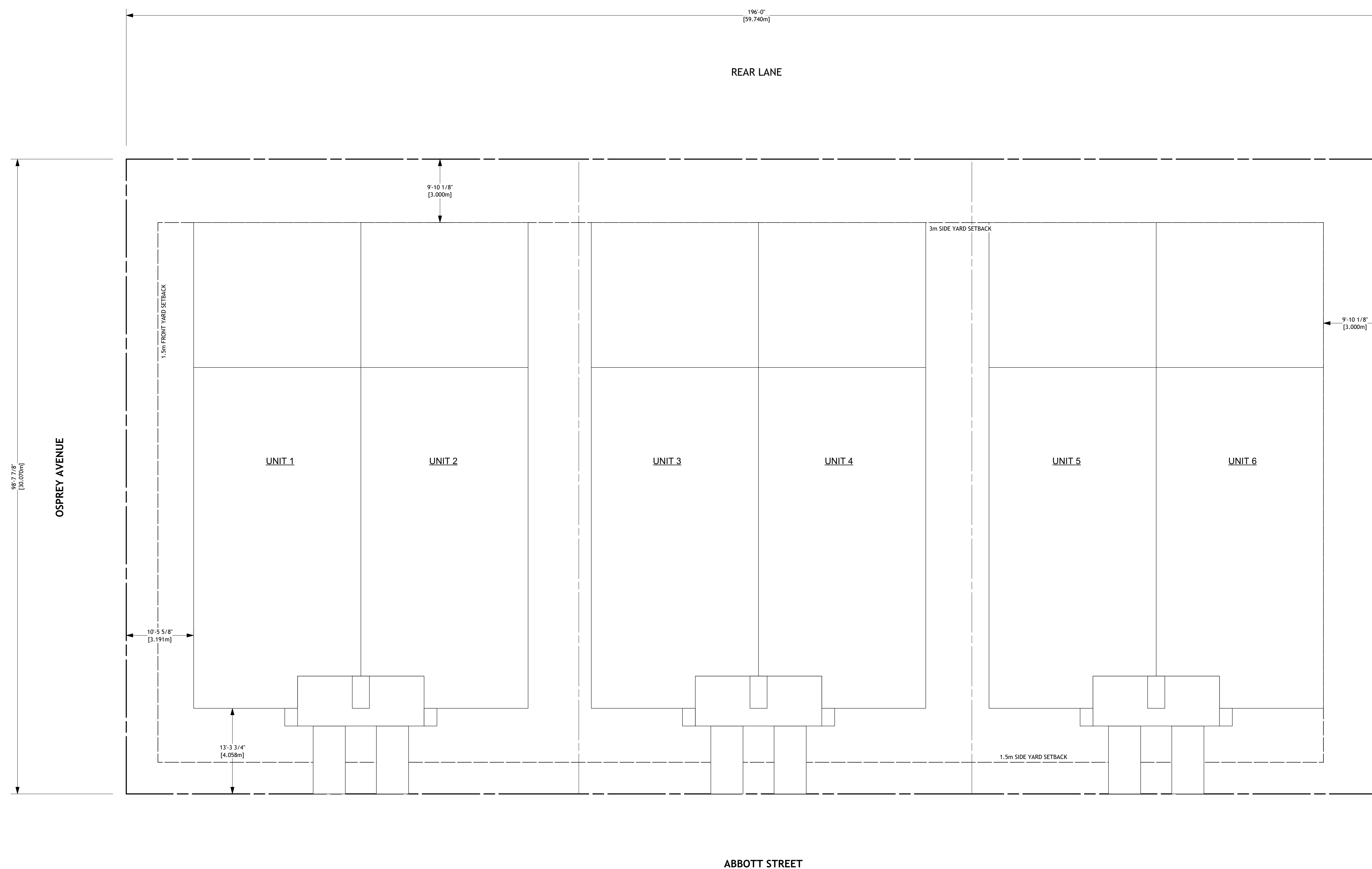
REVISION	DATE	DISCRPTION
A	3NOV2017	ISSUED FOR DEVELOPMENT PERMIT
B	19DEC2017	REVISED NORTH ELEVATION

PROJECT
 RESIDENTIAL MULTIFAMILY
 2783 ABBOTT STREET
 KELOWNA, BC V1Y 1G5
 LOTS A & B PLAN KAP15324

DRAWING TITLE
 SITE PLAN

DATE
 NOVEMBER 3, 2017

DRAWING NUMBER
 2
 of
 9



1 SITE PLAN
 Scale: 1:100



CITY OF KELOWNA

BYLAW NO. 11703

Z18-0038 – 2783 - 2787 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:

1. THAT City of Kelowna Zoning Bylaw No. 8000 be amended by changing the zoning classification of Lots A, B and C District Lot 14 ODYD Plan 15324, located on Abbott Street, Kelowna, BC from the RU6 – Two Dwelling Housing zone to the RM3 – Low Density Multiple Housing zone.
2. This bylaw shall come into full force and effect and is binding on all persons as and from the date of adoption.

Read a first time by the Municipal Council this

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: November 26, 2018

RIM No. 0920-20

To: City Manager

From: Community Planning Department (TH)

Application: Z18-0076 **Owner:** Rock Shore Developments Ltd.,
Inc. No. BC1114860

Address: 439 Sarsons Road **Applicant:** Ralph Stapleton

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU2 – Medium Lot Housing

1.0 Recommendation

THAT Rezoning Application No. Z18-0076 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 9 District Lot 167 ODYD Plan 8049, located at 439 Sarsons Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the RU2 – Medium Lot Housing zone, be considered by Council;

AND 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 RU2 – Medium Lot Housing zone to facilitate a two lot subdivision.

3.0 Community Planning

Community Planning supports the rezoning application as the RU2 – Medium Housing Zone is consistent with the neighbourhood Future Land Use of S2RES – Single/Two Unit Residential. The subject parcel and neighbouring parcels are currently RU1 – Large Lot Housing. The RU1 and RU2 zones require the same front yard setback of 4.5 m, and 6.0 m to a garage. This will allow the street to retain a consistent streetscape as properties remain RU1 or rezone to RU2 in the future. The building height maximums are also the same. Site coverage is similar, with the RU1 zone being 50%, RU2 zone being 40%.

The RU2 zone only permits one single detached dwelling, with a secondary suite which is the same allowable building form as the RU1 zone.

4.0 Proposal

4.1 Background

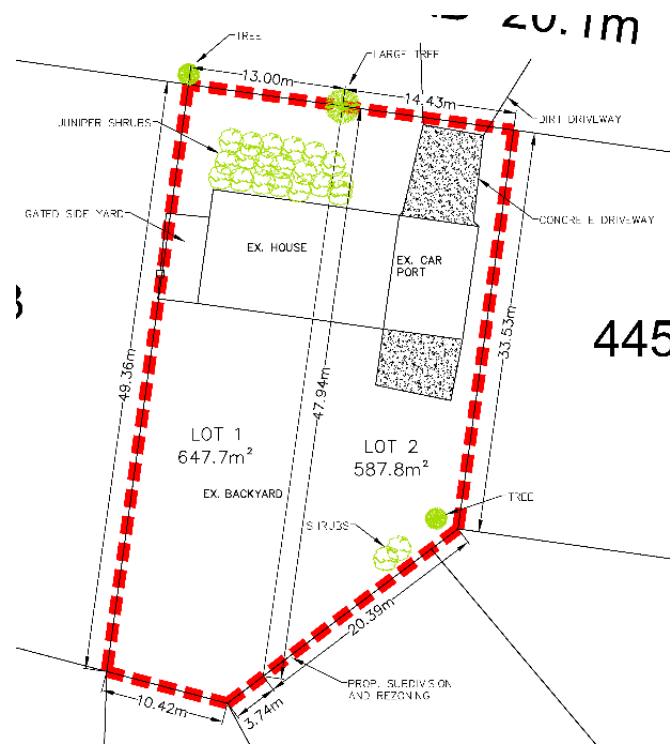
The subject parcel is 1,235.5 sq.m. in size. The parcel contains one single family dwelling, constructed in 1958. The immediate neighbourhood has begun redevelopment as this sector of Kelowna is made up of large single family residential parcels. RU2 zoned parcels exist to the north. Should the rezoning be supported, a number of requirements must be met prior to final subdivision of the parcel. One requirement is that the existing house be demolished.

4.2 Project Description

The subject parcel is proposed to be subdivided into two RU2 zoned lots. The RU2 zone is a permitted zone within the S2RES Single Two Unit. The parcel meets all zoning bylaw requirements for an RU2 zoned parcel.

Lot 1 is proposed at a 13.0 m width, 47.9 m depth

Lot 2 is proposed at 14.4 m width, 40.7 m depth



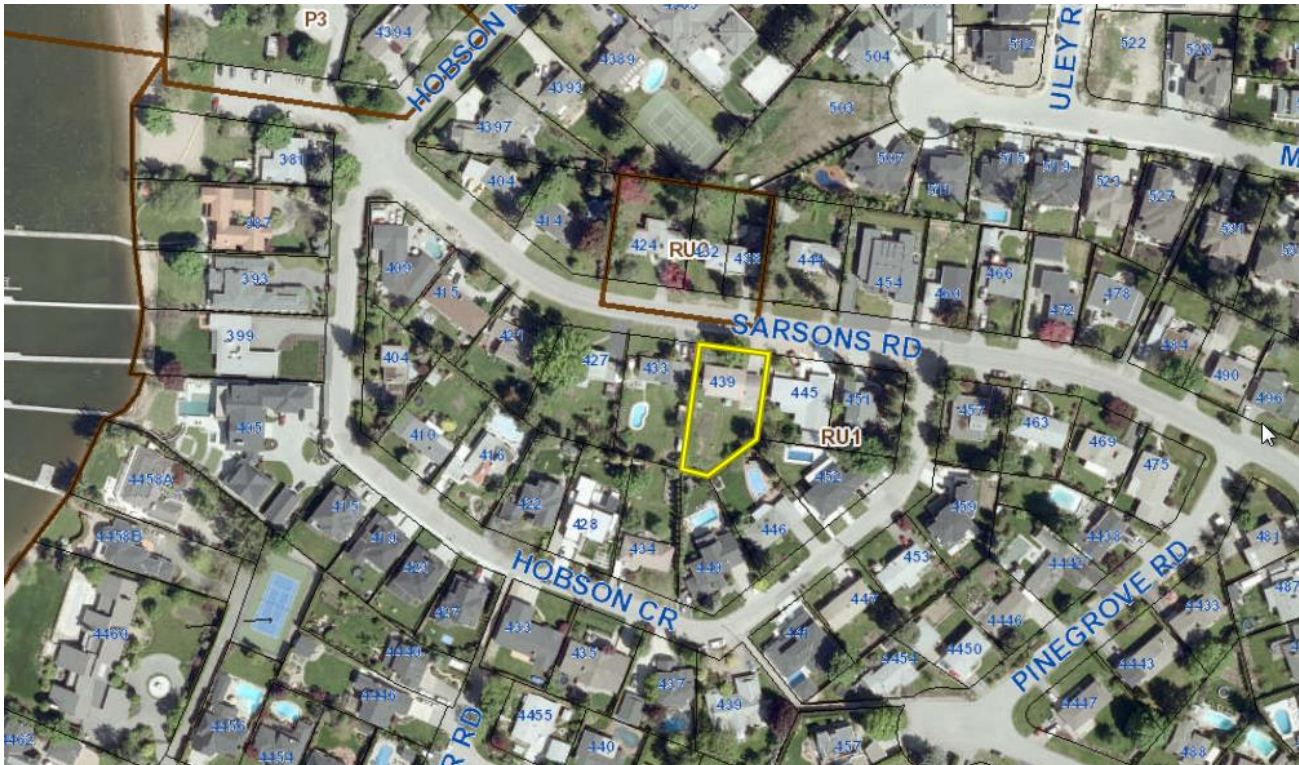
The applicant submitted the Neighbourhood Consultation Summary Form, indicating they completed their required neighbourhood consultation on October 15, 2018.

4.3 Site Context

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2	Single Family Dwelling
East	RU1	Single Family Dwelling
South	RU1	Single Family Dwelling
West	RU1	Single Family Dwelling

Subject Property Map: 439 Sarsons Road



4.4 Zoning Analysis Table

Zoning Analysis Table			
CRITERIA	RU ₂ ZONE REQUIREMENTS	PROPOSED LOT 1	PROPOSED LOT 2
Subdivision Regulations			
Lot Area	400 m ²	647.7 m ²	587.8 m ²
Lot Width	13.0 m	13.0 m	14.4 m
Lot Depth	30.0 m	47.9 m	40.7 m
No required variances			

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Future Land Use

S2RES Single/Two Unit Residential Single¹ detached homes for occupancy by one family, single detached homes with a secondary suite or carriage house, semi-detached buildings used for two dwelling units, modular homes, bareland strata, and those complementary uses (i.e. minor care centres, minor public services/utilities, convenience facility and neighbourhood parks), which are integral components of urban neighbourhoods. Suitability of non-residential developments within the neighbourhood environment

¹ City of Kelowna Official Community Plan, Designation Definitions (Future Land Use Chapter).

will be determined on a site-specific basis. Non-residential developments causing increases in traffic, parking demands or noise in excess of what would typically be experienced in a low density neighbourhood would not be considered suitable.

The RU2 zone only permits one single detached dwelling with a secondary suite.

6.0 Technical Comments

6.1 Development Engineering Department

All requirements are a condition of Subdivision file S18-0062. As such the attached development engineering report is for information only, as it is not a condition of rezoning.

7.0 Application Chronology

Date of Application Received: July 17, 2018

Date Public Consultation Completed: October 15, 2018

Report prepared by: Tracey Hillis, Planner

Reviewed by: Dean Strachan, Suburban and Rural Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment "A" Development Engineering Memorandum for Subdivision (for information only)

CITY OF KELOWNA
MEMORANDUM

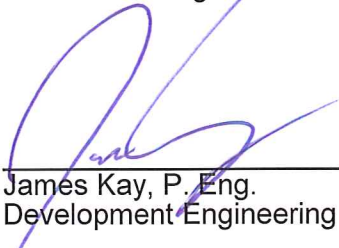
Date: July 18, 2018
File No.: Z18-0076
To: Community Planning (TH)
From: Development Engineering Manager (JK)
Subject: 439 Sarsons Road RU1 to RU2

Development Engineering has the following comments and requirements associated with this application.

1. General

Road frontage improvements are triggered by this rezoning application. The requirements include curb and gutter, sidewalk, storm drainage system and pavement widening. Also required is a landscaped boulevard c/w trees, street lighting and the re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction. The cost of this construction is at the applicant's expense.

The proposed redevelopment includes the subject parcel being subdivided into two lots. A subdivision application will require service upgrades that include the installation of additional services. The work will require road cuts and boulevard and pavement restoration. Development Engineering is prepared to defer the requirements of the rezoning to the subdivision stage.



James Kay, P. Eng.
Development Engineering Manager

JA

CITY OF KELOWNA
MEMORANDUM

Date: July 18, 2018
File No.: S18-0062
To: Community Planning (TH)
From: Development Engineering Manager (JK)
Subject: Subdivision Application – PLR Requirements

LOCATION: 439 Sarsons Road APPLICANT: Rock Shore Developments Ltd LEGAL: Lot 17 Plan 8049
--

WORKS AND SERVICES REQUIREMENTS

The City's Development Engineering Department will handle the Works & Services requirements identified below between time of Preliminary Layout Review (PLR) and application for Subdivision Approval. Arrangements for construction must be made before making application for Final Approval of a subdivision plan. The Development Engineering Technologist for this project is Jason Angus. The following Works & Services are required for this subdivision:

.1) General

The postal authorities must be contacted to determine whether or not a "community mailbox" will be utilized. Please contact the Canadian Post Corporation, Delivery Services, P.O. Box 2110, Vancouver, B.C. V6B 4Z3 (604) 662-1381 in this regard.

.2) Geotechnical Report

- (a) Provide a 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 subdivision.

- (b) The Geotechnical reports must be submitted to the Development Services Department (Subdivision Approving officer) for distribution to the Development Engineering Branch and Inspection Services Division prior to submission of Engineering drawings or application for subdivision approval.

- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development.
- (iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (iv) Any special requirements for construction of roads, utilities and building structures.
- (v) Recommendations for items that should be included in a Restrictive Covenant.
- (vi) Recommendations for roof drains, perimeter drains and septic tank effluent on the site.
- (vii) Any items required in other sections of this document.

.3) Water

- a) The property is located within the City of Kelowna service area. The existing PVC water service can be utilized for one of the subdivided lots
- b) The developer's consulting mechanical engineer will determine the domestic, fire protection requirements of this proposed subdivision and establish hydrant requirements and service needs. 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.
- c) Provide an adequately sized water system capable of supplying daily residential demands & residential fire protection for the project in accordance with the Subdivision, Development & Servicing Bylaw

.4) Sanitary Sewer

- a) Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service. The applicant's consulting mechanical engineer will determine the requirements of the proposed subdivision and establish the service needs. Only one service will be permitted to each proposed lot. 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 cos
- b) Arrange for individual lot connections before submission of the subdivision plan, including payment of connection fees (provide copy of receipt).

.5) Drainage

- a) The property is located within the City of Kelowna drainage service area. The Subdivision, Development and Servicing Bylaw requires that each lot be provided with an individual connection; however, the City Engineer may permit use of individual ground water disposal systems, where soils are suitable. For on-site disposal of drainage water, a hydrogeotechnical report will be required complete with a design for the disposal method (i.e.

trench drain / rock pit). The Lot Grading Plan must show the design and location of these systems for each lot.

- b) The subdivision is required to contain and dispose of site generated storm drainage on the site by installing a ground recharge system designed by the consulting civil engineer. The existing lots do not presently have storm drainage services.

.6) Roads

- a) Sarsons Road frontage must be upgraded to a full urban standard including curb, gutter, sidewalk, fillet pavement, street lights, storm drainage, and adjustment and/or re-location of existing utility appurtenances if required to accommodate this construction.

.7) Power and Telecommunication Services and Street Lights

- a) If the existing area is served by overhead wiring, the service connections may be provided overhead provided that there are no new poles required and service trespasses will not be created. If either of these conditions is not satisfied, then underground service will be required for that lot.
- b) Streetlights must be installed on all roads.
- c) Make servicing applications to the respective Power and Telecommunication utility companies. The utility companies are required to obtain the City's approval before commencing construction.
- d) Before making application for approval of your subdivision plan, please make arrangements with Fortis for the pre-payment of applicable charges and tender a copy of their receipt with the subdivision application for final approval.
- e) Re-locate existing poles and utilities, where necessary. Remove aerial trespass (es).

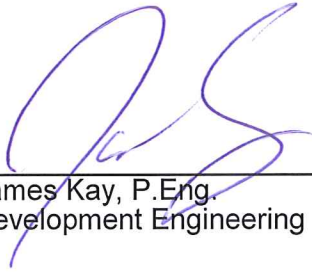
.8) Other Engineering Comments

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

.9) Charges and Fees

- a) Development Cost Charges (DCC's) are payable
- b) Fees per the "Development Application Fees Bylaw" include:
 - i) Survey Monument Fee: **\$50.00**(\$50.00 per newly created lot GST exempt).
 - ii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.

- c) A hydrant levy charge of **\$250.00** (250.00 per new lot).
- d) New water services for the lots; **to be determined by Civil Consultant.**
- e) New sanitary service for the new lot; **to be determined by Civil Consultant.**



James Kay, P.Eng.
Development Engineering Manager

JA

CITY OF KELOWNA
BYLAW NO. 11705
Z18-0076 – 439 Sarsons 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 9 District Lot 167 ODYD Plan 8049, located on Sarsons 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

Considered at a Public Hearing on the

Read a second and third time by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

REPORT TO COUNCIL



Date: November 26, 2018

RIM No. 0920-20

To: City Manager

From: Community Planning Department (BBC)

Application: Z18-0096 **Owner:** Craig Julio Guidi and Natasha Brandy Guidi

Address: 435 Molnar Road **Applicant:** Craig Julio Guidi and Natasha Brandy Guidi

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z18-0096 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 13, Section 23, Township 26, Osoyoos Division, Yale District, Plan 24,651, located at 435 Molnar 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 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 recommends support for the proposed rezoning of the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with 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 promotes building heights that are in context with the surrounding neighbourhood.

Should Council approve the rezoning, the applicant may 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 September 1, 2018, outlining that the neighbours within 50 m of the subject property were notified.

4.0 Proposal

4.1 Background

The subject property has a single family dwelling which will be retained through this development.

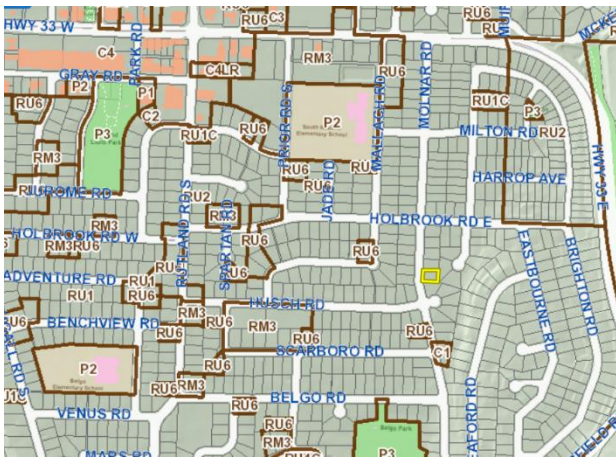
4.2 Project Description

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 Molnar Road, and parking requirements for the proposed carriage house and the main dwelling are met with an attached double car garage as well with the use of an existing on-site driveway. The proposed carriage house does not trigger any variances at this time.

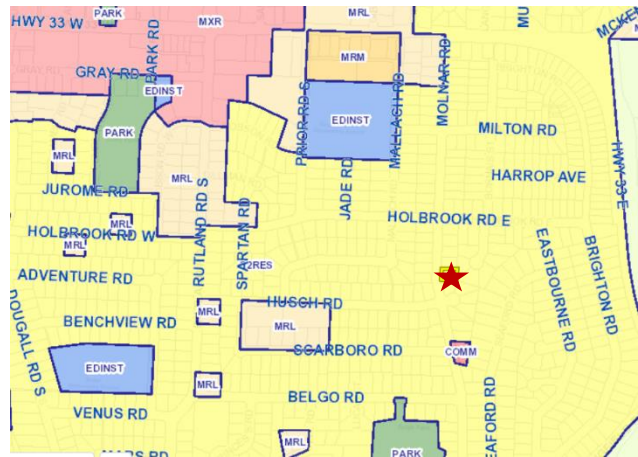
4.3 Site Context

The subject property is located on Molnar Road, approximately 100 meters south of the corner of Holbrook Road East, and 350 meters west of Hwy 33, within the Rutland City Sector. The area is characterized primarily by single family dwellings, with close proximity to parks, schools, and nearby the Rutland Urban Center which is approximately 150 meters northwest of the subject property.

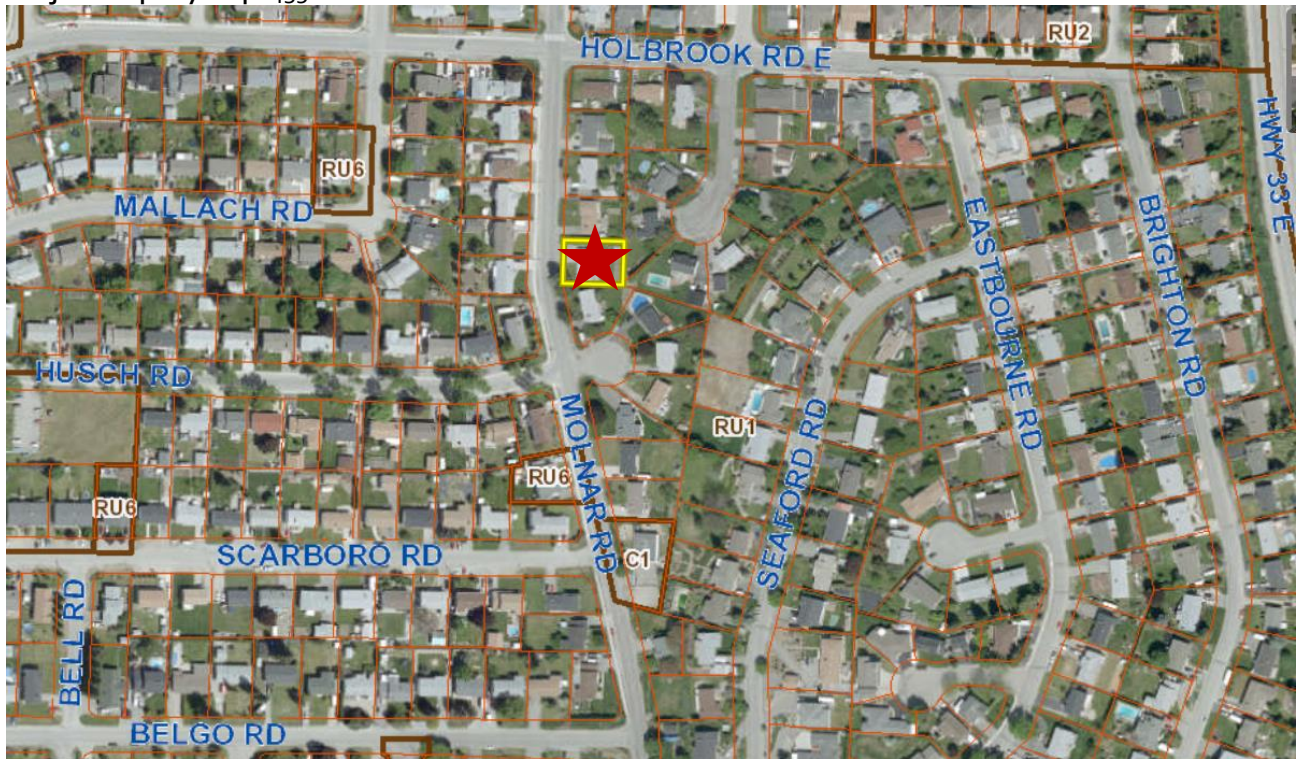
Site Context Map



Future Land Use Map



Subject Property Map: 435 Molnar 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).

6.0 Technical Comments

6.1 Building & Permitting Department

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

6.2 Development Engineering Department

- Please see attached Development Engineering Memorandum (Attachment A) dated August 28, 2018.

7.0 Application Chronology

Date of Application Received: June 25, 2018
Supplemental Drawings Received: October 16, 2018
Date Public Consultation Completed: September 1, 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 Plan, Elevation and Floor Plans

CITY OF KELOWNA

MEMORANDUM

Date: August 28, 2018
File No.: Z18-0096
To: Suburban and Rural Planning (BC)
From: Development Engineering Manager (JK)
Subject: 435 Molnar Rd. RU1 to RU1c

Development Engineering has the following comments and requirements associated with this application to rezone from RU1 to RU1c to facilitate the development of a carriage house. The servicing requirements outlined in this report will be a requirement of this development.

1. Domestic Water and Fire Protection

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

2. Sanitary Sewer


- a) Our records indicate that this property is currently serviced with a 100mm-diameter sanitary sewer service with an inspection chamber which is adequate for this application. A brooks box will be required to be placed on the inspection chamber.

3. Development Permit and Site Related Issues

- a) Direct the roof drains onto splash pads.
- b) Original driveway width is acceptable for this application.

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 upgrades to these services which would be at the applicant's cost.

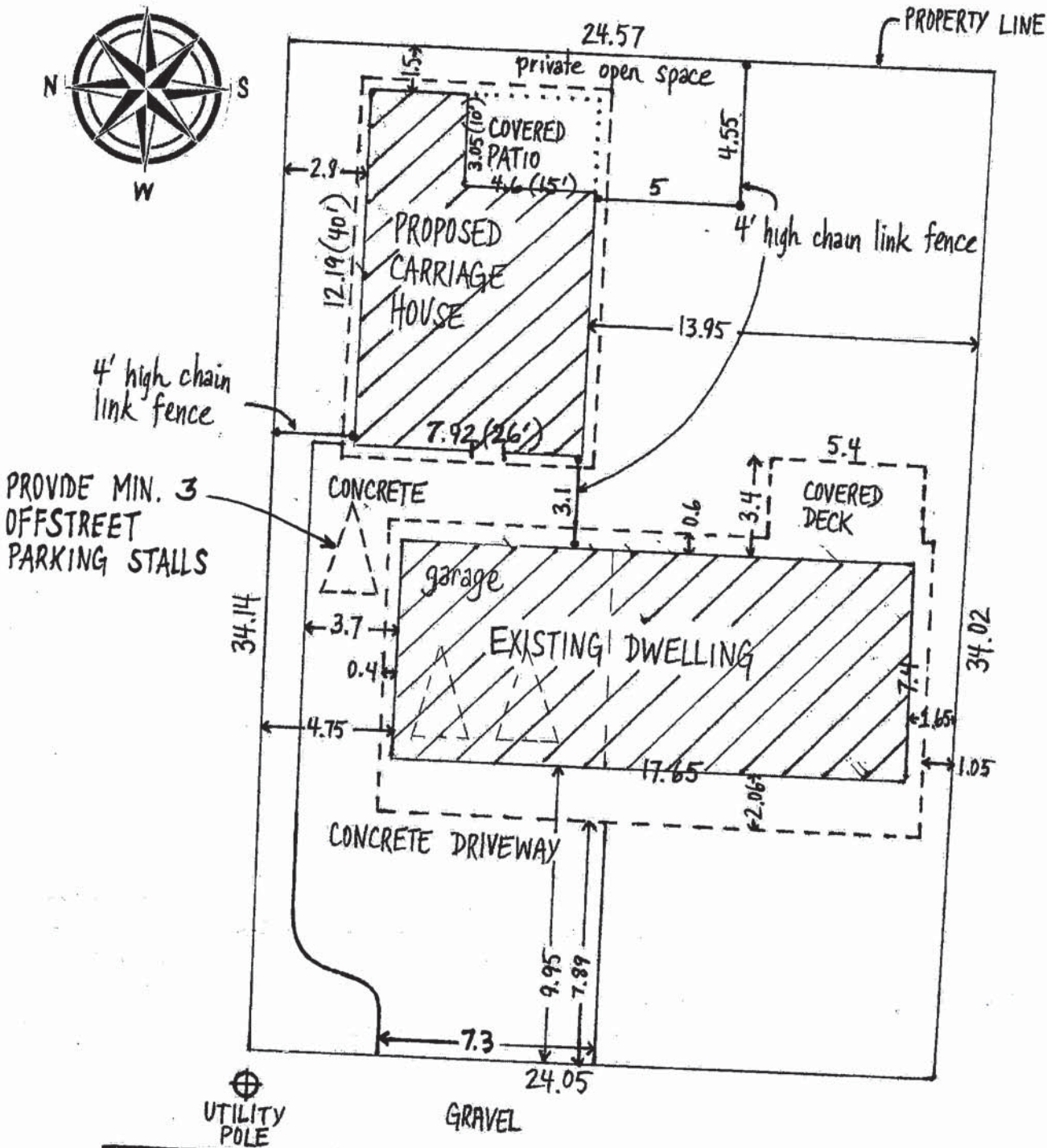


James Kay, P. Eng.
Development Engineering Manager

agm

435 Molnar Rd.

SCALE: 1 cm = 2 m



MOLNAR ROAD

SCHEDULE A

This forms part of application # Z18-0096

Planner Initials **BC**

City of Kelowna
COMMUNITY PLANNING

GRAVEL

SIDEWALK

CITY OF KELOWNA
BYLAW NO. 11707
Z18-0096 – 435 Molnar 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 13, Section 23, Township 26, Osoyoos Division, Yale District, Plan 24651, located on Molnar Road, 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

Considered at a Public Hearing on this

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: November 26, 2018

RIM No. 0940-00

To: City Manager

From: Community Planning Department (AW)

Application: DP18-0021-01

Owner: SKJJ Holdings Inc.

Address: 2629 Hwy 97 North

Applicant: Saudagar Sekhon

Subject: Development Permit Amendment

Existing OCP Designation: Commercial

Existing Zone: C9 – Tourist Commercial

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP18-0021-01 for Lot 2, District Lot 125, ODYD, Except Plans H8110, 9504 and EPP47107 located at 2629 Hwy 97 North, 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;
5. The applicant be required to register a Section 219 Covenant for the underground parking.

AND THAT the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated November 26th, 2018 be completed prior to Development Permit issuance.

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 an amended Development Permit for an 83 room hotel development.

3.0 Community Planning

Staff support the 83 room hotel project at 2629 Hwy 97 North. The application meets a majority of the Official Community Plan (OCP) Urban Design Guidelines and the design is adequate for the site and a project of this nature.

Staff worked with the applicant over several revisions with the goal of trying to improve the form and character of the development. Key design considerations included the building's interface with the streetscape, landscaping and site planning. While the revised design does not meet all the OCP's architectural and design guidelines, a number of improvements to the proposal have been made. Direct access to the Highway will be removed as part of the project.

4.0 Proposal

4.1 Background

Council approved a Development Permit for a 4 storey (65 unit) hotel project in April 2018. Since that time the applicant has decided to add an additional storey and 18 hotel units to the project. Twenty-four parking stalls will now be located underground to accommodate the parking associated with the additional units. The amended development proposal is for a new 83 room 'Microtel' hotel project to replace the existing operational motel.

4.2 Site Context

The subject property is in Rutland and grouped in with a mix of older motels and new hotels along the Hwy 97 corridor.



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	C9 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	1800 m ²	3,844 m ²
Lot Width	30 m	71.84 m
Lot Depth	35 m	53.21 m
Development Regulations		
Floor Area Ratio	1.5	0.711
Height	22 m / 6 storeys	20.8 m / 5 storeys
Front Yard	6.0 m	12.6 m
Side Yard (south)	3.0 m	21 m
Side Yard (north)	3.0 m	3.0 m
Rear Yard	15.0 m	21.4 m
Other Regulations		
Minimum Parking Requirements	83 stalls	84 stalls
Bicycle Parking	Class I: 5 stalls Class II: 5 stalls	Class I: 5 stalls Class II: 5 stalls
Loading Space	1 stall	1 stall

5.0 Technical Comments

5.1 Building & Permitting Department

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

5.2 Development Engineering Department

- See Attachments.

6.0 Application Chronology

Date of Application Received: November 30th, 2017
 Council Approval: April 9th, 2018
 Date of Amendment Received: October 29th, 2018

Report prepared by: Alec Warrender, Real Estate Manager (Acting)

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Development Engineering Requirements
 Draft Development Permit DP18-0021-01
 Schedule "A": Siting and Dimensions
 Schedule "B": Elevations
 Schedule "C": Landscape Plan



DP18-0021-01 2629 Hwy 97 North

Development Permit



Proposal

To consider the form and character Development Permit (Amendment) for a 83 room hotel development.

Development Process



Nov 30, 2017

Initial Development Application Submitted



Staff Review & Circulation



April 9, 2018

Development Permit Application



→ November 26, 2018

Development Permit Application Amendment



Building Permits



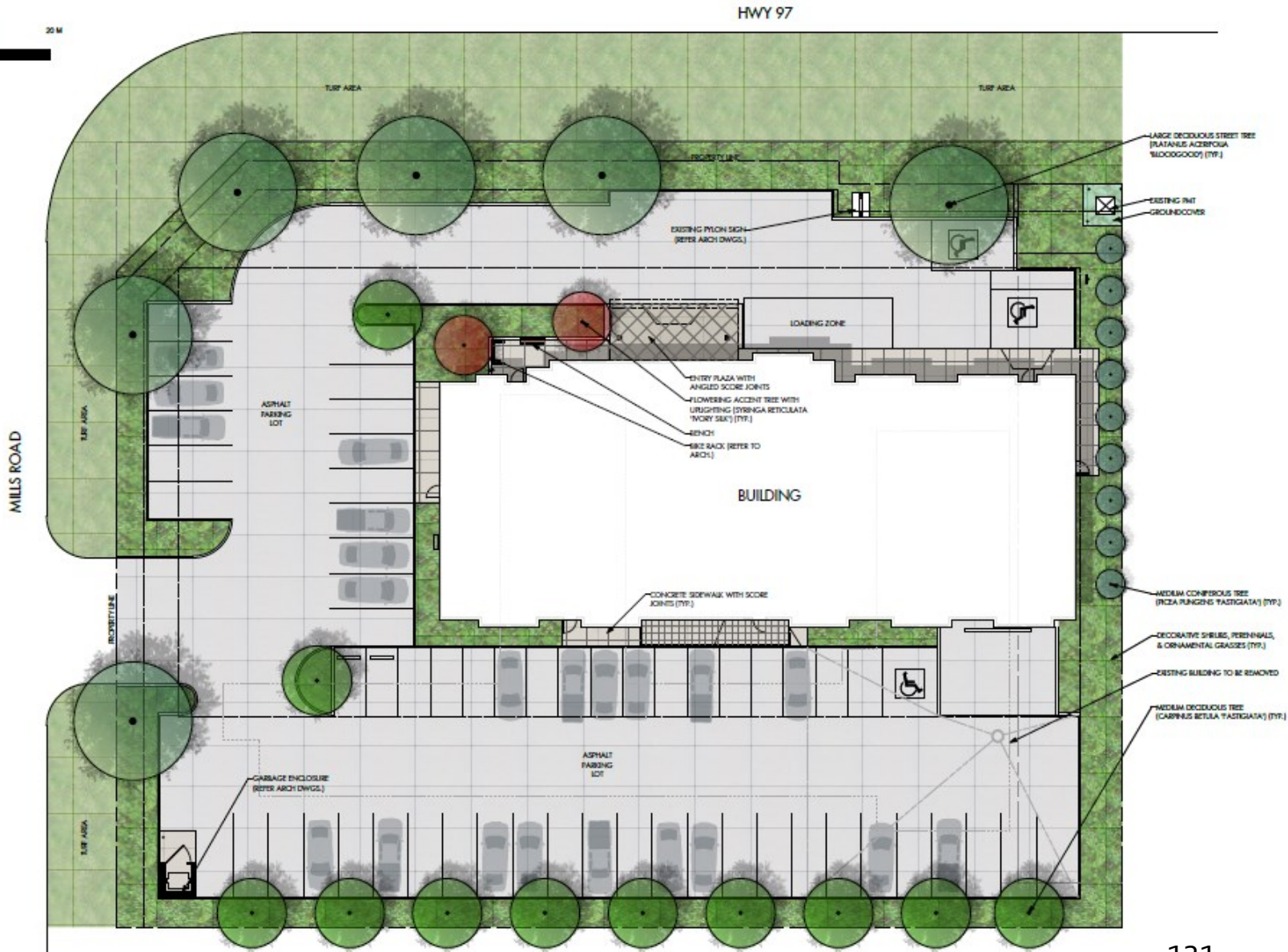
Council Approval

Subject Property Map



Subject Property

Lot Layout



Hwy Elevation



Technical Details

- ▶ Original approval for 4 storey, 65 unit hotel
- ▶ 5 storey, 83 unit 'Microtel' Hotel
 - ▶ Existing motel to be demolished
 - ▶ Provided necessary landscape buffers
 - ▶ Onsite restaurant and meeting room
 - ▶ 83 parking stalls required & 84 provided
 - ▶ 24 stalls located underground

Public Notification Policy #367

- ▶ Development Permits do not have any notification requirements

Staff Recommendation

- ▶ Staff recommend support for the amended DP:
 - ▶ Additional hotel units on Hwy 97 corridor;
 - ▶ Consistent with staff expectations.



Conclusion of Staff Remarks

CITY OF KELOWNA
MEMORANDUM

Date: January 26, 2018 (*Oct 26. 2018*)
File No.: DP18-0021 _ *REVISED.2*
To: Community Planning (EW)
From: Development Engineering Manager (JK)
Subject: 2629 HWY 97 N

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

1. General.

This Development Permit for the form and character of a new hotel does not compromise any existing municipal infrastructure, however, at Building Permit the following works will be required as they are Directly Attributable Impact;

- Road improvements on Mills road
- Sanitary Sewer Spec area payment
- Driveway letdown removal on HWY 97 N
- Storm Drainage upgrades on Mills road.

2. Domestic Water and Fire Protection

This development is within the service area of the Rutland Waterworks District (RWD). The developer is required to make satisfactory arrangements with the RWD for these items. All charges for service connection and upgrading costs are to be paid directly to the RWD. The developer is required to provide a confirmation that the district is capable of supplying fire flow in accordance with current requirements for the proposed development.

3. Sanitary Sewer

- (a) The existing lot is serviced with a 150mm sanitary service. The developer's consulting mechanical engineer will determine the requirements of this proposed development and establish the required size and preferred location of the new service if needed. Only one service will be permitted for this development. The applicant, at his cost, will arrange for the removal of all existing service and the installation of a new larger service if required.
- (b) *This property is located within Sewer Specified Area #23, \$14,379.53 has already been paid to the City annually with property taxes. The total sewer Specified Area fee in 2018 will be calculated based on 17.10 ~~43.58~~ SFE at \$5,501.67 per SFE. Total = ~~\$79,699.03~~ \$60,333.15.*

4. Storm Drainage

- (a) The developer must engage a consulting civil engineer to provide a storm water management plan for the site, which meets the requirements of the City Storm Water Management Policy and Design Manual. The storm water management plan must also include provision of lot grading plan, minimum basement elevation (MBE), if applicable, and recommendations for onsite drainage containment and disposal systems.
- (b) On site storm drainage systems for the site will be reviewed and approved by Engineering when a site servicing design is submitted.

5. Road Improvements

- (a) Mills Rd must be upgraded to an urban standard (SS-R5) along the full frontage of this proposed development, including curb and gutter, sidewalk, drainage system including catch basins, manholes and pavement removal and replacement, street lighting and re-location or adjustment of utility appurtenances if required to accommodate the upgrading construction.
- (b) HWY 97 N has already been upgraded therefore, no further upgrades are needed at this time. Access from HWY 97 N will not be permitted and must be closed.

6. Development Permit and Site Related Issues

- (a) An HSU sized vehicle must be able to manoeuvre onto and off the site without requiring a reverse movement onto public roadways.
- (b) Access to this property will be allowed from Mill Rd only.

7. Electric Power and Telecommunication Services

The electrical and telecommunication services to this building/property 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. Re-locate existing utilities, where necessary.

8. 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.

9. Servicing Agreements for Works and Services

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

10. 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.
- (c) Road and utility construction design, construction supervision, and quality control supervision of all off-site and site services including on-site ground recharge drainage collection and disposal systems, must be performed by an approved consulting civil engineer. Designs must be submitted to the city engineering department for review and marked "issued for construction" by the city engineer before construction may begin.

11. Subdivision

- (a) Grant Statutory Rights of Way if required for utility services.
- (b) If any road dedication or closure affects lands encumbered by a Utility right-of-way (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.

12. Geotechnical Report

- a) Provide a comprehensive geotechnical report, prepared by a Professional Engineer competent in the field of hydro-geotechnical engineering to address the items below: **NOTE: The City is relying on the Geotechnical Engineer's report to prevent any damage to property and/or injury to persons from occurring as a result of problems with soil slippage or soil instability related to this proposed subdivision.**

The Geotechnical report must be submitted prior to submission of Engineering drawings or application for subdivision approval.


- (i) Area ground water characteristics, including any springs and overland surface drainage courses traversing the property. Identify any monitoring required.
- (ii) Site suitability for development.
- (iii) Site soil characteristics (i.e. fill areas, sulphate content, unsuitable soils such as organic material, etc.).
- (iv) Any special requirements for construction of roads, utilities and building structures.
- (v) Suitability of on-site disposal of storm water and sanitary waste, including effects upon adjoining lands.
- (vi) Identify slopes greater than 30%.
- (viii) Recommendations for items that should be included in a Restrictive Covenant.
- (ix) Any items required in other sections of this document.
- (x) Recommendations for erosion and sedimentation controls for water and wind.
- (xi) Recommendations for roof drains and perimeter drains.
- (xii) Recommendations for construction of detention or infiltration ponds if applicable.

13. Charges and Fees

- (a) Development Cost Charges (DCC's) are payable
- (b) Fees per the "Development Application Fees Bylaw" include:
 - (i) Street/Traffic Sign Fees: at cost if required (to be determined after design).
 - (ii) Survey Monument, Replacement Fee: \$1,200.00 (GST exempt) – only if disturbed.
 - (iii) Engineering and Inspection Fee: 3.5% of construction value (plus GST).

14. Transportation

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



 James Kay, P. Eng.
 Development Engineering Manager

AS

Development Permit DP18-0021-01



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

2629 Hwy 97 North

and legally known as

Lot 5 District Lot 125 ODYD Plan KAP73825

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

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

Date of Decision: November 26, 2018

Decision By: CITY COUNCIL

Issued Date: Tbd

Development Permit Area: Comprehensive Development Permit Area

File Manager: Alec Warrender

This permit will not be valid if development has not commenced by November 26, 2020.

Existing Zone: Cg – Tourist Commercial

Future Land Use Designation: Commercial

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: SKJJ Holdings Inc.
Address: 2534 Lucinde Road
City: West Kelowna, BC
Phone: 250-378-2222

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

Date

1. SCOPE OF APPROVAL

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

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

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

2. CONDITIONS OF APPROVAL

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

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

3. PERFORMANCE SECURITY

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

- a) A Certified Cheque in the amount of tbd.

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

4. Indemnification

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

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

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

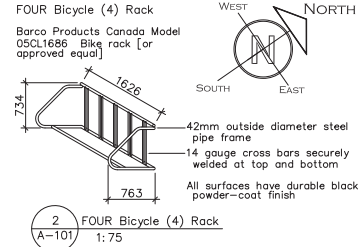
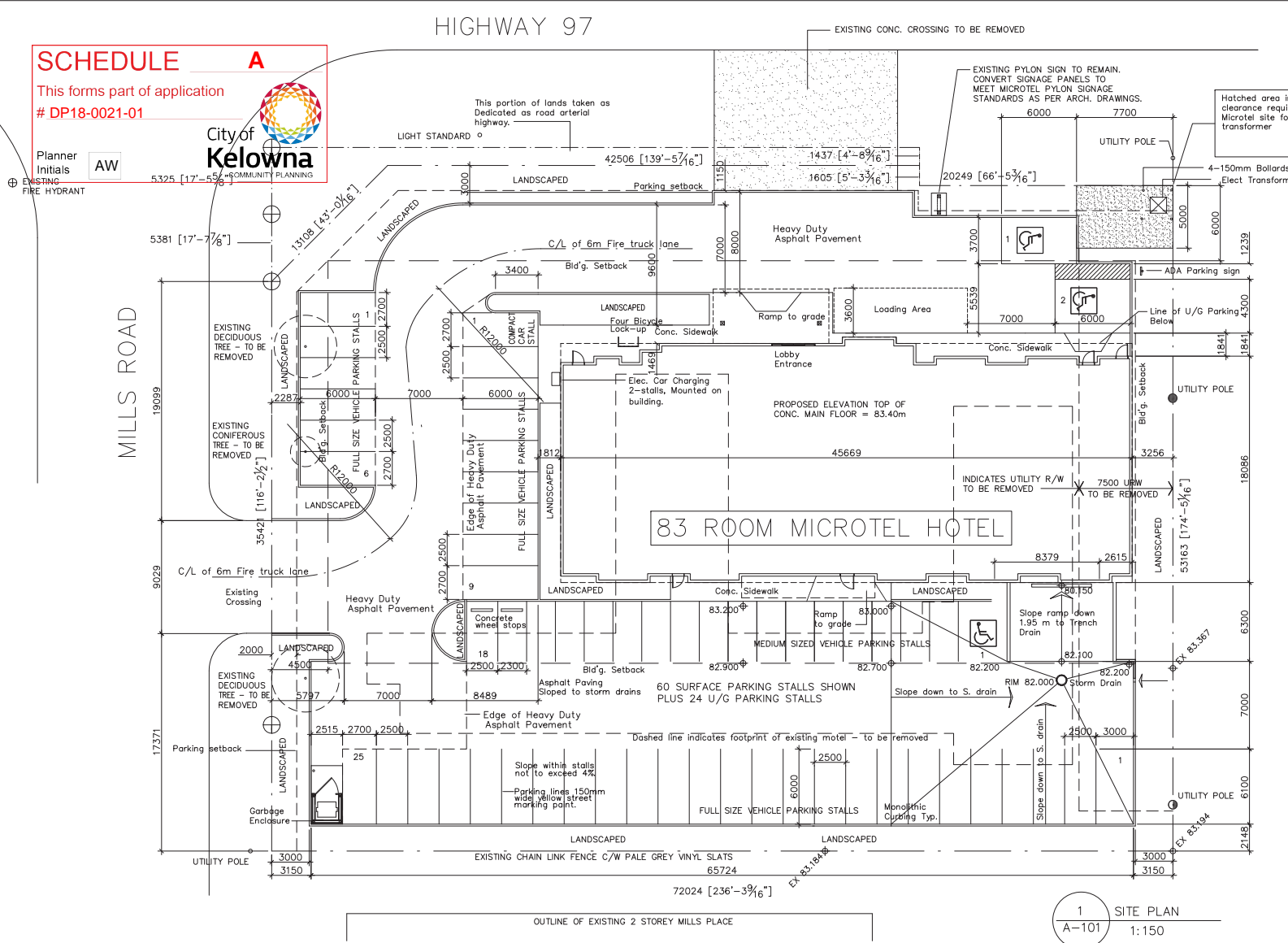
**The PERMIT HOLDER is the CURRENT LAND OWNER.
Security shall ONLY be returned to the signatory of the
Landscape Agreement or their designates.**

HIGHWAY 97

SCHEDULE A
 This forms part of application
 # DP18-0021-01

City of Kelowna
 COMMUNITY PLANNING

Planner Initials: AW



PROPOSED BUILDING DATA:
 New 83 Room Microtel Hotel
 5 stories
 fully sprinklered
 combustible or non combustible construction allowed
 Use: BC Building Code: 2012
 Section 3.2.2.50
 5 Stories allowed up to 1,440m² (15,500 sf)
 Proposed 832.4m² (8,960 Sq. Ft.)

PARKING
 Surface parking = 60 parking stalls
 U/G Parking = 24 parking stalls
 Total Parking = 84 parking stalls

OUTLINE OF EXISTING 2 STOREY HOWARD JOHNSON HOTEL

Building Footprint Area = 832.4 m² (8,960 Sq. Ft.)
 F.A.R.
 Main Flr=832.4m²
 2nd. Flr=823.6m²
 3rd. Flr=823.6m²
 4th. Flr=823.6m²
 5th. Flr=823.6m²
 Total Const'n area=4,126.8m² (44,422 Sq. Ft.)

FAR allowed=1.5 (Hotels)
 Site Area (3,869.15) x 1.5 = 5,803.73 m²
 Total const'n. area for F.A.R. = 4,216.8m²
 Therefore proposed FAR = 0.726
 Max. O/A Building height proposed = 20.8m (68'-3")
 Allowed Bld'g. Ht (Hotel) = 22m (72.2')

LEGAL DESCRIPTION:
 REM 2
 Plan 3246
 Except plans H8110 & 9504
 DL 125
 Mills Road & Highway 97 Kelowna, BC
 2629 Highway 97 North, Kelowna BC

SITE DATA:
 Site Area = .956 acre
 = 3,869.15 m²
 = 41,648.6 Sq. Ft.

Landscaped Area:
 = 753.3 m²
 = 8,109 Sq. Ft.

Landscaped Area = 20 % of site

ZONING: C-9
 FAR allowed 1.5 (Hotels)
 Max Height allowed: Hotels
 = 22 m (72.2')
 & up to 6 stories high
 Building Setbacks:
 Front yard 6.0m
 Side 3.0m

1 SITE PLAN
 A-101 1:150

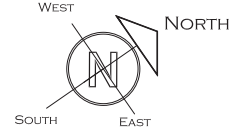
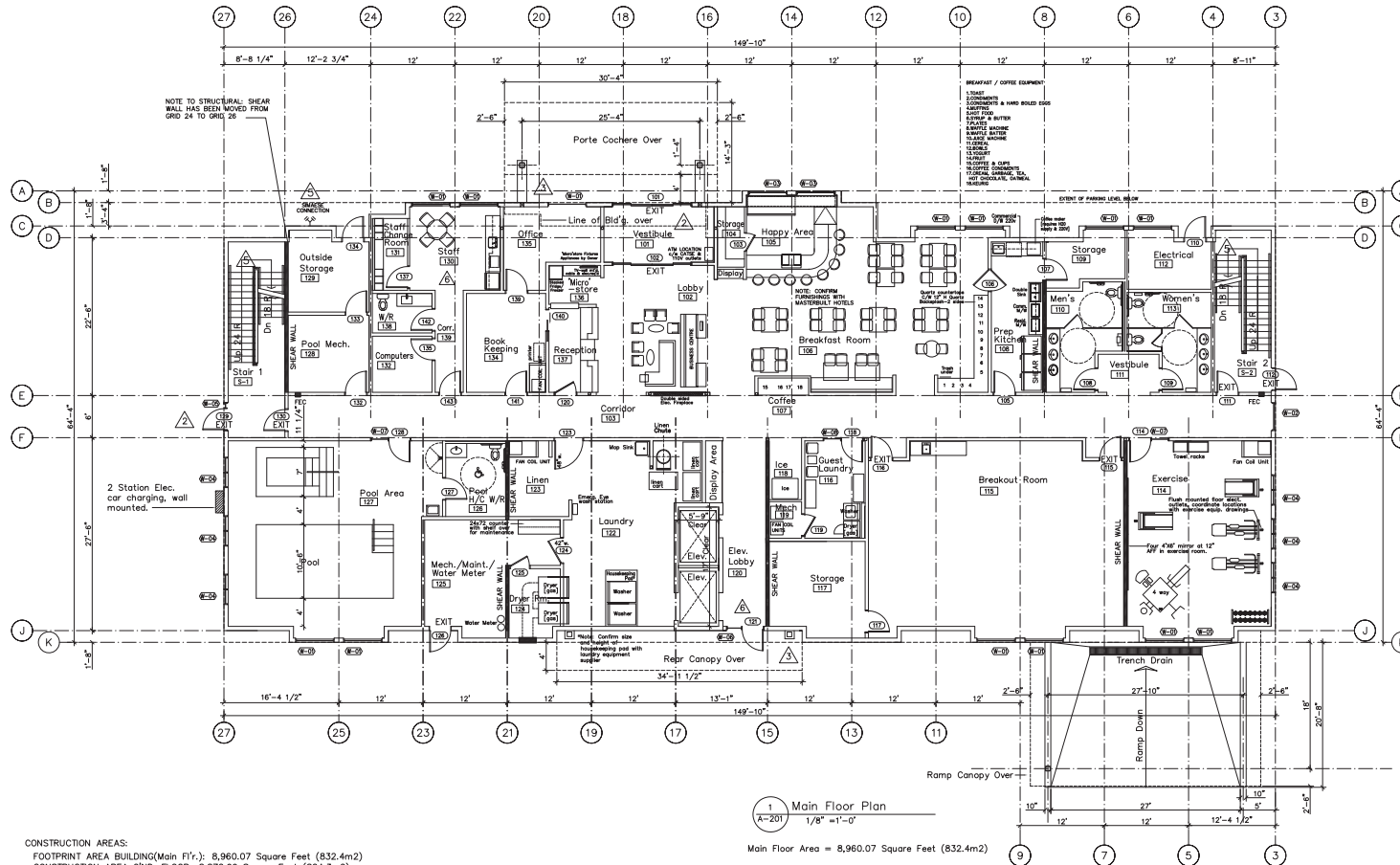
R. W. SCHEIDT DESIGN
 1683 BLONDEAUX CR.
 KELOWNA, B.C. V1Y 4J8
 PHONE: (250) 860-5061
 E MAIL: SCHEIDTDESIGN@SHAW.CA



MCDUGALL ARCHITECT
 SUITE 904, 330 - 26 TH AVENUE S.W.
 CALGARY, ALBERTA T2S 2T3
 PHONE: (250) 860-5061 (403) 265-3300

REVISIONS:

PROJECT NAME		KELOWNA MICROTTEL HOTEL	
PROJECT ADDRESS		2629 HIGHWAY 97 N. KELOWNA, B.C.	
DRAWING TITLE		SITE PLAN	
DESIGN	DRAW	SCALE	DATE
		1:150	OCT 10 2018
			SHEET
			A-101

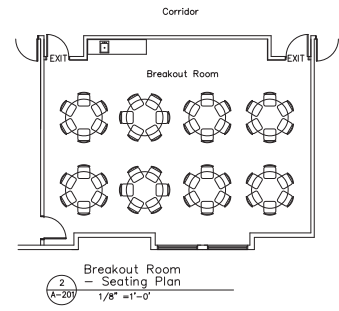


SCHEDULE A

This forms part of application
DP18-0021-01

City of Kelowna
COMMUNITY PLANNING

Planner Initials **AW**



1 Main Floor Plan
A-201 1/8" = 1'-0"

Main Floor Area = 8,960.07 Square Feet (832.4m²)

CONSTRUCTION AREAS:
FOOTPRINT AREA BUILDING(Main Flr.): 8,960.07 Square Feet (832.4m²)
CONSTRUCTION AREA 2ND. FLOOR: 8,872.99 Square Feet (824.3m²)
CONSTRUCTION AREA 3RD. FLOOR: 8,872.99 Square Feet (824.3m²)
CONSTRUCTION AREA 4TH. FLOOR: 8,872.99 Square Feet (824.3m²)
CONSTRUCTION AREA 5TH. FLOOR: 8,872.99 Square Feet (824.3m²)
TOTAL CONSTRUCTION AREA 81 ROOMS = 44,452.03 Square Feet (4,129.7 M²)

PROPOSED KELOWNA MICROTTEL HOTEL
CIVIC ADDRESS
2629 HIGHWAY 97 N., KELOWNA B.C.
LEGAL DESCRIPTION
TO BE DETERMINED

PROJECT DATA:
PROVINCE: B.C.
USING: B.C. BUILDING CODE 2012
GROUP C - 3.2.2.50
5 - STORES
COMBUSTIBLE OR NON COMBUSTIBLE CONSTRUCTION
FULLY SPRINKLERED.
FLOOR ASSEMBLIES-FIRE SEPARATION WITH 1 HOUR
FIRE RESISTANCE RATING.
LOADBEARING WALLS & COLUMNS 1 HOUR FIRE RESISTANCE RATING.

- NOTES:
- Public Toilets on main floor to have open front seats, no lid.
 - All exposed interior Gas lines to be taped and labeled with pressure.
 - Flame spread ratings in public areas to conform to BC Building Code
 - Corridors to conform to BC Building Code
 - Install fire extinguisher cabinet, near each exit stair access door. The Fire extinguisher cabinet is located in 1 hr rated wall. The fire rating must be maintained around the fire extinguisher cabinet. Location and quantities of fire extinguishers per floor to be confirmed with building code and local authority having jurisdiction. See detail 2/A-27 [fire separation dwg]
 - Suite Bathroom plumbing walls to be 6" steel studs & Drywall & Densshield in wet areas. Coordinate with Owner the locations of millwork blocking/bracing requirements.

NOTE: BUILDING DESIGNED IN ACCORDANCE WITH B.C. BUILDING CODE (LATEST EDITION) & NATIONAL ENERGY CODE

- REVISIONS:
- APR 10 2018: Add door to corridor main floor grid 27
Make upper floor building face flat on Grid B between grids 16 & 20
 - OCT 10 2018: ADD STRUCTURAL STEEL TO MAIN FLOOR PLAN
ADD SHEAR WALLS TO FLOOR PLANS
ADD PILASTERS FOR REAR CANOPY
ADD DETAILS FOR PORTE CHOCHERE [FRONT CANOPY]
- REVISIONS:
- OCT 10 2018: --Add 5th floor & underground parking to total of 83 guest rooms
--re-number drawings
 - AUG 31 2018: --Relocate bicycle storage from the 'office / admin' area to space 'below' elevators, room [121]
--Revise doors (120), (121) and window <W-06> from a 42" door to a 36" door
--Revise layout of 'office / admin' area. Includes the addition of 2 new rooms: a Washroom [138] and a Corridor [139] c/w 2 additional doors (142) & (143). Revision removes one <W-08> window / door that was in the staff room.
 - AUG 17 2018: --Add siamese connection to main floor plan & site plan
--Clairfy location of ground floor exit doors on both stairwells

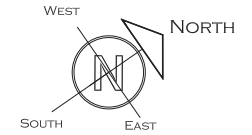
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MCDUGALL ARCHITECT
SUITE 904, 330 - 26 TH AVENUE S.W.
CALGARY, ALBERTA T2S 2T3
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REVISIONS:
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ADD PILASTERS FOR REAR CANOPY
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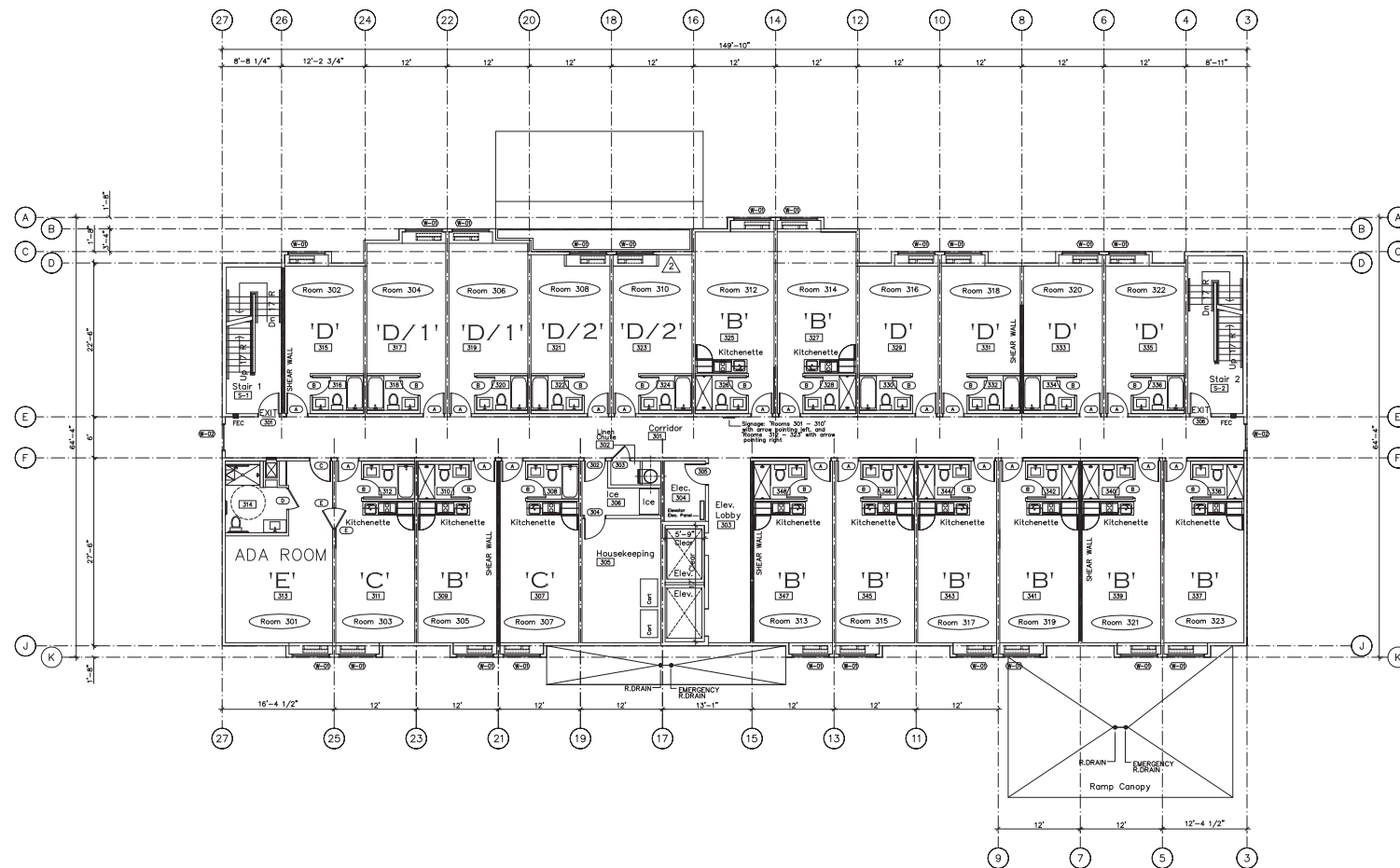
PROJECT NAME KELOWNA MICROTTEL HOTEL			
PROJECT ADDRESS 2629 HIGHWAY 97 N. KELOWNA, B.C.			
DRAWING TITLE Main Floor Plan			SHEET: A-201
DESIGN	DRAW	SCALE 1/8" = 1'-0"	DATE OCT 10 2018



SCHEDULE A

This forms part of application
 # DP18-0021-01

Planner Initials **AW**



1 Third Floor Plan
 A-203 1/8" = 1'-0"

Third Floor Area = 8,872.99 Square Feet (824.3m²)

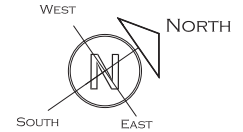
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- REVISIONS:
- APR 10 2018: Make upper floor building face flat on Grid B between grids 16 & 20
 - OCT 10 2018: ADD SHEAR WALLS TO FLOOR PLANS
 - Oct 10, 2018: --Add 5th floor & underground parking to total of 83 guest rooms --re-number drawings

PROJECT NAME		KELOWNA MICROTEL HOTEL	
PROJECT ADDRESS		2629 HIGHWAY 97 N. KELOWNA, B.C.	
DRAWING TITLE		3 RD . Floor Plan	
DESIGN	DRAW	SCALE	DATE
		1/8" = 1'-0"	OCT 10 2018
SHEET			A-203

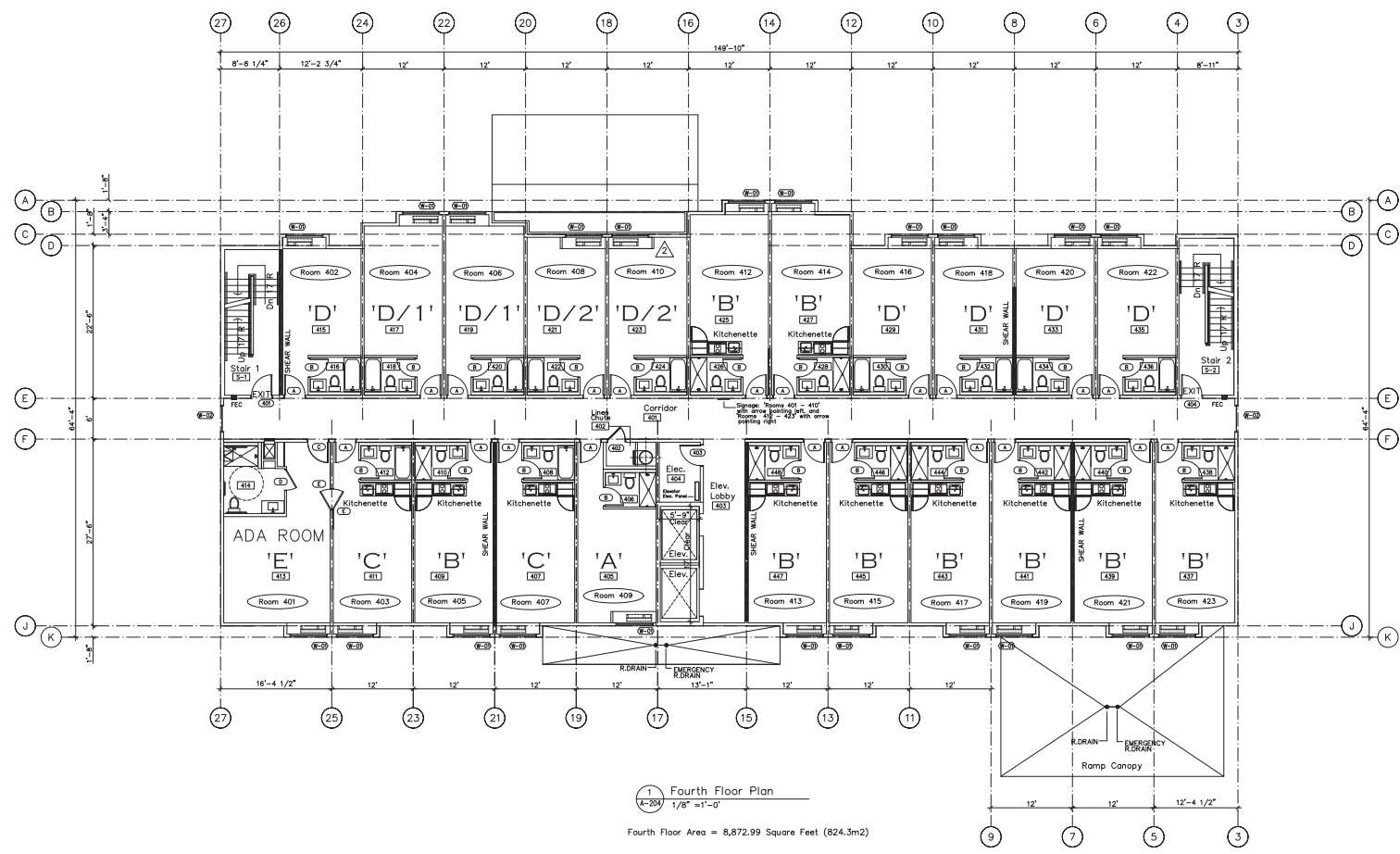


SCHEDULE A

This forms part of application
DP18-0021-01

City of Kelowna
COMMUNITY PLANNING

Planner Initials **AW**



1 Fourth Floor Plan
1/8" = 1'-0"
Fourth Floor Area = 8,872.99 Square Feet (824.3m²)

Oct 10, 2018: --Add 5th floor & underground parking to total of 83 guest rooms
--re-number drawings

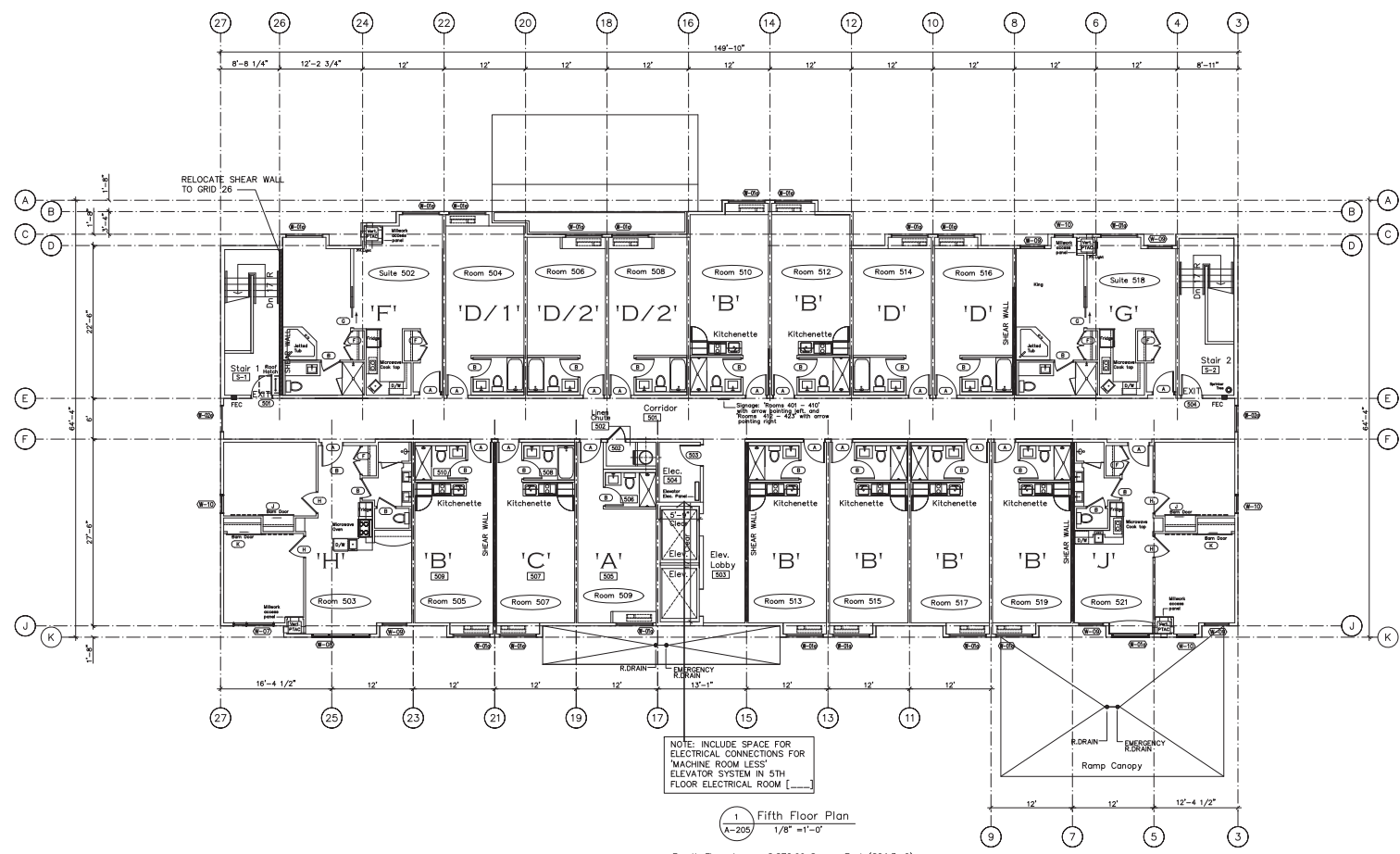
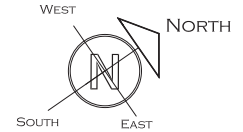
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SUITE 904, 330 - 26 TH AVENUE S.W.
CALGARY, ALBERTA T2S 2T3
PHONE: (250) 860-5061 (403) 265-3300

REVISIONS:
 APR 10 2018: Make upper floor building face flat on Grid B between grids 16 & 20
 OCT 10 2018: ADD SHEAR WALLS TO FLOOR PLANS
 AUG 31 2018: --Elevator will not require elevator machine room, only requires space in fourth floor electrical room [404] for elevator electrical connections.

PROJECT NAME KELOWNA MICROTTEL HOTEL			
PROJECT ADDRESS 2629 HIGHWAY 97 N. KELOWNA, B.C.			
DRAWING TITLE 4 TH Floor Plan			SHEET: A-204
DESIGN	DRAW	SCALE 1/8" = 1'-0"	DATE OCT 10 2018



NOTE: INCLUDE SPACE FOR ELECTRICAL CONNECTIONS FOR 'MACHINE ROOM LESS' ELEVATOR SYSTEM IN 5TH FLOOR ELECTRICAL ROOM []

1 Fifth Floor Plan
A-205
1/8" = 1'-0"

Fourth Floor Area = 8,872.99 Square Feet (824.3m²)
NOTE: 10' CEILINGS TO 5th FLOOR.

SCHEDULE A
This forms part of application
DP18-0021-01

Planner Initials **AW**

△ Oct 10, 2018: --Add 5th floor & underground parking to total of 83 guest rooms
--re-number drawings

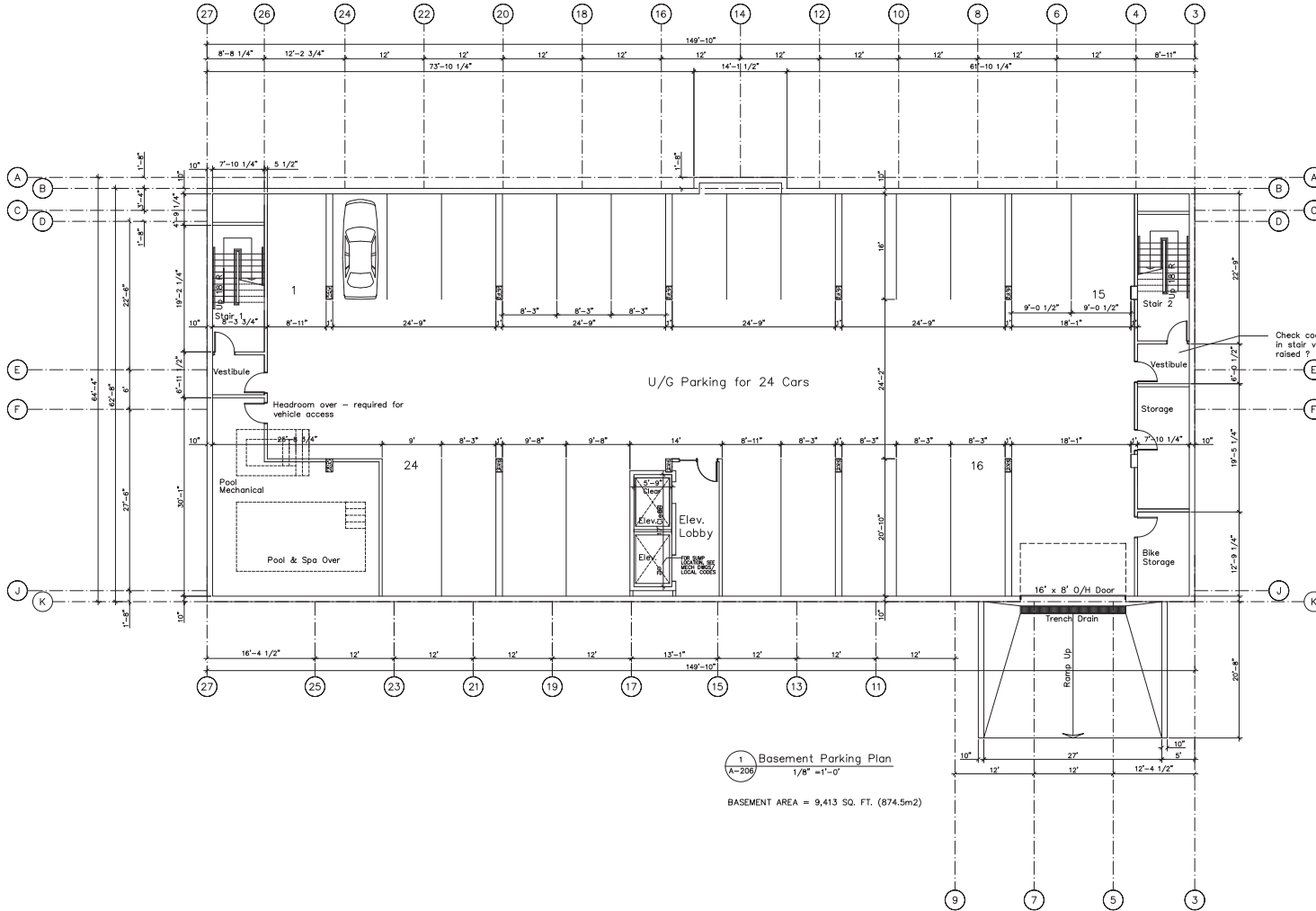
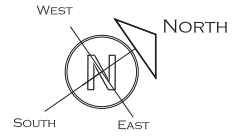
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REVISIONS:
△ APR 10 2018: Make upper floor building face flat on Grid B between grids 16 & 20
△ OCT 10 2018: ADD SHEAR WALLS TO FLOOR PLANS
△ AUG 31 2018: --Elevator will not require elevator machine room, only requires space in fourth floor electrical room [404] for elevator electrical connections.

PROJECT NAME		KELOWNA MICROTTEL HOTEL	
PROJECT ADDRESS		2629 HIGHWAY 97 N. KELOWNA, B.C.	
DRAWING TITLE		5 TH Floor Plan	SHEET: △
DESIGN	DRAW	SCALE	DATE
		1/8" = 1'-0"	OCT 10 2018
			A-205



1 Basement Parking Plan
 A-206
 1/8" = 1'-0"
 BASEMENT AREA = 9,413 SQ. FT. (874.5m²)

SCHEDULE A
 This forms part of application
 # DP18-0021-01
 City of Kelowna
 COMMUNITY PLANNING
 Planner Initials: AW

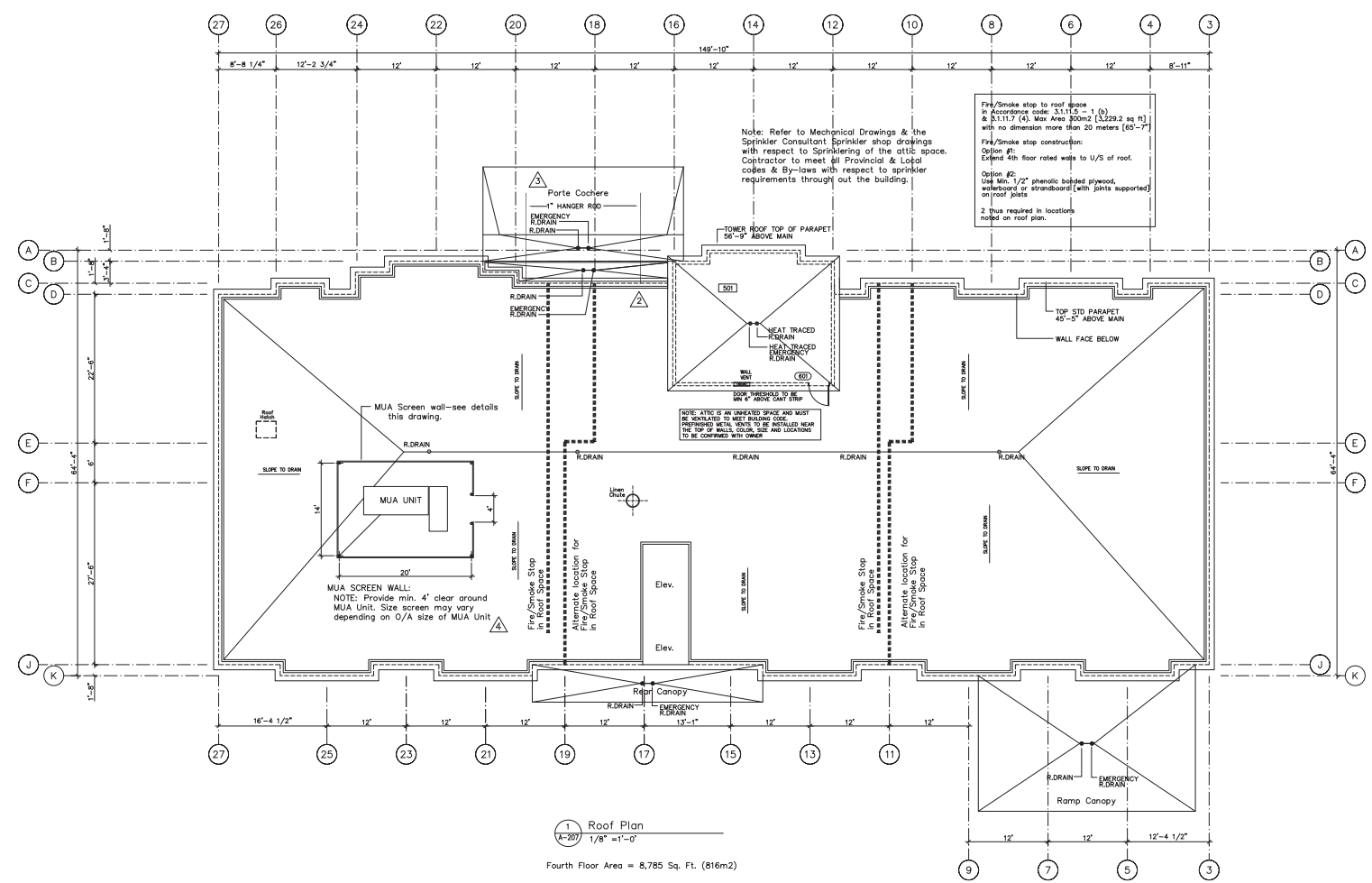
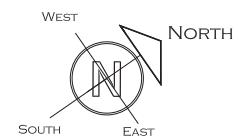
R. W. SCHEIDT DESIGN
 1683 BLONDEAUX CR.
 KELOWNA, B.C. V1Y 4J8
 PHONE: (250) 860-5061
 E MAIL: SCHEIDTDESIGN@SHAW.CA



MCDUGALL ARCHITECT
 SUITE 904, 330 - 26 TH AVENUE S.W.
 CALGARY, ALBERTA T2S 2T3
 PHONE: (250) 860-5061 (403) 265-3300

REVISIONS:
 Oct 10, 2018: -Add 5th floor & underground parking to total of 83 guest rooms
 -re-number drawings

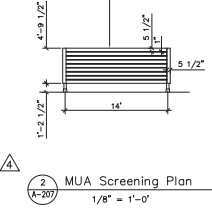
PROJECT NAME		KELOWNA MICROTTEL HOTEL	
PROJECT ADDRESS		2629 HIGHWAY 97 N. KELOWNA, B.C.	
DRAWING TITLE			SHEET
Basement Parking Plan			A-206
DESIGN	DRAW	SCALE	DATE
		1/8" = 1'-0"	OCT 10 2018



Fire/Smoke stop to roof space
 in accordance code 3.1.11.5 = 1 (b)
 & 3.1.11.7 (4). Max Area 30m² (3,229.2 sq ft)
 with no dimension more than 20 meters (65'-7")

Fire/Smoke stop construction:
 Option #1:
 Extend 4th floor rated walls to U/S of roof.
 Option #2:
 Use Min. 1/2" phenolic banded plywood,
 waterproof or strandboard (with joints supported)
 on roof joists
 2 thus required in locations
 noted on roof plan.

2"x 6" Hardi-siding (Smooth Finish)
 1" gap between boards.
 6" metal channel frame as required.
 Vert. corner trim as shown.
 4" dia metal posts +/- 36" o/c
 fastened to roof & enclosed
 in pitch pots.
 Painted to match building colour.



SCHEDULE A

This forms part of application
 # DP18-0021-01

City of Kelowna
 COMMUNITY PLANNING

Planner Initials AW

R. W. SCHEIDT DESIGN
 1683 BLONDEAUX CR.
 KELOWNA, B.C. V1Y 4J8
 PHONE: (250) 860-5061
 E MAIL: SCHEIDTDESIGN@SHAW.CA



MCDUGALL ARCHITECT
 SUITE 904, 330 - 26 TH AVENUE S.W.
 CALGARY, ALBERTA T2S 2T3
 PHONE: (250) 860-5061 (403) 265-3300

- REVISIONS:
- APR 10 2018: Make upper floor building face flat on Grid B between grids 16 & 20
 - OCT 10 2018: ADD DETAILS FOR PORTE CHOCHERE [FRONT CANOPY]
 - SEP 13 2018: Add MUA Roof & add MUA Screening
 - OCT 10, 2018: --Add 5th floor & underground parking to total of 83 guest rooms --re-number drawings

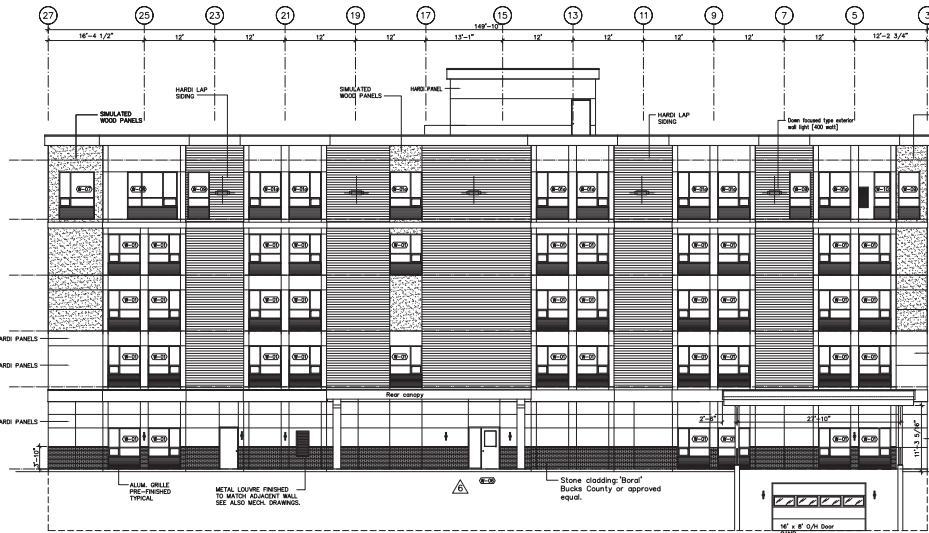
PROJECT NAME		KELOWNA MICROTTEL HOTEL	
PROJECT ADDRESS		2629 HIGHWAY 97 N. KELOWNA, B.C.	
DRAWING TITLE		Roof Plan	
DESIGN	DRAW	SCALE	DATE
		1/8" = 1'-0"	OCT 10 2018
			SHEET: A-207

SCHEDULE A

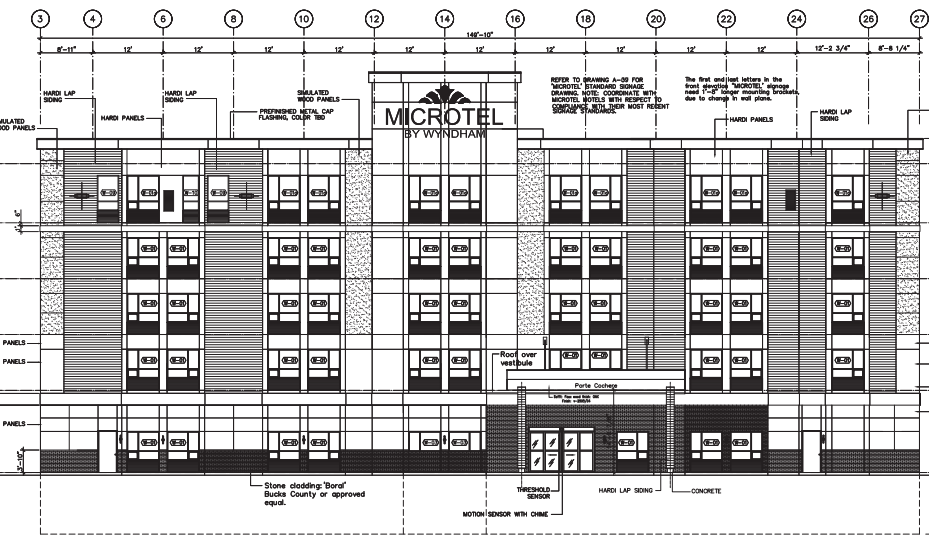
This forms part of application
DP18-0021-01



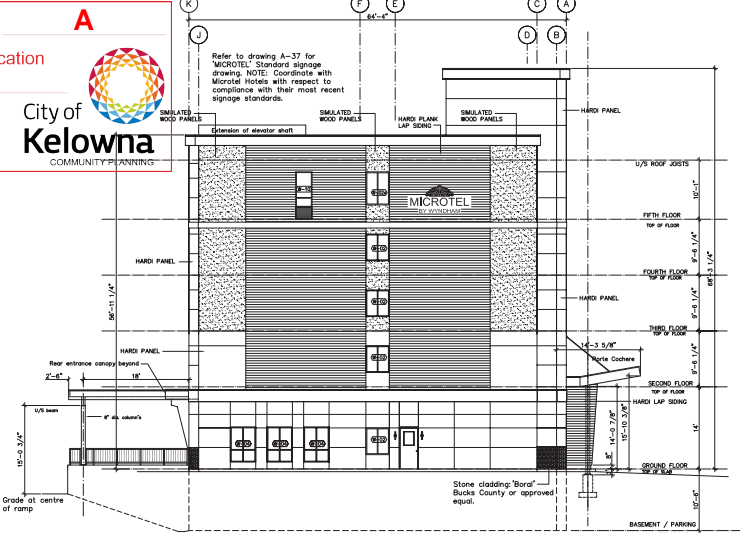
Planner Initials **AW**



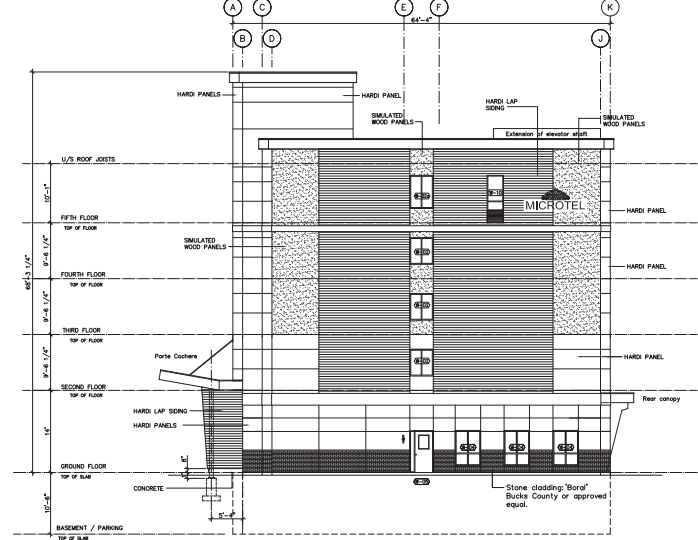
3 Rear [South-east] Elevation
1" = 10'



1 Front [North-west] Elevation
1" = 10'



4 Left [North-east] Side Elevation
1" = 10'



2 Right [South-west] Side Elevation
1" = 10'

SPECIAL CLADDING ELEMENTS - FINISH OVERVIEW	
Item No.	Finish Name
1	Stone cladding 'Bora'
2	Simulated wood panels
3	Hard panels
4	Alum. grille
5	Porte Cochere
6	Concrete
7	Threshold sensor
8	Motion sensor with chime
9	U/S Roof Joists
10	U/S Floor
11	U/S Ceiling
12	U/S Wall
13	U/S Floor
14	U/S Ceiling
15	U/S Wall
16	U/S Floor
17	U/S Ceiling
18	U/S Wall
19	U/S Floor
20	U/S Ceiling
21	U/S Wall
22	U/S Floor
23	U/S Ceiling
24	U/S Wall
25	U/S Floor
26	U/S Ceiling
27	U/S Wall

R. W. SCHEIDT DESIGN
1683 BLONDEAU CR.
KELOWNA, B.C. V1Y 4J8
PHONE: (250) 860-5061
E MAIL: SCHEIDTDESIGN@SHAW.CA



MCDUGALL ARCHITECT
SUITE 904, 330 - 26 TH AVENUE S.W.
CALGARY, ALBERTA T2S 2T3
PHONE: (250) 860-5061 (403) 265-3300

- Apr 30 2018: REVISE PILASTERS FOR REAR CANOPY AND PORTE COCHERE [FRONT CANOPY] COLUMNS
- AUG 31 2018: -Revise rear extl doors (121) from a 42" door to a 36" door
- Oct 10, 2018: -Add 5th floor & underground parking to total of 83 guest rooms
-re-number drawings

PROJECT NAME	KELOWNA MICROTTEL HOTEL		
PROJECT ADDRESS	2629 HIGHWAY 97 N. KELOWNA, B.C.		
DRAWING TITLE	Exterior Elevations		
DESIGN	DRAW	SCALE	DATE
		1" = 10'-0"	OCT 10 2018
SHEET			A-301



SCHEDULE B

This forms part of application
DP18-0021-01

Planner Initials **AW**

City of Kelowna
COMMUNITY PLANNING



HWY 97



OUTLAND DESIGN
LANDSCAPE ARCHITECTURE

206 - 1889 Spall Road
Kelowna, BC V1Y 4R2
T (250) 868-9270
www.outlanddesign.ca



PROJECT TITLE
HWY 97 MICROTEL

Kelowna, BC

DRAWING TITLE
**CONCEPTUAL
LANDSCAPE PLAN**

ISSUED FOR / REVISION	
1	18.10.25 Development Plans
2	
3	
4	

PROJECT NO.	18003
DESIGN BY	FB
DRAWN BY	NDS/AM
CHECKED BY	FB
DATE	MAR 23 2018
SCALE	1:150

SEAL



DRAWING NUMBER

L1/2

ISSUED FOR REVIEW ONLY
Copyright Reserved. This drawing is the property of Outland Design
Landscape Architecture Limited and shall not be reproduced, stored, or
transmitted without permission.

SCHEDULE C

This forms part of application

DP18-0021-01

Planner
Initials **AW**



NOTES

1. PLANT MATERIAL AND CONSTRUCTION METHODS SHALL MEET OR EXCEED CANADIAN NURSERY LANDSCAPE STANDARDS.
2. ALL SOFT LANDSCAPE AREAS SHALL BE WATERED BY A FULLY AUTOMATIC TIMED UNDERGROUND IRRIGATION SYSTEM.
3. TREE AND SHRUB BEDS TO BE DRESSED IN A MINIMUM 50mm WOOD MULCH. DO NOT PLACE WEED MAT UNDERNEATH TREE AND SHRUB BEDS.
4. TREE AND SHRUB BEDS TO RECEIVE A MINIMUM 300mm DEPTH TOPSOIL PLACEMENT.

PLANT LIST

BOTANICAL NAME	COMMON NAME	QTY	SIZE / SPACING & REMARKS
TREES			
CARPINUS BETULA 'FASTIGIATA'	PYRAMIDAL EUROPEAN HORN-BEAM	11	6cm CAL
PLATANUS ACERIFOLIA 'BLOODGOOD'	BLOODGOOD LONDON-PLANE TREE	6	6cm CAL
PICEA FUNGENS 'FASTIGIATA'	COLUMNAR BLUE SPRUCE	9	3m HT.
SYRINGA RETICULATA 'IVORY SILK'	IVORY SILK TREE LILAC	2	6cm CAL
SHRUBS, PERENNIALS & GRASSES			
ARCTOSTAPHYLOS UVA-URSI	KONIKONNECK	262	#01 CONT. / 0.5 O.C. SPACING
BERBERIS CORONILLA	ELEPHANT EAR	182	#01 CONT. / 0.6 O.C. SPACING
CALAMAGROSTIS ACUTIFLORA 'KARL FOERSTER'	FOERSTER'S FEATHER REED GRASS	117	#01 CONT. / 0.75 O.C. SPACING
DECHAMPSIA CASPIOSA 'BRONZESCHIEER'	BRONZE RUFFED HAIR GRASS	182	#01 CONT. / 0.6 O.C. SPACING
EUCONYLIUS ALATUS 'COMPACTA'	DWARF BURNING BUSH	81	#02 CONT. / 1.75 O.C. SPACING
ROSA RUGOSA 'HANSA'	HANSA ROSE	90	#02 CONT. / 1.5 O.C. SPACING
TAXUS X MEDIA 'THICKSI'	THICK'S YEW	65	#02 CONT. / 1.0 O.C. SPACING

CITY OF KELOWNA
BYLAW NO. 11674
Z18-0084 – 461 Curlew Drive

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 Lot 108, Section 23, Township 28, SDYD, Plan 32591, located on Curlew Drive, Kelowna, BC from RR3 – Rural Residential 3 zone to the RU1 – Large Lot Housing zone;
2. This bylaw shall come into full force and effect and is binding on all persons on October 3, 2018 or date of adoption whichever is later.

Read a first time by the Municipal Council this 27th day of August, 2018.

Considered at a Public Hearing on the 25th day of September, 2018.

Read a second and third time by the Municipal Council this 25th day of September, 2018.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Report to Council



Date: November 26, 2018
File: 1200-40
To: City Manager
From: James Moore, Long Range Policy Planning Manager
Subject: Affordable Housing and Revenue from Online Accommodation Platforms

Recommendation:

THAT Council receives, for information, the report from the Policy & Planning Department, dated November 26, 2018, with respect to affordable housing and revenue from online accommodation platforms;

AND THAT Council direct Staff to submit the necessary documentation to Destination BC in accordance with the recommendations outlined in the report from the Policy & Planning Department, dated November 26, 2018.

Purpose:

To consider directing new revenue from Online Accommodation Platforms towards affordable housing initiatives in Kelowna.

Background:

Following changes announced in Budget 2018, the Province has expanded the collection of Municipal and Regional District Tax (MRDT) – formerly the “Hotel Tax” – to Online Accommodation Platforms (OAP). This means that as of October 1, 2018, online accommodation providers (hosts using AirBnB, VRBO and other options) will be required to register and to collect MRDT. Further, the Province confirmed that local governments can use OAP revenues towards funding affordable housing.

In order to access OAP revenues, the City of Kelowna must submit an Affordable Housing Plan to Destination BC and must also report on how the funding was utilized annually. To access the funding for 2019, the required documentation must be submitted by November, 30, 2018. If the City does not make application to use the revenue for affordable housing in Kelowna, the revenue will automatically be directed to Tourism Kelowna for marketing use, much like the existing MRDT. City staff have met with Tourism Kelowna to discuss the use of OAP revenues. *Attachment 1* identifies support from Tourism Kelowna for the City to use OAP revenues towards addressing affordable housing.

At this early stage, estimating revenue potential from OAP is extremely challenging. Reliable data regarding the provision of short-term rentals in Kelowna is limited, and the regulatory landscape is shifting. It is estimated that revenue may stabilize and become more predictable after 1-3 years. Staff will be bringing forward proposed regulations for short-term rentals in the coming weeks.

In considering use of the funds, staff reviewed the following options:

1. **Land Acquisition and Rental Housing Grants**

The funds could be directed to the existing Housing Opportunities Reserve Fund (HORF). The HORF is governed by bylaw (Bylaw No. 8593), and funds within it are to be used for the purpose of supporting affordable and core needs housing. Currently, the reserve is funded by \$200,000 annually. The HORF bylaw allows reserve funds to be used both to support land acquisition for affordable housing and to supplement the City's rental housing grants program funding.

2. **BC Housing Partnership**

The OAP revenue could be utilized to provide direct support to a single, specific BC Housing project in the community. This would require further consultation with BC Housing.

With each annual application, the City can shift its focus for use of the OAP revenues. Given time constraints and challenges in estimating dependable revenue, staff are recommending Option 1 at this time. Option 1 will see OAP revenue directed into the Housing Opportunities Reserve Fund (HORF), where it can be used in accordance with the Bylaw No. 8593 to support specific affordable housing initiatives through land acquisition or rental housing grants. This option provides the greatest flexibility for the use of the funds to support affordable housing in the community.

Should Council support staff's recommendation, staff will assess and review the allocation of these revenues over the coming years and will return to Council should it be determined that the funds could be more effectively allocated towards other housing priorities.

Internal Circulation:

Danielle Noble-Brandt, Policy & Planning Department Manager
Sandra Kochan, Partnership Manager
Lorna L. Wilson, Grants & Special Projects Manager
Laura Bentley, Community Planning Supervisor
Johannes Saufferer, Director of Strategic Investments
Carson Chan, Payroll & Internal Controls Manager
Melanie Antunes, Budget Supervisor
Jim Gabriel, Active Living & Culture
Sue Wheeler, Social Development Manager

Existing Policy:

Official Community Plan Bylaw No. 10500

Objective 10.3 Support the creation of affordable and safe rental, non-market and/or special needs housing.

Policy 10.3.1 Housing Availability. Support the provision of housing for all members of the community, including those in core housing need or requiring special needs housing (transitional, age in place, emergency or shelter).

Policy 10.3.2 Housing Opportunities Reserve Fund. Maintain a housing opportunities reserve fund.

Policy 10.3.4 Use of the Housing Opportunities Reserve Fund. The Housing Opportunities Reserve Fund shall be used for the City to develop and partner to deliver affordable housing units.

Healthy Housing Strategy

Key Direction 1: Promote and protect rental housing

Key Direction 2: Improve housing affordability and reduce barriers for affordable housing

Key Direction 3: Build the right supply

Key Direction 4: Strengthen partnerships and align investments

Financial/Budgetary Considerations:

Given the variability of potential revenue from this source, staff will review revenues in 2019 and model appropriately for future budget review. Further data is expected to become available from the province as the program moves forward.

OAP revenue will be remitted to the City from the Province – Ministry of Finance on a quarterly basis, commencing in the first half of 2019.

Personnel Implications:

No significant personnel implications are expected.

External Agency/Public Comments:

Tourism Kelowna has provided a letter of support for the City's ongoing use of OAP revenues for affordable housing.

Considerations not applicable to this report:

Legal/Statutory Authority:

Legal/Statutory Procedural Requirements:

Communications Comments:

Alternate Recommendation:

Submitted by:

J. Moore, Long Range Policy Planning Manager

Approved for inclusion:



D. Noble-Brandt, Policy & Planning Department Manager

Attachments:

Attachment 1 – Tourism Kelowna Letter of Support



November 10, 2018

Municipal Regional District Tax Program
Destination British Columbia
12th Floor, 510 Burrard Street
Vancouver, BC, V6C 3A8

RE: Application by City of Kelowna to use Online Accommodation Platform Revenue for Affordable Housing

As designated recipient of 3% MRDT revenues, the City of Kelowna has expressed its interest in using revenues from Online Accommodation Platforms (OAP) for affordable housing initiatives.

Tourism Kelowna and the City of Kelowna have discussed the City's intention to submit an Affordable Housing MRDT Plan (OAP revenues only) for 2019 and subsequent years. Tourism Kelowna supports the City's use of OAP revenues for affordable housing and has not designated other uses for OAP revenues in its 2019 tactical plan.

I hope that this will be sufficient to indicate Tourism Kelowna's support of the City of Kelowna's submission, but if more information is needed, please feel free to contact me directly at (250) 212-6407.

Sincerely,


Lianne Ballantyne
President & CEO Tourism Kelowna

cc. Thom Killingsworth, Chair, Tourism Kelowna Board of Directors

Report to Council



Date: November 26, 2018
File: 0710-60
To: City Manager
From: Utilities Planning Manager
Subject: Borrowing Bylaw 11708: Investing in Canada Infrastructure Program (ICIP) – Green Infrastructure – Sanitary Sewer Connection Area Water Quality Enhancement Project

Recommendation:

THAT Council receives, for information, the report from the Utilities Planning Manager dated November 26, 2018, with respect to an update to the application for the Investing in Canada Infrastructure Program (ICIP) – Green Infrastructure – Sanitary Sewer Connection Area Water Quality Enhancement Project;

AND THAT Loan Authorization Bylaw No. 11708 for the proposed Local Service Area(s) be forwarded for readings consideration.

Purpose:

To approve in principle Loan Authorization Bylaw No. 11708 to support the grant application already submitted to the Investing in Canada Infrastructure Program (ICIP).

Background:

On August 27, 2018, Council adopted a resolution authorizing staff to apply for an ICIP – Green Infrastructure – Environmental Quality Sub-Stream grant in the amount of \$44.1 million. This grant amount represents a 73.3% funding share for a project anticipated to cost \$60.1M. Landowners within the project areas will be expected to pay the remaining \$12M (\$16M less \$4M already held in reserve) through payments initiated through City initiated Local Area Service (LAS) processes.

The City will apply for borrowing for approximately \$12M of the anticipated share of the project costs, less those that cash commute. The borrowing will be through the Municipal Finance Authority at their 20-year period interest rate at the time of borrowing.

The Province and Federal grant agency representatives have replied to our application and have requested additional information in the form of evidence of a Loan Authorization Bylaw approved at third reading from Council along with a Certificate of Sufficiency supporting the City's ability to borrow

these funds on behalf of the owners inside the proposed Local Service Area(s). The intention of this is now a common Federal agency request to demonstrate Council's intent to borrow to cover the City share of project costs.

If the grant application is not successful, staff will recommend that the proposed Bylaw 11708 be repealed.

Internal Circulation:

City Clerk
Divisional Director, Corporate Strategic Services
Divisional Director, Infrastructure
Financial Planning Manager
Grants & Special Projects Manager
Infrastructure Delivery Manager
Infrastructure Engineering Manager
Utility Services Manager

Financial/Budgetary Considerations:

The City has applied for a \$44.1M grant from the Investing in Canada Infrastructure Program (ICIP) – Green Infrastructure – Environmental Quality Sub-Stream - Sanitary Sewer Connection Area Water Quality Enhancement Project. If the grant application is successful, the next step would be to implement a comprehensive Local Area Service (LAS) program to fully recover all remaining costs involved in the installation of the wastewater system which is expected to start in Fall of 2019. This process of leveraging grant funds in combination with an LAS was used extensively by the City to service a large part of Rutland, Fisher Rd and Okaview areas.

Considerations not applicable to this report:

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

Submitted by:

Rod MacLean, P. Eng.
Utilities Planning Manager

Approved for inclusion: A. Newcombe, Infrastructure Divisional Director

cc: City Clerk
Deputy City Manager
Divisional Director, Active Living & Culture

Divisional Director, Community Planning & Strategic Investments
Divisional Director, Corporate Strategic Services
Divisional Director, Financial Services
Divisional Director, Infrastructure

CITY OF KELOWNA

BYLAW NO. 11708

A bylaw of the City of Kelowna to authorize the borrowing of the estimated cost to construct improvements within the Sanitary Sewer Connection Area Water Quality Enhancement Project

WHEREAS it is deemed desirable and expedient for the City of Kelowna to construct improvements to the Sanitary Sewer Connection Areas under the Water Quality Enhancement Project;

AND WHEREAS the estimated cost of the construction of the sanitary sewer connection improvements including expenses incidental thereto is the sum of forty-four million one hundred thousand dollars (\$44,100,000) of which the sum of twelve million dollars (\$12,000,000) is the amount of debt intended to be borrowed by this bylaw;

AND WHEREAS the maximum term of a debt that may be authorized by this bylaw is twenty (20) years;

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

1. The Council is hereby empowered and authorized to undertake and carry out or cause to be carried out the construction of sanitary sewer improvements to the Sanitary Sewer Connection Areas under the Water Quality Enhancement Project generally in accordance with general plans on file in the municipal office and to do all things necessary in connection therewith and without limiting the generality of the foregoing:
 - a) To borrow upon the credit of the Municipality a sum not exceeding twelve million dollars (\$12,000,000);
 - b) To acquire all such real property, easements, rights-of-ways, licenses, rights or authorities as may be requisite or desirable for or in connection with the construction of said sanitary sewer improvements to the Sanitary Sewer Connection Areas under the Water Quality Enhancement Project.
2. The maximum term for which debentures may be issued to secure the debt created by this bylaw is twenty (20) years.
3. This bylaw may be cited as Bylaw No. 11708 Sanitary Sewer Connection Areas Water Quality Enhancement Project.

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

Adopted his time by the Municipal Council this

Mayor

City Clerk

Report to Council



Date: November 26th, 2018
File: 0610-01
To: City Manager
From: David Gazley, Bylaw Services Manager
Subject: Report to Council – Bylaw Enforcement Notice Bylaw Amendments

Recommendation:

THAT Council receive for information, the report by the Bylaw Services Manager with respect to amending the Bylaw Notice Enforcement Bylaw No. 10475 to reflect the correct sections and applicable charges;

AND THAT Bylaw No. 11710 being Amendment being No. 21 to Bylaw Notice Enforcement Bylaw No. 10475 be forwarded for reading consideration.

Purpose:

To make amendments to update the Bylaw Enforcement Notice Bylaw No. 10475 to change section number references, clarify a section and correct two penalty amounts.

Background:

The Bylaw Enforcement Notice Bylaw contains some sections that need to be revised or re-numbered. The updates are required in relation the Good Neighbour Bylaw No. 11503 and the Development Application Procedures Bylaw No. 10540. In addition, two (2) corrections with regards to fine amounts are required to restore them to historical levels, this is a result of an error at the time of the last update. It is therefore recommended that the following corrections be made:

- Bylaw Enforcement Notice Bylaw No. 10475
- Late Payment Penalty – second and subsequent offences column for charges
- 4.3.b – change to \$500 from \$110; and
- 5.4 – change to \$110 from \$500

Good Neighbour Bylaw No. 11503:

- 7.1 – needs to be added “make noise in a public street or public space that disturbs the public”
- 7.1.- needs to be changed to 7.2 – “permit noise that disturbs the neighbourhood”
- 7.2 – needs to be changed to 7.3 – “permit noise from real property to disturb any person”
- 7.3 - needs to be changed to 7.4 – “operate sound amplification equipment or instrument to disturb any person”

At the last Development Application Procedures Bylaw update some references contained errors, it is recommended that the following corrections be made:

Bylaw Enforcement Notice Bylaw No. 10475:

- 8140 – change to 10540 and Section 8.2.3 change to Section 2.14.2 c);
- 8140 – change to 10540 and Section 8.2.4 change to Section 2.14.2 d); and
- Remove 8140 - Section 8.2.5

Internal Circulation:

Office of the City Clerk
Deputy City Manager
Communications Advisor

External Agency/Public Comments:

RCMP

Considerations not applicable to this report:

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

Submitted by:

D. Gazley, Bylaw Services Manager

Approved by:

L. Kayfish, a/ Director of Community Safety

Approved for inclusion:



L. Kayfish, A/Director of Community Safety

CITY OF KELOWNA

BYLAW NO. 11710

Amendment No. 21 to Bylaw Notice Enforcement Bylaw No. 10475

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

1. THAT the following sections in Schedule "A" of the, **GOOD NEIGHBOUR BYLAW NO. 11503**, be deleted that reads:

11503	4.3b	Permit derelict motor vehicle, vehicle, boat or trailer on real property	\$500.00	\$450.00	\$500.00	\$500.00	\$450.00	\$110.00	Yes
11503	5.4	Permit graffiti on a motor vehicle	\$100.00	\$90.00	\$110.00	\$100.00	\$90.00	\$500.00	Yes
11503	7.1	Owner or occupier of real property allow or permit noise to disturb any person	\$250.00	\$225.00	\$275.00	\$500.00	\$450.00	\$500.00	Yes
11503	7.2	Permit or cause noise from an instrument, electronic equipment or device to disturb any person	\$250.00	\$225.00	\$275.00	\$500.00	\$450.00	\$500.00	Yes
11503	7.3	Own, keep or harbor any animal or bird whose sound disturbs any person	\$250.00	\$225.00	\$275.00	\$500.00	\$450.00	\$500.00	Yes

And be replaced with the following new sections that reads:

11503	4.3b	Permit derelict motor vehicle, vehicle, boat or trailer on real property	\$500.00	\$450.00	\$500.00	\$500.00	\$450.00	\$500.00	Yes
11503	5.4	Permit graffiti on a motor vehicle	\$100.00	\$90.00	\$110.00	\$100.00	\$90.00	\$110.00	Yes
11503	7.1	Make noise in a Public Street or space that disturbs the public	\$250.00	\$225.00	\$275.00	\$450.00	\$500.00	\$500.00	Yes
11503	7.2	Owner or occupier of real property allow or permit noise to disturb any person	\$250.00	\$225.00	\$275.00	\$500.00	\$450.00	\$500.00	Yes
11503	7.3	Permit or cause noise from an instrument, electronic equipment or device to disturb any person	\$250.00	\$225.00	\$275.00	\$500.00	\$450.00	\$500.00	Yes
11503	7.4	Own, keep or harbor any animal or bird whose sound disturbs any person	\$250.00	\$225.00	\$275.00	\$500.00	\$450.00	\$500.00	Yes

2. AND THAT **DEVELOPMENT APPLICATION PROCEDURES BYLAW NO. 8140** in Schedule "A" be deleted that reads:

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty Amount Where Compliance Agreement is Shown as "Yes")
DEVELOPMENT APPLICATION PROCEDURES BYLAW NO. 8140						
8140	8.2.3	Alter building or land without development permit	\$500.00	\$450.00	\$500.00	Yes
8140	8.2.4	Obstruct entry of Bylaw Enforcement Officer or City Representative	\$500.00	\$450.00	\$500.00	No
8140	8.2.5	Alter building or land contrary to permit	\$500.00	\$450.00	\$500.00	Yes

And be replaced with the following:

Bylaw No.	Section	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available (*Maximum 50% Reduction in Penalty Amount Where Compliance Agreement is Shown as "Yes")
DEVELOPMENT APPLICATION PROCEDURES BYLAW NO. 10540						
10540	2.14.2 c	Alter building or land without development permit	\$500.00	\$450.00	\$500.00	Yes
10540	2.14.2 d	Obstruct entry of Bylaw Enforcement Officer or City Representative	\$500.00	\$450.00	\$500.00	No

3. This bylaw may be cited for all purposes as "Bylaw No. 11710 being Amendment No. 21 to Bylaw No. Bylaw Notice Enforcement Bylaw No. 10475."
4. 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

Amended at third reading by the Municipal Council this

Adopted by the Municipal Council of the City of Kelowna this

_____ Mayor

_____ City Clerk

CITY OF KELOWNA

BYLAW NO. 11704

Road Closure and Removal of Highway Dedication Bylaw
(Portion of Enterprise Court)

A bylaw pursuant to Section 40 of the Community Charter to authorize the City to permanently close and remove the highway dedication of a portion of highway on Enterprise Court

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

1. That portion of highway attached as Schedule “A” comprising 599.0m² shown in bold black as Closed Road on the Reference Plan prepared by Robert T. Macdonald, B.C.L.S., is hereby stopped up and closed to traffic and the highway dedication removed.
2. The Mayor and City Clerk of the City of Kelowna are hereby authorized to execute such conveyances, titles, survey plans, forms and other documents on behalf of the said City as may be necessary for the purposes aforesaid.

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

Amended at third reading by the Municipal Council this

Approved Pursuant to Section 41(3) of the Community Charter this

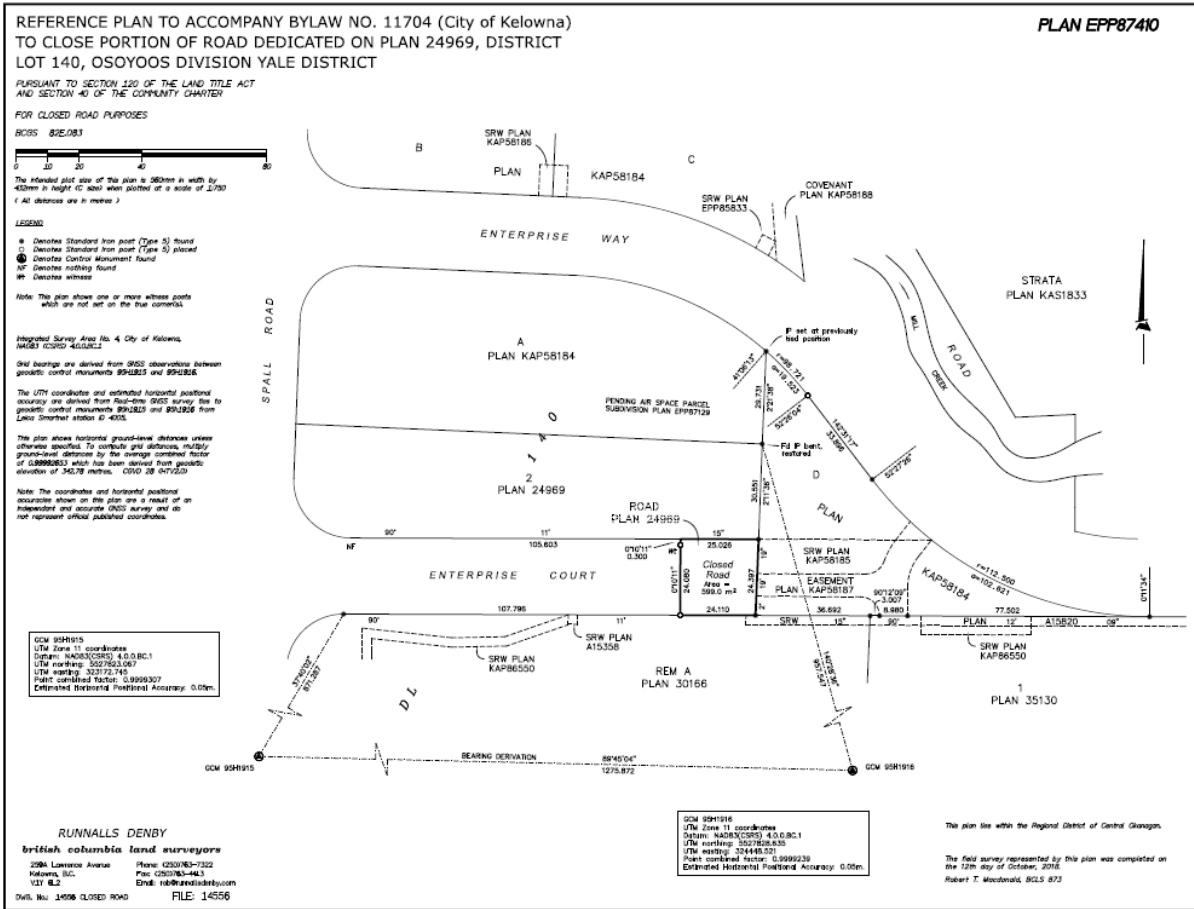
(Approving Officer-Ministry of Transportation)

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk

Schedule "A"



DRAFT RESOLUTION

Re: 2019 Council Meeting Schedule

Staff is recommending the following schedule for regular Council Meetings in 2019:

THAT the 2019 Council Meeting Schedule be adopted as follows:

Monday Regular Meetings

January 7, 14, 21 and 28
February 4, 11 and 25
March 4, 11, 18 and 25
April 1, 8, 15 and 29
May 6, 13 and 27
June 3, 10, 17 and 24
July 15 and 29
August 12 and 26
September 5*, 9, 16 and 30
October 7, 21 and 28
November 4, 18 and 25
December 2, 9 and 12*

Public Hearing/Regular Meetings

January 15 and 29
February 12 and 26
March 12 and 26
April 9 and 23
May 7 and 21
June 4 and 18
July 16 and 30
August 13 and 27
September 10 and 17
October 8 and 22
November 5 and 19
December 3

- * September 5th – Pre-Budget Council Meeting
- * December 12th – 2020 Budget Deliberations

BACKGROUND:

The recommended schedule provides for thirty-seven (37) Monday Council Meetings (excluding the September 5th Pre-Budget Council Meeting and the December 12th 2020 Budget Deliberations) and twenty-three (23) Public Hearing/Regular Council Meetings. As in previous years, the schedule accommodates Council's attendance and participation at the SILGA, FCM and UBCM annual conventions.

Date: November 26, 2018

File: 0610-50



Office of the City Clerk
 1435 Water Street
 Kelowna, BC V1Y 1J4
 250-469-8645
 kelowna.ca

Council meetings

2019 schedule

UPDATED: November 2018

- Monday Regular Meetings (9 a.m./1:30 p.m.)
- Public Hearing/Regular Meeting (6 p.m.)
- 2019 Pre-budget meeting, Sept 5 (evening)
- 5 2019 Budget deliberations, Dec 12 (9 a.m.)
- Summer schedule
- Statutory holiday
- Year-end closure

Conventions: SILGA: April 30 - May 3 (Penticton) FCM: May 30 - June 2 (Quebec City)
 UBCM: Sept. 23 - 27 (Vancouver)

Seminars: LGLA Elected Officials Seminar: January 23 - 25 (Kelowna)

JANUARY						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

FEBRUARY						
S	M	T	W	T	F	S
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

MARCH						
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17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

APRIL						
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

MAY						
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

JUNE						
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30						

JULY						
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28	29	30	31			

AUGUST						
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25	26	27	28	29	30	31

SEPTEMBER						
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22	23	24	25	26	27	28
29	30					

OCTOBER						
S	M	T	W	T	F	S
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

NOVEMBER						
S	M	T	W	T	F	S
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17	18	19	20	21	22	23
24	25	26	27	28	29	30

DECEMBER						
S	M	T	W	T	F	S
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

CITY OF KELOWNA

BYLAW NO. 11623

A bylaw of the City of Kelowna to establish a local area service for the purpose of creating a Local Area Service for the South East Kelowna Integration Project

WHEREAS Order in Council 276/2018, dissolved the South East Kelowna Irrigation District, transferred the Irrigation District's rights, property, assets, and obligations to the City of Kelowna, continued the Irrigation District's water service as a local area service of the City of Kelowna, and required that the City of Kelowna, for the purposes of establishing the local area service, adopt a bylaw under Section 211 of the *Community Charter* within a reasonable period;

AND WHEREAS Section 211 of the *Community Charter*, and amendments thereto, require that a bylaw to establish a local area service:

- (a) Describe the service;
- (b) Define the boundaries of the local service area;
- (c) Identify the methods of cost recovery for the service, including the form of local service tax and the portion of the costs of the service that are to be recovered by the local service tax; and,
- (d) If applicable, identify the portion of the costs of the service that are to be recovered by a general property tax;

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

1. Pursuant to Order in Council 276/2018 and Section 211 of the *Community Charter*, there is hereby established and shall be a local area service to be known as the "South East Kelowna Water Local Area Service" for the purposes of:
 - a. Providing, operating, maintaining, undertaking and carrying out, or causing to be carried out, the supply and installation of a potable domestic water supply, including without limitation transmission mainlines, reservoirs, pump stations, and water supply improvements; and,
 - b. Providing, operating, maintaining, undertaking and carrying out, or causing to be carried out, the supply and installation of an irrigation water supply, including without limitation transmission mainlines, reservoirs, pump stations, and water supply improvement,

and to do all things necessary in connection therewith, including without limitation acquiring any and all such real property, easements, and right-of-ways, and to enter into leases, and to obtain other rights and authorities as may be required or desired.

2. The boundaries of the local service area for the South East Kelowna Water Local Area Service are as described in Section 3 of Order in Council 276/2018, as shown on Schedule "A" attached to and forming part of this bylaw.

Bylaw No. 11623 - Page 2.

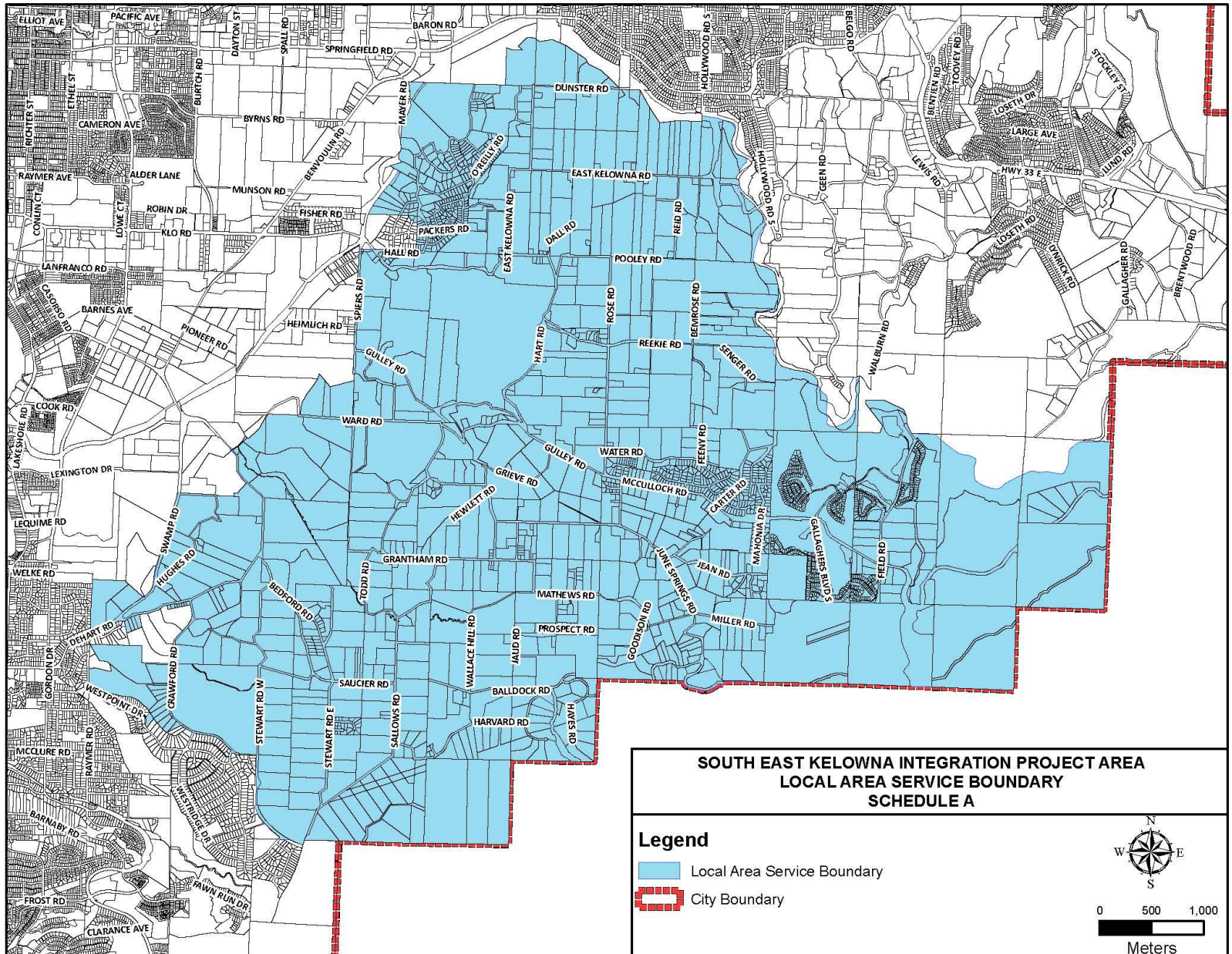
3. The costs of the South East Kelowna Water Local Area Service shall be recovered by:
 - a. Fees imposed under Section 194 of the *Community Charter*; and,
 - b. Local service taxes under Section 216 of the *Community Charter*.
4. Local service taxes imposed in accordance with Section 3(b) above, shall be in the form of parcel taxes under Division 4 of Part 7 of the *Community Charter*, with the portion of the costs of the South East Kelowna Water Local Area Service being recovered through parcel taxes being \$21,313,553 plus the amount by which the costs of construction of the new potable domestic water supply shown and described in the description, plans, and specifications of the South East Kelowna Water Integration Project exceeds \$58,279,125, levied in 18 annual instalments.
5. The Council may, by bylaw, merge this local area service with any other local area service created to provide water works whether contiguous or not, for the purpose of providing, consolidating or completing necessary work for such merged areas.
6. This bylaw shall take effect on the date of its adoption by Council.
7. This bylaw shall be cited as "Establishment of South East Kelowna Water Local Area Service Bylaw No. 11623".

Read a first, second and third time by the Municipal Council this 19th day of November, 2018.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk



CITY OF KELOWNA

BYLAW NO. 11715

Amendment No. 32 to Airport Fees Bylaw No. 7982

The Municipal Council of the City of Kelowna, in open meeting assembled, enacts that the City of Kelowna Airport Fees Bylaw No. 7982 be amended as follows:

1. THAT **Section 14. AUTOMOBILE PARKING FEES**, that reads:

"Section 14. AUTOMOBILE PARKING FEES

Effective April 1, 2014

14.1 PARKING LOTS:

- | | |
|--|--|
| (a) Short Term Lot | First 15 minutes free
\$1.50 for the 1 st hour or part thereof
(includes first 15 minutes)
\$2.50 for each additional hour or part thereof to a maximum of
\$18.50 per 24 hours
\$900.00 for "Gold Pass" a six month pre-purchase program. |
| (b) Long Term Lot | First 15 minutes free
\$1.50 per hour or part thereof (includes first 15 minutes), to a
maximum of \$12.00 per 24 hours and a weekly maximum rate
of \$62.00. |
| (c) North End Lot &
North Airport Way | First 24 hours free \$8.00 for each additional 24 hours or part
thereof. |

14.2 CURBSIDE PARKING METERS \$1.75 per 30 minutes

Note: All automobile parking fees include applicable taxes."

be deleted in its entirety and replaced with the following:

"Section 14. AUTOMOBILE PARKING FEES

Effective December 1, 2018

14.1 PARKING LOTS:

- | | |
|--------------------|---|
| (a) Short Term Lot | \$1.75 for the 1 st hour or part thereof
\$2.75 for each additional hour or part thereof to a maximum of
\$21.00 per 24 hours
\$1025.00 for "Gold Pass" a six month pre-purchase program. |
| (b) Long Term Lot | \$1.75 per hour or part thereof
\$2.75 for each additional hour or part thereof to a maximum of
\$14.00 per 24 hours and a weekly maximum rate of \$70.00. |

(c) North End Lot & North Airport Way First 24 hours free \$8.00 for each additional 24 hours or part thereof.

(d) Valet Parking \$20.00

14.2 CURBSIDE PARKING METERS \$2.00 per 30 minutes

Note: All automobile parking fees include applicable taxes."

2. AND THAT Section 25. **SECURITY FEES AND CHARGES** that reads:

"25. Security Fees and Charges - Effective February 15, 2014:

25.1 Lost or damaged security Restricted Area Identification Card (RAIC)

- a. 1st Offence \$50.00
- b. 2nd Offence \$100.00
- c. 3rd and subsequent Offences \$150.00

Note: Fee is waived if security RAIC is considered stolen and police file number or ICBC claim number is produced to verify

25.2 Failure to Return RAIC on termination of employment - \$25.00 (charged to employer)

25.3 Lost Visitor Security Pass - \$25.00 (charged to escort)

25.4 Lost Security Key - \$25.00

25.5 Lost Parking Decal - \$25.00

25.6 Lost Fuel Cards

- a. 1st Offence \$50.00
- b. 2nd Offence \$100.00
- c. 3rd and subsequent Offences \$150.00"

be deleted in its entirety and replaced with the following:

"25. Security Fees and Charges - Effective January 1, 2019:

25.1 Lost or damaged security Restricted Area Identification Card (RAIC)

- a. 1st Offence \$100.00
- b. 2nd Offence \$200.00
- c. 3rd and subsequent Offences \$300.00

Note: Fee is waived if security RAIC is considered stolen and police file number or ICBC claim number is produced to verify

25.2 Failure to return RAIC on termination of employment - \$100.00 (charged to employer)

25.3 Lost Visitor Security Pass - \$100.00 (charged to escort)

25.4 Lost Security Key - \$100.00

25.5 Lost Parking Decal - \$100.00

25.6 Failure to return visitor security pass, security key or parking decal on termination of employment - \$100.00 (charged to employer)

- 25.7 Lost Fuel Cards
 - a. 1st Offence \$50.00
 - b. 2nd Offence \$100.00
 - c. 3rd and subsequent Offences \$150.00"

- 3. This bylaw may be cited for all purposes as "Bylaw No. 11715, being Amendment No. 32 to Airport Fees Bylaw No. 7982."
- 4. 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 19th day of November, 2018.

Adopted by the Municipal Council of the City of Kelowna this

Mayor

City Clerk